



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, October 15, 2015  
AGENDA

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BRIEFINGS:	5ES	9:00 a.m.
PUBLIC HEARING:	Council Chambers	1:30 p.m.

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

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

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**BRIEFINGS:**

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Sharon Hurd

Consent Items:

- (1) **S145-284**  
(CC District 14)
- An application to replat a 0.3298-acre tract of land containing all of Lots 14 and 15 in City Block 1/2144 into one lot on property located on La Vista Drive at Live Oak Street, southeast corner.  
Applicant/Owner: CCP Live Oak La Vista LP  
Surveyor: Survey Consultants, Inc.  
Application Filed: September 16, 2015  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats:

- (2) **S145-285**  
(CC District 13)
- An application to replat a 0.148-acre tract of land containing all of Lot 7A in City Block G/2477 into two, equally-sized, 0.074-acre lots on property located at 3702 West Beverly Drive.  
Applicant/Owner: MRJ Development, Inc.  
Surveyor: Texas Heritage Surveying, LLC  
Application Filed: September 16, 2015  
Zoning: PD 193 (TH-3)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S145-287**  
(CC District 13)
- An application to replat a 2.161-acre tract of land containing all of Lots 8A and 9A in City Block A/5664 into one 1.5489-acre lot and one 0.6116-acre lot on property located at 9031 and 9039 Devonshire Drive.
- Applicant/Owner: Stephen Storm Sands  
Surveyor: Halff Associates, Inc.  
Application Filed: September 17, 2015  
Zoning: R-16(A)  
Staff Recommendation: **Denial**

Miscellaneous Items:

- M145-053**  
Richard Brown  
(CC District 11)
- An application for a minor amendment to the Phase 2 development plan for Planned Development District No. 123 for a Private school on property along both frontages of Churchill Way and Turner Way, east of Preston Road.
- Staff Recommendation: **Approval**  
Applicant: Mission Laique Francaise  
Representative: Rob Baldwin

Zoning Cases - Consent:

1. **Z145-127(DL)**  
Danielle Lerma  
(CC District 7)
- An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed Use Subdistrict, Tract I within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District with an SH-3 Shop Front Overlay, on the east corner of South Lamar Street and South Boulevard.
- Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.  
Applicant: Isaiah and Shawanna Sullemon, Cowboys Lounge  
Representative: Davis Business Services
2. **Z145-292(WE)**  
Warren Ellis  
(CC District 13)
- An application for a Specific Use Permit for a private recreation center, club or area on property zoned an R-16(A) Single Family District on the northwest corner of Walnut Hill Lane and Betty Jane Lane.
- Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions.  
Applicant: Highland Park Hurricanes Basketball, L.L.C  
Representative: William Dahlstrom, Jackson Walker L.L.P.



3. **Z145-296(WE)**  
Warren Ellis  
(CC District 3)  
An application for an amendment to Specific Use Permit No. 1473 for a public school on property zoned Planned Development District No. 521, in an area generally bounded by Fox Creek Trail, Wisdom Creek Drive, and Firethorn Drive.  
Staff Recommendation: **Approval** for a permanent period, subject to a revised site plan, revised landscape plan, traffic management plan, and conditions.  
Applicant: Duncanville ISD  
Representative: Karl Crawley, Masterplan
4. **Z145-305(WE)**  
Warren Ellis  
(CC District 6)  
An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the southeast corner of Cullum Lane and Harry Hines Boulevard.  
Staff Recommendation: **Approval** with deed restrictions volunteered by the applicant.  
Applicant: Gingercrest, Inc.  
Representative: Tommy Mann and Brad Williams, Winstead PC
5. **Z145-281(OTH)**  
Olga Torres Holyoak  
(CC District 8)  
An application for a Specific Use Permit for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District on the southern corner of Gannon Lane and South Westmoreland Road.  
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: Atiq Pradhan  
Representative: Houshang Jahvani
6. **Z145-302(OTH)**  
Olga Torres Holyoak  
(CC District 9)  
An application for an amendment to the boundaries of Specific Use Permit No. 1592 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned Planned Development District No. 870, northwest of the intersection of Easton Road and East Lake Highlands Drive.  
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan and conditions.  
Applicant: SBA 2010 TC Assets, LLC  
Representative: M. David Prejean
7. **Z145-330(OTH)**  
Olga Torres Holyoak  
(CC District 2)  
An application for an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District, on the west corner of South Carroll Avenue and Bute Street.  
Staff Recommendation: **Approval**  
Applicant/Representative: Jesse Banda

8. **Z145-323(RB)**  
Richard Brown  
(CC District 14)
- An application for a Specific Use Permit for a Class A Dance hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of Travis Street, south of Knox Street.  
Staff Recommendation: **Approval** for a four-year period, subject to a site plan, landscape plan, and conditions.  
Applicant: JH Entertainment Group, LLC; Matthew Giese, sole officer  
Representative: Roger Albright

Zoning Cases – Under Advisement:

9. **Z145-203(RB)**  
Richard Brown  
(CC District 13)
- A City Plan Commission authorized hearing for Planned Development District No. 463, with consideration being given to increasing the floor area for lodging and similar uses within the Tract III portion (Zones A and B) of the Planned Development District, on property within the southwest quadrant of West Northwest Highway and North Central Expressway.  
Staff Recommendation: **Approval**, subject to a revised conceptual plan, revised Tract III (Zones A and B) development plan, a Tract III (Zones A and B) landscape plan, and revised conditions.  
Applicant: Buckner Senior Living, Inc.  
Representative: Tommy Mann and Brad Williams, Winstead PC  
U/A From: October 1, 2015.
10. **Z145-140(OTH)**  
Olga Torres Holyoak  
(CC District 14)
- An application for a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District south of Goodwin Avenue, east of Greenville Avenue.  
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals of additional ten-year periods, subject to a site plan and conditions.  
Applicant: Verizon Wireless  
Representative: Kathy Zibilich, Griffin Harris PLLC  
U/A From: February 19, 2015, April 2, 2015, June 4, 2015 and August 20, 2015.
11. **Z145-181(OTH)**  
Olga Torres Holyoak  
(CC District 14)
- An application for the renewal of Specific Use Permit No. 1803 for an open-enrollment charter school on property zoned a CA-1(A) Central Area District in an area bounded by McKinney Avenue, Laws Street, Munger Avenue and North Lamar Street.  
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised traffic management plan and conditions.  
Applicant: Uplift Education – Ann Stevenson  
Representative: Brian Nelson  
U/A From: June 4, 2015, July 9, 2015, September 3, 2015 and October 1, 2015.

Zoning Cases – Individual:

12. **Z145-341(ND)**  
Neva Dean  
(CC District 1)
- A City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7, in an area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8<sup>th</sup> Street, Davis Street, Zang Boulevard, both sides of West 8<sup>th</sup> Street, North Adams Avenue, properties on the south side of West 7<sup>th</sup> Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5<sup>th</sup> Street, and Zang Boulevard with consideration given to a zoning category that would allow for a historic building demolition delay.
- Staff Recommendation: **Approval**  
Landmark Commission Recommendation: **Approval**
13. **Z145-342(ND)**  
Neva Dean  
(CC District 1, 2, 6, 7, 14)
- A City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District; Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 – CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development

District No. 305, Planned Development District No. 317, Planned Development District No. 330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No. 466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 in an area generally bound by Haskell Avenue, R.L. Thornton Freeway, 2<sup>nd</sup> Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue with consideration given to a zoning category that would allow for a historic building demolition delay.

Staff Recommendation: **Approval**

Landmark Commission Recommendation: **Approval**

14. **Z145-238(WE)**  
Warren Ellis  
(CC District 2)

An application for an MF-2(A) Multifamily District and a Planned Development District for multifamily residential uses on property zoned an MF-2(A) Multifamily District and Planned Development District No. 914 in an area generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street.

Staff Recommendation: **Approval** of an MF-2(A) Multifamily District; and **approval** of a Planned Development District, subject to a development plan, and staff's recommended conditions.

Applicant: Maple Multifamily Development, LLC

Representative: Robert Baldwin, Baldwin Associates

15. **Z145-313(WE)**  
Warren Ellis  
(CC District 7)  
An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District, on the east corner of Forney Road and Lawnview Avenue.  
Staff Recommendation: **Denial**  
Applicant: Antonio Brito, Just to Flirt Inc.  
Representative: Antonio Brito
16. **Z145-263(AF)**  
Aldo Fritz  
(CC District 5)  
An application for a Planned Development District for MF-1(A) Multifamily District uses on property zoned a CR Community Retail District at the south corner of Piedmont Drive and Hillburn Drive.  
Staff Recommendation: **Approval**, subject to a development plan, amenity plan and conditions.  
Applicant: Piedmont/Scyene Joint Venture  
Representative: Rob Baldwin, Baldwin Associates
17. **Z145-269(AF)**  
Aldo Fritz  
(CC District 3)  
An application for a Specific Use Permit for an Open-enrollment charter school on property zoned an RR Regional Retail District, north of West Camp Wisdom Road and west of Interstate 35E Freeway.  
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan and conditions.  
Applicant: Uplift Education  
Representative: Brian Nelson, HKS Architects
18. **Z145-308(SM)**  
Sarah May  
(CC District 14)  
An application for a new Planned Development Subdistrict on property zoned Center Core Area, Subdistrict E-F within Planned Development District No. 281, the Lakewood Special Purpose District, on the southeast corner of Prospect Avenue and Kidwell Street.  
Staff Recommendation: **Approval**, subject to staff's recommended conditions.  
Applicant: Lawler Platner Wilson, LP  
Representative: Rob Baldwin, Baldwin Associates
19. **Z145-264(SM)**  
Sarah May  
(CC District 6)  
An application for a Planned Development District for LO-1 uses and a mortuary, funeral home, or commercial wedding chapel use on property zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District with a D Overlay, on the northeast line of Webb Chapel Road and on the west line of Larga Drive, east of Webb Chapel Extension.  
Staff Recommendation: **Approval**, subject to a development plan, landscape plan and conditions.  
Applicant: DeWayne D. Hughes  
Representative: Maxwell J. Fisher, Masterplan Consultants

20. **Z145-325(OTH)** An application for the removal of the D-1 Liquor Control Overlay or Olga Torres Holyoaka Specific Use Permit for the sale of alcoholic beverages in (CC District 7) conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an RR Regional Retail District on the northeast corner of Samuell Boulevard and South Buckner Boulevard.  
Staff Recommendation: **Denial** of a D-1 Liquor Control Overlay; and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: JD Dudley  
Representative: Robert Miklos, Miklos Law, PLLC
21. **Z145-306(RB)** An application for an amendment to Planned Development Richard Brown Subdistrict No. 96 within Planned Development District No. 193, the (CC District 2) Oak Lawn Special Purpose District, on the west line of Harry Hines Boulevard and the east line of the Houston Street Extension.  
Staff Recommendation: **Approval**, subject to revised conditions.  
Applicant: ASA Apartments, LP  
Representative: Rob Baldwin
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Other Matters

Update on CA145-427(JKA) 4903 Junius Street - appeal of the Landmark Commission's decision heard by the Commission on October 1, 2015.

Neva Dean, Interim Assistant Director, Current Planning

Minutes: October 1, 2015

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Tuesday, October 13, 2015**

**ARTS DISTRICT SIGN ADVISORY COMMITTEE (ADSAC) MEETING** – Tuesday, October 13, 2015, City Hall, 1500 Marilla Street, in Room 5BN, at 2:00 p.m. to consider (1) **1509151023** - An application for a Certificate of Appropriateness, by Melanie Hancock of FS6 Electric, for a 457 square foot attached sign at 2323 Ross Avenue (southeast elevation), and (2) **1509151028** - An application for a Certificate of Appropriateness, by Melanie Hancock of FS6 Electric, for a 30 square foot detached sign at 2323 Ross Avenue (northern side of property near Flora Street elevation).

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING** – Tuesday, October 13, 2015, City Hall, 1500 Marilla Street, in 5BN, at 2:15 p.m. to consider (1) **1509031116** - An application for a Certificate of Appropriateness, by Kuni Shimizu of Texas Pro Signs, for a 64.4-square foot attached sign at 333 1<sup>st</sup> Avenue (southeast elevation), and (2) **SPSD 145-001** - A City Plan Commission authorized hearing to consider an expansion of, an amendment to, and the creation of two new subdistricts within the Victory Sign District on property zoned Planned Development District No. 582 in an area generally bounded by North Stemmons Freeway, Woodall Rogers Freeway, and North Houston Street.

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

### **EXECUTIVE SESSION NOTICE**

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

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



**CITY PLAN COMMISSION****THURSDAY, OCTOBER 15, 2015****FILE NUMBER:** S145-284**SENIOR PLANNER:** Sharon Hurd, AICP**LOCATION:** La Vista Drive at Live Oak Street, southeast corner**DATE FILED:** September 16, 2015**ZONING:** CR**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 0.3298-acres    **MAPSCO:** 36Y**OWNER/APPLICANT:** CCP Live Oak La Vista LP

**REQUEST:** An application to replat a 0.3298-acre tract of land containing all of Lots 14 and 15 in City Block 1/2144 into one lot on property located on La Vista Drive at Live Oak Street, southeast corner.

**SUBDIVISION HISTORY:**

S123-242 was an application to replat a 0.265 acre tract of land containing all of Lots 2 and 3 in City Block C/1880 into a 5-lot and 1 common area Shared Access Development with lots ranging in size from 0.015 acre to 0.052 acre on property located at 1910 Mecca Street. The request was approved on September 12, 2013, and the final plat was recorded on November 20, 2014.

S112-108 was an application to create a 1.711 acre tract of land in City Block 2141 on Skillman Street between La Vista Drive and Oram Street. The request was approved on May 3, 2012, but was subsequently withdrawn on August 30, 2012.

S112-104 was an application to replat a 0.455-acre tract of land containing all of Lots 4 and 5 in City Block 2138 into a 6-lot Shared Access Development located at 6141 and 6145 Oram Street, east of Skillman Street. The request was approved on April 19, 2012, and the final plat was recorded on October 18, 2012.

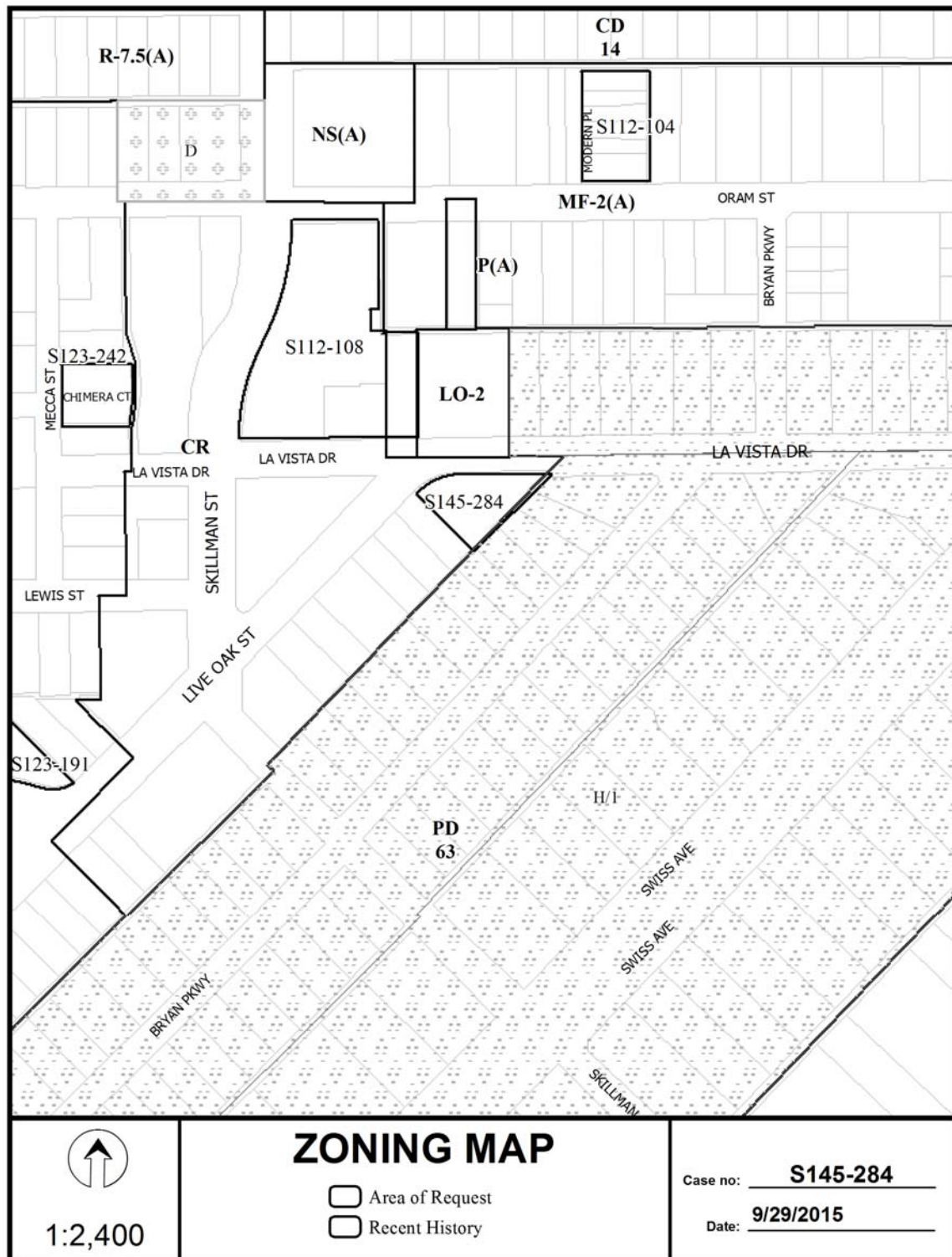
**STAFF RECOMMENDATION:** The request complies with the requirements of the CR zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a)(b)(c)(d)
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d)
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d)
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(a)(6)(G)

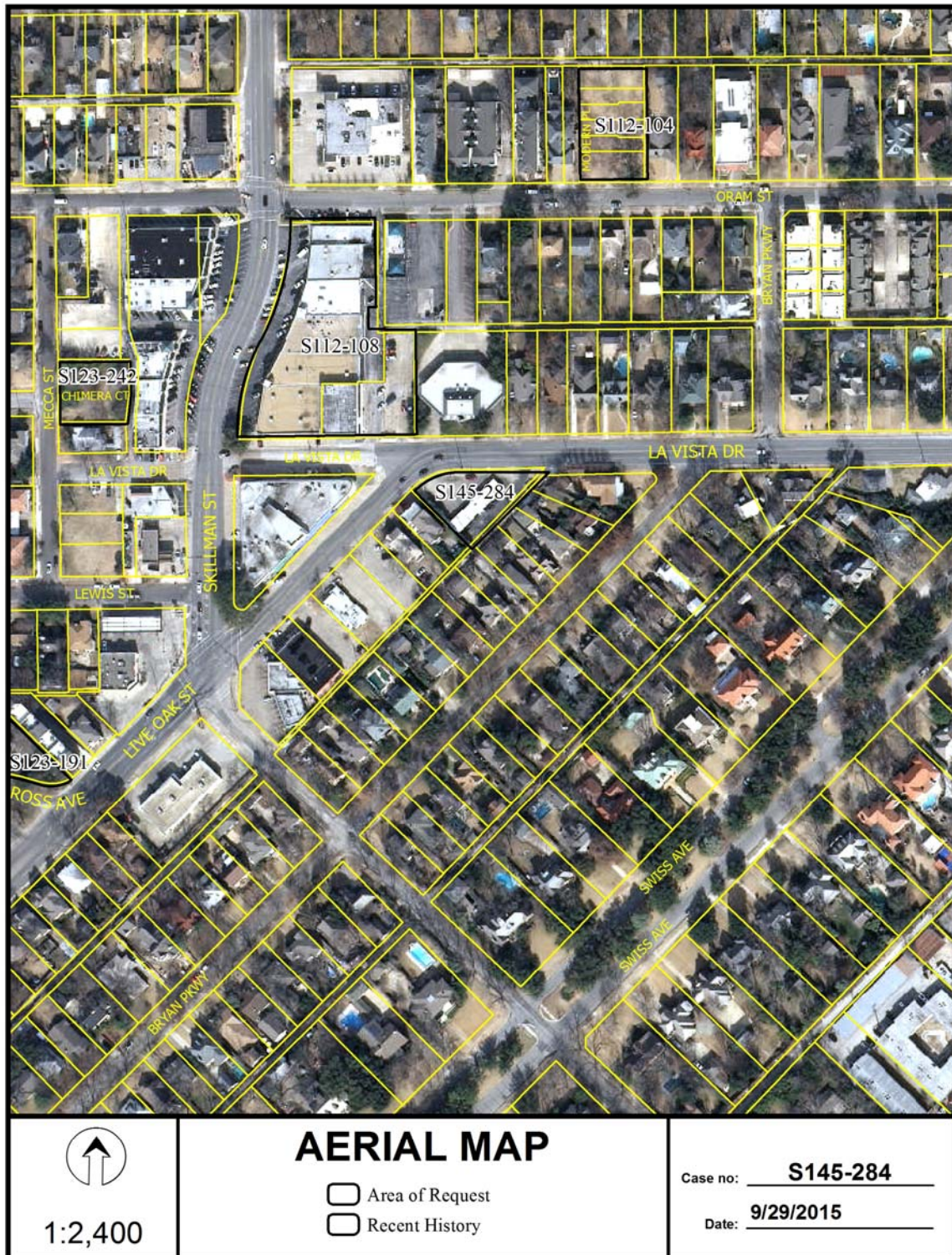
5. Any structure new or existing may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a)(b)
7. 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
8. On the final plat include two boundary corners tagged with these coordinates: "State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 1. Sections 51A-8.501(a) and 51A-8.503(a)
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and 51A-8.601(b)(4)(5)(6)(7)(8)(9)
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. On the final plat dedicate a 15-foot by 15-foot Alley Sight Easement where the alley intersects La Vista Drive. Sections 51A-8.602(e) and 51A-9.101
13. On the final plat dedicate up to 7.5 feet of right-of-way from the established centerline of the alley. Sections 51A-8.602(c), 51A-8.604(c), and 51A-8.611(e)
14. On the final plat comply with Peaks Branch drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb. Trinity Watershed Management
15. On the final plat, show how all adjoining right-of-way was created. Platting Guidelines
16. On the final plat show recording information on all existing easements within 150 feet of the property. Platting Guidelines
17. On the final plat show two controlling monuments. Platting Guidelines
18. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and

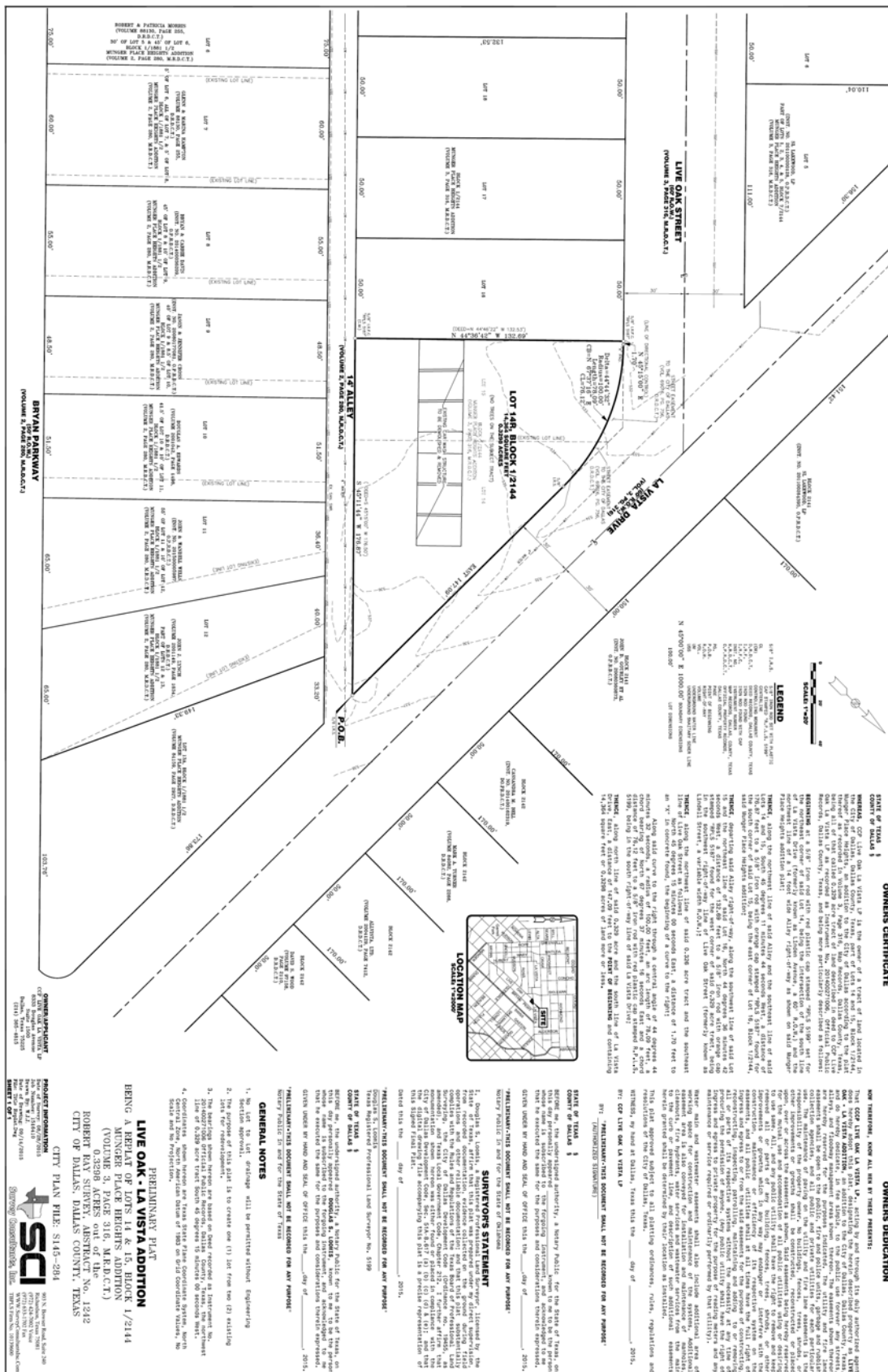
proposed water and wastewater service locations with service sizes. Section 49-60(g)(1)

20. Water/wastewater main extension is required by Private Development Contract. Sections 49-60(g)(1) and (2), 49-62(f)(1), and 49-62(b)(c)
21. On the final plat identify the property as Lot 14A in City Bock 1/2144. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).









