



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, January 19, 2017
AGENDA

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

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

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

BRIEFINGS:

History and overview of Planned Development District No. 193, the Oak Lawn Special Purpose District

Leif Sandberg, Planning Manager Sustainable Development and Construction

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket Planner: Paul Nelson

Consent Items:

- (1) **S167-059**
(CC District 3)
- An application to create one 1.653-acre lot from a tract of land in City Block C/6978 on property located on Westmoreland Road at Hansboro Avenue, northwest corner.
Applicant/Owner: Francisco Martinez / SFR Properties, Ltd
Surveyor: Salcedo Group, Inc.
Application Filed: December 21, 2016
Zoning: LI
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S167-060**
(CC District 8)
- An application to create one 1.753-acre lot, and one 6.194-acre lot from a 7.947-acre tract of land in City Block 8821 on property located on South Belt Line Road, north of C.F. Hawn Freeway (U.S. Highway 175).
- Applicant/Owner: Rusom Tsegu
Surveyor: A&W Surveyors, Inc.
Application Filed: December 21, 2016
Zoning: R-10(A), MF-1(A), CS
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S167-061**
(CC District 7)
- An application to create one 1.700-acre lot from a tract of land in City Block 8473 and City Block 8474 on property located on Highland Road, between Jim Miller Road and St. Francis Avenue.
- Applicant/Owner: Buckner Baptist Benevolences
Surveyor: A&W Surveyors, Inc.
Application Filed: December 21, 2016
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S167-062**
(CC District 7)
- An application to create one 1.627-acre lot from a tract of land in City Block 8473 on property located on Highland Road, between Jim Miller Road and St. Francis Avenue.
- Owners: Buckner Baptist Benevolences
Surveyor: A&W Surveyors, Inc.
Application Filed: December 21, 2016
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S167-063**
(CC District 4)
- An application to create one 0.787-acre lot from a tract of land in City Block 3398 on property located on Clarendon Drive at Ewing Avenue, southeast corner.
- Applicant/Owner: Clarendon-Ewing, LLC
Surveyor: Pacheco Koch Consulting g Engineering
Application Filed: December 21, 2016
Zoning: LI
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S167-065**
(CC District 9)
- An application to replat a 1.099-acre tract of land containing all of Lot 1 in City Block A/2745 and a tract of land in City Block A/2745 to create one lot on property located on Garland Road at Gaston Avenue, northeast corner.
Applicant/Owner: Gaston/Grand Corner, Ltd.
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: December 21, 2016
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S167-068**
(CC District 14)
- An application to create one 0.555-acre lot from a tract of land in City Block 1005 on property located on Routh Street at Katy Trail, southwest corner.
Applicant/Owner: Katy Trail Ice House, LP
Surveyor: CBG Surveying, Inc.
Application Filed: December 22, 2016
Zoning: PD 193 (GR)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S167-069**
(CC District 2)
- An application to create one 1.077-acre lot from a tract of land in City Block 420 on property located on Lamar Street at Powhattan Street, northwest corner.
Applicant/Owner: Samadian Family Limited Partnership
Surveyor: Yazel Peebles and Associates, LLC
Application Filed: December 22, 2016
Zoning: PD 317, Subdistrict 3A
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (9) **S167-070**
(CC District 6)
- An application to create one 8.441-acre lot from a tract of land in City Block 8466 on property located on Cypress Waters Boulevard at Olympus Boulevard, southeast corner.
Applicant/Owner: Cypress Waters Land A, LTD
Surveyor: Peiser and Mankin Surveying, LLC
Application Filed: December 23, 2016
Zoning: PD 741, Subarea A
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (10) **S167-071**
(CC District 2)
- An application to replat a 1.335-acre tract of land containing all of Lots 19 through 25, and part of Lot 26 in City Block 917 to create a 36 lot Shared Access Development with lots ranging in size from 0.029-acre to 0.050-acre on property located on Ervay Street at Lear Street, northeast corner.
Applicant/Owner: 2000 Ervay, LLC
Surveyor: Votex Surveying Company
Application Filed: December 23, 2016
Zoning: PD 317, Subarea 2A
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (11) **S167-072**
(CC District 2)
- An application to replat a 1.299-acre tract of land containing all of Lots 1 through 7 in City Block 2/2663 into one lot on property located on Winfield Avenue at Samuell Boulevard, southeast corner.
Applicant/Owner: EVJCO, Ltd and Earl Van Johnson II
Surveyor: Davis Land Surveying Co., Inc.
Application Filed: December 23, 2016
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (12) **S167-073**
(CC District 9)
- An application to replat a 3.032-acre tract of land containing all of Lot 1 in City Block A/8047, and a tract of land in City Block A/8047 to create one 1.728-acre lot, and one 1.304-acre lot on property located on Northwest Highway at Shiloh Road, northeast corner.
Applicant/Owner: MBRE, LLC
Surveyor: Peiser and Mankin Surveying, LLC
Application Filed: December 23, 2016
Zoning: MC-1, CS, and IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (13) **S167-074**
(CC District 6)
- An application to create three lots ranging in size from 0.524-acre to 7.537-acre from a 9.6605-acre tract of land in City Block H/8644 on property located on Olympus Boulevard and Wharf Road, northeast corner.
Applicant/Owner: Cypress Waters Land A Ltd., B Ltd., and C LTD
Surveyor: Kimley-Horn and Associate, Inc.
Application Filed: December 23, 2016
Zoning: PD 714, Subarea A
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Public Hearing:

- (14) **S167-067**
(CC District 8)
- An application to create one 3.000-acre lot and one 95.714-acre lot from a tract of land in City Block 8790 on property located on Haymarket Road, south of Hazelcrest Drive.
Applicant/Owner: Ruibal Farms, LP
Surveyor: A&W Surveyors, Inc.
Application Filed: December 22, 2016
Zoning: R-10(A), A(A)
Staff Recommendation: **Denial**

Miscellaneous Items:

- D167-010**
Sharon Hurd
(CC District 8)
- An application for a development plan on property within Planned Development District No. 944, on the south line of Cedardale Road, west of Cleveland Road.
Staff Recommendation: **Approval**
Applicant/Representative: TCDFW Acquisitions, LLC
- D167-007**
Pamela Daniel
(CC District 10)
- An application for a development plan on property zoned Planned Development District No. 779, on the northwest corner of Shoreview Road and Ferndale Road.
Staff Recommendation: **Approval**
Applicant: AMFP III Shoreview, LLC
Representative: Jack Fiedler, Masterplan Consultants

Zoning Cases – Consent:

1. **Z156-360(PD)**
Pamela Daniel
(CC District 7)
- An application for a Specific Use Permit for a motor vehicle fueling station on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Overlay Control on the west corner of Buckner Boulevard and St. Francis Avenue.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a landscape plan, site plan and conditions.
Applicant: Sikka Investments LLC
Representative: S.I. Abed

2. **Z167-125(KK)**
Kiesha Kay
(CC District 5)

An application to amend Specific Use Permit No. 2034 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Subarea 6 within Planned Development District No. 366 with a D-1 Liquor Control Overlay, east of South Buckner Boulevard, south of Scyene Road.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.
Applicant: Aldi (Texas), LLC
Representative: Burger Engineering, Bryan Burger
3. **Z156-278(WE)**
Warren Ellis
(CC District 14)

An application for an amendment to, and an expansion of, Planned Development Subdistrict No. 111 for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict and Planned Development Subdistrict No. 111 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of McKinney Avenue, northeast of Bowen Street.
Staff Recommendation: **Approval**, subject to a development plan and conditions.
Applicant: Dallas CF Hospitality Associates, LLC
Representative: Dallas Cothrum, MASTERPLAN
4. **Z167-128(JM)**
Jennifer Muñoz
(CC District 10)

An application for a Specific Use Permit for a utility or government installation other than listed to allow an elevated water storage tank use on property zoned an IR Industrial Research District on the northwest corner of Forest Land and the eastern section of Forestgate Drive.
Staff Recommendation: **Approval** for a permanent period, subject to a site plan, landscape plan, and conditions.
Applicant: Dallas Water Utilities
Representative: Rebecca Diviney, Freese and Nichols, Inc.
5. **Z167-126(OTH)**
Olga Torres Holyoak
(CC District 2)

An application to renew Specific Use Permit No. 2189 for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District on the northeast line of South Barry Avenue, north of South Haskell Avenue.
Staff Recommendation: **Approval** for a two-year period, subject to conditions.
Applicant: Texas Recycling & Surplus, Inc.
Representative: Robert Miklos, PLLC

Zoning Cases – Under Advisement:

6. **Z156-334(OTH)**
Olga Torres Holyoak
(CC District 2)
- An application for a Planned Development District for R-7.5(A) Single Family District uses and a child-care facility and repealing Specific Use Permit No. 597 for a day nursery on property zoned an R-7.5(A) Single Family District, on the northwest corner of Inwood Road and Oriole Drive.
Staff Recommendation: **Approval**, subject to a development plan and conditions; and **approval** of the repealing Specific Use Permit No. 597.
Applicant: Park Cities Pre School LLC
Representative: Karl A. Crawley, MASTERPLAN
U/A From: November 10, 2016, November 17, 2016 and December 15, 2016
7. **Z156-235(JM)**
Jennifer Muñoz
(CC District 13)
- An application for an MU-3 Mixed Use District and termination of existing deed restrictions on property zoned a GO(A) General Office District on the southwest corner of LBJ Freeway and Montfort Drive.
Staff Recommendation: **Approval**
Applicant: Bolour Trust #3 & 333 West 22nd Associates, LLC
Representative: Michael R. Coker
U/A From: November 10, 2016
8. **Z156-364(AR)**
Andrew Ruegg
(CC District 5)
- An application for the renewal of Specific Use Permit No. 2129 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned CR-D-1 Community Retail District with D-1 Liquor Control Overlay, on the north side of Lake June Road at the terminus of McElree Street, east of Oak Hill Circle.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to site plan and conditions.
Applicant: Gilberto Bedolla Jr.
U/A Date: December 1, 2016
9. **Z156-290(SH)**
Sharon Hurd
(CC District 8)
- An application for a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay, at the northwest corner of Edd Road and Kleberg Road.
Staff Recommendation: **Denial**
Applicant: Walter Huerta and Augusto Huerta
Representative: Tailim Song, Tailim Song Law Firm
U/A Date: December 15, 2016

10. **Z145-209(WE)**
Warren Ellis
(CC District 2)
- An application for a Specific Use Permit for an open enrollment charter school on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District with an H/30 Historic District Overlay, on the east line of Trunk Avenue, north of Elm Street.
Staff Recommendation: **Denial**
Applicant: Tail Cotton Properties, Ltd.
Representative: Robert Baldwin - Baldwin and Associates
U/A Date: December 1, 2016 and December 15, 2016
11. **Z145-301(WE)**
Warren Ellis
(CC District 7)
- An application for 1) a Planned Development District for commercial, industrial and transportation uses, 2) an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant, 3) a Specific Use Permit for two industrial (outside) potentially incompatible use for concrete batching plants [Tract I and Tract III], 4) terminate Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant, and 5) terminate deed restrictions [Z078-204] on property zoned an IR Industrial Research District with a Dry Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS Commercial Service District with a Dry Overlay on a portion and Specific Use Permit No. 1602 on a portion; and an IM Industrial Manufacturing District with a Dry Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions on a portion on the northeast corner of State Highway 310 and Linfield Road.
Staff Recommendation: **Approval** of a Planned Development District for commercial, industrial and transportation uses, subject to a conceptual plan and conditions, **approval** of an amendment to Specific Use Permit No. 1715 for an asphalt batch plant for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions, **approval** of a Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract I for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions, **approval** of an Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract III for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions, **approval** of the termination of Specific Use Permit No. 1613 and termination of deed restrictions on a portion; and **approval** of the termination of deed restrictions [Z078-204].
Applicant: St. Louis S. W. Railway Co. Union Pacific %Erik Omar
Representative: Maxwell Fisher, MASTERPLAN
U/A Date: December 15, 2016

12. **Z156-237(WE)**
Warren Ellis
(CC District 13)
- An application for a Planned Development District for CR Community Retail District uses on property zoned a CR Community Retail District on the south line of West Northwest Highway, east of Lemmon Avenue.
- Staff Recommendation: **Approval**, subject to a revised development plan, revised landscape plan and staff's recommended conditions.
- Applicant: QuikTrip Corporation
- Representative: Tonya Meier and Matthew Sanderson, Gray Reed & McGraw, PC
- Bus Tour Date: July 21, 2016
- U/A From: June 2, 2016, August 4, 2016, October 6, 2016 and November 10, 2016
13. **Z156-250(WE)**
Warren Ellis
(CC District 1)
- An application to create a new subdistrict within Planned Development District No. 830 and the removal of a D Liquor Control Overlay on a portion on property zoned Subdistrict 3 within Planned Development District No. 830 in an area generally bounded by West 10th Street, both sides of North Bishop Avenue, both sides of Melba Street and both sides of North Madison Avenue.
- Staff Recommendation: **Approval**, subject to staff's recommended conditions; and **denial** of the removal of the Dry Liquor Control Overlay.
- Applicant: Bishop Arts Village, LLC
- Representative: Robert Baldwin, Baldwin and Associates
- U/A From: November 10, 2016 and December 15, 2016
- Bus Tour Date: July 21, 2016

Zoning Cases – Individual:

14. **Z167-122(WE)**
Warren Ellis
(CC District 2)
- An application for a D(A) Duplex District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the southeast line of Capital Avenue, northeast of North Carroll Avenue.
- Staff Recommendation: **Denial**
- Applicant: Kevin Tyler Barrington
- Representative: Robert Reeves, Robert Reeves and Associates, Inc.
-

Other Matters:

FY2015-16 City Plan Commission Annual Report

Minutes: January 5, 2017

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, January 19, 2017

ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) MEETING - Thursday, January 19, 2017, City Hall, 1500 Marilla Street, in Room 5ES, at 9:00 a.m., to consider (1) **DCA 156-006** - Consideration of amending the Dallas Development Code to create regulations to allow accessory dwelling units.

TRANSPORTATION COMMITTEE MEETING - Thursday, January 19, 2017, City Hall, 1500 Marilla Street, in Council Chambers at 8:30 a.m., to consider: Central Business District Streets and Vehicular Circulation Plan Amendment - **AT&T Area** – **(1)** Change the operational characteristics of Commerce Street from Houston Street to Ervay Street from a four-lane eastbound roadway in 80 feet of right-of-way to a three-lane eastbound roadway in 80 feet of right-of-way; **(2)** Delete Akard Street between Jackson Street and Wood Street; **(3)** Change the operational characteristics of Akard Street from Wood Street to Young Street from a three-lane southbound roadway in 61-74 feet of right-of-way to a one-lane northbound and one-lane southbound roadway in 61-74 feet of right-of-way; **(4)** Delete Jackson Street between Field Street and 350 feet west of Lane Street; **(5)** Change the operational characteristics of Jackson Street from 350 feet west of Lane Street to Cesar Chavez Boulevard from a three-lane westbound roadway in 50-70 feet of right-of-way to a one-lane westbound and one-lane eastbound roadway in 50-70 feet of right-of-way; and **(6)** Change the operational characteristics of Wood Street from Griffin Street to Pearl Expressway from a three-lane eastbound roadway in 45-80 feet of right-of-way to a one-lane westbound and one-lane eastbound roadway in 45-80 feet of right-of-way

URBAN DESIGN ADVISORY COMMITTEE (UDAC) MEETING - Thursday, January 19, 2017, City Hall, 1500 Marilla Street, in Room 1FN, at 8:30 a.m., to discuss **(1)** Dallas Resiliency, **(2)** Planning and Urban Design Departmental Open House, and **(3)** UDAC Membership.

SUBDIVISION REVIEW COMMITTEE (SRC) MEETING – Thursday, January 19, 2017, City Hall, 1500 Marilla Street, in the City Council Chambers, at 10:00 a.m., to consider **NC167-001** – An application to consider changing the name of Akron Street, between Beeville Street and Amonette Street, to “Broadway Avenue”.

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. 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, JANUARY 19, 2017****FILE NUMBER:** S167-059**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Westmoreland Road and Hansboro Avenue, northwest corner**DATE FILED:** December 21, 2016**ZONING:** LI**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 1.653-Acres**MAPSCO:** 53T**APPLICANT/OWNER:** Francisco Martinez / SFR Properties, Ltd

REQUEST: An application to create one 1.653-acre lot from a tract of land in City Block C/6978 on property located on Westmoreland Road at Hansboro Avenue, northwest corner.

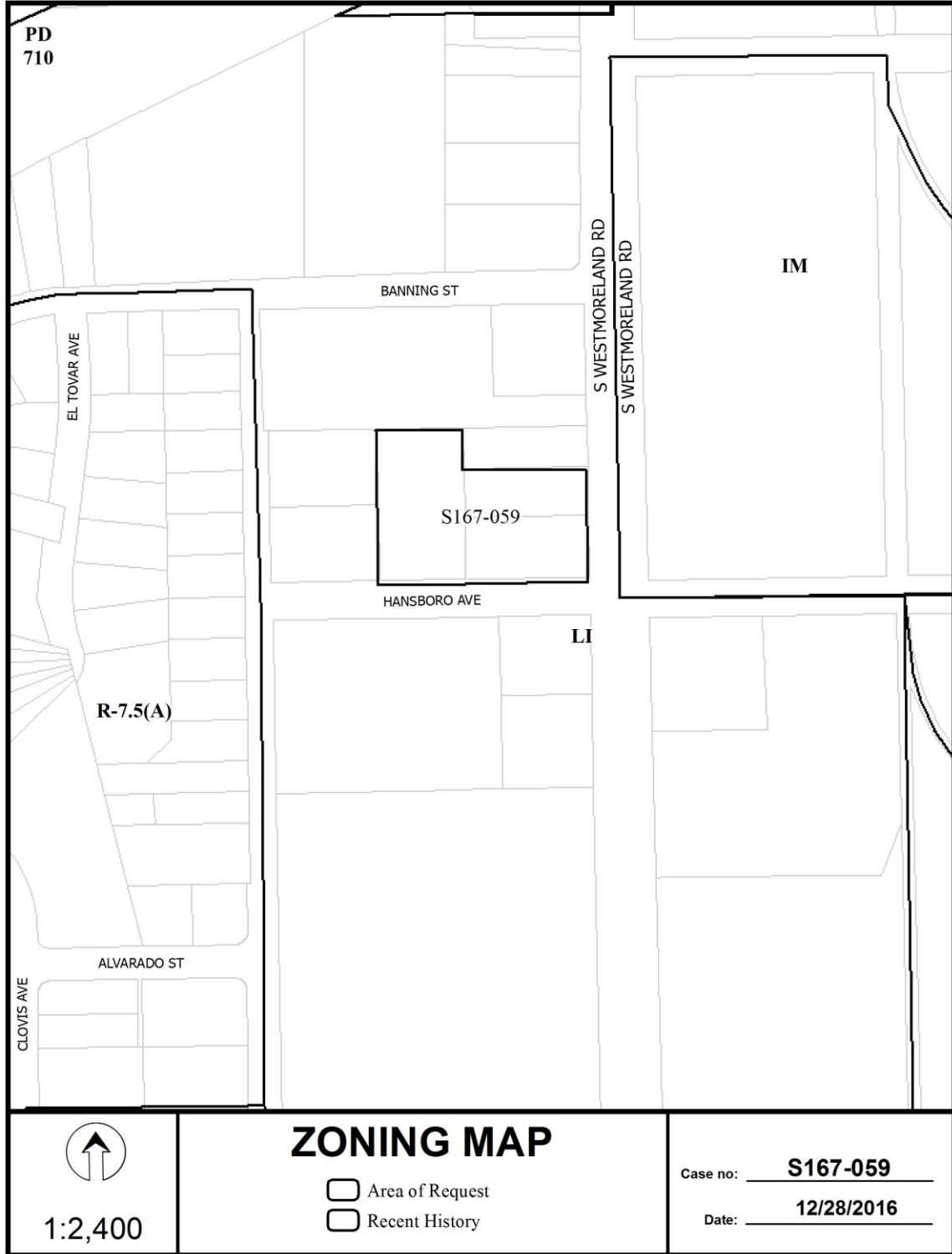
SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

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

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 1.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)

11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. On the final plat dedicate a 15 foot by 15 foot corner clip at Westmoreland Road at Hansboro Avenue.
13. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
14. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
15. On the final plat show all additions or tracts of land within 150-feet of the property with recording information. Platting Guidelines
16. On the final plat show the right-of-way widths across Westmoreland Road and Hansboro Avenue.
17. Verify and submit to the Survey Review Group an 8.5" by 11" drawing showing the ties and dimensions from the existing building to the north property line. The drawing must be dated, signed, and sealed by the surveyor.
18. Wastewater main improvement is required by Private Development Contract.
19. On the final plat identify the property as Lot 2 in City Block C/6978. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)





CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-060**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** South Belt Line Road, north of C.F. Hawn Freeway (U.S. Highway 175)**DATE FILED:** December 21, 2016**ZONING:** R-10(A), MF-1(A), CS**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 7.947-Acres **MAPSCO:** 69A-M, R**APPLICANT/OWNER:** Rusom Tsegu

REQUEST: An application to create one 1.753-acre lot and one 6.194-acre lot from a 7.947-acre tract of land in City Block 8821 on property located on South Belt Line Road, north of C.F. Hawn Freeway (U.S. Highway 175).

SUBDIVISION HISTORY:

1. S167-029 was a request southeast of the present request to create one 12.039-acre lot from a tract of land located in City Block 8820 on property located on South Belt Line Road at C.F. Hawn Freeway, east quadrant. The request was approved December 15, 2016 and has not been recorded.
2. S123-139 was a request southeast of the present request to create one 9.1458 acre lot from a tract of land in City Block 8820 on property located on C.F. Hawn Freeway (US Highway 175), between South Belt Line Road and Woody Road. The request was approved May 16, 2013 and has not been recorded.
3. S112-027 was a request southeast of the present request to create a 4.275 acre lot in City Block 8820 on U.S. Highway 175 between Woody Road and South Belt Line Road. The request was approved December 1, 2011, and has not been recorded.

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

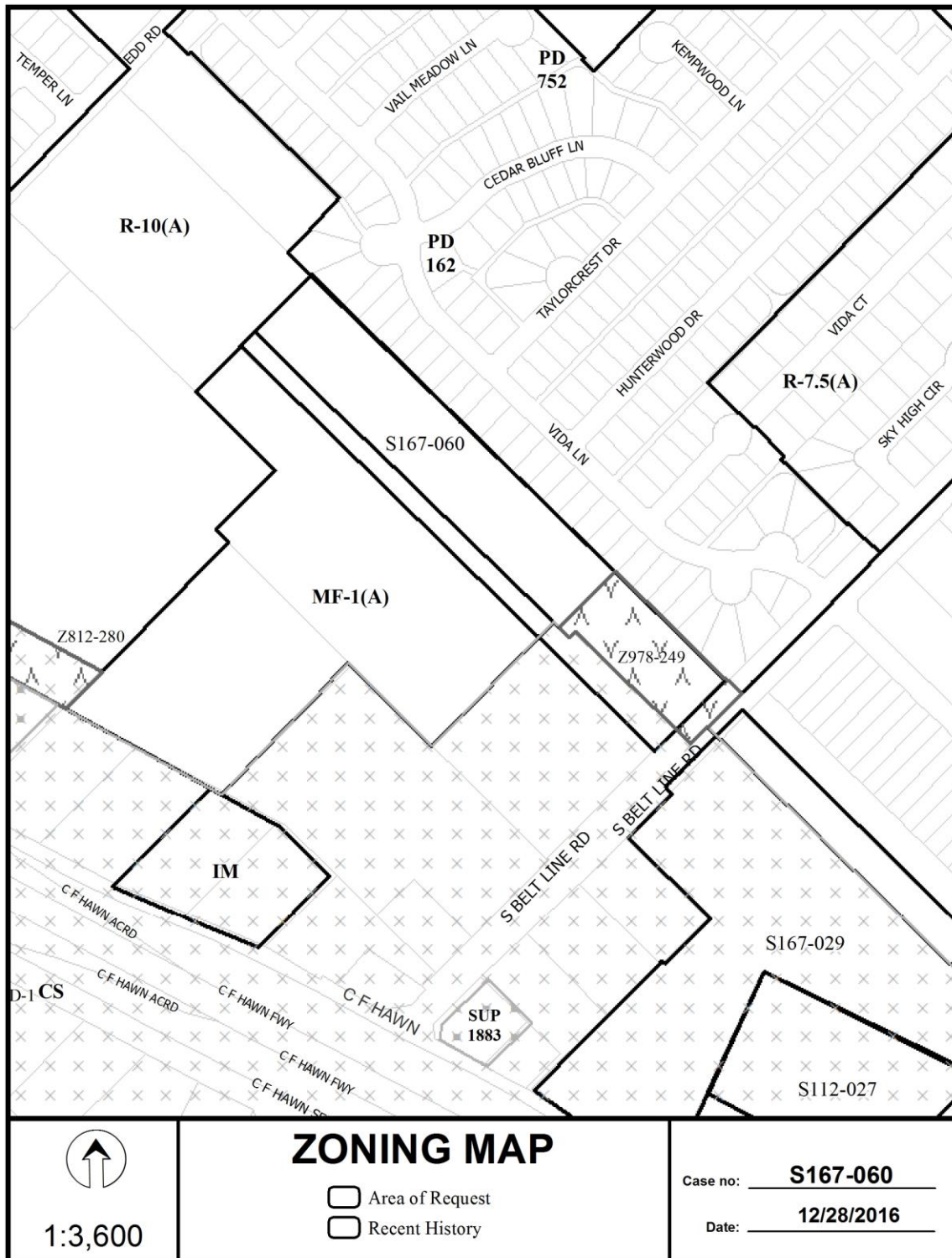
The proposed subdivision is not similar to the adjoining residential developments to the east and north. However, the proposed parcels are similar in size to other adjoining parcels to the west and south

The request complies with the requirements of the R-10(A), MF-1(A), and CS districts and complies with Section 51A-8.503 in that the contiguous properties are of similar character as the proposed lots; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 2.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
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 right-of-way from the established centerline of South Belt Line Road.
14. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
15. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
16. On the final plat show all additions or tracts of land within 150-feet of the property with recording information. Platting Guidelines
17. On the final plat show distances/width of right-of-way of South Belt Line Road. Platting Guidelines
18. 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 wastewater.

19. If water meter size will be the same size as the public main, submit proposed wastewater discharge (gpm) and pressure (psi) of development for further assessment.
20. Water and wastewater main extension may be required by Private Development Contract. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c)
21. On the final plat change "South BeltLine Road" to "South Belt Line Road"
22. On the final plat identify the property as Lots 1 and 2 in City Block K/8821. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)





City of Dallas
SUBMITTER'S CERTIFICATE
OWNERS DEDICATION
GENERAL NOTES
LEGEND
PRELIMINARY PLAT
BELLTINE RUSOM
LOTS 1 & 2, BLOCK 2/8821

CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-061**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Highland Road, between Jim Miller Road and St. Francis Avenue**DATE FILED:** December 21, 2016**ZONING:** RR**CITY COUNCIL DISTRICT:** 7 **SIZE OF REQUEST:** 1.700-Acres**MAPSCO:** 48F**APPLICANT/OWNER:** Buckner Baptist Benevolences

REQUEST: An application to create one 1.700-acre lot from a tract of land in City Block 8473 and City Block 8474 on property located on Highland Road, between Jim Miller Road and St. Francis Avenue.

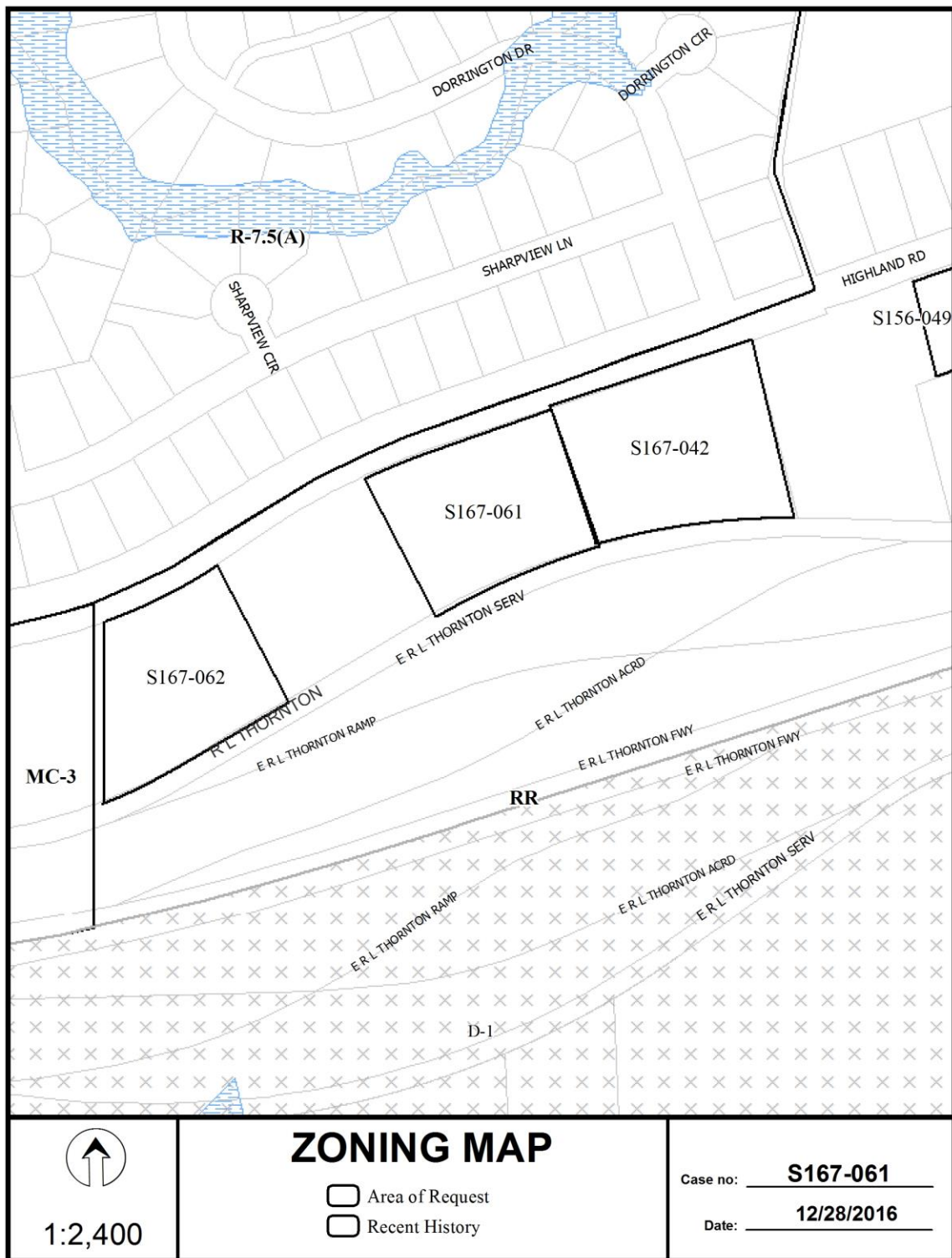
SUBDIVISION HISTORY:

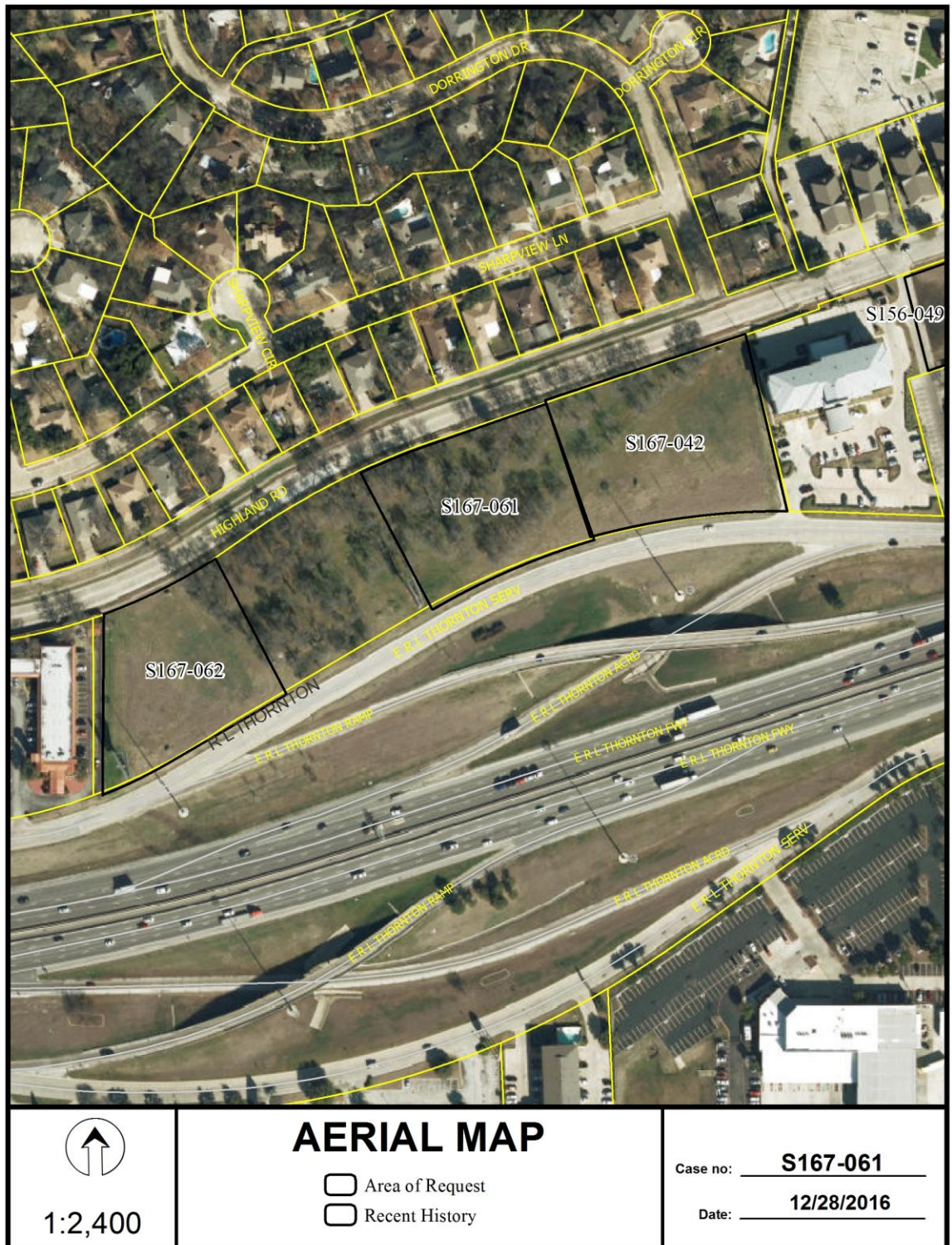
1. S167-062 is a request east of the present request to create one 1.627-acre lot from a tract of land in City Block 8473 and on property located on Highland Road, between Jim Miller Road and St. Francis Avenue. The request is scheduled for a hearing January 19, 2017.
2. S167-042 is a request east of the present request to create one 1.9976-acre lot from a tract of land in City Block 8474 on property located on Highland Road, between Jim Miller Road and St. Francis Avenue. The request was approved on January 5, 2017 and has not been recorded.
3. S156-049 is a request northeast of the present request to create one lot from a 1.112-acre tract of land in City Block F/8478 on property located on Highland Road at St. Francis Avenue, southwest corner. The request was approved August 16, 2016 and has not been recorded.

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

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.

7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 1.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
13. On the final plat add note: "TXDOT approval may be required for any driveway modification or new access point(s)."
14. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
15. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
16. On the final plat show all additions or tracts of land within 150-feet of the property with recording information. Platting Guidelines
17. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f)
18. Additional design information is required for assessment. 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. Section 49-60(g)(1)
19. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of the development for investigation. Sections 49-60(b)(2)(d) and 49-60(d).
20. Water main extension may be required by Private Development Contract. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c)
21. On the final plat identify the property as Lot 5 in City Block F/8475. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)





CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-062**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Highland Road, between Jim Miller Road and St. Francis Avenue**DATE FILED:** December 21, 2016**ZONING:** RR**CITY COUNCIL DISTRICT:** 7 **SIZE OF REQUEST:** 1.627-Acres **MAPSCO:** 48F**APPLICANT/OWNER:** Buckner Baptist Benevolences

REQUEST: An application to create one 1.627-acre lot from a tract of land in City Block 8473 on property located on Highland Road, between Jim Miller Road and St. Francis Avenue.

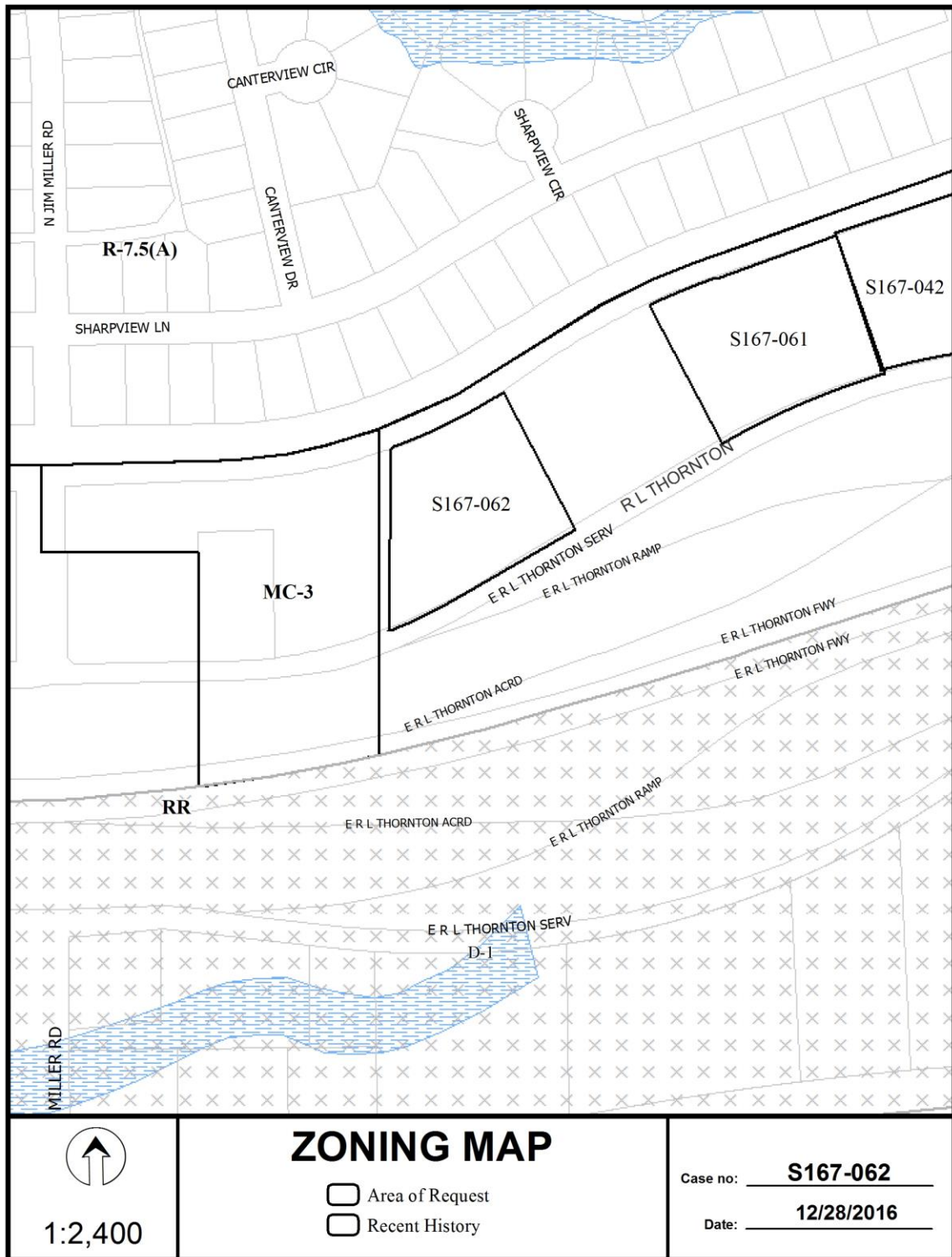
SUBDIVISION HISTORY:

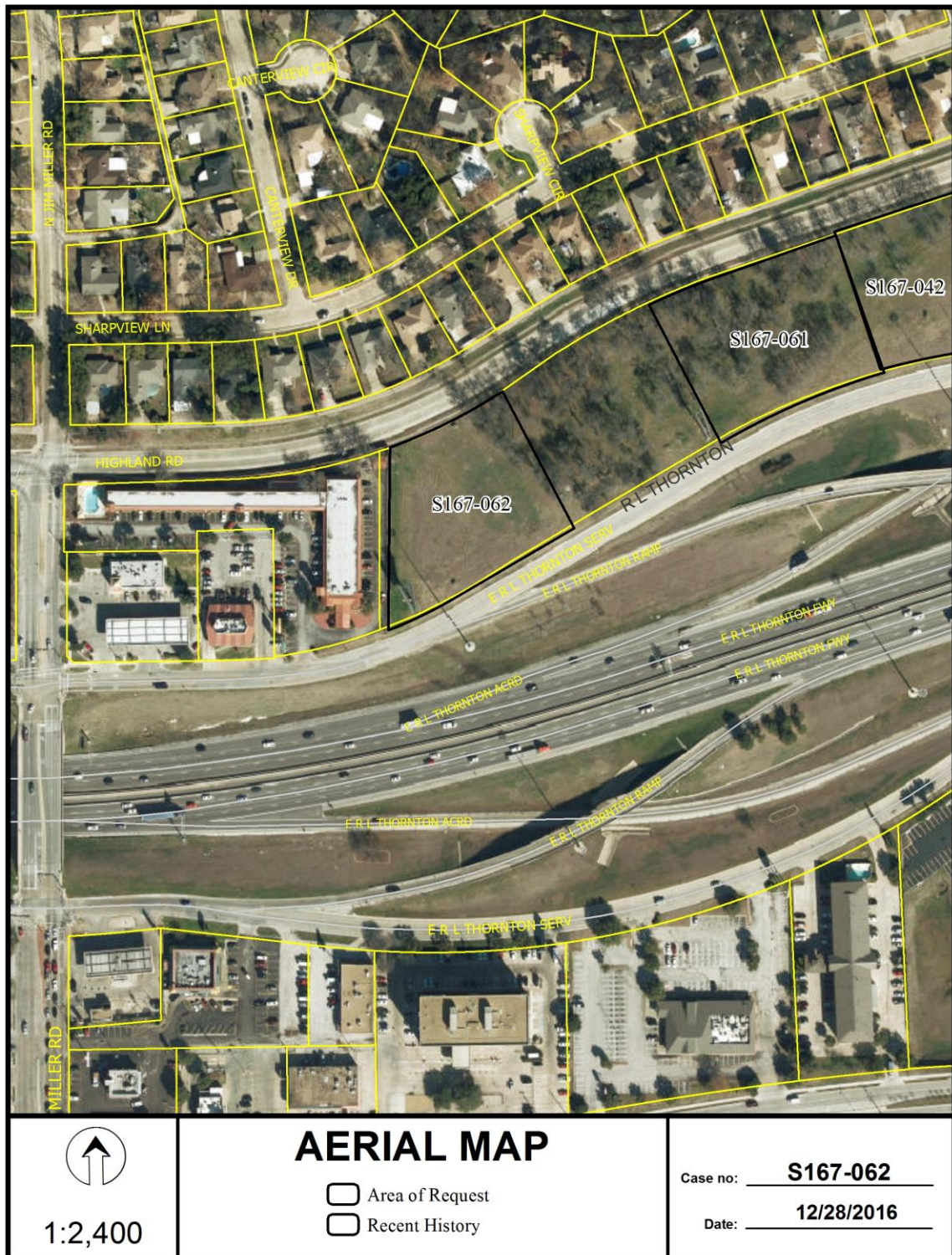
1. S167-061 is a request east of the present request to create one 1.700-acre lot from a tract of land in City Block 8473 and City Block 8474 on property located on Highland Road, between Jim Miller Road and St. Francis Avenue. The request is scheduled for hearing January 19, 2017.
2. S167-042 is a request east of the present request to create one 1.9976-acre lot from a tract of land in City Block 8474 on property located on Highland Road, between Jim Miller Road and St. Francis Avenue. The request was approved on January 5, 2017 and has not been recorded.

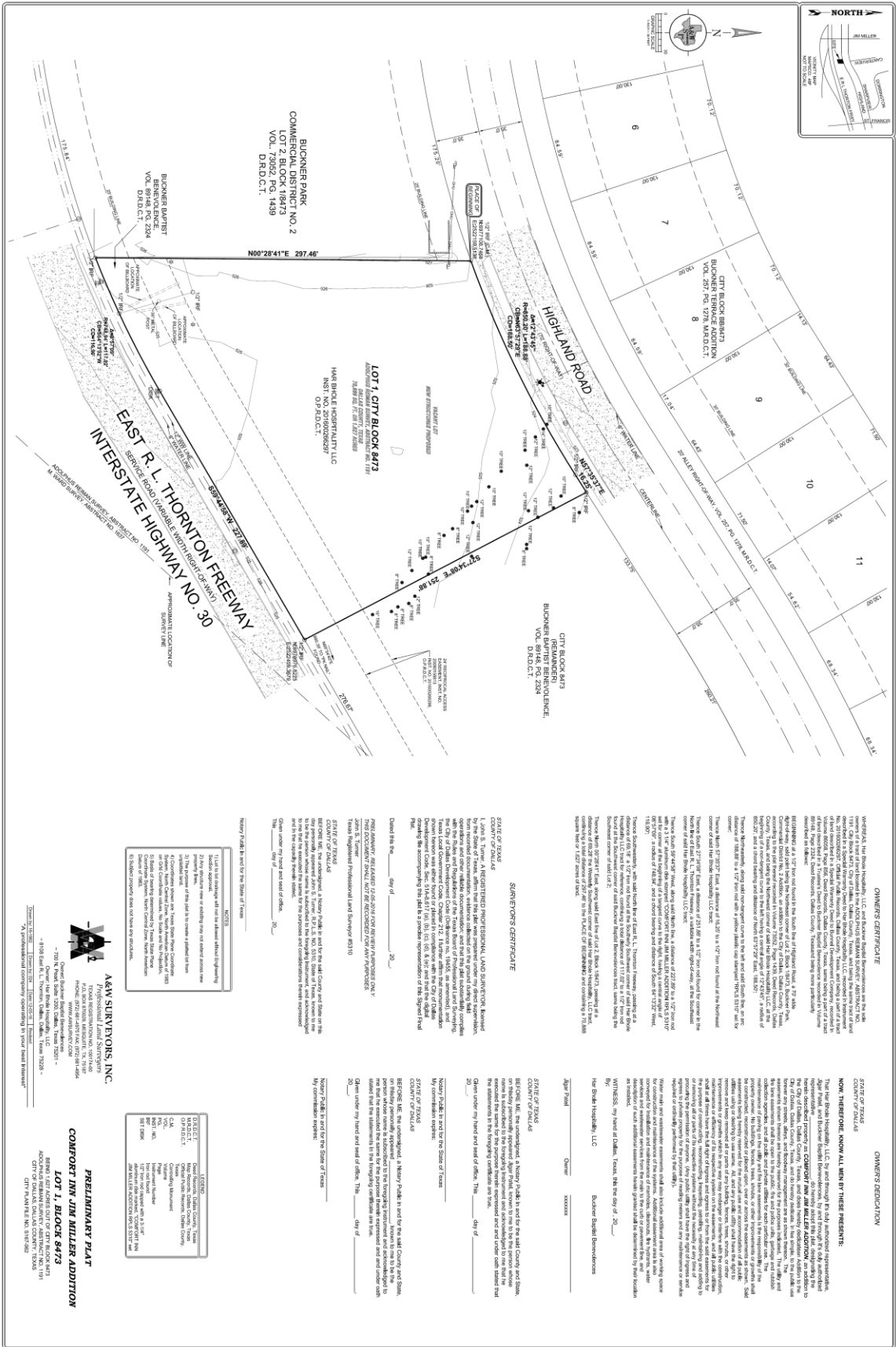
STAFF RECOMMENDATION: The request complies with the requirements of the RR district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."

8. 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
9. The maximum number of lots permitted by this plat is 1.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
13. On the final plat add note: "TXDOT approval may be required for any driveway modification or new access point(s)." No citation.
14. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
15. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
16. On the final plat show all additions or tracts of land within 150-feet of the property with recording information. Platting Guidelines
17. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f)
18. Additional design information is required for assessment. 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. Section 49-60(g)(1)
19. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of the development for investigation. Sections 49-60(b)(2)(d) and 49-60(d).
20. Water main extension may be required by Private Development Contract. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c)
21. On the final plat identify the property as Lot 3 in City Block 1/8473. Ordinance 1A, Page 131 - 148, Section 2 (passed August 13, 1872)







CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-063**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Clarendon Drive at Ewing Avenue, southeast corner**DATE FILED:** December 21, 2016**ZONING:** LI**CITY COUNCIL DISTRICT:** 4**SIZE OF REQUEST:** 0.787-acre**MAPSCO:** 55E**APPLICANT/OWNER:** Clarendon-Ewing, LLC

REQUEST: An application to create one 0.787-acre lot from a tract of land in City Block 3398 on property located on Clarendon Drive at Ewing Avenue, southeast corner.

SUBDIVISION HISTORY:

1. S167-064 is a request north of the present request to replat a 0.514-acre tract of land containing all of Lot 13, and part of Lots 9 through 12 in City Block B/3141; all of Lots 1 through 12 in City Block 5/2459 on property located on Clarendon Drive at Upton Street, northwest corner. The request is scheduled for a hearing January 19, 2017.
2. S145-017 is a request south of the present request to create a 0.861 acre-lot from a tract of land in City Block 3395 on property located on Ewing Avenue at Morrell Avenue, northeast corner. The request has been approved on November 20, 2014 and has not been recorded.

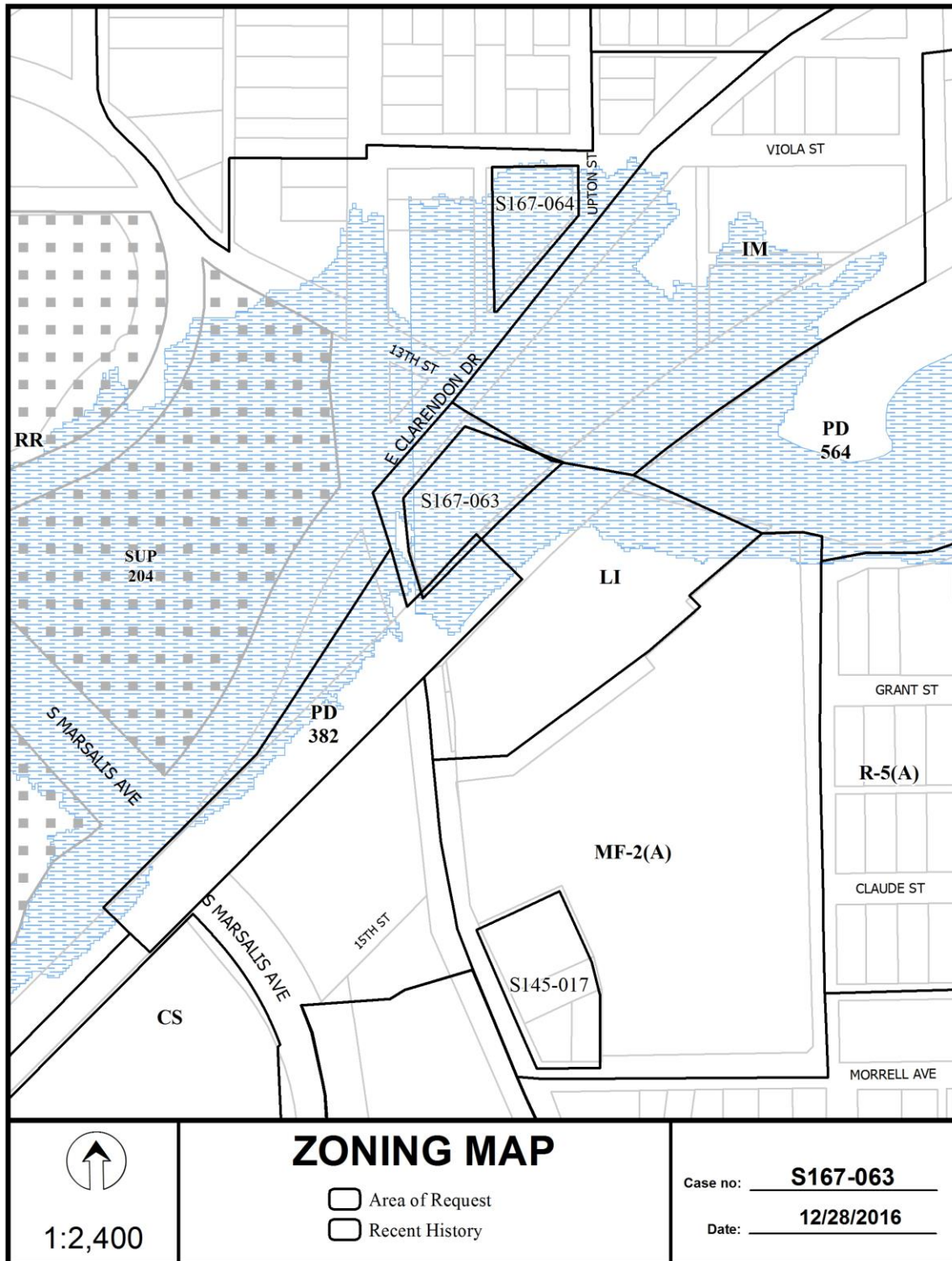
STAFF RECOMMENDATION: The request complies with the requirements of the LI district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."

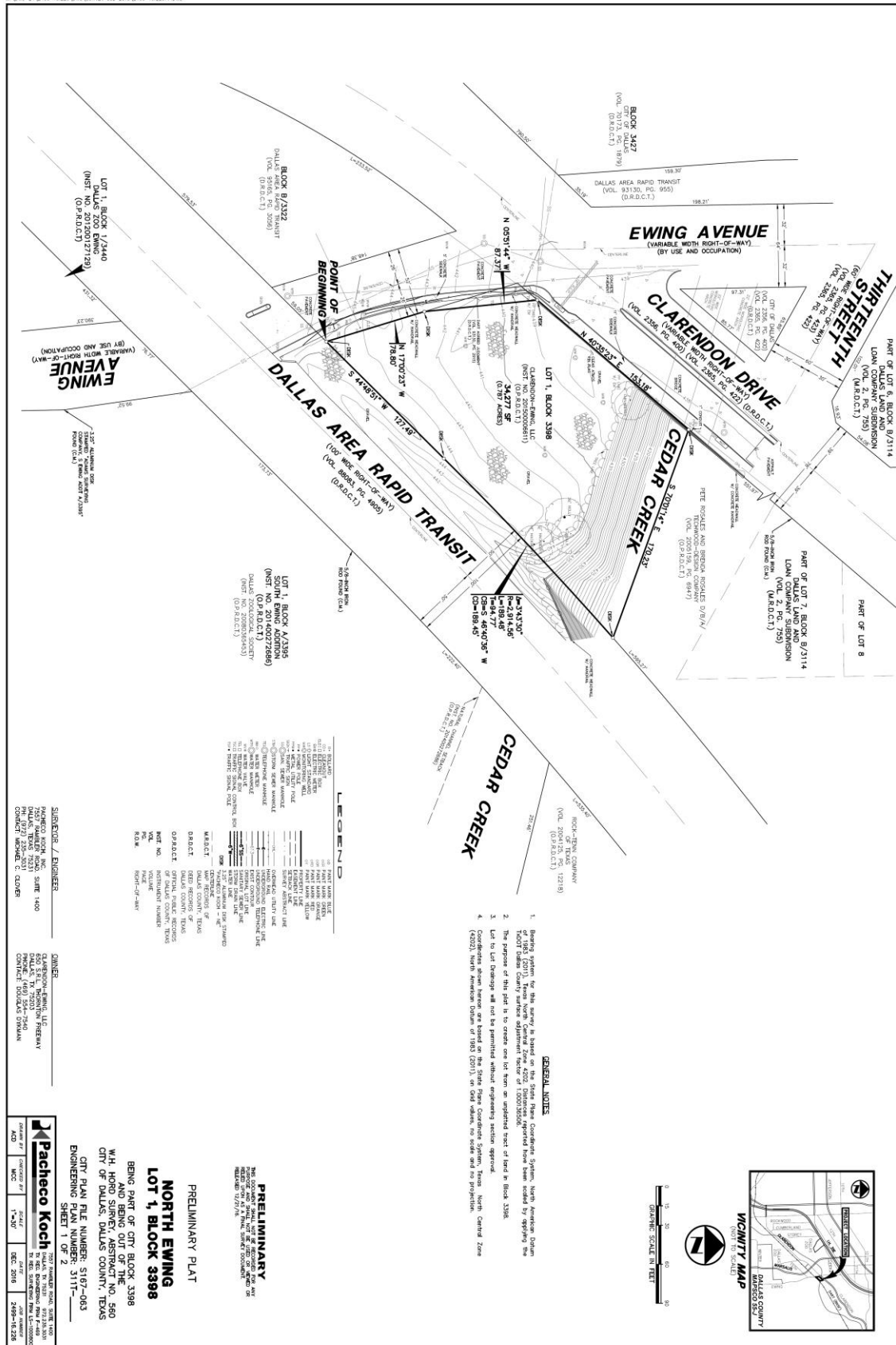
8. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. The maximum number of lots permitted by this plat is 1.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. On the final plat dedicate 28 feet of right-of-way from the established centerline of Ewing Avenue.
13. On the final plat dedicate a 15 foot by 15 foot corner clip at Clarendon Drive and Ewing Avenue.
14. On the final plat determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management
15. On the final plat dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V
16. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V
17. On the final plat specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management
18. On the final plat show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
19. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1),(2), (3), and (4).
20. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Section 51A-5.105(g)
21. On the final plat show all additions or tracts of land within 150-feet of the property with recording information. Platting Guidelines
22. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water

and wastewater. Section 49-60(d) and Water & Wastewater Design Manual, Table 1.8.3 pg. 1-10

23. Additional design information is required for assessment. 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. Section 49-60(g)(1)
24. On the final plat identify the property as Lot 1 in City Block A/3398. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)







CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-065**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Garland Road at Gaston Avenue, northeast corner**DATE FILED:** December 21, 2016**ZONING:** CR**CITY COUNCIL DISTRICT:** 9**SIZE OF REQUEST:** 1.099-Acres**MAPSCO:** 37X**APPLICANT/OWNER:** Gaston/Grand Corner, Ltd.

REQUEST: An application to replat a 1.099-acre tract of land containing all of Lot 1 in City Block A/2745 and a tract of land in City Block A/2745 to create one lot on property located on Garland Road at Gaston Avenue, northeast corner.

SUBDIVISION HISTORY:

1. S145-134 is a request south of the present request to create one 0.618-acre lot from a tract of land in City Block 2699 on property located at 7446 East Grand Avenue southwest of Gaston Avenue. The request was approved May 7, 2015 and has not been recorded.
2. S145-104 is a request northeast of the present request to create a 0.613-acre lot from a tract of land containing part of City Block 2744 on property located on Garland Road between Gaston Avenue and Winsted Drive. The request approved March 5, 2015 and has not been recorded.
3. S134-037 was an application to create three lots ranging in size from 0.669 acres in size to 9.603 acres in size from a tract of land containing 11.012 acres in size in City Block 2745 on property located on Gaston Avenue northwest of East Grand Avenue. The request was approved on December 5, 2013 and recorded January 12, 2015.

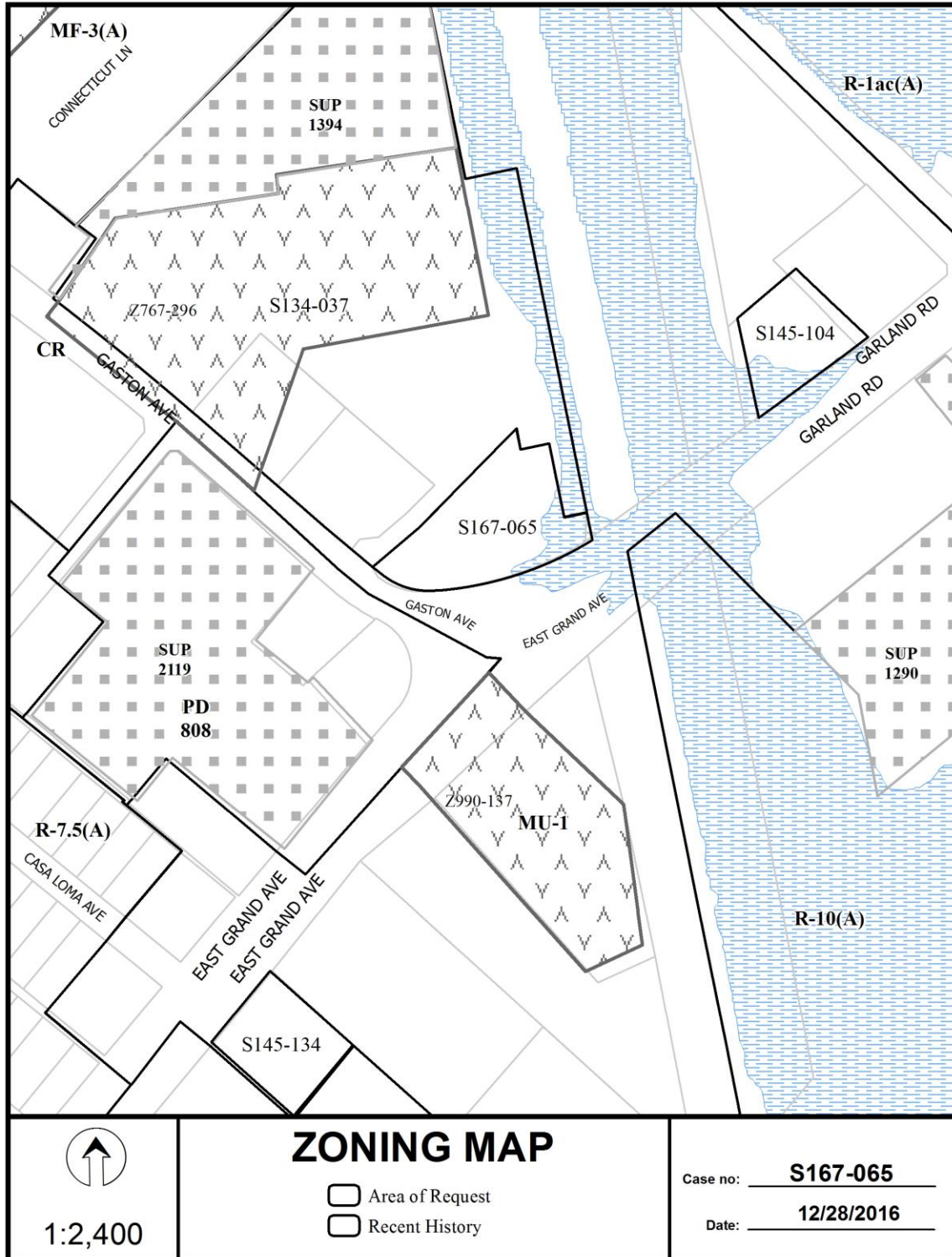
STAFF RECOMMENDATION: The request complies with the requirements of the CR district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.

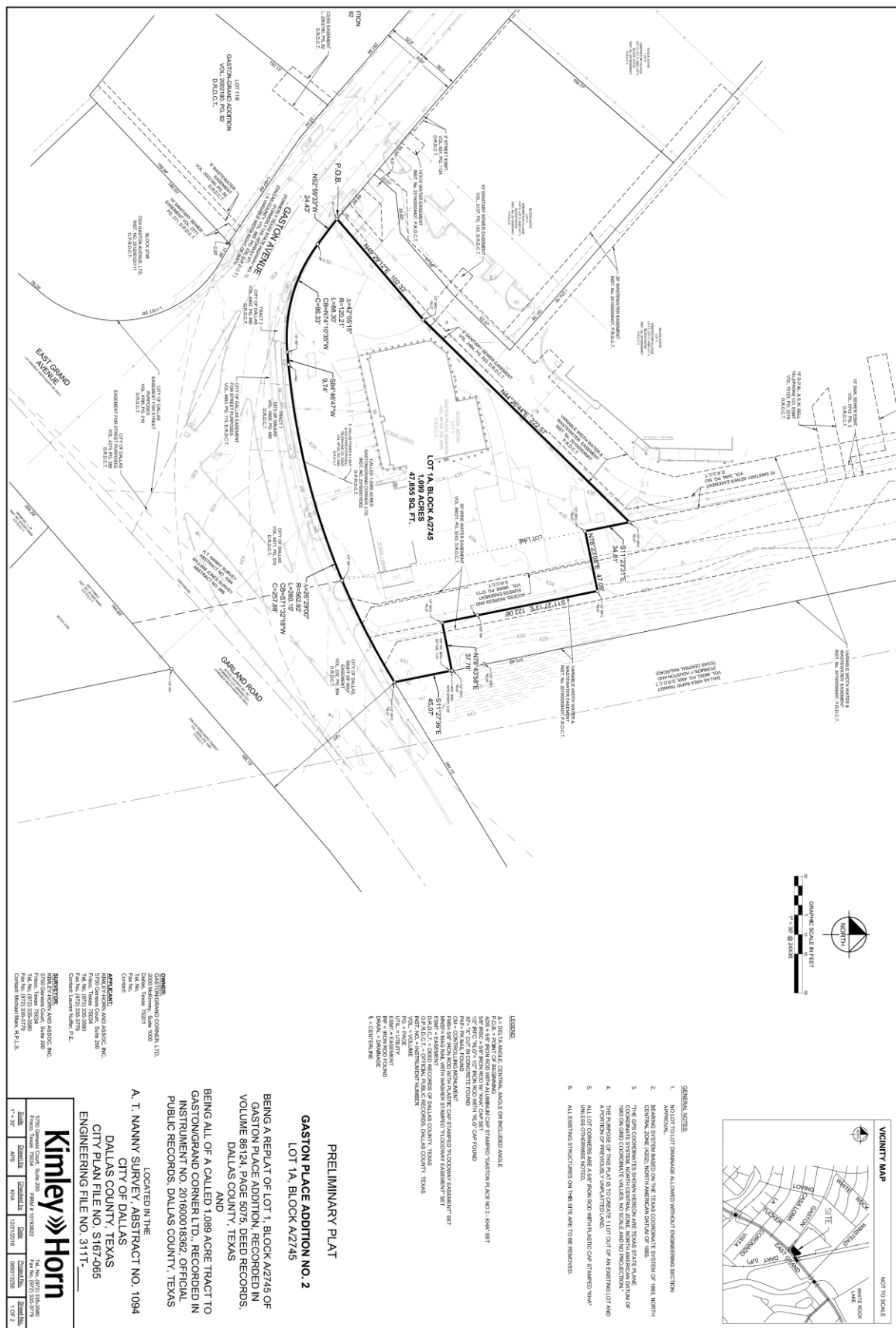
7. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat monument all set corners per the Monumentation Ordinance. 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
9. The maximum number of lots permitted by this plat is 1.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. On the final plat add note: "TXDOT approval may be required for any driveway modification or new access point(s)." No citation.
13. On the final plat determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management
14. On the final plat dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V
15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V
16. On the final plat specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management
17. On the final plat show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1),(2), (3), and (4).
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g)
20. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
21. Additional design information is required for assessment. 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. Section 49-60(g)(1)

22. On the final plat identify the property as Lots 1A in City Block A/2745. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)







CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-068**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Routh Street at Katy Trail, southwest corner**DATE FILED:** December 22, 2016**ZONING:** PD 193 (GR)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.555-acre **MAPSCO:** 45A, B**APPLICANT/OWNER:** Katy Trail Ice House, LP

REQUEST: An application to create one 0.555-acre lot from a tract of land in City Block 1005 on property located on Routh Street and Katy Trail, southwest corner.

SUBDIVISION HISTORY:

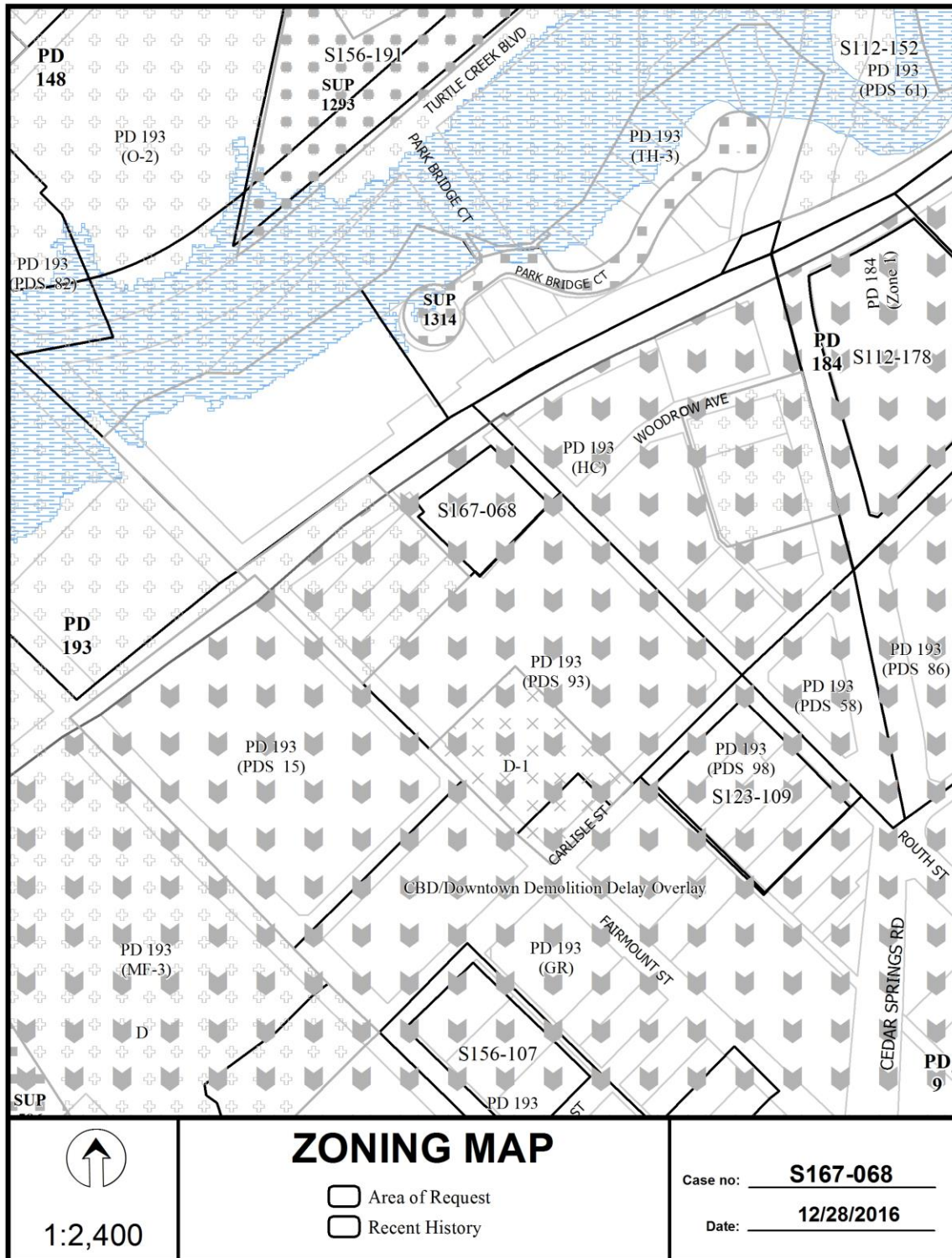
1. S156-191 was a request north of the present request to create one lot from a 5.539-acre tract of land located in City Blocks 11/1017, 1026, and 1027 on property located at Turtle Creek Boulevard between Oak Lawn Avenue and Cedar Springs Road. The request was approved June 2, 2016 and has not been recorded.
2. S156-107 was a request south of the present request to replat a 0.9433-acre lot from a tract of land containing all of Lots 1A, 3A, 9, and part of Lot 7 in City Block 9/994 to create one lot on property located on Maple Avenue between Carlisle Street and Wolf Street. The request was approved March 3, 2016 and has not been recorded.
3. S123-109 was a request south of the present request to replat a 1.135 acre tract of land containing all of Lots 15, 17, 19, 21 and 23 in City Block 11/946 into one lot on property located on Routh Street at Carlisle Street, south corner. The request was approved April 4, 2013 and was recorded May 20, 2016.
4. S112-178 was a request northeast of the present request to replat a 2.309 acre tract of land containing all of Lot 1E in City Block 13/958 into one lot on property at Cedar Springs Road and Carlisle Street, north corner and to remove the existing platted 10' building line along Katy Trail and the platted building line between Lots 1E and 1D that state the property line is the building line. The request was approved August 16, 2012 and was recorded January 27, 2016.
5. S112-152 was a request northeast of the present request to replat all of Lot 1 and a tract of land in City Block A/993 to create one 5.8529 acre lot on property located on Cedar Springs Road at Bowen Street. The request was approved on July 12, 2012, but has not been recorded.

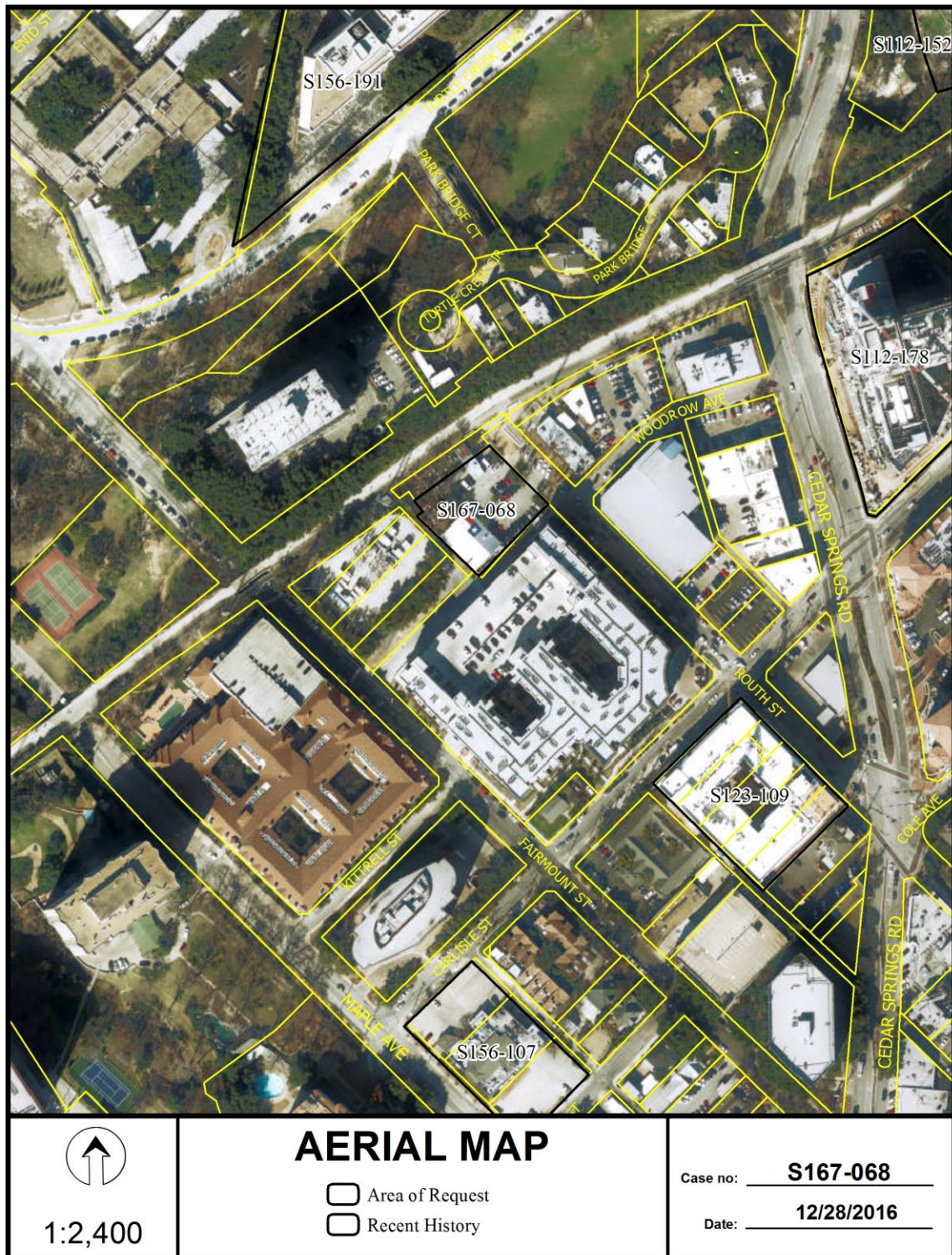
STAFF RECOMMENDATION: The request complies with the requirements of the PD193 (GR) district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 1.
10. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
11. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
12. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
16. On the final plat list utility easements as retained within street abandonments when stated in the abandonment ordinance, or follow the City of Dallas standard affidavit requirements.
17. Prior to submittal of the final plat submit a certified drawing by the Surveyor documenting the location of existing buildings in relation to lot lines in the area of the northwest corner of the property.
18. On the final plat show and label the location of Ordinance 14630 indicating the change of "Kittrell Parkway" to a 12 foot alley.
19. Additional design information is required for assessment. 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. Section 49-60(g)(1)
20. On the final plat change "Woodrow Street" to "Woodrow Street (AKA Woodrow Avenue".

21. On the final plat identify the property as Lot 2, City Block B/1005. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)





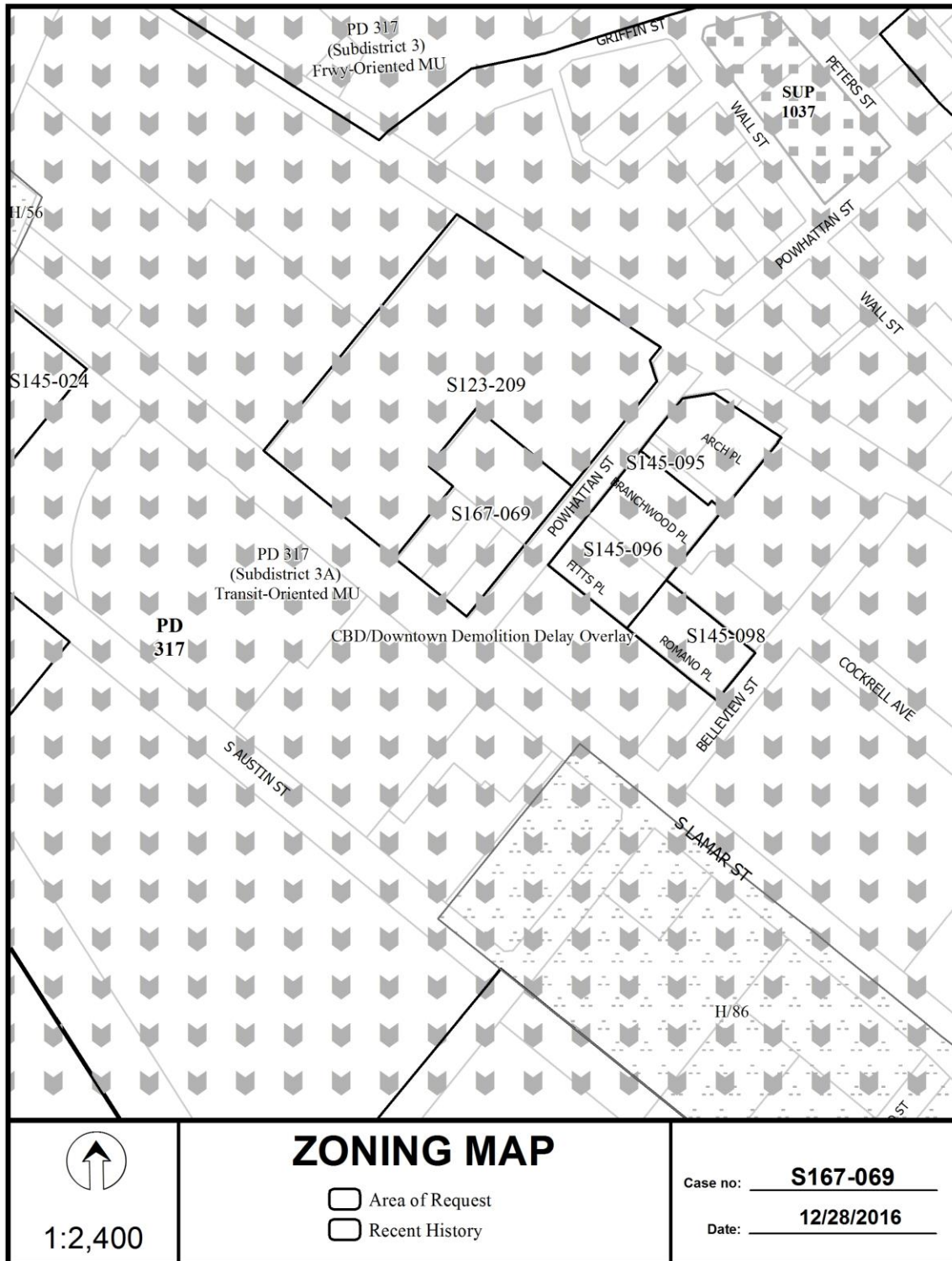
CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-069**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Lamar Street and Powhattan Street, northwest corner**DATE FILED:** December 22, 2016**ZONING:** PD 317 Sub district 3A**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 1.077-Acres **MAPSCO:** 45A&B**APPLICANT/OWNER:** Samadian Family Limited Partnership**REQUEST:** An application to create one 1.077-acre lot from a tract of land in City Block 420 on property located on Lamar Street at Powhattan Street, northwest corner.**SUBDIVISION HISTORY:**

1. S145-098 is a request southeast of the present request to create an 8 lot, with lot sizes ranging from 1,588 square feet to 1760 square feet Shared Access Development from a 0.431-acre tract of land containing parts of City Block A/420 and part of City Block 446 on property located on Bellevue Street between S. Lamar Street and the DART Rail Line. The request was approved March 5, 2015 and recorded May 31, 2016.
2. S145-096 is a request east of the present request to create a 21 lot (lot sizes ranging from 1,543 square feet to 1697 square feet in size) Shared Access Development from a 0.905-acre tract of land containing parts of City Block A/420 and part of City Block 446 on property located on Powhattan Street between S. Lamar Street and the DART Rail Line. The request was approved March 5, 2015 and recorded April 26, 2016.
3. S145-095 is a request northeast of the present request to create a 12 lot Shared Access Development with lot sizes ranging from 1,526 square feet to 2,464 square feet in size from a 0.558-acre tract of land containing part of City Block 446 on property located on Powhattan Street between S. Lamar Street and the DART Rail Line. The request was approved March 5, 2015 and recorded June 3, 2016.
4. S145-024 was a request northwest of the present request to create one 2.087-acre lot from a tract of land in City Block 1082 on property located at the east corner of Cadiz Street and Austin Street and to create one 2.215-acre tract of land in City Block 1082 into one lot on property located at 1000 Austin Street. The request was approved on January 5, 2016 and recorded April 5, 2016.
5. S123-209 was a request north of the present request to create a 3.935 acre lot from a tract of land in City Block 420 and City Block 460 located at the northeast corner of Lamar Street and Powhattan Street. The request was approved July 25, 2013 and recorded January 12, 2016.

STAFF RECOMMENDATION: The request complies with the requirements of PD 317 Sub-district 3A; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 1.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. On the final plat dedicate a 15 foot by 15 foot corner clip at Lamar Street and Powhattan Street.
14. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
15. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
16. On the final plat show all additions or tracts of land within 150-feet of the property with recording information. Platting Guidelines
17. On the final plat show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines

18. Additional design information is required for assessment. 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. Section 49-60(g)(1)
19. On the final plat identify the property as Lots 3 in City Block 1/420. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)





CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-070**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Cypress Waters Boulevard and Olympus Boulevard, southeast corner**DATE FILED:** December 23, 2016**ZONING:** PD 714, Subarea A**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 8.441-Acres**MAPSCO:** 11A**APPLICANT/OWNER:** Cypress Waters Land A, LTD

REQUEST: An application to create one 8.441-acre lot from a tract of land in City Block 8466 on property located on Cypress Waters Boulevard at Olympus Boulevard southeast corner.

SUBDIVISION HISTORY:

1. S167-074 is a request north of the present request to create three lots ranging in size from 0.524-acre to 7.537-acre from a tract of land in City Block H/8644 on property located on Olympus Boulevard and Wharf Road, northeast corner. This request is also scheduled for a hearing January 19, 2017.
2. S167-048 is a request south of the present request to replat a 7.852-acre tract of land containing part of Lot 2 in City Block G/8465 to create one 1.210-acre lot and one 5.332-acre lot on property located on Cypress Waters Boulevard at Saintsbury Street, southeast corner. This request was approved December 15, 2016 and has not been recorded.
3. S167-035 is a request south of the present request to create one 70-acre lot from a tract of land in City Block 8467 on property located on Ranch Trail, east of Belt Line Road. The request was approved December 15, 2016 and has not been recorded.
4. S156-137 is a request north of the present request to create one 8.1623-acre lot, one 3.3407-acre lot, one 3.3197 acre lot, one 1.3475 acre lot, one 0.4961-acre lot, and 5.9001 acres of dedicated right-of-way from a 22.5664-acre tract of land in City Block 8466 on property located north of Hackberry Road and east of Belt Line Road. The request was approved April 7, 2016 and has not been recorded.
5. S156-129 is a request south of the present request to create one 8.410-acre lot and one 9.266-acre lot from a 17.676-acre tract of land located in City Block 8466 on property located on Cypress Waters Boulevard at Olympus Boulevard. This request was approved April 7, 2016 and has not been recorded.
6. S145-272 is a request northeast of the present request to create a 1.154-acre lot in City Blocks 8466 and 8467 on property located north and east of Cypress Waters Boulevard and Olympus Boulevard. The request was approved October 1, 2015 and has not been recorded.
7. S145-032 is a request north of the present request to dedicate an 8.192-acre tract of land in part of City Blocks 8463 and 8466 for right-of-way to create Olympus Boulevard. The request was approved December 18, 2014 and has not been recorded.
8. S134-214 was a request southeast of the present request to create a 1.154-acre lot in City Blocks 8466 and 8467 for a lift station on property located north and

east of the intersection of Cypress Waters Boulevard and Olympus Boulevard. The request was approved October 1, 2015 with Phase A being recorded March 16, 2016.

