



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, February 19, 2015  
AGENDA

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

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

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

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**BRIEFINGS:**

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Sharon Hurd

Consent Items:

- (1) **S145-079**  
(CC District 10)
- An application to replat a 0.800-acre tract of land containing all of Lots 1 and 2 in City Block A/8081 into one lot on property located at 9835 Walnut Hill Lane.  
Applicant/Owners: O'Reilly Auto Parts/James Loven, Edward Gaddy and William Gaddy  
Surveyor: Huitt-Zollars, Inc.  
Application Filed: January 21, 2015  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S145-081**  
(CC District 14)
- An application to replat a 1.4053-acre tract of land containing all of Lots 1-3 and Lots 9-12 in City Block 1033 into one lot on property located at the southeast corner of Welborn Street and Cedar Springs Road.  
Applicant/Owner: Rick Perdue/MCRT Investments LLC  
Surveyor: Brown & Gay Engineers, Inc.  
Application Filed: January 21, 2015  
Zoning: PD 193 (PDS 92) (O-2) with "D" Dry Overlay  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S145-082**  
(CC District 11)  
An application to create one lot from a 4.0639-acre tract of land in City Block A/7019 on property located at 5327 Lyndon B. Johnson Freeway/ Interstate Highway No. 635.  
Applicant/Owner: Rob Baldwin/Dallas Midtown Properties, LLC  
Surveyor: Brockette/Davis/Drake, Inc.  
Application Filed: January 22, 2015  
Zoning: PD 887 (SD 2 and 3)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S145-083**  
(CC District 3)  
An application to create one lot from an 11.864-acre tract of land in City Block 8605 on property located at 6400 Mountain Creek Parkway.  
Applicant/Owner: Immanuel Together World Mission, Inc.  
Surveyor: Lim & Associates, Inc.  
Application Filed: January 22, 2015  
Zoning: PD 521 (S-4) South Zone  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S145-084**  
(CC District 2)  
An application to replat a 0.770-acre tract of land containing all of Lots 52-55 and part of Lot 56 in City Block B/481 and all of Lots 14-15 and part of Lot 13 in City Block 1/481 into one lot on property located at the southwest corner of Elm Street and Malcolm X Boulevard.  
Applicant/Owner: Westdale Properties America I, LTD  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: January 22, 2015  
Zoning: PD 269 (Parking District 4)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (6) **S145-085**  
(CC District 2)  
An application to create six lots ranging in size from 0.567 acres to 1.552 acres from a 5.372-acre tract of land containing part of the abandoned portions of South Hawkins Street and a variable width alley in City Blocks 270½, 280 and G3/280 on property located at 2505 Elm Street.  
Applicant/Owner: Westdale Properties America I, LTD  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: January 22, 2015  
Zoning: PD 269 CA-2 (A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.



- (7) **S145-087**  
(CC District 6)
- An application to replat a 19.756-acre tract of land containing part of Cement City Addition and part of an unplatted tract of land in City Block 7257 into 5 lots on property located at the southeast corner of Borger Street and Singleton Boulevard.  
Applicant/Owner: Singleton Trinity Groves, LP  
Surveyor: Pacheco Koch Consulting Engineers  
Application Filed: January 22, 2015  
Zoning: PD-933 (Subareas A, C, D, and E)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S145-090**  
(CC District 1)
- An application to replat a 0.672-acre tract of land containing all of Lots 14 and 15 and part of Lot 16 in City Block 3428 into one lot on property located at 875 South R.L. Thornton Freeway (Interstate Highway 35E).  
Applicant/Owner: HappyRams LLC  
Surveyor: Kadleck & Associates  
Application Filed: January 23, 2015  
Zoning: MU-1  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (9) **S145-080**  
(CC District 13)
- An application to replat a 4.258-acre tract of land containing all of Lots 5 and 6 in City Block A/5600 and a portion of City Block 10/5588 into one 1.935-acre lot and one 2.323-acre lot located on the northwest corner of Hollow Way Road and Northwest Highway.  
Applicant/Owner: Benjamin & Tracy Lange and Fifth Church of Christian Science  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: January 22, 2015  
Zoning: R-1ac(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- D145-005**  
Danielle Jimenez  
(CC District 3)
- An application for a development plan for a multifamily development on property within Subdistrict S-2A of Planned Development District No. 521, south of LBJ Freeway and north of the terminus of Eagle Ford Drive, along the north line of West Camp Wisdom Road.  
Staff Recommendation: **Approval**  
Applicant: H198, LLC  
Representative: Mark Housewright, Masterplan Consultants

**W145-006**

Warren Ellis  
(CC District 12)

An application for a waiver of the two-year waiting period to submit a request for an amendment to Planned Development District No. 921 on property on the east line of Coit Road, north of Cullum Street.

Staff Recommendation: **Approval**

Applicant: Ashton Woods

Representative: Centurion American

Miscellaneous Items – Under Advisement:

**W145-004**

Charles Enchill  
(CC District 2)

An application for a waiver of the two-year waiting period to submit a request to amend or remove the Shopfront Overlay on property on the west corner of Inwood Road and Denton Drive.

Staff Recommendation: **Denial**

Applicant: FF Realty II LLC

Representative: Suzan Kedron, Jackson Walker L.L.P.

U/A From: February 5, 2015

Zoning Cases:

1. **Z145-125(OTH)**

Olga Torres Holyoak  
(CC District 4)

An application for the renewal of Specific Use Permit No. 1571 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District northeast of the intersection of Lancaster Road and Kiest Boulevard.

Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions.

Applicant: Jon Dohm, Crown Castle

Representative: Vincent Huebinger

2. **Z145-130(OTH)**

Olga Torres Holyoak  
(CC District 7)

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the north line of Samuell Boulevard, west of South Buckner Boulevard.

Staff Recommendation: **Approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

Applicant: Sam's Real Estate Business Trust

Representative: Myron Dornic, Jackson Walker, L.L.P.

3. **Z145-144(AF)**

Aldo Fritz  
(CC District 6)

An application for an MU-3 Mixed Use District on property zoned an IR Industrial Research District on the southwest line of Valdina Street, west of Wycliff Avenue.

Staff Recommendation: **Approval**

Applicant: Keith Johnston

Representative: Audra Buckley, Permitted Development

4. **Z145-145(AF)**  
Aldo Fritz  
(CC District 13)  
An application for an MU-3 Mixed Use District on property zoned a GO(A) General Office District on the northeast corner of East Northwest Highway and North Central Expressway.  
Staff Recommendation: **Approval**  
Applicant: 8750 NCE Dallas, LLC  
Representative: Karl Crawley, Masterplan
5. **Z145-151(CG)**  
Carrie Gordon  
(CC District 2)  
An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned a RR Regional Retail District on the south line of Samuell Boulevard, east of Owenwood Avenue.  
Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.  
Applicant/Representative: Guliana D. Cantu

Zoning Cases – Under Advisement:

6. **Z112-316(LHS)**  
Lashondra Holmes Stringfellow  
(CC District 8)  
An application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the northwest corner of Cleveland Road and Bonnie View Road.  
Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant/Representative: Andre Mitchell  
U/A From: January 22, 2015 and February 5, 2015
7. **Z134-181(OTH)**  
Olga Torres Holyoak  
(CC District 7)  
An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the southwest corner of Jim Miller Road and Samuell Boulevard.  
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: BZ Mart  
Representative: Santos Martinez, Masterplan  
U/A From: September 18, 2014 and October 23, 2014

8. **Z145-108(OTH)**  
Olga Torres Holyoak  
(CC District 2)
- An application for a Planned Development District for CR Community Retail District uses on property zoned an MF-2(A) Multifamily District and a CR Community Retail District southeast of Capitol Avenue, between Bennett Avenue and North Fitzhugh Avenue.
- Staff Recommendation: **Approval**, subject to development plan, landscape plan and conditions.
- Applicant: Orange Development Company
- Representative: Rob Baldwin
- U/A From: January 22, 2015
9. **Z134-323(RB)**  
Richard Brown  
(CC District 14)
- An application for an amendment to Planned Development District No. 183 for certain MU-3 Mixed Use District uses on the east line of North Central Expressway, south of Haskell Avenue.
- Staff Recommendation: **Approval**, subject to a development plan and staff's revised conditions.
- Applicant: Uptown Cityplace, LLC
- Representative: Suzan Kedron
- U/A From: December 4, 2014, January 8, 2015, January 22, 2015 and February 5, 2015.
10. **Z134-291(CG)**  
Carrie Gordon  
(CC District 1)
- An application for a Planned Development District for residential uses on property zoned an R-7.5(A) Single Family District generally on the west line of North Hampton Road, on the east and west sides of North Boulevard Terrace and north of West Davis Street.
- Staff Recommendation: **Approval**, subject to a conceptual plan, development plan and conditions.
- Applicant: Christian Chernock
- Representative: Tyler Adams
- U/A From: November 20, 2014, December 4, 2014, and January 22, 2015

Zoning Cases – Individual:

11. **Z134-116(CG)**  
Carrie Gordon  
(CC District 3)
- An application for a Planned Development District for MF-1(A) Multifamily District uses on property zoned a TH-1(A) Townhouse District and a CR Community Retail District with deed restrictions along the south line of Clarkwood Drive, the east line of Clark Springs Drive, and north of West Camp Wisdom Road.
- Staff Recommendation: **Approval**, subject to a development plan and conditions.
- Applicant: Rodney Holloman
- Representative: Jay Childs

12. **Z145-119(AF)**  
Aldo Fritz  
(CC District 7)
- An application for a new tract within Planned Development District No. 730 on property zoned Subdistrict R-5(A) within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District and Planned Development District No. 730 on the northwest line of Hooper Street, west of Bexar Street.  
Staff Recommendation: **Approval**, subject to a development plan and conditions.  
Applicant: East Dallas Community Organization  
Representative: Rick Guerrero
13. **Z145-122(AF)**  
Aldo Fritz  
(CC District 6)
- An application for an amendment to Specific Use Permit No. 2003 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned IR Industrial Research District on the northeast corner of Ryan Road and Luna Road.  
Staff Recommendation: **Approval** for a five-year period, subject to revised site and staff's recommended conditions.  
Applicant: Cowtown Redi Mix, Inc.  
Representative: Isaam Shmaisani
14. **Z145-137(WE)**  
Warren Ellis  
(CC District 1)
- An application for a new Planned Development Subdistrict for a medical clinic or ambulatory surgical center on property zoned Tract 2, Subdistrict 1A of Planned Development District No. 830, the Davis Street Special Purpose District on the east side of North Bishop Avenue, north of Neches Street.  
Staff Recommendation: **Approval**, subject to conditions  
Applicant: Bombay Holdings, LLC  
Representative: Rob Baldwin, Baldwin Associates
15. **Z145-149(WE)**  
Warren Ellis  
(CC District 4)
- An application for a Planned Development District for R-7.5(A) Single Family District and open-enrollment charter school uses on property zoned an R-7.5(A) Single Family District and a CR Community Retail District on the southwest corner of Korgan Street and South Ewing Avenue.  
Staff Recommendation: **Approval**, subject to a development plan, traffic management plan and staff's recommended conditions.  
Applicant: Turner-Agassi Charter School Facilities Fund, L.P.  
Representative: Tommy Mann and Laura Hoffman Winstead, PC
16. **Z145-140(OTH)**  
Olga Torres Holyoak  
(CC District 14)
- An application for a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District south of Goodwin Avenue, east of Greenville Avenue.  
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, tower elevation and conditions.  
Applicant: Verizon Wireless  
Representative: Kathy Zibilich, Griffin Harris PLLC

Development Code Amendment:

**DCA123-004(VM)**

Valerie Miller

Consideration of amending Chapters 51 and Chapter 51A of the Dallas Development Code, Section 51-4.215, "Animal Related Uses," to amend Farm or Ranch regulations and Section 51A-4.201, "Agricultural Uses," to amend regulations pertaining to Animal Production and Crop Production.

Staff Recommendation: **Approval**

Zoning Ordinance Committee Recommendation: **Approval**

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Other Matters

**FY2013-14 City Plan Commission Annual Report**

Minutes: February 5, 2015

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, February 19, 2015**

**TRANSPORTATION COMMITTEE MEETING** - Thursday, February 19, 2015, City Hall, 1500 Marilla Street, in Council Chambers at 8:30 a.m., to consider the following: **(1)** Change the dimensional classification of Myrtle Street from Hatcher to Bexar Street from a four lane undivided roadway (S-4-U) within 60 feet of right-of-way to a special two lane undivided (SPCL 2U) roadway with a bicycle facility within 50 feet of right-of-way and 36 feet of pavement; and **(2)** Change the dimensional classification of Bexar Street from Myrtle Street to Riverfront Extension from a four lane undivided roadway (S-4-U) within 60 feet of right-of-way to a special two lane undivided (SPCL 2U) roadway with a bicycle facility within 50 feet of right-of-way and 36 feet of pavement.

**ZONING ORDINANCE COMMITTEE (ZOC) MEETING** – Thursday, February 19, 2015, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider **(1) DCA 145-002** - Consideration of amending the Dallas Development Code to amend Article X, the Landscape and Tree Preservation regulations.

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

### **EXECUTIVE SESSION NOTICE**

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

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



**CITY PLAN COMMISSION****THURSDAY, February 19, 2015****FILE NUMBER:** S145-079**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 9835 Walnut Hill Lane**DATE FILED:** January 21, 2015**ZONING:** CR**CITY COUNCIL DISTRICT:** 10 **SIZE OF REQUEST:** 0.800-Acres **MAPSCO:** 27Q**APPLICANT/OWNERS:** O'Reilly Auto Parts/James Loven, Edward Gaddy and William Gaddy

**REQUEST:** An application to replat a 0.800-acre tract of land containing all of Lots 1 and 2 in City Block A/8081 into one lot on property located at 9835 Walnut Hill Lane.

**SUBDIVISION HISTORY:**

1. S101-120 was an application to create 18 lots ranging in size from 0.198 acres to 3.612 acres from a 9.46 acre tract of land in City Block 8119 located at Walnut Hill Lane at Audelia Road, southwest corner. The request was approved on July 7, 2011, and was recorded on September 26, 2012.

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

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A-8.603; Section 51A-8.604
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
13. On the final plat show the recording information on all existing easements within 150 feet of the property.
14. On the final plat two control monuments must be shown. Section 51A-8.617(a)(2)
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-60(g)(1)
16. Water/wastewater main extension is required by Private Development Contract. Chapter 49-60(g)(1); Chapter 49-62(f)(1); Chapter 49-62(b)(c)
17. On the final plat identify the property as Lot 1A in City Block A/8081. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)









**CITY PLAN COMMISSION****THURSDAY, February 19, 2015****FILE NUMBER:** S145-081**Senior Planner:** Sharon Hurd, AICP**LOCATION:** Southeast corner of Welborn Street and Cedar Springs Road**DATE FILED:** January 21, 2015 **ZONING:** PD 193 (PDS 92) (O-2) with a D Dry Overlay**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 1.4053-Acres **MAPSCO:** 35W,X**APPLICANT/OWNERS:** Rick Perdue/MCRT Investments LLC

**REQUEST:** An application to replat a 1.4053-acre tract of land containing all of Lots 1-3 and Lots 9-12 in City Block 1033 into one lot on property located at the southeast corner of Welborn Street and Cedar Springs Road.

**SUBDIVISION HISTORY:**

1. S134-151 was an application to replat a 0.601 acre of land containing all of Lots 11A, 11B, and 12 in City Block 1/6133 into one lot on property located at 755, 761 and 763 Peavy Road, southeast of Northcliff Road. The request was approved on June 5, 2014, but has not yet been recorded.
2. S123-184 was an application to replat a 0.189 acre tract of land containing all of Lot 12A in City Block A/1030 into one 0.07 acre lot and one 0.119 acre lot on property located at 3520 Gillespie Street north of Sale Street. The request was approved on July 11, 2013, and recorded on September 13, 2013.
3. S112-085 was an application to create one 3.009 acre lot and one 3.256 acre lot from a 6.265 acre tract of land in City Blocks A/1031 and A/1035 on property bounded by Sale Street, Cedar Springs Road and Turtle Creek Boulevard. The request was approved on March 22, 2012, and recorded on June 26, 2012.
4. S112-040 was an application to replat a 0.335 acre tract of land containing Lot 18 in City Block A/1030 and a tract of land in City Block 1030 on Sale Street between Gillespie Street and Dickason Avenue. The request was approved on December 15, 2011, but has not been recorded.
5. S101-152 was an application to replat a 0.189 acre tract of land containing all of Lots 12 and 13 in City Block A/1030 into one 0.189 acre lot on Gillespie Avenue southeast of Hood Street. The request was approved on September 1, 2011 and recorded on December 13, 2012.

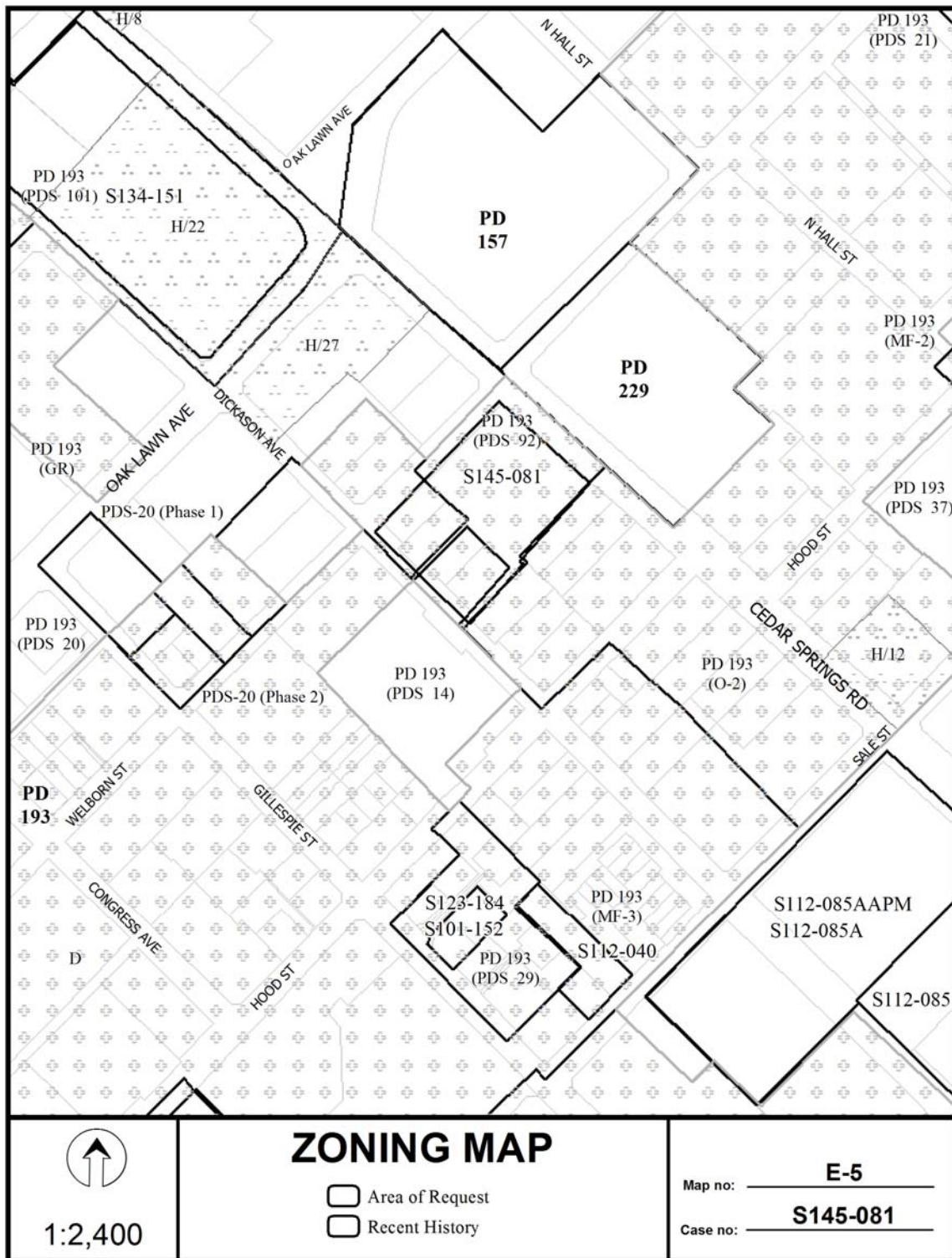
**STAFF RECOMMENDATION:** The request complies with the requirements of PD 193 (PDS 92) (O-2) with "D" Dry Overlay, zoning district. The approved PD stipulates that a uniform building line may establish a front yard less than prescribed by the Code if the building line provides a front yard of ten feet or more, is established by a plat approved by the Commission and recorded with the County Clerk, and is part of a plan for the orderly development of the subdivision. The proposed 10-foot building setback meets

this requirement; therefore, staff recommends approval subject to compliance with the following conditions:

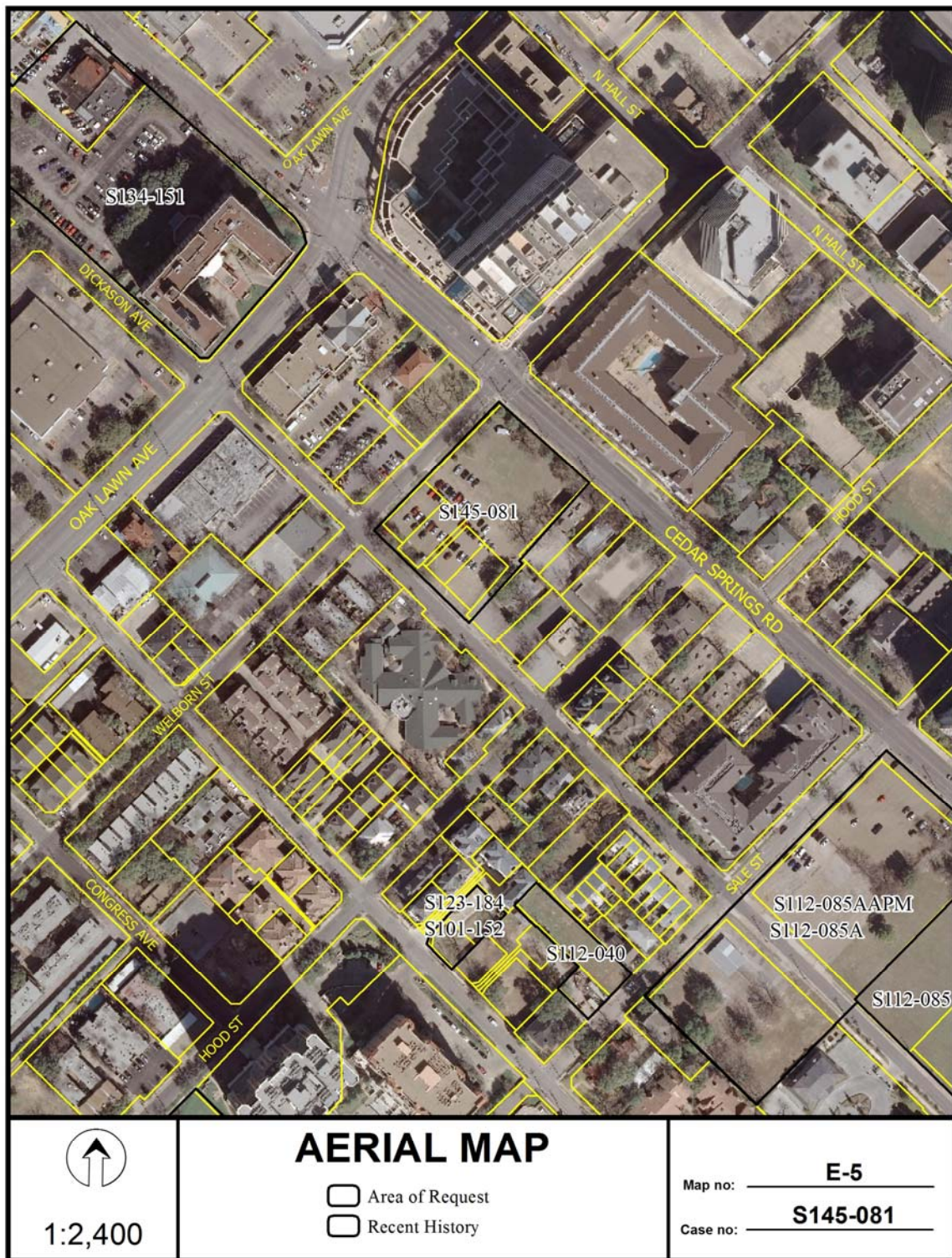
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Ordinance No. 24843
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A8.603; Section 51A-8.604
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff. Section 51A-8.102(c); Section 51A-(4),(5),(6), (7),(8),(9)
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
14. On the final plat show how all adjoining right-of-way was created. Survey Manual

15. Prior to the final plat, abandon 8-foot private driveway by separate instrument.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-60(g)(1)
17. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of the development for investigation. Chapter 49-60(b)(2)(d) and Chapter 49-60(d)
18. Water/wastewater main extension is required by Private Development Contract. Chapter 49-60(g)(1); Chapter 49-62(f)(1); Chapter 49-62(b)(9c)
19. On the final plat, maintain 60-feet of right-of-way on Cedar Springs, per City of Dallas Thoroughfare Plan. Section 51-9.101
20. On the final plat identify the property as Lot 1A in City Block 1033. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)

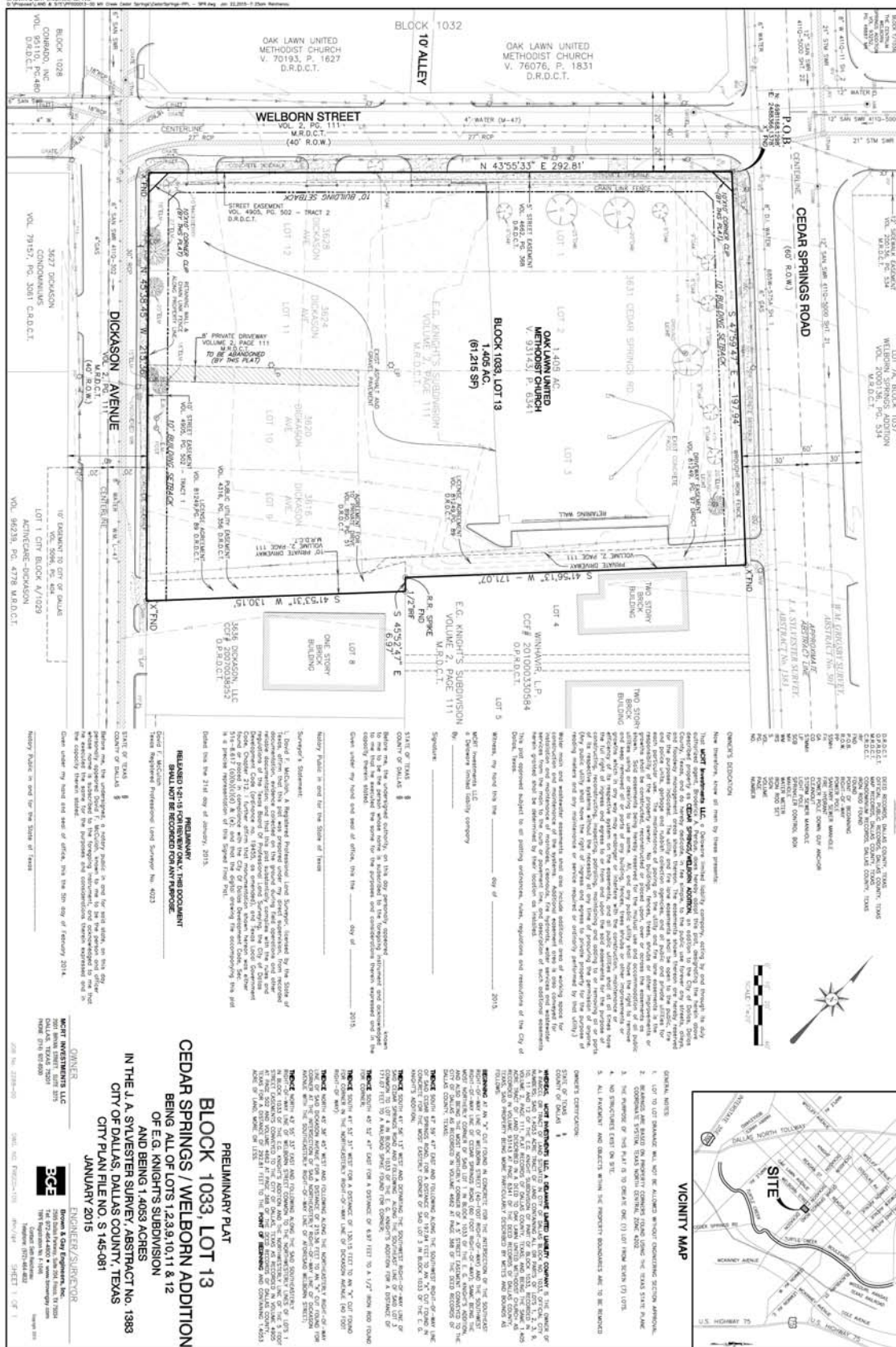












**CITY PLAN COMMISSION****THURSDAY, February 19, 2015****FILE NUMBER:** S145-082**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 5327 Lyndon B. Johnson Freeway/Interstate Highway No. 635**DATE FILED:** January 22, 2015**ZONING:** PD 887 (SD 2 and 3)**CITY COUNCIL DISTRICT:** 11    **SIZE OF REQUEST:** 4.0639-Acres    **MAPSCO:** 15N**APPLICANT/OWNER:** Rob Baldwin/Dallas Midtown Properties, LLC

**REQUEST:** An application to create one lot from a 4.0639-acre tract of land in City Block A/7019 on property located at 5327 Lyndon B. Johnson Freeway/Interstate Highway No. 635.

**SUBDIVISION HISTORY:**

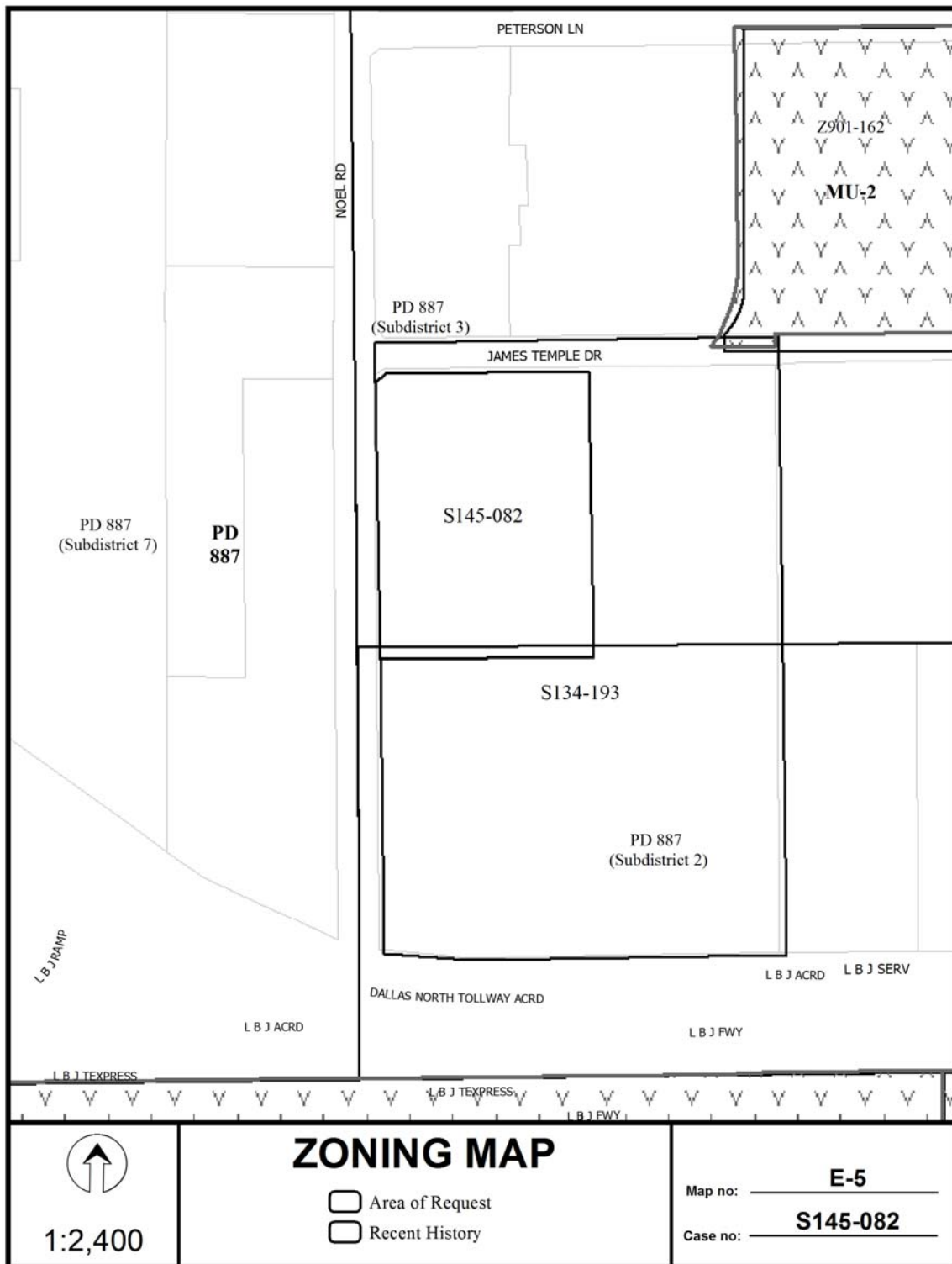
1. S134-193 was an application to create two lots, one 3.6625-acre lot and one 10.5767-acre lot from a 15.0031-acre tract of land in City Block 7019 on property located at 5327 Lyndon B. Johnson Freeway / Interstate Highway No. 635. The request was denied on July 19, 2012 because it did not conform to the zoning regulations applicable to the site.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 887 (SD 2 and 3), zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

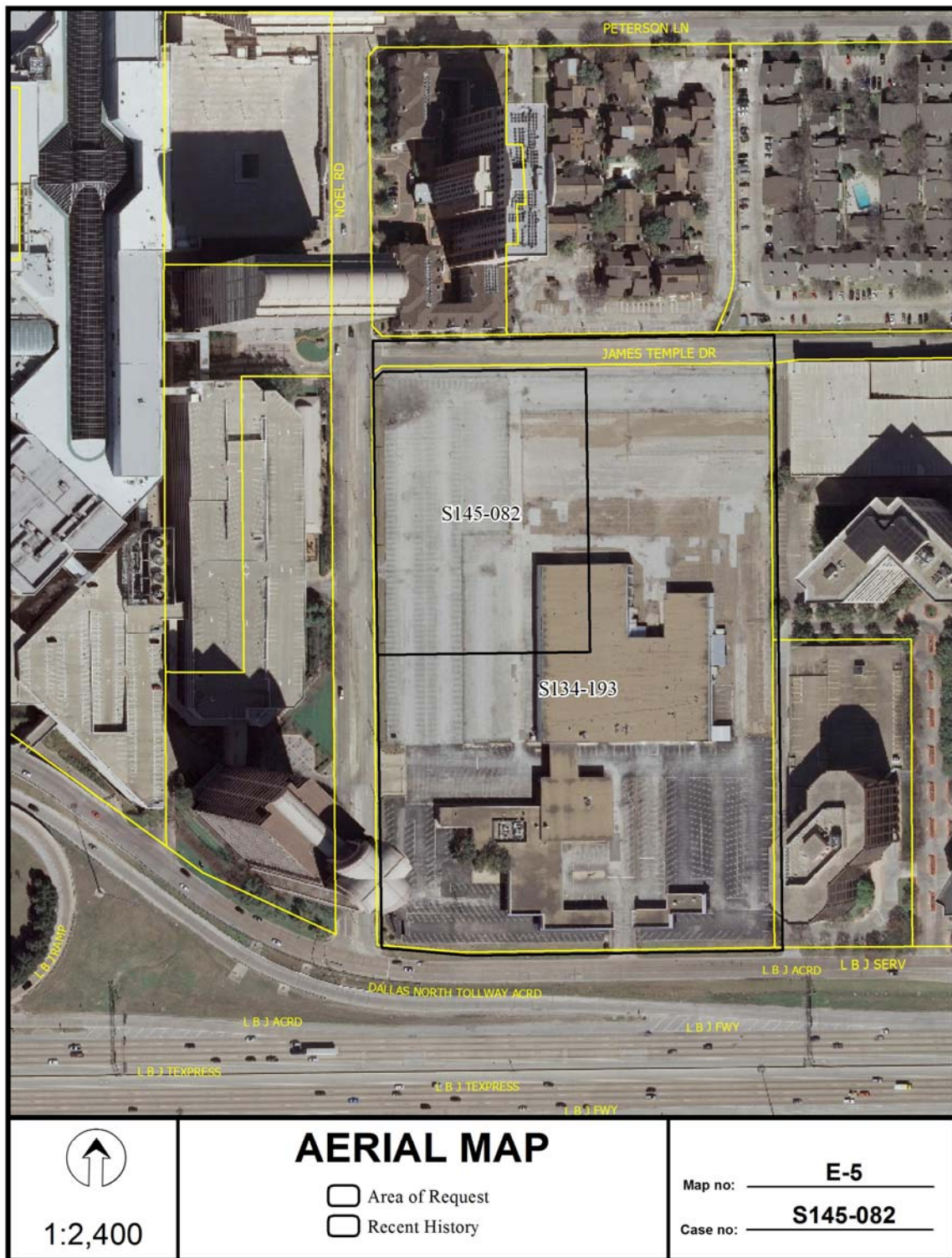
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Ordinance #24843
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A8.603; Section 51A-8.604
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff. Section 51A-8.102(c); Section 51A-(4), (5), (6), (7), (8), and (9)
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
14. On the final plat dedicate 34.5 feet of right-of-way from the established centerline of Unnamed FN8. Section 51A-8.611(e); Section 51A-8.602(c); and Section 51A-8.604(c)
15. On the final plat, dedicate a 10-foot by 10-foot corner clip at Noel Road and James Temple Drive. Section 51A-8.602(d)(1)
16. On the final plat, dedicate a 10-foot by 10-foot corner clip at Noel Road and Unnamed FN8. Section 51A-8.602(d)(1)
17. Construct a minimum 20-foot all weather pavement along the southern platted lot line within the Unnamed FN8 right-of-way dedication in compliance with Section 51A-8.604(b)(2).
18. On the final plat, dedicate a 25-foot storm sewer easement. A thirty-foot easement width may be required upon review of submitted engineering plans.
19. On the final plat show the recording information of the access easement that is dedicated by separate instrument.
20. On the final plat show the recording information of all existing easements within 150 feet of the property.
21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-60(g)(1)
22. Water/wastewater main extension may be required by Private Development Contract. Chapter 49-60(g)(1); Chapter 49-62(f)(1); Chapter 49-62(b)(9c)

23. On the final plat, dedicate nine feet to the centerline of the Pedestrian Access Easement.
24. Prior to the final plat, a proper demolition permit is required to be obtained for the removal of all related structures and a final inspection is required. All pavement is to be removed and all curbs are to be restored. Chapter 51A-Section 43-9; Chapter 52-Section 301.1.1; and Chapter 53-Section 3715.1
25. Prior to the final plat, contact the Street Name Coordinator for assistance in selecting an appropriate name for the Unnamed FN8 along the southern boundary of the site. Section 51A-8.403(a)(1)(xiv) and Section 51A-8.506(e)
26. On the final plat identify the property as Lot 1 in City Block B/7019. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)

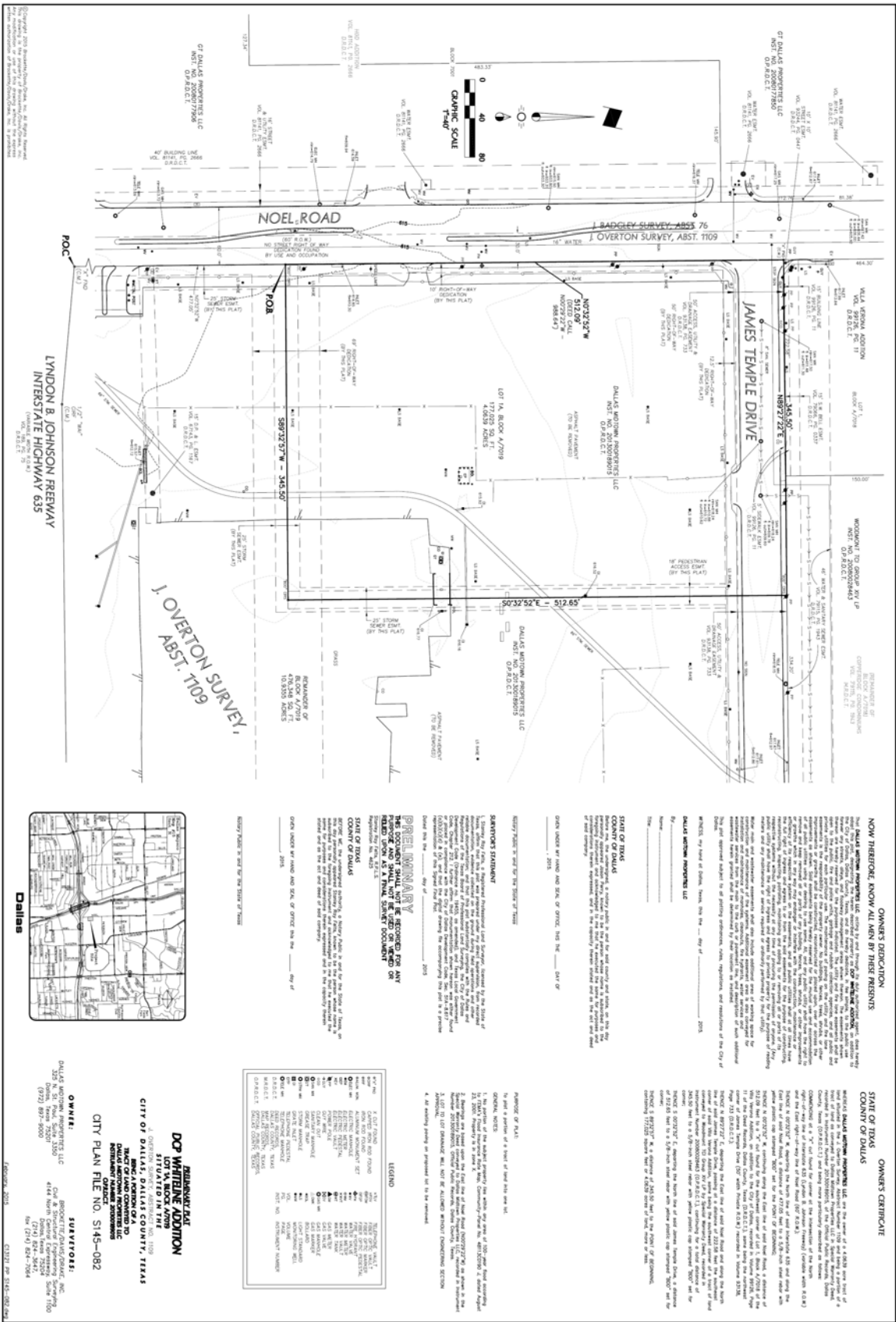


2/2/2015









**CITY PLAN COMMISSION****THURSDAY, February 19, 2015****FILE NUMBER:** S145-083**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 6400 Mountain Creek Parkway**DATE FILED:** January 22, 2015**ZONING:** PD 521 (S-4) South Zone**CITY COUNCIL DISTRICT:** 3    **SIZE OF REQUEST:** 11.864-Acres    **MAPSCO:** 71B**APPLICANT/OWNER:** Immanuel Together World Mission, Inc.

**REQUEST:** An application to create one lot from an 11.864-acre tract of land in City Block 8605 on property located at 6400 Mountain Creek Parkway.

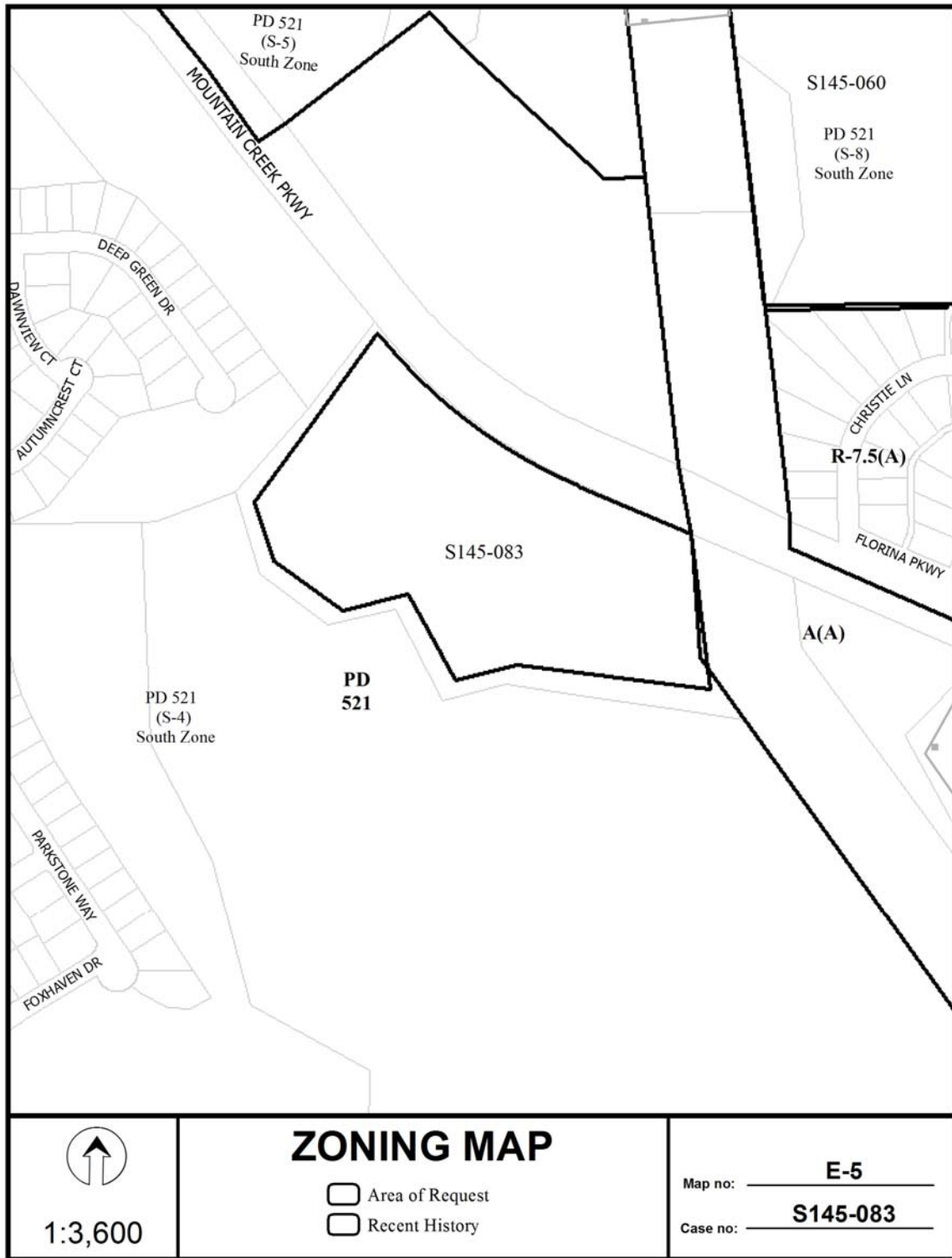
**SUBDIVISION HISTORY:**

1. S145-060 was an application to replat a portion of Lot 12 and a 14.779-acre tract of land in City Block G/8721 into one 16.416-acre lot on property located on Isom Road, north of Mountain Creek Parkway. The request was approved on January 8, 2015, but has not yet been recorded.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 521 (S-4) South Zone, zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A8.603; Section 51A-8.604
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff. Section 51A-8.102(c); Section 51A-(4), (5), (6), (7), (8), and (9)
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
14. On the final plat show two control monuments. Survey Manual
15. Prior to the final plat, verify if Mountain Creek Parkway is an easement. If so, dedicate one-half of the right-of-way.
16. On the final plat label "Deep Green Drive" in its right-of-way. Section 51A-8.403 (a)(1)(xii)
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-(60)(g)(1)
18. On the final plat, existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer. Chapter 49-(60)(d) and DWU Water & Wastewater Design Manual Table 1.8.3 Page 1-10
19. Water/wastewater main extension is required by Private Development Contract. Chapter 49-60(g)(1); Chapter 49-62(f)(1); Chapter 49-62(b)(c)
20. On the final plat identify the property as Lot 1 in City Block 2/8684. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)









**CITY PLAN COMMISSION****THURSDAY, February 19, 2015****FILE NUMBER:** S145-084**Senior Planner:** Sharon Hurd, AICP**LOCATION:** Southwest corner of Elm Street and Malcolm X Boulevard**DATE FILED:** January 22, 2015**ZONING:** PD 269 (Parking District 4)**CITY COUNCIL DISTRICT:** 2    **SIZE OF REQUEST:** 0.770-Acres    **MAPSCO:** 45M**APPLICANT/OWNER:** Westdale Properties America I, LTD

**REQUEST:** An application to replat a 0.770-acre tract of land containing all of Lots 52-55 and part of Lot 56 in City Block B/481 and all of Lots 14-15 and part of Lot 13 in City Block 1/481 into one lot on property located at the southwest corner of Elm Street and Malcolm X Boulevard.

**SUBDIVISION HISTORY:**

1. S134-240 was an application to replat a 1.151-acre tract of land containing all of Lots 1-8 in City Block 4/186 into one 0.785-acre lot, one 0.144-acre lot, and one 0.221-acre lot, on property located at 2700 Commerce Street. The request was approved on September 18, 2014, but has not yet been recorded.
2. S134-191 was an application to create a 0.2180-acre lot from a tract of land in City Block 182 on property located at 2623 and 2625 Main Street. The request was approved on July 10, 2014, but has not yet been recorded.
3. S123-043 was an application to replat a 2.723 acre tract of land containing all of Lot 2A in City Block F/486; all of Lot 8A in City Block E/485, and a portion of Dallas Area Rapid Transit Right-Of-Way to be abandoned on property located on Indiana Street at Malcolm X Boulevard, northwest corner. The request was approved on December 20, 2012, but has not yet been recorded.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 269 (Parking District 4), zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

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

5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A8.603; Section 51A-8.604
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
13. On the final plat, dedicate a 10 foot by 10 foot corner clip at Malcolm X Boulevard and Main Street. Section 51A-8.602(d)(1).
14. On the final plat, dedicate a 10 foot by 10 foot corner clip at Malcolm X Boulevard and Elm Street. Section 51A-8.602(d)(1).
15. Comply with Mill Creek drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb. Section 51A-611(d), Section 51A-5.107
16. On the final plat choose a different addition name. Section 51A-8.403(a)(1)(A)(v)
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49(60)(g)(1)
18. Water/wastewater main extension is required by Private Development Contract. Chapter 49-60(g)(1); Chapter 49-62(f)(1); Chapter 49-62(b)9c)
19. On the final plat, change "Crowder Street" to "Crowdus Street", as named by plat of Crowdus and Akard Addition. Section 51A-8.403(a)(1)(xii)

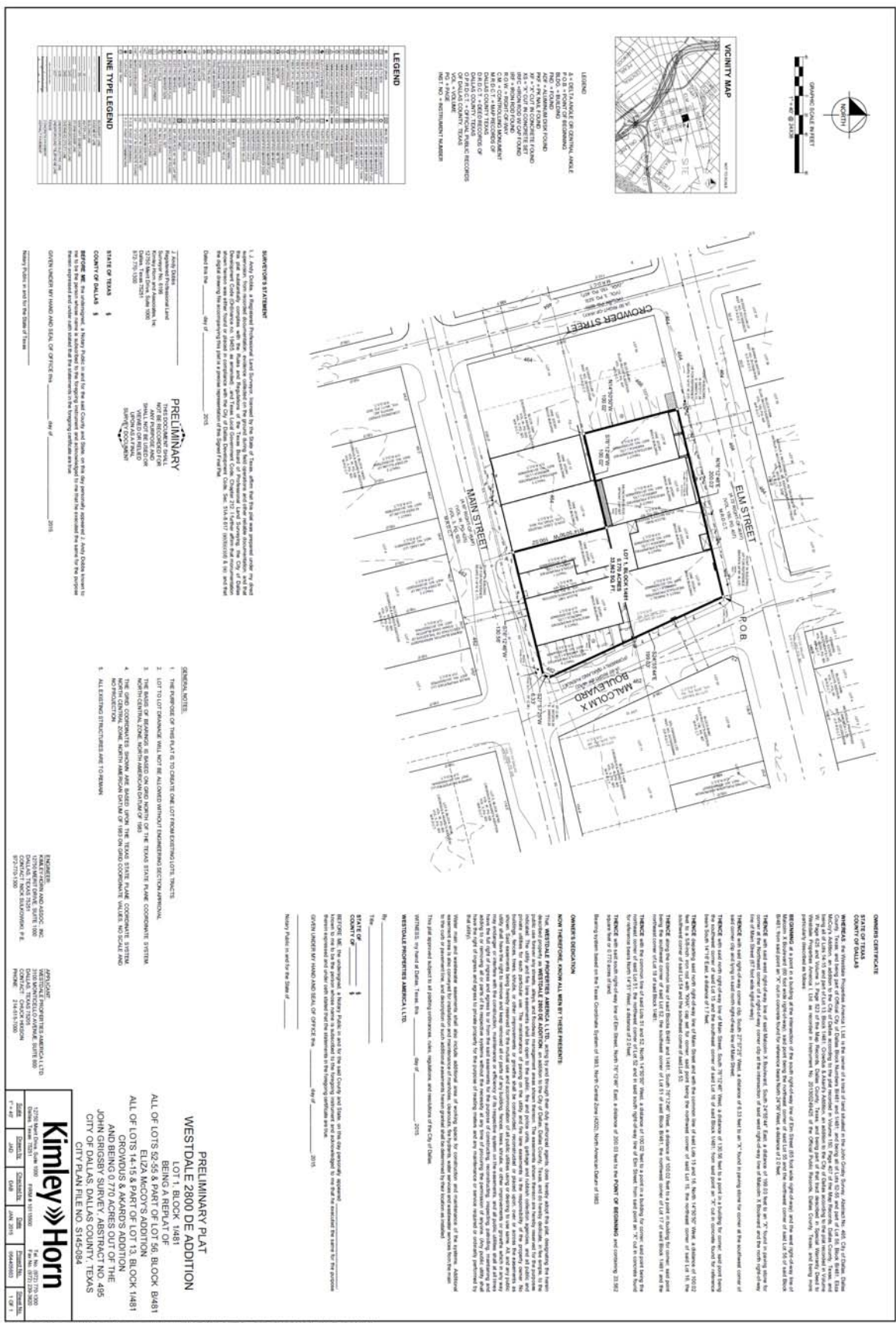


20. On the final plat identify the property as Lot 12A in City Block B/481. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)









**CITY PLAN COMMISSION****THURSDAY, February 19, 2015****FILE NUMBER:** S145-085**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 2505 Elm Street**DATE FILED:** January 22, 2015**ZONING:** PD 269 CA-2 (A)**CITY COUNCIL DISTRICT:** 2    **SIZE OF REQUEST:** 5.372-Acres    **MAPSCO:** 45M**APPLICANT/OWNER:** Westdale Properties America I, LTD

**REQUEST:** An application to create six lots ranging in size from 0.567 acres to 1.552 acres from a 5.372-acre tract of land containing part of the abandoned portions of South Hawkins Street and a variable width alley in City Blocks 270½, 280 and G3/280 on property located at 2505 Elm Street.

**SUBDIVISION HISTORY:**

1. S134-191 was an application to create a 0.2180-acre lot from a tract of land in City Block 182 on property located at 2623 and 2625 Main Street. The request was approved on July 10, 2014, but has not yet been recorded.
2. S123-201 was an application to create a 0.376-acre tract of land containing part of City Block 317 corner of Florence Street and North Hawkins Street. The request was approved on July 25, 2013, but has not yet been recorded.
3. S123-043 was an application to replat a 2.723-acre tract of land containing all of Lot 2A in City Block F/486; all of Lot 8A in City Block E/485, and a portion of Dallas Area Rapid Transit Right-Of-Way to be abandoned on property located on Indiana Street at Malcolm X Boulevard, northwest corner. The request was approved on December 20, 2012, but has not yet been recorded.
4. S112-075 was an application to replat a 1.363-acre tract of land containing all of Lots 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 and a portion of an abandoned 20 foot alley all located in City Block 326; and fronting on Texas Street between Swiss Avenue and Florence Street. The request was approved on March 12, 2012, and was recorded on July 9, 2014.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 269 CA-2 (A), zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

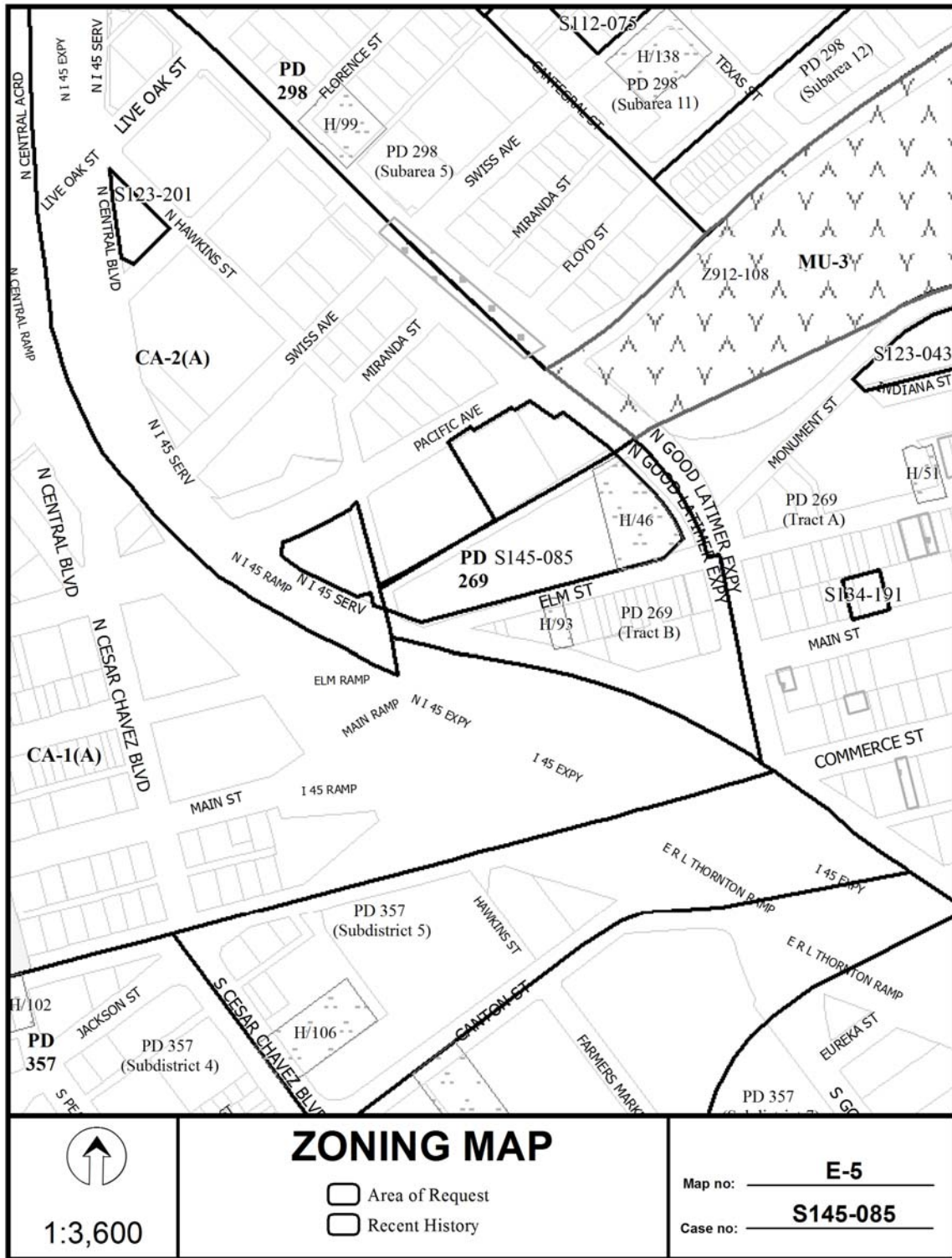
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.

3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
10. The maximum number of lots permitted by this plat is 6.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A8.603; Section 51A-8.604
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
13. On the final plat dedicate 36.25 feet of right-of-way from the established centerline of Pacific Avenue. Section 51A-8.602(c)
14. On the final plat dedicate 59 feet of right-of-way from the established centerline of Good-Latimer Expressway. Section 51A-8.602(c)
15. On the final plat, add a note stating that TXDOT approval may be required for any driveway modifications or new access. Section 51A-8.617
16. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance, or follow the City of Dallas' standard affidavit requirements. Section 51A-8.610
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and



proposed water and wastewater service locations with service sizes. Chapter 49(60)(g)(1)

18. Water/wastewater main extension is required by Private Development Contract. Chapter 49-60(g)(1); Chapter 49-62(f)(1); Chapter 49-62(b)9c).
19. On the final plat, remove the reference to "Formally Floyd Street Ordinance No. 1A". Section 51A-8.403(a)(1)(xii)
20. On the final plat, change all other references of "Ordinance No. 1A" to "Ordinance Volume 1A, Page 131". Section 51A-8.403(a)(1)(xii)
21. On the final plat, add a label for "Gaston Avenue" in its right-of-way, east of Good-Latimer Expressway. Section 51A-8.403(a)(1)(xii)
22. On the final plat identify the property as Lots 1-6 in City Block A/280. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)













**CITY PLAN COMMISSION****THURSDAY, February 19, 2015****FILE NUMBER:** S145-087**Senior Planner:** Sharon Hurd, AICP**LOCATION:** Southeast corner of Borger Street and Singleton Boulevard**DATE FILED:** January 22, 2015**ZONING:** PD-933 (Subareas A, C, D and E)**CITY COUNCIL DISTRICT:** 6    **SIZE OF REQUEST:** 19.756-Acres    **MAPSCO:** 44P**APPLICANT/OWNER:** Singleton Trinity Groves, LP

**REQUEST:** An application to replat a 19.756-acre tract of land containing part of the Cement City Addition and part of an unplatted tract of land in City Block 7257 into five lots on property located at the southeast corner of Borger Street and Singleton Boulevard.

**SUBDIVISION HISTORY:**

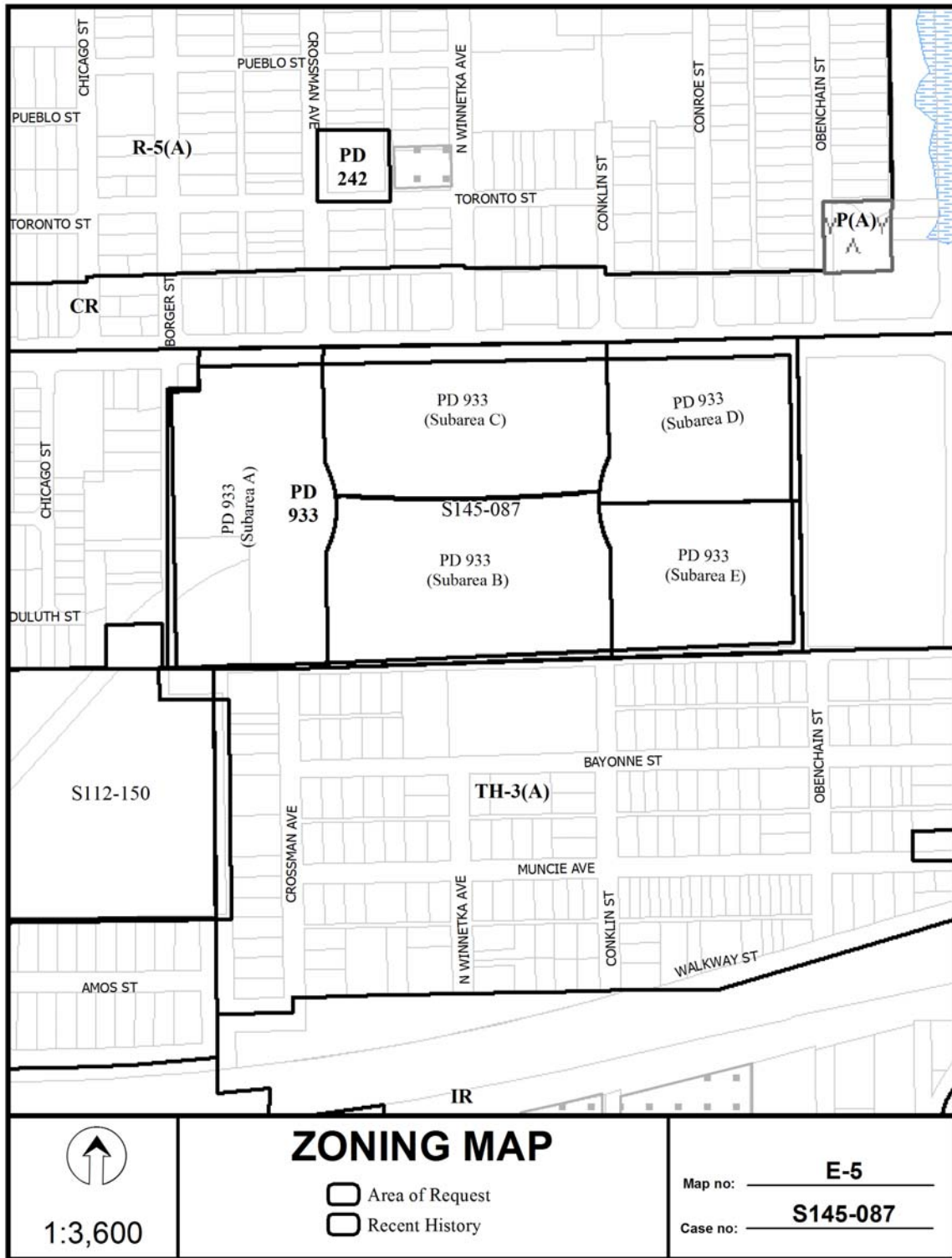
1. S112-150 was an application to create a 15.528-acre lot from a tract of land containing all of Lots 37-40 in City Block 7259 on property located on Borger Street, between Singleton Boulevard and Andy Street. The request was approved on July 12, 2012, but has not yet been recorded.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD-933 (Subareas A, C, D, and E), zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 5.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A-8.603; Section 51A-8.604
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.102(c); Section 51A-(4),(5),(6),(7),(8),(9)
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
14. On the final plat dedicate 50 feet of right-of-way from the established centerline of Singleton Boulevard. Section 51A-8.602(c)
15. On the final plat, Singleton Boulevard requires 100 feet of right-of-way, per City of Dallas Thoroughfare Plan. Section 51-9.101
15. On the final plat dedicate right-of-way along Obenchain Street, Borger Street, and Duluth Street per approved PD concept plan. Section 51A-8.602(c)
16. On the final plat, dedicate a 10 foot by 10 foot corner clip at all intersections. Section 51A-8.602(d)(1)
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-60(g)(1)
18. Water/wastewater main extension is required by Private Development Contract. Chapter 49-60(g)(1); Chapter 49-62(f)(1); Chapter 49-62(b)(c).
19. On the final plat, correct the variable width right-of-way dedication arrows that overlap the 3-foot Sidewalk and Utility Easement dedication shown on Sheet 3 of 5.
20. On the final plat, remove the reference "Ordinance No. 1A, Approved 8/15/1872" for Singleton Boulevard on Sheets 1 and 2. Section 51A-8.403(a)(1)(xii)
21. On the final plat, provide recording information for the abandonment of "WINNETKA AVENUE", south of Duluth Street. Section 51A-8.403(a)(1)(xii)

22. On the final plat, provide recording information for any abandonment of "OBENCHAIN STREET", east of the subject area. Section 51A-8.403(a)(1)(xii)
23. On the final plat, indicate and label any existing or planned improvements for "OBENCHAIN STREET", east of the subject area. Section 51A-8.403(a)(1)(xiii)
24. On the final plat, indicate and label any existing or planned improvements for "DULUTH STREET", south of the subject area. Section 51-A-8.403(a)(1)(xiii)
25. On the final plat identify the property as Lots 1-5 in City Block A/7257. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)









- GENERAL NOTES**
1. Surveying Station is based on the State Plane Coordinate System, North American Datum of 1983 (NAD 83), Texas North Central Zone, Zone 14N, County 7001, Township 34N, Range 14E, Section 36, Dallas County, Texas. The surveying station is located at the intersection of the centerline of the proposed road and the centerline of the proposed lot.
  2. Lot dimensions are shown with bearings and distances. The bearings are given in degrees, minutes, and seconds. The distances are given in feet and inches.
  3. The location of this plat is to create multi-phase development from the existing single lot.
  4. All buildings to be demolished.

LOT	AREA
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94	1.000
95	1.000
96	1.000
97	1.000
98	1.000
99	1.000
100	1.000

SURVEYOR'S ENGINEER  
DAN R. COOK, CIVIL ENGINEER  
NO. 11111  
P.O. BOX 11111  
DALLAS, TEXAS 75211  
PH. 972-251-2001  
CONTRACT NO. 11111

SURVEYOR'S ENGINEER  
DAN R. COOK, CIVIL ENGINEER  
NO. 11111  
P.O. BOX 11111  
DALLAS, TEXAS 75211  
PH. 972-251-2001  
CONTRACT NO. 11111

**Pacheco Koch**  
CITY PLAN FILE NO. 5145-087

WILLIAM R. COOKS SURVEY, ABSTRACT NO. 200,  
CITY PLAN FILE NO. 5145-087

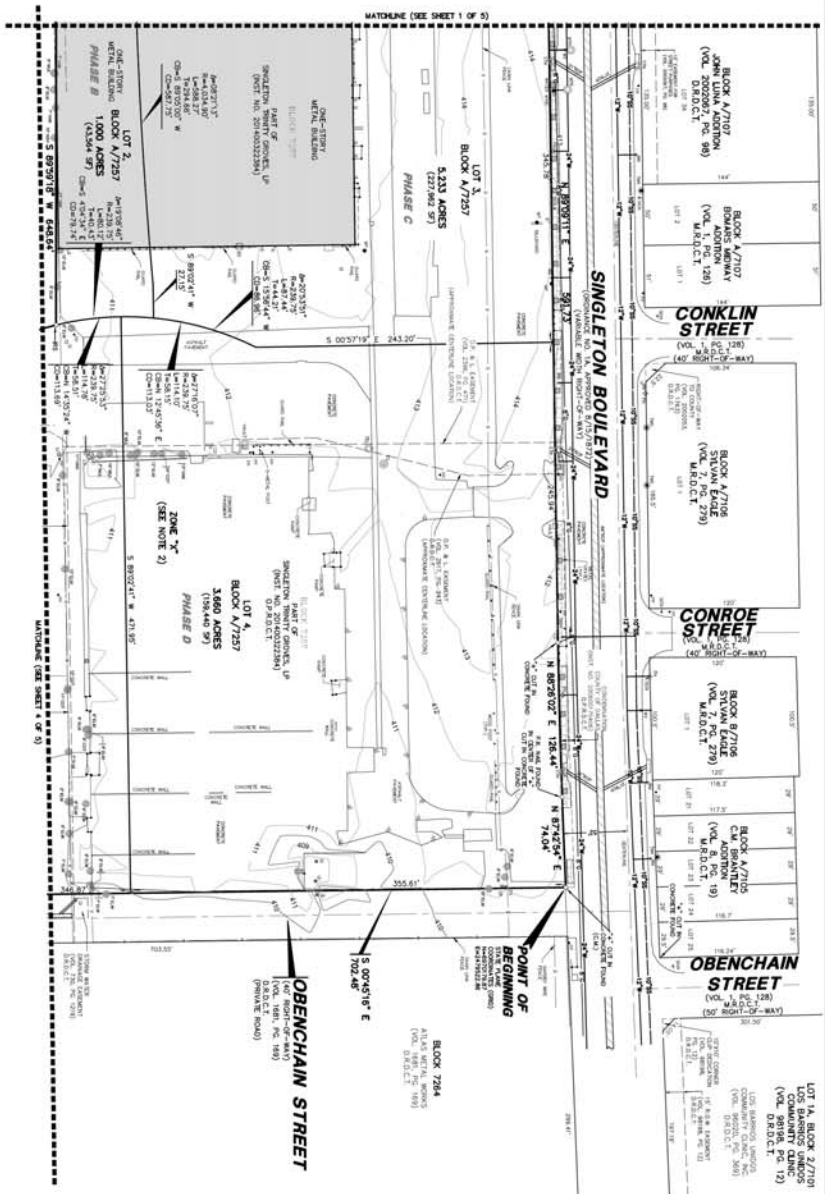
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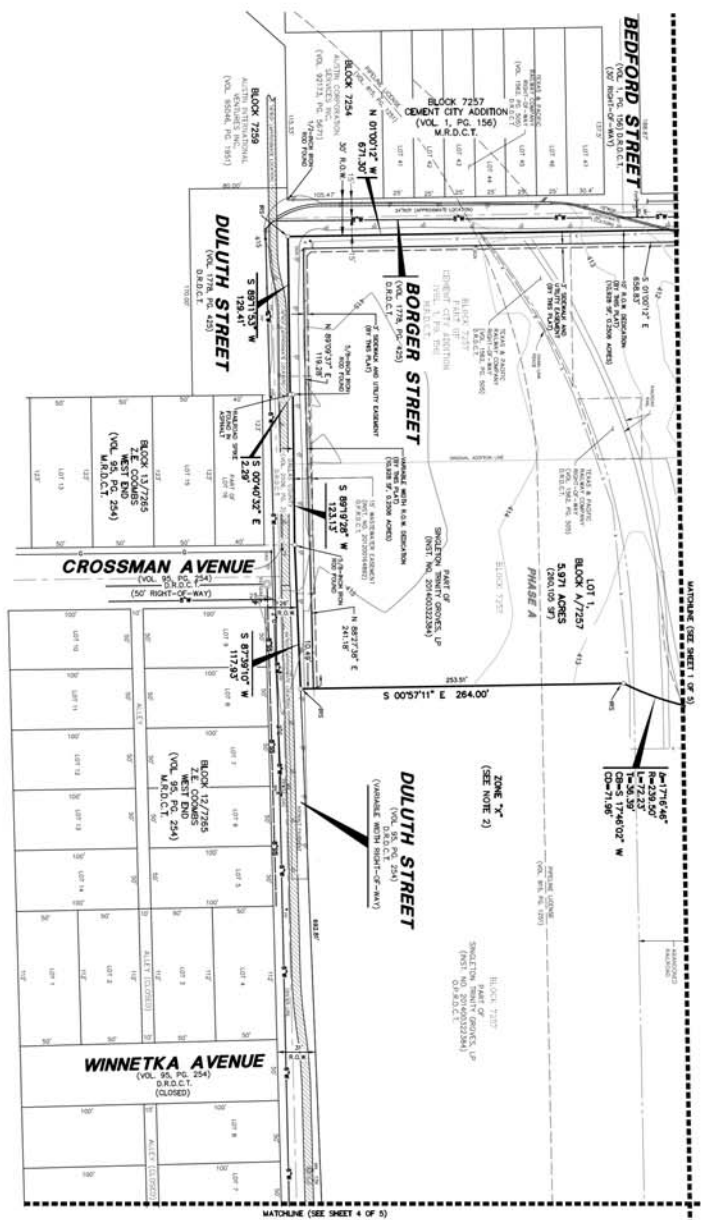
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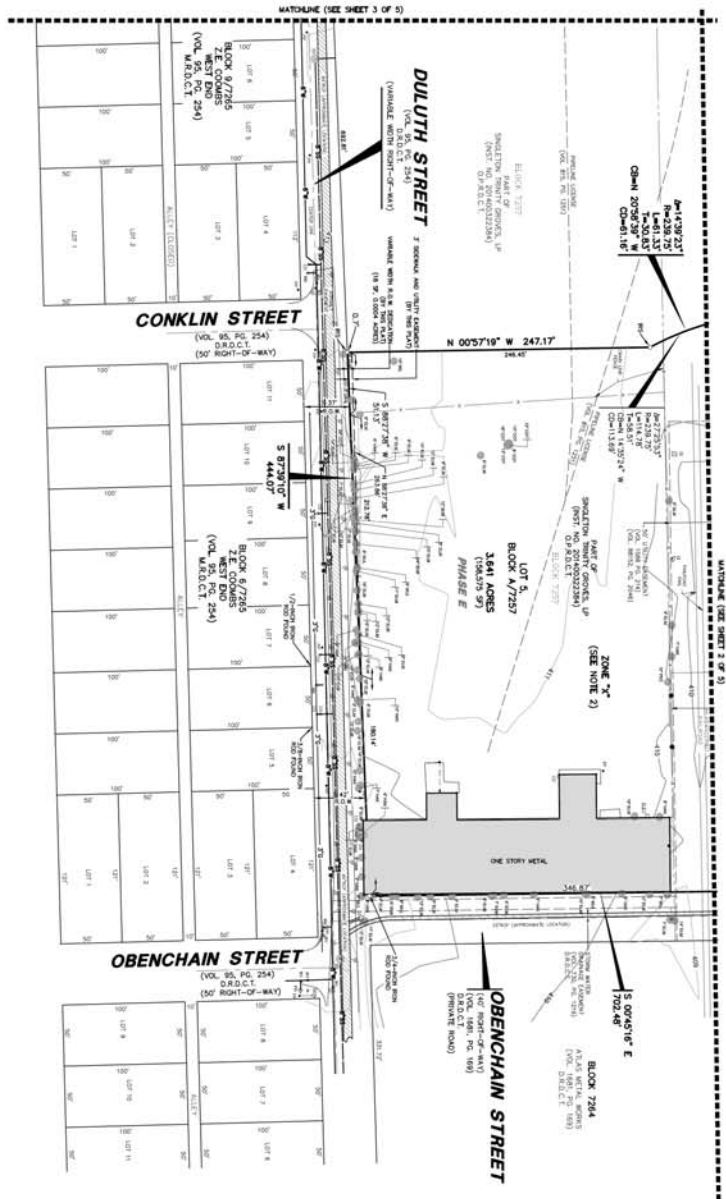
**PRELIMINARY PLAT**  
**TRINITY VILLAGE**  
**LOTS 1-5, BLOCK A/7257**  
PART OF CLIENT CITY ADDITION,  
AND PART OF BLOCK 7257,  
CITY OF DALLAS, TEXAS  
AND BEING OUT OF THE  
CITY OF DALLAS, TEXAS  
CITY PLAN FILE NO. 5145-087

**LEGEND**

1. LOT 1	2. LOT 2	3. LOT 3	4. LOT 4	5. LOT 5
6. LOT 6	7. LOT 7	8. LOT 8	9. LOT 9	10. LOT 10
11. LOT 11	12. LOT 12	13. LOT 13	14. LOT 14	15. LOT 15
16. LOT 16	17. LOT 17	18. LOT 18	19. LOT 19	20. LOT 20
21. LOT 21	22. LOT 22	23. LOT 23	24. LOT 24	25. LOT 25
26. LOT 26	27. LOT 27	28. LOT 28	29. LOT 29	30. LOT 30
31. LOT 31	32. LOT 32	33. LOT 33	34. LOT 34	35. LOT 35
36. LOT 36	37. LOT 37	38. LOT 38	39. LOT 39	40. LOT 40
41. LOT 41	42. LOT 42	43. LOT 43	44. LOT 44	45. LOT 45
46. LOT 46	47. LOT 47	48. LOT 48	49. LOT 49	50. LOT 50
51. LOT 51	52. LOT 52	53. LOT 53	54. LOT 54	55. LOT 55
56. LOT 56	57. LOT 57	58. LOT 58	59. LOT 59	60. LOT 60
61. LOT 61	62. LOT 62	63. LOT 63	64. LOT 64	65. LOT 65
66. LOT 66	67. LOT 67	68. LOT 68	69. LOT 69	70. LOT 70
71. LOT 71	72. LOT 72	73. LOT 73	74. LOT 74	75. LOT 75
76. LOT 76	77. LOT 77	78. LOT 78	79. LOT 79	80. LOT 80
81. LOT 81	82. LOT 82	83. LOT 83	84. LOT 84	85. LOT 85
86. LOT 86	87. LOT 87	88. LOT 88	89. LOT 89	90. LOT 90
91. LOT 91	92. LOT 92	93. LOT 93	94. LOT 94	95. LOT 95
96. LOT 96	97. LOT 97	98. LOT 98	99. LOT 99	100. LOT 100



[illegible]



AREA TABLE		
LOT	SQUARE FEET	ACRES
1	260,105	5.971
2	43,964	1.000
3	227,962	5.233
4	150,445	3.460
5	158,575	3.641
R.O.W.	10,946	0.251
TOTAL	810,992	18.756

SURVEOR & ENGINEER:  
PACHECO KOCH CONSULTING ENGINEERS  
6350 N. CENTRAL EXPY., SUITE 1000  
DALLAS, TEXAS 75206  
PH. 972-230-5031  
CONTACT: RYLE C. HARRIS

ONEIDA  
SINOLETON TRINITY GROVES, LP  
300 CRESCENT COURT, SUITE 113  
DALLAS, TEXAS 75201  
PH:214-922-1183  
CONTACT: GREG NADEAU

 <b>Pacheco Koch</b>		8130 N. CENTRAL EXPRESS, SUITE 2000 DALLAS, TX 75206 TEL: 214.358.5010 FAX: 214.358.5011 WWW.PACHECO-KOCH.COM	
ORDER BY NAME	CHECKED BY NAME	DATE JAN 2015	JOB NUMBER 3544-14,430

TRINITY VILLAGE-PRELIMINARY PLAT

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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**CITY PLAN COMMISSION****THURSDAY, February 19, 2015****FILE NUMBER:** S145-090**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 875 South R.L. Thornton Freeway (Interstate Highway 35E)**DATE FILED:** January 22, 2015**ZONING:** MU-1**CITY COUNCIL DISTRICT:** 1 **SIZE OF REQUEST:** 0.672-Acres**MAPSCO:** 54H**APPLICANT/OWNER:** HappyRams LLC

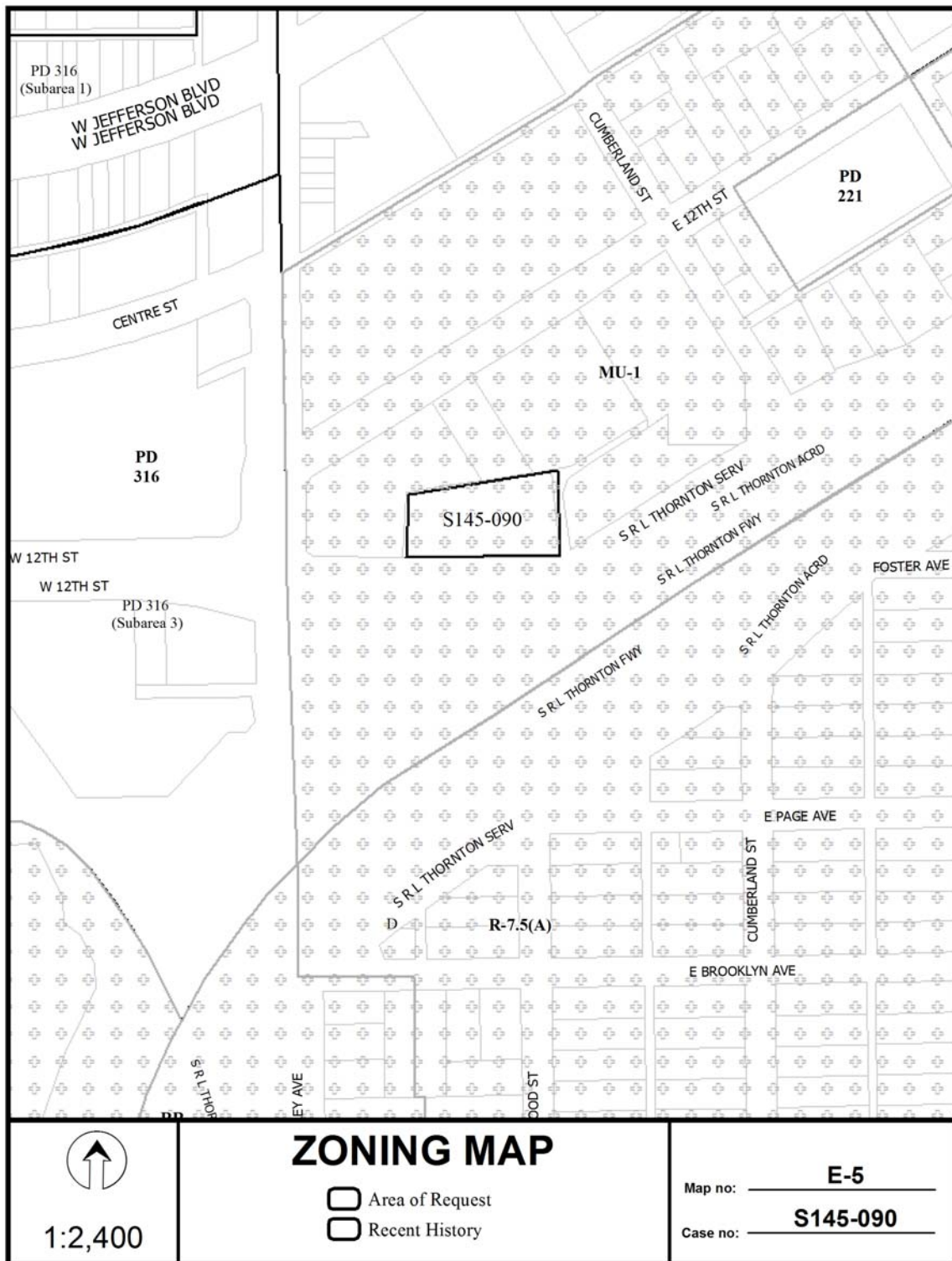
**REQUEST:** An application to replat a 0.672-acre tract of land containing all of Lots 14 and 15 and part of Lot 16 in City Block 3428 into one lot on property located at 875 South R.L. Thornton Freeway (Interstate Highway 35E).