**CITY PLAN COMMISSION****THURSDAY, OCTOBER 15, 2015****FILE NUMBER:** S145-285**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 3702 West Beverly Drive**DATE FILED:** September 16, 2015**ZONING:** PD 193 (TH-3)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 0.148-Acres **MAPSCO:** 34R**APPLICANT/OWNERS:** MRJ Development, Inc.

**REQUEST:** An application to replat a 0.148-acre tract of land containing all of Lot 7A in City Block G/2477 into two, equally-sized, 0.074-acre lots on property located at 3702 West Beverly Drive.

**NOTICES:** 30 notices were sent to property owners within 200 feet of the property on September 28, 2015.

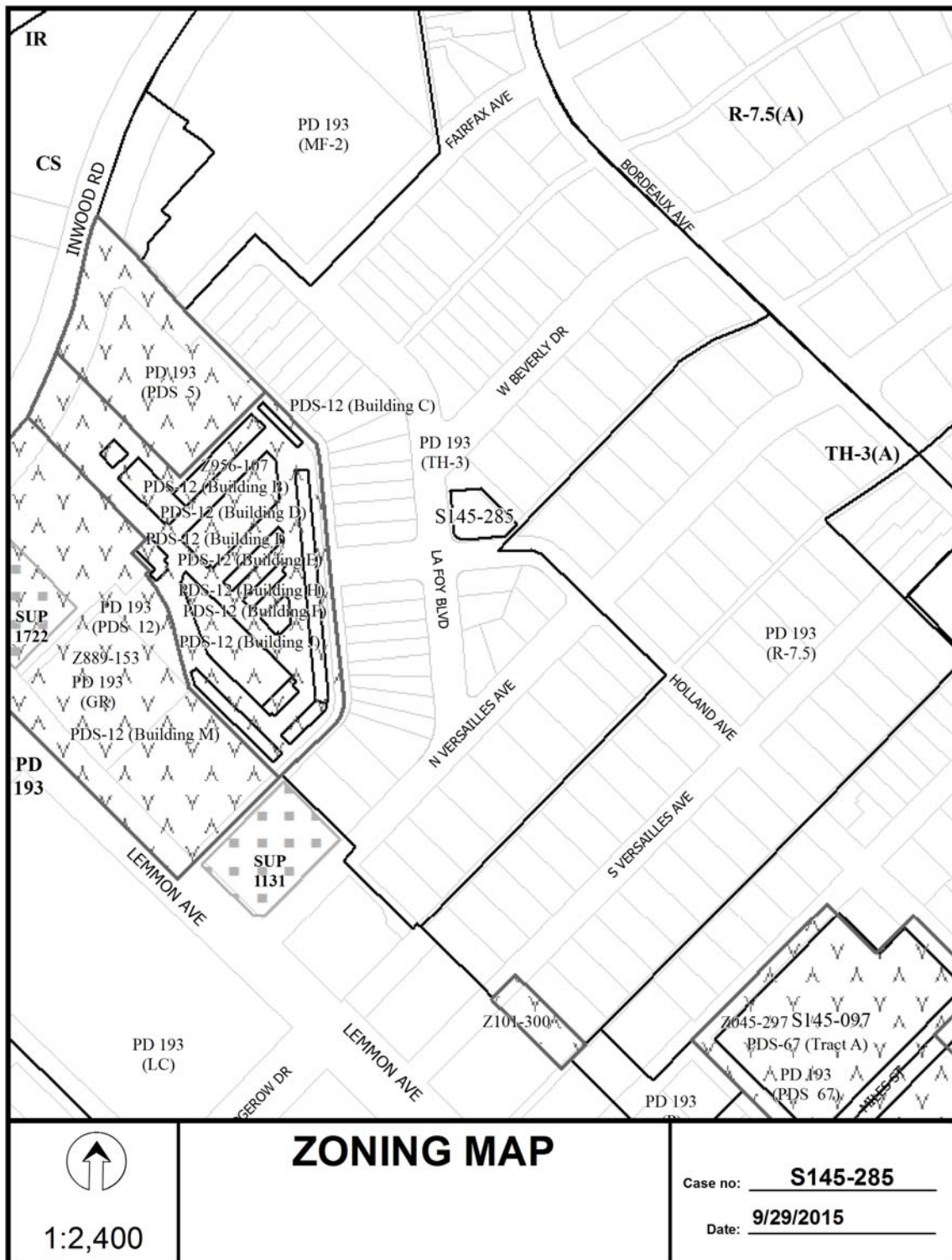
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

**STAFF RECOMMENDATION:** The request complies with the requirements of the PD 193 (TH-3) zoning district. The existing site is located within an area with varied lot sizes and lot patterns. The adjacent lot to the north was subdivided in 2007, and created a lot that is consistent in size to the lots that are proposed by this replat request. As such, the proposed replat complies with Section 51A-8.503 which in part indicates that "lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets." Therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a)(b)(c)(d)
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d)
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d)
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(a)(6)(G)
5. Any structure new or existing 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 and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a)(b)
7. 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
8. On the final plat include two boundary corners tagged with these coordinates: "State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 2. Section 51A-4.411(f)(3)
10. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
11. Provide a detailed grading plan prepared by Professional Engineer. Sections 51A-8.102(c) and 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
12. On the final plat show recording information on all existing easements within 150 feet of the property. Platting Guidelines
13. On the final plat, provide an easement for the portion of the utility vault at the southwest corner of the lot that encroaches onto the property.
14. On the final plat, provide an easement for the overhead utilities near Holland Avenue that encroach onto the property.
15. On the final plat identify the property as Lots 7C and 7D in City Bock 6/2477. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).

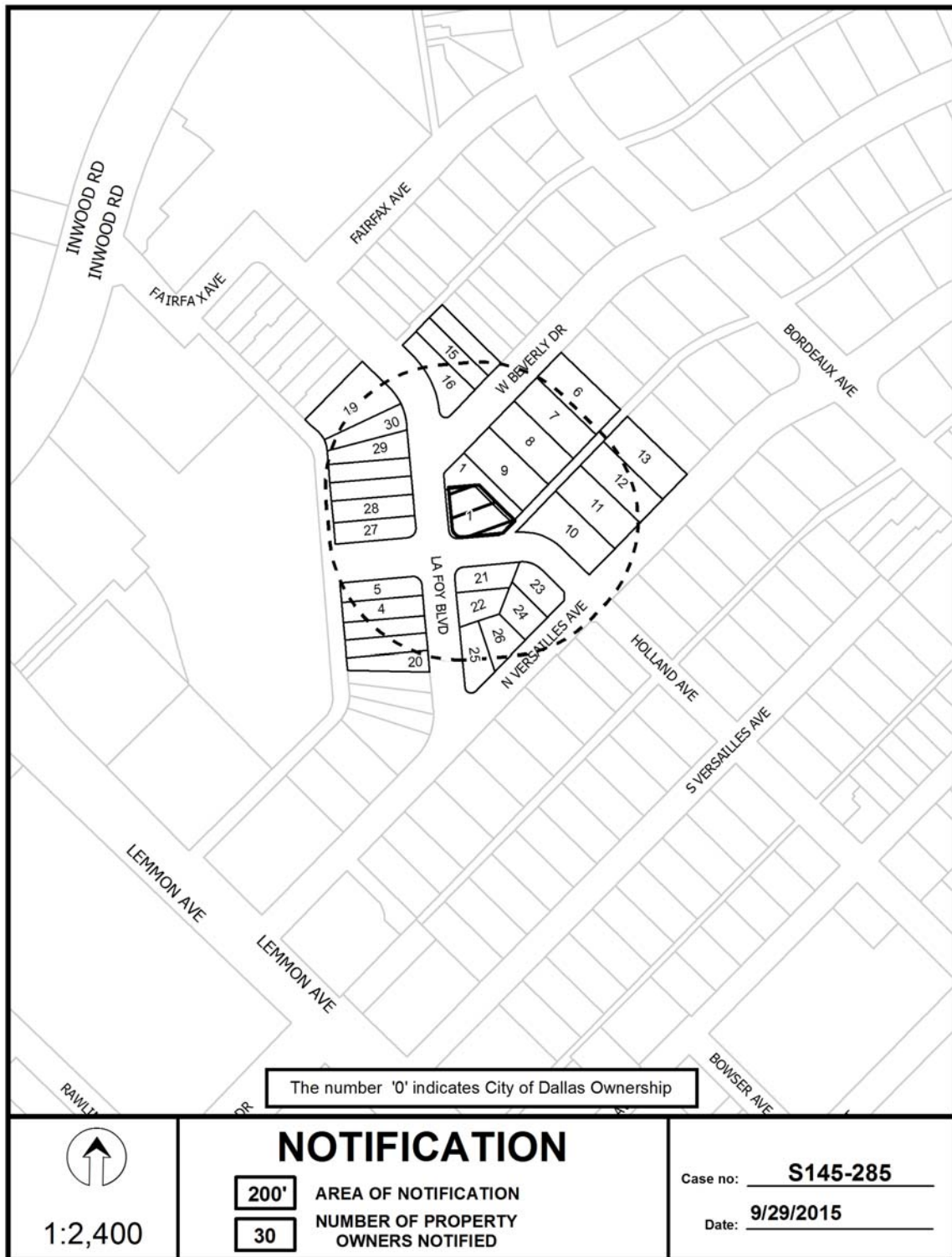












# ***Notification List of Property Owners***

***S145-285***

***30 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3702 BEVERLY DR	CHAN DOUGLAS
2	5515 LA FOY BLVD	MOLLDREM CRAIG
3	5513 LA FOY BLVD	RUSH DORIS LYNN GUESS
4	5517 LA FOY BLVD	BHATTI ATHAR
5	5519 LA FOY BLVD	WITCHER RUCKER D
6	3718 BEVERLY DR	MGP ACQUISITIONS LP
7	3714 BEVERLY DR	BURDIN KEN MICHAEL &
8	3708 BEVERLY DR	ROSEN PAULA BETH
9	3706 BEVERLY DR	LEE JOHN
10	3703 VERSAILLES AVE	HALEY HARRY G
11	3707 VERSAILLES AVE	ME SWISS MGMT LLC
12	3711 VERSAILLES AVE	ALBRITTON CLAUDE C III
13	3717 VERSAILLES AVE	FRANKS MICHAEL C &
14	3709 BEVERLY DR	FELDMAN ELLEN M &
15	3707 BEVERLY DR	FLOOD JOAN M
16	3705 BEVERLY DR	WILKINSON KATHRYN A
17	5607 LA FOY BLVD	JOHNSON OLIVER FORREST &
18	5609 LA FOY BLVD	PIERCE MICHAEL J & JILL M
19	5619 LA FOY BLVD	RZ DEVELOPMENT LLC
20	5509 LA FOY BLVD	PINKERTON JOHN P
21	5518 LA FOY BLVD	RIVault DARRIN L
22	5514 LA FOY BLVD	ELY BRYAN S
23	3615 VERSAILLES AVE	JAMES LINDA K
24	3611 VERSAILLES AVE	BUSS ROBERT P
25	3603 VERSAILLES AVE	MUGIANTO LONG
26	3607 VERSAILLES AVE	WILLIAMS CAROL A &

## ***Notification List of Property Owners (con't)***

***S145-285***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
27	5601 LA FOY BLVD	BANG RICHARD
28	5603 LA FOY BLVD	SIGLER JANET
29	5611 LA FOY BLVD	DANSER GENE K &
30	5615 LA FOY BLVD	JEWELL ROBERT TODD &



**GENERAL NOTES**

- 1) This plat is a preliminary plat and is subject to the provisions of the Texas Subdivision Map Act, Chapter 212, of the Texas Government Code, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation.
- 2) The plat is subject to the provisions of the Texas Subdivision Map Act, Chapter 212, of the Texas Government Code, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation.
- 3) The plat is subject to the provisions of the Texas Subdivision Map Act, Chapter 212, of the Texas Government Code, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation.

**OWNER'S CERTIFICATE**

I, **Gray E. Johnson**, Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I am the owner of the above described land, and that the plat is a preliminary plat and is subject to the provisions of the Texas Subdivision Map Act, Chapter 212, of the Texas Government Code, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation.

**PRELIMINARY** THIS SURVEY SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR REFERRED TO AS A FINAL SURVEY DOCUMENT.

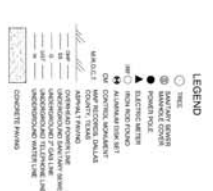
**STATE OF TEXAS**

**COUNTY OF DALLAS**

**BEFORE ME**, the undersigned a Notary Public in and for said county and State of the day of **May**, 2015, at **Dallas, Texas**, personally appeared **Gray E. Johnson**, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

**WITNESSE MY HAND AND SEAL OF OFFICE**, this **10th** day of **May**, 2015.

**Notary Public in and for Dallas County, Texas.**



**OWNER**  
**MAUROS DEVELOPMENT, INC.**  
 1007 ROMA LANE  
 ALLEN, TX 75013  
 POC: 409-877-4111

**DATE** 06/25/2015 **DRAWN BY** ECD/ML **SCALE** 1"=20' X 20' NO. 10204-1

**SURVEYOR**  
**TEXAS HERITAGE**  
 SURVEYING, L.L.C.  
 4400 MARCO DRIVE, SUITE 100, DALLAS, TX 75243  
 OFFICE: 214-342-9700 FAX: 214-342-9710  
 POC: 214-342-9700

**"THIRTIETH DAY OF MAY"**  
**JAD ADAM**  
**SUBDIVISION**  
 (LOTS 7 & 10, BLOCK 0/2477 OF  
 REDEMPTION GREEN EDITION  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS  
 NO. 5145-285)

**OWNER'S CERTIFICATE**

I, **Gray E. Johnson**, Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I am the owner of the above described land, and that the plat is a preliminary plat and is subject to the provisions of the Texas Subdivision Map Act, Chapter 212, of the Texas Government Code, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation, and the rules and regulations of the Texas Department of Transportation.

**PRELIMINARY** THIS SURVEY SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR REFERRED TO AS A FINAL SURVEY DOCUMENT.

**STATE OF TEXAS**

**COUNTY OF DALLAS**

**BEFORE ME**, the undersigned a Notary Public in and for said county and State of the day of **May**, 2015, at **Dallas, Texas**, personally appeared **Gray E. Johnson**, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

**WITNESSE MY HAND AND SEAL OF OFFICE**, this **10th** day of **May**, 2015.

**Notary Public in and for Dallas County, Texas.**

**CITY PLAN COMMISSION****THURSDAY, OCTOBER 15, 2015****FILE NUMBER:** S145-287**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 9031 and 9039 Devonshire Drive**DATE FILED:** September 17, 2015**ZONING:** R-16(A)**CITY COUNCIL DISTRICT:** 13     **SIZE OF REQUEST:** 2.161-Acres     **MAPSCO:** 24Z& 25W**APPLICANT/OWNERS:** Stephen Storm Sands

**REQUEST:** An application to replat a 2.161-acre tract of land containing all of Lots 8A and 9A in City Block A/5664 into one 1.5489-acre lot and one 0.6116-acre lot on property located at 9031 and 9039 Devonshire Drive.

**NOTICES:** 19 notices were sent to property owners within 200 feet of the property on September 28, 2015.

**SUBDIVISION HISTORY:**

S123-219 was an application to replat a 0.881 acre tract of land containing all of Lots 1 and 2 in City Block C/5666 into one lot on property located at 9010 and 9016 Broken Arrow Lane. The request was approved on August 8, 2013, and the final plat was recorded on May 13, 2014.

S123-034 was an application to replat a 2.161 acre tract of land containing all of Lots 8 and 9 in City Block A/5664 into one 1.168 acre lot and one 0.9930 acre lot on property located at 9031 and 9039 Devonshire Drive. The request was approved on December 6, 2012, and the final plat was recorded on November 27, 2013.

S101-143 was an application to replat a 1.8054 acre tract of land containing all of Lots 10A and 11A in City Block A/5664 to relocate the lot line between the two lots on 9023 Devonshire. The request was approved on August 18, 2011, and the final plat was recorded on February 11, 2013.

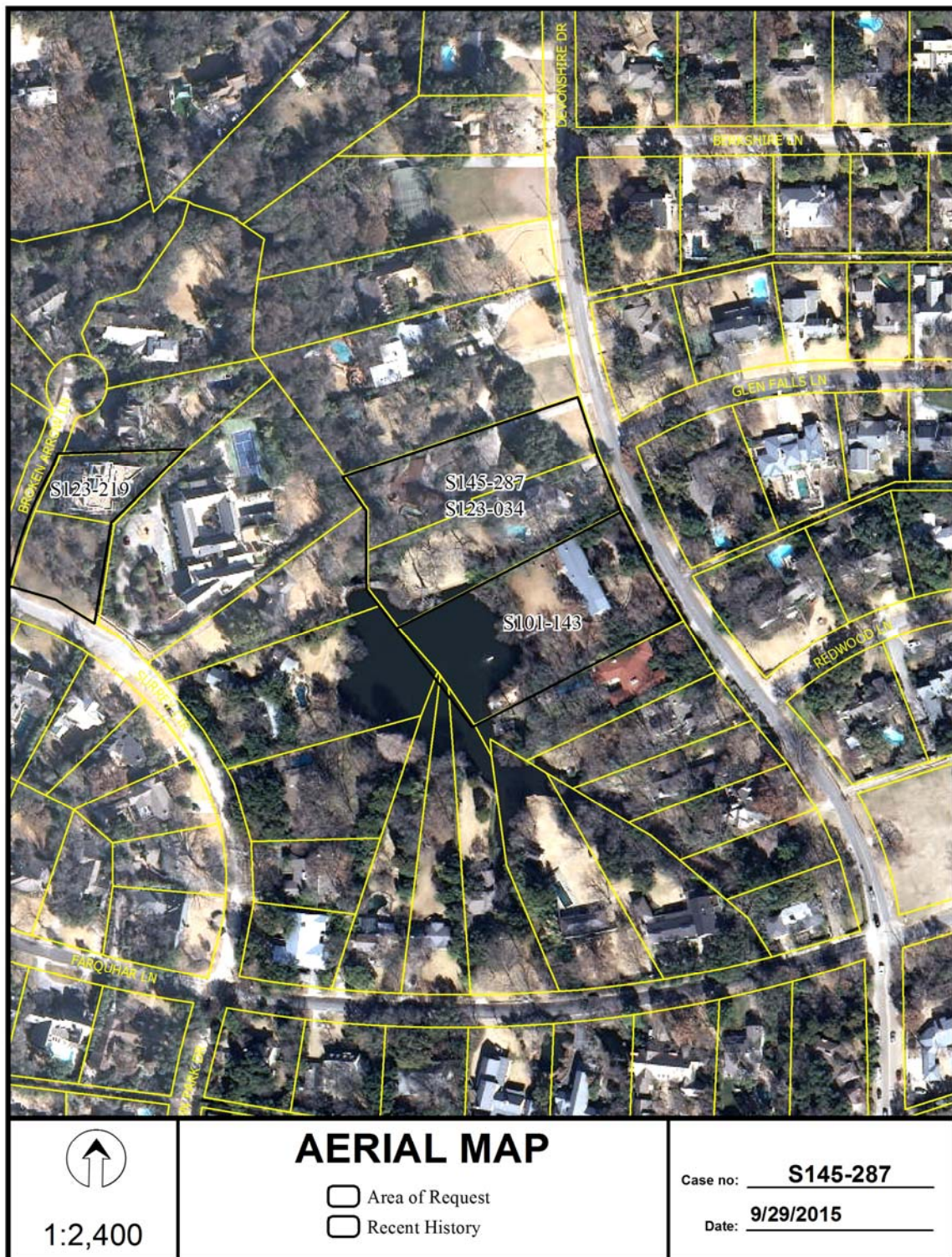
**STAFF RECOMMENDATION:** Section 51A-8.503 of the Development Code indicates that "lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets." Although the proposed request meets the requirements of the R-16(A) zoning district in which it is governed by, the replat will create lots that are inconsistent with the pattern of the existing lots in the area. The proposed Lot 9A will have a lot depth that is considerably shorter than the depth of the adjacent lots. In addition to this, it will create a lot area nearly half the size of the surrounding lots. Since the plat proposes lots that deviate from the established lot pattern within the vicinity, staff recommends denial of the request. However, should the Commission approve the request, then the plat must comply with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a)(b)(c)(d)

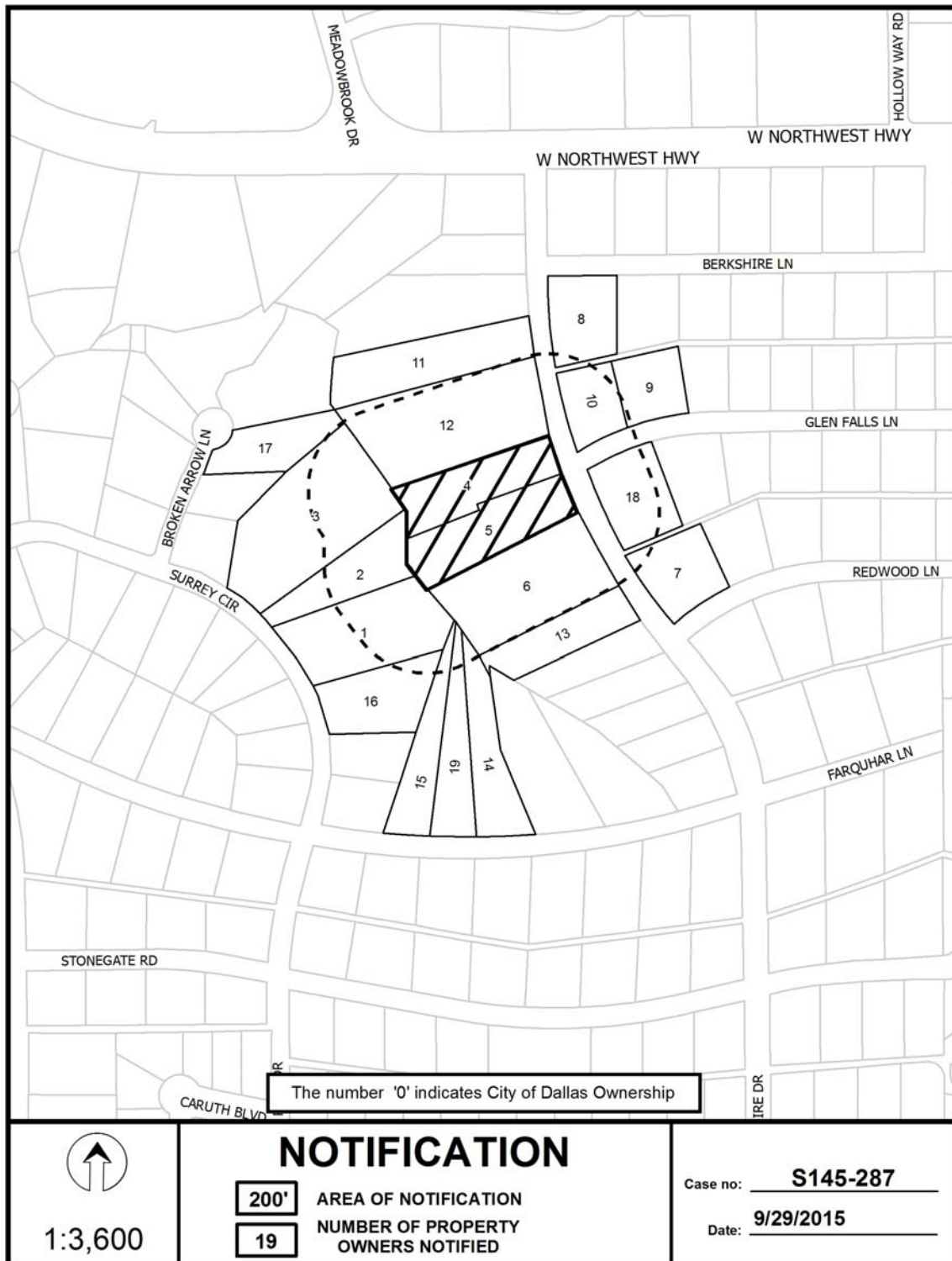
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d)
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d)
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(a)(6)(G)
5. Any structure new or existing 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 and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a)(b)
7. 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
8. On the final plat include two boundary corners tagged with these coordinates: "State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 2. Section 51A-4.411(f)(3)
10. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
11. Provide a detailed grading plan prepared by Professional Engineer. Sections 51A-8.102(c) and 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
12. On the final plat, remove the zoning setback lines. Platting Guidelines
13. Prior to the final plat, verify whether or not the existing house is encroaching into the floodway easement.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, proposed water and wastewater service locations with service sizes, and existing water and wastewater services which verify that the plumbing does not cross lot lines. Section 49-60(g)(1).
15. On the final plat identify the property as Lots 8B and 9B in City Book A/5664. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).











