



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, November 9, 2017  
AGENDA

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BRIEFINGS:	5ES	11:00 a.m.
PUBLIC HEARING:	Council Chambers	1:30 p.m.

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

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

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**BRIEFINGS:**

DCA178-003 - Consideration of amending Chapters 51 and 51A of the Dallas Development Code to add Park Land Dedication regulations.

Ryan O'Connor, Senior Program Manager, Park and Recreation Department

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S167-151R**  
(CC District 10)
- An application to revise a previously approved preliminary plat (S167-151) to create 81 lots with 4 common areas from a 9.537-acre tract of land in City Block 8420 and to approve executive addressing on property located north of Forest Lane and east of Abrams Road.  
Applicant/Owner: Disk Development, LLC  
Surveyor: Votex Surveying  
Application Filed: October 11, 2017  
Zoning: PD 974  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S178-001**  
(CC District 2)
- An application to replat a 2.402-acre tract of land containing all of Lots 1 through 5, Lots 22 through 27, parts of Lots 6, 7, 21, and 28 in City Block 1090 1/2, part of City Block 1094, and part of abandoned Beaumont Street to create a 58-lot shared access area development with one common area and to extend Beaumont Street on property located on McKee Street at Cockrell Avenue, east corner.  
Applicant/Owner: Texas Intown Homes, LLC  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: October 11, 2017  
Zoning: PD 317 (Subdistrict 3B) (Tract 1)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S178-002**  
(CC District 2)
- An application to replat a 0.224-acre of tract of land containing part of Lots 6, 7, and 28, part of City Block 1090 1/2, and part of abandoned Beaumont Street to create a 5-lot shared access area development on property located on Cockrell Avenue at future Beaumont Street, east corner.  
Applicant/Owner: Texas Intown Homes, LLC  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: October 11, 2017  
Zoning: PD 317 (Subdistrict 3B) (Tract 1)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S178-003**  
(CC District 2)
- An application to replat a 1.035-acre tract of land containing part of Lot 28, part of abandoned Beaumont Street, and part of City Block 1090 1/2 to create a 19-lot shared access development with 3 common areas on property located on Wall Street at Beaumont Street, south corner.  
Owners: Texas Intown Homes, LLC  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: October 11, 2017  
Zoning: PD 317 (Subdistrict 3B) (Tract 1)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S178-004**  
(CC District 1)
- An application to replat a 65.661-acre tract of land containing all of Lots 1 and 2 in City Block A/5973; part of City Blocks 52/5973, C/5973, D/5973, E/5973, F/5973; and part of abandoned Llewellyn Avenue to create one lot on property located on Illinois Avenue at Zang Boulevard, north corner.  
Applicant/Owner: Brixmor Holdings 12 SPE, LLC  
Surveyor: Adams Surveying Company, LLC  
Application Filed: October 12, 2017  
Zoning: RR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.



- (6) **S178-005**  
(CC District 2)      An application to replat a 0.264-acre tract of land containing part of Lot 5 in City Block 8/768 to create one lot on property located on Swiss Avenue at Carroll Avenue, south corner.  
Applicant/Owner: PHP Carroll MOB Partners, LP  
Surveyor: Gonzalez and Schneeberg  
Application Filed: October 12, 2017  
Zoning: PD 298 (Subarea 9)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S178-006**  
(CC District 8)      An application to replat a 29.390-acre tract of land containing all of Lot 5 in City Block H/8820 and a tract of land in City Block 8820 to create one lot on property located on South Belt Line Road at C.F. Hawn Freeway, east quadrant.  
Applicant/Owner: Kleberg Market Place, Inc.  
Surveyor: CBG Surveying, Inc.  
Application Filed: October 12, 2017  
Zoning: CS  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Certificates of Appropriateness for Signs:

Downtown Special Provision Sign District – General CBD:

- 1709190011**  
Neva Dean  
(CC District 14)      An application for a Certificate of Appropriateness by Bobby Nichols of Chandler Signs for a 473-square foot upper level flat attached sign at 1999 Bryan Street (southeast elevation).  
Staff Recommendation: **Approval**  
Special Sign District Advisory Committee Recommendation: **Approval**  
Applicant: Bobby Nichols, Chandler Signs  
Tenant/Owner: Jacobs Engineering/ FPG-DMT Harwood LP

Downtown Special Provision Sign District – Retail Subdistrict A:

- 1707060021**  
Neva Dean  
(CC District 14)      An application for a Certificate of Appropriateness by Kristy Smith with Signs Manufacturing & Maintenance Corporation for a 30-square foot lower projecting attached sign at 1933 Main Street (southeast corner).  
Staff Recommendation: **Approval**  
Special Sign District Advisory Committee Recommendation: **Approval** with the condition that the design approved by the Landmark Commission for the awnings be incorporated into the sign either on the top or the bottom.  
Applicant: Kristy Smith, Signs Manufacturing & Maintenance Corporation  
Tenant/Owner: Indigo Hotel Downtown Dallas/Bijoy, LLC

**1708230003**  
Neva Dean  
(CC District 14)

An application for a Certificate of Appropriateness by Maxwell Fisher with Masterplan for a 24-square foot lower projecting attached sign at 1800 Main Street (south elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:  
**Approval**

Applicant: Maxwell Fisher with Masterplan

Tenant/Owner: Verizon/FC Merc Complex LP

**1708230004**  
Neva Dean  
(CC District 14)

An application for a Certificate of Appropriateness by Maxwell Fisher with Masterplan for a 24-square foot lower level flat attached sign at 1800 Main Street (west elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:  
**Approval**

Applicant: Maxwell Fisher with Masterplan

Tenant/Owner: Verizon/FC Merc Complex LP

**1708230005**  
Neva Dean  
(CC District 14)

An application for a Certificate of Appropriateness by Maxwell Fisher with Masterplan for a 24-square foot lower level flat attached sign at 1800 Main Street (south elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:  
**Approval**

Applicant: Maxwell Fisher with Masterplan

Tenant/Owner: Verizon/FC Merc Complex LP

Zoning Cases – Consent:

1. **Z167-349(SM)**  
Sarah May  
(CC District 2)

An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, northeast of Maple Avenue.

Staff Recommendation: **Approval**

Applicant: Madison Kimsey, Ltd.

Representative: Rob Baldwin

2. **Z156-351(WE)**  
Warren Ellis  
(CC District 14)

An application for an amendment to, and an expansion of, Planned Development District No. 931 for MF-2(A) Multifamily District uses and termination of Specific Use Permit No. 2121 for a college, university, or seminary on property zoned an MF-2(A) Multifamily District, on both sides of Bryan Street, northeast of North Munger Boulevard, and northwest of Live Oak Street.

Staff Recommendation: **Approval**, subject to a conceptual plan and conditions; and **approval** of the termination of Specific Use Permit No. 2121 for a college, university, or seminary.

Applicant: Highland Park United Methodist Church - Ken Reiser, Executive Director

Representative: Dallas Cothrum, Masterplan

3. **Z167-346(WE)**  
Warren Ellis  
(CC District 2)
- An application for a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south line of Commerce Street, between Malcom X Boulevard and Crowds Street.
- Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
- Applicant: Jeanne Blanton
- Representative: Santos Martinez - MASTERPLAN
4. **Z167-382(WE)**  
Warren Ellis  
(CC District 2)
- An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south line of Commerce Street, between Malcom X Boulevard and Crowds Street.
- Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.
- Applicant: Jeanne Blanton
- Representative: Santos Martinez - MASTERPLAN
5. **Z167-361(JM)**  
Jennifer Muñoz  
(CC District 6)
- An application for an NO(A) Neighborhood Office District on property zoned an R-5(A) Single Family District, on the southeast corner of Calypso Street and Hampton Road.
- Staff Recommendation: **Approval**
- Applicant: Felipe Vela
- Representative: Mike Arreguin % FC Drafting & Design Associates
6. **Z167-380(JM)**  
Jennifer Muñoz  
(CC District 1)
- An application for an R-5(A) Single Family District on property zoned an R-7.5(A) Single Family District, on the southeast corner of West 9<sup>th</sup> Street and North Ravinia Drive.
- Staff Recommendation: **Approval**
- Applicant: Michael Riemer
- Representative: Robert Reeves & Associates, Inc.
7. **Z167-384(JM)**  
Jennifer Muñoz  
(CC District 11)
- An application for a CR Community Retail District on property zoned an NO(A) Neighborhood Office District, on the northwest line of Goldmark Drive, south of Spring Valley Road.
- Staff Recommendation: **Approval**
- Applicant: Chin Chin Yeh

Zoning Cases – Under Advisement:

8. **Z167-354(SM)**  
Sarah May  
(CC District 7)
- An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District and a NS(A) Neighborhood Services District on the west line of Dolphin Road, south of Terrell Street, with consideration given to a CR Community Retail District.  
Staff Recommendation: **Approval** of a Community Retail District in lieu of the requested CS Commercial Service District with deed restrictions volunteered by the applicant.  
Applicant: James Felder  
Representative: Michael King, The Mike King Company  
U/A From: October 19, 2017
9. **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, November 10, 2016, January 19, 2017, March 16, 2017, April 27, 2017, September 7, 2017 and October 5, 2017.
10. **Z167-321(WE)**  
Warren Ellis  
(CC District 1)
- An application for a new subdistrict on property zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, with a SH Shopfront Overlay, and the termination of existing deed restrictions, on the southeast corner of North Zang Boulevard and East 6th Street.  
Staff Recommendation: **Approval**, subject to a revised development plan and conditions; and **approval** of the termination of existing deed restrictions.  
Applicant: Magnolia Property Company  
Representative: Rob Baldwin, Baldwin Associates  
U/A From: October 19, 2017

11. **Z145-337(MD/RB)** An application for the creation of a new subarea, a Specific Use Permit for a Social Event Use, and amendments to the preservation criteria within Area A with Planned Development District No. 63 with Historic Overlay No. 1 on the southeast corner of Swiss Avenue and Parkmont Street.  
Mark Doty  
Neva Dean  
(CC District 14)
- Staff Recommendation: **Approval** of the creation of the new subarea, subject to conditions, **approval** of a Specific Use Permit for a Social Event Use for a two-year period, subject to a site plan and staff's recommended conditions; and **approval** of an amendment to the H/1 Historic Overlay, subject to preservation criteria.  
Applicant: Dallas County Medical Society Alliance Foundation  
Representative: Rob Baldwin  
Bus Tour Date: December 17, 2015  
U/A From: October 19, 2017

Development Code Amendments:

- DCA 178-001**  
Vasavi Pilla  
(CC District All)
- Consideration of amending the Dallas Development Code Section 51A-4.204(4) to amend Remote and Shared Parking regulations for churches.  
Staff Recommendation: **Approval**  
Zoning Ordinance Advisory Committee Recommendation: **Approval**

Authorization of a Hearing:

- Donna Moorman  
(CC District 1)
- Consideration of authorizing a public hearing to determine the proper zoning on property zoned a CR Community Retail District in an area generally located along both sides of Edgefield Avenue from Tennessee Avenue to the alley south of Newport Avenue, both sides of Balboa Drive between Pioneer Drive and Berkley Avenue, both sides of Ferndale Avenue from the alley east of Tennessee Avenue to the alley east of Balboa Drive, both sides of Brunner Avenue between Balboa Drive and Edgefield Drive, and both sides of Newport Avenue between Balboa Drive and Edgefield Drive, and containing approximately 14 acres with consideration being given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Other Matters:

Consideration of appointments and reappointments to CPC Committees:

**ZONING ORDINANCE ADVISORY COMMITTEE  
SUBDIVISION REVIEW COMMITTEE  
RULES COMMITTEE  
CPC LIAISON TO LANDMARK COMMISSION  
URBAN DESIGN ADVISORY COMMITTEE  
ARTS DISTRICT SIGN ADVISORY COMMITTEE (ADSAC)  
SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC)**

Minutes: October 19, 2017

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, November 2, 2017**

**URBAN DESIGN ADVISORY COMMITTEE (UDAC) MEETING** - Thursday, November 2, 2017, City Hall, 1500 Marilla Street, in Room 1FN, at 8:30 a.m., to consider (1) The 360 Plan.

**Thursday, November 9, 2017**

**ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) MEETING** - Thursday, November 9, City Hall, 1500 Marilla Street, in Room 5ES, at 9:00 a.m., to consider (1) **DCA 178-002** - Consideration of amending the Dallas Development Code to amend Article XIII - Form Districts.

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

## **EXECUTIVE SESSION NOTICE**

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex. Govt. Code §551.086]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]



**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 9, 2017****FILE NUMBER:** S167-151R**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** North of Forest lane and east of Abrams Road**DATE FILED:** October 11, 2017**ZONING:** PD 974<http://www.dallascityattorney.com/51P/Articles%20Supp%2047/ARTICLE%20974.pdf>**CITY COUNCIL DISTRICT:** 10 **SIZE OF REQUEST:** 9.537-acres **MAPSCO:** 17X**APPLICANT/OWNER:** Disk Development, LLC

**REQUEST:** An application to revise a previously approved preliminary plat (S167-151) to create 81 lots with 4 common areas from a 9.537-acre tract of land in City Block 8420 and to approve executive addressing on property located north of Forest Lane and east of Abrams Road.

**SUBDIVISION HISTORY:**

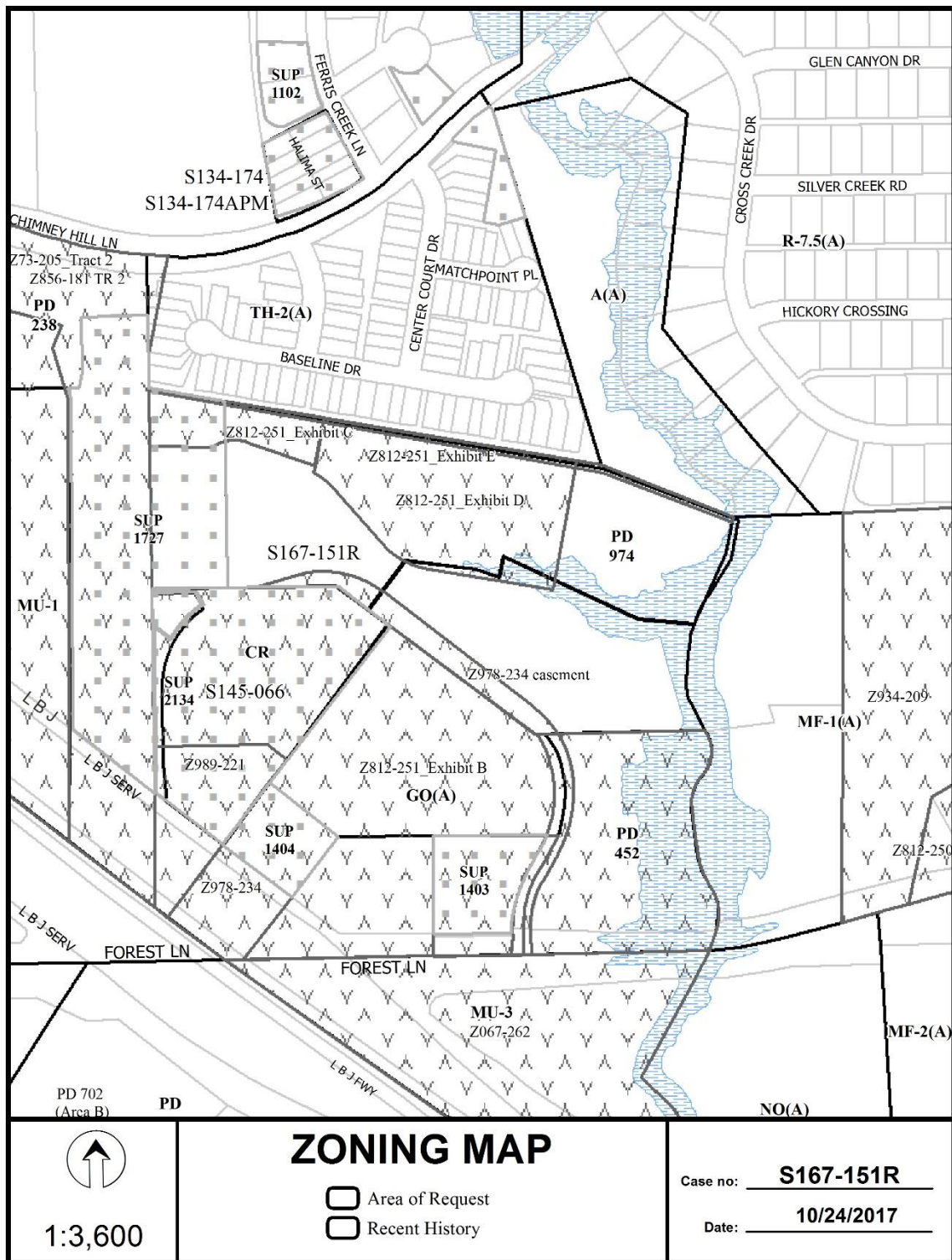
1. S145-066 was a request south of the present request to replat a 4.9139-acre tract of land containing the remainder of Lot 2 in City Block A/8420 into one lot on property located at 9400 Lyndon B. Johnson Freeway (Interstate Highway 635). The request was approved January 22, 2015 and was recorded September 29, 2016.
2. S134-174 was a request northwest of the present request to replat a 0.914-acre tract of land containing all of Lot 1 in City Block D/8418 into a 10-lot shared access area development ranging in size from 3037 square feet to 5679 square feet and to remove the existing 25 feet platted building line along the north line of Chimney Hill Lane and to remove the existing 15-foot platted building line along the west line of the property on property located at 9709 Chimney Hill Lane. The request was approved June 19, 2014 and was recorded September 16, 2016.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 974; therefore, staff recommends approval of the request subject to compliance with the following conditions:

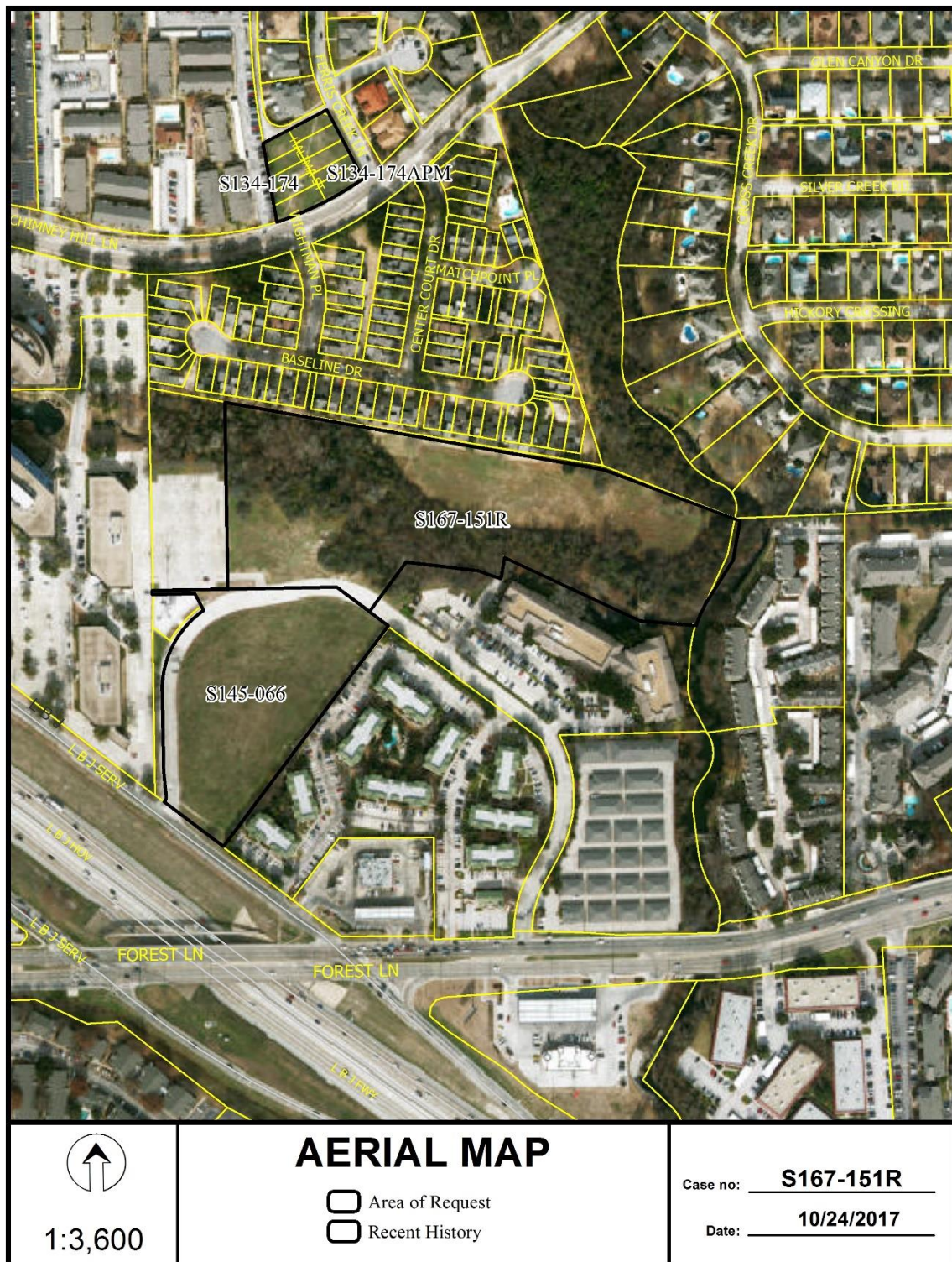
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.

5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
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. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is 81 with four common areas.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
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. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
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 how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
22. On the final plat, show recording information on all existing easements within 150 feet of the property.
23. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
24. 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)
25. Site plan needs to be submitted showing proposed new buildings, development, proposed water and wastewater service locations, and proposed water and wastewater sizes. Section 49-60(g)(1)
26. Existing water and/or wastewater easements need to be shown and/or increased to conform to current design standards. **Notice** Minimum Dallas Water Utilities (DWU) easement size is 20 feet for one utility and 25 feet for both water and sewer. Section 49-60(d) and DWU Water/Wastewater Design Manual Table 1.8.3 Page 1-10
27. Water/wastewater main extension is required by private development contract. Section 49-60(g)(1)(2), Section 49-62(f)(1), Section 49-62(b)(c)
28. Single family subdivision requiring engineering for water/wastewater extensions is not eligible for Early Building Permit. Section 51A-8.702
29. Prior to final plat, split the street labelled "Branch Waters Way" into two different named streets where it makes a "T" intersection, change the north-south portion of "Blue Sky Alley" to "Wood Duck Lane", place a label for an approved street name in the portion of the "45 mutual access and public utility easement" adjoining the subject area, contact street name coordinator for help determining acceptable names. Section 51A-8.403(a)(1)(A)(xiv), Section 51A-8.506(e)
30. On the final plat, identify the property as Lots 10B through 10D in City Block E/2002. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











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whereas, said development, LLC, a Texas limited liability company, is the owner of a tract of land situated in the B.L. PRIGMORE SURVEY, ABSTRACT NO. 1153, City of Dallas, Dallas County, Texas and being all of that tract of and conveyed to Dicks Development, LLC, by Special Warranty Deed as recorded under instrument Number 201600122560, Official Public Records, Dallas County, Texas (O.P.R.C.1), and being more particularly described as follows:

THESE results, 73 degrees 56 minutes 44 seconds East, show the center of the city of Chicago is located 1.2 miles (1.9 km) from the north line of the intersection between the 93rd and 94th streets, 53,931 feet, or a 1/2-2/3 mile from red oak stand, "WATER SAVING" (1994), and the northeast corner of a tract of land owned by Chicago Land Park Homeowners Association by Special Warranty Deed as recorded under Volume 82186, page 200 (D00017).

The ENC also documents the following three (3) casts along the existing creek for the following three (3) casts:

- South 10 degrees 00 minutes 26 seconds West, a distance of 98.58 feet to a point for a corner;
- South 32 degrees 25 minutes 26 seconds West, a distance of 108.81 feet to the beginning of a circular curve to the left;

THENCE depicting the west line of and Lot 1, Block 7/8421, along the common line between said Lot 1A, Block A/8420 and said Disk Development tract; for the following lot (5) calls:

—North 85 degrees 06 minutes 04 seconds West, a distance of 138.37 feet to c 1/2-inch iron rod with cap stamped, "VOLEX SURETINO" (previously said) found for a corner.

—North 64 degrees 55 minutes 43 seconds West, a distance of 383.00 feet to c 1/2-inch iron rod with cap stamped, "VOLEX SURETINO" (previously said) found for a corner.

-South 10 degrees 04 minutes 17 seconds West, a distance of 53.00 feet to a 1/2-inch iron rod with cap stopped, "VOTEX SURVEYING" (previously set) found for a corner.

- North 83 degrees 36 minutes 32 seconds West, a distance of 35.83 feet to
- c 5/8-inch iron rod found for a corner.
- North 83 degrees 17 minutes 10 seconds West, a distance of 175.24 feet to
- c 1/2-inch iron rod found for a corner.

—South 36 degrees 44 minutes 18 seconds West, a distance of 149.21 feet on "X" cut in concrete found for the most westerly corner of said Lot 1A, Block A/8420, said corner being the most southern corner of said Lot Development Tract, said corner being in the north line of said Lot 20, Block A/8420;

HEMIS. 53 degrees 29 minutes 13 seconds West, along the common line between solid Block Development, tract and solid Lot 20, Block 9/420, a distance of 399.13 feet to an "X" cut in concrete found for a corner.

THENCE South 88 degrees 56 minutes 23 seconds West, along the common line between solid Block Development, tract and solid Lot 20, Block 9/420, a distance of 285.00 feet to the POINT of BEGINNING, containing 410.420 square feet; or 9.357 acres of land, more or less.

### OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS

[illegible]

water main and wastewater easements shall also include additional areas of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation on and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

The plot approves subject to all pitting ordinances, rules, regulations, and resolutions of the City Dallas.

WITNESS, my hand of Dallas, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

DISK DEVELOPMENT, LLC  
a Texas limited liability company

BT: \_\_\_\_\_  
Diane Cheatham, President

STATE OF TEXAS  
COUNTY OF DALLAS

Before me, the undersigned, a Notary Public in and for the County and State on this day personally appeared Doree Cleetman, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_\_ of \_\_\_\_\_, 2017.

Notary Public, State of Texas

REVISED PRELIMINARY PLAT  
URBAN COMMONS  
Lots 1-70, Block B/8420  
Lots 1-11, Block C/8420  
Lot 1, Block D/8420  
0.637 ACRES

OUT OF THE

PRIGMORE SURVEY, ABSTRACT NO. 1159  
OF DALLAS, DALLAS COUNTY, TEXAS  
CITY PLAN FILE NO. S167-151R

DRK DEVELOPMENT, LLC  
P.O. BOX 101166  
DALLAS TEXAS 75218  
CONTACT: DIANE GREENHAW  
(214) 741-1600

OTISBERG REALTY  
SHEILA E. OTIS

VOTEX SURVEY COMPANY - TBPL'S FORM NO. 1001.0605  
10440 N. CENTRAL EXPWAY DALLAS, TEXAS 75237  
PH: (469) 333-8835; [canv@votexsurveying.com](mailto:canv@votexsurveying.com)  
PROJECT NO. 2017-005

### SURVEYOR'S STATEMENT

1. Copy Item 1: Registered Professional Land Surveyor, examined by the State of Texas, affirm that this plot was prepared under my direct supervision, from recorded documents, evidence collected on the ground during the operations and other reliable documentation; one that this plot substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, the City of Dallas Development Code (Ordinance No. 39453, as amended), and Texas Local Government Code, Chapter 212. I further affirm that this documentation shows a basis and other information that is in substantial compliance with the City of Dallas Development Code, Section 51A-8.1(f) (a)(b)(c)(d)(e)(f), and that the digital drawing file accompanying this plot is a precise reproduction of the Signed Hard Plot.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2017

**"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR MENTIONED OR RELIED UPON AS A FINAL SURETY DOCUMENT."**

Candy Hone, Registered Professional Land Surveyor, No. 3467  
Votex Surveying Company - Firm No. 10013600 - (469) 383-883

STATE OF TEXAS  
COUNTY OF DALLAS

Before me, the undersigned a Notary Public in and for the County and State on this day personally appeared Candy Horne, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_\_ of \_\_\_\_\_, 2017.

## FLOODWAY EASEMENT STATEMEN

The existing sewer, storm, creek or culvert described as "flooding channel" covering along Block C/3420 within the limits of this addition, will remain as an open channel at all times and will be maintained by the individual owners of the lots or parcels that are traversed by or adjacent to the drainage course in Block C/3420. The City of Dallas will not be responsible for the maintenance and operation of said watercourses, creek, or creeks or for any damage to private property or person that results from the flow of water along said creek, or for the control of erosion in the "floodway Easement."

[illegible]

The natural drainage channels and watercourses through Block C/8-420 as in the case of all natural channels are subject to storm water overflow and natural bank erosion to an extent which cannot be firmly defined. The City of Dallas shall not be liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure or structures within the Floodway Easement.

The natural drainage channel creating each lot is shown by the Floodway Easement line as shown on the plat.

VOTEX SURVEYING COMPANY - TBPLS FIRM NO. 1001360  
 10440 N. CENTRAL EXPWY DALLAS, TEXAS 75231  
 PH: (469) 333-8831; candyno@votexsurveying.com  
 PROJECT NO. 2017-005

**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 9, 2017****FILE NUMBER:** S178-001**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** McKee Street at Cockrell Avenue, east corner**DATE FILED:** October 11, 2017**ZONING:** PD 317 (Subdistrict 3B) (Tract 1)<http://www.dallascityattorney.com/51P/Articles%20Supp%2047/ARTICLE%20317.pdf>**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 2.402-acres**MAPSCO:** 45U**APPLICANT/OWNER:** Texas Intown Homes, LLC

**REQUEST:** An application to replat a 2.402-acre tract of land containing all of Lots 1 through 5, Lots 22 through 27, parts of Lots 6, 7, 21, and 28 in City Block 1090 1/2, part of City Block 1094, and part of abandoned Beaumont Street to create a 58-lot shared access area development with one common area and to extend Beaumont Street on property located on McKee Street at Cockrell Avenue, east corner.

**SUBDIVISION HISTORY:**

1. S167-123 was a request northeast of the present request to replat a 0.597-acre tract of land containing part of Lots 2 and 3 in City Block H/912 to create one lot on property located on McKee Street at Browder Street, southeast corner. The request was approved March 16, 2017 and has not been recorded.
2. S156-295 was a request north of the present request to replat a 0.840-acre lot from containing part of Lots 2, 3, 4, 5, and part of Lot 12 in City Block 909 to create 2 lots on property located on Akard Street between Gano Street and Sullivan Drive. The request was approved October 20, 2016 and has not been recorded.
3. S156-091 was a request north of the present request to amend a portion of an approved 12-lot Shared Access Development by replatting a 0.252-acre tract of land containing all of Lots 4A-4E and Lot 4G in City Block B/907 into eight lots ranging in size from 1,246 square feet to 1,503 square feet on property located on Wall Street at McKee Street, north corner. The request was approved February 18, 2016 and was recorded January 9, 2017.
4. S156-053 was a request east of the present request to replat a 1.716-acre tract of land containing all of Lots 1, 2, 3, 4, and part of Lot 5 in City Block A/904 into one lot on property fronting on Akard Street between Beaumont Street and Savannah Street. The request was approved January 7, 2016 and was recorded December 15, 2016.
5. S145-124 was a request southwest of the present request to replat a 0.357-acre tract of land containing all of Lots 1-3 in City Block 2/1090 into one lot on property located at 1734 South Lamar Street. The request was approved April 9, 2015 and has not been recorded.



**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.”

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

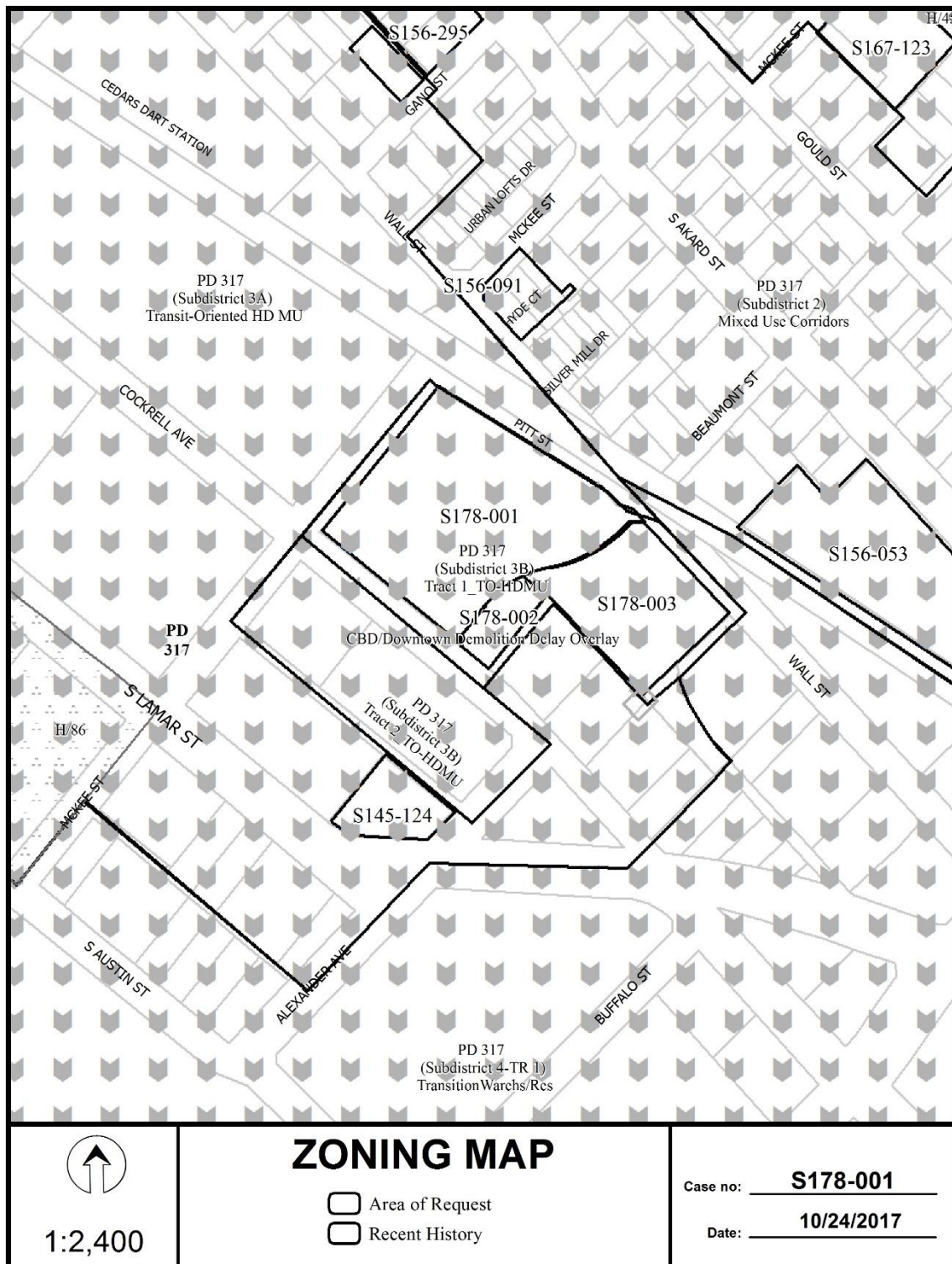
The request complies with the requirements of PD 317 (Subdistrict 3B) (Tract 1) and complies with Section 51A-8.503; therefore, staff recommends approval subject to compliance with the following conditions:

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 General 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
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. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. The number of lots permitted by this plat is 58 with one common area.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
12. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
13. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection of McKee Street & Cockrell Avenue. Section 51A 8.602(d)(1).
14. Provide guest parking at a rate of 0.25 spaces per dwelling unit with adequate maneuverability per the Shared Access Development requirements.
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.
17. 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.
18. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
19. On the final plat, use standard dedication statement and share access dedication statement.
20. 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)
21. Site plan needs to be submitted showing proposed new buildings, development, proposed water and wastewater service locations, and proposed water and wastewater sizes. Section 49-60(g)(1)
22. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of development for investigation. Section 49-60(b)(2) and Section 49-60(d)
23. Water/wastewater main extension is required by private development contract. Section 49-60(g)(1)(2), Section 49-62(f)(1), Section 49-62(b)(c)

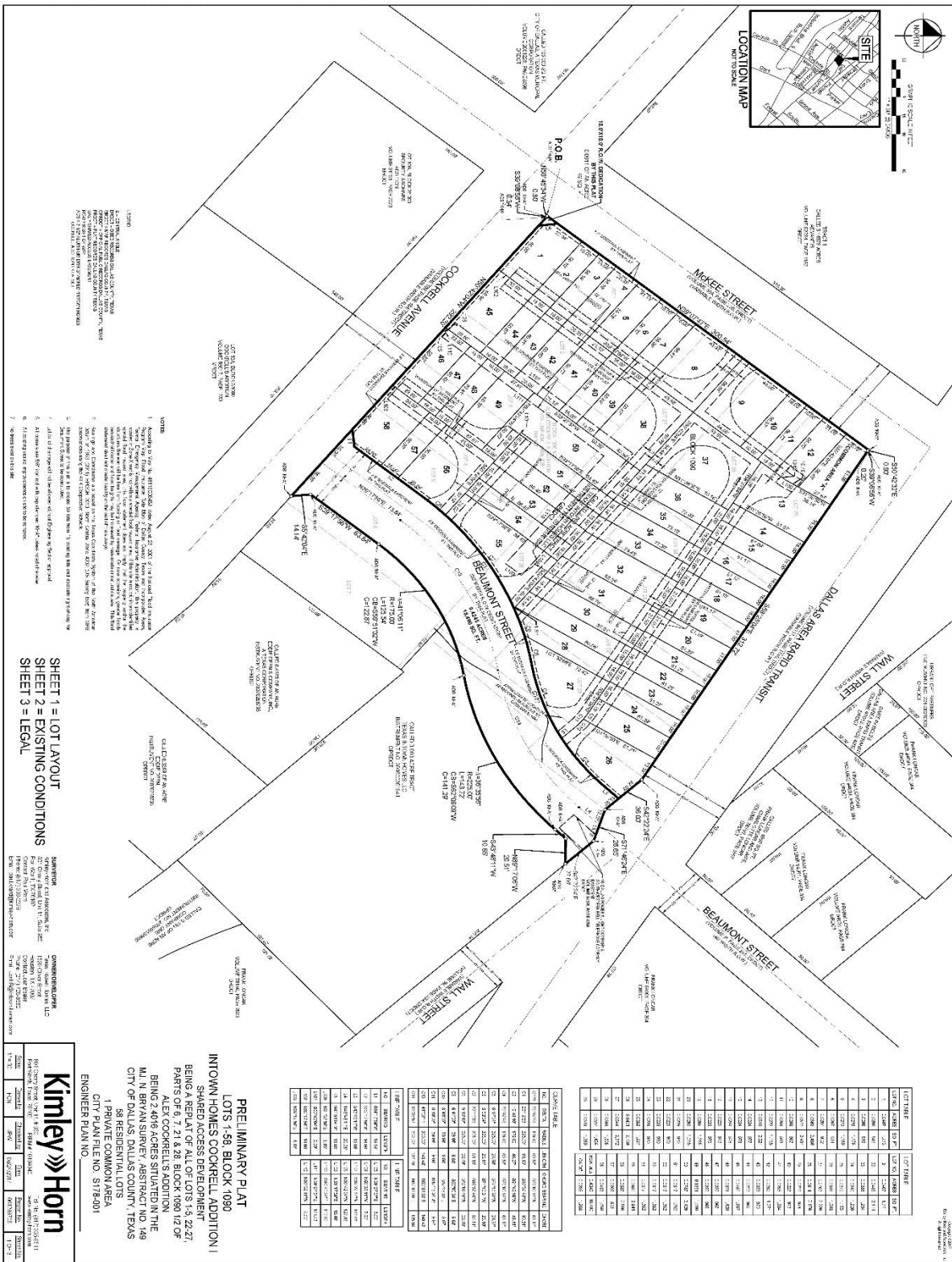
24. Shared access developments must comply with DWU standards for water and wastewater construction and design. Section 49-60(d), section 49-61(5)(B) and Development design procedure and policy manual section 6.2
25. Single family subdivision requiring engineering for water/wastewater extensions is not eligible for Early Building Permit. Section 51A-8.702
26. On the final plat, provide volume and page number on abandonment authorized by Ordinance No. 8691.
27. 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)
28. 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)
29. 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
30. 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)
31. Prior to submittal of the final plat, the Shared Access Development must meet all the requirements of Section 51A-4.411. Section 51A-4.411(c)
32. 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)
33. 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)
34. 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 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)
35. Include the words "Shared Access Development" in the title block of the final plat. Platting Guidelines

36. 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).
37. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d)(8).
38. The Shared Access Area Easement must be terminated a minimum of three feet from the adjacent property or right-of-way. Section 51A-8.618(b).
39. Prior to final plat, clarify the status of "Pitt Street" (abandoned by ordinance 19018, but still paved, open, and posted as "Wall Street"), confirm whether "McKee Street" has been changed to "Roe Street", and label appropriately. Section 51A-8.403(a)(1)(A)(xii)
40. Prior to final plat, contact street name coordinator for help determining acceptable names for the new mutual access drives. Section 51A-8.403(a)(1)(A)(xiv), Section 51A-8.506(e)
41. On the final plat, identify the property as Lots 1 through 58 in City Block A/1090 and common area A. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).

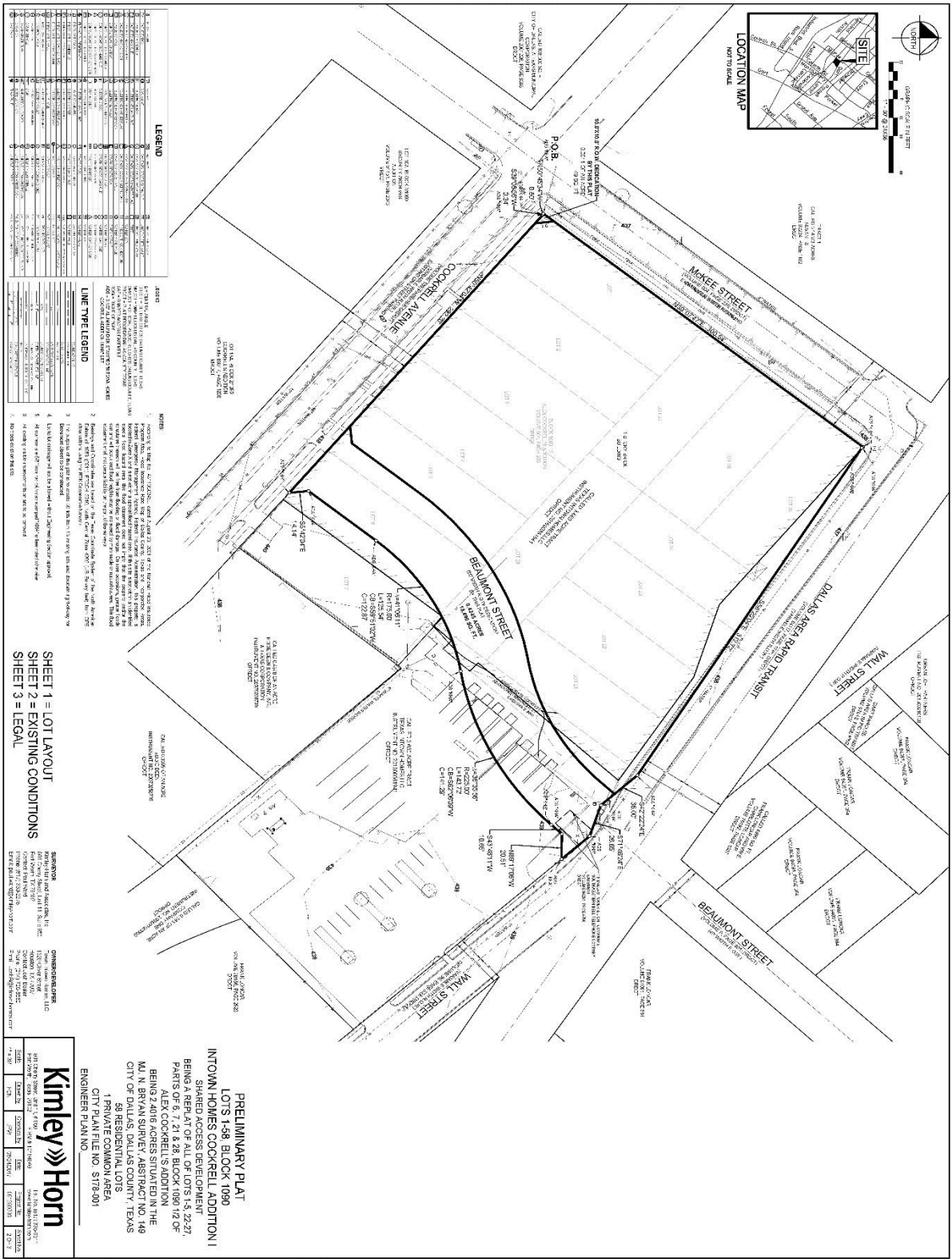














**LOCATION:** Cockrell Avenue at future Beaumont Street, east corner**DATE FILED:** October 11, 2017**ZONING:** PD 317 (Subdistrict 3B) (Tract 1)<http://www.dallascityattorney.com/51P/Articles%20Supp%2047/ARTICLE%20317.pdf>**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.224-acres**MAPSCO:** 45U**APPLICANT/OWNER:** Texas Intown Homes, LLC

**REQUEST:** An application to replat a 0.224-acre of tract of land containing part of Lots 6, 7, and 28, part of City Block 1090 1/2, and part of abandoned Beaumont Street to create a 5-lot shared access area development on property located on Cockrell Avenue at future Beaumont Street, east corner.

**SUBDIVISION HISTORY:**

1. S156-091 was a request north of the present request to amend a portion of an approved 12-lot Shared Access Development by replatting a 0.252-acre tract of land containing all of Lots 4A-4E and Lot 4G in City Block B/907 into eight lots ranging in size from 1,246 square feet to 1,503 square feet on property located on Wall Street at McKee Street, north corner. The request was approved February 18, 2016 and was recorded January 9, 2017.
2. S156-053 was a request east of the present request to replat a 1.716-acre tract of land containing all of Lots 1, 2, 3, 4, and part of Lot 5 in City Block A/904 into one lot on property fronting on Akard Street between Beaumont Street and Savannah Street. The request was approved January 7, 2016 and was recorded December 15, 2016.
3. S145-124 was a request southwest of the present request to replat a 0.357-acre tract of land containing all of Lots 1-3 in City Block 2/1090 into one lot on property located at 1734 South Lamar Street. The request was approved April 9, 2015 but has not been recorded.

**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.”

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

The request complies with the requirements of PD 317 (Subdistrict 3B) (Tract 1) and complies with Section 51A-8.503; therefore, staff recommends approval subject to compliance with the following conditions:

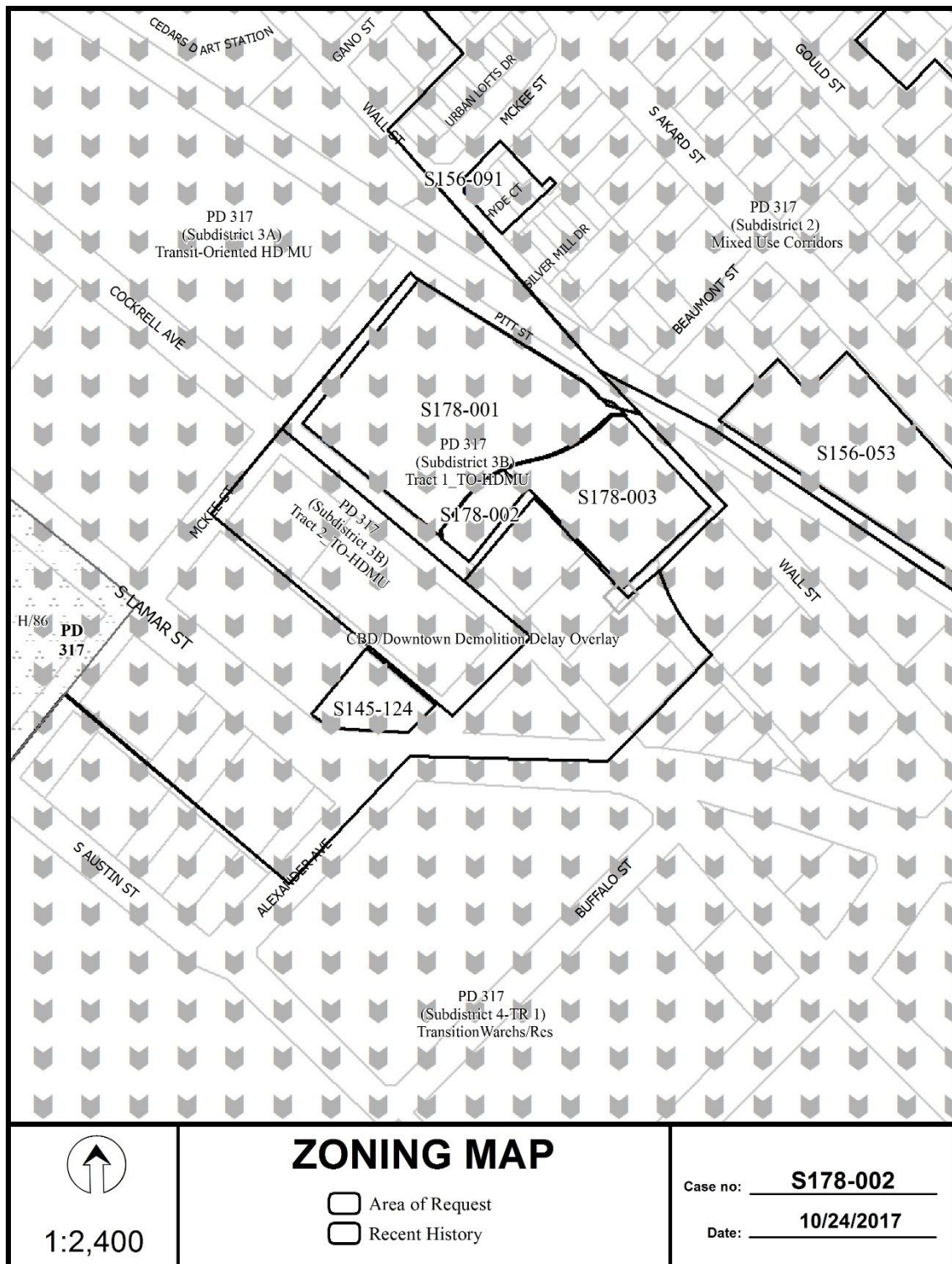
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
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. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is five.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
12. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).

13. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection of Beaumont Street & Cockrell Avenue. Section 51A 8.602(d)(1).
14. Provide guest parking at a rate of 0.25 spaces per dwelling unit with adequate maneuverability per the Shared Access Development requirements.
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.
17. 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.
18. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
19. This plat may not be recorded until after S178-001 is recorded.
20. 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)
21. Site plan needs to be submitted showing proposed new buildings, development, proposed water and wastewater service locations, and proposed water and wastewater sizes. Section 49-60(g)(1)
22. Water/wastewater main extension is required by private development contract. Section 49-60(g)(1)(2), Section 49-62(f)(1), Section 49-62(b)(c)
23. Shared access developments must comply with DWU standards for water and wastewater construction and design. Section 49-60(d), section 49-61(5)(B) and Development design procedure and policy manual section 6.2
24. Single family subdivision requiring engineering for water/wastewater extensions is not eligible for Early Building Permit. Section 51A-8.702
25. On the final plat, provide volume and page number on abandonment authorized by Ordinance number 8691.
26. 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)
27. 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)
28. 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

29. 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)
30. Prior to submittal of the final plat, the Shared Access Development must meet all the requirements of Section 51A-4.411. Section 51A-4.411(c)
31. 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)
32. 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)
33. 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 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)
34. Include the words "Shared Access Development" in the title block of the final plat. Platting Guidelines
35. 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).
36. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d)(8).
37. The Shared Access Area Easement must be terminated a minimum of three feet from the adjacent property or right-of-way. Section 51A-8.618(b).
38. On the final plat, show and label "Alexander Avenue". Section 51A-8.403(a)(1)(A)(xii)
39. Prior to final plat, contact street name coordinator for help determining acceptable names for the new mutual access drives. Section 51A-8.403(a)(1)(A)(xiv), Section 51A-8.506(e)

40. On the final plat, identify the property as Lots 1 through 5 in City Block A/1094. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).













[illegible]

**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 9, 2017****FILE NUMBER:** S178-003**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Wall Street at Beaumont Street, south corner**DATE FILED:** October 11, 2017**ZONING:** PD 317 (Subdistrict 3B) (Tract 1)<http://www.dallascityattorney.com/51P/Articles%20Supp%2047/ARTICLE%20317.pdf>**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 1.035-acres**MAPSCO:** 45U**APPLICANT/OWNER:** Texas Intown Homes, LLC

**REQUEST:** An application to replat a 1.035-acre tract of land containing part of Lot 28, part of abandoned Beaumont Street, and part of City Block 1090 1/2 to create a 19-lot shared access development with 3 common areas on property located on Wall Street at Beaumont Street, south corner.

**SUBDIVISION HISTORY:**

1. S167-123 was a request northeast of the present request to replat a 0.597-acre tract of land containing part of Lots 2 and 3 in City Block H/912 to create one lot on property located on McKee Street at Browder Street, southeast corner. The request was approved March 16, 2017 and has not been recorded.
2. S156-091 was a request north of the present request to amend a portion of an approved 12-lot Shared Access Development by replatting a 0.252-acre tract of land containing all of Lots 4A-4E and Lot 4G in City Block B/907 into eight lots ranging in size from 1,246 square feet to 1,503 square feet on property located on Wall Street at McKee Street, north corner. The request was approved February 18, 2016 and was recorded January 9, 2017.
3. S156-053 was a request east of the present request to replat a 1.716-acre tract of land containing all of Lots 1, 2, 3, 4, and part of Lot 5 in City Block A/904 into one lot on property fronting on Akard Street between Beaumont Street and Savannah Street. The request was approved January 7, 2016 and was recorded December 15, 2016.
4. S145-124 was a request southwest of the present request to replat a 0.357-acre tract of land containing all of Lots 1-3 in City Block 2/1090 into one lot on property located at 1734 South Lamar Street. The request was approved April 9, 2015 and has not been recorded.

**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.”

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

The request complies with the requirements of PD 317 (Subdistrict 3B) (Tract 1) and complies with Section 51A-8.503; therefore, staff recommends approval subject to compliance with the following conditions:

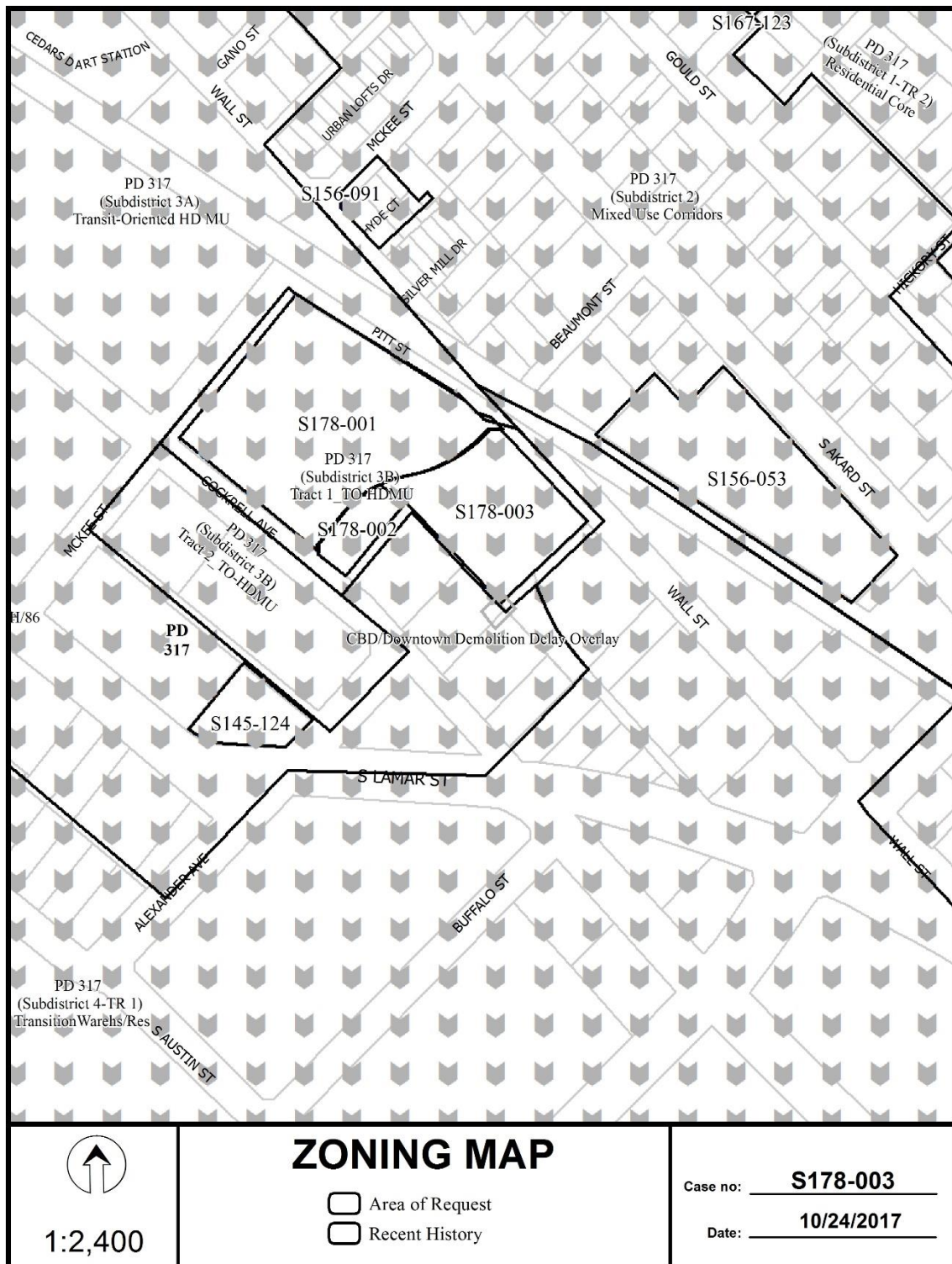
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
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. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is nineteen with three common areas.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require

- approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
12. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
  13. On the final plat, dedicate 28 feet of right-of-way from the established centerline of Wall Street. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
  14. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection of Beaumont Street & Wall Street. Section 51A 8.602(d)(1).
  15. Provide guest parking at a rate of 0.25 spaces per dwelling unit with adequate maneuverability per the Shared Access Development requirements.
  16. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
  17. 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.
  18. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
  19. 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)
  20. Site plan needs to be submitted showing proposed new buildings, development, proposed water and wastewater service locations, and proposed water and wastewater sizes. Section 49-60(g)(1)
  21. Water/wastewater main extension is required by private development contract. Section 49-60(g)(1)(2), Section 49-62(f)(1), Section 49-62(b)(c)
  22. Shared access developments must comply with DWU standards for water and wastewater construction and design. Section 49-60(d), section 49-61(5)(B) and Development design procedure and policy manual section 6.2
  23. Single family subdivision requiring engineering for water/wastewater extensions is not eligible for Early Building Permit. Section 51A-8.702
  24. On the final plat, provide volume and page number on abandonment authorized by Ordinance No. 8691.
  25. 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)
  26. 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)

27. 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
28. 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)
29. Prior to submittal of the final plat, the Shared Access Development must meet all the requirements of Section 51A-4.411. Section 51A-4.411(c)
30. 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)
31. 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)
32. 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 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)
33. Include the words “Shared Access Development” in the title block of the final plat. Platting Guidelines
34. 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).
35. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d)(8).
36. The Shared Access Area Easement must be terminated a minimum of three feet from the adjacent property or right-of-way. Section 51A-8.618(b).
37. On the final plat, show a complete label for “Cockrell Avenue”. Section 51A-8.403(a)(1)(A)(xii)

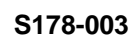
38. Prior to final plat, contact street name coordinator for help determining acceptable names for the new mutual access drives. Section 51A-8.403(a)(1)(A)(xiv), Section 51A-8.506(e)
39. On the final plat, identify the property as Lots 6 through 24 and common areas A through C in City Block A/1094. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).

















**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 9, 2017****FILE NUMBER:** S178-004**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Illinois Avenue at Zang Boulevard, north corner**DATE FILED:** October 12, 2017**ZONING:** RR**CITY COUNCIL DISTRICT:** 1 **SIZE OF REQUEST:** 65.661-acres**MAPSCO:** 54Q**APPLICANT/OWNER:** Brixmor Holdings 12 SPE, LLC

**REQUEST:** An application to replat a 65.661-acre tract of land containing all of Lots 1 and 2 in City Block A/5973; part of City Blocks 52/5973, C/5973, D/5973, E/5973, F/5973; and part of abandoned Llewellyn Avenue to create one lot on property located on Illinois Avenue at Zang Boulevard, north corner.

**SUBDIVISION HISTORY:**

1. S134-026 was a request southeast of the present request to create a 3.982-acre lot from a tract of land in City Block 5973 on property located on the east side of Zang Boulevard south of Louisiana Avenue. The request to replat property was approved December 21, 2013 and was recorded February 6, 2017.

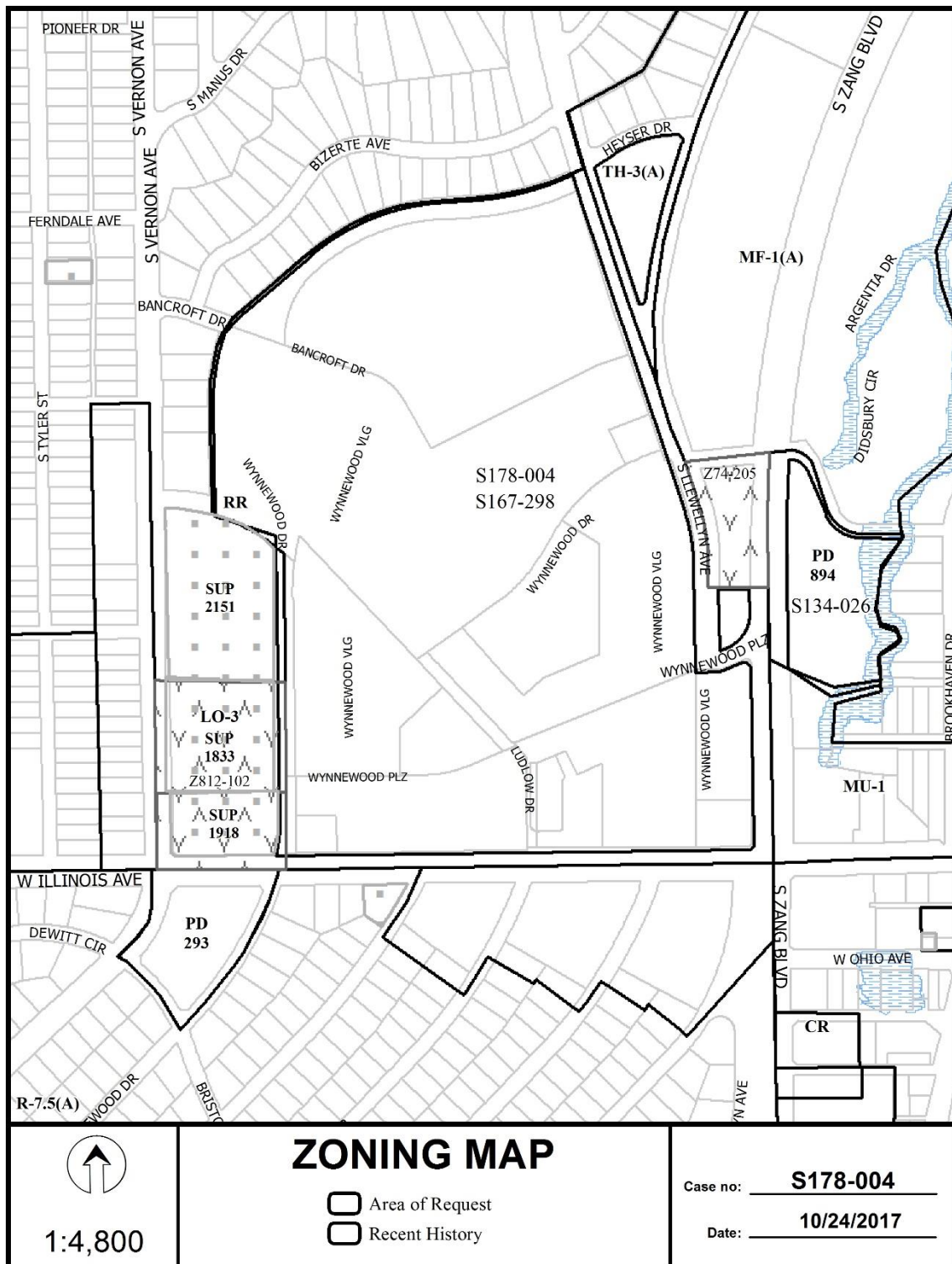
**STAFF RECOMMENDATION:** The request complies with the requirements of RR Regional Retail District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

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 General 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
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. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat one.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
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. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. 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).
15. On the final plat, dedicate a 20-foot by 20-foot corner clip at the intersection of Illinois Avenue & Zang Boulevard. Section 51A 8.602(d)(1).
16. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Llewellyn Avenue & the alley. Section 51A-8.602(e),
17. On the final plat, dedicate a 15-foot by 15-foot corner clip at the intersection of Wynnewood Plaza & Zang Boulevard. Section 51A 8.602(d)(1).
18. On final plat, dedicated right-of-way for Wynnewood Drive needs to be excluded from plat boundary or follow process for abandonment.
19. Tract B, instrument number 201000202337 has a save and except tract, owner of this tract needs to join in dedication.
20. Per the City of Dallas thoroughfare plan, Illinois Avenue requires 100 feet of right-of-way [M-6-D(A)], Zang requires 80 feet of right-of-way [S-4-D], Vernon requires 90 feet of right-of-way [M-6-D(A)].
21. Prior to final plat, process all abandonments through Real Estate Department.
22. On the final plat, remove all the street name labels for the "private drives" within the subject area, unless the names/streets were created by a plat or ordinance. Section 51A-8.403(a)(1)(A)(xii)

23. On the final plat, change “Heyser Dr.” to “Wynnewood Drive,” per plat of Wynnewood Shopping Village. Section 51A-8.403(a)(1)(A)(xii)
24. On the final plat, change “Bizerte Drive” to “Bizerte Avenue,” as originally named by plat of First Installment Sixth Section Wynnewood. Section 51A-8.403(a)(1)(A)(xii)
25. Prior to final plat, confirm that “Bancroft Drive” exists as a public street where it is shown east of Llewellyn Avenue. Section 51A-8.403(a)(1)(A)(xii)
26. On the final plat, show and label the streets south of Illinois Avenue, within the 150 feet reference area. Section 51A-8.403(a)(1)(A)(xii)
27. Prior to final plat, confirm that the information cited for Ordinance No.19797 is correct. Section 51A-8.403(a)(1)(A)(xii)
28. On the final plat, identify the property as Lot 1A in City Block A/5973. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).





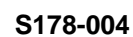


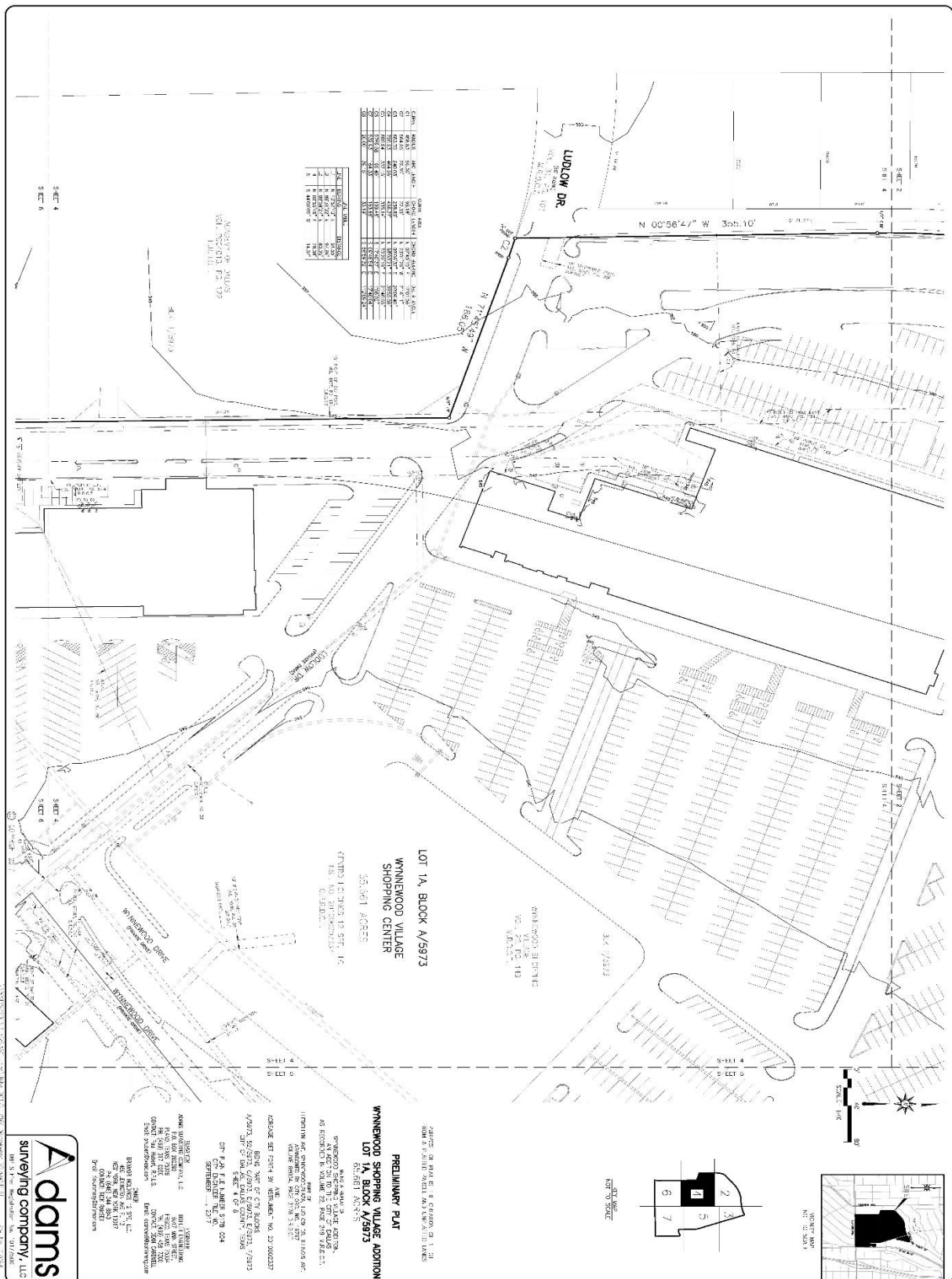




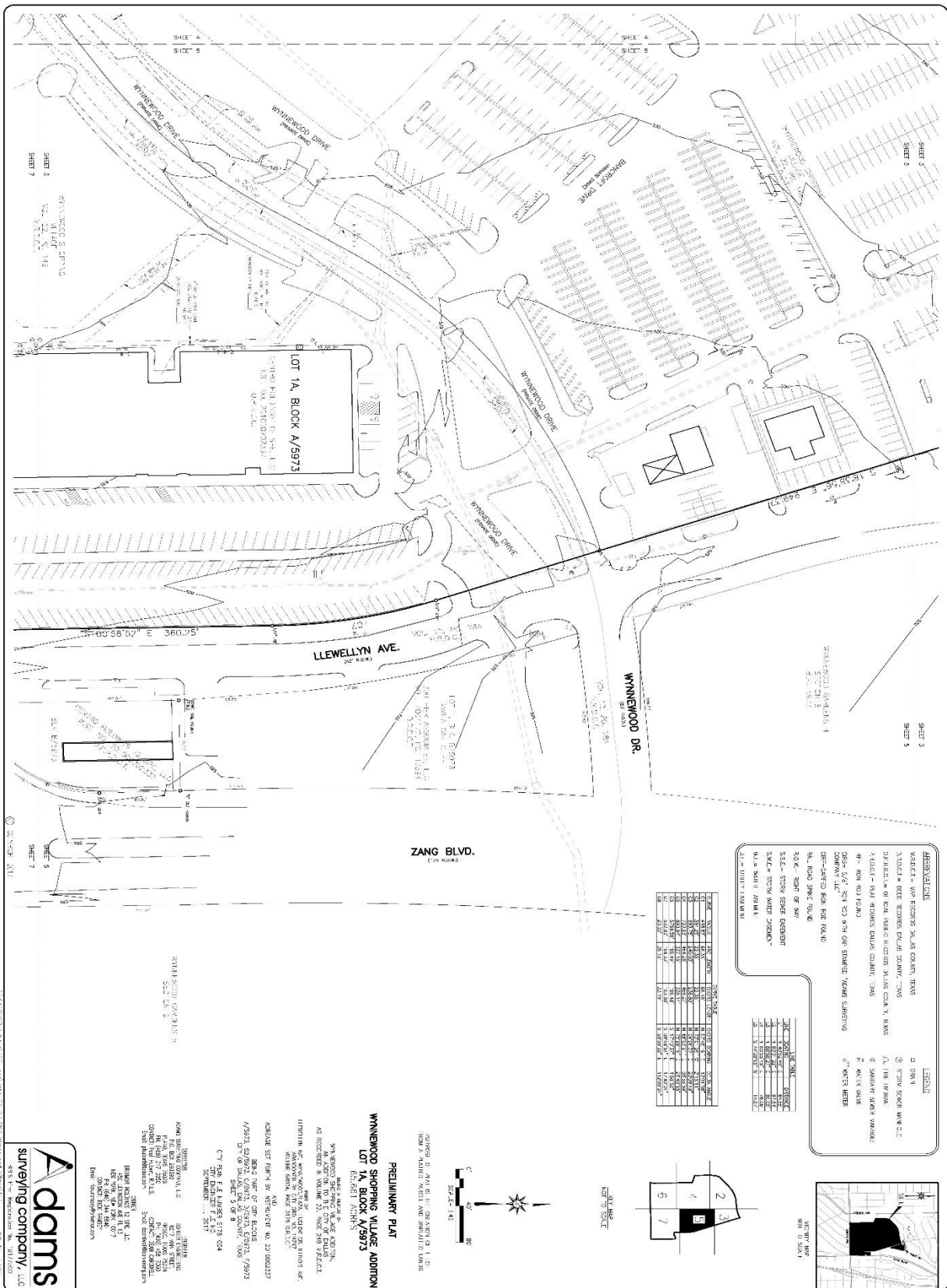


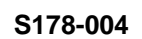


















**LOCATION:** Swiss Avenue at Carroll Avenue, south corner**DATE FILED:** October 12, 2017**ZONING:** PD 298 (Subarea 9)<http://www.dallascityattorney.com/51P/Articles%20Supp%2045/ARTICLE%20298.pdf>**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.264-acres **MAPSCO:** 46E & 46A**APPLICANT/OWNER:** PHP Carroll MOB Partners, LP

**REQUEST:** An application to replat a 0.264-acre tract of land containing part of Lot 5 in City Block 8/768 to create one lot on property located on Swiss Avenue at Carroll Avenue, south corner.