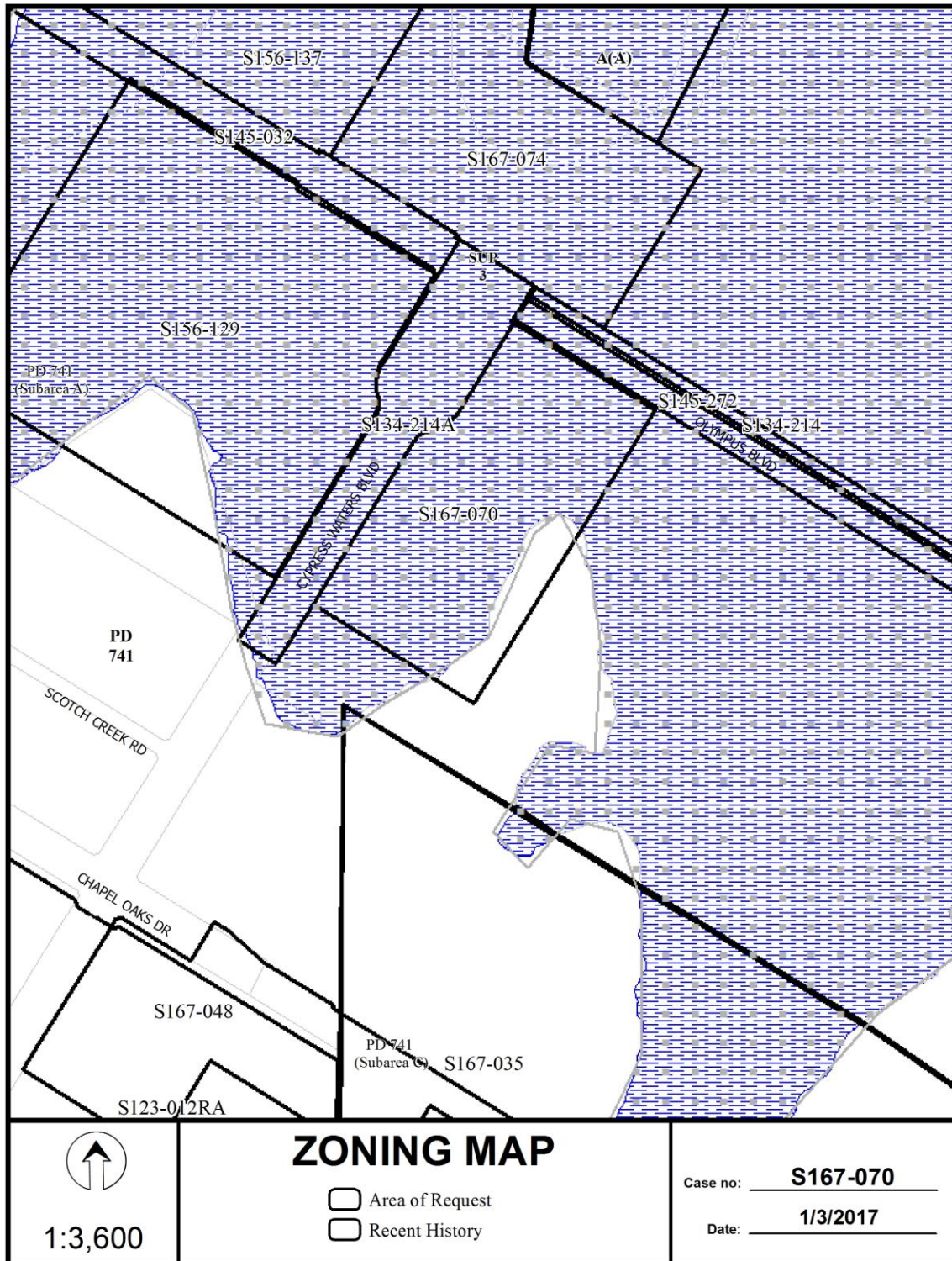
9. S123-012 was an application to create one 38.174 acre lot, one 10.595 acre lot and one 56.878 acre lot from a 113.291 acre tract of land in City Block 8465 on property in the vicinity of Belt Line Road, north of Hackberry Lane and was approved on November 15, 2012, and was not recorded.
10. S123-012RA was an application to create one 38.174 acre lot, one 10.595 acre lot and one 56.878 acre lot from a 113.291 acre tract of land in City Block 8465 on property in the vicinity of Belt Line Road, north of Hackberry Lane and was approved on November 15, 2012, and was not recorded.
11. S123-012RB was a phase of S123-012 which included the present request and created two lots out of a 30 acre parcel and was recorded on May 13, 2013.
12. S123-012RC was a phase of S123-012RB consisted of one lot and 30.198 acres and was approved on November 15, 2012 and recorded on May 13, 2013.

STAFF RECOMMENDATION: The request complies with the requirements of PD 714, Subarea A; therefore, staff recommends approval subject to compliance with the following conditions:

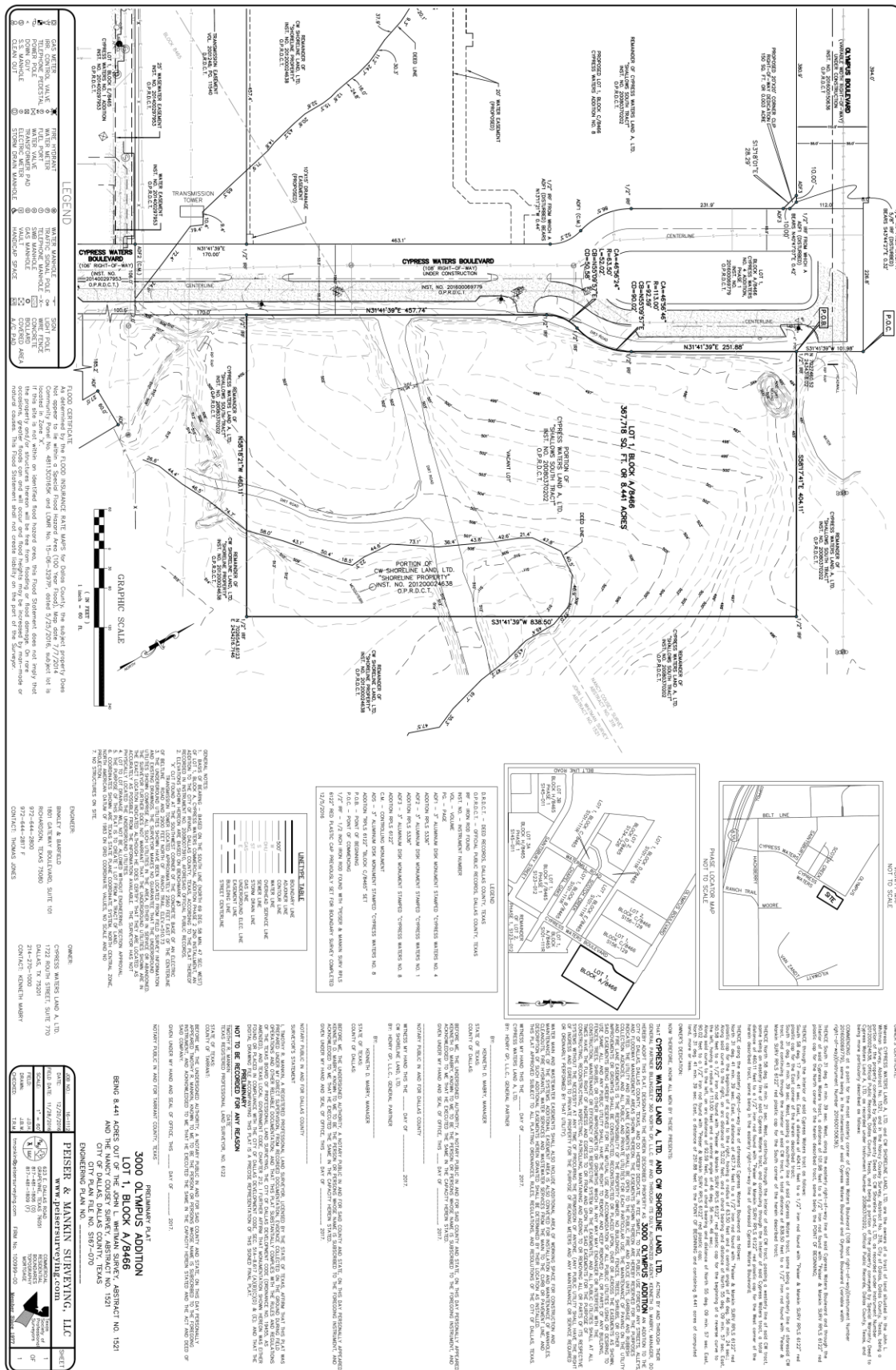
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act, and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 1.

10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
13. On the final plat dedicate a 20 foot by 20 foot corner clip at Cypress Waters Boulevard at E. Olympus Boulevard.
14. On the final plat determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management
15. On the final plat dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V
16. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V
17. On the final plat specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management
18. On the final plat show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
19. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1),(2), (3), and (4).
20. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g)
21. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
22. On the final plat chose a new or different addition name. A plat name cannot start with a number. Platting Guidelines
23. Water main extension may be required by Private Development Contract. Submit plans to 320 E. Jefferson Blvd.; Room 200, Attention Water and Wastewater Engineering. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c)
24. Wastewater main extension is required by Private Development Contract. Submit plans to 320 E. Jefferson Blvd.; Room 200, Attention Water and Wastewater Engineering. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c)
25. On the final plat show and reference the Olympus Boulevard dedication.

26. On the final plat identify the property as Lot 1 in City Block K/8466. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)







CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-071**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Ervay Street at Lear Street, northeast corner**DATE FILED:** December 23, 2016**ZONING:** PD 317, Subarea 2A**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 1.335-Acres **MAPSCO:** 45V**APPLICANT/OWNER:** 2000 Ervay, LLC

REQUEST: An application to replat a 1.335-acre tract of land containing all of Lots 19 through 25, and part of Lot 26 in City Block 917 to create a 36 lot Shared Access Development with lots ranging in size from 0.029-acre to 0.050-acre on property located on Ervay Street and Lear Street, northeast corner.

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

STAFF RECOMMENDATION: Section 51A-4.411(b)(2) states that Shared Access Development ...”means a development where one or more of the lots within the development do not front on a public or private street; whereas access to the lots within the development is provided via a shared access area and that meets all of the requirements of this section.”

The request complies with the requirements of PD 317, Subarea 2A; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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.”
8. 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

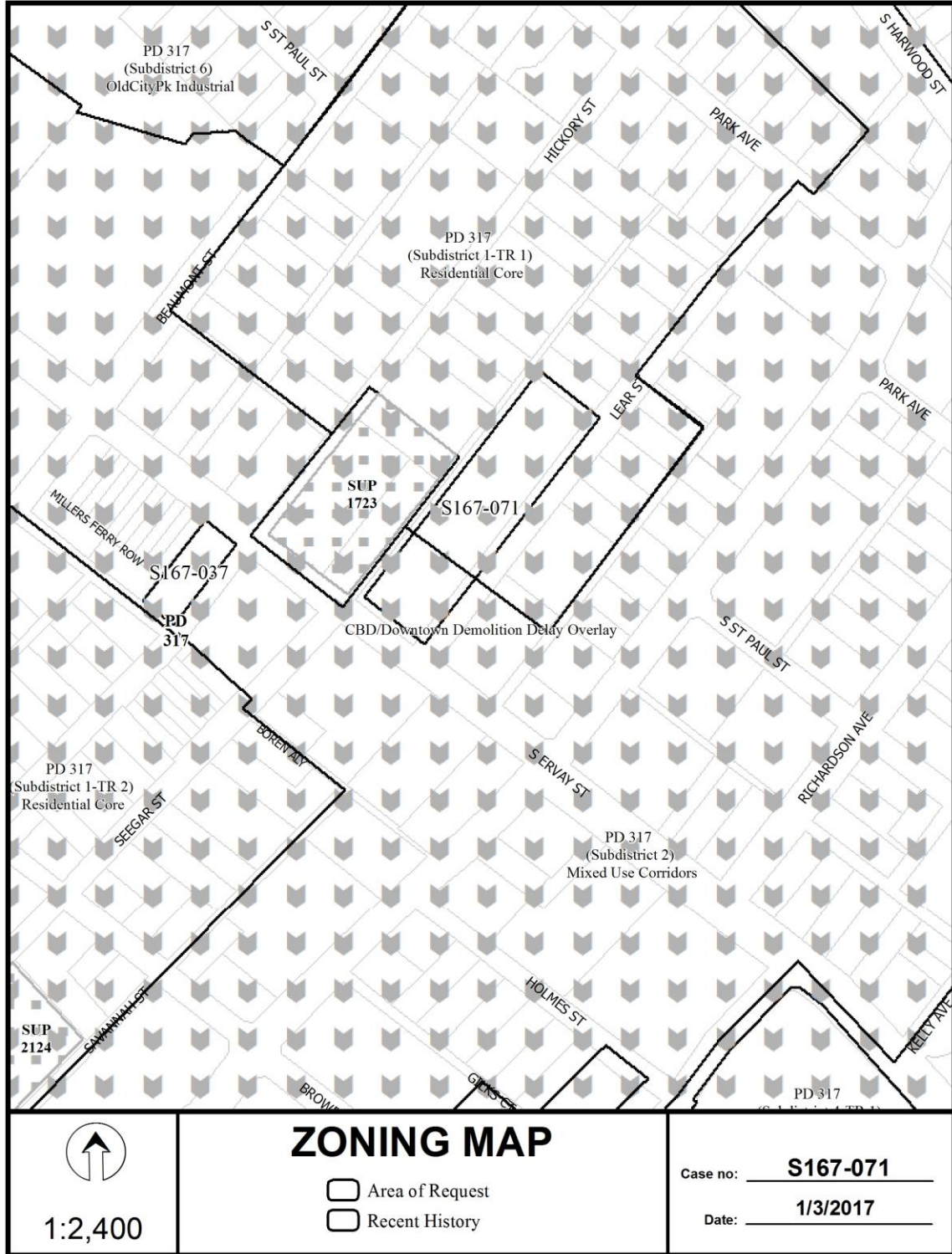
9. The maximum number of lots permitted by this plat is 36.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. On the final plat dedicate 7.5 feet of right-of-way from the established centerline of the alley. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e)
13. On the final plat dedicate a 15 foot by 15 foot corner clip at Ervay Street and Lear Street.
14. On the final plat dedicate a 15-foot by 15-foot Alley Sight Easement at Ervay Street and the alley. Section 51A-8.602(e), Section 51A-9.101
15. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
16. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
17. On the final plat show all additions or tracts of land within 150-feet of the property with recording information. Platting Guidelines
18. There must be no more than 2 access area points, each limited to serve no more than 18 dwelling units. Section 51A-4.411(d)(10)
19. The Shared Access Area easement must be a minimum of 20 feet wide and contain a minimum paving width of 16 feet. Section 51A-411(d)(7)
20. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat. Section 51A-4.411(d)(2) and Sections 49-60(d), 49-61(c)(5)(B), and Development Design Procedure and Policy Manual Section 6.2
21. No building permit may be issued to authorize work in the shared access area development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and the recording information has been placed on the face of the plat, and all other requirements of the shared access area have been met. Section 51A-4.411(c)(3)
22. Prior to submittal of the final plat the Shared Access Development must meet all of the requirements of Section 51A-4.411. Section 51A-4.411(c)
23. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission

Chairman for signature. The Shared Access Area Agreement shall include a metes and bounds description of the shared access area as part of an attachment to the document. Section 51A-4.411(e)

24. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot. Section 51A-4.411(f)(2)
25. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f)(2)
26. Include the words "Shared Access Development" in the title block of the final plat. Platting Guidelines
27. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area except to a public or City Council approved Private Street." Section 51A-4.411(d)(3), and 51A-4.411(d)(10)
28. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d)(8)
29. The Shared Access Area Easement must be terminated a minimum of 3 feet from the adjacent property or right-of-way. Section 51A-8.618(b)
30. On the final plat provide a City of Dallas approved street name for the Shared Access Area Easement. Contact the Street Name Coordinator to obtain an approved street name." Sections 51A-8.403(a)(1)(A)(xiv) and 51A-8.506(e)
31. On the final plat identify the property as Lots 1 through 36, City Block A/917. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872); Section 51A-8.403(a)(1)(A)(viii)
32. Provide guest parking at a rate of 0.25 spaces per dwelling unit and with adequate maneuverability per the Shared Access Development requirements.
33. Shared Access Area developments must comply with DWU standards for water and wastewater construction and design and be accepted by the City of Dallas prior to submittal of the final plat for the Chairperson's signature. Section 49-61(c)(5)(B) and the Development Design Procedures and Policy Manual, Section 2
34. Additional design information is required for assessment. 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. Section 49-60(g)(1)
35. Water and Wastewater main extension is required by Private Development Contract. Submit plans to 320 E. Jefferson Blvd., Room 200, Attention Water and

Wastewater Engineering. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c) Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c)

36. Contact the Dallas Street Name Coordinator to determine acceptable names for the shared access drives.
37. On the final plat identify the property as Lots 1 through 36 in City Block A/917. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)





Showing Access and Easement Statement

This plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:

1. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:
2. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:
3. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:
4. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:
5. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:

GENERAL NOTES:

1. No lot or portion of a lot shall be used for any purpose other than that shown on this plan.
2. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:
3. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:
4. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:
5. The plan is approved by the Chief Engineer of the Department of Transportation and Public Works, City of Dallas, Texas, and is subject to the following conditions:

LEGEND:

Boundary Line
Right-of-Way Line
Easement
Access
Other

OWNER:

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

PRELIMINARY PLAN:

THE CEDARS
Lot 1-36, Block 917
A SUBDIVISION OF
THE CEDARS
OF THE
CITY OF DALLAS, TEXAS

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

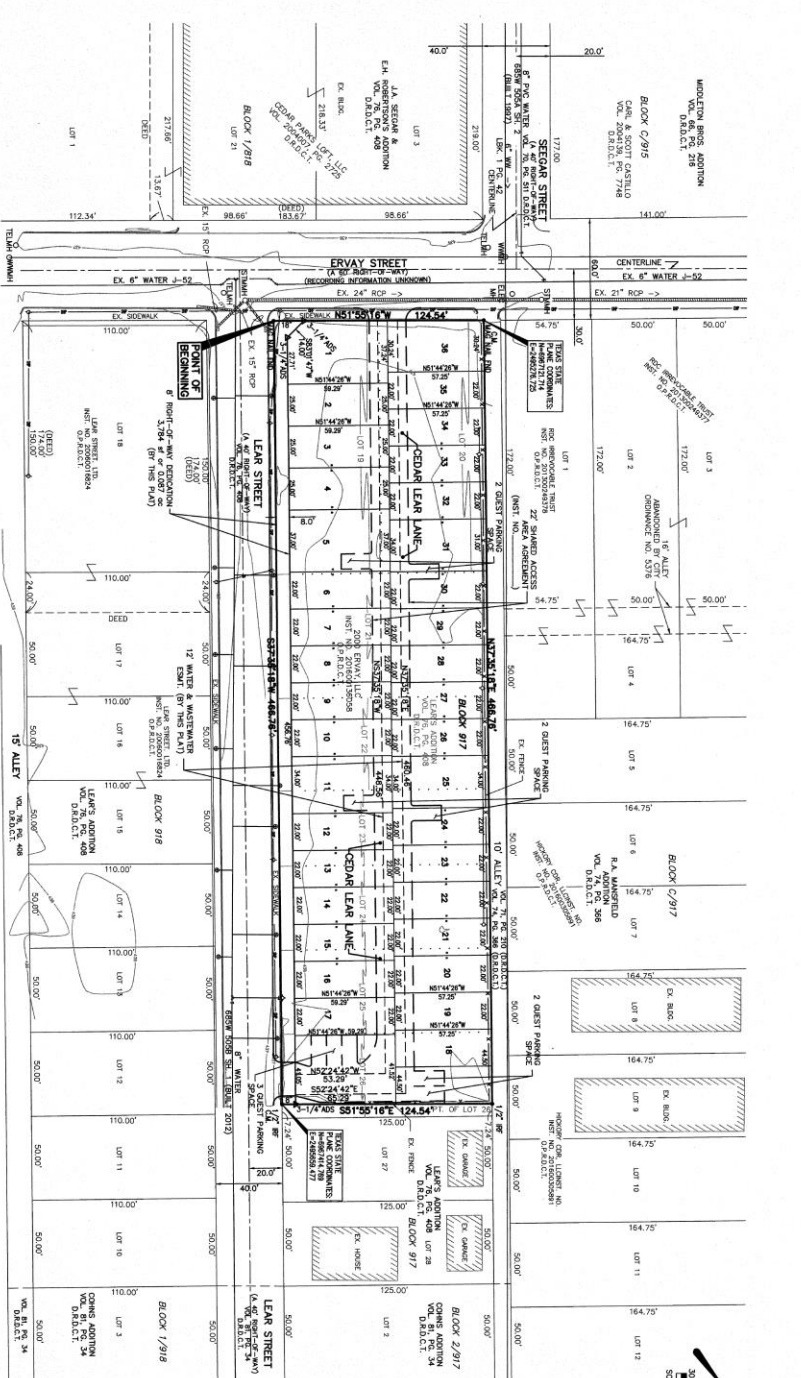
JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

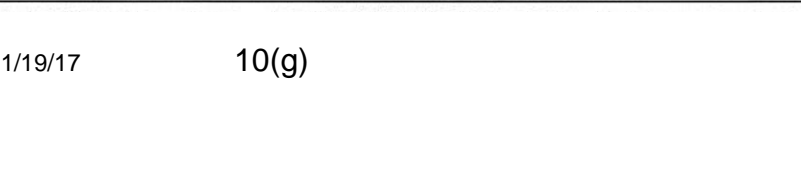
JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781

JOHN CARLOS SERRA, JR.
10440 N. CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243
(972) 383-0781



LOT	AREA (SQ. FT.)	AREA (AC.)
1	10,000	0.23
2	10,000	0.23
3	10,000	0.23
4	10,000	0.23
5	10,000	0.23
6	10,000	0.23
7	10,000	0.23
8	10,000	0.23
9	10,000	0.23
10	10,000	0.23
11	10,000	0.23
12	10,000	0.23
13	10,000	0.23
14	10,000	0.23
15	10,000	0.23
16	10,000	0.23
17	10,000	0.23
18	10,000	0.23
19	10,000	0.23
20	10,000	0.23
21	10,000	0.23
22	10,000	0.23
23	10,000	0.23
24	10,000	0.23
25	10,000	0.23
26	10,000	0.23
27	10,000	0.23
28	10,000	0.23
29	10,000	0.23
30	10,000	0.23
31	10,000	0.23
32	10,000	0.23
33	10,000	0.23
34	10,000	0.23
35	10,000	0.23
36	10,000	0.23



CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-072**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Winfield Avenue at Samuell Boulevard, southeast corner**DATE FILED:** December 23, 2016**ZONING:** RR**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 1.299-Acres**MAPSCO:** 47E**APPLICANT/OWNER:** EVJCO, Ltd and Earl Van Johnson II

REQUEST: An application to replat a 1.299-acre tract of land containing all of Lots 1 through 7 in City Block 2/2663 into one lot on property located on Winfield Avenue at Samuell Boulevard, southeast corner.

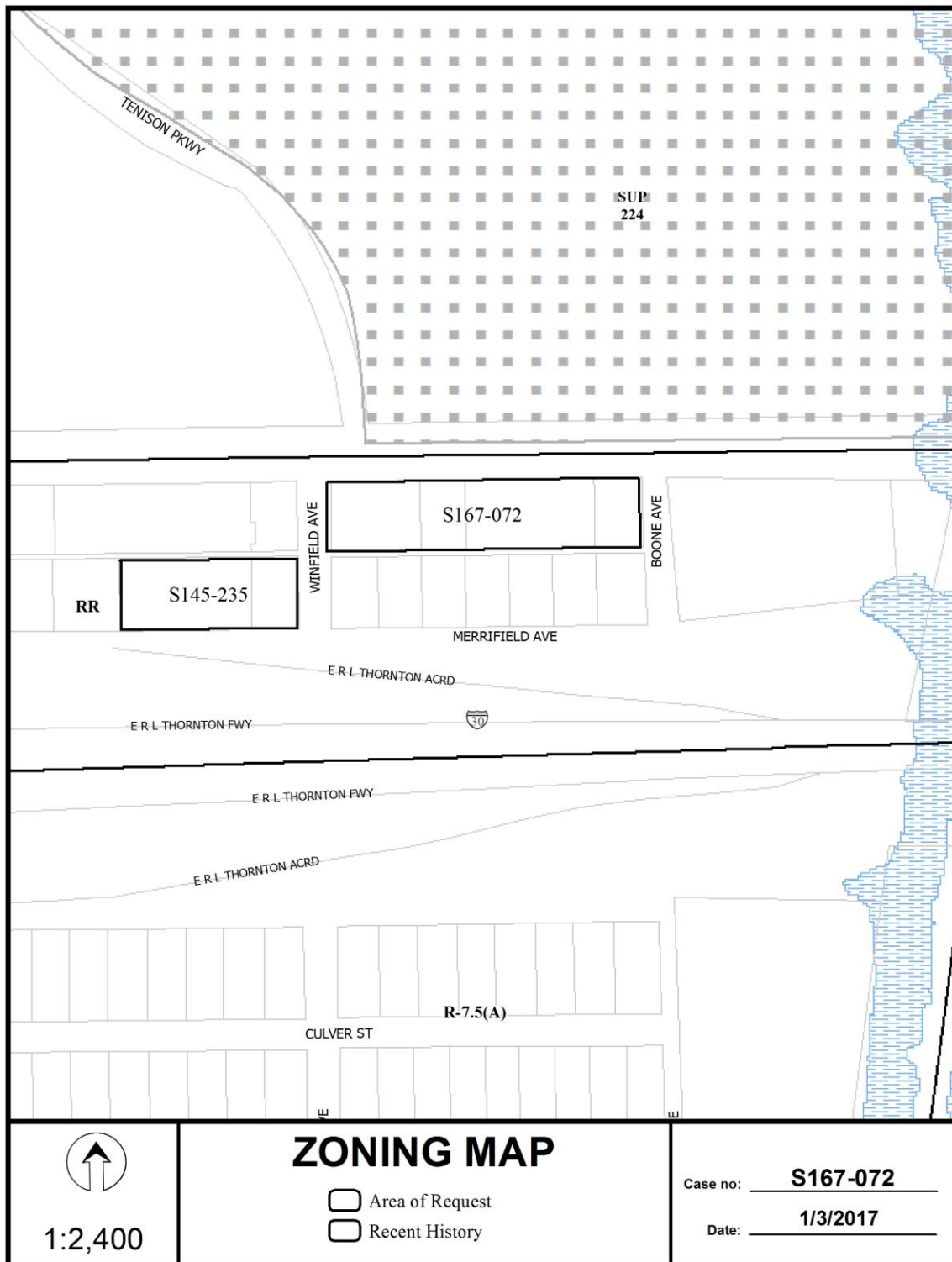
SUBDIVISION HISTORY:

1. S145-235 was a request southwest of the present request to replat a 0.733-acre tract of land containing all of Lots 7-10 in City Block E/2663 into one lot on property located at Winfield Street and Merrifield Avenue, northwest corner. The request was approved August 6, 2015 and has not been recorded.

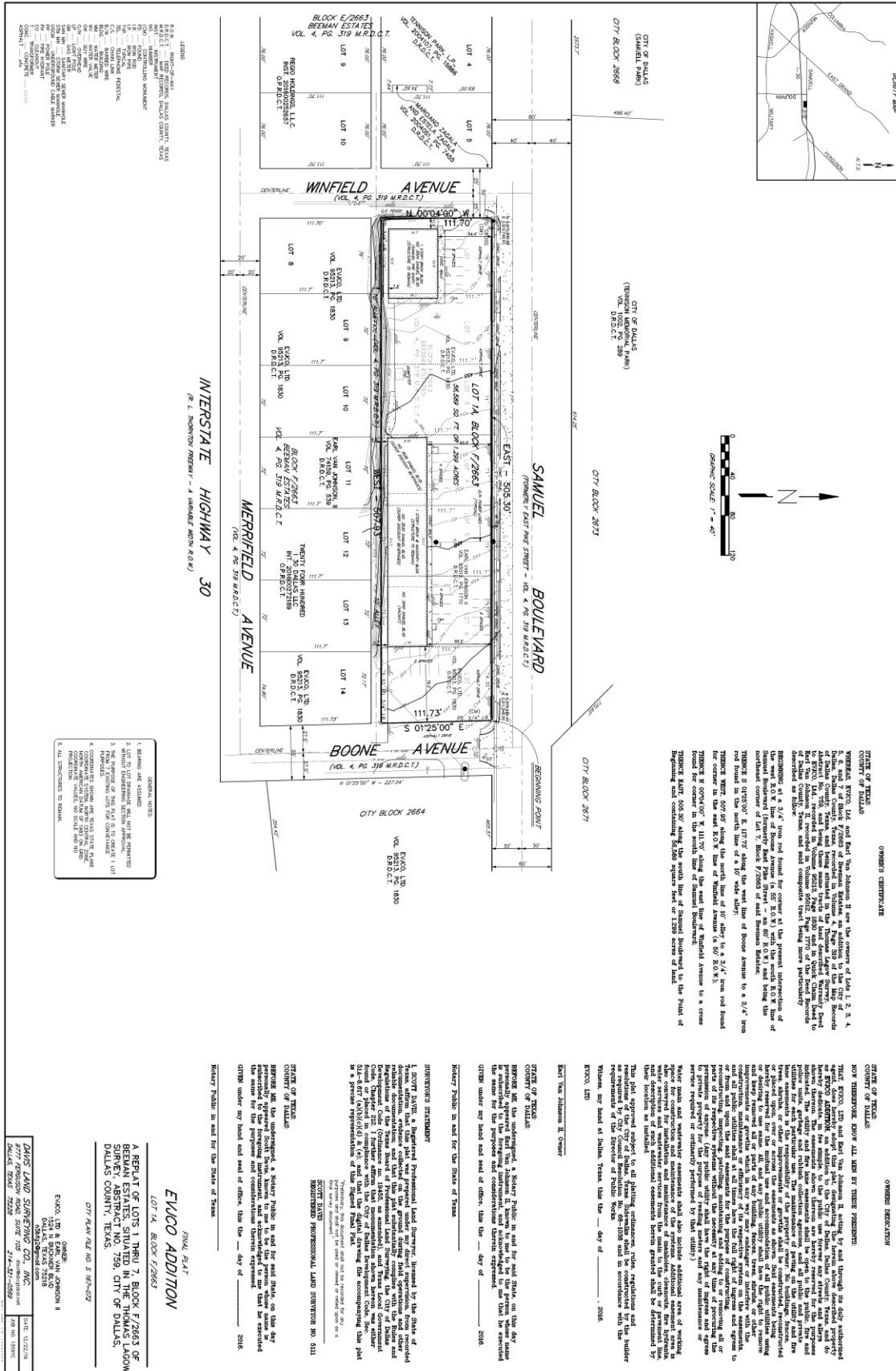
STAFF RECOMMENDATION: The request complies with the requirements of the RR district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 1.

10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. On the final plat dedicate either 28 feet of right-of-way, street easement, or sidewalk easement from the established center line of Winfield Avenue and Boone Avenue. Sections 51A-8.602(c) and 51A-9.101
13. On the final plat dedicate 7.5 feet of right-of-way from the established centerline of the alley. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e)
14. On the final plat dedicate a 15-foot by 15-foot Alley Sight Easement at Winfield Avenue and the alley. Section 51A-8.602(e), Section 51A-9.101
15. On the final plat dedicate a 15-foot by 15-foot Alley Sight Easement at Boone Avenue and the alley. Section 51A-8.602(e), Section 51A-9.101
16. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
17. Additional design information is required for assessment. 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. Section 49-60(g)(1)
18. On the final plat change "Samuel Boulevard" to "Samuell Boulevard".
19. On the final plat change "Formerly East Pike Street" to "formerly East Pike".
20. On the final plat show and label "Tenison Parkway".
21. On the final plat change the freeway labels to "R.L. Thornton Freeway / Interstate Highway 30".
22. On the final plat identify the property as Lot 1A in City Block F/2663. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)







CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****FILE NUMBER:** S167-073**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Northwest Highway at Shiloh Road, northeast corner**DATE FILED:** December 23, 2016**ZONING:** MC-1, IR, CS**CITY COUNCIL DISTRICT:** 9 **SIZE OF REQUEST:** 3.032-Acres**MAPSCO:** 29W**APPLICANT/OWNER:** MBRE, LLC

REQUEST: An application to replat a 3.032-acre tract of land containing all of Lot 1 in City Block A/8047, and a tract of land in City Block A/8047 to create one 1.728-acre lot, and one 1.304-acre lot on property located on Northwest Highway at Shiloh Road, northeast corner.

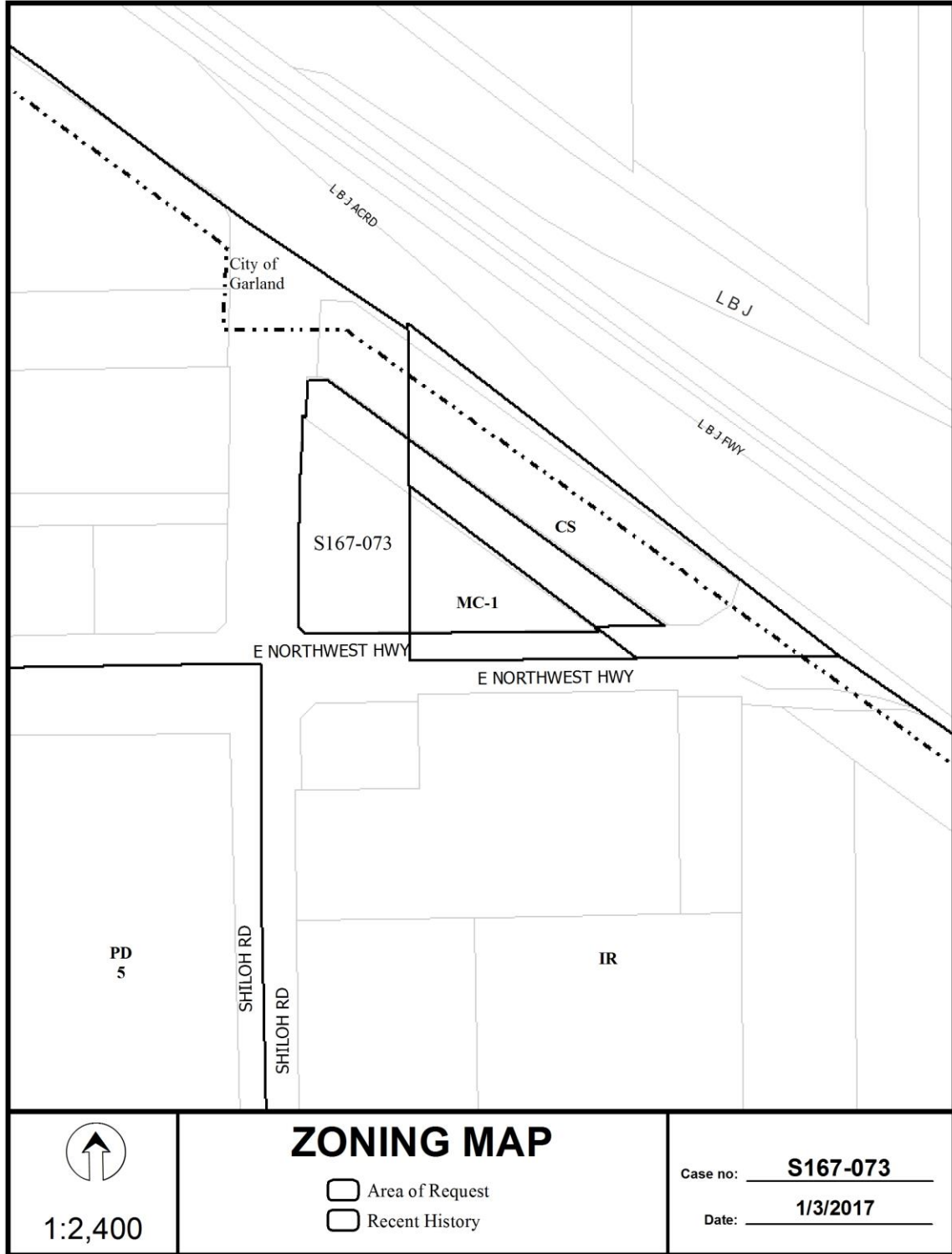
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of the MC-1, IR, and CS districts; therefore, staff recommends approval subject to compliance with the following conditions:

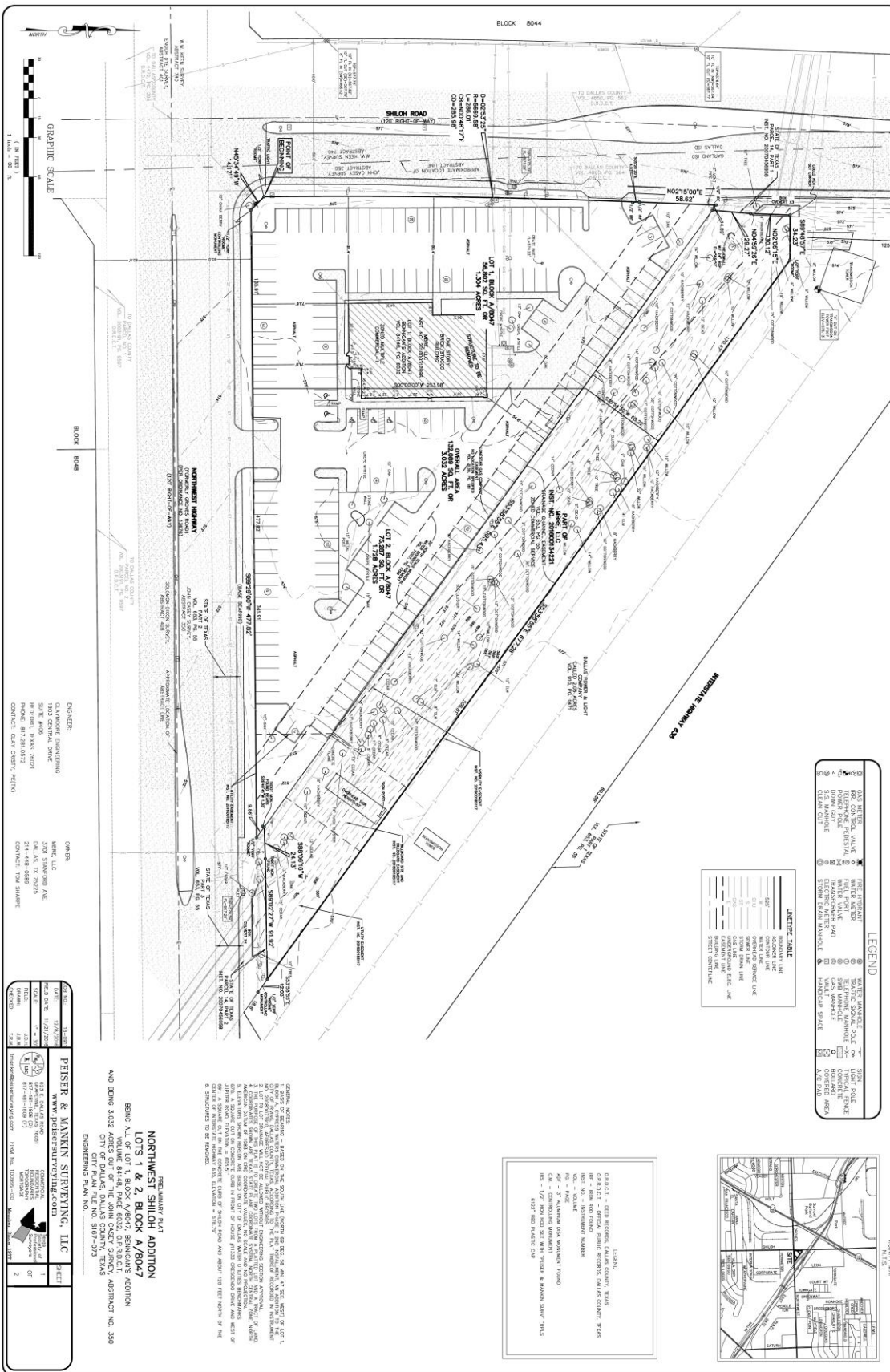
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act, and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 2.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)

11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
13. On the final plat dedicate a 20 foot by 20 foot corner clip at Shiloh Road and Northwest Highway.
14. On the final plat add note: "TXDOT approval may be required for any driveway modification or new access point(s)." No citation.
15. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
16. On the final plat show the recorded information (easement) for the gas line shown on the preliminary plat. Platting Guidelines
17. Verify with Oncor if an easement is needed for the overhead power lines shown on the final plat.
18. 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 wastewater. Section 49-60(d) and Water & Wastewater Design Manual, Table 1.8.3 pg. 1-10
19. Water and Wastewater main extension is required by Private Development Contract. Submit plans to 320 E. Jefferson Blvd., Room 200, Attention Water and Wastewater Engineering. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c) Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c)
20. On the final plat identify the property as Lots 1A and 1B in City Block A/8047. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)







LOCATION: Cypress Waters Boulevard and Olympus Boulevard, southeast corner**DATE FILED:** December 23, 2016**ZONING:** PD 714, Subarea A**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 9.6605-Acres **MAPSCO:** 11A**APPLICANT/OWNER:** Cypress Waters Land A, Ltd. B Ltd., and C LTD

REQUEST: An application to create three lots ranging in size from 0.524-acre to 7.537-acre from a 9.6605-acre tract of land in City Block H/8644 on property located on Olympus Boulevard and Wharf Road, northeast corner.

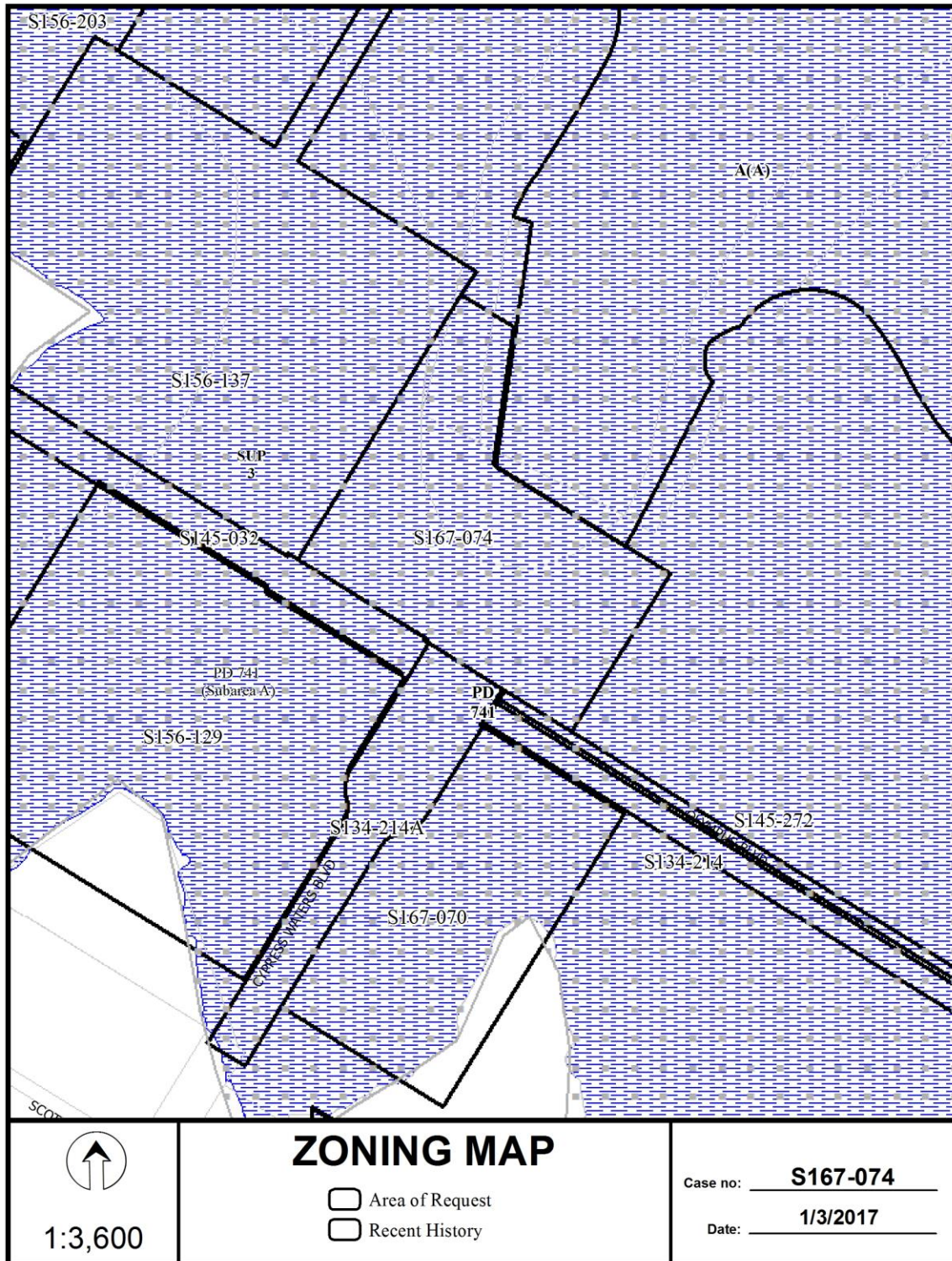
SUBDIVISION HISTORY:

1. S167-070 is a request south of the present request to create one 8.441-acre lot from a tract of land in City Block 8466 on property located on Cypress Waters Boulevard and Olympus Boulevard, southeast corner. This request is also scheduled for a hearing January 19, 2017.
2. S156-203 is a request south of the present request to create one 15.717-acre lot from a tract of land located in City Block 8466 on property located on Olympus Boulevard at Rombauer Road. The request was approved December 15, 2016 and has not been recorded.
4. S156-137 is a request contiguous on the northwest of the present request to create one 8.1623-acre lot, one 3.3407-acre lot, one 3.3197 acre lot, one 1.3475 acre lot, one 0.4961-acre lot, and 5.9001 acres of dedicated right-of-way from a 22.5664-acre tract of land in City Block 8466 on property located north of Hackberry Road and east of Belt Line Road. The request was approved April 7, 2016 and has not been recorded.
5. S156-129 is a request southwest of the present request to create one 8.410-acre lot and one 9.266-acre lot from a 17.676-acre tract of land located in City Block 8466 on property located on Cypress Waters Boulevard at Olympus Boulevard. This request was approved April 7, 2016 and has not been recorded.
6. S145-272 is a request east of the present request to create a 1.154-acre lot in City Blocks 8466 and 8467 on property located north and east of Cypress Waters Boulevard and Olympus Boulevard. The request was approved October 1, 2015 and has not been recorded.
7. S145-032 is a request contiguous on the south of the present request to dedicate an 8.192-acre tract of land in part of City Blocks 8463 and 8466 for right-of-way to create Olympus Boulevard. The request was approved December 18, 2014 and has not been recorded.
8. S134-214 was a request south and east of the present request to create a 1.154-acre lot in City Blocks 8466 and 8467 for a lift station on property located north and east of the intersection of Cypress Waters Boulevard and Olympus Boulevard. The request was approved October 1, 2015 with Phase A being recorded March 16, 2016.

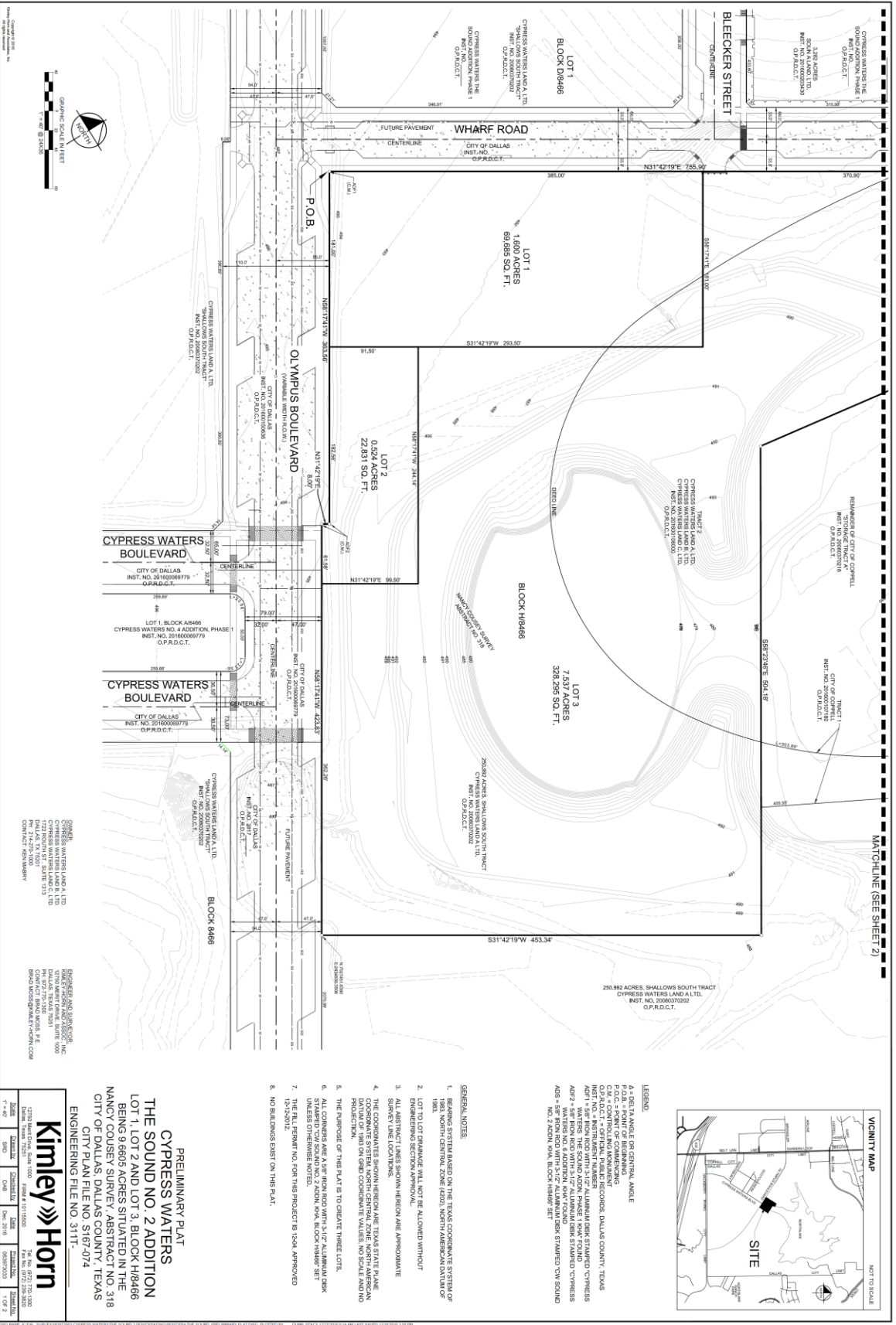
STAFF RECOMMENDATION: The request complies with the requirements of PD 714, Subarea A; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must 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 the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing may not extend across new property lines.
6. 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.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 1.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. On the final plat dedicate a 15 foot by 15 foot corner clip on Wharf Road at Olympus Boulevard.
13. On the final plat determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management
14. On the final plat dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V

15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V
16. On the final plat specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management
17. On the final plat show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1),(2), (3), and (4).
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g)
20. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
21. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
22. On the final plat show all additions or tracts of land within 150-feet of the property with recording information. Platting Guidelines
23. Additional design information is required for assessment. 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. Section 49-60(g)(1)
24. On the final plat do not label "Wharf Road, Mulberry Hill Road, or Bleecker Street" until their right-of-ways are dedicated.
25. On the final plat identify the property as Lots 1, 2, and 3 in City Block L/8466. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)







LOCATION: Haymarket Road, south of Hazelcrest Drive**DATE FILED:** December 22, 2016**ZONING:** R-10(A), A(A)**CITY COUNCIL DISTRICT: 8 SIZE OF REQUEST: 98.714-Acres MAPSCO: 69M****APPLICANT/OWNER:** Ruibal Farms, LP

REQUEST: An application to create one 3.000-acre lot and one 95.714-acre lot from a tract of land in City Block 8790 on property located on Haymarket Road, south of Hazelcrest Drive.

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

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

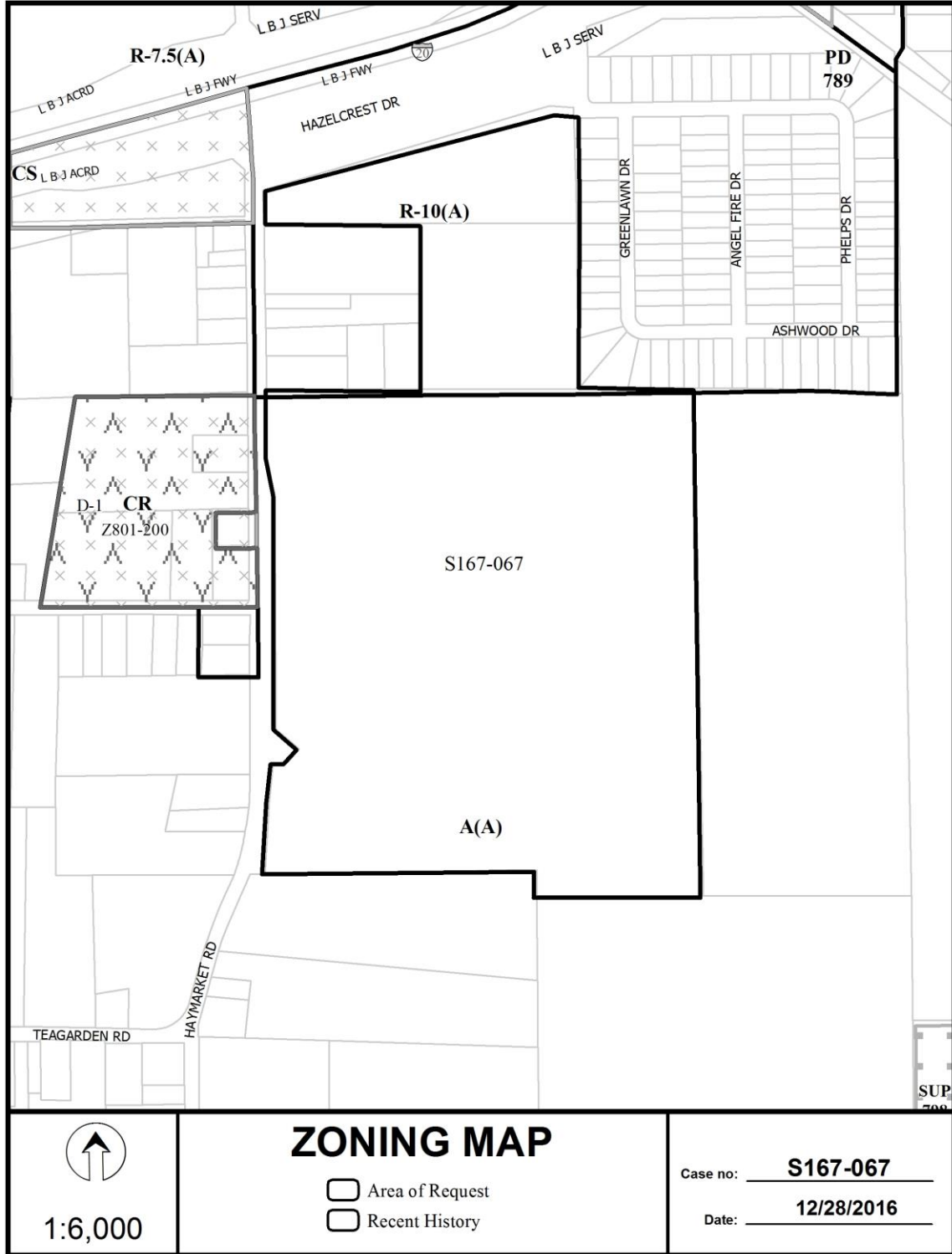
Proposed Lot 1 is 3 acres in size and complies with the minimum lot area for a lot in the A(A) zoning district. The 95.7-acre lot abuts an R-10(A) subdivision on the northeast and is not consistent with the R-10(A) development pattern in that area. However, with the exception of the residential subdivision on the northeast, the proposed 97+ acre lot is consistent with the patterns to the east (Mesquite Land fill), other large parcels to the south. The properties to the west lie within a nonresidential district and have no established lot pattern.

The request complies with the requirements of the R-10(A) and the A(A) districts however, it is debatable that the 95 acre proposed lot complies with Section 51A-8.503. Perhaps if the portion of the large lot adjacent to the R-10(A) development was platted in lots similar to the lots on the northeast, then staff could support the request. However, with the proposal submitted, staff has determined that proposed lot 2 does not comply with Section 51A-8.503 and we recommend denial of the request. However, should the commission approve the request staff recommends that the approval be subject to compliance with the following conditions:

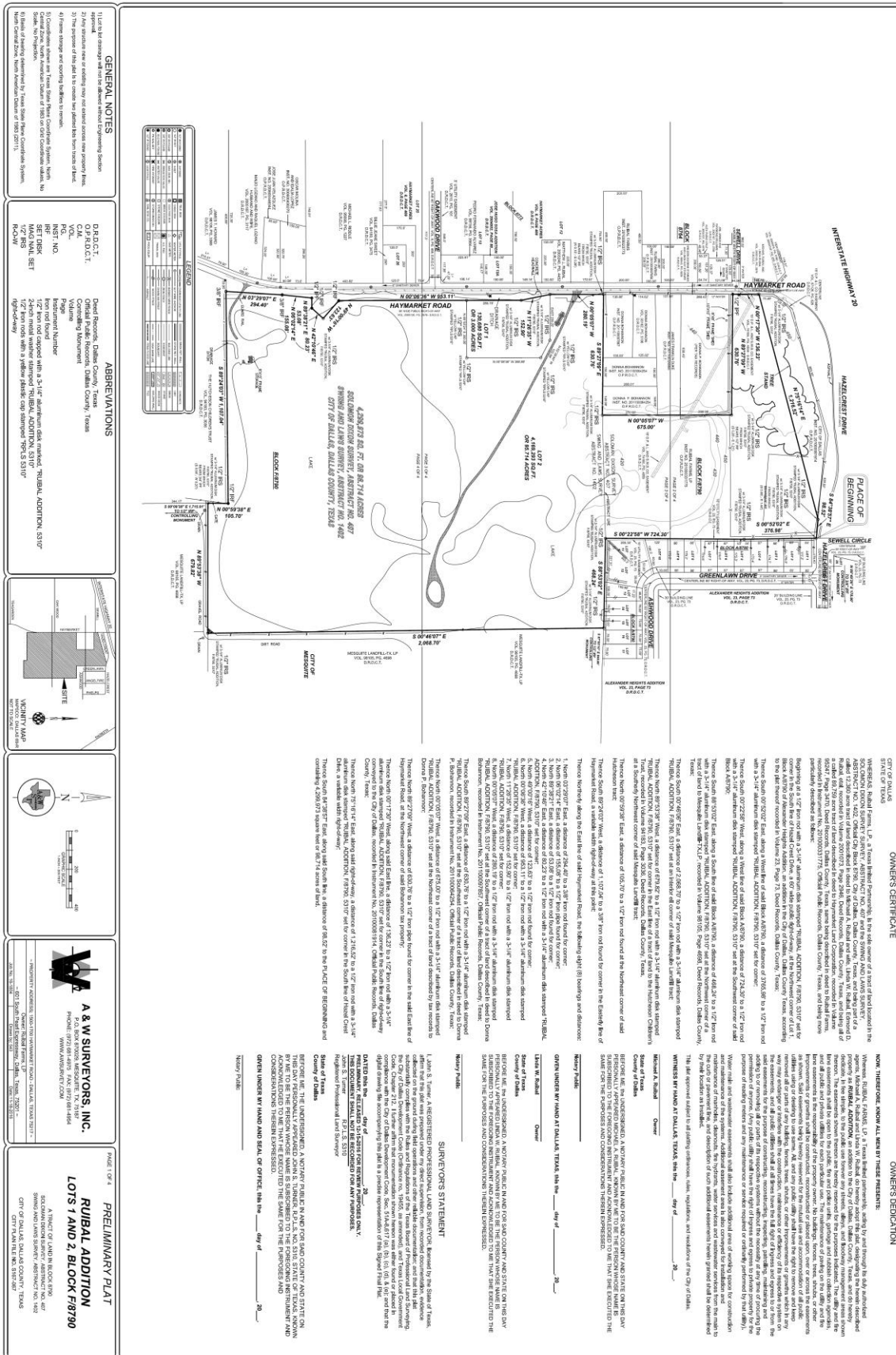
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act, and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. The number and location of fire hydrants, must comply with the Dallas Fire Code.

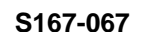
5. Any structure new or existing may not extend across new property lines.
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. 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."
8. 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
9. The maximum number of lots permitted by this plat is 2.
10. 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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
13. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
14. On the final plat show recording information on all existing easements within 150-feet of the property. Platting Guidelines
15. Additional design information is required for assessment. 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. Section 49-60(g)(1)
16. 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 wastewater. Section 49-60(d) and Water & Wastewater Design Manual, Table 1.8.3 pg. 1-10
17. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of the development for investigation. Sections 49-60(b)(2)(d) and 49-60(d).
18. Water and wastewater main extension may be required by Private Development Contract. Submit plans to 320 E. Jefferson Blvd.; Room 200, Attention Water and Wastewater Engineering. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b) and (c)

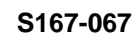
19. On Sheets 1 and 2 change "Interstate Highway 20" to "Lyndon B. Johnson Freeway / Interstate Highway 30".
20. On the final plat identify the property as Lots 1 and 2 in City Block F/8790. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)

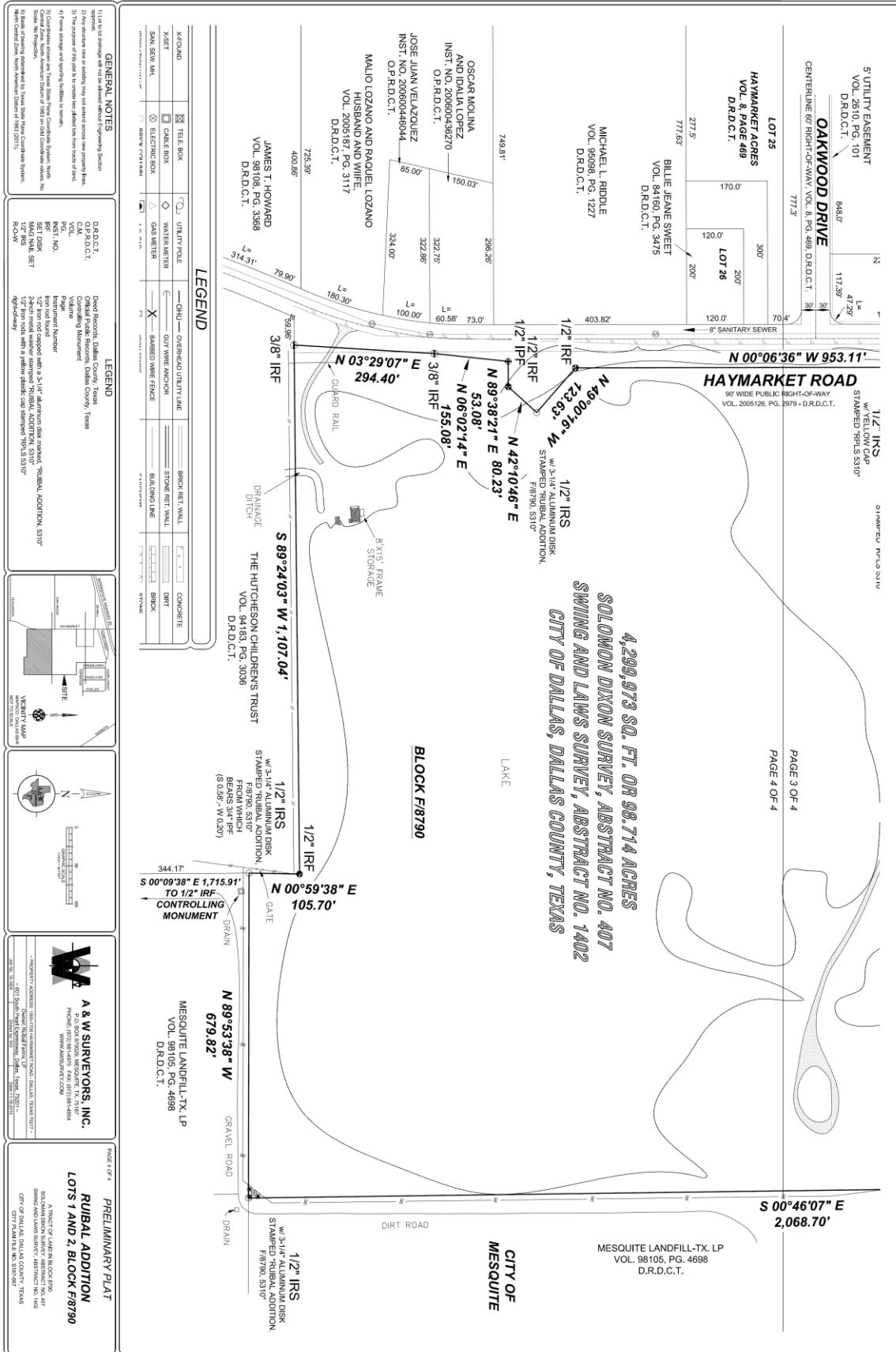












FILE NUMBER: D167-010

DATE FILED: December 21, 2016

LOCATION: South line of Cedardale Road, west of Cleveland Road

COUNCIL DISTRICT: 8

MAPSCO: 76F, G

SIZE OF REQUEST: Approx. 50.55 acres

CENSUS TRACT: 167.03

MISCELLANEOUS DOCKET ITEM

OWNERS: Gregory London, Sr.; Betty Garrett; Mack Cumby; Shirley Davis; Jose Carmen Esparza & Maria Luisa Esparza; Santiago Rivera; Vivian Taylor; and Rosalind Perry

APPLICANT: TCDFW Acquisitions, LLC

REPRESENTATIVE: TCDFW Acquisitions, LLC

REQUEST: An application for a development plan on property within Planned Development District No. 944, located on the south line of Cedardale Road, west of Cleveland Road.

SUMMARY: On January 11, 2017, the Dallas City Council established Planned Development District No. 980 by Ordinance No. 30307. The size of the PD is approximately 106.55 acres of land and it is located along the south line of Cedardale Road, west of Cleveland Road.

The proposed development plan provides for the construction of a 774,215 square-foot warehouse distribution building on approximately 50.55 acres of land. The development will be served by 290 parking spaces and will have two points of access from Cedardale Road. The zoning was granted as a conceptual planned development district and requires City Plan Commission approval of a development plan prior to the issuance of a building permit for each phase of the development. Staff has reviewed the proposed development plan and it does comply with the requirement of the ordinance.

In conjunction with the above requirement, the attached development plan is submitted for the City Planning Commission's consideration.

STAFF RECOMMENDATION: Approval

List of Partners, Principals, and Officers

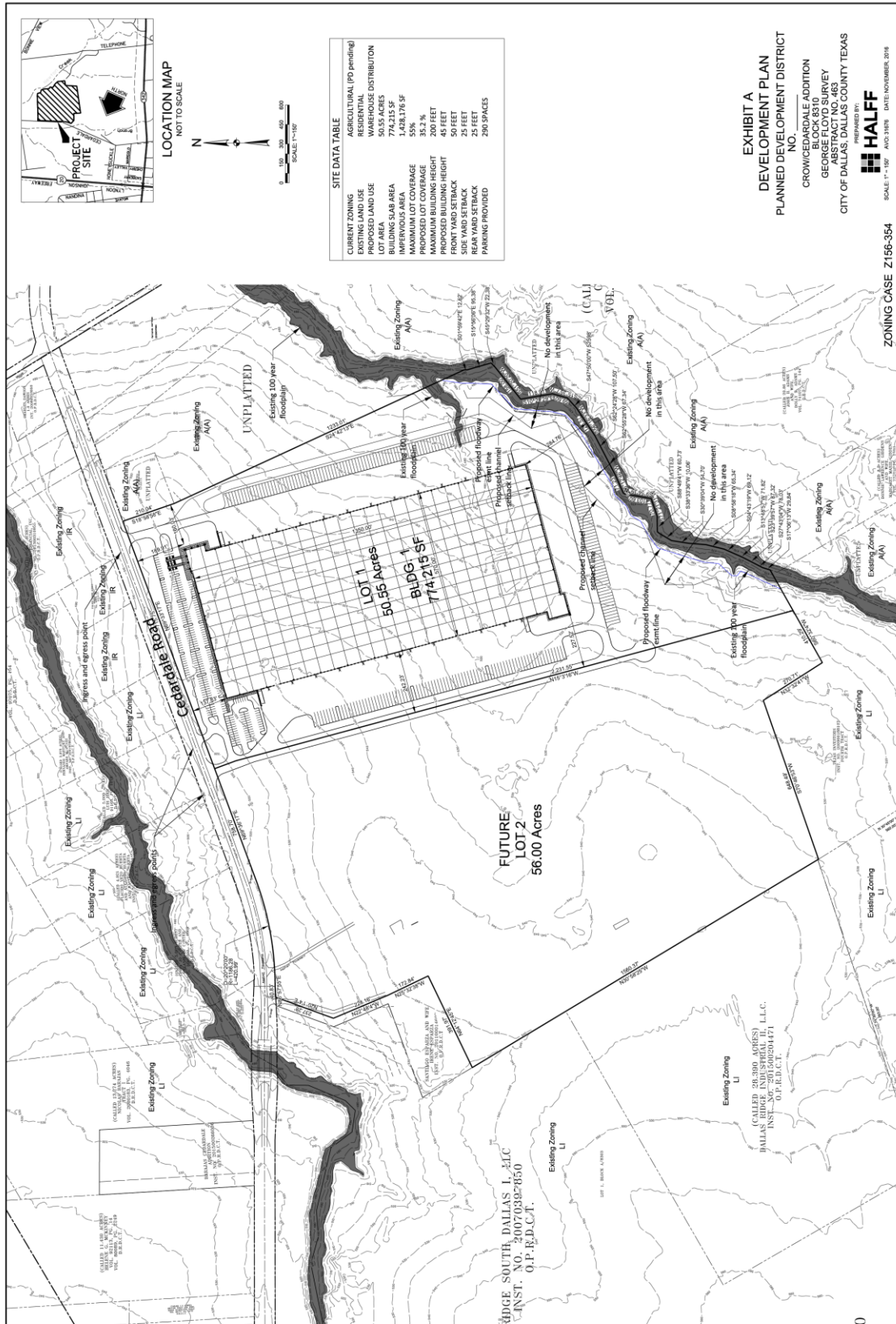
TCDFW Acquisitions, LLC Officers

A Delaware limited Liability Company
doing business in Texas as TCDFW Acquisitions I, LLC

By: **TCDFW Development, Inc.**
A Delaware corporation
Its Managing Member
Scott Krikorian, CEO and President

Chief Executive Officer	Scott A. Krikorian
President	Scott A. Krikorian
Executive Vice President	Adam Saphier
Executive Vice President	James H. Matoushek
Executive Vice President	John A. Stirek
Executive Vice President	Matthew J. Nickels, III
Executive Vice President	Michael S. Duffy
Executive Vice President	Scott A. Dyche
Executive Vice President	T. Christopher Roth
Senior Vice President	Joel Behrens
Vice President	S. Denton Walker, III
Vice President	Valarie Gonzales
Secretary	Rebecca M. Savino
Assistant Secretary	Scott A. Dyche
Treasurer	James H. Matoushek
General Counsel	Scott A. Dyche
Director	Michael S. Duffy
Director	Scott A. Dyche

Proposed Development Plan



LOCATION MAP
NOT TO SCALE

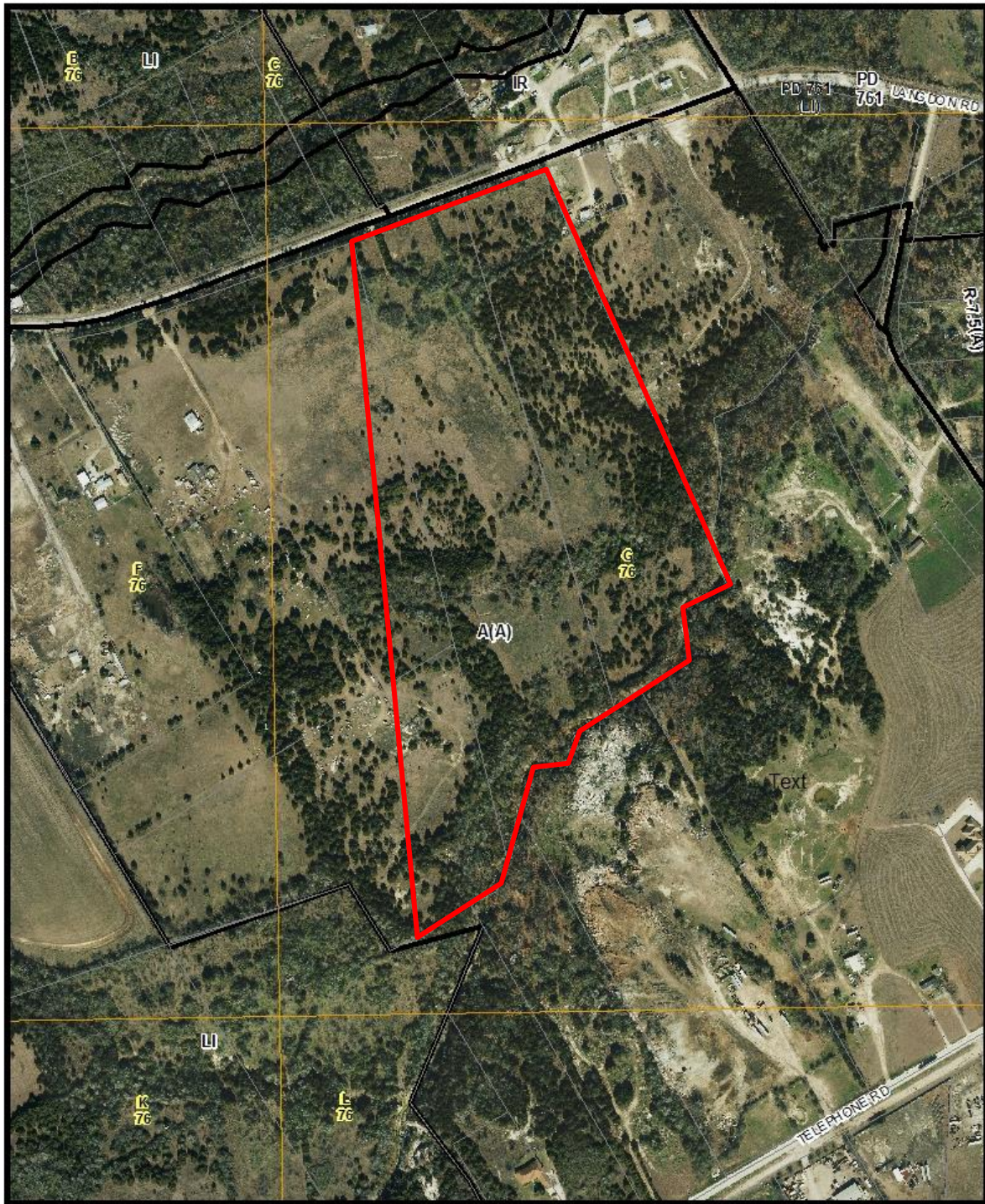
EXHIBIT A
CONCEPT PLAN
PLANNED DEVELOPMENT DISTRICT
NO. XXX
Z196-354
CROWNED ARCADE ADDITION
GEORGE FLOYD SURVEY
ABSTRACT NO. 483
CITY OF DALLAS, DALLAS COUNTY TEXAS

SCALE: 1" = 100' AUG. 2016 DATE: NOVEMBER, 2016

HALFF

SITE DATA TABLE	
CURRENT ZONING	AGRICULTURAL
EXISTING LAND USE	RESIDENTIAL
EXISTING LOT AREA	106.55 ACRES
LOT AREA	1,750,000 SF
BUILDING SLAB AREA	55%
MAXIMUM LOT COVERAGE	55%
MAXIMUM BUILDING HEIGHT	200 FEET
PROPOSED BUILDING HEIGHT	45 FEET
FRONT YARD SETBACK	50 FEET
REAR YARD SETBACK	25 FEET
REAR YARD SETBACK	25 FEET
PARKING PROVIDED	453 SPACES

Aerial Map

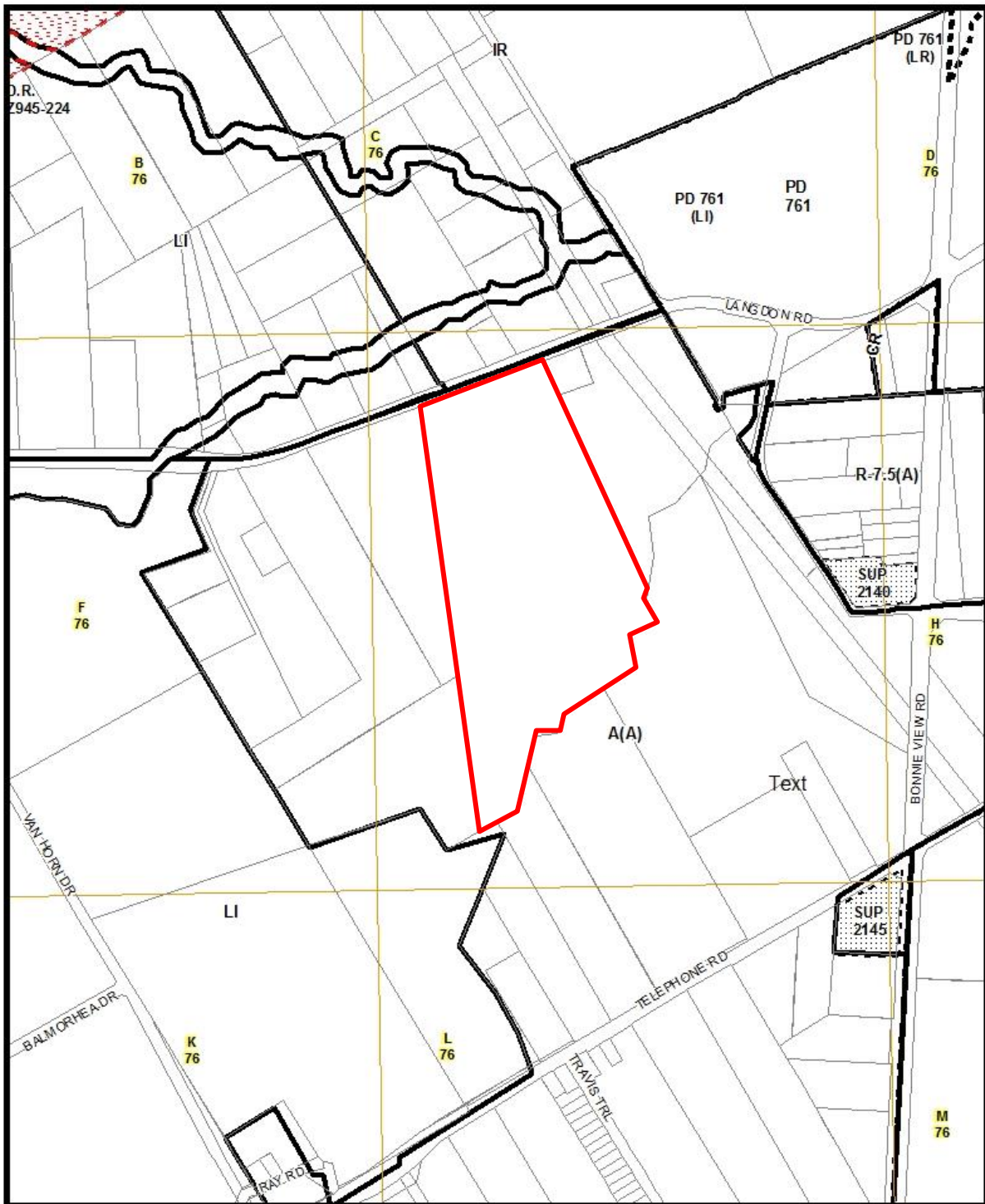


Aerial Map

D167-010

Printed Dated: 1/11/2017

Zoning Map



Zoning Map

D167-010

Printed Dated: 1/11/2017

Planner: Pamela Daniel

FILE NUMBER:	D167-007	DATE FILED:	November 17, 2016
LOCATION:	Northwest corner of Shoreview Road and Ferndale Road		
COUNCIL DISTRICT:	10	MAPSCO:	27-V
SIZE OF REQUEST:	±4.074 acres	CENSUS TRACT:	130.04

MISCELLANEOUS DOCKET ITEM**APPLICANT/OWNER:** AMFP III Shoreview, LLC**REPRESENTATIVE:** Jack Fiedler, Masterplan Consultants**REQUEST:** An application for a development plan on property zoned Planned Development District No. 779.

SUMMARY: Planned Development District No. 779 was established by Ordinance No. 27121, passed by the Dallas City Council on March 26, 2008. PD No. 779 was amended by Ordinance No. 27762 by the City Council on December 9, 2009 to reflect the expansion of the planned development district; amending the regulations in Sections 51P-779.102, 51P-779.106, 51P-779.109, and 51P-779.110 of Article 779; and providing a new conceptual plan. This PD is approximately 6.34 acres in size.

At this time, the applicant proposes to develop 235 multifamily units and an associated parking structure. The maximum height proposed is 65 feet. The site currently houses an existing cellular tower which will remain. The PD allows this use and requires City Plan Commission approval of a development plan prior to the issuance of a building permit.

In conjunction with the above requirement, the attached development plan is submitted for the City Plan Commission's consideration. The PD ordinance may be viewed using the link below:

<http://www.dallascityattorney.com/51P/Articles%20Supp%2023/ARTICLE%20779.pdf>

STAFF RECOMMENDATION: Approval

Owner/Applicant Partners

AMFP III Shoreview LLC

Abacus Multi-Family Partners III LP, managing member

AMFP GP II LLC, general partner

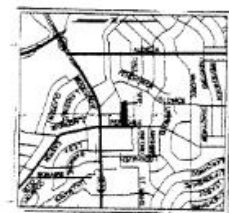
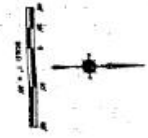
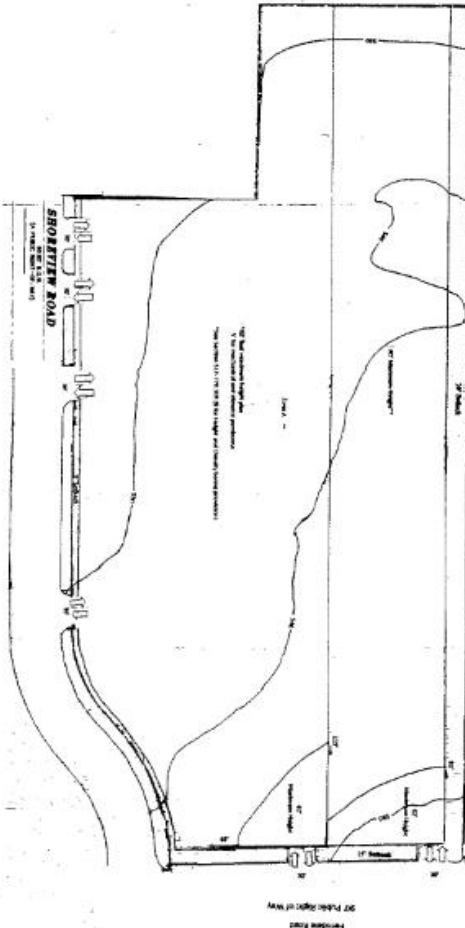
Benjamin Friedman, managing member

Existing Conceptual Plan

27762

Exhibit 779A

093003



PROPOSED IMPROVEMENTS

1. 1/2 Mile Long Bridge
 The bridge will be constructed over the existing waterway and will provide a new route for the public right of way. The bridge will be constructed in accordance with the standards of the State Department of Transportation.

2. 1/2 Mile Long Bridge
 The bridge will be constructed over the existing waterway and will provide a new route for the public right of way. The bridge will be constructed in accordance with the standards of the State Department of Transportation.

3. 1/2 Mile Long Bridge
 The bridge will be constructed over the existing waterway and will provide a new route for the public right of way. The bridge will be constructed in accordance with the standards of the State Department of Transportation.