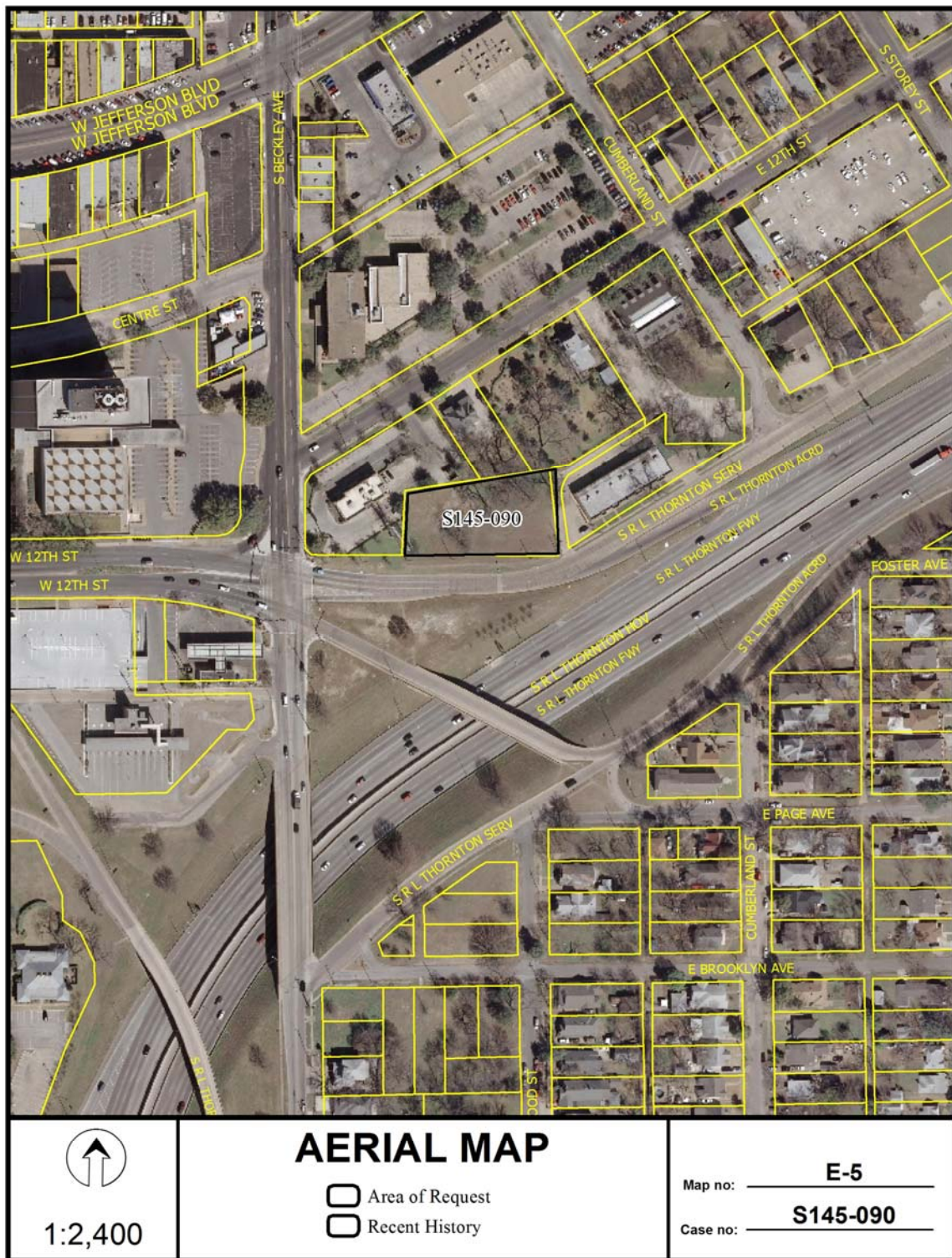
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

**STAFF RECOMMENDATION:** The request complies with the requirements of MU-1, zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A8.603; Section 51A-8.604
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff. Section 51A-8.102(c); Section 51A-(4),(5),(6),(7),(8),(9)
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
14. On the final plat dedicate a 15 feet by 15 feet Alley Sight Easement at 20-foot alley and frontage road. Section 51A-8.602(c), Section 51-9.101
15. On the final plat, add a note stating that TXDOT approval may be required for any driveway modifications or new access. Section 51A-8.617
16. On the final plat show the recording information on all existing easements within 150 feet of the property.
17. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(A)(xxii)
18. On the final plat two control monuments must be shown.
19. On the final plat, change "South Beckley Street" to "Beckley Avenue". Section 51A-8.403(a)(1)(xii)
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-60(g)(1).
21. Water main extension may be required by Private Development Contract. Chapter 49-60(g)(1); Chapter 49-62(f)(1); Chapter 49-62(b)(c).
22. On the final plat identify the property as Lot 14A in City Block 3428. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)











**CITY PLAN COMMISSION****THURSDAY, FEBRUARY 19, 2015****FILE NUMBER:** S145-080**Senior Planner:** Sharon Hurd, AICP**LOCATION:** Northwest corner of Hollow Way Road and Northwest Highway**DATE FILED:** January 22, 2015**ZONING:** R-1ac(A)**CITY COUNCIL DISTRICT:** 13    **SIZE OF REQUEST:** 4.258-Acres    **MAPSCO:** 25S**APPLICANT/OWNER:** Benjamin & Tracy Lange and Fifth Church of Christian Science

**REQUEST:** An application to replat a 4.258-acre tract of land containing all of Lots 5 and 6 in City Block A/5600 and a portion of City Block 10/5588 into one 1.935-acre lot, and one 2.323-acre lot on property located at the northwest corner of Hollow Way Road and Northwest Highway.

**NOTICES:** 20 notices were sent to property owners within 200 feet of the property on January 30, 2015.

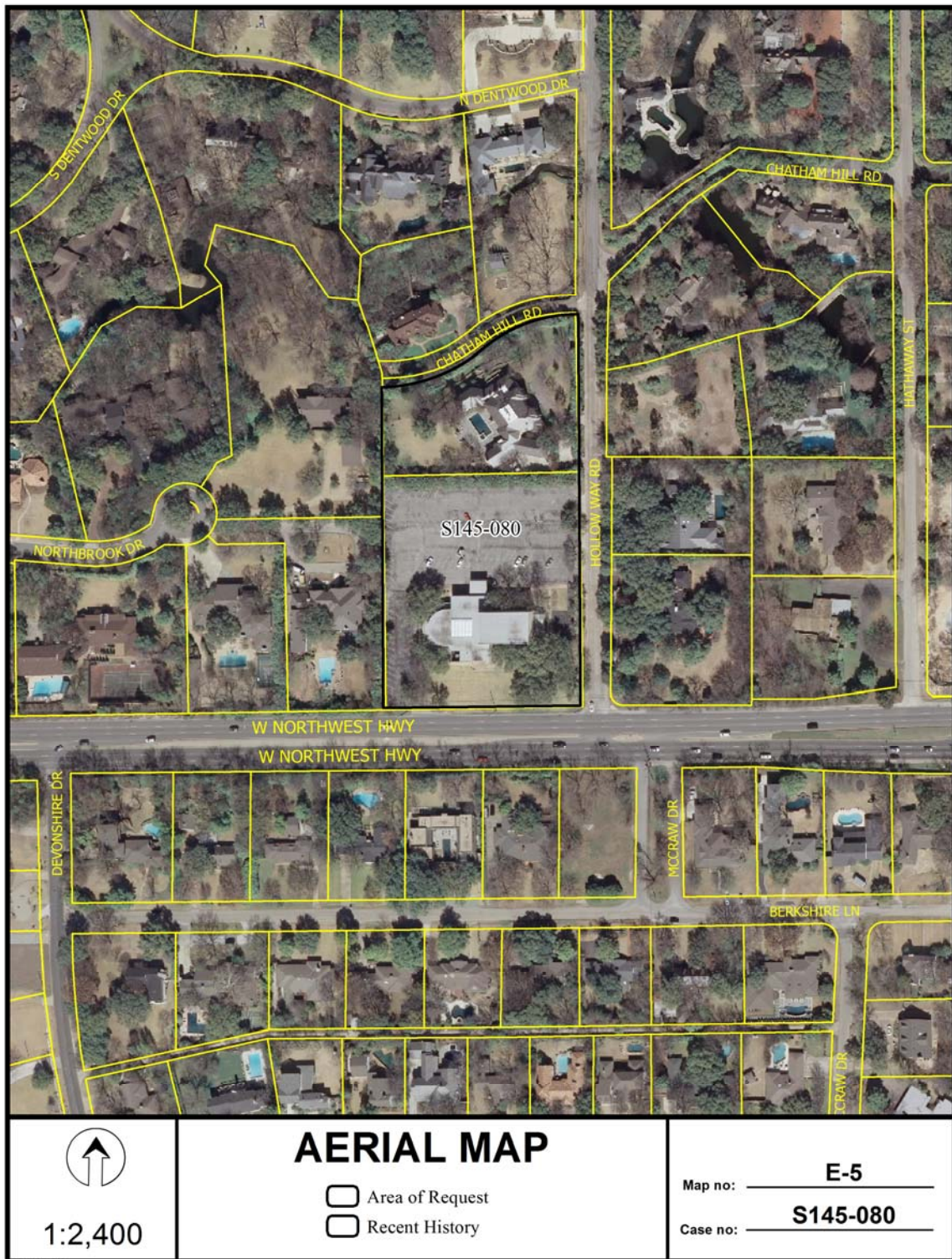
**SUBDIVISION HISTORY:** There has been no recent platting activity within close proximity to this request.

**STAFF RECOMMENDATION:** The request complies with the requirements of the R-1ac(A) zoning district. In addition, the proposed lots are similar in size to other lots in the surrounding area, thus meeting the requirements of Section 51A-8.503, which in part indicates that "lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets". Therefore, staff recommends approval subject to compliance with the following conditions:

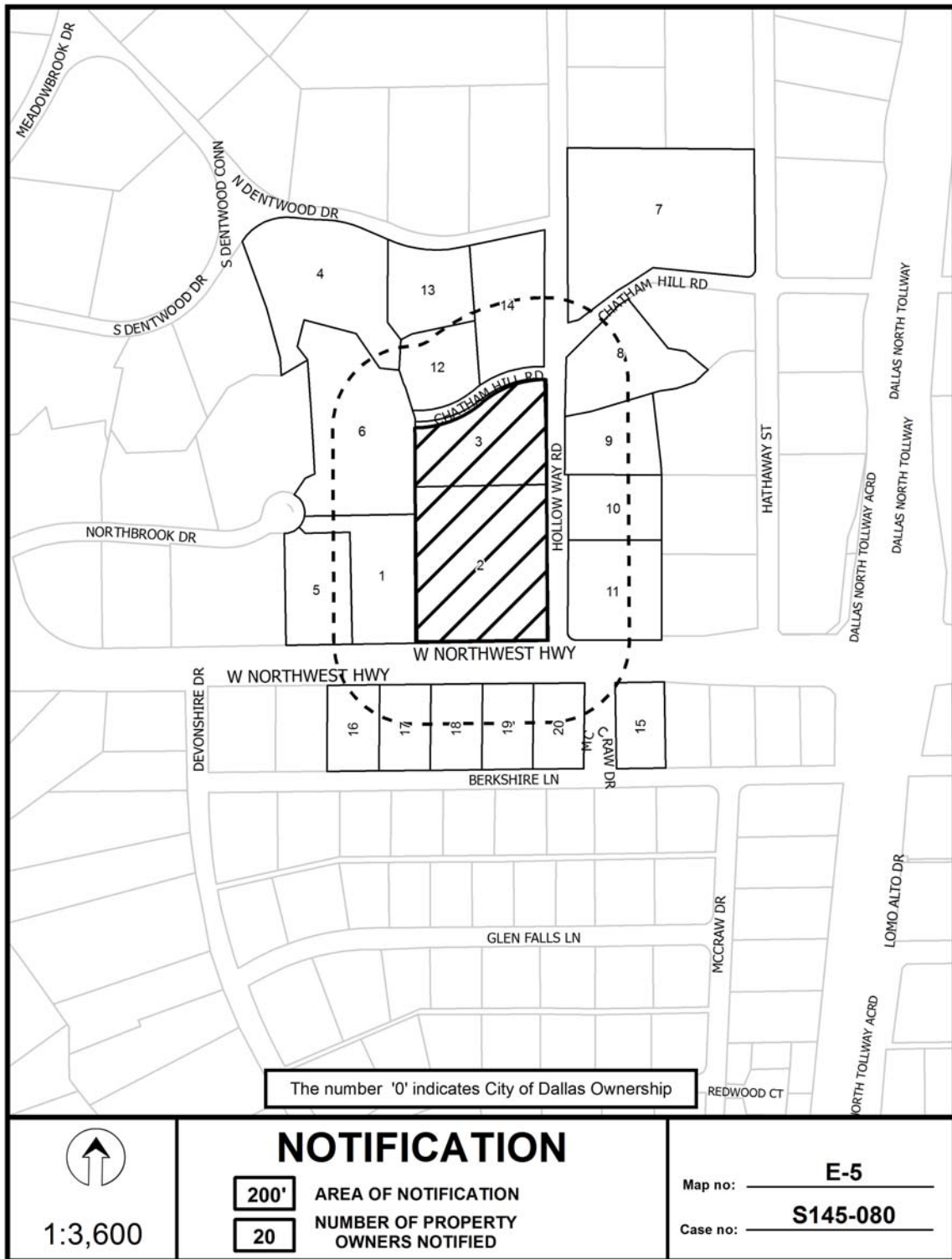
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines.

7. On the final plat, all easement abandonments and right-of-way abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A8.603; Section 51A-8.604
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
13. On the final plat dedicate 53.5 feet of ROW from the established centerline of Northwest Highway. Section 51A-8.602(c)
14. On the final plat, dedicate a 10 foot by 10 foot corner clip at Chatham Hill Road and Hollow Way Road. Section 51A-8.602(d)(1).
15. On the final plat, dedicate a 15 foot by 15 foot corner clip at Hollow Way Road and Northwest Highway. Section 51A-8.602(d)(1).
16. On the final plat, add a note stating that TXDOT approval may be required for any driveway modifications or new access. Section 51A-8.617
17. Prior to the final plat, submit a site plan/parking analysis confirming that the minimum parking requirements for the church use remaining on Lot 6A have been met. Section 51A-4.204(4)
18. On the final plat, change "Chatham Road" to "Chatham Hill Road" as named by Dallas Ordinance 20896. Section 51A-8.403(a)(1)(xii)
19. On the final plat identify the property as Lots 5A and 6A in City Block A/5600. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).
20. Prior to submittal of the final plat, verify the ownership of the approximately 30-foot wide by 170-foot long tract of land located at the southwest corner of the proposed plat. All owners of the property must sign the final plat prior to submittal for recording. Section 51A-8.403(6)(E).











02/10/2015

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

***S145-080***

### ***20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5464 NORTHBROOK DR	BHATIA RAVI TR & ANITA S TR
2	5655 NORTHWEST HWY	FIFTH CHURCH OF
3	9245 HOLLOW WAY RD	LANGE BENJAMIN & TRACY
4	5414 DENTWOOD DR	DENTWOOD TRUST
5	5460 NORTHBROOK DR	WALLACE CHARLOTTE
6	5466 NORTHBROOK DR	SPURGIN ROBERT B & SALLY
7	5505 CHATHAM HILL RD	THOMPSON DOROTHY K
8	5500 CHATHAM HILL RD	SEALE JOHN HENRY & KATHERINE DYLL
9	9236 HOLLOW WAY RD	DIX RICHARD &
10	9222 HOLLOW WAY RD	KATZ MICHAEL M &
11	9216 HOLLOW WAY RD	SADIGHIRAD JAHANGIR &
12	5433 CHATHAM HILL RD	WATTERS VATANA
13	5440 DENTWOOD DR	AKHTAR JAMIEL A &
14	5446 DENTWOOD DR	CARRY DONALD J &
15	5807 BERKSHIRE LN	HOULIHAN ROBERT J &
16	5731 BERKSHIRE LN	PIERCE LEBA RUTH
17	5743 BERKSHIRE LN	RAPER THOMAS BRADLEY & LISA CATHERINE CASEY
18	5753 BERKSHIRE LN	SUTHERLAND DAVID &
19	5763 BERKSHIRE LN	NEWMAN TWYLA K &
20	5771 BERKSHIRE LN	SAENZ ANA R SEYFFERT

**FILE NUMBER:** D145-005**DATE FILED:** December 12, 2014**LOCATION:** South of LBJ Freeway and north of the terminus of Eagle Ford Drive,  
along the north line of West Camp Wisdom Road**COUNCIL DISTRICT:** 3**MAPSCO:** 61A-V**SIZE OF REQUEST:** ±17.84 acres**CENSUS TRACT:** 165.21

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**MISCELLANEOUS DOCKET ITEM****OWNER/APPLICANT:** H198, LLC**REPRESENTATIVE:** Mark Housewright, Masterplan Consultants

**REQUEST:** An application for a development plan for multifamily uses on property within Subdistrict S-2A of Planned Development District No. 521, located south of LBJ Freeway and north of the terminus of Eagle Ford Drive, along the north line of West Camp Wisdom Road.

**SUMMARY:** On November 11, 1998, the City Council passed Ordinance No. 23711, which established Planned Development District No. 521. PDD 521 is divided into two zones, the North Zone and the South Zone, and into 20 subdistricts. Subdistricts A, B, B-1, C, D, and E are located within the North Zone, and subdistricts S-1a, S-1b, S-1c, S-1d, S-2a, S-2b, S-3, S-4, S-5, S-6, S-7, S-8, S-9, and S-10 are located within the South Zone.

Each phase of development requires City Plan Commission approval of a development plan prior to the issuance of any building permit within that phase. This development plan, submitted for Subdistrict S-2A, provides for a multifamily development of 198 dwelling units, along with a leasing and club house and a mail kiosk on-site. At 198 dwelling units, and a request size of 17.81 acres, the density for this development is 11.12 units per acre, which complies with the maximum allowed dwelling unit density of 15.0 units per acre. There is no minimum lot size for Subdistrict S-2A. The maximum lot coverage allowed in Subdistrict S-2A is 60 percent, and the proposed development complies with a lot coverage of 13.4 percent.

The development plan meets the requirements for Subdistrict S-2A of Planned Development District No. 521. The ordinance may be viewed at this link:

<http://www.dallascityattorney.com/51P/Articles%20Supp%2023/ARTICLE%20521.pdf>

**STAFF RECOMMENDATION:** Approval

## **Partners and Officers**

**H198, LLC**

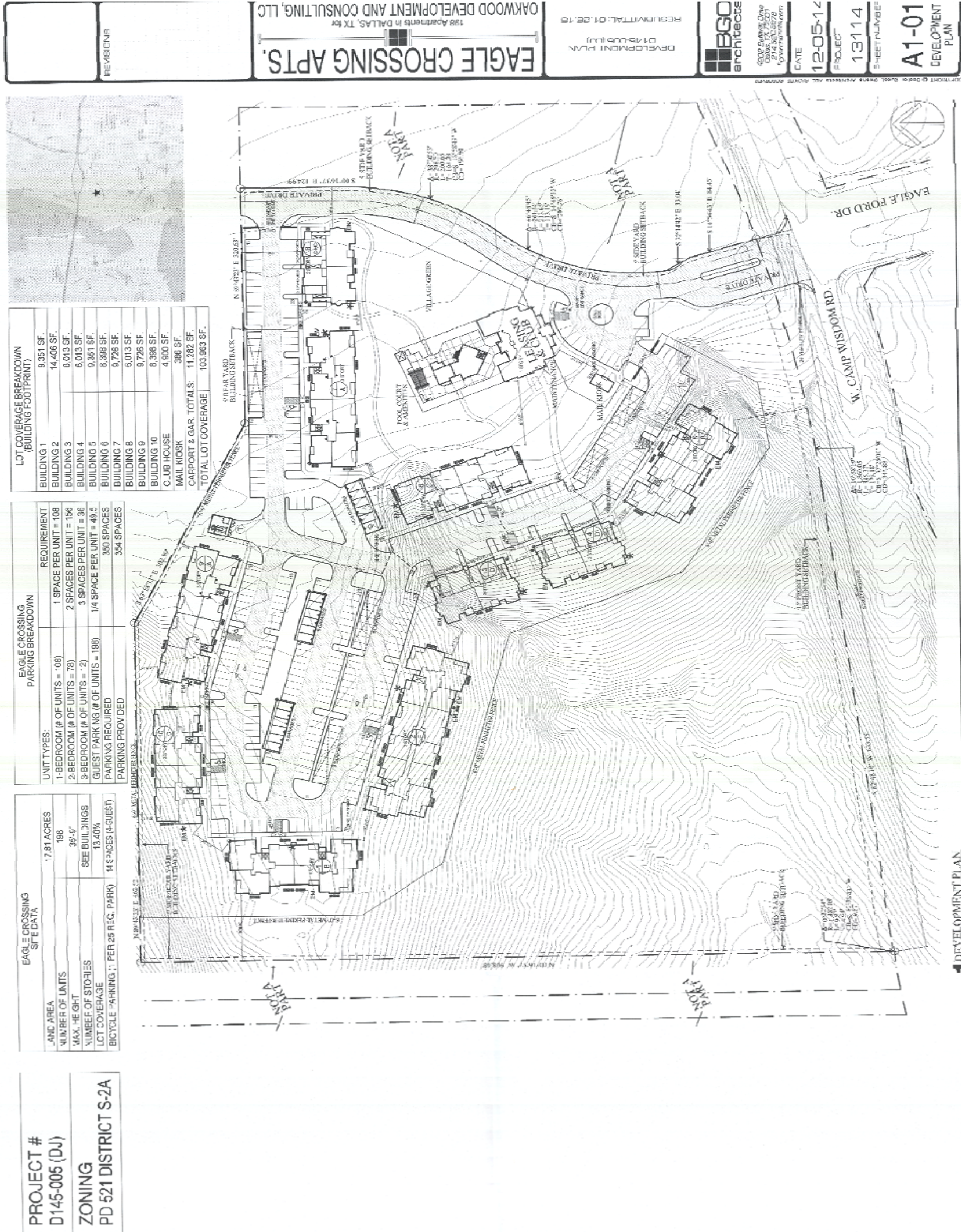
***Manager***

Robert C. Murray, Sr.

***Member***

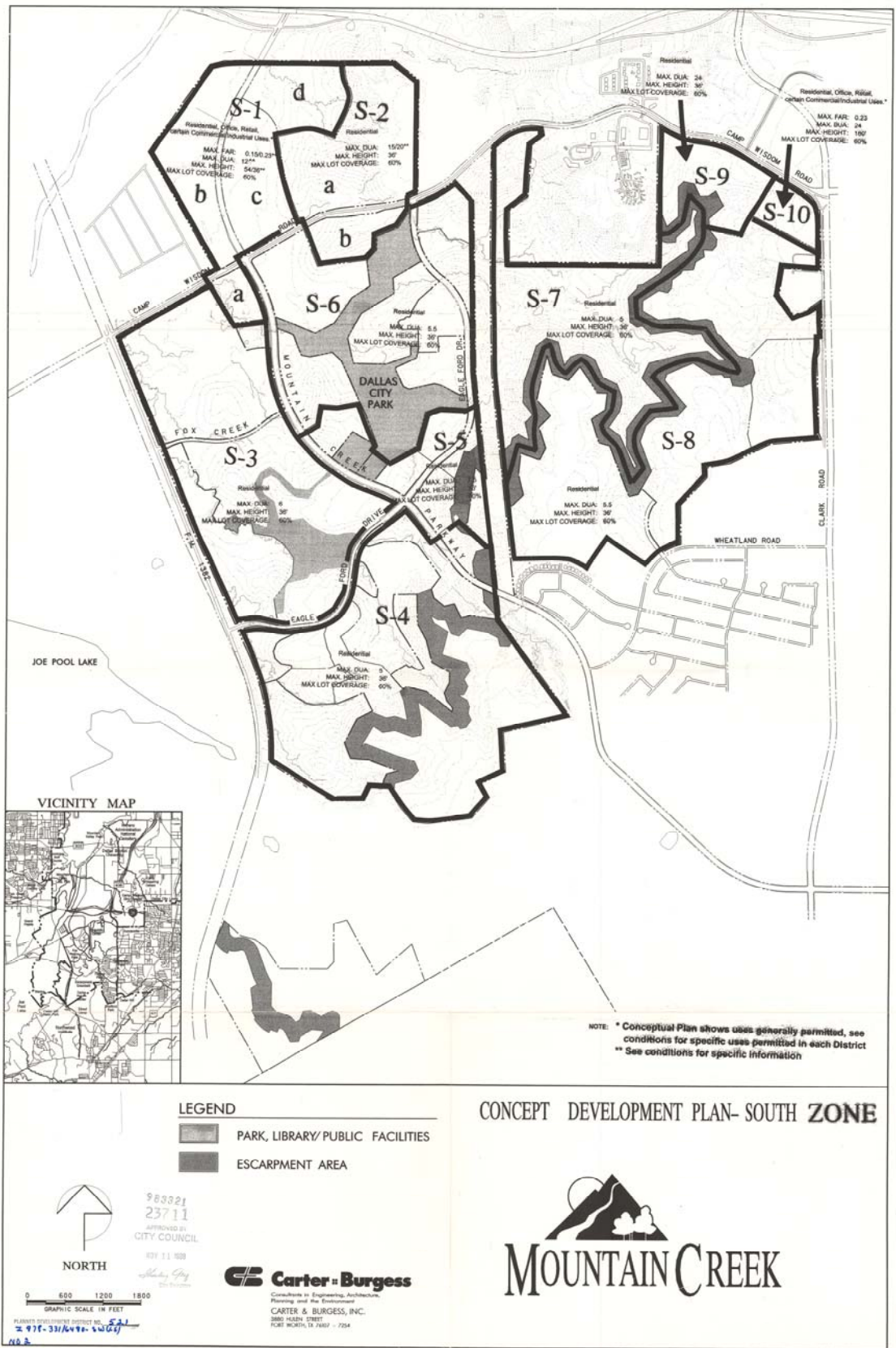
TX Cooley Investments, Inc.

# PROPOSED DEVELOPMENT PLAN



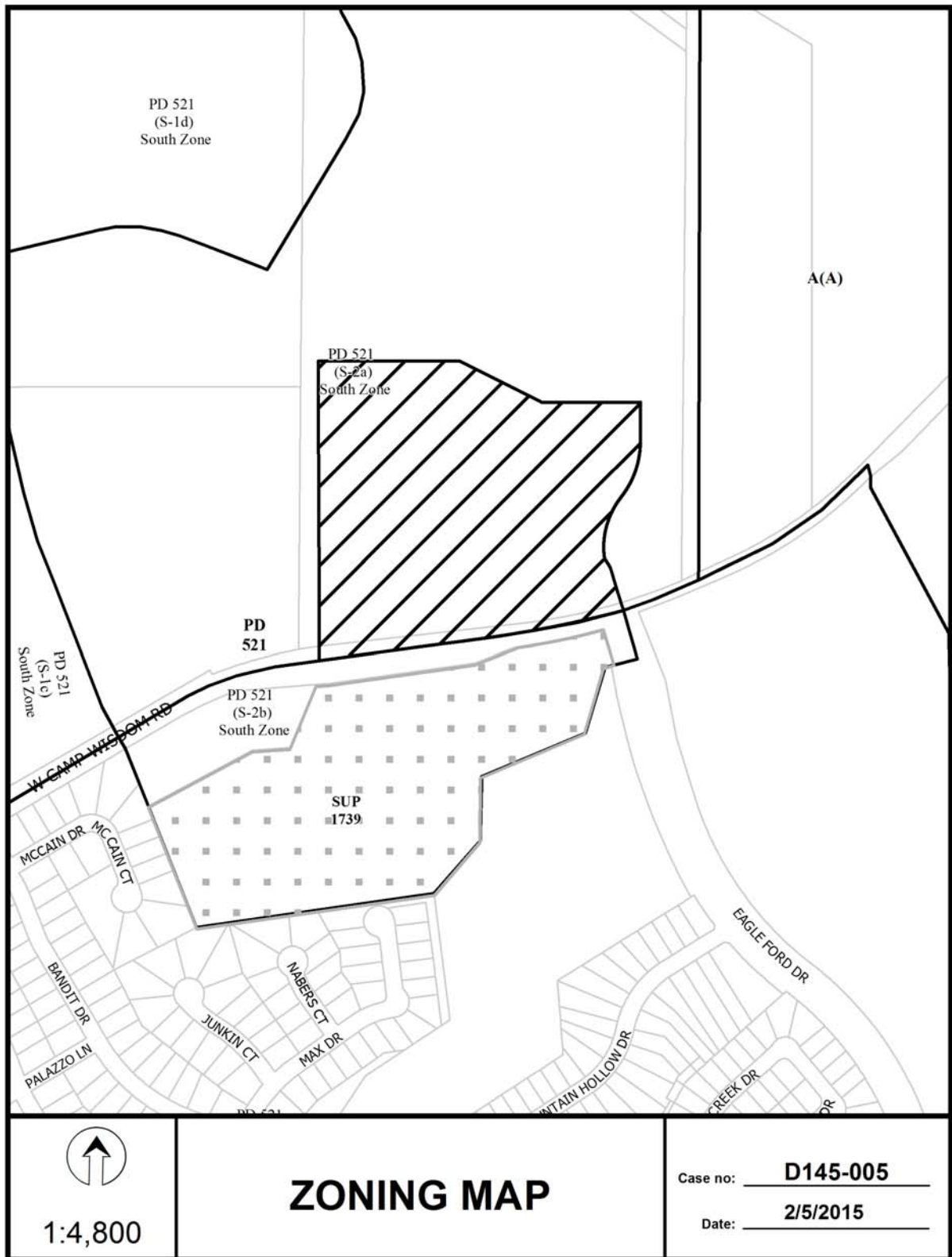


# EXISTING CONCEPTUAL PLAN

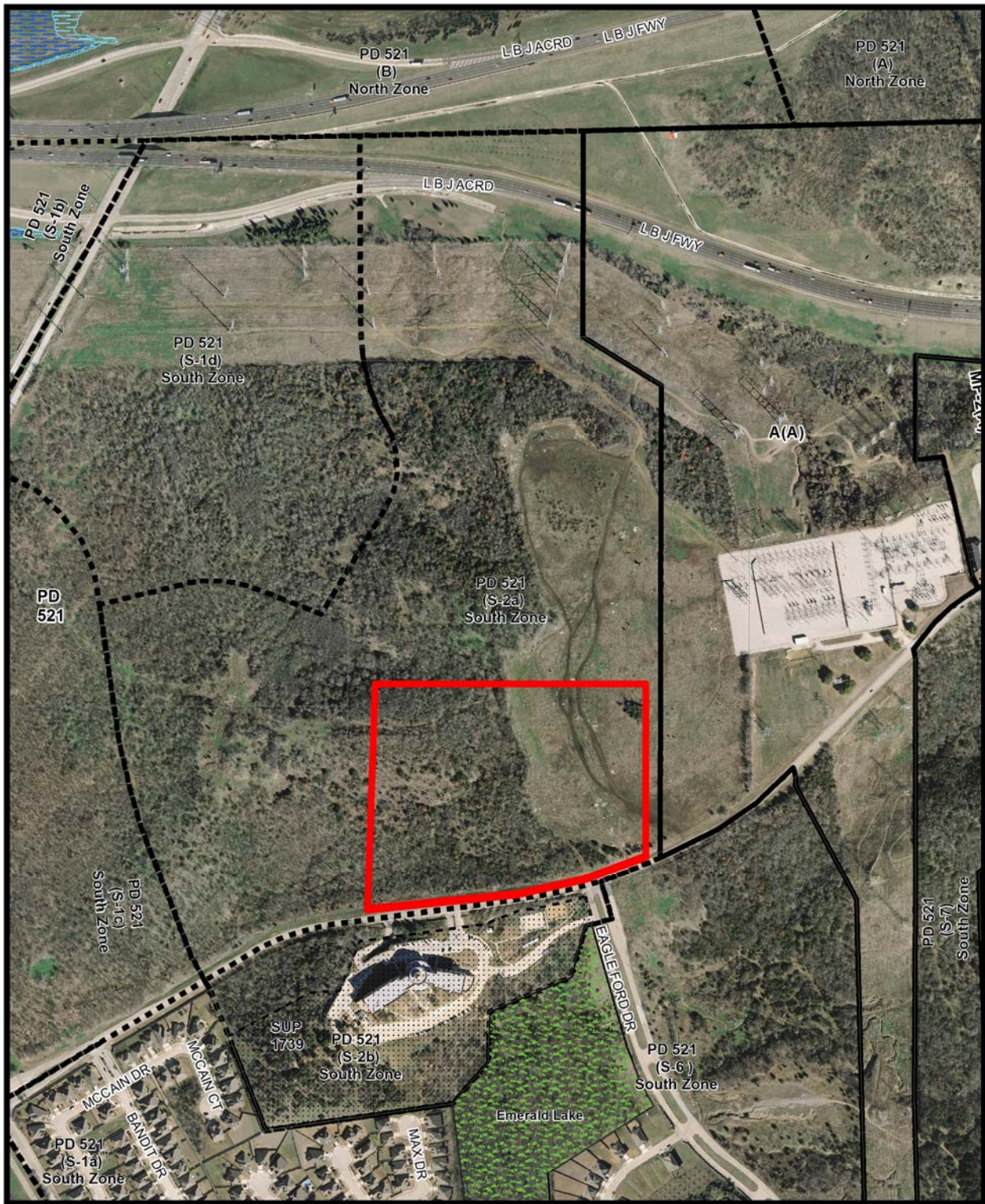




## ZONING MAP



# AERIAL MAP

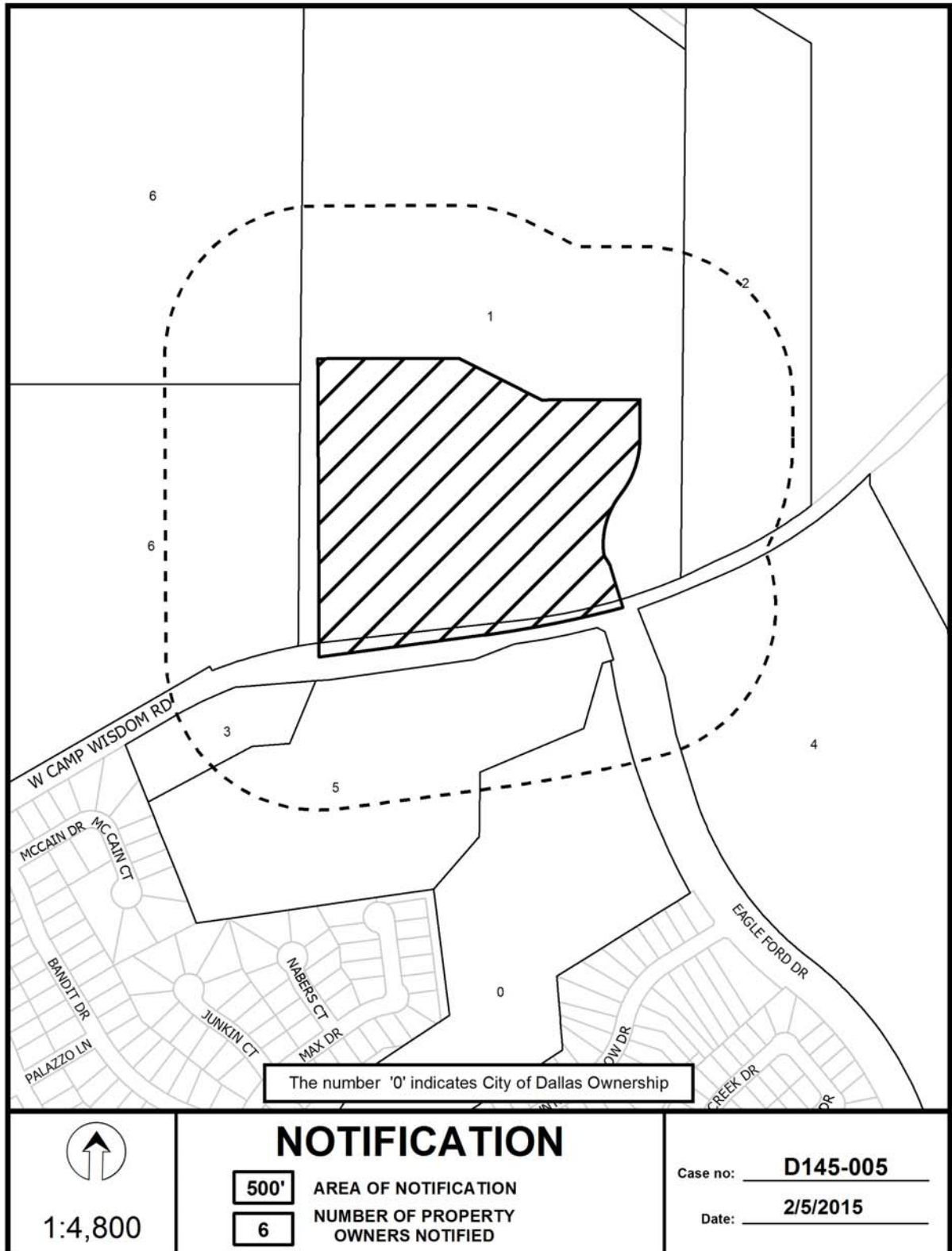


 1:6,000

D145-005



## NOTIFICATION MAP



**FILE NUMBER:** W145-006**DATE FILED:** February 4, 2015**LOCATION:** East line of Coit Road, north of Cullum Street**COUNCIL DISTRICT:** 12**MAPSCO:** 6-K**SIZE OF REQUEST:** Approx. 162.83 acres**CENSUS TRACTS:** 318.04

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**MISCELLANEOUS DOCKET ITEM:****APPLICANT/OWNER:** Ashton Woods**REPRESENTATIVE:** Centurion American

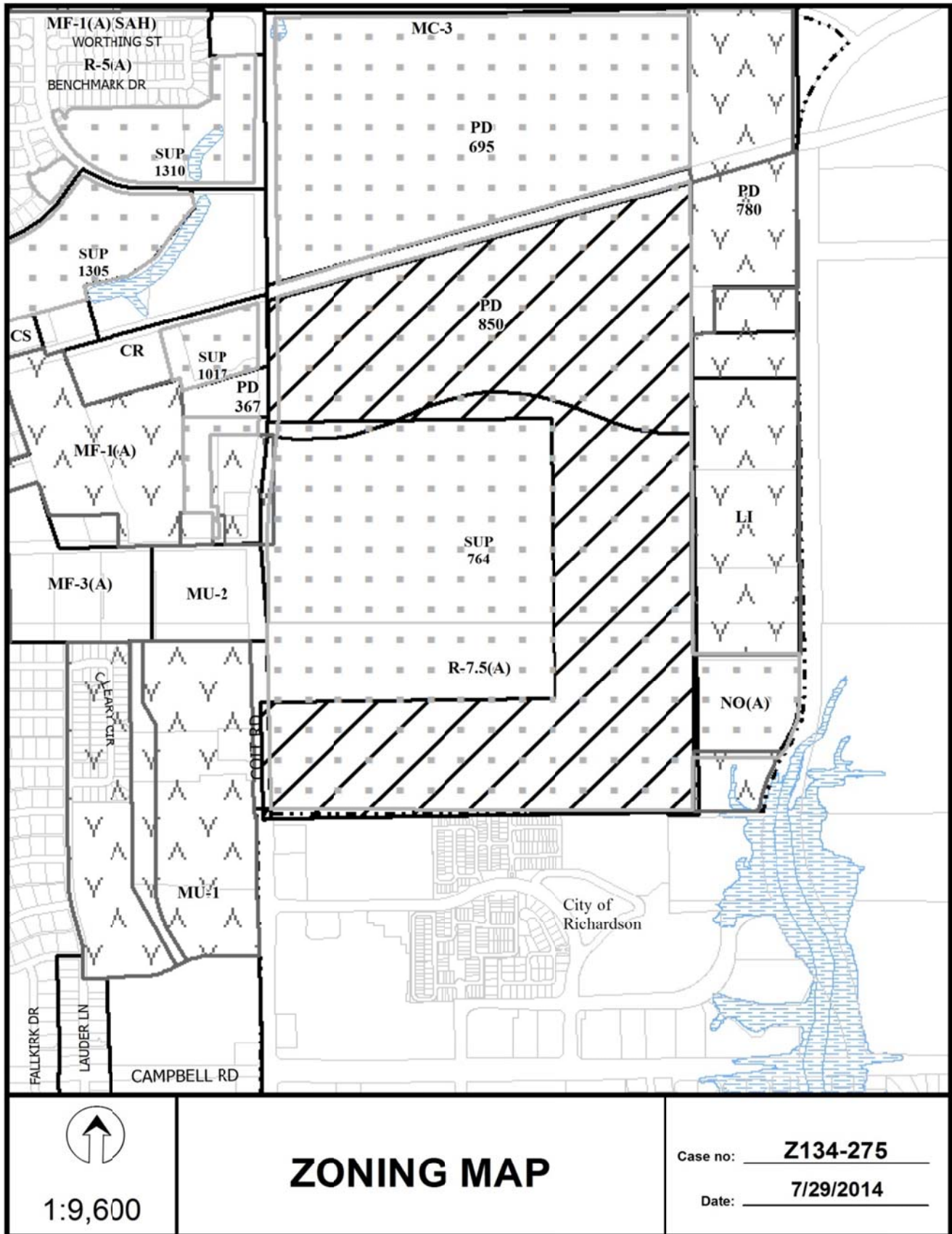
**REQUEST:** An application for a waiver of the two-year waiting period to submit a request for an amendment to Planned Development District No. 921 on property located on the east line of Coit Road, north of Cullum Street.

**SUMMARY:** Upon the City Plan Commission's recommendation, City Council approved Zoning Case Z134-275(WE) on August 27, 2014, to rezone Planned Development District No. 850, Urban Living Laboratory Special Purpose District and Specific Use Permit No. 764 for a college or university and related uses to a Planned Development District for R-7.5(A) Single Family District uses.

The applicant has indicated that the Plano Independent School District is considering the development of an elementary school on 10 acres, which is located within one of the Subareas. In addition, the approved Ordinance omitted the lot coverage for the residential development.

According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to August 27, 2016, without a waiver of the two-year waiting period. "The commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing." Due to the changes that were made subsequent to the City Plan Commission meeting in a short time frame, all the existing circumstances were not fully addressed. Therefore, staff is supportive of the waiver.

**Staff Recommendation:** Approval





**APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD**

Zoning File No. Z134-275(WE)

Location Coit Road between McCallum and Frankford Road

Date of last CPC or CC Action, August 7, 2014

Applicant's Name, Address & Phone Number Centurion American 1800 Valley View Lane Suite 300 Farmers Branch, Texas 75234 469-892-7201

Property Owner's Name, Address and Phone No., if different from above

Centurion American 1800 Valley View Lane Suite 300 Farmers Branch, Texas 75234 Phone 469-892-7201

Ashton Woods 1800 Valley View Lane Suite 100 Farmers Branch, Texas 75234  
Phone 972-428-5403

State briefly change of circumstances since the last hearing on the property that would warrant reconsideration of another request in less than two years.

After the zoning was approved by City Council, Centurion American was approached by the Plano Independent School District for a potential 10 acre elementary school. Also staff's original recommendation was for 60% lot coverage, but this was omitted in the final PD.

  
Applicant's Signature

  
Owner's Signature (if individual) or

Letter of Authorization (from corporation/partnership)

02/04/15

Date Received  
Fee: \$300.00

**FILE NUMBER:** W145-004

**DATE FILED:** January 26, 2015

**LOCATION:** West corner of Inwood Road and Denton Drive

**COUNCIL DISTRICT:** 2

**MAPSCO:** 34-Q

**SIZE OF REQUEST:** Approx. 5.63 acres

**CENSUS TRACT:** 4.06

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**MISCELLANEOUS DOCKET ITEM:**

**APPLICANT/OWNER:** FF Realty II LLC

**REPRESENTATIVE:** Suzan Kedron, Jackson Walker L.L.P

**REQUEST:** An application for a waiver of the two-year waiting period to submit a request to amend or remove the Shopfront Overlay on property located on the west corner of Inwood Road and Denton Drive.

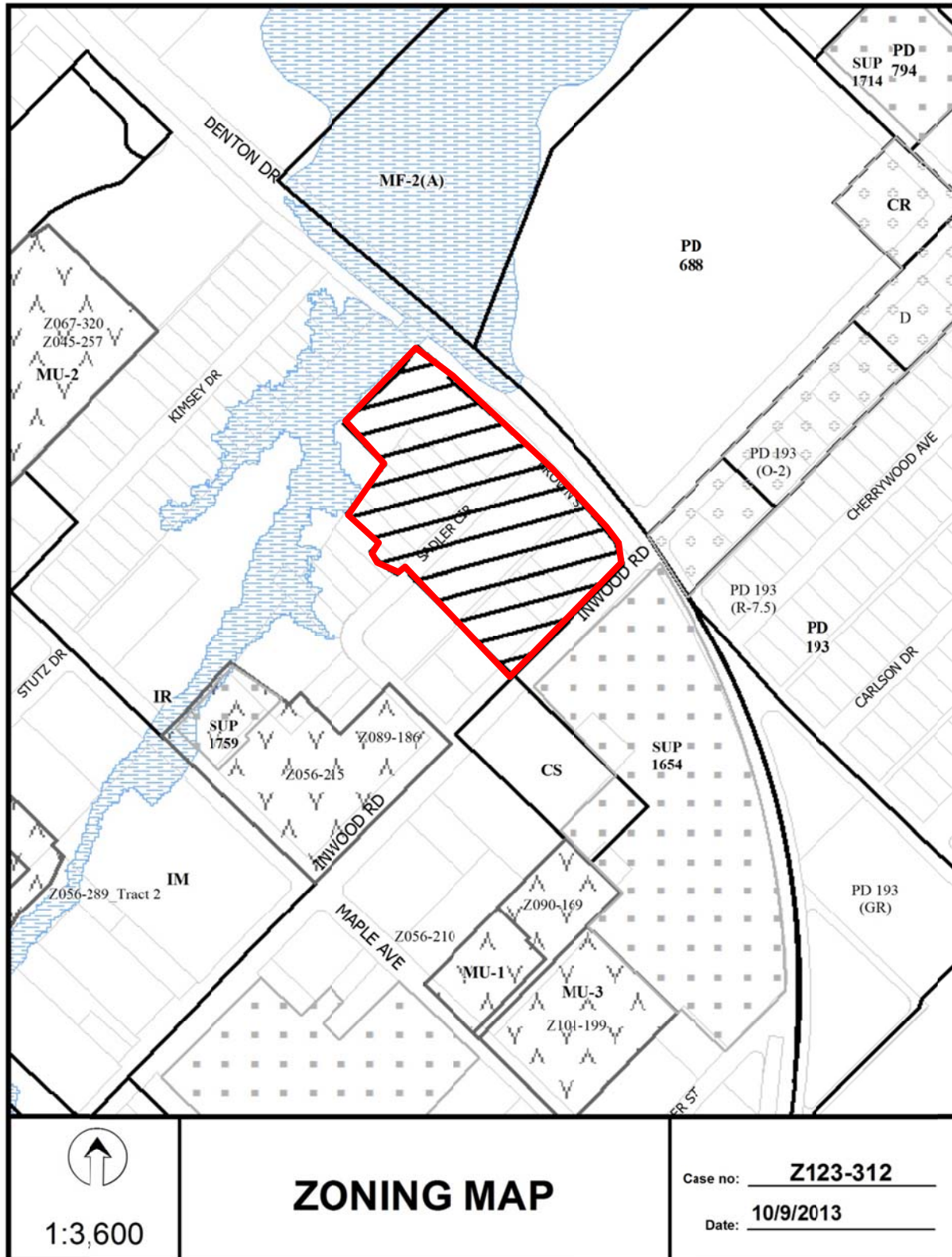
**SUMMARY:** Upon the City Plan Commission's recommendation, City Council approved Zoning Case Z123-312(MW) on December 11, 2013 to rezone an IR Industrial Research District to WMU-8 Walkable Mixed Use District with a Shopfront Overlay.

The representative indicates the future owner seeks to remove, relocate, or propose alternative requirements in lieu of the shopfront overlay.

According to Section 51A-4.701(d) of the Dallas Development Code, a new zoning application on this property cannot be filed prior to December 11, 2015 without a waiver of the two-year waiting period. Per the code, "The commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing." Other than ownership, there are no circumstances regarding the property that have changed since this zoning case was approved.

**Staff Recommendation:** **Denial**

**PRIOR CPC ACTION:** On February 5, 2015, the City Plan Commission held this item under advisement to give the representative additional time to discuss alternatives with the owner and stakeholders.



W145-004

# APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z-123-312 (this was the previous number from 2013)

Location 2711, 2715, 2719, and 2727 Inwood Road. Located at the southwest corner of Inwood Road and Denton Drive.

Date of last CPC or CC Action December 11, 2013

Applicant's Name, Address & Phone Number FF Realty II LLC

7301 N. State Highway 161, Suite 260, Irving, Texas 75039 - 214-574-1755

Property Owner's Name, Address and Phone No., if different from above

Corrigan Investment Partners, LP

7501 Inwood Road, Dallas, Texas 75209

State briefly change of circumstances since the last hearing on the property that would warrant reconsideration of another request in less than two years.

An ordinance was previously approved to change the zoning from IR Industrial Research

District to WMU-8 Walkable Mixed Used District with a Shopfront Overlay. The Applicant, the

future owner of the property, is seeking to modify, which may include removing, relocating,

or proposing alternative requirements in lieu of the shopfront overlay.

(see attached authorization letter)

Applicant's Signature

(see attached authorization letter)

Owner's Signature (if individual) or

Letter of Authorization (from corporation/partnership)



**FILE NUMBER:** Z145-125(OTH)**DATE FILED:** November 14, 2014**LOCATION:** Northeast of the intersection of Lancaster Road and Kiest Boulevard**COUNCIL DISTRICT:** 4**MAPSCO:** 55-X**SIZE OF REQUEST:** Approx. 17,148 sq. ft.**CENSUS TRACT:** 88.01**APPLICANT:** Jon Dohm, Crown Castle**REPRESENTATIVE:** Vincent Huebinger**OWNER:** Donaldson Properties

**REQUEST:** An application for the renewal of Specific Use Permit No. 1571 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District.

**SUMMARY:** The applicant proposes to continue to use this portion of the property with the existing monopole cellular tower with a height of 90 feet. The request site is approximately 16,000 square feet and is located within a parking lot of a multi-tenant retail development. On January 12, 2005, the City Council approved this Specific Use Permit for a ten-year period with eligibility for automatic renewals for additional ten-year periods. The applicant missed the application filing deadline to be considered for an automatic renewal. Therefore, it has to be considered by the City Plan Commission and City Council.

**STAFF RECOMMENDATION:** Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods subject to conditions.



## **GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* –The proposed use has not had a negative impact on the surrounding area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – Continuing to utilize this portion of the property for a monopole cellular tower will not deter or contribute to the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The use of this portion of the property for a monopole cellular tower will not be a detriment to the public health, safety, or general welfare of the area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the existing use complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

**Zoning History:** There has been one recent zoning change in the area within the last five years:

1. **Z123-217** On January 8, 2014, the City Council approved Planned Development District No. 902 for mixed uses on property at the south corner of East Corning Avenue and South Lancaster Road.

## **Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
E. Kiest Boulevard	Local	100 feet
S. Lancaster Road	Local	80 feet

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR	monopole tower/tower antenna
North	CR & SUP No. 1774	Retail (SUP for OE Charter School)
East	CS	Retail
South	CS & PD No. 426	Retail (PD Transit Station)
West	CS & PD No. 902	Retail (PD for Retail and Multifamily uses)

**STAFF ANALYSIS:****Comprehensive Plan:**

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

The requested zoning district and proposed use of the property are consistent with Multimodal Corridor Building Block, Transit Center/Multimodal and Residential Neighborhood. The Multi Modal Corridor block is also called Transit Center as it is mainly located around DART light-rail or commuter rail lines. Out of all types of building blocks, these ones incorporate the largest variety of building structures and land uses. Forward Dallas plan offers the development of interactive public plazas and civic uses in these areas. Residential Neighborhoods blocks are the important parts of forward Dallas project. They focus on developing the traditional neighborhood of single-family detached homes that will integrate shops, restaurants, schools, religious centers. Also, parks, trails and roads will be developed to improve the quality of life.

**Land Use Compatibility:**

Community serving retail uses adjoin the request site on all sides with an open-enrollment charter school also located in the retail development to the northeast.

The existing CR Community Retail zoning allows a tower/antenna for cellular communication to be constructed up to a height of 65 feet by right; however, if the tower/antenna for cellular communication exceeds 65 feet in height, an SUP is required. The existing site plan and conditions will not change.

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

**Parking:**

No parking changes are being made with this request.

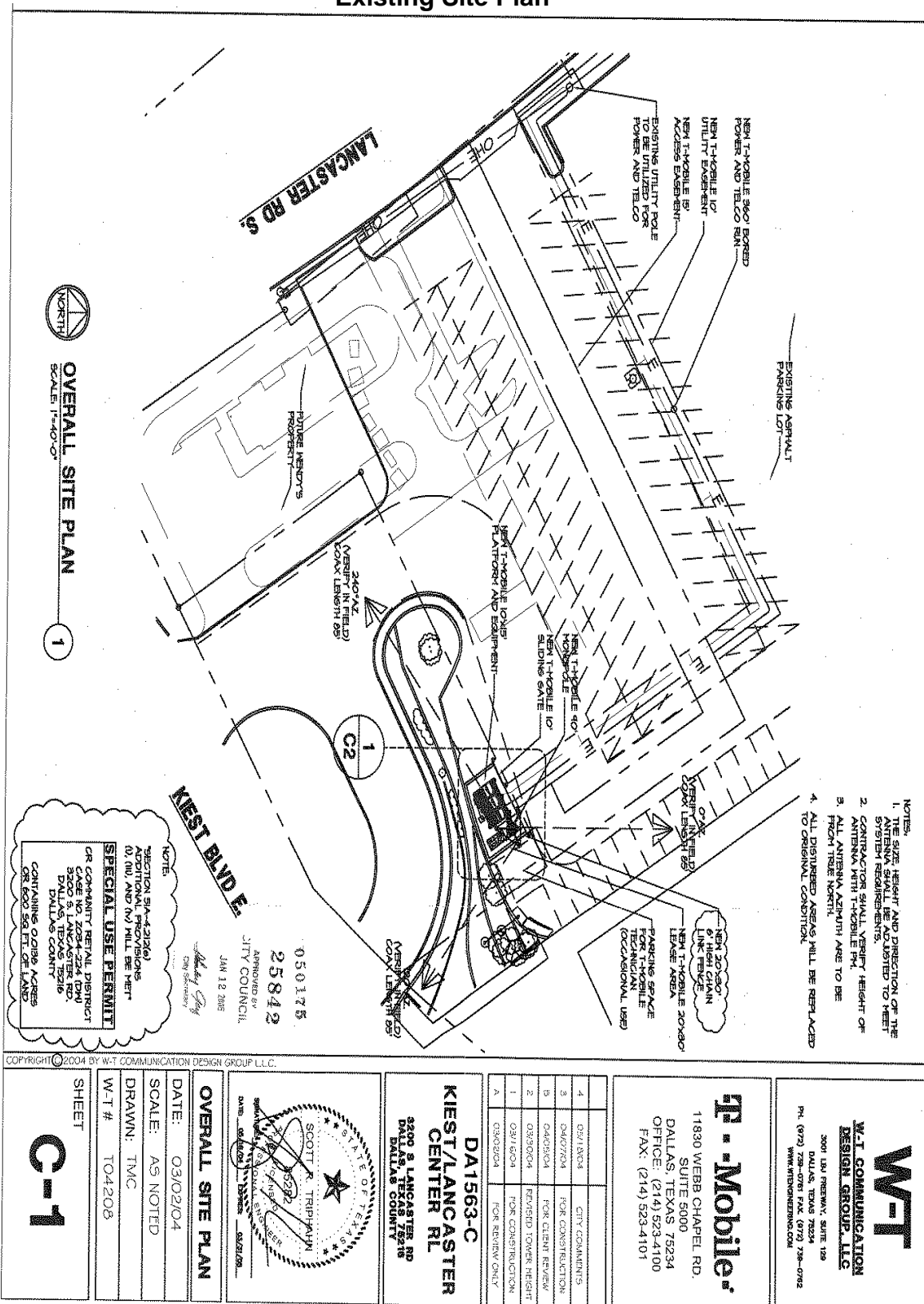
**Landscaping:**

No landscape changes are being triggered with this request.

**Existing/Proposed Conditions**  
**SUP No. 1571**  
**Z145-125(OTH)**

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to a monopole cellular tower.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (10 years from date of passage), but is eligible for automatic renewal for additional 10-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) *(For temporary renewable SUP.)*
4. HEIGHT: The monopole cellular tower authorized by this specific use permit may not exceed 90 feet in height.
5. OFF-STREET PARKING: Off-street parking must be provided as shown on the attached site plan, with one space designated for this use.
6. COLLOCATION SHARED USE WITH OTHER CARRIERS: Any tower/antenna support structure at this site authorized by this specific use permit that exceeds 65 feet in height must be constructed to support the antenna arrays for at least two other wireless communications carriers. The tower/antenna support structure must be made available to other wireless communication carriers upon reasonable terms.
7. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

## Existing Site Plan





## **List of Partners**

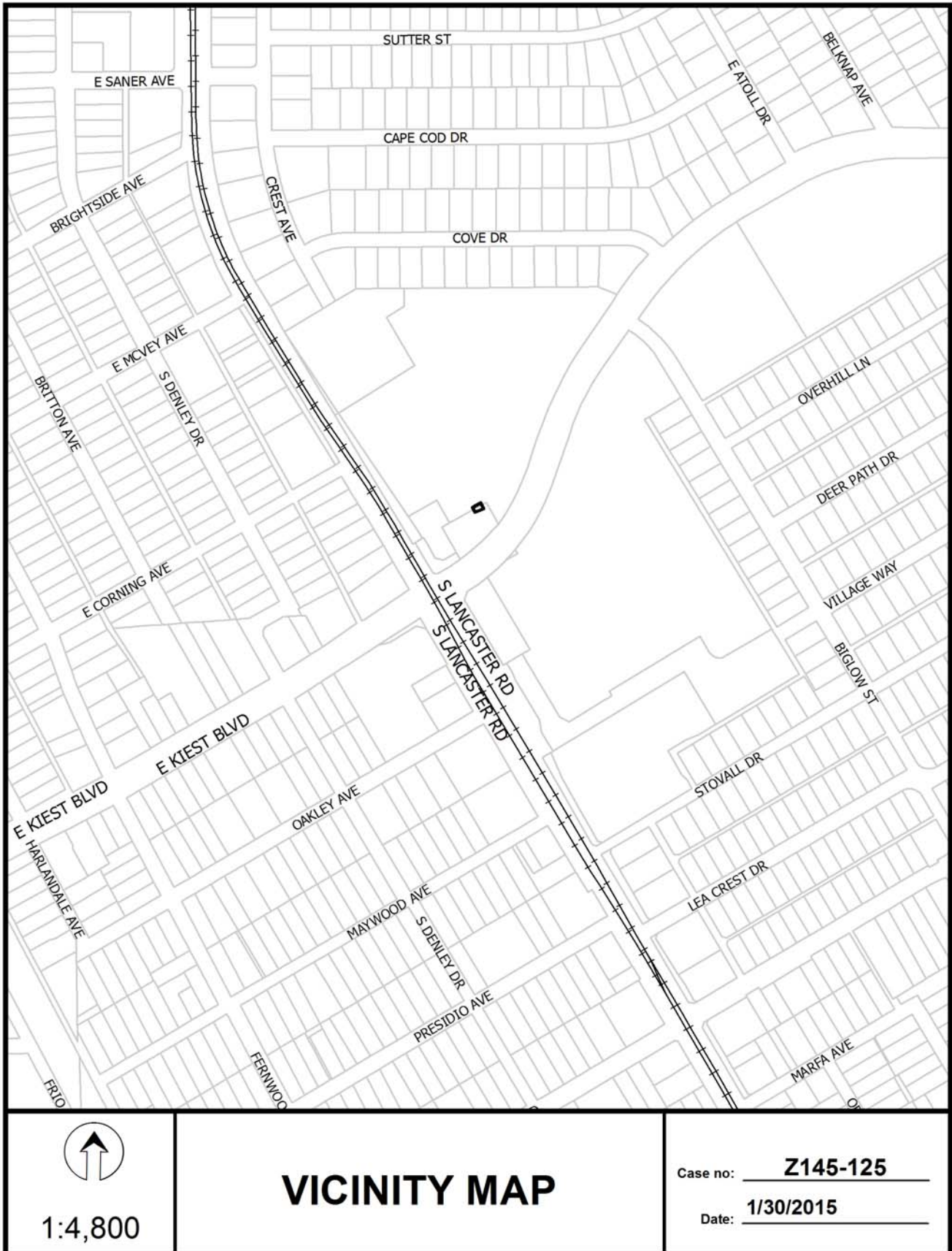
### **Crown Castle:**

W. Benjamin Moreland	President and CEO
James D. Young	Chief Operating Officer
Jay A. Brown	Chief Financial Officer and Treasurer
E. Blake Hawk	Executive Vice President and General Counsel
Patrick Slowey	Senior Vice President and Chief Commercial Officer
Phil Kelley	Senior Vice President, Corporate Development and Strategy
Laura Nichol	Senior Vice President, Business Support

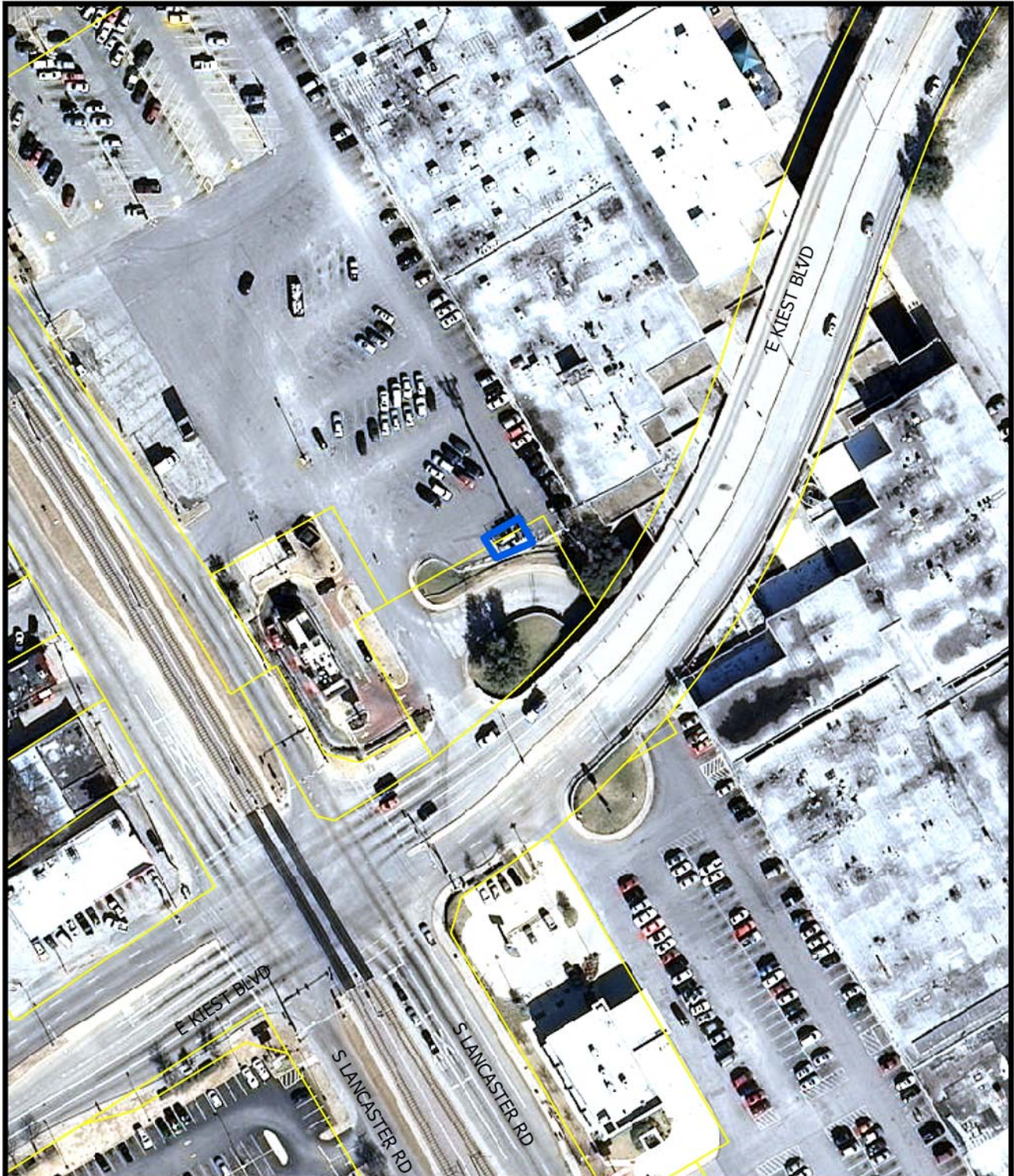
### **Donaldson Properties, Ltd.**

Spigel Properties, Inc.	General Partner
Stanley Spigel	Limited Partner
Barbara Spigel	Limited Partner
Stuart Spigel	Limited Partner
Julie Lynn Zimmermann	Limited Partner

Z145-125(OTH)







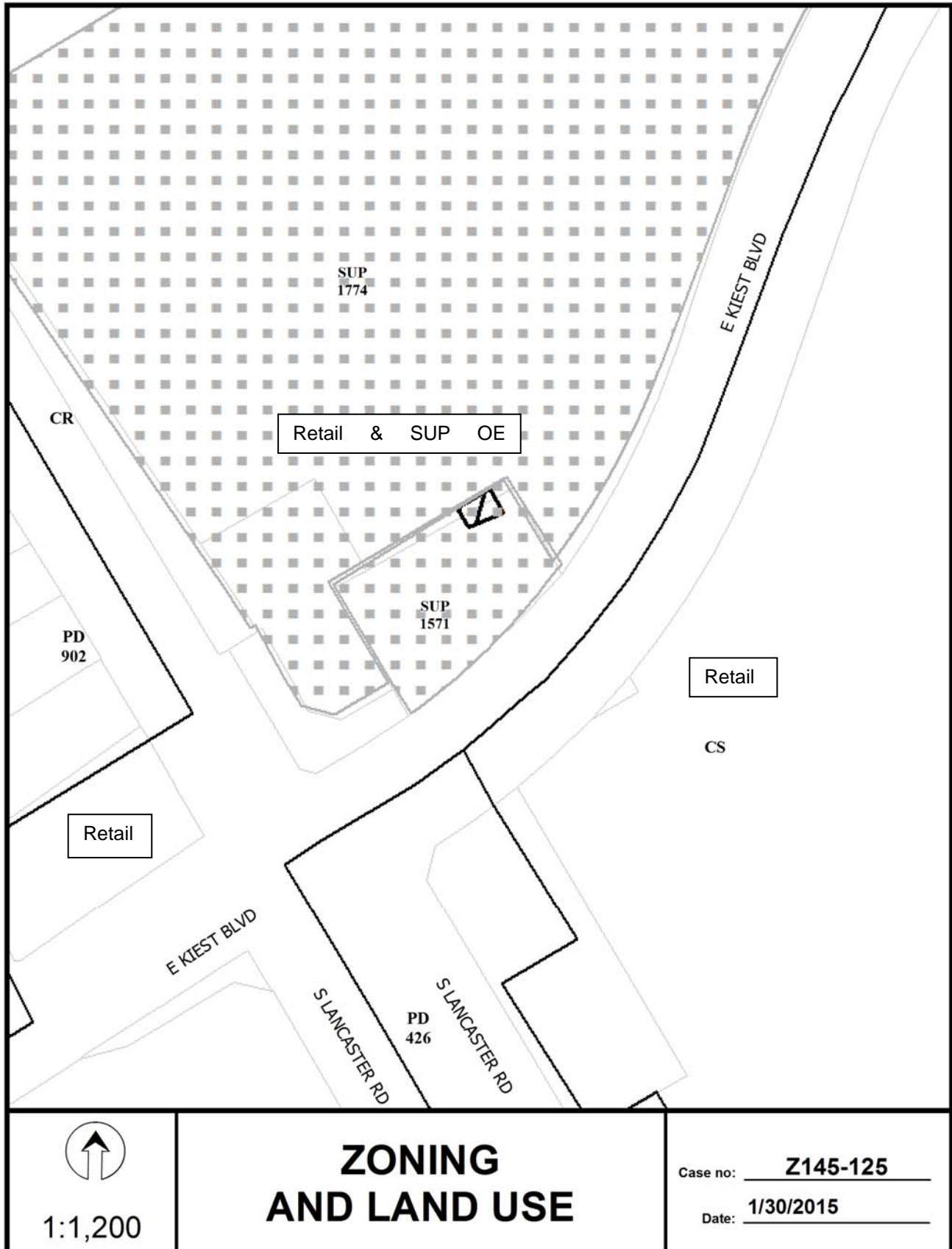
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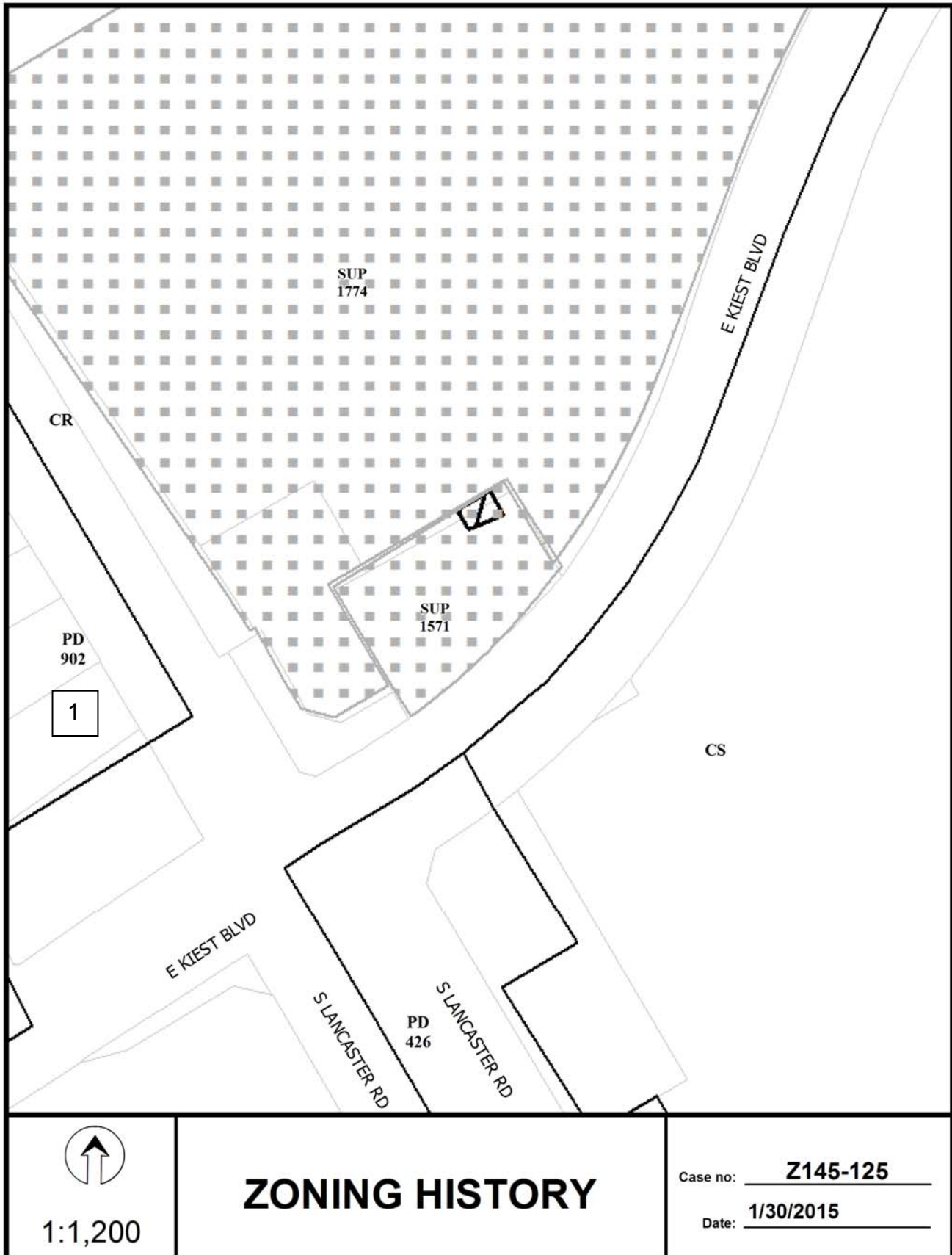
## AERIAL MAP

Case no: Z145-125

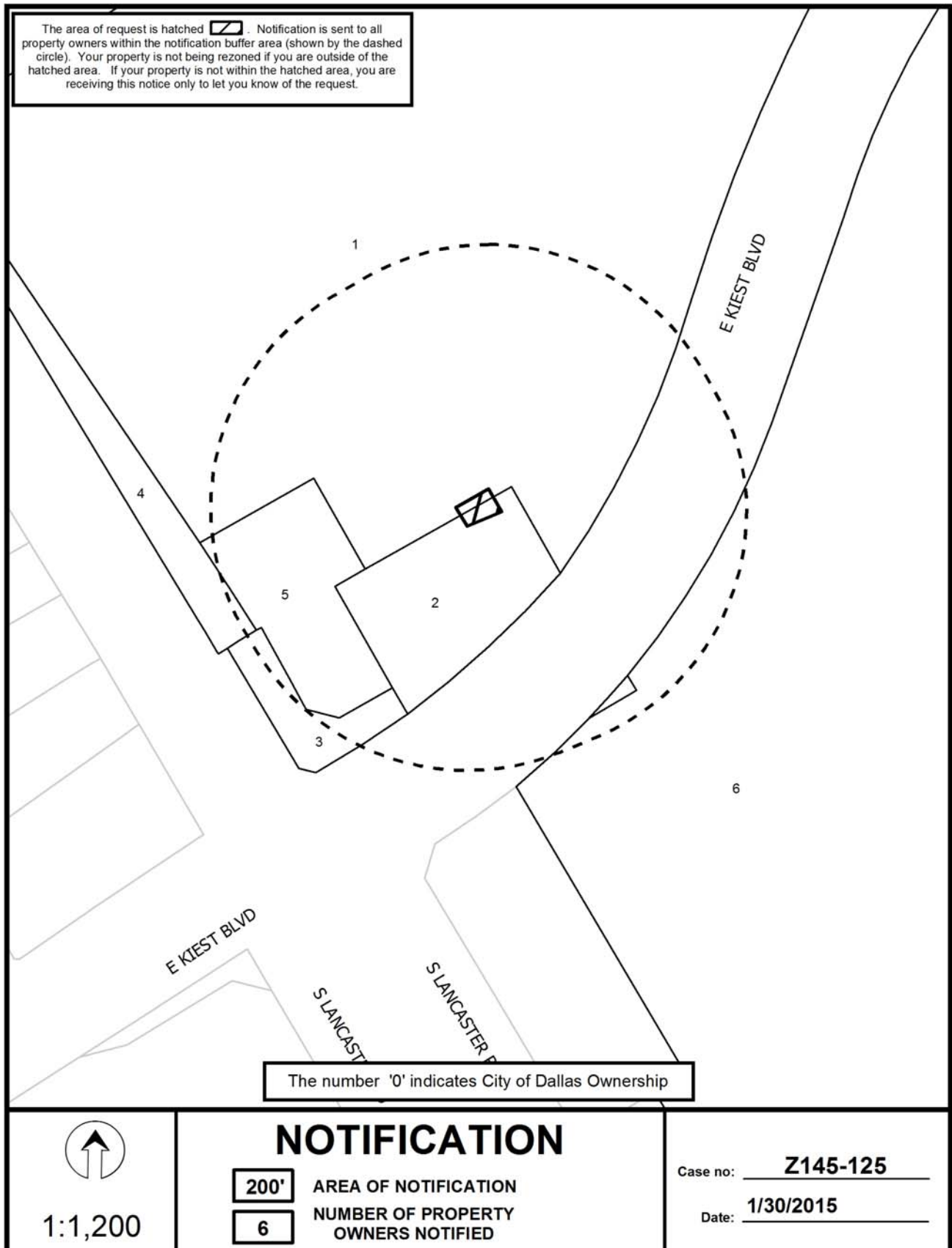
Date: 1/30/2015











Z145-125(OTH)

01/30/2015

***Notification List of Property Owners***  
***Z145-125***

***6 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3050 LANCASTER RD	DONALDSON PROPERTIES LTD
2	1515 Kiest BLVD	DENTON ESTA
3	1507 Kiest BLVD	DART
4	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT
5	1507 Kiest BLVD	WENDYS INTERNATIONAL, INC
6	3200 LANCASTER RD	DONALDSON PROPERTIES LTD

**FILE NUMBER:** Z145-130(OTH)

**DATE FILED:** November 26, 2014

**LOCATION:** North line of Samuell Boulevard, west of South Buckner Boulevard

**COUNCIL DISTRICT:** 7

**MAPSCO:** 48-G

**SIZE OF REQUEST:** ± 11.777 acres

**CENSUS TRACT:** 122.07

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**APPLICANT:** Sam's Real Estate Business Trust

**REPRESENTATIVE:** Myron Dornic, Jackson Walker, L.L.P.

**OWNER:** WM Dallas Portfolio

**REQUEST:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay.

**SUMMARY:** The applicant proposes to sale beer and wine in conjunction with an existing general merchandise or food store [Sam's Club].

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

## **GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The sale of alcoholic beverages in conjunction with the existing general merchandise or food store greater than 100,000 square feet will not impact compatibility with the surrounding land uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale alcoholic beverages in conjunction with the existing general merchandise or food store, neither contributes to nor deters the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The sale of alcoholic beverages is not anticipated to be a detriment. The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. In addition, conditions and time periods for the use provide opportunity for continued evaluation of the site.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, it complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

## **Surrounding Zoning History:**

1. Z101-267      On October 26, 2011, the City Council approved a Specific Use Permit to allow the sale or service of alcoholic beverages in conjunction with a commercial amusement (inside) on the southwest corner of East R.L. Thornton Freeway and South Buckner Boulevard.
2. Z101-306      On October 10, 2011, the City Council approved a Specific Permit for the sale and service of alcoholic beverages in conjunction with a restaurant with drive-in or drive-through service on the south side of East RL Thornton Freeway, west of Buckner Boulevard.
3. Z112-110      On August 8, 2012, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on

property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay, on the northwest corner of Samuell Boulevard and S. Buckner Boulevard.

4. Z112-138 On Wednesday, April 11, 2012, the City Council approved an amendment to Planned Development District No. 605 with a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on the southwest corner Samuell Boulevard & Buckner Boulevard.
5. Z123-278 On September 25, 2013 the City Council approved a Specific Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or greater on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on property located on the south of E.R.L. Thornton Freeway and east of St. Francis Avenue.

#### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
South Buckner Boulevard	Principal Arterial	Variable ROW
Samuell Boulevard	Collector	120 feet

#### **Surrounding Land Uses:**

	Zoning	Land Use
<b>Site</b>	RR - D	Retail
<b>North</b>	RR - D	Retail uses
<b>East</b>	RR-D, MF-2(A)	City of Mesquite, undeveloped, institutional
<b>South</b>	R-7.5(A) PD No. 605	Undeveloped and Single Family
<b>West</b>	R-R – D & SUP No.2048	Retail

#### **STAFF ANALYSIS:**

#### **Comprehensive Plan:**

The comprehensive plan does not make a specific land use recommendation related to the request; however, the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building



Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

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

The applicant’s request conforms to the applicable zoning regulations and standards and is consistent with the intent of the Transit Center/Multimodal Corridor Building Block. The proposed sale of alcoholic beverages in conjunction with the existing general merchandise or food store is not anticipated to negatively impact the adjacent properties. Therefore, staff recommends approval for a two-year period with eligibility for additional five-year periods, subject to a site plan and conditions

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

There site is surrounded by retail uses to the north; undeveloped and warehousing to the east (City of Mesquite); institutional, undeveloped and single family to the south; and retail uses to the west.

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

public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

### **Development Standards:**

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

### **Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 300 square feet of floor area. Therefore, the ±136,638 square-foot store requires 455 parking spaces. The applicant is providing 637 parking spaces as shown in the site plan.

