



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, December 14, 2017
AGENDA

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

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

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

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S167-300R**
(CC District 6)
- An application to revise a previously approved plat (S167-300) to create five lots ranging in size from 0.116-acre to 0.187-acre from a 0.649-acre tract of land in City Block A/7187 on property located at Chippewa Drive and Clymer Street, northwest corner.
Applicant/Owner: BMH as Built USA of Texas/DISD
Surveyor: Gonzalez & Schneeberg Engineers/Surveyors
Application Filed: November 16, 2017
Zoning: R-5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S178-036**
(CC District 14)
- An application to replat a 0.872-acre tract of land containing all of Lots 5 and 6 and the remainder of Lot 7 in City Block E/1527 to create one lot on property located on McKinney Avenue, southwest of Oliver Street.
Applicant/Owner: BPKK, LTD and SFA 73, LTD
Surveyor: A&W Surveyors, Inc.
Application Filed: November 15, 2017
Zoning: PD 193 (MF-2)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S178-039**
(CC District 14)
- An application to replat a 1.319-acre tract of land containing part of Lot 9 and all of Lot 8 in City Block 1022 and all of Lots 6 and 7 in City Block 1023 to create one lot on property located on Welborn Street at Congress Avenue, south corner.
Applicant/Owner: Toll Brothers
Surveyor: Brown & Gay Engineers, Inc.
Application Filed: November 15, 2017
Zoning: PD 193 (PDS133)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S178-042**
(CC District 11)
- An application to create a 0.599-acre lot from a tract of land in City Block 7762 on property located on North Central Expressway/U.S. Highway No. 75, south of Spring Valley Road.
Applicant/Owner: Perry Lots, LLC
Surveyor: Webb Surveying, Inc.
Application Filed: November 16, 2017
Zoning: MU-3
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S178-043**
(CC District 2)
- An application to replat a 0.951-acre lot containing all of Lots 10, 11, 12, 13, 14, and 15 in City Block 8/1639 and a 0.979-acre lot containing all of Lots 16, 17, 18, 19, 20, and 21 in City Block 8/1639 on property located at Culver Street and Beeman Avenue, northwest corner.
Applicant/Owner: St. Luke Community United Methodist Church
Surveyor: Grantham & Associates, Inc.
Application Filed: November 17, 2017
Zoning: P(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (6) **S178-045**
(CC District 14)
- An application to replat a 0.305-acre tract of land containing part of Lot 9 and all of Lot 10 in City Block 3/2234 to create a 6-lot shared access area development with lots ranging in size from 0.041-acre to 0.057-acre on property located on La Vista Avenue, west of Alderson Street.
Applicant/Owner: Green Brick Partners
Surveyor: Texas Heritage Surveying, LLC
Application Filed: November 17, 2017
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (7) **S178-046**
(CC District 2)

An application to replat a 0.433-acre tract of land in City Block 7/767 to create a 7-lot shared access area development with lots ranging in size from 2,152-square feet to 2,931-square feet on property located on Swiss Avenue, South of Peak Street.

Applicant/Owner: GRBK Frisco, LLC

Surveyor: Texas Heritage Surveying, LLC

Application Filed: November 20, 2017

Zoning: PD 298, Subdistrict 11

Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Building Line Removal:

- (8) **S167-135R1**
(CC District 13)

An application to a replat a 29.1653-acre tract of land containing all of Lots 1 through 34 in City Block 1/6382; Lots 1 through 13 in City Block 2/6382; Lots 1 through 7 in City Block 3/6382; Lots 1 through 4 in City Block 4/6382; Lots 1 through 9 in City Block 5/6382; Lots 1 through 16 in City Block 6/6382; Lots 1 through 8 in City Block 7/6382; Lots 1 through 47 in City Block 8/6382; Lots 1 through 16 in City Block 9/6382, Lots 1 through 16 in City Block 10/6382; Lots 1 through 39 in City Block 11/6382; and all of the Open Space, Recreational, and Utility and Fire Lane area Easements to create four lots ranging in size from 2.2950-acres to 13.6526-acres, and to remove all existing platted building lines on property bounded by Willow Lane, Inwood Road, Forest lane, and Bachman Creek Channel and all of City Block 1/6382, along Forest Lane Circle, on property located on Forest Lane and Inwood Road, northwest corner.

Applicant/Owner: Daniel Brothers, LLP

Surveyor: Kimley-Horn and Associates, Inc.

Application Filed: November 16, 2017

Zoning: PD 983

Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (9) **S178-044**
(CC District 11)

An application to reduce a portion of the existing 30-foot platted building line to 25-feet on property located at 7624 Indian Springs Road.

Applicant/Owner: Saadallah A. El-Jundi and Malissa El-Jundi

Surveyor: CBG Surveying ,Inc.

Application Filed: November 17, 2017

Zoning: R-7.5(A)

Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats:

- (10) **S178-035**
(CC District 2) An application to replat a 0.5638-acre tract of land containing all of Lot 5 and part of Lot 4 in City Block B/2330 into one lot on property located on Maple Springs Boulevard, east of Denton Drive.
Applicant/Owner: James D. Norcross and Charles Krueger Norcross
Surveyor: Votex Surveying Company
Application Filed: November 15, 2017
Zoning: PD 193 (R-7.5)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (11) **S178-038**
(CC District 13) An application to replat a 2.159-acre tract of land containing all of Lot 11 in City Block B/6595 to create a 25-lot shared access area development with 5 common areas with lots ranging in size from 0.035-acre to 0.076-acre on property located on Modella Avenue, west of Allister Street.
Applicant/Owner: WDP Modella Partners, LLC
Surveyor: Votex Surveying Company
Application Filed: November 15, 2017
Zoning: PD 978
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- W178-002**
Sharon Hurd
(CC District 14) An application for a waiver of the two-year waiting period to submit an application for an amendment to Planned Development District No. 740, on the southeast corner of North Central Expressway and East Mockingbird Lane.
Staff Recommendation: **Denial**
Applicant: Toll Brothers
Representative: Karl Crawley, Masterplan
- W178-003**
Sharon Hurd
(CC District 2) An application for a waiver of the two-year waiting period to submit an application for an amendment to Planned Development District No. 759, an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue.
Staff Recommendation: **Denial**
Applicant: Mockingbird Venture Partners, LLC
Representative: Jonathan Vinson, Jackson Walker LLP

D167-033

Abraham Martinez
(CC District 12)

An application for a development plan and landscape plan for retail and restaurant uses on property zoned Tracts A and B within Planned Development District No. 268, on the east line of Preston Road, north of Frankford Road.

Staff Recommendation: **Approval**

Applicant: Preston Road Associates, LTD; Michael C. Duda
Representative: Sergio Garza for Huitt-Zollars, Inc.

Certificates of Appropriateness for Signs:

Downtown Special Purpose Sign District - Perimeter:

1708140004

Neva Dean
(CC District 14)

An application for a Certificate of Appropriateness by Marie Byrum of Byrum Sign & Lighting, Inc. for a 90-square foot attached sign at 505 North Good Latimer (southeast elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:
Approval

Applicant: Marie Byrum

Tenant/Owner: Evening Entertainment Group, Les Corieri, sole officer

1710190004

Neva Dean
(CC District 2)

An application for a Certificate of Appropriateness by Mike Gary of Giant Sign for a 294-square foot flat attached sign at 1311 South Ervay Street (northeast elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:
Approval

Applicant: Mike Gary

Tenant/Owner: Four Corners Brewing Co.

Jefferson Boulevard Special Purpose Sign District:

1709280004

Neva Dean
(CC District 1)

An application for a Certificate of Appropriateness by Joshua Kang with Texas Pro Signs, Inc. for a 159-square foot illuminated attached sign at 611 West Jefferson Boulevard (south elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:
Approval

Applicant: Joshua Kang

Tenant/Owner: Amax Auto Insurance/L&R Fiesta Investments

Downtown Special Purpose Sign District - General Central Business District:

1710180016
Neva Dean
(CC District 14)

An application for a Certificate of Appropriateness by Kristy Smith of Sign Manufacturing & Maintenance Corporation for a 259.34-square foot upper level flat attached sign at 310 South Houston Street (south elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:
Approval

Applicant: Kristy Smith

Tenant/Owner: Courtyard Marriott/Equity Hotel Group LLC

Downtown Special Purpose Sign District – Retail Subdistrict A:

1710190016
Neva Dean
(CC District 14)

An application for a Certificate of Appropriateness by Curk Horak of Priority Signs and Graphics for a 680-square foot upper level flat attached sign at 1914 Commerce Street (north elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:
Approval

Applicant: Curt Horak

Tenant/Owner: The Statler/Commerce Statler Development LLC

West End Special Purpose Sign District:

1710200009
Neva Dean
(CC District 14)

An application for a Certificate of Appropriateness by Daniel Kyle Wadsworth with Ramsay Signs for a 112-square foot painted wall sign at 800 Ross Avenue (north elevation/Ross side).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:
Approval

Applicant: Daniel Kyle Wadsworth

Tenant/Owner: Arrive West End Luxury Apartments/CWS Wend Creekside LLC.

1710200010
Neva Dean
(CC District 14)

An application for a Certificate of Appropriateness by Daniel Kyle Wadsworth with Ramsay Signs for a 504-square foot painted wall sign at 800 Ross Avenue (east elevation/Lamar side).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:
Approval

Applicant: Daniel Kyle Wadsworth

Tenant/Owner: Arrive West End Luxury Apartments/CWS Wend Creekside LLC.

Arts District Special Provision Sign District:

1710230002
Neva Dean
(CC District 14)

An application for a Certificate of Appropriateness by Melanie Hancock of Hancock Sign Company for a 30-square foot attached sign at 2330 Flora Street (northwest elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:
Approval

Applicant: Melanie Hancock

Tenant/Owner: Musume F&B1 LLC, Joshua Babb (sole officer)/Hall Group, Craig Hall (sole officer)

Thoroughfare Plan Amendments:

Canada Drive from Westmoreland Road to Hampton Road

Kimberly Smith
(CC District 6)

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Canada Drive from: (1) Westmoreland Road to Holystone Street from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on both sides of the roadway within 100 feet of right-of-way and 78 feet of pavement; and from (2) Holystone Street to Hampton Road from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on the north side of the roadway within 100 feet of right-of-way and 75 feet of pavement.

Staff Recommendation: **Approval** to the City of Dallas Thoroughfare Plan to change the dimensional classification of Canada Drive from: (1) Westmoreland Road to Holystone Street from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on both sides of the roadway within 100 feet of right-of-way and 78 feet of pavement; and from (2) Holystone Street to Hampton Road from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on the north side of the roadway within 100 feet of right-of-way and 75 feet of pavement.

CPC Transportation Committee Recommendation: **Approval**

Montfort Drive from Alpha Road to IH-635

Chelsea St. Louis
(CC District 11)

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Montfort Drive from Alpha Road to IH-635 from a special six-lane divided (SPCL 6D) roadway within 117 feet of right-of-way and with 92 feet of pavement with bike lanes to a special four-lane divided (SPCL 4D) roadway within 80 feet of right-of-way and with bicycle facilities.

Staff Recommendation: **Approval** of an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Montfort Drive from Alpha Road to IH-635 from a special six-lane divided (SPCL 6D) roadway within 117 feet of right-of-way with 92 feet of pavement with bike lanes to a special four-lane divided (SPCL 4D) roadway within 80 feet of right-of-way with bicycle facilities.

CPC Transportation Committee Recommendation: **Denial** based on the need for a more comprehensive evaluation of Montfort Drive and the Midtown Park.

Zoning Cases – Consent:

1. **Z167-345(WE)**
Warren Ellis
(CC District 6)

An application for an MU-3 Mixed Use District on property zoned an IR Industrial Research District on the west line of Market Center Boulevard, south of Stemmons Freeway (I-35E).

Staff Recommendation: **Approval**

Applicant: 2015 Market Center LLC – Jiwon Choi Song, Sole Manager
Representative: Robert Reeves, Robert Reeves & Associates

2. **Z167-401(WE)**
Warren Ellis
(CC District 13)

An application for an amendment to Specific Use Permit No. 44 for an electrical substation on property zoned an R-16(A) Single Family District, on the south line of Northaven Road, east of the Dallas North Tollway.

Staff Recommendation: **Approval**, subject to a site plan and conditions.

Applicant: Oncor Electric

Representative: Karl Crawley, MASTERPLAN

3. **Z178-102(SM)**
Sarah May
(CC District 6)

An application for an MU-2 Mixed Use District on property zoned an IR Industrial Research District, on the west line of Gretna Street, south of Lupo Drive.

Staff Recommendation: **Approval**

Applicant: Justin McMillin

Representative: Audra Buckley, Permitted Development

4. **Z178-103(SM)**
Sarah May
(CC District 6)
An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District, on the west line of Brundrette Street, south of Pollard Street.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant/Representative: Kimberly Owens and Lilian Smith-Kirkley
5. **Z178-106(PD)**
Pamela Daniel
(CC District 6)
An application for a CS Commercial Service District on property zoned an IR Industrial Research District, on the northwest corner of Ambassador Row and Mockingbird Lane.
Staff Recommendation: **Approval**
Applicant: Del Lago Ventures, Inc.
Representative: David Martin/Tommy Mann (Winstead PC)
6. **Z178-110(PD)**
Pamela Daniel
(CC District 7)
An application for a Specific Use Permit for an auto service center use on property zoned an NC(E) Neighborhood Commercial Enhanced Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast line of Second Avenue, between Metropolitan Avenue and Penelope Street.
Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.
Applicant: Martin's Mobile
Representative: Silvia A. Soto

Zoning Cases – Under Advisement:

7. **Z167-259(WE)**
Warren Ellis
(CC District 10)
An application for the renewal of Specific Use Permit No. 1548 for an open-enrollment charter school on property zoned an IR Industrial Research District, on the west and north side of Forestgate Drive, north of Forest Lane.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan, revised traffic management plan, and conditions.
Applicant: Harmony Public Schools
Representative: Karl Crawley, Masterplan
U/A From: November 16, 2017 and November 30, 2017

8. **Z167-284(PD)**
Pamela Daniel
(CC District 4)
- An application for the renewal of Specific Use Permit No. 1989 for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned Subarea 6 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay on the northeast corner of South Buckner Boulevard and Norvell Drive.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.
Applicant: Autry's, Inc.
Representative: Misham Awadelkariem
U/A From: November 16, 2017
9. **Z167-330(PD)**
Pamela Daniel
(CC District 8)
- An application for a Specific Use Permit for a hotel or motel use on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the south side of Great Trinity Forest Way, west of North Jim Miller Road.
Staff Recommendation: **Approval** for a one-year period, subject to a site plan and conditions.
Applicant: Juneja Hospitality Holdings, LLS
Representative: Parvez Malik
U/A From: November 30, 2017
10. **Z167-338(JM)**
Jennifer Muñoz
(CC District 13)
- An application for an amendment to, and an expansion of, the Subarea D portion on property zoned Subareas C and D within Planned Development District No. 745, on the east side of Manderville Lane, north and south of Midtown Boulevard.
Staff Recommendation: **Denial**
Applicant: The Legacy Senior Communities, LLC; Freedom Hospitality LLC; and, Brazos Texas Land Development LLC
Representative: Baldwin Associates, Rob Baldwin
U/A From: November 30, 2017
11. **Z167-379(WE)**
Warren Ellis
(CC District 2)
- An application for an amendment to Planned Development Subdistrict No. 119 for Multiple-Family Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest line of Cedar Springs Road, between Lucas Drive and Hawthorne Avenue.
Staff Recommendation: **Approval**, subject to a development plan and conditions.
Applicant: Urban Loft Partners, Inc.
Representative: Karl Crawley, MASTERPLAN
U/A From: November 16, 2017 and November 30, 2017

Zoning Cases – Individual:

12. **Z167-376(WE)**
Warren Ellis
(CC District 8)
An application for an IM Industrial Manufacturing District and a Specific Use Permit for an industrial (outside) potentially incompatible use limited to a concrete crushing facility on property zoned a CS Commercial Service District, on the east line of South Central Expressway, south of Youngblood Road.
Staff Recommendation: **Denial**
Applicant: Brown Family Lewisville Railroad Family First, LP
Representative: Kirk Williams, Brad Williams - Winstead PC
13. **Z167-387(PD)**
Pamela Daniel
(CC District 2)
An application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MC-3 Multiple Commercial District, on the east corner of North Haskell Avenue and Worth Street.
Staff Recommendation: **Approval**, subject to a conceptual plan and conditions.
Applicant: Ecoview Homes
Representative: Rob Baldwin
14. **Z167-405(SM)**
Sarah May
(CC District 13)
An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned Planned Development District No. 724, on the northeast corner of Walnut Hill Lane and Hedgeway Drive.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.
Applicant: Verizon Wireless
Representative: Peter Kavanagh, Zone Systems, Inc.

Development Code Amendment

- DCA 145-002**
Phil Erwin
Donna Moorman
Consideration of amending Chapter 51A of the Dallas Development Code, Article X Landscape and Tree Preservation regulations.
Staff Recommendation: **Approval of Staff recommendation.**
Zoning Ordinance Advisory Committee Recommendation: **Approval**
- DCA 178-003**
Ryan O'Connor
Consideration of an amendment to Chapter 51 and Chapter 51A of the Dallas Development Code to establish a park dedication requirement for residential and lodging uses.
Staff Recommendation: **Approval**
Subdivision Review Committee Recommendation: **Approval**
-

Other Matters:

Minutes: November 30, 2017

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, December 12, 2017

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE MEETING - Tuesday, December 12, 2017, at 9:00 a.m., in the 5BN Conference Room at 1500 Marilla Street to consider (1) **1711100010** - An application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 784-square foot middle level, flat attached sign at 208 South Akard Street (east elevation), (2) **1711130019** - An application for a Certificate of Appropriateness by Bobby Nichols of Chandler Signs for a 112-square foot flat attached sign at 2727 Canton Street (south elevation), (3) **1711130021** - An application for a Certificate of Appropriateness by Marie Byrum of Byrum Sign & Lighting, Inc. for a 68-square foot flat attached sign at 835 South Good Latimer (south elevation), (4) **1711130022** - An application for a Certificate of Appropriateness by Marie Byrum of Byrum Sign & Lighting, Inc. for a 99-square foot flat attached sign at 835 South Good Latimer (north elevation), and (5) **SPSD 178-001** - An application to amend the Market Center Sign Subdistrict within the Farmers Market Special Provision Sign District on property zoned Subdistrict 2 within Planned Development District No. 357, the Farmers Market Special Purpose District in an area bound by Marilla Street, Cesar Chavez Boulevard, R.L. Thornton Freeway, and Harwood Street.

Thursday, December 14, 2017

ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) MEETING - Thursday, December 14, City Hall, 1500 Marilla Street, in Room 5ES, at 9:30 a.m., to consider (1) **DCA 178-006** - Consideration of amending Chapter 51 and Chapter 51A to clarify language regarding light poles, handicap ramps, air conditioning units, and generators in required front, side, and rear yards as applicable; clarification of associated noise regulation standards; and pedestrian skybridges.

SUBDIVISION REVIEW COMMITTEE (SRC) MEETING - Thursday, December 14, City Hall, 1500 Marilla Street, in Council Chamber, at 9:30 a.m., to consider (1) **DCA 178-004** - Consideration of amending Chapters 51 and 51A of the Dallas Development Code to create regulations to allow ceremonial street naming.

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

EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex. Govt. Code §551.086]
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, DECEMBER 14, 2017****FILE NUMBER:** S167-300R**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Chippewa Drive and Clymer Street, northwest corner**DATE FILED:** November 16, 2017**ZONING:** R-5(A)**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 0.649-Acre**MAPSCO:** 42U

APPLICANT/OWNER: BMH as Built USA of Texas/DISD

REQUEST: An application to revise a previously approved plat (S167-300) to create five lots ranging in size from 0.116-acre to 0.187-acre from a 0.649-acre tract of land in City Block A/7187 on property located at Chippewa Drive and Clymer Street, northwest corner.

SUBDIVISION HISTORY:

1. S156-106 was a request northwest of the present request to create a seven lot residential subdivision with lots ranging in size from 0.172-acre to 0.202-acre from a 1.318-acre tract of land containing part of City Block 7188 on property located on Fannie Street, southwest of Chalk Hill Road. The request was approved March 3, 2016 but has not been recorded.

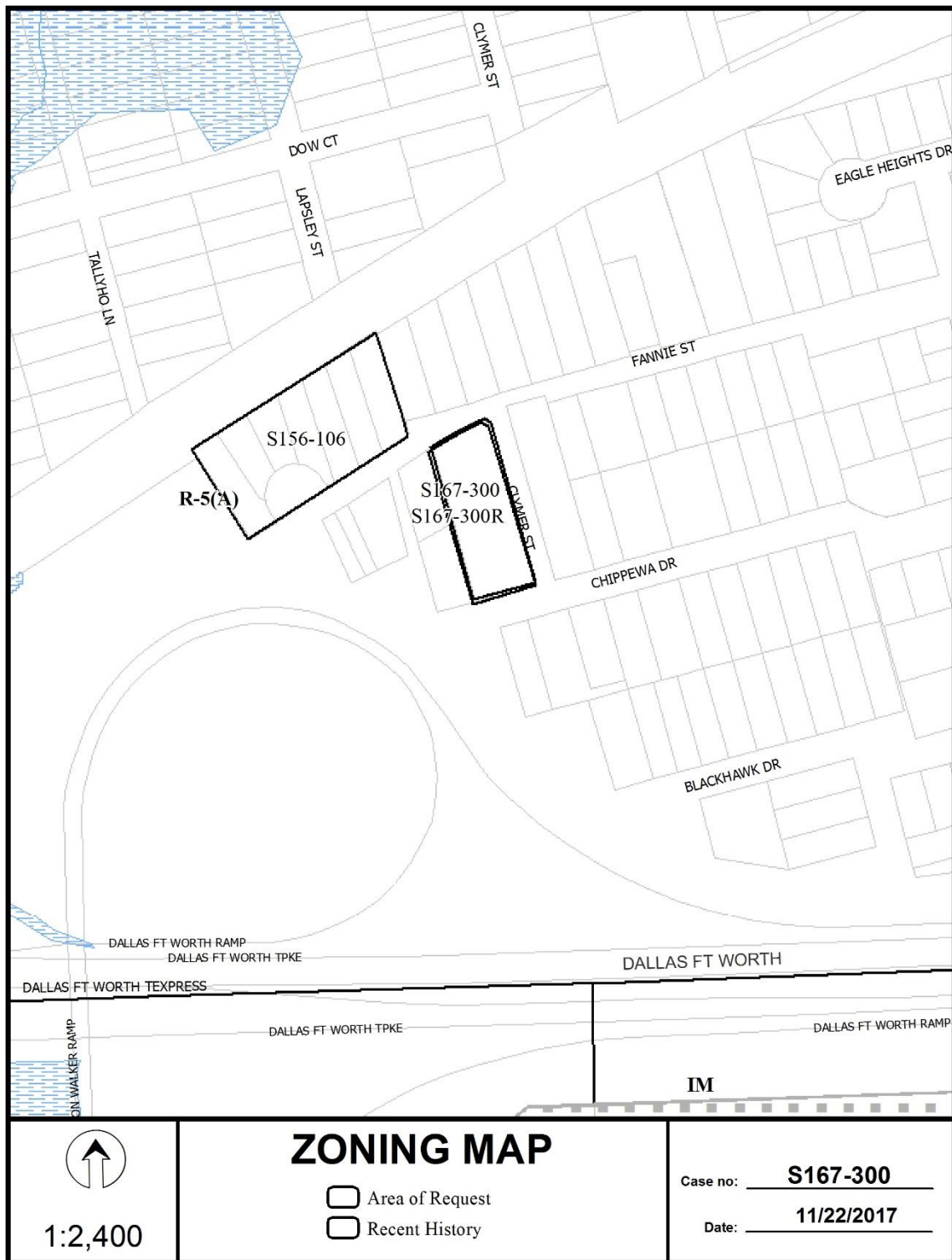
STAFF RECOMMENDATION: The request complies with the requirements of R-5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

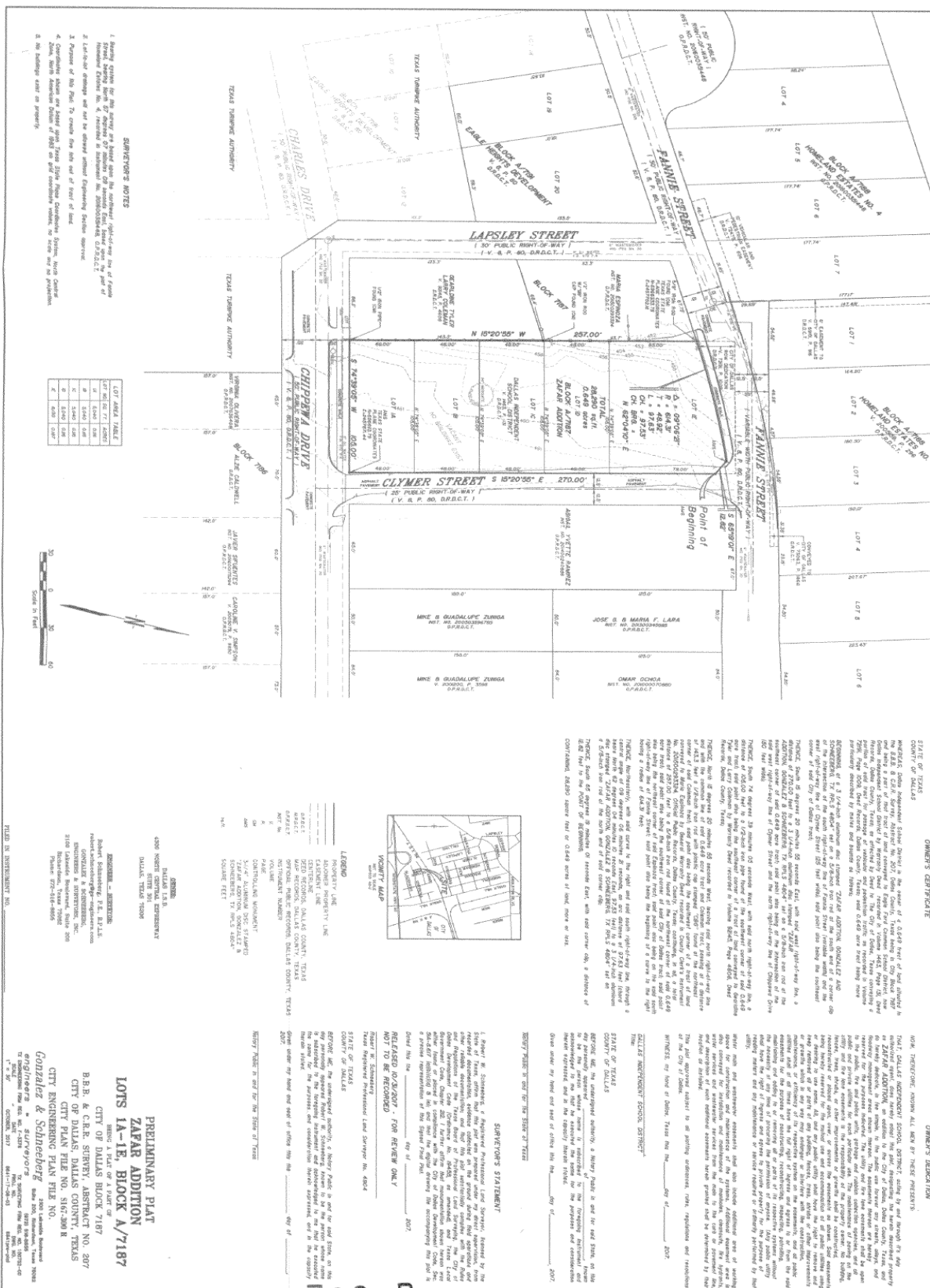
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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 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 28-feet Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Chippewa Drive. 51A 8.602(c).
14. On the final plat, dedicate 28-feet Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Fannie Street. 51A 8.602(c).
15. On the final plat, dedicate 28-feet Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Clymer Street. 51A 8.602(c).
16. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection of Clymer Street and Chippewa Drive. Section 51A 8.602(d) (1).
17. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection Clymer Street and Fannie Street. Section 51A 8.602(d) (1).
18. Provide Right-Of-Way, design and construction for Clymer Street.
19. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
20. 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.
21. On the final plat, show abandonment of Charles Street.
22. Engineer must 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).
23. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation,

development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

24. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
25. On the final plat, show “Charles Street, (or Drive)” as being vacated and abandoned by Ordinance 6772. Section. 51A-8.403. (a) (1) (A) (xii).
26. On the final plat, show and label “Dallas-Fort-Worth Turnpike”. Section. 51A-8.403. (a) (1) (A) (xii).
27. On the final plat, identify the property as Lots 1 through 5 in City Block A/7187. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).





CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-036**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** McKinney Avenue, southwest of Oliver Street**DATE FILED:** November 15, 2017**ZONING:** PD 193 (MF-2)**PD LINK:** <http://dallascityattorney.com/51P/Articles%20Supp%2021/Article%20193%20Part%20I.pdf>**CITY COUNCIL DISTRICT:** 14**SIZE OF REQUEST:** 0.872-Acre**MAPSCO:** 35U

APPLICANT/OWNER: BPKK, LTD and SFA 73, LTD

REQUEST: An application to replat a 0.872-acre tract of land containing all of Lots 5 and 6 and the remainder of Lot 7 in City Block E/1527 to create one lot on property located on McKinney Avenue, southwest of Oliver Street.

SUBDIVISION HISTORY:

1. S145-253 was a request southeast of the present request to replat a 1.655-acre tract of land containing all of Lots 5, 6, 7, and 8A in City Block D/1526 into one 1.425 acre lot; and to replat the remainder of Lot 16 in City Block D/1526 into one 0.230-acre lot on property located at North Central Expressway (U.S. Highway 75) at Oliver Street, west corner. The request was approved September 3, 2015 but has not been recorded.
2. S145-015 was a request southwest of the present request to replat a 0.620 acre tract of land containing all of Lots 1 and 2 in City Block F/1528 into one 0.620 acre-lot on property located at 4303 Cole Avenue at Lee Street, east corner. The request was approved November 23, 2014 and recorded November 9, 2016.
3. S134-080 was a request southwest of the present request create three lots from a 104.60 acre tract of land in City Block 6257 and 6258 on property located on Great Trinity Forest Way west of Pemberton Hill Road. The request was approved March 3, 2016 and recorded April 22, 2016.
4. S134-070 was a request southeast of the present request to create one 0.354 acre lot and one 0.637 acre lot from a 0.991 acre tract of land in City Block 6350 on property located at 8725 Elam Road. The request was approved February 21, 2013 and recorded September 19, 2015.

STAFF RECOMMENDATION: The request complies with the requirements of PD 193 (MF-2 Subdistrict); therefore, staff recommends approval of the request subject to compliance with the following conditions:

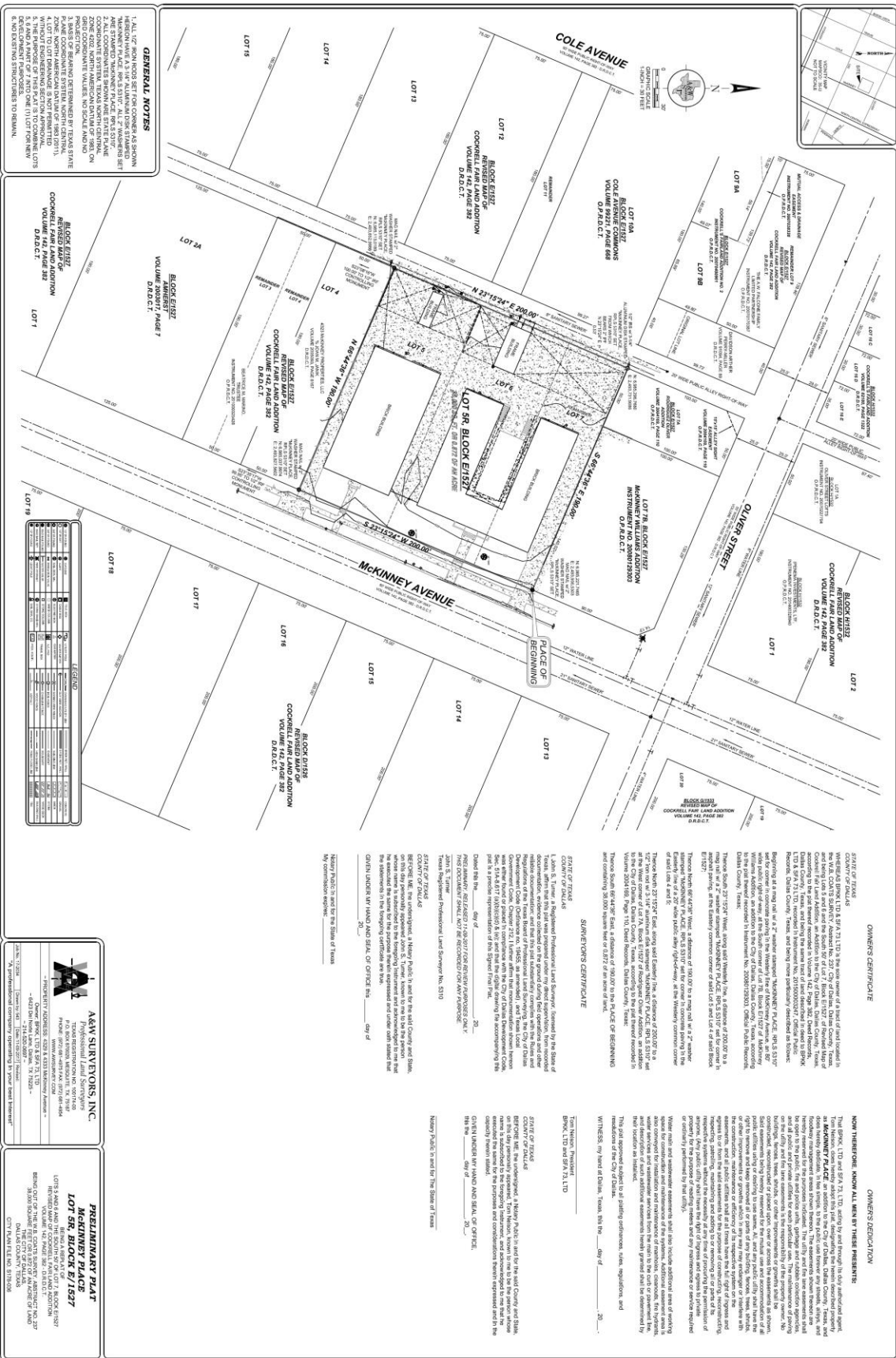
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying

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 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. 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, show distances/width across all adjoining right-of-way. Platting Guidelines.
14. On the final plat, chose a new or different addition name. Platting Guidelines.
15. On the final plat, show two control monuments. Section 51A-8.617.
16. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

17. On the final plat, identify the property as Lot 5A in City E/1527. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).







CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-039**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Welborn Street at Congress Avenue, south corner**DATE FILED:** November 15, 2017**ZONING:** PD 193 (PDS 133)**PDLINK:** <http://dallascityattorney.com/51P/Articles%20Supp%2021/Article%20193%20Part%20I.pdf>**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 1.319-Acres **MAPSCO:** 35W, 45A

APPLICANT/OWNER: Toll Brothers**REQUEST:** An application to replat a 1.319-acre tract of land containing part of Lot 9 and all of Lot 8 in City Blocks 1022 and all of Lots 6 and 7 in City Block 1023 to create one lot on property located on Welborn Street at Congress Avenue, south corner.**SUBDIVISION HISTORY:**

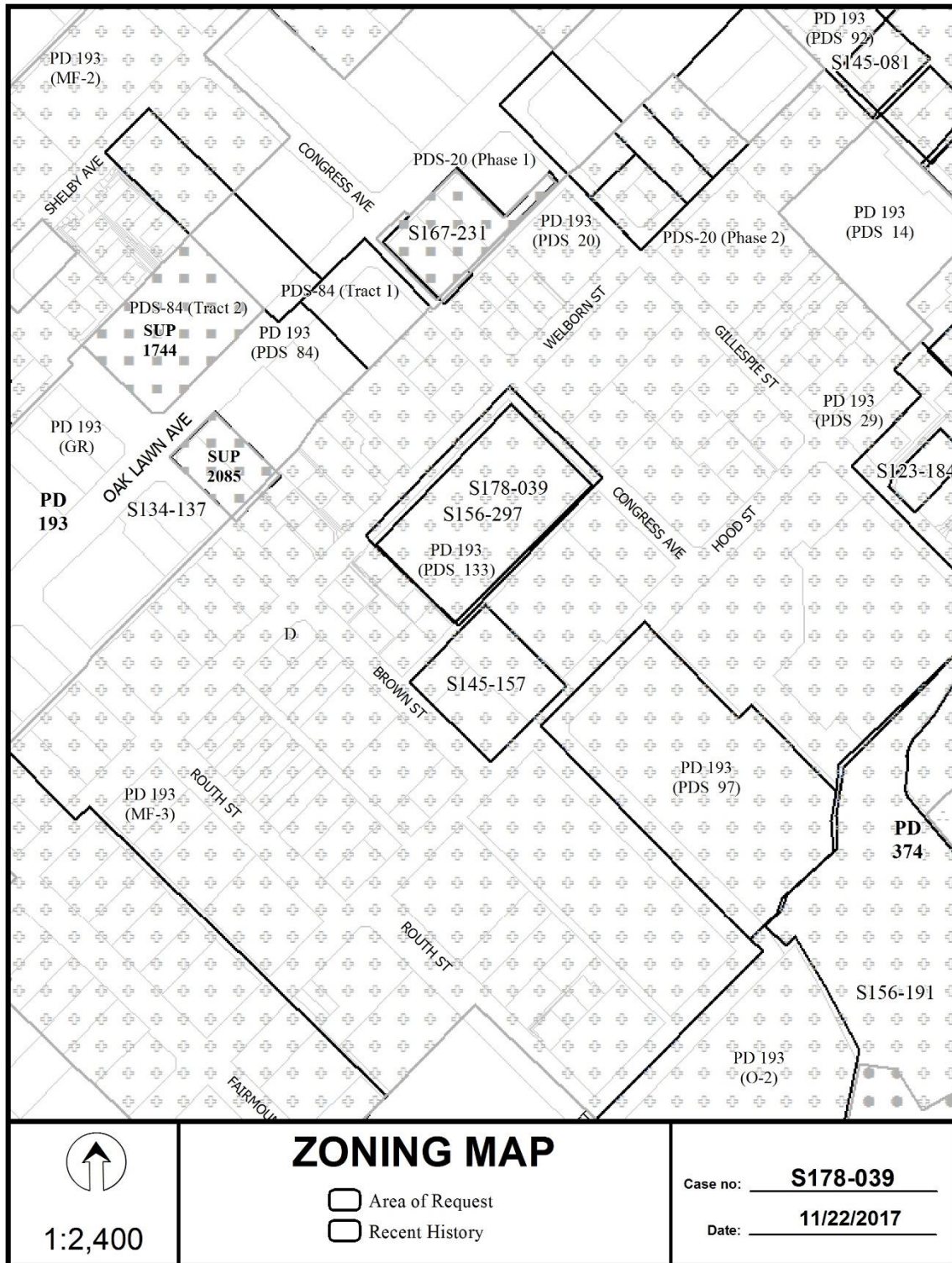
1. S167-231 was a request north of the present request to create one 0.568-acre lot from a tract of land in City Block 1025 on property located on Oak Lawn Avenue between Congress Avenue and Gillespie Street. The request was approved August 3/2017 but has not been recorded.
2. S156-297 was a request at the same location of the present request to replat a 1.319-acre tract of land containing part of Lot 9 and all of Lots 6, 7, and 8 in City blocks 1022 and 1023 to create one lot on property located on Welborn Street at Congress Avenue, south corner. The plat was withdrawn.
3. S156-191 was a request southeast of the present request to create one lot from a 5.539-acre tract of land located in City Blocks 11/1017, 1026, and 1027 on property located at Turtle Creek Boulevard between Oak Lawn Avenue and Cedar Springs Road. The request was approved June 2, 2016 but has not been recorded.
4. S145-157 was a request south of the present request to replat a 0.741-acre tract of land containing all of Lots 1 and 2 in City Block 1022 to create a 6-lot Shared Access Area Development with lot sizes ranging from 0.102-acre to 0.148-acre in size on property located on Hood Street at Brown Street, north corner. The request was approved May 7, 2015 and has not been recorded.
5. S156-081 was a request northeast of the present request to replat a 1.4053-acre tract of land containing all of Lots 1-3 and Lots 9-12 in City Block 1033 into one lot on property located at the southeast corner of Welborn Street and Cedar Springs Road. The request was approved February 19, 2015 and has not been recorded. The request for an Early Release Building Permit was applied August 5, 2015 and the request was approved October 12, 2015.
6. S134-137 was a request west of the present request to create one 0.349-acre lot from a tract of land containing in City Block 2/1025 on property located at 2700 Oak Lawn Avenue. The request was approved December 21, 2015 and was recorded January 8, 2016.

7. S123-184 was a request east of the present request to replat a 0.189 acre tract of land containing all of Lot 12A in City Block A/1030 into one 0.07 acre lot and one 0.119 acre lot on property located at 3520 Gillespie Street north of Sale Street. The request was approved July 11, 2013 and was recorded September 13, 2013.

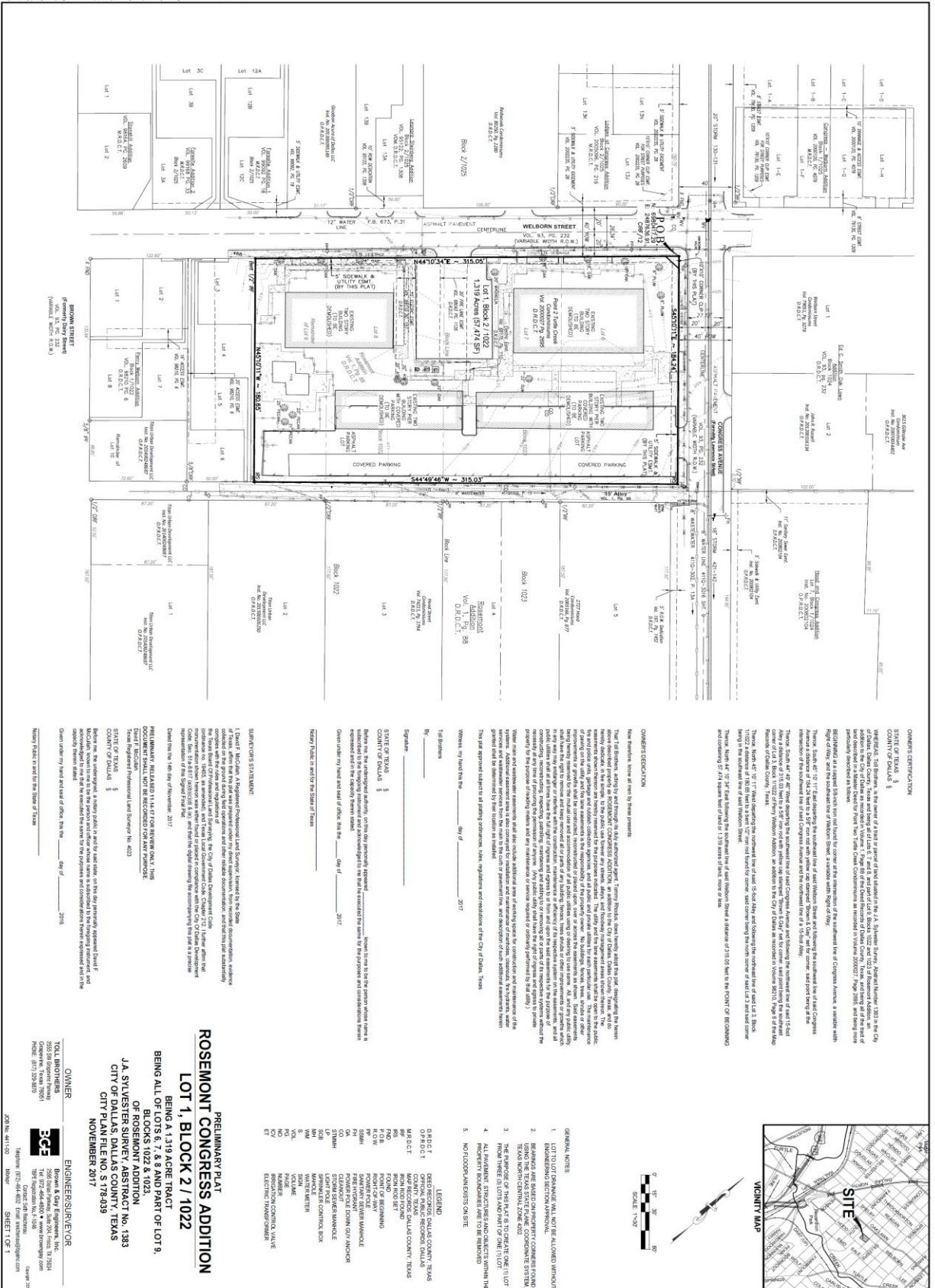
STAFF RECOMMENDATION: The request complies with the requirements of PD 193 (PDS 133); therefore, staff recommends approval of the request subject to compliance with the following conditions:

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 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. 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-foot Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Welborn Street 51A 8.602(c).
14. On the final plat, dedicate 28-foot Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Congress Avenue 51A 8.602(c).
15. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Congress Avenue and the alley. Section 51A-8.602(e),
16. On the final plat, show the correct recording information for the subject property. Platting Guidelines.
17. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
18. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
19. On the final plat, identify the property as Lot 1 in City Block 2/1022. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).







CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-042**SUBDIVISION ADMINISTRATOR:** Paul Nelson

LOCATION: North Central Expressway/U.S. Highway No. 75, south of Spring Valley Road.

DATE FILED: November 16, 2017**ZONING:** MU-3**CITY COUNCIL DISTRICT:** 11 **SIZE OF REQUEST:** 0.599-Acre**MAPSCO:** 16Q

APPLICANT/OWNER: Perry Lots, LLC

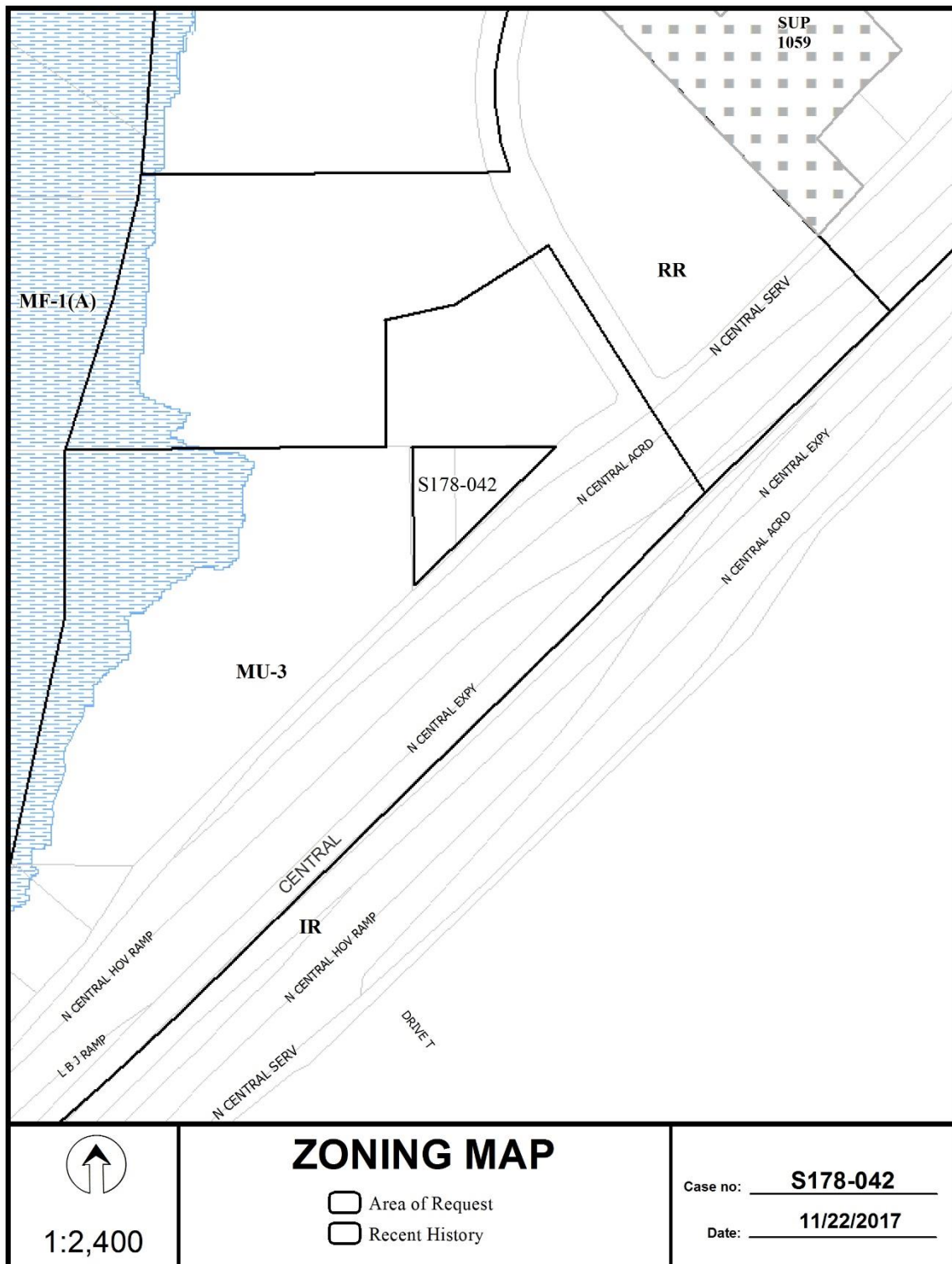
REQUEST: An application to create a 0.599-acre lot from a tract of land in City Block 7762 on property located on North Central Expressway/U.S. Highway No.75, south of Spring Valley Road.

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

STAFF RECOMMENDATION: The request complies with the requirements of MU-3 Mixed Use 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 is 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. 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, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.
14. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
15. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
16. Wastewater main improvements is required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
17. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
18. On the final plat, change "U.S. Highway No. 75" to N. Central Expressway / U.S. Highway No. 75". Section 51A-8.403. (a) (1) (A) (xii).
19. On the final plat, identify the property as Lot 1 in City Block E/7762. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).



CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-043**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Culver Street and Beeman Avenue, northwest corner.**DATE FILED:** November 17, 2017**ZONING:** P(A)**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 1.93-Acres**MAPSCO:** 46h

APPLICANT/OWNER: St. Luke Community United Methodist Church

REQUEST: An application to replat a 0.951-acre lot containing all of Lots 10, 11, 12, 13, 14, and 15 in City Block 8/1639 and a 0.979-acre lot containing all of Lots 16, 17, 18, 19, 20, and 21 in City Block 8/1639 on property located at Culver Street and Beeman Avenue, northwest corner.

SUBDIVISION HISTORY:

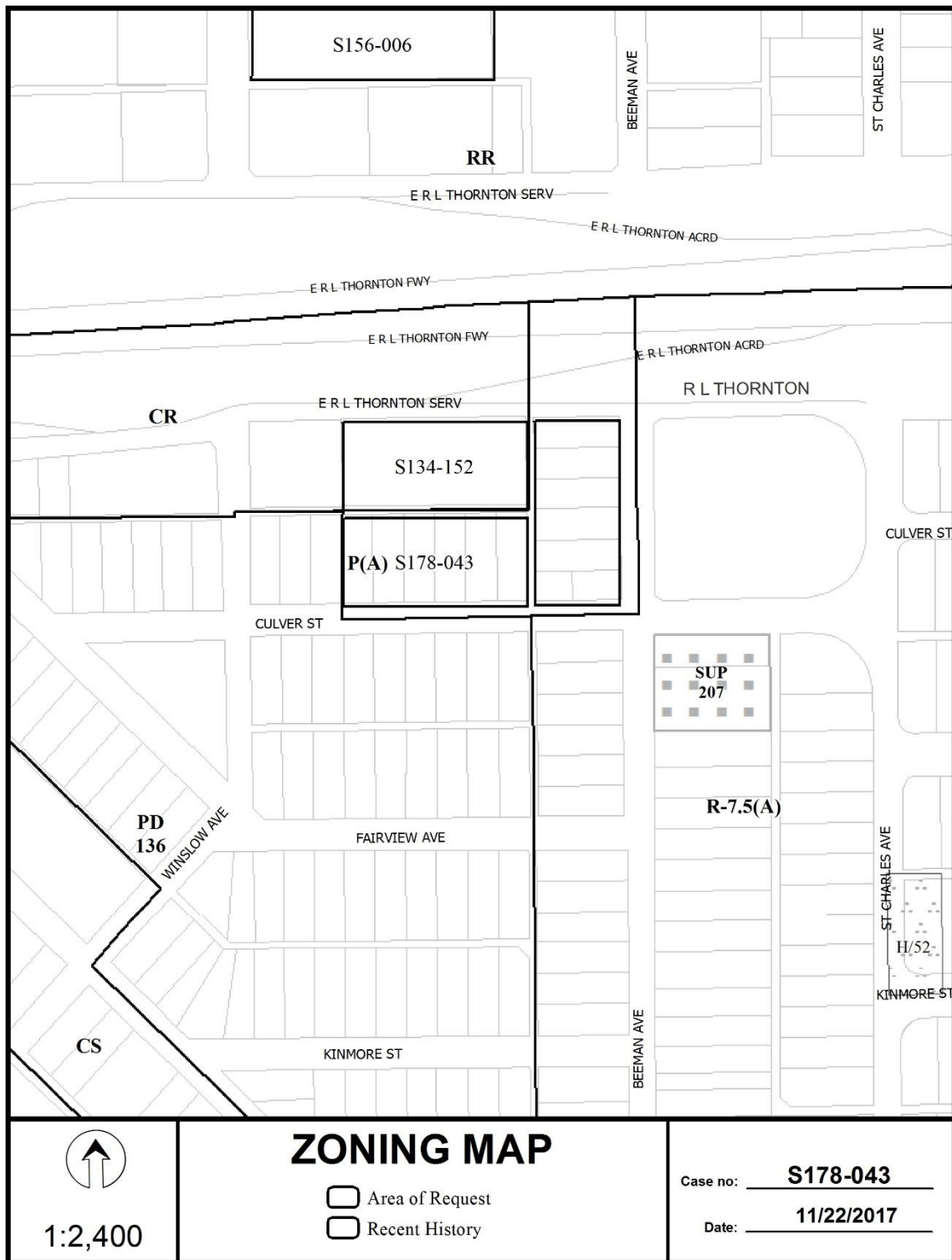
1. S156-006 was a request north of the present request to create a replat a 1.305-acre tract of land containing all of Lots 1A, 7, and 8 in City Block 4/1637 on property located on Samuell Boulevard at Winslow Avenue, southeast corner. The request was approved November 5, 2015 and was recorded July 26, 2016.
2. S134-152 was an application on property south of the present request to replat a 0.992-acre tract of land containing all of Lots 4, through 9 in City Block 8/1639 into one lot on property located at 5626 E. R.L. Thornton Freeway. The request was approved June 5, 2014 and recorded December 8, 2014.

STAFF RECOMMENDATION: The request complies with the requirements of P (A) Parking 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 is two.
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 28-foot Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Beeman Avenue. 51A 8.602(c).
15. On the final plat, dedicate 28-foot Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Culver Avenue. 51A 8.602(c).
16. On the final plat, dedicate 7.5-feet of right-of-way from the established centerline of both alleys. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
17. On the final plat, dedicate a 10-feet by 10-feet corner clip at the intersection of Beeman Avenue and Culver Street. Section 51A 8.602(d) (1).
18. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Culver Street and the alley on both sides. Section 51A-8.602(e),
19. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.
20. On the final plat, dedicate a 15-foot by 15-foot corner clip at the intersection of Beeman Street and East R. L. Thornton / Interstate Highway No. 30. Section 51A 8.602(d) (1).
21. On the final plat, dedicate 40-foot radius at alley to alley intersection.
22. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

23. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
24. On the final plat, show recording information on all existing easements within 150 feet of the property.
25. On the final plat, show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines.
26. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
27. On the final plat, Change “East R.L. Thornton FWY” to “R.L. Thornton Freeway / Interstate No. 30”. Section 51A-8.403. (a) (1) (A) (xii)
28. On the final plat, identify the property as Lots 10A and 16A in City Block 8/1639. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).





CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-045**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** La Vista Avenue, west of Alderson Street.**DATE FILED:** November 17, 2017**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.305-Acre**MAPSCO:** 36Y

APPLICANT/OWNER: Green Brick Partners

REQUEST: An application to replat a 0.305-acre tract of land containing part of Lot 9 and all of Lot 10 in City Block 3/2234 to create a 6-lot shared access area development with lots ranging in size from 0.041-acre to 0.057-acre on property located on La Vista Avenue, west of Alderson Street.

SUBDIVISION HISTORY:

1. S134-017 was a request northwest of the present request to replat a 0.304-acre lot containing all of Lot 3 and part of Lot 2 in City Block 3/2234 on property located on Oram Street west of Alderson Street. The request was approved October 25, 2013 and was recorded September 5, 2014.
2. S123-032 was a request northeast of the present request to replat a 3.551-acre tract of land containing all of Lot 1 in City Block 4/2235; all of Lot 2 in City Block 5/2236; all of Lots 1 through 6 and all of Lots 8 through 11 and part of Lot 7 and Lot 12 in City Block 4/2235; all of Lot 1 and part of Lots 2 through 8 in City Block 5/2236; and abandoned Kidwell Avenue into one 0.521 acre lot and one 3.026 acre lot on property bounded by Alderson Street, Oram Street, Gaston Avenue, and La Vista Drive. The request was approved December 6, 2012 and was withdrawn June 12, 2013

STAFF RECOMMENDATION: The request complies with the requirements of MF-2(A) Multifamily District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

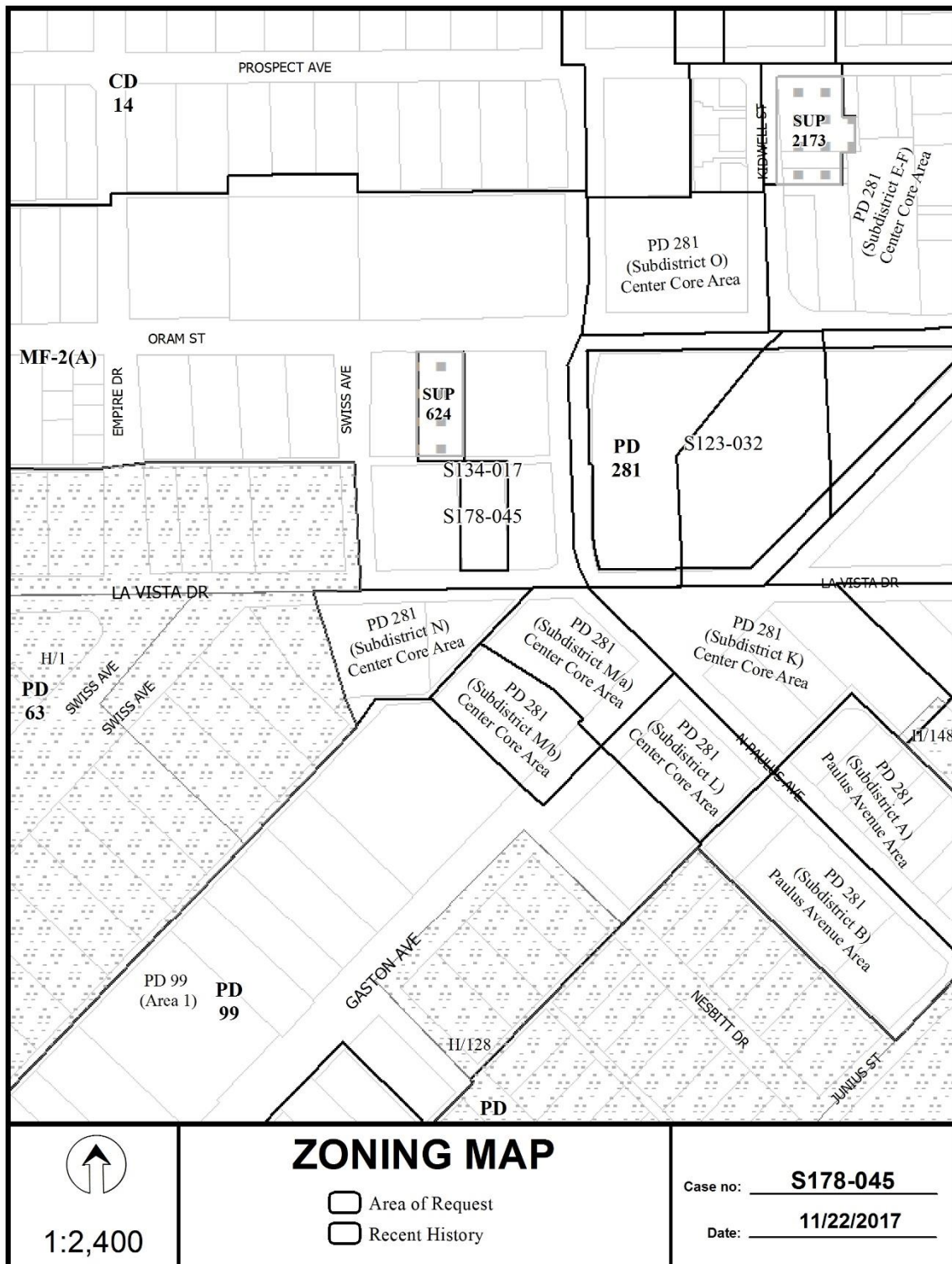
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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)

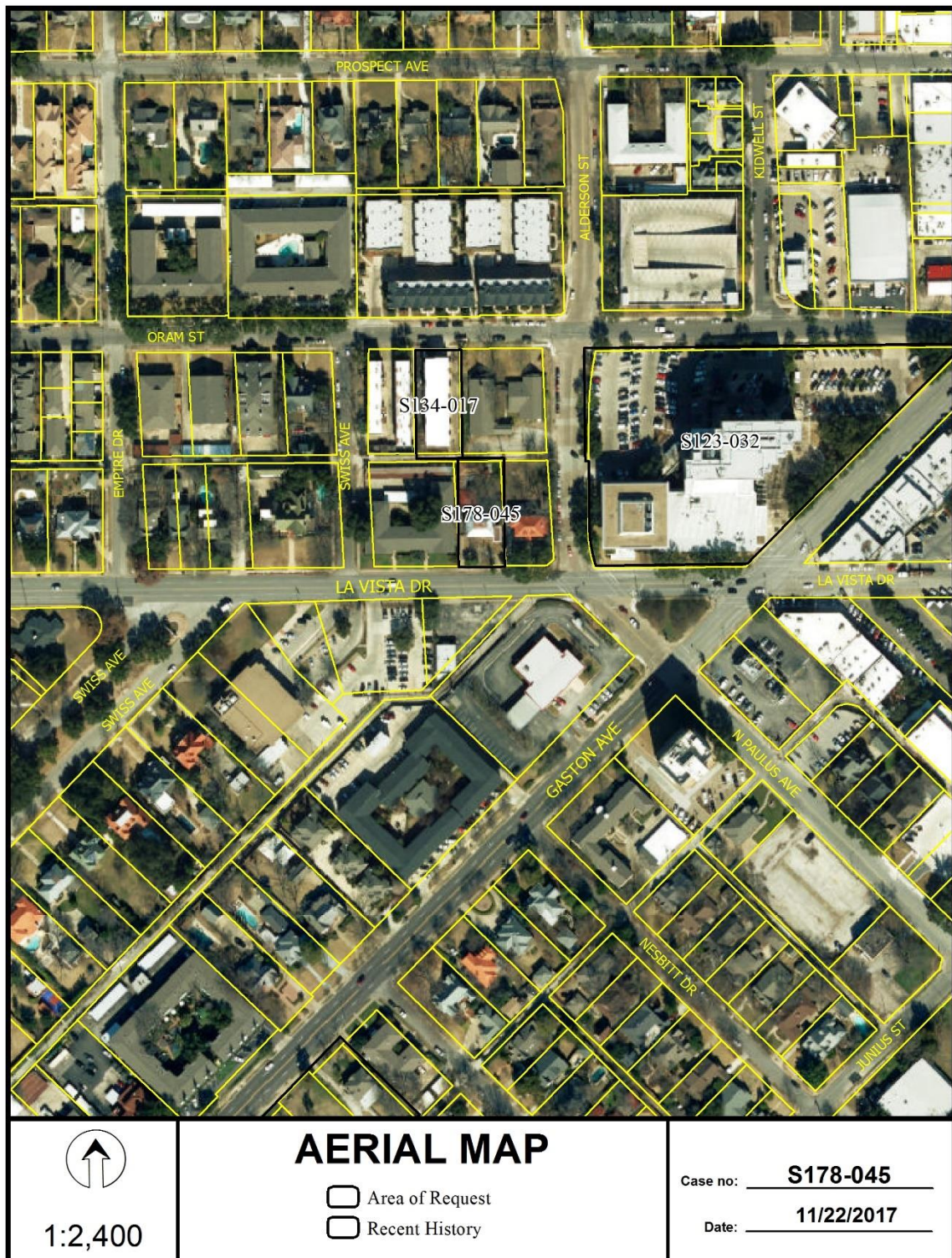
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, 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 is six.
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. Engineer must 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).
14. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
15. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
16. There must be no more than two access area points, each limited to serve no more than 18 dwelling units. Section 51A-4.411(d) (10).
17. 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).
18. 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

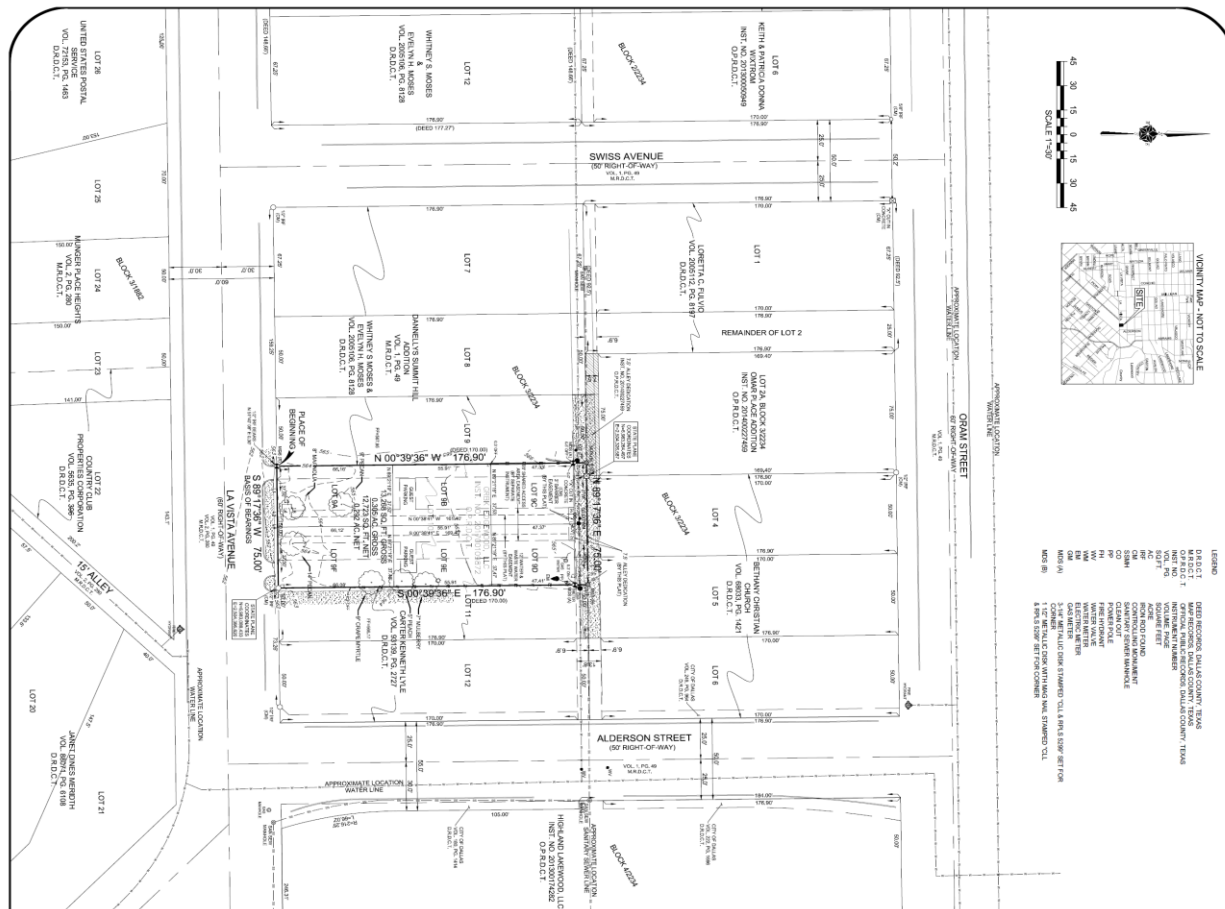
Sections 49-60(d), 49-61(c) (5) (B), and Development Design Procedure and Policy Manual Section 6.2.

19. 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).
20. Prior to submittal of the final plat, the Shared Access Development must meet all of the requirements of Section 51A-4.411. Section 51A-4.411(c).
21. 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).
22. 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).
23. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f) (2).
24. Include the words "Shared Access Development" in the title block of the final plat. Platting Guidelines.
25. 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).
26. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d) (8).
27. 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).
28. On the final plat, provide a City of Dallas approved street name for the Shared Access Area Easement. Contact the Street Name Coordinator to obtain an approved street name. Sections 51A-8.403(a) (1) (A) (xiv) and 51A-8.506(e).
29. The Shared Access Development must provide 0.25 guest parking spaces per lot. Section 51A-4.411(g).
30. Shared Access Area Developments must comply with DWU standards for water and wastewater construction and design and be accepted by the City of Dallas prior to submittal of the final plat for the Chairperson's signature. Section 49-61(c) (5) (B) and the Development Design Procedures and Policy Manual, Section 2.

31. On the final plat, change “La Vista Avenue” to “LA Vista Drive as named by various ordinance”. Section 51A-8.403(a) (1) (A) (xii).
32. Contact the Street Name Coordinator to obtain an approved street name”. Section 51A-8.403(a) (1) (A) (xii).
33. On the final plat, identify the property as Lots 9A through 9F, City Block 3/2234. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872); Section 51A-8.403(a) (1) (A) (viii).








AREA TABLE	
PARCEL #	AREA
9A	2.481 SF 0.057
9B	2.098 SF 0.048
9C	1.778 SF 0.041
9D	1.775 SF 0.041
9E	2.095 SF 0.048
9F	2.478 SF 0.057

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	27.60	N89°20'06"E
L2	4.00	N89°17'38"E
L3	3.00	N67°38'41"W
L4	8.00	S89°21'19"W
L5	5.00	N67°38'41"W
L6	8.00	N89°17'38"E
L7	12.00	N89°17'38"E
L8	12.00	S89°17'38"W

[illegible][illegible]

TEXAS HERITAGE
SURRENDER, LLC

1600 West Davis, Suite 100, Dallas, TX 75204
Office 972-292-0001 Fax 972-292-0009
texas@heritage.com
Firm #100360



CENTRE LINKING AT LAKWOOD
LOT#3A, 9B, 50, 9E, 9F, BLOCK 31222A
PART OF LOT# 1 BLOCK 3222A DAVENEL'S SUMMIT ADDITION
RAY ROBERTS SURVEY ABSTRACT NO. 1242
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY FILE NAME: PLANS COUNTY TEXAS
CITY FILE NAME: STR#3465

DATE: 05/20/2007 / 4:28:17PM / 10/24/07 -- 327MMB

CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-046**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Swiss Avenue, South of Peak Street**DATE FILED:** November 20, 2017**ZONING:** PD 298 (Subdistrict 11)**PD LINK:** <http://dallascityattorney.com/51P/Articles%20Supp%2045/ARTICLE%20298.pdf>**CITY COUNCIL DISTRICT:** 2**SIZE OF REQUEST:** 0.433-Acre**MAPSCO:** 46E

APPLICANT/OWNER: GRBK Frisco, LLC

REQUEST: An application to replat a 0.433-acre tract of land in City Block 7/767 to create a 7-lot shared access area development with lots ranging in size from 2,152-square feet to 2,931-square feet on property located on Swiss Avenue, South of Peak Street.

SUBDIVISION HISTORY:

1. S178-005 was a request northeast of the present request to create one lot from a 1.1410-acre tract of land in City Block 10/740 on property located on Live Oak Street at Haskell Avenue, east corner. The request was approved November 9, 2017 but has not been recorded.
2. S156-179 was a request northwest of the present request to replat a 0.875-acre tract of land containing part of Lot 2 in City Block 10/740 to create a 22 lot Shared Access Development with lot sizes ranging from 1,434-square feet in size to 2,173-square feet in size on property located on Haskell Avenue at Swiss Avenue. The request was approved may 19, 2016 and has not been recorded.
3. S156-139 was a request northwest of the present request to replat a 0.875-acre tract of land containing part of Lot 2 in City Block 10/740 to create a 22 lot Shared Access Development with lot sizes ranging from 1,434-square feet in size to 2,173-square feet in size on property located on Haskell Avenue at Swiss Avenue. The request was approved April 7, 2016 and has not been recorded.
4. S156-138 was an application northwest of the present to replat a 0.605-acre tract of land containing part of Lot 2 in City Block 10/740 to create one lot on property located on Haskell Avenue northwest of Swiss Avenue. The request was approved April 7, 2016 and has not been recorded.
5. S156-037 was an application southwest of the present request to create one 0.996-acre lot and one 0.964-acre lot from a 1.980-acre tract of land in City Blocks 765 and 766 on property located between Floyd Street and Gaston Avenue, southwest of Haskell Avenue. The request was approved on December 17, 2015, but has not been recorded.
6. 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. S134-154A was the first phase of the above request and was recorded March 18, 2016.

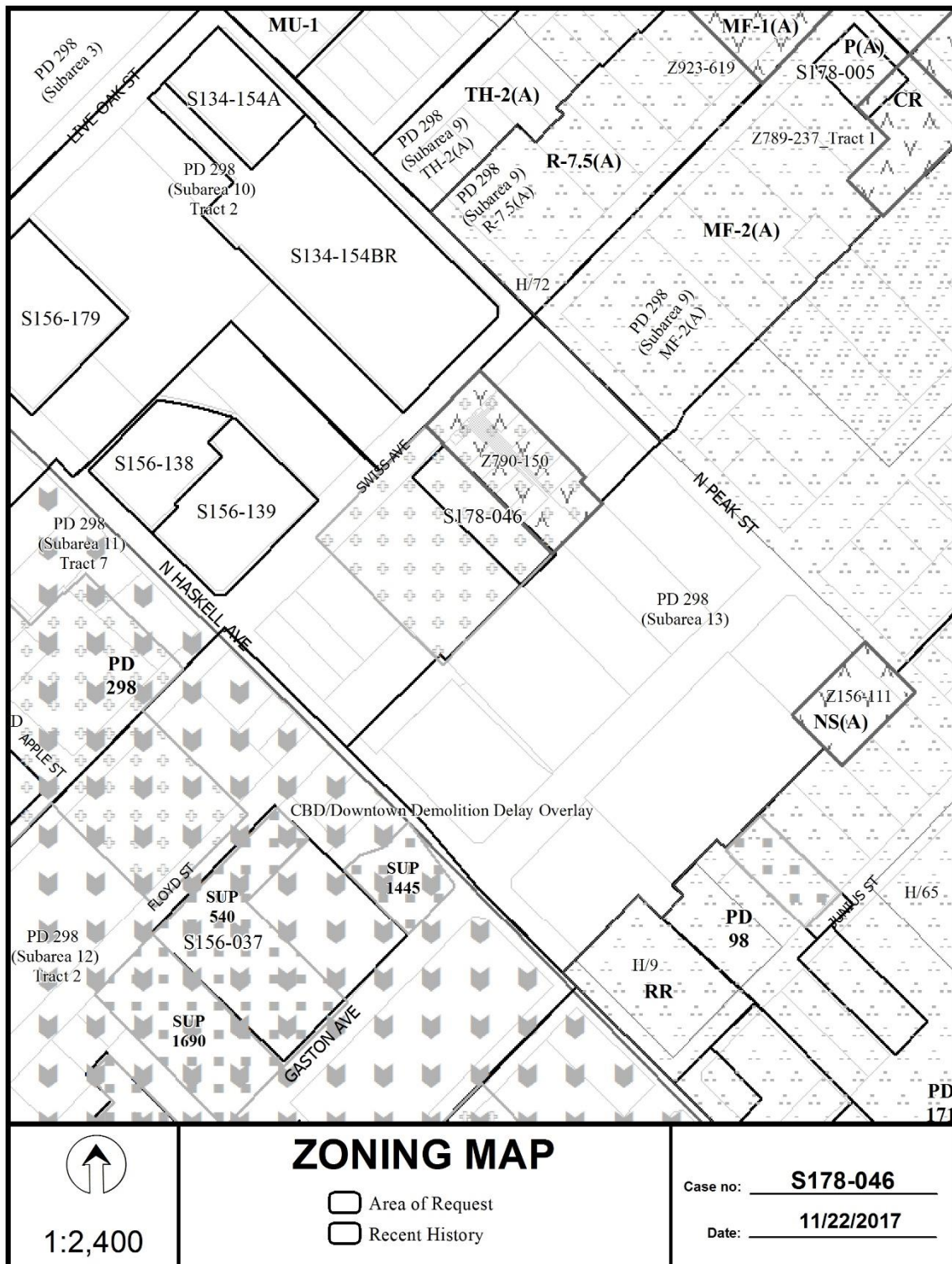
STAFF RECOMMENDATION: The request complies with the requirements of PD 298 Subdistrict 11; therefore, staff recommends approval of the request subject to compliance with the following conditions:

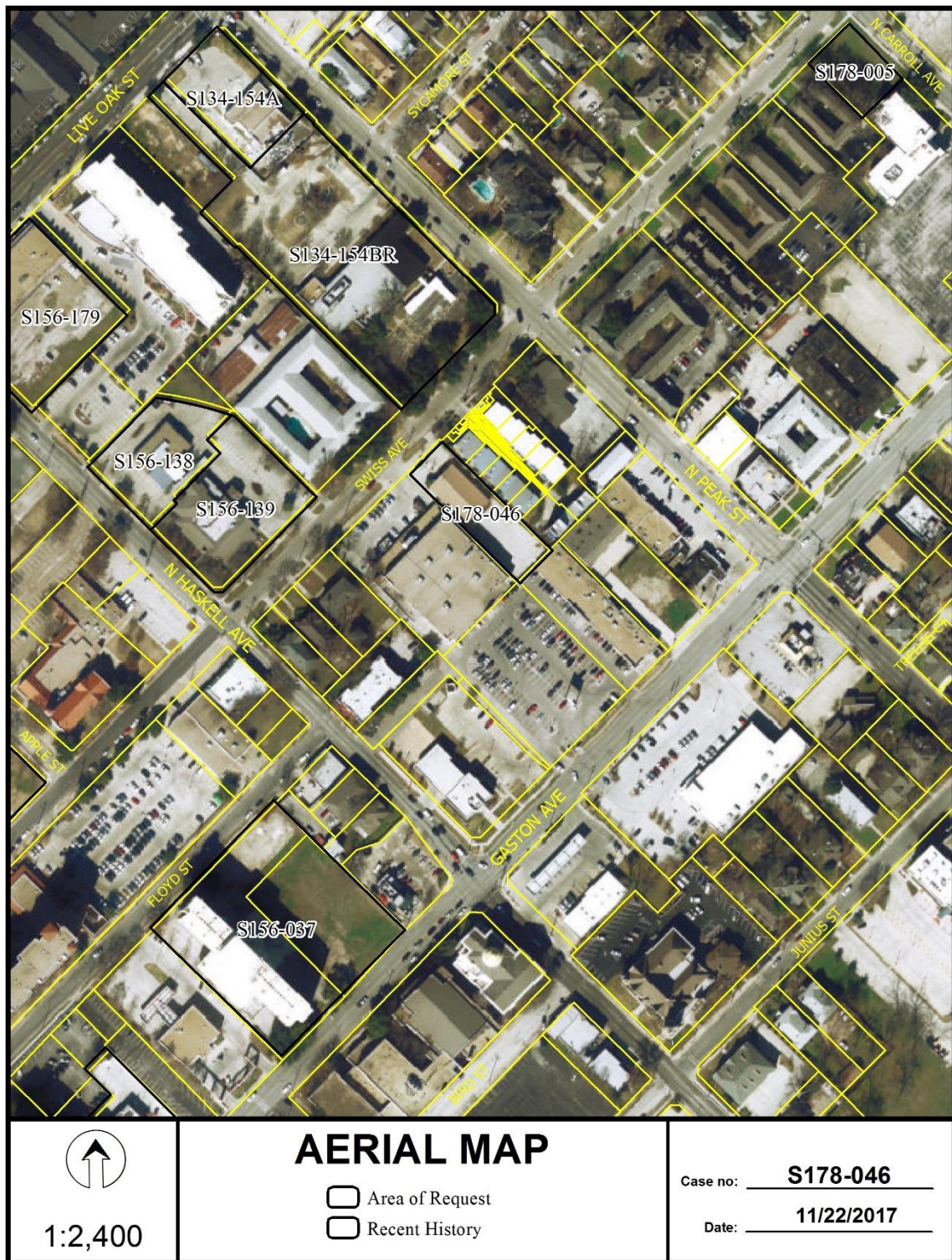
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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 seven.
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, show recording information on all existing easements within 150 feet of the property.

14. Engineer must 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). Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
15. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
16. Capacity of existing wastewater system is questionable. Submit proposed wastewater discharge (gpm) of development for further assessment. Sections 49-60(b) (2) (d) and 49-60(d).
17. 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)
18. 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)
19. 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
20. 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)
21. Prior to submittal of the final plat the Shared Access Development must meet all of the requirements of Section 51A-4.411. Section 51A-4.411(c)
22. 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)
23. 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)
24. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure

and if the space faces upon or can be entered directly from the street or alley.
Section 51A-4.411(f) (2)

25. Include the words "Shared Access Development" in the title block of the final plat.
Platting Guidelines
26. 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)
27. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d) (8)
28. 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)
29. On the final plat, provide a City of Dallas approved street name for the Shared Access Area Easement. Contact the Street Name Coordinator to obtain an approved street name". Sections 51A-8.403(a) (1) (A) (xiv) and 51A-8.506(e)
30. On the final plat, identify the property as Lot 1, City Block 16A/3760. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872); Section 51A-8.403(a) (1) (A) (viii)
31. The Shared Access Development must provide 0.25 guest parking spaces per lot. Section 51A-4.411(g)
32. Provide guest parking at a rate of 0.25 spaces per dwelling unit and with adequate maneuverability per the Shared Access Development requirements.
33. Shared Access Area developments must comply with DWU standards for water and wastewater construction and design and be accepted by the City of Dallas prior to submittal of the final plat for the Chairperson's signature. Section 49-61(c) (5) (B) and the Development Design Procedures and Policy Manual, Section 2
34. Contact the Street Name Coordinator to obtain an approved street name. Sections 51A-8.403(a) (1) (A) (xii)
35. On the final plat, identify the property as Lots 4G, 4H, 4J through 4N in City Block 7/767. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).





CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S167-135R1**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Forest Lane and Inwood Road, northwest corner**DATE FILED:** November 15, 2017**ZONING:** PD 983**PD LINK:** <http://dallascityattorney.com/51P/Articles%20Supp%2047/ARTICLE%20983.pdf>**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 29.1653-Acres **MAPSCO:** 14Z

APPLICANT/OWNER: Daniel Brothers, LLP

REQUEST: An application to a replat a 29.1653-acre tract of land containing all of Lots 1 through 34 in City Block 1/6382; Lots 1 through 13 in City Block 2/6382; Lots 1 through 7 in City Block 3/6382; Lots 1 through 4 in City Block 4/6382; Lots 1 through 9 in City Block 5/6382; Lots 1 through 16 in City Block 6/6382; Lots 1 through 8 in City Block 7/6382; Lots 1 through 47 in City Block 8/6382; Lots 1 through 16 in City Block 9/6382, Lots 1 through 16 in City Block 10/6382; Lots 1 through 39 in City Block 11/6382; and all of the Open Space, Recreational, and Utility and Fire Lane area Easements to create four lots ranging in size from 2.2950-acres to 13.6526-acres, and to remove all existing platted building lines on property bounded by Willow Lane, Inwood Road, Forest lane, and Bachman Creek Channel and all of City Block 1/6382, along Forest Lane Circle, on property located on Forest Lane and Inwood Road, northwest corner.

SUBDIVISION HISTORY:

1. S123-069 is a request east of the present request to replat a 14.8814-acre tract of land containing all of Lot 1A in City Block A/6381 into one 0.6673-acre lot and one 14.2041-acre lot on property located at 11920 Inwood Road, north of Forest Lane. The request was approved February 21, 2013 and is expired due to age.

NOTICES: 33 notices were sent to property owners within 200 feet of the property on November 27, 2017.

BUILDING LINE REMOVAL: The Commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

- (1) Upon the affirmative vote of at least three-fourths of the commission members present; and
- (2) If the Commission finds that relocation or removal of the platted building line will not:
 - (i) require a minimum front, side, or rear yard setback less than required by zoning regulation;

- (ii) The removal of the building lines would not require a front yard setback less than required by the PD 983.
- (iii) be contrary to the public interest;
 - 33 notices were sent because the district is considered a single-family district.
- (iv) adversely affect neighboring properties; and
 - The removal of the building line will not have an adverse effect on the properties adjacent to the request.
- (v) adversely affect the plan for the orderly development of the subdivision.
 - The removal of all platted building lines will allow for the property to be develop in accordance PD 983.

STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:

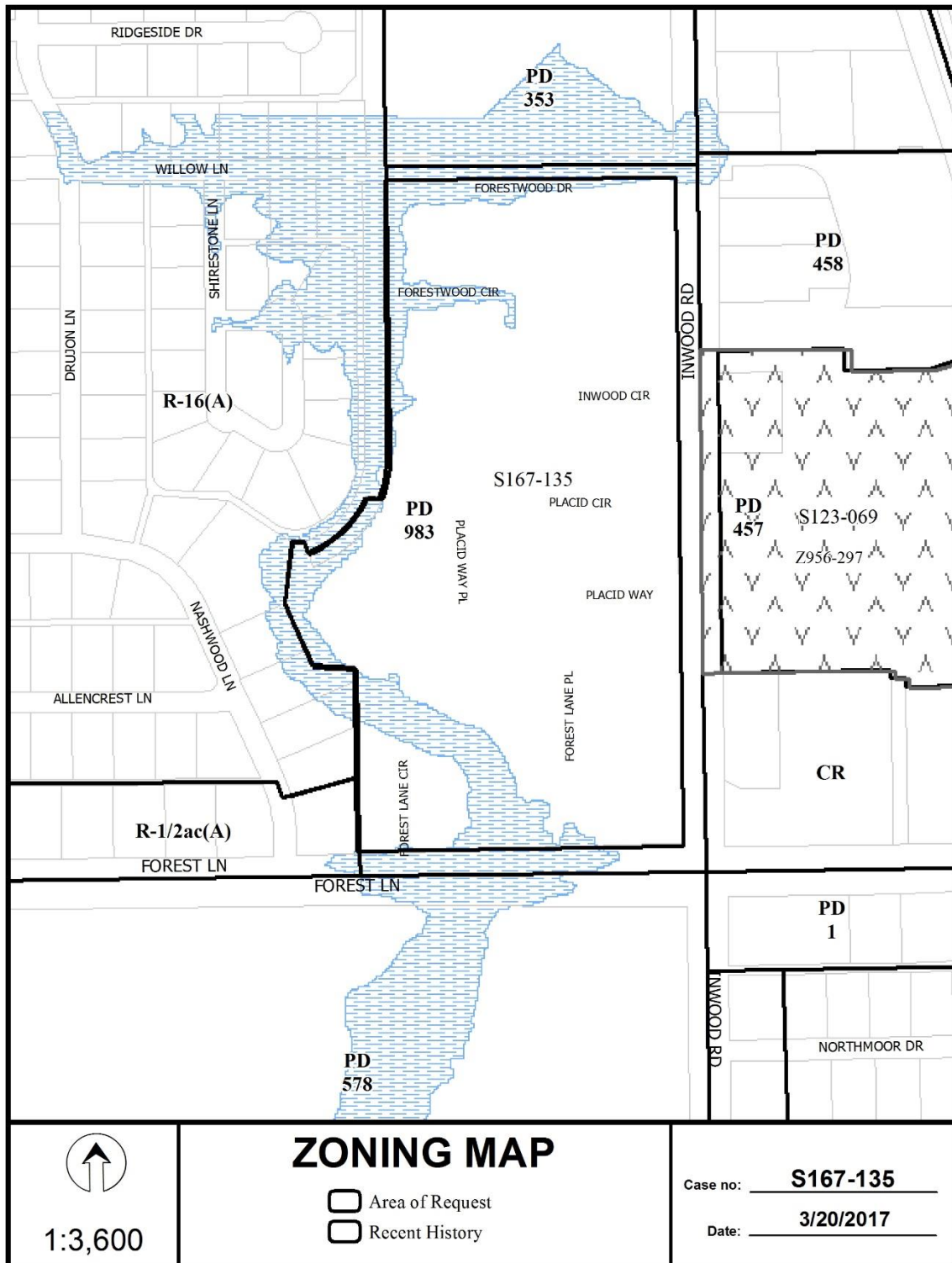
The request is to remove all existing building lines within the boundary of the request. Staff finds that the request complies with PD 983 and conforms with Section 51A-8.505 of the Dallas Development Code; therefore, staff recommends approval of removal of the building lines.

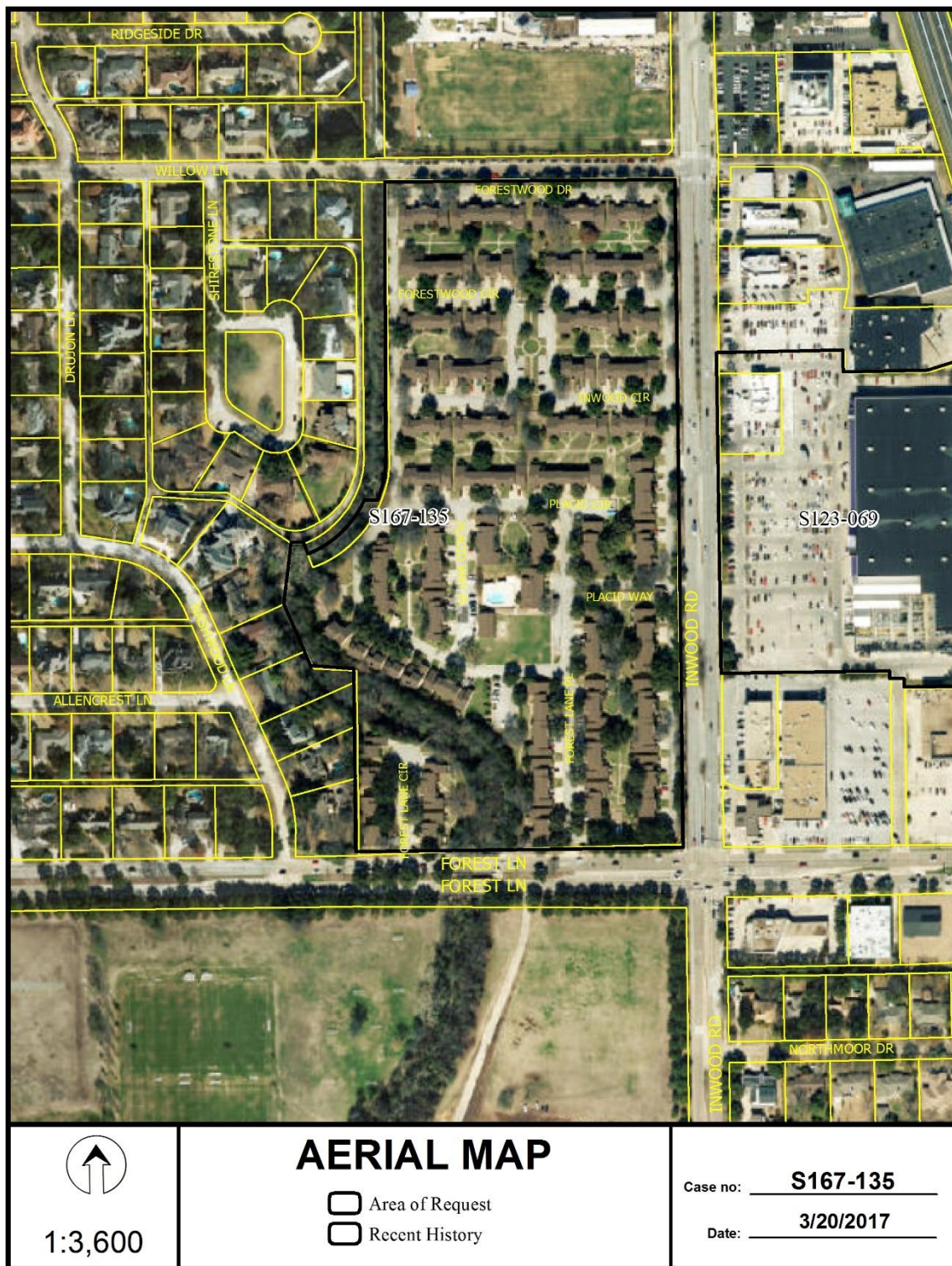
STAFF RECOMMENDATION: The request complies with the requirements of PD 983; therefore, staff recommends approval of the request subject to compliance with the following conditions:

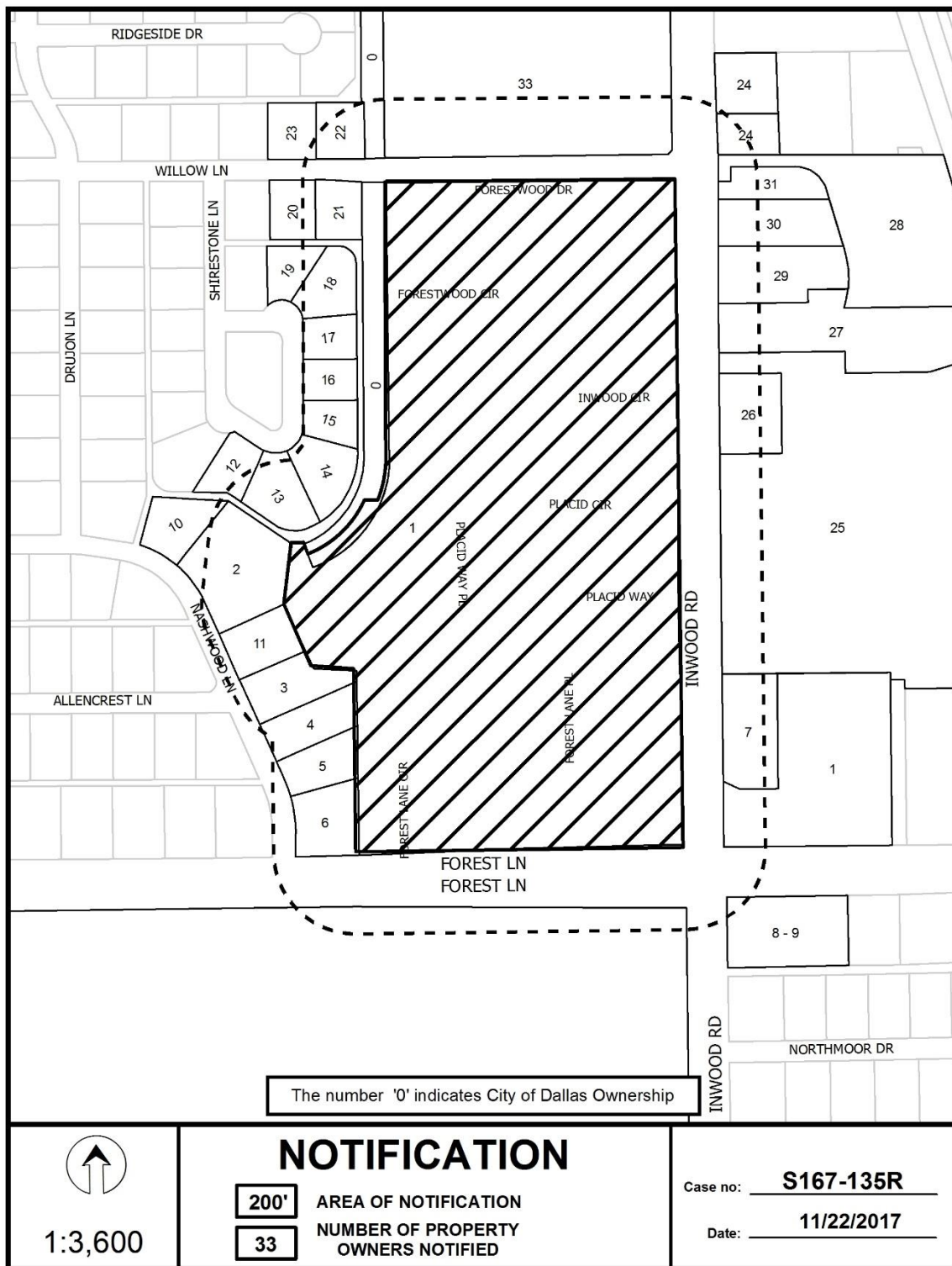
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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 four.
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 a 20-foot by 20-foot corner clip at the intersection of Forest Lane and Inwood Road. Section 51A 8.602(d) (1).
15. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
16. 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.
17. 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.
18. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
19. 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.
20. 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).

21. 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).
22. On the final plat, show the correct recording information for the subject property. Platting Guidelines.
23. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
24. On the final plat, all access easement(s) must be recorded by separate instrument(s) and the recording information must be shown on the final plat. Platting Guidelines.
25. On the final plat, all utility easement abandonments must be shown with the correct recording information. Platting Guidelines.
26. 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.
27. Engineer must 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).
28. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
29. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
30. On the final plat, change the westernmost "Forest Lane Circle" to "Nashwood Lane". Section 51A-8.403(a) (1) (A) (xii).
31. On the final plat, make it clear as to what is being abandoned, vacated, or closed. Section. 51A-8.403. (a) (1) (A) (xii)
32. Unless any of the street names shown on the interior of the platted property are recorded, do not show them. Section. 51A-8.403. (a) (1) (A) (xii)
33. On the final plat, identify the property as Lots 1A through 1D in City Block 1/6382. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)
34. On the final plat, add the note: "All building lines removed by this plat".







11/21/2017

Notification List of Property Owners

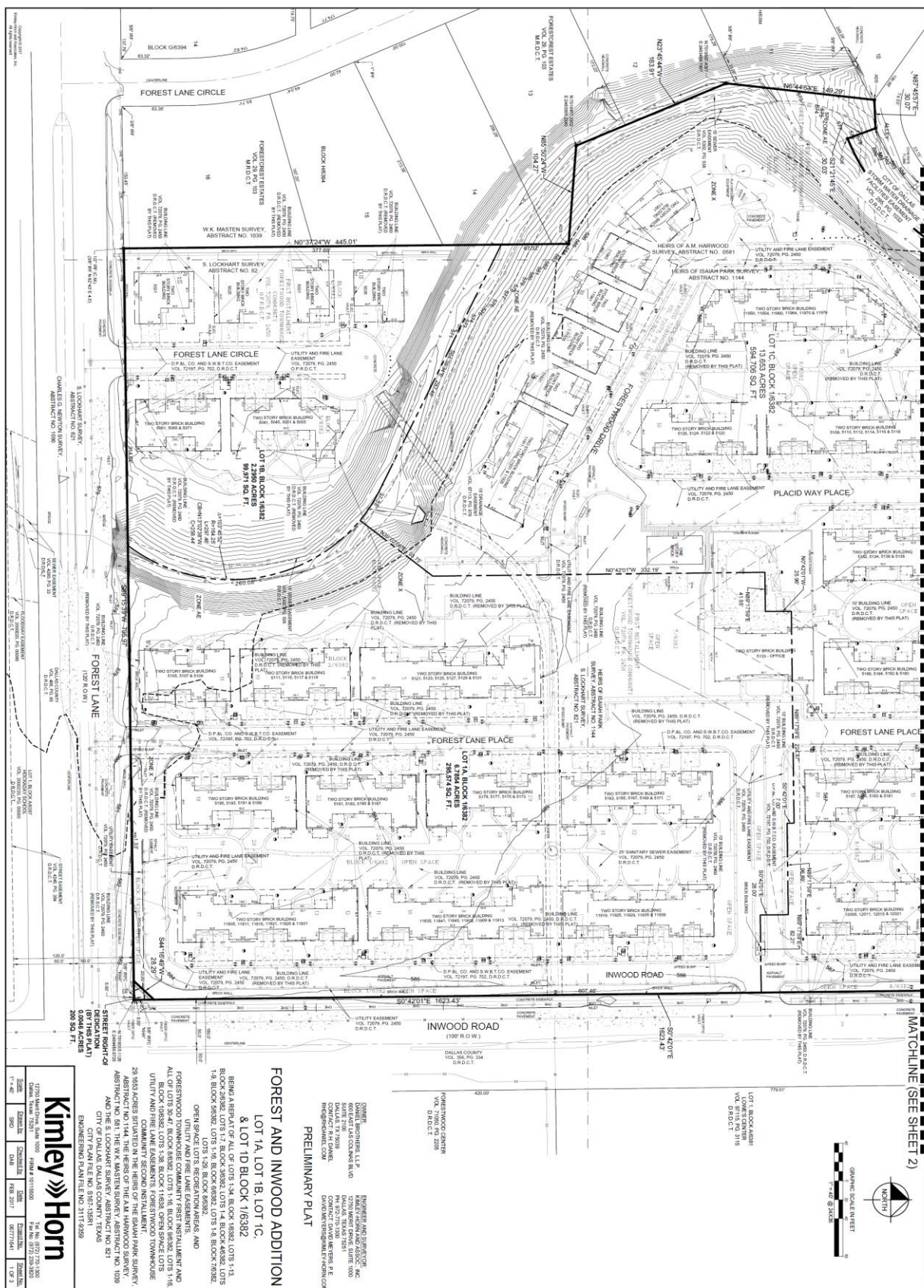
S167-135R1

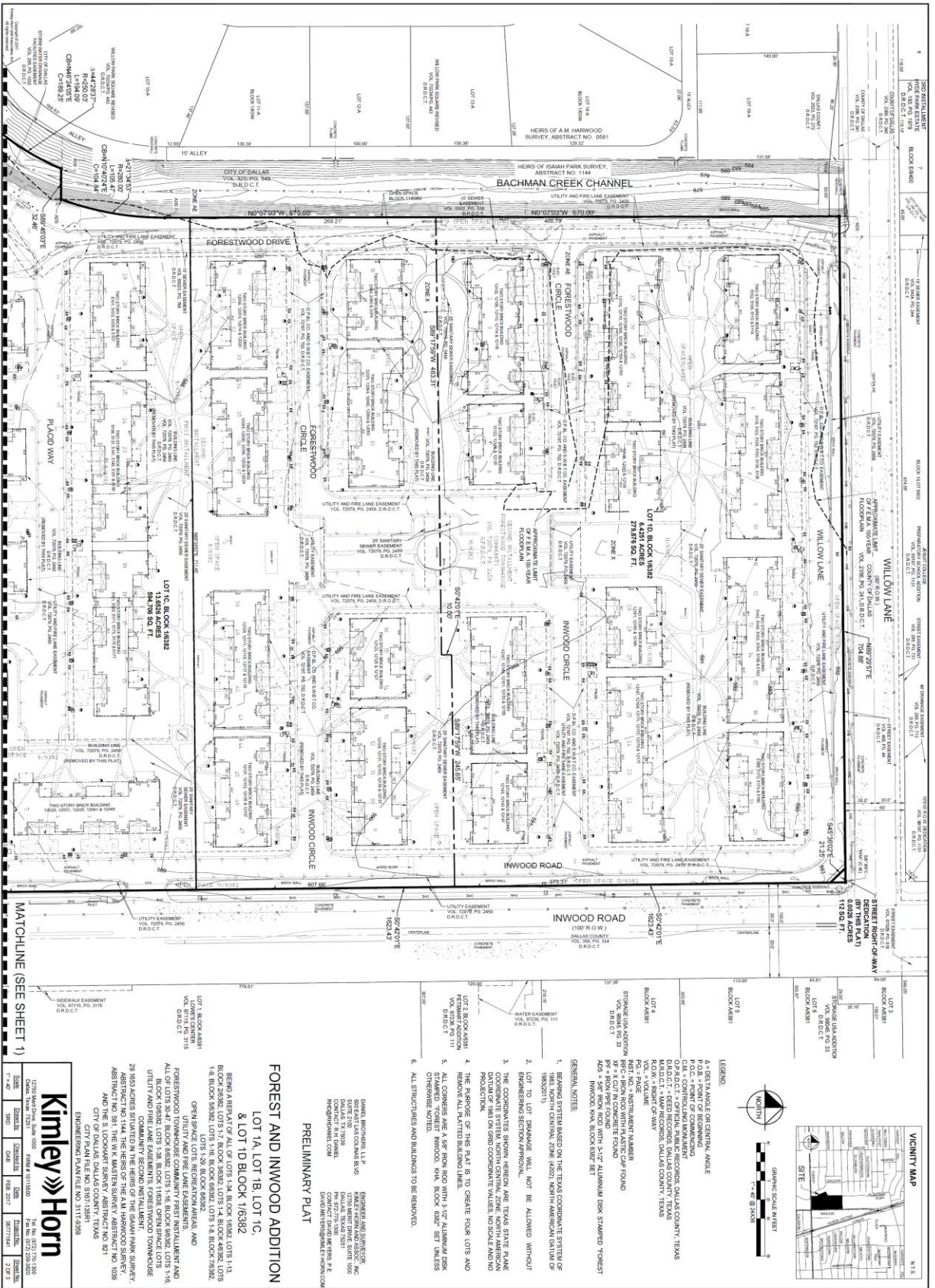
33 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11804 INWOOD RD	DANIEL A H
2	4923 NASHWOOD LN	HART ROBERT S &
3	4951 NASHWOOD LN	MARANO ANGELA JAMISON
4	4959 NASHWOOD LN	MALLAD TIMOTHY A & TORI M
5	4969 NASHWOOD LN	PETRIKAS JAMES J & MARY ANN
6	4979 NASHWOOD LN	YAEGER SUZANNE IKARD
7	11804 INWOOD RD	FORESTWOOD CENTER LLP
8	5200 FOREST LN	FOREST VILLAGE INC
9	5200 FOREST LN	FORESTWOOD NATIONAL BANK
10	4915 NASHWOOD LN	SEPULVEDA RICARDO
11	4941 NASHWOOD LN	BRAND JEFF & SHEILA
12	12011 SHIRESTONE LN	JOHNSTON STUART G JR
13	12003 SHIRESTONE LN	SEAGRAM MICHAEL PAUL & GAIL MARIE
14	12004 SHIRESTONE LN	NOONAN GERALDINE S
15	12010 SHIRESTONE LN	SCOTT DAVID M & MELISSA K
16	12018 SHIRESTONE LN	JUE DAVID N
17	12026 SHIRESTONE LN	ZELLERS THOMAS M &
18	12030 SHIRESTONE LN	ANDERSON GEORGANNA KOCH
19	12034 SHIRESTONE LN	WEINKAUF JEAN B
20	5018 WILLOW LN	DARTSON WILLIE MAE
21	5026 WILLOW LN	FISHER GREGORY JUSTIN &
22	5025 WILLOW LN	WEAVER JOSEPH & MARGARET
23	5017 WILLOW LN	TRAN HIEP VAN & SAU THI
24	12206 INWOOD RD	JESUIT COLLEGE PREPARATORY
25	11920 INWOOD RD	LOWES HOME CENTERS INC
26	12050 INWOOD RD	CH RETAIL FUND I DALLAS

11/21/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	12100 INWOOD RD	COLE MP PM PORTFOLIO LLC
28	12200 INWOOD RD	EXTRA SPACE PROPERTIES 130 LLC
29	12120 INWOOD RD	CHICK FIL A INC
30	12130 INWOOD RD	SRI REAL ESTATE PROPERTIES
31	12170 INWOOD RD	MU TECH ENTERPRISES LLC
32	11600 WELCH RD	HOCKADAY SCHOOL
33	12345 INWOOD RD	JESUIT HIGH SCHOOL





[illegible][illegible][illegible]

A. BELT, ANGLE OR CENTRAL ANGLE
B. ANGLE OF DEVIATION
C. POINT OF COMMENCING
D. CONTROLLING MOMENT
E. DISTANCE FROM NEGROSS, DALLAS COUNTY, TEXAS
F. DISTANCE FROM NEGROSS, DALLAS COUNTY, TEXAS
M.A.D.C. - MAP NEGROSS, DALLAS COUNTY, TEXAS
R.O.W. - RIGHT-OF-WAY
P.C. - PAGE
P.L. - PAGE
INST. NO. = INSTRUMENT NUMBER
PFC - IRON ROD WITH PLASTIC CAP FOUND
PFC - IRON ROD FOUND
PFC - IRON PIPE FOUND
AOS - 3/4" IRON ROD WITH 3-1/2" ALUMINUM DISK STAINED FORCES
INWASH, DRAIN BLOCK EXIST SET

Dated this _____ day of _____, 2017.

REGISTED PROFESSIONAL
LAND SURVEYOR NO. 5336
KIMLEY-HORN AND ASSOC., INC.
12750 MERIT DRIVE, SUITE 1000
DALLAS, TEXAS 75251
972-770-1300
data.brown@kimley-horn.com

COUNTY OF DALLAS 9
BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____, 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 purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

Notary Public in and for the State of Texas

DANIEL BROTHERS, L.L.P.
600 EAST LWS COLLEINS BLVD.
SUITE 2100
DALLAS, TX 75208
CONTACT: R.H. DANIEL
RH@DANIEL.COM

KIMLEY-HORN AND ASSOC., INC.
12175 MERID DRIVE, SUITE 1000
DALLAS, TEXAS 75231
PH: 817-716-5300
CONTACT: DAVID MEYERS, P.E.
DAVID.MEYERS@KIMLEY-HORN.COM

Scale		Drawn by	Checked by	Date
NA	SGD			FEB 2017
12750 Kent Drive, Suite 1000		FIRM # 10115500		Tel. No. (972) 06777445
Dallas, Texas 75251				Fax No. (972) 06777445

CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-044**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** 7624 Indian Springs Road**DATE FILED:** November 17, 2017**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 11 **SIZE OF REQUEST:** 0.570-Acre**MAPSCO:** 16A

APPLICANT/OWNER: Saadallah A. El-Jundi and Malissa El-Jundi

REQUEST: An application to reduce a portion of the existing 30-foot platted building line to 25-feet on property located at 7624 Indian Springs Road.

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

BUILDING LINE REMOVAL: The Commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

- (1) Upon the affirmative vote of at least three-fourths of the commission members present; and
- (2) If the Commission finds that relocation or removal of the platted building line will not:
 - (i) require a minimum front, side, or rear yard setback less than required by zoning regulation;
 - (ii) The building line on Indian Springs Road is 30-feet. The removal of a portion of the platted building line would not require a front yard setback less than required by the R-7.5(A) Single Family District, which is 25-feet.
 - (iii) be contrary to the public interest;
 - 17 notices were sent because the district is a single-family district.
 - (iv) adversely affect neighboring properties; and
 - The removal of a portion of the platted building line will not have an adverse effect on the properties along Indian Springs Road.
 - (v) adversely affect the plan for the orderly development of the subdivision.
 - The remainder of Block 1/8187 will retain the 30 -foot platted building line along Indian Springs Road.

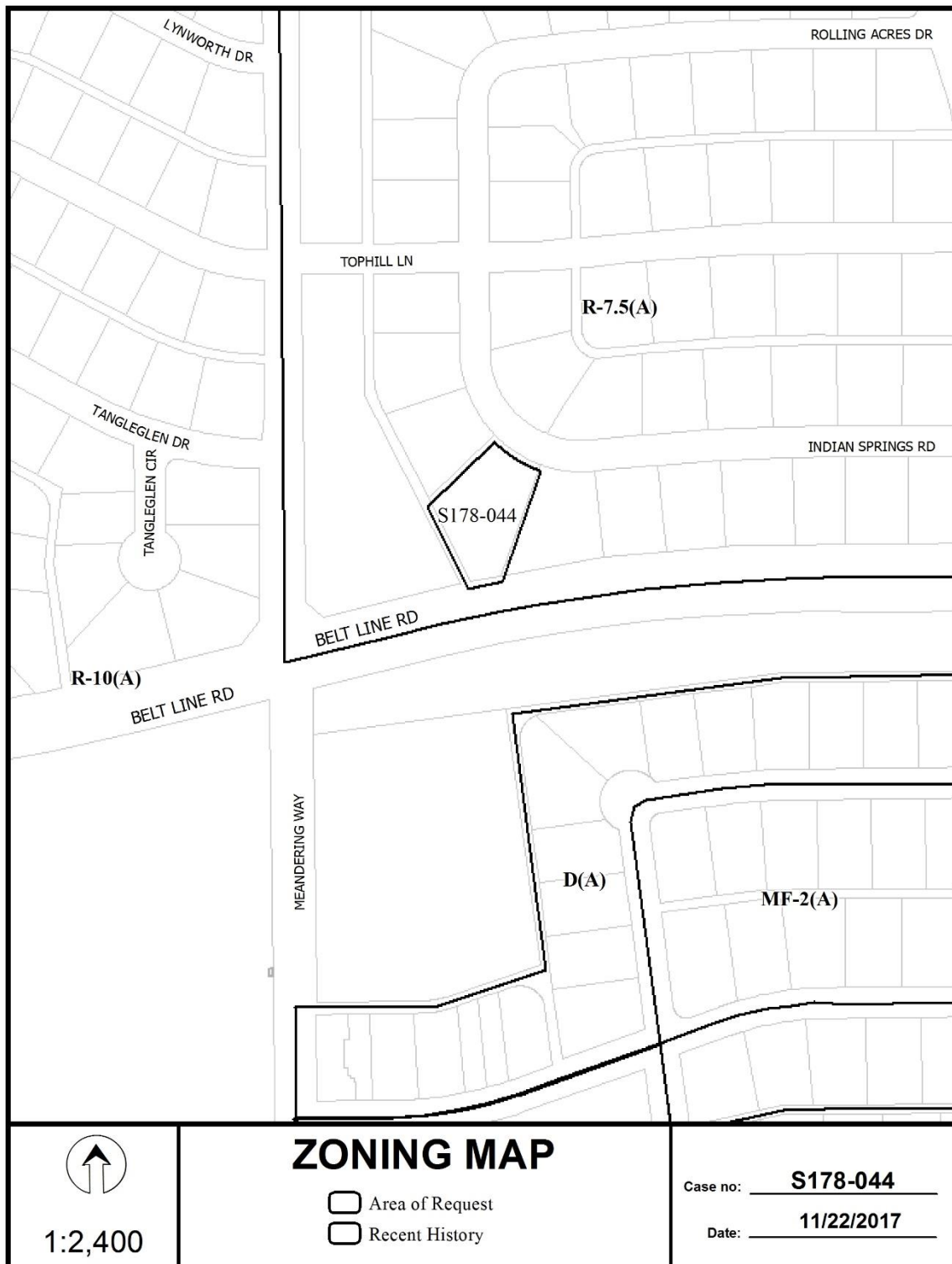
STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:

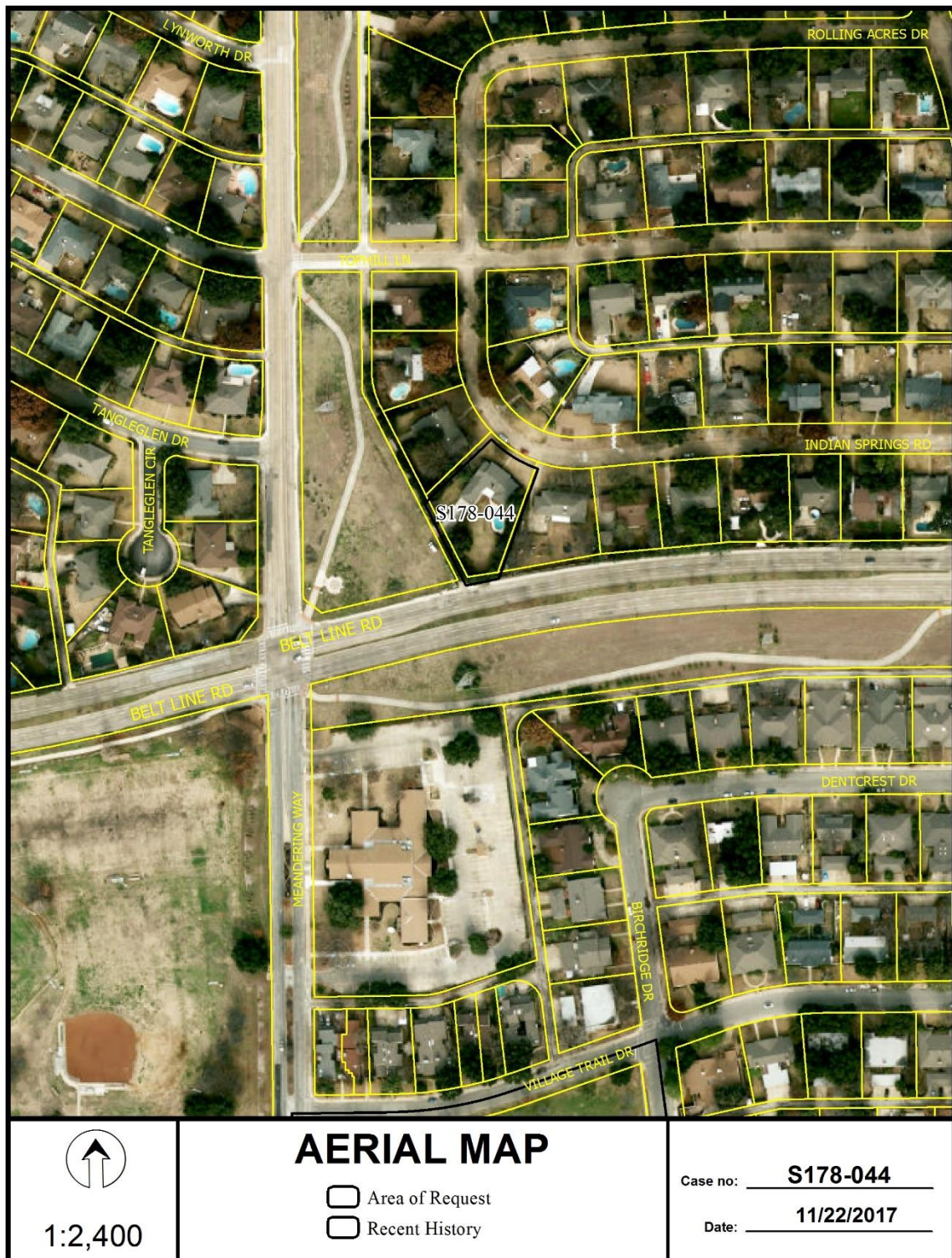
The request is to reduce the portion of the platted 30-foot building line to 25-feet along Indian Springs Road. The zoning requires a 25-foot front yard setback along Indian Springs Road. Staff finds that the request conforms with Section 51A-8.505 of the Dallas Development Code and the requirements of R-7.5(A) Single Family District; therefore, staff recommends approval of removal of the building lines.

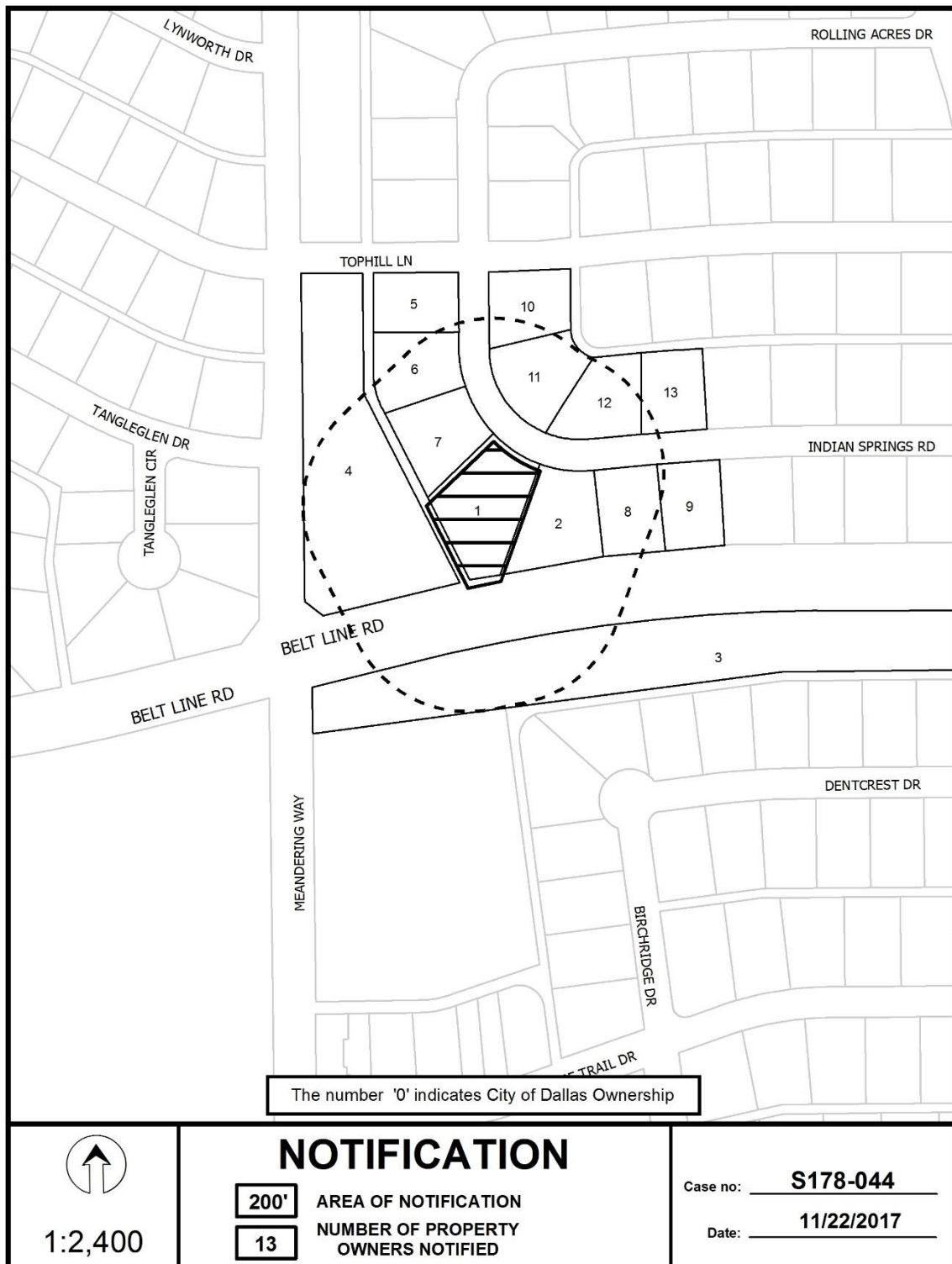
STAFF RECOMMENDATION: The request complies with the requirements of R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

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 is one.
11. On the final plat, identify the property as Lot 4, City Block 1/8187. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872); Section 51A-8.403(a) (1) (A) (viii).