Planned Development
District No. 779

Approved
City Plan Commission
November 5, 2009

Proposed Development Plan

N
SCALE 1" = 30' - 0" (24"x36" SHEET)
0' 30' 60' 120'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5329 KATHA RD., SUITE 300 DALLAS, TX 75244 | (972) 711-8888 | www.humphreys.com

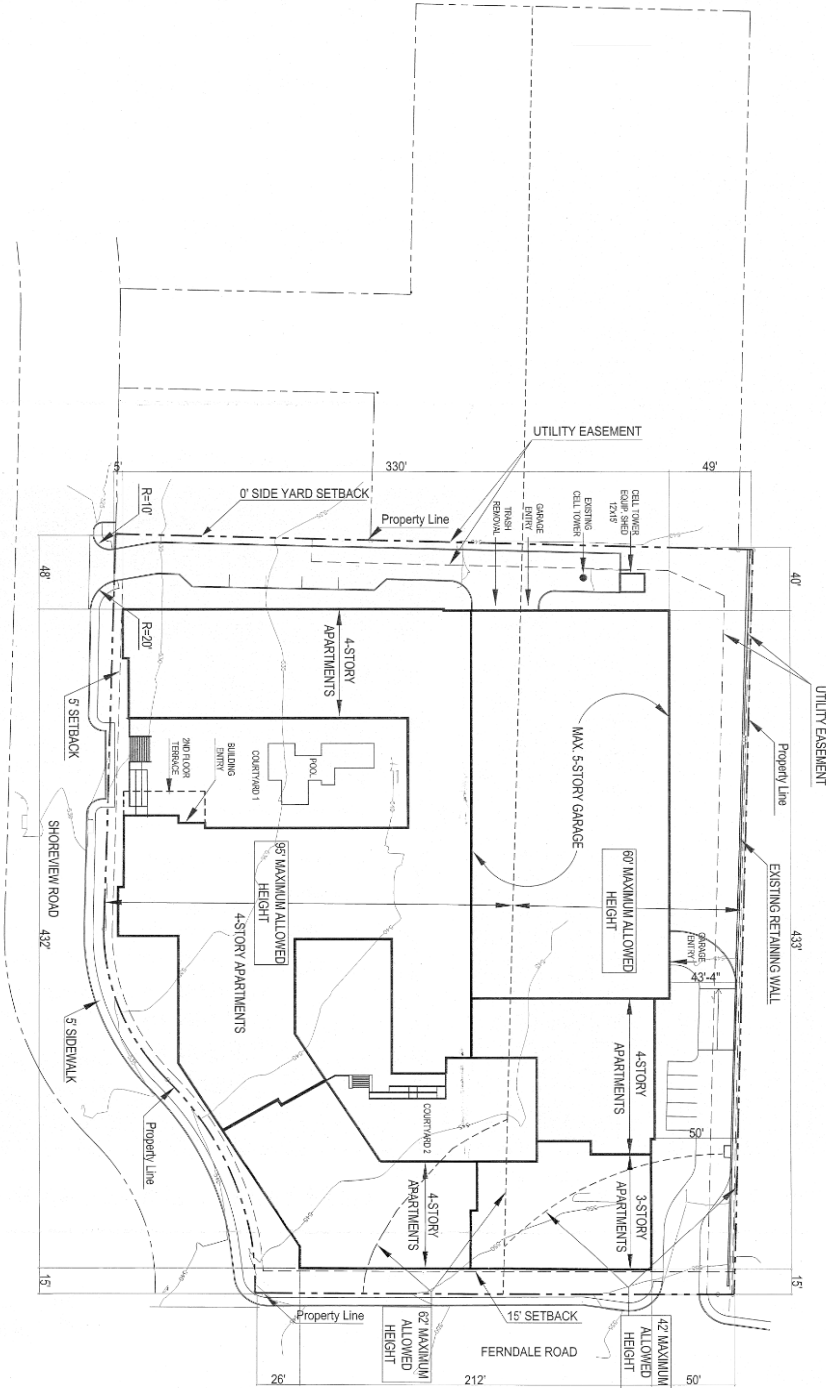
AMFP II SHOREVIEW LLC

DEVELOPMENT PLAN
December 29, 2019



SHOREVIEW
DALLAS, TX
18754 15194

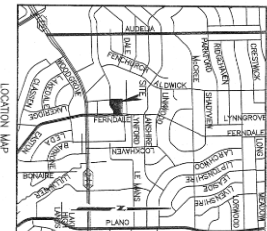
A-201

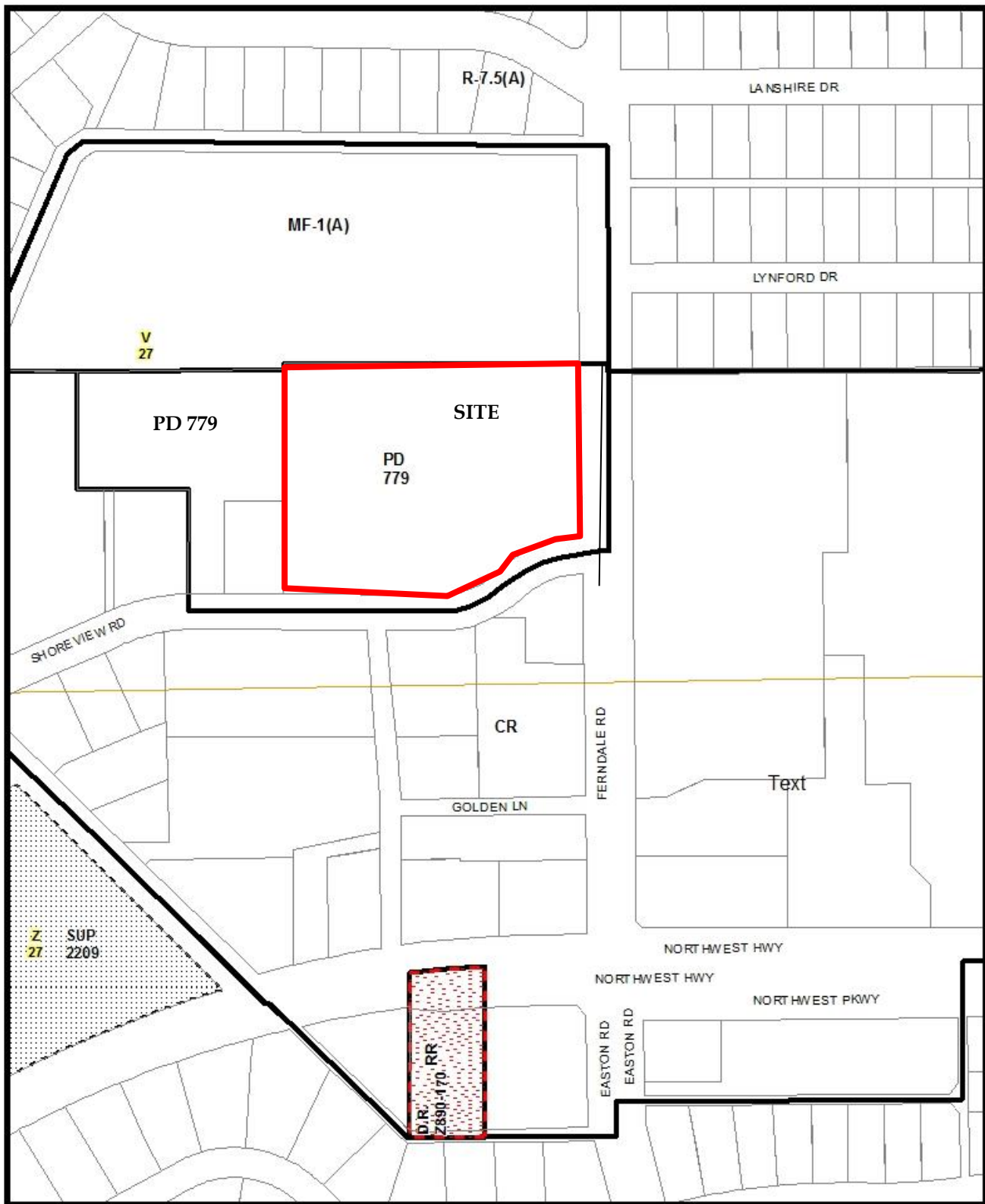


PROJECT DATA

Current Zoning PD 779
Site Area : 4.074 Acres

Allowed per zoning	Proposed
Density 235 Units	235 Units
FAR No max.	1.58
Height Varied	60' Max.
Ld Coverage 80 %	59 %
Stories Max. 5	4
Parking Structures No max.	Max. 5
Parking (Min. 1 per Bedroom) 323 Spaces	368 Spaces





Zoning Map

D167-007

Printed Dated: 12/19/2016



Zoning Map

D167-007

Printed Dated: 12/19/2016

FILE NUMBER: Z156-360(PD)

DATE FILED: September 9, 2016

LOCATION: West corner of Buckner Boulevard and St. Francis Avenue

COUNCIL DISTRICT: 7

MAPSCO: 48-L

SIZE OF REQUEST: Approx. ± 3.0 acres

CENSUS TRACT: 0122.07

APPLICANT/OWNER: Sikka Investments LLC

REPRESENTATIVE: S.I. Abed

REQUEST: An application for a Specific Use Permit for a motor vehicle fueling station on property zoned an NS(A)-D-1 Neighborhood Service District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to develop the property with a general merchandise or food store greater than 3,500 square feet. The floor area of 18,652 square feet will consist of a 3,484 square foot laundromat, 734 square feet for restrooms, a 927 square foot dining area, a 700 square foot retail area, a 2,345 square foot restaurant with a 927 square foot dining area, a 2,930 square foot convenience store and a 6,750 square foot canopied motor vehicle fueling station with ten fuel pumps and two 391 square foot loading/unloading zones at each end of the canopy. The retail and personal service use are permitted by right. The restaurant use is permitted subject to residential adjacency review. The motor vehicle fueling station requires an SUP.

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

Background:

- The site is approximately 130,636 square feet and has never been developed.
- On July 26, 2016, the applicant applied for building permits and a Certificate of Occupancy (CO) DBA: Lucky Texan #8 – Fox Fuels #8; however, the scheduled predevelopment meeting was cancelled when staff determined an SUP is needed for the motor vehicle fueling station with canopy.
- The request site is located within the Urbandale/Parkdale NeighborUp target area convened to accelerate the GrowSouth vision and mobilize economic development.

Zoning History:

There have been two zoning changes in the area within the last five years; however, these areas are farther north of the site and not located on the zoning history map.

1. **Z167-102** On December 1, 2016 the City Plan Commission recommended approval of an amendment to Specific Use Permit No. 1501 for a private recreation center, club, or area and private elementary school use to include a middle school and a high school and to revise the existing site plan on property zoned an R-7.5(A) Single Family District on property located on the south line of Samuell Boulevard, east of South Buckner Boulevard. The case is scheduled for the January 25, 2017, City Council hearing.
2. **Z156-114** On January 27, 2016, 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 3,500 square feet or less on property zoned an RR Regional Detail District on property on the south side of Samuell Boulevard, east of North Jim Miller Road

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Buckner Blvd.	Principal Arterial	107 feet
Eastpoint Dr.	Community Collector	60 feet

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction reviewed the request and determined that it will not significantly impact the surrounding roadway 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 use is consistent with the following land use policy:

Land Use Element

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.2 Focus on Southern Sector development opportunities.

Implementation Measure 1.1.2.1 Initiate Area Plans to evaluate land use opportunities for appropriate and compatible development and to coordinate public investment and land use regulations with development activity. Include area stakeholders in the development of Area Plans.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation Measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

Area Plan:

NeighborUp is an independent collective impact nonprofit, convened to accelerate the GrowSouth vision and mobilize economic development in three target Southern Dallas neighborhoods. These neighborhoods are: 1) Red Bird from I-35 to S. Cockrell Hill Rd; 2) Parkdale/Urbandale, a far southeast Dallas neighborhood, and 3) The Education Corridor between Paul Quinn College on the east and the University of North Texas-Dallas on the west. Neighbor Up serves as a new tool to attack poverty and stimulate growth and improvement in Southern Dallas.

Goals of the Parkdale/Urbandale target area are to secure this neighborhood as the best place to raise a family by ensuring great schools through encouraging formalized neighborhood association and school partnerships and increased parental engagement and student awareness of the emerging Dallas job market; ensuring nice homes/neighborhoods through allocating GrowSouth challenge grants to promote beautification events; and providing a great quality of life by promoting ridership and engagement with DART, improving parks and decreasing crime.

Surrounding Land Uses:

	Zoning	Land Use
Site	NS(A) - D-1	Undeveloped
North	NS(A) - D-1	Undeveloped
South	MF-2(A)	Multifamily
West	MF-2(A)	Multifamily
East	LI	Undeveloped

Land Use Compatibility:

The request site is approximately 3.0 acres and is currently undeveloped. The existing zoning of the property is NS(A)-D-1 Neighborhood Service District with a Liquor Control Overlay. The property is adjacent to undeveloped land to the north and east and multifamily development to the west and south with a high density single family neighborhood further north of the site.

The applicant is proposing to develop the request site with an 11,120 square foot building and a 6,750 square foot canopied motor vehicle fueling station with 10 fuel pumps and two, 391 square foot loading/unloading zones at each end of the canopy.

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

applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Although the request site is adjacent to several tracts of undeveloped land to the north and east, the site is immediately adjacent to a multifamily district. The proposed design provides an enhanced landscape plan to ensure compatibility with the existing multifamily development to the west and south. In addition, the facility will be secured by a six-foot solid fence to the west and the installation of five foot wide sidewalks will provide accessibility and walkability to the facility from St. Francis Avenue and South Bucker Boulevard. Further in an effort to not only provide a service but to also complement the community by serving as an asset, the applicant intends to operate the facility 24 hours a day. By operating the business 24 hours a day and maintaining a well-lighted facility, the applicant believes it will discourage any unwanted activity within the area. The periodic review during the automatic renewal process will help to ensure the use continues to operate according the conditions and site plan.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise use at 1 space for each 200 square feet of floor area, 1 space for each 100 square feet of restaurant use, and two spaces for a motor vehicle fueling station. Therefore, the parking requirements for the proposed 3,272 square foot restaurant use are 33 spaces; 22 spaces for the 4,364 square foot general merchandise store, 17 spaces for the 3,484 square foot laundry use and two spaces for the 7,532 square foot motor vehicle fueling station. The total required parking spaces is 74. The attached site plan depicts a total of 74 parking spaces.

Landscaping:

The proposed development is required to provide landscaping in accordance with Article X of the Dallas Development Code. Some of the mandatory requirements are: 10-foot landscape buffer and a solid fence along the boundaries where adjacent residential development occurs, site trees, street trees, and screening of off-street parking.

List of Partners

AP & TA Investments, Inc

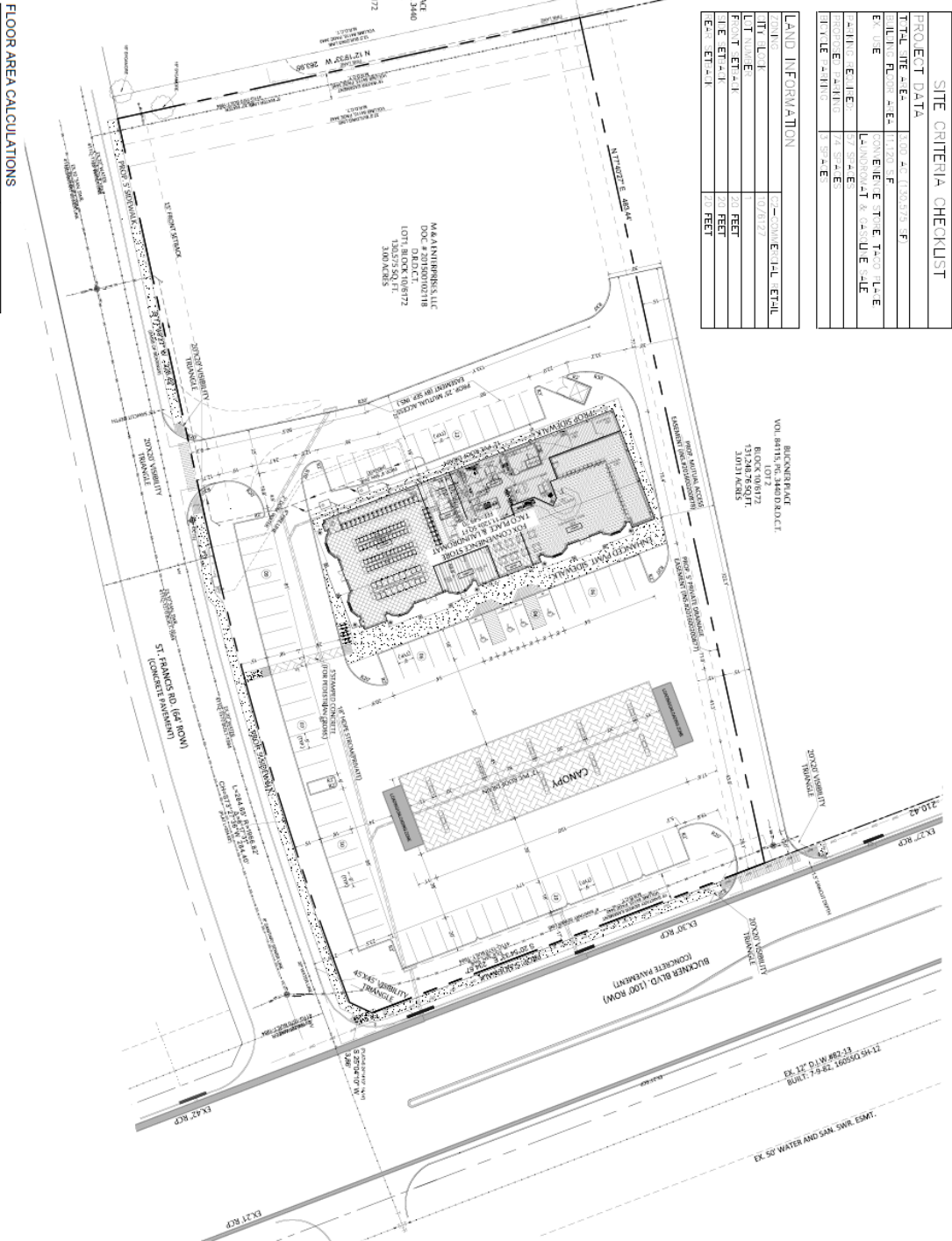
Mr. Atiq Pradhan	Owner/President
Mr. Talat Mahmood	Owner/Vice President

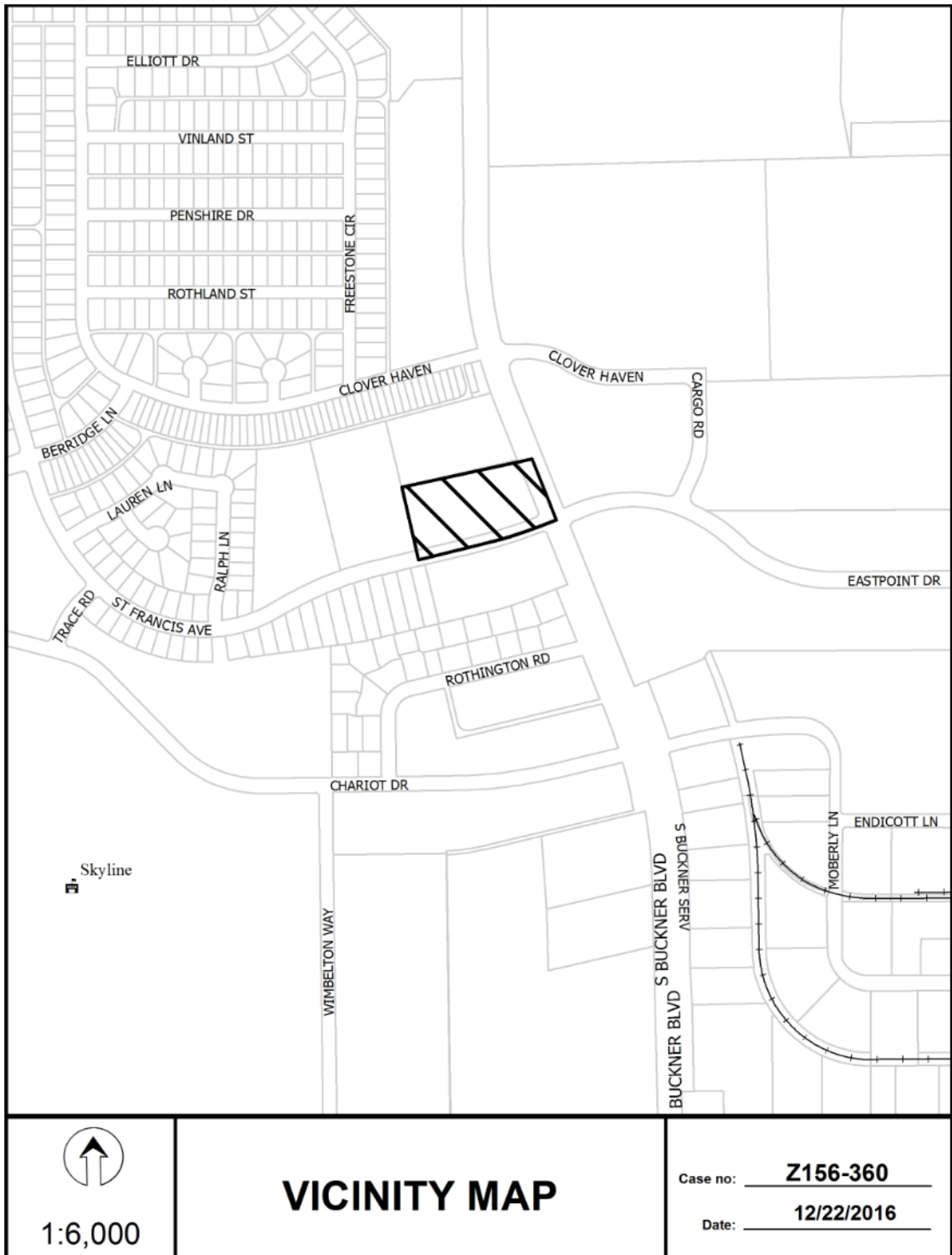
Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is a motor vehicle fueling station.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires 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. FENCE: A six-foot-high solid wood fence must be provided in the location shown on the attached landscape plan.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Off-street parking must be located as shown on the attached site plan.
7. MAINTENANCE: The 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.”

Proposed Site Plan

FLOOR AREA CALCULATIONS	
LEED	4,474
LAUNDRY WASH	3,486
ET ROOM	7,345
ET-IL	9,073
ET-IL (S.M.E.)	7,005
ET-IL (S.M.E.) (ET-IL)	2,346
ET-IL (S.M.E.) (ET-IL)	2,346
TOTAL	11,120





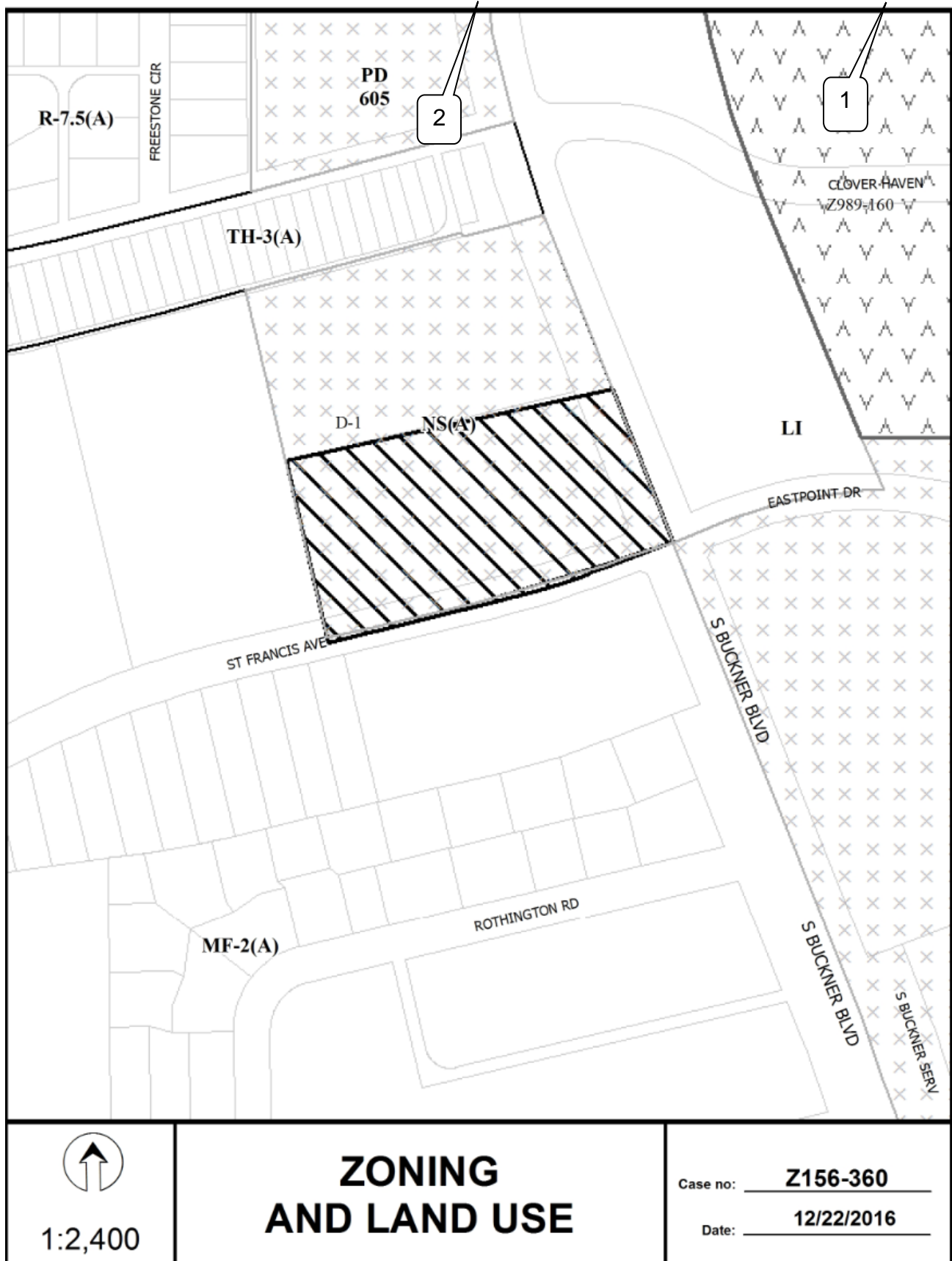


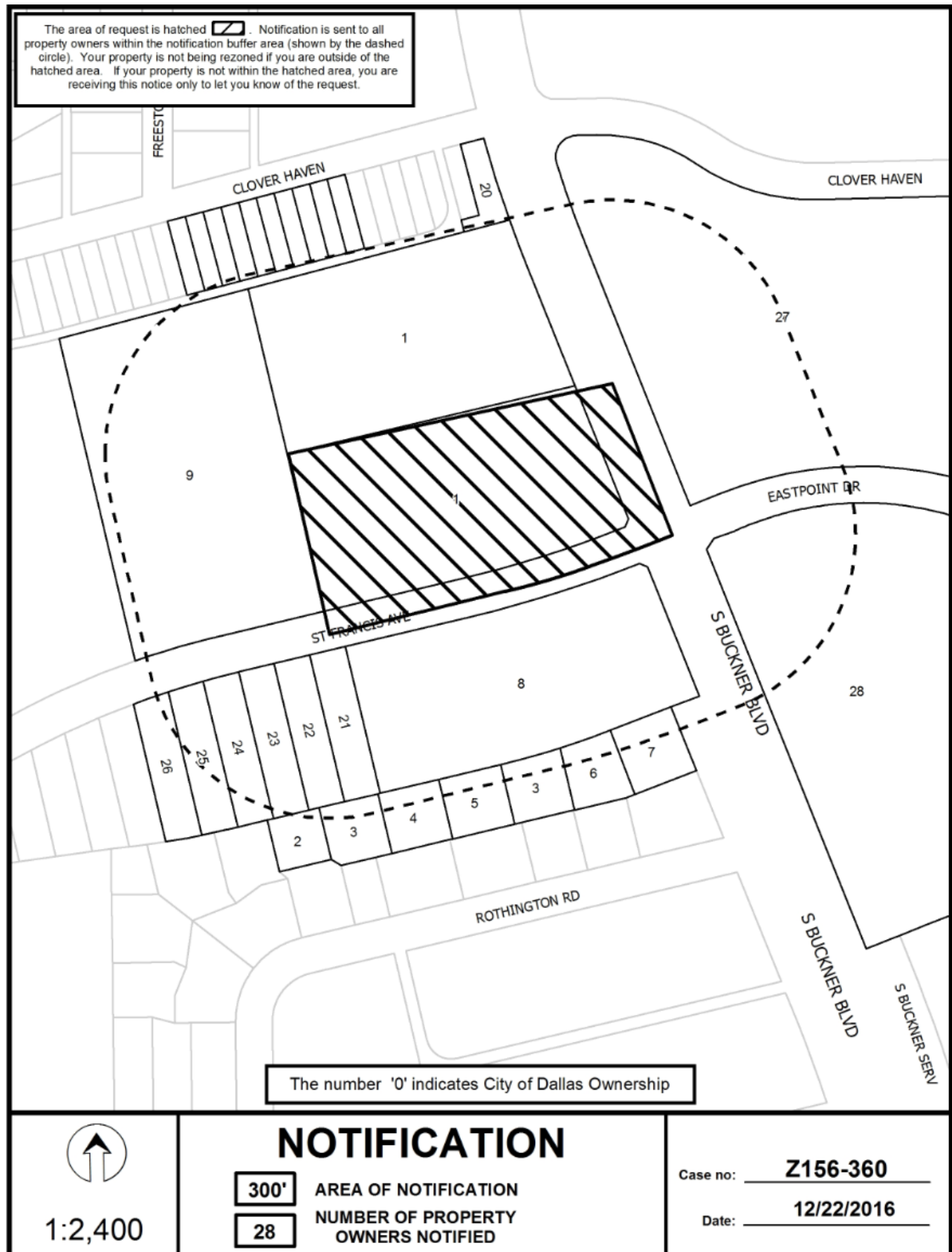
1:2,400

AERIAL MAP

Case no: **Z156-360**

Date: **12/22/2016**





12/22/2016

Notification List of Property Owners***Z156-360******28 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5100 S BUCKNER BLVD	M & A ENTERPRISES LLC
2	8005 ROTHINGTON RD	KHAN ARIF
3	8005 ROTHINGTON RD	TKN REALTY LLC
4	8005 ROTHINGTON RD	PHAN VINH KHAI &
5	8005 ROTHINGTON RD	NGUYEN TUNG KIM
6	8007 ROTHINGTON RD	ROTHINGTON APTS LLC
7	8007 ROTHINGTON RD	TNK REALTY LLC
8	4999 S BUCKNER BLVD	BUCKNER TOWN VIEW HOLDINGS LTD
9	4748 ST FRANCIS AVE	RANCHO BUCKNER LTD
10	4803 CLOVER HAVEN	MORENO BRENDA DARLINE
11	4763 CLOVER HAVEN	BROWN EDWARD
12	4759 CLOVER HAVEN	KINGBLACK SANDRA E
13	4755 CLOVER HAVEN	WILLIAMS ERMA JEAN
14	4751 CLOVER HAVEN	ANDERSON GARY D
15	4747 CLOVER HAVEN	CARRAWAY KAROLYN
16	4743 CLOVER HAVEN	PIERRO MAYOLA
17	4739 CLOVER HAVEN	THOMAS CAROLYN ANN
18	4735 CLOVER HAVEN	MENDOZA J CONSEPCION BARBOZA &
19	4731 CLOVER HAVEN	REDDIC GLORIA
20	4703 CLOVER HAVEN	MAYWEATHER LARETA
21	4727 ST FRANCIS AVE	ALLEN JIMMY L & CLOMA M
22	4723 ST FRANCIS AVE	LONG CARL
23	4719 ST FRANCIS AVE	HICKS TONIE Y
24	4715 ST FRANCIS AVE	PITTS SUZANNE
25	4711 ST FRANCIS AVE	HERRERA CECILIA P
26	4707 ST FRANCIS AVE	SANCHEZ JUANA &

Z156-360(PD)

12/22/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5194 BUCKNER BLVD	EXTER BUCKNER LAND LP
28	8200 EASTPOINT DR	VALLEY COCA COLA BOTTLING

FILE NUMBER: Z167-125(KK)

DATE FILED: October 31, 2016

LOCATION: East of South Buckner Boulevard, south of Scyene Road

COUNCIL DISTRICT: 5

MAPSCO: 48-Y

SIZE OF REQUEST: Approx. 2.34 acres

CENSUS TRACT: 90.00

APPLICANT/ OWNER: Aldi (Texas), LLC

REPRESENTATIVE: Burger Engineering, Bryan Burger

REQUEST: An application to amend Specific Use Permit No. 2034 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Subarea 6 within Planned Development District No. 366 with a D-1 Liquor Control Overlay.

SUMMARY: The applicant is proposing to increase the floor area of the existing structure (Aldi Food Store) by 1,040 square feet increasing the total floor area of the structure to 17,697 square feet. The increase in floor area is requiring the amendment to the specific use permit.

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store greater than 3,500 square feet and is located in a D-1 Liquor Control Overlay.
- The tenant has been in operation since May of 2010.
- On June 26, 2013, the City Council approved a D-1 Liquor Control Overlay and Specific Use Permit No. 2034 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a five year time period with eligibility for five year automatic renewals on the subject property.
- The applicant is proposing to construct an addition to the structure that would add new floor area to the site.
- The surrounding land uses consist of a variety of auto related uses, retail and personal service uses, medical clinic and single family uses.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
S. Buckner Boulevard	Principal Arterial	107 ft.
Scyene Road	Community Collector	60 ft.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction reviewed the request and determined that it will not impact the surrounding roadway 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 floor area addition to the existing general merchandise land use that allows alcohol sales will provide additional economic development opportunities within the City. The following goal and policy supports the proposed request.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Surrounding Land Uses:

	Zoning	Land Use
Site	Subarea 6 PDD No.366 with D-1, SUP No. 2034	General Merchandise
North	Subarea 6 PDD No.366 with D & D-1	Restaurant, Auto Service Center
South	Subarea 6 PDD No.366 with D-1, SUP No. 2219	Medical Clinic, Retail & Personal Service
East	R-7.5(A)	Undeveloped, Single Family
West	Subarea 1 PDD No.366 with D-1	General Merchandise

Land Use Compatibility:

The 2.34 acre site is currently developed with a 16,657 square foot general merchandise or food store. This use finalized construction and obtained their Certificate of Occupancy in May of 2010. The surrounding land uses consist of a variety of auto related uses, retail and personal service uses, medical clinic and single family uses.

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

The applicant is proposing an addition to the existing structure in the amount of 1,040 square feet for a total floor area of 17,697 square feet. The proposed addition is occupying what was originally constructed as a large loading dock area. This area will be converted into floor area to allow the store more storage area. Because the floor area on this use is increasing, the SUP must be amended to account for this floor area increase in relation to the alcohol sales. The increase was over the amount allowed for a minor amendment.

The request to amend the SUP is only required due to the increase of floor area. The existing alcohol sales are not proposed to be changed with this floor area addition. The police reports detailed below show a history of theft reported at this location. When compared to the grocery store across South Buckner Boulevard and speaking with Dallas Police Department, this is a common occurrence for this land use. This proposed zoning amendment is compatible with the surround uses and will continue to add to the welfare of the surrounding residential zoning district.

The definitive time period will also require that the request be reevaluated to ensure the use is compatible in this location. The applicant is providing solid screening between the adjacent residential uses and their property which should act as a buffer to the residential development from the commercial use. This fence will allow additional security, screen parking and act as a traffic noise buffer. In order to protect the customers of this use and the surrounding developments, specific use conditions concerning egress and ingress and parking requirements are detailed.

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	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 366 (Subarea 6)	15' OTHER: No Min.	20' adjacent to residential OTHER: No Min.	0.5 lodging, office, retail, personal service 0.75 FAR overall	45' 3 stories	80%	Residential Proximity Slope Visual Intrusion	Retail, Restaurant, Personal Service, Office

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store greater than

3,500 square feet provide one space per 220 square feet of floor area for uses with a floor area of 10,000 square feet or greater, but less than 40,000 square feet of floor area. The required off-street parking for this use is 80 parking spaces, the site plan shows the applicant providing 93 off-street parking spaces.

The required off-street loading space detailed per the Dallas Development Code is one space for the land use described above that is zero to 60,000 square feet in total floor area. The code allows the first loading space located on the property to be either of medium or large size loading space. The tenant is proposing to provide one medium loading space to meet the off-street loading requirement. Parking and loading must be provided as shown on the site plan.

Landscaping:

Landscaping is required in accordance with PD No. 366 which creates additional landscape requirements along with Article X requirements of the Dallas Development Code. However, the applicant's request does not trigger any landscape requirements, as the addition is not greater than 35% of the existing floor area on site or 10,000 square feet, and the nonpermeable area is not increasing by more than 2,000 square feet.

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

01/01/2014 - 12/31/2014 Crime Part 2

IncidentNum	Date1	Time1	Address	UCR_Offense	ZipCode
266380-2014	11/5/2014	12:00	2926 S BUCKNER BLVD	CRIMINAL TRESPASS	75227
20140068040	3/22/2014	17:30	02926 S BUCKNER BLVD	ASSAULT	75227

01/01/2015 - 12/31/2015 Crime Part 1

Z167-125(KK)

IncidentNum	Date1	Time1	Address	UCR_Offense	ZipCode
293101-2015	12/16/2015	17:50	2926 S BUCKNER BLVD	THEFT/BMV	75227
285402-2015	12/8/2015	19:41	2926 S BUCKNER BLVD	OTHER THEFTS	75227
193383-2015	6/30/2015	12:44	2926 S BUCKNER BLVD	THEFT/SHOPLIFT	75227
089112-2015	4/21/2015	17:10	2926 S BUCKNER BLVD	THEFT/SHOPLIFT	75227
007428-2015	1/10/2015	11:20	2926 S BUCKNER BLVD	THEFT/SHOPLIFT	75227

01/01/2016 - 12/18/2016 Crime Part 1

IncidentNum	Date1	Time1	Address	UCR_Offense	ZipCode
270357-2016	11/11/2016	12:50	2926 S BUCKNER BLVD	THEFT/BMV	75227
229523-2016	9/23/2016	16:34	2926 S BUCKNER BLVD	THEFT/BMV	75227
199876-2016	8/19/2016	17:00	2926 S BUCKNER BLVD	THEFT/SHOPLIFT	75227
030820-2016	2/7/2016	15:30	2926 S BUCKNER BLVD	THEFT/SHOPLIFT	75227
009340-2016	1/12/2016	14:45	2926 S BUCKNER BLVD	OTHER THEFTS	75227

List of Partners/Principals/Officers

Charles Youngston – President

Scott Huska – Vice President

Jason Hart – President

Terry Pfortmiller – Vice President & Administration

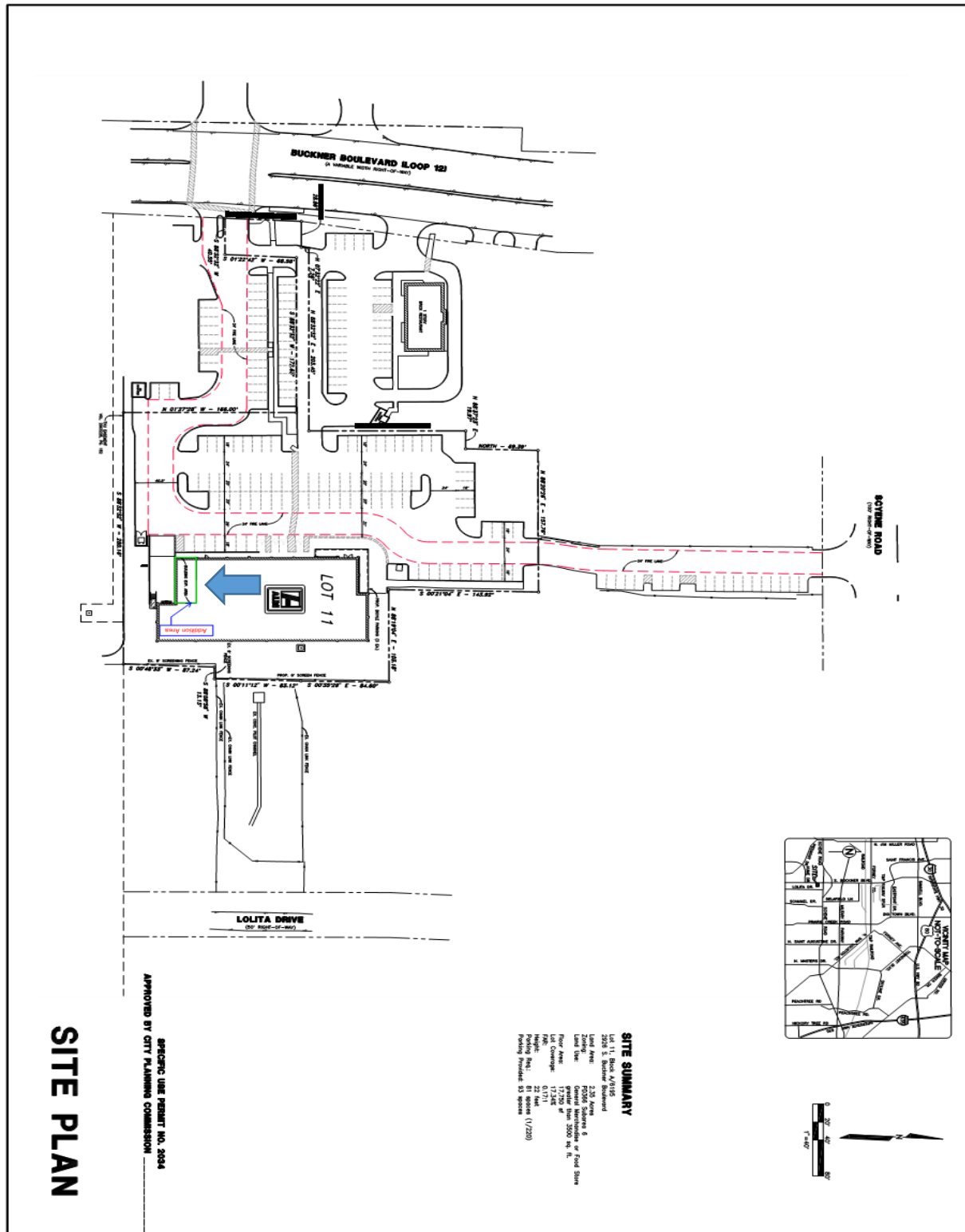
Kim Shanner – Corporate Director Finance & Administration

Lynn Moser – Group Director Finance & Administration

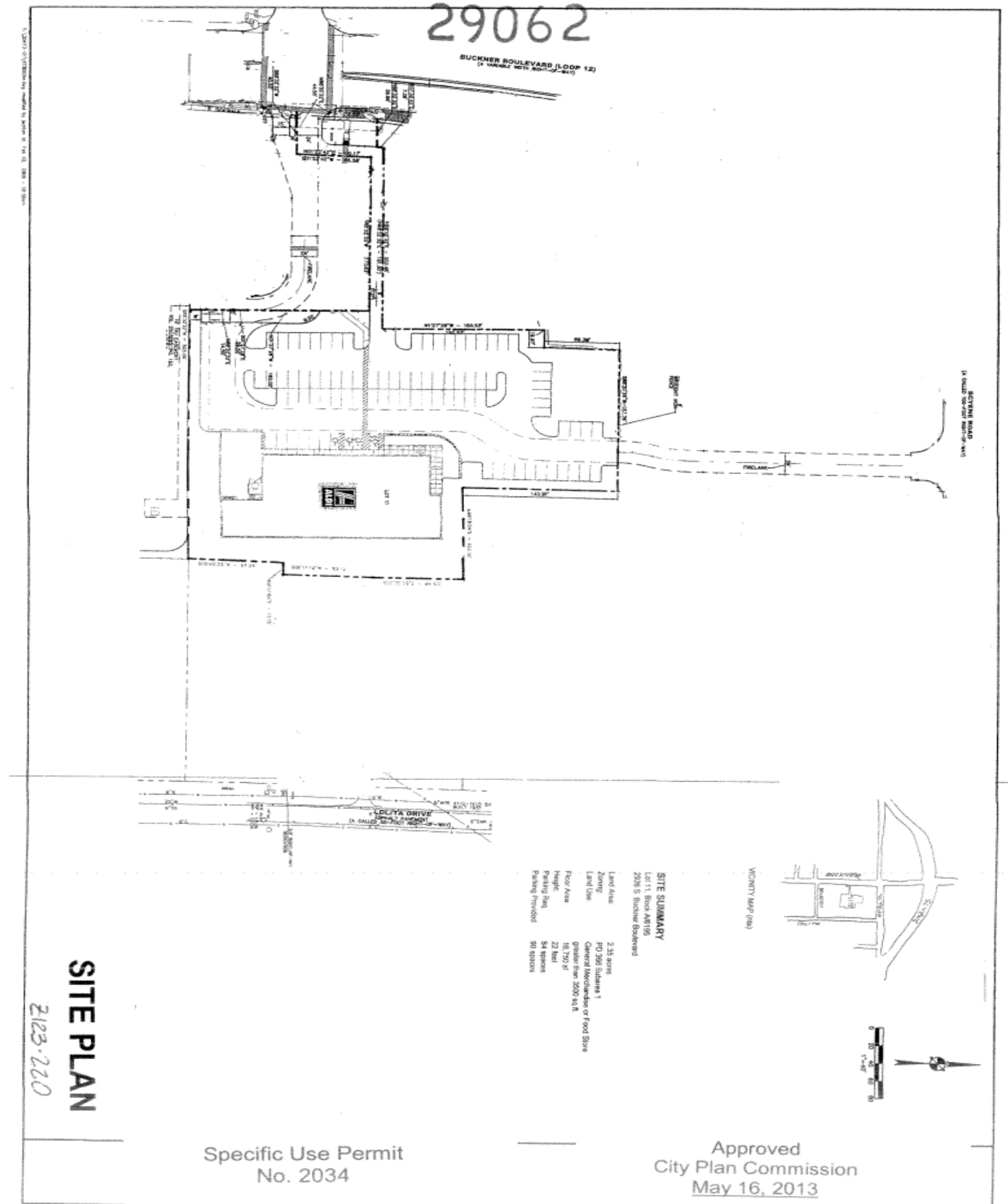
**PROPOSED CONDITIONS
SUP No. 2034**

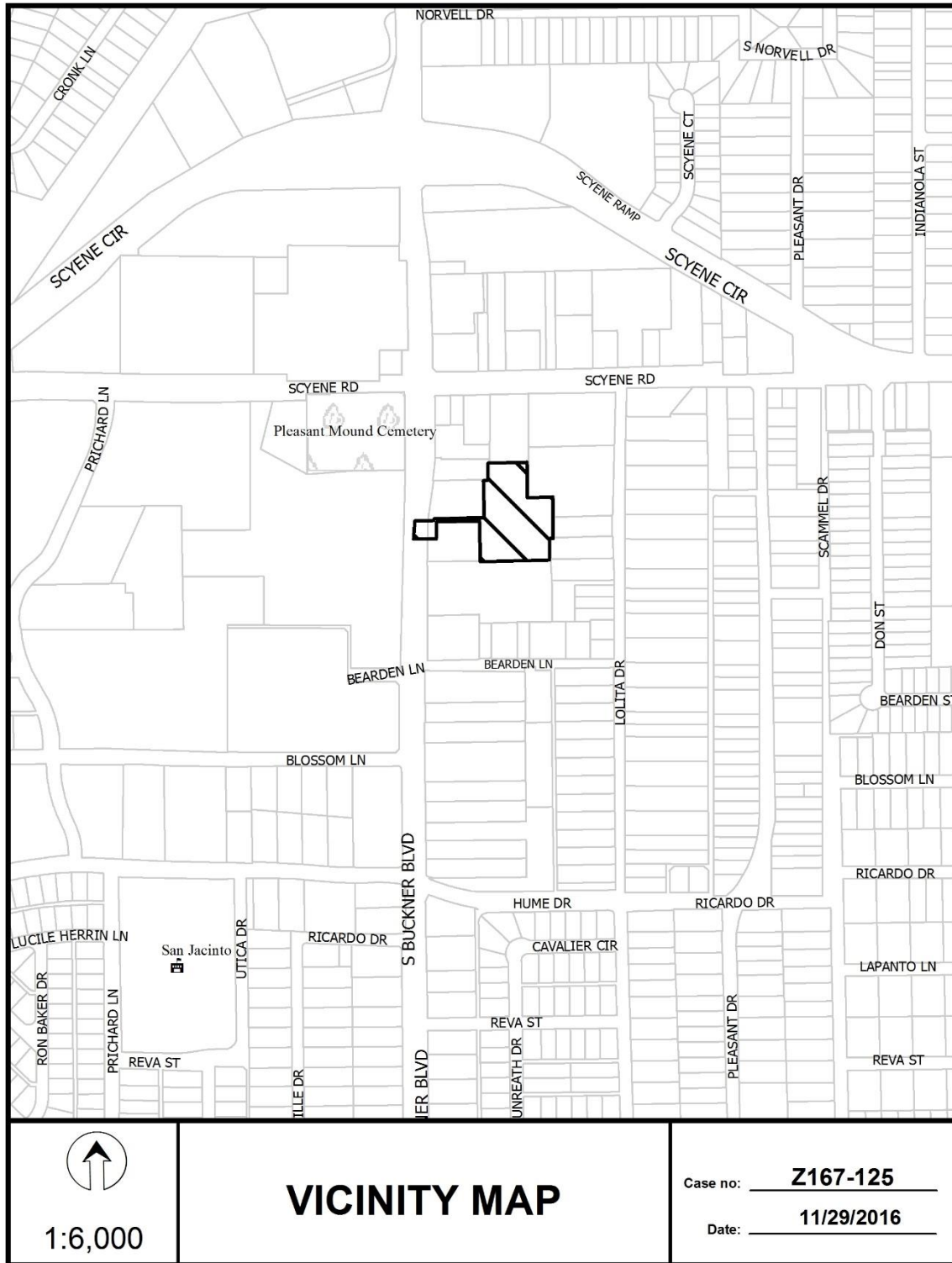
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific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

Proposed Site Plan

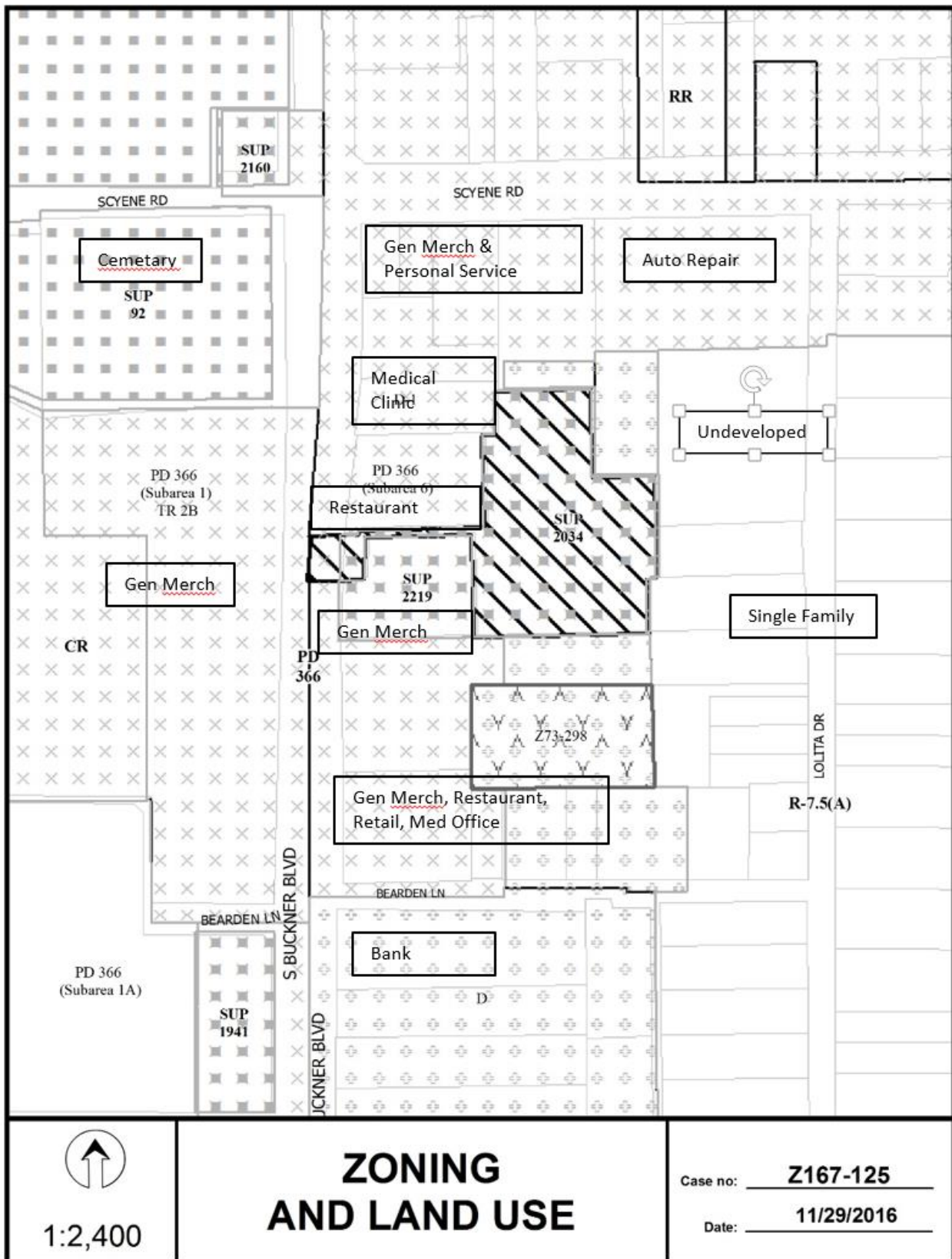


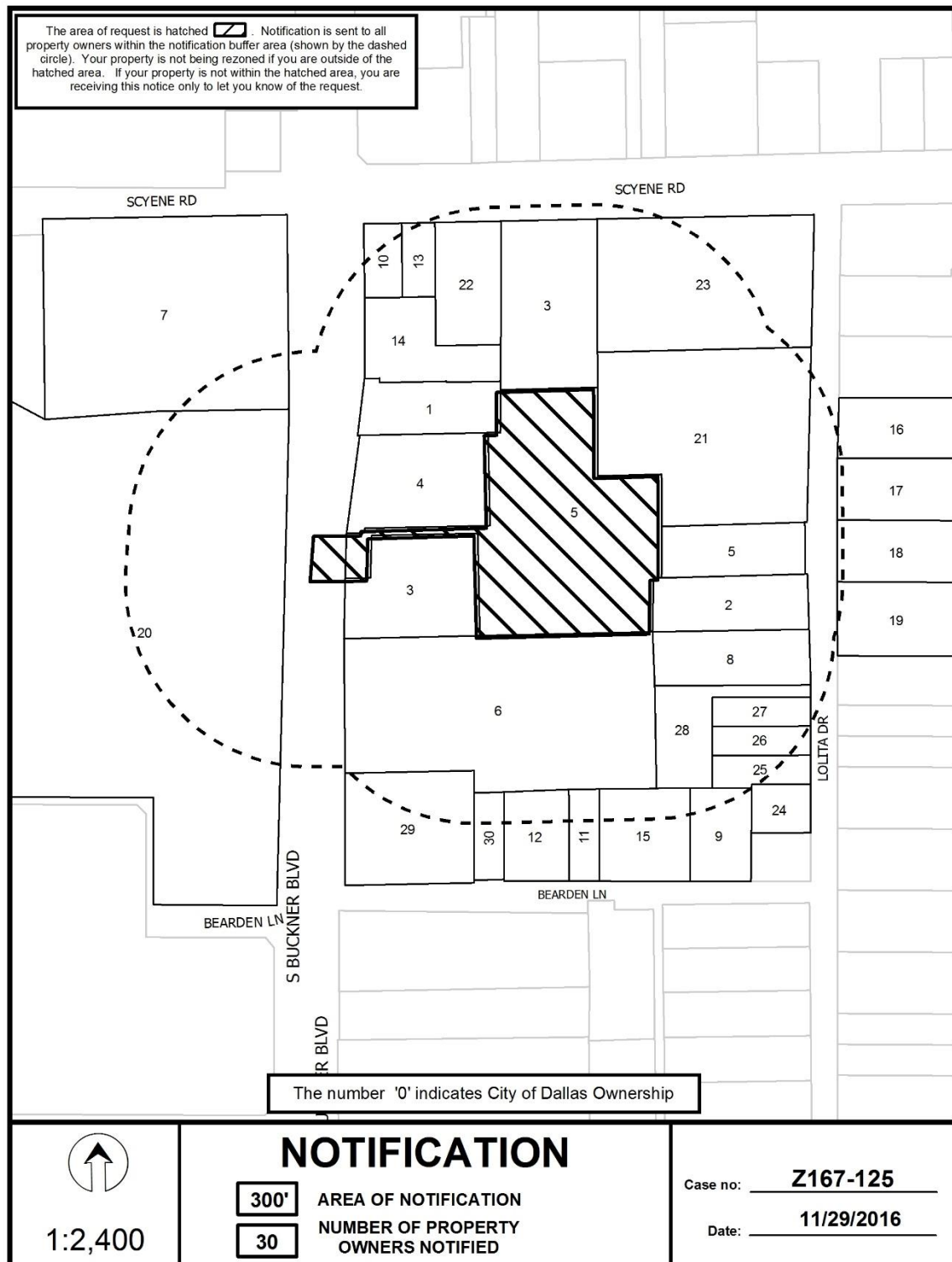
Existing Site Plan











11/29/2016

Notification List of Property Owners***Z167-125******30 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2942 S BUCKNER BLVD	HEAVER PROPERTIES LIMITED
2	2907 LOLITA DR	DAVIS RANDOLPH & EVELYN
3	2904 S BUCKNER BLVD	FREEMAN WILLIAM R
4	2930 S BUCKNER BLVD	FWP BUCKNER BLVD TX LLC
5	2926 S BUCKNER BLVD	ALDI LLC
6	2902 S BUCKNER BLVD	PAN LIANYA &
7	8050 SCYENE RD	CEMETERY
8	2863 LOLITA DR	ZUNIGA GUADALUPE
9	8151 BEARDEN LN	AZA ALFREDO C ETAL
10	2952 S BUCKNER BLVD	MONA & NADA CORPORATION
11	8131 BEARDEN LN	GUERRERO ALFREDO
12	8127 BEARDEN LN	MATA EDGAR
13	8106 SCYENE RD	ZUNIGA CLAUDIA Y
14	2940 S BUCKNER BLVD	MITCHELL WILLIAM J &
15	8139 BEARDEN LN	PENA ABEL TOVAR &
16	2930 LOLITA DR	HURTADO ALFONSO NAVAREZ &
17	2922 LOLITA DR	QUINTERO JORGE &
18	2914 LOLITA DR	OROZCO CARLOS & FELICIA
19	2906 LOLITA DR	VALLEJO JOSE A
20	8000 SCYENE RD	BUCKNER PARTNERSHIP LP
21	8152 SCYENE RD	ESPINOZA JOSE ET AL
22	8116 SCYENE RD	LEWIS PAUL C
23	8190 SCYENE RD	FORD ROBERT L
24	2843 LOLITA DR	JIMINEZ WENDY
25	2847 LOLITA DR	SORIA DESIDERIO & ANGELA LOPEZ
26	2851 LOLITA DR	RODRIGUEZ ARMANDO JR

Z167-125(KK)

11/29/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2855 LOLITA DR	URQUIZA JORGE A
28	2859 LOLITA DR	BROOKS BAINIFF D
29	2842 S BUCKNER BLVD	HUDSON REAL ESTATE 1 & 2 LLC
30	8119 BEARDEN LN	TURNER TRAVIS &

FILE NUMBER: Z156-278(WE) **DATE FILED:** June 10, 2016
LOCATION: Northwest line of McKinney Avenue, northeast of Bowen Street
COUNCIL DISTRICT: 14 **MAPSCO:** 45B
SIZE OF REQUEST: Approx. 0.623 acres **CENSUS TRACT:** 18.00

APPLICANT: Dallas CF Hospitality Associates, LLC

OWNER: W & K Real Estate Partners, Inc., a Texas Corporation

REPRESENTATIVE: Dallas Cothrum
MASTERPLAN

REQUEST: An application for an amendment to, and an expansion of, Planned Development Subdistrict No. 111 for LC Light Commercial Subdistrict uses on property zoned an LC Light Commercial Subdistrict and Planned Development Subdistrict No. 111 within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of the request is threefold: 1) expand the maximum floor area of all uses combined, 2) reduce a portion of the rear yard setback, and 3) eliminate the design standards for the parking structure. The proposed expansion will not increase the structure height, but will allow for certain design features to be increased as a result of a larger footprint.

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

BACKGROUND INFORMATION:

- On January 28, 2015, the City Council approved Planned Development Subdistrict No. 111 for LC Light Commercial subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.
- The request for an amendment to, and expansion of, Planned Development Subdistrict No. 111 is threefold: 1) expand the maximum floor area of all uses combined, 2) reduce a portion of the rear yard setback, and 3) eliminate the design standards for the parking structure.
- The applicant proposes to increase the floor area by 106,052 square feet, and increase the number of rooms from 128 to 264. In addition, due to the increase in the hotel's footprint, the maximum floor area for the meeting space will increase from 3,000 square feet to 7,000 square feet and the maximum combined floor area for nonresidential uses in conjunction with a hotel or motel use increase from 7,000 square feet to 9,475 square feet, excluding the meeting rooms.
- PDS No. 111 permitted the development of a two-story above-ground parking structure that had to comply with several design standards. As a result of the increased in land area, the applicant will provide all off-street parking underground; therefore removing the conditions that reference the design standards for the parking structure.
- The loading and unloading area will be located in the rear of the proposed development, which is adjacent to an existing alley. The loading and unloading area will not be visible from the adjacent residential uses.
- The request site is surrounded by several multiple family and office uses. There is currently a mixed use development that is under construction that will consist of multiple family uses, non-residential uses and a museum and trolley barn for the McKinney Avenue Transit Authority [PDS No. 113].

Zoning History: There have been two zoning changes requested in the area during the past five years.

1. Z134-280 On January 28, 2015, the City Council approved a Planned Development Subdistrict for LC Light Commercial subdistrict uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest side of McKinney Avenue, northeast of Bowen Street. [request site]

2. Z134-333 On February 25, 2015, the City Council approved a Planned Development Subdistrict for LC Light Commercial Subdistrict Uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northeast Line of Bowen Street, between McKinney Avenue and Oak Grove Avenue

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
McKinney Avenue	Minor Arterial	60 ft.	60 ft.

Land Use:

	Zoning in PD No. 193	Land Use
Site	LC, PDS No. 111	Undeveloped, Office
Northeast	LC	Multiple Family
Southeast	PDS No. 113	Mixed use
Northwest	MF-2	Multiple Family
Southwest	LC, PDS No. 35	Office, Multiple family

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 proposed mixed use development will continue the pedestrian walkability along McKinney Street as well as provide an option for hotel near the downtown area. The applicant will meet the landscape requirements in accordance with PDD No. 193. The proposed hotel use will be developed near the downtown area where redevelopment activity is occurring with the development of multiple family and non-residential uses [PDS No. 113], which is southeast of the request site, across the McKinney Avenue. The design and landscape provisions in PDD No. 193 are intended to promote pedestrian walkability and activity along the street edge.

Land Use

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The proposed changes to PDS No. 111 will meet most of the objectives that are outlined in the criteria above. The applicant will maintain the urban fabric of the development by designing the building close to the street edge. In addition, to promote walkability along McKinney Avenue, the applicant has established design guidelines for transparency for street-level structures, and for hotel or motel room fenestrations and for the vertical plane of the hotel tower. The applicant will build an underground parking structure in lieu of constructing a two-story above grade parking structure. All required off-street parking will be in the underground parking structure.

However, to comply with a portion of objective #5 as it relates to the providing bonuses to encourage residential development in commercial areas, the applicant would have to include residential uses within the development. The proposed development does not comply with encouraging residential development in commercial areas. The characteristics of the boutique hotel are in line with the Oak Lawn Forum's Plan and the urban form of the building will allow for an easy integration along McKinney Ave.

STAFF ANALYSIS:

Land Use Compatibility: The 27,177 square foot site is partially undeveloped. The portion of the request site, which includes the expansion area, is developed with a two-story office building. The applicant proposes to raze the structure to expand the floor area of a previously approved 89,250 square foot hotel use. The request for an amendment to, and expansion of Planned Development Subdistrict No. 111 for LC Light Commercial Subdistrict uses is threefold: 1) expand the maximum floor area of all uses combined, 2) reduce a portion of the rear yard setback, and 3) eliminate to design standards for the parking structure.

The increase to the overall combined floor area of the proposed development should not negatively impact the surrounding land uses. The expansion of the proposed development will include the property to the north and comply with a majority of the development standards that were approved for PDS No. 111. With respect to incorporating a larger building footprint, 1) the number the rooms will increase from 128 to 254 rooms, 2) the overall floor area will increase from 89,250 square feet to 195,302 square feet, 3) a portion of the rear setback will be reduced from 20 feet to 10 feet for the structure exceeding 50 feet in height, and 4) provide all parking underground. In addition, the design guidelines to limit the intrusion into the adjacent multiple family units will remain. The applicant has worked with the adjacent residents to incorporate additional provisions in the conditions that reflect the proposed outdoor pool. The outdoor pool area will be located on the top level of the hotel, but the minimum distance requirement of the outdoor pool from McKinney Avenue was changed. Also, additional screening provisions were added to absorb the sound from the pool area.

With respect to the increase in the total buildable area, the overall floor area ratio increased from 5.67:1 to 6.70:1. In addition, the proposed hotel development is limited to a maximum structure height to 155 feet, with 12 feet of mechanical overruns. Planned Development Subdistrict No. 113, which is across McKinney Avenue, was approved for a maximum floor area ratio of 5.78:1 and a maximum structure height of 240 feet.

In maintaining the urban fabric of the development, the applicant will retain the design standards for the hotel or motel use or restaurant use in conjunction with a hotel or motel

use along McKinney Avenue, which requires a minimum transparency for street-level structures of 75 percent, excluding openings for a parking structure.

The chart below shows a comparison between the existing PDS No. 111 development standards and the proposed amendment to the development standards. The LC Light Commercial Subdistrict currently permits the development of residential and retail uses at a maximum height of 240 feet.

Development Standards:

	PDS No. 111	Proposed amendment to and expansion of PDS No. 111
Total Land area	15,725 sq. ft.	27,177 sq. ft.
Front Yard	17' (special hotel use) 25' above 38'	No change
Side Yard	0'	No change
Rear Yard	10' up to 50'; 20' above 44' or max width of 35 % of structure	10' up to 50'; 10' above 50' or max width of 38 % of structure
Lot coverage	82.5% Above 38' lot coverage is 54% (hotel use only)	No change
FAR	5.67:1 (0.31:1 non-res)	6.70:1
Height	155' per the PD conditions	No change
Density	128 rooms	264 rooms
Uses	Same uses with special requirements for hotel use.	No change
Parking	Per 193 Hotel use all parking within a structure, No parking directly accessed from McKinney, Special valet requirements. Hotel 0.85/room; restaurant with Hotel 1 space/175 s.f.; loading within building	All off street parking will be underground. Access to the parking garage is on McKinney Avenue; No parking directly accessed from McKinney Avenue; Loading /unloading is from the ally; Special valet requirements. Hotel 0.85/room; restaurant with Hotel 1 space/175 s.f.; loading within building
Landscaping and sidewalk	Per PD No.193	No change

Note: All other uses will have the same development standards as LC Subdistrict

Landscaping: Landscaping will be maintained in accordance with Part 1 of Planned Development District No. 193.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the applicant's request Traffic Impact Analysis Report and determined that it will not impact the surrounding street system for the proposed development.

LIST OF OFFICERS

W & K Real Estate Partners, Inc.

- Peter A. Kraus President

LIST OF OFFICERS

Dallas CF Hospitality Associates, LLC.

- Rabinder Pal Singh Manager

PROPOSED PDS CONDITIONS

SEC. S-111.101. LEGISLATIVE HISTORY.

PD Subdistrict 111 was established by Ordinance No. 29622, passed by the Dallas City Council on January 28, 2015.

SEC. S-111.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 111 is established on property located on McKinney Avenue, northeast of Bowen Street. The size of PD Subdistrict 111 is approximately ~~[45,725]~~ 27,177 square feet of land.

SEC. S-111.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division, SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

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

SEC. S-111.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-111A: development plan.

SEC. S-111.105. DEVELOPMENT PLAN.

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

(b) Hotel or motel use. For a hotel or motel use, development and use of the Property must comply with the development plan (Exhibit S-111A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

SEC. S-111.106. MAIN USES PERMITTED.

The only main uses permitted in this subdistrict are those main uses permitted in the LC Light Commercial Subdistrict, subject to the same conditions applicable in the LC

Light Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted in the LC Light Commercial Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the LC Light Commercial Subdistrict is subject to DIR in this Subdistrict; etc.

SEC. S-111.107. ACCESSORY USES.

(a) 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 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

- (b) The following accessory uses are not permitted in this subdistrict:
- Amateur communication tower.
 - Open storage.
 - Private stable.

SEC. S-111.108. 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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the LC Light Commercial Subdistrict apply.

(b) Floor area. Maximum floor area for all uses combined is [~~89,250~~] 195,302 square feet.

(c) Hotel or motel use.

(1) Front yard.

(A) In general. Except as provided in this paragraph, minimum front yard is 17 feet.

(B) Urban form. Along McKinney Avenue, minimum front yard setback above 38 feet in height is 25 feet.

(2) Side yard. No minimum side yard is required.

(3) Rear yard.

(A) Structures 50 feet in height or less. Minimum rear yard is 10 feet.

(B) Structures greater than 50 feet in height.

(i) In general. Minimum rear yard is [~~20~~]10 feet.

(ii) Structure width. Within 50 feet of the northwest Property line, maximum structure width is ~~[35]~~ 38 percent of the width of the lot.

(4) Density. Maximum number of guest rooms/suites is ~~[428]~~ 264.

(5) Floor area.

(A) Hotel or motel use. Maximum floor area ratio is ~~[85,000]~~ 195,302 square feet or 6.70:1 for a hotel or motel and related uses, including restaurant uses, meeting space and nonresidential floor area.

(B) Meeting space. Maximum floor area for meeting space in conjunction with a hotel or motel use is ~~[3,000]~~ 7,000 square feet.

(C) Nonresidential floor area. Maximum combined floor area for nonresidential uses in conjunction with a hotel or motel use is ~~[7,000]~~ 9,475 square feet, ~~[including meeting space]~~.

(6) Height.

(A) Except as provided in this paragraph, maximum structure height is 155 feet, measured from grade along McKinney Avenue.

(B) Structures listed in Section 51P-193.123(2)(a) may project up to 12 feet above the maximum structure height.

(7) Lot coverage.

(A) In general. Except as provided in this paragraph, maximum lot coverage is 82.5 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(B) Urban form. Above 50 feet in height, maximum lot coverage is ~~[54]~~ 55 percent, measured from grade along from McKinney Avenue.

(d) Outdoor swimming pools. Roof top restaurant and outdoor pool.

(1) Outdoor swimming pools must be located a minimum of ~~[75]~~ 60 feet from the northwest Property line.

(2) A minimum ~~[40]~~ 12-foot-high solid screening wall or other solid structure is required between an outdoor swimming pool and roof top restaurant and the northwest Property line. ~~[The minimum 10-foot-high solid screening wall or other solid screening structure must be located on the same level as the pool.]~~ A minimum six (6) foot tall glass or similar material wind/sound barrier is required along the southwest Property in those areas not enclosed by a 12-foot high solid screening wall or other solid structure. A sound absorbing landscape buffer consisting of evergreen shrubs or other evergreen plant material is required along the southwest Property line. Use of the outdoor pool is prohibited between sunset and sunrise and the water surface of the pool

must be covered with a sound absorbing pool cover during the times the pool is required to be closed. Access to the outdoor pool and pool deck is prohibited between the hours of 10:30 p.m. and 8:00 a.m. by the use of control access door/gates and/or fences as required. No dance floor is allowed on the outdoor pool deck or within the roof top restaurant.

SEC. S-111.109. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) Hotel or motel use.

(1) Off-street parking. Minimum required off-street parking is one space per 0.85 guest rooms/suites.

(2) Valet parking.

(A) Vehicle queuing, drop-off, and pick-up are not permitted within the public right-of-way.

(B) Valet parking, drop-off, and pick-up must be located within a parking structure.

(C) Packed parking is allowed for valet parking only.

(3) Parking structure.

(A) Off-street parking located on the Property must be within a parking structure located below grade.

~~(B) At grade off-street parking may not be accessed from McKinney Avenue.~~

~~(C) [A parking structure may not exceed two stories in height, measured at grade along McKinney Avenue.]~~

(D) Access to the alley is prohibited except for high clearance vehicles. This allowed access is limited to egress only entry through a solid door which must remain closed except during the exiting of a vehicle.

(4) Loading areas. Loading areas must be enclosed on all four sides and accessed with a gated entry that remains closed except during deliveries.

(c) Restaurant use.

(1) Minimum required off-street parking is one space per 175 square feet of floor area.

(2) Valet parking, drop-off, and pick-up must be located within a parking structure.

(3) Loading areas must be enclosed on all four sides and accessed with a gated entry that remains closed except during deliveries.

SEC S-111.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) Except as provided in this section, see Article VI.

(b) Outside live music is not allowed.

(c) Outside amplified sound is not allowed.

SEC. S-111.111. LANDSCAPING.

(a) Landscaping and screening must be provided in accordance with Part I of this article.

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

SEC. S-111.112. DESIGN STANDARDS FOR HOTEL OR MOTEL USE STREET FRONTAGES.

(a) Purpose. Continuous facades along pedestrian oriented streets often have negative impacts on community aesthetics, pedestrian circulation, and the scale and rhythm of streetscapes. The design standards in this section are intended to mitigate the negative impact of monotonous, blank, or inactive facades, while allowing creativity, flexibility, and variety in design.

[(b) Parking structures.]

~~(1) [Except as provided in this subsection, all aboveground parking structures must comply with Section 51P-193.127(a).]~~

~~(2) [Parking structure facades must include at least one of the following: heavy gauge metal screen, pre-cast concrete panels, laminated glass, photovoltaic panels, or other elements.]~~

~~(3) [Aboveground parking structures must have a solid wall or panel on each level with a minimum height of 36 inches to block light spillage from headlights.]~~

~~(4) [Parking structures over one story that front on a public right-of-way must have the following additional design standards on the facade facing the public right-of-way:]~~

~~(A) [Each story must be differentiated horizontally to minimize the vertical plane of the parking structure facade using changes in wall materials, garage~~

~~screening materials, or offsets or projections from the face of the adjacent story by a minimum of six inches.]~~

~~(B) [The horizontal plane of the facade wall of each parking structure story may not exceed 60 feet without a change in material, color, offset, or projection.]~~

(c) Hotel or motel use or restaurant use in conjunction with a hotel or motel use. Along McKinney Avenue, minimum transparency for street-level structures is 75 percent, excluding openings for a parking structure.

(d) Hotel or motel room fenestrations. Hotel or motel use fenestrations located within 50 feet of the northwest Property line must be designed to restrict the view from the hotel or motel use to the property located across the alley from the hotel or motel use. View restrictions may be accomplished using inset fenestrations, translucent glazing, or mounted architectural elements, which would direct views away from property across the alley.

(e) Vertical plane of the hotel tower. Any continuous vertical plane of a hotel or motel use must be altered vertically at a minimum of every 30 feet in elevation using openings, architectural components, articulation in wall detailing, change in texture, or change in color or materials, or a combination of these techniques.

SEC. S-111.113. SIGNS.

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

SEC. S-111.114. ADDITIONAL PROVISIONS.

(a) Sidewalks must continue at a level walking surface adjacent to curb-cuts to give priority to the pedestrian.

(b) Exterior building construction is only allowed between 7 a.m. and 7 p.m., Monday through Friday.

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

(d) 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.

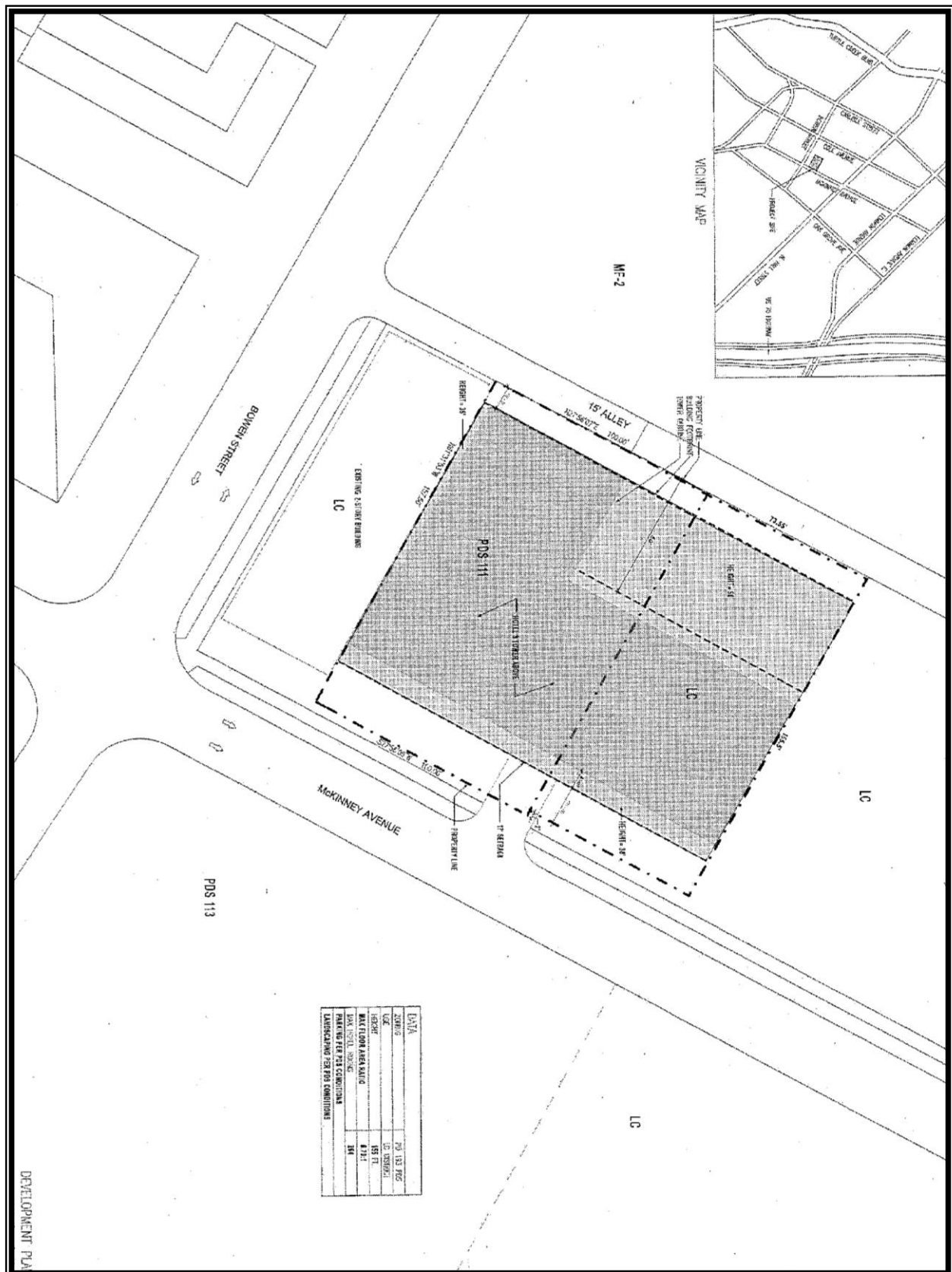
(e) Development and use of the Property must comply with Part I of this article.

SEC. S-111.115. COMPLIANCE WITH CONDITIONS.