### **Landscaping:**

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

**Police Records**

The following is a summary of the incidents occurred from January 30, 2009 to January 30, 2015 listed (8 pages).

<b>Type of offense</b>	<b>Number of offenses</b>
Auto theft – UUMV	14
Criminal Mischief/Vandalism	13
Found property	10
Fraud	3
Lost property	10
Robbery	11
Theft	78
Traffic motor vehicle	11
Other	15
Total number of offenses	175

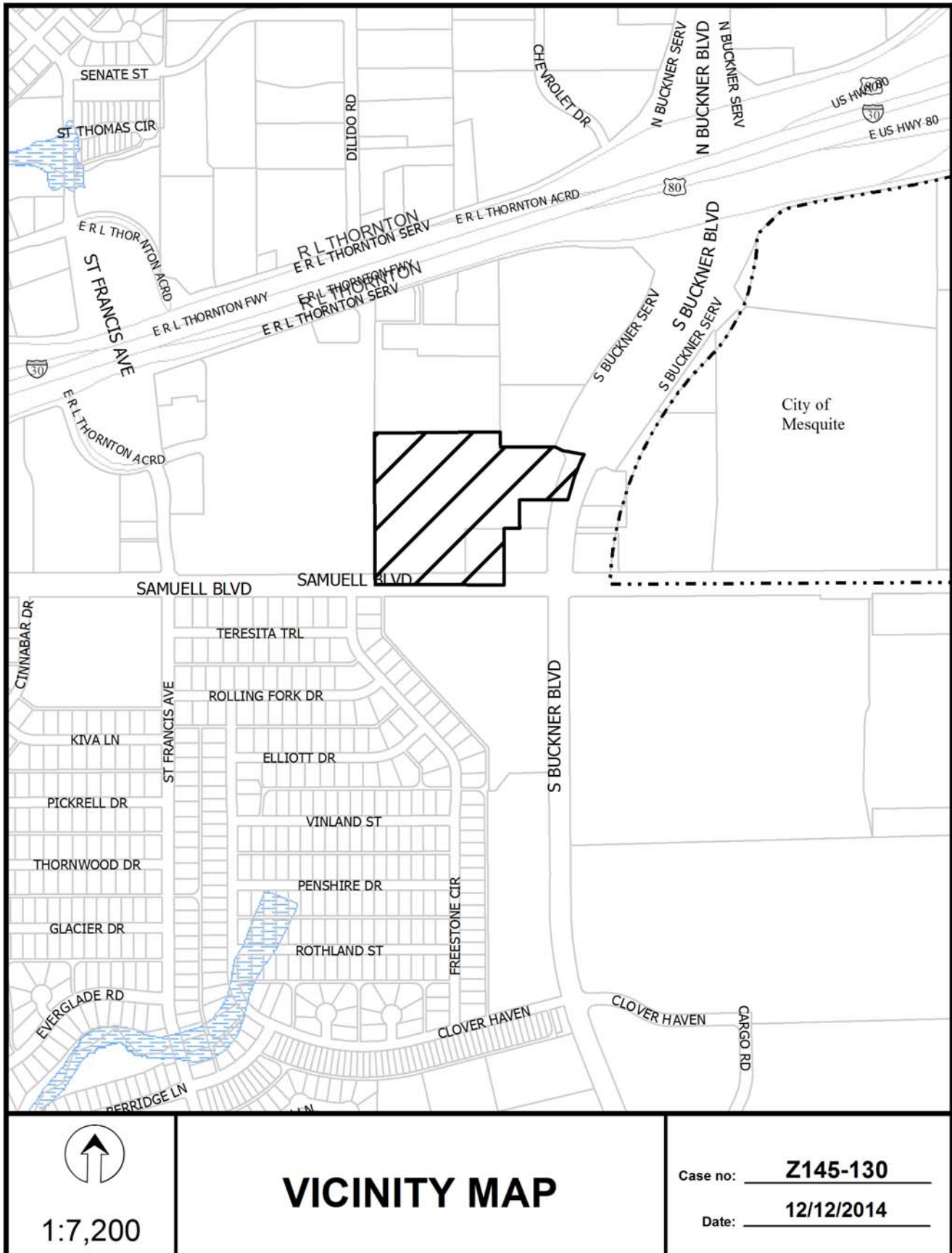
**Proposed SUP Conditions  
Z145-130(OTH)**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store use 100,000 square feet or more.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.





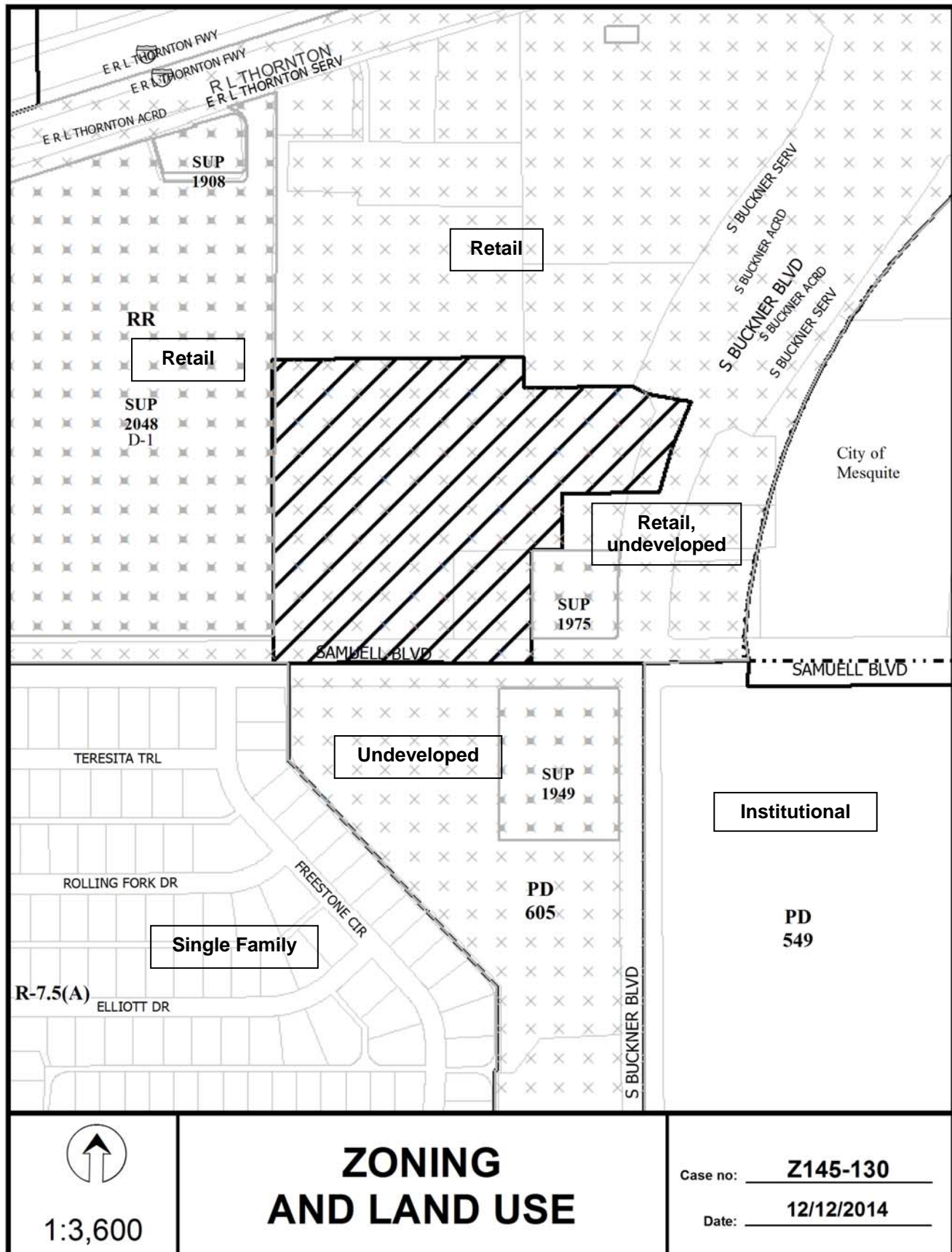


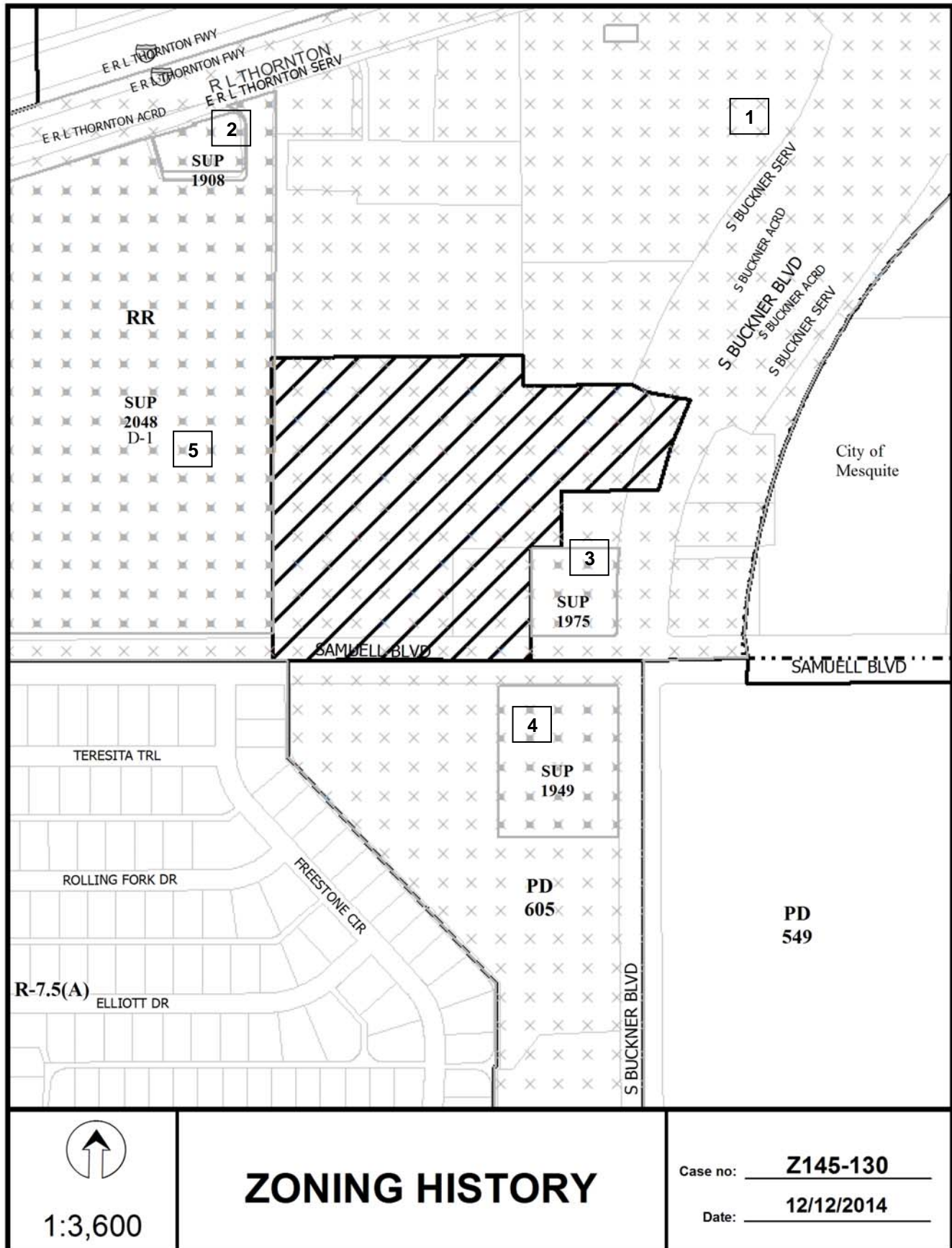




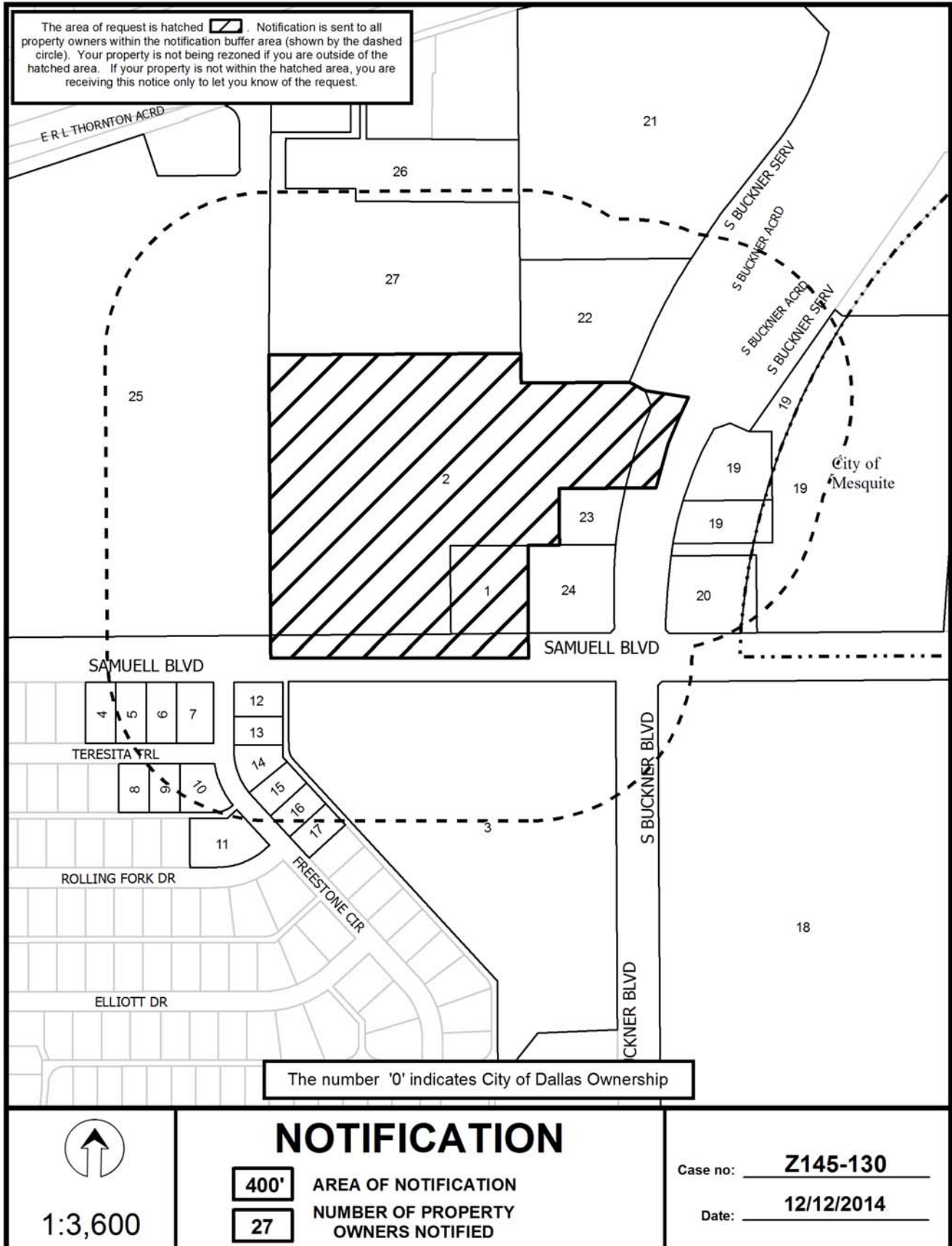












12/12/2014

***Notification List of Property Owners******Z145-130******27 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5655 BUCKNER BLVD	SAMS REAL EST BUSINESSTR
2	5555 BUCKNER BLVD	WM DALLAS PORTFOLIO LP
3	5204 BUCKNER BLVD	RACETRAC PETROLEUM INC
4	7147 TERESITA TRL	WHITEHEAD KELLY JOE
5	7153 TERESITA TRL	ADEYOJU EMMANUEL ETUX
6	7159 TERESITA TRL	MURILLO PABLO JR
7	7165 TERESITA TRL	MARSHALL LENWOOD &
8	7154 TERESITA TRL	HILL CE ESTER & EUNICE
9	7160 TERESITA TRL	TAING AN & PHA
10	7166 TERESITA TRL	OSBORNE KENNETH L
11	7177 ROLLING FORK DR	NEWMAN TERENCE T
12	5430 FREESTONE CIR	MARQUEZ MARTINA
13	5424 FREESTONE CIR	PERRY ELLEN MARIE
14	5418 FREESTONE CIR	COMBEST MILTON D EST OF
15	5412 FREESTONE CIR	RAMOS FE DALIDA
16	5406 FREESTONE CIR	FLIPITDFW INC
17	5330 FREESTONE CIR	CARR MARGARET
18	5202 BUCKNER BLVD	BUCKNER BAPTIST
19	5361 SAMUELL BLVD	BC RETAIL INVESTMENT LP
20	5500 BUCKNER BLVD	RESOURCE ONE CREDIT UNION
21	9334 R L THORNTON FWY	9334 LTD
22	5665 BUCKNER BLVD	9334 LTD
23	5525 BUCKNER BLVD	WHATABURGER OF MESQUITE
24	5501 BUCKNER BLVD	7-ELEVEN INC
25	9100 R L THORNTON FWY	WAL MART REAL EST BUS TR
26	9222 R L THORNTON FWY	IACONO ELANA FAMILY LTD
27	9208 R L THORNTON FWY	BUCKNER JUBILEE INVESTMENTS

**PLANNER: Aldo Fritz****FILE NUMBER:** Z145-144(AF) **DATE FILED:** December 16, 2014**LOCATION:** Southwest line of Valdina Street, west of Wycliff Avenue**COUNCIL DISTRICT:** 6 **MAPSCO:** 44-C**SIZE OF REQUEST:** Approx. 1.42 acres **CENSUS TRACT:** 100.00

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**APPLICANT/ OWNER:** Keith Johnston**REPRESENTATIVE:** Audra Buckley, Permitted Development**REQUEST:** An application for an MU-3 Mixed Use District on property zoned an IR Industrial Research District.**SUMMARY:** The applicant currently has warehouse space that is being used as office/showroom/warehouse and wishes to integrate residential use to the building. Currently a residential use cannot be located within an Industrial Research District.**STAFF RECOMMENDATION:** **Approval**

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

1. *Performance impacts upon surrounding property* – The proposed use allows for the integration of a new use within an area that is predominantly light industrial. The integration of the residential units are expected to have a smooth transition into the neighborhood due to the fact that: a) There has been a recent trend that has seen residential units to be already integrated throughout the area; b) the intensity of the industrial uses within the area is not very high; and c) the residential units will serve to maintain the existing character and overall design of the surrounding uses and existing infrastructure.
2. *Traffic impact* – The proposed rezoning does not have direct access to a major thoroughfare and will have small impact on the existing street system.
3. *Comprehensive Plan or Area Plan Conformance* – The requested land use change is currently in compliance with the overall vision for the area that is depicted in the *Forward Dallas!* plan, which is to create an urban-mixed use area that allows for a variety of mixed uses to be comingled. In addition, the Stemmons Corridor-Southwestern Medical District Area Plan envisions a dramatic increase in jobs and households for the area.

**Zoning History:**

<b><u>File No.</u></b>	<b><u>Request, Disposition, and Date</u></b>
1. Z134-324	On February 12, 2014, an application for an MU-3 Mixed Use District on property zoned an IM Industrial Manufacturing District on the north side of Vantage Road was approved by City Council.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
Valdina St	Minor Arterial	40'

**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.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IR	Industrial
<b>Northeast</b>	IR	Industrial
<b>Southeast</b>	IR	Industrial
<b>Southwest</b>	MU-3	Mixed uses - Office/Warehouse/Showroom/Residential
<b>Northwest</b>	IR	Industrial

**Comprehensive Plan:**

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

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

The request site is located in an area that serves as a major hub for industrial use and within close proximity of a major transit hub. The applicant proposes to allow for residential units to be located on premise. The applicant's request is in compliance with the following goals and policies in the *forwardDallas! Comprehensive Plan*.

**LAND USE****GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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



## URBAN DESIGN ELEMENT

### GOAL 5.1 Promote a sense of place, safety and walkability

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

Furthermore, the site is located within the Stemmons Corridor-Southwestern Medical District Area which currently has an area plan in place that provides a strategic plan of action to accommodate for the approximately 56,000 new jobs and the 22,000 households that are envisioned to grow over the new few decades. Integrating residential uses in this area is consistent with the projections for the area.

### STAFF ANALYSIS:

#### Land Use Compatibility:

The subject site is made up of two contiguous building sites. The first site contains a 36,000-square-foot warehouse building that is divided into 11 suites with surface parking. The second site contains a 32,880-square-foot building that is divided into 3 suites with surface parking. The integration of these residential units will not serve to degrade or change the already established industrial landscape. Through the maintenance of the existing urban form of the building itself, a variety of different uses can cohabitate under the same roof while maintaining the character of the neighborhood.

#### Development Standards:

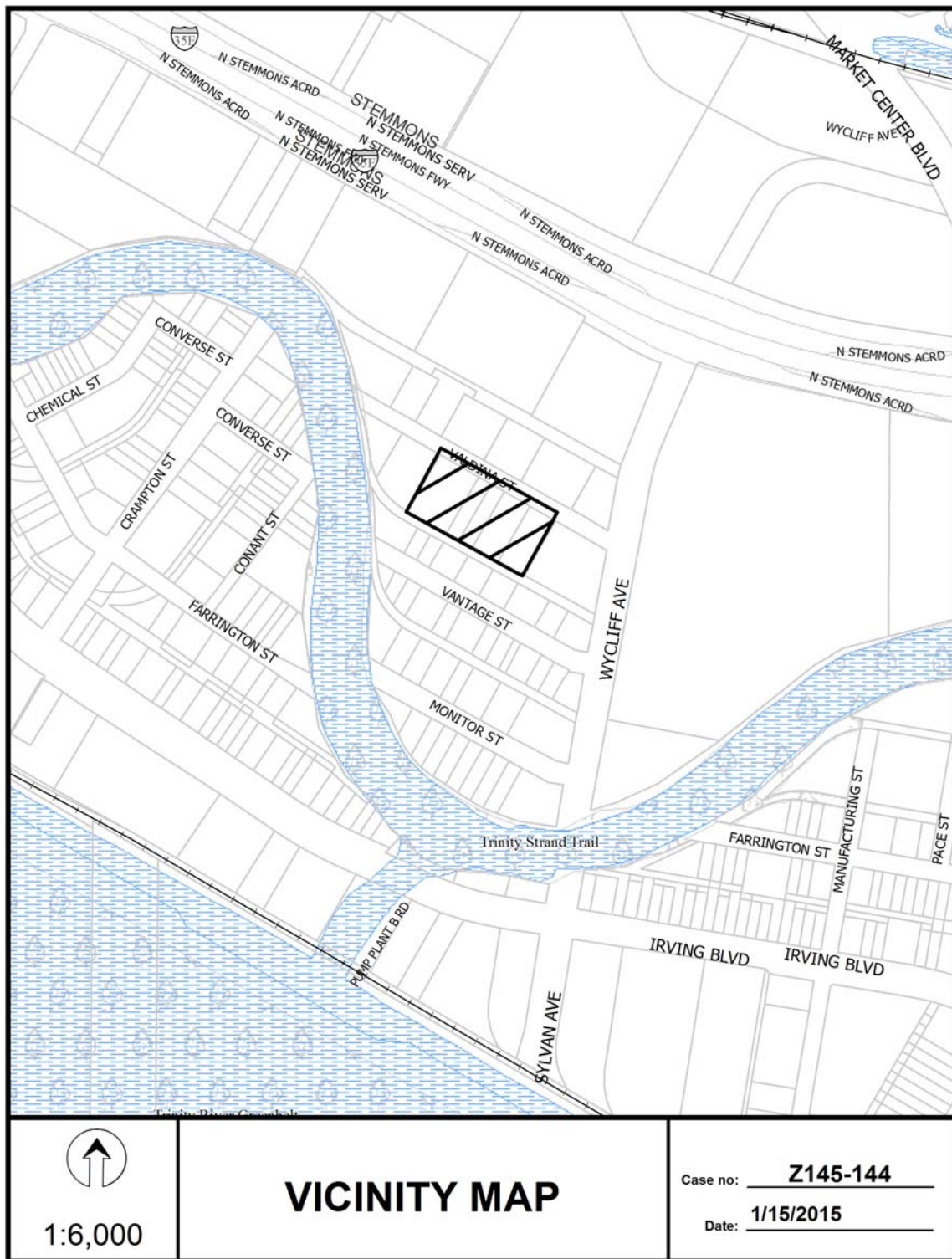
<u>District</u>	<u>Setbacks</u>		<u>Density FAR</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>Primary Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
Existing: IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15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

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
Proposed MU-3	Min. front yard is: 15'	20'	No maximum dwelling unit density	Max. structure height is: 270 feet	80%	No Min. Lot size	High density retail, office, hotel and/or multifamily residential uses in combination on single or contiguous building sites

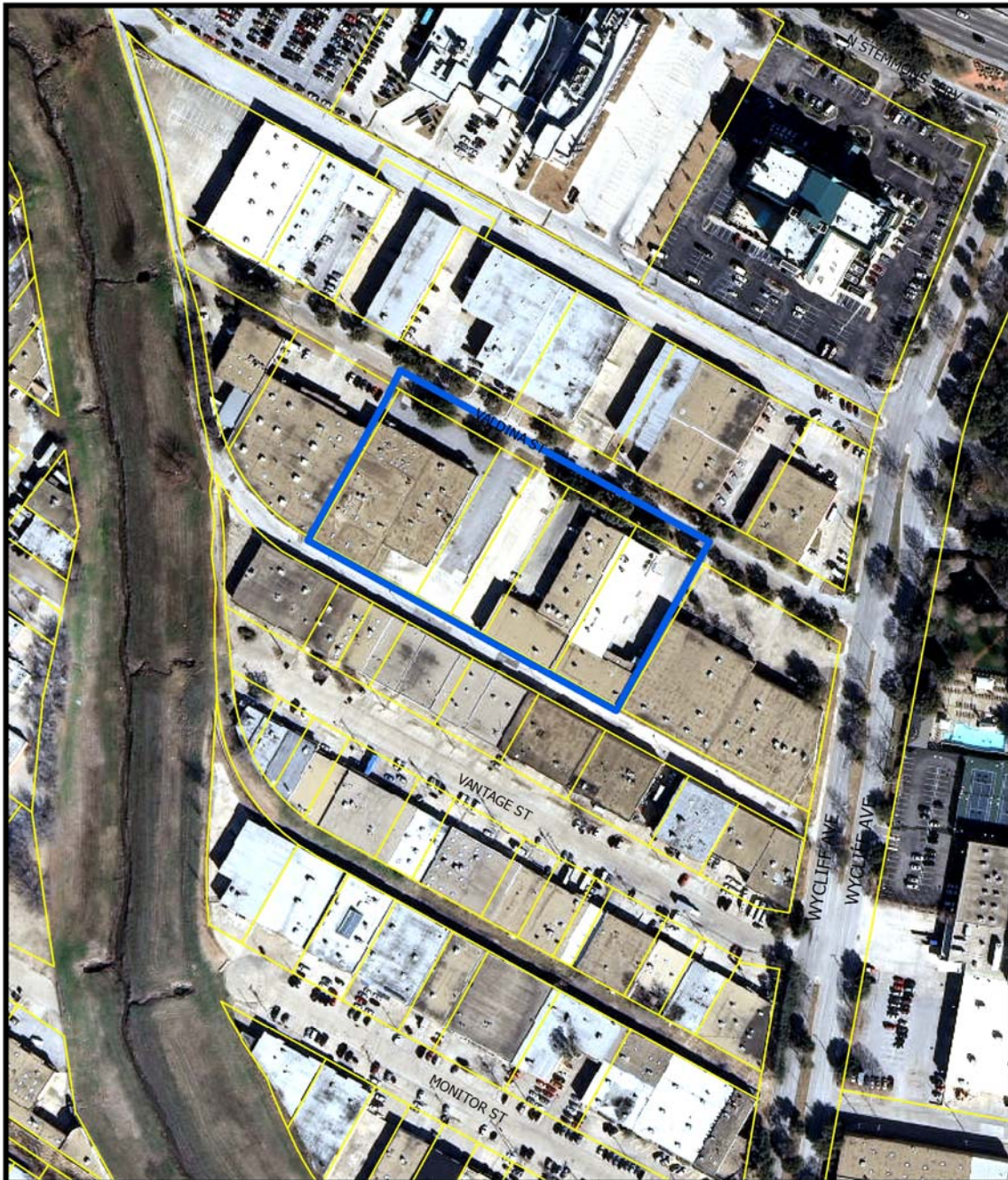
**Landscaping:** Landscaping requirements of Article X of the Dallas Development Code will be triggered if additional impervious surface is added to the site.

**List of Property Owners**

- a) 2233 Valdina St, Ste 100  
CAC Holdings, LLC  
Managing Member: Claire Chiappetta
- b) 2233 Valdina St, Ste 102, 106, 108 108  
Keith Johnston
- c) 2233 Valdina St, Ste 104  
Glenwick Holdings, LLC  
Managing Member: The Magdalin Group, LTD Charles S Thornton, Director
- d) 2231 Valdina St, Ste 100  
CAC Holdings, LLC  
Managing Member: Claire Chiappetta
- e) 2231 Valdina St, Ste 102  
JF Capital Trust, LLC  
Managing Member: Keith Johnston
- f) 2231 Valdina St, Ste 104  
FR Holdings, LLC  
Managing Members: Philip J Romano and J Stuart Fitts
- g) 2231 Valdina St, Ste 106  
Charles S Thornton
- h) 2229 Valdina St, Ste 110  
Mark Joseph Cwikla
- i) 2229 Valdina St, Ste 112  
Oringderff Commercial Properties, LLC  
Managing Members: The Magdalin Group, LTD Charles S Thornton, Director
- j) 2253, 2259 and 2263 Valdina Street DDB Properties, LLC  
Managing Members: David E. Capps and Bryan Hinsey





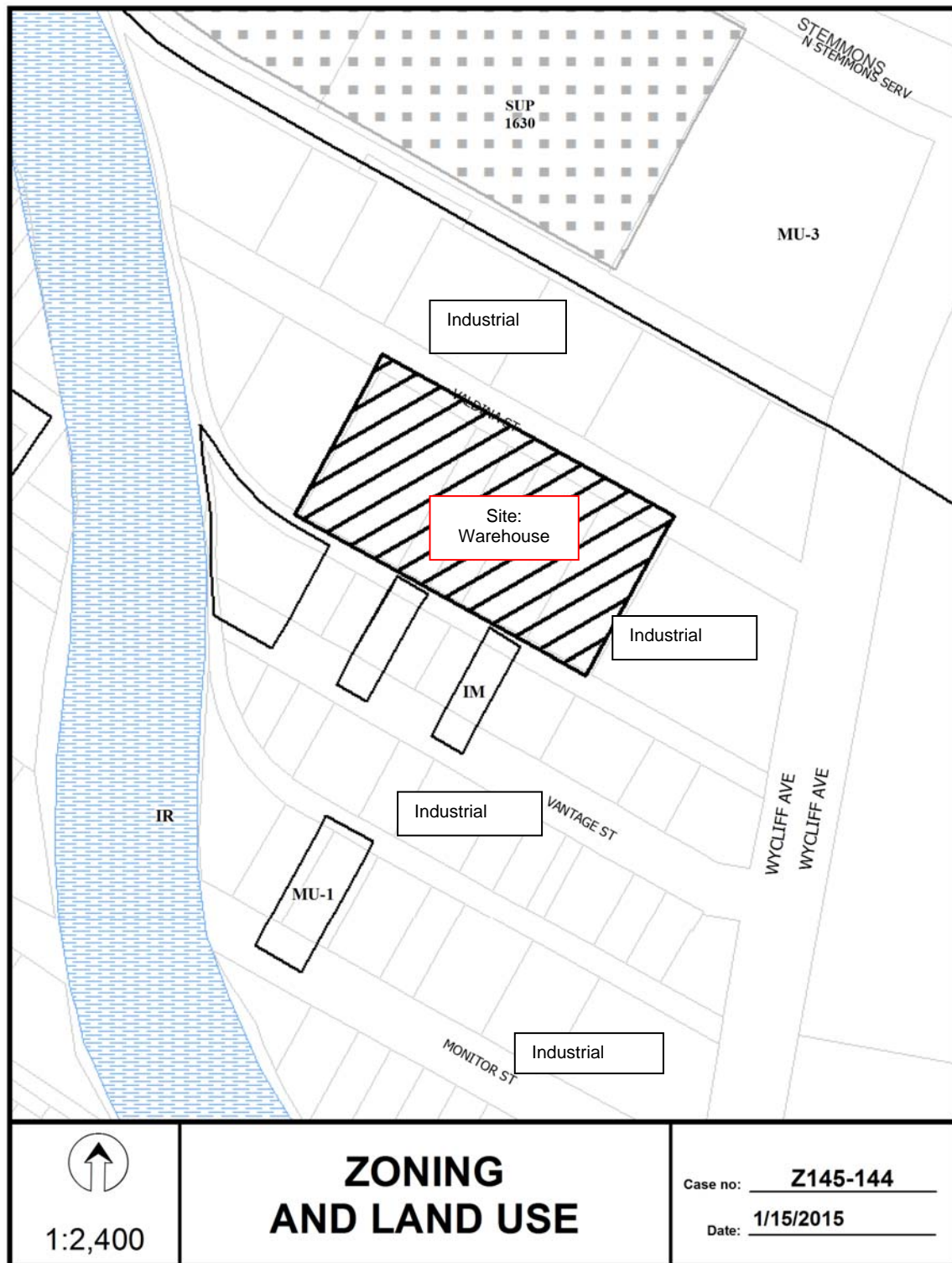


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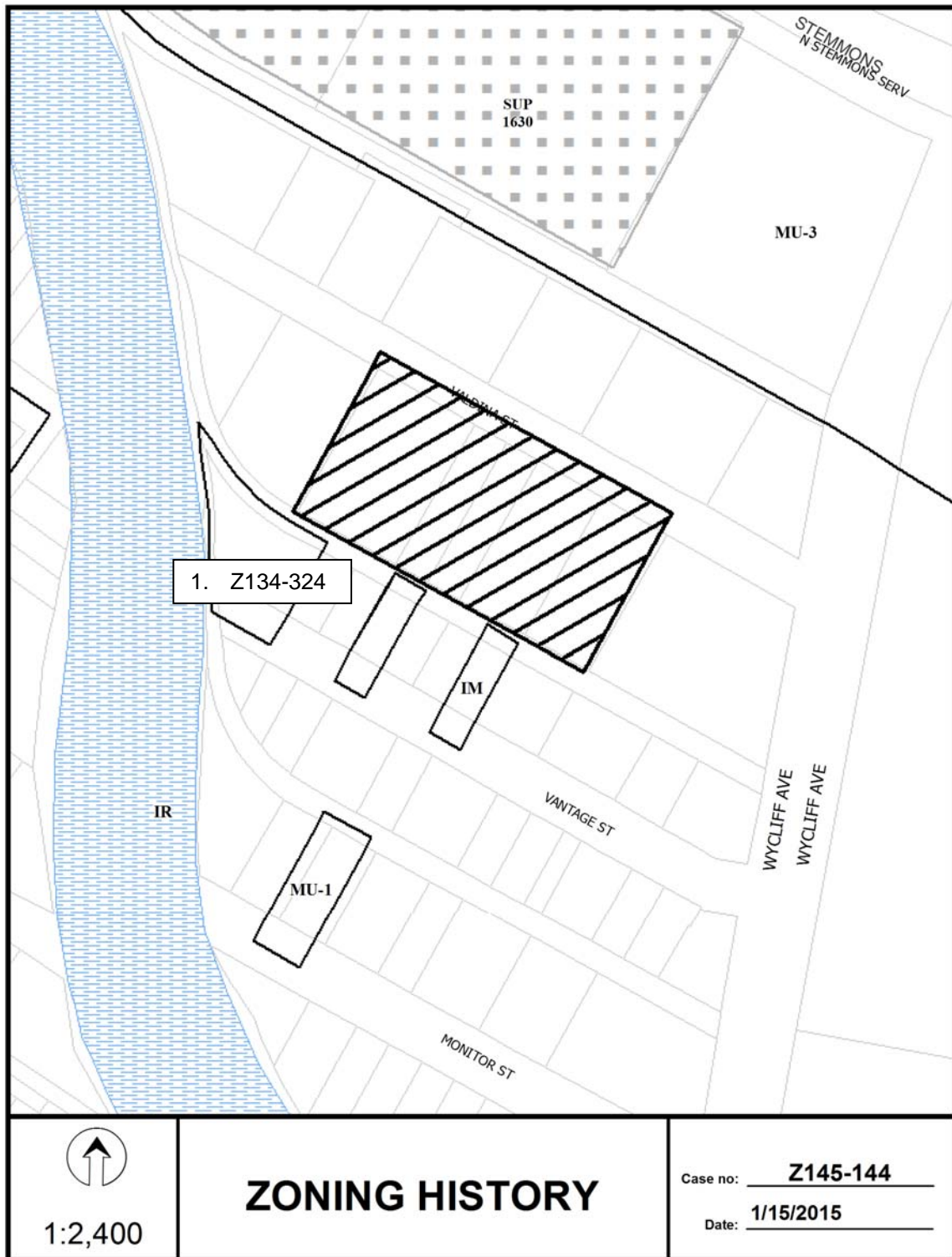
## AERIAL MAP

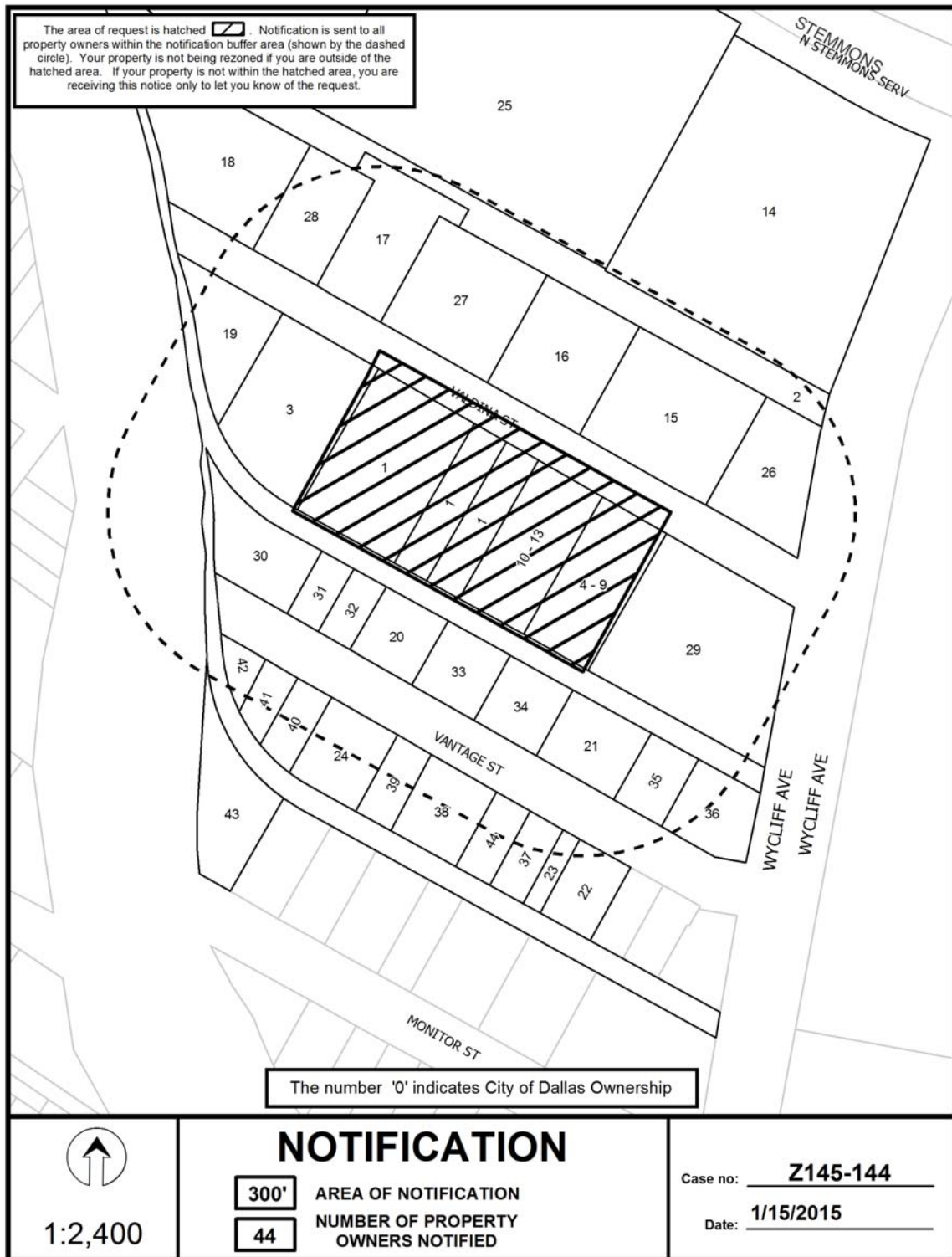
Case no: Z145-144

Date: 1/15/2015









01/15/2015

***Notification List of Property Owners******Z145-144******44 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2253 VALDINA ST	DDB PPTIES LLC
2	2200 VALDINA ST	ANATOLE PARTNERS
3	2323 VALDINA ST	COMMERICAL ART SVCS INC
4	2231 VALDINA ST	CAC HOLDINGS LLC
5	2231 VALDINA ST	JF CAPITAL TRUST LLC
6	2231 VALDINA ST	FR HOLDINGS LLC
7	2231 VALDINA ST	WIMPRESS JAMES F JR REVOCABLE TRUST
8	2229 VALDINA ST	JOHNSTON KEITH
9	2229 VALDINA ST	ORINGDERFF COMMERICAL PROPERTIES LLC
10	2233 VALDINA ST	OUELLETTE JARRETT
11	2233 VALDINA ST	JOHNSTON KEITH
12	2233 VALDINA ST	BALES MATTHEW &
13	2233 VALDINA ST	BRADEN EUGENE N & BETTY L C
14	2325 STEMMONS FWY	SPL DALLAS HOSPITALITY LP
15	2230 VALDINA ST	YOLPAK INVESTMENTS LLC
16	2254 VALDINA ST	ROBBINS PROPERTY COMPANY
17	2320 VALDINA ST	DAVINDA FAMILIA II LP
18	2340 VALDINA ST	MCGILVRAY MICHAEL L &
19	2335 VALDINA ST	COMMERCIAL ART SERVICES
20	2270 VANTAGE ST	WTHW LTD
21	2236 VANTAGE ST	CALLEJAS FERMIN HERNANDEZ & FRANCISCO HERNANDEZ
22	2223 VANTAGE ST	VELIS JIMMY &
23	2227 VANTAGE ST	A & H SMITH INC
24	2267 VANTAGE ST	MAGDALIN & THONTON LLC
25	2345 STEMMONS FWY	County of Dallas
26	1505 WYCLIFF AVE	8TH AVE HOLDINGS LLC

01/15/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2254 VALDINA ST	ROBBINS PROPERTY COMPANY
28	2332 VALDINA ST	MCGILVRAY MICHAEL L &
29	1451 WYCLIFF AVE	PETRA GROUP INC
30	2292 VANTAGE ST	OUELLETTE JARRETT
31	2284 VANTAGE ST	SHURPA DALLAS PROPERTIES TRST LTD
32	2280 VANTAGE ST	DUDNEY 2560 IRVING LLC
33	2258 VANTAGE ST	WTHW LTD
34	2246 VANTAGE ST	GREEN JACK D
35	2222 VANTAGE ST	GILMORE EQUITIES LTD
36	2200 VANTAGE ST	GILMORE EQUITIES LTD
37	2233 VANTAGE ST	VANTAGE WAY INC
38	2251 VANTAGE ST	A-3 PROPERTIES LP
39	2257 VANTAGE ST	TIMBERLAKE HOLDINGS LLC
40	2273 VANTAGE ST	BATES & MYERS JV # 7 PS
41	2281 VANTAGE ST	VANTAGE STREET LLC
42	2285 VANTAGE ST	PAYLESS ENVELOPES INC
43	2288 MONITOR ST	BELLOW D INV LTD
44	2239 VANTAGE ST	PUBLIC INDUSTRIAL

**FILE NUMBER:** Z145-145(AF)**DATE FILED:** December 17, 2014**LOCATION:** Northeast corner of East Northwest Highway and North Central Expressway**COUNCIL DISTRICT:** 13**MAPSCO:** 26-T**SIZE OF REQUEST:** Approx. 7.029 acres**CENSUS TRACT:** 78.22

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**REPRESENTATIVE:** Karl Crawley, Masterplan**APPLICANT:** 8750 NCE Dallas, LLC**OWNER:** 8750 NCE Dallas, LLC**REQUEST:** An application for an MU-3 Mixed Use District on property zoned a GO(A) General Office District.

**SUMMARY:** It is the intention of the applicant to integrate a mix of uses like retail and restaurant that can further compliment the office space that is already on site. The development standards in GO(A) and MU-3 are similar. However, they differ in terms of the land uses permitted. The subject site encompasses a hotel and two office towers (Campbell Centre). It is the applicant's intention to develop the surface parking lot with uses that can further compliment the uses that are currently on site and across the street. In the immediate future, residential uses are not anticipated; however, MU-3 would permit residential uses if the owner chose to incorporate them. MU-3(SAH) Mixed Use Affordable Housing zoning is to the north.

**STAFF RECOMMENDATION:** Approval



## **GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The site is located less than half a mile away from the Park Lane Multi-Modal Dart Station. Across the street on the north side is a mixed use development with a grocery store, office, apartments, restaurants, and retail. On the site, two office buildings and a hotel are located with a large surface parking abutting the Dart Rail, and running along Greenville Avenue. The location itself allows the opportunity to build a development that can continue the mixes of uses and compliment the uses that are currently present at that intersection on the north side.
2. *Traffic impact* – Staff has reviewed the request and has determined that the surrounding roadway system can accommodate the additional trips.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the *forwardDallas!* Comprehensive Plan for the Area. In addition, the Vickery Meadow TIF District and PID are located less than half a mile away, which creates calls for the redevelopment of the area just north of the subject site.

### **Zoning History:**

1. Z134-110      On June 25, 2010, City Council approved a Planned Development District, subject to a subdistrict map and conditions, approved termination of Specific Use Permit No. 416 and Specific Use Permit No.1272, and approved the termination of deed restrictions
2. Z134-273      On November 12, 2014, City Council approved a Specific Use Permit for a private school on property zoned an MU-3(SAH) Mixed Use Affordable District with deed restrictions.

### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Northwest Highway	Major Arterial	80'
North Central Expressway	Highway	300'

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	GO(A)	Office
<b>North</b>	MU-3(SAH);SUP 2120	Grocery, Retail, Office, Residential
<b>East</b>	PD 488	Government
<b>South</b>	PD 595, R-5(A)	Trinity Levy
<b>West</b>	RR	Retail (North Park Mall)

**STAFF ANALYSIS:****Comprehensive Plan:**

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

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

Urban mixed-use districts will incorporate housing, jobs and commercial activity in strategic locations throughout the city. These areas will be linked to the rest of the city by means of the transit system and will be designed to encourage pedestrian mobility.

## **URBAN DESIGN ELEMENT**

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

### **GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

Policy 5.2.4 Enhance retail, industrial and business operations.

## **Area Plans:**

The subject site is located less than half-mile away from the boundaries of two major areas the City has focused major efforts in and have created a framework for development along with a funding mechanism to pay for major infrastructure improvements and catalysts for economic development. These two major plans are the Vickery Meadow TIF District Project Plan and the Vickery Meadow Public Improvement District (VMPID).

The Vickery Meadow TIF District Project Plan provides a long term program to replace and upgrade the infrastructure and encourage redevelopment of underutilized property in the Vickery Meadow TIF District. This program is intended to encourage private development and public infrastructure improvements thereby the economics of redeveloping the Vickery Meadow TIF District.

Vickery Meadow Public Improvement District (VMPID) was established in 1993 and was renewed thrice in 1998, 2003 and 2008. The Vickery Meadow area consists of approximately 110 businesses, 11,929 multi-family units and 5 DISD schools. Vickery Meadow Management Corporation manages the PID. The general nature of the service and improvements provided by the PID are to enhance security and public safety, maintenance, economic development activities, special event and other services and activities approved by the Dallas City Council.

## **Land Use Compatibility:**

Currently, the undeveloped surface parking lot serves as a void or disconnection with the development on the north side. The request site is underutilized and isolated nestled between the Dart train tracks, Northwest Highway, and Central Expressway. The surface parking serves to be a void disconnecting the site from mixed use development to the north. Development is occurring all around the site, and it has an opportunity to obtain better cohesion with the surrounding developments through the implementation of restaurants and retail.

**Development Standards:**

Existing Zoning							
District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
GO(A)\ General Office	15'	20' adjacent to residential OTHER: No Min.	4.0 FAR	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual intrusion	Office; lodging; retail and personal service uses as limited uses

Proposed Zoning							
District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
MU-3	15'	20' adjacent to residential OTHER: No Min.	3.2 base 4.0 max + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual intrusion	Office; retail and personal service; lodging; residential; trade center

**Traffic:**

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

**Landscaping:**

The landscape requirements of Article X will be triggered if impervious surface is added to the site.

**List of Officers**

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Kenneth L. Hargreaves

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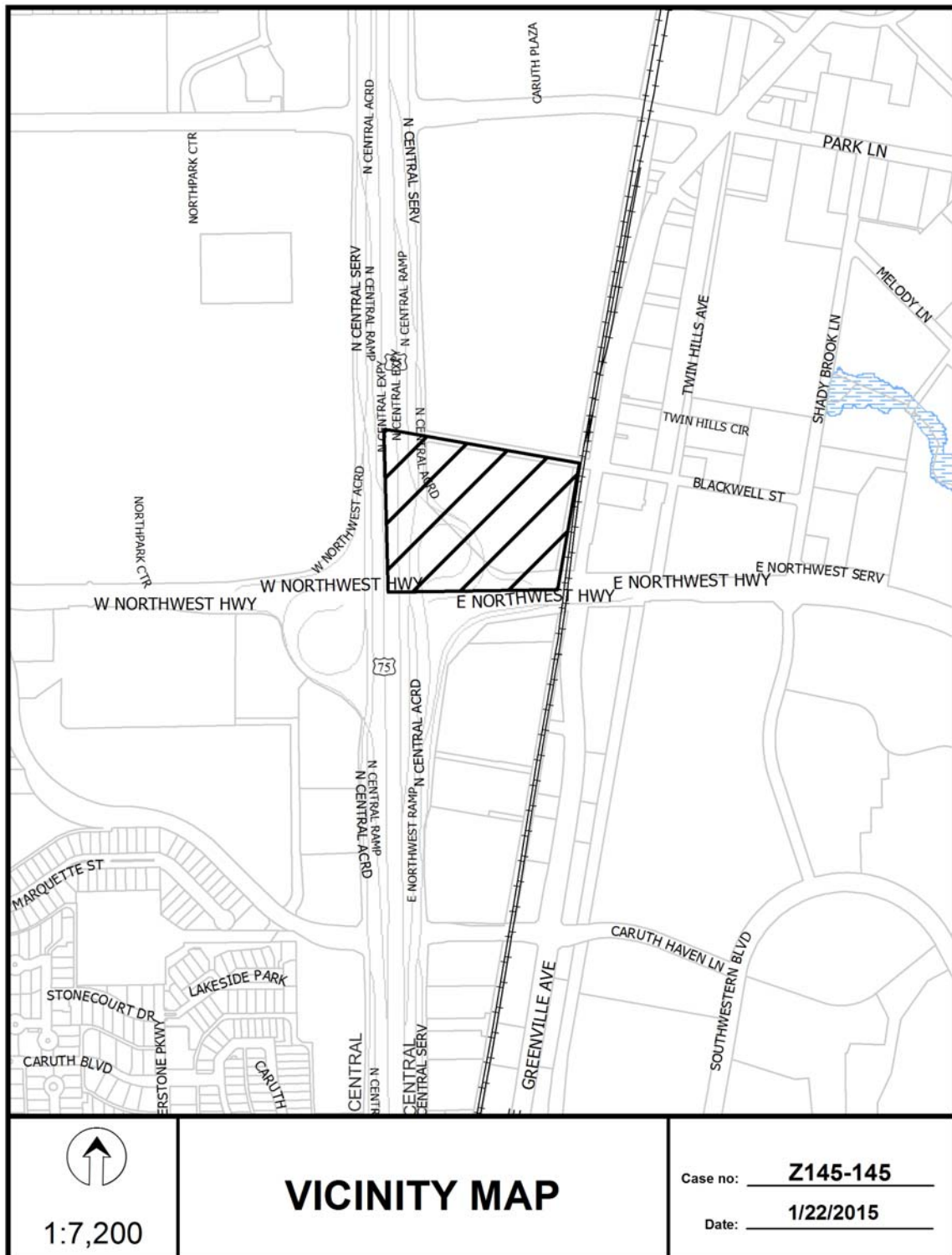
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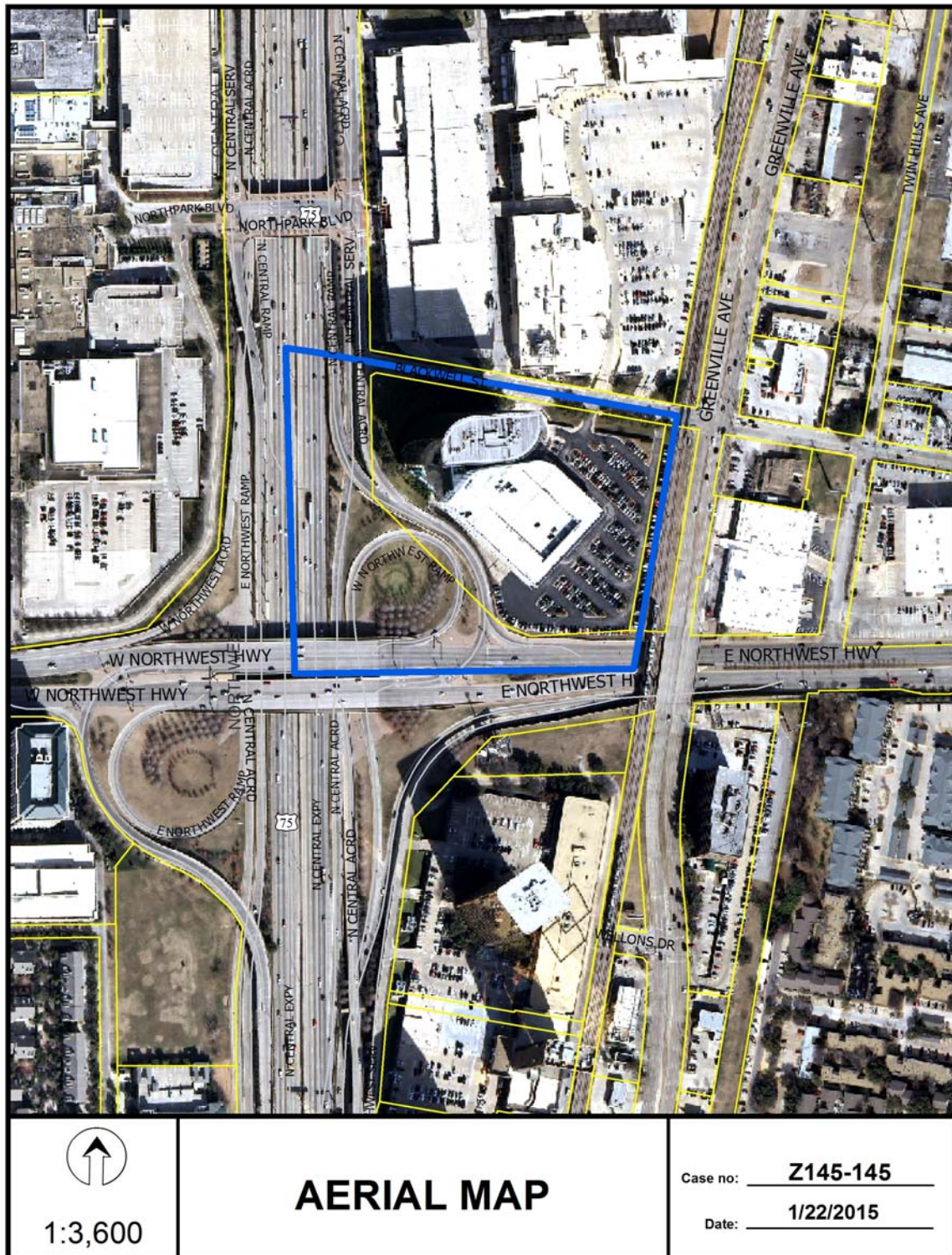
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Justin Preftakes	Assistant Vice President
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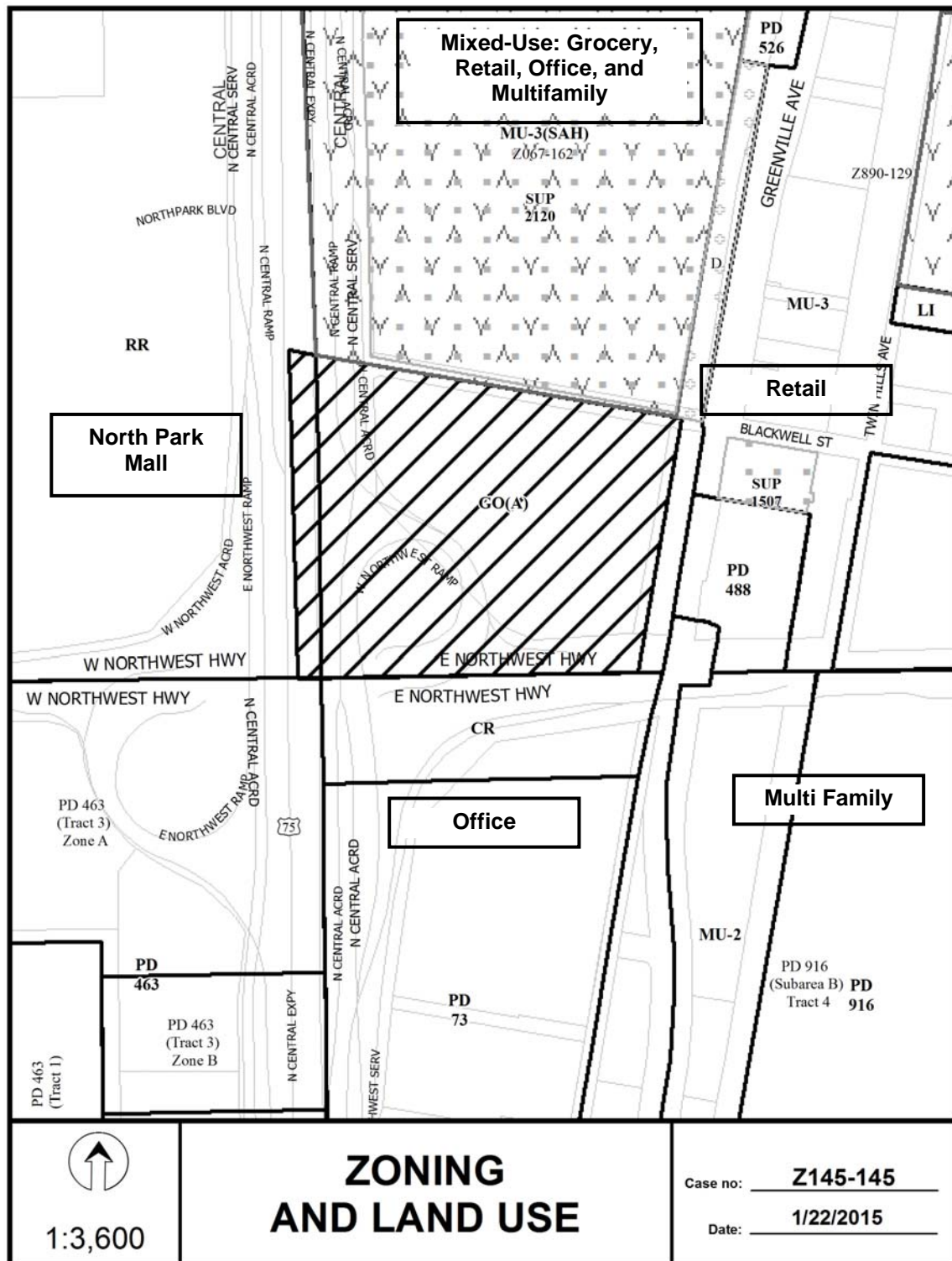
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Bruce C. Frisbie	Assistant Treasurer

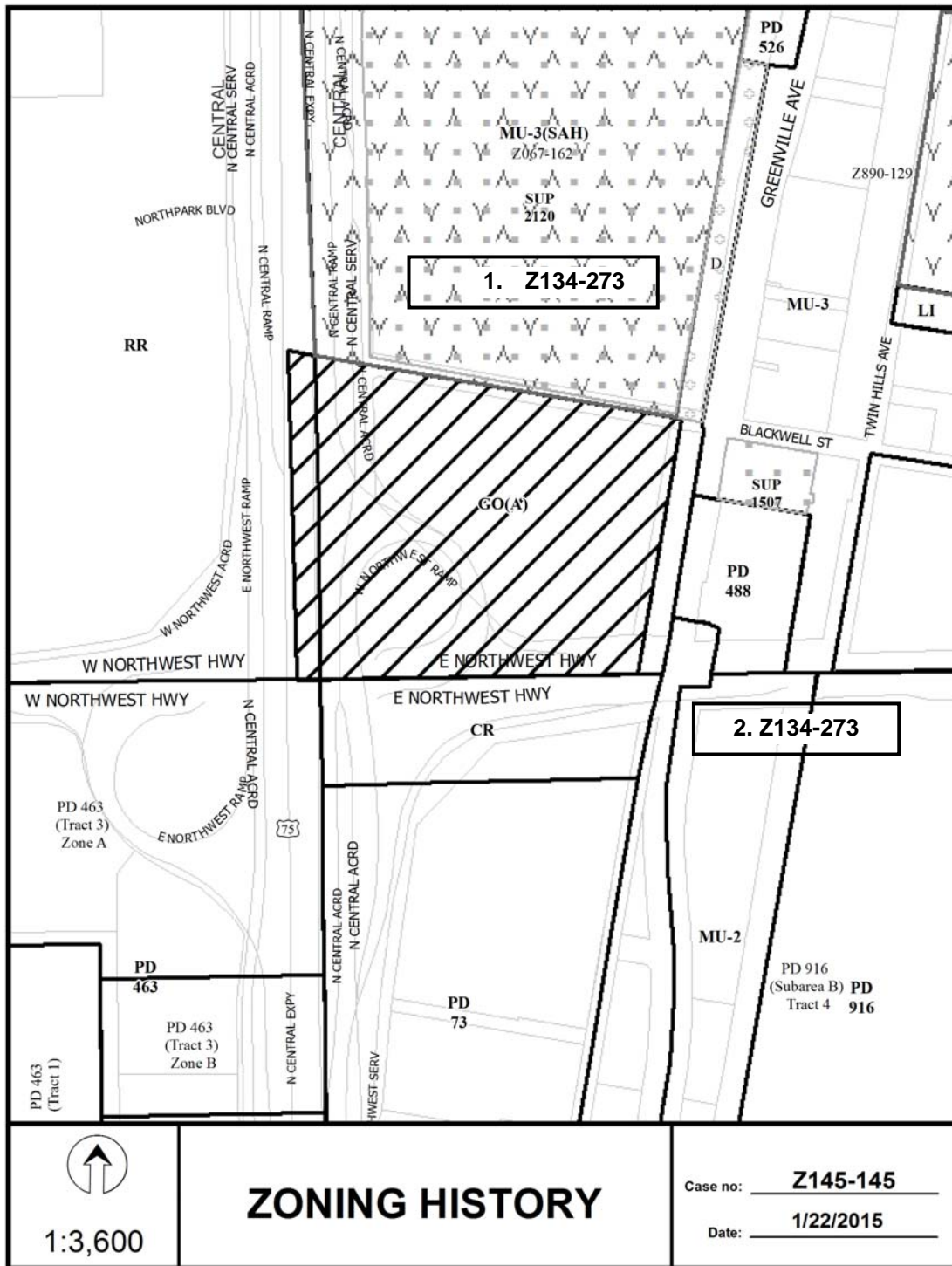


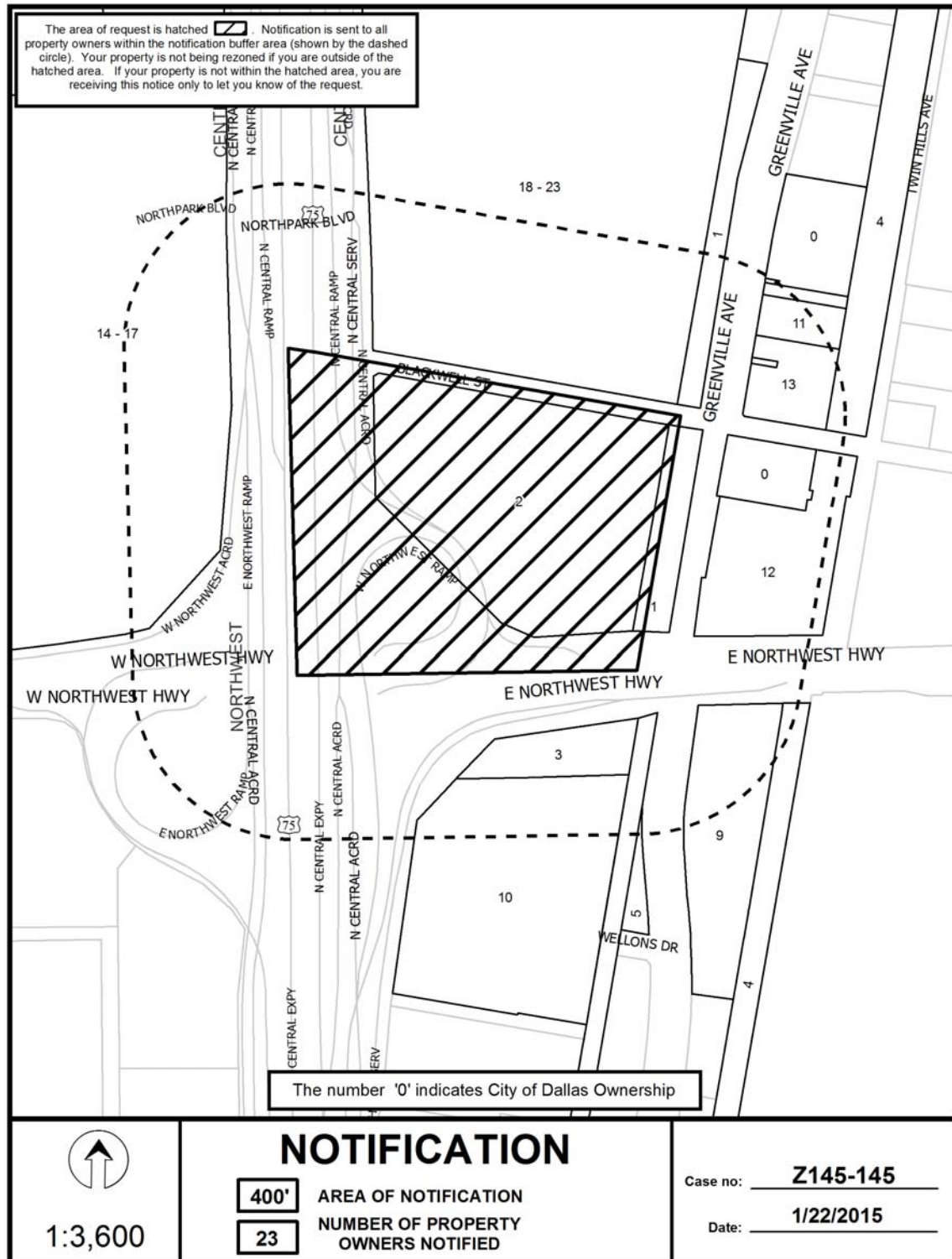














01/22/2015

***Notification List of Property Owners******Z145-145******23 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	401 BUCKNER BLVD	DART
2	8750 CENTRAL EXPY	8750 NCE DALLAS LLC
3	5600 NORTHWEST HWY	RODDIMEYER III LLC
4	5700 NORTHWEST HWY	TEXAS UTILITIES ELEC CO
5	6501 GREENVILLE AVE	SPOTLIGHT PROPERTIES CORP
6	6790 GREENVILLE AVE	6778-6790 GREENVILLE AVE
7	6778 GREENVILLE AVE	6778-6790 GREENVILLE AVE
8	6750 GREENVILLE AVE	ELLER MEDIA COMPANY
9	6500 GREENVILLE AVE	PEG OFFICE LLC
10	8350 CENTRAL EXPY	CAMPBELL CENTRE LTD PS
11	6770 GREENVILLE AVE	MIEGEL INVESTMENTS LLC
12	5701 NORTHWEST HWY	EXTRA SPACE PPTIES FORTY THREE LLC
13	6750 GREENVILLE AVE	ARMSTRONG GUADALUPE LP
14	8850 BOEDEKER ST	NORTHPARK NATIONAL BANK
15	0 NORTHPARK	NEIMAN MARCUS CO LESSEE
16	8687 CENTRAL EXPY	NORTHPARK LAND PARTNERS
17	7901 NORTHWEST HWY	NORDSTROM
18	8176 PARK LN	NORTHWOOD PL A LP
19	8166 PARK LN	NORTHWOOD PL HOLDINGS LLC
20	8130 PARK LN	NORTHWOOD PL E LP
21	8100 PARK LN	NORTHWOOD PL G LP
22	8130 PARK LN	NORTHWOOD PL HOLDINGS LLC
23	8066 PARK LN	DNCX PARK LANE LP

**Planner: Carrie F. Gordon**

**FILE NUMBER:** Z145-151(CG)

**DATE FILED:** December 29, 2014

**LOCATION:** South line of Samuell Boulevard, east of Owenwood Avenue

**COUNCIL DISTRICT:** 2

**MAPSCO:** 47-E

**SIZE OF REQUEST:**  $\pm$ 7,258 sq. ft.

**CENSUS TRACT:** 12.02

---

**APPLICANT/REPRESENTATIVE:** Guliana D. Cantu

**OWNER:** Teresa Castaneda

**REQUEST:** An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern use on property zoned an RR Regional Retail District.

**SUMMARY:** The purpose of this request is to permit the operation of a bar, tavern or lounge on the subject site [Barbi's Bar]. No new construction is proposed by this application.

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

**GUIDING CRITERIA FOR RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed use is compatible with the surrounding uses given the regional retail zoning and similar land uses along Samuell Boulevard that accommodate a variety of commercial and business service, retail and personal service, and restaurant uses. A condition limiting the hours of operation is anticipated to alleviate any potential conflicts with the park across Samuell Boulevard.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed bar, lounge or tavern is not anticipated to negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed bar, lounge or tavern use will not be a detriment to the public health, safety, or general welfare. The specific use permit process provides the city an opportunity to establish conditions such as hours of operation and site layout to mitigate any potential negative impacts.
4. *Conforms in all other respects to applicable zoning regulations and standards* – Based on information depicted on the site plan, the request complies with all applicable zoning regulations and standards.

**Zoning History:** There have been no recent zoning cases within the last five years in the general vicinity.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Samuell Boulevard	Major Arterial	60 ft.	60 ft.

**Traffic:** The Engineering Section has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	RR Regional Retail	
<b>North</b>	R-7.5(A) Residential	Park and vacant parcels
<b>South</b>	RR Regional Retail	Interstate 30 freeway
<b>East</b>	RR Regional Retail	Bars, liquor stores, auto-related and restaurant
<b>West</b>	RR Regional Retail	Bars, liquor stores, and restaurant

**Comprehensive Plan:**

The request site is identified as being within a Residential Neighborhood Block in the *forwardDallas! Vision* Illustration, adopted June 2006.

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

The Comprehensive Plan does not make a recommendation for specific uses. The test for the Specific Use Permit is to assess the surrounding area for compatibility. Conditions may assist in mitigating certain impacts as long as there is a land use rationale basis. In this particular case, the existing uses and zoning in the surrounding area are consistent with the request as long as the conditions are met. However, due to the Comprehensive Plan designation and the park across the street, automatic renewals should not be granted for this use at this particular location.

**ECONOMIC ELEMENT****GOAL 2.1 PROMOTE BALANCED GROWTH**

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

**Land Use Compatibility:**

The subject site is ±7,258 square foot with a 1,492.39 square foot square foot vacant structure that formerly operated as a bar, and a ±266 square foot food store (e.g., taqueria).

The existing land use to the north is zoned residential and is comprised of large vacant parcels and a public park. Land use to the south, east and west is developed with bars, liquor stores, motel, restaurant, and auto-related uses.

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

### **Development Standards:**

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

### **Parking:**

Parking is being provided in accordance with the Dallas Development Code. Ten parking spaces are being provided on the site.

### **Landscaping:**

No new development is proposed by this application; therefore, no additional landscaping is required.

**Dallas Police Department:** A copy of a police report of the past 5 years of offenses is provided below.

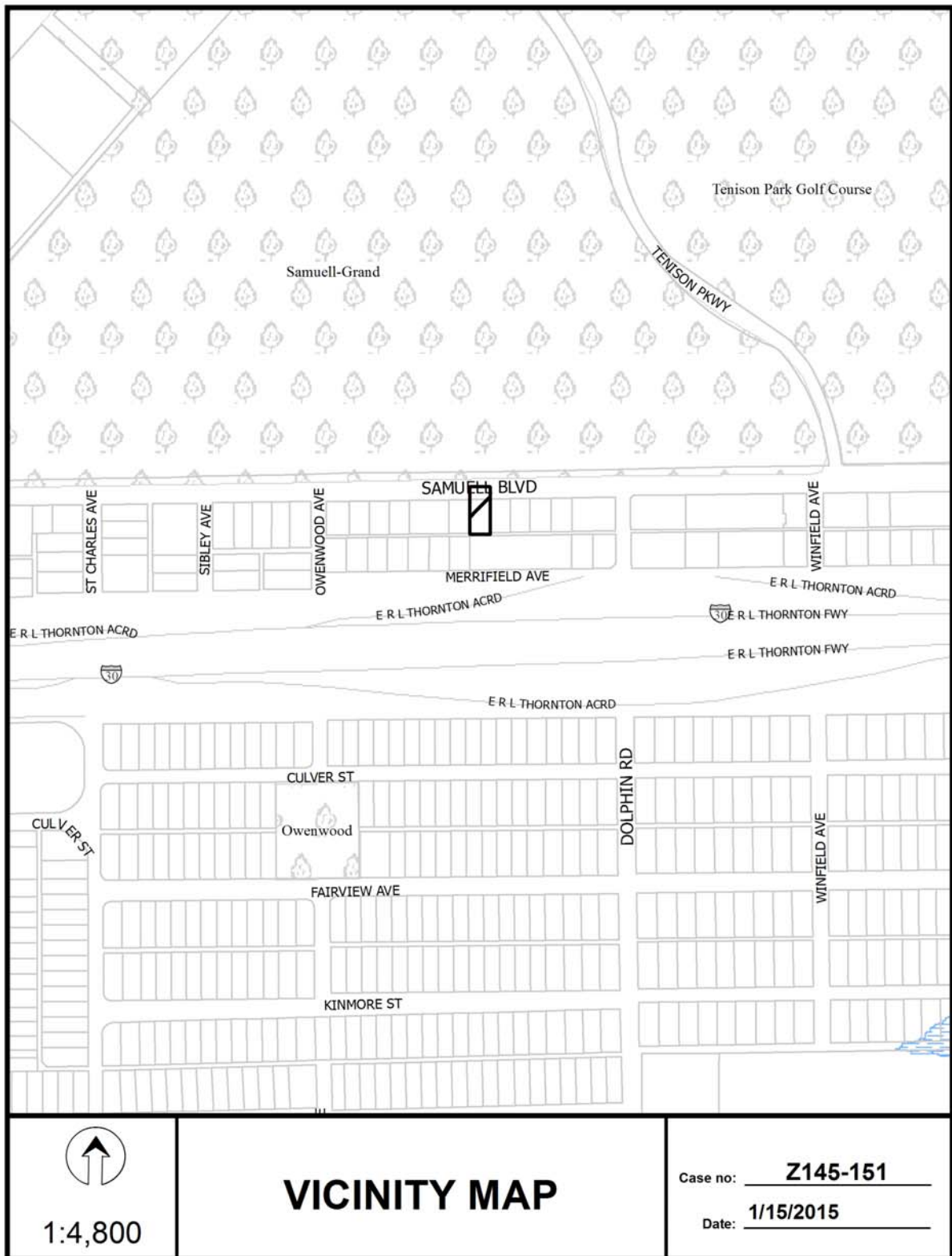
<b>Search Records - Offense</b>						
<b>Offense Date</b>	<b>Service #</b>	<b>Complainant</b>	<b>Offense</b>	<b>Block</b>	<b>Dir</b>	<b>Street</b>
03/02/2009	<b>0058188-W</b>	SANTOS, JESSICA	THEFT	03238		SAMUEL BLVD
03/11/2009	<b>0071202-W</b>	*BARBIES BAR	THEFT	03238		SAMUEL BLVD
04/15/2012	<b>0090213-Z</b>	ROMERO, DELMI	ASSAULT	03238		SAMUEL BLVD
04/15/2012	<b>0090255-Z</b>	ROMERO, SANDRA	ASSAULT	03238		SAMUEL BLVD
05/27/2010	<b>0147223-X</b>	*BARBIES BAR	BURGLARY	03238		SAMUEL BLVD
06/27/2010	<b>0179827-X</b>	BARRON, MIGUEL ANGEL	TRAFFIC MOTOR VEHICLE	03238		SAMUEL BLVD
07/31/2010	<b>0214002-X</b>	ALVAREZ, PEDRO	ROBBERY	03238		SAMUEL BLVD
11/07/2009	<b>0330819-W</b>	ARMIGO, RODRIGUEZ, ADRIAN	CRIMINAL MISCHIEF/VANDALISM	03238		SAMUEL BLVD



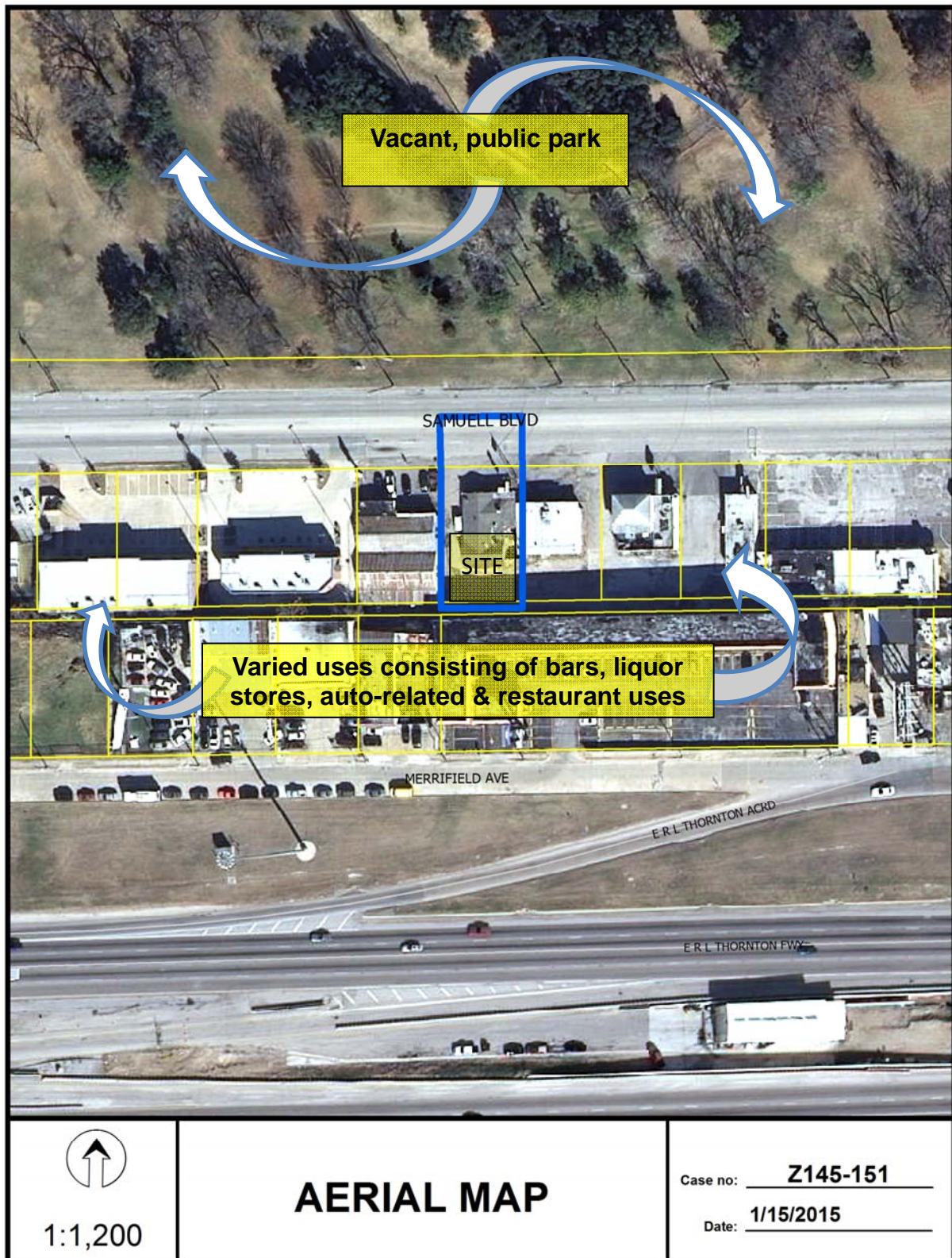
<b>SUP CONDITIONS</b>
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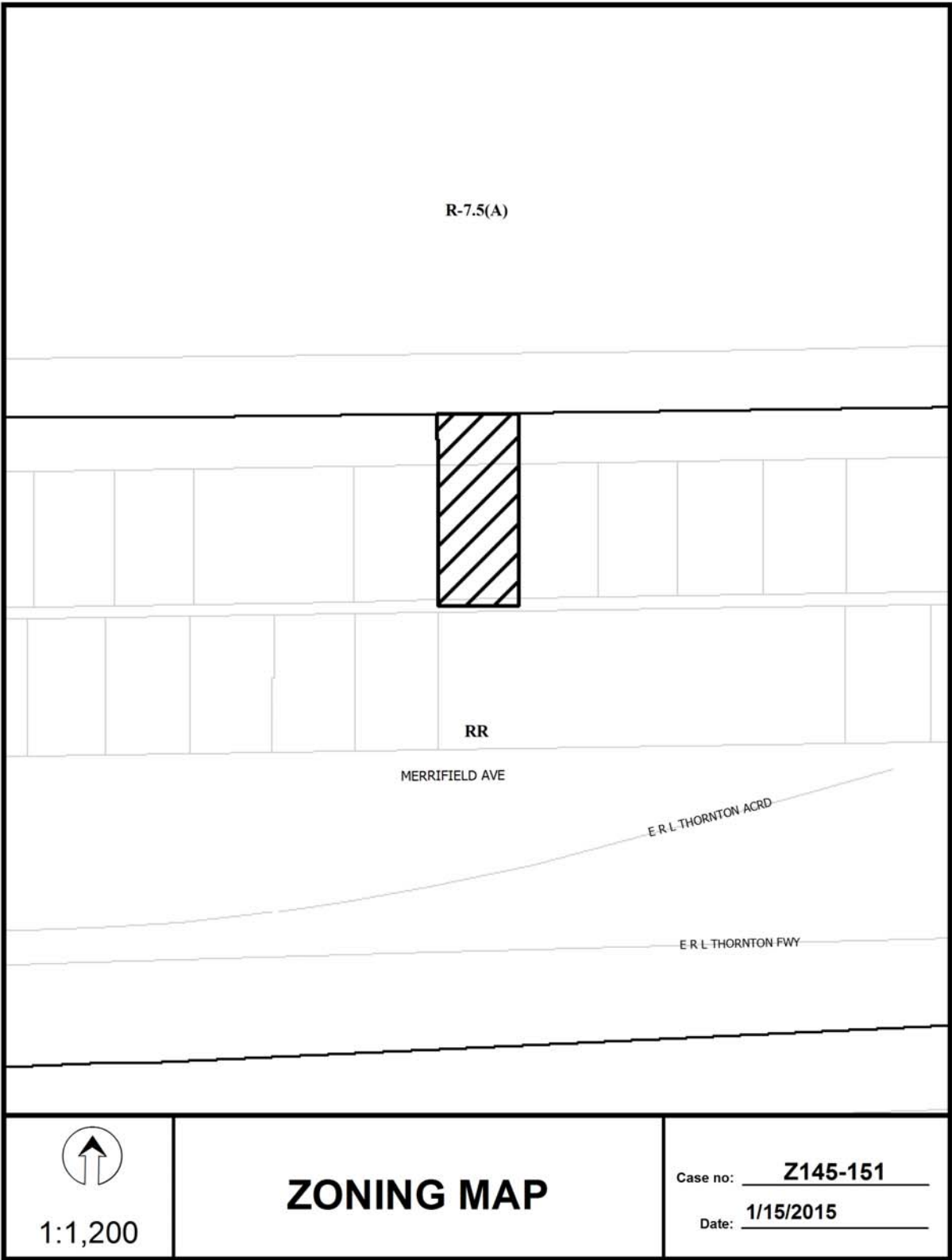
1. USE: The only use authorized by this specific use permit is a bar, lounge or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two-years from passage of the ordinance).
4. MAXIMUM FLOOR AREA: The maximum floor area for a bar, lounge or tavern is approximately 1,492.39 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The hours of operation for the bar, lounge or tavern is from 6:00 p.m. to 2:00 a.m. (the next day), Monday through Sunday.
6. OFF-STREET PARKING: Off-street parking must be provided in the location shown on the attached site plan.
7. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas Development Code.