**SUBDIVISION HISTORY:**

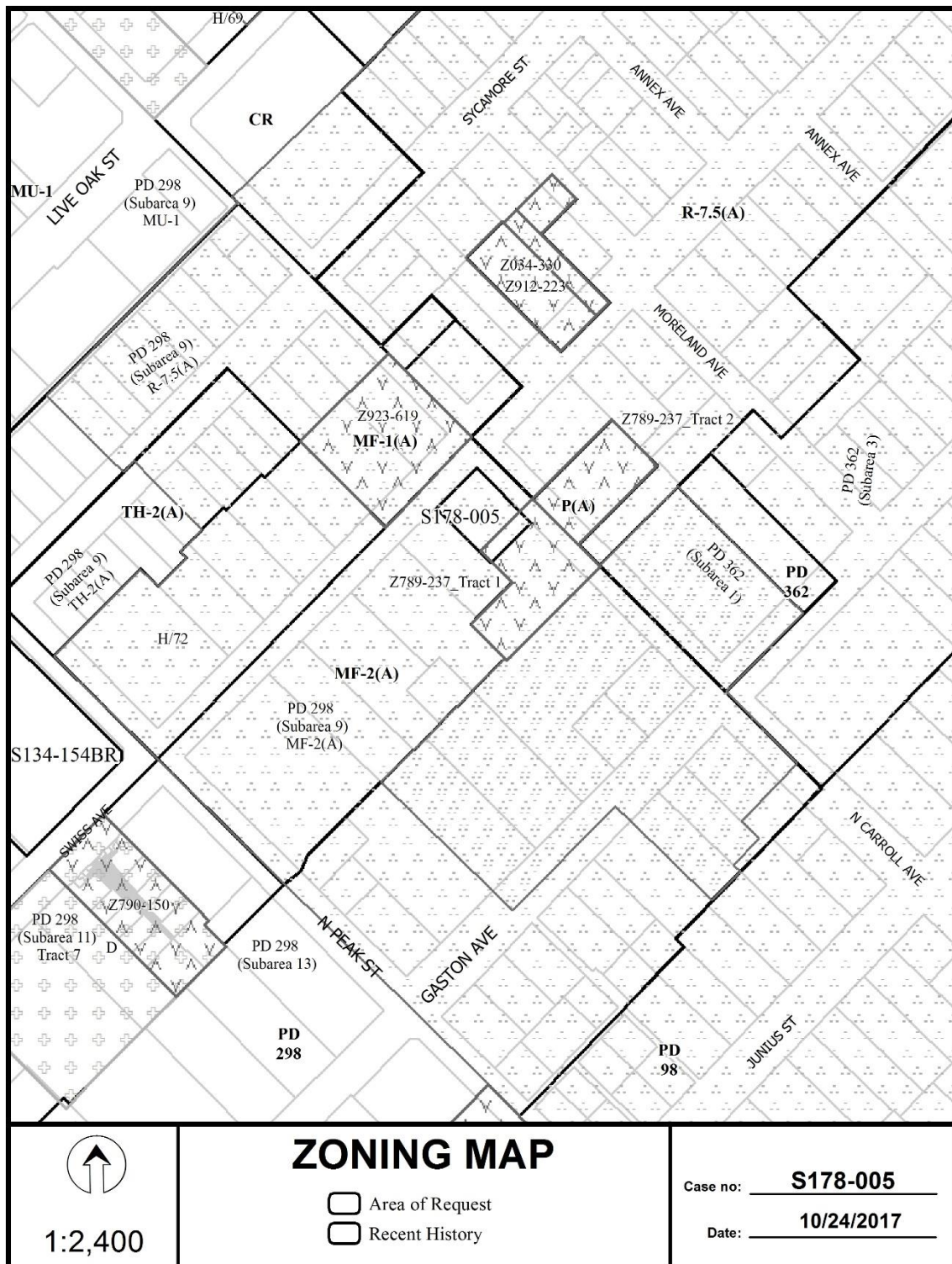
1. S134-154BR was a request southwest of the present request to replat a 2.5361-acre tract of land containing part of Lot 1A in City Block 10/740 to remove the existing platted 10-foot building line along the southwest line of Peak Street on property located on Peak Street between Live Oak Street and Swiss Avenue. The request to replat property was approved October 6, 2016 but request to remove existing building lines was denied October 6, 2016.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 298 (Subarea 9); therefore, staff recommends approval of the request subject to compliance with the following conditions:

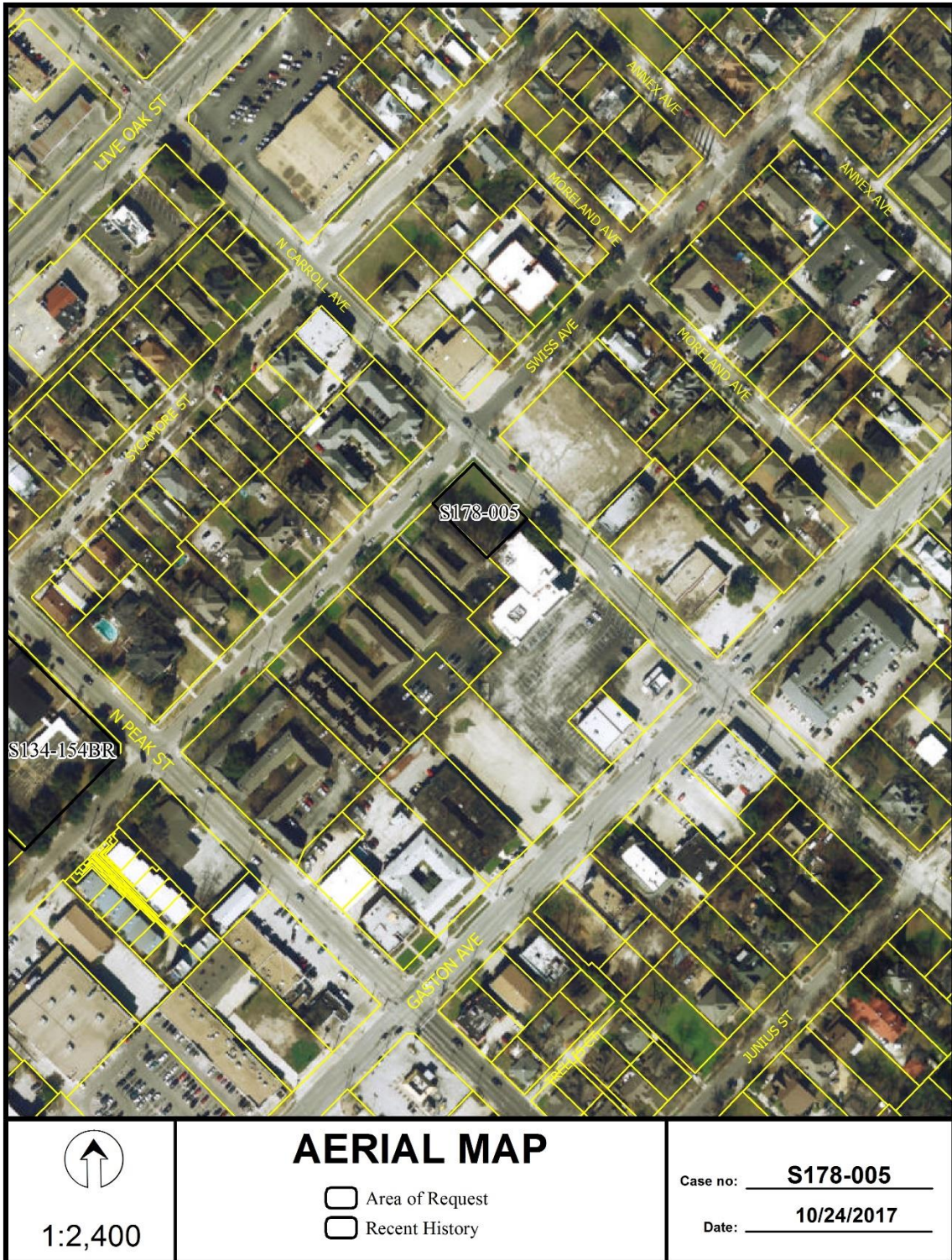
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
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. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat one.
11. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
12. Provide a detailed lot grading plan prepared by a Professional Engineer. Sections 51A-8.102(c) and 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
13. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection of Swiss Avenue & Carroll Avenue. Section 51A 8.602(d)(1).
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.
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. Site plan needs to be submitted showing proposed new buildings, development, proposed water and wastewater service locations, and proposed water and wastewater sizes. Section 49-60(g)(1)
19. Wastewater main extension is required by private development contract. Section 49-60(g)(1)(2), Section 49-62(f)(1), Section 49-62(b)(c)
20. On the final plat, identify the property as Lot 5A in City Block 8/768. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**LOCATION:** South Belt Line Road at C.F. Hawn Freeway, east quadrant**DATE FILED:** October 12, 2017**ZONING:** CS**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 29.390-acres **MAPSCO:** 69A-R**APPLICANT/OWNER:** Kleberg Market Place, Inc.

**REQUEST:** An application to replat a 29.390-acre tract of land containing all of Lot 5 in City Block H/8820 and a tract of land in City Block 8820 to create one lot on property located on South Belt Line Road at C.F. Hawn Freeway, east quadrant.

**SUBDIVISION HISTORY:**

1. S167-196 was a request northeast of the present request to create two 10,999-square foot lots from a 0.505-acre tract of land on property located on Garden Grove Drive between Biggs Street and S. Belt Line Road. The request was approved June 22, 2017 and has not been recorded.
2. S167-060 was a request northwest of the present request 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). The request was approved January 19, 2017 and has not been recorded.
3. 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 was terminated October 12, 2017.
4. 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.

**STAFF RECOMMENDATION:** The request complies with the requirements of CS Commercial Service District; therefore, staff recommends approval of the request 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 General 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
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. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat one.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
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. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 53.5 feet Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of South Belt Line Road. Section 51A 8.602(c).
15. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.
16. On the final plat, show recording information on all existing easements within 150 feet of the property.

17. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
18. On the final plat, show two control monuments. Section 51A-8.617.
19. Site plan needs to be submitted showing proposed new buildings, development, proposed water and wastewater service locations, and proposed water and wastewater sizes. Section 49-60(g)(1)
20. Existing water and/or wastewater easements need to be shown and/or increased to conform to current design standards. **Notice** Minimum Dallas Water Utilities (DWU) easement size is 20 feet for one utility and 25 feet for both water and sewer. Section 49-60(d) and DWU Water/Wastewater Design Manual Table 1.8.3 Page 1-10
21. Water/wastewater main extension may be required by private development contract. Section 49-60(g)(1)(2), Section 49-62(f)(1), Section 49-62(b)(c)
22. On the final plat, change "South Beltline Road" to "South Belt Line Road", as named by Ordinance No.16185. Section 51A-8.403(a)(1)(A)(xii)
23. On the final plat, change "C.F. Hawn Freeway" to "C. F. Hawn Freeway", as names by Ordinance No. 12272. Section 51A-8.403(a)(1)(A)(xii)
24. On the final plat, identify the property as Lot 5A in City Block H/8820. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).

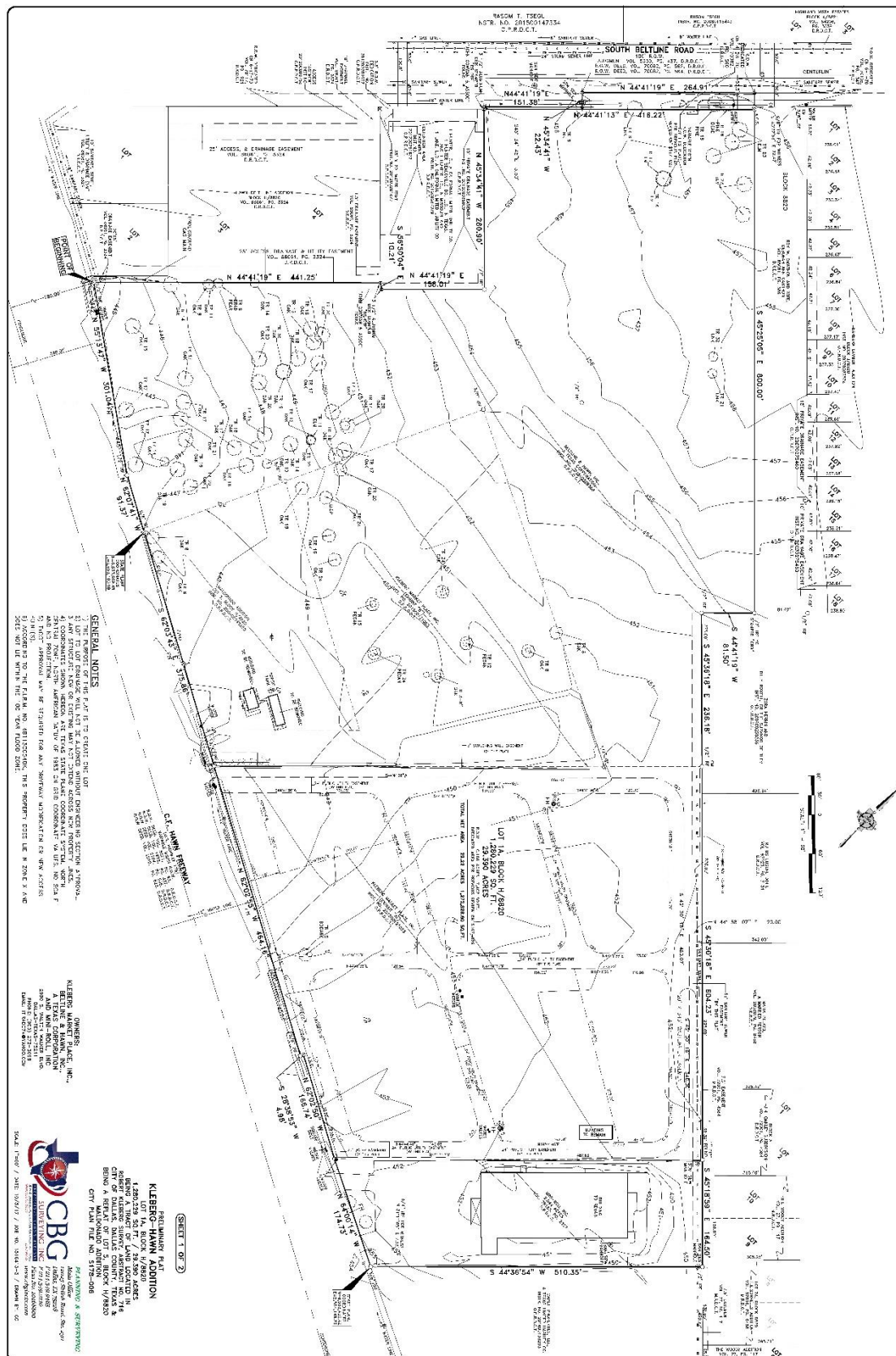














**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)**

**DOWNTOWN SIGN DISTRICT GENERAL CBD**

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**CASE NUMBER:** 1709190011

**DATE FILED:** August 25, 2017

**LOCATION:** 1999 Bryan Street (southeast elevation)

**SIZE OF REQUEST:** 473 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** CA-1(A) Central District

**MAPSCO:** 45-L

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**APPLICANT:** Bobby Nichols, Chandler Signs

**TENANT:** Jacobs Engineering

**OWNER:** FPG-DMT Harwood LP

**REQUEST:** An application for a Certificate of Appropriateness for a 473-square foot upper level flat attached sign (southeast elevation).

**SUMMARY:** The applicant will construct an illuminated, flat attached sign which will read "JACOBS."

**STAFF RECOMMENDATION:** Approval

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval



**BACKGROUND:**

- The subject site is located in the General CBD Subdistrict within the Downtown SPSD.
- The request is for an upper level flat attached sign. A flat attached sign is a sign projecting no more than 12 inches from a building, and the face of the which is parallel to the building façade. The upper level is the portion of a façade more than 36 feet above grade and within the top 12 feet of a façade on buildings 18 stories or less, or within the top 36 feet of a façade on buildings more than 18 stories.
- The proposed sign is 473 square feet. It will be located on the southeast elevation of the building. The sign is within the top 36 feet of the building and is the only sign on the façade. The sign is constructed of blue dual-lit channel letters approximately eight feet tall.
- The total effective area for all signs on a façade may not exceed 30 percent of the area in the upper level sign area. The upper level area on the southeast façade is 3,780 square feet. The sign is less than 13 percent of the upper level area.
- Construction of the upper level attached sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911(e)(3)

(3) Upper level flat attached signs.

(A) Each upper level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches. [The sign contains one word.]

(B) Upper level flat attached signs must be wholly located within the upper level sign area. [The sign is wholly in the upper level sign area.]

Case Number: 1709190011

The Jacobs Executive Board is as follows:

Steven Demetriou	COB and CEO
Kevin Berryman	EVP and CFO
Terence Hagen	President of Building and Infrastructure
Robert V. Pragada	President of Buildings and infrastructure
Roger F. Starr	President of Jacobs Technology Inc.

Building Owner FPG-DMT Harwood LP  
45 Main Street Suite 800  
Brooklyn, New York 11201  
POC: Johnathan Landau

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE ACTION**  
**October 10, 2017**

**MOTION:** It was moved to **approve** a 473-square foot upper level flat attached sign at 1999 Bryan Street (southeast elevation).

Maker: Dumas  
Second: Webster  
Result: Carried: 3 to 0

For: – Peadon, Dumas, Webster

Against: 0  
Absent: 1 - Hardin  
Conflict: 0

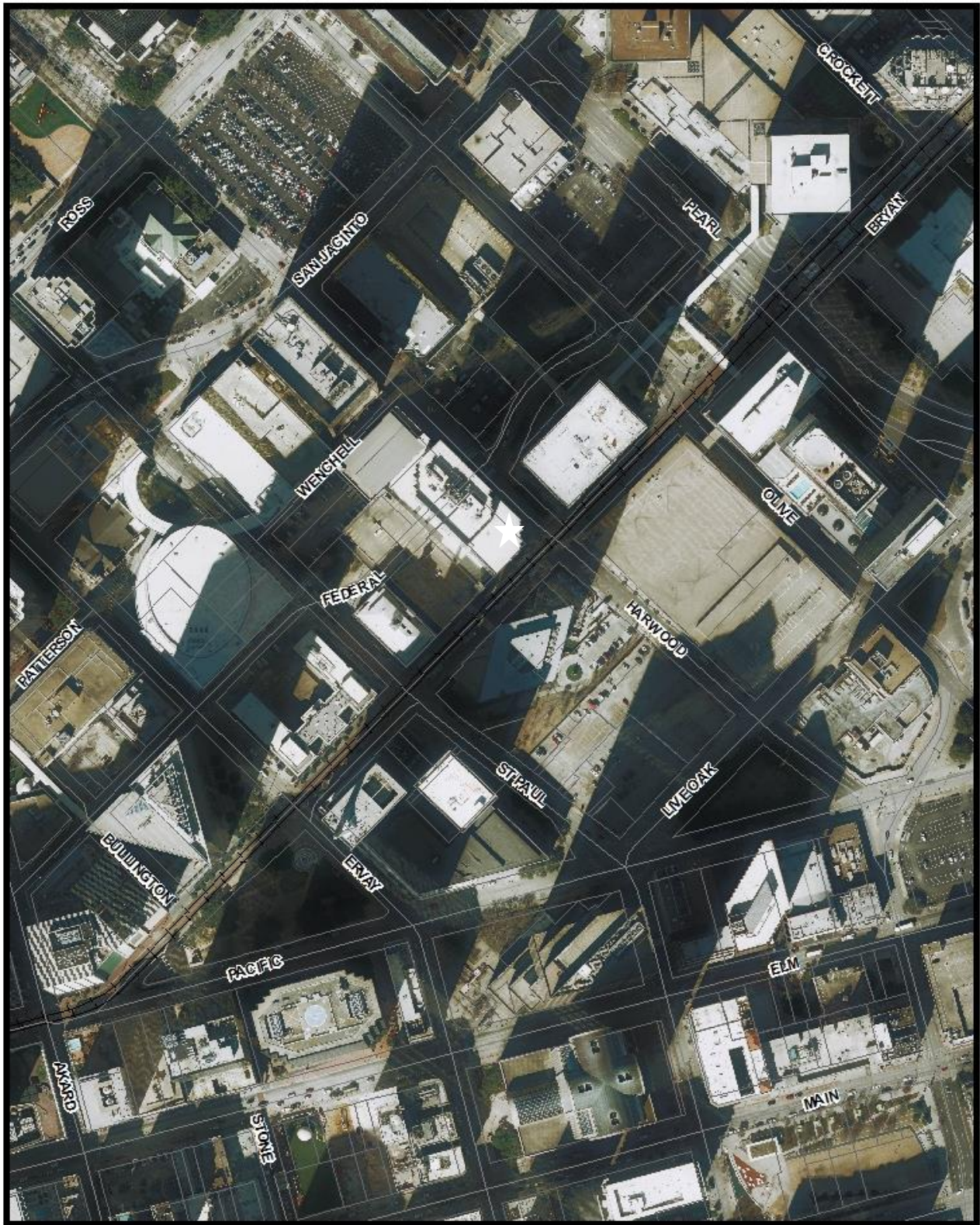
Speakers – Fred Finch, Chandler Signs



1:3,000

**Sign CA 1709190011**  
**Downtown SPSD - General CBD**





1:3,000

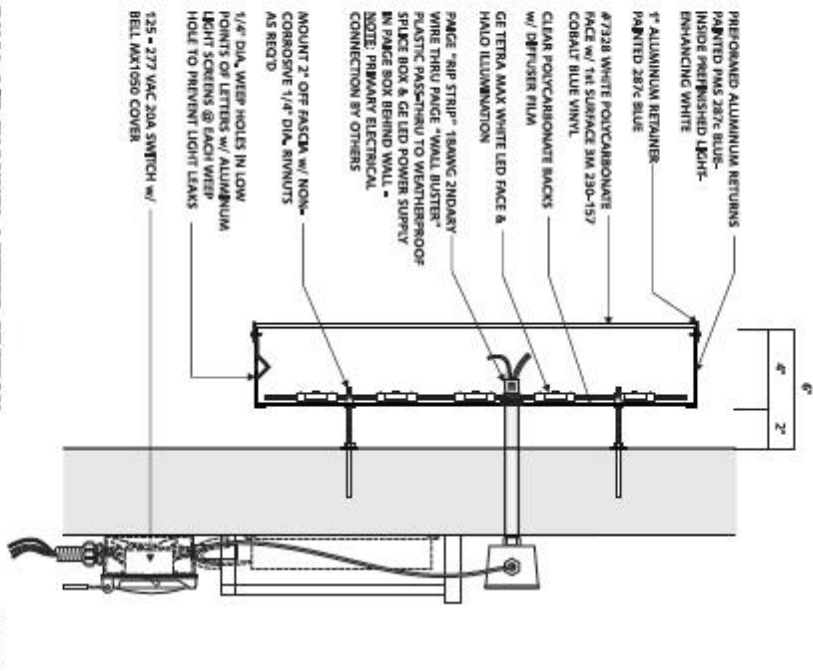
**Sign CA 1709190011**  
**Downtown SPSP - General CBD**





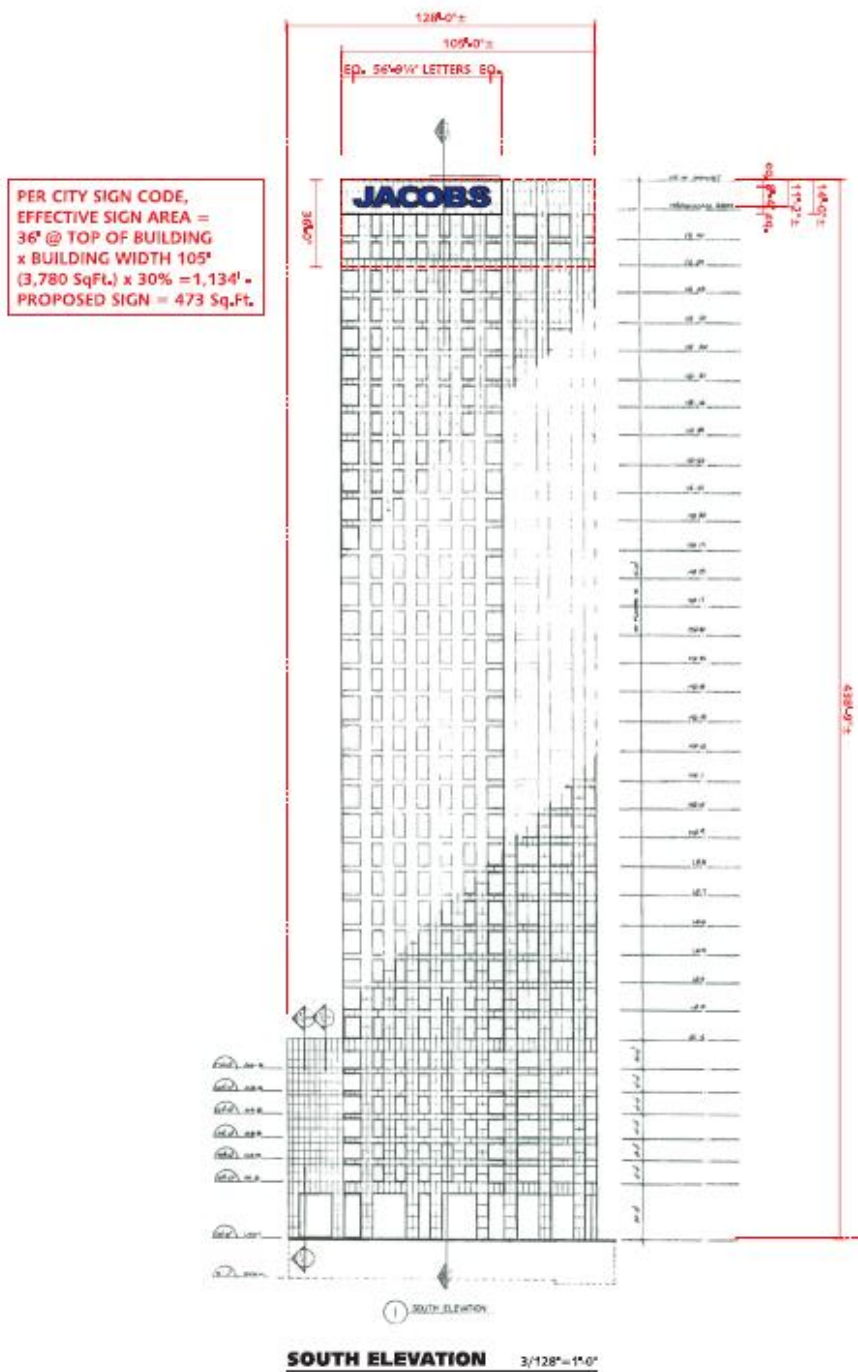


**BUILDING AERIAL SOUTHWEST PERSPECTIVE**



## **DUAL-LIT CHANNEL LETTER SECTION**

[illegible]

[illegible]

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)  
DOWNTOWN SIGN DISTRICT RETAIL SUBDISTRICT A**

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**CASE NUMBER:** 1707060021

**DATE FILED:** August 29, 2017

**LOCATION:** 1933 Main Street (southeast corner)

**SIZE OF REQUEST:** 30 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** PD No. 619, H/28

**MAPSCO:** 45-L

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**APPLICANT:** Kristy Smith, Signs Manufacturing & Maintenance Corporation

**TENANT:** Indigo Hotel Downtown Dallas

**OWNER:** Bijoy, LLC

**REQUEST:** An application for a Certificate of Appropriateness for a 30-square foot lower projecting attached sign (southeast corner).

**SUMMARY:** The applicant will construct an illuminated, projecting sign which will read "hotel INDIGO."

**STAFF RECOMMENDATION:** Approval

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval  
with the condition that the design approved by the Landmark Commission for the awnings be incorporated into the sign either on the top or the bottom.



**BACKGROUND:**

- The subject site is located in the Retail Subdistrict A within the Downtown SPSP.
- The request is for a lower projecting attached sign, which is defined as an attached sign projecting more than 12 inches from a building at an angle other than parallel to the facade.
- The proposed sign is 30 square feet. It will be located on the southeast corner of the building, approximately 18 feet above grade. Signage will be internally illuminated.
- Construction of the attached sign is in accordance with SPSP regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911. ATTACHED PREMISE SIGNS.
- The property is located in the Plaza Hotel Historic District No. 28. A Certificate of Appropriateness was approved by the Landmark Commission on September 5, 2017.
- The Landmark Commission also considered awnings that were not subject to review by the SSDAC. A drawing showing the awnings is included in the report to show the design the SSDAC added as a condition to approval.
- The applicant submitted revised drawings of the sign with the awning-matching design at the top and the bottom per the SSDAC's request.

SECTION. 51A-7.911. ATTACHED PREMISE SIGNS.

(g) Projecting attached signs

(1) Lower projecting attached signs

- (A) No premise may have more than one lower projecting attached sign per pedestrian entrance. *Only one sign above the entrance.*
- (B) No lower projecting attached sign may exceed 15 square feet in effective area in the general CBD and convention center subdistrict, or 30 square feet in the effective area in the main Street Subdistrict, Retail Subdistrict A, and Retail Subdistrict B. *Sign is in Retail Subdistrict A and is 30 square feet.*
- (C) No lower projecting attached sign may be lower than 10 feet above grade, or project vertically above the roof of a building, or 25 feet above grade, whichever is lower. *The bottom of the sign is 18 feet above grade and the top of the sign is 25 feet above grade and not above the roof.*

- (D) No lower projecting attached sign may project more than five feet into the public right-of-way. *The sign project will project less than five feet into the right-of-way.*

Case Number: 1707060021

## Officers

Bijoy, LLC

Jatinderpaul Sandhu, President & Managing Member of Bijoy, LLC.

Hotel Indigo

Jason Troncale, General Manager

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE ACTION:**

**October 20, 2017**

**MOTION 1:** It was moved to **deny** a 30-square foot lower projecting attached sign at 1933 Main Street (southeast corner) as the sign is not consistent with the sign district and building.

Maker: Dumas  
Second: Peadon  
Result: Motion withdrawn

**MOTION 2:** It was moved to **approve** a 30-square foot lower projecting attached sign at 1933 Main Street (southeast corner) with the condition that the design approved by the Landmark Commission for the awnings to be incorporated into the sign either on the top or the bottom of the sign or both the top and the bottom.

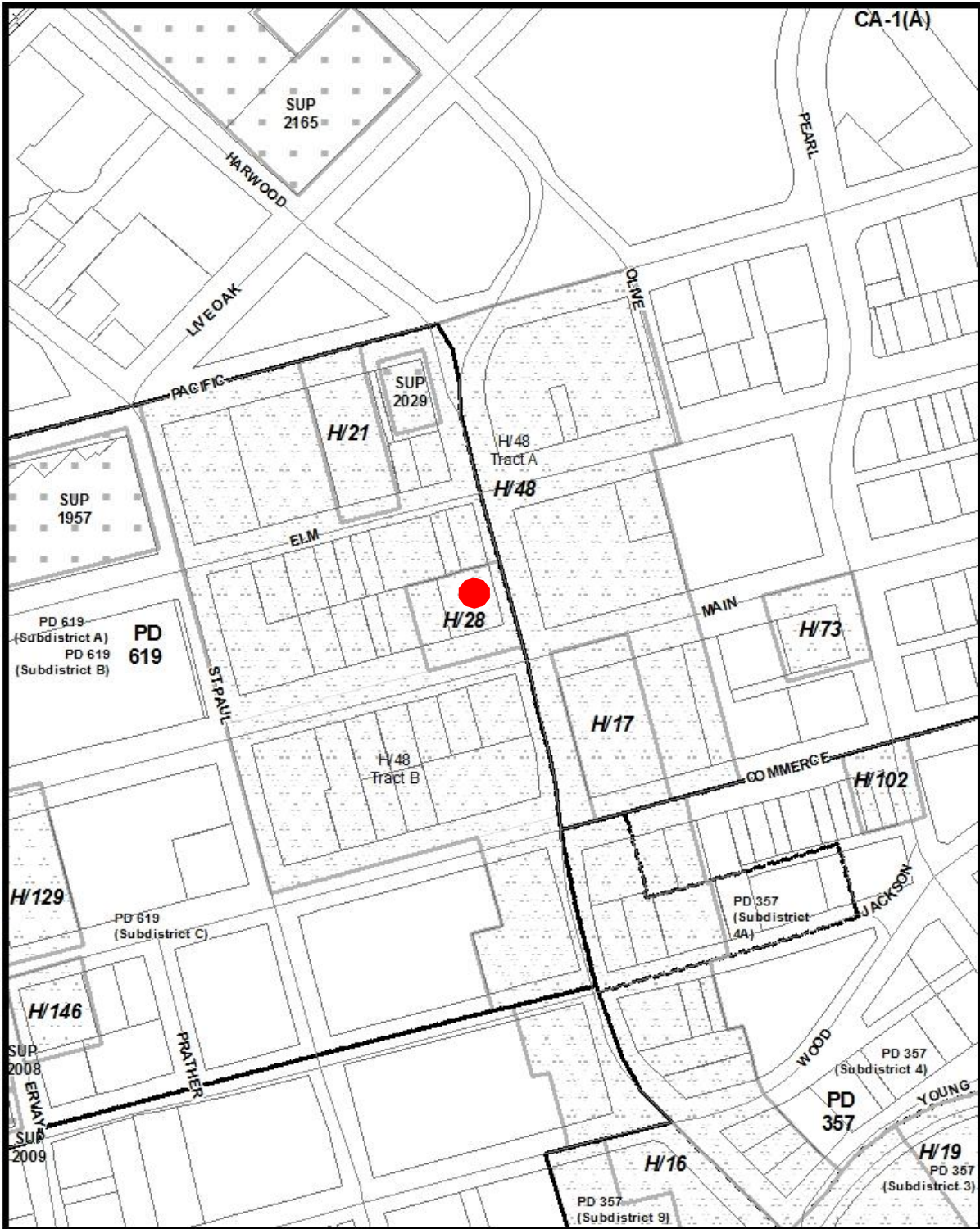
Maker: Dumas  
Second: Webster  
Result: Carried: 3 to 0

For: – Peadon, Dumas, Webster

Against: 0  
Absent: 1 - Hardin  
Conflict: 0

Speakers – Kristy Smith and Douglas Jorgensen, Signs  
Manufacturing & Maintenance Corporation

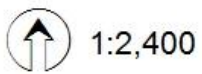




1:2,400

**Sign CA 1707060021**  
**Downtown SPSPD - Retail Subdistrict A**

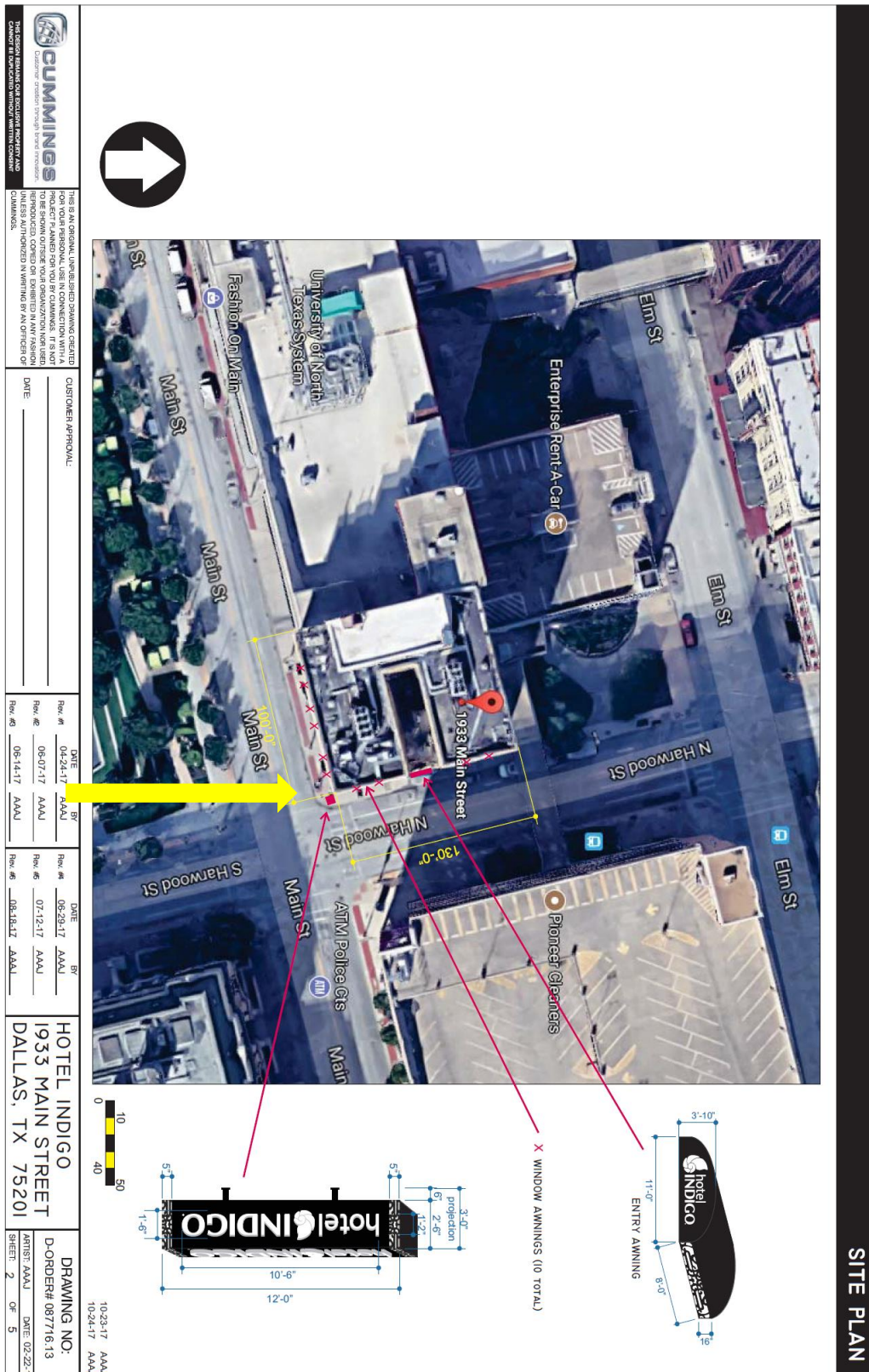


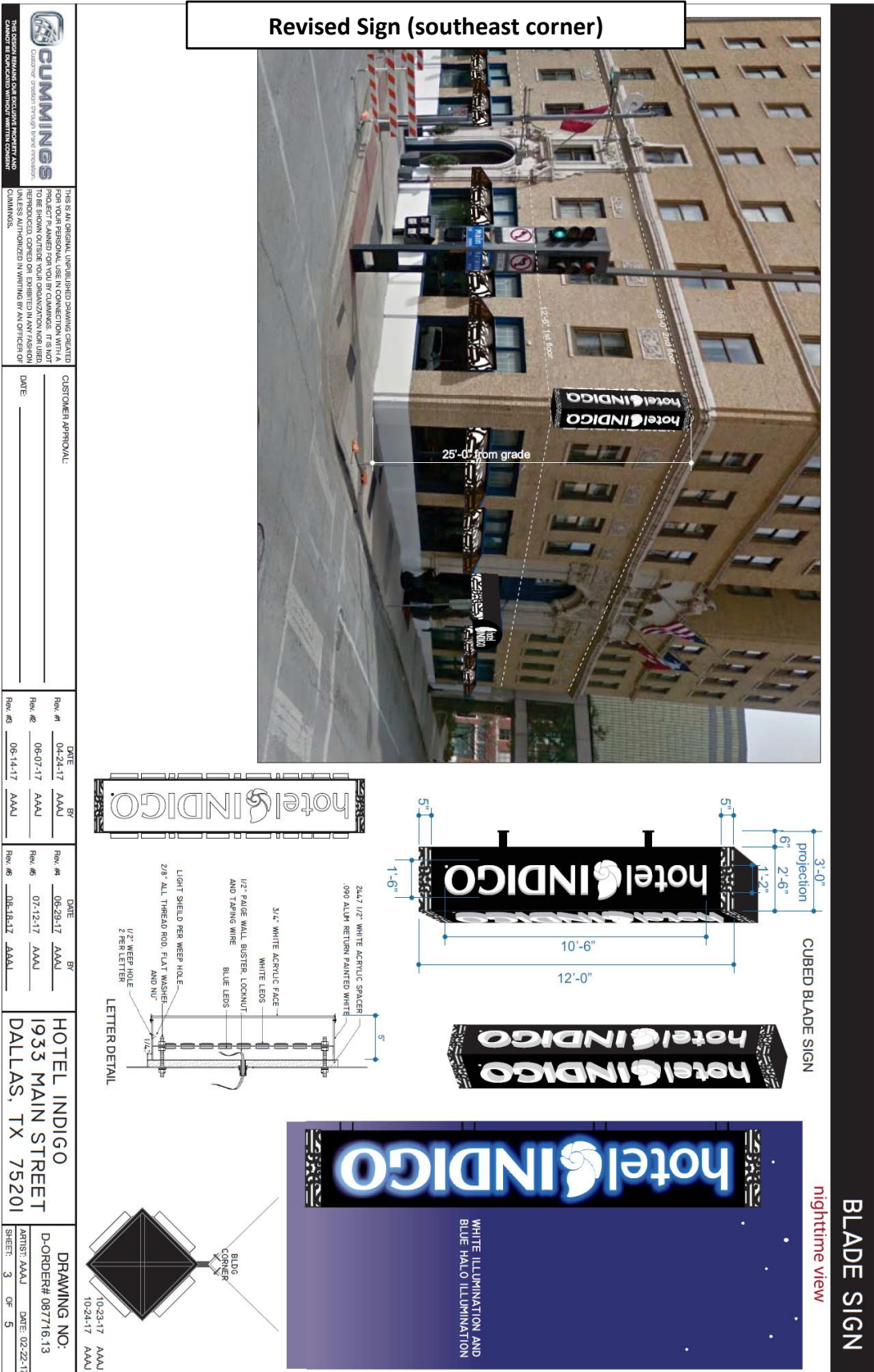


**Sign CA 1707060021**  
**Downtown SPD - Retail Subdistrict A**



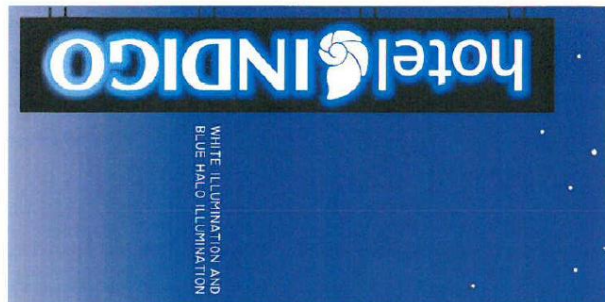
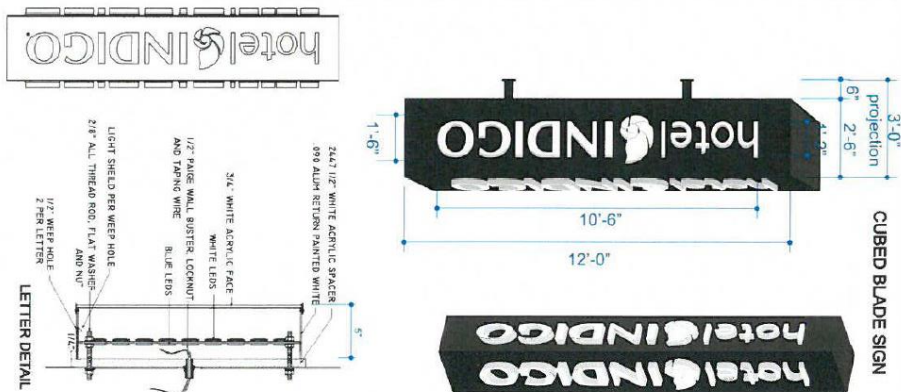
### Proposed Sign (southeast corner)







### Original Sign (southeast corner)




BLADE SIGN

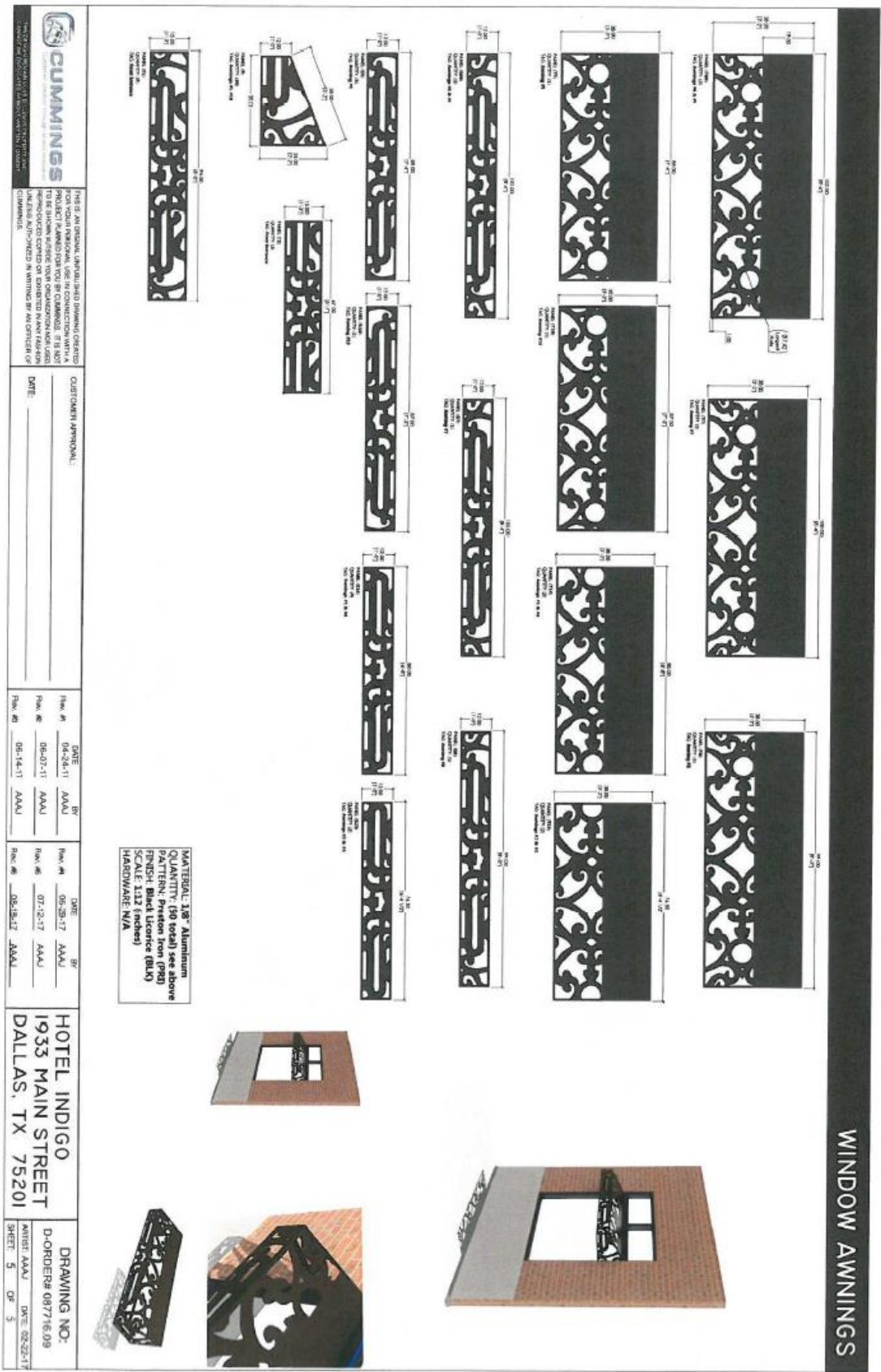
nighttime view

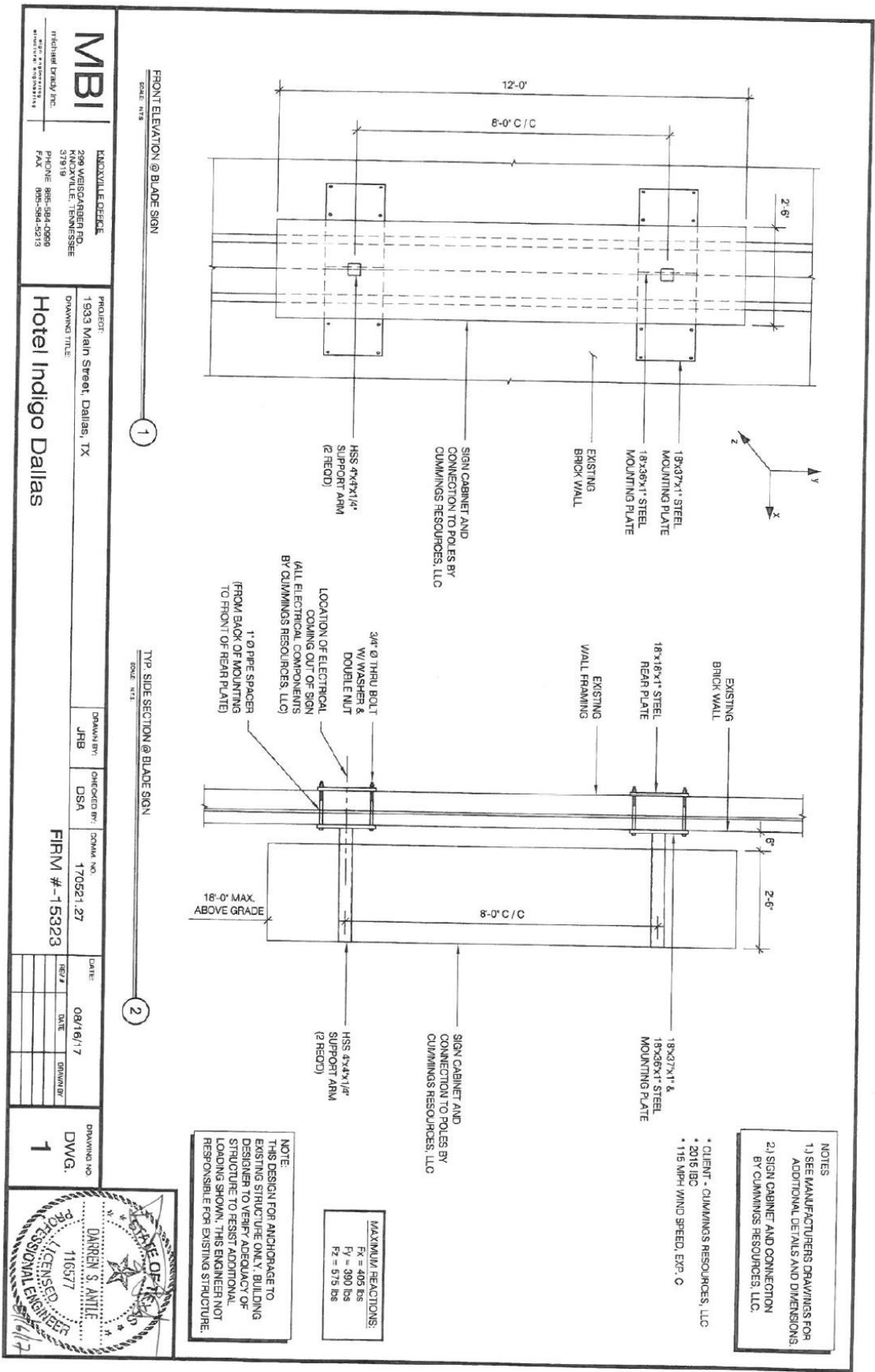
WHITE ILLUMINATION AND  
BLUE HALO ILLUMINATION

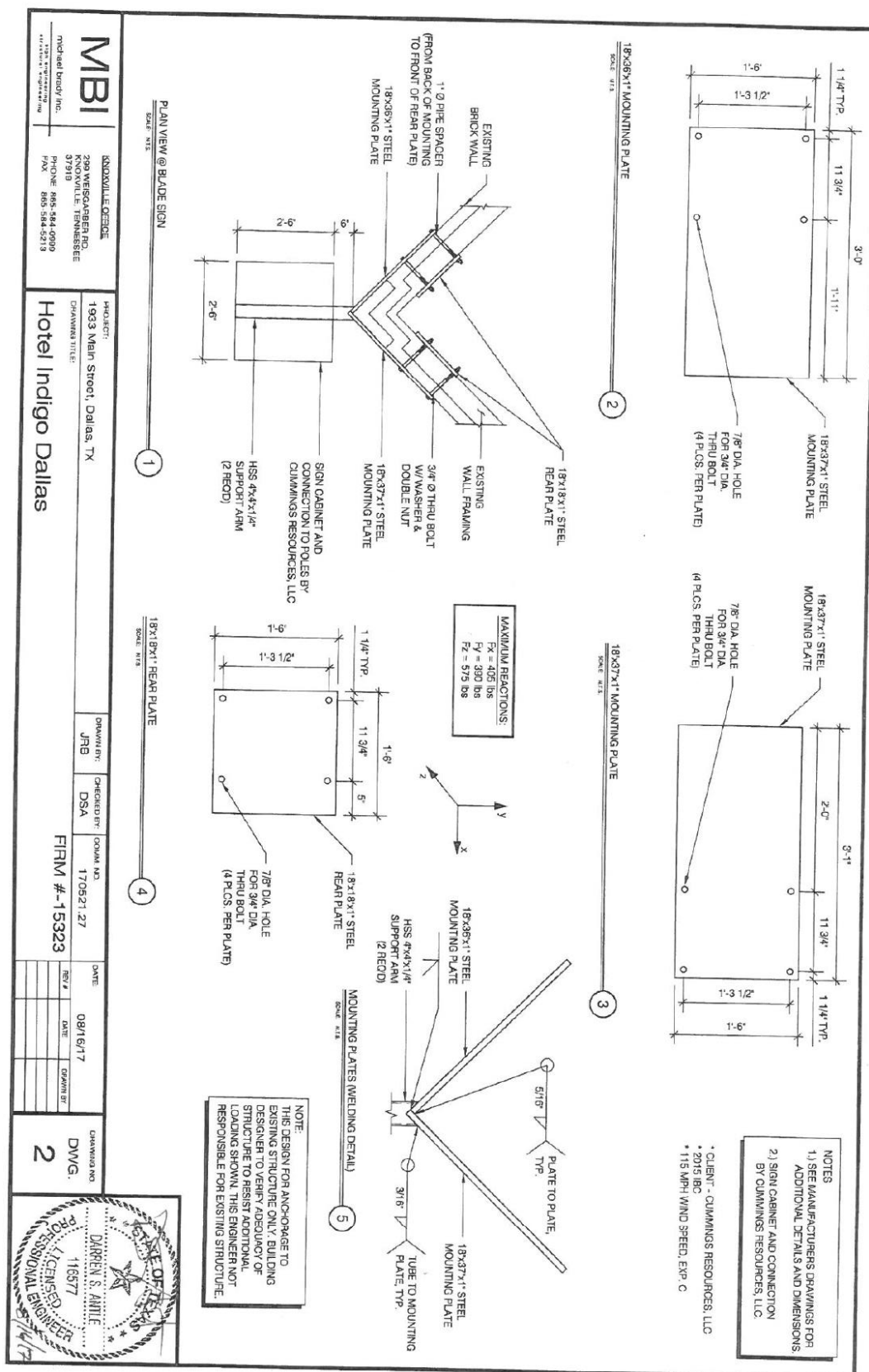
Technical drawing of the letter 'E' showing dimensions and labels. The drawing includes a vertical dimension of 112.5 and a horizontal dimension of 112.5. Labels include 'ACER WHITE', 'ACE', 'DS', 'EDS', 'KNUIT', 'HER', 'UT', and 'LETTER DETAIL'.

Diagram illustrating a building corner (BLDG CORNER) with a diamond-shaped area.

 <b>CUMMINS</b> <small>CONCRETE PUMPING SYSTEMS</small>	<small>THIS IS AN ORIGINAL UNRELEASED DRAWING CREDITED TO YOUR FIRM. IT IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN AUTHORIZATION OF CUMMINS.</small>		DRAWING NO: <b>D-DORER# 08776.09</b>	
	CUSTOMER APPROVAL: _____		DATE: <b>04-26-17</b>	
	FIG. # _____	BY <b>AAU</b>	FIG. # <b>05-29-17</b>	BY <b>AAU</b>
	FIG. # <b>06-30-17</b>	BY <b>AAU</b>	FIG. # <b>07-12-17</b>	BY <b>AAU</b>
FIG. # <b>06-14-17</b>	BY <b>AAU</b>	FIG. # <b>08-18-17</b>	BY <b>AAU</b>	HOTEL INDIGO 1933 MAIN STREET DALLAS, TX 75201
ARTIST: <b>AAU</b>		DATE: <b>02-22-17</b>		SHEET <b>3</b> OF <b>5</b>









**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)  
DOWNTOWN SIGN DISTRICT RETAIL SUBDISTRICT A**

---

**CASE NUMBER:** 1708230003

**DATE FILED:** August 23, 2017

**LOCATION:** 1800 Main Street (south elevation)

**SIZE OF REQUEST:** 24 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** PD No. 619, H/129

**MAPSCO:** 45-L, Q

---

**APPLICANT:** Maxwell Fisher with Masterplan

**CONTRACTOR:** EZZI Signs

**TENANT:** Verizon

**OWNER:** FC Merc Complex LP

**REQUEST:** An application for a Certificate of Appropriateness for a 24-square foot lower projecting attached sign (south elevation).

**SUMMARY:** The applicant will construct an illuminated, projecting sign which will read "verizon."

**STAFF RECOMMENDATION:** Approval

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval

**BACKGROUND:**

- The subject site is located in the Retail Subdistrict A within the Downtown SPSP.
- The request is for a lower projecting attached sign, which is defined as an attached sign projecting more than 12 inches from a building at an angle other than parallel to the facade.
- The proposed sign is 24 square feet. It will be located on the south corner of the building, approximately 17 feet above grade.
- Construction of the attached projecting attached sign is in accordance with SPSP regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911. ATTACHED PREMISE SIGNS.
- The property is located in the Mercantile National Bank Building Historic District No. 129. A Certificate of Appropriateness was approved by the Landmark Commission on September 5, 2017.

SECTION. 51A-7.911. ATTACHED PREMISE SIGNS.

(g) Projecting attached signs

(1) Lower projecting attached signs

- (A) No premise may have more than one lower projecting attached sign per pedestrian entrance. *Only one sign above the entrance.*
- (B) No lower projecting attached sign may exceed 15 square feet in effective area in the general CBD and convention center subdistrict, or 30 square feet in the effective area in the main Street Subdistrict, Retail Subdistrict A, and Retail Subdistrict B. *Sign is in the Retail Subdistrict A and is 24 square feet.*
- (C) No lower projecting attached sign may be lower than 10 feet above grade, or project vertically above the roof of a building, or 25 feet above grade, whichever is lower. *The bottom of the sign is 17 feet above grade and the top of the sign is 25 feet above grade and not above the roof.*
- (D) No lower projecting attached sign may project more than five feet into the public right-of-way. *The sign will project three feet into the right-of-way.*

Case Number: 1708230003

Forest City Merc Officers

	<u>Appointed Entity</u>	<u>Type</u>
<input type="checkbox"/>	<a href="#">Brian J. Ratner</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Christopher L. Clayton</a>	<a href="#">Treasurer</a>
<input type="checkbox"/>	<a href="#">Christopher M. Mellis</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">David J. LaRue</a>	<a href="#">President</a>
<input type="checkbox"/>	<a href="#">Duane F. Bishop, Jr.</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">James E. Truitt</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">James W. Finnerty</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Jonathan Ratner</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Ketan Patel</a>	<a href="#">Secretary</a>
<input type="checkbox"/>	<a href="#">Mark Gerteis</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Robert G. O'Brien</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Ronald A. Ratner</a>	<a href="#">Vice President</a>

**List of Officers**  
**Verizon Wireless**

Lowell C. McAdam, Chairman and Chief Executive Officer

Martin Burvill, Senior Vice President and Group President Verizon Business Markets

Eric Cevis, Senior Vice President and Group President - Verizon Partner Solutions

Roy H. Chestnutt, Executive Vice President and Chief Strategy Officer

Kenneth Dixon, Senior Vice President & Group President - Consumer Sales & Service

Ronan Dunne, Executive Vice President and Group President of Verizon Wireless

Matthew D. Ellis, Executive Vice President and Chief Financial Officer

Tami Erwin, Executive Vice President - Wireless Operations

George Fischer, Senior Vice President and Group President – Verizon Enterprise Solutions

James J. Gerace, Chief Communications Officer

Marc C. Reed, Executive Vice President and Chief Administrative Officer

Diego Scotti, Executive Vice President and Chief Marketing Officer

Craig Silliman, Executive Vice President – Public Policy and General Counsel

David Small, Executive Vice President - Wireline Network Operations

John G. Stratton, Executive Vice President and President of Global Operations

Hans Vestberg, Executive Vice President and President of Global Networks and Chief Technology Officer

Marni M. Walden, Executive Vice President and President-Global Media



**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE ACTION**  
**October 10, 2017**

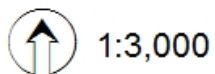
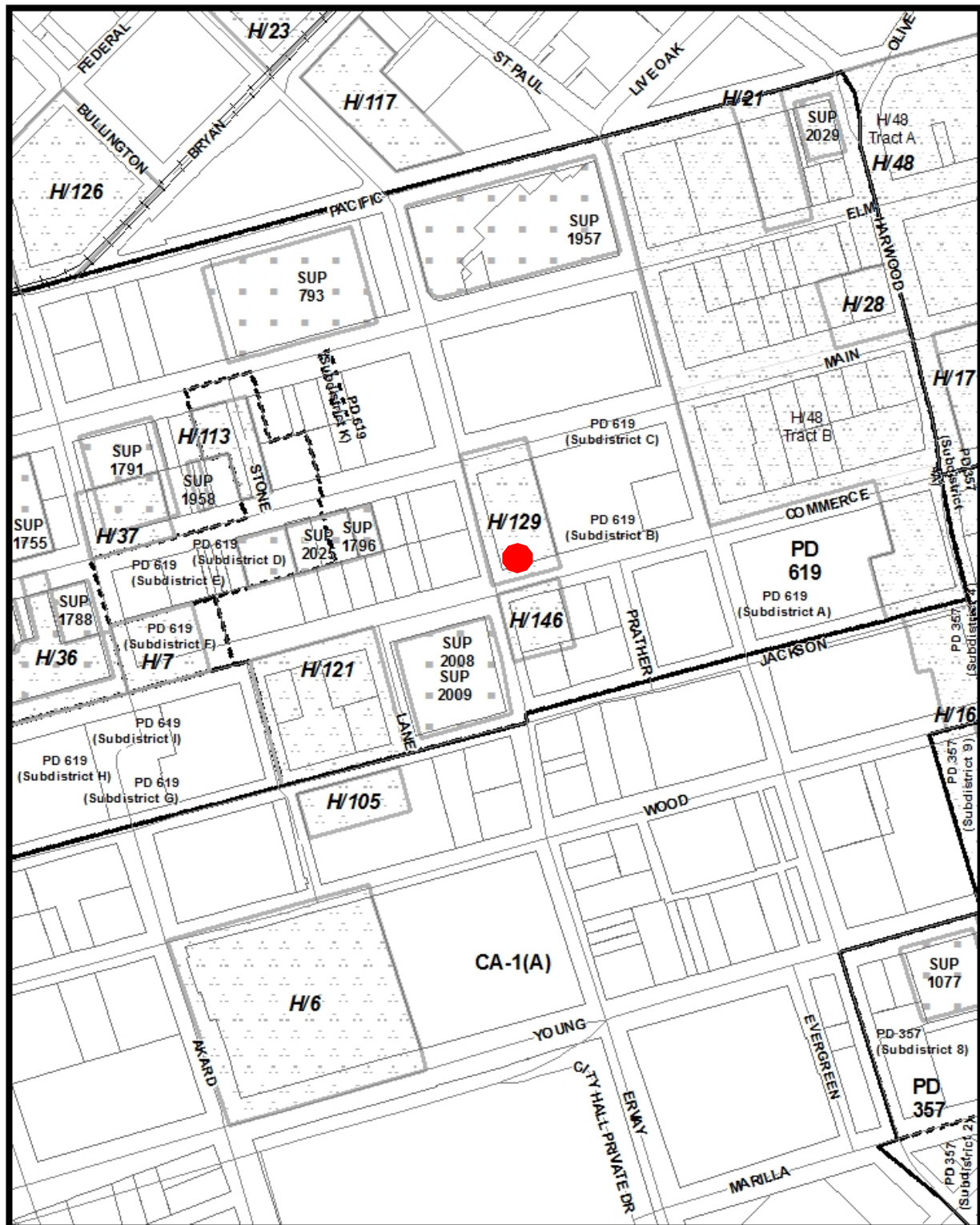
**MOTION:** It was moved to **approve** a 24-square foot lower projecting attached sign at 1800 Main Street (south elevation).

Maker: Webster  
Second: Dumas  
Result: Carried: 3 to 0

For: – Peadon, Dumas, Webster

Against: 0  
Absent: 1 - Hardin  
Conflict: 0

Speakers – Maxwell Fisher, Masterplan  
Ken Gruskin, Gruskin Group  
Joseph Julioni, Verizon



**Sign CA 1708230003**  
**Downtown SPSPD - Retail Subdistrict A**





1:3,000

**Sign CA 1708230003**  
**Downtown SPSP - Retail Subdistrict A**



Proposed Sign (south corner)





D/S BLADE SIGN

BS1-1

SIGN CODE •

Proposed Signage = 23.1 SqFt  
Relevant Signage Code:  
N/A

Sign Calculation:  
(H) x (L) of overall boxed dimensions

SIGN TYPE •  
D/S Illuminated blade sign with routed aluminum panel.

MOUNTING •  
Bracket Mounted


COLOR PALETTE •  
WHITE SUBSTRATE  
PMS 485  
OPAQUE DARK GRAY 7725-41  
N/A  
N/A  
N/A  
N/A  
N/A

Revision Date: 08/01/17  
Rev. Details: Revised address

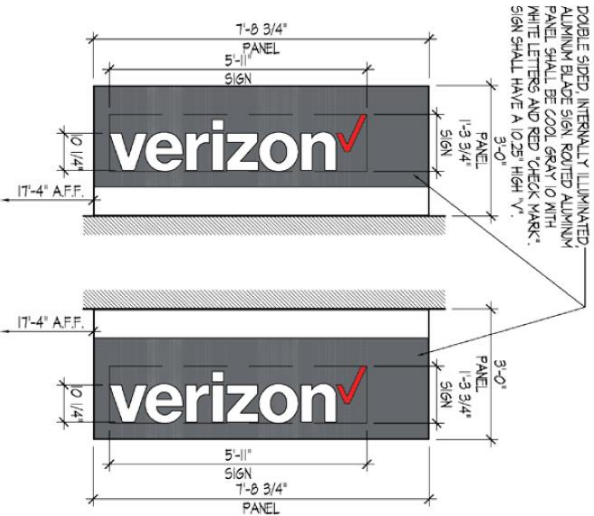
Project No: 171250  
Prog. Location: 1800 Main St Dallas Suite 128, TX 75201  
Orig. Draft: 04/07/17  
Prog. Manager: Jake Kowalczyk  
Page Rev: 007  
Sales Rep: N/A

1201 Wilby Rd, Ste 150  
Schmaling, IL 60173  
O: 847.301.0510  
F: 847.301.0518  
ids@identititi.net

IDENTITITI  
RESOURCES



DOUBLE SIDED INTERNALLY ILLUMINATED ALUMINUM BLADE SIGN. ROUTED ALUMINUM PANEL SHALL BE COOL GRAY 10 WITH WHITE LETTERS AND RED CHECK MARK. SIGN SHALL HAVE A 1025 HIGH V.