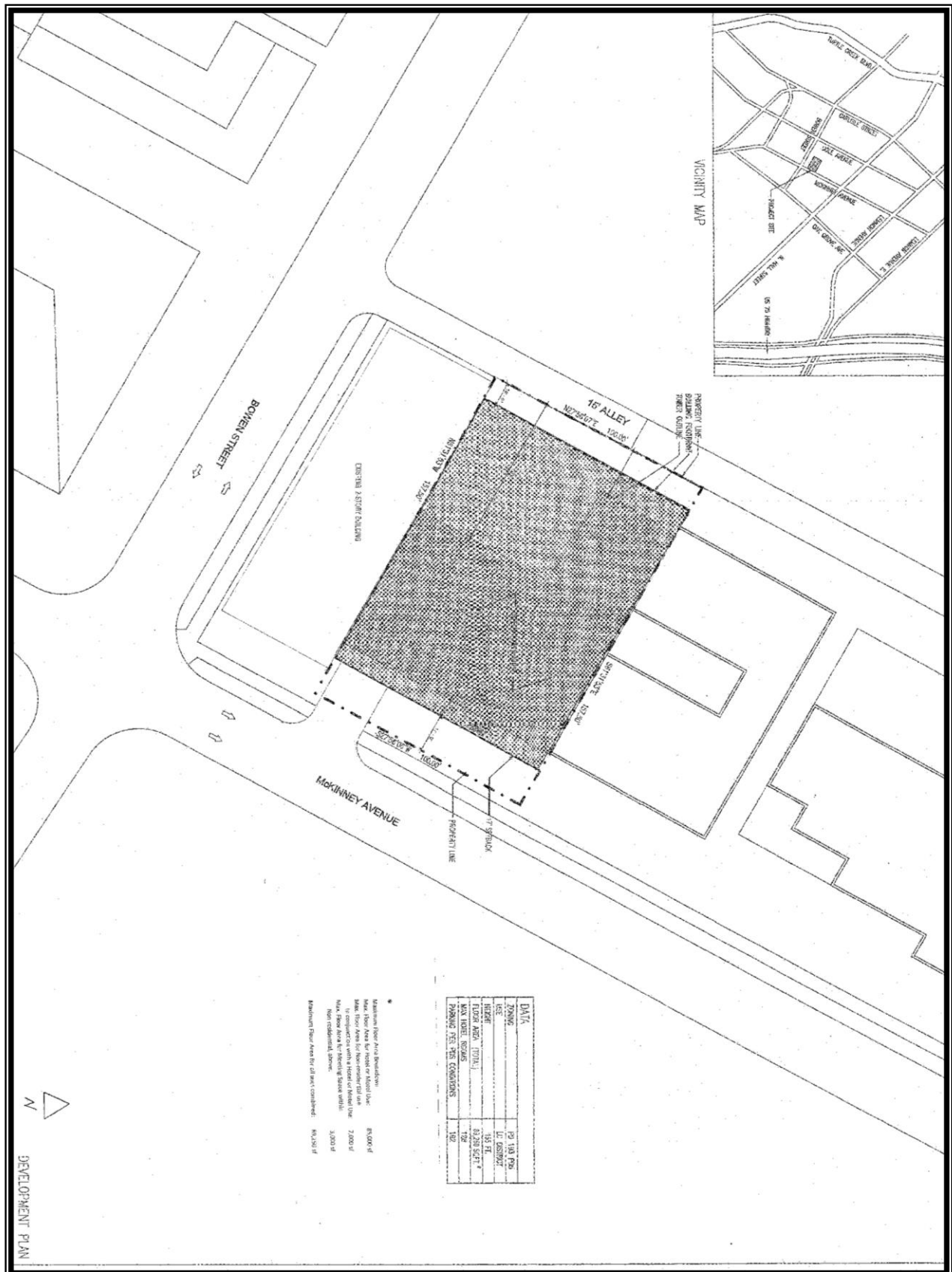
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED DEVELOPMENT PLAN



EXISTING DEVELOPMENT PLAN

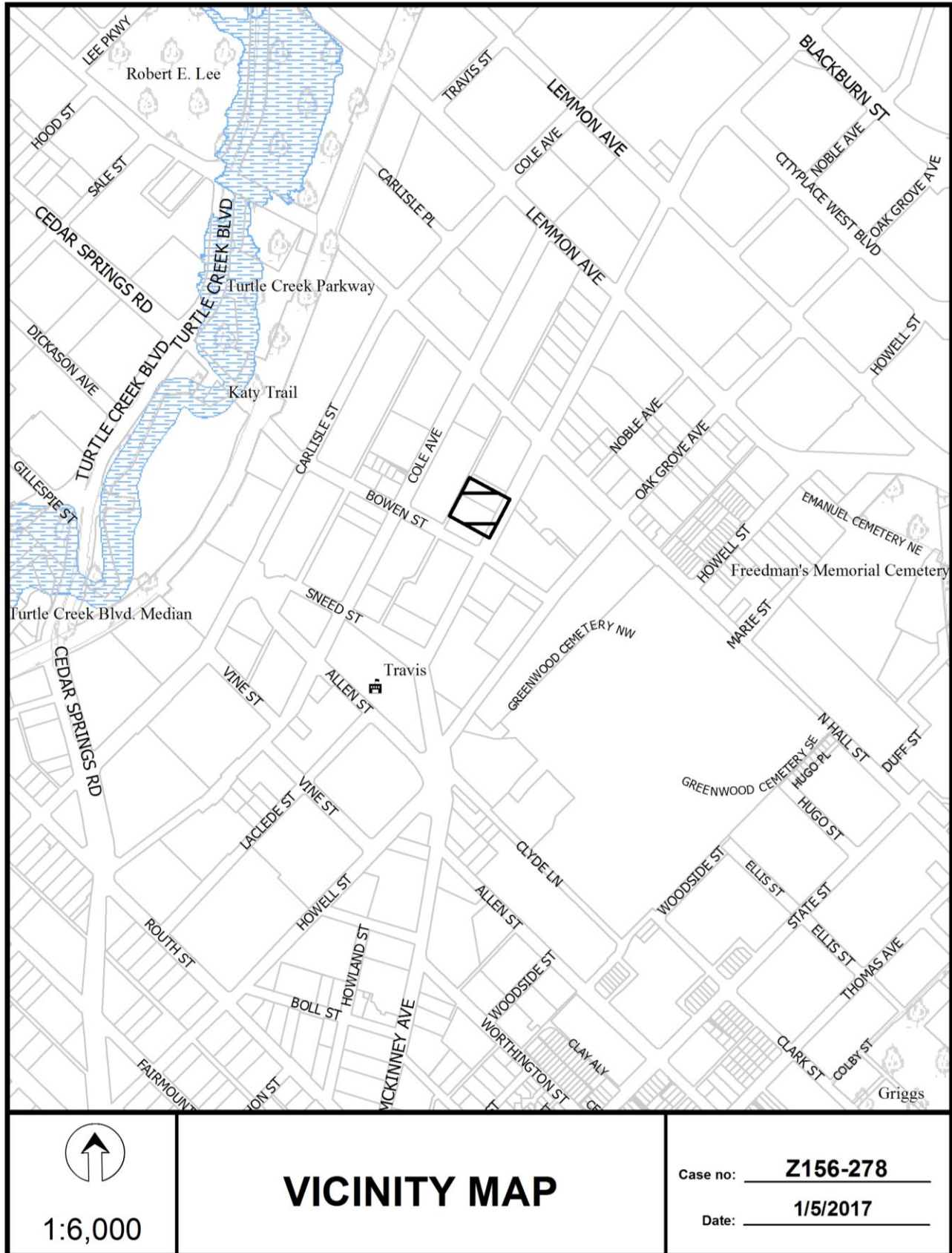


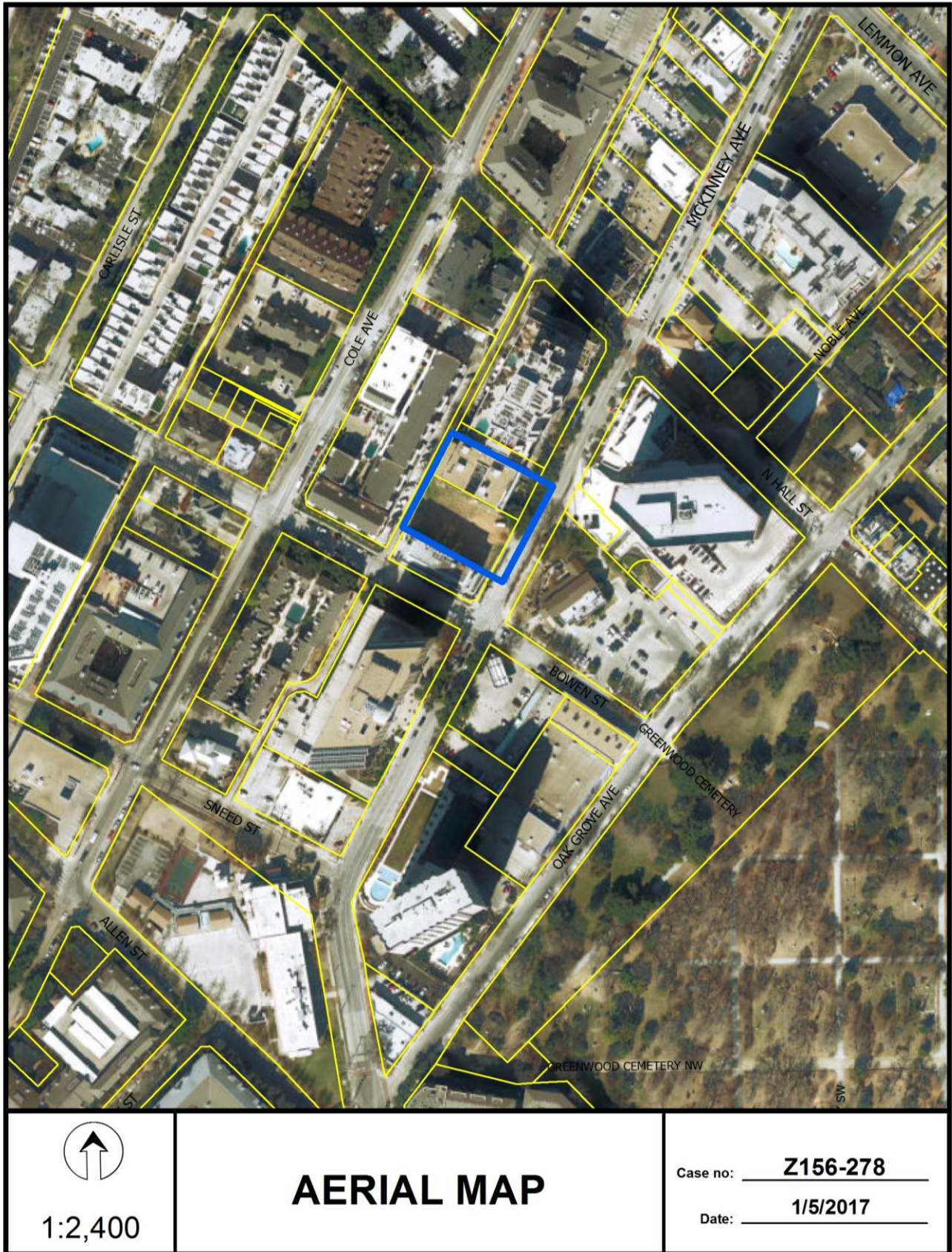
DATA	
ZONE	P2 100' P20
USE	LC DISTRICT
FLOOR AREA (TOTAL)	10,000 SF
MAX FLOOR ROADS	10,000 SF
PERMITTED FLOOR AREA COVERAGE	100%

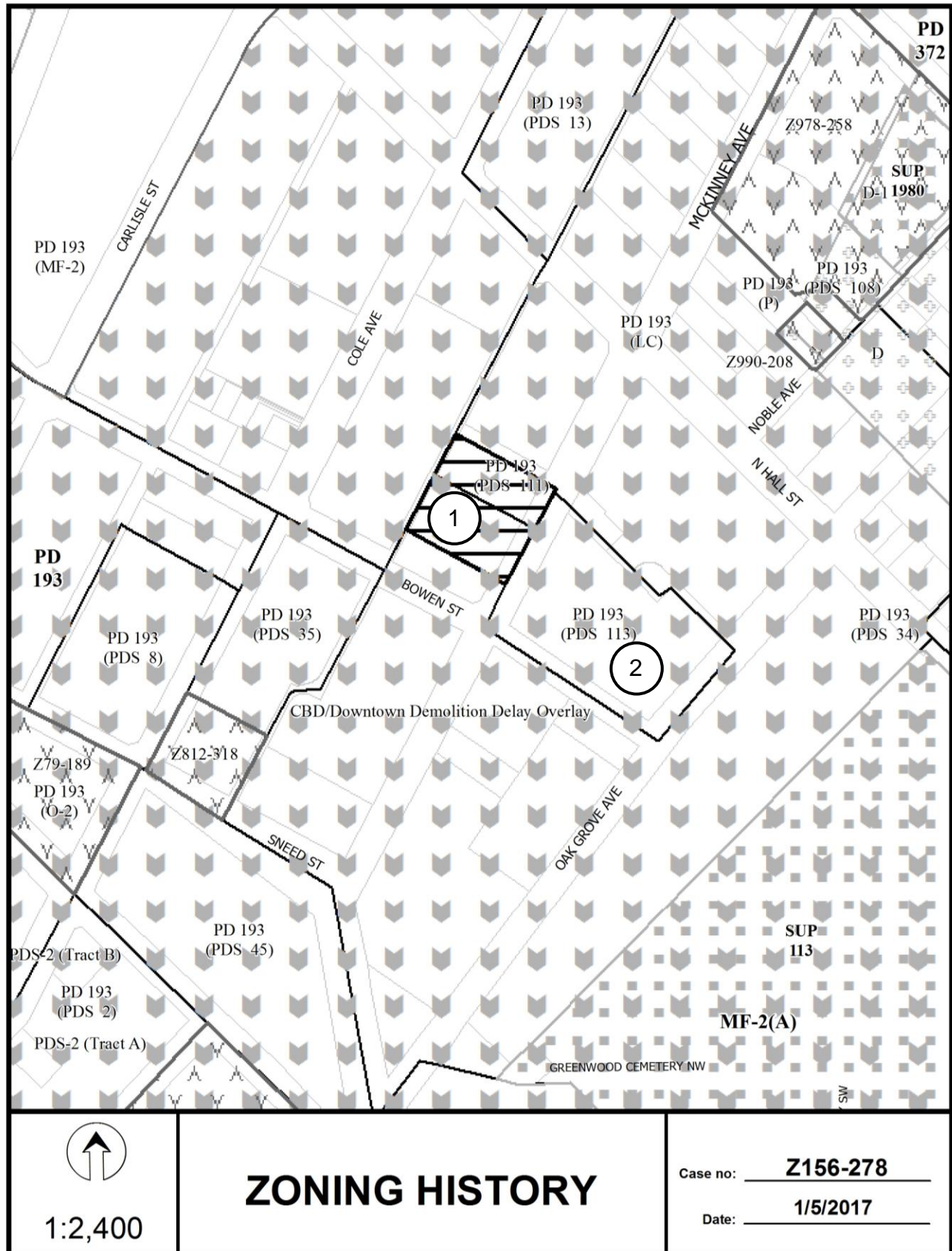
Maximum Floor Area Calculation:
 Base Floor Area for Height or Slope Limit: 10,000 SF
 Base Floor Area for Height or Slope Limit: 10,000 SF
 If combined use is allowed, then the total floor area is 10,000 SF.
 Non-conditional zone: 10,000 SF
 Maximum Floor Area for all uses combined: 10,000 SF

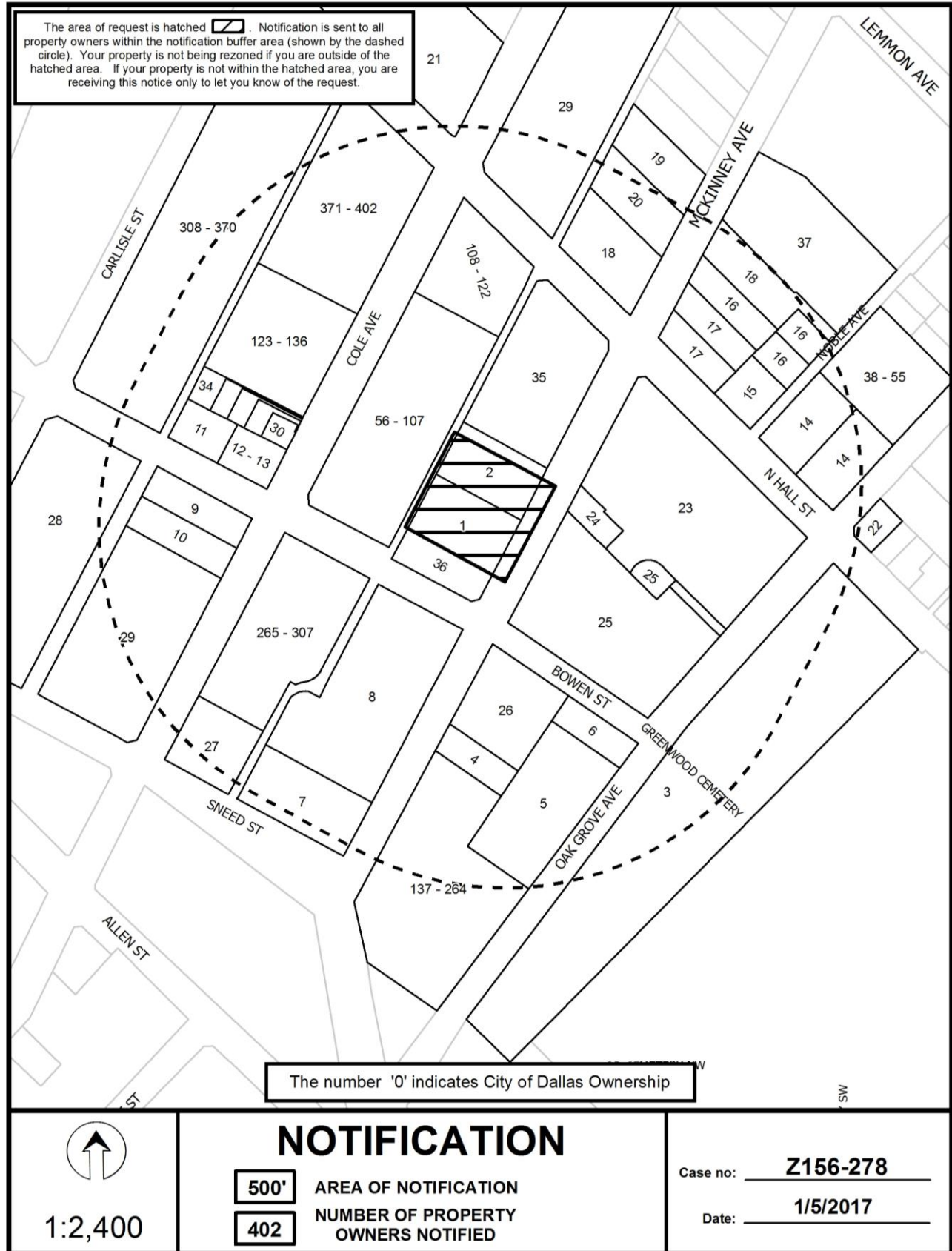


DEVELOPMENT PLAN









Notification List of Property

Z156-278

402 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3207 MCKINNEY AVE	DALLAS CF HOSPITALITY
2	3219 MCKINNEY AVE	W&K REAL ESTATE PTNRS INC
3	3100 OAK GROVE AVE	GREENWOOD CEMETERY ASSN
4	3124 MCKINNEY AVE	MCKINNEY AVENUE
5	3120 MCKINNEY AVE	MCKINNEY AVENUE
6	3153 OAK GROVE AVE	MCKINNEY AVENUE TRANSIT
7	3101 MCKINNEY AVE	YOUNG CANNON PROPERTIES LP
8	3131 MCKINNEY AVE	3131 MCKINNEY INC
9	3111 COLE AVE	ANDERSON MICHAEL J
10	3107 COLE AVE	BOUCHER DANIEL D
11	3112 BOWEN ST	KASNETZ ANDREW B TRUSTEE
12	3205 COLE AVE	KASNETZ ANDREW B TRUSTEE
13	3205 COLE AVE	KASNETZ ANDREW B
14	2910 N HALL ST	OAK GROVE HOTEL GROUP LP
15	2916 N HALL ST	GIBON MCCROREY HOLDINGS LLC
16	3307 NOBLE AVE	PORTOLANI FAMILY LP
17	3300 MCKINNEY AVE	REGISTER CHARLES
18	3312 MCKINNEY AVE	HUGHES HULL HOLDINGS LLC
19	3317 MCKINNEY AVE	PDC INTERESTS LLC
20	3309 MCKINNEY AVE	RACHOFKY M J TRUST ETAL
21	3104 N HALL ST	KENSINGTON CARLISLE LLC
22	2828 N HALL ST	DENNING JEREMY & DEANNA
23	3232 MCKINNEY AVE	GAEDEKE HOLDINGS II LTD
24	3230 MCKINNEY AVE	LISAR INC
25	3230 MCKINNEY AVE	LISAR INC
26	3128 MCKINNEY AVE	AZIZA INVESTMENTS INC

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3006 COLE AVE	ROCKLAND LP
28	3100 CARLISLE ST	HART TAYLOR LLC
29	3015 COLE AVE	POST APARTMENT HOMES LP
30	3207 COLE AVE	WARNICK HAROLD B
31	3207 COLE AVE	STANIS GRANT
32	3207 COLE AVE	HANSEN SARAH M LIFE ESTATE
33	3207 COLE AVE	PAYNE NORRIS SHELDON & MARGARET L
34	3207 COLE AVE	LOUKAIDES ALEXANDER
35	3227 MCKINNEY AVE	FATH DALLAS RESIDENCES LP
36	3203 MCKINNEY AVE	DFW MAPLE LEAF PTNRS LLC
37	3324 MCKINNEY AVE	3324 MCKINNEY AVE APTS INV LLC
38	3321 OAK GROVE AVE	DEARING GEORGE C
39	3321 OAK GROVE AVE	GAY DONNA BERNARD
40	3321 OAK GROVE AVE	LAMB MICHAEL D
41	3321 OAK GROVE AVE	MANRIQUE RAUL E CUBILLAS
42	3321 OAK GROVE AVE	GODFREY DANIEL E
43	3321 OAK GROVE AVE	HUTCHINSON JEFFREY KEITH
44	3321 OAK GROVE AVE	MAHMALKIS REAL ESTATE & INVESTMENTS LLC
45	3321 OAK GROVE AVE	CONNER CRAIG
46	3321 OAK GROVE AVE	DEMIRANDA KATE MCNAB
47	3321 OAK GROVE AVE	PERRY BRIAN
48	3321 OAK GROVE AVE	NOBLE JEFFREY S
49	3321 OAK GROVE AVE	REDINGER SARA J
50	3321 OAK GROVE AVE	MAHMALKIS REAL ESTATE INVESTMENTS LLC
51	3321 OAK GROVE AVE	JERNIGAN BRUCE ALLEN
52	3321 OAK GROVE AVE	MCMAHON NENA L
53	3321 OAK GROVE AVE	BORG STEPHEN W
54	3321 OAK GROVE AVE	MINTER STEVEN S
55	3321 OAK GROVE AVE	GOODING BRAD E
56	3208 COLE AVE	DILLING CAITLIN C
57	3208 COLE AVE	PINKER MARC

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3208 COLE AVE	JAMES KIM
59	3208 COLE AVE	WOODALL MARK E &
60	3208 COLE AVE	PLESNARSKI WILLIAM
61	3208 COLE AVE	SEMMA JOSEPH JR
62	3208 COLE AVE	EVANGELISTA LUCAS
63	3208 COLE AVE	PAK CHRISTOPHER
64	3208 COLE AVE	DYNAN THOMAS & CAROLINE M
65	3208 COLE AVE	WICKER MALLORIE
66	3208 COLE AVE	CAHILL HEATHER
67	3208 COLE AVE	ARNOLD NANCY G
68	3208 COLE AVE	HANNA MARY C
69	3208 COLE AVE	WIDENER MICHAEL LEE & INNA
70	3208 COLE AVE	DUELKS BRADFORD B
71	3208 COLE AVE	GONZALEZ RAY L
72	3208 COLE AVE	SAKHAI MARYAM
73	3208 COLE AVE	PATEL CHIRAG
74	3208 COLE AVE	VARGHESE THOMAS
75	3208 COLE AVE	STEPHENS CHARLES
76	3208 COLE AVE	KOJDER JESSICA
77	3208 COLE AVE	MITTEN JENNIFER
78	3208 COLE AVE	THAKRAR ANISH
79	3208 COLE AVE	HAYES JILL BETH
80	3208 COLE AVE	PAPE AUTUMN R
81	3208 COLE AVE	DEMIRKOL HANDE
82	3208 COLE AVE	LIU JINGCHAO
83	3208 COLE AVE	KRACKE KIM B
84	3208 COLE AVE	MINGLE DANIEL
85	3208 COLE AVE	BELL THERESA MARIE
86	3208 COLE AVE	KNOTT LAURA G
87	3208 COLE AVE	CURRA CHRISTOPHER J
88	3208 COLE AVE	DURBIN LUCY

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	3208 COLE AVE	HOUCK TROY
90	3208 COLE AVE	WOODS JOSEPH D
91	3208 COLE AVE	NEUNERT CINDY E
92	3208 COLE AVE	PIERCE ROGER A
93	3208 COLE AVE	HARE JAMIE
94	3208 COLE AVE	LATHAM KATHLEEN
95	3208 COLE AVE	HERNANDEZCARDENAS ANA V
96	3208 COLE AVE	EGGEBRECHT DARREN W
97	3208 COLE AVE	CALEGARI MAUD B
98	3208 COLE AVE	PFITZINGER BRIAN S
99	3208 COLE AVE	CHARUWORN NART
100	3208 COLE AVE	FEDERAL NATIONAL MORTGAGE ASSOCIATION
101	3208 COLE AVE	HARLOW CHARLES J
102	3208 COLE AVE	DAVIS JENNIFER
103	3208 COLE AVE	MARSHALL KELLY S
104	3208 COLE AVE	GREEN MARY POLK
105	3208 COLE AVE	WOODALL KATHERINE ANN
106	3208 COLE AVE	LAU HOWARD
107	3208 COLE AVE	HURTADO ANDREA
108	3230 COLE AVE	BHAMIDIPATI PRABHAKAR
109	3230 COLE AVE	GARLICK RYAN M
110	3230 COLE AVE	WOODWARD LOIS N
111	3230 COLE AVE	WEBER KARIN
112	3230 COLE AVE	WILLIAMS STEVE F
113	3230 COLE AVE	LUNA JOHN B
114	3230 COLE AVE	WANG NING &
115	3230 COLE AVE	WILLIAMS CURTIS A
116	3230 COLE AVE	ARMSTRONG ADAM
117	3230 COLE AVE	COSTA FRANCESCO
118	3230 COLE AVE	KLUGE DENNIS L &
119	3230 COLE AVE	POSGATE LOUIS &

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	3230 COLE AVE	PETERSON DAVID J &
121	3230 COLE AVE	HESS DOUGLAS ALLEN
122	3230 COLE AVE	RIVERA FRANK
123	3215 COLE AVE	L1 PROPERTIES LLC
124	3215 COLE AVE	HARRISON SUZANNE & JAMES M
125	3209 COLE AVE	LOPEZ ROLAND V
126	3209 COLE AVE	GONZALEZ DEVIN
127	3215 COLE AVE	OLIVERI CHARLES
128	3215 COLE AVE	OLIVERI CHARLES W SR
129	3215 COLE AVE	MCBEE DAVID H
130	3209 COLE AVE	BRIDGE TOWER DALLAS ONE LLC
131	3215 COLE AVE	CONERLY BRITNEY M
132	3209 COLE AVE	HERNANDEZ GUILLERMO A & GABRIELA
133	3209 COLE AVE	LOGSDON JAMES J JR & LAURA S
134	3215 COLE AVE	VIOLI MICHAEL &
135	3209 COLE AVE	MORROW SAMUEL S
136	3215 COLE AVE	BRAY STEVEN A
137	3030 MCKINNEY AVE	ROBINSON INDUSTRIES, INC
138	3030 MCKINNEY AVE	BRINKMAN JEANNIE &
139	3030 MCKINNEY AVE	AMMON SUSAN
140	3030 MCKINNEY AVE	DOTY YVONNE D
141	3030 MCKINNEY AVE	HALYBURTON WILLIAM D & KRISTY
142	3030 MCKINNEY AVE	HAYS RAYMOND R & DINAH D
143	3030 MCKINNEY AVE	NEUSE JASPER MICHAEL
144	3030 MCKINNEY AVE	PIONONO INVESTMENTS LLC
145	3030 MCKINNEY AVE	KLEINE WILLIAMS D & ANN
146	3030 MCKINNEY AVE	BROSI SCOTT C &
147	3030 MCKINNEY AVE	FRANK ROBERT C JR & SELENA M
148	3030 MCKINNEY AVE	GARCIA RICARDO LUIS & VERONICA M
149	3030 MCKINNEY AVE	SIMPSON ANN
150	3030 MCKINNEY AVE	HAIRE SCOTT L

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	3030 MCKINNEY AVE	PHILLIPS WAYNE D
152	3030 MCKINNEY AVE	STEELE JOHN RODMAN EST OF &
153	3030 MCKINNEY AVE	SAHWANI DIANA
154	3030 MCKINNEY AVE	ROMBERG BERTHOLD &
155	3030 MCKINNEY AVE	MURRAY JANE E
156	3030 MCKINNEY AVE	MULLICAN MARY A
157	3030 MCKINNEY AVE	VU CHI T
158	3030 MCKINNEY AVE	AVIRETT TIMOTHY T
159	3030 MCKINNEY AVE	GARRETT JESSICA L
160	3030 MCKINNEY AVE	OLKKOLA EDWARD E
161	3030 MCKINNEY AVE	KLEIN HANNE
162	3030 MCKINNEY AVE	DYKES DONALD E
163	3030 MCKINNEY AVE	GOLDFARB FAMILY TRUST U A
164	3030 MCKINNEY AVE	PEPMILLER DELMAR D &
165	3030 MCKINNEY AVE	CARNEY TIMOTHY
166	3030 MCKINNEY AVE	SAMARA KENNETH J
167	3030 MCKINNEY AVE	BAILEY KATHLEEN C LIVING TRUST
168	3030 MCKINNEY AVE	BATCHELOR JAMES F &
169	3030 MCKINNEY AVE	ESTRADA ROBERT A & CATHERINE BERNELL
170	3030 MCKINNEY AVE	GRIFFIN ELIZABETH R
171	3030 MCKINNEY AVE	ESTELLHANCOCK MARITA
172	3030 MCKINNEY AVE	BAKER DONNA LYNN
173	3030 MCKINNEY AVE	L & E PROPERTIES LLC
174	3030 MCKINNEY AVE	ISMAIL SALIM & SHIREEN SALIM
175	3030 MCKINNEY AVE	WALKER DAVID G
176	3030 MCKINNEY AVE	HARLAN ELIZABETH B
177	3030 MCKINNEY AVE	GWYN JAMES W & V MARIE
178	3030 MCKINNEY AVE	SEAMAN GARY L & CAROLYN K
179	3030 MCKINNEY AVE	LITTLE WILLIAM H & LORI G
180	3030 MCKINNEY AVE	SPIEGELMAN WILLARD
181	3030 MCKINNEY AVE	MALKA MICHAEL A

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	3030 MCKINNEY AVE	CARPENTER SUSAN
183	3030 MCKINNEY AVE	DONALDSON NIGEL A
184	3030 MCKINNEY AVE	KEARNEY BARBARA
185	3030 MCKINNEY AVE	SANDKNOP RYAN
186	3030 MCKINNEY AVE	LAMB SHELLY S
187	3030 MCKINNEY AVE	MOSSER ROBERT E & ROBERT J
188	3030 MCKINNEY AVE	MCKEE JOHN
189	3030 MCKINNEY AVE	BALL JEANNIE C
190	3030 MCKINNEY AVE	KHOSHNOUDI AHMAD &
191	3030 MCKINNEY AVE	WOOD ELLEN
192	3030 MCKINNEY AVE	MCDONALD MARLA
193	3030 MCKINNEY AVE	HALLIDAY EDWIN JAY & LYNN MARY
194	3030 MCKINNEY AVE	WANSTRATH LAURA
195	3030 MCKINNEY AVE	BRITTINGHAM GUILLERMO M &
196	3030 MCKINNEY AVE	DUFFIELD ANNE E
197	3030 MCKINNEY AVE	SCHROEDER PATRICIA C REVOCABLE TR
198	3030 MCKINNEY AVE	DIPASQUA ALPHONSO &
199	3030 MCKINNEY AVE	MILES JANIS C
200	3030 MCKINNEY AVE	CARUSO RONALD
201	3030 MCKINNEY AVE	THOMAS JOHN C & DEBRA
202	3030 MCKINNEY AVE	FRANKEL DOUGLAS &
203	3030 MCKINNEY AVE	GILHOOPLY STEPHEN
204	3030 MCKINNEY AVE	FREEMAN REVOCABLE TRUST THE
205	3030 MCKINNEY AVE	ASANTE MOLEFI KETE & ANA
206	3030 MCKINNEY AVE	SELLARS JOHN P
207	3030 MCKINNEY AVE	HARRIS CURTIS D &
208	3030 MCKINNEY AVE	BROOKSHIER FAMILY TRUST
209	3030 MCKINNEY AVE	BERNSTEIN BASIL
210	3030 MCKINNEY AVE	MUIR J DUNCAN
211	3030 MCKINNEY AVE	PRICE SANDRA NELSON
212	3030 MCKINNEY AVE	SUCRE RICHARD & ANGELA

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	3030 MCKINNEY AVE	GREEN RAY E
214	3030 MCKINNEY AVE	BOLAND THOMAS C & DEBRA A
215	3030 MCKINNEY AVE	CUNNINGHAM GENE M
216	3030 MCKINNEY AVE	BRYAN BARRY
217	3030 MCKINNEY AVE	KHOSHNOUDI BAHAR
218	3030 MCKINNEY AVE	BROWN WILLIAM T II
219	3030 MCKINNEY AVE	AVANCE PROPERTIES LLC
220	3030 MCKINNEY AVE	HARRIS ELIZABETH K
221	3030 MCKINNEY AVE	FISCHER REVOCABLE TRUST
222	3030 MCKINNEY AVE	LADD DENNIS MICHAEL &
223	3030 MCKINNEY AVE	ASCENZO DANIEL
224	3030 MCKINNEY AVE	LADD DENNIS &
225	3030 MCKINNEY AVE	AHNERT EDWARD F &
226	3030 MCKINNEY AVE	TRIMBLE RODNEY B
227	3030 MCKINNEY AVE	BARNES JOSEPH ANTHONY &
228	3030 MCKINNEY AVE	WHITWELL STEPHEN
229	3030 MCKINNEY AVE	SCHMIDT KEITH A
230	3030 MCKINNEY AVE	BARNES MITZI T
231	3030 MCKINNEY AVE	RAMSEY CHARLES E JR MARITAL TRUST
232	3030 MCKINNEY AVE	KELLY MICHAEL J
233	3030 MCKINNEY AVE	HAKIM CAMILLE A &
234	3030 MCKINNEY AVE	DOLAN F PETER & MARCY HEIDISH
235	3030 MCKINNEY AVE	FELSTED KAREN E
236	3030 MCKINNEY AVE	FARROWGILLIESPIE ALAN C
237	3030 MCKINNEY AVE	FRANKS ROBERT C &
238	3030 MCKINNEY AVE	HARGROVE T GEDDIE
239	3030 MCKINNEY AVE	BARTON STANLEY & LINDA
240	3030 MCKINNEY AVE	PUTNAM DONOVAN &
241	3030 MCKINNEY AVE	APPERSON MARK W
242	3030 MCKINNEY AVE	COLLINS FLOYD W
243	3030 MCKINNEY AVE	ROGERS CULLEN A &

Z156-278(WE)

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	3030 MCKINNEY AVE	CORTEZ CARLOS R
245	3030 MCKINNEY AVE	MCLAUGHLIN KATHLEEN
246	3030 MCKINNEY AVE	BIRKNER JOHN H
247	3030 MCKINNEY AVE	SHELMIRE SUSAN
248	3030 MCKINNEY AVE	JORDAN STEVEN C
249	3030 MCKINNEY AVE	HAKIM CAMILLE & HAIFA TR
250	3030 MCKINNEY AVE	BERG ALAN G
251	3030 MCKINNEY AVE	BUTTS KELEM B &
252	3030 MCKINNEY AVE	HEPFNER JAMES P
253	3030 MCKINNEY AVE	ROBERTSON REBEL LEA &
254	3030 MCKINNEY AVE	PETERS JEFF & CAROL
255	3030 MCKINNEY AVE	MILDEBRATH MARK E & DANA
256	3030 MCKINNEY AVE	NELSON RANDALL & KIMBERLY
257	3030 MCKINNEY AVE	BERGNER JOHN F &
258	3030 MCKINNEY AVE	STEWART JEFFREY G
259	3030 MCKINNEY AVE	ZIELKE PETER B
260	3030 MCKINNEY AVE	PETERS JEFF & CAROL
261	3030 MCKINNEY AVE	HAWLEY JOHN R & MARCIA H
262	3030 MCKINNEY AVE	SKYLINE TRUST
263	3030 MCKINNEY AVE	SKYLINE TRUST
264	3030 MCKINNEY AVE	SKYLINE TRUST
265	3100 COLE AVE	AFTABROUSHADR KAMBIZ
266	3100 COLE AVE	ALLSION CHRIS
267	3100 COLE AVE	RAFFEL SCOTT J & KATHY E
268	3100 COLE AVE	ZHANG HELEN X Y
269	3100 COLE AVE	BRANT SARAH M
270	3100 COLE AVE	LARKIN WILLIAM A
271	3100 COLE AVE	PALETTI SONIA
272	3100 COLE AVE	NICOLLE BRYCE DAUVERGNE
273	3100 COLE AVE	CHESNUT JOHN
274	3100 COLE AVE	SMITH HOLLY F

Z156-278(WE)

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	3100 COLE AVE	REYES ROBERT M
276	3100 COLE AVE	TEJURA SEEMA V
277	3100 COLE AVE	RAFEA VEEDA
278	3100 COLE AVE	ZERR JOSEPH
279	3100 COLE AVE	KJELDGAARD DAVID
280	3100 COLE AVE	TOMASZCZUK KATY &
281	3100 COLE AVE	DRAPER DUANE D &
282	3100 COLE AVE	SPADE PHILIP FREDERICK
283	3100 COLE AVE	LINSCOTT WHITNEY K
284	3100 COLE AVE	WHEAT DAVID G
285	3100 COLE AVE	BRAY CHASE LANDON
286	3100 COLE AVE	LEE BIK HAN & LEE SAI SHEK
287	3100 COLE AVE	BENAVIDES MICHAEL L
288	3100 COLE AVE	RIOS SANDRA B
289	3100 COLE AVE	GAMINI MORTEZA & BORTAY
290	3100 COLE AVE	SKAINES JONATHAN B
291	3100 COLE AVE	LOZANO JAVIER ALBERTO NEYRA & YEAL JOSEPH GARCIA
292	3100 COLE AVE	ANDERSON JONATHAN D & TARA L
293	3100 COLE AVE	OREILLEY KATHLEEN
294	3100 COLE AVE	SALANON EMANUEL JOEL
295	3100 COLE AVE	GARCIA EDWARD I
296	3100 COLE AVE	AHN SAM
297	3100 COLE AVE	MILLIET MARK JOSEPH
298	3100 COLE AVE	MAYES EVAN Z
299	3100 COLE AVE	REISMAN MARK L
300	3100 COLE AVE	PHILLIPS THOMAS L
301	3100 COLE AVE	ROSENBAUM RICO
302	3100 COLE AVE	BAYS VANCE J
303	3100 COLE AVE	CLIFT SUSANNE A & KEVIN
304	3100 COLE AVE	VONBORSIG MICHAEL A
305	3100 COLE AVE	LIN CONSTANCE LEECHEN

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
306	3100 COLE AVE	BATA INVESTMENTS LLC
307	3100 COLE AVE	DEMEIS DANIEL G
308	3210 CARLISLE ST	PAGE ANTHONY R
309	3210 CARLISLE ST	DAVIS JAMES KYLE &
310	3210 CARLISLE ST	GIORDANO JOHN V
311	3210 CARLISLE ST	CHOI YUN H
312	3210 CARLISLE ST	ENGWICHT JACKIE L & CORY J
313	3210 CARLISLE ST	TURNBULL RANDALL C &
314	3210 CARLISLE ST	HARVEY DEAN & CATHY
315	3210 CARLISLE ST	TORCHIO PAOLO
316	3210 CARLISLE ST	CHAKAL NAVDEEP S &
317	3210 CARLISLE ST	ATALLAH RABIH
318	3210 CARLISLE ST	SWANK JENNIFER MICHELLE & RYAN PAUL
319	3210 CARLISLE ST	WENTWORTH BARBARA
320	3210 CARLISLE ST	NICKS CHRISTOPHER STEPHEN & LYNN HOLLEY
321	3210 CARLISLE ST	DEFARRO GIANPAOLO &
322	3210 CARLISLE ST	ZIMMERMAN KATHERYN
323	3210 CARLISLE ST	JEFFREY B JOHNS 2007 TRUST
324	3210 CARLISLE ST	NORTH TIMOTHY G &
325	3210 CARLISLE ST	DAVIS JON C
326	3210 CARLISLE ST	FOX MICHAEL & JULIANNE
327	3210 CARLISLE ST	HORTON LANCE
328	3210 CARLISLE ST	MCKAY JOHN K & ANN
329	3210 CARLISLE ST	STOJANOVIC VESNA
330	3210 CARLISLE ST	SICHENZIO RICHARD &
331	3210 CARLISLE ST	GOODWIN BOBBY A &
332	3210 CARLISLE ST	BALDOR JORGE L
333	3210 CARLISLE ST	RUSCHHAUPT REED
334	3210 CARLISLE ST	DUNTON STACY
335	3210 CARLISLE ST	STANFORD CHRISTIN C & ERIK
336	3210 CARLISLE ST	LYNCH DAVID E

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
337	3210 CARLISLE ST	WOODARD BRYAN T
338	3210 CARLISLE ST	LUONG PHUONG M
339	3210 CARLISLE ST	FLOWERS ROBERT R
340	3210 CARLISLE ST	THOMAS JONATHAN S & CYNTHIA L
341	3210 CARLISLE ST	BURNS MICHAEL R &
342	3210 CARLISLE ST	LOCKE KELLY
343	3210 CARLISLE ST	BENTOW JASON
344	3210 CARLISLE ST	LYONS KEVIN & MEGAN
345	3210 CARLISLE ST	HARMAN ROBERT KING & LINDA ANNE
346	3210 CARLISLE ST	MINK JUSTIN
347	3210 CARLISLE ST	PRESSLER FAMILY TRUST
348	3210 CARLISLE ST	ALVAREZ PEDRO JR &
349	3210 CARLISLE ST	HENRY MOLLIE MAILMAN &
350	3210 CARLISLE ST	GEIKEN CHAD D
351	3210 CARLISLE ST	WILLIAMS MITCHELL A
352	3210 CARLISLE ST	WCISLO BRIAN &
353	3210 CARLISLE ST	CUMMINS CHRISTINA LYNN
354	3210 CARLISLE ST	SLAVIN DIERDRE
355	3210 CARLISLE ST	WELLS CORY
356	3210 CARLISLE ST	POTTER JEFFREY &
357	3210 CARLISLE ST	HAWKINS DWAYNE W
358	3210 CARLISLE ST	LAVENDER RACHEL LAUREN
359	3210 CARLISLE ST	HUANG THERESA T
360	3210 CARLISLE ST	KAUFMAN CAPITAL LLC
361	3210 CARLISLE ST	ATKINS JOSEPH B JR &
362	3210 CARLISLE ST	WALKER PHILIP & JULIE
363	3210 CARLISLE ST	TERRY JASON E
364	3210 CARLISLE ST	THIRD & WILLIS LLC
365	3210 CARLISLE ST	HASS RACHEL
366	3210 CARLISLE ST	MIRE DENNIS
367	3210 CARLISLE ST	YOUNG AMY C

Z156-278(WE)

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
368	3210 CARLISLE ST	SMITH EDWARD A
369	3210 CARLISLE ST	HAMM PHILIP
370	3210 CARLISLE ST	POWELL ADAM J
371	3235 COLE AVE	COOKE AMY M
372	3235 COLE AVE	NGUYEN THONG
373	3235 COLE AVE	MOSCA CELESTE ALISA
374	3235 COLE AVE	
375	3235 COLE AVE	HALL DOUGLAS K
376	3235 COLE AVE	SHEINBERG DARREN
377	3235 COLE AVE	THIGPEN THOMAS
378	3235 COLE AVE	CHAPMAN ALBERT J III
379	3235 COLE AVE	WELLS ALEX L
380	3235 COLE AVE	HALLOCK KEITH R JR
381	3235 COLE AVE	KNOWLTON KELLY
382	3235 COLE AVE	MAJOR DAVID P
383	3235 COLE AVE	MALLOY BETHANY E
384	3235 COLE AVE	THOMPSON SCOTT JAY
385	3235 COLE AVE	DEERING CHRISTOPHER
386	3235 COLE AVE	HALL DAVID JR
387	3235 COLE AVE	LINNSTAEDTER LEAH NICOLE
388	3235 COLE AVE	ELCHAMMAS MANAR
389	3235 COLE AVE	WHITE STEVEN M & TERESA J
390	3235 COLE AVE	ALIMCHANDANI NEERAJ
391	3235 COLE AVE	LITOFF AUSTIN
392	3235 COLE AVE	LECOVER MATTHEW L
393	3235 COLE AVE	KUO ANDY
394	3235 COLE AVE	FICKE GEOFFREY E
395	3235 COLE AVE	AN JADHAVJI INVESTMENTS LLC
396	3235 COLE AVE	BARNEY JOHN DAVID
397	3235 COLE AVE	TAYLOR RYAN
398	3235 COLE AVE	SANTAULARIA JOSEPH W

Z156-278(WE)

01/05/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
399	3235 COLE AVE	VANN RHONDA H
400	3235 COLE AVE	CROSSETT MATTHEW ADAM &
401	3235 COLE AVE	FIORE ANGELA M
402	3235 COLE AVE	MAIONE MICHAEL

FILE NUMBER: Z167-128(JM)

DATE FILED: November 4, 2016

LOCATION: On the northwest corner of Forest Land and the eastern section of Forestgate Drive.

COUNCIL DISTRICT: 10

MAPSCO: 18-W

SIZE OF REQUEST: ±2.06 acres

CENSUS TRACT: 0190.19

REPRESENTATIVE: Rebecca Diviney, Freese and Nichols, Inc.

APPLICANT/OWNER: Dallas Water Utilities

REQUEST: An application for a Specific Use Permit for a utility or government installation other than listed to allow an elevated water storage tank use on property zoned an IR Industrial Research District.

SUMMARY: The purpose of this request is to allow for the replacement of an existing elevated water storage tank.

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

BACKGROUND INFORMATION:

- The site is currently developed with a two-million gallon ellipsoidal 10-legged elevated storage tank which stands at about 130 feet tall. The tank was constructed in 1960.
- The request is made to allow for the replacement of the existing elevated water storage tank with a new two-million gallon elevated water storage tank with a solid pedestal base. Changes requested include placing the replacement tank further northeast on the parcel, reducing the height to 115 feet with a solid base, and relocating the existing drive from Forest Lane, to the east section of Forestgate Drive. The solid base is consistent with DWU Elevated Storage Tank Design Standards adopted in 2012.

Zoning History:

There have been no zoning cases within the vicinity of the area of request in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Right-of-Way
Forest Lane	Principal Arterial	120'
Forestgate Drive (East)	Local	56'

Traffic:

The Engineering Division of the Sustainable Development and Construction Department 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 comprehensive plan does not make a specific land use recommendation related to the request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

NEIGHBORHOOD PLUS

POLICY 4.3 ENHANCE NEIGHBORHOOD DESIRABILITY BY IMPROVING INFRASTRUCTURE, HOUSING STOCK, RECREATION AND SAFETY.

Land Use Compatibility:

The subject site is currently zoned an IR Industrial Research District. This district represents a group of uses which provide for research and development, light industrial, office, and supporting commercial uses in an industrial research park setting. This district is not intended to be located in areas of low and medium density residential development. The request is consistent with the zoning.

	Zoning	Land Use
Site	IR Industrial Research	Elevated water storage tank
North	IR Industrial Research; SUP No. 1548	Office showroom/warehouse; open-enrollment charter school
East	IR Industrial Research	Office showroom/warehouse; financial institution w/drive through
South	IR Industrial Research	Hotel; commercial amusement (inside); office; financial institution w/ drive through; auto service; restaurant w/ drive through
West	IR Industrial Research	Office showroom/warehouse

Surrounding land uses include existing office showroom/warehouse uses immediately to the north, east, and west. Further north, an open-enrollment charter school operates under SUP No. 1548 and administrative offices for the school have occupied several of the surrounding office showroom/warehouse spaces zoned IR Industrial Research. The school acts as a buffer to single family residences zoned an R-7.5(A) Single Family District further northwest and multifamily developments zoned an MF-2(A) Multifamily District to the north. Across Forest Lane and at intersections of every block, there are commercial institutions including a hotel, commercial amusement (inside), and a few financial institutions with drive-throughs, restaurants with drive-throughs, and automotive service uses.

The site area and current use with an elevated water storage tank help to provide vital services to continue servicing the existing and ongoing development of the neighborhood. The replacement of the elevated water storage tank will help improve services to surrounding neighborhoods. The new location will be more complimentary to the area as it will be further from the street.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing

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

Parking:

Parking will be provided according to the Dallas Development Code and as depicted in the site plan. The Dallas Development Code requires per Sec. 51A 4.212.(11)(ii)(C) The ratio of the use that the building official determines is the most equivalent to the proposed use in terms of function. The applicant has provided four parking spaces, one of which is ADA compliant.

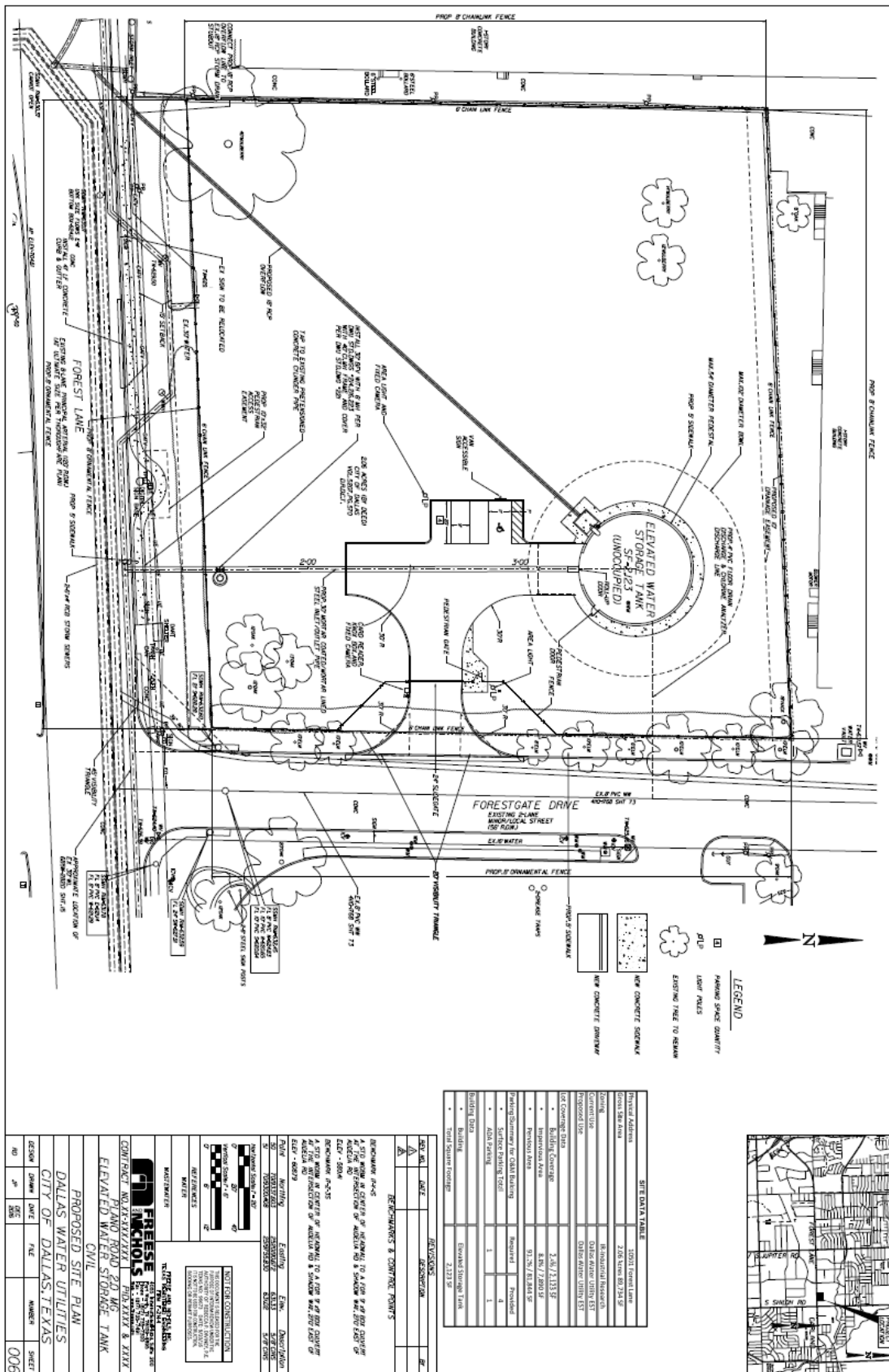
Landscaping and Screening:

According to the city arborist, this request does not trigger landscaping requirements. The existing/proposed use does not require landscaping per Article X since there is no residential adjacency. However, the applicant has provided a landscape plan that identifies which trees will have to be removed for the change of location of the storage tank (four trees being removed). One new street tree is proposed on Forestgate Drive, near Forest Lane. The Photinia hedge along Forest Lane and Forestgate Drive will be replaced with an eight foot ornamental fence.

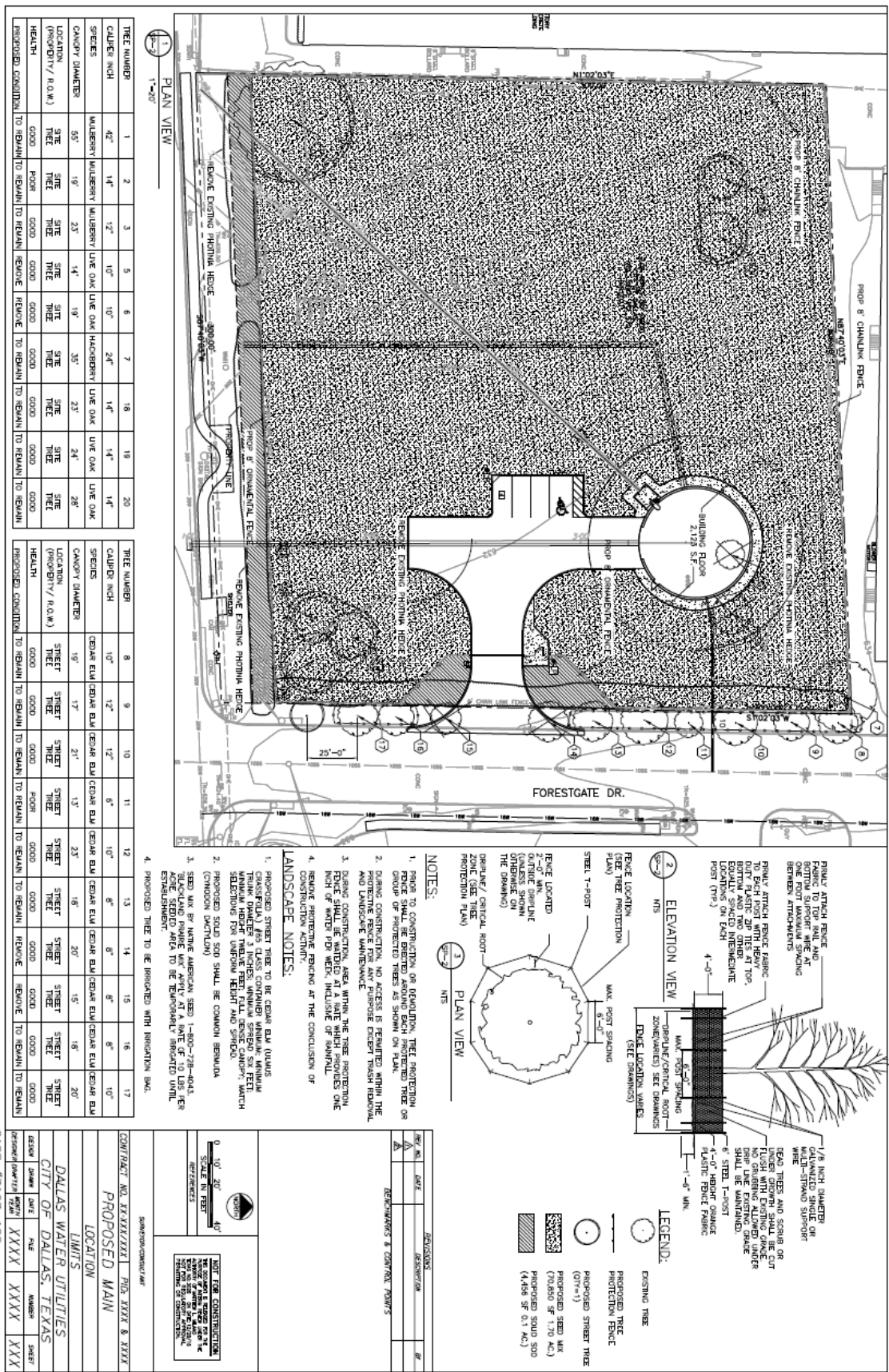
Proposed SUP Conditions

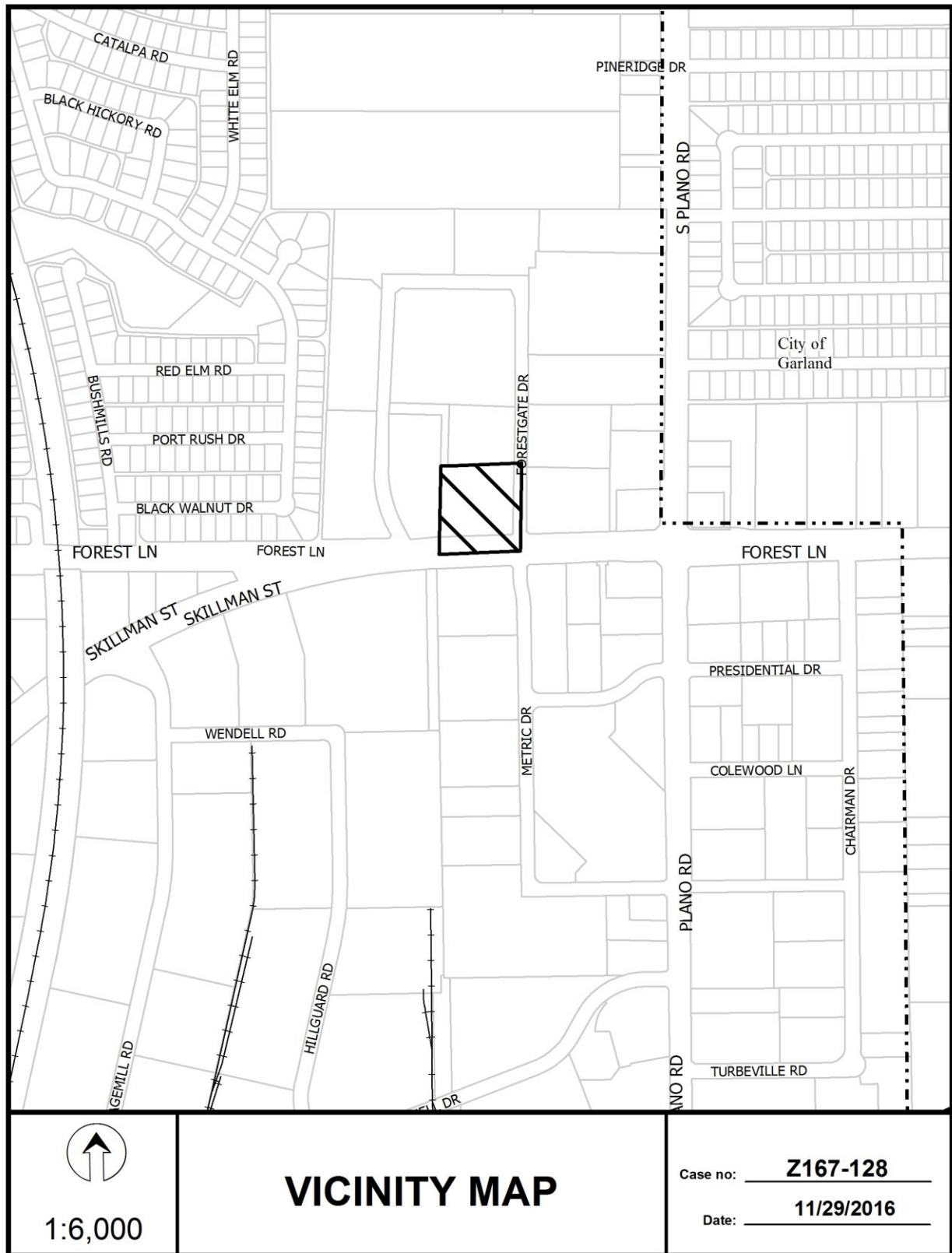
1. **USE:** The only use authorized by this specific use permit is a utility or government installation other than listed to allow an elevated water storage tank use
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.
3. **LANDSCAPE PLAN:** Use and development of the Property must comply with the attached landscape plan.
4. **TIME LIMIT:** This specific use permit shall be on a permanent basis, effective from the date of passage of this ordinance.
5. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
6. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan

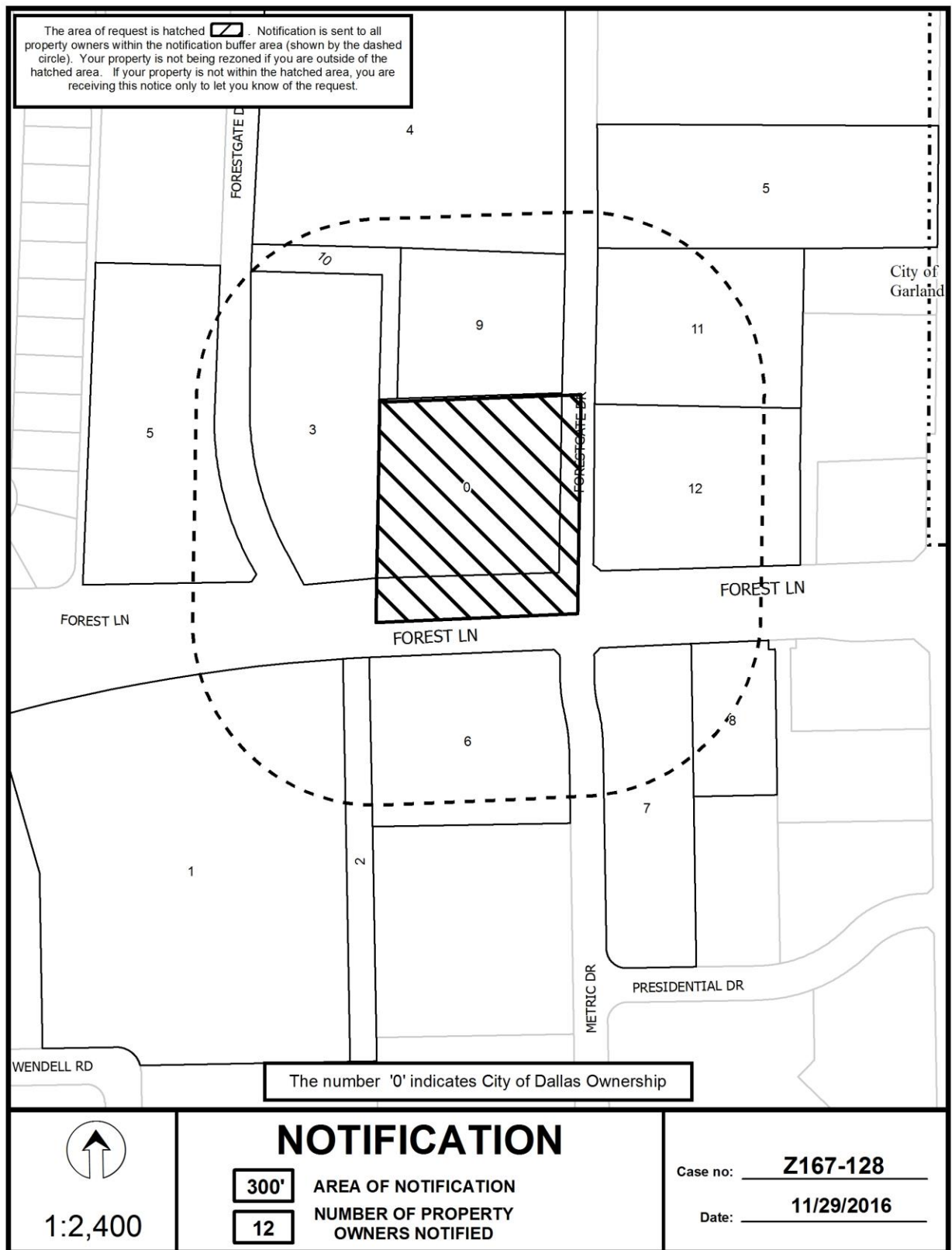


Proposed Landscape Plan









11/29/2016

Notification List of Property Owners

Z167-128

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9641 WENDELL RD	FLT NORTHGATE ASHTON LLC & ET AL
2	9700 SKILLMAN ST	CFH MERGER INC
3	10503 FOREST LN	BREOF DDR DALLAS LP
4	12002 FORESTGATE DR	RED HAWK APTS LTD
5	11805 FORESTGATE DR	IC BP III HOLDINGS XX LLC
6	10538 FOREST LN	ALFRED INV GROUP & ASSOCIATES INC
7	10600 FOREST LN	FOUNDERS NATIONAL BANK
8	10640 FOREST LN	HALLE PPTIES LLC
9	12215 FORESTGATE DR	HONG PROPERTIES LTD
10	12215 FORESTGATE DR	BREOF AIP DALLAS LP
11	12200 FORESTGATE DR	BAKHSHIAN GROUP LTD THE
12	10601 FOREST LN	COMERICA BANK

CITY PLAN COMMISSION**THURSDAY, JANUARY 19, 2017****Planner: Olga Torres-Holyoak****FILE NUMBER:** Z167-126(OTH) **DATE FILED:** October 13, 2016**LOCATION:** Northeast line of South Barry Avenue, north of South Haskell Avenue**COUNCIL DISTRICT:** 2 **MAPSCO:** 46 - M**SIZE OF REQUEST:** Approx. 5.992 acres **CENSUS TRACT:** 25.00

APPLICANT: Texas Recycling & Surplus, Inc.**OWNER:** City Warehouse, L.P.**REPRESENTATIVE:** Robert Miklos, PLLC**REQUEST:** An application to renew Specific Use Permit No. 2189 for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District.**SUMMARY:** The purpose of this request is to continue the operation of the recycling buy-back center of household metals and industrial metals within a portion of an existing facility [Texas Recycling & Surplus, Inc.].**STAFF RECOMMENDATION:** Approval for a two-year period, subject to conditions.

BACKGROUND:

- The existing SUP for a recycling buy-back center for the collection of household metals and industrial metals was approved on April 27, 2016 for a one-year period.
- The applicant relocated their operations in August of 2015 to this location. The use is limited to 2,000 square-foot area and is contained inside a structure. The use operates from 7:00 a.m. to 7:30 p.m., Monday through Friday and 7:00 a.m. to 11:30 a.m., Saturday.
- The applicant is not making any changes to the existing conditions of the SUP.
- The Dallas Police Department monitors the facility for compliance with Chapter 40B for operation of a recycling buy-back center. The Dallas Police Department also requires a license for a recycling buy-back center. The applicant's license expires On June 28, 2018.
- The Dallas Development Code states the time period for an SUP for a recycling buy back center for the collection of household metals and industrial metals may not exceed a two-year period.

Zoning History: There has been one zoning case in the area over the past five years.

Z156-112 On April 27, 2016, the City Council granted Specific Use Permit No. 2189 for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District on the northeast line of South Barry Avenue, north of South Haskell Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
South Barry Avenue	Local	50 feet
South Haskell Avenue	Local	60 ft.

Traffic: The Engineering Division of the Department of 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 use is consistent with the following land use policy:

Environment Element**GOAL 6.6** Increase Recycling and Conservation of Renewable Resources

Policy 6.6.1 Increase recycling and composting

	Zoning	Land Use
Site	IM, SUP No. 2189	Industrial, warehouse, & recycling buy-back center
Northeast	IM	Industrial and warehouse
Southeast	CS, IM	Industrial and warehouse
Southwest	MF-2(A)	Multifamily, Single family
Northwest	IM, MF-2(A)	Industrial, warehouse, multifamily, and single family

Land Use Compatibility:

The Development Code requires a Specific Use Permit for a recycling buy-back center for the collection of household and industrial metals; but does not require a Specific Use Permit for recyclable materials such as clothing, aluminum cans, steel cans, glass, paper, and plastic products in the IM District. In addition, the code limits a recycle buy-back center to a maximum of 10,000 square feet of floor area and does not allow other recycling facilities within 1,000 feet. The Code also limits the time period to no more than two years.

The request site is located within an industrial area and is adjacent to several warehouse and industrial uses. Properties that are generally located northeast of South Barry Avenue, east of East Grand Avenue are located within heavily intense industrial and commercial zoning districts. This area has been zoned for industrial and light commercial uses since the 1970s. The properties to the southwest of South Barry Avenue are developed with a mix of multifamily and single family uses. The proposed use is located in an industrial area and is located on a property that has had industrial uses for over 15 years. The existing industrial and warehouse uses are not heavy uses

for the area and do not present a hazard to the welfare of the existing residential uses in the area.

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

The use is compatible with the surrounding industrial uses and is separated from nearby residential by a major roadway. The use provides a service throughout the area as a place to bring materials that may otherwise not be recycled. The short initial time allowed staff to review the use and determined it was in compliance with the conditions and site plan. The continue short time period allows staff to monitor the effect that this use has in the surrounding area. Furthermore, the requirement of compliance the license issued by the Dallas Police Department will assist in helping to ensure the use is not detrimental to the area.

Development Standards:

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

Landscaping: The request does not trigger landscape requirements.

Parking: The parking regulations require 1 space per 500 square feet of floor area for a recycling buy-back center. The building where the use is located is a 2,000 square-foot building. The applicant is providing the required 20 off-street parking spaces for the use.

Police Department: The Dallas Police Department will monitor the proposed site and determine if the applicant is in compliance with Chapter 40B in operating the proposed recycling buy-back center. The Dallas Police Department requires a license for a recycling buy-back center. The applicant has a license that will expire on June 28, 2018.

Site Plan:

The applicant is not making any changes to the existing site plan.

Officers and Partners

Texas Recycling/Surplus, Inc.

Joel Litman	CEO
-------------	-----

Craig Litman	CFO
--------------	-----

City Warehouse, LP

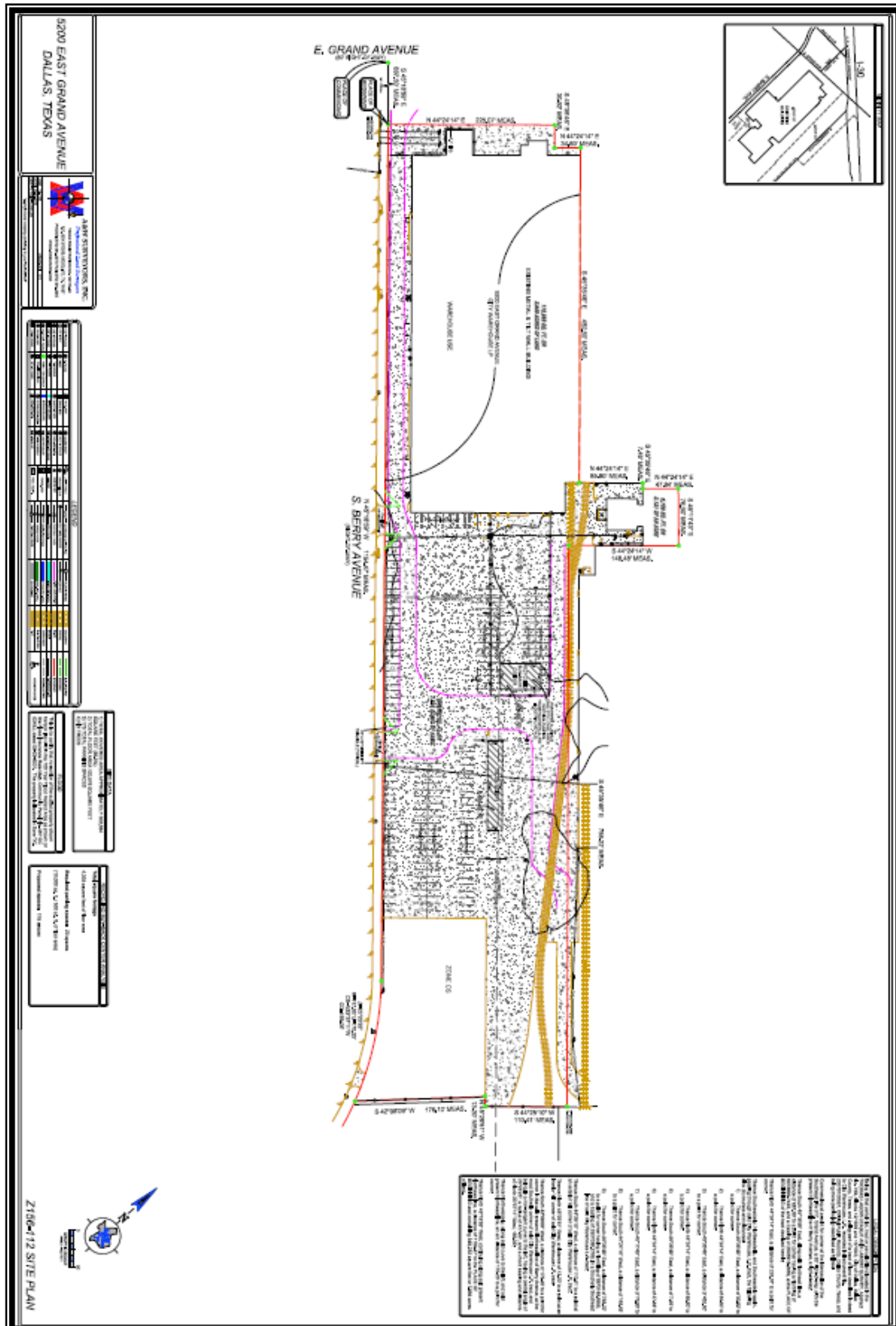
Holt Lunford	President
--------------	-----------

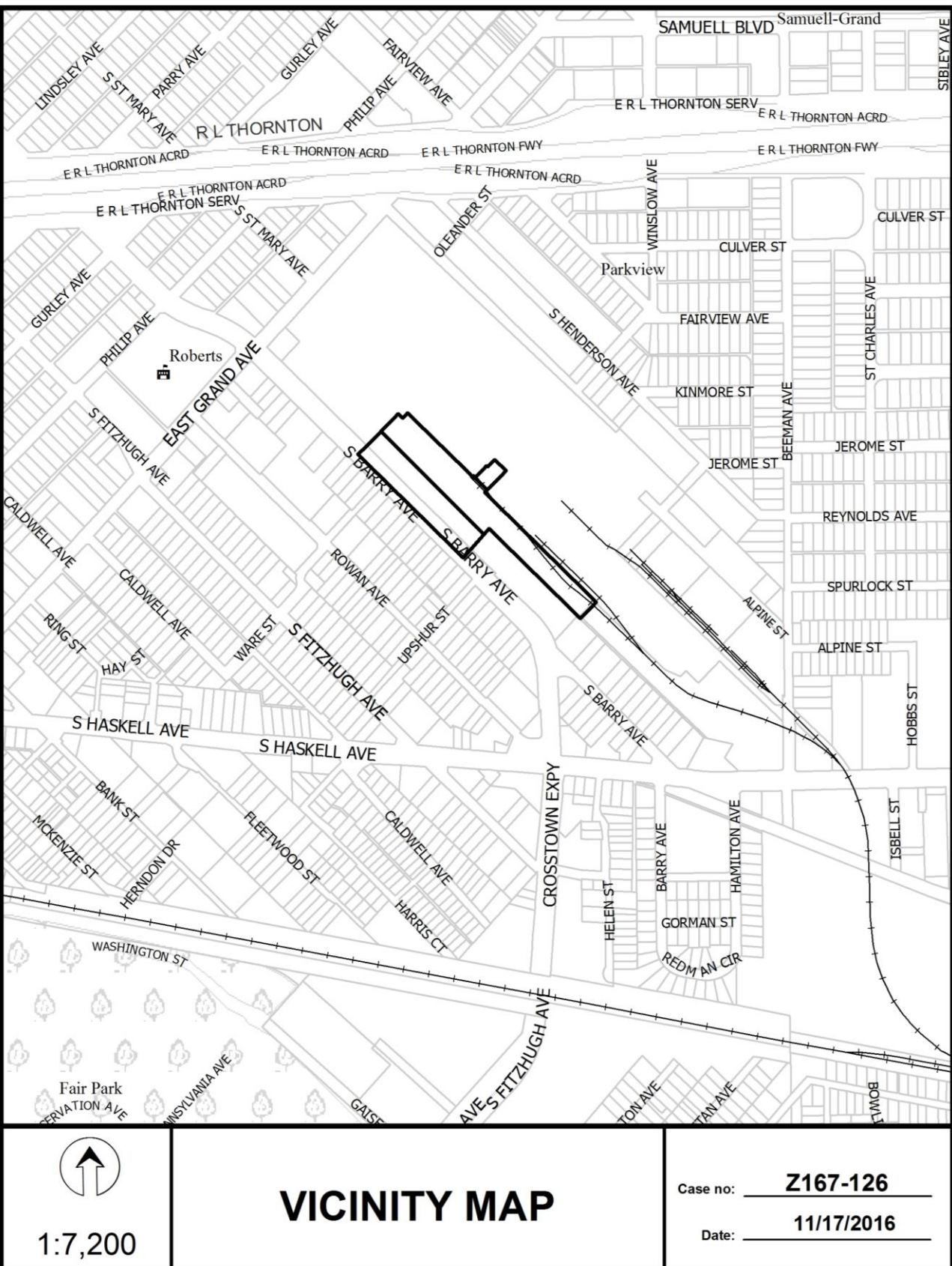
Doug Lueders	Vice President
--------------	----------------

**Proposed Conditions
Z167-126(OTH)**

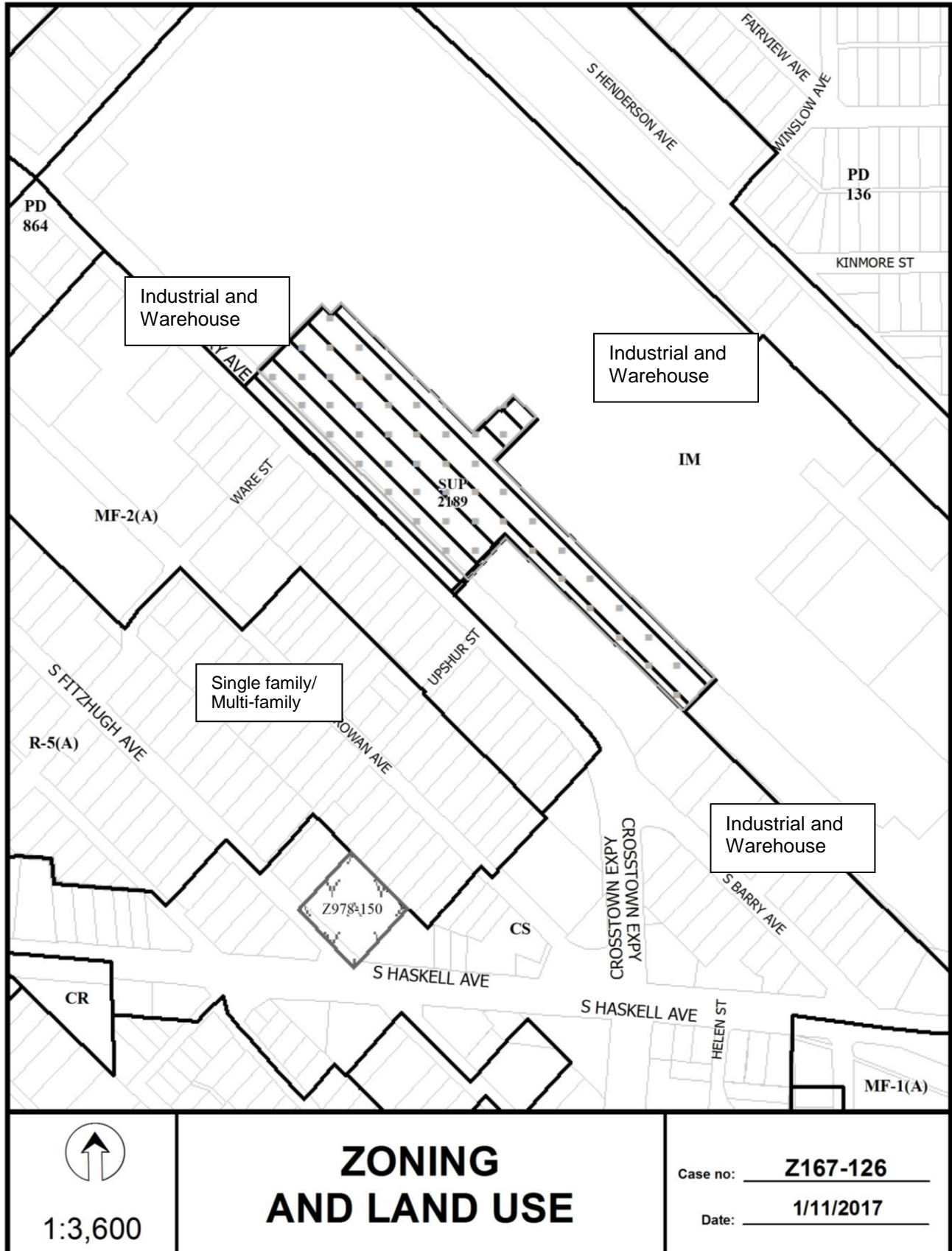
1. USE: The only use authorized by this specific use permit is a recycling buy-back center for the collection of household metals and industrial metals.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years from the passage of this ordinance) ~~April 27, 2017~~.
4. FLOOR AREA: A maximum of 2,000 square feet on the location shown in the site plan.
5. HOURS OF OPERATION: The recycling buy-back center may only operate between 7:00 a.m. to 7:30 p.m., Monday through Friday and 7:00 a.m. to 11:30 a.m., Saturday.
6. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
7. LICENSE: The Operator must have ~~obtain~~ a secondary metals recyclers license in accordance with Chapter 40B of the Dallas City Code, ~~within 45 days from the passage of this ordinance~~.
- ~~7~~8. OUTSIDE STORAGE: Outside storage is prohibited.
- ~~8~~9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- ~~9~~10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

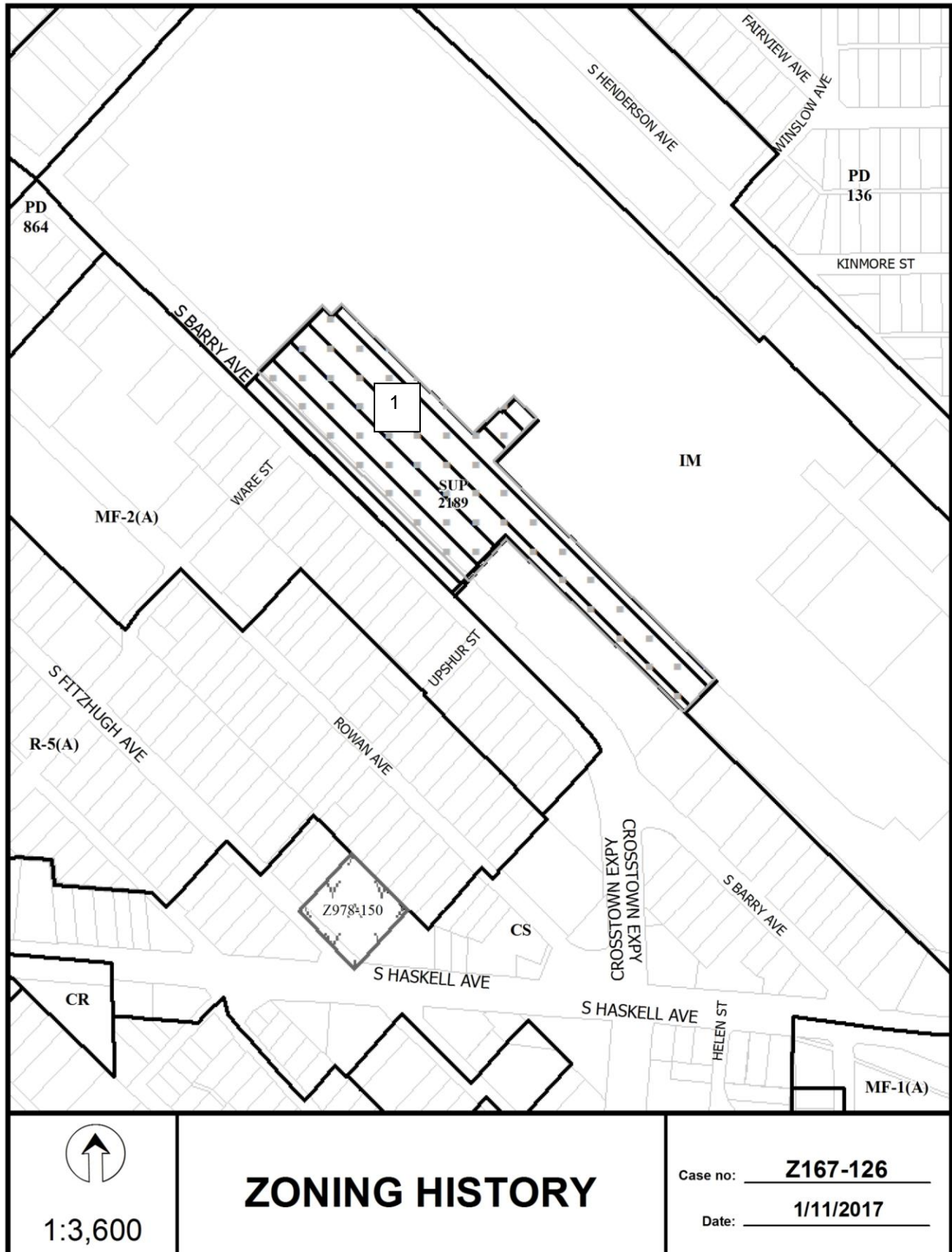
EXISTING SITE PLAN

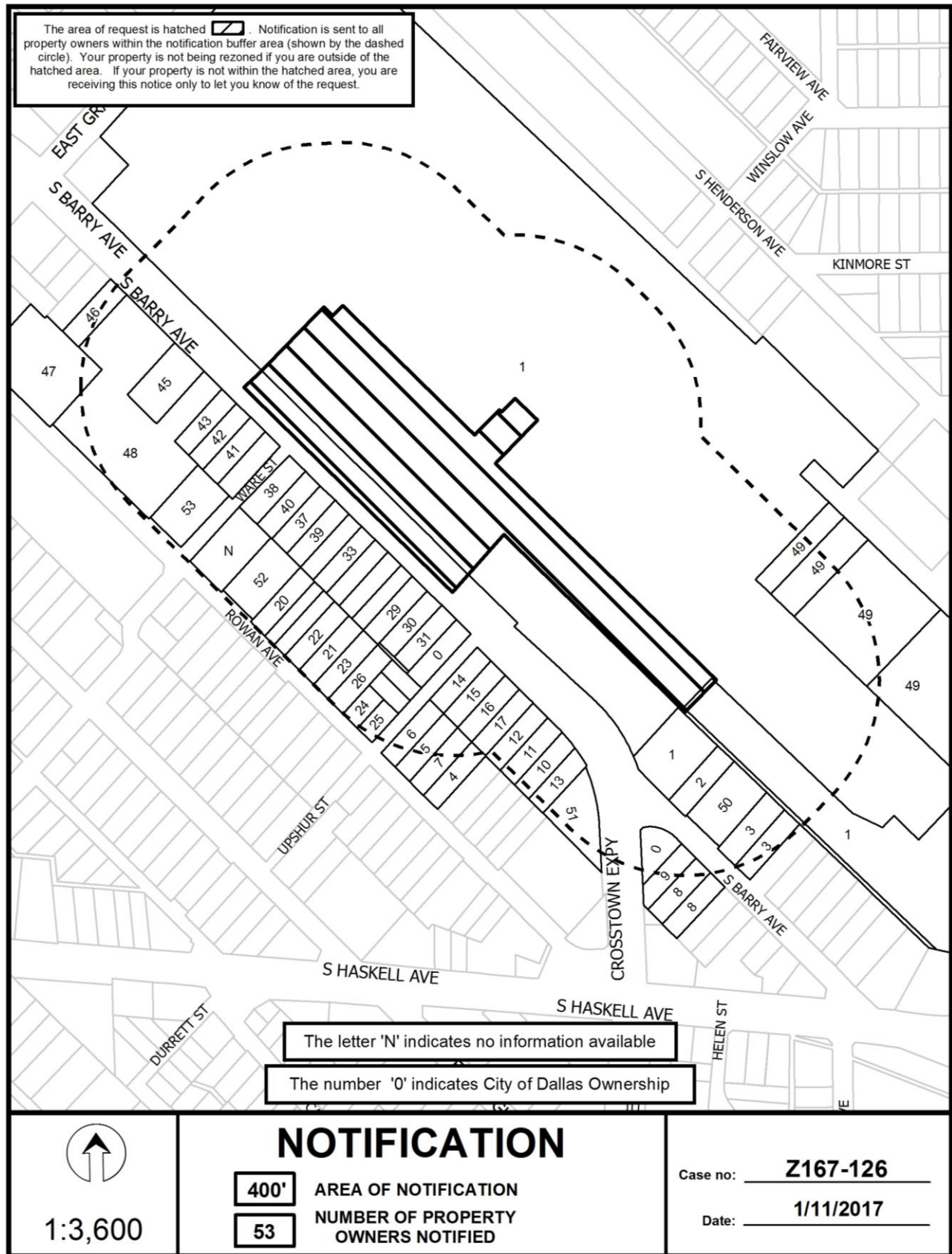












11/16/2016

Notification List of Property Owners***Z167-126******53 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5001 BEEMAN AVE	CITY WAREHOUSE LP
2	1616 S BARRY AVE	RAMOS JAIME & JUDITH
3	1628 BARRY AVE	BURTON MATT & MARSHA
4	1512 ROWAN AVE	TAYLOR WILLIAM JR
5	1510 ROWAN AVE	REYES VICTORIANO GONZALEZ
6	4910 UPSHUR ST	REIGER ASSOC 90 I LTD
7	1504 ROWAN AVE	GONZALES VICTORIANO R &
8	1703 BARRY AVE	EJAZ INVESTMENT GROUP INC
9	1623 BARRY AVE	NELSON KENNETH
10	1527 BARRY AVE	VARELA JOSE
11	1521 BARRY AVE	FAUSTINO UBALDO DELEON &
12	1519 BARRY AVE	COLLAZO ROBERTO M &
13	1531 BARRY AVE	JOHNSON VEOLA &
14	1501 BARRY AVE	PACKER DETROIT MICHIGAN SR
15	1507 BARRY AVE	GIPSON CHARLES & BARBARA
16	1511 BARRY AVE	CHAMBLEE ETHEL E
17	1515 BARRY AVE	JUAREZ OLEGARIO
18	1422 ROWAN AVE	LINCHON SIE
19	1424 ROWAN AVE	FLORES JUANA &
20	1426 ROWAN AVE	COLON ALMA
21	1432 ROWAN AVE	PERRY ARGUSTA
22	1416 ROWAN AVE	PIZANA JUAN ALEJANDRO &
23	1434 ROWAN AVE	VILLA JOSE &
24	1444 ROWAN AVE	GARCIA ANTONIO
25	1448 ROWAN AVE	AGUILARVILLARREAL SAMUEL
26	1440 ROWAN AVE	VILLA JOSE LUIS &

11/16/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4913 UPSHUR ST	VILLA GUILLERMO
28	4911 UPSHUR ST	REED FRANKIE J
29	1437 BARRY AVE	MARTINEZ MARCIAL & BENITA
30	1443 BARRY AVE	MARTINEZ MARCIAL & BENITA
31	1447 BARRY AVE	VALLES JAVIER H
32	1427 BARRY AVE	SEATON ELLA MAE ESTATE OF
33	1431 BARRY AVE	SEATON ELLA M
34	1419 BARRY AVE	GARCIA JUAN ANTONIO
35	1423 BARRY AVE	ALAMO CARMELO &
36	1435 BARRY AVE	GOMEZ ANTONIO & ELVIRA
37	1411 BARRY AVE	DUNCAN NEAL
38	1401 BARRY AVE	OLIVARES MARYBEL PEREZ
39	1415 BARRY AVE	DE LA GARZA UVALSO
40	1407 BARRY AVE	OLIVARES MARIANO &
41	1343 BARRY AVE	JOBE ALINE
42	1341 BARRY AVE	KAGNEW FASIL
43	1337 BARRY AVE	ALMEIDA MARIA AMPARO
44	1353 BARRY AVE	HOLLAND GARY
45	1323 S BARRY AVE	DELAY JANICE W
46	1305 N BARRY AVE	GUNTER VIRGIL
47	1216 ROWAN AVE	GUNTER VIRGIL &
48	1315 S BARRY AVE	CASA GRANDE VILLAGE LLC
49	1745 ALPINE ST	CITY WAREHOUSE LP
50	1624 S BARRY AVE	BURTON MATT &
51	4640 CROSSTOWN EXPY	DOMINGUEZ VILIULFO &
52	1408 ROWAN AVE	UGWUMBA INC
53	4901 WARE ST	KHRAISH HANNA

FILE NUMBER: Z156-334(OTH)

DATE FILED: July 22, 2016

LOCATION: On the northwest corner of Inwood Road and Oriole Drive

COUNCIL DISTRICT: 2

MAPSCO: 34 - M

SIZE OF REQUEST: ± 1.03 acres

CENSUS TRACT: 71.02

APPLICANT/ OWNER: Park Cities Pre School LLC

REPRESENTATIVE: Karl A. Crawley, MASTERPLAN

REQUEST: An application for a Planned Development District for R-7.5(A) Single Family District uses and a child-care facility and repealing Specific Use Permit No. 597 for a day nursery on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to demolish the existing building and build a 13,639 square feet, two-story building for a child-care facility.