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

***S145-287***

## ***19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5431 SURREY CIR	LAZAR JAMES P
2	5417 SURREY CIR	MICHAUD SUSAN H
3	5411 SURREY CIR	SAADA JEAN-CLAUDE T &
4	9039 DEVONSHIRE DR	SANDS STEPHEN STORM
5	9031 DEVONSHIRE DR	SANDS STEPHEN STORM & LEIGH MCKAY
6	9023 DEVONSHIRE DR	BLESSING KALITA BECK & EDWARD W
7	5711 REDWOOD LN	BATKY CALAWAY LISA
8	5712 BERKSHIRE LN	BLAYLOCK RICHARD K & BARBARA B
9	5721 GLEN FALLS LN	FARRAR SHEPPARD STABLES
10	9110 DEVONSHIRE DR	HARTNETT JAMES J
11	9123 DEVONSHIRE DR	WILSON ADDISON III
12	9115 DEVONSHIRE DR	VOSE CHARLES A III &
13	9007 DEVONSHIRE DR	FRAZIER DAVID
14	5539 FARQUHAR LN	LINDSLEY HAYS & ALLYSON
15	5519 FARQUHAR LN	5519 INVESTORS LLC
16	5439 SURREY CIR	STEWART MICHAEL L
17	9024 BROKEN ARROW LN	ACADIA REVOCABLE TRUST
18	9030 DEVONSHIRE DR	VILLANI ANTHONY W &
19	5527 FARQUHAR LN	DORFLINGER NEIL & MARY DORFLINGER



**FILE NUMBER:** M145-053

**DATE FILED:** July 24, 2015

**LOCATION:** Both frontages of Churchill Way and Turner Way, East of Preston Road

**COUNCIL DISTRICT:** 11

**MAPSCO:** 15 T

**SIZE OF REQUEST:** Approx. 3.95 Acres

**CENSUS TRACT:** 132.00

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**APPLICANT/OWNER:** Mission Laique Francaise

**REPRESENTATIVE:** Rob Baldwin

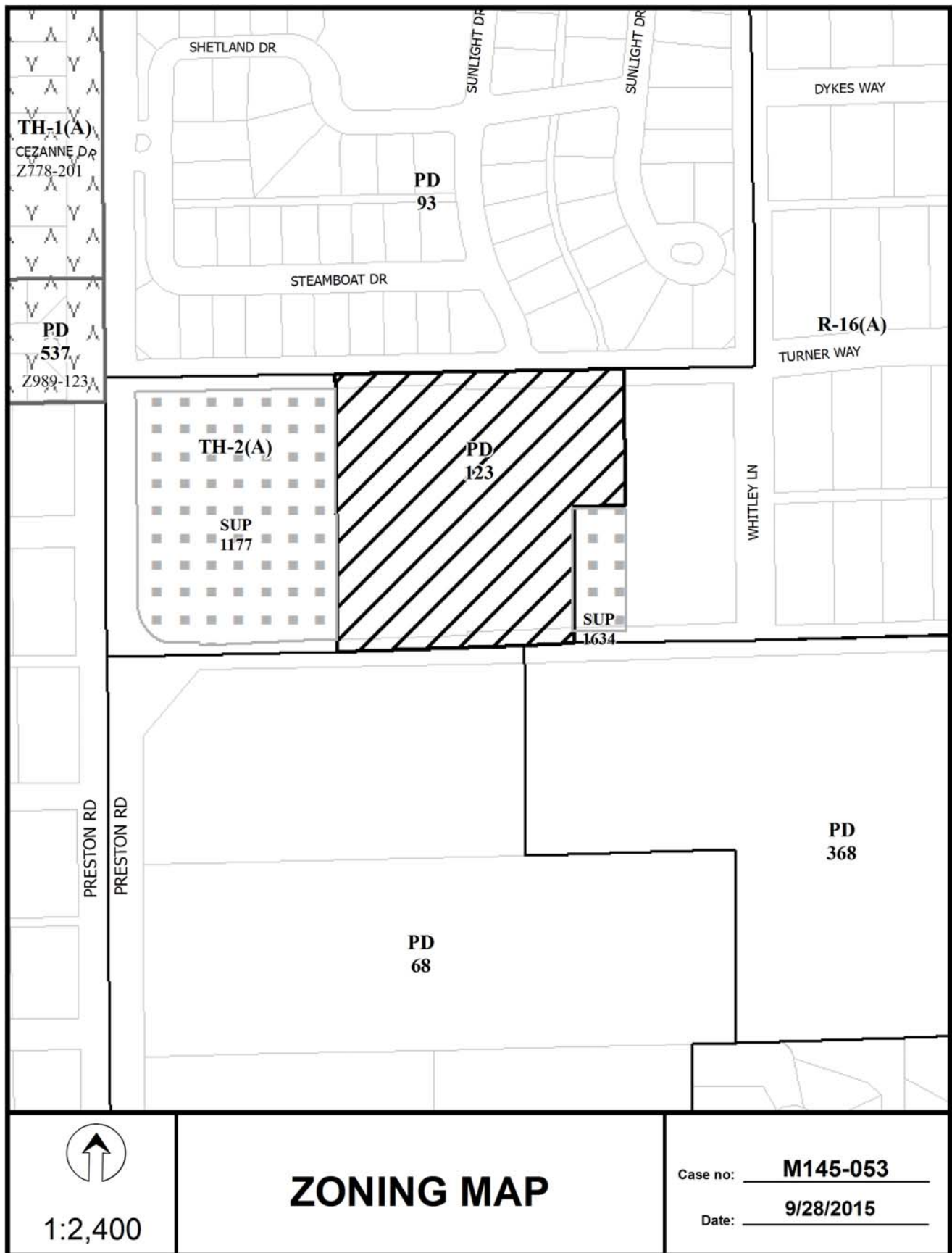
**REQUEST:** An application for a minor amendment to the Phase 2 development plan for Planned Development District No. 123 for a Private school on property located along both frontages of Churchill Way and Turner Way, east of Preston Road.

On October 22, 1980, the City Council passed Ordinance No. 16722 which established Planned Development District No. 123 for a Private school at the above referenced location. The PDD was subsequently amended by Ordinance Nos. 22014 and 23297 (October 8, 1997).

The purpose of this request is to provide for the addition of a nine foot-tall shade structure within the play area oriented towards the Churchill Way frontage. The shade structure will occupy an approximate 570 square foot footprint.

The applicant's request does not impact any of the other regulations governing the property and otherwise complies with the provisions for consideration of a minor amendment to a development plan.

**STAFF RECOMMENDATION:** Approval







ZONING PD NO 93

6" WATER

TURNER WAY

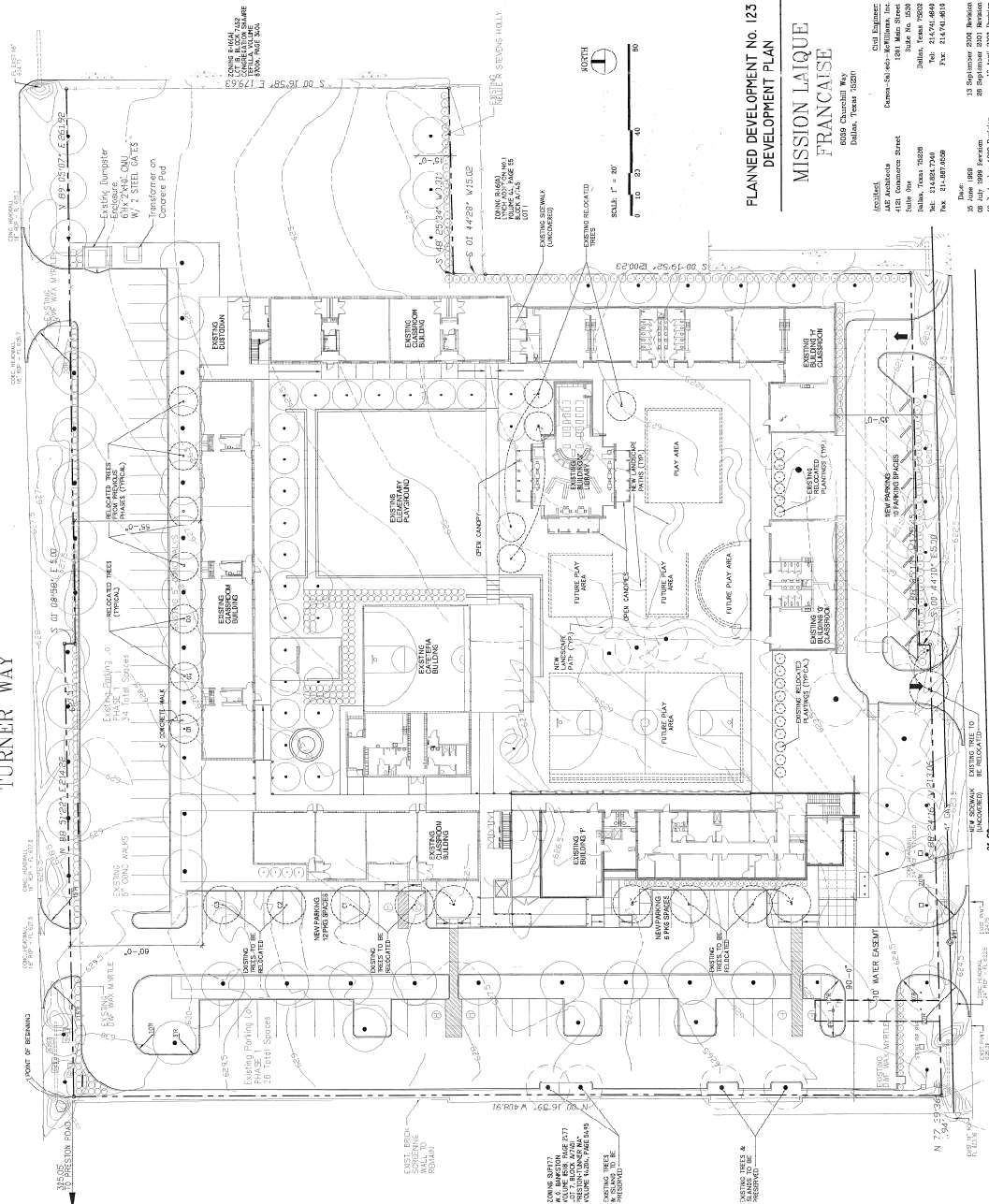


TABLE 1: EXISTING AND PROPOSED AREAS

EXISTING AREAS	PROPOSED AREAS
EXISTING CLASSROOM BUILDING	NEW CLASSROOM BUILDING
EXISTING PLAYGROUND	NEW PLAYGROUND
EXISTING PARKING LOT	NEW PARKING LOT
EXISTING WATER EASEMENT	NEW WATER EASEMENT

EXISTING AREAS	PROPOSED AREAS
EXISTING CLASSROOM BUILDING	NEW CLASSROOM BUILDING
EXISTING PLAYGROUND	NEW PLAYGROUND
EXISTING PARKING LOT	NEW PARKING LOT
EXISTING WATER EASEMENT	NEW WATER EASEMENT

LEGEND

- EXISTING TREES PRESERVED IN EXISTING PHASE
- EXISTING TREES PLANTED IN EXISTING PHASE
- EXISTING TREES TO BE RELOCATED

PLANNED DEVELOPMENT NO. 123  
DEVELOPMENT PLAN

MISSION LAIQUE  
FRANCAISE

4123 Commerce Street  
Dallas, Texas 75220

OWNER: Mission Laïque Française  
4123 Commerce Street  
Dallas, Texas 75220  
Phone: 214-887-6589  
Fax: 214-887-6510

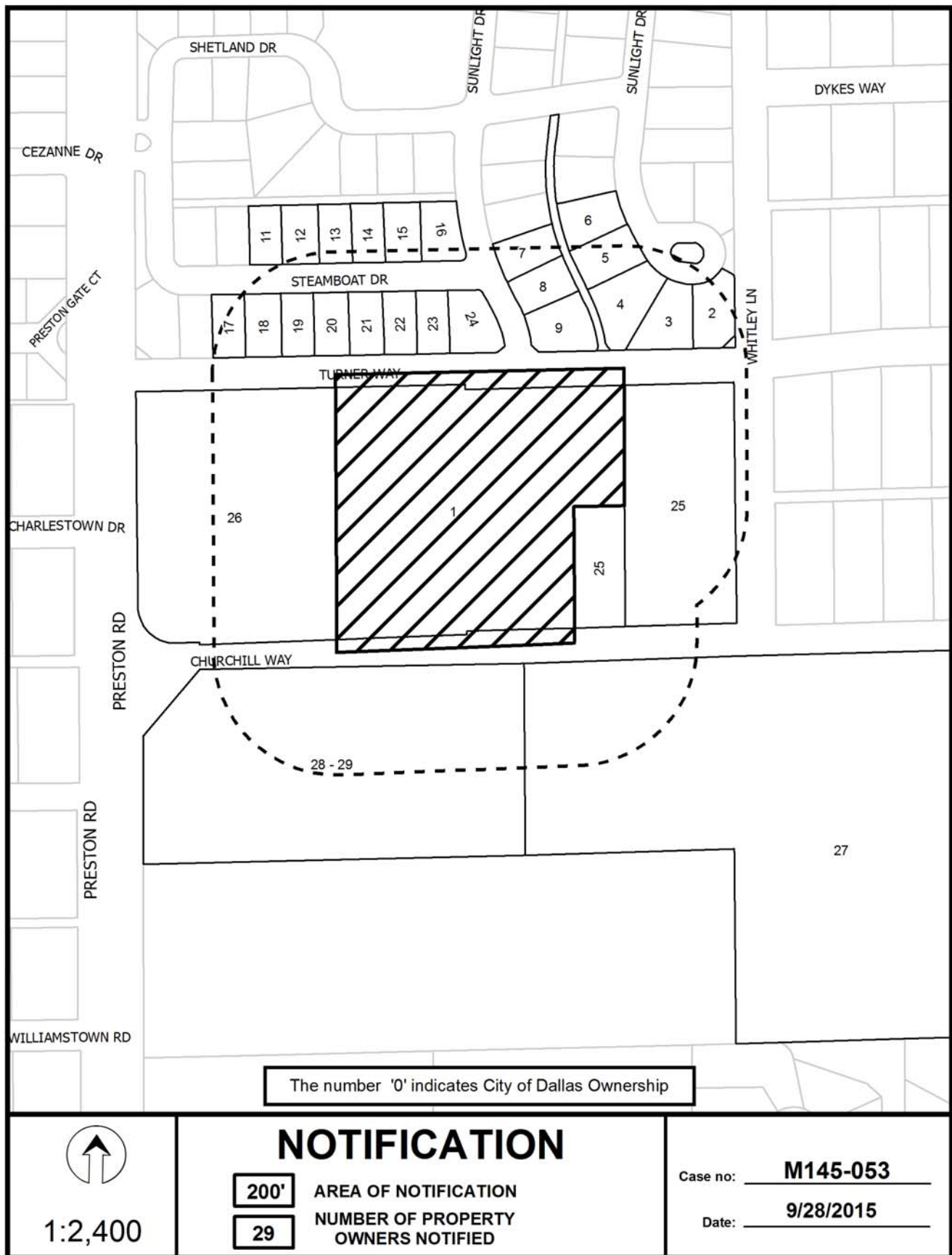
DATE: 13 September 2008  
BY: [Signature]  
FOR: [Signature]

ZONING PD NO 363

CHURCHILL WAY

MARIED TELEPHONE LINE

ZONING PD NO 68



09/28/2015

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

***M145-053***

### ***29 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6039 CHURCHILL WAY	MISSION LAIQUE FRANCAISE
2	12728 SUNLIGHT DR	BRAMHALL BRIAN LEE &
3	12724 SUNLIGHT DR	WILLER FAYE
4	12720 SUNLIGHT DR	GREENE ILENE
5	12716 SUNLIGHT DR	MAHAFFEY MARTHA P LIVING TRUST
6	12712 SUNLIGHT DR	LOWENBERG JULIUS C III &
7	12514 SUNLIGHT DR	BAILEY CLAUDIA WEEKS
8	12508 SUNLIGHT DR	BERMAN EVELYN
9	12504 SUNLIGHT DR	CROWDER KEVIN & KAREN
10	900001 TURNER WAY	12500 PRESTON HOMEOWNERS
11	6019 STEAMBOAT DR	GARZA NIKKI S
12	6023 STEAMBOAT DR	VALERIO RAUL JOSUE & LEE ANN
13	6027 STEAMBOAT DR	GRESHAM JOE M
14	6031 STEAMBOAT DR	SUPERIOR INTERESTS INC
15	6035 STEAMBOAT DR	WARREN ALICE S
16	6039 STEAMBOAT DR	CHAIKEN BETTY
17	6018 STEAMBOAT DR	LEVINE ANN ESTELLE TRUSTEE
18	6022 STEAMBOAT DR	RING GAIL L
19	6026 STEAMBOAT DR	GAYDEN WILLIAM R &
20	6030 STEAMBOAT DR	SHADYWOOD USA LTD
21	6034 STEAMBOAT DR	DUNCAN CAROL
22	6038 STEAMBOAT DR	RUDESENKE FRED P JR
23	6042 STEAMBOAT DR	KRONE LLOYD
24	6046 STEAMBOAT DR	WAINSTEIN BRIAN N &
25	6115 CHURCHILL WAY	CONGREGATION SHAARE
26	12400 PRESTON RD	HCP SH ELP3 PROPERTIES LLC

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6144 CHURCHILL WAY	ST ALCUIN MONTESSORI
28	12330 PRESTON RD	INSTITUTE FOR AEROBICS
29	12330 PRESTON RD	COOPER INSTITUTE THE

**FILE NUMBER:** Z145-127(DL)

**DATE FILED:** November 19, 2014

**LOCATION:** East Corner of South Lamar Street and South Boulevard

**COUNCIL DISTRICT:** 7

**MAPSCO:** 45Z

**SIZE OF REQUEST:** ±0.23 Acres

**CENSUS TRACT:** 34.00

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**APPLICANT:** Isaiah and Shawanna Sullemon, Cowboys Lounge

**REPRESENTATIVE:** Davis Business Services

**OWNER:** Melissa Properties, LLC

**REQUEST:** An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned FWMU-3 Form Walkable Mixed Use Subdistrict, Tract I within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH-3 Shop Front Overlay.

**SUMMARY:** The applicant proposes to utilize the existing building as a bar with a dance floor [Cowboys Lounge]. The approximately 0.23 acre (+10,160-square feet) site consists of surface parking and a one-story structure that encompasses 3,200-square feet of floor area. The applicant proposes to use 3,050 square feet of floor area for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and 150-square feet of floor area for a commercial amusement (inside) use limited to a Class A dance hall.

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



## **GUIDING CRITERIA FOR RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – According to Ordinance No. 24726, which established Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, the intent of F Form subdistricts within the PDD is to provide for mixed use developments that comply with Article XIII: “Form Districts.” The Ordinance envisions a subdistrict characterized by walkable urban neighborhoods with higher-density, mixed use housing types. However, the proposed uses, while approximately 200 linear feet from a park, is not incompatible with the current development pattern. Staff is recommending limited hours of operation and that remote parking is located along the north line of South Lamar Street to mitigate for any potential negative impacts on the adjacent and surrounding area. Therefore, staff has determined that the request is compatible for the foreseeable short term. Allowing the Specific Use Permit to return to the City Plan Commission and the City Council after a two-year period allows staff to reevaluate the use’s compatibility with development/potential redevelopment in this area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed uses will neither contribute nor deter from the welfare of adjacent properties within this area of the City.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed uses will not be a detriment to the public health, safety, or general welfare. If approved, the SUP will have conditions, such as hours of operation, associated with the uses and a site plan to mitigate for any potential negative impacts.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request complies with all applicable zoning regulations and standards.

## **Zoning History:**

1. **Z101-277(DC)** On December 12, 2012, City Council approved Ordinance No. 28860 and Ordinance No. 28862, which were applications authorized by the City Plan Commission to consider amendments to Planned Development District 595, the South Dallas/Fair Park Special Purpose District, by amending the standards for certain uses, considering appropriate zoning on certain parcels currently zoned for multifamily and non-residential uses, adding a new single family district classification and new mixed use form district classifications on property zoned Planned Development District No. 595 and an NS(A) Neighborhood Service District.

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the application and determined that the request will not have a detrimental impact on the surrounding roadway system.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
S Lamar Street	Major Arterial	80 feet
South Boulevard	Minor Arterial	65 feet

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

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

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

A two-year time period allows staff an opportunity to reevaluate the operation of the use to ensure that it is compatible with the surrounding area.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Tract I within PDD No. 595 with an SH-3 Shop Front Overlay	Unoccupied
<b>North</b>	Tract I within PDD No. 595	Undeveloped and Park
<b>East</b>	Tract I within PDD No. 595 with an SH-3 Shop Front Overlay	Retail, Automotive Service Uses, and Undeveloped Land
<b>South</b>	IM	Industrial Type Uses
<b>West</b>	Tract I within PDD No. 595 with an SH-3 Shop Front Overlay	Undeveloped

**Land Use Compatibility:**

The request site is surrounded by undeveloped land and a park to the north; retail, automotive service uses, and undeveloped land to the east; industrial type uses to the south; 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.

While the request is not consistent with the vision for Tract I within PDD No. 595, it is consistent with the current surrounding development. Therefore, staff recommends that the Specific Use Permit be approved for a two-year period in order for the SUP to return to the City Plan Commission and City Council for reevaluation.

**Parking:**

The request will require one space for each 25 square feet of floor area for the dance floor (150 square feet) plus one space for each 100 square feet of floor area for the alcoholic beverage establishment (3,050 square feet). A total of 37 off-street parking spaces is required. The applicant will meet required parking by providing 17 on-site

parking spaces and 20 spaces via remote parking agreement. Staff has recommended a condition that additional required parking may be provided via remote parking agreement with one of the following stipulations: 1) Within a walking distance of 300 feet of the site; or 2) Within a walking distance up to 600 feet of the site along the northeast line of S. Lamar Street. This condition is recommended to limit the potential for any negative impact to the surrounding area.