Scale: 1/2" = 12"

DESIGNER: Stephanie

Revision After Stephanie

The sign design is the exclusive property of Identititi Resources, LTD, and the results of the original and creative work of its employees. The drawing is submitted to the client for review and approval. The client agrees to indemnify and hold Identititi Resources, LTD harmless from and against all claims, damages, losses and expenses, whether reasonable or not, arising out of the use of this sign design by anyone outside of the customer's organization, without exception, written authorization by Identititi Resources, LTD is prohibited.

PROJECT

verizon

9

## SIGN SPECIFICATIONS

# SPEC

**SIGN CODE •**

**Proposed Signage = N/A**

## SIGN TYPE •

### LED Channel Letters. Front-Lit

## MOUNTING •

### Raceway Mounted

## COLOR PALETTE •

## VERIZON: WHITE TRIM & RETURNS

CHECK-PMS 485 TRIM &amp; RETURN

VERIZON FACE: MATT WHITE

CHECK FACE: TRANS POPPY RED 3M 3630-143

RACEWAY PAINTED TO MATCH FACADE

N/A

N/A

N/A

## RACEWAY

11	7" x 4" DEPTH UL LISTED EXTRUDED RACEMAN W/ SLOAN 71507-MODW 60W PWR SUPPLY (QTY VARIES)
12	MOUNTING HARDWARE: VARIES ON STRUCTURE (SUPPLIED WITH 3/8" THREADED SPEED CLIPS)

## VERIZON LETTERS

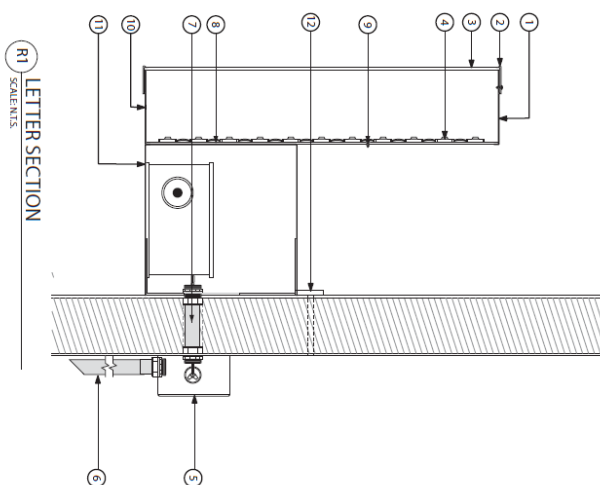
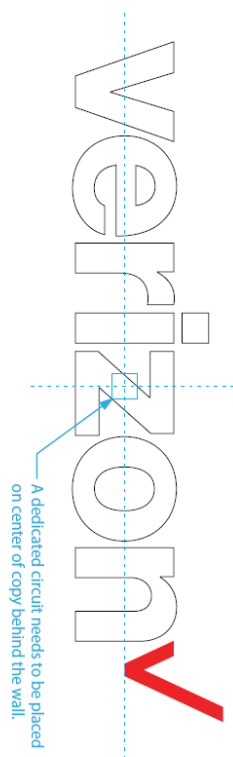
1	0.040" ALUMINUM RETURNS (2" DEPTH) PAINTED MP 6642S SP SATIN HI HIDE WHITE
2	3/4" TRIM CAP PAINTED MP 6642S SP SATIN HI HIDE WHITE
3	3/16" ACRYLIC FACE #7328 P95 MATE ACRYLIC FACE
4	LED UNITS (WHITE): SLOAN

## CHECKMARK LOGO

1	0.040 ALUMINUM RETURN (2" DEPTH): PAINTED MP #643 SATIN PMS 485
2	3/4" TBM CAP: PAINTED MP #643 SATIN PMS 485
3	3/16" ACRYLIC FACE: #328 WHITE ACRYLIC WITH APPLIED 3M 3630+43 VINYL

IDENTICAL SPECS

- 5 UL LISTED HOUSING;  
SECONDARY WIRING SPICE POINT (WHEN NEEDED)
- 6 PRIMARY POWER CIRCUIT (PROVIDED/PERMITTED BY OTHERS)  
TO BE PLACED WITHIN 5 FEET OF CENTER OF SIGN
- 7 CONDUIT;  
SECONDARY ELECTRICAL RUN
- 8 0.063 ALUMINUM BLACK  
PRE-COAT WHITE FINISH
- 9 MOUNTING HARDWARE  
4# PER SIGN INTO BACKER PANEL
- 10 WEEP HOLES



Revision Date: 08/01/17 Rev. Details: Revised address

1201 Wiley Rd, Ste 150  
Schaumburg, IL 60173  
O: 847.301.0510  
F: 847.301.0518  
ideas@identiti.net

Project No:  
Orig. Draft:  
Page Rev:

Proj. Locat	
Proj. Manag	
Sales Rep:	

1800 Main St Da	
Jake Kowalczyk	
N/A	

128, TX 75201

PROJECT



This sign design is exclusive property of the original and creative work of the customer for the sole purpose manufactured to this design, by the this sign design by anyone outside expressed, written authorization by

This sign design is exclusive property of Ideatim Resources, LTD., and is the result of the original and creative work of its employees. The drawing is submitted to the customer for the sole purpose of purchase of the design or signage manufactured to the design by Ideatim Resources, LTD. Distribution to or use of this sign design by anyone outside of the customer's organization, without expressed, written authorization by Ideatim Resources, LTD. is prohibited.

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)  
DOWNTOWN SIGN DISTRICT RETAIL SUBDISTRICT A**

---

**CASE NUMBER:** 1708230004

**DATE FILED:** August 23, 2017

**LOCATION:** 1800 Main Street (west elevation)

**SIZE OF REQUEST:** 24 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** PD No. 619, H/129

**MAPSCO:** 45-L, Q

---

**APPLICANT:** Maxwell Fisher with Masterplan

**CONTRACTOR:** EZZI Signs

**TENANT:** Verizon

**OWNER:** FC Merc Complex LP

**REQUEST:** An application for a Certificate of Appropriateness for a 24-square foot lower level flat attached sign (west elevation).

**SUMMARY:** The applicant will construct an illuminated, attached sign, which will read "verizon."

**STAFF RECOMMENDATION:** Approval

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval

**BACKGROUND:**

- The subject site is located in the Retail Subdistrict A within the Downtown SPSPD.
- The request is for a lower level flat attached sign, which is defined as an attached sign projecting no more than 12 inches from a building, and the face of which is parallel to the building facade.
- The proposed sign is 24 square feet. It will be located on the west elevation of the building, approximately 15 feet above grade.
- Construction of the attached sign is in accordance with SPSPD regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911. ATTACHED PREMISE SIGNS.
- The property is located in Mercantile National Bank Building Historic District No. 129. A Certificate of Appropriateness was approved by the Landmark Commission on September 5, 2017.

SECTION. 51A-7.911. ATTACHED PREMISE SIGNS.

(e) Flat attached signs

(1) Lower level flat attached signs

- (A) Except as provided in this paragraph, the maximum number of lower level flat attached signs permitted on a facade is the sum obtained by counting all of the street entrances and first floor occupants with windows on the façade with no street entrances.
- (B) Skipped as it pertains to general CBD and convention center subdistricts.
- (C) Except as provided in this paragraph, in the Main Street Subdistrict, Retail Subdistrict A, and Retail Subdistrict B, the maximum effective area for a lower level flat attached sign is:
  - (i) 40 square feet if the sign is within 15 feet of the right-of-way;  
or
  - (ii) 60 square feet if the sign is more than 15 feet from the right-of-way.  
*The sign is 24 square feet and is within 15 feet of the right-of-way.*



Forest City Merc Officers

<u>Appointed Entity</u>	<u>Type</u>
<input type="checkbox"/> <a href="#">Brian J. Ratner</a>	<a href="#">Vice President</a>
<input type="checkbox"/> <a href="#">Christopher L. Clayton</a>	<a href="#">Treasurer</a>
<input type="checkbox"/> <a href="#">Christopher M. Mellis</a>	<a href="#">Vice President</a>
<input type="checkbox"/> <a href="#">David J. LaRue</a>	<a href="#">President</a>
<input type="checkbox"/> <a href="#">Duane F. Bishop, Jr.</a>	<a href="#">Vice President</a>
<input type="checkbox"/> <a href="#">James E. Truitt</a>	<a href="#">Vice President</a>
<input type="checkbox"/> <a href="#">James W. Finnerty</a>	<a href="#">Vice President</a>
<input type="checkbox"/> <a href="#">Jonathan Ratner</a>	<a href="#">Vice President</a>
<input type="checkbox"/> <a href="#">Ketan Patel</a>	<a href="#">Secretary</a>
<input type="checkbox"/> <a href="#">Mark Gerteis</a>	<a href="#">Vice President</a>
<input type="checkbox"/> <a href="#">Robert G. O'Brien</a>	<a href="#">Vice President</a>
<input type="checkbox"/> <a href="#">Ronald A. Ratner</a>	<a href="#">Vice President</a>

**List of Officers**  
**Verizon Wireless**

Lowell C. McAdam, Chairman and Chief Executive Officer

Martin Burvill, Senior Vice President and Group President Verizon Business Markets

Eric Cevis, Senior Vice President and Group President - Verizon Partner Solutions

Roy H. Chestnutt, Executive Vice President and Chief Strategy Officer

Kenneth Dixon, Senior Vice President & Group President - Consumer Sales & Service

Ronan Dunne, Executive Vice President and Group President of Verizon Wireless

Matthew D. Ellis, Executive Vice President and Chief Financial Officer

Tami Erwin, Executive Vice President - Wireless Operations

George Fischer, Senior Vice President and Group President – Verizon Enterprise Solutions

James J. Gerace, Chief Communications Officer

Marc C. Reed, Executive Vice President and Chief Administrative Officer

Diego Scotti, Executive Vice President and Chief Marketing Officer

Craig Silliman, Executive Vice President – Public Policy and General Counsel

David Small, Executive Vice President - Wireline Network Operations

John G. Stratton, Executive Vice President and President of Global Operations

Hans Vestberg, Executive Vice President and President of Global Networks and Chief Technology Officer

Marni M. Walden, Executive Vice President and President-Global Media

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE ACTION**  
**October 10, 2017**

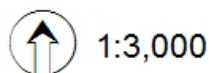
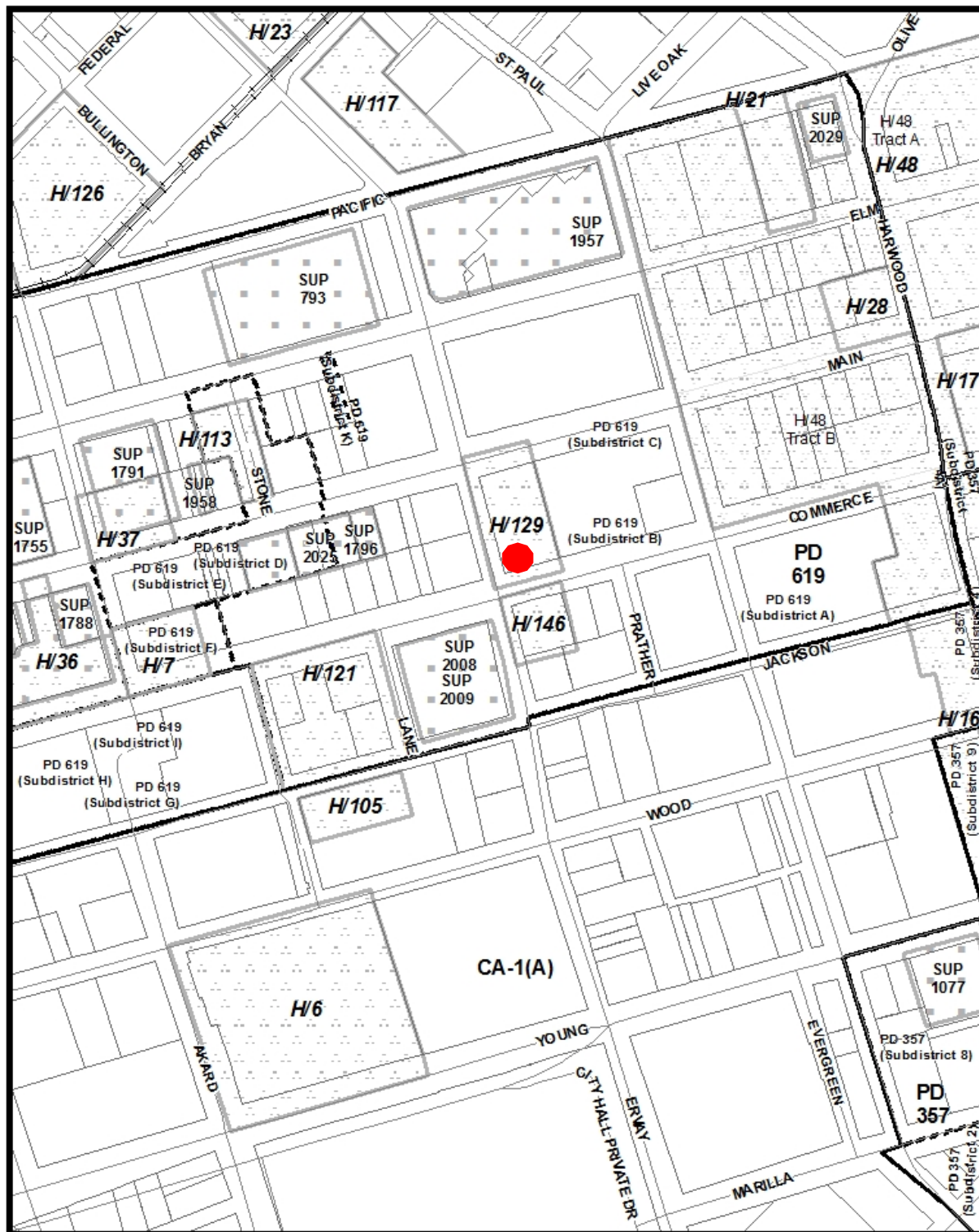
**MOTION:** It was moved to **approve** a 24-square foot lower level flat attached sign at 1800 Main Street (west elevation).

Maker: Webster  
Second: Dumas  
Result: Carried: 3 to 0

For: – Peadon, Dumas, Webster

Against: 0  
Absent: 1 - Hardin  
Conflict: 0

Speakers – Maxwell Fisher, Masterplan  
Ken Gruskin, Gruskin Group  
Joseph Julioni, Verizon



Sign CA 1708230004  
Downtown SPSPD - Retail Subdistrict A





1:3,000

**Sign CA 1708230004**  
**Downtown SPD - Retail Subdistrict A**



Proposed Sign (west elevation)



SIDE STORE ELEVATION

S2-1

SIGN CODE •

Proposed Signage = 32.6 SqFt

Relevant Signage Code:

Primary Facade: NTE: 25% of facade area.

Secondary Facade: NTE: 15% of facade area.

43.58 x 17.25 x 1.5 = 112.276 sqft

Sign Calculation:

(ft) x (l) of overall boxed dimensions

SIGN TYPE •

LED Channel Letters, Front-Lit

MOUNTING •

Raceway Mounted

COLOR PALETTE •

VERIZON WHITE TRIM & RETURN

CHECK: FMS 485 TRIM & RETURN

VERIZON FACE WHITE

CHECK FACE TRANS POPPY RED 3M 3630-143

PAVEWAY PAINTED TO MATCH FACADE

N/A

N/A

N/A

TARGET V HEIGHT: N/A

PROPOSED: 21"

Revision Date: 08/01/17 Rev. Details: Added survey photos

1201 Willey Rd, Ste 150  
O: 847 301 0510  
F: 847 301 0518  
Ideas@identiti.net

Project No: 171250  
Orig. Draft: 04/07/17  
Page Rev: 007

Proj. Location: 1800 Main St Dallas Suite 128, TX 75201  
Proj. Manager: Jake Kowalczyk  
Sales Rep: N/A

Scale: 1/2" = 12"

Designer: Stephanie

Revision Art: Stephanie

PROPOSED

Align with edge of windows

17' - 3"

13"

±43' - 7"

EXISTING

42"

9.75"

145.375 in  
(12 ft - 1 3/8 in)

32.25 in  
(2 ft - 8 1/4 in)

21.00 in

verizon

PROJECT

verizon

The sign design is the property of Identiti Resources, LTD., and is to remain the property of Identiti Resources, LTD. The customer agrees to indemnify and hold Identiti Resources, LTD. harmless from all claims, damages, and expenses, including reasonable attorneys' fees, arising from the use of the sign design by anyone other than Identiti Resources, LTD. Distribution to or use of the sign design by anyone other than Identiti Resources, LTD. is prohibited.

identiti

RESOURCES

9





**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)  
DOWNTOWN SIGN DISTRICT RETAIL SUBDISTRICT A**

---

**CASE NUMBER:** 1708230005

**DATE FILED:** August 23, 2017

**LOCATION:** 1800 Main Street (south elevation)

**SIZE OF REQUEST:** 24 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** PD No. 619, H/129

**MAPSCO:** 45-L, Q

---

**APPLICANT:** Maxwell Fisher with Masterplan

**CONTRACTOR:** EZZI Signs

**TENANT:** Verizon

**OWNER:** FC Merc Complex LP

**REQUEST:** An application for a Certificate of Appropriateness for a 24-square foot lower level flat attached sign (south elevation).

**SUMMARY:** The applicant will construct an illuminated, attached sign which will read "verizon."

**STAFF RECOMMENDATION:** Approval

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval

**BACKGROUND:**

- The subject site is located in the Retail Subdistrict A within the Downtown SPSP.
- The request is for a lower level flat attached sign, which is defined as an attached sign projecting no more than 12 inches from a building, and the face of which is parallel to the building facade.
- The proposed sign is 24 square feet. It will be located on the south elevation of the building, approximately 15 feet above grade.
- Construction of the attached sign is in accordance with SPSP regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911. ATTACHED PREMISE SIGNS.
- The property is located in Mercantile National Bank Building Historic District No. 129. A Certificate of Appropriateness was approved by the Landmark Commission on September 5, 2017.

SECTION. 51A-7.911. ATTACHED PREMISE SIGNS.

(e) Flat attached signs

(1) Lower level flat attached signs

- (A) Except as provided in this paragraph, the maximum number of lower level flat attached signs permitted on a facade is the sum obtained by counting all of the street entrances and first floor occupants with windows on the façade with no street entrances.
- (B) Skipped as it pertains to general CBD and convention center subdistricts.
- (C) Except as provided in this paragraph, in the Main Street Subdistrict, Retail Subdistrict A, and Retail Subdistrict B, the maximum effective area for a lower level flat attached sign is:
  - (i) 40 square feet if the sign is within 15 feet of the right-of-way;  
or
  - (ii) 60 square feet if the sign is more than 15 feet from the right-of-way.  
*The sign is 25 square feet and is within 15 feet of the right-of-way.*

Forest City Merc Officers

	<u>Appointed Entity</u>	<u>Type</u>
<input type="checkbox"/>	<a href="#">Brian J. Ratner</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Christopher L. Clayton</a>	<a href="#">Treasurer</a>
<input type="checkbox"/>	<a href="#">Christopher M. Mellis</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">David J. LaRue</a>	<a href="#">President</a>
<input type="checkbox"/>	<a href="#">Duane F. Bishop, Jr.</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">James E. Truitt</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">James W. Finnerty</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Jonathan Ratner</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Ketan Patel</a>	<a href="#">Secretary</a>
<input type="checkbox"/>	<a href="#">Mark Gerteis</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Robert G. O'Brien</a>	<a href="#">Vice President</a>
<input type="checkbox"/>	<a href="#">Ronald A. Ratner</a>	<a href="#">Vice President</a>

**List of Officers**  
**Verizon Wireless**

Lowell C. McAdam, Chairman and Chief Executive Officer

Martin Burvill, Senior Vice President and Group President Verizon Business Markets

Eric Cevis, Senior Vice President and Group President - Verizon Partner Solutions

Roy H. Chestnutt, Executive Vice President and Chief Strategy Officer

Kenneth Dixon, Senior Vice President & Group President - Consumer Sales & Service

Ronan Dunne, Executive Vice President and Group President of Verizon Wireless

Matthew D. Ellis, Executive Vice President and Chief Financial Officer

Tami Erwin, Executive Vice President - Wireless Operations

George Fischer, Senior Vice President and Group President – Verizon Enterprise Solutions

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Craig Silliman, Executive Vice President – Public Policy and General Counsel

David Small, Executive Vice President - Wireline Network Operations

John G. Stratton, Executive Vice President and President of Global Operations

Hans Vestberg, Executive Vice President and President of Global Networks and Chief Technology Officer

Marni M. Walden, Executive Vice President and President-Global Media



**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE ACTION**  
**October 10, 2017**

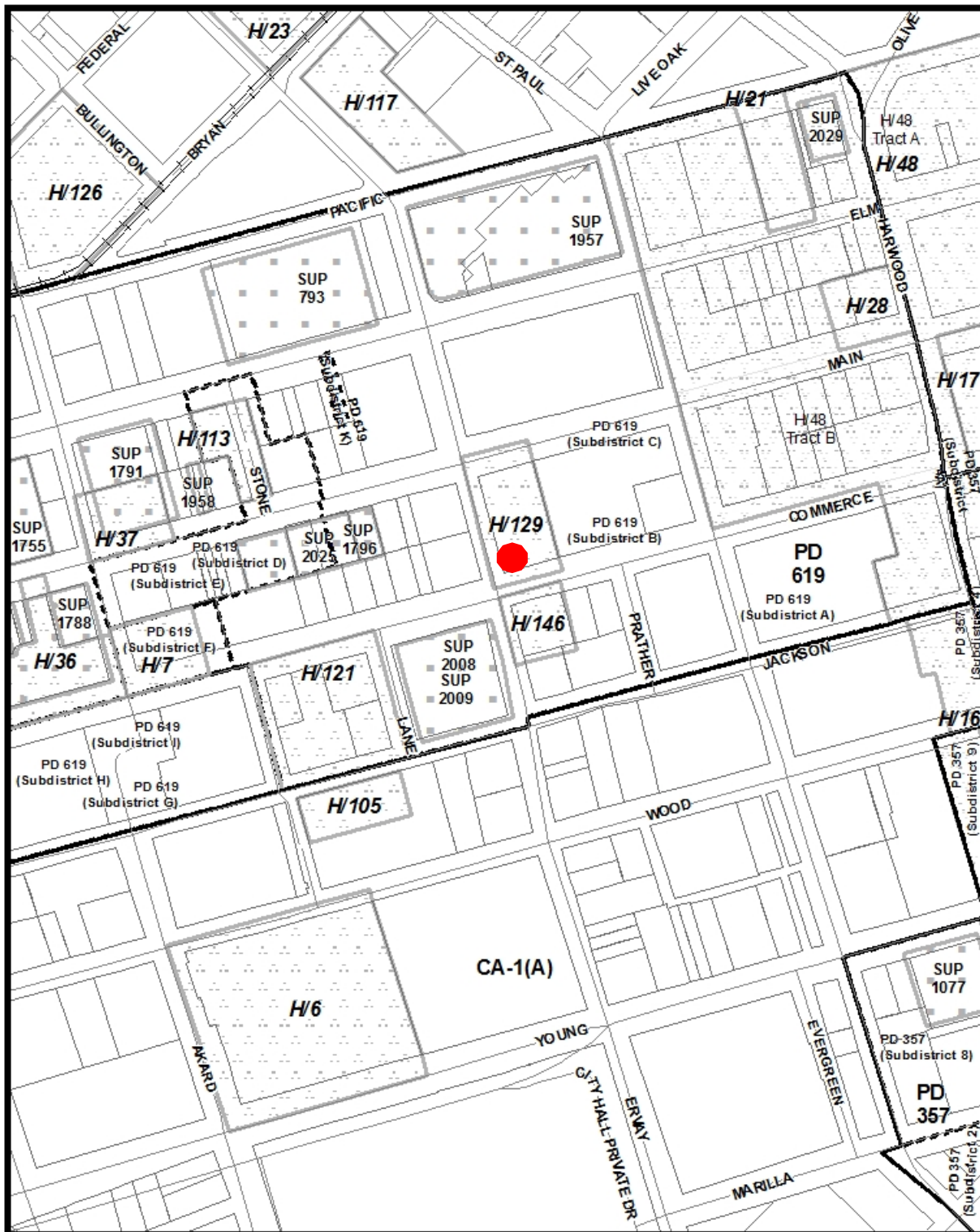
**MOTION:** It was moved to **approve** a 24-square foot lower level flat attached sign at 1800 Main Street (south elevation).

Maker: Webster  
Second: Dumas  
Result: Carried: 3 to 0

For: – Peadon, Dumas, Webster

Against: 0  
Absent: 1 - Hardin  
Conflict: 0

Speakers – Maxwell Fisher, Masterplan  
Ken Gruskin Gruskin Group  
Joseph Julioni, Verizon



1:3,000

Sign CA 1708230005  
Downtown SPSPD - Retail Subdistrict A





1:3,000

**Sign CA 1708230005**  
**Downtown SPSP - Retail Subdistrict A**



Proposed Sign (south elevation)





## N/A

Diagram illustrating the proposed placement of the Verizon logo on the building facade. The diagram shows the existing building structure and the proposed logo placement, including dimensions and centering over the windows.

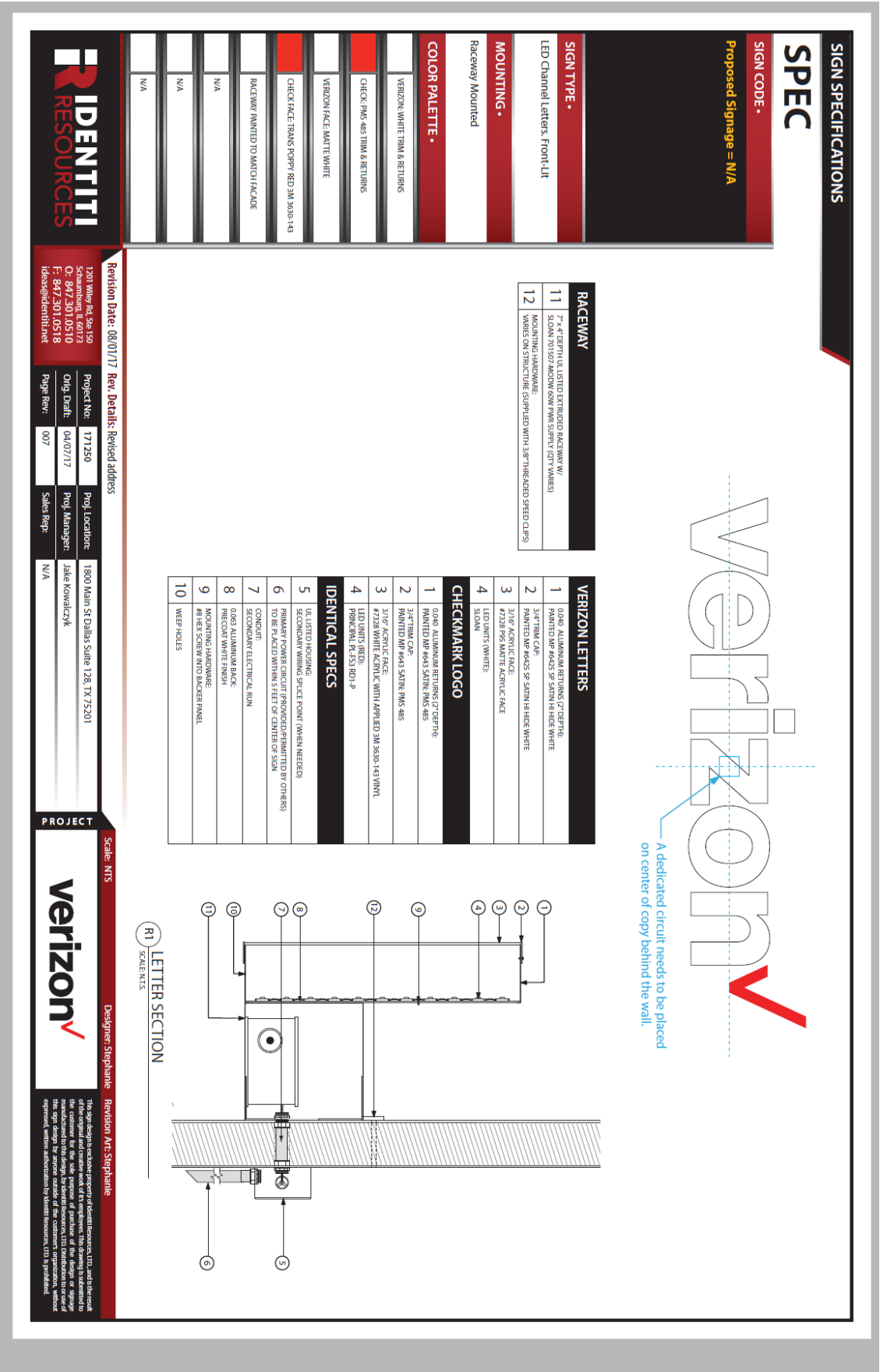
Dimensions and Placement:

- Existing Building Width: 17'-3"
- Existing Building Height: 13'-0"
- Proposed Logo Width: 9'-5"
- Proposed Logo Height: 4'-2"
- Gap between Existing Building and Proposed Logo: 12'-3"
- Centering: The proposed logo is centered over the windows.



Designer: Stephanie      Revision Art: Stephanie

This sign design is exclusive property of Identifi Resources, LTD., and is the result of the original and creative work of its employees. This drawing is submitted to the customer for the sole purpose of purchase of the design or signage manufactured to the design. By Identifi Resources, LTD. fabrication or use of this sign design by anyone outside of the customer's organization, without expressed, written authorization by Identifi Resources, LTD. is prohibited.



**FILE NUMBER:** Z167-349(SM)**DATE FILED:** July 14, 2017**LOCATION:** Southeast line of Kimsey Drive, northeast of Maple Avenue**COUNCIL DISTRICT:** 2**MAPSCO:** 34-P**SIZE OF REQUEST:** Approx. 7,500 SF**CENSUS TRACT:** 4.06**OWNER/APPLICANT:** Madison Kimsey, Ltd.**REPRESENTATIVE:** Rob Baldwin**REQUEST:** An application for an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.**SUMMARY:** The applicant proposes to construct four dwelling units on one existing 7,500 square foot lot.**STAFF RECOMMENDATION:** Approval**PRIOR CPC ACTION:** On September 28, 2017, the City Plan Commission recommended approval of this zoning request. However, due to an error in the public notice for these hearings, the case was remanded to City Plan Commission.

**BACKGROUND INFORMATION:**

- The single family structure at 2610 Kimsey Drive was constructed in 1936, according to Dallas Central Appraisal District records.

**Zoning History:** There have been eight zoning changes requested in the area in the last five years.

1. **Z167-348** On October 25, 2017, City Council approved an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.
2. **Z167-341** On October 11, 2017, City Council approved an MF-2(A) Multifamily District on property zoned an IR Industrial Research District
3. **Z167-304** On August 23, 2017, City Council approved an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.
4. **Z167-305** On August 23, 2017, City Council approved an MF-2(A) Multifamily District on property zoned an IR Industrial Research District.
5. **Z167-223** On June 28, 2017, City Council approved an MF-2(A) Multifamily District in lieu of the requested Planned Development District on property zoned an IR Industrial Research District.
6. **Z145-172** On October 28, 2015, City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.
7. **Z167-292** On January 27, 2015, City Council denied an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District
8. **Z123-339** On March 26, 2014, City Council approved a Planned Development District for MF-2(A) Multifamily District uses on property zoned an IR Industrial Research District.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Kimsey Drive	Local	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 *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 request site is located within a part of the city where the development pattern has transitioned from a mix of light and heavy industrial (inside) uses with scattered single-family uses to primarily multifamily uses. Although Kimsey Drive is primarily zoned as an IR Industrial Research District, several recent zoning changes have occurred to allow multifamily uses. Therefore, extending the MF-2(A) District should not create a negative impact on the adjacent properties.

The proposed zoning request meets the following goals and objectives of the comprehensive plan.

**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.

**Economic Element**

Goal 2.1 Promote balanced growth

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

**Urban Design**

Goal 5.1 Promote a sense of place, safety and walkability

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

**Neighborhood Plus**

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety

Policy 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

### **Stemmons Corridor - Southwestern Medical District Area Plan:**

The request site is within the *Stemmons Corridor - Southwestern Medical District Area Plan* and primarily complies with the intent of this plan, adopted June 2010. The Plan identifies the request site as being in the Medium Urban Residential Development Block. The Plan intends that this development block encourage a predominance of residential development at a range of urban scales in walkable format and are areas important for increasing the residential base of the area within easy access to jobs. The Plan also suggests that this development block contain a diversity of housing options ranging from town homes to medium density apartments/condominiums that range in scale from two to seven stories.

### **STAFF ANALYSIS:**

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

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IR	Single Family
<b>Northwest</b>	IR	Office/showroom/warehouse
<b>Northeast</b>	IR	Single Family
<b>Southeast</b>	IR	Surface Parking
<b>Southwest</b>	IR	Undeveloped

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

The site is currently undeveloped. The applicant proposes to construct a single family development with a shared access easement with 15 dwelling units on three existing 7,500 square foot lots. According to the applicant, the proposed structure will reflect a townhouse-style design. An MF-2(A) zoning limits the lot coverage to 60 percent with a maximum height of 36-feet as opposed to the 80 percent lot coverage allowed by the IR Industrial Research District with 200-foot maximum height

Kimsey Drive is developed with a mix of light industrial/office uses, single family uses, and newly constructed multifamily uses. The older structures in the vicinity are primarily clusters of industrial, warehouse, and single-family uses. The reason why the older buildings in the vicinity are a disparate mix of industrial and single family uses is because prior to the city-wide transition from Chapter 51 to Chapter 51A in the 1980's, industrial zoning districts allowed any use that ranged from intensity of single family to industrial – this zoning theology is also known as cumulative zoning.

However, because of the recently adopted zoning changes, the recent development in the vicinity, which lies primarily further west of the request site along Maple Avenue between Bomar Avenue and Stutz Drive, has been predominately redeveloped with multifamily uses.

The site is within a half-mile walking distance of the Inwood DART rail station and in close proximity to the Southwestern Medical Center campus and Love Field Airport. Because of the close proximity to these transportation hubs and employment centers, additional housing options are needed.

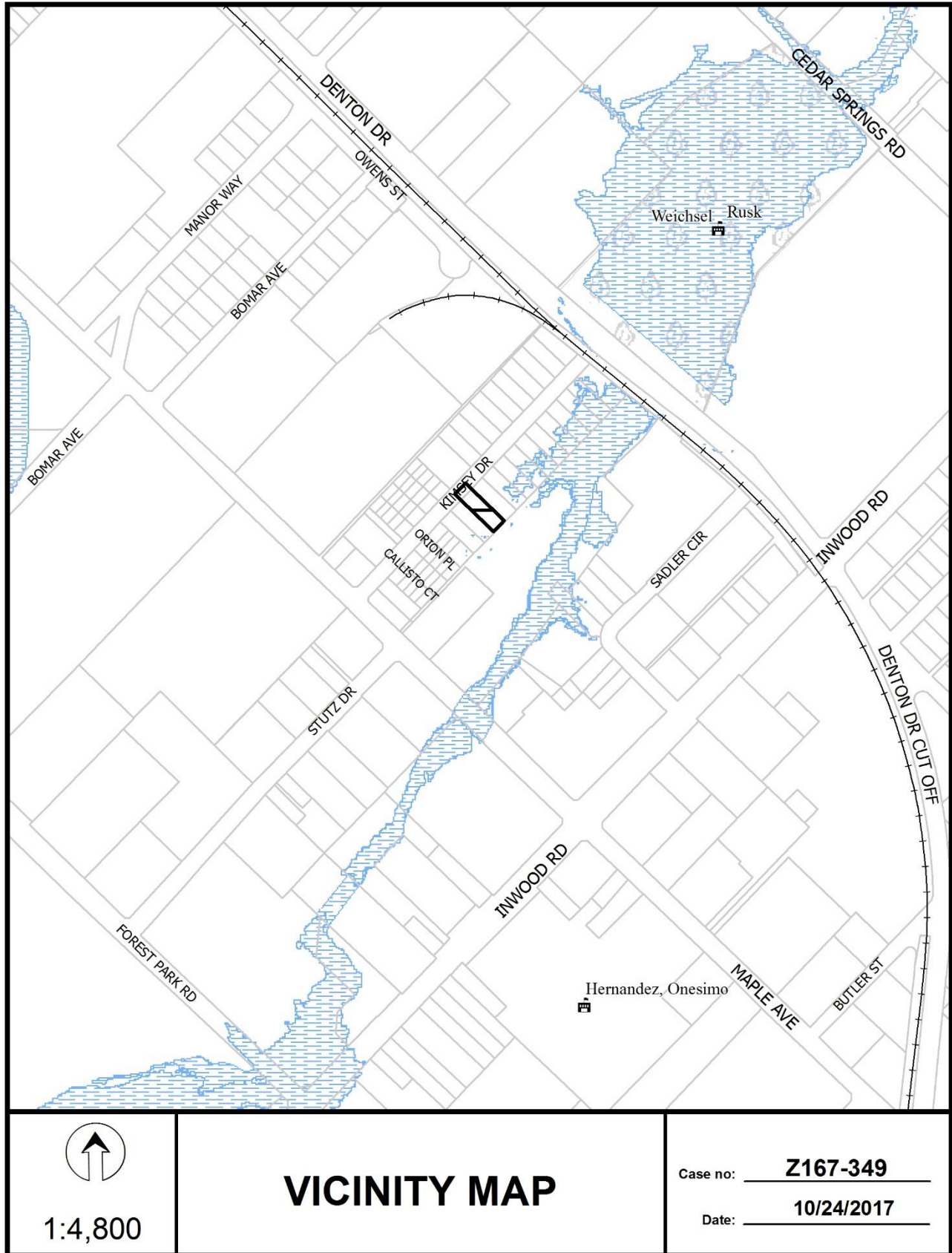
Upon review of the recommendations in the area plan and the existing development pattern of the surrounding properties, staff recognizes the positive benefits of an MF-2(A) Multifamily District. Therefore, staff recommends approval of an MF-2(A) Multifamily District.

#### **Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
MF-2(A) Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
Existing							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

#### **Landscaping:**

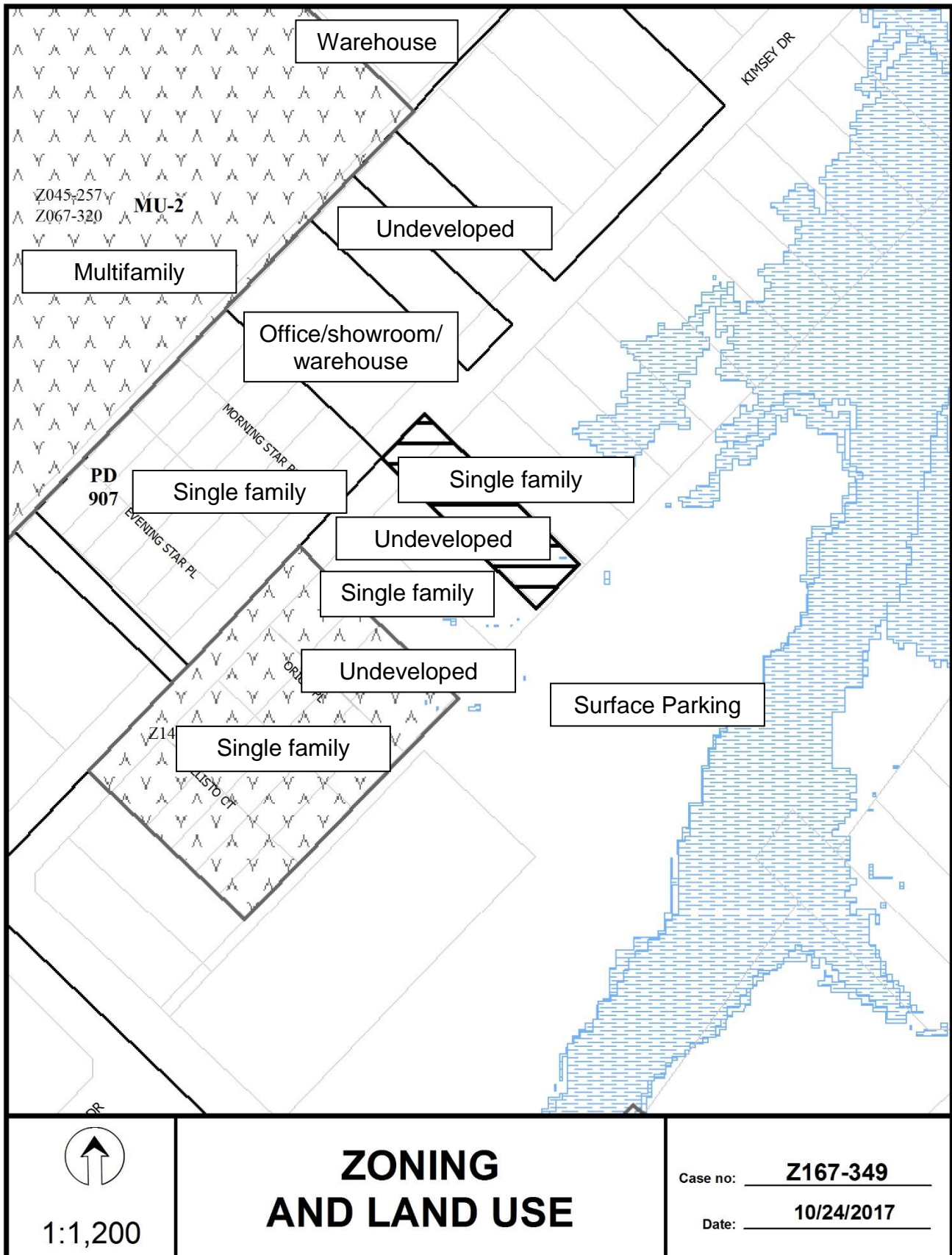
Landscaping is required in accordance with Article X of the Dallas Development Code.

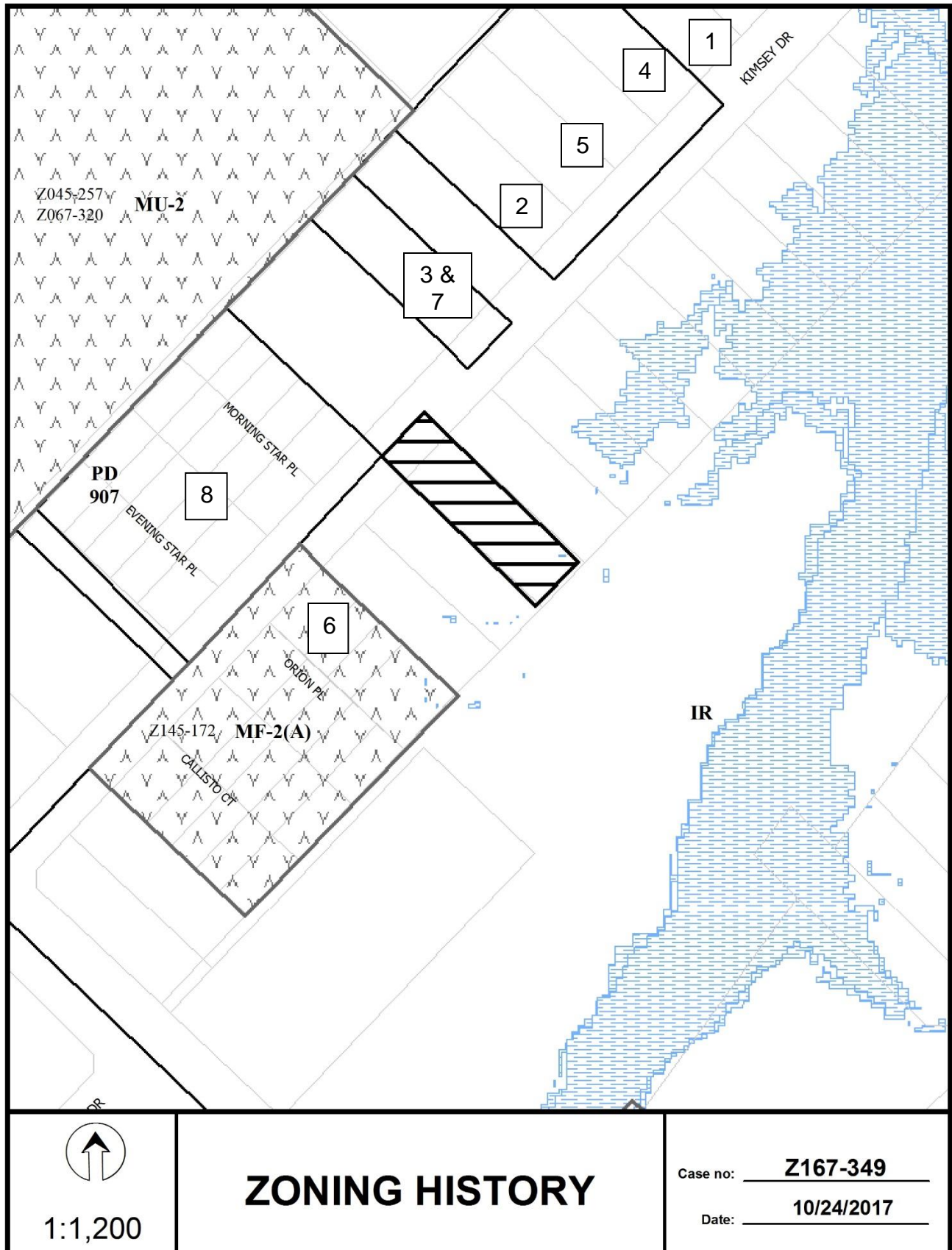


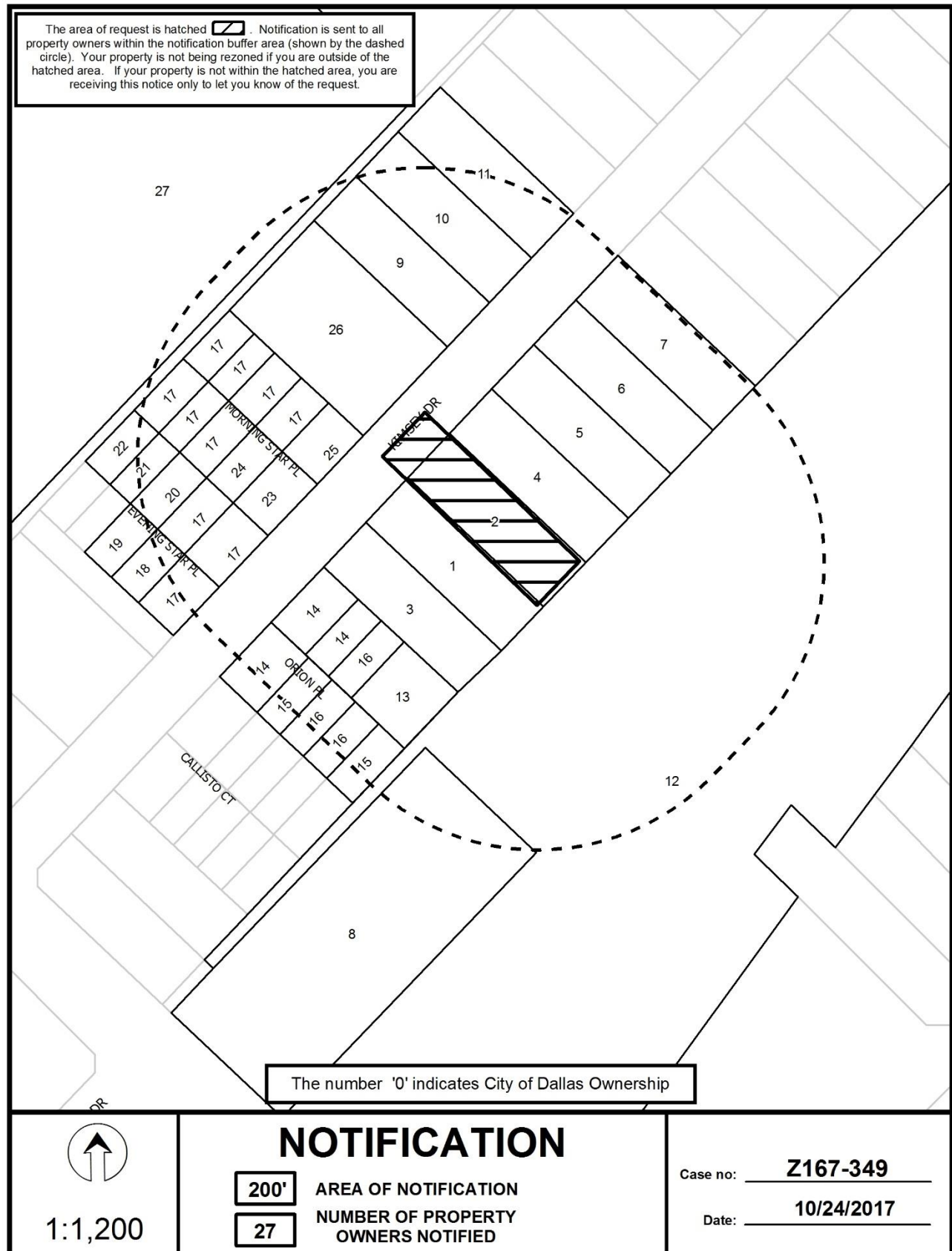














10/24/2017

***Notification List of Property Owners******Z167-349******27 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2606 KIMSEY DR	COPELAND D K
2	2610 KIMSEY DR	MADISON KIMSEY TLD
3	2602 KIMSEY DR	PERKINS JANIE L
4	2614 KIMSEY DR	GALARZA APOLINAR & MINERVA
5	2618 KIMSEY DR	HEED CYNTHIA LOUISE
6	2622 KIMSEY DR	MARTINEZ ALEXANDER C &
7	2626 KIMSEY DR	MACMAHON PAUL
8	5800 MAPLE AVE	GAS PIPE INC
9	2619 KIMSEY DR	RUBIN CANDACE &
10	2623 KIMSEY DR	VASQUEZ ALICIA GLAFIRA
11	2627 KIMSEY DR	ALDAPE GABRIELA
12	5760 MAPLE AVE	ADLER PROPERTY CO LLP
13	5822 ORION PL	KIMSEY PLACE HOMEOWNERS
14	5877 ORION PL	WEEKLEY HOMES LLC
15	5859 ORION PL	MADISON KIMSEY LTD
16	5841 ORION PL	WEEKLEY HOMES LLC
17	5917 EVENING STAR PL	WEEKLEY HOMES LLC
18	5933 EVENING STAR PL	FUENTES ANDREW &
19	5949 EVENING STAR PL	GREEN MATTHEW J
20	5948 EVENING STAR PL	TULLOS LAUREN
21	5964 EVENING STAR PL	BOBERG JOHN E
22	5980 EVENING STAR PL	FISER KY
23	5917 MORNING STAR PL	COLEMAN ELIZABETH J &
24	5933 MORNING STAR PL	GOULLIER MAXIME &
25	5916 MORNING STAR PL	LASHER JAMIE E
26	2611 KIMSEY DR	WINE MAISON LLC
27	6008 MAPLE AVE	AMLI 6008 MAPLE AVENUE LLC

**FILE NUMBER:** Z156-351(WE)

**DATE FILED:** August 29, 2016

**LOCATION:** Both sides of Bryan Street, northeast of North Munger Boulevard,  
and northwest of Live Oak Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 36-X

**SIZE OF REQUEST:** ±2.872 acres

**CENSUS TRACT:** 15.04

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**APPLICANT:** Highland Park United Methodist Church  
Ken Reiser, Executive Director

**OWNER:** Melba R. Baker

**REPRESENTATIVE:** Dallas Cothrum, Masterplan

**REQUEST:** An application for an amendment to, and an expansion of, Planned Development District No. 931 for MF-2(A) Multifamily District uses and termination of Specific Use Permit No. 2121 for a college, university, or seminary on property zoned an MF-2(A) Multifamily District.

**SUMMARY:** The purpose of this request is to create subareas within the existing Planned Development District that will permit additional off-street parking and a church office [Highland Park United Methodist Church].

**STAFF RECOMMENDATION:** Approval, subject to a conceptual plan and conditions; and approval of the termination of Specific Use Permit No. 2121 for a college, university, or seminary.

**BACKGROUND INFORMATION:**

- On December 10, 2014, the City Council approved Planned Development District No. 931 for MF-2(A) Multifamily District uses and approval of a Specific Use Permit No. 2121 for a college, university, or seminary. The Planned Development District allowed the existing church educational building [Munger Place Church] to accommodate a music college [Visible Music Church]. The addition of a college, university, or seminary use within an existing building did not negatively impact the surrounding properties.
- The addition of a music college [Visible Music Church] on the church campus did not materialize.
- Planned Development District No. 931 required a minimum of 78 off-street parking spaces for the combined church, convent or monastery, and college, university or seminary uses. The PDD did not require a development plan.
- The applicant purposes to create three subareas within the existing Planned Development District that will allow the church the opportunity to convert the residential uses into office uses for the church and /or provide additional off-street parking as a result of an increase in church membership.

**Zoning History:**

There has been one zoning case requested within the area within the last five years.

1. Z134-164 On December 10, 2014, the City Council approved a Planned Development District for MF-2(A) Multifamily District uses and approval of a Specific Use Permit for a college, university, or seminary on property zoned Planned Development District No. 931.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bryan Street	Local	80 ft.	80 ft.
Munger Boulevard	Collector	80 ft.	80 ft.
Live Oak Street	Minor arterial	80 ft.	80 ft.

**Traffic:**

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

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 931, MF-2(A)	Church, Multifamily, Undeveloped, Office
<b>North</b>	PDD No. 842; MF-2(A)	Retail, Multifamily
<b>East</b>	MF-2(A); PDD No. 63	Single family
<b>South</b>	MF-2(A)	Multifamily
<b>West</b>	MF-2(A)	Single family, Park

**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.

In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

**ECONOMIC ELEMENT**

**GOAL 2.1 PROMOTE BALANCED GROWTH**

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

**URBAN DESIGN**

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

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

**GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

Policy 5.2.1 Maintain neighborhood scale and character.



**STAFF ANALYSIS:**

**Land Use Compatibility:** The ±2.872 acres site is developed with an existing church with an ancillary educational building and office use [Munger Place Church]. One of the tracts, which is across Bryan Street, is undeveloped. The applicant purposes to create three subareas within the existing Planned Development District that will allow the church the opportunity to convert the residential uses into office uses for the church and/or provide additional off-street parking to accommodate the increase in church membership.

Due to the increase in the church's attendance, the applicant is proposing to increase the parking capacity by an additional 70 spaces, with the acquisition of the two additional lots. The PDD conditions will reflect a minimum of 78 spaces must be provided by the church. The applicant will have the flexibility to construct an additional 70 off-street parking spaces or construct an additional office for the church.

In addition, the applicant is also terminating Specific Use Permit No. No. 2121 for a college, university, or seminary. The educational building [Munger Place Church] that was intended to be used to accommodate a music college [Visible Music Church] did not come to fruition.

**Parking:** The request site is developed with a church and parsonage and an education building. The parking requirement that was established in PDD No. 931 for the church and music college will not change. The minimum number of off-street parking spaces required is 78 spaces.

**Landscaping:** Pursuant to the proposed planned development district, landscaping must be provided in accordance with Article X, as amended. However, the staff and the applicant has agreed to provide setbacks and landscape the proposed properties that may be converted into additional parking. The PDD conditions will reflect the landscape requirements. The additional lots will not meet Article X, as amended requirements because of the size of the lots.

<b>PROPOSED PDD CONDITIONS</b>
--------------------------------

**SEC. 51P- 931.101. LEGISLATIVE HISTORY.**

PD 931 was established by Ordinance No. 29578, passed by the Dallas City Council on December 10, 2014.

**SEC. 51P- 931.102. PROPERTY LOCATION AND SIZE.**

PD 931 is established on property located on the south line of Bryan Street at Munger Boulevard and Live Oak Street and on the northwest corner of Bryan Street and Matilda Street. The size of PD 931 is approximately [~~2.222~~] 2.872 acres.

**SEC. 51P- 931.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

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

**SEC. 51P-931.104. CREATION OF TRACTS.**

This district is divided into three tracts: Tract 1, Tract 2, and Tract 3 (Exhibit A).

**SEC. 51P-931.105. CONCEPTUAL PLAN.**

Development and use of the Property must comply with the conceptual plan (Exhibit \_\_\_\_). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control.

**SEC. 51P-931.10[4](6). DEVELOPMENT PLAN.**

(a) Development and use of the Property must comply with the development plan (Exhibit \_\_\_\_). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For all other uses, [N]o development plan is required, and the provisions of Section 51A-4.701 regarding submission or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

**SEC. 51P- 931.10~~[5]~~(7). MAIN USES PERMITTED.**

The only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this district; etc.

(a) The following additional uses are permitted:

(1) Tract 1:

- Church

(2) Tract 2

- Office
- Surface parking [only in conjunction with a church].

(3) Tract 3

- Surface parking [only in conjunction with a church].

**SEC. 51P-931.10~~[6]~~(8). 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-931.10~~[7]~~(9). YARD, LOT, AND SPACE REGULATIONS.**

(Note: The yard lot, and space regulations in the sections must be read together with the yard, lot, and space regulations in Divisions 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 MF-2-(A) Multifamily District apply.

(b) Height.

(1) Maximum structure height for buildings existing on December 10, 2014 is:

- (A) 32 feet for the parsonage; and
  - (B) 45 feet for the sanctuary and church building [~~and college~~];
- and
- (C) 32 feet for the office use associated with a church use.
- (2) A steeple may project up to 20 feet above the maximum structure heights in Paragraph (b)(1).

**SEC. 51P-931.1[08]10. OFF-STREET PARKING AND LOADING.**

- (a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) A minimum of 78 off-street parking spaces are required for the combined church; convent or monastery; and an office use in conjunction with a church use [college, university or seminary uses].
- (c) This district is considered one lot for purposes of off-street parking.

**SEC. 51P-931.1[09]11. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P- 931.11[0]2. LANDSCAPING.**

- (a) Landscaping must be provided in accordance with Article X.
- (b) Except as provided in this section for Tract 2 and Tract 3 for a church in conjunction with surface parking, the following is required:
- (i) A minimum of two (2) street trees must be planted on the Tract prior to the issuance of a certificate of occupancy.
  - (ii) In addition to the required street trees a minimum of three (3) other large trees must be planted prior to the issuance of a certificate of occupancy.
  - (iii) A minimum ten-foot landscape buffer strip must be provided along the north side of either Tract.
  - (iv) A minimum five (5) foot landscape buffer must be provided on the east side of Tract 2 and the west side of Tract 3.
  - (v) A minimum 3-foot wide landscape area along Matilda Street is required.



~~[(b)]~~(c) Plant materials must be maintained in a healthy, growing condition.

**SEC. 51P- 931.113.            SCREENING.**

(a) Except as provided in this section for a surface parking in conjunction with church use, a solid screening with a minimum height of six (6) feet must be installed prior to the issuance of a certificate of occupancy located on Tract 2 and/or Tract 3. The solid screening must be provided on the north and west sides of Tract 2 and the north and east side of Tract 3.

(b) Tract 2. A minimum of a three foot tall screening on the east side of Tract 2 is required.

**SEC. 51P-931.11~~[1]~~(4).        SIGNS.**

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

**SEC. 51P-931.11~~[2]~~(5).            ADDITIONAL PROVISIONS.**

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

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

(c) Except in Tract 2 and Tract 3 with parking in conjunction with a church use, an automatic sprinkler system is required.

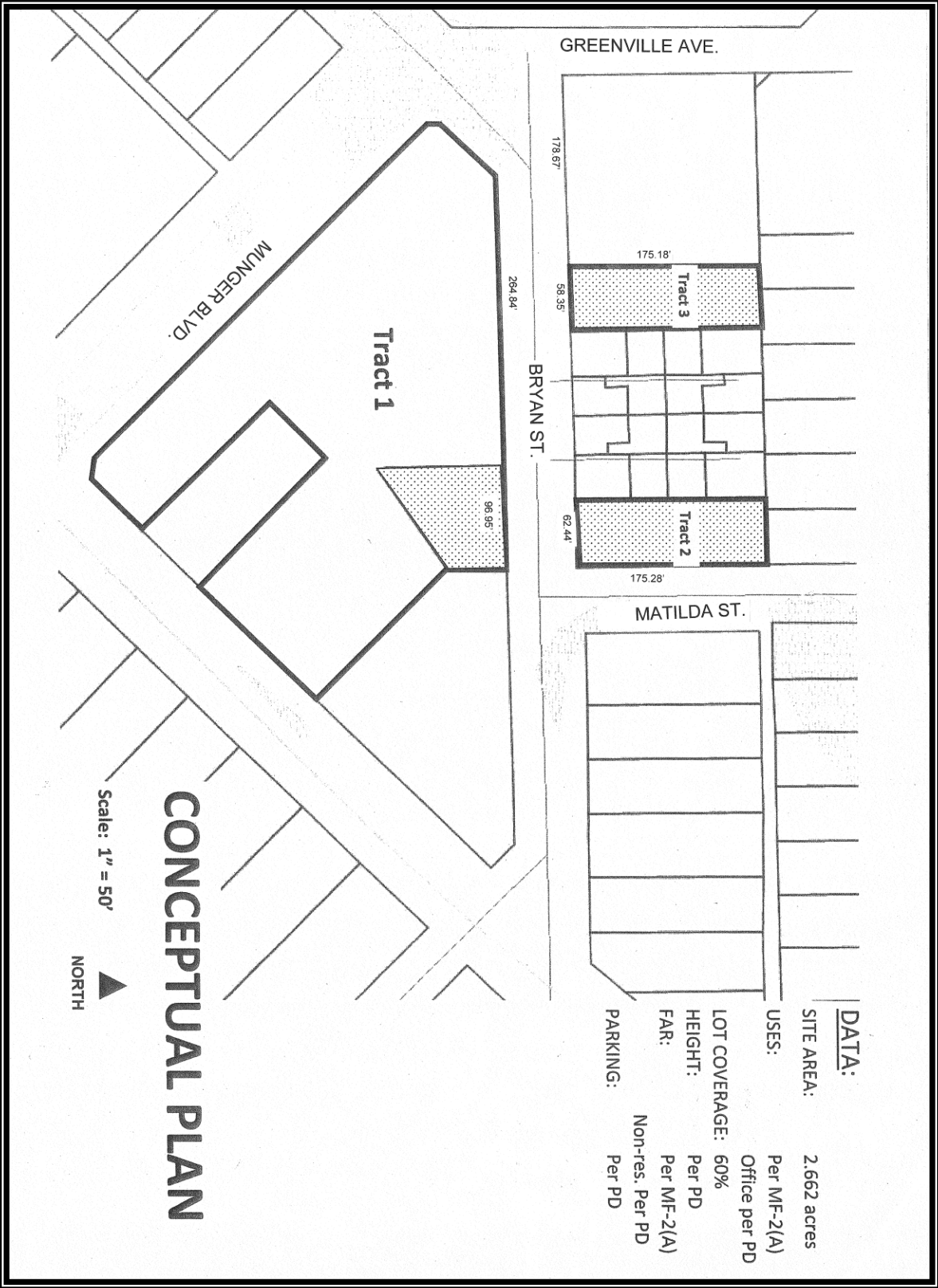
~~[(c) — Enrollment for a college, university, or seminary is limited to a maximum enrollment of 150 students.]~~

**SEC. 51P-931.11~~[3]~~(6).            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.

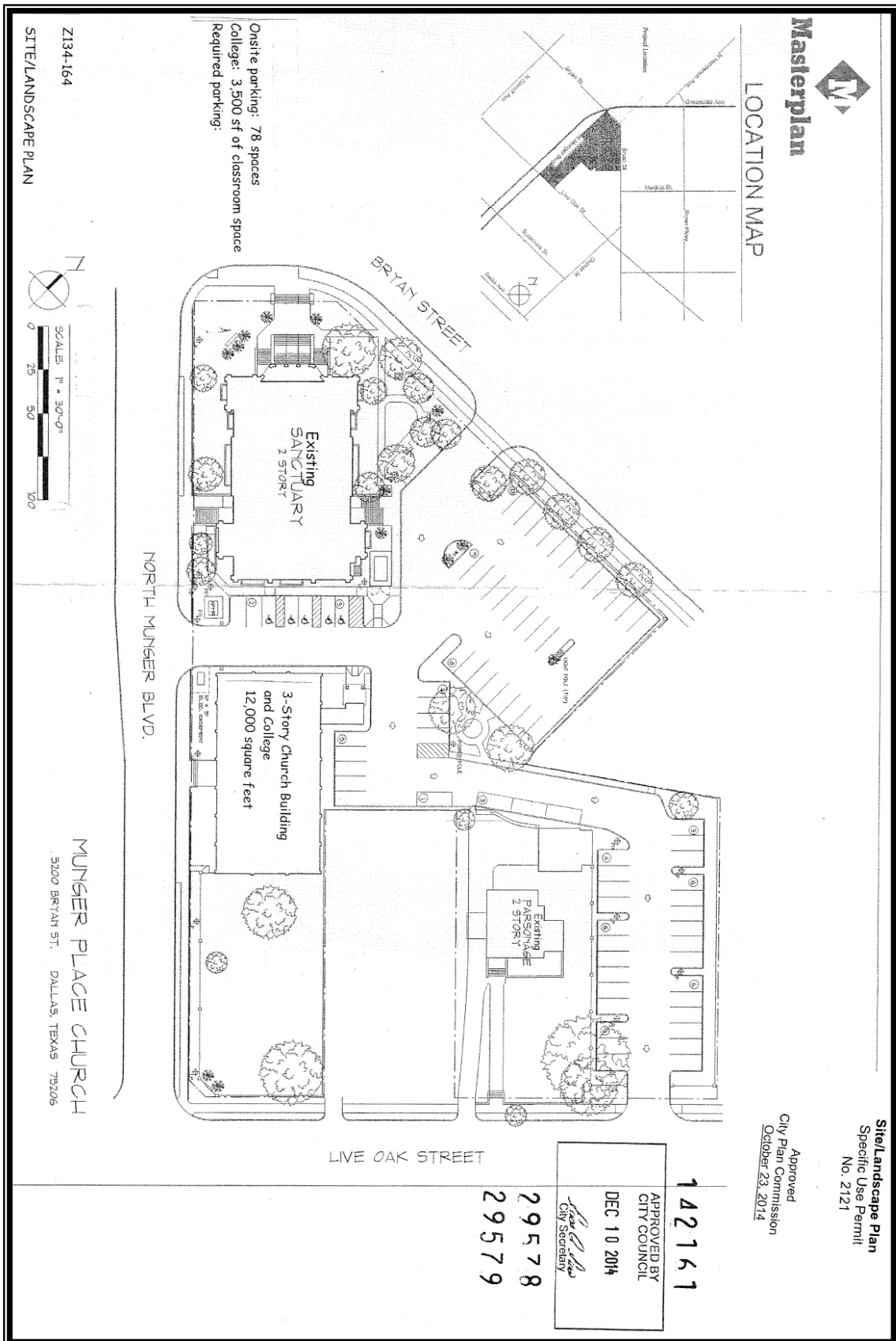
PROPOSED CONCEPTUAL PLAN



<b>TERMINATION OF SUP No. 2121</b>
------------------------------------

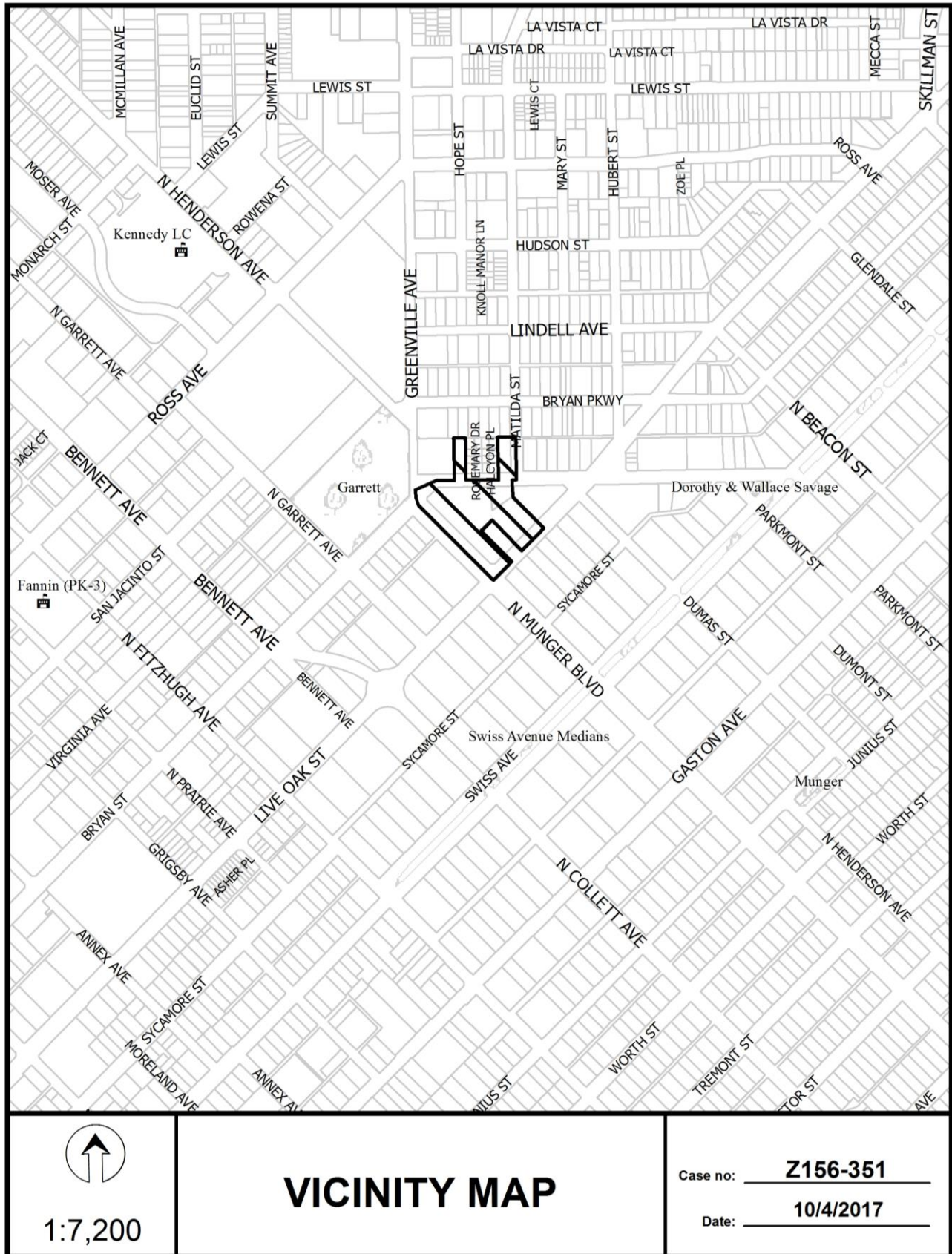
1. ~~USE: The only use authorized by this specific use permit is a college, university, or seminary.~~
2. ~~SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.~~
3. ~~TIME LIMIT: This specific use permit expires on December 10, 2020.~~
4. ~~LANDSCAPING:~~
  - A. ~~Landscaping must be provided as shown on the attached site/landscape plan.~~
  - B. ~~Plant materials must be maintained in a healthy, growing condition.~~
5. ~~HOURS OF OPERATION: The college, university, or seminary may only operate between 7:30 a.m. and 10:30 p.m., Monday through Friday; 10:30 a.m. and 10:30p.m., Saturday; and 1:30p.m. and 10:30p.m., Sunday.~~
6. ~~OUTDOOR SPEAKERS: The use outside speakers is prohibited.~~
7. ~~PARKING:~~
  - A. ~~A minimum of 78 off-street parking spaces must be provided in the location shown on the attached site/landscape plan.~~
  - B. ~~A parking analysis must be submitted with each request for renewal of this specific use permit and the parking analysis must be considered in determining adequate parking.~~
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.~~