STAFF RECOMMENDATION: Approval, subject to a development plan and conditions; and approval of the repealing of Specific Use Permit No. 597.

CPC PREVIOUS ACTION: On November 10, 2016, the City Plan Commission held this case under advisement until November 17, 2016; on November 17, 2016, the City Plan Commission held this case under advisement until December 15, 2016; on December 16, 2016, the City Plan Commission held this case until January 19, 2017. Staff received a revised Development Plan on January 4, 2017; however, the applicant is still working on revisions. The applicant also provided revised conditions January 12, 2017; however, staff has not completed the revisions. An update will be provided at the briefing.

Background:

- The proposed 1.03 acres are currently developed with a 4,642 square foot, one-story structure built in 1950. The property was previously use for a day school.
- The applicant is proposing to demolish the existing building and construct a new 13,805 square foot, two-story structure for a child-care facility.
- The child-care facility will operate from 6:30 a.m. to 6:30 p.m. from Monday to Friday and serve approximately 180 to 200 students daily.
- The property is located in an established residential neighborhood, surrounded by multifamily to the northwest, west, and south; single family and undeveloped to the north; and single family to the east.

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

1.BDA 134-018 On March 17, 2014, the Board of Adjustment granted a special exception to the fence height of four feet, subject to compliance with the submitted revised site plan and elevation.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Oriole Drive	Local	50 feet
Inwood Road	Principal Arterial	100 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A), SUP 597	Vacant
North	R-7.5(A)	Single Family, undeveloped
East	R-10(A)	Single Family
South	MF-(A)	Multifamily
West	MF-(A)	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 area is considered a residential neighborhood building block which main uses are composed of shops, restaurants or institutional uses such as schools that serve the neighborhood residents. Such uses are more likely to be located along edges or at key intersections. The property is located near multifamily and denser residential development. For such reason, the proposed development is appropriate for the property.

The following goals and policies support the proposed development:

Land Use Element

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

The proposed development will provide a service to the neighborhood and provide one of the preferred uses in a residential neighborhood.

Urban Design

GOAL 5.2 Strengthen Community and Neighborhood Identity

Policy 5.2.1 Maintain neighborhood scale and character.

The new structure will not exceed 35 feet in height. The residential proximity slope requirements will apply when adjacent to single family residential districts. The proposed new structure will be compatible with the existing surrounding structures.

Land Use Compatibility:

The proposed site is currently developed with a 4,642 square foot, one-story structure built in 1950. The property was previously use for a day school. The applicant is proposing to demolish the existing building and construct a new 13,805 square foot, two-story structure for a child-care facility.

The request site is surrounded by multifamily to the northwest, west, and south; single family and undeveloped to the north; and single family to the east.

The proposed hours of operation (6:30 a.m. to 6:30 p.m. Monday-Friday) seem to be appropriate for the neighboring area. The center will provide service to approximately 180 to 200 students daily.

Traffic:

The applicant provided a Traffic Management Plan letter for staff review. The Engineering Division of the Sustainable Development and Construction Department has determined that the proposed use will not significantly impact the surrounding roadway system.

Parking:

The parking requirement for a child-care facility is one parking space for every 500 square feet of floor area for the use. The applicant is required to provide 28 parking spaces for the proposed child-care facility. The applicant is providing 34 parking spaces. Required parking must be provided as shown in the development plan.

Landscaping:

The applicant is requesting that landscaping be required in accordance to Article X.

Z156-334(OTH)

Partners and Principles

Park Cities Pre School, LLC, owner/operator

Noel J. Rigley, Manager
Pratiksha Rigley, Manager

PROPOSED CONDITIONS

Z156-334

To be reviewed by staff. Bold underlined text represent the applicant's proposed changes

ARTICLE ____.

PD ____.

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

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

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

PD _____ is established on property located on the northwest corner of Inwood Road and Oriole Drive. The size of PD ____ is approximately 1.03 acres. (Ord. _____)

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. (Ord. _____)

SEC. 51P-____.104. EXHIBITS.

The following exhibit is incorporated into this article: Exhibit ____A: development plan.

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

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family 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 R-7.5(A) Single Family District is subject to DIR in this district; etc.

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

- Child care facility.

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

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

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

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

- (a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

- (b) Front yard. For a child-care facility, minimum front yard is 35 feet on Oriole Drive.

- (c) Floor area. For a child-care facility, maximum floor area is 15,000 square feet.

- (d) Height. Maximum structure height is 35 feet.

- (e) Except as provided in this subsection, any portion of a structure over 26 feet in height may not be located above a residential proximity slope. The residential proximity slope is a plane projected upward and outward at a one-to-three rise over run from private property in a single family district. Structures listed in Section 51A-408 are exempt from Residential Proximity Slope requirements.

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) Child-care facility.

- (1) Off-street parking and loading must be provided as shown on the development plan.

- (2) Parking may be provided in the required front yards along Inwood Road and Oriole Drive as shown on the development plan.

- (3) Screening of parking must be a minimum height of three feet.

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

See Article VI.

SEC. 51P-____.111. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.
- (c) Screening of parking as required in Sec. 51P ____ .109 can be used as a design standard per Article X.

SEC. 51P-____.112. SIGNS.

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

SEC. 51P-____. 113 LIGHTING.

(a) Prohibited light sources. The following light fixtures and sources may not be used if the direct light emitted is visible from adjacent areas:

(1) Low-pressure sodium and mercury vapor light sources.

(2) Cobra-head type fixtures having dished or drop lenses or refractors which house other than incandescent sources.

(3) Searchlights and other high-intensity narrow-beam fixtures.

(b) Lighting design requirements.

(1) In general. Outdoor lighting must primarily be used to provide safety, accent key architectural elements, or emphasize public areas or landscape features. All lighting fixtures must meet the requirements of this section.

(2) Fixture (luminaire)

(A) In order to direct light downward, all lighting fixtures must be full cutoff fixtures.

(B) Fixtures must be mounted in such a manner that the cone of light is contained on-site and does not cross any property line of the site.

(C) Lighting fixtures may not exceed 20 feet in height above the parking.

(D) Lighting fixtures may not be less than nine feet nor more than 15 feet in height above the sidewalk in pedestrian areas. All light fixtures located within 50 feet of a residential district may not extend more than 15 feet in height.

(3) Light source (lamp).

(A) The light source must be concealed and must not be visible from any public right of way or adjacent properties.

(B) Only incandescent, fluorescent, metal halide, or color-corrected high pressure sodium may be used.

(C) The same light source type must be used for the same or similar types of lighting throughout the development.

(4) Security lighting.

(A) Building-mounted security light fixtures such as wall packs may not project above the roof line of the building and must be shielded.

(B) Security fixtures may not be substituted for parking area or walkway lighting and are restricted to loading, storage, service and similar locations.

(5) Accent lighting. Only lighting used to accent architectural elements, landscaping, or art may be directed upward, provided that the fixture is located, aimed, or shielded to minimize light spill into the night sky.

SEC. 51P-___.114. ADDITIONAL PROVISIONS.

(a) For a child-care facility: Playground equipment is allowed in the front yard on Inwood Road and Oriole Drive.

(b) For a child-care facility: Fences with a maximum height of six feet are allowed in the required yards.

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

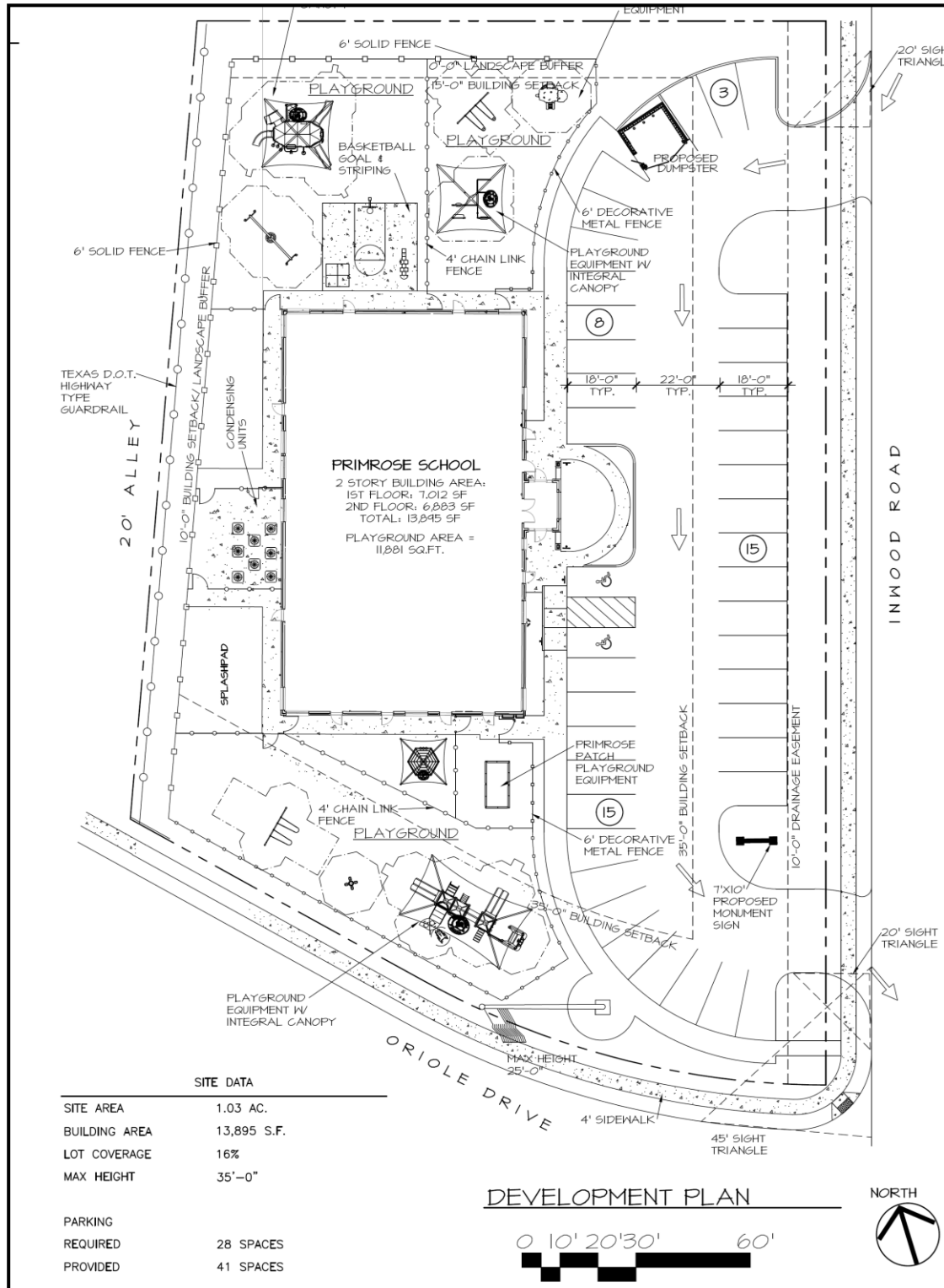
(d) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

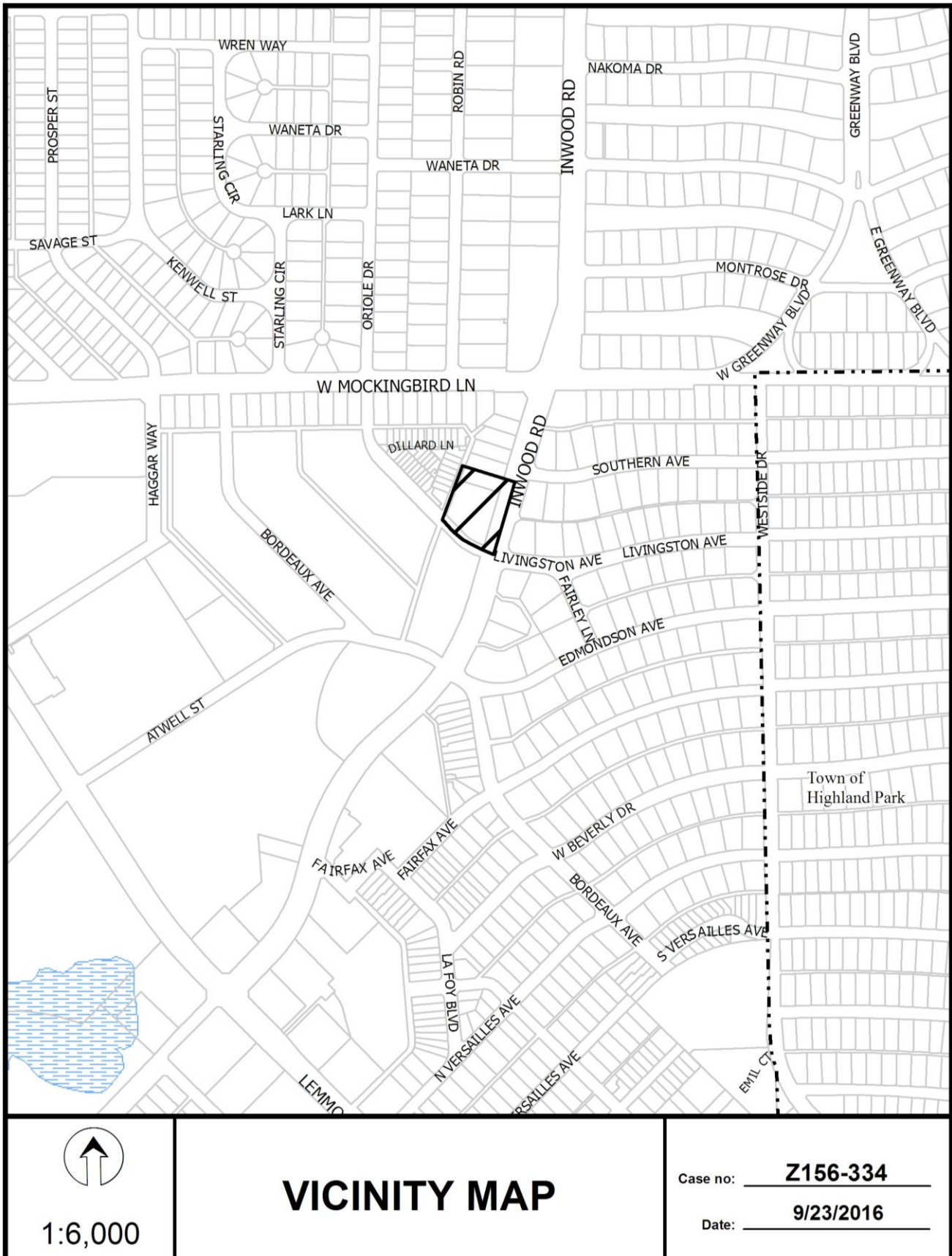
SEC. 51P-___.115. COMPLIANCE WITH CONDITIONS.

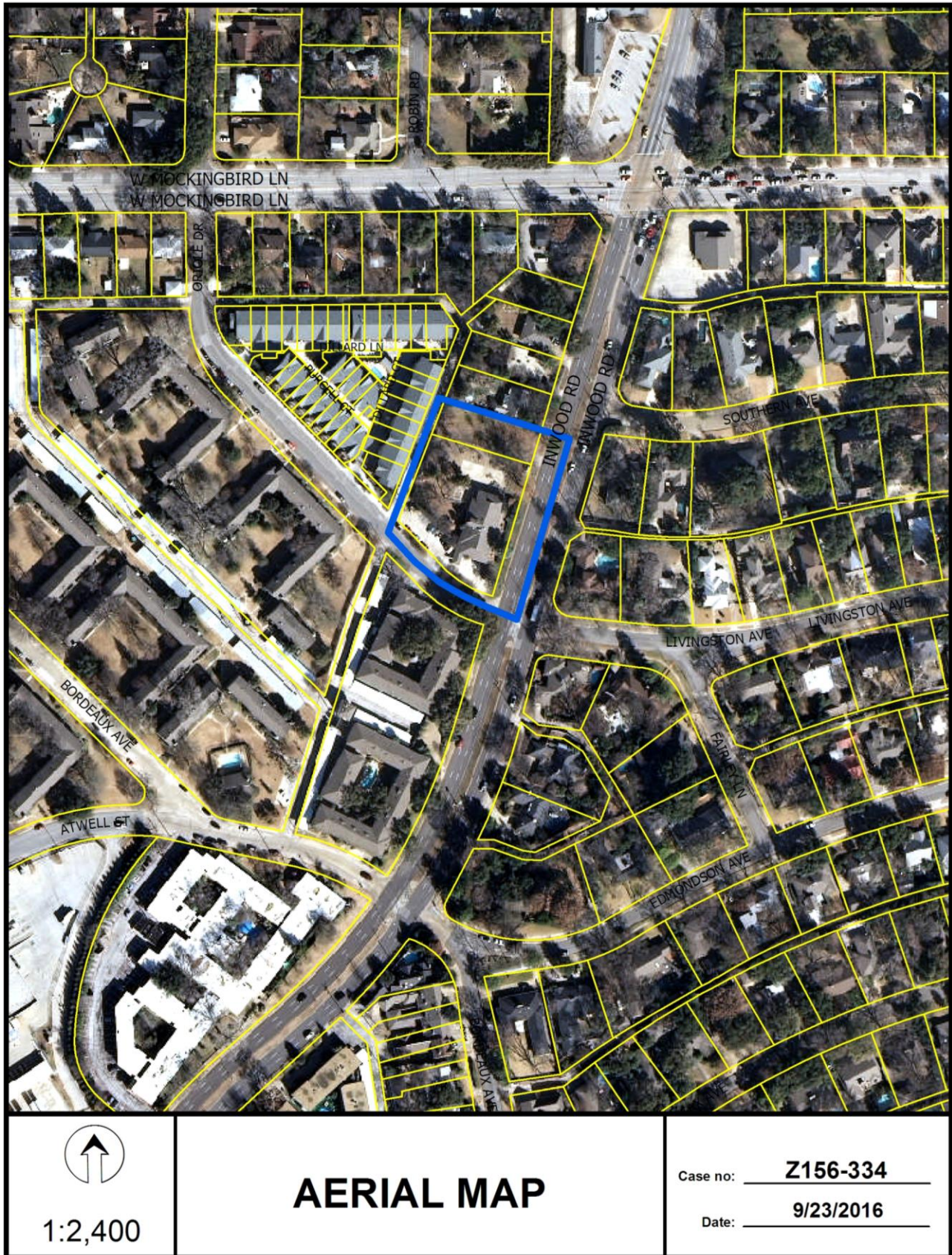
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

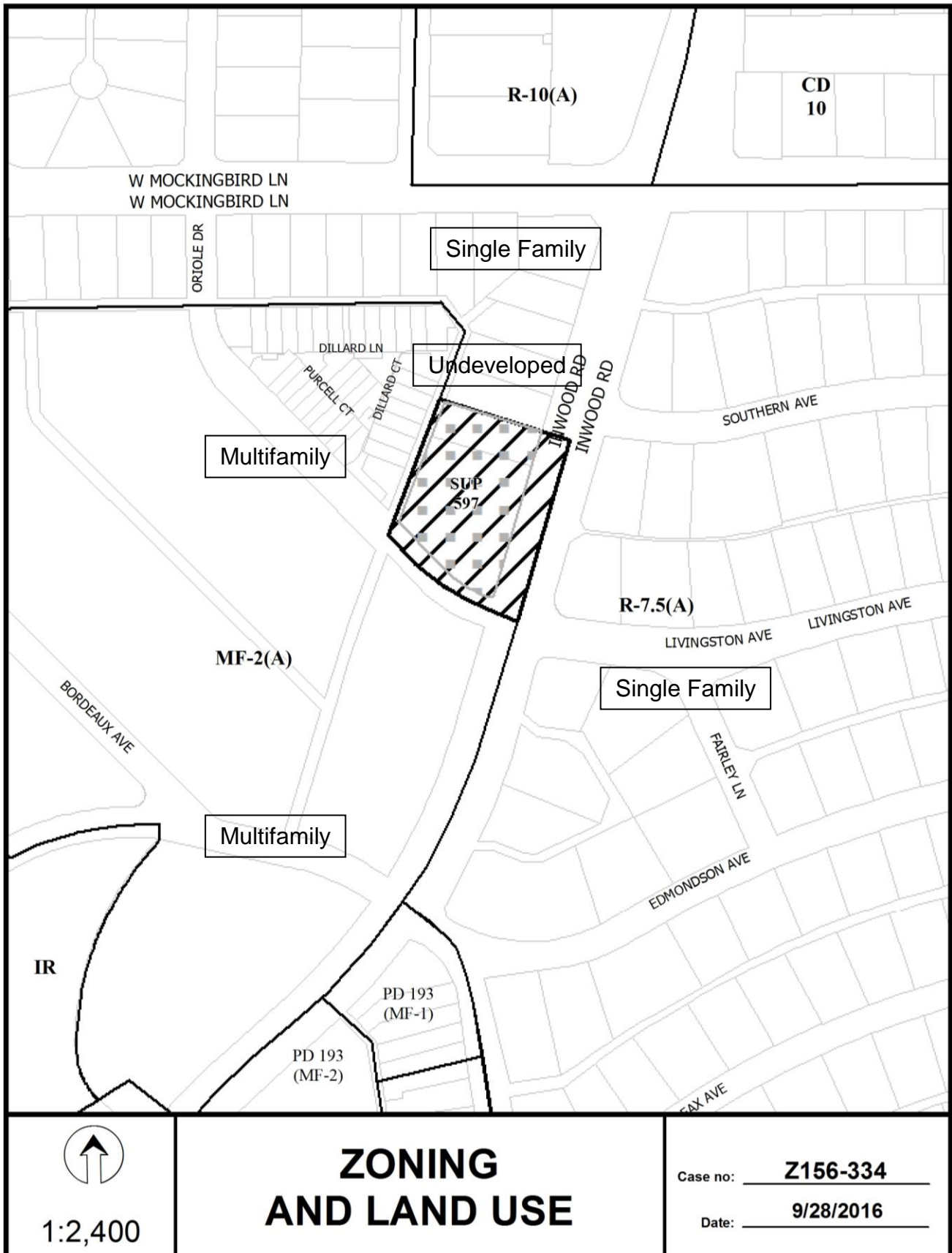
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

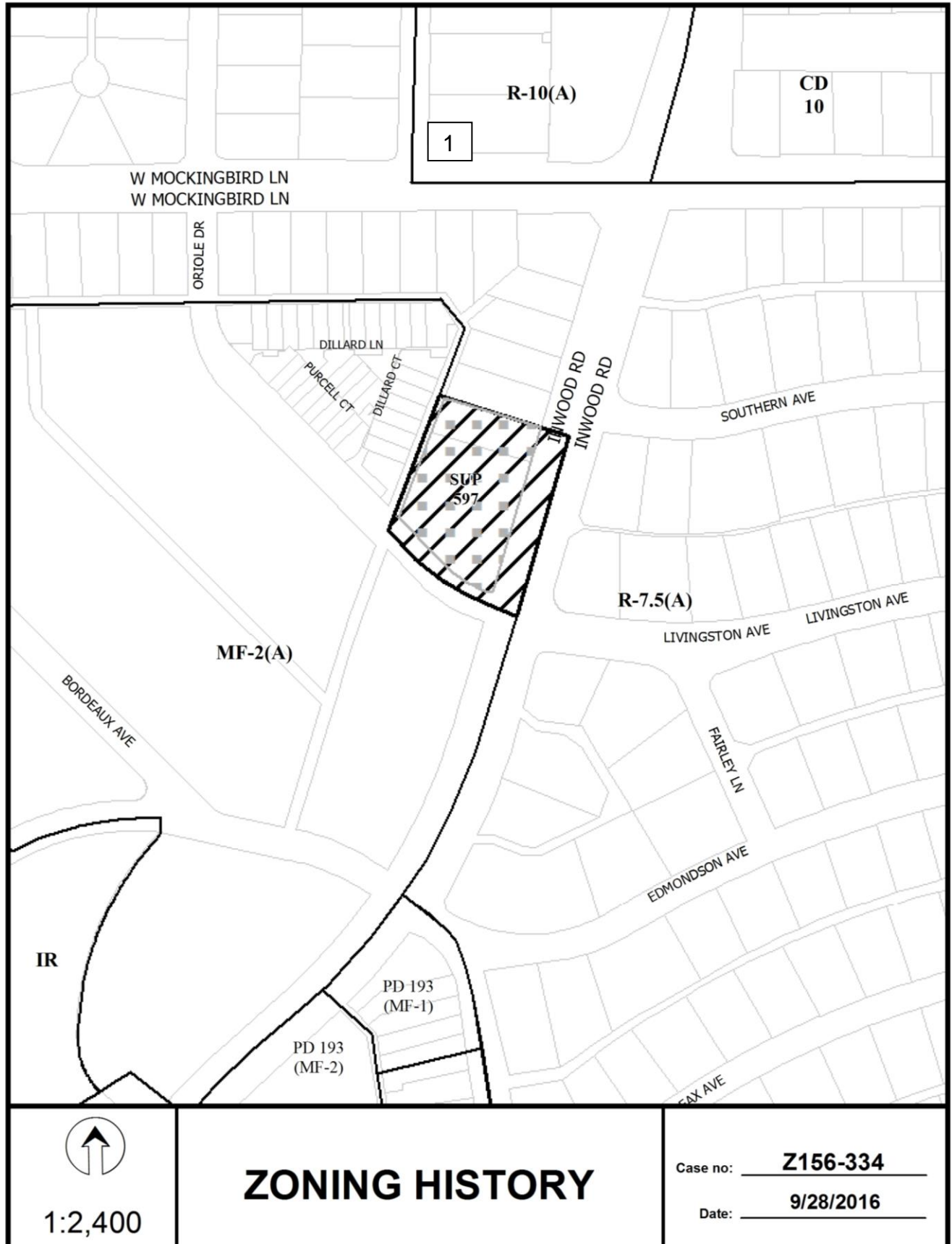
PROPOSED DEVELOPMENT PLAN
(Applicant is contemplating more changes to the plan. This plan has not been reviewed by staff)

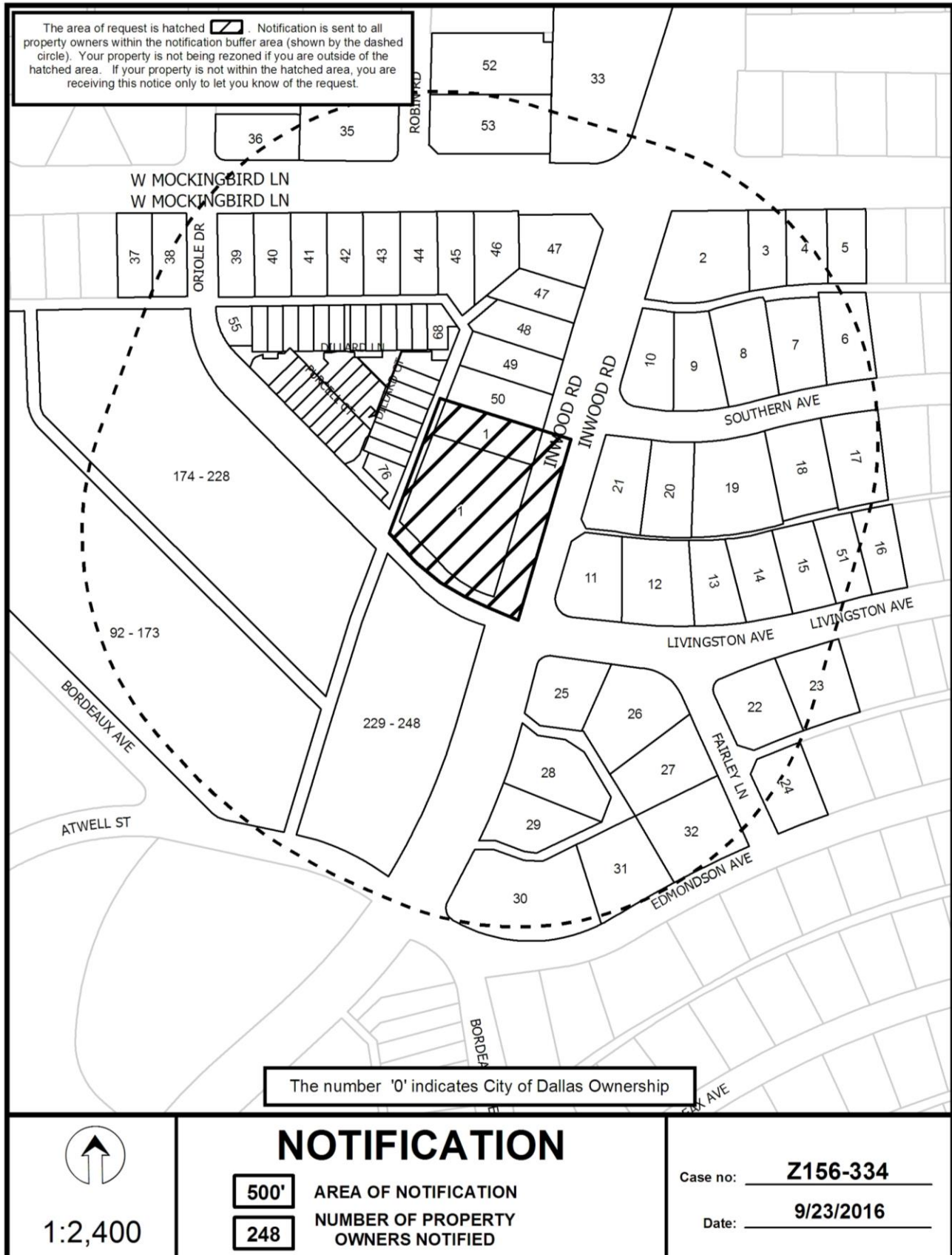












09/23/2016

Notification List of Property Owners***Z156-334******248 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4021 INWOOD RD	PARK CITIES PRE SCHOOL LLC
2	5300 W MOCKINGBIRD LN	NORTH SPANISH CONGREGATION OF
3	5312 W MOCKINGBIRD LN	JACKSON DALE S
4	5314 W MOCKINGBIRD LN	NILES JOHN &
5	5318 W MOCKINGBIRD LN	MCALEXANDER JOHN P &
6	5331 SOUTHERN AVE	NORRED J WESLEY &
7	5323 SOUTHERN AVE	PEARL ALISON
8	5315 SOUTHERN AVE	KELLEY RICHARD &
9	5311 SOUTHERN AVE	SCHONERT CHARLES G
10	5305 SOUTHERN AVE	BLESSING WILLIAM & ELISABETH ANN
11	5203 LIVINGSTON AVE	LAVIE ROBERT
12	5217 LIVINGSTON AVE	BOOTH ANNETTE
13	5305 LIVINGSTON AVE	WORKMAN HILMA
14	5313 LIVINGSTON AVE	VANAMBURGH AMY
15	5319 LIVINGSTON AVE	DEMARCO JENNIFER ANNE
16	5327 LIVINGSTON AVE	POLLOCK MAUREEN D
17	5330 SOUTHERN AVE	MCGEE NANCY CLARK MGMT TRUST
18	5322 SOUTHERN AVE	MAHER CATHARINE M & PATRICK J
19	5314 SOUTHERN AVE	VAREL NICHOLOUS MARK JR &
20	5308 SOUTHERN AVE	CROSBIE DARREN BRUCE
21	5304 SOUTHERN AVE	OKEEFE MARY K
22	5304 LIVINGSTON AVE	CREWS PATRICIA COOK
23	5314 LIVINGSTON AVE	RYDER MARY LYNN M
24	5305 EDMONDSON AVE	SABO MARY SWAIN
25	5206 LIVINGSTON AVE	KERLEY MARGUERITE A
26	5214 LIVINGSTON AVE	SHACKELFORD JOHN C &

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3915 FAIRLEY LN	EWERT TRAVIS C & CHRISTINA B
28	3922 INWOOD RD	CALISE CHARLES J & SVITLANA V
29	3914 INWOOD RD	BRIGGS MICHAEL JAMES
30	5203 EDMONDSON AVE	AUMAN SHERRILL LEONARD JR
31	5225 EDMONDSON AVE	5225 EDMONDSON LLC
32	5239 EDMONDSON AVE	WESTEN TRACY A & LINDA LAWSON
33	6529 INWOOD RD	CORPORATION OF EPISCOPAL
34	6515 ROBIN RD	LAMBERT ARTHUR V & JESSICA AYN
35	6507 ROBIN RD	BERRY MURDINE
36	5111 W MOCKINGBIRD LN	WILSON MARY S
37	5016 W MOCKINGBIRD LN	SU GU REN
38	5022 W MOCKINGBIRD LN	SCHEPP ASHLEY STEINER
39	5102 W MOCKINGBIRD LN	STEINER JUNE &
40	5106 W MOCKINGBIRD LN	ELMA NIHAL
41	5112 W MOCKINGBIRD LN	DAVIS ROSEMARY
42	5116 W MOCKINGBIRD LN	SEITZ WILLIAM RAYMOND
43	5122 W MOCKINGBIRD LN	MAGERS BRUCE TERRY
44	5126 W MOCKINGBIRD LN	CONDON SEAN P &
45	5202 W MOCKINGBIRD LN	MUELLER JOHN R &
46	5208 W MOCKINGBIRD LN	DODD ERNEST WAYNE
47	5214 W MOCKINGBIRD LN	KOELZER RONALD J &
48	4103 INWOOD RD	SCHWARZ CHAD J
49	4031 INWOOD RD	DODSON JULIA ANN
50	4025 INWOOD RD	WITHERS BETTY GANTT
51	5323 LIVINGSTON AVE	GARY HOLLAND P & LEILA HENDERSON
52	6510 ROBIN RD	YOUNG DARCY &
53	6506 ROBIN RD	STRICKFADEN BRIAN & CAROLYN
54	6328 ORIOLE DR	PCTH LTD
55	5103 DILLARD LN	COHEN DAVID J
56	5105 DILLARD LN	DOUGLAS ROBERT SAMUEL JR
57	5107 DILLARD LN	LIM LAURA

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5109 DILLARD LN	SEHAT REZA
59	5111 DILLARD LN	RAWLINSON MELINDA A
60	5113 DILLARD LN	LOSADA CARA
61	5115 DILLARD LN	SEHAT ALVAN J & SAHHAND C
62	5117 DILLARD LN	ROEVER RICHARD O
63	26 DILLARD LN	HOA PARK CITIES TOWNH INC
64	5119 DILLARD LN	SHU LI
65	5121 DILLARD LN	SISCO DANA & G KIRK
66	5123 DILLARD LN	TOMASO BRUCE NICHOLAS & PATRICIA ANN NOLAN
67	5125 DILLARD LN	SCHOLIN RICHARD J & CATHERINE L
68	5127 DILLARD LN	GIBSON DANA
69	4016 DILLARD CT	VANDIVER WENDY
70	4014 DILLARD CT	ROTNOSKY HEATHER A
71	4012 DILLARD CT	OHERN PETER M & VICTORIA
72	4010 DILLARD CT	DELROSAL KARLA
73	4008 DILLARD CT	STOKER DARREN J
74	4006 DILLARD CT	HOM SUZANNE
75	4004 DILLARD CT	OLSEN PHYLLIS M
76	4002 DILLARD CT	HUSSEY JUSTIN & KATHRYN L
77	6344 ORIOLE AVE	MARTINEZ SUSANA
78	6346 ORIOLE AVE	BOWEN MICHAEL DAVID
79	6348 ORIOLE AVE	BANDY JASON SHAWN &
80	6350 ORIOLE AVE	KESSLER RAYMOND G & WALTRAUT L
81	6352 ORIOLE AVE	ZHU HONG
82	6354 ORIOLE AVE	BLAIR BELINDA B
83	6356 ORIOLE AVE	FARBER KELLY A
84	6402 ORIOLE AVE	SHEEHAN MAEVE
85	6404 ORIOLE AVE	BROUILLARD DIANE M
86	6406 ORIOLE AVE	CONWAY THAIS CORINNE
87	6312 PURCELL CT	MCCARTHY MASOUMEH HASHEMI
88	6310 PURCELL CT	CALHOUN DIONNE L

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	6308 PURCELL CT	BETTY YOUNG FAMILY LTD
90	6306 PURCELL CT	WESTHOFF PAIGE
91	6304 PURCELL CT	RODRIGUE MICHAEL
92	6456 BORDEAUX AVE	DE MARCO ROBERT T
93	6458 BORDEAUX AVE	MOITZ MELISSA & RICHARD JR
94	6460 BORDEAUX AVE	SCHULTZE ULRIKE
95	6462 BORDEAUX AVE	FU CHIAWAN
96	6464 BORDEAUX AVE	DAY EVELYN H
97	6466 BORDEAUX AVE	ROSS LISA RENEE
98	6468 BORDEAUX AVE	EELLS ANDREW T & NOHELIA A
99	6470 BORDEAUX AVE	COLOSIMO DOMINIC A &
100	6472 BORDEAUX AVE	KAZI SABIHA
101	6474 BORDEAUX AVE	FREEMAN REBECCA E
102	6476 BORDEAUX AVE	HINOJOSA ALICIA C
103	6478 BORDEAUX AVE	LEWIS SHERIDAN F
104	6480 BORDEAUX AVE	LINDSAY CARREY THOMAS
105	6482 BORDEAUX AVE	MBLS REVOCABLE TRUST
106	6484 BORDEAUX AVE	COLLINS CHRISTA
107	6486 BORDEAUX AVE	SANDLER FRADA
108	6488 BORDEAUX AVE	MARSHALL ROBERT L
109	6490 BORDEAUX AVE	MORRIS BRODY H & PAYDEN E
110	6492 BORDEAUX AVE	BLANSHARD ROBERT JR
111	6494 BORDEAUX AVE	LAMENDS DORF EDWARD B
112	6496 BORDEAUX AVE	MCCORMACK MYLES
113	6498 BORDEAUX AVE	FRANK PORFIRIA J
114	6444 BORDEAUX AVE	PRETZLAFF KARA &
115	6446 BORDEAUX AVE	CODY CRISTAL L
116	6448 BORDEAUX AVE	MULVENNA CARLO JOHN & DEBRA
117	6450 BORDEAUX AVE	AMINMAHMOUDI MASOUMEH &
118	6452 BORDEAUX AVE	EDWARDS STEVEN H &
119	6454 BORDEAUX AVE	ESPINOZA FRANCES A

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	6400 BORDEAUX AVE	GASS CHARLEEN S
121	6402 BORDEAUX AVE	SPERRY KATHRYN
122	6404 BORDEAUX AVE	TAYLOR MARK H
123	6406 BORDEAUX AVE	WAGNER RACHEL
124	6408 BORDEAUX AVE	SHIELDS JOSEPH M
125	6410 BORDEAUX AVE	HAWKINS MARK E
126	6412 BORDEAUX AVE	JONES CATHERINE
127	6414 BORDEAUX AVE	UNGUREANU VANDA
128	6416 BORDEAUX AVE	SMITH OLIVIA GRACE
129	6418 BORDEAUX AVE	WOODBURY MICHELLE
130	6420 BORDEAUX AVE	RAY CYNTHIA A
131	6422 BORDEAUX AVE	MORKEN MITCHELL W &
132	6424 BORDEAUX AVE	OLIVE WALK PPTIES LLC
133	6426 BORDEAUX AVE	PORTER RONALD JAMES
134	6428 BORDEAUX AVE	RIFKIN GARY S
135	6430 BORDEAUX AVE	CLIFTON DOUGLAS W
136	6432 BORDEAUX AVE	NALL STEVE
137	6434 BORDEAUX AVE	HALL JEFFREY A
138	6436 BORDEAUX AVE	MORGAN MELISSA BETH ET AL
139	6438 BORDEAUX AVE	ENLOW J ANDREW & NANCY L
140	6440 BORDEAUX AVE	PORCARI CYNTHIA L
141	6442 BORDEAUX AVE	SANDOVAL BARRY D
142	6336 BORDEAUX AVE	TROOP SARAH
143	6338 BORDEAUX AVE	MOSMEYER RACHEL A
144	6340 BORDEAUX AVE	MONTGOMERY MARGARET
145	6342 BORDEAUX AVE	BERAUD KEVAH C
146	6344 BORDEAUX AVE	GERTSON CAROL A
147	6346 BORDEAUX AVE	JOHNSON JIM S & SUSAN H
148	6348 BORDEAUX AVE	HART KRISTEN DALE
149	6350 BORDEAUX AVE	WILLIAMS SHANNON M
150	6352 BORDEAUX AVE	WITT CAROLINE W

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	6354 BORDEAUX AVE	CHANG YAMEI
152	6356 BORDEAUX AVE	PERRYMAN KRISTAN
153	6358 BORDEAUX AVE	CRAWFORD MARK S
154	6360 BORDEAUX AVE	SULTEMEIER CINDY
155	6362 BORDEAUX AVE	JACKSON MICHEAL W
156	6364 BORDEAUX AVE	IRWIN WILLIAM C
157	6366 BORDEAUX AVE	DION LONA JEAN
158	6370 BORDEAUX AVE	CORNELL REGENT
159	6372 BORDEAUX AVE	MCELYEA MATTHEW S
160	6374 BORDEAUX AVE	HAFFORD MELANIE
161	6376 BORDEAUX AVE	CROSSLEY ANNE BLAIR
162	6378 BORDEAUX AVE	PETERSON ASHLEY F
163	6324 BORDEAUX AVE	COX AMY SUE
164	6326 BORDEAUX AVE	RANGER CRAIG
165	6328 BORDEAUX AVE	FEDERAL NATIONAL MTG ASSOC
166	6330 BORDEAUX AVE	GONIWIECHA RACHEL
167	6332 BORDEAUX AVE	SUAREZ PETER M JR
168	6334 BORDEAUX AVE	TUCKER LINDA E LIFETIME
169	6314 BORDEAUX AVE	FERGUSON NANCY S
170	6316 BORDEAUX AVE	GONZALEZ VERONICA DARLENE
171	6318 BORDEAUX AVE	WAMSA LLC
172	6320 BORDEAUX AVE	FORD LEIGH R
173	6322 BORDEAUX AVE	ELASHMAWY MARIAM A &
174	6449 ORIOLE DR	GONZALEZ LIZA MARIE
175	6451 ORIOLE DR	JOHNSON JIM S
176	6453 ORIOLE DR	HOFFMAN KELLY D
177	6455 ORIOLE DR	LANE KELLY K
178	6441 ORIOLE DR	LILES JUDY A
179	6443 ORIOLE DR	BUSH EMMA J
180	6445 ORIOLE DR	HENDRIX CHRIS E
181	6447 ORIOLE DR	FUTRELL L RON JR

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	6401 ORIOLE DR	KELLEY NANCY ANN
183	6403 ORIOLE DR	CURATOLO KELLY
184	6405 ORIOLE DR	GINDRAT TRINA
185	6407 ORIOLE DR	COX JOHN ROBERT
186	6409 ORIOLE DR	WORTHINGTON SUSAN C
187	6411 ORIOLE DR	BERRY RUSSELL
188	6413 ORIOLE DR	FRAWLEY STEVEN A
189	6415 ORIOLE DR	PASCHAL KYLE K
190	6417 ORIOLE DR	LEWIS BRANDEE YVONNE
191	6419 ORIOLE DR	DANIELSON KEVIN L
192	6421 ORIOLE DR	HOFFMAN KEITH
193	6423 ORIOLE DR	SUAN MCKENZIE LEHUA &
194	6425 ORIOLE DR	MASSAD KELLY
195	6427 ORIOLE DR	DUCHENE ELEANOR A
196	6429 ORIOLE DR	CEVALLOS NICHOLAS D
197	6431 ORIOLE DR	BALDWIN DAVID
198	6433 ORIOLE DR	SMITH JUDY GATHRIGHT
199	6435 ORIOLE DR	WOLFE JOHN & LINDA
200	6437 BORDEAUX AVE	LONDON LISA K & MARIAN J
201	6365 ORIOLE DR	MORRISON M MONICA
202	6367 ORIOLE DR	ALTMAN MARCUS I
203	6369 ORIOLE DR	WANG CYNTHIA
204	6371 ORIOLE DR	OLIVE WALK PPTIES LLC
205	6325 ORIOLE DR	BAKER RAMONA A &
206	6327 BORDEAUX AVE	HARRISON JOSHUA
207	6329 ORIOLE DR	PALERMO JO CAROLE
208	6331 ORIOLE DR	WILSON MICHAEL
209	6333 ORIOLE DR	BELLAMY MARCUS D
210	6335 ORIOLE DR	MCKIE REVOCABLE TRUST
211	6337 ORIOLE DR	SCOTT PAUL T
212	6339 ORIOLE DR	NAUGHTON ELIZABETH A

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	6341 ORIOLE DR	WHEELER ALBERT &
214	6343 ORIOLE DR	WAGNER YVONNE C
215	6345 ORIOLE DR	MARTIN DEBRA D
216	6347 ORIOLE DR	BLACKWELL JANET E
217	6349 ORIOLE DR	ANYZESKI DARLENE M
218	6351 ORIOLE DR	SCHAEFBAUER SUZANNE
219	6353 ORIOLE DR	LYDAY LESLIE MARVIN
220	6355 ORIOLE DR	MARTIN MEGAN RENEE
221	6357 ORIOLE DR	LOGAN JENNIFER J
222	6359 ORIOLE DR	GRIFFIN LAURA
223	6361 ORIOLE DR	GOODMAN SALLY GLENN
224	6363 ORIOLE DR	DEPAULA STEPHEN D & KAREN
225	6317 ORIOLE DR	LERNER PATRICIA M
226	6319 ORIOLE DR	DAVIS MELISSA
227	6321 ORIOLE DR	MORGAN KRISTY JOAN
228	6323 ORIOLE DR	THORSTENS PAMELA ANN
229	3909 INWOOD RD	BALLAS VICTOR
230	3909 INWOOD RD	SANTANGELO WILLIAM C
231	3909 INWOOD RD	BALLAS VICTOR
232	3913 INWOOD RD	ALFORD LORIEN
233	3913 INWOOD RD	ROARK J FRANK
234	3917 INWOOD RD	PORGIER PIER PROPERTIES LLC
235	3917 INWOOD RD	GEROW DAVID P LIVING TRUST
236	3917 INWOOD RD	KELLER ANTHONY PAUL
237	3917 INWOOD RD	MCWILLIAMS COLBY L
238	3921 INWOOD RD	MILLER TONY & MELISSA A
239	3917 INWOOD RD	WARBINGTON RICK
240	3917 INWOOD RD	WOODWARD ROBERT A
241	3921 INWOOD RD	4T ESTATE INVESTMENTS LLC
242	3925 INWOOD RD	ELLIOTT JOSEPHINE L
243	3925 INWOOD RD	NEALY DEBBRA

Z156-334(OTH)

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	3929 INWOOD RD	BELL LAUREN T
245	3933 INWOOD RD	BALLAS VICTOR E
246	3933 INWOOD RD	KRUYSHOP KLAAS JR
247	3937 INWOOD RD	SKAUG BRIAN A
248	3937 INWOOD RD	PIERCE SUE HELEN

FILE NUMBER: Z156-235(JM)

DATE FILED: March 15, 2016

LOCATION: On the southwest corner of LBJ Freeway and Montfort Drive.

COUNCIL DISTRICT: 13

MAPSCO: 15-N, 15-S

SIZE OF REQUEST: ±8.602 acres

CENSUS TRACT: 96.04

REPRESENTATIVE: Michael R. Coker

APPLICANT/OWNER: Bolour Trust #3 & 333 West 22nd Associates, LLC

REQUEST: An application for an MU-3 Mixed Use District and termination of existing deed restrictions on property zoned a GO(A) General Office District.

SUMMARY: The applicant would like to develop a hotel and multifamily structures in addition to the existing office development. Deed restrictions being terminated would remove the height restriction of 182 feet, 6 inches above grade, and allow a maximum height of 270 feet.

STAFF RECOMMENDATION: **Approval**

PRIOR ACTION AND UPDATE: On November 10, 2016, this item was held under advisement to allow for the applicant to work on public engagement efforts. No changes have been made, although the applicant did hire a representative.

BACKGROUND INFORMATION:

- The site is currently developed with three office buildings and a parking garage. Two office buildings are six-stories; one is 10-stories tall. The parking garage is four-stories. According to DCAD records, there is approximately 391,481 sq. ft. of existing office building space (floor area) and a 275,520 sq. ft. parking area (multi-level parking structure).
- The request is made to rezone the parcel to allow for new multifamily and hotel developments.
- Deed restrictions amended in 1979 have restricted the number of buildings and heights to two 6-story and one 14-story building with a maximum height of 80 feet 6 inches and 182 feet 6 inches above grade, respectively. If terminated, this would now allow a maximum height of 270 feet based on the proposed MU-3 Mixed Use District standards.

Zoning History:

1. **Z156-189:** On May 11, 2016, the City Council approved a request for a new subdistrict on property zoned Subdistrict 3 of Planned Development District No. 887, the Valley View-Galleria Area Special Purpose District, subject to a development plan and conditions.
2. **Z123-186:** On June 12, 2013, the City Council created Planned Development District No. 887, the Valley View--Galleria Area Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Right-of-Way
President George Bush Turnpike Service Road	Local	60'
Montfort Drive	Minor Arterial	60'
Noel Road	Community Collector	60'

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that a traffic impact analysis will be required for development of the site (not currently requested).

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 comprehensive plan does not make a specific land use recommendation related to the request.

The request supports the characteristics of the *Urban Mixed-Use* Building Block by providing a vibrant mix of residential and employment uses. Further redevelopment to the north across the President George Bush Highway adds a significant mix of retail uses. The site offers many office and personal service uses and job opportunities. The proposed addition of a hotel and more multifamily residential units would continue to support the urban mixed-use nature of the region.

The proposed MU-3 Mixed Use District is described as being for the development of high density retail, office, hotel, and/or multifamily residential uses in combination on single or contiguous building sites. This district ultimately supports the intended Building Block and existing land use on the subject site.

Finally, the request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

NEIGHBORHOOD PLUS

POLICY 4.3 ENHANCE NEIGHBORHOOD DESIRABILITY BY IMPROVING INFRASTRUCTURE, HOUSING STOCK, RECREATION AND SAFETY.

Land Use Compatibility:

The subject site is currently zoned a GO(A) General Office District. This district represents a group of uses which would accommodate office developments and may include certain complementary retail and residential uses as a minor component of such developments. The request is to change the zoning to an MU-3 Mixed Use District to maintain the existing office and personal service uses while adding a hotel and multifamily structures. The MU-3 Mixed Use District supports the urban mixed-use nature of the area.

	Zoning	Land Use
Site	GO(A) w/ deed restrictions	Office and Personal service
North	PD No. 887, Subdistrict 2	LBJ Freeway; Retail and personal service
East	MU-2 w/ deed restrictions; MF-1(A)	Office; Retail and personal service; Multifamily
South	MF-1(A)	Multifamily
West	MU-3 w/ deed restrictions	Retail and personal service; Office

Surrounding land uses offer high-density commercial on the north side of the LBJ Freeway as part of PD No. 887, the Valley View-Galleria Area Special Purpose District. There is currently a mix of office and retail and personal service uses fronting on the south side of the LBJ Freeway, including the subject area. These higher-density uses perform as a buffer to less intensive MF-1(A) Multifamily District properties developed with apartments to the south. Changing the zoning to MU-3 Mixed Use District supports elements of our comprehensive plan by providing more job and living opportunities, but will increase intensity and density on the south side adjacent to existing multifamily properties.

The proposed zoning district primarily allows an expanded list of residential uses (by right and as a primary use) and retail and personal service uses. A few commercial and business service, institutional and community service, and wholesale, distribution, and storage uses have also been added. For a full list of added uses with notes to special provisions, please refer to the *Land Use Comparison* table.

Development Standards:

District	Setbacks		Height	Special Standards	FAR	Stories	Primary Uses
	Front	Side/Rear					
Existing: GO(A) w/Deed Restrictions	15'	20' with existing MF-1(A) adjacency 0'	270'; Deed Rest. To 182.5' for 1 building & 80' 6" for 2 buildings	Urban Form Setback; Tower Spacing; RPS of 1:1 w/50' termination for existing MF-1(A)	4.0; no dwelling allowed	20	Office, Retail and personal service, Institutional and community service, Recreation, and Utility and public service.
Proposed: MU-3	15'	20' with existing MF-1(A) adjacency 0'	270'	Urban Form Setback; Tower Spacing; RPS of 1:1 w/50' termination for existing MF-1(A)	Differs based on mix of uses; 2.0 to 4.5; no dwelling max	No Provision	Residential, Retail and personal service, Commercial and business service, Institutional, Lodging, Office, Recreation, and Wholesale, distribution, and storage uses.

Maximum height of the MF-1(A) Multifamily District to the south is 36 feet. The property is contiguous to existing multifamily structures which are 2-3 stories in height. While the proposed MU-3 Mixed Use District allows for up to 270' in height, they are subject to the Residential Proximity Slope provision which could limit structures to 26 feet from the site of origination for an MF-1(A) use at a ratio of 1:1. This provision terminates at a horizontal distance of 50 feet from the site of origination. As noted in the development standards in the table above, the districts are similar in all areas except land use. Setbacks, height, and special standards will all remain consistent with existing limits, except height because of the deed restrictions being terminated, but now greater residential uses are allowed along with 29 new uses. Many of the new uses are within the retail and personal service use category. Sixteen of the added uses still require special consideration through a specific use permit, residential adjacency review, or are subject to standards based on the use.

Parking:

As this is a straight zoning request, parking will be provided according to the Dallas Development Code.

Landscaping and Screening:

Landscaping and screening will be provided per Article X, as amended.

Land Use Comparison:		Proposed	Existing
Use	MU-3	GO	
Catering Service.	X	L	
Custom business services.	X		
Electronics service center.	X	L	
Tool or equipment rental.	X		
Adult day care facility.	X	L	
Child-care facility.	X	L	
Convalescent and nursing homes, hospice care, and related institutions.	RAR		
Foster home.	X		
Halfway house.	SUP		
Duplex.	X	Up to 5% of total floor area.	
Group residential facility.	X	Up to 5% of total floor area.	
Multifamily.	X	Up to 5% of total floor area.	
Residential hotel.	X		
Animal shelter or clinic without outside runs.	RAR		
Auto service center.	RAR		
Car wash.	RAR		
Commercial amusement (inside).	Check Use (SUP)		
Commercial amusement (outside).	SUP		
Commercial parking lot or garage.	RAR		
Convenience store with drive-through.	SUP		
Furniture store.	X		
General merchandise or food store greater than 3,500 square feet.	X		
General merchandise or food store 100,000 square feet or more.	SUP		
Household equipment and appliance repair.	X		
Liquor store.	X		
Mortuary, funeral home, or commercial wedding chapel.	X		

Motor vehicle fueling station.	X	L
Restaurant with drive-in or drive-through service.	DIR	
Swap or buy shop.	SUP	
Temporary retail use.	X	
Theater.	X	SUP
Heliport.	SUP	
Radio, television, or microwave tower.	SUP	RAR
Mini-warehouse.	SUP	
Office, showroom/warehouse.	X	
Recycling buy-back center.	Check Use	
Recycling collection center.	Check Use	
Trade center.	X	
<p><i>X indicates permitted by right.</i></p> <p><i>SUP indicates permitted with a Specific Use Permit.</i></p> <p><i>RAR indicates permitted, but subject to Residential Adjacency Review.</i></p> <p><i>DIR indicates permitted, but subject to Development Impact Review.</i></p> <p><i>L indicates that it is a limited use.</i></p> <p>Check Use indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.</p> <p>By CBO Authorization indicates that the use may be allowed with permission from the Chief Building Official.</p> <p>Strikethrough text indicates items which are being voluntarily deed restricted, if applicable.</p>		
Alternating color pattern indicates a new category of uses.		

List of Officers/Partners

List of Partners/Principles/Officers or person with interest:

For Bolour Trust #3, the trustees and beneficiaries are as follows:

1. Mehdi Bolour
2. Negin Bolour
3. Azeou Bolour
4. David Bolour

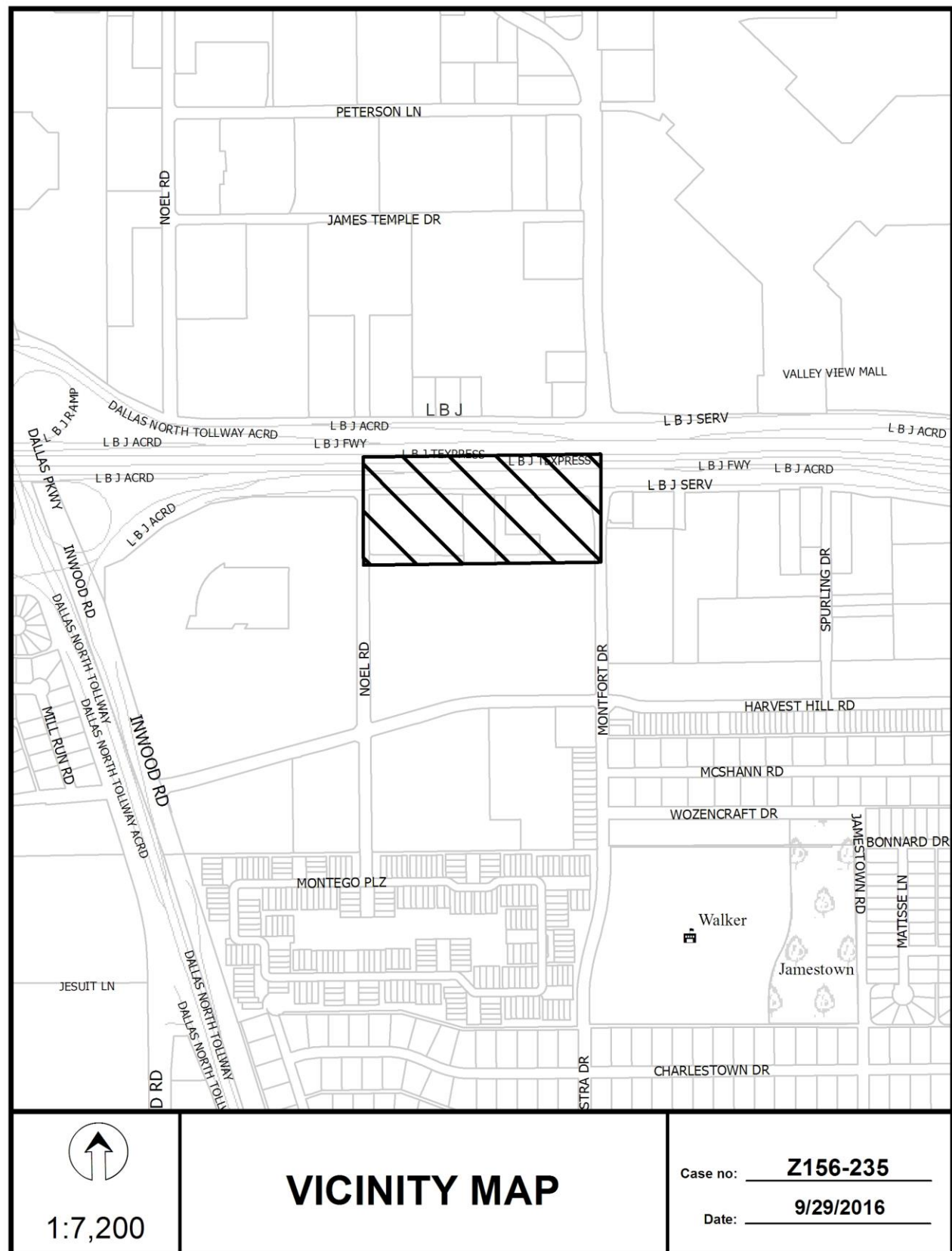
For 333 West 22nd Associates LLC:

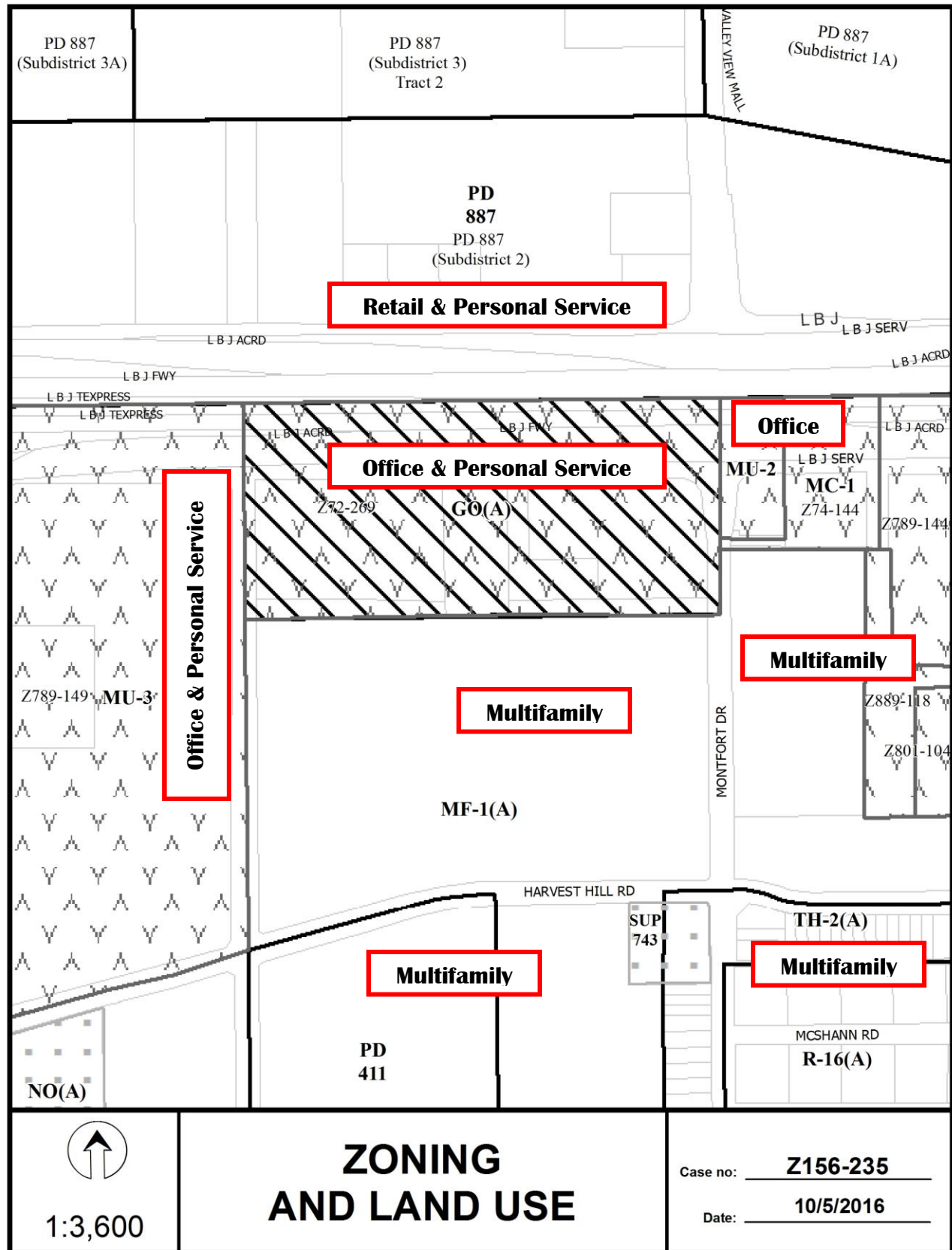
1. Mehdi Bolour
2. Negin Bolour
3. Azeou Bolour
4. David Bolour

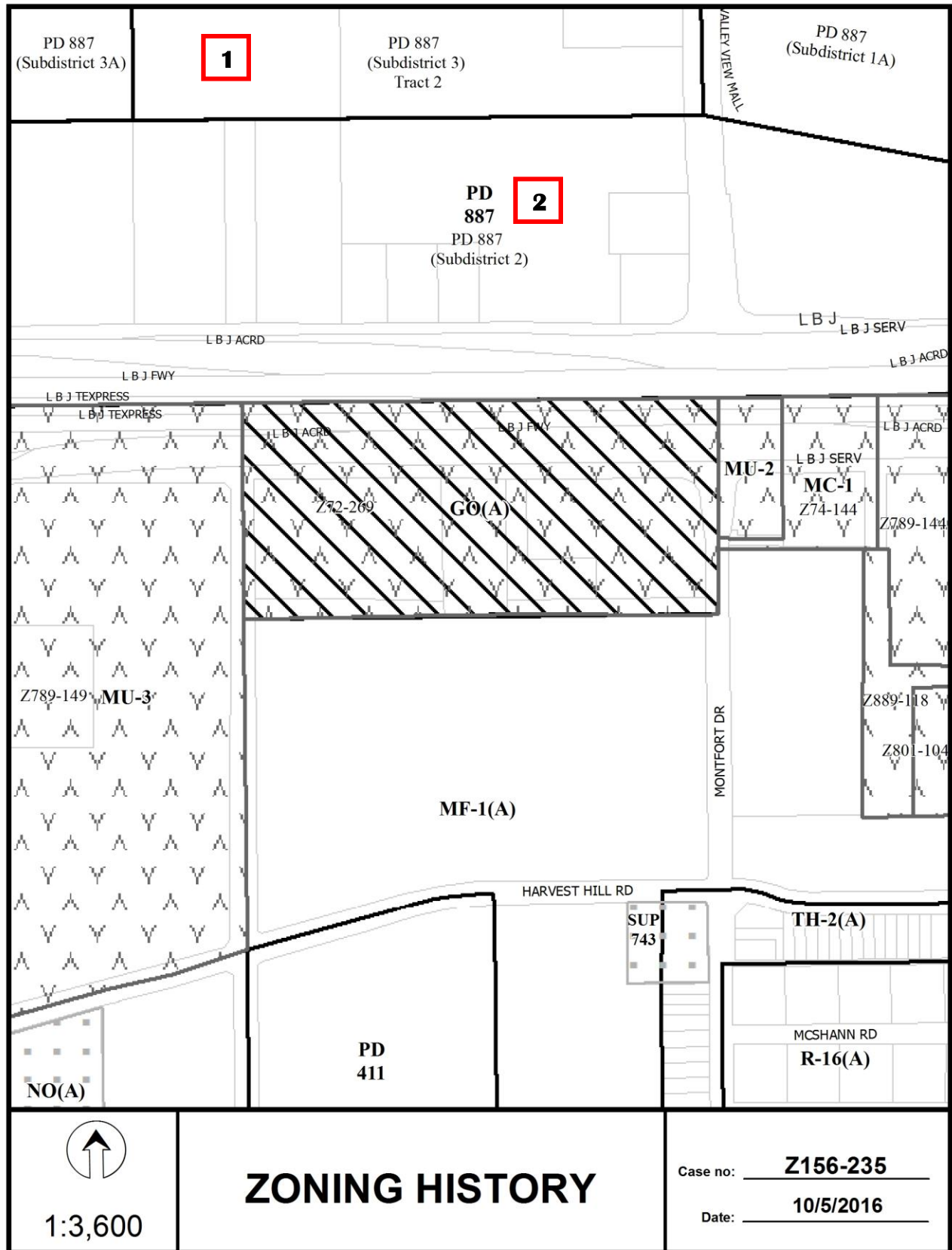
For 5580 LBJ LLC

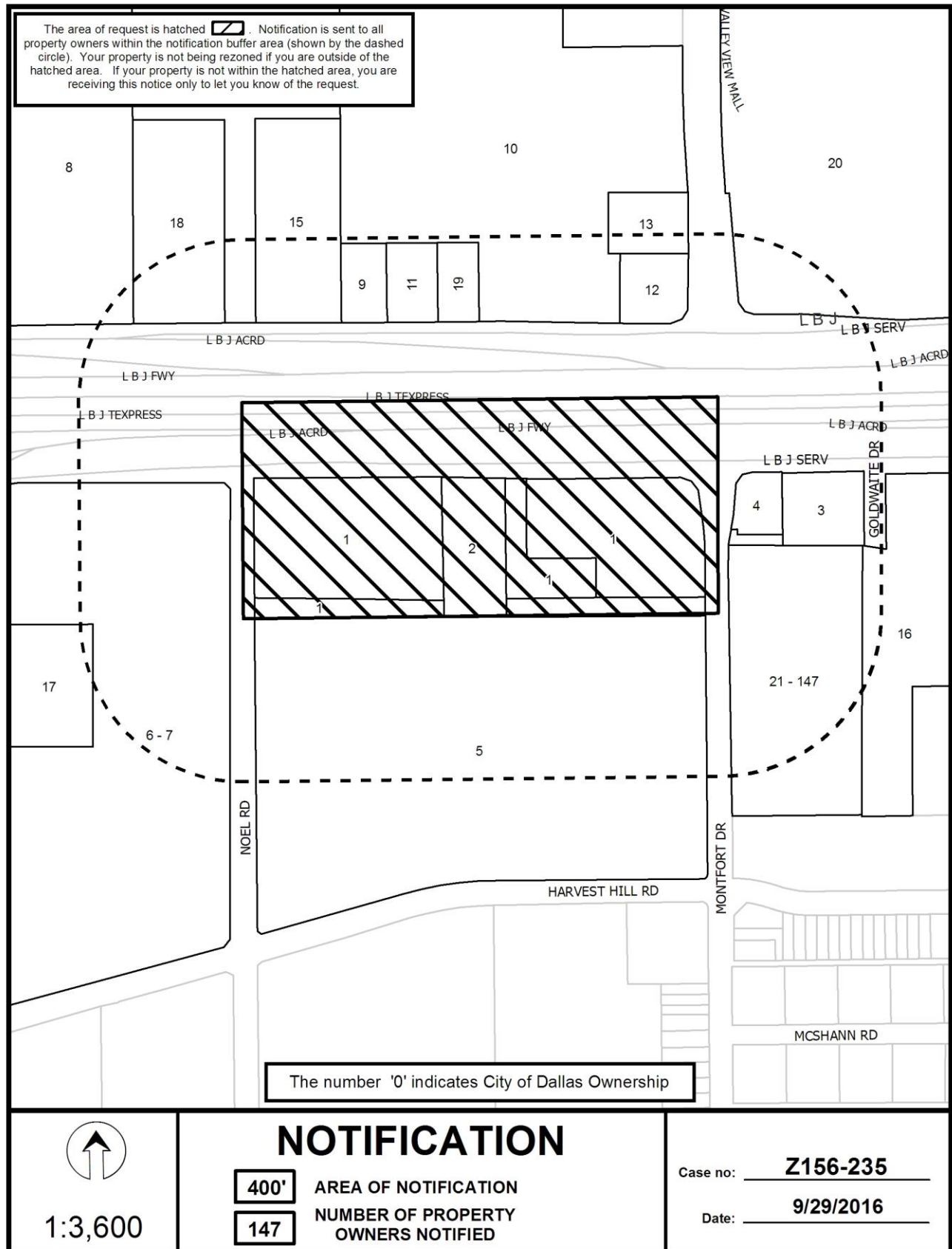
1. Mehdi Bolour
2. Negin Bolour
3. Azeou Bolour
4. David Bolour

Z156-235









09/29/2016

Notification List of Property Owners***Z156-235******147 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5580 LBJ FWY	5580 LBJ LLC
2	5550 LBJ FWY	BOLOUR MEHDI TRUSTEE
3	12850 MONTFORT DR	PRESTON NATIONAL BANK
4	5620 LBJ FWY	MONTFORT SQUARE REALTY LLC
5	5575 HARVEST HILL RD	PLAZA HILL INVESTORS LP
6	5442 HARVEST HILL RD	MERCANTILE BANK
7	5400 LBJ FWY	TEACHERS INSURANCE AND
8	5327 LBJ FWY	DALLAS MIDTOWN PROPERTIES LLC
9	5539 LBJ FWY	5539 5545 LBJ BUILDING
10	13131 MONTFORT DR	DAYTON HUDSON CORP
11	5545 LBJ FWY	5539-5545 LBJ BUILDING
12	5631 LBJ FWY	DAR PROPERTIES NINE LLC
13	13105 MONTFORT DR	MCDONALDS USA LLC
14	5501 LBJ FWY	TR LBJ CAMPUS
15	5525 LBJ FWY	DBSI REPUBLIC LLC &
16	5710 LBJ FWY	MEDPLAZ PARTNERS LP
17	5410 LBJ FWY	AP VEF LC DALLAS OWNER LP
18	5429 LBJ FWY	TR LBJ CAMPUS PARTNERS LP
19	5549 LBJ FWY	MONTFORT LBJ LTD
20	13138 MONTFORT DR	EFK LBJ PARTNERS LP
21	12888 MONTFORT DR	BROWN BETTY JO
22	12888 MONTFORT DR	GONZALEZ MIGUEL A
23	12888 MONTFORT DR	BOYD S GREGG
24	12888 MONTFORT DR	CRUZ ANTONIO A
25	12888 MONTFORT DR	ULTIMATE VISION INVESTMENTS LLC &
26	12888 MONTFORT DR	FAROOQ MUHAMMED

09/29/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	12888 MONTFORT DR	ORSHIR LLC
28	12888 MONTFORT DR	NGUYEN MIKE & LOAN
29	12888 MONTFORT DR	TRANG TRAN THI THU
30	12888 MONTFORT DR	LARUMBE GUSTAVO
31	12888 MONTFORT DR	JORDAN YVONNE SAM & TSEN
32	12888 MONTFORT DR	TORRES VICTOR
33	12888 MONTFORT DR	LI KWOKSHUN &
34	12888 MONTFORT DR	CABEZA MAURICIO
35	12906 MONTFORT DR	DRYDEN FRANCES E
36	12888 MONTFORT DR	HSUEH JENNY
37	12888 MONTFORT DR	STARR JOY
38	12888 MONTFORT DR	DIEP HOA
39	12888 MONTFORT DR	QUINONES MARCO A &
40	12888 MONTFORT DR	WALL RONALD G
41	12888 MONTFORT DR	HSUEH JULIE YU CHU
42	12888 MONTFORT DR	HSUEH JULIE YU
43	12888 MONTFORT DR	WARD ELMER D &
44	12888 MONTFORT DR	DELACRUZ MARC A
45	12888 MONTFORT DR	CORAGLIO ROMINA YURIKO
46	12888 MONTFORT DR	RODRIGUEZ SAMMY
47	12888 MONTFORT DR	STONE JAMES E JR
48	12888 MONTFORT DR	BRACHA INC
49	12888 MONTFORT DR	HISKIYAHU HILA
50	12888 MONTFORT DR	SHERENIAN MANAS
51	12888 MONTFORT DR	LAZIMOVICH DAMIR
52	12888 MONTFORT DR	TORRES VICTOR H
53	12888 MONTFORT DR	MARTINEZ LUIS &
54	12888 MONTFORT DR	GONZALEZ JOSE
55	12888 MONTFORT DR	SUSTAITA JUAN
56	12888 MONTFORT DR	PORTILO JOSEFINA
57	12888 MONTFORT DR	GONZALEZ GLADYS

09/29/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	12888 MONTFORT DR	VAZQUEZ MARIA DE LA PAZ
59	12888 MONTFORT DR	SHERENIAN MANAS
60	12888 MONTFORT DR	DE GUIA THERESA
61	12888 MONTFORT DR	MARR FRANCIS &
62	12888 MONTFORT DR	MARR FRANCIS & SIU HING
63	12888 MONTFORT DR	FAROOQ MUHAMMAD
64	12888 MONTFORT DR	WEISFELD RONALD A
65	12888 MONTFORT DR	FED NATL MTG ASSN
66	12888 MONTFORT DR	CADRA SEAD & NERMINA
67	12888 MONTFORT DR	RUSSELL JESSICA C
68	12888 MONTFORT DR	BLUE DAVID B
69	12888 MONTFORT DR	AVALOS JOSE LUIS ORTIZ &
70	12888 MONTFORT DR	FURLONG KAREN
71	12888 MONTFORT DR	NGUYEN LOAN & MIKE
72	12888 MONTFORT DR	RUBIN DONNA DANIELS
73	12888 MONTFORT DR	ULATE OSCAR
74	12888 MONTFORT DR	ZETINA CONCEPCION ESCOFFIE &
75	12888 MONTFORT DR	JORDAN GEORGE E
76	12888 MONTFORT DR	COTTON DU WAYNE L & KAREN
77	12888 MONTFORT DR	SMITH MITZIE
78	12888 MONTFORT DR	RITTER WILLIAM & AIDA LIVING TRUST THE
79	12888 MONTFORT DR	OLSON VITALIY D
80	12888 MONTFORT DR	CHAN CHO W
81	12888 MONTFORT DR	KONG PUI
82	12888 MONTFORT DR	GUEVARA JOSEFINA
83	12888 MONTFORT DR	RODRIGUEZ JUAN AND LUZ E
84	12888 MONTFORT DR	WANG WEI MIN
85	12888 MONTFORT DR	OSTERREICHER ARIEL
86	12888 MONTFORT DR	SUN LEECHU & HELEN CHOW
87	12888 MONTFORT DR	KAMY REAL PPTY TRUST
88	12888 MONTFORT DR	NGUYEN HAI

09/29/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	12888 MONTFORT DR	LAM PHUONG TU & ANH TU LAM
90	12888 MONTFORT DR	SHEFFIELD ALICE M
91	12888 MONTFORT DR	LI KWOK SHUN &
92	12888 MONTFORT DR	QUINONES MARCO A & MARY A
93	12888 MONTFORT DR	GRAHAM B GLORIA
94	12888 MONTFORT DR	RODRIGUEZ JUAN
95	12888 MONTFORT DR	WANG WEIMING
96	12888 MONTFORT DR	STEARNS PARKS H
97	12888 MONTFORT DR	BOLIVER DOUGLAS B
98	12888 MONTFORT DR	OPREA FLORICA ANA ESTATE OF
99	12888 MONTFORT DR	ORLEANS KIMBERLY A
100	12888 MONTFORT DR	ANGUIANO ANTONIO
101	12888 MONTFORT DR	VAKNIN MARCEL
102	12888 MONTFORT DR	BRIGHT EDWIN B
103	12888 MONTFORT DR	POMARA DAVID L
104	12888 MONTFORT DR	RODRIGUEZ ANSELMO
105	12888 MONTFORT DR	LOPEZ CHRISTIAN J
106	12888 MONTFORT DR	RODRIGUEZ JUAN &
107	12888 MONTFORT DR	GONZALEZ JOSE F &
108	12888 MONTFORT DR	KUNTZ BETTY
109	12888 MONTFORT DR	WANG WEIGANG
110	12888 MONTFORT DR	KITEL VALENTINA &
111	12888 MONTFORT DR	BURR EDWARD & BLANCHE
112	12888 MONTFORT DR	WANG WEINING
113	12888 MONTFORT DR	GREENWELL LINDA SUE
114	12888 MONTFORT DR	WANG GUO AN ET AL
115	12888 MONTFORT DR	PANIAGUA AMANDA V
116	12888 MONTFORT DR	PORRAS NOAH J
117	12888 MONTFORT DR	JAIMES BALTAZAR & ILDA
118	12888 MONTFORT DR	VASSALLO RICHARD DALE
119	12888 MONTFORT DR	SHERENIAN HAYKO

09/29/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	12888 MONTFORT DR	WANG WEIGANG
121	12888 MONTFORT DR	CIAR PERCY
122	12888 MONTFORT DR	ASHRAF SYED IMRAN
123	12888 MONTFORT DR	ORTIZ DORA ELIA URIBE
124	12888 MONTFORT DR	CASTELLANO OSCAR
125	12888 MONTFORT DR	ESTRELLA MANOLITO &
126	12888 MONTFORT DR	ROMERO ORLANDO A &
127	12888 MONTFORT DR	TANG TONY
128	12888 MONTFORT DR	GAPONENKO MARINA
129	12888 MONTFORT DR	GAPONENKO TATYANA
130	12888 MONTFORT DR	KUPERMAN MARIYA REVOCABLE LIVING TRUST
131	12888 MONTFORT DR	SONG SHUJENG &
132	12888 MONTFORT DR	NICODEMUS MARY JOHN & MOSES
133	12888 MONTFORT DR	DALLAS RENTALS LLC
134	12888 MONTFORT DR	FAZEL MALIHEH KAZAMZADEHA
135	12888 MONTFORT DR	RAUSCH THOMAS R
136	12888 MONTFORT DR	ZORZOR EMANUELLA
137	12888 MONTFORT DR	SHEPARD HOLDINGS LLC
138	12888 MONTFORT DR	RODRIGUEZ ANSELMO
139	12888 MONTFORT DR	PANIAGUA ALFONSO &
140	12888 MONTFORT DR	RALSTON DAVID W
141	12888 MONTFORT DR	RODRIGUEZ JOSE RICARDO
142	12888 MONTFORT DR	SELMAN THOMAS R
143	12888 MONTFORT DR	NGUYEN THOMAS V &
144	12888 MONTFORT DR	ESPINOZA NATHANAEL L
145	12888 MONTFORT DR	HOELSCHER JOHN
146	12888 MONTFORT DR	ARREDONDO DELIA
147	12888 MONTFORT DR	CONTE PATRICE L

PLANNER: Andrew Ruegg

FILE NUMBER: Z156-364(AR) DATE FILED: September 14, 2016

LOCATION: On the north side of Lake June Road at the terminus of
McElree Street, east of Oak Hill Circle

COUNCIL DISTRICT: 5 MAPSCO: 58-M

SIZE OF REQUEST: Approx. 0.19 acres CENSUS TRACT: 92.01

APPLICANT/ OWNER: Gilberto Bedolla Jr.

REQUEST: An application for the renewal of Specific Use Permit No. 2129 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 CR-D-1 Community Retail District with D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow the applicant to continue the use of the property for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less [Carnitas La Primera Meat Market].

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

PREVIOUS ACTION: On December 1, 2016, the City Plan Commission held this case under advisement until January 19, 2017.

Background Information:

- The request site is currently operating as a general merchandise or food store 3,500 square feet or less.
- The building at the request site was constructed in 2011 and was issued a Certificate of Occupancy in March 2013.
- SUP No. 2129 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less was approved on January 14, 2015 for a time period of two years.
- The request site was registered as a Convenience Store under Chapter 12B on December 30, 2016.

Zoning History:

- 1. Z134- 242** On February 11, 2015, the City Council approved a CR Community Retail District, a D-1 Liquor Control Overlay, 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, and termination of deed restrictions on the subject property.
- 2. Z134-346** On January 14, 2015, the City Council approved Specific Use Permit No. 2129 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 or less.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lake June Road	Principal Arterial	85 feet

Surrounding Land Use:

	Zoning	Land Use
Site	CR-D-1, SUP No. 2129	General Merchandise store
North	R-7.5 (A)	Single Family
South	CR-D	Variety of Retail Uses
East	CR-D	Single Family Dwelling, Variety of Automotive Uses
West	CR-D	Personal Service and Automotive Uses

Comprehensive Plan:

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

Goal 1.1 Align land use strategies with economic development priorities.

Policy 1.1.15 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

Land Use Compatibility:

The surrounding land uses consist of a variety of retail uses to the east and west of the property. The request site is located along Lake June Road which is a major corridor that connects I-635 and CF Hawn Freeways. Analysis performed by a surveyor concluded there was no church, public or private school, or public hospital located within 300 feet of the property.

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

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

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail

floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems
- video recording and storage systems
- alarm systems
- drop safes
- security signs
- height markers

The use is compatible with the surrounding non-residential uses and provides an alternative shopping venue for the neighborhood. There have been no offense or arrest incidents at the subject site since the initial SUP was approved in January 2015. Therefore, staff recommends the approval of the SUP renewal for a five year time period with eligibility for automatic renewals for additional five year periods. The relatively short time period will allow staff to re-evaluate the use for conformance to the site plan and conditions as well as receive input from the community on any negative impacts prior to auto renewal. On December 30, 2016 the applicant registered as a Convenience Store under Chapter 12B and is on track for certification.