12. On the final plat, add the note: "Reduce portion of the platted 30-foot building line to 25-feet by this plat".







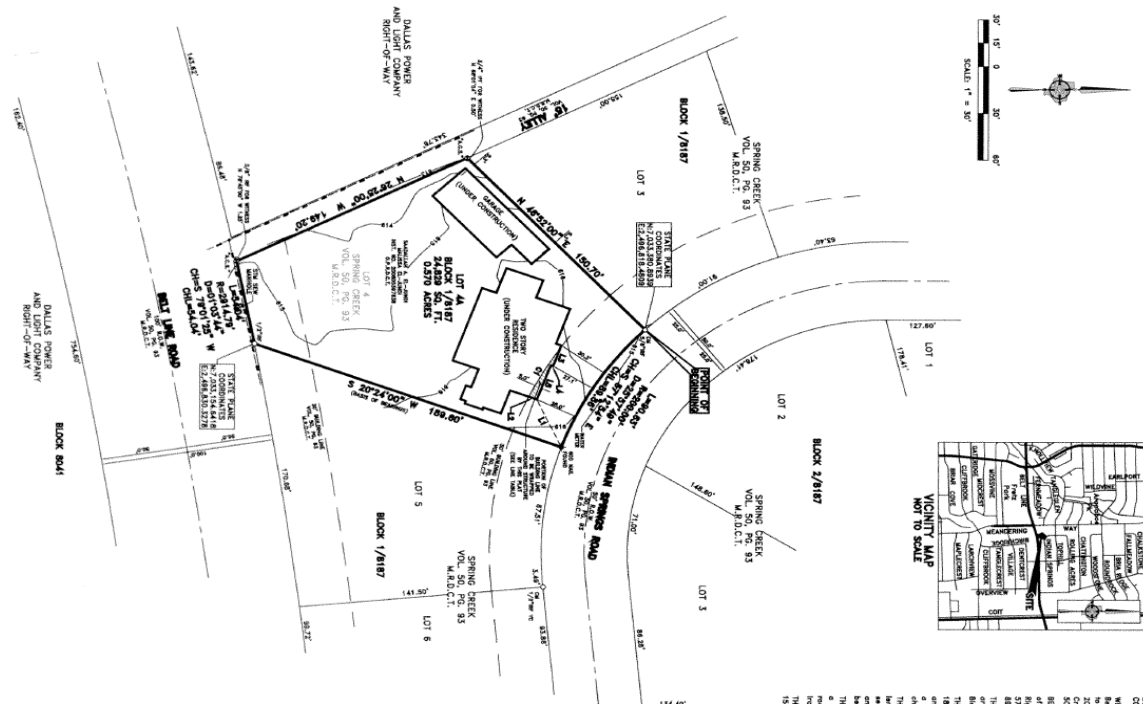
11/21/2017

Notification List of Property Owners

S178-044

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7624 INDIAN SPRINGS RD	ELJUNDI SAADALLAH A &
2	7630 INDIAN SPRINGS RD	PHILLIPS ADENA L J &
3	7500 BELT LINE RD	TEXAS UTILITIES ELEC CO
4	14800 MEANDERING WAY	TEXAS UTILITIES ELEC CO
5	7608 INDIAN SPRINGS RD	HERVEY RUBY
6	7614 INDIAN SPRINGS RD	BRODERICK JOHN J
7	7620 INDIAN SPRINGS RD	FRIESENHAHN ROBERT J &
8	7638 INDIAN SPRINGS RD	MOYA MICHAEL M &
9	7646 INDIAN SPRINGS RD	MASTALKA MATTHEW JAMES & VALERIE LYNN
10	7609 INDIAN SPRINGS RD	CURNUTT MELINDA TURNER &
11	7619 INDIAN SPRINGS RD	FLYNN WILLIAM & SUSAN
12	7637 INDIAN SPRINGS RD	DURHAM JASON PATRICK & SARA KIMBERLY
13	7645 INDIAN SPRINGS RD	MOORE JIM I & MARY B

[illegible]

CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-035**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Maple Springs Boulevard, east of Denton Drive.**DATE FILED:** November 15, 2017**ZONING:** PD 193 (R-7.5)**PD LINK:** <http://dallascityattorney.com/51P/Articles%20Supp%2021/Article%20193%20Part%20I.pdf>**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.5638-Acre**MAPSCO:** 34V

APPLICANT/OWNER: James D. Norcross and Charles Krueger Norcross

REQUEST: An application to replat a 0.5638-acre tract of land containing all of Lot 5 and part of Lot 4 in City Block B/2330 into one lot on property located on Maple Springs Boulevard, east of Denton Drive.

SUBDIVISION HISTORY:

1. S145-073 was a request southwest of the present request to replat all of Lots 1 through 9 in City Block 2/2320 and an existing 15 foot wide alley right-of-way to be abandoned, into one 1.424-acre lot on property bounded by Amelia Street, Maple Avenue, and Maple Springs Boulevard. The request was approved February 5, 2015 but has not been recorded.
2. S123-194 was a request southeast of the present request to replat a 12.603 acre tract of land containing all of Lots 1 and 2 in City Block E/2307, all of Lot 1 and part of Lot 2 in City Block E/2309 located at 2610 and 2820 King Road. The request was approved July 25, 2013 but has not been recorded.
3. S123-152 was a request southeast of the present request to replat all of Lots 4 and 5, and a tract of land in City Block 2317, into one 3.325 acre tract of land on property located at 2727 Kings Road. The request was approved June 6, 2013 but has not been recorded.
4. S123-060 was a request southwest of the present request to replat a 0.3572 acre tract of land containing all of Lots 11 and 12 in City Block L/2313 on property located at the southeast corner of Clara Street and 4742 and 4744 Maple Avenue. The request was approved February 7, 2013 but has not been recorded.

NOTICES: 17 notices were sent to property owners within 200 feet of the property on November 27, 2017.

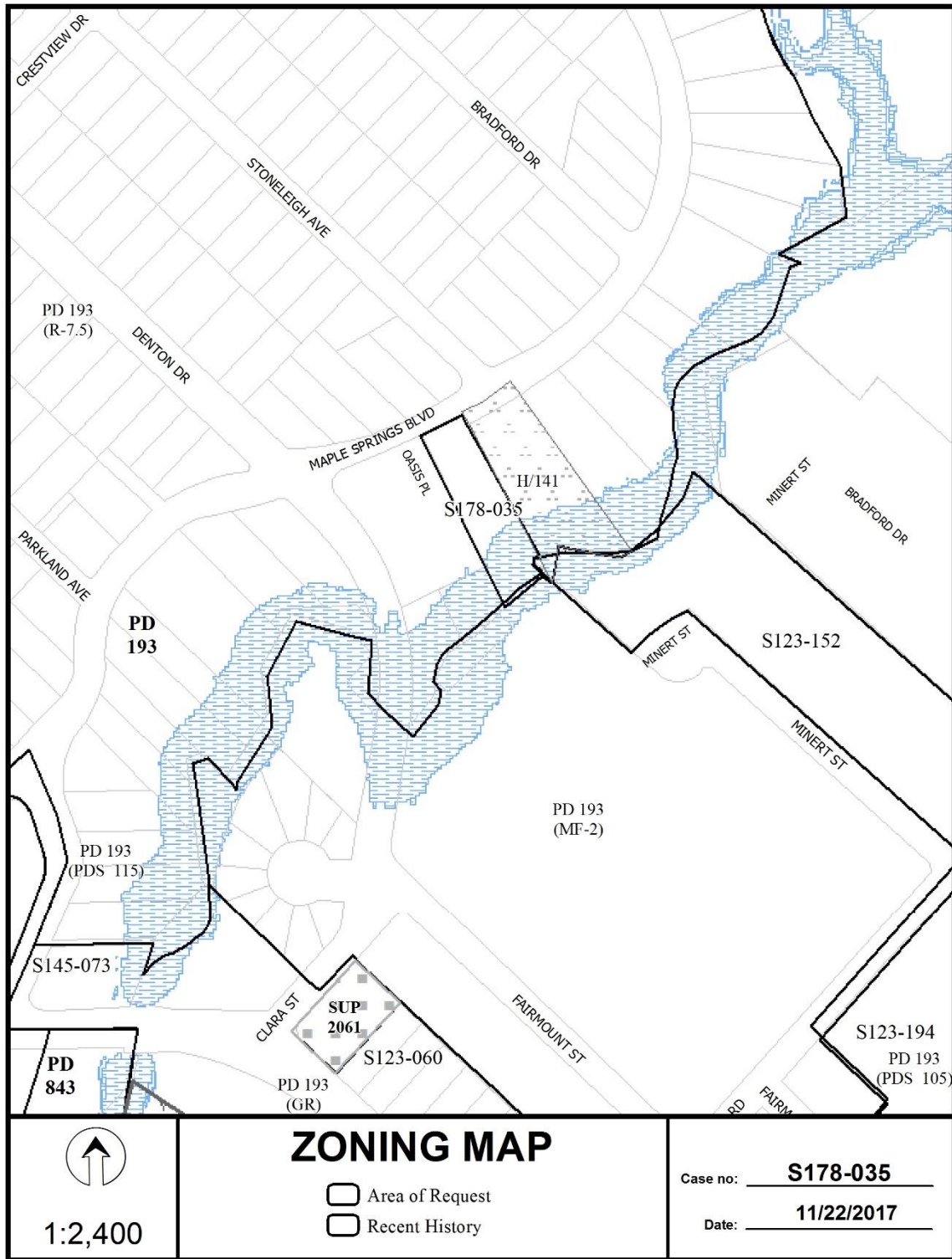
STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of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

The request is to replat a 0.5638-acre tract of land containing all of Lot 5 and part of Lot 4 in City Block B/2330 into one lot. Lots fronting along Maple Springs Road have frontage ranging from 50-feet to 75-feet, the proposed lot will have frontage of 75-feet on Maple Springs Road.

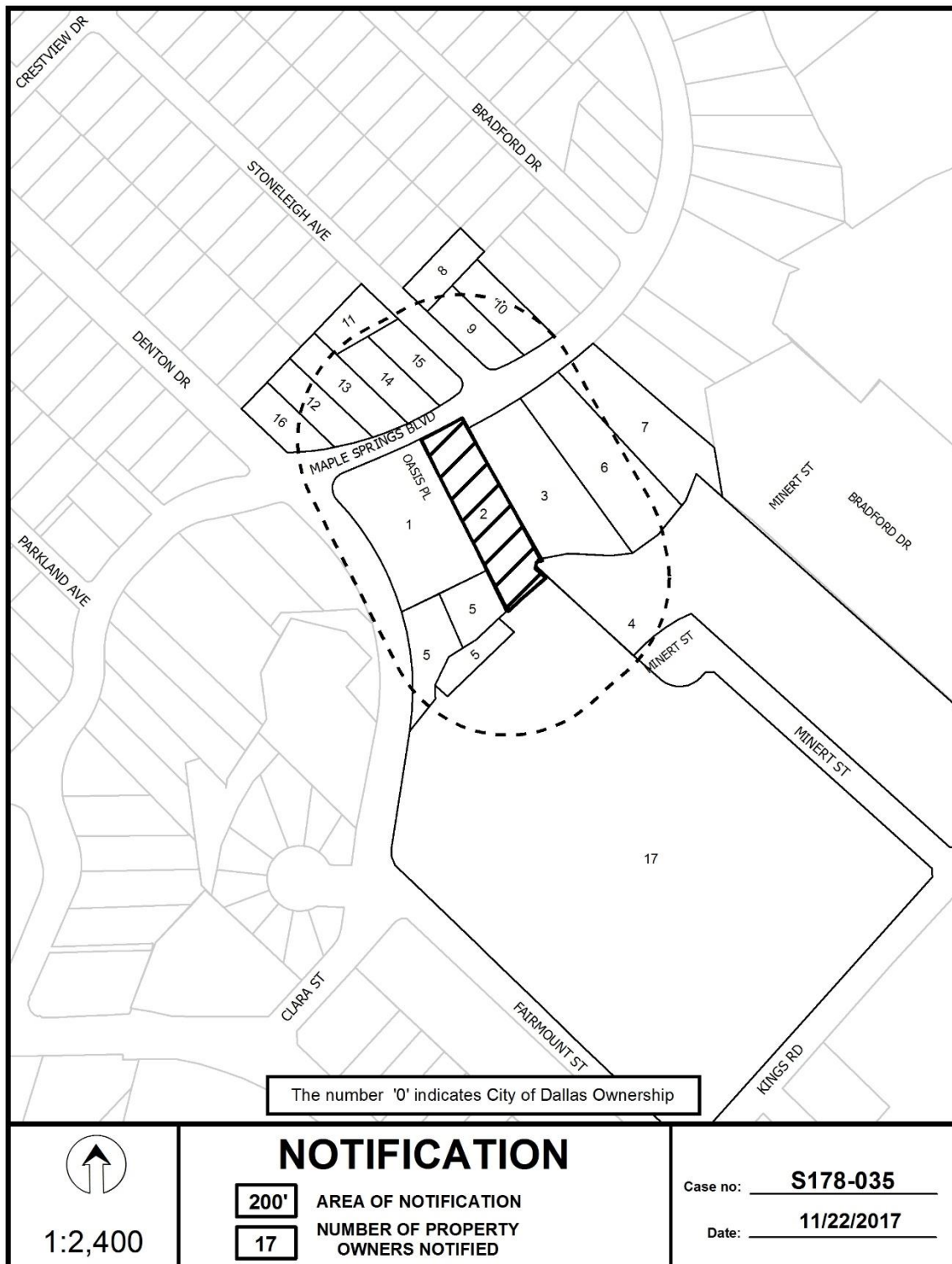
Based on staff's review, we have determined that the request complies with the standards of the PD 193 (R-7.5) single Family District, and with Section 51A-8.503; therefore, we recommend approval of the request subject to compliance with the following conditions:

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 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, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
14. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.

15. On the final plat, include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V.
16. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
17. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
18. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d) (1), (2), (3), and (4).
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g).
20. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
21. Water main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
22. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
23. On the final plat, change "Stoneleigh Drive" to "as named by plat of Oak Lawn Heights". Section 51A-8.403(a) (1) (A) (xii).
24. On the final plat, identify the property as Lot 4A, City Block B/2330. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872); Section 51A-8.403(a) (1) (A) (viii).







11/28/2017

Notification List of Property Owners

S178-035

17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2808 MAPLE SPRINGS BLVD	ZITOUN JORDAN & ERIN
2	2814 MAPLE SPRINGS BLVD	NORCROSS JAMES D & CHARLES KRUEGER
3	2822 MAPLE SPRINGS BLVD	RIGGS GARY
4	2727 KINGS RD	BRIDGEVIEW MEDCENTER LLC
5	2701 MINERT ST	BADEJO AHMED
6	2902 MAPLE SPRINGS BLVD	REAVIS DICK J &
7	2910 MAPLE SPRINGS BLVD	KASSAM BIDJAAN &
8	5012 STONELEIGH AVE	THOMAS TIMOTHY D
9	2901 MAPLE SPRINGS BLVD	CORTEZ ROBERT &
10	2907 MAPLE SPRINGS BLVD	JAMES JANET ELAINE
11	5015 STONELEIGH AVE	KESINGER GAYLE M
12	2807 MAPLE SPRINGS BLVD	TRAVERS TONI
13	2811 MAPLE SPRINGS BLVD	ZIMMERMAN ZACHARIAS
14	2815 MAPLE SPRINGS BLVD	STOCKER JULIA
15	2819 MAPLE SPRINGS BLVD	NAPOLI JOAN F
16	2803 MAPLE SPRINGS BLVD	LESZINSKI SLAWOMIR TR
17	4730 DENTON DR	APTCO MEDICAL DISTRICT LLC

CITY PLAN COMMISSION**THURSDAY, DECEMBER 14, 2017****FILE NUMBER:** S178-038**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Modella Avenue, west of Allister Street**DATE FILED:** November 15, 2017**ZONING:** PD 978**PD LINK:** <http://dallascityattorney.com/51P/Articles%20Supp%2046/ARTICLE%20978.pdf>**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 2.195-Acres**MAPSCO:** 23B

APPLICANT/OWNER: WDP Modella Partners, LLC

REQUEST: An application to replat a 2.159-acre tract of land containing all of Lot 11 in City Block B/6595 to create a 25-lot shared access area development with five common areas with lots ranging in size from 0.035-acre to 0.076-acre on property located on Modella Avenue, west of Allister Street.

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

NOTICES: 40 notices were sent to property owners within 200 feet of the property on November 22, 2017.

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

The request is to create a 25-lot shared access area development with five common areas.

The lots in the immediate vicinity of the request range in size from 0.039-acre to 4.062-acres, the proposed lots range in size from 0.035-acre to 0.076-acre.

Based on staff’s review, we have determined that the request complies with the standards of PD 978, and with Section 51A-8.503; therefore, we recommend **approval** of the request subject to compliance with the following conditions:

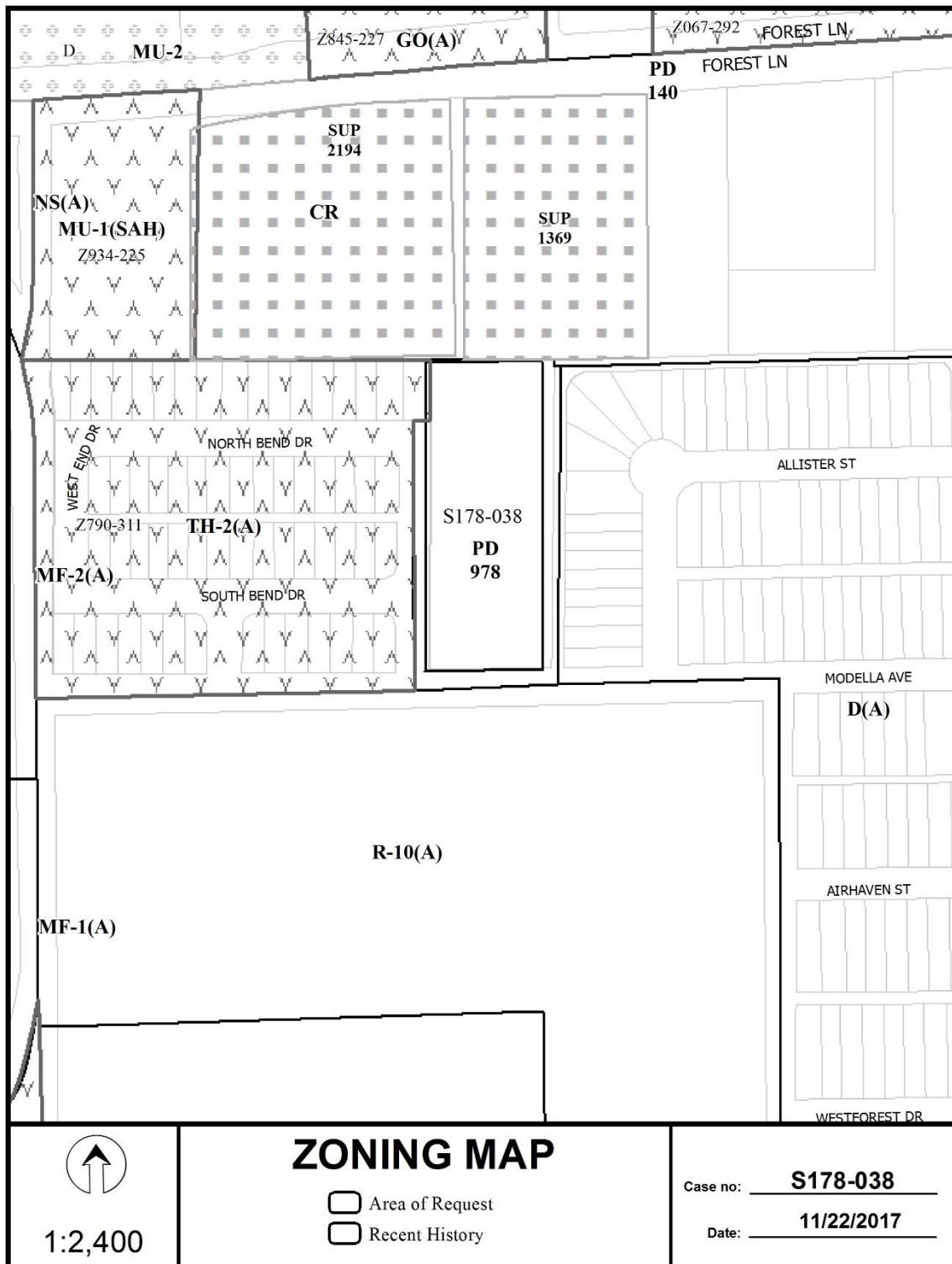
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division 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.

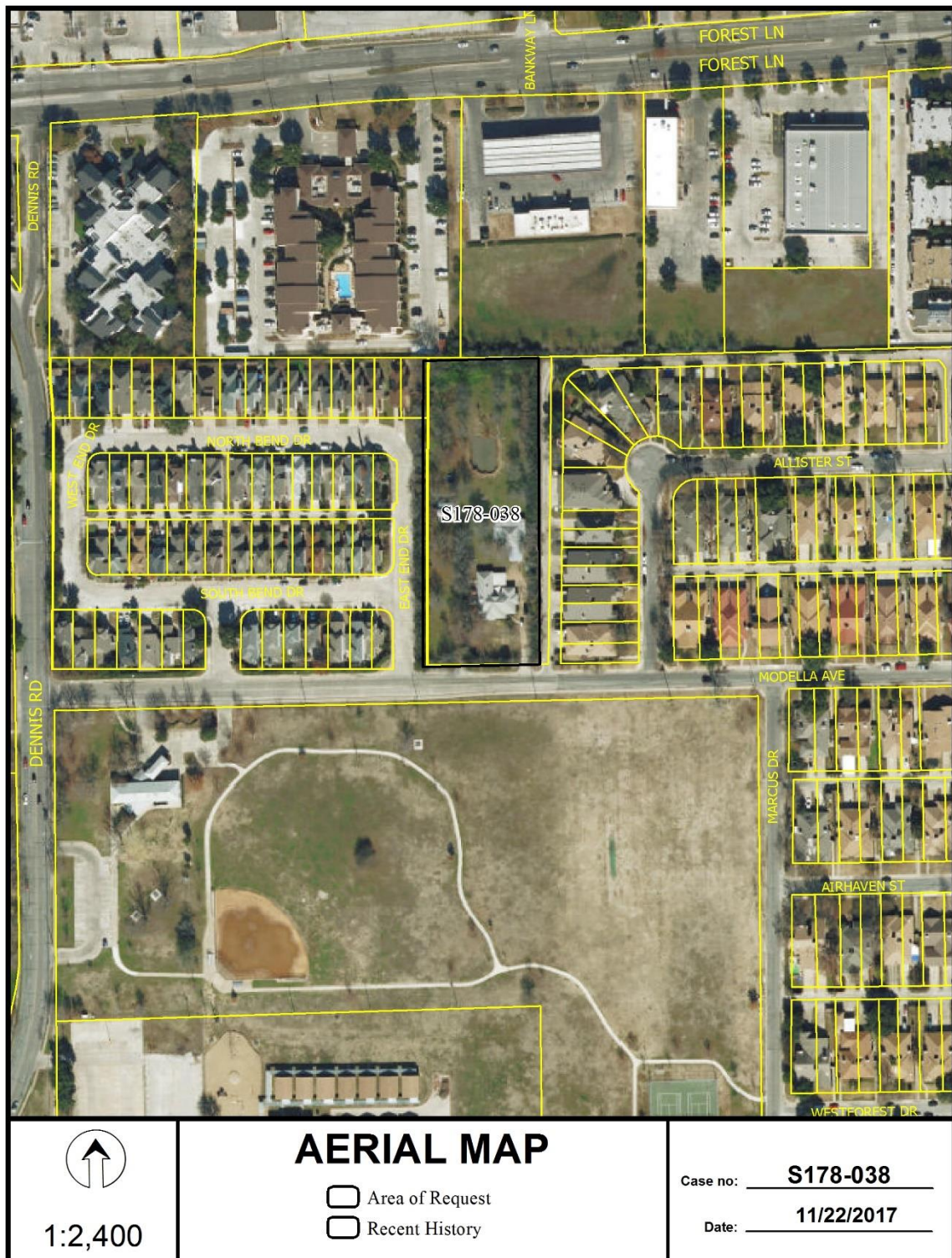
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division 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 25 and five 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, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Modella Avenue & the alley. Section 51A-8.602(e),
15. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection of East End Drive and Modella. Section 51A 8.602(d) (1).
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, label common areas A through E.
18. Engineer must 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).
19. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering

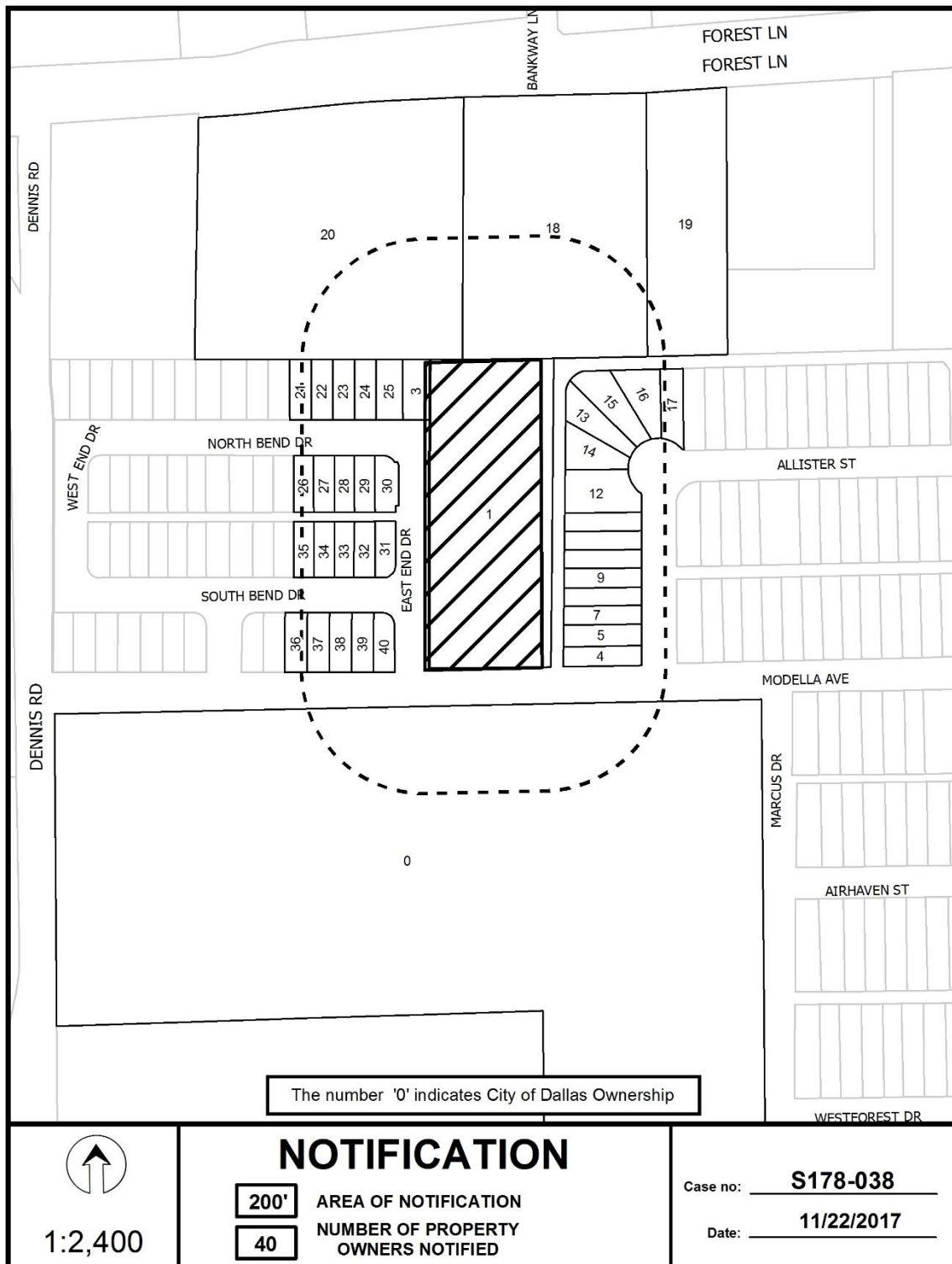
plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

20. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
21. There must be no more than two access area points, each limited to serve no more than 18 dwelling units. Section 51A-4.411(d) (10).
22. 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).
23. 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.
24. 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).
25. Prior to submittal of the final plat, the Shared Access Development must meet all of the requirements of Section 51A-4.411. Section 51A-4.411(c).
26. 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).
27. 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).
28. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f) (2).
29. Include the words "Shared Access Development" in the title block of the final plat. Platting Guidelines.
30. 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).

31. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d) (8).
32. 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).
33. On the final plat, provide a City of Dallas approved street name for the Shared Access Area Easement. Contact the Street Name Coordinator to obtain an approved street name. Sections 51A-8.403(a) (1) (A) (xiv) and 51A-8.506(e).
34. On the final plat, identify the property as Lots 1 through 25, City Block 7B/6595. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872); Section 51A-8.403(a) (1) (A) (viii).
35. The Shared Access Development must provide 0.25 guest parking spaces per lot. Section 51A-4.411(g).
36. Shared Access Area Developments must comply with DWU standards for water and wastewater construction and design and be accepted by the City of Dallas prior to submittal of the final plat for the Chairperson's signature. Section 49-61(c) (5) (B) and the Development Design Procedures and Policy Manual, Section 2.
37. Contact the Street Name Coordinator to obtain an approved street name. Sections 51A-8.403(a) (1) (A) (xii).
38. On the final plat, label McAllister Street. Section 51A-8.403(a) (1) (A) (xii).
39. Prior to final plat, provide a tree survey to the arborist.







11/21/2017

Notification List of Property Owners

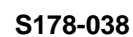
S178-038

40 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2963 MODELLA AVE	WDP MODELLA PARTNERS LLC
2	11600 DENNIS RD	NORTH TOWN SQUARE
3	2969 NORTH BEND DR	FRAELICH EDWARD K JR
4	2901 ALLISTER ST	HARRIS EMILY D
5	2903 ALLISTER ST	SHAW JEFFIE JOY
6	2907 ALLISTER ST	SIHARATH LEONE
7	2905 ALLISTER ST	SILVA ALFREDO RAMIREZ &
8	2911 ALLISTER ST	NGUYEN SE VAN & HANH QUAN
9	2909 ALLISTER ST	KIRBY JAMEY G &
10	2913 ALLISTER ST	JENSEN KATHERINE L
11	2915 ALLISTER ST	LAMB ROSELY C
12	2919 ALLISTER ST	MCKINNON BETTY
13	2925 ALLISTER ST	MILLER HAROLD F
14	2923 ALLISTER ST	DAVIDSON DEXTER C
15	2927 ALLISTER ST	ROCHA ARMANDO
16	2929 ALLISTER ST	RESTREPO GLORIA A
17	2931 ALLISTER ST	ROOT KIMBERLY M
18	2968 FOREST LN	QUIKTRIP CORPORATION
19	2976 FOREST LN	HALLE PROPERTIES LLC
20	2930 FOREST LN	COVENTRY HOSPITALITY LLC
21	2949 NORTH BEND DR	WEBB JEFFREY S
22	2953 NORTH BEND DR	ROMERO MARCUS JOSHUA
23	2957 NORTH BEND DR	MEDINA WAYNE R
24	2961 NORTH BEND DR	RICE DAWN P
25	2965 NORTH BEND DR	GILSON DAVID E &
26	2950 NORTH BEND DR	ROBERTS KATY WELCH

11/21/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2954 NORTH BEND DR	GOODEN DEBRA A
28	2958 NORTH BEND DR	NGUYEN PHUONG &
29	2962 NORTH BEND DR	HERNANDEZ ROBERTO
30	2966 NORTH BEND DR	WALLJASPER MARIA
31	2967 SOUTH BEND DR	MARTINEZ LETICIA C
32	2963 SOUTH BEND DR	WILSON STEVEN M
33	2959 SOUTH BEND DR	GARZA GINGER
34	2955 SOUTH BEND DR	LOBPRIES FREDERICK M &
35	2951 SOUTH BEND DR	KEARNEY SHANE
36	2948 SOUTH BEND DR	MONZALVO MORGAN DOROTHY & ADRIAN
37	2952 SOUTH BEND DR	GUZMAN JOAQUIN R &
38	2956 SOUTH BEND DR	SUTTON DAVID L
39	2960 SOUTH BEND DR	TORRES GUSTAVO
40	2964 SOUTH BEND DR	MCGOWAN DALE M



STATE OF TEXAS
COUNTY OF DALLAS

WEEKS, JPM Mobile Partners, LLC is the owner of a tract (land situated in the Fort Worth Stock Survey, Atristone No. 69 in the City of Dallas, Dallas County, Texas, and of Lot 11, Block 8, 69/095, of Brooks addition, an addition to the City of Dallas, according to the plat 11, Block 8, 69/095, of Brooks addition, on page 141, Map Records, Dallas County, Texas (M&C.I.), beginning that tract of land conveyed to JPM Mobile Partners, LLC by Special Warranty Deed recorded in Instrument No. 201602156535, Official Public Records, Dallas County, Texas, (DP&D.C.I.) and being more particularly described by meter and bounds on (three

BEGINNING at a 2-1/2-inch pipe found for corner in the north right-of-way line of Modesta Avenue (a 60' right-of-way), and the southwest corner of Lot 1, Block 2B/5555 of Chapel Forest; Addition on addition to the City of Dallas, according to the plat thereof recorded in Volume 80123, Page 141, Deed Records, Dallas County, Texas (D.A.C.T.);

HENCE South degrees 42 minutes 39 seconds West, departing southwest corner of said Chappel Forest Addition, along the north line of said Modela Avenue, a distance of 190.00 feet to a 3-1/4" aluminum disk set in some being the south line of said lot 11, Block B/6595, to a 3-1/4" aluminum disk set in concrete stamped "Modela Park, 5567" for corner, said corner being the southeast corner of Northlawn Square Addition, an addition to the City of Dallas, according to the plat thereof recorded in Volume 84153, Page 2190, Deed Records, Dallas County, Texas (D.O.C.T.).

THENCE North 00 degrees 05 minutes 24 seconds East, departing the southeast corner of said Lot 11, some being the southwest corner of said Northtown Square Addition, along east line of said Northtown Square Addition, a distance of 498.13 feet to a 3-1/4" aluminum disk set in concrete stamped "Modelia Park, 5867" for the northwest corner of said Northtown Square Addition, some being the northwest corner of said Lot 11, Block B/5595;

THESE North 86 degrees 35 minutes 17 seconds East, along the north line of sod lot 11, Block B/5593, same being the south line of Lot 18A, Block B/5593, of County by Marquette Block B/5593, on addition to the City of Duluth, according to the plat thereof recorded in Volume 6790A, Page 5287, (D.R.C.B.), passing the east line of said lot 18A, Block B/5593 along the north line of Lot 20A, Block B/5593 of S1, S33 Addition, on addition to the City of Duluth, according to the plat thereof recorded in Volume 2000A, Page 61, (D.R.C.B.) for a total distance of 18.55 feet to a 1-inch iron pipe found in 2004, said corner being in the northeast corner of said lot 11, Block B/5593, same being the south line of said lot 20A, Block B/5593, of said lot the northwest corner of said Otispl Forest Addition.

THENCE South 00 degrees 11 minutes 19 seconds East, along the east line of said Lot 11, Block B/6/595, some being the west line of said Chapel Forest Addition, a distance of 498.33 feet to the POINT OF BEGINNING, containing 94.059 square feet or 2.159 acres of land, more or less.

[illegible]

Dated this the _____ day of _____, 2017.

FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.*

Votex Surveying Company - Firm No. 10013600 - (469) 333-8631

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.

_____, 2017

Notary Public, State of Texas

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

[illegible]

Notwithstanding the general easement language recited above, the Shared Access Acre Easement shown on this plot may not be used in a manner inconsistent with the Shared Access Acre Easement Statement recited on this plot, which statement is hereby adopted and accepted.

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

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2017.

BY: WDP MODELLO PARTNERS, LLC

William D. White III, Managing Member

BEFORE ME, the unders

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared William D. White III, Managing Member, 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 this the _____ of _____ 2017

Notary Public, State of Texas:

PENDING PLAT
MODELLA PARK
Lot 1-25, Block 11/6595
2.159 ACRES
A SHARED ACCESS DEVELOPMENT
BEING A REPLAT OF
Lot 11, Block 11/6595
BROOKS ADDITION
OUT OF THE
FRANKLIN BOWLES SURVEY, COUNTY, TEXAS
CITY OF DALLAS, DALLAS COUNTY, TEXAS
DTF PLAT FILE NO. 57P-008

OWNER:

WDP MODILLA PARTNERS, LLC
511 E. JOHN CARPENTER FRWY, STE. 50
IRVING, TEXAS 75062

VOIEX SURVEYING COMPANY - TIRPLS FIRM NO. 10013600
10440 N. CENTRAL, EXPWY DALLAS, TEXAS 75231
PH. (469) 333-8831; cardy@voiexsurveying.com
PROJECT NO. 2016-089

FILE NUMBER: W178-002**DATE FILED:** November 2, 2017**LOCATION:** Southeast corner of North Central Expressway and East Mockingbird Lane**COUNCIL DISTRICT:** 14**MAPSCO:** 36-J**SIZE OF REQUEST:** Approx. 5.33 acres**CENSUS TRACT:** 0003.00

MISCELLANEOUS DOCKET ITEM:**OWNER:** Westdale Palomar, LP**APPLICANT:** Toll Brothers**REPRESENTATIVE:** Karl Crawley, Masterplan**REQUEST:** An application for a waiver of the two-year waiting period to submit an application for an amendment to Planned Development District No. 740.**SUMMARY:** On August 23, 2017, the City Council approved an application to amend Tract 1 within Planned Development District No. 740 at the above referenced location.

The applicant is now requesting a waiver of the two-year waiting period in order to submit an application to amend Tract 2 within PDD No. 740. Although the previous zoning case involved an amendment to Tract 1 only, the entire PD was included in the area of request. Consequently, in order for the current owner of the Tract 2 portion of the PD to submit an application for an amendment, a waiver of the two-year waiting period is needed.

According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to August 23, 2019, without a waiver of the two-year waiting period. According to the Dallas Development Code, "the commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing." However, staff believes circumstances have not changed to warrant a new hearing.

Staff Recommendation: Denial

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z167-301(KK)

Location Mockingbird Lane and N. Central Expwy, SEC

Date of last CPC or CC Action August 23, 2017

Applicant's Name, Address & Phone Number Karl A Crawley, Masterplan

900 Jackson St., Ste 640 Dallas TX 75202 214 761 9197

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

Westdale Palomar LP, 3100 Monticello Ave Suite 600

Dallas TX 75205

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

The previous zoning case involved an amendment to the entire PD which consists of two tracts. The separate owner of Tract 2 has placed that portion of the PD under contract to sale and would like to amend that portion of the PD only. Tract 2 was not changed in the recent amendment, yet the entire PD was part of the request. We are unable to determine if the property owner for Tract 2 authorized the recent zoning change application.


Applicant's Signature



SEE ATTACHED
Owner's Signature (if individual) or
Letter of Authorization (from corporation/partnership)

Date Received
Fee: \$300.00

October 26, 2017

Mr. David Cossum, Director
Sustainable Development and Construction Services
Dallas City Hall
Dallas, Texas 75201

RE: The Future Development Area Unit of M Central Master Condominium
(a part of Lot 1, Block A/2939)

Dear Mr. Cossum:

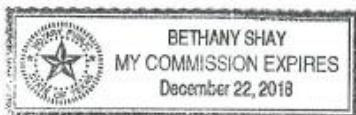
The undersigned owner hereby authorizes TOLL BROTHERS to apply for a zoning change and a two-year waiver for the property described above.

Owner: Westdale Palomar, LP

By: 
Joseph G. Beard, President

Before me, the undersigned authority, on this day personally appeared Joseph G. Beard, President of Westdale Palomar, known to me to be the person whose name is subscribed to this letter, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated as the act and deed of said corporation.

Given under my hand and seal of office on this 26th day of October, 2017.




Notary Public, State of Texas

My commission expires 12/22/18



October 30, 2017

Mr. David Cossum, Director
Sustainable Development and Construction Services
Dallas City Hall
Dallas, Texas 75201

RE: AMENDMENT TO PD 740, TRACT 2

Dear Mr. Cossum:

The undersigned buyer hereby authorizes MASTERPLAN to represent the undersigned in all matters regarding a zoning change and two-year waiver for the property described above.

Buyer: 

By:

CHARLES ELLIOTT

(Name and Title of Person Signing for Entity)

Before me, the undersigned authority, on this day personally
appeared Charles Elliott,
(Name of person signing for Entity) (Title of person signing)
of Toll Brothers, known to me to be the person
(Name of entity)

whose name is subscribed to this letter, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated as the act and deed of said corporation.

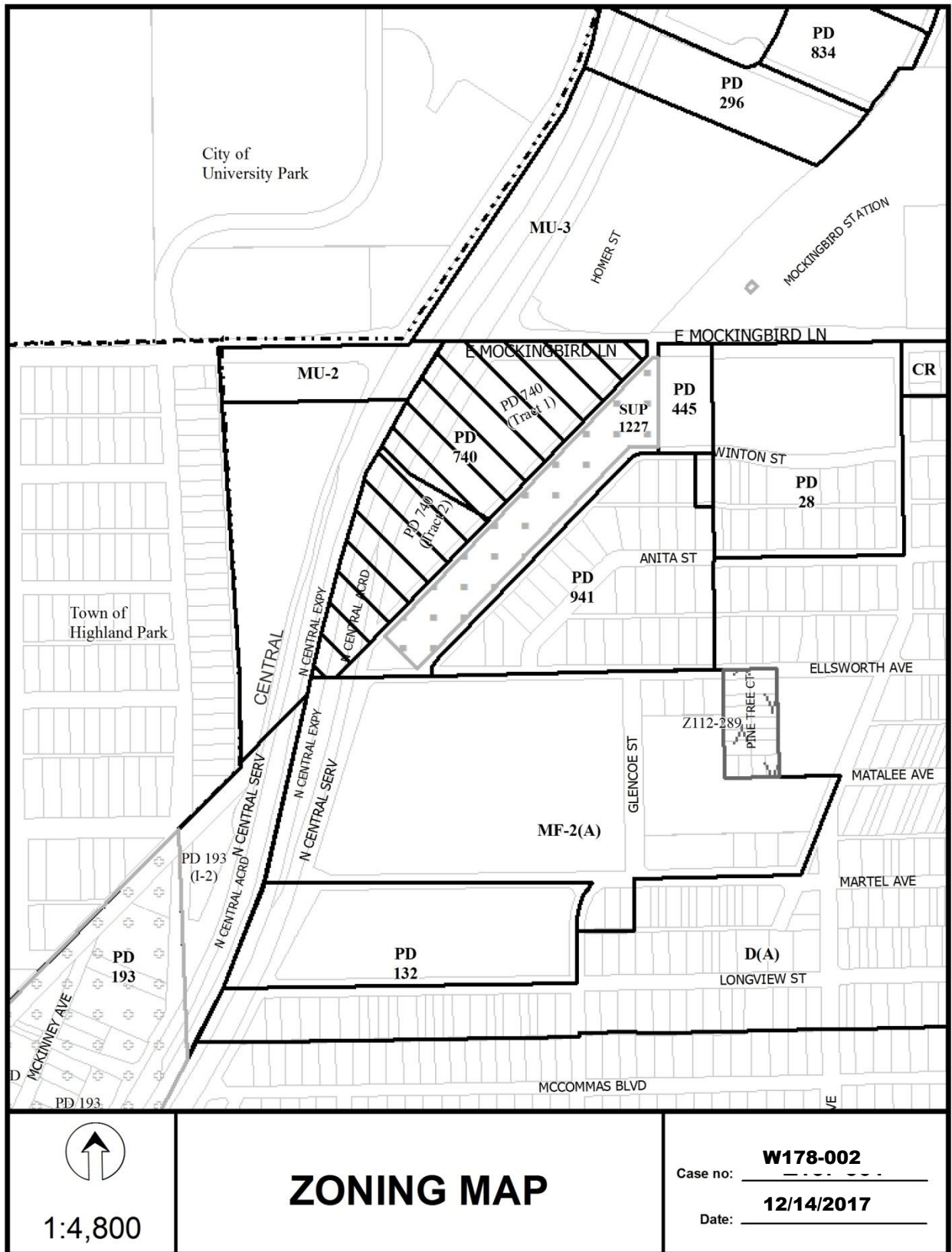
Given under my hand and seal of office on this 30th day of October,
2017.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Janet E. McColgan, Notary Public
Horsham Twp., Montgomery County
My Commission Expires June 29, 2020

Janet E. McColgan
Notary Public, State of Pennsylvania

My commission expires 6/29/20





1:4,800

ZONING MAP

Case no: **W178-002**
Date: **12/14/2017**

FILE NUMBER: W178-003**DATE FILED:** November 3, 2017**LOCATION:** Generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue**COUNCIL DISTRICT:** 2**MAPSCO:** 34-N**SIZE OF REQUEST:** Approx. 31.02 acres**CENSUS TRACT:** 04.06

MISCELLANEOUS DOCKET ITEM:**OWNERS:** Mockingbird Venture Partners, LLC
Jefferson West Love Owner, LLC
M & M Hotel Venture, LLC**APPLICANT:** Mockingbird Venture Partners, LLC**REPRESENTATIVE:** Jonathan Vinson, Jackson Walker LLP**REQUEST:** An application for a waiver of the two-year waiting period to submit an application for an amendment to Planned Development District No. 759.**SUMMARY:** On November 9, 2016, the City Council approved an application to amend Planned Development District No. 759 at the above referenced location.

The previous zoning request was to allow for an increase in the total buildable floor area for office and lodging uses and to revise the parking requirements for the proposed uses. The applicant is now requesting a waiver of the two-year waiting period in order to submit an application to amend PDD No. 759, asserting that "market conditions are such that additional floor area for office uses, over and above the current maximum floor area for office uses, as well as possibly additional height for office uses, are needed." A waiver of the two-year waiting period is necessary in order to facilitate an amendment to PDD No. 759 to accommodate the proposed changes.

According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to November 9, 2018, without a waiver of the two-year waiting period. According to the Dallas Development Code, "the commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing." However, staff believes circumstances have not changed to warrant a new hearing.

Staff Recommendation: Denial

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z156-279

Location West Mockingbird Ln/Forest Park Rd/Empire Central/Maple Ave

Date of last CPC or CC Action November 9, 2016 (City Council)

Applicant's Name, Address & Phone Number Mockingbird Venture Partners, LLC

400 Continental Blvd., Suite 160, El Segundo, CA 90245

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

(same as Applicant)

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

With the expansion and updating of facilities in the Medical District, such as the new Parkland
Hospital, and increased usage of Love Field, the immediate area is in need of additional first
class office space. The property owner/applicant has determined that market conditions are
such that additional floor area for office uses, over and above the current maximum floor area
for office uses, as well as possibly additional height for office uses, are needed which will
require an amendment to the current text of P.D. 759 and the current conceptual plan of P.D.
759.

(see attached authorization letter)

Applicant's Signature

(see attached authorization letter)

Owner's Signature (if individual) or

Letter of Authorization (from corporation/partnership)



October 11, 2017

Mr. David Cossum
Director
Department of Sustainable Development and Construction
Current Planning Division
City of Dallas
1500 Marilla Street, 5BN
Dallas, Texas 75201

RE: *Property Owner's Authorization for a Request for a Waiver of the Two Year Waiting Period to Amend P.D. 759; 31.02 Acres of Land northwest of the intersection of Mockingbird Lane and Maple Avenue (City Blocks 2367, E/2367).*


Dear Mr. Cossum:

This letter will authorize Jackson Walker L.L.P. to file and process an application for a waiver of the two year waiting period on the above-described property in order to be able to file an application to amend Planned Development District 759 within two years from the most recent amendment. This request is in connection with the above-referenced property and on behalf of the Property Owner as listed below.

M&M HOTEL VENTURE, LLC, a Texas limited liability company

By: CAI ATLANTIC M&M HOTEL VENTURE, LLC, a Texas limited liability company, its sole member

By: ATLANTIC M&M MANAGER, LLC, a Texas limited liability company, its Managing Member

By: 
Printed Name: Salim Molubkay
Title: Manager

October 17, 2017

Mr. David Cossum
Director
Department of Sustainable Development and Construction
Current Planning Division
City of Dallas
1500 Marilla Street, 5BN
Dallas, Texas 75201

RE: *Property Owner's Authorization for a Request for a Waiver of the Two Year Waiting Period to Amend P.D. 759; 31.02 Acres of Land northwest of the intersection of Mockingbird Lane and Maple Avenue (City Blocks 2367, E/2367).*

Dear Mr. Cossum:

This letter will authorize Jackson Walker L.L.P. to file and process an application for a waiver of the two year waiting period on the above-described property in order to be able to file an application to amend Planned Development District 759 within two years from the most recent amendment. This request is in connection with the above-referenced property and on behalf of the Property Owner as listed below.

Jefferson West Love Owner, LLC

By: 

Name: MATT BRENDL

Title: SVP

October 20, 2017

Mr. David Cossum
Director
Department of Sustainable Development and Construction
Current Planning Division
City of Dallas
1500 Marilla Street, 5BN
Dallas, Texas 75201

RE: *Property Owner/Applicant's Authorization for a Request for a Waiver of the Two Year Waiting Period to Amend P.D. 759; 31.02 Acres of Land northwest of the intersection of Mockingbird Lane and Maple Avenue (City Blocks 2367, E/2367).*

Dear Mr. Cossum:

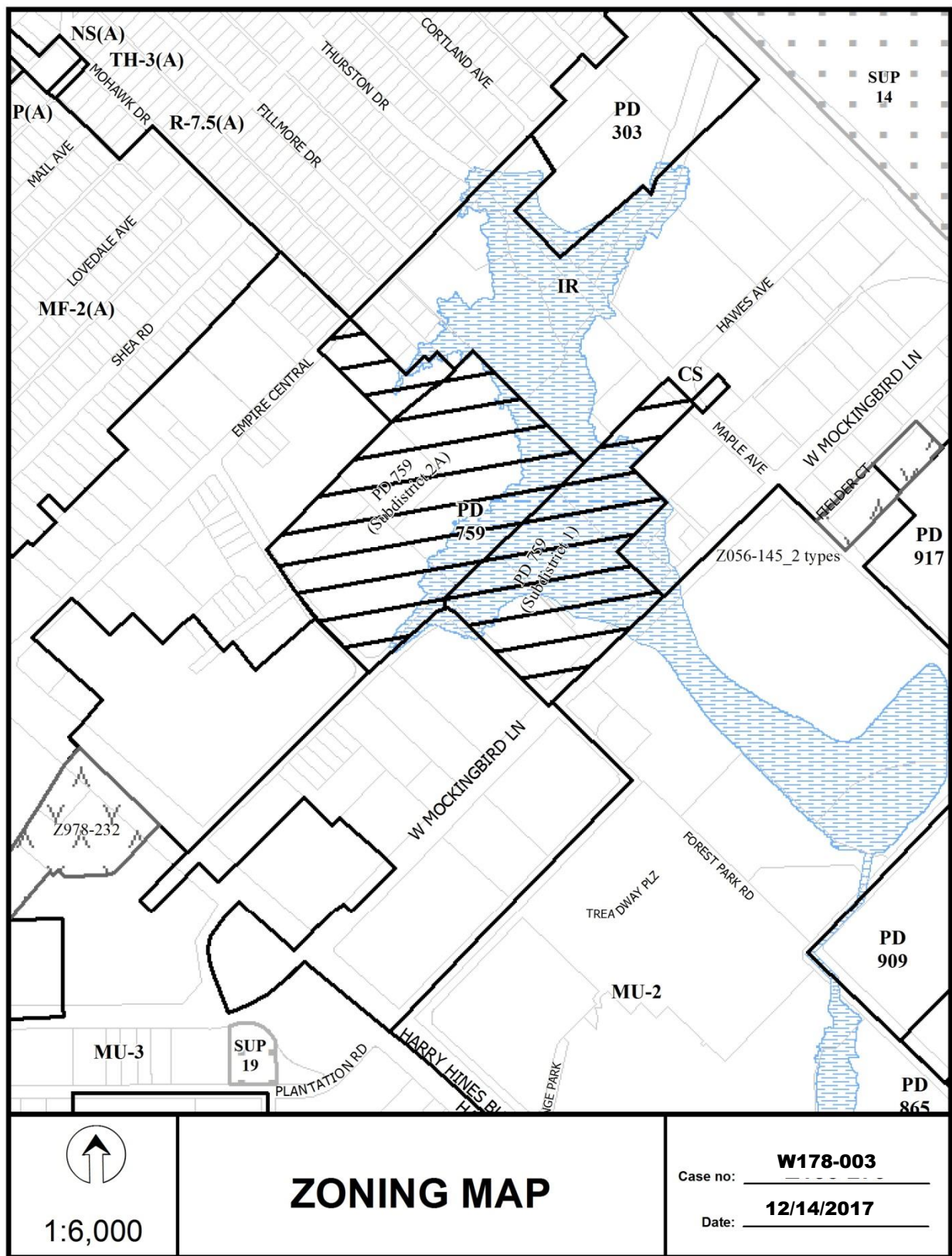
This letter will authorize Jackson Walker L.L.P. to file and process an application for a waiver of the two year waiting period on the above-described property in order to be able to file an application to amend Planned Development District 759 within two years from the most recent amendment. This request is in connection with the above-referenced property and on behalf of the Property Owner/Applicant as listed below.

Mockingbird Venture Partners, L.L.C.

By: 

Name: Jorge Ramirez

Title: President



FILE NUMBER: D167-033

DATE FILED: September 11, 2017

LOCATION: East line of Preston Road, North of Frankford Road

COUNCIL DISTRICT: 12

MAPSCO: 5-G

SIZE OF REQUEST: 1.421 acres

CENSUS TRACT: 0317.09

MISCELLANEOUS DOCKET ITEM

OWNER/APPLICANT: Preston Road Associates, LTD ; Michael C. Duda

REPRESENTATIVE: Sergio Garza for Huitt-Zollars, Inc.

REQUEST: An application for a development plan and landscape plan for retail and restaurant uses on property zoned Tracts A and B within Planned Development District No. 268.

SUMMARY: On July 15, 1987, the Dallas City Council established Planned Development District No. 268 by Ordinance No. 19593. The approximate size of PD 268 is 29.073 acres and is generally located on the east line of Preston Road, north of Frankford Road.

The zoning was granted subject to a conceptual site plan and requires a development plan and landscape plan be approved by the City Planning Commission prior to the issuance of any building permits. This request seeks the approval of a development plan and landscape plan for a new commercial structure with a building coverage area of 8,000 square feet. The new one-story three-suite building shall be comprised of the following uses: one 2,600 square foot restaurant suite, one 2,400 square foot retail-personnel service suite, and one 3,000 square foot restaurant suite.

Upon reviewing the requested development plan and landscape plan, staff has determined that the request complies with the requirements set forth by Planned Development District No. 268 and does not impact any other provisions of the ordinance permitting this use.

The proposed development plan and landscape plan are attached for City Planning Commission's consideration. The most up to date PD ordinance may be reviewed at the following link:

<http://www.dallascityattorney.com/51P/Articles%20Supp%2020/ARTICLE%20268.pdf>

STAFF RECOMMENDATION: Approval

List of Partners/ Principals/Officers

General Partner: *Fritz Duda Company*

Board of Directors: Fritz L. Duda
Mary Lee Duda
Harold Beral

Officers: Fritz L. Duda, President
Mary Lee Duda, Secretary
Robert A. Winkel, Executive Vice President
Harold B. Beral, Vice President
Paul Bernard, Vice President
James Duda, Vice President
Michael Duda, Vice President
Drew Keith, Vice President

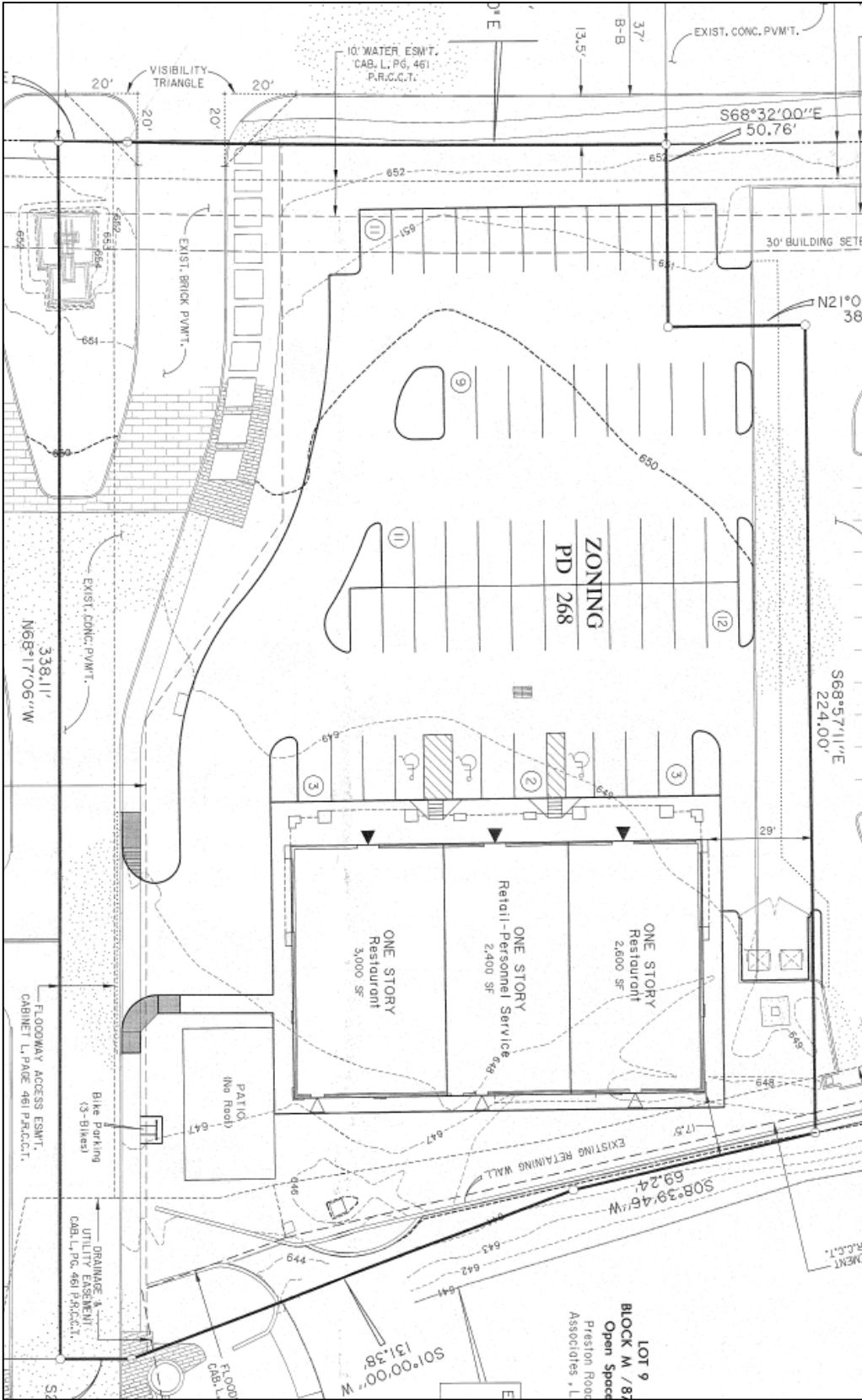
Limited Partner: *Genus Holdings, L.L.C.*

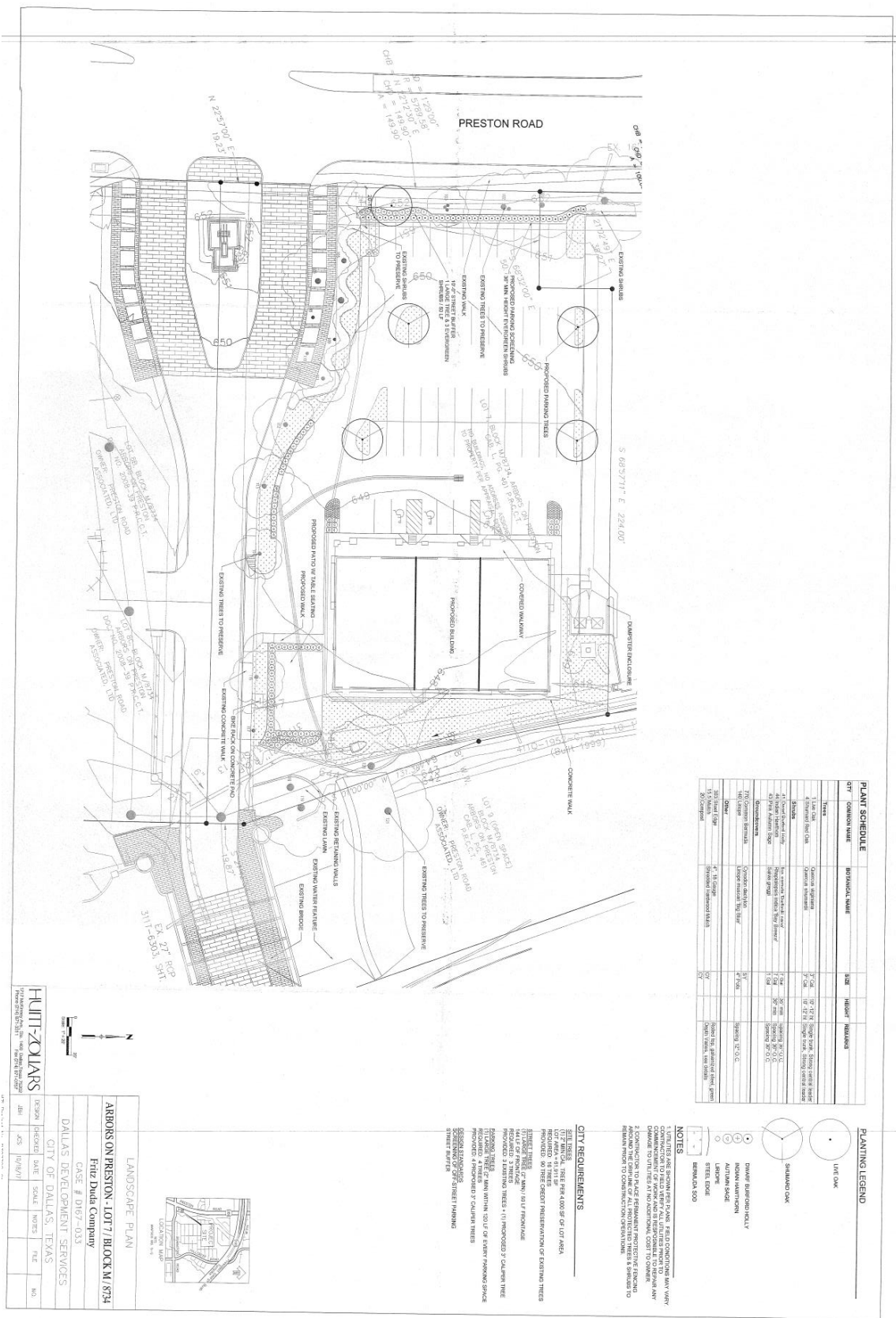
Board of Managers: Fritz L. Duda
Mary Lee Duda
Harold Beral
James Duda
Michael Duda

ADADOS DE INICIO - SITE AREA				ADADOS DE FIN - SITE AREA			
ITEM	AREA (M ²)	VALOR	VALOR	ITEM	AREA (M ²)	VALOR	VALOR
1. Cimento	Med	250	8.500	2. Cimento	Med	250	8.500
3. Areia	Med	250	4.500	4. Areia	Med	250	4.500
5. B.L. e B.L. - Argenteo Branco	Med	250	3.500	6. B.L. e B.L. - Argenteo Branco	Med	250	3.500
7. Hidratante	Med	250	4.900	8. Hidratante	Med	250	4.900
9. Vazão (Cimento)	Med	250	5.100	10. Vazão (Cimento)	Med	250	5.100
11. Vazão (Areia)	Med	250	4.214	12. Vazão (Areia)	Med	250	4.214
13. Vazão (B.L. e B.L. Argenteo Branco)	Med	250	2.990	14. Vazão (B.L. e B.L. Argenteo Branco)	Med	250	2.990
15. Vazão (Hidratante)	Med	250	3.210	16. Vazão (Hidratante)	Med	250	3.210
17. Vazão (Vazão)	Med	250	5.210	18. Vazão (Vazão)	Med	250	5.210
19. Vazão (Vazão)	Med	250	1.540	20. Vazão (Vazão)	Med	250	1.540
21. Vazão (Vazão)	Med	250	1.540	22. Vazão (Vazão)	Med	250	1.540
23. Vazão (Vazão)	Med	250	3.910	24. Vazão (Vazão)	Med	250	3.910
25. Vazão (Vazão)	Med	250	5.150	26. Vazão (Vazão)	Med	250	5.150
27. Vazão (Vazão)	Med	250	5.150	28. Vazão (Vazão)	Med	250	5.150
29. Vazão (Vazão)	Med	250	5.150	30. Vazão (Vazão)	Med	250	5.150
31. Vazão (Vazão)	Med	250	5.150	32. Vazão (Vazão)	Med	250	5.150
33. Vazão (Vazão)	Med	250	5.150	34. Vazão (Vazão)	Med	250	5.150
35. Vazão (Vazão)	Med	250	5.150	36. Vazão (Vazão)	Med	250	5.150
37. Vazão (Vazão)	Med	250	5.150	38. Vazão (Vazão)	Med	250	5.150
39. Vazão (Vazão)	Med	250	5.150	40. Vazão (Vazão)	Med	250	5.150
41. Vazão (Vazão)	Med	250	5.150	42. Vazão (Vazão)	Med	250	5.150
43. Vazão (Vazão)	Med	250	5.150	44. Vazão (Vazão)	Med	250	5.150
45. Vazão (Vazão)	Med	250	5.150	46. Vazão (Vazão)	Med	250	5.150
47. Vazão (Vazão)	Med	250	5.150	48. Vazão (Vazão)	Med	250	5.150
49. Vazão (Vazão)	Med	250	5.150	50. Vazão (Vazão)	Med	250	5.150
51. Vazão (Vazão)	Med	250	5.150	52. Vazão (Vazão)	Med	250	5.150
53. Vazão (Vazão)	Med	250	5.150	54. Vazão (Vazão)	Med	250	5.150
55. Vazão (Vazão)	Med	250	5.150	56. Vazão (Vazão)	Med	250	5.150
57. Vazão (Vazão)	Med	250	5.150	58. Vazão (Vazão)	Med	250	5.150
59. Vazão (Vazão)	Med	250	5.150	60. Vazão (Vazão)	Med	250	5.150
61. Vazão (Vazão)	Med	250	5.150	62. Vazão (Vazão)	Med	250	5.150
63. Vazão (Vazão)	Med	250	5.150	64. Vazão (Vazão)	Med	250	5.150
65. Vazão (Vazão)	Med	250	5.150	66. Vazão (Vazão)	Med	250	5.150
67. Vazão (Vazão)	Med	250	5.150	68. Vazão (Vazão)	Med	250	5.150
69. Vazão (Vazão)	Med	250	5.150	70. Vazão (Vazão)	Med	250	5.150
71. Vazão (Vazão)	Med	250	5.150	72. Vazão (Vazão)	Med	250	5.150
73. Vazão (Vazão)	Med	250	5.150	74. Vazão (Vazão)	Med	250	5.150
75. Vazão (Vazão)	Med	250	5.150	76. Vazão (Vazão)	Med	250	5.150
77. Vazão (Vazão)	Med	250	5.150	78. Vazão (Vazão)	Med	250	5.150
79. Vazão (Vazão)	Med	250	5.150	80. Vazão (Vazão)	Med	250	5.150
81. Vazão (Vazão)	Med	250	5.150	82. Vazão (Vazão)	Med	250	5.150
83. Vazão (Vazão)	Med	250	5.150	84. Vazão (Vazão)	Med	250	5.150
85. Vazão (Vazão)	Med	250	5.150	86. Vazão (Vazão)			

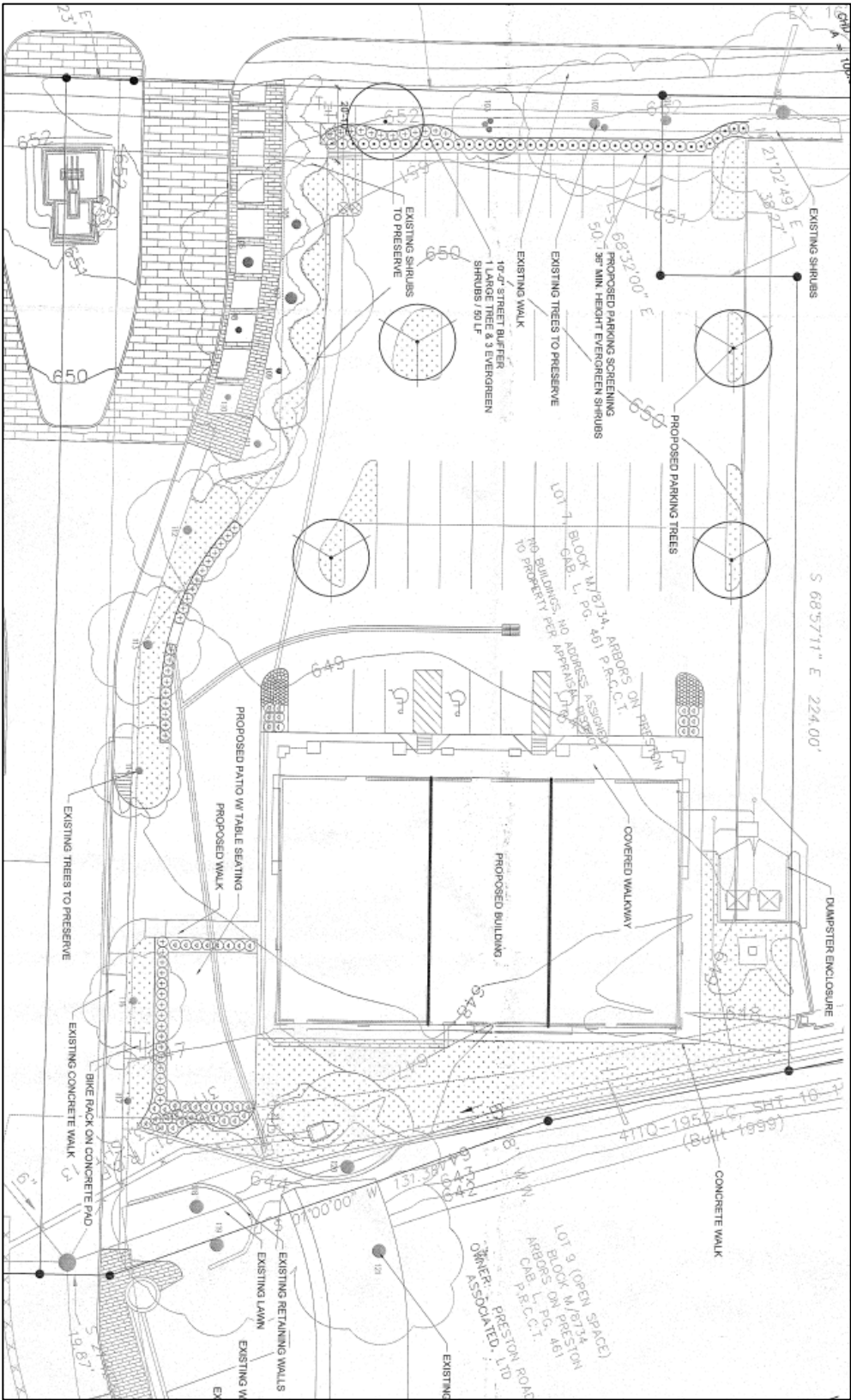


Enlarged Proposed Development Plan





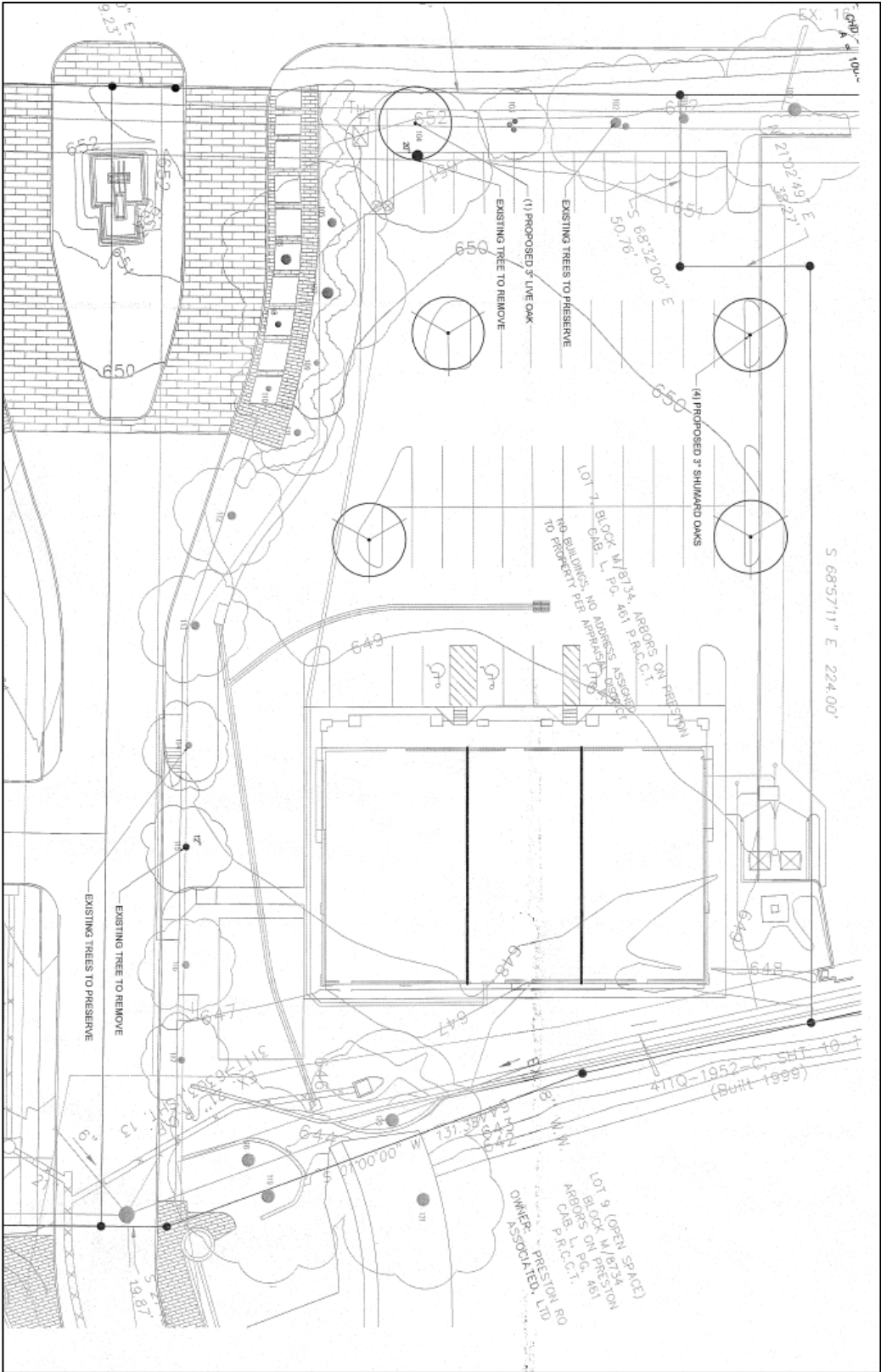
Enlarged Proposed Landscape Plan

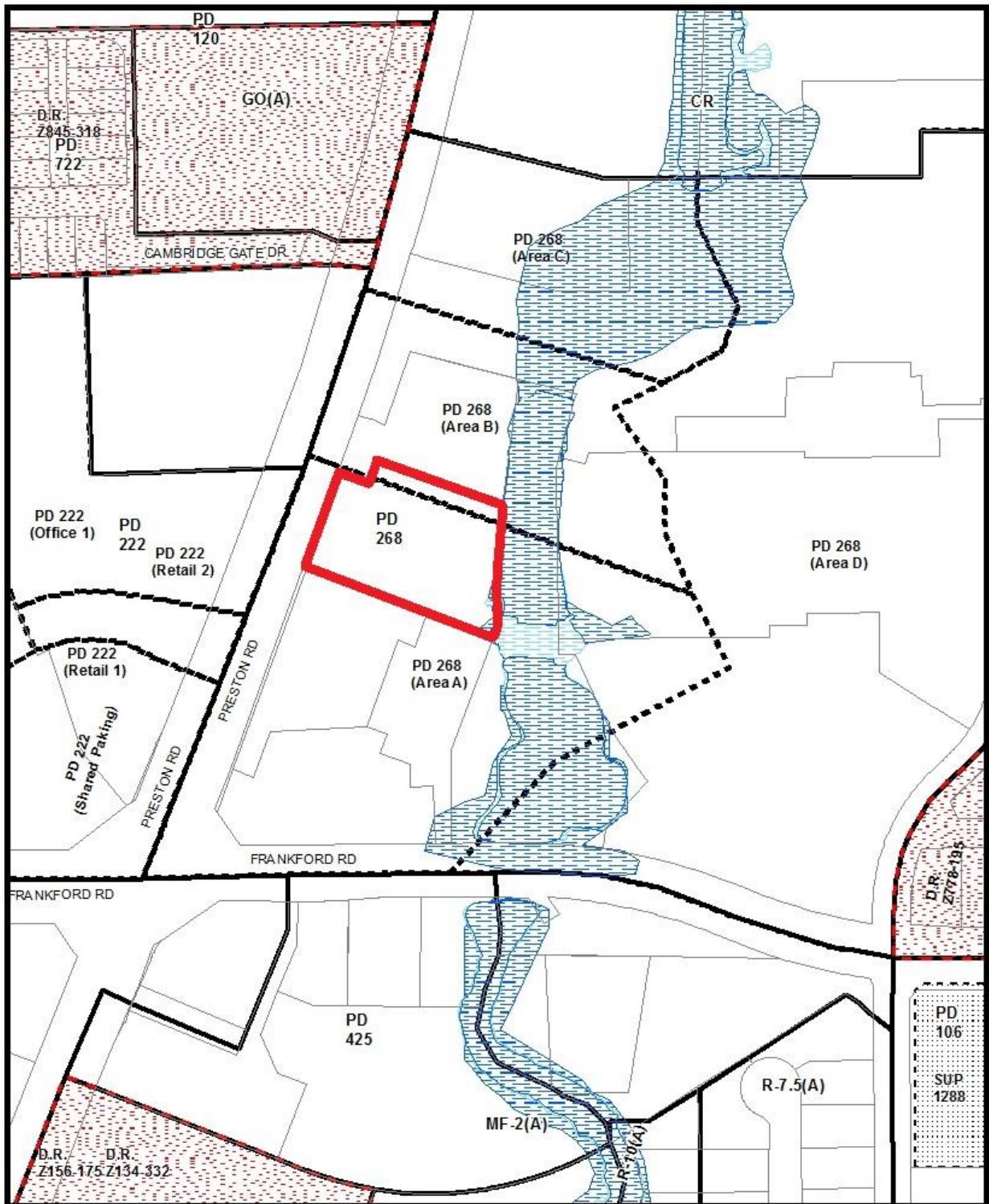


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Enlarged Proposed Tree Mitigation Plan

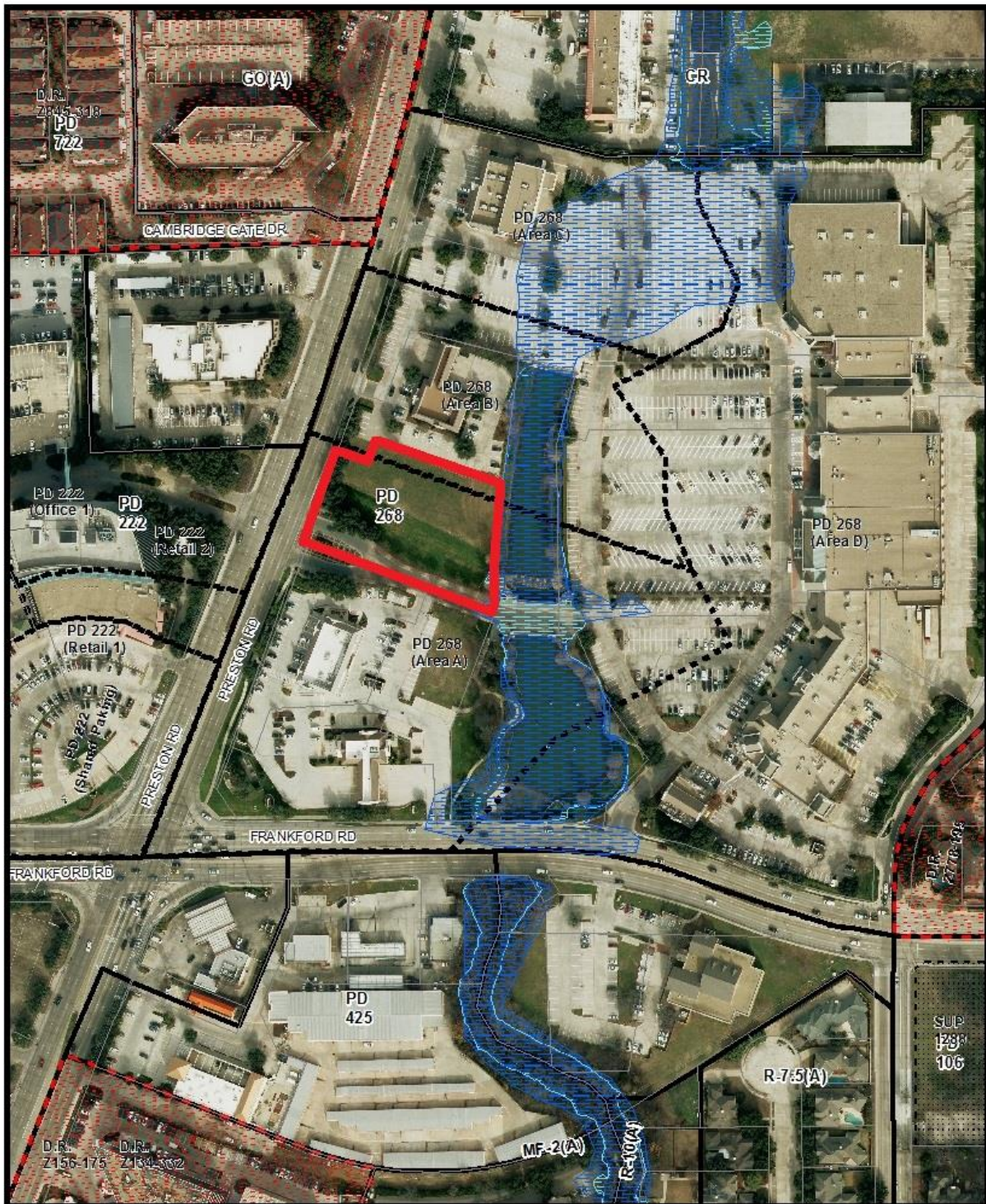




 1:2,400

Zoning Map

Printed Date: 11/13/2017



1:2,400

Aerial Map

Printed Date: 11/13/2017

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

CASE NUMBER: 1708140004

DATE FILED: August 14, 2017

LOCATION: 505 N. Good Latimer (southeast elevation)

SIZE OF REQUEST: 90 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-2(A) Central Area

MAPSCO: 45-L, M

APPLICANT: Marie Byrum

CONTRACTOR: Byrum Sign & Lighting, Inc.

TENANT/OWNER: Evening Entertainment Group, Les Corieri, sole officer

REQUEST: An application for a Certificate of Appropriateness for a 90-square foot attached sign (southeast elevation).

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

STAFF RECOMMENDATION: Approval.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval.

BACKGROUND:

- The applicant originally requested a 55-square foot, non-illuminated black painted attached sign, which SSDAC approved on September 12, 2017. After the SSDAC meeting, the applicant revised the request to a 90-square foot, illuminated white painted sign. CPC was unable to approve the larger sign and remanded the revised sign to the SSDAC for consideration. Staff mistakenly posted the sign as a 75-square foot sign instead of a 90-square foot sign.
- The subject site is located within the Downtown Perimeter SPSP, and follows the regulations set forth by Section 51A-7.303 (GENERAL PROVISIONS APPLICABLE TO SIGNS IN BUSINESS ZONING DISTRICTS)
- The request is for an attached sign, which means any sign attached to, applied on, or supported by, any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) that encloses or covers usable space.
- The proposed sign is 90 square feet. It will be located on the southeast elevation. Signage will be painted white and illuminated with lighting from above.
- Construction of the attached sign is in accordance with SPSP regulations and meets the requirements of the Dallas City Code per SECTION. 51A-7.305. BUSINESS ZONING DISTRICT ATTACHED SIGNS:

SECTION. 51A-7.305. ATTACHED SIGNS.

Attached signs are permitted in business areas in accordance with the following provisions:

- (a) Except as otherwise permitted under Sections 51-4.213(25), 51-4.217(b)(5), 51A-4.206(1), and 51A-4.217(b)(9), all attached signs must be premise signs or convey a noncommercial message. *"The Backyard" is the name of a business in the building.*
- (b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below. *This is a painted sign.*
- (c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit. *The combined effective area is 2.5% of the secondary façade.*

- (d) The combined effective area of all signs attached to any window or any glass door may not exceed 15 percent of the area of that window or that glass door. Signs in the upper two-thirds of a window or glass door are prohibited. Signs attached to a window or a glass door must be brought into compliance with this provision by September 25, 2008. *Not applicable.*
- (e) Attached signs may project more than 18 inches from vertical building planes as follows:
 - (1) Any premise or any non-residential occupancy may erect not more than one attached sign projecting up to a maximum of four feet from a vertical building plane, but not above the roof, provided that the premise or occupancy maintains no detached sign on the premise, and that the sign does not exceed 20 square feet in effective area, and that no part of the sign descends closer to grade than 10 feet, nor projects into or over any public right-of-way. *Not applicable.*
 - (2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached. *Not Applicable.*
 - (3) Any premise or non-residential occupancy may erect one attached sign projecting up to a maximum of four feet from a vertical building plane if:
 - (A) the sign does not exceed 60 square feet in effective area;
Not applicable.
 - (B) no single face of a three-dimensional sign exceeds 60 square feet;
Not applicable.
 - (C) the attached sign is not above the highest point of a facade;
Not applicable.
 - (D) no part of the sign descends closer to grade than 10 feet;
Not applicable.
 - (E) the sign does not project into or over any public right-of-way; and
Not applicable.
 - (F) the contents of the sign are limited to a registered trademark or logo that contains no word or character.
Not Applicable.
- (f) Words may be attached to machinery or equipment which is necessary or customary to the business, including but not limited to devices such as gasoline pumps, vending machines, ice machines, etc., provided that words so attached refer exclusively to products or services dispensed by the device, consist of characters no more than four inches in height, and project no more than one inch from the surface of the device. *Not Applicable.*

Case Number: 1708140004

Special Sign District Advisory Committee action:
November 14, 2017

MOTION: It was moved to approve a 90-square foot flat attached sign at 505 North Good Latimer (southeast elevation).

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

For: – Dumas, Webster, Hardin

Against: 0
Absent: 1 - Peadon
Conflict: 0

Speakers – Marie Byrum, Byrum Sign & Lighting, Inc.

Case Number: 1708140004

DATE:	07-31-2017
APPLICATION TYPE	
PERMIT	<input checked="" type="radio"/> CO <input type="radio"/>
OTHER	<input type="radio"/> EXPRESS <input type="radio"/>



JOB NO: (OFFICE USE ONLY)
PERMIT NO: (OFFICE USE ONLY) 1708091013
HEALTH REVIEW (Restaurants/Food Service) <input type="checkbox"/>

BUILDING INSPECTION APPLICATION

STREET ADDRESS OF PROPOSED PROJECT 505 N. Good Latimer		SUITE/BLDG/FLOOR NO		USE OF PROPERTY restaurant	
OWNER/TENANT Bottled Blonde	ADDRESS 505 N. Good Latimer	CITY Dallas	STATE Texas	ZIP CODE 75204	
DBA (IF APPLICABLE)					
APPLICANT Marie Byrum		CONTR NO 39045 PIN 8270	COMPANY NAME Byrum Sign & Lighting, Inc.		
ADDRESS 305 N. Delaware Street, Suite 106		CITY Irving	STATE Texas	ZIP CODE 75061	PHONE NO (214) 878-6893
FAX NO					
DESCRIPTION OF PROPOSED PROJECT Install (1) 3' non-illuminated, painted sign on SE elevation					
CONST AREA (sq ft)		NEW CONST 55		VALUATION (\$) 2,000.00	
REMODEL		REMODEL		REMODEL	
LEASE		LEASE		LEASE	
TOTAL AREA 55		TOTAL VALUATION 2,000.00		TOTAL VALUATION 2,000.00	
ALL FOOD SERVICE ESTABLISHMENTS REQUIRE A GREASE INTERCEPTOR INSTALLED ON-SITE. CHECK BOX IF THERE IS ONE LOCATED ON THE PROPERTY. <input type="checkbox"/>					
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX AND PROVIDE CONTRACTOR/SUBCONTRACTOR INFORMATION ON THE BACK OF THIS FORM. NOTE: AN AFFIDAVIT IS REQUIRED FOR THE SALE OR SERVING OF ALCOHOL.					
<input type="checkbox"/> BUILDING	<input type="checkbox"/> PLUMBING	<input type="checkbox"/> FENCE	<input type="checkbox"/> DRIVE APPROACH	<input type="checkbox"/> BACKFLOW	<input type="checkbox"/> BARRICADE
<input type="checkbox"/> ELECTRICAL	<input type="checkbox"/> FIRE SPRKLR	<input checked="" type="checkbox"/> SIGN	<input type="checkbox"/> SWIMMING POOL	<input type="checkbox"/> CUSTOMER SVC	<input type="checkbox"/> GREEN BUILDING/LEED
<input type="checkbox"/> MECHANICAL	<input type="checkbox"/> FIRE ALARM	<input type="checkbox"/> LANDSCAPE	<input type="checkbox"/> LAWN SPRINKLER	<input type="checkbox"/> FLAMMABLE LIQUID	<input type="checkbox"/> OTHER:
WILL ALCOHOL BE SOLD/SERVED? <input type="radio"/> YES <input checked="" type="radio"/> NO		PERSONAL SERVICE LICENSE REQUIRED FOR THE PROPOSED USE? <input type="radio"/> YES <input checked="" type="radio"/> NO			
WILL THERE BE A DANCE FLOOR? <input type="radio"/> YES <input checked="" type="radio"/> NO		ARE POTENTIALLY HAZARDOUS FOODS/OPEN FOODS BEING SOLD? <input type="radio"/> YES <input checked="" type="radio"/> NO			
I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS.				APPLICANT SIGNATURE <i>Marie Byrum</i>	

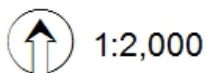
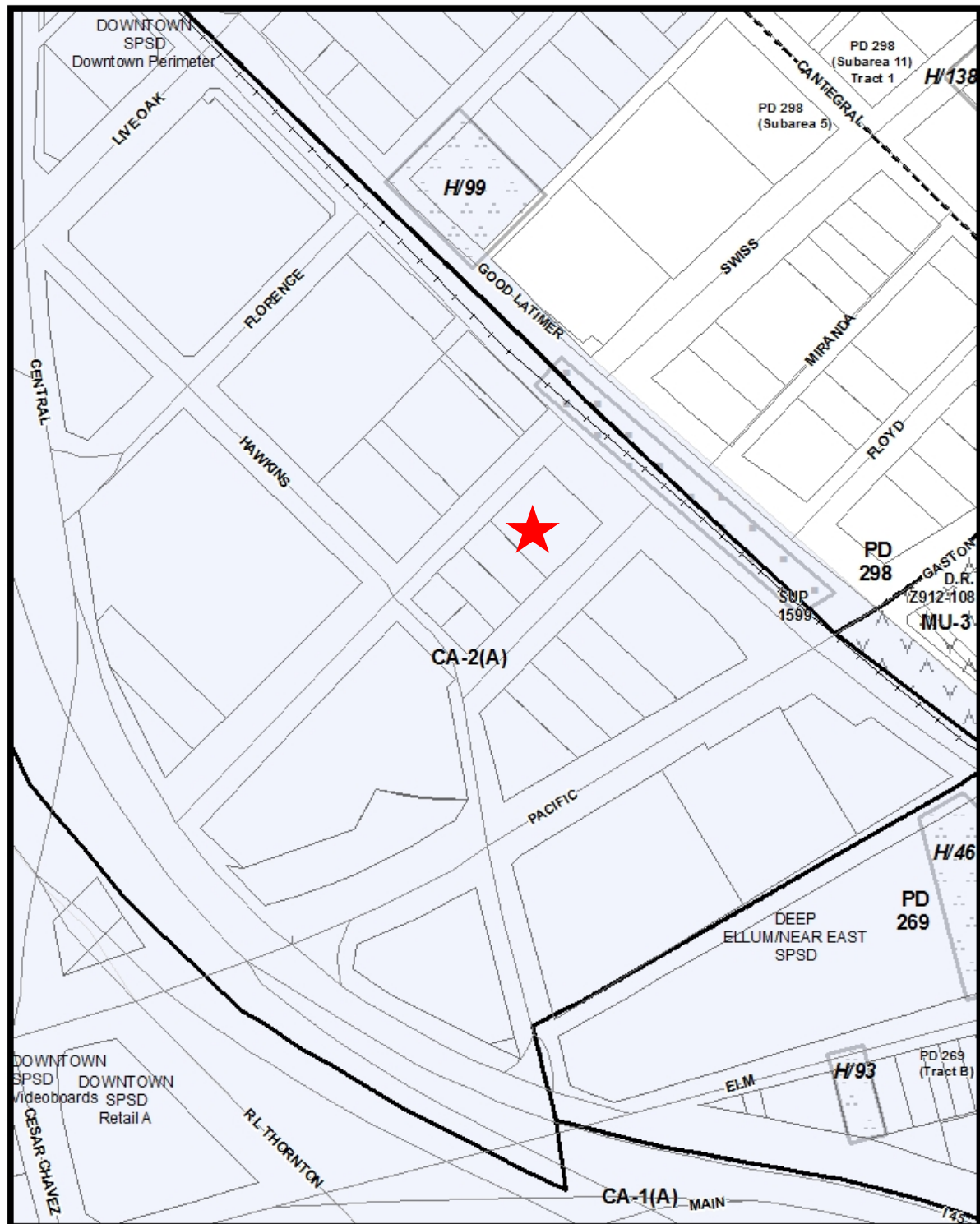
FOR OFFICE USE ONLY

ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL

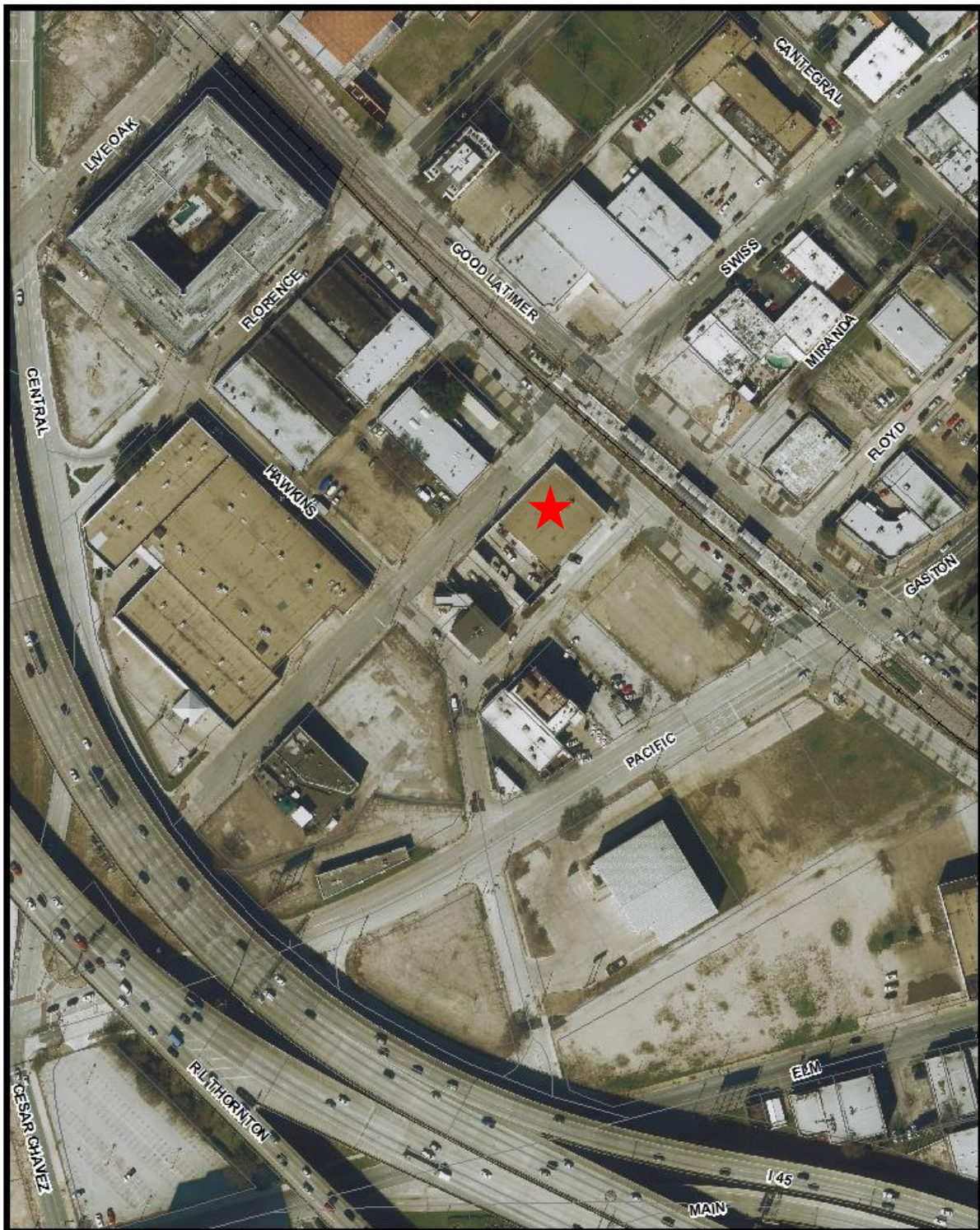
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS	FEE CALCULATIONS (\$)
PRE-SCREEN	<i>MM</i>	8-14-17	Pre-Inspection	PERMIT FEE
ZONING				SURCHARGE
BUILDING				PLAN REVIEW FEE
ELECTRICAL				EXPRESS ACCEPT FEE
PLUMBING/MECHANICAL				EXPRESS PLAN REVIEW
GREEN BUILDING				HOURLY FEE TOTAL
HEALTH				HEALTH PERMIT FEE
HISTORICAL/CONS DIST				OTHER FEES
PUBLIC WORKS				None
WATER				OTHER FEES
FIRE			None	
LANDSCAPING			OTHER FEES	
AVIATION			None	
OTHER			TOTAL FEES	
			\$	

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION
OAK CLIFF MUNICIPAL CENTER, 320 E. JEFFERSON BLVD., ROOM 118, DALLAS, TX 75203 • TEL. NO. (214) 948-4480

REV 05-13-2011



CA 170814004



1:2,000

CA 170814004

Proposed Sign (southeast elevation)



Dallas, Texas
2017.03.09

LGE DESIGN GROUP

RENDERING VIEW

This artist rendering is for conceptual design only and should not be referred to as a construction document.
The design is subject to change without notice. The design is not intended to be used for construction purposes. The design is not intended to be used for construction purposes. The design is not intended to be used for construction purposes.

JONESBOWER

LGE
DESIGN BUILD

Proposed Sign
90 square feet
(southeast elevation)



Previously Proposed Sign
55 square feet
(southeast elevation)

33" *The* **BACKYARD**
20'

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

CASE NUMBER: 1710190004

DATE FILED: October 16, 2017

LOCATION: 1311 S. Ervay Street (northeast elevation) **SIZE OF REQUEST:** 294 sq. ft.

COUNCIL DISTRICT: 2 **ZONING:** PD No. 317, Subdistrict 2B **MAPSCO:** 45-Q, U

APPLICANT: Mike Gary

CONTRACTOR: Giant Sign

TENANT/OWNER: Four Corners Brewing Co.

REQUEST: An application for a Certificate of Appropriateness for a 294-square foot flat attached sign (northeast elevation).

SUMMARY: The applicant will construct a flat, attached sign which will read "FOUR CORNERS BREWING CO."

STAFF RECOMMENDATION: Approval

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

BACKGROUND:

- The subject site is located within the Downtown Perimeter SPSP, and follows the regulations set forth by Section 51A-7.303 (GENERAL PROVISIONS APPLICABLE TO SIGNS IN BUSINESS ZONING DISTRICTS)
- The request is for an attached sign, which means any sign attached to, applied on, or supported by, any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) that encloses or covers usable space.
- The proposed sign is 294 square feet. It will be located on the northeast elevation. Signage will be front lit LED channel letters on low profile raceways.
- Construction of the attached sign is in accordance with SPSP regulations and meets the requirements of the Dallas City Code per SECTION. 51A-7.305. BUSINESS ZONING DISTRICT ATTACHED SIGNS:

SECTION. 51A-7.305. ATTACHED SIGNS.

Attached signs are permitted in business areas in accordance with the following provisions:

- (a) Except as otherwise permitted under Sections 51-4.213(25), 51-4.217(b)(5), 51A-4.206(1), and 51A-4.217(b)(9), all attached signs must be premise signs or convey a noncommercial message. *"Four Corners Brewery Co." is the name of a business in the building.*
- (b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below. *The sign projects 11 inches from the building.*
- (c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit. *The combined effective area is less than 10% of the primary façade.*
- (d) The combined effective area of all signs attached to any window or any glass door may not exceed 15 percent of the area of that window or that glass door. Signs in the upper two-thirds of a window or glass door are prohibited. Signs attached to a window or a glass door must be brought into compliance with this provision by September 25, 2008. *Not applicable.*

- (e) Attached signs may project more than 18 inches from vertical building planes as follows:
- (1) Any premise or any non-residential occupancy may erect not more than one attached sign projecting up to a maximum of four feet from a vertical building plane, but not above the roof, provided that the premise or occupancy maintains no detached sign on the premise, and that the sign does not exceed 20 square feet in effective area, and that no part of the sign descends closer to grade than 10 feet, nor projects into or over any public right-of-way. *Not applicable.*
 - (2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached. *Not Applicable.*
 - (3) Any premise or non-residential occupancy may erect one attached sign projecting up to a maximum of four feet from a vertical building plane if:
 - (A) the sign does not exceed 60 square feet in effective area;
Not applicable.
 - (B) no single face of a three-dimensional sign exceeds 60 square feet;
Not applicable.
 - (C) the attached sign is not above the highest point of a facade;
Not applicable.
 - (D) no part of the sign descends closer to grade than 10 feet;
Not applicable.
 - (E) the sign does not project into or over any public right-of-way; and
Not applicable.
 - (F) the contents of the sign are limited to a registered trademark or logo that contains no word or character.
Not Applicable.
- (f) Words may be attached to machinery or equipment which is necessary or customary to the business, including but not limited to devices such as gasoline pumps, vending machines, ice machines, etc., provided that words so attached refer exclusively to products or services dispensed by the device, consist of characters no more than four inches in height, and project no more than one inch from the surface of the device. *Not Applicable.*

List of Officers



George Esquivel, Greg Leftwich and Steve Porcari own Four Corners Brewing Company LLC and are both the property owner and the tenant.

Case Number: 1710190004

Special Sign District Advisory Committee action:
November 14, 2017

MOTION: It was moved to approve a 294-square foot flat attached sign at 1311 South Ervay Street (northeast elevation).

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

For: – Dumas, Webster, Hardin

Against: 0
Absent: 1 - Peadon
Conflict: 0

Speakers – Mike Gary, Giant Sign

DATE: 10-16-2017
APPLICATION TYPE
REGULAR <input checked="" type="radio"/> EXPRESS <input type="radio"/>

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY



City of Dallas

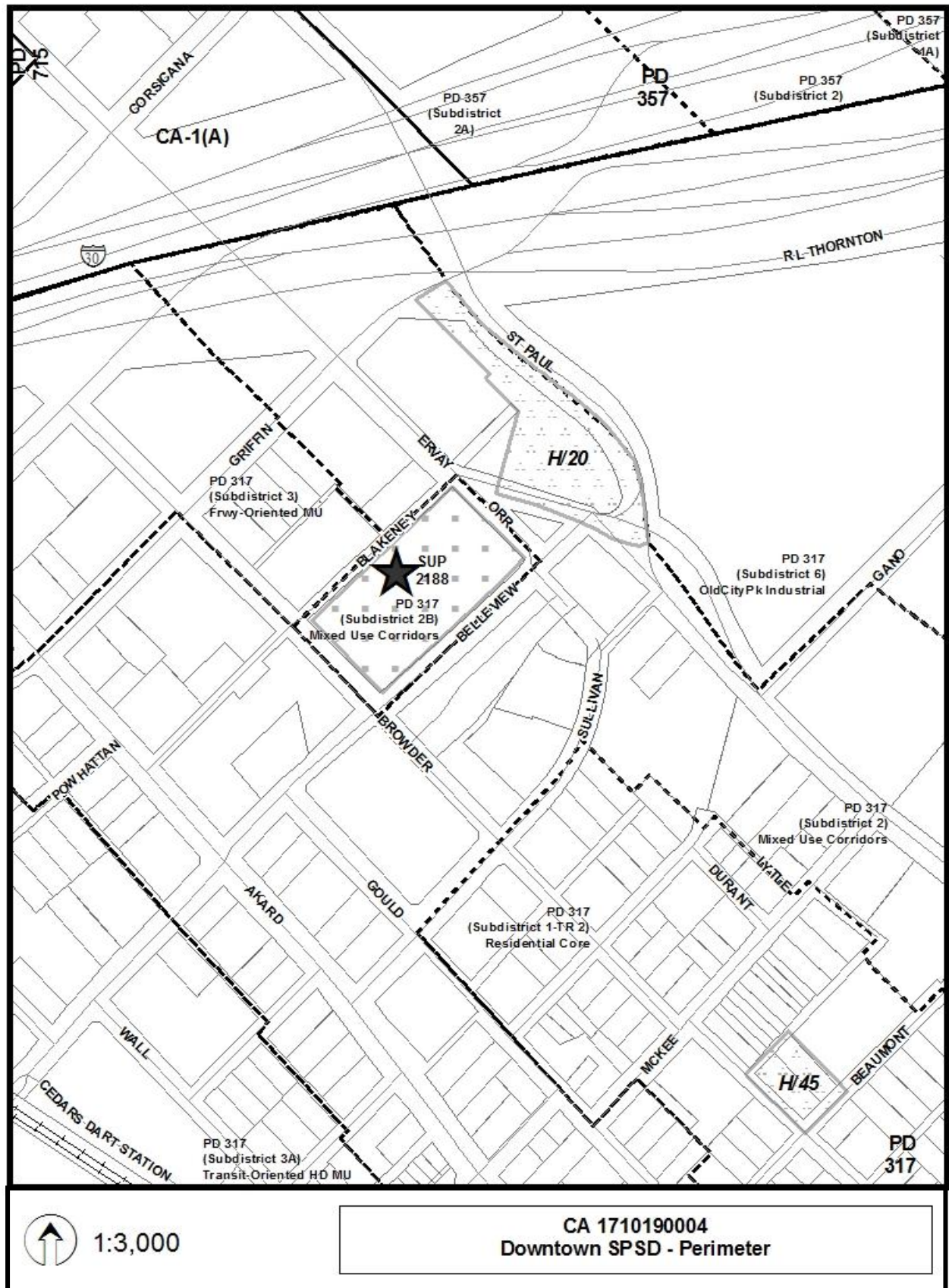
JOB NO: (OFFICE USE ONLY)
PERMIT NO: (OFFICE USE ONLY) 1710191020

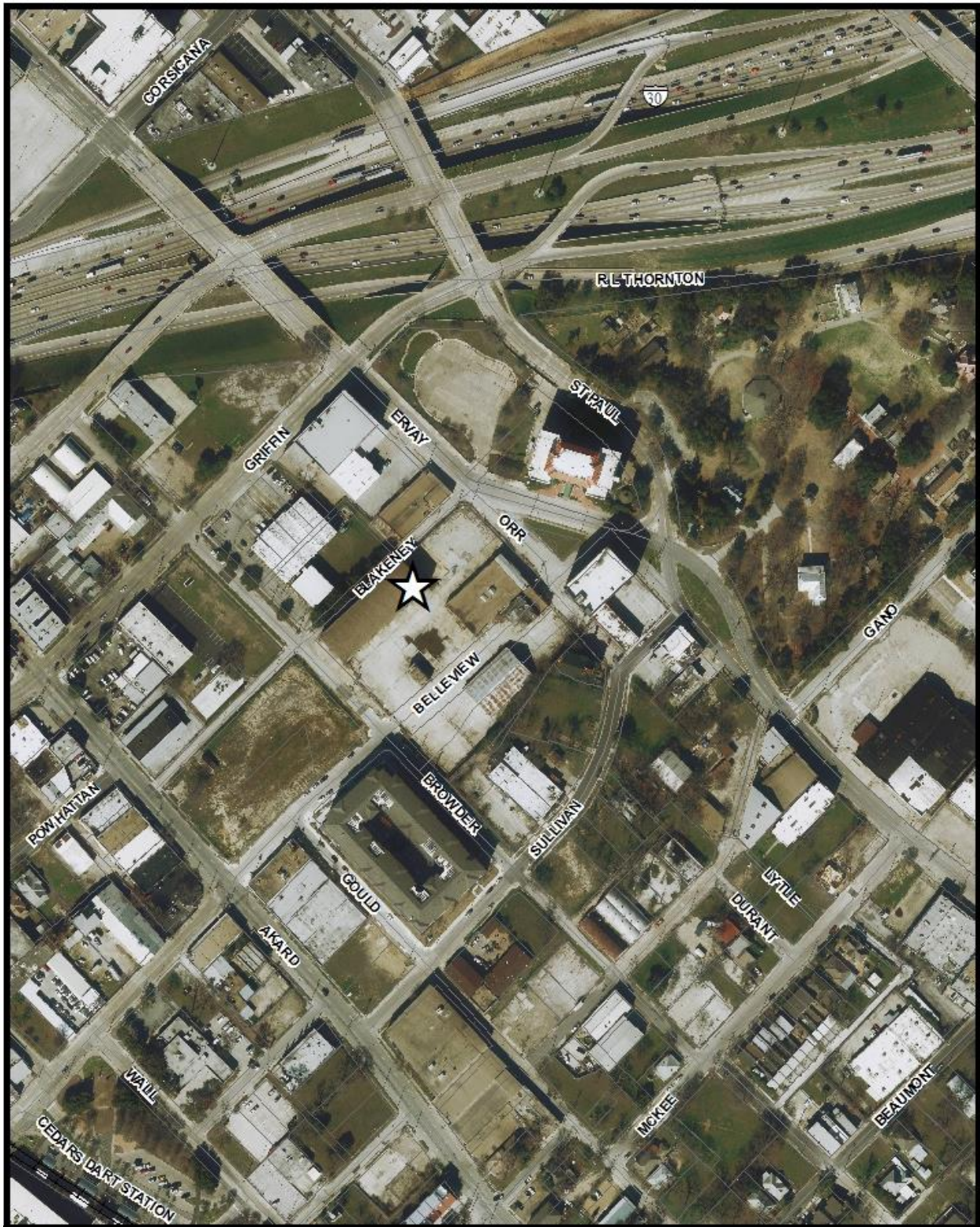
STREET ADDRESS OF PROPOSED PROJECT 1311 S. Ervay St		SUITE/BLDG/FLOOR NO		USE OF PROPERTY Commercial																			
APPLICANT Michael Gary		ADDRESS 1311 S. Ervay St		CITY Dallas	STATE Texas																		
DBA (IF APPLICABLE) Four Corners Brewing Co.		PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)																			
CONTRACTOR-INDIVIDUAL Mike Gary		CONTRACTOR NUMBER #EL098702		PIN #9455																			
COMPANY NAME Giant Sign																							
CURRENT HOME REPAIR LICENSE ON FILE?	<input type="radio"/> YES <input type="radio"/> NO	IF YES, LIST NUMBER		PHONE NO (972) 247-4404																			
PROPERTY OWNER (INDIVIDUAL CONTACT) Four Corners Brewing Co.		ADDRESS 1311 S. Ervay St.		CITY Dallas	STATE Texas																		
PROPERTY OWNER (COMPANY NAME) Four Corners Brewing Co.		PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)																			
DESCRIPTION OF PROPOSED PROJECT FRONT LIT LED CHANNEL LETTERS ON LOW PROFILE RACEWAYS SIGN DIMENSION: 54.25" x 65' NORTHEAST ELEVATION				<table border="1"> <tr> <td rowspan="4">VALUATION (\$)</td> <td>NEW CONST</td> <td>9,000</td> <td rowspan="4">CONST AREA (sq ft)</td> <td>NEW CONST</td> <td>294</td> </tr> <tr> <td>MFD OTHER</td> <td></td> <td>MFD OTHER</td> <td></td> </tr> <tr> <td>REMODEL</td> <td></td> <td>REMODEL</td> <td></td> </tr> <tr> <td>TOTAL VALUATION</td> <td>9,000.00</td> <td>TOTAL AREA</td> <td>294</td> </tr> </table>		VALUATION (\$)	NEW CONST	9,000	CONST AREA (sq ft)	NEW CONST	294	MFD OTHER		MFD OTHER		REMODEL		REMODEL		TOTAL VALUATION	9,000.00	TOTAL AREA	294
VALUATION (\$)	NEW CONST	9,000	CONST AREA (sq ft)	NEW CONST	294																		
	MFD OTHER			MFD OTHER																			
	REMODEL			REMODEL																			
	TOTAL VALUATION	9,000.00		TOTAL AREA	294																		
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX																							
<input type="checkbox"/> BUILDING <input type="checkbox"/> PLUMBING <input type="checkbox"/> FENCE <input type="checkbox"/> DRIVE APPROACH <input type="checkbox"/> BACKFLOW <input type="checkbox"/> BARRICADE <input type="checkbox"/> ENERGY <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> FIRE SPRKLR <input checked="" type="checkbox"/> SIGN <input type="checkbox"/> SWIMMING POOL <input type="checkbox"/> CUSTOMER SVC <input type="checkbox"/> GREEN <input type="checkbox"/> PAVING/GRADING <input type="checkbox"/> MECHANICAL <input type="checkbox"/> FIRE ALARM <input type="checkbox"/> LANDSCAPE <input type="checkbox"/> LAWN SPRINKLER <input type="checkbox"/> FLAMMABLE LIQUID <input type="checkbox"/> OTHER:																							
All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? <input type="radio"/> YES <input checked="" type="radio"/> NO																							
<p>The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application due to time constraints may be avoided by agreeing to allow the City the following additional time to review the application:</p> <p>I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:</p> <p>Zoning, Building Code, Electrical Code, Plumbing/Mechanical Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.</p> <p>If the permit is granted (Approved) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.</p> <p style="text-align: center;"><input checked="" type="radio"/> I AGREE. <input type="radio"/> I DO NOT AGREE.</p> <p>I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES</p> <p>I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.</p>																							
APPLICANT'S SIGNATURE 				DATE OF APPLICATION SUBMISSION 10/16/17																			

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION
OAK CLIFF MUNICIPAL CENTER, 320 E. JEFFERSON BLVD., ROOM 118, DALLAS, TX 75203 • TEL. NO. (214) 948-4480

REV 03-01-2017

FOR OFFICE USE ONLY							
STREET ADDRESS OF PROPOSED PROJECT				SUITE/BLDG/FLOOR NO.		PROJECT/PERMIT NUMBER	
1311 S Ervay						1710191020	
ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PO	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS			FEE CALCULATIONS (\$)	
PRE-SCREEN	✓ MM	10-19-17	Pre Inspection			PERMIT FEE	
ZONING						SURCHARGE	
BUILDING						PLAN REVIEW FEE	
ELECTRICAL						PREQUALIFICATION REVIEW FEE	
PLUMBING/MECHANICAL						EXPRESS PLAN REVIEW	
GREEN BUILDING						HOURLY FEE TOTAL	
HEALTH						HEALTH PERMIT APPLICATION FEE	
HISTORICAL/CONS DIST						HEALTH PLAN REVIEW FEES	
ENGINEERING						OTHER FEES	
WATER						OTHER FEES	
FIRE						TOTAL FEES	
LANDSCAPING						\$	
AVIATION							
OTHER							
PLAN REVIEW NOTES							
SPSD Downtown Per. 1710190004							
Base Zoning PD 317 (Sub B) - Follows business rules							
51A - T. 303 - = 25% of the main facade							
Building Height 40'-4" = 2989 x 25%							
Building Length 74'							
747 sqft Allowed							
Using 294 sqft.							





1:3,000

CA 1710190004
Downtown SPSP - Perimeter

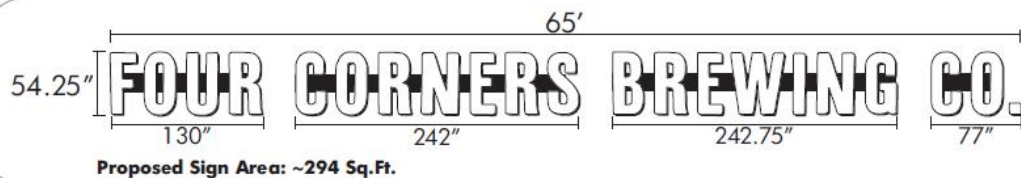
Proposed Sign (northeast elevation)

FOUR CORNERS BREWING CO.

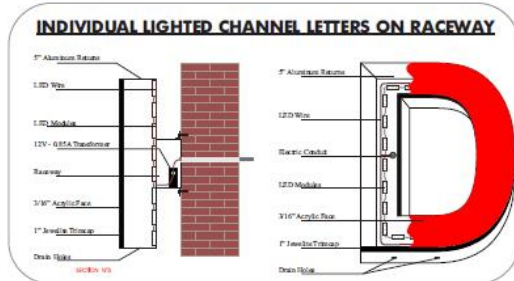
CO#: 1707145001

Flat Attached Wall Sign (Front-Lit LED Channel Ltrs on Raceways)

Address: 1311 S. Ervay St., Dallas, TX 75215

**Front Lit LED Channel Letters on Low Profile Raceways**

- Sign to read: FOUR CORNERS BREWING CO.
- White Acrylic Faces
- 1" Jewelite Trimcap (Black)
- 5" Aluminum Returns (Black)
- 15"H. x 4"Deep Raceways, Painted Matte Black
- White 12-Volt LED Modules
- 1/2" Seal-Tite Conduit Jumps Between Raceways (Painted Black)
- LED Power Supplies (Mounted in Raceways)
- Wet Area Rated Junction Box, Disconnect Switches, Covers, Etc..)



SIGN(S) TO BE MANUFACTURED TO U.L. SPECIFICATIONS AND WILL BEAR THE U.L. LABEL(S). INSTALL IN ACCORDANCE WITH ARTICLE 600 OF NATIONAL ELECTRIC CODES

A LISTED SIGN COMPANY



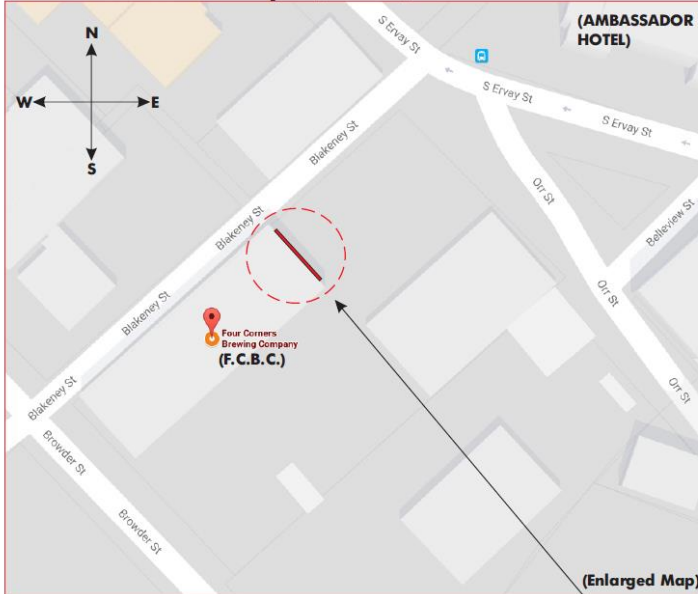
Texas Sign Contractors License: TSCL#18434
Regulated by The Texas Department of
Licensing and Regulation
P.O. Box 12157 Austin, TX 78711 1-800-803-9202

LANDLORD APPROVAL		DESIGN, SPECIFICATIONS, & COLOR APPROVALS		CLIENT: Four Corners Brewing Co. DATE: 8-3-17	
The undersigned consents to the installation and maintenance of this sign on my property in accordance with the agreement between Giant Sign Co. And my Tenant(s) and any extension, renewals, or modifications thereof		This drawing is the property of Giant Sign and all rights to its use for reproduction are reserved by Giant Sign.		ADDRESS: 1311 S. Ervay St. Dallas, TX 75215	
Property Owner/Authorized Agent		Customer		DESTINATIONS: City of Dallas	
Date		Date		ARTIST: Mike Gary CELL: 972.988.9455 EMAIL: mike@giantsign.com	

Proposed Sign (northeast elevation)

FOUR CORNERS BREWING CO. - Flat Attached Wall Sign - Key Map

Address: 1311 S. Ervay St., Dallas, TX 75215



Proposed Location of
Four Corners Brewing Co.
Wall Sign

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

JEFFERSON BOULEVARD

CASE NUMBER: 1709280004

DATE FILED: September 22, 2017

LOCATION: 611 W. Jefferson Blvd (south elevation)

SIZE OF REQUEST: 159 sq. ft.

COUNCIL DISTRICT: 1

ZONING: PD No. 316, Subarea 2

MAPSCO: 54-G

APPLICANT: Joshua Kang

CONTRACTOR: Texas Pro Signs, Inc.

TENANT: Amax Auto Insurance

OWNER: L&R Fiesta Investments

REQUEST: An application for a Certificate of Appropriateness for a 159-square foot illuminated, attached sign (south elevation).

SUMMARY: The applicant will construct an illuminated, attached sign which will read "Amax Auto Insurance."

STAFF RECOMMENDATION: Approval

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

BACKGROUND:

- The subject site is located within the Jefferson Boulevard SPSD, and follows the regulations set forth by Section 51A-7.303 (GENERAL PROVISIONS APPLICABLE TO SIGNS IN BUSINESS ZONING DISTRICTS)
- The request is for an attached sign, which means any sign attached to, applied on, or supported by, any part of a building (such as a wall, roof, window, canopy, awning, arcade, or marquee) that encloses or covers usable space.
- The proposed sign is 159 square feet. It will be located on the south elevation. Signage will be illuminated and with channel letters.

SECTION. 51A-7.305. ATTACHED SIGNS.

Attached signs are permitted in business areas in accordance with the following provisions:

- (a) Except as otherwise permitted under Sections 51-4.213(25), 51-4.217(b)(5), 51A-4.206(1), and 51A-4.217(b)(9), all attached signs must be premise signs or convey a noncommercial message. *"Amax Auto Insurance" is the name of a business in the building.*
- (b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below. *The sign projects 7 inches from the facade.*
- (c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit. *The combined effective area is 1.3 percent of the primary façade.*
- (d) The combined effective area of all signs attached to any window or any glass door may not exceed 15 percent of the area of that window or that glass door. Signs in the upper two-thirds of a window or glass door are prohibited. Signs attached to a window or a glass door must be brought into compliance with this provision by September 25, 2008. *Not applicable.*

- (e) Attached signs may project more than 18 inches from vertical building planes as follows:
- (1) Any premise or any non-residential occupancy may erect not more than one attached sign projecting up to a maximum of four feet from a vertical building plane, but not above the roof, provided that the premise or occupancy maintains no detached sign on the premise, and that the sign does not exceed 20 square feet in effective area, and that no part of the sign descends closer to grade than 10 feet, nor projects into or over any public right-of-way. *Not applicable.*
 - (2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached. *Not Applicable.*
 - (3) Any premise or non-residential occupancy may erect one attached sign projecting up to a maximum of four feet from a vertical building plane if:
 - (A) the sign does not exceed 60 square feet in effective area;
Not applicable.
 - (B) no single face of a three-dimensional sign exceeds 60 square feet;
Not applicable.
 - (C) the attached sign is not above the highest point of a facade;
Not applicable.
 - (D) no part of the sign descends closer to grade than 10 feet;
Not applicable.
 - (E) the sign does not project into or over any public right-of-way; and
Not applicable.
 - (F) the contents of the sign are limited to a registered trademark or logo that contains no word or character.
Not Applicable.
- (f) Words may be attached to machinery or equipment which is necessary or customary to the business, including but not limited to devices such as gasoline pumps, vending machines, ice machines, etc., provided that words so attached refer exclusively to products or services dispensed by the device, consist of characters no more than four inches in height, and project no more than one inch from the surface of the device. *Not Applicable.*

SECTION. 51A-7.1406. ATTACHED SIGNS. (Jefferson Boulevard SPSP)

- (a) Attached signs in general.
- (1) Except for marquee signs and as specified in Paragraphs (2) and (3), all attached signs must be mounted parallel to the building surface to which they are attached and may not project more than 18 inches from that building. *The sign projects 7 inches from the façade.*

Case Number: 1709280004

Special Sign District Advisory Committee action:
November 14, 2017

MOTION: It was moved to **approve** a 159-square foot illuminated, attached sign at 611 West Jefferson Boulevard (south elevation).