**EXISTING SITE PLAN**





Z156-351(WE)

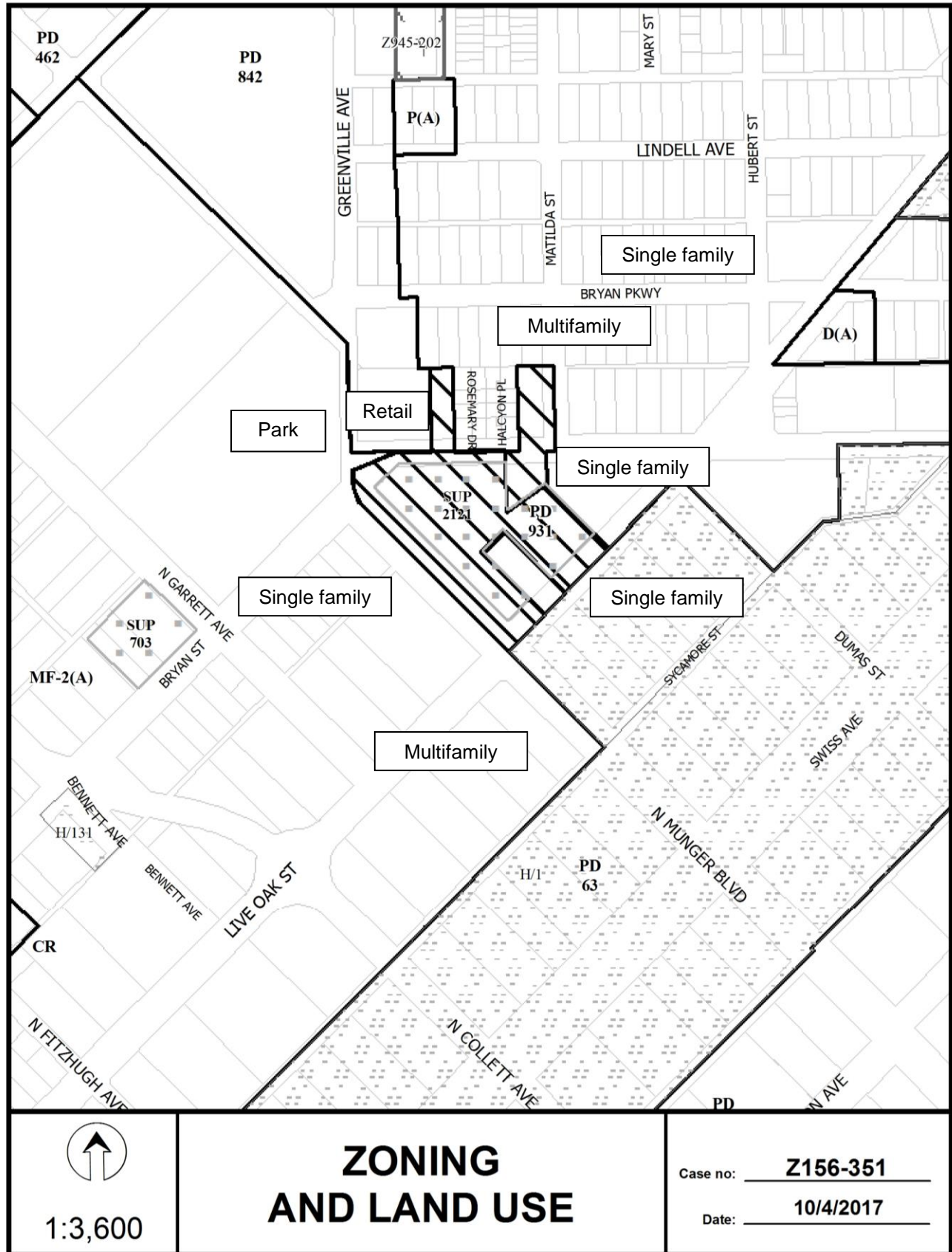


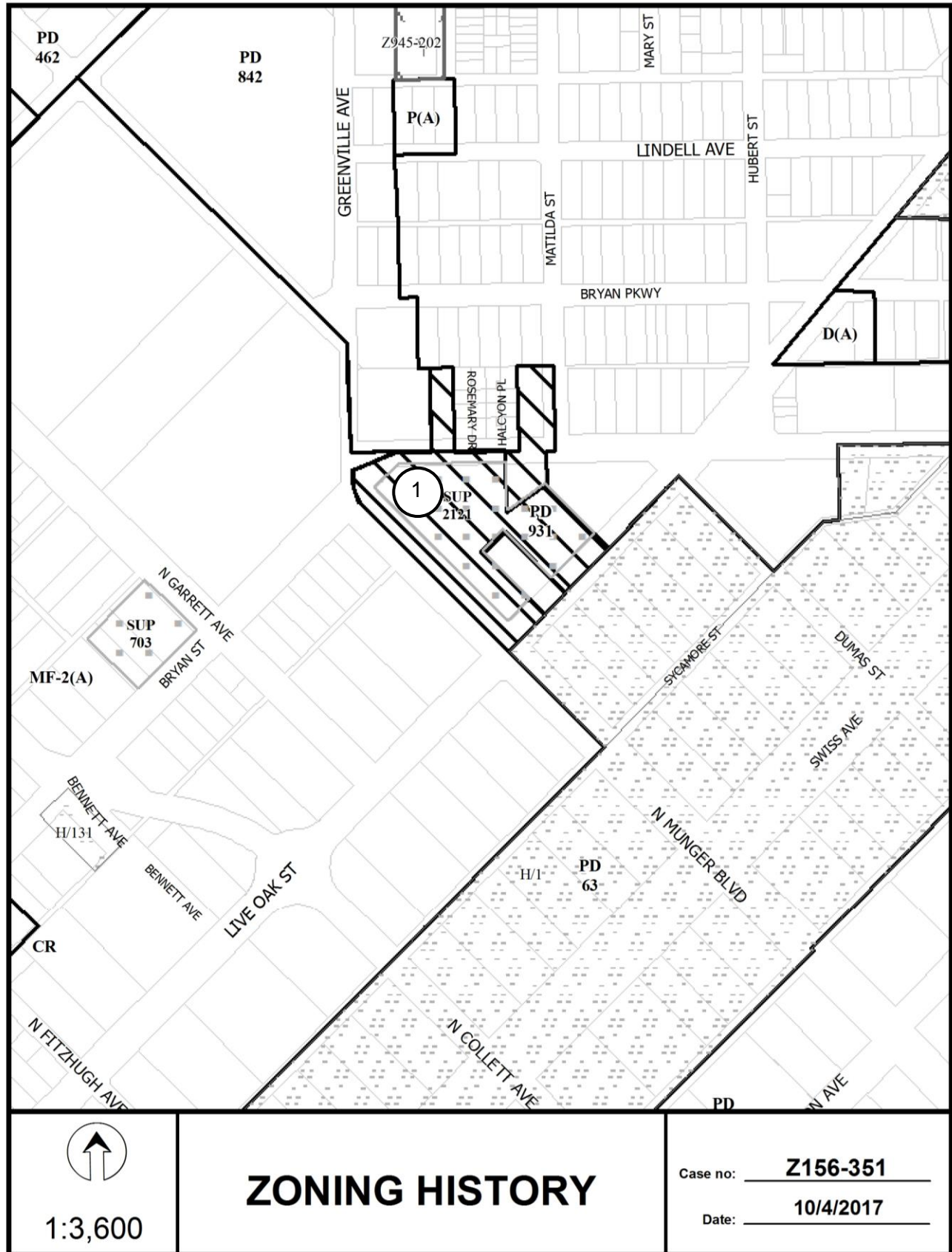


Z156-351(WE)

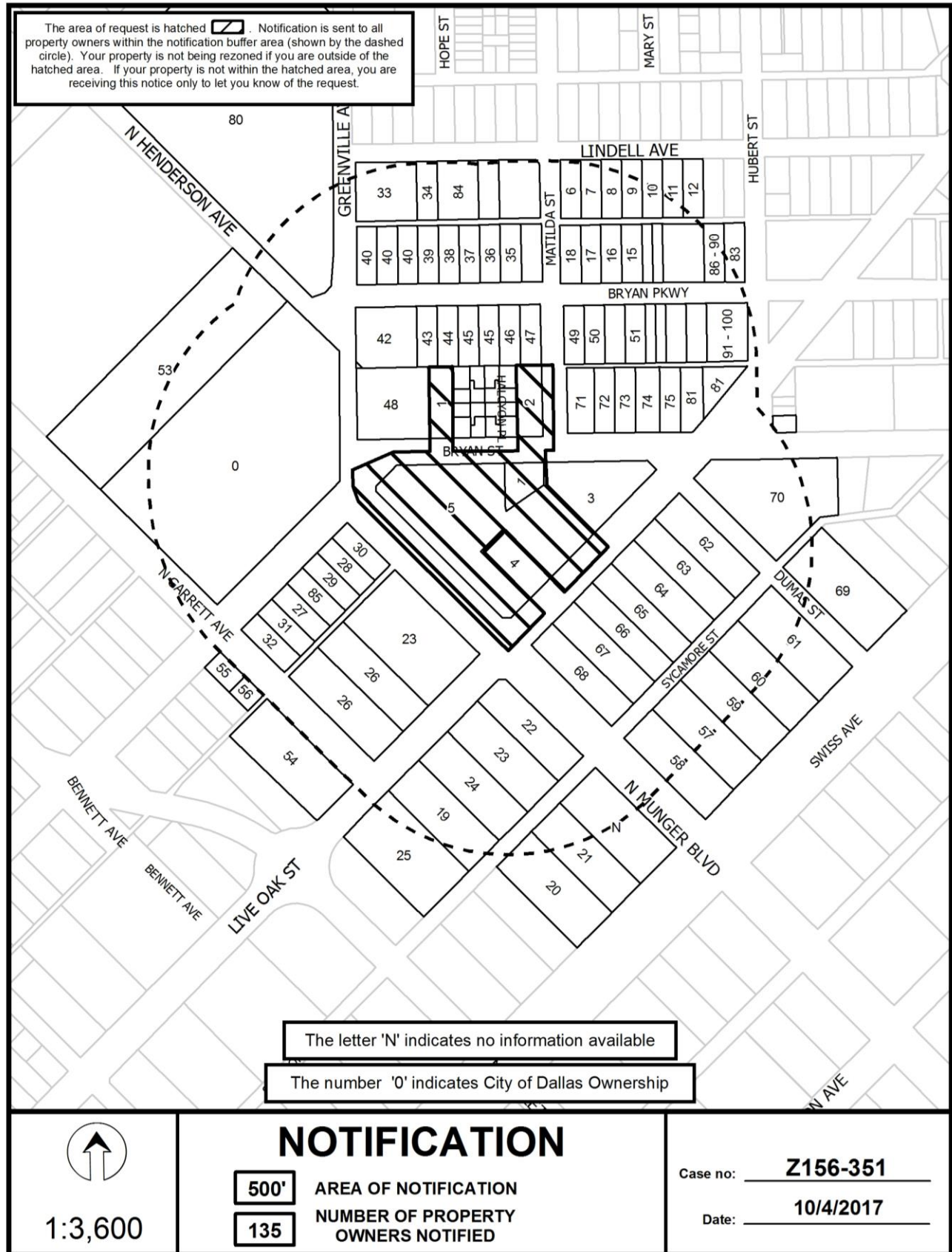












## ***Notification List of Property***

### **Z156-351**

*136 Property Owners Notified*

<i><b>Label #</b></i>	<i><b>Address</b></i>	<i><b>Owner</b></i>
1	5217 BRYAN ST	HIGHLAND PARK UNITED
2	5233 BRYAN ST	HIGHLAND PARK UNITED METHODIST
3	5315 LIVE OAK ST	REEVES BRADFORD &
4	5211 LIVE OAK ST	RODGERS WANDA E
5	5200 BRYAN ST	MUNGER PLACE UNITED METHODIST CHURCH
6	5702 LINDELL AVE	CRISPIN JAVIER & ANGELA
7	5706 LINDELL AVE	BURGER JOHN M &
8	5708 LINDELL AVE	DELCAMPO ISIDRO & ADELA
9	5714 LINDELL AVE	ORTEGA J ANTONIO &
10	5802 LINDELL AVE	DOTTER DOUGLAS A
11	5804 LINDELL AVE	PALOMO ALFONSO M &
12	5808 LINDELL AVE	CCL INVESTMENT INC
13	5801 BRYAN PKWY	BAYMAR HOTELS AND PROPERTIES INC
14	5803 BRYAN PKWY	FRENCH JOSEPH H JR
15	5717 BRYAN PKWY	LOZANO CONCEPCION LOPEZ
16	5711 BRYAN PKWY	5711 BRYAN DEVELOPMENT LLC
17	5705 BRYAN PKWY	BRYAN PKWY LLC
18	5701 BRYAN PKWY	MUNGUIA MARICELA MARTINEZ
19	5106 LIVE OAK ST	FOX HILL JV
20	5105 SWISS AVE	WAISANEN LARRY JOHN &
21	5109 SWISS AVE	SCHWARTZ ROBERT C JR
22	5124 LIVE OAK ST	BISANI AUGUSTO & VERONIKA
23	5118 LIVE OAK ST	ROLLING CASH UPPER E LP
24	5110 LIVE OAK ST	ST GERMAIN FOUNDATION
25	5010 LIVE OAK ST	RIVIERA APARTMENTS LLC
26	5103 LIVE OAK ST	KROVETZ CHARLES

10/04/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5110 BRYAN ST	REASER ANN M
28	5122 BRYAN ST	CONTE ANTHONY
29	5118 BRYAN ST	SHEFFIELD CHARLES S
30	5126 BRYAN ST	SEELEY EVAN & LISA
31	5108 BRYAN ST	REASER ANN M &
32	5100 BRYAN ST	PRA PROPERTIES LLC
33	1430GREENVILLE AVE	GOLDEN HAWKINS II
34	5514 LINDELL AVE	ALVARADO MARIA
35	5615 BRYAN PKWY	DALLAS PARKWAY DEVELOPMENTS LLC
36	5611 BRYAN PKWY	TIRADO MARIA CARMEN
37	5605 BRYAN PKWY	5605 BRYAN PARKWAY LLC
38	5601 BRYAN PKWY	SOUTHERN METHODIST UNIVERSITY
39	5515 BRYAN PKWY	5515 BRYAN PARKWAY LLC
40	5509 BRYAN PKWY	DALLAS MARS PARTNERS LTD
41	1406GREENVILLE AVE	AGUINAGA JOHNNY
42	1406GREENVILLE AVE	BILLWILL PROPERTIES LLC
43	5512 BRYAN PKWY	KONARK REAL ESTATE ENTERPRISES
44	5600 BRYAN PKWY	DELCAMPO FRANCISCO &
45	5606 BRYAN PKWY	DALLAS SUNDOWN PPTY INVESTMENTS LLC
46	5612 BRYAN PKWY	RIOS PABLO & MARCELLA
47	5616 BRYAN PKWY	MILLIE REAL ESTATE LLC
48	1300GREENVILLE AVE	GREGG GUION III
49	5702 BRYAN PKWY	GILMORE RALPH CURTIS
50	5704 BRYAN PKWY	MONTES ROSA GONZALES &
51	5714 BRYAN PKWY	DALLAS PARKWAY DEVELOPMENT LLC
52	5804 BRYAN PKWY	SANDMAN ZACHARY
53	1500 N GARRETT AVE	MINISTRY WITH THE AGING INC
54	5027 LIVE OAK ST	ROLLING CASH AMBASSADOR LP
55	50 30 BRYAN ST	MORENO JANIE G
56	1325 N GARRETT AVE	ASPAHA ASTER &
57	5215 SWISS AVE	KUESEL GEORGE KENT &

10/04/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5205 SWISS AVE	NEEDHAM TRESA ANN
59	5303 SWISS AVE	DUPUY ROBERT W &
60	5305 SWISS AVE	BUSER JOHN P & ANN J
61	5323 SWISS AVE	PALMLUND LIVING TRUST
62	5320 LIVE OAK ST	WHISNANT ROBERT A JR
63	5316 LIVE OAK ST	DESMEDT YVO G & LIBERT ANN M
64	5310 LIVE OAK ST	CARROLL LORRAINE MARIE
65	5220 LIVE OAK ST	LOPEZ DAVID & REBECCA RUTH
66	5214 LIVE OAK ST	CARSON JOHN C
67	5204 LIVE OAK ST	PHILLIPS GUYMON H & NANCY E
68	5202 LIVE OAK ST	GRAHAM STEPHEN & DINAH
69	5405 SWISS AVE	MCCOLL CASSANDRA A & ARCHIBALD C III
70	5400 LIVE OAK ST	C & B POWER 5400 INC
71	5303 BRYAN ST	ELITE PLACE INV LLC
72	5305 BRYAN ST	LEWIS DANIELLE
73	5309 BRYAN ST	AMUNDSON CAROLYN MARIE &
74	5313 BRYAN ST	MADDEN CHRISTOPHER J
75	5319 BRYAN ST	BESLY STEVEN L & SARA K
76	1301 ROSEMARY DR	DFW SYNERGY LLC
77	1303 ROSEMARY DR	DFW SYNERGY LLC
78	1302 ROSEMARY DR	WILSON JENNIFER MICHELLE
79	1308 ROSEMARY DR	SYBILLE CHRISTOPHER
80	5334 ROSS AVE	ROSS HENDERSON DEV GROUP
81	5321 BRYAN ST	TGHM PROPERTIES LP
82	1302 HUBERT ST	PALAS DIANA
83	1415 HUBERT ST	JONES MILLER LLC
84	5604 LINDELL AVE	JM RES LLC
86	5815 BRYAN PKWY	STYERS ALEX C & JENNIFER L
87	5815 BRYAN PKWY	DAVENPORT BRITTANY &
88	5815 BRYAN PKWY	CRAWFORD MARGARET ELLEN
89	5815 BRYAN PKWY	TURNER CALLI



10/04/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
90	5815 BRYAN PKWY	MCGHEE JORDAN C
91	5820 BRYAN PKWY	ADAIR AMBER MICHELLE
92	5820 BRYAN PKWY	BERNARD ALLIE &
93	5820 BRYAN PKWY	PIERCE CHRISTIAN JOSEPH & HEATHER C
94	5820 BRYAN PKWY	DUFFY WILLIAM Z & JENNIFER L
95	5820 BRYAN PKWY	MJF HOLDINGS LLC
96	5814 BRYAN PKWY	JOHNSON JOHN P JR
97	5814 BRYAN PKWY	PARRISH KRISTEN N
98	5814 BRYAN PKWY	MINWALLA JAMSHEED
99	5814 BRYAN PKWY	ABEDIAN ESMAEIL & LAILA REVOCABLE
100	5814 BRYAN PKWY	PEARSON GRANT E
101	5810 BRYAN PKWY	GALLIVAN MARK
102	5810 BRYAN PKWY	CENICEROS GEORGE
103	5810 BRYAN PKWY	HART JONATHAN &
104	5810 BRYAN PKWY	SHIREY JOSEPH & TAMMY
105	5807 BRYAN PKWY	HUDSON ROBERT READ &
106	5807 BRYAN PKWY	SEAVITT LUKE
107	5807 BRYAN PKWY	ARAZA RESLEY L
108	5807 BRYAN PKWY	KRAMER MEREDITH KATHRYN
109	5807 BRYAN PKWY	KILMARTIN BRIAN D JR &
110	5811 BRYAN PKWY	GARCIA MELISSA
111	5811 BRYAN PKWY	PL 5811 BRYAN LLC
112	5811 BRYAN PKWY	MARROQUIN CARLOS
113	5811 BRYAN PKWY	SCHIATTARELLA GABRIELE G &
114	5811 BRYAN PKWY	MATEOS FABIOLA
115	5708 BRYAN PKWY	FEUILLADE VINCENT &
116	5708 BRYAN PKWY	HYNE LISA
117	5708 BRYAN PKWY	NORWOOD JOSHUAN LEE &
118	5708 BRYAN PKWY	SMITH MICHELLE DAWN
119	5618 LINDELL AVE	RAMEY LINDSEY
120	5618 LINDELL AVE	WILSON DAVID & MICHELLE

10/04/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
121	5618 LINDELL AVE	VO THANHLY
122	5618 LINDELL AVE	PHILIPS LAURA
123	5618 LINDELL AVE	NIPP JUSTIN
124	5618 LINDELL AVE	NOTT CYNTHIA
125	5618 LINDELL AVE	ROBINSON SHELIA DENISE
126	5618 LINDELL AVE	LEWIS GRENVILLE V
127	5618 LINDELL AVE	HUMPHREY TRACI
128	5608 LINDELL AVE	JARBOE SONYA M
129	5608 LINDELL AVE	FREEDMAN PAUL
130	5608 LINDELL AVE	5608 LINDELL LLC
131	5608 LINDELL AVE	5608 LINDELL LLC
132	5617 BRYAN PKWY	SEPANIK HOLDINGS INC
133	5617 BRYAN PKWY	JONES LAMAR L
134	5617 BRYAN PKWY	RIVERA ALEX
135	5617 BRYAN PKWY	ISYA
136	5617 BRYAN PKWY	WHEATON KRISTIN A

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z167-346(WE) **DATE FILED:** July 11, 2017

**LOCATION:** South line of Commerce Street, between Malcom X Boulevard and Crowdus Street

**COUNCIL DISTRICT:** 2 **MAPSCO:** 45-M

**SIZE OF REQUEST:** Approx. 12,500 sq. ft. **CENSUS TRACT:** 204

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**APPLICANT/OWNER:** Jeanne Blanton

**REPRESENTATIVE:** Santos Martinez  
MASTERPLAN

**REQUEST:** An application for a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

**SUMMARY:** The purpose of this request is to allow the applicant to operate a microbrewery, microdistillery, or winery in an existing one-story, 6,250 square foot structure. The applicant is requesting an alcoholic beverage establishment limited to a bar, lounge or tavern on the adjacent property in order to serve alcoholic beverages in an open seating area. [Z167-382 companion case].

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

## **BACKGROUND INFORMATION:**

- The request site is a vacant, one-story structure.
- The applicant will convert an existing one-story, 6,250 square foot building into a microbrewery, microdistillery, or winery.
- There is an existing surface parking lot, adjacent to the request site, that will be converted into an alcoholic beverage establishment limited to a bar, lounge or tavern use. The applicant proposes to serve alcoholic beverage in the uncovered open space for events and patrons [companion case Z167-382].
- The surrounding land uses are located within Tract A of PD No. 269 and consist of a variety of retail and personal service uses. South of the request site is a microbrewery, microdistillery, or winery use.

**Zoning History:** There have been multiple zoning changes requested in the surrounding areas within Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District. However, during the past five years, and shown on the zoning history map, there have been two zoning requests in the immediate area:

1. Z145-286            On September 22, 2015, the City Council approved a Specific Use Permit for a microbrewery, microdistillery, or winery on property zoned Tract A in Planned Development District No. 269, the Deep Ellum/Near East Side District for a three-year period with eligibility for automatic renewals for additional five-year periods.
2. Z134-126            On February 26, 2014, the City Council approval of a Specific Use Permit for a live music venue and dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District for a five-year period.

**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.

In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.



**URBAN DESIGN ELEMENT****GOAL 5.3** Establishing Walk-to Convenience

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

**Land Use Compatibility:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 269, Tract A	Vacant Structure
<b>North</b>	PDD No. 269, Tract A	Retail, Commercial
<b>South</b>	PDD No. 269, Tract A	Retail, Commercial, SUP No. 2156 [microbrewery, microdistillery, or winery]
<b>East</b>	PDD No. 269, Tract A	Retail, Commercial
<b>West</b>	PDD No. 269, Tract A	Surface parking, Retail, Commercial

**STAFF ANALYSIS:**

**Land Use Compatibility:** Planned Development District No. 269 allows a microbrewery, microdistillery, or winery for the manufacture, blending, fermentation, processing, and packaging of alcoholic beverages with a floor area of 15,000 square feet or less that takes place wholly inside a building. Floor area dedicated to retail sales and on-site consumption is not included in the 15,000-square foot maximum floor area calculations. A facility that only provides tasting or retail sale of alcoholic beverages is not a microbrewery, microdistillery, or winery use. The applicant is proposing to place two silos on the adjacent property for storage of the microbrewery, microdistillery, or winery. A silo being used for a microbrewery, microdistillery or winery is not a defined land use as such the Building Official has determined that the silos will be considered a structure.

The proposed use is similar in operational characteristics of other entertainment venue uses in the immediate area. It should be noted that the general land use in the immediate area provides for various retail and entertainment venue uses (i.e., bars, live music, restaurants) that serve the residents in the Deep Ellum area as well as serve as a destination for patrons outside of the area.

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

for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

### Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 269 Deep Ellum/Near East Side	0'	0'	4.0 Far - 6.0 FAR w/mixed uses	200'	None		Residential, Retail, Office, Commercial & Lt. industrial

**Landscaping:** The request site is located within an existing structure and the landscaping requirements will not be triggered.

**Parking:** PDD No. 269 states that the no off-street parking spaces are required for the first 5,000 square feet of floor area in a use that has a separate certificate of occupancy if the use is located in an original building. PDD No. 269 defines an original building as a building constructed on or before June 27, 1984, the floor area of which has not since June 27, 1984, been increased by more than: (A) 150 percent if the increase is 5,000 square feet or less; or (B) 100 percent if the increase is more than 5,000 square feet. An original building damaged or destroyed on or before June 27, 1984, other than by the intentional act of the owner or his agent, may be restored after that date without losing its original building status. The request site, according to DCAD, was built in 1946.

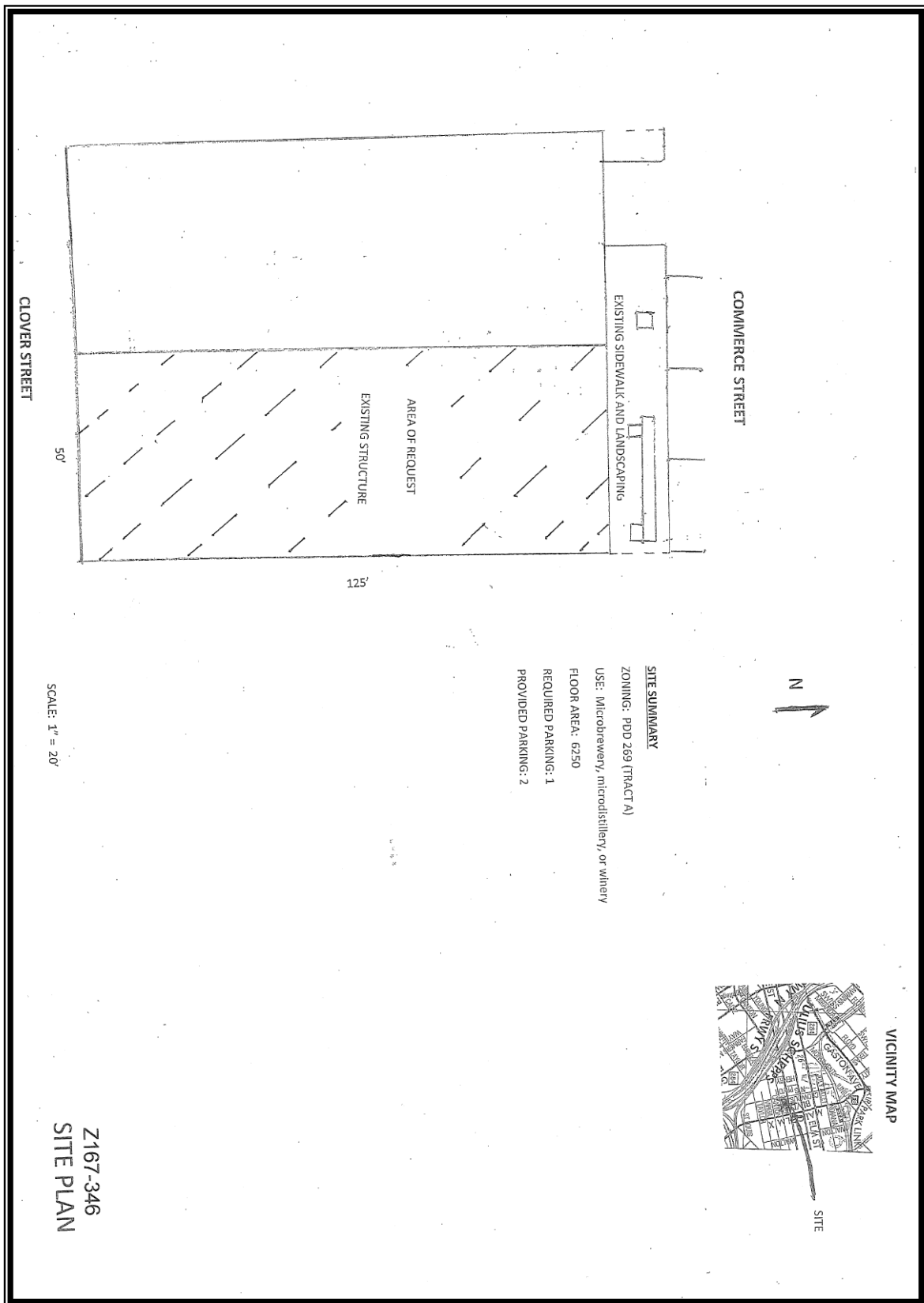
The off-street parking requirement for a microbrewery, microdistillery, or winery is one space per 1,000 square feet of storage; one space per 200 square feet of retail sales area; one space per 100 square feet of bar or restaurant area; and one space per 600 square feet of remaining floor area. The request site is approximately 6,250 square feet and is required to have 1-off-street parking spaces. The applicant is providing 2-off-street parking spaces.

As it relates to the parking requirements, on-street parking is currently available in the Deep Ellum area and any parking space that is located in front of the request site can count towards the off-street parking requirements.

**PROPOSED SUP CONDITIONS**

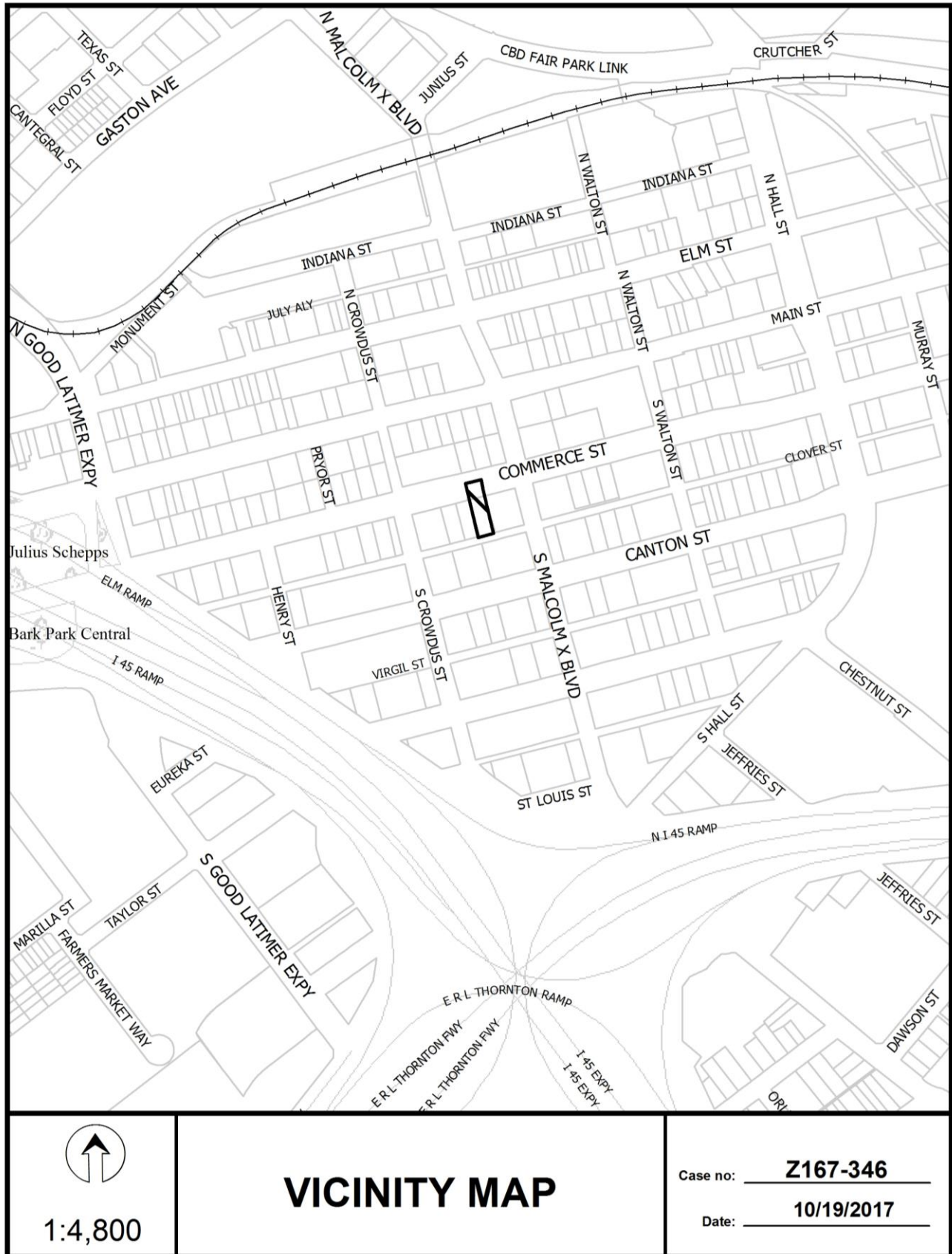
1. USE: The only use authorized by this specific use permit is a microbrewery, microdistillery, or winery.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years from passage of this ordinance), but is 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 allowed for the microbrewery, microdistillery, or winery is 6,250 square feet.
5. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269, the Deep Ellum/Near East Side District.
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**





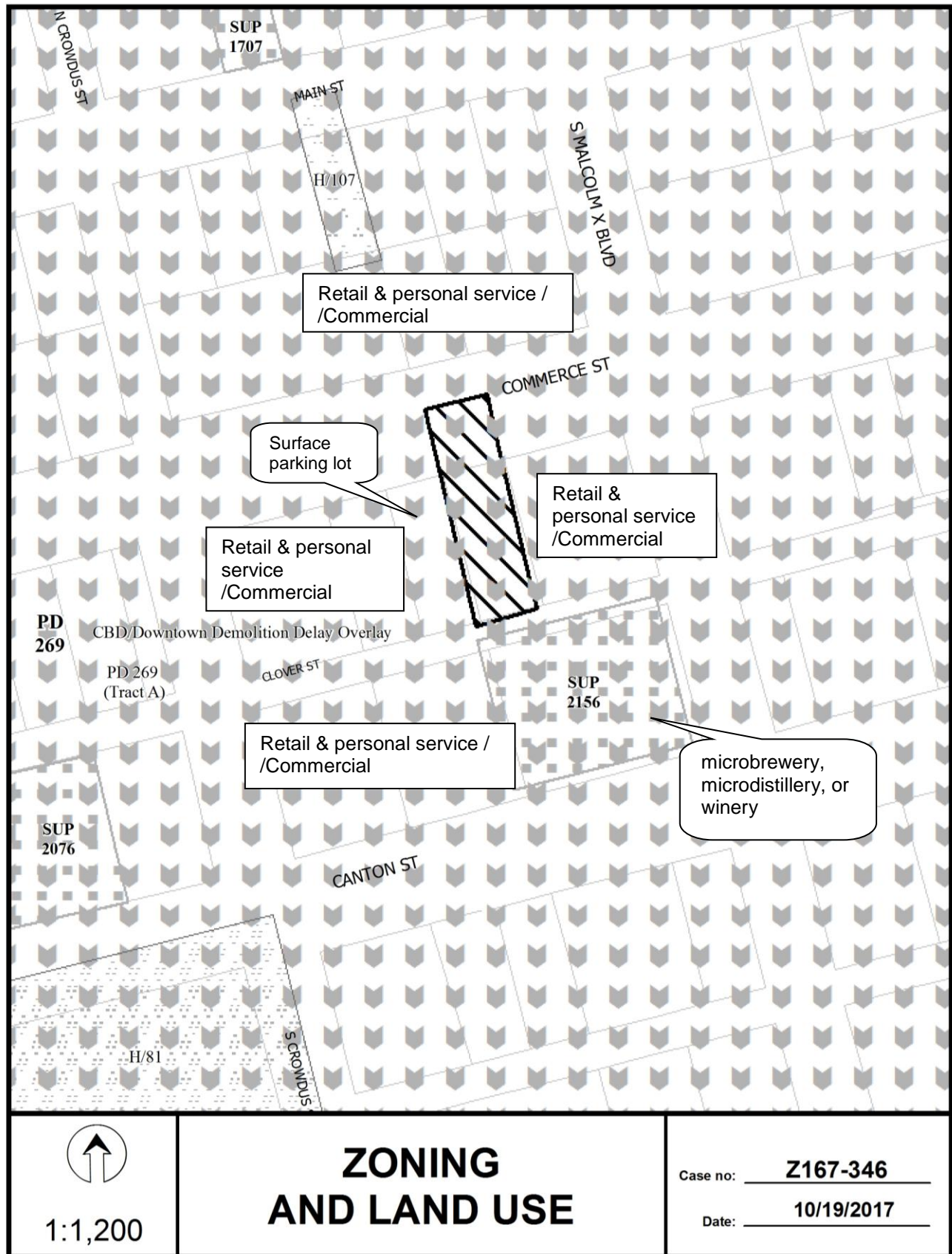
Z167-346(WE)

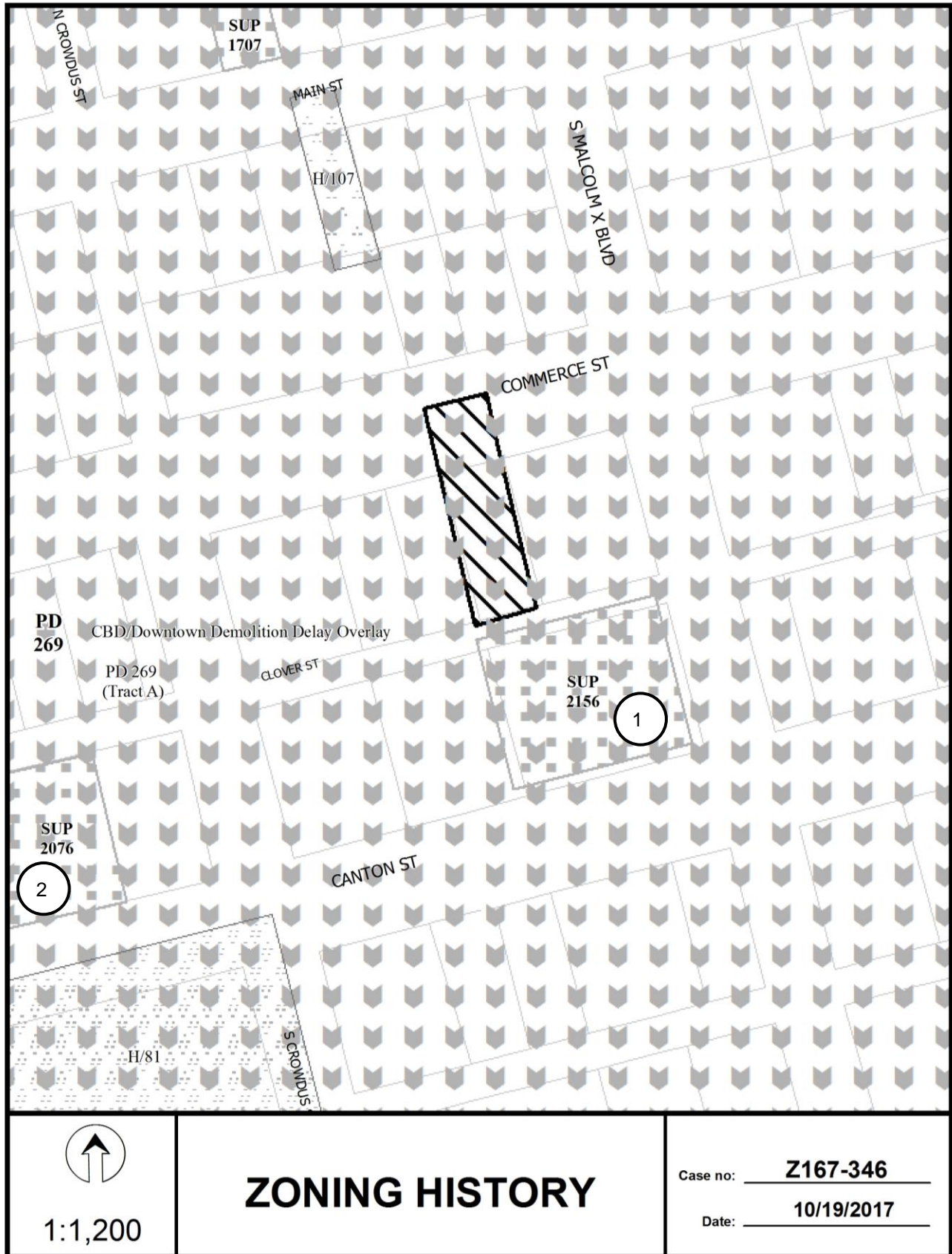


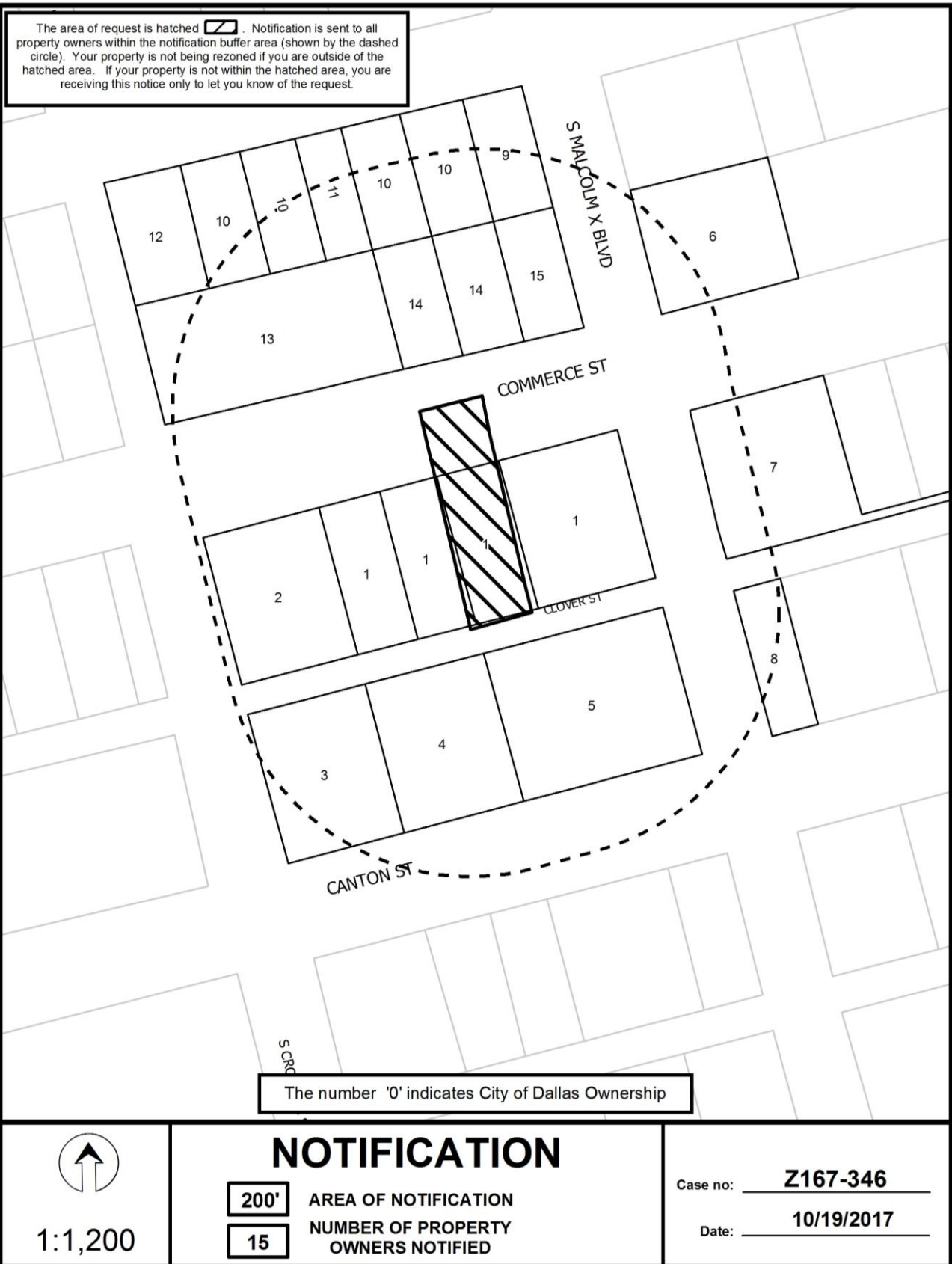
Z167-346(WE)













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

### ***Z167-346***

#### ***15 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2820 COMMERCE ST	BLANTON JEANNE
2	2800 COMMERCE ST	BEND TRUST THE
3	2805 CANTON ST	GEBHARDT BROADCASTING LLC
4	2809 CANTON ST	2809 CANTON LLC
5	2825 CANTON ST	INDUSTRIAL RESERVES LLC
6	2901 COMMERCE ST	CITY PARK A LOT LP
7	2904 COMMERCE ST	SDL PARTNERS LTD
8	2901 CANTON ST	HORTON T L DESIGN INC
9	2824 MAIN ST	BLADE PROPERTIES LLC
10	2820 MAIN ST	42 DEEP ELLUM LP
11	2814 MAIN ST	640 LAND LLC
12	2800 MAIN ST	CONGRESS STREET NIGHTS
13	2801 COMMERCE ST	WESTDALE PTIES AMERICA I
14	2815 COMMERCE ST	2815-2819 COMMERCE STREET VENTURES LLC
15	2825 COMMERCE ST	AN JADHAVJI INVESTMENTS LLC

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z167-382(WE) **DATE FILED:** August 24, 2017

**LOCATION:** South line of Commerce Street, between Malcom X Boulevard and Crowdus Street

**COUNCIL DISTRICT:** 2 **MAPSCO:** 45-M

**SIZE OF REQUEST:** Approx. 6,250 sq. ft. **CENSUS TRACT:** 204

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**APPLICANT/OWNER:** Jeanne Blanton

**REPRESENTATIVE:** Santos Martinez  
MASTERPLAN

**REQUEST:** An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

**SUMMARY:** The purpose of this request is to allow the applicant to serve alcoholic beverages in an open seating area. The applicant is requesting an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on the adjacent property and proposes to use the open seating area for their events [Z167-346 companion case].

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

## BACKGROUND INFORMATION:

- The request site is being used as an off-street parking lot.
- The applicant is proposing to convert an existing parking lot into an alcoholic beverage establishment limited to a bar, lounge or tavern and an open seating area. The 435-square-foot bar, lounge, or tavern space will be used for various events by the adjacent microbrewery, microdistillery, or winery [Z167-346 companion case].
- The surrounding land uses are located within Tract A of PD No. 269 and consist of typical retail and personal service uses in the Deep Ellum. South of the request site is a microbrewery, microdistillery or winery use.

**Zoning History:** There have been multiple zoning changes requested in the surrounding areas within Planned Development District No. 296, the Deep Ellum/Near East Side Special Purpose District. However, during the past five years, and shown on the zoning history map, there have been two zoning requests in the immediate area:

1. Z145-286            On September 22, 2015, the City Council approved a Specific Use Permit for a microbrewery, microdistillery, or winery on property zoned Tract A in Planned Development District No. 269, the Deep Ellum/Near East Side District for a three-year period with eligibility for automatic renewals for additional five-year periods.
2. Z134-126            On February 26, 2014, the City Council approval of a Specific Use Permit for a live music venue and dance hall on property zoned Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District for a five-year period.

**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.

In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

## URBAN DESIGN ELEMENT

### GOAL 5.3            Establishing Walk-to Convenience

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

**Land Use Compatibility:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 269, Tract A	Parking lot
<b>North</b>	PDD No. 269, Tract A	Retail, Commercial
<b>South</b>	PDD No. 269, Tract A	Retail, Commercial, SUP No. 2156 [microbrewery, microdistillery, or winery]
<b>East</b>	PDD No. 269, Tract A	Retail, Commercial
<b>West</b>	PDD No. 269, Tract A	Retail, Commercial

**STAFF ANALYSIS:**

**Land Use Compatibility:** The applicant is proposing to construct a covered area that is approximately 29 feet by 15 feet, or 435 square feet, for the bar, lounge, or tavern area. The proposed use will have an opened seating area that is approximately 2,050 square feet that will be used for various events by the adjacent microbrewery, microdistillery or winery [Z167-346 companion case]. In addition, two-silos will be placed on the site that will be used by the adjacent microbrewery, microdistillery, or winery. The maximum structure height of the silos will not exceed 30 feet. A silo being used for a microbrewery, microdistillery or winery is not a defined land use as such the Building Official has determined that the silos will be considered a structure.

The hours of operation for the bar, lounge or tavern is from Monday through Friday, 10:00 a.m. to 1:00 a.m., (the next day), on Saturday from 8:00 a.m. to 1:00 a.m., (the next day), and on Sunday from 11:00 a.m. to 11:00 p.m.

A bar, lounge, or tavern means an establishment principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue on a quarterly basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for on-premise consumption.

PDD No. 269 specifies that “no off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an original building. Otherwise, one space for each 100 square feet of floor area. No parking is required for outside seating. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.” The applicant will have to provide the required off-street parking for the proposed bar, lounge or tavern because the main use is not located within an original building.

The proposed use is similar in operational characteristics of other entertainment venue uses in the immediate area. It should be noted that the general land use in the immediate area provides for various retail and entertainment venue uses (i.e., bars, live



music, restaurants) that serve the residents in the Deep Ellum area as well as serve as a destination for patrons outside of the area.

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

#### **Development Standards:**

<b>DISTRICT</b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
PDD No. 269 Deep Ellum/Near East Side	0'	0'	4.0 Far - 6.0 FAR w/mixed uses	200'	None		Residential, Retail, Office, Commercial & Lt. industrial

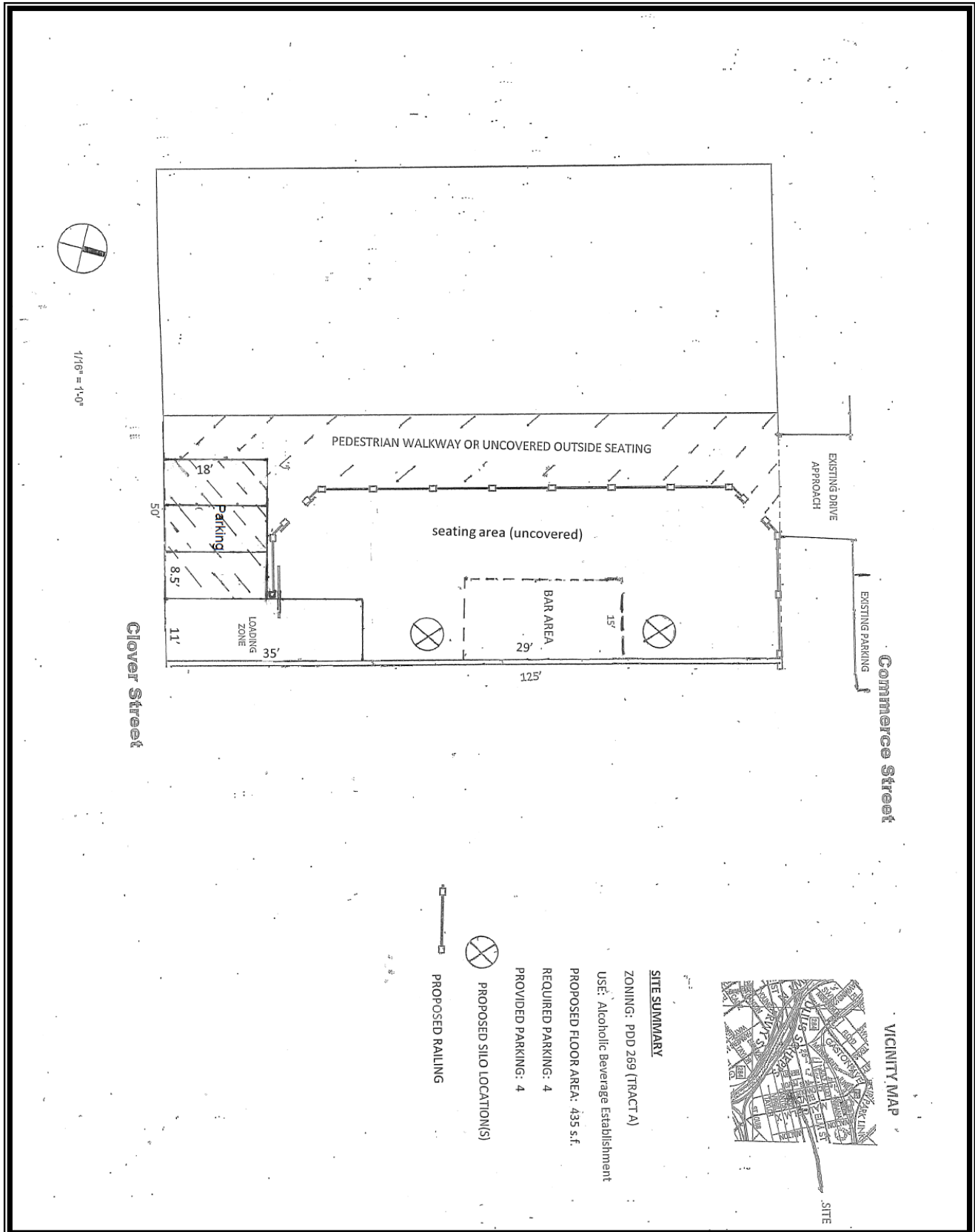
**Landscaping:** The request site is located within an existing structure and the landscaping requirements will not be triggered.

**Parking:** The proposed covered area that will be used for the bar, lounge or tavern is approximately 435 square feet. The required off-street parking for a bar, lounge or tavern is one space per 100 square feet of floor area. The number of spaces required is four and the applicant is providing four spaces. In addition, an outdoor seating area that is uncovered or has a permeable cover is not considered floor area and is not included in the required off-street parking calculations.

**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years from passage of this ordinance).
4. FLOOR AREA: The maximum floor area is 435 square feet.
5. HOURS OF OPERATION: The bar, lounge, or tavern may only operate between 10:00 a.m. and 1:00 a.m., (the next day), Monday through Friday: between 8:00 a.m. and 1:00 a.m., (the next day), Saturday, and between 11:00 a.m. and 11:00 p.m. Sunday.
6. SILOS
  - A. The maximum number of silos is two and must be in the areas shown on the site plan.
  - B. Maximum height of the silos is 30 feet.
7. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A- 4.704(b)(4) of Chapter 51A of the Dallas City Code, as amended, may not be used to meet the off-street parking requirement.
8. PATIO: The uncovered patio is limited to 2,050 square feet in area in the location shown on the attached site plan.
10. OUTSIDE AMPLIFICATION: Outside amplification is prohibited.
11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
12. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

# PROPOSED SITE PLAN



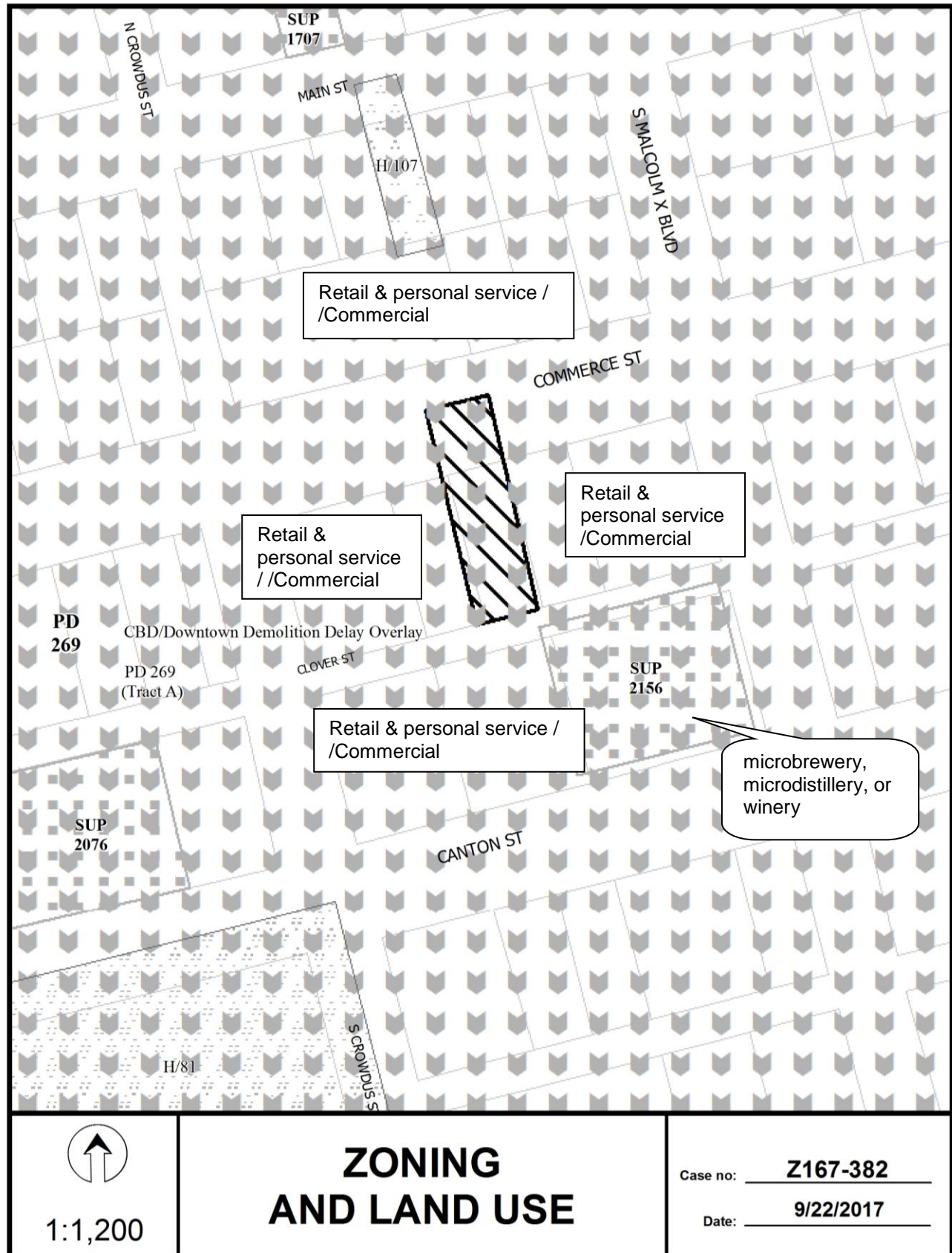
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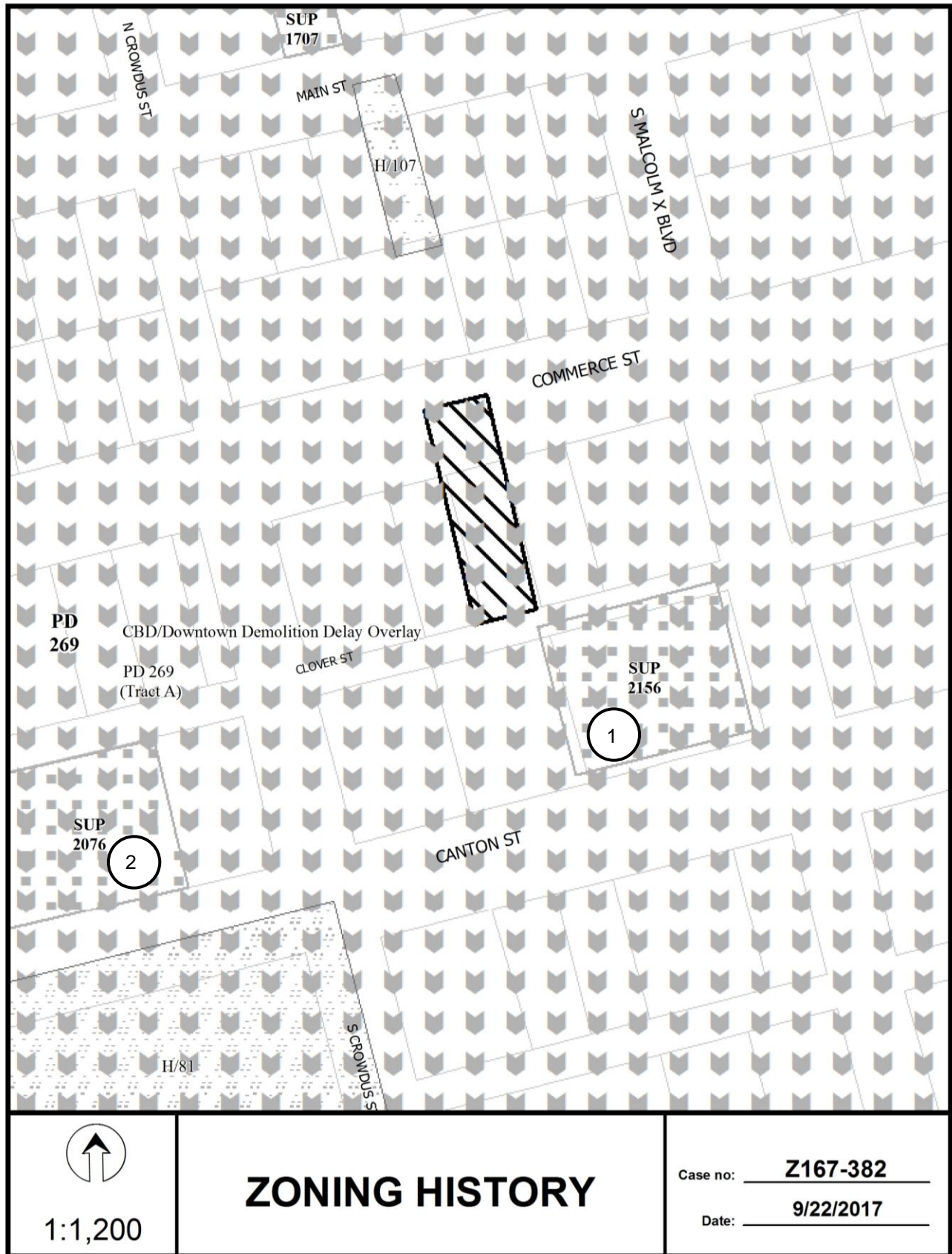


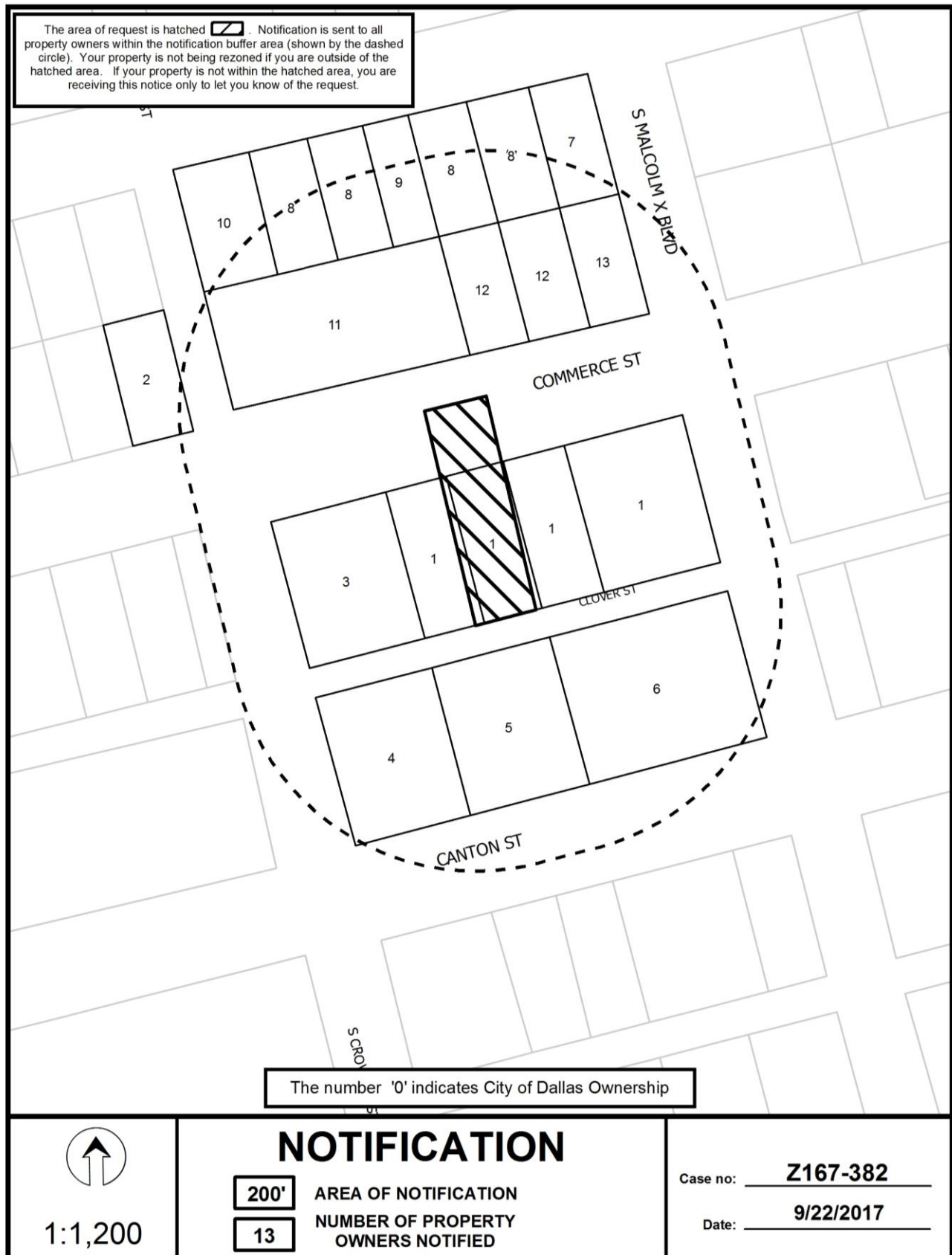
Z167-382(WE)











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

***Z167-382***

***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2820 COMMERCE ST	BLANTON JEANNE
2	2713 COMMERCE ST	WESTDALE PPTIES AMERICA I
3	2800 COMMERCE ST	BEND TRUST THE
4	2805 CANTON ST	GEBHARDT BROADCASTING LLC
5	2809 CANTON ST	2809 CANTON LLC
6	2825 CANTON ST	INDUSTRIAL RESERVICES LLC
7	2824 MAIN ST	BLADE PROPERTIES LLC
8	2820 MAIN ST	42 DEEP ELLUM LP
9	2814 MAIN ST	640 LAND LLC
10	2800 MAIN ST	CONGRESS STREET NIGHTS
11	2801 COMMERCE ST	WESTDALE PPTIES AMERICA I
12	2815 COMMERCE ST	2815-2819 COMMERCE STREET VENTURES LLC
13	2825 COMMERCE ST	AN JADHAVJI INVESTMENTS LLC



**Planner: Jennifer Muñoz****FILE NUMBER:** Z167-361(JM) **DATE FILED:** July 27, 2017**LOCATION:** Southeast corner of Calypso Street and Hampton Road**COUNCIL DISTRICT:** 6 **MAPSCO:** 43-H**SIZE OF REQUEST:** 6,693 square feet **CENSUS TRACT:** 101.01**APPLICANT:** Felipe Vela**OWNER:** DTown Properties Inc.**REPRESENTATIVE:** Mike Arreguin % FC Drafting & Design Associates**REQUEST:** An application for an NO(A) Neighborhood Office District on property zoned an R-5(A) Single Family District.**SUMMARY:** The purpose of this request is to allow the lot to be developed with neighborhood serving office uses.**STAFF RECOMMENDATION:** Approval

**BACKGROUND:**

- The property is comprised of one 6,693 square-foot lot currently zoned an R-5(A) Single Family District. According to Historic Aerials, the parcel seems to have been vacant since the early 1990s.
- The applicant would like to develop the site with neighborhood serving office uses. The proposed NO(A) Neighborhood Office District would allow nine new uses to occupy the undeveloped site. Many are allowed under (L) Limited or SUP regulations.
- The property is surrounded by an auto service center to the north; single family to the east; institutional (church) to the south; and, institutional (charter school) to the west across Hampton Road.

**Zoning History:** There have been two zoning cases in the area over the past five years; however, they fall beyond the boundaries of the Zoning History map. The two cases occurred at the same site, located southwest of the area of request.

1. **Z167-236:** On Wednesday, September 28, 2016, the City Council approved an ordinance granting Specific Use Permit No. 2212 for a for a private recreation center, club, or area on 8.424 acres of property zoned Planned Development District 508, Tracts 7 & 10, and located at the northwest corner of Hampton Road and Bickers Street.
2. **Z167-266:** On Wednesday, September 28, 2016, the City Council approved an ordinance granting the creation of Tract 7A and amendment of Tracts 2 & 7 within Planned Development District No. 508, and located at the northwest and southwest corners of Hampton Road and Bickers Street.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Hampton Road	Principal Arterial	100 feet	100 feet
Calypso Street	Local	50 feet	50 feet

**Traffic:**

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

## **COMPREHENSIVE PLAN:**

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

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single-family neighborhoods. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single-family neighborhoods while maintaining a strong focus on transit orientation and access.

The proposed NO(A) Neighborhood Office District is restricted to office uses which predominantly serve neighborhood or community needs. They are, therefore, compatible with and are intended for location adjacent to single family, duplex, and townhouse neighborhoods. This district ultimately supports the intended Building Block and is a less intensive commercial-type of zoning.

Finally, the proposed zoning request meets the following goals and objectives of the comprehensive plan:

## **LAND USE**

### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

## **ECONOMIC ELEMENT**

### **GOAL 2.1 PROMOTE BALANCED GROWTH**

Planning for balanced growth in a dynamic economic environment calls for flexible zoning regulations to enable the City to respond to changing markets and to better facilitate development that aligns with economic priorities.

## **West Dallas Comprehensive Plan (1999):**

The *West Dallas Comprehensive Plan* supports limited Community Retail uses in residential areas. Additionally, the property is located within Subarea 8 according to the

plan, which should encourage the decrease of vacant and abandoned lots, promote infill, new construction, and rehabilitation of existing structures where possible. The goal is to offer suitable commercial development with consideration of surrounding residential structures/uses. Auto-related and industrial uses are discouraged.