Development Standards:

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

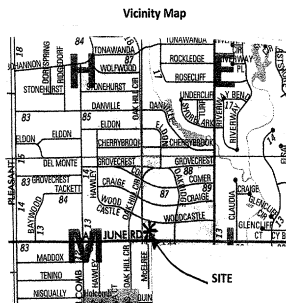
Parking: Pursuant to the Dallas Development Code, the off-street parking requirement for General merchandise or food store 3,500 square feet or less is one space per 200 square feet of floor area. Therefore, the ± 2,400-square-foot building requires 12 spaces, as depicted on the site plan.

Landscaping: Landscaping must be provided in accordance with Article X of the Dallas Development Code.

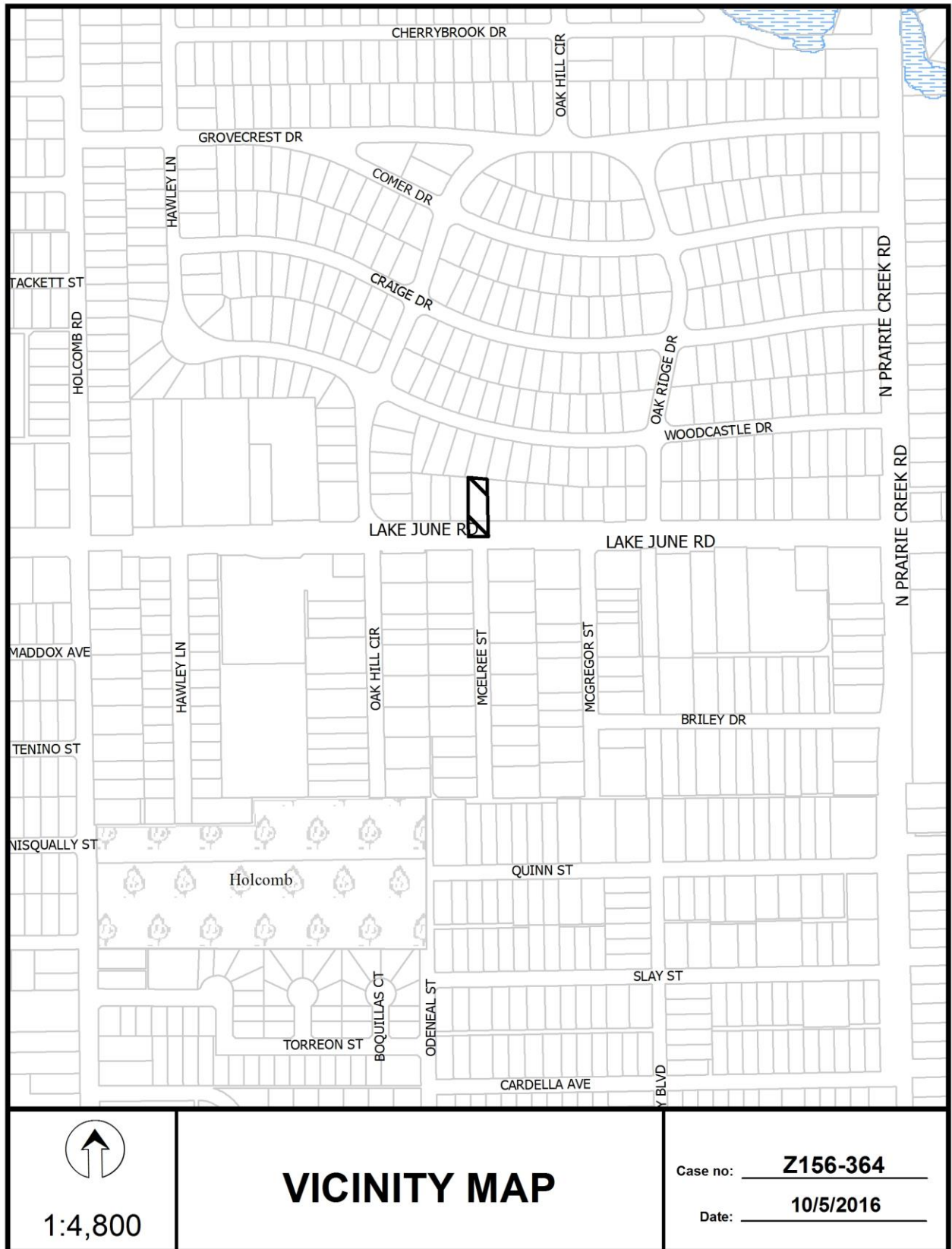
Site Plan: The applicant is requesting no changes to the site plan. The plan is in conformance with the Council approved plan.

PROPOSED SUP CONDITIONS

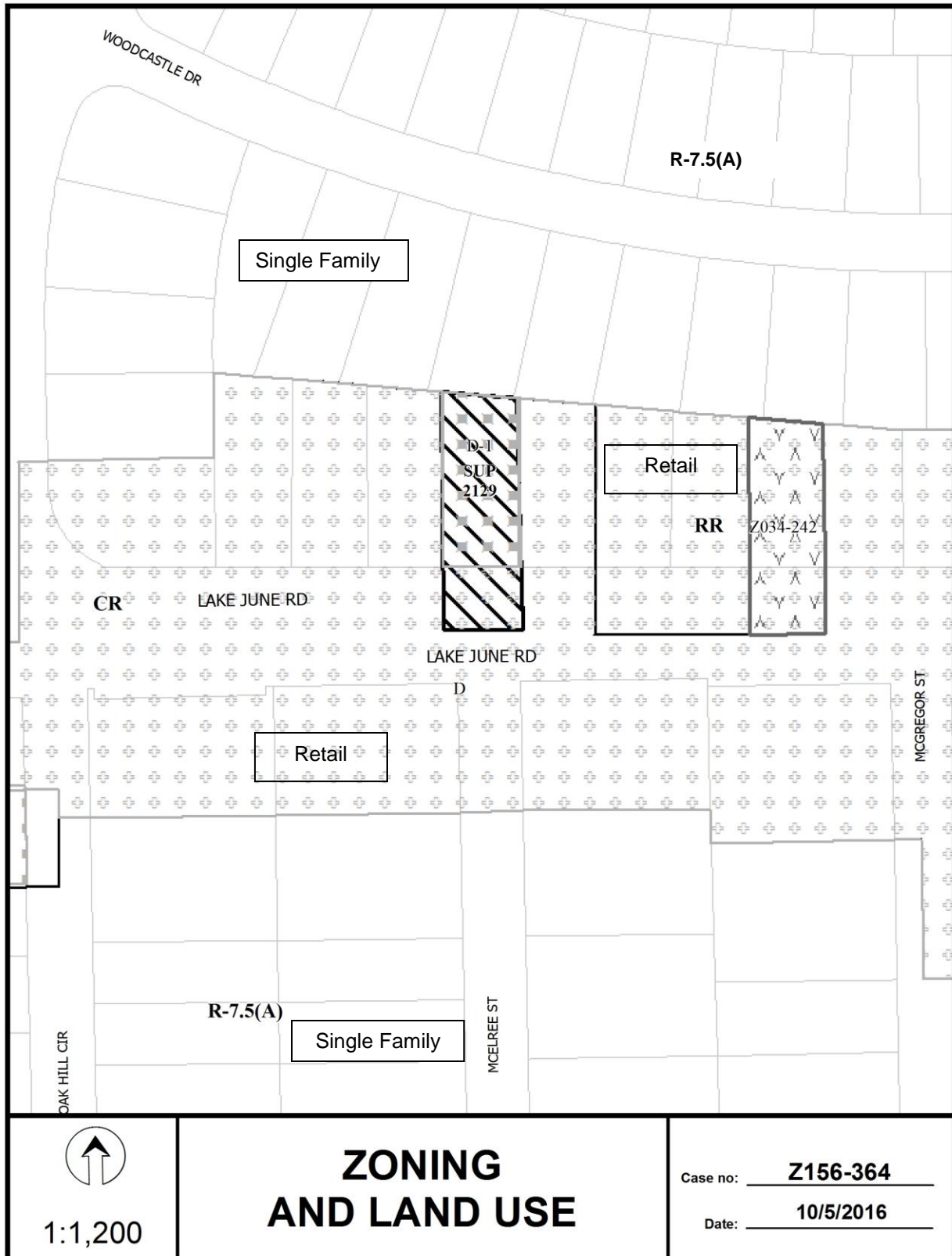
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with general merchandise or food store use 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~January 14, 2017~~ (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. FLOOR AREA: The maximum floor area is 2,400 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

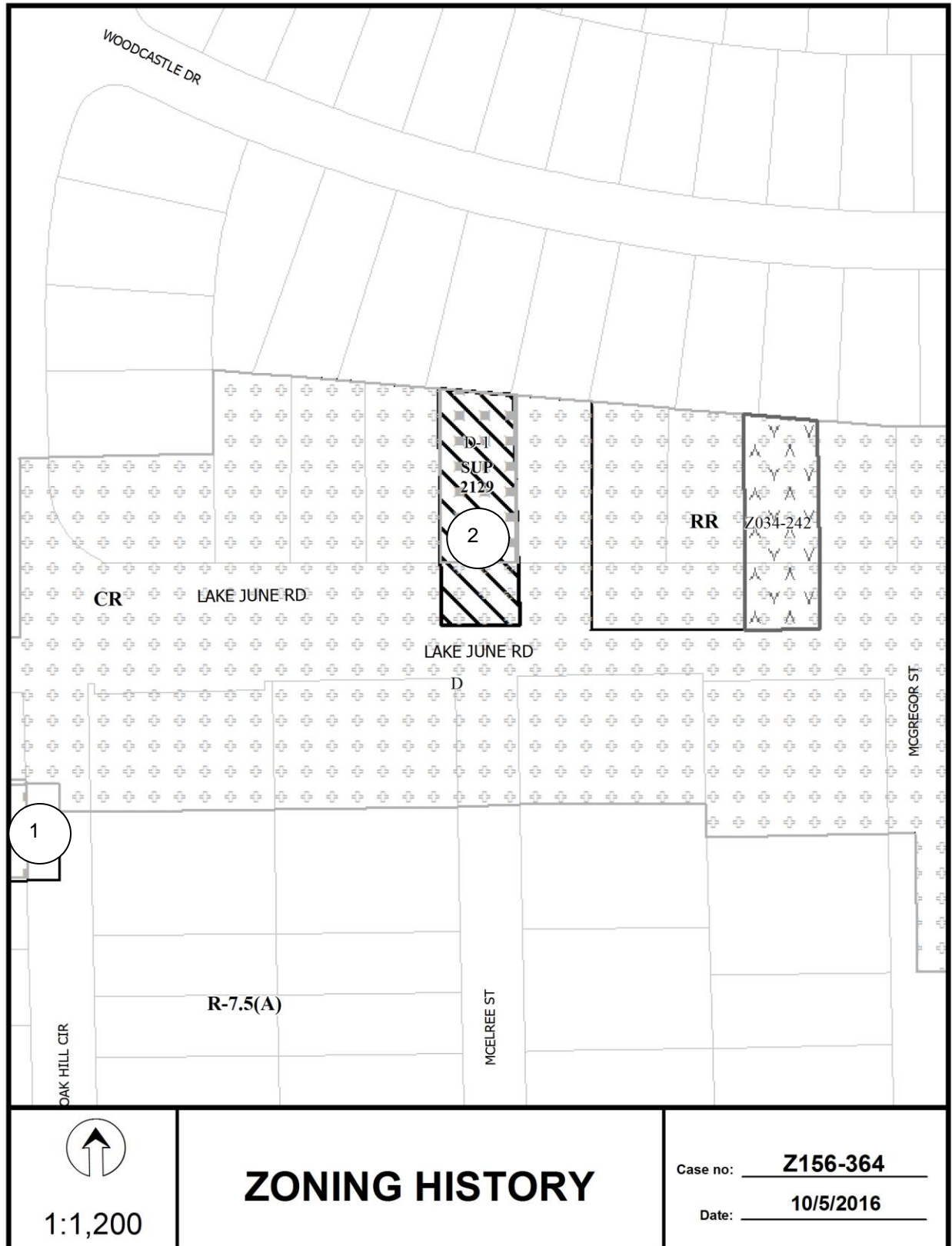


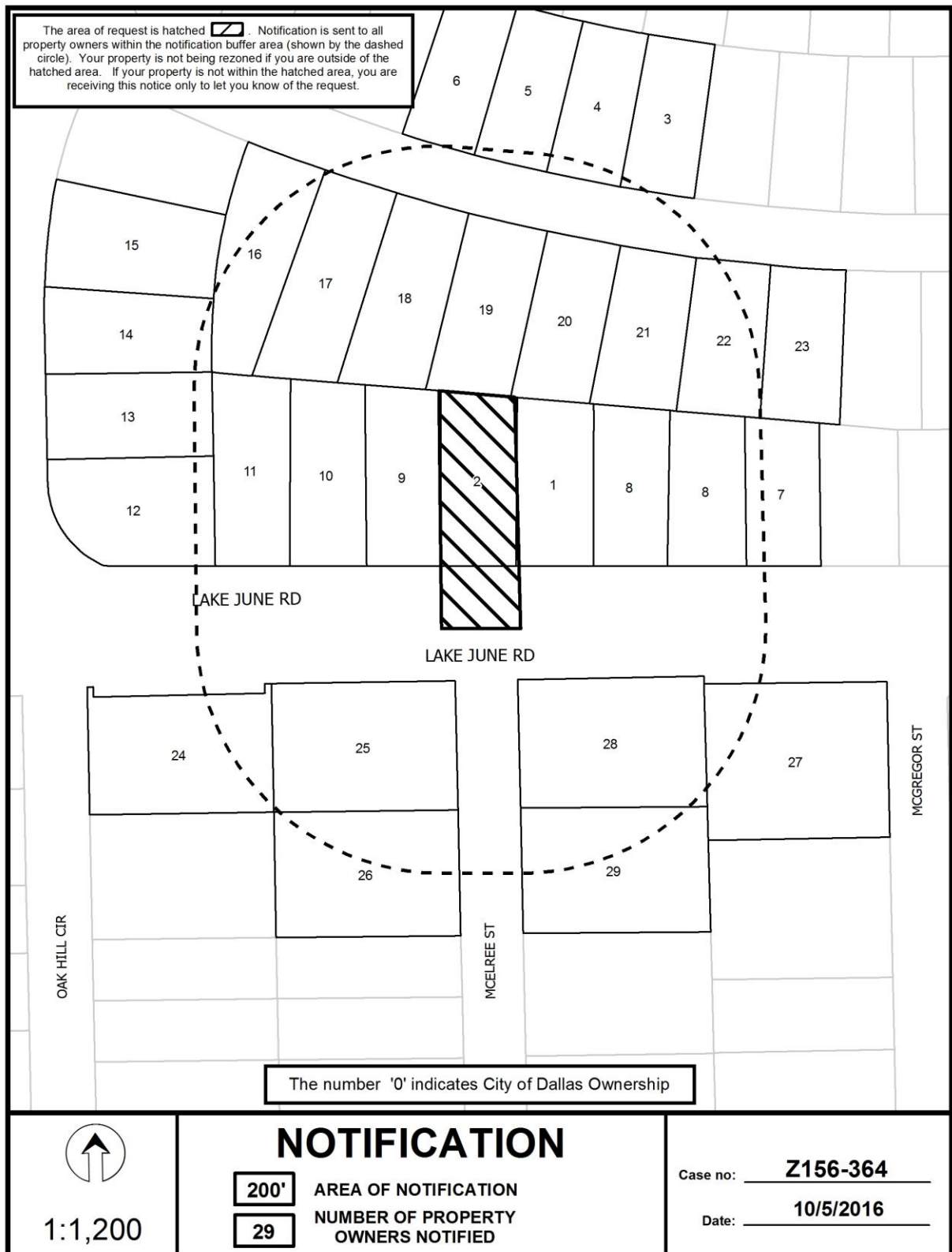
Provided Parking: 12











Notification List of Property Owners***Z156-364******29 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8725 LAKE JUNE RD	ESPINOZA AGUSTINA
2	8721 LAKE JUNE RD	BEDOLLA GILBERTO JR
3	8729 WOODCASTLE DR	RICARTE MARIA DEL ROSARIO
4	8725 WOODCASTLE DR	CORTEZ VALENTIN & MARIA
5	8721 WOODCASTLE DR	ARROYO ERASMO DE JESUS JR
6	8717 WOODCASTLE DR	BOYD ANTONIO A SANCHEZ
7	8737 LAKE JUNE RD	MEDINA AUGUSTIN &
8	8733 LAKE JUNE RD	CRUZ ROMAN
9	8717 LAKE JUNE RD	TAYLOR ROCKY & STEPHANIE
10	8713 LAKE JUNE RD	GARCIA ROSALBA S
11	8709 LAKE JUNE RD	LIVAY LLC
12	8701 LAKE JUNE RD	MONSIVAIS AMALIA A &
13	1306 OAK HILL CIR	FISHER MICHAEL W & BETTY R
14	1310 OAK HILL CIR	HERNANDEZ CYNTHIA
15	1316 OAK HILL CIR	SALGADO DOLORES & MIREYA SERRATO
16	8708 WOODCASTLE DR	AVELLANEDA RUFINO & FERNANDA GOMEZ
17	8712 WOODCASTLE DR	GUZMAN PEDRO
18	8716 WOODCASTLE DR	CORTEZ APOLINAR & ORALIA
19	8720 WOODCASTLE DR	BEDOLLA GILBERTO
20	8724 WOODCASTLE DR	MARTINEZ HUMBERTO
21	8728 WOODCASTLE DR	TOVAR JOSE RIVERA &
22	8732 WOODCASTLE DR	GONZALEZ SANTIAGO
23	8736 WOODCASTLE DR	RAMIREZ TOMAS & ERNESTINA
24	8700 LAKE JUNE RD	MENDOZA JUAN R &
25	8718 LAKE JUNE RD	LACY INVESTMENTS ENTERPRISE LLC
26	1231 MCELREE ST	GUZMAN BULMARO F

Z156-364(AR)

09/29/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	8736 LAKE JUNE RD	CHANDLER BILLY E JR
28	8726 LAKE JUNE RD	CHANDLER BILLY JR
29	1226 MCELREE ST	SALINAS ASUNCION J

FILE NUMBER: Z156-290(SH)

DATE FILED: June 22, 2016

LOCATION: Northwest corner of Edd Road and Kleberg Road

COUNCIL DISTRICT: 8

MAPSCO: 69A-P, T

SIZE OF REQUEST: Approx. 10 acres

CENSUS TRACT: 171.02

OWNER/APPLICANT: Walter Huerta and Augusto Huerta

REPRESENTATIVE: Tailim Song, Tailim Song Law Firm

REQUEST: An application for a Specific Use Permit for an industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to utilize the property for a concrete batch plant. The use is permitted in the IR Industrial/Research District by SUP only. All other IR uses are also allowed on the property.

STAFF RECOMMENDATION: **Denial**

PRIOR ACTION AND UPDATE: On December 15, 2016, this item was held under advisement to allow further time for the applicant to discuss the proposed SUP with neighborhood stakeholders.

BACKGROUND:

- The proposed 10-acre site is currently undeveloped and zoned an IR-D-1 Industrial Research District with a D-1 Liquor Control Overlay.
- The applicant proposes to utilize the property for a concrete batch plant. The subject site is surrounded by undeveloped land and single family residential uses. Although the applicant has proposed development standards to mitigate for potential negative impacts from the concrete batch plant, staff finds the use to be incompatible with the surrounding area and does not support the request.

Zoning History: There have been no zoning applications in the vicinity in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Edd Road	Community Collector	35 feet
Kleberg Road	Minor Arterial	150 feet

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being in the Residential Neighborhood Building Block which is typified by traditional neighborhoods consisting of single family detached homes and related amenities.

LAND USE ELEMENT

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

Changing the zoning of the proposed site to an industrial district eradicates the integrity of the residential community and is not in keeping with the character of the neighborhood.

As such, the proposed rezoning is in conflict with the goals and policies established in the *forwardDallas! Comprehensive Plan*.

Surrounding Land Uses:

	Zoning	Land Use
Site	IR-D-1	Undeveloped Land
Northwest	IR-D-1 and MF-1(A)	Undeveloped Land
Southeast	R-5(A)-D-1	Single family residential
Southwest	IR-D-1 and MF-1(A)	Undeveloped Land and Single family residential
Northeast	R-7.5(A)	Single family residential

Land Use Compatibility:

The area of request is approximately 10 acres and is currently undeveloped. The applicant is proposing to develop the site with a concrete batch plant. The applicant has proposed to locate the concrete batch plant in the center of the site to mitigate for the increase in noise, air pollution, and traffic from the industrial use. According to the SUP site plan, the concrete batch plant will be enclosed by an eight foot tall corrugated steel panel fence. Primary access to the site is proposed from Kleberg Road.

The subject site is currently surrounded by undeveloped land to the immediate northwest and southwest. Single family residential uses are located further west of the site as well as to the east, across Kleberg Road, and to the south, across Edd Road.

The IR District contains uses that are incompatible with an established single family residential community. The SUP requirement affords the city and surrounding neighbors an opportunity to periodically evaluate whether or not the use is compatible with the surrounding area. In addition, the applicant has proposed SUP conditions that establish performance standards for the proposed use such as operating hours, screening and landscaping, site layout, ground and dust control, traffic circulation, and the location of outdoor storage.

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 subject site is located in an area that is characterized by low density single family uses, and the high intensity of the proposed concrete batch plant would introduce undesirable elements that are detrimental to the surrounding community. The increase in traffic and noise caused by the proposed development, as well as the potential for negative environmental impacts, deem it to be an offensive and undesirable fit for the adjacent neighborhood. As a result, staff has determined that a concrete batch plant is not an appropriate use at this location and does not support the applicant's request.

Development Standards:

DISTRICT	Setbacks		Density	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

Parking:

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. The required parking for the batch plant use is one space per 600 square feet of manufacturing area and one space per 1,000 square feet for the warehousing for a total required number of spaces of 10. The proposed number of spaces meets this requirement.

Landscaping:

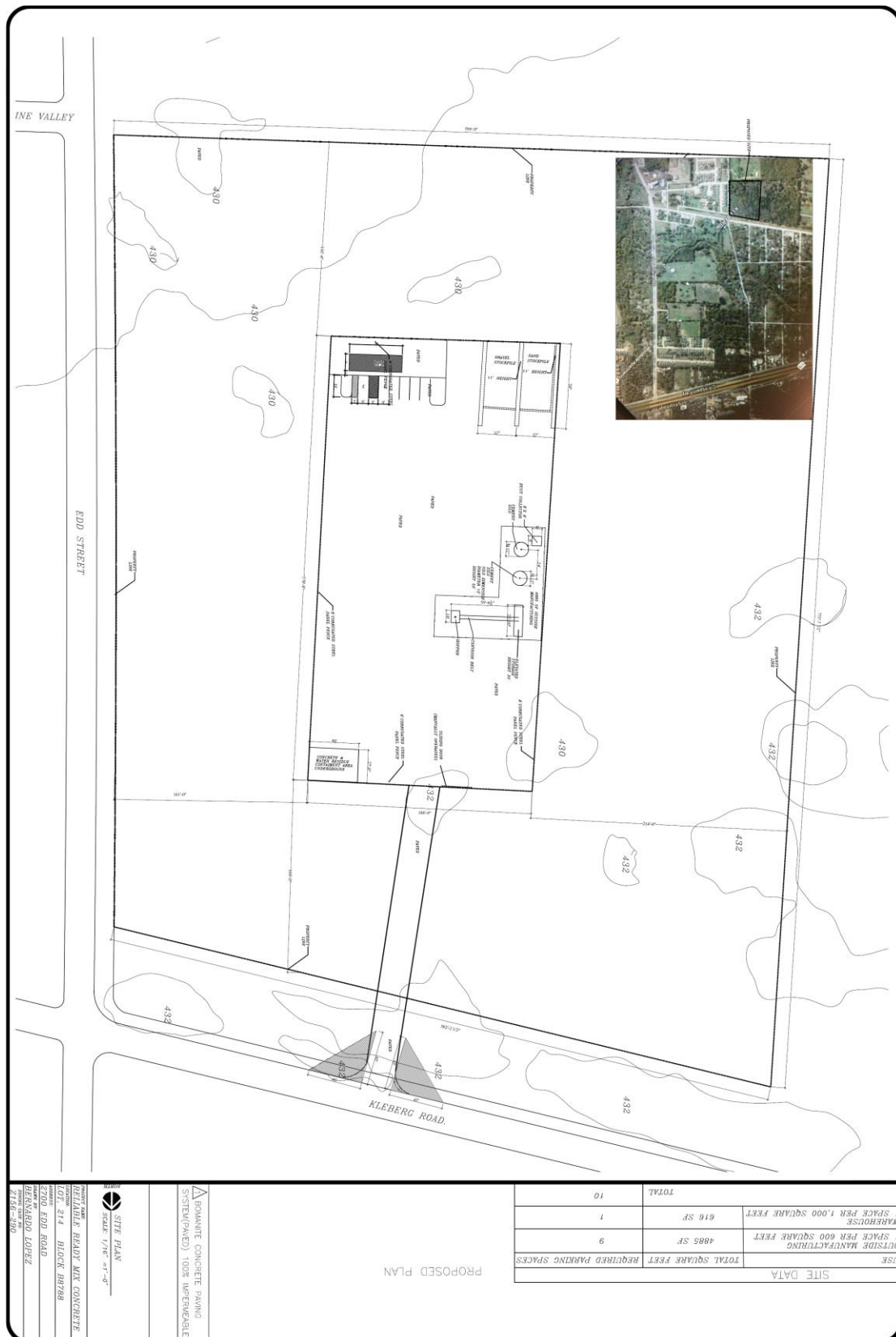
Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code.

**Applicant's SUP Proposed Conditions
Z156-290**

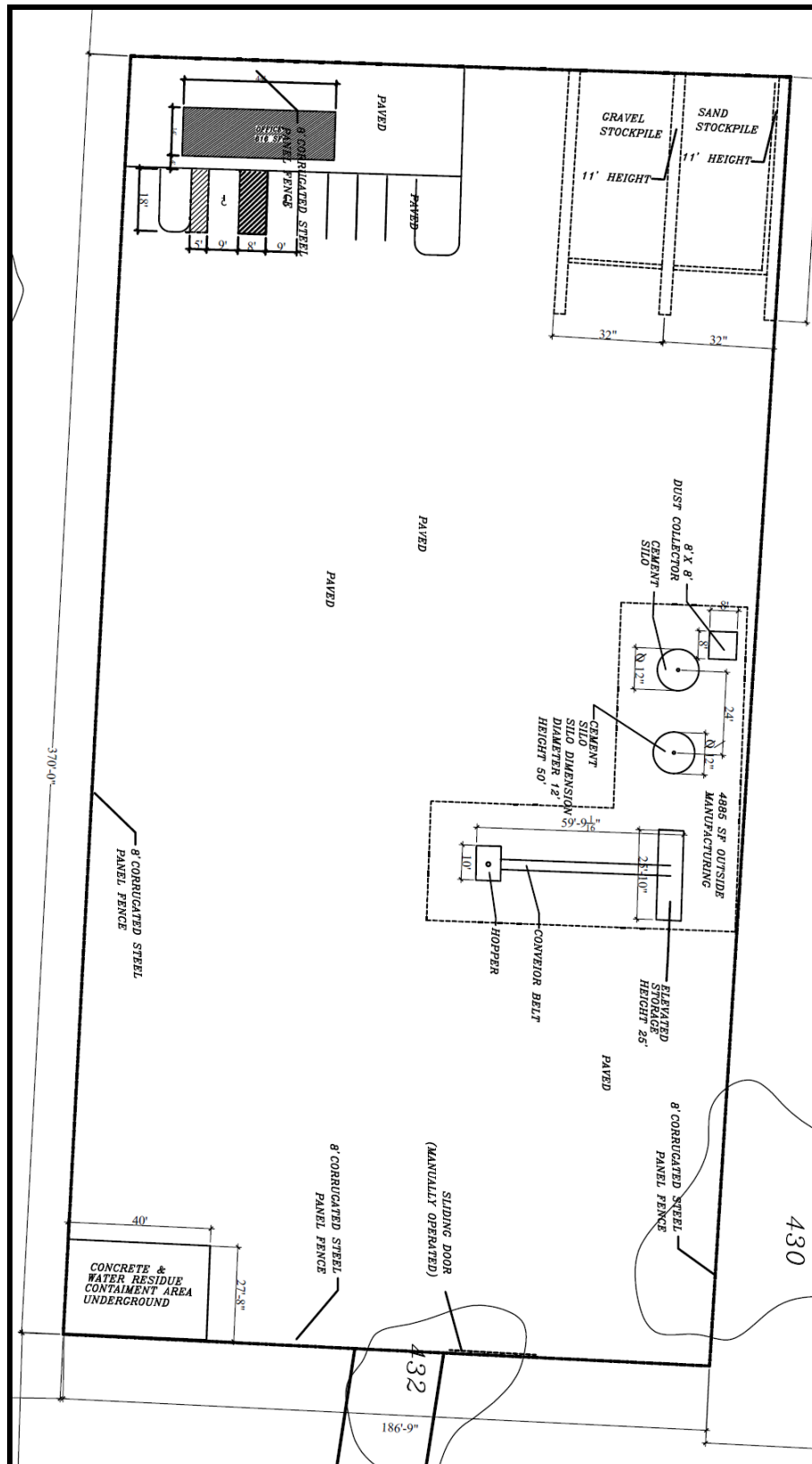
1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use limited to a concrete batch plant.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ____ (five years from the passage of this ordinance).
3. 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.

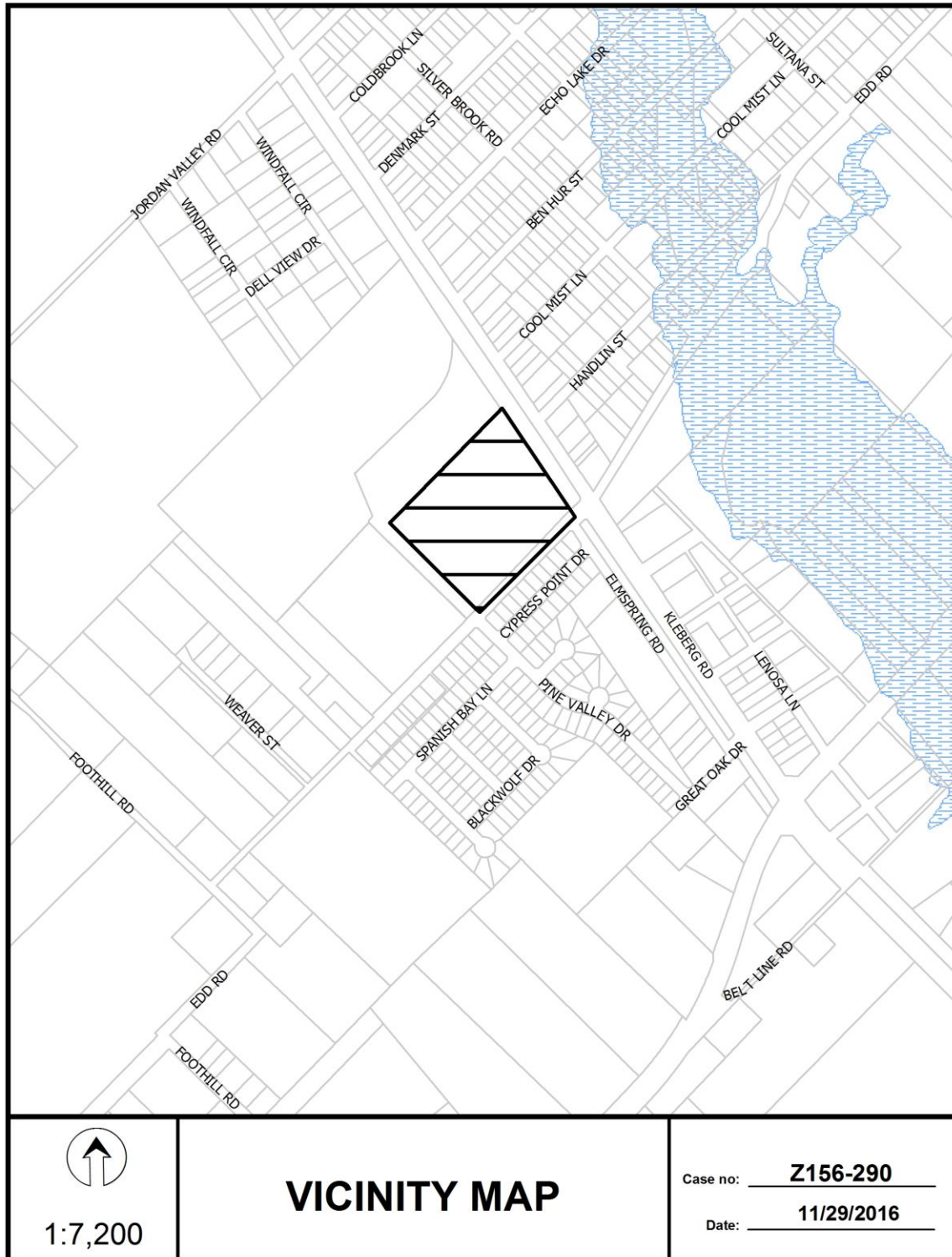
- B. Prior to the issuance of a certificate of occupancy, a written ground and dust control plan that reflects existing and proposed infrastructure needed to comply with conditions 4(A)(i) through 4(A)(viii) must be delivered to the director of environmental and health services and the director of development services.
4. OUTSIDE MANUFACTURING AREA: The maximum area for outside manufacturing is 4,885 square feet in the location shown on the attached site plan.
 5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
 6. PARKING: Pursuant to the Dallas Development Code, off-street parking and loading must be provided as shown in the site plan.
 7. SCREENING: Solid screening must be provided in the height and locations shown on the site plan.
 8. SIDEWALK: A 6-foot wide sidewalk shall be installed along all street frontages of the property as shown on the attached site plan.
 9. STOCKPILE HEIGHT: Maximum stockpile height for materials in the sand/gravel stockpile is eight feet.
 10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
 11. 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



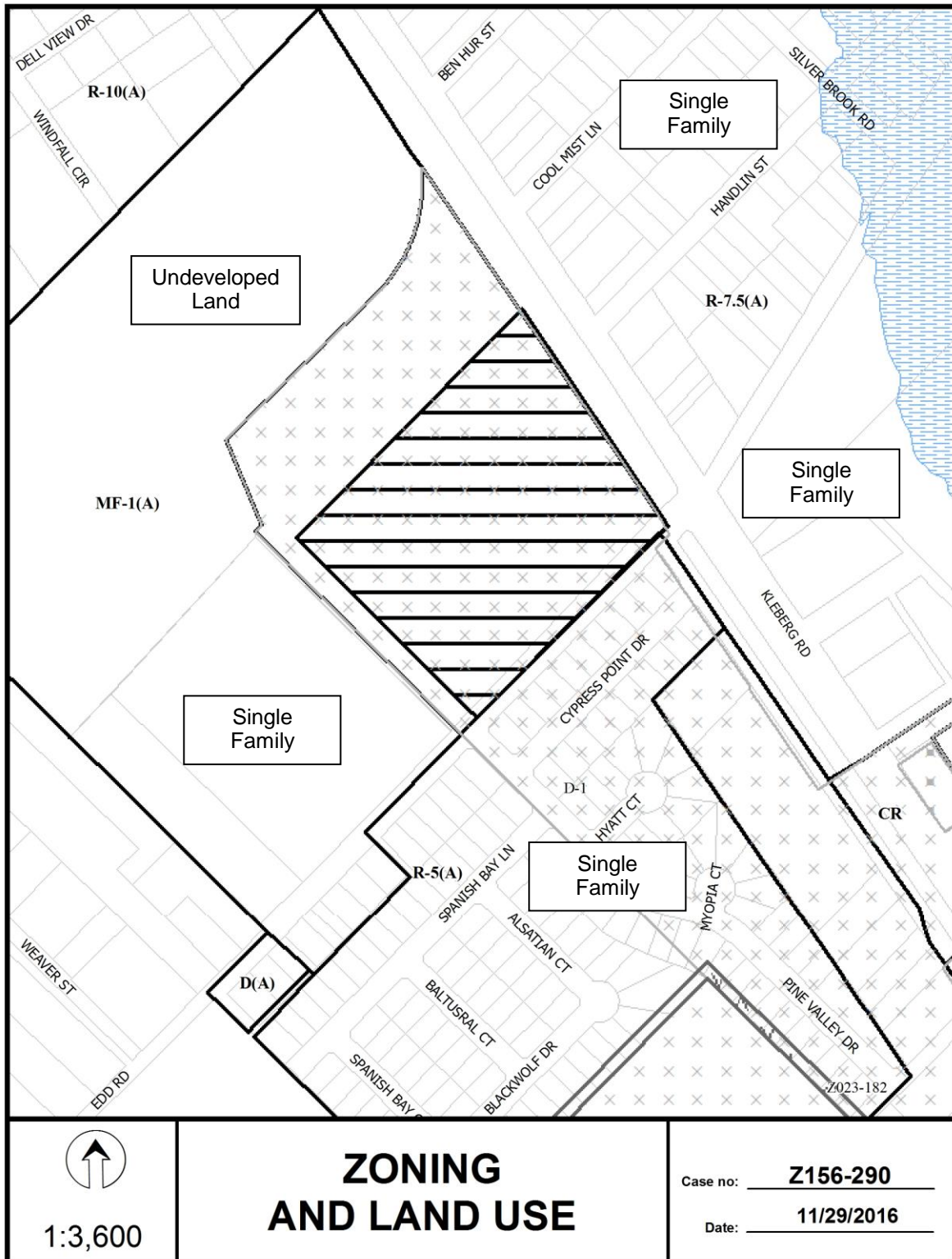
ENLARGED SITE PLAN

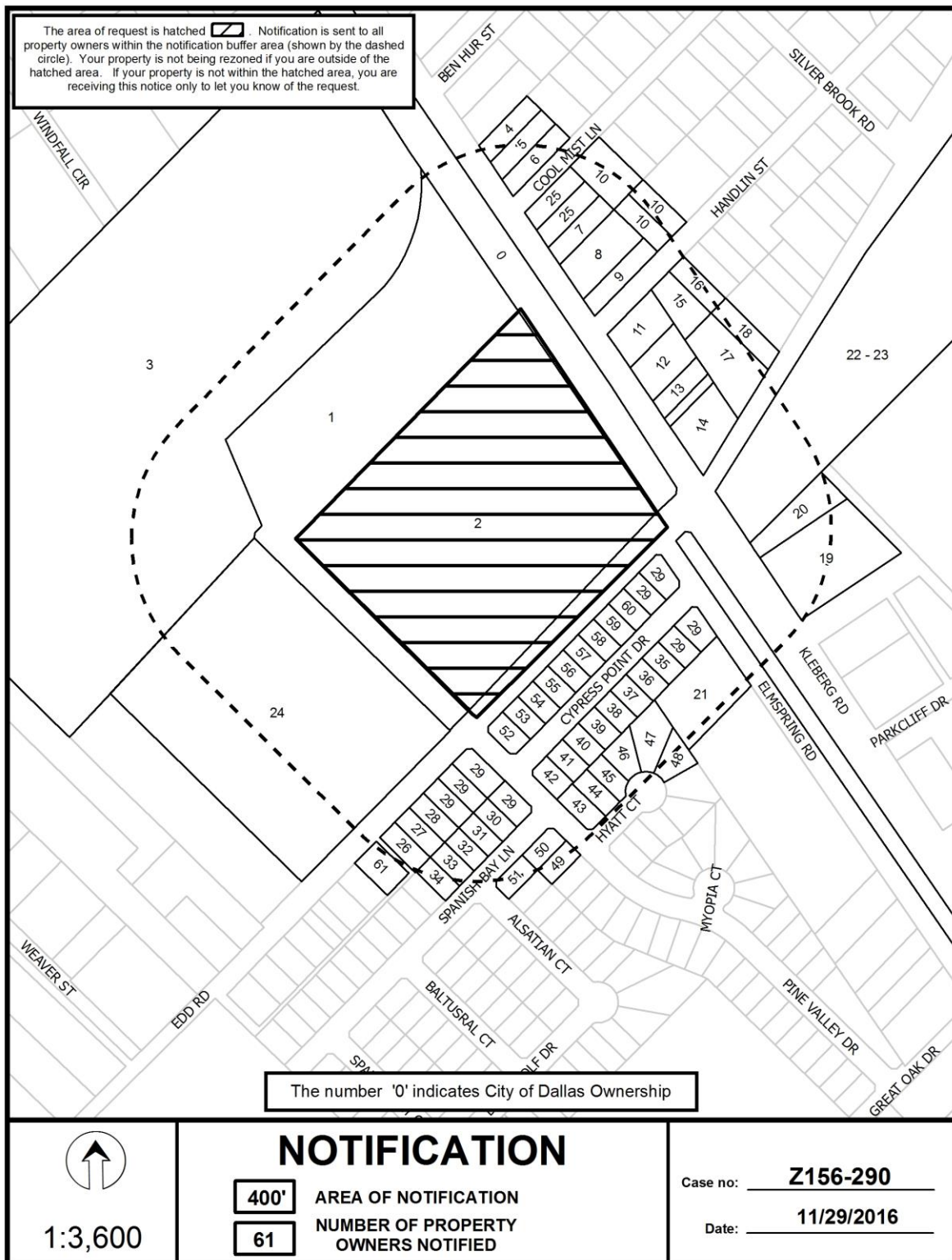




Z156-290(SH)







11/29/2016

Notification List of Property Owners***Z156-290******61 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	12800 KLEBERG RD	HARRIS LORETTA B
2	2700 EDD RD	HUERTA WALTER & AUGUSTO
3	12700 KLEBERG RD	UPCDC TEXAS INC
4	12827 KLEBERG RD	CARRILLO OCTAVIANO
5	12833 KLEBERG RD	CARRILLO APOLONIA S
6	12839 KLEBERG RD	AVILA VICENTE &
7	12915 KLEBERG RD	MCGILLHARRIS TAMMY
8	12917 KLEBERG RD	URIAS JOSE ANOTONIO & FRANCISCA BEATRIZ URIAS
9	12935 KLEBERG RD	CALIXTO EMILIA
10	2365 HANDLIN ST	GALVAN MARTIN
11	13011 KLEBERG RD	WAGNER NANCY RUTH
12	13023 KLEBERG RD	HOGUE MARGIE F & DONNIE L JONES
13	13029 KLEBERG RD	PURPLE SPRINGS LLC
14	13041 KLEBERG RD	PARIS DONALD THOMAS
15	2370 HANDLIN ST	LONGORIA JOSE
16	2364 HANDLIN ST	HERNANDEZ MARIA NATIVIDAD
17	2523 EDD RD	SUSTAITA FAUSTINO
18	2521 EDD RD	MESSICK DONALD R & RUTH C
19	13127 KLEBERG RD	HAWES DAVID JOHN
20	13117 KLEBERG RD	HOLLAND EARLENE P
21	13232 ELMSPRING RD	DELONG LAWRENCE H
22	13105 KLEBERG RD	DAVILA PABLO &
23	13105 KLEBERG RD	DAVILA PABLO & MARIA R
24	2879 EDD RD	TREJO MARTIN SOCORRO &
25	12905 KLEBERG RD	SHETH HEMANG A
26	2836 EDD RD	ANDERSON DIANN

11/29/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2830 EDD RD	JONES PATRICK & FELICIA
28	2826 EDD RD	WASHINGTON DONALD &
29	2822 EDD RD	DALLAS AREA HABITAT FOR
30	2805 SPANISH BAY LN	MOGG ANDREW J
31	2809 SPANISH BAY LN	HERNANDEZ ALEX & CYNTHIA
32	2813 SPANISH BAY LN	ESTRADA EDUARDO ERIC
33	2817 SPANISH BAY LN	ERIKEN FLORENCE
34	2821 SPANISH BAY LN	RANGEL ESTEBAN
35	2612 CYPRESS POINT DR	PEREDES JOSHUA &
36	2616 CYPRESS POINT DR	RAMIREZ ERNESTO
37	2620 CYPRESS POINT DR	ALEXANDER BARBARA A
38	2624 CYPRESS POINT DR	RHODES TAMEJI D
39	2628 CYPRESS POINT DR	ARRIAGA ALBERTO R
40	2632 CYPRESS POINT DR	ASENCIO MILTON
41	2636 CYPRESS POINT DR	FORNEA LYDIA
42	2640 CYPRESS POINT DR	MORENO ELIAS
43	2717 HYATT CT	HERRERA ZARON JORGE ALBERTO
44	2713 HYATT CT	BROWN BRENDA
45	2709 HYATT CT	LUNA CARLOS A
46	2705 HYATT CT	GARCIA RAMIRO &
47	2701 HYATT CT	RIOS SALOMON G & CLAUDIA M
48	2702 HYATT CT	RUSSELL STEPHANIE
49	13208 PINE VALLEY DR	MCKINNEY JOHN CALVIN JR
50	13204 PINE VALLEY DR	WILLIAMS DIANA DENISE
51	13203 ALSATIAN CT	MALONE ASHLEY
52	2643 CYPRESS POINT DR	SIMS ANDREW D
53	2639 CYPRESS POINT DR	MAYES SANDRA D
54	2635 CYPRESS POINT DR	PINEDA JAYSON
55	2631 CYPRESS POINT DR	ALVARADO MARGARITA
56	2627 CYPRESS POINT DR	ZAMUDIO FABIAN SOCORRO
57	2623 CYPRESS POINT DR	VALDEZ BARNEY & LINDA

Z156-290(SH)

11/29/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2619 CYPRESS POINT DR	LARKIN QUINNTUS A & TANYA E
59	2615 CYPRESS POINT DR	BIBLE INVESTMENTS LLC
60	2611 CYPRESS POINT DR	DHEENATHAYALU UMASHANKER
61	2840 EDD RD	ROBLEDO NOE & ESMERALDA

Planner: Warren F. Ellis**FILE NUMBER:** Z145-209(WE) **DATE FILED:** December 23, 2014**LOCATION:** East line of Trunk Avenue, north of Elm Street**COUNCIL DISTRICT:** 2 **MAPSCO:** 46J**SIZE OF REQUEST:** Approx. 1.82 acres **CENSUS TRACT:** 204

APPLICANT / OWNER: Trail Cotton Properties, Ltd.**REPRESENTATIVE:** Rob Baldwin
Baldwin and Associates**REQUEST:** An application for a Specific Use Permit for an open-enrollment charter school on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side District with a H/30 Overlay.**SUMMARY:** The purpose of this request is to allow for the Continental Gin Company building to be used for an open-enrollment charter school [Pegasus Charter School]. The existing structure is within a City of Dallas Historic Overlay. The student enrollment will consist of kindergarten to sixth grade.**STAFF RECOMMENDATION:** Denial**PREVIOUS ACTION:** On December 1, 2016, and December 15, 2016, the City Plan Commission held this under advisement until January 19, 2017, to allow the applicant to update the traffic management Plan.

BACKGROUND INFORMATION:

- The request site is developed with a 19,766 square foot structure that is a City of Dallas Landmark.
- On January 27, 1987, the City Council established preservation criteria for structures that are located within the property of the Continental Gin Complex [See attachment for properties that are located within the complex].
- The applicant's request for a Specific Use Permit No. for will allow for the operation of an open-enrollment charter school for approximately 34 classrooms for grades kindergarten to sixth.
- In March 2008, a portion of Trunk Avenue was conveyed to the applicant. The applicant proposes to use a portion of Trunk Avenue to meet their off-street parking requirements.
- The surrounding land uses consist primarily of office uses, residential uses and warehouses uses. The properties north of the site consist of the DART light rail and Baylor Hospital [PDD No. 749].

Zoning History: There have been over ten zoning changes that have occurred in the past five years in Planned Development District No. 269, the Deep Ellum/Near East Side District. The list below only identifies the cases that are located on the zoning map.

1. Z123-267 On May 27, 2014, the City Council approved an amendment for certain use regulations and development standards in Planned Development District No. 269.
2. Z156-245 On September 14, 2016, the City Council approved a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to live music venue at the southeast corner of Commerce Street and Murray Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Trunk Avenue		Variable width r-o-w	Variable width r-o-w
Elm Street	Local	70 ft.	70 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 269, Tract A H/30 Historic Overlay	Vacant structure
North	PDD No. 749, Tract A	Baylor Hospital, DART light rail
South	PDD No. 269, Tract A	Electrical substation, Multifamily (under construction)
East	PDD No. 269, Tract A	Multifamily, Office
West	PDD No. 269, Tract A	Warehouse

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 269 - existing	0'	0'/0'	4.0 to 6.0	200'	0%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

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 proposed open-enrollment charter school is located on the outer perimeter of the central business district and is considered to be an urban school. Schools are encouraged to be located within an urban environment. The request site is within the Downtown Building Block where it states that "civic and open spaces provide an inviting atmosphere for pedestrians as well as a diversity of uses, generating activity throughout the day and evening."

LAND USE**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.1 Restore Downtown Dallas as the economic and cultural heart of North Central Texas.

Implementation measure 2.3.1.4 Maximize the city's unique building fabric by encouraging the reuse of historic buildings.

STAFF ANALYSIS:

Land Use Compatibility: The 1.82 acre site is developed with a two story, 19,766 square foot building that is an Historic structure. The applicant proposes to use one of the Continental Gin Complex for the school to serve kindergarten to sixth grade students. The maximum enrollment is proposed to be approximately 320 students. The request site is adjacent to a DART light rail line to the north, and office and residential uses to the south and east of the site. The property to the west of the site, across Trunk Avenue, is developed with a warehouse use.

The applicant proposes to use a portion of the property that is adjacent to an office parking lot for a play area. In addition, a portion of Trunk Avenue, which is owned by the applicant, will be used for off-street parking and queuing for drop-off and pick-up of the students. The portion of Trunk Avenue is now a private drive only for this property.

Even though the proposed open-enrollment charter school is located within an urban environment, staff recognized that schools are important to the City's urban fabric, but the safety of the students is paramount. Given that the main circulation to drop-off and pick-up students is on a private drive and the Traffic Management Plan show the school's administration will stagger the drop-off and pick-up times, staff can support the request from a land use perspective. However, from a traffic safety operational viewpoint, the Mobility and Street Services Department has some concerns regarding the traffic flow and queuing.

The applicant has submitted a Traffic Management Plan that shows that the proposed school will provide no queuing on the City right-of-way and ensure the safety of the children during the drop-off and pick-up times. The Mobility and Street Services Department has determined after receiving an updated Traffic Management Plan that there will be queuing on the City's right-of-way as a result of traffic flow on Elm Street. On March 28, 2012, the City Council approved an amendment to the thoroughfare plan converting Elm Street from a one-way street to a two-way street. The Mobility and Street Services Department stated that the "traffic congestion that will occur when the queue line spills on Elm Street, association with the soon conversion of Elm Street to two-way operation will make this a very undesirable situation."

Due to the safety operation and potential queuing in the City's right-of-way, staff cannot support the applicant's request for a Specific Use Permit for an open-enrollment charter school,

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing

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

Landscaping: Landscaping will not be triggered because the site is not increasing any impervious surface by 35 percent of the total floor area.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the applicant's Traffic Management Plan (TMP) and determined that the proposed development may have a negative impact on the surrounding street system. In addition, the Mobility and Street Service of Transportation Safety Operations has reviewed the TMP and is recommending denial of the request.

Parking: The requirement for off-street parking for the school is derived by two criteria: 1) the number of classrooms and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The requirements for off-street parking are as follows:

- one and one-half spaces for each elementary school classroom,

Based on the 34 classrooms that are proposed for the open-enrollment charter school, the applicant is required to provide 51 spaces. In addition, the applicant has indicated that the site has approximately 64 delta credits and therefore will not have to provide any of the required off-street parking for the open-enrollment charter school. Delta credits are established when the off-street parking ratio from a previous development code is less restrictive than the current code. The difference in the number of required off-street parking spaces is the delta credits, which are carried over to the proposed main use. The applicant will have to verify the delta credits to the Building Official prior to receiving a certificate of occupancy.

In addition, the applicant is providing 24 spaces within the private drive and is shown on the site plan. In the event that the Building Official does not determine delta credits exist, there are provisions in PDD No. 269 for parking reductions for on-street parking and proximity to a DART station and the distance for a remote parking lot.

Parking reduction for proximity to DART stations. The off-street parking requirement for uses located within one-fourth mile of a DART rail line may be

Z145-209(WE)

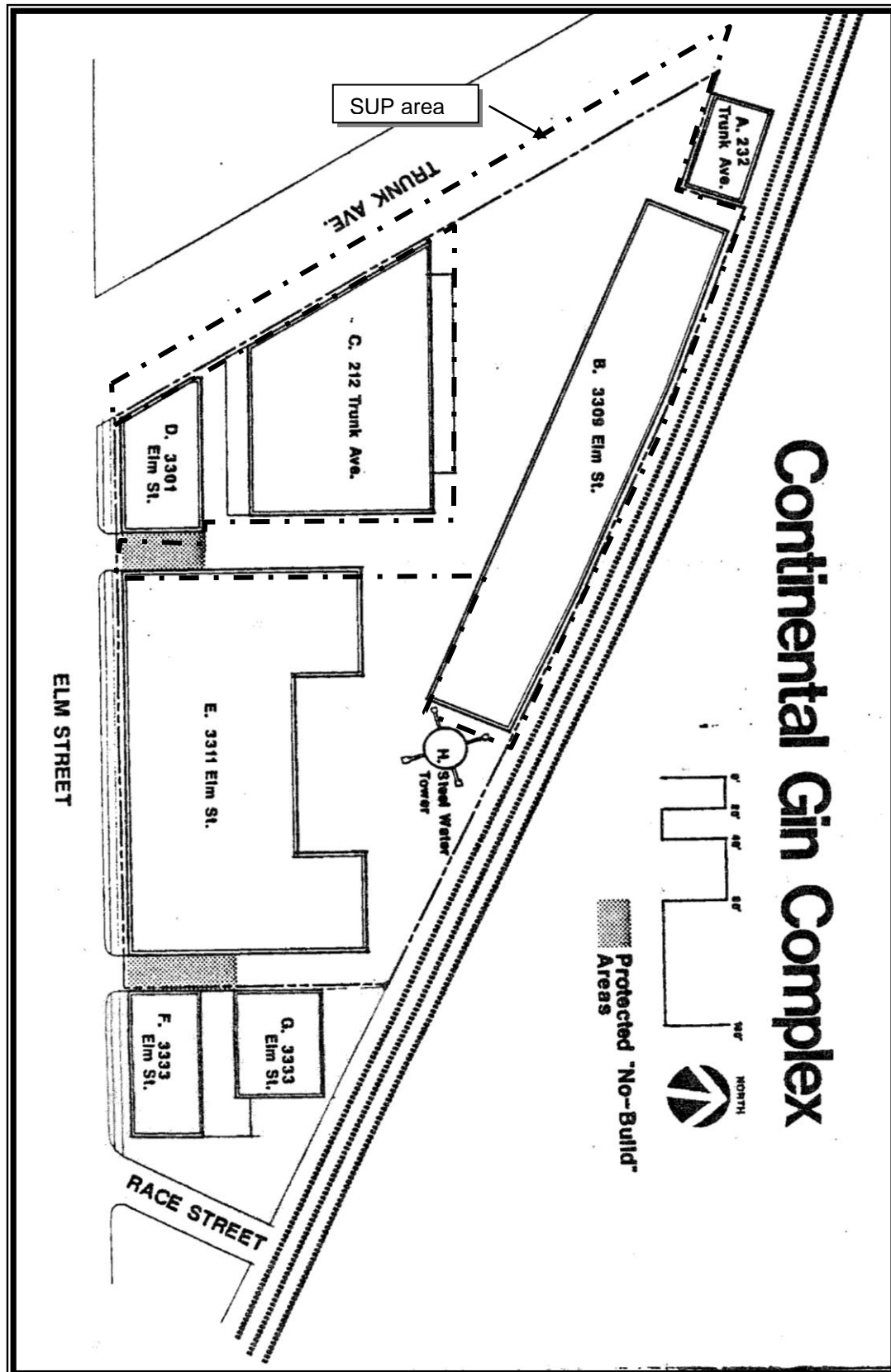
reduced by 10 percent. The request site is approximately 696.69 feet of the DART station. If the applicant receives a 10 percent reduction of off-street parking, the number of parking spaces required is 46 spaces.

Remote parking. Remote parking may be located on a separate lot that is within the following walking distance of the use served by the remote parking: The remote parking may be located within 1,200 feet if the use is located in an original building.

Landmark Commission. All exterior repairs, alternations and additions to the Continental Gin Company site will require a Certificate of Appropriateness (CA). The applicant is not proposing to alter the Continental Gin building but will have interior repairs.

Traffic Management Plan: On January 10, 2017, the applicant submitted a revised TMP for staff's review as a result of the Mobility and Street Services Department's comments to recommend denial of the applicant's request. The report was submitted after the deadline for staff to adequately review the report and as a result, the Mobility and Street Services Department has not reviewed and provided comments to staff. The TMP that is included in the docket material is the report the Engineering Division of the Sustainable Development and Construction Department and Mobility and Street Services Department reviewed.

Continental Gin Complex
Local Historic Registration



**LIST OF
PARTNER/PRINCIPALS/OFFICERS
Pegasus Charter School**

General Partner

- John C. Tatum Jr.

Limited Partners

- Wm. Bennett Cullum
- John C. Tatum Jr.
- Bart Wade

APPLICANT'S PROPOSED SUP CONDITIONS
--

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.

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

3. TIME LIMIT: This specific use permit expires on _____(five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)

4. CLASSROOMS: The maximum number of classrooms is 34.

5. HOURS OF OPERATION: The open-enrollment charter school may operate between the 7:00 a.m. and 5:00 p.m., Monday through Friday. During a school event, the hours of operation may be extended to 10:00 p.m.

6. TRAFFIC MANAGEMENT PLAN:

A. In general. Operation of an open-enrollment charter school must comply with the attached traffic management plan.

B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way

C. Traffic study.

i. 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, 2018**. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each odd-numbered year.

ii. 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.

iii. 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.

D. Amendment process.

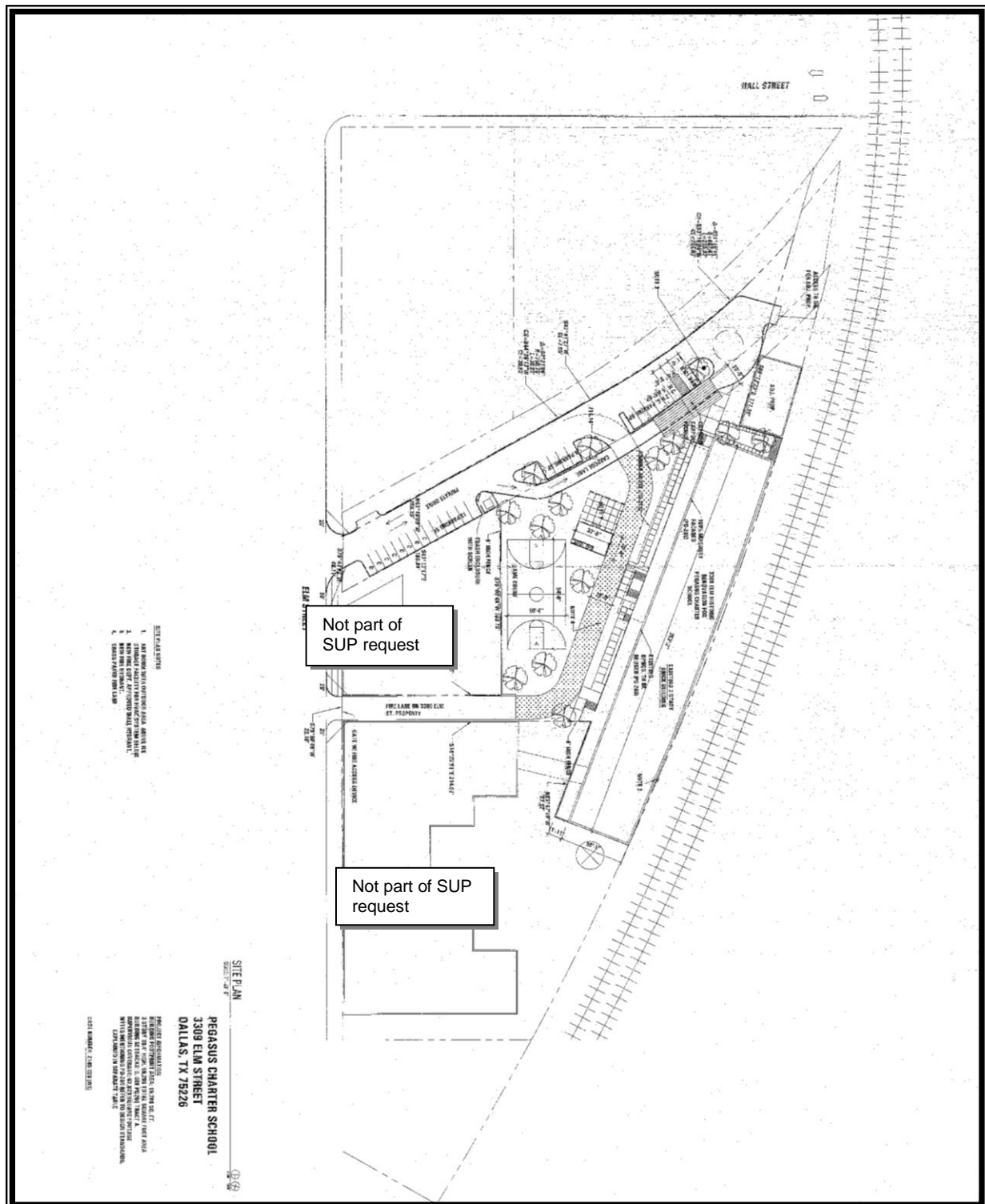
i. A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

ii. 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.

7. MAINTENANCE: The 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.

PROPOSED SITE PLAN



TRAFFIC MANAGEMENT PLAN FOR
PEGASUS SCHOOL
OF LIBERAL ARTS AND SCIENCES
DALLAS, TEXAS

DeShazo Project No. 15094

Z145-209(WE)

Prepared for:

Baldwin Associates

3904 Elm Street, Suite B
Dallas, Texas 75226

Prepared by:

DeShazo Group, Inc.

Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

December 6, 2016



Traffic Management Plan for
Pegasus School of Liberal Arts and Sciences
~ DeShazo Project No. 15094 ~

Table of Contents

PRELIMINARY SITE PLAN.....	ERROR! BOOKMARK NOT DEFINED.
INTRODUCTION.....	15
TRAFFIC MANAGEMENT PLAN	15
<i>School Operational Characteristics</i>	16
<i>Site Access and Circulation</i>	17
<i>Passenger Unloading/Loading</i>	17
<i>Vehicle Queuing</i>	17
<i>Recommendations</i>	18
SUMMARY	19

LIST OF TABLES:

Table 1. Proposed School Operational Characteristics

Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

LIST OF EXHIBITS:

Exhibit 1. Recommended Site Circulation Plan

APPENDIX

Technical Memorandum

To: Jennifer Hiromoto — Baldwin Associates
Cc: Pegasus School of Liberal Arts and Sciences
From: DeShazo Group, Inc.
Date: January 12, 2017
Re: Traffic Management Plan for Pegasus Charter School in Dallas, Texas
DeShazo Project Number 15094; Z145-209(WE)

INTRODUCTION

The services of **DeShazo Group, Inc. (DeShazo)** were retained by **Baldwin Associates** to prepare a traffic management plan (TMP) for the proposed relocation of the lower school grades of the **Pegasus School of Liberal Arts and Sciences** (“the school”). DeShazo is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering.

Pegasus Lower School (grades K-7th) is currently located at 1222 Commerce Street in downtown Dallas. The school administration is planning to relocate 600 of these students to a new campus located at 3309 Elm Street in Dallas, Texas. A proposed site plan, prepared by TKTR Architects, is provided as reference in this report.

The proposed school site is located in Planned Development 269. Zoning provisions permit the development of an open-enrollment charter school under specific stipulations of a Specific Use Permit. As part of the approval process, the City of Dallas requires submittal of a TMP as a record of the preferred traffic control strategies and to ensure safe and efficient traffic operations. The plan is intended to assess anticipated traffic conditions during the morning drop-off and afternoon pick-up activities on the basis of satisfying these objectives. By consent of the TMP submittal, the school agrees to the strategies presented herein. In addition, the school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

TRAFFIC MANAGEMENT PLAN

A TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up operations. By properly managing the vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel—including walking—will also inherently

improve. The TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

The analysis summarized below identifies the projected vehicle demand—including parking and queuing space (i.e. vehicle stacking)—needed on site to accommodate projected school traffic demands during peak periods. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations. DeShazo insists that the use of designated parking and queuing areas is necessary to minimize the operational impact on the adjacent properties and the public street system.

School Operational Characteristics

Table 1 summarizes the proposed operational characteristics for Pegasus Charter School:

Table 1. Proposed School Operational Characteristics

Student Enrollment:	600 students (K-7 th grade)
School Households:	500 families
School Staff:	40 staff members
Daily Arrival Schedule	Early Arrival > 7:00 AM (30%) Normal Arrival > 7:30 AM (70%)
Daily Departure Schedule	1 st Dismissal > 3:30 PM (25%) 2 nd Dismissal > 4:00 PM & 4:10 PM (43%) 3 rd Dismissal > 5:15 PM (32%)
Students Travelling by Modes Other Than Drop-off/Pick-up (estimated):	By School Bus0% By Walking0% By Self-Driving0% By Transit30%

NOTE #1: Existing operations were not considered in the evaluation of these conditions. All recommendations are based on information provided by the client and supplemented by DeShazo's professional judgment and experience with other similar projects.

NOTE #2: The subject site is directly served by DART bus routes 60 and 76. DART Green Line's Baylor University Medical Center station is also located less than 1,500 feet away. Considering the site's convenient access to public transit, it would be reasonable to misjudge the actual ridership. According to school records, public transit ridership at their existing campus ranges from 33-45% on a regular basis. School provides free DART passes to all students to encourage public ridership. For purposes of this study, thirty percent of the student households represented in student enrollment was assigned to public transit.

NOTE #3: School may hold occasional events that generate traffic outside of traditional peak periods. While some measures presented in this report may apply to such cases, this analysis evaluates traffic characteristics associated only with traditional school peak periods.

Site Access and Circulation

A single driveway on Elm Street will provide access to the proposed school site. Elm Street is a two-lane public roadway. It currently operates as a one-way (westbound) street but is proposed to be converted into a two-way road. Passenger vehicles will enter the school from Elm Street and proceed to form a queue towards the loading/unloading area. The queue will operate as a single line of vehicles with the opportunity to exit the queue and park before reaching the loading/unloading area. The unloading/loading area will not provide a second (i.e. escape) lane; vehicles must exit sequentially once passenger vehicles enter the loading/unloading area. Egress traffic will drive back along the driveway towards Elm Street.

Passenger Unloading/Loading

During morning drop-off periods, vehicular traffic will enter the school site to unload students directly at the unloading areas. Alternatively, parents may also be permitted to proceed towards the visitor-designated parking stalls and walk students to the building. During pick-up periods, vehicular traffic will again drive into the parking lot and either enter the queue line to load passengers or park in a designated visitor parking space to wait for the student(s) to arrive. Parked parents may choose to walk to the building to greet their child.

DeShazo recommends that Pegasus Charter School implements a semi-managed loading protocol during the afternoon pick-up periods, whereby vehicles enter and circulate through a generally prescribed route and form a systematic queue. Students will be released from school at specified dismissal times. School staff will assist in paring students with their parents' vehicles by actively managing the loading process. School staff will also be positioned at strategic locations ahead of the pick-up areas to relay the sequence of parent arrival back to the loading zone. School will potentially load several vehicles simultaneously with the assistance of staff stationed at the loading area. Once loaded, vehicles are cleared by school staff to carefully egress along the designated route.

Vehicle Queuing

The goal for any school is to accommodate all vehicular queuing and drop-off/pick-up procedures on private property. A standardized technique for projecting necessary queue length does not exist; however, DeShazo has developed a proprietary methodology for estimating peak vehicular queue based upon historical studies conducting at various similar school sites.

Maximum queues at schools consistently occurs during the afternoon peak period when students are being picked-up—the morning period is typically not a significant traffic issue since drop-off activities are more temporally distributed and occurs much

more quickly than student pick-up. The projected peak number of vehicles during each dismissal time is provided in **Table 2**.

Table 2. Peak On-Site Vehicle Demand during Afternoon Pick-Up Period

	1st Dismissal 3:30 PM (25% of total enrollment)	2nd Dismissal 4:00 & 4:10 PM (43% of total enrollment)	3rd Dismissal 5:15 PM (32% of total enrollment)
Peak Vehicle Accumulation:	242 LF (11 cars)	418 LF (19 cars)	308 LF (14 cars)
On-Site Capacity:	400 LF (18 cars)	400 LF (18 cars)	400 LF (18 cars)
Resulting Surplus:	158 LF (7 cars)	-18 LF (<1 car)	92 LF (4 cars)

Recommendations

Traffic delays and congestion during the afternoon pick-up period is notably greater than the traffic generated during the morning drop-off period due to timing and concentration characteristics. In most instances, achieving efficiency during the afternoon period is most critical, while the morning traffic operations require nominal active management. The following recommendations are provided by DeShazo to Pegasus Charter School for the management of vehicular traffic generated by the school during peak traffic conditions. Recommendations provided herein pertain specifically to the afternoon period operations.

The full cooperation of all school staff members, students, and parents is crucial for the success of any traffic management plan. Proper training of school staff on duties and expectations pertaining to the plan is recommended. Sufficient communications at the beginning of each school term (and otherwise, as needed) with students and parents on their duties and expectations is also recommended. In general,

- To maximize personal safety, passenger loading and unloading within public right-of-way should be avoided at all times.
- To minimize liabilities, no persons other than deputized officers of the law should engage or attempt to influence traffic operations in public right-of-way, particularly on Elm Street, across DART rail lines and the intersection of Hall Street and Crutcher Street/CBD-Fair Park Link.
- To the extent possible, all queuing and parking should be accommodated within the school site boundaries. For circumstances where this cannot be avoided, coordination with City staff responsible for traffic operations in the area should take place so that appropriate mitigation measures can be investigated.
- To maintain a proper circulation, temporary traffic cones shall be installed on a daily basis when typical traffic conditions are expected. An appropriate number of school staff shall be assigned to fulfill the duties of student supervision, on-site traffic control, and other related duties as depicted on the plan.

- To optimize traffic operations, parking stalls should be clearly marked for parents and visitors to identify reserved parking. The recommended parking assignment shown in Exhibit 1 is meant to assign school staff (i.e. reserved) to spaces that may potentially be blocked by ingress queue under the assumption that those school staff do not depart the campus during student pick-up period(s).
- To provide safe conditions for pedestrians walking to/from the nearby DART station, it is recommended to maintain pedestrian access on Hall Street at all times. At the discretion of the school, off-duty police officers may also be commissioned by the school to provide additional safety within public right-of-way.
- To avert off-site queuing, it is recommended that the school permits vehicular access to the campus during school hours. Restricting access to vehicles prior to student dismissal times will result in off-site loitering and on-street queuing.

Summary

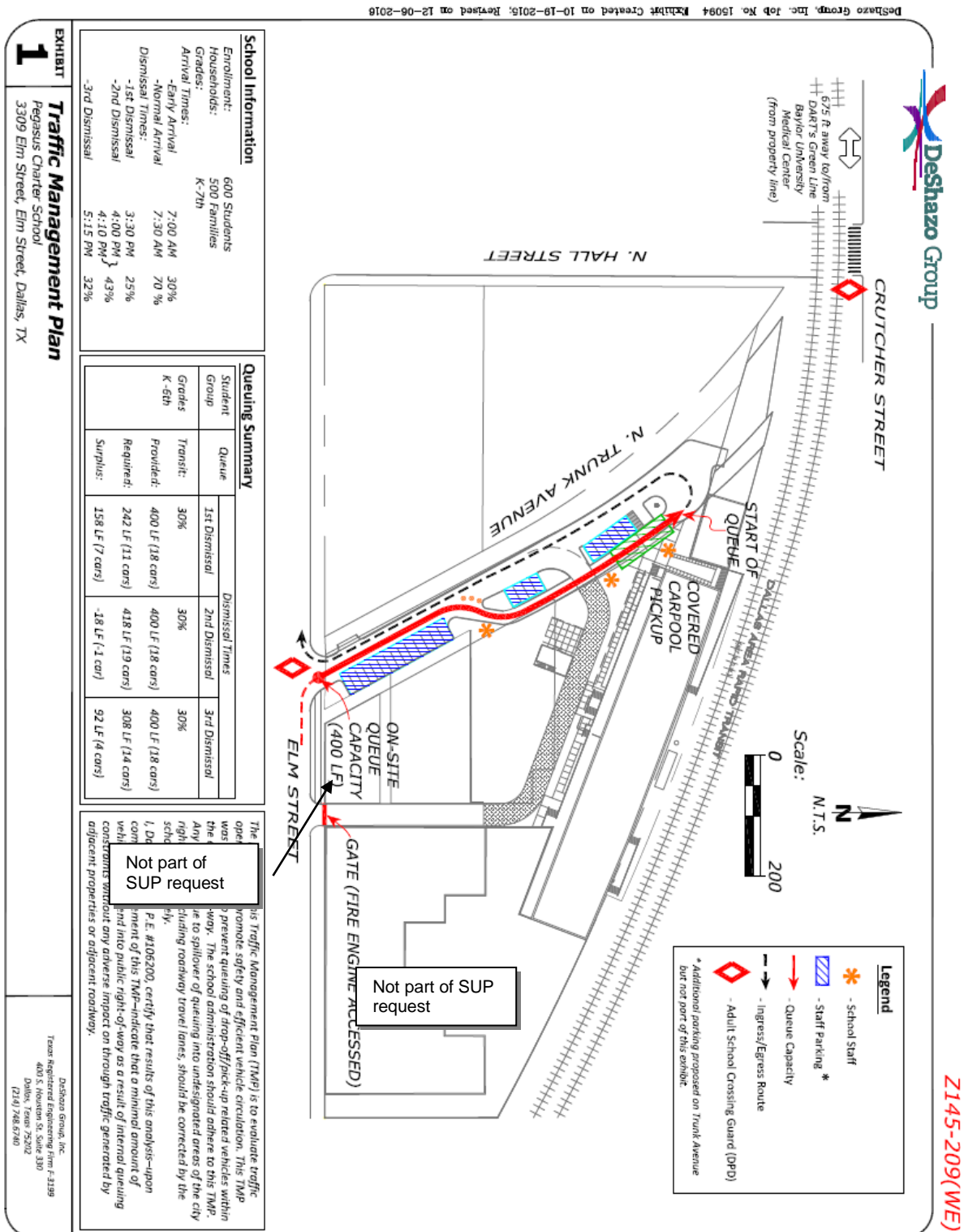
The site traffic circulation plan depicted in **Exhibit 1** is recommended based upon DeShazo's review of the proposed site conditions and the anticipated needs of traffic during peak conditions. This plan was designed with the intent of optimizing on-site vehicular circulation and retaining vehicle queuing in a manner that promotes safety and operational efficiency.

The recommended plan provides 400 linear feet of on-site vehicular queuing or storage for up to 18 vehicles at 22 feet per vehicle plus 17 on-site, unreserved parking spaces. A total capacity of 35 vehicles is expected to accommodate the projected vehicle demand of 11 vehicles during the 1st dismissal at 3:30 PM, 19 vehicles during the 2nd dismissal at 4:00-4:10 PM and 14 vehicles during the 3rd dismissal at 5:15 PM. School staff parking should remain available (reserved) at all times.

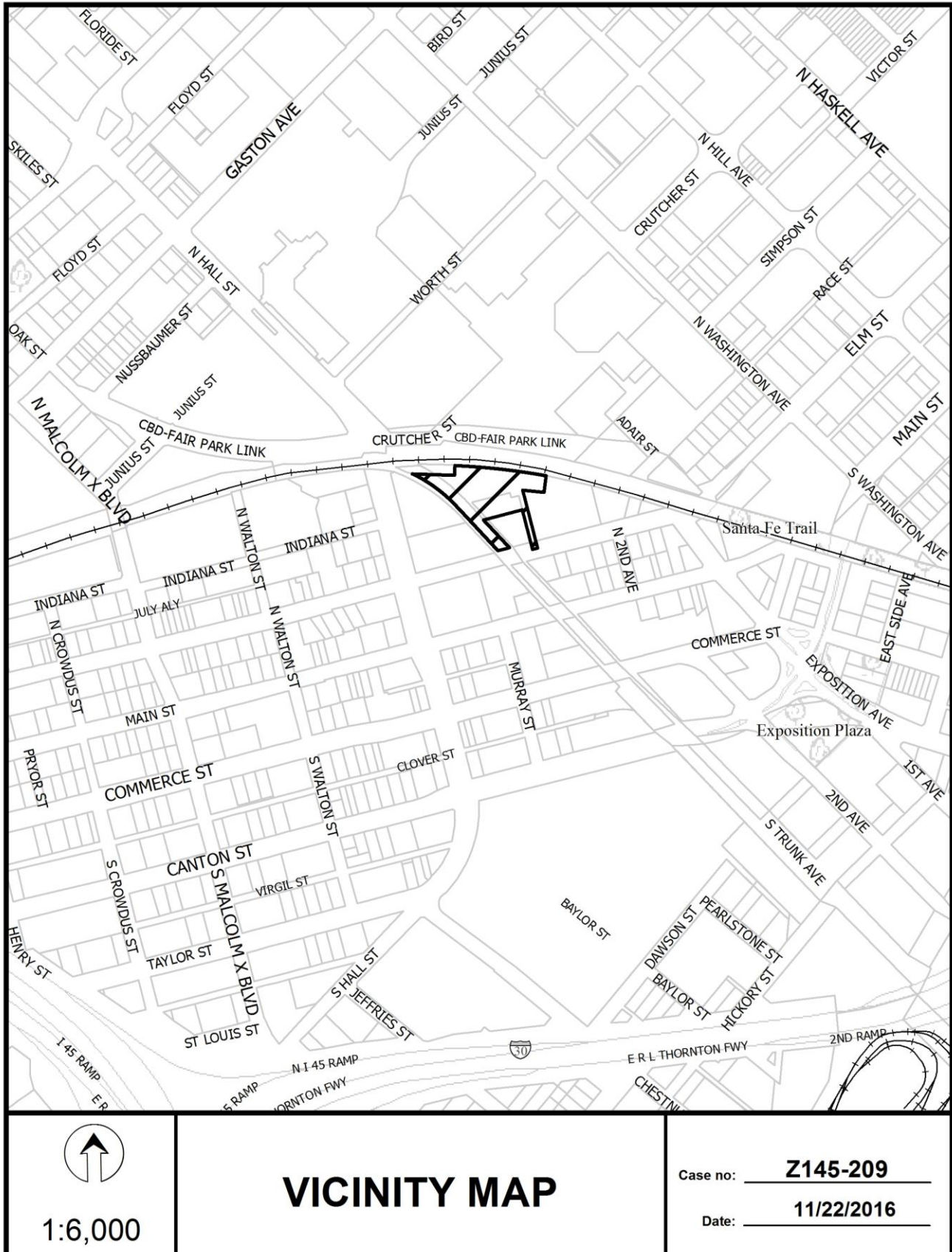
This TMP is to be used by Pegasus Charter School to provide safe and efficient transportation of students, staff, and faculty to and from the site. The plan was developed with the intent of optimizing safety and efficiency and the goal of accommodating vehicular traffic generated by the school at peak traffic periods within the site. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness.