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

For: – Dumas, Webster, Hardin

Against: 0
Absent: 1 - Peadon
Conflict: 0

Speakers – Joshua Kang, Texas Pro Signs, Inc.

DATE: 09-22-20117
APPLICATION TYPE
REGULAR <input checked="" type="radio"/> EXPRESS <input type="radio"/>

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY



City of Dallas

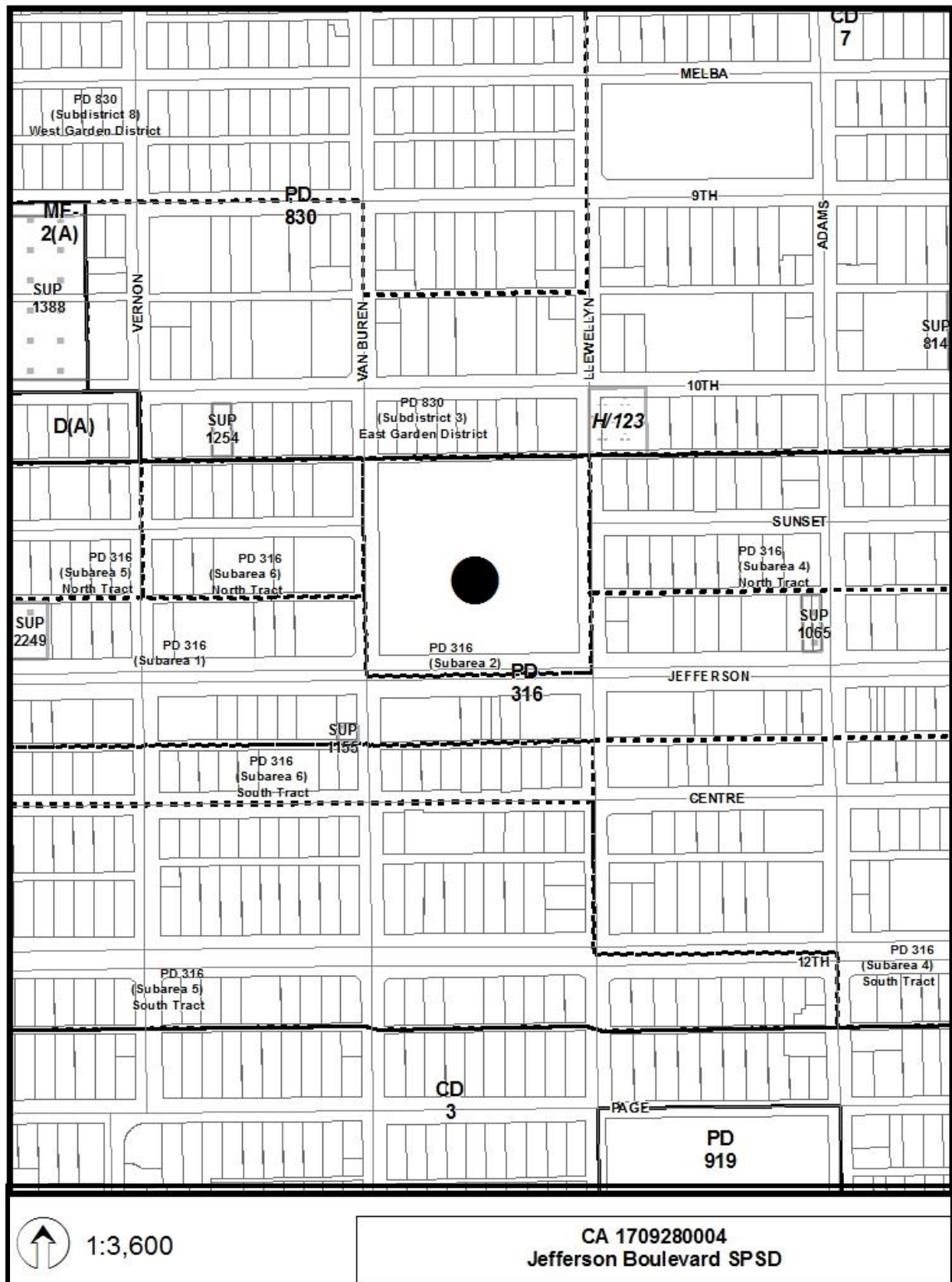
JOB NO: (OFFICE USE ONLY)
PERMIT NO: (OFFICE USE ONLY)
1709281029

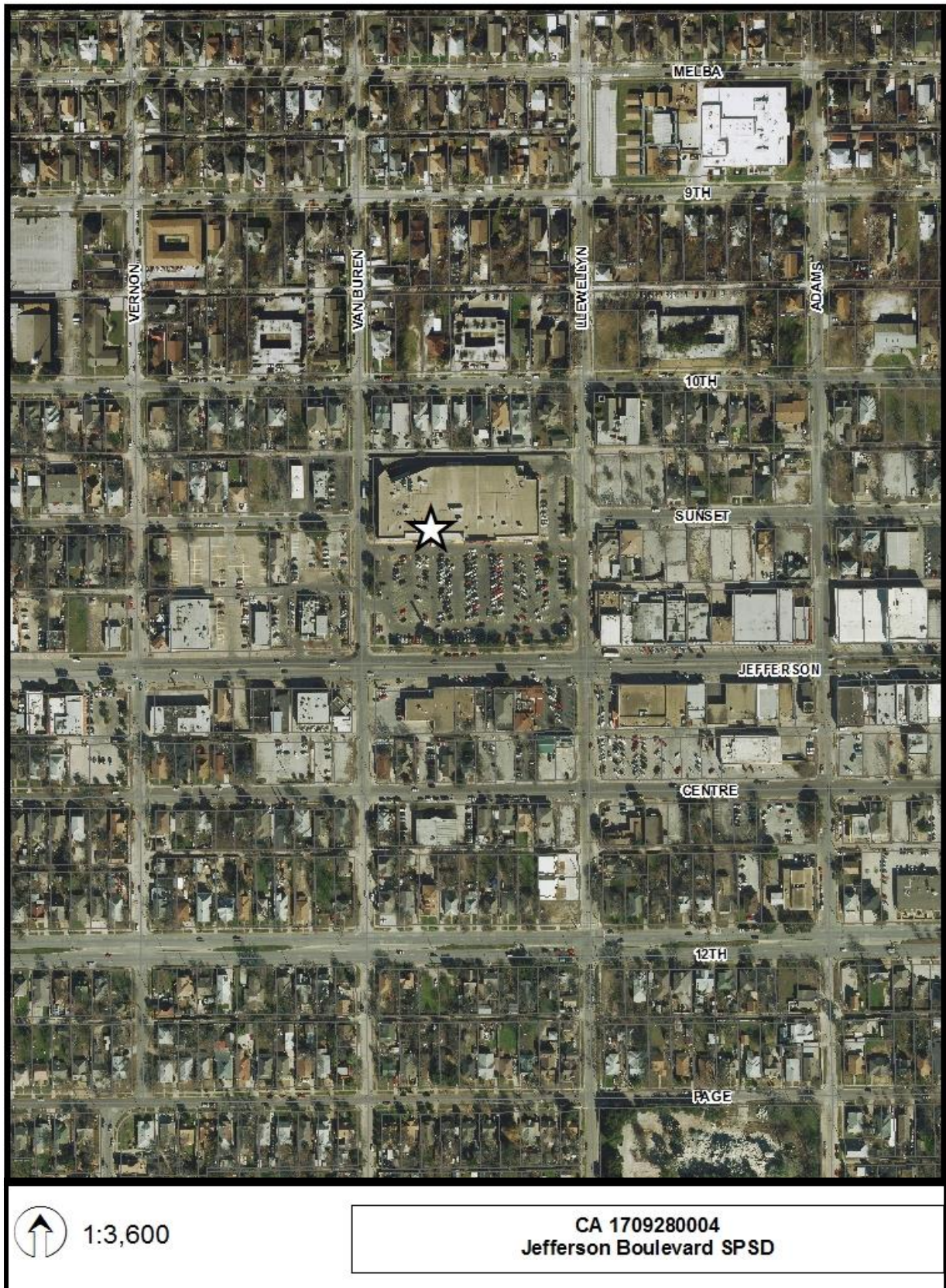
STREET ADDRESS OF PROPOSED PROJECT		SUITE/BLDG/FLOOR NO		USE OF PROPERTY	
611 W. JEFFERSON BLVD.		500		OFFICE BUILDING	
APPLICANT		ADDRESS		CITY	STATE
JOSHUA KANG		2312 FABENS RD.		DALLAS	Texas
ZIP CODE		75229			
DBA (IF APPLICABLE)		PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
CONTRACTOR-INDIVIDUAL		CONTRACTOR NUMBER		COMPANY NAME	
JOSHUA KANG		11633203		TEXAS PRO SIGNS INC.	
CURRENT HOME REPAIR LICENSE ON FILE?		IF YES, LIST NUMBER		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
<input type="radio"/> YES <input checked="" type="radio"/> NO					
PROPERTY OWNER (INDIVIDUAL CONTACT)		ADDRESS		CITY	STATE
PROPERTY OWNER (COMPANY NAME)		PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
DESCRIPTION OF PROPOSED PROJECT		VALUATION (\$)		CONST AREA (sq ft)	
ILLUMINATED WALL SIGN ON THE TOP OF BUILDING FRONT IN FIESTA MALL AREA FAR AWAY FROM STREET CO#:0908061021		NEW CONST		NEW CONST	
		3,000		159	
		MFD OTHER		MFD OTHER	
		REMODEL		REMODEL	
		TOTAL VALUATION		TOTAL AREA	
		3,000.00		159	
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX					
<input type="checkbox"/> BUILDING <input type="checkbox"/> PLUMBING <input type="checkbox"/> FENCE <input type="checkbox"/> DRIVE APPROACH <input type="checkbox"/> BACKFLOW <input type="checkbox"/> BARRICADE <input type="checkbox"/> ENERGY <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> FIRE SPRKLR <input checked="" type="checkbox"/> SIGN <input type="checkbox"/> SWIMMING POOL <input type="checkbox"/> CUSTOMER SVC <input checked="" type="checkbox"/> GREEN <input type="checkbox"/> PAVING/GRADING <input type="checkbox"/> MECHANICAL <input type="checkbox"/> FIRE ALARM <input type="checkbox"/> LANDSCAPE <input type="checkbox"/> LAWN SPRINKLER <input type="checkbox"/> FLAMMABLE LIQUID <input type="checkbox"/> OTHER:					
All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? <input type="radio"/> YES <input type="radio"/> NO					
<p>The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application due to time constraints may be avoided by agreeing to allow the City the following additional time to review the application:</p> <p>I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:</p> <p>Zoning, Building Code, Electrical Code, Plumbing/Mechanical Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.</p> <p>If the permit is granted (Approved) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.</p> <p><input checked="" type="radio"/> I AGREE. <input type="radio"/> I DO NOT AGREE.</p> <p>I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES</p> <p>I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.</p>					
APPLICANT'S SIGNATURE		Digitally signed by JOSHUA KANG DN: cn=JOSHUA KANG, o=TEXAS PRO SIGNS, ou=TEXAS PRO SIGNS, email=joshua.tps@gmail.com, c=US Date: 2017.08.04 07:13:23 -0500		DATE OF APPLICATION SUBMISSION	
				9-22-17	

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION
OAK CLIFF MUNICIPAL CENTER, 320 E. JEFFERSON BLVD., ROOM 118, DALLAS, TX 75203 • TEL. NO. (214) 948-4480

REV 03-01-2017

FOR OFFICE USE ONLY							
STREET ADDRESS OF PROPOSED PROJECT 611 W Jefferson				SUITE/BLDG/FLOOR NO 500		PROJECT/PERMIT NUMBER 1709281029	
ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS			FEE CALCULATIONS (\$)	
PRE-SCREEN	<input checked="" type="checkbox"/>	MM	9-28-17	Pre-Inspection			PERMIT FEE
ZONING	<input type="checkbox"/>						SURCHARGE
BUILDING	<input type="checkbox"/>						PLAN REVIEW FEE
ELECTRICAL	<input type="checkbox"/>						PREQUALIFICATION REVIEW FEE
PLUMBING/MECHANICAL	<input type="checkbox"/>						EXPRESS PLAN REVIEW
GREEN BUILDING	<input type="checkbox"/>						HOURLY FEE TOTAL
HEALTH	<input type="checkbox"/>						HEALTH PERMIT APPLICATION FEE
HISTORICAL/CONS DIST	<input type="checkbox"/>						HEALTH PLAN REVIEW FEES
ENGINEERING	<input type="checkbox"/>						OTHER FEES
WATER	<input type="checkbox"/>						OTHER FEES
FIRE	<input type="checkbox"/>						TOTAL FEES
LANDSCAPING	<input type="checkbox"/>						\$
AVIATION	<input type="checkbox"/>						
OTHER	<input type="checkbox"/>						
PLAN REVIEW NOTES							
Jefferson Blvd. SP5D							
SSDAC 1709280004							
Business Rules Apply 51A-7.303							
South elevation							
12180 ft bldg facade							

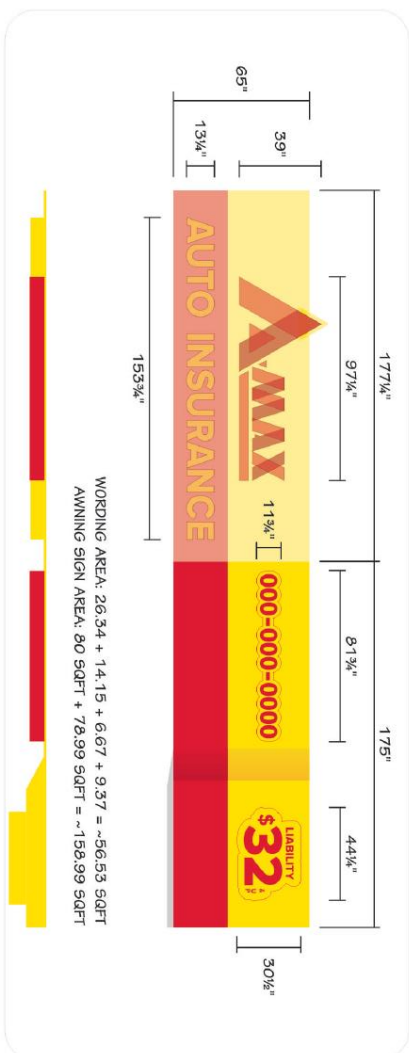




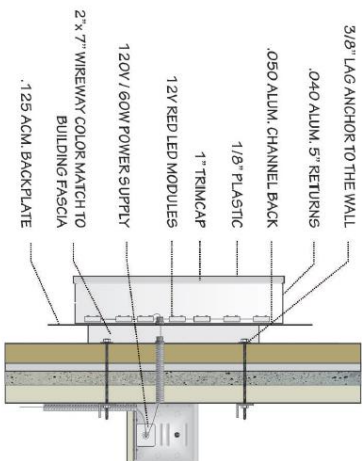
AMAX DALLAS - 611 JEFFERSON (FIESTA) - MAIN MOD 01V2

PROPOSED ILLUMINATED SIGN FACE(S)

CHANNEL LETTERS ON BACKPLATE



CROSS SECTION DETAILS



PROPOSED SIGN LOCATION • TBD ELEVATION



CITY LIMITATIONS: 505QFT FOR REGULAR PERMIT PROCESSING

50 SQFT ALLOWABLE



TEXAS PRO SIGNS

T: 214-956-7811 F: 972-241-6744

tps@texasprosigns.com

2312 FABENS RD. DALLAS TX 75229

JOB TITLE : AMAX

LOCATION : 611 W JEFFERSON BLVD SUITE #500

DESIGNER : DC/ML DALLAS, TX 75208

SCALE : 1:192

DATE : 8/2/17

CLIENT APVL : _____

110RD APV/1

CITY PERMIT : _____

100

: vinyl

acrylic :
paint :

```

return :

```

trimcap :

#NOTE

PROJECT

SHOP

VINYL

PRODUCT

INSTALL

ALL DESIGNS AND DRAWINGS REMAIN TEXAS PRO SIGNS EXCLUSIVE PROPERTY AND IN NO WAY MAY BE COPIED OR DUPLICATED WITHOUT WRITTEN CONSENT

Underwriters Laboratories Inc. E206103

WWW.TEXASPROSIGNS.COM

**Proposed Sign (south elevation)
Applicant provided photo**



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

DOWNTOWN GENERAL CBD

CASE NUMBER: 1710180016

DATE FILED: September 26, 2017

LOCATION: 310 South Houston St (south elevation) **SIZE OF REQUEST:** 259.34 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

MAPSCO: 45-P

APPLICANT: Kristy Smith

CONTRACTOR: Sign Manufacturing & Maintenance Corporation

TENANT: Courtyard Marriott

OWNER: Equity Hotel Group LLC

REQUEST: An application for a Certificate of Appropriateness for a 259.34 square foot upper level flat attached sign (south elevation).

SUMMARY: The applicant will construct a upper level, flat attached sign which will read "COURTYARD BY MARRIOTT."

STAFF RECOMMENDATION: Approval

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

BACKGROUND:

- The subject site is located in the General CBD subdistrict of the Downtown SPSD.
- The request is for an *upper level sign*, which is an attached sign wholly situated within the upper level sign area. The *upper level sign area* is the portion of a facade more than 36 feet above grade and within the top 12 feet of a facade on buildings 18 stories or less, or within the top 36 feet of a facade on buildings more than 18 stories. The *upper level sign area* of the south elevation totals 7,200 square feet.
- The total effective area of all signs may not exceed 30% of the upper level sign area, per Section 51A-7.911 Attached Premise Signs.
- Thirty percent of the upper level sign area is approximately 7,200 sq. ft. X 30% = 2,160 square feet. The proposed sign is 259.34 square feet, which is less than 30 percent.
- The proposed sign illuminated channel letters and will be located on the south elevation, approximately 10 feet from the top of the building, which is 13 stories tall.
- 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 three words.]

(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.]

SECTION. 51A-7.911. ATTACHED PREMISE SIGNS.

(a) Attached signs in general.

(1) Attached signs must be securely attached.

(2) Attached signs overhanging the public way are permitted, except that no sign may project closer than two feet to the vertical plan extending through the back of a street curb. (*not applicable*)

(3) The total effective area for all signs on a façade may not exceed:

(A) 30 percent of the area in the lower level sign area; (*not applicable*)

(B) 20 percent of the area in the middle level sign area; (*not applicable*)

and

(C) 30 percent of the area in the upper level sign area. (*the sign is less than four percent of the upper level sign area*)

(4) Except as provided in this paragraph, attached signs may not project more than four feet above the roof line. Attached signs in the Convention Center Subdistrict may not project more than nine feet above the roof line. *(the sign does not project above the roof line)*

(e) Flat attached signs

(3) Upper level flat attached signs

(A) Each upper level flat attached sign may have a maximum of eight words that contain any character or a height equal to or exceeding four inches. *(the sign has three words more than four inches)*

(B) Upper level flat attached signs must be wholly located within the upper level sign area. *(the sign is wholly within the upper level sign area)*

Case Number: 1710180016

List of Officers

Owner:

Equity Hotel Group,LLC

Officers:

Dilipkumar patel

Bipin Hira

Special Sign District Advisory Committee action:
November 14, 2017

MOTION: It was moved to approve a 259.34-square foot upper level, flat attached sign at 310 South Houston Street (south elevation).

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

For: – Hardin, Dumas, Webster

Against: 0
Absent: 1 - Peadon
Conflict: 0

Speakers – Kristy Smith of Sign Manufacturing & Maintenance Corporation

DATE: 9/26/17
APPLICATION TYPE REGULAR <input checked="" type="radio"/> EXPRESS <input type="radio"/>

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY



City of Dallas

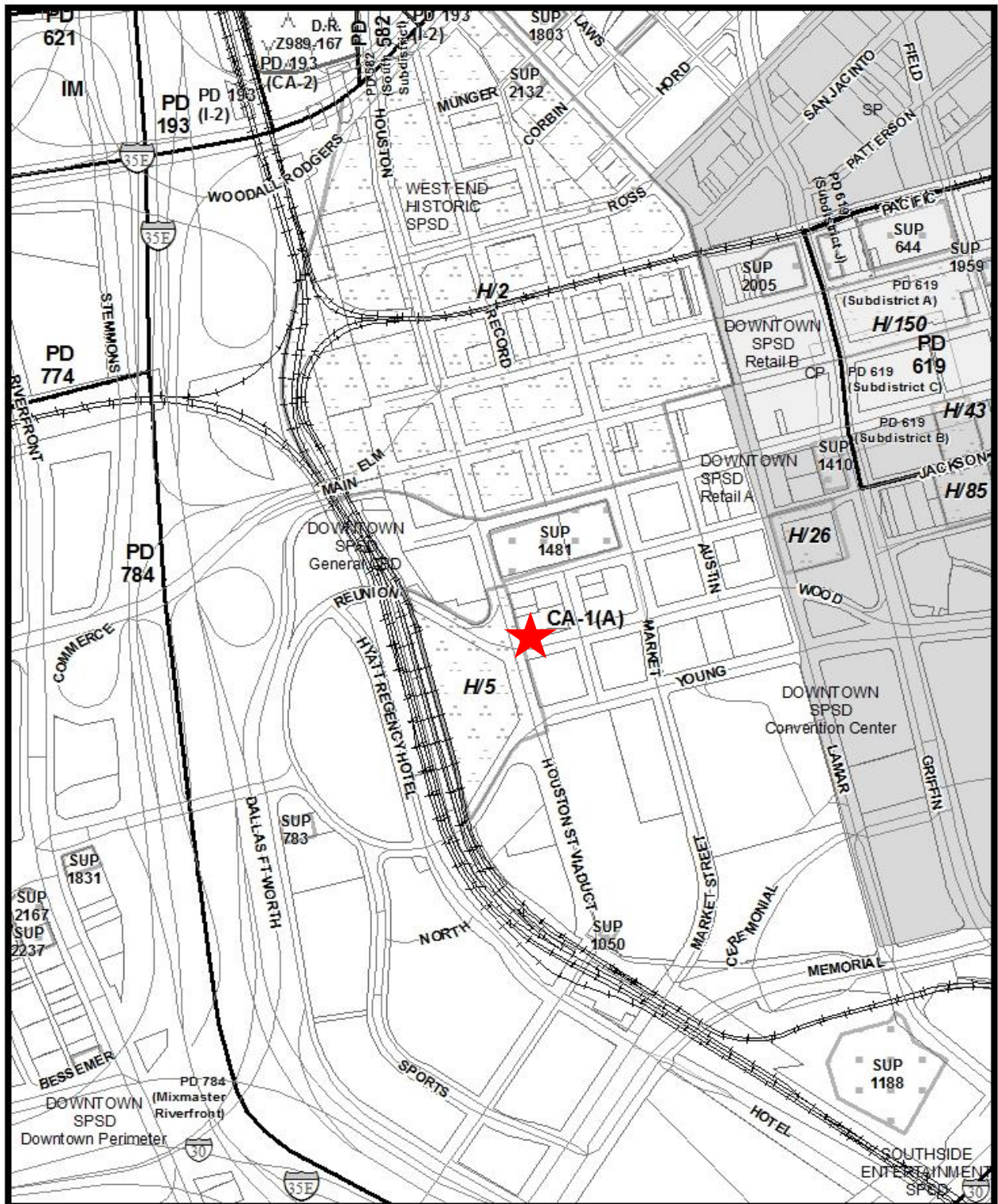
JOB NO: (OFFICE USE ONLY)
PERMIT NO: (OFFICE USE ONLY) 1710181048

STREET ADDRESS OF PROPOSED PROJECT 310 S. HOUSTON STREET		SUITE/BLDG/FLOOR NO		USE OF PROPERTY HOTEL	
APPLICANT KRISTY SMITH		ADDRESS 4610 MINT WAY		CITY DALLAS	STATE TEXAS
DBA (IF APPLICABLE) COURTYARD MARRIOTT		PHONE NO 214-339-2227		ZIP CODE 75236	
CONTRACTOR-INDIVIDUAL JAMES WATSON		CONTRACTOR NUMBER 501	PIN 409	COMPANY NAME SIGNS MFG & MAINTENANCE CORP	
CURRENT HOME REPAIR LICENSE ON FILE? <input checked="" type="radio"/> YES <input type="radio"/> NO	IF YES, LIST NUMBER 238434	PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
PROPERTY OWNER (INDIVIDUAL CONTACT) J. ROBERT JOHNSON		ADDRESS 310 S HOUSTON STREET		CITY DALLAS	STATE TX.
PROPERTY OWNER (COMPANY NAME) COURTYARD MARRIOTT		PHONE NO 214-339-2227		ZIP CODE 75202	
DESCRIPTION OF PROPOSED PROJECT INSTALLING ONE SET OF ILLUMINATED CHANELL LETTERS SOUTH ELEVATION - 6' 5" H x 40' 5" L = 259.34 S.F. SIGN # 4 OF 6		VALUATION (\$)		CONST. AREA (sq ft)	
		NEW CONST \$ 2,500		NEW CONST 259.34 S.F	
		MFD OTHER		MFD OTHER	
		REMODEL		REMODEL	
		TOTAL VALUATION \$2,500		TOTAL AREA 259.34 S.F	
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX					
<input type="checkbox"/> BUILDING <input type="checkbox"/> PLUMBING <input type="checkbox"/> FENCE <input type="checkbox"/> DRIVE APPROACH <input type="checkbox"/> BACKFLOW <input type="checkbox"/> BARRICADE <input type="checkbox"/> ENERGY <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> FIRE SPRKLR <input checked="" type="checkbox"/> SIGN <input type="checkbox"/> SWIMMING POOL <input type="checkbox"/> CUSTOMER SVC <input type="checkbox"/> GREEN <input type="checkbox"/> PAVING/GRADING <input type="checkbox"/> MECHANICAL <input type="checkbox"/> FIRE ALARM <input type="checkbox"/> LANDSCAPE <input type="checkbox"/> LAWN SPRINKLER <input type="checkbox"/> FLAMMABLE LIQUID <input type="checkbox"/> OTHER:					
All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? <input type="radio"/> YES <input type="radio"/> NO					
<p>The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application due to time constraints may be avoided by agreeing to allow the City the following additional time to review the application:</p> <p>I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:</p> <p>Zoning, Building Code, Electrical Code, Plumbing/Mechanical Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.</p> <p>If the permit is granted (Approved) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.</p> <p style="text-align: center;"><input checked="" type="radio"/> I AGREE. <input type="radio"/> I DO NOT AGREE.</p> <p>I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES</p> <p>I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.</p>					
APPLICANT'S SIGNATURE 				DATE OF APPLICATION SUBMISSION 9/26/17	

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION
OAK CLIFF MUNICIPAL CENTER, 320 E. JEFFERSON BLVD., ROOM 118, DALLAS, TX 75203 • TEL. NO. (214) 948-4480

REV 03-01-2017

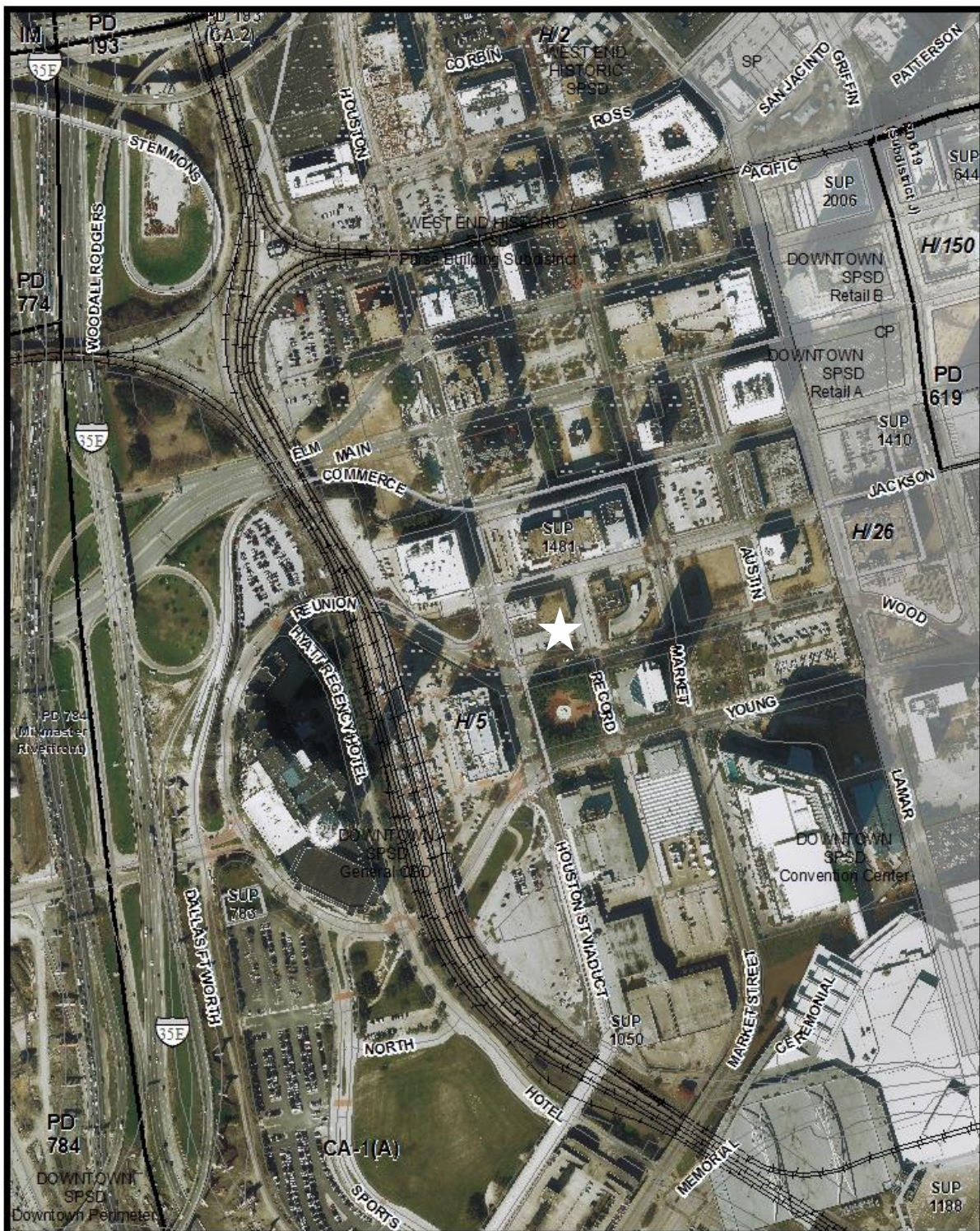
FOR OFFICE USE ONLY									
STREET ADDRESS OF PROPOSED PROJECT 310 S Houston				SUITE BLDG/FLOOR NO		PROJECT/PERMIT NUMBER 1710181048			
ZONING				BUILDING			MISCELLANEOUS		
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN		
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAN	AIRPORT		
LOT AREA	SDA	SUP	PAR	STORES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL		
D/R	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL		
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS			FEE CALCULATIONS (\$)			
PRE-SCREEN	✓ MM	10-18-17	Pre Inspection			PERMIT FEE			
ZONING						SURCHARGE			
BUILDING						PLAN REVIEW FEE			
ELECTRICAL						PREQUALIFICATION REVIEW FEE			
PLUMBING/MECHANICAL						EXPRESS PLAN REVIEW			
GREEN BUILDING						HOURLY FEE TOTAL			
HEALTH						HEALTH PERMIT APPLICATION FEE			
HISTORICAL/CONS DIST						HEALTH PLAN REVIEW FEES			
ENGINEERING						OTHER FEES			
WATER						OTHER FEES			
FIRE						TOTAL FEES			
LANDSCAPING						\$			
AVIATION									
OTHER									
PLAN REVIEW NOTES									
<p>* SSDAC 1710180016</p> <p>Downtown SPSP</p> <p>Upper Level Flat Attached Sign - South Elevation</p>									



1:6,000

1707191058

CA 1710180016

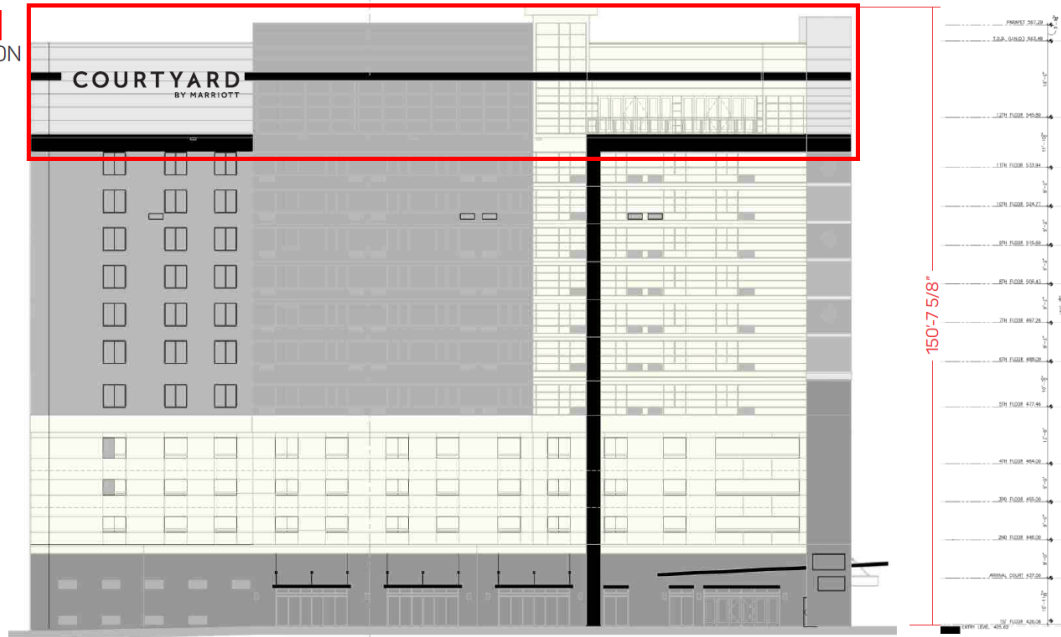


1:4,800

CA 1710180016
Downtown Central CBD

Proposed Sign (south elevation)

SIGN # 4 OF 6
SOUTH ELEVATION
SCALE: 1/32" = 1'-0"



40'-5 1/4"
6'-5 1/4" 4'-0"
COURTYARD
259.34 S.F.
1'-4 1/4" BY MARRIOTT
15'-7 3/4"

APPROVAL BOX - PLEASE INITIAL

CUSTOMER APPROVAL

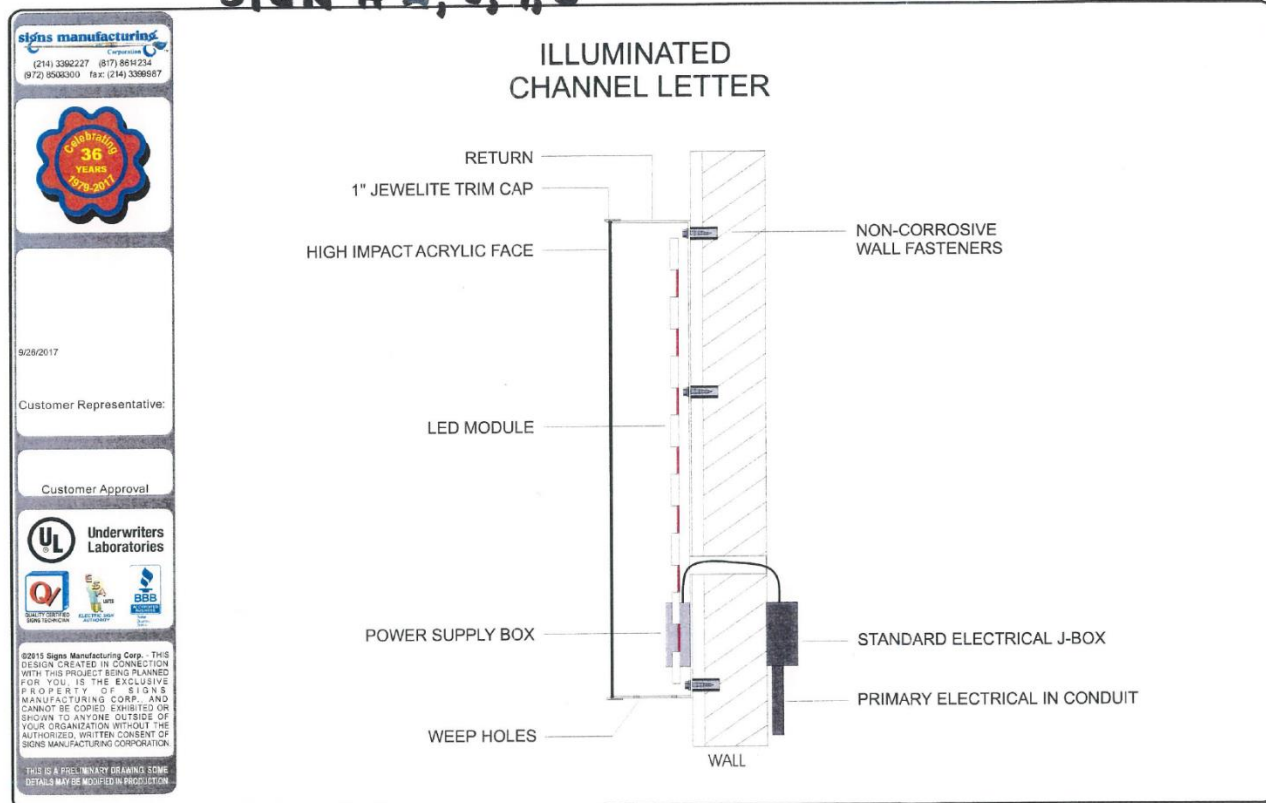
Date

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: COURTYARD	Date: 9/13/17	Prepared By: IDV/KH/AT	<small>Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</small>	persona SIGNS LIGHTING IMAGE	DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-Q210 1.800.843.9888 • www.personasigns.com
Location: DALLAS, TX	File Name: 154194 - R8 - DALLAS, TX	Eng: -			

Proposed Sign (south elevation)

SIGN # 2, 3, 4, 5



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

CASE NUMBER: 1710190016

DATE FILED: October 19, 2017

LOCATION: 1914 Commerce Street (north elevation)

SIZE OF REQUEST: 680 sq. ft.

COUNCIL DISTRICT: 14

ZONING: PD No. 619

MAPSCO: 45-L, Q

APPLICANT: Curt Horak

CONTRACTOR: Priority Signs and Graphics

TENANT: The Statler

OWNER: Commerce Statler Development LLC

REQUEST: An application for a Certificate of Appropriateness for a 680-square foot upper level flat attached sign (north elevation).

SUMMARY: The applicant will construct an upper level, flat attached sign which will read "THE STATLER."

STAFF RECOMMENDATION: Approval

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

BACKGROUND:

- The subject site is located in the Retail Subdistrict A within the Downtown SPSD.
- The request is for an upper level, flat attached sign, which is defined as an attached sign projecting 12 inches or less from a building, and the face of which is parallel to the building façade wholly within the upper level. The upper level area is defined as 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 sign is parallel to the building façade and does not project out beyond the main face of the building façade. The sign is attached to a portion of the building (roof top bar) that sits eight feet back of the main face of the façade. The sign's letters project out to be even with the main building face.
- The proposed sign is 680 square feet with internally-lit channel letter. It will be located on the north elevation of the building within the top 36 feet of the building.
- Construction of the attached sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911. ATTACHED PREMISE SIGNS.

SECTION. 51A-7.911. ATTACHED PREMISE SIGNS.

(a) Attached signs in general.

- (1) Attached signs must be securely attached.
- (2) Attached signs overhanging the public way are permitted, except that no sign may project closer than two feet to the vertical plan extending through the back of a street curb. *(not applicable)*
- (3) The total effective area for all signs on a façade may not exceed:
 - (A) 30 percent of the area in the lower level sign area; *(not applicable)*
 - (B) 20 percent of the area in the middle level sign area; *(not applicable)*and
 - (C) 30 percent of the area in the upper level sign area. *(the sign is 12 percent of the upper level sign area)*
- (4) Except as provided in this paragraph, attached signs may not project more than four feet above the roof line. Attached signs in the Convention Center Subdistrict may not project more than nine feet above the roof line. *(the sign does not project above the roof line)*

(e) Flat attached signs

(3) Upper level flat attached signs

(A) Each upper level flat attached sign may have a maximum of eight words that contain any character or a height equal to or exceeding four inches. *(the sign has two words more than four inches)*

(B) Upper level flat attached signs must be wholly located within the upper level sign area. *(the sign is wholly within the upper level sign area)*

List of Ownership for Special Provision Sign District Application (1914 Commerce Street)



Case Number: 1710190016

Special Sign District Advisory Committee action:
November 14, 2017

MOTION: It was moved to **approve** a 680-square foot upper level flat attached sign at 1914 Commerce Street (north elevation).

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

For: – Hardin, Dumas, Webster

Against: 0
Absent: 1 - Peadon
Conflict: 0

Speakers – Curt Horak, Priority Signs and Graphics
Alex Balic, Dallas Digital Signs & Graphics
Prabha Cinclair, Miklos Law

DATE: 10/19/2017

APPLICATION TYPE

PERMIT ☒ CO ☐

OTHER ☐ EXPRESS ☐



City of Dallas

BUILDING INSPECTION APPLICATION

JOB NO: (OFFICE USE ONLY)

PERMIT NO: (OFFICE USE ONLY)
1710191092

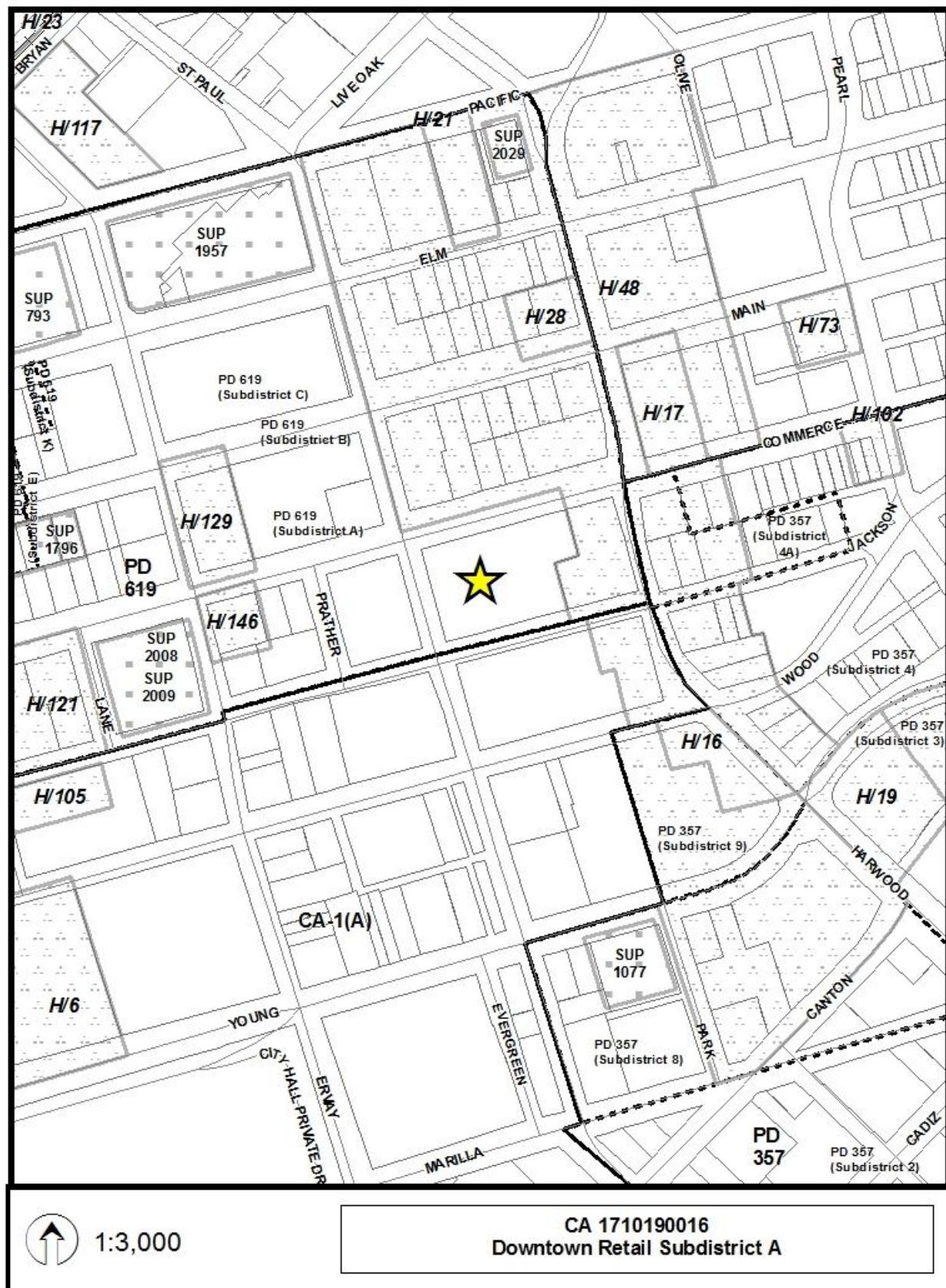
HEALTH REVIEW ☐
(Restaurants/Food Service)

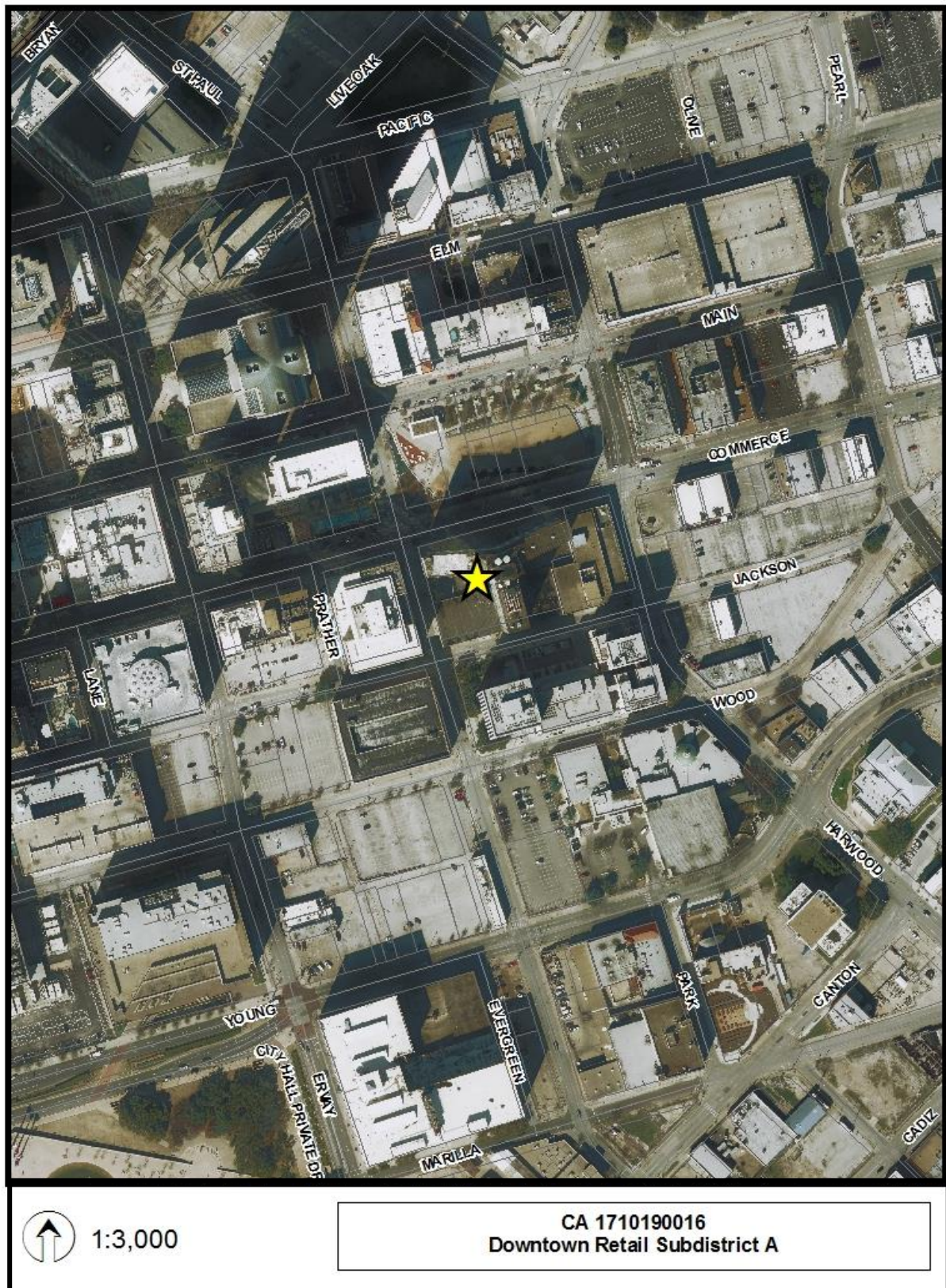
STREET ADDRESS OF PROPOSED PROJECT 1914 Commerce Street		SUITE/BLDG/FLOOR NO		USE OF PROPERTY Hotel	
OWNER/TENANT The Stalter	ADDRESS 1914 Commerce Street	CITY Dallas	STATE Texas	ZIP CODE 75201	
DBA (IF APPLICABLE)					
APPLICANT Curt Horak - PIN 3452		CONTR NO 115329	COMPANY NAME Priority Signs and Graphics		
ADDRESS 1010 E Dallas Rd, Suite 100		CITY Grapevine	STATE Texas	ZIP CODE 76051	PHONE NO (817) 260-0700
DESCRIPTION OF PROPOSED PROJECT permanent exterior sign - stainless steel face led lit channel letters		VALUATION (\$)		CONST AREA (sq ft)	NEW CONST
		NEW CONST		25,000	680
		REMODEL			
		TOTAL VALUATION		25,000.00	680
ALL FOOD SERVICE ESTABLISHMENTS REQUIRE A GREASE INTERCEPTOR INSTALLED ONSITE. CHECK BOX IF THERE IS ONE LOCATED ON THE PROPERTY. <input type="checkbox"/>					
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX AND PROVIDE CONTRACTOR/SUBCONTRACTOR INFORMATION ON THE BACK OF THIS FORM. NOTE: AN AFFIDAVIT IS REQUIRED FOR THE SALE OR SERVING OF ALCOHOL.					
<input type="checkbox"/> BUILDING	<input type="checkbox"/> PLUMBING	<input type="checkbox"/> FENCE	<input type="checkbox"/> DRIVE APPROACH	<input type="checkbox"/> BACKFLOW	<input type="checkbox"/> BARRICADE
<input type="checkbox"/> ELECTRICAL	<input type="checkbox"/> FIRE SPRKLR	<input checked="" type="checkbox"/> SIGN	<input type="checkbox"/> SWIMMING POOL	<input type="checkbox"/> CUSTOMER SVC	<input type="checkbox"/> GREEN BUILDING/LEED
<input type="checkbox"/> MECHANICAL	<input type="checkbox"/> FIRE ALARM	<input type="checkbox"/> LANDSCAPE	<input type="checkbox"/> LAWN SPRINKLER	<input type="checkbox"/> FLAMMABLE LIQUID	<input type="checkbox"/> OTHER:
WILL ALCOHOL BE SOLD/SERVED? <input type="radio"/> YES <input type="radio"/> NO		PERSONAL SERVICE LICENSE REQUIRED FOR THE PROPOSED USE? <input type="radio"/> YES <input type="radio"/> NO			
WILL THERE BE A DANCE FLOOR? <input type="radio"/> YES <input type="radio"/> NO		ARE POTENTIALLY HAZARDOUS FOODS/OPEN FOODS BEING SOLD? <input type="radio"/> YES <input type="radio"/> NO			

I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.

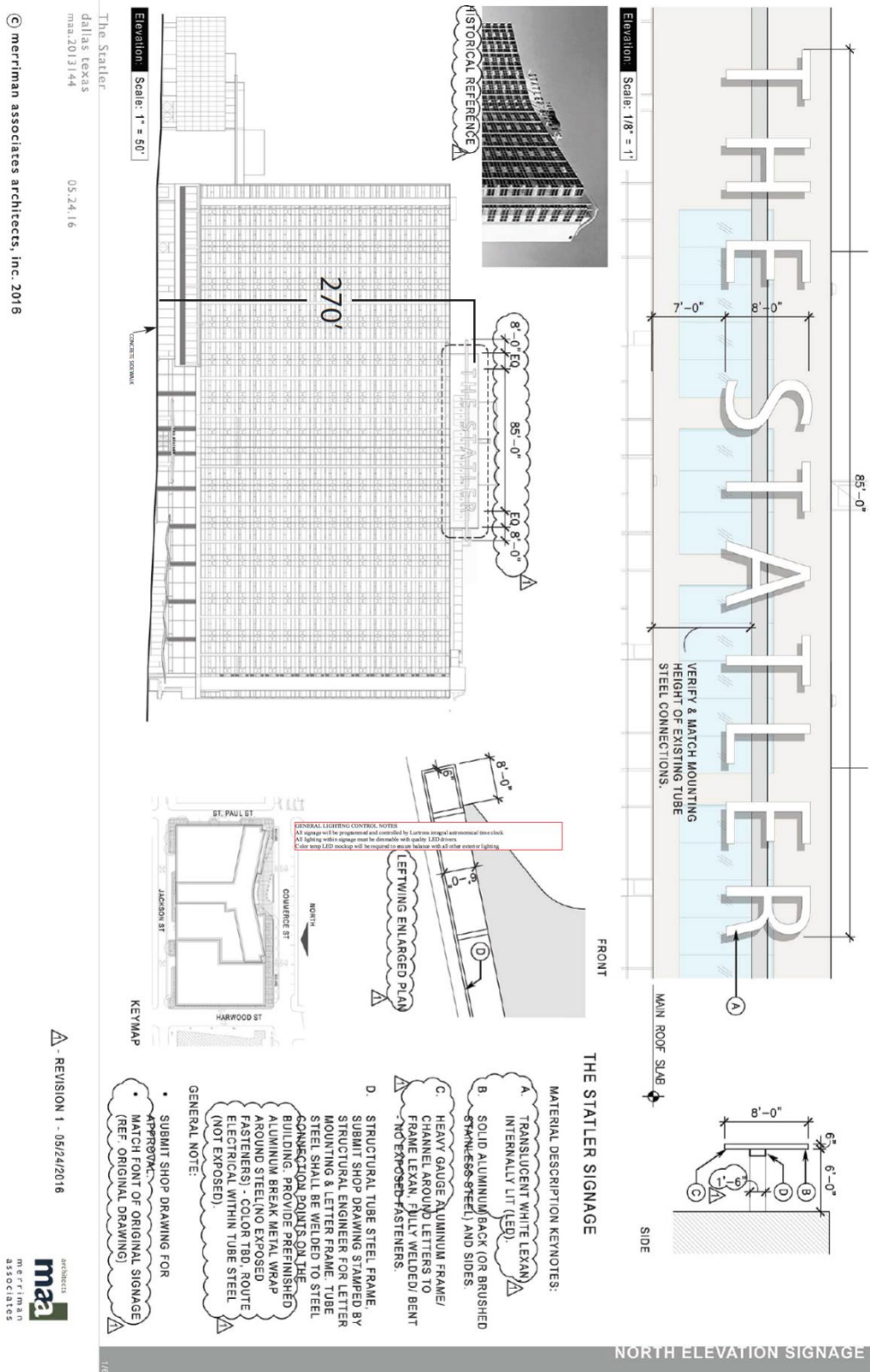
APPLICANT SIGNATURE

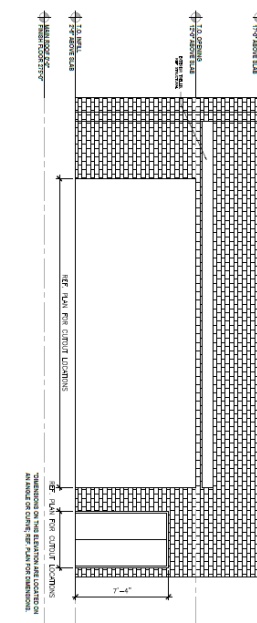
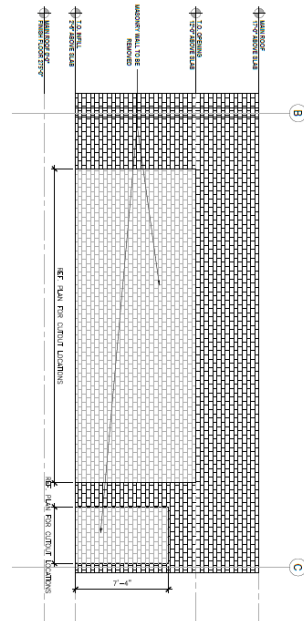
FOR OFFICE USE ONLY							
ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS			FEE CALCULATIONS (\$)	
PRE-SCREEN	<i>MTH</i>	<i>10-19-17</i>	<i>Pre-Inspection</i>			PERMIT FEE	
ZONING						SURCHARGE	
BUILDING						PLAN REVIEW FEE	
ELECTRICAL						PREQUALIFICATION REVIEW FEE	
PLUMBING/MECHANICAL						EXPRESS PLAN REVIEW	
GREEN BUILDING						HOURLY FEE TOTAL	
HEALTH						HEALTH PERMIT FEE	
HISTORICAL/CONS DIST						OTHER FEES	
PUBLIC WORKS						OTHER FEES	
WATER						OTHER FEES	
FIRE						TOTAL FEES	
LANDSCAPING						\$	
AVIATION							
OTHER:							





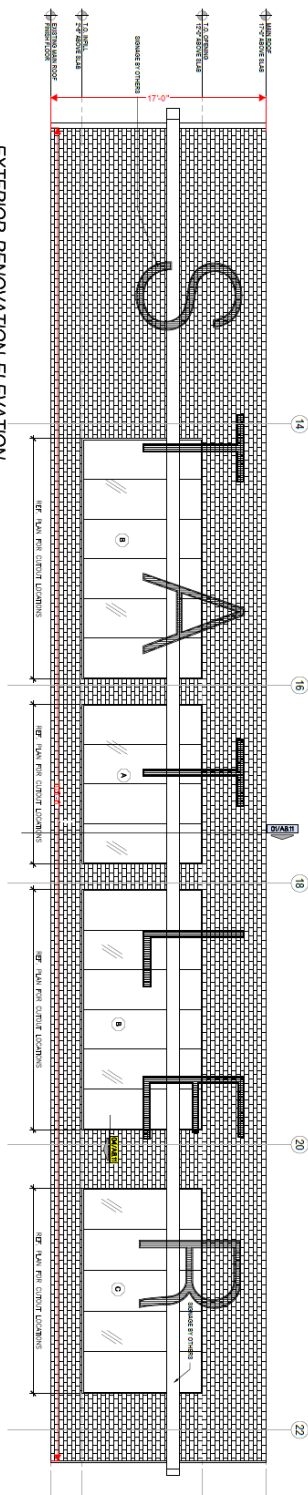
Proposed Sign (north elevation)



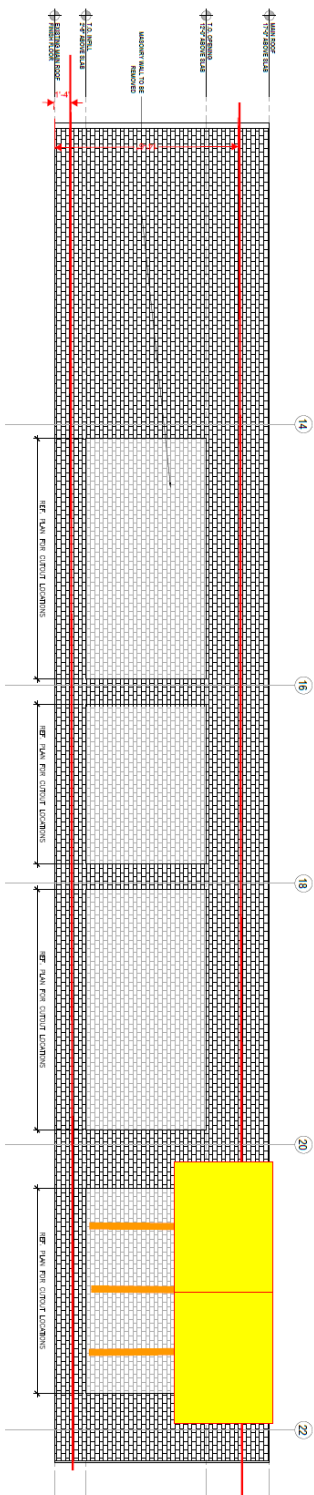


03
EXTERIOR DEMOLITION ELEVATION
SCALE 1/4"=1'-0"

04
EXTERIOR RENOVATION ELEVATION
SCALE: 1/4"=1'-0"



02
EXTERIOR RENOVATION ELEVATION
SCALE 1/4"=1'-0"



01
EXTERIOR DEMOLITION ELEVATION
SCALE 1/4"=1'-0"

ISSUED FOR PERMIT
AND
CONSTRUCTION



ma
m o r f i m a r
a s s o c i a t e s

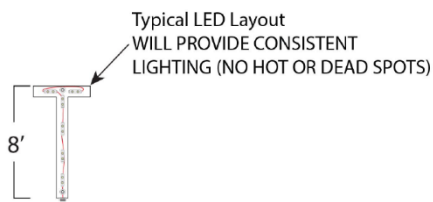
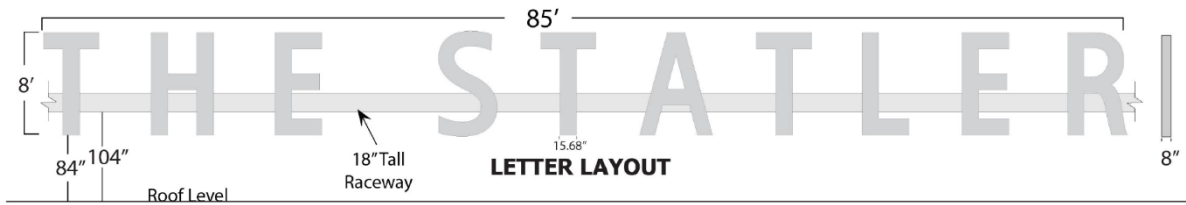
environment • planning
interior design

300 N. FIELD ST.
DALLAS, TEXAS 75202
214.581.1594
214.477.126 (fax)

STATLER HOTEL
CLUB ROOM
1914 COMMERCE STREET
DALLAS, TEXAS 75201

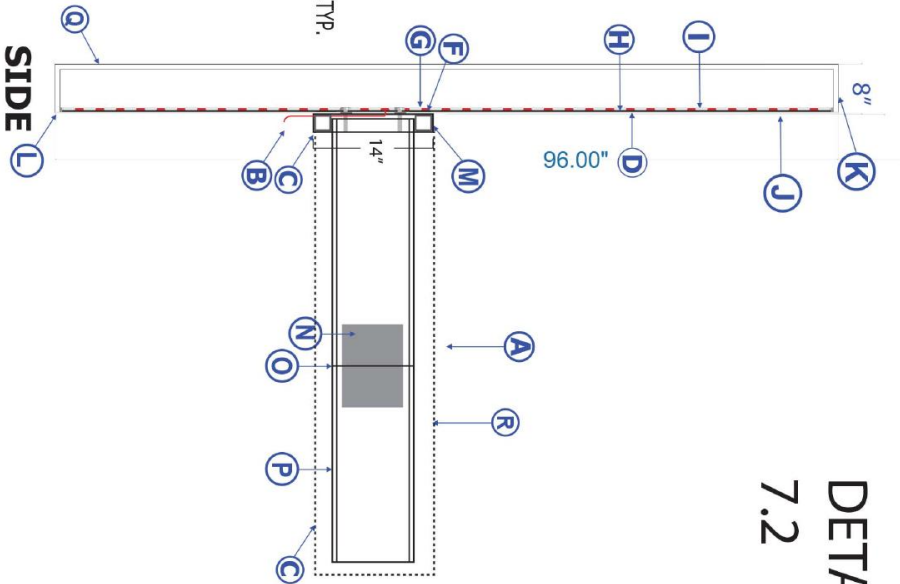
85'
8'
THE STATLER
44"
15.68"

STAINLESS STEEL FACE LED LIT CHANNEL LETTERS




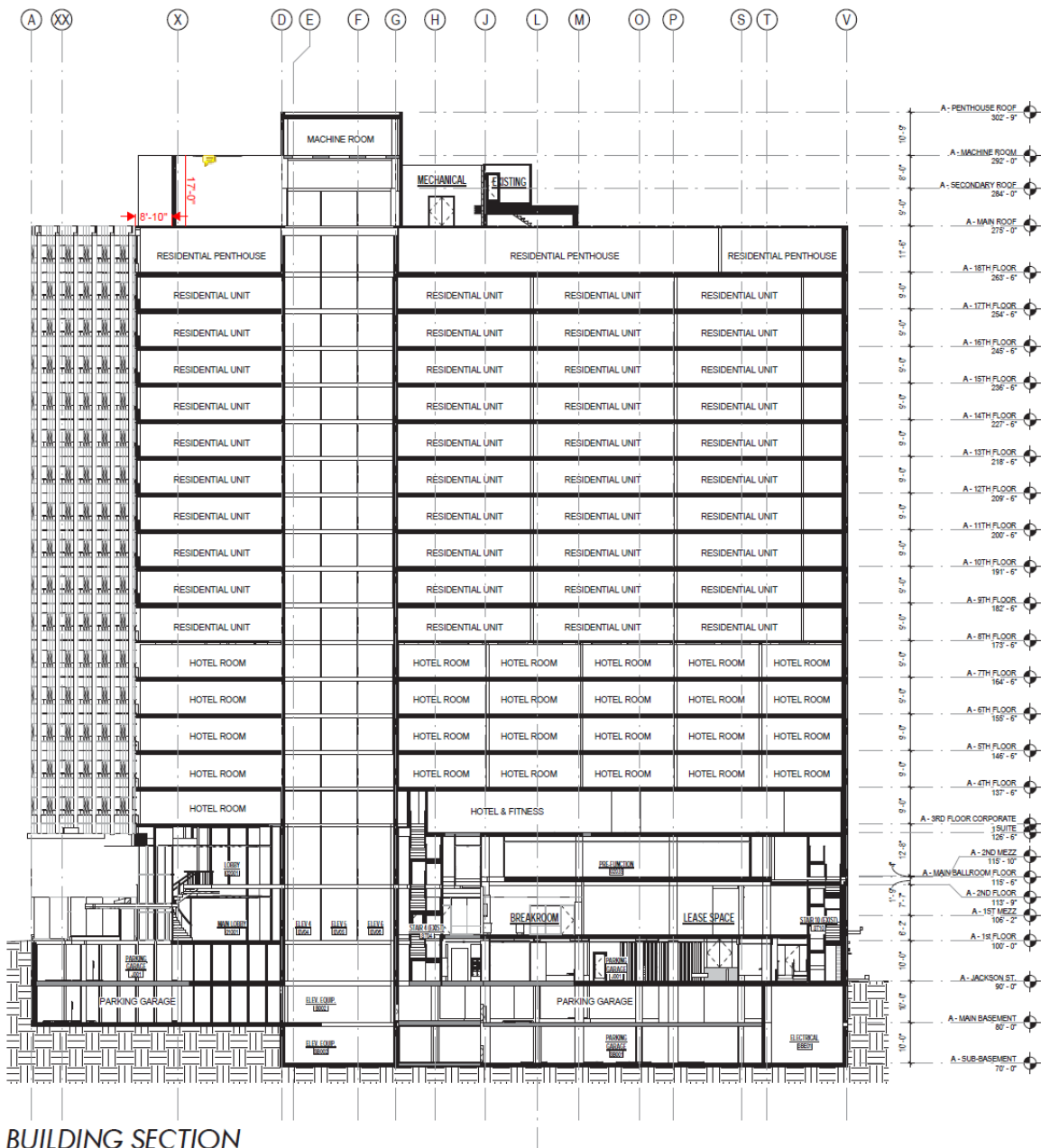
MATERIAL DESCRIPTION KEYNOTES:

- (A) EXTENSION OF W 10X33 BEAM
- (B) STEEL TUBING (PER ENGINEER DRAWING)
- (C) ALUMINUM JACKETING, COLOR TBD
- (D) STAINLESS STEEL LETTER - BRUSHED FINISH
- (F) WIDE AREA WASHER
- (G) GRADE 5 BOLT
- (H) STRUCTURAL DOUBLER AS REQUIRED, SEE ENGINEER DRAWING
- (I) LED ILLUMINATES
- (J) BACK BRUSHED STAINLESS
- (K) RETURNS BRUSHED STAINLESS
- (L) WELDED CONSTRUCTION - ALL WELDS SHALL BE CONTINUOUS & GROUND SMOOTH, TYP.
- (M) SQUARE STEEL TUBE 2" X 2" X .25" - PER ENGINEER DRAWING
- (N) NEW W10 X 33 AND SPLICE PLATE ENGINEER DRAWINGS
- (O) WELD SPLICE - SEE ENGINEER DRAWING
- (P) EXISTING W10 X 33
- (Q) 3/16" WHITE TRANSLUCENT POLYCARBONATE
- (R) ALL EXPOSED SIDES TO BE WRAPPED IN PAINTED ALUM. JACKET



DETAIL-A
7.2

DATE: 11-11-16	PROJECT: THE STATLER HOTEL	<div><p>DALLAS DIGITAL SIGNS & GRAPHICS — World Class Quality and Service — 4650 Cockburn Lane, Suite 104 Dallas, Texas 75227 800-238-6064</p></div>			
DRAWING					
ARCHITECT					
SHEET	S-7.2	REV	BY	DATE	DESCRIPTION



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

WEST END

CASE NUMBER: 1710200009

DATE FILED: September 11, 2017

LOCATION: 800 Ross Avenue (north elevation/Ross side) **SIZE OF REQUEST:** 112 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A); H/2

MAPSCO: 45-K

APPLICANT: Daniel Kyle Wadsworth

CONTRACTOR: Ramsay Signs

TENANT: Arrive West End Luxury Apartments

OWNER: CWS Wend Creekside LLC.

REQUEST: An application for a Certificate of Appropriateness for a 112-square foot painted wall sign (north elevation/Ross side).

SUMMARY: The applicant will construct a painted applied sign which will read "Arrive WEST END LUXURY APARTMENT HOMES."

STAFF RECOMMENDATION: Approval

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

BACKGROUND:

- The subject site is located within the West End Historic Sign District.
- The request is for a *painted applied sign on a Type B facade*, which is a sign painted directly on to the exterior façade of a building. A Type B façade means a facade with a total window area comprising less than 30, or more than 50, percent of the total façade area.
- Repainting the sign required a routine certificate of appropriateness (CA) since the building is located within the West End Historic District. Staff approved the CA on October 12, 2017.
- Construction of the painted applied sign is in accordance with SPSPD regulations and meets the requirements of the Dallas City Code per Section 51A-7.1005(a) and (g):

(a) Attached signs in general.

(4) Except for a painted applied sign or a marquee sign, no attached sign may exceed 30 square feet in effective area unless it is:

(A) Attached to a building having more than six stories [N/A; the sign will be a painted applied sign]; or

(B) At least 36 feet above grade. [N/A; the sign will be a painted applied sign]

(g) Painted applied signs on Type B facades.

(1) No painted applied sign on a Type B façade may contain more than eight words consisting of characters exceeding four inches in height. Words consisting of characters four or less inches in height may be used without limit. [the sign consists of four words, each exceeding four inches in height]

(2) No more than 60 percent of a Type B façade may be covered by painted applied signs. [the sign is less than 60 percent of the facade].

Case Number: 1710200009

List of Officers

CWS Wend Creekside LLC.

Mike Earl, CEO

Case Number: 1710200009

Special Sign District Advisory Committee action:
November 14, 2017

MOTION: It was moved to approve a 112-square foot painted wall sign at 800 Ross Avenue (north elevation/Ross side).

Maker: Hardin
Second: Webster
Result: Carried: 4 to 0

For: – Peadon, Dumas, Webster, Hardin

Against: 0
Absent: 0
Conflict: 0

Speakers – Daniel Kyle Wadsworth, Ramsay Signs

DATE: _____
APPLICATION TYPE
REGULAR <input type="radio"/> EXPRESS <input type="radio"/>

PERMIT APPLICATION

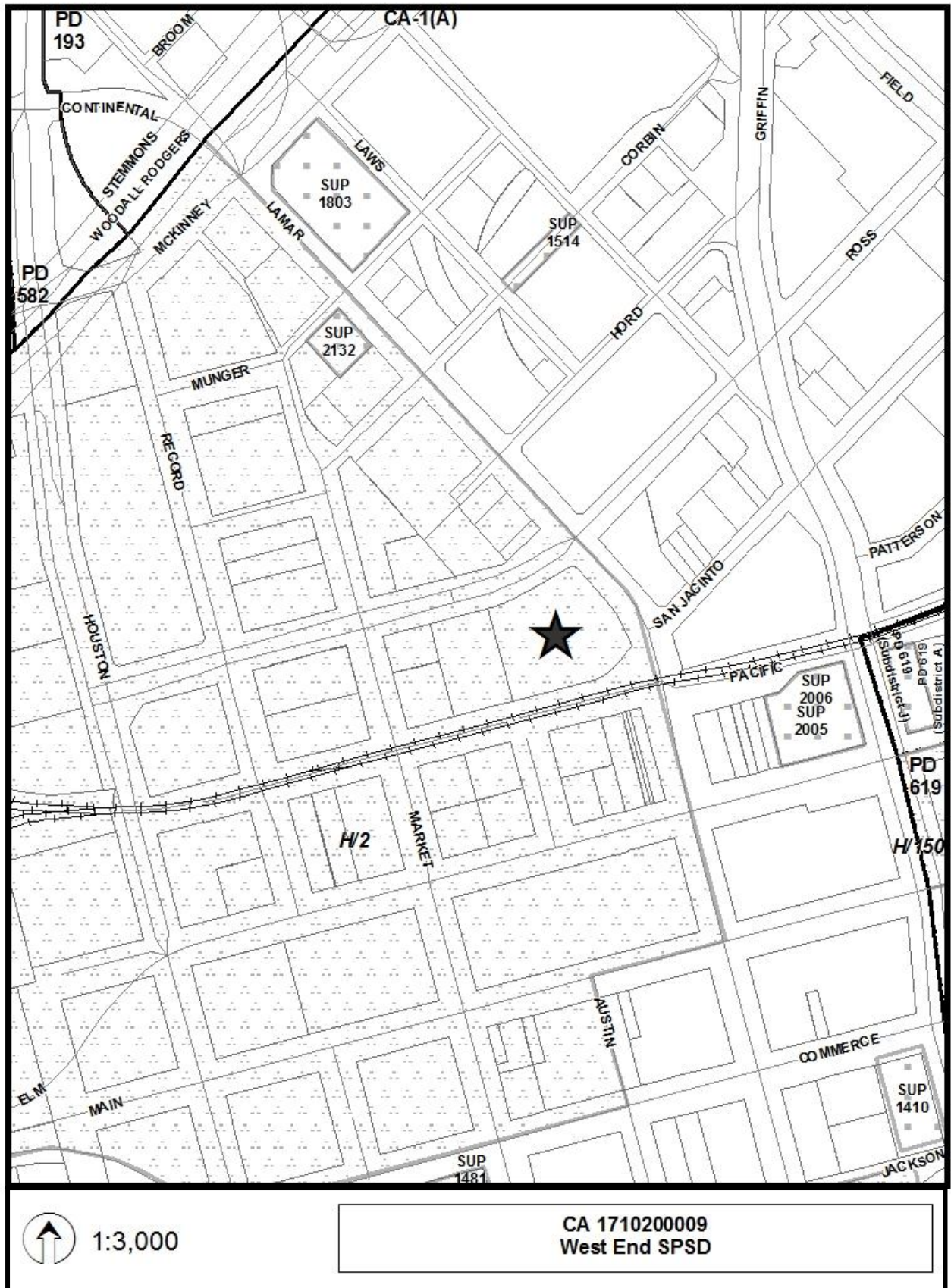
PLEASE TYPE OR PRINT CLEARLY

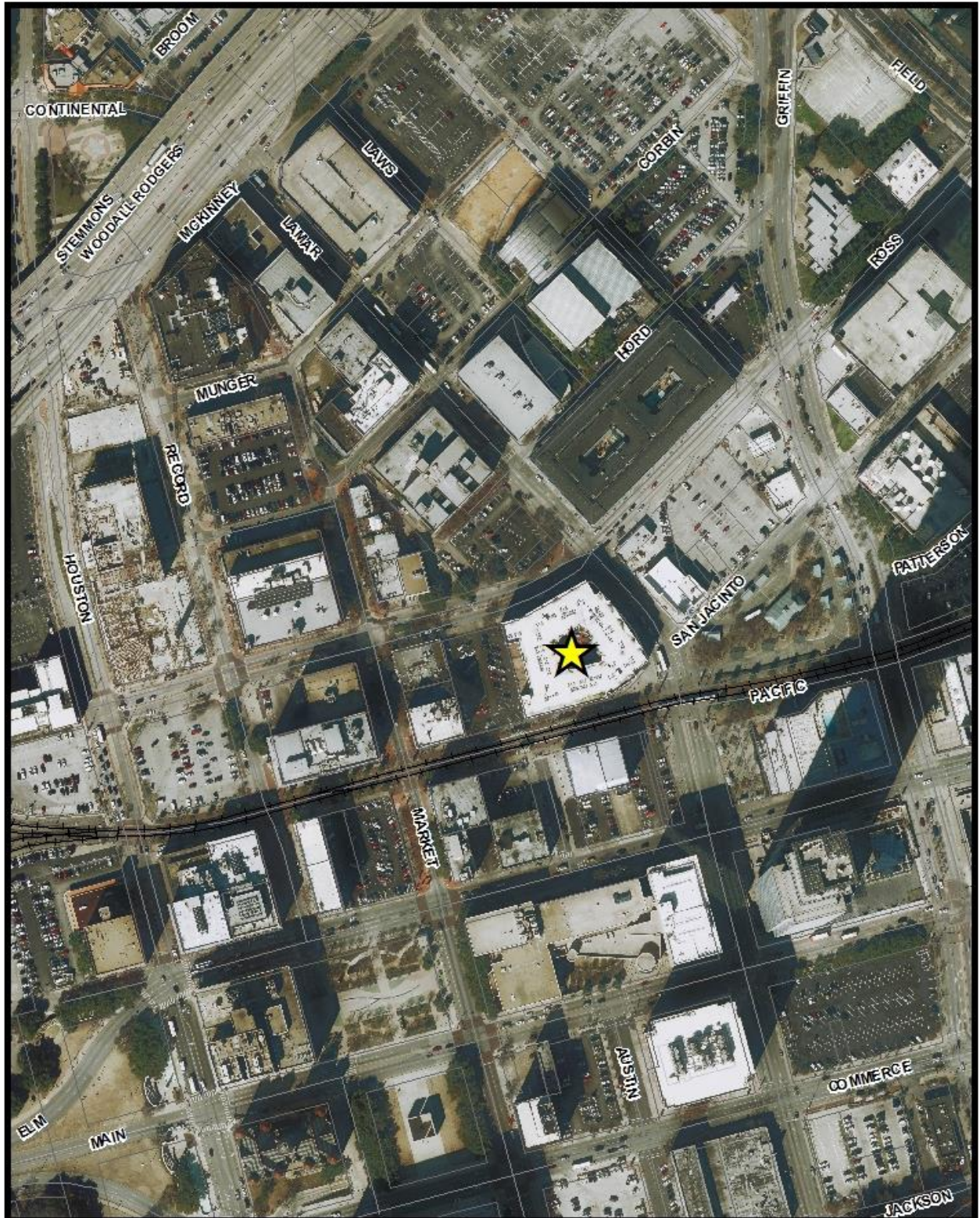


City of Dallas

JOB NO: (OFFICE USE ONLY)
PERMIT NO: (OFFICE USE ONLY)
1710201012

STREET ADDRESS OF PROPOSED PROJECT		SUITE/BLDG/FLOOR NO		USE OF PROPERTY	
800 ROSS AVE Dallas 75202				Apartments	
APPLICANT		ADDRESS		CITY	STATE
Daniel Kyle Wadsworth		7337 Ravenna Ln		Dallas	TX
DBA (IF APPLICABLE)		PHONE NO		ZIP CODE	
Daniel Kyle Wadsworth		214-821-0240		75227	
CONTRACTOR-INDIVIDUAL		CONTRACTOR NUMBER		COMPANY NAME	
Daniel Kyle Wadsworth				Daniel Kyle Wadsworth	
CURRENT HOME REPAIR LICENSE ON FILE?		IF YES, LIST NUMBER		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
<input type="radio"/> YES <input type="radio"/> NO				MEVANS@Redwoodconst.com	
PROPERTY OWNER (INDIVIDUAL CONTACT)		ADDRESS		CITY	STATE
Matt Evans		600 East Las Colinas		Irving	TX
PROPERTY OWNER (COMPANY NAME)		PHONE NO		ZIP CODE	
JPI		903-820-6777		75039	
DESCRIPTION OF PROPOSED PROJECT		VALUATION (\$)		CONST AREA (sq ft)	
- Hand PAINTED Sign. over existing Exterior PAINTED SIGNS. on BRICK NW FACADE - Ross side of Building		NEW CONST		NEW CONST	
		MFD OTHER		MFD OTHER	
		REMODEL		REMODEL	
		TOTAL VALUATION		TOTAL AREA	
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX					
<input type="checkbox"/> BUILDING <input type="checkbox"/> PLUMBING <input type="checkbox"/> FENCE <input type="checkbox"/> DRIVE APPROACH <input type="checkbox"/> BACKFLOW <input type="checkbox"/> BARRICADE <input type="checkbox"/> ENERGY <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> FIRE SPRKLR <input checked="" type="checkbox"/> SIGN <input type="checkbox"/> SWIMMING POOL <input type="checkbox"/> CUSTOMER SVC <input type="checkbox"/> GREEN <input type="checkbox"/> PAVING/GRADING <input type="checkbox"/> MECHANICAL <input type="checkbox"/> FIRE ALARM <input type="checkbox"/> LANDSCAPE <input type="checkbox"/> LAWN SPRINKLER <input type="checkbox"/> FLAMMABLE LIQUID <input type="checkbox"/> OTHER:					
All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? <input type="radio"/> YES <input type="radio"/> NO					
<p>The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application due to time constraints may be avoided by agreeing to allow the City the following additional time to review the application:</p> <p>I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:</p> <p>Zoning, Building Code, Electrical Code, Plumbing/Mechanical Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.</p> <p>If the permit is granted (Approved) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.</p> <p><input checked="" type="radio"/> I AGREE. <input type="radio"/> I DO NOT AGREE.</p> <p>I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES</p> <p>I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.</p>					
APPLICANT'S SIGNATURE		DATE OF APPLICATION SUBMISSION			
Daniel Kyle Wadsworth		Sept 11 2017			





1:3,000

CA 1710200009
West End SPSP



Photo inlay concept - (new painted wall graphics) Aprx scale



Existing

**Proposed Sign (north elevation)
(Applicant calls this the NW elevation)**



Existing

Paint over the existing painted wall signs (non-illuminated).

Paint over two wall signs with new graphics - Black, Red, and White
Reference color number for Red: 230-143 Poppy Red vinyl - (TO MATCH)
Signs shall be the same size as existing.
VERIFY final dimensions



Sign layout

SE Elevation

Scale: 1/8" = 1' - 0"



Sign layout

NW Elevation

Scale: 1/8" = 1' - 0"

October 12, 2017

DANIEL KYLE WADSWORTH
7337 RAVEHILL LN,
DALLAS, TX 75227

**RE: CA178-046(LC)
REVIEW OF YOUR CERTIFICATE OF APPROPRIATENESS APPLICATION
800 ROSS AVE**

Dear DANIEL KYLE WADSWORTH:

Enclosed is a copy of the Certificate of Appropriateness (CA) application that you submitted for review on October 12, 2017.

Be aware that you may need to bring your CA and approved drawings and/or blueprints to Building Inspection for a building permit. Before starting any approved work, be sure to post your CA in a front window or other prominent location on the structure so it may be seen by City officials to ensure work is performed as approved by the Landmark Commission. Please see enclosed Certificate of Appropriateness for Details.

If you have any questions, please contact me by phone at (214) 671-5052 or email at liz.casso@dallascityhall.com.



Liz Casso
Sr. Planner

c: JEFFERSON ON ROSS AVE

Enclosure

Certificate of Appropriateness

October 12, 2017

Routine

FILE NUMBER: CA178-046(LC)

LOCATION: 800 ROSS AVE

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

PLANNER: Liz Casso

DATE FILED: October 12, 2017

DISTRICT: West End Historic District

MAPSCO: 45-K

CENSUS TRACT: 0021.00

APPLICANT: DANIEL KYLE WADSWORTH

REPRESENTATIVE:

OWNER: JEFFERSON ON ROSS AVE

The staff decision is: Approved with Conditions

Information regarding requests:

1) Repaint existing painted applied signs on west and north facades.

Approve with Conditions

Conditions: Existing painted sign locations colors will not change. Size is approx. the same.

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

WEST END

CASE NUMBER: 1710200010

DATE FILED: September 11, 2017

LOCATION: 800 Ross Avenue (east elevation/Lamar side) **SIZE OF REQUEST:** 504 sq. ft.

COUNCIL DISTRICT: 14

ZONING: CA-1(A); H/2

MAPSCO: 45 K

APPLICANT: Daniel Kyle Wadsworth

CONTRACTOR: Ramsay Signs

TENANT: Arrive West End Luxury Apartments

OWNER: CWS Wend Creekside LLC.

REQUEST: An application for a Certificate of Appropriateness for a 504-square foot painted sign (east elevation/Lamar side).

SUMMARY: The applicant will construct a painted applied sign which will read "Arrive WEST END LUXURY APARTMENT HOMES."

STAFF RECOMMENDATION: Approval

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION: Approval

BACKGROUND:

- The subject site is located within the West End Historic Sign District.
- The request is for a *painted applied sign on a Type B facade*, which is a sign painted directly on to the exterior façade of a building. A Type B façade means a facade with a total window area comprising less than 30, or more than 50 percent, of the total façade area.
- Repainting the sign required a routine certificate of appropriateness (CA) since the building is located within the West End Historic District. Staff approved the CA on October 12, 2017.
- Construction of the painted applied sign is in accordance with SPSPD regulations and meets the requirements of the Dallas City Code per Section 51A-7.1005(a) and (g):

(a) Attached signs in general.

(4) Except for a painted applied sign or a marquee sign, no attached sign may exceed 30 square feet in effective area unless it is:

(A) Attached to a building having more than six stories [N/A; the sign will be a painted applied sign]; or

(B) At least 36 feet above grade. [N/A; the sign will be a painted applied sign]

(g) Painted applied signs on Type B facades.

(1) No painted applied sign on a Type B façade may contain more than eight words consisting of characters exceeding four inches in height. Words consisting of characters four or less inches in height may be used without limit. [the sign consists of four words, each exceeding four inches in height.]

(2) No more than 60 percent of a Type B façade may be covered by painted applied signs. [the sign is less than 60 percent of the facade].

Case Number: 1710200010

List of Officers

CWS Wend Creekside LLC.

Mike Earl, CEO

Case Number: 1710200010

Special Sign District Advisory Committee action:
November 14, 2017

MOTION: It was moved to approve a 504-square foot painted wall sign at 800 Ross Avenue (east elevation/Lamar side).

Maker: Hardin
Second: Webster
Result: Carried: 4 to 0

For: – Peadon, Dumas, Webster, Hardin

Against: 0
Absent: 0
Conflict: 0

Speakers – Daniel Kyle Wadsworth, Ramsay Signs

DATE: _____
APPLICATION TYPE
REGULAR <input type="radio"/> EXPRESS <input type="radio"/>

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY



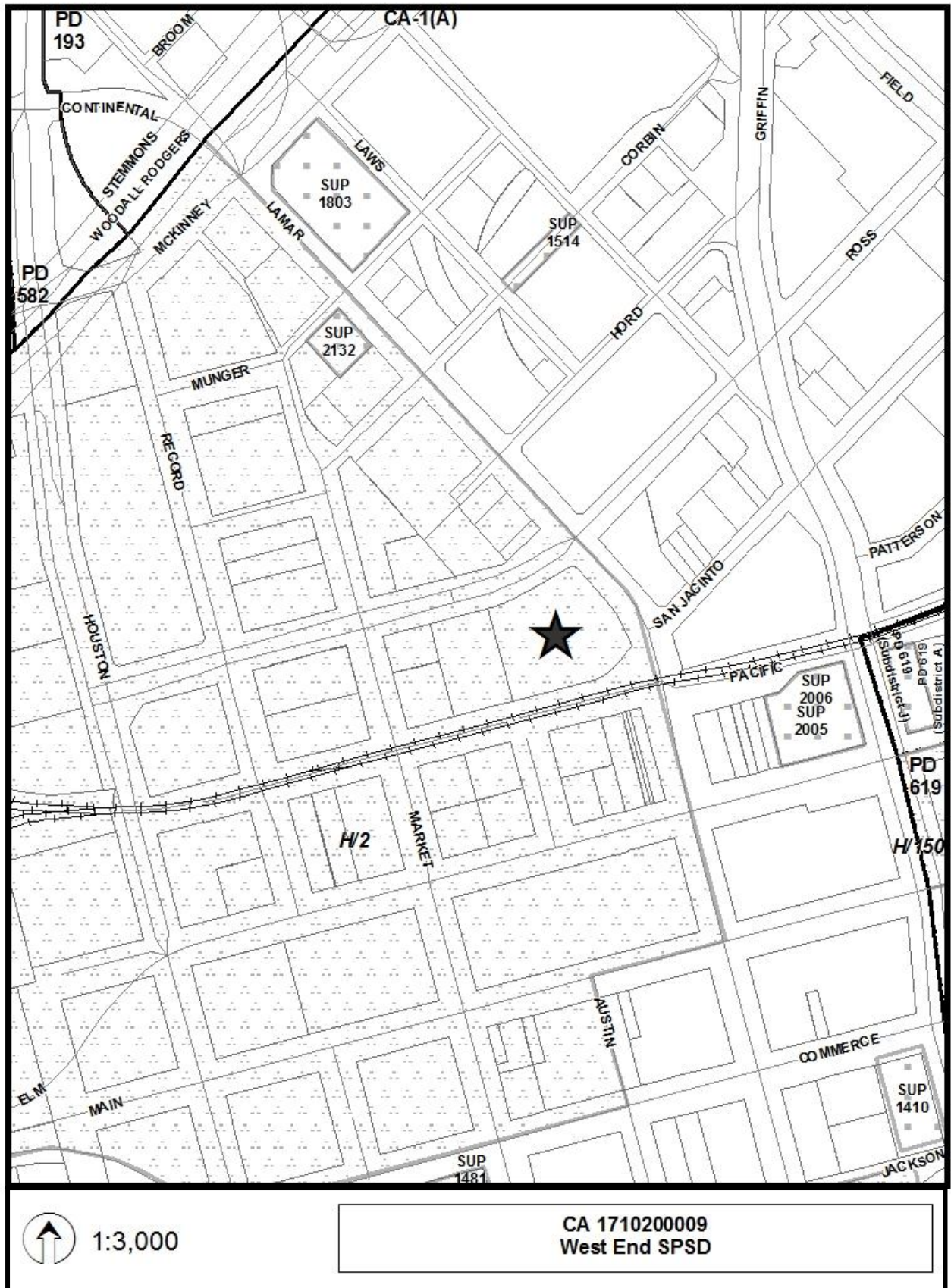
City of Dallas

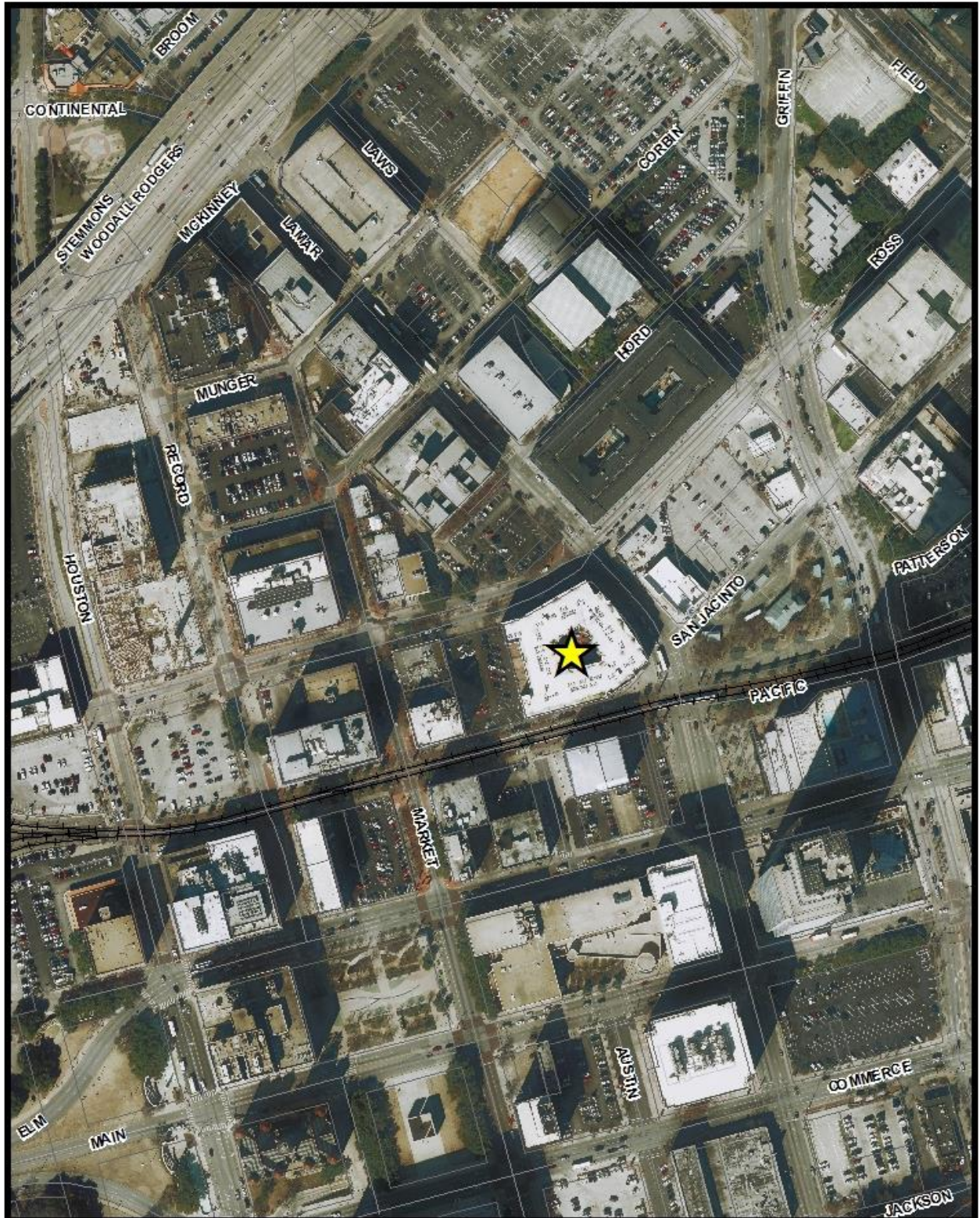
JOB NO: (OFFICE USE ONLY)
PERMIT NO: (OFFICE USE ONLY) 1710201015

STREET ADDRESS OF PROPOSED PROJECT 800 Ross Ave Dallas 75202		SUITE/BLDG/FLOOR NO	USE OF PROPERTY Apartment	
APPLICANT Daniel Kyle Wadsworth	ADDRESS 7337 Ravehill Ln.	CITY Dallas	STATE Tx	ZIP CODE 75227
DBA (IF APPLICABLE) Daniel Kyle Wadsworth		PHONE NO 214-821-0240		
CONTRACTOR-INDIVIDUAL Daniel Kyle Wadsworth		CONTRACTOR NUMBER	COMPANY NAME Daniel Kyle Wadsworth	
CURRENT HOME REPAIR LICENSE ON FILE? <input type="radio"/> YES <input type="radio"/> NO	IF YES, LIST NUMBER	PHONE NO 214-821-0240	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
PROPERTY OWNER (INDIVIDUAL CONTACT) MATT EVANS	ADDRESS 600 East Las Colinas	CITY Irving	STATE Tx	ZIP CODE 75039
PROPERTY OWNER (COMPANY NAME) JPI		PHONE NO 903-820	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION) Meuans@Redwoodconst	
DESCRIPTION OF PROPOSED PROJECT HAND PAINTED Sign over Existing Exterior Sign PAINTED on BRICK LAMAR side of Building		VALUATION (\$)	NEW CONST	NEW CONST
		MFD OTHER	MFD OTHER	
		REMODEL	REMODEL	
		TOTAL VALUATION	CONST AREA (sq ft)	TOTAL AREA
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX				
<input type="checkbox"/> BUILDING <input type="checkbox"/> PLUMBING <input type="checkbox"/> FENCE <input type="checkbox"/> DRIVE APPROACH <input type="checkbox"/> BACKFLOW <input type="checkbox"/> BARRICADE <input type="checkbox"/> ENERGY <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> FIRE SPRKLR <input checked="" type="checkbox"/> SIGN <input type="checkbox"/> SWIMMING POOL <input type="checkbox"/> CUSTOMER SVC <input type="checkbox"/> GREEN <input type="checkbox"/> PAVING/GRADING <input type="checkbox"/> MECHANICAL <input type="checkbox"/> FIRE ALARM <input type="checkbox"/> LANDSCAPE <input type="checkbox"/> LAWN SPRINKLER <input type="checkbox"/> FLAMMABLE LIQUID <input type="checkbox"/> OTHER:				
All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? <input type="radio"/> YES <input type="radio"/> NO				
<p>The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application due to time constraints may be avoided by agreeing to allow the City the following additional time to review the application:</p> <p>I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:</p> <p>Zoning, Building Code, Electrical Code, Plumbing/Mechanical Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.</p> <p>If the permit is granted (Approved) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.</p> <p><input checked="" type="radio"/> I AGREE. <input type="radio"/> I DO NOT AGREE.</p> <p>I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES</p> <p>I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.</p>				
APPLICANT'S SIGNATURE Daniel Kyle Wadsworth		DATE OF APPLICATION SUBMISSION Sept 11, 2017		

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION
OAK CLIFF MUNICIPAL CENTER, 320 E. JEFFERSON BLVD., ROOM 116, DALLAS, TX 75203 • TEL. NO. (214) 948-4480

REV 03-01-2017





1:3,000

CA 1710200009
West End SPSP



Photo inlay concept - (new painted wall graphics) Aprx scale



Existing

**Proposed Sign (east elevation)
(the applicant calls this the SE elevation)**



Existing

Paint over the existing painted wall signs (non-illuminated).

Paint over two wall signs with new graphics - Black, Red, and White
Reference color number for Red: 230-143 Poppy Red vinyl - (TO MATCH)
Signs shall be the same size as existing.
VERIFY final dimensions



Sign layout SE Elevation

Scale: 1/8" = 1' - 0"



Sign layout NW Elevation

Scale: 1/8" = 1' - 0"

October 12, 2017

DANIEL KYLE WADSWORTH
7337 RAVEHILL LN,
DALLAS, TX 75227

**RE: CA178-046(LC)
REVIEW OF YOUR CERTIFICATE OF APPROPRIATENESS APPLICATION
800 ROSS AVE**

Dear DANIEL KYLE WADSWORTH:

Enclosed is a copy of the Certificate of Appropriateness (CA) application that you submitted for review on October 12, 2017.

Be aware that you may need to bring your CA and approved drawings and/or blueprints to Building Inspection for a building permit. Before starting any approved work, be sure to post your CA in a front window or other prominent location on the structure so it may be seen by City officials to ensure work is performed as approved by the Landmark Commission. Please see enclosed Certificate of Appropriateness for Details.

If you have any questions, please contact me by phone at (214) 671-5052 or email at liz.casso@dallascityhall.com.



Liz Casso
Sr. Planner

c: JEFFERSON ON ROSS AVE

Enclosure

Certificate of Appropriateness

October 12, 2017

Routine

FILE NUMBER: CA178-046(LC)

LOCATION: 800 ROSS AVE

COUNCIL DISTRICT: 14

ZONING: CA-1(A)

PLANNER: Liz Casso

DATE FILED: October 12, 2017

DISTRICT: West End Historic District

MAPSCO: 45-K

CENSUS TRACT: 0021.00

APPLICANT: DANIEL KYLE WADSWORTH

REPRESENTATIVE:

OWNER: JEFFERSON ON ROSS AVE

The staff decision is: Approved with Conditions

Information regarding requests:

1) Repaint existing painted applied signs on west and north facades.

Approve with Conditions

Conditions: Existing painted sign locations colors will not change. Size is approx. the same.

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

ARTS DISTRICT

CASE NUMBER: 1710230002

DATE FILED: October 18, 2017

LOCATION: 2330 Flora Street (northwest elevation) **SIZE OF REQUEST:** 30 square feet

COUNCIL DISTRICT: 14

ZONING: PD No. 145

MAPSCO: 45-G,L

APPLICANT: Melanie Hancock

CONTRACTOR: Hancock Sign Company

TENANT: Musume F&B1 LLC, Joshua Babb (sole officer)

OWNER: Hall Group, Craig Hall (sole officer)

REQUEST: An application for a Certificate of Appropriateness for a 30-square foot attached sign on the northwest elevation

SUMMARY: The applicant will construct an attached sign that says "MUSUME"

STAFF RECOMMENDATION: Approval.

ARTS DISTRICT SIGN ADVISORY COMMITTEE RECOMMENDATION: Approval.

BACKGROUND:

- The subject site is located in the Arts District SPSPD.
- The request is for a flat attached sign, which means an attached sign projecting four inches or less from a building
- The proposed sign is 30 square feet. It will be located at the northwest side of the property. Signage will be constructed of aluminum and wood with illuminated channel letters and logo.
- Construction of the sign is in accordance with SPSPD regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.1207 Attached Private Signs.

SEC. 51A-7.1207 Attached Private Signs

(a) In general

- (2) These signs are only allowed on building facades that are in the Flora Street Frontage Area. (the building facades faces Flora Street)
- (3) No sign may project above the building cornice area. (meets criteria)
- (4) At grade structural supports are prohibited. (meets criteria)

(c) Flat attached signs

- (1) This subsection applies only to flat attached signs as defined in Section 51A-7.1203.
- (2) These signs are not permitted above the third story of a building. (building appears to be only two stories)
- (3) No sign may have a length that exceeds 70 percent of the length of the frontage of the establishment with which it is associated. Signs associated with the same establishment must be spaced at least 30 feet apart. No sign may exceed 60 square feet in effective area. (sign is six percent of the length of the frontage)
- (4) The maximum character heights allowed on these signs are:
 - (A) 18 inches for signs located below the third story; and (letters are 13.75 inches tall)
 - (B) 24 inches for third story signs.(N/A)
- (5) No sign cabinets are permitted. Adequate clear space for staging characters must be provided. In no event may the character height exceed 60 percent of the vertical dimension of the sign. The sides of three-dimensional characters, if any, must be the same color as their faces. (meets criteria)

- (6) No sign may contain more than five words. (sign contains one word and one logo)
- (7) Sources of sign illumination that are an integral part of the design of the sign, such as neon or small individual incandescent lamps are permitted. These signs maybe protected by transparent covers. (Illumination is internal)
- (8) Internally-lit plastic translucent signs are prohibited. (meets criteria)
- (9) No sign may have flashing or sequenced lighting. (meets criteria)

Case Number: 1710230002

Arts District Sign Advisory Committee Action:
November 14, 2017

MOTION: It was moved to **approve** a 30-square foot attached sign at 2330 Flora Street (northwest elevation).

Maker: Potter
Second: Dumas
Result: Carried: 4 to 0

For: – Dumas, Webster, Peadon, Potter

Against: 0
Absent: 1 – Wootton-Forsyth
Conflict: 1 - Hardin

Speakers – Melanie Hancock, Hancock Sign Company

DATE: <u>10-18-17</u>
APPLICATION TYPE
REGULAR <input checked="" type="checkbox"/> EXPRESS <input type="checkbox"/>

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY



City of Dallas

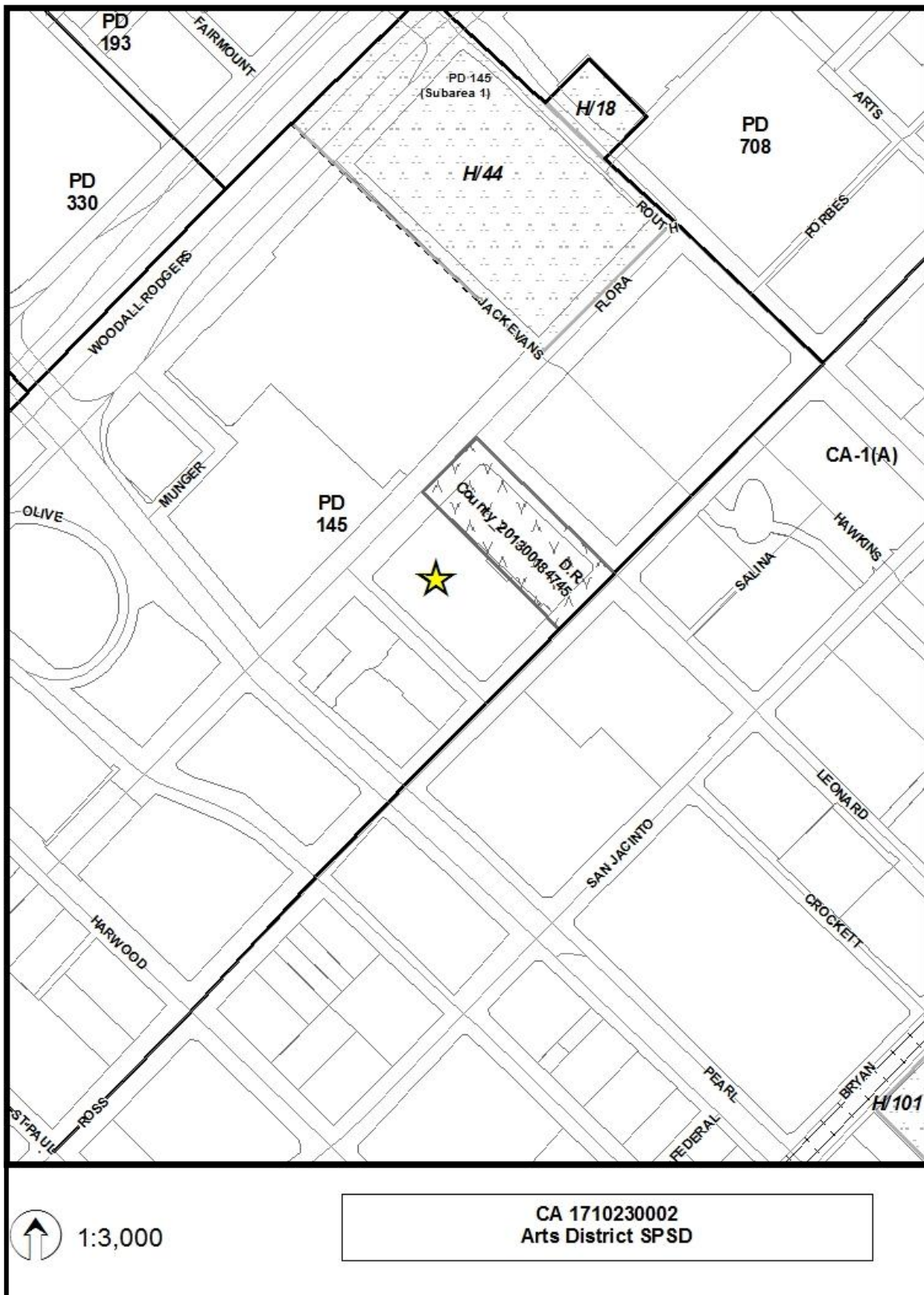
JOB NO: (OFFICE USE ONLY)
PERMIT NO: (OFFICE USE ONLY)
<u>1710231012</u>

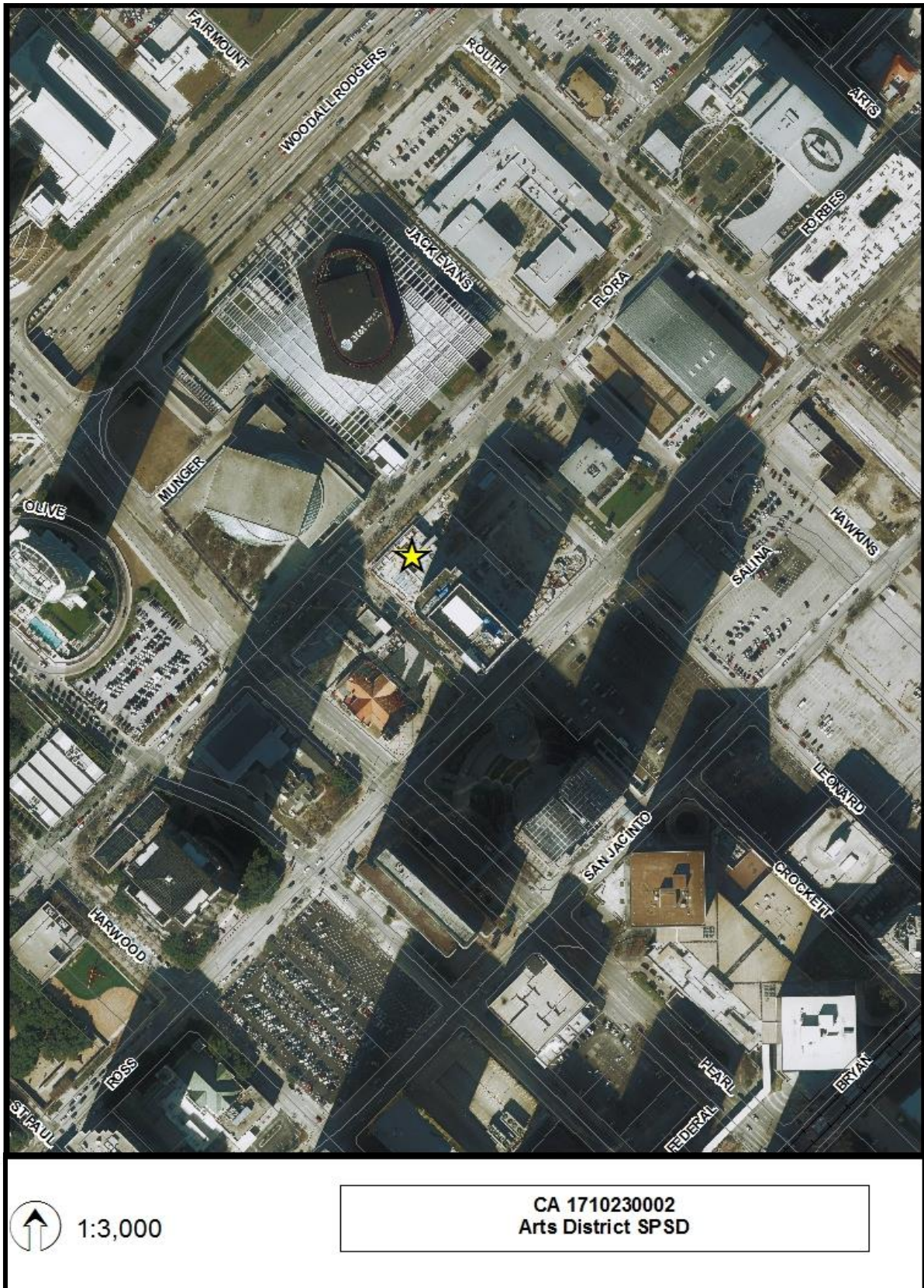
STREET ADDRESS OF PROPOSED PROJECT <u>2330 Flora St</u>		SUITE/BLDG/FLOOR NO <u>100</u>		USE OF PROPERTY											
APPLICANT <u>Melanie Hancock PO Box 5906</u>		ADDRESS		CITY <u>Arlington</u>	STATE <u>TX</u>										
DBA (IF APPLICABLE)		PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)											
CONTRACTOR-INDIVIDUAL <u>Melanie Hancock</u>		CONTRACTOR NUMBER <u>39055</u>		PIN <u>8700</u>											
CURRENT HOME REPAIR LICENSE ON FILE? <input type="radio"/> YES <input type="radio"/> NO		IF YES, LIST NUMBER		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)											
PROPERTY OWNER (INDIVIDUAL CONTACT)		ADDRESS		CITY	STATE										
PROPERTY OWNER (COMPANY NAME)		PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)											
DESCRIPTION OF PROPOSED PROJECT															
<table border="1"> <tr> <td rowspan="4">VALUATION (\$)</td> <td>NEW CONST</td> <td rowspan="4">CONST AREA (sq ft)</td> <td>NEW CONST</td> </tr> <tr> <td>MFD OTHER</td> <td>MFD OTHER</td> </tr> <tr> <td>REMODEL</td> <td>REMODEL</td> </tr> <tr> <td>TOTAL VALUATION <u>7,000</u></td> <td>TOTAL AREA <u>30</u></td> </tr> </table>						VALUATION (\$)	NEW CONST	CONST AREA (sq ft)	NEW CONST	MFD OTHER	MFD OTHER	REMODEL	REMODEL	TOTAL VALUATION <u>7,000</u>	TOTAL AREA <u>30</u>
VALUATION (\$)	NEW CONST	CONST AREA (sq ft)	NEW CONST												
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	REMODEL		REMODEL												
	TOTAL VALUATION <u>7,000</u>		TOTAL AREA <u>30</u>												
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX															
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All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? <input type="radio"/> YES <input type="radio"/> NO															
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APPLICANT'S SIGNATURE <u>Melanie Hancock</u>				DATE OF APPLICATION SUBMISSION <u>10-18-17</u>											

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION
OAK CLIFF MUNICIPAL CENTER, 320 E. JEFFERSON BLVD., ROOM 118, DALLAS, TX 75203 • TEL. NO. (214) 948-4480

REV 03-01-2017

FOR OFFICE USE ONLY							
STREET ADDRESS OF PROPOSED PROJECT 2330 Flora St.				SUITE BLDG/FLOOR NO		PROJECT/PERMIT NUMBER 1710231012	
ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
D/R	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS			FEE CALCULATIONS (\$)	
PRE-SCREEN						PERMIT FEE	
ZONING						SURCHARGE	
BUILDING						PLAN REVIEW FEE	
ELECTRICAL						PREQUALIFICATION REVIEW FEE	
PLUMBING/MECHANICAL						EXPRESS PLAN REVIEW	
GREEN BUILDING						HOURLY FEE TOTAL	
HEALTH						HEALTH PERMIT APPLICATION FEE	
HISTORICAL/CONS DIST						HEALTH PLAN REVIEW FEES	
ENGINEERING						OTHER FEES	
WATER						OTHER FEES	
FIRE						TOTAL FEES	
LANDSCAPING						\$	
AVIATION							
OTHER							
PLAN REVIEW NOTES							
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">SPSD</div> <div style="text-align: center;">Arts District (subarea A)</div> </div> <div style="text-align: center; margin-top: 10px;"># 1710230002</div>							







745 109th Street
Arlington, TX 76011
Metro 817-640-6441

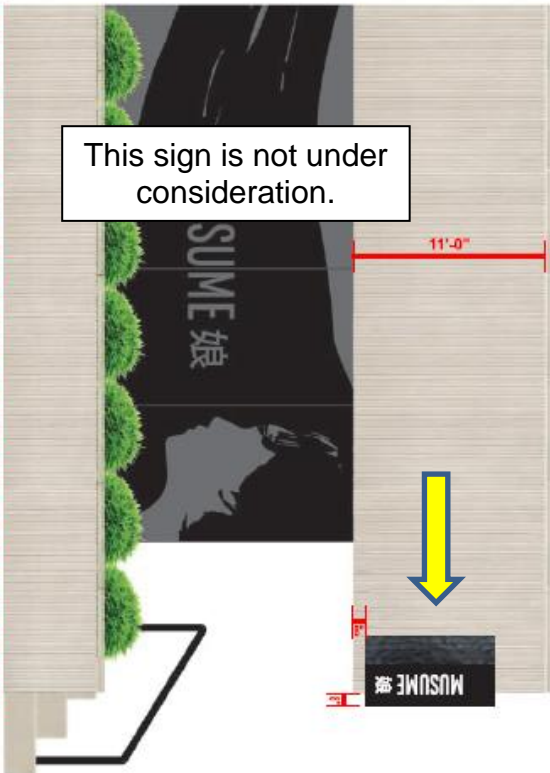
This is an original unpublished drawing submitted for review and approval. It is not to be copied, reproduced, exhibited or shown to anyone outside your organization without the written permission of Hancock Sign Company.

Musume
2330 Flora t,
Dallas, TX 75201

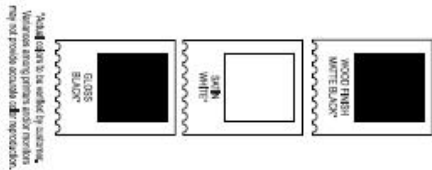
9/19/2017
Design #3132aV1

Contractor License #16032 • Regulated by the Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, TX 78711 (512) 463-4599 Toll-Free (800) 803-4292

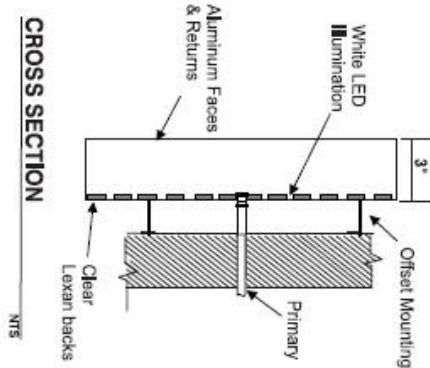
Proposed signage placement, Flora St, Elevation, (Rendition only - Artwork may not be to scale).



This sign is not under consideration.



CROSS SECTION

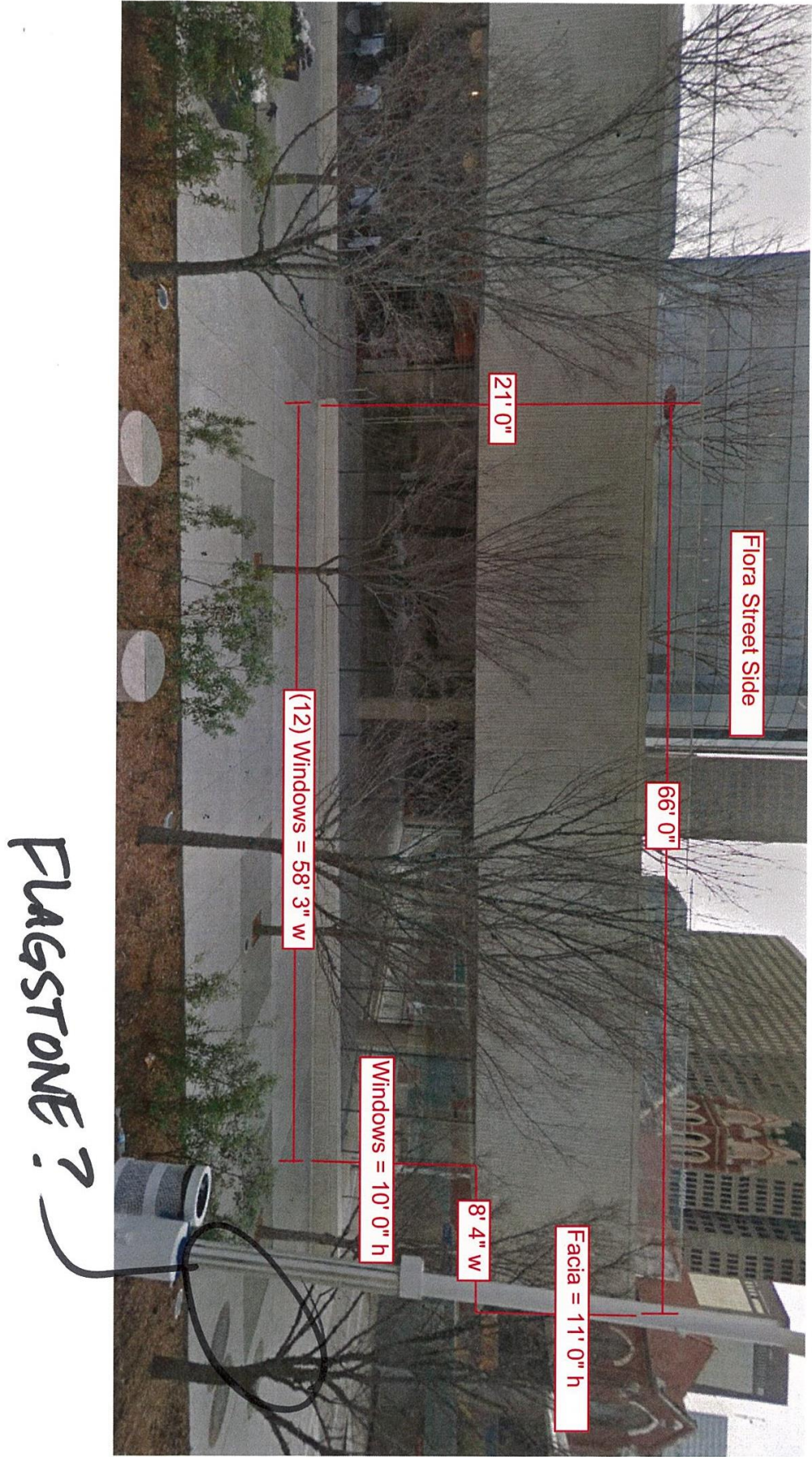


Wall Sign

- Supply and install set of LED illuminated reverse channel letters for building fascia.
- MUSUME = 13,75" letters with Satin White returns and faces. Clear Lexan backs for halo illumination.
- Logo = 11,5" h x 11,5" w with Satin White returns and faces. Clear Lexan backs for halo illumination.
- Letters to be offset mounted to 7'-6" h x 4'-0" w x 8" d aluminum cabinet. Gloss Black finish on cabinet. 7'-6" h x 16" w decorative wood panels mounted to inner edge of cabinet. Wood to have sand-blasted Shou Sugi Ban gator pattern and Matte Black finish.



Customer Approval _____ Date _____
Landlord Approval (if applicable) _____ Date _____



LOCATION: Canada Drive from Westmoreland Road to Hampton Road

COUNCIL DISTRICT: 6

MAPSCO: 43F, G, H

PLANNER: Kimberly Smith

SUBJECT

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Canada Drive from: (1) Westmoreland Road to Holystone Street from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on both sides of the roadway within 100 feet of right-of-way and 78 feet of pavement; and from (2) Holystone Street to Hampton Road from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on the north side of the roadway within 100 feet of right-of-way and 75 feet of pavement.

BACKGROUND

The Department of Transportation is requesting an amendment to Canada Drive to facilitate the design of a multimodal roadway project funded by capital funds. Staff has worked with the Department of Public Works and the Department of Planning and Urban Design to establish a street design that is consistent with the West Dallas Vision that was approved by City Plan Commission and City Council in 2011 and meets the needs of adjacent schools. The design improves vehicular operations and incorporates amenities that accommodate pedestrians, cyclists, and public transit users.

The proposed design will add bicycle facilities and on-street parking. Currently, Canada Drive between Westmoreland Road and Holystone Street operates as a four-lane roadway with parking. This operation will be maintained and bicycle facilities will be added. Canada Drive between Holystone Street and Hampton Road operates as a two-lane roadway. This segment will be enhanced with four-lanes, bicycle facilities, and parking on the north side of the roadway. The proposed design will incorporate Complete Street elements such as Integrated Stormwater Management elements, lighting, street trees, and sidewalks.

STAFF RECOMMENDATION

Staff recommends approval to the City of Dallas Thoroughfare Plan to change the dimensional classification of Canada Drive from: (1) Westmoreland Road to Holystone Street from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on both sides of the roadway within 100 feet of right-of-way and 78 feet of pavement; and from (2) Holystone Street to Hampton Road from a standard four-lane divided (S-4-D) roadway

within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on the north side of the roadway within 100 feet of right-of-way and 75 feet of pavement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 16, 2017, the City Plan Commission Thoroughfare Committee acted on this item and followed staff recommendation.