The proposed rezoning to NO(A) Neighborhood Office allows highly limited uses such as personal service, institutional, and office. The request is compliant with the plan details.

	<b>Zoning</b>	<b>Land Use</b>
Site	R-5(A) Single Family	Undeveloped
North	PD No. 508, CR Community Retail, R-5(A) Single Family	Charter School, Auto-Related, Single Family
East	R-5(A) Single Family	Undeveloped & Single Family
South	R-5(A) Single Family	Undeveloped, Single Family, Institutional (church)
West	PD No. 508	Office & Charter School

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

The property is zoned an R-5(A) Single Family District and the applicant is proposing to redevelop the vacant lot to provide community serving office uses. The site appears to have been vacant since the early 1990s. Surrounding land uses include an auto service center to the north; single family to the east; institutional (church) to the south; and, institutional (charter school) to the west across Hampton Road.

The request is compatible with the surrounding uses. Furthermore, the redevelopment of the property is encouraged by the neighborhood plan.

The proposed NO(A) District would allow nine new uses with several that are subject to limited or SUP requirements. In example, a personal service use less than 1,000 square feet is allowed as an (L) Limited Use. Limited uses are subject to the regulations in Sec. 51A-4.218 which regulate the following:

- (a) A limited use must be contained entirely within a building and be primarily for the service of the occupants of the building.
- (b) A limited use may not have a floor area that in combination with the floor areas of other limited uses in the building exceeds 10 percent of the floor area of the building.
- (c) A limited use must:
  - (1) have no exterior public entrance except through the general building entrances; and
  - (2) have no exterior advertising signs on the same lot.



Finally, the proposed NO(A) District will require significant consideration of immediately adjacent residential zoning to the east and south. Additional setbacks, screening, and landscaping buffers are required to adequately protect residential zoning districts.

### **Development Standards:**

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
<b>Existing:</b> R-5(A) Residential	20'	5' SF; 10' Others	30'	45% res. 25% nonres.	RPS	Single family
<b>Proposed:</b> NO(A) Neighborhood Office	15'	20' adj. to res.; 0' all others	30-35'	50%	RPS	Office, institutional and community service.

### **Land Use Comparison:**

	<b><u>Proposed</u></b>	<b><u>Existing</u></b>
<b><u>Use</u></b>	<b><u>NO(A)</u></b>	<b><u>R-5(A)</u></b>
Adult day care facility.	L	SUP
Child-care facility.	L	SUP
Open-enrollment charter school.	SUP	
Public school.	RAR	SUP
Attached non-premise sign.	SUP	
Financial institution without drive-in window.	X	
Medical clinic or ambulatory surgical center.	X	
Office.	X	
Country club with private membership.	X	SUP
College dormitory, fraternity or sorority house.	SUP	
Business school.	SUP	
Personal service use up to 1,000 square feet in floor area.	L	
Restaurant without drive-in or drive-thru service.	SUP	
<i>X indicates permitted by right.</i> <i>SUP indicates permitted with a Specific Use Permit.</i> <i>RAR indicates permitted, but subject to Residential Adjacency Review.</i> <i>L indicated permitted as a limited use per Sec. 51A-4.218.</i>		
<b><i>Alternating color pattern indicates a new category of uses as separated in the Dallas Development Code.</i></b>		

**Landscaping:**

The applicant must comply with Article X requirements for the proposed development, as amended.

Residential adjacency to the east and south requires the following:

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

**Screening:**

Residential adjacency to the east and south requires the following:

- Garbage collection and mechanical equipment areas may not be located closer than 20 feet to the nearest building site.
- All off-street surface parking lots, excluding driveways used for ingress or egress, must be screened from the street.
  - Required screening for off-street parking must be a brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence that is not less than six feet in height **AND** may not have more than ten square inches of open area for each square foot of surface area, and may not contain any openings or gates for vehicular access.
- If a building or parking structure is erected on a building site and any portion of the building site is directly across or abutting a residential district the structure or parking must be screened from that district.
- All off-street loading spaces on a lot with residential adjacency must be screened from that residential adjacency.
  - Required screening for loading spaces must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods for providing screening described in Section 51A-4.602(b)(3).

**Parking:**

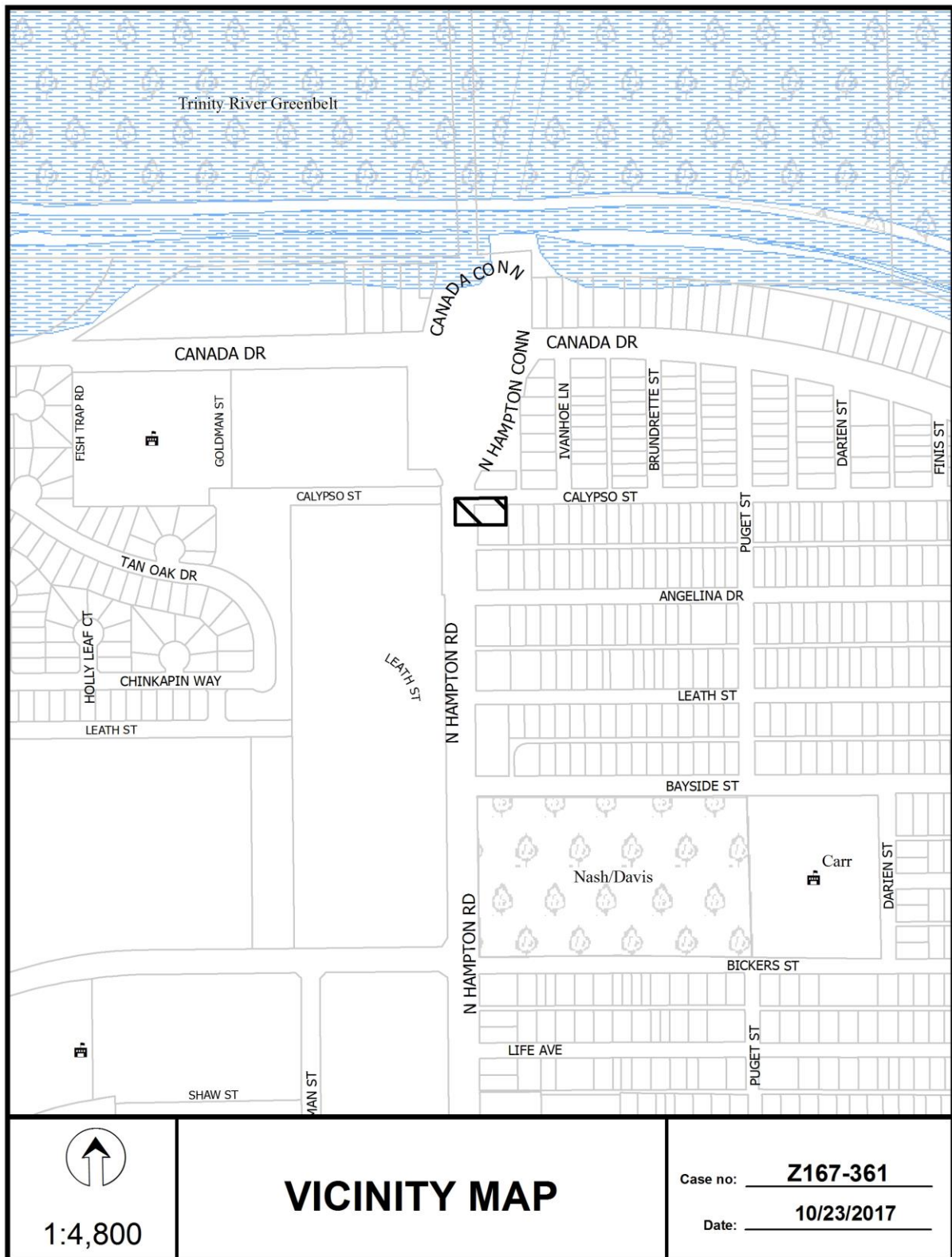
Parking must be provided according to the Dallas Development Code.

Z167-361(JM)

**List of Officers**

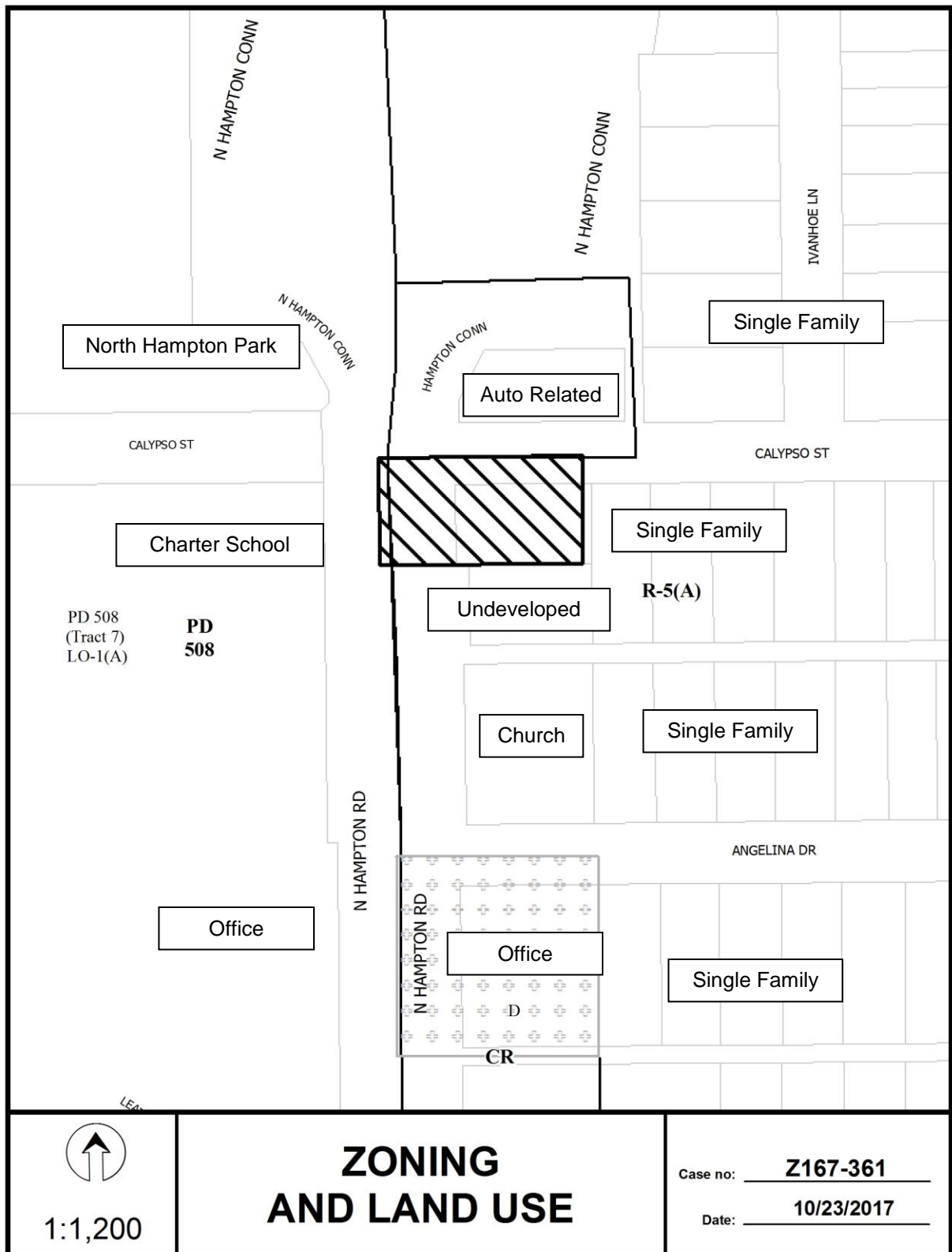
D-Town Properties Inc.

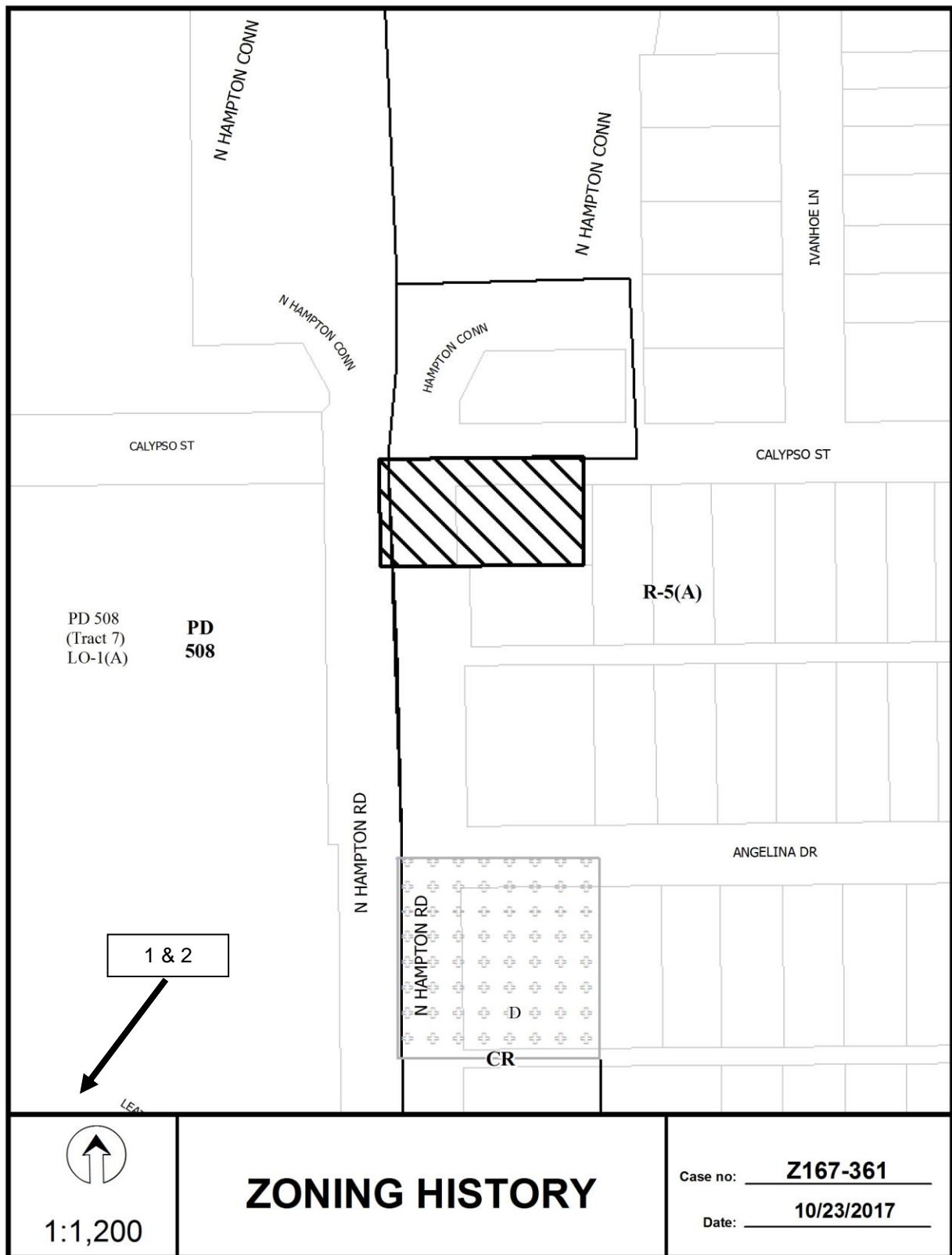
Felipe Vela, Owner

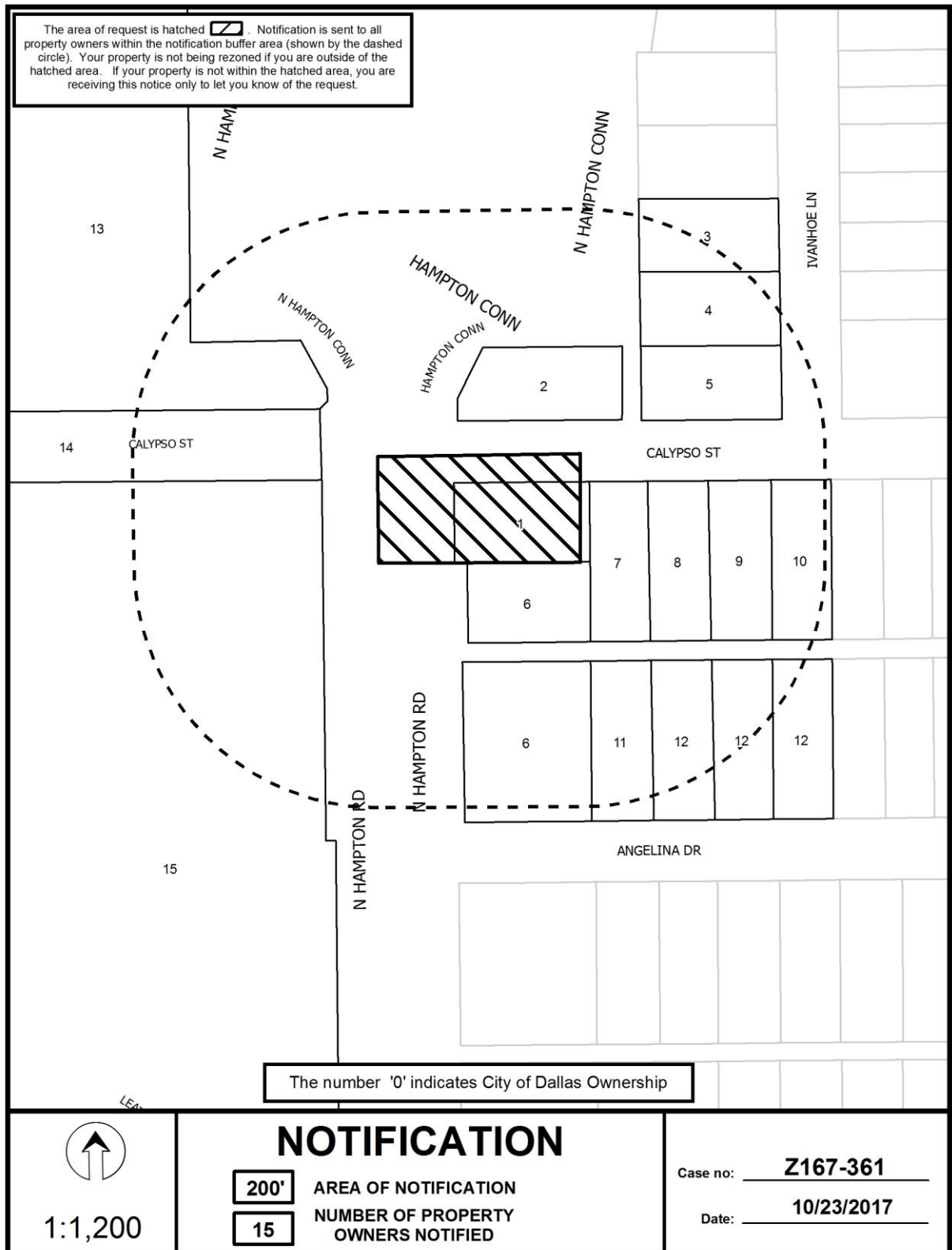












10/23/2017

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

### ***Z167-361***

#### ***15 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3944 N HAMPTON RD	DTOWN PROPERTIES INC
2	4002 N HAMPTON RD	GRESS JUAN E & SILVIA C
3	4013 IVANHOE LN	RIVERS EDGE INVESTMENTS LLC
4	4009 IVANHOE LN	PENALOZARIVERA SILAY
5	4003 IVANHOE LN	WASHINGTON ANGELA
6	3940 N HAMPTON RD	ABUNDANT FAITH CHURCH
7	2058 CALYPSO ST	WASHINGTON VIOLA
8	2054 CALYPSO ST	CORRO ALVIS
9	2050 CALYPSO ST	STEWART SHARON
10	2046 CALYPSO ST	PRIDE EDWARD C & LINDA K
11	2059 ANGELINA DR	WILLIAMS ARLENN
12	2055 ANGELINA DR	HMK LTD
13	2100 CANADA DR	WEST DALLAS COMMUNITY SCHOOL
14	1 TAN OAK DR	GREENLEAF VILLAGE HOA INC
15	3939 N HAMPTON RD	DALLAS HOUSING AUTHORITY

**FILE NUMBER:** Z167-380(JM) **DATE FILED:** August 23, 2017

**LOCATION:** On the southeast corner of West 9<sup>th</sup> Street and North Ravinia Drive.

**COUNCIL DISTRICT:** 1 **MAPSCO:** 53-G

**SIZE OF REQUEST:** ±6,823 square feet **CENSUS TRACT:** 45.00

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**APPLICANT/OWNER:** Michael Riemer

**REPRESENTATIVE:** Robert Reeves & Associates, Inc.

**REQUEST:** An application for an R-5(A) Single Family District on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of this request is to allow the development of a single-family home on a lot smaller than allowed by the current zoning. This request is a precursor to an application for a replat of the subject site.

**STAFF RECOMMENDATION:** Approval



**BACKGROUND:**

- The applicant requested a building permit for a single-family home and discovered the site required a replat prior to the issuance of any building permits. Before a site can be replatted, the property must meet the requirements of the existing zoning district.
- The minimum lot size for a single-family use in an R-7.5(A) Single Family District is 7,500 square-feet. The subject site contains approximately 6,823 square-feet and does not meet the minimum lot size standards for the existing zoning district.
- The requested R-5(A) Single Family District is the next zoning category available and requires a minimum lot size of 5,000 square feet.
- Surrounding properties are fully developed with single-family uses with one duplex located to the west, across Ravinia Drive.

**Zoning History:** There have not been any zoning cases in the area over the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
W. 9 <sup>th</sup> St.	Local	Variable	--
N. Ravinia Dr.	Local	50 feet	--

**Traffic:**

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

**COMPREHENSIVE PLAN:**

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

The Plan identifies the request site as being within a *Residential Neighborhood Building Block*. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. The request to rezone to make the site build-able for single-family uses is supported by the following goals:

## 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 1.2 PROMOTE DESIRED DEVELOPMENT

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

## NEIGHBORHOOD PLUS

Policy 5.2 Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-7.5(A) Single Family	Undeveloped
<b>North</b>	R-7.5(A) Single Family	Single Family
<b>East</b>	R-7.5(A) Single Family	Single Family
<b>South</b>	R-7.5(A) Single Family	Single Family
<b>West</b>	R-7.5(A) Single Family	Duplex

### Land Use Compatibility:

The property is zoned an R-7.5(A) Single Family District and the applicant is proposing to develop it with a single-family home. The subject site contains approximately 6,823 square-feet and does not meet the minimum lot size standards for the existing zoning district. Rezoning the site to an R-5(A) Single Family District will allow for it to be developed and no longer remain a vacant lot in the center of a fully developed neighborhood as surrounding properties all contain single-family uses and one duplex to the west.

The request is compatible with the surrounding residential uses. Furthermore, the proposed development will be required to maintain a front yard setback of 25 feet to maintain block continuity, thereby making the reduced setback ineligible for application. The effect of rezoning would then be infill of a single-family use that is entirely suitable for the neighborhood.

**Development Standards:**

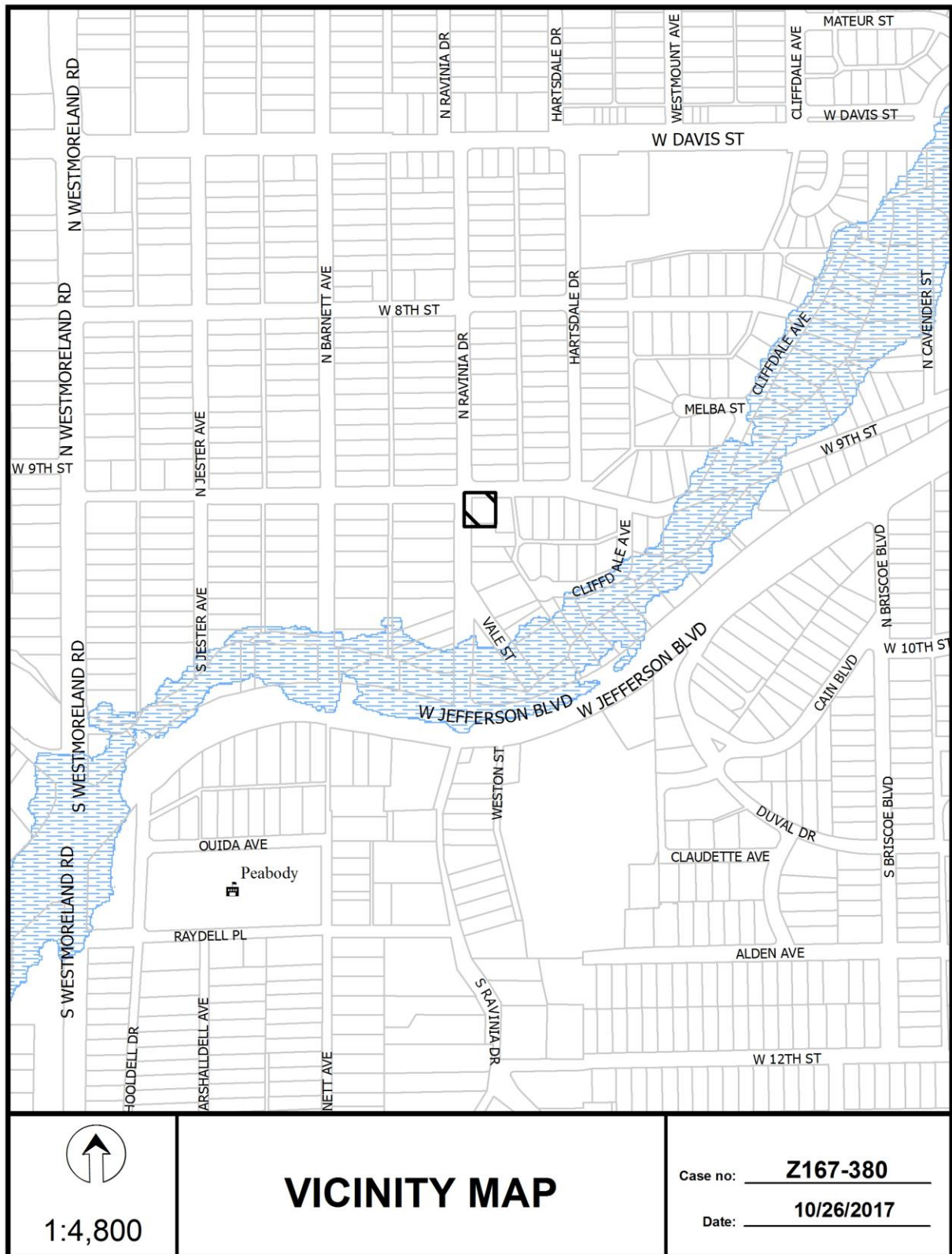
DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Lot Size	Special Standards	Primary Uses
	Front	Side/Rear						
<b>Existing:</b>								
R-7.5(A) Single Family	25'	5'-SF 10'/15'-others	1 DU per 7,500 sq. ft.	30'	45% Res. 25% NonRes.	7,500 sq. ft.	RPS	Single family
<b>Proposed:</b>								
R-5(A) Single Family	20'	5'-SF 10'-others	1 DU per 5,000 sq. ft.	30'	45% Res. 25% NonRes.	5,000 sq. ft.	RPS	Single family

**Landscaping:**

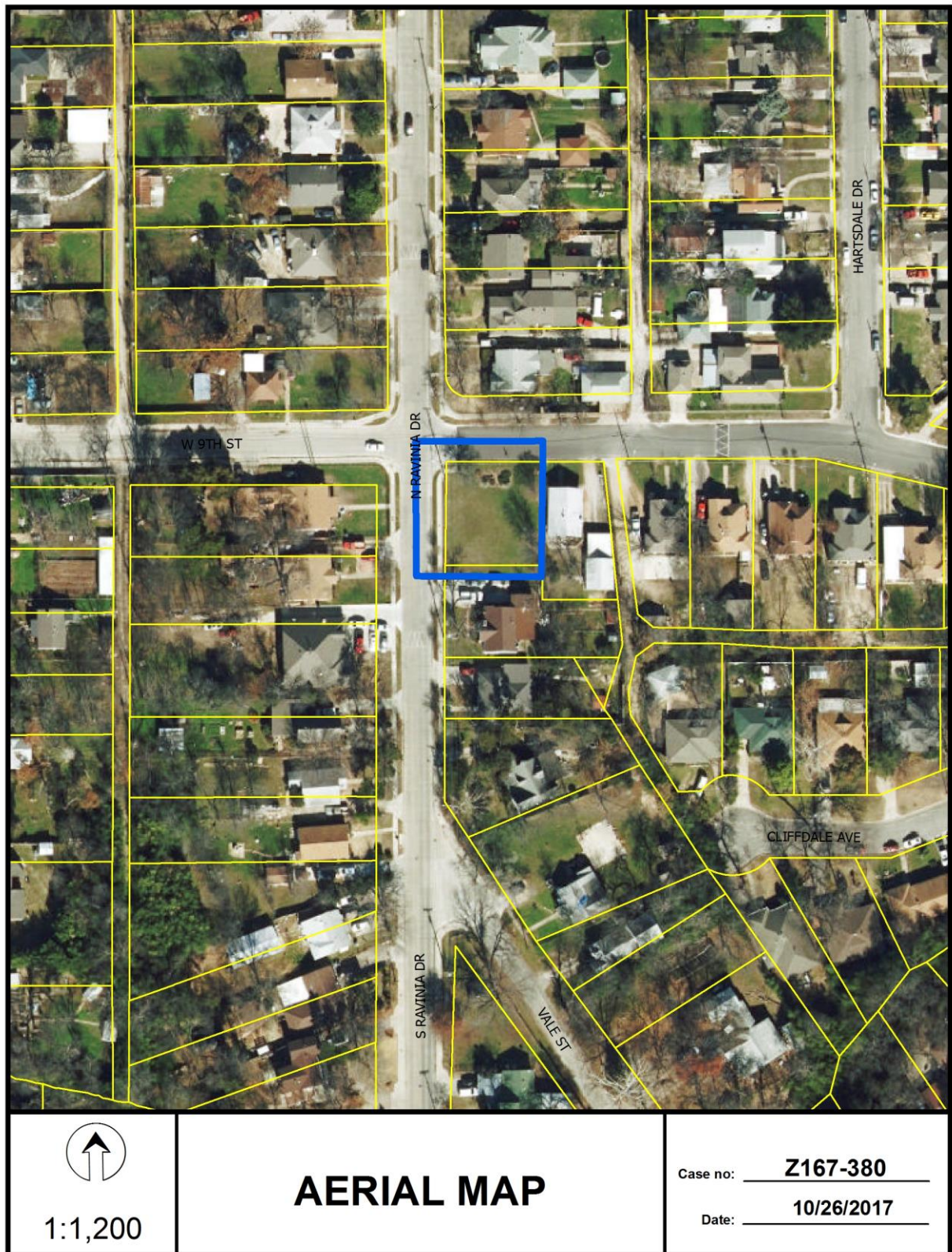
The applicant must comply with Article X requirements for the proposed development, as amended.

**Parking:**

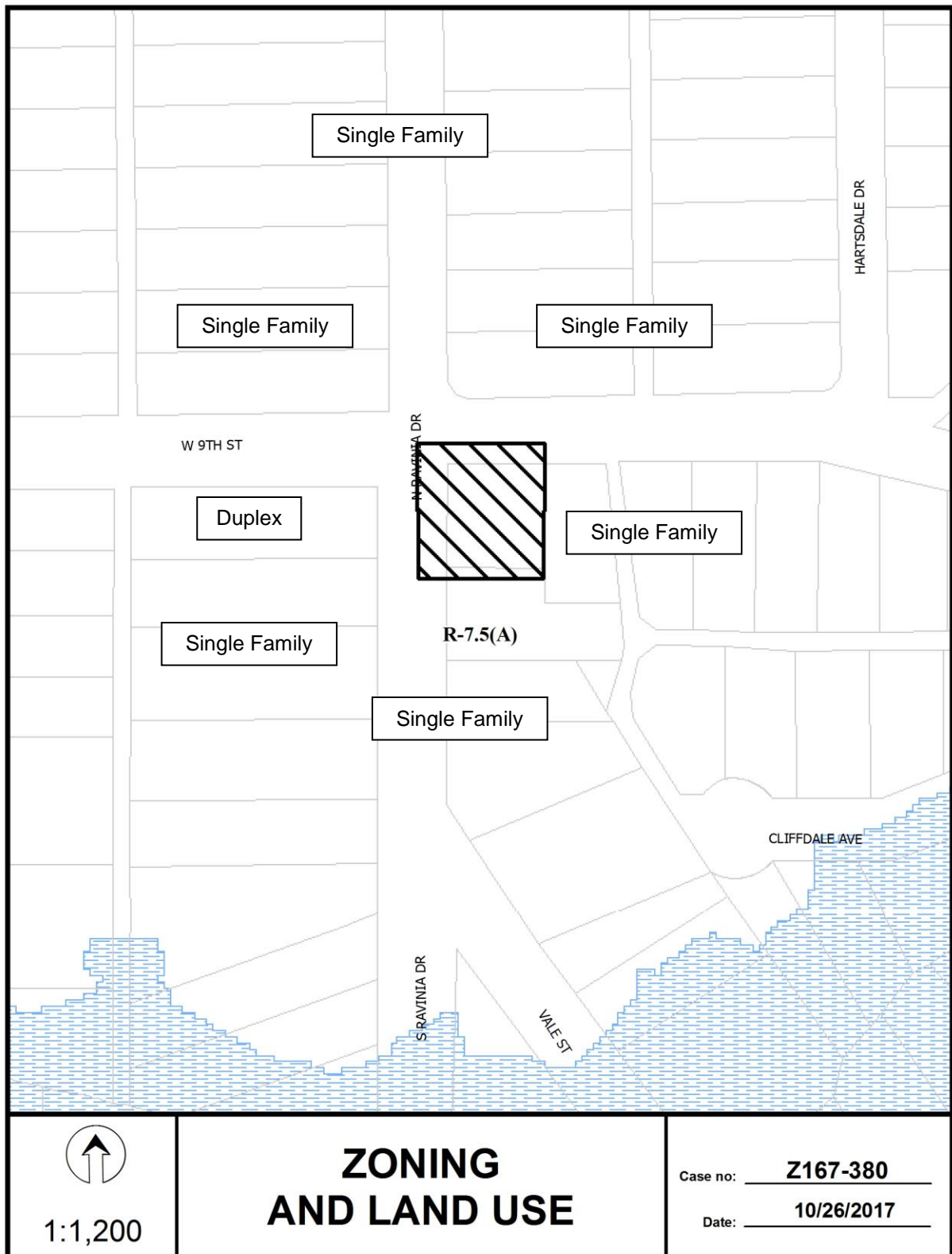
Parking must be provided according to the Dallas Development Code.

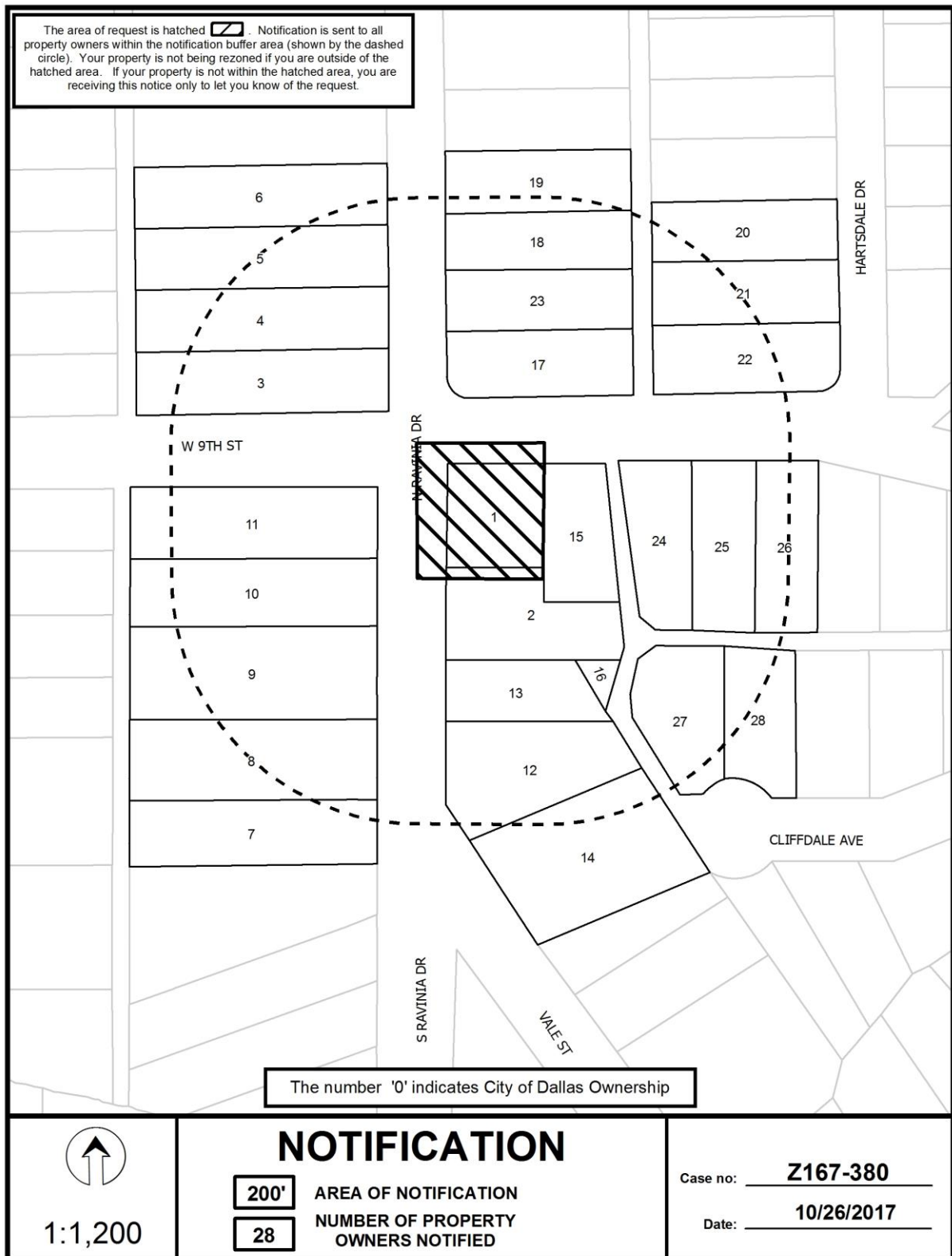












10/26/2017

***Notification List of Property Owners***  
***Z167-380***

***28 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2940 W 9TH ST	RIEMER MICHAEL PAUL
2	110 N RAVINIA DR	JONES RUBY M
3	203 N RAVINIA DR	ONTIVEROS MARIA CARMEN
4	207 N RAVINIA DR	TYLER ANNE DIAZ &
5	211 N RAVINIA DR	GARCIA JOSE MARTINEZ
6	213 N RAVINIA DR	LARA BRENDA ESMERALDA
7	103 N RAVINIA DR	COUCH KEDRIC & JUANITA
8	107 N RAVINIA DR	DALTON STEVEN M
9	111 N RAVINIA DR	GARCIA ALFREDO
10	117 N RAVINIA DR	TRAVIS LYNNETTE M &
11	121 N RAVINIA DR	MONTEMAYOR ELSA
12	102 N RAVINIA DR	FIGUEROA SYLVANO &
13	106 N RAVINIA DR	PEREYDA STEVAN A
14	110 VALE ST	FLORES MARIO & NOEMI
15	2930 W 9TH ST	RICO JANET C
16	2934 W 9TH ST	WINKLES EDWARD B
17	200 N RAVINIA DR	SANDOVAL JESUS
18	210 N RAVINIA DR	SPRINGFUL PROPERTIES LLC
19	214 N RAVINIA DR	ALCANTARA ROY F & MICAELA
20	211 N HARTSDALE AVE	MERCADO AGUSTIN J &
21	207 N HARTSDALE AVE	TSATOUMAS HOLDINGS LLC
22	203 N HARTSDALE AVE	SOTO JUANITA
23	206 N RAVINIA DR	DIAZ ANTONIO
24	2910 W 9TH ST	SUNSET MANOR LLC
25	2906 W 9TH ST	TESFAYE ASQUAL
26	2902 W 9TH ST	DOMINGUEZ HORACIO G
27	103 CLIFFDALE AVE	ROSALES SILVINO & NORMA
28	107 CLIFFDALE AVE	HOOD HUGH H

**Planner: Jennifer Muñoz**

**FILE NUMBER:** Z167-384(JM)

**DATE FILED:** August 28, 2017

**LOCATION:** On the northwest line of Goldmark Drive, south of Spring Valley Road.

**COUNCIL DISTRICT:** 11

**MAPSCO:** 16-M

**SIZE OF REQUEST:** 3.507 acres

**CENSUS TRACT:** 192.13

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**APPLICANT/OWNER:** Chin Chin Yeh

**REQUEST:** An application for a CR Community Retail District on property zoned an NO(A) Neighborhood Office District.

**SUMMARY:** The purpose of this request is to allow the site to offer additional variety in retail and personal service uses.

**STAFF RECOMMENDATION:** Approval

**BACKGROUND:**

- The subject site contains two office buildings with approximately 64,000 square feet of combined office space.
- According to the applicant, 257 surface parking spaces exist. General zone change applications do not require a site/development plan for confirmation of this detail; however, parking must be in compliance with the Dallas Development Code.
- The proposed rezoning would allow a variety of new uses, primarily in the retail & personal service categories.
- The proposed change in zoning would produce the following amendments to development standards:
  - Height: from 30-35 feet to 54 feet; RPS still applies.
  - Lot Coverage: from 50 percent to 60 percent.

**Zoning History:** There have not been any zoning cases in the area over the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Goldmark Drive	Community Collector	60 feet	60 feet

**Traffic:**

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

**COMPREHENSIVE PLAN:**

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

The Plan identifies the request site as being within a *Business Center or Corridor Building Block*. This Building Block represents major employment or shopping destinations outside of Downtown.

Additionally, the *Neighborhood Plus Plan* identifies the subject site as within the Spring Valley target area. The request to rezone the site to CR Community Retail District uses is consistent with the plans as noted in the following goals:



## 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 1.2 PROMOTE DESIRED DEVELOPMENT

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

## NEIGHBORHOOD PLUS

Policy 4.1 Promote Dallas as a city of neighborhoods and publicize neighborhood assets and programs.

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety.

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	NO(A) Neighborhood Office	Offices
<b>North</b>	CR Community Retail & MU-2 Mixed Use	Car wash, restaurant, and retail and personal service
<b>East</b>	MU-2 Mixed Use	Warehouse and Surface Parking Lots
<b>South</b>	MU-3 Mixed Use & SUP No. 1818	GMFS 100,000 sq. ft. or greater
<b>West</b>	MC-1 Multiple Commercial, DRs, & MU-2 Mixed Use, SUP No. 1181	Retirement Housing & Mini-warehouse

### Land Use Compatibility:

The property is zoned an NO(A) Neighborhood Office District and the applicant is proposing to expand the uses to add more variety. The surrounding uses include retail and personal service to the north; warehouse to the east; a general merchandise or food store greater than 100,000 square-feet to the south; and, retirement housing and mini warehouse uses to the west.

The overall land uses are mixed in nature, which is consistent with the surrounding zoning of CR Community Retail, MU-2 Mixed Use, and MC-1 Multiple Commercial Districts. The subject parcel is primarily surrounded by retail and the less active mini warehouse and warehouse uses. The rear or service side of the general merchandise or food store use faces the site.

The proposed rezoning to a CR District would change use regulations for eleven uses primarily from the Institutional and Community Service and Retail and Personal Service use categories. Seven of the uses would now be allowed by right, where previously not permitted or only permitted in a Limited (L) nature. The remaining four are now allowed by SUP or with a Residential Adjacency Review (RAR).

Finally, the development standards of the proposed CR District are nearly identical to the existing zoning of an NO(A) District, with an increase in height from 30-35 feet to 54 feet, while RPS still applies, and an increase in lot coverage from 50 percent to 60 percent. The request is compatible with the surrounding uses.

### **Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
<b>Existing:</b>							
NO(A) Neighborhood Office	15'	20'—Res. Adj. 0'—others	None	30-- 35'	50%	RPS	Office.
<b>Proposed:</b>							
CR Community Retail	15'	20' adj.res. 0' Others	None	54'	60%	RPS	Retail & personal service, office

### **Land Use Comparison:**

	<b><u>Proposed</u></b>	<b><u>Proposed</u></b>
<b><u>Use</u></b>	<b><u>CR</u></b>	<b><u>NO(A)</u></b>
Adult day care facility.	X	L
Child-care facility.	X	L
College, university, or seminary.	SUP	
Convent or monastery.	X	
Business school.	X	SUP
Dry cleaning or laundry store.	X	
General merchandise or food store 3,500 square feet or less.	X	
Motor vehicle fueling station.	SUP	
Personal service use up to 1,000 square feet in floor area.	X (Unlimited)	L
Restaurant without drive-in or drive-thru service.	RAR	SUP
Post office.	SUP	
<i>X indicates permitted by right.</i> <i>SUP indicates permitted with a Specific Use Permit.</i> <i>RAR indicates permitted, but subject to Residential Adjacency Review.</i> <i>L indicated permitted as a limited use per Sec. 51A-4.218.</i>		
<b>Alternating color pattern indicates a new category of uses as separated in the Dallas Development Code.</b>		

Z167-384(JM)

**Landscaping:**

Landscaping must be provided in accordance with Article X, as amended.

**Parking:**

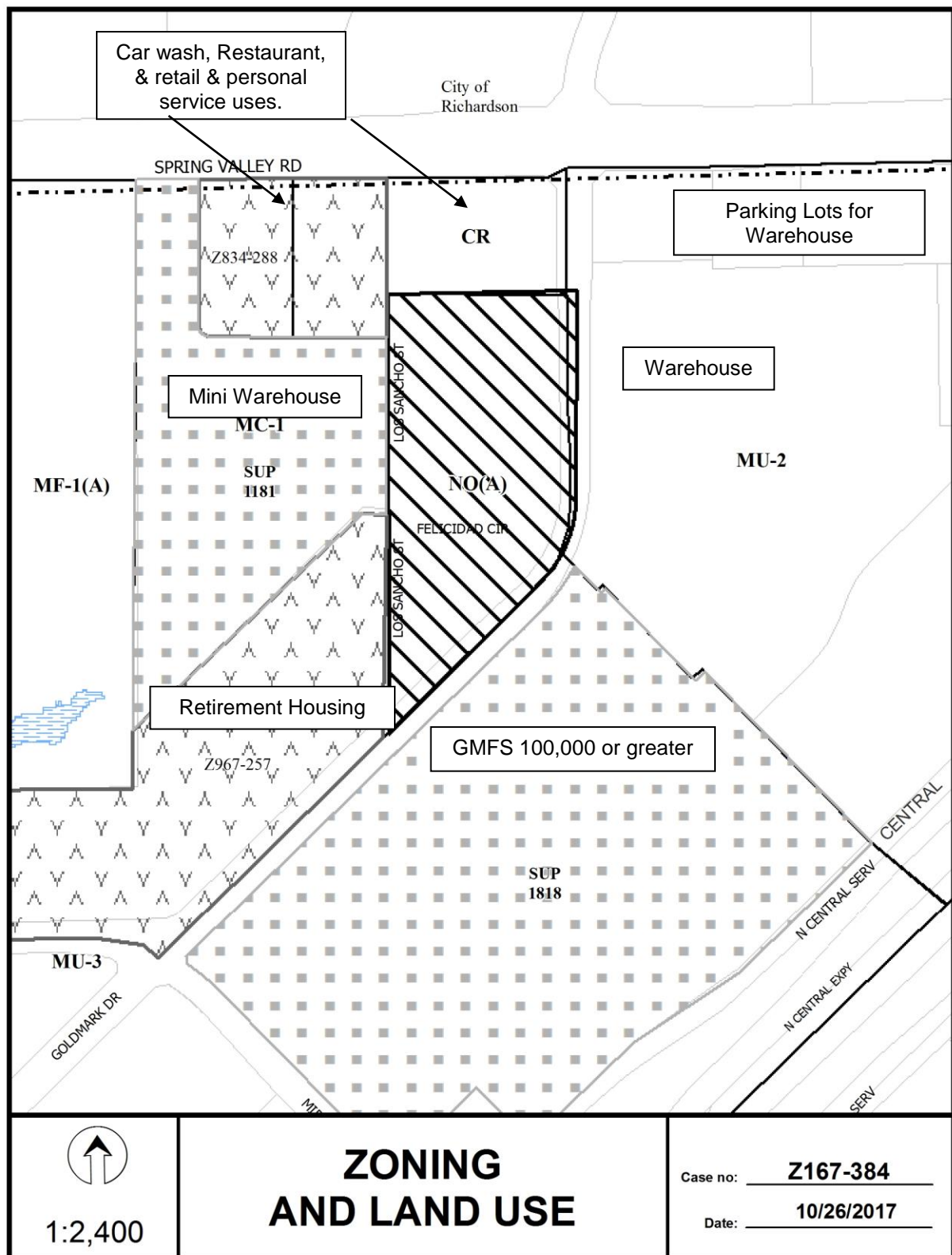
Parking must be provided in accordance with the Dallas Development Code.

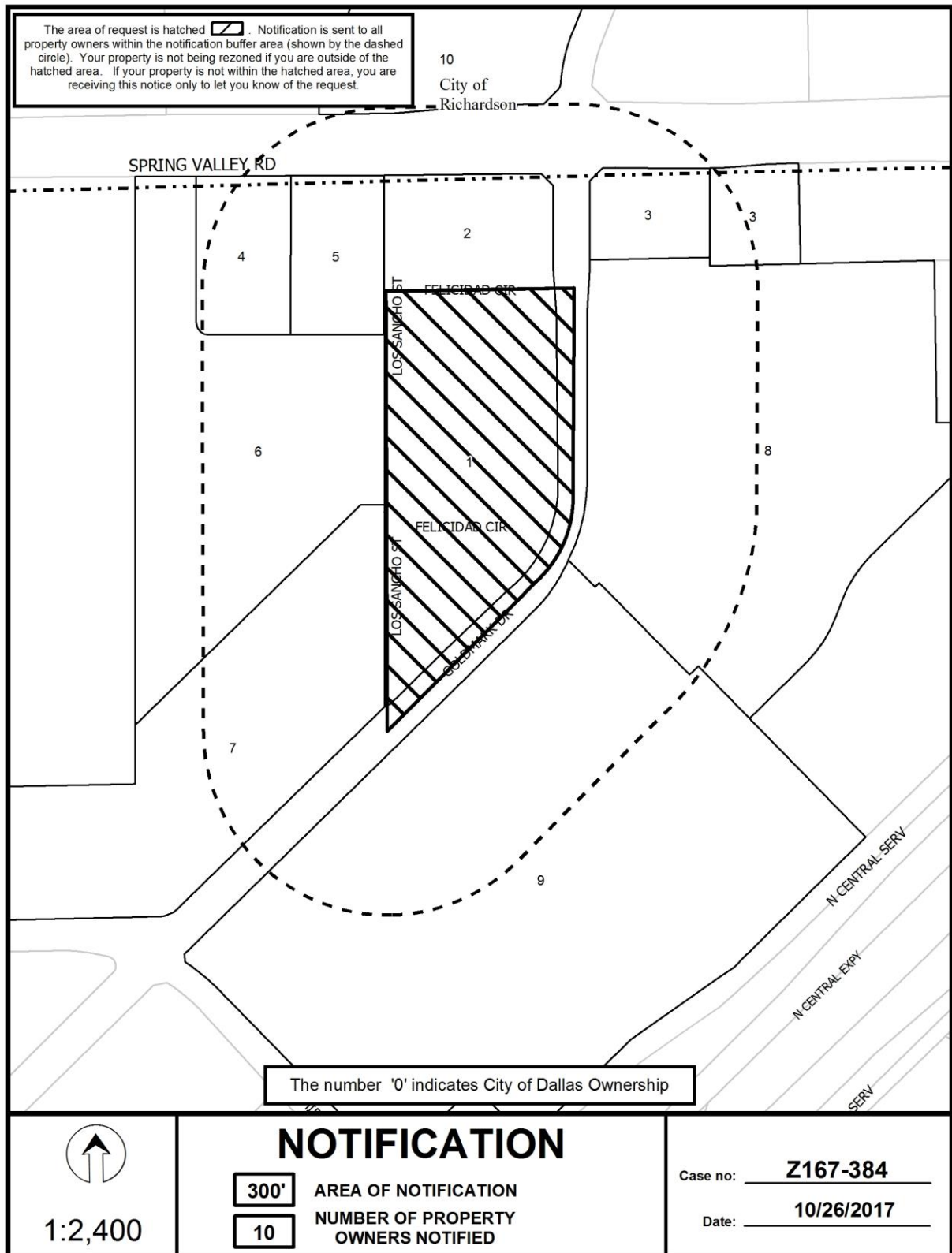












10/26/2017

***Notification List of Property Owners***

***Z167-384***

***10 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	13999 GOLDMARK DR	SPRING LEAF CORPORATION
2	8702 SPRING VALLEY RD	SNJ HOLDINGS LLC
3	8720 SPRING VALLEY RD	RANCHO KEYSTONE PARK LP
4	8612 SPRING VALLEY RD	JEM FAMILY ENTERPRISES LL
5	8620 SPRING VALLEY RD	SRI REAL ESTATE PROPERTIES
6	8600 SPRING VALLEY RD	SECURITY PORTFOLIO I
7	13731 GOLDMARK DR	M N MIDPARK LTD
8	13933 N CENTRAL EXPY	RANCHO KEYSTONE LLC
9	13739 N CENTRAL EXPY	WAL MART REAL ESTATE BUSINESS TRUST
10	800 W SPRING VALLEY RD	CGB PROPERTIES LTD

**Planner: Sarah May****FILE NUMBER:** Z167-354(SM) **DATE FILED:** July 19, 2017**LOCATION:** West line of Dolphin Road, south of Terrell Street**COUNCIL DISTRICT:** 7 **MAPSCO:** 47J, N**SIZE OF REQUEST:** Approx. 6,303 sq. ft. **CENSUS TRACT:** 25.00

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**OWNER/APPLICANT:** James Felder**REPRESENTATIVE:** Michael King, The Mike King Company

**REQUEST:** An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District and a NS(A) Neighborhood Services District, with consideration given to a CR Community Retail District.

**SUMMARY:** The applicant requests to utilize the property as an auto upholstery shop and vehicle sales. The applicant also proposes to allow certain additional uses and increases in development standards that are not allowed in the existing zoning.

**STAFF RECOMMENDATION:** Approval of a CR Community Retail District in lieu of the requested CS Commercial Service District with deed restrictions volunteered by the applicant.

**PRIOR CPC ACTION:** On October 19, 2017, the City Plan Commission held this item under advisement to allow time for a community meeting.

**BACKGROUND INFORMATION:**

- The area of request contains a surface parking area and a 1,124 square foot office building that received a certificate of occupancy on January 6, 2017.
- The building is currently vacant.

**Zoning History:** There have been no zoning changes requested in the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Function	Proposed Dimension	ROW
Dolphin Road	Minor Arterial	Standard-4 lanes-Divided	107 feet

**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.

**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 request does not support or obstruct the Plan's goals or policies.

**Economic Element**

**GOAL 2.1 PROMOTE BALANCED GROWTH**

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

**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.



**Land Use Compatibility:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	CR and NS(A)	Vacant Office
<b>North</b>	CR	Undeveloped
<b>East</b>	D(A)	Single family and duplex
<b>South</b>	NS(A)	Retail
<b>West</b>	NS(A)	Undeveloped

The site is approximately 6,303 square feet and contains a vacant building that most recently had a certificate of occupancy for an office use that was issued on January 6, 2017. The applicant reports the building was previously used as a dry cleaners and print shop; however, corroborating certificates of occupancy were not discovered in digital permit records in staff's research. Although it is possible those uses existed in the building, since certificates of occupancy prior to 1977 only exist in the digital permit record system when they are retroactively and manually entered, if those uses did operate within the building, many years have passed since they vacated the premises.

Surrounding uses include undeveloped land to the north and west of the site, single family and duplex uses are located to the east, a retail store is located to the south, and a new multifamily complex is located to the southwest.

The applicant requests a CS Commercial Service District and has volunteered deed restrictions with the intended purpose to allow the property owner to utilize the property as an auto upholstery shop and vehicle sales. The functions of an auto upholstery shop fall under the category of an auto service center use. Comments from the Office of Environmental Quality noted no objections to auto upholstery but noted that a paint booth or similar functions that have the potential to release particulates into the air were not recommended for the site given its close proximity to residential areas. Therefore, the applicant volunteered a restriction to prohibit paint booths or similar facilities.

Although the volunteered deed restrictions offer to prohibit almost all uses the NS(A) Neighborhood Services District prohibits, the following uses would be allowed with the request: auto service center; outside sales [by SUP]; temporary retail; and vehicle display, sales, and service uses.

The applicant has requested the CS Commercial Service District to sell and display vehicles on the site. The display and sales of vehicles is only permitted and subject to

residential adjacency review in the RR, CS, and industrial districts, and permitted by SUP in the central area districts. Although staff encouraged the applicant to protect and buffer the adjacent residential uses to the east with a screening fence or enhanced landscaping, the applicant declined adding those restrictions to the volunteered deed restrictions. Because the site is nonconforming to screening and landscaping, a screening fence would only be required if additional off-street parking was required and provided on site and a landscape buffer strip would only be required if an addition that exceeds 35 percent of the floor area or 2,000 square feet of non-permeable surface was added to the site. Therefore, the proposed conversion of the structure would not require additional landscaping or screening unless the deed restrictions specified as such.

If the applicant's request to display and sell vehicles is approved, the site could only lawfully contain a few vehicles due to the narrow lot width (the area of request is 81 feet wide, minus a 20-foot wide driveway and visibility triangles) and further limited by the parking spaces the site would be required to provide and the presumed vehicles that would be on site for auto upholstery service. Additionally, because of the area of request is limited in size and mid-block, the potential for vehicle sales to spill-over onto the adjacent CR or NS(A) zoned properties is concerning. Therefore, the potential for a cycle of Code Compliance violations is high and therefore not recommended.

Therefore, in lieu of the applicant's request of a CS District with volunteered deed restrictions, staff recommends a CR Community Retail District. In this district, *vehicle or engine repair or maintenance*, often called auto body shops, and *vehicle display, sales, and service* uses are both prohibited. Further, since the site is split zoned CR Community Retail District and NS(A) Neighborhood Services District, an extension of the CR District by approximately 66 feet to the south would be more consistent with the surrounding properties than the applicant's request.

### **Development Standards:**

The applicant has not included any restrictions to the CS Commercial Service District's development standards. Since the greatest front yard setback within a block with straight zoning is applied to the entire block, the site would be required to provide a 15-foot front yard setback without deed restrictions. Additionally, since both CS and CR Districts require new construction to comply with residential proximity slope and a Duplex District is abutting the site to the east, the property would not be able to exceed 26 feet in height. Therefore, the increases in FAR are considered impossible to achieve. Although the increase in lot coverage from 40 percent to 60 percent in CR and 80 percent in CS is somewhat concerning, staff does not object to those increases because it is unlikely to occur given the 15-foot front yard setback and the 20-foot rear yard setback requirements.

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
NS(A) – Existing Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office
CR – Existing & Staff's recommendation 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
CS – Applicant's request 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

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

**Proposed Deed Restrictions Volunteered by the Applicant**

II.

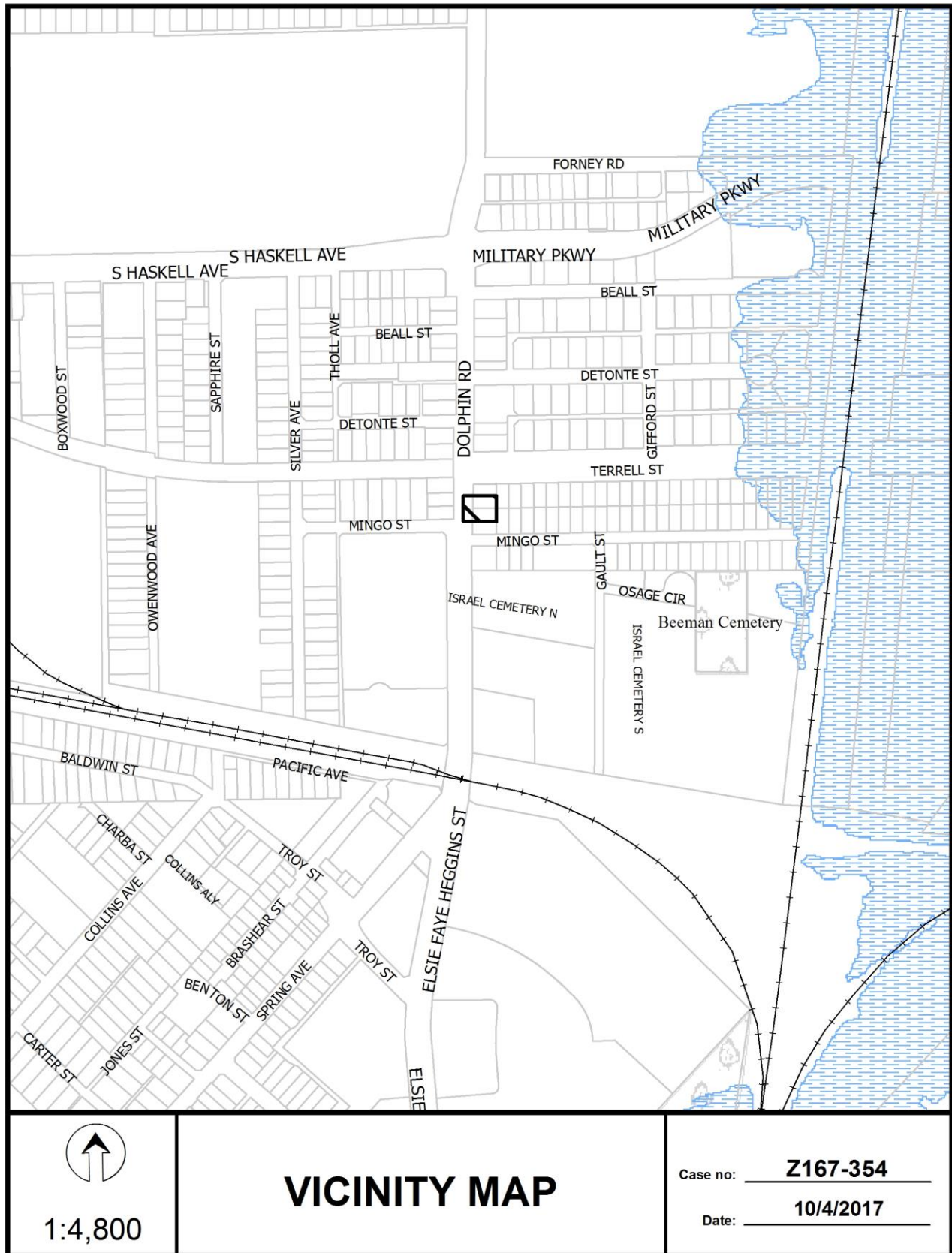
The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

1. A paint booth or similar facility is prohibited.
2. The following uses are prohibited:
  - a. Commercial and business service uses.
    - Building repair and maintenance shop.
    - Bus or rail transit vehicle maintenance or storage facility.
    - Catering service.
    - Commercial bus station and terminal.
    - Commercial cleaning or laundry plant.
    - Custom business services.
    - Custom woodworking, furniture construction, or repair.
    - Electronics service center.
    - Job or lithographic printing.
    - Labor hall.
    - Machine or welding shop.
    - Machinery, heavy equipment, or truck sales and services.
    - Medical or scientific laboratory.
    - Technical school.
    - Tool or equipment rental
  - b. Industrial uses.
    - Industrial (inside) for light manufacturing.
  - c. Institutional and community service uses.
    - College, university, or seminary.
    - Halfway house.
    - Hospital.
  - d. Lodging uses.
    - Extended stay hotel or motel.
    - Hotel or motel.
    - Lodging or boarding house.
    - Overnight general purpose shelter.

- e. Office uses.
  - Alternative financial establishment.
  - Financial institution with drive-in window.
- f. Recreation uses.
  - Private recreation center, club or area.
- g. Residential uses.
  - College dormitory, fraternity, or sorority house.
- h. Retail and personal service uses.
  - Alcoholic beverage establishments.
  - Ambulance service.
  - Animal shelter or clinic without outside runs.
  - Animal shelter or clinic with outside runs.
  - Business school.
  - Car wash.
  - Commercial amusement (inside).
  - Commercial amusement (outside).
  - Commercial motor vehicle parking.
  - Commercial parking lot or garage.
  - Convenience store with drive-through.
  - Drive-in theater.
  - Furniture store.
  - General merchandise or food store greater than 3,500 square feet.
  - General merchandise or food store 100,000 square feet or more.
  - Home improvement center, lumber, brick or building materials sales yard.
  - Household equipment and appliance repair.
  - Liquefied natural gas fueling station.
  - Liquor store.
  - Mortuary, funeral home, or commercial wedding chapel.
  - Motor vehicle fueling station.
  - Nursery, garden shop, or plant sales.
  - Paraphernalia shop.
  - Pawn shop.
  - Restaurant with drive-in or drive-through service.
  - Swap or buy shop.
  - Taxidermist.
  - Theater.
  - Truck stop.

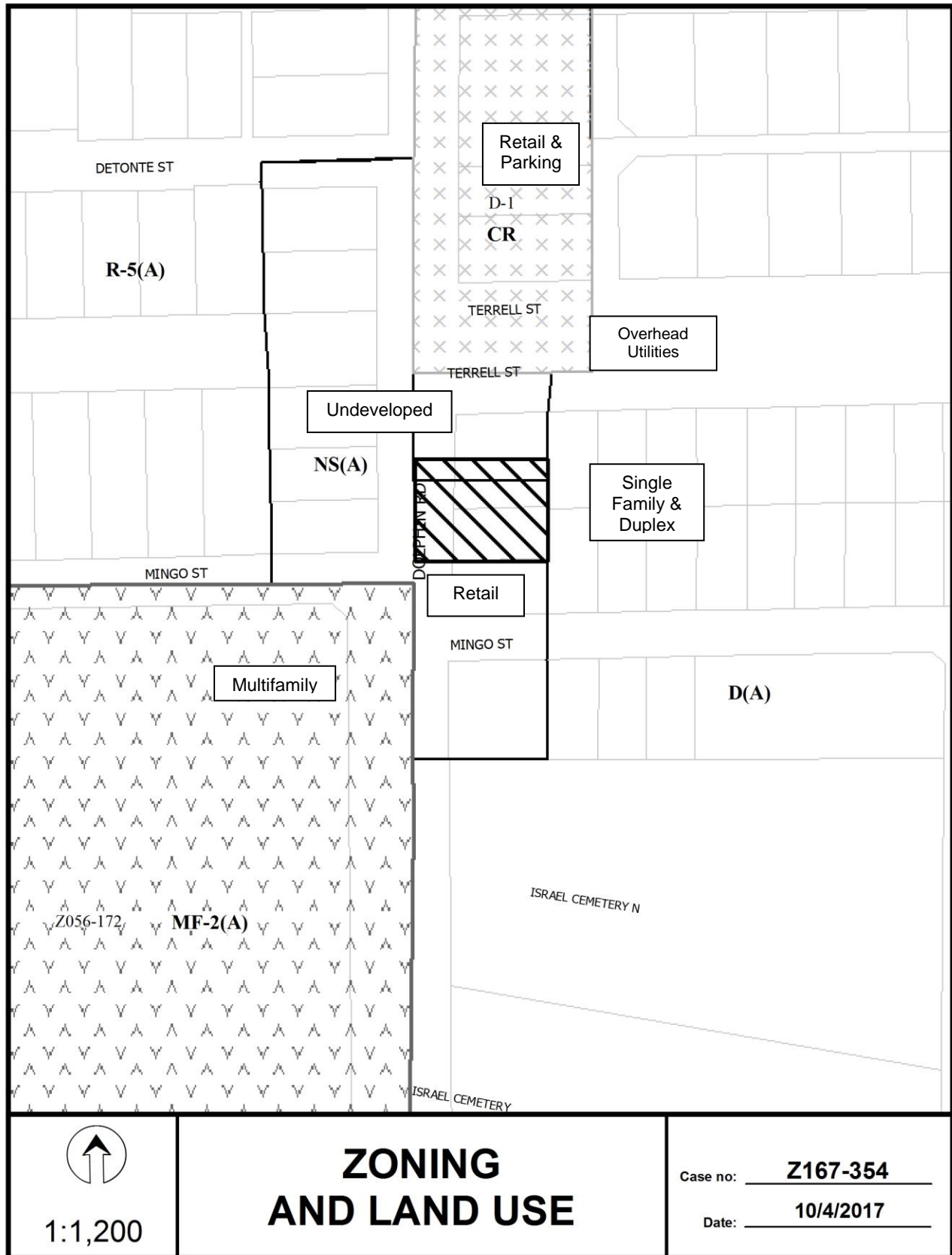


- i. Transportation uses.
  - Commercial bus station and terminal.
  - Heliport.
  - Helistop.
  - Railroad passenger station.
  
- j. Utility and public service uses.
  - Commercial radio or television transmitting station.
  - Electrical substation.
  - Police or fire station.
  - Post office.
  - Radio, television, or microwave tower.
  
- k. Wholesale, distribution, and storage uses.
  - Auto auction.
  - Building mover's temporary storage yard.
  - Contractor's maintenance yard.
  - Freight terminal.
  - Manufactured building sales lot.
  - Mini-warehouse.
  - Office showroom/warehouse.
  - Outside storage.
  - Petroleum product storage and wholesale.
  - Recycling buy-back center.
  - Recycling collection center.
  - Sand, gravel, or earth sales and storage.
  - Trade center.
  - Vehicle storage lot.
  - Warehouse.





An aerial photograph of a residential neighborhood with yellow property lines. A blue rectangle highlights a specific property located between Mingo St and Terrell St, west of Dolphin Rd. The map includes labels for streets: DETONTE ST, TERRELL ST, MINGO ST, and DOLPHIN RD. A large area in the bottom right is labeled ISRAEL CEMETERY. A north arrow and scale of 1:1,200 are in the bottom left.



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

The number '0' indicates City of Dallas Ownership

 <p>1:1,200</p>	<h2 style="margin: 0;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px; text-align: center;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px; text-align: center;">26</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	<p>Case no: <b>Z167-354</b></p> <p>Date: <b>10/4/2017</b></p>
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10/04/2017

***Notification List of Property Owners******Z167-354******26 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4706 DOLPHIN RD	FELDER JAMES
2	2614 S HASKELL AVE	TEXAS UTILITIES ELEC CO
3	3331 DETONTE ST	PROGRESSIVE BAPTIST CHURCH
4	4807 DOLPHIN RD	ROYAL KINGSQUEST LLC THE
5	3327 MINGO ST	RICHARDS REGISS R
6	3331 MINGO ST	KING BENNIE
7	4705 DOLPHIN RD	ALEXANDER WILBURN JR
8	4701 DOLPHIN RD	FRAZIER REVITALIZATION
9	4644 DOLPHIN RD	CONGREGATION SHEARITH
10	4800 DOLPHIN RD	GOOD LUCK FAMILY L P
11	4806 DOLPHIN RD	ABRAHA FESSEHAIE T
12	3410 TERRELL AVE	SD HOME DESIGN LLC SERIES C
13	4702 DOLPHIN RD	BROWN JERRY LIFE ESTATE
14	3409 TERRELL AVE	WORKS G W &
15	3415 TERRELL AVE	WORKS GEORGE W JR ET AL
16	3419 TERRELL AVE	HAMPTON FINANCIAL
17	3423 TERRELL AVE	ROBINSON DORIS &
18	3427 TERRELL AVE	DESOTO REAL ESTATE
19	3427 MINGO ST	ADDISON OLIVIA &
20	3423 MINGO ST	MINGO LTD
21	3415 MINGO ST	BENNETT JOHN T & LOLENE
22	3411 MINGO ST	FOWLER ALLEN EST ET AL
23	4648 DOLPHIN RD	TOPLETZ INVESTMENTS
24	3410 MINGO ST	JENKINS CHAPEL AME CHURCH
25	3418 MINGO ST	EARVIN RUTH
26	4645 DOLPHIN RD	CARPENTERS POINT LP

**Planner: Warren F. Ellis**

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

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**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 fueling station to be developed on the site. The applicant is requesting several modifications to the landscaping regulations. The applicant is in discussions with the City's Park and Recreation Department to use the adjacent undeveloped tract of land for additional surface parking. The adjacent park land is not a part of this request.