### **Landscaping:**

Landscaping of any development will be in accordance with the requirements of the ordinance governing Planned Development District No. 595. However, the applicant's request will not trigger any landscaping requirements, as no new construction is proposed on the site.

### **Police Report:**

The following table was compiled from information received via the Geographic Information Support Bureau of the Dallas Police Department.

<b>Date</b>	<b>Time</b>	<b>Premise</b>	<b>Incident</b>	<b>Address</b>
10/6/2013	3:00		Agg Assault	02900 S Lamar St
11/8/2013	23:30	Night Club	Found	02900 S Lamar St
11/9/2013	:30	Strip Club	Found	02900 S Lamar St
11/9/2013	1:17	128-Bar	Found	02900 S Lamar St
11/22/2013	23:40	607-Pool Hall	Found	02900 S Lamar St
11/22/2013	23:23	Club	Not Coded	02900 S Lamar St
11/23/2013	23:00	Bar	Not Coded	02900 S Lamar St
1/12/2014	2:30	Club Parking Lot	Investigation	02900 S Lamar St
1/24/2014	12:05	Night Club	Found	02900 S Lamar St
2/8/2014	13:00	Club	Assault	02900 S Lamar St
2/8/2014	14:00	Sidelines	Assault	02900 S Lamar St
2/18/2014	19:16	910-Public Street	Not Coded	02900 S Lamar St
2/18/2014	4:00	Bar	Assault	02900 S Lamar St
4/14/2014	13:00	907-Vacant Structure	Not Coded	02900 S Lamar St

Z145-127(DL)

**List of Partners/Principals/Officers**

***Melissa Properties, LLC***

**President**

Andy French

**Director**

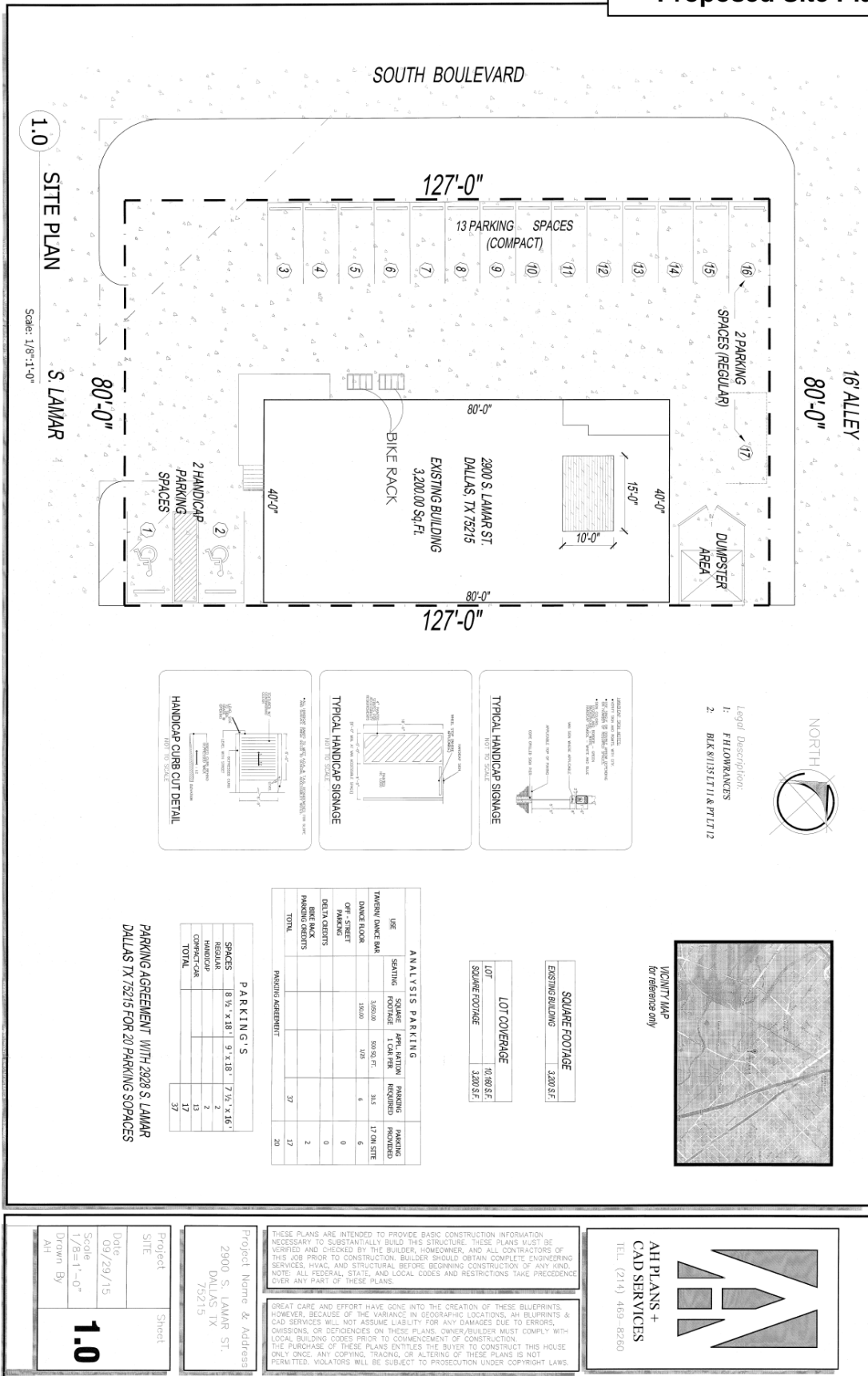
George Henry

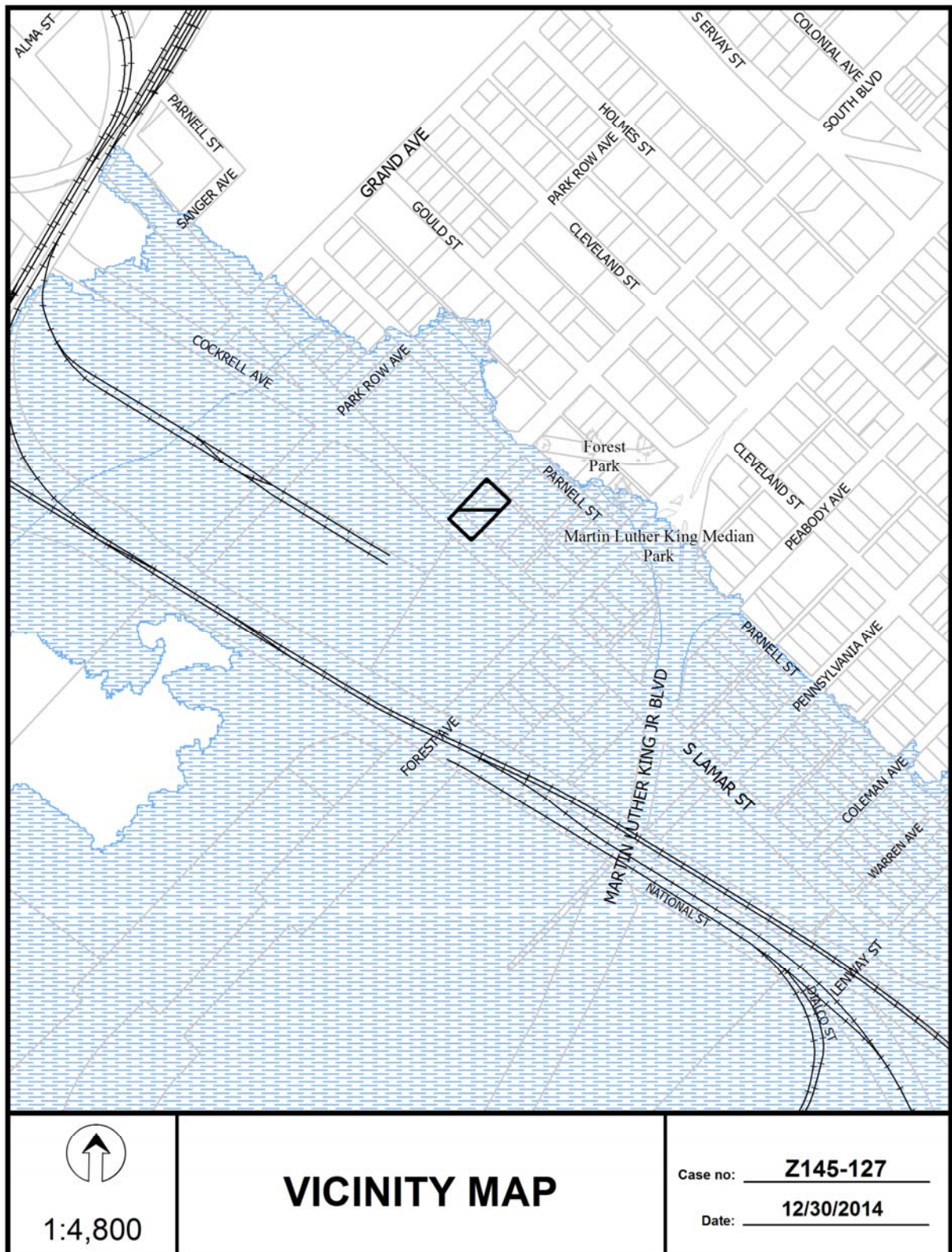


**Z145-127  
SUP Conditions**

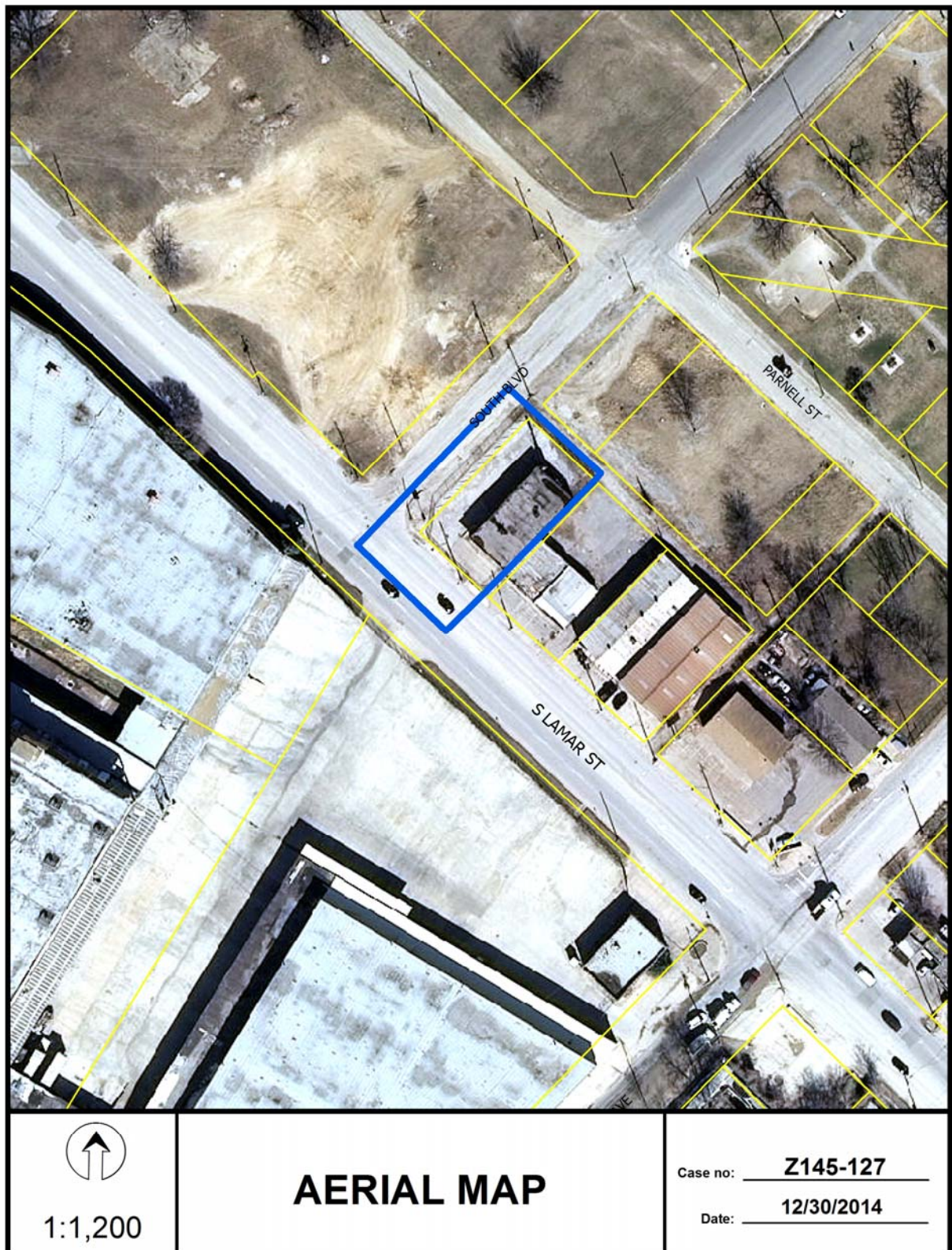
1. USE: The only uses authorized by this specific use permit are an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years from the passage of the ordinance).
4. LANDSCAPING: Landscaping must be provided in accordance with the requirements of the ordinance governing Planned Development District No. 595.
5. DANCE FLOOR: The dance floor is limited to 150 square feet in area, as shown on the attached site plan.
6. FLOOR AREA: The maximum floor area is 3,200 square feet in the location shown on the attached site plan.
7. HOURS OF OPERATION: The hours of operation are between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Saturday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day) on Sunday.
8. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan.
9. OFF-STREET PARKING: Parking must be provided as shown on the attached site plan. Additional required parking may be provided via remote parking agreement with one of the following stipulations: 1) Within a walking distance of 300 feet of the site; or 2) Within a walking distance up to 600 feet of the site along the northeast line of South Lamar Street.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

## Proposed Site Plan

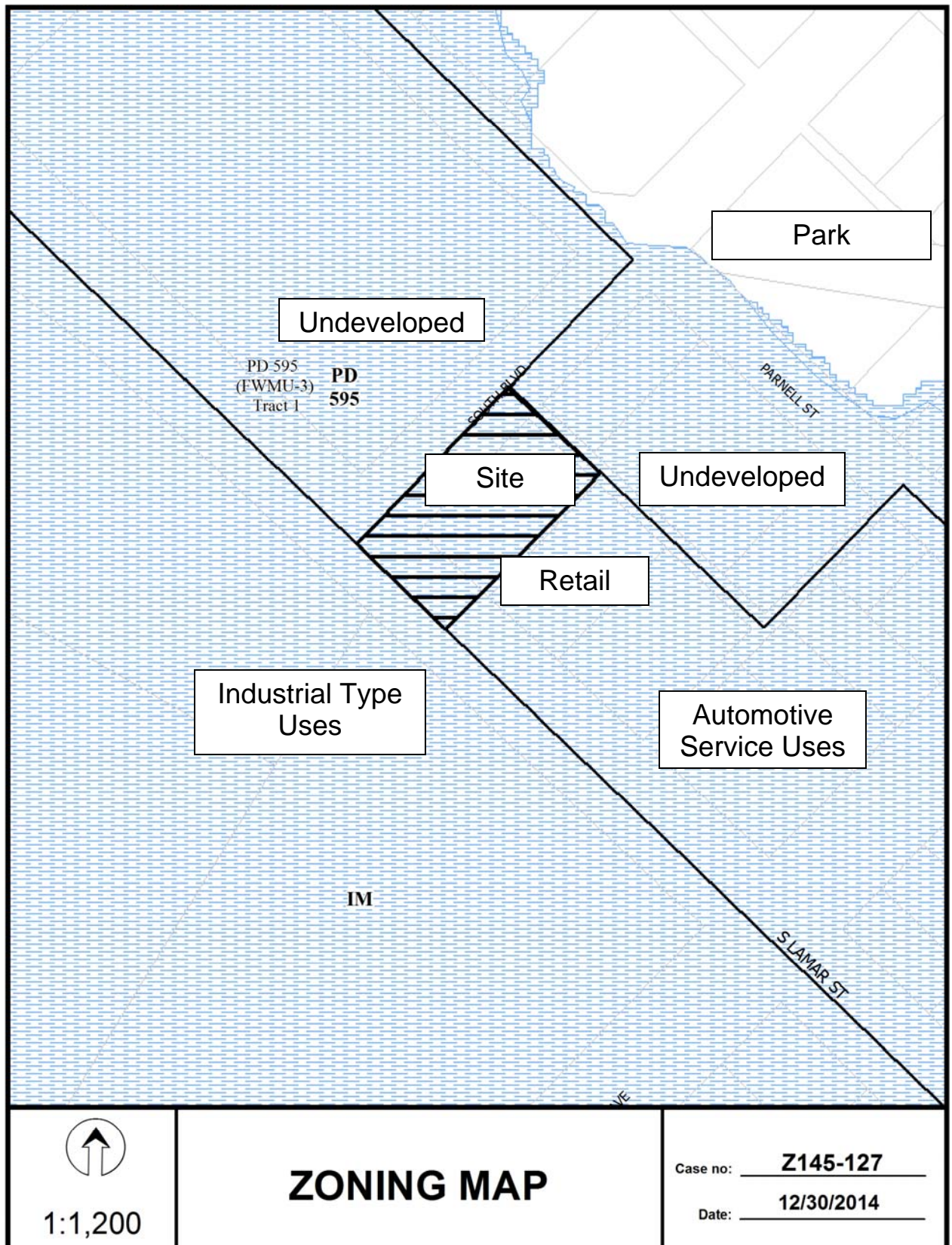




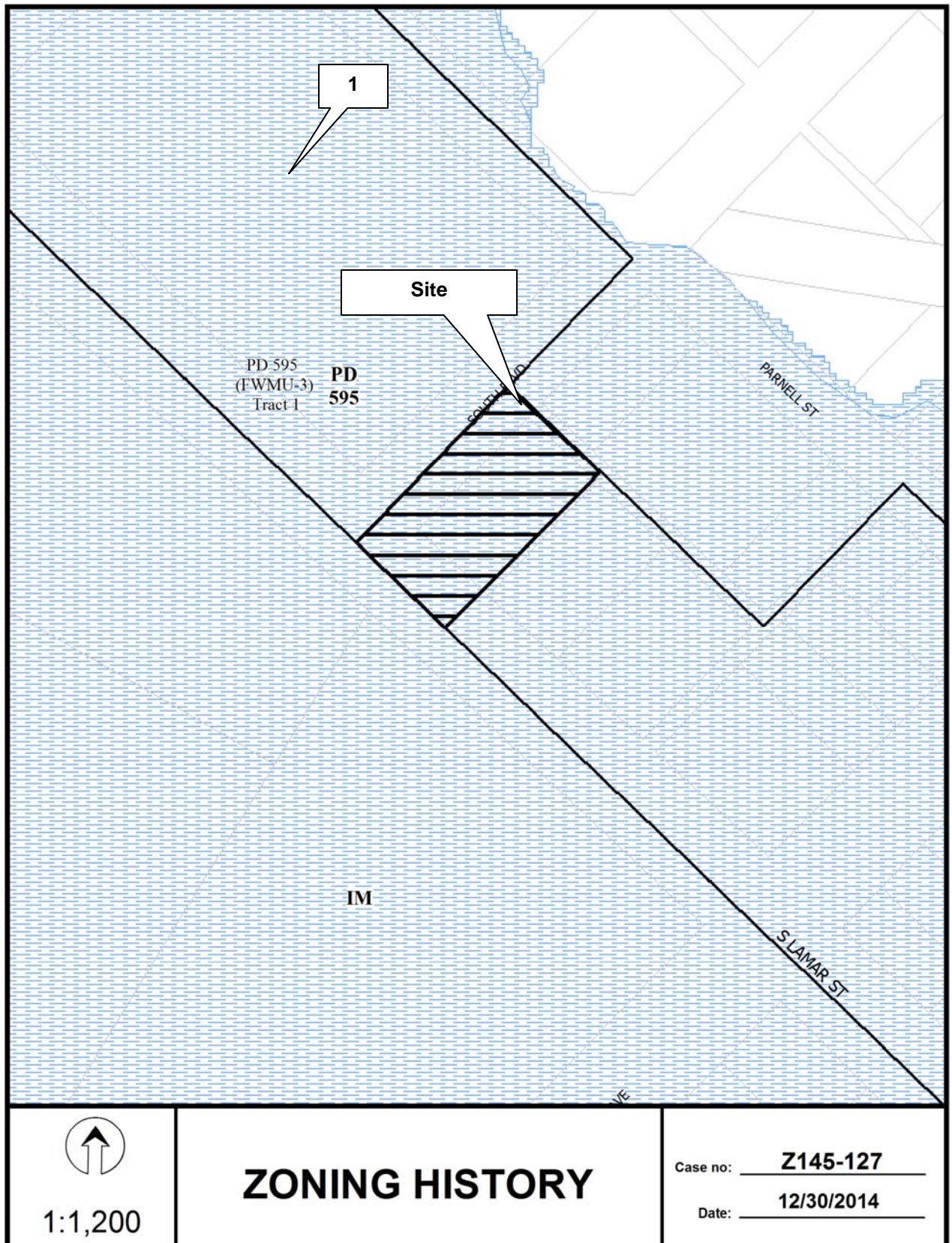


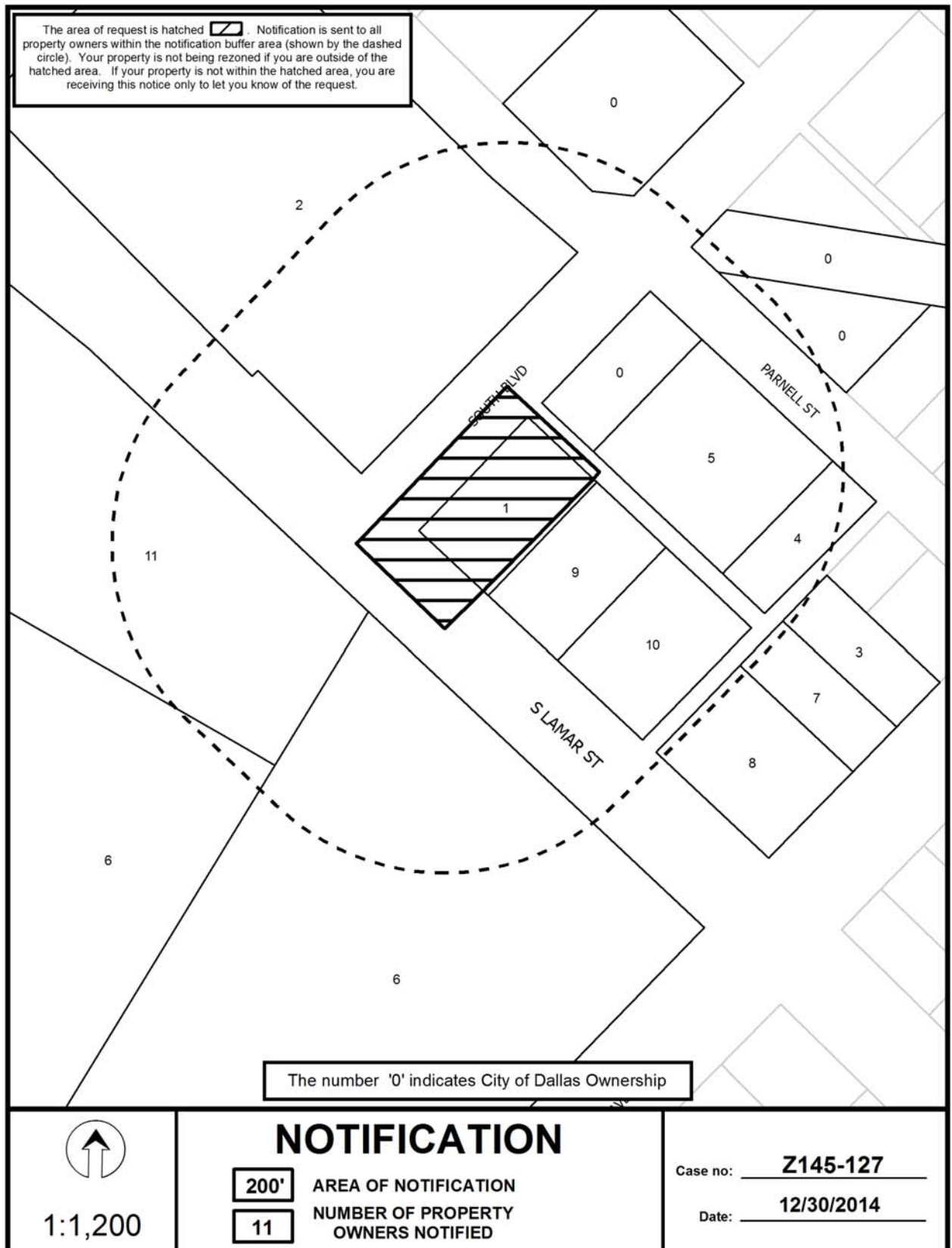












12/30/2014

***Notification List of Property Owners***  
***Z145-127***

***11 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2900 LAMAR ST	MELISSA PROPERTIES LLC
2	1200 PARK ROW AVE	CCH LAMAR PARTNERS I LP
3	1213 FOREST AVE	GEOFFREY SECURITY SVCS
4	2915 PARNELL ST	HARRIS & HARRIS PROPERTIES LLC
5	2909 PARNELL ST	HARRIS AND HARRIS PROPERTIES LLC
6	2927 LAMAR ST	CCH LAMAR PARTNEERS I LP
7	1209 FOREST AVE	CORWIN GINA D B
8	2928 LAMAR ST	CORWIN GINA DIANA B
9	2910 LAMAR ST	LOVEJOY BROOKS S
10	2914 LAMAR ST	LOVEJOY BROOKS S
11	2901 LAMAR ST	CCH LAMAR PARTNEERS I LP

**Planner: Warren F. Ellis****FILE NUMBER:** Z145-292(WE) **DATE FILED:** July 13, 2015**LOCATION:** Walnut Hill Lane and Betty Jane Lane, northwest corner**COUNCIL DISTRICT:** 13 **MAPSCO:** 23R**SIZE OF REQUEST:** Approx. 1.012 acres **CENSUS TRACT:** 95.00

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**APPLICANT:** Highland Park Hurricanes Basketball, L.L.C**OWNER:** Saints Constantine and Helen Eastern Orthodox Church**REPRESENTATIVE:** William Dahlstrom, Jackson Walker L.L.P.**REQUEST:** An application for a Specific Use Permit for a private recreation center, club or area on property zoned an R-16(A) Single Family District.**SUMMARY:** The purpose of the SUP request is to will allow for the existing structures to be used as a private recreation center. The center will be used for educational video training sessions, free weights training, and sports and related training. The recreation center will also have offices and a lounge. The center will operate between the hours of 6 am to 11 pm, Monday through Sunday.**STAFF RECOMMENDATION:** Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions.