CONTACT PERSONS:

Kimberly Smith, Senior Planner

214-671-8172

MAP

Attached

FACT SHEET

PROPOSED COUNCIL AGENDA: January 24, 2018

PROJECT: An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Canada Drive from: (1) Westmoreland Road to Holystone Street from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on both sides of the roadway within 100 feet of right-of-way and 78 feet of pavement; and from (2) Holystone Street to Hampton Road from a standard four-lane divided (S-4-D) roadway within 80 feet of right-of-way to a special four-lane divided (SPCL 4D) roadway with bicycle facilities and parking on the north side of the roadway within 100 feet of right-of-way and 75 feet of pavement.

BACKGROUND:

- Project was funded in the 2012 Bond (PB #12S309). There is \$4,150,000 for street reconstruction between Holystone Street and Hampton Road.
- Canada Drive is on the Bike Plan.
- Current traffic volumes along the corridor range between 2,700 and 4,600 vehicles per day.
- Traffic Counts

Street	Limits	Source, Date	Counts
Canada	Westmoreland to Hampton	COD, 12/2001	4,644
Canada	Westmoreland to Holystone	TxDOT, 10/2009	3,028
Canada	Holystone to Hampton	TxDOT, 10/2009	2,748
Canada	@Holystone	Stantec, 5/2016*	1,017 am peak 584 pm peak
Canada	@Holystone	Stantec, projected 2040*	2,067 am peak 1,186 pm peak

*Stantec conducted analysis for the purpose of intersection study

- Canada Drive between Westmoreland Road and Holystone Street will have parking on both sides of the street.
- Canada Drive between Holystone Street and Hampton Road will have parking on the north side of the street.
- Integrated Stormwater Management elements to be added are permeable pavers used for the on-street parking and a bioswale (landscape elements designed to remove pollution out of surface runoff water) from Holystone Street to Hampton Road in the median.

Canada Drive

Westmoreland Road to Hampton Road

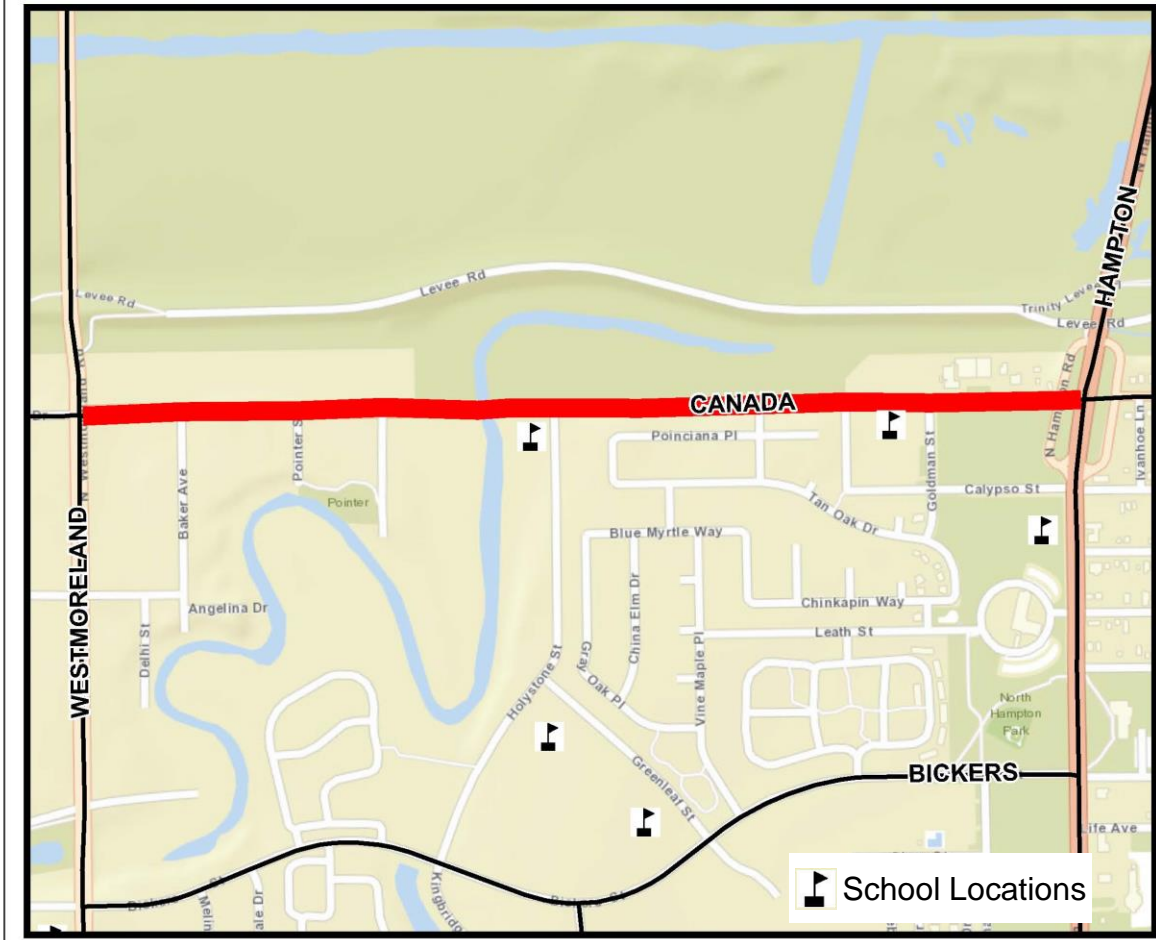
Council District: 6
MAPSCO: 43F,G,H



Thoroughfare Plan Amendment Map

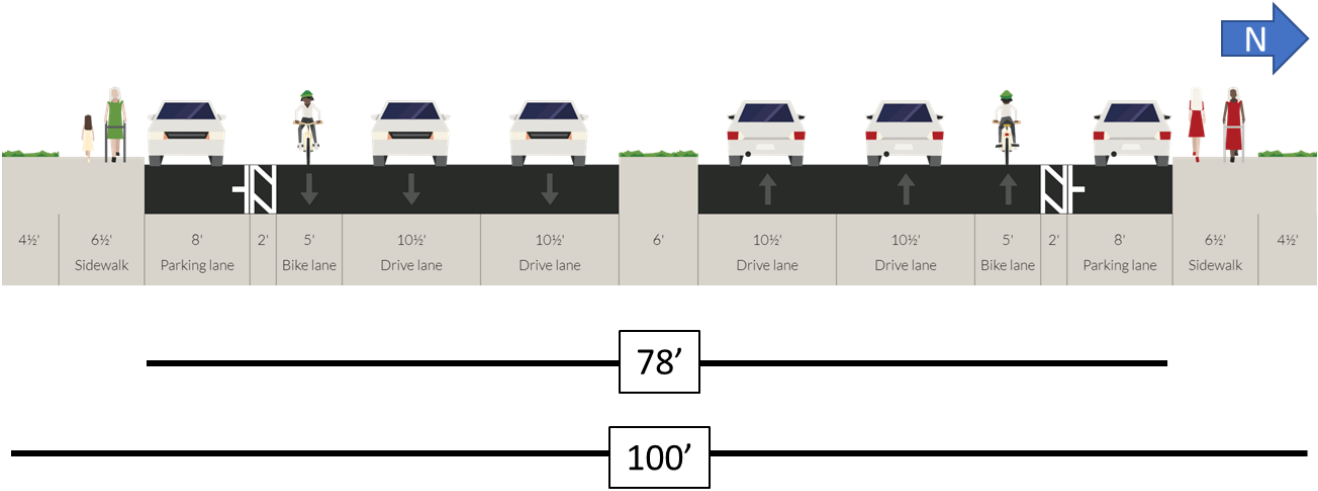


LOCATOR MAP

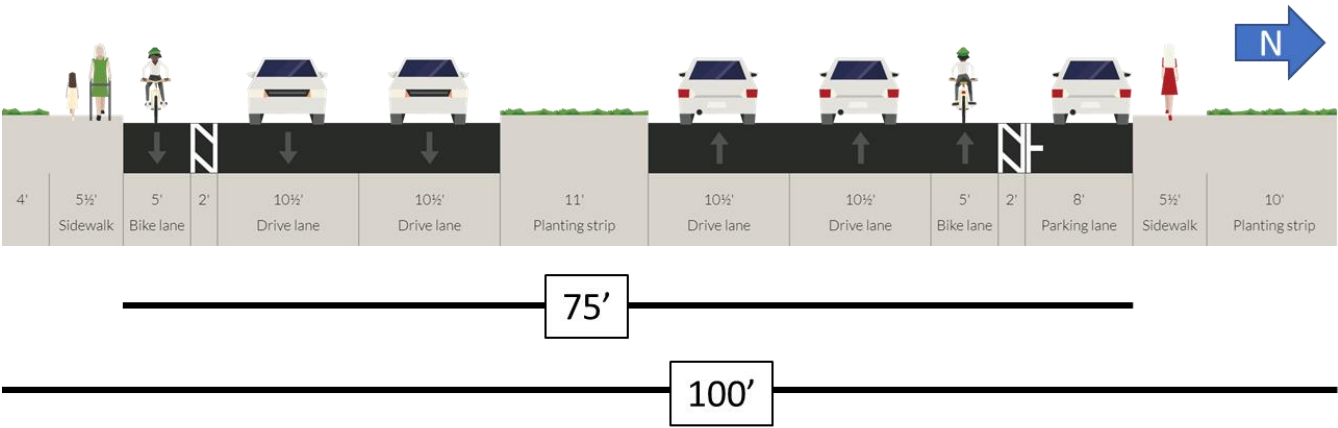


Proposed Operations

Canada Drive from Westmoreland Road to Holystone Street



Canada Drive from Holystone Street to Hampton Road



LOCATION: Montfort Drive from Alpha Road to IH-635

COUNCIL DISTRICT: 11

MAPSCO: 15N

PLANNER: Chelsea St. Louis

SUBJECT

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Montfort Drive from Alpha Road to IH-635 from a special six-lane divided (SPCL 6D) roadway within 117 feet of right-of-way and with 92 feet of pavement with bike lanes to a special four-lane divided (SPCL 4D) roadway within 80 feet of right-of-way and with bicycle facilities.

BACKGROUND

The Department of Transportation is requesting a Thoroughfare Plan Amendment to change the dimensional classification of Montfort Drive from Alpha Road to IH-635 to create a multimodal roadway that facilitates traffic calming through the Dallas Midtown Park and supports the Midtown development.

Currently, this segment of Montfort Drive operates as follows: (1) Montfort Drive between Alpha Road and Peterson Lane operates as a six-lane divided roadway, three-lanes southbound and three-lanes northbound, within 80 feet of right-of-way; and (2) Montfort Road between Peterson Lane and IH-635 operates as a five-lane divided roadway, three-lanes southbound and two-lanes northbound, within 80 feet of right-of-way.

The proposed roadway design aligns with the 'Valley View – Galleria Area Plan', adopted by City Council in May 2013. Partial funding for the Dallas Midtown Park was recently approved in the 2017 Bond. The Midtown Area Plan and the 'Dallas Midtown Park Vision' document envision the area as a pedestrian friendly neighborhood with a network of streets that support higher density and safe pedestrian and bicycle connectivity to the Dallas Midtown Park. The proposed project design includes bicycle facilities and enhanced sidewalks that align with Dallas Complete Streets Manual recommendations.

The initial transportation analysis recommended maintaining a six-lane Montfort Road to accommodate the highest possible density at full buildout. In a series of meetings with stakeholders, developers and City staff from various departments, Department of Transportation staff has been made aware of a number of concerns related to the current designation of Montfort Road, including: (1) setback requirements; (2) the impact of building a high-speed arterial that bisects the Dallas Midtown Park; and (3) the hardship of obtaining additional right-of-way. Staff supports a reduction in the designation to build a multi-modal roadway within the existing right-of-way. In addition, we are currently exploring alternative mobility options including a People Mover System and autonomous vehicles. A People Mover Study has been initiated to explore the potential for serving

internal circulation in the 'Valley View – Galleria Area Plan' geography, and connections to the planned Cotton Belt Corridor and existing DART light rail lines will be explored.

STAFF RECOMMENDATION

Staff recommends approval of an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Montfort Drive from Alpha Road to IH-635 from a special six-lane divided (SPCL 6D) roadway within 117 feet of right-of-way with 92 feet of pavement with bike lanes to a special four-lane divided (SPCL 4D) roadway within 80 feet of right-of-way with bicycle facilities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 16, 2017, the City Plan Commission Thoroughfare Committee acted on this item and motioned to deny staff recommendation, based on the need for a more comprehensive evaluation of Montfort Drive and the Midtown Park.

CONTACT PERSON:

Chelsea St. Louis, Chief Planner	214-670-7748
Kimberly Smith, Senior Planner	214-671-8172

MAP

Attached

FACT SHEET

PROPOSED COUNCIL AGENDA: January 24, 2018

PROJECT: An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Montfort Drive from Alpha Road to IH-635 from a special six-lane divided (SPCL 6D) roadway within 117 feet of right-of-way with 92 feet of pavement and bike lanes to a special four-lane divided (SPCL 4D) roadway within 80 feet of right-of-way and bicycle facilities.

BACKGROUND:

- Montfort Drive from Alpha Road to Peterson Road operates as a six-lane divided roadway within 80 feet of right-of-way.
- Montfort Drive from Peterson Lane to IH-635 operates as a five-lane divided roadway within 80 feet of right-of-way
- Montfort Drive is on the Bike Plan.

- **Historic Traffic Volumes**

Street	Limits	Source, Date	Count (veh/day)
Montfort	Alpha to Montfort Drive	TxDOT, 10/2004	24,736
Montfort	Alpha to IH-635	COD, 11/2003	28,270
Montfort	Montfort to IH-635	TxDOT, 7/2013	17,864
Montfort	Montfort to IH-635	TxDOT, 5/2016	23,826

- 'Valley View – Galleria Area Plan' was adopted by City Council in May 2013.
- 'Dallas Midtown Park Vision' briefed to Park Board in September 2016.
- November 2017 - Funding for the Dallas Midtown Park was recently approved in the 2017 Bond Election
- Cotton Belt Study is currently in planning and design phase.
- Cotton Belt expected service date is 2022.

Montfort Drive

IH-635 to Alpha Road

Council District: 11
MAPSCO: 15N

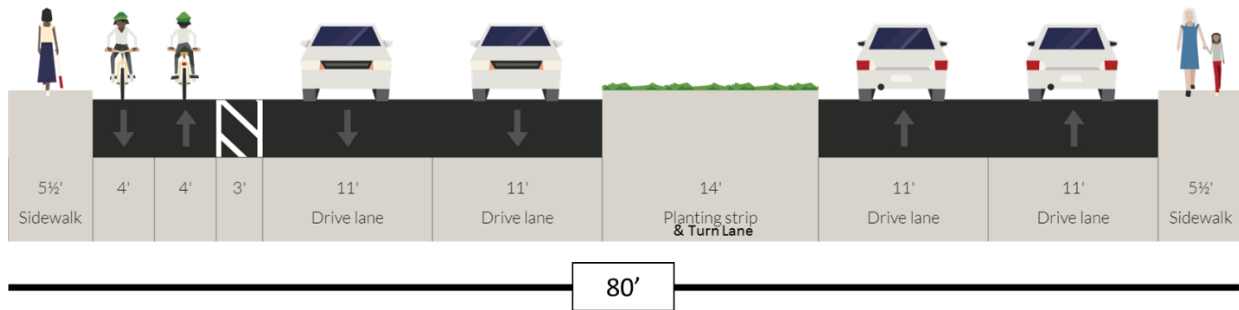


Thoroughfare Plan Amendment Map

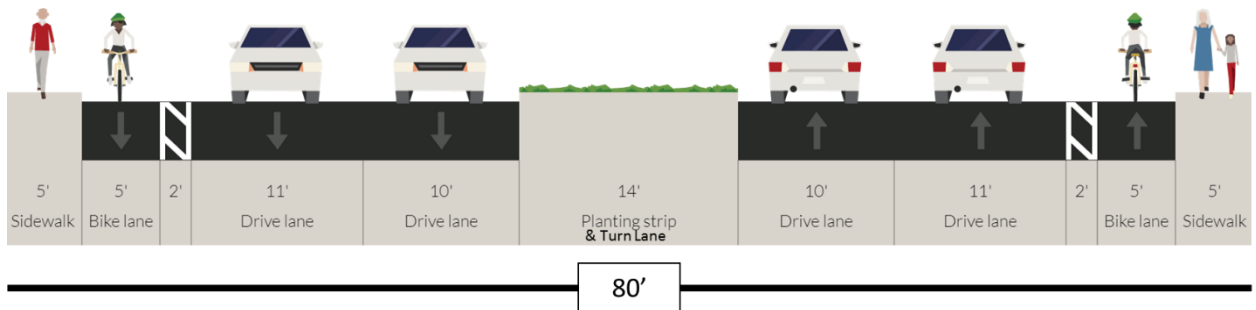


Proposed Cross-Sections

Montfort Drive from Alpha Road to Peterson Lane



Montfort Drive from Peterson Lane to IH-635



FILE NUMBER:	Z167-345(WE)	DATE FILED:	July 11, 2017
LOCATION:	West line of Market Center Boulevard, south of Stemmons Freeway (I-35E)		
COUNCIL DISTRICT:	6	MAPSCO:	44-H
SIZE OF REQUEST:	Approx. 3.713 acres	CENSUS TRACT:	100.00

APPLICANT/OWNER: 2015 Market Center LLC – Jiwon Choi Song, Sole Manager

REPRESENTATIVE: Robert Reeves
Robert Reeves & Associates

REQUEST: An application for an MU-3 Mixed Use District on property zoned an IR Industrial Research District.

SUMMARY: The purpose of this request is to allow the applicant the flexibility to expand the existing hotel use in the future [Double Tree Hotel]. During Phase 1, the applicant proposes to renovate the existing hotel use by including an additional 5,000 square feet of meeting spaces, and 80 to 100 guest rooms. The Phase II expansion, which consists of a mixed-use development, will include a build-out of an approximately 300-room hotel, 15,000 square feet of meeting rooms, 100 residential units, 22,000 square feet of retail or restaurant uses and a parking structure. The IR District limits the maximum floor area ratio (FAR) for a hotel use to 0.75; however, the proposed mixed-use development will have an FAR of approximately 2.3.

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- The proposed MU-3 Mixed Use District will allow the applicant the flexibility to renovate the existing hotel use and redevelop the site, in phases, with a mixed-use development. The current IR Industrial Research District limits a hotel use to a 0.75 floor area ratio; the MU-3 Mixed Use District on the other hand, will limit the total development to a 4.5 floor area ratio (FAR). To maximize the 4.5 FAR will depend on the number of uses that are located within the mixed-use project.
- The surrounding uses consist of a mix of a hotel use to the north; hotel, vacant office, and restaurant uses to the east, across Market Center Boulevard; multifamily uses and an above ground parking structure, to the south, all located within Planned Development District No. 621. Properties west of the site are developed with warehouse uses and are also located within PDD No. 621, Subdistrict 1.
- The request site is also contiguous to a flood plain, which runs along the western property line.

Zoning History: There has not been any zoning cases located within the area over the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Market Center Boulevard	Principal Arterial	100 ft.	100 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.

Land Use:

	Zoning	Land Use
Site	IR	Hotel
North	IR	Hotel
South	PDD No. 621	Multifamily
East	MU-3	Hotel, Vacant office, Restaurant
West	PDD No. 621, Subdistrict 1	Warehouse

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR - existing 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
MU-3 - proposed Mixed use-3	15'	20' adjacent to residential OTHER: No Min.	3.2 FAR base 4.0 FAR maximum + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential, trade center

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.

LAND USE**ECONOMIC DEVELOPMENT****GOAL 2.1 PROMOTE BALANCED GROWTH**

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

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.1 Focus economic development efforts on revitalization of the Trinity River Corridor.

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

STEMMONS / DESIGN DISTRICT LAND USE PLAN

The request site is located within the Sub-area 2, The Mixed Industrial District of the Stemmons / Design District Land Use Plan, 2001. The Plan recommends no changes to the zoning.

Even though the applicant is requesting an MU-3 Mixed Use District, the proposed mixed-use district is consistent with the surrounding development. The area is developed with hotel, office and multifamily uses. West of the site, across the Trinity Strand Trail, is developed with warehouse uses.

STAFF ANALYSIS:

Land Use Compatibility: The 3.713-acre site is developed with an existing 227 room hotel with approximately 7,000 square feet of meeting space. The maximum floor area of the existing hotel is approximately 102,571 square feet.

The applicant's request for a MU-3 Mixed Use District will allow for the site to be developed in two phases; Phase I will consist of an initial expansion of the existing hotel and Phase II will be developed as a mixed-use development. In Phase I, the applicant proposes an expansion of the existing 227-room hotel. The expansion will consist of an increase in the number of hotel rooms from 227 rooms to approximately 327 rooms, and an increase in the total floor area of the meeting rooms by 5,000 square feet. In Phase II, the improvements to the site will consist of the development of a mixed-use development. The proposed mixed-use development will consist of an approximate 300-room hotel, 15,000 square feet of meeting rooms, approximately 100 residential units, approximately 22,000 square feet of retail space, and structured parking.

The request site is consistent with the surrounding development pattern that consist of a of a hotel use to the north, hotel, office and restaurant uses to the east, across Market Center Boulevard, and multifamily uses and an above ground parking structure to the south. Properties west of the site are developed with warehouse uses.

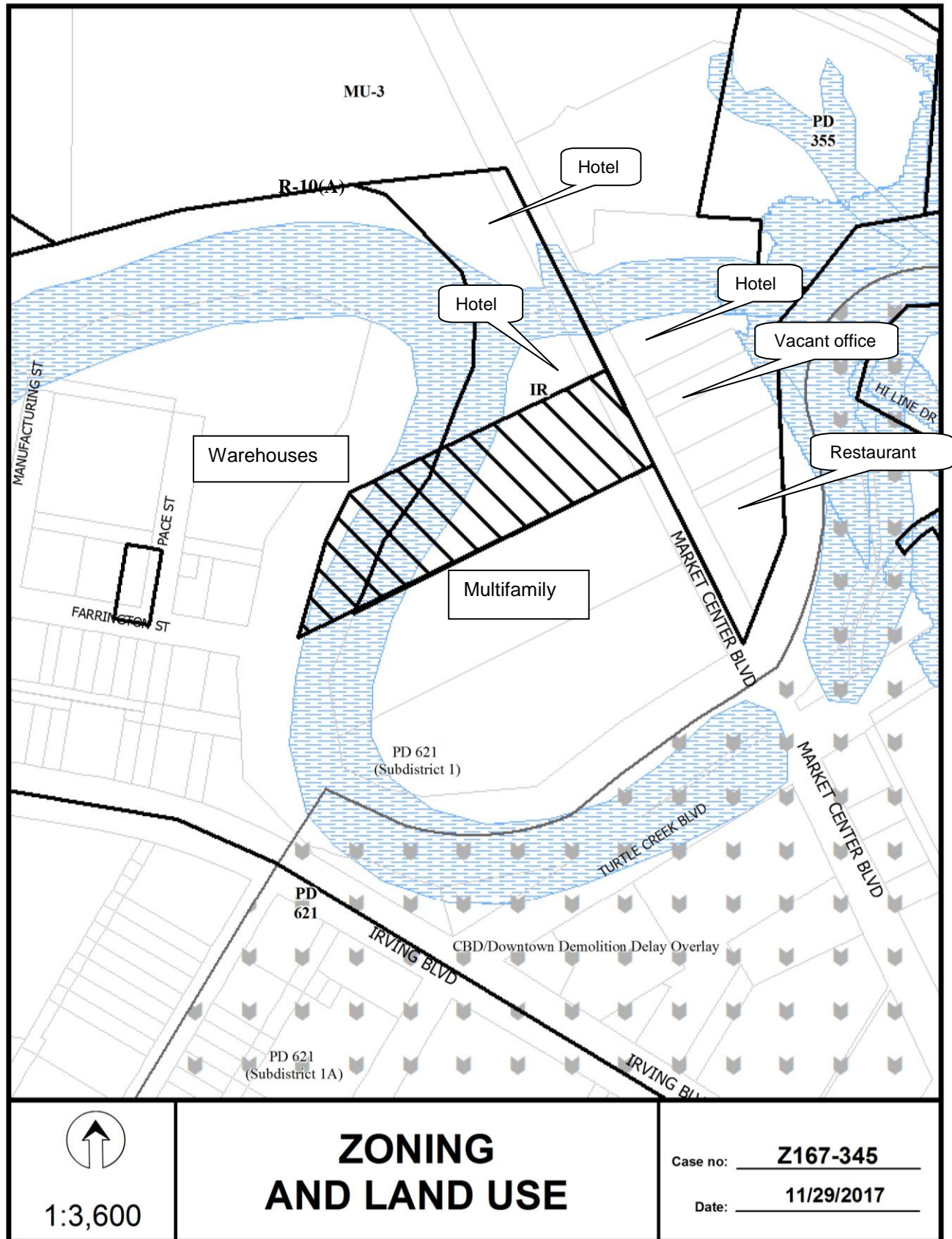
Staff has reviewed and supports the applicant's request for an MU-3 Mixed Use District. The request is consistent with the *fowardDallas! Comprehensive Plan and the Stemmons / Design District Land Use Plan, 2001*.

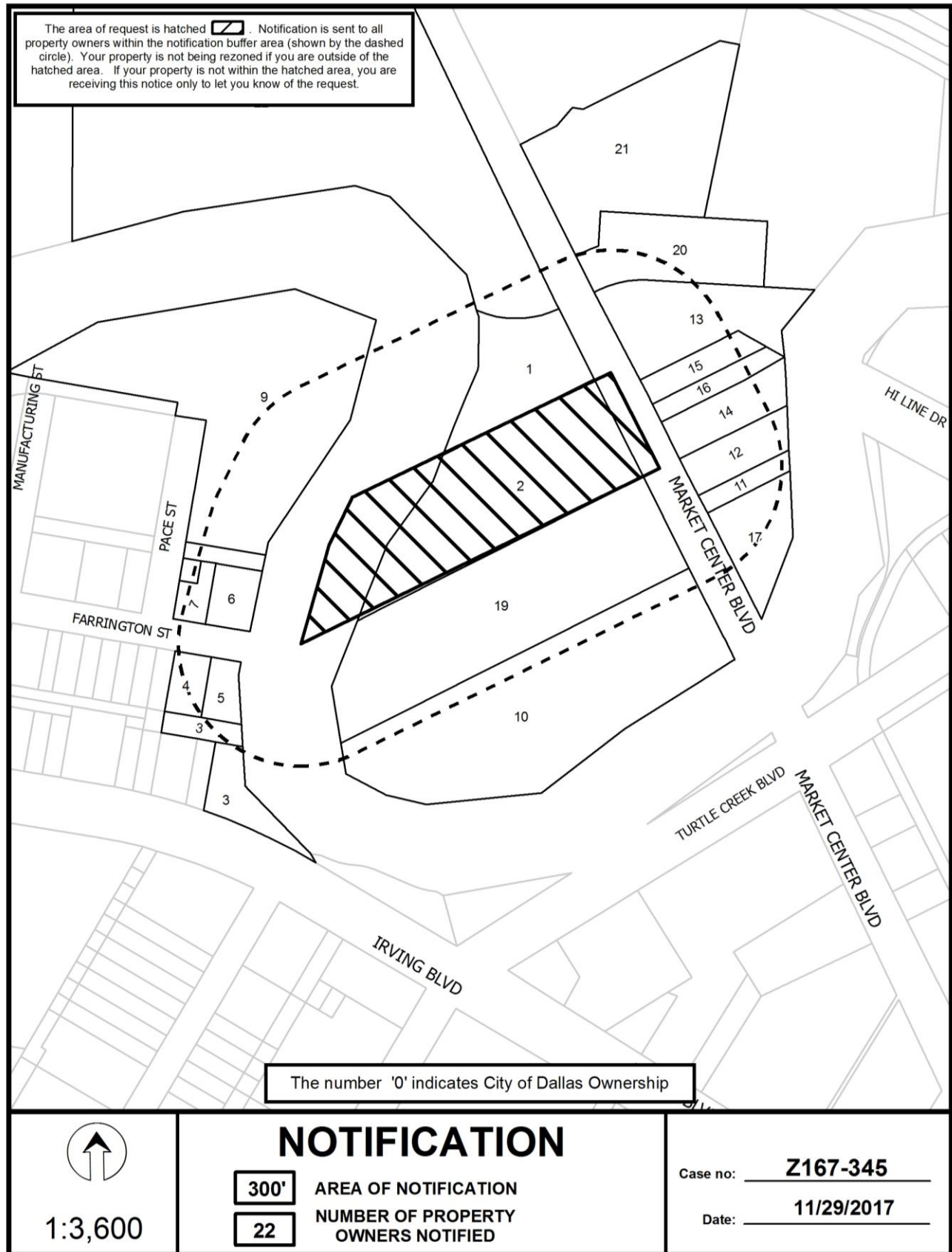
Landscaping: Landscaping will in accordance to the landscaping requirements in Article X, as amended.

VICINITY MAP

 1:6,000	Case no: Z167-345 Date: 11/29/2017
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Notification List of Property Owners

Z167-345

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2023 MARKET CENTER BLVD	DARSHAN SHREE JALIYAN LLC
2	2015 MARKET CENTER BLVD	2015 MARKET CTR LLC
3	2014 IRVING BLVD	TONAN II INC
4	2009 FARRINGTON ST	RFVW LLC
5	2005 FARRINGTON ST	FARRINGTON PROPERTIES LLC
6	2006 FARRINGTON ST	CENTURY OAK INVESTMENTS LLC
7	2012 FARRINGTON ST	EMERALD DENTON PPTIES LTD
8	1314 PACE ST	GLAZER ANN & BARKLEY STUART
9	1350 MANUFACTURING ST	TTMC LIMITED
10	1931 MARKET CENTER BLVD	ALTA STRAND LP
11	1944 MARKET CENTER BLVD	CHARALAMBOPOULOS FAYE
12	1950 MARKET CENTER BLVD	CHARALAMBOPOULOS FAY
13	2026 MARKET CENTER BLVD	KALAN INC
14	2006 MARKET CENTER BLVD	SHENDELMAN CHUNG
15	2014 MARKET CENTER BLVD	DUKE DANIEL J & CHRISTINA
16	2010 MARKET CENTER BLVD	CHANDIRAMANI NARAIN ETAL
17	1926 MARKET CENTER BLVD	MARKET CENTER BLVD LLC
18	1300 PACE ST	JONES LAKE CO NO 7
19	1955 MARKET CENTER BLVD	AVANT MARKET CENTER LP
20	2110 MARKET CENTER BLVD	ARC HOSPITALITY PORTFOLIO I NTC OWNER LP
21	2150 MARKET CENTER BLVD	ISTAR DALLAS GL LP
22	2201 N STEMMONS FWY	LUTAH ACQUISITION LP

Planner: Warren F. Ellis

FILE NUMBER:	Z167-401(WE)	DATE FILED:	September 25, 2017
LOCATION:	South line of Northaven Road, east of the Dallas North Tollway		
COUNCIL DISTRICT:	13	MAPSCO:	25-A
SIZE OF REQUEST:	Approx. 4.364 acres	CENSUS TRACT:	134

APPLICANT/OWNER: Oncor Electric**REPRESENTATIVE:** Karl Crawley, MASTERPLAN**REQUEST:** An application for an amendment to Specific Use Permit No. 44 for an electrical substation on property zoned an R-16(A) Single Family District.**SUMMARY:** The purpose of the request is to allow for improvements to the existing electrical substation equipment that is functionally obsolete and must be upgraded. The amended site plan will allow for approximately 15,000 square feet of replacement electrical equipment [Oncor] and the installation of a control building to house additional equipment.**STAFF RECOMMENDATION:** Approval, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- In October 1953, the City Council approved Specific Use Permit No. 44 for an electrical distribution substation. There are no records of the approved site plan.
- The request site is developed with an electrical substation. The maximum height of the utility poles will not exceed 95 feet in height.
- The applicant proposes to make improvements to the electrical substation equipment. The amended site plan will allow for approximately 15,000 square feet of replacement electrical equipment that has become obsolete. In addition, the applicant will construct a control building that will store the additional equipment.
- SUP No. 44 was approved under Chapter 51 development regulations where an electrical distribution substation is no longer an applicable use under Chapter 51A. The electrical distribution substation use will be changed to reflect Chapter 51A main use. The new use will be considered as a utility or governmental installation other than listed to be used as an electrical utility center and tower/antenna for cellular communications.
- The surrounding land uses consist of single family uses, and a private school, kindergarten and day nursey [SUP No. 405].

Zoning History: There has not been any zoning change requested in the area during the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Northaven Road	Local	50 ft.	50 ft.

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

Land Use:

	Zoning	Land Use
Site	R-16(A)	Electrical Substation
North	R-16(A)	Single Family
South	R-16(A)	Single Family
East	R-16(A)	Single Family
West	R-16(A), SUP No. 405	Private school, kindergarten and day nursey

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 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 4.364-acre site is developed with an electrical substation. In October 1953, the City Council approved Specific Use Permit No. 44 for an electrical distribution substation for a permanent time period. The amendment to Specific Use Permit No. 44 will allow the applicant to upgrade the electrical equipment as well as construct a control building that will store the additional equipment. The perimeter of the request site will remain secured with a seven-foot fence. The upgrade to the electrical equipment, which is now obsolete, will allow the surrounding community to continue to receive the necessary services by the electrical company.

The surrounding land uses consist of single family uses, with a private school, kindergarten and day nursey [SUP No. 405], located to the west. The electrical substation has been at this location for over 60 years and will not deter nor detract from the surrounding area. The upgrade to the electrical substation will improve the services to the community. In addition, there are several utility poles that extend beyond the residential proximity slope. However, the Development Code states that, "structures for utility and public service uses and institutional uses may be erected to any height consistent with the Federal Aviation Administration air space limitations, residential proximity slope height restrictions and the building code. In addition, local utility transmission and distribution lines and supporting structures are exempt from the residential proximity slope height restrictions." Staff has no objections to the structure height of the utility poles.

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

applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-16(A) Single Family	35'	10'	1 Dwelling Unit/ 16,000 sq. ft.	30'	40%	RPS	Single family

Landscaping: Any landscaping of the property will not be triggered because the site is not increasing the impervious surface or floor area by 2,000 square feet of floor area.

Parking: The Dallas Development Code requires that the off-street parking for an electrical substation is two spaces.

LIST OF OFFICERS

Oncor Electric Delivery

Board of Directors

Robert A Estrada

Rhys D. Evenden

Printice L. Gary

Kneeland Youngblood

Thomas M. Dunning

Thomas D. Ferguson

Richard D Wortham, III

Steven J Zucchet

William T Hill, Jr.

Timothy A Mack

Bob Shapard, CEO

Don Clevenger, SR. VP

Debbie Dennis, Sr. VP

Mark Carpenter, Sr. VP

David Davis, Sr. VP, CFO

Mike Guyton, Sr. VP

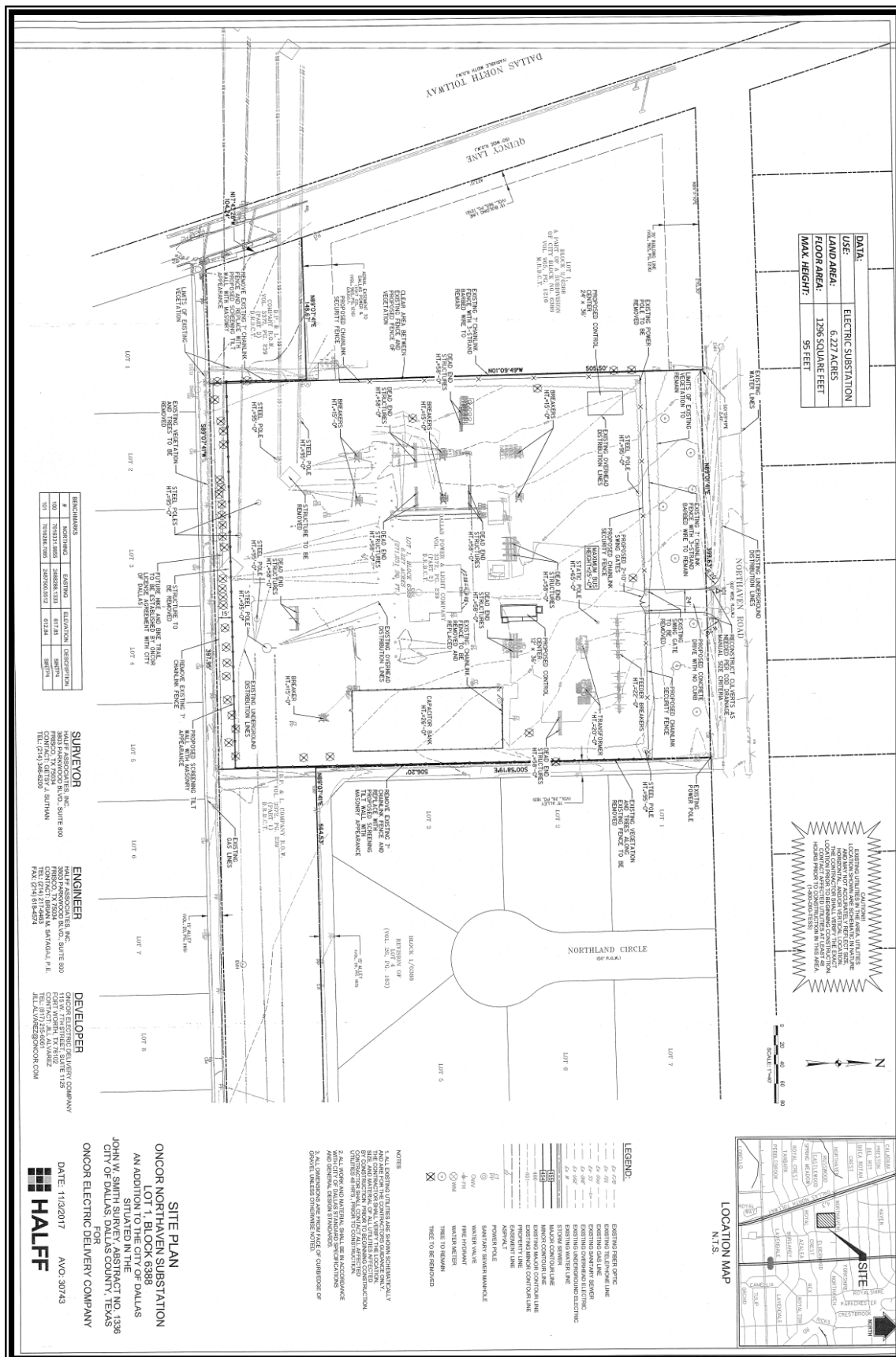
Jim Greer, Sr. VP, COO

Allen Nye, Sr. VP, General Counsel and Secretary

AMENDMENT TO SUP NO. 44

1. USE: The only use authorized by this specific use permit an electrical substation.
 2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
 3. TIME LIMIT: This specific use permit has no expiration date.
 4. INGRESS AND EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
 5. SCREENING: A minimum seven-foot-high chain link fence must be provided around the perimeter of the Property.
 6. HEIGHT: Maximum structure height is 95 feet.
 7. 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.
- ~~[(1) That the development shall be generally in conformance with the site plan as approved by the City Plan Engineer.~~
- ~~(2) That all means of ingress and egress to the property shall be approved by the City Plan Engineer.~~
- ~~(3) That the entire development shall be adequately fenced and that the fence on the front portion of the tract shall not be closer than fifty feet (50') to Northaven Road.~~
- ~~(4) That the entire development shall be adequately landscaped as indicated on the approved site plan and all plant materials shall be maintained in a healthy growing condition at all times.]~~

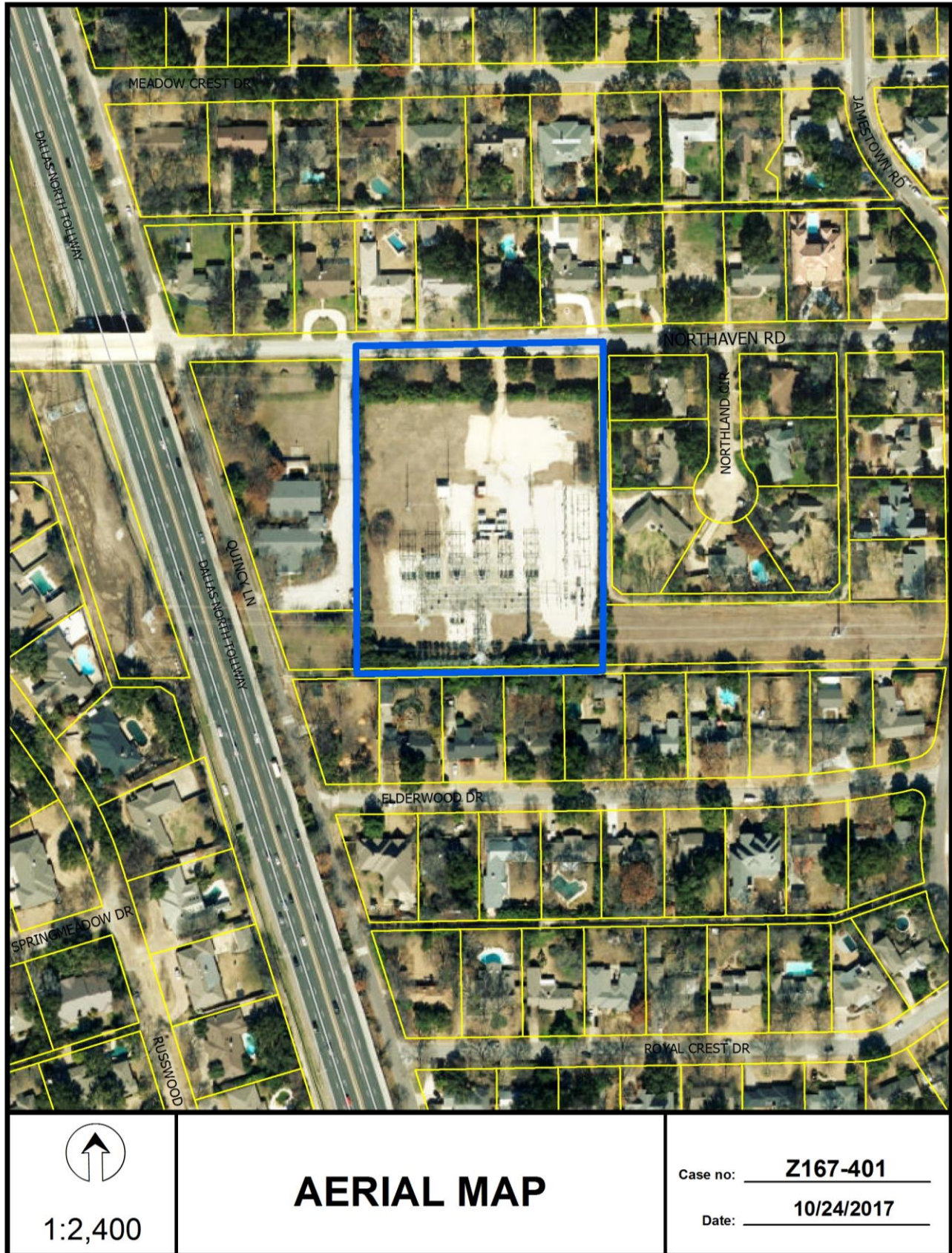
PROPOSED SITE PLAN – SUP No. 44

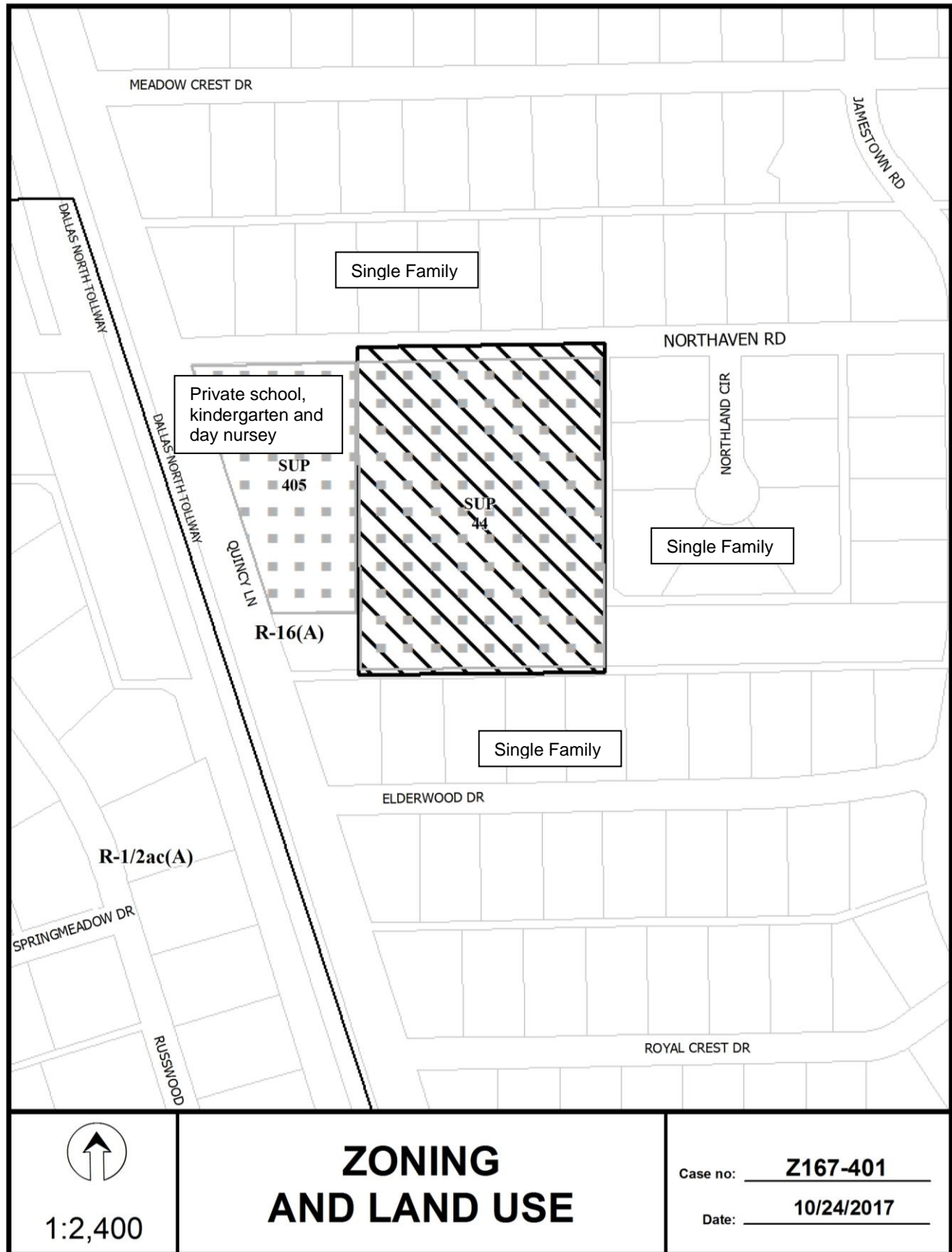


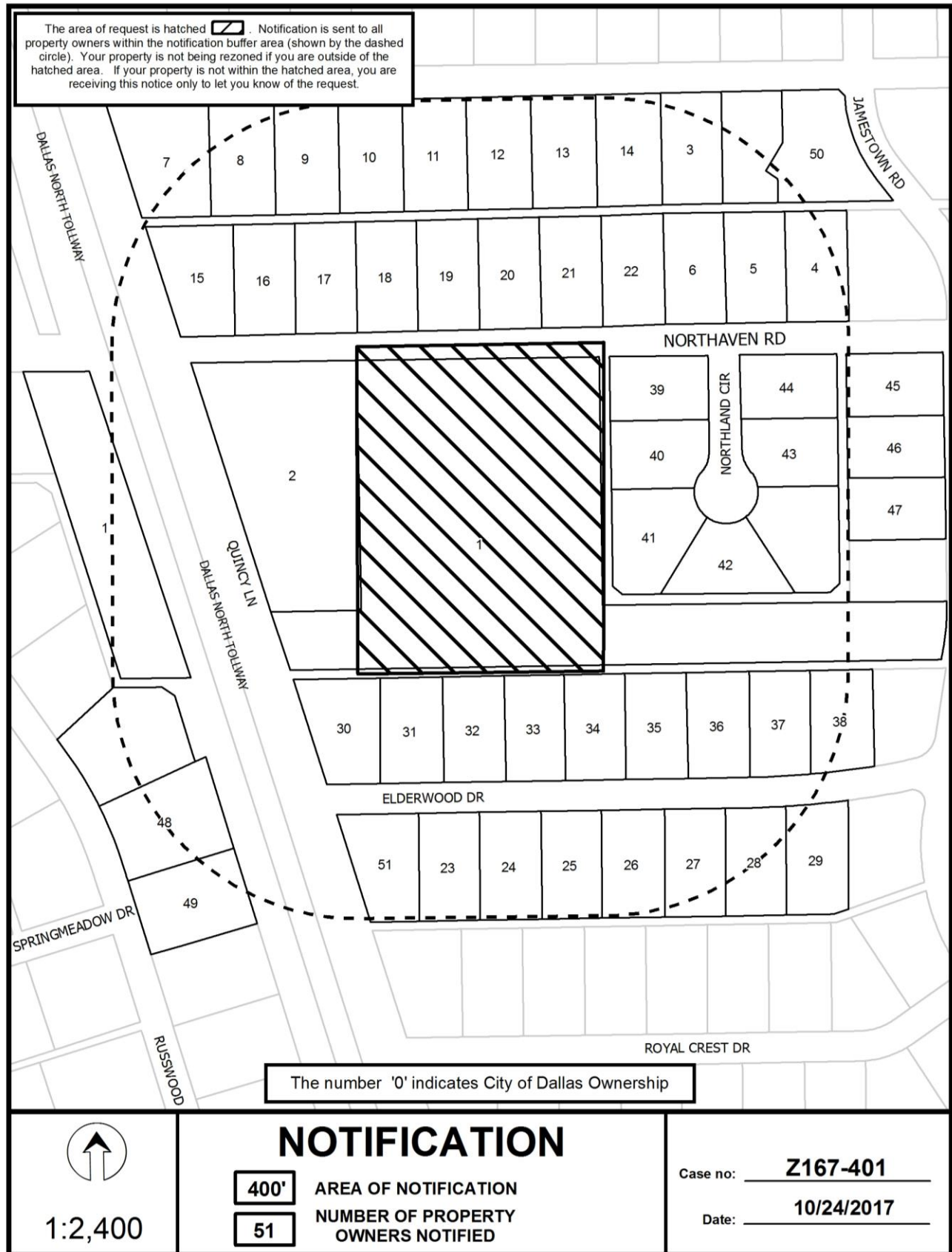
Z167-401(WE)



Z167-401(WE)







Notification List of Property Owners

Z167-401

51 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5700 NORTHAVEN RD	TEXAS UTILITIES ELEC CO
2	5608 NORTHAVEN RD	JHDIII INVESTMENTS LLC
3	5706 MEADOW CREST DR	GARON HERBERT JR
4	5821 NORTHAVEN RD	HO REGINA W
5	5815 NORTHAVEN RD	WATROS DAVID C & ALISON M
6	5807 NORTHAVEN RD	GLOBAL ASIAN INC LLC
7	5614 MEADOW CREST DR	WORLEY DAVID ALLAN
8	5622 MEADOW CREST DR	PARSONS HENRY DAVID
9	5628 MEADOW CREST DR	CHENG SAMUEL &
10	5636 MEADOW CREST DR	CRAIN JOHN H &
11	5642 MEADOW CREST DR	WILENSKY RAYMOND D EST OF
12	5650 MEADOW CREST DR	FELLER CANDACE C & MITCHELL J
13	5656 MEADOW CREST DR	RUGGERI ANTHONY T & CAROL
14	5664 MEADOW CREST DR	MEGREDY JULIA JONELL
15	5605 NORTHAVEN RD	WALKER MARTI LF EST
16	5611 NORTHAVEN RD	MARSHALL NEIL & KYLA
17	5619 NORTHAVEN RD	GUTIERREZ JAVIER G
18	5627 NORTHAVEN RD	LI HUIJEN
19	5707 NORTHAVEN RD	SUMMERS GREGORY C & KELLY K
20	5715 NORTHAVEN RD	LEVY JERRY ALAN
21	5723 NORTHAVEN RD	STEWART LAMONA JANE
22	5731 NORTHAVEN RD	JACKSON KYLE & VERONICA
23	5818 ELDERWOOD DR	KENT JAMES N
24	5828 ELDERWOOD DR	BUSKUHL MARK H &
25	5836 ELDERWOOD DR	BUTLER DENNIS C
26	5844 ELDERWOOD DR	HIGGINS BART E

10/24/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5852 ELDERWOOD DR	CALLICUTT LINDA GRACE VINSON
28	5860 ELDERWOOD DR	KRAMER JEFFRY & JAN
29	5868 ELDERWOOD DR	MALOUF STEPHEN F
30	5807 ELDERWOOD DR	DESKINS CASEY STEVEN
31	5815 ELDERWOOD DR	ANDERSON DANIEL B
32	5823 ELDERWOOD DR	MATHIS MARY GOOLSBY
33	5831 ELDERWOOD DR	MOON LORENE REAVIS
34	5839 ELDERWOOD DR	RAHIM AHMED & LAUREN
35	5847 ELDERWOOD DR	JOHNSON SCOTT E &
36	5855 ELDERWOOD DR	WILLIAMS BRADLEY KENT
37	5863 ELDERWOOD DR	JONES BRIAN WALTER
38	5871 ELDERWOOD DR	REED H WADE & MARILYN
39	11223 NORTHLAND CIR	KRUMINS ARVIDS
40	11215 NORTHLAND CIR	CANON PATRICK CHARLES ARTHUR &
41	11205 NORTHLAND CIR	KEESY KRIS A
42	11202 NORTHLAND CIR	RIZOS DAWN
43	11216 NORTHLAND CIR	SMITH GARRY JOSEPH &
44	11224 NORTHLAND CIR	BROWNIE BERT R EST OF
45	11249 JAMESTOWN RD	WETZEL JOHN G &
46	11241 JAMESTOWN RD	RICHARDSON KEVEN
47	11233 JAMESTOWN RD	WISE KIM A
48	11140 RUSSWOOD CIR	11140 RUSSWOOD LLC
49	11130 RUSSWOOD CIR	RODRIGUES STEPHEN S
50	5722 MEADOW CREST DR	FAULKNER ADRIENNE A
51	5808 ELDERWOOD DR	CONSTANT MERIDITH C &

Planner: Sarah May**FILE NUMBER:** Z178-102(SM) **DATE FILED:** October 5, 2017**LOCATION:** West line of Gretna Street, south of Lupo Drive**COUNCIL DISTRICT:** 6 **MAPSCO:** 44-A**SIZE OF REQUEST:** Approx. 0.27 acre **CENSUS TRACT:** 100.00

OWNER/APPLICANT: Justin McMillin**REPRESENTATIVE:** Audra Buckley, Permitted Development**REQUEST:** An application for an MU-2 Mixed Use District on property zoned an IR Industrial Research District.**SUMMARY:** The applicant requests to utilize the existing structure for three dwelling units.**STAFF RECOMMENDATION:** Approval

BACKGROUND INFORMATION:

- The area of request is developed with a 6,000 square-foot one-story structure that was constructed in 1965, according to Dallas Central Appraisal District records.
- The existing building has been split into three separate tenant spaces since December 2003, according to permit records.
- On July 11, 2017, the current property owner was issued a Certificate of Occupancy (CO) as an office/showroom/warehouse use for each of the three suites.

Zoning History: There has been one zoning change requested in the past five years.

1. **Z134-331:** On November 12, 2014, the City Council approved an MU-3 Mixed Use District on property zoned an IR Industrial Research District

Thoroughfares/Streets:

Thoroughfare/Street	Function	ROW
Gretna Street	Local	50 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:

AREA PLAN:

The *Stemmons Corridor – Southwestern Medical District Area Plan* was adopted by City Council on June 23, 2010 and identifies the area of request within the Urban Mixed-Use Medium Development Block. Page 39 of the Vision and Policy Plan Component states the following:

This Development Block encourages a mix of office, retail, service and residential uses on the same block or within the same building. It also provides flexibility in the types of uses in the area while emphasizing a walkable character. Residential development in this development block will be in mid- to high-rise structures.

Detached single-family residential development is considered incompatible with this Development Block. Residents within the Urban Mixed-Use development blocks will have access to a large array of businesses all within easy walking distance if not within their own building.

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.

Urban Design

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

Surrounding Land Uses:

Location	Zoning	Land Use
Site	IR	Vacant
North	IR	Office
East	IR	Office
South	IR	Open Storage
West	IR	Machine or Welding Shop and Warehouse

Land Use Compatibility:

The approximately 0.27-acre site contains a 6,000 square-foot, one-story vacant structure. Surrounding properties are commercial in nature and include offices to the north and east, an open storage lot to the south, and a machine or welding shop and warehouse to the west.

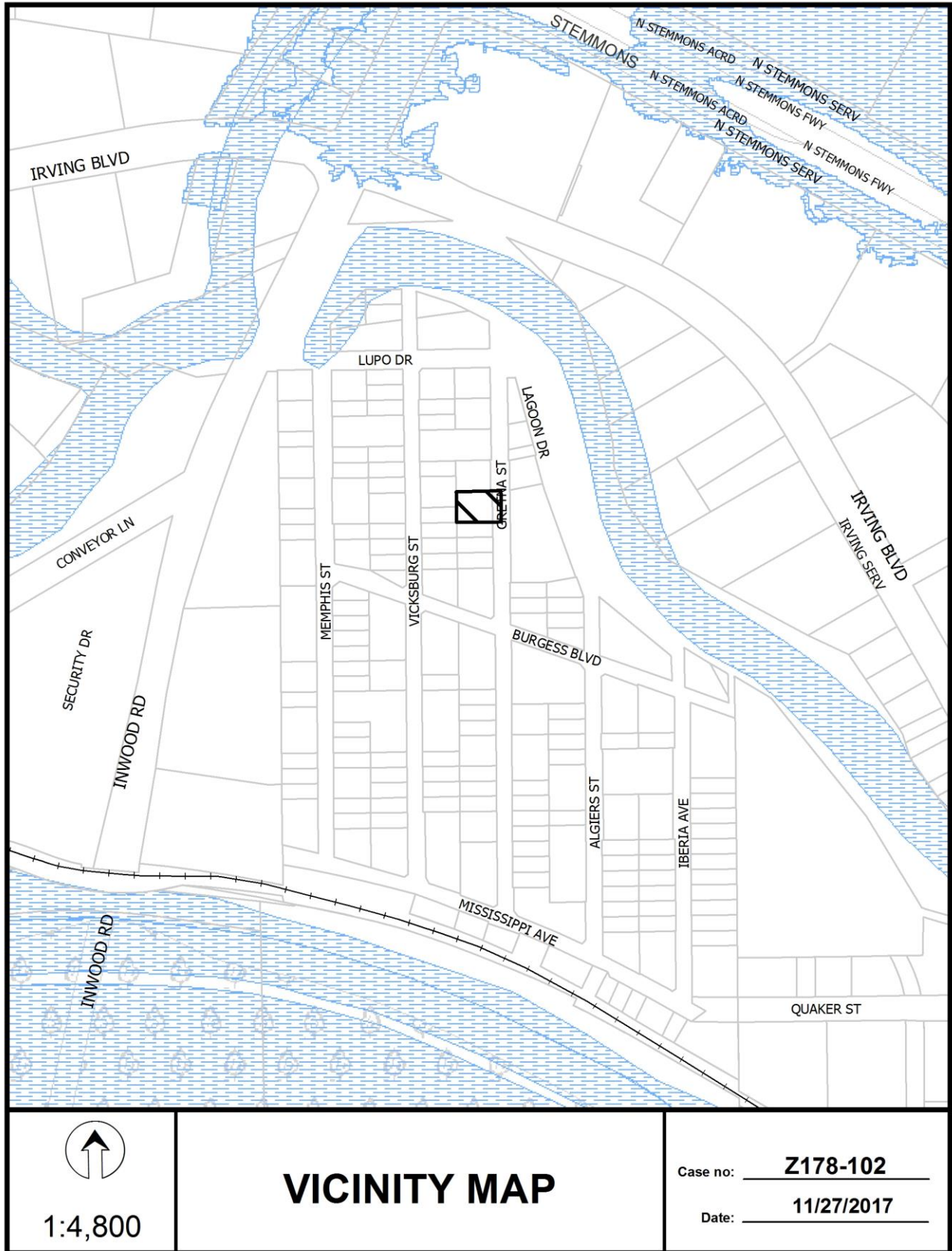
Staff supports the request of an MU-2 Mixed Use District because (1) the request is consistent with the Urban Mixed-Use Medium Development Block recommendations within the *Stemmons Corridor – Southwestern Medical District Area Plan*, (2) the MU-2 District is more comparable to the development standards of the IR District than the MU-1 or MU-3 District, and (3) single family uses are not allowed in the MU-2 District.

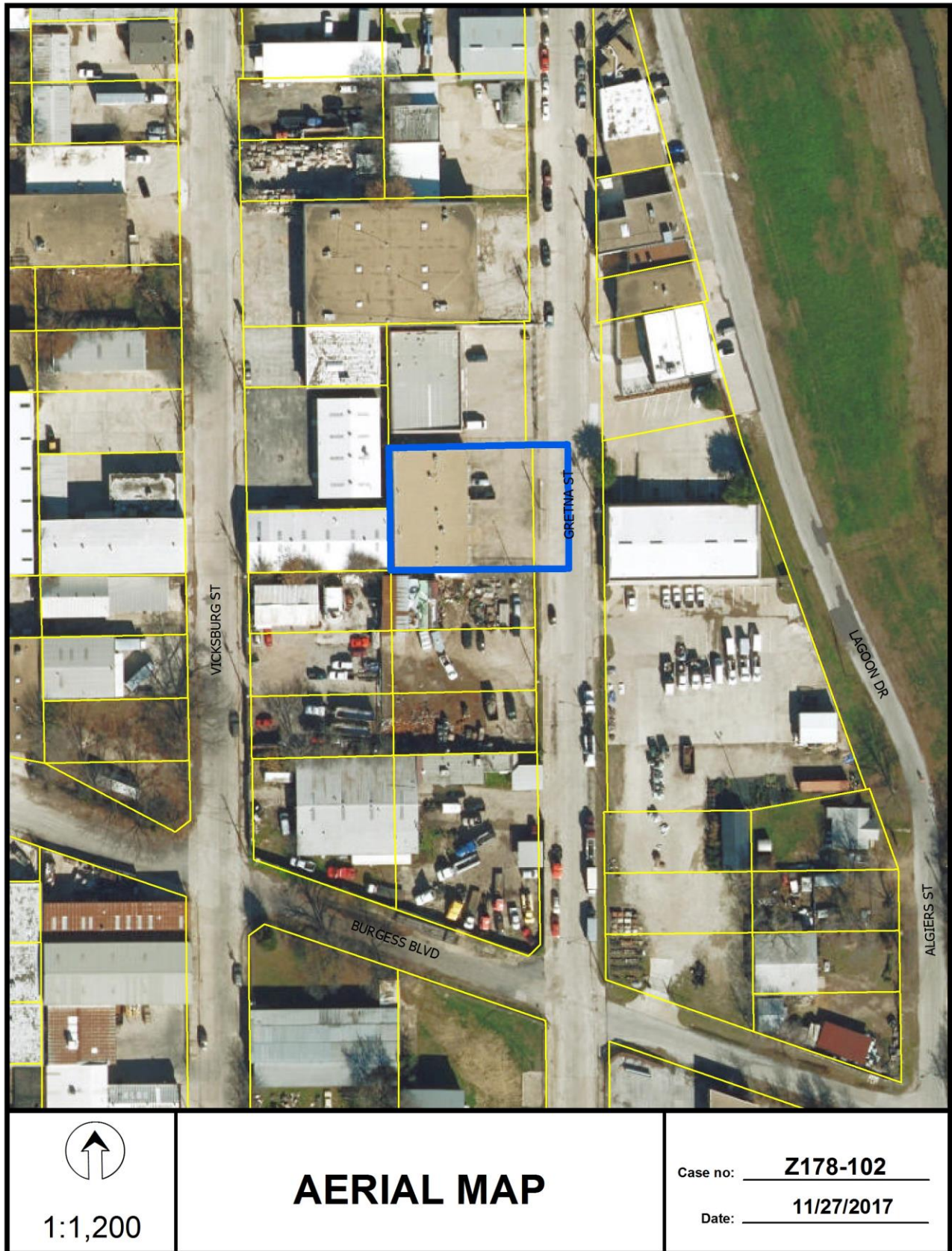
Development Standards:

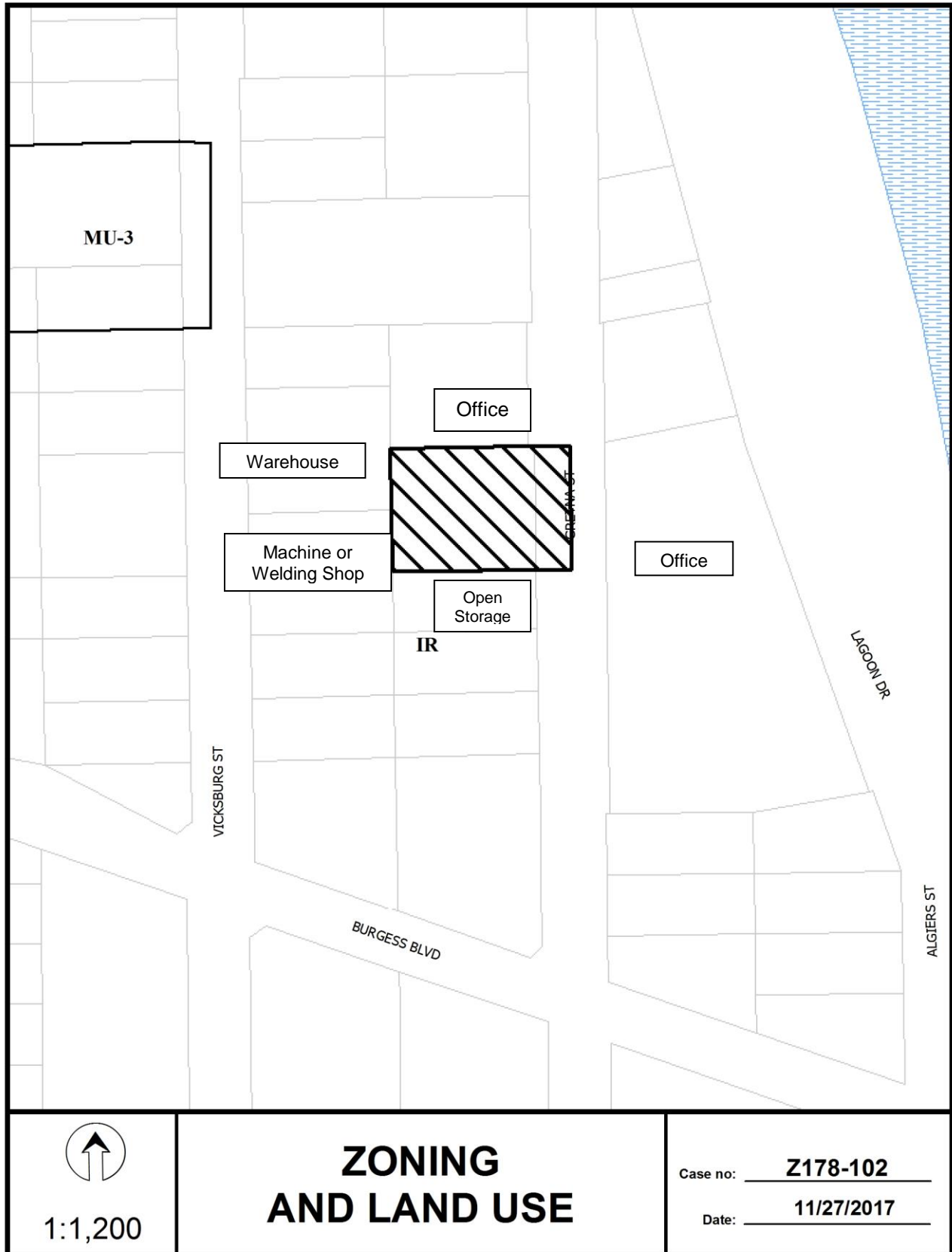
<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR Industrial Research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
MU-2 Mixed Use-2	15'	20' adjacent to residential OTHER: No Min.	1.6 FAR base 2.0 FAR maximum + bonus for residential	135' 10 stories 180' 14 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

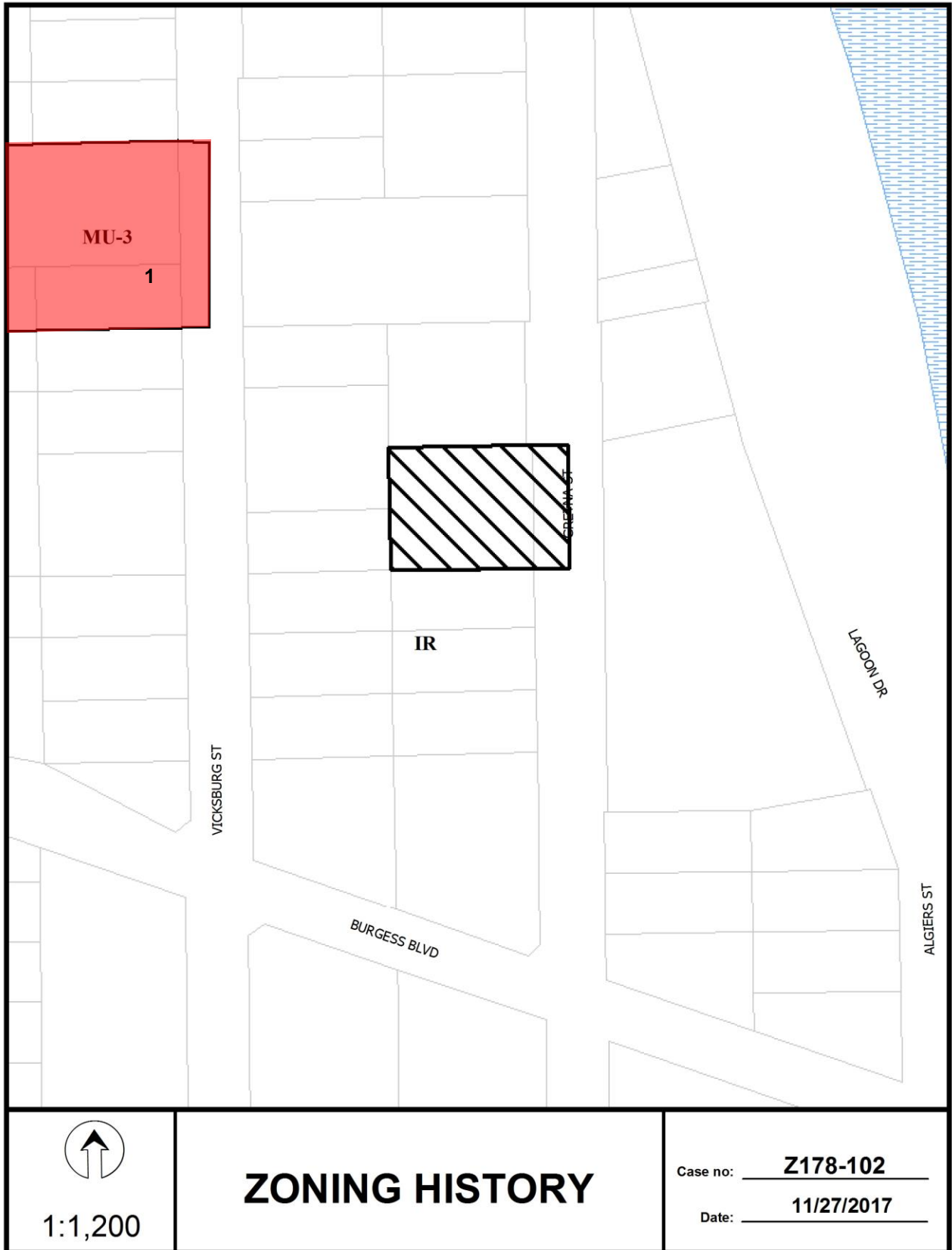
Landscaping:

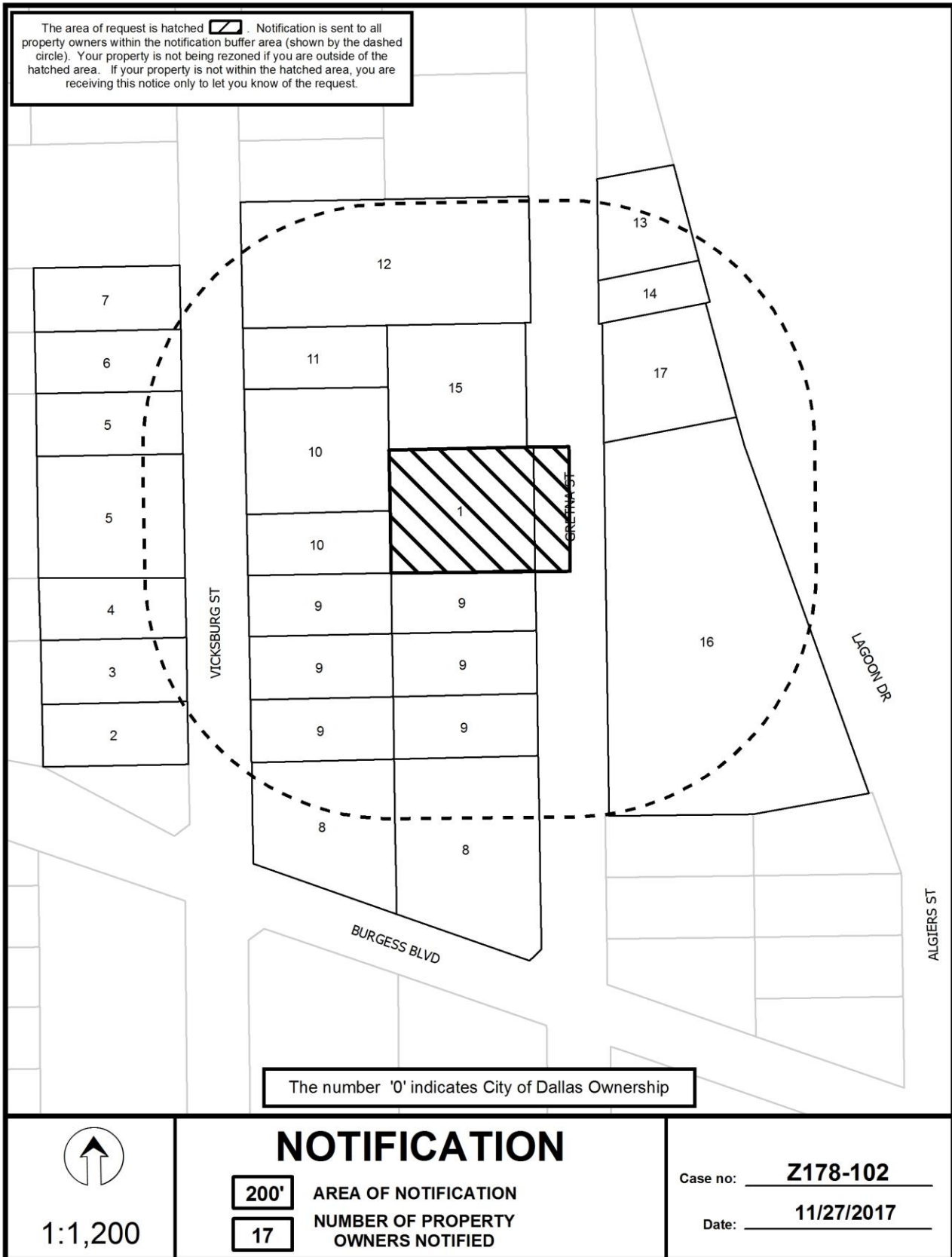
Landscaping, when triggered, will be in accordance with Article X, as amended.











11/27/2017

Notification List of Property Owners

Z178-102

17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4829 GRETNA ST	MCMILLIN JUSTIN
2	4809 VICKSBURG ST	GRAF JOYCE ANN &
3	4815 VICKSBURG ST	GRAF JOYCE ANN &
4	4817 VICKSBURG ST	GRAF JOYCE & SULLIVAN ANN
5	4819 VICKSBURG ST	MJRP CORPORATION INC
6	4835 VICKSBURG ST	MJRP CORPORATION INC
7	4839 VICKSBURG ST	VICKSBURG PARTNERSHIP LLC
8	4802 VICKSBURG ST	DCSJ EDWARDS LLC
9	4810 VICKSBURG ST	QUINN SCOTT
10	4820 VICKSBURG ST	SOUTHERLAND GARY D
11	4834 VICKSBURG ST	HORTON BRUCE RAGSDALE &
12	4838 VICKSBURG ST	LERER STEPHEN A
13	1107 LAGOON DR	FASTLANE INVESTMENTS LLC
14	1109 LAGOON DR	WRIGHT GEORGE E
15	4831 GRETNA ST	GRAHAM STEVE & CO LLC
16	4820 GRETNA ST	MW CLINT PROPERTIES LLC
17	1111 LAGOON DR	LAGOON VENTURE LLC

Planner: Sarah May

FILE NUMBER: Z178-103(SM) **DATE FILED:** October 5, 2017

LOCATION: West line of Brundrette Street, south of Pollard Street

COUNCIL DISTRICT: 6 **MAPSCO:** 43-V

SIZE OF REQUEST: Approx. 7,210 sq. ft. **CENSUS TRACT:** 43.00

OWNER/APPLICANT

& REPRESENTATIVE: Kimberly Owens and Lilian Smith-Kirkley

REQUEST: An application for an MU-1 Mixed Use District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

SUMMARY: The applicant requests to construct a residence with an art production component.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is undeveloped and is under the same ownership as the adjacent property to the north.
- The property owners are a print maker and painter that currently operate an art production facility to the north. The owners request to develop the site with a live/work art production facility that would contain a single family unit on the second floor and an art production facility on the bottom floor in order to accommodate their growing art production business. The sale and display of the art that is produced on site will occur off-site in a gallery in the Design Studio.

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

Thoroughfares/Streets:

Thoroughfare/Street	Function	ROW
Brundrette Street	Local	50 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:

The approximately 7,210 square-foot lot is relatively flat and grassy. The property owners are a print maker and painter that currently operate an art production facility to the north with an industrial (inside) certificate of occupancy. The owners request to develop the site with a live/work art production facility that would contain a single family unit on the second floor and an art production facility on the bottom floor to accommodate their growing art production business. The sale and display of the art that is produced on site will occur off-site in a gallery in the Design Studio.

Surrounding land uses include an art production business, or *industrial (inside)* in Dallas Development Code terminology, to the north, undeveloped land to the east and south, and a multifamily development to the west. Additional industrial uses are located further north and the historic Specific Use Permit No. 98 for a quarry is located further south and southeast. Nonconforming single family uses are located further west and a church is located northwest of the site.

Staff supports the request of an MU-1 Mixed Use District because the applicant has offered deed restrictions to make the property more compatible with surrounding uses. The deed restrictions are proposed to restrict single family uses to be in conjunction with a nonresidential main use, as standalone single family uses are seen as incompatible with adjacent nonresidential properties.

	Zoning	Land Use
Site	IR	Undeveloped
North	IR	Art Production
East	IR	Undeveloped
South	IR	Undeveloped
West	IR	Multifamily

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
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
MU-1 Mixed Use-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

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

Proposed Volunteered Deed Restrictions

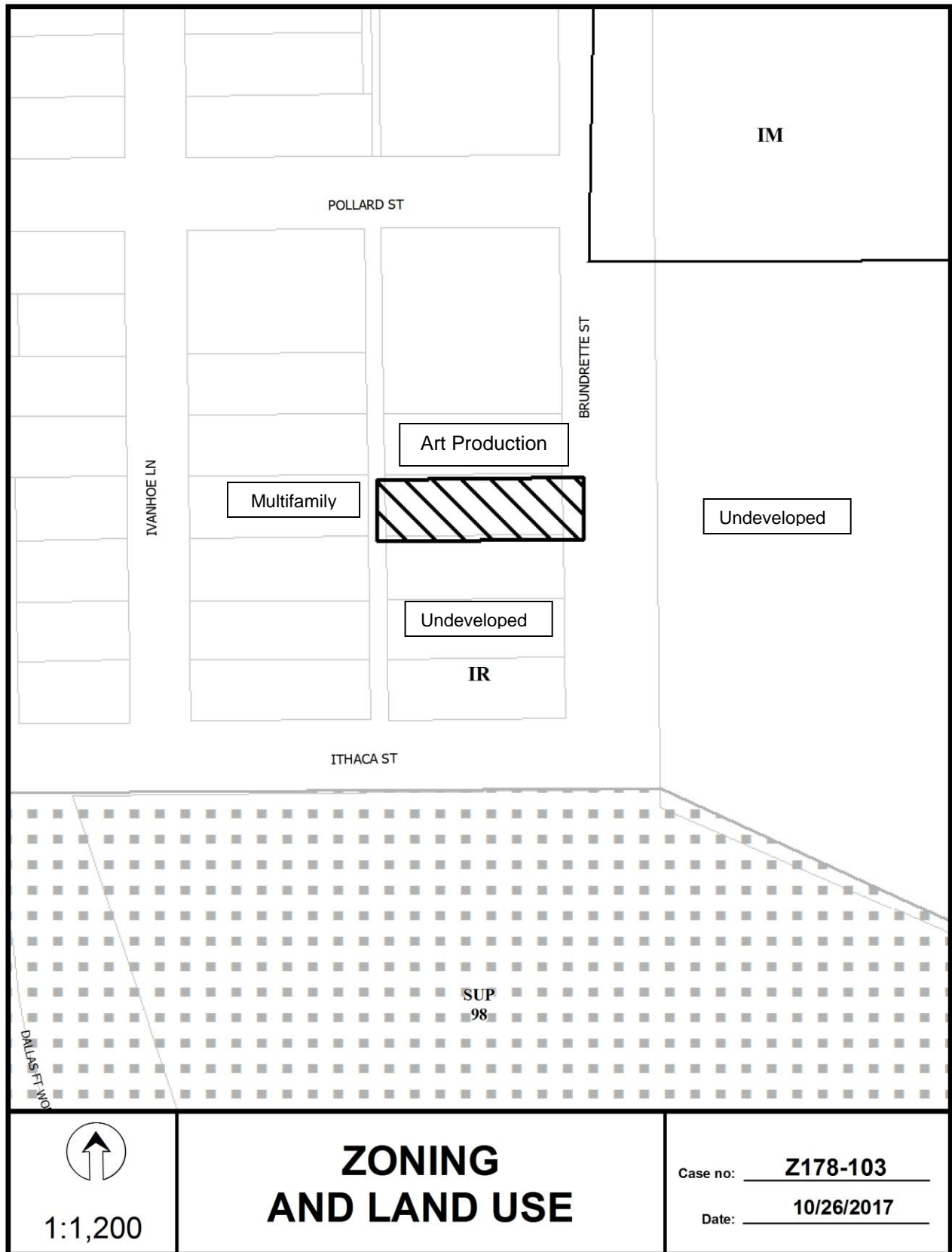
II.

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

Single family uses are only permitted as part of a live/work unit.

LIVE/WORK UNIT means an interior space that combines a residential main use with a nonresidential main use. A live/work unit is considered a nonresidential use.





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;">8</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	<p>Case no: Z178-103</p> <p>Date: 10/26/2017</p>
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10/26/2017

Notification List of Property Owners

Z178-103

8 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2003 BRUNDRETTE ST	SMITHKIRKLEY LILLIAN &
2	1911 BRUNDRETTE ST	DALLAS INDIAN REVIVAL CENTER
3	2015 BRUNDRETTE ST	NAVA ALFONSO &
4	1910 IVANHOE LN	DALLAS INDIAN REVIVAL CENTER
5	1912 IVANHOE LN	MARTINEZ JORGE
6	2006 IVANHOE LN	DALLAS INDIAN REVIVAL
7	2010 IVANHOE LN	DALLAS INDIAN REVIVAL CTR
8	2030 W COMMERCE ST	JORGENSEN EARLE M CO

Planner: Pamela Daniel

FILE NUMBER:	Z178-106(PD)	DATE FILED:	October 9, 2017
LOCATION:	Northwest corner of Ambassador Row and Mockingbird Lane		
COUNCIL DISTRICT:	6	MAPSCO:	33-T
SIZE OF REQUEST:	±1.79 acres	CENSUS TRACT:	100.00

APPLICANT	Del Lago Ventures, Inc.
OWNER:	Group 701, LLC
REPRESENTATIVE:	David Martin/Tommy Mann (Winstead PC)
REQUEST:	An application for a CS Commercial Service District on property zoned an IR Industrial Research District.
SUMMARY:	The purpose of this request is to allow for the development of a general merchandise or food store greater than 3,500 square feet with a motor vehicle fueling station. [RaceTrac]

STAFF RECOMMENDATION: **Approval.**

BACKGROUND INFORMATION:

- The request site is developed with a vacant vehicle display, sales, and service use.
- The property last obtained approval of a Certificate of Occupancy on November 12, 2010, under the business name, US Auto House.
- The proposed CS Commercial Service District will allow for the development of a one-story, 5,411-square foot general merchandise or food store [Racetrack] with fueling stations.
- The request site is contiguous to warehouse and office uses zoned for IR Industrial Research District uses.

Zoning History: There has been one zoning change requested in the area in the past five years.

1. Z145-102 On December 10, 2014, the City Council approved a request for a CS Commercial Service District and Specific Use Permit No. 2128 for an auto auction on property zoned an IR Industrial Research District located on the southwest line of John Carpenter Freeway Frontage Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Proposed ROW
Ambassador Row	Community Collector	60 ft.
Mockingbird Lane	Principal Arterial	100 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

Land Use:

	Zoning	Land Use
Site	IR	Vacant Vehicle Display, Sales & Service
Northeast	IR	Restaurant, Pawn Shop
Northwest	IR	Machine Shop-Industrial (Inside)
Southeast	IR, SUP No. 58	Office
Southwest	IR	Office Showroom/Warehouse
South	IR	Vacant Structure

COMPREHENSIVE PLAN:

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

The proposed CS Commercial Service District is described as being for the development of commercial and business serving uses. This is inclusive of retail stores and facilities for the retail sale of motor vehicle fueling station as proposed by the applicant. The proposed zoning request meets the following goals and objectives of the comprehensive plan.

LAND USE

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

A business-friendly environment is essential for Dallas to maintain competitiveness in the regional and global marketplace.

STAFF ANALYSIS:

Land Use Compatibility:

The existing IR Industrial Research District is intended to provide for research and development, light industrial, office, and supporting commercial uses in an industrial research park setting. This district is not intended to be located in areas of low and medium density residential development. The proposed Commercial Service District is intended to provide for the development of commercial and business serving uses that may involve outside storage, service, or display. This district is also not intended to be located in areas of low and medium density residential development.

The request site is approximately 1.7 acres in size and is currently developed with a two-story 18,714-square-foot vacant vehicle, display, sales and service use. The subject property has frontage on a community collector and is surrounded by retail and personal service uses to the northeast, wholesale distribution, and storage uses to the northwest, and office, office showroom/warehouse uses to the southeast and southwest.

The proposed general merchandise or food store greater than 3,500 square feet use is considered compatible with the adjacent uses and the surrounding area but is not permitted in the IR Industrial Research District. While this use is not permitted by the underlying IR District, it is permitted by right in a CS Commercial Service District. Staff

recommends approval based on the zoning change being consistent with the current land uses within the area.

Development Standards:

DISTRICT	Setbacks		FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
IR Industrial Research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed							
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

Landscaping:

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

Parking:

The parking requirement for a general merchandise or food store 3,500 square feet or greater use is 1 space per 200 square feet of floor area for uses with less than 10,000 square feet of floor area, 1 required ADA accessible space for every 10 required parking spaces plus two off street parking spaces for the motor vehicle fueling station. Based on the proposed 5,411 square feet of the proposed construction, the number of spaces required is 27 spaces plus the 2 ADA space and 2 for the fueling station with a minimum total of 31 parking spaces required. The applicant is proposing 32 spaces.

LIST OF OFFICERS

GROUP 701, LLC

Mahmoud Shahsiah - Manager

DEL LAGO VENTURES, INC.

Carl Bolch, JR – Chief Executive Officer

Allsion Bolch Moran – President

Max Lenker – Chief Financial Officer

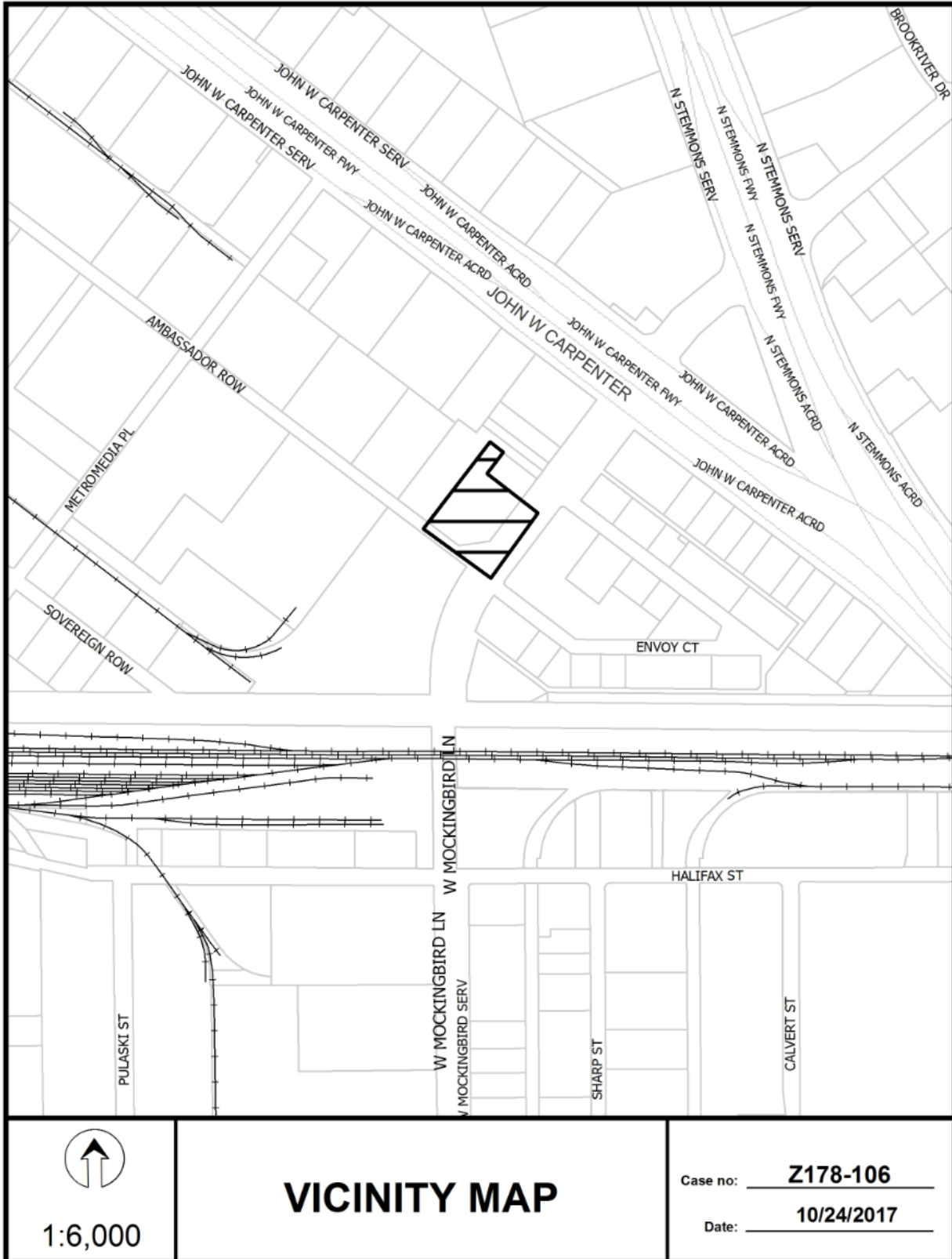
Robert J. Dumbacker – Chief Legal Officer

Susan Bass Bolch – Vice President

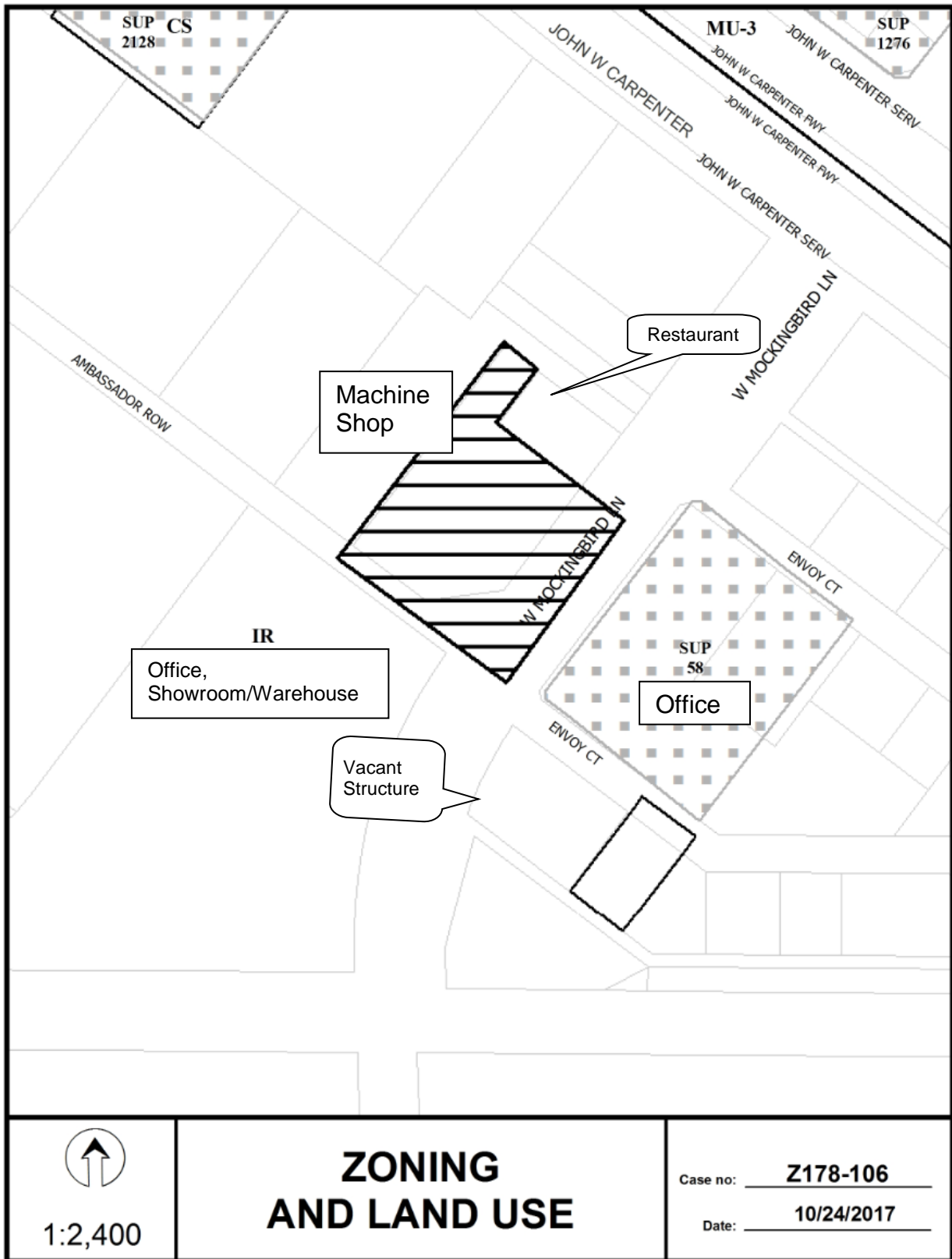
Natalie Bolch Morhous – Vice President

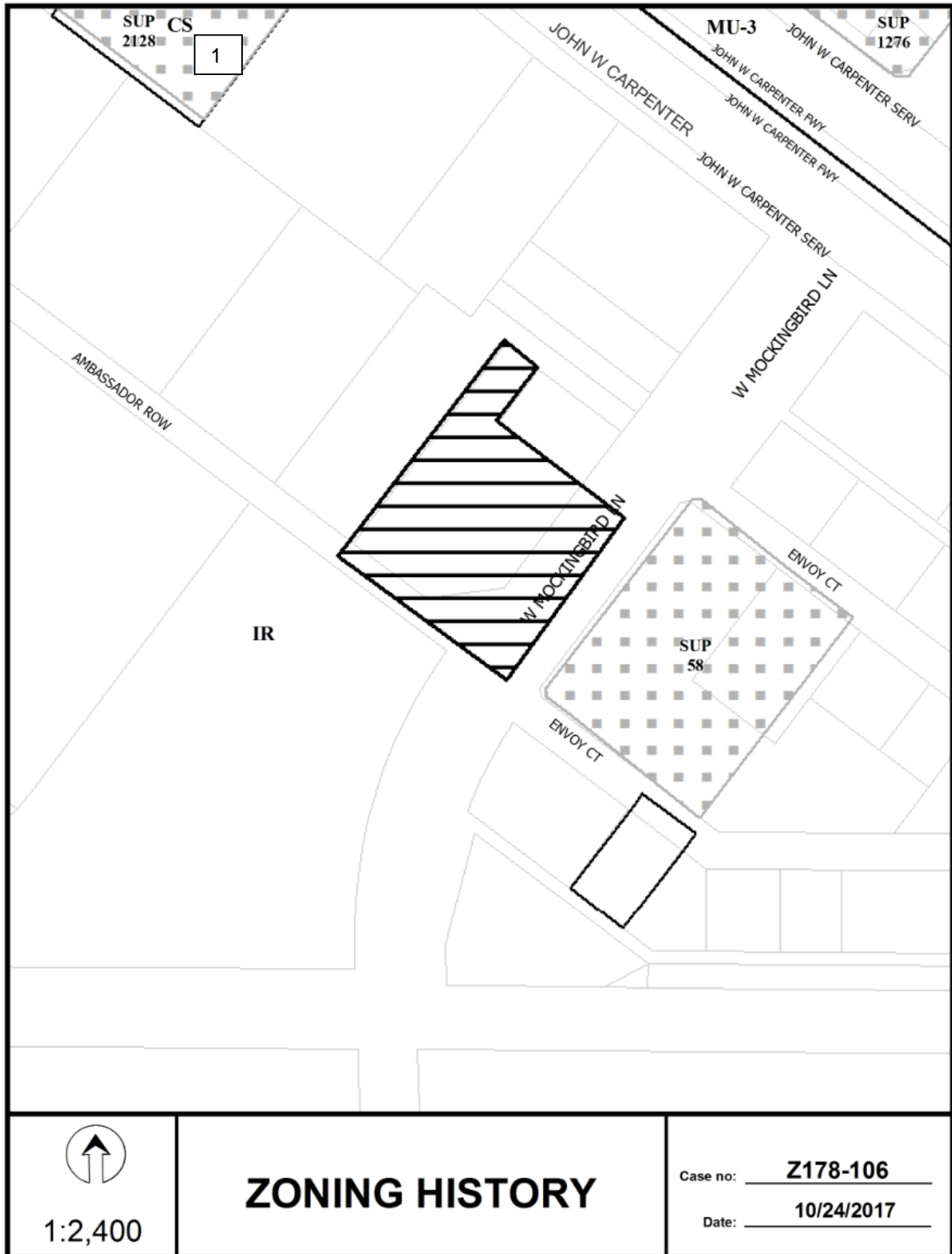
Melanie Bolch Isbill – Vice President

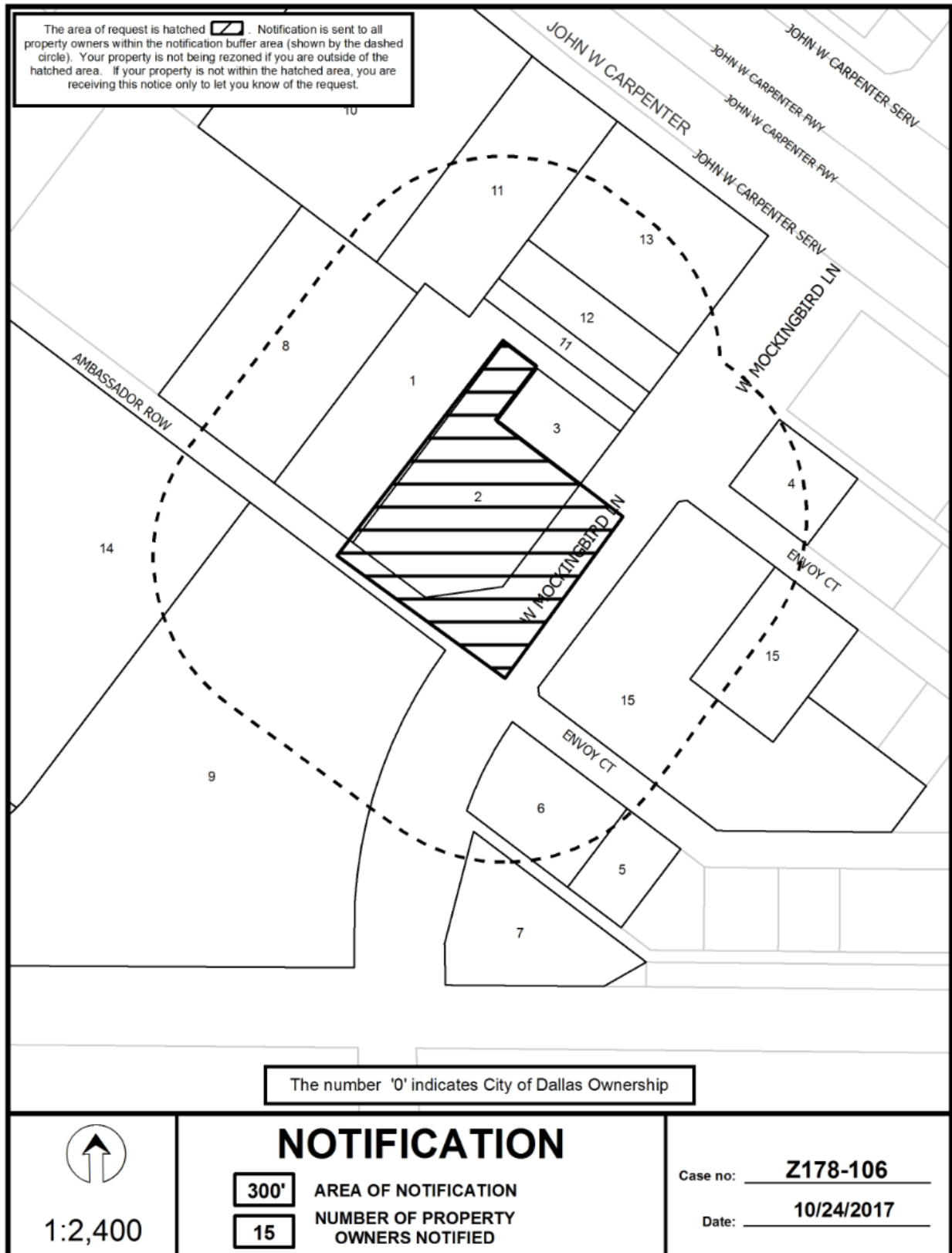
Jordan Bass Bolch – Vice President











10/24/2017

Notification List of Property Owners

Z178-106

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7410 AMBASSADOR ROW	7410 AMBR LLC
2	7300 AMBASSADOR ROW	GROUP 701 LLC
3	1035 W MOCKINGBIRD LN	FRIS CHKN LLC % CAJUN OPERATING CO
4	7108 ENVOY CT	S & P ASSETS LLC
5	7275 ENVOY CT	SCHLEIN ROBERT P &
6	950 W MOCKINGBIRD LN	GAYU INC
7	910 W MOCKINGBIRD LN	GAYU INC
8	7500 AMBASSADOR ROW	MICROPROPERTIES SIX LLC
9	7301 AMBASSADOR ROW	GERSHMAN PROPERTIES LLC
10	7611 JOHN W CARPENTER FWY	WEITZMAN HERBERT D TRUSTEE
11	1055 W MOCKINGBIRD LN	CLOUD HOLDINGS LLC
12	1055 MOCKINGBIRD LN	FOSTER DAN & KIM B
13	7303 JOHN W CARPENTER FWY	HEIDARI AL
14	7601 AMBASSADOR ROW	FESI AMBASSADOR ROW LP
15	1010 W MOCKINGBIRD LN	MILBAUER JOHN E TRUST THE

FILE NUMBER: Z178-110(PD)**DATE FILED:** October 16, 2017**LOCATION:** Northeast line of Second Avenue, between Metropolitan Avenue and Penelope Street**COUNCIL DISTRICT:** 7**MAPSCO:** 46-U**SIZE OF REQUEST:** ±9,115 sq. ft.**CENSUS TRACT:** 27.02

REPRESENTATIVE: Silvia A. Soto**APPLICANT:** Martin's Mobile**OWNER:** MMGCR Holdings LLC

REQUEST: An application for a Specific Use Permit for an auto service center use on property zoned NC(E) Neighborhood Commercial Enhanced Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The applicant proposes to operate an auto service center within an existing 1,050 square foot structure.

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

BACKGROUND INFORMATION:

- On September 26, 2001, the City Council approved Planned Development District No. 595.
- The area of request is currently improved with a one story, 1,050-square-foot metal structure.

Zoning History: There have been two recent zoning requests in the area within the last five years.

1. Z145-119 On March 25, 2015, the City Council approved an application for a new tract within Planned Development District No. 730 on property zoned Subdistrict R-5(A) within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District and Planned Development District No. 730 located on the northwest line of Hooper Street, west of Bexar Street.
2. Z134-123 On May 14, 2014, the City Council approved an application for a Planned Development District for CS Commercial Service District uses on property zoned a CC Community Commercial Subdistrict, Tract 10 within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District located on the southeast corner of Robert B. Cullum Boulevard and Borich Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Proposed ROW
2 nd Avenue	Community Collector	60 ft.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and has no objection to the proposed use.

Land Use:

	Zoning	Land Use
Site	PDD No. 595 (NC(E))	Vacant Structure
East	PDD No. 595 (NC(E))	Undeveloped
South	PDD No. 595 (CC)	Undeveloped
West	PDD No. 595 (NC(E))	Undeveloped
North	PDD No. 595 (R-5(A))	Undeveloped

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 applicant's request is consistent with the following goals and policies of the Comprehensive Plan. The request site is within a retail corridor that is located within the Southern Sector.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

STAFF ANALYSIS:

Land Use Compatibility:

The site is currently developed with a 1,050-square-foot vacant one-story metal building, along the Second Avenue frontage. The applicant is planning to utilize the existing structure for an auto service center.

The property is immediately adjacent to vacant lots. The surrounding area is comprised of retail and personal service uses and commercial service uses along the Second Avenue corridor. Single family uses are located further north of the request site.

The surrounding uses are compatible with the proposed use on the subject property as similar uses are present within the area. The request site fronts along Second Avenue which is classified as a community collector. Second Avenue intersects at S. Fitzhugh Avenue, a minor arterial with 100 feet of R.O.W. divided by a median with 6-lanes and connects with Robert B. Cullum, a principal arterial with 107 feet of R.O.W., divided by 6-lanes and provides adequate service to the businesses along this section of the street. Staff recommends approval based on the zoning change being consistent with the current land use and future land use goals in Planned Development District No. 595.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 595	0' or 15'	15' adjacent to residential OTHER: No Min. or 5'	0.5 FAR	30' 2 stories	40%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking:

The proposed auto service center use requires that two parking spaces be provided at a ratio of 1 space per 500 square feet of floor area. Additionally, PDD No. 595 requires that required off-street parking is prohibited within 30 feet of the public street curb. As required, the applicant is proposing three parking spaces to be located at the rear of the existing structure. No significant increase in the number of vehicles will be generated.

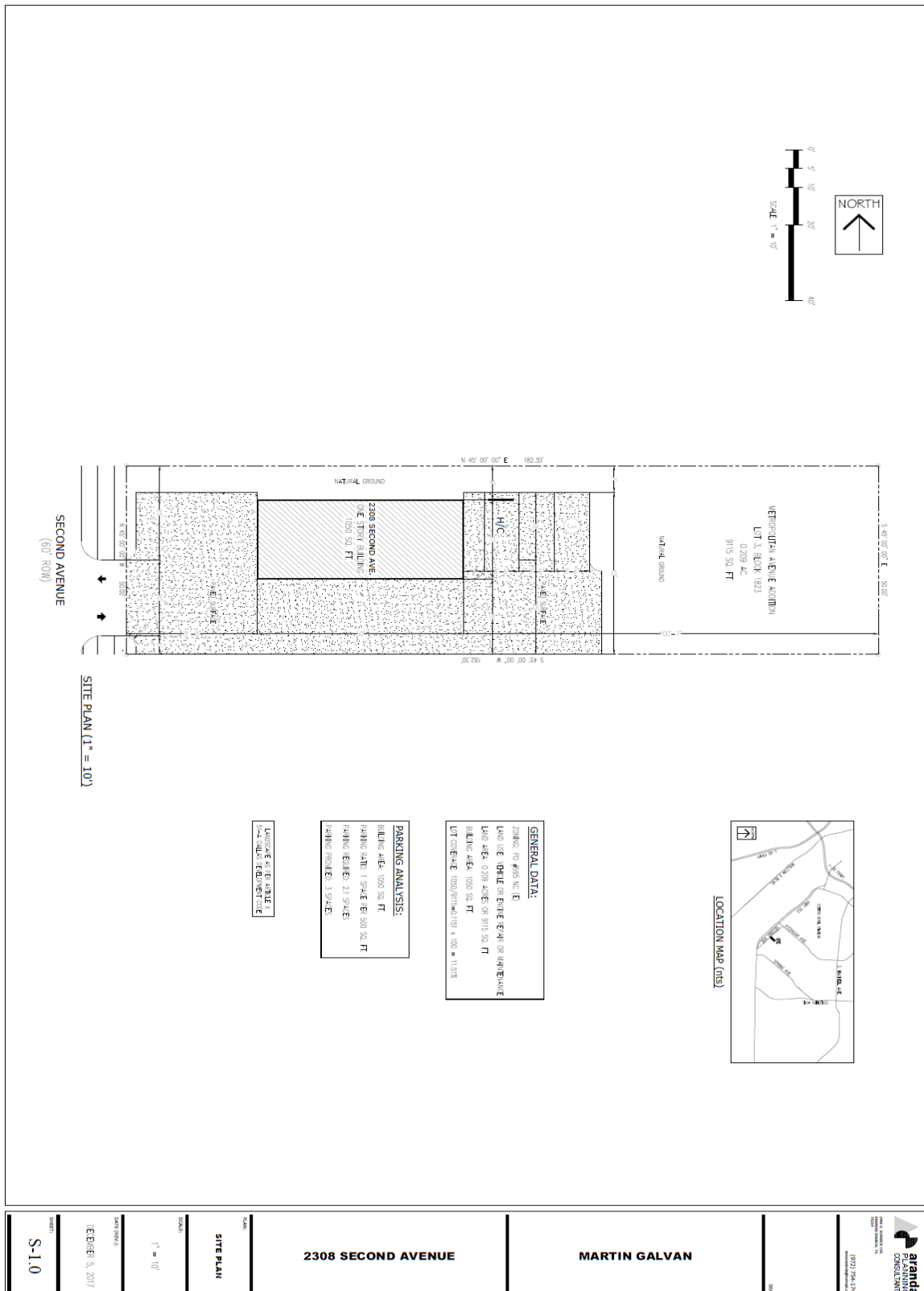
Landscaping:

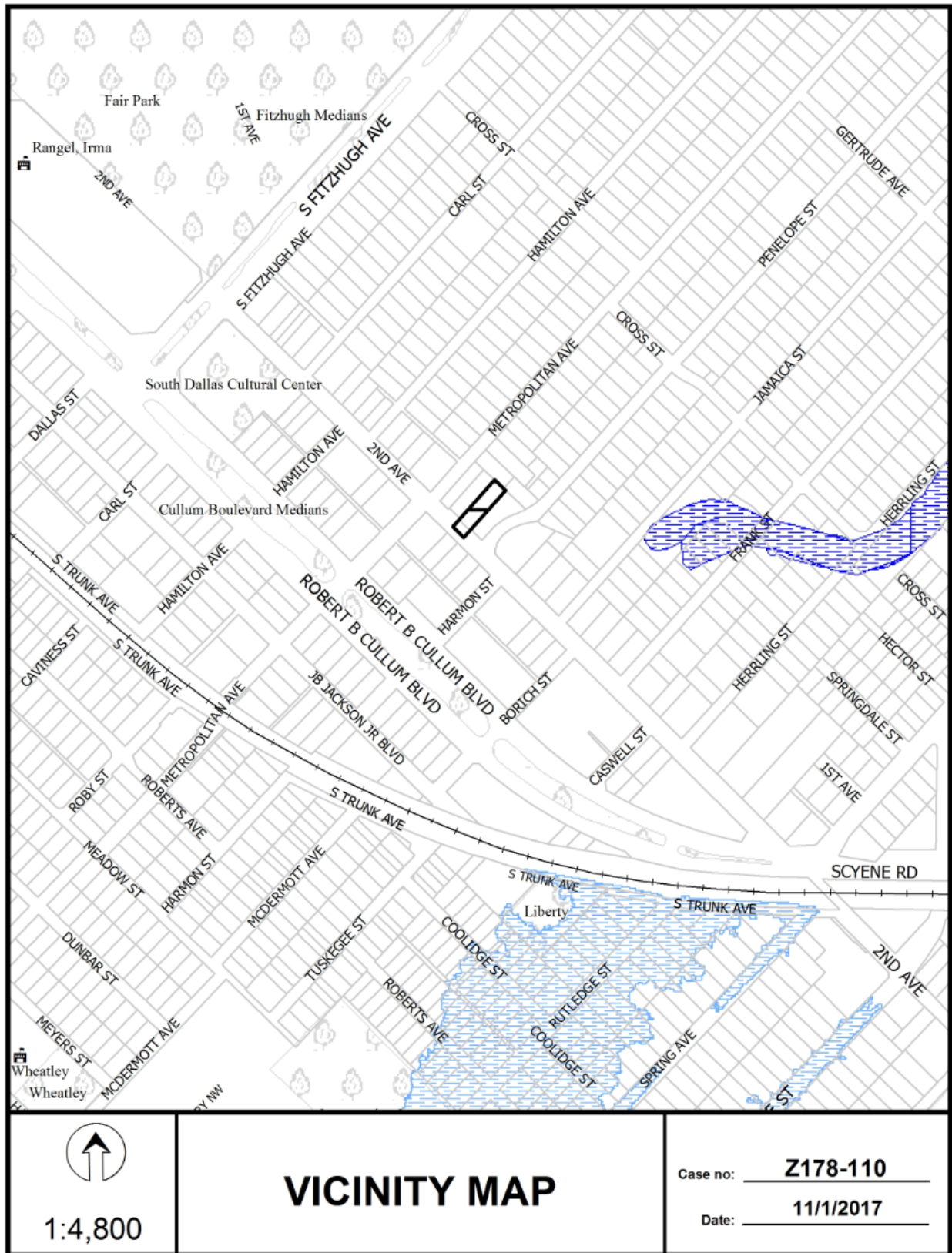
Landscaping is required per Article X of the Dallas Development Code, as amended.

PROPOSED SUP CONDITIONS

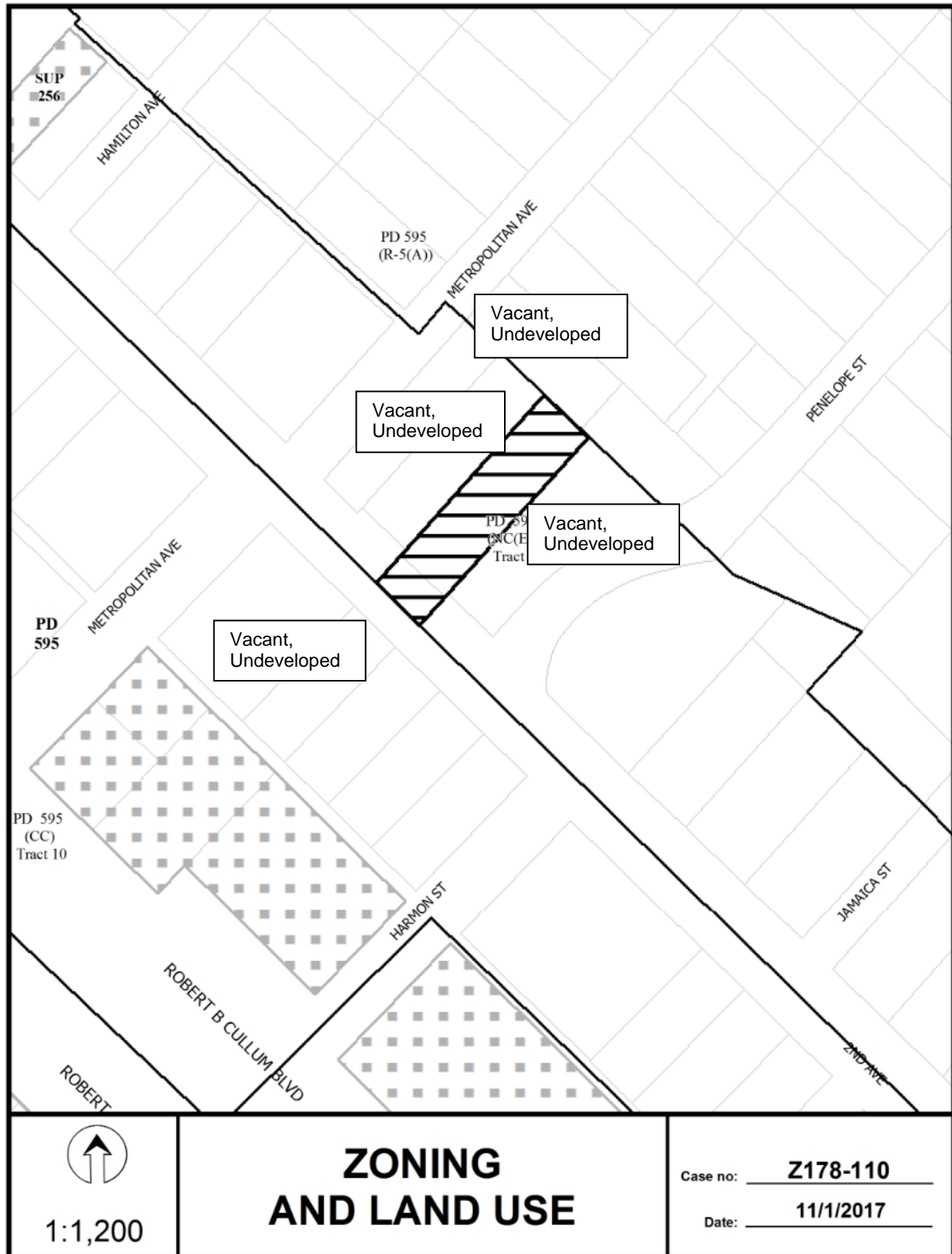
1. USE: The only use authorized by this specific use permit is an auto service center.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on _____(two-year period from the passage of this ordinance.
4. LANDSCAPING:
 - A. Landscaping must be provided and maintained in accordance with Article X.
 - B. Plant material must be maintained in a healthy, growing condition.
5. FLOOR AREA: Maximum floor area is 1,050 square feet.
6. HOURS OF OPERATION: An auto service center may only operate between 8:00 a.m. and 6:00 p.m., Monday through Saturday.
7. SCREENING: Screening of off-street parking must be provided as shown on the attached site plan.
8. LIGHTING: Lighting must be directed away from any adjacent residential areas.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

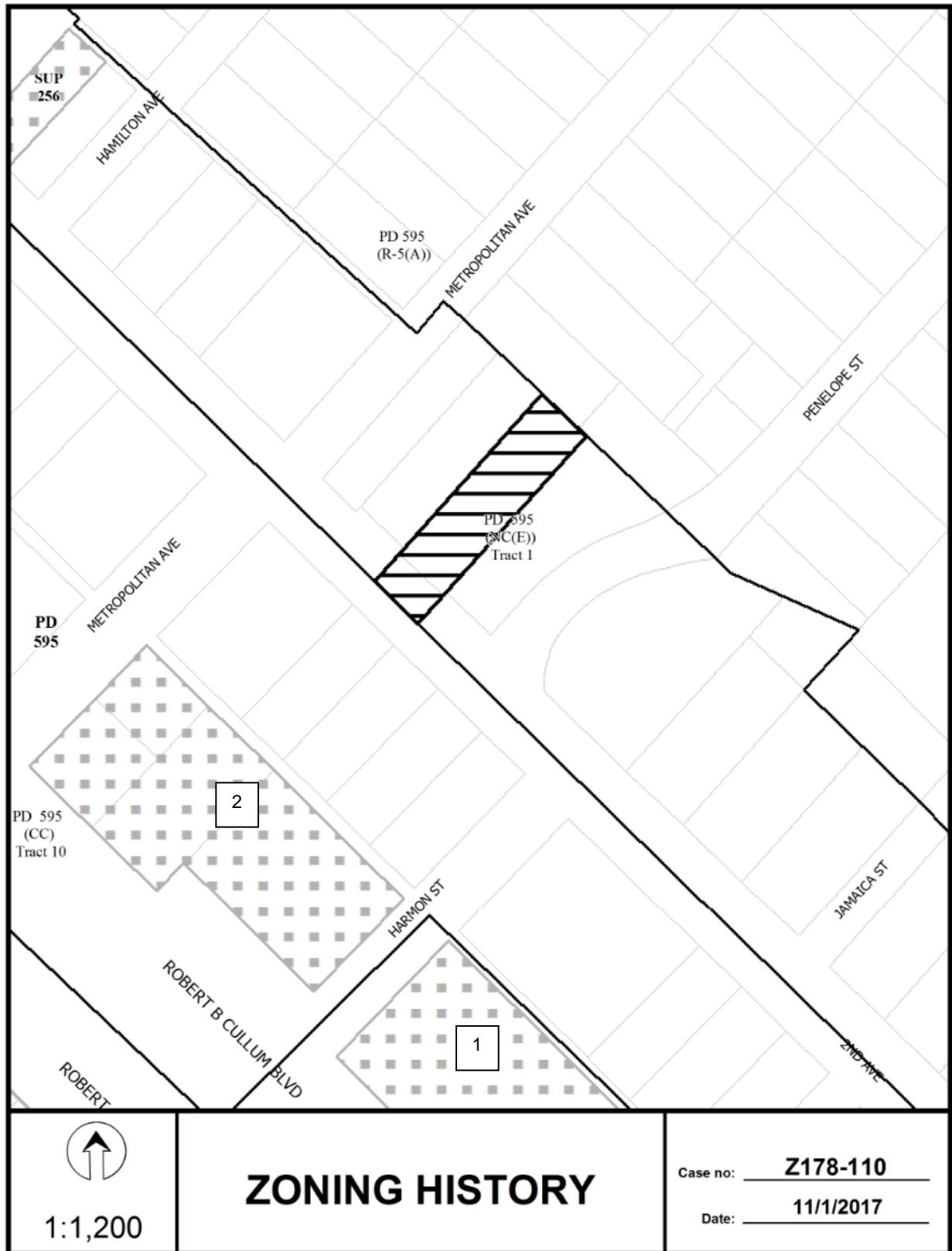
PROPOSED SITE PLAN

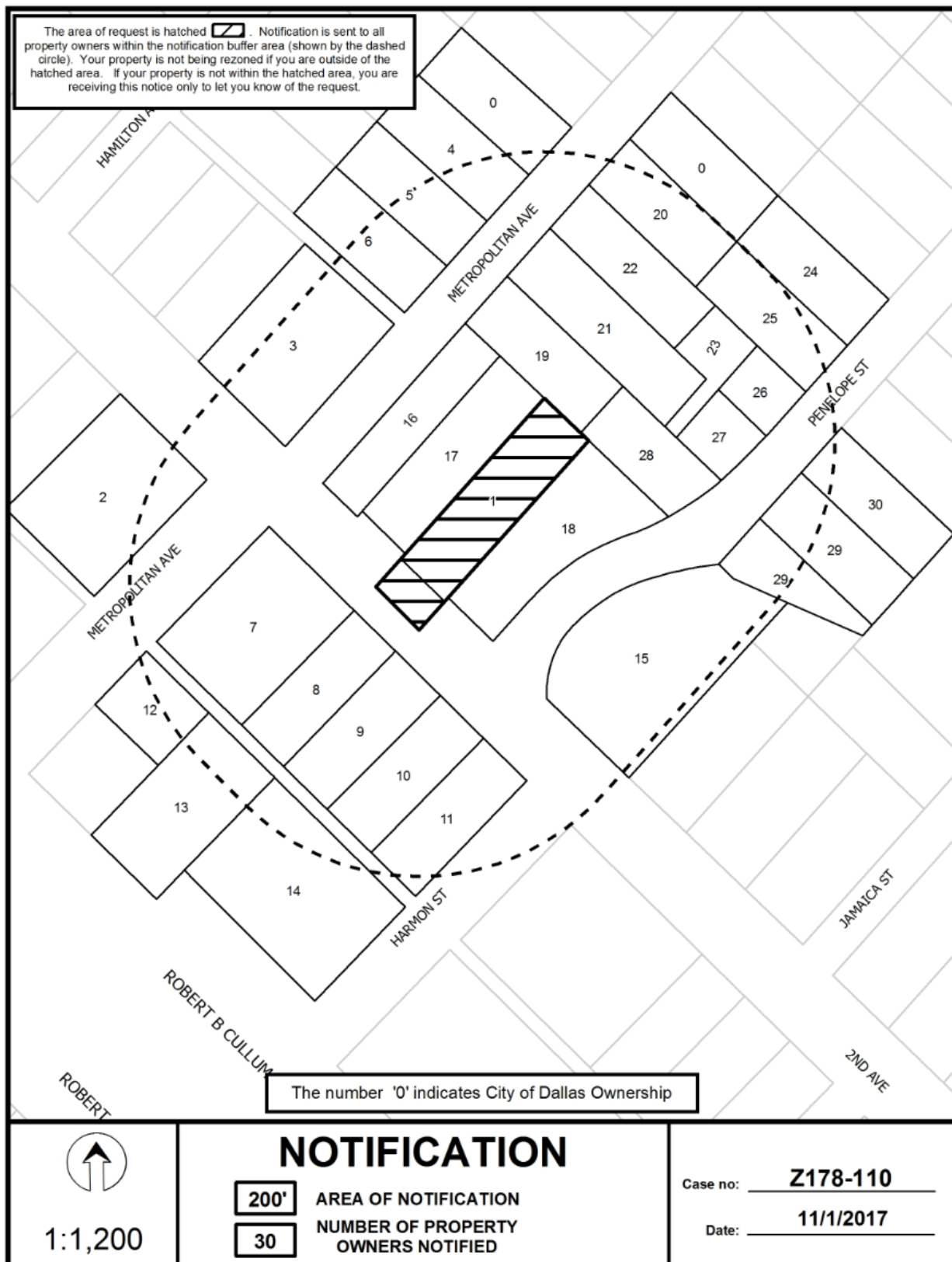












11/01/2017

Notification List of Property Owners***Z178-110******30 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2308 2ND AVE	MMGCR HOLDINGS LLC
2	2223 2ND AVE	SMITH ELIZABETH R F
3	2210 S 2ND AVE	WILLIAMS BYRON
4	3521 METROPOLITAN AVE	HARRIS MAMIE ETAL
5	3517 METROPOLITAN AVE	DALLAS NEIGHBORHOOD
6	3515 METROPOLITAN AVE	WILLINGHAM RODNEY & RHONDA
7	2305 S 2ND AVE	IGLEHART CLARENCE &
8	2311 2ND AVE	WILONSKY HARRY
9	2315 S 2ND AVE	STERN MARGARET EST OF
10	2319 S 2ND AVE	DAVIS ROBERT R JR & DANN
11	2323 2ND AVE	WOFFORD DONDI
12	3410 METROPOLITAN AVE	IGLEHART CLARENCE &
13	2204 ROBERT B CULLUM BLVD	TINSLEY TOBERT T EST
14	2212 ROBERT B CULLUM BLVD	IGLESIA DEL MAESTRO
15	2404 2ND AVE	MNR DFW HOLDINGS LLC
16	2302 S 2ND AVE	LE LOC DUC &
17	2304 2ND AVE	SCANTLEN SARAH EST
18	2314 2ND AVE	WATTS LEO
19	3514 METROPOLITAN AVE	DALLAS HOUSING ACQUISITION & DEV CORP
20	3528 METROPOLITAN AVE	DAVIS CHORSIA M ANGTON
21	3520 METROPOLITAN AVE	BOYD JUANITA JONES
22	3524 METROPOLITAN AVE	DAVIS LARRY
23	3526 METROPOLITAN AVE	UNKNOWN
24	3533 PENELOPE ST	HARRIS GLADYS
25	3529 PENELOPE ST	STAFFORD DONALD A
26	3525 PENELOPE ST	GRO PROPERTIES INC

Z178-110(PD)

11/01/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3521 PENELOPE ST	FLORES CARLOS
28	3515 PENELOPE ST	EDWARDS MARTHA
29	3516 PENELOPE ST	SANCHEZ ENRIQUE &
30	3524 PENELOPE ST	CRAYTON HORACE L ESTATE OF

FILE NUMBER: Z167-259(WE)

DATE FILED: March 29, 2017

LOCATION: West and north side of Forestgate Drive, north of Forest Lane

COUNCIL DISTRICT: 10

MAPSCO: 18-W

SIZE OF REQUEST: Approx. 5.58 acres

CENSUS TRACT: 190.19

APPLICANT/OWNER: Harmony Public Schools

REPRESENTATIVE: Karl Crawley, Masterplan

REQUEST: An application for the renewal of Specific Use Permit No. 1548 for an open-enrollment charter school on property zoned an IR Industrial Research District.