**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. The City Plan Commission subsequently held this case under advisement on the following dates: August 4, 2016; October 6, 2016; November 10, 2016; January 19, 2017; March 16, 2017; April 27, September 7, 2017 and October 5, 2017.

## **BACKGROUND INFORMATION:**

- 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.
- 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].
- The applicant has redesigned the site to incorporate a one-story, general merchandise or food store with a fueling station and the required off-street parking spaces on site. The original request to incorporate a portion of the Bachman Creek Greenbelt for surface parking is no longer a part of this request.
- The applicant is requesting to modify the landscape requirements due to the size of the site.

**Zoning History:** There has been one zoning case in the area within 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.

**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 a reduction in the landscape requirements for a proposed 5,773 square foot general merchandise or food store with a fueling station. A general merchandise or food store greater than 3,500 square feet is permitted by right in a CR Community Retail District.

The proposed Planned Development District for a 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 greater 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.

In addition, the applicant is seeking City Council approval to use the adjacent lot that is owned by the City of Dallas. The adjacent lot is not part of the request. However, if the City Council approves the use of the adjacent lot, the lot will be used for additional off-street parking for the proposed use and for individuals seeking to use the Bachman Lake Park.

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

**Development Standards:**

<b>DISTRICT</b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
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 landscape plan. Due to the site's configuration, the landscape requirements for site trees and street trees will not be in compliance with Article X. Below is a comparison chart that shows the differences between Article X requirements and the applicant's proposal. In addition, there is an underground utility easement that runs along West Northwest Highway and as a result could affect the type of plant materials (i.e., street trees) that may be installed.

REQUIRED ORDINANCE	PROVIDED
PROTECTED TREE MITIGATION - REPLACEMENT TREES MUST EQUAL, IN CALIPER, THE CALIPER OF PROTECTED TREES REMOVED. (ASSUME NO MITIGATION AT PRELIM) REFER TO DEMO SHEET	EXISTING TREES TO REMAIN = ALL NO NEW TREES PLANTED FOR MITIGATION
<b>SITE TREES</b> – 10 REQUIRED: ONE 2" CALIPER TREE PER 4,000 S.F. OF LOT AREA WITH MINIMUM OF 4 TREES. NO ONE SPECIES MAY CONSTITUTE MORE THAN 30% OF REPLACEMENT TREES. 38,768.73 S.F. / 4,000 S.F. = 9.69 (10) TREES	13 PROVIDED
<b>STREET TREES</b> – 4 REQUIRED: MUST HAVE ONE 3" CALIPER TREE PER 50' OF STREET FRONTAGE WITH A MINIMUM OF 2 TREES.  LEMMON AVENUE = 0' / 50' = 0 TREES  NORTHWEST HIGHWAY = 159' / 50' = 3.18 (4) TREES	1 PROVIDED
<b>PARKING LOT TREES</b> - ALL REQUIRED PARKING SPACES MUST BE LOCATED WITHIN 120' OF THE TRUNK OF A LARGE CANOPY TREE. PARKING LOT TREES MAY NOT BE PLANTED CLOSER THAN 2.5' TO THE PAVED PORTION OF THE PARKING LOT.	MEETS CODE
<b>DESIGN STANDARDS</b> - MUST PICK TWO.  1. SCREENING OF OFF STREET PARKING 2. ENHANCED PEDESTRIAN WALKWAYS	MEETS CODE  1) ENHANCED PEDESTRIAN WALKWAY (SCORED & STAINED CONCRETE) CONCRETE TO BE STAINED WITH SCOFIELD REVIVE STAIN USING COLOR WESTWOOD BROWN: STAMPED CONCRETE

**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 5,773 square-foot buildable floor area, the applicant is required to provide 31 parking spaces, as depicted on the proposed development plan.



**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

<b>PROPOSED PDD CONDITIONS</b>
--------------------------------

**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.

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

See Article VI.

**SEC. 51P- .110. LANDSCAPING.**

- (a) Landscaping must be provided in accordance with the landscape plan.
- (b) 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.

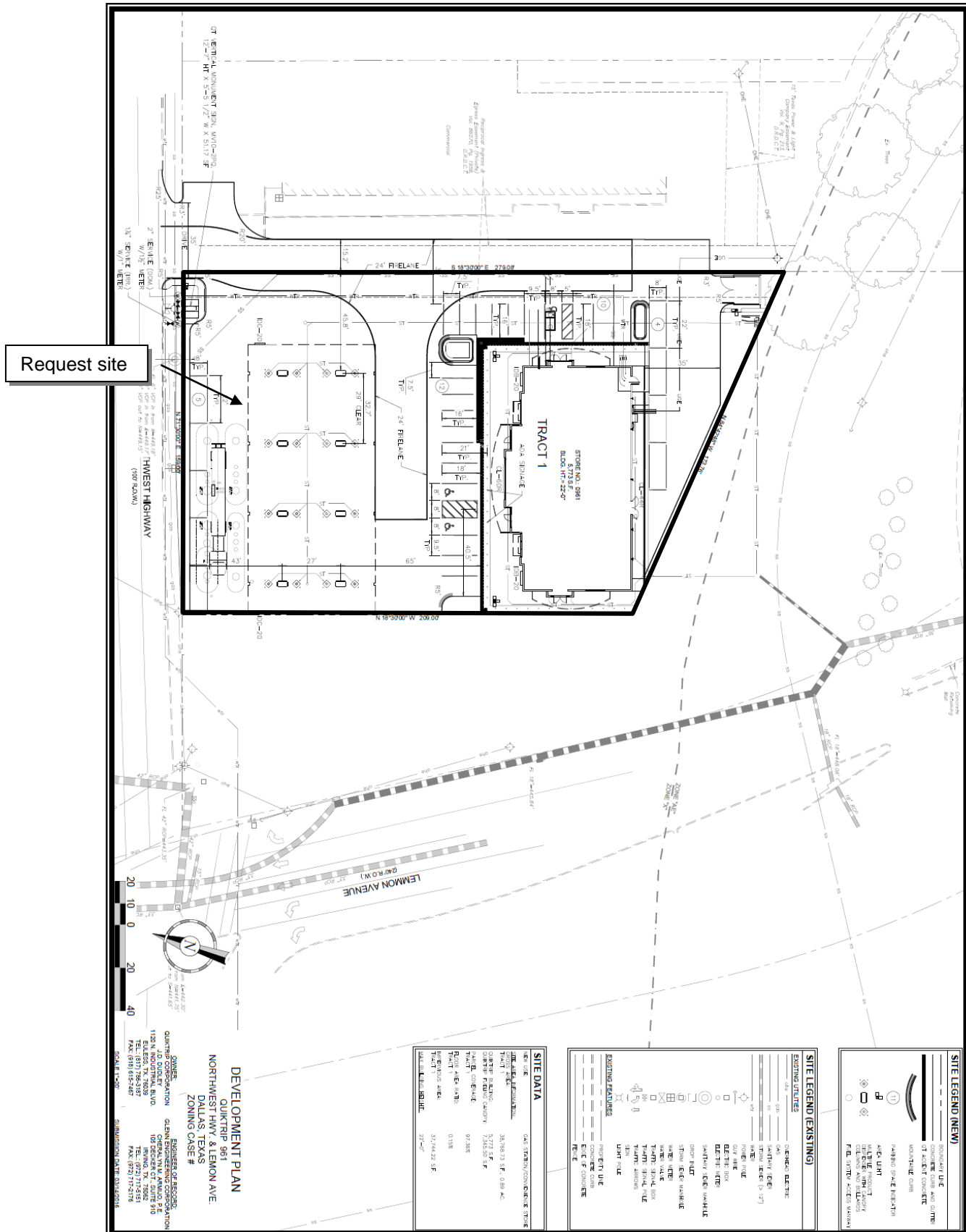
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

**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.

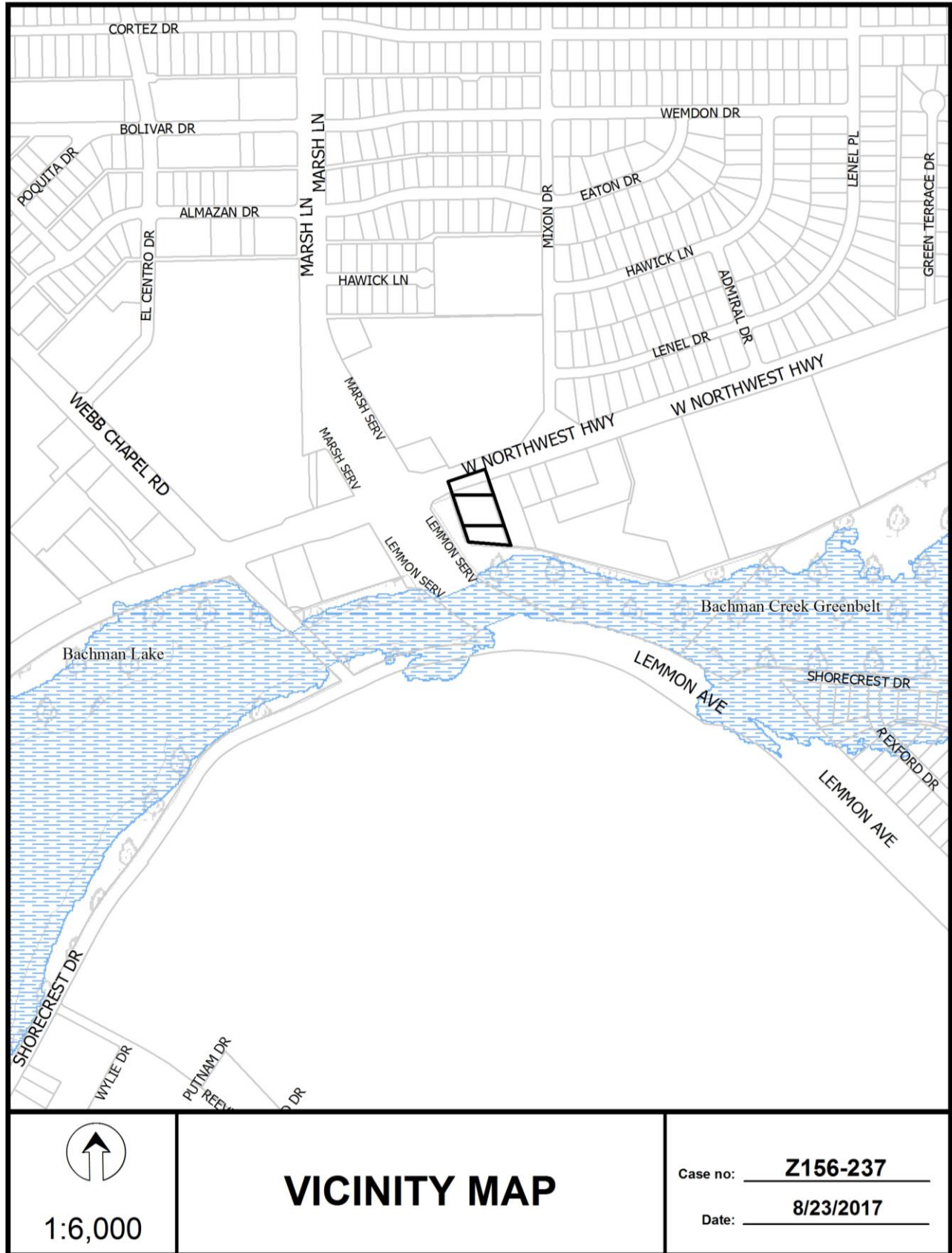
## PROPOSED DEVELOPMENT PLAN



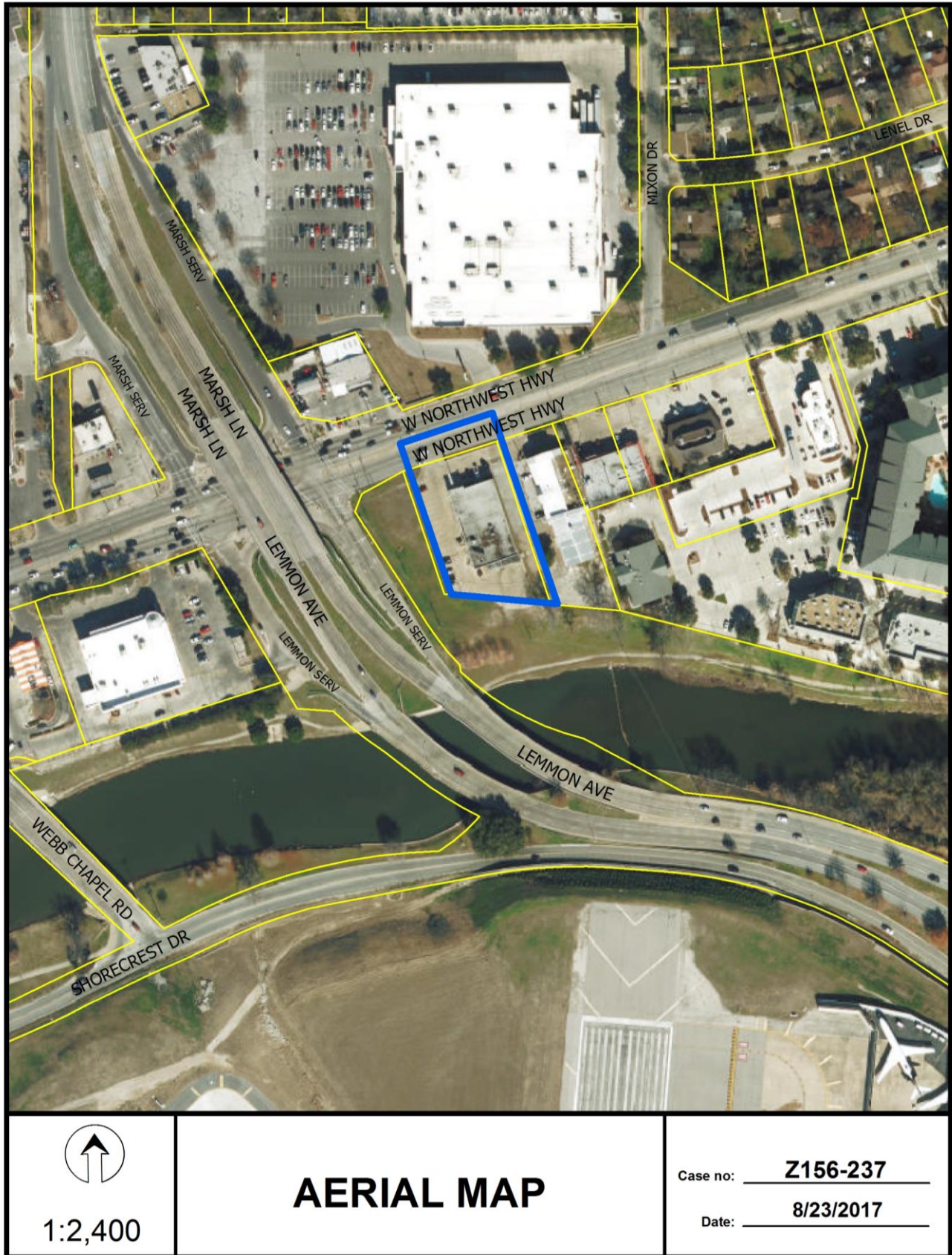


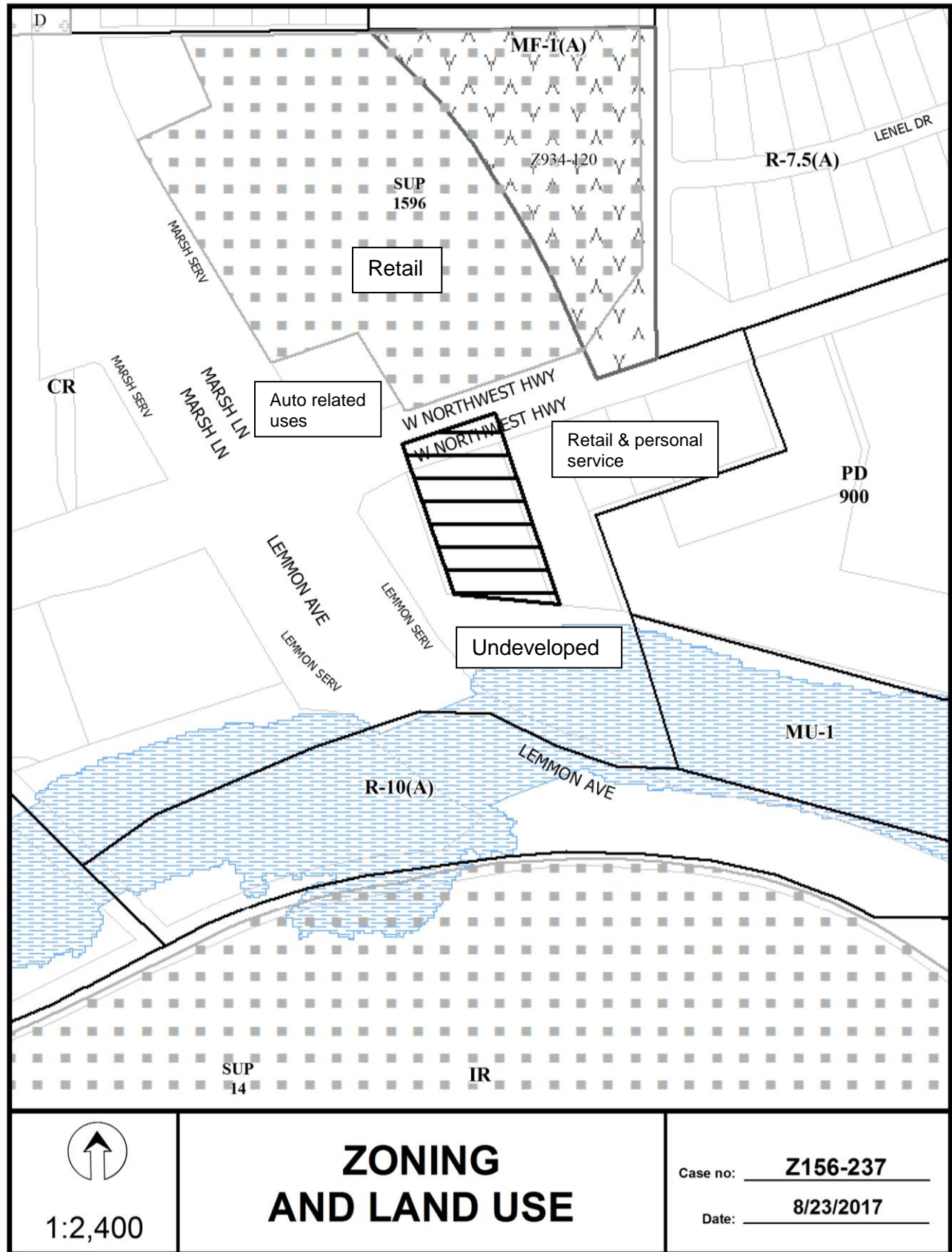


Z156-237(WE)

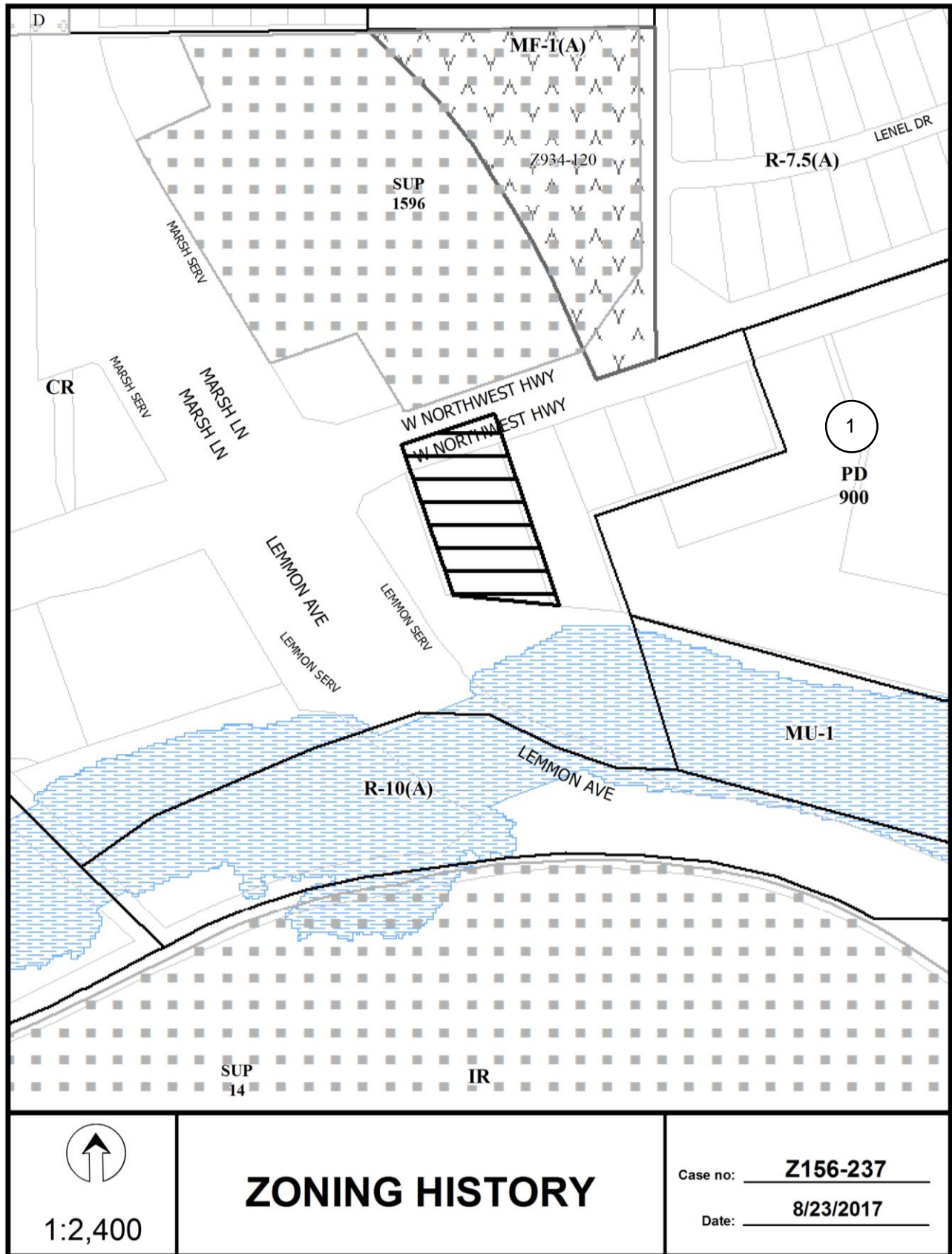




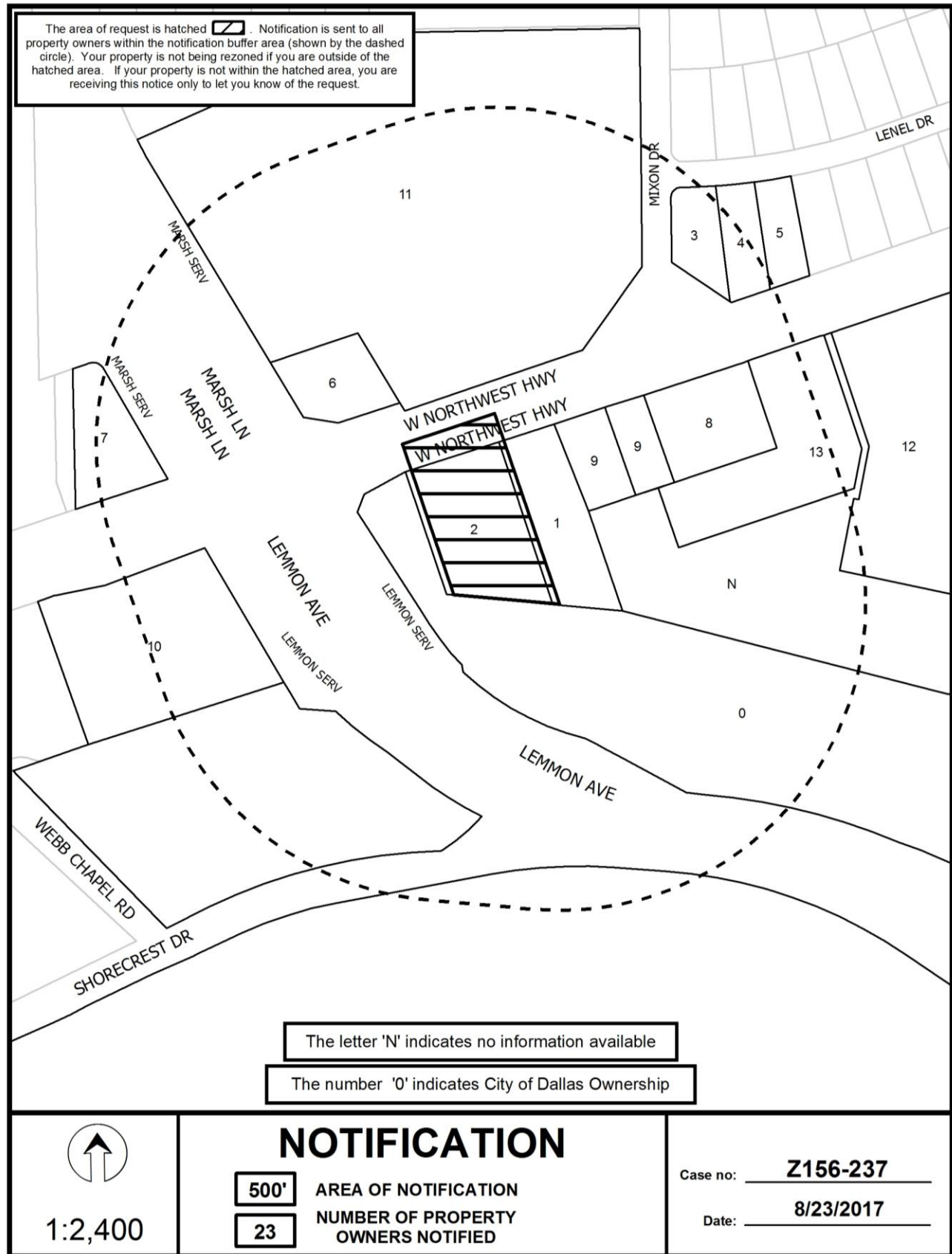












## ***Notification List of Property Owners***

***Z156-237***

***23 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3750 W NORTHWEST HWY	ADMIRAL FLAG INC
2	3740 W NORTHWEST HWY	QUIKTRIP 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:** Z167-321(WE) **DATE FILED:** June 6, 2017**LOCATION:** North Zang Boulevard and East 6<sup>th</sup> Street, southeast corner**COUNCIL DISTRICT:** 1 **MAPSCO:** 54-D**SIZE OF REQUEST:** Approx. 1.2017 acres. **CENSUS TRACT:** 42.01

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**APPLICANT:** Magnolia Property Company**OWNER:** Irwin Herbert Sherry and Dalia Dafney Sherry Trust No. 1 – Irwin Sherry**REPRESENTATIVE:** Rob Baldwin  
Baldwin Associates**REQUEST:** An application for a new subdistrict on property zoned Subdistrict E within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, with a SH Shopfront Overlay, and the termination of existing deed restrictions [Z867-185 No. 3].**SUMMARY:** The purpose of this request is to create a live/work development within the mixed-use shopfront development type and designate 6<sup>th</sup> Street as a side street instead of a primary street. In addition, the applicant is requesting to terminate the existing deed restrictions. The deed restrictions limit the property to NO(A) Neighborhood Office District regulations and uses and a drug store.**STAFF RECOMMENDATION:** Approval, subject to a revised development plan and conditions; and approval of the termination of existing deed restrictions.**PREVIOUS CPC ACTION:** On October 19, 2017, the City Plan Commission held this case under advisement to November 9, 2017.

## **BACKGROUND INFORMATION:**

- In February 2009, the City Council approved Article XIII, which created the form based zoning districts. The Form Based Districts provides an additional tool for the implementation of ForwardDallas! and to create walkable urban neighborhoods where higher density mixed uses and mixed housing types promote less dependence on the automobiles.
- On May 13, 2015, the City Council adopted Ordinance No. 29743 which enlarged and amended Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, to adopt form district regulations with modifications and created 10 Shopfront Overlays.
- The Shopfront Overlay is intended to create pedestrian shopping streets through the designation of specific street frontages with development types that support the active use. In addition, a “Primary Street” means the principal frontage for a building site. Any street designated with a SH overlay is a primary street.
- The applicant’s request for a Planned Development Subdistrict will allow for construction of a three story, 61-unit multifamily development with approximately 2,500 square feet of retail space. The applicant proposes to designate approximately 11 live/work units as well as designate West 6<sup>th</sup> Street as a side street instead of a primary street.
- The applicant also proposes to terminate the deed restrictions on the property. The deed restrictions restrict the development to NO(A) Neighborhood Office District uses and a drug store as a limited use.
- The surrounding properties are developed with office and multifamily uses. Properties east of the site, across North Beckley Avenue, are developed with single family uses.

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

1. Z156-222 On September 14, 2016, the City Council approved a new subdistrict and the reduction of Shopfront Overlay No. 7 on properties zoned Subdistrict E, WMU-8 within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District.

2. Z145-341 On November 10, 2015, the City Council approved a Demolition Delay Overlay District on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7 in an area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8<sup>th</sup> Street, Davis Street, Zang Boulevard, both sides of West 8<sup>th</sup> Street, North Adams Avenue, properties on the south side of West 7<sup>th</sup> Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5<sup>th</sup> Street, and Zang Boulevard.
3. Z134-135 On March 26, 2014, the City Council approved a Specific Use Permit for a child-care facility on property zoned Tract 2B in Planned Development District No. 160.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West 6 <sup>th</sup> Street	Local	60 ft.	60 ft.
North Beckley Avenue	Collector	60 ft.	60 ft.
Zang Boulevard	Minor Arterial	115 ft.	115 ft.

**Land Use:**

	Zoning w/in PDD No. 468	Land Use
<b>Site</b>	Subdistrict E, WMU-8 w/deed restrictions	Office, surface parking
<b>North</b>	Subdistrict E, WMU-8 w/deed restrictions	Single Family
<b>South</b>	Subdistrict E, WMU-8 w/deed restrictions	Office, surface parking
<b>East</b>	Subdistrict A, RTN	Single Family
<b>West</b>	Subdistrict B, WR-3	Multifamily

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



## 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.

The Oak Cliff Gateway Area is envisioned as a regional town center of Southwest Dallas, characterized by an economically vibrant and environmentally sustainable mix of moderate to high density residential and non-residential land uses, supported by an enhanced system of streets and open spaces. The goals of this special purpose district are as follows:

- 1) Encourage development that creates a diverse mix of compatible land uses designed to support a pedestrian, bicycle and transit friendly environment, reduce the dominance of visible parking, and reduce environmental impacts.
- 2) Create a network of well-maintained, publicly-accessible open spaces with a range of sizes and functions, designed to enhance the quality of life for the growing resident population and workforce.
- 3) Create a network of connected streets and pathways designed to enhance the multi-modal accessibility while reducing automobile-dependence through improvements that support pedestrian, bicycle, and transit circulation.

### STAFF ANALYSIS:

**Land Use Compatibility:** The 1.2017-acre site is developed with a vacant one-story office building with surface parking. The request site is immediately adjacent to office uses, surface parking and a single-family dwelling. The existing development that surrounds the request site consists of single family uses, multifamily uses and an office use. In addition, the subject site is located within 600 feet of a trolley station.

The applicant's request for a new subdistrict within PDD No. 468 will provide a live/work environment within a three-story, 64,750 square foot mixed-use development. The existing structure will be razed to allow for a mixed-use development, consisting of 61 multifamily units; of which, 11 units will be designated as live/work units. In addition, the mixed-use development will have approximately 2,500 square feet of retail space, which will be located on the ground level. The request site is regulated by PDD No. 468, the Oak Cliff Gateway Special Purpose District, and Article XIII: Form District. There are two Form District designations on the site; a Walkable Urban Mixed Use (WMU-8) District and a Shopfront Overlay.

The Walkable Urban Mixed Use (WMU-8) District is intended to accommodate a mix of compatible uses in close proximity to one another in a pedestrian-friendly environment. The Shopfront (-SH) Overlay is intended to create pedestrian shopping streets through the

designation of specific street frontages with development types that support active uses. The WMU-8 District permits a maximum height of 125 feet and eight stories. The proposed development will have pedestrian type activities on the ground level and the livable units on the upper levels.

The applicant has identified three development types within the area proposed for the new subdistrict that supports pedestrian activity. The three development types are Mixed Use Shopfront, Apartment, and Open Space Lot. The proposed development will be oriented towards the street frontages, Zang Boulevard, West 6<sup>th</sup> Street and North Beckley Avenue; with the surface parking being located within the site's interior. In addition, the applicant has requested to designate West 6<sup>th</sup> Street as a side street. By designating West 6<sup>th</sup> Street as a side street, the portion of the building's frontage that is located between 5 feet and 15 feet from the property line is reduced from 90 percent to 40 percent. There are two development standards changes that will also occur if the street frontage designation is changed from a primarily street to a side street. These changes are associated with the ground story transparency and the parking setback. A primarily street requires that the transparency on the ground story is 50 percent compared to 20 percent for side street and the parking setback will be reduced from 30 feet to 5 feet.

Staff does not believe that the change in the street designations will have a negative impact on the adjacent uses, across West 6<sup>th</sup> Street. The Shopfront Overlay will have pedestrian activities along the street frontages. If the Commission recommends retaining West 6<sup>th</sup> Street as a primary street, the applicant will have to revised the development plan to reflect the parking setback of 30 feet and comply with the transparency requirement of 50 percent on the ground story.

Although not proposed, a Townhouse Stacked Development type would also be allowed and would follow similar form prescriptions, but allows for residential or office uses on the ground floor.

Below is a chart showing the differences between the Mixed-Use Shopfront, Apartment, and Townhouse and Townhouse Stacked Development Type Standards for Form Districts.

	<b>Mixed Use Shopfront</b>	<b>Apartment</b>	<b>Townhouse and Townhouse Stacked</b>
Primary Street Frontage (minimum)	90%	70%	70%
Side Street Frontage (minimum)	40%	40%	40%
Ground Story Height (minimum/maximum ft.)	15 / 30	10 / 15	10 / 15
Minimum Ground-Story Transparency along Primary Streets	50% (measured between 0 and 10 feet above adjacent sidewalk)	30% (measured from floor to floor)	30% (measured from floor to floor)
Building Entrance			

Spacing (maximum linear ft.)	100 feet	None	None
Blank Wall Area on Primary Street (max linear ft.)	20	30	30
Ground-Story Shopfront Windows	Minimum 60% of surface area on street level	N/A	N/A
Ground Story Transparency (Primary Street)	50%	30%	30%
(Side Street)	25%	25%	25%
Upper Story Transparency (Primary Street)	20%	20%	20%
(Side Street)	20%	20%	20%

Lastly, the applicant is requesting to terminate the existing deed restrictions on the property. The existing deed restrictions limit the development and uses on the property to the NO(A) Neighborhood Office District and a drug store use. Staff has reviewed and supports the applicant's request for a new subdistrict within Planned Development District No. 468 and termination of the deed restrictions on a portion.

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

**Parking Requirement:** Planned Development District No. 468 parking requirement for a live/work unit is one space per live/work unit. If the nonresidential component of this use exceeds 1,000 square feet of floor area, off-street parking must be provided as if the nonresidential component is a main use. Off-street loading is not required.

The applicant has three options to choose from in deciding which parking reduction is more appropriate for the proposed development, due to the close proximity to public transit. Two of the three options are outlined below from Planned Development District No. 468 and the third option is from Article XIII, the Form District. The applicant proposes to use the five percent parking reduction requirements from Article XIII.

a. The off-street parking requirements for all uses except office, restaurant, and alcoholic beverage establishments may be reduced by up to 10 percent if the use is within 1,200 feet, measured as a pedestrian would walk, of a DART light rail station at which DART light rail service is available with train headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday), or a DART bus stop or trolley stop at which DART bus service or trolley service is available with bus or trolley headways at

least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday) or

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

c. To receive a parking reduction under Article XIII, the building official may approve a five percent reduction in the number of required parking spaces for uses with a main entrance within a 600-foot walking distance of an improved bus or trolley transit stop providing both shade and seating. This reduction will be granted only where a rail transit station is not available.

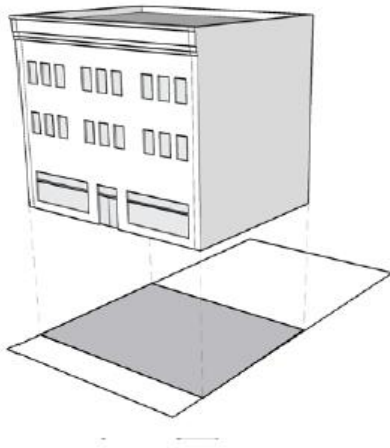
The proposed development is adjacent to a trolley service and as a result will receive a five percent parking reduction. The number of parking spaces required is 72 spaces and the applicant is providing 73 spaces, as a result of the parking reduction.

**Development Standards:****Mu**

Sec. 51A-13.304. Development Types.

**(b) Mixed Use Shopfront.**

mixed use shopfront

**(1) Definition.**

A development type intended primarily for ground-story retail and upper-story residential or offices uses.

Ground-story spaces should be flexible enough to accommodate a variety of retail and office uses. Upper stories should be used for offices or residential apartments. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking areas must be located to the rear of the building. Primary entrances must be prominent and street-facing. Large storefront windows must be provided to encourage interaction between the pedestrian and the ground-story space.

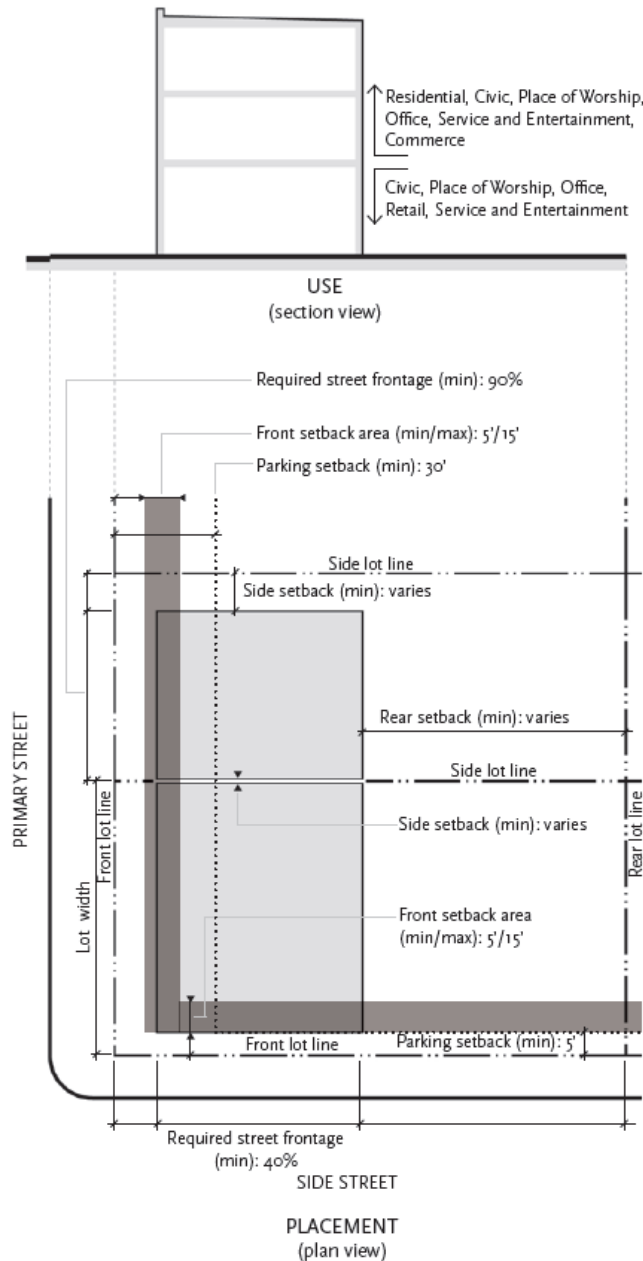
**(2) Character Examples.**

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.

**(3) Districts permitted.**

LOW: WMU-3, WMU-5  
 MEDIUM: WMU-8, WMU-12  
 HIGH: WMU-20, WMU-40  
 OVERLAY: -SH



**(4) Use and Placement.****BUILDING USE**

A summary of permitted uses by story is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses." No nonresidential use is permitted above a residential use.

**BUILDING PLACEMENT****LOT**

Area (min sf)	none
Area (max sf)	none
Width (min ft)	none
Width (max ft)	none
Lot coverage (max)	100%

**FRONT SETBACK AREA**

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

**REQUIRED STREET FRONTAGE**

Primary street (min)	90%
Side street (min)	40%
Service street (min)	none

**PARKING SETBACK**

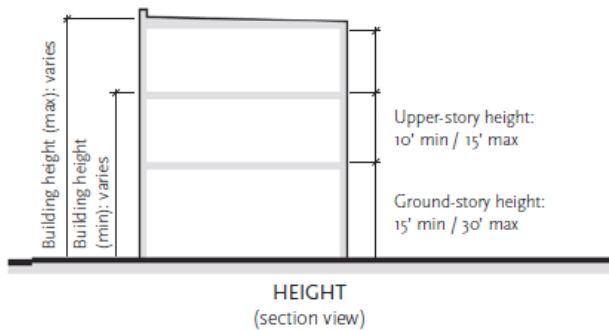
From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting single family district (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

**SIDE SETBACK**

Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

**REAR SETBACK**

Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5
Abutting service street (min ft)	10

**(5) Height and Elements.****BUILDING HEIGHT****HEIGHT**

Building height (max stories/ft)	See Section 51A-13.302, "Height"
Building height (min stories)	
WMU-3, -5, -8, -12	2
WMU-20	4
WMU-40	5

**STORY HEIGHT**

Ground story (min/max ft)	15/30
Upper story (min/max ft)	10/15

**BUILDING FACADE****GROUND-STORY TRANSPARENCY**

Primary street facade (min)	50%
Side street facade (min)	25%
Service street facade (min)	none

*Measured between 0 and 10 ft above adjacent sidewalk.*

**UPPER-STORY TRANSPARENCY**

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none

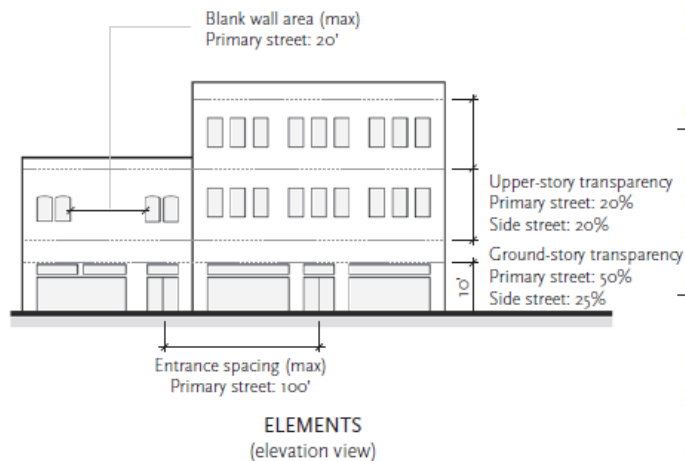
*Measured from floor to floor.*

**ENTRANCE**

Primary street	required
Entrance spacing (max linear ft)	100
Side street	allowed
Service street	allowed

**BLANK WALL AREA**

Primary street (max linear ft)	20
Side street (max linear ft)	none
Service street (max linear ft)	none

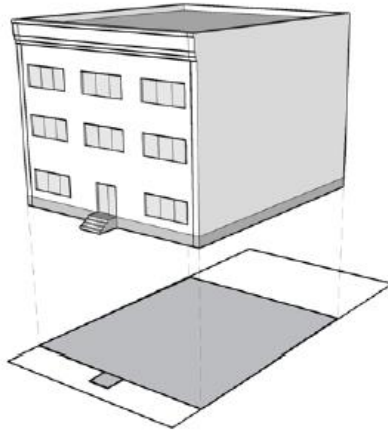


**(6) Ground-Story Shopfront Windows.**

A minimum of 60 percent of the street-fronting, street-level window pane surface area must allow views into the ground-story use for a depth of at least four feet. Windows must be clear or unpainted, or, if treated, must be translucent. Spandrel glass or backpainted glass does not comply with this provision.

Apt

apartment

**(e) Apartment.****(1) Definition.**

A development type containing three or more dwelling units consolidated into a single structure.

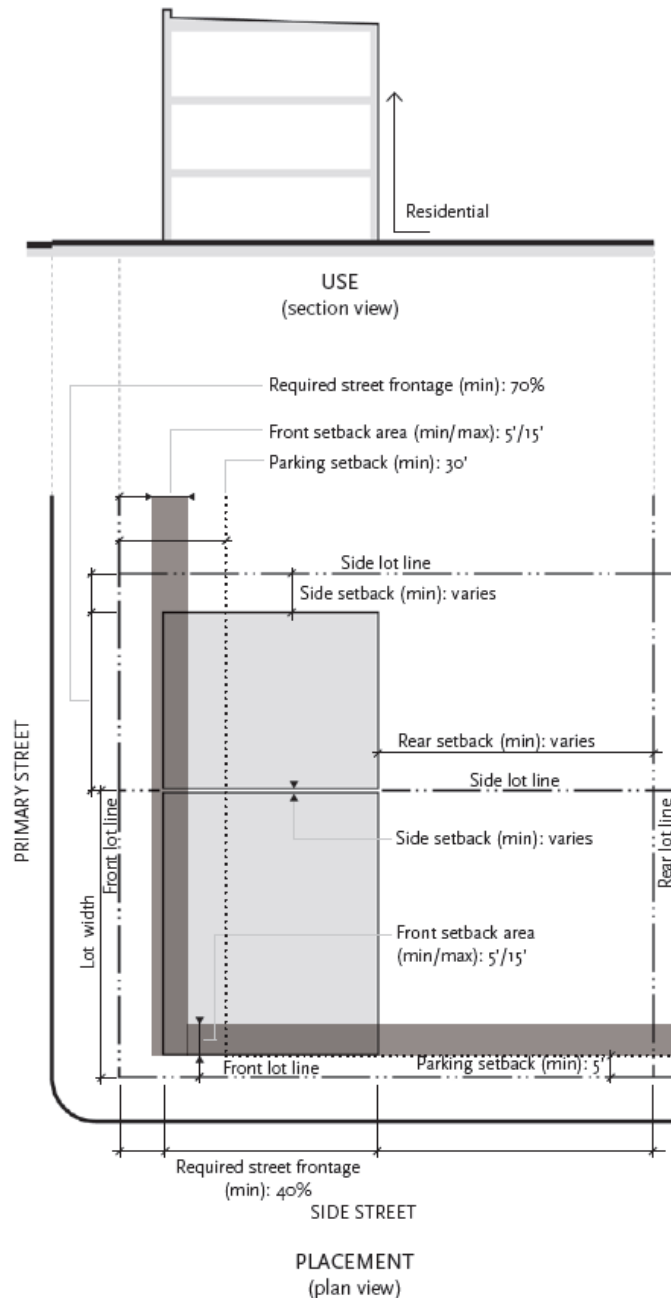
An apartment contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking must be located to the rear of the building. The building often shares a common entrance. Primary entrances must be prominent and street-facing. An elevated ground floor for residential uses is recommended to ensure privacy.

**(2) Character Examples.**

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.

**(3) Districts Permitted.**

LOW:	WMU-3, WMU-5	WR-3, WR-5
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12
HIGH:	WMU-20, WMU-40	WR-20, WR-40

**(4) Use and Placement.****BUILDING USE**

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

**BUILDING PLACEMENT****LOT**

Area (min sf)	none
Area (max sf)	none
Width (min ft)	none
Width (max ft)	none
Lot coverage (max)	80%

**FRONT SETBACK AREA**

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

**REQUIRED STREET FRONTAGE**

Primary street (min)	70%
Side street (min)	40%
Service street (min)	none

**PARKING SETBACK**

From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

**SIDE SETBACK**

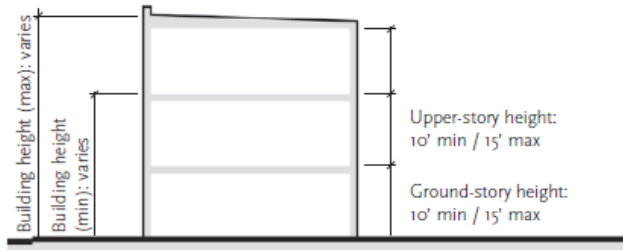
Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

**REAR SETBACK**

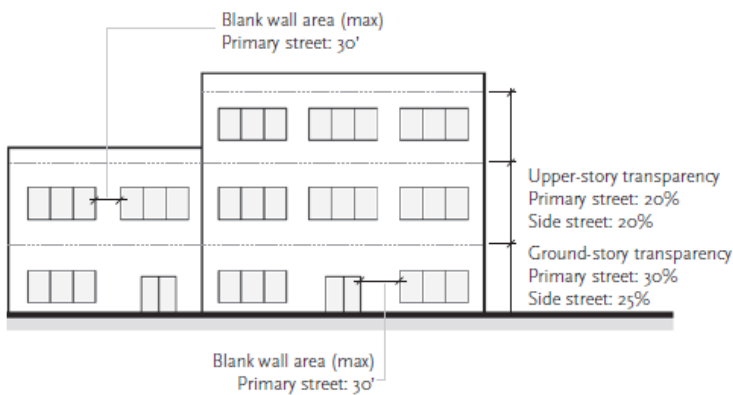
Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5
Abutting service street (min ft)	10



## (5) Height and Elements.



HEIGHT  
(section view)



ELEMENTS  
(elevation view)

### BUILDING HEIGHT

#### HEIGHT

Building height (max stories/ft)	See Section 51A-13.302, "Height"
Building height (min stories)	
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	2
WMU-20 WR-20	4
WMU-40 WR-40	5

#### STORY HEIGHT

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

### BUILDING FACADE

#### GROUND-STORY TRANSPARENCY

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

#### UPPER-STORY TRANSPARENCY

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

#### BUILDING ENTRANCE

Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

#### BLANK WALL AREA

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

**(6) Landscaping.**

(A) General landscaping standards are set forth in Section 51A-13.304(a)(2), "Landscaping."

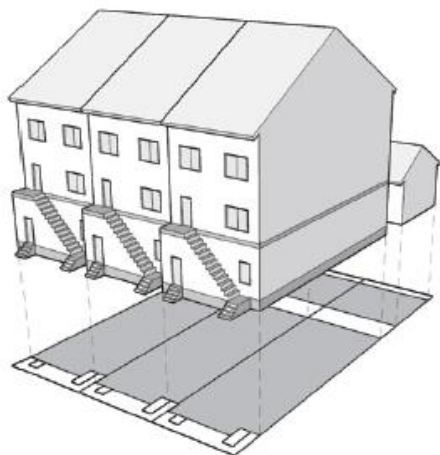
(B) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.

(C) Site trees must be evenly distributed throughout the development.

(D) Required landscaping may be provided aboveground when configured as on-site open space in accordance with Section 51A-13.303, "Open Space."

**Ts**

townhouse stacked

**(f) Townhouse Stacked.****(1) Definition.**

A development type with six or more attached units consolidated into a single structure that creates separate ground-story units for residential or office purposes.

Each unit shares a common side wall and a common floor or ceiling. Units are stacked vertically, however, no more than one unit is permitted above another unit. Each building must contain at least three units horizontally (six units total). Each unit typically has its own external entrance. No on-site surface parking is permitted between the building and the street. Garages facing the primary street are not permitted. An elevated ground floor for residential uses is recommended to ensure privacy.

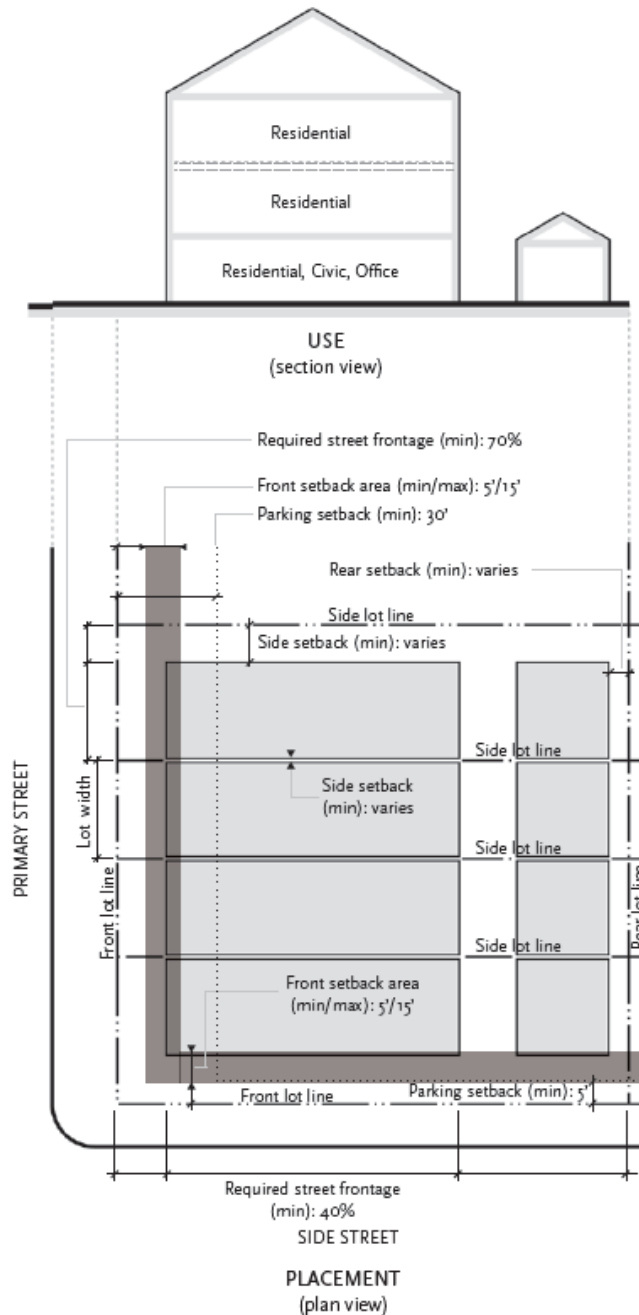
**(2) Character Examples.**

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.

**(3) Districts Permitted.**

LOW:	WMU-3, WMU-5	WR-3, WR-5
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12

## townhouse stacked

**(4) Use and Placement.****BUILDING USE**

A summary of permitted uses by story is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

**BUILDING PLACEMENT****LOT**

Area (min sf)	1,200
Area (max sf)	none
Width (min ft)	16
Width (max ft)	none
Lot coverage (max)	80%

**FRONT SETBACK AREA**

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

**REQUIRED STREET FRONTAGE**

Primary street (min)	70%
Side street (min)	40%
Service street (min)	none

**PARKING SETBACK**

From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

**SIDE SETBACK**

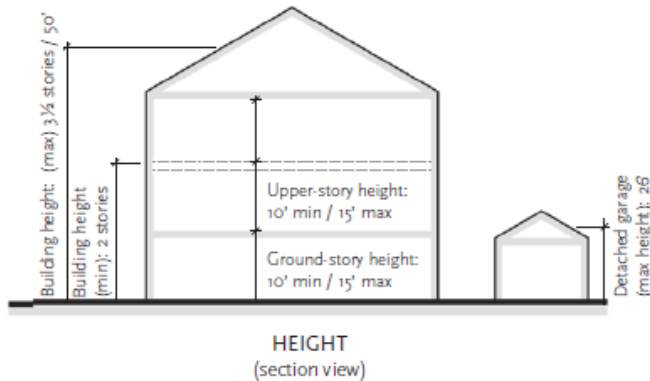
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

**REAR SETBACK**

Abutting single-family district (min ft)	24
Abutting multifamily or nonresidential district (min ft)	24
Abutting alley (ft)	3 or 20 or more
Abutting service street (ft)	3 or 20 or more

## townhouse stacked

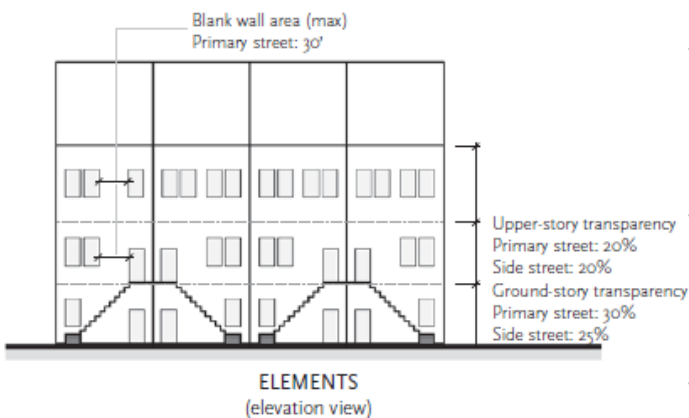
## (5) Height and Elements.

**BUILDING HEIGHT****HEIGHT**

Building height (max stories/ft)	
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	3 1/2 / 50
Building height (min stories)	
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	2
Detached garage (max ft)	26

**STORY HEIGHT**

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

**BUILDING FACADE****GROUND-STORY TRANSPARENCY**

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**UPPER-STORY TRANSPARENCY**

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**BUILDING ENTRANCE**

Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

**BLANK WALL AREA**

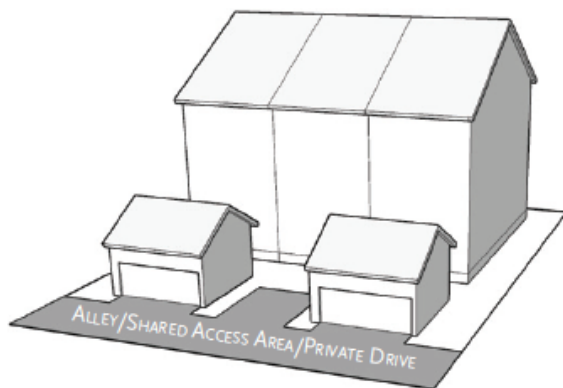
Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none



townhouse stacked

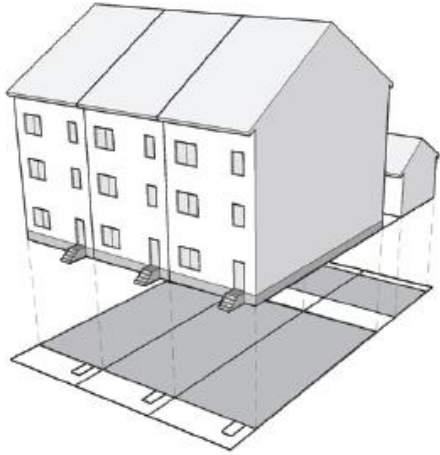
**(6) Garage Placement.**

- (A) Except for an alley, no garage access is permitted from a public street.
- (B) All vehicular access must be to the rear of the building.
- (C) Where the garage is less than 20 feet from the alley, an automatic garage door opener is required.

**(7) Landscaping.**

- (A) General landscaping standards are set forth in Section 51A-13.304(a)(2), "Landscaping."
- (B) One site tree must be provided in the front yard for each two units stacked vertically on an individually platted lot.
- (C) If more than two units stacked vertically are located on the same lot, the following requirements apply:
  - (i) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of one site tree must be provided for each set of two units stacked vertically, whichever is greater.
  - (ii) Site trees must be evenly distributed throughout the development.

## townhouse

**(g) Townhouse.****(1) Definition.**

A development type with three or more attached dwelling units consolidated into a single structure.

Each unit must be separated by a common side wall. A townhouse unit must be more than one story in height, however, units must not be vertically mixed. Each unit must have its own external entrance. No on-site surface parking is permitted between the building and the street. Garages facing the primary street are prohibited. In the RTN district, only one unit per lot is permitted. An elevated ground floor for residential uses is recommended to ensure privacy.

**(2) Character Examples.**

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.

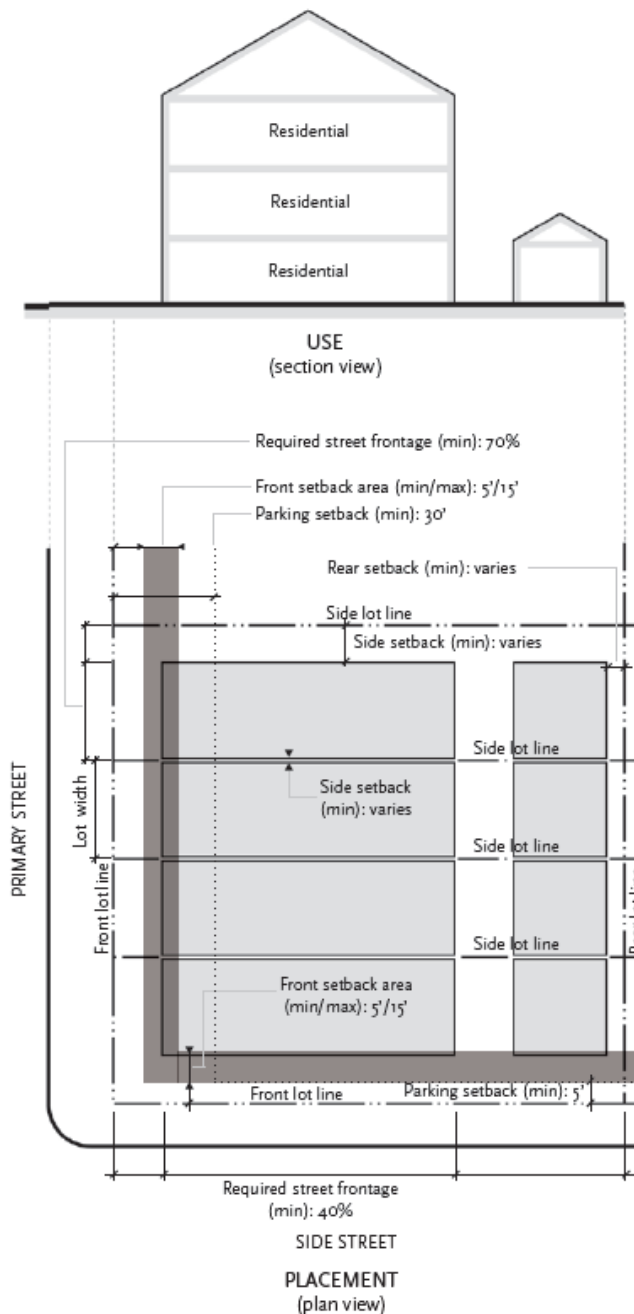
**(3) Districts Permitted.**

LOW:	WMU-3, WMU-5	WR-3, WR-5	RTN
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12	



townhouse

**(4) Use and Placement.**



**BUILDING USE**

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

## BUILDING PLACEMENT

LOT

Area (min sf)	1,200
Area (max sf)	none
Width (min ft)	16
Width (max ft)	none
Lot coverage (max)	80%

FRONT SETBACK AREA

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

### REQUIRED STREET FRONTAGE

Primary street (min)	70%
Side street (min)	40%
Service street (min)	none

### PARKING SETBACK

From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

### SIDE SETBACK

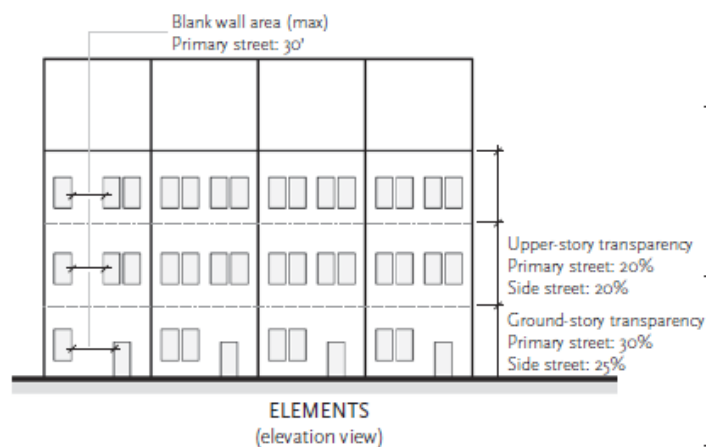
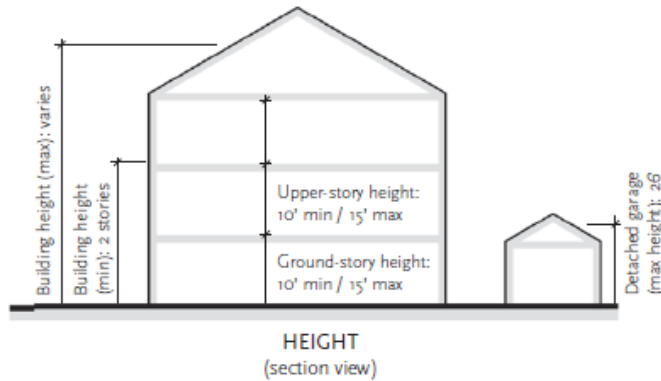
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

## REAR SETBACK

Abutting single-family district (min ft)	24
Abutting multifamily or nonresidential district (min ft)	24
Abutting alley (ft)	3 or 20 or more
Abutting service street (ft)	3 or 20 or more

Th

townhouse

**(5) Height and Elements.****BUILDING HEIGHT****HEIGHT**

Building height (max stories/ft)	
RTN	2½ / 35
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	3½ / 50
Building height (min stories)	
RTN	2
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	2
Detached garage (max ft)	26

**STORY HEIGHT**

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

**BUILDING FACADE****GROUND-STORY TRANSPARENCY**

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**UPPER-STORY TRANSPARENCY**

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**BUILDING ENTRANCE**

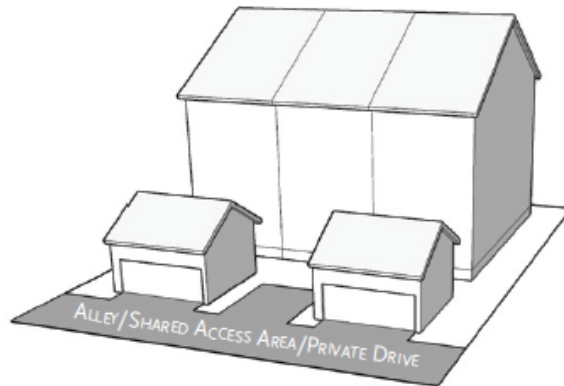
Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

**BLANK WALL AREA**

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

**(6) Garage Placement.**

- (A) Except for an alley, no garage access is permitted from a public street.
- (B) All vehicular access must be to the rear of the building.
- (C) Where the garage is less than 20 feet from the alley, an automatic garage door opener is required.

**(7) Landscaping.**

- (A) General landscaping standards and alternative requirements for shared access developments are set forth in Section 51A-13.304(a)(2), "Landscaping."
- (B) Except in a shared access development, one site tree must be provided in the front yard for a townhouse on an individually-platted lot in all districts.
- (C) In a shared access development or if more than one townhouse unit is located on the same lot, the following requirements apply:
  - (i) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of one site tree must be provided for each individual unit, whichever is greater.
  - (ii) Site trees must be evenly distributed throughout the development.

**(8) Townhouses on Individually-Platted Lots.**

- (A) Except for the foundation, a dwelling unit must be physically separable from contiguous dwelling units in the event of removal of a dwelling unit. Each party wall must be governed by a set of deed restrictions, stipulating that if a dwelling unit is removed, the party wall stays with the remaining dwelling unit.
- (B) Each dwelling unit must have separate utility services; however, general utility services on land owned and maintained by a homeowner's association are allowed.



<b>LIST OF OFFICERS</b>
-------------------------

List of Officers

Applicant/owner:

MPC Zang III LLC

Magnolia Property Company

Randy Primrose, Principal

Eric Little, Principal

Lori Fall, Vice President

Owners:

815 N. Beckley Ave, Lot 7B-- Irwin H & Dalia D Sherry Trust No. 1

Irwin Herbert Sherry and Dalia Dafney Sherry Trust No. 1

Irwin H. Sherry, Trustee

The Lauren Faith Sherry Trust

Irwin H. Sherry, Trustee

The Dean J. Sherry Trust

Irwin H. Sherry, Trustee

**PROPOSED PDD CONDITIONS**

**ARTICLE 468.**

**PD 468.**

**Oak Cliff Gateway Special Purpose District**

**SEC. 51P-468.101. LEGISLATIVE HISTORY.**

PD 468 was established by Ordinance No. 23057, passed by the Dallas City Council on March 12, 1997. Ordinance No. 23057 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23057 was amended by Ordinance No. 23868, passed by the Dallas City Council on April 28, 1999, and Ordinance No. 25866, passed by the Dallas City Council on January 26, 2005.

**SEC. 51P-468.102. PROPERTY LOCATION AND SIZE.**

PD 468 is established on property generally bounded by Interstate 30, the Levee on the east side of the Trinity River, Interstate 35E (South R.L. Thornton Freeway), Marsalis Avenue, Eighth Street, Elsbeth Avenue, Neches Street, Bishop Avenue, Colorado Boulevard, and Beckley Avenue. The size of PD 468 is approximately 842.168 acres.

**SEC. 51P-468.103. PURPOSE.**

This article provides standards specifically tailored to meet the needs of the Oak Cliff Gateway area of the city, which is hereby designated as an area of historical, cultural, and architectural importance and significance to the citizens of the city. The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

- (1) Accommodate the existing mix of uses in the area.
- (2) Protect the internal and adjacent stable residential neighborhoods.
- (3) Preserve and enhance the historical, cultural, and architectural significance of the area while specifically encouraging the future historic designation of the following structures:
  - (A) Polar Bear Ice Cream Stand.
  - (B) Mayor William Sergeant Home.
  - (C) Grace Presbyterian Church.

- (D) Lee Harvey Oswald Boarding House.
- (4) Strengthen the neighborhood identity.
- (5) Create a more desirable pedestrian environment.
- (6) Periodically review proper zoning of the Property

**SEC. 51P-468.104. DEFINITIONS AND INTERPRETATIONS.**

- (a) Unless otherwise stated, the definitions in Chapter 51A apply to this article.
- (b) Unless the context clearly indicates otherwise, in this article:
  - (1) **ACCESSORY DWELLING UNIT** means a dwelling unit accessory to a single family or duplex use that is located in the rear 50 percent of a lot.
  - (2) **ALTERNATIVE ENERGY PLANT** means equipment used to generate power from alternative energy sources using solar panels, turbines, and other power-creating means that have the ability to return some or all of the newly-created power to the energy grid.
  - (3) **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.
  - (4) **AQUARIUM** means an establishment where aquatic animals and plants are kept and exhibited.
  - (5) **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.
  - (6) **ART OR CRAFT PRODUCTION FACILITY** means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.
  - (7) **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 onsite; and more than 50 percent of the guest rooms are internal- entry.