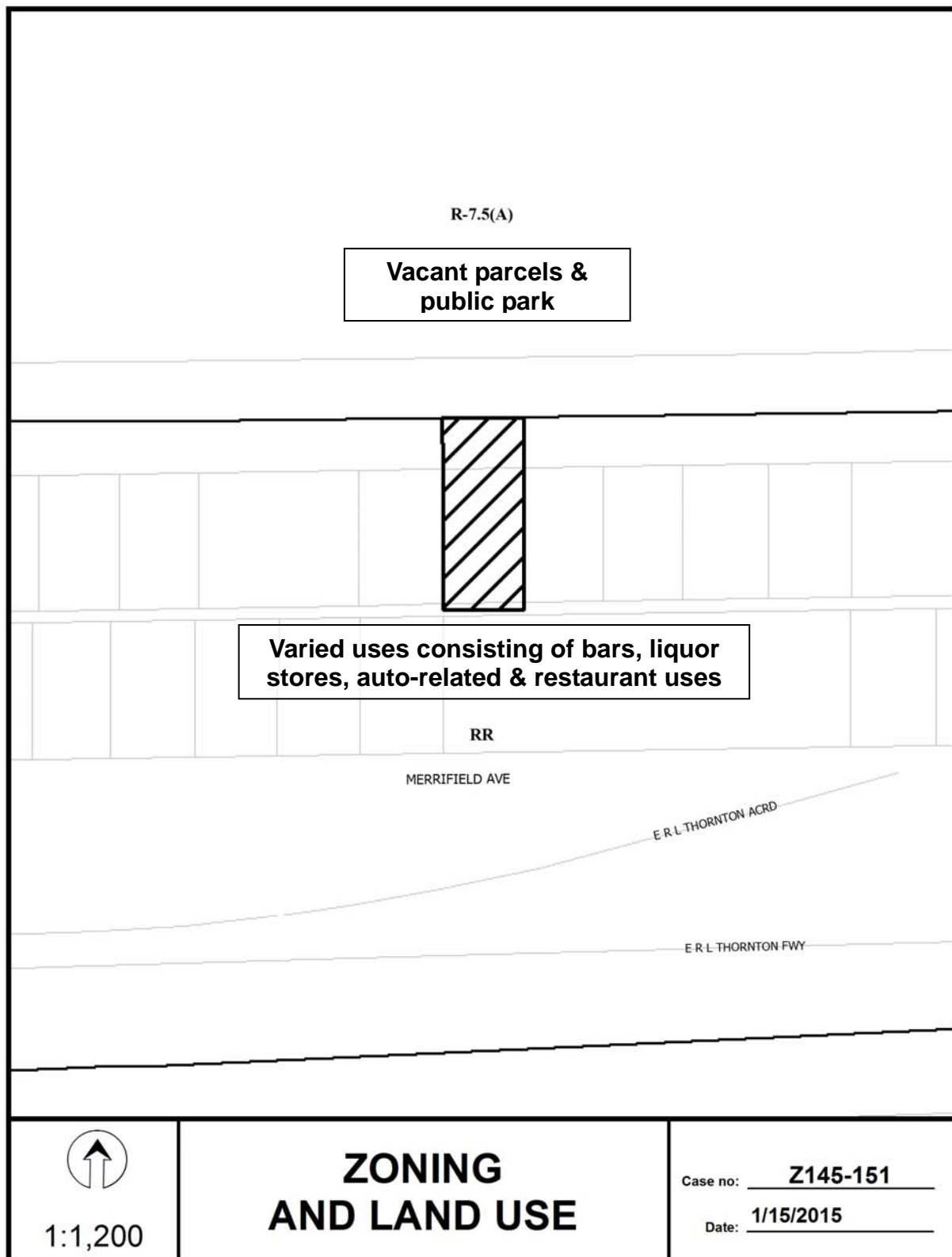












The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only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

The number '0' indicates City of Dallas Ownership

 <p>1:1,200</p>	<h2 style="margin: 0;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">12</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	<p>Case no: <b>Z145-151</b></p> <p>Date: <b>1/15/2015</b></p>
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01/15/2015

***Notification List of Property Owners***

***Z145-151***

***12 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3238 SAMUELL BLVD	CASTANEDA TERESA DE JESUS
2	3243 MERRIFIELD AVE	MEER INC
3	3220 SAMUELL BLVD	HOLIDAY LODGE INC DBA ONE TEL COMM &
4	3234 SAMUELL BLVD	NORTON PEGGY SUE STOREY
5	3244 SAMUELL BLVD	SAMUELL BLVD III LLC
6	3250 SAMUELL BLVD	SAMUELL BLVD III LLC
7	3300 SAMUELL BLVD	SAMUELL BLVD III LLC
8	3320 SAMUELL BLVD	NUCKLES NETA ET AL
9	3223 MERRIFIELD AVE	UNIC AUTOMOTIVE & CYCLE
10	3231 MERRIFIELD AVE	BLACKMORE DEBRA S MCCORMICK &
11	3235 MERRIFIELD AVE	ZIESK ARTHUR N
12	3214 SAMUELL BLVD	INTELISIP NETWORKS LLC

**FILE NUMBER:** Z112-316(CE)

**DATE FILED:** September 5, 2012

**LOCATION:** Northwest corner of Cleveland Road and Bonnie View Road

**COUNCIL DISTRICT:** 8

**MAPSCO:** 76-G

**SIZE OF REQUEST:** Approx. 2.4 acres

**CENSUS TRACT:** 167.03

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**REPRESENTATIVE /**

**APPLICANT / OWNER:** Andre Mitchell

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

**SUMMARY:** The applicant proposes to operate a child-care facility on the property. The site is currently developed with two structures and a playground area. These structures are being converted from residential uses. One structure is approximately 5,912 square feet and the other 1,185 square feet. Both structures will be utilized as a child-care facility, which requires a Specific Use Permit.

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

**PRIOR CPC ACTION:** On January 22, 2015 and February 5, 2015, the City Plan Commission held this item under advisement to give the applicant additional time to meet with the commissioner. The applicant was considering a request to reduce the required parking area via the Specific Use Permit request. As of February 12, 2015, staff has not been informed of any changes.

## **GUIDING CRITERIA FOR RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed use will be compatible with surrounding agricultural and residential uses. The applicant intends to use the site as a business and not a residence.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed child-care facility provides a service to the southernmost area of Dallas.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed request to allow a child-care facility will not be a detriment to the public health, safety, or welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request complies with all applicable zoning regulations and standards. No variances or special exceptions have been requested.

## **Zoning History:**

Z134-329      A request for a zoning change from Agricultural A(A) District to Light Industrial (LI) District located a quarter-mile south of the request site at Bonnie View Road and Telephone Road. On October 23, 2014, the City Plan Commission held this item under advisement indefinitely to give the applicant additional time to discuss his proposed land uses with staff.

## **Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
Bonnie View Road	Major Arterial	100 feet
Cleveland Road	Minor Arterial	50 feet



**Traffic:**

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

The expected number of trips generated by the proposed use is 563 trips per day according to the trip rate for a day care use at the proposed floor area. A Traffic Impact Study is only required for proposals that generate more than 1,000 trips per day unless a waiver is issued.

Infrastructure improvements along Bonnie View Road, south of Interstate 20, include water transmission lines, median addition, and upgrading of asphalt road to concrete. The water transmission lines, approximately eight feet in diameter, will carry treated water from east Dallas out of the city to Lancaster, Cedar Hill, and Grand Prairie. The current two-lane Bonnie View Road is being converted to a four-lane, divided with potential for six-lane divided if capacity requires it in the future. The improvements have a planned completion date of summer 2015.

**Surrounding Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-7.5(A)	Single family
<b>North</b>	R-7.5(A)	Single family
<b>East</b>	R-7.5(A), LI	Single family, Animal production, Undeveloped
<b>South</b>	A(A)	Undeveloped, single family
<b>West</b>	A(A)	Animal production

**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 Area.

Industrial Area Building Blocks are important employment centers for Dallas. They occupy large areas of land and are usually situated near significant roads and heavy rail lines. Technological changes in this employment sector and the need to move goods nationwide from a central location have combined to offer a significant number of jobs within these Industrial Areas. Dallas examples include Agile Port, parts of West Dallas along Interstate 30 and the Stemmons industrial area around Irving Boulevard.

**Area Plan:**

The site is located within the Agile Port Industrial Area Plan. Transportation infrastructure is in place near the Agile Port Industrial Area with I-45 and I-20, two of the state's most traveled truck routes, intersecting within the Agile Port boundaries. These roads are well-equipped to handle or could be easily modified to handle heavy truck traffic. The four components that impact the flow of truck traffic – pavement conditions, physical features of the roads, quality of rail crossings and traffic features (such as height of underpasses)—all favor efficient operations at the Agile Port.

A critical advantage for the Agile Port area is that more than 2,400 acres of industrial-zoned land is available within the site and another 3,200 acres of vacant land is within a one-mile radius. Much of the land has railroad frontage. While some want this Southern Sector area reserved for residential and commercial uses, doing so would limit the Agile Port Industrial Area's economic benefits to Dallas and the region and would curb the city's ability to accommodate a range of industrial development. Land also needs to be reserved to transition between industrial, commercial and residential uses.

The Agile Port area will be primarily a mix of low- and medium-density industrial buildings, including logistics and warehousing operations. Since these are not places for shopping, living or entertainment, urban design will not play a critical role. These industrial yards and campuses typically have a large amount of surface parking and are reached mostly by car or truck. Supporting services should be available nearby. Because the Agile Port would handle international shipments, some administrative offices will be necessary for customs, legal affairs and other handling requirements.

The applicant's request to operate a child-care facility use is not a primary function of the Agile Port Industrial Area Plan, but does serve as a supporting service for jobs and skilled labor anticipated to increase in the area. The proximity of the request site to these areas makes the request in conformance with the area plan. However, it should be noted that as the surrounding area transitions in the future, this Specific Use Permit may need to be revisited to ensure continued compatibility.

**Land Use Compatibility:**

The approximately 2.4-acre request site is zoned an R-7.5(A) Single Family District and is currently developed with two structures. The applicant is proposing to operate a child-care facility on the property, which requires a Specific Use Permit under the existing zoning. The surrounding land use to the north is single family; to the east is animal production, single family and undeveloped, to the south is single family and undeveloped, to the west is animal production.

**Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
R-7.5(A) Single Family	25'	5'	N/A	30'	45%	None	
R-7.5(A) Nonresidential structures	25'	10/15'	N/A	30'	25%		Uses other than residential

**Landscaping:**

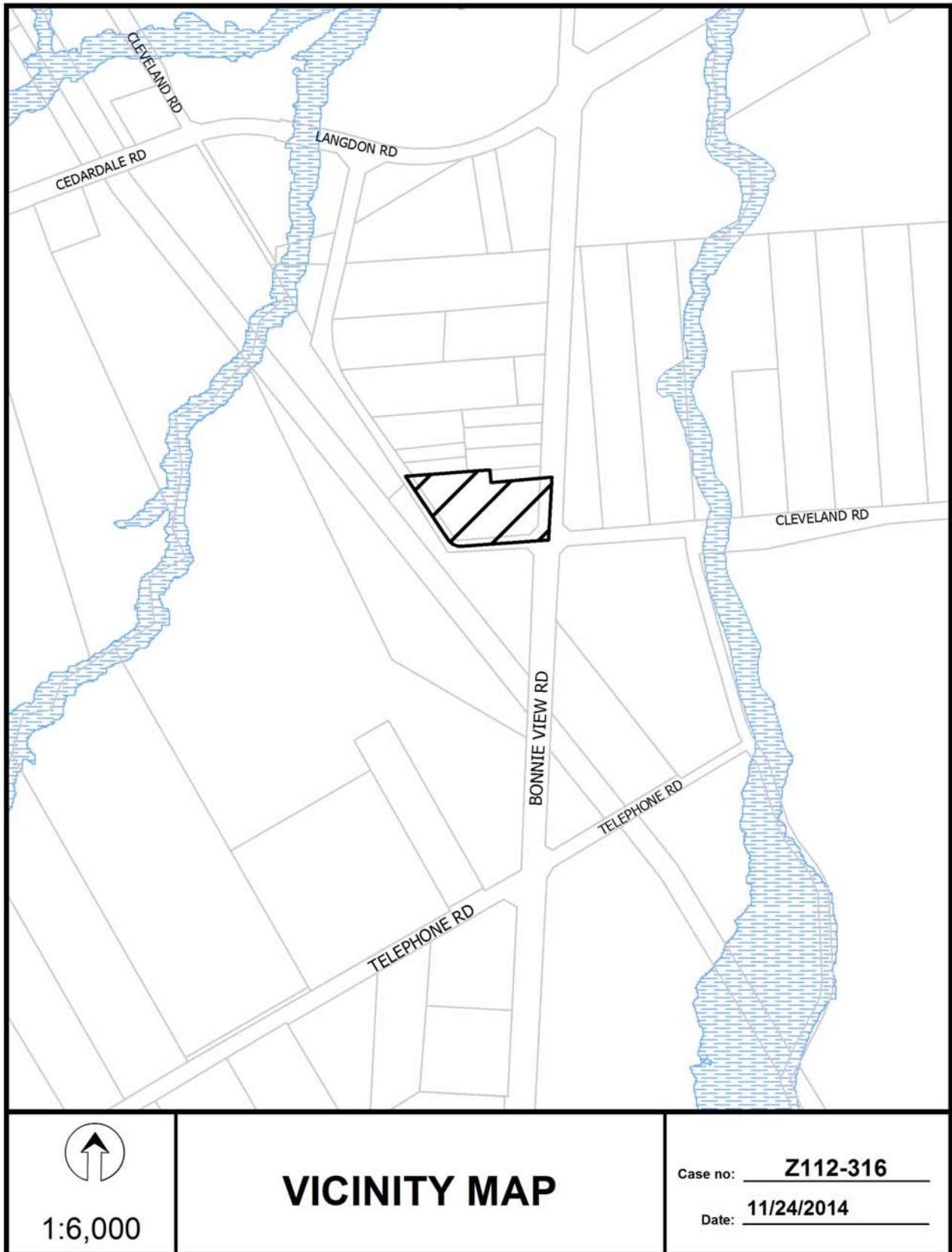
Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

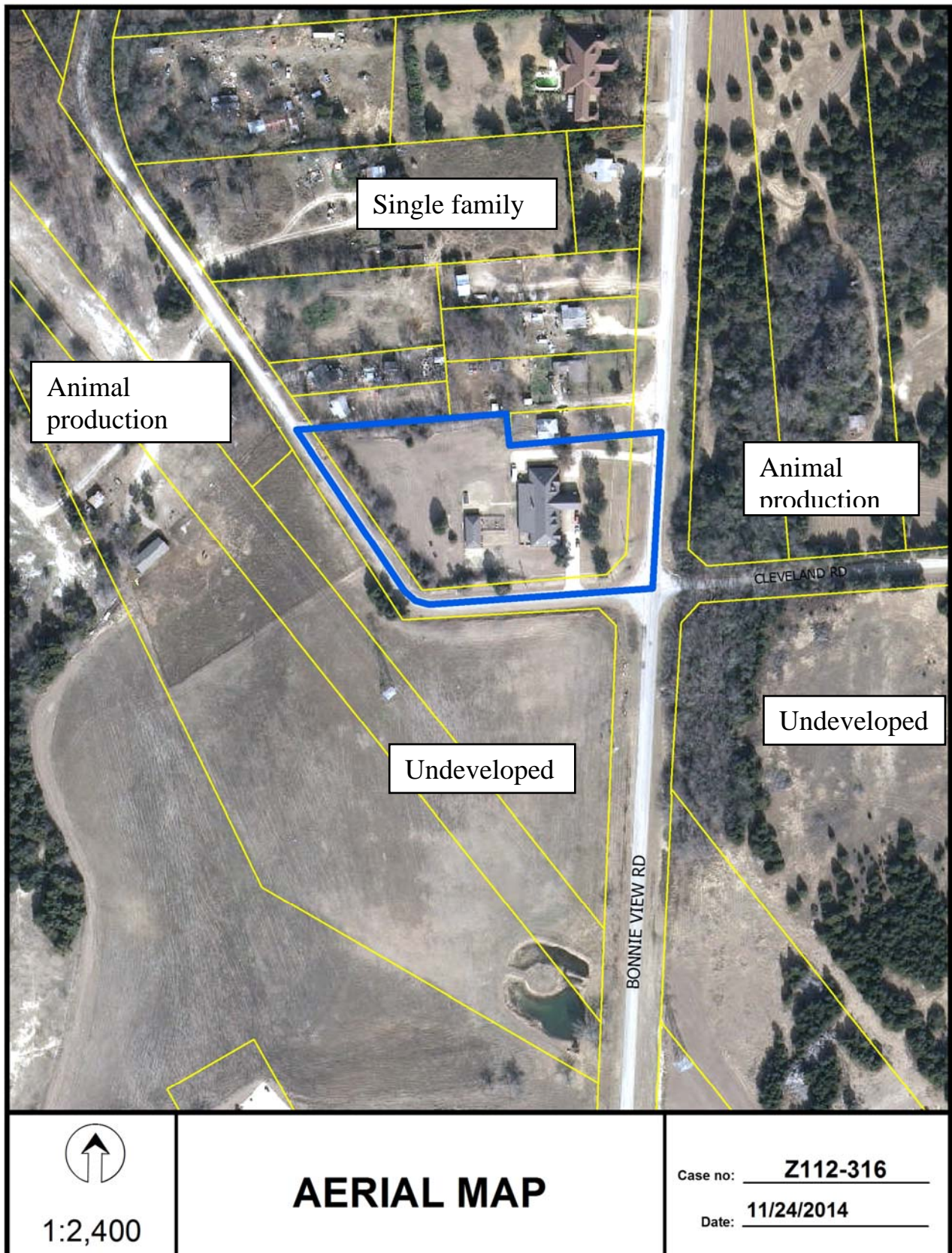
Draft SUP conditions  
Z112-316

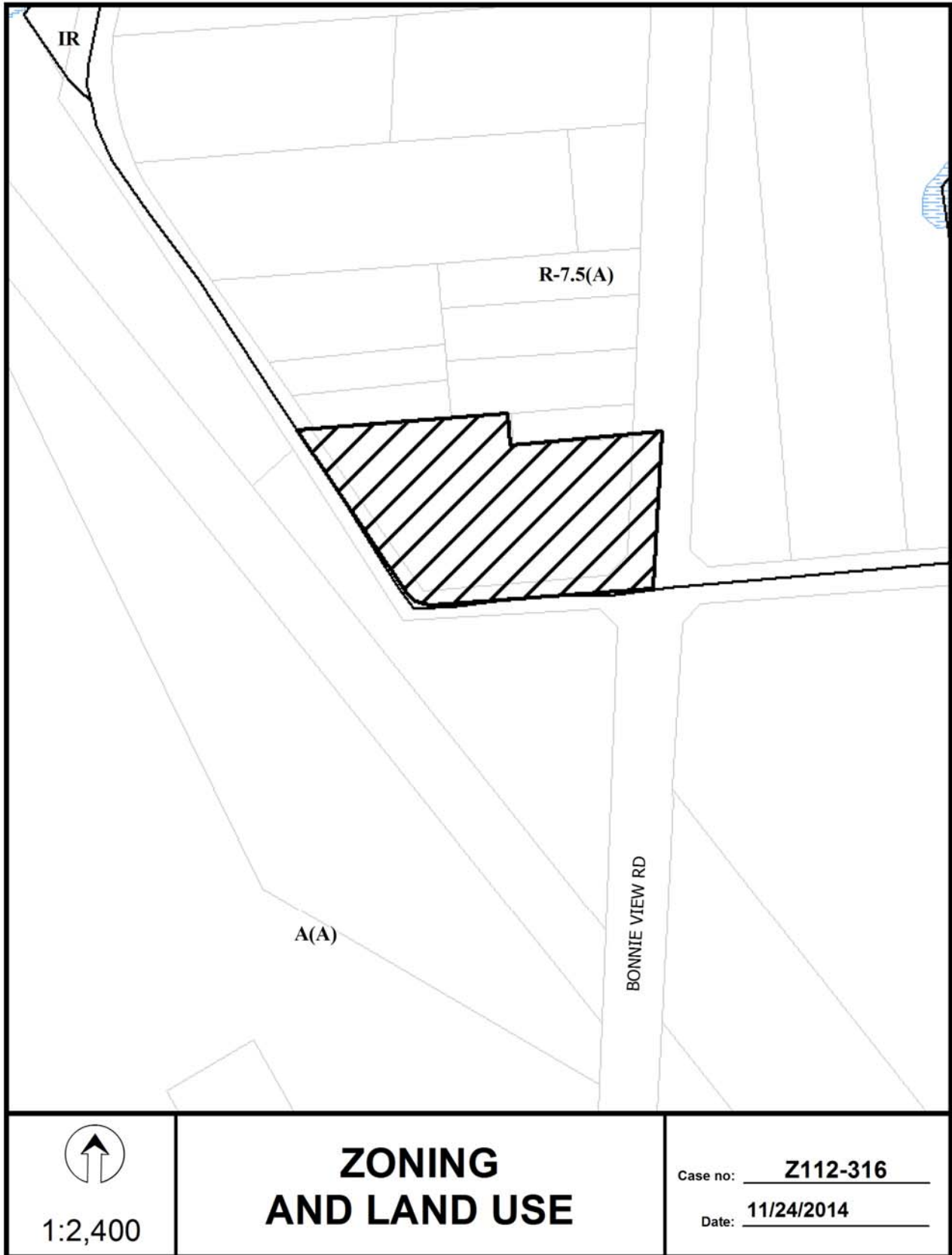
1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a three-year period and is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A, "Part II of the Dallas Development Code," of the Dallas City Code, as amended. In order for automatic renewal to occur, the property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. MAXIMUM FLOOR AREA: The maximum floor area is 7,097 square feet.
5. HOURS OF OPERATION: The hours of operation are limited to the hours between 6:00 a.m. and 6:00 p.m., Monday through Friday.
6. INGRESS AND EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress and egress is permitted.
7. OFF-STREET PARKING: Fourteen off-street parking spaces must be provided in the location shown on the attached site plan.
8. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



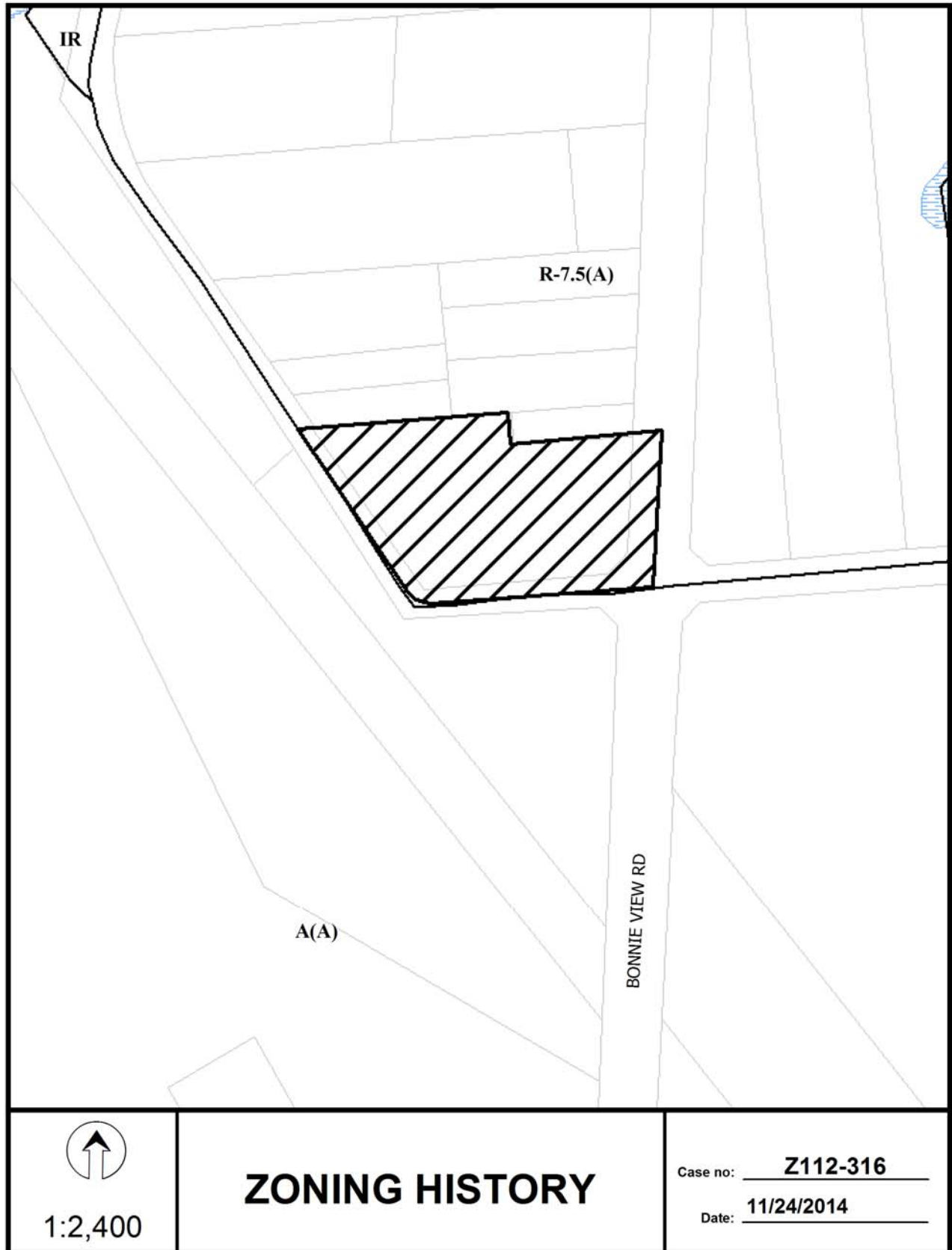


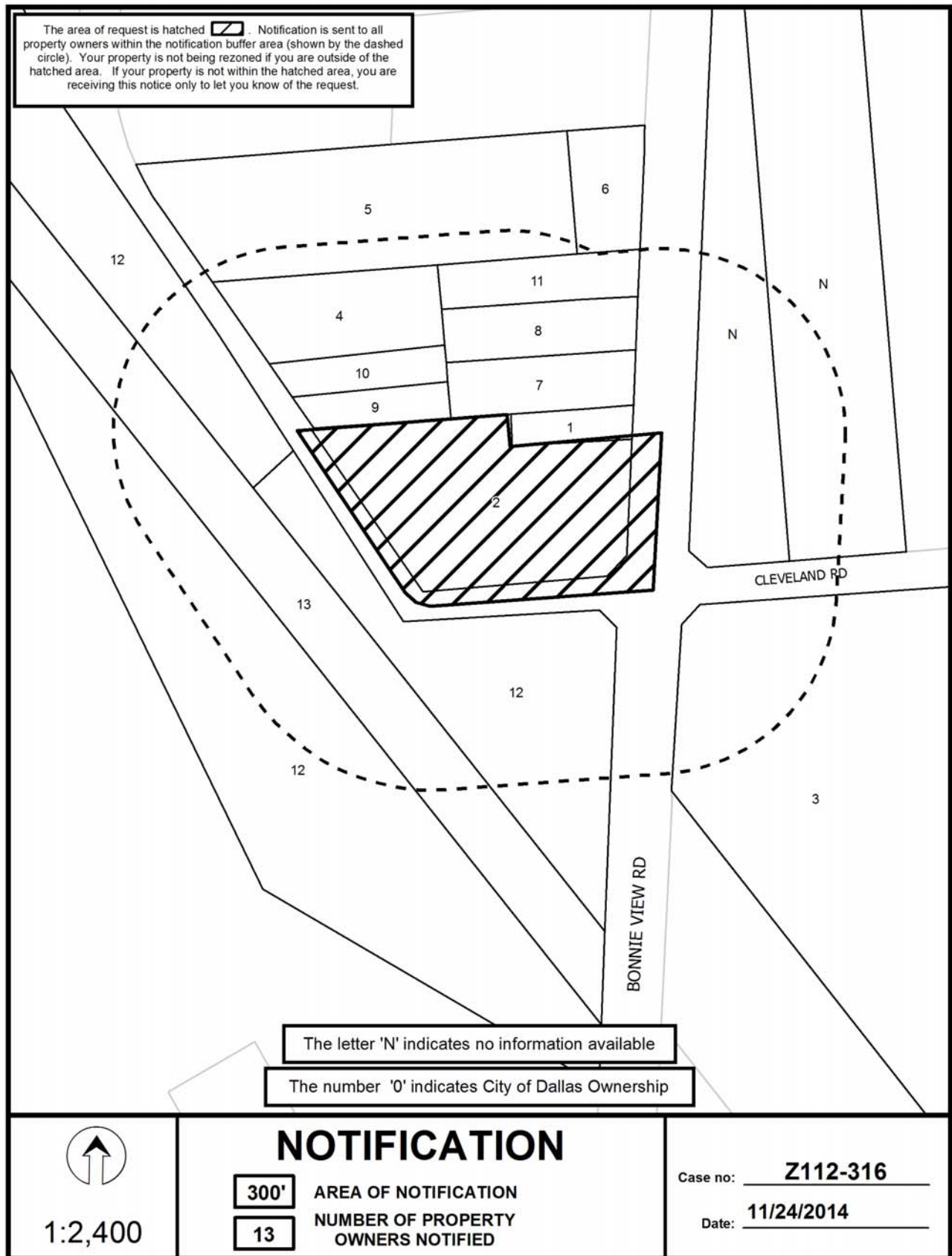














11/24/2014

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

### ***Z112-316***

#### ***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8829 BONNIE VIEW RD	GUEVARA FIDEL
2	8831 BONNIE VIEW RD	MITCHELL ANDRE D &
3	8900 BONNIE VIEW RD	LINICOMN VERNON
4	4200 CLEVELAND RD	SADEGHIAN KHOSROW
5	4101 CLEVELAND RD	ARNOLD RODNEY B
6	8741 BONNIE VIEW RD	MARTINEZ DANIEL ARGUETA &
7	8825 BONNIE VIEW RD	COLEMAN JAMES MICHEAL &
8	8821 BONNIE VIEW RD	SALAZAR SAQUEO & PATRICIA
9	4243 CLEVELAND RD	GEORGE L D
10	4241 CLEVELAND RD	HARDMON ADDYS
11	8817 BONNIE VIEW RD	BREWER STANLEY &
12	4200 CLEVELAND RD	SKIEF CLEMMIE
13	8901 BONNIE VIEW RD	TEXAS UTILITIES ELEC CO

**FILE NUMBER:** Z134-181(OTH)**DATE FILED:** March 5, 2014**LOCATION:** Southwest corner of Jim Miller Road and Samuell Boulevard**COUNCIL DISTRICT:** 7**MAPSCO:** 48-E**SIZE OF REQUEST:** ± 4.5 acres**CENSUS TRACT:** 122.06**APPLICANT:** BZ Mart**OWNER:** Jim Miller Shopping Ctr, LP**REPRESENTATIVE:** Santos Martinez, Masterplan

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

**SUMMARY:** The applicant proposes the sale of alcoholic beverages for off-premise consumption in conjunction with the existing ±2,460-square-foot convenience store [BZ Mart]. The general merchandise or food store use is permitted by right, but the D Liquor Control Overlay prohibits the sale of alcoholic beverages on the property. No new construction is proposed by this application.

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

**PRIOR CPC ACTION:** On September 18, 2014, the City Plan Commission held this item under advisement. On October 23, 2014, the City Plan Commission held this case under advisement until February 19, 2015 to allow the applicant time to meet with the neighborhood. No changes to the plan or conditions have been made.

**STAFF RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store 3,500 square feet or less is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with the main use does not affect compatibility.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The addition of alcoholic beverage sales to the existing use does not appear to negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, it complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

**Surrounding Zoning History:**

1. **Z101-310** On Monday, October 10, 2011, the City Council approved a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a RR-D Regional Retail District with a D Liquor Control Overlay on the southeast corner of Samuell Boulevard and N. Jim Miller Road.
2. **Z123-302** On Wednesday, December 11, 2013, the City Council approved the renewal of Specific Use Permit No. 1907 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the southeast corner of North Jim Miller Road and Samuell Boulevard.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
North Jim Miller Road	Principal Arterial	100 feet
Samuell Boulevard	Principal Arterial	100 feet

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

**Surrounding Land Uses:**

	Zoning	Land Use
<b>North</b>	RR	Retail uses, auto related use
<b>East</b>	RR-D, MF-2(A)	Retail and multifamily
<b>South</b>	R-7.5(A)	Single Family Residential
<b>West</b>	R-7.5(A)	Single Family Residential

**STAFF ANALYSIS:****Comprehensive Plan:**

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

The Plan identifies the request site as being in the Business Center or Corridor Building Block. This Building Block represents major employment or shopping destinations outside of Downtown. Business Centers are usually at major intersections or along highways or major arterials and rely heavily on car access.

While the *forwardDallas! Vision Illustration* identifies the request site as being in the *Business Center or Corridor* Building Block, the subject property as well as adjacent properties are zoned a Commercial Service District. The existing convenience store does not have residential adjacency and it is consistent with the following goals and policies of the Comprehensive Plan. The sale of alcoholic beverages in conjunction with the main use and does not directly impact the compatibility.

**Land Use Compatibility:**

The 4.5 acre request site is developed with four separate buildings that comprise a total of 44,849 square-foot structures that house several retail, office, general merchandise stores, medical clinic or ambulatory service, day child-care facility and church office uses.

There is a childcare facility within the same shopping center and it is within less than 300 feet of the request site. The applicant will hold a TABC license for wine and beer retailer's off-premise permit listed in the Chapter 26 TABC regulations. However, Chapter 26 of the Dallas City Code does not include TABC Chapter 26 wine and beer retailer's off-premise permits as one of the prohibited dealers

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

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

**Development Standards:**

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



**Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the ±2,460-square-foot convenience store requires 12 parking spaces. As depicted on the site plan, 251 spaces are provided to serve the both retail uses located on the site.

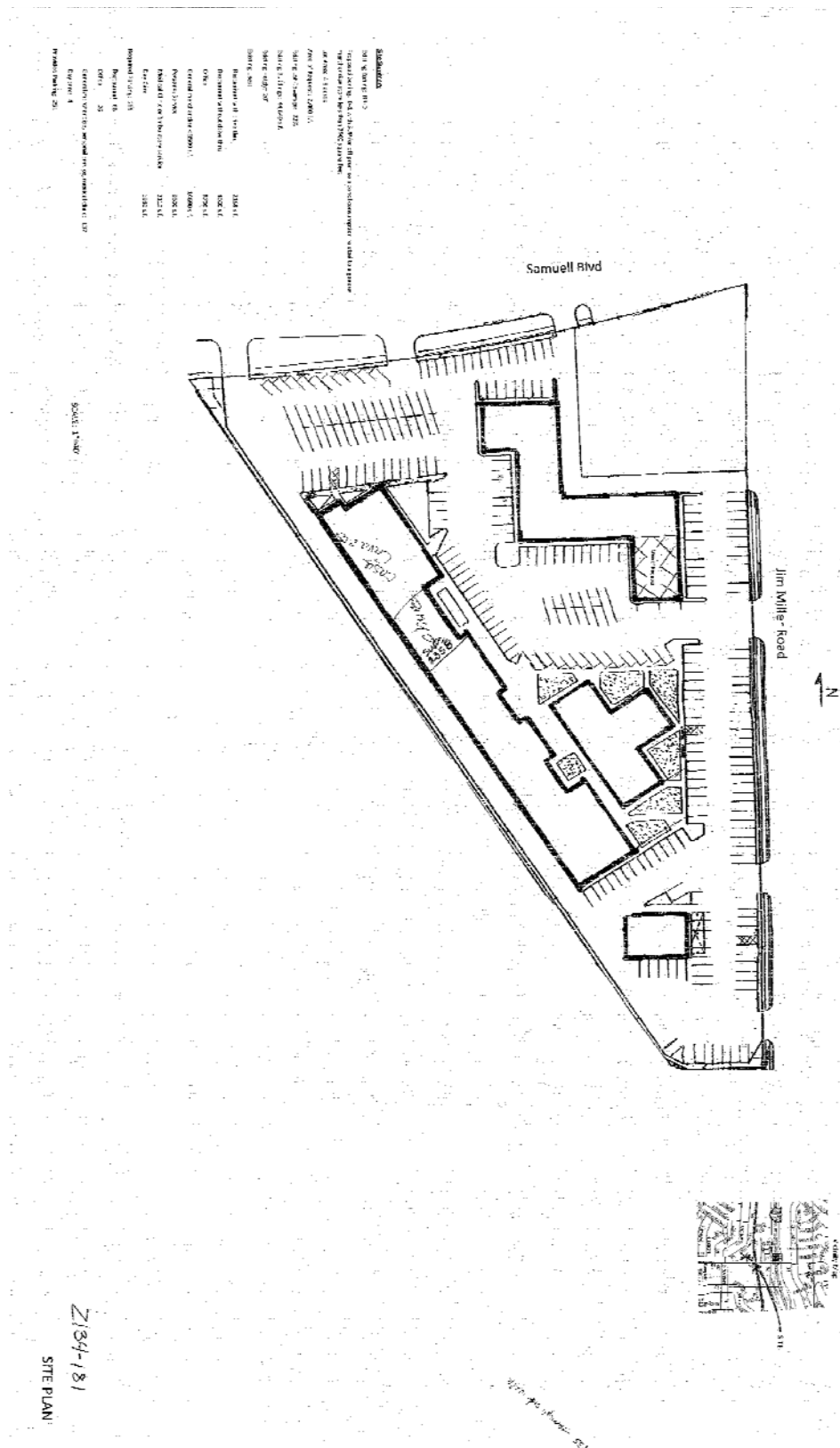
**Landscaping:**

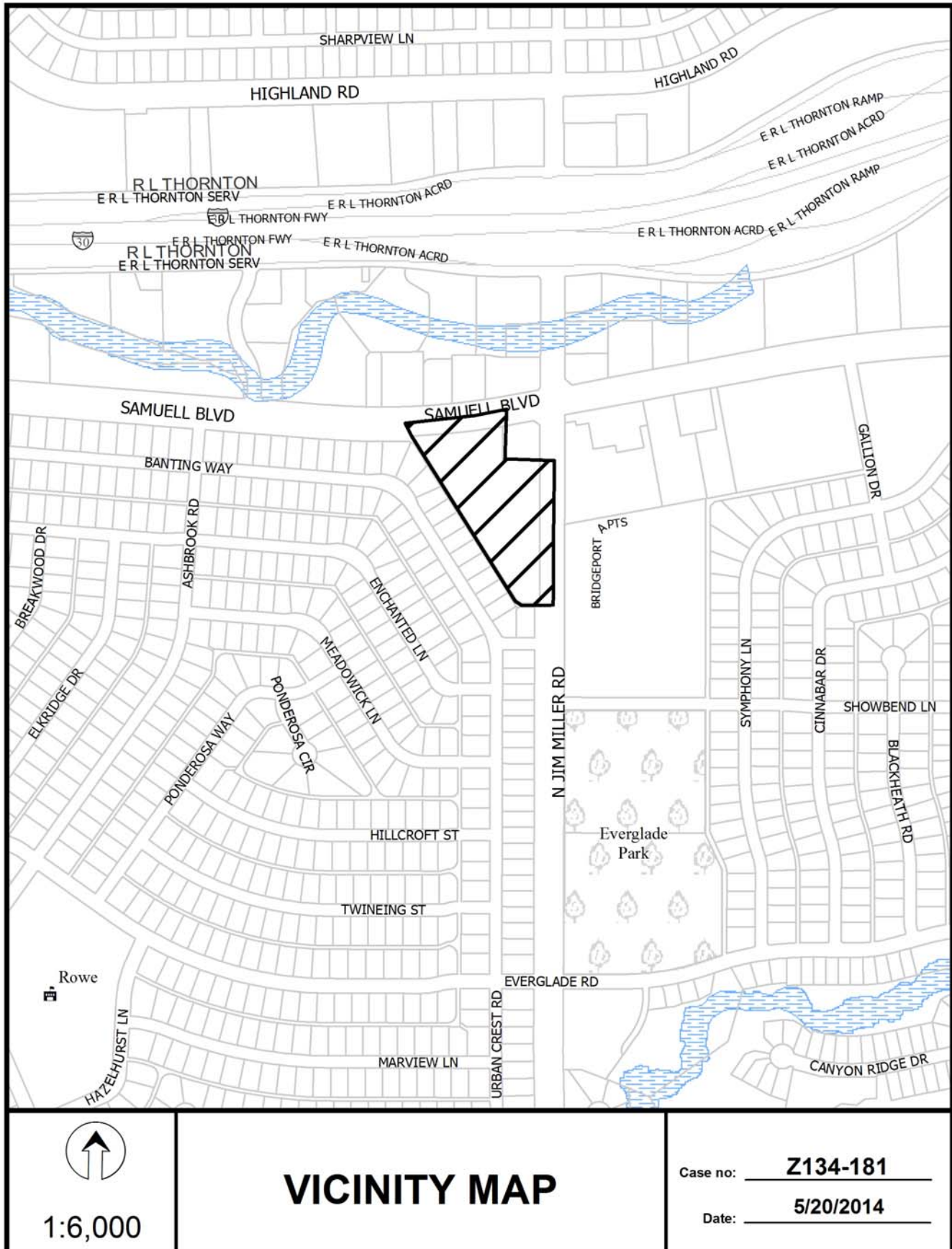
No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

**Proposed SUP Conditions  
Z134-181(OTH)**

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

## Proposed Site Plan

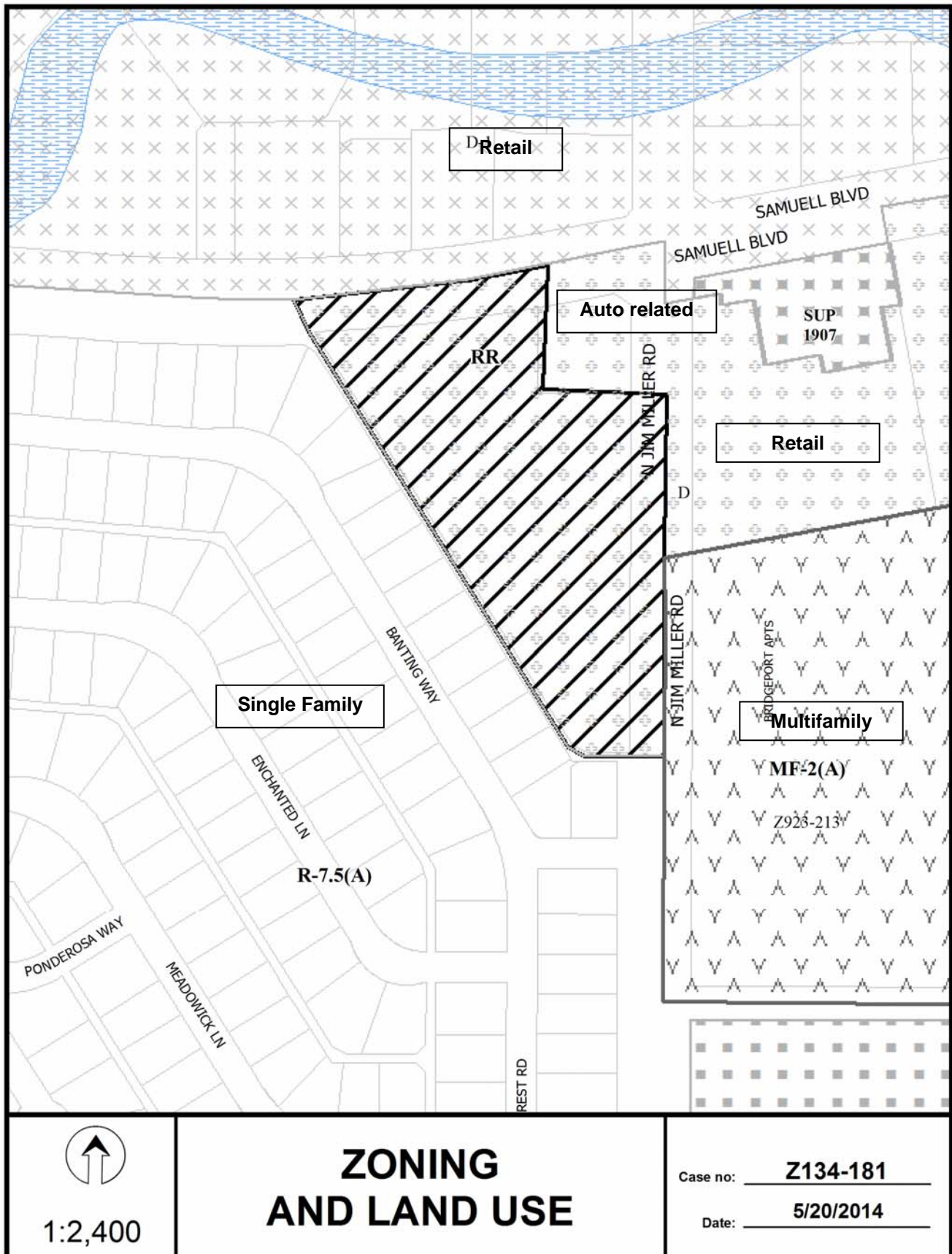


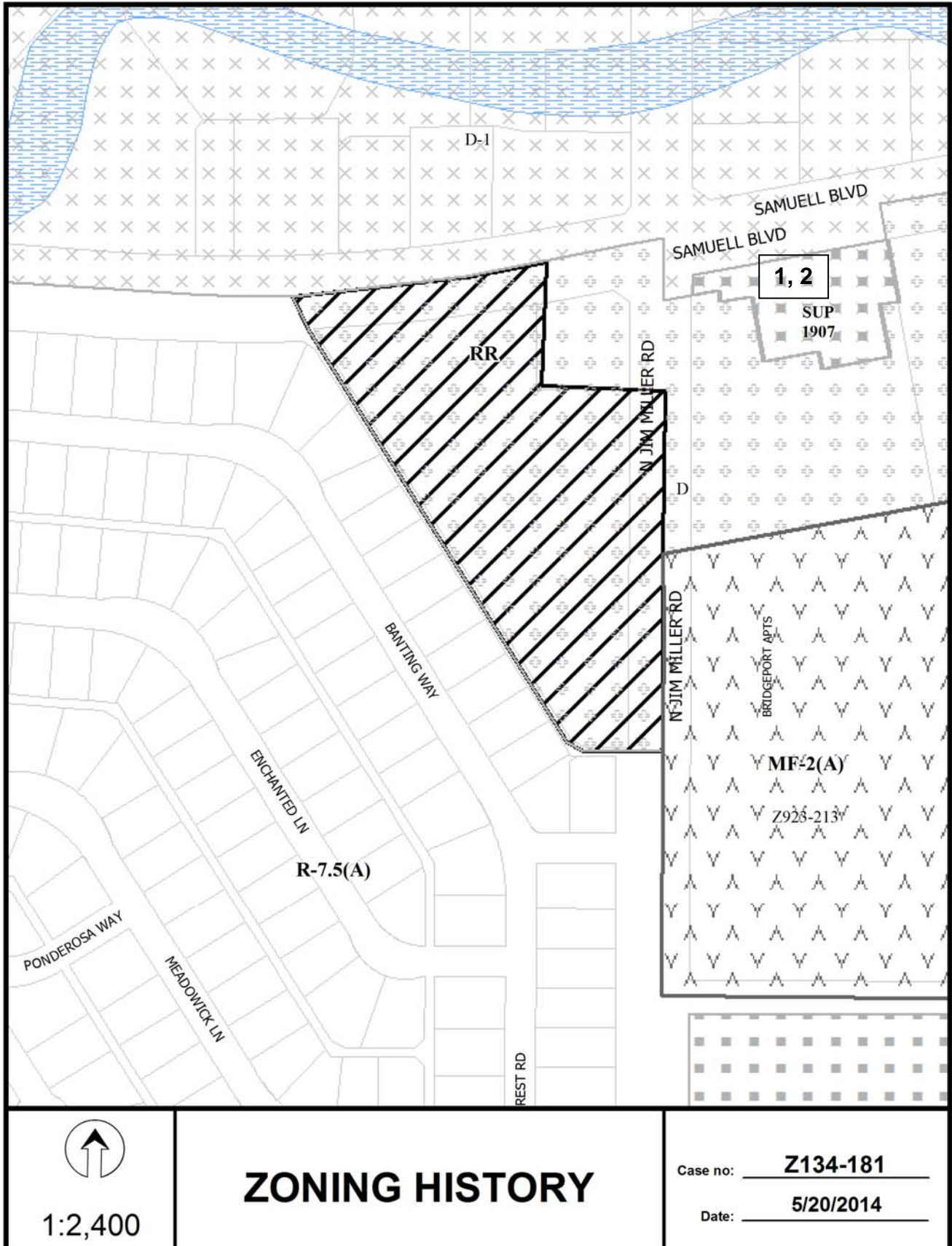


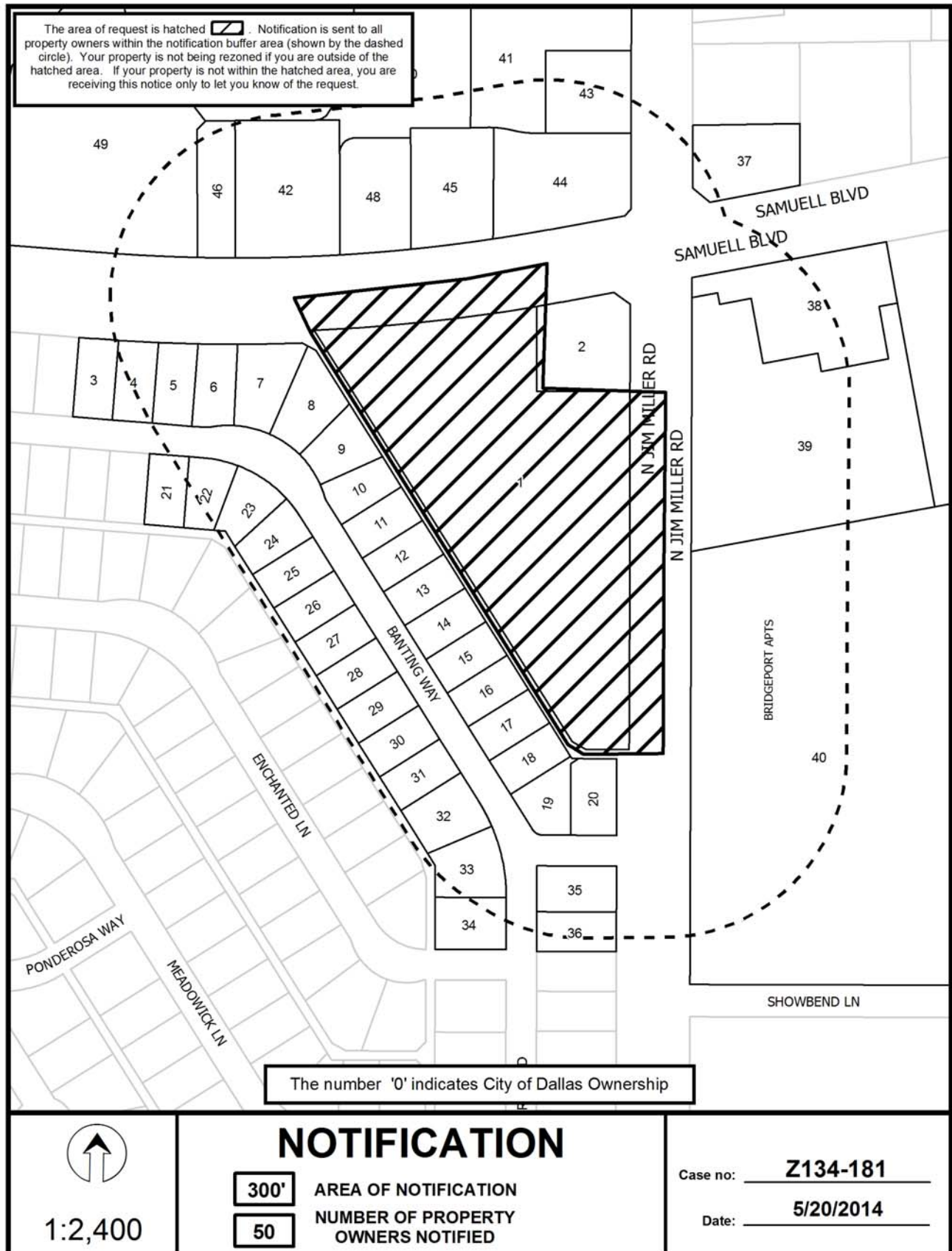














5/19/2014

***Notification List of Property Owners******Z134-181******50 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5409 JIM MILLER RD	JIM MILLER SHOPPING CENTER LP
2	5475 JIM MILLER RD	ISSA DAVID
3	5711 BANTING WAY	BOURGHES KAREN BLAKE
4	5715 BANTING WAY	RUIZ ROSENDO & OCTAVIA
5	5719 BANTING WAY	HORACE PATRICIA A
6	5723 BANTING WAY	BURLESON CARRIE N
7	5727 BANTING WAY	MOORE TERRY R & PAMELA
8	5731 BANTING WAY	STEVENSON CEDRIC C & GERANN
9	5735 BANTING WAY	JOHNSON SONYA L
10	5739 BANTING WAY	OEHLSCHLAEGER CHRISTOPHER
11	5743 BANTING WAY	SANCHEZ SERAFIN
12	5747 BANTING WAY	POTTS RUTH
13	5803 BANTING WAY	DICKERSON RICKEY DONERIA
14	5807 BANTING WAY	SCHOENSTEIN VIVIAN
15	5811 BANTING WAY	CHAVEZ MAYRA KARINA
16	5815 BANTING WAY	CARRANZA ROBERTO
17	5819 BANTING WAY	RIVERS KENNETH E & TWILA K
18	5823 BANTING WAY	HENDERSON CHRIS
19	5907 BANTING WAY	DEFATTA SHERRIE H
20	5915 BANTING WAY	WHITE DORIS HARRIS
21	5718 BANTING WAY	HALE MAE VAUGHN
22	5724 BANTING WAY	HADNOT LATONYA
23	5732 BANTING WAY	FLORES FATIMA
24	5738 BANTING WAY	MARSHALL REGINALD L
25	5744 BANTING WAY	CUEVAS APOLONIO
26	5748 BANTING WAY	PROCTOR REGINA C

# Z134-181(OTH)

5/19/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5804 BANTING WAY	MENDOZA JUAN CARLOS DELGADO
28	5808 BANTING WAY	COX CAROL ANN
29	5812 BANTING WAY	MCKOWN OLA FAYE
30	5816 BANTING WAY	GUTIERREZ ANTONIO ETAL
31	5820 BANTING WAY	LUCIO ARTURO LUCIO AMPARO
32	5824 BANTING WAY	MORENO EVA LIFE ESTATE REM: RICHARD MORE
33	5331 URBAN CREST RD	HALL WILONA &
34	5325 URBAN CREST RD	MILLER PHILLIP R & ALICE SUE R MILLER
35	5330 URBAN CREST RD	PORTILLO MARIA I
36	5324 URBAN CREST RD	LEWIS LAMARA
37	5510 JIM MILLER RD	DAY MARIE L
38	6004 SAMUELL BLVD	PARKER MICHAEL ST ACCTG # 6966-01
39	5470 JIM MILLER RD	CFIC LLC
40	5440 JIM MILLER RD	MCAF07 BRIDGEPORT LLC % SUMMIT ASSET MGM
41	8130 R L THORNTON FWY	RACETRAC PETROLEUM INC
42	5757 SAMUELL BLVD	HI LO AUTO SUPPLY LP
43	5575 JIM MILLER RD	SIDERIS BASIL K ET AL % R W BALL INC
44	5555 JIM MILLER RD	SIDERIS BASIL K ET AL TAX DEPARTMENT 4
45	5877 SAMUELL BLVD	KENTUCKY FRIED CHICKEN
46	5763 SAMUELL BLVD	MCCARTY PAUL & RITA
47	8108 R L THORNTON FWY	JIM MILLER HOSPITALITY LP
48	5859 SAMUELL BLVD	SAMUELL PROPERTY JOINT VENTURE SUITE 225
49	5747 SAMUELL BLVD	BMD INCORPORATED
50	8120 R L THORNTON FWY	POP HOLDINGS LP STE 120-221



**CITY PLAN COMMISSION****THURSDAY, FEBRUARY 19, 2015****Planner: Olga Torres-Holyoak****FILE NUMBER:** Z145-108(OTH)**DATE FILED:** November 17, 2014**LOCATION:** Southeast of Capitol Avenue, between Bennett Avenue and North Fitzhugh Avenue**COUNCIL DISTRICT:** 2**MAPSCO:** 35-Z**SIZE OF REQUEST:** Approx. 1.416 acres**CENSUS TRACT:** 9.00**APPLICANT:** Orange Development Company**REPRESENTATIVE:** Rob Baldwin**OWNERS:** NEM Properties; Pedro Montoya; Ruben Flores Ramirez and Raul Flores Ramirez; David Riggio; Taqueria Pedritos, Inc; Alfredo Arroyo; and Estela Arroyo**REQUEST:** An application for a Planned Development District for CR Community Retail District uses on property zoned an MF-2(A) Multifamily District and a CR Community Retail District located southeast of Capitol Avenue, between Bennett Avenue and North Fitzhugh Avenue.**SUMMARY:** The applicant proposes to develop the property, a 1.416-acre tract, with an approximately 15,000-square-foot general merchandise or food store use greater than 3,500 square feet [CVS proposed]. However, all uses in CR would be permitted within the PD. It should be noted that this application has been amended to a Planned Development District. The proposed development will include the adjacent 0.41 acre tract located at the east corner of Fitzhugh Avenue and Capitol Avenue, also zoned CR. However, it is not a part of this application. The applicant is requesting a PD to have a development plan and a landscape plan approved by the City Plan Commission and the City Council.**STAFF RECOMMENDATION:** Approval, subject to development plan, landscape plan, and conditions.**CPC PREVIOUS ACTION:** On January 22, 2015, the City Plan Commission held this case under advisement until February 19, 2015 so that a Planned Development District could be submitted and advertised.

## GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed planned development district will be compatible with the existing development in the surrounding area. The property is surrounded by single family, multiple family, restaurant and retail uses. Per Chapter 51A, a CR District provides for the development of community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities. The requested PD will complement the existing uses in the area.
2. *Traffic impact* – The proposed development does not have direct access to a major thoroughfare and will have small impact on the existing street system.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan states that this area is within the Urban Neighborhood Building Block. A Planned Development District was submitted to incorporate some of the elements of the Urban Neighborhood building block such as a minimum 6-foot sidewalk along Capitol Avenue, a vegetated buffer between the sidewalk and travel lines, maintaining the alley access through the property, parking behind the proposed building, and vegetation to screen the parking that might be visible from the streets.
4. *Justification for a Planned Development District* – The applicant is providing development and landscape plans that will provide some of the Urban Neighborhood building block that otherwise would not be provided with a straight zoning district change.

**Zoning History:** There has been one recent zoning change in the area within the last five years.

1. Z101-321 On January 25, 2012, the City Council approved a Planned Development District for Multifamily District Uses on property located on the Southeast side of Capitol Avenue between Garrett Avenue and Bennett Avenue.

### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
North Fitzhugh Avenue	Local	100 feet
Capitol Avenue	Local	100
Bennett Avenue	Local	80 feet

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	MF-2(A)	Single Family
Northeast	PD No. 860	Multifamily
Southeast	MF-2(A)	Single Family and Multifamily
Southwest	CR & MF-2(A)	Single Family & Retail
Northwest	CR & PD No. 763	Retail & Multifamily

**STAFF ANALYSIS:****Comprehensive Plan:**

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

The Urban Neighborhoods Block, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

**Land Use Compatibility:**

The property comprises eight lots currently developed with single-family structures in a multifamily district. The property is adjacent to single-family residential to the southeast and a restaurant and retail to the southwest. Surrounding uses are multifamily uses to the north; and retail, single family and multifamily to the south and southwest. The surrounding area is experiencing a lot of development with more dense residential uses.

The proposed planned development district will permit uses that will service the more dense residential neighborhood within a minimal distance.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Bennett	Local	80 feet
Capitol	Local	50 feet
Fitzhugh	Local	50 feet

**Surrounding Land Uses:**

	Zoning	Land Use
Site	MF-2(A)	Single Family
North	PD 763 & PD 860	Multifamily
East	PD860 & MF-2(A)	Single & Multifamily under construction
South	MF-2(A)	Single Family & multifamily
West	PD 763 & CR	Retail

**Development Standards:**

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
MF-2(A) Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
Proposed							
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

**Parking:**

Pursuant to the Dallas Development Code, off-street and loading required parking must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Parking will be provided as shown in the development plan.

**Landscaping:**

A landscape plan has been provided that meets the requirements of Article X. Typically, landscaping that meets the requirements of Article X are not provided with planned development and specific use permit requests. However, in this instance, the applicant wants to specify the landscaping and make it part of the planned development district approval.



**ARTICLE \_\_\_\_.**

**PD \_\_\_\_.**

**SEC. 51P-\_\_\_\_.101.**

**LEGISLATIVE HISTORY.**

PD \_\_\_\_ was established by Ordinance No.\_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_.

**SEC. 51P- \_\_\_\_ .102.**

**PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_ is established on property located at \_\_\_\_\_. The size of PD \_\_\_\_ is approximately \_\_\_\_\_ acres.

**SEC. 51P- \_\_\_\_ .103.**

**DEFINITIONS AND INTERPRETATIONS.**

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

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

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

**SEC. 51P- \_\_\_\_ .104.**

**EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit \_\_\_\_A: development plan.
- (2) Exhibit \_\_\_\_B: landscape plan.

**SEC. 51P- \_\_\_\_ .106.**

**DEVELOPMENT PLAN.**

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

**SEC. 51P- \_\_\_\_ .107.**

**MAIN USES PERMITTED.**

The only main uses permitted are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR

Community Retail District, as set out in Chapter 51A. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

**SEC. 51P-\_\_\_\_.108.                      ACCESSORY USES.**

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

**SEC. 51P-\_\_\_\_.109.                      YARD, LOT, AND SPACE REGULATIONS.**

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

(a) Except as provided in this section, the yard, lot, and space regulations for the CR Community Retail District apply.

(b) Maximum structure height is 36 feet.

**SEC. 51P-\_\_\_\_.110.                      OFF-STREET PARKING AND LOADING.**

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

(b) Maximum height for parking lot lighting poles is 12 feet.

**SEC. 51P-\_\_\_\_.111.                      ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-\_\_\_\_.112.                      LANDSCAPING.**

(a) Landscaping must be provided as shown on the landscape plan (Exhibit \_\_\_\_B). If there is a conflict between the text of this article and the landscape plan, the text of this article controls. (b) Plant materials must be maintained in a healthy, growing condition.

**SEC. 510    113.                      FENCING**

(a) Minimum height for the required screening fence for residential adjacency as shown on the development plan is eight feet. The screening fence must be constructed of wood panels with brick columns or entirely of brick.

**SEC. 51P- \_\_\_\_ .114.                      SIGNS.**

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

**SEC. 51P- \_\_\_\_ .115.                      ADDITIONAL PROVISIONS.**

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

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

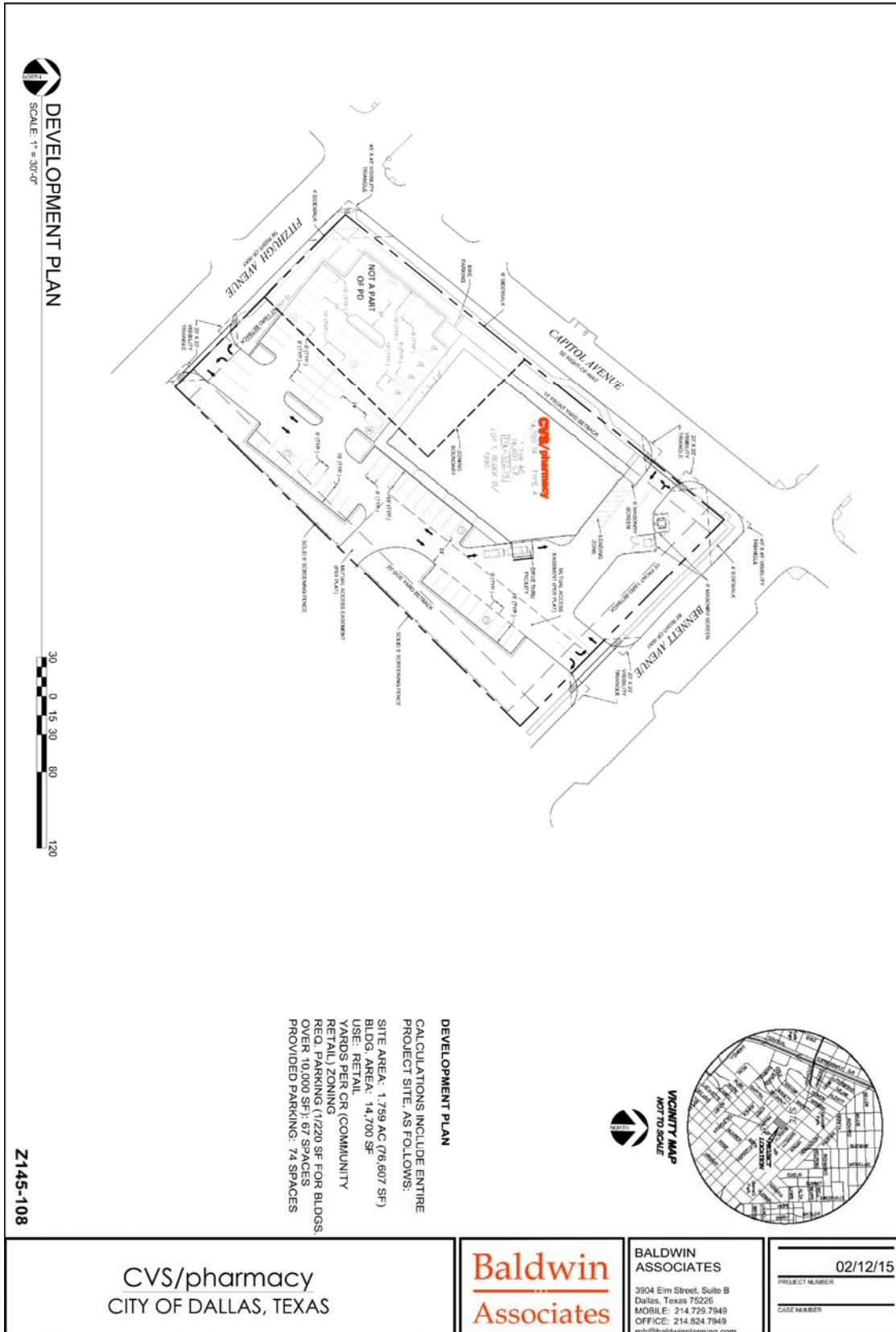
(c) Building facade materials are limited to masonry. Cement board siding, stucco, and Exterior Insulation Finish System (EFIS) are considered masonry materials.

**SEC. 51P- \_\_\_\_ .116.                      COMPLIANCE WITH CONDITIONS.**

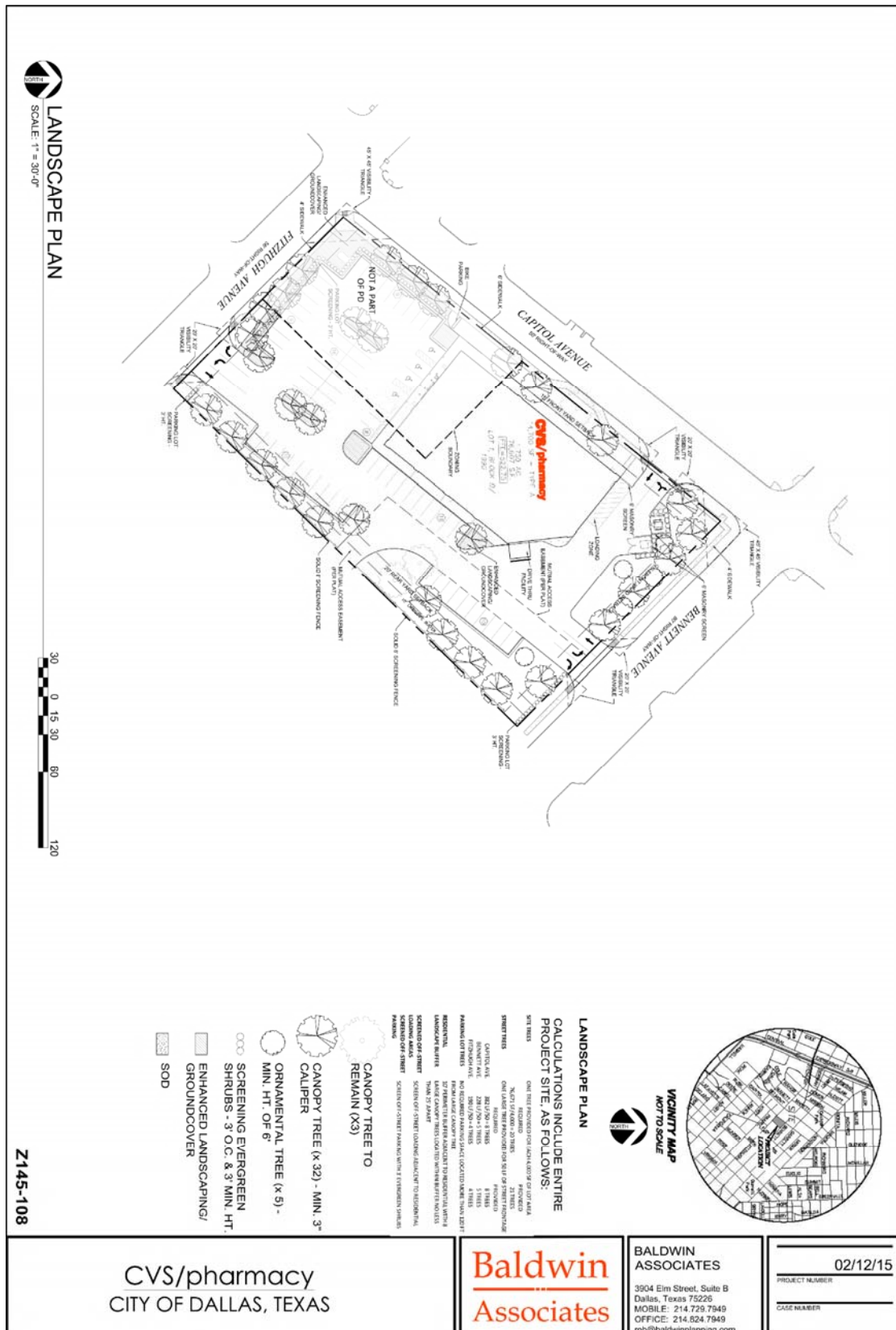
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

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

# PROPOSED DEVELOPMENT PLAN



## PROPOSED LANDSCAPE PLAN





## **List of Partners**

### **OWNERS:**

NEM Properties

Naomi Escobar, officer  
Erma Sendrowski, officer  
Mary Gonzalez, officer

Pedro Montoya

Ruben Flores Ramirez and Raul Flores Ramirez

David Riggio

Taquerias Pedritos, Inc.