SUMMARY: The applicant is requesting to renew the existing SUP for an open-enrollment charter school. The applicant missed the time period required to apply for automatic renewal.

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

PREVIOUS ACTION: On November 16, 2017, the City Plan Commission held this case under advisement until November 30, 2017, in order to allow the representative to revise the site plan and the circulation shown on the proposed traffic management plans. On November 30, 2017, the City Plan Commission held this case under advisement in order to allow the representative to update the traffic management plan.

BACKGROUND INFORMATION:

- The request site is currently developed with an open enrollment charter school and office showroom warehouse.
- SUP No. 1548 was established on May 12, 2004, for a maximum of 17 classrooms. On April 26, 2006, this SUP was approved to allow a maximum of 36 classrooms. In January 2007, an amendment to SUP No. 1548 was approved to increase the maximum number of classrooms to 40, increase the site area by an additional three acres, and include a gymnasium.
- In April 2012, the City Council approved an amendment to Specific Use Permit No. 1548 to increase the number of classrooms by seven, to a total of 47 classrooms.
- The applicant did not submit an application for renewal within the time period specified in the conditions and as a result had to submit an application for renewal of SUP No. 1548.
- The applicant's request for a renewal of Specific Use Permit No. 1548 will permit the continued operation of the charter school. A revised site plan has been submitted to reflect the existing playground area as well as a new orientation of the parking area in front of the high school, which is located north of the elementary/middle school. There are no other changes that are being considered for Specific Use Permit No. 1548, except for the reduction in the number of classrooms from 47 to 40, and time limit of the Specific Use Permit.
- The surrounding land uses consist of single family to the west, multifamily to the north, and office showroom warehouse uses to the east and south.

Zoning History: There has been one recent zoning change requested within the area within the past five years.

1. Z167-128 On February 22, 2017, the City Council approved Specific Use Permit No. 2230 for a utility or government installation other than listed to allow an elevated water storage tank use.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Forest Lane	Principle Arterial	107 ft.

Land Use:

	Zoning	Land Use
Site	IR with SU P No. 1548	Charter school
North	MF-2(A)	Multifamily
South	IR	Office showroom warehouse
East	IR	Office showroom warehouse
West	R-7.5(A)	Single family

STAFF ANALYSIS:**Comprehensive Plan:**

The requested zoning change is compatible with the intent of the Comprehensive Plan because it complies with the following goals and policies:

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 2.5** Foster A City of Great Neighborhoods

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Land Use Compatibility:

Specific Use Permit No. 1548 is for an open enrollment charter school. The approximately 5.5-acre request site is zoned an IR Industrial Research District and is located within an office park. The renewal of SUP No. 1548 will allow for the continued operation of the existing charter school. There are no additional changes that are being considered for SUP No. 1548 except for a revised traffic management plan (TMP) and a revised site plan which depicts the existing playground area, as well as the orientation of the parking area in front of the high school, which is located north of the elementary/middle school.

The surrounding land uses are single family to the west, multifamily to the north, and office showroom warehouse uses to the east and south.

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

The applicant has submitted a TMP report with this application which the Engineering Division has reviewed and supports.

Parking/Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development. The Traffic Management Plan has also been reviewed and is recommended for approval.

The Traffic Management Plan will incorporate two Exhibits: Exhibit -2 and Exhibit -3. Exhibit -2 depicts the circulation and length of queueing lanes for the elementary /middle school while Exhibit-3 depicts the circulation and length of queueing lanes for the high school.

Landscaping:

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

List of Partners/Principals/Officers

COSMOS FOUNDATION, INC.

Board of Directors

Oner Ulvi Celpcikay
Mustafa Ata Atik
Cengizhan Keskin
Bilal Akin
Ellen A. MacDonald

Officers

Oner Ulvi Celpcikay, President
Mustafa Ata Atik, Secretary
Cengizhan Keskin, Treasurer
Bilal Akin, Vice President
Ellen A. MacDonald, Vice President
Fatih Ay, Cluster Superintendent Dallas-Waco

SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years from the passage of this Ordinance) [~~April 10, 2017~~], but is eligible for automatic renewals 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 10th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress and egress is permitted.
5. CLASSROOMS: The maximum number of classrooms is 4[7]0, limited to no more than 1[8]9 kindergarten and elementary classrooms, 1[5]1 junior high/middle school classrooms, and 1[4]0 high school classrooms.
6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 8:00 a.m. and 4:00 p.m., Monday through Friday, and between 8:00 a.m. and 12:00 noon on Saturday.
7. STUDENT LOADING AND UNLOADING:
 - A. A designated area for student loading and unloading must be identified with pavement markings and signage in the location shown on the attached traffic management [~~site~~] plan.
 - B. School personnel must be provided at student loading and unloading areas, as shown on the attached traffic management plan, between the hours of 7:30 a.m. to 8:15 a.m., 2:50 p.m. to 3:15 p.m., and 3:45 p.m. to 4:00 p.m., Monday through Friday to facilitate traffic circulation and student loading and unloading.
 - C. Pavement markings showing the direction of traffic must be provided as shown on the attached traffic management [~~site~~] plan.
 - D. Student loading and unloading is prohibited on Forestgate Drive.

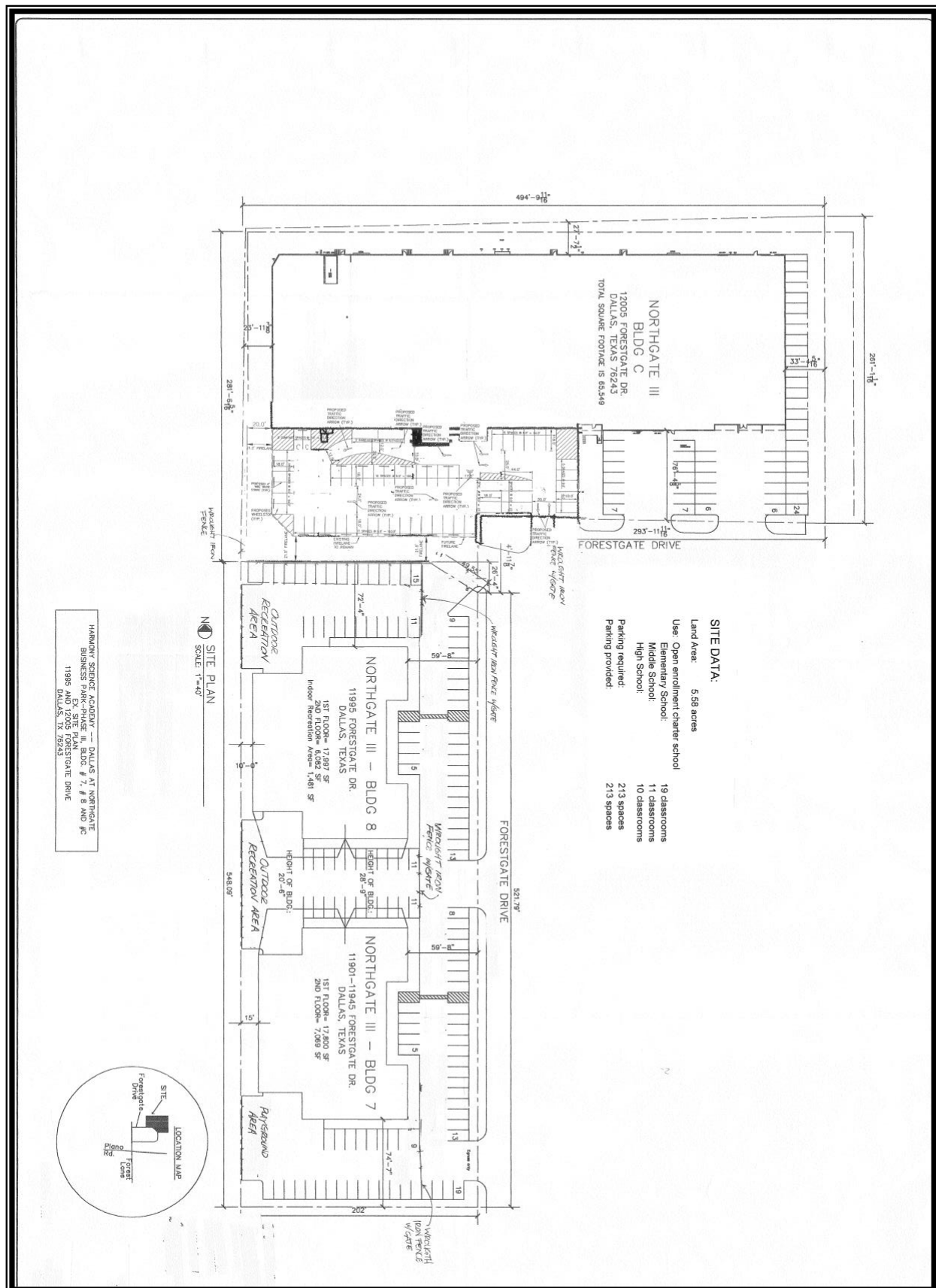
8. TRAFFIC MANAGEMENT PLAN:

- A. Prior to the issuance of a certificate of occupancy for Building C, the Property owner must comply with the provisions outlined in the attached traffic management plan.
- B. Thirty days prior to each new school year, the Property owner must provide the director of public works and transportation with an update to the traffic management plan. Any changes required by the director after review of the revised plan must be implemented within 15 days after the date of the director's request.

9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules and regulations of the City of Dallas."

PROPOSED SITE PLAN

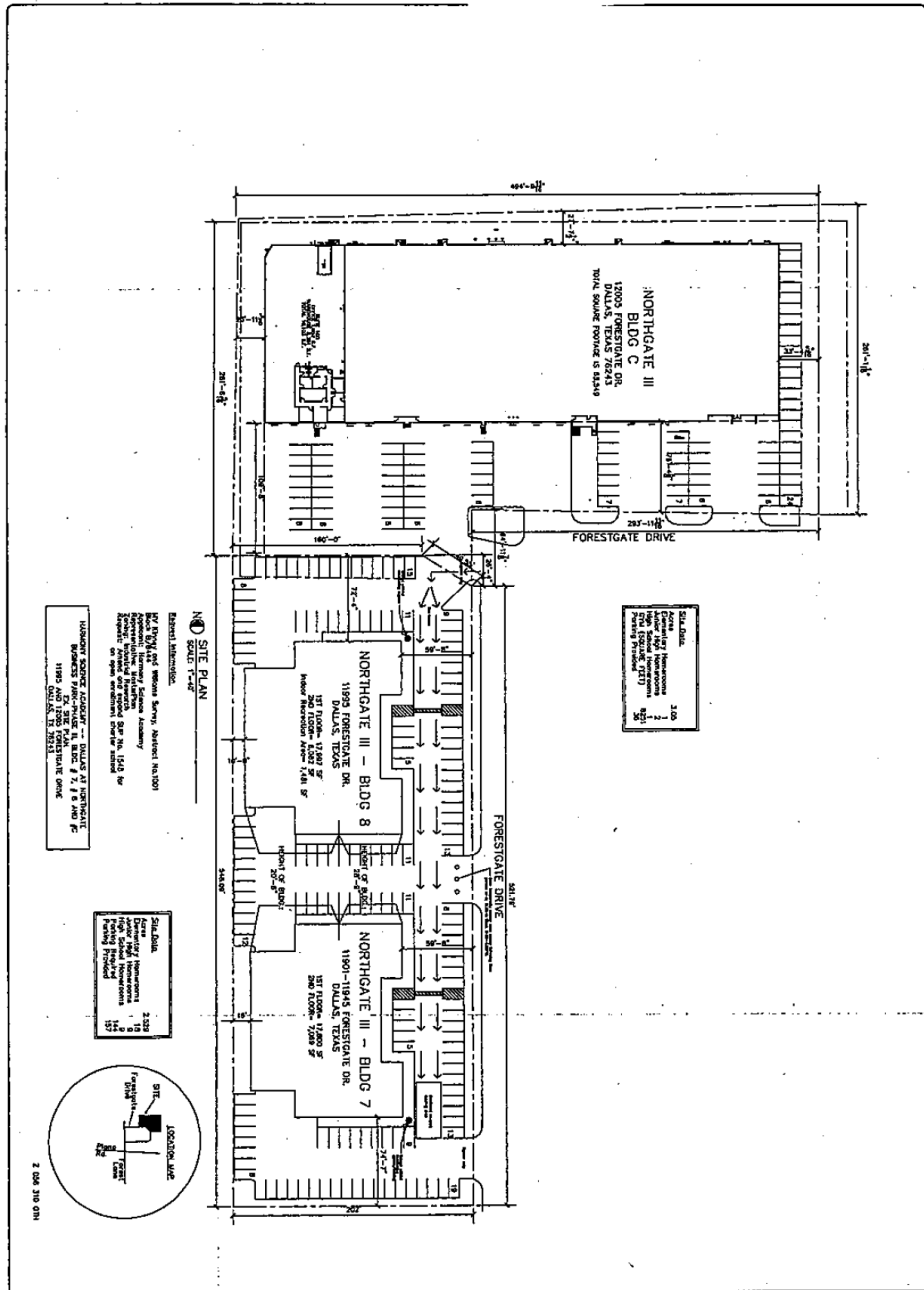


EXISTING SITE PLAN WITH CIRCULATION PLAN

Site Plan

26541

070177



Specific Use Permit
No. 1548

Approved
City Plan Commission
November 2, 2006

December 4, 2017

PK# 3126-17.003

TRAFFIC MANAGEMENT PLAN

Project:

Harmony Science Academy

In Dallas, Texas

Prepared for:

City of Dallas

On behalf of:

Harmony Science Academy



Steve E. Stoner

12/4/17

Prepared by:



7557 Rambler Road, Suite 1400

Dallas, Texas 75231-2388

(972) 235-3031 www.pkce.com

TX. REG: ENGINEERING FIRM F-14439

TX. REG. SURVEYING FIRM LS-10193805-00

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INTRODUCTION

The services of **Pacheco Koch** (PK) were retained by on behalf of **Harmony Schools**, to prepare a Traffic Management Plan (TMP) for the Harmony Science Academy located at 11995 Forestgate Drive in Dallas, Texas. This TMP is site-specific and relates to the peak traffic activity associated with school traffic at the site.

Harmony Science Academy (the “School”) is seeking to renew its Specific Use Permit (SUP) from the City of Dallas (the “Approving Agency”). Submittal of a TMP, prepared by a registered professional engineer experienced and skilled in the field of traffic/transportation engineering, is one of the requirements of City’s review process. This TMP was prepared by registered professional engineers employed by Pacheco Koch. Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional services in traffic engineering, transportation planning, and other fields.

Project Description

The site currently consists of a K-12 public charter school. The school consists of three, adjacent buildings—one each for the elementary, middle, and high schools. Access to the campus is via Forestgate Drive, a local street, which forms a loop that intersects with Forest Lane, a thoroughfare. In this section (between Plan Road and Skillman Street), Forest is an eight-lane, median-divided cross-section. The intersections of Forest and Forestgate are STOP-controlled. Nearby traffic signals are located on Forest Lane at the intersections with Plano Road (east of Forestgate) and Skillman Street (west of Forestgate).

The campus is located within a business park and is surrounded by small offices and other businesses. Multifamily is located north of the site and single family is located west of the site. An existing site plan, prepared by Heights Venture Architects, is provided at the end of this report.

Current enrollment is summarized below in Table 1. The School is not seeking to increase enrollment through the pending SUP renewal.

Table 1. Current Enrollment

LEVEL	STUDENTS ENROLLED
Kindergarten	43
1st Grade	51
2nd Grade	68
3rd Grade	76
4th Grade	81
5th Grade	74
<i>Elementary School Subtotal</i>	<i>393</i>
6th Grade	138
7th Grade	136
8th Grade	135
<i>Middle School Subtotal</i>	<i>409</i>
9th Grade	125
10th Grade	116
11th Grade	101
12th Grade	83
<i>High School Subtotal</i>	<i>425</i>
TOTAL	1,227

Currently, each school start at 7:45 AM on school days. The Elementary School ends at 2:45 PM; the Middle and High Schools end at 3:25 PM.

TMP Objectives

A Traffic Management Plan (TMP) is a site- or area-specific plan of recommended actions and strategies to manage vehicular traffic and parking, pedestrian activity, and travel by all other modes during peak demand conditions for a planned event. The “Objectives” of a TMP are to:

1. Provide a safe environment for all Users on site and the travelling public in the vicinity of the site during the Event times;
2. Minimize (and maintain within reasonable levels) travel delays and traffic congestion on site and in the vicinity of the site during the Event;
3. Ensure reasonable access and circulation is maintained on the public street system in the vicinity of the site during the Event;
4. Provide appropriate information to the travelling public in the vicinity of the site to allow for proper awareness of anticipated traffic conditions during the Event; and,
5. Promote reasonable strategies to manage travel demand to and from the site, including use of alternative modes of travel (such as walk, bike, bus, transit, etc.), when practical.

DEFINITIONS:

Terms are used in this report:

“Event” – a planned event(s), recurring or non-recurring, for which this TMP is being prepared (i.e., “school day”)

“School” (a.k.a., “Event Organizer”) – the person, group, or organization responsible for the Event

“TMP Manager” – a person or persons designated by the School to implement the TMP (also see additional tasks in the *Expectations* section)

“Users” – guests/patrons attending the Event

“Analyst” – the person(s) preparing the TMP for the School

“Approving Agency” – the municipality or government agency requiring the Traffic Management Plan

“Traffic Department” – the department of the public agency responsible for traffic operations for a given right-of-way

“Site” – the property at which the Event is located (generally assumed to be occupied by the School)

“TMP Strategies” – actions recommended by the Analyst to be undertaken before, during, or after the Event in order to manage traffic on or off site

DISCLAIMERS:

A TMP should be developed by, or in concert with, an individual familiar with the general characteristics of the Event and the associated traffic/transportation needs. For this study, PK worked with School representatives to develop the proposed recommendations.

Recommended TMP Strategies should be based upon applicable engineering principles of traffic safety and traffic operations.

Any recommended TMP Strategies involving traffic control devices in the public right-of-way (including installation or removal of signs, pavement markings, etc.) are subject to the approval of, and must be implemented under direction of, the Traffic Department.

No private individual should perform, or attempt to perform, any act of traffic control within public right-of-way; only deputized officers of the law or other authorized representatives of the Traffic Department may manipulate traffic conditions within the public right-of-way.

Pacheco Koch was not involved with site selection, site design, or the current operations for this project. Pacheco Koch is not responsible for the *implementation* of the recommended TMP Strategies contained in this study.

Methodology

When feasible, the Analyst should conduct first-hand observations of existing event to develop an understanding of site-specific traffic/transportation characteristics, such as: drop-off/pick-up frequency, parking needs, alternative travel mode use, safety issues, queuing, traffic congestion, site access, current traffic management strategies in use, etc. When it is not feasible to conduct such observations, interviews with staff or personnel familiar with those items is desirable. When neither option is available, the Analyst may be required to rely upon published information and/or professional judgment and experience.

Once the base information is assembled, the Analyst should estimate the projected traffic/transportation characteristics generated by the proposed Event. Next, the Analyst should inventory the attributes and resources of the subject site and determine how the site can best accommodate those projected conditions. Based upon that assessment, the recommended TMP Strategies shall be developed to optimally achieve the basic TMP Objectives. The recommended TMP Strategies should be reviewed by the School (ideally, the TMP Manager) for refinement and approval before formal submittal to the Approving Agency.

Expectations

NOTE TO SCHOOL: By submittal of a TMP to the Approving Agency, the School is implicitly agreeing to implement, maintain, and comply with the recommended actions presented herein subject to acceptance by Approving Agency and any associated conditions Approving Agency may impose. It is also inferred that the School agrees to be self-accountable for these actions until and unless Approving Agency deems further measures are appropriate or the TMP is no longer required.

Recommended TMP Strategies may include one-time measures to be implemented before the Event and/or ongoing actions to be performed before, during, or after the Event. Recommended TMP Strategies involving on-site measures or actions are generally considered to be the responsibility of the School.

To ensure appropriate compliance and consistent implementation of the TMP, it is recommended that the School appoint a TMP “Manager”. In general, a Manager should be a qualified and capable individual or group of individuals assigned to take responsibility of the TMP and be accountable for successful implementation in order to achieve the Objectives described earlier (see “*TMP Objectives*”). Other specific duties of the Manager include:

- Monitor effectiveness of TMP strategies and make prudent adjustments, as needed, to more effectively accomplish the TMP Objectives

- Maintain an awareness of readily-available alternative transportation modes serving the site and facilitate and promote their use during the Event when practical
- Serve as a liaison to the Approving Agency(-ies), when needed
- When applicable, provide training and direction to other personnel assigned to implement the TMP measures
- Provide instruction to Users on how to comply with the intent of the TMP

Recommended TMP Strategies were developed specifically for the period(s) of peak traffic demand and are depicted in the respective exhibits. For periods of less intense traffic demand, recommended TMP Strategies may be utilized, in part or in whole, as needed to realize the TMP Objectives.

Changes to TMP

Informal changes to any recommended TMP Strategies presented herein to improve efficiency or effectiveness may be implemented at the discretion of the School if those changes are prudent and do not compromise the TMP Objectives. It is recommended that changes implemented under such circumstances be documented and retained by the School for future reference or upon request. At the discretion of the Approving Agency, submittal of a formally revised TMP report/document or a validation study may be required on a predetermined or as needed basis.

TRAFFIC MANAGEMENT PLAN

NOTE: Recommended TMP Strategies contained herein are based upon the best data, site-specific information, and analytical processes readily available at the time of the study. However, specific quantities related to traffic congestion at peak periods (e.g., duration, length of queue, etc.) are estimated values. Actual quantities may vary due to unknown or unquantifiable variables and other operational factors that may occur. In the event that actual, future conditions generate undue burden on Users and/or the travelling public, modifications to the TMP should be considered. (See preceding NOTE for guidance on implementing changes to the TMP.) However, in extreme conditions, TMP actions may not be capable of mitigating all traffic conditions, and it may be incumbent on Harmony Science Academy to consider operational, institutional, or other long-term changes to address issues on a more permanent basis.

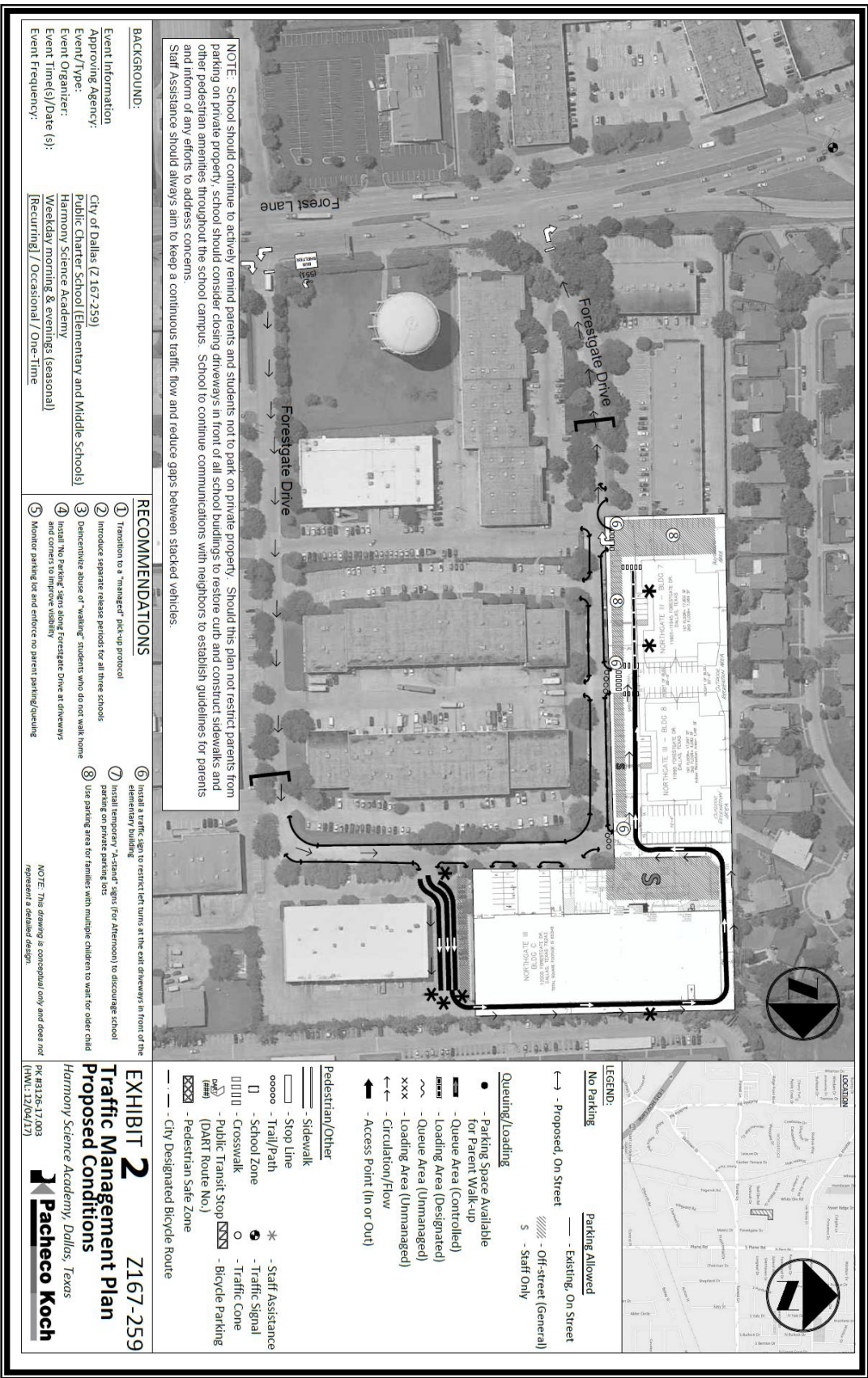
A graphical summary of existing conditions is depicted in **Exhibit 1**; graphical summaries of recommendations and proposed conditions are depicted in **Exhibits 2 and 3** for the Elementary, Middle, and High schools, respectively. All assumptions, calculations, and other quantitative data are provided in the **Appendix**.

A summary of specific recommendations are provided below:

1. During the afternoon pick-up period, transition from an “unmanaged pickup protocol” to a “managed pick-up protocol” in which all parents must enter a controlled queue line and pick-up students at a designated loading area. See traffic control measures depicted in **Exhibits 2 and 3**.
2. Introduce a separate release (i.e., pick-up) time for all three schools: Elementary, Middle, and High schools. Release times should be separated by a minimum of 20 minutes with Elementary School release first and High School release last.
3. Disincentivize abuse of “walking” students who do not walk home but are actually picked up by parents off school property. Recommended methods are:
 - a. Do not release “walkers” until the last release time,
 - b. Scrutinize eligibility of students to register as “walker” such as by limiting the privilege to students with proof of residence within one mile of campus.
4. Install [Caity forces] ‘No Parking’ signs along Forestgate Drive at driveways and corners to improve visibility.
5. Monitor parking lot and enforce no parent parking/queuing.
6. Install a traffic sign to restrict left turns at the exit driveways in front of the elementary building.
7. Install temporary “A-stand signs (For Afternoon) to discourage school parking on private parking lots.
8. School should allow families with multiple students in different school grades to temporarily park at a designated parking area. Parents should wait for their older students (middle and high school grades).

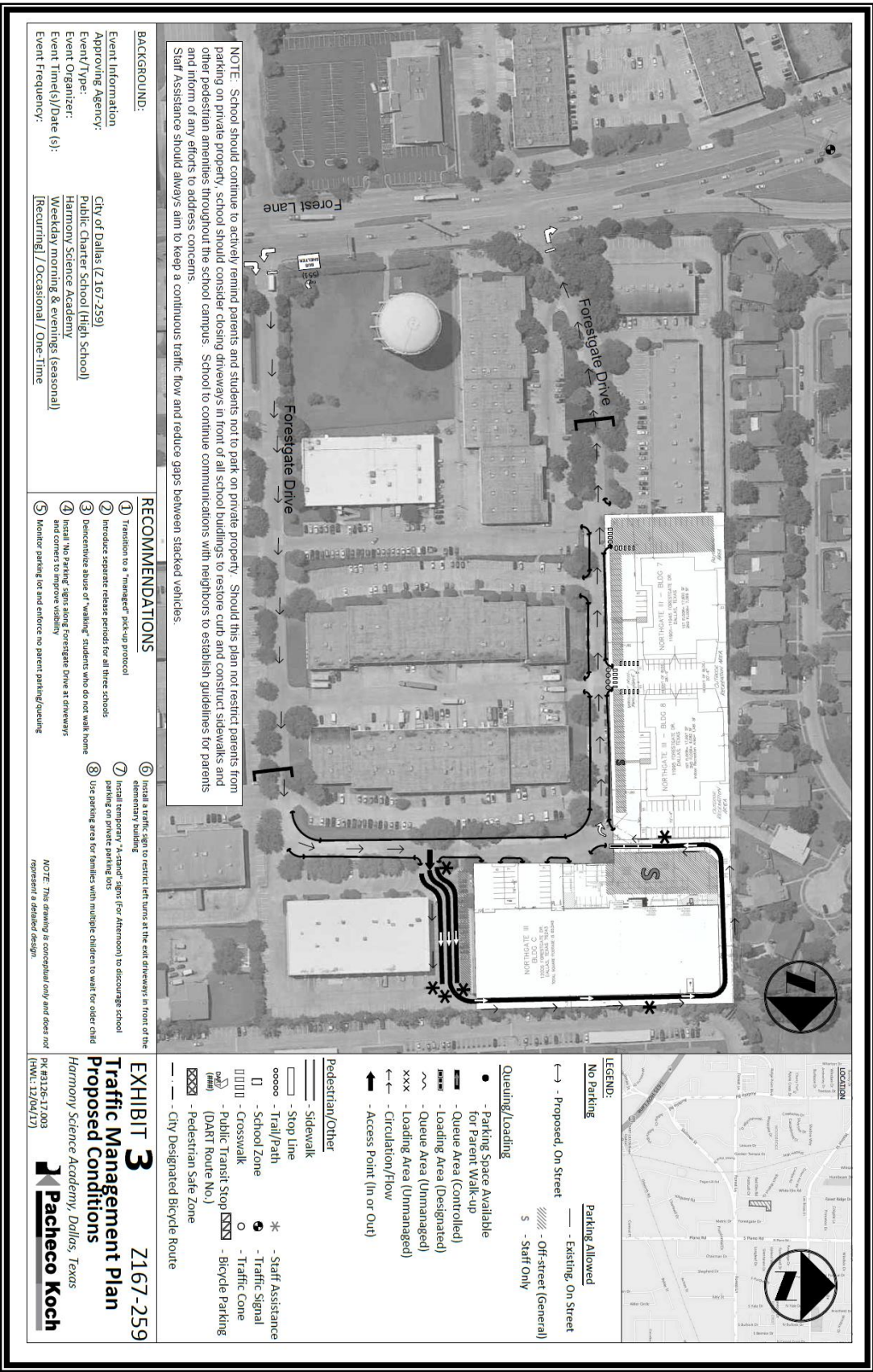
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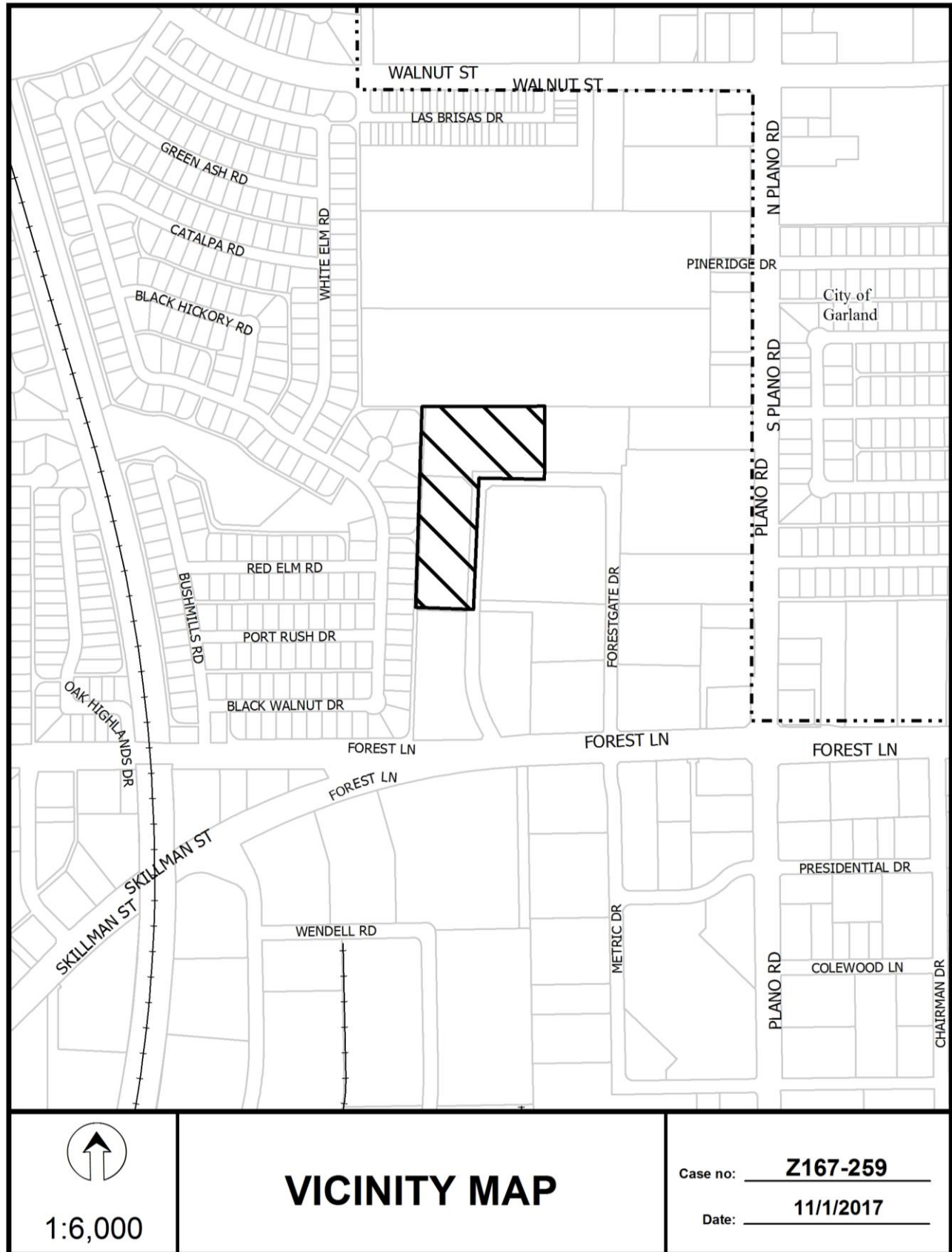
PROPOSED TRAFFIC MANAGEMENT PLAN
Elementary /Middle School



PROPOSED TRAFFIC MANAGEMENT PLAN

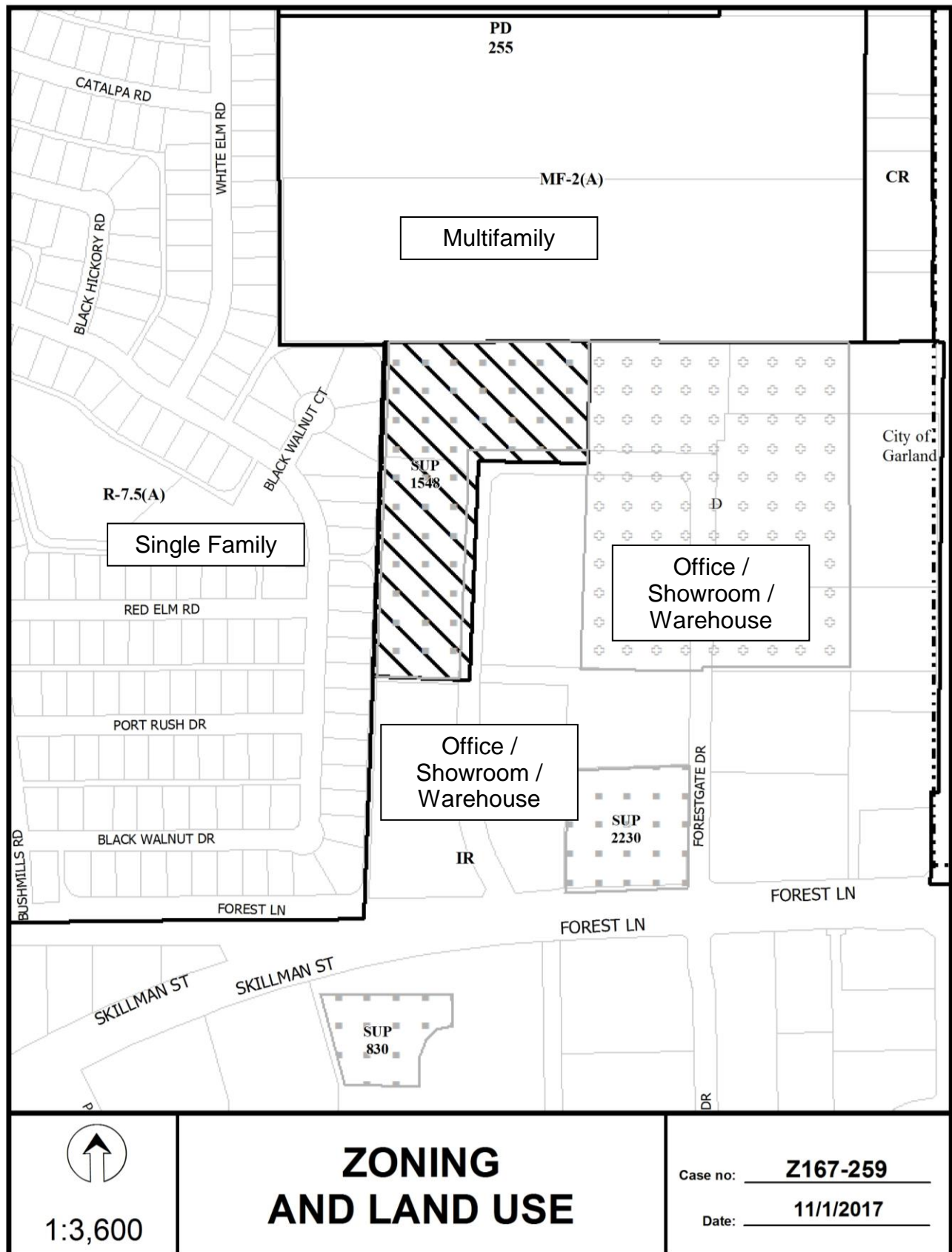
High School

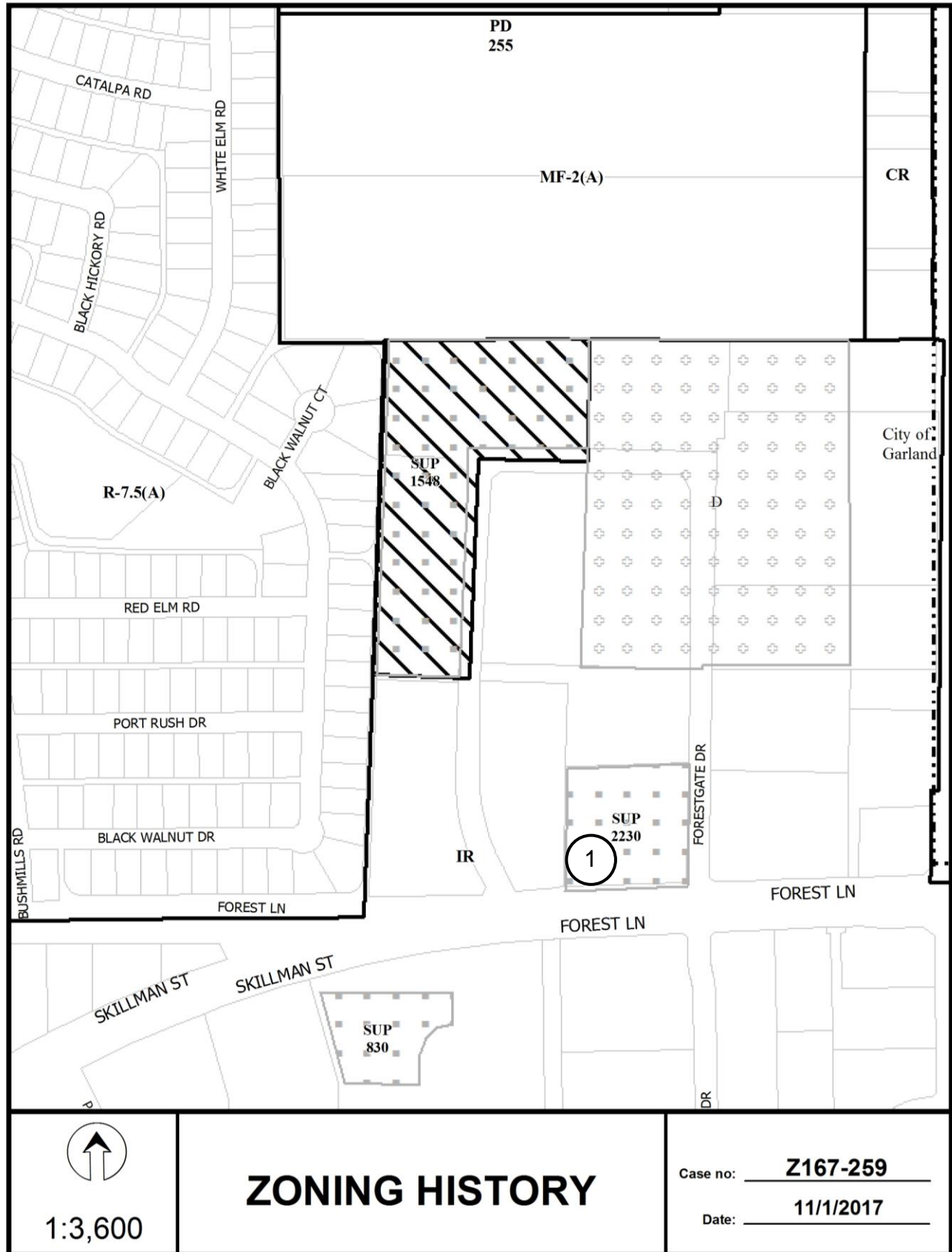


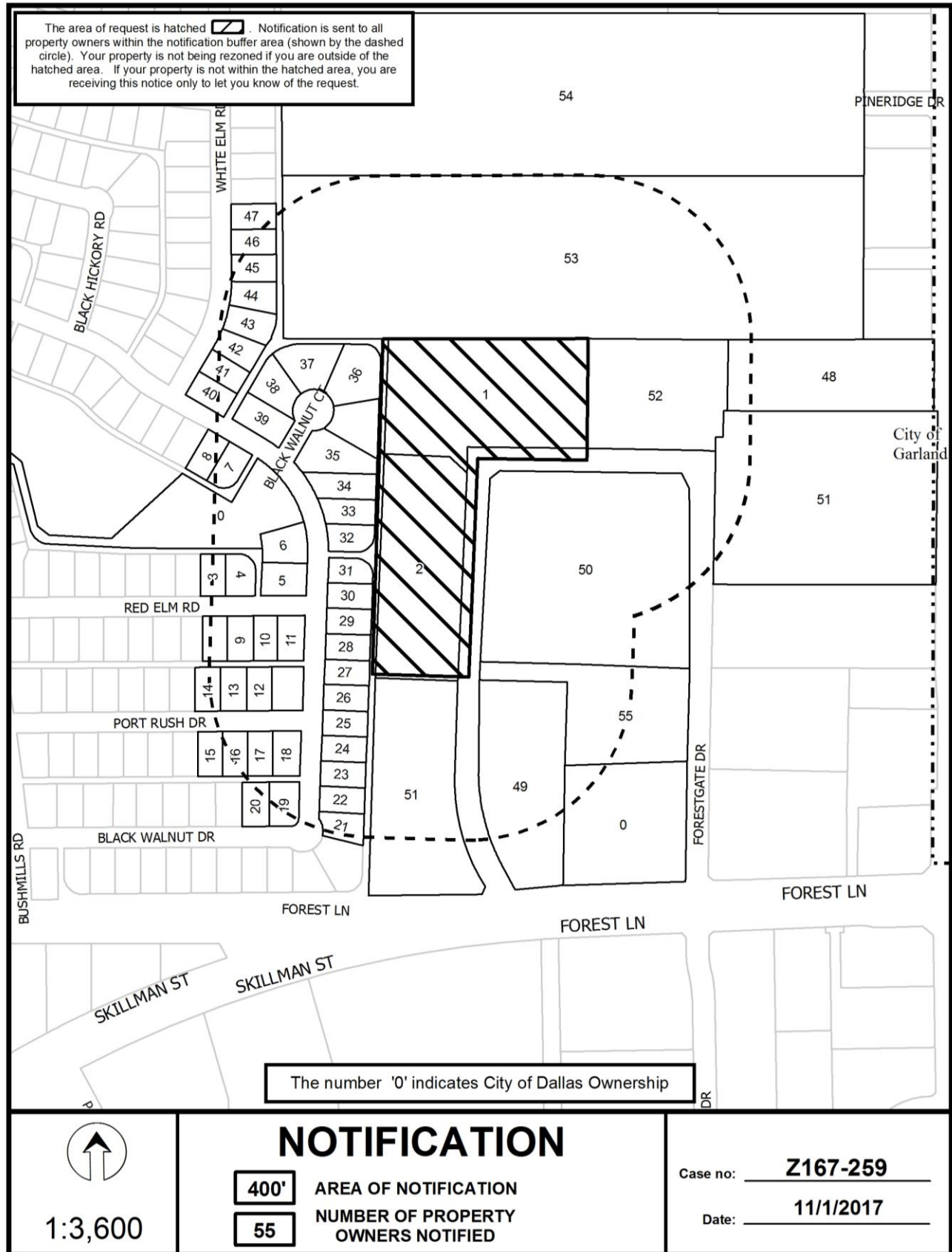


Z167-259(WE)









3/12/2012

Notification List of Property Owners

Z167-259

55 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	12005 FORESTGATE DR	COSMOS FOUNDATION INC
2	11945 FORESTGATE DR	COSMOS FOUNDATION INC
3	10335 RED ELM RD	DANH HANH
4	10339 RED ELM RD	OWENS TERRY
5	10501 BLACK WALNUT DR	HARDIN ELVERN &
6	10505 BLACK WALNUT DR	BROSSETT DANIEL L &
7	10547 BLACK WALNUT DR	NGUYEN NGA TUYET REVOCABLE LIVING TR
8	10551 BLACK WALNUT DR	BAWI RAL &
9	10338 RED ELM RD	NGUYEN NGHIEP ET AL LF ES
10	10342 RED ELM RD	WADDLE NITA B
11	10346 RED ELM RD	AVERETTE RANDOLPH A &
12	10339 PORTRUSH DR	NGUYEN DUY & LINH
13	10335 PORTRUSH DR	TEBEJE ASTER G
14	10331 PORTRUSH DR	GARCIA MIGUEL HERRERA &
15	10330 PORTRUSH DR	VASQUEZ NORA
16	10334 PORTRUSH DR	NGUYEN KIM LAN
17	10338 PORTRUSH DR	WAH EH
18	10342 PORTRUSH DR	PALACIOS MARY ISABEL
19	10339 BLACK WALNUT DR	COOPER BRENDA
20	10335 BLACK WALNUT DR	TUANG KHUP LAN
21	10402 BLACK WALNUT DR	CASADOS CESAR
22	10406 BLACK WALNUT DR	POUNCIE ERICA N
23	10410 BLACK WALNUT DR	VU TOMMY
24	10414 BLACK WALNUT DR	GRANT REGINALD & LAPRENSA
25	10418 BLACK WALNUT DR	HARRIS MARY K
26	10422 BLACK WALNUT DR	LOVELL LEAH SUSAN

11/01/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	10426 BLACK WALNUT DR	CHUKWUMA PEACE
28	10430 BLACK WALNUT DR	GOYAL ASHOK KUMAR &
29	10434 BLACK WALNUT DR	TRAN BINH VAN &
30	10502 BLACK WALNUT DR	HANSON FAMILY PARTNERSHIP
31	10506 BLACK WALNUT DR	BACA BENJAMIN S & MARIA M
32	10510 BLACK WALNUT DR	GALLEGOS ISIDRO &
33	10514 BLACK WALNUT DR	MOSELEY WILLIAM G & MYKA J
34	10518 BLACK WALNUT DR	NGUYEN SAM D
35	10522 BLACK WALNUT CT	NGUYEN KIM CHI
36	10530 BLACK WALNUT CT	ORUPABO ADELAIDE
37	10534 BLACK WALNUT CT	BALDERAS TRINIDAD &
38	10538 BLACK WALNUT CT	CHAN KWONG POU & SIU YIN
39	10542 BLACK WALNUT CT	MATHEW JAYA T
40	10383 WHITE ELM RD	PRAXAYBANE LEXUS A
41	10379 WHITE ELM RD	HAMMOND BERNESTEAN
42	10375 WHITE ELM RD	PARK YONG D ESTATE OF
43	10371 WHITE ELM RD	TEXAS LAND CAPITAL LP
44	10367 WHITE ELM RD	SPECIALIZED SERVICES LLC
45	10363 WHITE ELM RD	HOWARD DARRYL
46	10359 WHITE ELM RD	SIMS ANTHONY L
47	10355 WHITE ELM RD	PHAM MINH QUOC &
48	12105 PLANO RD	SHARBER SCHOOLS INC
49	10503 FOREST LN	DIRKIN PROPERTIES FIRST LP
50	12002 FORESTGATE DR	PSFW PROPERTIES LLC
51	11805 FORESTGATE DR	AVISTONE NORTHGATE III H LLC
52	12061 FORESTGATE DR	WALTERSCHEID GILES W &
53	12203 PLANO RD	FOREST GARDEN INVESTORS
54	12303 PLANO RD	NORTHGATE VLLG ASSOC LLC
55	12215 FORESTGATE DR	HONG PROPERTIES LTD

FILE NUMBER: Z167-284(PD)

DATE FILED: April 27, 2017

LOCATION: Northeast corner of South Buckner Boulevard and Norvell Drive

COUNCIL DISTRICT: 4

MAPSCO: 48-U

SIZE OF REQUEST: ±1.009 acre

CENSUS TRACT: 90.00

REPRESENTATIVE: Misham Awadelkariem

APPLICANT: Autry's, Inc.

OWNER: Faten Daouk

REQUEST: An application for the renewal of Specific Use Permit No. 1989 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subarea 6 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue the sale of beer and wine for off-premise consumption in conjunction with the existing general merchandise or food store.

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

PRIOR CPC ACTION: On November 16, 2017, the City Plan Commission held the request under advisement until the December 14, 2017, meeting.

BACKGROUND INFORMATION:

- On September 12, 2012, City Council approved Specific Use Permit No. 1989 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, for a five-year period.
- The ±1.009-acre request site is developed with a ±3,600-square foot building comprised of two suites. One suite is occupied with a ±2,557-square foot general merchandise or food store (convenience store); the other with a ±1,131-square foot hair salon.
- The applicant proposes to continue the sale of beer and wine for off-premise consumption in conjunction with the convenience store.
- The request site is surrounded by undeveloped land to the north; single family residential to the east; a convenience store to the south and a convalescent hospital/nursing home and undeveloped land to the west.

Zoning History: There have been two recent zoning change requests in proximity to the subject site within the last five years.

1. Z156-208 On January 11, 2017, the City Council approved Specific Use Permit No. 2208 for a commercial amusement (inside) limited to a dance hall use.
2. Z112-219 On August 22, 2012, the City Council approved Specific Use Permit No. 1986 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Buckner Boulevard	Principal Arterial	100-ft.
Norvell Drive	Local	50-ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 366	Convenience store; hair salon
North	PDD No. 366	Undeveloped
East	R-7.5(A)	Single family
South	PDD No. 366	Convenience store
West	PDD No. 366; PDD No. 75	Convalescent hospital/nursing home

STAFF ANALYSIS:

Comprehensive Plan:

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

The Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominant land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

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

LAND USE ELEMENT

Goal 1.1 Promote desired development

Policy 1.1.5: Use Vision Building Blocks as a general guide for desired development patterns

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:

The ±1.009-acre request site is developed with a ±3,600-square foot building comprised of two suites. One suite is occupied with a ±2,557-square foot general merchandise or food store (convenience store); the other with a ±1,131-square foot hair salon.

The applicant proposes the continued sale of beer and wine for off-premise consumption in conjunction with the convenience store. Due to the existing zoning of a D-1 Liquor Control Overlay, the sale of alcoholic beverages on the property requires renewal of the Specific Use Permit.

The request site is surrounded by undeveloped land to the north; single family residential to the east; a convenience store to the south and a convalescent hospital/nursing home and undeveloped land to the west.

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

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

The applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval of the renewal of Specific Use Permit No. 1989 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions.

Traffic:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area, the requirement for personal services use is also one (1) space per 200 square feet of floor area.

Therefore, the existing $\pm 2,557$ -square foot general merchandise or food store (convenience store) and $\pm 1,131$ -square foot hair salon requires 18 spaces. The subject site is currently served by 18 parking spaces, as depicted on the site plan.

Landscaping:

Landscaping is provided in accordance with Planned Development District No. 366 regulations (§51P-366.110).

Police Report:

The Dallas Police Department's offense incident report for the period from April 2013 to present.

Master_Incident_Number	Response_Date	Response_Time	Problem	Address	ZipCode
17-1706496	9/7/2017	9:58	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
17-1647041	8/29/2017	10:13	40/01 - Other	3510 S Buckner Blvd	75227
17-1356845	7/16/2017	23:09	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
17-1199325	6/24/2017	18:26	40 - Other	3510 S Buckner Blvd	75227
17-1186880	6/22/2017	22:05	09V-01 UUMV Just Ocrd	3510 S Buckner Blvd	75227
17-1014847	5/29/2017	9:43	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
17-0553427	3/23/2017	21:34	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
17-0450337	3/8/2017	16:21	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
17-0437822	3/6/2017	21:02	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
16-1063775	6/1/2016	23:46	21B - Business Hold Up	3510 S Buckner Blvd	75227
16-0530977	3/20/2016	7:38	41/11B - Burg Busn in Progress	3510 S BUCKNER BLVD	75227
16-0082385	1/13/2016	20:05	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
16-0047080	1/8/2016	7:48	11B - Burg of Bus	3510 S Buckner Blvd	75227
15-2505155	12/15/2015	1:54	12B - Business Alarm	3510 S Buckner Blvd	75227
15-1699232	8/22/2015	6:01	12B - Business Alarm	3510 S Buckner Blvd	75227
15-0789615	4/26/2015	0:47	DASF-Dist Active Shooter Foot	3510 S Buckner Blvd	75227
15-0535239	3/22/2015	14:11	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
15-0474373	3/13/2015	21:39	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
15-0418904	3/5/2015	18:12	09/01 - Theft	3510 S Buckner Blvd	75227
14-2106789	10/27/2014	19:47	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
14-1410625	7/22/2014	0:05	31 - Criminal Mischief	3510 S BUCKNER BLVD	75227
14-1410575	7/21/2014	23:50	31/01 - Crim Mis/Prog/Non Felo	3510 S Buckner Blvd	75227
14-0813779	4/30/2014	19:42	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
14-0539927	3/22/2014	22:33	34 - Suicide	3510 S Buckner Blvd	75227
14-0530292	3/21/2014	16:59	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
14-0198767	1/31/2014	5:34	12B - Business Alarm	3510 S Buckner Blvd	75227
13-2173158	11/7/2013	3:01	12B - Business Alarm	3510 S Buckner Blvd	75227
13-2174083	11/7/2013	8:48	32 - Suspicious Person	3510 S Buckner Blvd	75227
13-2092597	10/25/2013	23:01	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
13-1832237	9/17/2013	13:17	40/01 - Other	3510 S Buckner Blvd	75227
13-1833406	9/17/2013	16:23	40/01 - Other	3510 S Buckner Blvd	75227
13-1617793	8/18/2013	11:14	7X - Major Accident	3510 S Buckner Blvd	75227
13-1230284	6/25/2013	18:36	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
13-0964931	5/21/2013	12:47	6X - Major Dist (Violence)	3510 S Buckner Blvd	75227
13-0810854	4/29/2013	21:23	40/01 - Other	3510 S Buckner Blvd	75227

Partners/Principals/Officers:

Owner: Duke & Sons, Inc.

Imad Daouk, Sole Officer and Director

Applicant: Autry's, Inc.

Tigest Atnafe, President/Vice President and Director

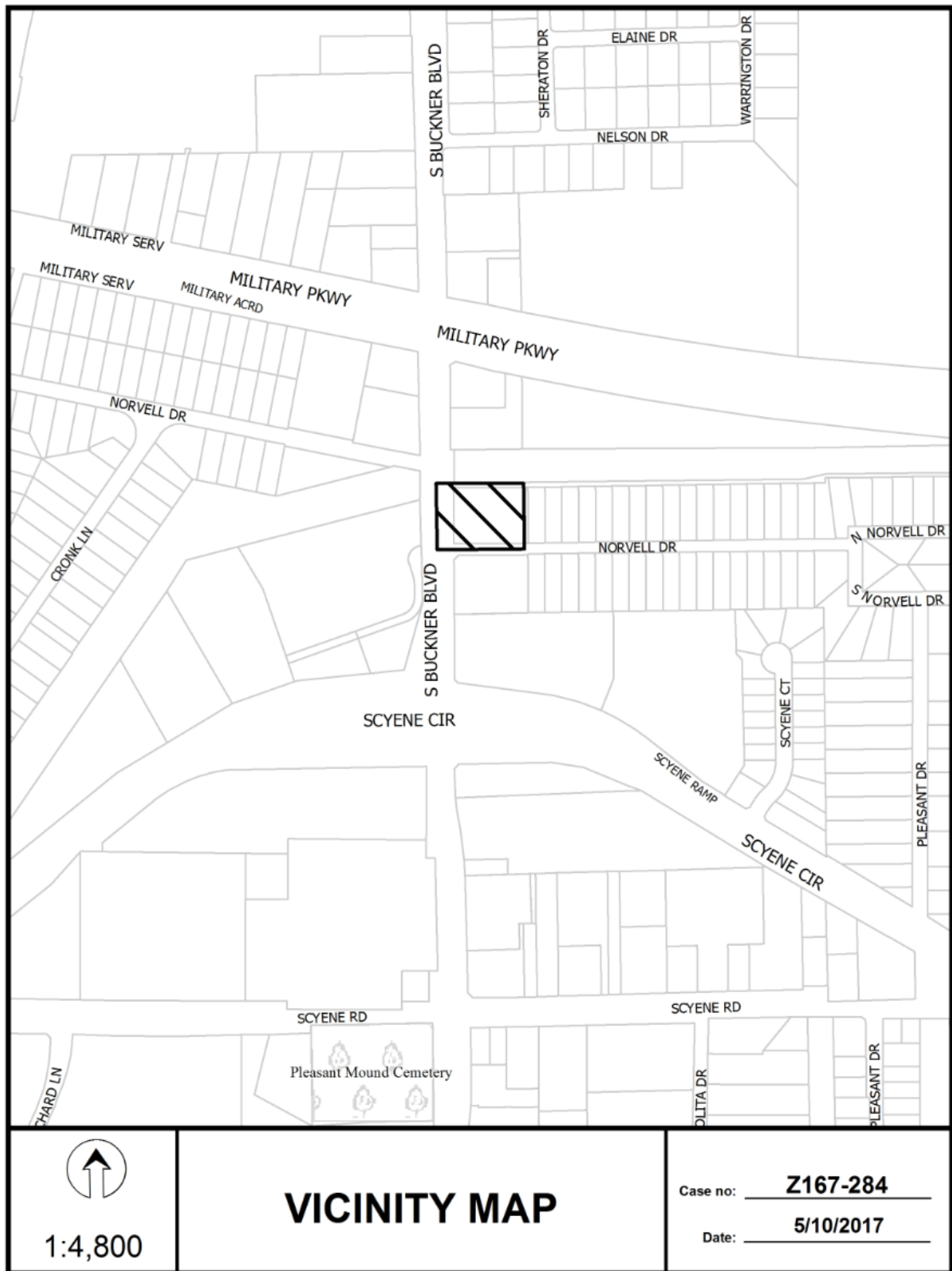
Ahmed Omar, Director

Z167-284
Proposed SUP Conditions

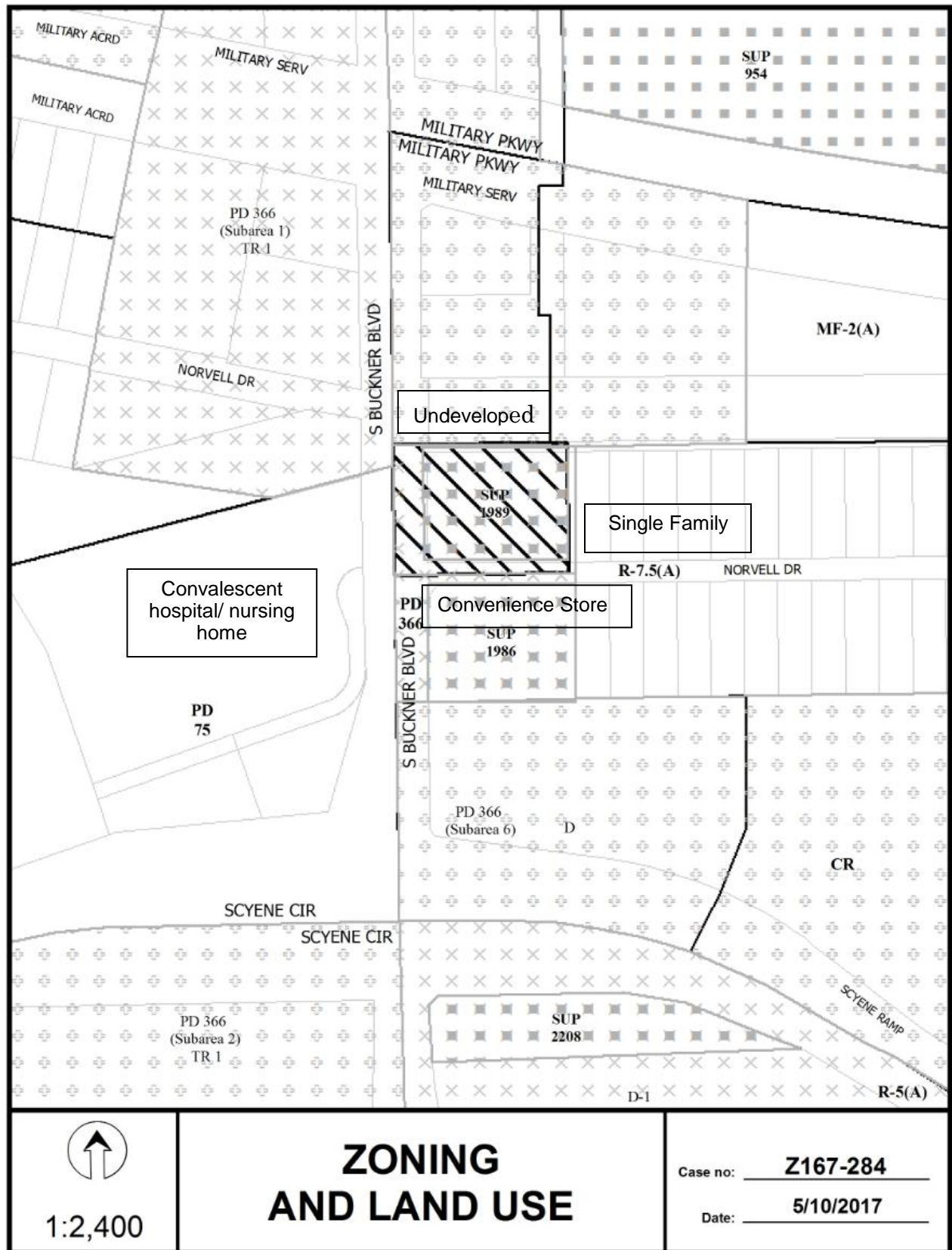
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on five-year period 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: Maximum floor area is 2,557-square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

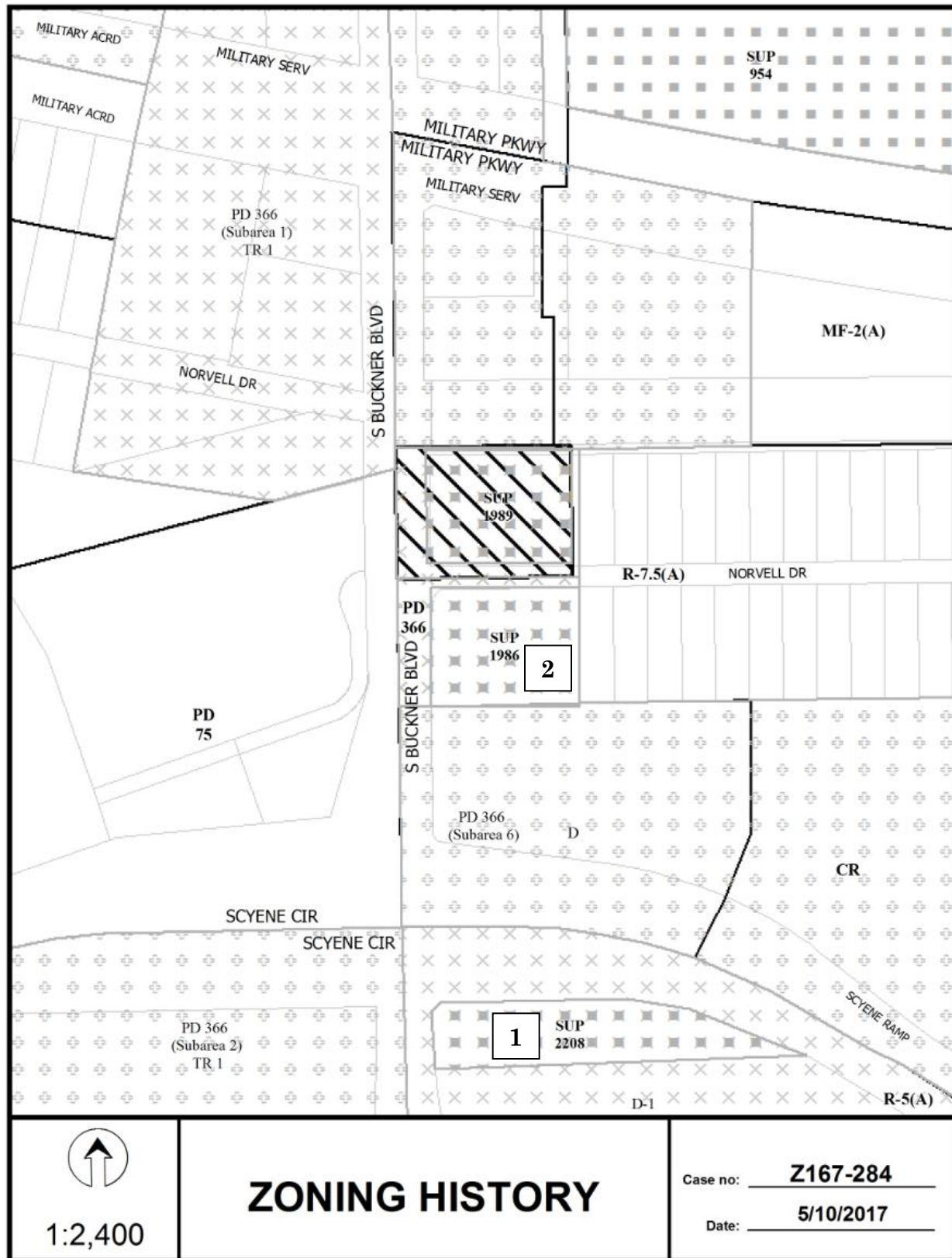


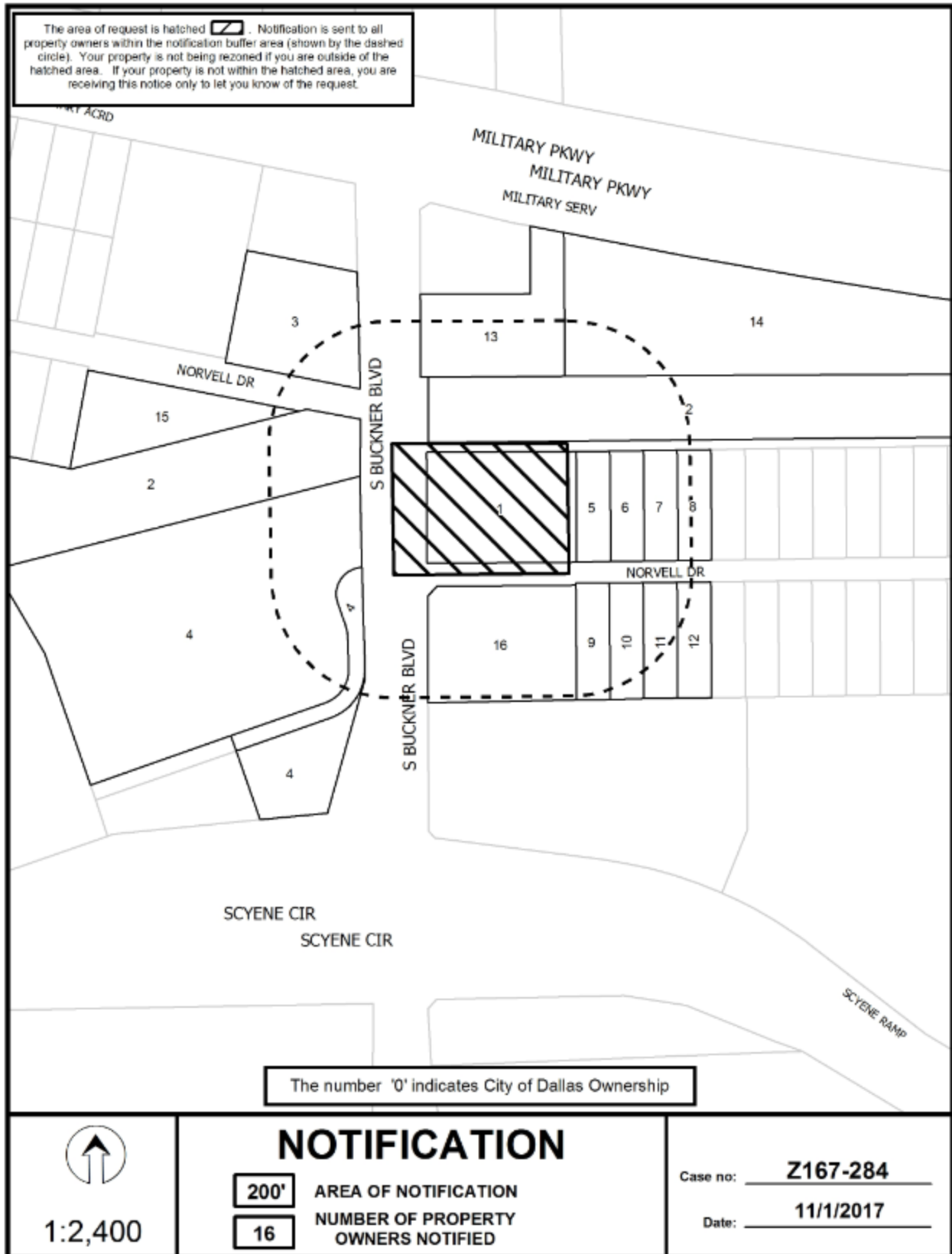












05/10/2017

Notification List of Property Owners
Z167-284

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3510 S BUCKNER BLVD	DUKE & SONS INC
2	3701 S BUCKNER BLVD	TEXAS UTILITIES ELEC CO
3	3625 S BUCKNER BLVD	MEZA JESUS
4	7000 SCYENE CIR	BUCKNER SCYENE SNF LTD
5	8123 NORVELL DR	OROZCO JOSE LUIS
6	8127 NORVELL DR	HURTADO DOMINGO
7	8131 NORVELL DR	BARRAZA ELIAS
8	8137 NORVELL DR	HERNANDEZ AGUSTIN
9	8122 NORVELL DR	SANCHEZ REBECA &
10	8126 NORVELL DR	BANDA ANTONIO &
11	8130 NORVELL DR	RODRIGUEZ GUILLERMO SOTO
12	8136 NORVELL DR	CLEMENS SCOTT
13	3608 S BUCKNER BLVD	4 CUSTOM WHEELS & TIRES INC
14	3608 S BUCKNER BLVD	MARES NOEL
15	8008 NORVELL DR	LINSK DALLAS HOLDINGS LLC
16	3424 S BUCKNER BLVD	YARA GROUP LLC

FILE NUMBER: Z167-330(PD) **DATE FILED:** June 20, 2017
LOCATION: South side of Great Trinity Forest Way, west of North Jim Miller Road
COUNCIL DISTRICT: 8 **MAPSCO:** 58 S, W
SIZE OF REQUEST: ± .831 acres **CENSUS TRACT:** 0116.01

REPRESENTATIVE: Parvez Malik

APPLICANT/OWNER: Juneja Hospitality Holdings, LLS

REQUEST: An application for a Specific Use Permit for a hotel or motel use on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue the operation of a nonconforming motel or hotel use within the existing structure.

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

PRIOR CPC ACTION: On November 30, 2017, the City Plan Commission held this request under advisement until their next meeting on December 14, 2017.

BACKGROUND INFORMATION:

- The proposed 0.831-acres of land is developed with a one-story motel use consisting of 25 rooms.
- The Classic Inn Motel has been in operation since construction in 1985. A certificate of occupancy was issued for the motel use; however, ownership changed in 2012.
- The Classic Inn Motel applied for a certificate of occupancy in May 2017; however, the application was rejected due to the use requiring a Specific Use Permit.

Zoning History: There have been three recent zoning changes requested in the area within the last five years.

1. **Z167-104** On March 22, 2017, the City Council approved an application for Specific Use Permit No. 2229 for the sale of alcoholic beverages in conjunction with a general merchandise of food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay located on Great Trinity Forest Way (Loop 12) and Jim Miller Road, northeast corner
2. **Z156-310** On August 23, 2017, the City Council approved an application for the renewal of Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.
3. **Z134-166** On December 13, 2014, the City Council approved an application for Specific Use Permit No. 2099 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Great Trinity Forest Way	Principal Arterial	107-ft.

Traffic:

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

Surrounding Land Uses:

	Zoning	Land Use
Site	CR-D-1	Motel
North	CR-D-1	Church
South	CR-D-1	Single Family, Church
West	CR-D-1	Vacant
East	CR-D-1	Car wash, Convenience Store

STAFF ANALYSIS:**COMPREHENSIVE PLAN:**

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

The Vision Illustration depicts the request site within a *Residential Neighborhood*. While single family dwellings are the dominant land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections.

In general, the applicant's proposal is consistent with the following goal and policy 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:

The ± 0.831-acre request site is currently developed with an approximately 7,264-square foot structure consisting of 25 rooms. The applicant proposes to continue the nonconforming use of a hotel or motel. Although the use has been in operation since 1985, Chapter 51A now allows the use by SUP. The cessation of the use for 6 months or a change in ownership which occurred in this instance triggered application for a new certificate of occupancy which requires compliance with today's Code.

The site is located along a principal arterial street to the north and a minor arterial street to the east. The site is surrounded by a church to the north, a vacant lot to the west, a

church and single family uses to the south and a commercial carwash and convenience store to the east. The site was developed in 1985, and has operated as a hotel or motel use since. While the existing CR-D-1 zoning allows a motel or hotel use by SUP, and the proposed use is compatible with surrounding land uses, staff recommends approval of the request for a one-year period due to the crime statistics submitted by the Dallas Police Department as shown below.

Police Report:

The Dallas Police Department's crime statistics report provides a list of all calls logged with 911, a list of actual criminal offenses reported by an officer and the number of arrests made by an officer. These reports are listed below for the period from February 2013 to May 2017.

Arrests:

IncidentNum	ArrestYr	ArrestNumID	ArArrestDate	ArArrestTime	ArLAddress	IncidentNum	ChargeDesc
034776-2015	2015	0006176-2015	2/13/2015	20:50	7020 GREAT TRINITY FOREST WAY	034776-2015	ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY
018891-2015	2015	0003295-2015	1/24/2015	22:10	7020 GREAT TRINITY FOREST WAY #14	018891-2015	PUBLIC INTOXICATION
160676-2014	2014	0028965-2014	7/4/2014	13:00	7020 GREAT TRINITY FOREST WAY	160676-2014	ASSAULT -FAM VIO, IMPED BREATH/CIRC - NO LOSS OF CONSC

Criminal Offenses:

IncidentNum	ServYr	Offincident	Date1	Time1	Address	UCR_Offense	ZipCode
160676-2014	2014	ASSAULT -FAM VIO, IMPED BREATH/CIRC - NO LOSS OF CONSC	7/3/2014	19:00	7020 GREAT TRINITY FOREST WAY	ASSAULT	75217
043669-2015	2015	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	2/25/2015	19:25	7020 GREAT TRINITY FOREST WAY	UUMV	75217
034776-2015	2015	ASSAULT -FAM VIO 2 + OFFENSES IN LAST 12 MONTHS -BODY INJ ONLY	2/13/2015	20:50	7020 GREAT TRINITY FOREST WAY	ASSAULT	75217
260710-2016	2016	ROBBERY OF INDIVIDUAL (AGG)	10/30/2016	22:40	7020 GREAT TRINITY FOREST WAY	ROBBERY-INDIVIDUAL	75217
219566-2016	2016	ROBBERY OF INDIVIDUAL	9/12/2016	2:20	7020 GREAT TRINITY FOREST WAY	ROBBERY-INDIVIDUAL	75217
191699-2016	2016	ROBBERY OF BUSINESS (AGG)	8/9/2016	21:47	7020 GREAT TRINITY FOREST WAY	ROBBERY-BUSINESS	75217
001049-2017	2017	UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	1/2/2017	3:00	7020 GREAT TRINITY FOREST WAY	UUMV	75217

Calls:

Master_Incident_Number	Response_Date	Response_Time	Problem	Address	ZipCode
17-0970788	5/22/2017	23:57	40/01 - Other	7020 Great Trinity Forest Way	75217
17-0794158	4/27/2017	17:31	09 - Theft	7020 Great Trinity Forest Way	75217
16-2575624	12/31/2016	10:17	09V - UUMV	7020 Great Trinity Forest Way	75217
16-2529163	12/24/2016	9:19	6X - Major Dist (Violence)	7020 GREAT TRINITY FOREST WAY	75217
16-2394324	12/4/2016	1:16	40 - Other	7020 Great Trinity Forest Way	75217
16-2389796	12/3/2016	11:09	40/01 - Other	7020 Great Trinity Forest Way	75217
16-2168391	10/30/2016	22:42	41/20 - Robbery - In Progress	7020 Great Trinity Forest Way	75217
16-2140639	10/27/2016	4:25	40/01 - Other	7020 Great Trinity Forest Way	75217
16-2065190	10/16/2016	11:51	6X - Major Dist (Violence)	7020 GREAT TRINITY FOREST WAY	75217
16-1948520	9/30/2016	2:14	16 - Injured Person	7020 Great Trinity Forest Way	75217
16-1791569	9/8/2016	7:52	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
16-1764329	9/4/2016	10:58	40/01 - Other	7020 Great Trinity Forest Way	75217
16-1608770	8/13/2016	19:58	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
16-1580031	8/9/2016	21:57	20 - Robbery	7020 Great Trinity Forest Way	75217
16-1507733	7/31/2016	1:01	04 - 911 Hang Up	7020 Great Trinity Forest Way	75217
16-1508075	7/31/2016	1:56	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
16-1415199	7/18/2016	8:06	38 - Meet Complainant	7020 GREAT TRINITY FOREST WAY	75217
16-1073485	6/3/2016	10:14	09 - Theft	7020 Great Trinity Forest Way	75217
16-0820812	4/30/2016	11:27	38 - Meet Complainant	7020 Great Trinity Forest Way	75217
16-0621543	4/2/2016	12:42	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
16-0279877	2/12/2016	16:43	40/01 - Other	7020 Great Trinity Forest Way	75217
16-0202509	2/1/2016	5:19	20 - Robbery	7020 Great Trinity Forest Way	75217
15-2580241	12/26/2015	6:24	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-1909285	9/19/2015	12:02	40 - Other	7020 Great Trinity Forest Way	75217
15-1883962	9/16/2015	0:17	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-1773317	9/1/2015	4:51	04 - 911 Hang Up	7020 Great Trinity Forest Way	75217
15-1772318	8/31/2015	23:31	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-1645814	8/15/2015	2:08	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-1648357	8/15/2015	12:56	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-1374052	7/10/2015	17:36	40 - Other	7020 Great Trinity Forest Way	75217
15-1374561	7/10/2015	18:41	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-0935738	5/16/2015	4:48	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-0893559	5/10/2015	8:46	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-0850473	5/4/2015	13:30	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-0470548	3/13/2015	11:16	04 - 911 Hang Up	7020 Great Trinity Forest Way	75217
15-0446847	3/9/2015	20:44	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-0291412	2/13/2015	20:13	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-0263056	2/9/2015	17:33	04 - 911 Hang Up	7020 Great Trinity Forest Way	75217
15-0210859	2/1/2015	19:49	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
15-0197952	1/30/2015	21:41	04 - 911 Hang Up	7020 Great Trinity Forest Way	75217
15-0157698	1/24/2015	22:50	40/01 - Other	7020 Great Trinity Forest Way	75217
14-2065191	10/21/2014	23:23	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
14-1993047	10/11/2014	16:19	09 - Theft	7020 Great Trinity Forest Way	75217
14-1872782	9/25/2014	16:39	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
14-1702257	9/1/2014	0:59	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
14-1611585	8/19/2014	3:24	32 - Suspicious Person	7020 GREAT TRINITY FOREST WAY	75217
14-1281864	7/4/2014	12:26	6XA - Major Dist Ambulance	7020 Great Trinity Forest Way	75217
14-0382445	2/27/2014	20:01	7X - Major Accident	7020 Great Trinity Forest Way	75217
14-0307785	2/16/2014	17:21	04 - 911 Hang Up	7020 Great Trinity Forest Way	75217
14-0294714	2/14/2014	19:38	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
13-1947740	10/4/2013	13:06	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
13-1519185	8/4/2013	12:24	40/01 - Other	7020 Great Trinity Forest Way	75217
13-1321250	7/7/2013	17:54	04 - 911 Hang Up	7020 Great Trinity Forest Way	75217
13-0211105	2/2/2013	2:46	DAEF-Dist Armed Encounter Foot	7020 Great Trinity Forest Way	75217
13-0211282	2/2/2013	3:44	40/01 - Other	7020 Great Trinity Forest Way	75217
13-0212053	2/2/2013	9:41	6X - Major Dist (Violence)	7020 Great Trinity Forest Way	75217
13-0207400	2/1/2013	16:54	04 - 911 Hang Up	7020 Great Trinity Forest Way	75217
13-0208170	2/1/2013	18:36	40/01 - Other	7020 Great Trinity Forest Way	75217
13-0208488	2/1/2013	19:17	40 - Other	7020 Great Trinity Forest Way	75217

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a hotel or motel use is a minimum of one (1) space for each unit plus one ADA accessible space. The proposed hotel or motel use has a maximum of 25 units which requires 25 parking spaces plus one handicap space for a total of 26 required parking spaces. The applicant is exceeding the minimum parking requirement and providing a total of 31 spaces, as depicted on the site plan.

Landscaping:

Landscaping is provided in accordance with Article X as amended.

Z167-330(PD)

List of Partners/Principals/Officers

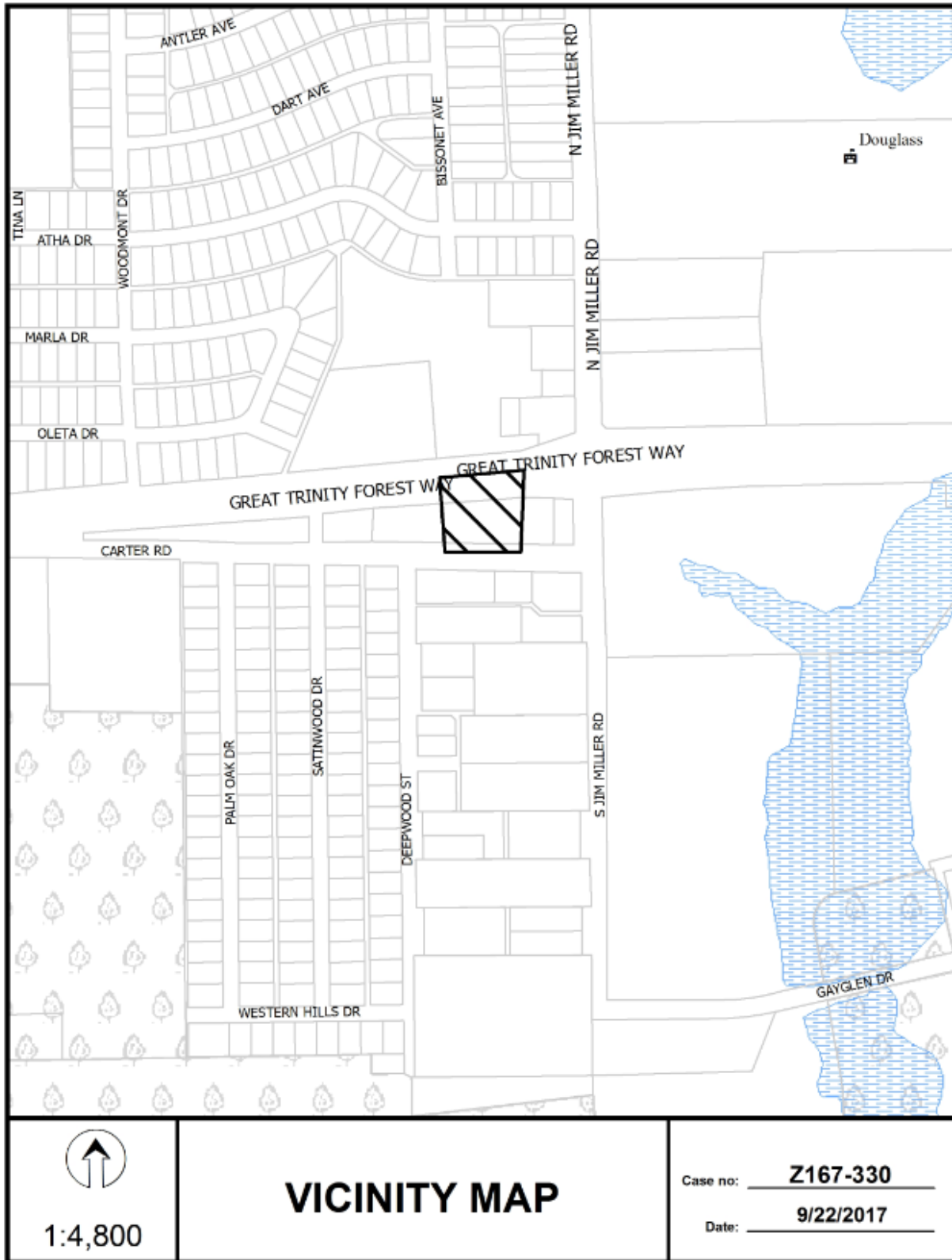
Juneja Hospitality Holdings LLC

Wazir Juneja, Manager

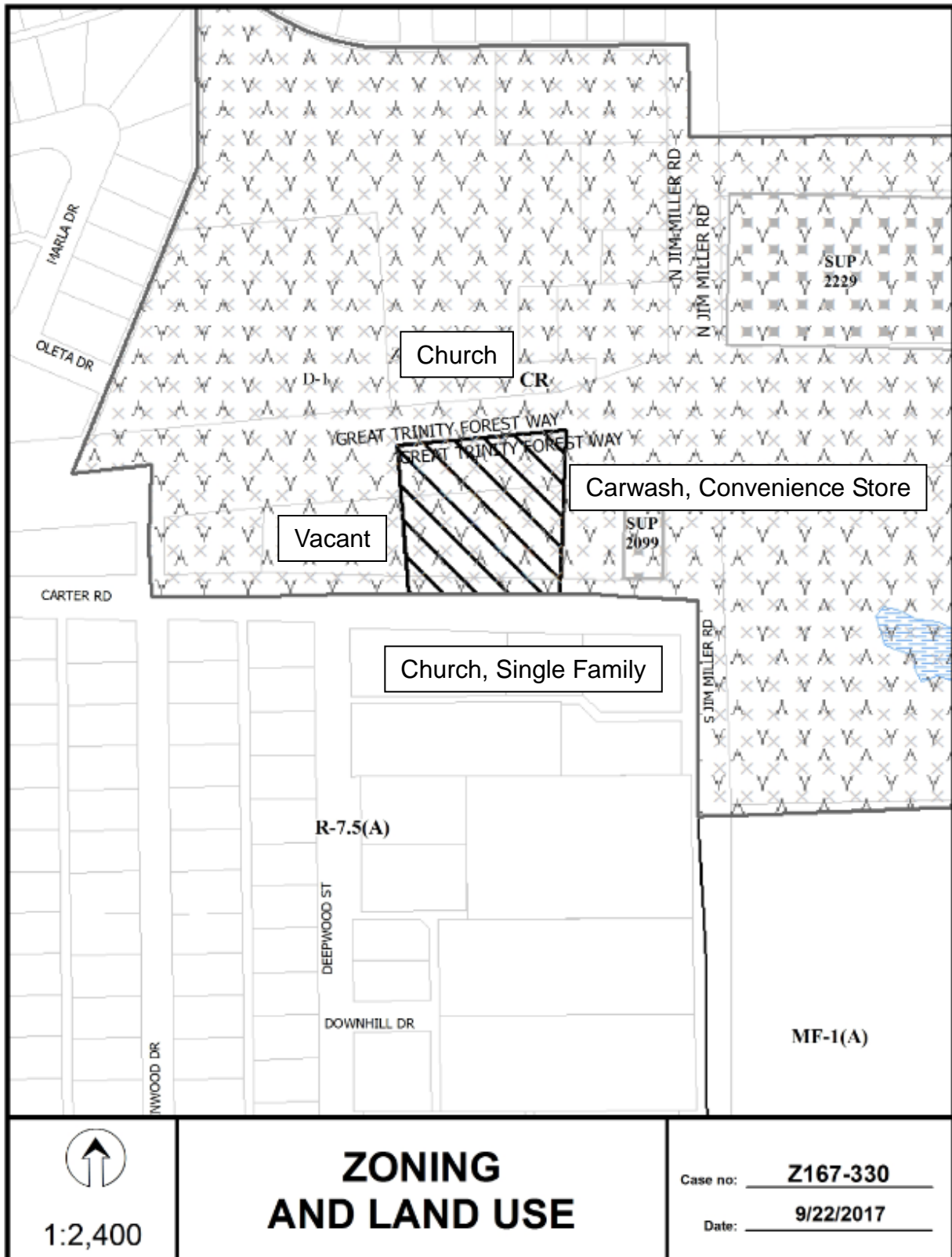
PROPOSED SUP CONDITIONS

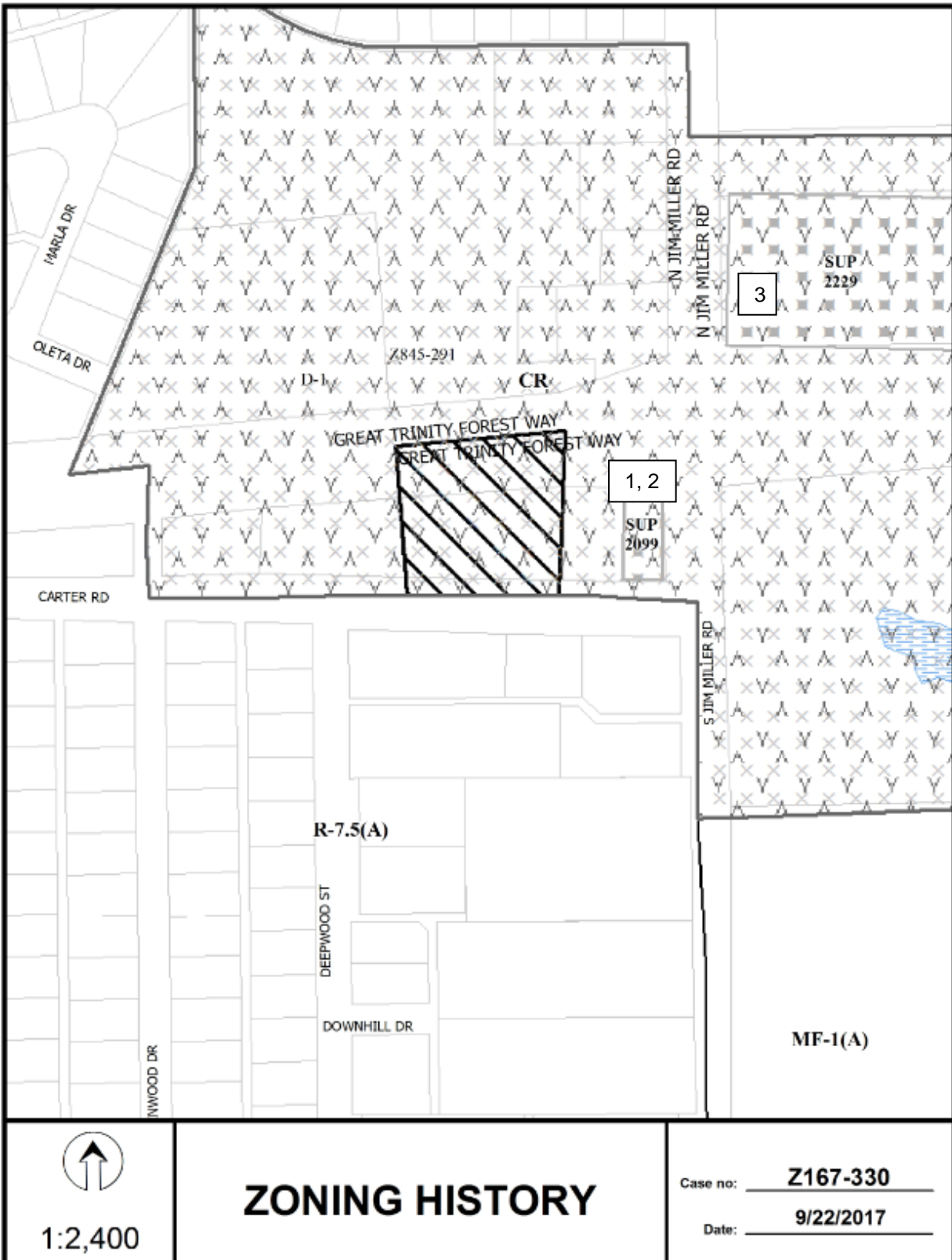
1. USE: The only use authorized by this specific use permit is a hotel or motel use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (one-year period from the passage of this ordinance).
3. LANDSCAPING:
 - A. Landscaping must be provided and maintained in accordance with Article X.
 - B. Plant materials must be maintained in a healthy, growing condition.
4. BATHROOMS: At least one bathroom, including a shower, wash basin, and toilet, must be provided for each guest room.
5. ROOMS: The maximum number of guest rooms is 25.
6. FLOOR AREA:
 - A. Maximum total floor area is 7,264 square feet with a maximum office floor area of 1,200 square feet.
 - B. Meeting and conference rooms are prohibited.
7. DUMPSTER: A dumpster must be provided in the location shown on the attached site plan and must be screened from public rights-of-way by a six-foot-high solid fence.
8. SCREENING: Screening of off-street parking must be provided as shown on the attached site plan.
9. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
10. PARKING: Of the 31 parking spaces shown on the attached site plan, 26 spaces must serve as the required parking for the use authorized by this specific use permit.
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.

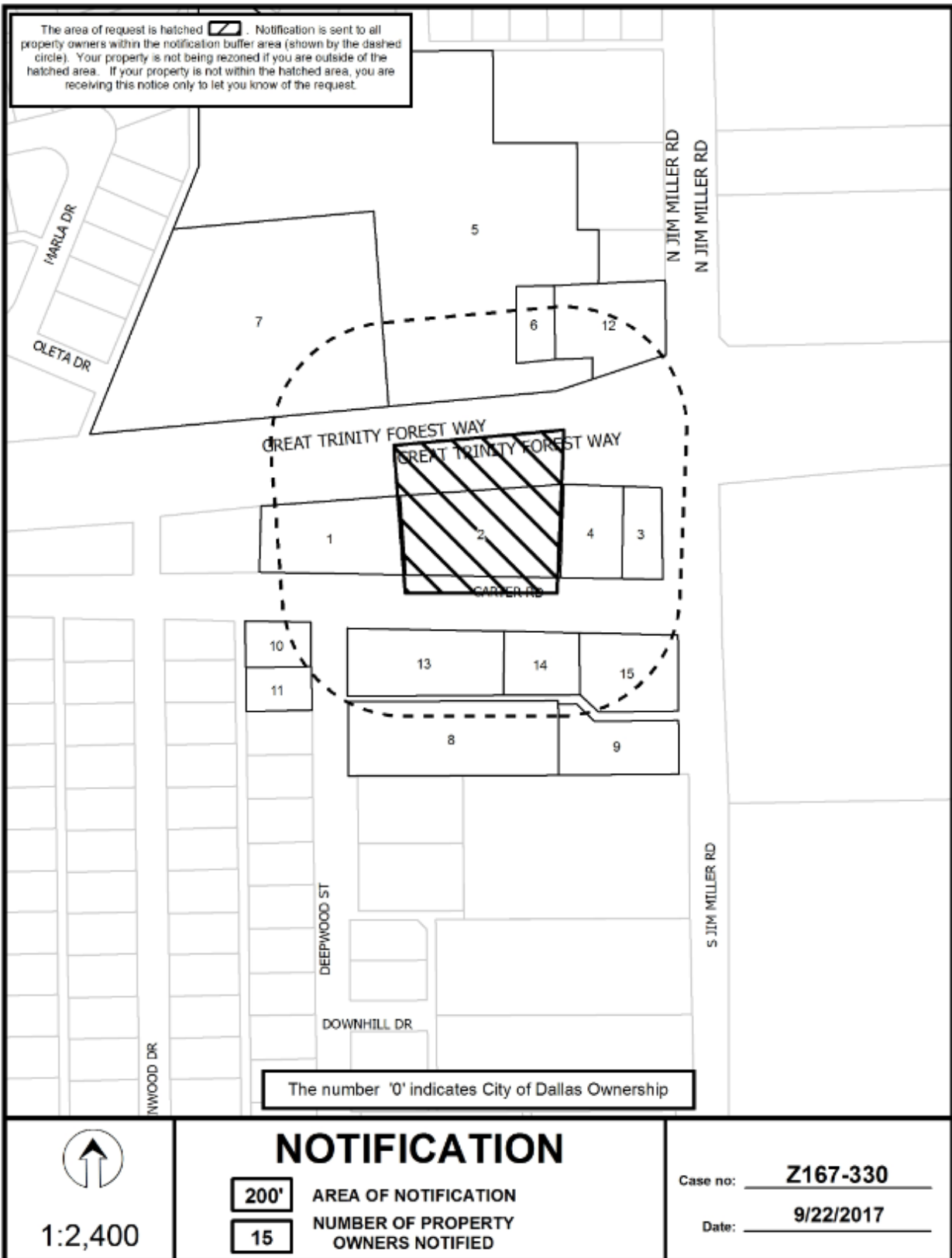












09/22/2017

Notification List of Property Owners

Z167-330

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7020 GREAT TRINITY FOREST WAY	PATEL BALU
2	7020 GREAT TRINITY FOREST WAY	JUNEJA HOSPITALITY HOLDINGS LLC
3	7036 GREAT TRINITY FOREST WAY	JUNEJA PROPERTY HOLDINGS INC
4	7028 GREAT TRINITY FOREST WAY	PHILLIPS LEO &
5	6901 GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
6	7015 GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
7	6800 GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH BAPT
8	120 DEEPWOOD ST	COX ERMA
9	137 S JIM MILLER RD	MENDOZA JUAN
10	107 DEEPWOOD ST	EDWARDS JESSIE L
11	111 DEEPWOOD ST	CHINN WILLIAM E
12	7071 GREAT TRINITY FOREST WAY	ALEJANDRE ARCANGEL
13	7004 CARTER RD	LOVE OF GOD CHURCH
14	7026 CARTER RD	GIBSON KENNETH E
15	7040 CARTER RD	HOUSE OF PRAYER

FILE NUMBER: Z167-338(JM)

DATE FILED: June 27, 2017

LOCATION: East side of Manderville Lane, north and south of Midtown Boulevard

COUNCIL DISTRICT: 13

MAPSCO: 26-F

SIZE OF REQUEST: Approx. 16.81 acres

CENSUS TRACT: 78.06

APPLICANT/OWNER: The Legacy Senior Communities, LLC; Freedom Hospitality LLC; and, Brazos Texas Land Development LLC

REPRESENTATIVE: Baldwin Associates, Rob Baldwin

REQUEST: An application for an amendment to, and an expansion of, the Subarea D portion on property zoned Subareas C and D within Planned Development District No. 745.

SUMMARY: The purpose of this request is to remove approximately four acres from Subarea C and add them to Subarea D. Amended conditions for the enlarged Subarea D include; **1)** increasing the minimum front yard setback from eight feet to 15 feet; **2)** removing the maximum front yard setback; **3)** allowing landscape walls and features in all setback areas; **4)** increasing the maximum allowable height from 56 feet to 130 feet (or decreasing from 240 feet to 130 feet for the four acres coming from Subarea C); **5)** removing the façade location requirement; and, **6)** removing the entrance spacing standard for convalescent and nursing homes, hospice care, and related institutions and retirement housing uses.

STAFF RECOMMENDATION: Denial

PRIOR CPC ACTION: On November 30, 2017, this case was held under advisement to allow additional time for consideration of the request. No changes have been made.

BACKGROUND INFORMATION:

- On June 14, 2006, City Council approved PD No. 745 for mixed uses, containing approximately 77 acres. Subsequent amendments have created a total of six subareas.
- The subject site is largely undeveloped, with a hotel in the portion of Subarea C which will remain Subarea C.
- The purpose of this request is to reduce Subarea C, enlarge Subarea D, and amend conditions for Subarea D. Amended conditions include:
 - Increasing the minimum front yard setback from eight feet to 15 feet;
 - Removing the maximum front yard setback;
 - Exempting landscape walls and features from setback requirements;
 - Increasing the maximum allowable height from 56 feet to 130 feet;
 - Removing the façade location requirement; and,
 - Removing the entrance spacing standard for convalescent and nursing homes, hospice care, and related institutions and retirement housing uses.

Zoning History: There have been eight zoning change requests in the area within the last five years.

1. **Z167-282:** On August 9, 2017, the City Council approved an amendment to PD No. 790 to increase the allowable square footage within Area C on property located on the west corner of Royal Lane and Greenville Avenue.
2. **Z167-237:** On June 28, 2017, the City Council approved an amendment to the Subarea B portion of PD No. 745 on property bounded by the west line of Manderville Lane and the north line Midtown Boulevard.
3. **Z167-103:** On Wednesday, February 8, 2017, the City Council approved an MU-3 Mixed Use District with volunteered deed restrictions located on the east line of North Central Expressway, north of Meadow Road.
4. **Z145-204:** On August 12, 2015, the City Council approved an amendment to Subareas C & D PD No. 745 on property bounded by the west line of Manderville Lane and the north line Midtown Boulevard.
5. **Z145-153:** On June 17, 2015, the City Council approved an amendment to the Subarea B portion of PD No. 745 on property bounded by the west line of Manderville Lane and the north line Midtown Boulevard.
6. **Z134-171:** On October 8, 2014, the City Council approved PD No. 927 for mixed uses on property zoned an MF-2(A) Multifamily District and a GO(A) General Office District on the north and south sides of Meadow Road, west of Manderville Lane.

7. **Z123-212:** On August 28, 2013, the City Council approved PD No. 895 for mixed uses on property zoned a GO(A) General Office District on the southeast corner of North Central Expressway and Midtown Boulevard.
8. **Z123-148:** On March 26, 2014, the City Council approved PD No. 904 for non-residential uses on property zoned a GO(A) General Office District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Proposed ROW
Manderville Lane	Local	Variable	None
Midtown Boulevard	Local	Variable	None

Traffic:

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

Exhibit B for the PD is an equivalency chart to help keep uses in-line with the previously approved traffic impact analysis. This exhibit references the *ITE Trip Generation* manual for all other uses. An assessment made by the city engineer determined that the convalescent and nursing homes, hospice care, and related institutions use would generate an equivalency of two beds to one multifamily unit. Page 2 of the development plan includes the equivalency charts for the PD, which are updated with each request. The applicant has used the ratio determined by the city engineer using the *ITE Trip Generation* manual to generate the numbers and added a note to reflect the meaning.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 745, Subareas C & D	Hotel & Undeveloped
North	PD No. 745, Subarea F	Undeveloped
East	CR, PD No. 790, SUP No. 701	Electrical Substation, DART ROW, Country Club
South	PD No. 745, Subarea C & PD No. 895	Undeveloped
West	PD No. 745, Subareas E & F, GO(A), PD No. 895	Multifamily

STAFF ANALYSIS:

Comprehensive Plan:

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

The Plan identifies the subject site as being located within an *Urban Mixed-Use Building Block*, which provides residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or midrise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape.

Additionally, the Plan has identified the site as within a *Transit Center* which supports a compact mix of employment, retail, cultural facilities and housing.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Implementation Measure 2.5.1.2 Support efforts to maintain distinctive identities of existing neighborhoods and ensure high-quality development of new neighborhoods.

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.

Implementation Measure 5.1.3.2 Amend the Dallas zoning regulations to establish urban design standards that reflect quality design and good land use principles through regulations which address height, scale, bulk and massing of new development. Standards will also address the impact of parking lots and structures to minimize spillover to adjacent neighborhoods, mitigate any negative effects and eliminate visual intrusion or incompatibility with the adjacent residential neighborhoods, historic or conservation districts.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

NEIGHBORHOOD PLUS

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

The current request to remove established urban design criteria for Subarea D does not support the above-referenced goals of the comprehensive plan. The minimum and maximum setback requirements to bring buildings up to the street, and façade and entrance requirements of the existing PD, allow for a more vibrant and urban street-level experience for pedestrians and drivers. Development in the area has progressed according to the requirements of the PD creating a unique neighborhood experience. The applicant has not adequately explained how relocating parking to the rear of the site to comply with existing urban design requirements would be a detriment to the proposed retirement housing and convalescent and nursing homes, hospice care, and related institutions uses.

Land Use Compatibility:

The property contains a hotel within Subarea C (section remaining in Subarea C) and undeveloped land within the remainder, including all of Subarea D. While undeveloped land surrounds the site to the north and south, a large new multifamily development (395 units) exists to the west. A DART line and electrical substation exist to the east and separates the subject site from The Royal Oaks Country Club (PD 790).

The area is poised for continued development characteristic of an urban neighborhood. PD No. 745 created subareas with varying degrees of height, setback, and urban design elements. The following analysis contemplates the existing zoning of Subareas C & D. However, it is imperative to consider the new multifamily development to the west, as well. That development is located within Subarea F, which follows the existing development standards for Subarea D.

The applicant proposes six amendments with this request, as outlined below. The proposed changes would apply to the proposed Subarea D, with four acres taken from Subarea C for a total of 11 acres.

- 1) To increase the minimum front yard setback from eight feet to 15 feet.

	Existing Subarea C	Existing Subarea D	Proposed Subarea D
Minimum Front Yard Setback	10 feet	8 feet	15 feet

A reduced minimum front yard setback provides for a more urban feeling, pulling building frontages up to the street to create a livelier experience. The proposed increase would nearly double the minimum standard, matching the MU-3 Mixed Use District requirement. It is important to note that when PD No. 745 was created, it established a base zoning of MU-3, while choosing to modify the subareas to allow for an improved urban experience—to set the PD area apart.

2) To remove the maximum front yard setback.

	Existing Subarea C	Existing Subarea D	Proposed Subarea D
Maximum Front Yard Setback	14 feet	14 feet	None

While the minimum front yard setback ensures free space from the property line into the site, the maximum front yard setback guarantees that the front yard will not exceed a certain point, possibly negating the urban experience intended. In this case, the PD established a 14-foot maximum, setting a range of flexibility from 8 feet to 14 feet for the building façade. Removing this requirement means that there will be no guarantee of having buildings pulled-up to the street. The lively nature wanted for the urban neighborhood would lack protection. A more traditional type of development would be allowed, as suggested by the applicant, with surface parking lots as the main vantage from the sidewalk and street.

3) To allow landscape walls and features in all setback areas.

As anything taller than six inches is considered a structure, the applicant has chosen to exempt landscaping walls and features from the front, side, and rear setback requirements to allow greater flexibility in site design. Staff does not have concerns over this request, as long as visibility obstruction regulations are taken into consideration.

4) To increase the maximum allowable height from 56 feet to 130 feet (or decrease from 240 feet to 130 feet for the four acres coming from Subarea C).

	Existing Subarea C	Existing Subarea D	Proposed Subarea D
Maximum Height	240 feet	56 feet	130 feet

Subarea C is currently south of Midtown Boulevard. The Manderville Lane section of the development faces Subarea F, with regulations matching the existing Subarea D. The MU-3 District allows 270 feet in height. The creation of the PD chose to reduce the allowable height in this area to 56 feet. The new multifamily development along the west side of Manderville Lane, and within Subarea F, has adhered to the 56-foot height

standard, yet the applicant has requested a significant increase in height. One difference between the two sides of Manderville Lane is the proximity to the DART right-of-way. The subject site offers immediate proximity to the rail line along the east boundary of the property. Additionally, the land further east, across the DART right-of-way, is zoned Subarea B and allows up to 240 feet in height, which matches the remainder of Subarea C to the southwest. However, with development of the PD area well underway and capable of further adherence, staff cannot support an increase in height which could cause a stark difference in development across Manderville Lane, a local road with 40-60 feet of variable right-of-way. PD No. 745 chose to scale structures along the north and west end of the PD at a maximum of 56 feet. That choice was made 10 years ago. Half of the area is developed with structures that are aligned with the reduced scale sought. Staff believes the subject site could be designed in a manner to comply with the PD standards.

5) To remove the façade location requirement.

The existing façade location requirement for both subareas is 50 percent within the minimum/maximum front yard established. Removing this requirement is a second attempt to pull the proposed structures further into the property, away from the street, making way for the proposed parking lots to line the street frontage. Essentially, this echoes the removal of the front yard maximum setback, encouraging a typical development style with surface parking lots being the main vantage point from the street, thereby reducing the activity and compromising the lively nature sought with the establishment of the design criteria.

6) To remove the entrance spacing standard for convalescent and nursing homes, hospice care, and related institutions and retirement housing uses. All other uses would maintain the required 100-to-150-foot entrance spacing requirements that exist in the PD.

Another element of creating a lively urban streetscape is requiring entry spacing at a maximum of 100-to-150-feet. Requiring frequent entryways into structures creates a more active atmosphere when combined with bringing the building façade up to the property line/street. The applicant has stated that pushing entrances far behind the surface parking lots and limiting entrances is an operational requirement for the proposed convalescent and nursing homes, hospice care, and related institutions and retirement housing uses, without providing evidence to support the claim.

Parking:

The parking requirement set forth in Sec.51P-745.112 is not proposed to change. PD No. 745 refers back to Division 51A-4.200 for specific off-street parking and loading requirements for each use. The parking requirement for a retirement housing use is one off-street parking space per dwelling unit. Additionally, the convalescent and nursing homes, hospice care, and related institutions use demands 0.3 parking spaces per bed provided at the facility.

The proposed development plan identifies 180 retirement housing dwelling units and 190 beds for the convalescent and nursing homes, hospice care, and related institutions use. Overall, 237 parking spaces are required and 372 parking spaces have been provided.

Landscaping:

Landscaping must be provided in accordance Sec.51P-745.114. A landscape plan will be required. The applicant chose not to submit one with this request. A landscape plan will have to be presented to, and approved by the City Plan Commission, before issuance of a building permit to authorize work in this district.

List of Officers

The Legacy Senior Communities, LLC

Alan Postel, Director
Andrea Statman, Director
Anita Chanon, Director
Barrett Stern, Director
Bill Silverman, Director
Bruce Bernbaum, Director
Buddy Rosenthal, Director
Candi Haas, Director
Carey Rossel, Director
Carmen Michael, PhD., Director
Carol Aaron, Director
Cheryl Moore, Director
Gary Weinstein, Director
Genie Weitzman, Director
George Tobolowsky, Director
Gerald Ray, Director
Glenn Geller, Director
Howard Wolf, Director
Irvin Levy, Director
Irwin Grossman, Director
Jerry Rasansky, Director
John Raphael, Director
Larry Golman, Director
Linda Garner, Director
Marc Stanley, Director
Michael Ellentuck, CEO and President
Michael Friedman, Director
Michael Glazer, Director
Mike Ablon, Director
Milton Levy Jr., Director
Randy Colen, Director
Robert Miller, Director
Robert Pollock, Director
Ron Fiedelman, Secretary
Ruthie Pack, Director
Sandy Donsky, Director
Sandy Kaufman, Director
Sanford Fagadau, Ph.D., Director
Sara Efune, Director
Stuart Morse, Director
Todd Shapiro, Director
Todd Teiber, Treasurer

Freedom Hospitality LLC

Zabir Ismail, Managing Director
Salim M. Ismail, Managing Member
Shireen S. Ismail, Managing Member

Brazos Texas Land Development LLC

Zabir Ismail, Managing Director
Salim M. Ismail, Managing Member
Shireen S. Ismail, Managing Member

PROPOSED PD CONDITIONS

ARTICLE 745.

PD 745.

SEC. 51P-745.101. LEGISLATIVE HISTORY.

PD 745 was established by Ordinance No. 26372, passed by the Dallas City Council on June 14, 2006. (Ord. 26372)

SEC. 51P-745.102. PROPERTY LOCATION AND SIZE.

PD 745 is established on property located on both sides of Manderville Lane, north of Blair Road and south of Royal Lane. The size of PD 745 is approximately 77.028 acres. (Ord. No. 26372; 27713)

SEC. 51P-745.103. CREATION OF SUBAREAS.

This district is divided into Subareas A, B, C, D, E, and F as shown on the conceptual plan (Exhibit 745A). (Ord. Nos. 26372; 29804)

SEC. 51P-745.104. 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) In this district, the following definitions apply:

(1) A-FRAME SIGN means a portable detached premise sign that is hinged at the top and is made of durable, rigid materials such as wood, plastic, or metal.

(2) INTERIOR SIDE YARD means a side yard that is not adjacent to a street.

(2.1) LANDSCAPE WALLS mean a retaining wall or decorative wall.

(2.2) LANDSCAPE WALL AREA FEATURES means retaining or decorative walls, rails, steps, or foundations. A landscape wall area feature is not considered a blank wall.

(3) MEWS STREET means a multimodal street for pedestrians or low-speed vehicular traffic.

(4) OPEN SPACE means an area that is unobstructed to the sky, and that contains no structures except for ordinary projections of window sills, bay windows, belt courses, cornices, eaves, unenclosed

balconies, unenclosed patios, stoops, and other architectural features. A required yard on a lot with a structure is not open space.

(5) PRIMARY STREET means the principal frontage for a building site, as designated on the development plan.

(5.1) PRIVATE PERMEABLE AREA means an area open and available to residents.

(6) PROPERTY means Subareas A, B, C, and D collectively.

(7) ROADWAY ZONE means the zone for public use that includes the right-of-way, a portion of the sidewalk and utility easements, and landscape areas including pavers, concrete sidewalks, landscaping, trees, and decorative lighting, as shown on the roadway cross sections.

(8) SECONDARY STREET means the frontage for a building site that is not a primary street, as designated on the development plan.

(9) SETBACK means the minimum distance a building may be erected from a roadway zone or lot line.

(10) STOOP means a small porch leading to the entrance of a residence.

(11) TANDEM PARKING means one parking space in front of another parking space.

(d) This district is considered to be a nonresidential zoning district. (Ord. Nos. 26372; 27713; 29786; 29801)

SEC. 51P-745.104.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 745A: conceptual plan.

(2) Exhibit 745B: equivalency chart.

(3) Exhibit 745C: mixed use development parking chart.

(4) Exhibit 745D: tree survey.

(5) Exhibit 745E: roadway cross sections.

(6) Exhibit 745F: private permeable area plan.

(7) Exhibit 745G: Subarea E and F development plan.

(8) Exhibit 745H: Subarea E and F landscape plan. (Ord. Nos. 27713; 29786; 29804)

SEC. 51P-745.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan. In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls. Minor adjustments to final street alignments and locations are permitted at the time of platting without requiring an amendment to the conceptual plan. (Ord. 26372)

SEC. 51P-745.106. DEVELOPMENT PLAN.

(a) Prior to the issuance of a building permit for work other than repair of existing structures, demolition and grading, the installation of fencing or other structures for security purposes, work associated with permitted temporary uses, or work intended to provide for the irrigation or maintenance of landscaping, a development plan and landscape plan must be approved by the city plan commission. In the event of a conflict between the text of this article and the development plan, the text of this article controls.

(b) In addition to the requirements set forth in Section 51A-4.702, the submittal of a development plan must also include the following:

(1) Cumulative floor area, number of dwelling units, number of multifamily dwelling units, and open space totals by use category for:

- (A) the building site;
- (B) the subarea in which the building site is located; and
- (C) the Property.

(2) Sufficient information to verify compliance with the maximum floor area and floor area ratio requirements of this article.

(3) Ingress and egress locations.

(4) Landscape plan including a tree survey and special amenities.

(5) Dwelling unit density and floor area calculations for the Property must be referenced in accordance with the equivalency chart (Exhibit 745B).

(6) Roadway zone delineations referenced on the roadway cross sections.

(7) Designation of primary streets and secondary streets.

(c) For single family uses, a recorded plat may suffice as a development plan, provided it contains all of the required elements for a development plan.

(d) The portion of Section 51A-4.702(c) requiring submission of a development plan within six months of the city council's approval of this district does not apply.

(e) Signs are not required to be shown on a development plan.

(f) A development plan, landscape plan, and tree survey are not required to reflect the entire Property and may include only a portion of the Property.

(g) In Subareas E and F, use and development of the Property must comply with the Subarea E and F development plan (Exhibit 745G). If there is a conflict between the text of this article and the Subarea E and F development plan, the text of this article controls. (Ord. Nos.26372; 27713; 29804)

SEC. 51P-745.107. MAIN USES PERMITTED.

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

(b) Residential adjacency review (RAR) is not required for uses in this district.

(c) In this district, the following main uses are also permitted:

(1) Residential uses.

- Single family.
- Handicapped group dwelling unit.

(2) Retail and personal service uses.

- Ambulance service.
- Home improvement center, lumber, brick, or building materials sales yard. *[Limited to 15,000 square feet.]*
- Surface parking.

(3) Transportation uses.

- Private street or alley.

(d) In this district, the following main uses are prohibited:

(1) Agricultural uses.

- Crop production.

(2) Institutional and community service uses.

- Cemetery or mausoleum.
- Halfway house.

(3) Lodging uses.

- Overnight general purpose shelter.