(8) BULB-OUT means the area of the sidewalk or curb line that is extended into the street at sidewalk grade to narrow the street and increase pedestrian space.

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

(10) ENTERTAINMENT COMPLEX means a public, multi-use sports, entertainment, and convention facility where people view and participate in events and performances, including theatrical, musical, and dramatic performances; professional or amateur sporting events; and meetings and assemblages.

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

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

(13) LEGACY BUILDING means:

(A) a building constructed before 1957 that has:

(i) all original street-facing facades remaining;

(ii) a primary street-facing facade located within 15 feet of a right-of-way line;

(iii) a main entrance that faces Colorado Boulevard, Zang Boulevard, Beckley Avenue, Marsalis Avenue, Jefferson Boulevard, Eighth Street, Tenth Street, Lancaster Avenue, Ewing Avenue, or the southbound Interstate 35E service road;

(iv) window and door openings that total at least 20 percent of the street-facing facades; and

(v) off-street parking located 100 percent outside of the required front yard; or

(B) the Grace Presbyterian Church sanctuary building located on Zang Boulevard between Fifth Street and Sixth Street.

(14) LEGACY BUILDING MIXED USE DEVELOPMENT means a project containing at least three different uses developed as a single project and must include at least one use in a legacy building.

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

(16) LIVE/WORK UNIT means an interior space that combines a single occupancy residential use and an office or retail and personal service use. A live/work unit is considered a nonresidential use.

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

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

(19) MIXED USE DEVELOPMENT means a combination of any two categories of permitted main uses on a building site.

(20) MOBILE FOOD ESTABLISHMENT means a container or vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes mobile food preparation vehicles and pushcarts.

(21) NEW CONSTRUCTION means construction of a main structure that did not exist on May 13, 2015 or permitted work that increases floor area of a use or structure, excluding uncovered porches and uncovered patios, if the increase in floor area is more than 50 percent for nonresidential projects, more than 65 percent for mixed use projects, or more than 75 percent for residential projects.

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

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

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

(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 *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(3) 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. (“DIR” means “development impact review.” For more information regarding development impact review generally, see Division 51A-4.800.)

(4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, 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 generally, see Division 51A-4.800.)

(e) Unless the context ~~clearly~~ indicates otherwise, for purposes of interpreting Chapter 51A, the subdistricts are considered to be residential or nonresidential as indicated:

- (1) Subdistrict A: residential.
- (2) Subdistrict B: residential.
- (3) Subdistrict C: nonresidential.
- (4) Subdistrict D: nonresidential.
- (5) Subdistrict E: nonresidential.
- (6) Subdistrict F: nonresidential.
- (7) Subdistrict G: nonresidential.
- (8) Subdistrict H: nonresidential.
- (9) Subdistrict I: nonresidential.
- (10) Subdistrict J: nonresidential.
- (11) Subdistrict K: nonresidential.
- (12) Subdistrict L: nonresidential.

**SEC. 51P-468.104.1. EXHIBITS.**

The following exhibits are incorporated into this article:

Exhibit 468A: Subdistrict map.

- (1) Exhibit 468B: Medical use overlay street hierarchy plan.
- (2) Exhibit 468C: Subdistricts B-G required parking chart.
- (3) Exhibit 468D: Subdistrict H master parking and floor area plan supplement.
- (4) Exhibit 468E: Subdistrict H mixed use development parking chart
- (5) Exhibit 468F: Subdistrict H site plan development table.
- (6) Exhibit 468G. Subdistrict K development plan.
- (7) Exhibit 468H. Subdistrict L development plan.

**SEC. 51P-468.105. CREATION OF SUBDISTRICTS.**

(a) This district is known as the Oak Cliff Gateway Special Purpose District, and is divided into the following [44] 12 subdistricts, as described in Exhibit B of Ordinance No. 29743, as amended, and as shown on the map labelled Exhibit 468A:

- (1) Subdistrict A – Residential Transition (RTN).
- (2) Subdistrict B – Walkable Urban Residential 3 (WR-3).
- (3) Subdistrict C – Walkable Urban Mixed Use 3 (WMU-3).
- (4) Subdistrict D – Walkable Urban Mixed Use 5 (WMU-5).
- (5) Subdistrict E – Walkable Urban Mixed Use 8 (WMU-8).
- (6) Subdistrict F – Walkable Urban Mixed Use 12.
- (7) Subdistrict G – Walkable Urban Mixed Use 20.
- (8) Subdistrict H.
- (9) Subdistrict I.
- (10) Subdistrict J.
- (11) Subdistrict K – Walkable Urban Mixed Use 8 (WMU-8).

(12) Subdistrict L – Walkable Urban Mixed Use 8 (WMU-8).

(b) If there is a conflict between Exhibit A of Ordinance No. 23057, as amended, and Exhibit 468A, Exhibit A, as amended, controls.

(c) Use regulations and development standards for each subdistrict are set out below.

**SEC. 51P-468.106. SUBDISTRICTS A, B, C, D, E, F, G, [AND] K, AND L.**

(a) General provisions. Except as provided in this subsection, Division 51A-13.100, “General Provisions,” applies.

(1) Nonconforming structures. See Sections 51A-4.704 and 51A-13.102(4)(S) for details on nonconforming structures. In this district, the only work that causes a structure to become more nonconforming is a major renovation. For purposes of this provision, MAJOR RENOVATION means a building permit or series of building permits for the reconstruction, alteration, or modification of a building that increases the floor area that existed on May 13, 2015 by 50 percent or more.

(A) Additions of up to 50 percent of permitted square footage. Additional floor area, building height, and any new construction must comply with the regulations defined by each development type. The additional floor area, building height, and new construction are not required to fill the buildable envelope, but must be contained wholly within the buildable envelope. BUILDABLE ENVELOPE means the three dimensional form within which the horizontal and vertical elements of a structure must be built to comply with the use and placement requirements and with the height and elements requirements in Section 51A-13.304 for each development type.

(B) Additions of more than 50 percent of permitted square footage. The site must come into complete compliance with Article XIII regulations.

(2) Amortization of nonconforming uses. Uses that become nonconforming on May 13, 2015 may not be brought before the board of adjustment for amortization.

(3) Development plan for Subdistrict K. Development and use of the Property in Subdistrict K must comply with the Subdistrict K development plan (Exhibit 468G). If there is a conflict between the text of this article and the Subdistrict K development plan, the text of this article controls.

(4) Development plan for Subdistrict L. Development and use of the Property in Subdistrict L must comply with the Subdistrict L development plan (Exhibit 468XX). If there is a conflict between the text of this article and the Subdistrict L development plan, the text of this article controls.

(b) District regulations. Except as provided in this section, Division 51A-13.300, "District Regulations," applies.

(1) Subdistrict A. Except as provided in this section, Subdistrict A must comply with the RTN regulations and development standards in Article XIII.

(2) Subdistrict B. Except as provided in this section, Subdistrict B must comply with the WR-3 regulations and development standards in Article XIII.

(3) Subdistrict C. Except as provided in this section, Subdistrict C must comply with the WMU-3 regulations and development standards in Article XIII.

(4) Subdistrict D. Except as provided in this section, Subdistrict D must comply with the WMU-5 regulations and development standards in Article XIII.

(5) Subdistricts E ~~and~~ K, and L. Except as provided in this section and Section 51P- 468-901.1, Subdistricts E ~~and~~ K, and L must comply with the WMU-8 regulations and development standards in Article XIII.

(6) Subdistrict F. Except as provided in this section, Subdistrict F must comply with the WMU-12 regulations and development standards in Article XIII.

(7) Subdistrict G. Except as provided in this section, Subdistrict G must comply with the WMU-20 regulations and development standards in Article XIII.

(8) Accessory dwelling units. In Subdistrict A south of Colorado Boulevard, east of Beckley Avenue, and west of Marsalis Avenue, accessory dwelling units are allowed on a lot containing a single-family use. Single-family garages are not required to have vehicular access from an alley.

(9) Detention center, jail, or prison. Detention center, jail, or prison is prohibited as a main use.

(10) Fences and walls. In a door yard, a fence may not exceed four feet in height. In all other required yards, no fence or wall may exceed six feet in height.

(11) Height. The following structures may project a maximum of 12 feet above the maximum structure height specified in a subdistrict:

- (A) Amateur communications tower.
- (B) Cooling tower.
- (C) Clerestory.
- (D) Chimney and vent stack.

- (E) Elevator penthouse or bulkhead.
- (F) Flagpoles.
- (G) Mechanical equipment room.
- (H) Ornamental cupola or dome.
- (I) Parapet wall, limited to a height of four feet.
- (J) Stairway access to roof.
- (K) Roof top deck.
- (L) Skylights.
- (M) Spires and belfries.
- (N) Solar panels.
- (O) Tank designed to hold liquids.
- (P) Visual screens surrounding roof-mounted mechanical equipment.
- (Q) Wind turbines and other integrated renewable energy systems.

(12) Medical and office uses. Medical and office uses are allowed as additional permitted uses in the following areas:

- (A) Subdistrict A, Tract 3.
- (B) Subdistrict A, Tract 4.

(13) Residential proximity slope. The residential proximity slope defined in Section 51A-4.412 governs development in Subdistricts A-G.

(14) Retail uses over 50,000 square feet. A specific use permit is required for retail uses over 50,000 square feet in floor area.

(c) Parking regulations. Except as otherwise provided in this subsection, Division 51A-13.400, "Parking Regulations," applies.

(1) In general. The "Required Parking in WMU and WR Districts Chart" in Section 51A-13.402(a)(2) is replaced by the Subdistricts B-G required parking chart (Exhibit 468C).

(2) Bicycle parking. Consult Division 51A-4.330, "Bicycle Parking



Regulations,” for bicycle parking requirements.

(3) Delta credits. The maximum parking reduction authorized by this section and Article XIII is the total reduction minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(B). If delta credits exceed the total reduction, delta credits will be used, and no reduction will apply.

(4) Legacy building parking reduction. If the director finds that a building meets the definition of a legacy building, the director may grant the following off-street parking reductions:

(A) For residential uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

(B) For office uses within a legacy building, required off-street parking may be reduced by up to 100 percent.

(C) For retail uses other than restaurant uses within a legacy building, required off-street parking may be reduced by up to 100 percent.

(D) For restaurant uses within a legacy building, required off-street parking may be reduced by up to 25 percent.

(5) Mechanized parking. Consult Division 51A-4.340, “Mechanized Parking,” for mechanized parking regulations.

(6) On-street parking.

(A) Except as provided in this subsection, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(i) 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 of a mixed-use project.

(ii) 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 it 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 a parking space ( $8 \div 24 = \text{one-third}$ ). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one half counted as an additional space.

(B) All on-street parking must be approved as to design and construction by the director of public works. On-street parking must be striped in accordance with standard city specifications.

(7) Outdoor covered patios.

(A) For restaurant or bar uses, the outdoor covered patio area is not included in parking requirement calculations for up to 25 percent of the size of the indoor floor area.

(B) For a restaurant use, the combined area of covered and uncovered outdoor dining area that is not included in parking requirement calculations may not exceed 50 percent of the indoor dining area. Any portion of the outdoor dining patio area in excess of the 50 percent of the indoor dining area must be parked in accordance with the Subdistricts B-G required parking chart (Exhibit 468C).

(8) Remote parking.

(A) Remote parking for uses in these subdistricts may not be located outside the boundaries of the district.

(B) Remote parking must be located within a walking distance of 500 feet from the use served by the remote parking unless an extension of walking distance is approved by the building official.

(C) The building official shall extend the walking distance for remote parking to no more than 1,000 feet for up to 50 percent of the required off-street parking unless the extension would:

(i) significantly discourage patrons of the use from using the remote parking;

(ii) unreasonable endanger the safety of persons or property; or

(iii) not otherwise be in the public interest.

(D) A license is required to authorize the extension of walking distance for remote parking beyond 1,000 feet. The building official must require that either a shuttle or an attendant be provided by the applicant as a condition of approval of an extension of the walking distance for remote parking beyond 1,000 feet.

(E) Remote parking may be based on a lease for the remote parking space in lieu of the remote parking agreement required in Section 51A-4.328. The lease must:

(i) be in writing on a form obtained from the building official;

(ii) contain legal descriptions of the properties affected;

(iii) specify the special parking being provided and the hours of operation of any use involved;

(iv) be governed by the laws of the state of Texas;

(v) be signed by all lien holders, other than taxing entities, that have an interest in or an improvement on the properties;

(vi) be for a minimum of three years; and

(vii) provide that both the owner of the lot occupied by the use and the owner of the remote parking lot shall notify the building official in writing if any provision of the lease is breached or if the lease is modified or terminated.

(d) Minor streets and streetscapes.

(1) Except as provided in this subsection, Division 51A-13.500, "Minor Streets and Streetscapes," applies. This subsection applies only to new construction.

(2) The block lengths and perimeters requirements in Section 51A-13.502(a) may be broken by ungated private streets.

(3) In lieu of compliance with Section 51A-13.503, "Existing Streets," the following street sections must be completed as follows:

(A) West side of Beckley Avenue between Interstate 30 and Colorado Boulevard. The 14-foot parkway in the right-of-way must include a four-foot planting zone adjacent to the vehicular lanes and a 10-foot sidewalk.

(B) East side of Beckley Avenue between Interstate 30 and Colorado Boulevard. The 14-foot parkway in the right-of-way must include a two-foot planting zone adjacent to the vehicular lanes, an eight-foot, two-way cycle track, and a four-foot sidewalk. An additional six-foot sidewalk is required adjacent to the right-of-way.

(C) West side of Beckley Avenue between Colorado Boulevard and Zang Boulevard. The eight-foot parkway in the right-of-way must include a three-foot planting zone next to the vehicular lanes and a five-foot sidewalk. An additional five-foot sidewalk is required adjacent to the right-of-way.

(D) East side of Beckley Avenue between Colorado Boulevard to Zang Boulevard. The 16-foot parkway in the right-of-way must include a three-foot planting zone next to the vehicular lanes, an eight-foot two-way cycle track, and a five-foot sidewalk. An additional five-foot sidewalk is required adjacent to the right-of-way.

(E) Zang Boulevard between the Jefferson/Houston Viaduct and Colorado Boulevard. The 10-foot parkway in the right-of-way must include a six-foot planting zone adjacent to the vehicular lanes and a four-foot sidewalk. An additional

two-foot sidewalk is required adjacent to the right-of-way.

(F) West side of Zang Boulevard between Beckley Avenue and Davis Street. The 14-foot parkway in the right-of-way must include a six-foot planting zone adjacent to the vehicular lanes and an eight-foot sidewalk.

(G) East side of Zang Boulevard between Beckley Avenue and Davis Street. The 12-foot indented parking lane and the 14-foot parkway must include a six-foot planting zone adjacent to the vehicular lanes and an eight-foot sidewalk.

(e) Site development regulations. Division 51A-13.600, "Site Development Regulations," applies.

(f) Administration. Division 51A-13.700, "Administration," applies.

#### **SEC. 51P-468.107. SUBDISTRICT H.**

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

(b) Site plan.

(1) Development and use of the Property must comply with an approved site plan.

(2) A site plan that complies with the requirements of this article must be submitted with an application for a building permit that adds new floor area.

(3) A site plan must comply with the development plan requirements in Sections 51A-4.702(e)(1) and (e)(2), and must include:

(A) a tabulation box that includes the floor area being added, number of dwelling units, if applicable, structure height, lot coverage, and number of required and provided off-street parking spaces;

(B) existing floor area or existing dwelling units, if applicable;

(C) existing floor area for the district; and

(D) cumulative floor area for the district.

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

(1) Agricultural uses.

- Crop production [*Limited to urban garden.*]

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Medical or scientific laboratory.
- Technical school.

(3) Industrial uses.

- Alcoholic beverage manufacturing.
- Temporary concrete or asphalt batching plant. [*By special authorization of the building official.*]

(4) Institutional and community service uses.

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

(5) Lodging uses.

- Extended stay hotel or motel [*SUP. Limited to internal entry guest rooms only, including interior courtyard-entry guest rooms.*]
- Hotel or motel. [*RAR*]
- Lodging or boarding house. [*SUP*]

(6) Miscellaneous uses.

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

(7) Office uses.

- Financial institution without drive-in window.



- Financial institution with drive-in window. [SUP]
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

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

(9) Residential uses.

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

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[By right for a microbrewery, microdistillery, or winery with a maximum of 10,000 square feet of floor area. By right for all other alcoholic beverage establishments with a maximum floor area of 6,000 square feet. Otherwise, by SUP.]*
- Ambulance service. [RAR]
- Animal shelter or clinic without outside runs. [RAR]
- Animal shelter or clinic with outside runs. [SUP]
- Antique shop.
- Aquarium.
- Art gallery. *[May include outside display.]*
- Art or craft production facility. *[May include outside display.]*
- Auto service center. [SUP]
- Business school.
- Car wash. *[Tunnel-type only.]*
- Commercial amusement (inside). *[See Section 51A-4.210(b)(7). Except as otherwise provided, treat as if located in an MU-3 Mixed Use District. Billiard hall by SUP only. Bingo parlor by SUP only. Class E dance halls, as defined in Chapter 14 of the Dallas City Code, are not allowed.]*
- Commercial amusement (outside). [SUP]

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

(11) Transportation uses.

- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Private street or alley. *[SUP]*
- Railroad passenger station.
- Transit passenger shelter.
- Transit passenger station or transfer center.

(12) Utility and public service uses.

- Alternative energy plant. *[SUP]*
- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.

- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [SUP]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Contractor's maintenance yard. [SUP]
- Mini-warehouse. [SUP]
- Office showroom/warehouse.
- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied. Treat as if located in an MU-3 Mixed Use District.]*
- Trade center.
- Warehouse. [SUP]

(d) Accessory uses.

(1) 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, see Section 51A-4.217.

(2) The following accessory uses are permitted in conjunction with an office use or mixed use development only:

- Alternative energy plant.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [SUP]
- Heliport. [SUP]
- Helistop. [SUP]

(e) 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.)

(1) Front yard.

(A) Primary streets. Minimum front yard is five feet, maximum front yard is 15 feet. For a structure housing local utilities, no minimum or maximum front yard is required.

(B) Side streets. Minimum front yard is five feet, no maximum.

(C) Service streets. No required setback.

(D) Surface parking lots. Minimum front yard is 10 feet.

(2) Side yard.

(A) Abutting single family subdistricts. Minimum side yard is 15 feet.

(B) Abutting all other districts. No required setback.

(C) Abutting alleys. Minimum side yard is five feet.

(3) Rear yard.

(A) Abutting single family subdistricts. Minimum rear yard is 15 feet.

(B) Abutting all other districts. Minimum rear yard is five feet.

(C) Abutting alleys. Minimum rear yard is five feet.

(4) Projections.

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

(B) Porte cocheres, awnings, canopies, signs, and entryways affixed to the building or part of the foundation may project into the front yard up to the property line. These projections must provide a clearance of eight feet above the sidewalk.

(C) Walls, fences, and railings up to four feet in height may project into the required front yard, subject to minimum sidewalk requirements.

(5) Density. No minimum or maximum density.

(6) Height/stories.

(A) Maximum structure height is 300 feet. Maximum number of stories above grade is 20.

(B) Minimum street-level story height is 15 feet. Maximum street-level story height is 30 feet.

(C) Minimum upper story height is 10 feet. Maximum upper story height is 15 feet.

(D) Except as provided in this paragraph, any portion of a structure over 26 feet in height may not be located above a residential proximity slope.

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

- (i) elevator penthouse or bulkhead.
- (ii) mechanical equipment room.
- (iii) cooling tower.
- (iv) tank designed to hold liquids.
- (v) ornamental cupola or dome.
- (vi) skylights.
- (vii) clerestory.
- (viii) visual screens that surround roof mounted mechanical equipment.
- (ix) chimney and vent stacks.

(7) 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.

(8) Lot size. No minimum lot size. Minimum lot width is 16 feet.

(9) Street frontage. Along primary streets, minimum required building street frontage is 50 percent. For structures housing local utilities, no minimum street frontage is required.



(10) Blank wall area. Along primary streets, maximum continuous blank wall area is 30 feet. No maximum continuous blank wall area along side streets or service streets. For structures housing local utilities, no maximum blank wall area.

(g) Open space. This subdistrict must comply with the open space regulations in Section 51A-13.303.

(h) Off-street parking and loading.

(1) In general.

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

(B) Except for residential uses other than multifamily uses, this subdistrict is considered one lot for purposes of off-street parking requirements, and required off- street parking may be located anywhere within the subdistrict.

(C) If required off-street parking is not provided within this subdistrict, a parking agreement that complies with Division 51A-4.320 is required.

(2) Off-street parking and loading.

(A) Alternative energy plant. Parking requirement must be established by specific use permit conditions. One off-street loading space is required.

(B) Antique shop. One space per 600 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 fraction thereof	1 additional or

(C) Aquarium. One space per 600 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000	1 additional or fraction thereof

(D) Art gallery. One space per 600 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000	1 additional or fraction thereof

(E) Art or craft production facility. One space per 1,000 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000	1 additional or fraction thereof

(F) Custom vehicle shop. One space per 500 square feet of floor area and outdoor area is required, excluding parking area. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000	1 additional or fraction thereof

(G) Entertainment complex. One space for each four seats is required. Off-street loading must be provided as follows:

SQUARE FEET FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	None
10,000 to 60,000	1
Each additional 60,000	1 additional or fraction thereof

(H) Gourmet marketplace. One space per 220 square feet of floor area is required. Off-street loading must be provided as follows:

SQUARE FEET REQUIRED FLOOR AREA IN STRUCTURE BERTHS	TOTAL SPACES OR BERTHS
0 to 60,000	1
Each additional 60,000	1 additional or fraction thereof

(I) Live/work unit. One space per live/work unit is required. If the nonresidential component of this use exceeds 1,000 square feet of floor area, off-street parking must be provided as if the nonresidential component is a main use. Off-street loading is not required.

(J) Massage establishment. One space per 200 square feet of floor area is required. Off-street loading is not required.

(K) Mobile food establishment. No required off-street parking. A mobile food establishment may not occupy a required parking space at another main use. Off-street loading is not required.

(3) Outdoor dining areas. For restaurant uses, the area of any covered or uncovered outdoor dining area, not to exceed 50 percent of the indoor dining area, is not included in parking requirement calculations.

(4) On-street parking.

(A) Except as provided in this subsection, any on-street parking spaces may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(i) 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 of a mixed-use project.

(ii) 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 it 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 a parking space ( $8 \div 24 = \text{one-third}$ ). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one half counted as an additional space.

(B) All on-street parking must be approved as to design and construction by the director of public works. On-street parking must be striped in accordance with standard city specifications.

(5) Master parking plan and floor area plan.

(A) Purpose. Because required off-street parking may be provided in remote locations within this subdistrict without a parking agreement, the Subdistrict H master parking and floor area plan supplement (Exhibit 468D) is required to calculate the amount of required off-street parking, identify available off-street parking, and ensure that each use within the subdistrict meets the off-street parking requirements.

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

(i) To maintain adequate required off-street parking, a master parking plan and floor area plan supplement must be submitted to and approved by the building official when:

(aa) a site plan is submitted;

(bb) required off-street parking spaces are relocated; or

(cc) required off-street parking spaces are added or removed.

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

(aa) the number of existing required off-street parking spaces;

(bb) the number and location of required off-street parking spaces added, removed, or relocated;

(cc) the number and location of all parking spaces; and

(dd) a revised master parking plan and floor area plan that shows:

(1) changes to a site plan; and

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

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

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

(6) Public transit parking reduction.

(A) The off-street parking requirements for all uses except office, restaurant, and alcoholic beverage establishments may be reduced by up to 10 percent if the use is within 1,200 feet, measured as a pedestrian would walk, of a DART light rail station at which DART light rail service is available with train headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday), or a DART bus stop or trolley stop at which DART bus service or trolley service is available with bus or trolley headways at least every 20 minutes during the morning and evening peak periods (between 7:00 a.m. and 8:30 a.m. and between 4:30 p.m. and 6:00 p.m., Monday through Friday).

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

(7) Mixed use development parking reduction.

(A) In general.

(i) The off-street parking requirement for a mixed-use development may be reduced in accordance with the Subdistrict H mixed use development parking chart (Exhibit 468E).

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

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

(i) The off-street 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 six 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 six times of day unless other factors can be demonstrated by a parking study and approved by the building official.

(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 six sums is the adjusted off-street parking requirement for the development.

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

(8) Fees for required parking. Fees may be charged for required off-street parking if the required off-street parking is located within a parking structure.

(9) Below-grade parking structures. Below-grade parking structures may extend to the lot line and across lot lines within this subdistrict subject to compliance with the construction codes.

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

(i) Site design requirements.

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

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

(B) Solid wood or masonry fence or wall.

(C) Hedge-like evergreen plant materials recommended for

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

(2) Surface parking screening from single-family or duplex adjacency. One or more of the screening methods listed in Paragraph (1) must be used to provide screening to separate a surface parking area from an adjacent single family or duplex district. The screening must separately or collectively provide a minimum height of six feet above the parking surface.

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

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

- (i) an abutting street; and
- (ii) a single family or duplex district that is adjacent to or directly across an alley from the use.

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

(C) Required screening must be constructed of:

- (i) for off-street loading spaces, any of the materials described in Paragraph (1); and
- (ii) for garbage storage areas, a solid wood or masonry fence or wall.

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

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

(5) Aboveground parking structures.

(A) Parking is permitted on any level of a structure. Except the portions of an aboveground parking structure facing a mews or an alley, aboveground parking structures must comply with the following standards:

(i) Parking levels must be screened using vegetation, metal panels, or other architectural elements to obscure sloping ramps from view; or

(B) Parking levels must be concealed in a structure with facade building materials similar in appearance to the main structure's facade.

(C) When fronting on a primary street, liner development must be provided along the street level of the aboveground parking structure.

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

(7) Block standards.

(A) Block standards apply during the platting process if the existing parcel of land or block is greater than the block perimeters described in this section.

(B) Except as provided in this paragraph, block perimeters may not exceed 1,600 linear feet as measured along the inner edges of each street right-of-way, private street, mews, or designated fire lane which is accompanied by a pedestrian sidewalk on at least one side and available at all times to the general public. The block may be broken by a civic building or open space lot provided the lot containing the civic building or open space is at least 50 feet wide and provides perpetual pedestrian access through the block. Block perimeters may exceed 1,600 feet up to a maximum perimeter of 2,400 feet, if one or more of the following conditions apply:

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

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

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

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

(bb) The pedestrian passage contains lighting at an interval to ensure a minimum illumination on the surface of the path of no less than one-half footcandle; and

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

(I) the total covered portion of each pedestrian passage is no longer than 70 feet; the portions of the facade of the structure are treated architecturally the same as the adjoining building through the use of materials, colors, and architectural style;

(II) the portion of the structure covering the pedestrian passage has a minimum setback of 15 feet (the portion of the passage within the setback must comply with the mews cross section as shown in the streetscape standards);

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

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

(8) Street standards. Except as otherwise provided in this paragraph, streets and mews must comply with the minor streets and streetscape standards in 51P-468-106(d).

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

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

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

(9) Sidewalk standards for new construction.

(A) In general.

(i) Except as provided in this paragraph, sidewalks must comply with the minor streets and streetscape standards in Section 51P-468.106(d).

(ii) If a sidewalk is located in a front yard, a sidewalk easement must be provided to assure its availability to the public for pedestrian use.

(B) Location.

(i) Sidewalks must be located along the entire length of the street frontage.

(ii) Except for existing buildings that do not have room between the building and the street, sidewalks must be located as show in the streetscape standards. Sidewalks may be located farther from the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(C) Width.

(i) Sidewalks must comply with the streetscape standards.

(ii) For any required sidewalks not shown in the street standards, sidewalks must have a minimum width of four feet, unobstructed by any structures or landscaping except tree grates, utility poles, and service boxes.

(j) Landscaping.

(1) In general.

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

(B) All site trees must be a minimum of two caliper inches at the time of planting and may not be located closer than four feet to any paved surface, measured from the center of the tree trunk.

(C) All site tree in-ground planting areas must be a minimum of 100 square feet for a large tree and 50 square feet for a small tree. Planters for large or small trees must be a minimum of 25 square feet.



(D) Small tree species may be substituted at a rate of two small trees for one required large tree.

(E) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.

(F) Site trees must be evenly distributed throughout the Property.

(G) Required landscaping may be provided aboveground when configured as on-site open space in accordance with Section 51A-13.303, "Open Space."

(2) Surface parking landscaping.

(A) Parking spaces in a surface parking lot may not be more than 100 feet from a large canopy tree planted in a median or island.

(B) Each tree must have a caliper of at least two inches and may not be planted closer than two feet to the paved portion of the parking lot.

(C) A median or island in a surface parking lot must be a minimum of 25 square feet in area.

(3) Shared access development.

(A) One site tree must be provided for every 4,000 square feet, or portion thereof, within a shared access development, or a minimum of one site tree must be provided for each individual dwelling unit in a shared access development, whichever is greater.

(B) Site trees must be evenly distributed throughout a shared access development.

(k) Signs.

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

(2) The following additional attached premise signs are permitted:

(A) Identification signs.

(i) An identification sign is only allowed on a building that is a minimum of 200 feet in height.

- (ii) A maximum of two identification signs are allowed.
- (iii) An identification sign may project up to 50 feet above the roof.
- (iv) Maximum effective area is 5,000 square feet.
- (v) An identification sign may contain a changeable message.
- (vi) In addition to the provisions in Section 51A-4.219 in determining whether or not to grant a specific use permit, the following factors must be considered:
  - (aa) Effect on view corridors into and out of the Property.
  - (bb) Effect on views to and from area parks and landmarks, including the Trinity River Park.
  - (cc) Effect on public open space and parks.
  - (dd) Effect on residential uses within the Property.

(B) Project announcement signs.

- (i) A maximum of ten project announcement signs are allowed.
  - (ii) Maximum effective area is 1,500 square feet.
  - (iii) A project announcement sign may contain a changeable message.
  - (iv) A project announcement sign may not be displayed more than 90 days before the project or activity in the subdistrict commences or the tenant moves in.
  - (v) A project announcement sign must be removed not later than 90 days after the project or activity in the subdistrict is completed or the tenant moves in.
- (3) Neon and internal illumination are permitted.
  - (4) Signs may be illuminated by an independent external light source (such as an external floodlight).

- (5) Signs may not project beyond the street curb line.

**SEC. 51P-468.109.2. SUBDISTRICT L.**

(a) Subarea L.

(1) In general. Except as provided, uses and development with WMU-8 is required.

(2) Side street designation. For Subdistrict L, W. 6<sup>th</sup> Street is considered a side street.

(3) Shopfront windows. Ground story shopfront window requirements in the Mixed-Use Shopfront development type only applies to non-residential portions of a building.

(4) Building elements. For a Mixed-Use Shopfront development type, stoops and front porches are permitted building elements in accordance with 51A-13.305(e) and (f).

(5) Live/work unit.

(A) Use. A live/work unit is a permitted use in a Mixed-Use Shopfront development type and may be located on the ground story. This paragraph controls over the requirement for non-residential uses on the ground story in a SH Shopfront Overlay.

(B) Parking. One space per live/work unit is required. If the nonresidential component of this use exceeds 1,000 square feet of floor area, off-street parking must be provided as if the nonresidential component is a main use. Off-street loading is not required.

(6) Development plan. Development and use of the Property must comply with the development plan (Exhibit 468 ). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(7) On-street parking. On-street parking in 51P-468.106(d)(3)(G) is not required for the Zang Boulevard street frontage that contains trolley infrastructure.

**SEC. 51P-468.111. TRANSITIONAL USES.**

(a) Application. This section applies to Subdistricts B, C, D, E, F, G, ~~and~~ K, and L only.

(b) Purpose. When a form district is initiated, it may not be possible to develop and completely transition the entire area at the inception. Transitional uses are intended to provide an opportunity for owners in a form district to make appropriate use of their Property during the interim period as the district develops. Transitional uses are intended to allow underused or vacant properties to have value between the effective date of this article and the time that full implementation of the zoning changes become practical and feasible with strict compliance.

(c) Specific use permit.

(1) The uses listed in Subsection (d) below are allowed as transitional uses by a specific use permit only.

(2) A specific use permit approved for a transitional use must provided a time limit that may not exceed five years. A specific use permit for a transitional use is not subject to automatic renewal. No off-street parking reductions are allowed.

(3) A specific use permit approved for a transitional use may modify the following regulations if the city council determines that no adverse impact on surrounding properties will result:

(A) Section 51A-13.302, "Height."

(B) Section 51A-13.304, "Development Types."

(C) Section 51A-13.305, "Building Elements."

(4) A specific use permit for a transitional use does not create nonconforming rights in the use, structure, or any modifications to the regulations. Upon expiration of the specific use permit, immediate compliance with all regulations of this article is required.

(5) No expiration for a specific use permit may occur while an application for renewal of the specific use permit is pending before the city plan commission or city council. If an application is pending at the end of the current time limit stated in the specific use permit ordinance, the time limit shall be extended:

(A) until the day following the next succeeding official agenda meeting of the city council after the council makes a final decision to deny the application; or

(B) if the city council votes to create a new time limit, until the effective date of the amending ordinance establishing the new time limit.

(d) List of transitional uses.

- (1) All uses permitted in Section 51A-13.306, regardless of the subdistrict in which the use is located.
- (2) Crop production.
- (3) Building repair and maintenance shop.
- (4) Catering service, large scale.
- (5) Electronics service center.
- (6) Tool or equipment rental.
- (7) Lumber, brick, or building materials sales yard.
- (8) Recycling collection center.
- (9) Outdoor recreation, including, but not limited to, country club with private membership, private recreation center, club, or area (outside), public golf course, and commercial amusement (outside).
- (10) Nursery or plant sales on an open lot.

**SEC. 51P-468.113. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-468.114. ADDITIONAL PROVISIONS.**

- (a) Subject to engineering approval, permeable pavement is allowed for surface parking lots, provided that individual parking spaces are clearly marked in accordance with city standards.
- (b) The Property must be properly maintained in a state of good repair and neat appearance.
- (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.

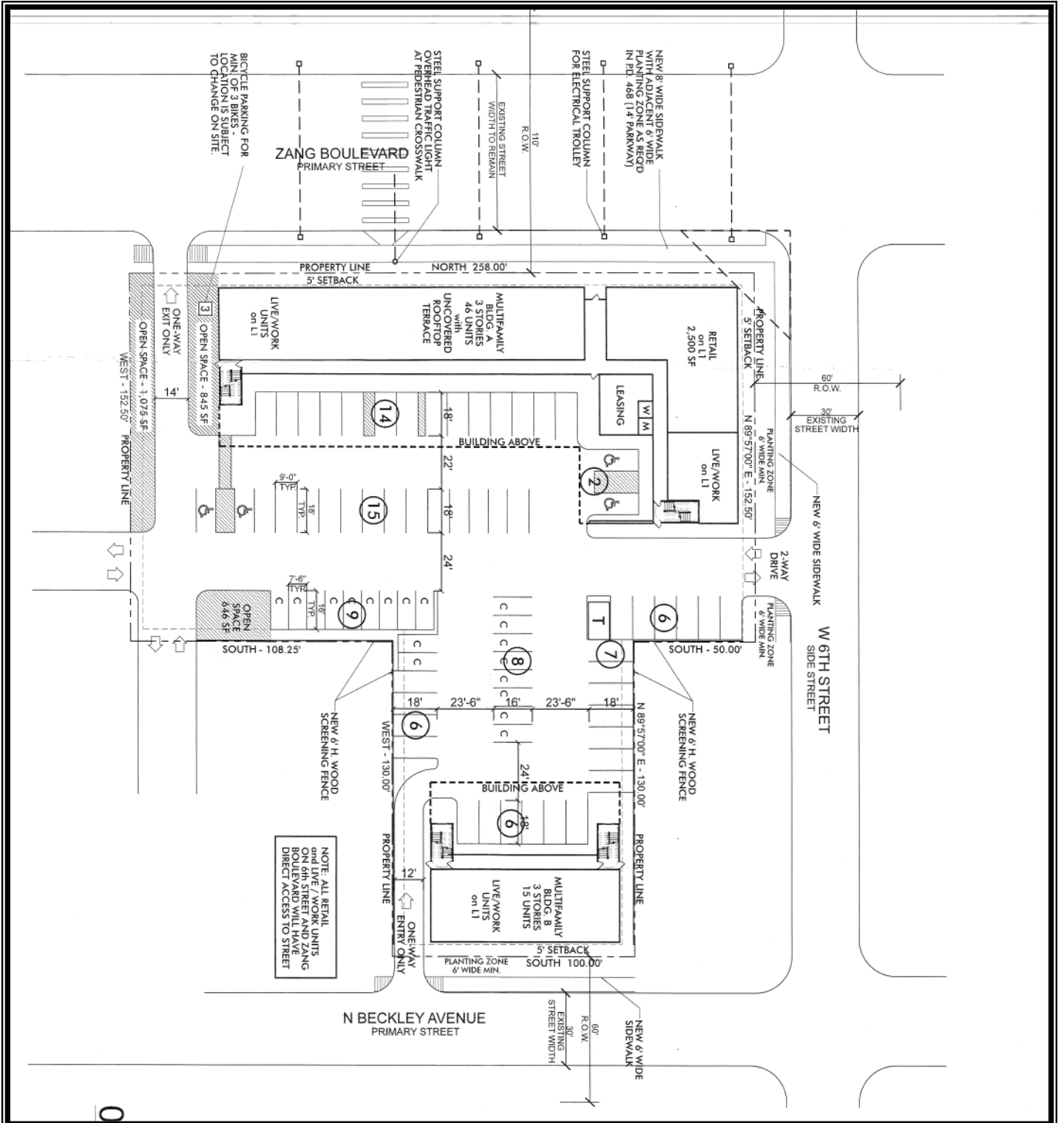
**SEC. 51P-468.115. COMPLIANCE WITH CONDITIONS.**

- (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 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



<b>TERMINATION OF DEED RESTRICTIONS</b>
---

DEED RESTRICTIONS

1988 JUN -9 AM 10:11

CITY SECRETARY  
DALLAS TEXAS

THE STATE OF TEXAS   X  
                             X  
COUNTY OF DALLAS   X

KNOW ALL MEN BY THESE PRESENTS:

A

0281

2   9.00 DEED  
1 05/17/88

That the undersigned, Carroll W. Browning, is the owner of the following described property situated in Dallas County, Texas, being in particular all of Lot 1, all of Lot 2, the south 40 feet of Lot 3, all of Lot 8, all of Lot 9 and all of Lot 10 in City Block F/3372 in the City of Dallas, Dallas County, Texas, which property was conveyed by H.C. Clark and wife, Verna Mae Clark, on June 3, 1969; by Robert G. Tromly on June 5, 1972; by Frances M. Johnson on January 27, 1972; by Doris Coplin on June 2, 1969; by Philip Golman, Larry Golman, Teddy Harris and Herman Ulevitch on October 26, 1967; by Charles W. Smith and wife, Eula B. Smith, on December 13, 1967, and by Jerry Tenant on August 3, 1971, and is recorded in Deed Records of Dallas County, Texas, in Volume 76067, page 2744; Volume 76067, page 2747; Volume 76067, page 2753; Volume 67214, page 1181; Volume 67242, page 515; and Volume 71150, page 1791, respectively.

That the undersigned, Carroll W. Browning, does hereby impress all of the above described property with the following deed restrictions, to-wit:

Uses on this property are limited to those uses permitted in the Neighborhood Office [NO(A)] district and drug store (as a limited use) as those uses are defined in the Dallas Development Code - Chapter 51-A.

All development on this property must conform to the Yard, Lot and Space Regulations for the NO(A) district.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owner hereof does hereby grant to the City of Dallas the right to prosecute, at law and in equity, against the person violating or attempting to violate such restrictions, either to prevent him from so doing or to correct such violation and for further remedy, the City of Dallas may withhold the Certificate of Occupancy necessary for the lawful use of the property until such restrictions described herein are fully complied with.

THE STATE OF TEXAS    Y  
                                  Y  
COUNTY OF DALLAS    Y

Before me, the undersigned authority, on this day personally  
appeared Carroll W. Browning, known to me to be the person whose name  
is subscribed to the foregoing instrument, and acknowledged to me that  
he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this 9<sup>th</sup> day of  
May, 19 88.

Betty J. Scott  
Notary Public in and for  
Dallas County, Texas

My commission expires:

02/06/92

Approved as to form:  
ANALESLIE MUNCY, City Attorney

By

Pleasant Hernandez  
Assistant City Attorney



Z167-321(WE)





An aerial photograph of a residential neighborhood with yellow property boundaries. A specific parcel is highlighted with a blue outline. The map includes street names: NECHES ST, ELDBETH AVE, BALLARD AVE, N MADISON AVE, W 5TH ST, W 6TH ST, W CANTY ST, ELSBETH AVE, N ZANG BLVD, W NEELY ST, W DAVIS ST, ELDORADO AVE, N BECKLEY AVE, E 5TH ST, E 6TH ST, E CANTY ST, E NEELY ST, E DAVIS ST, E 8TH ST, and N PATTON AVE. The highlighted parcel is located on the east side of N ZANG BLVD, between W 6TH ST and W 5TH ST.

A simple north arrow icon pointing upwards.

1:3,600

## AERIAL MAP

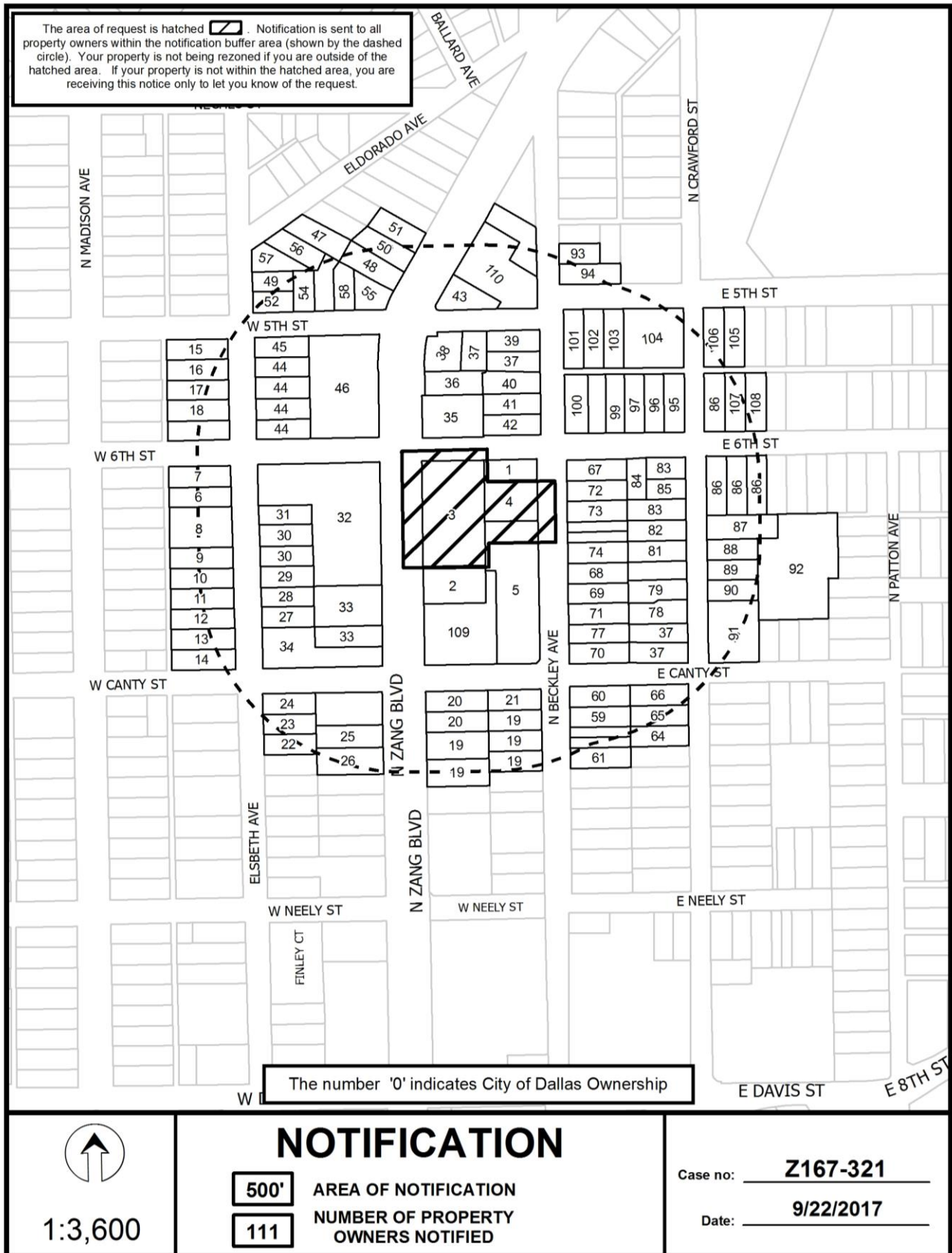
Case no: **Z167-321**

Date: **9/22/2017**











# ***Notification List of Property***

***Z167-321***

***111 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	839 N BECKLEY AVE	VINES DAN &
2	820 N ZANG BLVD	SBK INVESTMENT LLC
3	830 N ZANG BLVD	MPC ZANG III LLC
4	835 N BECKLEY AVE	MPC ZANG III LLC
5	815 N BECKLEY AVE	SHERRY IRWIN H & DALIA D TRUST NO 1
6	833 ELSBETH ST	TAYLOR EVELYN S LIVING TRUST &
7	839 ELSBETH ST	FRASER EVERETT &
8	825 ELSBETH ST	RICHINS RANDALL K
9	819 ELSBETH ST	LISULA SCOTT A &
10	815 ELSBETH ST	ROPPOLO MATTHEW J
11	813 ELSBETH ST	CERVANTES CECILIA H
12	809 ELSBETH ST	A & E HOUSING LLC
13	805 ELSBETH ST	MARTINEZ AGUSTIN
14	801 ELSBETH ST	CLIMER NICHOLAS I &
15	917 ELSBETH ST	BROWN CYNTHIA R
16	913 ELSBETH ST	TORRES EDGAR ALFREDO
17	909 ELSBETH ST	JOHNSON DON L
18	907 ELSBETH ST	HERNANDEZ BELEN I
19	730 N ZANG BLVD	TEXAS INTOWNHOMES LLC
20	732 N ZANG BLVD	FAZ ISMAEL
21	737 N BECKLEY AVE	BUSTAMANTE ANTONIO &
22	732 ELSBETH ST	PENA JESUS H &
23	734 ELSBETH ST	CASTILLO GERARDO
24	736 ELSBETH ST	YOUNG SAMUEL G & CYNTHIA W
25	733 N ZANG BLVD	PENA IRMA
26	727 N ZANG BLVD	CARRION CROW HOLDINGS LLC SERIES D

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	810 ELSBETH ST	COUCH KEDRIC
28	814 ELSBETH ST	LOPEZ BENITO JR
29	818 ELSBETH ST	ELAINE S GORENSTEIN
30	820 ELSBETH ST	TOVAR MARTIN
31	828 ELSBETH ST	TUCKER MICHAEL BRITT &
32	835 N ZANG BLVD	GEMSK LLC
33	813 N ZANG BLVD	ARELLANO MIGUEL
34	801 N ZANG BLVD	RSRG INVESTMENTS LLC
35	900 N ZANG BLVD	MONTSEERRAT LUISA
36	908 N ZANG BLVD	SALAZAR JOSE
37	112 W 5TH ST	SALDIVAR FAMILY I LIMITED PARTNERSHIP
38	912 N ZANG BLVD	VALPARAISO HOLDINGS LLC
39	917 N BECKLEY AVE	SALDIVAR FAMILY I LTD PS
40	909 N BECKLEY AVE	SALDIVAR FAMILY 1 LP
41	907 N BECKLEY AVE	DELGADILLO JOSE LUIS
42	903 N BECKLEY AVE	TORRES LUIS & MARIA G
43	1006 N ZANG BLVD	GARCIA MAGDALENA &
44	900 ELSBETH ST	MPC ZANG LLC
45	918 ELSBETH ST	EVANS DARON G
46	901 N ZANG BLVD	MPC ZANG LLC
47	1020 ELDORADO AVE	MENDOZA OSCAR &
48	1007 N ZANG BLVD	BKN REALTY LLC
49	1006 ELSBETH ST	CROW BRENDA ANN
50	1011 N ZANG BLVD	ZANG CRYSTAL HILL LLC
51	1015 N ZANG BLVD	AVERITE CHRISTOPHER J
52	1000 ELSBETH ST	HERRERA RUBEN D
53	143 W 5TH ST	ALATORRE DANIEL &
54	147 W 5TH ST	GALVAN ALFREDO GONZALEZ &
55	1003 N ZANG BLVD	FISCAL GABRIEL AND MARIA DE LA LUZ FISCAL
56	1016 ELDORADO AVE	CALZADA ANTONIO
57	1010 ELSBETH ST	DREILING COURTNEY

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	139 W 5TH ST	48ER PROPERTIES INC
59	732 N BECKLEY AVE	MONTOYA BLANCA E L
60	736 N BECKLEY AVE	FIRA MARIA DEL CARMEN
61	724 N BECKLEY AVE	ADAMS JARED J
62	728 N BECKLEY AVE	MOLLETT KENYA
63	730 N BECKLEY AVE	DIODATI MONICA CHIARA
64	731 N CRAWFORD ST	GOEN ERIK D
65	735 N CRAWFORD ST	DIAZ MARIA TERESA
66	739 N CRAWFORD ST	DIAZ ELENO NINO &
67	838 N BECKLEY AVE	WILSON ZAMORA INVESTMENTS
68	818 N BECKLEY AVE	KING PATRICK & MEGAN
69	812 N BECKLEY AVE	TORRES MARTIN
70	800 N BECKLEY AVE	OCASIO ANGEL PEREZ
71	808 N BECKLEY AVE	SAUCEDO NICOLAS & MARIA
72	832 N BECKLEY AVE	BAEZA LORENA
73	828 N BECKLEY AVE	JOINER FAITH RENEE
74	820 N BECKLEY AVE	GARCIA RAFAEL QUEVEDO &
75	824 N BECKLEY AVE	CHRISTENSEN JANELLE M
76	826 N BECKLEY AVE	MCNUTT CHRIS
77	804 N BECKLEY AVE	MOZIK VINCE
78	809 N CRAWFORD ST	MENDEZ MANUEL
79	811 N CRAWFORD ST	ESTRADA FEDERICO &
80	817 N CRAWFORD ST	MOONEY MICHAEL
81	823 N CRAWFORD ST	MOONEY RICHARD LEE
82	825 N CRAWFORD ST	FAZDUARTE CRISOFORO &
83	829 N CRAWFORD ST	COLLIE LUIS R
84	112 E 6TH ST	RAMOS TONY M &
85	835 N CRAWFORD ST	ADAME MARIA
86	210 E 6TH ST	GENA NORTH LLC
87	824 N CRAWFORD ST	VASQUEZ MARIA Z CADENA
88	820 N CRAWFORD ST	COUCH KEDRIC &

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	816 N CRAWFORD ST	JONES ELIZABETH M
90	812 N CRAWFORD ST	COUCH KEDRIC & PAT COUCH
91	800 N CRAWFORD ST	CHUPA JAMES EDWARD &
92	213 E CANTY ST	MILLER GENE BELL
93	1006 N BECKLEY AVE	COFER WILLIE R
94	1002 N BECKLEY AVE	WISTERIA HILLS 5 LLC
95	123 E 6TH ST	GUFFEY TYLER H
96	119 E 6TH ST	VICTOR PPTIES LLC
97	113 E 6TH ST	SEGOVIA RAFAEL
98	107 E 6TH ST	GUAJARDO LEO II
99	111 E 6TH ST	GASPER PASTOR & MARIA
100	103 E 6TH ST	BAEZA IGNACIO & MARIA
101	102 E 5TH ST	PARR DAVID ROBERT
102	106 E 5TH ST	WISTERIA HILLS 17 LLC
103	108 E 5TH ST	WISTERIA HILLS 6 LLC
104	122 E 5TH ST	WHITLOCK NEILL DAVIDSON
105	204 E 5TH ST	LUGO ELPIDIO
106	202 E 5TH ST	WISTERIA HILLS 23 LLC
107	205 E 6TH ST	SAVALA SANTOS R EST OF
108	209 E 6TH ST	WISTERIA HILLS 8 LLC
109	810 N ZANG BLVD	AHA GROUP LP
110	1018 N ZANG BLVD	NABUA PROPERTY HOLDINGS
111	1026 N ZANG BLVD	MILLER DONALD W. & DONNA

**FILE NUMBER:** Z145-337(MD/RB)

**DATE FILED:** August 25, 2015

**LOCATION:** Southeast corner of Swiss Avenue and Parkmont Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 36 X

**SIZE OF REQUEST:** Approx. 1.124 Acres

**CENSUS TRACT:** 14

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**APPLICANT/OWNER:** Dallas County Medical Society Alliance Foundation

**REPRESENTATIVE:** Rob Baldwin

**REQUEST:** An application for the creation of a new subarea, a Specific Use Permit for a Social Event Use, and amendments to the preservation criteria within Area A in Planned Development District No. 63 with Historic Overlay No. 1.

**SUMMARY:** The applicant proposes to create a new subarea to allow for a new use – Social Event Use by Specific Use Permit and establish regulations for the new use. The applicant is also proposing to amend the preservation criteria for the structure (Aldredge House).

**STAFF RECOMMENDATION:** Approval of the creation of the new subarea, subject to conditions, approval of a Specific Use Permit for a Social Event Use for a two-year period, subject to a site plan and staff's recommended conditions; and approval of an amendment to the H/1 Historic Overlay, subject to preservation criteria.

**PREVIOUS ACTION:** On October 19, 2017, the CPC held this item under advisement to November 9, 2017.



**BACKGROUND:**

- The Aldredge House was constructed in 1917 for George W. Aldredge. The home was built by Hal Thompson in the French Renaissance motif.
- In 1974, the home was donated to the Women's Auxiliary to the Dallas County Medical Society.
- PD No. 63/Historic District No. 1 was created on September 10, 1973 by Ordinance No. 14247. The property in this request was identified as being "set aside as a charitable and philanthropic designation for the Women's Auxiliary to the Dallas County Medical Society,..."
- City records indicate that a certificate of occupancy number 8006167595 was issued on September 16, 1980, for a "(6994) Civic, social, and fraternal associations" (Medical Society Club) at 5500 Swiss Avenue to owner Dallas County Medical Society Auxiliary.
- On February 3, 1982, City Council amended PD No. 63/Historic District No. 1 to limit the uses to single-family residential dwellings except for specific uses listed in the ordinance. The PD and Historic District were amended on January 23, 1985. In both ordinances, the use at 5500 Swiss Avenue was specifically listed as a nonconforming use.
- On July 23, 2015, an applicant filed an application for the Board of Adjustment to consider compliance date for the nonconforming use. The BDA denied the request without prejudice.
- During the period between the BDA application submittal and the BDA public hearing, the owner of the property submitted this zoning request.

**Zoning History:**

<b>File Number</b>	<b>Request, Disposition, and Date</b>
--------------------	---------------------------------------

- |                |  |
|----------------|--|
| 1. BDA 145-099 | On October 21, 2015, the Board of Adjustment denied without prejudice the request for expedited compliance of the nonconforming use because "based on the evidence and testimony presented at the public hearing, we find that continued operation of this nonconforming use will not have an adverse effect on nearby properties." The Board action has been appealed to District Court; no hearing date has been set at this time. |
|----------------|--|

<u>Thoroughfare/Street</u>	<u>Existing &amp; Proposed ROW</u>
Swiss Avenue	Local; 50' ROW
Parkmont Street	Local; 50' ROW

**Traffic:** The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested amendment to PDD No. 63 and determined it will not impact the surrounding street system.

## **STAFF ANALYSIS**

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

## **URBAN DESIGN ELEMENT**

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

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

5.1.3.1 Encourage the use of historic and conservation districts to protect the character and scale of Dallas' older residential neighborhoods, retail centers and office buildings.

## **Land Use Compatibility:**

On September 10, 1973, the City Council approved the creation of Planned Development District No. 63 and Historic Overlay No. 1. The first ordinance permitted a charitable and philanthropic designation for the Women's Auxiliary to the Dallas County Medical Society (Aldredge House) on the request site. The PD was amended in 1982 and 1985. Both ordinances identified the use on the property as a nonconforming use. A certificate of occupancy was issued on September 16, 1980, for a civic, social, and fraternal associations use. The site is developed with a two-story single-family structure with a two-story garage/caretaker's apartment.

The Dallas Development Code states that a nonconforming use is a "use that does not conform to the use regulations, but was lawfully established under the regulations in force at the beginning of operation and has been in regular use since that time". The

proposed amendments would remove the nonconforming status of the use and make the use allowed by right in the PD. An additional use, Social Event Use, is proposed to be allowed by SUP.

Surrounding land uses to the northeast, northwest, and southwest consist of low density residential uses, predominately single-family structures. To the southeast of the properties is multifamily fronting on Gaston Avenue. Savage Park is situated at the north corner of Swiss Avenue and Parkmont Street, across from the subject property.

Staff is supportive of continuation of the establishment for religious, charitable, or philanthropic nature use by right. This use has been in existence at this location since the 1970s; however, over time it has morphed into a more intensive use hosting weddings and other parties. While uses of this type can coexist in close proximity to residential areas, consideration needs to be given to the number of events, hours of operation for events (including set up/take down), noise abatement, off-street parking/special parking operations, and outside activities. To this end, staff suggests the creation of a new use, Social Event use, that is defined as an event space used primarily for parties, weddings, fundraising benefits, social events, and similar activities. Educational programs, neighborhood association meetings and activities, and the activities of the establishment for religious, charitable or philanthropic nature use are not included in the Social Event use.

Due to the recent history of the rental of the Aldredge House for weddings and events and the disruption for the neighbors, staff is proposing regulations in the PD conditions and the SUP conditions to address certain issues. The proposed PD conditions prohibit tents and other temporary structures and amplified music or live music outside associated with this use. The proposed conditions would limit the number of events to 12 per year. The proposed SUP conditions regulate outdoor lighting and outdoor sendoffs as well as require security personnel for each event. Staff recommends the hours of operation be between 10:00 a.m. and 8:00 p.m. The applicant requests the end time be 10:00 p.m. Hours of operation include set up and tear down for events. Staff's recommendation is for a two-year time period for the SUP. The short time period would allow the re-evaluation of the Social Event use under the conditions set forth in the PD and SUP to see if the use could co-exist and be a compatible use to the neighborhood.

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.

**Off-Street Parking:** PD No. 63 requires two off-street parking spaces for each single family dwelling unit. The new subarea will carry forward this parking requirement as well as require a minimum of 56 off-street parking spaces for the requested use. This will include utilization of tandem parking, subject to a valet permit. The applicant provides for a parking lot on Gaston Avenue, approximately 450 feet to the southwest. The property provides for 36 spaces, but can provide for additional spaces when managed by a valet.

Parking for the Social Event use must be established in the Specific Use Permit ordinance. Staff's recommendation is for this use to match the parking for the establishment for religious, charitable or philanthropic nature use since the two uses will likely be mutually exclusive.

In the mid-1970s, the parking required for the establishment for religious, charitable or philanthropic nature use at this location was determined to be 55 spaces with 36 of the spaces located in a lot within 1,000 feet of the lot. Staff has continued with this number in this request.

**Preservation Criteria:**

The Aldredge House was constructed in 1917 and is basically a central hall floor plan, two stories with a full attic and partial basement. A morning room, living room, central hall with a half bath, dining room, butler's pantry, kitchen (with a small porch) and breakfast room are downstairs. Four bedrooms, a sitting room, three bathrooms, dressing room and sleeping porch were upstairs. Later an art gallery and a garden room were added downstairs. The house is covered with hard finished tan Roman brick and a slate roof.

The additions to the preservation criteria for the Aldredge House include preservation of portions of the interior of the house. Section 51A-4.501(e)(3) states the interior of historic structures may be included in the preservation criteria "if the interior is customarily open and accessible to the public and the interior has extraordinary architecture...value." The Landmark Commission recommended preservation criteria for specific elements of the living room, the dining room, the entry hall, the two-story stair hall, and the green house due to their remaining mostly intact from the original

construction.

Items such as wood trim and paneling, plaster walls and ceilings, fireplace mantle and hearth, and floors must be preserved. Maintenance of the items such as painting the same color would require review by the staff but alternations would require Landmark Commission approval.

There are currently two or three historic structures with interior protection in Dallas. The Lakewood Theater is the most recent case having protection for the lobby. The Hall of State at Fair Park also has preservation criteria for the interior.

Staff considered this additional requirement in evaluating the request for a use for events other than the establishment for religious, charitable, or philanthropic nature use. No other structure in the Swiss Avenue Historic District has the requirement to maintain the interior. Opening historic homes that are not used for residences is not uncommon throughout the country. These structures can and do coexist in residential areas. The Social Event use, when regulated as proposed, could provide an avenue to help preserve the valued interior and provide an opportunity for others to learn about the house and its ongoing preservation. The availability of the house to tours, educational programs, and meetings associated with the establishment for religious, charitable, or philanthropic nature use allows the Aldredge House to be an ambassador for historic preservation in Dallas.

**Dallas County Medical Society Alliance Foundation**

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**2016-17**

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**Landmark Commission Action:**

October 5, 2015

5500 Swiss Avenue

Swiss Avenue Historic District

Mark Doty

An application for modifications to and creation of a new subdistrict within Historic Overlay 1, Swiss Avenue, on the northeast corner of Parkmont Street and Swiss Avenue.

Speakers: For: Robert Baldwin, Elizabeth Gunby, Virginia McAlester, Mark Aldredge, Larry Offett, Barend Hino, Lindalyn Adams, David Preziosi, Jim Anderson  
Against: Charles Hamilton, James Dunkerley, Stephanie Stanley

**Motion:**

Approval of an application for modifications to and creation of a new subdistrict within Historic Overlay 1, Swiss Avenue, on the northeast corner of Parkmont Street and Swiss Avenue, with modification of the stair hall as proposed.

Maker: Tapscott

Second: \*Birrerr

Results: 15/0

Ayes:	- 15	Amonett, *Birch, Birrer, Bowers, Flabiano, Gadberry, Greenberg, Johnson, Jordan, Parsons, *Sherman, Seale, Tapscott, Thomas-Drake, Williams
Against:	- 0	
Absent:	- 1	Maten
Vacancies:	- 1	12

**PROPOSED REVISED CONDITIONS  
ARTICLE 63 and HISTORIC OVERLAY NO. 1.**

**PD 63.**

**SEC. 51P-63.101. LEGISLATIVE HISTORY.**

PD 63 was established by Ordinance No. 14247, passed by the Dallas City Council on September 10, 1973. Ordinance No. 14247 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas. Ordinance No. 14247 was amended by Ordinance No. 15715, passed by the Dallas City Council on December 21, 1977, and Ordinance No. 15766, passed by the Dallas City Council on March 15, 1978. On February 3, 1982, the Dallas City Council passed Ordinance No. 17285, repealing Ordinance Nos. 14247, 15715, and 15766, and re-establishing PD 63. Ordinance No. 17285 was amended by Ordinance No. 18563, passed by the Dallas City Council on January 23, 1985. (Ord. Nos. 10962; 14247; 15715; 15766; 17285; 18563; 25423)

**SEC. 51P-63.102. PROPERTY LOCATION AND SIZE.**

PD 63 is established on property generally located southeast of Live Oak Street, south of La Vista Drive, northwest of the alley between Swiss Avenue and Gaston Avenue, and northeast of Fitzhugh Avenue. The size of PD 63 is approximately 116.88 acres.

**SEC. 51P-63.103. DEFINITIONS.**

(a) In this article:

- (1) ACCEPTABLE COLOR RANGE means the range of colors shown on Exhibit 63C.
- (2) APPLICANT means the property owner or his designee.
- (3) BLOCK means an area bounded by streets on all sides.
- (4) BLOCKFACE means all of the lots on one side of a block.
- (5) CERTIFICATE OF APPROPRIATENESS means a certificate issued by the city to authorize certain acts to be performed in this district. (See the enforcement section of this article.)
- (6) COLUMN means the entire column including the base and capital, if any.

- (7) COMMISSION means the city plan and zoning commission.
- (8) COMMITTEE means the landmark committee created under Section 51-3.103.
- (9) CORNER LOT means a lot that has frontage on two different streets.
- (10) CORNER SIDE FACADE means a main building facade facing the side street.
- (11) CORNER SIDE YARD means a side yard that abuts a street.
- (12) DIRECTOR means the director of development services or his representative.
- (13) ESTABLISHMENT FOR RELIGIOUS, CHARITABLE, OR PHILANTHROPIC NATURE is a facility sponsored or operated by an organization established for religious, or philanthropic purposes, including but not limited to events, training and educational facilities.
- (1413) FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- (1514) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and a main building and lines parallel to and extending outward from the front facade of a main building. "Required" front yard means the portion of the front yard between the street and the setback line.
- (1615) LOT means a building site, as defined in the Dallas Development Code.
- (1716) PARKWAY means the area between the paved portion of a street and a front lot line.
- (1817) PLANTER BOX means a permanent container for plants that is non-movable.
- (1918) PRESERVATION CRITERIA means the standards considered by the director, committee, and commission in determining whether a certificate of appropriateness should be granted or denied.
- (2019) REAR YARD means:
- (A) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lines parallel

to and extending outward from the rear facade of a main building and the rear lot line; and

(B) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the corner side facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.

(~~2120~~) SCREENING means a structure or planting that provides a visual barrier.

(~~2224~~) SCREENING FACTOR means the degree to which a structure provides a visual barrier.

(2322) SIDE YARD means any portion of a lot not occupied by a main building that is not a front or rear yard. "Side yard" includes "corner side yard."

(24) SOCIAL EVENT USE means an event space used primarily for parties, weddings, fundraising benefits, social events, and similar activities. Educational programs, neighborhood association meetings and activities, and an establishment for religious, charitable or philanthropic nature use are not included in this use.

(~~2523~~) STORY means the portion of a building between any two successive floors, or between the top floor and the ceiling above it.

(~~2624~~) THIS DISTRICT means the Swiss Avenue Historic District.

(~~2725~~) TRIM COLOR means a paint color other than the dominant color. Wood colored translucent stain is not a trim color. Trim color does not include the color of screen and storm doors and windows, gutters, downspouts, porch floors, and ceilings.

(b) Except as otherwise provided in this section, the definitions contained in the Dallas Development Code, as amended, apply to this article.

## **SEC. 51P-63.104. INTERPRETATIONS.**

(a) Unless otherwise stated, the interpretations in Chapter 51 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 51.

**SEC. 51P-63.105. RECONCILIATION WITH ORDINANCE NO. 17285 AND THE DALLAS DEVELOPMENT CODE.**

The provisions of Ordinance No. 17285 and the Dallas Development Code, as amended, apply to the Swiss Avenue Historic District unless expressly modified or repealed by this article. In the event of a conflict, the provisions of this article control.

**SEC. 51P-63.106. NONCONFORMING USES AND STRUCTURES.**

(a) In general. Except as otherwise provided in this article, Section 51-4.704 relating to nonconforming uses and structures, applies to all uses and structures in this district.

(b) Nonconforming uses.

(1) Termination when building destroyed. Except as otherwise provided below, if a building in which a nonconforming use is located is destroyed, the right to operate the nonconforming use terminates immediately.

(2) Nonconforming servants' or caretakers' quarters. The right to operate a nonconforming servants' or caretakers' quarters use does not terminate when the structure in which the use is located is damaged or destroyed. A servants' or caretakers' quarters must be used by bona fide servants or caretakers and may not be rental accommodations.

(c) Rebuilding damaged or destroyed nonconforming buildings. If a nonconforming single-family main or accessory building is damaged or destroyed, it may be rebuilt at the same location without the approval of the board of adjustment.

**SEC. 51P-63.107. GRAPHICS.**

Graphics that illustrate the requirements of this article are labelled Exhibit 63B. In the event of a conflict, the text of this article controls over any graphic display in Exhibit 63B.

**SEC. 51P-63.108. ENFORCEMENT.**

(a) Certificate of appropriateness required. A person commits an offense if, without first obtaining a certificate of appropriateness from the city expressly authorizing the act, he:

(1) places or constructs a main or accessory building on property in this district;

(2) makes exterior alterations to a main or accessory building in this district; or

(3) places, constructs, installs, or maintains a structure or non-plant-material landscape item outside a building on property in this district.

(b) Vegetation restrictions. A person commits an offense if he places or maintains a plant in this district in violation of one of the following vegetation restrictions:

(1) A vegetable garden is prohibited in the front yard and may not be located in a side yard unless it is totally screened.

(2) Foundation plantings may not exceed two feet in height above the first story finish floor.

(3) Only grass, trees, ground cover, and flowers are permitted in the parkway. All trees in the parkway must be placed a uniform distance apart and be planted along a line parallel to the street. Flower beds may not comprise more than 50 percent of the parkway area.

(c) Compliance with use regulations and development standards required. A person commits an offense if he violates one of the use regulations or development standards in Sections 51P-63.114, 51P-63.115, 51P-63.117, 51P-63.118, 51P-63.120, 51P-63.121, 51P-63.123, 51P-63.124, 51P-63.126, 51P-63.127, 51P-63.129, and 51P-63.130 of this article.

(d) Defenses to prosecution.

(1) It is a defense to prosecution under Subsections (a)(2) and (a)(3) that the act was:

(A) the installation, maintenance, or replacement of:

(i) outdoor lights that are 10 inches or less in diameter  
and

(aa) located at ground level;

(bb) attached to a tree or shrub and located on or  
above its lowest branch;

(cc) located along eaves or soffits; or

(dd) located on an accessory building;

(ii) recreational equipment for children, such as a swingset, playhouse, or jungle gym, in a rear yard;



(iii) security or ornamental bars on the rear facade of a main building or on an accessory building;

(iv) a lawn sprinkler system; or

(v) an air conditioning unit in a side or rear yard; or

(B) performed in a rear yard, and the alteration, structure, or landscape item is six feet or less in height or totally screened;

(C) performed in a side yard, and the alteration, structure, or landscape item is six feet or less in height and totally screened by a fence or hedge that is at least six feet in height; or

(D) the installation or maintenance of a special purpose sign.

(2) It is an additional defense to prosecution under Subsection (a)(3) that the structure or landscape item was temporarily placed, constructed, or installed. For purposes of this subsection, an act is temporary in nature if it occurs no more than two time periods during the calendar year for a maximum of five days per time period.

(3) There is no defense to prosecution for a violation of Subsection (a)(1).

(e) Criminal responsibility. A person is criminally responsible for a violation if he:

(1) commits or assists in the commission of an act in violation; or

(2) owns part or all of the land or a structure on the land where a violation exists.

#### **SEC. 51P-63.109. PENALTY.**

(a) A person violating a provision of Ordinance No. 17285, as amended by Ordinance No. 18563, upon conviction, is punishable by a fine not to exceed \$1000. *[The provisions of Ordinance No. 17285, as amended by Ordinance No. 18563, are codified in this article.]*

(b) In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this article, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land in this district.

**SEC. 51P-63.110. REVIEW PROCEDURES FOR CERTIFICATES OF APPROPRIATENESS.**

(a) In general. The standard review procedure outlined in Section 51-4.501 applies to this district, except as expressly modified by this section.