Pedro Montoya, President  
Jose Montoya, Vice President

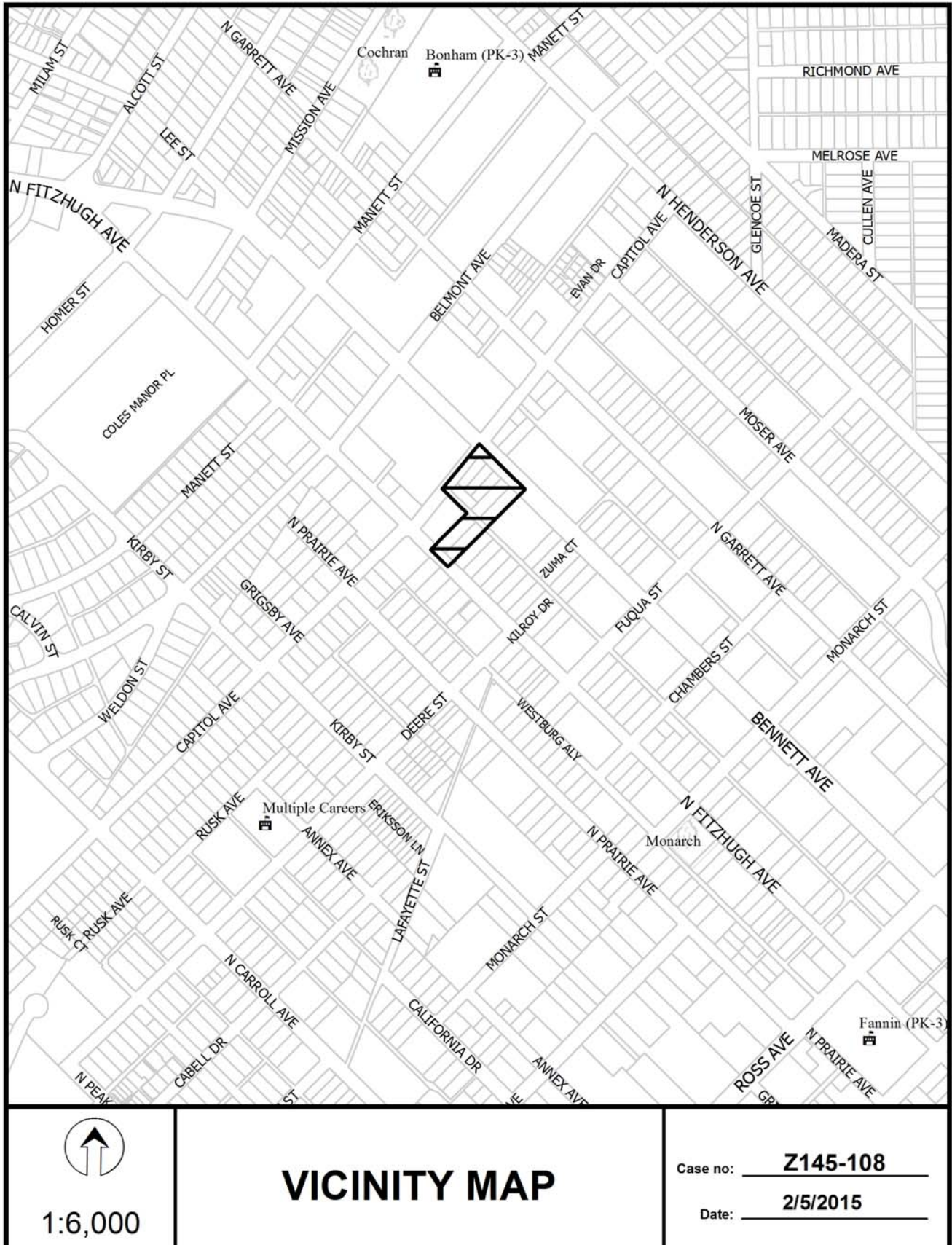
Alfredo Arroyo and Estela Arroyo

### **APPLICANT:**

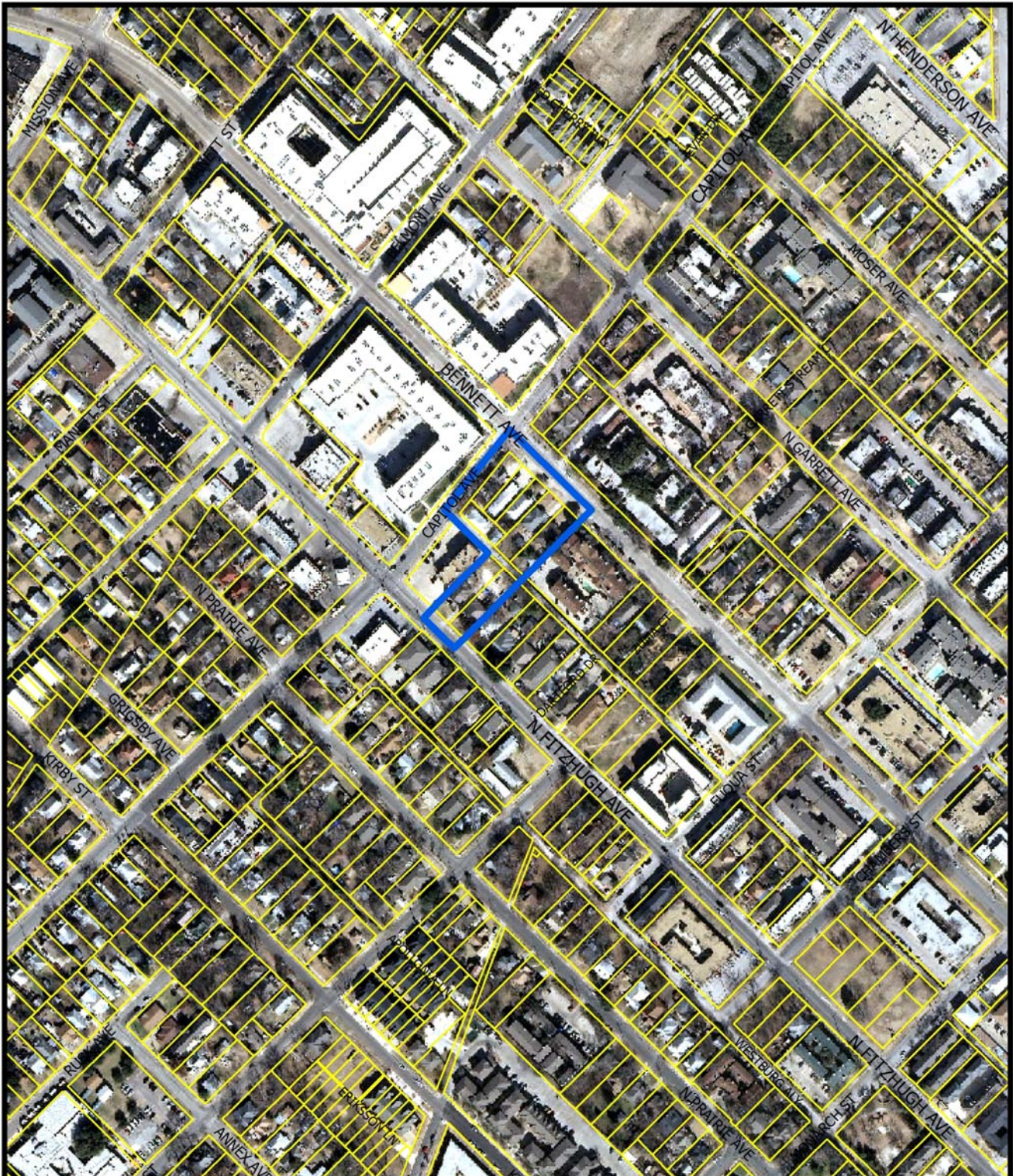
Orange Development Company

Jason Price, President/ owner  
Donn Fizer, Vice President  
Gregory Griffith, Vice President

Z145-108(OTH)







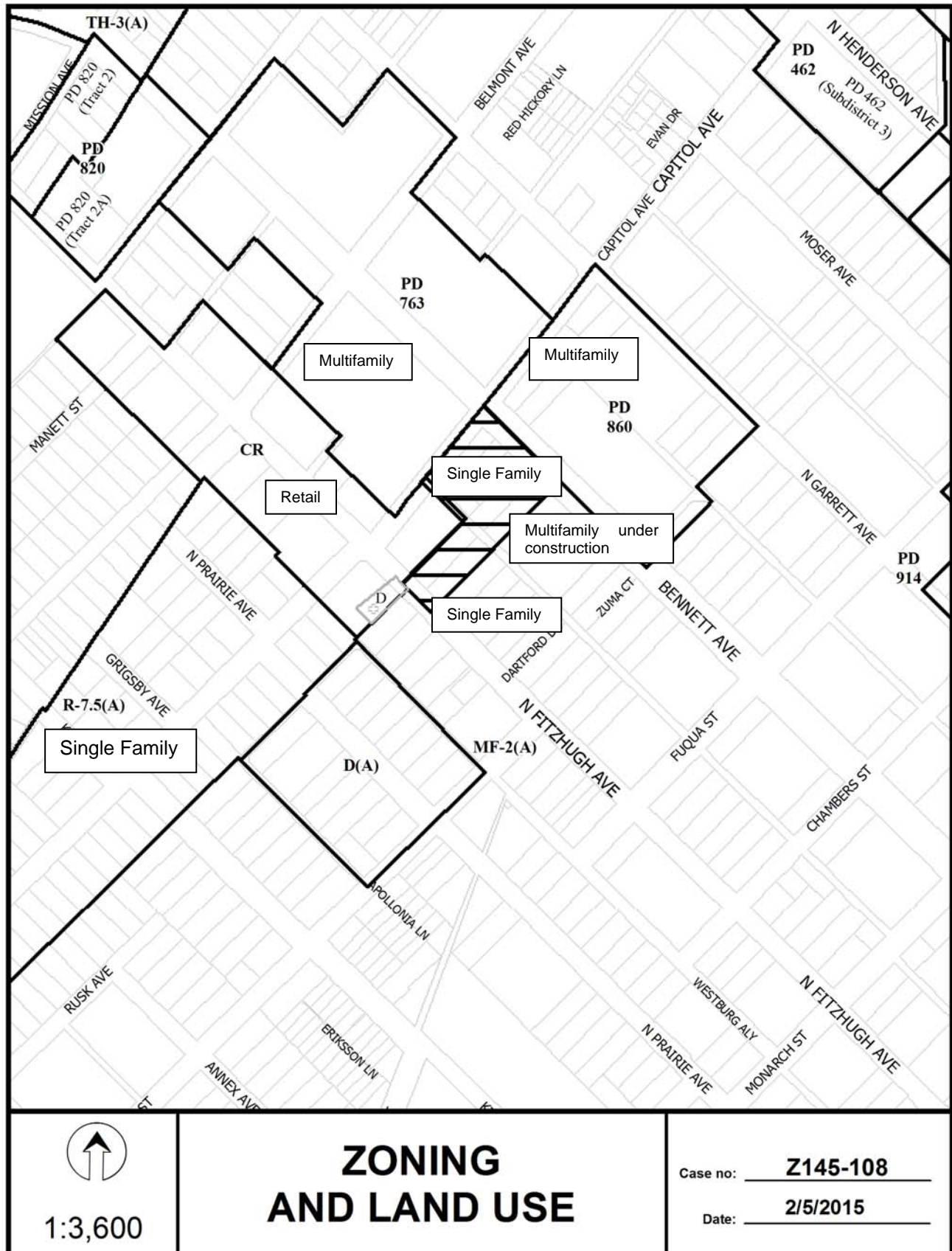
1:3,600

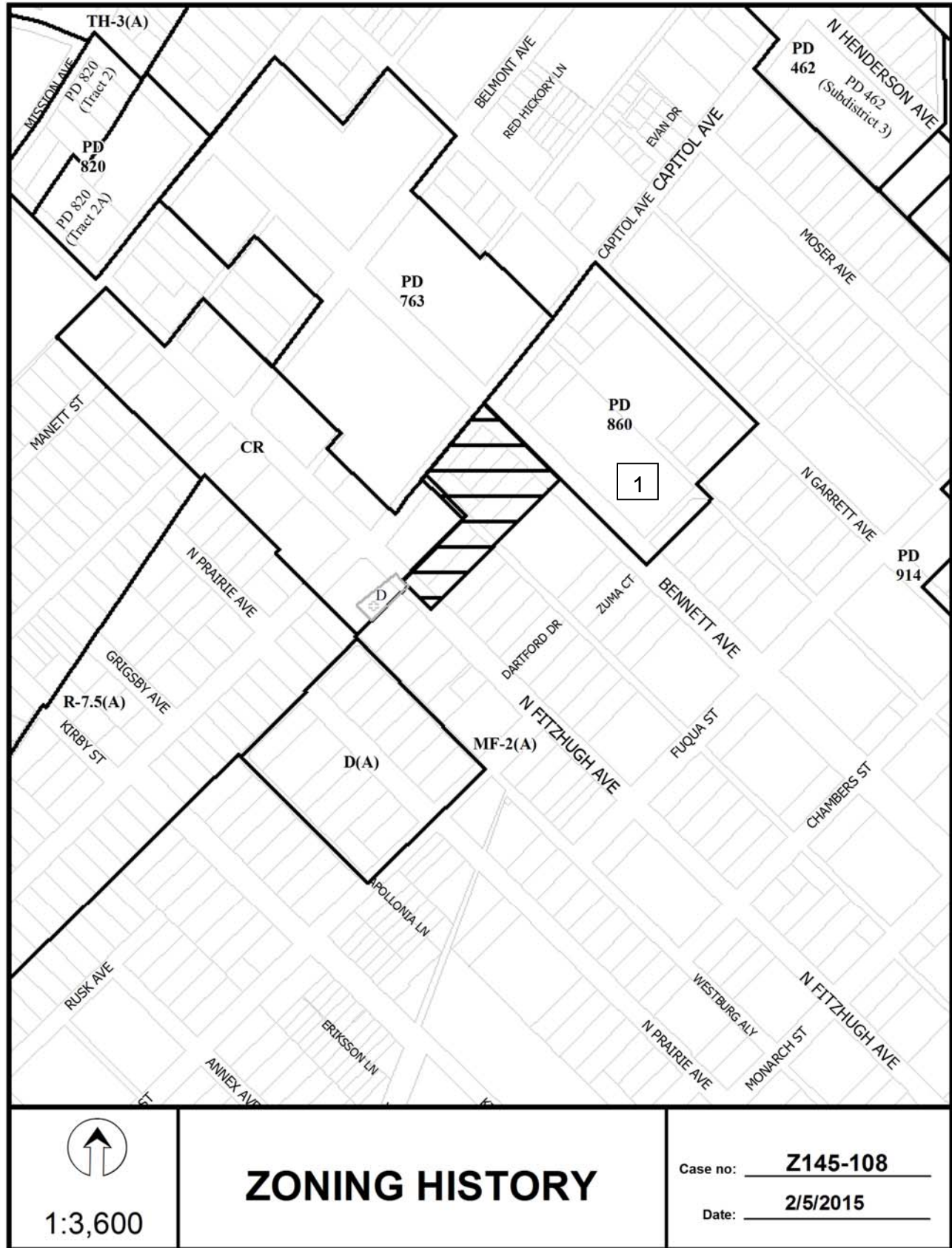
## AERIAL MAP

Case no: Z145-108

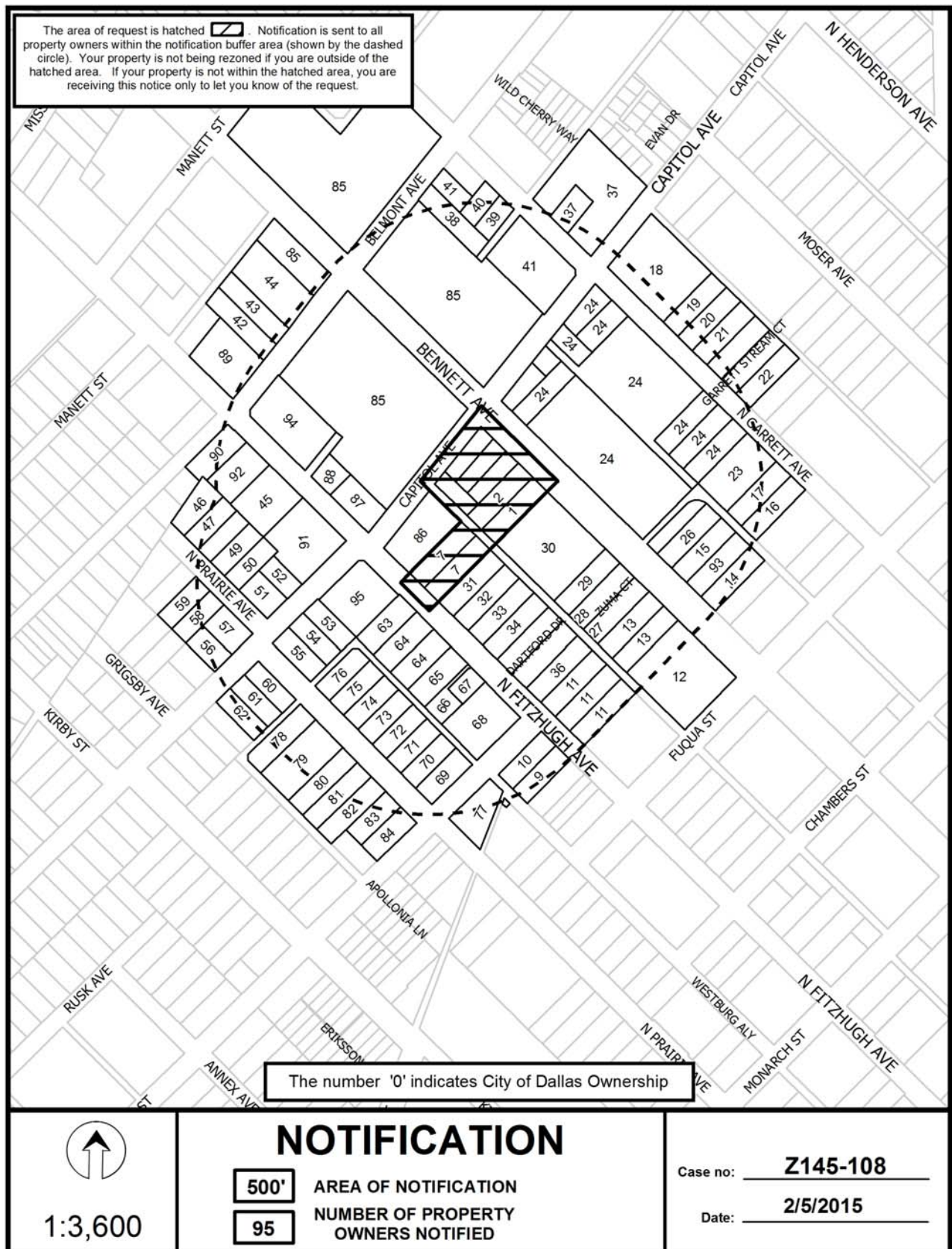
Date: 2/5/2015











02/05/2015

***Notification List of Property Owners******Z145-108******95 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2307 BENNETT AVE	NEM PROPERTIES LLC
2	2311 BENNETT AVE	NEM PPTIES LLC
3	2315 BENNETT AVE	ARROYO ESTELA
4	4918 CAPITOL AVE	MONTOYA PEDRO
5	2317 BENNETT AVE	RIGGIO DAVID
6	2321 BENNETT AVE	RAMIREZ RUBEN F &
7	2310 FITZHUGH AVE	TAQUERIA PEDRITOS INC
8	4800 LAFAYETTE ST	ENSERCH CORP
9	2115 FITZHUGH AVE	MEZA KARLA
10	2117 FITZHUGH AVE	SYED SHAZAD
11	2114 FITZHUGH AVE	LARKSPUR FITZHUGH LP
12	2109 BENNETT AVE	SEAHORSE HOLDINGS LP
13	2119 BENNETT AVE	JGH LLC
14	2112 BENNETT AVE	DOMINGUEZ MARIANO &
15	2122 BENNETT AVE	TORREZ JUAN & MARIA
16	2117 GARRETT AVE	HERNANDEZ SALVADOR
17	2121 GARRETT AVE	VILLAREAL AMPARO
18	2316 GARRETT AVE	TOLUCA SQUARE LTD
19	2308 GARRETT AVE	MORALES JULIA R EST OF
20	2304 GARRETT AVE	KEMP JACK R
21	2226 GARRETT AVE	MARTINEZ JOSEPHINE LIFE ESTATE
22	2220 GARRETT AVE	TDI GARRETT AVENUE LTD
23	2201 GARRETT AVE	OHIRHIAN SAMUEL O
24	2211 GARRETT AVE	JLB BENCAP LP
25	5016 CAPITOL AVE	JLB BEN CAP LP
26	2202 BENNETT AVE	DIAZ MARICELA

02/05/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2201 BENNETT AVE	UPTOWN EAST PTNRS LLC
28	2207 BENNETT AVE	UPTOWN EAST PTNRS LLC
29	2211 BENNETT AVE	MURILLO JOB ESTATE OF
30	2223 BENNETT AVE	RIGGIO DAVID A
31	2302 FITZHUGH AVE	STUBING RICHARD S
32	2222 FITZHUGH AVE	ZAMBRANO FRANCISCA
33	2216 FITZHUGH AVE	HOLMES JOHN B
34	2212 FITZHUGH AVE	2212 FITZHUGH LLC
35	2208 FITZHUGH AVE	LARKSPUR IVY II LP
36	2206 FITZHUGH AVE	LARKSPUR IVY II LP
37	2406 GARRETT AVE	AGAPE UNITED METHODIST
38	5022 BELMONT AVE	SUMMERS MARSHALL
39	2421 GARRETT AVE	TREVINO MARIA ANA
40	2425 GARRETT AVE	ROWLAND MARKA L EST OF
41	5026 BELMONT AVE	BELMONT BENNETT AVENUE LLC
42	4911 BELMONT AVE	WANG ALERN TR &
43	4915 BELMONT AVE	WANG ALERN &
44	4919 BELMONT AVE	HIBBERT MICHEL D TR
45	2403 FITZHUGH AVE	2403 FITZHUGH LLC
46	2426 PRAIRIE AVE	DELGADO JUAN R
47	2422 PRAIRIE AVE	LUNA TERESA & GERARDO
48	2416 PRAIRIE AVE	PARKINS MARIYAM & GARY
49	2414 PRAIRIE AVE	SOTO TERESA
50	2410 PRAIRIE AVE	MARTINEZ JOSE C
51	4805 CAPITOL AVE	BOLTEX HOLDINGS LTD
52	4809 CAPITOL AVE	FLORES PEDRO A
53	4810 CAPITOL AVE	MILAGRO HOME COMPANY
54	4804 CAPITOL AVE	GARCIA MARIO R & ROSA I
55	4802 CAPITOL AVE	WEBSTER CAROL K
56	4723 CAPITOL AVE	LOPEZ ANTONIO & CARMEL
57	4727 CAPITOL AVE	OSTERMANN CHARLES J

02/05/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2411 PRAIRIE AVE	DEHN KRYSSI LYNN
59	2415 PRAIRIE AVE	CAMACHO MARCO A
60	4730 CAPITOL AVE	SANDOVAL INES EST OF
61	4726 CAPITOL AVE	MARQUEZ REYNALDO ETAL
62	4722 CAPITOL AVE	ALONSO J MARTIN &
63	2313 FITZHUGH AVE	ALCALA WILLIE
64	2309 FITZHUGH AVE	ROLLING CASH AMBASSADOR LP
65	2217 FITZHUGH AVE	TREJO ROBERTO R
66	2215 FITZHUGH AVE	EDC HOME RENTALS LLC
67	2211 FITZHUGH AVE	VAZIRISEPEHR ABNOUS &
68	2203 FITZHUGH AVE	ELDORADO PPTIES INC
69	2300 PRAIRIE AVE	CAMERON JOHN P
70	2304 PRAIRIE AVE	SHAMPAIN RICHARD H
71	2308 PRAIRIE AVE	MARTINEZ ELIA &
72	2312 PRAIRIE AVE	GUERRERO ORALDO
73	2316 PRAIRIE AVE	BUSCH DAVID M &
74	2320 PRAIRIE AVE	BARAJAS JUANITA TR
75	2326 PRAIRIE AVE	IBARRA MARIA G VELAZQUEZ
76	2328 PRAIRIE AVE	PENA LAZARO
77	2222 PRAIRIE AVE	HAN SHIHUA
78	2329 PRAIRIE AVE	RUTHERFORD REGINA LYNN
79	2325 PRAIRIE AVE	BOLTEX HOLDINGS LTD
80	2317 PRAIRIE AVE	CUBIC PTNRS LLC
81	2315 PRAIRIE AVE	MURILLO MARTA
82	2309 PRAIRIE AVE	PENA LAZARO C
83	2305 PRAIRIE AVE	DELAGARZA VIRGINIA
84	2301 PRAIRIE AVE	DIAZ ROCIO ACEVEDO
85	2401 BENNETT AVE	BELMONT BENNETT AVE LLC
86	4910 CAPITOL AVE	MONTOYA PEDRO
87	2408 FITZHUGH AVE	Y & H INV INC
88	2414 FITZHUGH AVE	METROPLEX RESTAURANTS INC

Z145-108(OTH)

02/05/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2508 FITZHUGH AVE	SIDERIS GEORGE K
90	4824 BELMONT AVE	ARBELAEZ NODIER &
91	2401 FITZHUGH AVE	D N D CORP
92	2429 FITZHUGH AVE	MARTINEZ ANNA MIRIAM
93	2120 BENNETT AVE	RUIZ JAIMIE
94	2420 FITZHUGH AVE	ROADE PROPERTIES LTD
95	2325 FITZHUGH AVE	FITZHUGH PPTIES LLC



**FILE NUMBER:** Z134-323(RB)**DATE FILED:** August 28, 2014**LOCATION:** East line of North Central Expressway, south of Haskell Avenue**COUNCIL DISTRICT:** 14**MAPSCO:** 45-C**SIZE OF REQUEST:** Approx. 8.68 Acres**CENSUS TRACT:** 16**APPLICANT/OWNER:** Uptown Cityplace, LLC**REPRESENTATIVE:** Suzan Kedron**REQUEST:** An application for an amendment to Planned Development District No. 183 for certain MU-3 Mixed Use District Uses.

**SUMMARY:** The applicant is proposing to revise certain development standards (remove number of permitted stories, allow for new structures on the north and south sides of the main tower), revise off-street parking provisions, and add two permitted uses.

**STAFF RECOMMENDATION:** Approval, subject to a development plan and staff's revised conditions.

**PRIOR CPC ACTION:** On December 4, 2014, January 8, 2015, January 22, 2015, and February 5, 2015, the City Plan Commission held this request under advisement to permit the applicant and staff time to continue addressing requested revisions to required off-street parking. The applicant has worked with staff to address anticipated development across the site, inclusive of two additions to be oriented along the northbound service road of North Central Expressway, on both sides of the existing office tower. At this time, all requested revisions, exclusive of requested off-street parking reductions (see Parking, below) have been addressed. Additionally, the applicant has continued interaction with surrounding property owners and the commissioner for the district to further define the relationship between existing improvements and remaining development rights. As such, the applicant has agreed to submit a development plan (along with agreeing with the minor amendment process) as a requirement of the PDD, going forward. As this has been a 'late addition' to the application, staff will finalize review of the submitted plan and provide at the February 19, 2015 staff briefing.

## **GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval subject to revised conditions based upon:

1. *Performance impacts upon surrounding property* – The proposed amendments will not significantly alter permitted uses on the property; thus, will remain consistent in scale with the high-density, mixed use environment of recent development projects in the immediate area.
2. *Traffic impact* – Trip generations will be consistent with existing demands of adjacent projects with no impact on the surrounding street system, while providing for close proximity to mass transit options.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.

## **Zoning History:**

<b>File No.</b>	<b>Request, Disposition, and Date</b>
1. Z112-265	On May 22, 2013, the City Council approved a PDD for MU-3 District Uses, and approved a new subdistrict within PDD No. 305.
2. Z112-150	On May 23, 2012, the City Council approved an amendment to Tract I of Planned Development District No. 375 for mixed uses.
3. Z101-319	On December 14, 2012, the City Council approved a WMU-8 Walkable Urban Mixed Use District.
4. Z089-135	On October 14, 2009, the City Council approved the creation of two tracts within Planned Development District No. 183 for MU-3 Mixed Use District uses.
5. Z134-162	On October 23, 2014, the CPC recommended approval of a Planned Development District for MU-3 District Uses. Pending a December 10, 2002 City Council public hearing.

<b><u>Thoroughfare/Street</u></b>	<b><u>Designation; Existing &amp; Proposed ROW</u></b>
North Central Expressway	Freeway; Variable Width ROW
Haskell Avenue	Principal Arterial; 150' and 160' ROW
Weldon Street	Local; 50' ROW

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

#### **STAFF ANALYSIS:**

**Comprehensive Plan:** The site is located in an area considered an Urban Neighborhood. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

#### **LAND USE ELEMENT**

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:**

On February 6, 1985, the City Council approved the creation of PDD No. 183 for MU-3 Mixed Use District Uses. Two amendments have been adopted by City Council (November 11, 1992 and October 14, 2009). The site is developed with an office tower, expansive landscaping and an adjacent parcel, across Weldon Street at its terminus with the northbound service road of North Central Expressway which is improved with a utility structure that serves the development.

The applicant is proposing revisions to capture the following: 1) a 'restrictive' mini-warehouse use; 2) extended stay hotel or motel use that requires access to individual rooms or suites from an inside corridor; 3) revise off-street parking provisions; 4) remove the maximum number of stories; and, 5) remove requirements for certain amendments to the development plan (i.e., minor amendment), revised off-street parking provisions are requested to be considered.

Surrounding land use consists of a mix of uses, with an emphasis of high density residential (multifamily) served by area retail/restaurant/entertainment uses all within close proximity to DART's Cityplace/Uptown station and the McKinney Avenue Transit Authority's (M Line) Cityplace Station (access to both via underground connection below the existing office tower. It should be noted the M Line possesses 15 minute headways during peak hours to facilitate crosstown options within the trolley's service area. Consideration of high density developments are generally encouraged and supported when located with one-quarter mile of mass transit options with compressed headways during peak hours, those times normally utilized as tenants/employees commute to and from home to their professional destinations. Additionally, local bus routes have designated stops along the site's two main frontages.

**Parking:** As a matter of history, the creation of the 24.51 acre (at the time) PDD required parking at one space for each 500 square feet, with a minimum of 8,009 spaces; 4,603 spaces on the west side of North Central Expressway and 3,406 spaces on the east side of the freeway, all of which to be provided below grade. This initial parking requirement was part of a collaborative effort between the property owner and city, with consideration of various required updates to the initial parking study, along with expectation of certain infrastructure improvements and remedies for addressing future parking needs. It should be noted that anticipation of a DART station would serve the immediate area, with convenient access from both sides of North Central Expressway.

At this time, the applicant has requested a reduction of required off-street parking (from 3,406 to 3,200 spaces) as well as its location. As this PDD was somewhat visionary in the anticipated build out, measures were in place to address future needs. As certain

language was removed from the PDD through prior amendments (i.e., one space/500 sf of floor area), a sensitivity remains to reducing the required parking, and to a certain degree, allowing for some of the required parking to be relocated (from underground to surface and/or parking structure). On a parallel line, staff has recommended and the applicant has agreed to address the design of any above grade parking structures to: 1) provide for a façade that is consistent in visual appeal as the main structure, and 2) ensure headlights are contained within the parking structure (see attached amending conditions).

With regard to the component of required parking (3,406 spaces), the applicant has provided staff current occupancy levels within the office tower (Tract 2): 937,900 square feet occupied and 412,100 square feet vacant. As this tract caps floor area (1,371,477 sf), Tract 1 has no overall cap (only limited by lot coverage and structure height as well as a maximum of 100,000 sf of retail uses).

At this point, staff has prepared a recommendation to ensure the anticipated number of underground spaces (3,406) are ultimately provided as the site continues to exercise its development rights. Due to the lateness of finalizing discussions with the applicant, it is not known whether there is agreements with the attached amending conditions.

**Landscaping:** The site is heavily landscaped and is in compliance with the attached landscape plans. No revisions are being requested at this time; however staff is recommending the deletion of the granting of a private license for landscape purposes. As has been the policy of the department, this revision does not prohibit granting of requested licensing, however it does permit the building official documentation of such improvements being located in the public right-of-way, which is critical for monitoring and compliance purposes.

It should be noted that as the site pursues additional development, landscaping (along with development plan) will require CPC approval prior to issuance of any building permits.



Z134-323(RB)

Applicant/Owner  
Officers

Darryl Parmenter  
Andrew Weiss  
Stephen Bronner  
John Davidson  
Michael Loftis  
Christopher McGrew  
Jeffrey Granoff

## **STAFF RECOMMENDED CONDITIONS**

### **ARTICLE 183.**

#### **PD 183.**

##### **SEC. 51P-183.101. LEGISLATIVE HISTORY.**

PD 183 was established by Ordinance No. 18578, passed by the Dallas City Council on February 6, 1985. Ordinance No. 18578 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 18578 was amended by Ordinance No. 21478, passed by the Dallas City Council on November 11, 1992. (Ord. Nos. 10962; 18578; 21478; 24826; 27703)

##### **SEC. 51P-183.102. PROPERTY LOCATION AND SIZE.**

PD 183 is established on property generally located on the east side of North Central Expressway, south of Haskell Avenue. The size of PD 183 is approximately 12.6008 acres. (Ord. Nos. 21478; 24826; 27703)

##### **SEC. 51P-183.103. CREATION OF TRACTS**

This district is divided into Tracts 1 and 2 as shown on the Tract 1 conceptual plan/Tract 2 development plan (Exhibit 183A). (Ord. Nos. 21478; 24826; 27703)

##### **SEC. 51P-183.104. DEFINITIONS AND INTERPRETATIONS.**

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

(1) **COOLING TOWER** means an open-topped structure in which a heat removal devise is used to transfer, process, and release into the atmosphere heat from the mechanical equipment used to run a building.

(2) **DATA CENTER** means a facility for storing, managing, processing, converting, warehousing, or disseminating data or information and includes the equipment that supports the data center, including computers, servers, and other data storage devises.

(3) **EXECUTIVE STORAGE** means a climate controlled storage area for the inside storage of goods or wares with access to the storage area limited to an internal corridor or from within a main structure located on the Property.

(3 4) **HEALTH CLUB** means a facility operated to promote physical fitness and where manipulated massage or exercises are practiced on the human body with or without the use of mechanical, therapeutic, or bathing devises.

(4 5) MECHANICAL PLANT means a facility that houses the mechanical equipment necessary to support and maintain a building, including HVAC, plumbing, lighting, and other similar equipment.

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

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 21478; 24826; 27703)

#### **SEC. 51P-183.105. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 183A: Tract 1 conceptual plan/Tract 2 development plan.

(2) Exhibit 183B: Tract 2 landscape plan.

(3) Exhibit 183C: Existing streetscape tree plan. (Ord. Nos. 21478; 24826; 27703)

#### **SEC. 51P-183.106. CONCEPTUAL PLAN AND DEVELOPMENT PLAN.**

(a) In general. Development and use of the Property must comply with the Tract 1 conceptual plan/Tract 2 development plan. If there is a conflict between the text of this article and the Tract 1 conceptual plan/Tract 2 development plan, the text of this article controls.

(b) Tract 1. The Tract 1 portion of the Tract 1 conceptual plan/Tract 2 development plan is the conceptual plan for Tract 1. A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in Tract 1. Tract 1 may be developed in phases. If there is a conflict between the text of this article and an approved development plan, the text of this article controls.

(c) Tract 2. The Tract 2 portion of the Tract 1 conceptual plan/Tract 2 development plan is the development plan for Tract 2. (Ord. Nos. 21478; 24826; 27703)

#### **SEC. 51P-183.107. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use 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 MU-3 Mixed Use District is subject to DIR in this district; etc.

(b) The following additional main uses are permitted by right:

- Cooling tower.
- Data center.
- Executive storage.
- Extended stay hotel or motel [Rooms must be accessed from an internal corridor or elevator].
- Financial institution with drive-in window.
- Health club.
- Mechanical plant.
- Radio, television, or microwave tower.
- Restaurant with drive-in or drive-through service.
- Restaurant without drive-in or drive-through service.
- Transit passenger shelter.
- Transit passenger station or transfer center.

(c) The following main uses are prohibited:

- Auto service center.
- Car wash.
- Cemetery or mausoleum.
- College dormitory, fraternity, or sorority house.
- Crop production.
- Duplex.
- Extended stay hotel or motel.
- Foster home.
- Gas drilling and production.
- General merchandise food store 100,000 square feet or more.
- Halfway house.
- Heliport.
- Helistop.
- Labor hall.
- Medical/infectious waste incinerator.
- Mortuary, funeral home, or commercial wedding chapel.
- Open-enrollment charter school or private school.
- Overnight general purpose shelter.
- Public school other than open-enrollment charter school.
- Recycling buy-back center.
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection. (Ord. Nos. 21478; 24826; 27703)

#### **SEC. 51P-183.108. ACCESSORY USES.**

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

(b) The following accessory use is not permitted:

-- Accessory medical/infectious waste incinerator. (Ord. Nos. 21478; 24826; 27703)

**SEC. 51P-183.109. YARD, LOT, AND SPACE REGULATIONS.**

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

- (a) Front yard. No minimum front yard is required.
- (b) Side and rear yard. No minimum side or rear yard is required.
- (c) Density. No maximum dwelling unit density.
- (d) Floor area.
  - (1) Tract 1.
    - (A) Except as provided in this paragraph, no maximum floor area.
    - (B) For retail uses, maximum floor area is 100,000 square feet.
  - (2) Tract 2.
    - (A) Except as provided in this paragraph, maximum floor area is 1,371,477 square feet, excluding mechanical plant and cooling tower uses.
    - (B) For retail uses, maximum floor area is 60,000 square feet.
    - (C) For a health club use, maximum floor area is 50,000 square feet.
- (e) Height.
  - (1) Tract 1. Maximum structure height is 175 feet.
  - (2) Tract 2 ~~(A)~~ Maximum structure height is 556 feet, except that habitable space is not permitted above 546 feet in height.
    - ~~(B) Any additions to the tower that exists on October 14, 2009 must have the same facade materials as the existing tower.~~
- (f) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking and underground parking structures are not.
- (g) Lot size. No minimum lot size.



(h) Stories.

(1) Tract 1. ~~M~~ No maximum number of stories. ~~above grade is 10.~~

(2) Tract 2. Maximum number of stories above grade is 42. (Ord. Nos. 21478; 24826; 27703)

#### **SEC. 51P-183.110. FACADE TREATMENT.**

No exterior facade of any building may contain highly reflective glass. For purposes of this section, "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.) (Ord. Nos. 21478; 24826; 27703)

#### **SEC. 51P-183.111. OFF-STREET PARKING AND LOADING.**

(a) Consult the use regulations in Division 51A-4.200 for the specific loading requirements for each use.

(b) Except as provided in this subparagraph, a ~~A~~ minimum of 3,406 off-street parking spaces must be provided below grade at time of passage of this ordinance.

(1) At time of passage of this ordinance, a minimum of 3,200 off-street parking spaces must be provided below grade.

(2) The owner shall submit parking management study by a Professional Engineer evaluating the sufficiency of the parking. The initial update of the parking management plan must be submitted to the director by July 1, 2017 or when a permit is requested for addition or modification beyond 5,000 square feet. After the initial update, the Property owner shall submit additional updates to the parking management plan to the director by July 1 of each odd-numbered year until the Property owner provides a total of 3,406 parking spaces below grade on the Property.

(3) The parking management plan must be in writing and must contain an analysis of the following:

- (A) Number of existing spaces below grade.
- (B) Number of existing spaces at grade.
- (C) Number of existing spaces above grade.
- (D) A list of uses including square footages.
- (E) Maximum peak demand of parking spaces for each use.
- (F) Total shared parking demand based on all mixed use.

(4) Within 30 days after submission of a parking management plan, the director shall determine if the current parking is sufficient.

(A) If the director determines that the current parking plan is sufficient, no action is required.

(B) If the director determines that the current parking plan results in parking congestion, the director shall require the Property owner to submit an amended parking plan. If the Property owner fails to submit an amended parking plan within 30 days, the director shall notify the city plan commission.

(c) A maximum of 110 off-street parking spaces are permitted ~~above~~ at grade, except that off-street parking spaces may not be located between a building facade and Haskell Avenue or between a building facade and Weldon Street. At grade parking spaces wholly enclosed within a parking structure are not considered at grade.

(d) All aboveground parking structures must be wrapped by a building or have a facade that is similar in materials and appearance to the facade of the main structure the parking serves. Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property.

#### **SEC. 51P-183.112. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 18578; 24826; 26102)

#### **SEC. 51P-183.113. LANDSCAPING.**

(a) In general.

(1) Open space.

(A) A minimum of 10 percent of a lot or building site must be open space meeting the following requirements:

(i) Open space must be a contiguous area that is a minimum of 150 square feet. Parkways may not be counted toward the required open space.

(ii) Open space must be unobstructed to the sky and contain no structures.

(iii) Open spaces must be landscape areas that may include turf, ground cover, shrubs, trees, seasonal plantings, or a combination of these materials.

(B) The Tract 1 development plan and the Tract 2 landscape plan must include:

(i) the location of the open space on each lot or building site and

(ii) a table showing the square footage of each lot or building site and the open space square footage provided for that lot.

(2) Existing streetscape tree plan.

(A) Trees shown on the existing streetscape tree plan (Exhibit 183C) may only be removed or replaced in accordance with the tree preservation, removal, and replacement provisions in Division 51A-10.130.

(B) Replacement trees provided for mitigation purposes may be located in the right-of-way.

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

(b) Tract 1.

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

(2) For each landscape plan submitted with the application for a building permit, an artificial lot may be created to satisfy the requirements of Article X.

(3) Trees shown in Tract 1 on the existing streetscape tree plan may count toward Article X requirements.

(c) Tract 2.

(1) Landscaping must be provided as shown on the landscape plan. If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

~~(d) Private license granted.~~

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

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

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

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

~~(e) Parkway landscape permit.~~

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

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

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

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

~~(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right of way. (Ord. Nos. 21478; 24826; 27703)~~

**SEC. 51P-183.114. SIGNS.**

Signs must comply with the provisions for business zoning districts in Article VII. (Ord. Nos. 21478; 24826; 27703)

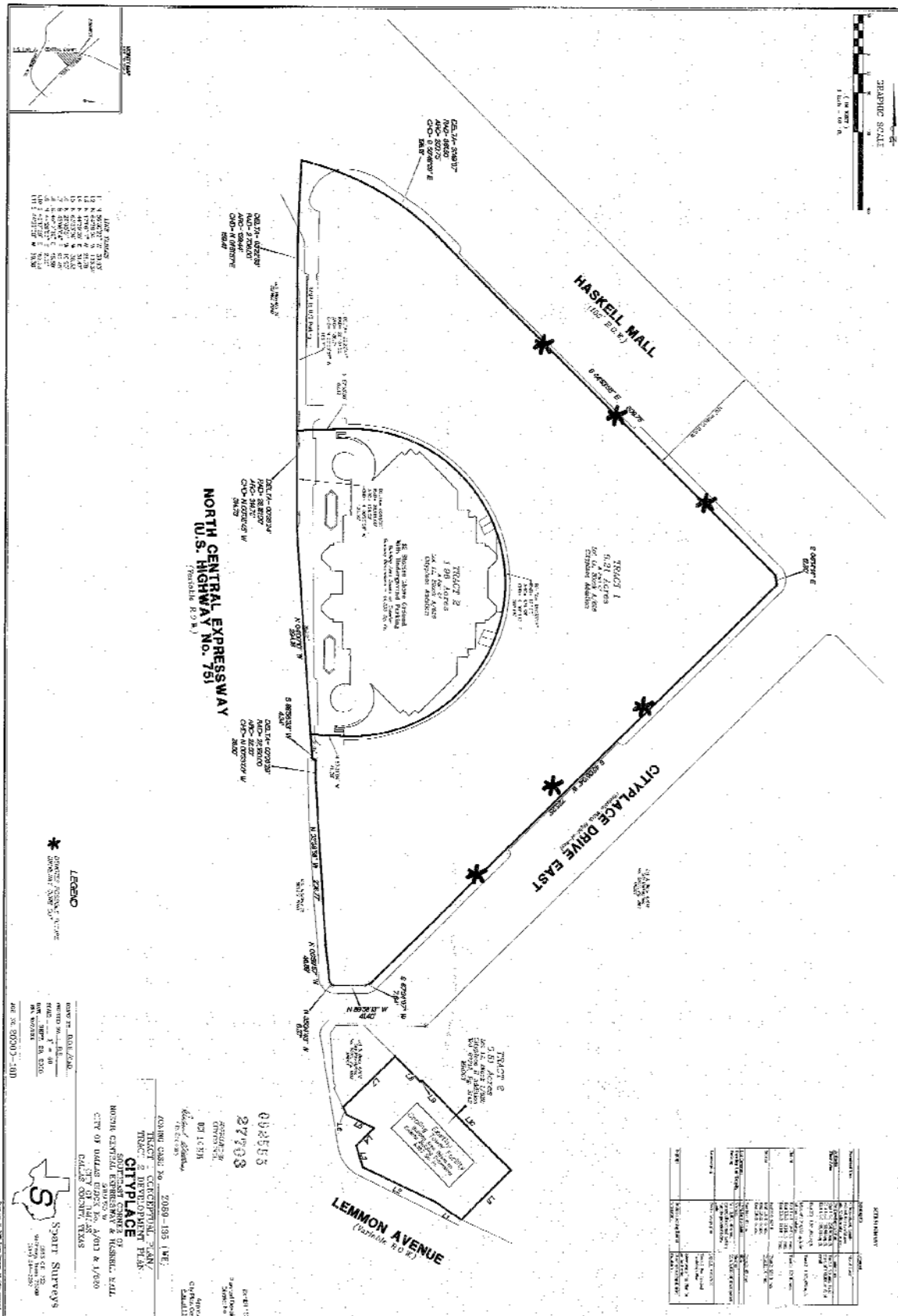
**SEC. 51P-183.115. ADDITIONAL PROVISIONS.**

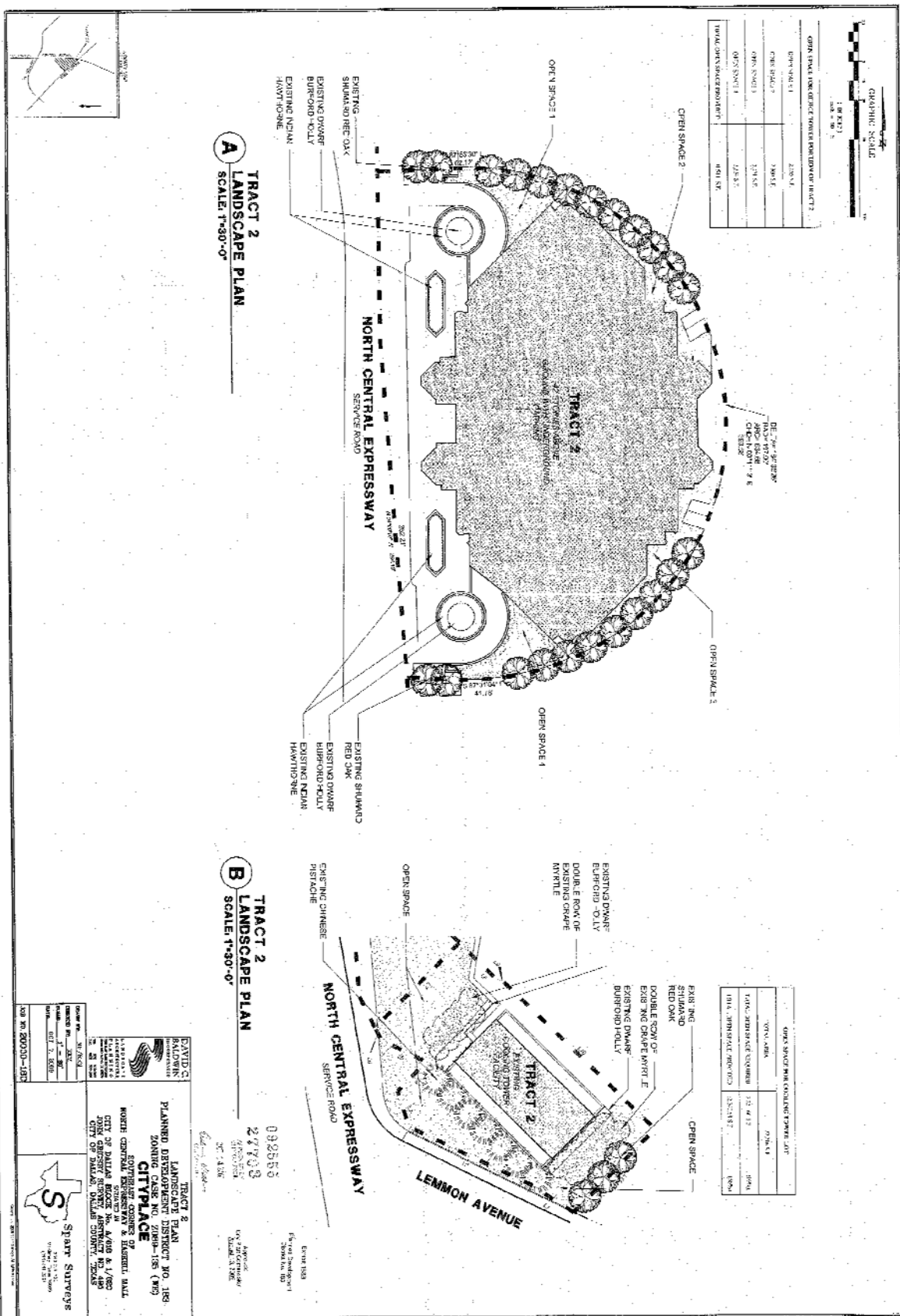
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. 27703)

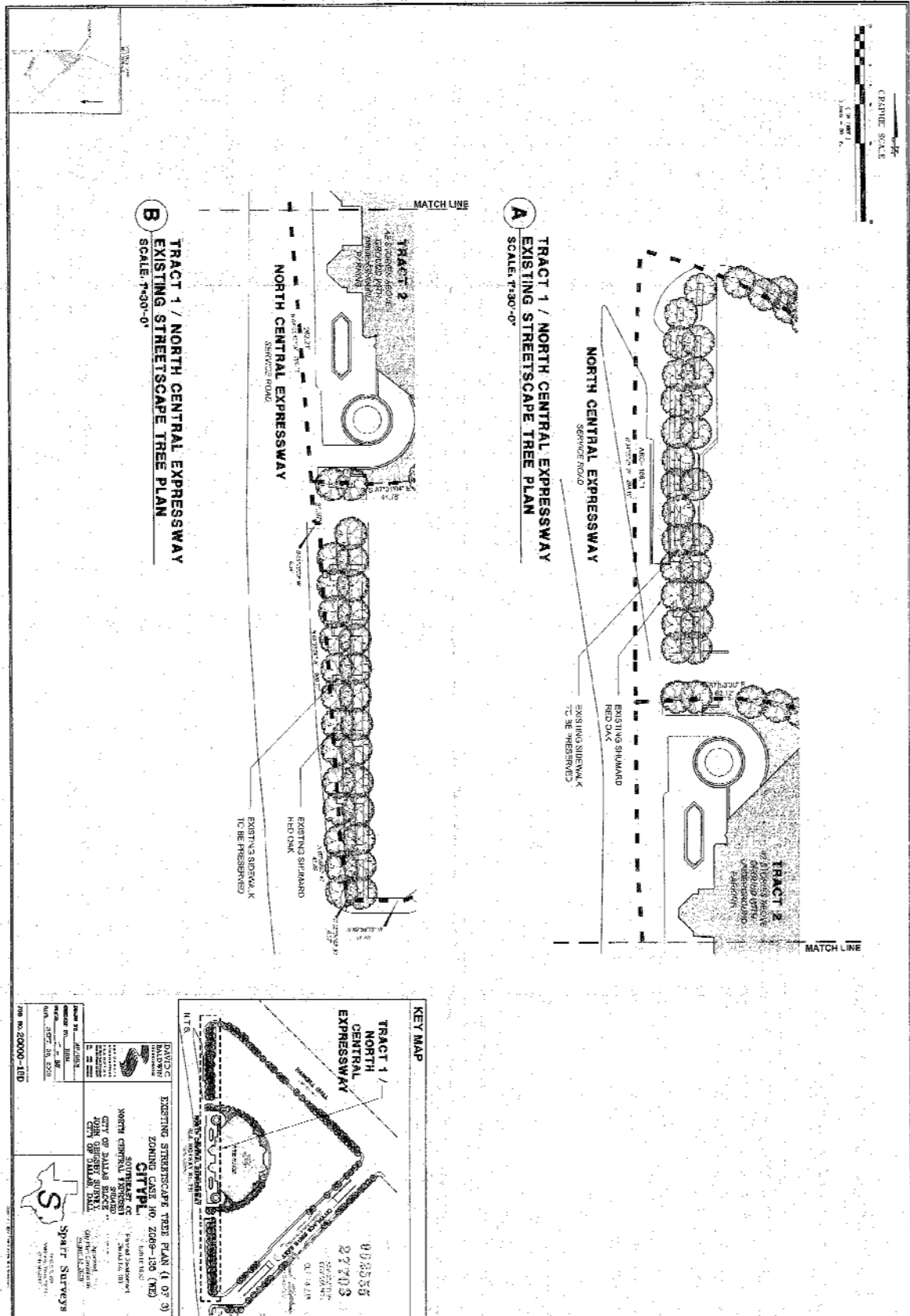
**SEC. 51P-183.116. COMPLIANCE WITH CONDITIONS.**

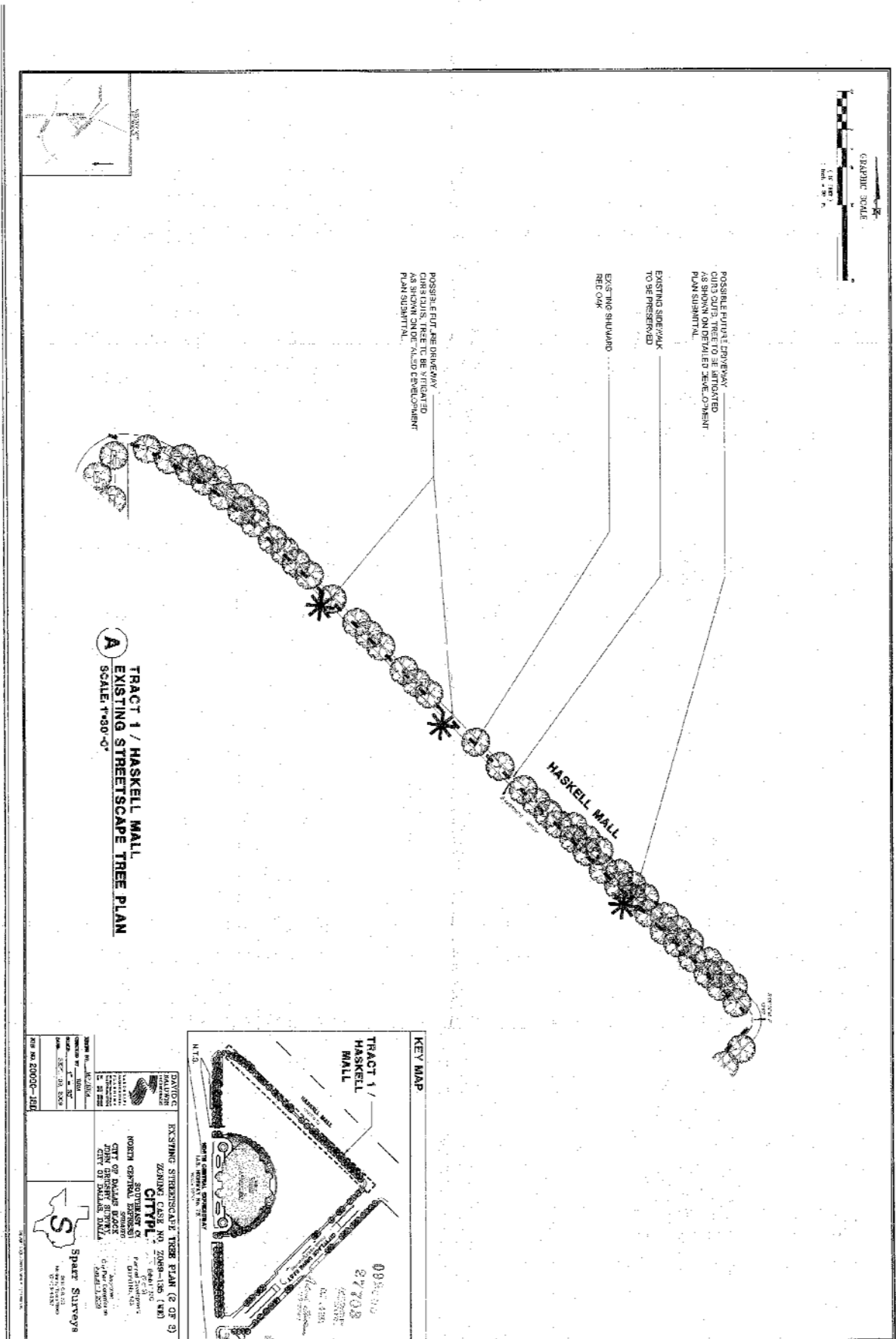
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 27703)











**TRACT 1 / HASKELL MALL**  
**EXISTING STREETSCAPE TREE PLAN**  
**A**  
 SCALE: 1"=50'-0"

**KEY MAP**

**PROJECT INFORMATION**

DATE: 08/20/2018  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 SCALE: 1"=50'-0"

**PROJECT LOCATION**

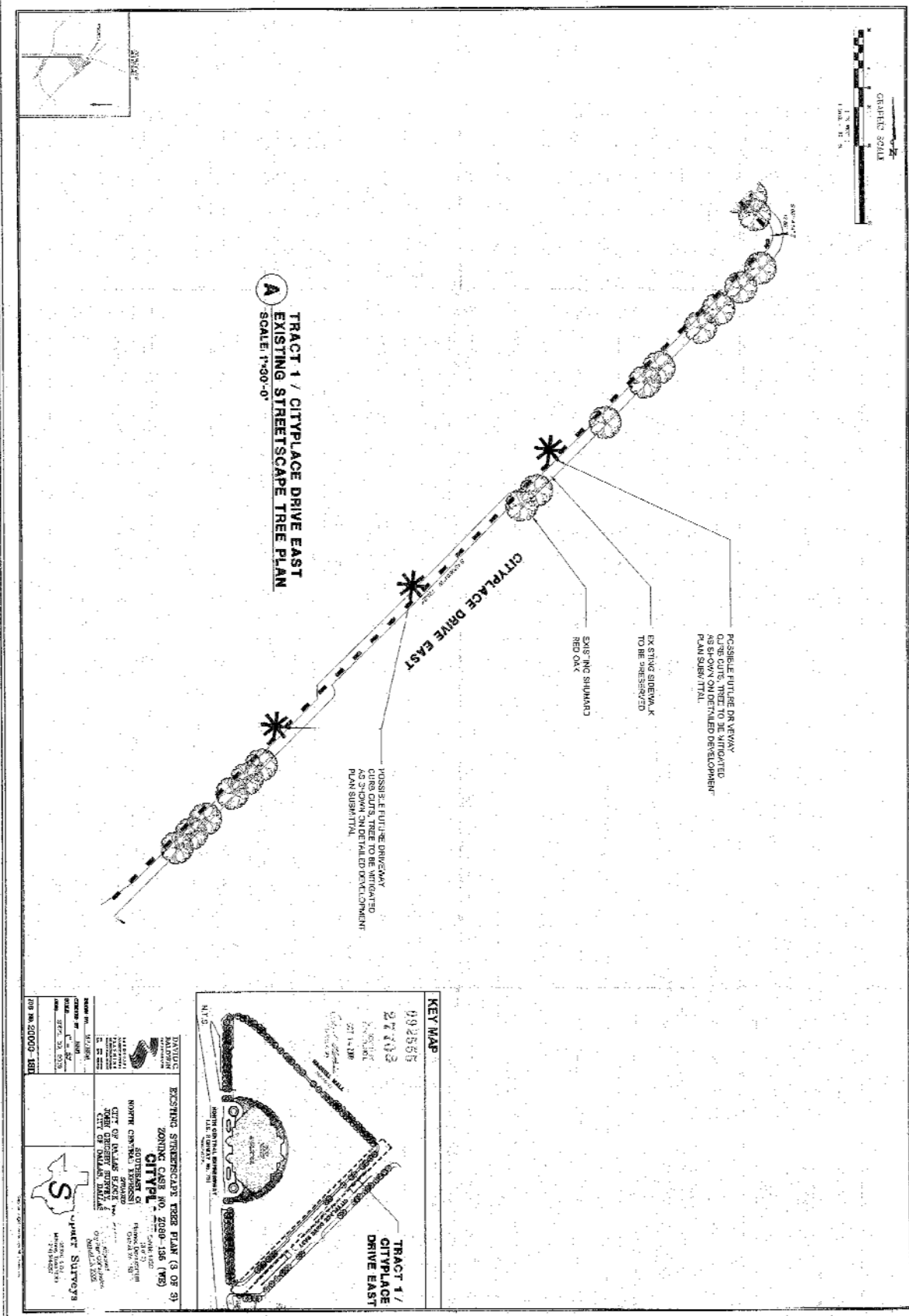
TRACT 1 / HASKELL MALL  
 CITY OF DALLAS, TEXAS  
 CITY OF DALLAS, TEXAS

**PROJECT DESCRIPTION**

EXISTING STREETSCAPE TREE PLAN (2 OF 3)  
 ZONING CODE NO. 2008-130 (LW)  
 CITY OF DALLAS, TEXAS

**PROJECT OWNER**

SPARTAN SURVEYS  
 10000 N. CENTRAL EXPRESSWAY  
 SUITE 100  
 DALLAS, TEXAS 75243







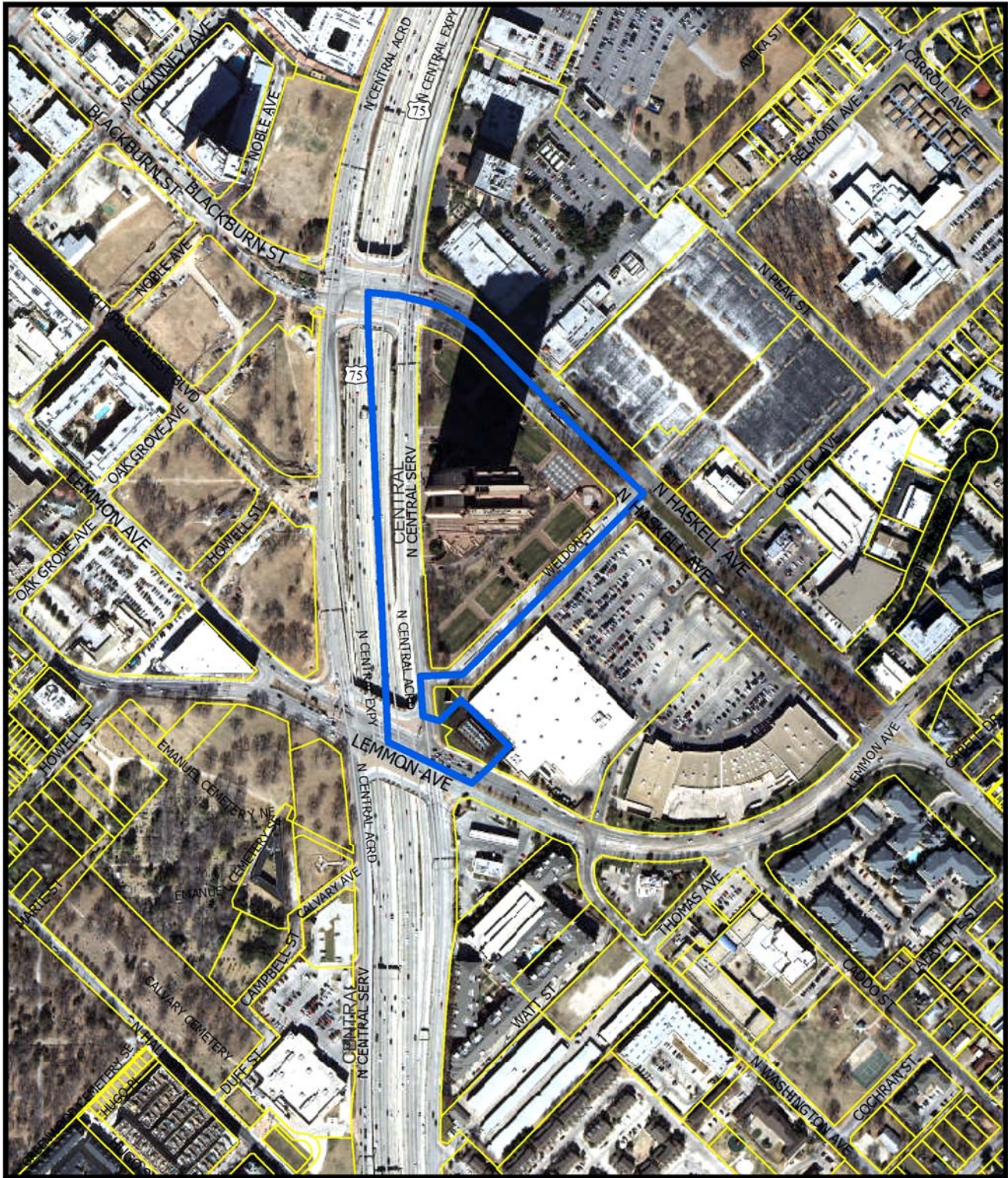
1:7,200

## VICINITY MAP

Case no: **Z134-323**

Date: 10/14/2014





1:4,800

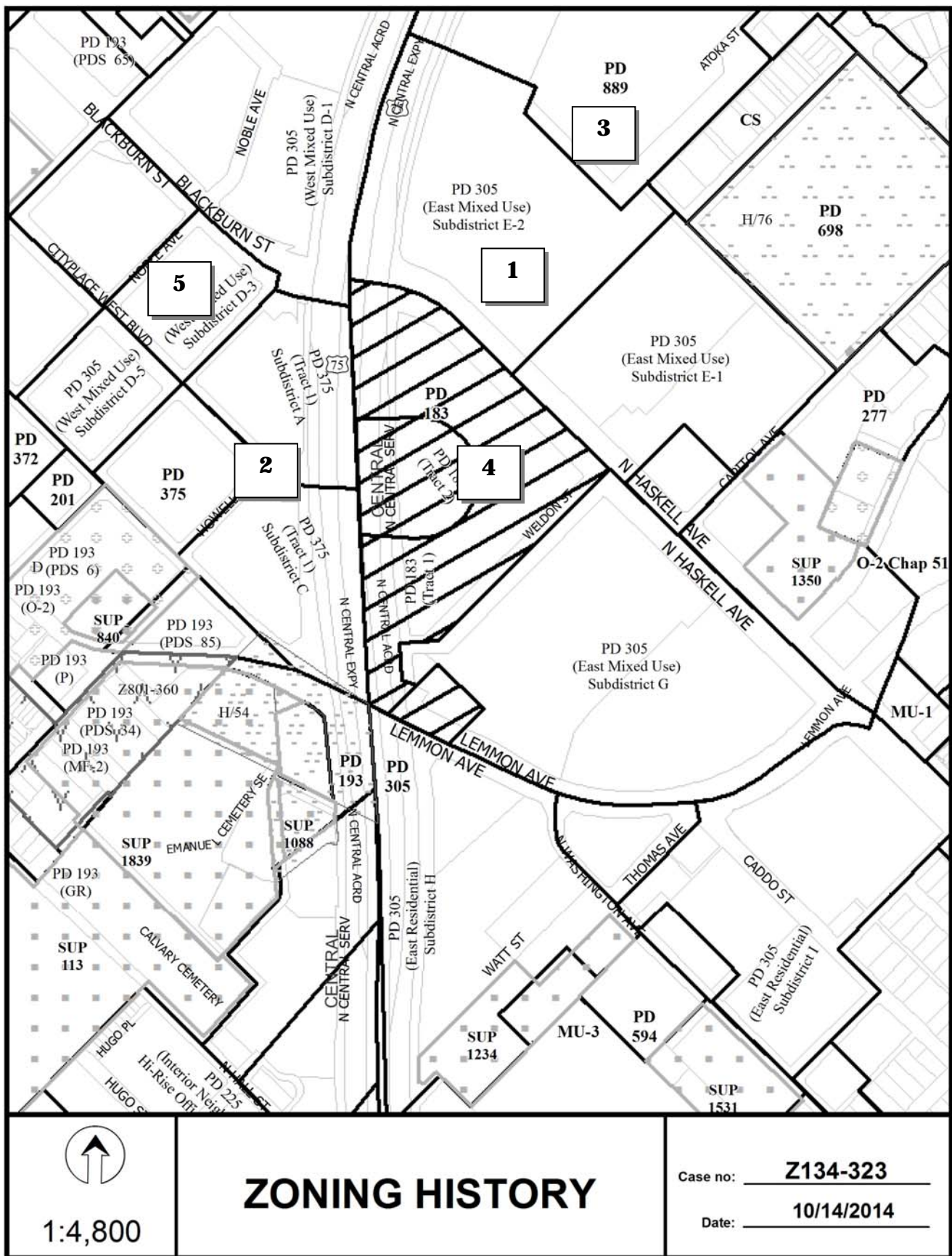
## AERIAL MAP

Case no: **Z134-323**


Date: **10/14/2014**

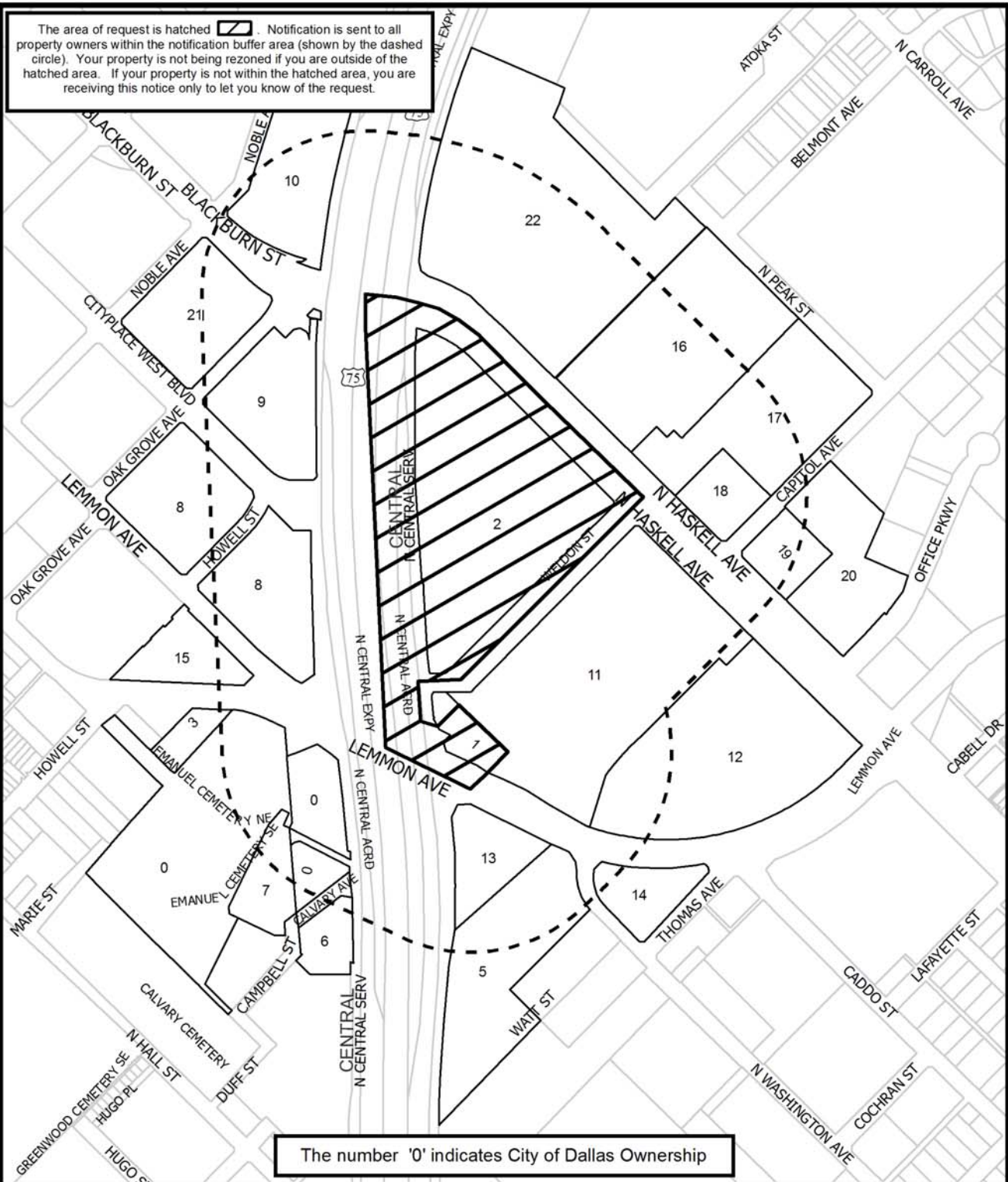








The area of request is hatched  . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only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



The number '0' indicates City of Dallas Ownership



1:4,800

## NOTIFICATION

500'

AREA OF NOTIFICATION

22

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z134-323**

Date: **10/14/2014**

10/14/2014

***Notification List of Property Owners******Z134-323******22 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2602 CENTRAL EXPY	UPTOWN CITYPLACE LLC
2	2711 HASKELL AVE	UPTOWN CITYPLACE LLC
3	2700 LEMMON AVE	TEMPLE EMANU EL
4	2703 CENTRAL EXPY	KIR CITYPLACE MARKET L P
5	2403 WASHINGTON AVE	MFREVF CITYPLACE LLC
6	2400 CENTRAL EXPY	WALMART REAL ESTATE BUSINESS TRUST
7	3491 CAMPBELL ST	TEMPLE EMANUEL CONGREGATION
8	2889 CITYPLACE BLVD	BLACKBURN CENTRAL
9	2801 CENTRAL EXPY	SBR REAL ESTATE HOLDINGS LP
10	2990 BLACKBURN ST	SVF BLACKBURN DALLAS CORP
11	2417 HASKELL AVE	DAYTON HUDSON CORP
12	2415 HASKELL AVE	KIR CITYPLACE MARKET L P
13	2503 LEMMON AVE	SEJ ASSET MGMT & INVESTMENT COMPANY
14	2404 WASHINGTON AVE	TACO BELL OF AMERICA INC
15	2727 LEMMON AVE	HC 2727 E LEMMON AVENUE LLC
16	2660 HASKELL AVE	GATEWAY CITYVILLE INC
17	2600 HASKELL AVE	KROGER TEXAS LP
18	2500 HASKELL AVE	SCHMIDT 1980 DECEDENTS TRUST
19	2428 HASKELL AVE	WHATABURGER INC
20	2420 HASKELL AVE	SHURGARD FREMONT PTNR II
21	2901 BLACKBURN	BLACKBURN CENTRAL
22	3972 CENTRAL EXPY	AFFILIATED COMPUTER SVC



**Planner: Carrie F. Gordon****FILE NUMBER:** Z134-291(CG)**DATE FILED:** July 14, 2014

**LOCATION:** Generally located on the west line of North Hampton Road, on the east and west sides of North Boulevard Terrace, and north of West Davis Street

**COUNCIL DISTRICT:** 1**MAPSCO:** 53-D**SIZE OF REQUEST:** ± 3.81 acres**CENSUS TRACT:** 68.00**APPLICANT/OWNER:** Christian Chernock**REPRESENTATIVE:** Tyler Adams

**REQUEST:** An application for a Planned Development District for residential uses on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of this request is to allow for the construction of attached and detached dwelling units not to exceed 12 units per acre.

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

**PRIOR CPC ACTION:** On November 20, 2014, December 4, 2014, and January 22, 2015, the City Plan Commission held this item under advisement because an updated development plan had not been submitted.

**BACKGROUND INFORMATION:**

- The request site is currently developed with single family and duplex dwelling units and there are undeveloped parcels adjacent to the flood plain area.
- The applicant proposes a mixed residential development that will consist of attached and detached modeled single family-styled dwellings.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing/Proposed ROW
N. Hampton Road	Principal Arterial	100 feet

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system. The analysis is based upon the traffic worksheet the applicant provided during the application submittal.

**Surrounding Land Uses:**

	Zoning	Land Use
<b>Site</b>	R-7.5(A)	Vacant lots & undeveloped parcels
<b>North</b>	R-7.5(A)	Undeveloped tracts
<b>South</b>	R-7.5(A), TH-3(A), PDD 450	Single family, townhome, duplexes & a school
<b>East</b>	R-7.5(A), PDD 235	Single family & a golf course
<b>West</b>	R-7.5(A), PDD 801	Single family & multifamily

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

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

## HOUSING

### GOAL 3.1 ENSURE A SUSTAINABLE AND EFFICIENT LONG-RANGE HOUSING SUPPLY

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

It is important to encourage residential developments that provide for homeownership while focusing on projects other than traditional single-family homes. New developments should be encouraged to include smaller lot single-family homes, attached single-family townhouses, and condominiums designed for owner occupancy, with attention to quality and appropriate location. The objective is to achieve the following citywide targets for adding a variety of owner-occupied housing types between the Years 2000 and 2030: • 34,000 homes on average lot sizes larger than 5,000 square feet • 23,000 homes on average lot sizes of 5,000 square feet or less • 55,000 fee simple single-family attached (townhouse)homes • 31,000 condominium units.

### STAFF ANALYSIS:

**Land Use Compatibility:** The 3.81 acre site is undeveloped and adjacent to a flood plain area. Land use to the north is undeveloped and lies in the flood plain. To the east is a golf course and single family homes; to the south are townhomes, duplex and single family uses; and immediately to the west are undeveloped tracts that also lie in the flood plain area.

The applicant will replat the subject properties to construct attached and detached single family-styled dwelling units at a maximum of 12 units per acre. The subject site will be developed in three phases. The PDD will comply with the development standards and regulations for a Multifamily MF-1(A) District, which would be consistent with the mixed-type residential uses allowed in a MF District.

The subject site is nestled in an area that is predominately residential and comprised of single family, townhome and duplex uses. It is the applicant's intent to complement the *forward!Dallas* plan recommendation for the encouragement of new housing development that would include smaller lot single-family homes and attached single-family townhouses designed to accommodate varied homeowner housing needs.

Staff recommendation is for approval of a Planned Development District for residential uses based on a MF-1(A) zoning district, subject to a conceptual and development plans and conditions.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b><u>Density</u></b>	<b><u>Height</u></b>	<b><u>Lot Coverage</u></b>	<b><u>Special Standards</u></b>	<b><u>PRIMARY Uses</u></b>
	<b><u>Front</u></b>	<b><u>Side/Rear</u></b>					
R-7.5(A) - Existing Single Family	20'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%	N/A	Single family
MF-1(A)	15'	15'	Min lot 3,000 sq. ft. 1,000 sq ft – E 1,400 sq. ft – 1 BR 1,800 sq ft – 2 BR +200 sq ft each add BR	36'	60%	Proximity Slope Visual Intrusion	Multifamily, duplex, single family
PDD - Proposed MF-1(A) Residential	25' along Hampton Rd.  Varied	Varied	Max. 12 units per acre	30'	60%	Proximity Slope Visual Intrusion	Multifamily, duplex, single family

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

**Parking:** The proposed parking will reflect the mix of dwelling unit types.

**PDD CONDITIONS**

"ARTICLE \_\_\_\_.

PD \_\_\_\_.

**SEC. 51P-\_\_\_\_.101. LEGISLATIVE HISTORY**

PD \_\_\_\_ was established by Ordinance No. \_\_\_\_, passed by the Dallas City Council on \_\_\_\_.

**SEC. 51P-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_ is established on property located along Hampton Avenue and North Boulevard Terrace. The size of PD \_\_\_\_ is approximately 3.81 acres.

**SEC. 51P-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

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

**SEC. 51P-\_\_\_\_.104. EXHIBIT.**

The following exhibit is incorporated into this article: Exhibit \_\_\_\_A: Conceptual plan.

**SEC. 51P-\_\_\_\_.105. CONCEPTUAL PLAN.**

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

**SEC. 51P-\_\_\_\_.106. MAIN USES PERMITTED.**

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

(a) Agricultural uses.

--Crop production.



(b) Commercial and business service uses.

None permitted.

(c) Industrial uses.

None permitted.

(d) Institutional and community service uses.

None Permitted.

(e) Lodging uses.

None permitted.

(f) Miscellaneous uses.

--Temporary construction or sales office.

(g) Office uses.

None permitted.

(h) Recreation uses.

--Private recreation center, club, or area.

--Public park, playground, or golf course.

(i) Residential uses.

--Duplex.

--Group residential facility. [See Section 51A-4.209]

--Handicapped group dwelling unit. [See Section 51A-4.209(3.1).]

--Multifamily [Limited to five (5) units per building.]

--Single family.

(j) Retail and personal service uses.

None permitted.

(k) Transportation uses.

--Private street or alley.

--Transit passenger shelter.

(l) Utility and public service uses.

--Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4).]

(m) Wholesale, distribution, and storage uses.

--Recycling drop-off container. [See Section 51A-4.213 (11.2).]

--Recycling drop-off for special occasion collection. [See Section 51A-4.213 (11.3).]

**SEC. 51P-\_\_\_\_.107. 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 contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

**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 of a conflict between this section and Division 51A-4.400, this section controls.)

In general. Except as provided in this section, the yard, lot, and space regulations for the MF-1(A) Multifamily District apply.

(a) Front yard.

- (1) Per Conceptual Plan.

(b) Side and rear yard.

- (1) Per Conceptual Plan.

(c) Density. Maximum dwelling unit density is 12 units per acre.

(d) Floor area ratio. No maximum floor area ratio.

(e) Height. Maximum structure height is 30 feet.

(f) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. No maximum number of stories.

**SEC. 51P-\_\_\_\_.109. OFF-STREET PARKING AND LOADING.**

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

(b) Required Parking:

(1) The development will require two off-street parking spaces per dwelling unit.

(2) The community clubhouse will require two off-street parking spaces restricted for the development's use only.

**SEC. 51P-\_\_\_\_.110. ARCHITECTURAL STANDARDS.**

(a) Applicability. Architectural design standards apply to new construction, additions, and alterations.

(b) Purpose.

(1) The architectural design standards are intended to create a new type of Dallas neighborhood known as a pocket neighborhood. The development should promote a smaller compact scale of living with a diverse housing mix that orients homes toward a common green space or the natural settings of Coombs Creek and Dallas park land. This neighborhood should exemplify best practices in passive solar orientation, green building, construction waste management, xeriscaping, and on site water management. These homes should be built using timeless, quality materials, such as stucco, brick, iron, wood and cedar shakes. The development should respect the history and uniqueness of the adjacent community, but adapt to current challenges including more efficient land use, more sustainable building practices, and development that blends with its neighbors and adds to Oak Cliff's sense of place.

(2) These architectural design standards are intended to:

(a) ensure that new development enhances the character and quality of construction of adjacent neighborhoods;

(b) ensure that increased density is done in a way that is respectful and in scale with adjacent land uses;

(c) enhance the character and environment for pedestrians;

(d) promote best practices for environmentally responsible and resource efficiency throughout the buildings lifecycle;

(e) enhance quality of community interaction through site orientation of pocket neighborhood design; and

(f) ensure that all new construction and remodel meet LEED for Home rating system standards.

**SEC. 51P-\_\_\_\_.111. LANDSCAPING.**

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

(1) Enhanced Landscape Area. Landscape to be phased into the enhanced landscape area, as defined by the development plan, with bamboo, large shrubs and decorative grass at a minimum of 6 feet in height.

**SEC. 51P-\_\_\_\_.112. SIGNS.**

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

**SEC. 51P-\_\_\_\_.113. ADDITIONAL PROVISIONS.**

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

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

(c) Entrances on Hampton Road shall incorporate 30-foot radius curb cuts on both in and outbound sides.

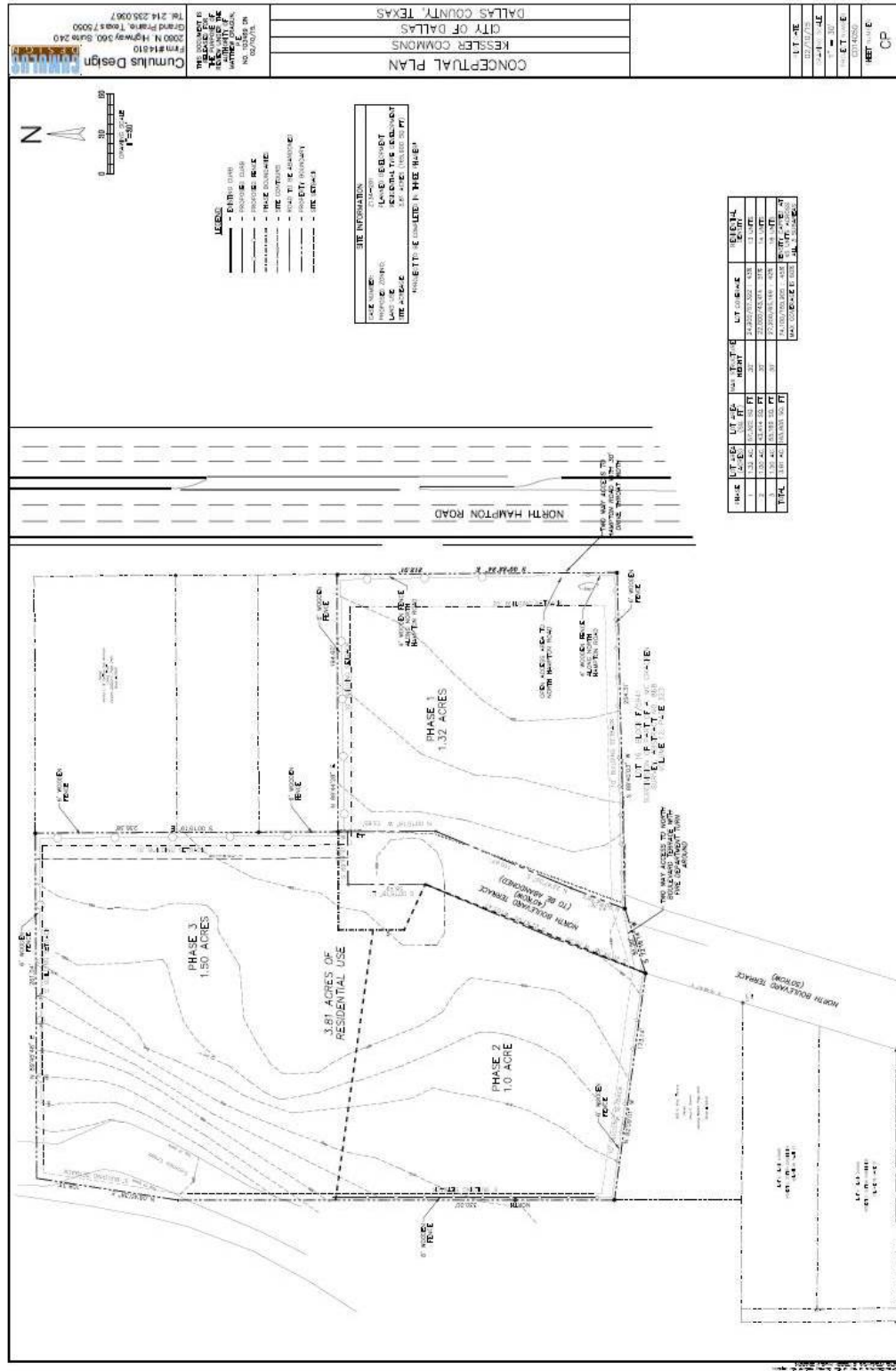
**SEC. 51P-\_\_\_\_.114. COMPLIANCE WITH CONDITIONS.**

(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.