- (4) Miscellaneous uses.
 - Carnival or circus (temporary).
- (5) Residential uses.
 - College dormitory, fraternity or sorority house.
- (6) Retail and personal service uses.
 - Auto service center.
 - Car wash.
 - Commercial amusement (inside).
 - Commercial amusement (outside).
 - Swap or buy shop.
- (7) Transportation uses.
 - Heliport.
 - Helistop.
 - Railroad passenger station.
- (8) Utility and public service uses.
 - Electrical substation.

(Ord. 26372)

SEC. 51P-745.108. ACCESSORY USES.

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

- (b) In this district, the following accessory use is not permitted:
 - Private stable.
- (c) In this district, the following accessory uses are permitted by SUP only:
 - Accessory medical/infectious waste incinerator.
 - Accessory pathological waste incinerator.
- (d) In Subarea B, the following additional accessory use is permitted:
 - Accessory community center (private).

(Ord. Nos. 26372; 29786)

SEC. 51P-745.109. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Except as provided in this section, the yard, lot, and space regulations for the MU-3 Mixed Use District apply in this district.

(b) Window sills, bay windows, belt courses, cornices, other architectural features, and fireplace chimneys may project up to three feet into a required front, side, or rear yard.

(c) Unenclosed balconies, unenclosed patios, and stoops may project up to six feet into a required front, side, or rear yard, provided that the width of the encroachment is not greater than 12 feet.

(d) The residential proximity slope provisions of Section 51A-4.125(f)(4)(E)(i) apply only if the site of origination is property outside this district that is zoned as an R or R(A) Single Family District and is developed with a single family use on June 14, 2006.

(e) That portion of the lot or building site designated as open space is not included in lot coverage.

(f) Subarea A.

OMITTED FOR BREVITY

(g) Subarea B.

OMITTED FOR BREVITY

(h) Subareas C and E.

(1) Front yard.

(A) Minimum.

(i) Except as provided in this subparagraph, minimum front yard is 10 feet.

(ii) For lots fronting on a mews street, no minimum front yard is required.

(B) Maximum.

(i) Except as provided in this subparagraph, maximum front yard is 14 feet.

(ii) For lots fronting on a mews street, maximum front yard is five feet.

(C) Facade location.

(i) Except as provided in Provision (ii), a portion of the front facade equal to at least 50 percent of the length of the lot, excluding pedestrian and vehicular ingress and egress points, must be located within the area between the minimum and maximum front yard setback. The remainder of the front facade (less than 50 percent of the length of the lot) must comply only with the minimum front yard setback.

(ii) For lots fronting a mews street, a portion of the front facade equal to at least 50 percent of the length of the lot, excluding pedestrian and vehicular ingress and egress points, must be located within the area between the front property line and the maximum front yard setback. The remainder of the front facade (less than 50 percent of the length of the lot) is not required to comply with the maximum front yard setback.

(D) Landscape wall area features. In Subarea E, landscape wall area features may be located in the front yard, in accordance with the visibility obstruction regulations in Section 51P-745.111.

(2) Side and rear yard.

(A) Minimum side and rear yard is six feet, except that for lots with single family uses, no minimum interior side yard is required.

(B) In Subarea E, landscape wall area features may be located in the side and rear yard, in accordance with the visibility obstruction regulations in Section 51P-745.111.

(3) Dwelling unit density. Maximum dwelling unit density is 120 units per acre. See Section 51P-745.110 for additional provisions on density.

(4) Floor area ratio. Maximum floor area ratio is 2.85. See Section 51P-745.110 for additional provisions on floor area.

(5) Height. Unless further restricted under Subsection (d), maximum structure height is 240 feet.

(6) Lot coverage. Maximum lot coverage is 90 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Open space. Minimum open space is .25 acres.

(i) Subarea D.

(1) Front yard.

(A) Minimum front yard is 15 feet.

(B) Landscape wall area features may be located in the front yard, in accordance with the visibility obstruction regulations in Section 51P-745.111.

(2) Side and rear yard.

(A) Except as provided in the subparagraph, minimum side and rear yard is six feet. For lots with single family uses, no minimum interior side yard is required.

(B) Landscape wall area features may be located in the side and rear yards, in accordance with the visibility obstruction regulations in Section 51P-745.111.

(3) Dwelling unit density. Maximum dwelling unit density is 100 units per acre. See Section 51P-745.110 for additional provisions on density.

(4) Floor area ratio. Maximum floor area ratio is 2.25. See Section 51P-745.110 for additional provisions on floor area.

(5) Height. Unless further restricted under Subsection (d), maximum structure height is 130 feet.

(6) Lot coverage. Maximum lot coverage is 90 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Open space. Minimum open space is 1.5 acres.

(i) Subareas ~~D~~ and F.

(1) Front yard.

(A) Minimum.

(i) Except as provided in this subparagraph, minimum front yard is eight feet.

(ii) For lots fronting on a mews street, no minimum front yard is required.

(B) Maximum.

(i) Except as provided in this subparagraph, maximum front yard is 14 feet.

(ii) For lots fronting on a mews street, maximum front yard is five feet.

(C) Facade location.

(i) Except as provided in Provision (ii), a portion of the front facade equal to at least 50 percent of the length of the lot, excluding pedestrian and vehicular ingress and egress points, must be located within the area between the minimum and maximum front yard setback. The remainder of the front facade (less than 50 percent of the length of the lot) must comply only with the minimum front yard setback.

(D) Landscape wall area features. In Subarea F, landscape wall area features may be located in the front yard, in accordance with the visibility obstruction regulations in Section 51P-745.111.

(ii) For lots fronting a mews street, a portion of the front facade equal to at least 50 percent of the length of the lot, excluding pedestrian and vehicular ingress and egress points, must be located within the area between the front property line and the maximum front yard setback. The remainder of the front facade (less than 50 percent of the length of the lot) is not required to comply with the maximum front yard setback.

(2) Side and rear yard.

(A) Minimum side and rear yard is six feet, except that for lots with single family uses, no minimum interior side yard is required.

(B) In Subarea F, landscape wall area features may be located in the side and rear yard, in accordance with the visibility obstruction regulations in Section 51P-745.111.

(3) Dwelling unit density. Maximum dwelling unit density is 100 units per acre. See Section 51P-745.110 for additional provisions on density.

(4) Floor area ratio. Maximum floor area ratio is 2.25. See Section 51P-745.110 for additional provisions on floor area.

(5) Height. Unless further restricted under Subsection (d), maximum structure height is 56 feet.

(6) Lot coverage. Maximum lot coverage is 90 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Lot size. No minimum lot size.

(8) Open space. Minimum open space is 1.5 acres.

SEC. 51P-745.110. MAXIMUM DENSITY, FLOOR AREA, AND EQUIVALENCIES.

(a) Except as provided in this section, the maximum number of multifamily dwelling units in this district is 3,800, and the maximum floor area (exclusive of service areas, elevator cores, and similar common areas) is 930,000 square feet of office uses; and 90,000 square feet of retail and personal service uses.

(b) The maximums set forth above may be adjusted by using the equivalency table. (Exhibit 745B). For example, one guest room in a lodging use could replace one multifamily dwelling unit, or

3,700 multifamily units could be provided in combination with a maximum of 972,000 (930,000+42,000) square feet of office and 90,000 square feet of retail and personal service. All uses permitted in this district not listed in the equivalency table must be converted to equivalencies in the manner set forth in the equivalency table notes, and are subject to the limits set forth in Subsection (a).

(c) Notwithstanding the provisions of Subsection (b), office uses (not equivalencies thereof) may not exceed 1,250,000 square feet, and retail and personal service uses (not equivalencies thereof) may not exceed 500,000 square feet in this district, and the number of multifamily dwelling units may not exceed 3800 units in this district. (Ord. 26372)

SEC. 51P-745.111. VISUAL OBSTRUCTION REGULATIONS.

(a) Except as provided in this section, the visual obstruction regulations in Section 51A-4.602(d) apply.

(b) In this district VISIBILITY TRIANGLE means the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection.

(c) Landscape walls exceeding 18 inches in height may not be located in a visibility triangle. (Ord. Nos. 26372; 27713; 29785)

SEC. 51P-745.112. OFF-STREET PARKING AND LOADING.

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

(b) Multifamily. A minimum of one space per unit is required for units with one bedroom or fewer, and a minimum of 1.5 spaces per unit is required for units with two bedrooms or more.

(c) Parking reductions for proximity to DART light rail stations.

(1) Parking for all uses, except residential uses, which are located within ¼ mile of a Dallas Area Rapid Transit (DART) light rail station may be reduced by 20 percent.

(2) Parking for all uses, except residential uses, which are located more than ¼ mile but ½ mile or less from a DART light rail station may be reduced by 20 percent provided there is a minimum six-foot-wide pedestrian connection on the east side of Manderville Lane from Subareas C and D to the closest DART light rail station. Pedestrian connections must be illuminated such that a minimum maintained average illumination level of 1.5 footcandles is provided.

(3) Measurements to a light rail station may be calculated as a radial measurement from the nearest point of the light rail station to the nearest point of the lot containing the use.

(d) Screening of off-street loading spaces and service areas.

(1) Off-street loading spaces and service areas must be screened from all public streets, and from all adjoining property whether abutting or directly across a street or alley.

(2) The 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 and may be provided by using any of the methods for providing screening described in Section 51A-4.602(b)(3), except that screening around service areas for trash collection must be screened by a masonry wall.

(e) Parking structures. Below-grade parking structures may project to the lot line.

(f) Compact parking. No more than 35 percent of the required parking spaces for any use may be provided by compact (7.5-foot-wide) stalls.

(g) On-street parking credit. Required parking for non-residential and multifamily uses may be reduced by one space for every parking space in the street right-of-way abutting the use. To receive credit, parking spaces must be marked per city regulations.

(1) An on-street parking space may not be used to reduce the required parking for more than one use (i.e. it cannot be counted more than once as a space for a use), except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(2) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that 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.

(h) Tandem parking. Tandem parking is permitted for single family uses.

(i) Mixed use development parking reduction.

(1) In general.

(A) The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development (MUD) parking chart (Exhibit 745C).

(B) For purposes of this section, mixed use development means a subarea with more than one main use.

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

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

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

(B) Next, the parking demand for each use is determined for each of the five times of day shown in the MUD parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development

does not fall within one of the categories shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(C) Finally, the “time of day” columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the development.

(3) Minimum parking requirement. 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.

(j) Parking setback. Except for below-grade parking, parking is prohibited in a required front yard. (Ord. 26372)

SEC. 51P-745.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 26372)

SEC. 51P-745.114. LANDSCAPING.

(a) Landscape plan.

(1) Except as provided in this section, a landscape plan must be submitted with the development plan and approved by the city plan commission before issuance of a building permit to authorize work in this district. The landscape plan must include any relevant parkway area and roadway zones. For Subarea B, a landscape plan must be submitted for each area of a shared access development before the issuance of a building permit to authorize work in each area.

(2) A landscape plan submission must consist of two blue line or black line prints. The plan must have a scale of one inch equals 50 feet or larger (e.g. one inch equals 40 feet, one inch equals 30 feet, etc.) and be on a standard drawing sheet of a size not to exceed 36 inches by 48 inches. A plan which cannot be drawn in its entirety on a 36 inch by 48 inch sheet must be drawn with appropriate match lines on two or more sheets.

(3) A landscape plan must contain the following information:

(A) Date, scale, north point, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan.

(B) Location of existing boundary lines and dimensions of the lot, the zoning classification of the lot, and the subarea classification of adjacent properties. A vicinity map should also be attached to or made a part of the plan.

(C) Approximate centerlines of existing water courses and the location of the 100-year flood plain, the escarpment zone, and geologically similar areas, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways, and sidewalks on or adjacent to the lot.

(D) Project name, street address, and lot and block description.

(E) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).

(F) Locations and dimensions of proposed landscape buffer strips.

(G) Complete description of plant materials shown on the plan, including names (common and botanical name), locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in caliper must be specifically indicated.

(H) Complete description of landscaping and screening to be provided in or near off street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided interior to parking areas and the number and location of required off-street parking and loading spaces.

(I) An indication of how existing healthy trees proposed to be retained will be protected from damage during construction.

(J) Size, height, location, and material of proposed seating, lighting, planters, sculptures, and water features.

(K) A description of proposed watering methods.

(L) Location of visibility triangles on the lot (if applicable).

(M) Tabulation of points earned by the plan (See Subsection (f)).

(4) Landscape plan review.

(A) The city plan commission shall review each landscape plan submitted to determine whether or not it complies with the requirements of this section. All landscape plans must comply with the mandatory provisions in Subsection (e). In addition, all landscape plans must earn a minimum of 20 points. Points are awarded for specified landscape features and elements based on their relative value or merit.

(B) The alternatives from which an applicant may select to achieve the minimum point score needed for approval are referred to in this section as design standards and are set forth in Subsection (f).

(5) In Subareas E and F, landscaping must comply with the Subarea E and F landscape plan (Exhibit 745H). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(b) Application of section. Except as otherwise provided, this section applies when an application for a building permit for work is made, unless the application is for:

(1) the repair of existing structures, demolition and grading, the installation of fencing or other structures for security purposes, work associated with permitted temporary uses, or work intended to provide for the irrigation or maintenance of landscaping; or

(2) restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of a public enemy, or accident of any kind. For purposes of this subsection, “restoration” means

- (A) the act of putting back into a former or original state; or
- (B) construction work that does not increase:
 - (i) the number of buildings on the lot;
 - (ii) the number of stories in a building on the lot;
 - (iii) the floor area of a building on the lot by more than 10 percent or 10,000 square feet, whichever is less; or
 - (iv) the nonpermeable coverage of the lot by more than 2,000 square feet.

(3) Notwithstanding the provisions of this subsection, tree mitigation requirements must be met in accordance with the provisions of this article.

(c) Consistency. The city council shall, at a minimum, impose landscaping requirements consistent with the standards and purposes of this section as a part of all ordinances establishing or amending any subarea.

(d) Special exception. The board of adjustment may grant a special exception to the landscaping requirements of this section upon making a finding from the evidence presented that strict compliance with the requirements of this section will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives and purposes of this section.

(e) Mandatory provisions.

(1) Trees.

(A) Tree planting zone. For purposes of this section, the tree planting zone is that area parallel to and between two-and-one-half and four feet from the back of the projected street curb. (The tree planting zone is in the parkway. Note that the property owner must apply for a parkway landscape permit before any required trees may be planted in the parkway. See Paragraph (3) for more details regarding the parkway landscape permit.)

(B) Number, location, and type of trees required. Each lot must have one or more trees whose trunks are located wholly within the tree planting zone. The number of required trees is determined by dividing the number of feet of lot frontage by 25. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. All required trees must be recommended for local area use by the director of parks and recreation. If a property owner cannot obtain a parkway landscape permit to locate a required tree in the parkway, the property owner shall locate the tree in the required front yard as near as practicable to the front lot line. If a lot has no front yard requirement and the property owner cannot obtain a parkway landscape permit to locate the required tree in the parkway, the property owner need not provide that required tree.

(C) Minimum tree height and trunk caliper. Required trees must have a minimum height of 14 feet and a minimum trunk caliper of three-and-one-half inches measured at a point 12 inches above the root ball.

(D) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within 50 feet of another required tree.

(2) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owner, to the tenants or designated property owners association (“property owner”) of all Property in this district for the exclusive purpose of complying with Subsection (e). A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with the Dallas Building Code, or Paragraph (3). This private license shall not terminate at the end of any specific time period, however, the city council reserves and has the absolute right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the premises without giving any notice and without the necessity of legal proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the city council, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the director of public works and transportation.

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

(C) Each property owner shall be responsible for maintaining the landscaping and related amenities in good repair and condition and to keep the premises safe and from deteriorating in value or condition, at no expense to the city, and the city shall be absolutely exempt from any requirements to make repairs or to maintain the landscaping and related amenities. The granting of a license for landscaping and related amenities under this section does not release the property owner from liability in the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(3) Parkway landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating street trees, landscaping, sidewalks, or related amenities in the parkway. An application for a parkway landscape permit must be made to the director of public works

and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

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

(C) A property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the director of public works and transportation's denial of a parkway landscape permit

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

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

(4) Acceptable landscape materials.

(A) No artificial plant materials may be used to satisfy the requirements of this section.

(B) Plant materials used to satisfy the requirements of this section must comply with the following minimum size requirements at the time of installation:

(i) Large trees must have a minimum caliper of three inches, or a minimum height of twelve feet, depending on the standard measuring technique for the species.

(ii) Small trees must have a minimum height of six feet.

(iii) Large shrubs must have a minimum height of three feet.

(C) For purposes of Subparagraph (4)(B), "height" is measured from the top of the root ball or, if the plant is in a container, from the soil level in the container.

(D) In satisfying the landscaping requirements of this section, the use of high quality, hardy, and drought tolerant plant materials is recommended and encouraged.

(5) Soil requirements.

(A) Except as otherwise provided in this paragraph, landscape planting areas in general must have the following soil depths and dimensions:

(i) For each large shrub or small tree installation, a minimum of 24 inches of soil depth and 16 square feet of surface area (total of 32 cubic feet).

(ii) For each large tree installation, a minimum of 36 inches of soil depth and 25 square feet of surface area (total of 75 cubic feet).

(B) Landscape planting areas located above underground buildings or structures must have the following soil depths and dimensions:

(i) For each large shrub or small tree installation, a minimum of 30 inches of soil depth and 25 square feet of surface area (total of 62.5 cubic feet).

(ii) For each large tree installation, a minimum of 40 inches of soil depth and 36 square feet of surface area (total of 120 cubic feet).

(C) The building official may waive the minimum soil requirements if a landscape architect certifies that the proposed alternative soil depths and dimensions are sufficient to support the healthy and vigorous growth of the plant materials affected.

(6) Protection of landscape areas. Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

(7) Irrigation requirements. Required plant materials must be located within 100 feet of a verifiable water supply. Proposed watering methods (irrigation or otherwise) must be:

(A) indicated on the landscape plan; and

(B) adequate to maintain the plant materials in a healthy, growing condition at all times.

(8) Pedestrian scale lighting. Pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 footcandles along all sidewalks on or adjacent to the lot and adjacent to a public street must be provided. PEDESTRIAN SCALE LIGHTING means that the light emanates from a source that is no more than 15 feet above the grade of the sidewalk. The design and placement of both the standards and fixtures must be approved by the director of public works and transportation. Unless otherwise provided for, each property owner is responsible for the cost of installation, operation and maintenance of the lighting on their property or in the public right-of-way adjacent to their property.

(9) Sidewalks. Except as provided in this paragraph, a minimum six-foot-wide sidewalk must be provided in an area parallel to and between four and 12 feet from the back of the projected street curb. If necessary to protect an existing tree, the building official may allow a sidewalk to be provided in another location. If the sidewalk is to be located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrian way.

(f) Design standards. To earn points under this subsection, landscape areas must be placed in the front yard of a building site. For purposes of this subsection, a front yard may include those areas of the public right-of-way or roadway zone located behind the curb that are used for streetscape.

(1) Percentage of front yard area. One point is awarded for each three percent of the total front yard area provided as landscape area to a maximum of 15 points if the landscape area:

- (A) is at least 50 square feet;
- (B) is covered with grass or other plant material as ground cover; and
- (C) for every 100 square feet of landscape area, or fraction thereof has a minimum of:

(i) one large canopy tree (See Paragraph (3) regarding credit for retention or relocation of existing trees);

(ii) three small trees;

(iii) two small trees and one large shrub;

(iv) one small tree and two large shrubs; or

(v) three large shrubs.

(2) Parking concealment. Five points are awarded for providing all required parking in structures which:

(A) have all facades covered with the same material as the main building; or

(B) are totally underground.

(3) Existing tree credits. Existing healthy trees are categorized in accordance with the definitions of this section and credited toward meeting design standards as follows:

(A) For each tree retained or relocated to the front yard of the building site or to the parkway, having a caliper equal to or greater than four inches but less than six inches, a credit of one required large tree is allowed.

(B) For each tree retained or relocated to the front yard of the building site or to the parkway, having a caliper equal to or greater than six inches but less than 12 inches, a credit of two required large trees is allowed.

(C) For each tree retained or relocated to the front yard of the building site, to the parkway, or within any of the subareas having a caliper equal to or greater than 12 inches, a credit of three required large trees is allowed.

(4) Special amenities.

(A) Enhanced pavement material.

(i) Three points are awarded when at least 50 percent of all outdoor vehicular pavement area in the front yard(s) of a lot consists of enhanced pavement. (Note: All vehicular pavement must comply with the construction and maintenance provisions for off-street parking in the Dallas Development Code, as amended.)

(ii) Three points are awarded when at least 50 percent of all outdoor pedestrian pavement area consists of enhanced pavement. (Note: All pedestrian pavement material and design must be approved by the director of public works and transportation.)

(B) Pedestrian facilities. One point is awarded for each one percent increment of lot area covered by publicly accessible special pedestrian facilities and features such as plazas, covered walkways, fountains, lakes and ponds, seating areas, bicycle racks, and outdoor recreation facilities, up to a maximum of five points.

(g) Tree preservation, removal, and replacement. A property owner may follow the provisions of Division 51A-10.130 or the following:

(1) This subsection applies to all Property within this district except for lots smaller than two acres in size that contain single family (including duplex and townhouse) uses.

(2) The tree survey (Exhibit 745D) shall serve as the basis for tree preservation, removal, and replacement activity.

(3) Tree preservation may be accomplished by planting replacement trees anywhere within this district.

(4) Trees which are preserved in or relocated to a park, a conservation easement, designated open space, or area shown on a development plan shall receive a 2:1 caliper inch credit which may be applied toward meeting the requirement of this subsection.

(5) The city arborist must approve all tree preservation, removal, and replacement activity.

(6) Tree replacement is required within 12 months after issuance of a final certificate of occupancy for structure in the area identified on an approved development plan. Subject to the provisions of this section regarding tree credits, the total caliper inches of replacement trees must equal or exceed the total caliper inches of protected trees removed, including those protected trees removed prior to demolition activity.

(h) When landscaping must be completed.

(1) Except as otherwise provided in Paragraph (2), all landscaping must be completed in accordance with the approved landscape plan before a certificate of occupancy may be issued for any building on the lot.

(2) If the property owner provides the building official with documented assurance that the landscaping will be completed within six months, the building official may issue one six-month temporary certificate of occupancy and permit the property owner to complete his landscaping during the six-month period.

(A) For purposes of this subsection, DOCUMENTED ASSURANCE means a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six-month period; or a set of deed restrictions containing a covenant to install the landscaping in accordance with the landscape plan within the six-month period.

(B) The deed restrictions must:

- (i) expressly provide that they may be enforced by the city;
- (ii) be approved as to form by the city attorney; and
- (iii) be filed in the deed records of the county in which the land is located.

(i) General maintenance. Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(j) Subarea B.

(1) Single family uses. Single family uses must comply with the following requirements:

(A) A minimum of 20 percent of the aggregate land area of all shared access developments in Subarea B must be designated as landscape area. Designated landscape area must consist of all areas within a shared access development except for platted residential lots and driving surfaces. For purposes of this subsection, consolidated open space, pedestrian way open space, mid-block open space, and modified mid-block open space located as shown on the private permeable area plan (Exhibit 745F) are considered landscape area.

(B) One site tree must be provided for every 4,000 square feet within a shared access development. Every site tree must have a planting area of at least 25 square feet. The trunk of any site tree must be located at least two-and-one-half feet from any pavement. Site trees must be species listed in Section 51A-10.134.

(C) In addition to any site trees, one tree must be provided for every 40 feet of street frontage, excluding shared access points, with a minimum of two street trees required. Street trees may be located within the front yard or parkway if all private licensing requirements of the city code and charter are met. In this paragraph, PARKWAY means the portion of a street right-of-way between the projected street curb and the front lot line or corner side lot line. If the director determines that a tree would interfere with utility lines, a substitute street tree from a species listed in Section 51A-10.134 may be provided.

(D) Required street trees may be located anywhere in Subarea B.

(2) Private permeable area plan for a shared access development.

(A) For a shared access development, consolidated open space, pedestrian way open space, mid-block open space, and modified mid-block open space must be provided as shown on the private permeable area plan (Exhibit 745F).

(B) Dimensional revisions to consolidated open space areas 1 through 8 may be considered if requested revisions provide for no reduction in land area for each area, using the director

procedure in Section 51A-4.702(h)(2)(A). For purposes of this subparagraph, Section 51A-4.702(h)(2)(A)(ii)(aa) does not apply.

(C) Dimensional revisions to a pedestrian way open space may be considered if requested revisions provide for not less than 18 feet of width for each area, using the director procedure in Section 51A-4.702(h)(2)(A). For purposes of this subparagraph, Section 51A-4.702(h)(2)(A)(ii)(aa) does not apply.

(D) Dimensional revisions to a mid-block open space may be considered if requested revisions provide for not less than 10 feet of width for each area, using the director procedure in Section 51A-4.702(h)(2)(A). For purposes of this subparagraph, Section 51A-4.702(h)(2)(A)(ii)(aa) does not apply.

(E) Roof eaves may project into a pedestrian way open space and mid-block open space up to two feet, with a minimum clearance of 10 feet above grade.

(F) Each pedestrian way open space area, as shown on the private permeable area plan (Exhibit 745F), must be 100 percent permeable except sidewalks no more than four feet in width, steps, stoops, retaining walls, and landscape walls.

(G) Each mid-block open space, as shown on the private permeable area plan, must contain a minimum width of 10 feet and must be 90 percent permeable. For purposes of this subparagraph, brick pavers or similarly small dimensioned material are considered permeable. Nonpermeable sidewalk construction is prohibited.

(H) Each modified mid-block open space, as shown on the private permeable area plan, must be 90 percent permeable. For purposes of this subparagraph, brick pavers or similarly small dimensioned material are considered permeable. Nonpermeable sidewalk construction is prohibited.

(I) If consolidated open space area 3 is developed with a swimming pool and associated structures and improvements, a minimum of 45 percent of the land area must be covered by natural grass, ground cover, or other natural plant materials (excluding screening).

(3) Tree preservation, removal, and replacement for single family uses. Tree preservation, removal and replacement must comply with Division 51A-10.130.

(4) Mitigation calculations. Within five years after issuance of a grading permit, the Property owner shall present to the building official the total mitigation calculation including mitigation amount less trees planted. This term may be extended by two one-year extensions to be mutually agreed by the building official and Property owner. (Ord. No. 26372; 27713; 29785; 29804)

SEC. 51P-745.115.

BUILDING ELEMENTS AND DESIGN STANDARDS.

(a) In general.

(1) Applicability.

(A) Except as provided in this section, building elements and design standards apply to all buildings within the district.

(B) Single family uses in Subarea B are not subject to this section.

(2) Purpose. Building elements and design standards are intended to:

(A) ensure that new development enhances and is compatible with surrounding neighborhoods; and

(B) enhance the character and environment for pedestrians.

(3) Building elements and facade for Subareas A, C, and D.

(A) Street-level transparency. (*Measured between 0 and 10 feet above adjacent sidewalk.*)

(i) Primary street facade: Minimum 40 percent.

(ii) Secondary street facade: Minimum 20 percent.

(B) Upper-story transparency. (*Measured from floor to floor.*)

(i) Primary street facade: Minimum 40 percent.

(ii) Secondary street facade: Minimum 20 percent.

(C) Entrance.

(i) Primary street facade: Required.

(ii) Entrance spacing: (*Maximum linear feet.*)

(aa) Except as provided in Provision (bb) and (cc): 100.

(bb) For hospital, medical or scientific laboratory, and all office uses: 150.

(cc) For convalescent and nursing homes, hospice care, and related institutions and retirement housing, no maximum entrance spacing is required.

(iii) Secondary facade: Allowed.

(4) Building elements and facade for Subarea B.

(A) Street-level transparency. (*Measured for first finished floor above adjacent sidewalk.*)

(i) Primary street facade:

(aa) Except as provided in Provision (bb): Minimum 40 percent.

(bb) For multifamily uses: Minimum 30 percent.

- (ii) Secondary street facade: Minimum 20 percent.
- (B) Upper-story transparency. (*Measured from floor to floor.*)
 - (i) Primary street facade:
 - (aa) Except as provided in Provision (bb): Minimum 40 percent.
 - (bb) For multifamily uses: Minimum 30 percent.
 - (ii) Secondary street facade: Minimum 20 percent.
- (C) Entrance.
 - (i) Primary street facade: Required.
 - (ii) Entrance spacing (*Maximum linear feet.*): 150.
 - (iii) Secondary facade: Allowed.
- (5) Blank wall. A blank wall may not face a primary street for more than 20 linear feet.
- (6) Street-level retail use front windows. A minimum of 60 percent of a street-fronting street-level window must allow views into the street-level retail use for a depth of at least four feet, measured from the edge of the sidewalk closest to the window. Windows must be clear, unpainted, or translucent. Spandrel glass or back-painted glass is not permitted.
- (b) Off-street parking structures.
 - (1) Except as provided in this subsection, all permanent parking structures must be either underground, or concealed in a building with a facade that is similar in appearance to the facade of either the main non-parking building to which the parking is accessory or the adjacent structure's architecture. At least 10 percent of the parking structure facade must be covered with the same material used predominantly on the first 50 feet of height of the main non-parking building. (The facade area is calculated by including openings, if any.) Openings in the parking structure facade must not exceed 52 percent of the total facade area.
 - (2) Parking structures in Subarea B that are not adjacent to public right-of-way are not subject to the requirements of Paragraph (1).
- (c) Highly reflective glass prohibited. Highly reflective glass may not be used as an exterior building material on any building or structure in this district. For purposes of this subsection, HIGHLY REFLECTIVE GLASS means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)
- (d) Multifamily structures. The facade of multifamily dwelling units, exclusive of trim, doors, soffets, and shutters, must consist of no more than 15 percent wood or products that appear to be

wood (such as Hardi-plank), with the remainder of the facade to be constructed of glass or masonry that does not have the appearance of wood.”
(Ord. Nos. 26372; 27713; 29785)

SEC. 51P-745.116. SIGNS.

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

(b) A-frame signs. A-frame signs are permitted to identify a business in accordance with the following provisions:

- (1) The maximum size of the sign is 32 inches wide and 36 inches tall.
 - (2) The maximum effective area per side is 1,200 square inches.
 - (3) A-frame signs may only be displayed when the business that it is identifying is open.
 - (4) A-frame signs may be located on the sidewalk or in the front yard of the business that it is identifying, provided a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.
 - (5) Only one A-frame sign is permitted per business.
 - (6) A-frame signs must be separated by a minimum of 50 feet.
 - (7) A-frame signs may not be located closer than 25 feet to a street intersection.
- (Ord. Nos. 26372; 27713)

SEC. 51P-745.117. ADDITIONAL PROVISIONS.

(a) In Subarea B, platting must comply with Article VIII. No more than 350 lots may be platted as a shared access development subject to a final plat providing for no dead end streets. For purposes of this subsection, a cul-de-sac or a shared access area containing a maximum linear distance of 150 feet are not considered dead end streets.

(b) Before the final inspection of the first single family dwelling unit, an eight inch water main must be provided to serve the shared access development, with final design and construction approved by Dallas Water Utilities.

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

(d) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
(Ord. Nos. 26372; 29875)

SEC. 51P-745.118.

COMPLIANCE WITH CONDITIONS.

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

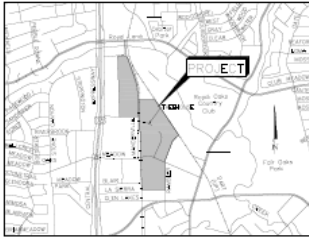
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 26372)

Proposed Conceptual Plan

Exhibit 745A

JUNE 02, 2017

CONCEPTUAL PLAN
MANDERVILLE LANE AND MIDTOWN BOULEVARD
MEADOW ROAD AND RAMBLER ROAD



VICINITY MAP
N.T.S.

Subarea A (10.939 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	270'
Commercial/Residential FAR	None	4.00
Residential Density (Dwelling Units/Acre)	None	8
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	10'	20'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for new footage

Subarea B (32.952 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	240'
Commercial/Residential FAR	None	4.00
Residential Density (Dwelling Units/Acre)	None	120
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	10'	15'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for new footage

Subarea C (5.809 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	240'
Commercial/Residential FAR	None	2.85
Residential Density (Dwelling Units/Acre)	None	120
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	10'	14'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for new footage

Subarea D (11.003 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	50'
Commercial/Residential FAR	None	2.25
Residential Density (Dwelling Units/Acre)	None	100
Lot Coverage	None	90%
Front Yard Setback (ft. from Property Line)*	15'	None
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for new footage

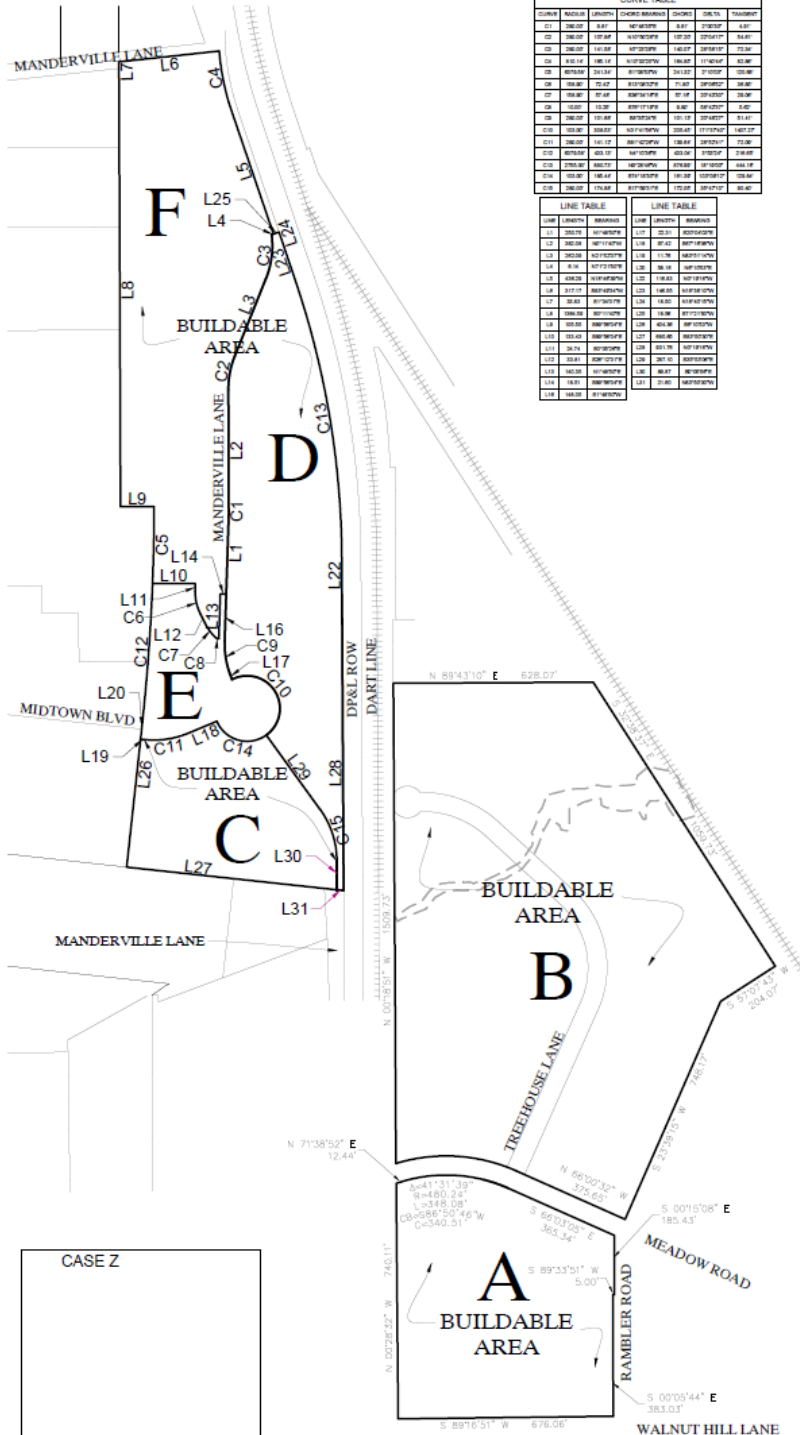
Subarea E (3.095 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	240'
Commercial/Residential FAR	None	2.85
Residential Density (Dwelling Units/Acre)	None	120
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	10'	14'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for new footage

Subarea F (14.086 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	50'
Commercial/Residential FAR	None	2.25
Residential Density (Dwelling Units/Acre)	None	100
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	5'	14'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

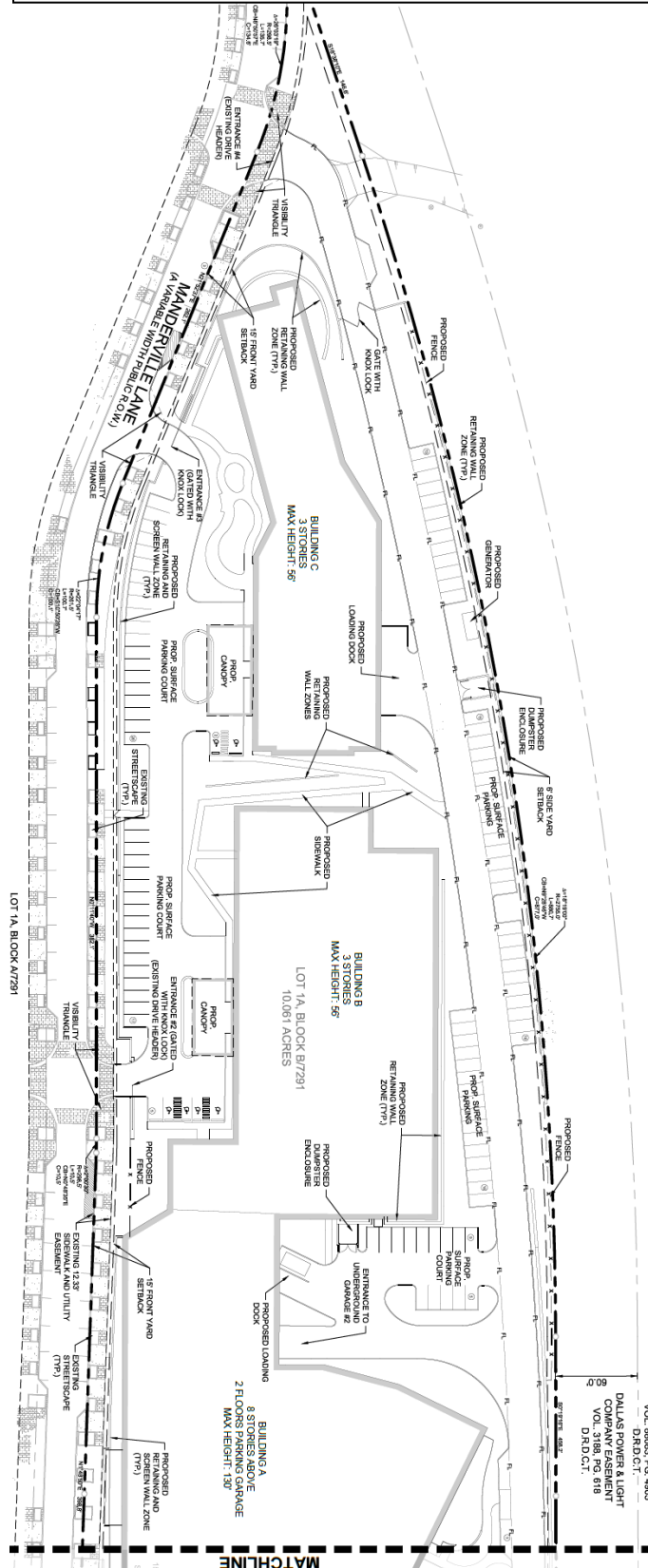
* - Except for new footage

Planned Development
District
No. 745





Proposed "Subarea D" Development Plan Enlarged



BUILDING A
8 STORIES ABOVE
2 FLOORS PARKING GARAGE
MAX HEIGHT: 130'

MANDERVILLE LANE
(VARIABLE WIDTH PUBLIC R.O.W.)

LOT 1, BLOCK E/7291
URBAN VILLAGE WEST
INST. NO. 20140029836
O.P.R.D.C.T.

LOT 1A, BLOCK B/7291
10.061 ACRES
MANDERVILLE LANE
(A VARIABLE WIDTH PUBLIC R.O.W.)

LOT 1A, BLOCK D/7291
MIDTOWN HOTELS
INST. NO. 201400297176
O.P.R.D.C.T.

PROPOSED
ENTRANCE #1 (GATED WITH KNOX LOCK)
ENTRANCE #2 (GATED WITH KNOX LOCK)
ENTRANCE #3 (GATED WITH KNOX LOCK)
ENTRANCE #4 (GATED WITH KNOX LOCK)
ENTRANCE #5 (GATED WITH KNOX LOCK)
ENTRANCE #6 (GATED WITH KNOX LOCK)
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ENTRANCE #97 (GATED WITH KNOX LOCK)
ENTRANCE #98 (GATED WITH KNOX LOCK)
ENTRANCE #99 (GATED WITH KNOX LOCK)
ENTRANCE #100 (GATED WITH KNOX LOCK)

**Proposed “Subarea D” Development Plan
Enlarged**

SITE DATA	
SITE TOTAL	(438,257 S.F.) 10.06 AC.
TOTAL BUILDING FOOTPRINT AREA	(154,970 S.F.) 3.56 AC.
TOTAL BUILDING FLOOR AREA	560,000 S.F.
LOT COVERAGE RATIO (MAX. 90%)	154,970 S.F. / 438,257 S.F. = 35%
FLOOR AREA RATIO (MAX. 2.25)	1.28
OPEN SPACE (MIN: 1.5 AC.)	2.50 AC.
UNIT DENSITY (MAX. 100 UNITS/ACRE)	37 UNITS PER ACRE
BUILDING HEIGHT	BUILDING A - 130' MAX BUILDING B - 56' MAX BUILDING C - 56' MAX

UNIT DATA	
RETIREMENT HOUSING (INDEPENDENT LIVING)	180 UNITS
CONVALESCENT/ NURSING HOME (2 BEDS = 1 UNIT)	95 UNITS (190 BEDS)
TOTAL UNIT COUNT	275 UNITS

PARKING DATA	
PARKING REQUIRED	
RETIREMENT HOUSING (INDEPENDENT LIVING) 1 SPACE PER UNIT	180 SPACES
CONVALESCENT/ NURSING HOME 0.3 SPACES PER BED	57 SPACES
TOTAL PARKING REQUIRED	237 SPACES (4 LOADING SPACES)
PARKING PROVIDED	
UNDERGROUND GARAGE PARKING	178 SPACES
SURFACE PARKING	175 SPACES
ON-STREET PARKING	19 SPACES
TOTAL PARKING PROVIDED	372 SPACES (4 LOADING SPACES)

Proposed "Subarea D" Development Plan Page 2

SUBAREA D
DEVELOPMENT PLAN
(LOT 1A, BLOCK B/7291)
8182 MANDERVILLE LANE
PLANNED DEVELOPMENT
DISTRICT NO. 745

Summary of PD 745 Cumulative Development									
Available Acres: 77.688									
Development Name	Lot Size (Acres)	Overall Floor Area (SF)	FAR	Lat Coverage (SF)	Lat Coverage %	Open Space (SF)	Multifamily Density (DUs/Ac)	Office (SF)	Medical Clinic (SF)
Overall PD 745 Project	45.002	1,382,997	0.46	645,656	19%	377,037	18.10	0	0
Summary of All Subarea Development Limits:	Pass	Pass	N/A	Pass	N/A	Pass	N/A	Pass	Pass

Summary of Subareas Cumulative Development									
Available Acres: 14.808									
Development Name	Lot Size (Acres)	Overall Floor Area (SF)	FAR	Lat Coverage (SF)	Lat Coverage %	Open Space (SF)	Multifamily Density (DUs/Ac)	Office (SF)	Medical Clinic (SF)
Subarea A	4.015	426,523	0.53	126,509	27%	115,548	9.15	0	0
Subarea B	3.777	397,803	0.53	126,509	27%	115,548	9.15	0	0
Subarea C	7.965	79,955	0.12	15,596	8%	75,359	5.00	0	0
Subarea D	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea E	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea F	13.897	557,883	0.73	362,566	27%	65,343	25.40	0	0
Summary of All Subarea Development Limits:	Pass	Pass	N/A	Pass	N/A	Pass	N/A	Pass	Pass

Subarea A									
Available Acres: 14.808									
Individual Development Characteristics									
Development Name	Lot Size (Acres)	Overall Floor Area (SF)	FAR	Lat Coverage (SF)	Lat Coverage %	Open Space (SF)	Multifamily Density (DUs/Ac)	Office (SF)	Medical Clinic (SF)
Subarea A	4.015	426,523	0.53	126,509	27%	115,548	9.15	0	0
Subarea B	3.777	397,803	0.53	126,509	27%	115,548	9.15	0	0
Subarea C	7.965	79,955	0.12	15,596	8%	75,359	5.00	0	0
Subarea D	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea E	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea F	13.897	557,883	0.73	362,566	27%	65,343	25.40	0	0
Summary of All Subarea Development Limits:	Pass	Pass	N/A	Pass	N/A	Pass	N/A	Pass	Pass

Subarea B									
Available Acres: 32.962									
Individual Development Characteristics									
Development Name	Lot Size (Acres)	Overall Floor Area (SF)	FAR	Lat Coverage (SF)	Lat Coverage %	Open Space (SF)	Multifamily Density (DUs/Ac)	Office (SF)	Medical Clinic (SF)
Subarea B	3.777	397,803	0.53	126,509	27%	115,548	9.15	0	0
Subarea C	7.965	79,955	0.12	15,596	8%	75,359	5.00	0	0
Subarea D	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea E	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea F	13.897	557,883	0.73	362,566	27%	65,343	25.40	0	0
Summary of All Subarea Development Limits:	Pass	Pass	N/A	Pass	N/A	Pass	N/A	Pass	Pass

Subarea C									
Available Acres: 1.809									
Individual Development Characteristics									
Development Name	Lot Size (Acres)	Overall Floor Area (SF)	FAR	Lat Coverage (SF)	Lat Coverage %	Open Space (SF)	Multifamily Density (DUs/Ac)	Office (SF)	Medical Clinic (SF)
Subarea C	1.809	252,846	0.12	21,378	10%	10,000	11.43	0	0
Subarea D	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea E	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea F	13.897	557,883	0.73	362,566	27%	65,343	25.40	0	0
Summary of All Subarea Development Limits:	Pass	Pass	N/A	Pass	N/A	Pass	N/A	Pass	Pass

Subarea D									
Available Acres: 1.809									
Individual Development Characteristics									
Development Name	Lot Size (Acres)	Overall Floor Area (SF)	FAR	Lat Coverage (SF)	Lat Coverage %	Open Space (SF)	Multifamily Density (DUs/Ac)	Office (SF)	Medical Clinic (SF)
Subarea D	1.809	252,846	0.12	21,378	10%	10,000	11.43	0	0
Subarea E	2.025	138,262	0.12	21,378	10%	10,000	11.43	0	0
Subarea F	13.897	557,883	0.73	362,566	27%	65,343	25.40	0	0
Summary of All Subarea Development Limits:	Pass	Pass	N/A	Pass	N/A	Pass	N/A	Pass	Pass

Subarea E									
Available Acres: 1.809									
Individual Development Characteristics									
Development Name	Lot Size (Acres)	Overall Floor Area (SF)	FAR	Lat Coverage (SF)	Lat Coverage %	Open Space (SF)	Multifamily Density (DUs/Ac)	Office (SF)	Medical Clinic (SF)
Subarea E	1.809	252,846	0.12	21,378	10%	10,000	11.43	0	0
Subarea F	13.897	557,883	0.73	362,566	27%	65,343	25.40	0	0
Summary of All Subarea Development Limits:	Pass	Pass	N/A	Pass	N/A	Pass	N/A	Pass	Pass

Subarea F									
Available Acres: 633.586									
Individual Development Characteristics									
Development Name	Lot Size (Acres)	Overall Floor Area (SF)	FAR	Lat Coverage (SF)	Lat Coverage %	Open Space (SF)	Multifamily Density (DUs/Ac)	Office (SF)	Medical Clinic (SF)
Subarea F	633.586	1,382,997	0.46	645,656	19%	377,037	18.10	0	0
Summary of All Subarea Development Limits:	Pass	Pass	N/A	Pass	N/A	Pass	N/A	Pass	Pass

Land Use	Current Allowable	Proposed Allowable	Total Development	PD Allowable?
Multi-Family (DUs)	3,800	1,875	5,675	1,382
Office (SF)	90,000	50,000	140,000	0
Medical Clinic (SF)	90,000	50,000	140,000	0
Single-Family Attached (DUs)	0	0	0	0
Single-Family Detached (DUs)	0	0	0	0
Medical Office or Amb. Surgical Center (SF)	0	0	0	0
Restaurant (SF)	0	0	0	0

Land Use	Exchange Rate (Not Included in Summary)	Exchange Rate (In Summary)
Office (SF)	1.00	1.00
Medical Clinic (SF)	1.00	1.00
Single-Family Attached (DUs)	1.00	1.00
Single-Family Detached (DUs)	1.00	1.00
Medical Office or Amb. Surgical Center (SF)	1.00	1.00
Restaurant (SF)	1.00	1.00



VICINITY MAP
N.T.S.

Existing Conceptual Plan

Sub-District A (10.939 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	270'
Commercial/Residential FAR	None	4.00
Residential Density (Dwelling Units/Acre)	None	8
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	10'	20'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for news footage

Sub-District B (32.952 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	240'
Commercial/Residential FAR	None	4.00
Residential Density (Dwelling Units/Acre)	None	120
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	10'	15'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for news footage

Sub-District C (9.915 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	240'
Commercial/Residential FAR	None	2.85
Residential Density (Dwelling Units/Acre)	None	120
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	10'	14'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for news footage

Sub-District D (6.896 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	58'
Commercial/Residential FAR	None	2.25
Residential Density (Dwelling Units/Acre)	None	100
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	5'	14'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for news footage

Sub-District E (3.095 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	240'
Commercial/Residential FAR	None	2.85
Residential Density (Dwelling Units/Acre)	None	120
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	10'	14'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for news footage

Sub-District F (14.086 Acres)		
Issue	Minimum	Maximum
Height (ft)	None	58'
Commercial/Residential FAR	None	2.25
Residential Density (Dwelling Units/Acre)	None	100
Lot Coverage	None	90%
Front Yard Setback (ft. from "Roadway Zone")	5'	14'
Rear/Side Yard Setback (ft. from Property Line)*	5'	None

* - Except for news footage

Planned Developme
District
No. 745

Conce

Existing Exhibit B Equivalency Table

0616

26372

EXHIBIT 745B
Equivalency Table

1. Modifications to the land uses within this planned development district are allowed, provided that the floor area or equivalents of the uses originally studied in the Valencia Assemblage traffic impact analysis (TIA) dated January 24, 2006 are not exceeded.
2. Development in this planned development district must not exceed the sum of the following land uses, or equivalents as calculated in accordance with this section:

Land Use	Amount	Unit
Multifamily	3,800	Dwelling Unit
Retail and Personal Services	90,000	Square Feet
Office	930,000	Square Feet

3. The following equivalency table must be used to calculate maximum permitted floor areas for uses identified in Section 2.

One (1.0) Multifamily Dwelling Unit (ITE Land Use 220)	is considered equivalent to	Quantity	Use (ITE Land Use Code)
		0.6 DU	Single-Family Detached Housing (210)
		1.2 DU	Single-Family Attached Housing (230)
		1.0 Guest Room	Lodging uses (310)
		420 SF	Office (710)
		140 SF	Medical Clinic or Ambulatory Surgical Center (720)
		165 SF	Retail and Personal Services (other than Restaurant) (820)
		60 SF	Restaurant (932)

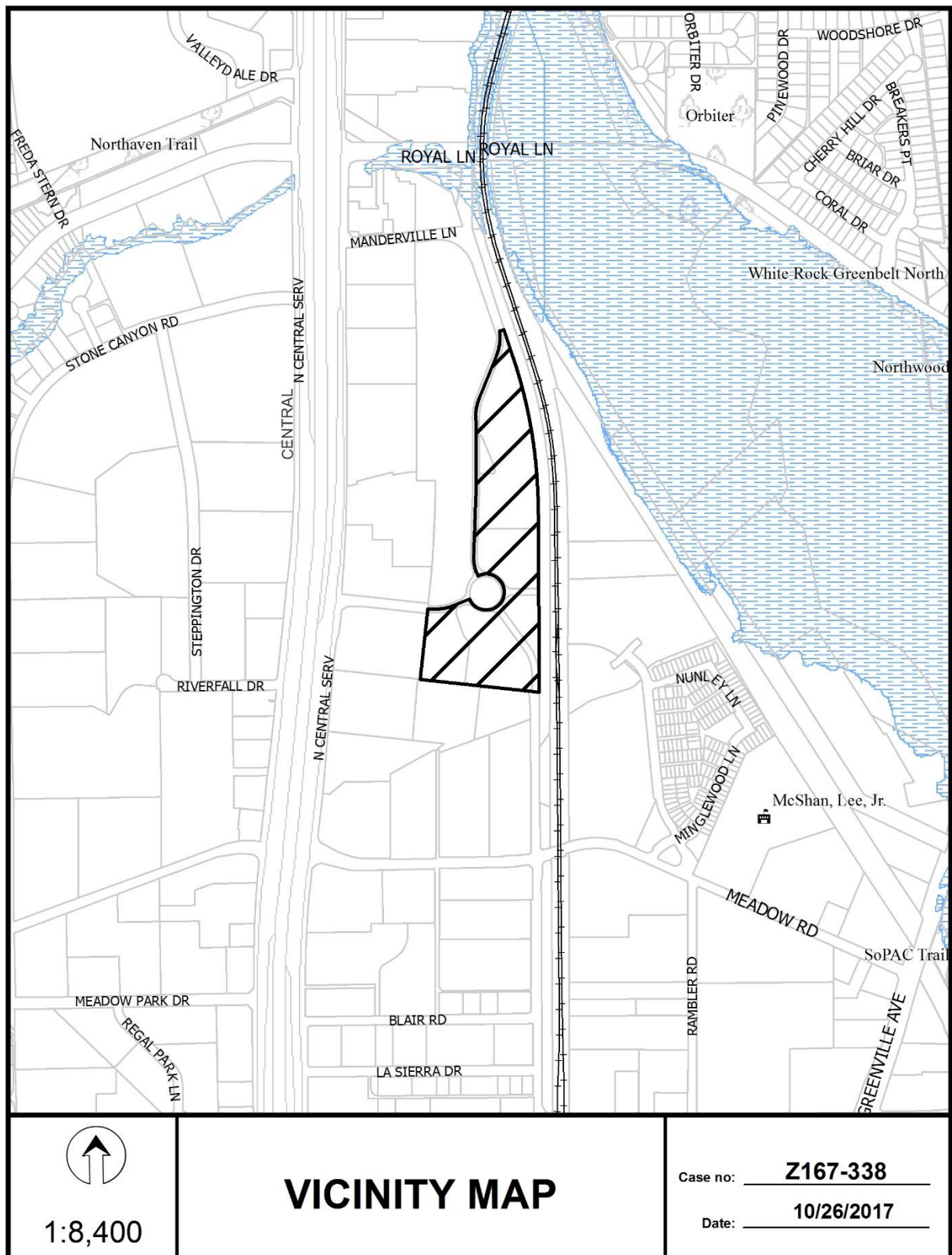
4. In no instance shall office uses exceed 1,250,000 square feet of floor area in this district.
5. In no instance shall retail and personal service uses exceed 500,000 square feet of floor area in this district.
6. In no instance shall multifamily dwelling units exceed 3,800 units in this district.

Example: 100 multifamily DU is equivalent to 42,000 SF of office floor area, or 6,000 SF of restaurant floor area.

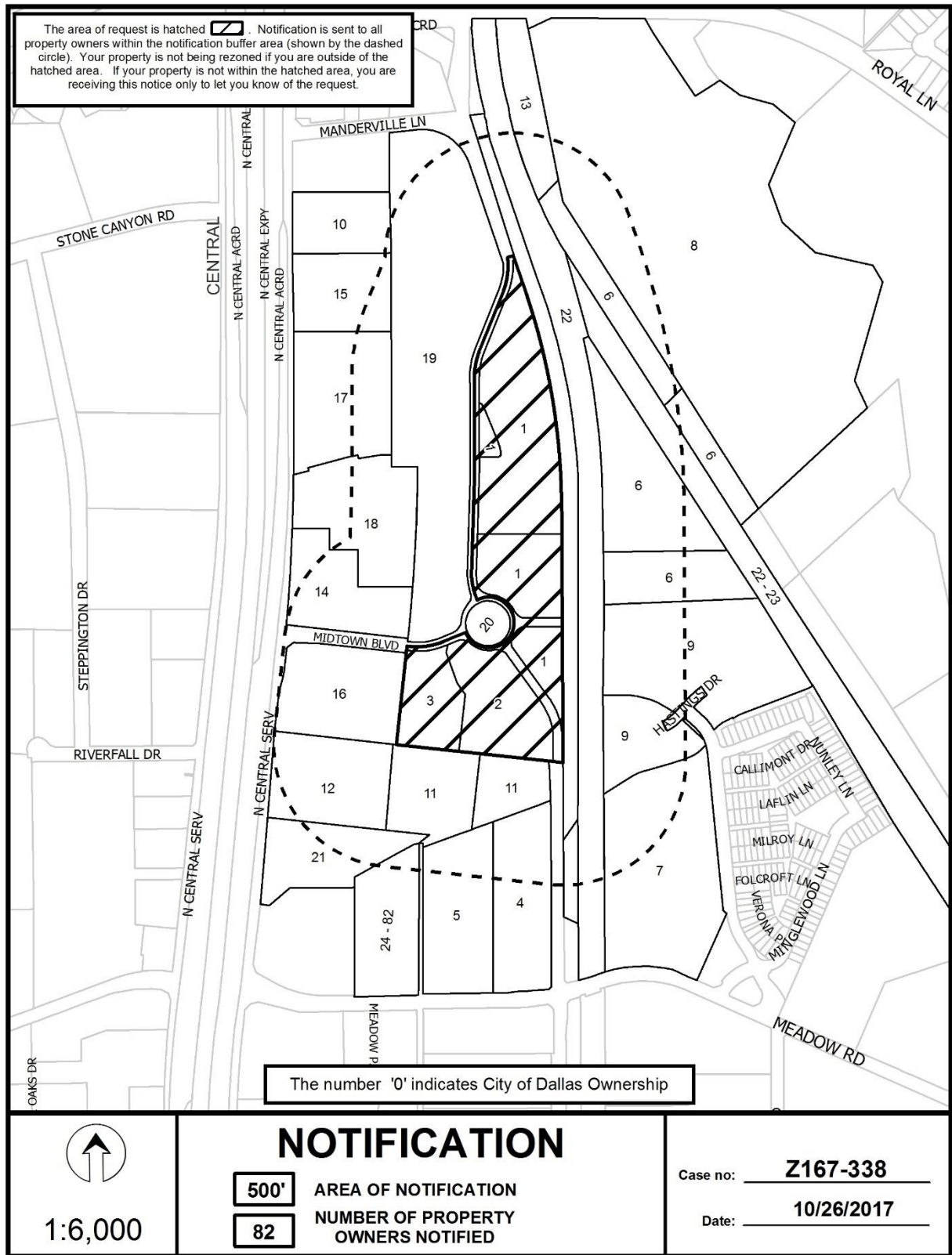
The equivalency table may be used to convert between any of the land uses listed.

Example: 1,000 SF of office floor area is equivalent to 393 SF of retail floor area, or 143 SF of restaurant floor area, or 2.4 multifamily DU.

The above table was developed by comparing the average PM peak hour trip generation for each use, using data from the Institute of Transportation Engineers (ITE) *Trip Generation*, 7th Edition. Equivalencies for other land uses not reflected in the table may be made by citing the data in *Trip Generation*, 7th or newer Edition.







10/26/2017

Notification List of Property Owners***Z167-338******82 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8182 MANDERVILLE LN	LEGACY AT MIDTOWN PARK INC
2	8190 MIDTOWN BLVD	BRAZOS TEXAS LAND DEVELOPMENT LLC
3	8180 MIDTOWN BLVD	FREEDOM HOSPITALITY LLC
4	8175 MEADOW RD	MEADOWS REDEVELOPMENT LTD
5	8111 MEADOW RD	FIRST BAPTIST REALTY LLC
6	8200 MANDERVILLE LN	TEXAS UTILITIES ELEC CO
7	8232 MEADOW RD	TKG VALENCIA MIDTOWN LLC
8	7800 GREENVILLE AVE	ROYAL OAKS COUNTRY CLUB
9	8200 RAMBLER RD	HT MIDTOWN LP
10	10830 N CENTRAL EXPY	SHOAL CREEK NO 1 LC
11	8109 MANDERVILLE LN	COMMODORE PARTNERS LTD
12	10550 N CENTRAL EXPY	MIDTOWN MARK LLC
13	8409 MANDERVILLE LN	TEXAS UTILITIES ELEC CO
14	10670 N CENTRAL EXPY	BVP NCE LLC
15	10824 N CENTRAL EXPY	DALLAS SSA LP
16	10650 N CENTRAL EXPY	COMMODORE PTNRS LTD
17	10740 N CENTRAL EXPY	FAEC HOLDINGS LLC
18	10720 N CENTRAL EXPY	SK23 NORTH DALLAS LTD
19	8401 MANDERVILLE LN	DOMAIN AT MIDTOWN PARK LTD
20	1 MANDERVILLE LN	DOMAIN AT MIDTOWN PARK LTD
21	10440 N CENTRAL EXPY	SCG CP MEADOW PARK
22	401 S BUCKNER BLVD	DART
23	401 S BUCKNER BLVD	DART
24	8059 MEADOW RD	MESSEYE ABEIR
25	8059 MEADOW RD	TODORA TONY
26	8057 MEADOW RD	MEADOWS NORTH INVESTMENTS LLC

10/26/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	8057 MEADOW RD	8057 MEADOW ROAD #201 LAND TRUST
28	8057 MEADOW RD	NEWAY ZEKARIAS
29	8057 MEADOW RD	ABEBE ZUFAN
30	8055 MEADOW RD	COOMER JEFFREY
31	8055 MEADOW RD	CUNNINGHAM SHEREICE
32	8057 MEADOW RD	CUNNINGHAM SHEREICE
33	8055 MEADOW RD	MEADOWS NORTH REALTY LLC
34	8055 MEADOW RD	KEBEDE TAFESECH
35	8065 MEADOW RD	MALLARD WARREN L
36	8065 MEADOW RD	HUEY JOSEPH D & LORI A
37	8067 MEADOW RD	CHILDRESS CAROLYN H
38	8065 MEADOW RD	YEMANE SOLOMON
39	8065 MEADOW RD	JORDAN JAMES C &
40	8067 MEADOW RD	SHARP ABRAHAM E & SUSAN A
41	8069 MEADOW RD	BENAVIDES OSCAR
42	8069 MEADOW RD	HARTGROVE GRACE T
43	8069 MEADOW RD	ASKY MAZYAR
44	8069 MEADOW RD	PEREYDA MIRANDA
45	8071 MEADOW RD	GARCIA CYNTHIA
46	8071 MEADOW RD	WOLTER DIANE
47	8071 MEADOW RD	MESSEYE ABIER
48	8071 MEADOW RD	YANACEK CANDACE L
49	8075 MEADOW RD	PINNEBOG INVESTMENTS LLC
50	8075 MEADOW RD	NGUYEN LAM P
51	8075 MEADOW RD	SINGLETON PAULA K
52	8075 MEADOW RD	MEDINA JUANA
53	8081 MEADOW RD	MISGINA HAIMANOT BERAK
54	8081 MEADOW RD	SALCEDO DANNIEL E
55	8081 MEADOW RD	SOLOMON YEMANE KIFLU
56	8081 MEADOW RD	VILLAFUERTE ARMANDO
57	8083 MEADOW RD	MAYO HEDWIG J

10/26/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	8083 MEADOW RD	VALDEZ FEDERICO C &
59	8083 MEADOW RD	ARMSTRONG YENY A
60	8083 MEADOW RD	LARUMBE ZULEMA
61	8085 MEADOW RD	KELSO JOSHUA & TERRY D
62	8085 MEADOW RD	MEADOW 8085#226 LAND TRUST
63	8085 MEADOW RD	MITCHELL LAURENCE
64	8087 MEADOW RD	KIRK CHARLES GLEN
65	8087 MEADOW RD	HOLAN ANTHONY N &
66	8087 MEADOW RD	HOLCOMB JAMES RUSSELL III
67	8089 MEADOW RD	GLO NITE INC
68	8089 MEADOW RD	JOHNSTON HILLARY
69	8089 MEADOW RD	HAILE TESHOME S
70	8091 MEADOW RD	BENAVIDES OSCAR R JR
71	8091 MEADOW RD	ALEMU HULUMSEW ABEBE
72	8093 MEADOW RD	KIDANE MULU HABITE &
73	8093 MEADOW RD	BENEVIDES OSCAR
74	8091 MEADOW RD	CHOU AMY &
75	8093 MEADOW RD	ABRAHA SELAMAWIT
76	8095 MEADOW RD	MIZU KASSAHUN
77	8095 MEADOW RD	TAN JINI L
78	8095 MEADOW RD	SHEPHERD MARGARET
79	8095 MEADOW RD	SEUBERT SALLY A
80	8095 MEADOW RD	STOKES CATRIONA
81	8095 MEADOW RD	FOSTER CORRIE LEE
82	8079 MEADOW RD	MEADOWS NORTH REALTY LLC

Planner: Warren F. Ellis

FILE NUMBER:	Z167-379(WE)	DATE FILED:	August 18, 2017
LOCATION:	Southwest line of Cedar Springs Road, between Lucas Drive and Hawthorne Avenue		
COUNCIL DISTRICT:	2	MAPSCO:	34-V
SIZE OF REQUEST:	Approx. 2.13 acres	CENSUS TRACT:	4.05

APPLICANT: Urban Loft Partners, Inc.

OWNER: Circle Park Texas, LLC

REPRESENTATIVE: Karl Crawley, MASTERPLAN

REQUEST: An application for an amendment to Planned Development Subdistrict No. 119 for Multiple Family Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of this request is threefold: 1) to create two separate tracts that will permit an existing multiple-family development to remain on one tract and to develop a residential development tract on the adjacent tract; 2) to modify the development standards as it relates to the lot size and structure height; and, 3) to modify the landscape requirements.

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

PREVIOUS ACTION: On November 16, 2017, the City Plan Commission held this case under advisement until November 30, 2017, to allow the representative to replace the conceptual plan with a development plan. On November 30, 2017, the City Plan Commission held this case under advisement to December 14, 2017.

BACKGROUND INFORMATION:

- On October 10, 2015, the City Council approved Planned Development Subdistrict No. 119 for Multiple Family Subdistrict uses on property zoned a Multiple Family Subdistrict.
- Planned Development Subdistrict No. 119 was established to redevelop the property to accommodate a 188-unit multiple-family development. The applicant, at the time, requested several modifications to the MF-2 Multiple Family Subdistrict, which included the following; increase in structure height, increase in lot coverage, increase in density, allow certain encroachments into the front yard setbacks, and alternative landscape regulations.
- The property containing the existing multiple-family units was acquired by new ownership and is currently under renovation. The remaining property is currently under contract.
- The applicant proposes to create two tracts within PDS No. 119: one tract will remain developed with the existing multiple-family uses, and the second tract will be developed with a residential development tract. The amendment to PDS No. 119 conditions will reflect the removal of specific development standards and certain urban design requirements that related to the previously approved development.
- The applicant's current proposal is to raze an existing church and a single-family dwelling to construct a 26-unit residential development tract in an area that is designated on the conceptual plan as Tract 1. The existing multiple-family development will remain in Tract 2 and will be governed by the MF-2 Multiple Family Subdistrict regulations.
- Planned Development District No. 193 defines a residential development tract as a development of three or more individually platted lots in an MF-1, MF-2, or MF-3 subdistrict in which the dwelling units, whether attached or detached, are accessed from a shared driveway, and the dwelling units do not have any other dwelling units above or below them. Residential development tracts may be platted as shared access developments.
- The applicant is proposing several modifications to the residential development tract regulations as it relates to the front yard and average lot area.
- The surrounding land uses consist of residential uses of mixed densities, with a community service center (Dallas Housing Authority's Cedar Springs Multi-Purpose Center) located south of the site's Lucas Drive frontage. The depressed travel lanes of the Dallas North Tollway are visible eastward from the site. Multiple family uses exists on property to the east/southeast along the Lucas Drive frontage. Properties that are adjacent to the site on Hawthorne Avenue are developed with single family uses.

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

1. Z112-266 On October 24, 2012, the City Council approved an amendment to Planned Development Subdistrict No. 91 for Multiple Family Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District.
2. Z123-178 On April 24, 2013, the City Council approved an amendment to and expansion of PDS No. 75, subject to a conceptual plan and conditions
3. Z123-326 On March 26, 2014, the City Council approved a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.
4. Z145-279 On October 28, 2015, the City Council approved a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District [request site].

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Cedar Springs Road	Collector	60 ft.	60 ft.
Lucas Drive	Local	50 ft.	50 ft.
Hawthorne Avenue	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	PDS No. 119	Multiple Family, Church, Single Family
Northeast	PDS No. 4	Multiple Family
Southeast	PDS No. 91	Multiple Family
Northwest	PDS No. 70	Multiple Family
Southwest	MF-2	Single Family

COMPREHENSIVE PLAN:

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas

ECONOMIC

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 WORKABILITY

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

Area Plans:

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

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

A portion of the site will be redeveloped with a residential development tract and will have access from Cedar Springs Avenue and Hawthorne Avenue. The portion of the property that is constructed with a multiple family development will remain and will be governed by the MF-2 regulations. With respect to compliance with the above referenced objectives, staff has worked with the applicant to ensure that the urban design criteria, where applicable, will remain on the proposed residential development tract. As provided herein, Objective Nos. 1 and 7 are provided for in the applicant's development vision to create walkability along Cedar Springs Road.

Combined with recommended plantings and an increased setback from the southwestern property line, Objective No. 4 is palatable.

Lastly, Objective Nos. 2, 3 and 5 are not applicable to this request because of the following: 1) retail and commercial uses are not a permitted use in an MF-2 Subdistrict; therefore, creating continuous street frontage activities within retail areas is not palatable; and 2) the proposed request for a residential development tract will contain single family units that do not require the off-street parking to be placed underground.

STAFF ANALYSIS:

Land Use Compatibility: The 2.13-acre site is developed with a multiple family development, a church, and a single-family dwelling. On October 28, 2015, the City Council approved Planned Development Subdistrict No. 119 for Multiple Family District uses. When PDS No. 119 was established, the intent was to raze the existing multiple family development, church, and single-family dwelling and redevelop the site with a 188-unit multiple family development, with a maximum structure height of 60 feet.

Planned Development District No. 193 defines a residential development tract as a development of three or more individually platted lots in an MF-1, MF-2, or MF-3 subdistrict in which the dwelling units, whether attached or detached, are accessed from a shared driveway, and the dwelling units do not have any other dwelling units above or below them. Residential development tracts may be platted as shared access developments.

The applicant's request for an amendment to Planned Development Subdistrict No. 119 will allow for the creation of two tracts: one tract will remain developed with the existing multiple-family uses, and the second tract will be developed with a 26-unit residential development tract. The amendment to PDS No. 119 conditions will reflect the removal of specific development standards and certain urban design requirements that would have governed the development of the previously proposed 188-unit multiple-family development.

The surrounding land uses consist of residential uses of mixed densities, with a community service center (Dallas Housing Authority's Cedar Springs Multi-Purpose Center) located south of the site's Lucas Drive frontage. The depressed travel lanes of the Dallas North Tollway are visible eastward from the site. Multiple family uses exist on property to the east/southeast along the Lucas Drive frontage. Properties that are adjacent to the site on Hawthorne Avenue are developed with single family uses.

The redevelopment of the site to incorporate a 26-unit residential development tract will integrate within the existing development fabric, with single family and multiple family uses. Due to the single family uses on Hawthorne Avenue, the applicant will limit the structure height of the residential development tract within 50 feet of the southwest property line to 36 feet, and allow projections not to exceed ten feet above the maximum structure height. These projections include elevator or stair penthouse, mechanical equipment room, skylights, clerestory, chimney and vent stacks, visual screens which surround roof mounted mechanical equipment, and parapet walls, limited to a height of four feet. In an MF-2 Subdistrict, projections can exceed up to 12 feet above the maximum structure height of 36 feet. In addition, the structure height of the remaining portion of the development will not exceed 50 feet. Projections are prohibited on any structures that exceed 36 feet in height. The maximum number of stories proposed for the residential development tract is four.

Lastly, the average lot area of the lots within a residential development tract must equal or exceed 1,900 square feet. However, the applicant is proposing to reduce the average lot area from 1,900 square feet to 1,500 square feet.

The chart below shows a comparison between development standards of the existing PDS No. 119 and the proposed Tracts.

	PDS No. 119 (Multiple Family development)	Tract I (residential tracts)	Tract II (MF-2 Subdistrict)
Yard, Lot & Space Regulations			
Front Yard	25 ft. Cedar Springs Road 15 ft. Hawthorne Ave. 15 ft. Lucas Drive	15 ft. on Hawthorne Ave. & Cedar Springs Road	15 ft. on Hawthorne Ave. & Lucas Drive
Side Yard	45 ft.	5 ft. between Tracts 1 & 2; 10 ft. otherwise	10 ft.
Rear Yard		15 ft. on Hawthorne & Cedar Springs Road	15 ft.
Height	60 ft.	50 ft.; 36 ft. within 50 ft. of southwest property line	36 ft.
Stories	Five	Four	Three
Density	188 units	26 units	MF-2 Density
Lot coverage	65 percent	60 percent	60 percent
Sidewalks widths	8 ft. Cedar Springs Road 6 ft. Hawthorne Ave. & Lucas Street	6 ft. on Hawthorne Ave & Cedar Springs Road	4 ft. on Lucas Drive and 6 ft. on Cedar Springs Road
Parking Requirements	Per Code	Per Code	Per Code

Staff supports the applicant's request for an amendment to Planned Development Subdistrict No. 119, subject to a development plan and conditions.

Parking: The applicant will meet the off-street and guest parking regulations in accordance with Part I of PDD No. 193 for the specific off-street parking and loading requirements for each use.

Landscaping: Landscaping must be provided in accordance with Part 1 of PDD No. 193. Plant materials must be maintained in a healthy, growing condition.

LIST OF OFFICERS

OWNERSHIP

Tract 1

Maker Bros., LLC, a Texas limited liability corporation

Justin C Bailey, Manager

Andrew Carnahan, Manager

Tract 2

Circle Park Texas, LLC, a Texas limited liability corporation

David Eitches, Managing Member

Jonathan Schoen, Managing Member

Mark Kahan, Managing Member

Purchaser – Tract 1

Urban Lofts Partners, Inc.

Larry S Davis, President

Sherry F Davis, VP/Treasurer

Joel Davis, VP

PROPOSED PDS CONDITIONS

SEC. S-119.101. LEGISLATIVE HISTORY.

PD Subdistrict 119 was established by Ordinance No. 29916, passed by the Dallas City Council on October 28, 2015.

SEC. S-119.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 119 is established on property fronting on the southwest line of Cedar Springs Road between Hawthorne Avenue and Lucas Drive. The size of PD Subdistrict 119 is approximately 2.13 acres.

SEC. S-119.103. DEFINITIONS AND INTERPRETATIONS.

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

~~(1) STOOP means a small porch leading to the entrance of a residential structure.~~

(2)] SUBDISTRICT means a subdistrict of PD 193.

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

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

SEC. S-119.104. EXHIBITS.

The following exhibit[s] ~~[are]~~ is incorporated into this division:

(1) Exhibit S-119A: ~~development~~ conceptual plan.

(2) Exhibit S-119B: ~~landscape~~ development plan -Tract I.

SEC. 51P-.104.1. CONCEPTUAL PLAN.

Development and use of the Property must comply with the attached conceptual plan (Exhibit ____). If there is a conflict between the text of this division and the conceptual plan, the text of this division controls.

SEC. 51P-.105. DEVELOPMENT PLAN.

(a) Tract 1: A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. [Development and use of the Property must comply with the development plan (Exhibit S-119A).] If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) Tract 2: For all uses, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

SEC. S-119.106. MAIN USES PERMITTED.

The only main uses permitted in this subdistrict are those main uses permitted in the MF-2 Multiple-Family Subdistrict, subject to the same conditions applicable in the MF-2 Multiple-Family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Multiple-Family Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-2 Multiple-Family Subdistrict is subject to DIR in this subdistrict; etc.

SEC. S-119.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P193.108.

SEC. S-119.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls)

(a) In general. Except as provided in this section, the yard, lot, and space regulations of the MF-2 Multiple-Family Subdistrict apply.

(b) Front yard.

(1) On Cedar Springs Road, minimum front yard is 25 feet.

(2) On Hawthorne Avenue and Lucas Drive, minimum front yard is 15 feet.

~~[(3) Except as provided in this paragraph, on Lucas Drive, minimum front yard is 15 feet. Minimum front yard for the northern 30 feet of the facade on Lucas Drive is 10 feet as shown on the development plan.]~~

~~[(4) The following may be located in the required front yard:]~~

~~[(A) on Cedar Springs Road and Hawthorne Drive, fences no more than four feet in height;]~~

~~[(B) on Lucas drive, fences no more than six feet in height]~~

~~[(C) railings for stairs, stoops, and porches with a maximum height of 42 inches;]~~

~~[(D) patios and covered seating areas;]~~

~~[(E) balconies; and]~~

~~[(F) arbors.]~~

~~[(5) Any fence located in the required front yard must have at least 50 percent open surface.]~~

~~[(6) Any balcony in the required front yard must have a minimum clearance of eight feet above grade.]~~

(c) Side yard.

(1) Except as provided in this subsection, minimum side yard is 10 feet. Between Tracts 1 and 2, minimum side yard is five feet.

(2) The side yard setback for a residential development tract is zero for internal setbacks. The setback between residential development tracts is seven feet. [Minimum side yard for a multiple family structure is 45 feet.]

~~[(1) Except as provided in this subsection, minimum side yard is 25 feet.]~~

~~[(2) Minimum side yard for a multiple family structure is 45 feet.]~~

(c) Rear yard. Except as provided in this subsection, minimum rear yard is 10 feet. Between Tracts 1 and 2, minimum rear yard is five feet.

(e) Density.

(1) Tract 1: Maximum number of dwelling units is 26 [188].

(2) Tract 2. Must comply with MF-2 Subdistrict regulations

(f) Height.

(1) Tract 1

(a) Maximum structure height is 50 feet.

(b) For a residential development tract within 50 feet of the southwest property line, maximum structure height is 36 feet. The following structures may project up to 10 feet above the maximum structure height:

(i) elevator or stair penthouse.

(ii) mechanical equipment room.

(iii) skylights.

(iv) clerestory.

(v) chimney and vent stacks.

(vi) visual screens which surround roof mounted mechanical equipment

(vii) parapet walls, limited to a height of four feet.

~~[(1) Except as provided in this subsection, maximum height for occupied floor area is 60 feet.]~~

~~[(2) Maximum height for the pool and amenity deck, as measured to the finished floor, is 12 feet.~~

~~[(3) Any elevator penthouse, mechanical equipment, and a clerestory may project a maximum of 12 feet above maximum height.~~

~~[(4) A parapet wall constructed to a maximum height of four feet may project above maximum height.~~

(2) Tract 2. Maximum structure height is 36 feet

(g) Lot coverage. Maximum lot coverage is 60 ~~[65]~~ percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

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

(1) Tract 1, For a residential development tract, m[M]aximum number of stories above grade is four [five].

(2) Tract 2, For multiple family uses, maximum number of stories above grade is three.

(i) Lot area. For single family uses within a residential development tract, no minimum lot area. Minimum average lot area of the lots within a residential development tract is 1,500 square feet.

SEC. S-119.119. OFF-STREET PARKING AND LOADING

~~[(a) Except as provided in this section, c]~~ Consult Part I of this article for the specific off-street parking and loading requirements for each use.

~~[(b) For an accessory community center (private), no off-street parking is required.]~~

SEC. S-119.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-119.111. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping and screening must be provided in accordance with Part I of this Article.

~~[(b) Multiple family. For a multiple-family use, landscaping must comply with the landscape plan (Exhibit S-119B).]~~

(b) Cedar Springs Road and Hawthorne Street: The tree planting zone is that area parallel to between two and one-half and twenty feet from the back of the projected street curb. ~~[Multiple family. For a multiple-family use, landscaping must comply with the landscape plan (Exhibit S-119B).]~~

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

SEC. S-119.112. SIDEWALKS FOR TRACT 1 ~~[MULTIPLE-FAMILY USE.]~~

(a) Cedar Springs Road. A minimum unobstructed width of six ~~[eight]~~ feet must be ~~[provided]~~ located within ten feet from the back of the curb.

(b) Hawthorne Avenue ~~[and Lucas Street].~~ A minimum unobstructed width of six feet must be ~~[provided]~~ located within ten feet from the back of the curb.

(c) Tree grates. Handicapped accessible tree grates are considered as part of the unobstructed sidewalk width.

(d) Ingress and egress. Where a driveway connects through a sidewalk to right-of-way, design and construction of the driveway must be level with any connecting sidewalk.

SEC. S-119.113. SIGNS

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

**SEC. S-119.114. URBAN DESIGN REQUIREMENTS FOR TRACT 1
~~[MULTIPLE-FAMILY USE]~~**

~~[(a) Cedar Springs Road entrance. A minimum of one visible and usable entrance is required on the Cedar Springs Road facade. The entrance must be clearly identified using an awning, paving treatments, a change in roofline, porticos, arcades, arches, integral planters, a stoop or front porch, color treatments, or similar means.]~~

~~[(b) Facade elements. To help break up long facades along Cedar Springs Road, [Lucas Drive, and Hawthorne Avenue] and make the structure appear as multiple structures, building facades along Cedar Springs Road must incorporate at least two [four]of the following elements [and facades along Lucas Drive and Hawthorne Avenue must incorporate at least three of the following elements]:~~

~~(1) A change in building material, color, and texture that effectively contrasts from the rest of the facade.~~

~~(2) Vertical articulation of the facade and roofline with strong forms to help break up the building mass.~~

~~(3) Accentuation of the building's base, middle, and top through combination of materials, detailing, and building articulation.~~

~~[(4) Stopped-back upper floors]~~

~~[(5) Deeply inset windows]~~

~~[(6) Inset or projecting volumes, awnings, or canopies.]~~

~~(b) Pedestrian amenities. In Tract 1 a minimum of two of the following pedestrian amenities are required along the Cedar Springs Road frontage: bench, trash receptacle, and/or bike rack.~~

~~[(c) Ground level residential entrances. A minimum of five multiple-family dwelling units must provide direct access from the sidewalk.]~~

~~[(d) Fenestrations. Multiple-family fenestrations constructed on the southwestern facade must be designed to restrict the view from inside the structure onto adjacent properties utilizing translucent glazing or other similar materials.~~

~~[(e) Parking garage.~~

~~[(1) Except as provided in this subsection, all aboveground parking structures must comply with the structure facade standards for off-street parking structures in Section 51P-193.127(a).]~~

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

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

~~[(f) Patios and balconies. Patios and balconies are prohibited on the southwestern facade above the second floor.]~~

~~[(g) Pedestrian amenities. A minimum of two each of the following pedestrian amenities are required along the Cedar Springs Road frontage: bench, trash receptacle, and bicycle rack.]~~

~~[(h) Pedestrian trail or walkway. A pedestrian trail or walkway is required to connect the building to the street at two locations on the Cedar Springs Road frontage. The purpose of the pedestrian trail or walkway is to provide pedestrian connectivity between the building and the street. These pedestrian trails or walkways may be constructed of permeable material, such as decomposed granite, and must have a minimum width of four feet.]~~

~~[(i) Screening. The pool and amenity deck must be screened from the southwest and southeast by evergreen shrubs in either a planter or individual containers which at the time of planting must be spaced so as to give a solid appearance with a minimum height of six feet and capable of growing to a minimum height of eight feet within two years.]~~

SEC. S-119.115. ADDITIONAL PROVISIONS.

~~(a) [Live or amplified outdoor music is prohibited.]~~

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

~~[(c)](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.

~~[(d)](c)~~ Except as provided in this division ~~[or shown on the development plan]~~, development and use of the Property must comply with Part I of this article.

SEC. S-119.116. COMPLIANCE WITH CONDITIONS.

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

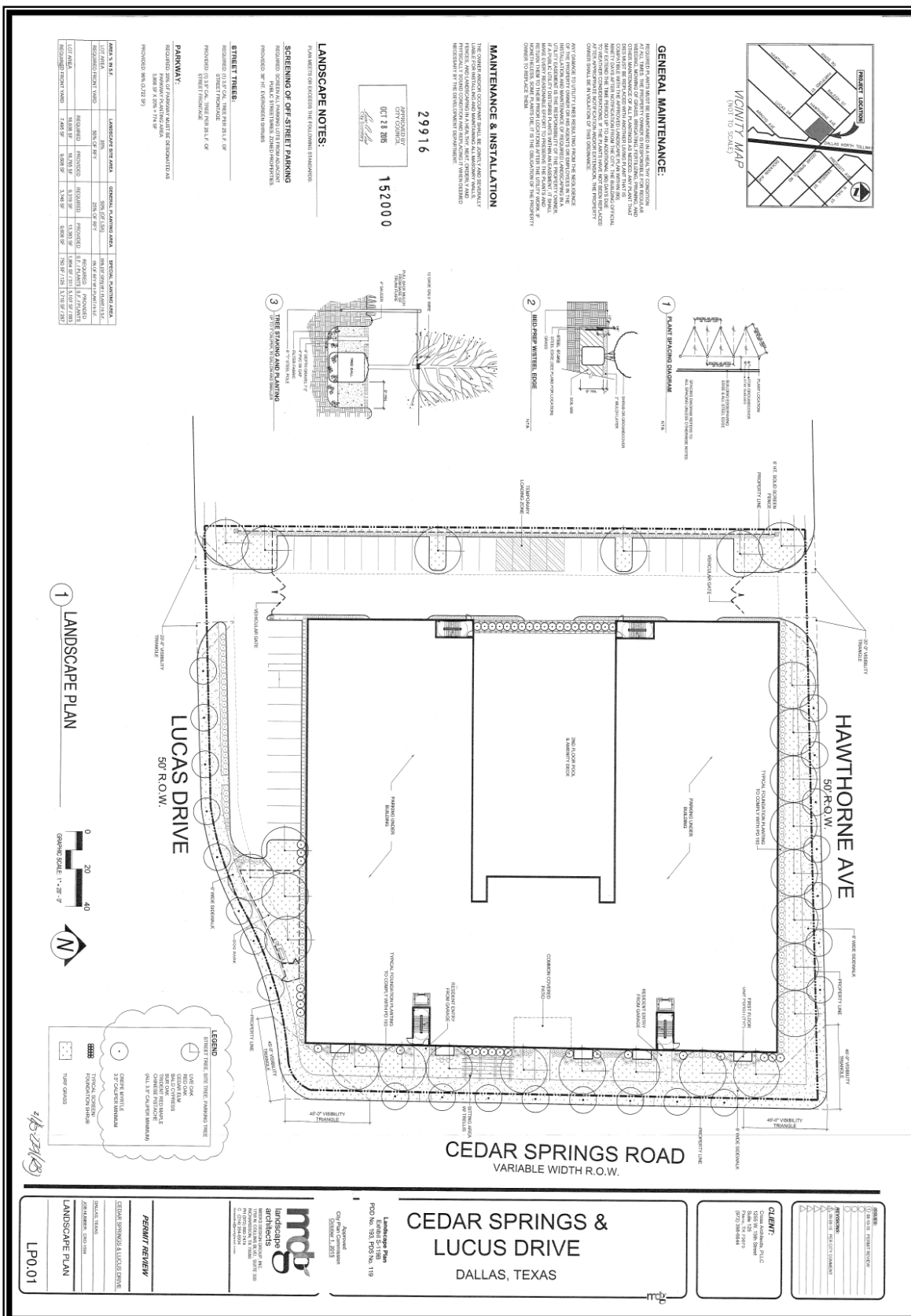
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict

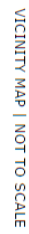
Z167-379(WE)

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



EXISTING LANDSCAPE PLAN

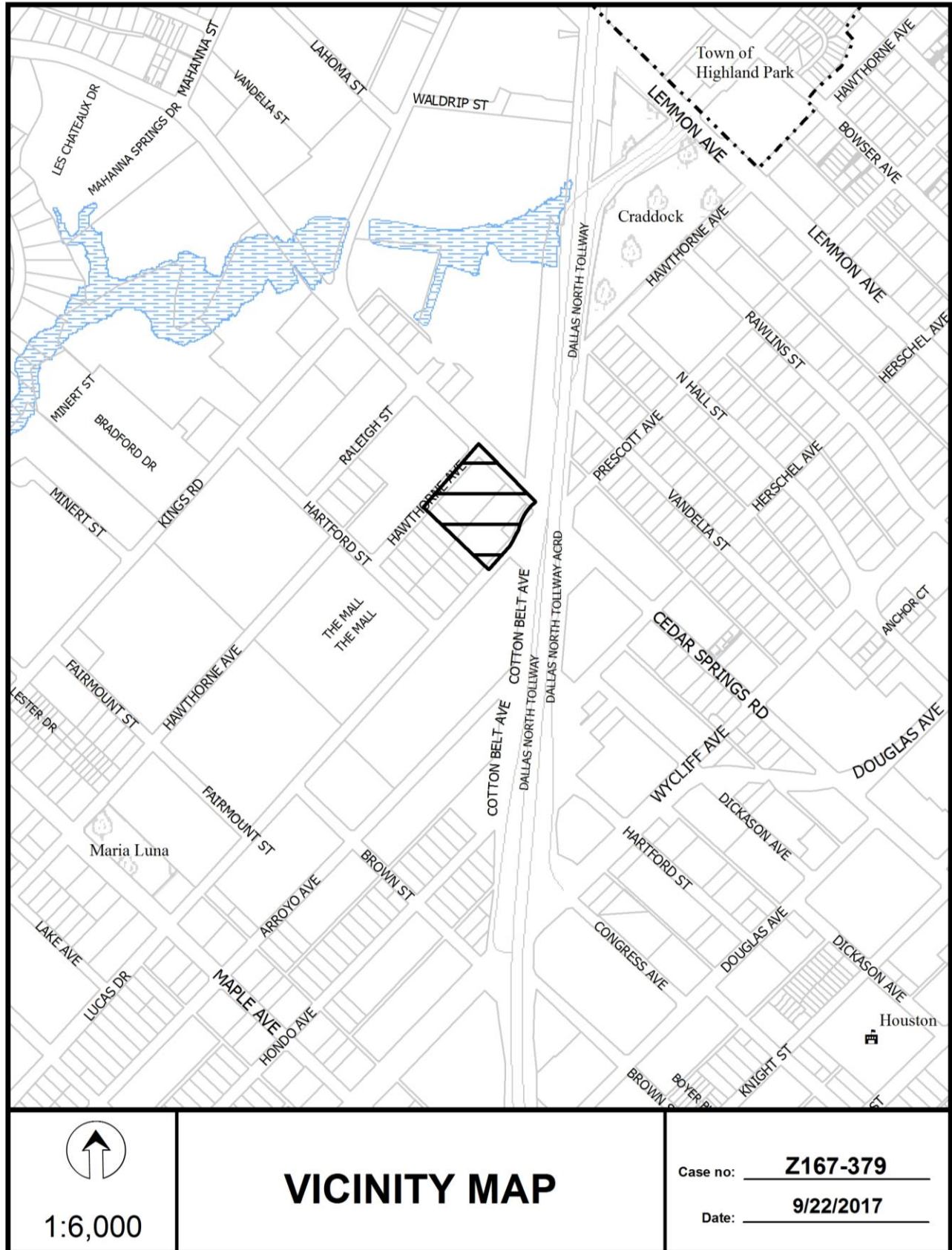




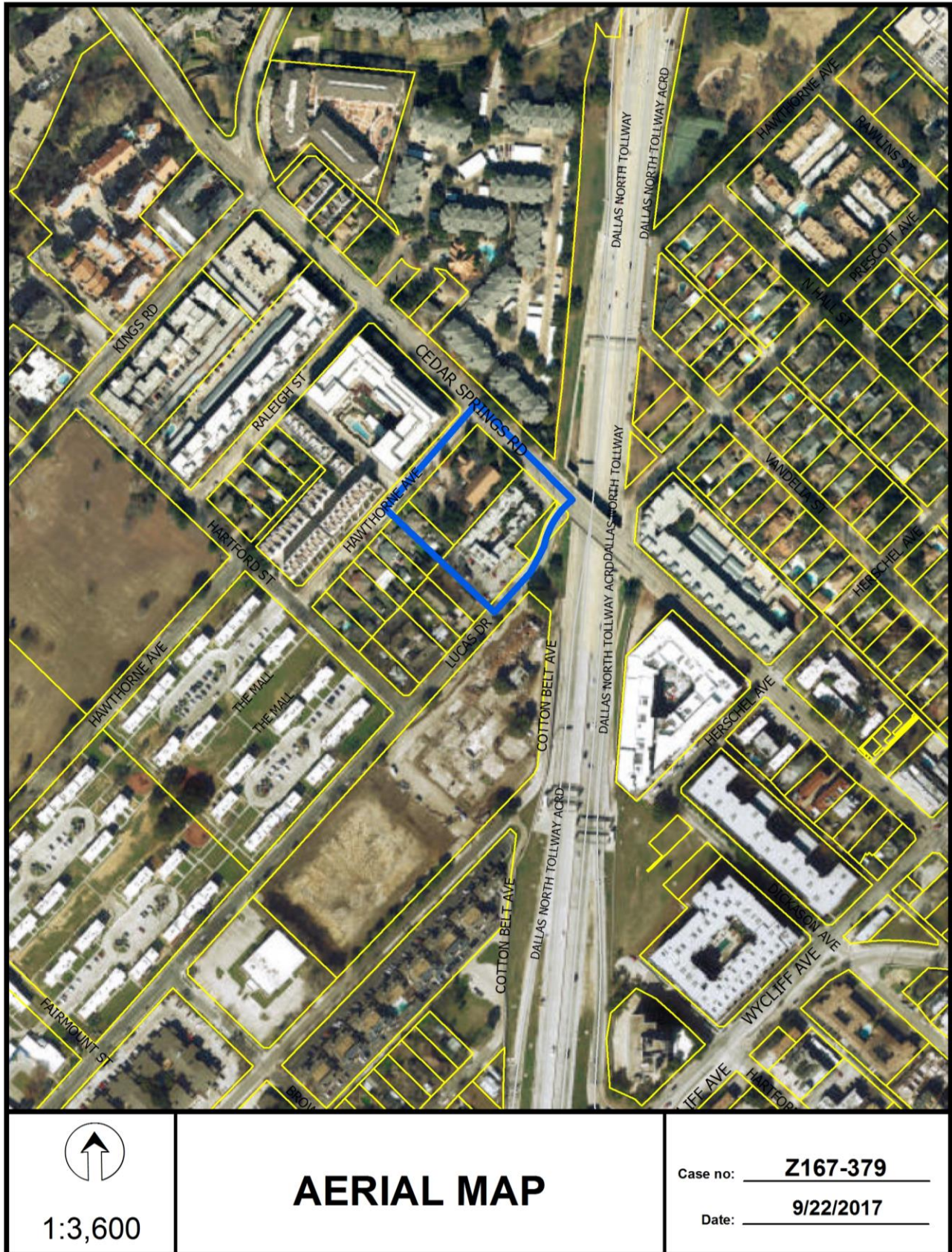
DEVELOPMENT PLAN

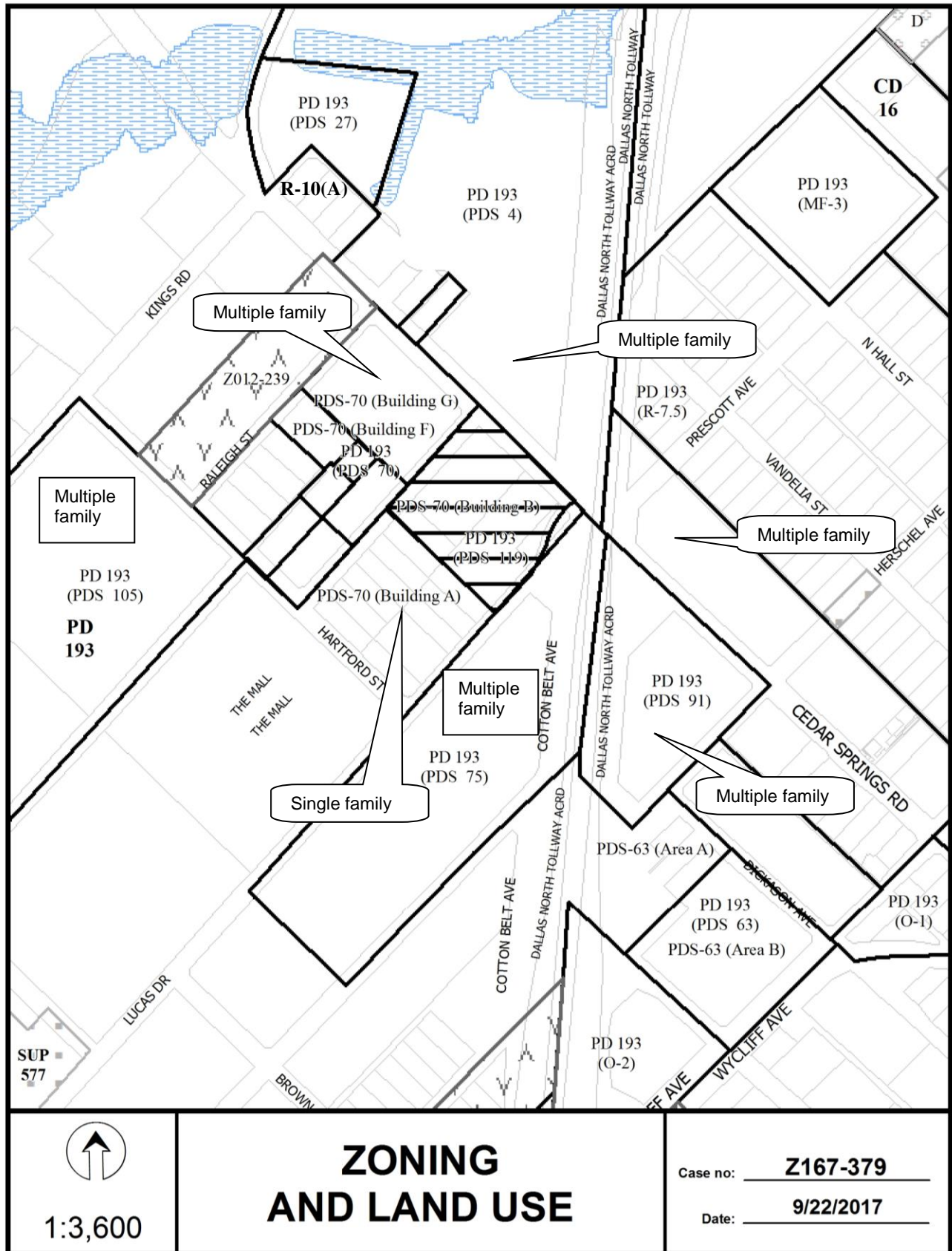


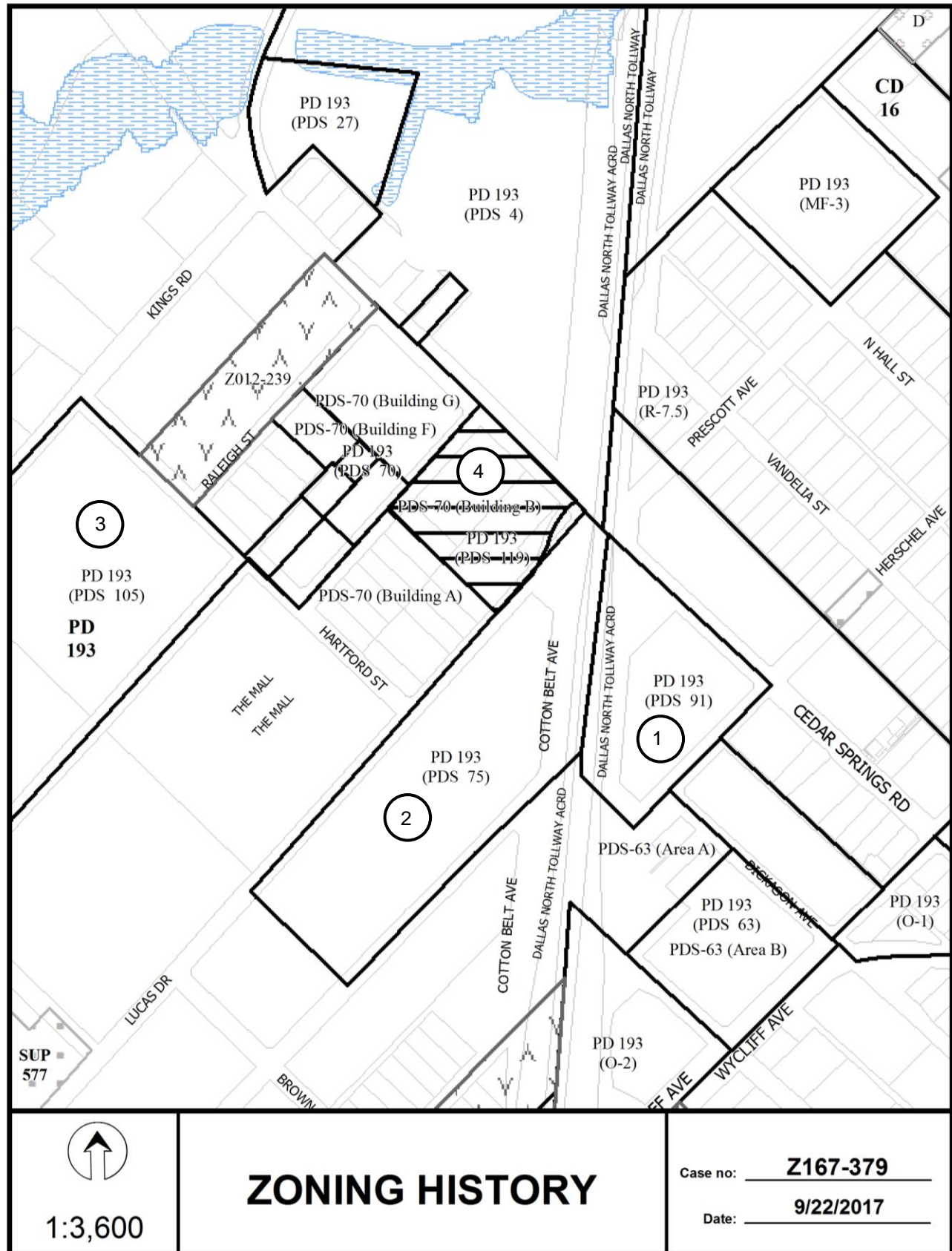
Z167-379(WE)

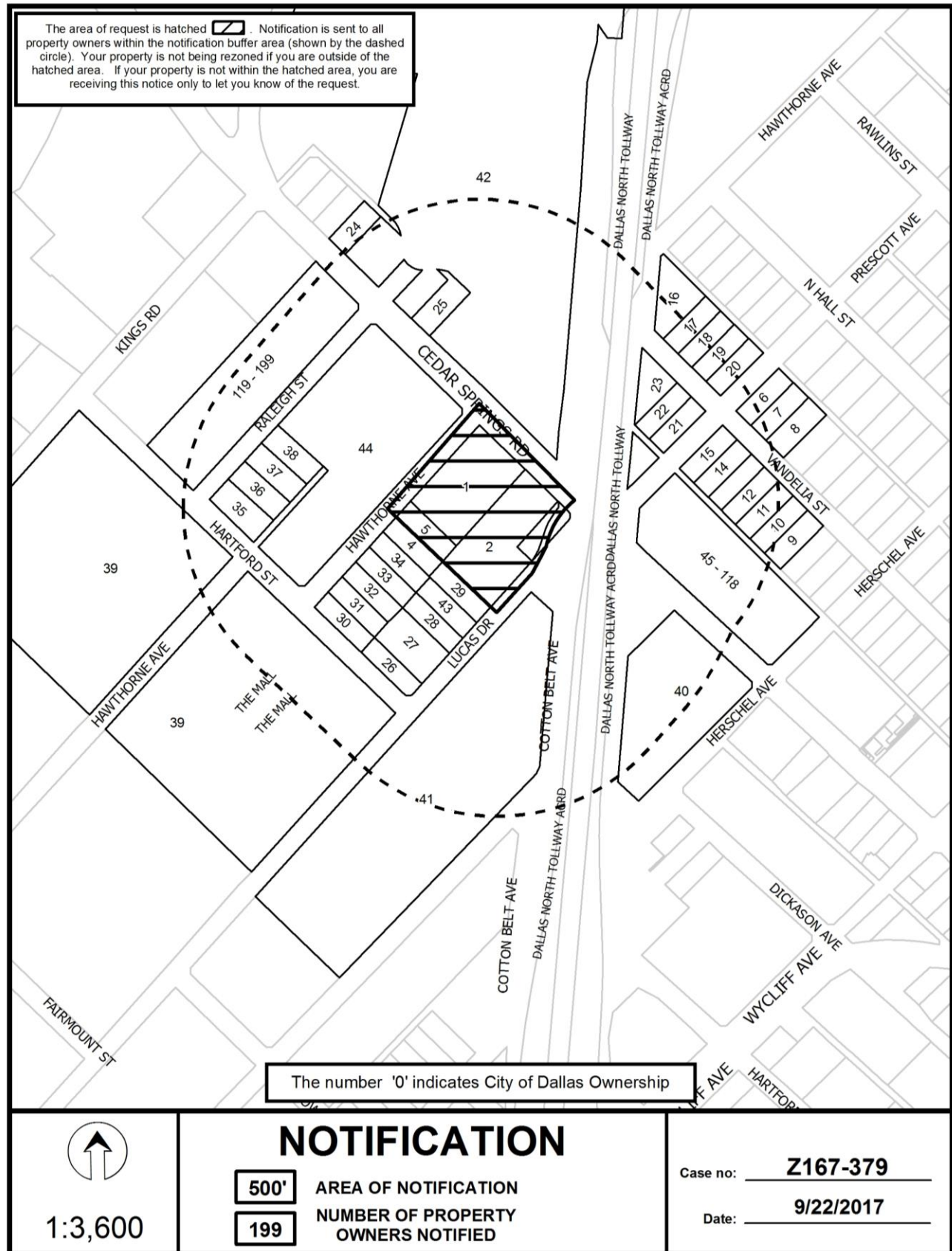


Z167-379(WE)









Notification List of Property Owners

Z167-379

199 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4515 CEDAR SPRINGS RD	MAKER CS LLC
2	4505 CEDAR SPRINGS RD	CIRCLE PARK TEXAS LLC
3	4503 CEDAR SPRINGS RD	TEXAS TURNPIKE AUTHORITY
4	2920 HAWTHORNE AVE	LARA PEDRO
5	3000 HAWTHORNE AVE	MAKER CS LLC
6	4438 VANDELIA ST	OSTROM RYAN L
7	4434 VANDELIA ST	JONES BRUCE L &
8	4428 VANDELIA ST	DAILY LOUIS R
9	4415 VANDELIA ST	W&W INTERNATIONAL
10	4419 VANDELIA ST	STANG CHRISTOPHER
11	4423 VANDELIA ST	WHITTEN ERIC
12	4427 VANDELIA ST	SCHNEER KENNETH E &
13	4431 VANDELIA ST	DIESEN DIANA
14	4435 VANDELIA ST	CED CHARLES & BETTY
15	4439 VANDELIA ST	CUSTER DANIEL J
16	4518 VANDELIA ST	REYES RENE J &
17	4512 VANDELIA ST	YOUNG JAMES
18	4508 VANDELIA ST	HARTLEY THOMAS G &
19	4506 VANDELIA ST	BOONE OLIVIA E
20	4502 VANDELIA ST	HERNANDEZ LUIS R
21	4503 VANDELIA ST	NICHOLAS COREY EDWARD
22	4507 VANDELIA ST	BRIDWELL THOMAS & MAUREEN
23	4509 VANDELIA ST	TEXAS UTILITIES ELEC CO
24	4610 CEDAR SPRINGS RD	FOONG CHAN C & YUNIE M
25	4548 CEDAR SPRINGS RD	FOONG CHAN C & YUNIE MOON
26	2903 LUCAS DR	SOOCKAR KARL D

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2909 LUCAS DR	KELCHER MANAGEMENT INC
28	2915 LUCAS DR	RODNEY E JOHNSON PPTIES LLC
29	2923 LUCAS DR	GREATER MOUNT ZION BAPTIST CHURCH
30	2900 HAWTHORNE AVE	MUMM CHARLES
31	2906 HAWTHORNE AVE	MONZURES ERASMO &
32	2908 HAWTHORNE AVE	GUEVARA ANTONIO &
33	2912 HAWTHORNE AVE	ALEJANDRO JOSE ALFREDO
34	2916 HAWTHORNE AVE	ALEJANDRO JOSE A & BLANCA
35	2902 RALEIGH ST	PARKS CHARLES I JR
36	2906 RALEIGH ST	SOMMER WADE EVEN
37	2912 RALEIGH ST	SOMMER LANCE & MARCIA
38	2916 RALEIGH ST	NORRIS JESSE E
39	2820 KINGS RD	DALLAS HOUSING AUTHORITY
40	3083 HERSCHEL AVE	CEDAR POINTE MULTIFAMILY LLC
41	2924 LUCAS DR	TRG CEDAR SPRINGS LP
42	4606 CEDAR SPRINGS RD	FAIRFIELD MADISON LLC
43	2919 LUCAS DR	IRVIN ROSS GREGORY
44	4533 CEDAR SPRINGS RD	CH REALTY VII MF DALLAS DYLAN LP
45	4414 CEDAR SPRINGS RD	SAMUEL STEVEN D
46	4414 CEDAR SPRINGS RD	HU JOSEPH
47	4414 CEDAR SPRINGS RD	CHAU CATHERINE
48	4414 CEDAR SPRINGS RD	PARKER ROBERT E &
49	4414 CEDAR SPRINGS RD	MALINOSKI EDWARD ANTON
50	4414 CEDAR SPRINGS RD	EMBABI SHERIF & AHMED
51	4414 CEDAR SPRINGS RD	SCHIAVONE JILL M
52	4414 CEDAR SPRINGS RD	THOMAS STEVEN C
53	4414 CEDAR SPRINGS RD	WISNIEWSKI MICHELLE
54	4414 CEDAR SPRINGS RD	GARCIA ARNALDO RIVERA
55	4414 CEDAR SPRINGS RD	BORELLI MARCOS F & NANCY P DE HOYOS
56	4414 CEDAR SPRINGS RD	ARAGON DANIA Z
57	4414 CEDAR SPRINGS RD	KASSAP ALEXANDER

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4414 CEDAR SPRINGS RD	PAI SAMIR A
59	4414 CEDAR SPRINGS RD	BOLDING GARY
60	4414 CEDAR SPRINGS RD	MARTINEZ JOSE
61	4414 CEDAR SPRINGS RD	WENG TZUULIN JULIAN
62	4414 CEDAR SPRINGS RD	CHEN TING YU
63	4414 CEDAR SPRINGS RD	FREESE DOUGLAS W & KAREN H
64	4414 CEDAR SPRINGS RD	PARK EDWARD
65	4414 CEDAR SPRINGS RD	HSU TZU HAN D &
66	4414 CEDAR SPRINGS RD	COSTELLO REVOCABLE TRUST
67	4414 CEDAR SPRINGS RD	EAP SHEILA
68	4414 CEDAR SPRINGS RD	TREINEN JAY
69	4414 CEDAR SPRINGS RD	SRISOUPHAN DARAVANE
70	4414 CEDAR SPRINGS RD	OLDENBURGH PATRICK L JR
71	4414 CEDAR SPRINGS RD	JASSO KELLIE
72	4414 CEDAR SPRINGS RD	GELFAND ANDREW & DONNA
73	4414 CEDAR SPRINGS RD	NGOH SHAWN H
74	4414 CEDAR SPRINGS RD	JOHNSON RENEE ANN
75	4414 CEDAR SPRINGS RD	ZENG KEVIN
76	4414 CEDAR SPRINGS RD	POTHEN PAUL NICHOLAS
77	4414 CEDAR SPRINGS RD	ZAPATA CARLOS A
78	4414 CEDAR SPRINGS RD	ELLIS KEVIN
79	4414 CEDAR SPRINGS RD	MIHECOBY ALLEN F
80	4414 CEDAR SPRINGS RD	BELLARY RAGHU NARAYANRAO & KUMUDINI G
81	4414 CEDAR SPRINGS RD	RACER DENNIS
82	4414 CEDAR SPRINGS RD	DOHERTY BRITTANY &
83	4414 CEDAR SPRINGS RD	ROSSER L B
84	4414 CEDAR SPRINGS RD	MUTREJA SWADESH & JAI G
85	4414 CEDAR SPRINGS RD	SHARMA DARPAN &
86	4414 CEDAR SPRINGS RD	FAROOQI MIDHAT S &
87	4414 CEDAR SPRINGS RD	BAZEMORE GEORGE C III
88	4414 CEDAR SPRINGS RD	DO THAO

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4414 CEDAR SPRINGS RD	APNAR JOHN
90	4414 CEDAR SPRINGS RD	GONZALEZ-DICKSON FAMILY LP
91	4414 CEDAR SPRINGS RD	HENDERSON JEFF
92	4414 CEDAR SPRINGS RD	BURGOON LARRY REV TRUST
93	4414 CEDAR SPRINGS RD	JOHNSON JILL
94	4414 CEDAR SPRINGS RD	HARIRI WAHIB ADNAN
95	4414 CEDAR SPRINGS RD	HOSIER MEGAN
96	4414 CEDAR SPRINGS RD	REEVES JEFFREY S TRUST &
97	4414 CEDAR SPRINGS RD	BATCHELOR EDWARD J &
98	4414 CEDAR SPRINGS RD	DANVERS CHRISTOPHER
99	4414 CEDAR SPRINGS RD	PAVLOCK GREGORY
100	4414 CEDAR SPRINGS RD	MUSTAFA SARAH ZAHRA
101	4414 CEDAR SPRINGS RD	ODUNSI ABAYOMI N
102	4414 CEDAR SPRINGS RD	DAVIS ROBBIE
103	4414 CEDAR SPRINGS RD	PATEL RISHI JAYENDRA
104	4414 CEDAR SPRINGS RD	BOCSARDI MIHAELA C &
105	4414 CEDAR SPRINGS RD	HOLLINGSWORTH HOLDINGS LLC
106	4414 CEDAR SPRINGS RD	XALIKIAS NANCY ALEXIS
107	4414 CEDAR SPRINGS RD	LEWIS SANDI R
108	4414 CEDAR SPRINGS RD	PHAM LINH L
109	4414 CEDAR SPRINGS RD	LENG CHIH CHUN
110	4414 CEDAR SPRINGS RD	SANCHEZ MARIO H
111	4414 CEDAR SPRINGS RD	GRIMES STEPHANIE R
112	4414 CEDAR SPRINGS RD	FITZGERALD ROBERT BELL
113	4414 CEDAR SPRINGS RD	4414 CEDAR SPRINGS RD 324
114	4414 CEDAR SPRINGS RD	SAREMI YAVAR SHOKOUH
115	4414 CEDAR SPRINGS RD	CHEN JIAQIANG
116	4414 CEDAR SPRINGS RD	ZENG LINSI &
117	4414 CEDAR SPRINGS RD	FRANCO LUIZ L GUIMARES &
118	4414 CEDAR SPRINGS RD	AGUIRRE PATRICIA
119	4605 CEDAR SPRINGS RD	GRANADO HERIBERTO &

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	4605 CEDAR SPRINGS RD	MAYES JUSTIN
121	4605 CEDAR SPRINGS RD	ONEILLWARREN DEIDRE
122	4605 CEDAR SPRINGS RD	LONG JAMES D
123	4605 CEDAR SPRINGS RD	NOWAK KEITH
124	4605 CEDAR SPRINGS RD	CRAWFORD STEVEN B
125	4605 CEDAR SPRINGS RD	NGUYEN STEPHEN K
126	4605 CEDAR SPRINGS RD	ORMBREK JACK
127	4605 CEDAR SPRINGS RD	PERAZA ELIER
128	4605 CEDAR SPRINGS RD	KRUEGER DALE J JR
129	4605 CEDAR SPRINGS RD	TRAVIESO ANDRE G
130	4605 CEDAR SPRINGS RD	PIPER JANAYE
131	4605 CEDAR SPRINGS RD	HEUER DANIEL
132	4605 CEDAR SPRINGS RD	BALACHANDRAN NAVEEN
133	4605 CEDAR SPRINGS RD	POLE RAJEEV & PRITHVIRAJ
134	4605 CEDAR SPRINGS RD	OAKLAWN PROPERTIES LLC
135	4605 CEDAR SPRINGS RD	CROCKETT JASMINE F
136	4605 CEDAR SPRINGS RD	BROWN TONY LEE JR
137	4605 CEDAR SPRINGS RD	CRAVENS JOSHUA DAVID
138	4605 CEDAR SPRINGS RD	ROUMIANTSEVA DARIA
139	4605 CEDAR SPRINGS RD	HENSON CHRISTOPHER
140	4605 CEDAR SPRINGS RD	BIERNIAK MAREK O & ANNA M
141	4605 CEDAR SPRINGS RD	CLARE RHETT
142	4605 CEDAR SPRINGS RD	TURNER CRAIG & LAUREN
143	4605 CEDAR SPRINGS RD	HOLLAND JAMES HOWARD
144	4605 CEDAR SPRINGS RD	FOUST ERNEST L
145	4605 CEDAR SPRINGS RD	MCCARTHY EDMOND JR & MARY
146	4605 CEDAR SPRINGS RD	GOMEZ RITA CERVANTES
147	4605 CEDAR SPRINGS RD	SAMI ARJAMAND
148	4605 CEDAR SPRINGS RD	MONTALVO HENRY S & CARY L
149	4605 CEDAR SPRINGS RD	THOMAS TEENA
150	4605 CEDAR SPRINGS RD	LYNN LAUREN A

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	4605 CEDAR SPRINGS RD	HUNG CHARING
152	4605 CEDAR SPRINGS RD	BEARIST GROUP LLC
153	4605 CEDAR SPRINGS RD	TANANA VADZIM
154	4605 CEDAR SPRINGS RD	SAMENI FALLAH SAM
155	4605 CEDAR SPRINGS RD	POLUNSKY LEE N
156	4605 CEDAR SPRINGS RD	PARK YOUNG HWAN &
157	4605 CEDAR SPRINGS RD	ARAUJO REUBEN
158	4605 CEDAR SPRINGS RD	BAO PAUL XIAPEI &
159	4605 CEDAR SPRINGS RD	ROLAND CAROLINE
160	4605 CEDAR SPRINGS RD	BOWERS MATTHEW S
161	4605 CEDAR SPRINGS RD	KAUL BUPESH & RITA
162	4605 CEDAR SPRINGS RD	JACOBS DAVID A
163	4605 CEDAR SPRINGS RD	NOTO ANGELA
164	4605 CEDAR SPRINGS RD	ROUM KEVIN S
165	4605 CEDAR SPRINGS RD	SKOFF LINDA
166	4605 CEDAR SPRINGS RD	LY TU ANH &
167	4605 CEDAR SPRINGS RD	SYED SANA SALMA
168	4605 CEDAR SPRINGS RD	
169	4605 CEDAR SPRINGS RD	JIAO RHODA
170	4605 CEDAR SPRINGS RD	AMIN ABDUL HAFIZ
171	4605 CEDAR SPRINGS RD	JOHNS JOEY
172	4605 CEDAR SPRINGS RD	PAULUS MICHAEL
173	4605 CEDAR SPRINGS RD	SEVART JOSEPH W
174	4605 CEDAR SPRINGS RD	PANZA LUCY G & NICHOLAS P
175	4605 CEDAR SPRINGS RD	THIBODEAU MARK
176	4605 CEDAR SPRINGS RD	JONES JAMES A
177	4605 CEDAR SPRINGS RD	FORRETTE PHILLIP H
178	4605 CEDAR SPRINGS RD	FINCK MARK B
179	4605 CEDAR SPRINGS RD	OBALEK ANETA K
180	4605 CEDAR SPRINGS RD	HAMEDANI BAHAR
181	4605 CEDAR SPRINGS RD	BARNETT JESSICA E

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	4605 CEDAR SPRINGS RD	HU RANDOLF
183	4605 CEDAR SPRINGS RD	LIN TONY &
184	4605 CEDAR SPRINGS RD	DEGG REBECCA ANN
185	4605 CEDAR SPRINGS RD	JOHN SANGITA ELIZABETH &
186	4605 CEDAR SPRINGS RD	SKOFF DALE A
187	4605 CEDAR SPRINGS RD	WANG YIFAN
188	4605 CEDAR SPRINGS RD	VIDARTE ALIONA V
189	4605 CEDAR SPRINGS RD	ZHANG YUE
190	4605 CEDAR SPRINGS RD	PICKENS DOUGLAS R
191	4605 CEDAR SPRINGS RD	LANGHAM STUART
192	4605 CEDAR SPRINGS RD	YOUSUF SARA G
193	4605 CEDAR SPRINGS RD	WASHBURN MATTHEW SAXTON
194	4605 CEDAR SPRINGS RD	CARVALHO MARCO A
195	4605 CEDAR SPRINGS RD	CHOI WON JOON
196	4605 CEDAR SPRINGS RD	LIN CHENYING
197	4605 CEDAR SPRINGS RD	LEVY ALISSA
198	4605 CEDAR SPRINGS RD	MILLER IRYNA
199	4605 CEDAR SPRINGS RD	BENNETT FAMILY LIVING TRUST THE

Planner: Warren F. Ellis

FILE NUMBER:	Z167-376(WE)	DATE FILED:	August 15, 2017
LOCATION:	East line of South Central Expressway, south of Youngblood Road		
COUNCIL DISTRICT:	8	MAPSCO:	67-P
SIZE OF REQUEST:	Approx. 14.724 acres	CENSUS TRACT:	202.00

APPLICANT/OWNER: Brown Family Lewisville Railroad Family First, LP

REPRESENTATIVE: Kirk Williams, Brad Williams - Winstead PC

REQUEST: An application for an IM Industrial Manufacturing District and a Specific Use Permit for an industrial (outside) potentially incompatible use limited to a concrete crushing facility on property zoned a CS Commercial Service District.

SUMMARY: The purpose of this request is to make improvements to the site to allow for the operation of a concrete crushing facility [Big City Crushed Concrete].

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- In September 2008, the City Council approved a CS Commercial Service District in lieu of an IM Industrial Manufacturing District and denied a Specific Use Permit for an outside salvage and reclamation use.
- A concrete crushing facility is considered a “potentially incompatible industrial use” and is permitted by a Specific Use Permit only, in an IM Industrial Manufacturing District.
- The Specific Use Permit will permit the applicant to operate a concrete crushing facility on site.
- There is a 100-foot floodplain that surrounds the Property. The applicant proposes to install the processing equipment, truck scale, and off-street parking, as well as the processed materials storage, and recyclable material storage area, outside the floodplain area.
- The request site is immediately adjacent to undeveloped tracts of land. A Union Pacific railroad line and the City of Dallas’ McCommas Bluff Landfill is located to the northeast and east of the site. Properties northwest of the site, across South Central Expressway, are developed with various types of auto related uses and outside salvage yard or reclamation uses.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Central Expressway (U.S. 75)		Variable lane widths	Variable lane widths
Youngblood Road	Local Street	35 ft.	35 ft.

Land Use:

	Zoning	Land Use
Site	CS	Undeveloped
Northwest	AA	Auto related uses, Outside salvage yard or reclamation use
Southeast	IM	Undeveloped
Northeast	IM	City of Dallas’ McCommas Bluff Landfill
Southwest	A(A)	Undeveloped, Auto related use

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.

LAND USE

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.1 Implement the Trinity River Corridor Plan.

Urban Design Element

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY.

Policy 5.2.3 Ensure attractive gateways into the city.

TRINITY RIVER CORRIDOR COMPREHENSIVE LAND USE PLAN

The Trinity River Corridor Comprehensive Plan identifies the site as being in a Community Corridor and within the I-45 Gateway District Study area. The recommended land use for the corridor is Regional Employment. The Community Corridor module recommends a primary land use to be comprised of community serving retail and regional serving office. An optional land use includes industrial-distribution uses.