END OF MEMO

Traffic Management Plan Circulation plan

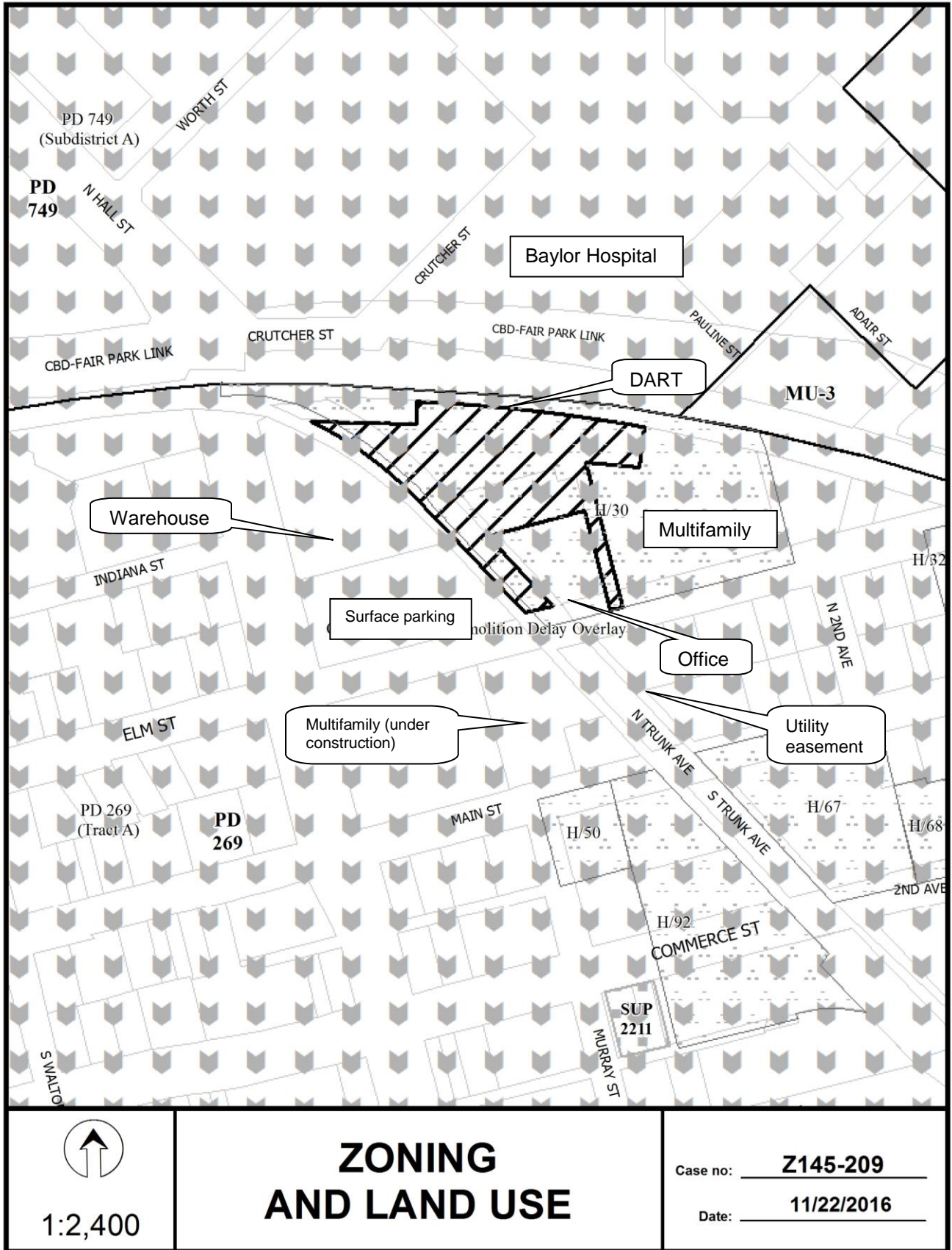


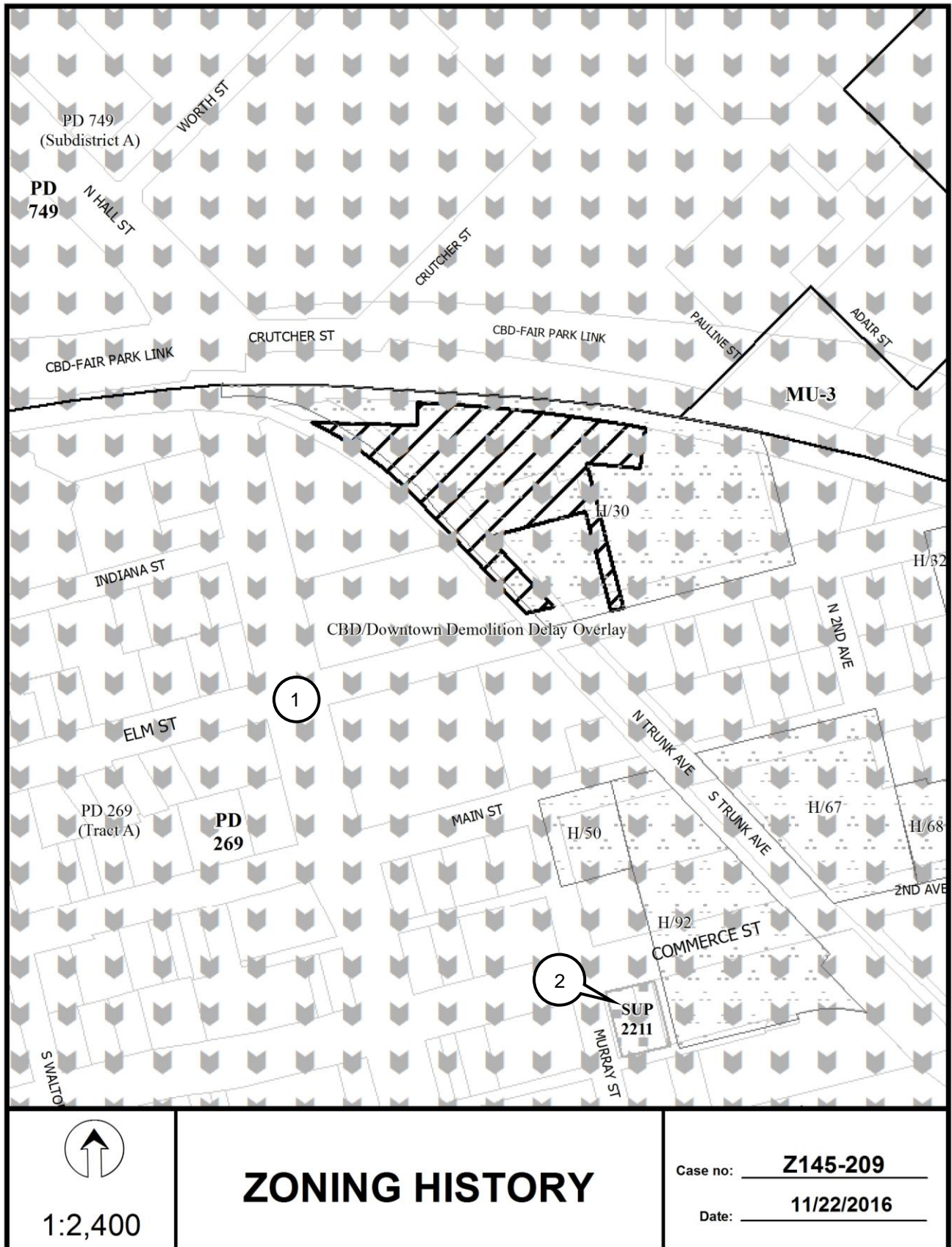
Z145-209(WE)

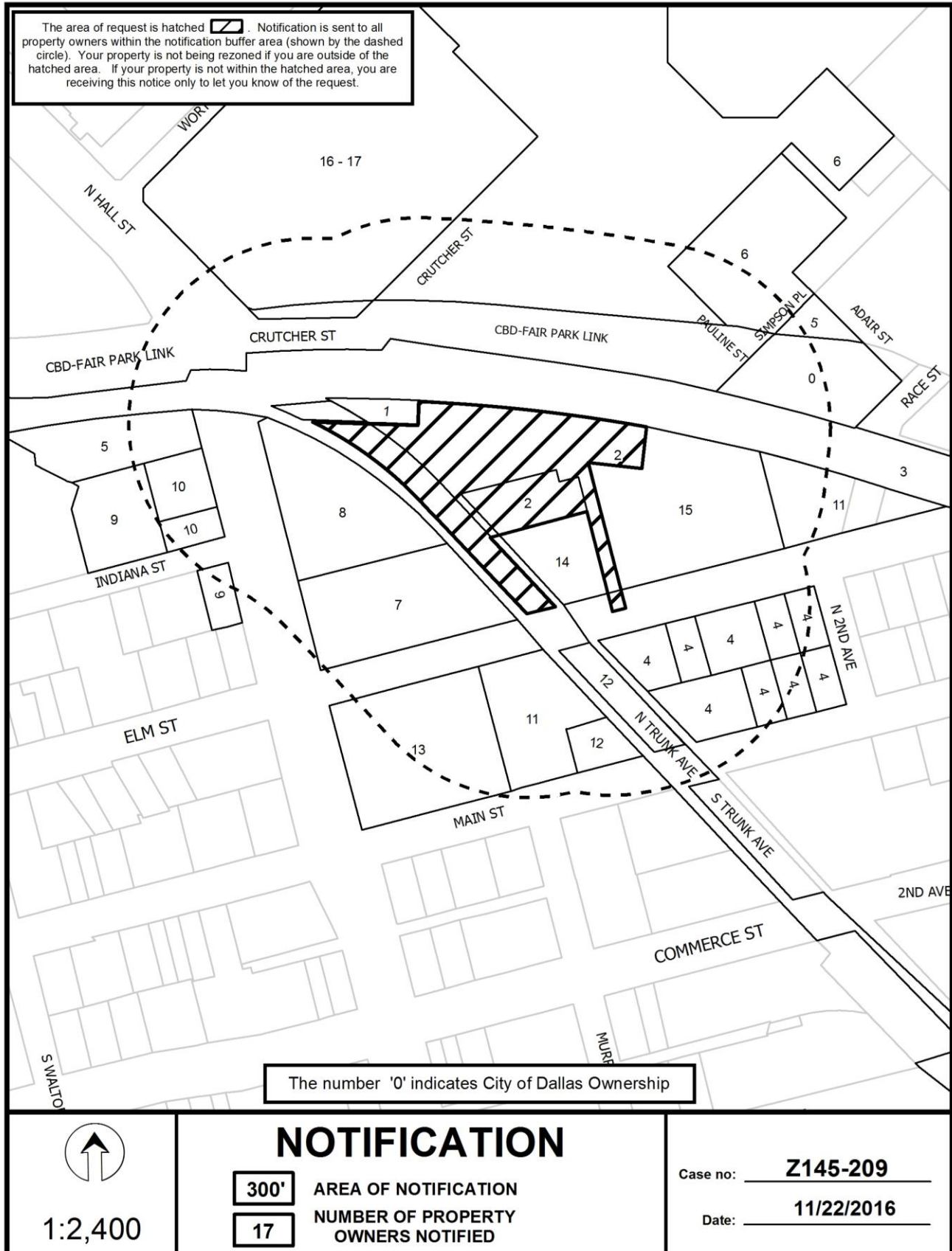


Z145-209(WE)









Notification List of Property Owners

Z145-209

17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	232 TRUNK AVE	STAHL PATRICIA L
2	3309 ELM ST	TALL COTTON PPTIES LTD
3	555 2ND AVE	DART
4	3302 ELM ST	TEXAS UTILITIES ELEC CO
5	3711 RACE ST	BAYLOR HEALTH CARE SYSTEM
6	3700 SIMPSON ST	BAYLOR HEALTH CARE SYSTEM
7	210 N HALL ST	BAYLOR HEATH CARE SYSTEM
8	334 N HALL ST	BAYLOR HEALTH CARE SYSTEM
9	3300 INDIANA ST	BAYLOR HEALTH CARE SYSTEM
10	309 N HALL ST	BAYLOR HEALTH CARE SYSTEM
11	3202 ELM ST	WESTDALE PROPERTIES
12	100 N TRUNK AVE	WESTDALE PPTIES AMERICA I
13	3101 MAIN ST	3101 MAIN LP
14	3301 ELM ST	DICKENSON DANIEL
15	3311 ELM ST	WESTDALE DEEP ELLUM LOFTS
16	3410 WORTH ST	BAYLOR HEALTH CARE SYSTEM
17	3410 WORTH ST	RREAL EST TAX ADVISORS LLC

Planner: Warren F. Ellis

FILE NUMBER: Z145-301(WE) **DATE FILED:** July 17, 2015
LOCATION: State Highway 310 and Linfield Road, northeast corner
COUNCIL DISTRICT: 7 **MAPSCO:** 56Q, 56U, 56V
SIZE OF REQUEST: Approx. 74.74 acres **CENSUS TRACT:** 86.03

APPLICANT / OWNER: St. Louis S. W. Railway Co. Union Pacific %Erik Omar

REPRESENTATIVE: Maxwell Fisher, MASTERPLAN

REQUEST: An application for 1) a Planned Development District for commercial, industrial and transportation uses, 2) an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant, 3) a Specific Use Permit for two industrial (outside) potentially incompatible use for concrete batching plants [Tract I and Tract III], 4) terminate Specific Use Permit No. 1613 for an industrial (outside) not potentially incompatible use for a concrete batch plant, and 5) terminate deed restrictions [Z078-204] on property zoned an IR Industrial Research District with a Dry Overlay on a portion and Specific Use Permit No. 1613 on a portion; a CS Commercial Service District with a Dry Overlay on a portion and Specific Use Permit No. 1602 on a portion; and an IM Industrial Manufacturing District with a Dry Overlay on a portion, Specific Use Permit No. 1715 on a portion and deed restrictions on a portion.

STAFF RECOMMENDATION:

Approval of a Planned Development District for commercial, industrial and transportation uses, subject to a conceptual plan and conditions, approval of an amendment to Specific Use Permit No. 1715 for an asphalt batch plant for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions, approval of a Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract I for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions, approval of an Specific Use Permit for an industrial (outside) not potentially incompatible use for a concrete batch plant on Tract III for a ten-year period with eligibility for automatic renewal for one ten-year period, subject to a site/landscape plan and conditions, approval of the termination of Specific Use Permit No. 1613 and termination of deed restrictions on a portion and approval of the termination of deed restrictions [Z078-204].

PREVIOUS ACTION: On December 15, 2016, the City Plan Commission held this case under advisement until January 19, 2017, to allow the representative to meeting with the adjacent neighborhood groups.

BACKGROUND INFORMATION:

- The purpose of the request is to allow for a concrete batch plant to continue to operate and allow for two additional batch plants to operate on site. The applicant is also requesting to terminate an SUP that allows for the operation of a batch plant on the northern portion of the site as well as deed restrictions that are on a portion of the site. The deed restrictions prohibit specific lodging and industrial uses on a portion of the property.
- The applicant's request for a Planned Development District for commercial, industrial and transportation uses will allow the site to be governed under cohesive development regulations. Currently, there are three zoning districts that are located throughout the site: CS Commercial Service District, IR Industrial Research District, and an IM Industrial Manufacturing District.
- The existing rail yard has served as a rail hub for Union Pacific Railroad since the turn of the 20th century. The site is currently being used to transport various types of materials to various destinations in the city. A large portion of the site is paved, but is undeveloped.
- On June 25, 2008, the City Council approved a Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant for a five year period and approved deed restrictions prohibiting specific lodging and industrial type uses on site.
- On June 26, 2013, the City Council approved an amendment to Specific Use Permit No. 1715 for a ten year period with eligibility for automatic renewals for additional ten year periods.
- On February 5, 2015, the City Plan approved a minor amendment to the site plan for the location of natural gas and vaporization tanks to facilitate the process for the batching plant operations.
- The applicant has proposed to operate three batching plants on site; two new concrete batching plants and one asphalt batching plant [existing]. These plants will be contiguous to one another and will be located adjacent to the western property line, near South Central Expressway. To differentiate between the various three SUPs, the batch plant conditions will be identified as Tracts. The eastern portion of the site is developed with a rail line that will transport the materials from the batch plant to various destinations.

Zoning History: There has been one zoning case in the area over the past five years.

1. Z123-184 On June 26, 2013, the City Council approved an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant for a ten year period

with eligibility for automatic renewals for additional ten year periods.
[request site].

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
State Highway 301		Variable right-of-way widths	Variable right-of-way widths
Linfield Road	Principal Arterial	100 ft.	100 ft.

Land Use Compatibility:

	Zoning	Land Use
Site	IM-D, CS-D, IR-D SUP No. 1613, SUP No. 1715 with DR, SUP No. 1602,	Rail line, Asphalt batch plant
North	IR, CS	Auto related use, Great Trinity Forest
South	IR, IM	Industrial, bar
East	IR-D, IR	Rail Line, Flood Plain
West	CS	Auto related uses, hotel or motel, Commercial type uses

STAFF ANALYSIS

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

The request site is located within an area of the city that has been operating with industrial uses. A portion of the site has a rail line that transports and delivers various types of material to the City. The proposed concrete batching plants are a vital part of the industrial fabric that allows specific materials to be processed and transported to various locations throughout the City.

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

Trinity River Corridor Comprehensive Land Use Plan. In March 2005, the City Council approved the Trinity River Corridor Comprehensive land Use Plan. The site is located within a Residential Urban module, which limits uses to residential and compatible residential, office, and civic uses but references the flexibility factor for industrial-manufacturing uses are unlimited.

Land Use Compatibility: The request site is developed with an improved surface parking lot, an asphalt batching plant and a rail line that is being used to transport materials to and from the site. The applicant's request for a Planned Development District will permit the following: 1) consolidation of three zoning districts under one governing set of development standards and regulations, 2) terminate Specific Use Permit No. 1613 for a batching plant, 3) terminate existing deed restrictions that prohibited certain type of industrial and lodging uses, 4) permit two additional concrete batching plants and 5) extend time period for Specific Use Permit No. 1715. The three batch plant will have separate SUP's conditions that will allow for each operation to function separately. The request site will have two concrete batch plants that will be operated by separate tenants and an asphalt batch plant that is currently operating on site.

The request site has been an industrial site for over 70 years with an active rail line to transport various types of materials throughout the City as well as various parts of the country. The proposed consolidation of the zoning districts will allow for certain main uses to be permitted on site as well as comply with cohesive set of development standards and regulations. The proposed PDD conditions will allow for certain main uses to be permitted on site. The uses will allow the applicant some flexibility to develop the site with uses that are compatible with the adjacent land uses. In addition, consolidating the zoning district into one set of regulations will make any future development comply with one set of regulations as oppose to developing a project that is govern by several zoning regulations. The applicant believes that the IM Industrial Manufacturing District will support their future needs as it relates to the yard, space and lot regulations.

Moreover, the applicant is proposing to terminate deed restrictions that are on an existing asphalt batching plant, which is located on the northern portion of the site. The deed restrictions prohibited the following uses: Extended stay hotel or motel, Hotel or motel, Industrial (inside) not potentially incompatible, Industrial (inside) potentially incompatible, Lodging or boarding house, Medical/infectious waste incinerator, Metal salvage facility, Mining, Municipal waste incinerator, Organic compost recycling facility, Outside salvage or reclamation, and Pathological waste incinerator. The PDD conditions will prohibit a majority of the uses above except for the Industrial (inside) not potentially incompatible and Industrial (inside) potentially incompatible. The industrial (inside) type uses should not have any negative impact on the adjacent uses as a result of the materials and operations are conducted inside the facility.

In June 2013, the City Council approved an amendment to Specific Use Permit No. 1715 for an industrial (outside) potentially incompatible use for an asphalt batching plant. The applicant is requesting the terminate Specific Use Permit No. 1613 for an asphalt batch plant because the plant is no longer in operation.

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

Staff's recommendation of ten years periods with one additional ten year period will allow staff the opportunity to evaluate and monitor the various operations. The batch plants will be monitored by the City's Environmental Air and Quality Control Department. The provisions in the SUP conditions that requires ground and dust control measures.

The additional uses on site will support the operations of the UP Intermodal Terminal in Wilmer as well as provide a valuable service to the City of Dallas. The compatibility of land uses and the site's adjacency to an existing rail line allows an opportunity for the applicant to use the existing infrastructure and resources to operate the proposed uses.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office
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
IM Industrial manufacturing	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed PDD	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: Landscaping must be provided as shown on the site plan / landscape plan.

Due to the proposed development and operation of the batch plants, Article X landscaping requirements will be triggered for the entire site. Since the entire site was

developed prior to the adoption of Article X standards and is completely covered with impervious surface, the applicant is proposing to landscape the areas that are visible from the street to screen the batch plants. The chart below compares the differences between Article X requirements and the applicant's proposed landscaping of the site.

Article X Standards	Applicants Proposal
<ul style="list-style-type: none"> Typically, site trees are required at 1:4000 sf. of building site (74.74 acres = 814 trees) 	<ul style="list-style-type: none"> Site trees not required
<ul style="list-style-type: none"> Typical is all required parking spaces within 120' of a large canopy tree. 	<ul style="list-style-type: none"> Parking lot trees not required
<ul style="list-style-type: none"> Typical street tree requirement is 1:50' (1540/50 = 31 trees (within 30 feet of curb) 	<ul style="list-style-type: none"> Street trees amended to Linfield Road requirement only at 1:40 feet. No street tree requirement for SH310.
<ul style="list-style-type: none"> Two design standards are typical 	<ul style="list-style-type: none"> Design standards not required.

The PDD conditions will amend Article X standards to reflect the following:

- Street trees (10.125) would be placed along Linfield Road at 1:40'.
- A minimum 30 deep landscape buffer is required along Linfield Road.
- A minimum of 5 large canopy trees are required within 120 feet from the SH310 curb line at the main entrance.

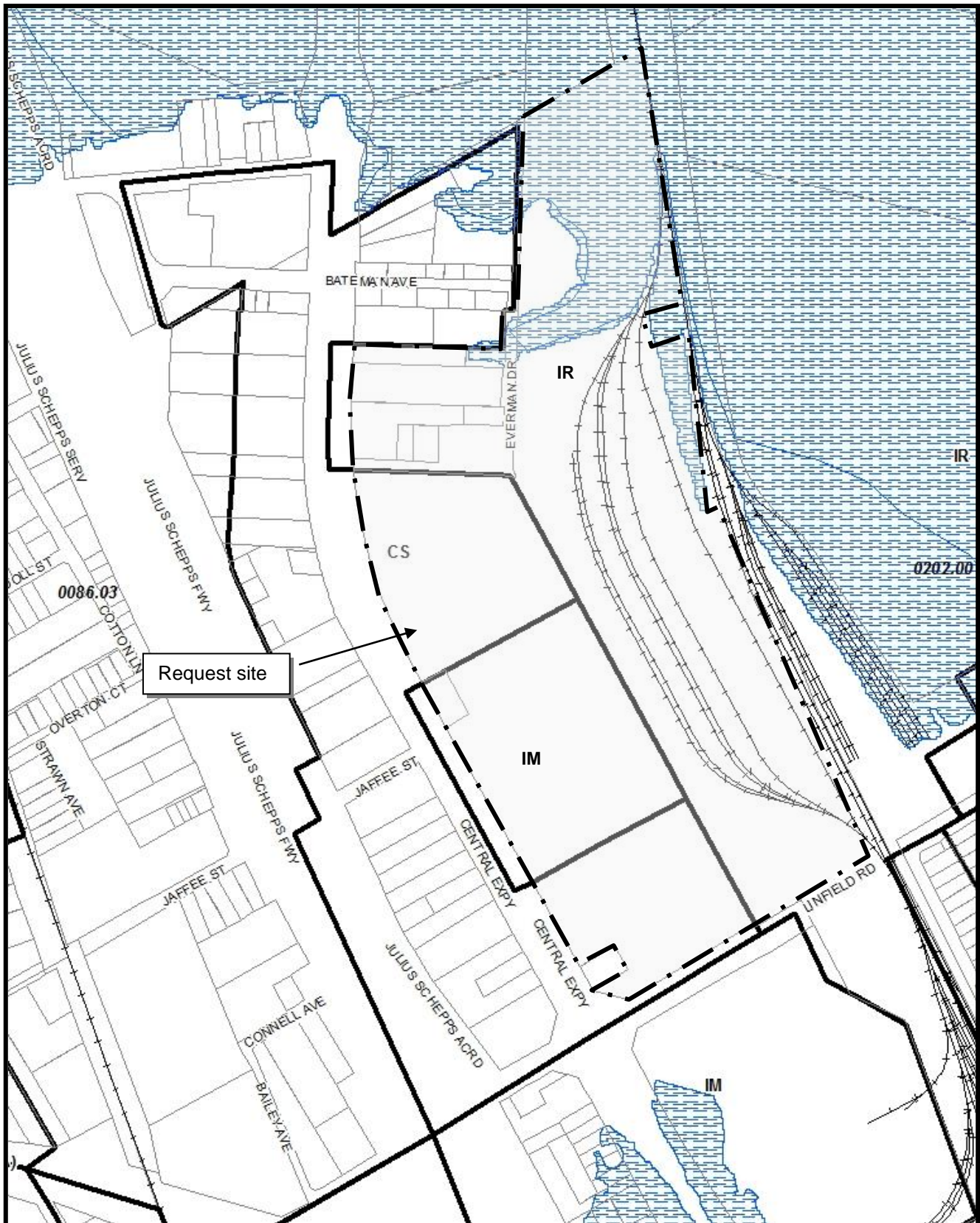
Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Parking: The Development Code requirement for off-street parking for an industrial (outside) use is one space per 600 square feet of floor area plus one space per 600 square feet of outside manufacturing area. The 1,900 square feet of office floor area that is associated with each concrete batch plant requires three off-street parking spaces. The applicant is providing three off-street parking spaces for the area identified as Tract I. As for the existing SUP No. 1715 and the area identified as Tract III, the applicant is providing more than three spaces. Staff will ask the applicant to revised the site plans to reflect the actual number of off-street parking spaces. The use does not involve outside manufacturing.

Miscellaneous – PDD conditions: The applicant is requesting a parking reduction for the Office showroom/warehouse use. The applicant is proposing one space per 333 square feet of office floor area, one space per 1,000 square feet of floor area for first 20,000 square feet of showroom/warehouse floor area, and one parking space for each 6,000 square feet of floor area in excess of 20,000 square feet of showroom/warehouse.

The Development Code requires one space per 333 square feet of office floor area, one space per 1,000 square feet of floor area for the showroom/warehouse. The applicant envisions that the request site could a use where the back office is computerized; thus, reducing the need for vehicular traffic and off-street parking.

Current Zoning Districts



<p align="center">LIST OF OFFICERS St. Louis S. W. Railway Co. Union Pacific</p>

UNION PACIFIC	
Directors	Officers
<p>Andrew H. Card, Jr. President Franklin Pierce University Higher Education</p>	<p>John J. Koraleski Chairman of the Board Union Pacific Corporation and Union Pacific Railroad Company</p>
<p>Erroll B. Davis, Jr. Former Chairman President and CEO Alliant Energy Corporation Business</p>	<p>Eric L. Butler Executive Vice President Marketing & Sales Union Pacific Railroad Company</p>
<p>David B. Dillon Former Chairman The Kroger Company Business</p>	<p>Diane K. Duren Executive Vice President and Corporate Secretary Union Pacific Corporation</p>
<p>Lance M. Fritz President and Chief Executive Officer Union Pacific Corporation and Union Pacific Railroad Company</p>	<p>Lance M. Fritz President and Chief Executive Officer Union Pacific Corporation and Union Pacific Railroad Company</p>
<p>Judith Richards Hope Emeritus Professor of Law and Distinguished Visitor from Practice Georgetown University Law Center Law School</p>	<p>Mary Sanders Jones Vice President and Treasurer Union Pacific Corporation</p>
<p>John J. Koraleski Chairman of the Board, Union Pacific Corporation and Union Pacific Railroad Company</p>	<p>D. Lynn Kelley, PhD. Vice President - Supply and Continuous Improvement Union Pacific Railroad Company</p>
<p>Charles C. Krulak President Birmingham-Southern College Higher Education</p>	<p>Robert M. Knight, Jr. Executive Vice President - Finance and Chief Financial Officer Union Pacific Corporation</p>
<p>Michael R. McCarthy</p>	<p>Joseph E O'Connor Vice President - Labor Relations Union Pacific Railroad Company</p>

<p>LIST OF OFFICERS St. Louis S. W. Railway Co. Union Pacific</p>
--

Chairman
McCarthy Group, LLC
Investment Management

Michael W. McConnell
General Partner
Brown Brothers Harriman & Company
Banking

Thomas F. McLarty III
President
McLarty Associates
Strategic Advisory and Advocacy Services

Steven R. Rogel
Former Chairman
Weyerhaeuser Company
Integrated Forest Products Company

Jose H. Villarreal
Advisor
Akin, Gump, Strauss, Hauer & Feld, LLP
Law Firm

Patrick J. O'Malley
Vice President - Taxes and
General Tax Counsel
Union Pacific Corporation

Michael A. Rock
Vice President - External Relations
Union Pacific Corporation

Cameron A. Scott
Executive Vice President
Operations
Union Pacific Railroad Company

Gayla L. Thal
Senior Vice President - Law and
General Counsel
Union Pacific Corporation

Jeffrey P. Totusek
Vice President and Controller
Union Pacific Corporation

Lynden L. Tennison
Senior Vice President and
Chief Information Officer
Union Pacific Corporation

Robert W. Turner
Senior Vice President - Corporate Relations
Union Pacific Corporation

PROPOSED PDD CONDITIONS

ARTICLE

PD

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

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

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

PD _____ is established on property east line of State Highway 301, north of Linfield Road. The size of PD _____ is approximately 74.74 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 non-residential zoning district.

SEC. 51P-____.104. CREATION OF TRACTS.

This Planned Development District is divided into four tracts: Tract I, Tract II Tract III and Tract IV.

SEC. 51P-____.105. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ____A: conceptual plan.

SEC. 51P-____. 106. 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- _____.107. DEVELOPMENT PLAN NOT REQUIRED

The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," relating to site plans and development plans, do not apply to this district.

SEC. 51P- _____.108. MAIN USES PERMITTED.

- a) Agricultural uses.
 - None permitted.
- b) Commercial and business service uses.
 - Building repair and maintenance shop.
 - Bus or rail transit vehicle maintenance or storage facility.
 - Custom woodworking, furniture construction, or repair.
 - Electronics service center.
 - Job or lithographic printing.
 - Machine or welding shop
 - Machinery, heavy equipment, or truck sales and services.
 - Technical school.
 - Tool or equipment rental.
 - Vehicle or engine repair or maintenance.
- c) Industrial uses.
 - Industrial (inside) potentially incompatible.
 - Industrial (outside) potentially incompatible. [SUP]
 - Industrial (inside) for light manufacturing.
 - Industrial (inside or outside) not potentially incompatible.
 - Temporary concrete or asphalt batching plant.
[By special authorization of the building official.]
- d) Miscellaneous uses.
 - Attached non-premise sign [SUP]
 - Temporary construction or sales office.
- e) Office uses.
 - Office.
- f) Recreation uses.
 - None permitted.
- g) Residential uses.
 - None permitted
- h) Retail and personal service uses.
 - Auto service center.

- Commercial parking lot or garage.
- Liquefied natural gas fueling station.
- Truck stop
- i) Transportation uses.
 - Airport or landing field. [SUP]
 - Commercial bus station and terminal.
 - Railroad passenger station. [SUP]
 - Railroad yard, roundhouse, or shops.
 - Transit passenger shelter.
 - Transit passenger station or transfer center. [By SUP or city council resolution.]
- j) Utility and public service uses.
 - Electrical generating plant. [SUP]
 - Electrical substation.
 - Local utilities.
 - Police or fire station.
 - Radio, television, or microwave tower.
 - Tower/antenna for cellular communication.
 - Utility of government installation other than listed.
- k) Wholesale, distribution, and storage uses.
 - Auto auction.
 - Contractor's maintenance yard.
 - Freight terminal.
 - Mini-warehouse.
 - Office showroom/warehouse.
 - Outside storage [RAR]
 - Petroleum product storage and wholesale.
 - Recycling buy-back center.
 - Recycling collection center.
 - Recycling drop-off container.
 - Recycling drop-off for special occasion collection.
 - Sand, gravel, or earth sales and storage.
 - Trade center.
 - Vehicle storage lot.
 - Warehouse.

SEC. 51P-____.109.

ACCESSORY USES.

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

- (b) The following accessory uses are not permitted in this subdistrict:
- Accessory medical/infectious waste incinerator.
 - Accessory pathological waste incinerator.
 - General waste incinerator.
 - Pedestrian skybridges.

SEC. 51P-____.110. 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.)

In general. Except as provided in this section, the yard, lot, and space regulations of the IM Industrial Manufacturing District apply.

SEC. 51P-____.111. OFF-STREET PARKING AND LOADING.

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

(a) Office/showroom, warehouse: One space per 333 square feet of office floor area. One space per 1,000 square feet of floor area for first 20,000 square feet of showroom/warehouse floor area. One parking space for each 6,000 square feet of floor area in excess of 20,000 square feet of showroom/warehouse.

(b) Outside storage: One space per 10,000 square feet of site area designated as outside storage.

SEC. 51P-____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.113. LANDSCAPING AND TREE PRESERVATION.

Except as provided in this section, landscaping must be provided in accordance with Article X. In the event there is a conflict between this section and Article X, this section controls.

- (a) Site trees are not required.
- (b) A minimum 30' deep landscape buffer is required along Linfield Road and at the main entrance on S. Central Expressway as described on the conceptual plan.
- (c) One street tree is required for each 40 lineal feet of the aforementioned landscape buffer along Linfield Road.

(d) A minimum of 5 large canopy trees are required within 120 feet of the S. Central Expressway (SH310) curb line at the main entrance.

(e) Parking lot trees are not required.

(f) Section 51A-10.126 Design Standards do not apply.

(g) Compliance with provision (d) of this section is not required until a building permit is issued to authorize construction of a habitable building with a minimum cumulative floor area of 5,000 square feet or greater.

SEC. 51P- _____.114. SIGNS.

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

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

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

(b) Screening of on-site outdoor activities or storage from public streets is not required.

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

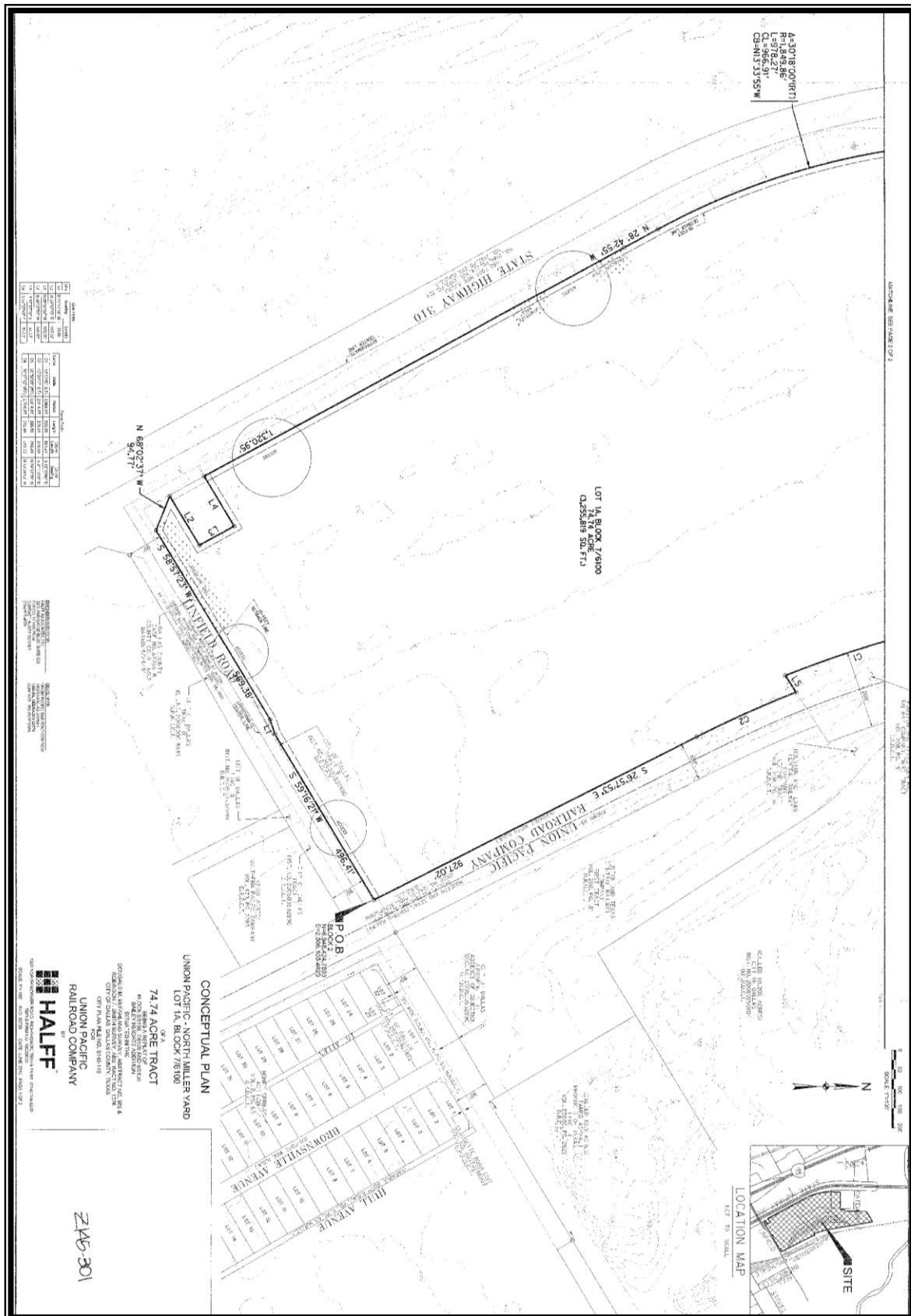
SEC. 51P- _____.116. COMPLIANCE WITH CONDITIONS.

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

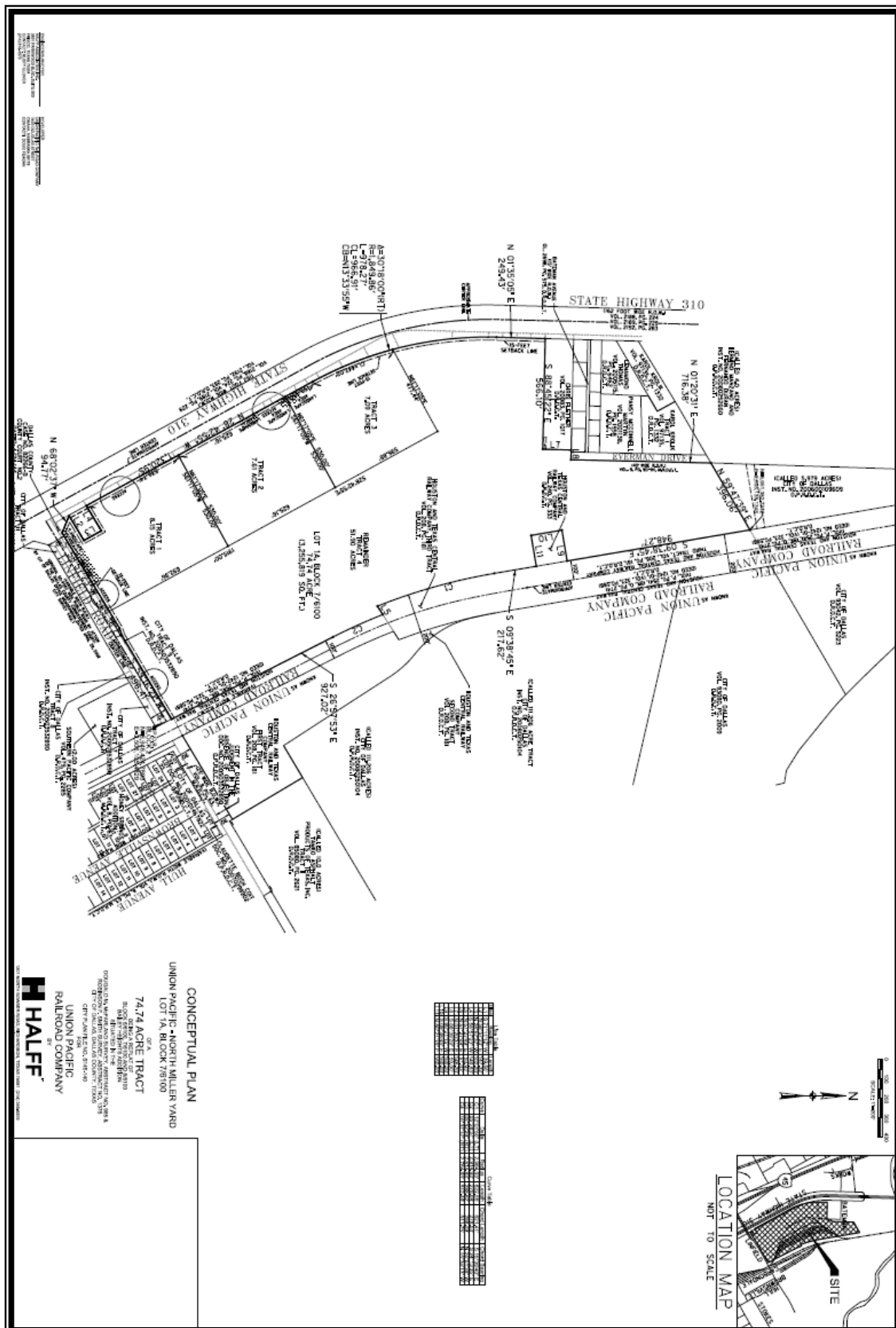
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules,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



PROPOSED CONCEPTUAL PLAN
Southern portion of site



PROPOSED OVERALL TRACT MAP



AMENDMENT TO SUP No. 1715
Tract I

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use for an asphalt batching plant.
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 ~~[June 26, 2023]~~ (ten years from the passage of this ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.
5. GROUND AND DUST CONTROL:
 - A. The following conditions must be met on an ongoing basis:
 - i. All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.
 - ii. During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.
 - iii. Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and vehicle traffic are minimized.

- iv. Emissions from the drum dryer must be vented to a fabric filter baghouse. The baghouse must be installed in accordance with the manufacturer's specifications and operated properly. No visible fugitive emissions may leave the site.
 - v. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.
- B. A ground and dust control plan incorporating existing and proposed infrastructure, as required by conditions (i) through (iii) above, must be documented in written form and delivered to the Director of Environmental and Health Services and the Director of Sustainable Development and Construction by ~~[August 24, 2008]~~.
- 6. OUTSIDE STORAGE: Materials stored outside must be located in bins that are screened on three sides by 10-foot-high screening wall.
 - 7. PARKING: Parking must be located as shown on the attached site plan.
 - 8. PERMITS: A certificate of occupancy may not be issued until all required environmental permits are obtained from the Texas Commission on Environmental Quality, Federal Emergency Management Agency, and all other state, federal, or city agencies.
 - 9. SCREENING: A minimum eight-foot-high screening fence must be provided in the location shown on the attached site plan. The fence must either be solid or have screening elements, such as slats or mesh, to screen the interior of the Property.
 - 10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
 - 11. 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.



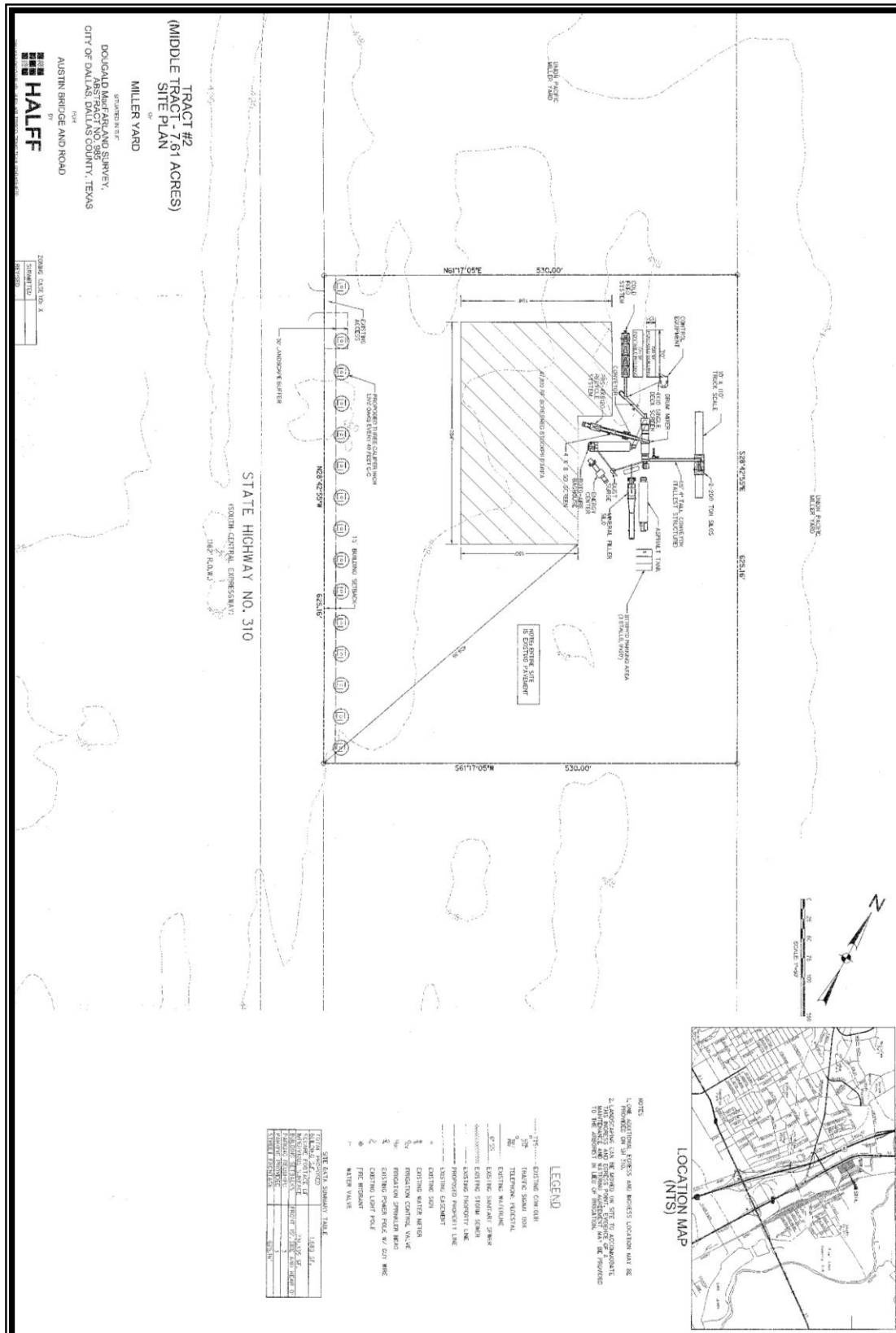
PROPOSED SUP CONDITIONS
Tract II

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use to be used as a concrete batching plant.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan/landscape plan.
3. TIME LIMIT: This specific use permit expires on _____(ten years from the passage of this ordinance), but is eligible for automatic renewal for one additional ten-year periods pursuant to Section 51A-4.219 of 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
4. 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 that eliminates visible dust emissions.
 - ii. All permanent roads 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.
 - 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.
- C. A ground and dust control plan incorporating existing and proposed infrastructure required by Paragraph A must be documented in written form and delivered to the director of environmental and health services and the director of sustainable development and construction by ____ (60 days after passage of ordinance).
- 5. FLOOR AREA: The maximum floor area is 1,900 square feet in the location shown on the attached site plan and landscape plan.
 - 6. PARKING: A minimum of three off-street parking spaces must be provided in the location as shown on the attached site plan and landscape plan.
 - 7. OUTSIDE STORAGE: Materials stored outside must be located within bins that are screened on three sides by a 10 foot high solid screening wall. Maximum height of materials is 40 feet.
 - 8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
 - 9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN

Tract II



<p>PROPOSED SUP CONDITIONS Tract III</p>
--

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use to be used as a concrete batching plant.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan/landscape plan.
3. TIME LIMIT: This specific use permit expires on _____(ten years from the passage of this ordinance), but is eligible for automatic renewal for one additional ten-year periods pursuant to Section 51A-4.219 of 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
4. 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 that eliminates visible dust emissions.
 - ii. All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.
 - iv. 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.
 - 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.
- D. A ground and dust control plan incorporating existing and proposed infrastructure required by Paragraph A must be documented in written form and delivered to the director of environmental and health services and the director of sustainable development and construction by ____ (60 days after passage of ordinance).
- 5. FLOOR AREA: The maximum floor area is 1,900 square feet in the location shown on the attached site plan and landscape plan.
 - 6. PARKING: A minimum of two off-street parking spaces must be provided in the location as shown on the attached site plan and landscape plan.
 - 7. OUTSIDE STORAGE: Materials stored outside must be located within bins that are screened on three sides by a 10 foot high solid screening wall. Maximum height of materials is 40 feet.
 - 8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
 - 9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

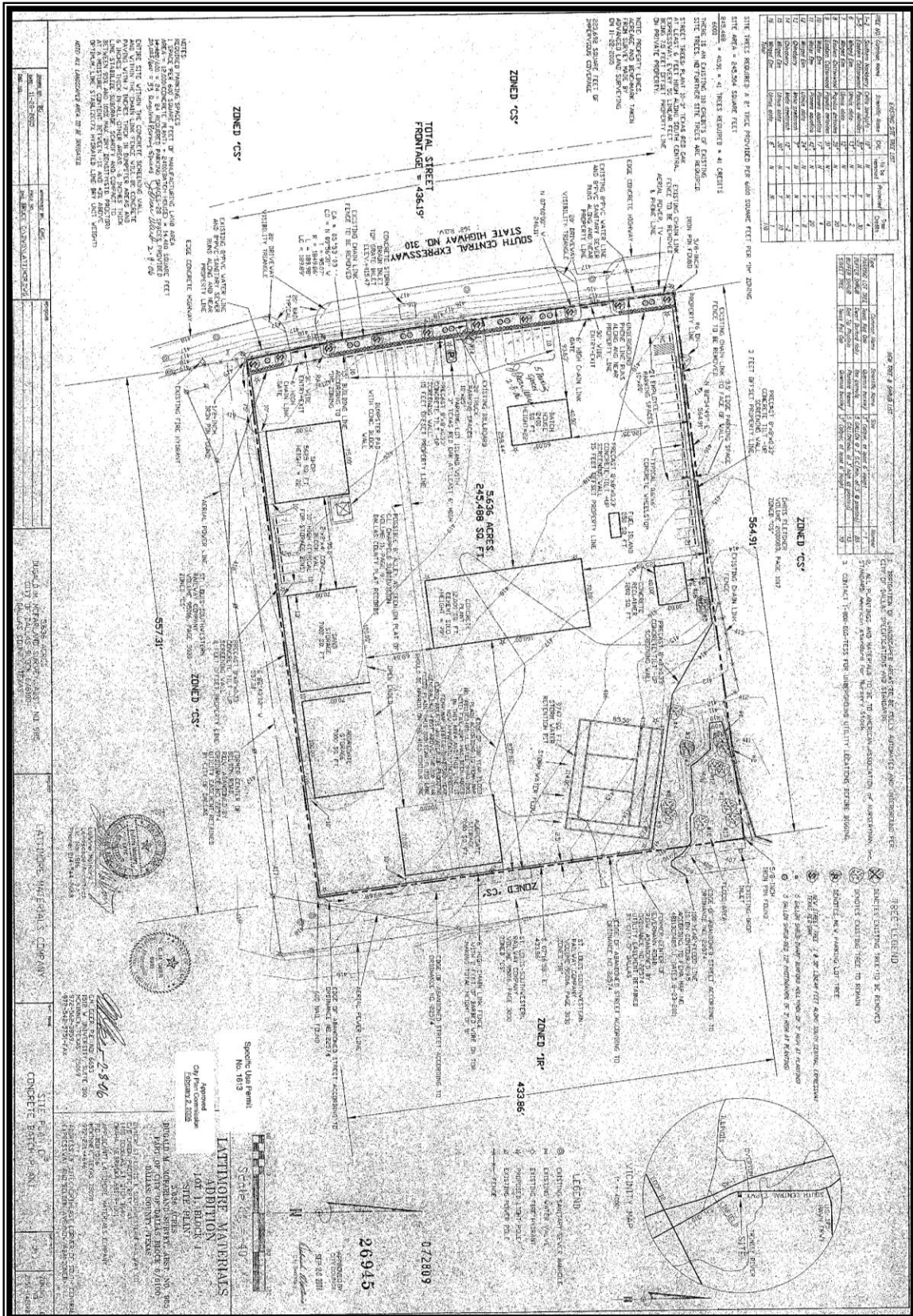


TERMINATE SUP No. 1613

- ~~[1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use for a concrete batch plant.]~~
- ~~[2. SITE PLAN: Use and development of the Property must comply with the attached site plan.]~~
- ~~[3. TIME LIMIT: This specific use permit shall automatically terminate on June 14, 2016.]~~
- ~~[4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.]~~
- ~~[5. GROUND AND DUST CONTROL:]~~
 - ~~[A. The following conditions must be met on an ongoing basis:]~~
 - ~~[i. All on-site travelways and maneuvering lanes must be paved, watered, and swept as necessary to achieve maximum control of dust emissions.]~~
 - ~~[ii. During operations, all stockpiles must be sprayed with water as necessary to achieve maximum control of dust emissions.]~~
 - ~~[iii. All silos and weigh hoppers must be vented to a filter to eliminate visible dust emissions.]~~
 - ~~[iv. To avoid overloading, a mechanism must be installed on each silo to warn operators that the silo is full.]~~
 - ~~[v. Spillage of materials must be cleaned up and contained or dampened within 30 minutes of the spillage so that emissions from wind erosion and vehicle traffic are minimized.]~~
 - ~~[B. A ground and dust control plan incorporating existing and proposed infrastructure as required by conditions (i) through (v) above must be documented in written form and delivered to the director of environmental and health services and the director of development services within 60 days after the passage of this ordinance.]~~

- [6. ~~OUTSIDE MATERIALS STORAGE:~~ ~~Materials stored outside must be located in bins that are screened on three sides by solid walls a minimum of 10 feet in height.~~]
- [7. ~~PARKING:~~ ~~Parking must be located as shown on the attached site plan.~~]
- [8. ~~SCREENING:~~ ~~A minimum eight-foot-high solid fence must be provided in the location shown on the attached site plan.~~]
- [9. ~~MAINTENANCE:~~ ~~The Property must be properly maintained in a state of good repair and neat appearance.~~]
- [10. ~~GENERAL REQUIREMENTS:~~ ~~Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.~~]

TERMINATE SITE PLAN SUP No. 1613



TERMINATE DEED RESTRICTIONS

THE STATE OF TEXAS)

) KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF DALLAS)

I.

The undersigned, St. Louis S. W. Railway Co. – Union Pacific ("the Owner"), is the owner of the following described property ("the Property"), being a tract of land in the Douglas M. McFarland Survey, Abstract No. 986, City of Dallas, Dallas County, Texas, and the Robinson F. Smith Survey, Abstract No. 1376, City of Dallas, Dallas County, Texas, and being all of those tracts of land described in deeds to St. Louis Southwestern Railway Company of Texas (known as Union Pacific Railroad Company), as recorded in Volume 70229, Page 1658, Volume 68190, Page 1569, Volume 68225, Page 1766, Volume 68214, Page 1312, Document No. 200503630485, Volume 68225, Page 1744, Volume 68225, Page 1774, Volume 68225, Page 1764, Volume 68184, Page 1460, Volume 68225, Page 1776, Volume 68225, Page 1762, Volume 68225, Page 1856, Volume 68225, Page 1794, Volume 68225, Page 1792, Volume 68225, Page 1900, Volume 68184, Page 1464, Volume 68225, Page 1824, Volume 68225, Page 1798, Volume 68184, Page 1544, Volume 68202, Page 1752, Volume 68225, Page 1790, Volume 68225, Page 1788, Volume 68225, Page 1786, Volume 69017, Page 0253, Volume 68225, Page 1832, Volume 68225, Page 1758, Volume 68184, Page 1542, Volume 68225, Page 1784, Volume 70224, Page 1311, Volume 70224, Page 1309, Volume 70229, Page 1658, Volume 68225, Page 1782, City of Dallas Ordinance No. 26484, as recorded in Document No. 200600462770, and parts of those tracts of land described in City of Dallas Ordinance No. 12355, recorded in Volume 68229, Page 2035, and City of Dallas Ordinance No. 12409, recorded in Volume 69017, Page 253, and being all of the G.C. Newton Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 14, Page 443, A Re-Subdivision Of Part Of Lot 7, Block 8/6100 For H.F. & Lillie O. Cauble, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 14, Page 301, the Revision Of Lot 7-A, Block 816100, Bailey Heights Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 20, Page 469, the Subdivision of Part of Lot 10, Block 8/6100, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 39, Page 213, the Kosanke & Headrick Subdivision, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 33, Page 171, and parts of the Bailey Heights Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 5, Page 90, and the Subdivision Of Part Of Lot 12, Block 8, Bailey Heights Addition, an addition to the City of Dallas, Dallas County, Texas, as recorded in Volume 16, Page 383, all recorded in the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

Z145-301(WE)

BEGINNING at a point for corner on the easterly right-of-way line of State Highway No. 310 (also known as South Central Expressway, a 162 foot right-of-way), said corner being the northwest corner of Lot 3, Block 8-A/6100 of the Kosanke & Headrick Subdivision, and being that tract of land described in deed to said St. Louis

Southwestern Railway Company of Texas, as recorded in Document Number 200503630485, D.R.D.C.T.;

THENCE North 28 degrees 42 minutes 55 seconds West, along the easterly right-of-way line of said State Highway No. 310, a distance of 66.00 feet to a point for corner;

THENCE North 61 degrees 17 minutes 05 seconds East, departing the easterly right-of-way line of said State Highway No. 310, over-and-across Block 8/6100 of said Bailey Heights Addition, a distance of 630.00 feet to a point for corner in the westerly line of the Everman Street Abandonment by City Ordinance No. 12409, as recorded in Volume 69017, Page 0253, D.R.D.C.T.;

THENCE South 28 degrees 42 minutes 55 seconds East, along the westerly line of said Everman Street Abandonment, and a prolongation of said abandonment, a distance of 313.50 feet to a point for corner;

THENCE South 28 degrees 33 minutes 10 seconds East, continuing along the westerly line of said Everman Street Abandonment, and a prolongation of said abandonment, a distance of 528.90 feet to a point for corner;

THENCE South 61 degrees 17 minutes 05 seconds West, departing the westerly line of said Everman Street Abandonment, and over and across said Block 8/6100, a distance of 628.50 feet to a point for corner on the easterly right-of-way line of said State Highway No. 310;

THENCE North 28 degrees 42 minutes 55 seconds West, along the easterly right-of-way line of said State Highway No. 310, a distance of 776.40 feet to the POINT OF BEGINNING AND CONTAINING 530,315 square feet, or 12.17 acres of land, more or less.

II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated June 25, 2008, signed by Lawrence E Wzorek and recorded in Volume 20080221856 of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "A" and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

The following uses are prohibited:

- Extended stay hotel or motel.
- Hotel or motel.
- Industrial (inside) not potentially incompatible.
- Industrial (inside) potentially incompatible.
- Lodging or boarding house.
- Medical/infectious waste incinerator.
- Metal salvage facility.
- Mining.
- Municipal waste incinerator.
- Organic compost recycling facility.
- Outside salvage or reclamation.
- Pathological waste incinerator.

These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless amended or terminated in the manner specified in this document.

IV.

The above termination was made following a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings was given as would have been required by law for a zoning change on the Property. The Owner must file this instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the termination becomes effective.

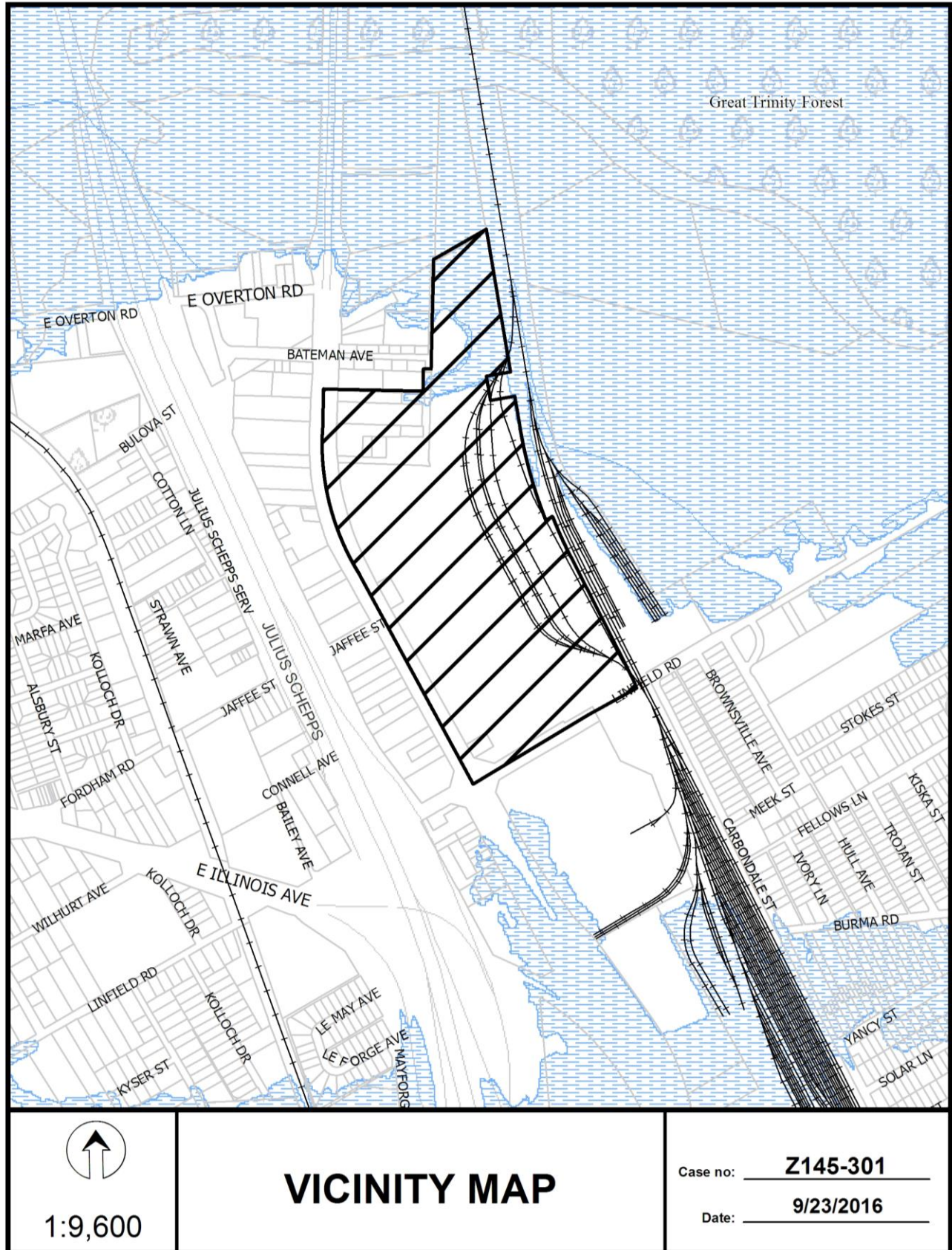
V.

The termination of these restrictions is not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with this termination.

VII.



1:8,400

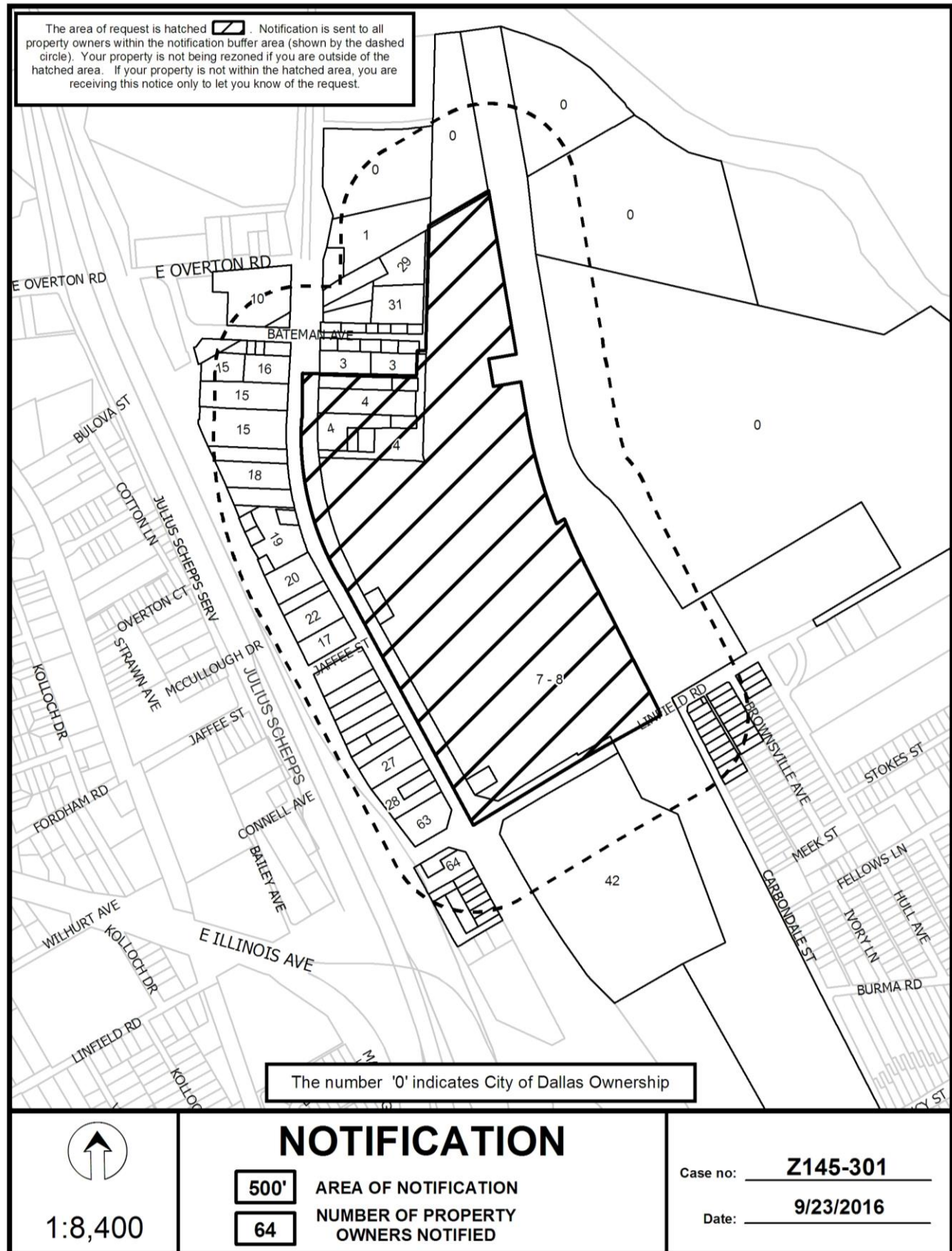
AERIAL MAP

Case no: **Z145-301**

Date: **9/23/2016**







Notification List of Property Owners

Z145-301

64 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7000 S CENTRAL EXPY	CERDA EUGENIO MEDINA &
2	4330 BATEMAN AVE	S & C HOLDINGS LLC
3	7054 S CENTRAL EXPY	FLETCHER CHRIS
4	3719 EVERMAN DR	ST LOUIS S W RAILWAY CO
5	7630 S CENTRAL EXPY	HUGHES HENRY LANE
6	7410 S CENTRAL EXPY	UNION PACIFIC RAILROAD CO
7	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
8	9999 NO NAME ST	UNION PACIFIC RR CO
9	4210 BATEMAN AVE	JOINER JIM B
10	7015 S CENTRAL EXPY	BARAJAS NICK DBA
11	7020 S CENTRAL EXPY	PALACIOS ENRIQUE CALDERON
12	4238 BATEMAN AVE	JOINER FRANK
13	4242 BATEMAN AVE	BASKETT BETTY C LIVING TR
14	7051 S CENTRAL EXPY	CONWRIGHT ROBERT
15	7133 S CENTRAL EXPY	BRAR TRANSPORTATION INC
16	7055 S CENTRAL EXPY	PATEL HASMUKHLAL V
17	7203 S CENTRAL EXPY	BARAJAS NICK
18	7211 S CENTRAL EXPY	ORTIZ JOSE & ROSA E
19	7229 S CENTRAL EXPY	MARTINEZ FORTINO
20	3902 WORK AVE	MONK JAMES C & AMANDA E
21	7231 S CENTRAL EXPY	MARTINEZ FORTINO
22	7403 S CENTRAL EXPY	RICH INELL MARIE
23	7321 S CENTRAL EXPY	SANCHEZ NOEL RODRIGUEZ &
24	7501 S CENTRAL EXPY	MONTEMAYOR RUBEN GARCIA
25	7519 S CENTRAL EXPY	LOPEZ ABRAHAM
26	7537 S CENTRAL EXPY	BARAJAS NICOLAS

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7601 S CENTRAL EXPY	HURTADO CARLOS & MARIA
28	7623 S CENTRAL EXPY	PATIDAR PARIMAL C
29	7022 S CENTRAL EXPY	KROLIK KAROL
30	7034 S CENTRAL EXPY	LENAMOND THOMAS
31	3627 EVERMAN DR	MARTYN PANSY MCCONNELL
32	4331 BATEMAN AVE	PATTERSON DOROTHY L
33	4337 BATEMAN AVE	HERNANDEZ HERMINIO
34	7038 S CENTRAL EXPY	LENAMOND THOMAS D
35	4314 BATEMAN AVE	FLETCHER CHRISTOPHER B
36	7046 S CENTRAL EXPY	FLECTHER CHRISTOPHER B
37	4343 BATEMAN AVE	SAMULKA W B & ANNIE B
38	4332 BATEMAN AVE	HERNANDEZ GEORGE &
39	4327 BATEMAN AVE	LENAMOND THOMAS
40	7641 S CENTRAL EXPY	PATEL MAHESH K & JASU M
41	4100 BASCOM LN	SHREE JALARAM REV TR THE
42	7910 S CENTRAL EXPY	TAMKO ASPHALT PRODUCTS
43	4542 LINFIELD RD	COIT CLAUDETTE BOSH
44	7715 HULL AVE	WILMER HUTCHINS ISD ET AL
45	7703 BROWNSVILLE AVE	JACKSON MICHAEL J & RONNIE L
46	7707 BROWNSVILLE AVE	JACKSON MICHAEL J
47	7711 BROWNSVILLE AVE	BRANCH ANNIE M EST OF
48	7715 BROWNSVILLE AVE	MOSS CLOIS
49	7719 BROWNSVILLE AVE	CLINTON JULIA MAE EST OF
50	7721 BROWNSVILLE AVE	DALLAS HOUSING ACQUISITION & DEV CORP
51	7727 BROWNSVILLE AVE	LONG CURTIS JAMES
52	7731 BROWNSVILLE AVE	MONTERO FLORIBERTO MOLINA
53	7704 CARBONDALE ST	MCCLINTON JULIA MAE EST OF
54	4518 LINFIELD RD	CLINTON JULIA MAE
55	7708 CARBONDALE ST	CHRISTOPHER LARRY WAYNE
56	7712 CARBONDALE ST	RECA LIMITED PS
57	7716 CARBONDALE ST	MILLER CLEOPHUS JR &

Z145-301(WE)

09/23/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7720 CARBONDALE ST	MILLER CLEOPHUS JR &
59	7724 CARBONDALE ST	HIGH SAM & BAILEY
60	7732 CARBONDALE ST	DALLAS NEIGHBORHOOD
61	7736 CARBONDALE ST	RHODES EZELL C
62	7740 CARBONDALE ST	ALLAHHAM BASEL KHALED
63	7635 S CENTRAL EXPY	SHREE JALARAM CORP
64	4202 LINFIELD RD	JASUMAN ENTERPRISES INC

Planner: Warren F. Ellis

FILE NUMBER:	Z156-237(WE)	DATE FILED:	March 24, 2016
LOCATION:	South line of W. Northwest Highway, east of Lemmon Avenue		
COUNCIL DISTRICT:	13	MAPSCO:	23Z, 24W
SIZE OF REQUEST:	Approx. 0.891 acres	CENSUS TRACT:	73.02

APPLICANT /OWNER QuikTrip Corporation

REPRESENTATIVE: Tonya Meier and Matthew Sanderson,
Gray Reed & McGraw, PC

REQUEST: An application for a Planned Development District for CR Community Retail District uses on property zoned a CR Community Retail District.

SUMMARY: The purpose of this request is to allow for the development of general merchandise or food store and a service station to be developed on the site. The applicant is requesting several modifications to the parking standards and landscaping regulations. The applicant is also requesting to use the adjacent undeveloped tract of land for surface parking.

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

PREVIOUS CPC ACTION: On June 2, 2016, CPC held this case under advisement to August 4, 2016. At the request of the applicant, On August 4, 2016, the City Plan Commission held this case under advisement. On October 6, 2016, and November 10, 2016, the City Plan Commission held this case under advisement until January 19, 2017.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval is based upon:

1. *Performance impacts upon surrounding property* – The CR Community Retail District will not have a negative performance impact on the surrounding community-retail serving uses. A CR Community Retail District is to provide for “development of community-serving retail, personal service and office uses at a scale and intensity compatible with residential communities. The proposed general merchandise or food store less than 3,500 square feet with a fueling station is a permitted use in the CR Community Retail District. The nearest residential use is approximately 336 feet east of the proposed development.
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 proposed request is not in compliance with the forwardDallas! Comprehensive Plan. The request site is located within an Urban Neighborhood Building Block.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The request for a Planned Development District is to allow for modifications to specific development regulations that are not permitted in a straight zoning. The applicant is requesting a reduction in the off-street parking requirements and landscaping regulations.

BACKGROUND INFORMATION:

- On April 27, 2016, the City Council tabled any actions to consider using the City of Dallas park land for off-street parking for the proposed development and for individuals to use the Bachman Lake Park. The action item was held indefinitely.
- On December 3, 2015, the Park and Recreation Board authorized a public hearing to be held on February 10, 2016, to discuss a portion of the Bachman Creek Greenbelt. A portion of the Greenbelt is proposed to be developed with surface parking [request site].
- On April 27, 2016, the City Council held this action item under advisement indefinitely regarding the Park and Recreation Board’s authorized public hearing for a portion of the Bachman Creek Greenbelt and maintenance agreement for the request site [QuikTrip].

Zoning History: There has been one zoning case in the area over the past five years.

1. Z123-338 On January 8, 2014, the City Council approved a Planned Development for mixed uses on property zoned an MU-1 Mixed Use District, on the south side of West northwest Highway, east of Lemmon Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
W. Northwest Highway	Principal Arterial	100 ft.	100 ft.

Traffic: The Engineering Section of the Department of 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 *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 on the outer perimeter edge of an Urban Neighborhood Building Block.

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: The request site is currently developed with a personal service use. The applicant is requesting a Planned Development District for CR Community Retail uses to allow for the development of a general merchandise or food store with a fueling station. The Planned Development District will permit the reduction of the required off-street parking and landscaping requirements. In addition, an adjacent lot that is owned by the City of Dallas will be used for additional off-street parking for the proposed use and for individuals seeking to use the Bachman Lake Park.

The Dallas City Council will have to consider the applicant's request to use the adjacent site. The request site is located in area near the Dallas Love Field where the uses along West Northwest Highway are community-retail serving uses. A City Council date has not been scheduled at this time.

	Zoning	Land Use
Site	CR	Restaurant
North	CR, SUP No. 1596	Auto Related uses, Retail
South	CR	Undeveloped, parkland
East	CR	Retail & personal service
West	CR	Undeveloped

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
PDD for 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 must be provided as shown on the attached landscaping plan. The applicant is requesting three, 3-inch caliper trees and shrubs without any street trees along West Northwest Highway.

Parking: The off-street parking requirement for a general merchandise or food store with a fuel station is one space per 200 square feet of floor area plus two spaces for the fueling station. Based on the proposed buildable floor area, the applicant is required to

provide 31 parking spaces. Due to the configuration of the site and building size, the applicant will provide 20 spaces.

An additional 20 off-street parking spaces will be developed on the City's property. The Dallas City Council will consider the request to allow for additional off-street parking spaces on the adjacent site. The additional surface parking spaces will be used for individuals seeking to access Bachman Lake Park and the proposed development. However, on April 27, 2016, the City Council held taking action on the adjacent property indefinitely.

LIST OF OFFICERS

QuikTrip Corporation

ELECTION OF OFFICERS RESOLUTION

RESOLVED: That the persons as set out below are elected to the office set below their names, said officers to begin their term at the beginning of the 2015-2016 fiscal year, May 2, 2015.

Name and Title

Chester E. Cadieux III
Chairman of the Board/ President/ Chief Executive Officer

Stuart C. Sullivan
Vice President – Finance/ Chief Financial Officer

Charles L. Barton
Vice President – Marketing

Julie L. Brockmeier
Vice President – Petroleum Supply & Transportation

Stephen R. Fater
Vice President – Corporate Treasurer

Timothy O. Heuback
Vice President – Store Operations

Gina L. Hitz
Vice President – Information Services/ Chief Information Officer

Andrew C. Houdashelt
Vice President – Food

James A. Kubala
Vice President – Operations Systems

Ronald S. Jeffers
Vice President – Operations/Human Resources

James D. Marchesano
Vice President – Store Development

PROPOSED PDD CONDITIONS

ARTICLE.

PDD.

SEC. 51P- .101. LEGISLATIVE HISTORY.

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

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

PD ____ is established on property generally located on the South line of W. Northwest Highway, east of Lemmon Avenue. The size of PD ____ is approximately 0.891 acres.

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

(a) Unless otherwise stated, the definitions 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 non-residential zoning district.

SEC. 51P- 103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ____A: development plan.

(2) Exhibit ____B: landscaping plan.

SEC. 51P- .104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit __) before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved development plan, the text of this section controls.

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

The uses permitted in this district are the same as those permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in the Dallas Development Code. For example, a use permitted in the CR Community Retail District by specific use permit (SUP) only is permitted in this PD by SUP only. A use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this PD, etc.

SEC. 51P- .106. 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- .107. YARD, LOT, AND SPACE REGULATIONS.

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

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

SEC. 51P- .108. OFF-STREET PARKING.

(a) Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

(b) For a general merchandise or food store, a minimum of 20 parking spaces is required in the location shown on the site plan.

SEC. 51P- .109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- .110. LANDSCAPING.

Staff's recommendation

(a) Except as provided in this section, the screening for off-street parking must be in accordance with Article X.
--

Applicant Proposal

<p>[(a) Except as provided in this section, the screening for off-street parking must be in accordance with Article X.]</p>
--

- (b) Landscaping must be provided in accordance with the landscape plan.
- (c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- .111. SIGNS.

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

SEC. 51P- .112. ACCESS.

Ingress and egress must be provided as shown on the development plan.

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.

SEC. 51P- .114. COMPLIANCE WITH CONDITIONS.

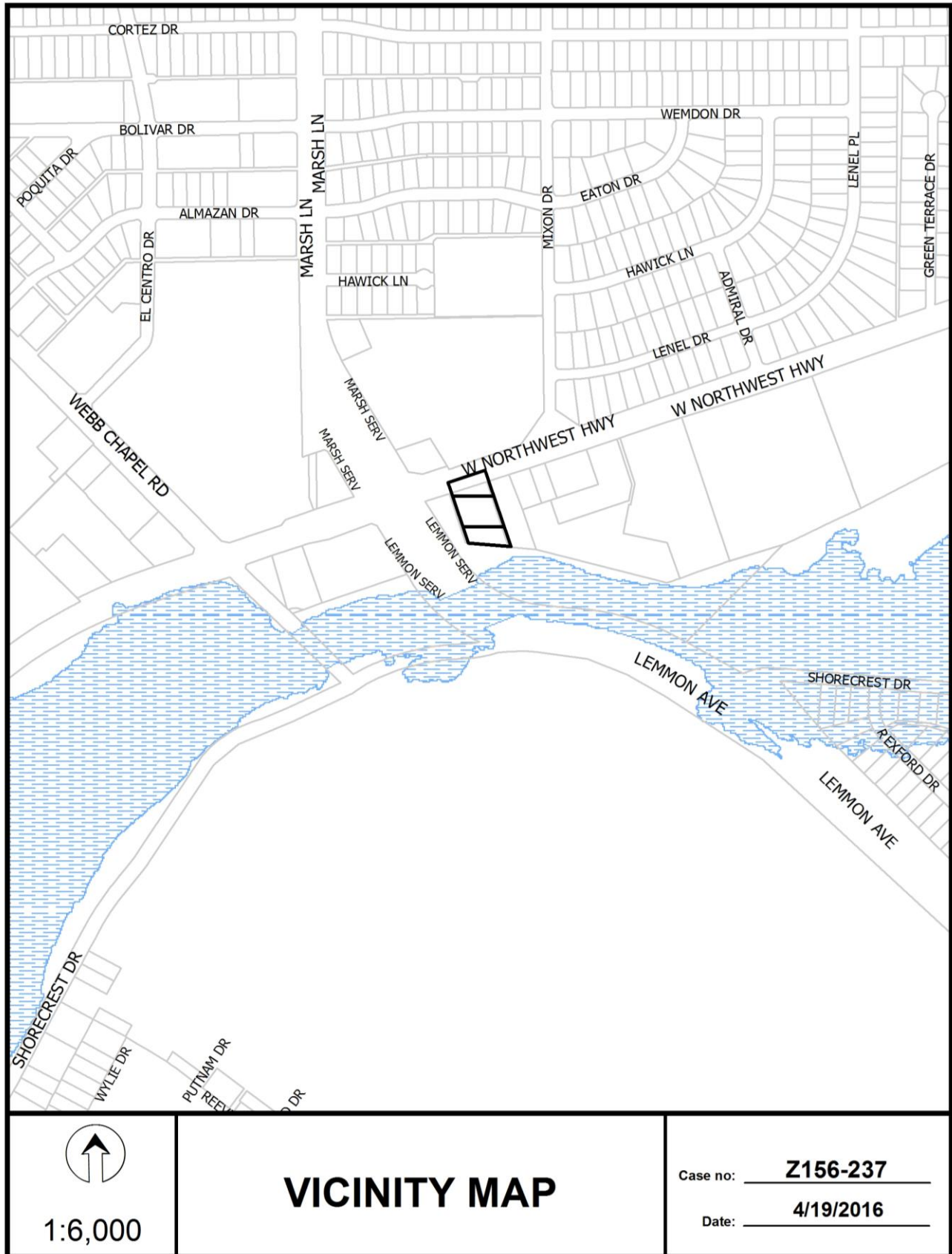
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

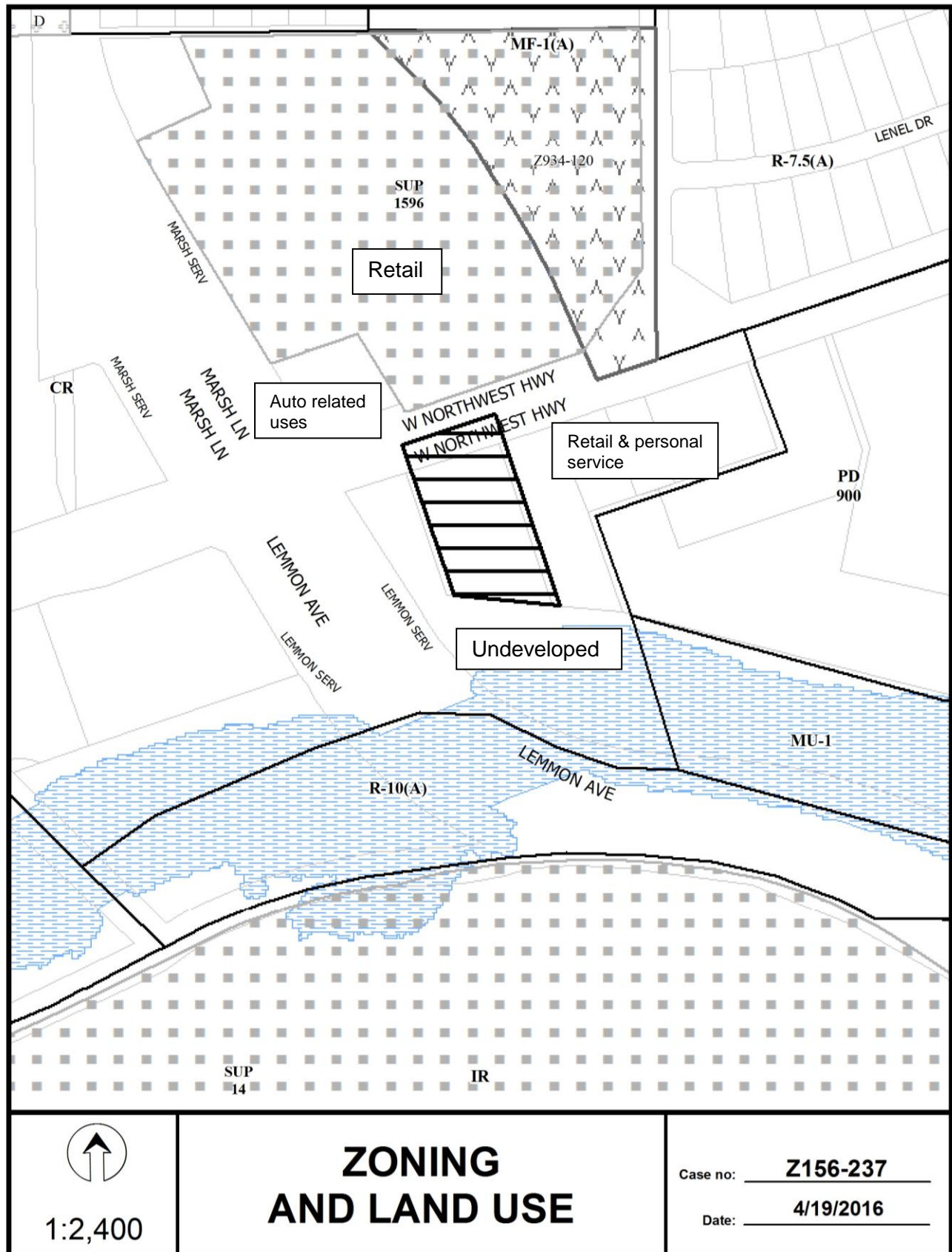


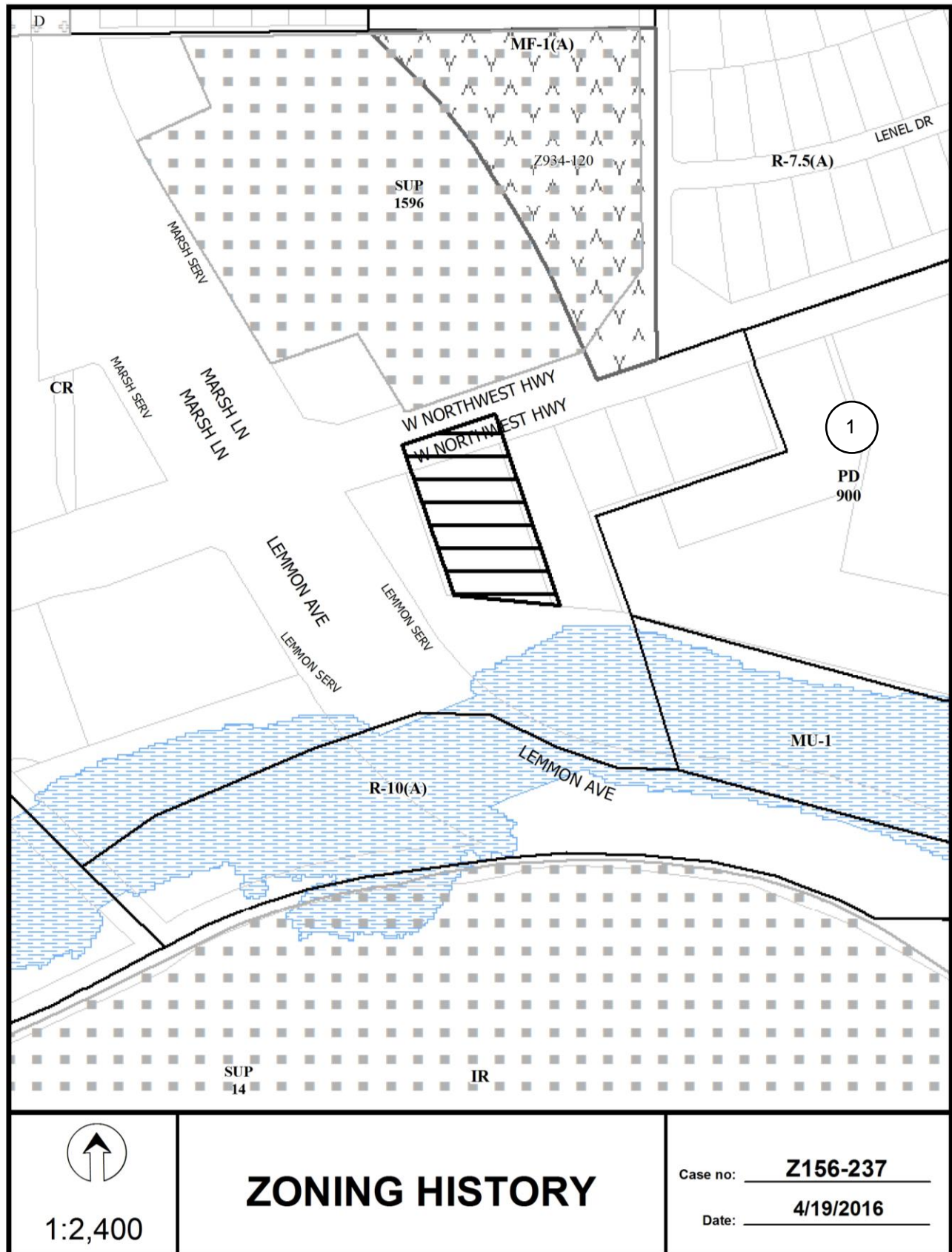


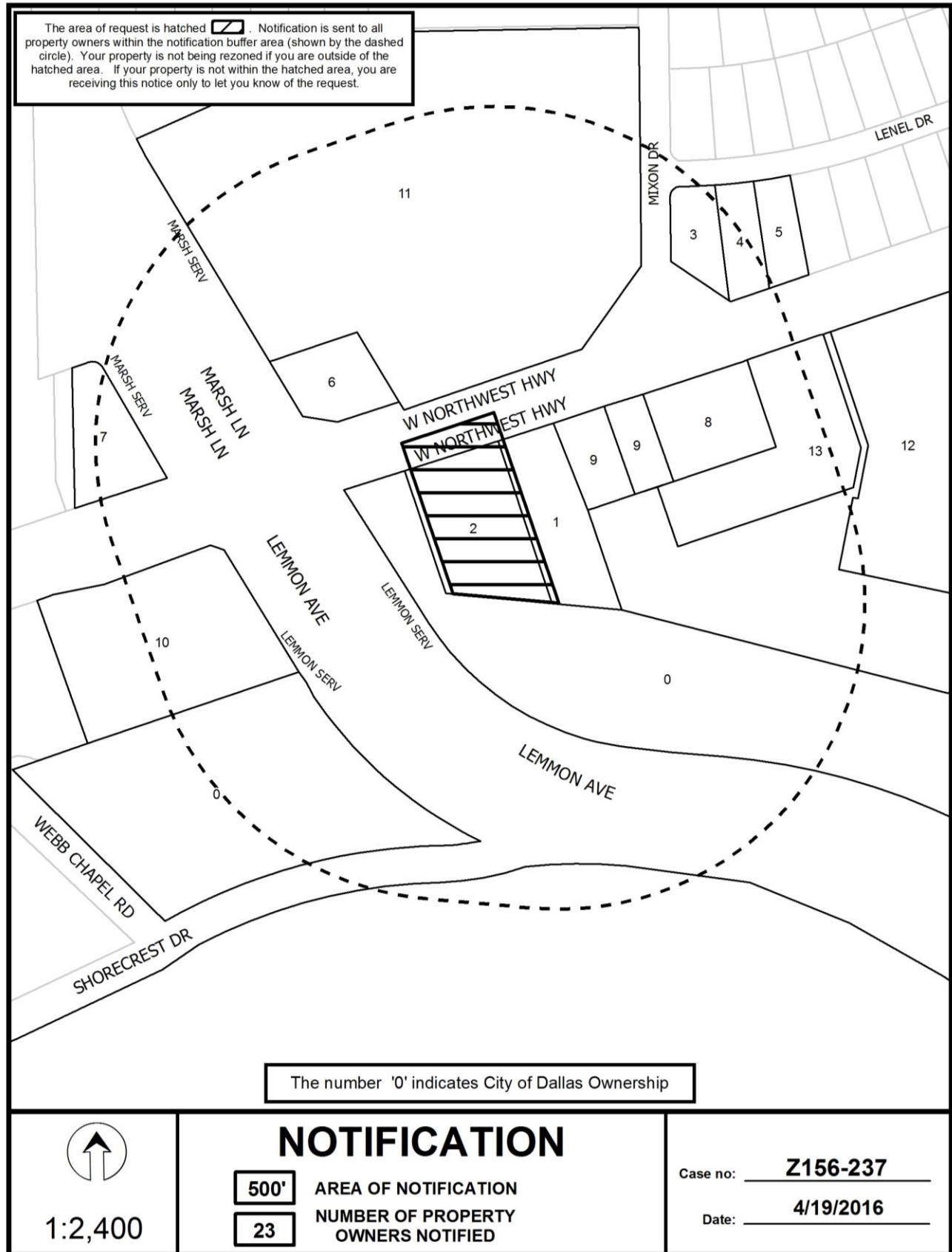
Z156-237(WE)











Notification List of Property Owners

Z156-237

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3750 W NORTHWEST HWY	ADMIRAL FLAG INC
2	3740 W NORTHWEST HWY	QUICKTRIP CORPORATION
3	3804 LENEL DR	LEON GILBERTO &
4	3808 LENEL DR	CUTLER JOSEPH G & SALLY P
5	3812 LENEL DR	SMITS PETER &
6	3767 W NORTHWEST HWY	LEAL PROPERTIES LTD
7	3733 W NORTHWEST HWY	RED BIRD I-20 CORP
8	3780 W NORTHWEST HWY	CARROLL CONCERNS LTD PS
9	3760 W NORTHWEST HWY	INTERRANTE INTERESTS LTD
10	3714 W NORTHWEST HWY	WALGREEN CO
11	9440 MARSH LN	DAYTON HUDSON CORP
12	3840 W NORTHWEST HWY	BRE PIPER MF BLUFFVIEW TX LLC
13	3820 W NORTHWEST HWY	BRE PIPER MF BLUFFVIEW RETAIL TX LLC
14	2702 LOVE FIELD DR	SOUTHWEST AIRLINES CO
15	8020 DENTON DR	JACKS AUTO SUPPLY
16	7212 HERB KELLEHER WAY	HERTZ RENT A CAR
17	7020 HERB KELLEHER WAY	AVIS RENT A CAR
18	3407 HAWES AVE	TUCKER BLAKE C
19	8333 LEMMON AVE	SOUTHWESTERN BELL
20	8611 LEMMON AVE	BUSINESS JET CENTER
21	3250 LOVE FIELD DR	MLT DEVELOPMENT
22	3232 LOVE FIELD DR	MLT DEVELOPMENT COMPANY
23	7366 CEDAR SPRINGS	ENTERPRISE HOLDINGS

Planner: Warren F. Ellis**FILE NUMBER:** Z156-250(WE) **DATE FILED:** April 15, 2016**LOCATION:** Generally bounded by West 10th Street, both sides of North Bishop Avenue, both sides of Melba Street and both sides of North Madison Avenue**COUNCIL DISTRICT:** 1 **MAPSCO:** 54C, 54G, 54H**SIZE OF REQUEST:** Approx. 11.112 acres **CENSUS TRACT:** 47.00

APPLICANT / OWNER: Bishop Arts Village, LLC**REPRESENTATIVE:** Robert Baldwin, Baldwin and Associates**REQUEST:** An application to create a new subdistrict within Planned Development District No. 830 and the removal of a D Liquor Control Overlay on a portion on property zoned Subdistrict 3 within Planned Development District No. 830.**SUMMARY:** The purpose of this request is to create a new Subdistrict in order to redevelop the site with multifamily uses, retail and office uses and lodging uses.**STAFF RECOMMENDATION:** Approval, subject to staff's recommended conditions; and denial of the removal of the Dry Liquor Control Overlay.**PREVIOUS ACTION:** On November 10, 2016, the City Plan Commission held this case under advisement in order to meet with the applicant. On December 15, 2016, the City Plan Commission held this case under advisement in order for the applicant to meet with the adjacent property owners.