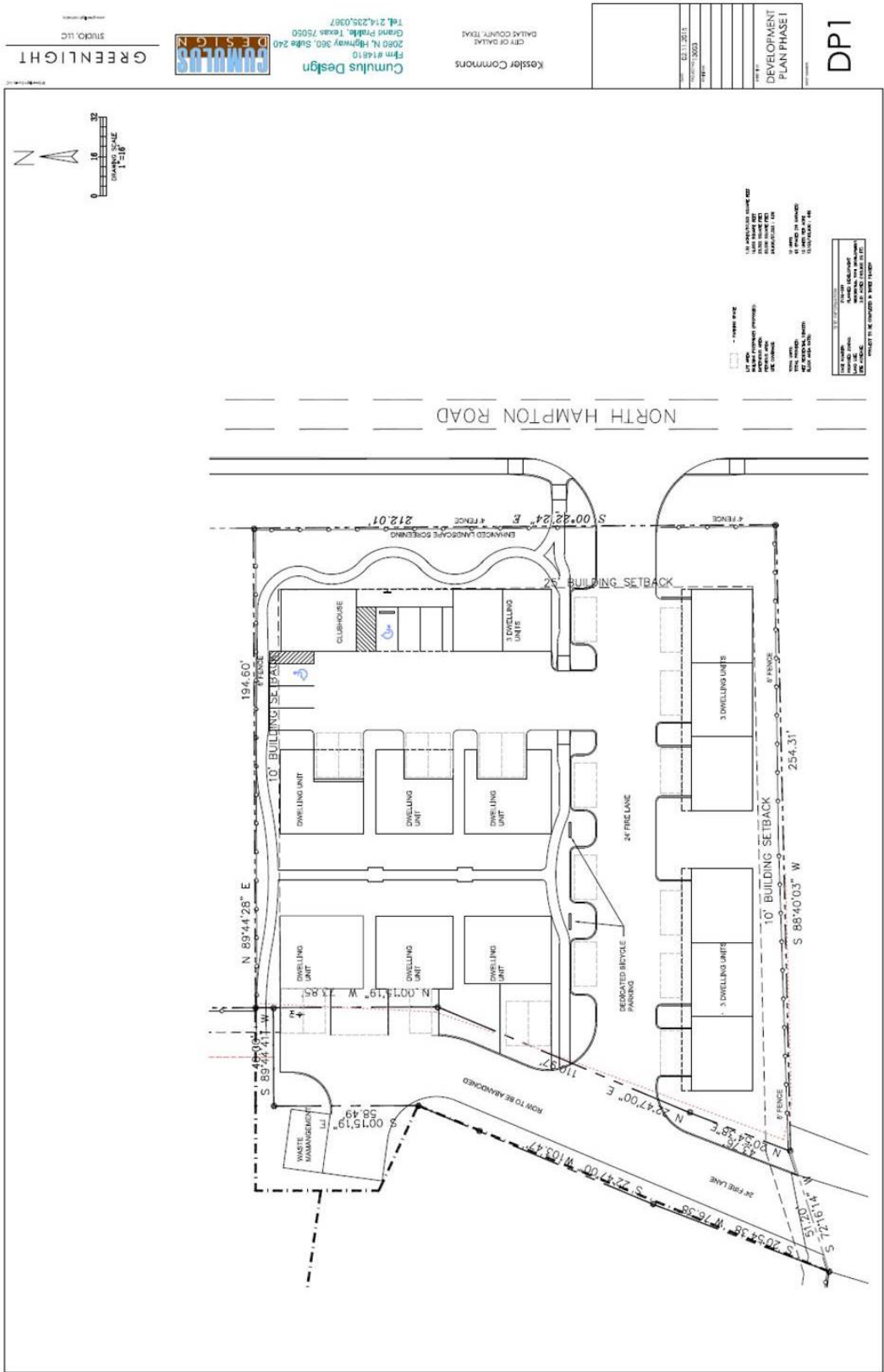
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

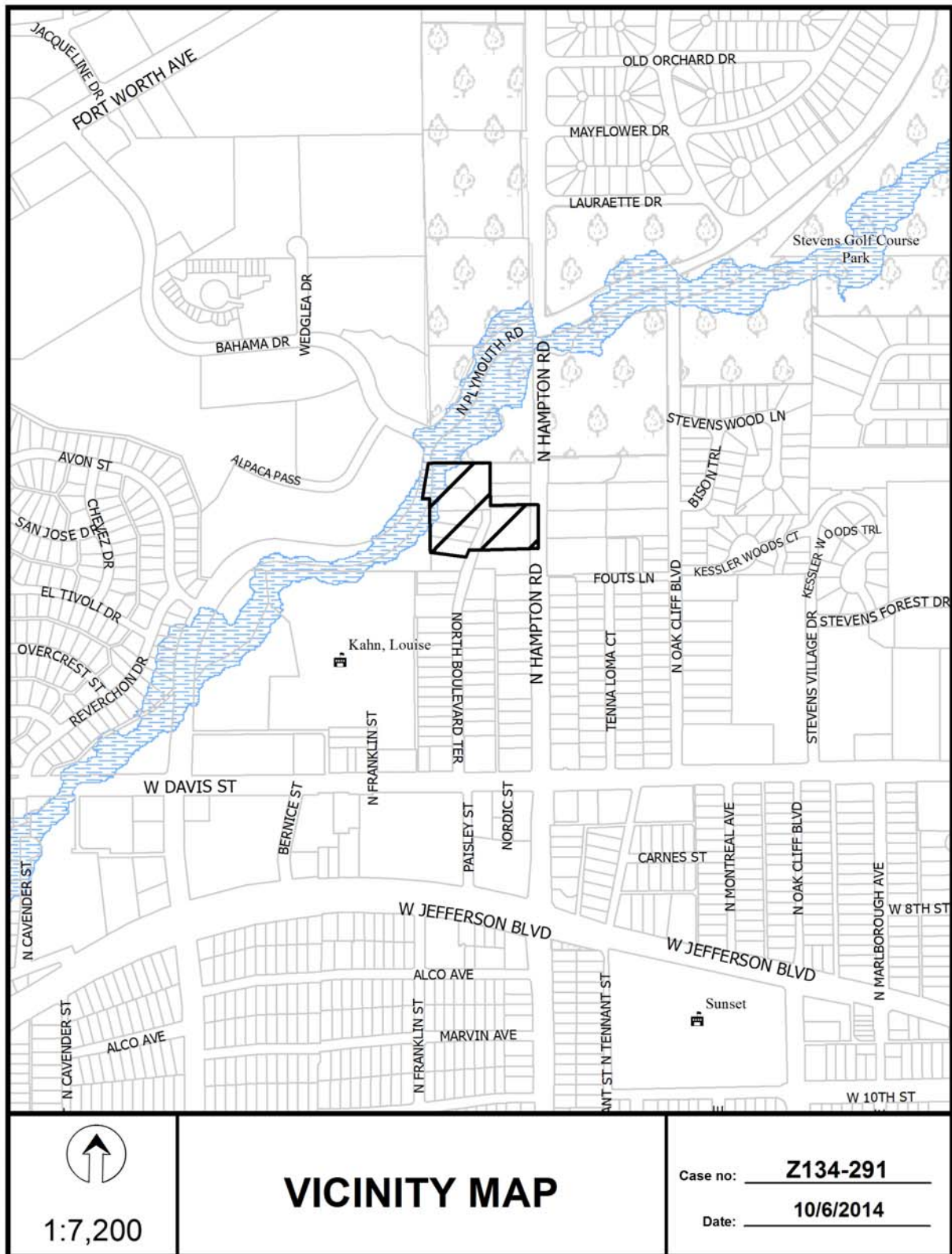


## CONCEPTUAL PLAN

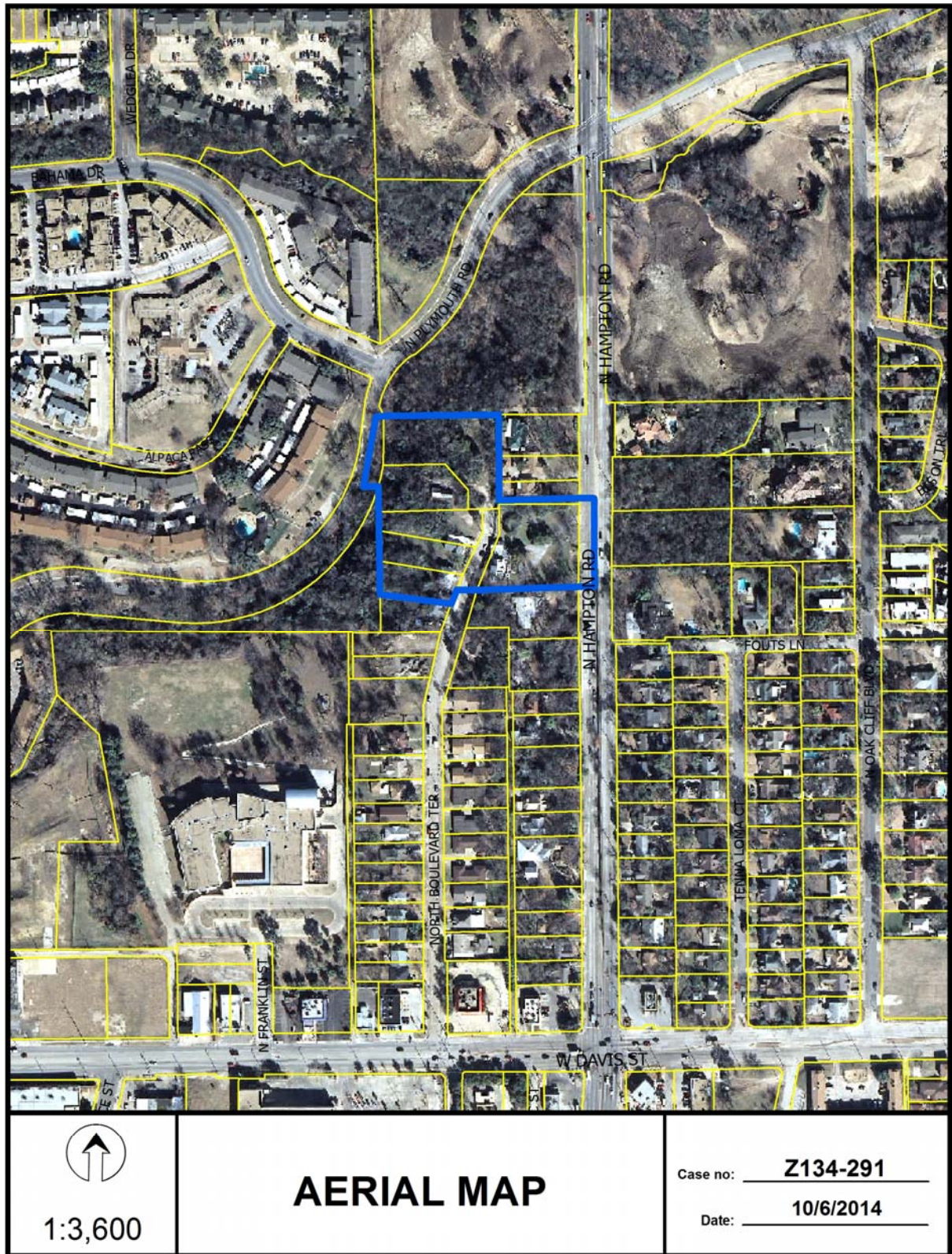


DEVELOPMENT PLAN PHASE 1

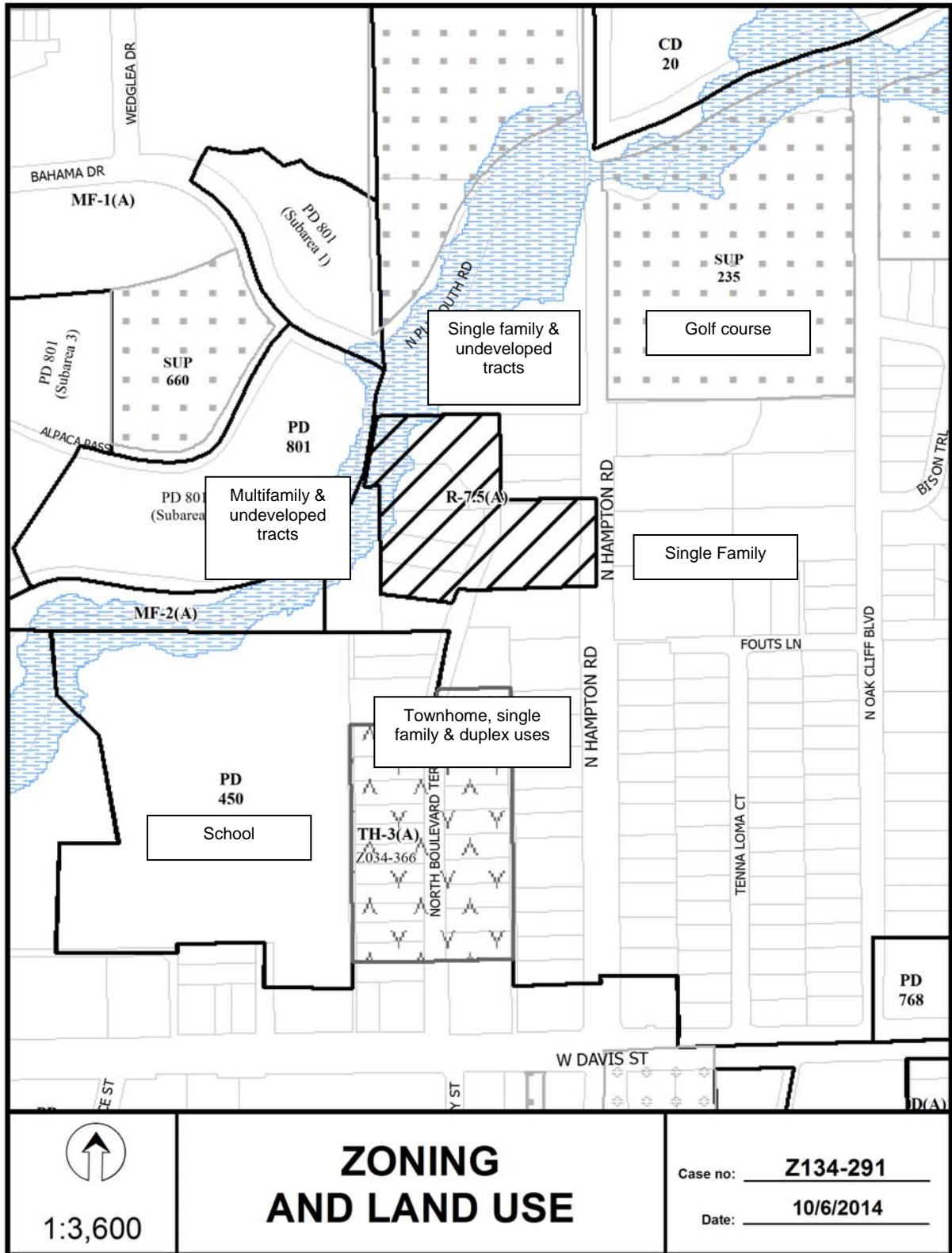




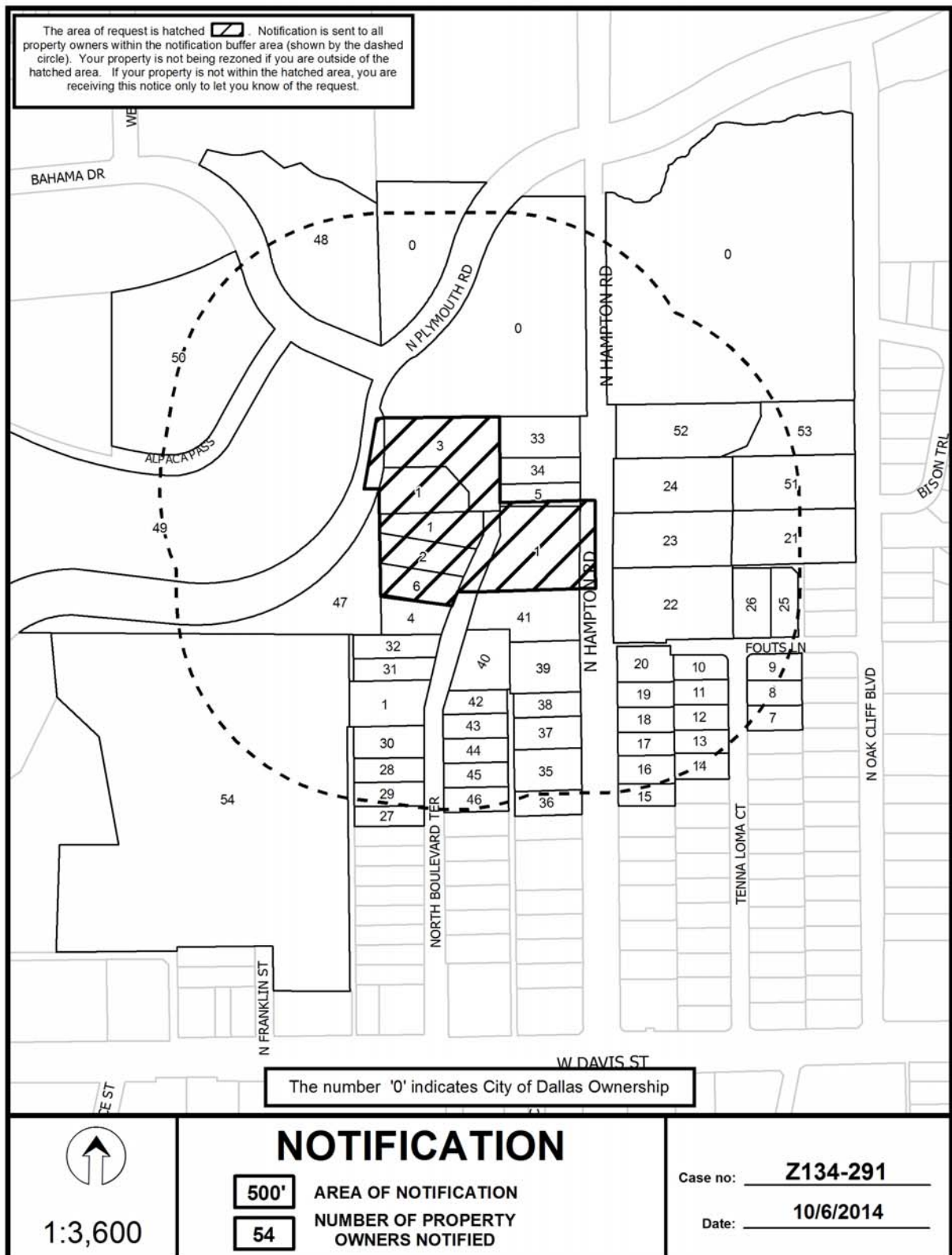












10/06/2014

***Notification List of Property Owners******Z134-291******54 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	727	BOULEVARD TERRACE CHERNOCK CHRISTIAN
2	815	BOULEVARD TERRACE CHERNOCK CHRISTIAN
3	845	BOULEVARD TERRACE CHERNOCK CHRISTIAN STEPHEN
4	803	BOULEVARD TERRACE RANKIN JERRY D
5	821	HAMPTON RD            ESPER CARLOTA C
6	807	BOULEVARD TERRACE CHERNOCK CHRISTIAN
7	722	TENNA LOMA CT        STRONG CLINTON
8	726	TENNA LOMA CT        COFFEE BENJAMIN P
9	728	TENNA LOMA CT        KLEIMAN MICHAEL W
10	731	TENNA LOMA CT        TIRK JOE V JR
11	727	TENNA LOMA CT        LILES KOBAY & TANYA
12	723	TENNA LOMA CT        SEIBERT EMILY &
13	715	TENNA LOMA CT        GUAJARDO MATILDE
14	711	TENNA LOMA CT        MILLINGTON STEPHEN D
15	706	HAMPTON RD            DODASOVICH DOUGLAS A &
16	714	HAMPTON RD            SAMMONS JAMES P
17	718	HAMPTON RD            Taxpayer at
18	722	HAMPTON RD            SMITH NANCY K
19	726	HAMPTON RD            BELL STEVEN & KAYLEE
20	732	HAMPTON RD            IKOVIC KIMBERLY KAE ROBERS
21	819	OAK CLIFF BLVD        HASKELL ALLEN W III &
22	808	HAMPTON RD            BECKHAM JOSEPH
23	814	HAMPTON RD            SPURLOCK JAMES W
24	820	HAMPTON RD            IKEL ROBERT GARTH &
25	2315	FOUTS LN                FREDERICK KENT V &
26	2321	FOUTS LN                FITZGERALD CHARLES &

10/06/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	705	BOULEVARD TERRACE MORENO LUZ
28	717	BOULEVARD TERRACE COOK LILIA N
29	709	BOULEVARD TERRACE KELLEY MORAIMA &
30	721	BOULEVARD TERRACE ESCOBEDO MARIA ISABEL
31	739	BOULEVARD TERRACE CABALLERO DAISY
32	743	BOULEVARD TERRACE CABALLERO RIGOBERTO
33	827	HAMPTON RD MORMAN CYNTHIA SUE TR
34	825	HAMPTON RD KIRK BRANDON W TR &
35	715	HAMPTON RD ADAMS CATHERINE L
36	711	HAMPTON RD WARNOCK KIRBY F & DIANN P
37	723	HAMPTON RD CARRIZALES GILBERT V &
38	727	HAMPTON RD PRADO JOSE LUIS JR
39	737	HAMPTON RD RUDD JOSEPH L
40	738	BOULEVARD TERRACE OPPELT GENE O &
41	809	HAMPTON RD ORNELAS MANUEL H
42	732	BOULEVARD TERRACE MARTINEZ JOHNNY C &
43	724	BOULEVARD TERRACE ANWEILER DAVID WALTER
44	720	BOULEVARD TERRACE LOPEZ ALFREDO
45	716	BOULEVARD TERRACE LOPEZ MANUEL
46	710	BOULEVARD TERRACE SEVERIN HERBERT D III &
47	800	PLYMOUTH RD RDDP PARTNERS PLYMOUTH LLC
48	2403	BAHAMA DR WAKHHII LTD
49	811	PLYMOUTH RD WAK HH PARTNERS
50	2428	BAHAMA DR 2428 BAHAMA DR LLC
51	831	OAK CLIFF BLVD HICKS JERRY
52	834	HAMPTON RD BARNER BJORN O
53	845	OAK CLIFF BLVD MACGREGOR ENRIQUE A &
54	610	FRANKLIN AVE Dallas ISD

**Planner: Carrie F. Gordon****FILE NUMBER:** Z134-116(CG) **DATE FILED:** October 22, 2013**LOCATION:** South line of Clarkwood Drive, the east line of Clark Springs Drive, and north of West Camp Wisdom Road**COUNCIL DISTRICT:** 3 **MAPSCO:** 61B-U**SIZE OF REQUEST:** ± 25.68 acres **CENSUS TRACT:** 165.21

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**APPLICANT/ OWNER:** Rodney Holloman**REPRESENTATIVE:** Jay Childs**REQUEST:** An application for a Planned Development District for MF-1(A) Multifamily District uses on property zoned a TH-1(A) Townhouse District and a CR Community Retail District with deed restrictions.**SUMMARY:** The applicant proposes to construct four-plex residential units on a 25.68-acre tract of land.**STAFF RECOMMENDATION:** Approval, subject to a development plan and conditions.

## GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request for a Planned Development District to increase the density of single family uses in this location will not have a negative impact on the surrounding area.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request to increase the number of dwelling units will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in a Residential Building Block and is in compliance with the Comprehensive Plan.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The TH-1(A) Multifamily district would allow construction of multifamily units; however, the topography presents challenges to develop within the constraints for that district. The proposed PD, with MF-1(A) as its basis, would permit development of the site for four-plex dwelling units while incorporating the aesthetics of scenic area.

## BACKGROUND INFORMATION:

- The request site is currently undeveloped. The applicant proposes to construct four-plex dwelling units to address the growing need for alternative style housing for those that seek diversity of housing types as renters and owners per the comprehensive plan.
- The proposed multifamily housing would be consistent with the character of the area that is comprised of single and multifamily housing stock.
- The applicant is requesting a Planned Development District to construct four-plex dwelling units at a density of 7.79 units per acre.

**Zoning History:** There has been no zoning change request in the area within recent history relevant to this case.

## **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW/Proposed
W. Camp Wisdom Rd.	Principal Arterial	120'
Clarkwood Road	PA	120'

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development



will not have a negative impact on the surrounding street system. The analysis is based upon the traffic worksheet the applicant provided during the application submittal.

### **Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	TH-1(A), CR w/ deed restrictions	Undeveloped
<b>North</b>		Vacant tracts, I-20
<b>South</b>		Vacant tracts and the city limit boundary of Duncanville
<b>East</b>		undeveloped tracts buffered by an escarpment area
<b>West</b>		Vacant parcels, residential and multifamily

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

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

### **LAND USE**

#### **GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

The city has a lower-than-average homeownership rate. Demographics reveal that almost 40 percent of Dallas families will never be able to purchase a home. Nevertheless, residents want more opportunities for homeownership in Dallas and a higher quality and diversity of housing types for both renters and owners.

Policy 1.3.1 Create housing opportunities throughout Dallas. The City must ensure affordable, quality rental housing and investments in multifamily housing. Using creative financing options will help create higher standards of living for all Dallas residents.

### **STAFF ANALYSIS:**

**Land Use Compatibility:** The ±25.68 acres site consists of undeveloped tracts of land zoned TH-1(A) Townhouse and CR Community Retail District with deed restrictions.

Planned Development District No. 599 abuts the proposed district and is mainly comprised of single family and multifamily uses (consistent with R-7.5(A) and MF-1(A) standards).

Interstate-20 (no freeway access) and undeveloped parcels lie to the north. Land use to the east is residential and buffered from the subject site by a heavy vegetated escarpment area. To the south are vacant tracts and retail uses that lie within the city limit boundary of Duncanville. West of the site is developed with residential and multifamily uses and vacant tracts of land. The proposed multifamily development would complement adjacent residential land use-types and should not adversely impact the area.

The applicant intends to develop the  $\pm 25.68$ -acre site with fifty (50) four-plex buildings. Proposed are 80 two-bedroom dwelling units and 120 one-bedroom units, for a total of 200 multifamily dwelling units, not to exceed one story, or a maximum structure height of 38 feet.

Staff recommendation is for approval of the request for a Planned Development District for multifamily uses, subject to a development plan and conditions.

#### **Development Standards:**

<b>DISTRICT</b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
EXISTING							
TH-1(A) - Townhouse	0'	0'	6 Dwelling Units/ Acre	36'	60%	Min. Lot: 2,000 sq ft	Single family
CR - Community Retail w/ deed restriction	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
Comparison Purposes: MF-1(A)	15'	15'	Min lot 3,000 sq ft 1,000 sq ft – E 1,400 sq ft – 1 BR 1,800 sq ft – 2 BR +200 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
PROPOSED							
MF-1(A)	15'	5'	7.79 units / acre (200 DUs)	38'	75%	Proximity Slope	Multifamily

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

On December 9, 2014, an escarpment plan was approved by the City's Engineering Division to proceed with replat of the subject site. The applicant will proceed to the next step to plat the property for full engineering plan review for development in accordance with the Dallas Development Code based on PDD conditions and deed restrictions; tree protection plan; paving and drainage plans. An area has been designated as an Open Area/Conservation Easement/Tree Preservation Zone (to be platted and dedicated with development of the site) to satisfy the requirements for tree mitigation.

Z134-116(CG)

**Parking:** The applicant will provide a total of 359 parking spaces of which 330 are required parking spaces and the remaining.

**PROPOSED PDD CONDITIONS**

**“ARTICLE \_\_\_\_\_.**

**PD \_\_\_\_\_.**

**SEC. 51 P-\_\_\_\_\_.101. LEGISLATIVE HISTORY.**

PD\_\_\_\_\_ was established by Ordinance No.\_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_.

**SEC. 51 P-\_\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD\_\_\_\_\_ was established on property located at the northeast corner of Camp Wisdom Road and Clark Road. The size of PD\_\_\_\_\_ is approximately 25.68 acres.

**SEC. 51 P-\_\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

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

**SEC. 51 P-\_\_\_\_\_.104. EXHIBIT.**

The following exhibit is incorporated into this article: Exhibit \_\_\_\_A: development plan.

**SEC. 51 P-\_\_\_\_\_.105. DEVELOPMENT PLAN.**

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

**SEC. 51 P-\_\_\_\_\_.106. MAIN USES PERMITTED.**

The only main uses permitted are those main uses permitted in the MF-1(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-1(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-1(A) Multifamily District is subject to DIR in this district; etc.

**SEC. 51 P-\_\_\_\_.107. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific uses, however, due to their unique nature, are subject to

additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are not permitted:

- Accessory outside display of merchandise
- Accessory outside sales

**SEC. 51 P-\_\_\_\_.108. YARD, LOT AND SPACE REGULATIONS.**

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

(a) Front yard. Minimum front yard is 15 feet.

- (1) Cantilevered roof eaves, stoops and stairs that do not exceed 8 feet in width and four feet in height may project up to five feet into the required front yard.
- (2) Retaining walls with a maximum height of 10 feet may project up to five feet into the required front yard.
- (3) Fences with a maximum height of eight feet may project up to five feet into the required front yard.
- (4) Railings for stairs, stoops, porches, sidewalks and patios with a maximum height of 42 inches may project up to five feet into the required front yard.
- (5) Any fence located in the required front yard must be of a tubular steel type.

(b) Side and rear yard. Minimum side yard is five feet. Minimum rear yard is five feet.

(c) Density. Maximum dwelling unit density is 7.79 units per acre. Maximum number of dwelling units is 200.

(d) Floor area ratio. No maximum floor area ratio.



(e) Height.

- (i) Maximum structure height is 38 feet.
- (ii) The following structures may project a maximum of 12 feet above the maximum structure height:
  - (1) Ornamental cupola or dome.
  - (2) Skylights.
  - (3) Chimney and vent stacks.

(f) Lot coverage. Maximum lot coverage is 75 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is one.

**SEC. 51 P-\_\_\_\_.109. OFF-STREET PARKING AND LOADING.**

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

(b) For an accessory community center (private), one space per 1,000 square feet of floor area is required.

**SEC. 51 P-\_\_\_\_.112. LANDSCAPING.**

(a) In general. Landscaping must be provided in accordance with Article X and the additional provisions in this section. If there is a conflict between the text of this section and Article X, the text of this section controls.

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

(c) Conservation areas. Conservation areas in the locations shown on the approved development plan may be used to satisfy the requirements for tree mitigation. Protected trees located in a conservation area within a 100-year flood plain may be counted towards mitigation at a ratio of one inch of replacement tree for every two inches of conserved protected trees. Protected trees located in a conservation area not located in a 100-year flood plain may be counted towards mitigation at a ratio of one inch of replacement tree for every one inch of conserved protected trees.

**SEC. 51 P-\_\_\_\_.113. SIGNS.**

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

**SEC. 51 P-\_\_\_\_.114.      ADDITIONAL PROVISIONS.**

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

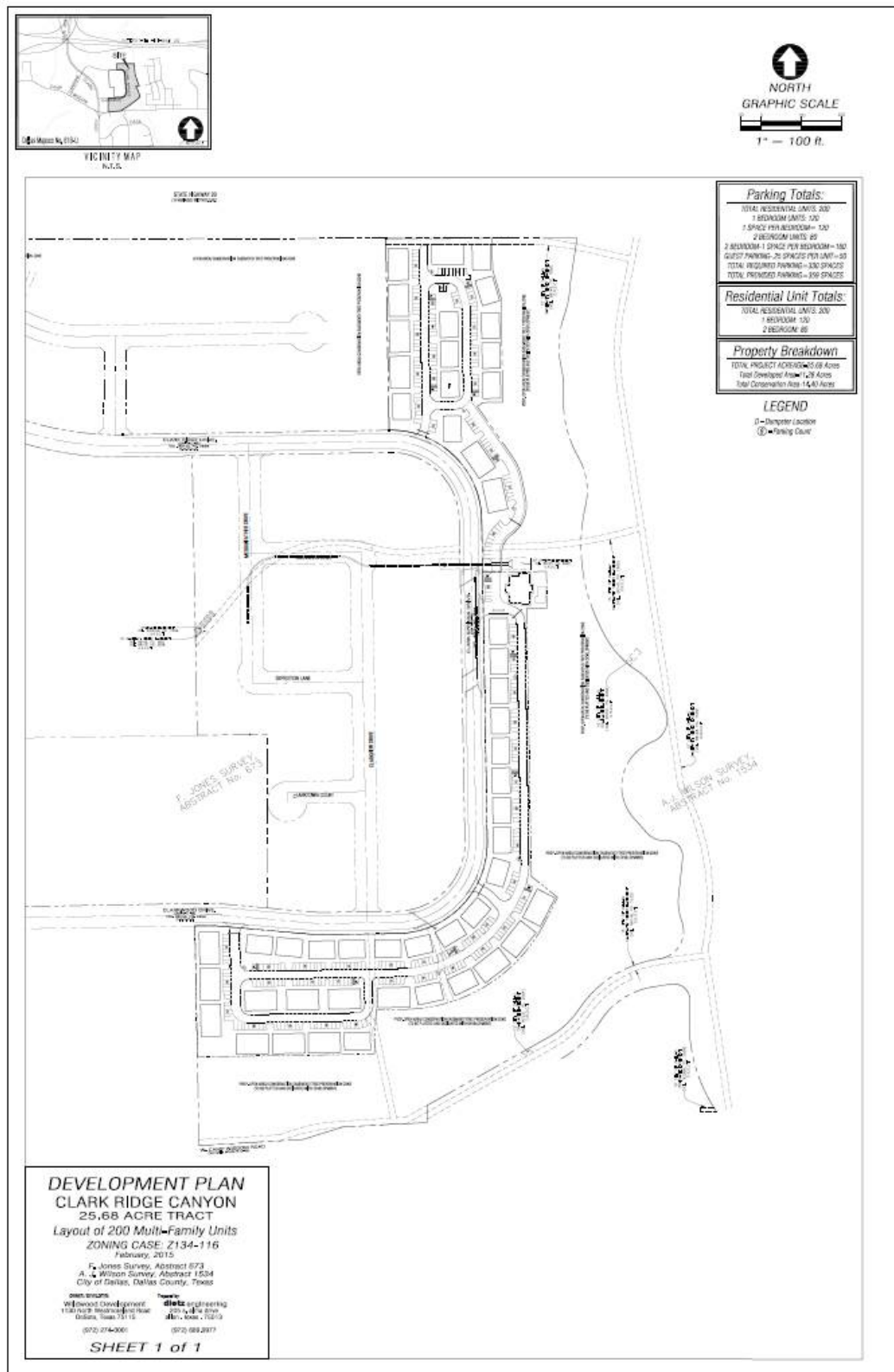
(b)     Development and use of the Property must comply with all Federal and State laws and regulations, and with all ordinances, rules and regulations of the City of Dallas.

**SEC. 51 P-\_\_\_\_.115.      COMPLIANCE WITH CONDITIONS.**

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

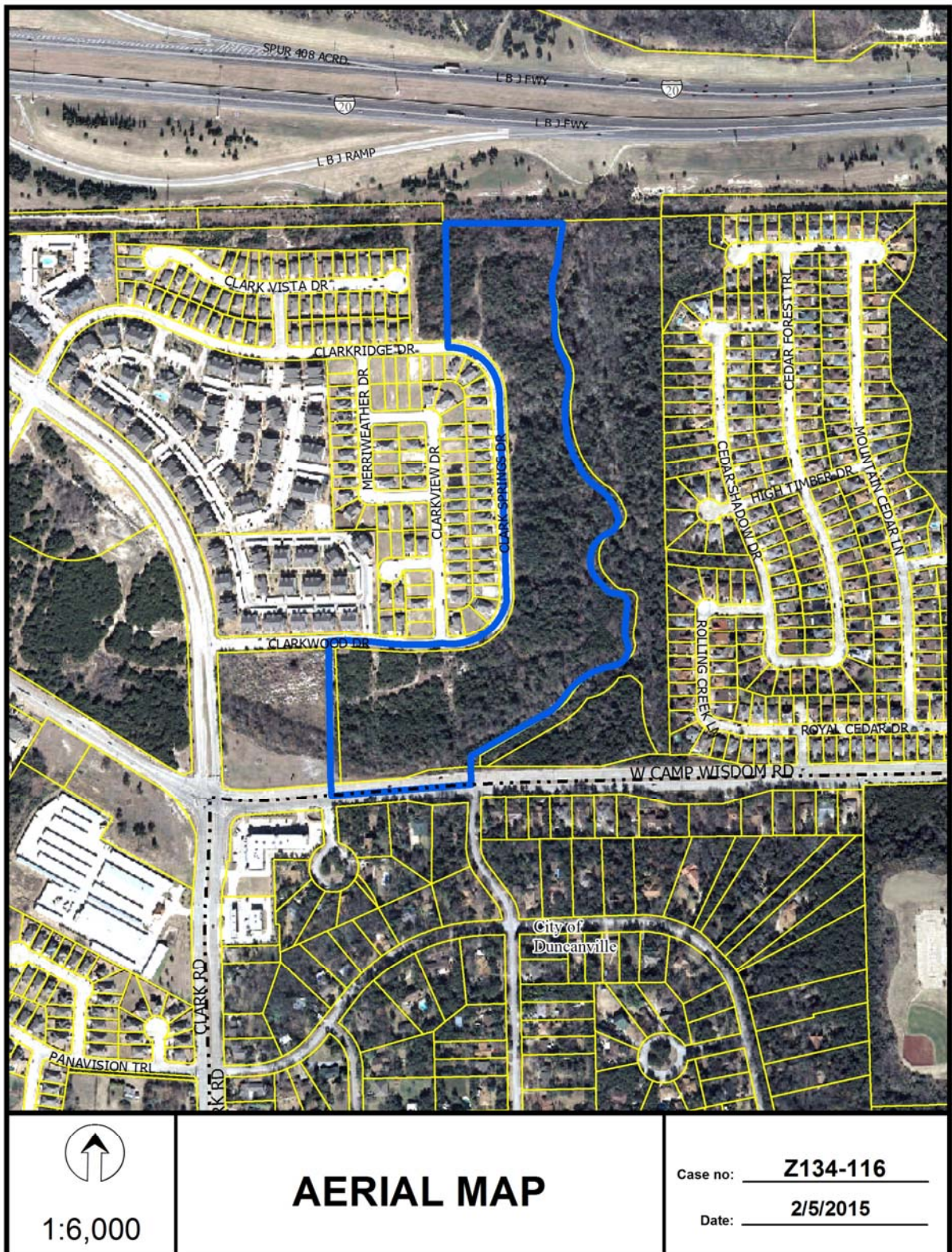
(b)     The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes and all other ordinances, rules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

# PROPOSED DEVELOPMENT PLAN

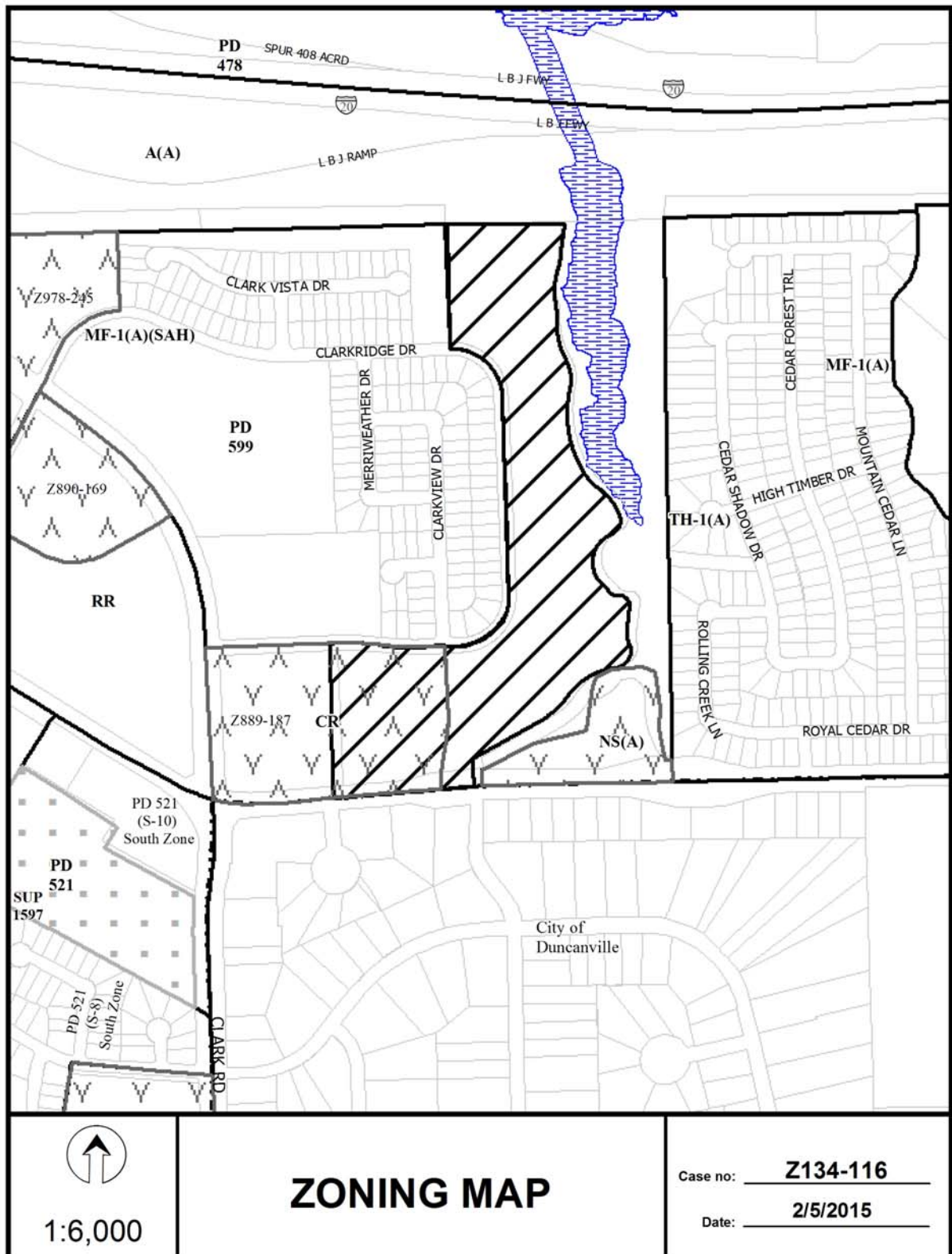


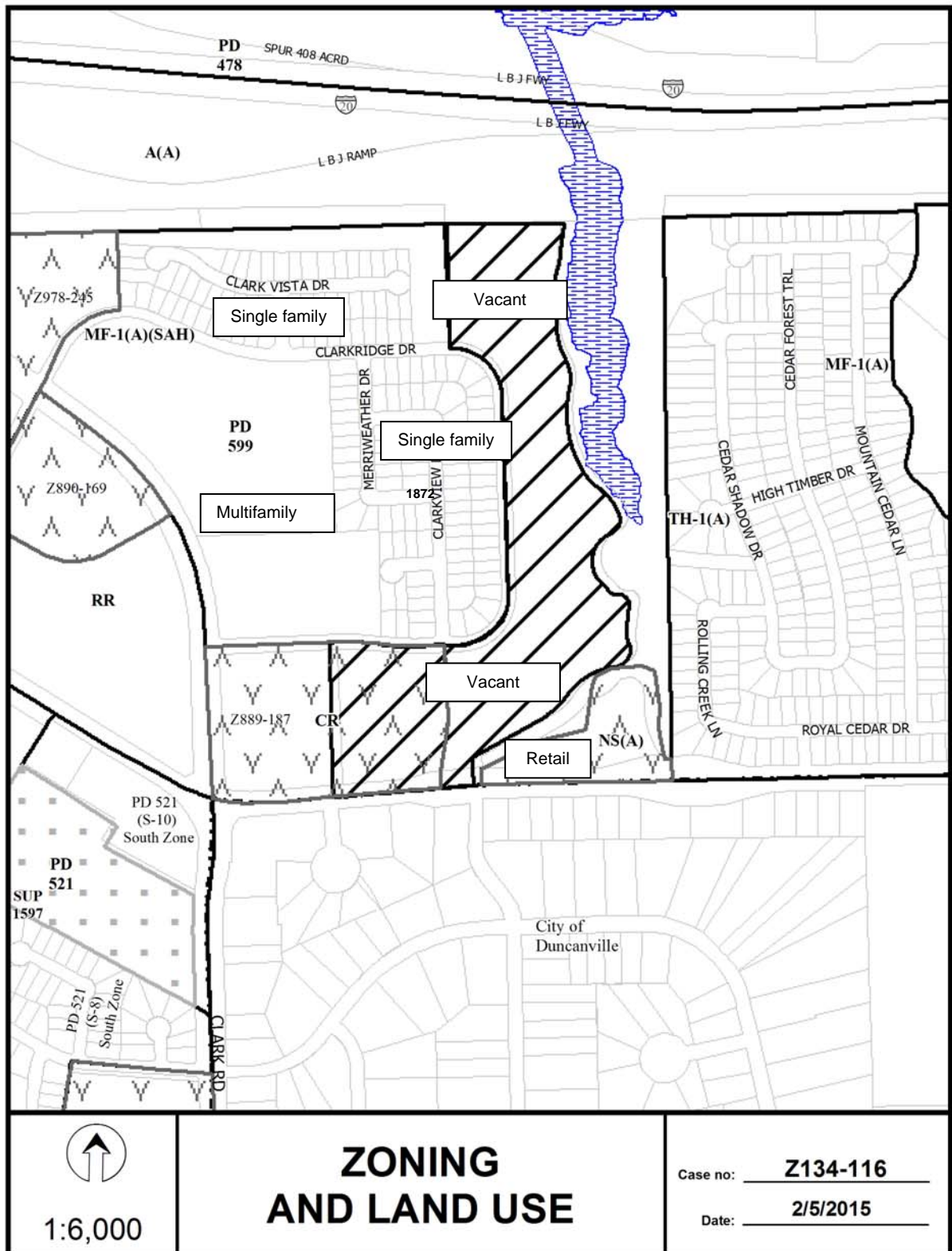


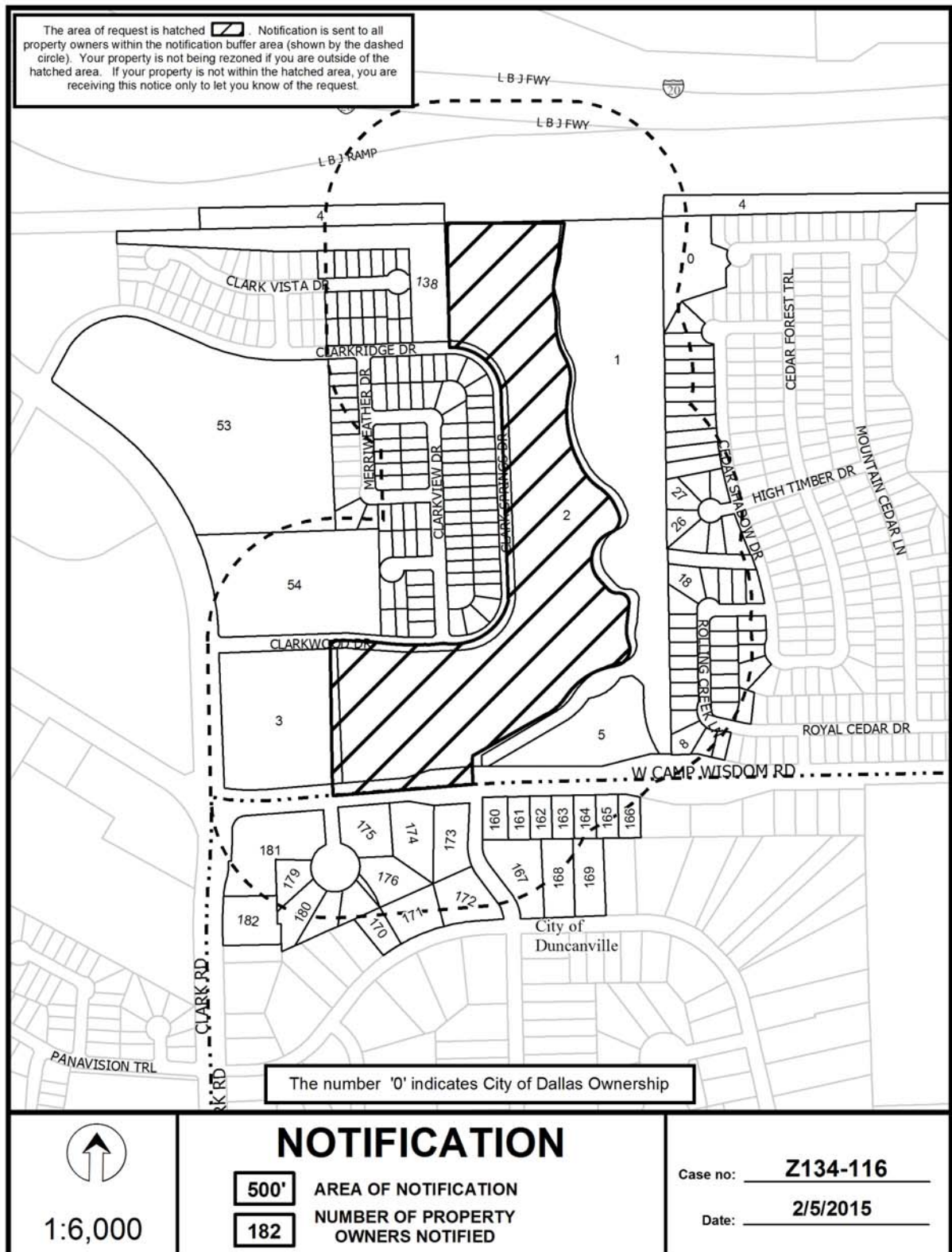












02/05/2015

**Notification List of Property Owners****Z134-116****182 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	40810 LBJ FWY	LUCAS LARRY W CO
2	40800 LBJ FWY	BAUER GERALD J & HEIDI A
3	1431 CAMP WISDOM RD	TEXAZ PERCEPTIONS PTNR
4	40900 LBJ FWY	TEXAS UTILITIES ELEC CO
5	6000 CAMP WISDOM RD	BAUER GERALD J & HEIDI A
6	6524 ROYAL CEDAR DR	RODRIGUEZ JUAN CARLOS
7	6528 ROYAL CEDAR DR	HAYES KAREN L
8	6935 ROLLING CREEK LN	GONZALEZ VICKY
9	6931 ROLLING CREEK LN	BOWMAN WILLIAM D
10	6927 ROLLING CREEK LN	MILLER BILLY D
11	6923 ROLLING CREEK LN	HARRIS JAMES C &
12	6919 ROLLING CREEK LN	SANCHEZ INOCENCIA C
13	6915 ROLLING CREEK LN	ESCOBAR FRANCIS V
14	6911 ROLLING CREEK LN	HALL SHIQUITA
15	6907 ROLLING CREEK LN	MILAM MICHAEL
16	6903 ROLLING CREEK LN	MAREK SHELLEY J
17	6823 ROLLING CREEK LN	IBARRA NOEL
18	6819 ROLLING CREEK LN	SHUMATE COLIN R & RANDEE
19	6815 ROLLING CREEK LN	COWAN RENTALS LLC
20	6811 ROLLING CREEK LN	GREER DANNY E & LINDA
21	6807 ROLLING CREEK LN	BARRAZA VICTOR H
22	6803 ROLLING CREEK LN	GLOWACZ FRANK J II &
23	6504 HIGH TIMBER DR	VASQUEZ LEONTE & JUANITA
24	6508 HIGH TIMBER DR	FERGUSON CHARLES E &
25	6512 HIGH TIMBER DR	VELAZQUEZ GILDARDO & ELISA
26	6516 HIGH TIMBER DR	NOVOA MARIA G

02/05/2015

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
27	6515 HIGH TIMBER DR	BARRICK RICHARD H JR &
28	6509 HIGH TIMBER DR	HOWARD ANGELINE J
29	6503 HIGH TIMBER DR	CONTRERAS ANITA
30	6735 CEDAR SHADOW DR	MASCARDO DOMINADOR A JR &
31	6731 CEDAR SHADOW DR	GRIFFIN MARGARET A
32	6727 CEDAR SHADOW DR	TAI PHAI &
33	6723 CEDAR SHADOW DR	RICHARDSON CHERYL
34	6719 CEDAR SHADOW DR	BERNAL ROLANDO &
35	6715 CEDAR SHADOW DR	GROFF RANDALL K
36	6711 CEDAR SHADOW DR	PEREZ VICENTE &
37	6707 CEDAR SHADOW DR	BRIDGES BEN GERALD JR &
38	6703 CEDAR SHADOW DR	JENNINGS PEGGY &
39	6631 CEDAR SHADOW DR	MCCLELLAND LAKEITRIA D
40	6627 CEDAR SHADOW DR	MENDOZAMALDONADO MARLON J
41	6847 CEDAR SHADOW DR	REAGOR SHAMEKQWA DENISE
42	6843 CEDAR SHADOW DR	BROKAW MICHAEL J
43	6839 CEDAR SHADOW DR	CANALES JAVIER & CHERRY J
44	6835 CEDAR SHADOW DR	ST JOHN LAWRENCE D
45	6904 ROLLING CREEK LN	CONWRIGHT CRAIG & CYNTHIA
46	6908 ROLLING CREEK LN	SONNIER KAREN ANN EWRIN
47	6912 ROLLING CREEK LN	BUCKALOO ROBERT J
48	6916 ROLLING CREEK LN	KNIGHT BONITA L
49	6920 ROLLING CREEK LN	BROWN GARY A & VICKEY L
50	6924 ROLLING CREEK LN	SMITH RONDAL B &
51	6928 ROLLING CREEK LN	DIOSDADO ROSA
52	6519 ROYAL CEDAR DR	PEREZ JOSE L
53	6968 CLARKRIDGE DR	RIDGE PARC DEV CORP
54	6855 CLARKWOOD DR	DALLAS HOUSING AUTHORITY
55	8203 MERRIWEATHER DR	MARTIN JEROME
56	8207 MERRIWEATHER DR	TUDMAN SAMUEL
57	8211 MERRIWEATHER DR	HALL SHONDA



02/05/2015

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
58	8215 MERRIWEATHER DR	FREEMAN LATRECE N
59	8219 MERRIWEATHER DR	REED ELMER K & LINDA T
60	8223 MERRIWEATHER DR	HAWTHORNE TITUS E &
61	8247 MERRIWEATHER DR	GERALD BEVERLY ANN
62	6820 PASSAGE DR	JACKSON PATRICE
63	6816 PASSAGE DR	JENKINS TAMEKA NICHOLE
64	6812 PASSAGE DR	LUCAS MARTHA JEAN
65	6808 PASSAGE DR	JACKSON ROLSHELL
66	6804 PASSAGE DR	FUENTES IRMA
67	6803 CLARKTOWN CT	WILLS BENJAMIN & SARA
68	6807 CLARKTOWN CT	SANCHEZ ENRIQUE JR
69	6811 CLARKTOWN CT	MURATA LYNLEE MARIA
70	6815 CLARKTOWN CT	DORSEY MONICA D
71	6816 CLARKTOWN CT	FORD ROSZENA &
72	6812 CLARKTOWN CT	FEARS MELISSA ANNETTE
73	8277 CLARKVIEW DR	HOWARDLANDRUM LAWNITA DAWNYELL
74	8281 CLARKVIEW DR	WATTS TANISHA L
75	8285 CLARKVIEW DR	MURANDA JOCONIA &
76	8289 CLARKVIEW DR	FALKQUAY CECILIA T
77	8293 CLARKVIEW DR	NGUYEN LANCE
78	6719 CLARKWOOD DR	BROOKS CHERYL JEAN
79	6723 CLARKWOOD DR	WILLIAMS MARTHA
80	6828 CLARK RIDGE DR	WALKER JANICE
81	6824 CLARK RIDGE DR	AMELA CAROLE AGITO & CHRISTIAN LOMOTO
82	6820 CLARK RIDGE DR	ANDREWS SHAUNAE N
83	6816 CLARK RIDGE DR	FERNANDEZ MARIA D
84	6812 CLARK RIDGE DR	BRISTER DENISE
85	6808 CLARK RIDGE DR	SCOTT LOUIS M
86	6802 CLARK RIDGE DR	ELIZONDO ALEX & ANGELES DE JESUS
87	8203 CLARK SPRINGS DR	HOENDERKAMP MICHAEL &
88	8207 CLARK SPRINGS DR	TROTTER JAN & CLYDE

02/05/2015

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
89	8211 CLARK SPRINGS DR	MAULL JAMIE CHARLENE
90	8215 CLARK SPRINGS DR	JOHNSON GAY & LARRY
91	8219 CLARK SPRINGS DR	ROQUEMORE ERICKA M
92	8223 CLARK SPRINGS DR	LINDSEY ANTHONY W & LUCRETIA A
93	8227 CLARK SPRINGS DR	KING EVADA C
94	8231 CLARK SPRINGS DR	TAYLOR ARGUADIA CASHAL
95	8235 CLARK SPRINGS DR	ADELEKE ADEWALE T
96	8239 CLARK SPRINGS DR	LOVELACE SHANTER S
97	8243 CLARK SPRINGS DR	SPEED ZORANA
98	8247 CLARK SPRINGS DR	BOLDEN SHARON M
99	8251 CLARK SPRINGS DR	WILSON ALLAN
100	8255 CLARK SPRINGS DR	REGALADO PHILLIP A & AMANDA M
101	8259 CLARK SPRINGS DR	WILLIAMS PORTIA
102	8263 CLARK SPRINGS DR	CONTRERAS EDGAR
103	8267 CLARK SPRINGS DR	WASHINGTON ELLA &
104	8271 CLARK SPRINGS DR	HARDY DEBRA JOYCE & DARREN DEWAYNE
105	8275 CLARK SPRINGS DR	SANDERS BRANDON L &
106	6703 CLARKWOOD DR	YANCEY DARIAN
107	6707 CLARKWOOD DR	MABRY BETTY J
108	8278 CLARKVIEW DR	JONES L OREAL HELAINE &
109	8274 CLARKVIEW DR	TOBUN ADEMOLA &
110	8270 CLARKVIEW DR	ALVAREZ HUGO
111	8266 CLARKVIEW DR	RUSHDAN VALERIE D
112	8262 CLARKVIEW DR	FUNES JOSE ALEXANDER
113	8258 CLARKVIEW DR	MCCOY SHIREDA R
114	8254 CLARKVIEW DR	SISTRUNK TERRELL B
115	8250 CLARKVIEW DR	ANDERSON LEDORA W
116	8246 CLARKVIEW DR	SIMS DANA ELIZABETH
117	8242 CLARKVIEW DR	THAMES LAMONICA
118	8238 CLARKVIEW DR	KING DEMARCO RASHAD & VIRGINIA ANN
119	8234 CLARKVIEW DR	SIMPSON SURENA D

02/05/2015

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
120	8230 CLARKVIEW DR	MCGRIFF EVETTA L
121	8226 CLARKVIEW DR	RUSSELL WILLIAM
122	8222 CLARKVIEW DR	THOMAS KATIE N
123	8218 CLARKVIEW DR	RAMEY COLLIS J &
124	8214 CLARKVIEW DR	RICHARDS JESSICA N
125	8210 CLARKVIEW DR	LEWIS TERRI L
126	8206 CLARKVIEW DR	RODRIGUEZ RIVERA ARVIN M
127	8202 CLARKVIEW DR	YEPIZ CYNTHIA A
128	8229 CLARKVIEW DR	BROWN JAURICE L SR & CYNTHIA D BROWN
129	8233 CLARKVIEW DR	MARTINEZ ARACELI
130	8237 CLARKVIEW DR	HUFF LA VYTRICE D
131	8241 CLARKVIEW DR	FRANKS CHRISTOPHER N & DESTINI L
132	8245 CLARKVIEW DR	CRITTENDEN RUTHA
133	8242 MERRIWEATHER DR	ANDERSON DEBRA N
134	8238 MERRIWEATHER DR	LOPEZ KIMBERLY
135	8234 MERRIWEATHER DR	STEPHENS AJ
136	8230 MERRIWEATHER DR	AMH 2014 1 BORROWER LLC
137	8226 MERRIWEATHER DR	FULLER NAKIA A
138	6800 CLARKRIDGE DR	WILDWOOD DEV CO 1 LTD
139	6827 CLARK VISTA DR	RANDLE CLINTON D &
140	6823 CLARK VISTA DR	CARR MARCUS
141	6819 CLARK VISTA DR	FISCHER CAROLYN
142	6815 CLARK VISTA DR	HURD KETTI ROCHELL
143	6811 CLARK VISTA DR	OVALLE VIRIDIANA
144	6807 CLARK VISTA DR	JOHNSON KEISHA T
145	6803 CLARK VISTA DR	GARCIA JOSE O
146	6802 CLARK VISTA DR	DAVALOS JUAN
147	6806 CLARK VISTA DR	ZH PROPERTY LLC
148	6810 CLARK VISTA DR	RH OF TEXAS LTD PS
149	6814 CLARK VISTA DR	FIRSTLEY TYISHA T
150	6818 CLARK VISTA DR	BUNTING TAMMY L

02/05/2015

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
151	6822 CLARK VISTA DR	COLCLOUGH LAMEKA
152	6826 CLARK VISTA DR	DECK STEVE
153	6849 CLARKRIDGE DR	WILLIAMS TERRY &
154	6845 CLARKRIDGE DR	LIVELY DAMON
155	6841 CLARKRIDGE DR	SMITH LATONYA F &
156	6837 CLARKRIDGE DR	BALLARD CHARLENE &
157	6833 CLARKRIDGE DR	TAYLOR SAMANTHA E
158	6829 CLARKRIDGE DR	CHAVARRIA LETICIA S
159	6825 CLARKRIDGE DR	JONES DWAINIA L
160	1226 CAMP WISDOM RD	BURSON GERALD D
161	1222 CAMP WISDOM RD	EVANS TONY & VIRGINIA R
162	1218 CAMP WISDOM RD	EDWARDS MATTIE
163	1214 CAMP WISDOM RD	ROBINSONWHITE MABLE LEE
164	1210 CAMP WISDOM RD	WOOTEN LE ROY JR &
165	1206 CAMP WISDOM RD	DRISCOLL THOMAS B &
166	1202 CAMP WISDOM RD	ANDERSON JOHN L & JOY G
167	702 ROYAL OAK DR	LATHAM JOHN H
168	638 CASA GRANDE PL	MASK RUSSELL L & PENNY C
169	634 CASA GRANDE PL	JOHNSON VERNON EMANUEL
170	710 CASA GRANDE CIR	MEYER ANDRE
171	708 CASA GRANDE CIR	MACLEAN RICHARD S & LORI
172	702 CASA GRANDE CIR	MARTINEZ ANGELICA &
173	1302 CAMP WISDOM RD	THOMAS MYRTLE A
174	1306 CAMP WISDOM RD	THOMAS MYRTLE ANN
175	714 KEYWE PL	GAONA RICARDO
176	706 KEYWE PL	FERNANDEZ JOSE R &
177	702 KEYWE PL	PERRY TIMOTHY L & ANNE G
178	703 KEYWE PL	WALKER LEON & ROSE
179	711 KEYWE PL	MCCALLUM ELAINE
180	707 KEYWE PL	JOHANSEN MARK C
181	700 CLARK RD	MAKANCLARK LTD &
182	626 CLARK RD	RSK GROUP INC

PLANNER: Aldo Fritz

FILE NUMBER: Z145-119(AF) DATE FILED: November 3, 2014

LOCATION: Northwest line of Hooper Street, west of Bexar Street

COUNCIL DISTRICT: 7 MAPSCO: L-8

SIZE OF REQUEST: Approx. 0.40 acres CENSUS TRACT: 0039.02

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APPLICANT/ OWNER: East Dallas Community Organization

REPRESENTATIVE: Rick Guerrero, East Dallas Community Organization

**REQUEST:** An application for a new tract within Planned Development District No. 730 on property zoned Subdistrict R-5(A) within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District and Planned Development District No. 730.

**SUMMARY:** The applicant is proposing to build eight single family attached units (townhomes) at the intersection of Bexar Street and Hooper Street. The Planned Development calls for the construction of townhomes that will serve as the last phase of a 35 townhome development. The current PDD 595 Subdistrict does not permit the proposed use. Also, a portion of the property is already within PDD 730. Since the property is being developed as part of the same phase consistent with the regulations within PDD 730, the applicant chose to incorporate it as a new tract within PDD 730. The applicant requests to increase the density of dwelling units that would be permitted in PD 730.

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



## **GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

1. *Performance impacts upon surrounding property* – The proposed use is a continuation of the existing uses in the area. Surrounding uses comprise single family homes, vacant lots, and more recently an influx of mixed use buildings and single family attached units (townhomes) along Bexar Street.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will have no additional impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The requested land use change is currently in compliance with the City of Dallas' Community Revitalization Plan (CRP). Created by the Neighborhood Planning and Development Division, the Bexar/Rochester Park CRP establishes a framework of development for the area which calls for a concentration of mixed uses and higher densities in conjunction with a pedestrian orientation along Bexar Street.
4. *Justification for PD Planned Development Zoning district* – Development along Bexar Street is developing consistent with PDD 730. Therefore, it is appropriate to rezone the subject site from a single-family subdistrict to one that permits denser residential uses permitted in PDD 730.

## **BACKGROUND INFORMATION:**

- In 2005, Planned Development District No. 730 was created to redevelop properties along Bexar Street. The initial Planned Development District permitted the construction of a mixed use development (residential, retail and office uses) on both sides of Bexar Street as well as permit the appropriate front, side and rear yard setbacks to accommodate the development.
- In 2006, the City Council recommended approval of an amendment to Planned Development District No. 730, for mixed uses. The amendment specified changes to the conditions that related to the lot coverage, lot size and yard setback requirements.
- In 2009, the City Council approved an expansion of Planned Development District No. 730 that accommodated additional properties that were acquired by the Housing Department to complete the Bexar Street Redevelopment Plan.

## **Zoning History:**

### **File No.**

### **Request, Disposition, and Date**

1 .Z045-200

On June 22, 2005, the City Council approved an application and an ordinance granting a Planned Development District for mixed uses, subject to a conceptual plan and conditions, on property zoned an NC Neighborhood Commercial

Subdistrict, a CCE Community Commercial Enhanced Subdistrict and an R-5(A) Single Family Subdistrict, within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District

2. Z056-312 On December 13, 2006, the City Council recommended approval an amendment to Planned Development District No. 730 for mixed uses, subject to a conceptual plan and conditions.
3. BDA078-149 On November 19, 2008, the Board of Adjustment granted a special exception to the off-street parking regulation of 9 parking spaces at 5203 Bexar Street.
4. Z089-175 On June 24, 2009, the City Council approved an ordinance granting an amendment to Planned Development District No. 730 for mixed uses, subject to a development plan and conditions
5. Z112-257 On June 7, 2012, the City Plan Commission authorized a public hearing to determine the proper zoning on property zoned Planned Development District No. 730, and an R-5(A) Single Family Subdistrict and an NC Neighborhood Commercial Subdistrict with deed restrictions both within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District
6. Z112-273 On October 10, 2012, the City Council approved the creation of a new Tract within Planned Development District No. 730 for mixed uses on the southwest corner of Bexar Street and Hooper Street. The purpose of this request was to permit the construction of a police substation.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Hooper Street	Minor Arterial	40'
Bexar Street	Minor Arterial	Variable

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD 595, R-5(A)	Vacant Land
<b>Northeast</b>	PD 730	Mixed Use: Retail & Residential
<b>Southeast</b>	PD 730	Townhomes
<b>Southwest</b>	PD 595, Tract 1B	Government, Police Station
<b>Northwest</b>	PD 595, R-5(A)	Vacant Land

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

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home varies from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

The applicant's request is in compliance with the goals and policies in the *forwardDallas! Comprehensive Plan*.

**NEIGHBORHOOD ELEMENT****GOAL 7.1** Promote vibrant and viable neighborhoods

Policy 7.1.3 Encourage a sense of community and identity

Policy 7.1.4 Promote clean and safe neighborhoods.

Policy 7.1.5 Provide public infrastructure to support neighborhoods.

Policy 7.1.6 Follow a consistent neighborhood planning framework.

Policy 7.1.5.2 Encourage neighborhood-serving office, retail, or other nonresidential uses to locate primarily on significant roads or at key intersections.

### **Area Plans:**

Over the past decade, South Dallas has seen development spearheaded by the City of Dallas concentrating in a variety of different locations. One major example is the Bexar Street Corridor, where the subject site is located. The city of Dallas has embraced a multi-faceted redevelopment approach for the area that calls for community development, partnerships with major stakeholders, and the streamlining of public investment and city resources. This approach created continuity for future land use by creating a framework for future development that calls for a concentration of mixed uses and higher densities in conjunction with a pedestrian orientation along Bexar Street.

Depicted in the South Dallas Ideal/Rochester Park Neighborhood Investment Program (NIP) Community Revitalization Plan (CRP) is the vision for Bexar Street Corridor which lays the groundwork for future and more detailed planning within what is considered as the Ideal/Rochester Park NIP target area. The CRP lists 10 major goals that are intended to be addressed by the city's efforts. These goals are:

Goal 1: Improve the quality of housing

Goal 2: Improve the quality of public infrastructure and public facilities

Goal 3: Facilitate and promote economic development opportunities for existing residents and businesses

Goal 4: Strengthen linkages between land use and transportation

Goal 5: Improve public safety

Goal 6: Leverage resources for strategic neighborhood investments

Goal 7: Assemble vacant tax delinquent land for redevelopment

Goal 8: Stimulate and attract neighborhood investments

Goal 9: Address neighborhood blight through coordinated code compliance and enforcement

Goal 10: Foster community-wide participation in redevelopment processes

By allowing for this Planned Development District, the project will serve as an economic catalyst for redevelopment that addresses goals 1 through 8 and 10.

### **STAFF ANALYSIS:**

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

The subject site is under 0.5 acres and comprises vacant land running along a portion of Bexar Street and then southwest down Hooper street.

Currently, PD 730 has a set of development standards that allow for cohesiveness along the Bexar Street Corridor, north of CF Hawn Freeway. The development

standards are subject to the same conditions applicable in the follow the NC Neighborhood Commercial Subdistrict within PD 595. Currently out of the four properties included in the proposed subdistrict, three properties are outside of PD 730. The proposed subdistrict will extend the development standards to include the three properties outside.

**Development Standards:**

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
R-5(A) Single Family	20'	5' (single Family structures) 10'(all other)	No Maximum	30'	40%	Minimum lot area for residential use is: 5,000 square feet	Single Family Residential
Proposed							
PD 730	15 '	15'	15 dwelling units per acre	30'	40 %	NC Commercial Subdistrict	Residential; Retail/Personal Service Uses

**Landscaping:** The site will require landscaping and will not comply to Article X of the Dallas Development Code's landscape requirement to have 2 trees in the front yard of a single family residence. The site will be subject to the landscape plan-

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

**Partners/Principals/Officers:**

EDCO, Board of Directors and Officers

David McQuaid, Chair

Janie Autz, Secretary & Chair of Nominating Committee

Lynn Vogt, Vice-Chair

Wayne Smith, Treasurer, Vice Chair & Chair of Audit Committee

Janie Autz, Member

Jo Blount, Member

Hasani Burton, Member

Leah Byrd, Member

Anna Hill, Member

Joanna Hampton, Member

David McQuaid, Member

Johan Minervini, Member

Wayne Smith, Member

Lynn Vogt, Member

Polly Weidenkopf, Member



**Proposed Conditions:**

**ARTICLE 730.**

**PD 730.**

**SEC. 51P-730.101. LEGISLATIVE HISTORY.**

PD 730 was established by Ordinance No. 26037, passed by the Dallas City Council on June 22, 2005. (Ord. 26037)

**SEC. 51P-730.102. PROPERTY LOCATION AND SIZE.**

PD 730 is established on property located on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway, and generally bounded by Macon Street, Stark Avenue, and Hooper Street on the southwest and Macon Street, Stark Avenue, Ghent Street, Hooper Street, and Anderson Street on the east. The size of PD 730 is approximately 7.64 acres. (Ord. Nos. 26037; 27580)

**SEC. 51P-730.103. DEFINITIONS AND INTERPRETATIONS.**

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

(1) PARKWAY means the portion of a street right-of-way between the projected street curb and the lot line.

(2) PWT DIRECTOR means the director of public works and transportation.

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

(c) This district is considered to be a nonresidential zoning district. (Ord. 26037)

**SEC. 51P-730.103.1. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 730A: conceptual plan.

(2) Exhibit 730B: Tract 1B development plan.

(3) Exhibit 730C: Tract 1B landscape plan. (Ord. 28818)

(4) Exhibit 730D: Tract 1C development plan

(5) Exhibit 730E: Tract 1C landscape plan (Ord. 28818)

**SEC. 51P-730.104. CONCEPTUAL PLAN.**

Development and use of the Property must comply with the conceptual plan (Exhibit 730A). In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls. Tract 1A is shown on the conceptual plan. (Ord. Nos. 26037; 26524; 27580) A conceptual plan is not required for Tract 1C.

**SEC. 51P-730.105. DEVELOPMENT PLAN.**

(a) Except as provided in this section, a development plan for each phase of development in this district must be approved by the city plan commission before issuance of any building permit to authorize work in this district for that phase.

(b) In Tract 1B, development and use of the Property must comply with the Tract 1B development plan (Exhibit 730B). If there is a conflict between the text of this article and the Tract 1B development plan, the text of this article controls. (Ord. Nos. 26037; 28818)

**SEC. 51P-730.106. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the NC Neighborhood Commercial Subdistrict within PD 595, subject to the same conditions applicable in the NC Neighborhood Commercial Subdistrict within PD 595, as set out in Article 595, as amended. For example, a use permitted in the NC Neighborhood Commercial Subdistrict within PD 595 only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the NC Neighborhood Commercial Subdistrict within PD 595 is subject to DIR in this district; etc.

(b) The following additional main uses are permitted in this district:

(1) Residential uses.

- Duplex.
- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
- Multifamily.
- Single family.

(2) Retail and personal service uses.

- Business school.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard.
- Household equipment and appliance repair.
- Nursery, garden shop, or plant sales.
- Surface parking.
- Temporary retail use.

(3) Utility and public service uses.

- Police station. *[Tract 1B only.]*
  - Utility or government installation other than listed. *[Tract 1B only.]*
- (Ord. Nos. 26037; 28818)

## **SEC. 51P-730.107. 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 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 26037)

## **SEC. 51P-730.108. 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. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the NC Neighborhood Commercial Subdistrict within PD 595 apply in this district.

(b) Front, side and rear yard.

(1) Except as provided in this subsection, no minimum front, side, or rear yard.

(2) No minimum setback for enclosed parking spaces where automatic garage door openers are installed.

(3) Any structure exceeding 15 feet in height must be set back a minimum of 15 feet where adjacent to a single family district or a single family subdistrict within PD 595 (a "residential district"). If an alley separates a structure from a residential district, the residential district is considered adjacent to the structure. If a street separates a structure from a residential district, the residential district is not considered adjacent to the structure.

(c) Dwelling unit density. Maximum dwelling unit density is 15 units per acre except as provided in this paragraph. In Tract 1C, a maximum of 8 dwelling units are permitted.

(d) Floor area ratio. Maximum floor area ratio is:

- (1) 0.7 for retail uses;
- (2) 1.0 for residential uses;
- (3) 1.5 for office uses; and
- (4) 1.5 for all uses combined.

(e) Height.

- (1) In general.

(A) Maximum height. Except as provided in this subsection for Tract 1A, maximum structure height is 36 feet, unless further restricted under Subparagraph B.

(B) Residential proximity slope. Except in Tract 1A, if any portion of a structure is over 30 feet in height, that portion may not be located above a 1-to-3 residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(2) Tract 1A.

(A) In Tract 1A, maximum structure height is 50 feet.

(B) The height limitations imposed by district regulations related to a residential proximity slope do not apply in Tract 1A. Uses in Tract 1A shall not impose a height restriction based on a residential proximity slope in another zoning district.

(f) Lot coverage.

(1) Except as provided in this section, maximum lot coverage is 75 percent.

(2) In Tract 1B, maximum lot coverage is 25 percent.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. Minimum lot size is:

(1) 1,500 square feet for single family structures; and

(2) 6,000 square feet for duplex structures.

(h) Stories. Maximum number of stories above grade is three.

(i) Single family structure spacing. A minimum separation of 15 feet must be provided between each group of 10 single family structures. (Ord. Nos. 26037; 26524; 28818)

**SEC. 51P-730.109. OFF-STREET PARKING AND LOADING.**

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Maneuvering of a vehicle is permitted in the public right-of-way when parking or leaving a required parking space.

(b) Retail and personal service uses.

(1) For a restaurant use, one space per 150 square feet of floor area is required.

(2) For all other retail and personal service uses, one space per 200 square feet of floor area is required.

(c) Utility or government installation other than listed. One space per 250 square feet of floor area is required.

(d) On-street parking. On-street parking spaces adjacent to a building site may be credited towards the off-street parking requirements of uses on the building site, even if the parking, backing, or maneuvering must be performed in the public right-of-way. On-street parking spaces must be striped in accordance with standard city specifications for off-street parking spaces.

(1) One head-in parking space may be credited for each nine feet of frontage of the building site. Angled head-in parking must be angled more than 60 degrees but less than 90 degrees to the curb. The closest point of any angled head-in parking space may not be located closer than 10 feet to any perpendicular (90 degree) head-in parking space.

(2) One parallel parking space may be credited for each 22 feet of frontage of the building site.

(e) Parking screening. The owner of off-street parking must provide screening in accordance with Section 51A-4.301(f) to separate the parking from a contiguous residential subdistrict. If an alley separates a parking area from a residential subdistrict, the residential subdistrict is considered contiguous to the parking area. If a street separates a parking area from a residential subdistrict, the residential subdistrict is not considered contiguous to the parking area. Screening may be provided in the public right-of-way subject to license requirements for improvements in the right-of-way. (Ord. Nos. 26037; 28818)

## **SEC. 51P-730.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. 26037)

## **SEC. 51P-730.111. LANDSCAPING.**

(a) Landscape plan.

(1) Except as provided in this subsection, a landscape plan must be submitted with the development plan for each phase of development and approved by the city plan commission before issuance of a building permit.

(A) Landscaping must be provided in accordance with Article X, except that the city plan commission may approve a landscape plan that does not strictly comply with Article X if:

(i) strict compliance with the requirements of Article X will unreasonably burden the use of the Property; and

(ii) the landscaping as shown on the landscaping plan will not adversely affect neighboring property.

(B) In determining whether to approve a landscape plan that does not strictly comply with Article X, the city plan commission shall consider the following factors:

- (i) The extent to which there is residential adjacency.
- (ii) The topography of the site.
- (iii) The extent to which landscaping exists for which no credit is given under Article X.
- (iv) The extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

(2) In Tract 1B, landscaping must be provided as shown on the Tract 1B landscape plan (Exhibit 730C). If there is a conflict between the text of this article and the Tract 1B landscape plan, the text of this article controls.

(b) Parkway landscape license.

(1) The city council hereby grants a revocable, non-exclusive license to the owners, or, with the written consent of the owner, to the tenants ("property owner") of all property in this district for the exclusive purpose of authorizing placement of street trees and related irrigation in the Bexar Street parkway. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with the Dallas Building Code, or Subsection (c) of this section. This private license does not terminate at the end of any specific time period, however, the city council reserves the right to terminate this private license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession whenever it is its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the PWT director.

(2) A property owner is not required to comply with any street tree requirement to the extent that compliance is made impossible due to the city council's revocation of the license granted under this subsection.

(3) Upon the installation of street trees and related irrigation systems in the public right-of-way, the property owner shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the license granted herein, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, \$2,000,000 annual aggregate. Coverage under this liability policy shall be on an "occurrence" basis and the city shall be named as additional insured. Proof of the insurance required by this subsection shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall provide for 30 days prior written notice to the office of risk



management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent it is covered by this liability insurance policy.

(4) Each property owner shall be responsible for maintaining the street trees and related irrigation in good repair and condition, keeping the licensed area safe, and refraining from any act or omission that would cause the licensed area to deteriorate in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the street trees and related irrigation.

(5) The granting of a license for street trees and related amenities under this subsection does not release the property owner for liability in the installation or maintenance of trees, landscaping, and related irrigation in the public right-of-way.

(c) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees or related irrigation in the parkway. An application for a parkway landscape permit must be made to the PWT director before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the PWT director and accompanied by plans or drawings showing the area of the parkway affected and the planting and related irrigation proposed.

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

(3) A property owner is not required to comply with any street tree requirement to the extent that compliance is made impossible due to the PWT director's denial or revocation of a parkway landscape permit.

(4) A parkway landscape permit issued by the PWT director is subject to immediate revocation upon written notice if at any time the director determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. Upon revocation of the parkway landscape permit by the PWT director, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the PWT director.

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

(d) In general. Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 26037; 28818)

**SEC. 51P-730.112.**

**SIGNS.**

Signs must comply with the provisions for business zoning districts in Article VII. (Ord. 26037)

**SEC. 51P-730.113. ALLEY ACCESS.**

Vehicular access is permitted to and from the Property from a residential alley. (Ord. 26037)

**SEC. 51P-730.114. ADDITIONAL PROVISIONS.**

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

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 26037)



**SEC. 51P-730.115. COMPLIANCE WITH CONDITIONS.**

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

(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 district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 26037)

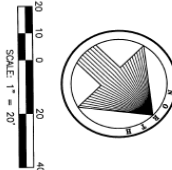
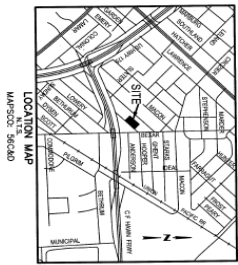
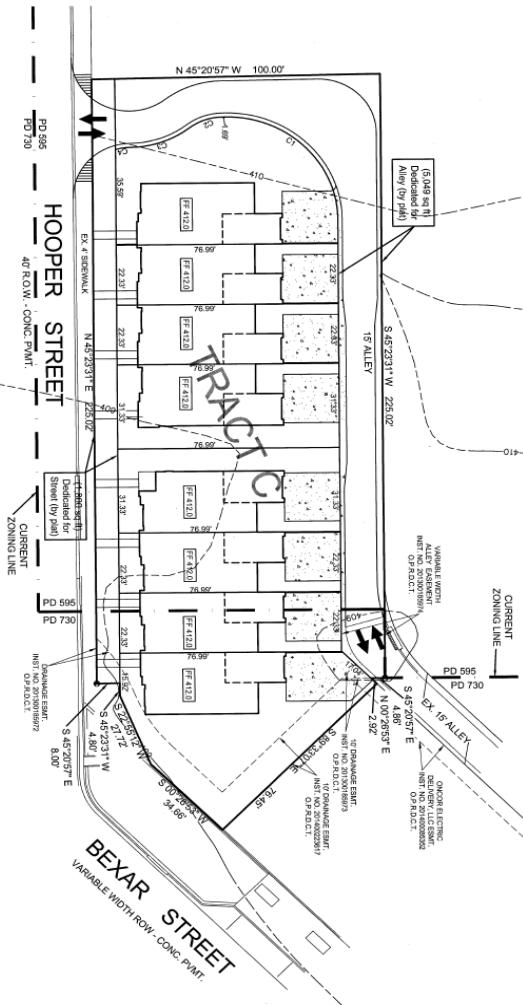
Proposed Development Plan:

COLOR	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	90°44'29"	38.59'	66.97'	39.00'	S00°01'17"W	54.80'
C2	37°35'16"	19.00'	12.36'	6.37'	S63°53'25"E	12.08'
C3	37°35'59"	33.50'	21.06'	11.38'	S66°39'13"E	21.57'
C4	109°16"	18.50'	8.22'	2.63'	S52°26'52"E	5.20'

LEGEND	
	INGRESS EGRESS
---408---	EX. 2" CONTOUR INTERVALS
	PROPOSED CONCRETE POUR
B.L.	BUILDING LINE (SETBACK)
TS	TOP OF SIDEWALK
FF	FINISHED FLOOR

IMPERVIOUS AREA:

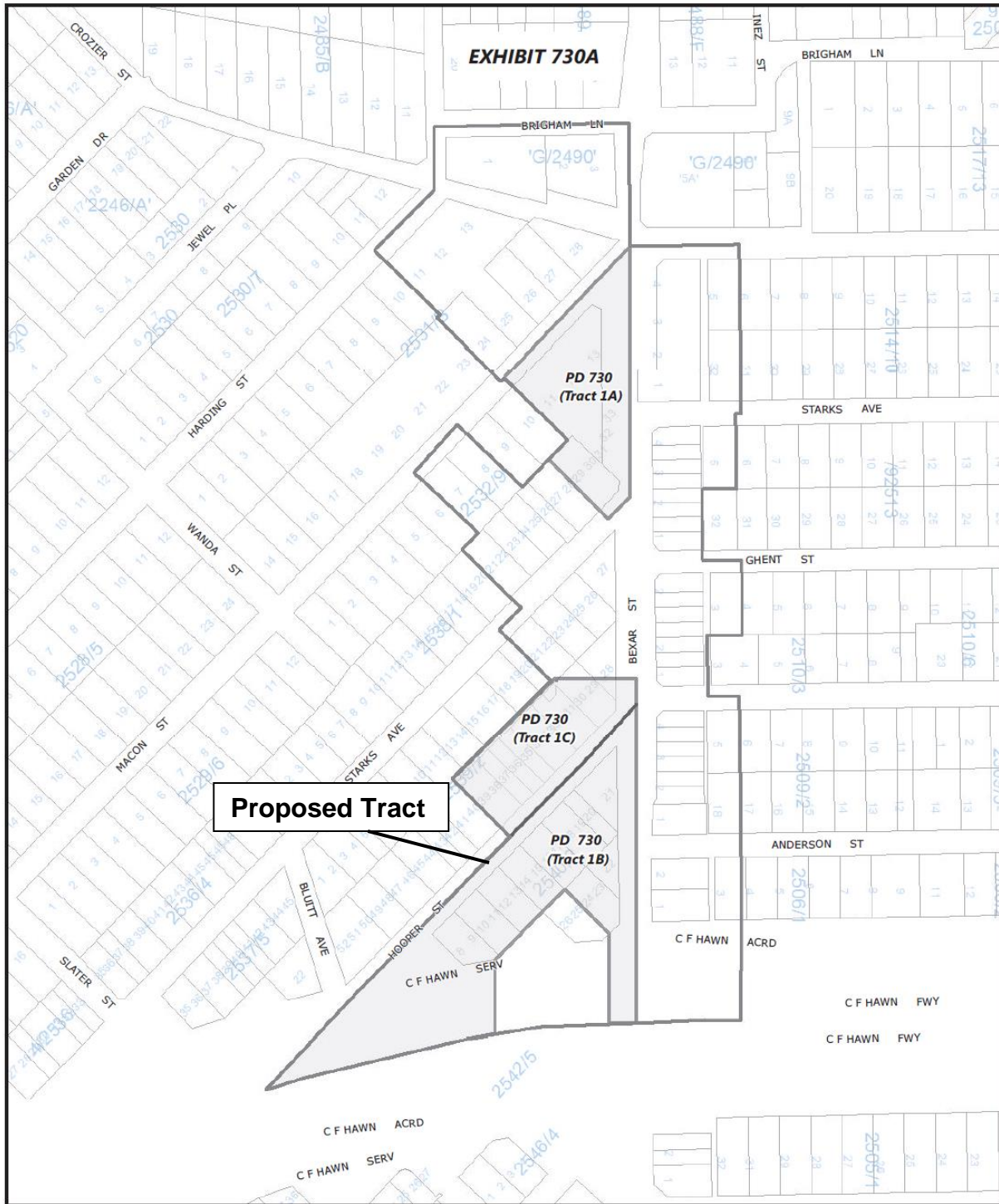
LOT 31A:	1.485sf
LOT 32A:	1.375sf
LOT 33A:	1.375sf
LOT 34A:	1.401sf
LOT 35A:	1.401sf
LOT 36A:	1.375sf
LOT 37A:	1.375sf
LOT 38A:	1.387sf



- ADDRESSES INCLUDED  
IN DEVELOPMENT —  
2446 HOOPER STREET — ADDRESS ALREADY  
2437 HOOPER STREET WITHIN PD  
2431 HOOPER STREET  
2435 HOOPER STREET

DRAWING CASE NO. 214-5-119	
REV. BY	DATE
DESCRIPTION	
<p>DEVELOPMENT PLAN</p> <p>BEAR STREET NORTH TOWNHOMES NO. 5</p> <p>Lot# 214-584, Block 22539</p> <p>OUT OF THE</p> <p>J.M. CROCKETT SURVING, A/S/T# 353</p>	
DATE	BY
<p><b>MATTHEW ENGINEERING</b></p> <p>ENGINEERING, LLC</p> <p>(Toll Free No. 1-866-391-4650)</p> <p>3919 WILES STREET</p> <p>ST. LOUIS, MO 63111</p> <p>TEL: 314-721-1827 • FAX: 214-273-6580</p> <p>E-MAIL: <a href="mailto:doyle@matthew-engineering.com">doyle@matthew-engineering.com</a></p>	
DRAWN	CHECKED
DATE	DATE
SCALE	PROJECT NO.
1 of	SHEET NO.