(b) Review by the director.

(1) Director's determination of procedure. Upon receipt of an application for a certificate of appropriateness, the director shall characterize the proposed work as falling into one of the following three categories:

- (A) Routine maintenance or replacement.
- (B) Minor exterior alterations.
- (C) Work requiring review by the committee and commission.

The director shall review and grant or deny certificates of appropriateness for proposed work that is routine maintenance or replacement or a minor exterior alteration in accordance with the review standards provided in this section. If the proposed work requires review by the committee and commission, the director shall forward the application to the committee for review in accordance with the standard certificate of appropriateness review procedure outlined in Section 51-4.501. All decisions to be made by the director under this section must be made within 10 days of receipt of the application.

(2) Routine maintenance and replacement defined. Routine maintenance is the processes of cleaning (including water blasting and stripping), repainting an item the same color, and otherwise stabilizing deteriorated or damaged architectural features. Routine replacement occurs whenever a duplicate item is substituted for an item that is deteriorated or damaged. Repainting an item a different color is neither routine maintenance nor routine replacement.

(3) Minor exterior alteration defined. The following are minor exterior alterations for purpose of this article.

(A) The application, installation, maintenance, or replacement of:

(i) a chimney located on an accessory building, or on the rear 50 percent of a main building and not part of the corner side facade;

(ii) an awning located on an accessory building, or on the rear facade of a main building; and

(iii) a roof of the same or an original material that does not include a change in color;

(iv) a wood or chain link fence that is not painted or stained;

(v) gutters and downspouts of a color within the acceptable color range that matches or complements the dominant, trim, or roof color;

(vi) paint of a color within the acceptable color range;

(vii) skylights and solar panels;

(viii) storm windows and doors; or

(ix) window and door screens.

(B) The restoration of original architectural elements that does not include the use of paint outside the acceptable color range.

(4) Review standards for routine maintenance and replacement. The director shall review all proposed work that falls into the categories of routine maintenance and routine replacement to determine whether or not the original item to be maintained or replaced was legally installed. Legal installation includes both work that was legally performed before September 10, 1973, the date this district was established, and work performed after that date by authority of a valid certificate of appropriateness. The director shall grant a certificate of appropriateness for the proposed maintenance or replacement of an original item that was legally installed. If the original item was not legally installed, the director shall not grant a certificate but instead shall treat the application as being for a certificate of appropriateness to authorize the installation of the original item.

(5) Review standards for minor exterior alterations. The director shall review all proposed work that falls into the category of minor exterior alterations to determine whether the proposed work complies with the preservation criteria and regulations contained in this article and all other applicable ordinances. If the proposed work complies, the director shall grant a certificate of appropriateness for the work. If the proposed work does not comply with or is not addressed by the preservation criteria and regulations contained in this article or any other applicable ordinance, the director shall deny the certificate.

(c) Appeals. A decision to grant a certificate of appropriateness may not be appealed. A decision to deny a certificate of appropriateness may be appealed only by the applicant. An appeal from a decision to deny a certificate is made by submitting a written request for appeal to the director within ten days of the decision.

(d) Review by the committee. The standards in Subsection (e) below should be used by the committee in making its recommendation to the commission.

(e) Review by the commission and city council.

(1) When reviewing an appeal from the director's decision to deny a certificate of appropriateness, the commission or city council shall first determine whether the proposed work is routine maintenance or replacement. If the proposed work is routine maintenance or replacement, the commission or council shall next determine whether or not the original item to be maintained or replaced was legally installed. If the original item was legally installed, the commission or council shall approve the routine maintenance or replacement. If the original item was not legally installed or if the proposed work is not routine maintenance or replacement, the commission or council shall review the application using the standards provided in the following subsections.

(2) In reviewing an application, the commission or city council shall determine whether the proposed work complies with the preservation criteria and regulations contained in this article and all other applicable ordinances. If the proposed work complies, the commission or council shall grant the certificate.

(3) Except as otherwise provided in this section, if the proposed work does not comply with or is not addressed by the preservation criteria and regulations contained in this article or any other applicable ordinance, the commission or council shall deny the certificate.

(4) If the proposed work is not addressed by the preservation criteria and regulations contained in this article and all other applicable ordinances and the work will not have an adverse effect on the external architectural features, future preservation, maintenance, or use of:

(A) a structure in this district;

(B) a blockface in this district; or

(C) this district as a whole; the commission or council shall grant the certificate.

(5) If the proposed work is the restoration of original architectural elements and will not have an adverse effect on the external architectural features, future preservation, maintenance, or use of:

(A) a structure in this district;

(B) a blockface in this district; or

(C) this district as a whole; the commission or council shall grant the certificate. In determining whether the proposed work constitutes the restoration of original architectural elements, the commission or council shall consider all available materials, including but not limited to photographs and drawings showing the original appearance of the building and its surrounding property at the time of construction. (Ord. Nos. 18563; 25423)

**SEC. 51P-63.111. NOTICE REQUIREMENTS.**

The following notice requirements apply to this district:

(1) When required. The director shall give the notice required by this section only when a person applies for a certificate of appropriateness to construct a new main building, or to move a main building onto an existing lot.

(2) Content of notice. The notice required by this section must contain a description of the lot where a main building will be constructed or moved, and the date, time, and location of the committee meeting at which the application will be considered.

(3) Manner of notification. The notice required by this section is a written notice to be given not less than 21 days before the committee meeting at which the application will be considered. Notice is given by depositing the notice properly addressed and postage paid in the United States Mail to the property owners entitled to notice under Paragraph (4) of this subsection as evidenced by the last approved city tax roll.

(4) Who must be notified. The director shall notify the following persons in this district whenever notice is required by this section:

(A) The owners of all lots in the blockface of the area of request.

(B) The owners of all lots in the blockface across the street from the area of request.

(C) If the area of request is a corner lot, the owners of all other corner lots at the same intersection.

(D) The president of the Swiss Avenue Historic District Association at an address provided by the association.

**SEC. 51P-63.112. PROCEDURAL CHANGES WHEN NOTICE IS REQUIRED.**

The procedural time requirements in Section 51-4.501 applicable to the committee and the commission apply to this district except in those cases where notice is required under the previous section of this article. In such cases, the committee shall make its recommendation within 45 days of receipt of the application by the director. If final action has not been taken by the committee and the commission within 55 days of the director's receipt of the application:

(1) the director shall issue a certificate of appropriateness to the applicant for the proposed work; and

(2) if all requirements of the Dallas Development Code and the construction codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

#### **SEC. 51P-63.113. CREATION OF AREAS.**

This district is hereby divided into ~~seven~~ six separate areas, which shall be known as "Area A," "Area B," "Area C," "Area D," "Area E," ~~and "Area F,"~~ and Area "G." Property descriptions of Areas A through F are attached to Ordinance No. 18563. A map showing the area boundaries is labelled Exhibit 63A.

(1) Uses that were illegal on February 3, 1982, are illegal uses under this article. Except as otherwise provided in this article, nonconforming uses are governed by Section 51-4.704.

(2) The number of dwelling units on a building site may not be increased. If the number of dwelling units in a building is reduced, or the building is replaced with another building containing a lesser number of dwelling units, the building site shall thereafter be limited to the lesser number of dwelling units.

(3) Except as otherwise provided below, uses are limited to single-family residential uses.

(4) The duplex use at 5600-02 Swiss Avenue is expressly recognized as a legal use unless and until the structure in which the use is located is destroyed, in which case the right to operate the duplex use terminates immediately.

~~(5) The medical society auxiliary social club use currently operated by the Dallas County Medical Society Auxiliary at 5500 Swiss Avenue is expressly recognized as a nonconforming use.~~

#### **SEC. 51P-63.115. DEVELOPMENT STANDARDS FOR AREA A**

(a) In general. Except as otherwise provided in this section, the development standards in the Dallas Development Code, as amended, applicable to an R-10 Single-Family District apply to all property in Area A. In the event of a conflict, the provisions of this section control.

(b) Height requirements. Maximum permitted heights for buildings and structures are:

(1) 36 feet for a main building; and

(2) 24 feet for an accessory building or structure.

(c) Lot size requirements. Lots must conform to the following standards:



(1) Each lot must have a minimum area of 10,000 square feet and a minimum depth of 230 feet.

(2) Each lot must have a width no less than 90 percent of the average width of all lots in both the same and the opposite blockface.

(3) Lots platted on or before February 3, 1982, are legal building sites, even though they may not conform to the requirements of this section.

(d) Maximum lot coverage. Maximum permitted lot coverage for all buildings and structures combined is 25 percent.

(e) Minimum front yard.

(1) All buildings and structures must have a minimum front yard setback of 65 feet.

(2) The main building on an interior lot must have a front yard setback that is:

(A) equal to that of the closest main building on either side of the lot in the same blockface; or

(B) between those of the closest main buildings on either side of the lot in the same blockface.

(3) The main building on a corner lot must have a front yard setback that is within five percent of that of the closest main building in the same blockface.

(f) Minimum rear yard. Minimum permitted rear yard setbacks for buildings and structures are:

(1) 60 feet for a main building if the lot is 230 feet or less in depth;

(2) 90 feet for a main building if the lot is over 230 but less than or equal to 250 feet in depth;

(3) 120 feet for a main building if the lot is over 250 feet in depth; and

(4) five feet for an accessory building or structure.

(g) Minimum side yards.

(1) All buildings and structures must have:

(A) on interior lots, a minimum side yard the greater of 10 feet or 80 percent of the average interior side yard in the blockface; and

(B) on corner lots, a minimum corner side yard the greater of 15 feet or 80 percent of the average corner side yard of the other corner lots at the same intersection.

(2) Except as otherwise provided in this section, no balcony, porch, or any portion of a building may extend into the required side yard. Roof eaves may project up to three feet into the required side yard.

(h) Off-street parking requirements. Single-family and duplex uses must provide at least two off-street parking spaces behind the front yard for each dwelling unit.

(i) Signs. Signs are governed by the provisions for non-business zoning districts in Article VII, "Sign Regulations," and all other applicable sign ordinances and laws.

(j) Story requirements. A main building must have at least two stories.

#### **SEC. 51P-63.116. PRESERVATION CRITERIA FOR AREA A.**

The following preservation criteria apply to all property in Area A

(1) Building placement, form, and treatment.

(A) Accessory buildings. Accessory buildings:

(i) are only permitted in the rear yard no closer than 15 feet to a main building; and

(ii) must be compatible with the scale, shape, roof form, materials, detailing, and color of a main building.

(B) Additions. All additions to a building must be compatible with the dominant horizontal or vertical characteristics, scale, shape, roof form, materials, detailing, and color of the building.

(C) Architectural detail. Materials, colors, structural and decorative elements, and the manner in which they are used, applied, or joined together must be typical of the style and period of a main building and compatible with the other buildings on the blockface.

(D) Awnings.

(i) Wood, metal, and plastic awnings are not permitted unless they:

(aa) are on an accessory building or the rear facade of a main building;

(bb) complement the color scheme of the building to which they are attached; and

(cc) are totally screened.

(ii) All awnings on the front and side facades of a main building must be typical of its style and period and complement its color scheme.

(E) Building placement. All buildings must be placed so as not to adversely affect the rhythm of spaces between buildings on the blockface.

(F) Building widths. Minimum permitted width for a main building is 80 percent of the average width of the existing main buildings in the blockface.

(G) Chimneys. All chimneys must be compatible with the style and period of a main building. Chimneys on the front 50 percent of a main building or on a corner side facade must be:

(i) constructed of brick, stucco, stone, or other materials that look typical of the style and period of a main building; and

(ii) of a style and proportion that is typical of the style and period of a main building.

(H) Color.

(i) Brick and stone surfaces. Brick and stone surfaces not previously painted must not be painted unless the applicant establishes that:

(aa) painting is the only method by which the brick or stone may be restored or preserved; or

(bb) the color and texture of replacement brick or stone cannot be matched with that of the existing brick or stone surface and the paint color matches that of the existing brick or stone surface.

(ii) Certain colors prohibited. Fluorescent and metallic colors are not permitted on the exterior of any structure in this district.

(iii) Dominant and trim colors. All structures must have a dominant color and no more than three trim colors. The colors of a structure must be complementary of each other and the overall character of this district.

(iv) Gutters and downspouts. Gutters and downspouts must be painted or colored to match or complement the color scheme of the structure to which they are attached.

(v) Roof colors. Roof colors must complement the style and overall color scheme of the structure.

(vi) Stain. The use and color of stain must be typical of the style and period of the building on which the stain is applied.

(I) Columns.

(i) Function. Columns are only permitted as vertical supports near the front entrance of a main building, or as vertical supports for porches.

(ii) Materials. Columns must be constructed of brick, wood, cut stone, or other materials that look typical of the style and period of a main building. No pipe or wrought iron columns are permitted.

(iii) Style. Columns must be of a style typical of the style and period of a main building.

(iv) Width dimensions.

(aa) The width of a one-story column shaft at its widest point must be at least one-eighth the height of the column.

(bb) The width of a two-story column shaft at its widest point must be at least one-tenth the height of the column.

(J) Facade materials.

(i) In general. The only permitted facade materials are brick, wood siding, stone, and stucco. All facade treatments and materials must be typical of the style and period of a main building.

(ii) Brick. All exposed brick on facades must be fired brick as defined by the American Standard Testing Materials Designation C-126-75A, Type Grade FBS-SW.

(iii) Wood facades. Existing wood facades must be preserved as wood facades. Wood shingles are not permitted as a primary facade material, but may be used in roof gables and on columns and foundation skirts in a manner that is typical of the style and period of a main building.

(K) Front entrances and porches.

(i) Detailing. Railings, moldings, tilework, carvings, and other detailing and architectural decorations on front entrances and porches must be typical of the style and period of a main building.

(ii) Enclosures. A front entrance or porch may not be enclosed with any material, including iron bars, glass, or mesh screening.

(iii) Facade openings. Porches must not obscure or conceal any facade openings in a main building.

(iv) Floor coverings. Carpeting is not permitted as a porch floor or step covering.

(v) Location. An entrance treatment, including door transoms, sidelights, stained glass, trim, and hardware, must be retained in its original location.

(vi) Style. The main building must have a front porch or entry treatment with a shape, roof form, materials, and colors that are typical of the style and period of the building.

(L) Height to width ratio. The relationship between the height and width of the front facade of a main building, including side projections, must be compatible with those of the other main buildings in the blockface.

(M) Porte cocheres. Except as otherwise provided in this subsection, porte cocheres must be preserved as architectural features and not be enclosed on any side by fences, gates, or any other materials. A wrought iron gate is permitted across the rear opening of a porte cochere if it has a screening factor of less than 50 percent and is compatible with the style and scale of a main building.

(N) Roof forms.

(i) Eaves and soffits. The height of eaves and soffits on a main building must be within 10 percent of the height of eaves and soffits on the closest main building in this district of a similar style and having the same number of stories.

(ii) Materials and colors. Roof materials and colors must complement the style and overall color scheme of the building or structure. Tar and gravel (built-up) is only permitted as a roof material on covered porches and porte cocheres with flat roofs.

(iii) Overhang. The roof overhang on a building must be compatible with the style and scale of the building. A replacement roof on an existing

building must have an overhang that is equal to or greater than the overhang of the roof it replaces.

(iv) Patterns. Roof patterns of a main building must be typical of the style and period of the architecture of the building and include separate substructure roofs.

(v) Skylights and solar panels. Skylights and solar panels are only permitted on:

(aa) the rear 50 percent of the roof of a main building on an interior lot;

(bb) the rear inside quadrant of the roof of a main building on a corner lot; and

(cc) the roof of an accessory building in the rear yard.

(vi) Slope and pitch. The degree and direction of roof slope and pitch must be typical of the style and period of a main building and compatible with existing building forms in this district. Flat or Mansard roof designs are not permitted on main or accessory buildings or structures, except that a covered porch or porte cochere may have a flat roof that is typical of the style and period of a main building.

(O) Stairs. Second and third story exterior staircases are only permitted on accessory buildings and the rear 50 percent of a main building, except that they are not permitted on a corner side facade.

(P) Windows and doors.

(i) Front facade openings. The total number of window and door openings (combined) in the front facade of a main building must be equal to or greater than the total number of original window and door openings (combined) in that facade. The number of door openings in the front facade of a main building may not be increased.

(ii) Glass. Clear, decorative stained, and clear leaded glass typical of the style and period of the building may be permitted in any window opening. Reflective, tinted, opaque, and mirrored glass and plastic are not permitted in any opening. Translucent glass is not permitted except in a bathroom window.

(iii) Screens, storm doors, and storm windows. Screens, storm doors, and storm windows may be permitted if:

(aa) their frames are painted or colored to match or complement the color scheme of a main building;



(bb) they do not obscure significant features of the windows and doors they cover; and

(cc) the screen mesh is 18 by 16 gauge.

(iv) Security and ornamental bars. Security and ornamental bars are only permitted on an accessory building or on the rear or side facades of a main building.

(v) Shutters. Shutters must be typical of the style and period of the building and appear to be installed in a manner to perform their intended function.

(vi) Style.

(aa) All windows and doors in the front facade of a main building must be proportionally balanced in a manner typical of the style and period of the building.

(bb) No single, fixed plate glass is allowed except as part of an original period design. The size and proportion of window and door openings located on the front and side facades of a main building must be typical of the style and period of the building.

(cc) All windows, doors, and lights in the front and side facades of a main building must be typical of the style and period of the building and compatible with the windows, doors, and lights in the front and side facades of the other main buildings in the blockface. Windows must contain at least two lights (window panes). Sidelights must be compatible in style and materials with the door.

(dd) The frames of windows must be trimmed in a manner typical of the style and period of the building.

(2) Landscaping.

(A) Certain items prohibited in front and corner side yards. The following items are not permitted in the front and corner side yards:

(i) Above-ground meters.

(ii) Berms.

(iii) Pylons and similar structures.

(iv) Rock or sculpture gardens.

(B) Fences.

(i) Definitions. The following definitions apply to terms used in these fence regulations:

(aa) FINISHED SIDE means the side of a fence that does not reveal the structural components.

(bb) STRUCTURAL COMPONENT means a post, column, or other vertical or horizontal member providing support and strength for a fence.

(ii) Form.

(aa) Fences must be constructed and maintained in a vertical position.

(bb) The top edge of a fence must be along a line that is either horizontal or parallel to grade. Except in the case of a picket, chain link, or wrought iron fence, the top edge of a fence must be flat.

(iii) Height. Maximum permitted height for a fence is nine feet.

(iv) Location.

(aa) Fences are not permitted in the front yard.

(bb) A fence in an interior side yard must be located in the rear 50 percent of the side yard and behind the rearmost side projection of a main building, except that the commission may allow a fence to be located in the rear 75 percent of the side yard if it determines that the fence does not screen any portion of a significant architectural feature of a main building on the same or an adjacent lot.

(cc) A fence in the corner side yard must not be directly in front of the corner side facade, except that the commission may allow a fence that is directly in front of all or any portion of the rear 50 percent of the corner side facade if:

[1] more screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and

[2] the fence does not screen all or any portion of a significant architectural feature of a main building.

(dd) A fence in the corner side yard must be set back a minimum of two feet from a public sidewalk.

(ee) A fence must run either parallel or perpendicular to a building wall or lot line.

(ff) A fence on a vacant lot must be set back a distance that is equal to or greater than the setback of the closest main building in the same blockface. In the case of a single interior vacant lot, the setback of the fence must be equal to or greater than the setback of a main building on the adjacent lot with the greater setback.

(v) Materials. A fence must be constructed of one or more of the following materials: metal or plastic-coated chain link, wrought iron, wood, brick, or stucco. Exposed concrete blocks are not permitted.

(vi) Masonry fences.

(aa) The color, texture, pattern, and dimensions of masonry and the color, width, type, and elevation of mortar joints in a fence column or base must match the masonry and mortar joints of a main building as nearly as practicable.

(bb) All exposed brick in a fence must be fired brick as defined by the American Standard Testing Materials Designation C-126-75A, Type Grade FBS-SW.

(vii) Metal fences.

(aa) Wrought iron and metal fences must be compatible with the style and period of a main building.

(bb) If a wrought iron or metal fence is painted or colored, the color must be black, dark green, or dark brown and complement the color of a main building.

(viii) Wooden fences.

(aa) All wooden structural posts must be at least four inches in diameter (nominal size).

(bb) The side of a wooden fence facing a public street must be the finished side.

(cc) Wooden fences may be painted or stained a color that is complementary to a main building.

(C) Outdoor lighting. Outdoor light fixtures on the front facade of a main building and on poles in the front yard must be compatible with the style and

period of a main building and not obscure or conflict with significant architectural details. Overhead and exposed wiring and conduit for outdoor lighting is not permitted.

(D) Pavement, filler, and edging materials. Pavement, filler, and edging materials, such as landscape timbers, gravel, and bark, used in landscape beds in the front and corner side yards must be reviewed by the commission as part of an overall landscape plan if the landscape beds collectively comprise more than 25 percent of the combined areas of the front and corner side yards. No more than 25 percent of the front yard of a residential use may be covered by pavement or filler materials.

(E) Planter boxes. Planter boxes must be:

- (i) an integral part of and typical of the style and period of a main building;
- (ii) 18 inches or less in height;
- (iii) 36 inches or less in depth; and
- (iv) constructed of brick, stone, or smooth-finish concrete that matches or is compatible in texture, color, and style with a main building.

(F) Retaining walls. Retaining walls are not permitted in the front and side yards except to preserve a natural or existing slope or to make a slope similar to that of an adjacent lot. The height of a retaining wall must not exceed the height of the slope it retains. A retaining wall must be constructed of unpainted stone, brick, stucco, or smooth-finish concrete that is compatible in texture, color, and style with a main building.

(G) Sidewalks, driveways, and curbing.

- (i) Materials.
  - (aa) No exposed aggregate, asphaltic, or artificially colored concrete or epoxy resin is permitted as a sidewalk, driveway, or curbing material.
  - (bb) All public sidewalks and curbing must be constructed of brush finish concrete.
  - (cc) All private sidewalks and driveways must be constructed of brush finish concrete, brick, tile, or slate. Gravel is allowed in the center strip of a ribbon driveway. Any material used in a sidewalk or driveway must be compatible in texture, color, and style with a main building.

(ii) Width, style, and spacing.

(aa) The maximum permitted width of a driveway in the front yard is 10 feet. The driveway width may be expanded to 20 feet at any point behind the front facade.

(bb) Ribbon driveways are only permitted if the owner establishes that a ribbon driveway was an original architectural element of the site. If a ribbon driveway is permitted, the ribbons must be at least one foot wide.

(cc) Circular driveways are not permitted in the front yard.

(dd) A driveway constructed in the front yard adjacent to an existing driveway on an adjacent lot must be spaced a minimum of one foot from the existing driveway on the adjacent lot.

**SEC. 51P-63.117 through SEC. 51P-63.131**  
**Omitted for brevity**

**SEC. 51P-63.132. USE REGULATIONS FOR AREA G.**

(a) Purpose. The purpose of this subsection is to preserve the structure at 5500 Swiss Avenue (the "House"), its contents, and the grounds. The House, which is a Registered Texas Historic Landmark, is one of the most important residential landmarks in the City of Dallas due to its retention of its original floor plan and many original exterior and interior architectural elements. The general objectives of the conditions for Area G are to promote and protect the health, safety, welfare, and enjoyment of the public and to preserve and enhance the historical, architectural, and cultural significance of Swiss Avenue, one of the most intact historic residential streets in the United States.

(b) In general. The use regulations in this article applicable to Area A apply to all property in Area G except as expressly modified in this section.

(1) Establishment for religious, charitable, or philanthropic nature is allowed by right.

(2) A caretaker's quarters is a permitted accessory use only in conjunction with an establishment for religious, charitable, or philanthropic nature.

(3) A social event use is allowed by specific use permit only and is limited to 12 events annually.

(A) No tents or other temporary structures are allowed.

(B) No amplified music or live music is allowed outside.

**SEC. 51P-63.115. DEVELOPMENT STANDARDS FOR AREA G.**

(a) In general. The development standards in this article applicable to Area A apply to all property in Area G except as expressly modified in this section.

(b) Off-street parking requirements.

(1) Single-family. A minimum of two off-street parking spaces per dwelling unit is required. Required parking may not be located within the required front yard.

(2) Establishment for religious, charitable, or philanthropic nature. A minimum of 56 parking off-street parking spaces are required.

(A) A minimum of 19 off-street parking spaces must be located within Area G.

(B) Four tandem spaces within Area G may only be used in conjunction with a valid valet permit.

(C) Remote parking is allowed within a walking distance no greater than 450 feet from the use.

(D) Remote parking may be based on a lease of the remote parking spaces only if the lease:

(i) is in writing;

(ii) contains legal descriptions of the properties affected;

(iii) specifies the special parking being provided and the hours of operation of any use involved;

(iv) is governed by the laws of the state of Texas;

(v) is signed by all owners of the properties affected;

(vi) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;

(vii) is for a minimum term of three years; and



(viii) provides both the owner of the lot occupied by the 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) Social event use. Required parking must be established in the ordinance granting the specific use permit to the degree necessary so as not to create a traffic hazard or congestion on nearby streets.

(4) Shared parking. Establishment for religious, charitable, or philanthropic nature use and the Social event use may share parking if the social event use does not operate during posted hours for the Establishment for religious, charitable, or philanthropic nature use or during an event for Establishment for religious, charitable, or philanthropic nature use.

#### **SEC. 51P-63.116. PRESERVATION CRITERIA FOR AREA G.**

(a) In general. The preservation criteria in this article applicable to Area A apply to all property in Area G except as expressly modified in this section.

(b) Area G Interior preservation.

(1) The following areas within the House are protected:

(A) Living room. Stained wood surfaces may not be painted. Painted surfaces may be re-painted the same color without review. If paint color is altered, the proposed color is subject to staff review. Stone fireplace and hearths must remain. Alterations to the finish of stained wood surfaces are subject to review. Protected features within the living room are:

(i) Decorative plaster ceiling.

(ii) Mahogany trim work at windows, doors and paneling.

(iii) Fireplace mantle and hearth.

(iv) 1.5-inch gauge quarter-sawn white oak flooring.

(B) Entry hall. Painted surfaces may be re-painted the same color without review. If paint color is altered, the proposed color is subject to staff review. Marble flooring must be maintained and preserved. Any alteration of stone work is subject to review by the commission. Protected features within the entry hall are:

(i) Dressed plaster walls.

(ii) Marble flooring.

(C) Stair hall. Stained wood surfaces may not be painted. Painted surfaces may be re-painted the same color without review. If paint color is altered, the proposed color is subject to staff review. Alterations to the finish of wood surfaces are subject to review by the commission. Deteriorated leatherette inserts in paneling may be replaced only with like material and is subject to review by the commission. Protected features within the stair hall are:

- (i) Mahogany paneling with leatherette inserts.
- (ii) Decorative metal handrails.
- (iii) 1.5-inch gauge quarter-sawn white oak flooring.

(D) Dining room. Stained wood surfaces may not be painted. Painted surfaces may be re-painted the same color without review. If paint color is altered, the proposed color is subject to staff review. Stone fireplace and hearth must be maintained and preserved. Alterations to the finish of wood surfaces are subject to review by the commission. Protected features within the dining room are:

- (i) Decorative plaster ceiling.
- (ii) Walnut trim work at windows, doors, and wainscot.
- (iii) Fireplace mantle and hearth.
- (iv) 1.5-inch gauge quarter-sawn white oak flooring.

(E) Greenhouse. The metal glazing system may be re-painted the same color without review. Glazing may be maintained without review. Glass may be replaced with new glass that matches the original glass without review. Protected features within the greenhouse are:

- (i) Glazing and metal glazing system.
- (ii) Tile flooring.

(2) Protected features of the protected interior areas may not be altered or removed without review by the commission, unless otherwise specified. All work must comply with the Secretary of Interior Standards for "Preservation" and the applicable "Preservation Briefs".

**SEC. 51P-63.13<sup>32</sup>. ADDITIONAL PROVISIONS [BUILDING OFFICIAL].**

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

**SEC. 51P-63.13<sup>43</sup>. COMPLIANCE WITH CONDITIONS ~~[STREETS AND PAVING]~~.**

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

**SEC. 51P-63.13<sup>54</sup>. COMPLIANCE WITH CONDITIONS.**

The building official shall not issue a certificate of occupancy for a use in this PD until there has been full compliance with this article, as amended, and with the construction codes and all other applicable ordinances, rules, and regulations of the city.

**~~SEC. 51P-63.135. ZONING MAP.~~**

~~PD 63 is located on Zoning Map No. I-8.~~

**SPECIFIC USE PERMIT  
PROPOSED CONDITIONS**

1. USE: The only use authorized by this specific use permit is social event use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on two years from passage of this ordinance (date).
4. OUTDOOR LIGHTING:
  - a) Except as provided in this paragraph, outdoor lighting is permitted in the locations shown on the site plan. No other outdoor lighting is permitted.
  - b) Temporary lighting is permitted but is limited to string lighting and portable light standards. Maximum height of string lighting is 10 feet, as measured to the highest point of string lighting. Maximum height of a light fixture for a portable light standard is eight feet, as measured to highest point of the light fixture.
8. PARKMONT CIRCLE DRIVE: The circular drive fronting on Parkmont Street, must be reserved for the sole use of set up and tear down activities and the valet service for attendees during a social event.
9. SECURITY PERSONNEL: A minimum of two licensed peace officers must be present for the entirety of each event, including set up and tear down activities.
10. DAYS AND HOURS OF OPERATION:

Staff recommended:

a) Social events may only operate between 10:00 a.m. and 8:00 p.m., Monday through Sunday.
--

Applicant proposed:

a) Social events may only operate between 10:00 a.m. and 10:00 p.m., Monday through Sunday.
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- b) Set up and tear down of equipment and associated functions must occur during the hours of operation.
11. OUTDOOR SENDOFFS: Outdoor sendoffs (attendees gathering outside for activities such as throwing birdseed, blowing bubbles, lighting sparklers, or similar celebrations) are prohibited.

12. CERTIFICATE OF OCCUPANCY: Prior to the first event, a certificate of occupancy must be obtained for the social event use.
13. PARKING: Required parking for the use is 56 off-street parking spaces. Parking may be provided in accordance with Section 51P-63.115(b)(2).
14. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
15. 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.

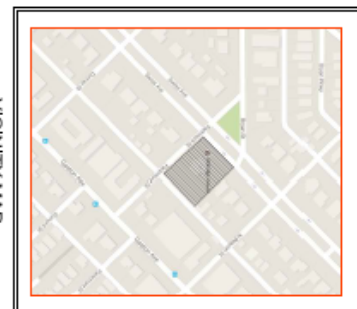
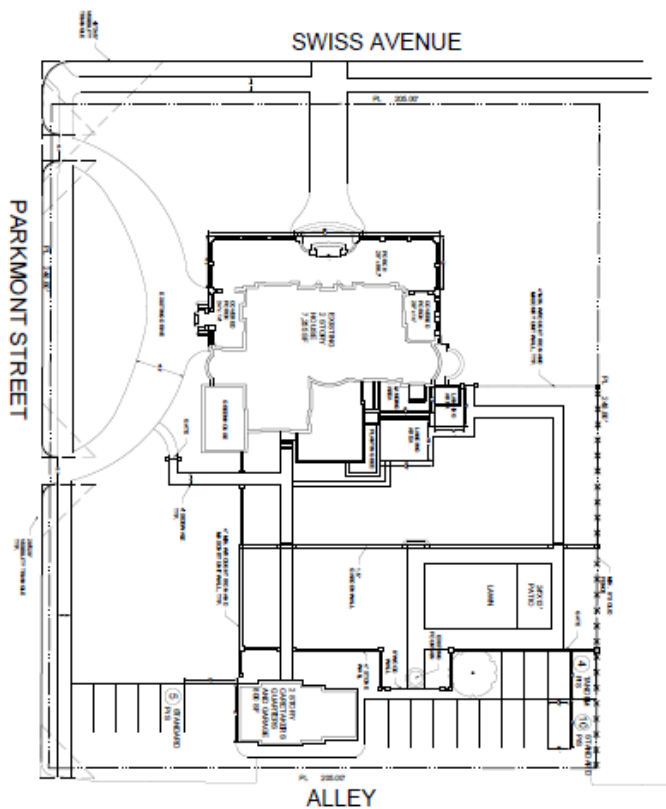
# Proposed Site Plan



1

ALDREDGE HOUSE SUP SITE PLAN

SCALE 1" = 20'-0"



VICINITY MAP

NTS

## SITE INFORMATION:

USE: DALLAS COUNTY MEDICAL SOCIETY ALLIANCE FOUNDATION ESTABLISHMENT FOR RELIGIOUS, CHARITABLE OR PHILANTHROPIC NATURE.

EXISTING HOUSE: 7,255 SF  
EXISTING CARETAKER'S QUARTERS: 800 SF  
STRUCTURE HEIGHT: 36' TO TOP OF ROOF; 38' TO TOP OF CHIMNEY  
LOT COVERAGE: 14.32%

## SETBACKS:

FRONT YARD: 65'  
REAR YARD: 90'  
ACCESSORY STRUCTURE: 5'  
CORNER SIDE YARD: 15'

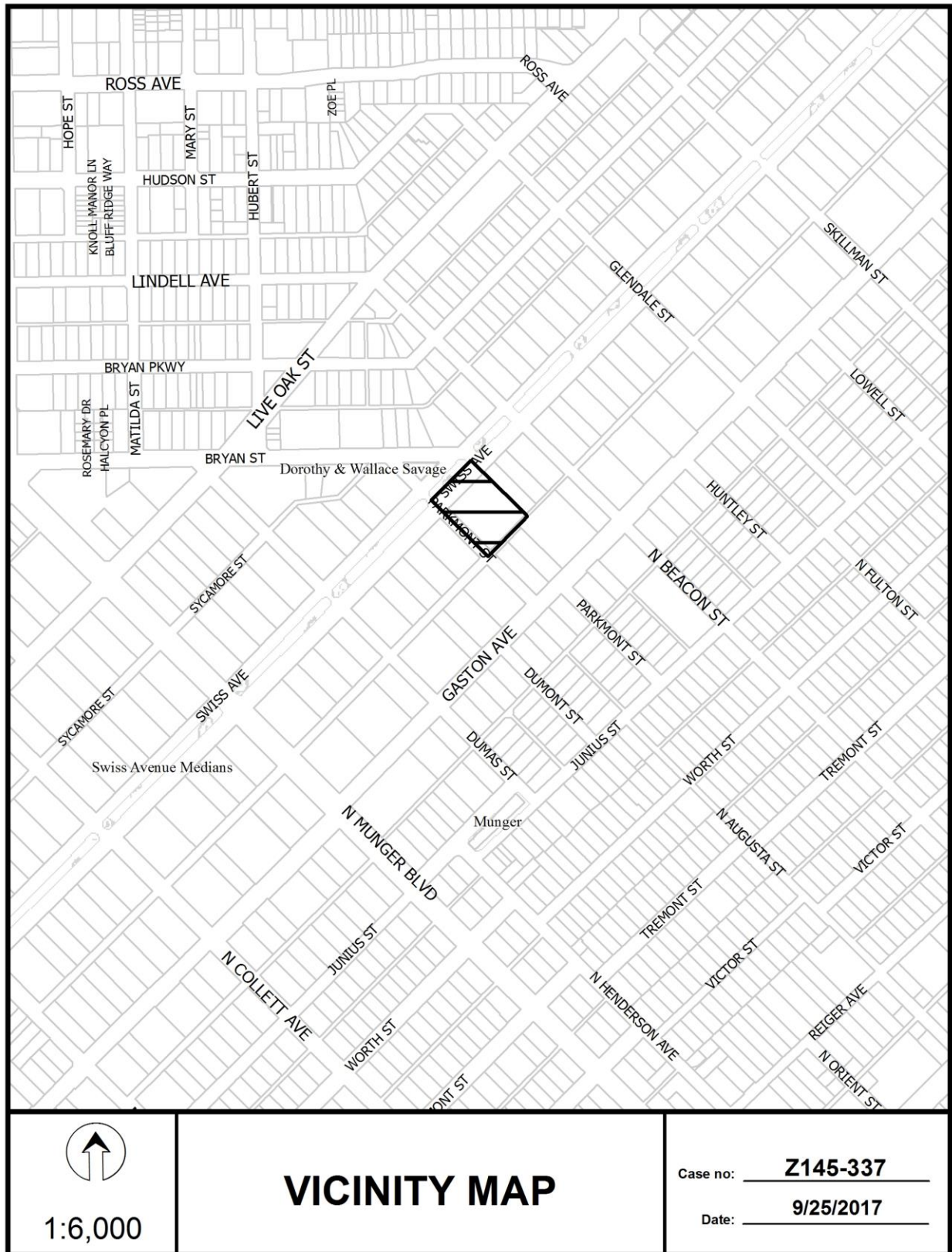
## PARKING:

CARETAKER'S PARKING:  
2 GARAGE P/S  
ALDREDGE HOUSE PARKING:  
ON-SITE PARKING:  
15 STANDARD P/S  
4 TANDEM P/S  
OFF-SITE PARKING:  
36 STANDARD P/S  
LOCATED AT 5436 GASTON

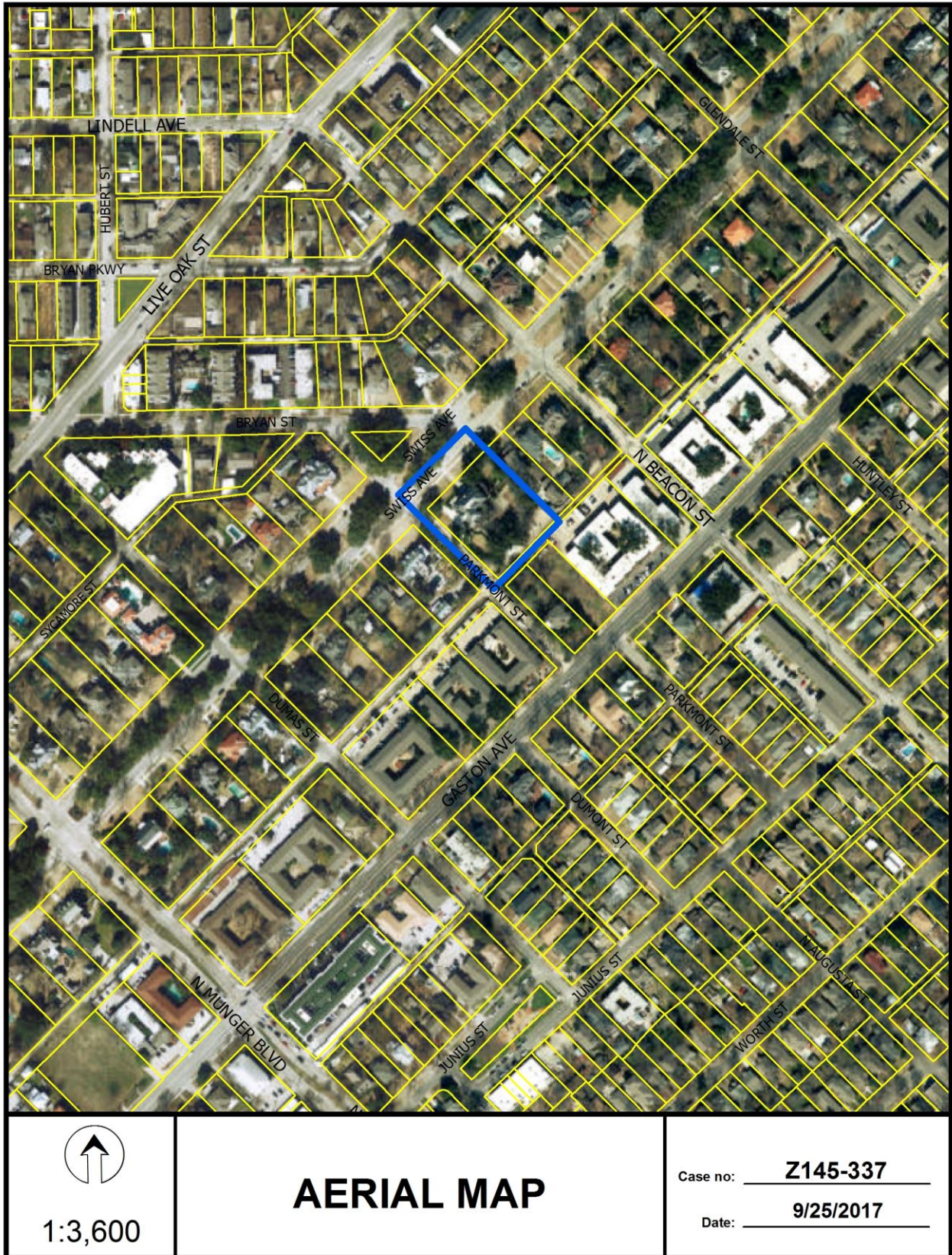
TOTAL PARKING REQUIRED: 56  
TOTAL PARKING PROVIDED: 57

CASE NUMBER: Z145-377 (MD/RB)

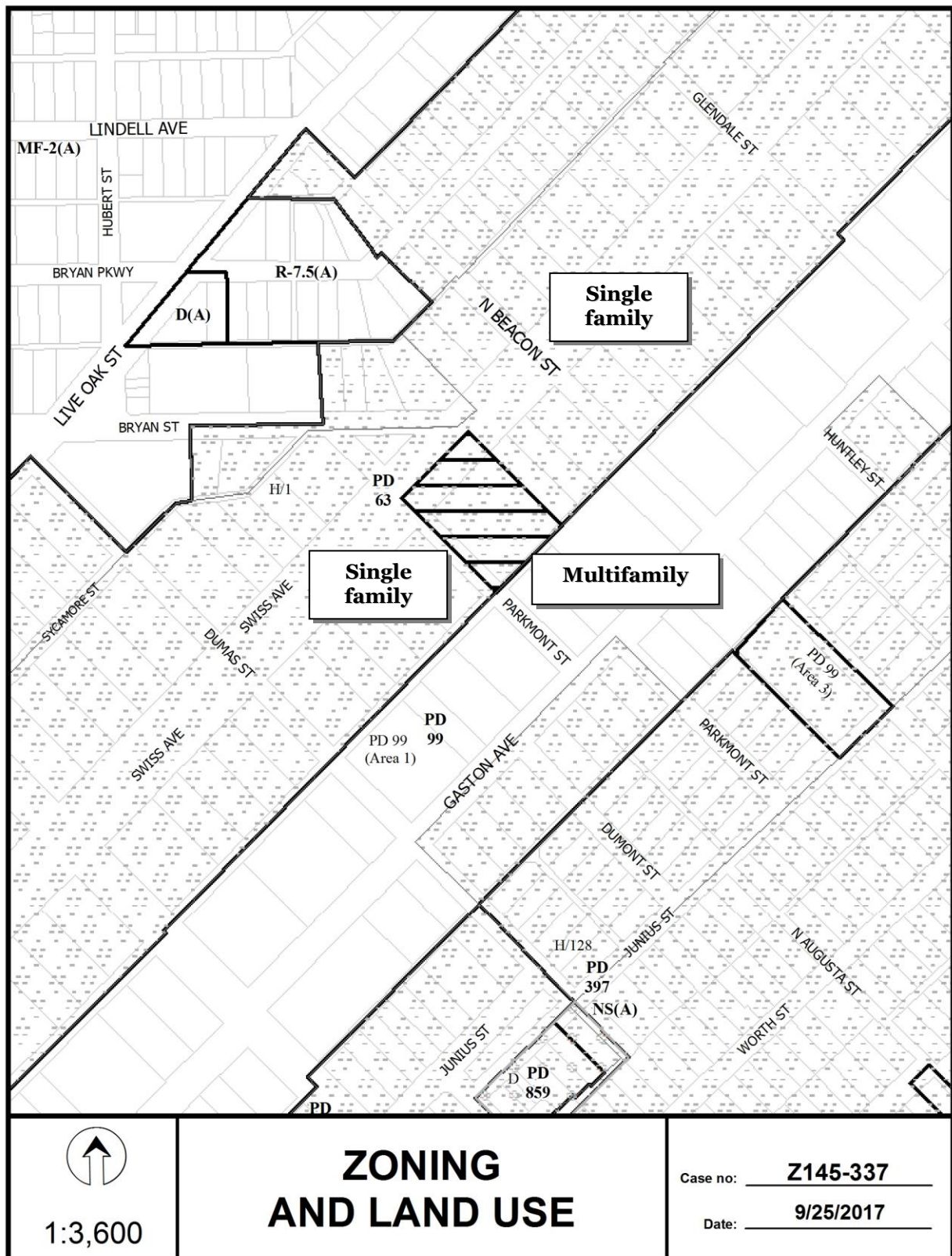


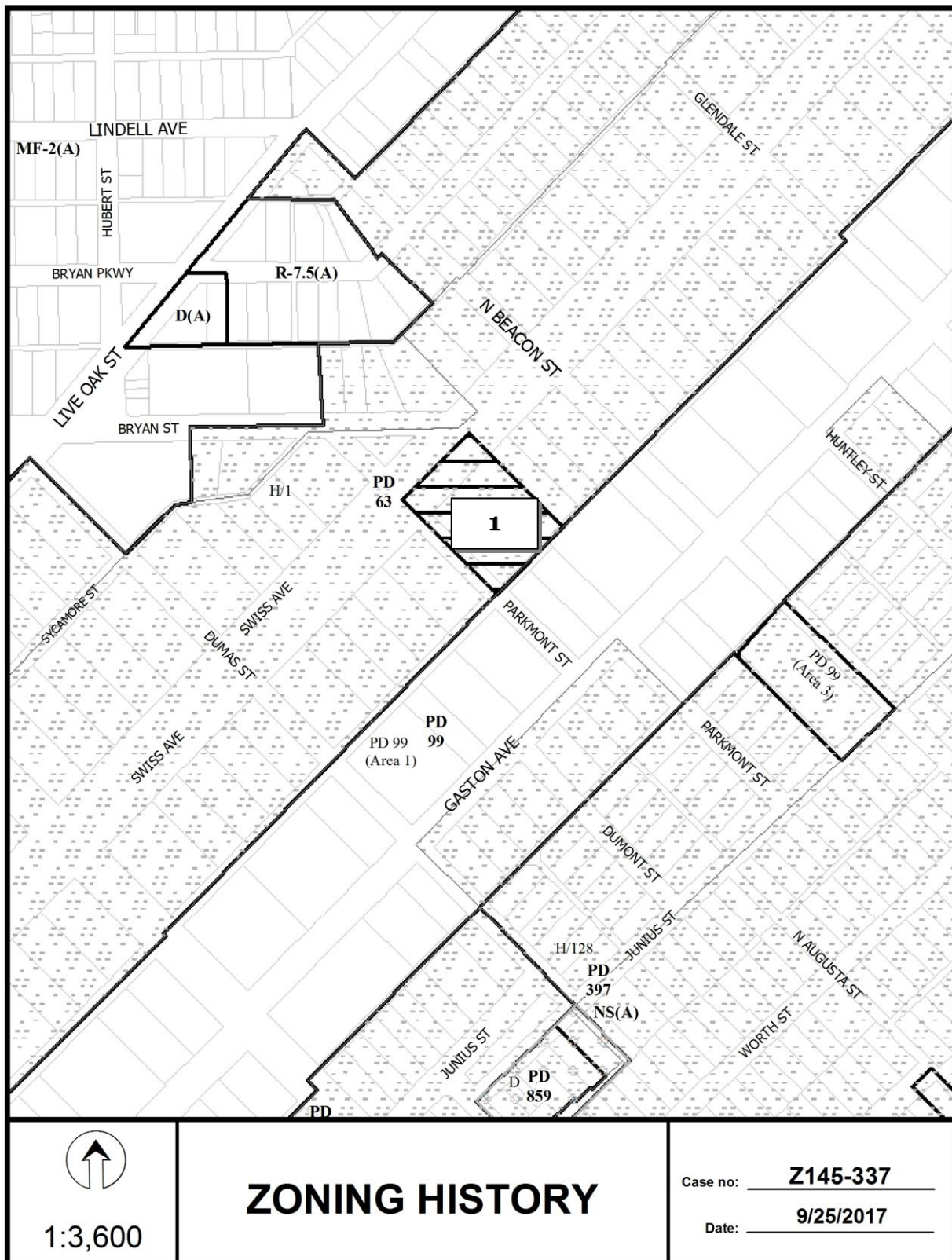




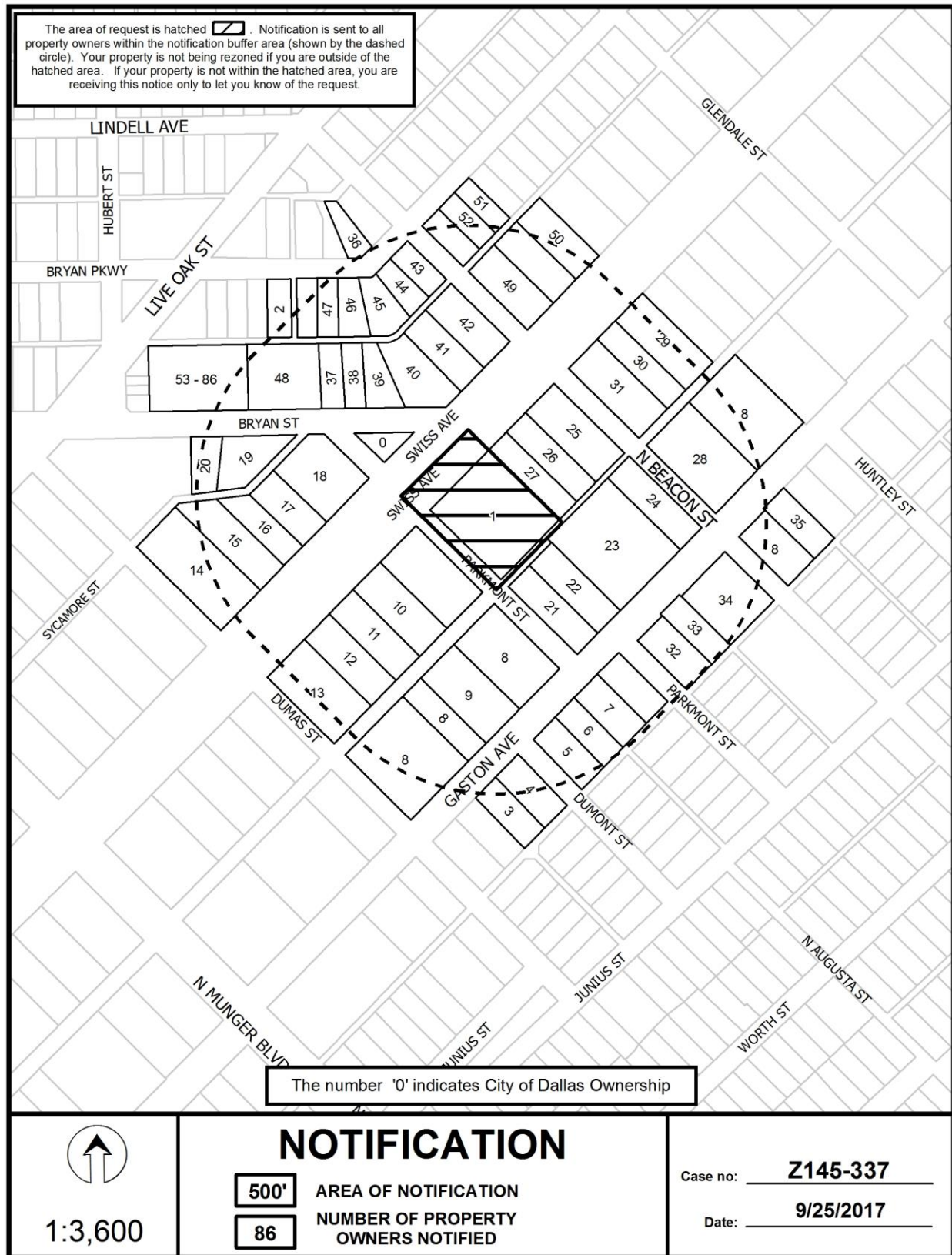












09/25/2017

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

### ***Z145-337***

***86 Property Owners Notified***

<i><b>Label #</b></i>	<i><b>Address</b></i>	<i><b>Owner</b></i>
1	5500 SWISS AVE	DALLAS CO MEDICAL SOC
2	5924 BRYAN PKWY	HOGUE THOMAS II
3	5416 GASTON AVE	OSGOOD JENNIFER
4	5422 GASTON AVE	SIEGEL ROBYN S &
5	5430 GASTON AVE	PUTNAM STEPHEN K
6	5436 GASTON AVE	DLS CO MED SOC WOMENS AUX
7	5444 GASTON AVE	GASTON COMMONS LLC
8	5405 GASTON AVE	ROLLING CASH UPPER E LP
9	5425 GASTON AVE	SC GASTON LLC
10	5416 SWISS AVE	ROSE ROBERT N JR
11	5412 SWISS AVE	RAMIREZ RENE M
12	5408 SWISS AVE	HAMPTON JOHN G & JOANNA L
13	5400 SWISS AVE	POWER CRAIG P
14	5405 SWISS AVE	MCCOLL CASSANDRA A & ARCHIBALD C III
15	5411 SWISS AVE	COSTELLO JAMES R &
16	5417 SWISS AVE	HURST JAMES & CAREY
17	5421 SWISS AVE	FINLEY JAMES NEAL & LOUISE MCCLINTOCK
18	5439 SWISS AVE	MCDANIEL LLOYD H &
19	5420 BRYAN ST	VAUGHAN ROBERT B
20	5418 BRYAN ST	BURGER NEIL R
21	5505 GASTON AVE	STANLEY MABLE C
22	5507 GASTON AVE	GATOR REO LLC
23	5515 GASTON AVE	SC MARQUEE LLC
24	907 N BEACON ST	JSH 907 BEACON LLC
25	5520 SWISS AVE	MILLER JANICE SUE
26	5518 SWISS AVE	ROGERS ROBERT H & DONNA



09/25/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5514 SWISS AVE	MCCUNE MICHAEL J &
28	5601 GASTON AVE	POWER 5601 GASTON LLC
29	5614 SWISS AVE	EARLY CHRISTIAN W
30	5610 SWISS AVE	SCHUTZE ROBERT E
31	5602 SWISS AVE	PINSON DAVID & NANCY
32	5500 GASTON AVE	HISTORIC RESIDENCES OF EAST DALLAS LLC
33	5516 GASTON AVE	BAILEY DAVID J & CYNTHIA J
34	5520 GASTON AVE	ALTMAN SAM
35	5606 GASTON AVE	JAMES MICHAEL R ETAL
36	5943 BRYAN PKWY	GREINER JUSTIN DAVID &
37	5501 BRYAN ST	WEINBERGER RISA
38	5503 BRYAN ST	MOBLEY THERESA & ORAN
39	5507 BRYAN ST	DUNKERLEY JAMES F &
40	5521 SWISS AVE	HAMILTON CHRISTOPHER SCOTT & ANNE LANGDON
41	5527 SWISS AVE	NOLAN MICHAEL J & ANNE R
42	5533 SWISS AVE	MCCAVID TODD A & LAURA W
43	5948 BRYAN PKWY	SCHAUB ROBYN & ADAM C
44	5944 BRYAN PKWY	MEYER MICHELLE &
45	5940 BRYAN PKWY	ALVES ANTONIO &
46	5936 BRYAN PKWY	5936 BRYAN PKWY LLC
47	5930 BRYAN PKWY	MCCOLLUM ROBERT H
48	5421 BRYAN ST	HETRICK DENNIS W &
49	5603 SWISS AVE	WATTERS DANIEL & ALEXANDRIA M
50	5617 SWISS AVE	BAUS JERRY E & MICHELLE A
51	6008 BRYAN PKWY	SAWYER JOHN S IV
52	6004 BRYAN PKWY	CARROLL ROGER LEE
53	5407 BRYAN ST	MILLER SHERYL
54	5407 BRYAN ST	ROWLAND CASSANDRA K &
55	5407 BRYAN ST	YOUNGER SUZAN L
56	5407 BRYAN ST	RICE SABRIYA
57	5407 BRYAN ST	PATTERSON EARL T & BETTY J

09/25/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5407 BRYAN ST	SMID SUSAN M
59	5407 BRYAN ST	MCMAHAN STEVEN ALLEN
60	5407 BRYAN ST	LONG LAURA KAREN
61	5407 BRYAN ST	HOCKENBERRY STEVEN S
62	5407 BRYAN ST	HALL LAUREN ELIZABETH
63	5407 BRYAN ST	BURDUROGLU ISMAIL
64	5407 BRYAN ST	BATTIATO SHERLIE
65	5407 BRYAN ST	DIETZEL ASHLEY E
66	5407 BRYAN ST	SCHULTZ CHRISTOPHER &
67	5407 BRYAN ST	WALLACE MARY E
68	5407 BRYAN ST	MULCH BRITTANY MEGAN
69	5407 BRYAN ST	PENNINGTON STEPHEN KEITH
70	5407 BRYAN ST	ECHOLS WILLIAM
71	5407 BRYAN ST	LE JENNIFER S
72	5407 BRYAN ST	GOUGH DONNA L TRUST
73	5407 BRYAN ST	HOOKE JACK HULEN
74	5407 BRYAN ST	FERNANDES CYRIL J
75	5407 BRYAN ST	STIEHL KRISTIN A
76	5407 BRYAN ST	MINICK MATTHEW E
77	5407 BRYAN ST	MARCAU DE GANDOLFO ANA MARIA
78	5407 BRYAN ST	ZELENIK ANN MARIE TRUST THE
79	5407 BRYAN ST	BIERSCHENK STEPHEN W
80	5407 BRYAN ST	FAVELA RICARDO
81	5407 BRYAN ST	HANSEN CARLY M
82	5407 BRYAN ST	BOVEE TRAVIS N
83	5407 BRYAN ST	MORELLO GINA
84	5407 BRYAN ST	BRAGAW RANDALL P & ROXANNE R
85	5407 BRYAN ST	NORDYKE SHEILA A
86	5407 BRYAN ST	DEORE WENDY

**FILE NUMBER:** DCA 178-001

**DATE INITIATED:** October 5, 2017

**TOPIC:** Remote Parking for Church use

**CITY COUNCIL DISTRICTS:** All

**CENSUS TRACTS:** All

**PROPOSAL:** Consideration of amending the Dallas Development Code Section 51A-4.204(4) to amend Remote and Shared Parking regulations for church use.

**SUMMARY:** The intent of this amendment is to clean up the inconsistencies between two sections in the Development Code that regulate the remote and shared parking regulations for a church use.

**ZOAC RECOMMENDATION:** Approval

**STAFF RECOMMENDATION:** Approval

## **BACKGROUND**

- On October 5, 2017, Zoning Ordinance Advisory Committee (ZOAC) considered remote parking for church use and recommended approval of the proposed amendments.

## **GENERAL INFORMATION/STAFF ANALYSIS**

The Dallas Development Code **Section 51A-4.324(d)** details the remote and shared parking regulations for all uses and **Section 51A-4.204(4)(iv)** details the remote and shared parking regulation for church use. The intent of this amendment is to clean up the discrepancies between these sections.

To address the inconsistencies between these two sections, Staff is proposing to remove regulations in Section 51A-4.204(4)(iv) Church use as shown below. By removing these regulations, the remote and shared parking regulations for a church use will default to Section 51A-4.324, specifically to 51A-4.324(d) remote parking standards and 51A-4.324(e) shared parking standards as shown below.

Proposed revisions:

### **SEC: 51A-4.204(4) Church.**

(A) Definition: A facility principally used for people to gather together for public worship, religious training, or other religious activities. This use does not include home meetings or other religious activities conducted in a privately occupied residence.

(B) Districts permitted: By right in all residential and nonresidential districts except the P(A) district.

(C) Required off-street parking:

(i) Number of spaces required. One space per 333 square feet in floor area if a church has less than 5,000 square feet of floor area and is located in a shopping center with more than 20,000 square feet in floor area, otherwise one space for each four fixed seats in the sanctuary or auditorium. If fixed benches or pews are provided, each 18 inches of length of the fixed bench or pew constitutes one fixed seat for purposes of this paragraph. If portions of seating areas in the sanctuary or auditorium are not equipped with fixed seats, benches, or pews, the parking requirement for those portions is one space for each 28 square feet of floor area.

(ii) Definitions. For purposes of this subsection, "remote parking" means required off-street parking provided on a lot not occupied by the main use. "Shared parking" means the use of the same off-street parking stall to satisfy the off-street parking requirements for two or more uses.

(iii) Reconciliation with Divisions 51A-4.300 et seq.. Except as otherwise expressly provided in this subsection, the off-street parking regulations in Divisions 51A-4.300 et seq. apply to this use. In the event of a conflict between this subsection and Divisions 51A-4.300 et seq., this subsection controls.

~~(iv) Remote and shared parking. A church may use remote and/or shared parking to satisfy up to 50 percent of its off-street parking requirement, provided that the remote and/or shared parking is on a lot that is:~~

~~(aa) dedicated to parking use by an instrument filed with the building official and approved by the city attorney's office;~~

~~(bb) located in a non-residential district; and~~

~~(cc) located within 600 feet (including streets and alleys) of the lot occupied by the church. The distance measured is the shortest distance between the lots.~~

(v) Distance extension with shuttle service. A remote parking lot for a church may be located up to one and one-half miles (including streets and alleys) from the lot occupied by the church if a shuttle service is provided to transport persons between the church and the remote parking lot. The shuttle service route must be approved by the traffic engineer.

(vi) Remote parking agreement. An agreement authorizing a church to use remote parking may be based on a lease of the remote parking spaces if:

(aa) the lease is for a minimum term of three years; and

(bb) the agreement provides that both the owner of the lot occupied by the church and the owner of the remote lot shall notify the city of Dallas in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) A church may permit passengers of mass transportation and car pools to park on the church parking lot.

(ii) The following structures, when located on top of a church building, are excluded from the height measurement of the church building:

(aa) Belfries.

(bb) Bell towers.

(cc) Campaniles.

(dd) Carillons.

(ee) Crosses.

(ff) Cupolas.

(gg) Spires.

(hh) Steeples.

(iii) A rectory, convent, or monastery is permitted as an accessory use.

## **Section 51A-4.324**

(b) General standards.

(1) Special parking may not be located in a residential district, except that Chapter 51 community service, religious, and educational uses, and Chapter 51A institutional and community service uses may share parking in residential districts on the same lot where both uses are located. Nonresidential uses in residential districts may also use special parking if the special parking is not located in a residential district.

- (2) Except as otherwise expressly provided in this subsection, special parking may not account for more than 50 percent of the off-street parking required for any use.
- (3) The 50 percent limitation in Paragraph (2) does not apply to:
  - (A) remote parking within a walking distance of 300 feet of the main use; and
  - (B) shared parking on the same lot as the main use if all uses sharing the parking have mutually exclusive hours of operation.
- (4) Special parking must comply with all codes, ordinances, rules, and regulations of the city.
- (5) Special parking may not create safety hazards.
- (c) Packed parking standards. Packed parking may not be used unless a license is obtained pursuant to Section 51A-4.329.
- (d) Remote parking standards.
  - (1) Walking distance. Remote parking must be located within a walking distance of 300 feet from the use served by the remote parking unless an extension of walking distance is approved by the building official.
  - (2) Extension of walking distance.
    - (A) The building official may extend the walking distance for remote parking to no more than 600 feet unless the extension would:
      - (i) significantly discourage patrons of the use from using the remote parking;
      - (ii) unreasonably endanger the safety of persons or property; or
      - (iii) not otherwise be in the public interest.
    - (B) A license is required to authorize an extension of walking distance beyond 600 feet. (See Section 51A-4.329.)
  - (3) Signs required at main use and at parking lot. A sign must be prominently displayed at all entrances of a remote parking lot and at all entrances of a parking lot providing on-site parking for the main use. Each sign must:
    - (A) illustrate or describe the location of the remote parking in relation to the main use;
    - (B) be constructed of weather resistant material;
    - (C) be no less than 30 inches wide and 24 inches long; and
    - (D) contain clearly legible letters in a color that contrasts with the background material of the sign.
- (e) Shared parking standards. Uses sharing parking must have either mutually exclusive or compatibly overlapping normal hours of operation. The building official shall determine whether hours of operation are compatibly overlapping on a case by case basis.



<b>Zoning Ordinance Advisory Committee (ZOAC) Meeting Minutes</b> October 5, 2017
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**Motion to accept the changes to Remote Parking for Church use as presented by the Staff.**

**Motion:** Brown  
**2<sup>nd</sup>:** Hartman

**Result:** Passed: 5-0  
For: Shidid, Murphy, Hartmann, Gomez, and Brown  
Against: none  
Absent: Houston and Benedict

**Proposed Amendment**

**Section 51A-4.204**

(4) Church.

(A) Definition: A facility principally used for people to gather together for public worship, religious training, or other religious activities. This use does not include home meetings or other religious activities conducted in a privately occupied residence.

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occupied by the church if a shuttle service is provided to transport persons between the church and the remote parking lot. The shuttle service route must be approved by the traffic engineer.

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(~~I[aa]~~) the lease is for a minimum term of three years; and

(~~II[bb]~~) the agreement provides that both the owner of the lot occupied by the church and the owner of the remote lot shall notify the city of Dallas in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) A church may permit passengers of mass transportation and car pools to park on the church parking lot.

(ii) The following structures, when located on top of a church building, are excluded from the height measurement of the church building:

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- (cc) Campaniles.
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- (ee) Crosses.
- (ff) Cupolas.
- (gg) Spires.
- (hh) Steeples.

(iii) A rectory, convent, or monastery is permitted as an accessory use.

# Memorandum



CITY OF DALLAS

DATE November 9, 2017

TO Gloria Tarpley, Chair and  
City Plan Commissioners

SUBJECT City Plan Commission Authorized Hearing  
In an area generally located along both sides of Edgefield Avenue from Tennessee Avenue to the alley south of Newport Avenue, both sides of Balboa Drive between Pioneer Drive and Berkley Avenue, both sides of Ferndale Avenue from the alley east of Tennessee Avenue to the alley east of Balboa Drive, both sides of Brunner Avenue between Balboa Drive and Edgefield Drive, and both sides of Newport Avenue between Balboa Drive and Edgefield Drive, and containing approximately 14 acres.

Commissioners West, Peadon, and Shidid request that the City Plan Commission authorize a public hearing to determine the proper zoning on property zoned a CR Community Retail District. Consideration is to be given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. Attached is a location map for your review.

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

A handwritten signature in blue ink that reads "Donna P. Moorman". The signature is fluid and cursive, with a long horizontal line extending from the end.

Donna Moorman, Chief Planner  
Current Planning Division  
Sustainable Development and Construction Department

# Memorandum



CITY OF DALLAS

DATE October 5, 2017

TO David Cossum, Director  
Department of Sustainable Development and Construction

SUBJECT Request for Agenda Item for an Authorized Hearing;

We respectfully request that the following item be placed on the City Plan Commission Agenda and advertised as required by Section 51A-4.701(a)(1) of the City of Dallas Development Code.

Consideration of authorizing a public hearing to determine the proper zoning on property zoned a CR Community Retail District generally located along both sides of Edgefield Avenue from Tennessee Avenue to the alley south of Newport Avenue, both sides of Balboa Drive between Pioneer Drive and Berkley Avenue, both sides of Ferndale Avenue from the alley east of Tennessee Avenue to the alley east of Balboa Drive, both sides of Brunner Avenue between Balboa Drive and Edgefield Drive, and both sides of Newport Avenue between Balboa Drive and Edgefield Drive, and containing approximately 14 acres. Consideration is to be given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. A map of the area to be considered is attached.

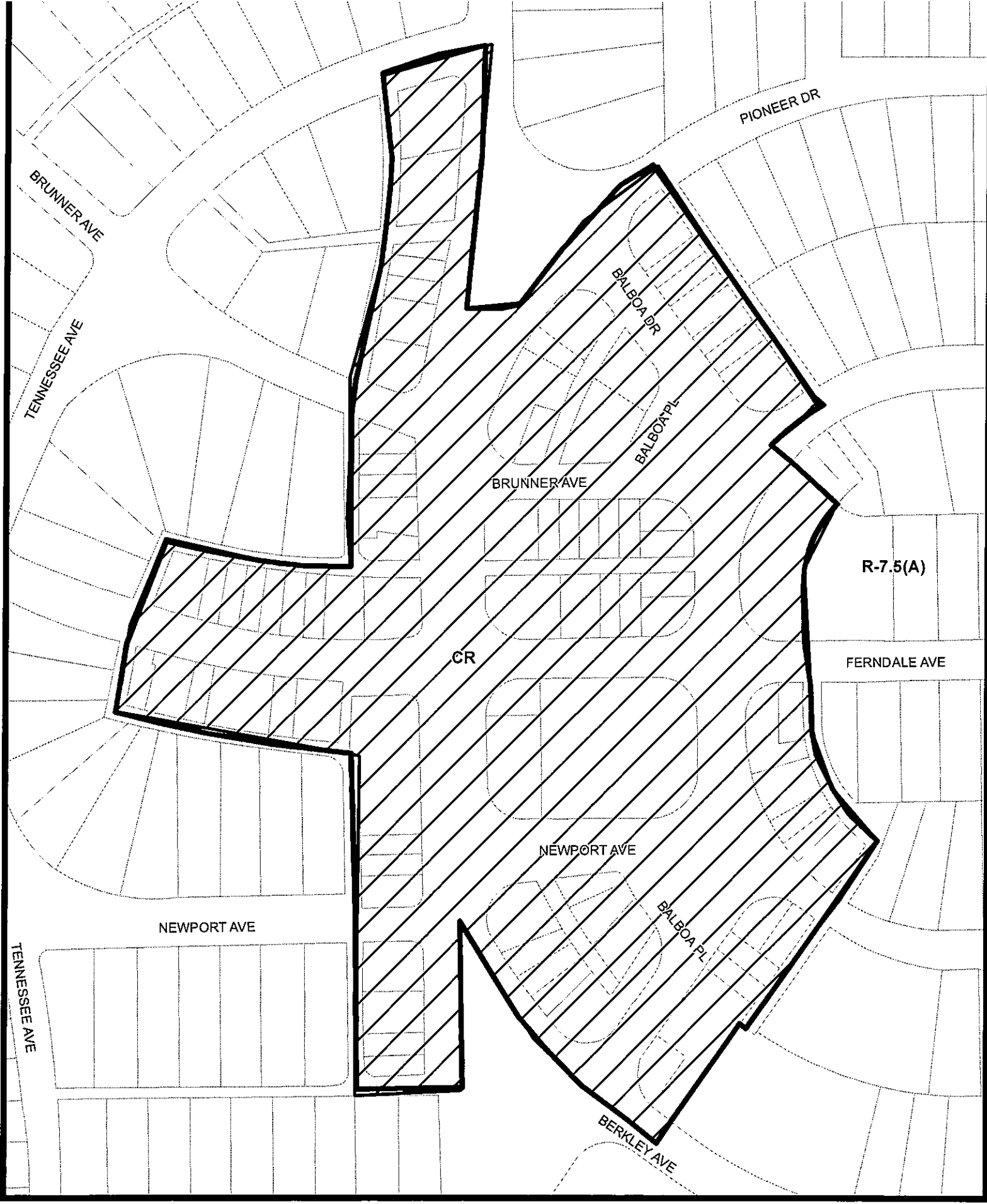
Thank you for your attention to this matter.

Chad West, Commissioner

Commissioner

Commissioner

c: Neva Dean, Assistant Director, Sustainable Development and Construction



1:1,753

Proposed Authorized Hearing

Printed Date: 6/28/2017