**GUIDING CRITERIA FOR RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The conversion of two existing structures on site to permit the operation of a private recreation center, club, or area is compatibility with surrounding uses. A six-lane, divided roadway (Walnut Hill Lane) provides a buffer between the residential uses from the proposed use. In addition, the nearest residential development, north of the proposed private recreation center, is approximately 299.79 feet.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed private recreation center, club, or area will neither contribute to nor be a detriment to adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The use is not anticipated to be a detriment to the public welfare. The proposed Specific Use Permit conditions are an additional layer of regulatory requirements the owner will have to comply with when operating the private recreation center, club, or area. The only access onto the site is from Betty Jane Lane. Staff has worked with the applicant to install a right turn only lane for all vehicles that egress the property. The right turn only lane will prevent the vehicular traffic from travelling northbound onto Betty Jane Lane into the residential neighborhood.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

**Zoning History:** There have been two zoning cases in the area over the past 5 years.

1. **Z134-104** On January 22, 2014, the City Council approved a CR Community Retail District on property zoned a LO-1 Limited Office District on the west side of Marsh Lane, north of Walnut Hill Lane.
2. **Z134-355** On January 14, 2015, the City Council approved a D-1 Liquor Control Overlay and Specific Use Permit No. 2130 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive through service on property zoned a CR Community Retail District with a D Liquor Control Overlay on the west side of Marsh Lane, north of Walnut Hill Lane.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Walnut Hill Lane	Principal arterial	100 ft.	100 ft.
Betty Jane Lane	Local	60 ft.	60 ft.



**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system. There are two driveway approaches that have access to the site: one driveway approach has access to an existing residential structure and the second approach is a private drive that is adjacent to the existing retail development. The driveway approach to the residential use will not be used and a notation will be placed on the site plan indicating that it will be no access onto the site. The private driveway will be used to egress the site. However, the applicant will have to enter into a mutual access agreement with the adjacent property owner because a portion of the driveway approach radius encroaches into the adjacent CR property.

### **STAFF ANALYSIS:**

**COMPREHENSIVE PLAN:** The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site being within Residential Neighborhood Building Block. The proposed development is in compliance with the *forwardDallas! Comprehensive Plan*. The proposed Specific Use Permit for a private recreation center, club, or area is consistent with the residential building block.

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

### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-16(A)	Single Family, Unoccupied
<b>North</b>	CR w/deed restrictions	Undeveloped
<b>South</b>	Right-of-way, R-10(A)	Walnut Hill Ln., Single Family
<b>East</b>	Right-of-way, R-16(A)	Betty Jane Ln., Church
<b>West</b>	CR w/deed restrictions	Retail and personal service

### **Land Use Compatibility:**

The facility will be used as a training facility in the following areas: basketball, sports related training, and free weights. In addition, the private recreation center will have an area designated for educational video training, and will provide an outdoor track facility and training area on site.



The request site is contiguous to a CR Community Retail District which is developed with retail and personal service uses. In addition, a six lane divided roadway (Walnut Hill Lane) separates a single family development from the request site to the south and a two lane undivided roadway separates an institutional use to the east (Betty Jane Lane).

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

### **Development Standards:**

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

**Landscaping:** Landscaping of any development will be in accordance with Article X, as amended. However, since the site is currently developed and the applicant is not increasing the impervious surface, landscaping is not required.

**Parking:** The requirement for off-street parking for a private recreation center, club, or area is three spaces for each game court and one space for each additional 150 square feet of floor area. Based on the number of courts and training facility, the applicant is short of meeting the required number of parking spaces. The number of off-street parking required on site is 38 spaces, but the applicant is proposing 33 spaces. There is a provision in the code that states that "if an SUP is required for this use, the off street parking requirement may be established by the ordinance granting the SUP, otherwise three spaces for each game court in one space for each additional 120 square feet of floor area."

<b>LIST OF OFFICERS AND DIRECTORS</b>
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**Highland Park Hurricanes basketball, LLC**

- Maryann Wahhab    Chief Executive Officer
- Maryann Wahhab    Sole Director

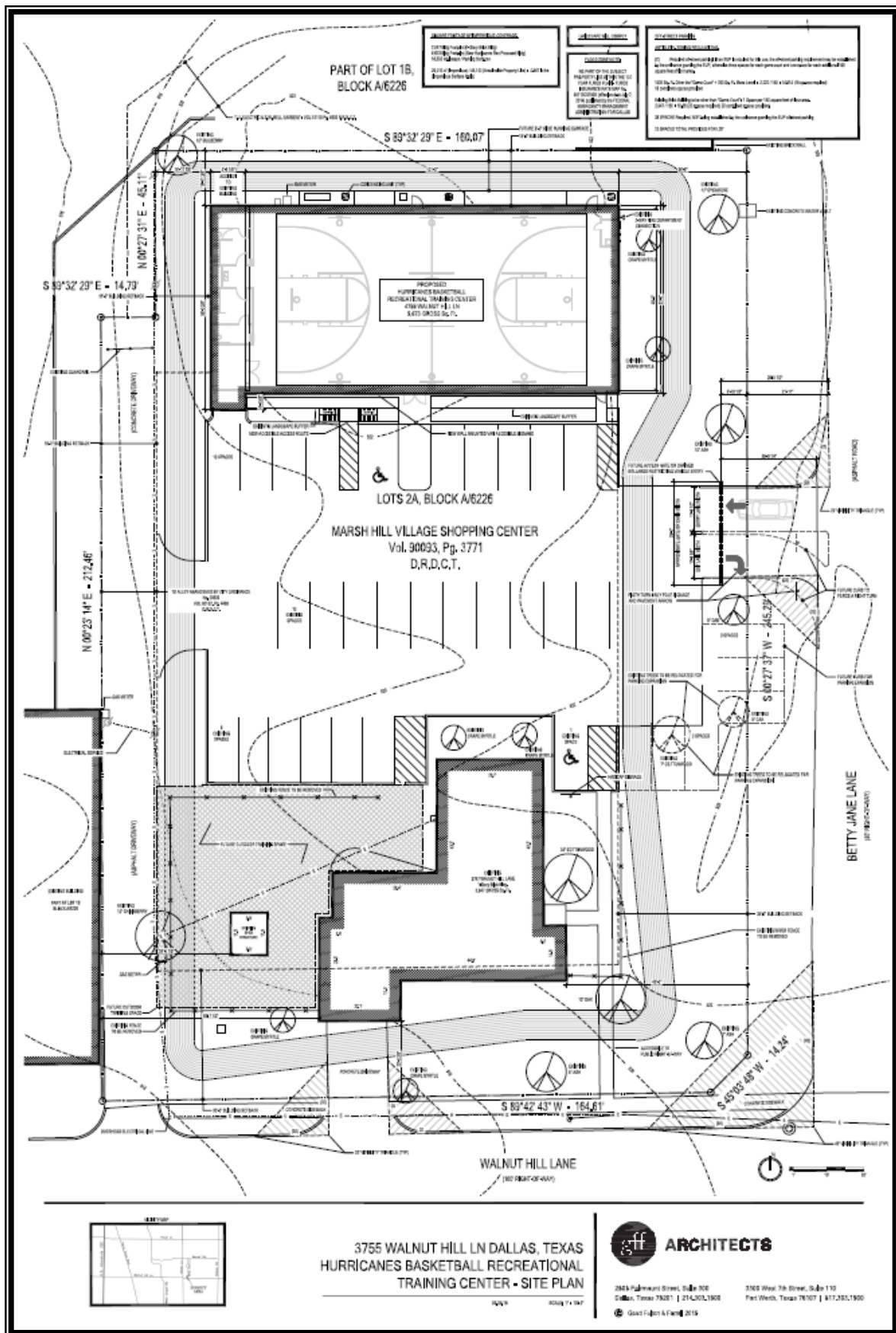
**Saints Constantine and Helen Eastern Orthodox Church**

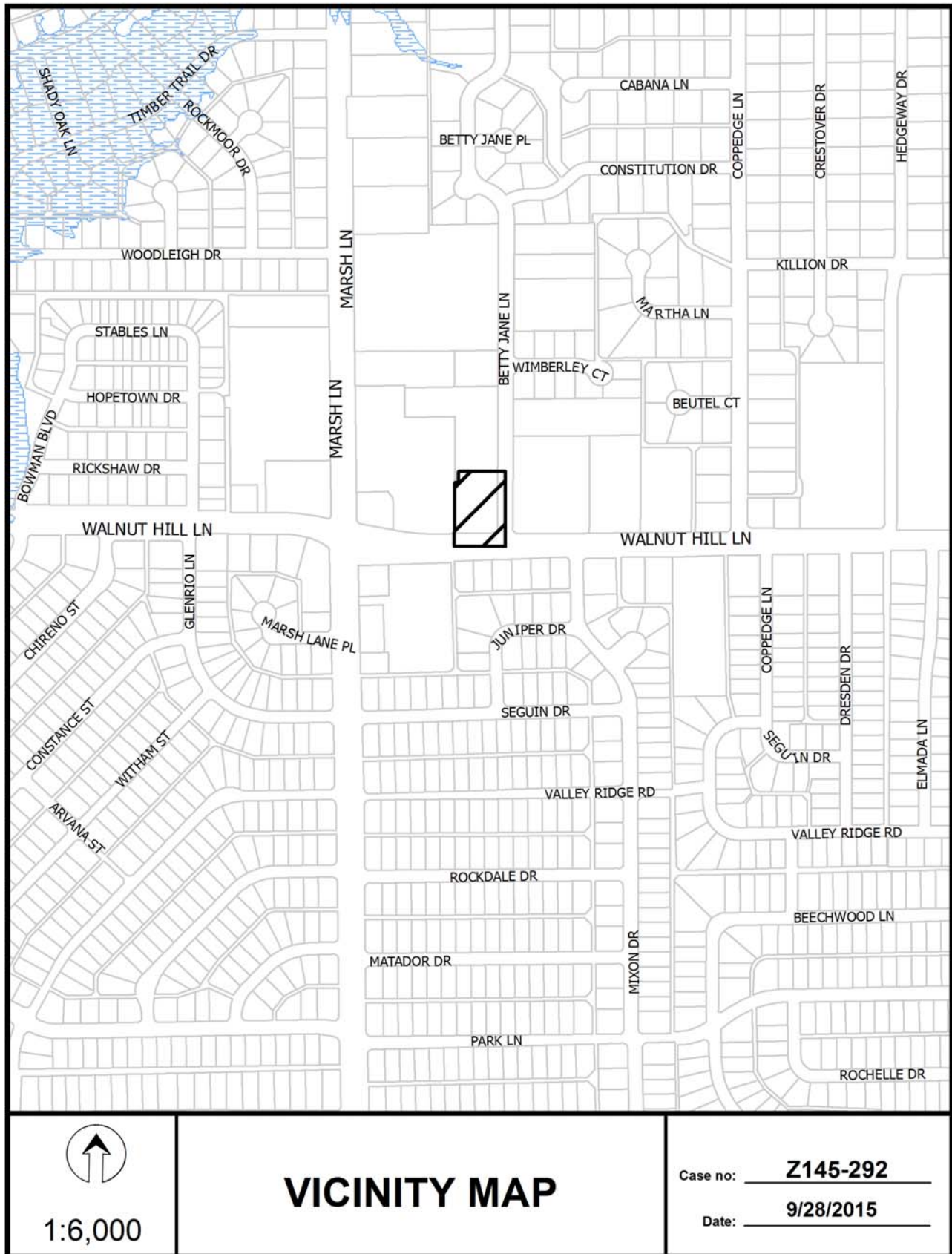
- David Haas            President, Director
- Dian Kauth            Secretary, Director
- William G. Koonz    Treasurer, Director

<b>PROPOSED SUP CONDITIONS</b>
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1. USE: The use authorized by this specific use permit is a private recreation center, club, or area.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_(three years from the passage of this ordinance), but is eligible for automatic renewal for additional three-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. HOURS OF OPERATION: The private recreation center, club, or area may only operate between 6:00 a.m. and 11:00 p.m., Monday through Sunday.
5. INGRESS/ EGRESS: Ingress and egress must be provided in the location on the attached site plan. No other ingress or egress is permitted.
6. LIGHT POLES: Outside light poles are prohibited on site.
7. OFF-STREET PARKING: The minimum off-street parking spaces required for private recreation center, club, or area is 33 spaces.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

# PROPOSED SITE PLAN

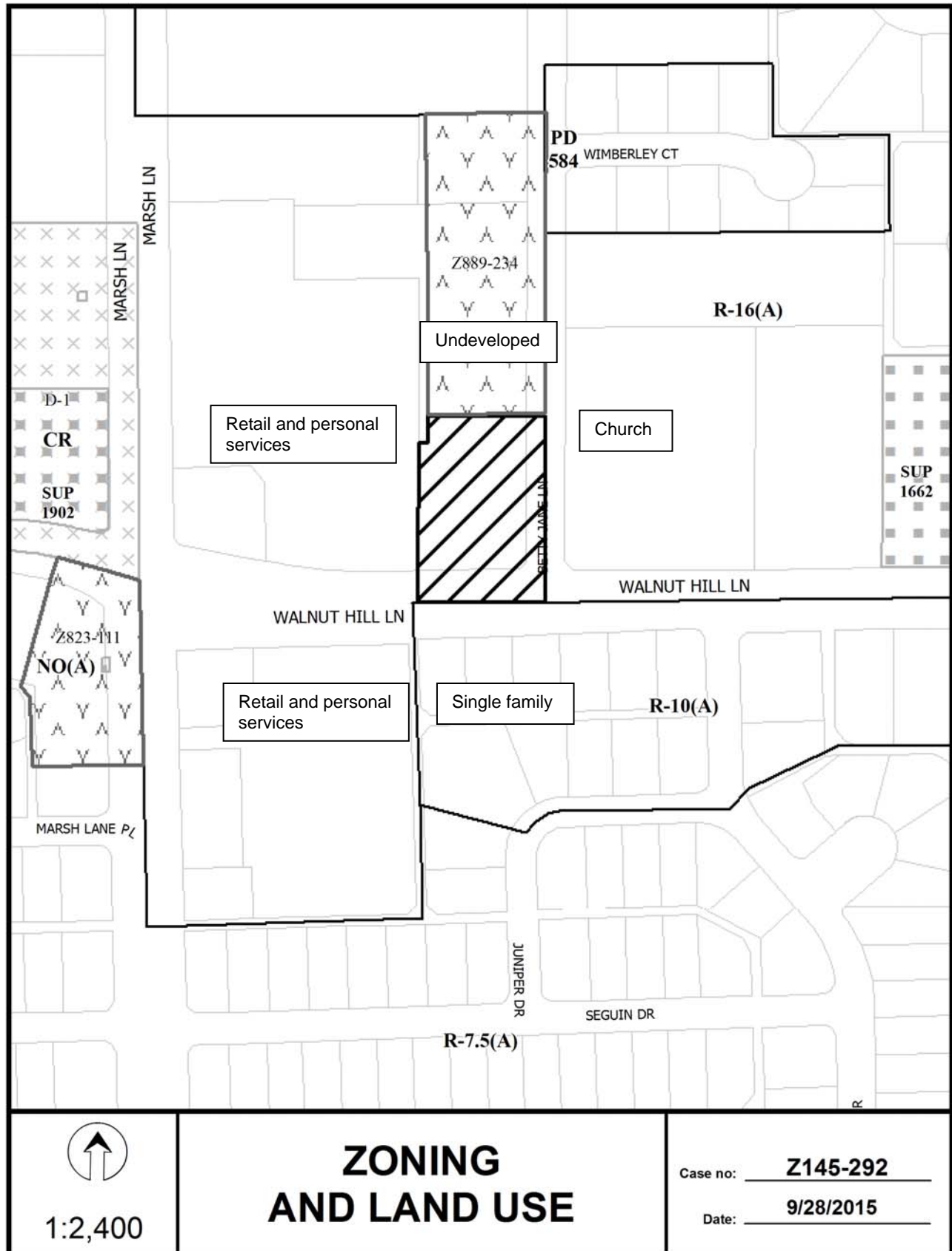


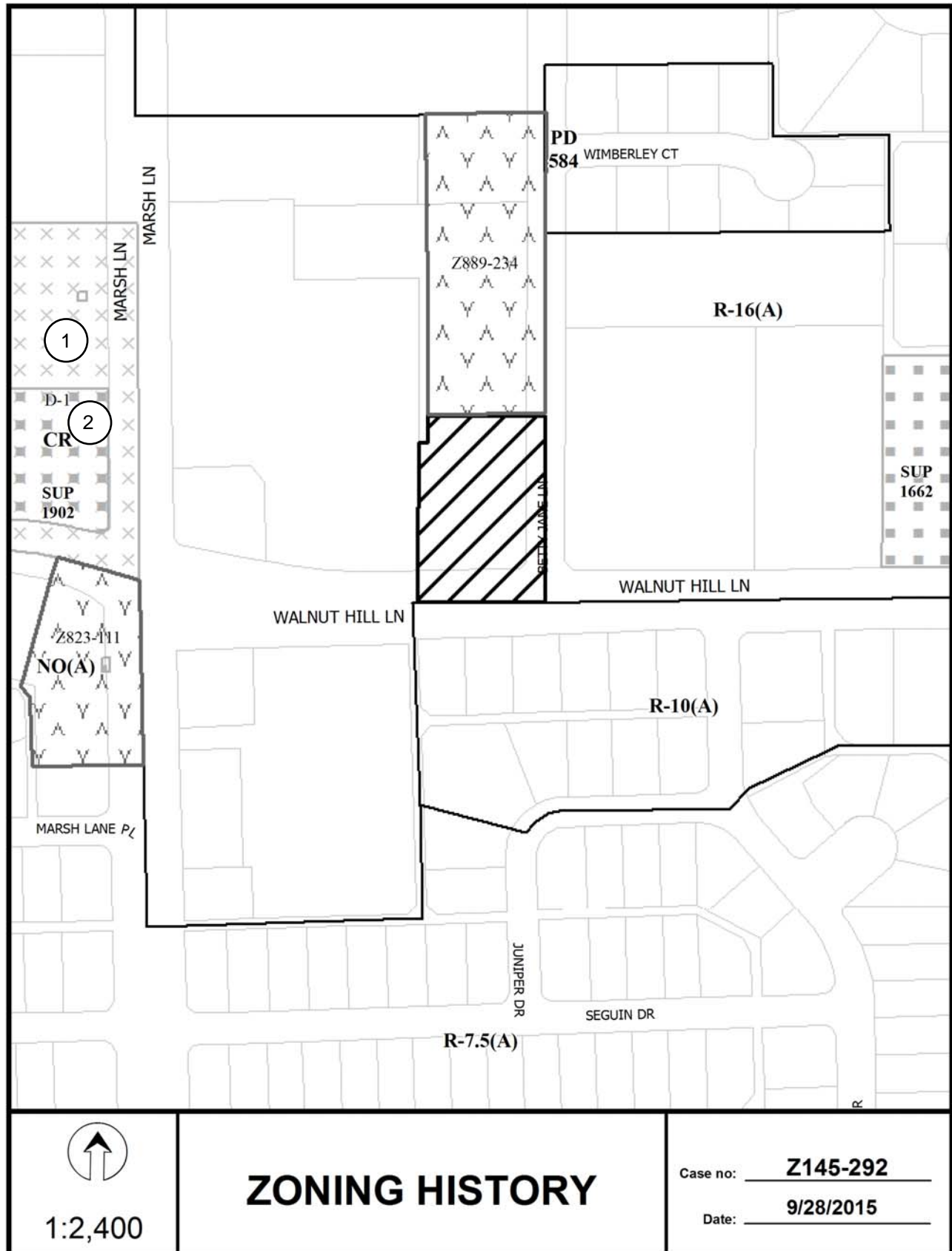


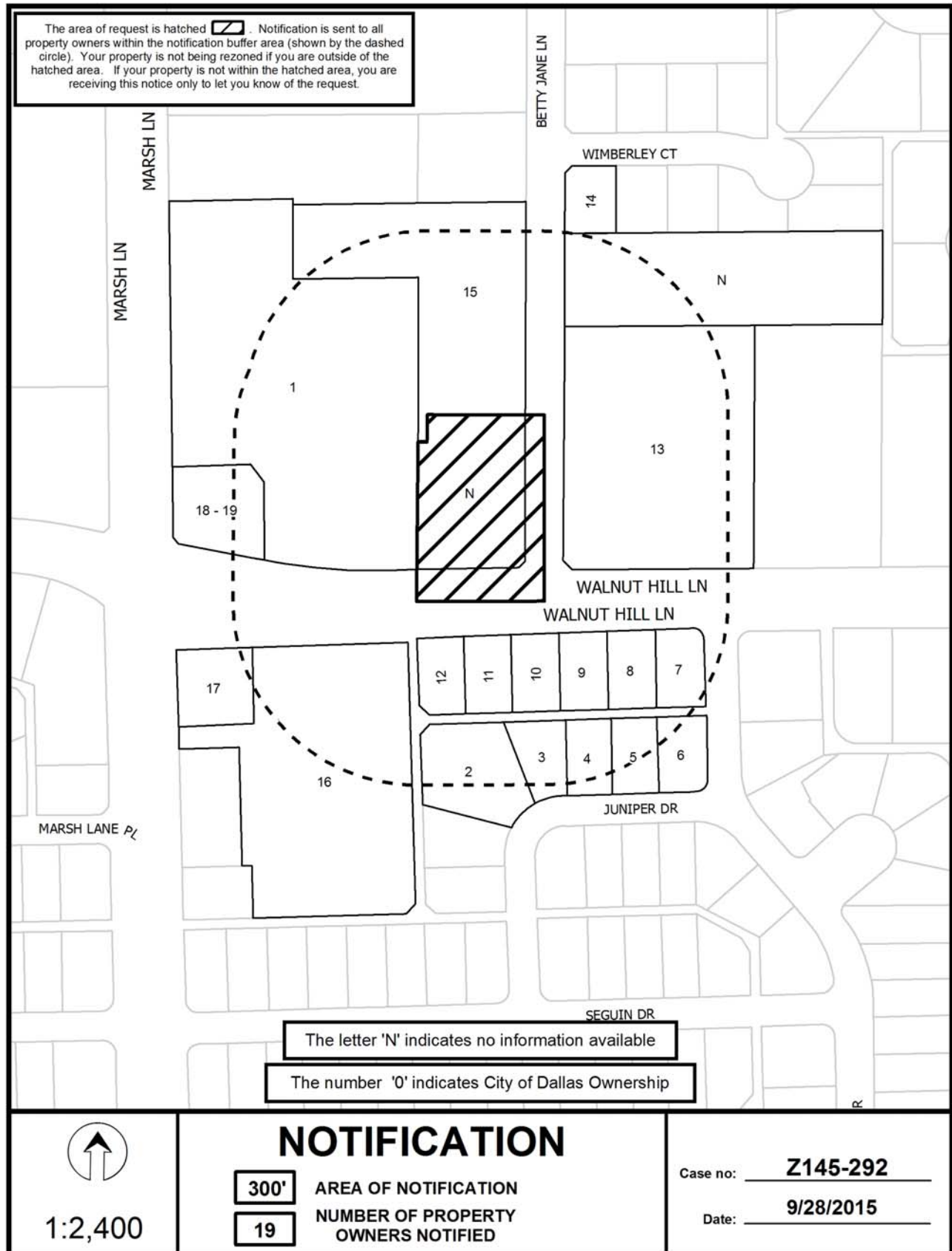












## ***Notification List of Property Owners***

### ***19      Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10020 MARSH LN	COPPEDGE HAROLD G ET AL
2	3743 JUNIPER DR	PETERSON DAVID P
3	3747 JUNIPER DR	SCHIMMING VERNON &
4	3753 JUNIPER DR	MCCLESKEY JAMES E
5	3759 JUNIPER DR	MILLS ARVALENE
6	3765 JUNIPER DR	PERKINS CAROLYN
7	3766 WALNUT HILL LN	TORRES OLGA DELGADO
8	3760 WALNUT HILL LN	KENDALL IRIS &
9	3754 WALNUT HILL LN	ANDRADES JOSE
10	3748 WALNUT HILL LN	MATA JOSE R
11	3740 WALNUT HILL LN	BURGESS WESLEY W
12	3736 WALNUT HILL LN	BARRIOS RICHARDO J &
13	3775 WALNUT HILL LN	FIRST SPANISH ASSEMBLY OF
14	20 WIMBERLEY CT	WIMBERLEY CUSTOM HOMES LLC
15	10031 BETTY JANE LN	NHI TX LEASE OWNER LP
16	3720 WALNUT HILL LN	ZIMMERMANN ENTERPRISES LLC
17	9998 MARSH LN	MPC PROPERTIES LTD
18	10002 MARSH LN	COPPEDGE HAROLD G TR ETAL
19	10004 MARSH LN	CHEVRON USA INC