 1:2,400

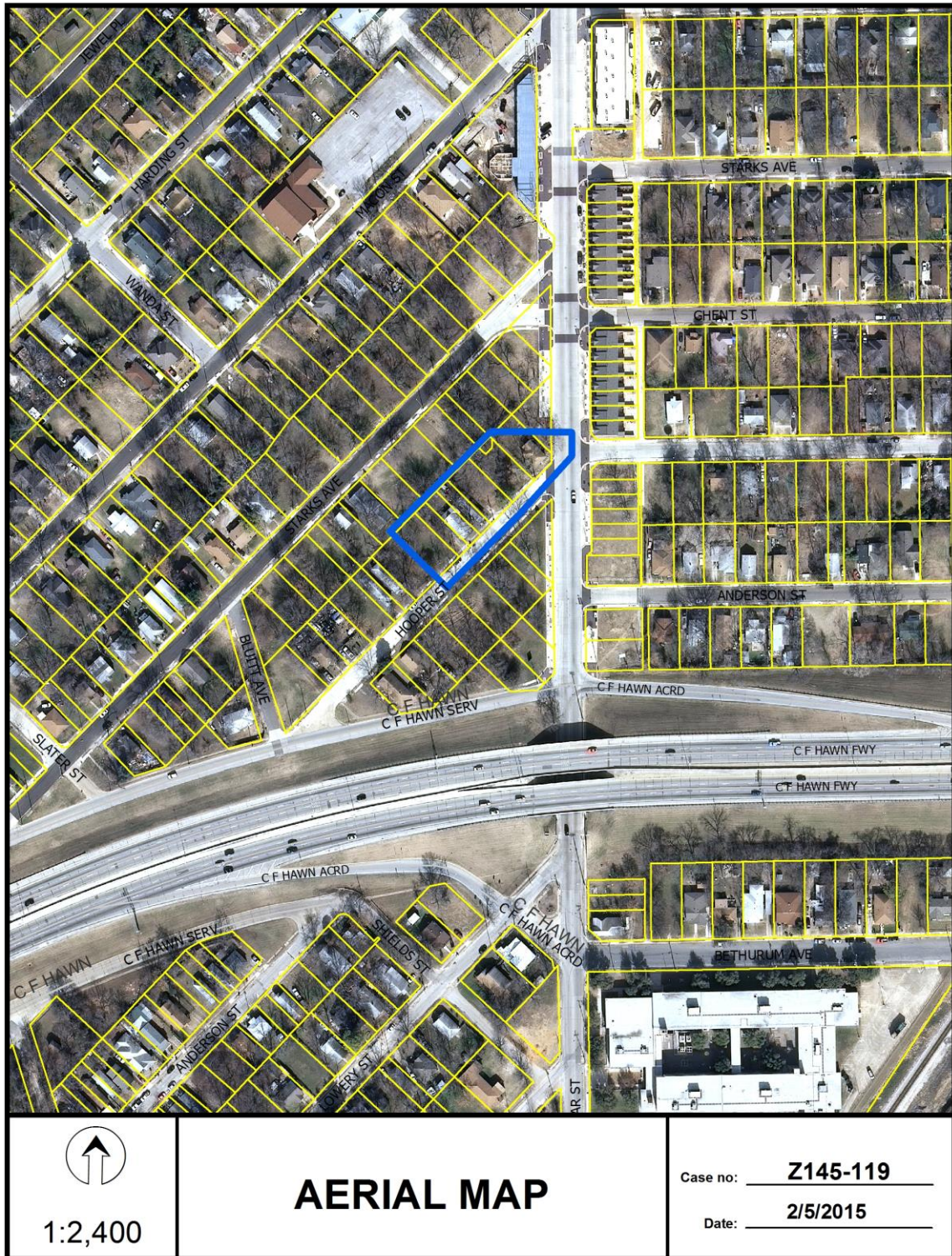
**PD 730 TRACT MAP (Contains 3 Tracts)**  
**Tracts 1A, 1B, 1C**

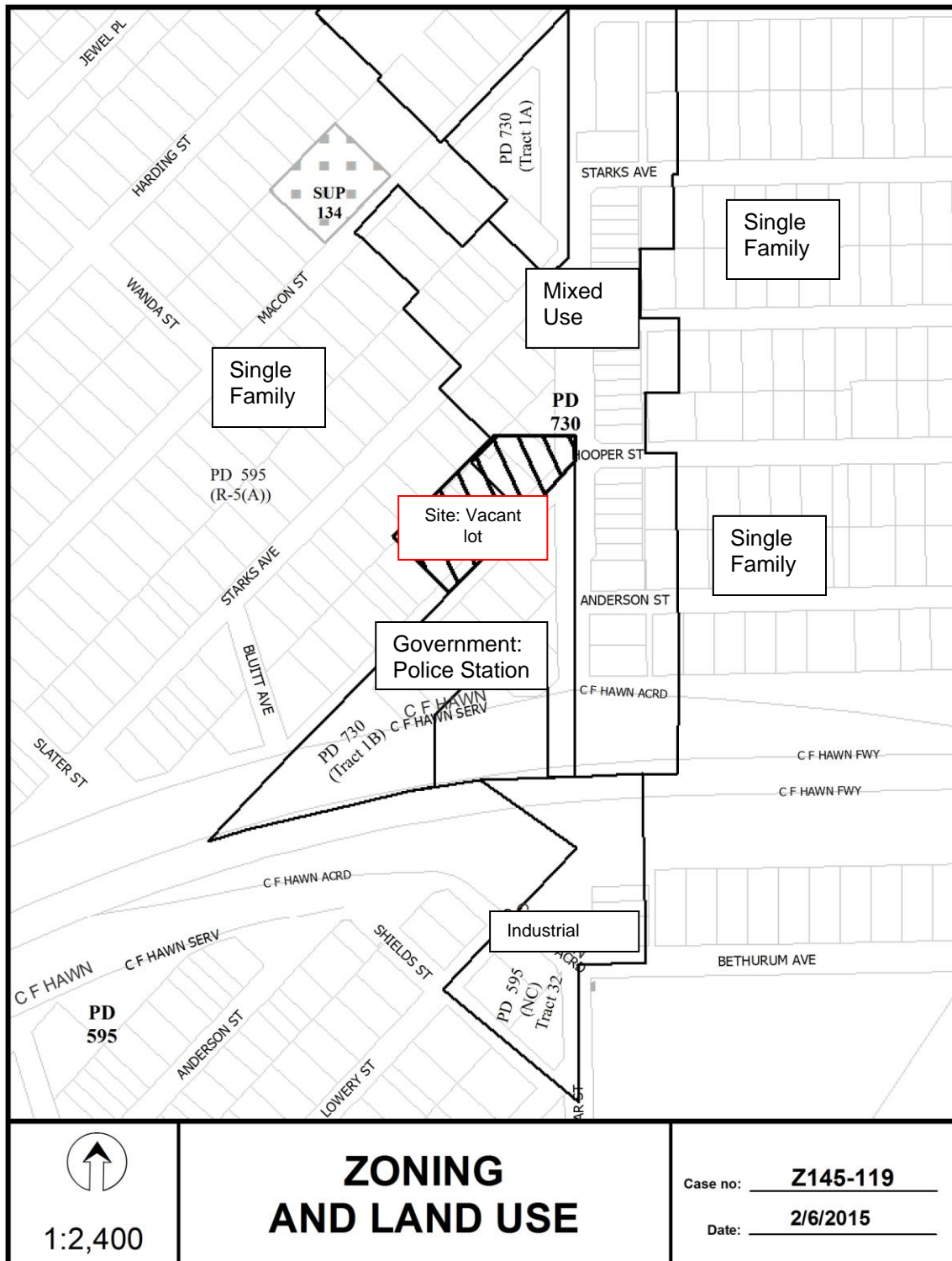
Z145-119



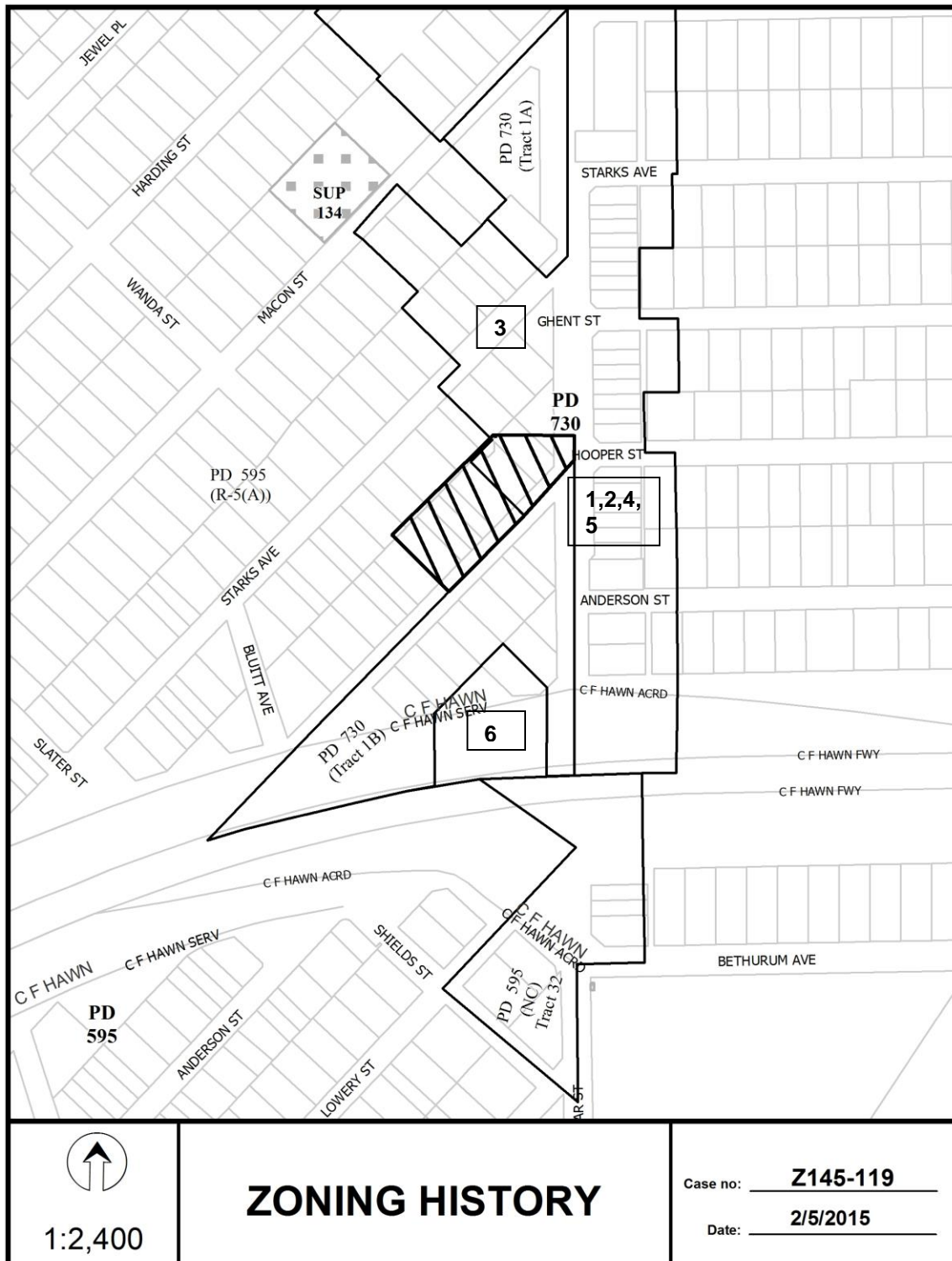














02/05/2015

***Notification List of Property Owners******Z145-119******135 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2420 STARKS AVE	WHITE'S TEMPLE CHURCH
2	2424 STARKS AVE	WHITE JOE B
3	2430 STARKS AVE	SMITH ANGELA
4	2434 STARKS AVE	EAST DALLAS COMMUNITY ORGANIZATION
5	2440 STARKS AVE	EAST DALLAS COMMUNITY
6	5329 BEXAR ST	EAST DALLAS COMMUNITY ORG
7	5333 BEXAR ST	EAST DALLAS COMMUNITY ORGANIZATION INC
8	2445 HOOPER ST	EAST DALLAS COMMUNITY ORGANIZATION
9	2439 HOOPER ST	EAST DALLAS COMMUNITY ORGANIZATION
10	2610 ANDERSON ST	SHIELDS MARK & MARY ROSE
11	2614 ANDERSON ST	JOHNSON ROBERT E
12	2618 ANDERSON ST	LONDON EULA
13	2622 ANDERSON ST	HILL MONA RAYE LIFE EST
14	2626 ANDERSON ST	WINN LEO EST OF
15	2600 ANDERSON ST	FIRST PENTECOSTAL CHURCH
16	2510 HOOPER ST	RAMIREZ DENISE
17	2518 HOOPER ST	MARTIN RONALD
18	2522 HOOPER ST	TOPLETZ DALE
19	2526 HOOPER ST	CUNNINGHAM LUCILLE ET AL
20	2530 HOOPER ST	DALLAS HOUSING ACQUISITION & DEVELOPMENT CORP
21	2633 ANDERSON ST	EDWARDS JAMES EST OF
22	2629 ANDERSON ST	FYLES LONNIE
23	2623 ANDERSON ST	JOHNSON BILLY
24	2619 ANDERSON ST	WILLIAMS AARON II
25	2615 ANDERSON ST	AFFORDABLE REALTY INC
26	2538 HOOPER ST	WHITLEY LEONARD

02/05/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2542 HOOPER ST	DEHOYOS JOSE J
28	2639 ANDERSON ST	JES JOMEL LLC
29	2509 HOOPER ST	BURTON FREDERICA
30	2515 HOOPER ST	DALLAS NEIGHBORHOOD
31	2523 HOOPER ST	SELMA VENTURES LTD
32	2527 HOOPER ST	SANDERS DEMETRIA
33	2531 HOOPER ST	POE EL LER
34	2510 GHENT ST	CHURCH OF GOD
35	2514 GHENT ST	GRIMES RONALD ET AL
36	2518 GHENT ST	WILLIAMS WAYNE P
37	2526 GHENT ST	DALLAS HOUSING ACQUISITION & DEV CORP
38	2534 GHENT ST	CARRAWAY JOYCE
39	2538 GHENT ST	JACKSON SONJA
40	2539 HOOPER ST	SOTO CRISTINA
41	2514 STARKS AVE	RAY FLETCHER JR ESTATE OF ET AL
42	2518 STARKS AVE	JOHNSON GALE J EST OF
43	2522 STARKS AVE	MIXON JACQUELINE L
44	2526 STARKS AVE	MIXON LATONDA
45	2535 GHENT ST	PAGE HANSIE R K
46	2531 GHENT ST	DANIELS EVELYN
47	2527 GHENT ST	EVANS BARBARA
48	2523 GHENT ST	DE LA SANCHIA ANDRES
49	2519 GHENT ST	MCCOY SEDALIA HARRIS
50	2515 GHENT ST	ANDERSON MANDY ET AL
51	5216 BEXAR ST	EPPERSON CYNTHIA EST OF
52	2519 STARKS AVE	CISNEROS JOSE &
53	2515 STARKS AVE	LEFALL CALLOWAY JR
54	2511 STARKS AVE	KAMINSKI HOLDING INC
55	2327 MACON ST	MC GEE LINDA R
56	2331 MACON ST	LOPEZ JORGE G &
57	2335 MACON ST	BROADENAX LUCY



02/05/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2343 MACON ST	JONES WILLIE MAE
59	2345 MACON ST	REESE ERIC
60	2314 MACON ST	MONTGOMERY STEVIE J &
61	2318 MACON ST	HIGH STEVE
62	2322 MACON ST	WILLIAMS JENNIE
63	2326 MACON ST	LUNA TERESA
64	2330 MACON ST	PERRY SHEREE
65	2338 MACON ST	PHILLIPS EDWARD EST OF
66	2340 MACON ST	CHAMPION WILLIE J
67	2346 MACON ST	MACH TEXAS LLC
68	2401 MACON ST	ELDRIDGE MARSHA KAYE
69	2405 MACON ST	BROUSSARD DOROTHY
70	2411 MACON ST	BROWN ESTELLA
71	2404 MACON ST	EAST DALLAS COUMMUNITY ORGANIZATION INC
72	2410 MACON ST	RUNNELS RUBY
73	2414 MACON ST	WILSON ROSIE S
74	2418 MACON ST	HOPKINS MICHAEL G
75	2420 MACON ST	RAMIREZ FRANCISCO JAVIER
76	2426 MACON ST	THOMAS IRENE
77	2430 MACON ST	BUILDERS OF HOPE INC
78	2434 MACON ST	EVANS MARY NELL
79	2440 MACON ST	BURLEY ELLA L
80	2331 STARKS AVE	HOLMES JAKE
81	2335 STARKS AVE	KELLEY IVORY T & BETTY J
82	2339 STARKS AVE	RAMIREZ MARIE R
83	2341 STARKS AVE	CANTY SAMUEL
84	2347 STARKS AVE	RUIZ DEISY &
85	5311 BLUITT AVE	TOVAR JUAN R
86	2328 STARKS AVE	LORDS MISSIONARY BAPTIST
87	2332 STARKS AVE	SNEED SIDNEY L
88	2336 STARKS AVE	SNEED JOHNNY E

02/05/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2334 STARKS AVE	GOINS BOBBIE
90	2340 STARKS AVE	BALL ROBERT N
91	2407 STARKS AVE	HARVEY MARGARET FRANCES
92	2409 STARKS AVE	BAILEY MARIA
93	2419 STARKS AVE	VASQUEZ DALILA
94	2425 STARKS AVE	DIRKS GLORIA J PHILLIPS
95	2431 STARKS AVE	MCLEWIS KATHRYN I
96	2435 STARKS AVE	NATL COUNCIL OF NEGRO WMN
97	2441 STARKS AVE	BARBER CYNTHIA ANN SMITH
98	2403 STARKS AVE	THOMAS RUBY M
99	2412 STARKS AVE	PHILLIPS LEO M SR
100	2416 STARKS AVE	PHILLIPS ELBERT &
101	2448 STARKS AVE	EAST DALLAS COMMUNITY
102	2427 HOOPER ST	BISOR ROBERT
103	2423 HOOPER ST	DANNA RICHARD A
104	2421 HOOPER ST	MANNING DAVID
105	2419 HOOPER ST	TAYLOR LILLIE ESTATE
106	2413 HOOPER ST	WILLIAMS GWENDOLYN
107	2411 HOOPER ST	WILLIAMS GWENDOLYN LOUISE
108	2605 LOWERY ST	RUNNELS LUELLEN
109	5402 BEXAR ST	ROMERO AMANDA C
110	5404 BEXAR ST	EMBRY RACHEL
111	5406 BEXAR ST	ROBINSON RITA
112	5408 BEXAR ST	SMOTHERS RAINA
113	5410 BEXAR ST	FRANKS ALBERT L III
114	5412 BEXAR ST	SMITH ASHLEY
115	5334 BEXAR ST	BURTON HASANI
116	5332 BEXAR ST	MOTEN GROVER L &
117	5330 BEXAR ST	SMITH DONALD
118	5328 BEXAR ST	FADEL NABIL SAMUEL
119	5326 BEXAR ST	MORRIS JESSIE D

02/05/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	5324 BEXAR ST	BRANCHE GARY A
121	5322 BEXAR ST	JONES PHYLLIS S
122	2530 STARKS AVE	KIMBLE QUENDOLYN EVETTE
123	5316 BEXAR ST	CHAMBLISS MAXINE
124	5314 BEXAR ST	SHEPPARD AARON
125	5312 BEXAR ST	TYNDALL ALICIA
126	5310 BEXAR ST	SHULER SHARAE
127	5308 BEXAR ST	CLAYBORN MOCHELLE
128	5306 BEXAR ST	GRIMES CHICO
129	5304 BEXAR ST	YARRELL LARRY
130	5302 BEXAR ST	ASKEW JUDY
131	2427 MACON ST	RHOADES TERRACE BIBLE
132	2445 STARKS AVE	ECOLOGICAL PROPERTIES LLC
133	2451 STARKS AVE	ECOLOGICAL COMMUNITY BUILDERS LLC
134	5210 BEXAR ST	KAMINSKI HOLDING INC &
135	5203 BEXAR ST	EJIGU HAILU

**FILE NUMBER:** Z145-122(AF)

**DATE FILED:** November 10, 2014

**LOCATION:** Northeast corner of Ryan Road and Luna Road

**COUNCIL DISTRICT:** 6

**MAPSCO:** 22-N

**SIZE OF REQUEST:** Approx. 3.94 acres

**CENSUS TRACT:** 99.00

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**REPRESENTATIVE:** Isaam Shmaisani

**APPLICANT/OWNER:** Cowtown Redi Mix, Inc.

**REQUEST:** An application for an amendment to Specific Use Permit No. 2003 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned IR Industrial Research District.

**SUMMARY:** The applicant proposes to continue to operate a concrete batch plant and to remove the restrictions on the hours of operation. Currently, the hours of operation are Monday through Friday, 12 am to 7 pm and 12 am to 3 pm on Saturdays. In addition, the applicant proposes to demolish the existing one-story, 3,315-square-foot maintenance shop and replace it with a 4,200-square-foot building. Finally, the applicant requests automatic renewals with this amendment. The SUP is set to expire March 27, 2018 with no automatic renewals.

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

## **GUIDING CRITERIA FOR RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The use has not had a negative impact on the surrounding areas. The request site is located within an industrial area surrounded by property that is zoned IR. Within a half-mile radius, there are five industrial uses that include concrete or asphalt crushing, metal salvage facilities, and cement treated facility plants – all with no restrictions on hours of operations. Staff could find no documented concerns regarding limiting the hours of operation. Currently, conditions are in place intended to mitigate any potential negative impacts from dust and noise.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use of the site does not contribute or promote the welfare of the area.
3. *Not a detriment to the public health, safety, or general welfare* – The use has not been a detriment to the public health, safety, or general welfare. The equipment and materials are in the site's interior. Current SUP conditions require the applicant to sprinkle the property, including any stockpiles, with water or chemicals, as necessary to achieve the maximum control of dust emissions.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The proposed use will comply with all applicable zoning regulations and standards.

## **Zoning History:**

1. Z112-268      On February 13, 2013, City Council approved an application for an IM Industrial Manufacturing District, with deed restrictions volunteered by the applicant, on property zoned an IR Industrial/Research District.
2. Z112-262      On March 27, 2013, the City Council approved a Specific Use Permit No. 2003 for an industrial (outside) use limited to a concrete plant for a five-year time period on property zoned an IR Industrial Research District on the northwest corner of Luna Road and Ryan Road.
3. Z123-210      On May 28, 2014, the City Council approved an application for an IM Industrial Manufacturing District and a Specific Use Permit for a potentially incompatible industrial (outside) use limited to concrete and asphalt crushing on property zoned an IR Industrial Research District.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Luna Road	Principle Arterial	60 ft.
Ryan Road	Local	50 ft.

**Parking/Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the use has not negatively impacted the surrounding street system.

**STAFF ANALYSIS:****Comprehensive Plan:**

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

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

**Area Plans:****Trinity River Corridor Comprehensive Land Use Plan**

The Trinity River Corridor Comprehensive Land Use Plan designates the site within the Elm Form District, described to contain a mix of light industrial, heavy industrial, office, and commercial corridor uses adjacent to a collection of parks, river bottom wetlands, and trails along the Elm Fork of the Trinity River. North of Northwest Highway and west of IH-35, areas are planned for Heavy Industrial and Light Industrial uses.



**Land Use Compatibility:**

The surrounding land uses are undeveloped to the north and south, a city park to the west, and industrial uses to the northeast, east, and southeast. Conforming to specific environmental and code enforcement standards that dictate the handling of materials ensures minimal impact on the surrounding non-industrial properties.

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

**Development Standards:**

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

**Landscaping:**

The site will comply with Article X landscaping.

**PROPOSED CONDITIONS  
SUP CONDITIONS  
Z145-122**

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use limited to a concrete batch plant.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Staff recommended

3. TIME LIMIT: This specific use permit expires on \_\_March 27, 2020\_\_\_\_ (five years from the passage of this ordinance).

Applicant proposed

3. TIME LIMIT: This specific use permit expires on \_\_March 27, 2020\_\_ (five years from the passage of this ordinance). but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).

4. DUST CONTROL:

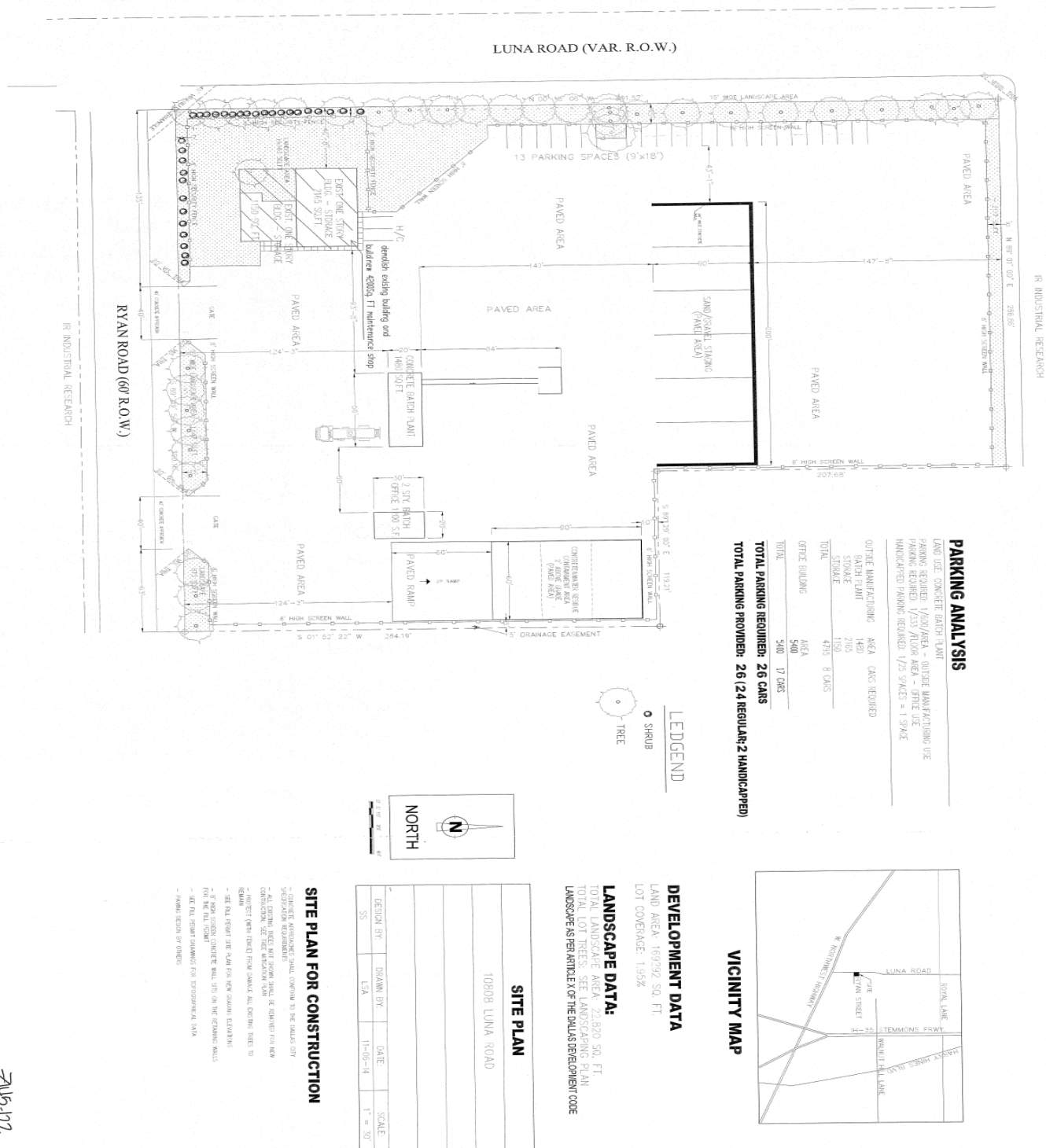
A. The following conditions must be met on an ongoing basis:

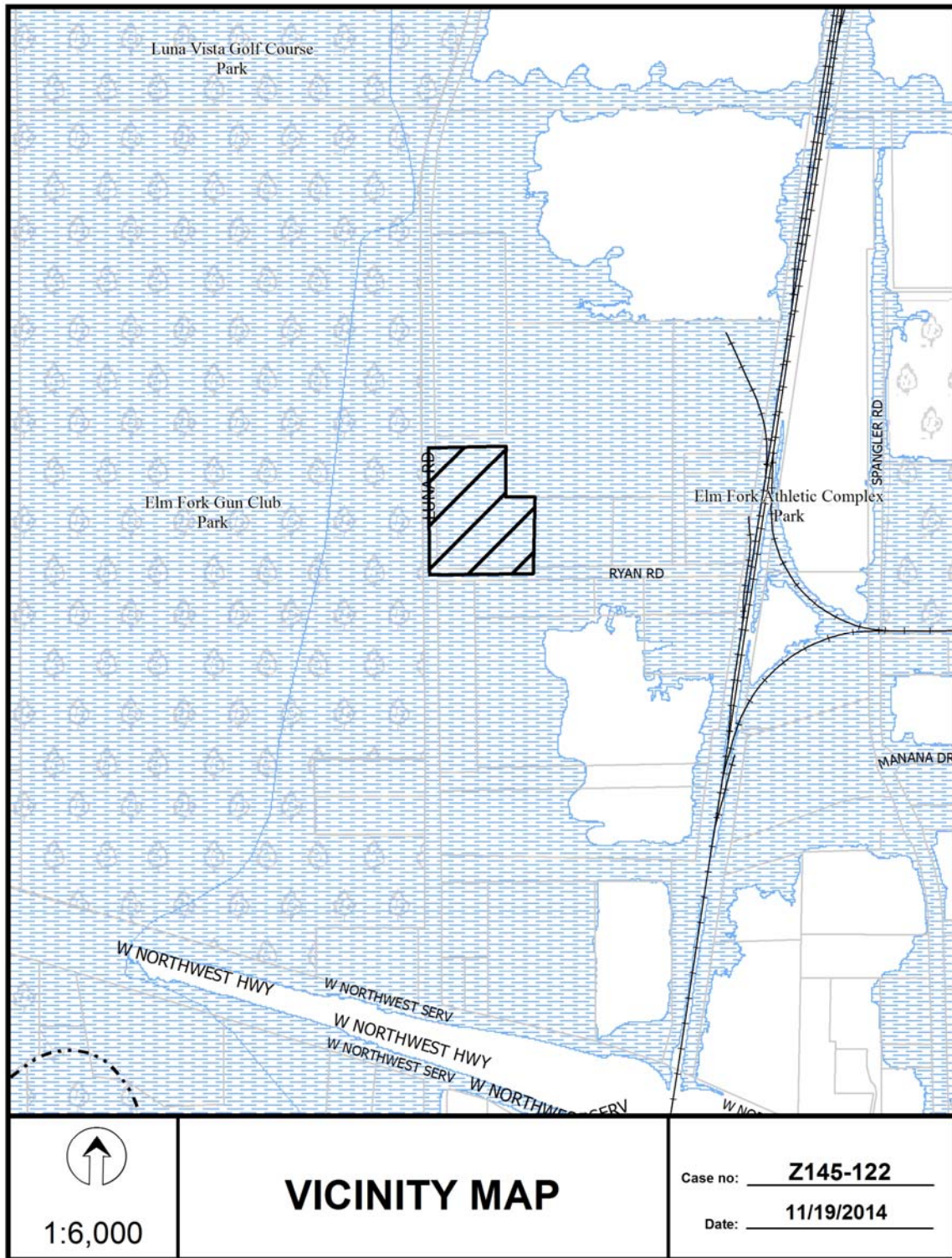
- i. Trucks must be loaded through a discharge equipped with a water ring or equivalent dust control system that eliminates visible dust emissions.
- ii. All permanent roads or vehicular maneuvering area inside the plant must be paved, watered, and swept to eliminate visible dust emissions.
- iii. The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate visible dust emissions.

- iv. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.
  - v. The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.
  - vi. During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions or the conveyor charge hopper must be completely enclosed to contain dust.
  - vii. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.
  - viii. Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.
- B. Prior to the issuance of a certificate of occupancy, a written ground and dust control plan that reflects existing and proposed infrastructure needed to comply with conditions 4(A)(i) through 4(A)(viii) must be delivered to the director of environmental and health services and the director of development services.
- 5. FLOOR AREA: The maximum floor area is 3,316 square feet in the location shown on the attached site plan.
  - 6. HOURS OF OPERATION: ~~The industrial (outside) not potentially incompatible use limited to a concrete batch plant may only operate between 12:00 a.m. (midnight) and 7:00 p.m., Monday through Friday, and between 12:00 a.m. (midnight) and 3:00 p.m., Saturday.~~
  - 7. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
  - 8. LANDSCAPING: Landscaping must be installed in accordance with Article X.
  - 9. PARKING: A minimum of 14 off-street parking spaces must be provided in the location as shown on the attached site plan. All off-street parking spaces, vehicular maneuvering area, and driveways must be paved.
  - 10. SCREENING: Solid screening must be provided in the height and locations shown on the site plan.
  - 11. STOCKPILE HEIGHT: Maximum stockpile height for materials in the sand/gravel stockpile is ten feet.

12. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
13. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Z145-122 – REVISED SITE PLAN

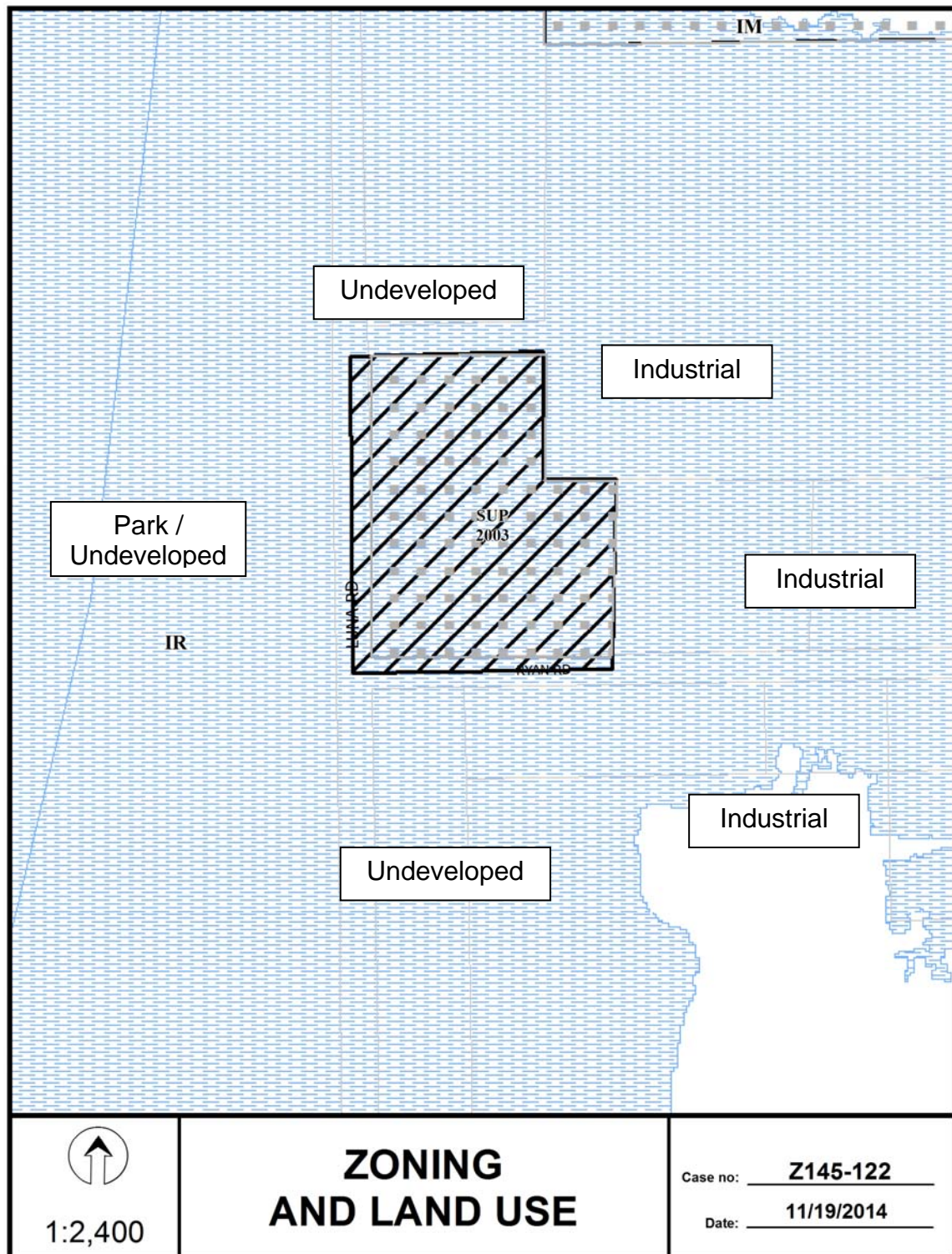




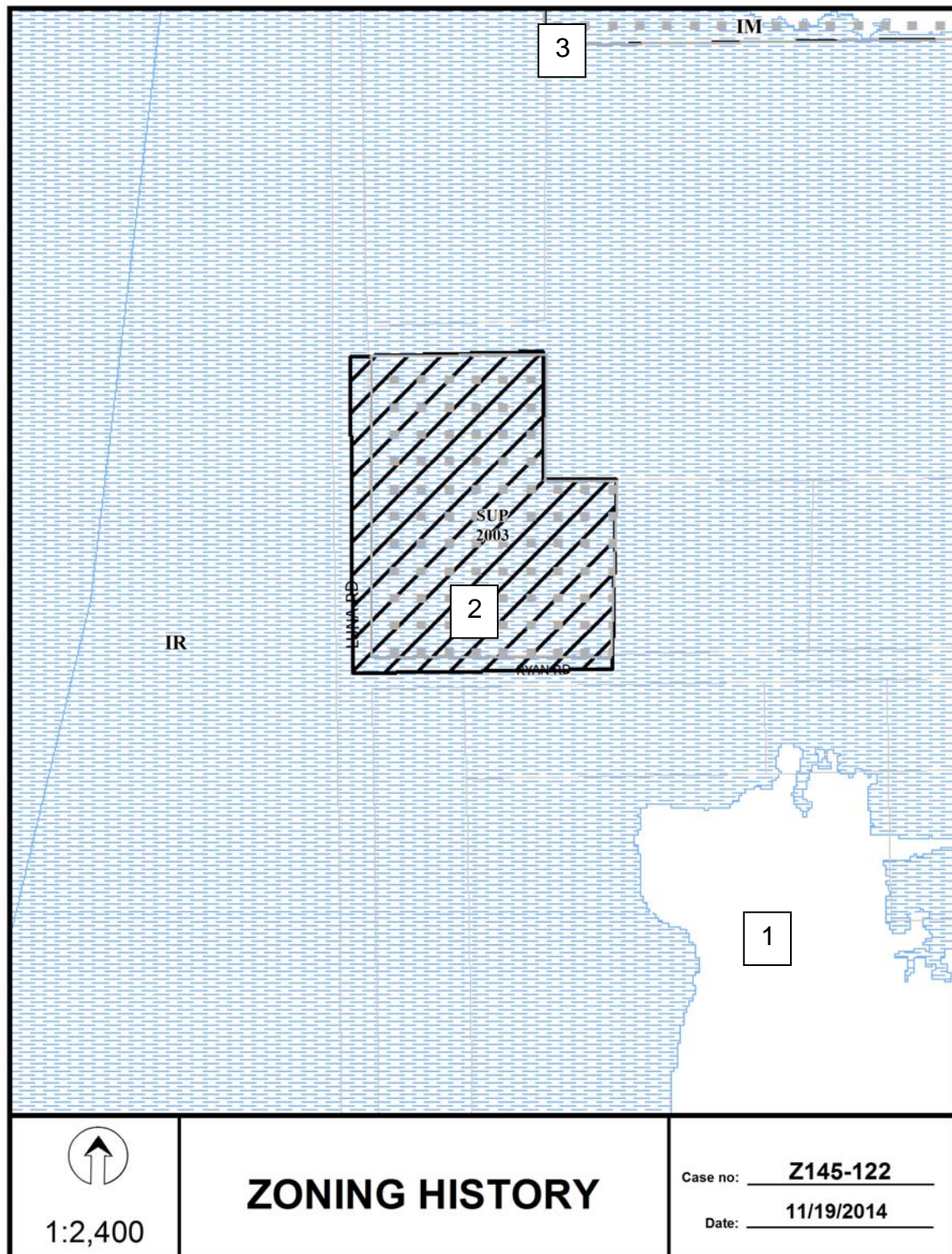


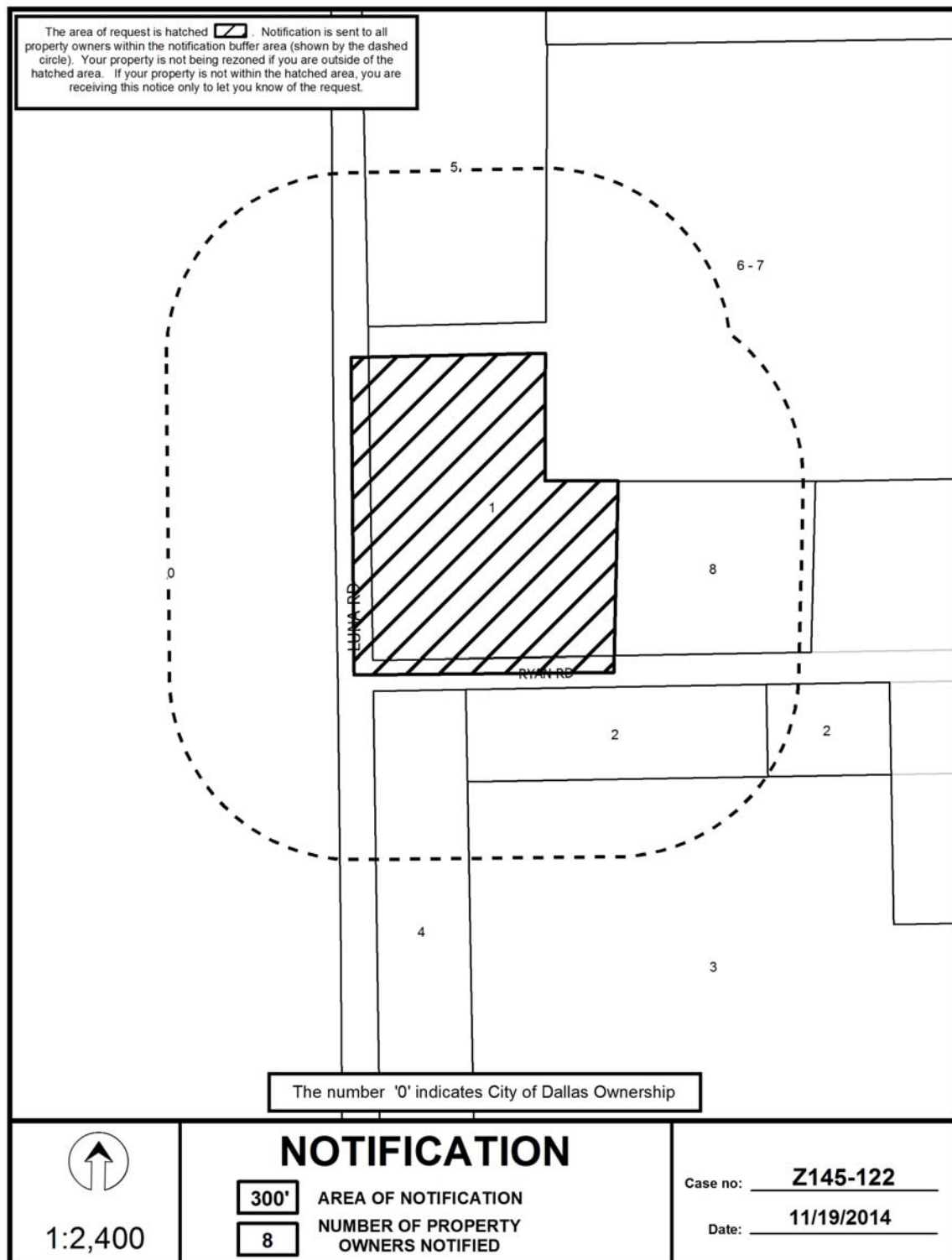












11/19/2014

***Notification List of Property Owners***

***Z145-122***

***8 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10808 LUNA RD	SHMAISANI ISSAM AL
2	1860 RYAN RD	JCR TEAM LLC
3	1840 RYAN RD	RUCKER HUGH W &
4	10750 LUNA RD	RUCKER HUGH W ET AL
5	10850 LUNA RD	LUNA VANOD B TRUST PART M
6	10848 LUNA RD	ONEAL METALS LP
7	10848 LUNA RD	ONEAL STEEL BLDGS CO
8	1839 RYAN RD	NILCO ENTERPRISES INC

**Planner: Warren F. Ellis****FILE NUMBER:** Z145-137(WE) **DATE FILED:** December 23, 2014**LOCATION:** East side of North Bishop Avenue, north of Neches Street**COUNCIL DISTRICT:** 1 **MAPSCO:** 44-Y**SIZE OF REQUEST:** Approx. 0.3 acres **CENSUS TRACT:** 42.01

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**APPLICANT / OWNER:** Bombay Holdings, LLC**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates**REQUEST:** An application for a new Planned Development Subdistrict for a medical clinic or ambulatory surgical center on property zoned Tract 2, Subdistrict 1A of Planned Development District No. 830, the Davis Street Special Purpose District.**SUMMARY:** The purpose of this request is to use an existing one-story, 3,490-square-foot building for a medical office use without the mixed use project designation. The property was originally used as a medical office since 1969. In 2004, there was a zoning change that created a new Subdistrict (Subdistrict 1A) to permit office uses and remove the MURP Mixed Use Residential Project designation. The property has been vacant since the previous zoning and the applicant is requesting to permit a medical clinic or ambulatory surgical center within the existing building. PDD No. 830 currently has two sites that are designated as Subdistrict 1A, which permits by right, an office use. The new Subdistrict will permit, by right, an office use as well as the medical clinic or ambulatory surgical center.**STAFF RECOMMENDATION:** Approval, subject to conditions.



### **GUIDING CRITERIA FOR RECOMMENDATION:**

1. *Performance impacts upon surrounding property* – The applicant requests for a medical clinic use, should not negatively impact the surrounding area. Removing the residential component does not negatively impact the surrounding property given the scale and size of the property.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan shows that the request site is located in a Urban Neighborhood Building Block. The request is in compliance with the Comprehensive Plan.

### **BACKGROUND INFORMATION:**

- On August 11, 2010, the City Council approved Planned Development District No. 830, the Davis Street Special Purpose District.
- The building, previously used as a medical office, has been vacant for approximately one year, which has resulted in the loss of its nonconforming status.
- On March 26, 2014, the City Council approved the creation of a new Subdistrict 1A to permit by right an office use and remove the mixed use project designation to the office.

**Zoning History:** There have been two recent zoning cases requested in the area.

1. Z123-252 On September 11, 2013, the City Council approved the application to create a new subdistrict within Subdistrict 1 (Bishop Avenue) of Planned Development District No. 830, the Davis Street Special Purpose District, on the northwest corner of North Bishop Avenue and West 5<sup>th</sup> Street.

### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bishop Avenue	Collector	100 ft.	100 ft.
Neches Street	Local	60 ft.	60 ft.

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

## **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 being in an Urban Neighborhood Residential Building Block. The proposed development is in compliance with the forwardDallas! Comprehensive Plan.

Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

## **LAND USE ELEMENT**

**GOAL 1.2** Promote desired development.

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

## **ECONOMIC ELEMENT**

**GOAL 2.1** Promote balanced growth

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

**URBAN DESIGN ELEMENT****GOAL 5.2** Strengthen community and neighborhood identity

**Policy 5.2.1** Maintain neighborhood scale and character.

**GOAL 5.3** Establishing walk-to convenience

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

**STAFF ANALYSIS:****Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Subdistrict 1	Vacant office building
<b>North</b>	PDD No. 830	Single Family
<b>South</b>	PDD No. 830	Multifamily
<b>East</b>	PDD No. 830	Single Family
<b>West</b>	PDD No. 830	Single Family

**Land Use Compatibility:**

Planned Development District No. 830 was approved by City Council on August 11, 2010. In Subdistrict 1 of PDD No. 830, an office use is permitted only as part of a mixed use residential project (MURP). Pursuant to PDD No. 830, a mixed use residential project means “a development that has street-level nonresidential uses with hours of operation that are limited to 7:30 a.m. through 6:30 p.m., Monday through Saturday, and that has residential uses only above street level”. Subdistrict 1A was created in late 2013 for a property that was a vacant office building as well. Subdistrict 1A allowed for an office without a mixed use component and prohibits dumpsters.

The request site is surrounded by single-family residential homes to the north, east, south, and west.

The new Subdistrict that will allow for a medical clinic or ambulatory surgical center should not adversely impact the surrounding area since the previous use was an office. In addition, the site is located along a thoroughfare (Bishop Avenue) and the development standards and regulations within the new Subdistrict will not change, except to allow for the new use to operate on the property.

The performance standards for development will be the same as the previously approved office use. The requirements for Subdistricts 1 and 1A are attached for informational purposes. However, no changes to the requirements for Subdistrict 1A are proposed.

Due to the nature of this portion Bishop Avenue along a thoroughfare and the request site's previous use as an office, staff supports the applicant's request.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
PDD No. 830 Subdistrict 1A	20'- min. 25'-max	10'/10'		38' 3 stories	60%	Proximity Slope Visual Intrusion	Office, church, single family
PDD No. 830 New Subdistrict	20'- min. 25'-max	10'/10'		38' 3 stories	60%	Proximity Slope Visual Intrusion	Office, church, single family, medical clinic or ambulatory surgical center

**Landscaping:** Landscaping of any development will be in accordance PDD No. 830.

**LIST OF OFFICERS**  
BOMAY HOLDINGS, LLC

- Jeffery B. Robertson, President and sole member

**PROPOSED PDD CONDITIONS**

**ARTICLE 830.**

**PD 830.**

**SEC. 51P-830.101. LEGISLATIVE HISTORY.**

PD 830 was established by Ordinance No. 27944, passed by the Dallas City Council on August 11, 2010.

**SEC. 51P-830.102. PROPERTY LOCATION AND SIZE.**

PD 830 is established on property located along the Bishop Avenue Corridor between Colorado Boulevard and Davis Street; property located along the Davis Street Corridor, bounded by Plymouth Road on the west and Zang Boulevard on the east; and excluding property zoned Planned Development District No. 160, Planned Development No. 340, Planned Development No. 87/Historic District 15, Conservation District No. 1, and Conservation District 7. The size of PD 830 is approximately 290.5 acres.

**SEC. 51P-830.103. CREATION OF SUBDISTRICTS.**

This district is divided into the following subdistricts:

- (1) Subdistricts 1, ~~and~~ 1A and 1B: Bishop Avenue.
- (2) Subdistrict 2: Subdistrict 2 is not created as part of this PD. See Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area.
- (3) Subdistrict 3: East Garden District and Subdistrict 3A: Bishop Arts Branch Library.
- (4) Subdistrict 4: Kidd Springs Park.
- (5) Subdistrict 5: Kings Highway Gateway.
- (6) Subdistricts 6 and 6A: Davis Corridor.
- (7) Subdistrict 7: Winnetka Heights Village.
- (8) Subdistricts 8 and 8A: West Garden District.

**SEC. 51P-830.104. DEFINITIONS.**

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



- (1) A-FRAME SIGN means a portable detached premise sign that is hinged at the top and is made of durable, rigid materials such as wood, plastic, or metal.
- (2) ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.
- (3) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.
- (4) ATTIC STORY means that portion of a building between the top floor and the ceiling above it that is located within a roof structure.
- (5) BED AND BREAKFAST means a lodging use that has no more than five guest rooms; provides accommodations for periods not to exceed five nights; serves no meals other than breakfast; and is a member of, or certified by, a recognized bed and breakfast association such as the National Bed and Breakfast Association (NBBA) or Historic and Hospitality Accommodation of Texas.
- (6) BLADE SIGN means a sign that projects perpendicularly from a main building facade and is visible from both sides.
- (7) BODY PIERCING STUDIO means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.
- (8) BOUTIQUE HOTEL means a lodging facility with 30 or fewer guest rooms that are rented to occupants on a daily basis for not more than 14 consecutive days; provides food that is prepared on-site; and more than 50 percent of the guest rooms are internal-entry.
- (9) DOOR YARD means the area between the edge of the sidewalk furthest from the street and the front building facade.
- (10) LEGACY BUILDING means a building that fronts on Davis Street or Bishop Avenue and that is listed on Exhibit "830B" or determined to be a legacy building in accordance with Section 51P-830.118.
- (11) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an a single family or duplex structure that exceeds 50 percent of the structure assessed by the Dallas Central Appraisal District or any increase in the floor area of a structure if the expansion is over 50 percent of the floor area of the existing structure.
- (12) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(13) MIXED USE DEVELOPMENT means a development that has both main residential and main nonresidential uses on the same building site.

(14) MIXED USE RESIDENTIAL PROJECT (MURP) means a development that has street-level nonresidential uses with hours of operation that are limited to 7:30 a.m. through 6:30 p.m., Monday through Saturday, and that has residential uses only above street level.

(15) OPEN SPACE means an area that is open to the public for at least eight hours each day, limited to pedestrians, is at least 80 percent open to the sky, a contiguous area of not less than 15 feet in width and 25 feet in length, and where a minimum of 25 percent of the open space area is landscaped with turf, ground cover, shrubs, trees, seasonal plantings, or a combination of these plant materials.

(16) PROJECTING SIGN means an attached sign projecting more than 12 inches from a building at an angle other than parallel to the facade.

(17) REMOTE SURFACE PARKING LOT means a nonstructural passenger-vehicle parking facility where at least 30 percent of its parking spaces are subject to remote parking agreements and where the remaining parking spaces may serve as off-site parking for a valet service that may charge a fee.

(18) RETAIL-RELATED USES means any of the following uses:

- (A) Antique shop.
- (B) Art gallery.
- (C) Dry cleaning or laundry store.
- (D) General merchandise or food store.
- (E) Nursery, garden shop, or plant sales.
- (F) Personal service uses

(19) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(20) TRANSPARENCY means the total area of windows and door openings with glass that is a percentage of the total street-level facade.

## **SEC. 51P-830.105. INTERPRETATIONS.**

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

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

(c) Section 51A-2.101, "Interpretations," applies to this article.

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

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

(2) The symbol **[L]** appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol **[SUP]** appearing after a listed use means that the use is permitted by specific use permit only. ["SUP" means "specific use permit." For more information regarding specific use permits, see Section 51A-4.219, "Specific Use Permit (SUP)."]

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

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

(e) If there is a conflict, the text of this article controls over any charts, exhibits, graphic displays, or maps.

(f) Subdistricts 1, 1A, 1B, 3, 4, and 8 of this district are considered to be residential zoning districts. Subdistricts 3A, 5, 6, 6A, and 7 are considered to be nonresidential zoning districts.

## **SEC. 51P-830.106. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 830A: Subdistrict maps.

- (2) Exhibit 830B: Legacy buildings list.
- (3) Exhibit 830C: Mixed use development parking chart.
- (4) Exhibit 830D: Subdistrict 3A building corner marker elevation.

**SEC. 51P-830.107. CONCEPTUAL PLAN.**

- (a) There is no conceptual plan for this district.
- (b) The Bishop/Davis Land Use and Zoning Study should be consulted for goals, objectives, policy statements, and recommendations for development of this district.

**SEC. 51P-830.108. DEVELOPMENT PLAN.**

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. 27944)

**SEC. 51P-830.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICTS 1, ~~[AND]~~ 1A AND 1B: BISHOP AVENUE.**

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

- (1) Agricultural uses.
  - Crop production.
- (2) Commercial and business service uses.
  - None permitted.
- (3) Industrial uses.
  - None permitted.
- (4) Institutional and community service uses.
  - Church.
- (5) Lodging uses.
  - None permitted.
- (6) Miscellaneous uses.
  - Temporary construction or sales office.

(7) Office uses.

-- Office. *[Permitted only as part of a MURP in Subdistrict 1. Permitted by right in Subdistrict 1A and 1B.]*

-- Medical clinic or ambulatory surgical center *[Permitted by right in Subdistrict 1B.]*

(8) Recreation uses.

-- Private recreation center, club, or area. *[SUP]*

-- Public park, playground, or golf course.

(9) Residential uses.

-- Duplex.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*

-- Multifamily. *[Permitted in Subdistrict 1 only.]*

-- Retirement housing.

-- Single family.

(10) Retail and personal service uses.

-- Antique shop. *[Permitted only as part of a MURP.]*

-- Art gallery. *[Permitted only as part of a MURP.]*

-- Remote surface parking lot. *[Permitted only on a lot abutting the lot with the use being supplied with the parking under the remote parking agreement.]*

(11) Transportation uses.

-- Transit passenger shelter.

(12) Utility and public service uses.

-- Local utilities.

(13) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*

-- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Section 51A-4.213(11.3)(E) are not satisfied.]*

(b) Drive-in and drive-through uses. Drive-in and drive-through lanes, windows, or services are not permitted.

(c) Accessory uses.

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

(2) The following accessory use is permitted by SUP only:

-- Accessory community center (private).

(3) The following accessory uses are not permitted:

-- Accessory helistop.

-- Accessory medical/infectious waste incinerator.

-- Accessory outside display of merchandise.

-- Accessory outside sales.

-- Accessory pathological waste incinerator.

(d) Yard, lot, and space regulations.

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

(1) Front yard. Except as provided in this paragraph, minimum front yard is 20 feet and maximum front yard is 25 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.

(2) Side yard.

(A) Except as provided in this paragraph, minimum side yard is 10 feet or 10 percent of the lot width measured at the front yard street frontage, whichever is less.



(B) For lots 50 feet in width or less and adjacent to a detached single family use, minimum side yard is five feet.

(C) No side yard is required between attached single family uses.

(3) Rear yard. Minimum rear yard is 10 feet.

(4) Density. No maximum number of dwelling units.

(5) Floor area ratio. No maximum floor area ratio.

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 38 feet. For a MURP, maximum structure height is 42 feet.

(B) Any portion of a structure over 30 feet in height may not be located above a residential proximity slope.

(i) The residential proximity slope is a plane projected upward and outward at a one-to-two rise over run from private property outside of the district that is zoned for residential uses with a density of less than 12 dwelling units per acre. An institutional use on a lot of two acres or more does not trigger the residential proximity slope.

(ii) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height, or 12 feet above the residential proximity slope, whichever is less, provided that the total projections on a building are no more than 20 percent of the building foot print.

(7) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Lot width. Maximum lot width is 150 feet.

(10) Stories. Maximum number of stories above grade is three, plus one attic story.

(e) Architectural design standards.

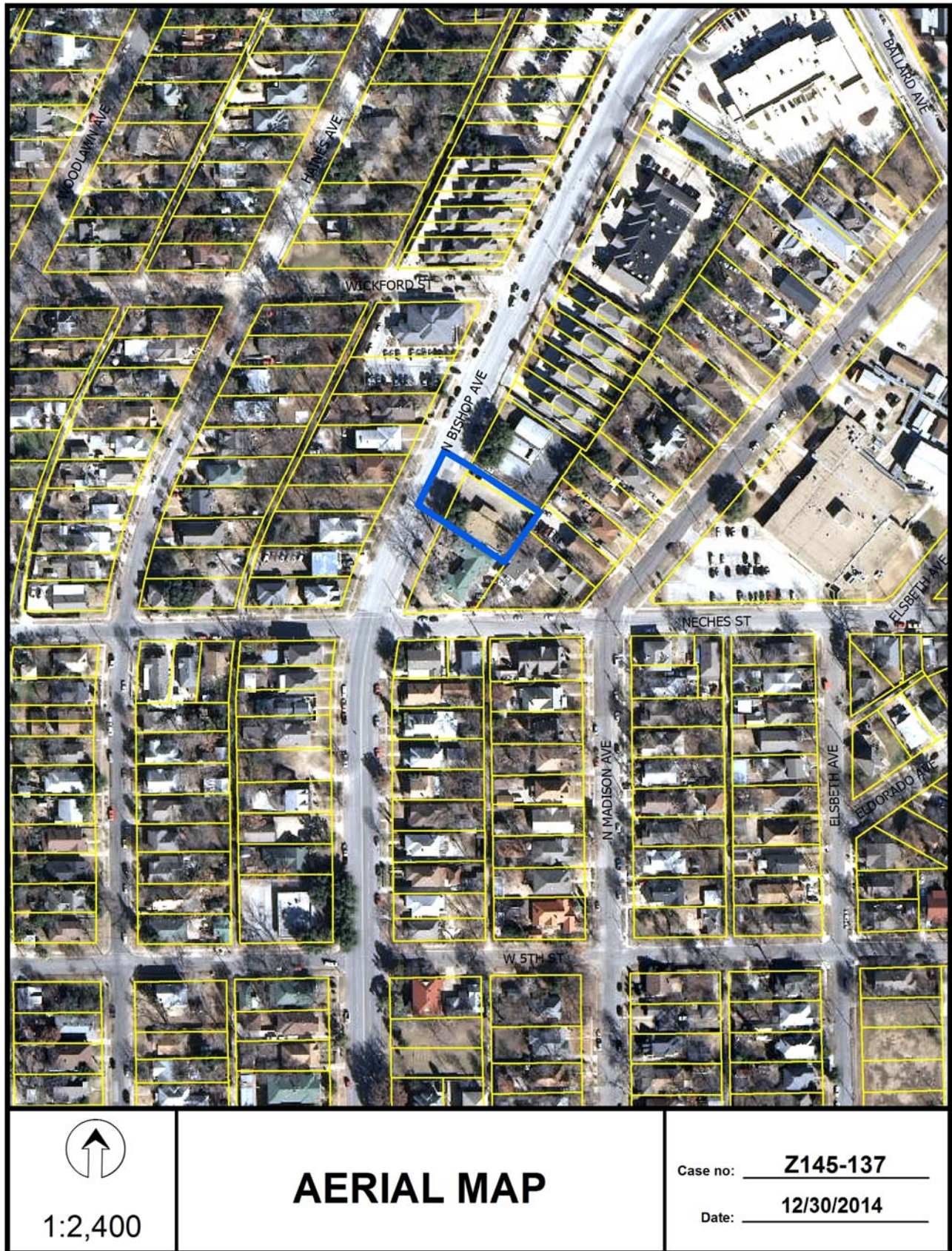
(1) Except as provided in this subsection, see Section 51P-830.122, "Architectural Design Standards."

(2) Structures with street facing facades exceeding 50 feet in length must have changes in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches.

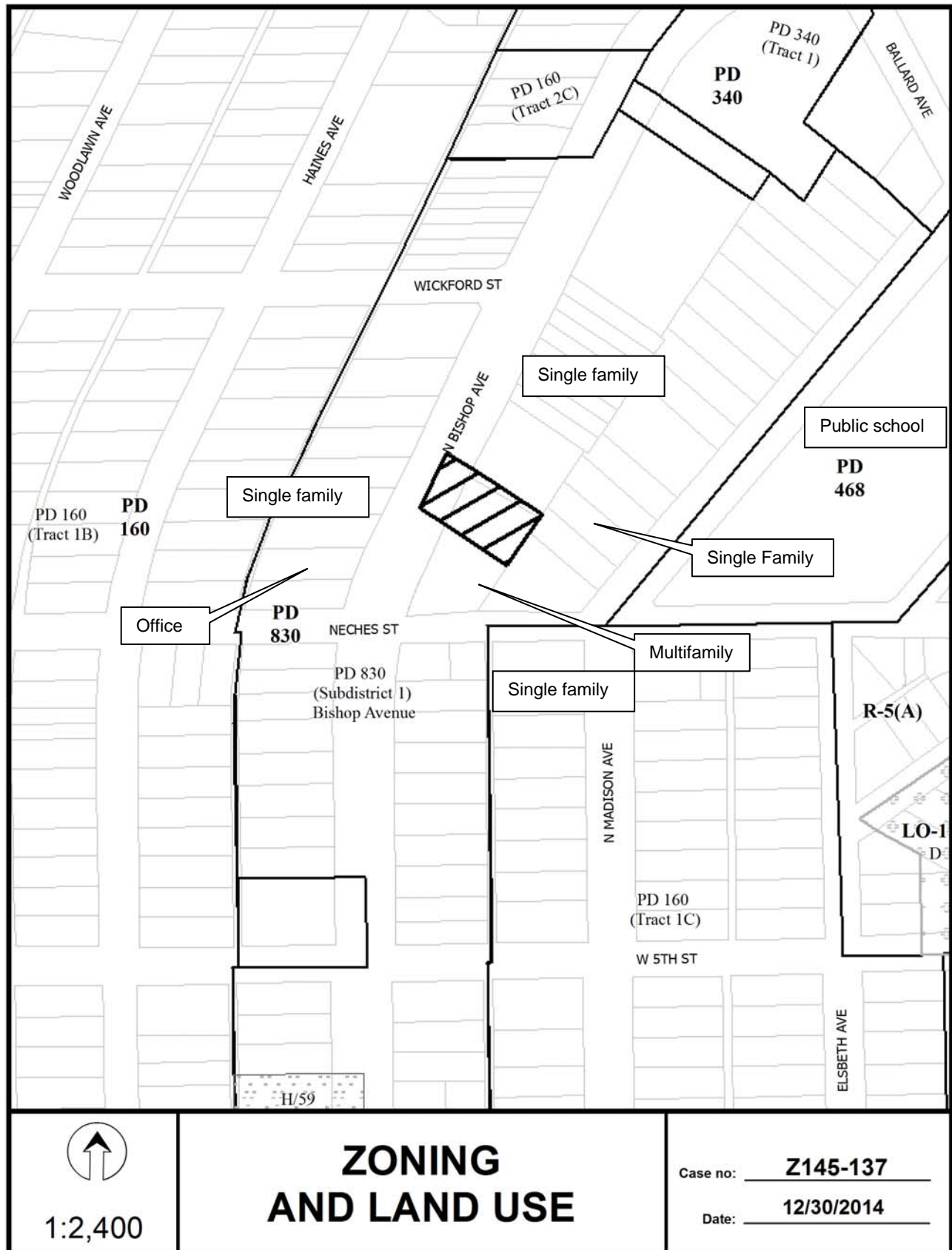
(d) Dumpsters. Dumpsters are prohibited in Subdistricts 1A and 1B.

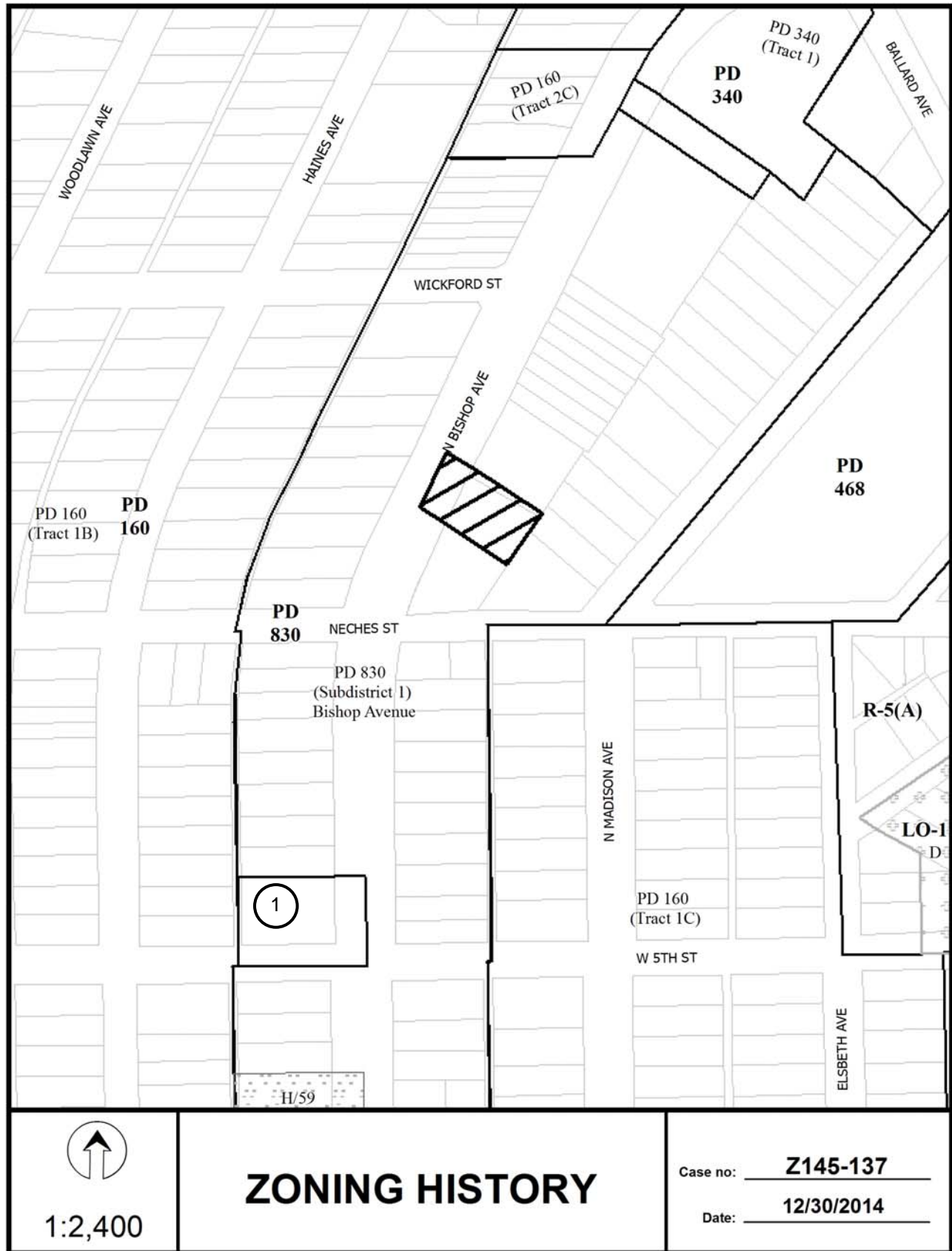




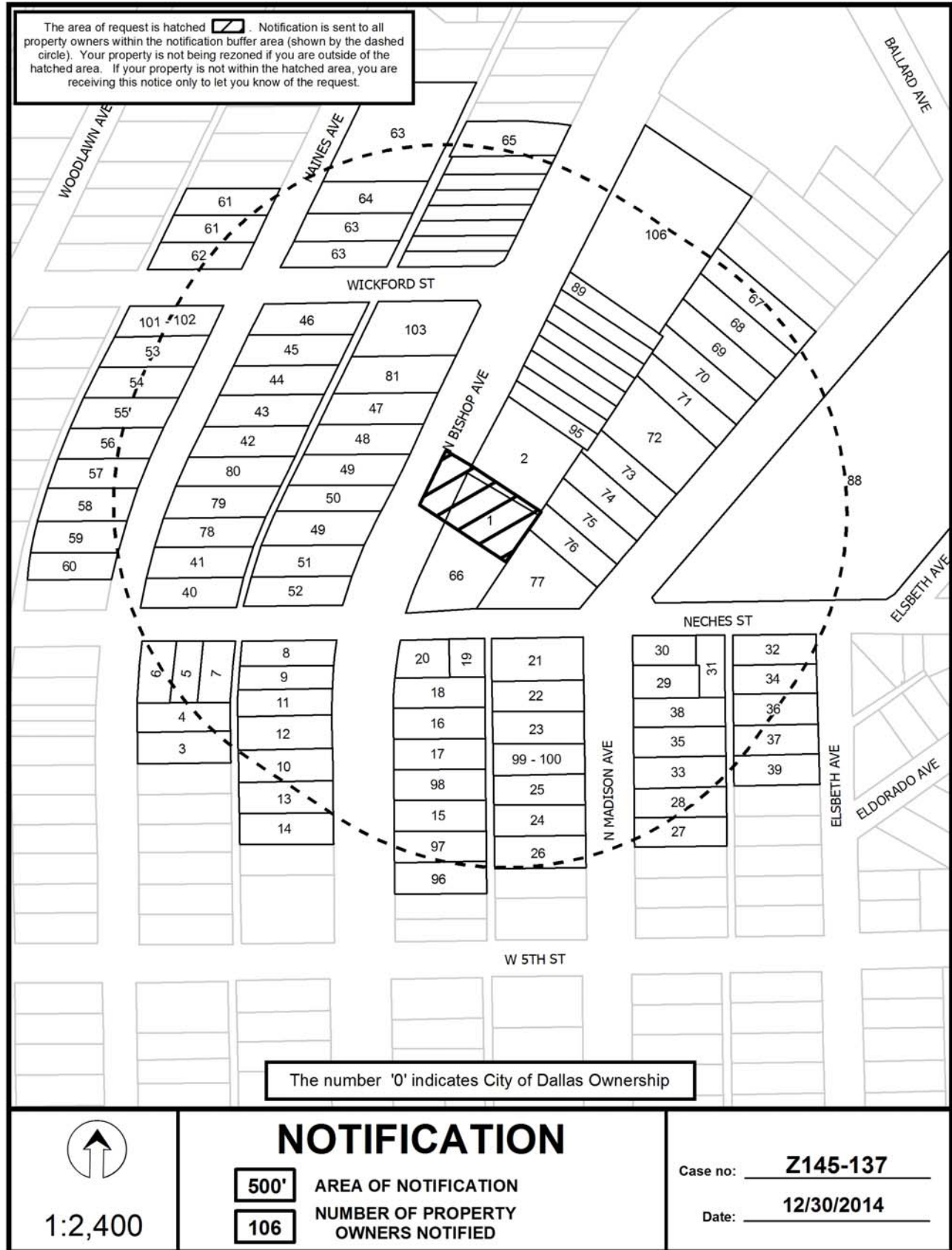












# ***Notification List of Property Owners***

## ***Z145-137***

### ***106      Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1114 BISHOP AVE	DEVPROP 1 LLC
2	1122 BISHOP AVE	WILLIAMS DEBRA C M K
3	1024 HAINES AVE	SOTO RAFAEL R
4	1028 HAINES AVE	LEJEUNE PACIA
5	418 NECHES ST	JUAREZ MANUEL & IRMA
6	1034 HAINES AVE	JUAREZ DELFINA
7	416 NECHES ST	BUSTAMANTE FRANCISCO &
8	1035 BISHOP AVE	PETERSON JAY R
9	1033 BISHOP AVE	MORRIS JERRETT D &
10	1021 BISHOP AVE	BISHOP AVENUE PROPERTIES LLC
11	1029 BISHOP AVE	BREEDING ARNITA L
12	1023 BISHOP AVE	MULAS GERARDO
13	1019 BISHOP AVE	RENTERIA ROMUALDO D
14	1015 BISHOP AVE	KAVONIAN GARY D
15	1014 BISHOP AVE	SURETHING JOSHUA
16	1026 BISHOP AVE	HERRERA RAMIRO
17	1018 BISHOP AVE	VELASQUEZ JOSHUA
18	1030 BISHOP AVE	MENDOZA JESUS G SR
19	314 NECHES ST	HERNANDEZ FRANCISCO
20	1034 BISHOP AVE	LOPEZ REFUJO &
21	1037 MADISON AVE	CHIBLI EMILIO
22	1031 MADISON AVE	ROGERS LINDSEY
23	1029 MADISON AVE	CHIBLI EMILIO & ANA
24	1015 MADISON AVE	MARTINEZ MAURICIO
25	1019 MADISON AVE	SONICK LLC
26	1013 MADISON AVE	JENNINGS JENNI D

12/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1012 MADISON AVE	HERNANDEZ SUZANNE
28	1016 MADISON AVE	RANGEL JOSE DE LA LUZ
29	1034 MADISON AVE	TOBAR SALVADOR
30	1036 MADISON AVE	JONISO LLC
31	212 NECHES ST	CORDOSO ERNESTO
32	1041 ELSBETH ST	OJEDA ISAIAS &
33	1020 MADISON AVE	VALADEZ BENITA
34	1037 ELSBETH ST	CARDOSO PRUDENCIO
35	1024 MADISON AVE	HOPKINS ALAN
36	1033 ELSBETH ST	DAVILA PEDRO R &
37	1027 ELSBETH ST	JIMENEZ MARIA
38	1028 MADISON AVE	DIAZ CARMEN D
39	1023 ELSBETH ST	ALMAZAN BENITA DEL CARMEN
40	425 NECHES ST	GOOD SPACE INC
41	425 NECHES ST	GOOD SPACE INC
42	1122 HAINES AVE	ABUNDIS FORTINO &
43	1126 HAINES AVE	MONTERO MARTHA E
44	1130 HAINES AVE	SCHMIDT KIRK F & CAROL A
45	1136 HAINES AVE	ALBA RICHARD & CARMEN
46	1138 HAINES AVE	JIMENEZ IGNACIO & ESTELA
47	1125 BISHOP AVE	SANCHEZ ANGELA FIGUEROA
48	1121 BISHOP AVE	ELWELL STEVEN J &
49	1119 BISHOP AVE	PFLANZER PARTNERS LTD
50	1113 BISHOP AVE	PFLANZER JOSEPH & EVELYN
51	1105 BISHOP AVE	1105 NORTH BISHOP PARTNERS LLC
52	1101 BISHOP AVE	VELEZ WALTER
53	1135 HAINES AVE	JUAREZ CRECENCIO &
54	1131 HAINES AVE	TUESDAY REAL ESTATE LLC
55	1127 HAINES AVE	AGUILAR HENRY R
56	1123 HAINES AVE	TORRES DESIDERIO A &
57	1119 HAINES AVE	MENDEZ NICOLASA

12/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1113 HAINES AVE	MUNOZ JULIA
59	1111 HAINES AVE	MORENO HECTOR A
60	1107 HAINES AVE	IBARRA JUAN J & SOCORRO
61	1211 HAINES AVE	ELLIOTT ANNETTE
62	1201 HAINES AVE	WILSON PHILLIP L
63	417 WICKFORD ST	MATYASTIK PAUL J
64	1208 HAINES AVE	MATYASTIK PAUL J TR
65	1219 BISHOP AVE	METHODIST HOSPITALS OF DALLAS
66	1102 BISHOP AVE	ALBA MERCEDES
67	1147 MADISON AVE	GARY ROLLIN F &
68	1141 MADISON AVE	OCHOA RENE & DEBORAH
69	1139 MADISON AVE	ALANIZ MARIA DEL R
70	1135 MADISON AVE	JC LEASING LLP
71	1131 MADISON AVE	NAVARRO ADAN &
72	1125 MADISON AVE	OCHOA RENE A &
73	1119 MADISON AVE	LOPEZ PEDRO & BEATRIZ
74	1115 MADISON AVE	TORRES JUAN M &
75	1111 MADISON AVE	OCHOA JUAN S & MARTHA C
76	1107 MADISON AVE	VILLEGAS MARY ISABEL
77	1101 MADISON AVE	ARELLANO JULIO NAVA &
78	1110 HAINES AVE	WONG JOHN M &
79	1114 HAINES AVE	HERNANDEZ ERIC LEOPOLDO
80	1118 HAINES AVE	YORK AMANDA S &
81	1129 BISHOP AVE	VENEGAS PPTY LTD
82	1215 BISHOP AVE	SMITH RODDIE ROBERT
83	1211 BISHOP AVE	PALCHIK DIANA
84	1209 BISHOP AVE	BERMAN DOUGLAS M & SUMMER M
85	1207 BISHOP AVE	PARRISH RESTAURANTS LTD
86	1205 BISHOP AVE	HATLEY WARREN G & KAREN
87	1203 BISHOP AVE	EVANS MICHAEL M
88	1144 MADISON AVE	Dallas ISD

12/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	1148 BISHOP AVE	SEMOS ANASTASIA K
90	1142 BISHOP AVE	GROSS MICHELLE O
91	1140 BISHOP AVE	CARTER BRUCE ALLEN
92	1138 BISHOP AVE	CHIANG BOB W & EVANGELINE CHIANG
93	1134 BISHOP AVE	BISHOP RAY M & LINDA R
94	1132 BISHOP AVE	DODSON CHARLES &
95	1130 BISHOP AVE	MCCOMBS JASON & COREY
96	1006 BISHOP AVE	FISCAL JULIO
97	1012 BISHOP AVE	COLLIE NOEMI
98	1016 BISHOP AVE	TODD PANSY
99	1023 MADISON AVE	MARTINEZ JESUS
100	1025 MADISON AVE	MARTINEZ JESUS &
101	1139 HAINES AVE	MARALYN ANN HAMAKER
102	1137 HAINES AVE	HAMAKER MARALYN ANN
103	1135 BISHOP AVE	VENEGAS PPTY LTD
104	1213 BISHOP AVE	ARCHER PHILLIP D
105	1144 BISHOP AVE	SCHWAB CHARLES J JR
106	1150 BISHOP AVE	OAK CLIFF LAND DEV CO

**FILE NUMBER:** Z145-149(WE) **DATE FILED:** December 23, 2014

**LOCATION:** Korgan Street and South Ewing Avenue, southwest corner

**COUNCIL DISTRICT:** 4 **MAPSCO:** 55-N

**SIZE OF REQUEST:** Approx. 4.885 acres **CENSUS TRACT:** 54.00

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**APPLICANT:** Turner-Agassi Charter School Facilities Fund, L.P.

**REPRESENTATIVE:** Tommy Mann and Laura Hoffman, Winstead, PC

**OWNER:** City of Dallas

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

**SUMMARY:** The purpose of this request is to allow for the development of an 81,298-square-foot open-enrollment charter school [KIPP School]. The school will be constructed in 2 phases and will enroll students from grades per-kindergarten to eighth grade.

**STAFF RECOMMENDATION:** Approval, subject to a development plan, traffic management plan and staff's recommended conditions.