In addition, the stakeholders in the Gateway District Study area, which includes the Joppa residents, "supported planning and investment that would improve the quality of life for Joppa residents by better buffering between the neighborhood and its industrial neighbors. Even though Joppa is approximately 2 miles north of the request site, the residents were a part of the Study area and voiced their desires for the area. Furthermore, the study recommended eliminating junk yards in the district along transportation corridors for better land uses such as business parks.

The Plan also identifies protected areas for the Five Mile Creek, the Lemmon Hill and one tributary stream, which bisects the southern portion of the site. These protected areas may pose an impact from the potential runoff of the proposed use into Five Mile Creek.

STAFF ANALYSIS:

Land Use Compatibility: The 14.724-acre site is linear in shape and is undeveloped. The request site is adjacent to a Union Pacific railroad line and the City of Dallas' McCommas Bluff Landfill. Properties northwest of the site, across South Central Expressway, are developed with various types of auto related uses and outside salvage yard or reclamation uses. There are undeveloped tracts of land that are southeast of the request site. Properties that are southwest of the request site consist of auto related uses and undeveloped tracts of land.

The applicant's request for a Specific Use Permit for a concrete crushing facility is only permitted in an IM Industrial Manufacturing District. The proposed concrete crushing facility will have two large designated storage areas that will be used for processed materials and recyclable materials. The stockpile of these materials will be limited to a maximum height of 45 feet. The process equipment and various scales (track and scale house) are proposed to be located between the two designated storage areas. The only access onto the site is from one driveway approach from South Central Expressway.

Although the applicant is proposing to secure the property with a six-foot solid fence and maintain the vegetation along the frontage road, staff is concerned that the proposed 45-foot stockpiles of materials will be visible from South Central Expressway. In addition, the proposed use is not consistent with the future vision of the *forwardDallas! Plan* and *Trinity River Corridor Comprehensive Plan*.

The *Trinity River Corridor Comprehensive Plan* identifies the type of uses that are proposed in a Community Corridor Module. The primary land use categories are the core land uses that are the primary focus in the Corridor module. The secondary land uses support the primary land uses. The flexibility factors are the recommended land use percentages that provide a balance mix of primary and supporting uses.

Primary Land Use	%	Flexibility factor
Retail-Community	25%	+10%
Office Regional	25%	
Secondary Land Use		
Mixed Use A	20%	+ 5%
Residential-Multi-Family 3	20%	+ 5%
Entertainment	+ 5%	+ 5%
Civic	+ 5%	+ 5%
Optional Land Uses		
Park & Open Space		
Industrial-Distribution	5%	
Retail-Neighborhood	10%	

%

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

Landscaping: Landscaping must be provided in accordance with Article X, as amended. Plant materials must be maintained in a healthy, growing condition.

Parking: The parking requirement for an industrial (outside) use is one space per 600 square feet of floor area, plus one space per 600 square feet of outside manufacturing area. The number of spaces required is five spaces which the applicant will provide, as depicted on the proposed site plan.

<p>APPLICANT'S PROPOSED SUP CONDITIONS</p>

1. USE: The only use authorized by this specific use permit is for an industrial (outside) potentially incompatible use limited to a concrete crushing facility.
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 _____(twenty years from the passage of this ordinance), but is eligible for automatic renewal for additional twenty-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. GROUND AND DUST CONTROL All areas of the Property, inclusive of any stockpiles, must be sprinkled with water or chemicals as necessary to achieve maximum control of dust emission.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. The drive approach to the Property must be constructed on concrete pavement. Internal parking and circulation drives may be constructed of either concrete or crushed rock.
6. STOCKPILE HEIGHT: The maximum stacking height for stockpiles, both raw material and finished product, shall be in accordance with applicable TCEQ regulations or 45 feet, whichever is less.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

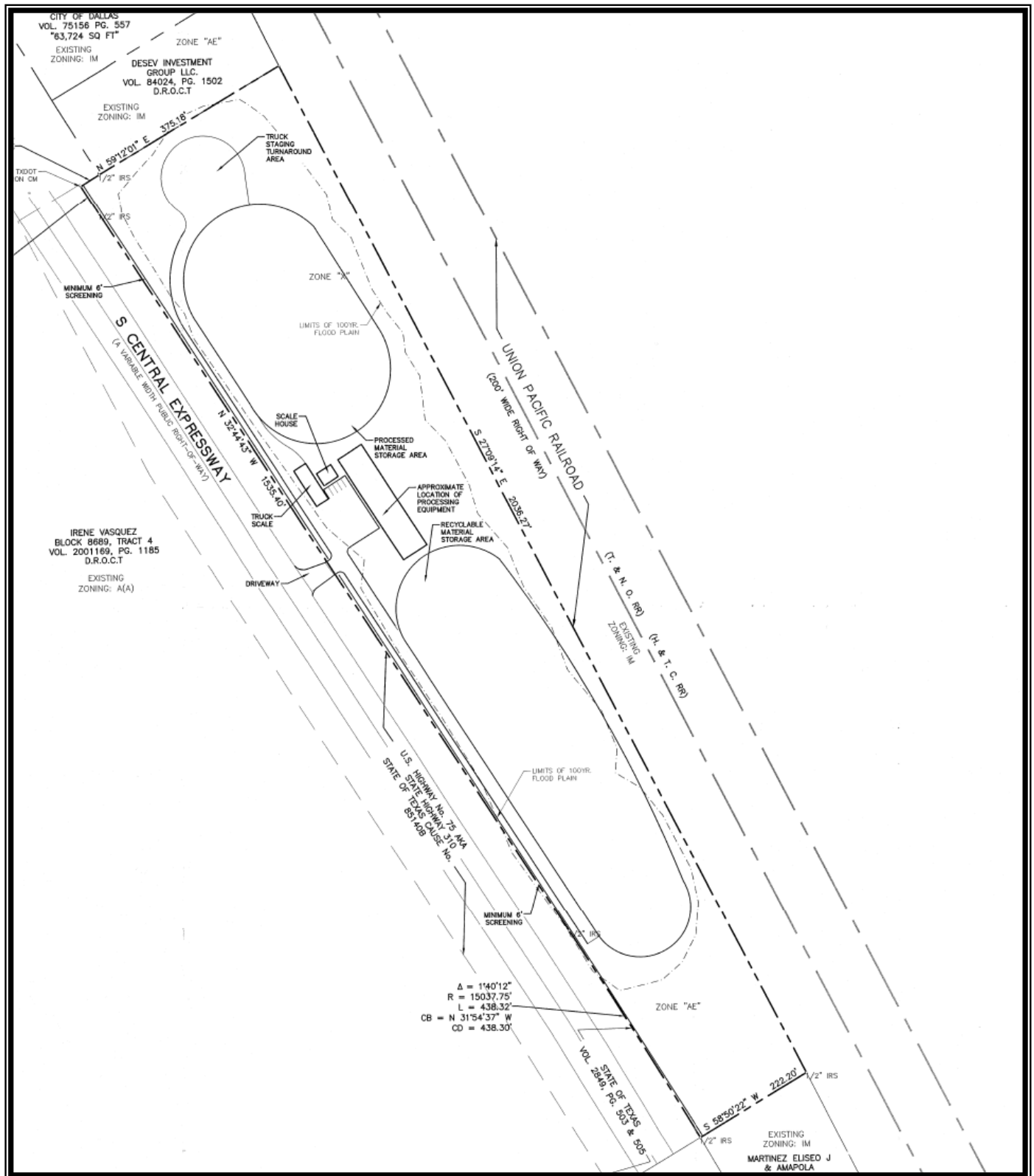
LIST OF OFFICIERS

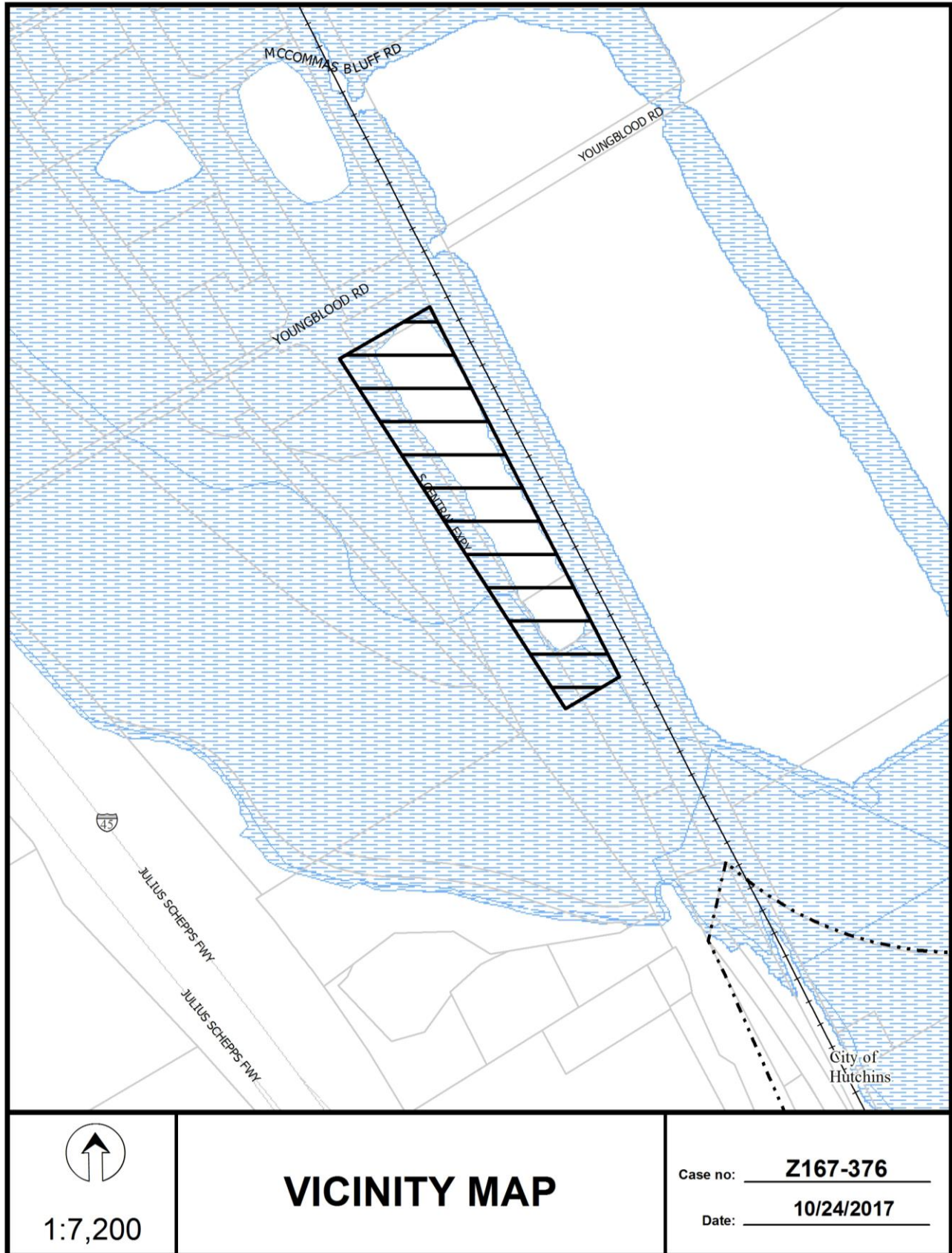
General Partner: BLRR Management, LLC

Members:

- Mason C. Brown
- Barbara L. Brown
- Michael A. Richard

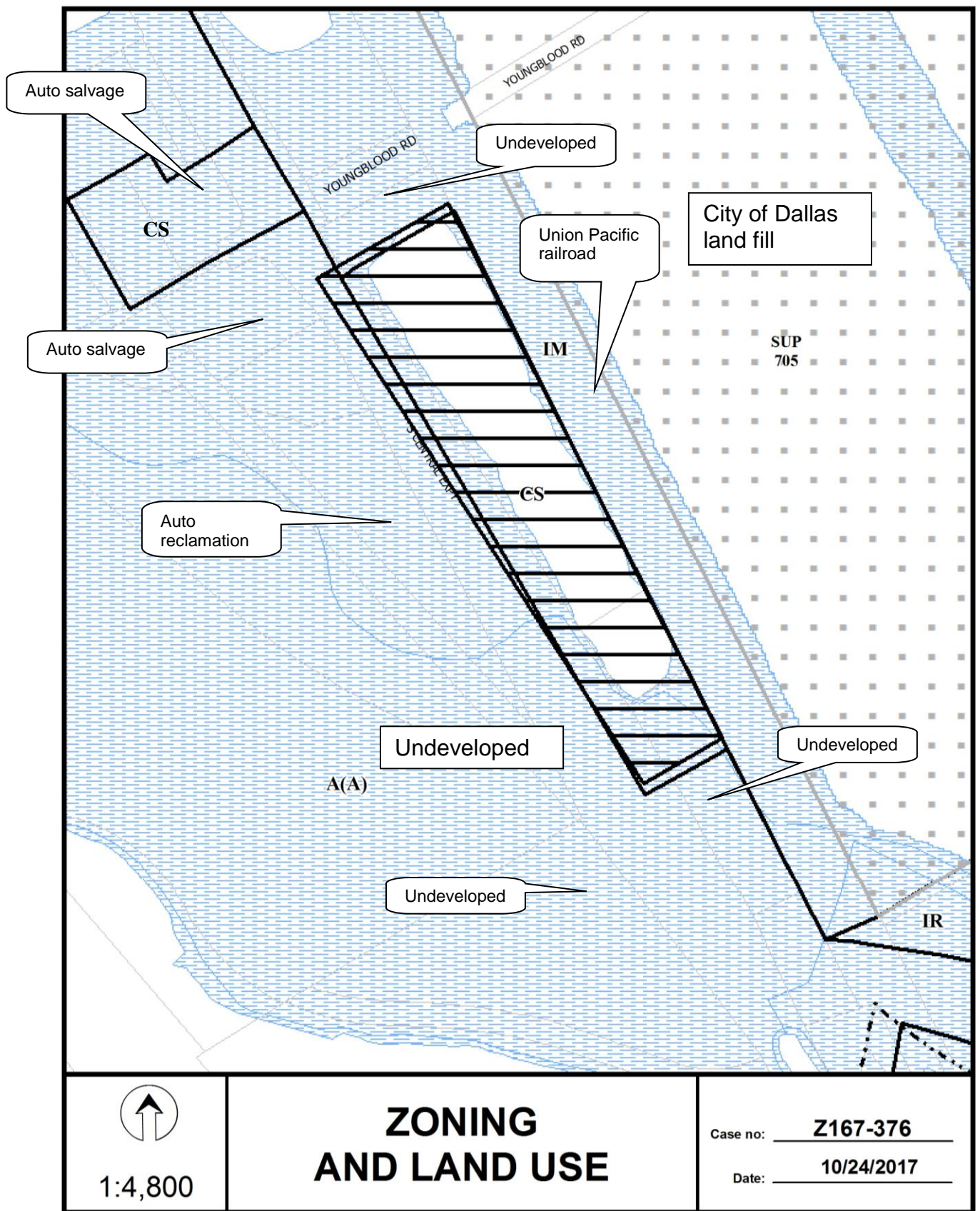
PROPOSED SITE PLAN

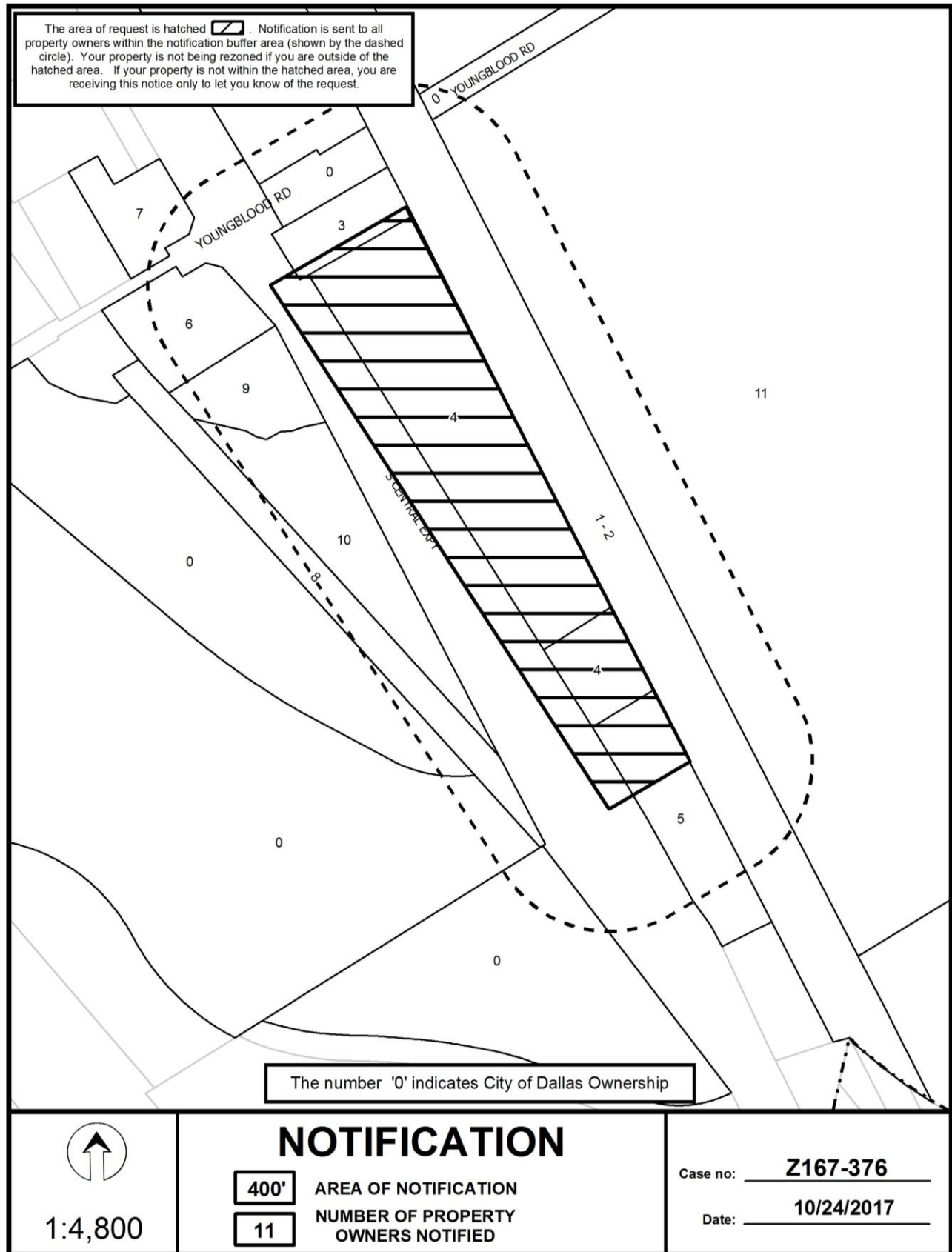




Z167-376(WE)







Notification List of Property Owners

Z167-376

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
2	9999 NO NAME ST	UNION PACIFIC RR CO
3	9500 S CENTRAL EXPY	DESEV INVESTMENT GROUP LLC
4	9800 S CENTRAL EXPY	BROWN FAMILY LEWISVILLE RR FAMILY 1 ST LP
5	10400 S CENTRAL EXPY	MARTINEZ ELISEO J & AMAPOLA
6	9600 S CENTRAL EXPY	COMET AUTO SALVAGE INC
7	5305 YOUNGBLOOD RD	NICKS BIG TRUCK SALES
8	5200 YOUNGBLOOD RD	TEXAS UTILITIES ELEC CO
9	9901 S CENTRAL EXPY	County of Dallas
10	9915 S CENTRAL EXPY	VAZQUEZ IRENE
11	5200 SIMPSON STUART RD	FCC S A

FILE NUMBER: Z167-387(PD)

DATE FILED: September 5, 2017

LOCATION: East corner of North Haskell Avenue and Worth Street

COUNCIL DISTRICT: 2

MAPSCO: 46-E

SIZE OF REQUEST: ± 0.8953 acres

CENSUS TRACT: 15.02

REPRESENTATIVE: Rob Baldwin

APPLICANT: Ecoview Homes

OWNER: GRBK Edgewood, LLC

REQUEST: An application for a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MC-3 Multiple Commercial District.

SUMMARY: The applicant would like to construct 28 multifamily dwelling units with a maximum structure height of 42 feet, reduced setbacks, no minimum lot size and an increase in lot coverage.

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

BACKGROUND INFORMATION:

- The ±0.8-acre request site is improved with a surface parking lot that serves as off-site parking for Haskell Building DISD employees.
- The purpose of this request is to construct 28 multifamily dwelling units.
- The proposed PD is for MF-2(A) Multifamily uses. The conditions for the proposed development indicate the applicant would like to deviate from maximum structure height, lot coverage, and setbacks.

Zoning History: There have been two zoning requests within the area within the past five years.

1. **Z156-267:** On October 1, 2016, the City Council approved a request for a Planned Development District for an R-7.5(A) Single Family District and multifamily uses on property zoned an R-7.5(A) Single Family District with Historic Overlay No. 63 (David Crockett Elementary School) located on the wester corner of Haskell Avenue and Worth Street.
2. **Z156-268** On September 28, 2016, the City Council approved a request for a CR Community Retail District on property zoned an LO-3 Limited Office District on the western corner of Haskell Avenue and Worth Street.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Worth Street	Local Collector	70 feet
Haskell Avenue	Principal Arterial	65 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

Land Use:

	Zoning	Land Use
Site	MC-3	Surface Parking Lot
North	PDD No. 98, H/72	East Dallas Christian Church
Northwest	CS, CR	Vacant Structure, Catering Service
Southwest	CR	Auto Service Center, Law Office
South	PDD No. 749	Baylor University Medical Center
Southeast	LO-3	Restaurant
East	PDD No. 171	Single Family

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 the Campus Building Blocks which focuses on areas around large master-planned educational, institutional or business facilities outside the Downtown. This building block often act as smaller versions of a complete community and include a range of single-family and multifamily housing for students, employees and visitors.

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

LAND USE ELEMENT**GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS**

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

NEIGHBORHOOD PLUS

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

Land Use Compatibility:

The surrounding land uses consist of aging single family dwelling units to the east along Worth Street. Properties along North Haskell Avenue have been redeveloping as evident in the number of zoning cases within the area and growth in nearby office, retail and personal service uses such as the Baylor University Medical Center, banks, restaurants, and shops. The site itself is proposed for 28 multifamily dwelling units that will provide a mix of different roof structures and styles which will add fresh housing stock and support redevelopment efforts in the area.

In an effort to increase the pedestrian amenities, the proposed PD offers the following urban design standards:

- A. All dwelling units fronting on Haskell Avenue must have individual entries that face the street and that have direct access to the street from an improved path connecting to the sidewalk;
- B. All main structures must have a gable, hip, or gambrel roof as part of the roof structure and style; and
- C. Ingress and egress is prohibited on Haskell Avenue and a maximum of two ingress and egress points are allowed on Worth Street.

The proposed design standards will increase the urban nature of the neighborhood and compliment the current development pattern of the surrounding properties. Recognizing the positive benefits of encouraging continued redevelopment of the area, staff recommends approval of the request.

Development Standards:

District	Setbacks		Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Underlying Zoning: MF-2(A)	15'*	0' single family 5' duplex 10' others 0' single family 10' duplex 15' others	36'*	60% res. 50% nonres.	RPS	Residential, Multifamily, Institutional, Recreation, Utility and public service.
Existing: MC-3	15' 20' if above 45'	20' Res adj 0'	115'	80%	--	Parking
Proposed: PDD	5'* 15'	5'*	42'*	70%	--	Multifamily
Adjacent: PD No. 171	20' min	0' single family 5' duplex 10'	24'	60%	RPS	Single Family

* highlights the zoning standards and the requested deviations

Parking:

Parking will be provided per Chapter 51A which requires that multifamily uses are parked at a ratio of one parking space per bedroom with an additional .25 spaces required for guest parking.

Landscaping and Screening:

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

LIST OF OFFICERS

GRBK Edgewood, LLC

James R. Brickman, CEO and Director
Richard A. Costello, CFO
Jed Dolson, President

Ecoview Homes

Mike Smith, Sole Managing Member

Proposed PD Conditions

ARTICLE ____.

PD ____.

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

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

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

PD ____ is established on property located at the east corner of Haskell Avenue and Worth Street. The size of PD ____ is approximately 0.895 acres.

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

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

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

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

SEC. 51P- ____ .104. EXHIBIT.

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

SEC. 51P-____.105. CONCEPTUAL PLAN.

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

SEC. 51P- ____ .106. DEVELOPMENT PLAN.

(a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

- (b) For single family uses, a final plat may serve as the development plan.

SEC. 51P-____.107. 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.

SEC. 51P-____.108. ACCESSORY USES.

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

SEC. 51P-____.109. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-2(A) Multifamily District apply.

(b) Front yard. Along Haskell Avenue, minimum front yard is five feet. Along Worth Street, minimum front yard is 15 feet. Cantilevered roof eaves, unenclosed porches, stairs, stoops, and awnings may project up to five feet into the front yard.

(c) Side and rear yard. Minimum side and rear yard is five feet. Balconies may encroach into the side or rear yard.

(d) Density. Maximum number of dwelling units is 28.

(e) Floor area ratio. For residential uses, no maximum floor area ratio.

(f) Height. Maximum structure height is 42 feet, measured to the midpoint of the roof.

(g) Lot coverage. Maximum lot coverage is 70 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

SEC. 51P- _____.110. OFF-STREET PARKING AND LOADING.

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

SEC. 51P- _____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.112. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.113. DESIGN STANDARDS FOR RESIDENTIAL USES.

- (a) All dwelling units fronting on Haskell Street must have individual entries that face the street and have direct access to the street from an improved path connecting to the sidewalk.
- (b) All main structures must have a gable, hip, or gambrel roof as part of the roof structure and style.
- (c) Ingress to and egress from Haskell Avenue is prohibited. A maximum of two ingress and egress points are allowed on Worth Street.

SEC. 51P- _____.114. SIGNS.

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

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

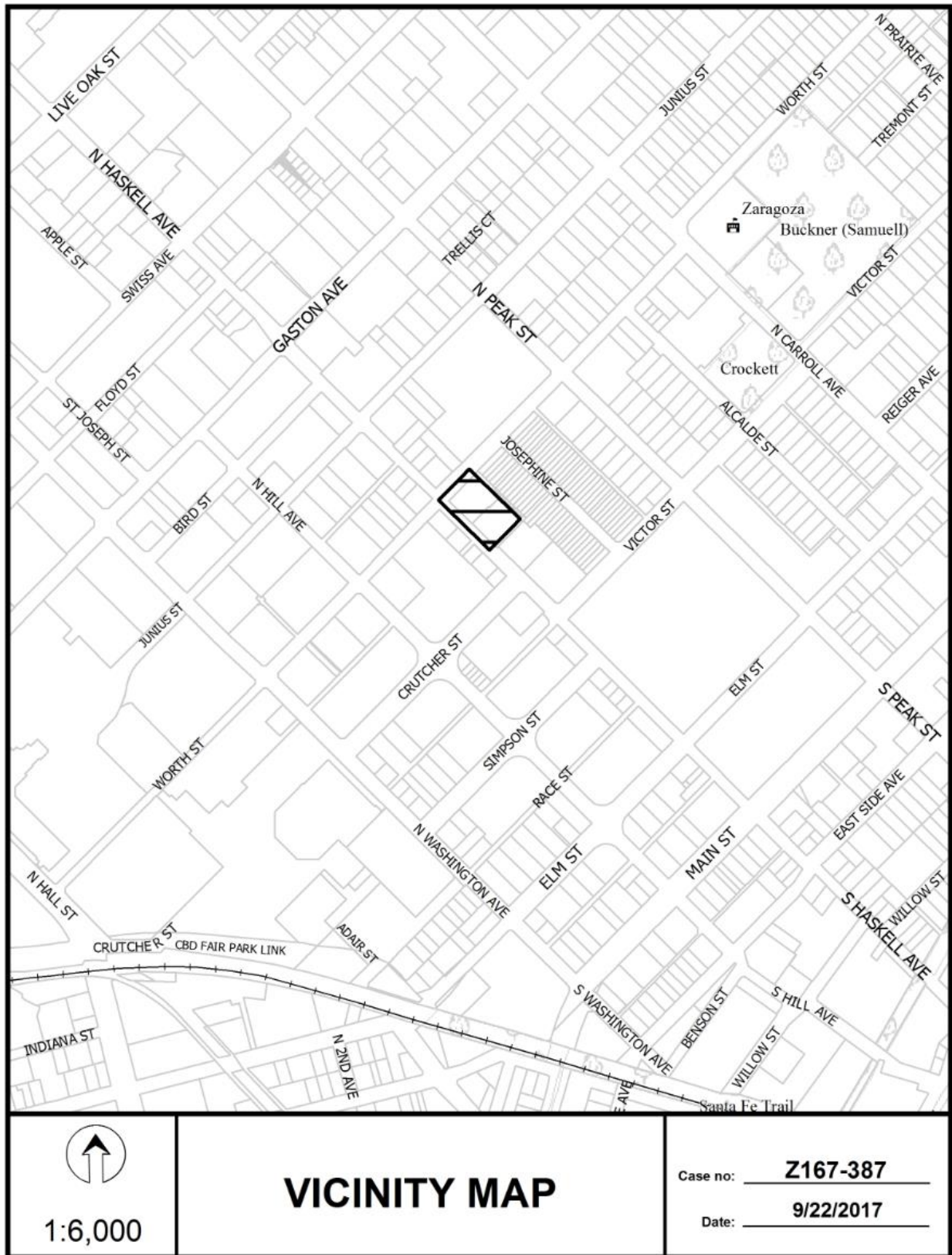
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

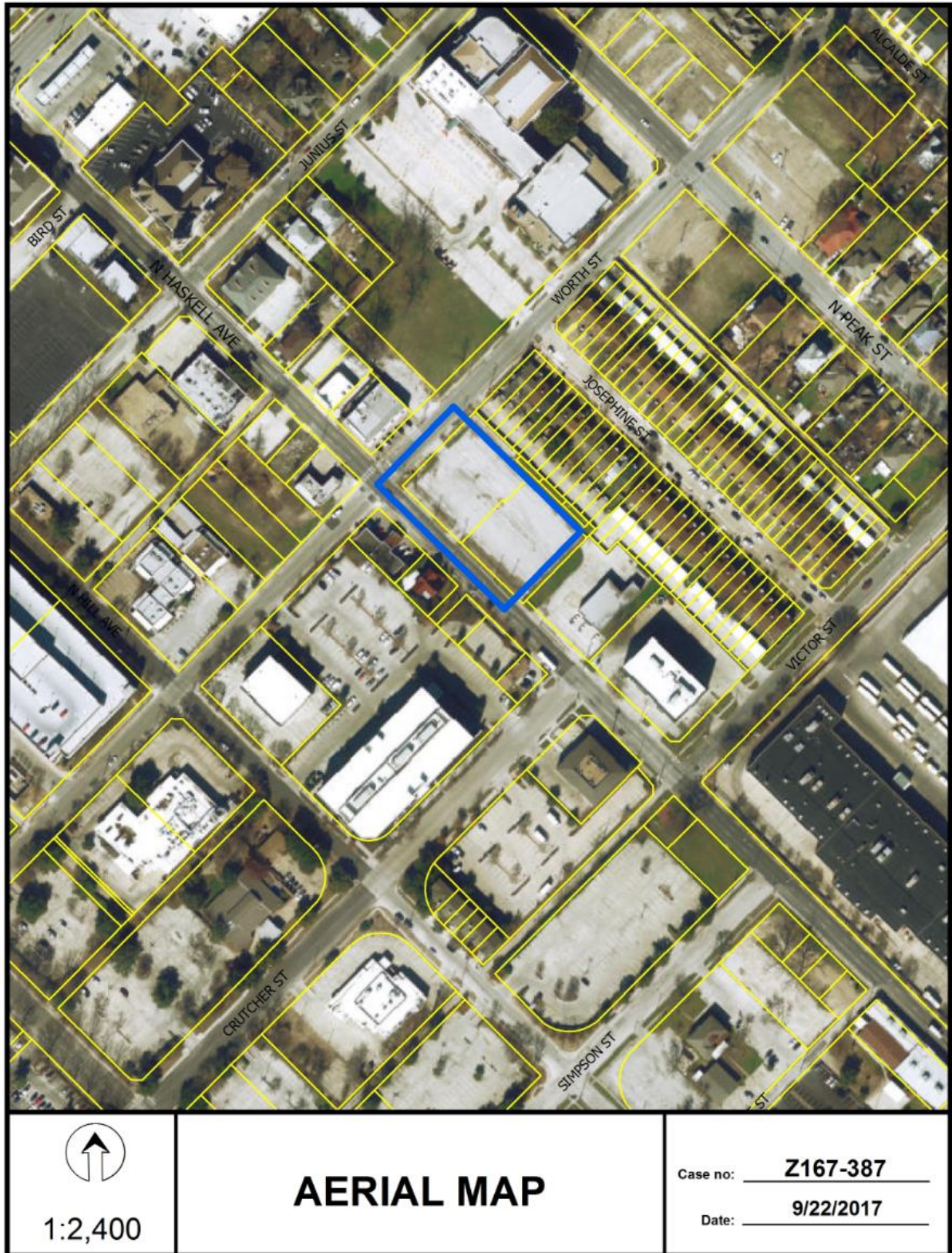
SEC. 51P-____.116. COMPLIANCE WITH CONDITIONS.

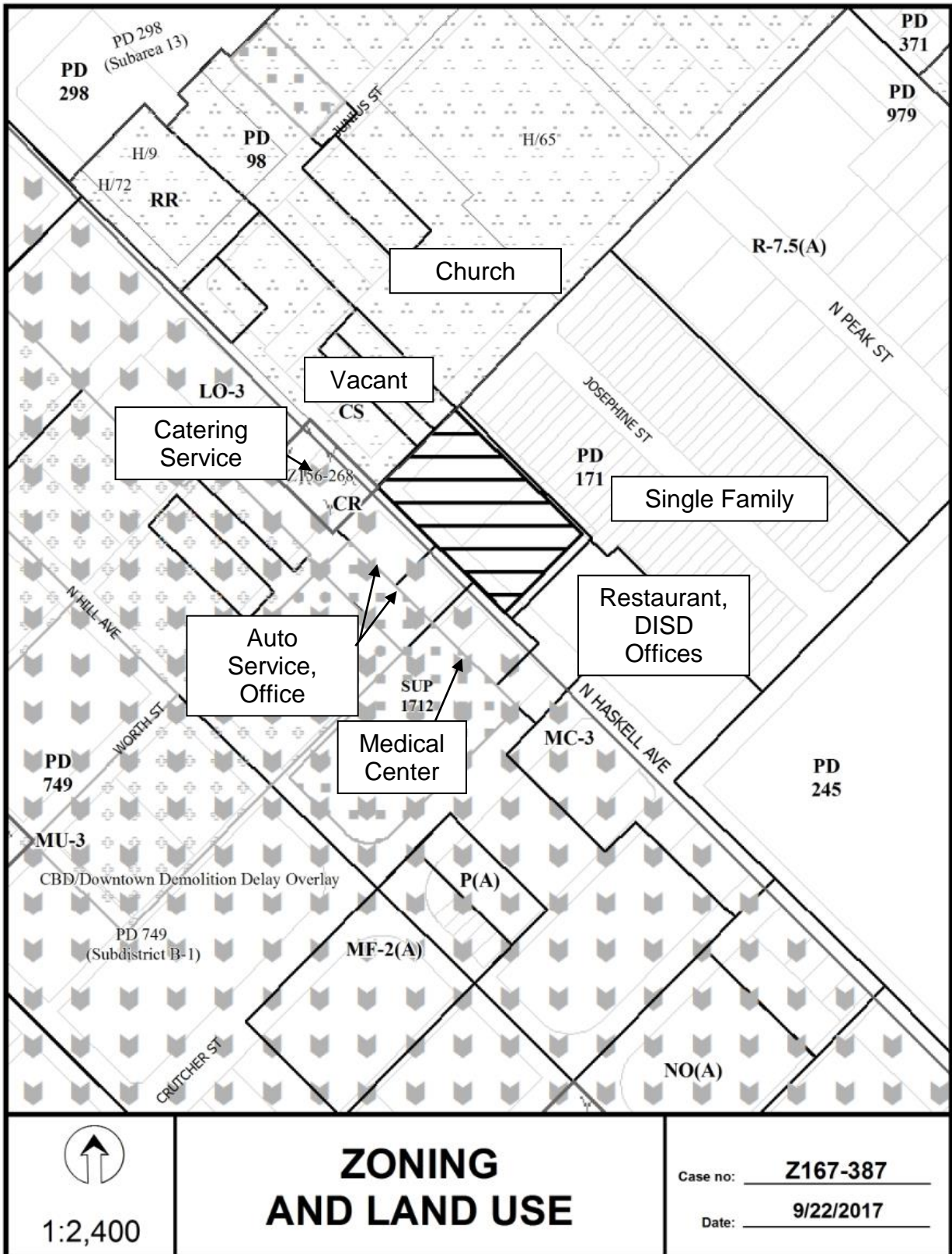
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

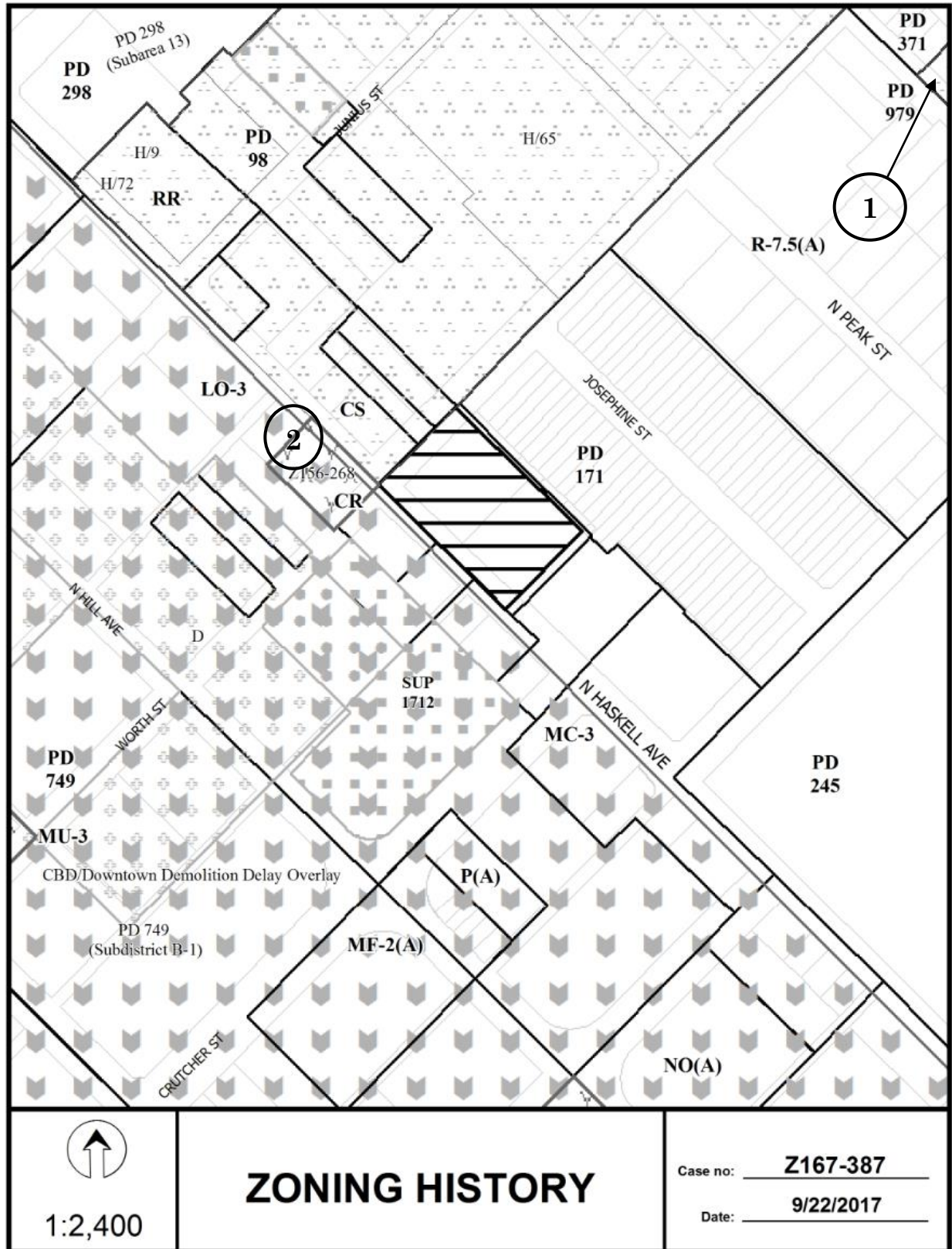
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

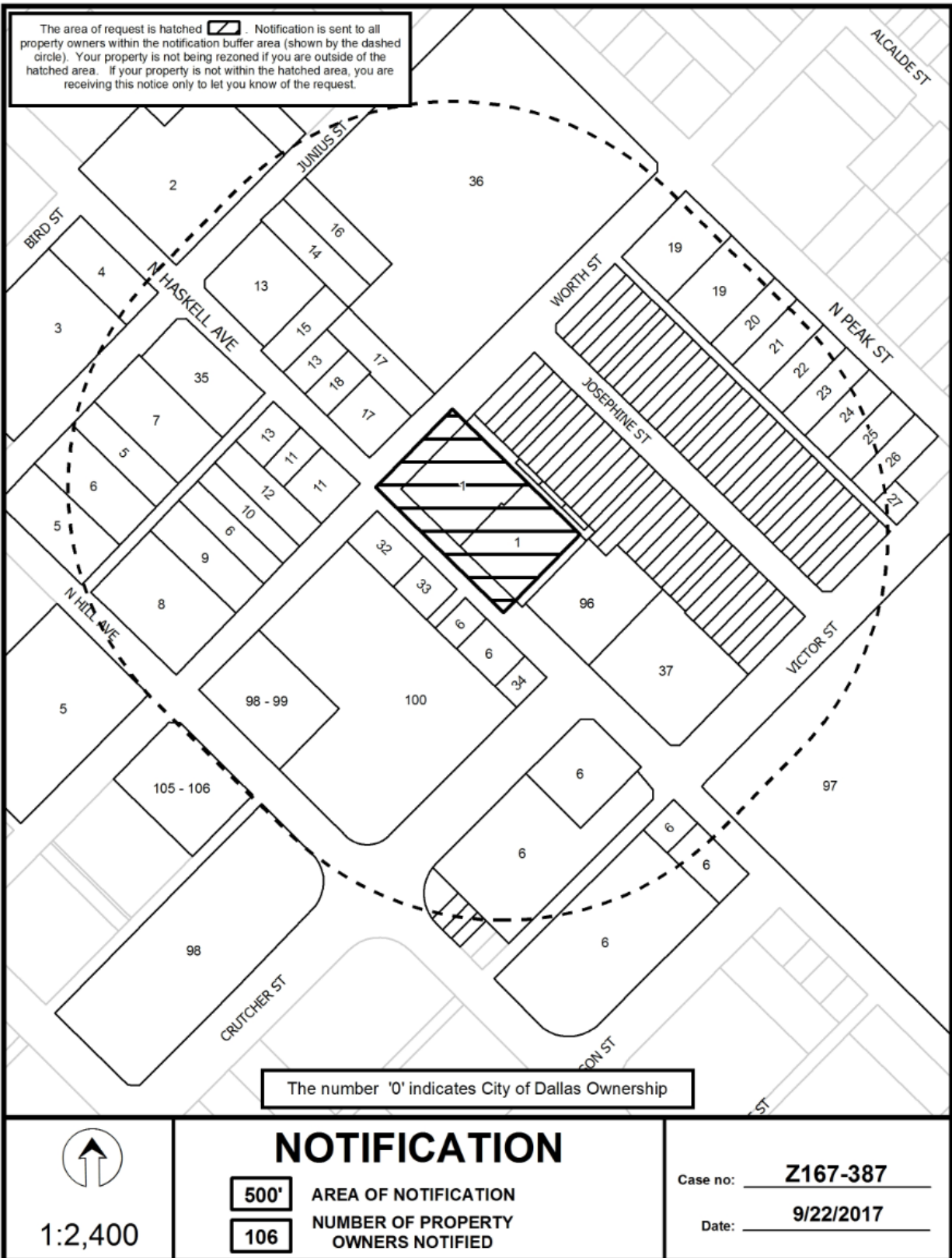












09/22/2017

Notification List of Property Owners***Z167-387******106 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	520 N HASKELL AVE	GRBK EDGEWOOD LLC
2	4105 JUNIUS ST	GRACE METHODIST CHURCH
3	4016 BIRD ST	CRISWELL CENTER FOR BIBLICAL STUDIES INC
4	709 N HASKELL AVE	D A DIRECT INC
5	4000 JUNIUS ST	BAYLOR UNIVERSITY MED CTR
6	4008 JUNIUS ST	BAYLOR HEALTH CARE SYSTEM
7	4020 JUNIUS ST	BAYLOR HEALTH CARE SYSTEM
8	4001 WORTH ST	BAYLOR HEALTH CARE SYSTEM
9	4015 WORTH ST	INCA MANAGEMENT LLC
10	4021 WORTH ST	BAYLOR HEALTH CARE SYS I
11	607 N HASKELL AVE	OWEN MALLOY INVESTMENTS LLC
12	4025 WORTH ST	BAYLOR HEALTH CARE SYSTEM
13	613 N HASKELL AVE	AGAPE CLINIC
14	4112 JUNIUS ST	DUJKA PAUL JR &
15	618 N HASKELL AVE	THOMI MARK S
16	4116 JUNIUS ST	JUNIUS SERIES
17	4107 WORTH ST	KHADIVI KAMBIZ
18	608 N HASKELL AVE	2MB INVESTMENTS LLC
19	517 N PEAK ST	EAST DALLAS CHRISTIAN
20	509 N PEAK ST	JARAMILLO GENOVEVA
21	503 N PEAK ST	OK CHOI
22	421 N PEAK ST	HENSLEY GEORGE W
23	417 N PEAK ST	DE SANTIAGO MAURICIO & MARIA C
24	413 N PEAK ST	MEADOWS MARIA & LEONARD
25	409 N PEAK ST	MAHAN VIRGENE
26	405 N PEAK ST	SALAZAR FEDERICO

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4213 VICTOR ST	LOAN MRS DOROTHY
28	502 N HASKELL AVE	DTS ASSOC LTD
29	500 WORTH ST	DTS ASSOC LTD
30	410 JOSEPHINE ST	DTS ASSOC LTD
31	406 JOSEPHINE ST	DTS ASSOC LTD
32	527 N HASKELL AVE	ANGEL RANGEL V
33	517 N HASKELL AVE	HASKELL HOLDINGS LLC
34	4029 CRUTCHER ST	KIM SOON
35	4026 JUNIUS ST	BAYLOR HEALTH CARE SYSTEM
36	629 N PEAK ST	EAST DALLAS CHRISTIAN
37	408 N HASKELL AVE	Dallas ISD
38	403 JOSEPHINE ST	JAMES TODD CHARLES
39	407 JOSEPHINE ST	HOLLMANN BRYCE J
40	411 JOSEPHINE ST	YAN JAMES & EMILY
41	415 JOSEPHINE ST	KAYL BRITTNEY
42	419 JOSEPHINE ST	MAHONEY THOMAS M
43	423 JOSEPHINE ST	PRIME INVESTMENTS LLC
44	427 JOSEPHINE ST	BALL JEANNIE C
45	431 JOSEPHINE ST	ZARVAS CHRISTOPHER
46	439 JOSEPHINE ST	MADRIGAL ELENOR &
47	443 JOSEPHINE ST	PETTIGREW DONNA L
48	447 JOSEPHINE ST	GOLOMB COREY E
49	451 JOSEPHINE ST	PARKS GENEVIEVE
50	503 JOSEPHINE ST	TULEI ILYA
51	507 JOSEPHINE ST	SAMSON LOUIS P
52	511 JOSEPHINE ST	JUAREZ DOLORES S
53	515 JOSEPHINE ST	ARNOLD CHAD
54	523 JOSEPHINE ST	FOLEY DONALD W
55	527 JOSEPHINE ST	LAMOC JO EARL CASTILLO
56	531 JOSEPHINE ST	MILANO ALBERT
57	535 JOSEPHINE ST	POTTS MELVA DIANNE

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	539 JOSEPHINE ST	GRUBBS BRANDON
59	543 JOSEPHINE ST	SAVAGE SARAH KATHERINE
60	547 JOSEPHINE ST	ALVARADE JOBEE T
61	551 JOSEPHINE ST	PELAEZ BARBARA MARIA &
62	563 JOSEPHINE ST	GRIMES RHONDA C
63	567 JOSEPHINE ST	BROWN KARON F
64	571 JOSEPHINE ST	MURPHY LOYCE
65	429 JOSEPHINE ST	JOSEPHINE COURT ASSOC
66	519 JOSEPHINE ST	JOSEPHINE COURT ASSOC
67	456 JOSEPHINE ST	DING SHENG YUE
68	460 JOSEPHINE ST	ALCORTA JANIE
69	504 JOSEPHINE ST	SAMADIAN FAMILY LTD PS
70	508 JOSEPHINE ST	FENTON SHERRY M
71	516 JOSEPHINE ST	HILDERBAND JENNIFER
72	520 JOSEPHINE ST	LY LING MEY
73	524 JOSEPHINE ST	PAXTON MARIYA G &
74	528 JOSEPHINE ST	FANCHER ALMA KING
75	532 JOSEPHINE ST	MARRS JAMES GREGORY & TARA A
76	536 JOSEPHINE ST	DING JIAHUAN &
77	540 JOSEPHINE ST	WU PIN
78	544 JOSEPHINE ST	NGUYEN NGA ANH
79	552 JOSEPHINE ST	MULDROW NAYO
80	556 JOSEPHINE ST	CASTRO EMILIO
81	560 JOSEPHINE ST	ARNOLD JENNIFER L
82	564 JOSEPHINE ST	CAMPBELL WILLIAM G
83	568 JOSEPHINE ST	JOHNSON ALBERT
84	436 JOSEPHINE ST	JOSEPHINE CT OWNERS ASSN
85	404 JOSEPHINE ST	KIDD ALLISON MARIE &
86	412 JOSEPHINE ST	FARDELLA RUSSELL
87	416 JOSEPHINE ST	CEDICOR GROUP PROPERTIES LLC
88	420 JOSEPHINE ST	HE JIN &

09/22/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	424 JOSEPHINE ST	HU MING
90	428 JOSEPHINE ST	LOUIE TERRY
91	432 JOSEPHINE ST	TWOMEY MICHAEL
92	440 JOSEPHINE ST	VALENZUELA JON L
93	448 JOSEPHINE ST	VOGT DONNA J & DENNIS W
94	452 JOSEPHINE ST	MCCRARY LAKISHA VANSHIQUE &
95	9011 WORTH ST	DTS ASSOC LTD
96	502 N HASKELL AVE	VERGIO REALTY LLC
97	201 N PEAK ST	DALLAS AREA RAPID TRANSIT
98	4004 WORTH ST	BAYLOR HEALTH CARE SYSTEM
99	4004 WORTH ST	HRT PROPERTIES OF TX LTD
100	4005 CRUTCHER ST	BAYLOR HEALTH CARE SYSTEM
101	4002 CRUTCHER ST	MCMULLEN MICHELLE
102	436 HILL AVE	MALDONADO RUBEN &
103	432 HILL AVE	BOUTTE RANDY J
104	428 HILL AVE	WHATLEY JON R &
105	3920 WORTH ST	BAYLOR HEALTH CARE SYSTEM
106	3920 WORTH ST	HRT PROPERTIES OF TX LTD

FILE NUMBER: Z167-405(SM)**DATE FILED:** September 29, 2017**LOCATION:** Northeast corner of Walnut Hill Lane and Hedgeway Drive**COUNCIL DISTRICT:** 13**MAPSCO:** 24-N**SIZE OF REQUEST:** Approx. 17.24 acres**CENSUS TRACT:** 95.00**APPLICANT:** Verizon Wireless**OWNER:** Dallas ISD**REPRESENTATIVE:** Peter Kavanagh, Zone Systems, Inc.**REQUEST:** An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned Planned Development District No. 724.**SUMMARY:** The applicant [Verizon Wireless] proposes to construct a 75-foot stealth monopole tower for cellular communication and outdoor equipment, surrounded by a six-foot tall screening wall, upon the existing E. H. Cary Middle School campus. The wireless lease area is approximately 428 feet south of the southern line of Killion Drive and approximately 670 feet east of the eastern line of Hedgeway Drive.**STAFF RECOMMENDATION:** Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The wireless lease site is located near the southeast corner of E. H. Cary Middle School. It is a 30-foot by 20-foot undeveloped area and is connected to Killion Drive by a 428-foot long and 20-foot wide access and utility easement.

Zoning History: There have been no recent zoning changes requested in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Thoroughfare Dimension
Walnut Hill Lane	Principal Arterial	Minimum-6 lanes-divided, 100' ROW
Hedgeway Drive	Local	60' ROW

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.

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.

There are no goals or policies supporting or opposing the request.

Surrounding Land Uses:

Location	Zoning	Land Use
Site	PDD No.724	Public School
North	R-16(A)	Single Family
East	PDD No. 706	Public School
South	R-10(A)	Single Family
West	R-16(A) and SUP No. 1684	Single Family and Church with Private School

Land Use Compatibility: The subject site is currently developed with E. H. Cary Middle School, a public school. The proposed location of the stealth monopole tower is southeast of the southeast corner of the existing public school. The 600-square-foot wireless lease area is proposed to be accessed from Killion Drive by a 20-foot-wide and 428-foot long access drive and will contain a 75-foot tall concealment tower for cellular communication. The applicant has designed the proposed monopole at the minimum height necessary to provide the desired coverage to surrounding properties.

Development in the immediate surrounding area consists of the school campuses of E. H. Cary Middle School and the baseball field for Thomas Jefferson High School. Across each bounding street from these schools are single family uses in all directions. A church and private school is also located to the southwest of the subject site, at the northwest corner of Walnut Hill Lane and Hedgeway Drive. There are no tall structures or poles in the immediate vicinity; however, the intervening school structures and physical separation provide a buffer between the closest residential structure and the proposed monopole.

Because the site is in PDD No. 724, which refers to an R-16(A) Single Family District for uses, a tower/antenna for cellular communication requires an SUP. Although the PDD specifies the maximum structure height of a public school and smoke stack, it refers all other height standards to the R-16(A) Single Family District. The R-16(A) Single Family District only specifies maximum structure height is 30 feet and does not specify an additional limitation to height in the form of a residential proximity slope (RPS). Therefore, residential proximity slope does not apply to the subject site. Additionally, Section 51A-4.408 of the Dallas Development Code provides an exception of maximum structure height for utility and public service uses, including a tower/antenna for wireless communication. Therefore, the maximum structure height of 30 feet in the R-16(A) Single Family District also does not apply to a tower/antenna for cellular communication.

However, a one-to-three slope, similar to RPS, can be utilized as a tool to consider height compatibility with surrounding uses and structures. For the proposed 75-foot tall tower to comply with a spacing of one foot in height for every three feet in distance, it must be placed 225 feet away from the nearest residentially zoned private property. Since the closest residential property line to the proposed monopole is approximately 488 feet to the north, staff's position is the proposed structure is not detrimental to surrounding properties.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of

the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the request because (1) the proposed monopole is located over twice the distance beyond where an residential proximity slope would project from the nearest residential property, (2) the cellular array is concealed within a pole thus minimizing the visual effect of a cellular platform, and (3) the public utility service of increased coverage would significantly improve as shown by the following coverage maps.

Parking: Parking will be provided in accordance to the parking requirements in the Dallas Development Code, as amended, which is one space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment ("auxiliary building") greater than a 120 square feet. No auxiliary building is proposed and therefore no additional parking is triggered by the development of this use.

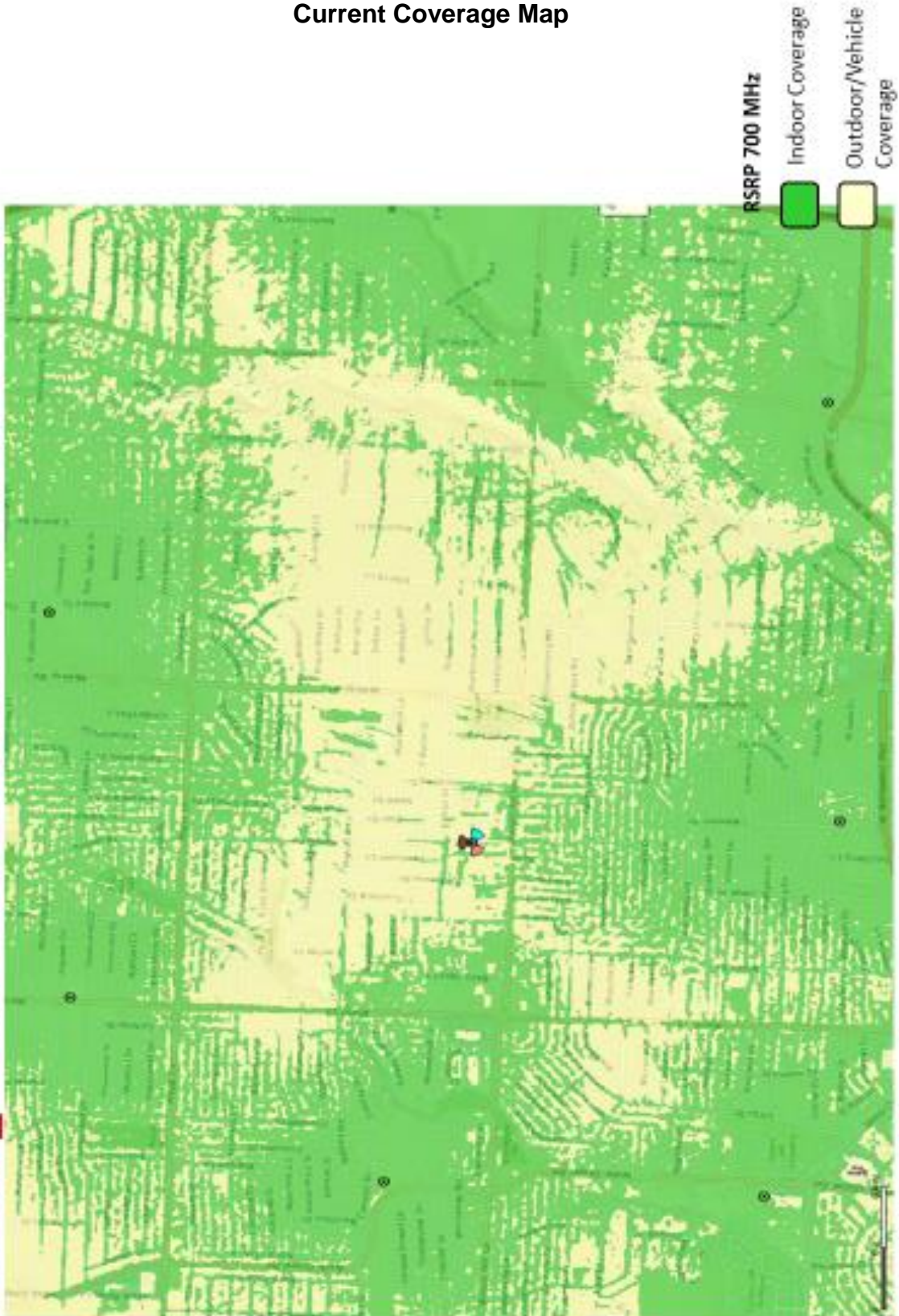
Landscaping: In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed.

Notification Area: On January 13, 2016, the City Council approved an amendment to the Development Code regarding tower/antenna for cellular communication use. One provision pertains to the notification area and requires written notification of the public hearing on an application for an SUP for a tower/antenna for cellular communication to all real property within 500 feet of the building site on which the tower/ antenna for cellular communication will be located.

As a result of the amendment, the SUP will be placed on the larger 17.24-acre tract of land, and the notification area will extend from this boundary rather than from the border of the 600-square foot lease area of the tower/antenna for cellular communication.

Current Coverage Map

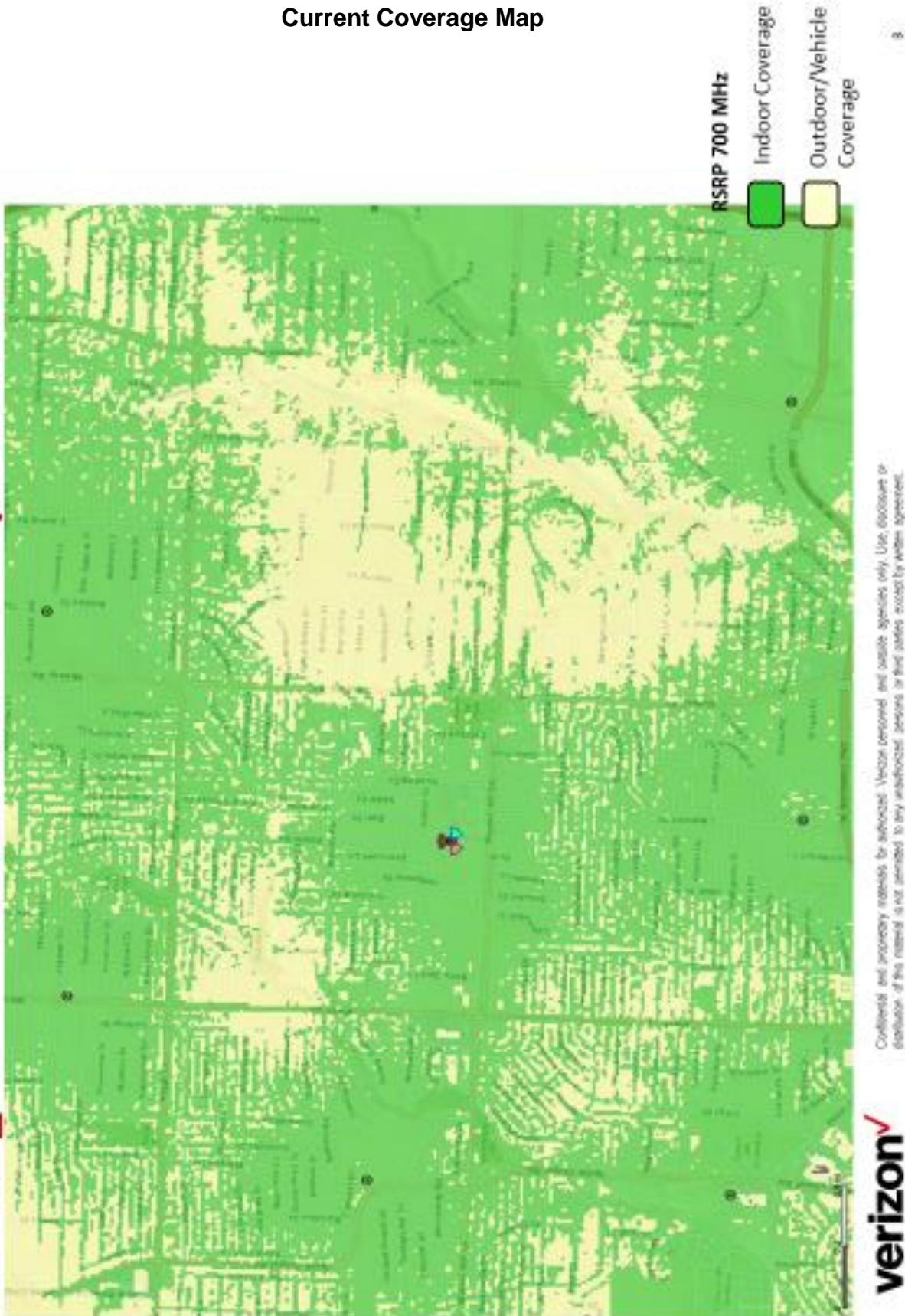
DALLAS_KILLION - 700MHz RSRP Current



Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

Current Coverage Map

DALLAS_KILLION - 700MHz RSRP Proposed



List of Officers

DISD Board of Trustees

Dan Micciche
Edwin Flores
Joyce Foreman
Audrey Pinkerton
Dustin Marshall
Jaime Resendez
Lew Blackburn
Miguel Solis
Bernadette Nutall

Verizon Communications Board of Directors

Lowell C. McAdam, Chairman
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Mark T. Bertolini
Richard Carrion
Malanie L. Healey
M. Frances Keeth
Karl-Ludwig Kley
Clarence Otis, Jr.
Rodney E. Slater
Katheryn A. Tesija
Gregory D. Wasson
Gregory G. Weaver

Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.
3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-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 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. COLLOCATION: Any tower/antenna support structure must be constructed to support the antenna arrays for at least two other wireless communications carriers. The tower/antenna support structure must be made available to other wireless communication carriers upon reasonable terms.
5. HEIGHT: The maximum height of a tower/antenna for cellular communication is 75 feet.
6. SCREENING: The lease area must be screened by a six-foot-tall masonry wall and secured by a six-foot-tall access gate in the location shown on the attached site plan.
7. STEALTH DESIGN: The tower/antenna for cellular communication must be constructed with a stealth design with the platform concealed within the overall vertical design of the tower.
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.

SITE PLAN

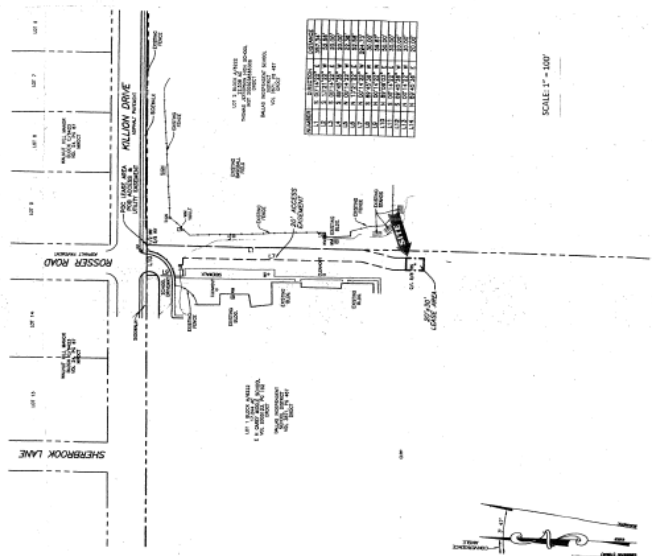
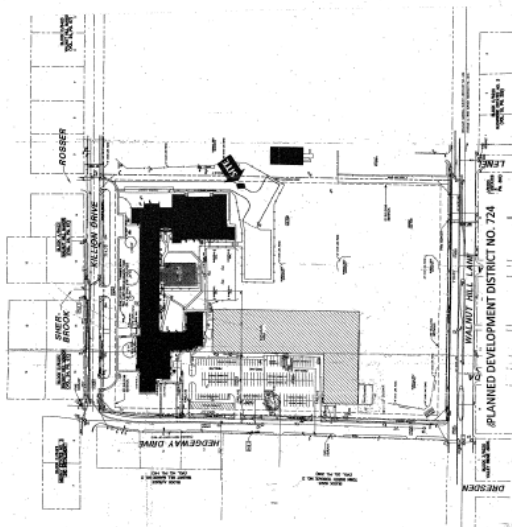
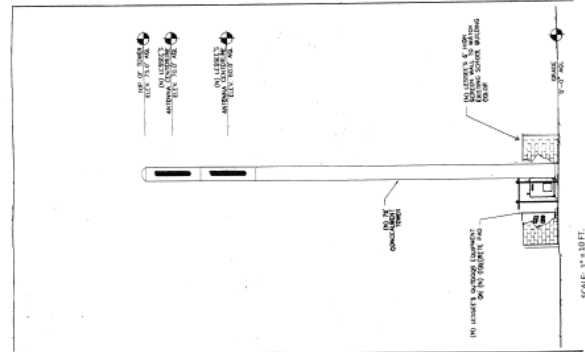
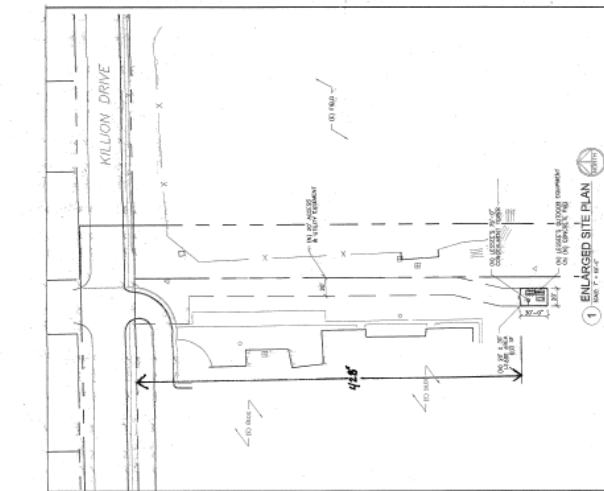
VERIZON WIRELESS
1501 SOLANA BLVD.
BLDG. 2 SUITE #2400
WESTLAKE, TX 75262

REQUEST FOR SPECIFIC USE PERMIT:
TOWER/ANTENNA FOR CELLULAR
COMMUNICATION

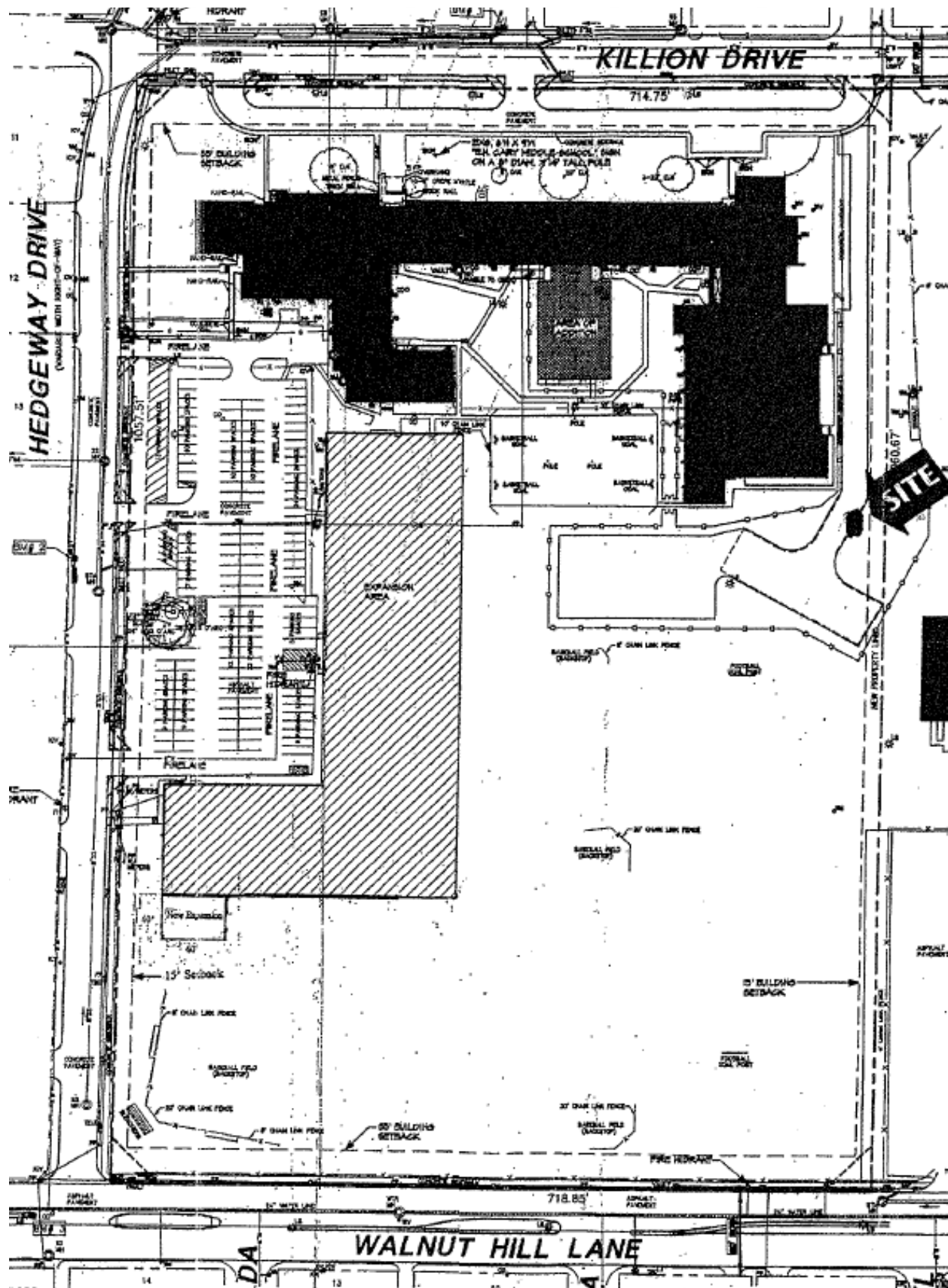
SITE PLAN
3978 KILLION DRIVE

AUGUST, 2017

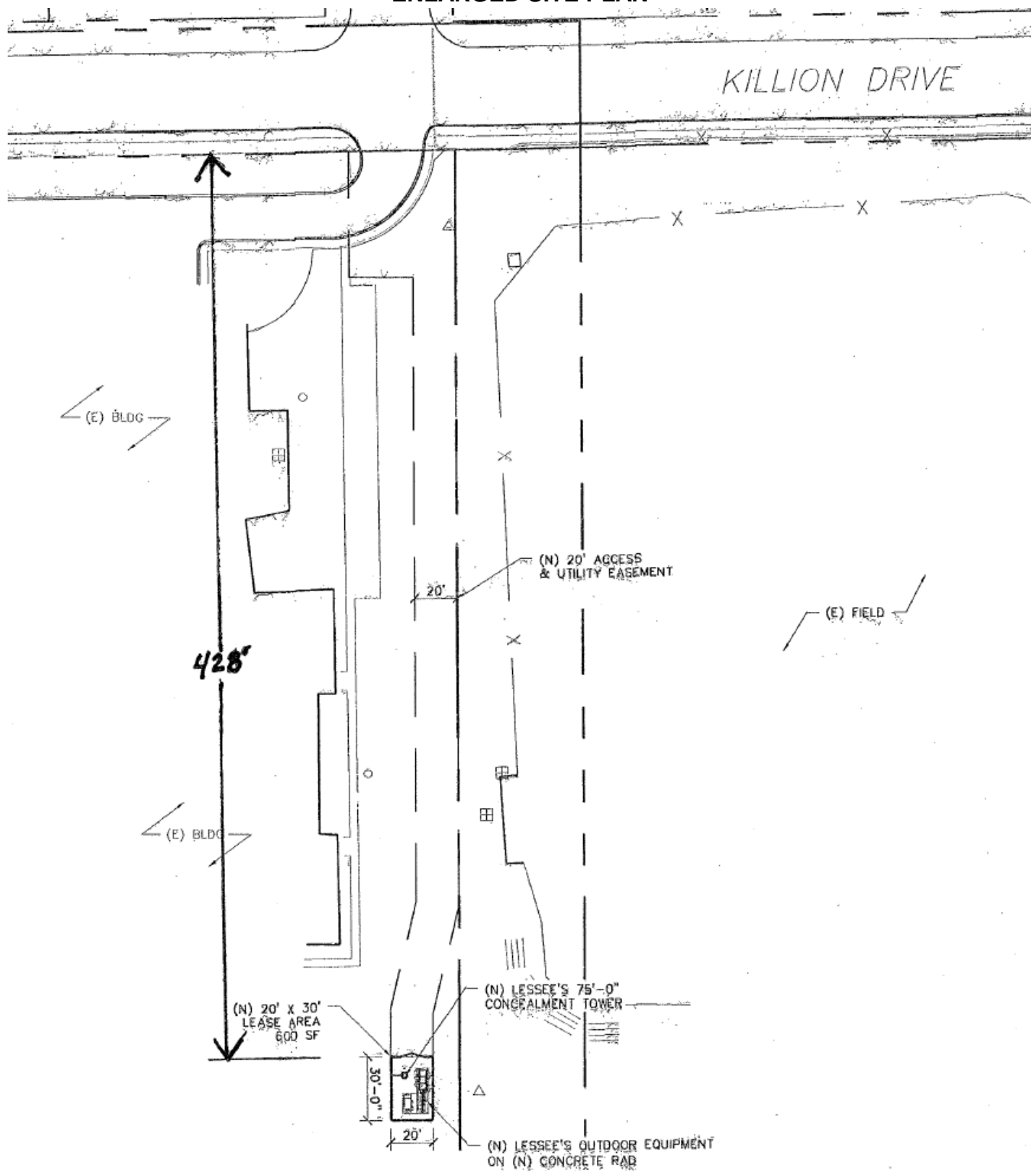
2167-405



ENLARGED OVERALL SITE PLAN



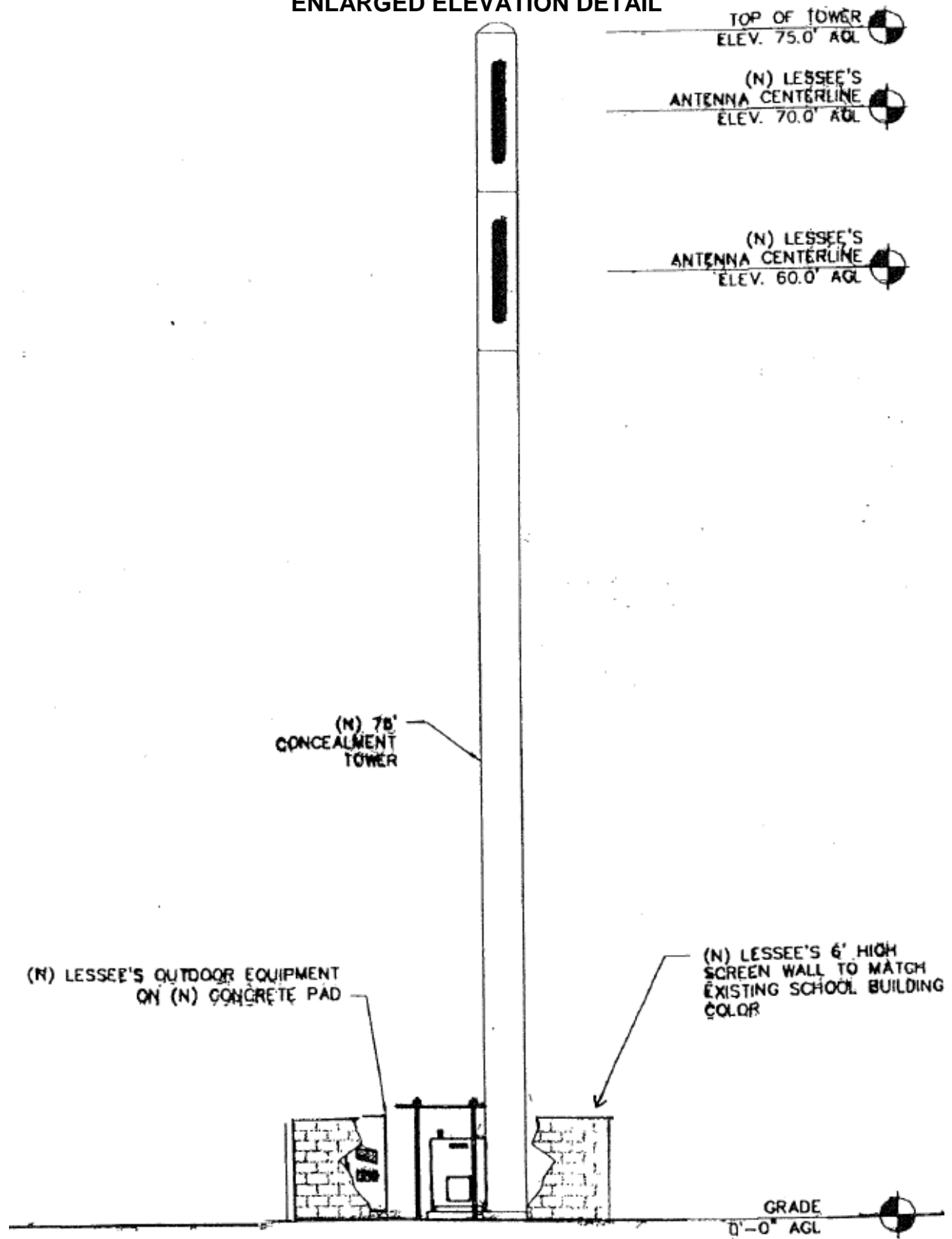
ENLARGED SITE PLAN



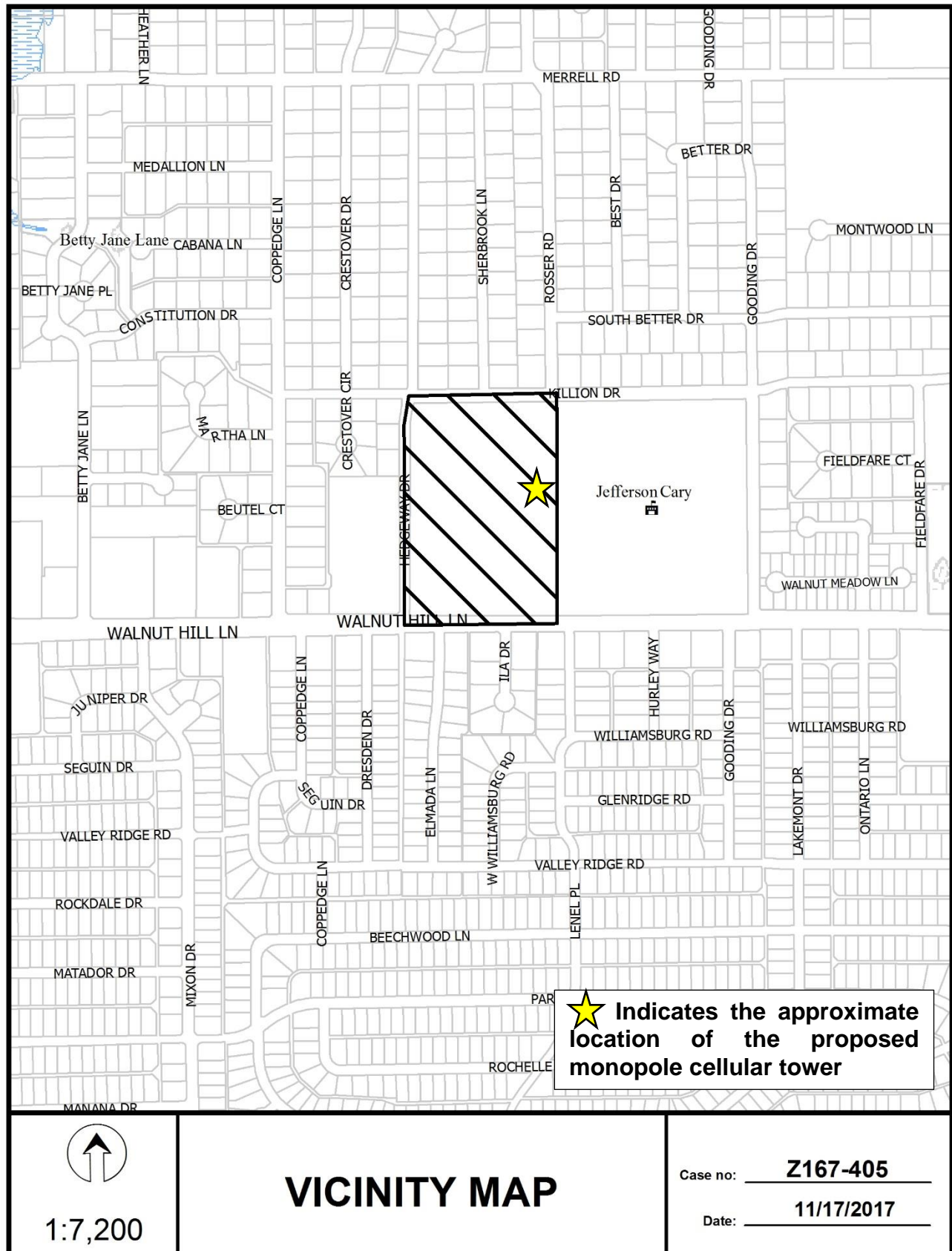
1 ENLARGED SITE PLAN
SCALE: 1" = 60'-0"

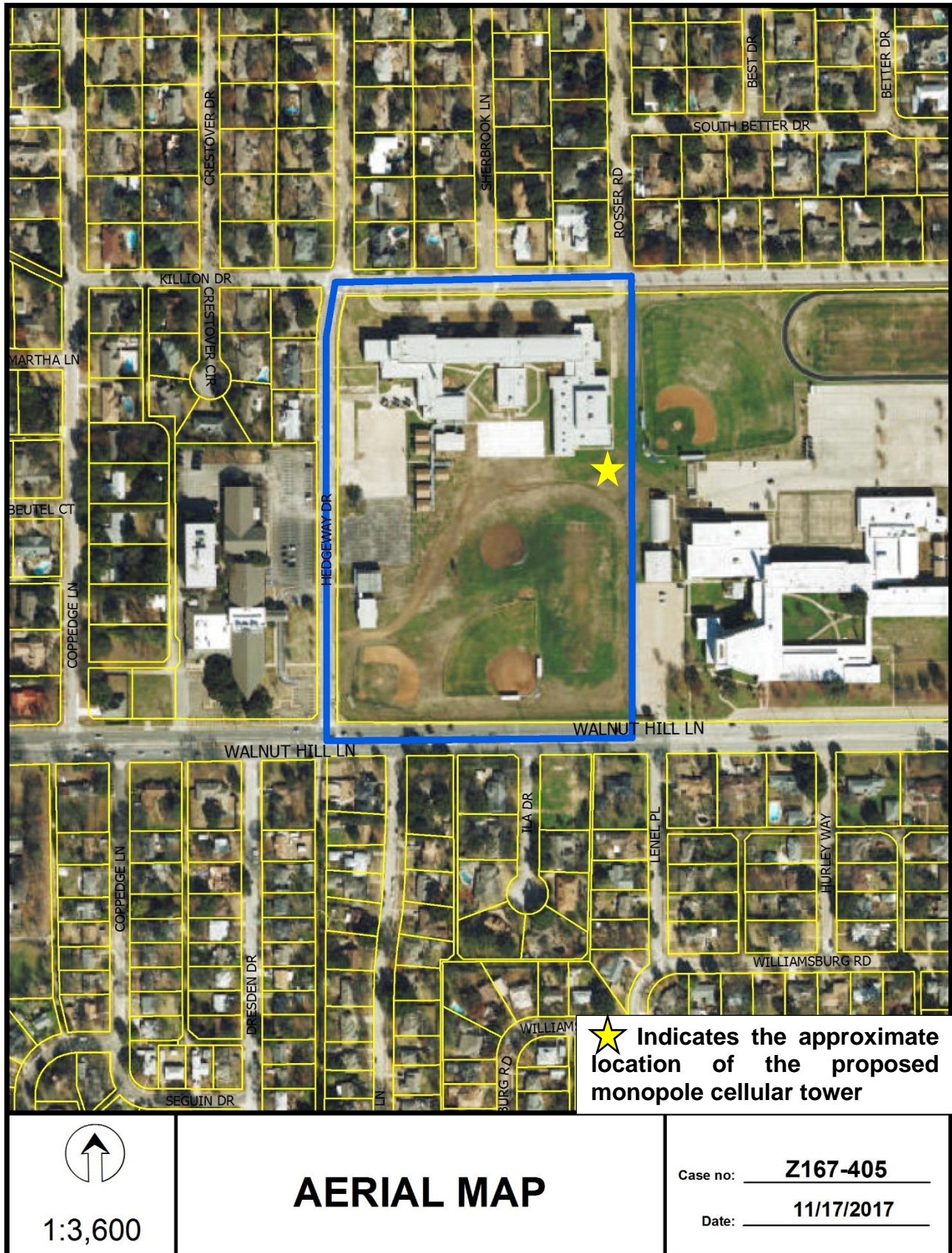


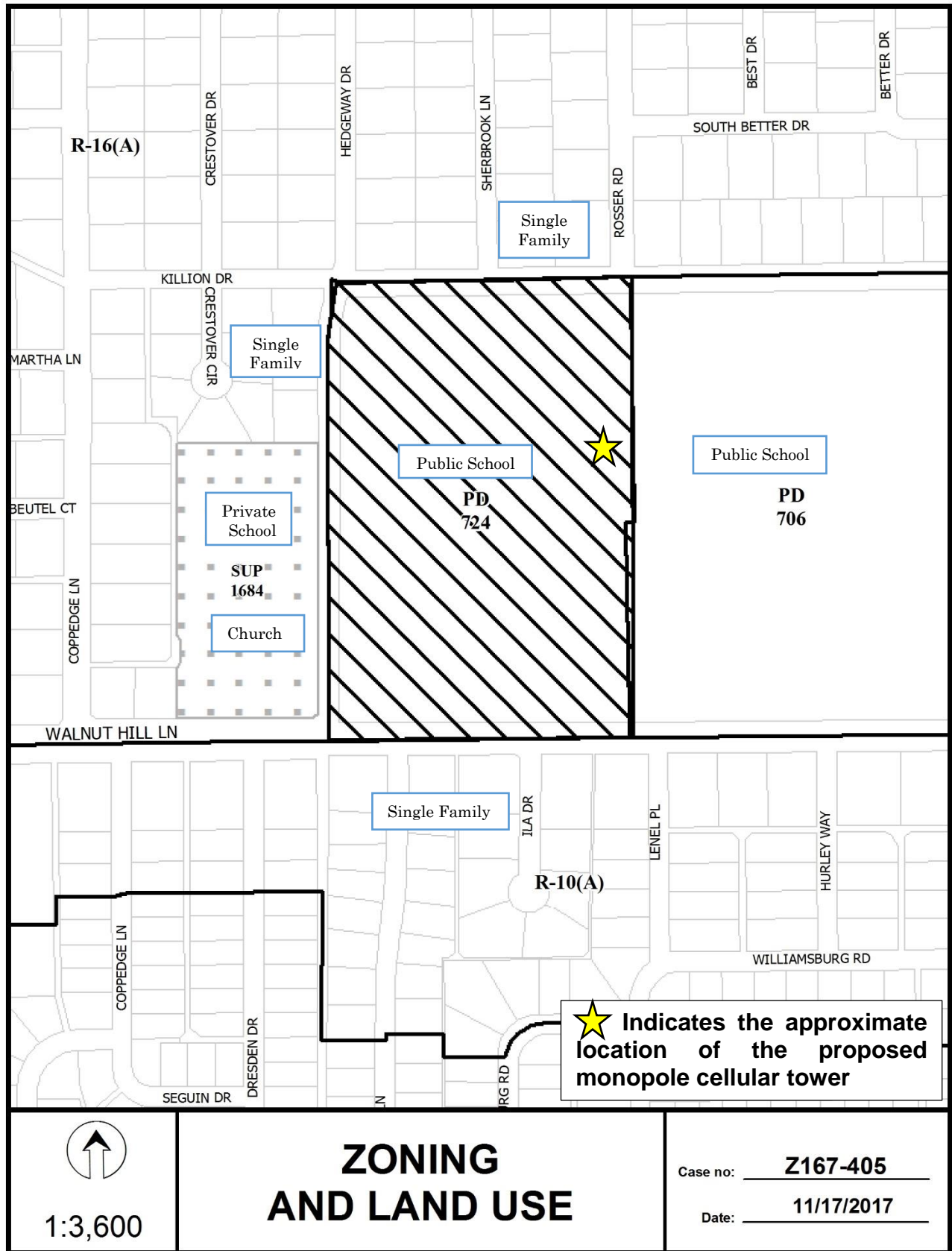
ENLARGED ELEVATION DETAIL

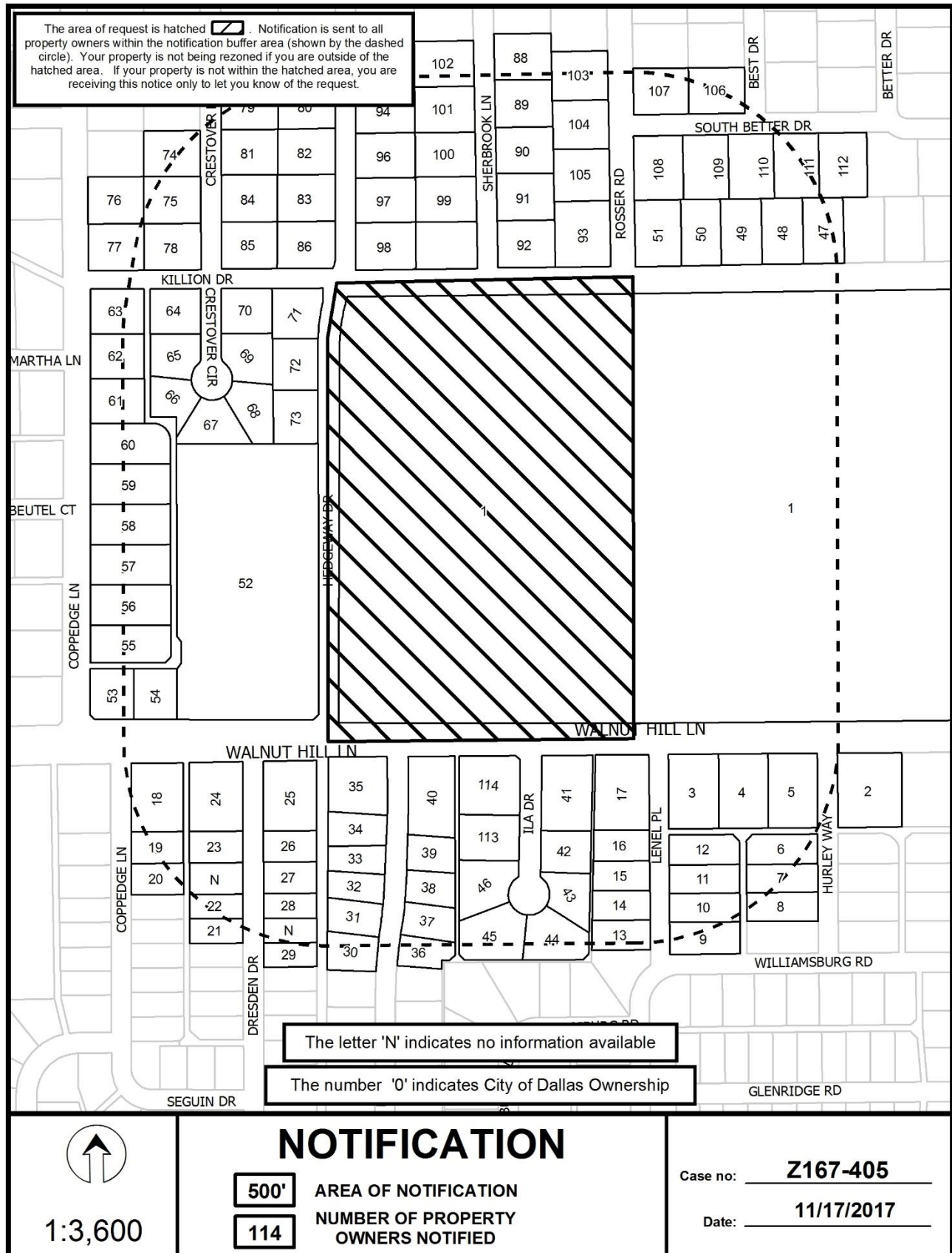


SCALE: 1" = 10 FT.









11/17/2017

Notification List of Property Owners***Z167-405******114 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3978 KILLION DR	Dallas ISD
2	4042 WALNUT HILL LN	RAVE ROBERT C JR
3	4006 WALNUT HILL LN	BOUMAN GUIDO
4	4016 WALNUT HILL LN	GUERRERO ANTONIA
5	4026 WALNUT HILL LN	JOHNSON WILLIAM E
6	9923 HURLEY WAY	DOWD RONALD R
7	9915 HURLEY WAY	SYLVESTER A H
8	9911 HURLEY WAY	GALLAGHER WILLIAM A
9	9918 LENEL PL	IMPASTATO SALVADOR & LORI
10	9922 LENEL PL	GONDOLF ELINORE C
11	9926 LENEL PL	CARPENTER BLAIR W &
12	9934 LENEL PL	VASQUEZ MARTHA DORA
13	9917 LENEL PL	WEST SHARON VIRGINIA
14	9923 LENEL PL	SALEWSKE RICHARD A &
15	9927 LENEL PL	S D HOME DESIGN LLC SERIES B
16	9935 LENEL PL	SMITH MERIT L
17	3950 WALNUT HILL LN	PISKIOULIS LAMBRINI &
18	3860 WALNUT HILL LN	WORTHAM JAY GREGG
19	9972 COPPEDGE LN	JOHNSON STEPHEN A
20	9966 COPPEDGE LN	SOTELO DAVID A
21	9957 DRESDEN DR	BUCCINO MARGUERITE L
22	9961 DRESDEN DR	LUBY JOHN
23	9973 DRESDEN DR	MORRIS SUSAN CARNEY
24	3880 WALNUT HILL LN	GADDIS WILLIAM M &
25	3888 WALNUT HILL LN	DAVISSON LISA
26	9972 DRESDEN DR	MCALISTER MICHAEL W &

11/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	9966 DRESDEN DR	WILLIAMS DAVID K
28	9960 DRESDEN DR	CROW JERRY C
29	9950 DRESDEN DR	STRAH STEFANY
30	9947 ELMADA LN	RICE MELISSA
31	9955 ELMADA LN	TOMLINSON STEVEN MICHAEL
32	9961 ELMADA LN	NTX HOLDINGS LLC SERIES 15
33	9965 ELMADA LN	GANNON CECELIA M
34	9971 ELMADA LN	EVANS DONALD R & BETH L
35	3908 WALNUT HILL LN	FRAIDE OMAR & MAYRA
36	9946 ELMADA LN	CROSSLAND MICHAEL E &
37	9954 ELMADA LN	PEDERSON HANNAH C & TONY W
38	9962 ELMADA LN	LANDRY TREVOR L
39	9968 ELMADA LN	WIJEWEERA MAUREEN
40	3930 WALNUT HILL LN	SMIRNIS STEFANOS & BEVERLY
41	3948 WALNUT HILL LN	PHAM KHANH &
42	9918 ILA DR	MCQUAIDE JOSEPH J
43	9910 ILA DR	EQUITY VENTURE GROUP LLC
44	9904 ILA DR	BARRONTON ALLEN EDWARD
45	9903 ILA DR	QUINTANILLA MARIO & LISA
46	9911 ILA DR	TURNAGE THOMAS A &
47	4033 KILLION DR	ICE COLLIN L & RICHARD B CASS
48	4027 KILLION DR	BRYANT DAVID H
49	4021 KILLION DR	ARROYO NELSON W &
50	4015 KILLION DR	BEVILL BRAD W
51	4007 KILLION DR	MCDERMOTT HELEN Z
52	3877 WALNUT HILL LN	FIRST BAPTIST CHURCH OF HIGHLAND VLG DBA
53	10010 COPPEDGE LN	NAVARRO JOEL
54	3863 WALNUT HILL LN	RODRIGUEZ GERARDO &
55	10018 COPPEDGE LN	LELAND AND LISA MORRIS LLC
56	10026 COPPEDGE LN	BAGGETT JEFFREY SHANE & LAURA
57	10034 COPPEDGE LN	GEFT IRVING I

11/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	10042 COPPEDGE LN	PRASIL FRANCES
59	10050 COPPEDGE LN	BESGROVE JAMES E
60	10058 COPPEDGE LN	METZGER MICHAEL D &
61	10066 COPPEDGE LN	LEPORIS JENNIFER
62	10106 COPPEDGE LN	KEENAN DANIEL
63	10112 COPPEDGE LN	WEAVERSANCHIZ PENNY B &
64	10119 CRESTOVER CIR	SOWANICK SCOTT &
65	10111 CRESTOVER CIR	KOCH ANTHONY B & NATALIE K
66	10107 CRESTOVER CIR	HORN CLAIRE A
67	10103 CRESTOVER CIR	BROPHY MADELINE GENE
68	10106 CRESTOVER CIR	HAMILTON JORDAN & RACHEL
69	10110 CRESTOVER CIR	LANGFORD MOLLY M
70	10118 CRESTOVER CIR	HERNANDEZ JOLANDA
71	10121 HEDGEWAY DR	MANRIQUEZ ILDA TOZZI
72	10115 HEDGEWAY DR	MUNIZ ELISA M & RICHARD BREEDWELL
73	10105 HEDGEWAY DR	PEARSON LOUANN
74	10149 CRESTOVER DR	DOVE BRENDAN & BRITTNY
75	10135 CRESTOVER DR	GUNN TOMAS S &
76	10128 COPPEDGE LN	INSAUSTEGUI JULIETTE
77	10120 COPPEDGE LN	MCGINN LENA & TIMOTHY
78	10127 CRESTOVER DR	WARD MICHAEL GRANT &
79	10148 CRESTOVER DR	KENNEDY JAMES W
80	10149 HEDGEWAY DR	KREPPER SUZANNE
81	10142 CRESTOVER DR	BROWN JENNIFER MARIE &
82	10143 HEDGEWAY DR	STIEHLER PAMELA M
83	10135 HEDGEWAY DR	ROGERS PATRICK & LENE
84	10134 CRESTOVER DR	SALE LEE OLIA RODGERS &
85	10126 CRESTOVER DR	REID KRISTY
86	10127 HEDGEWAY DR	SUTANTO HARTO &
87	10209 HEDGEWAY DR	CLEMENS JAMES A
88	10240 SHERBROOK LN	FOSTER MICHAEL G

11/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	10232 SHERBROOK LN	VALENTINO SCOTT A
90	10224 SHERBROOK LN	STRANGE WILLIAM B IV &
91	10216 SHERBROOK LN	CAIN JAMES WRIGHT &
92	10206 SHERBROOK LN	COATES GARRET J & JESSICA L
93	10141 ROSSER RD	NGHIEM QUANG NGO FAMILY TRUST
94	10148 HEDGEWAY DR	COCKRELL NANCY C
95	10208 HEDGEWAY DR	MAYFIELD KATHERINE & PAUL
96	10142 HEDGEWAY DR	HUTCHESON JON L
97	10134 HEDGEWAY DR	SHADDAY KYLE N & SHANNON
98	10126 HEDGEWAY DR	DAY STEPHEN C & KATIE
99	10217 SHERBROOK LN	RAVE DENA S
100	10225 SHERBROOK LN	DAVIS SHANNON L
101	10233 SHERBROOK LN	LI CHUN DER LEU
102	10241 SHERBROOK LN	BECKER MARK J & MARLYN J
103	10219 ROSSER RD	OLENICZAK JASON M &
104	10209 ROSSER RD	EMANUEL BRANDON NICHOLAS
105	10151 ROSSER RD	FELCH ALAN R
106	10207 BEST DR	RABUSE KEITH RICHARD &
107	10212 ROSSER RD	TOMPKINS TOMMY LEE
108	3950 S BETTER DR	FECK DAVID & KIM
109	3958 S BETTER DR	CHAPUIS MATT L &
110	3966 S BETTER DR	BANNA RAMZI N & ERIN MICHELLE
111	3974 S BETTER DR	PECK RICHARD M & GAIL M
112	3982 S BETTER DR	BLAKELEY STACY L
113	9919 ILA DR	ARCUCCI DIDIER
114	9929 ILA DR	SHILLING RALPH F JR &

CITY PLAN COMMISSION

THURSDAY, DECEMBER 14, 2017

Staff: Phil Erwin and Donna Moorman

FILE NUMBER: DCA 145-002

DATE INITIATED: February 5, 2015

TOPIC: Article X - Landscape and Tree Preservation Regulations

CITY COUNCIL DISTRICTS: All

CENSUS TRACTS: All

PROPOSAL: Consideration of amending Chapter 51A of the Dallas Development Code, Article X Landscape and Tree Preservation regulations.

SUMMARY: The integration of all the elements in this one comprehensive ordinance will provide for fewer development obstacles, more adaptability, sustainability, and policies grounded in a firmer foundation based on arboricultural and forestry sciences, while outlining a path in which to take strides toward the sustainable progress of establishing the urban forest canopy goals for the City of Dallas for the generations to come.

ZOAC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval of Staff recommendation.

BACKGROUND

- On March 1, 1986 the LANDSCAPE zoning ordinance originated under Chapter 51.
- On April 25, 1990, the City Council passed a resolution “to support the protection and preservation of trees across the city”.
- On May 25, 1994, the LANDSCAPE ordinance was amended to Chapter 51A along with a new TREE PRESERVATION ordinance.
- In 2003 amendments were made to:
 - Definitions
 - Shared Access Development regulations
 - Enforcement methods
 - Tree mitigation procedures
 - Construction site tree protection
- In 2005, the Urban Forest Advisory Committee (UFAC) was formed by the City Council. Its purpose is to serve in an advisory capacity on matters of environmental stewardship, specifically concerning the care and planting of trees and the urban forest by advocating sound arboricultural and urban forest management practices.
- In September 2007, UFAC began to address revising the tree division of Article X.
- In 2009, UFAC collaborated with the Green Building Task Force to include development community input, concluding in 2010 with conceptual changes, agreed upon by development advocates and UFAC, which established a sustainability matrix to reward developers for best practices.
- In 2010 and 2011, UFAC presented recommendations to the City Council Quality of Life Committee.
- February 5, 2015, the Zoning Ordinance Advisory Committee (ZOAC) began the process of amending Article X meeting 40 times over the next two years. Each of those meetings focused on education, public input, discussion, and evaluation of options and proposals.
- February 16, 2017, the Zoning Ordinance Advisory Committee moved the proposed amendments to City Plan Commission.
- Four City Plan Commission (CPC) Workshops were held between July 13, 2017 and October 26, 2017. At each of these workshops CPC was briefed in detail on the proposed amendments followed by extensive discussion, and questions and answers with staff.

GENERAL INFO/STAFF ANALYSIS:

- The purpose established in this ordinance was affirmed and advanced through the environmental policies and vision represented in the Environment Element of *forwardDallas*. It is here the essential primary functions of trees in the urban forest, as the protector of our air, water, soil, wildlife habitat, and livable neighborhoods, were reinforced with the direction to develop regulatory tools to preserve the tree canopy.

forwardDallas! Comprehensive Plan

- Core Value: Healthy Environment
- Ideal: The city's natural resources are conserved and protected for current and future generations.
- Goals:
 - 6.1 Protect Dallas water quality and watersheds
 - 6.2 Preserve and increase tree canopy
 - 6.3 Improve energy efficiency and air quality
 - 6.4 Identify, protect and restore open space
 - 6.5 Provide access to parks, open spaces and recreational opportunities
- City policies and ordinances over the past 10 years have been directed towards sustainable development.
 - 'Water-wise' Landscaping-Water Conservation Strategic Plan by Dallas Water Utilities
 - Green Building ordinance
 - Irrigation ordinance
 - iSWM criteria manual for construction
 - Complete Streets
- Local Studies
 - HARC Heat Island Study – 2009
 - Urban Heat Island Factoring Public Health - shows the effect of heat island abatement to public health factors
 - Texas Trees Foundation 'State of the Urban Forest' comprehensive study in 2014.
 - 14.7 million trees valued at \$9 billion.
 - The city's average tree canopy (including the Great Trinity Forest) is 28.7%.
 - Review of UFAC's recommendations and proposed amendments
- New research and technology
 - Advances in scientific research in the relationship of trees to the public health and quality of life.
 - Research in healthy tree growth requirements and their soil volume demands
 - Technology advances to allow for tree root growth in high density pedestrian environments
 - structural soils

- suspended pavement systems

Viable solutions were sought for various regulations which are typically resolved through the Board of Adjustment; from physical landscape conflicts with trees and utilities, to the limited time required to complete tree mitigation on projects, or even the inability to comply with a single design standard.

Since February of 2015, the members of the Zoning Ordinance Advisory Committee, the city staff, and independent supporters comprised of professional designers, citizens, development industry representatives, and urban forest advocacy groups, have worked together to help find these suitable solutions, by reviewing numerous municipal standards and other various concepts from across the country, to form reasonable regulations to function within the integration of the three amended ordinance divisions: General, Landscape, and Urban Forest Conservation.

These amendments were introduced to provide:

- a supplemental landscape and tree guide to convey urban forest education for developer and homeowner tree management, and to clarify and improve the efficacy of the zoning regulation and its enforcement;
- updated tree establishment and preservation regulations to ensure the use of current professional and scientific standards and best practices for healthy tree growth and maintenance to pursue the established goal of tree longevity;
- greater landscape adaptability, with more practicable and flexible landscape mandatory requirements and landscape design options which are balanced to the size and scale of the development;
- additional and reasonable means of tree replacement, including methods to significantly credit the owner to physically offset their mitigation obligation on their property into a positive return for sustainable development and urban forest conservation which serves both the property and the community.

The proposed Article X landscape and urban forest conservation amendments attempt to introduce improved regulations to provide balance with amended and clarified regulations. The comprehensive ordinance is intended to promote a more adaptive and practicable ordinance for the community, developers, and administrative officials, by providing clear, uniform, and logical standards applied to:

- Determine standard tree planting distances and space requirements to minimize utility conflicts.
- Apply realistic and sustainable tree soil area and soil volume requirements to minimum reasonable standards for establishing large trees toward maturity where applicable. Apply the right tree, in the right place, and in the right environment.
- Enhance parking lot requirements, by lot size, with options for expanding tree canopy coverage.
- Amend mandatory requirements, and increase the number of available design standard options, to allow greater flexibility of application in site design, and to be scaled to the size and use of the property.

- Introduce a landscape and tree manual, with an approved tree list, which is amendable and will provide education and guidance in best practices for planning, establishing, and maintaining trees for both homeowners and developers, and to help sustain the community urban forest.
- Provide options for the replacement of trees, increased to provide more opportunities for developers to place tree mitigation as investments into their developments by using the tree canopy coverage as a goal, and that encourages development away from more sensitive and wooded land areas.
- Establish 'legacy' landscape trees to be planted within enhanced soil environments which provide credits toward mitigating for large scale tree removal, wherein the owner and the city attest by action, to the risk, landscape area, and maintenance demands, on the owner of the legacy tree.
- Maintain the relief for homeowners who manage their established trees in their communities at a cost, and with the privilege, while providing limited incentives and mitigation relief for home builders who administer their building sites under permits and improved tree protection efforts.

PROPOSED KEY AMENDMENTS

Article X is comprised of three Divisions:

- 10.100 In General
- 10.120 Landscaping
- 10.130 Urban Forest Conservation ~~Tree preservation, Removal, and Replacement~~

10.100 General

- This division supports the concepts and regulations put forward in the other two divisions.
- References the Landscape and Urban Forest Manual which is under development and will be a support document to Article X; providing direction, technical information, and educational tools for site design and implementation.
- Improved soil and planting area requirements and tree location requirements for the establishment, maintenance and successful growth of shade trees to reach their potential at maturity
- Improved irrigation requirements

10.120 Landscaping

- Landscape requirements based on zones of the site, allowing for flexibility and adaptability in site design, to accommodate different property sizes and scale of development.
 - Street buffer zone
 - Residential buffer zone
 - Interior zone

- Developed design options implementing a simple point system which provides greater flexibility and options to meet the master design for a development.
- Planting requirements to provide tree canopy coverage in parking lots.

10.130 Urban Forest Conservation ~~Tree Preservation, Removal, and Replacement.~~

- Amending the title to “Urban Forest Conservation” because this division addresses the urban forest as a whole rather than focusing exclusively on individual trees. It is a conservation ordinance, promoting and incentivizing the sustainable use and management of natural resources, like trees, to prevent exploitation, destruction, or neglect and ensuring that they are not consumed faster than they are replaced.
- Developed the Forest Stand Delineation (FSD) as a comprehensive tree survey to determine tree canopy coverage as an option to current standard tree survey and may be used when determining credit for trees that are being preserved on the site.
- Modified the Protected and Unprotected Tree list based on the importance of the tree to the health and vitality of the Dallas Urban Forest and the classification of Protected Trees.
 - Historic Trees: 3:1 (300%) (volunteered by deed restrictions)
 - Significant: 1.5:1 (150%) (rated for significant size or species that cannot be readily replaced)
 - Post Oaks 12” or greater; American elm, cedar elm, chittamwood, common persimmon, eastern red cedar, green ash, all other oaks, pecan, all walnut species, and white ash at 24” or greater
 - Class 1 trees 1:1 (100%) (rated for location in sensitive land area)
 - Tree located in a primary natural area or geologically similar area to 50’ above the escarpment zone
 - Class 2 trees 0.7:1 (70%) (rated for the benefits provided in the urban environment)
 - Tree that is not otherwise classified
 - Class 3 trees 0.4:1 (40%) (rated for general condition and growth habits)
 - Arizona ash, black willow, cottonwood, hackberry, honey locust, mesquite, mimosa, mulberry, ornamentals, pinus spp., Siberian elm, silver maple, sugarberry or a small tree
- Additional options for attaining tree credits towards mitigation, in addition to the four current options (donate to a city park, plant on other property within 5 miles, conservation easement, payment into Reforestation Fund), to incentivize sustainable development practices and reinvestment on site:
 - Legacy Tree planting
 - Habitat Preservation and Restoration
 - Sustainable Development Incentive process
 - Single family tree canopy cover retention
 - Tree canopy cover assessments for recreational and institutional uses on large sites
 - Transplanted tree credit
 - Old-field canopy cover assessment credit
 - Development Impact Area Waiver (Build area exemption)

- Improved timing requirements for meeting mitigation compliance to coincide with the completion of the development.
- Use of Forest Stand Delineation (FSD) to identify and enforce on illegal tree removal without permit or physical evidence of the removed trees by use of aerial imagery and other resources.

Zoning Ordinance Advisory Committee (ZOAC) Action February 16, 2017
--

Motion: To approve the compromise proposal presented by Bob Stimson and Steve Houser and move the proposed Article X ordinance, in its entirety, to City Plan Commission.

Motion: Murphy
2nd: Gomez

Result: Passed: 7-0
For: Shidid, Murphy, Benedict, Hartmann, Brown, Gomez, and Houston
Against: None
Absent: None

PROPOSED DRAFT AMENDMENTS

12-6-17

**ARTICLE X.
LANDSCAPE AND TREE CONSERVATION [~~PRESERVATION~~] REGULATIONS.**

Division 51A-10.100. In General.

SEC. 51A-10.101. DEFINITIONS.

In this article:

(1) AGE CLASS means a distinct group of trees originating from a single natural event or regeneration activity i.e., a 10-year age class, as used in inventory management.

(2) ANSI A300 means the American National Standard for Tree Care Operations, including all parts, as amended.

(3) APPROVED TREE LIST means a list of trees approved as replacement and landscape trees determined and maintained by the director.

(4) ARTIFICIAL LOT means an area within the building site that is delineated by the building official or the director of park and recreation for the sole purpose of satisfying the requirements of this article (see Section 51A-10.122).

(5) BOUNDARY TREE means a tree growing on a property boundary line between two private lots resulting in joint ownership by the adjacent property owners when the trunk exists on each property, or a tree that has 20 percent or more of its tree canopy cover extending over the property boundary and into an adjacent building site.

(6) BROWNFIELD means a building site, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

(7[2]) CALIPER means:

(A) for field grown stock, the measurement of a tree taken six inches above ground level;

(B) for container grown stock, the measurement of a tree taken six inches above soil level; which should be at or near the top of the root flare, and six inches above the root flare for bare root plants, up to and including the four-inch caliper size interval (i.e., from four inches up to, but not including, four and one-half inches);

(C) if the caliper measured at six inches is four and one-half inches or more, the caliper must be measured at 12 inches above the ground level, soil line, or root flare, as appropriate; and

(D) for trees with multiple stems, it is one-half of the combined caliper of the three largest trunks. [for a single stem tree, the diameter of the trunk measured 12 inches above the ground for a tree having a diameter up to and including eight inches, and measured at four and one-half feet above the ground for a tree having a diameter of more than eight inches.

~~(B) for multi-stem trees, the diameter of the trunk measured at the narrowest point below branching when branching occurs higher than 12 inches above the ground. When branching occurs at or lower than 12 inches above the ground, caliper means the diameter of the largest stem plus the average diameter of the remaining stems, measured at four and one-half feet above the ground.]~~

(8[3]) CANOPY TREE means a species of tree that normally bears crown foliage no lower than six feet above ground level upon maturity.

(9) CLASS 1 TREE means a tree located in a primary natural area or geologically similar area measured to fifty feet above the escarpment zone.

(10) CLASS 2 TREE means a tree that is not otherwise classified.

(11) CLASS 3 TREE means Arizona ash, black willow, cottonwood, hackberry, honeylocust, mesquite, mimosa, mulberry, ornamentals, *pinus spp.*, Siberian elm, silver maple, sugarberry, or a small tree.

(12[4]) CLEARING means any activity that removes or seriously injures one or more trees or the vegetative ground cover of one or more trees, such as root mat removal or topsoil removal.

(13) COVERED SOIL AREA means an area of soil that is under nonpermeable pavement and is designed to accommodate tree root growth.

(14[5]) CRITICAL ROOT ZONE means the circular area of ground surrounding a tree extending a distance of one foot per diameter ~~[caliper]~~ inch of the tree, measured from the tree trunk or stem.

(15) DEVELOPMENT IMPACT AREA means the area of land or vegetation alteration within a property including, but not limited to, clearing, grading, excavating, filling, and any construction site operations, paving, or any other installation.

(16) DIAMETER means:

(A) the measure of a tree trunk measured at a height of four and one-half feet above the ground (diameter at breast height ["DBH"]), measured at the uphill side of the tree

or as recommended in the Landscape and Tree Manual for special situations for tree fork, lean, or on slopes;

(B) for trees with multiple stems, the diameter of the trunk measured at the narrowest point below branching when branching occurs below DBH, or near DBH; and

(C) when branching occurs at or lower than 12 inches above the ground, diameter means the diameter of the largest stem plus the average diameter of the remaining stems, measured at DBH.

(17) DRIP LINE means a vertical line that runs from the outermost point of the crown of a tree to the ground.

(18[6]) ENHANCED PAVEMENT means any permeable or nonpermeable decorative pavement material intended for pedestrian or vehicular use approved by the director. Examples of enhanced pavement include, but are not limited to, brick or stone pavers, grass paver, exposed aggregate concrete, and stamped and stained concrete.

(19[7]) EVERGREEN TREE OR SHRUB means a tree or shrub of a species that normally retains its leaves throughout the year.

(20) FACADE PLANTING AREA means the portion of a lot abutting an active storefront or an office or mixed use building front.

(21[8]) FLOOD PLAIN means any land area susceptible to inundation by the hundred-year frequency flood.

(22) FOREST STAND DELINEATION (“FSD”) means a comprehensive assessment of the conditions of a property using multiple types of information, including, but not limited to, a tree survey, aerial imagery collected from private or public sources, natural resources assessments, topographic maps, management plans, a map of conservation areas, land use maps, etc., to provide the required data to determine tree replacement requirements and forest conservation objectives.

(23[9]) GRADING means any digging, scooping, removing, depositing or stockpiling, of earth materials.

(24) GREEN INFRASTRUCTURE means the ecological framework of trees and vegetation used in conjunction with engineered systems for the effective and resilient processes of stormwater management, climate adaptation, urban heat abatement, biodiversity, improved air quality, clean water, and healthy soils, for sustainable social, health, and economic benefits of the urban community.

(25[10]) GROUND COVER means natural mulch, or plants of species that normally reach a height of less than three feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.

(26) HABITAT PRESERVATION AND RESTORATION AREA means a designated area on a landscape plan dedicated to the restoration and preservation of an undeveloped site either through active or passive management practices.

(27) HISTORIC TREE means a tree, or grove of trees, that has been recognized by resolution of the city council as having cultural or historical significance.

(28[41])HUNDRED-YEAR FREQUENCY FLOOD means the flood having a one percent chance of being equalled or exceeded in any given year. This flood is based upon the drainage area being fully developed to current zoning limitations.

(29) INTERIOR ZONE means the area of a lot not included in a street buffer zone or a residential buffer zone.

(30) INVASIVE PLANT means a plant that has been classified as invasive to the Dallas region by Texas Parks and Wildlife or the Texas Department of Agriculture.

(31[42])LANDSCAPE ARCHITECT means a person licensed to use the title of "landscape architect" in the State of Texas in accordance with state law.

(32[43])LANDSCAPE AREA means an open soil area covered by natural grass, ground cover, stone aggregate or river rock, or other plant materials for the purpose of landscaping or the growth and establishment of trees and other vegetation ~~[an area at least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials (excluding screening)]~~.

(33[44])LANDSCAPE BUFFER STRIP means a landscape area that serves a buffer function.

(34[45])LARGE SHRUB means a shrub that normally reaches a height of six feet or more upon maturity.

(35[46])LARGE TREE means a tree ~~[of a]~~ species that typically attains ~~[normally reaches]~~ a height and width of at least 50 ~~[30]~~ feet at ~~[or more upon]~~ maturity, or as classified by the director.

(36) (36) LEGACY TREE means a large or medium tree planted in a landscape area in accordance with Section 51A-10.104 and Section 51A-10.135.

(37[47])LOT means:

- (A) a "lot" as defined in Section 51A-2.102; and
- (B) an "artificial lot" as defined in this section.

(38[48]) LOT WITH RESIDENTIAL ADJACENCY means any of the following:

(A) A building site containing a multifamily use that is adjacent to or directly across:

- (i) a street 64 feet or less in width; or
- (ii) an alley;

from private property in a single family, duplex, townhouse, [Ø] CH [~~district~~], RTN district, or a residential planned development district.

(B) A building site containing a nonresidential use that is adjacent to or directly across:

- (i) a street 64 feet or less in width; or
- (ii) an alley;

from private property in an agricultural, single family, duplex, townhouse, CH, multifamily, [Ø] manufactured housing [~~district~~], RTN district, or a residential planned development district.

(C) An artificial lot containing a multifamily use if the lot is less than 200 feet from private property in a single family, duplex, townhouse, [Ø] CH [~~zoning district~~], RTN district, or a residential planned development district.

(D) An artificial lot containing a nonresidential use if the lot is less than 200 feet from private property in an agricultural, single family, duplex, townhouse, CH, multifamily, or manufactured housing [~~zoning district~~], RTN district, or a residential planned development district .

(39) MEDIUM TREE means a tree which may typically attain a canopy height of 30 feet or greater and between 15 feet and 50 feet in width at maturity, or as classified by the director.

(40[49]) NONPERMEABLE COVERAGE means coverage with any pavement that is not "permeable pavement" as defined in this section.

(41) NURSERY STOCK means a plant grown in or obtained from a nursery.

(42) OPEN SOIL AREA means an unpaved area of soil.

(43) PEDESTRIAN PATHWAY means an area intended for use by pedestrians or non-motorized vehicles that is physically or visually distinguishable from parking and driving surfaces by concrete curbs, wheel stops, or other permanent barriers, landscape barriers, or a change in surface materials such as pavers, patterned concrete, or flagstones.

~~(44[20])~~PERMEABLE PAVEMENT means paving systems, pavers, or other structural surfaces that allow stormwater infiltration and are approved by the director [a paving material that permits water penetration to a soil depth of 18 inches or more. Permeable pavement may consist of nonporous surface materials poured or laid in sections not exceeding one square foot in area and collectively comprising less than two thirds of the total surface area].

(45) PREVIOUSLY DEVELOPED SITE means a building site that has been substantially altered through paving, construction, or other activity that requires or required permitting or licensing through a regulatory agency.

(46) PRIMARY NATURAL AREA means an ecologically sensitive area including 100-year flood plain and riparian areas, wetlands or 50-foot wetland buffer, perennial and intermittent streams measured to 50 feet above top of bank, and the escarpment zone.

(47[24])PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include the following:

- (A) A private street or alley.
- (B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.
- (C) A railroad right-of-way.
- (D) A cemetery or mausoleum.