**FILE NUMBER:** Z145-296(WE) **DATE FILED:** July 13, 2015**LOCATION:** Generally bounded by Fox Creek Trail, Wisdom Creek Drive, and Firethorn Drive**COUNCIL DISTRICT:** 3 **MAPSCO:** 61A-Y**SIZE OF REQUEST:** Approx. 18.99 acres **CENSUS TRACT:** 165.10

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**APPLICANT / OWNER:** Duncanville ISD**REPRESENTATIVE:** Karl Crawley, Masterplan**REQUEST:** An application for an amendment to Specific Use Permit No. 1473 for a public school on property zoned Planned Development District No. 521.**SUMMARY:** On the May 22, 2002, the City Council approved this Specific Use Permit for a permanent period. The purpose of this request is to allow for an expansion to the existing public school [Hyman Elementary School]. The applicant is requesting an amendment to construct a new one-story building addition totaling 8,600 square feet on the eastern portion of the site to accommodate five classrooms. The number of classrooms will increase from 45 classrooms to 50 classrooms and will continue to serve students from pre-kindergarten through fifth grade.**STAFF RECOMMENDATION:** Approval for a permanent period, subject to a revised site plan, revised landscape plan, traffic management plan, and conditions



**GUIDING CRITERIA FOR RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The expansion of the building area on this site will not negatively impact the surrounding area. The one-story building expansion is located on the southeastern portion of the campus, near Firethorn Drive and will be screened from any adjacent residential uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed amendment to increase the building area will create additional classrooms, allowing more students from the surrounding area to attend, which contributes to the welfare of the area.
3. *Not a detriment to the public health, safety, or general welfare* – The use is not anticipated to be a detriment to the public welfare. To mitigate any concerns that results from potential stacking or queuing on the residential streets, the applicant is staggering the times when the pre-kindergarten and kindergarten students are picked-up. The students will be picked-up approximately 15 minutes earlier than the remaining elementary students. The proposed Specific Use Permit conditions are an additional layer of regulatory requirements the owner will have to comply with when operating the school.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

**Zoning History:** There have not been any zoning cases in the area over the past 5 years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Fox Creek Trail	Local	50 ft.	50 ft.
Wisdom Creek Drive	Local	50 ft.	50 ft.
Firethorn Drive	Local	50 ft.	50 ft.

**Traffic:** The Engineering Section of the Department Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system. The applicant has submitted a Traffic Management Plan for the public school and will become a part of the Specific Use Permit conditions. The implementation of a new circulation plan will become effective when the new addition is completed. The process of the new queuing and incorporating three pick-up locations on campus is explained in the traffic management plan.

### **STAFF ANALYSIS:**

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

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

The existing use and expansion are consistent with the *forwardDallas! Comprehensive Plan*.

### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 521, SUP No. 1473	Public School
<b>North</b>	PDD No. 521	Right-of-way, Single Family
<b>South</b>	PDD No. 521	Right-of-way, Single Family
<b>East</b>	PDD No. 521	Right-of-way, Single Family
<b>West</b>	PDD No. 521	Right-of-way, Single Family

### **Land Use Compatibility:**

The land uses surrounding the request site are primarily single family.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or

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

### **Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%  Up to 60% - Institutional use		Single family, School

**Landscaping:** Landscaping of any development will be in accordance the attached landscape plan. The proposed landscape plan reflects a majority of the landscaping that was approved but some plant materials on the northern portion of the campus were relocated closer to the street edge because of the topography on the site. In addition, the new landscaping will be concentrated in front of the new addition and at the street adjacent to the new addition. Any trees that are removed by the new addition will be mitigated.

The chart below will show differences between the approved and proposed landscaping plans.

	<b>Article X requirements (Approved Plan)</b>	<b>Proposed Plan</b>
<b>Street Trees</b>	74	39; 64 trees if including the trees within 50 feet of the r-o-w
<b>Site Trees</b>	209 (162 - not counting the play field area)	136
<b>Residential adjacency</b>	74 trees; 222 shrubs	39 trees
<b>Parking lot trees</b>	Comply	Comply
<b>Design Standards</b>	Screening off-street parking and pedestrian facilities	Same as approved

The applicant has indicated that the landscape plan was not compliant because of the following reasons: drainage problems (detention), the site's topography and the ability to see the playing fields, and the children's safety (planting the shrubs). The city arborist has worked with the applicant and is supportive of the proposed landscape plan.

**Parking:** The requirement for off-street parking for the school is derived by two criteria: 1) the number of classrooms, and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The total number of proposed classrooms determines the number of required parking spaces. The Dallas Development Code requirement for off-street parking for an elementary school is:

- one and one half space for each kindergarten/elementary school classroom;

The number of off-street parking spaces will increase by 7 spaces; but, the overall number of off-street parking will exceed the required number of spaces by 60 spaces. The required number of off-street parking spaces is 75 spaces and the applicant is providing 135 spaces.

<b>LIST OF BOARD OF TRUSTEES</b>
----------------------------------

- Marlies Peregory     President
- Phil McNeely        Vice-President
- Carla Fahey         Secretary
- Elijah Granger
- Tom Kennedy
- Renee McNeely
- Janice Savage-Martin

Dr. Alfred L Ray, Superintendent

Ronald Kruger, Chief Financial Operation Officer

Dr. Larry McHaney, Deputy Superintendent

Renae Murphy, Chief Communications Officer

Kyle Burger, Chief Technology Officer



**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a public school.
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. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan. Plant materials must be maintained in a healthy, growing condition.
5. OFF-STREET PARKING: Off-street parking required for an elementary public school use is one and 1/2 spaces per classroom. All parking for this use, whether required or excess, must be provided in the lots shown on the attached site plan.
6. INGRESS AND EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan.
7. HOURS OF OPERATION: The hours of operation are limited to the hours between 7:30 a.m. to 4:00 p.m., Monday through Friday.
8. SECURITY: On-site security must be provided during hours of operation.
9. FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence.
10. PICK-UP AND DROP-OFF: A pick-up and drop-off area for students must be provided in the location shown on the attached site plan.
11. TRAFFIC MANAGEMENT PLAN:
  - (a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit B).
  - (b) Access. Ingress and/or Egress are prohibited from the new North-South Road during drop-off and pick-up.
  - (c) Traffic study.
    - (1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by **March 1, 2018**. After the initial traffic study, the Property owner or operator shall submit biennial updates of the traffic study to the director by March 1 of each even-numbered year.

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

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level;
- (G) circulation;

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

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

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

(d) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) In order to amend a traffic management plan, the Property owner or operator must provide data showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation.

(3) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

12[4]. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance at all times.

- 13[2]. 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.

**Traffic Management Plan for  
HYMAN ELEMENTARY SCHOOL**  
8441 Fox Creek Trail, DALLAS, TEXAS

Prepared for the Duncanville Independent School District  
and the City of Dallas

By

**Master Code, Inc.**  
7309 Bay Chase Drive, Arlington, TX 76016  
Phone: 214 957 5024



September, 2015

**Introduction:**

Hyman Elementary School was constructed at its present location in 2002-2003. The school has approximately 675 students in 45 general classrooms (33 homeroom classrooms). At this time the District is proposing to construct a new one-story classroom addition in order to add fifth grade students, reduce class sizes, and free up space for specialty classrooms. The construction of additional classrooms will allow for students who are currently in the fourth grade to continue at this school campus. The school currently is controlled by Specific Use Permit No. 1473, which was approved in 2002. At the time of that approval a Traffic Management Plan (TMP) was not required by the City of Dallas and one was not attached to the ordinance for the SUP.

**Overview:**

The attendance zone for Hyman Elementary School will not be changed in conjunction with this expansion. The additional students presently reside in the attendance zone for the school. The school day is from 8:00 a.m. to 3:30 p.m. Kindergarten and pre-K children are released approximately 15 minutes the remainder of the school in order to lessen the number of children leaving at once and to allow the younger children more time.

**The Site:**

The school is surrounded on all four sides by streets on is on an approximately 19 acre tract of land. A Specific Use Permit was approved for the site prior to its initial construction. At that time a Traffic Management Plan (TMP) was not required. The school is surrounded on all four sides by single family homes.

Fox Creek Trail on the south side of the campus is a 4 lane striped undivided street with approximately 40 feet of pavement width. This street is the only street surrounding the campus with a School Zone. The existing School Zone runs the entire frontage of the school and extends approximately 100 yards past the intersection of the two side streets, Firethorn and Wisdom Creek. Fox Creek along with the remaining streets surrounding the school has NO PARKING signs on the side of the street adjacent to the school. Firethorn Drive, on the east side of the School, has a pavement width of approximately 36 feet (four-lanes) but is not striped. Signage on Firethorn points out the entrance to the Parent drop-off lanes. The intersection of Firethorn and Fox Creek is a 4-way Stop with Cross-walks. Firethorn as it turns to the west and goes along the north side of the campus is also 36 feet in width and four-lanes. The School is bounded on the west side by Wisdom Creek Drive which has a pavement width of 36 feet. Signage on Wisdom Creek points out the exit to the Bus Lane and secondary parent queuing, this driveway is Exit Only. A similar sign is located on Fox Creek for the Exit of the parent Drop-Off in the front of the School. Both the exclusive Parent Lane and the combined Bus and Parent Lane are One-Way with both signs and arrows painted on the drives indicated the path to be followed.



**Existing Queue:**

Observation at the school during the afternoon pick-up time shows that approximately 20 cars currently queue on Firethorn. The staff assistance of the student pick-up moves the cars quickly through the queue, but there is still minimal queuing within the City

ROW. This queue lasted for approximately 20 minutes and consisted mostly of parents arriving early and the queue length within the parent pick-up not having adequate space. A proposed amendment to the existing queue follows which will be implemented upon completion of the addition and opening of the new classrooms.

**Queuing Analysis:**

Grade	Nos. of Classrooms	Students/ Class	Nos. of Students	Time Start	Time Dismissal
Pre-K	1 AM	18	18	8:00 a.m.	10:45 p.m.
Pre-K	1 PM	18	18	12:35 p.m.	3:15 p.m.
K	4	20	80	8:00 a.m.	3:15 p.m.
1	6	20	120	8:00 a.m.	3:30 p.m.
2	6	20	120	8:00 a.m.	3:30 p.m.
3	5	20	100	8:00 a.m.	3:30 p.m.
4	5	22	110	8:00 a.m.	3:30 p.m.
5	5	22	110	8:00 a.m.	3:30 p.m.

Subtotal Grades PK-6

**Total**

**33**

**676**

Observation and information provided by the school principal shows approximately 25% of the students arrive at the campus by school bus; another 15-20% walks or ride bikes to the campus and the remainder arrives by personal vehicle.

**REFERENCE TTI REPORT: “OPERATIONS AND SAFETY AROUND SCHOOL: OVERVIEW OF PROJECT ACTIVITIES AND FINDINGS”**

BY TEXAS DEPARTMENT OF TRANSPORTATION & US DEPARTMENT OF HIGHWAYS

**Table 43. South Carolina DOT Recommendations for On-site Stacking Length**

School Type	Student Population	Loop Drive Stacking Length (Linear Feet)
Elementary	200 - 600 600 - 1,400	900 - 1,200 1,200 - 1,500
Middle	200 - 600 600 - 1,200	900 - 1,200 1,200 - 1,500
High	400 - 800 800 - 2,500	800 - 1,200 1,200 - 1,500

The projected enrollment of approximately 675 students would normally be above the minimum category for stacking length, however with a split pre-K program the total number of children on campus in the afternoon is approximately 658 children so a stacking length of 1200 feet was used for comparison. This number would be further reduced in the afternoon pick-up time because of the split dismissal time with pre-K and Kindergarten getting dismissed 15 minutes before the remainder of the student body.

The school fronts on Fox Creek Trail and has a separate entrance for buses and child-care vans versus parent pick-up and drop-off. The exclusive bus lane enters on Fox Creek and is one-way to the north and exits onto Wisdom Creek Drive. This area allows stacking for several buses/vans and children using buses and vans enter and leave the school building adjacent to the area set aside for the buses.

Parent drop-off and pick-up is handled through a one-way drive entering from Firethorn Drive and exiting onto Fox Creek. The drive is set up to have two 8' wide queuing lanes with a central pass-thru exit lane for no stopping or standing. The parent queuing area is adjacent to the visitor parking lot which has 50+ spaces for parent parking to help in the pick-up time of day. Teachers assist in getting children to their cars in order to help alleviate any congestion.

With pre-K and Kindergarten classrooms being dismissed 15 minutes before the remainder of the school and discounted the pre-K A.M. class; the afternoon dismissal at 3:30 involves approximately 578 children. As mentioned above approximately 25% of the students (not including the pre-K) are transported to school on buses, for a total of approximately 150 children. Of the 578 children dismissed at 3:30 another 15% walk to school or approximately 90 children; leaving 355 children to arrive by personal vehicles.

The queue length located in the exclusive Parent Drop-Off Lane in the front of the school is 640 feet. Adding in the proposed queuing in the visitor parking lot the total queue length in the front of the school is approximately 900 feet. The proposed queue length (for parents) located in the area for bus and parents is approximately 400 feet; with enough queue length for 6 buses (more than currently needed for the school + expansion). The addition of another queue location, in an existing driveway to the rear of the school, will add more queue length to the school. This new queue area of approximately 600 feet (28 cars) would eliminate the existing queue on Firethorn.

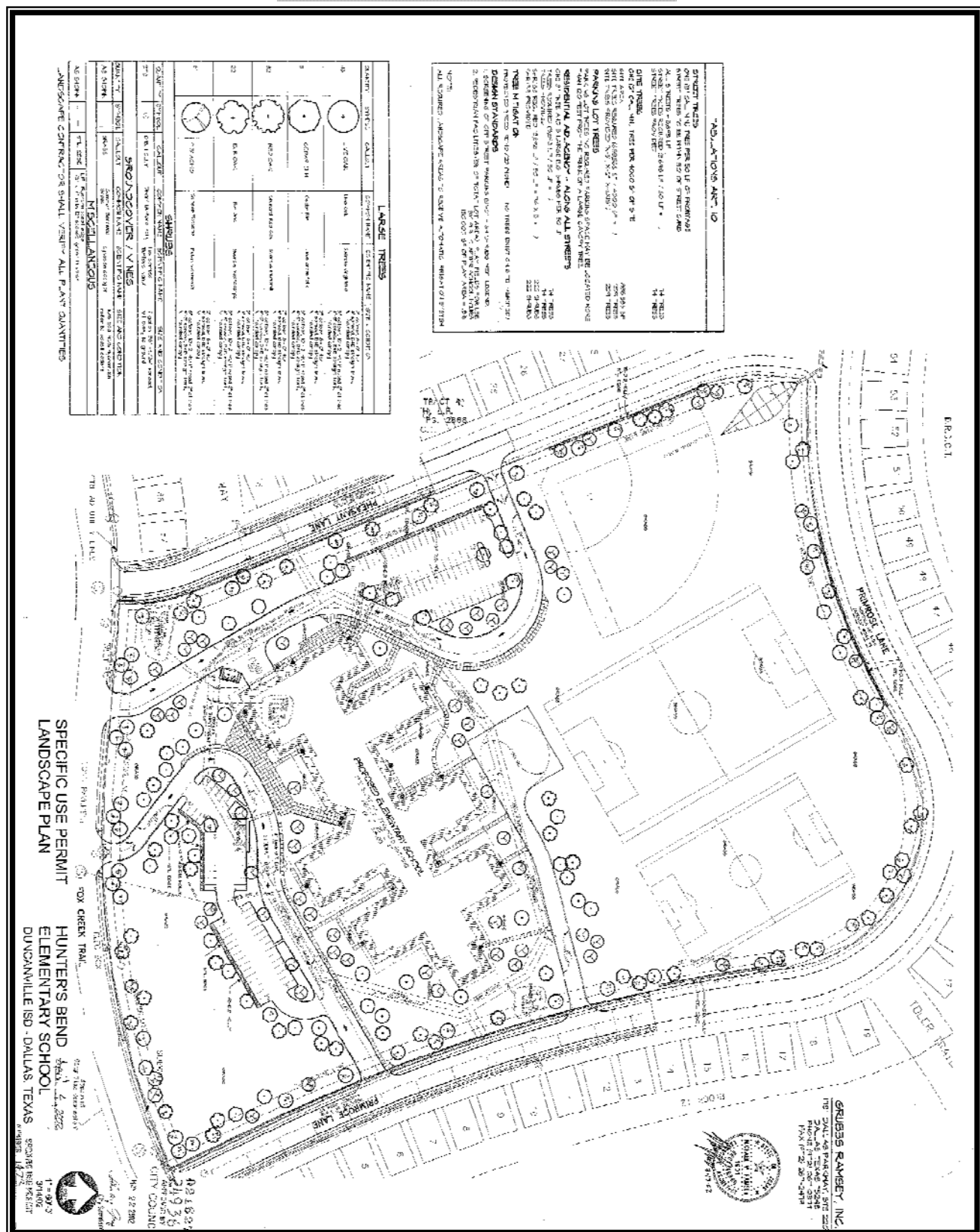
## **RECOMMENDATION**

The current program of queuing and teacher assisted drop-off and pick-up has some queuing on the adjacent streets. This could be alleviated with the use of a portion of the now exclusive bus/van pick-up area and a proposed queue area at the rear of the school. The attached Circulation Plan, to be implemented after the expansion is completed, would accommodate over 130 cars, with a length of over 2500 feet. the bus area will accommodate a minimum of 5 buses with areas for day-care vans. This area would not be needed in the morning but could allow queuing in the afternoon. The new classrooms will allow existing students to remain on the campus for one additional year. Implementation of a new queuing plan should wait until the new addition is completed and teachers, students and parents can be informed of the change. The numbers of

buses used to transport the students may increase by one bus but the new bus/parent queue area is more than adequate to handle the additional bus. With the implementation of the proposed change there is adequate queuing length and area to accommodate the additional students on the campus. A review of the new plan should occur upon the normal (within two years of the opening of the addition) review period in the SUP ordinance.