## **GUIDING CRITERIA FOR RECOMMENDATION:**

1. *Performance impacts upon surrounding property* – The proposed charter school should have a minimal performance impact on the adjacent residential and retail developments. Even though the structure height exceeds the R-7.5(A) height standards by five feet, there should not be any negative impact on the adjacent uses. A major portion of Phase II is adjacent to the CR Community Retail District, which has a maximum permitted height of 54 feet. Phase II of the charter school is approximately 40 feet from the southern property line of an existing retail development. The placement of the second phase will allow for the off-street parking and queuing area to be adjacent to the residential uses, which are west of the proposed development. In addition, the off-street parking area will be properly screened with a minimal 6-foot solid fence, which will minimize the impact the vehicles may have on the residents.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system if the conditions are met. These conditions include queuing, turn lanes and the prohibition of on-street parking. The placement of the driveway approach on South Ewing Avenue should minimize the impact the vehicular traffic will have within a residential street.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in a Residential Building Block. The request is in compliance with the Comprehensive Plan. The proposed campus is located between two zoning districts and is on the perimeter of a CR Community Retail District.
4. *Justification for PD Planned Development District* – The PDD is justifiable because the development will have specific development standards and regulations that will facilitate the development of the open-enrollment charter school. Even though a straight zoning provides specific development standards and regulations, a straight zoning cannot deviate from the regulations. The property currently has two zoning districts that runs through the site. A straight zoning with an SUP component will require a site plan that will have to comply with both zoning regulations, whereas a PDD will govern the development under specific regulations. In addition, the applicant is requesting modifications in the front yard setbacks along Korgan Street and in the height of the school. An SUP will not allow for any modifications in the development standards.

**Zoning History:** There have been no zoning changes in the surrounding area in the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Korgan Street	Local	25 ft.	25 ft.
South Ewing Avenue	Local	60 ft.	60 ft.

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

The applicant has also separated the modes of transportation into 2 areas. These areas will reduce the conflict between the vehicular traffic and bus traffic. The vehicular traffic's primary point of ingress and egress onto the campus is from South Ewing Street with a secondary option to exit the campus on Maryland Avenue.

The driveway approach on South Ewing Avenue will allow for a longer queuing/ stacking area along the southern portion on campus, which is adjacent to retail uses. In addition, the placement of the driveway approach on South Ewing Avenue should minimize the impact the vehicular traffic will have within a residential street.

The buses, on the other hand, will enter the campus from Korgan Street and will maneuver in a designation bus loop. The buses will exit onto South Ewing Street without impacting a majority of the residents along Kogan Street.

**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 being in a Residential Building Block. The proposed development is in compliance with the forwardDallas! Comprehensive Plan.

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

**STAFF ANALYSIS:****Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-7.5(A), CR	Vacant office building
<b>North</b>	R-7.5(A), CR	Single Family
<b>South</b>	R-7.5(A), CR	Retail and personal service, single family
<b>East</b>	CR	Retail
<b>West</b>	R-7.5(A)	Single Family

**Land Use Compatibility:**

The proposed charter school is compatible with the adjacent uses. Even though the proposed school is in a predominately residential area, it also adjacent to several retail and personal service uses. The applicant will comply with the R-7.5(A) Single Family District development standards and regulations except for the front yard along Korgan Street, and the structure height. The applicant is requesting to reduce the front yard setback along Korgan Street from 25 feet to 15 feet and increase the maximum structure height from 30 feet to 35 feet. In addition, the proposed open-enrollment charter school lot coverage is below the required R-7.5(A) Single Family District, which is 45 percent. Also, the Development Code allows for an institutional use to have a maximum lot coverage of 60 percent.

The construction of the proposed open-enrollment charter school will be developed in 2 phases. Phase I will consist of the construction of a one-story, 26,311-square-foot building that will be oriented toward Korgan Court. This phase will provide services for Pre-kindergarten to 5th grade students and will have a total of 14 classrooms. In addition, the maximum structural height will not exceed 30 feet. Phase II will be constructed on the southern portion of the site and will wrap around a portion of Phase I, which will accommodate an additional 30 classrooms for students in 5th through 8th grade. The second phase will be developed with a total of 54,987 square feet of floor area and will have a maximum structure height of 35 feet.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
Proposed PDD Charter School	25'- S. Ewing St., 15' Korgan St.	5'	1 Dwelling Unit/ 7,500 sq. ft.	35'	35%		Single family, Charter School
R-7.5(A) other permitted structures	25'	10'/15'		30'	25% non- residential		institutional and community services, recreational uses
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

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

**Parking:** The requirement for off-street parking for the school is derived by the following criterion: 1) the number of classrooms, and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The total number of proposed classrooms determines the number of required parking spaces. The Dallas Development Code requirement for off-street parking for a school is as follows:

- one and one-half spaces for each kindergarten/elementary school classroom;
- three and one-half spaces for each junior high/middle school classroom.

The number of required off-street parking spaces for the school is 105 spaces. The total number of proposed classrooms determines the number of required parking spaces. The school is currently using 44 classrooms and is proposing to provide 106 off-street parking spaces.

**LIST OF OFFICERS**

Turner-Agassi Charter School Facilities Fund, L.P.

- Daniel Millman                      Principal & COO
- Bari Cooper Sherman            Principal & General Counsel
- Robert Turner                      Principal & CEO

<b>PROPOSED PDD CONDITIONS</b>
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**SEC. 51P-\_\_\_\_.101. LEGISLATIVE HISTORY.**

PD \_\_\_\_ was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_.

**SEC. 51P-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_ is established on property on the southwest corner of Korgan Court and S. Ewing Avenue. The size of PD \_\_\_\_ is approximately 4.885 acres.

**SEC. 51P-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

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

**SEC. 51P-\_\_\_\_.104. EXHIBITS.**

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

(1) Exhibit \_\_A: development plan.

(2) Exhibit \_\_B: traffic management plan.

**SEC. 51P-\_\_\_\_.105. DEVELOPMENT PLAN.**

(a) For an open-enrollment charter school, development and use of the Property must comply with the development plan (Exhibit \_\_A). In the event of a conflict between this article and the development plan, this article controls.

(b) For all other permitted uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

**SEC. 51P-\_\_\_\_.106. MAIN USES PERMITTED.**

(a) Except as provided below, the only uses permitted in this district are those uses permitted in the R-7.5(A) single family district, subject to the same conditions applicable in the R-7.5(A) single family district. For example, a use permitted only by



specific use permit (SUP) in the R-7.5(A) single family district is permitted only by SUP in this district, and a use subject to development impact review (DIR) in the R-7.5(A) single family district is subject to DIR in this district.

- (b) Open-enrollment charter school is permitted by right.

**SEC. 51P-\_\_\_\_.107. 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 contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

**SEC. 51P-\_\_\_\_.108. YARD, LOT, AND SPACE REGULATIONS.**

(a) Except as provided herein, the yard, lot, and space regulations in the R-7.5(A) single family district apply to this district.

- (b) For an open-enrollment charter school the following regulations apply.

- (1) Front yard. Minimum front yard is 15 feet along Korgan Court.
- (2) Lot Coverage. Maximum lot coverage is 35 percent.
- (3) Height. Maximum structure height is 35 feet.

**SEC. 51P-\_\_\_\_.109. OFF-STREET PARKING AND LOADING.**

Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

**SEC. 51P-\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-\_\_\_\_.111. LANDSCAPING.**

See Article X.

**SEC. 51P-\_\_\_\_.112. TRAFFIC MANAGEMENT PLAN**

(a) In general. Operation of an open-enrollment charter school must comply with the traffic management plan (Exhibit \_\_B).

(b) Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way

(c) 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 **March 1, 2016**. After the initial traffic study, the Property owner or operator shall submit biennial updates of the traffic study to the director by March 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up 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 students;
- D. drop-off and pick-up locations;
- E. drop-off and pick-up hours for each grade level;
- F. hours for each grade level; and
- G. circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

A. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

B. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Phase II. Before issuance of a building permit for Phase II, the Property owner or operator shall:

(A) submit additional data to the director showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation; and

(B) submit an amended traffic management plan.

(d) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

(e) The developer is responsible for the following:

1. funding signs;
2. No on street parking should be allowed in the south side of Korgan Street. "No Parking" signs should be posted prior to the start of schools operations; and
3. Northbound exiting vehicles at Drive B should be restricted to right turns only.

**SEC. 51P-\_\_\_\_.113.            SIGNS.**

*Staff's Recommendation*

(a) For an open-enrollment charter school, signs must comply with the provisions for non-business zoning districts contained in Article VII.
--

*Applicant Proposal*

(a) For an open-enrollment charter school, signs must comply with the provisions for business zoning districts contained in Article VII.
--

(b) One monument sign is permitted in the location as shown on the development plan. The maximum effective area is 175 square feet.

(c) For all other permitted uses, signs must comply with the provisions for non-business zoning districts contained in Article VII.

**SEC. 51P-\_\_\_\_.113.            FENCE.**

A minimum of a 4-foot fence must be provided for the interior play area in the location as shown on the development plan. A minimum of a 6-foot perimeter fence must be provided in the location as shown on the development plan. The fence materials may consist of chain link, masonry, wood, wrought iron or any material combinations.

**SEC. 51P-\_\_\_\_.114.            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.

(c) Classrooms. The maximum number of classrooms is 45.

(d) Grade levels. Grades pre-kindergarten through 8th grade are permitted.

(e) Hours of Operation. An open-enrollment charter school may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.

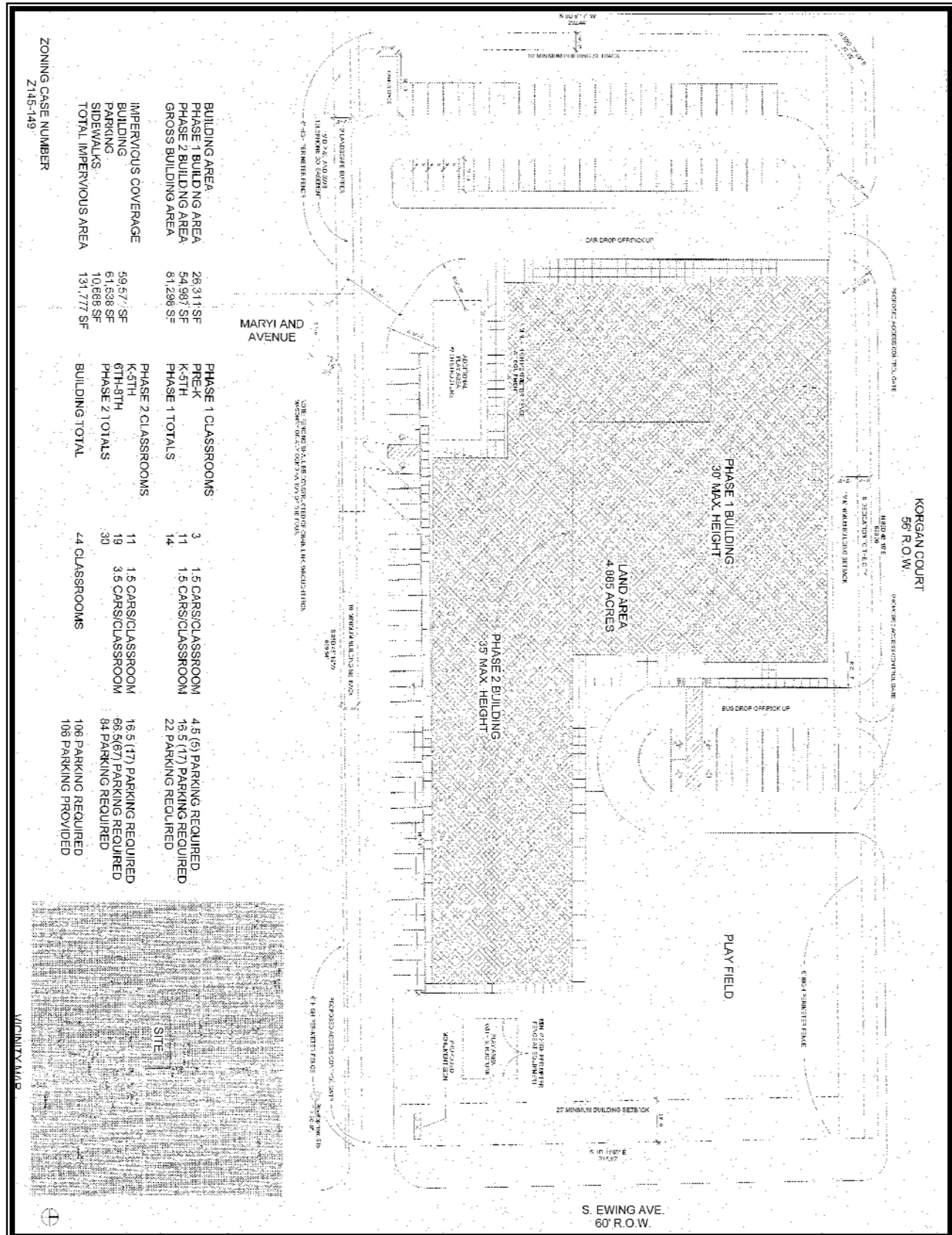
(f) Ingress-Egress. Ingress and egress must be provided in the locations shown on the approved development plan. No other ingress or egress is permitted.

**SEC. 51P-\_\_\_\_.115. COMPLIANCE WITH CONDITIONS.**

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

(b) The building official shall not issue a building permit or a 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.

# PROPOSED DEVELOPMENT PLAN



<b>Proposed Traffic Management Plan</b>
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**Introduction:****Introduction:**

The proposed public charter school campus is a redevelopment of an existing Dallas County facility located on the southwest corner of Korgan Street and Ewing Avenue. The school operation is an expansion of an existing public charter school already in operation in the Dallas area.

The school will start with approximately 300 students for the 2014-2015 school year, and may ultimately grow to up to 1,119 students after five years. The building has a total of 44 classrooms. The following table shows the proposed distribution of classrooms and students at build out, actual student distribution may vary by year:

Grade	Classrooms	Students	Drop-Off Time	Dismissal Time
Pre-K	3	60	7:15 – 7:30 a.m.	3:30 – 3:50 p.m.
Kindergarten	22	120	7:15 – 7:30 a.m.	3:30 – 3:50 p.m.
1 <sup>st</sup> Grade		120	7:15 – 7:30 a.m.	3:30 – 3:50 p.m.
2 <sup>nd</sup> Grade		120	7:15 – 7:30 a.m.	3:30 – 3:50 p.m.
3 <sup>rd</sup> Grade		120	7:15 – 7:30 a.m.	3:30 – 3:50 p.m.
4 <sup>th</sup> Grade		120	7:15 – 7:30 a.m.	3:30 – 3:50 p.m.
5 <sup>th</sup> Grade		120	7:15 – 7:30 a.m.	4:30 – 5:00 p.m.
6 <sup>th</sup> Grade	19	116	7:15 – 7:30 a.m.	4:30 – 5:00 p.m.
7 <sup>th</sup> Grade		113	7:15 – 7:30 a.m.	4:30 – 5:00 p.m.
8 <sup>th</sup> Grade		110	7:15 – 7:30 a.m.	4:30 – 5:00 p.m.
<b>Total</b>	<b>44</b>	<b>1,119</b>		

Morning drop-off is from 7:15-7:30 AM for students from Pre-K to 4th grade and from 7:10-7:30 AM for students from 5th to 8th grade, with school starting at 7:30 AM. Afternoon pick-up is between 3:30-3:50 PM for students from Pre-K to 4th grade and 4:30-5:00 PM for students from 5th to 8th grade. The pick-up and drop-off times can be modified to match the school operations. When the student population using the pick-up loading areas grows beyond a certain point, separate dismissals will be required. The pick-up time periods can be modified as long as pick-ups are divided into groups that are separated by at least 15 minutes.

Public charter schools can achieve bus usage of around 50%. While a similar percentage is possible at this campus, a bus usage of 20% for Pre-K – Grade 1 and 40% for Grades 2 – 8 is assumed for the queue calculations in order to ensure a conservative analysis of the queuing demand. The TMP is expandable to handle all 1,119 students in the unlikely event that buses are not used.



### **Proposed TMP Operation:**

The proposed TMP has two loading areas which will operate the same in both the drop-off and pick-up time periods.

The Loading Area is entered from Ewing Avenue at the southern driveway. Starting from the entrance of the school to right before the loading area, vehicles will be queued in a double-stack manner. Just before the loading area, the traffic administrator manages the conversion back to a single queue. The Loading Area has approximately 1360' (68 vehicles) of queuing distance available within the site. Staff members will assist with loading and unloading. Once loaded or unloaded, the vehicles will loop around the parking lot and exit via the connection to Maryland Avenue.

At all locations loading is performed on the passenger side, and no students have to cross vehicle paths. For the afternoon pick-up time period, arriving vehicles will display a sticker or placard indicating which student(s) they are picking up. The traffic administrator posted in advance of the loading stations looks for this information and calls ahead to the loading station so that the appropriate students are waiting at the correct loading station when the vehicle arrives. When the vehicles have come to a stop at the loading station, the students are loaded into the vehicles with the assistance of the staff member at each loading station.

The school will use multiple pick-up groups depending on the number of students. The school can accommodate up to 340 students with a single dismissal time. When the student population using one dismissal time grows above 340, the students will be split in two groups with dismissals separated by at least 15 minutes. In the initial year after the busing assumptions, the elementary school of 300 students would have a parent pick-up of 240 students, which can be accommodated to one dismissal period. The elementary school would eventually grow to have a parent pick-up of 456 students at buildout, which will require two dismissal times.

At buildout the middle school (grades 5-8) will have 459 students being dismissed at 4:30-5:00PM, which is 275 students after the busing assumptions. This number of students can be accommodated within one dismissal time.

Even if there is no busing from the school, the full 1,119 students can be accommodated with four dismissal times (two for elementary school, two for middle school).

The Bus Loading Area is accessed from Korgan Street. The school's side of Korgan Street will be posted with No Parking signs to ensure two lanes are open for two-way traffic, even if resident vehicles are parked in front of the adjacent houses. The buses circulate through the parking lot east of the building, loading from an area adjacent to the building. The bus circulation area is completely separated from the parent vehicle circulation areas, and buses exit back onto Korgan Street. Space is available for temporary bus stacking if necessary, but no buses will be stored on the site overnight. The Bus Loading Area can accommodate multiple buses loading or unloading at the same time.

## Queuing Analysis:

Based on observations of queuing at other public charter schools in the DFW area, KHA uses a design standard for projecting queue demands at similar sites. The expected maximum queue in vehicles is equal to 20% of the largest number of students dismissed at one time. Students using buses or walking/biking are deducted from the student number since they do not attract personal vehicles to the campus. This method accounts for the differences in how schools divide up the pick-up time period, as some dismiss all students in one group and therefore have higher vehicle demands in a short time period, while some spread out the dismissals over two or more groups. The projected queue formula can be stated as:

$(\text{Students dismissed in time period} - \text{Students using other modes}) * 0.20 = \text{Number of vehicle in queue}$

By design of the TMP, the largest single dismissal that would be the middle school grades 5 – 8, with 459 students at buildout. Therefore, the projected maximum queue length is:

$(459 \text{ students dismissed} - 184 \text{ Students using buses}) * 0.20 = 55 \text{ vehicles in queue}$

The projected queue of 55 vehicles translates to 1,100' of queuing distance. This distance is well in excess of the recommended values for equivalent Texas schools found in the Texas Transportation Institute (TTI) research report 0-4286 *Operations and Safety Around Schools* published in January 2004. The more conservative (longer queues) KHA method reflects the nature of charter schools which draw from a large area and tend to have fewer students arriving as pedestrians or by bicycle than traditional public schools.

The projected maximum queue demand of 1,100' can easily be accommodated within the queue distance available in the Loading Area. The Loading Area has 1,360' of distance available in the TMP, which is approximately 260' of queuing distance available in excess of the demand.

Projected Queue Demand:	1,100'	55 Vehicles
<u>Available Queuing Distance:</u>	<u>1,360'</u>	<u>68 Vehicles</u>
Surplus (Deficiency):	260'	13 Vehicles

While the TMP allows the school flexibility of schedule and dismissals within the TMP limits of 340 students picked up by parents per dismissal period, the following table shows the projected conditions at school buildout. As noted, the elementary dismissals are divided in two groups, while the grades 5-8 can be dismissed at one time. All dismissal groups have a comfortable amount of unused space in the available queue.

<b>Queuing Summary - School Buildout Example</b>							
<b>Group</b>	<b>Dismissal Time</b>	<b>Students Dismissed</b>	<b>Bus / Bike / Walk</b>	<b>Parent Pickup</b>	<b>Maximum Queue</b>	<b>Available Queue</b>	<b>Surplus (Deficiency)</b>
Elementary 1 Pre- K, K, 1	3:30 PM	300	60	240	48 vehicles 960'	68 vehicles 1,360'	20 vehicles 400'
Elementary 2 2, 3, 4	3:50 PM	360	144	216	43 vehicles 860'	68 vehicles 1,360'	25 vehicles 500'
Elementary 1 5, 6, 7, 8	4:30 PM	459	184	275	55 vehicles 1,100'	68 vehicles 1,360'	13 vehicles 260'

### **Parking:**

The KIPP school property contains 106 parking spaces. The school use, with 25 elementary classrooms at 1.5 spaces each and 19 middle school (grades 6-8) classroom at 3.5 spaces each, will require 106 parking spaces at buildout for Phase 2 per Dallas City Code §51A-4.202(17)(C).

### **Summary:**

This TMP and the attached TMP plan define the drop-off and pick-up procedures for the KIPP Truth Academy at 1545 South Ewing Avenue with a maximum of 1,119 students. The TMP vehicle routes provide an available queue distance within the site that is greater than the projected maximum expected queue for the school's operations. The school traffic will never be allowed to queue vehicles in the ROW of any City street or alley, nor will the traffic on any City street be stopped or diverted. The property owner/school administrator is responsible for the administration of the TMP and minimizing the impact of the vehicle queue on the City streets. Only uniformed police officers should be allowed to direct and control traffic operating within the public right-of-way.

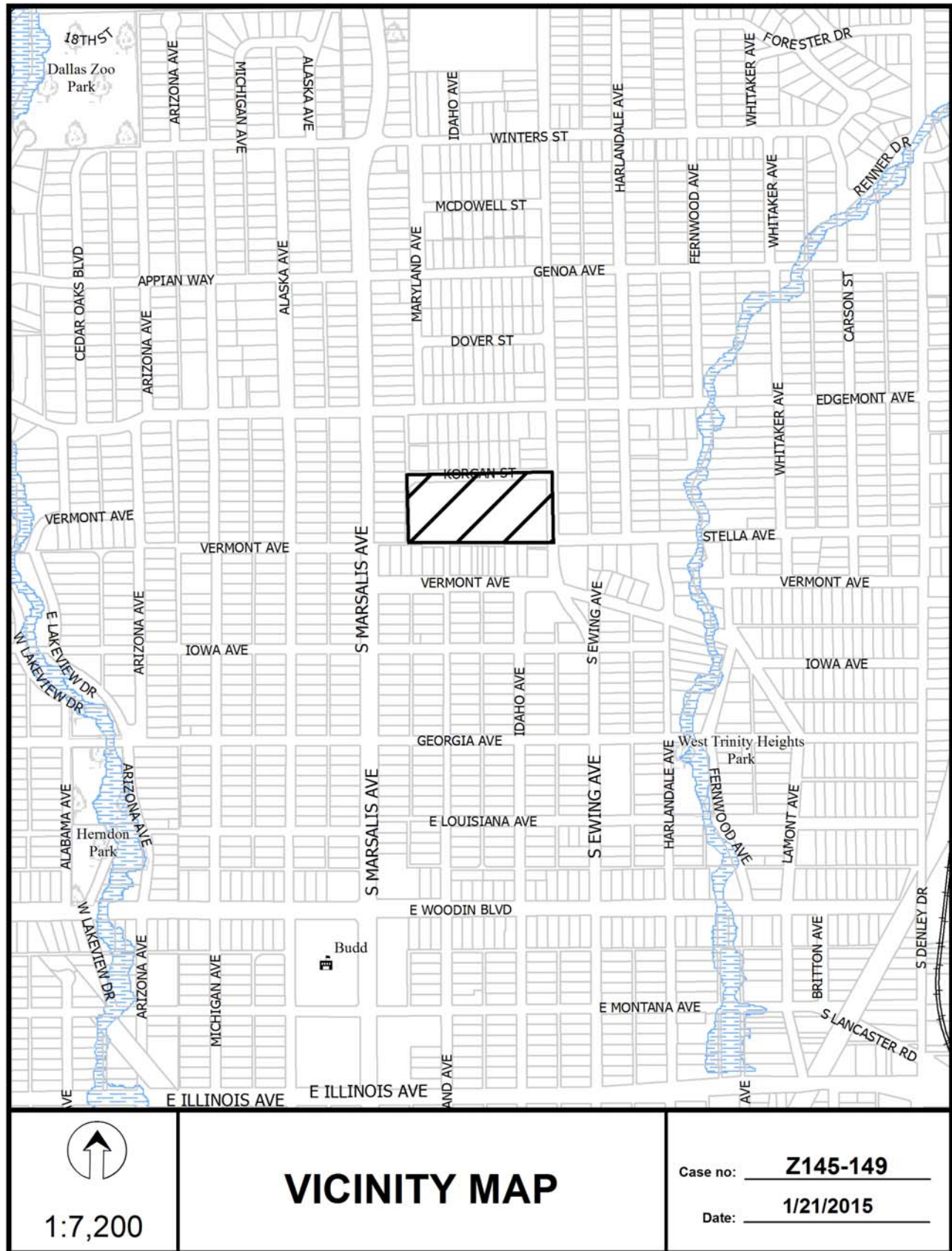
Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, I, Scot A. Johnson, P.E. #92615, certify that the results indicate that no queuing of vehicles dropping off or picking up students at 1545 South Ewing Ave will extend onto City of Dallas rights-of-way as a result of internal queuing constraints.

In order to ensure that all queuing of vehicles is completely accommodated on school property, the school administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it.

Prepared by:  
Kimley-Horn and Associates, Inc.  
Scot A. Johnson, P.E., PTOE  
12750 Merit Drive, Suite 1000  
Dallas, TX 75251  
(972) 770-1300



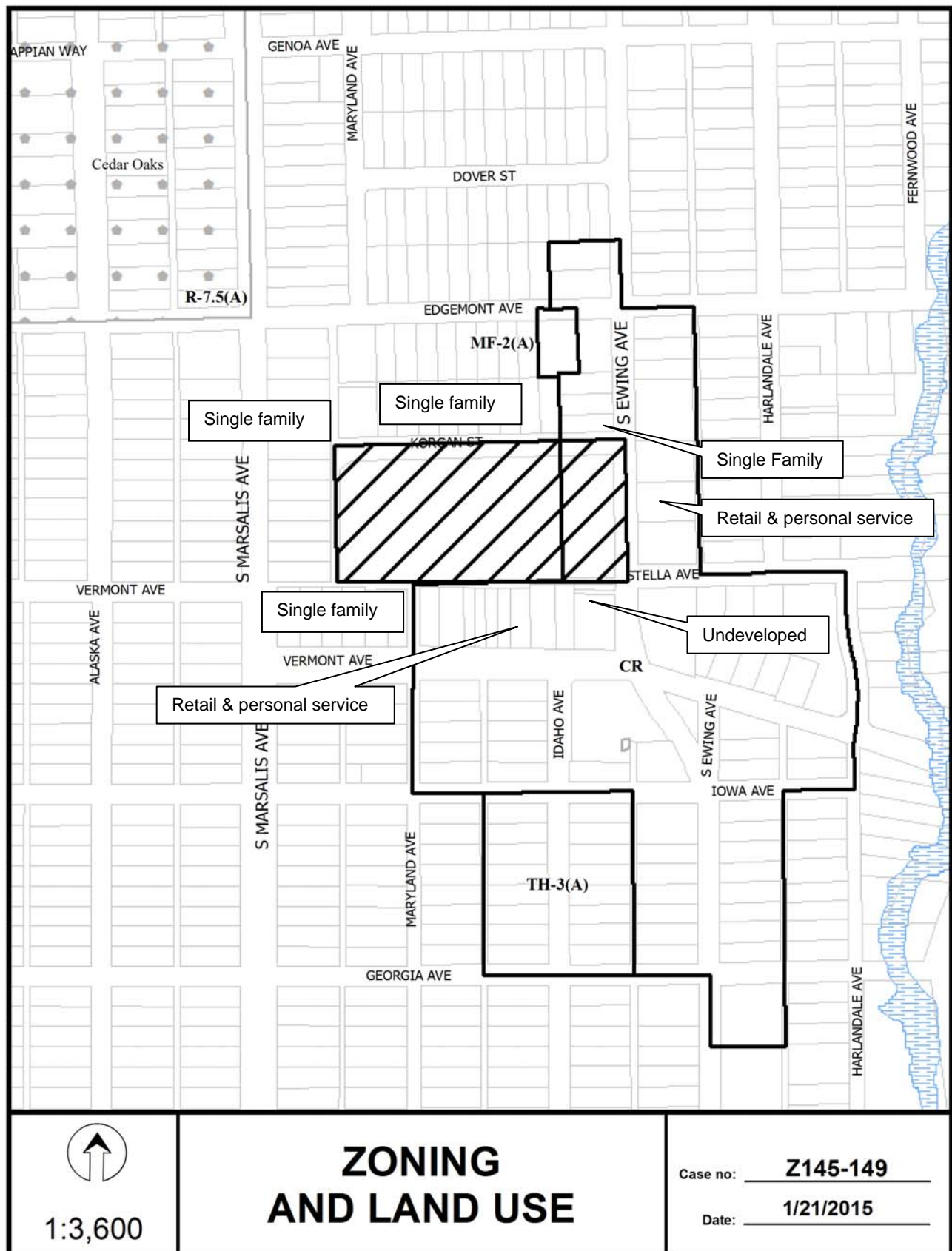


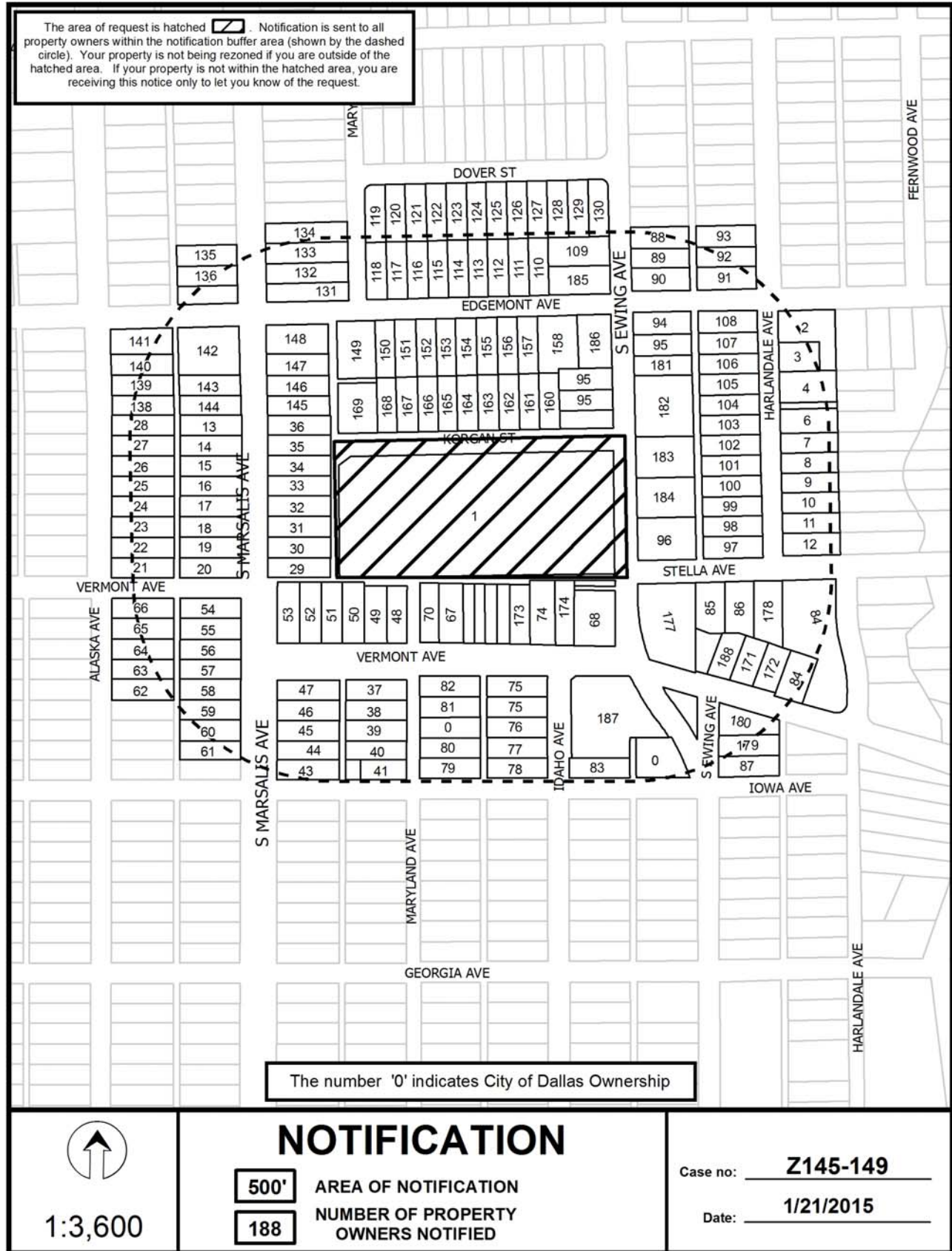












# ***Notification List of Property Owners***

***Z145-149***

***188***

## ***Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1545 EWING AVE	County of Dallas
2	1500 HARLANDALE AVE	FINLEY I D
3	1508 HARLANDALE AVE	DICKERSON SHARRIAN &
4	1514 HARLANDALE AVE	TAYLOR JIMMY LEE &
5	1522 HARLANDALE AVE	KING JUANITA
6	1522 HARLANDALE AVE	POMPA FIDENCIO &
7	1526 HARLANDALE AVE	POMPA RICARDO
8	1530 HARLANDALE AVE	BROWN LOU E
9	1534 HARLANDALE AVE	SMITH MARY L
10	1538 HARLANDALE AVE	SIMMONS ERMA JEAN
11	1542 HARLANDALE AVE	SANCHEZ GABRIEL
12	1546 HARLANDALE AVE	ESTEBEZ ARACELY
13	1603 MARSALIS AVE	MCDUFF MARY K
14	1607 MARSALIS AVE	VERNON CLARK
15	1611 MARSALIS AVE	PENDGRAFT WANDA N
16	1615 MARSALIS AVE	MEADOWS BETTY MAY
17	1619 MARSALIS AVE	HAMILTON LILLIE ANN
18	1623 MARSALIS AVE	SHEFFIELD FRANCES
19	1627 MARSALIS AVE	RODRIGUEZ YSIDRO & CARMEN
20	1631 MARSALIS AVE	PASTERNAK VERONICA &
21	1630 ALASKA AVE	POSADA MANUEL & MARIA D C
22	1628 ALASKA AVE	HICKS DORIS
23	1622 ALASKA AVE	YANG SENG
24	1618 ALASKA AVE	HMK LTD
25	1614 ALASKA AVE	MCDOWELL MERDIS
26	1610 ALASKA AVE	RUTHERFORD ODESSIA

01/21/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1606 ALASKA AVE	LOVO MARIA
28	1602 ALASKA AVE	COLLAZO FILOSONIO &
29	1628 MARSALIS AVE	MORGAN HORACE RAY
30	1622 MARSALIS AVE	ARIAS ESTEBAN LOPEZ
31	1620 MARSALIS AVE	MITCHELL ROSA LEE
32	1618 MARSALIS AVE	PENA GERMAN & ALEJANDRA
33	1614 MARSALIS AVE	PENA LUIS C & RAMONA
34	1610 MARSALIS AVE	ARREOLA RAUL &
35	1606 MARSALIS AVE	ROBERTSON RICK E
36	1602 MARSALIS AVE	IGBOKWE OBI I
37	1719 MARYLAND AVE	TAYLOR JAN &
38	1723 MARYLAND AVE	CLEWIS ALVIN JR
39	1727 MARYLAND AVE	URQUIZA GABRIEL &
40	1729 MARYLAND AVE	KELLY FAYE CLARK
41	1733 MARYLAND AVE	A HOME FOR YOU LLC
42	705 IOWA AVE	NOBLE ELNORA
43	1734 MARSALIS AVE	HERNANDEZ FRANCISCO
44	1730 MARSALIS AVE	S & C HOLDINGS LLC
45	1726 MARSALIS AVE	TIRADO FRANCISCO &
46	1722 MARSALIS AVE	URQUIZA GABRIEL & ARACELI
47	1718 MARSALIS AVE	JONES LEVATE B
48	723 VERMONT AVE	NICKELBERRY NORMAN
49	719 VERMONT AVE	RUVALCABA ENRIQUE
50	715 VERMONT AVE	HOLLOMAN EUGEN C & VERA ANGELA BROWN
51	711 VERMONT AVE	DOUGLAS JOHNNIE LEE
52	707 VERMONT AVE	BRIGHTMAN PAUL JR
53	701 VERMONT AVE	HENDERSON MINNIE
54	1703 MARSALIS AVE	GUEL FELIPE JR
55	1707 MARSALIS AVE	BEECHUM LEAMON JR ESTATE
56	1711 MARSALIS AVE	VILLEGAS MOISES &
57	1715 MARSALIS AVE	SEGURA MARIO & ROSAURA IVONE PENA

01/21/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1719 MARSALIS AVE	DABBS DARRYL & DONNA
59	1723 MARSALIS AVE	LIVING LIFE HOLY TEMPLE
60	1727 MARSALIS AVE	LIVING LIFE HOLY TEMPLE
61	1731 MARSALIS AVE	DELGADILLO JESUS A &
62	1718 ALASKA AVE	LEDEZMA JUAN HERNANDEZ &
63	1714 ALASKA AVE	MARCELL EVELYN O
64	1710 ALASKA AVE	BOYD FRANCIS
65	1706 ALASKA AVE	DALLAS WOMAN FAMILY CENTER
66	1702 ALASKA AVE	CASTILLO MARTIN
67	807 VERMONT AVE	MCNEELY RODNEY D
68	1637 EWING AVE	RUEDA JUAN & CAMILA
69	809 VERMONT AVE	MECCA TEMPLE #98
70	801 VERMONT AVE	THOMAS KENNETH
71	1631 EWING AVE	HEIDEN NADINE
72	813 VERMONT AVE	YANKELEWITZ SARA W
73	815 VERMONT AVE	HAMMOND RONNIE
74	825 VERMONT AVE	STRINGER ALLEN WAYNE &
75	1717 IDAHO AVE	IGLESIA ALAS DE AGUILA AG
76	1727 IDAHO AVE	GARCIA JOHANNA S &
77	1731 IDAHO AVE	GONZALEZ OMAR
78	1735 IDAHO AVE	RAMIREZ JOSE
79	1734 MARYLAND AVE	COOK MILDRED EST OF
80	1730 MARYLAND AVE	HAYNES JERRY
81	1722 MARYLAND AVE	LOPEZ SALVADOR
82	1718 MARYLAND AVE	MALONE JOE E
83	1734 IDAHO AVE	HOUSE OF REFUGE CHURCH OF
84	1025 VERMONT AVE	FULL GOSPEL FIRST MISSION BAPTIST CHURCH INC
85	816 STELLA AVE	MATA EDWARD
86	822 STELLA AVE	HERNANDEZ GUADALUPE JR &
87	1734 EWING AVE	NEW SOLOMON CHURCH OF THE LIVING WORD
88	1438 EWING AVE	NELSON HARON & VERNA

01/21/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	1442 EWING AVE	CRUZ EDITH REACHI &
90	1444 EWING AVE	POMPA FIDENCIO &
91	1445 HARLANDALE AVE	BROADNAX JASANDER
92	1441 HARLANDALE AVE	VALDEZ HORTENSIA L
93	1439 HARLANDALE AVE	DICKERSON CASTER
94	1502 EWING AVE	BROOKS VELMA LRSHIP
95	1504 EWING AVE	BROOKS VELMA
96	1538 EWING AVE	OREO HOLDINIGS LLC
97	1547 HARLANDALE AVE	RAINES ELMA L
98	1543 HARLANDALE AVE	THOMPSON O V
99	1539 HARLANDALE AVE	MARTINEZ ELSA C
100	1535 HARLANDALE AVE	TIPPS TENEISHA L
101	1531 HARLANDALE AVE	HILL ALBERT D
102	1527 HARLANDALE AVE	MCPHERSON STEVEN ALLEN &
103	1523 HARLANDALE AVE	MOORE CARRIETTA
104	1519 HARLANDALE AVE	GUERRA FRANCO JOSE AMADO
105	1515 HARLANDALE AVE	ROY CLOVA LEE
106	1511 HARLANDALE AVE	LEWIS MARY JANE &
107	1507 HARLANDALE AVE	RICHARD JEWEL
108	1501 HARLANDALE AVE	STANSELL WILFRED L &
109	1443 EWING AVE	GEORGE JOSEPH K
110	735 EDMONT AVE	HOWELL LULA MAE
111	731 EDMONT AVE	WETHERSPOON VANETIA K
112	727 EDMONT AVE	TURNER CURTIS M &
113	723 EDMONT AVE	DUARTE FELIPE &
114	719 EDMONT AVE	BANDA ROBERTO
115	715 EDMONT AVE	WASHINGTON MELVIN E
116	711 EDMONT AVE	HOLYFIELD THERON
117	707 EDMONT AVE	COLEMAN CECIL B
118	703 EDMONT AVE	BUNTON LILLIAN
119	702 DOVER ST	NIXON MARTHA JO



01/21/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	706 DOVER ST	POSADA HUMBERTO
121	710 DOVER ST	MEDRANO ANTONIO
122	714 DOVER ST	CONTRERAS SILVIA &
123	718 DOVER ST	EYK PROPERTIES INC
124	722 DOVER ST	FOSTER JANICE M
125	726 DOVER ST	SMITH TRACEY &
126	730 DOVER ST	DELGADO HUMBERTO
127	734 DOVER ST	VAZQUEZ JOSE & CECILIA
128	738 DOVER ST	GREEN MINNIE W EST OF
129	742 DOVER ST	SANCHEZ PPTY MGMT INC
130	744 DOVER ST	PIZARRO CAROLYN
131	1446 MARSALIS AVE	LEFFALL EDWIN O
132	1442 MARSALIS AVE	ROJAS SILVINO &
133	1438 MARSALIS AVE	MAY JOSE FRANCISCO
134	1434 MARSALIS AVE	ARNOLD CORNELIUS M
135	1439 MARSALIS AVE	GONZALEZ NAYELI
136	1443 MARSALIS AVE	GONZALEZ JOSE & MARIA T
137	1447 MARSALIS AVE	CADMUS DOROTHY M LIFE ESTATE
138	1514 ALASKA AVE	MARTINEZ JOHNNY R
139	1510 ALASKA AVE	BALLARD TERESA
140	1506 ALASKA AVE	JACKSON LULA E
141	1502 ALASKA AVE	HEARN LAFAYETTE
142	1503 MARSALIS AVE	ROBINSON SYLVIA A
143	1511 MARSALIS AVE	BATTS CLAUDIS
144	1515 MARSALIS AVE	RUNNELS EARSEL
145	1516 MARSALIS AVE	THOMPSON CHARLES
146	1512 MARSALIS AVE	MUNOZ MARIANA
147	1508 MARSALIS AVE	FRENCH PATRICIA
148	1502 MARSALIS AVE	WILLIAMS JOYCE
149	702 EDMONT AVE	HOLLOWAY DORIS P
150	706 EDMONT AVE	ZUNIGA JOSE

01/21/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	710 EDGEMONT AVE	VILLARREAL GUADALUPE
152	714 EDGEMONT AVE	MORALES ARELI & FRANCISCA
153	718 EDGEMONT AVE	PEREZ CARLOS COLMENERO &
154	722 EDGEMONT AVE	ARREZ MAGDALENA
155	726 EDGEMONT AVE	RECORD BESSIE MAE CROSBY
156	730 EDGEMONT AVE	GARCIA GUADALUPE &
157	734 EDGEMONT AVE	VILLEGAS AUGUSTINA
158	740 EDGEMONT AVE	JOSEPH GEORGE K
159	1523 EWING AVE	GOMEZ GUADALUPE
160	739 KORGAN ST	VERDIN JOAQUIN JR &
161	735 KORGAN ST	VERDIN JOSE RAMON &
162	731 KORGAN ST	ROBERTS ANDREW JR
163	727 KORGAN ST	TREVINO ANDRES G
164	723 KORGAN ST	TREVINO GUILLERMINA
165	719 KORGAN ST	TREVINO ENRIQUE G &
166	715 KORGAN ST	TREVINO ANTONIO D
167	711 KORGAN ST	TREVINO TONY D
168	707 KORGAN ST	HILL CURTIS L
169	703 KORGAN ST	ADAMES SANTOS P
170	1013 VERMONT AVE	RODRIGUEZ J RITO
171	1017 VERMONT AVE	HERNANDEZ GUADALUPE &
172	1019 VERMONT AVE	COPELAND CONCRETE
173	819 VERMONT AVE	ALIA INC
174	901 VERMONT AVE	RUEDA JUAN ROMAN
175	811 VERMONT AVE	HOSANA FULL GOSPEL
176	1718 EWING AVE	BURKINS TAMBRA
177	1005 VERMONT AVE	BALLAS VICTOR
178	828 STELLA AVE	COPELAND WILLIE FAMILY TRUST
179	1730 EWING AVE	LIGHTHOUSE OF GOSPEL CTR
180	1724 EWING AVE	BRYAN DENROY SR
181	1510 EWING AVE	HAMPTON QUINCY C

01/21/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	1514 EWING AVE	MCNEELY RODNEY N
183	1526 EWING AVE	MCNEELY RODNEY D
184	1536 EWING AVE	REYES ROGELIO &
185	1445 EWING AVE	GRIFFIN RODNEY D
186	1505 EWING AVE	MONEY DOUGLAS L
187	900 VERMONT AVE	BASSAMPOUR FATEMAH
188	1015 VERMONT AVE	HERNANDEZ JOSE GUADALUPE

**FILE NUMBER:** Z145-140(OTH)

**DATE FILED:** December 10, 2014

**LOCATION:** South of Goodwin Avenue, east of Greenville Avenue

**COUNCIL DISTRICT:** 14

**MAPSCO:** 36-P

**SIZE OF REQUEST:** Approx. 615 sq. ft.

**CENSUS TRACT:** 02.02

**APPLICANT:** Verizon Wireless

**REPRESENTATIVE:** Kathy Zibilich, Griffin Harris PLLC

**OWNER:** 2900 Greenville Trust

**REQUEST:** An application for a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District.

**SUMMARY:** The applicant proposes to build a 65-foot, 5-inch tall monopole cellular tower. The request site is approximately 615 square feet and is located within a parking lot of a multi-tenant retail development. The existing CR zoning allows a tower/antenna for cellular communication to be constructed up to a height of 65 feet by right; however, Chapter 51A requires that it meet residential proximity slope requirements. If the tower/antenna for cellular communication exceeds 65 feet in height, an SUP is required. Chapter 51A permits an exemption to residential proximity slope height restrictions for monopole cellular towers that exceed 65 feet in height via Specific Use Permit approval. Chapter 51A does not permit this exemption for monopole cellular towers 65 feet or less in height with or without Specific Use Permit approval.

**STAFF RECOMMENDATION:** **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, tower elevation and conditions.

## **GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The proposed use will not have a negative impact in the surrounding area. The proposed tower will be in close proximity to a retail area and will be shielded by local utility transmission and distribution lines as well as existing structures and existing large trees in the neighborhood.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use will not deter or contribute to the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety, or general welfare of the surrounding community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed use complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

**Zoning History:** There have been two recent zoning changes in the area:

1. **Z123-114** On March 27, 2013, the City Council approved a new subarea within Conservation District No. 9 on property on the southwest corner of Greenville Avenue and Vanderbilt Avenue.
2. **BDA 101-039** On Tuesday, May 17, 2011, the Board of Adjustment granted a variance of 15 feet to the front yard setback, subject to conditions at 2815 Greenville Avenue.

## **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Local	60 feet

## **Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR	Parking lot
North	CR	Retail
East	CS & R-7.5(A)	Retail & Single Family
South	CS	Retail & office
West	CR	Retail

## **STAFF ANALYSIS:**

### **Comprehensive Plan:**

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

The Residential Neighborhood Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood "pocket parks" provide open space for families. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home varies from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

The *forwardDallas! Comprehensive Plan* does not directly address the tower/antenna for cellular communication limited to a monopole cellular tower use. Uses permitted by Special Use Permits should be compatible with the neighborhood. The proposed tower will be shielded by the surrounding buildings and large trees in the area. There are several utility structures that will shield the proposed structure.



**Land Use Compatibility:**

The CR Community Retail District, where this property is located is surrounded by single family development which all are part of Conservation Districts No. 9 and 11 to the north, P(A) Parking District to the west and Conservation District No. 15. There are also office and retail uses to the west and south of the proposed site.

Because the height of the proposed tower requires an SUP based upon the height exceeding 65 feet, it is exempt from residential proximity slope (RPS) regulations per Chapter 51A. Monopole towers 65 feet or less are subject to RPS regulations. The proposed location will be approximately 60 feet away from the R-7.5(A) zoning.

The monopole cellular tower meets the following requirements:

1. The pole portion of a monopole cellular tower may not exceed 42 inches in diameter; microwave dishes or similar devices up to three feet in diameter may be mounted on the pole portion of a monopole cellular tower.
2. No more than two dishes or similar devices may be places on a monopole cellular tower.
3. The platform portion of a monopole cellular tower may not have a horizontal cross sectional area greater than 196 square feet. The depth of the platform may not exceed 4 feet, excluding any whip antenna.

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

**Parking:**

The Building Inspection Division determined that the proposed equipment and structures are not 120 square feet or more, therefore it is not required to provide any parking.

**Landscaping:**

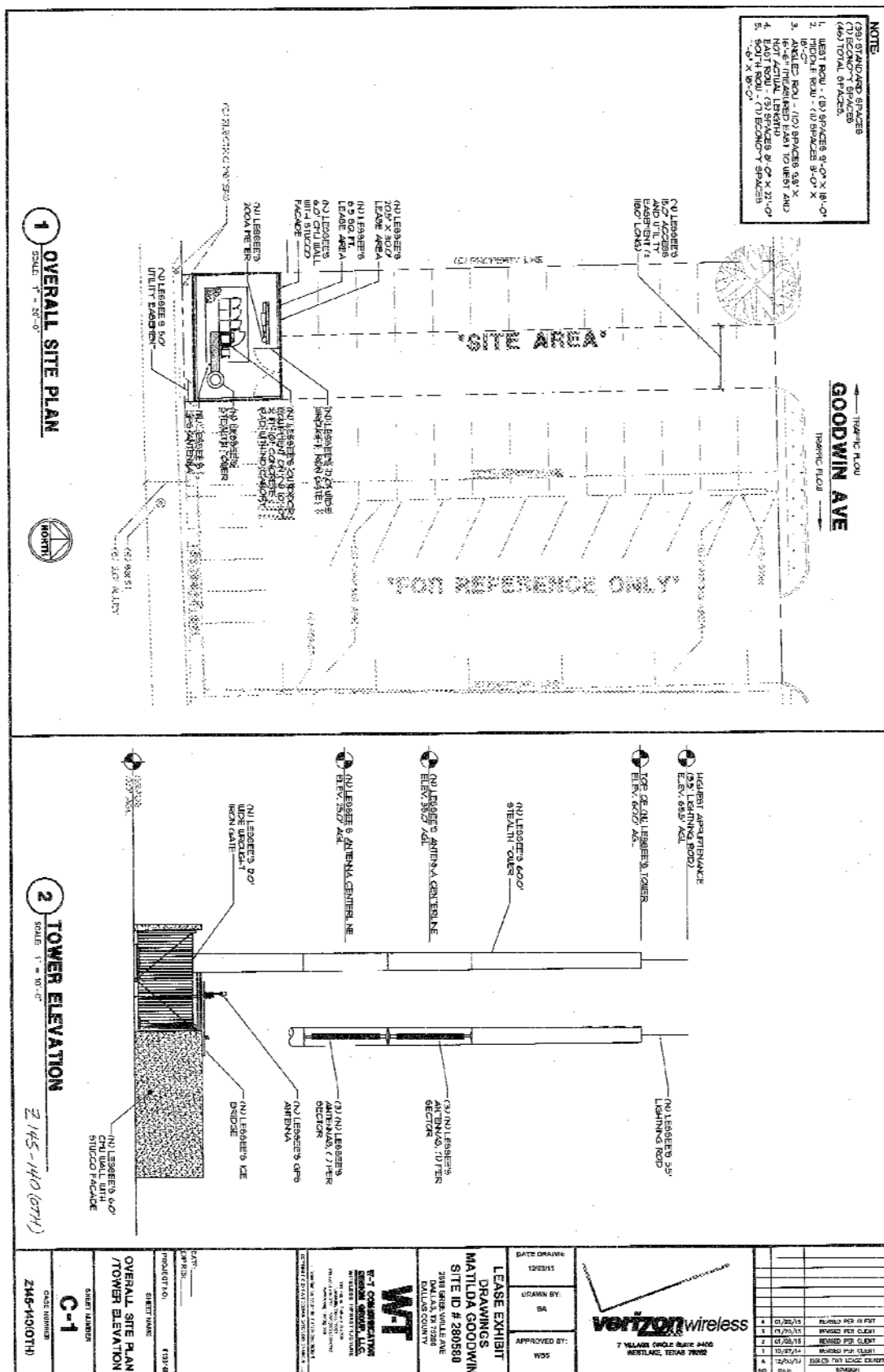
Z145-140(OTH)

Additional landscaping requirements are not triggered with this request.

**Proposed Conditions  
Z145-140(OTH)**

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to a monopole cellular tower.
2. SITE PLAN/TOWER ELEVATION: Use and development of the Property must comply with the attached site plan/tower elevation.
3. TIME LIMIT:  
This specific use permit expires on \_\_\_\_\_, but is eligible for automatic renewal for additional \_\_\_\_\_-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) *(For temporary renewable SUP.)*
4. HEIGHT: The monopole cellular tower authorized by this specific use permit may not exceed 65 feet and five inches in height.
5. COLLOCATION: Any tower/antenna support structure at this site authorized by this specific use permit that exceeds 65 feet in height must be constructed to support the antenna arrays for at least two other wireless communications carriers. The tower/antenna support structure must be made available to other wireless communication carriers upon reasonable terms.
6. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

## Proposed Site Plan



**List of Partners**

Madison Pacific Development Company, Inc. list of principals and officers

Name: Susan B Reese

Position held: President

Name: Larry Vineyard

Position held: Vice President

<b>DALLAS MTA, L.P.</b>	
Texas Taxpayer Number	17526822550
Mailing Address	1 VERIZON PL ALPHARETTA, GA 30004-8510
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	08/16/1995
Texas SOS File Number	0008283611
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	1999 BRYAN ST., STE. 900 DALLAS, TX 75201

General Partner: Verizon Wireless Texas LLC

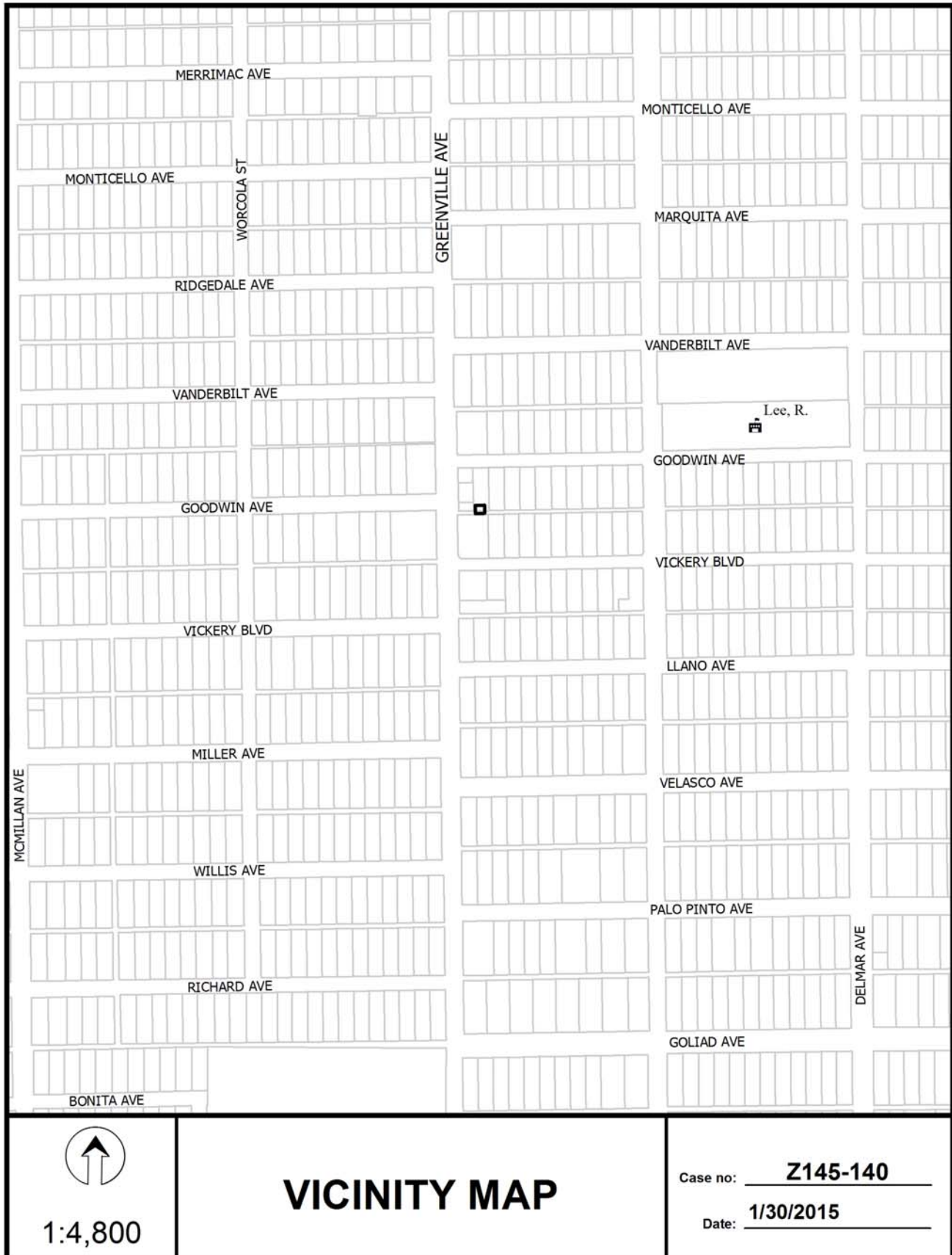
No individual Limited partners.

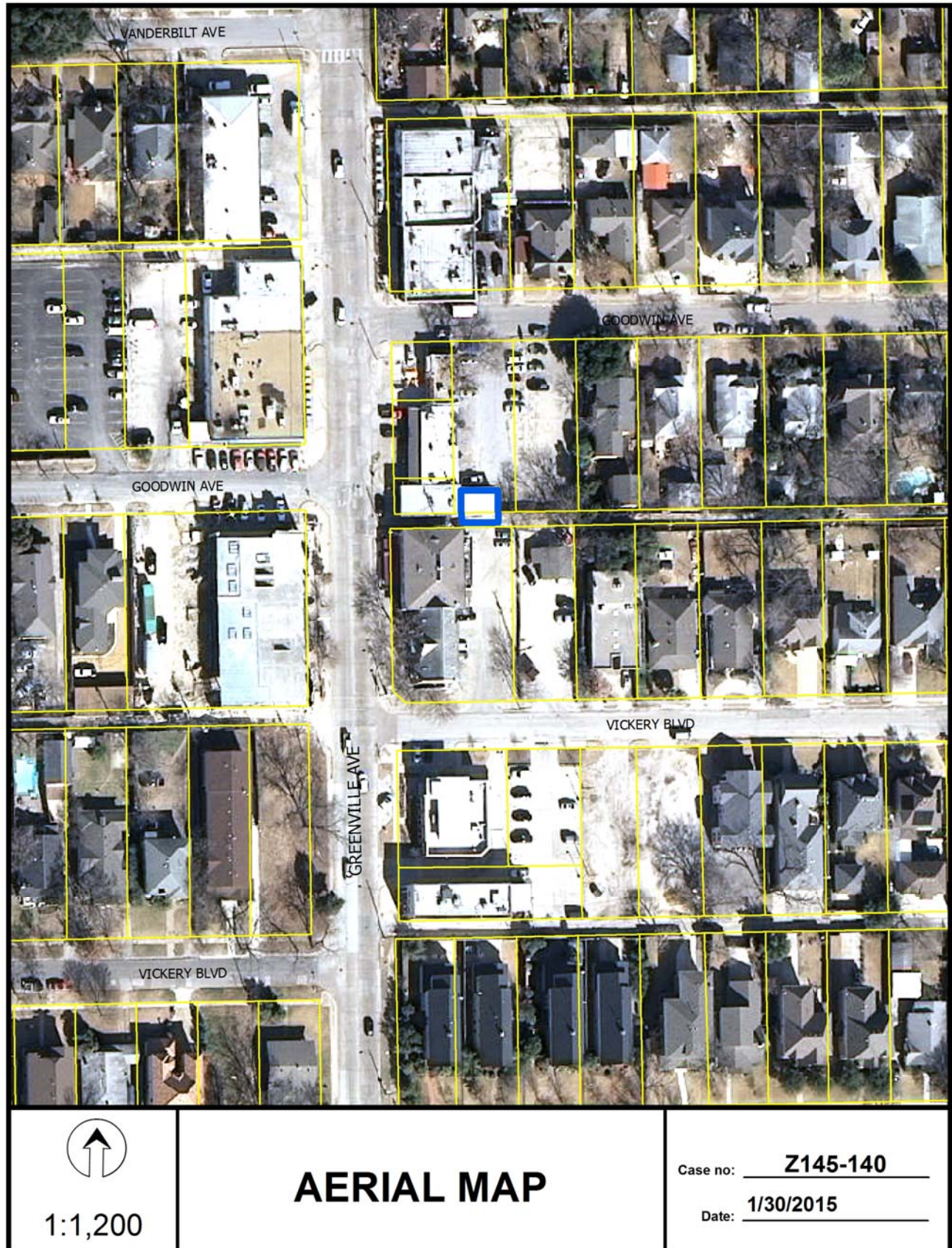
Dallas MTA LP is ultimately 100%  
owned by Verizon Wireless, a public company.

VERIZON WIRELESS TEXAS, LLC	
Texas Taxpayer Number	12237241729
Mailing Address	1 VERIZON PL C/O TAX DEPT ALPHARETTA, GA 30004-8510
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	11/03/2000
Texas SOS File Number	0707769823
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	350 N. ST. PAUL ST. STE. 2900 DALLAS, TX 75201

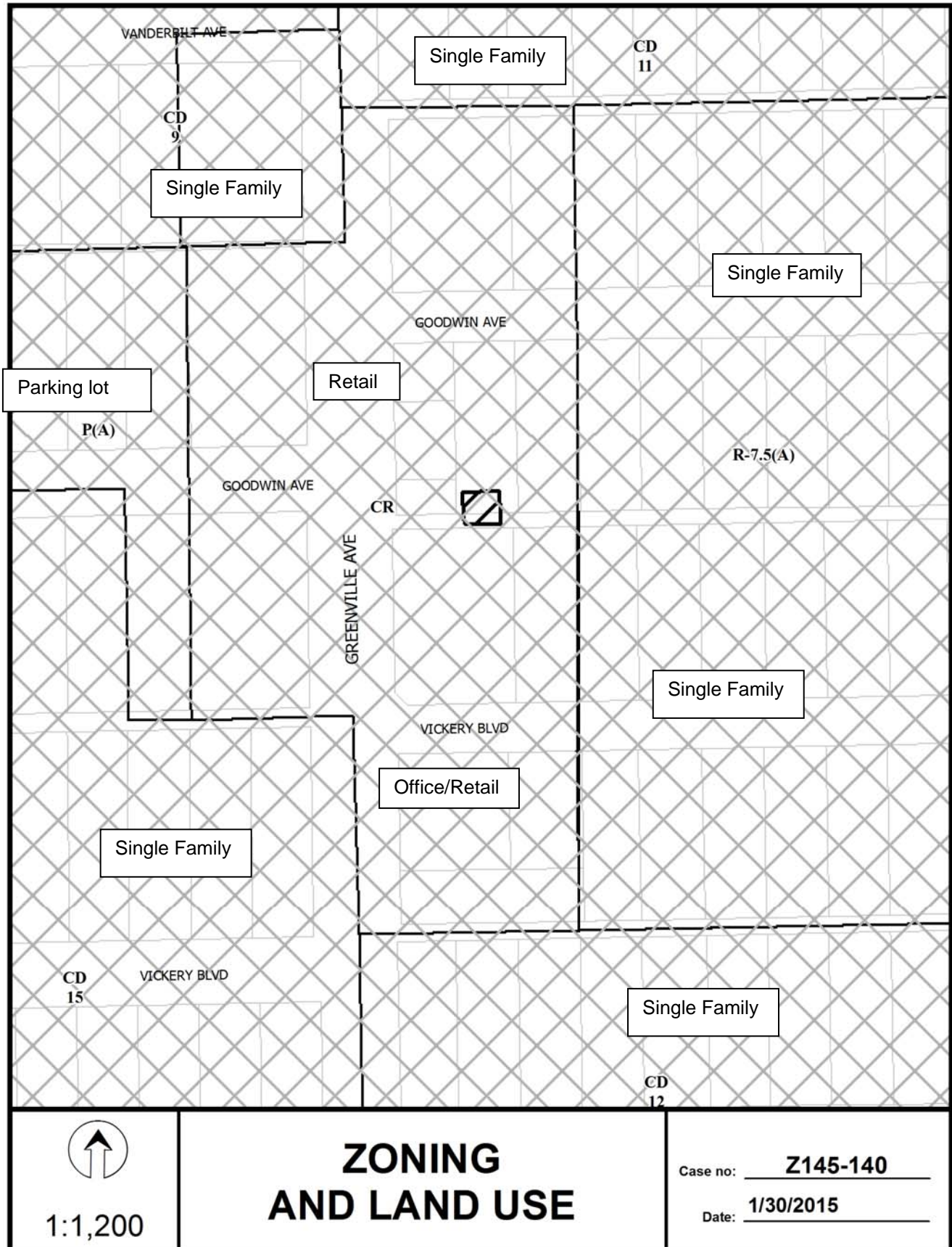


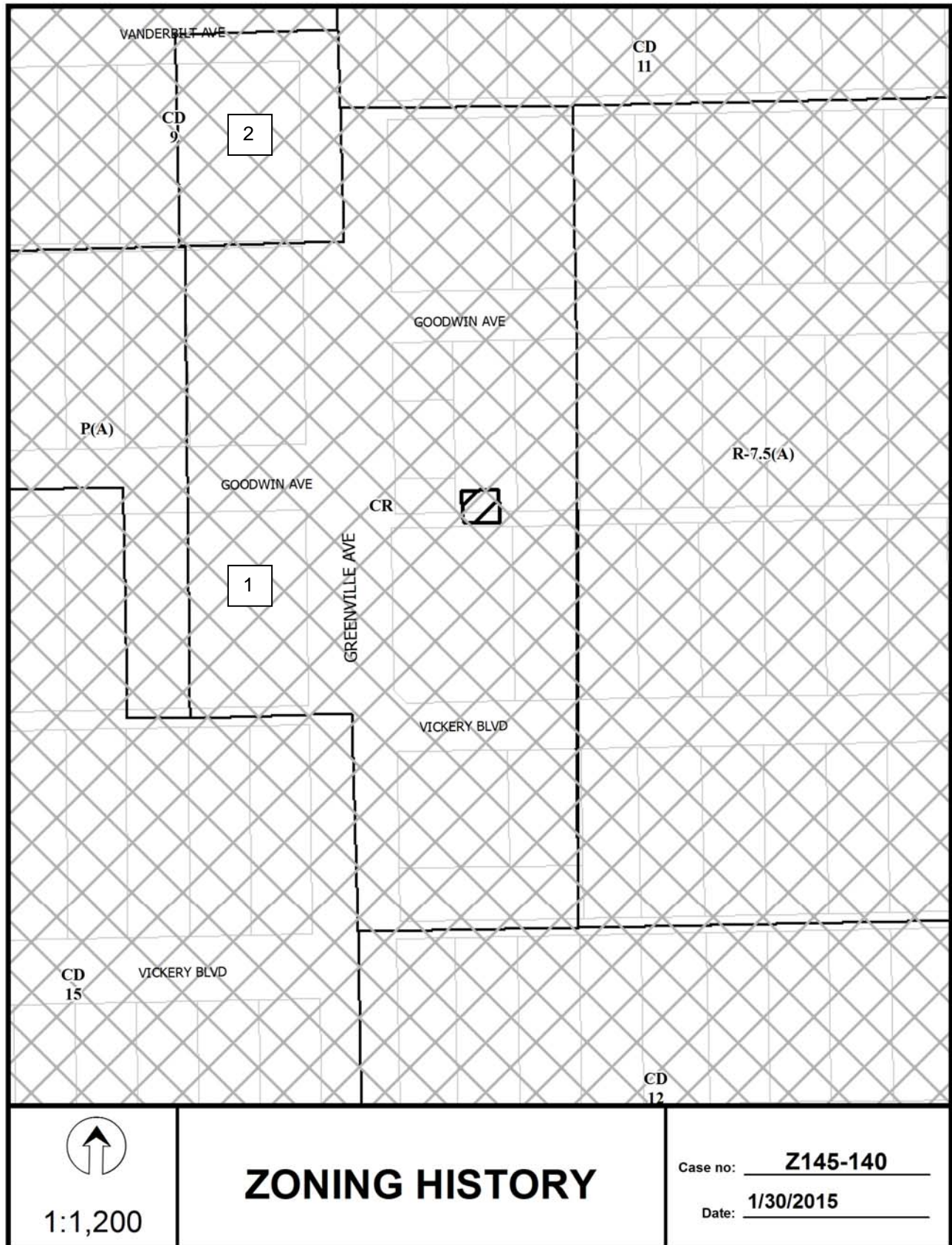
Z145-140(OTH)











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

The number '0' indicates City of Dallas Ownership

 <p>1:1,200</p>	<h2 style="margin: 0;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">20</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	<p>Case no: <u><b>Z145-140</b></u></p> <p>Date: <u><b>1/30/2015</b></u></p>
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01/30/2015

***Notification List of Property Owners******Z145-140******20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5706 GOODWIN AVE	2900 GREENVILLE TRUST
2	5714 GOODWIN AVE	PHILLIPS JAMES T
3	5718 GOODWIN AVE	COHN ERIC
4	5722 GOODWIN AVE	COHN ERIC
5	5723 VICKERY BLVD	LAMPLIGHT PROPERTIES
6	5717 VICKERY BLVD	AGUIRRE JUANA T
7	5713 VICKERY BLVD	REEDER VIRGINIA
8	5711 VICKERY BLVD	GRAPE BUILDING J V
9	5714 VICKERY BLVD	WILLIAMS HARDMON III &
10	5711 GOODWIN AVE	CASS DON TRUSTEE
11	5715 GOODWIN AVE	RESENDIZ CONSTANTINO I &
12	5710 VICKERY BLVD	K&B COMMERCIAL TEXAS ETAL
13	2820 GREENVILLE AVE	RUBIN MARTIN J
14	2810 GREENVILLE AVE	GRAPE BLDG JT VTR
15	2818 GREENVILLE AVE	RUBIN MARTIN J
16	2815 GREENVILLE AVE	GREENVILLE LANDMARK VENT
17	2901 GREENVILLE AVE	REISBERG FRED INV LTD
18	2900 GREENVILLE AVE	MADISON PACIFIC
19	2808 GREENVILLE AVE	GRAPE BUILDING JV
20	2724 GREENVILLE AVE	CIGS II 5 LLC



**FILE NUMBER:** DCA 123-004

**DATE INITATED:** December 4, 2014

**TOPIC:** Urban Agriculture

**COUNCIL DISTRICT:** All

**CENSUS TRACT:** All

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**PROPOSAL:** Consideration of amending Chapter 51 and Chapter 51A of the Dallas Development Code, Section 51-4.215, "Animal Related Uses," to amend Farm or Ranch regulations and Section 51A-4.201, "Agricultural Uses," to amend regulations pertaining to Animal Production and Crop Production.

**SUMMARY:** This proposal is for amendments to Community Garden use in order to allow for onsite and offsite sales, the use of aquaponics and aquaculture, grazing of chickens, an exemption for structures within residential districts less than 200 square feet, and animal production in non-residential districts.

**ZOC RECOMMENDATION:** Approval

**STAFF RECOMMENDATION:** Approval

## **BACKGROUND**

The City of Dallas approved the Community Garden use on February 9, 2011, which creates community engagement while allowing for alternative food sources within the neighborhood.

The Office of Environmental Quality (OEQ) presented to the Economic Development Committee on November 17, 2014 on the 'Economic Opportunities of Sustainable Food Systems'. OEQ met with local stakeholders during the previous year to discuss the concerns of the existing code regulations. Stakeholders from the food production community including traditional soil-based gardeners, aquaponic gardeners, honeybee groups, non-profits, educational institutions, Dallas residents and others to identify the obstacles these groups had identified when attempting to create sustainable gardens. The outcome of the meetings showed the city codes involved with food growth and production were not meeting the needs of the stakeholders.

The existing City code does not allow for sales of produce grown on primary use community gardens or animal grazing on primary use community gardens. This prevented gardeners in those locations from selling excess produce to help sustain the garden and prohibited alternative growing methods like aquaponics, a closed-loop, water efficient system, or natural pest management and onsite fertilizer use through chicken grazing.

As the Zoning Ordinance Committee (ZOC) worked through amending the Community Garden use, representatives from the local community gardens, educational institutions, and non-profit groups were at each of the meetings providing input and opinions when asked by ZOC and supporting the final proposed amendments.

ZOC considered this issue at five public meetings between December 4, 2014 and February 5, 2015. On January 8, 2015 staff led ZOC members on a bus tour to highlight six gardens which have been active in working with staff on improving the code regulations. On February 5, 2015, the Committee recommended approval of the proposed ordinance.

## **PROPOSED AMENDMENTS**

**Terminology.** An update to the terminology "COMMUNITY GARDEN" to "URBAN GARDEN" would better encompass the recommended changes

**Sales.** The proposed amendments will allow for off-site sales in residential districts, and onsite sales in non-residential districts. Current community garden regulations only allow for group use, consumption, and donation. Stakeholders have asked to allow for sales, to allow growers to create revenue to sustain agriculture practices and give more locally grown food options.

**Animals.** Proposed amendments allow aquaponics and aquaculture, and the grazing of chickens as an accessory use. This allows for additional food sources which are a growing avenue for local food production.

**Structures.** Proposed recommendations would allow structures to cover up to 10% of the total property, with no single structure over 200 square feet. Each structure must meet all yard, lot, space regulations, except that bed covers up to four feet in height are allowed in the front yard. This structure restriction only applies in residential districts. Current community garden code allows for a structure up to 200 square feet, only in the rear 30% of the property. Stakeholders explained not all properties are able to support a structure in the rear 30% of the property due to lot location or design needs of the garden. To better meet needs of all users, the proposed recommendation would not limit the location of the structure, as long as it meets yard, lot, space regulations for the residential district.

The proposed structure requirements exempt bed covers: hoop houses, shade structures, or similar. Bed covers are used as temporary applications to prolong a growing season dependent on the time of year. In the summer months, a bed cover is used to reduce the heat impacts during the heat of day, and in winter months to protect vegetation from frost. The bed cover is not allowed to be higher than four feet above the growing surface, and can only cover a single bed.

**Signage.** With the use of animals onsite, the proposed recommendations require a phone number for a point of contact for the community garden in case there are problems with the animals when no one from the garden is present. In addition, the sign must also display Dallas 3-1-1 number, in case the garden contact cannot be reached.

**Animal Production.** Proposed recommendations would allow animal production in all non-residential districts on a lot less than three acres in size, with a Specific Use Permit. This proposed change will allow for flexibility for future agricultural users, and allow staff to ensure protective measures to reduce potential negative impacts to surrounding community.

<b>Zoning Ordinance Committee (ZOC) Meeting Minutes</b> January 22, 2015
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**Motion to approve staff recommendations for SEC 51-4.215 and 51A-4.201 to expand the definition of urban garden, and allow Animal Production by SUP for non-residential districts.**

**Motion:** Garry Brown  
**2<sup>nd</sup>:** Mattye Jones

**Result:** Passed: 7 to 0  
For: Murphy, Brown, Enzler, Shidid, Wilkes, Jones, and Gomez  
Against: None  
Absent: Shellene

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Sections 51-4.215 and 51A-4.201; renaming community gardens to urban gardens; providing new regulations for urban gardens; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subparagraph (A), "Definitions," of Paragraph (1), "Farm or Ranch," of Section 51-4.215, "Animal Related Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended to read as follows:

"(A) Definitions:

(i) URBAN [~~COMMUNITY~~] GARDEN means an area [~~of land~~] managed and maintained [~~by a group of individuals~~] to grow and harvest food crops and/or ornamental crops for personal or group use, consumption, sale, or donation. Urban [~~Community~~] gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

(ii) FARM OR RANCH means an area which is used for growing farm products or keeping farm poultry and farm livestock.

(iii) AQUACULTURE means the cultivation, maintenance, and harvesting of aquatic species.

(iv) AQUAPONICS means the combination of aquaculture (fish) and hydroponics (plants) to grow food crops or ornamental crops and aquatic species together in a recirculating system without discharge or exchange of water.

(v) BED COVER means a hoop-house, shade structure, or similar structure located above a growing bed to assist with the growing or shading food crops or ornamental crops.”

SECTION 2. That Romanette (i) of Subparagraph (C), “Required Off-Street Parking,” of Paragraph (1), “Farm or Ranch,” of Section 51-4.215, “Animal Related Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(i) For an urban [~~community~~] garden, except as otherwise provided in this Subparagraph, off-street parking is not required [~~none~~]. For an urban garden in non-residential districts that allows on-site sales, one off-street parking space is required for every 200 square feet of sales area with a minimum two off-street parking spaces provided.”

SECTION 3. That Subparagraph (E), “Additional Provisions for Community Gardens,” of Paragraph (1), “Farm or Ranch,” of Section 51-4.215, “Animal Related Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Additional provisions for urban [~~community~~] gardens:

(i) An urban [~~community~~] garden must comply with the regulations for the zoning district in which the urban [~~community~~] garden is located.

(ii) Aquaponics, aquaculture, and the raising of chickens are permitted. All other a[A]nimal grazing and animal production are prohibited.



(iii) For an urban ~~community~~ garden in a residential district, the combined floor area of structures may not exceed 10 percent of the lot, with no single structure exceeding 200 square feet in floor area ~~[and must be erected in the rear 30 percent of the lot]~~. Structures that assist in the growing of vegetation, such as bed covers and raised planting beds, are not included when calculating the maximum square footage. Structures must comply with yard, lot, and space regulations for the district.

(iv) For an urban ~~community~~ garden in a residential district, ~~[signage is limited to]~~ a single, non-illuminated, flat sign of no more than six square feet must be visible from public right-of-way. The sign must contain the phone number of an emergency contact person for the urban garden. If animals are present in the urban garden, the sign must also contain the contact information for Dallas 311 city services. In residential districts, no other signage is permitted.

(v) Each bed cover may only cover one single growing bed.

(vi) Except as provided in this subparagraph, maximum height of a bed cover is four feet from the growing surface or eight feet from grade, whichever is less. Within the required front yard, maximum height of a bed cover is four feet from grade.

(vii) The on-site sale of food crops, ornamental crops, and eggs produced on the property is allowed only in non-residential districts. No other items may be sold on the property."

SECTION 4. That Subparagraph (B), "Districts Permitted," of Paragraph (1), "Animal Production," of Section 51A-4.201, "Agricultural Uses," of Division 51A-4.200, "Use Regulations" of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(B) Districts permitted: By right in the A(A) district. By SUP only in non-residential districts."

SECTION 5. That Romanette (i) of Subparagraph (E), "Additional Provisions," of Paragraph (1), "Animal Production," of Section 51A-4.201, "Agricultural Uses," of Division 51A-4.200, "Use Regulations" of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(i) In the A(A) district, a [A] person shall not operate this use upon an area less than three acres. In non-residential districts, no minimum acreage is required."



SECTION 6. That Subparagraph (A), "Definitions," of Paragraph (3), "Crop Production," of Section 51A-4.201, "Agricultural Uses," of Division 51A-4.200, "Use Regulations" of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(A) Definitions. In this paragraph:

(i) URBAN [COMMUNITY] GARDEN means an area [of land] managed and maintained [by a group of individuals] to grow and harvest food crops and/or ornamental crops for personal or group use, consumption, sale, or donation. Urban [Community] gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

(ii) FARM means an area used for the raising or harvesting of agricultural crops such as vegetables, fruit, trees, grain, field forage, and other plant crops intended to provide food and fiber.

(iii) AQUACULTURE means the cultivation, maintenance, and harvesting of aquatic species.

(iv) AQUAPONICS means the combination of aquaculture (fish) and hydroponics (plants) to grow food crops or ornamental crops and aquatic species together in a recirculating system without discharge or exchange of water.

(v) BED COVER means a hoop-house, shade structure, or similar structure located above a growing bed to assist with the growing or shading food crops or ornamental crops."

SECTION 7. That Subparagraph (C), "Required Off-Street Parking," of Paragraph (3), "Crop Production," of Section 51A-4.201, "Agricultural Uses," of Division 51A-4.200, "Use Regulations" of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(C) Required off-street parking: Except as otherwise provided in this Subparagraph, off-street parking is not required. For an urban garden in non-residential districts that allows on-site sales, one off-street parking space is required for every 200 square feet of sales area with a minimum two off-street parking spaces provided. [None.]"

SECTION 8. That Subparagraph (E), "Additional Provisions for Community Gardens," of Paragraph (3), "Crop Production," of Section 51A-4.201, "Agricultural Uses," of Division 51A-4.200, "Use Regulations" of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

“(E) Additional provisions for urban ~~[community]~~ gardens:

(i) An urban ~~[community]~~ garden must comply with the regulations for the zoning district in which the urban ~~[community]~~ garden is located.

(ii) Aquaponics, aquaculture, and the raising of chickens are permitted. All other a[A]nimal grazing and animal production are prohibited.

(iii) For an urban ~~[community]~~ garden in a residential district, the combined floor area of structures may not exceed 10 percent of the lot, with no single structure exceeding 200 square feet in floor area ~~[and must be erected in the rear 30 percent of the lot]. Structures that assist in the growing of vegetation, such as bed covers and raised planting beds, are not included when calculating the maximum square footage. Structures must comply with yard, lot, and space regulations for the district.~~

(iv) For an urban ~~[community]~~ garden in a residential district, ~~[signage is limited to]~~ a single, non-illuminated, flat sign of no more than six square feet must be visible from public right-of-way. The sign must contain the phone number of an emergency contact person for the urban garden. If animals are present in the urban garden, the sign must also contain the contact information for Dallas 311 city services. In residential districts, no other signage is permitted.

(v) Each bed cover may only cover one single growing bed.

(vi) Except as provided in this subparagraph, maximum height of a bed cover is four feet from the growing surface or eight feet from grade, whichever is less. Within the required front yard, maximum height of a bed cover is four feet from grade.

(vii) The on-site sale of food crops, ornamental crops, and eggs produced on the property is allowed only in non-residential districts. No other items may be sold on the property.”



SECTION 9. That the director of sustainable development and construction shall revise the use charts to reflect the change in use regulations made by this ordinance, and shall provide these charts for publication in the Dallas Development Code.

SECTION 10. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 11. That Chapter 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 12. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_