(48[22])PROTECTED TREE means:

(A) a tree of any species that has a minimum diameter of eight inches that is not classified as unprotected in this article;

(B) any tree in a stand which projects a tree canopy over a building site when identified within a forest stand delineation review; or

~~[that has a caliper of eight inches or more and is not one of the following trees:~~

- ~~(i) *Acer saccharinum* (Silver Maple).~~
- ~~(ii) *Ailanthus altissima* (Tree of Heaven).~~
- ~~(iii) *Albizzia julibrissen* (Mimosa or Silk tree).~~
- ~~(iv) *Celtis occidentalis/laevigata* (Hackberry or Sugarberry).~~

- (v) ~~*Fraxinus velutina* (Arizona Ash).~~
- (vi) ~~*Juniperus virginiana* (Eastern Red Cedar) [unless protected under subparagraph (B)].~~
- (vii) ~~*Maclura pomifera* [female only] (Bois d'Arc or Horseapple).~~
- (viii) ~~*Melia azedarach* (Chinaberry).~~
- (ix) ~~*Prosopis glandulosa* (Mesquite) [unless protected under subparagraph (B)].~~
- (x) ~~*Salix nigra* (Black Willow).~~
- (xi) ~~*Sabium sebiferum* (Chinese Tallow).~~
- (xii) ~~*Ulmus pumila* (Siberian Elm).~~

(B) ~~an Eastern Red Cedar (*Juniperus virginia*) or Mesquite (*Prosopis glandulosa*) tree that has a caliper of eight inches or more and the trunk is located:~~

~~(i) in, or within 120 feet of the boundary of: a floodplain [as defined in Article V]; a wetland area [as defined in federal environmental regulations]; or an escarpment zone [as defined in Article V]; or~~

~~(ii) within 50 feet of a natural channel setback line [as defined in Article V].~~

(C) ~~an Eastern Red Cedar (*Juniperus virginiana*) or Mesquite (*Prosopis glandulosa*) tree that has a caliper of at least 12 inches; or]~~

(C[~~D~~]) a tree that was planted as a replacement tree.

(49[23])REMOVE OR SERIOUSLY INJURE means an intentional or negligent action that will more likely than not cause a tree to decline and die within five years of the act. Actions that constitute removing or seriously injuring a tree include, but are not limited to: cutting down a tree; excessively pruning or topping a tree; compacting the soil above the root system of a tree; changing the natural grade above the root system of a tree; damaging the root system or the trunk of a tree (such as by operating machinery near, or by clearing or grading the area around, the trunk of a tree); failing to repair an injury to a tree from fire or other causes, which results in or permits tree infections or pest infestations into or on the tree; applying herbicidal or other lethal chemicals; and placing nonpermeable pavement over the root system of a tree.

(50[24])RESPONSIBLE PARTY means the property owner and any other person or entity responsible for removing or seriously injuring a protected tree.

(51[25])REPLACEMENT TREE means a tree that is planted in accordance with Section 51A-10.134.

(52) ROOT PATH means a path constructed using aeration or drainage strips providing roots a route under pavement from a tree to an adjacent landscape area.

(53[26])SCREENING means screening that complies with Section 51A-4.602, except as those regulations may be expressly modified in this article.

(54) SECONDARY NATURAL AREA means undisturbed areas on a building site other than primary natural areas.

(55) SIGNIFICANT TREE means a protected healthy tree whose age, size, unique type, or natural and historical character are of special importance to the city, and meets the following species and size requirements:

(A) Post oaks with a minimum diameter of 12 inches.

(B) Trees of the following species having a minimum 24-inch diameter: American elm, cedar elm, chittamwood, common persimmon, eastern red cedar, green ash, all other oaks, pecan, all walnut species, and white ash.

(56[27])SMALL TREE means a tree that typically attains a maximum height of 30 feet at maturity or is classified as a small tree by the director [~~of a species that normally reaches a height of less than 30 feet upon maturity~~].

(57[28])SOIL means a medium that plants will grow in.

(58) STAND means a group of trees or other growth occupying a specific area that is sufficiently similar in species composition, size, age, arrangement, and condition, to be distinguishable from adjacent forest.

(59) SUSTAINABLE DEVELOPMENT INCENTIVE (“SDI”) means a method of compliance that applies sustainable development, tree preservation practices, and tree mitigation reductions.

(60) TOPPING means the reduction of tree size using internodal cuts without regard to tree health or structural integrity. Topping is not an acceptable practice.

(61) TREE CANOPY COVER means the amount of ground area directly beneath a tree’s crown to the drip line or the combined crowns of a stand of trees, measured in square feet.

(62) TREE REMOVAL PROPERTY means the lot, parcel, right-of-way, or tract of land where a protected tree will be or has been removed or seriously injured.

(63[29])TREE SURVEY means a report that meets all of the requirements for a tree survey in Section 51A-10.132.

~~[(30) UNDERSTORY means a grouping of natural low-level woody, herbaceous plant species, or plants that normally reach a height of less than three feet upon maturity.]~~

(64) UNPROTECTED TREE means the following:

(A) Callery pear (all cultivars).

(B) Chinaberry.

(C) Chinese tallow.

(D) Ilex species (except for yaupon holly and Possumhaw holly.)

(E) Palm (all plants in *Palmae*).

(F) Tree-of-heaven or *Ailanthus*.

(G) Other trees listed as invasive plants.

(65) UNRESTRICTED ZONE means the area on a lot where tree mitigation is not required.

(A) For front and rear yards, the unrestricted zone does not include required setbacks or the area 15 feet from the property line, whichever is greater.

(B) For side yards, the unrestricted zone does not include required setbacks or the area five feet from the property line, whichever is greater.

(66) URBAN STREETSCAPE means the pedestrian-oriented street environment between the back of curb and building facade for frontages that have required front yards with a depth of 0 to 15 feet.

~~[(31) VISIBILITY TRIANGLE means the term "visibility triangle" as defined in Section 51A-4.602.]~~

(67[32])WATER COURSE means a natural or constructed channel for the flow of water.

SEC. 51A-10.102. PURPOSE.

The process of urban growth and development with its alteration of the natural topography, vegetation, and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the city can and should be protected through the conservation [~~preservation~~] and enhancement of the unique natural beauty, environment, and vegetative space in this area. Recognizing that the general objectives of this article are to promote and protect the health, safety, and welfare of the public, the city council further declares that this article is adopted for the following specific purposes:

(1) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, ground-water recharge, and storm water runoff retardation and filtration, while at the same time aiding in noise, glare, wind, and heat abatement.

(2) To provide visual buffering between land uses of differing character to alleviate the harshness of urban life.

(3) To enhance the beautification of the city.

(4) To safeguard and enhance property values and to protect public and private investment.

(5) To conserve energy.

(6) To provide habitat for wildlife.

(7) To encourage the preservation of large trees which, once removed, can be replaced only after generations.

(8) To conserve water.

(9) To recognize and conserve the urban forest as part of the city's green infrastructure.

SEC. 51A-10.103. ACCEPTABLE PLANT MATERIALS.

(a) No artificial plant materials, including synthetic turf, may be used to satisfy the requirements of this article.

(b) In satisfying the requirements of this article, the use of high-quality, hardy, and drought-tolerant plant materials is recommended and encouraged.

(c) For a lot or tract two acres in size or more, no one species of tree may constitute more than 35 percent of the replacement trees planted on the lot or tract.

(d) Palm trees may not be used to satisfy the requirements of this article.

(e) Invasive plant material is prohibited in required landscapes.

(f) A list of acceptable plant materials for required landscapes will be maintained by the director.

SEC. 51A-10.104. SOIL AND PLANTING AREA REQUIREMENTS.

(a) In general. Planting areas dedicated to the growth of roots may include open soil areas, covered soil areas, root paths, and drainage.

(b) Soil area requirements. Except as provided in this section, soil quality for all required landscape areas must meet the following conditions:

(1) Soil resource plan. A soil resource plan is required with the submission of a landscape plan or tree protection plan. A soil resource plan is used to distinguish soil zones for landscaping from zones for construction on the building site and to determine soil protection or soil modification for vegetation, if applicable. Zones that are required to be shown include:

(A) protected zones where existing soil and vegetation is not disturbed;

(B) zones for soil amendment or treatment with minimal disturbance;

(C) zones where construction traffic will be allowed; and

(D) zones for stockpiling topsoil and imported amendments.

(2) Soil resource assessment. A soil resource assessment is required in conjunction with sustainable development incentive requirements and legacy trees.

(A) A soil resource assessment must provide a complete soil profile analysis for planting conditions before submittal of building permit. A soil resource assessment may be included in other engineering site assessments for the property.

(B) A soil resource assessment must include the necessary information for all proposed landscape planting areas, to delineate, quantify, and characterize the topsoils and subsoils of a site prior to these materials being excavated for reuse on site.

(3) Additional minimum soil quality requirements.

(A) Soils used in landscape areas for tree planting must be shown in protected zones where existing soil and vegetation is not disturbed, or in zones modified to correct limiting factors for tree establishment and longevity.

(B) When a soil resource assessment is required, the ranges for physical, chemical, and biological indicators of soil quality for urban trees is determined from the *ISA Best Management Practices for Soil Management for Urban Trees*, or in another publication approved by the building official.

(c) Planting area requirements. Except as provided in this section, p[~~P~~]lanting areas [~~in general~~] must meet [have] the following requirements [soil depths and dimensions]:

(1) For each [~~large shrub or~~] small tree installation, a minimum of 24 inches of soil depth and 25 [46] square feet of open soil [surface] area (total of 50 [32] cubic feet).

(2) For each large or medium tree installation, a minimum of 36 inches of soil depth and 160 [25] square feet of open soil [surface] area (total of 480 [75] cubic feet).

(3) Except as provided in this subsection, trees may share open soil areas.

(4) Except as provided in this section, large trees and medium trees must be planted a minimum of four feet from pavement.

(5) The planting areas must have native soils, prepared soils, or structural soils, and may include permeable pavement, sidewalk support, and soil cells.

(6) Required areas for plant materials must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

(7) Planters may be used to satisfy the requirements of this article provided that the soil requirements in Section 51A-10.104 are met.

(d) Legacy tree soil and planting area requirements.

(1) Except as provided in this paragraph, large legacy trees must be planted in a minimum 500 square foot open soil area with a minimum soil depth of 36 inches (1500 cubic feet) per tree. For locations with shallow soils of less than 30 inches in average depth, the open soil area must be a minimum 750 square feet.

(2) Except as provided in this paragraph, medium legacy trees must be planted in a minimum 400 square foot open soil area with a minimum soil depth of 36 inches (1200 cubic feet) per tree. For locations with shallow soils of less than 30 inches in average depth, the open soil area must be a minimum 750 square feet.

(3) Legacy trees must be a minimum of 30 feet measured horizontally from the closest point of a building or other structure on the property.

(4) Legacy trees may not share required minimum open soil areas with large or medium trees.

(e[b]) Alternative planting area requirements. Planting areas located above underground buildings or structures or in an urban streetscape must have the following open soil area depths and dimensions:

(1) For each [~~large shrub or~~] small tree installation, a minimum of 30 inches of soil depth and 25 square feet of open soil [~~surface~~] area (total of 62.5 cubic feet).

(2) For each large or medium tree installation, a minimum of 36 [~~40~~] inches of soil depth and 25 [~~36~~] square feet of open soil [~~surface~~] area and a combination of open soil area, covered soil area, and root paths for a minimum of 240 cubic feet of soil volume. Trees planted in less than 480 cubic feet of soil volume do not count as replacement trees [~~(total of 120 cubic feet)~~].

(3) Trees may share open soil areas.

(4) Trees must be planted a minimum of two-and-one-half feet from pavement.

(f[e]) Waiver. The building official may waive the minimum open soil and planting area requirements if a landscape architect certifies that:

(1) the proposed alternative soil depths and dimensions are sufficient to support the healthy and vigorous growth of the plant materials affected;

(2) the depth to impermeable subsurface prohibits minimum soil depth requirements; or

(3) that the proposed structural soils or suspended paving system are sufficient to support the healthy and vigorous growth of the plant materials.

(g) Adequate space. All required trees must be planted in adequate space to allow unobstructed growth to maturity.

(h) Tree locations.

(1) In general. At the time of planting all required trees must be measured horizontally from the center of the trunk and be located:

(A) a minimum distance of two feet from side yard and rear yard property boundaries;

(B) a minimum distance of 20 feet from traffic signs;

- (C) a minimum distance of 20 feet from light poles;
- (D) a minimum distance of five feet from underground local utility lines;
- and
- (E) a minimum distance of five feet from fire hydrants, electrical transmission boxes, water meters, and other ground utility access.

(2) Distance from buildings:

- (A) for large trees a minimum distance of 15 feet from buildings;
- (B) for medium trees a minimum distance of 12 feet from buildings; and
- (C) for small trees a minimum distance of five feet from buildings;

(3) Distance from large trees:

- (A) for large trees a minimum distance of 25 feet from large trees;
- (B) for medium trees a minimum distance of 20 feet from large trees; and
- (C) for small trees a minimum distance of 10 feet from large trees;

(4) Distance from medium trees:

- (A) for large trees a minimum distance of 20 feet from medium trees;
- (B) for medium trees a minimum distance of 20 feet from medium trees;
- and
- (C) for small trees a minimum distance of 10 feet from medium trees;

(5) Distance from small trees: except as provided in this paragraph, a minimum distance of 10 feet from small trees.

(6) Distance from overhead electric lines.

(1) Legacy trees must be planted a minimum of 30 feet from the closest point of an overhead electric line.

(2) Large trees must be planted a minimum of 20 feet from the closest point of an overhead electric line.

(3) Medium trees must be planted a minimum of 15 feet from the closest point of an overhead electric line.

SEC. 51A-10.105. RESERVED~~[PROTECTION OF PLANTING AREAS]~~.

~~[Required areas for plant materials must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.]~~

SEC. 51A-10.106. IRRIGATION REQUIREMENTS.

(a) In general.

(1) Except as provided in this section, automatic irrigation systems must be installed as part of new required landscaping for commercial and multifamily uses with combined landscape areas of 500 square feet or more.

(2) The automatic irrigation system must be:

(A) shown on a landscape plan or irrigation plan; and

(B) adequate to maintain the plant materials in a healthy, growing condition at all times.

(b) Renovations and additions. For properties on building sites or artificial lots less than two acres, with permits for renovations or additions that require landscaping all required plant materials must be a maximum of 100 feet from an irrigation source with a permanently installed threaded hose connection. ~~[All plant materials used as screening under this article must be irrigated by an automatic irrigation system installed to comply with industry standards. Other plant materials used to comply with this article must be located within 100 feet of a verifiable water supply.]~~ Proposed watering methods (irrigation or otherwise) must be:

(1[a]) shown ~~[indicated]~~ on the landscape plan, if any; and

(2[b]) capable of maintaining ~~[adequate to maintain]~~ the plant materials in a healthy, growing condition at all times.

(c) Alternate irrigation. The building official may authorize an alternate method of irrigation for required landscape areas if the alternate irrigation method is:

(1) certified by a landscape architect or licensed irrigator;

(2) shown on a stamped landscape plan or irrigation plan; and

(3) capable of maintaining the plant materials in a healthy, growing condition at all times.

SEC. 51A-10.107. RESERVED~~[PLANTERS ALLOWED]~~.

~~[Planters may be used to satisfy the requirements of this article provided that the soil requirements in Section 51A-10.104 are met.]~~

SEC. 51A-10.108. GENERAL MAINTENANCE.

(a) Required plant materials must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with this article and the approved landscape plan, if any, within 90 days after notification by the city.

(b) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required plant materials in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the plant materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

SEC. 51A-10.109. LANDSCAPE AND TREE MANUAL.

A landscape and tree manual is provided as a technical guide for conserving, protecting, maintaining, and establishing the green infrastructure, landscape, and urban forest of the City.

~~[References to this section, or paragraphs or subsections of this section, now refer to Section 51A-10.135, or corresponding paragraphs or subsections of Section 51A-10.135.]~~

SEC. 51A-10.110. SPECIAL EXCEPTIONS.

(a) In general.

(1[a]) The board may grant a special exception to the requirements of Division 51A-10.100 and Division 51A-10.120, other than fee and notice requirements, [this article] upon making a special finding from the evidence presented that:

(A[+]) strict compliance with the requirements of this article will unreasonably burden the use of the property;

(B[2]) the special exception will not adversely affect neighboring property;
and

(C[3]) the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

(2[b]) In determining whether to grant a special exception under Paragraph [Subsection] (1[a]), the board shall consider the following factors:

(A[4]) The extent to which there is residential adjacency.

(B[2]) The topography of the site.

(C[3]) The extent to which landscaping exists for which no credit is given under this article.

(D[4]) The extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

(b) Tree conservation.

(1) The board may grant a special exception to the requirements of Division 51A-10.130 upon making a special finding from the evidence presented that:

(A) strict compliance with the requirements of this article will unreasonably burden the use of the property;

(B) the special exception will not adversely affect neighboring property;
and

(C) the requirements are not imposed by a site-specific landscape plan or tree mitigation plan approved by the city plan commission or city council.

(2) In determining whether to grant a special exception under Paragraph (1), the board shall consider the following factors:

(A) The extent to which there is residential adjacency.

(B) The topography of the site.

(C) The extent to which landscaping exists for which no credit is given under this article.

(D) The ability to plant replacement trees safely on the property.

(E) The extent to which alternative methods of replacement will compensate for a reduction or extended time for tree replacement.

Division 51A-10.120. Landscaping.

SEC. 51A-10.121. APPLICATION OF DIVISION.

- (a) Except as provided in this Article, t[~~T~~]his division does not apply to the following:
- (1) Property governed by a landscape plan approved by the board of adjustment, city council, or the city plan commission.
 - (2) Property lots in the following districts:
 - (A) The Dallas Arts District (Planned Development District Nos. 145 and 145-H/18).
 - (B) The Deep Ellum/Near East Side District (Planned Development District No. 269).
 - (C) The Oak Lawn Special Purpose District (Planned Development District No. 193).
 - (D) Central area districts.
 - (3) Restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind. For purposes of this section, "restoration" means the act of putting back into a former or original state.
 - (4) Property located within or in close proximity to an airport boundary if the city's director of aviation determines that the required landscape materials will threaten public health or safety.
- (b) Only Section 51A-10.125(a) of this division applies to lots containing single family or duplex uses.
- (c) This division only becomes applicable to a lot or tract when the nonpermeable coverage on the lot or tract is increased by more than 2,000 square feet within a 24-month period, not including portions of pedestrian pathways, that are between three feet in width and 15 feet in width, or when an application is made for a building permit for construction work that:
- (1) increases the number of stories and increases the height of [i~~m~~] a building on the lot; or

(2) increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period. The increase in combined floor area is determined by adding the floor area of all buildings on the lot within the 24 months prior to application for a building permit, deducting any floor area that has been demolished in that time or will be demolished as part of the building permit, and comparing this figure with the total combined floor area after construction.

(d) When this division becomes applicable to an individual lot or tract, its requirements are binding on all current and subsequent owners of the lot or tract.

(e) The city council shall, as a minimum, impose landscaping requirements that are reasonably consistent with the standards and purposes of this division as a part of any ordinance establishing or amending a planned development district, or granting or amending a specific use permit. (Note: This subsection does not apply to ordinances that merely renew a specific use permit when no substantive changes are made other than to extend the time limit of the permit.) All landscaping requirements imposed by the city council must be reflected in a landscape plan that complies in form and content with the requirements of Section 51A-10.123 and complies with Division 51A-10.100.

SEC. 51A-10.122. ARTIFICIAL LOT DELINEATION.

(a) In general. If the building site is over two acres in size, the applicant may request that the building official create an artificial lot to satisfy the requirements of this division. The building official shall not create an artificial lot which would, in his or her opinion, violate the spirit of the landscape regulations. Any artificial lot created by the building official must:

(1) wholly include the area on which the construction work is to be done; ~~and~~

(2) have an area that does not exceed 50 percent of the area of the developed or undeveloped building site;[-]

(3) include all new exterior paving additions except portions of pedestrian pathways, that are between three feet in width and 15 feet in width;

(4) include the street buffer zone for new construction or additions that are located wholly, or in part, within 60 feet of the nearest street frontage; and

(5) include the residential buffer zone for new construction or additions that are located wholly, or in part, within 60 feet of the nearest residential adjacency.

(b) In city parks over five acres. In city parks over five acres in size, the director of park and recreation may create an artificial lot to satisfy the requirements of this division.

(1) Except as provided in this subsection, a[A]ny artificial lot created by the director of park and recreation must wholly include the area on which the construction work is to be done.

(2) Portions of pedestrian pathways, that are between three feet in width and 15 feet in width, are excepted from this requirement.

(c) Platting not required. An artificial lot need not be platted; however, it must be delineated on plans approved by the building official prior to the issuance of a building permit.

SEC. 51A-10.123. LANDSCAPE PLAN SUBMISSION.

(a) If this division applies to a lot pursuant to Section 51A-10.121, a landscape plan must be submitted to the building official with the application for a building permit for work on the lot. For landscape plans that are not submitted electronically, a[A] landscape plan submission must consist of two blueline or blackline prints. The plan must have a scale of one inch equals 50 feet or larger (e.g. one inch equals 40 feet, one inch equals 30 feet, etc.) and be on a standard drawing sheet of a size not to exceed 36 inches by 48 inches. A plan which cannot be drawn in its entirety on a 36 inch by 48 inch sheet must be drawn with appropriate match lines on two or more sheets.

(b) Except as provided in this article, a[A]ny person may prepare the landscape plan required under this division. [There is no requirement that the plan be prepared by a landscape architect or by a person engaged in the landscape business.]

(c) A landscape plan required under this division must contain the following information:

(1) Date, scale, north point, and the names, addresses, and telephone numbers of each property owner and the person preparing the plan.

(2) Location of existing boundary lines and dimensions of the lot, the zoning classification of the lot, and the zoning classification of adjacent properties. A vicinity map should also be attached to or made a part of the plan.

(3) Approximate centerlines of existing water courses and the location of the flood plain, the escarpment zone, and geologically similar areas, as those terms are defined in Article V, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways, and sidewalks on or adjacent to the lot.

(4) Location of centerlines of overhead and underground utility lines adjacent to and within the building site, and the location of all utilities, utility easements, including the location of utility poles, generators, and equipment, and any items listed in Section 51A-10.104(h).

(5) Project name, street address, and lot and block description.

(6[5]) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).

(7[6]) Locations and dimensions of required [proposed] landscape areas [buffer strips].

(8[7]) Complete description of plant materials shown on the plan, including names (common and scientific name), locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in diameter [caliper] must be specifically indicated to be counted as required landscape trees.

(9[8]) Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided internal to parking areas and the number and location of required off-street parking and loading spaces.

(10[9]) An indication of which protected trees will be removed during construction and how existing healthy trees proposed to be retained will be protected from damage during construction.

(11[10])Size, height, location, and material of proposed seating, lighting, planters, sculptures, and water features.

(12[11])A description of proposed watering methods or an irrigation plan.

(13[12])Location of visibility triangles on the premises [lot] (if applicable).

(14) Trees transplanted on-site must be identified with their existing and proposed locations.

SEC. 51A-10.124. LANDSCAPE PLAN REVIEW.

(a) In general. The building official shall review each landscape plan submitted to determine whether it complies with the requirements of this division. All landscape plans must comply with the mandatory provisions in Section 51A-10.125. In addition, all landscape plans must meet the minimum number of landscape design option points [comply with at least two "design standards" as] described in Section 51A-10.126. Except as provided in this article, t[F]he same landscape features and elements may be strategically placed so as to comply with more than one provision. (For example, the same large trees might be located so as to be classified as "street trees" and "parking lot trees.")

(b) Landscape plan revisions. If requested by the applicant the building official may approve revisions to staff-approved landscape plans and related permits if the revisions further the spirit and intent of this article. Revisions of elements required by this article are limited to:

- (1) Substitution of more appropriate plant species.
- (2) Revisions required by utility conflicts.
- (3) Locations of plant materials up to a maximum of 10 feet.

SEC. 51A-10.125. MANDATORY LANDSCAPING REQUIREMENTS.

(a) Single family and duplex uses.

(1) General. Except as provided in Section 51A-10.127, a lot containing a single family or duplex use established after May 29, 1994, must comply with this subsection before the final inspection of any building on the lot. The minimum number of trees required on a lot is determined by the lot size. ~~[The lot must have at least three trees with a caliper equal to or exceeding two inches. At least two of these trees must be located in the front yard. The trees must be species listed in Section 51A-10.134.]~~ The trees may be located in the public right-of-way if all private licensing requirements of the city code and charter are met.

(A) For lots 7,500 square feet or greater in area: A minimum of three large or medium nursery stock trees per lot with a minimum of two nursery stock trees in front yard.

(B) For lots between 4,000 square feet and 7,499 square feet in area: A minimum of two large or medium nursery stock trees per lot with a minimum of one nursery stock tree located in the front yard.

(C) For lots 4,000 square feet or less in area: A minimum of one large or medium nursery stock tree per lot.

(D) Additional requirements:

(i) Nursery stock trees must be species listed in the approved tree list maintained by the Director.

(ii) Trees must be a minimum caliper of two inches.

(iii) Trees must be planted a minimum of 20 feet on center from the nearest point of an overhead electric line.

(iv) An existing, healthy, and protected tree on the lot or parkway may count as a required tree if it is not a boundary tree abutting adjacent private property.

(2) Shared access development.

(A) ~~[Single family districts. Shared access developments in single family districts must comply with the following requirements:~~

(i) ~~Three trees with a caliper equal to or exceeding two inches are required for each individual lot in the shared access development. One of the three required trees per lot may be located on the individual lot, but at least two trees per individual lot must be located in the front yard of the shared access development, where all of the property in the shared access development is considered to be one lot ("shared trees").~~

(ii) ~~If there is more than one front yard to the shared access development, where all of the property in the shared access development is considered to be one lot, the shared trees must be evenly distributed within those front yards.~~

(iii) ~~The trees must be species listed in Section 51A-10.134. The trees may be located in the public right-of-way if all private licensing requirements of the city code and charter are met.~~

(B) ~~Districts other than single family districts.]~~ Shared access developments ~~[in districts other than single family districts]~~ must comply with the following requirements:

(i) A landscape plan meeting the requirements of Section 51A-10.104 and Section 51A-10.123 must be approved before a building permit for grading is issued or a private development contract pursuant to Section 51A-8.612 is approved for construction.

(ii) The minimum required landscape area for a shared access development is determined by the number of individual lots. Landscape areas in individual lots may be included in the total landscape area measurement for developments with a maximum of 36 individual lots. [A minimum of 20 percent of the shared access development must be designated as landscape area.] Permeable pavement does not count as landscape area.

(aa) Shared access developments with a maximum of 10 individual lots must provide a minimum landscape area equal to 10 percent of the total shared access development area.

(bb) Shared access developments with a minimum of 11 and a maximum 36 individual lots must provide a minimum landscape area equal to 15 percent of the total shared access development area.

(iii[~~ii~~]) One site tree must be provided for every 4,000 square feet within the shared access development. [Every site tree must have a planting area of at least 25

~~square feet.~~] The trunk of any site tree must be located at least two-and-one-half feet from any pavement. Site trees must be species listed in the approved tree list [Section 51A-10.134]. Large or medium nursery stock trees may not be planted within 20 feet on center of the nearest point of an overhead electric line.

(iv[~~iii~~])~~O~~[~~In addition to any site trees, o~~]ne plant group [large canopy street tree] must be provided for every 40 [25] feet of street frontage, [excluding shared access points, with a minimum of two street trees required]. Plant groups [Street trees] may be located within the front yard or parkway if all private licensing requirements of the city code and charter are met. In this subparagraph, parkway means the portion of a street right-of-way between the projected street curb and the front lot line or corner side lot line. If the director determines that a large or medium [canopy] tree would interfere with utility lines, one [a] substitute small [street] tree from a species listed in the approved tree list [Section 51A-10.134] may be provided.

(B) Plant groups for shared access developments must include the following:

- (i) one large tree and two small trees;
- (ii) one large tree and three large evergreen shrubs; or
- (iii) one large tree, two small trees, and one large evergreen shrub.

(b) Other uses. Lots containing a use other than single family or duplex must comply with the following requirements:

(1) Street buffer zone. Except as provided in this subsection, the landscape area provided along the entire length of the lot adjacent to a public right-of-way excluding paved surfaces at points of vehicular ingress and egress must meet the following minimum requirements:

<u>Right-of-way</u>	<u>Average Depth</u>	<u>Minimum Depth</u>	<u>Maximum Depth</u>
<u>Freeways</u>	<u>15 feet</u>	<u>5 feet</u>	<u>50 feet</u>
<u>Arterials and community collectors</u>	<u>10 feet</u>	<u>5 feet</u>	<u>30 feet</u>
<u>Local and residential collectors</u>	<u>7.5 feet</u>	<u>5 feet</u>	<u>25 feet</u>

(A) Urban streetscape. The building official may approve a landscape plan for an urban streetscape that meets the following requirements:

(i) A minimum six foot wide planting area is required that meets the minimum soil area and volume requirements in this article.

(ii) The planting area may be designed with open soil areas or covered soil areas.

(iii) The planting area is measured from the property line unless the building official determines that the planting area may be measured from the back of curb based on conditions on the property.

(iv) A minimum of at least one design option must be provided in the front yard or right-of-way area.

(B) Right-of-way. The right-of-way adjacent to the property line may be used to satisfy the required street buffer zone subject to:

(i) a minimum five foot depth maintained on the property as a street buffer zone;

(ii) local utility location;

(iii) appropriate planting conditions; and

(iv) city licensing and permit requirements.

(C) Required planting.

(i) Except as provided in this subparagraph, one large or medium street buffer tree must be provided for every 40 linear feet of frontage.

(ii) For frontages less than 20 linear feet, a large or medium street buffer tree is not required.

(iii) Large or medium trees must have a minimum caliper of three inches.

(iv) When existing conditions prohibit planting large trees or medium trees, two small trees may be substituted for each large tree or medium tree with building official approval.

(D) Buffer zone reduction. Properties less than 10,000 square feet may reduce the street buffer zone to the greater of:

(i) a minimum depth of five feet; or

(ii) an area no less than five percent of the total lot area.

(2) Residential buffer zone. A landscape area must be provided along that portion of the perimeter of a lot where residential adjacency exists. The residential buffer zone must have an average depth of 10 feet, a minimum depth of five feet, and a maximum depth of 30 feet. No portion of the residential buffer zone may exceed 10 percent of the lot depth excluding paved surfaces at points of vehicular and pedestrian ingress or egress.

(A) The residential buffer zone must include a minimum of one plant group every 40 feet. Plant groups must include:

- (i) Where screening is required, one large or medium tree.
- (ii) Where screening is not required:
 - (aa) one large or medium tree and three small trees;
 - (bb) one large or medium tree and three large evergreen shrubs;
 - (cc) one large or medium tree, two small trees, and one large evergreen shrub; or
 - (dd) one large or medium tree, one small tree, and two large evergreen shrubs.

(B) When the location of a local utility prohibits planting large trees or medium trees, two small trees may be planted for each large tree or medium tree.

(3) Interior zone.

(A) Surface parking lots.

- (i) Required large and medium trees.
 - (aa) Minimum caliper is three inches.
 - (bb) Planting must be in a landscape area.
 - (cc) The center of the trunk at grade must be a minimum of four feet from pavement.
- (ii) Minimum landscape area. Individual landscape areas must be a minimum of 160 square feet, with a minimum width of eight feet.
- (iii) Parking lots with 21 to 100 spaces. No parking space may be located more than 70 feet from the trunk of a large tree or medium tree.

(iv) Parking lots with a minimum 101 spaces. Except as provided in Paragraph (B):

(aa) No parking space may be located more than 70 feet from the trunk of a large or medium tree.

(bb) Except as provided in in this item, a landscape area must be located at each end of a single row of parking spaces and contain a minimum of one tree.

(I) The building official may waive this requirement in order to preserve existing trees and natural features or due to unique natural site features.

(II) Parking island landscape areas are not required adjacent to handicapped parking spaces.

(cc) Except as provided in this romanette, maximum number of parking spaces allowed between parking island landscape areas is 12. The building official may waive this requirement in order to preserve existing trees and natural features or due to unique natural site features.

(dd) No maximum number of parking spaces when a parking row:

(I) abuts a median landscape area running the length of the parking row with a minimum of one tree per 40 linear feet;

(II) abuts a residential buffer zone landscape area;
or

(III) abuts a street buffer zone landscape area.

(B) Parking lots in industrial districts. The requirements in Section 51A-10.125(b)(3)(B)(iv) for parking lots greater than 100 spaces, do not apply to industrial and warehouse uses in IM or IR districts that provide a minimum of one tree meeting the requirements for trees in the street buffer zone for each 25 feet of frontage.

~~[(1) Perimeter landscape buffer strip. A landscape buffer strip must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists, exclusive of driveways and accessways at points of ingress and egress to and from the lot. The buffer strip must be at least 10 feet wide, except that:~~

~~(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.]~~

(4) Additional provisions

(A[2]) Screening of off-street loading spaces.

(i[A]) All off-street loading spaces on a lot with residential adjacency must be screened from that residential adjacency.

(ii[B]) In all districts except CS and industrial districts, all off-street loading spaces on a lot must be screened from all public streets adjacent to that lot.

(iii[C]) The screening required under Subparagraphs (A) and (B) 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).

(B[3]) Site trees.

(i[A]) One tree having a caliper of at least two inches must be provided for each 4,000 square feet of lot area, or fraction thereof, ~~[with a minimum of four trees being provided,]~~ except for industrial and warehouse uses in IM and IR districts, where one tree having a caliper of at least two inches must be provided for each 6,000 square feet of lot area, or fraction thereof ~~[, with a minimum of four trees being provided].~~

(ii[B]) Existing trees that are determined by the building official to be healthy may be used to satisfy the site tree requirement, in accordance with the tree credit chart below:

<u>CALIPER OF RETAINED TREE</u>	<u>NUMBER OF SITE TREES CREDIT GIVEN FOR RETAINED TREE</u>
Less than 2 inches	0
2 inches or more but less than 8 inches	1
8 inches or more but less than 14 inches	2
14 inches or more but less than 20 inches	4
20 inches or more but less than 26 inches	8
26 inches or more and less than 32 inches	10
32 inches or more but less than 38 inches	18
38 inches or more	20

~~[(4) Street trees. A large tree must be provided for each 50 feet of frontage, with a minimum of two trees being provided. These trees must be located within 30 feet of the projected street curb. The trees may be located in the public right of way provided that all private licensing requirements of the city code and charter are met. For purposes of this paragraph, "projected street~~

~~curb" means the future location of the street curb consistent with the city thoroughfare plan as determined by the director of public works.~~

~~(5) Parking lot trees.~~

~~(A) No required parking space may be located more than 120 feet from the trunk of a large canopy tree. No parking space in excess of required parking may be located more than 100 feet from the trunk of a large canopy tree, and the tree must be located in a landscape area of a minimum of 120 square feet. Each tree required by this subparagraph must have a caliper of at least two inches and may not be planted closer than two and one-half feet to the paved portion of the parking lot.~~

~~(B) An industrial use in an IM or IR district need not comply with Subparagraph (A) if it provides at least one tree meeting the requirements for street trees in Paragraph (4) for each 25 feet of frontage.]~~

~~(C[6]) Minimum sizes. Except as provided in Subsection[s] (b) [(a), (b)(3), and (b)(5)] of this section, plant materials used to satisfy the requirements of this division must comply with the following minimum size requirements at the time of installation:~~

~~(i[A]) Large and medium trees must have a minimum caliper of two [three] inches, or a minimum height of six feet, depending on the standard measuring technique for the species.~~

~~(ii[B]) Small trees must have a minimum height of six feet.~~

~~(iii[C]) Large evergreen shrubs must have a minimum height of two [three] feet.~~

For purposes of this paragraph, "height" is measured from the top of the root ball or, if the plant is in a container, from the soil level in the container.

~~[(7) Buffer plant materials.~~

~~(A) If a fence with a buffer strip is required along any part of the perimeter of a lot, the buffer strip must contain either one large canopy tree or two large non-canopy trees at a minimum average density of one large canopy tree or two large non-canopy trees for each 50 linear feet of the buffer strip, with new trees spaced no less than 25 feet apart.~~

~~(B) In all other cases, a landscape buffer strip provided to comply with this section or Section 51A-10.126 must contain one of the following groups of plant materials at a minimum average density of one group for each 50 linear feet of the buffer strip:~~

~~(i) One large canopy tree and one large non-canopy tree.~~

~~(ii) One large canopy tree and three small trees.~~

- (iii) ~~One large canopy tree and three large evergreen shrubs.~~
- (iv) ~~One large canopy tree, two small trees, and one large evergreen shrub.~~
- (v) ~~One large canopy tree, one small tree, and two large evergreen shrubs.~~
- (iv) ~~Two large non-canopy trees.]~~

SEC. 51A-10.126. LANDSCAPE DESIGN OPTIONS [STANDARDS].

(a) Points required for building site. The minimum number of landscape design option points required for a building site are:

<u>Lot size</u>	<u>Points required</u>
<u>0 to 999 sf</u>	<u>0</u>
<u>1,000 sf to 1,999 sf</u>	<u>1</u>
<u>2,000 sf to 9,999 sf</u>	<u>2-9</u>
<u>(One point for every 1000 sf)</u>	
<u>10,000 sf to 19,999 sf</u>	<u>10</u>
<u>20,000 sf to 39,999 sf</u>	<u>15</u>
<u>40,000 sf to 2.99 acres</u>	<u>20</u>
<u>3 acres to 9.99 acres</u>	<u>30</u>
<u>10 acres to 19.99 acres</u>	<u>35</u>
<u>20 acres to 49.99 acres</u>	<u>40</u>
<u>50 acres and greater</u>	<u>50</u>

(b) Points. Points are obtained by meeting design option requirements in order to achieve the total number of points required for the property.

(c) Design options. Design options and possible points are listed below. Examples of the design options and their application are provided in the Landscape and Tree Manual.

(1) Plant material bonus. Points may be provided for plant materials added to the landscape design when the required amount of points for a standard design option is deficient by five points or less. All added plant materials must be provided in the front yard. Maximum five points.

(A) Large or medium tree caliper increase: One point per additional caliper inch for each required tree (up to a maximum caliper of six inches.)

(B) Additional small tree: 0.5 points.

(C) Additional large shrub plant: 0.25 points.

(D) Additional large or medium tree: one point.

(2) Buffer zones enhancements. Maximum of 20 points.

(A) Large enhanced buffer zone. Each required buffer zone depth may be increased by a minimum of five feet. This design option is not available if the buffer zone is reduced to no more than five percent of the lot area. Five points.

(B) Small enhanced buffer zone. A required buffer zone depth may be increased by a minimum of two feet. This design option is not available if the buffer zone is reduced to no more than five percent of the lot area. Two points.

(3) Application of engineered solutions for soil volume. Points may be obtained when using engineered solutions for soil volume when required trees are planted in impervious environments and meet the minimum requirement for soil volume for a maximum total of 10 points. A minimum of 75 percent of required street buffer trees must meet the soil volume minimum for credits to apply.

(A) Minimum required soil volume: five points

(B) Increase in soil volume 10 percent above minimum requirement: six points

(C) Increase in soil volume 15 percent above minimum requirement: seven points

(D) Increase in soil volume 20 percent above minimum requirement: eight points

(E) Increase in soil volume 25 percent above minimum requirement: nine points

(F) Increase in soil volume 30 percent or greater above minimum requirement: 10 points.

(4) Screening. An applicant may provide screening from all adjacent public streets for all surface parking lots on a building site or artificial lot that meets the following requirements.

(A) The screening may not be required screening.

(B) The screening must extend along the entire street frontage of the parking lot, excluding:

(i) driveways and accessways at points of ingress and egress to and from the lot; and

(ii) visibility triangles.

(C) Underground parking and enclosed garage parking structures are not considered to be surface parking lots for purposes of this subsection.

(D) The screening may be designed with the following options for a maximum total 20 points:

(i) Option 1. Standard design is provided with screening materials per Section 51A-4.602 and shrubs with a minimum height of two feet at time of installation and a single row of material. Five points for complete frontage.

(ii) Option 2. Enhanced design is provided by a landscape architect and may include a minimum of two plant species in order to provide the full screening effect. 10 points for complete frontage.

(iii) Option 3. Grouped beds may be added to Option 1 or Option 2 to complement the screening row with planting beds placed at intervals of a minimum of one per 50 feet of frontage. Five points for complete frontage.

(iv) Option 4. A short screening wall or fence a minimum of three feet in height may be provided along with the screening plant materials of Option 1 or Option 2. Five points.

(v) Option 5. A berm with groundcover and a minimum height of three feet may complement standard screening materials or be used to replace Option 1 or Option 2. Five points.

(5) Building facade. Facade planting areas on a building site or artificial lot adjacent to public streets or private driveways may be designed with the following options for a maximum total of 15 points:

(A) Option 1. Design is provided along the foundation of the structure. The planting area for the shrubs must be a minimum of three feet in depth and extend along at least 50 percent of the portion of the foundation that faces a street. The shrubs must be spaced no more than six feet apart measured from trunk to trunk. Five points.

(B) Option 2. An enhanced design may be provided as designed by a landscape architect. The design may vary from the standard foundation row to create depth and layering of landscaping for visual enhancement contiguous to and extending 15 feet or more from the building facade to complement and soften the foundation of the building. The planting area must be a minimum of five feet in depth. A minimum of two perennial plant species and water conservation irrigation method is required. The landscape area must extend for a minimum of 50

percent of the street facing facade or a combination of the street facing facade and the building facade facing a surface parking lot. 10 points.

(C) Option 3. An additional grouping of medium or small trees may be added to the enhanced landscape design to provide an improved pedestrian environment a maximum of 25 feet from the facade of the structure. A minimum of one tree per 50 feet of front or side yard building facade is required. Five points.

(D) Option 4. One small tree or two large shrubs per 30 feet of front yard facade located a maximum of 15 feet from the facade. Five points.

(6) Pedestrian uses. An applicant may provide private or publicly accessible special pedestrian facilities and features. These facilities and features must occupy a minimum of five percent of the lot area. The facilities may be designed for the following options for a maximum total of 25 points.

(A) Option 1. Urban streetscape. At least two of the following types of pedestrian amenities must be provided along street frontages. This option may only be used in an urban streetscape in the street buffer zone. 10 points.

(i) Benches located at one per 60 feet of street frontage (minimum of two.)

(ii) Pedestrian street lamps (free-standing or wall mounted) at one per 50 feet of street frontage.

(iii) Enhanced sidewalk with stamped concrete or brick pavers for pedestrian uses for the full width of the sidewalk, along the entire frontage. Pavement cannot be used to meet the enhanced pavement option in Paragraph (7).

(iv) Minimum unobstructed sidewalk width of eight feet.

(v) Water feature.

(B) Option 2. Special amenities. An applicant may provide private or publicly accessible special amenities to the building site including plazas, covered walkways, fountains, lakes and ponds, seating areas, and outdoor recreation facilities. The credited facilities must occupy at least five percent of the lot area provided in no more than two locations on the lot. The special amenities area must be fully identified on a landscape plan. Private or interior courtyards are excluded. Five points for private amenities and 10 points for publicly accessible amenities.

(C) Option 3. Adjacent to habitat restoration areas. Special amenities built contiguous to habitat preservation and restoration areas will be credited for their location in or around the habitat when constructed according to a design supporting or enhancing habitat protection. 10 points for private amenities and 15 points for publicly accessible amenities.

(D) Option 4. Athletic fields. Open spaces maintained for athletic fields which are a minimum of five percent of the lot. 10 points. For athletic fields on lots greater than 10 acres. 20 points.

(7) Pavements. An applicant may provide enhanced or special pavement. The same pavement cannot satisfy multiple categories. (Note: All vehicular pavement must comply with the construction and maintenance provisions for off-street parking in this chapter.) Maximum total of 15 points.

(A) Option 1. Enhanced vehicular pavement.

(i) Area. Pavement must be a minimum of 25 percent of all outdoor vehicular pavement on the lot.

(ii) Enhanced texture: Stamped concrete, sand-blasted, rock-salt finished, pavers on concrete base, stone, etc.: Three points.

(iii) Enhanced color: Color is integrated into textured pavement: Three points.

(B) Option 2. Permeable vehicular pavement. Pavement must be a minimum of 25 percent of all outdoor vehicular pavement on the lot. Five points.

(C) Option 3. Enhanced pedestrian walkways.

(i) In general. Enhanced pedestrian walkways must consist of enhanced pavement intended for pedestrian use and occupy at least five percent of the lot.

(ii) Enhanced texture: Stamped concrete, sand-blasted, rock-salt finished, pavers on concrete base, stone, etc.: Three points.

(iii) Enhanced color: Color is integrated into textured pavement: Three points.

(8) Conservation. The applicant may conduct conservation programs on the property. The conservation program must occupy at least five percent of the lot area. Maximum of 25 points.

(A) Option 1. Tree preservation in the development impact area. Large or medium trees maintained in the development impact area may be used to meet design option requirements and to meet the requirements for site tree credit in Section 51A-10.125. The trees must be protected and maintained in areas required by this article. Two points for each tree up to a maximum of 10 points. Significant trees may attain five points.

(B) Option 2. Habitat preservation. The applicant must preserve existing healthy native and mixed species grassland or woodland areas. Five points.

(C) Option 3. Habitat preservation and restoration using an active management plan. The applicant may create or restore natural habitat conditions if designed and implemented by a qualified professional. Site maintenance must be continual for the purpose of sustaining the vegetated area. The option may be combined with low impact development design for the drainage functions of the property. 10 points.

(D) Option 4. Habitat preservation and restoration - adjacent to primary natural areas. The applicant may preserve and restore land areas adjacent to wetlands, creeks, floodplain, and slopes which help buffer the protected creeks, habitat, slopes, and woodland in primary natural areas from the site construction. This option may be combined with pedestrian amenities. The area must be at least 5 percent of building site area. 15 points.

(9) Low impact development (LID). The applicant may improve the property with low impact development design to manage stormwater flow and provide surface heat abatement. The improvements may be combined for a maximum of 20 points.

(A) Rain garden. Maximum six points.

- (i) 1 to 5,000 square feet: three points; and
- (ii) each additional 1,000 square feet: one point.

(B) Bioswale. Maximum 10 points per bioswale.

- (i) 50 to 100 feet long: three points; and
- (ii) each additional 50 feet: one point.

(C) Water-wise plant materials and planting beds. The applicant may provide landscaping that uses water conservation techniques including water-wise plants, mulch, and efficient irrigation. Maximum 10 points.

- (i) in a minimum of 50 percent of landscape areas: three points;
- (ii) in a minimum of 80 percent of landscape areas: five points;
- (iii) low-water consumption grasses for 80 percent of turf surfaces: three points; and
- (iv) low-water consumption grasses for all turf surfaces percent of turf surface: five points.

(10) Parking lots. The applicant may improve the surface parking and vehicle outside display and storage areas in an interior zone on the property to provide wider landscape areas and an improved shade tree environment. The improvements may be combined for a maximum of 30 points for development impact areas 10 acres or larger and 20 points for development impact areas less than 10 acres.

(A) Option 1. Provide a protected pedestrian pathway, that is between three feet in width and 15 feet in width, through a parking lot to a building from a public or private street or the expansion of a wide landscape area median with trees and a walkway through the parking lot. A minimum of one large or medium tree is required for each 40 linear feet of pedestrian pathway or landscape area median. Five points.

(B) Option 2. Parking islands. Providing a maximum of 10 parking spaces between landscape areas. Five points.

(C) Option 3. Parking islands. Increasing the landscape area to a minimum of 200 square feet for each large or medium tree.

(i) Increase landscape area of 50 percent of the required parking islands. Five points.

(ii) Increase landscape area of 75 percent of the required parking islands. 10 points.

(D) Option 4. Parking islands. Increase the landscape area at least 300 square feet for each large or medium tree.

(i) Increase landscape area of 50 percent of the required parking islands. Seven points.

(ii) Increase landscape area of 75 percent of the required parking islands. 12 points.

(E) Option 5. Parking islands. Each additional parking island provided - Three points.

(F) Option 6. Landscape medians. Provide a minimum 10 foot wide landscape median with large or medium trees extending the length of a minimum 12 space parking row. Five points for each full median for a maximum of 20 points on the lot.

(G) Option 7. Landscape medians. Providing a 12 foot wide landscape median with large or medium trees extending the length of a minimum 12 space parking row. Seven points for each full median for a maximum of 28 points on the lot.

(H) Option 8. Landscape medians. Providing a 16 foot wide landscape median with large or medium trees extending the length of a minimum 12 space parking row. 10 points for each full median for a maximum of 30 points on the lot.

(I) Option 9. Large trees located in a minimum of 500 square feet dedicated open soil area. Two points for a maximum of 20 points.

(J) Option 10. Pocket park. Provide a minimum of 2,500 square feet of contiguous open soil landscape area. 20 points.

(11) General. The applicant may provide documentation and demonstrate ability to achieve certain conditions.

(A) Option 1. Provide Sustainable SITES Initiative documentation and demonstrate ability to attain SITES certified level or greater. 10 points.

(B) Option 2. Provide and implement a landscape maintenance plan for a minimum three year period. Three points.

~~[An applicant shall comply with at least two of the following design standards:~~

~~(a) Enhanced perimeter buffers. An applicant may enhance the perimeter landscape buffer strip to a minimum average width equal to or greater than 15 feet.~~

~~(b) Street buffers. An applicant may provide a landscape buffer strip along public street frontage. The landscape buffer strip must:~~

~~(1) be provided along the entire adjacent public street frontage, exclusive of driveways and accessways at points of ingress and egress to the lot; and~~

~~(2) have a minimum width of 10 feet or 10 percent of the lot depth, whichever is less.~~

~~(c) Screening of off-street parking. An applicant may provide screening for all parking lots on the building site or artificial lot, whichever is applicable, from all adjacent public streets in accordance with the following paragraphs.~~

~~(1) The screening must be voluntary (not required by ordinance).~~

~~(2) The screening must extend along the entire street frontage of the parking lot, exclusive of:~~

~~(A) driveways and accessways at points of ingress and egress to and from the lot; and~~

~~(B) visibility triangles.~~

~~(3) The screening must be at least three feet in height.~~

~~(4) Underground parking is considered to be screened for purposes of this subsection.~~

~~(d) Enhanced vehicular pavement. An applicant may provide enhanced pavement. This pavement must be at least 25 percent of all outdoor vehicular pavement area on the lot. The same pavement cannot satisfy both Subsections (d) and (e). (Note: All vehicular pavement must comply with the construction and maintenance provisions for off-street parking in this chapter.)~~

~~(e) Permeable vehicular pavement. An applicant may provide permeable enhanced pavement. This pavement must be at least 25 percent of all outdoor vehicular pavement on the lot. The same pavement cannot satisfy both Subsections (d) and (e). (Note: All vehicular pavement must comply with the construction and maintenance provisions for off-street parking in this chapter.)~~

~~(f) Pedestrian facilities. An applicant may provide publicly accessible special pedestrian facilities and features such as plazas, covered walkways, fountains, lakes and ponds, seating areas, and outdoor recreation facilities. These facilities and features must occupy at least five percent of the lot area.~~

~~(g) Foundation planting strip. An applicant may plant large shrubs along the foundation of the main building. The planting area for the shrubs must be a minimum of three feet in width and extend along at least 50 percent of the portion of the foundation that faces a street. The shrubs must be spaced no more than six feet apart measured from trunk to trunk.~~

~~(h) Understory preservation. The applicant may preserve existing healthy understory. The preserved understory must occupy at least five percent of the lot area.~~

~~(i) Enhanced pedestrian walkways. The applicant may provide enhanced pedestrian walkways. These walkways must consist of enhanced pavement intended for pedestrian use and occupy at least five percent of the lot.]~~

SEC. 51A-10.127.

WHEN LANDSCAPING MUST BE COMPLETED.

(a) Except as otherwise provided in Subsection (b), all landscaping must be completed before the final inspection of any building on the lot. If there is an approved landscape plan for the lot, the landscaping must comply with that plan before the final inspection.

(b) If the property owner provides the building official with documented assurance that the landscaping will be completed within six months, the building official may permit the property

owner to complete his landscaping during the six-month period. For purposes of this subsection, "documented assurance" means:

(1) a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six-month period; or

(2) a set of deed restrictions containing a covenant to install the landscaping in accordance with the landscape plan within the six-month period. The deed restrictions must:

(A) expressly provide that they may be enforced by the city of Dallas;

(B) be approved as to form by the city attorney; and

(C) be filed in the deed records of the county in which the land is located.

(c) If, at the end of the six-month period, the landscaping has not been installed in accordance with the landscape plan, the owner of the property is liable to the city for a civil penalty in the amount of \$200 a day for each calendar day thereafter until the landscaping is properly installed. The building official shall give written notice to the property owner of the amount owed to the city in civil penalties, and shall notify the city attorney of any unpaid civil penalty. The city attorney shall collect unpaid civil penalties in a suit on the city's behalf.

(d) The civil penalty provided for in Subsection (c) is in addition to any other enforcement remedies the city may have under city ordinances and state law.

SEC. 51A-10.128. ENFORCEMENT BY BUILDING OFFICIAL.

Whenever any work is being done contrary to the provisions of this division, the building official may order the work stopped by notice in writing served on any person engaged in the work or causing the work to be done. A person issued this notice shall stop work immediately until authorized by the building official to proceed with the work.

Division 51A-10.130. Urban Forest Conservation [~~Tree Preservation, Removal, and Replacement~~].

SEC. 51A-10.131. APPLICATION OF DIVISION.

(a) This division applies to all property in the city except for:

(1) lots smaller than two acres in size that contain single-family or duplex uses in residential districts; and

(2) lots in an [a] overlay district or a planned development district with [landscaping and] tree preservation regulations that vary appreciably from those in this article, as determined by the building official.

(b) In this section, a tree removal property two acres or less, in a residential district is considered to be vacant when an application is made for a demolition permit for a single family or duplex structure. The tree removal property is considered to be vacant until:

(1) the demolition permit is closed (not expired) by the building inspector (being proof of the return of the single family or duplex use); or

(2) a certificate of completion is provided to the tree removal property owner for a new single family or duplex structure for occupancy on the property.

SEC. 51A-10.132. TREE REMOVAL APPLICATIONS.

(a) Tree removal application and posting [~~When a tree removal application must be approved and posted~~].

(1) Except as provided in this subsection, a [A] responsible party must post either an approved tree removal application in accordance with this section or a building permit in a conspicuous place at the entrances to the tree removal property [lot or tract], before removing or seriously injuring a protected tree on that tree removal property [lot or tract].

(2) A tree removal application must be posted in a conspicuous place at the entrance to the tree removal property in conjunction with a demolition permit or a grading permit.

(3) For trees removed from a public right-of-way, it is not necessary to post the required tree removal application.

(b) Application for review. An application required under this section must be filed with the building official on a form furnished by the city for that purpose. The application must include the following:

(1) The name, address, telephone number, and signature of the applicant. The applicant may be the owner of the tree removal property or a contracted agent acting for the owner ~~[If the applicant is not the owner of the lot or tract, he shall submit a letter from the owner authorizing him to act on the owner's behalf].~~

(2) The name, address, and telephone number of each tree removal property owner ~~[of the lot or tract].~~

(3) The street address, zoning district, or overlay district of the tree removal property [lot or tract].

(4) A tree survey that shows the location, caliper, and name (both common and scientific) of all trees on the lot or tract (trees in close proximity that all have a diameter [caliper] of less than eight inches may be designated as a "group of trees" with only the number noted), or an estimate of the total diameter [caliper] inches of protected trees, calculated and documented using a tree sampling method [in a manner] determined by the building official to be reasonably accurate. The survey does not have to be prepared by a registered surveyor, architect, or landscape architect. Trees not proposed for removal or serious injury, or located further than 20 [within 50] feet from ~~[of]~~ proposed construction activity need not be shown on the survey unless the building official determines it would help evaluation of the application.

(5) A forest stand delineation may be used for the purpose of calculating the total square footage of forest canopy coverage of building sites and providing an ecological assessment of a property. An FSD must be approved by the building official. Required information in an FSD is determined by the building official. The FSD is applicable to and may be used to calculate:

(A) Tree canopy cover assessment for old-field and undeveloped lots, two acres or larger, in early succession stages when:

(i) a stand, or partial stand, a minimum of 60 percent Class 3 and unprotected trees is located in a proposed development impact area;

(ii) the forest stand delineation excludes areas within 50 feet of a 100-year floodplain, 50 feet of a wetland, 50 feet of an escarpment zone, and 150 feet of a stream bank;

(iii) the trees in the stand, or partial stand, is designated in an age class of 60 years or less by the building official based on site and historical data; and

(iv) the stand is assessed and surveyed using tree sampling methods which provide general species quantity and tree size determinations based on the use of quadrat plots, a transect line sampling method, point-quarter sampling method, or other method approved by the building official.

(B) Tree canopy cover credit for single family and duplex construction.

(C) Tree canopy cover assessment of development impact areas in conjunction with sustainable development incentives.

(D) Tree canopy cover assessment on properties five acres or larger with institutional and community service uses or recreation uses when the measured tree canopy coverage is the baseline for determining the number of trees required for replacement when using the canopy cover replacement calculation for legacy trees in Section 51A-10.135(c)(1)(F)(iv).

(E) Forest analysis for baseline documentation to create a conservation easement.

(F) Tree canopy cover assessment where trees are removed without authorization.

(6) All permits and approvals related to floodplain, wetland, or escarpment regulations required by city departments or other agencies.

(7[6]) Any other reasonable and pertinent information that the building official determines to be necessary for review.

(c) Form of approval of tree removal application. A tree removal application is not approved until it has been signed by the building official.

(d) Separate offense for each tree removed or seriously injured without a permit. A responsible party commits a separate violation of this section for each tree removed or seriously injured without authorization by a building permit or approved tree removal application [~~that is posted at the lot or tract~~].

(e) Decision of the building official. The building official shall deny a tree removal application if the removal or serious injury is not in the public interest. This decision must be based on the following factors:

(1) The feasibility of relocating a proposed improvement that would require the removal or serious injury of the tree.

(2) The cost of preserving the tree.

(3) Whether the lot or tract would comply with this article after the removal or serious injury.

- (4) Whether the removal or serious injury is contrary to the public health, safety, or welfare.
- (5) The impact of the removal or serious injury on the urban and natural environment.
- (6) Whether an economically viable use of the property will exist if the application is denied.
- (7) Whether the tree is worthy of preservation, is a significant tree, or a historic tree.
- (8) Whether the tree is diseased or has a short remaining life expectancy.
- (9) The effect of the removal or serious injury on erosion, soil moisture retention, flow of surface waters, and drainage systems.
- (10) The need for buffering of residential areas from the noise, glare, and visual effects of nonresidential uses.
- (11) Whether a landscape plan has been approved by the board of adjustment, city plan commission, or city council.
- (12) Whether the tree interferes with a utility service.
- (13) Whether the tree is near existing or proposed structures.
- (14) Whether the proposed mitigation for tree removal or serious injury is sufficient.

Staff Recommendation

Staff does not support including Section 51A-10.132(f). We do not believe a waiver is necessary because of the many tree mitigation reductions available and incentive based options provided in sections 10.132, 10.133.1, 10.134, 10.135, and 10.137.

ZOAC Recommendation

(f) Development impact area waiver. Except as provided in this section, if tree removal is authorized by a building permit for construction of a main structure, a property owner may apply for a waiver of the tree replacement requirements in Section 51A-10.134. The waiver applies to protected trees in the development impact area on properties not listed in Sections 10.131 and 10.134(b), all single family and duplex permits, and properties excepted from Article X landscape requirements in Section 10.121.

(1) Qualifications. The owner must demonstrate a good faith effort to design the building project to preserve the most, the biggest, and the best trees, by providing the following:

(A) a tree survey and a tree protection plan implemented as required by this division; and

(B) proof of consultation with a qualified consulting arborist or landscape architect for planning and implementing best management practices to reduce the negative impacts of construction on protected trees before submitting the building permit for approval.

(2) Tree removal property requirements.

(A) Tree removal properties two acres and larger must:

(i) meet the qualification requirements of Section 51A-10.135(d)(1) for sustainable development incentives;

(ii) reduce mitigable inches of protected trees on the tree removal property by a minimum of 50 percent through application of tree canopy coverage credit using Sustainable Development Incentives procedures; and

(iii) develop and implement a sustainable landscape plan and a tree preservation plan, as specified in Section 51A-10.135(d)(4).

(B) Tree removal properties less than two acres. The owner must meet all qualifications in Section 51A-10.132(f)(1).

(3) Waivers. The building official may waive tree replacement requirements for protected trees within the development impact area.

(A) Limitations. Except as provided in this subsection, the waiver is limited to protected trees in the development impact area on the tree removal property growing within the building footprint, minimum required parking spaces, driveways, sidewalks, utility easements, detention areas, areas of grading, excavation areas, and staging areas necessary for construction.

(B) Waiver calculations. Except as provided in this subparagraph, the number of inches to be waived is determined by providing the total number of inches of protected trees in the applicable locations in the development impact area.

(i) The building official shall not waive mitigation of protected trees for non-required off-street parking spaces. The amount of inches waived must be reduced on a pro-rata basis determined by the percentage of non-required parking spaces provided in the parking area. (Example: If the number of parking spaces required is 450; and 521 spaces are being

provided on the lot, then the tree mitigation requirements shall not be waived for the 71 excess parking spaces. $[71/450=15.78\%]$).

(ii) The building official shall not waive mitigation of protected trees for an area greater than 70 percent of the tree removal property. Trees must be mitigated on a pro-rata basis if the development impact area exceeds 70 percent of the tree removal property. (Example: If the development impact area is 85 percent of the tree removal property, 15 percent of the trees removed must be mitigated, $[0.85-0.70=0.15]$).

(C) Any significant tree on the tree removal property removed or seriously injured must be replaced.

(D) The development impact area waiver may not include trees within a primary natural area.

(E) A tree removal property with a waiver must fully comply with the minimum landscape requirements without a special exception.

(F) No waiver is complete until the tree removal property passes a final tree mitigation inspection or landscape inspection and obtains a permanent certificate of occupancy.

(G) The building official shall deny a development impact area waiver if the building official determines that initial review until final tree mitigation or landscape inspection, any of the applicable requirements of this division are in violation by the owner. If a waiver is denied, the required tree replacement must be completed in accordance with Section 51A-10.134.

SEC. 51A-10.133. HISTORIC TREES ~~[RESERVED]~~.

(a) The agreement of the property owner where the proposed historic tree is located is required for an historic tree designation to be approved by city council.

(b) Except as provided in this section, historic status lasts for the life of the tree.

(c) A certified copy of the resolution must be filed in the deed records of the county where the historic tree is located.

(d) Historic trees may only be removed by authorization of the city council or as outlined in Section 51A-10.140.

SEC. 51A-10.133.1. TRANSPLANTED TREES.

(a) Procedure. Established and healthy protected trees on a tree removal property may be transplanted within the city. The transplanting process must conform to operational and safety

standards stated in ANSI A300 (Part 6), as amended, and with ISA Best Management Practices for Tree Planting, as amended.

(1) A protected tree that meets the requirements of this section is not considered removed, or seriously injured, if the transplanted tree is planted and maintained in a healthy growing condition.

(2) Building official approval is required before beginning the transplantation for credit as a landscape tree, for tree replacement, or for acceptance in tree canopy coverage measurements.

(3) The following information is required to obtain building official approval in this section.

(A) An initial assessment report must be provided to the building official describing transplanting practices from beginning to end of the process, including post-planting care practices.

(B) A tree survey or landscape plan must be provided to the building official prior to transplanting which identifies the original and final locations of the protected tree after transplant, as applicable.

(C) Names and contact information of the owners and contractors.

(D) Contractor credentials must be provided and a statement of equipment and procedures to be used for the operation must be identified.

(E) Other information required by the building official.

(b) Credit for transplanted trees.

(1) Healthy large and medium protected trees six inches in diameter or less qualify for one inch of replacement credit for each inch of the transplanted tree.

(2) Healthy large and medium protected trees between 7 inches and 12 inches in diameter qualify for two inch replacement credit for each inch of the transplanted tree.

(3) Healthy large and medium protected trees between 12 inches and 24 inches in diameter qualify for three inch replacement credit for each inch of the transplanted tree.

(4) Healthy large and medium protected trees 24 inches or more in diameter qualify for five inch replacement credit for each inch of the transplanted tree.

(5) Healthy small trees qualify for one inch replacement credit for each inch of the transplanted tree.

(c) Transplanted trees may be measured as part of the overall tree canopy coverage of a property in a forest stand delineation as a preserved tree.

SEC. 51A-10.134. REPLACEMENT OF REMOVED OR SERIOUSLY INJURED TREES.

(a) In general. Except as provided in this section, i[f a [the] tree removal application is approved, a building permit is issued, an unauthorized tree removal occurs, or when a tree is removed from a public right-of-way in conjunction with a private development, one or more healthy replacement trees must be planted in accordance with the [following] requirements in this article.

(b) Exception. Trees removed in conjunction with a building permit for construction of a single family or duplex dwelling on a lot one acre or less in a residential district are not required to be replaced if the tree was located in the unrestricted zone on the tree removal property. Trees not in the unrestricted zone are subject to replacement.

(c) Requirements.

(1) Quantity.

(A) Except as provided in this section, t[he] minimum total caliper of replacement trees must equal or exceed the total classified diameter inches [caliper] of the protected trees removed or seriously injured as listed below.

(B) Tree classification for mitigation:

(i)	<u>Historic trees:</u>	<u>3:1</u>
(ii)	<u>Significant:</u>	<u>1.5:1</u>
(iii)	<u>Class 1:</u>	<u>1:1</u>
(iv)	<u>Class 2:</u>	<u>.7:1</u>
(v)	<u>Class 3:</u>	<u>.4:1</u>

(2) Species.

(A) A replacement tree must be an approved tree determined by the director.

(B) For a lot or tract two acres in size or more, [must be one of the following trees, and] no one species of tree may constitute more than 35 [30] percent of the replacement trees planted on the [a] lot or tract.

[APPROVED REPLACEMENT TREES]

SCIENTIFIC NAMECOMMON NAME

~~*Acer barbatum* var. *Caddo*~~
~~*Acer grandidentatum*~~
~~*Acer buergerianum*~~
~~*Carya illinoensis*~~
~~*Cercis canadensis*~~
~~*Chilopsis linearis*~~
~~*Diospyros texana*~~
~~*Diospyros virginiana* [male only]~~
~~*Fraxinus americana*~~
~~*Fraxinus texensis*~~
~~*Gleditsia triacanthos* var. *inermis*~~
~~*Gymnocladus dioica*~~
~~*Ilex decidua*~~
~~*Ilex vomitoria*~~
~~*Juglans microcarpa*~~
~~*Juniperus ashei*~~
~~*Juniperus virginiana*~~
~~*Lagerstroemia indica*~~
~~*Liquidambar styraciflua*~~
~~*Magnolia grandiflora*~~
~~*Pinus eldarica*~~
~~*Pinus nigra*~~
~~*Pinus thunbergii*~~
~~*Pistacia chinensis*~~
~~*Prosopis glandulosa*~~
~~*Prunus mexicana*~~
~~*Quercus buckleyi*~~
~~*Quercus durandii*~~
~~*Quercus fusiformis*~~
~~*Quercus macrocarpa*~~
~~*Quercus muhlenbergii*~~
~~*Quercus shumardii*~~
~~*Quercus virginiana*~~
~~*Sapindus drummondii*~~
~~*Sideroxylon lanuginosum*~~
~~*Sophora affinis*~~
~~*Taxodium ascendens*~~
~~*Taxodium distichum*~~
~~*Ulmus crassifolia*~~
~~*Ulmus parvifolia*~~
~~*Viburnum rufidulum*~~

~~Caddo Maple~~
~~Bigtooth Maple~~
~~Trident Maple~~
~~Pecan~~
~~Redbud~~
~~Desert Willow~~
~~Texas Persimmon~~
~~Common or American Persimmon~~
~~White Ash~~
~~Texas Ash~~
~~Thornless Honeylocust~~
~~Kentucky Coffeetree~~
~~Possumhaw or Deciduous Holly~~
~~Yaupon Holly~~
~~Texas Black Walnut~~
~~Ashe Juniper~~
~~Eastern Red Cedar~~
~~Crepe Myrtle~~
~~Sweetgum~~
~~Southern Magnolia~~
~~Eldarica, Mondell, or Afghan Pine~~
~~Austrian or Black Pine~~
~~Japanese Black Pine~~
~~Chinese Pistachio~~
~~Mesquite~~
~~Mexican Plum~~
~~Texas Red Oak~~
~~Durrand Oak~~
~~Escarpment Live Oak~~
~~Bur Oak~~
~~Chinkapin Oak~~
~~Shumard Oak~~
~~Live Oak~~
~~Western Soapberry~~
~~Chittamwood or Gum Bumelia~~
~~Eve's Necklace~~
~~Pond Cypress~~
~~Bald Cypress~~
~~Cedar Elm~~
~~Lacebark Elm~~
~~Rusty Blackhaw]~~

(3) Location. The replacement trees must be planted on the lot from which the protected tree was removed or seriously injured, except as otherwise allowed by Section 51A-10.135. Replacement trees may not be planted within a visibility triangle, a water course, in an area within 15 feet horizontally to the closest point of an overhead electric line, or an existing or proposed street or alley unless the tree is authorized by a license and permit and is required to be in that location by other ordinance.

(4) Minimum size. A replacement tree must have a caliper of at least two inches.

(5) Timing.

(A) Except as provided in this section, all replacement trees must be planted within 30 days of removal.

(B) If the property owner provides the building official with an affidavit stating that all replacement trees will be planted within six months, the building official may allow the replacement trees to be planted during that six month period.

(i) If the property owner submits an application for a building permit for construction on the tree removal property within the six month period, the tree replacement requirements may be transferred to the building permit for final completion of all tree replacement prior to a final certificate of occupancy or certificate of completion for the property.

(ii) If the property owner does not submit an application for a building permit for construction within the six month period, all tree replacement must be completed within 30 days after the six month period.

(C) For residential subdivision developments and multi-phase commercial developments, the tree replacement may be completed in accordance with a comprehensive tree replacement plan for the development. The building official may allow the property owner additional time to complete the development project to plant the replacement trees, with the following restrictions:

(i) A proposed landscape plan identifying all conceptual landscaping for the properties within the subdivision must be provided by a landscape architect and designed according to the soil and area requirements of this article. The proposed plan will specify the minimum tree size and general species distribution for the properties in accordance with this article. The tree replacement for the development identified on the proposed plan must be completed prior to the final certificate of occupancy or certificate of completion for the project.

(ii) All required tree replacement which is not scheduled by an approved design for the property under the comprehensive tree replacement plan must be completed within six months of issuance of the tree removal application or building permit for removing trees.

(6) Forest stand delineation exceptions for old-field and undeveloped lot. When an FSD, under Section 51A-10.132(b)(5)(A) is used to assess tree canopy coverage:

(A) Except as provided in this paragraph, no mitigation is required for a tree stand when:

(i) at least 60 percent of the trees in the stand are Class 3 and unprotected species; and

(ii) the average tree diameters are less than 12 inches DBH.

(B) Significant trees in a stand located on an old-field or undeveloped lots must be mitigated.

(7) Additional requirements for forest stand delineation for properties five acres or greater with institutional uses or recreational uses. When an FSD, under Section 51A-10.132(b)(5)(D) is used to assess tree canopy coverage:

(A) the tree removal property must maintain or increase the tree canopy coverage for the property recorded in the most recent FSD; and

(B) significant trees that are included in the FSD tree canopy coverage must be replaced according to the diameter standards for significant trees in this article.

~~[Except as otherwise provided in Subparagraphs (B) and (C), all replacement trees must be planted within 30 days after the removal or serious injury of the protected trees.~~

~~(B) If the property owner provides the building official with an affidavit that all replacement trees will be planted within six months, the building official may permit the property owner to plant the replacement trees during the six month period.~~

~~(C) If the property owner provides the building official with a performance bond or a letter of credit in the amount of the total cost of purchasing and planting replacement trees, the building official may permit the property owner up to 18 months to plant the replacement trees, with the following restrictions:~~

~~(i) for single family or multifamily developments, at least 50 percent of the total caliper of replacement trees must be planted before 65 percent of the development has received a final building inspection or a certificate of occupancy, and all replacement trees must be planted prior to the completion of the development; and~~

~~(ii) in all other cases, the replacement trees must be planted prior to the issuance of a certificate of occupancy.]~~

(C[~~D~~]) A replacement tree that dies within five [~~two~~] years of the date it was planted must be replaced by another replacement tree that complies with this section.

SEC. 51A-10.135. ALTERNATIVE METHODS OF COMPLIANCE WITH TREE REPLACEMENT REQUIREMENTS.

(a) In general. If the building official determines that, due to restrictive site conditions [~~inhospitable soil conditions or inadequate space~~], it would be impracticable or imprudent for the responsible party to plant a replacement tree on the [~~lot where the protected tree was removed or seriously injured (the "~~tree removal property~~"~~)]], the responsible party shall comply with one or more of the [~~following~~] requirements in this section.[~~;~~]

(1) ~~Donate the replacement tree to the city's park and recreation department. If the director of the park and recreation department does not accept the tree, the responsible party must comply with one or more of the other alternative methods of compliance listed below.~~

(2) ~~Plant the replacement tree on other property in the city that is within one mile of the tree removal property, as long as the responsible party obtains the written approval of the building official for:~~

(A) ~~a site plan indicating the location of the tree to be removed or seriously injured, the address of the property where the replacement tree will be planted, and a site plan indicating the location of the replacement tree; and~~

(B) ~~a written agreement between the owner of the property where the replacement tree will be planted and the responsible party, to assume mutual responsibility for the replacement tree under this article.~~

(3) ~~Make a payment into a special city account, to be known as the Reforestation Fund, in accordance with Subsection (c).~~

(4) ~~Grant a conservation easement to the city in accordance with Subsection (d) and the following paragraphs:~~

(A) ~~The conservation easement area must contain protected trees with a combined caliper equal to or exceeding the caliper for which replacement tree credit is being requested.~~

(B) ~~If the conservation easement area is 25 percent or less than the area of the tree removal property, the responsible party will get credit for trees in the conservation easement area, on an inch for inch basis, up to a maximum of 50 percent of the total caliper of replacement trees required.~~

(C) ~~If the conservation easement area is more than 25 percent and less than 50 percent of the area of the tree removal property; the responsible party will get credit for~~

~~trees in the conservation easement area, on an inch for inch basis, up to a maximum of 65 percent of the total caliper of replacement trees required.~~

~~(D) If the conservation easement area is 50 percent or more of the area of the tree removal property, the responsible party will get credit for trees in the conservation easement area, on an inch for inch basis, up to a maximum of 80 percent of the total caliper of replacement trees required.~~

~~The replacement trees that cannot be planted on the tree removal property, and for which credit cannot be given through a conservation easement under this paragraph, must be replaced by other methods set forth in this subsection, such that the replacement trees equal in total caliper the total caliper of the trees removed or seriously injured.~~

(b) Mitigation by legacy trees.

(1) Lots or artificial lots smaller than five acres on properties which are not using sustainable development incentives may attain replacement credit for planting legacy trees on the tree removal property.

(2) Each tree planted and designated as a legacy tree is given a 12 inch replacement credit.

(3) Legacy tree may be planted only in the front yard of a lot containing an single-family or duplex use.

(c) Habitat preservation and restoration areas.

(1) Habitat preservation and restoration areas which are established to provide a dedicated open landscape area for native flora and fauna habitat preservation or restoration may be credited to the legacy tree mitigation reduction.

(2) To receive credit, habitat preservation and restoration areas must be a minimum of 1,200 square feet of contiguous area.

(3) Credit will only be given for a maximum of 2,400 square feet of habitat and preservation area or twenty percent of the tree canopy cover goal for the property, as determined by the street typology of the adjacent street in Section 51A-10.135(d)(2)(A), whichever is greater.

(4) Every 1,200 square feet of habitat preserved that is not under a tree canopy may be counted as 12 diameter inches of tree replacement credit.

(5) These areas must be actively monitored and managed to be fully sustained as a protected habitat area and provided a maintenance plan.

(d) Sustainable development incentives.

(1) Requirements. For a development to qualify for sustainable development incentives it must meet the following requirements.

(A) Properties must be a minimum of two acres with no residential uses except multifamily uses and shared access developments.

(B) Before a building permit is issued, a consulting arborist or landscape architect must provide the following to the building official:

(i) A forest stand delineation.

(ii) A conceptual landscape plan identifying tree preservation, areas, natural features, landscape areas, proposed buildings, and any other site elements or improvements in as much detail as possible.

(iii) A soil resource assessment for all landscape areas.

(C) All healthy top soils disturbed during construction must be restored.

(D) Development must be fitted to the topography and soils to minimize cut-and-fill sections.

(E) Grading and clearing in or around the development impact area may not encroach in a primary natural area, except in conjunction with the construction of drainage facilities, approved through engineering review.

(i) Grading near preserved trees and around the edge of the development impact area must be planned and implemented to insure minimal impact to natural topography, watercourses, vegetation, and wildlife.

(ii) Indigenous vegetation must be retained and protected except in development impact areas or to control or remove invasive plants.

(F) Utility easement planning and locations must be designed to insure minimal impact to preserved trees and primary natural areas.

(G) All tree preservation and legacy tree plantings must fully comply with the tree protection requirements and soil area and tree spacing standards of this article.

(H) A consulting arborist is required;

(i) for design and implementation of a tree protection plan and soil resource assessment;

(ii) to periodically inspect preserved trees;

(iii) to insure the standards for legacy tree plantings are implemented; and

(iv) to confirm compliance with these requirements to the building official before the final landscape inspection.

(I) Irrigation standards must be designed for efficient water conservation management on the property including dedicated irrigation for all legacy trees.

(J) A site maintenance schedule and implementation plan for site sustainability covering a minimum of five years must be approved by a consulting arborist or landscape architect and fully implemented. The schedule and plan must be available at the property

(2) Pre-development assessment.

(A) Tree canopy cover goal and credit. The combined tree canopy cover of existing preserved trees, planted legacy trees, and planted landscape trees, shown on the final approved landscape plan, determines the tree canopy cover credit for sustainable development incentives.

(i) The combined preserved and planted legacy and landscape tree canopy cover measured in square feet is compared to the tree canopy cover goal for the property to determine the percentage of tree replacement reduction to be provided.

(ii) The tree canopy cover goal for the property is determined by the street typology of the adjacent streets. In this subsection, street typology is determined using the *Complete Streets Manual*, unless another publication is designated by the building official. Where a building site faces two or more street frontages with differing typologies, the greater canopy cover goal controls.

<u>Street Typology</u>	<u>Canopy Cover Goal</u>
<u>Residential</u>	<u>40 percent</u>
<u>Mixed Use</u>	<u>35 percent</u>
<u>Commercial & Freeways</u>	<u>30 percent</u>
<u>Industrial</u>	<u>25 percent</u>
<u>Parkways</u>	<u>45 percent</u>

Canopy cover goal percentages are converted to square feet by multiplying the percent and the total square footage of the building site,

(B) Tree mitigation deductions. Tree mitigation deductions are subtracted from the total replacement tree requirements for the building site to calculate the base mitigation requirement in diameter inches. Available tree mitigation deductions are:

(i) Old-field mitigation reduction credit under Section 51A-10.134(c)(6).

(ii) Transplanted tree on site credit under Section 51A-10.133.1(c).

(3) Site development.

(A) Sustainable development credits.

(i) Tree canopy cover credit.

(aa) Canopy cover credit square footage is divided by the tree canopy goal for the building site, measured in square feet, to obtain the percentage reduction.

(bb) The base mitigation requirement is reduced by the percentage above to determine the number of inches of mitigation remaining due.

(ii) Preserved tree canopy credit.

(aa) Preserved tree canopy cover is determined by completing a forest stand delineation and a conceptual landscape plan showing the protected trees to be preserved.

(bb) Preserved tree canopy cover credit, measured in square feet, must be confirmed before final inspection. Preserved tree canopy cover in a primary natural area is calculated at a rate of .25:1.

(iii) Landscape tree canopy credit. Large and medium nursery stock landscape trees may be counted towards the tree canopy cover total for a building site at a rate of 300 square feet per tree.

(iv) Legacy tree canopy credit. Large or medium legacy trees may be installed in enhanced landscape areas for legacy tree credit. Legacy tree credit is determined as follows:

(aa) Large legacy trees are counted towards the tree canopy cover total at a rate of 1,200 square feet per tree.

(bb) Medium legacy trees are counted towards the tree canopy cover total at a rate of 750 square feet per tree.

(4) Green site points.

(A) Additional tree mitigation reductions are available through enhanced site planning and design, landscape, and water conservation improvements that directly promote urban forest conservation.

(B) Required green site points are calculated by determining the percentage of the tree canopy cover goal or the percentage of existing tree canopy cover compared to the overall building site area before to development. The percentage is rounded and converted to points at a 1:1 ratio (i.e., 30 percent = 30 points).

(i) For building sites three acres or less, the required number of points is determined by the tree canopy cover goal or the tree canopy cover before construction, whichever is greater.

(ii) For all other building sites, the required number of points is determined by the tree canopy cover before construction, but must be a minimum of 50 points.

(C) Green site points from enhanced landscaping are determined as follows:

(i) Green site landscape plan. Five points. A landscape plan must meet the minimum standards of this article, be designed by a landscape architect, and include the following:

(aa) a plan for the design, implementation, and maintenance of a water-wise program and water-wise planting materials on a minimum of 75 percent of development impact area; and

(bb) a soil resource assessment throughout development for all landscape areas and required trees.

(ii) Tree preservation plan. Five points. A tree preservation plan must include a tree protection plan, soil resource assessment, and a complete tree survey performed by a consulting arborist. The tree preservation plan must be implemented and monitored by a consulting arborist. A report of soil planting conditions and tree protection during construction is required before a final landscape inspection.

(iii) Engineered solutions in an urban streetscape for replacement trees. 10 points maximum. A building site must have a minimum of five landscape design option points to qualify. Green site points are awarded when engineered solutions allow required large or medium trees in the street buffer zone to be planted in impervious environments. Soil volume must be a minimum of 480 cubic feet per required tree. A minimum of 75 percent of required street buffer trees must meet the soil volume minimum for credits to apply.

(aa) Minimum required soil volume: five points

(bb) Increase in soil volume 10 percent above minimum requirement: six points

(cc) Increase in soil volume 15 percent above minimum requirement: seven points

(dd) Increase in soil volume 20 percent above minimum requirement: eight points

(ee) Increase in soil volume 25 percent above minimum requirement: nine points

(ff) Increase in soil volume 30 percent or greater above minimum requirement: 10 points.

(iv) Enhanced buffer zone and increased landscape area. 15 points maximum. A building site must have a minimum of 10 landscape design option points in street buffer zone and residential buffer zone enhancements to qualify. A street buffer zone or residential buffer zone may be enlarged by a minimum average of five feet deeper than the required average buffer depth. Five points for each five feet average increase in depth along each buffer zone on the building site.

(v) Conservation through tree preservation or habitat restoration. 20 points maximum. A building site must have a minimum of 10 landscape design option points to qualify. Conservation or preservation programs on the tree removal property may qualify for credits where primary natural areas and secondary natural areas are retained for conservation purposes. Each individual area must be identified on the landscape plan and must be a minimum of five percent of the building site.

(aa) Habitat preservation. Five points. The applicant must preserve existing healthy native and mixed species grassland or woodland areas.

(bb) Habitat preservation and restoration using an active management plan. 10 points. The applicant may create or restore natural habitat conditions if designed and implemented by a qualified professional. Site maintenance must be continual for the purpose of sustaining the vegetated area. Five additional points is available for each additional area.

(cc) Habitat preservation, restoration, and maintenance of natural forest edge using an active management plan - adjacent to primary natural areas. 15 points. The applicant may preserve and restore land areas adjacent to wetlands, creeks, floodplain, and slopes which help buffer the protected creeks, slopes, habitat and woodland in primary natural areas from the development impact area. An additional five points may be allotted if 90 percent of the development impact area boundary adjacent to the primary natural area is a minimum of 100 feet from the primary natural area.

(D) Low impact development. 20 points maximum. A building site must have a minimum of six landscape design option points to qualify.

(i) Rain garden. Maximum 10 points.

(aa) One to 5,000 square feet: three points; and

(bb) each additional 1,000 square feet: one point.

(ii) Bioswale. Maximum 15 points per bioswale.

(aa) 50 to 100 feet long: three points; and

(bb) each additional 50 feet: one point.

(iii) Water-wise plant materials and planting beds. Maximum 10 points. The applicant may provide landscaping that uses water conservation techniques including water-wise plants, mulch, and efficient irrigation:

(aa) in a minimum of 50 percent of landscape areas: three points; or

(bb) in a minimum of 80 percent of landscape areas: five points.

(cc) Low water consumption grasses for 80 percent of turf surfaces: three points; or

(dd) low water consumption grasses for all turf surfaces: five points.

(E) Surface parking lots. The applicant may improve the interior zone to provide wider landscape areas and an enhanced shade tree environment. The enhancements may be combined for a maximum of 30 points. An additional 5 points are available if the building site achieves a 50 percent or greater projected tree canopy coverage over the parking lot with combined existing trees, legacy trees, and landscape trees.

(i) Option 1. Provide a protected pedestrian pathway that is between three feet in width and 15 feet in width, through a parking lot to a building from a public or private street or the expansion of a wide landscape median with trees and a walkway through the parking lot. A minimum of one large or medium tree is required for each 40 linear feet of pedestrian pathway or landscape median. Five points.

(ii) Option 2. Parking islands. Providing a maximum of 10 parking spaces between landscape islands. Five points.

(iii) Option 3. Parking islands. Increasing the landscape area to a minimum of 200 square feet for each large or medium tree.

(aa) Increase landscape area of 50 percent of the required parking islands. Five points.

(bb) Increase landscape area of 75 percent of the required parking islands. 10 points.

(iv) Option 4. Parking islands. Providing a planting area of at least 300 square feet for each large or medium tree.

(aa) Increase landscape area of 50 percent of the required parking islands. Five points.

(bb) Increase landscape area of 75 percent of the required parking islands. 10 points.

(v) Option 5. Parking islands. Each additional parking island provided, Three points.

(vi) Option 6. Landscape medians. Provide a minimum 10 foot wide landscape median with large or medium trees extending the length of a minimum 12 space parking row. Five points.

(vii) Option 7. Landscape medians. Providing a 12 foot wide landscape median with large or medium trees extending the length of a minimum 12 space parking row. 10 points for each full median for a maximum of 20 points on the lot.

(viii) Option 8. Landscape medians. Providing a 16 foot wide landscape median with large or medium trees extending the length of a minimum 12 space parking row. 15 points for each full median for a maximum of 30 points on the lot.

(ix) Option 9. Pocket park. Provide a minimum of 2,500 square feet of contiguous open soil surface area. 20 points.

(F) Conservation easement. 10 points. The applicant may protect the primary and secondary natural areas on the building site adjacent to the development indefinitely through a conservation easement.

(G) Public deed restriction. Five points. The applicant may protect the primary and secondary natural areas on a building site with a public deed restriction for a minimum time-period of 25 years with 25 year automatic renewal provisions.

(e) Tree canopy cover credit for single family and duplex uses. To reduce tree replacement requirements a portion of existing tree canopy coverage over a single family or duplex construction building site must be preserved.

(1) The tree canopy cover goal is 40 percent of the building site.

(2) Healthy large and medium trees preserved on the building site, including boundary trees, may be included in tree canopy cover calculations. Invasive trees and trees located within 20 feet on center of the nearest overhead public electric line are not included in the calculation.

(3) Each large and medium nursery stock tree planted as landscaping may also qualify as 300 square feet of tree canopy cover. If the tree canopy cover goal is met, additional landscape trees are not required, except that one tree must be provided in the front yard.

(4) Healthy large and medium trees preserved in the front yard setback may qualify for double the total square footage of preserved tree canopy coverage.

(5) Boundary trees located on private property must be protected to the drip line according to the tree protection plan.

(6) The tree canopy cover must be measured by a forest stand delineation, verified and approved by the building official. The forest stand delineation must be provided by a consulting arborist.

~~[Use of other property for tree replacement. A responsible party who obtains permission to plant the replacement tree on other tree replacement property in the city shall ensure that the planting and maintenance of the tree on the other tree replacement property complies with the requirements of this article. The building official shall maintain a list of publicly or privately owned properties for which replacement trees are sought by groups such as homeowner's associations or school districts.~~

(c) Reforestation fund.

~~(1) The director shall administer the reforestation fund to purchase trees to plant on public property, to acquire conservation easements or wooded property.~~

~~(2) The amount of the payment required is calculated by using the formula for appraising the value of a tree, as derived from the most recent edition of the *Guide for Establishing Values of Trees and Other Plants* published by the Council of Tree & Landscape Appraisers, unless another publication is designated by the building official. If more than one tree is being removed or seriously injured or not planted, the values of the trees are added when calculating the payment required.~~

~~(3) All property purchased through this fund must be in or partly in the city of Dallas and may not extend further than five miles from the Dallas city limit.]~~

(f[d]) Conservation easement. Grant a conservation easement to the city in accordance with this subsection.

(1) The conservation easement area must contain protected trees with a combined diameter equal to or exceeding the classified diameter inches for which replacement tree credit is being requested.

(2) The conservation easement area must be a minimum of 20 percent of the size of the development impact area on the tree removal property and must be:

(A) configured primarily for urban forest conservation and preservation by protecting natural topography, waterways, forest vegetation, and wildlife habitation; and

(B) a suitable size, dimension, topography, and general character for its intended purpose.

(3) No portion of the conservation easement may be narrower than 50 feet in width when necessary for site conditions.

(4) A conservation easement must have frontage on an improved public street or have public access through private property to a public street.

(5) The city manager is authorized to accept and approve on behalf of the city a conservation easement to conserve trees and other natural features, upon:

(A) approval as to form by the city attorney; [and]

(B) a metes and bounds property description prepared by a licensed surveyor; and

(C) a determination by the building official that the easement area is suitable for conservation purposes, based on:

(i) the submission of baseline documents prepared by a qualified professional describing the property's physical and biological conditions, the general age of any tree stands, locations of easements and construction, and the conservation values protected by the easement;

(ii) the likelihood that the proposed conservation easement area would preserve vegetation on a parcel otherwise attractive for development;

(iii) the overall health and condition of the trees on the conservation easement property, and the extent of invasive and exotic plants on the property and a strategy to manage the population;

(iv~~[ii]~~) the suitability of the area as a wildlife habitat; [and]

(v~~[i]~~) other unique features worthy of preservation, e.g. water channels, rock formations, topography, or rare herbaceous or woody plant species; and[-]

(vi) the preservation of undeveloped areas located in a flood plain on a building site before and after construction, except as authorized by the director for engineering infrastructure.

(6[2]) The conservation easement may be structured to be monitored and managed by a nonprofit association dedicated to the conservation of land, with the city as a joint grantee having the right, but not the duty, to monitor the management of the conservation area. ~~[The joint grantee of a conservation easement may be an eligible grantee such that the grantor will have the option of receiving a property tax benefit on the assessed value of the conservation easement area.]~~

(7[3]) The city manager may not accept a sole or joint conservation easement on behalf of the city, unless and until the owner provides the building official with:

(A) a tree survey as set forth in Section 51A-10.132, or an estimate of the caliper and type of protected trees documented in a manner determined to be reasonably accurate by the building official, or a forest stand delineation verified and approved by the building official; and

(B) a preservation strategy for the conservation easement area.

(8[4]) No person may place playground equipment or park amenities in a conservation easement area unless the building official has made a written determination that the amenities indicated on a site plan are unlikely to be detrimental to the conservation easement area.

(9[5]) Conservation easement areas must be in ~~[or partly in the city of Dallas and may not extend further than five miles from]~~ the Dallas city limit.

(g) Use of other property for tree replacement. The replacement trees that cannot be planted on the tree removal property, and for which credit is not given through a conservation easement must be replaced by the methods set forth in this subsection.

(1) Provide [Donate] the replacement tree to a city department for planting on city property [the city's park and recreation department], with the approval of the director of the city department. [If the director of the park and recreation department does not accept the tree, the responsible party must comply with one or more of the other alternative methods of compliance listed below.]

(2) Plant the replacement tree on other property in the city that is within five ~~[one]~~ miles of the tree removal property, the responsible party obtains the written approval of the building official for:

(A) a site plan indicating the location of the tree to be removed or seriously injured, the address of the property where the replacement tree will be planted, and a site plan indicating the location of the replacement tree; and

(B) a written agreement between the owner of the property where the replacement tree will be planted and the responsible party, to transfer [~~assume—mutual~~] responsibility for the replacement tree under this article to the receiving party.

(i) The agreement may be structured to allow a non-profit association dedicated to tree advocacy or the conservation of land to monitor and manage the replacement trees; and

(ii) The agreement must include a written affidavit by the owner of the property where the replacement tree will be planted agreeing to maintain the tree for five years and to be the responsible party for the replacement tree.

(C) Use of other property for tree replacement. A responsible party who obtains permission to plant the replacement tree on other tree replacement property in the city shall ensure that the planting and maintenance of the tree on the other tree replacement property complies with the requirements of this article.

(h) Reforestation fund.

(1) Make a payment into a special city account, to be known as the Reforestation Fund.

(2) The director shall administer the reforestation fund to purchase trees to plant on public property, to create an urban forest master plan and to update it periodically, to fund a staff position for managing and directing the fund for planting and urban forest education, or to acquire conservation easements or wooded property. A minimum of fifty percent of all funds provided for each fiscal year must be available to planting trees on public property or to acquire conservation easements or wooded property.

(3) The amount of the payment required is calculated by using the formula for appraising the value of a tree, as derived from the most recent edition of the *Guide for Plant Appraisal* published by the Council of Tree & Landscape Appraisers, unless another publication is designated by the building official. If more than one tree is being removed or seriously injured or not planted, the values of the trees are added when calculating the payment required.

(4) All property purchased through this fund must be in the city of Dallas

**SEC. 51A-10.136. CONSERVATION AND MAINTENANCE [~~PRESERVATION~~]
OF PROTECTED TREES DURING CONSTRUCTION OR OTHER DISTURBANCE.**

(a) City property. Except as provided in this section, trees on city property:

(1) must be established and maintained in accordance with ANSI A300 standards for tree care operations and the ISA Best Management Practices; or

(2) the American Standard for Nursery Stock Z60.

(b) In general. Where a property owner plans to retain protected trees on a site to be developed or otherwise disturbed in a manner that may affect protected trees, the following requirements must be met:

(1[a]) Tree protection plan in general. A tree protection plan submitted to the building official must meet the specifications found in ANSI A300 Standards for Tree Care Operations, as amended, and ISA Best Management Practices.

(2) Tree protection plan additional requirements. A tree protection plan must include the following:

(A[1]) A site plan drawn to scale, indicating the location of land disturbance, clearing, grading, trenching, tree protection zones, general projection of the tree canopy area over the property, proposed underground utilities, staging areas for parking, material storage, concrete washout, and debris burn and burial holes where these areas might affect tree protection, and areas where soil compaction is likely to occur in a tree protection zone due to traffic or materials storage.

(B[2]) A complete tree survey in accordance with the requirements set forth in Section 51A-10.132, or a forest stand delineation approved by the building official. Significant and historic trees must be specifically designated on the survey.

(C[3]) Detailed drawings and descriptions of any of the following tree protection measures that will be used during development.

(i[A]) Tree protection fencing. Tree protection fences must be constructed as follows within the development impact area unless an alternative is approved by the building official on the tree protection plan:

(aa) In general. Except as provided in this subparagraph, tree protection fences must be a minimum of four feet high, constructed with adequate, durable material (e.g. orange plastic construction fencing) approved by the building official, and located at the drip line or the edge of the critical root zone, whichever is farthest from the trunk, unless the building official determines that a fence line closer to the trunk will not be likely to result in damage to the tree. The building official may require an expansion of the critical root zone or approved encroachment. Once established, the fence line must remain in place as approved.

(bb) Additional requirements. Tree protection fences located in the development impact area within 15 feet of construction activity must be a minimum of six-feet-high and be constructed of chain-link, wire-mesh, or wood fence materials, and be solidly anchored to the ground if:

(I) a required tree protection fence located with the critical root zone of a protected tree on the Property is determined by the building official to be in violation of this subsection;

(II) a significant or historic tree is located within a development impact area;

(III) a tree preservation plan for sustainable development incentives is designed for the preservation of protected trees within the area of construction activity; or

(IV) tree canopy cover credit for single family or duplex uses is applied to protected trees in the construction activity area.

~~[For purposes of this subsection, "drip line" means a vertical line that runs from the outermost portion of the crown of a tree to the ground.]~~

(ii[B]) Erosion control fencing or screening. All protected trees or stands of trees, and tree protection zones must be protected from the sedimentation of erosion material. Silt screening must be placed along the outer uphill edge of tree protection zones.

(iii[C]) Tree protection signs.

(iv[D]) Transplanting specifications. Trees to be transplanted on property, or relocated from a remote property, must conform to the specifications found in ANSI A300 Standard for Tree Care Operations, as amended.

(v[E]) Tree wells, islands, retaining walls, and aeration systems.

(vi[F]) Staking specifications.

(vii) Soil and root protection.

(viii) Trunk protection.

(ix) Tree and site watering plan.

(c) Clearing. For clearing invasive, exotic, or unprotected vegetation on a building site, a forest stand delineation is required. The building official may require a tree protection plan to be provided on all or a portion of the building site.

(d[b]) Implementation of tree protection plan.

(1) The responsible party must install and maintain all tree protection measures indicated in the approved plan prior to and throughout the land disturbance process and the construction phase.

(2) No person may disturb the land or perform construction activity until the required tree protection measures have been inspected by the building official.

(3) The responsible party must mulch areas where soil compaction is likely to occur as indicated on the plan with a minimum four-inch layer of ~~[processed pine bark or]~~ wood chip[s] mulch, or by other options listed in ISA Best Management Practices, or methods and materials recommended by a consulting arborist and approved by the building official~~[a six-inch layer of pine straw]~~.

(4) If a cut is made to the root of a tree that is not intended to be removed or seriously injured as indicated on the plan, the cut must be made at a 90 degree angle.

(5) The responsible party must tunnel utilities if utilities are to run through a tree protection zone, rather than being placed along corridors between tree protection zones.

(6) The responsible party must provide water to the tree protection zone as needed due to weather or site conditions, with penetration between six and 18 inches of soil.

(e) Damage to protected trees. Where the building official has determined that irreparable damage has occurred to trees within tree protection zones, the responsible party must remove and replace those trees. The building official may determine that irreparable damage to a tree has occurred based on, but not limited to, the following factors:

(1) site evaluation;

(2) visible extensive damage to a tree root system;

(3) extensive soil compaction around the tree protection zone;

(4) visual evidence that required tree protection has been removed or is in disrepair; or

(5) a tree risk assessment by a consulting arborist that includes the current condition and proposed remedial measures.

SEC. 51A-10.137. VIOLATION OF THIS DIVISION.

(a) Stop work order. Whenever any work is being done contrary to the provisions of this division, the building official may order the work stopped by notice in writing served on any person engaged in the work or causing the work to be done. A person issued this notice shall stop work immediately until authorized by the building official to proceed with the work.

(b) Mitigation. The building official may require mitigation for the removal, or serious injury, of protected trees without a tree removal application or a building permit upon written notice of a violation of this division.

(1) Mitigation may include:

(A) replacement of nursery stock trees on the property based on a tree mitigation plan provided by the responsible party, if it is determined by the building official that it is practicable to plant trees on the tree removal property;

(C) other alternative methods of compliance in this article when approved by the building official; or

(B) a fee to be applied to the Reforestation Fund, with the amount determined in Section 51A-10.135.

(2) The responsible party must provide a tree survey or a forest stand delineation identifying all tree sizes and species, or tree canopy coverage, on the property.

(A) If the responsible party fails to provide the required information within 30 days of the notice of violation the building official may conduct a forest stand delineation using aerial imagery, field analysis, or other reasonable and pertinent information to review and identify the square footage of tree canopy coverage on the property.

(B) Required mitigation is calculated as follows:

(i) When tree size and species are identified in a verifiable survey provided by a consulting arborist and approved by the building official. Mitigation is required under Section 51A-10.134.

(ii) When protected trees have been removed with no measurable remaining evidence.

(aa) The tree canopy coverage area is estimated by measuring the tree canopy coverage area shown in an aerial image no older than three years before notice of violation.

(bb) The estimated tree canopy coverage area, in square feet, on the tree removal property is divided by 1,200 square feet to determine an estimated number of trees for the area.

(cc) The number of trees is multiplied by eight inches as the estimated average of trees to determine the inches of the trees to be replaced.

(iii) Reforestation fund.

(aa) The number of inches to be replaced for trees not located in a primary natural area is multiplied by the Class 2 base rate (.7:1) to calculate reforestation fund value.

(bb) The number of inches to be replaced for trees located in a primary natural area is multiplied by the Class 1 base rate (1:1) to calculate reforestation fund value.

(3) Upon a finding by the building official that tree canopy coverage removal has occurred, the building official shall give written notification to the responsible party. Tree replacement or mitigation must be completed within 90 days of the date of the notification.

SEC. 51A-10.138. APPEALS.

In considering an appeal from a decision of the building official made in the enforcement of this division, the sole issue before the board of adjustment shall be whether or not the building official erred in his or her decision. The board shall consider the same standards that the building official was required to consider in making the decision.

SEC. 51A-10.139. FINES.

A person convicted of violating this division shall be subject to a fine of not less than \$2,000.00 per protected tree removed or seriously injured without authorization, and not less than \$2,000.00 per day for any other violation of this division.

SEC. 51A-10.140. CRIMINAL RESPONSIBILITY, AND DEFENSES TO PROSECUTION.

(a) A person is criminally responsible for a violation of this division if the person:

(1) removes or seriously injures, or assists in the removal or serious injury of, a protected tree without complying with the requirements of this division; or

(2) owns part or all of the land where the violation occurs.

(b) It is a defense to prosecution under this section that the act is included in one of the enumerated categories listed in this section. A[No approval of a] tree removal application or tree replacement is not required if the tree:

(1) was dead and the death was not caused by an intentional or negligent act of the owner or an agent of the owner;

(2) had a disease or injury that threatened the life of the tree and was not caused by an intentional act of the owner or an agent of the owner;

(3) was in danger of falling or had partially fallen and the danger or the fall was not due to an intentional act of the owner or an agent of the owner;

(4) was in a visibility triangle (unless the owner was legally required to maintain the tree there) or obstructed a traffic sign;

(5) interfered with service provided by a public utility within a public right-of-way;

(6) threatened public health or safety, as determined by one of the following city officials:

(A) the chief of the police department;

(B) the chief of the fire-rescue department;

(C) the director of public works;

(D) the director of street services;

(E) the director of sanitation services;

(F) the director of code compliance;

(G) the director of park and recreation; [Ø]

(H) the director of sustainable development and construction; or

(I) the director of aviation.

(7) was designated for removal without replacement in a landscape plan approved by the city council, city plan commission, or board of adjustment;

(8) interfered with construction or maintenance of a public utility or public right-of-way; or

(9) was removed or seriously injured to allow construction, including the operation of construction equipment in a normal manner, in accordance with infrastructure engineering plans approved under Article V of Chapter 49 or street paving and grading in a public right-of-way, storm drainage easement, detention or retention pond designation, or bridge construction, for private development. [Section 51A-8.404; or]

~~[(10) was removed or seriously injured to allow construction of improvements in accordance with a building permit.]~~

FILE NUMBER: DCA178-003

DATE INITIATED: NA

TOPIC: Park Land Dedication

CITY COUNCIL DISTRICTS: All

CENSUS TRACTS: All

PROPOSAL: Consideration of an amendment to Chapter 51 and Chapter 51A of the Dallas Development Code to establish a park land dedication requirement for residential and lodging uses.

SUMMARY: The proposal establishes park land dedication requirements or a fee-in-lieu of park land dedication and a park development fee for residential and lodging uses in the City of Dallas.

SRC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

BACKGROUND

On November 16, 2016, at the request of the Park and Recreation Board, staff provided a briefing on park land dedication ordinances in Texas. The same briefing was provided to the City Council Quality of Life Committee on January 23, 2017. The Committee was briefed again on the topic on April 10th and June 12th of 2017. The City Council Committee requested that staff pursue the steps necessary to prepare an ordinance on park land dedication requirements for City Council consideration at the earliest convenience.

Between briefings to the Park and Recreation Board and City Council Committee, staff from Sustainable Development and Construction and the Park and Recreation Departments convened a panel to discuss and make recommendations on an ordinance. The panel included representatives from the local chapter of the American Institutes of Architects, The Real Estate Council, Dallas Builders Association, single and multifamily residential developers, the Trust for Public Land, and other park and open space advocates including former City Council and Park and Recreation Board members. The panel met five times over the course of April and May of 2017. Several of the key panel recommendations have been incorporated into the proposed park land dedication ordinance.

The Subdivision Review Committee considered this item at five public meetings: July 6, 2017; July 20, 2017; August 17, 2017; September 7, 2017 and on October 12, 2017 voted to recommend the proposed ordinance to the City Plan Commission.

The City Plan Commission was briefed by staff on park land dedication on November 9, 2017.

GENERAL INFO/STAFF ANALYSIS:

Park land dedication ordinances are commonplace throughout the state of Texas including the surrounding metroplex and have been utilized in Texas since 1955. All large peer cities (Houston, San Antonio, Austin, Fort Worth) have enacted similar ordinances to ensure adequate park land and amenities are available to new residents and visitors.

The intent of the ordinance is to make park land and park amenities available to new residents as new residential and lodging development occurs. The cost of providing land and amenities to new residents is borne by the developer as opposed to existing taxpayers. Typical components of these ordinances include a park land dedication requirement, an optional fee-in-lieu of land dedication, a park development fee, establishment of nexus zones and a time limit for expending fees. The proposed ordinance includes all of those elements.

The fee-in-lieu recommendations are based upon a methodology that takes into account the existing criteria of the park system including acreage, number of parks, US census data, cost to develop a neighborhood park, and the cost to acquire parkland. The proposed fees are comparable and in line with existing park dedication fees around the metroplex.

The recommendation for nexus zones is to utilize the six existing park districts and a new zone for the downtown area to follow the map developed by the Downtown 360 Plan. The rationale is that the districts currently exist, they contain roughly a similar number of parks and facilities, and they are large enough to offer flexibility for acquiring park land while still being responsive to the new development. Also, please note that due to the requirement that land dedicated and funds spent must geographically relate to the new development, fees must be spent within the same nexus zone as the new development or in an adjacent zone in the scenario where the development occurs on a zone border.

PROPOSAL

- Land Dedication Requirements
 - SF = 1 acre per 100 dwelling units
 - MF 1 bed = 1 acre per 255 dwelling units
 - MF 2+ beds = 1 acre per 127 dwelling units
 - Hotel/Motel = 1 acre per 233 rooms
- Fee-in-lieu total (including park development fees)
 - SF = \$1165 per dwelling unit
 - MF 1 bed = \$457 per dwelling unit
 - MF 2+ beds = \$917 per dwelling unit
 - Hotel/Motel = \$500 per room
- Minimum size of land dedication is 1 acre unless special circumstances exist
 - For developments that require a dedication of less than 1 acre, fee-in-lieu will be accepted
- Number of dwelling units is based upon the total increase in units in existence within 5 years of approval of preliminary plat or issuance of building permit
 - Would exempt residential tear-downs and replacement of 1 new home
- Private park land will be given 100% towards land dedication requirement if publicly accessible and is compliant with other standards
- Private park land will be given a 50% credit towards land dedication requirement if it is completely private but is compliant with other standards
- Dedicated land must meet certain standard requirements and shall not exceed 50% floodplain designation and shall not include storm water detention/retention areas
- Fees paid to meet ordinance requirements must be spent within 10 years

- Fees paid to meet ordinance requirements cannot be used for maintenance or staff/overhead expenses
- Trees on dedicated parkland may be used to meet tree mitigation requirements in accordance with Article X
- Proposed ordinance will go into effect in January 1, 2020
- Ordinance will be re-evaluated every 5 years

Motion to approve the Draft Ordinance DCA 178-003 as corrected

Motion: Paul Ridley
2nd: Mark Rieves

Result: Passed: 3 to 0
For: Jung, Ridley, and Rieves.
Against: None
Absent:

“SEC. 51A-X.XXX.

(a) Purpose. Dedication of park land provides new residents and visitors with recreational amenities and green infrastructure consistent with the current level of park services for existing residents.

(b) Applicability.

(1) Except as provided in this section, park land dedication requirements apply to:

(A) a single family or duplex residential plat or building permit for new construction; and

(B) a development plan or building permit that includes multifamily residential units or a hotel or motel use.

(2) These regulations do not apply to plats, replats, or issuance of building permits for new construction on land owned by a governmental unit.

(c) Definitions. In this section the following definitions apply:

(1) COMMUNITY PARK means a park that is larger than a neighborhood park and serves several neighborhoods.

(2) DIRECTOR means the director of the park and recreation department.

(3) HOTEL AND MOTEL USE means a hotel or motel use, extended stay hotel or motel use, lodging or boarding house use, or residential hotel,.

(4) MULTIFAMILY USE means a college dormitory, fraternity, or sorority house, group residential facility, multifamily use, or retirement housing.

(5) NEIGHBORHOOD PARK means a park that serves a variety of age groups within a limited area or neighborhood.

(6) PRIVATE PARK LAND means privately owned park land, common area, or green spaces provided on-site that is accessible to the residents of a development.

(7) SINGLE FAMILY OR DUPLEX USE means a duplex use, handicapped group dwelling unit, residential hotel, or single family use.

(d) Dedication.

(1) General. Dedication may be accomplished by dedication to and acceptance of suitable land by the city or by payment of a fee-in-lieu of dedication.

(2) On-site dedication. For single family or duplex residential subdivisions, on-site dedication must be shown on the preliminary and final plat. For multifamily or hotel and motel uses, on-site dedication must be shown on the development plan or other plan submitted with a building permit application.

(3) Off-site dedication. Off-site dedication must be shown in a deed to the city that has been accepted by the director.

(4) Deferral. Payment of the fee-in-lieu may be deferred from the time of platting to the time of issuance of building permits.

(5) Dedication calculation. To determine the amount of land required to be dedicated the following formula applies:

(A) For a single family or duplex residential subdivision:

One acre per 100 dwelling units. Less than 100 dwelling units on a pro rata basis.

(B) For a multi-family development:

One acre per 255 single bedroom dwelling units. Less than 255 dwelling units on a pro rata basis.

One acre per 127 two bedroom or greater dwelling units. Less than 127 dwelling units on a pro rata basis.

For a college dormitory, fraternity, or sorority house, one acre for 255 sleeping rooms. Less than 255 sleeping rooms on a pro rata basis.

(C) For a hotel or motel use development:

One acre per 233 guest rooms. Less than 233 guest rooms on a pro rata basis.

(e) Single family and duplex development. For single family or duplex developments, park land dedication may occur at either the subdivision or permitting phase. Dedication is only required once.

(1) Residential subdivision. Final approval of a single family or duplex residential subdivision plat requires at least one of the following to satisfy the requirements of Subsection (d) of this section including any credits or off-sets authorized pursuant to section XXXXXX :

(A) For park land dedicated within the subdivision, a fee simple dedication on the subdivision plat of the required park land approved by the director.

(B) For park land dedicated outside the subdivision, evidence of recording in the appropriate real property records of a general warranty deed of the required park land approved and accepted by the director.

(C) Land that is platted as a private park land must be identified on the plat.

(D) Land established as a private park for the purposes of this section may not be replatted to change the designation without the approval of the city plan commission. The city plan commission shall not approve a replat that would change the designation unless it determines that:

(1) alternative private park land that satisfies the requirements of this subsection is identified within the original subdivision that meets the dedication requirement; or

(2) park land dedication requirements are met with an off-site dedication or fee-in-lieu meeting the requirements of this section.

(E) Confirmation of deposit into the *park land dedication fund* of the fee-in-lieu of dedication in the amount established pursuant to subsection XXXX; or

(F) For phased plats, park land dedication plats may only be accepted for the active phase.

(2) Residential building permit. Issuance of a building permit for a single family or duplex development requires at least one of the following to satisfy the requirements of Subsection (d) of this section including any credits or off-sets authorized pursuant to section XXXXXX :

(A) For dedicated park land, evidence of recording in the appropriate real property records of a general warranty deed of the required park land approved and accepted by the director; or

(B) Confirmation of deposit into the *park land dedication fund* of the fee-in-lieu of dedication in the amount established pursuant to Subsection XXX

(f) Multifamily and hotel or motel use developments. Issuance of a building permit for a multifamily or hotel and or motel use development requires at

least one of the following to satisfy the requirements of Subsection (d) of this section including any credits or off-sets authorized pursuant to section XXXXXX :

(1) For dedicated park land, evidence of recording in the appropriate real property records of a general warranty deed of the required park land approved and accepted by the director;

(2) Identification of the required amount of private park on the preliminary and final plats; or

(3) Confirmation of deposit into the *park land dedication fund* of the fee-in-lieu of dedication in the amount established pursuant to Subsection XXX

(g) Minimum size. If the calculation in Subsection (d) of this section results in less than one acre, the director may require the developer to pay the fee-in-lieu of land dedication as provided in Subsection XXXXX. The director may approve the dedication of less than one acre of property if the proposed park meets or addresses a need in the park system or presents an opportunity to enhance the city parks system as recommended by the comprehensive plan.

(h) Fee-in-lieu.

(1) The owner of property for which dedication is required may pay a fee-in-lieu of dedication in the amount determined in Paragraph (G), and the director shall not refuse any payment of a fee-in-lieu of dedication.

(A) In some instances, the director may require the developer to pay fees-in-lieu of dedicating land. In making this determination, the director shall consider the following factors:

(i) Whether sufficient park land and open space exists in the area of the proposed development; and

(ii) Whether recreation potential for an area would be better served by expanding or improving existing parks, by adding land or additional recreational amenities.

(B) The director shall notify the developer in writing of the director's decision to require a fee-in-lieu of dedication and the reason for the decision. The developer shall be entitled to appeal the director's decision to the *commission*.

(2) The dedication requirement may be met by fee-in-lieu of land dedication at a specified dollar amount determined annually pursuant to this section. Payment of the fee-in-lieu is required at the time of approval of the final plat or issuance of building permits, whichever comes first in time. Cash payments may be used only for acquisition or improvement of park land and facilities located within the

same NEXUS ZONE as the development. Fees may be applied to any type of park site or improvement within the NEXUS ZONE in accordance with park and recreation department prioritization.

(3) The initial fee-in-lieu of dedication shall be \$762.00 per dwelling unit for single family or duplex uses, \$299.00 per one bedroom dwelling unit and \$600.00 per each dwelling unit with more than one bedroom for multifamily uses, \$299.00 per sleeping room for a college dormitory, fraternity, or sorority house use, and \$327.00 per guest room for hotel and motel uses. Fees will be adjusted yearly by applying the percentage changes in the *Dallas Central Appraisal District Average Values for Detached Single Family Residences (SFR)*. Maximum adjustment per year is escalation or reduction of five percent.

(4) For developments in more than one NEXUS ZONE, or that abut another NEXUS ZONE, fees-in-lieu may be spent in either NEXUS ZONE.

(i) Park development fee. To provide recreational amenities on existing park land for new residents and visitors a park development fee of \$403.00 per dwelling unit for single family or duplex uses, \$158.00 per one bedroom dwelling unit and \$317.00 per each dwelling unit with more than one bedroom for multifamily uses, \$158.00 per sleeping room for a college dormitory, fraternity, or sorority house use, and \$173.00 per guest room for hotel and motel uses is required to be paid at the time of dedication or payment of fee-in-lieu. Park development fees may be applied to parks within the NEXUS ZONE in accordance with park and recreation department prioritization.

(1) Credit may be provided for capital improvements on adjacent park land if the capital improvements:

- (A) meet minimum park and recreation standards;
- (B) are needed and are appropriate for the park land; and
- (C) are accepted by the director.

(2) Credit may be provided for capital improvements on publicly accessible private park land if the capital improvements:

- (A) meet minimum park and recreation standards;
- (B) are needed and are appropriate for the park land; and
- (C) are accepted by the director.

(3) For developments in more than one NEXUS ZONE, or that abut another NEXUS ZONE, park development fees may be spent in either NEXUS ZONE.

(j) Calculations; deductions and credits.

(1) Initial calculations. The director shall determine the amount of land required to be dedicated or fees-in-lieu of dedication to be paid in accordance with Subsections (c) and (g) and this subsection.

(A) The director shall first calculate the amount of park dedication required in Subsection (d);

(B) If the owner of the subdivision or development elects to pay a fee-in-lieu of dedication, or the director requires the payment of a fee-in-lieu of dedication, the director shall calculate the fee according Subsection (h);

(C) If the owner of the subdivision or development chooses to satisfy the requirements of this division by a combination of dedication of land and payment of a fee-in-lieu of dedication, the parks director shall:

(i) First, calculate the total park dedication requirement;

(ii) Second, subtract from the total park land dedication requirement the amount of park land to be dedicated;

(iii) Third, calculate amount of fee-in-lieu for remaining amount of park land dedication required by multiplying the remaining land area by the fee-in-lieu per square foot cost factor.

(2) Deductions and credits.

(A) The number of dwelling units shall be based on a total increase in dwelling units. The director shall deduct from the initial calculation pursuant to Subsection (d) the number of dwelling units in existence within five years of the approval of the preliminary plat or the issuance of the first building permit for the proposed new development. The burden is on the applicant to demonstrate to the satisfaction of the director that the dwelling units existed before the application for the subdivision plat or building permits generating the dedication requirement;

(B) The director shall reduce the dedication requirement of Subsection (d) or the fee-in-lieu of dedication requirement of Subsection (h), as applicable, by one or more of the following credits:

(i) A maximum credit of 100 percent of the total requirement shall be given for publicly accessible private park land provided within

the subdivision or development generating the dedication requirement that meets the requirement of this subparagraph.

(aa) To be eligible for credit publicly accessible private park land must be:

(I) made accessible to the public on an instrument approved by the city attorney;

(II) of a size approved by the director to appropriately meet the needs of the development;

(III) provide landscaping and recreational amenities approved by the director; and

(IV) be open to the public during all times it is accessible to the residents of the development.

(bb) Equipment in a private park shall comply with city standards applicable to the type of equipment.

(cc) A publicly accessible private park land instrument must:

(I) contain a legal description of the development and the publicly accessible private park land;

(II) be signed by all owners and lienholders of the property and is binding on lienholders by a subordination clause;

(III) be approved by the director;

(IV) be approved as to form by the city attorney;

(V) create a covenant running with the land;

(VI) provide that the owners of property development are responsible for all general park maintenance at a level consistent with minimum park and recreation standards;

(VII) provide necessary easements for access to the publicly accessible private park land;

(VIII) give the city the right, but not the obligation, to take any action needed to make necessary repairs or improvements

within the publicly accessible private park land, and to place a lien on all lots within the development until the city has received full compensation for that action;

(IX) provide that the owners of property in the development agree to defend and indemnify the city, and to hold the city harmless from and against all claims or liabilities arising out of or in connection with publicly accessible private park land or publicly accessible private park land instrument;

(X) provide that it is governed by the laws of the State of Texas;

(XI) provide that it may only be amended or terminated:

(AA) with the consent of all the owners and lienholders of property in the development;

(BB) the dedication of any park land or payment of a fee-in-lieu necessary to meet the requirements of this section; and

(CC) after approval as to form by the city attorney, and approval by the director.

(ii) A maximum credit of 50 percent of the total requirement shall be given for non-publicly accessible private park land provided within the subdivision or development generating the dedication requirement that meets the requirement of this subparagraph. Private park land eligible for credit must:

(aa) be of a size approved by the director to appropriately meet the needs of the development;

(bb) be maintained at a level consistent with minimum park and recreation maintenance standards;

(cc) provide landscaping and recreational amenities approved by the director;

(dd) be located at grade; and

(ee) have equipment that complies with city standards applicable to the type of equipment.

(C) Credits are cumulative, up to a maximum of 100 percent of the required dedication and are only applicable to the original property being developed.

(k) Park location standards. It is the purpose of this section to ensure that parks are easy to access, can be linked with nearby park and recreational facilities, and are generally open to public view or accessible by easement to benefit area development, enhance the visual character of the city, protect public safety and minimize conflict with adjacent land uses. Land proposed to be dedicated for parks should meet the following location standards:

(1) Where physically feasible, parks should be bound by streets or by other public uses (e.g., school, library, recreation center) to facilitate access and possible joint use.

(2) Where residential lots directly abut a park, consideration should be given to future owners' access to the facility and protection from future park uses, such as lighting and noise.

(3) Dedicated park land must be in a location that is accessible by the public.

(4) The director may accept dedication of property within the NEXUS ZONE that provides for access to parks other than community and neighborhood parks.

(5) The land must comply with current park standards.

(l) Park land acceptance standards.

(1) The city may accept or reject an offer of dedication, after consideration of the recommendation of the director, and require the payment of fees in lieu of dedication as provided in Subsection (h).

(2) Land dedicated for park and recreational areas shall be of such size, dimensions, topography and general character as is reasonably required by the city for the type of use necessary to meet the current park system requirements.

(3) Land proposed to be dedicated for parks generally shall meet the following requirements. The parks director may recommend the acceptance of the dedication of property that does not meet these criteria if the property is adjacent to an existing park or other public space, provides access to a park, or otherwise presents an opportunity to enhance the city parks system consistent with the park and recreation department's comprehensive plan update.

(A) Minimum size and configuration standards.

(i) Unless determined otherwise by the director pursuant to Subsection (g), the minimum size of land dedicated for a park is one acre.

(ii) Land dedicated for a park must be a contiguous piece of property that can physically accommodate improvements associated with a neighborhood or community park.

(B) Location and access standards.

(i) The land meets the applicable location requirements of Paragraph (4).

(ii) The land shall have connectivity to a public street *appropriate for the size and use of the park*.

(C) Physical characteristics standards.

(i) Unless otherwise approved the director, land must be vacant and cleared of nonvegetative material.

(ii) The land must be in full compliance with all ordinances, rules, and regulations of the city.

(iii) Except when approved by the director, the land shall not have severe slopes or unusual topography that would not allow the park to be used for its intended purpose without recontouring the property.

(D) Minimum environmental conditions standards. Unless provided otherwise in rules promulgated by the director, the land shall be reasonably free of recognized environmental conditions.

(i) If land is proposed to be dedicated by plat, before submittal of a final plat the applicant shall submit either a phase I environmental assessment that shows no environmental conditions exist on the property or a phase II environmental assessment that shows no remediation is required.

(ii) If land is proposed to be dedicated by separate instrument, before acceptance the applicant shall submit either a phase I environmental assessment that shows no environmental conditions exist on the property or a phase II environmental assessment that shows no remediation is required.

(4) Land in a federally designated floodplain or floodway may be dedicated as park land if the land otherwise meets the acceptance standards for

park land in this section and all other ordinances, rules, and regulations of the city. Floodplain and floodway areas may only be used to meet a maximum of 50 percent of the dedication requirements. Stormwater detention/retention areas and associated access easements do not meet the standards for acceptance of park land.

(5) For developments in more than one NEXUS ZONE property may be dedicated in either NEXUS ZONE.

(m) Park land dedication fund.

(1) There is hereby established a special fund for the deposit of all sums paid in lieu of land dedication under this section, the fund will be known as the "Park Land Dedication Fund." Except as provided in this section, funds will only be released from the Park Land Dedication Fund to buy, build, or enhance a park within the NEXUS ZONE, from which the funds originated.

(2) Fees paid into the park land dedication fund must be spent by the city within ten years after the payment of the required fees. If the funds cannot be spent within the ten year period, the owners of the property on the last day of the 10 year period will be entitled to a refund of the unexpended sum upon request. The owners of the property, as shown on the current tax roll or proven by other instrument, must request a refund within one year of the expiration of the ten year period. The request must be made in writing to the director.

(3) Where funds have been paid or a dedication for a phased development has been made in accordance with this section, and the original developer does not complete all phases of the entire development, credit for any prior dedication or payment will be applied to subsequent replats or development plans for the same land on a pro-rata basis by dwelling unit for a period of ten years. Increased density requires the dedication of additional park land or payment of additional fees.

(4) The park land dedication fund must be used for the acquisition and improvement of parks and may not be used for park maintenance or city staff overhead expenses. Indirect costs reasonably incurred in connection with park acquisition and improvement, such as appraisal fees, environmental assessment costs, legal expenses, engineering and design costs, are limited to a maximum of ten percent of total acquisition or improvement costs.

(n) Trees on dedicated park land may be used to meet tree mitigation requirements in accordance with Article X. To be eligible for Article X tree mitigation credits, dedicated park land must meet the conservation easement standards in Article X and the requirements for publicly accessible private park land in Section 51A-XXX (j)(2)(B)(i). Park land dedication requirements may be met on an acre by acre basis for any land dedicated as a conservation easement under Article X that meets the conservation easement standards in Article X and the requirements for

publicly accessible private park land in Section 51A-XXX (j)(2)(B)(i) and is accepted by the director.

- (o) This ordinance goes into effect January 1, 2020.
- (p) Re-evaluation every five years.”