BACKGROUND INFORMATION:

- On August 11, 2010, the City Council approved Planned Development District No. 830. The Planned Development District was divided into eight Subdistricts. With the creation of the new Subdistrict, PDD No. 830 will have 9 Subdistricts.
- The request site is currently located within Subdistrict 3, the East Garden District. The applicants request is to create a new Subdistrict to allow for a mix of uses consisting of retail, restaurant, hotel, office, event/chapel and multifamily uses.
- The applicant has filed an application with the City of Dallas Real Estate Division for the abandonment of a portion of West 9th Street between North Madison Avenue and North Bishop Avenue. A City Council hearing date has not been scheduled in considering the applicant's request for the abandonment of a portion of 9th Street.
- The site is surrounded by primarily residential uses. However, there are some properties adjacent to the site that are developed with medical uses, library, retail and personal service and office uses.

Zoning History: There have been two zoning cases in the area over the past five years.

1. Z101-349 On August 22, 2012, the City Council approved new subdistrict within Subdistrict 3 (Garden District) of Planned Development District No. 830, the Davis Street Special Purpose District on the South side of West 10th Street between North Madison Avenue and North Bishop Avenue.
2. Z123-104 On January 23, 2013, the City Council approved the renewal of SUP No. 1789 for a medical clinic limited to a dental office on the North Line of Jefferson Boulevard, West of Madison Avenue

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West 10 th Street	Local	60 ft.	60 ft.
North Bishop Avenue	Collector	60 ft.	60 ft.
Melba Street	Local	60 ft.	60 ft.
North Madison Avenue	Local	60 ft.	60 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

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 request site is located within an Urban Neighborhood Building Block.

The proposed mixed use development may enhance the neighborhood character and identity with the variety of uses that are being proposed within the new Subdistrict. The proposed development is located within the Bishop Art District and preserving the overall character, scale is vital to the community. The applicant is planning to create an open space area to allow the pedestrians to enjoy the ambience and walkability of the various venues that are being proposed within the development.

LAND USE ELEMENT:

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.2 Promote desired development.

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

ECONOMIC DEVELOPMENT ELEMENT:

GOAL 2.5 Foster a City of Great Neighborhoods

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

URBAN DESIGN ELEMENT:

GOAL 5.1 Promote a Sense of Place, Safety and Walkability

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.2 Strengthen Community and Neighborhood Identity**Policy 5.2.1** Maintain neighborhood scale and character**STAFF ANALYSIS:****Land Use:**

	Zoning	Land Use
Site	Subdistrict 3, PDD No. 830	Undeveloped, Medical building, Multifamily
North	PDD No. 830, CD No. 7	Single Family, Retail
South	Subdistrict 3A, PDD No. 830	Library
East	Subdistrict 3, PDD No. 830	Undeveloped, Single Family, Office, Medical office
West	Subdistrict 3, PDD No. 830, SUP No. 814	Undeveloped, Single Family, Day care facility

Land Use Compatibility: The 11.112 acre site is mostly razed with the exception of a vacant medical building and a 42-unit apartment unit complex. The land uses surrounding the site is predominately single family, with several properties being developed with medical uses, office uses and a library. A portion of the site is contiguous to Conservation District No. 7, which is developed with a mix of retail and personal service uses.

The applicant's request to create a new Subdistrict within Planned Development District No. 830, will allow for the construction of a mixed use development. A majority of the development standards and regulations within Subdistrict 3 will not change, but due to the certain restrictions within the PDD limiting certain type of developments, a new Subdistrict was created. As a side note, a development plan or conceptual plan is not a requirement for submission in this PDD District. Below are the specific changes the applicant is requesting to the proposed PDD to allow for the development.

- Allow massage establishment as an accessory use for the hotel, a salon, or spa;
- General retail or food store allowed up to 15,000 square feet instead of 5,000 square feet for the market building;
- The new subdistrict will be considered as one building site for off-street parking;
- Allow for a public plaza or outdoor seating area to count as part of a building façade for the build-to requirements for the front yard regulations. This will allow for outdoor dining areas to be near the street and the plazas will be an extension

of the pedestrian facilities. These breaks in the build-to requirement will provide for additional open space and promote a vibrant environment;

- Allow for alternative parking surfaces;
- Live-work units will only require the residential parking be provided;
- Residential adjacency buffer is reduced to a minimum of five feet landscape buffer, six foot tall solid fence or decorative fence with a living screen;
- Include awnings and canopies in the private license;
- Allow for the relief from some strict compliance with the architectural design standards for buildings greater than 40 feet from the right-of-way due to the pending abandonment of Ninth Street. (Ninth Street will be realigned and provided as an access easement, so connectivity is not negatively impacted in the area).

In addition to the specific changes, the following main uses are being proposed. The subsequent list of main uses currently is permitted in Subdistrict 3.

- Hotel (with 31 or more guest rooms);
- Art or craft production facility;
- Commercial amusement (inside);
- Commercial parking lot or garage;
- Event Center [flexible indoor and outdoor gathering and entertainment space; Maximum of 10,000 square feet and only permitted in the area south of 9th Street];
- General Merchandise of food store [*One facility is allowed by right up to 15,000 square feet of floor area if located in the area south of 9th Street and is comprised of at least four independently operated vendors, with no one vendor occupying more than 3,000 square feet of floor area; otherwise by SUP*]; and
- Neighborhood market [temporary outdoor marketplace];

Staff can support most the changes the applicant being proposed in the new Subdistrict but is concerned that the applicant is prohibiting off-street parking for the events center, a restaurant use with uncovered outdoor dining areas and a personal service use for a massage establishment.

Prohibiting the off-street parking requirements for the abovementioned items could create a significant parking issue with overflow of parking on the adjacent residential streets and throughout the entire mixed use development. The applicant has agreed to limit the total floor area of the event center to 10,000 square feet. Typically an event center would be parked as a commercial amusement (inside) and would require to park the use at one space per 100 square feet of floor area. Staff's recommendation is to treat the use the same as a restaurant in Planned Development District No. 830 and park it at the 25 percent relaxed rate of one space per 125 square feet of floor area. If

the event space is associated with a hotel use, staff can support parking it at a one space per 200 square feet of floor area. As it relates to the off-street parking requirement for the proposed development, the site will be considered as a building site.

In addition, staff also supports the applicant parking any uncovered outdoor dining area that is being used for a restaurant use at the same parking ratio as a restaurant use. The major concern with prohibiting off-street parking for certain uses within the new Subdistrict is that the proposed mixed use development will not provide the necessary off-street parking for the each use, which will cause a major parking shortage.

As it relates to the massage establishment, the current PD prohibits the use. Staff can support a massage establishment when the use is associated with a hotel.

The applicant is proposing the abandonment of a portion of 9th Street, which will allow for pedestrian access and walkability to the various activities and retail establishments. However, staff is recommending that all street facing façade requirements for the architectural design standards apply to the development adjacent to the private drive and pedestrian way that would align with abandoned 9th Street right-of-way.

Staff is recommending the new subdistrict limit the maximum dwelling units allowed on site to 340 units. Even though Subdistrict 3 does not limit the maximum dwelling units, staff does support a developer having the option to develop a large portion or multifamily uses. The applicant's Traffic Impact Analysis indicates that the development will consist of a maximum of 340 multifamily units. A mixed use development that promotes a variety of uses in the area could create a more vibrant, pedestrian friendly environment.

The applicant is also proposing to allow a general merchandise or food store as a main use up to 15,000 square feet of floor area within the proposed Subdistrict. The criteria will allow one multi-vendor market by right to exceed 5,000 sq. ft. (up to a maximum of 15,000 sq. ft.) if it is comprised of at least four independently owned and operated vendor entities, with no vendor occupying more than 2,000 sq. ft. of floor area, and is located in the blocks bounded by 9th St., Madison Ave., 10th St. and Bishop Ave. If a general merchandise or food store is developed outside these specific boundaries and is greater than 5,000 square feet, a SUP is required. Staff is supportive of a general merchandise or food store less than 15,000 square feet within the specified boundaries because the applicant will have the flexibility to provide a variety of retail uses within the proposed development.

Staff has worked with the applicant to resolve most of the outstanding differences in the PDD conditions. There are three issues that were not resolved and they pertain to the following: 1) the number of linear feet that is credited as a street facing façade for a plaza or outdoor area, 2) the maximum density for the site, and 3) determining if the uncovered outdoor dining areas are included in the parking requirement calculations for a restaurant use. In addition, the applicant and staff have agreed to incorporate language in the conditions that limit the proposed development to the site plan approved by the board of the Oak Cliff Gateway Tax Increment Finance District. Staff will meet

with the Building Official to determine if the site plan will be enforceable from a land use perspective. A recommendation will be provided during the briefing session as it relates to removing or retaining the language.

Staff recommendation is for approval of the new Subdistrict within Planned Development District No. 830, subject to staff's recommendation and denial of the Dry Liquor Control Overlay

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 830 – existing Subdistrict 3	0' min. / 10' max	0' / 0'	No max	50 ft. 75 ft. on Bishop Ave	100%	Proximity Slope Visual Intrusion	Retail and personal service, office, Medical, single family
PDD No. 830 – Staff's Rec. Subdistrict 3B	0' min. / 10' max	0' / 0'	340 units.	50 ft. 75 ft. on Bishop Ave	100%	Proximity Slope Visual Intrusion	Retail and personal service, office, Medical, single family, Hotel, Events
PDD No. 830 – Applicant's proposal Subdistrict 3B	0' min. / 10' max	0' / 0'	No max	50 ft. 75 ft. on Bishop Ave	100%	Proximity Slope Visual Intrusion	Retail and personal service, office, Medical, single family, Hotel, Events

Landscaping: Landscaping must be provided in accordance with the landscape requirements in PDD No. 830.

Off-street parking: Staff has some concerns regarding the applicant's request for off-street parking requirements for specific uses within the proposed development. There has been no indication, observation, or study that the current requirement for restaurants and outside seating should be altered. Staff is concerned that relaxing the parking standards established by PD-830 for this sub-district would make the TIF requirement to provide 30 additional parking spaces less meaningful. The intent of having 30 additional spaces to benefit the existing development in the Bishop Arts district would be negated if all 30 of the spaces were consumed by the applicant's development as a result of reduced parking requirements.

In addition, the request site is adjacent to several residential uses and staff is concern with the parcels on the north side of Melba Street and east of Madison Street. There are residences on the south side of 8th Street and staff is cautious about providing off-street parking on the north side of Melba Street, east of Melba Street without a sufficient buffer area. If the applicant proposes to provide an appropriate buffer between the residences and parking, staff could support the additional parking in this location.

LIST OF OFFICERS Bishop Arts Village, LLC

Bishop Arts Village, LLC

- Farrokh Nazerian President
- Michael Nazerian Vice President

Man PartnersII, LLC

- Michael Nazerian Managing Partner

Kensington Riverfall

- Michael Nazerian Managing Partner

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: 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, and Subdistrict 3B: Bishop Arts Mixed Use District.
- (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.

(3.1) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for retail sale of the products 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.

(9.1) EVENT CENTER means a facility with indoor and outdoor areas for gathering and entertainment.

(9.2) HOTEL means a lodging facility between 31 and 120 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.

(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.

(14.1) NEIGHBORHOOD MARKET means a temporary outdoor marketplace on private property that occurs no more than 15 days a month.

(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 façade.

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, 3, 4, and 8 of this district are considered to be residential zoning districts. Subdistricts 3A, 3B, 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.

(a) 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.

(b) In Subdistrict 3B, building placement must be in accordance with any site plan approved by the board of the Oak Cliff Gateway Tax Increment Finance District. If there is a conflict between the text of this article and a site plan approved by the Oak Cliff Gateway Tax Increment Finance District, the text of this article controls.

SEC. 51P-830.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICTS 1 AND 1A: BISHOP AVENUE.

OMITTED FOR BREVITY

SEC. 51P-830.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 2: THE BISHOP ARTS-EIGHTH STREET CONSERVATION DISTRICT.

Subdistrict No. 2 is not part of this PD. See Conservation District No. 7 (Bishop/Eighth Street Conservation District) for the use regulations and development standards in that area.

SEC. 51P-830.111. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3: EAST GARDEN DISTRICT

OMITTED FOR BREVITY

SEC. 51P-830.111.1. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3A: BISHOP ARTS BRANCH LIBRARY.

OMITTED FOR BREVITY

SEC. 51P-830.111.2. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 3B: BISHOP ARTS MIXED USE DISTRICT.

Note: ** The asterisk represents the new main uses that are being proposed by the applicant in the new Subdistrict. The remaining uses are currently permitted in Tract 3.

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

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.

-- Custom business services.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Child-care facility.
- Church.

(5) Lodging uses.

- Bed and breakfast.
- Boutique hotel.
- Hotel. *[Limited to the block bounded by 9th Street, Madison Avenue, 10th Street, and Bishop Avenue.]* **

(6) Miscellaneous uses.

- Temporary construction or sales office. *[A temporary construction trailer may be located on an adjacent lot or across the street with the owner's permission.]*

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

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

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[SUP]*
- Antique shop.
- Art or craft production facility. **
- Art gallery. **
- Commercial amusement (inside). *[Treat as a CR District.]* **
- Commercial parking lot or garage. ***[surface commercial parking lot only permitted on paved parking areas that existed prior to December 31, 2016]*

- Dry cleaning or laundry store.
- Event center. [Maximum of 10,000 square feet. Limited to the block bounded by Madison Avenue, 10th Street, Bishop Avenue and 9th Street.] **
- Furniture store.
- General merchandise or food store. [By right up to 5,000 sq. ft. of floor area if located in the blocks bounded by Melba St., Madison Ave., 10th St. and Bishop Ave. Such uses exceeding 5,000 sq. ft. (up to a maximum of 15,000 sq. ft.) will require an SUP, except that one multi-vendor market will be allowed by right to exceed 5,000 sq. ft. (up to a maximum of 15,000 sq. ft.) if it is comprised of at least four independently owned and operated vendor entities, with no vendor occupying more than 2,000 sq. ft. of floor area, and is located in the blocks bounded by 9th St., Madison Ave., 10th St. and Bishop Ave.]**
- Neighborhood market. **
- Nursery, garden shop, or plant sales.
- Personal service uses. [Body piercing studio, and tattoo studios are prohibited.] A massage establishment, spa or salon are permitted as an accessory use to a hotel only.
- Restaurant without drive-in or drive-through service. [RAR]
- Remote surface parking lot.
- Theater. [SUP]

(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 uses are not permitted:

- Accessory helistop.

- Accessory medical/infectious waste incinerator.
- 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.

(a) Except as provided in this paragraph, minimum front yard is 0 feet and maximum front yard is 10 feet.

(b) For street facing facades within 40 feet of the street, a minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front yard setback.

Staff's Recommendation

<u>(c) On any block face up to 80 linear feet of plaza or outdoor seating area may be credited as a street facing façade.</u>

Applicant's Proposal

<u>(c) On any block face up to 100 linear feet of plaza or outdoor seating area may be credited as a street facing façade.</u>
--

(2) Side and rear yard. No minimum side or rear yard.

Staff's Recommendation

<u>(3) Density. Maximum number of dwelling units is 340.</u>
--

Applicant's Proposal

<u>[(3) Density. Maximum number of dwelling units is 340.] No maximum number of dwelling units</u>

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

(5) Height.

(A) Except as provided in this paragraph, maximum structure height is 50 feet.

(B) For lots fronting on Bishop Avenue, maximum structure height is 75 feet, except as provided in Section 51P-830.122(g)(2).

(6) Lot coverage. Maximum lot coverage is 100 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size. Lot width does not apply in this district.

(8) Stories.

(A) Except as provided in this paragraph, maximum number of stories above grade is four.

(B) For lots fronting on Bishop Avenue, maximum number of stories above grade is five.

SEC. 51P-830.112. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 4: KIDD SPRINGS PARK.

OMITTED FOR BREVITY

SEC. 51P-830.113. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 5: KINGS HIGHWAY GATEWAY.

OMITTED FOR BREVITY

SEC. 51P-830.114. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 6: DAVIS CORRIDOR.

OMITTED FOR BREVITY

SEC. 51P-830.114.1 USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 6A: DAVIS CORRIDOR.

OMITTED FOR BREVITY

SEC. 51P-830.115. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICT 7: WINNETKA HEIGHTS VILLAGE.

OMITTED FOR BREVITY

SEC. 51P-830.116. USE REGULATIONS AND DEVELOPMENT STANDARDS IN SUBDISTRICTS 8 AND 8A: WEST GARDEN DISTRICT.

OMITTED FOR BREVITY

SEC. 51P-830.117. 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. For the purpose of this section, Subdistrict 6A shall be considered one lot.

(1) Multifamily use. A minimum of one off-street parking space per bedroom is required with a maximum of two off-street parking spaces per dwelling unit.

(2) Restaurant use.

(A) A minimum of one off-street parking space per 125 square feet of floor area is required.

(B) If an outdoor dining area, whether covered or not, is within 20 feet of, and has direct access to, a street, sidewalk, or publically accessible open space, the outdoor dining area is not included in the parking requirement calculations for up to 25 percent of the size of the indoor floor area. Any portion of the outdoor dining area in excess of 25 percent of the size of the indoor floor area must be parked in accordance with Section 51P-830.117(a)(2)(A).

(b) Parking reductions.

(1) Bicycle parking. Off-street parking spaces required for a use may be reduced by one space for each four bicycle parking stations provided for that use, up to a maximum of three off-street parking spaces per lot.

(2) Legacy building.

(A) For residential uses within a legacy building, off-street parking requirements may be reduced an additional 25 percent.

(B) For retail-related uses and office uses within a legacy building, off-street parking is not required.

(3) Mixed use development parking.

(A) In general. The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development parking chart (Exhibit 830C).

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

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

(ii) The parking demand for each use is determined for each of the five times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the mixed use development parking chart, the percentage assigned to that use is 100 percent for all five times of day.

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

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

(4) On-street parking. Except as provided in this subparagraph, any on-street parking spaces that abut the building site may be counted as a reduction in the off-street parking requirement of the use adjacent to the on-street parking space. On-street parking must be striped in accordance with standard city specifications.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement for a mixed use development.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of the parking space ($8 / 24 = 1/3$). The total number of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(5) Tree preservation. Off-street parking spaces required for a use may be reduced by one space for each protected tree (as defined in Article X) retained on site that would otherwise have to be removed to provide the required off-street parking for that use.

(c) Remote parking.

(1) For nonresidential uses and mixed use developments, remote parking is permitted if the requirements of Division 51A-4.320, “Special Parking Regulations,” are met, including the landscape requirements, except that the remote parking may be within a walking distance of 1,000 feet from the use served.

(2) An agreement authorizing a nonresidential use or a mixed use development to use remote parking for nonresidential uses may be based on a lease of the remote parking spaces only if the lease:

(A) is in writing;

(B) contains legal descriptions of the properties affected;

(C) specifies the special parking being provided and the hours of operation of any use involved;

(D) is governed by the laws of the state of Texas;

(E) is signed by all owners of the properties affected;

(F) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;

(G) is for a minimum term of three years; and

(H) provides both the owner of the lot occupied by the nonresidential use or mixed use development use and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(3) The remote parking provisions of this subsection and Division 51A-4.320 shall not affect or cause the reduction of delta credits.

(4) In Subdistrict 3A, remote parking may account for one-hundred percent of the off-street parking requirement during a phased construction period.

(d) Subdistrict 3B.

(1) Occupancies that combine a residential dwelling unit and a non-residential use in the same space must only provide parking for the dwelling unit and the portion of the non-residential floor area above 600 square feet. If the non-residential floor area exceeds the floor area of the residential floor area, each use must provided parking separately.

(2) Subdistrict 3B is considered one building site for parking regulations.

(3) For an art gallery, a minimum of one space per 600 square feet of floor area is required.

(4) For an arts or craft production facility, a minimum of one space per 1,000 square feet of floor area is required.

Staff's Recommendation

~~[(5) For a restaurant use, uncovered outdoor dining areas are not included in the parking requirement calculations.]~~

Applicant's Proposal

(5) For a restaurant use, uncovered outdoor dining areas are not included in the parking requirement calculations.

(3) Event Center. A minimum of one off-street parking space per 175 square feet of floor area is required.

(4) Hotel. One space for each unit for units 1 to 120; plus one space per 200 square feet of meeting room.

(5) Neighborhood Market. One space per 200 square feet of floor area.

(6) No off-street loading is required.

SEC. 51P-830.118. LEGACY BUILDING AMENDMENTS.

OMITTED FOR BREVITY

SEC. 51P-830.119. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-830.120. LANDSCAPING.

(a) In general.

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

(2) Required landscaping may be located in the public right-of-way.

(3) Required landscaping and design standards located in adjacent rights-of-way may count toward the site requirements.

(b) Subdistricts 3, 3A, 3B, and 6. The following additional landscaping provisions apply:

(1) Street trees.

(A) Except as provided in this paragraph, in Subdistricts 3, 3B, and 6, one large canopy tree having a caliper of at least three inches must be provided no closer than 25 feet on center for every 40 feet of street frontage and may be planted within 25 feet of back of curb. Except as provided in this paragraph, in Subdistrict 3A,

one large canopy tree having a caliper of at least three inches must be provided no closer than 20 feet on center for every 40 feet of street frontage and may be planted within 25 feet of back of curb.

(B) If the city arborist determines that the planting space for the required tree is inadequate or that utility lines prohibit the planting, two small trees may count toward the street tree requirements.

(2) Surface parking landscaping.

(A) Parking spaces in a surface parking lot may be located no more than 75 feet from the trunk of a large canopy tree in a median or island.

(B) Each large canopy tree must have a caliper of at least two inches, must be located in a median or island that is no closer than four feet to the paved portion of the parking lot.

(C) A median or island that is located in a surface parking lot must be a minimum of 125 square feet in area.

(3) Residential adjacency buffer. In Subdistrict 3B, a residential adjacency buffer must be a minimum depth of five feet with a minimum six-foot tall solid screening fence. Shrubs must form a three-foot-high screen that is 95 percent opaque year-round within three years of planting. Landscaping must consist of hedge-like evergreen plant materials recommended for local area use by the building official. Landscaping must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Plants must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(c) 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 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.

(d) Parkway landscape permit.

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

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

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

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

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

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

SEC. 51P-830.121. SIGNS.

(a) In general.

(1) Except as provided in this subsection, for lots fronting on Bishop Avenue in Subdistrict 3 and 3B, Davis Street, Zang Boulevard, Hampton Road, Jefferson Boulevard, or 7th Street east of Madison Avenue, signs must comply with the provisions for business zoning districts in Article VII.

(2) For all other lots, signs must comply with the provisions for the non-business zoning districts in Article VII.

(3) Except for A-frame signs, movement control signs used for parking, and monument signs in Subdistricts 1 and 1A, detached signs are prohibited.

(b) Signs in the right-of-way. All signs located in or intruding into the public right-of-way must have approval by the director of public works and transportation to prevent conflict with government signs. If the director of public works and transportation determines that a previously-approved sign must be removed or relocated because of safety requirements or changing traffic conditions, the relocation or removal must be done at the owner's expense within 30 days.

(c) A-frame signs. The following regulations apply:

(1) A-frame signs may identify a business use.

(2) The maximum size of an A-frame sign is 32 inches wide and 36 inches tall.

(3) An A-frame sign may only be displayed when the business it identifies is open.

(4) A-frame signs may be located on the sidewalk if a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.

(5) Only one A-frame sign is permitted for each business use.

(6) A-frame signs must be separated by a minimum of 50 feet.

(7) A-frame signs may not be located within 25 feet of an intersection or within a visibility triangle.

(d) Blade signs. The following regulations apply:

(1) Blade signs must be attached premise signs.

(2) Blade signs may not be internally illuminated.

(3) There is no limit on the number of blade signs.

(4) The maximum effective area for blade signs is 30 square feet.

(5) The lowest part of a blade sign may be located no lower than 12 feet and no higher than 25 feet above street level.

(6) A blade sign may not project more than three feet into the right-of-way.

(7) A blade sign may not be located closer than 15 feet to another projecting sign.

(e) Monument signs. The following regulations apply:

(1) Monument signs are only permitted in Subdistricts 1, 1A, and 6A. In Subdistrict 6A, the entire property is considered one lot.

(2) Monument signs must be premise signs.

(3) Monument signs may not be internally illuminated.

(4) Except as provided in this paragraph, one monument sign is permitted per premise. In Subdistrict 3A, one monument sign is permitted per street frontage;

applied signage on exterior planters is permitted and not considered a monument sign. In Subdistrict 6A, two monument sign are permitted per premise.

(5) Except as provided in this paragraph, monument signs must be setback five feet from the right-of-way. In Subdistrict 3A, there is no setback requirement for monument signs.

(6) The maximum height for a monument signs is four feet.

(7) The maximum effective area for a monument sign is 40 square feet.

(f) Building corner markers with graphic identification in Subdistrict 3A.

(1) “Building corner marker with graphic identification” means “a vertical architectural element on the corner of a project site for graphic identification of a civic project.”

(2) The maximum height for building corner markers with graphic identification is equal to the maximum building height set by the subdistrict regulations.

(3) Building corner markers with graphic identification may be internally illuminated.

(4) Design of the building corner marker with graphic identification must comply with Exhibit 380D.

SEC. 51P-830.122. ARCHITECTURAL DESIGN STANDARDS.

(a) Applicability. Except as provided in this subsection, architectural design standards apply only to new construction of buildings with multifamily, mixed-use, or nonresidential uses on a vacant lot in all subdistricts and new construction of single family and duplex uses on a vacant lot in Subdistrict 8 (see Section 51P-830.122(l) for standards for Subdistrict 8). Architectural design standards are not required for a motor vehicle fueling station and general merchandise or food store 3,500 square feet or less located in Subdistrict 6A.

(1) In Subdistrict 3B, any abandonment of 9th Street will be considered as an access easement and must comply with the requirements for a street facing façade and street frontage for façades elements facing or fronting an access easement.

(2) In Subdistrict 3B, Paragraphs (d), (e), and (f) do not apply for a building that does not have any street frontage and is located more than 40 feet from a street.

(b) Purpose.

(1) These architectural design standards are intended to preserve the historical, cultural, and architectural importance and significance of the Davis Street and Bishop Avenue corridors. This area has historic and cultural importance as an early major east-west thoroughfare in the Dallas metroplex and as the earliest neighborhoods developed in Oak Cliff. The corridor reflects turn of the 20th century development, urban expansion, mid-20th century Americana, and post-World War II automobile culture. These architectural design standards are intended to preserve the character of the corridor while allowing compatible new construction and modifications that respect the corridor's historical, cultural, and architectural significance.

(2) These architectural design standards are intended to:

(A) ensure that new development enhances the character of the corridor and complements adjacent neighborhoods;

(B) ensure that increased density in established neighborhoods makes a positive contribution to the area's character;

(C) ensure the integrity of historic buildings and the compatibility of new development; and

(D) enhance the character and environment for pedestrians.

(c) Plan review. The director shall review any plan submitted to determine whether it complies with the requirements of this section.

(d) Building orientation. The primary facade of new construction on a vacant lot must face the street.

(e) Entrances.

(1) All street-facing entrances must be architecturally prominent and clearly visible from the street.

(2) Primary customer entrances for office uses and retail and personal service uses must face the street or a courtyard, door yard, or plaza area with direct access to the street. Primary customer entrances for retail and personal service uses must be clearly visible through the use of two or more of the following architectural details:

(A) Arcade.

(B) Arch.

(C) Awning.

(D) Canopy.

(E) Decorative elements such as tile work, molding, raised banding or projected banding.

(F) Display windows.

(G) Projections.

(H) Enhanced cornice details.

(I) Raised parapet.

(J) Recess.

(f) Facades.

(1) Street-facing facades on a single building site must have similar architectural design. Street-facing facades in Subdistrict 3B must have compatible architectural design in PDD No. 830.

(2) Street-facing facades exceeding 30 feet in length must have two of the following elements. Street facing facades exceeding 100 feet in length must have four of the following elements (see also Section 51P-830.109(e)):

(A) Change 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 and may include columns, planters, arches and niches.

(B) Architectural details such as raised bands and cornices.

(C) Architecturally prominent public entrance.

(D) Awnings.

(E) Change in color.

(F) Change in material.

(G) Change in texture.

(3) The street level of the primary facade for nonresidential uses or mixed use projects with retail uses on the street level must have at least two of the following elements for at least 60 percent of the width of the facade:

(A) Arcades, canopies, or secondary roofs to provide shade.

(B) Display windows. (In Subdistrict 3A, “display window” means glazing that provides transparency into a non-residential space.)

(C) Awnings associated with windows or doors.

(4) Accessory structures must have similar architectural design elements, materials, and roof design as the primary structure.

(5) If a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. If the building is more than two stories, 100 percent of the first-story street-facing facade, excluding fenestration, must be masonry. This provision does not apply in Subdistrict 3A.

(6) The street level of the primary facade of nonresidential uses or mixed use projects with nonresidential uses on the street level must have a minimum transparency of 40 percent.

(7) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.

(g) Massing and form.

(1) If a building exceeds 150 feet of frontage along any street, and exceeds 36 feet in height, that building must have a minimum of 500 square feet of sloped-roof area. The sloped-roof area must be visible from the street, and the slope must exceed a pitch of two in 12.

(2) To create varied building massing for large scaled buildings, no more than 80 percent of any building footprint may exceed 60 feet in height.

(h) Fences and walls. To prevent visual monotony, at least 20 percent of the length of any fence or wall longer than 200 feet must be alternate materials, alternate textures, gates, offsets, or openings. The alternate materials, alternate textures, gates, offsets, or openings may be spread out over the length of the fence or wall.

(i) Materials.

(1) Glass. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used on stories above the first two stories may not exceed 27 percent. As used in this provision, “reflectance” is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(2) Masonry.

(A) Allowed.

(i) Stone.

(ii) Brick.

(iii) Concrete masonry units that have architectural finish such as split-faced concrete masonry units.

(iv) Job-site cast concrete with an architectural finish.

(v) Cast stone.

(vi) Cultured stone.

(B) Prohibited.

(i) Unfinished concrete masonry units that do not have an architectural finish.

(ii) Precast concrete that does not have an architectural finish.

(3) Metal.

(A) Allowed. No more than 20 percent of a street-facing facade may be flat or corrugated metal panels. In Subdistrict 3A, more than 20 percent of a street facing facade may be permanently-colored stainless steel tiles or panels or weathered steel plate.

(B) Prohibited. Metal siding that imitates wood siding.

(4) Plastic.

(A) Allowed. Fiberglass panels and polycarbonate panels.

(B) Prohibited. Plastic siding and vinyl siding that imitate wood siding.

(5) Stucco.

(A) Allowed. Stucco.

(B) Prohibited. Simulated stucco (EIFS).

(6) Tile. Terra cotta and tile are allowed.

(7) Wood.

(A) Allowed.

(i) Natural wood.

(ii) Composite panels or planks no greater than eight inches in width.

(B) Prohibited. Flake board, particle board, or press board.

(j) Roofs. In addition to the requirements of Section 51P-830.122(g), mechanical equipment, skylights, and solar panels on roofs must be set back or screened so that they are not visible to a person standing at street level on the opposite side of any adjacent right-of-way. This provision does not apply in Subdistrict 3A.

(k) Windows. Retail and personal service uses must provide windows or display cases in street-level street facing windows along sidewalks.

(l) Architectural standards for residential structures in Subdistrict 8.

(1) Purpose. The purpose of these architectural design standards is to cause new construction and major modifications in the subdistrict to be compatible with the existing Victorian Transitional-style housing stock in the neighborhood.

(2) Applicability. These architectural design standards apply to new construction on a vacant lot and major modifications for single-family or duplex use only.

(3) Standards.

(A) Except as provided in this paragraph, structures in the front 50 percent of a lot may only have hipped-roofed or gable-roofed forms with a minimum roof slope of four (vertical) to 12 (horizontal) and a maximum roof slope of 12 (vertical) to 12 (horizontal). Elements such as porches or roof dormers may have a minimum roof slope of at least two (vertical) to 12 (horizontal).

(B) The primary facade material must be painted horizontal lap siding, composed of wood or cement-fiber board. No more than 15 percent of any facade may be clay-fired brick.

(C) Each residential structure must have a covered porch with a minimum of two open sides and a minimum floor area of 50 square feet; the porch must be visible from the street.

(D) Parking is not permitted in the front yard. This provision applies to required parking and non-required parking.

(E) Front-facing garage doors may not be located in the front 50 percent of any lot.

SEC. 51P-830.123. STREET AND SIDEWALK STANDARDS.

OMITTED FOR BREVITY

SEC. 51P-830.124. ADDITIONAL PROVISIONS.

(a) For purposes of platting, structures that exist as of August 11, 2010 that are nonconforming as to the zoning setback regulations or that encroach upon a setback line are not subject to the setback provisions in Sections 51A-8.501(a) or 51A-8.503(e)(1).

(b) Except for maintenance, the access easement in the former location of 9th Street is limited to being closed to public access no more than 15 days per month.

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

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

SEC. 51P-830.125. 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.

Kidd Springs

W CANTY ST

W NEELY ST

W DAVIS ST

W 7TH ST

W 8TH ST

W 10TH ST

W JEFFERSON BLVD

W 12TH ST

W PAGE AVE

W BROOKLYN AVE

W PEMBROKE AVE

W CANTY ST

N CRAWFORD ST

E DAVIS ST

E 7TH ST

E 8TH ST

E 9TH ST

E JEFFERSON BLVD

E 12TH ST

E PAGE AVE

E BROOKLYN AVE

Reagan

Adamson

1000 N ZANG BLVD

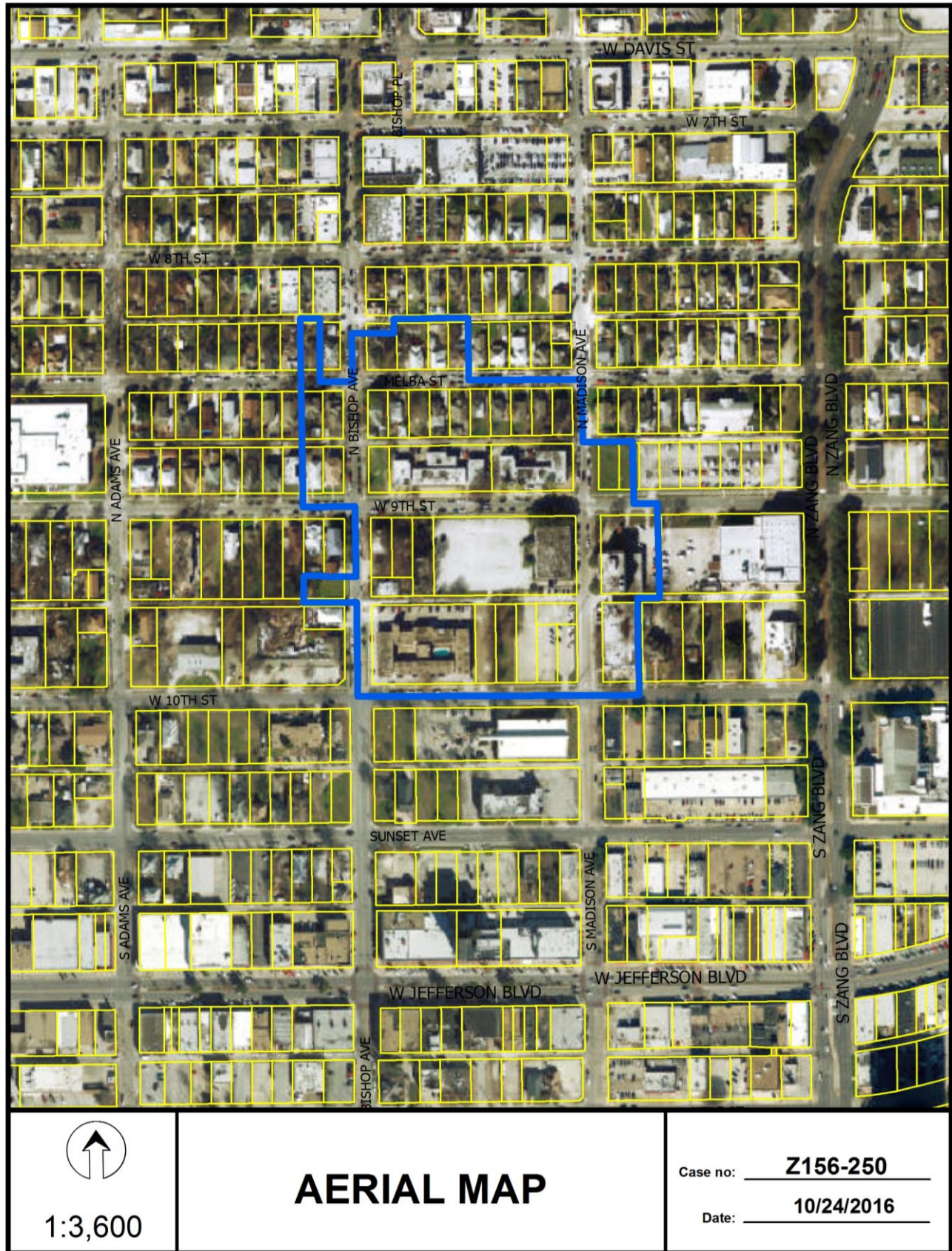
1:7,200

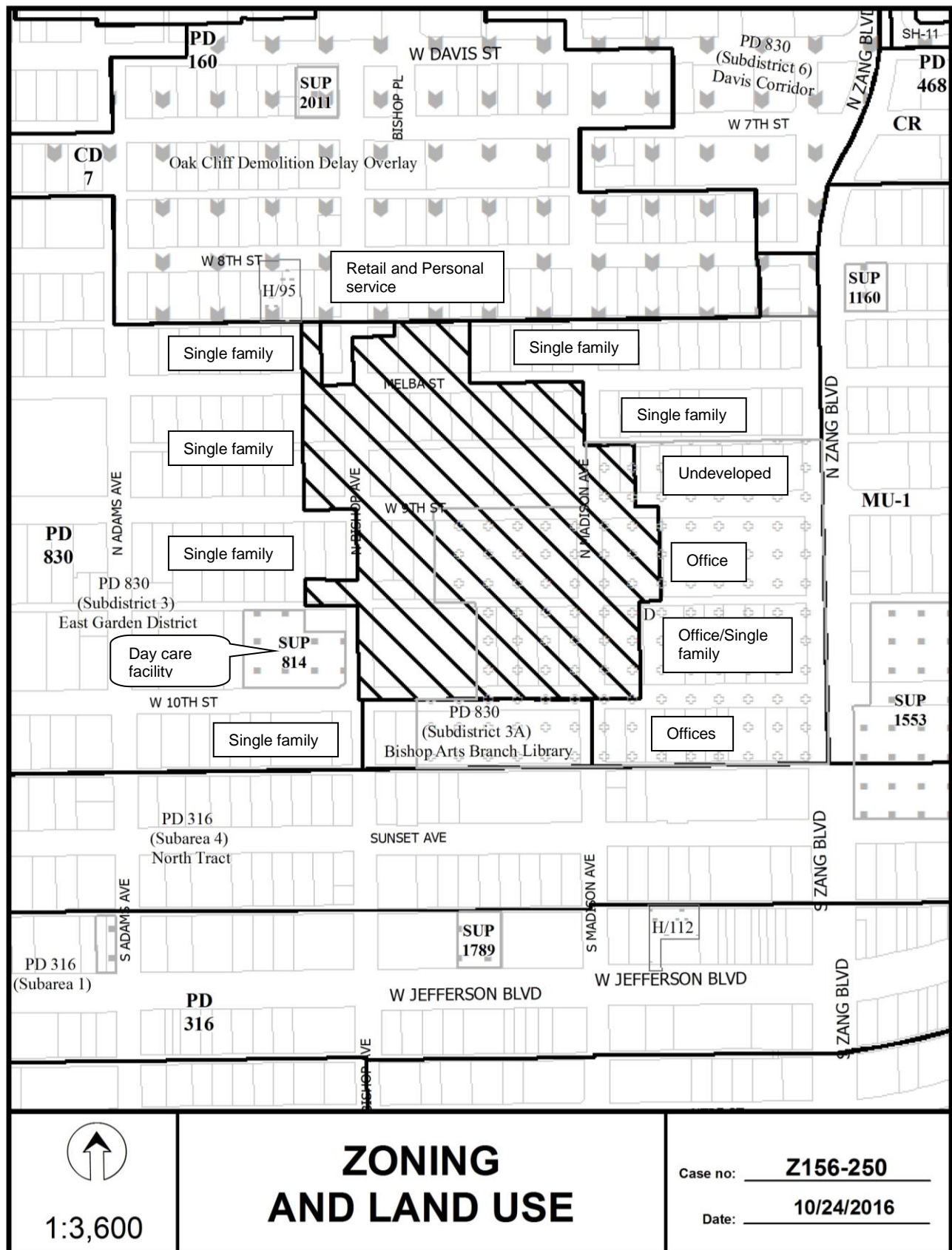
VICINITY MAP

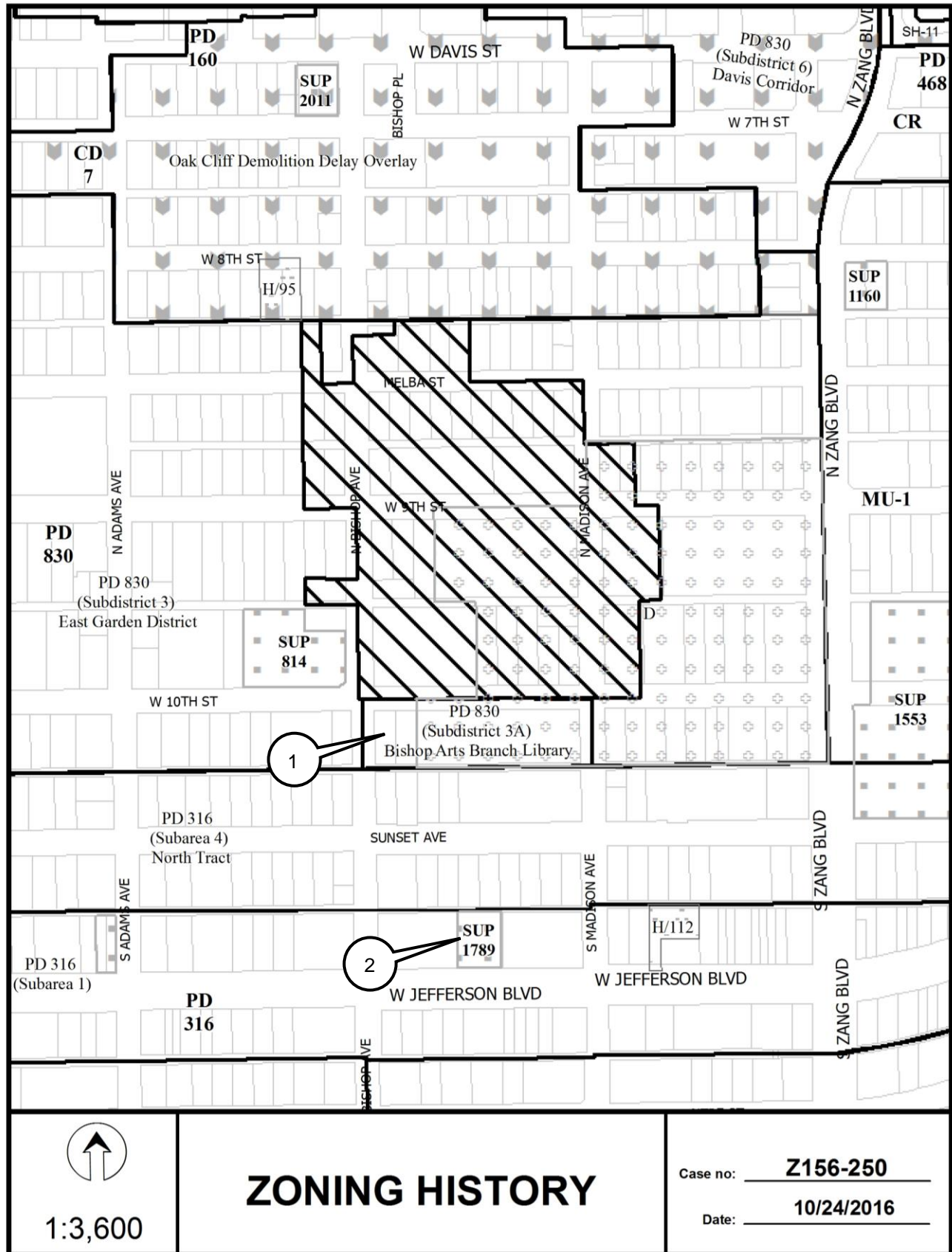
Case no: **Z156-250**

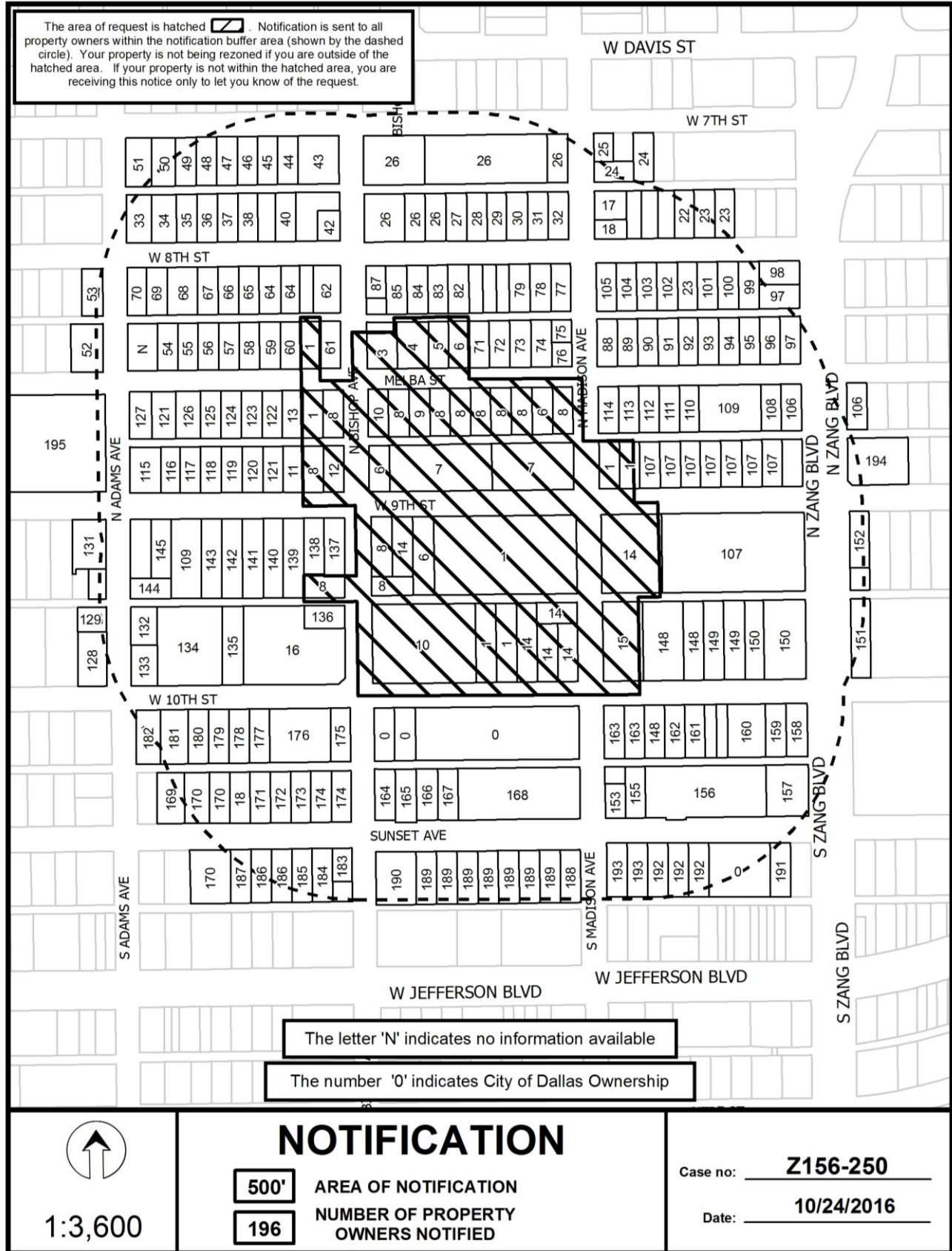
Date: **10/24/2016**

Z156-250(WE)









Notification List of Property Owners

Z156-250

196 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	405 MELBA ST	BISHOP ARTS VILLAGE LLC
2	308 N BISHOP AVE	MLARLB LP
3	337 MELBA ST	KENSINGTON RIVERFALL LLC
4	329 MELBA ST	KENSINGTON REIVERFALL LLC
5	325 MELBA ST	TOVAR JESUS ARMANDO LARA
6	321 MELBA ST	BISHOP ARTS VILLAGE LLC
7	321 W 9TH ST	MAN PARTNERS II LLC
8	300 MELBA ST	BISHOP ARTS VILLAGE LLC
9	328 MELBA ST	BISHOP ART VILLAGE LLC
10	336 MELBA ST	BISHOP ARTS VILLAGE LLC
11	407 W 9TH ST	AVILA LORENZO H
12	403 W 9TH ST	BISHOP ARTS LLC
13	410 MELBA ST	HOMETOWN CLASSIC BUILDERS LLC
14	311 W 10TH ST	KENSINGTON RIVERFALL LLC
15	233 W 10TH ST	KENSINGTON RIVERFALL LLC
16	407 W 10TH ST	CHILD CARE GROUP THE
17	408 N MADISON AVE	GAMBER BARRY &
18	239 W 8TH ST	SALVAGGIO CHARLES F
19	235 W 8TH ST	EITCHES ROBERT W
20	233 W 8TH ST	216 W 7TH LLC
21	231 W 8TH ST	MUSICK RONALD
22	223 W 8TH ST	SALINAS ELIDA
23	217 W 8TH ST	SDE TEXAS LLC
24	232 W 7TH ST	7TH MADISON LLC
25	238 W 7TH ST	ALAMO MANHATTAN BAD LLC
26	333 W 8TH ST	BISHOP STREET PARTNERS JV

10/24/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	323 W 8TH ST	SALAZAR MANUAL & MARIA
28	317 W 8TH ST	VILLALOBOS CELESTINO A &
29	315 W 8TH ST	SANCHEZ MARTIN &
30	309 W 8TH ST	ALVAREZ GERARDO
31	305 W 8TH ST	OAK CLIFF LEASING LLC
32	301 W 8TH ST	1301 STEMMONS LLC
33	439 W 8TH ST	MENDOZA ELENA
34	433 W 8TH ST	AVILA JOSE A ETAL
35	429 W 8TH ST	ALLMON ALAN DUANE
36	425 W 8TH ST	ALLMON ALAN D
37	421 W 8TH ST	GAYTAN JOSE &
38	419 W 8TH ST	JAR BISHOP ARTS HOLDINGS LLC
39	413 W 8TH ST	MORENO AMELIE G
40	411 W 8TH ST	MORENO JOAQUIN M
41	407 N BISHOP AVE	BAD KRAMER LLC
42	403 N BISHOP AVE	MITCHELL DONALD G
43	419 N BISHOP AVE	BISHOP FUND LTD
44	408 W 7TH ST	7TH LLC
45	412 W 7TH ST	DOMINGUEZ ARTURO &
46	418 W 7TH ST	D MC LEASING INC
47	422 W 7TH ST	D MC LEASING
48	426 W 7TH ST	CASTILLO VICTORIA
49	428 W 7TH ST	ALVARADO DAVE H &
50	434 W 7TH ST	GAMBER MONTY
51	438 W 7TH ST	GAMBER MONTY
52	505 MELBA ST	ARREAGA MICHAEL A
53	502 W 8TH ST	MCDONALD M V
54	433 MELBA ST	MENDEZ EBERTO
55	429 MELBA ST	GUARDADO JOSE FILEMON &
56	425 MELBA ST	CANO MOISES
57	421 MELBA ST	SOTO FELIX &

10/24/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	417 MELBA ST	AQUIRRE MAXIMINO B &
59	413 MELBA ST	FREITAG AMANDA MARLENA
60	409 MELBA ST	HOMETOWN CLASSIC BLDRS LLC
61	403 MELBA ST	BISHOP & MELBA LLC
62	313 N BISHOP AVE	MLA-RLB LP
63	404 W 8TH ST	SULLIVAN JAMES W TR &
64	408 W 8TH ST	GOOD SPACE ARTS INC
65	416 W 8TH ST	GOOD SPACE ARTS INC
66	420 W 8TH ST	6212 INVESTMENTS LLC
67	424 W 8TH ST	GAYTAN MARY
68	428 W 8TH ST	RAMOS HILDA
69	432 W 8TH ST	GOOD SPACE X LLC
70	436 W 8TH ST	SOLIS JOSE & MARIE DEL
71	317 MELBA ST	TUESDAY REAL ESTATE LLC
72	313 MELBA ST	UG MELBA LLC
73	309 MELBA ST	CERDA JUAN & GUADALUPE
74	305 MELBA ST	UG MELBA LLC
75	307 N MADISON AVE	ESMIRNA TEMPLO
76	301 MELBA ST	POPKEN TRACY M
77	300 W 8TH ST	TEMPLO ESMIMA
78	306 W 8TH ST	CDP & LRP 306 LLC
79	310 W 8TH ST	GONZALES EFRAIN JR
80	318 W 8TH ST	SANDOVAL ANTONIO
81	314 W 8TH ST	LOS DETECTIVES SALVAJES INC
82	320 W 8TH ST	RODRIGUEZ JORGE POSADAS &
83	324 W 8TH ST	BMR JOHNSON INVESTMENTS L
84	328 W 8TH ST	SANCHEZ & SANCHEZ LLC
85	332 W 8TH ST	DUARTE JESUS JR &
86	314 N BISHOP AVE	GOOD SPACE X LLC
87	336 W 8TH ST	WISTERIA HILLS LLC
88	237 MELBA ST	FLORES DAVID & ROSA

10/24/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	235 MELBA ST	VARGAS ANTELMA &
90	231 MELBA ST	MANDUJANO J PABLO &
91	225 MELBA ST	CHAVARRIA LUCIANO
92	223 MELBA ST	PROSUM VENTURES INC
93	217 MELBA ST	SALAS FRANCISCO & TERESA
94	213 MELBA ST	ERIVES PATRICIA
95	211 MELBA ST	DEHOYOS DORA
96	205 MELBA ST	CHAVARRIA MACARIO PAIZ
97	201 MELBA ST	BARREIRO CRISEIDA M &
98	321 N ZANG BLVD	228 POOL LLC
99	212 W 8TH ST	GONZALEZ FELIPE &
100	216 W 8TH ST	MOJICA NICASIO
101	220 W 8TH ST	GUZMAN FRANCISCO
102	228 W 8TH ST	MONCADA ROSA MARIA &
103	232 W 8TH ST	VASQUEZ AURELIANO &
104	234 W 8TH ST	STEELE MINNIE ESTATE OF
105	240 W 8TH ST	BKN REALTY LLC
106	134 MELBA ST	EIGHTH ZANG LTD
107	231 W 9TH ST	SOUTHWESTERN BELL
108	206 MELBA ST	YAWTSAR LLC
109	212 MELBA ST	DRENNAN MARGIE L
110	222 MELBA ST	ESQUIVEL JULIO C &
111	226 MELBA ST	CEJA OCTAVIANO C &
112	230 MELBA ST	CALDERON ANTONIA GAYTAN
113	234 MELBA ST	GONZALEZ MOISES &
114	236 MELBA ST	CRUZ ERWIN
115	439 W 9TH ST	DRENNAN MARGIE LEE
116	435 W 9TH ST	DRENNAN MARGIE LEE
117	429 W 9TH ST	AGUERO AUSENCIO & MARIA
118	425 W 9TH ST	GONZALES CARMEN V
119	419 W 9TH ST	GUERRERO MARTHA

Z156-250(WE)

10/24/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	415 W 9TH ST	RAMIREZ PILAR S
121	413 W 9TH ST	MUSICANT AARON &
122	412 MELBA ST	SANCHEZ JOSE
123	418 MELBA ST	BISHOP ARTS MELBA LLC
124	422 MELBA ST	MEDINA RICARDO & MARCELA
125	426 MELBA ST	DAVILA JESUS
126	428 MELBA ST	MEESTER TRAVIS J
127	436 MELBA ST	BANDA GUADALUPE
128	501 W 10TH ST	PAOG MALENA MEAZELL ET AL
129	115 N ADAMS AVE	MONTIEL ALEJANDRO H
130	125 N ADAMS AVE	RUBIO REGINALDO &
131	119 N ADAMS AVE	CANO RAQUEL
132	110 N ADAMS AVE	MONTIEL ALEJANDRO
133	435 W 10TH ST	RATNER EUGENE L 1999 TRUST
134	427 W 10TH ST	PROXIMITY DEVELOPERS LLC
135	419 W 10TH ST	SALVADOR GARCIA JIMENEZ &
136	111 N BISHOP AVE	JOSEPH GEORGE KROSAMMA
137	400 W 9TH ST	MOJICA IGNACIO T & MARTHA
138	406 W 9TH ST	ORTIZ ELSIE
139	410 W 9TH ST	HERNANDEZ ERNESTO DANIEL &
140	412 W 9TH ST	HERNANDEZ ERNEST D
141	416 W 9TH ST	THIEUR JOSEPHINE M
142	422 W 9TH ST	FISHER ROSIA E
143	424 W 9TH ST	424 W 9TH LLC
144	118 N ADAMS AVE	RIBERA FRANCISCO M
145	432 W 9TH ST	HURLEY DONNA L
146	440 W 9TH ST	TOVAR JOSE S JR &
147	122 ADAMS AVE	TOVAR JOSE & CATALINA
148	227 W 10TH ST	CMWOC PROPERTIES I LLC
149	219 W 10TH ST	JIVE INVESTMENTS LLC
150	209 W 10TH ST	EXC VENTURES LLC

10/24/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	135 W 10TH ST	FIRST NORTH TEXAS
152	132 W 9TH ST	CLIFF TEMPLE BAPTIST
153	237 SUNSET AVE	DERASAUGH MARGARET &
154	112 S MADISON AVE	SALA JASON BRANDON
155	233 SUNSET AVE	DERASAUGH MARGARET SUE
156	219 SUNSET AVE	BABAJOON3M PROPERTIES LLC
157	205 SUNSET AVE	L G PAWN SHOP INC
158	202 W 10TH ST	DUTTON ALLAN M D
159	206 W 10TH ST	MERCADO FRANCISCA M
160	210 W 10TH ST	FIVE NINE SEVEN LP
161	220 W 10TH ST	PERALTA CHIROPRACTIC INC
162	224 W 10TH ST	JAS MAVERICK BISHOP 10TH LLC
163	232 W 10TH ST	PEREZ ARMINDA
164	110 S BISHOP AVE	CAMPOS JUAN MANUAL &
165	333 SUNSET AVE	SANTOS GERONIMO
166	329 SUNSET AVE	SANTOS GERONIMO ET AL
167	325 SUNSET AVE	SUNSET I PPTIES LLC
168	315 SUNSET AVE	SUNSET I PPTIES LLC
169	433 SUNSET AVE	EQUITY TRUST CO FBO
170	429 SUNSET AVE	BLUMENFELD TERRY &
171	415 SUNSET AVE	TORRES ANDRES
172	411 SUNSET AVE	MARQUEZ JAVIER
173	409 SUNSET AVE	LOPEZ ALBERTANO & TERESA ALMAZAN
174	405 SUNSET AVE	JDAL PROPERTIES INC
175	400 W 10TH ST	DEVERS GARY
176	408 W 10TH ST	JOSEPH GEORGE K & ROSAMMA
177	416 W 10TH ST	CALDERON JUAN C
178	418 W 10TH ST	CALDERON JUAN CARLOS
179	426 W 10TH ST	JEFFUS WAYNE
180	424 W 10TH ST	BISHOP ARTS VILLAGE LLC
181	430 W 10TH ST	JEFFUS WAYNE K

10/24/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	438 W 10TH ST	TRIPLE L PLACE LLC
183	211 S BISHOP AVE	HUERTA SARA R
184	404 SUNSET AVE	SALANA PROPERTIES LTD
185	410 SUNSET AVE	RODRIGUEZ JOSE L &
186	414 SUNSET AVE	CORDOVA FRED ETAL
187	422 SUNSET AVE	CORDOVA FRED P & MARIA
188	201 S MADISON AVE	EFFECTIVE TIME MGMT INC
189	304 SUNSET AVE	JEFFERSON MONUMENT LLC
190	334 SUNSET AVE	TEMPLO MONTE CALVARIO
191	206 SUNSET AVE	RIVCO ENTERPRISE LLC
192	220 SUNSET AVE	DIXON LIVING TRUST
193	232 SUNSET AVE	TYLER ARTS DISTRICT INV LLC
194	129 W 9TH ST	NINTH STREET LTD
195	201 N ADAMS AVE	DALLAS ISD
196	218 W 10TH ST	DDB PROPERTIES LLC

FILE NUMBER: Z167-122(WE) **DATE FILED:** October 26, 2016
LOCATION: Southeast line of Capital Avenue, northeast of North Carroll Avenue
COUNCIL DISTRICT: 2 **MAPSCO:** 35-Z
SIZE OF REQUEST: Approx. 6,229.08 sq. ft. **CENSUS TRACT:** 8.00

APPLICANT: Kevin Tyler Barrington

OWNER: Gerardo R. Martinez

REPRESENTATIVE: Robert Reeves
Robert Reeves and Associates, Inc.

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

SUMMARY: The purpose of this request is to allow for the development of a duplex on the property. The request site currently has a single family structure. The applicant's volunteered deed restrictions will limit the structure height to a maximum of 30 feet. The proposed duplex district allows for a maximum height of 36 feet.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The request site is currently developed with a single family dwelling.
- The applicant proposes to develop the site with a duplex unit. In addition the applicant has volunteered deed restriction to limit the maximum structure height to 30 feet. The proposed deed restrictions will mirror the adjacent duplex property's deed restrictions.
- Prior to the 1989 Chapter 51A Development Code transition, the subject site and surrounding area was zoned an MF-2 Multiple-family District. At the time of transition, properties on both sides of Capitol Avenue, between North Carroll Avenue to the north side of Prairie Avenue were rezoned to an R-7.5(A) Single Family District.
- On June 17, 2015, the City Council approved a D(A) Duplex District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District to the southwest of the site. The deed restrictions limited the structure height to 30 feet.
- The land uses surrounding the request site consist primarily of single family uses. However, there is a duplex that is under construction that abuts the request site. The request site is also adjacent to an MF-2(A) Multifamily District where duplexes are permitted.

Zoning History: There has been one zoning change requested in the past five years.

1. Z145-194 On June 17, 2015, the City Council approved a D(A) Duplex District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Capitol Avenue	Local	50 ft.	50 ft.

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

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.

While the use is consistent with the characteristics of the Residential Building Block for this neighborhood by being residential, the proposed zoning district for detached dwellings on one lot in an established neighborhood of single-family, detached units should be carefully considered.

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:

	Zoning	Land Use
Site	R-7.5(A)	Single Family
Northeast	R-7.5(A)	Single Family
Southeast	MF-2(A)	Duplex, Single Family
Northwest	R-7.5(A)	Single Family
Southwest	D(A)	Undeveloped

STAFF ANALYSIS:

Land Use Compatibility: The approximately 6,229.08 square foot site is developed with a one-story single family dwelling unit. The request site is surrounded by predominately single family uses. However, there is a duplex under construction to the east of the request site. The request site abuts a MF-2(A) Multifamily District that permits the development of residential uses, which includes duplexes.

Staff believes that the development of a duplex unit in a predominately single family neighborhood could potentially change the character of the area, which could potentially impact the surrounding area. In addition, the development standards are different as it relates to the height, lot coverage and lot size. The potential increase in the lot coverage and scale of the proposed development could begin to change the overall character of the established single-family neighborhood. The development pattern of the single family uses have been established along Capital Avenue and a change in the development pattern to encourage duplexes may begin to erode the single family character of the neighborhood.

The applicant has volunteered deed restrictions that limited the structure height to 30 feet. The proposed deed restrictions mirror the adjacent duplex property's deed restrictions.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) - Existing Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%	Min. Lot: 7,500 sq. ft.	Single family
D(A) - Proposed Duplex	25'	5'	1 Dwelling Unit/ 3,000 sq. ft.	36'	60%	Min. Lot: 6,000 sq. ft.	Duplex & single family

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

**APPLICANT'S PROPOSED
DEED RESTRICTIONS**

DEED RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF DALLAS) KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, Gerardo R. Martinez, ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land in City Block J/2007, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Special Warranty Deed, dated January 11, 1999, and recorded in Instrument No. 20070059061, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Being Lot 10, in Block J/2007 of Golf Park Addition, Second Installment, an Addition to the City of Dallas, Dallas County, Texas according to the Map thereof recorded in Volume 6, Page 255, of the Map Records of Dallas County, Texas.

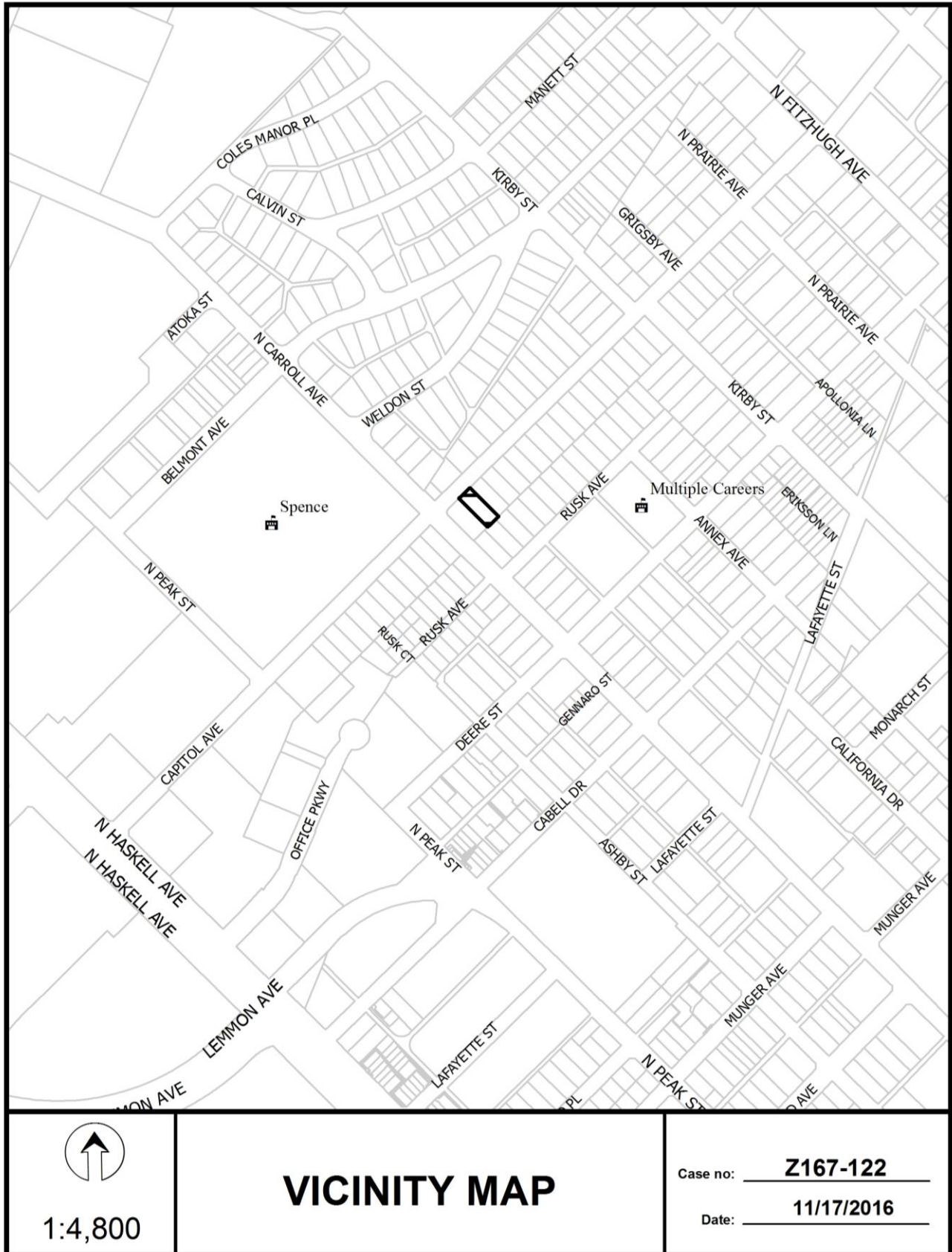
II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The maximum height for a Duplex use built on the Property is thirty feet.

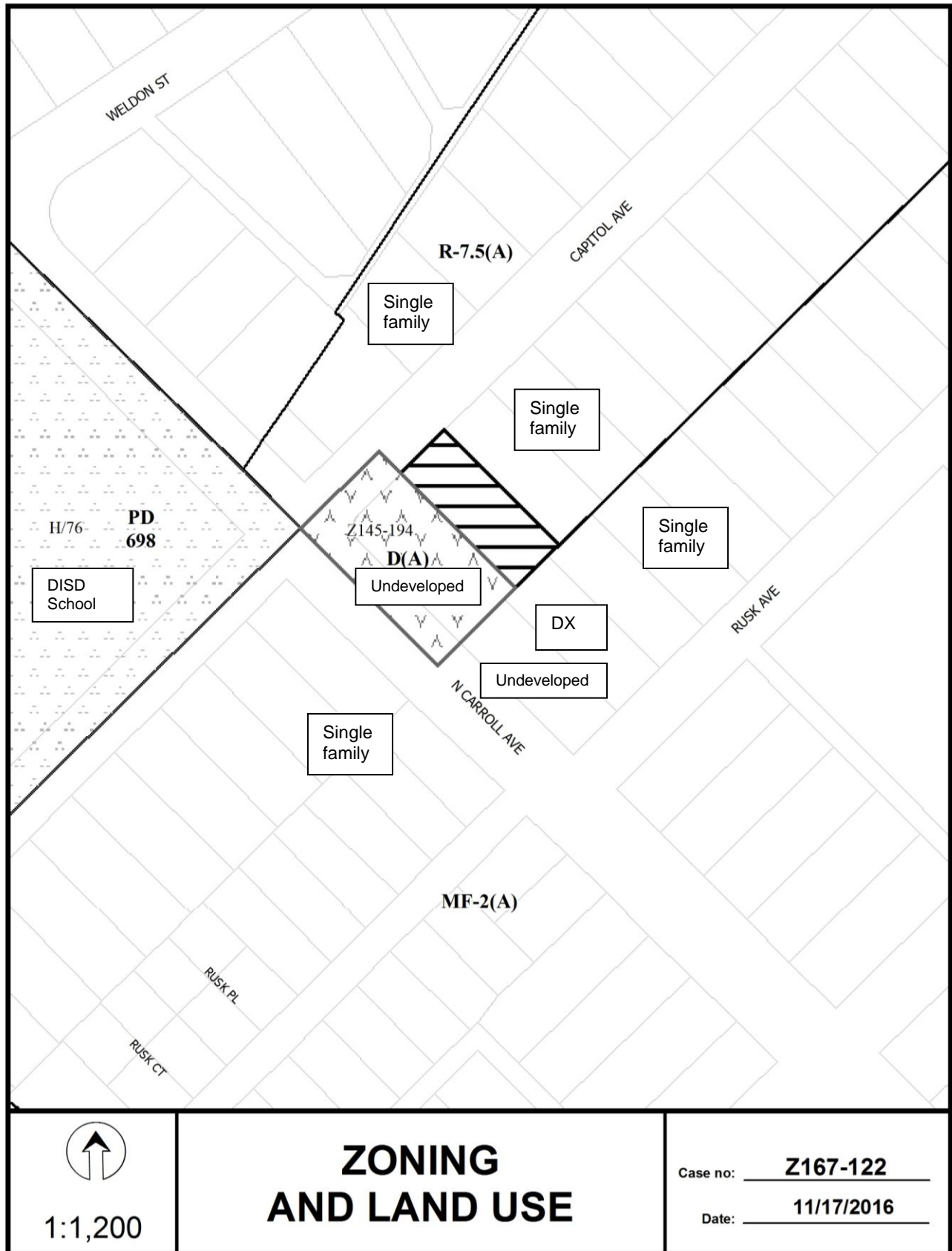
III.

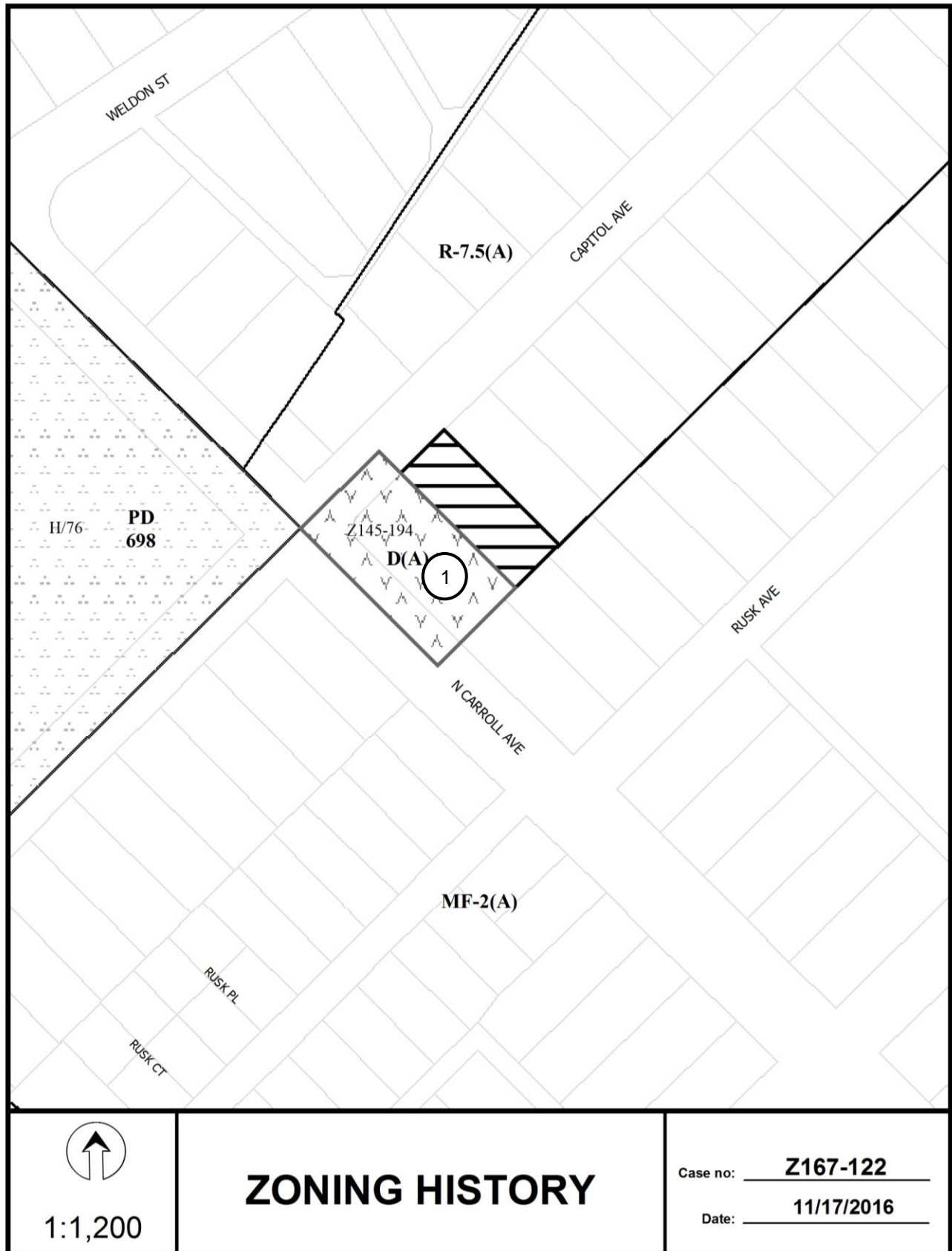
These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

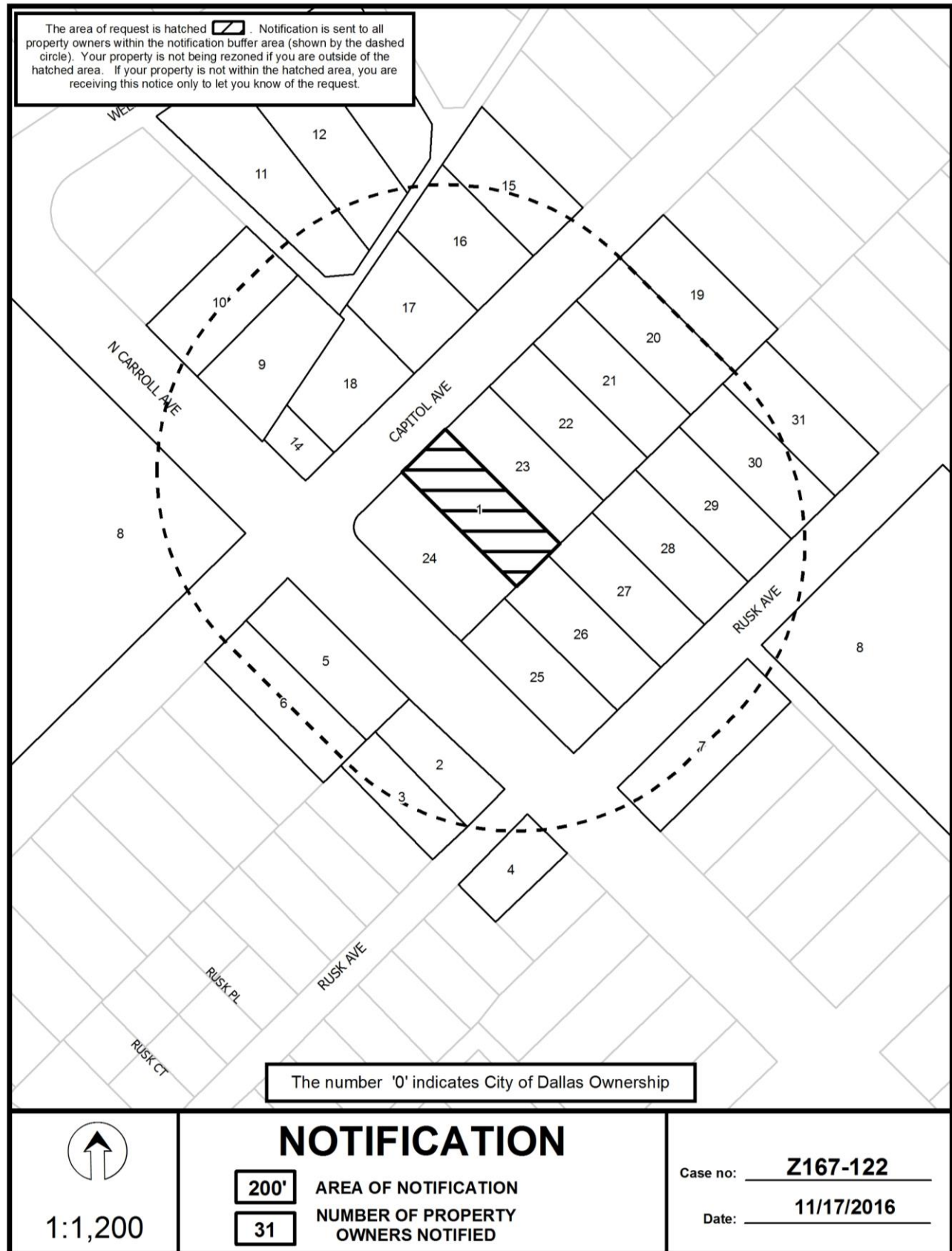


Z167-122(WE)









Notification List of Property Owners

Z167-122

31 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4506 CAPITOL AVE	MARTINEZ GERARDO R
2	4427 RUSK AVE	OLIVO MARIA E
3	4423 RUSK AVE	MARTINEZ ELENA &
4	2323 N CARROLL AVE	GARCIA TONY R
5	4422 CAPITOL AVE	RIOS PRIMA
6	4418 CAPITOL AVE	BARRON EDUARDO
7	2318 N CARROLL AVE	SINGH KONARK
8	4528 RUSK AVE	Dallas ISD
9	2408 N CARROLL AVE	NGO VUI MANH &
10	2412 N CARROLL AVE	LIM HARRY & ELIENE
11	4512 WELDON ST	NGOC DUONG
12	4518 WELDON ST	RAMIREZ GABRIEL N &
13	4522 WELDON ST	SERRANO-GUZMAN JOSE C
14	4503 CAPITOL AVE	GUERRERO ROGELIO R &
15	4521 CAPITOL AVE	RODRIGUEZ CONSTANCE &
16	4517 CAPITOL AVE	OCHOA GLORIA MARIE
17	4511 CAPITOL AVE	OBRIEN PATRICK
18	4507 CAPITOL AVE	GUERRERO ROGELIO R &
19	4526 CAPITOL AVE	BARNETT BRADLEY S
20	4522 CAPITOL AVE	MURILLO NOE & YOLANDA
21	4518 CAPITOL AVE	RAY STEVEN T &
22	4514 CAPITOL AVE	MEZA JOEL & ALMA C
23	4510 CAPITOL AVE	HINGUANEZO LAURA
24	4502 CAPITOL AVE	RIPPLE D & B CO
25	4501 RUSK AVE	PHA SOEUN
26	4507 RUSK AVE	DALLAS SUNDOWN PROPERTY INVESTMENTS LLC

Z090-236 (WE)

11/16/2016

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4509 RUSK AVE	MARRUFO JOSE H
28	4511 RUSK AVE	GUEVERA VERONICA M
29	4519 RUSK AVE	WELLS KAREN DONNELL
30	4523 RUSK AVE	WORLDALLAS PPTIES INC
31	4527 RUSK AVE	LEAL JOSE CESAR