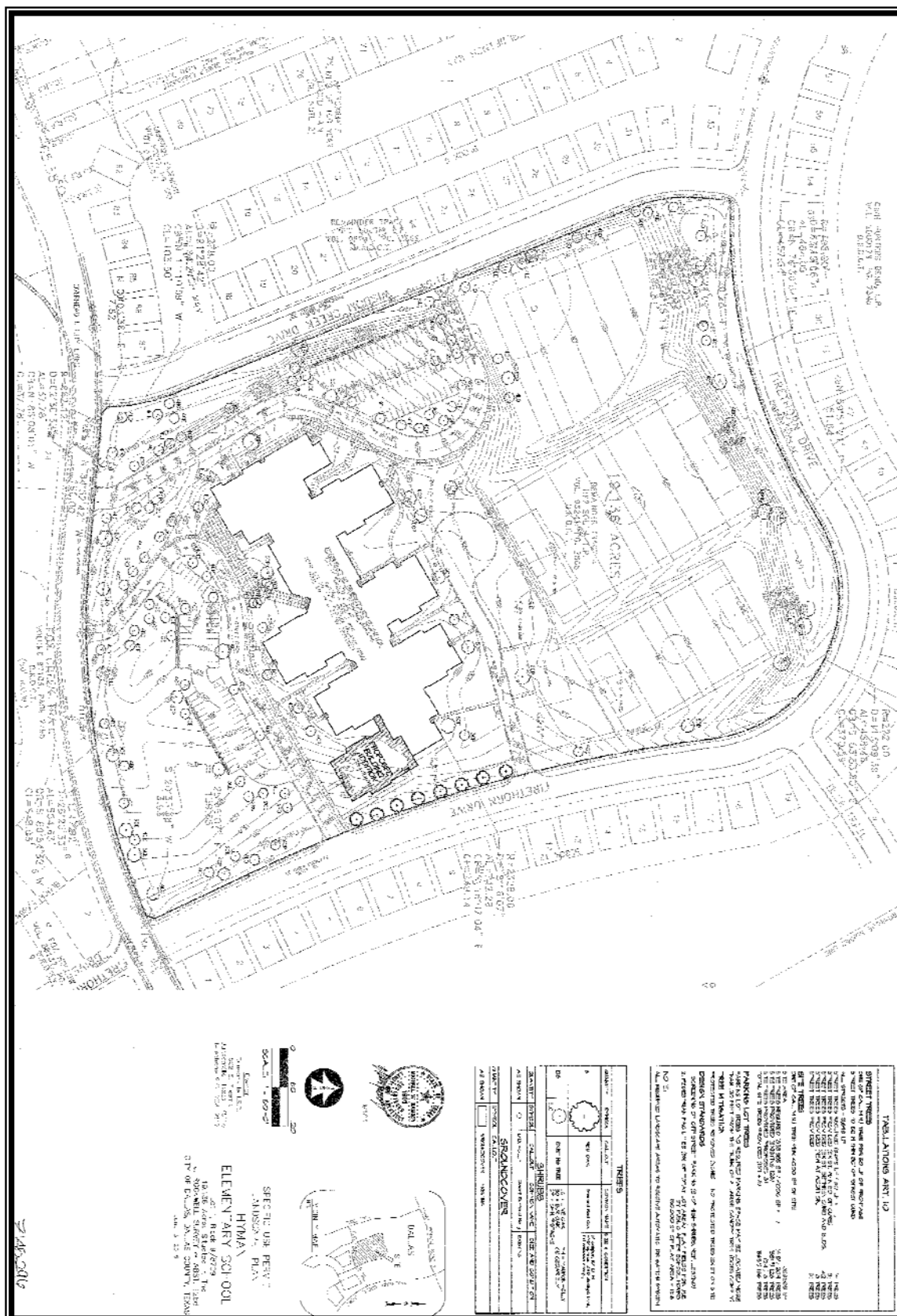
## EXISTING LANDSCAPE PLAN



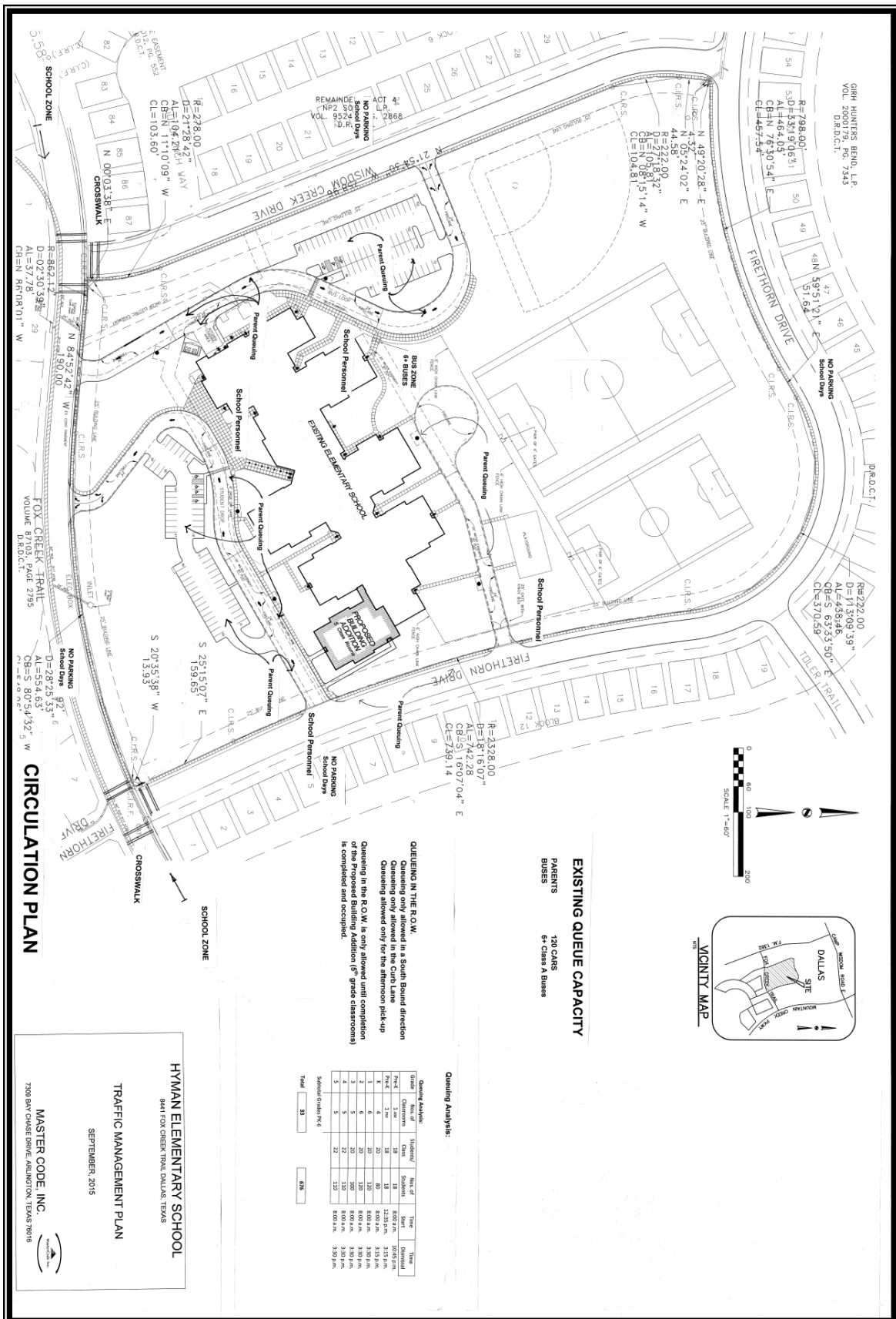


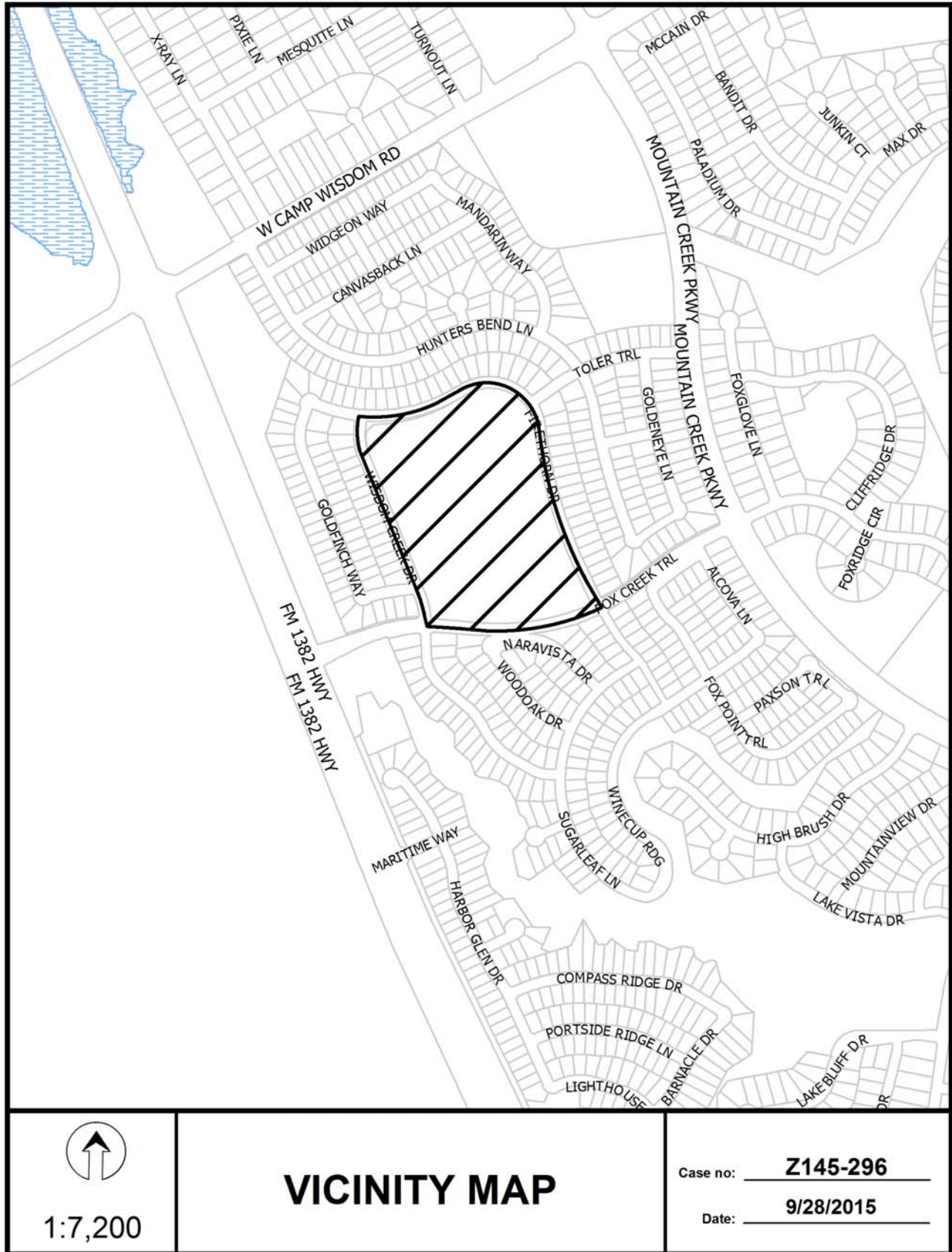


## PROPOSED LANDSCAPE PLAN

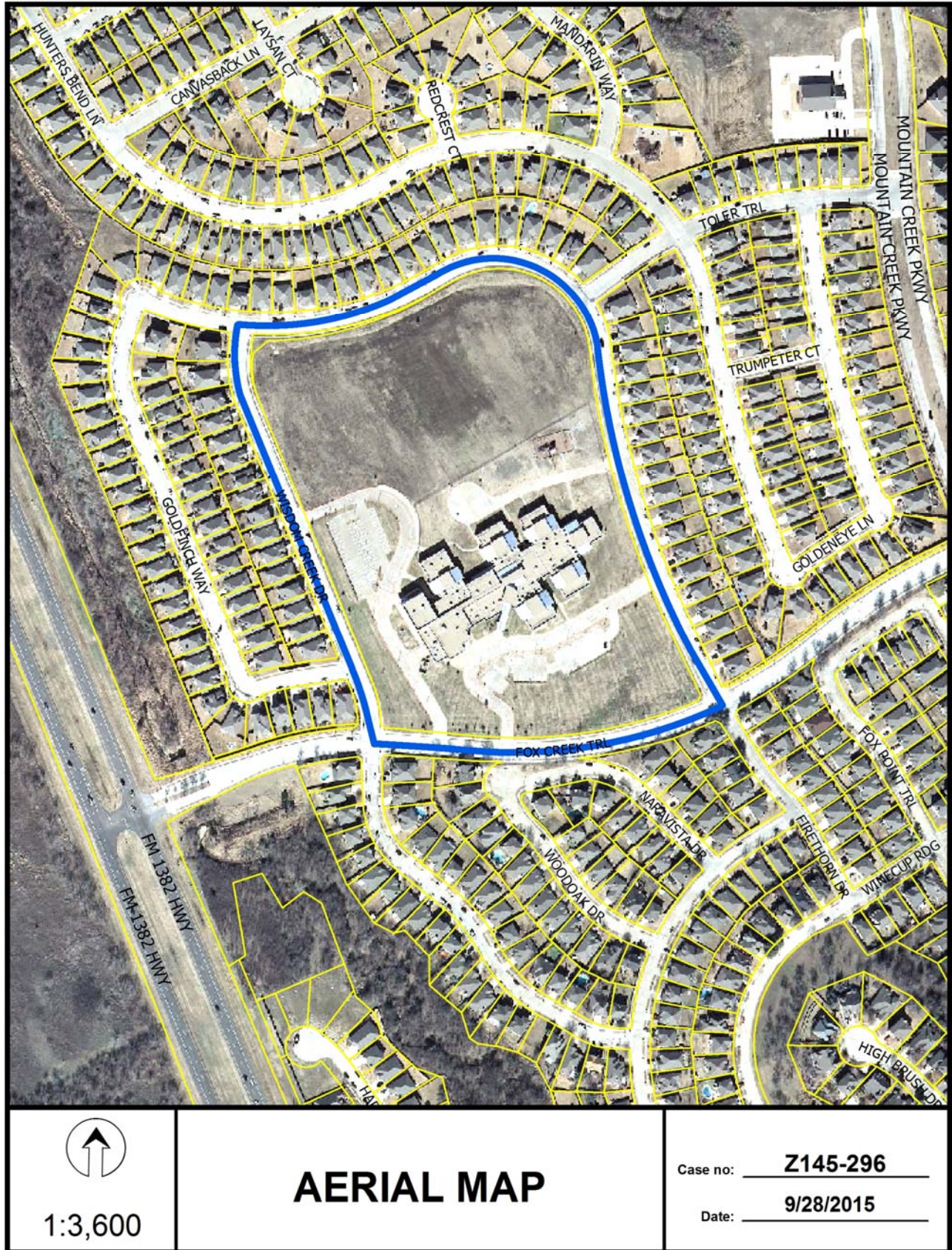


# PROPOSED CIRCULATION PLAN

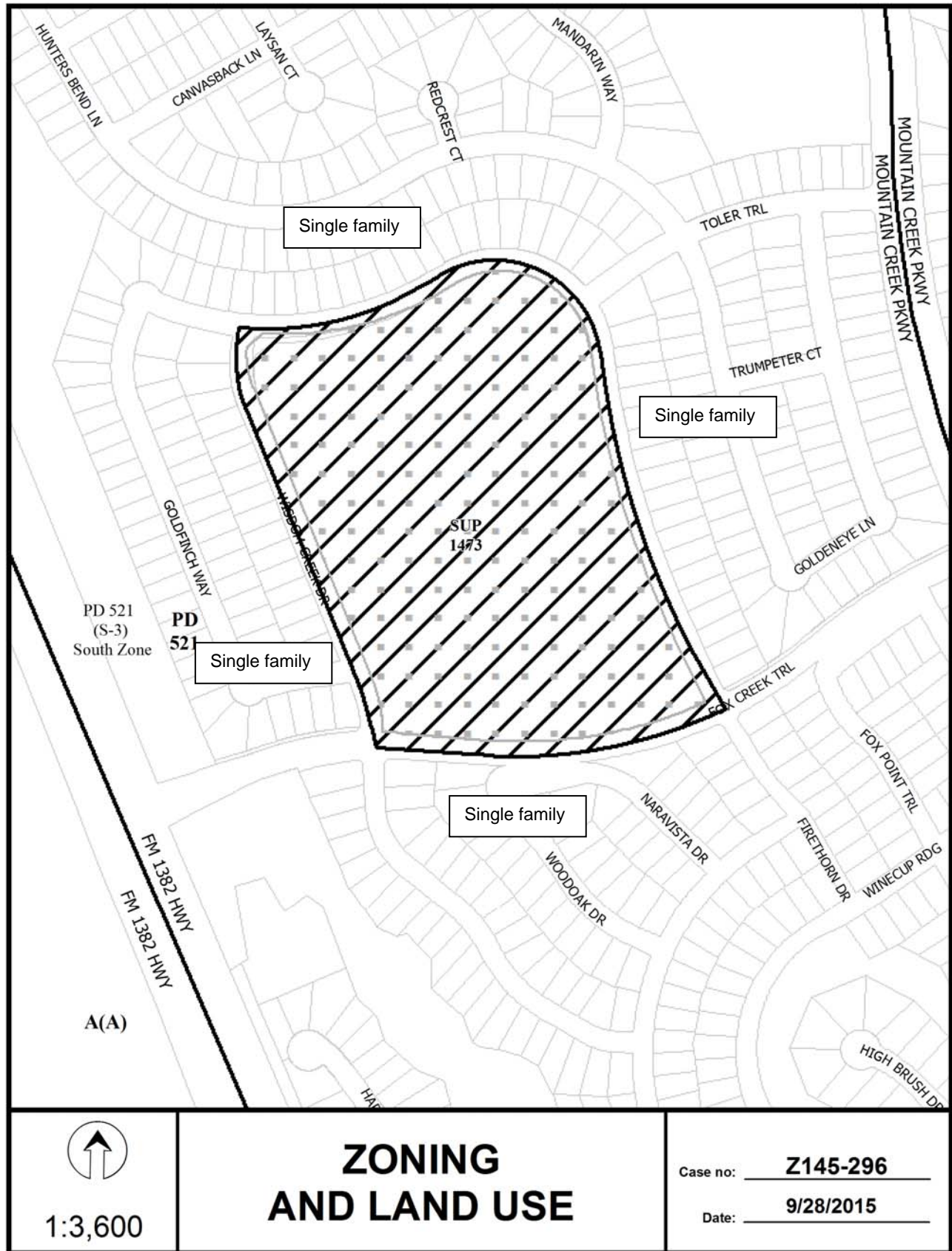




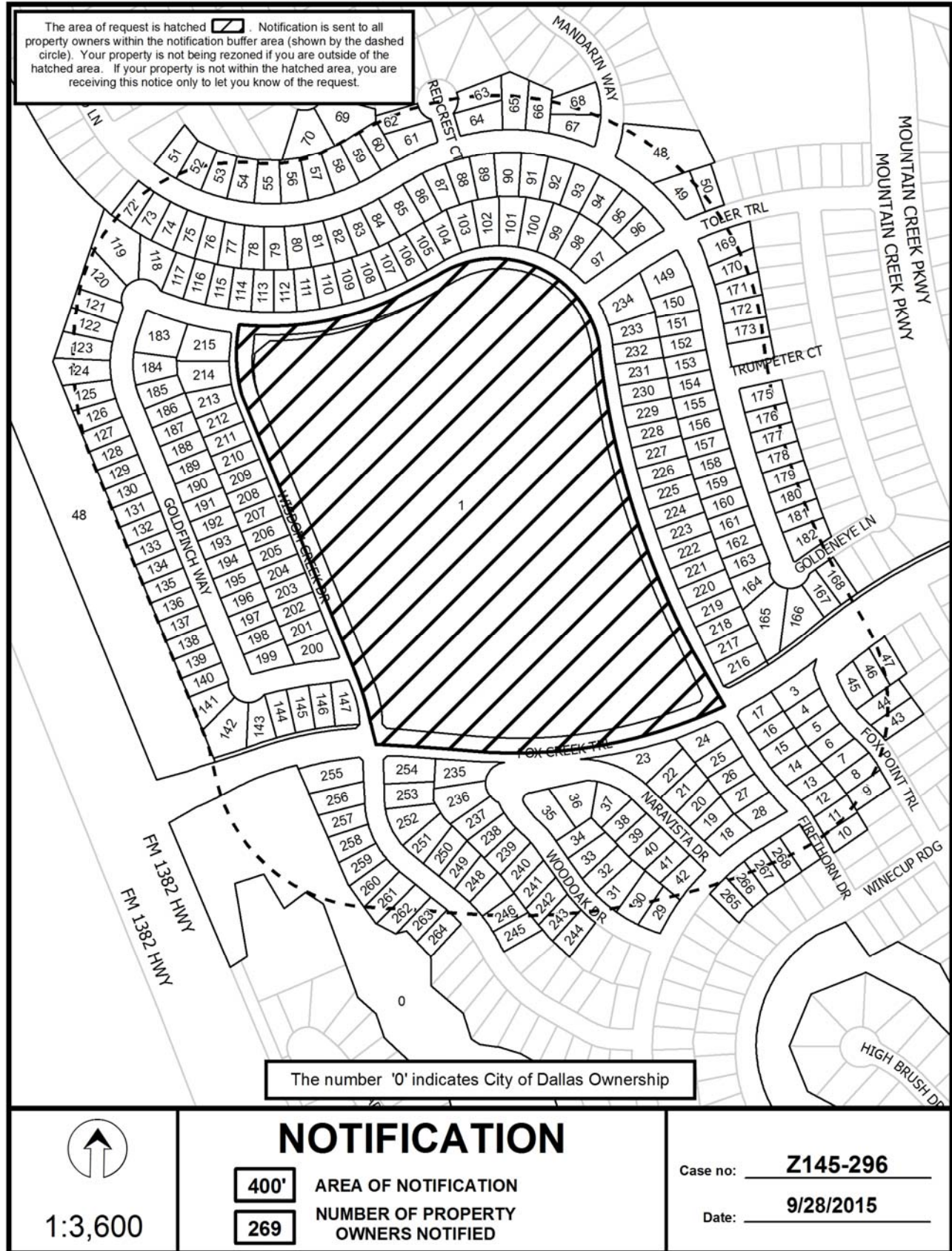












## ***Notification List of Property Owners***

### ***Z145-296***

***269      Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8441 FOX CREEK TRL	DUNCANVILLE I S D
2	8400 CAMP WISDOM RD	DUNCANVILLE ISD
3	5911 FOX POINT TRL	GRANT MELISSA A
4	5915 FOX POINT TRL	HERRERA MERCEDES &
5	5919 FOX POINT TRL	CARTER BILLY R
6	5923 FOX POINT TRL	BILHARTZ MANAGEMENT GROUP LLC THE
7	5927 FOX POINT TRL	WILLIAMS BOBBY WAYNE
8	5931 FOX POINT TRL	PEREZ WEN
9	5935 FOX POINT TRL	DEVEREAUX KATAWNA T
10	5932 FIRETHORN DR	BUTLER BARBARA ANN & LEONARD
11	5928 FIRETHORN DR	WASHINGTON MARQUITE D
12	5924 FIRETHORN DR	MOORE J D
13	5920 FIRETHORN DR	VASQUEZ JOSE DE JESUS & LILIA D
14	5916 FIRETHORN DR	BAZAN EDWARD & IRENE N
15	5912 FIRETHORN DR	PARRALES JORGE A &
16	5908 FIRETHORN DR	ONTARGET 360 GROUP INC
17	5904 FIRETHORN DR	RIOS RAMON A
18	5932 NARAVISTA DR	REED CHRISTOPHER D &
19	5928 NARAVISTA DR	ALVARADO MANUEL G & AMELIA D
20	5924 NARAVISTA DR	ADEWUNMI MORENIKE A
21	5920 NARAVISTA DR	GAJI TAIWO &
22	5916 NARAVISTA DR	GARCES ERIKA GARCIA
23	5908 NARAVISTA DR	CARRILLO TOMAS &
24	5903 FIRETHORN DR	RODRIGUES LOUIE
25	5907 FIRETHORN DR	ROBERTSON JENNIFER
26	5911 FIRETHORN DR	HYDER MICHELLE

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5915 FIRETHORN DR	WALLACE LYNDEL &
28	5919 FIRETHORN DR	MCGEE YASMIN K
29	5952 WOODOAK DR	MEDEIROS FRANCISCO O
30	5948 WOODOAK DR	SUTHERLAND YVONNE
31	5940 WOODOAK DR	MCCOWAN DASHUNDA C
32	5932 WOODOAK DR	JAMES JULIETTE
33	5928 WOODOAK DR	DE LA TORRE LETICIA
34	5924 WOODOAK DR	MORRISON ELAINE
35	5903 NARAVISTA DR	JONES BENNYE W
36	5907 NARAVISTA DR	COLEMAN JAMES E
37	5911 NARAVISTA DR	NDLOVU NICHOLAS N
38	5915 NARAVISTA DR	BUSH LASHONDA & JEROME WALKER
39	5919 NARAVISTA DR	SILVA ABEL C & YOLANDA
40	5923 NARAVISTA DR	JEBODA OLUGBENGA W &
41	5927 NARAVISTA DR	BOYD YOUNG RUGIE &
42	5931 NARAVISTA DR	TRUSEL RODNEY A & MYRNA C
43	5928 FOX POINT TRL	PASON TERRI D
44	5924 FOX POINT TRL	HERRERA JOE
45	5920 FOX POINT TRL	ROSS MARQUIS
46	5916 FOX POINT TRL	FIELDER MICHAEL
47	5912 FOX POINT TRL	SHEPHERD CASSANDRA L &
48	3 HUNTERS BEND LN	TRACT S 3A HOMEOWNERS ASN
49	8337 TOLER TRL	CANTU FABIAN & LUCIA S
50	8333 TOLER TRL	POULSON BARBARA A LINK
51	5544 HUNTERS BEND LN	SAYAVONGSA PANYA & REBECCA
52	5548 HUNTERS BEND LN	MOSS KIMBERLY R &
53	5552 HUNTERS BEND LN	HARRIS BRANDON
54	5556 HUNTERS BEND LN	HARRIS WARD M & THERESA S
55	5560 HUNTERS BEND LN	MENDOZA CHRISTOPHER JAMES &
56	5564 HUNTERS BEND LN	POLLARD ROBERT JR
57	5568 HUNTERS BEND LN	HAIRSTON MARIA

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5572 HUNTERS BEND LN	MURRELL JAMES P &
59	5576 HUNTERS BEND LN	PEREZ MIGUEL A
60	5580 HUNTERS BEND LN	MELLYN HOLDINGS LLC
61	5327 REDCREST CT	ESTRADA JESUS ABEL JR & CRISTINA HERNANDEZ
62	5323 REDCREST CT	PUIG GEORGE I & SHIRLEY M
63	5324 REDCREST CT	ESPINOZA JOSE & MAYRA
64	5328 REDCREST CT	RPA4 LLC
65	5618 HUNTERS BEND LN	RIOS RUBEN & MARIA P
66	5622 HUNTERS BEND LN	HASSAN HASSAN
67	5571 MANDARIN WAY	NEWTON JESSIE
68	5567 MANDARIN WAY	VAZQUEZ DANIEL JR
69	5528 LAYSAN CT	JONES STEPHEN & SHIRLEY A
70	5527 LAYSAN CT	CORTEZ DIANA FLOR
71	2 FOX CREEK TRL	TRACT S 3A HOMEOWNERS ASSOCIATION
72	5545 HUNTERS BEND LN	PULTZ KEVIN P & LINDSAY
73	5549 HUNTERS BEND LN	SANTILLAN CLAUDIA & RAYMOND III
74	5553 HUNTERS BEND LN	LOPEZ MOISES
75	5557 HUNTERS BEND LN	MOFFETT BRANDON & KELLI
76	5561 HUNTERS BEND LN	CASTLE GRACE P
77	5565 HUNTERS BEND LN	MANUEL KEITH L
78	5569 HUNTERS BEND LN	RUIZ JOSE M
79	5573 HUNTERS BEND LN	SENGUL NECMI B
80	5577 HUNTERS BEND LN	PENA REYNA S
81	5581 HUNTERS BEND LN	THIGPEN NICOLE
82	5585 HUNTERS BEND LN	DECHNER HECTOR &
83	5589 HUNTERS BEND LN	CASTILLO ALFONSO SOLIS &
84	5593 HUNTERS BEND LN	LEMUS EVER ARMANDO
85	5597 HUNTERS BEND LN	TRAN THUY T & TRUC
86	5601 HUNTERS BEND LN	RODRIGUEZ JUAN C &
87	5605 HUNTERS BEND LN	BRUCE JEAN
88	5609 HUNTERS BEND LN	GARCIA MARIO ALBERTO JR &

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	5613 HUNTERS BEND LN	STRAUB WADE D
90	5617 HUNTERS BEND LN	VANSCHAICK SALLY A
91	5621 HUNTERS BEND LN	CORREA JOSE ANTONIO & FAVIOLA
92	5625 HUNTERS BEND LN	EREZI DANIEL &
93	5629 HUNTERS BEND LN	FREO TEXAS LLC
94	5633 HUNTERS BEND LN	WALKER MARSTELL T
95	5637 HUNTERS BEND LN	GOMEZ DON T &
96	5641 HUNTERS BEND LN	SENGSOUVANNAPRASEUTH JOE
97	5790 FIRETHORN LN	GARRETT VIRGINIA T & DEMRIS JR
98	5786 FIRETHORN LN	RODGERS REAL ESTATE
99	5782 FIRETHORN LN	REDDICK SHIRLEY M &
100	5778 FIRETHORN LN	FAZIO JOHN & LAURA
101	5774 FIRETHORN LN	CASTILLO THOMAS & PATRICIA
102	5770 FIRETHORN LN	POWELL LISA
103	5766 FIRETHORN LN	CARDENAS ROSALBA
104	5762 FIRETHORN LN	ROGERS MARY LOU
105	5758 FIRETHORN LN	TUPACYUPANQUI LUIS &
106	5754 FIRETHORN LN	BRADFORD KELVIN L
107	5750 FIRETHORN LN	HUTSON PAMELA D
108	5746 FIRETHORN LN	TURNER ANGELA L
109	5742 FIRETHORN LN	ADAMS JESSIE & CASSANDRA
110	5738 FIRETHORN LN	SILVERNAIL KIM
111	5734 FIRETHORN LN	LLOYD JAMES B
112	5730 FIRETHORN LN	JOYA JOSE N & ANA MEJIA
113	5726 FIRETHORN LN	BEJARANO RICARDO
114	5722 FIRETHORN LN	WILLIAMS DENETTA S
115	5718 FIRETHORN LN	BROWNING JENNIFER
116	5714 FIRETHORN LN	GAMEZ AIDA A
117	5710 FIRETHORN LN	VELEZ ELIZABETH MARIE DIAZ
118	5706 FIRETHORN LN	ORE LIZ
119	5702 FIRETHORN LN	ROSALES DANIEL & NORMA

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	5707 GOLDFINCH WY	MOLINARES LUIS
121	5711 GOLDFINCH WY	GREENE DAVID B
122	5715 GOLDFINCH WY	PASCHAL EUGENE
123	5719 GOLDFINCH WY	GARCIA ROBERT J
124	5723 GOLDFINCH WY	CHAPA LAWRENCE E & ANDREA
125	5727 GOLDFINCH WY	WRIGHT DWIGHT W JR
126	5731 GOLDFINCH WY	WILLIAMS MIYOSHI M
127	5735 GOLDFINCH WY	KIMBLE VERONICA
128	5739 GOLDFINCH WY	BLACKWOOD JEFFREY T
129	5743 GOLDFINCH WY	GARZA DONALD ARTHUR & AMBER
130	5747 GOLDFINCH WY	MANNING RENELL
131	5751 GOLDFINCH WY	LEIVA DIMARA K VALVERDE &
132	5755 GOLDFINCH WY	WYATT PAUL ANTHONY &
133	5759 GOLDFINCH WY	ESPINOZA ELSA
134	5763 GOLDFINCH WY	TRAYLOR LATWANYA
135	5767 GOLDFINCH WY	MCPHERSON JAMES
136	5771 GOLDFINCH WY	NGUYEN NAM C & PHUONG T VUONG
137	5775 GOLDFINCH WY	HERD FRANCHESTA
138	5779 GOLDFINCH WY	SULIMAN MONIER & TUNDE
139	5783 GOLDFINCH WY	HOOKER DENEEN
140	5787 GOLDFINCH WY	DISERUTH EVELINA
141	5791 GOLDFINCH WY	DORSEY DEANDRE D
142	5795 GOLDFINCH WY	HUSSEY G KRISTEN
143	8486 GOLDFINCH WY	CROSSLIN MATTHEW B &
144	8482 GOLDFINCH WY	ENGLISH BRIAN L
145	8478 GOLDFINCH WY	NGUYEN HUNG &
146	8474 GOLDFINCH WY	JONES NICK
147	8470 GOLDFINCH WY	ZHU ERIC HONGBO
148	1 FOX CREEK TRAIL	TRACT S3A HOMEOWNERS ASSC
149	5645 HUNTERS BEND LN	ESPARZA STEPHEN A & LINDA
150	5649 HUNTERS BEND LN	DUNCAN EUGENE D



09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	5653 HUNTERS BEND LN	RIDGLEY VERONICA G
152	5657 HUNTERS BEND LN	MANIVANH SOMXAY
153	5661 HUNTERS BEND LN	FULLER GREGORY M
154	5715 HUNTERS BEND LN	SEPULVEDA FERNANDO
155	5719 HUNTERS BEND LN	WEBB RICHARD B & SHERRI L
156	5723 HUNTERS BEND LN	LUNA ROBERT MICHAEL & CRISTINA
157	5727 HUNTERS BEND LN	SHEN BING
158	5731 HUNTERS BEND LN	WALKER NIKKI
159	5735 HUNTERS BEND LN	DINGLASAN RENEBETH A
160	5739 HUNTERS BEND LN	BABCOCK ROBIN M &
161	5743 HUNTERS BEND LN	ANTONIO LIDIA
162	5747 HUNTERS BEND LN	WILLIAMS KAREN
163	5751 HUNTERS BEND LN	MYLES VICKI
164	5755 HUNTERS BEND LN	TRACT S-3 HOMEOWNERS ASSOCIATION
165	5759 HUNTERS BEND LN	LEE KYUNG SOOK
166	5763 HUNTERS BEND LN	MCNAIR KAREN
167	5834 GOLDENEYE LN	PACOT CARLO & OLGA
168	5830 GOLDENEYE LN	JACKSONPHILLIPS LETRIVETTE V
169	5646 HUNTERS BEND LN	CERRATOCUBILLO FERNANDO &
170	5650 HUNTERS BEND LN	WILSON JERMAINE & ROSIE
171	5654 HUNTERS BEND LN	WHANG SANDRA
172	5658 HUNTERS BEND LN	SANFORD RYAN
173	5662 HUNTERS BEND LN	DOWNELL JUANITA M
174	5666 HUNTERS BEND LN	MENDEZ JOHN &
175	5720 HUNTERS BEND LN	BUSH KENNETH J &
176	5724 HUNTERS BEND LN	LEE YI & RACHAEL WANG
177	5728 HUNTERS BEND LN	SIDDALL JAMES A II
178	5732 HUNTERS BEND LN	MARTINEZ EUSTAQUIO
179	5736 HUNTERS BEND LN	HARRISON GURTHA
180	5740 HUNTERS BEND LN	HUNTER ARLISHA
181	5744 HUNTERS BEND LN	GROSS JACQUELINE S

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	5748 HUNTERS BEND LN	TAHANEY JENEENE P &
183	5712 GOLDFINCH WY	LYNCH ERIKA & SHAWN
184	5722 GOLDFINCH WY	DEAN DEON J
185	5728 GOLDFINCH WY	NGO TINH N &
186	5732 GOLDFINCH WY	PEREZ JOSE REINALDO
187	5736 GOLDFINCH WY	WYATT PAUL ANTHONY &
188	5740 GOLDFINCH WY	CORTES VICTOR A
189	5744 GOLDFINCH WY	VILLAGOMEZ JUANITA Y
190	5748 GOLDFINCH WY	OWENS MARLETTE N
191	5752 GOLDFINCH WY	LEON GEOFFREY S
192	5756 GOLDFINCH WY	DAVIS TRACIA
193	5760 GOLDFINCH WY	YOUNG SAMUEL
194	5764 GOLDFINCH WY	JACKSON OTIS R III &
195	5768 GOLDFINCH WY	DEUTSCHE BANK NATIONAL TRUST COMPANY
196	5772 GOLDFINCH WY	JILES FREDERICK L &
197	5776 GOLDFINCH WY	WEBB LAKEITRA
198	5780 GOLDFINCH WY	FLORES LORENA G
199	5784 GOLDFINCH WY	COLLINS TOMMY A &
200	5763 WISDOM CREEK DR	ELLZEY BEATRICE J
201	5759 WISDOM CREEK DR	ROSA EDWIN &
202	5755 WISDOM CREEK DR	KELLY DAVID &
203	5751 WISDOM CREEK DR	RAMIREZ IGNACIO
204	5747 WISDOM CREEK DR	LIU DAI CHYANG
205	5743 WISDOM CREEK DR	VILLATORO SANTOS F &
206	5739 WISDOM CREEK DR	LEWIS REGINA
207	5735 WISDOM CREEK DR	RIVERS TIMOTHY L &
208	5731 WISDOM CREEK DR	MCMILLAN ERIC
209	5727 WISDOM CREEK DR	CASTRO JOHN B
210	5723 WISDOM CREEK DR	MARTINEZ HUGO OCHOA
211	5719 WISDOM CREEK DR	WINN SAMANTHA N
212	5715 WISDOM CREEK DR	PAGE WANDA SUE

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	5711 WISDOM CREEK DR	HERNANDEZ JUAN F
214	5707 WISDOM CREEK DR	URNA TOMAS
215	5703 WISDOM CREEK DR	MARTINEZ ROGELIO &
216	5876 FIRETHORN LN	RUSSELL RYAN K
217	5872 FIRETHORN LN	CURIEL JOSE A & SARA Y
218	5868 FIRETHORN LN	NAVA GUADALUPE
219	5864 FIRETHORN LN	GARCIA OCTAVIO
220	5860 FIRETHORN LN	BROWN GLENDA RENEE & ALEX
221	5856 FIRETHORN LN	BROWN TOMMY B &
222	5852 FIRETHORN DR	DAVIS GERALD & MELBA
223	5848 FIRETHORN LN	HURD ANTHONY
224	5844 FIRETHORN LN	CALDERON JOSE G &
225	5840 FIRETHORN LN	CHAVEZ ANABEL
226	5836 FIRETHORN LN	HERNANDEZ MICHAEL & VANESSA
227	5832 FIRETHORN LN	MARTINEZ STEVEN
228	5828 FIRETHORN LN	MANNING EVAN D
229	5824 FIRETHORN LN	SIMMONS ROSS JR
230	5820 FIRETHORN LN	MCCLAIN BENJAMIN T
231	5816 FIRETHORN LN	KLEIN RICHARD
232	5812 FIRETHORN LN	GALLEGOS ADOLFO
233	5808 FIRETHORN LN	SNEED DENISE
234	5804 FIRETHORN LN	WILSON BILLY WAYNE
235	5903 WOODOAK DR	NEEDHAM RICK L &
236	5907 WOODOAK DR	CHERRY KAREN Y
237	5911 WOODOAK DR	GALLEGOS MARTIN
238	5915 WOODOAK DR	MCRAE ARTHUR S TR
239	5919 WOODOAK DR	DELGADO REGINA R & ABEL
240	5923 WOODOAK DR	BILHARTZ MANAGEMENT GROUP LLC
241	5927 WOODOAK DR	VALDEZ IVAN K &
242	5931 WOODOAK DR	TRANBARGER KEVIN C
243	5935 WOODOAK DR	ROJAS JOSE F JR

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	5939 WOODOAK DR	BAH SARAH
245	5948 WISDOM CREEK DR	PONCE ARTURO & DORA A
246	5944 WISDOM CREEK DR	HULBERT CHRISTINE G
247	5940 WISDOM CREEK DR	BROOKS CORRIE REGINA
248	5932 WISDOM CREEK DR	SOME HOPE TEXAS LLC
249	5928 WISDOM CREEK DR	IPERTI RODNEY
250	5924 WISDOM CREEK DR	PAGSANJAN LYDIA E &
251	5920 WISDOM CREEK DR	YOUNG ANDRE D & NICHOL M
252	5916 WISDOM CREEK DR	VILLANUEVA SYLVIA A
253	5908 WISDOM CREEK DR	FORT TOYLETHA
254	5904 WISDOM CREEK DR	ALAGIC DARKO & ANDELKA
255	5903 WISDOM CREEK DR	CALLAHAN CHARLES D &
256	5907 WISDOM CREEK DR	SMITH GLENN & CYNTHIA
257	5911 WISDOM CREEK DR	WALKER ROBERT L &
258	5915 WISDOM CREEK DR	RODRIGUEZ JESSE JR &
259	5919 WISDOM CREEK DR	RAMIREZ RICARDO
260	5923 WISDOM CREEK DR	LOPEZ ANASTACIO JR
261	5927 WISDOM CREEK DR	TAYLOR RODNEY L & DAPHANE
262	5931 WISDOM CREEK DR	CAMPBELL BRYANT E & ASTRE
263	5935 WISDOM CREEK DR	MERRITT JOHN W II &
264	5939 WISDOM CREEK DR	AYALA DANIEL &
265	5920 SUGARLEAF LN	BROWN CRYSTAL MONIQUE
266	5916 SUGARLEAF LN	WEAVER ROSINE
267	5912 SUGARLEAF LN	PEGUES RUFUS P &
268	5908 SUGARLEAF LN	FULLER CURTIS G
269	5904 SUGARLEAF LN	CARLOS JUAN

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z145-305(WE) **DATE FILED:** July 24, 2015  
**LOCATION:** Cullum Lane and Harry Hines Boulevard, southeast corner  
**COUNCIL DISTRICT:** 6 **MAPSCO:** 33B  
**SIZE OF REQUEST:** Approx. 2.476 acres **CENSUS TRACT:** 72.01

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**APPLICANT / OWNER:** Gingercrest, Inc.

**REPRESENTATIVE:** Tommy Mann and Brad Williams, Winstead PC

**REQUEST:** An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.

**SUMMARY:** The zoning request will allow for the expansion of an existing general merchandise or food store with a motor vehicle fueling station onto an undeveloped portion to the north. All uses within the CS Commercial Service District would be permitted with the exception of those being prohibited by the volunteered deed restrictions. The applicant has volunteered deed restrictions to prohibit specific commercial and business service, transportation and wholesale, distribution and storages uses from being developed on site as a result of the proximity to residential uses. The total floor area is currently less than 3,500 square feet, which is permitted in the IR Industrial Research and CS Commercial Service Districts. However, when the expansion of the current use is completed, the total floor area will be in excess of 3,500 square feet, which is prohibited in the current CS Commercial Service District.

**STAFF RECOMMENDATION:** Approval with deed restrictions volunteered by the applicant.

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The redevelopment and expansion of an existing general merchandise or food store should not impact the surrounding uses negatively from a land use perspective. The site is isolated from existing developments, except for Planned Development District No. 527, which is developed as a DART transit passenger station. The remaining developments are buffered by two major street systems (Harry Hines Boulevard and Webb Chapel Extension). The developments that are developed are located within a CS Commercial Service District and an IM Industrial Manufacturing District and consist of an office, and retail and personal service uses and a DART operational center. These developments are located west and south of the request site, which are across Harry Hines Boulevard, and Webb Chapel Extension, respectively. In addition, there is approximately 170 feet of right-of-way that separates the nearest residential development from the request site. The above grade DART light rail line and Denton Drive provide buffer separation from the proposed development.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the street system can accommodate the rezoning request.
3. *Comprehensive Plan or Area Plan Conformance* – The request site is located within the Transit Center Building Block. A mixed use zoning district is ideally suitable in these types of building blocks.

**Zoning History:** There have not been any recent zoning changes requested in the area within the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Webb Chapel Extension	Principal Arterial	Variable lane widths	Variable lane widths
Harry Hines Boulevard	Collector	60 ft.	60 ft.
Cullum Lane	Local	50 ft.	50 ft.



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

### **STAFF ANALYSIS:**

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

Transit centers support a compact mix of employment, retail, cultural facilities and housing. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area. These areas offer dense mixed use at the transit station and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process.

The uses that are developed west of Denton Drive are consistent with the proposed zoning and existing development on the site. The surrounding zoning, the existing development on the site, and the applicant's volunteered deed restrictions are the reasons for staff's support to rezone the request.

### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IR	General merchandise store with fueling station, undeveloped
<b>North</b>	PD No. 527	DART park-and-ride
<b>South</b>	IR	DART operational center
<b>East</b>	IM	DART operational center
<b>West</b>	CS with deed restrictions	Office, Undeveloped

**Land Use Compatibility:** The approximately 2.476 acre site is triangular in shape and is currently developed with a general merchandise or food store 3,500 square feet or less with a motor vehicle fueling. The applicant is proposing to expand the existing use to accommodate a larger retail and food service component on site. The applicant has volunteered deed restrictions to prohibit specific commercial and business service, transportation and wholesale, distribution and storages uses from being developed on site as a result of the proximity of residential uses.

The request site is triangular shape and is adjacent to several zoning districts – CS Commercial Service District with deed restrictions, an IM Industrial Manufacturing District, and PDD No. 527 for IR Industrial Research District uses. The CS District with deed restrictions west of the request site across Harry Hines Boulevard, establishes a 25-foot front yard setback for any building or structures on Harry Hines Boulevard. PDD No. 527 is developed as a transit passenger station. In addition, there are several residential zoning districts that are east of the request site are development with multifamily uses. The site is approximately 170 feet from the nearest residential zoning districts. As noted, there is a DART light rail and Denton Drive right-of-way that separates the request site from the proposed site. The combined r-o-w is approximately 169 feet.

**Development Standards:**

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

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

**Parking:** The property will have to comply with the parking requirements for the Dallas Development Code.

**PROPOSED DEED RESTRICTIONS**

**DEED RESTRICTIONS**

THE STATE OF TEXAS   §  
                                     §       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS   §

**I.**

The undersigned, Gingercrest, Inc., a Georgia corporation (the "Owner"), is the owner of the property more particularly described on Exhibit A, attached hereto and incorporated herein by reference (the "Property"), being a tract of land situated in the Dickerson Parker Survey, Abstract No. 1113, being a portion of Lot 2A, Block 25/5799, of Smyrna Addition, an addition to the Plat thereof recorded in Volume 95200, Page 1311, Map Records, Dallas County, Texas, being that same tract of land conveyed to Gingercrest, Inc. by deed recorded in Instrument No. 201400091227 of the Deed Records of Dallas County, Texas, less that portion of said Lot 2A conveyed to Dallas Area Rapid Transit in Instrument No. 200600433447 of the Deed Records of Dallas County, Texas, together with all of Lot 1A, Block 25/5799 of said Smyrna Addition, conveyed to Gingercrest, Inc. by deed recorded in Volume 95108, Page 5757 of the Deed Records of Dallas County, Texas, together also with a portion of Cullum Lane (variable width public right-of-way) abandoned by City of Dallas (the "City") Ordinance 27691 and recorded in Instrument No. 201100099689 of the Deed Records of Dallas County, Texas, and being all together more particularly described by metes and bounds in Exhibit A.

**II.**

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

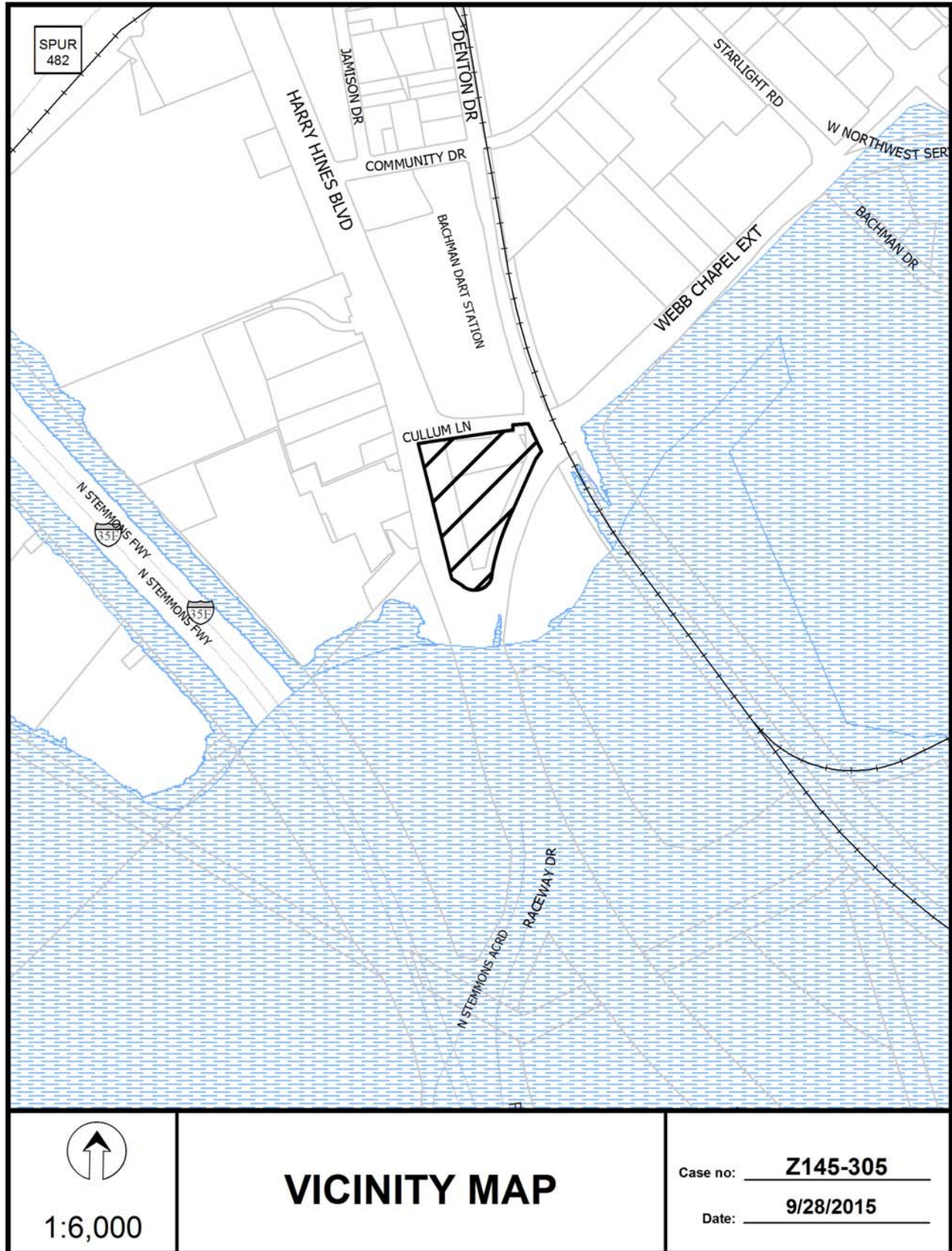
The following uses are not permitted on the Property:

- Building mover's temporary storage yard.
- Commercial bus station and terminal.
- Contractor's maintenance
- Freight terminal.
- Heliport.
- Helistop.
- Machine or welding shop.
- Machinery, heavy equipment, or truck sales and services.
- Manufactured building sales lot.
- Medical or scientific laboratory.
- Railroad passenger station.

<b>LIST OF OFFICERS</b>
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Gingercrest, Inc.

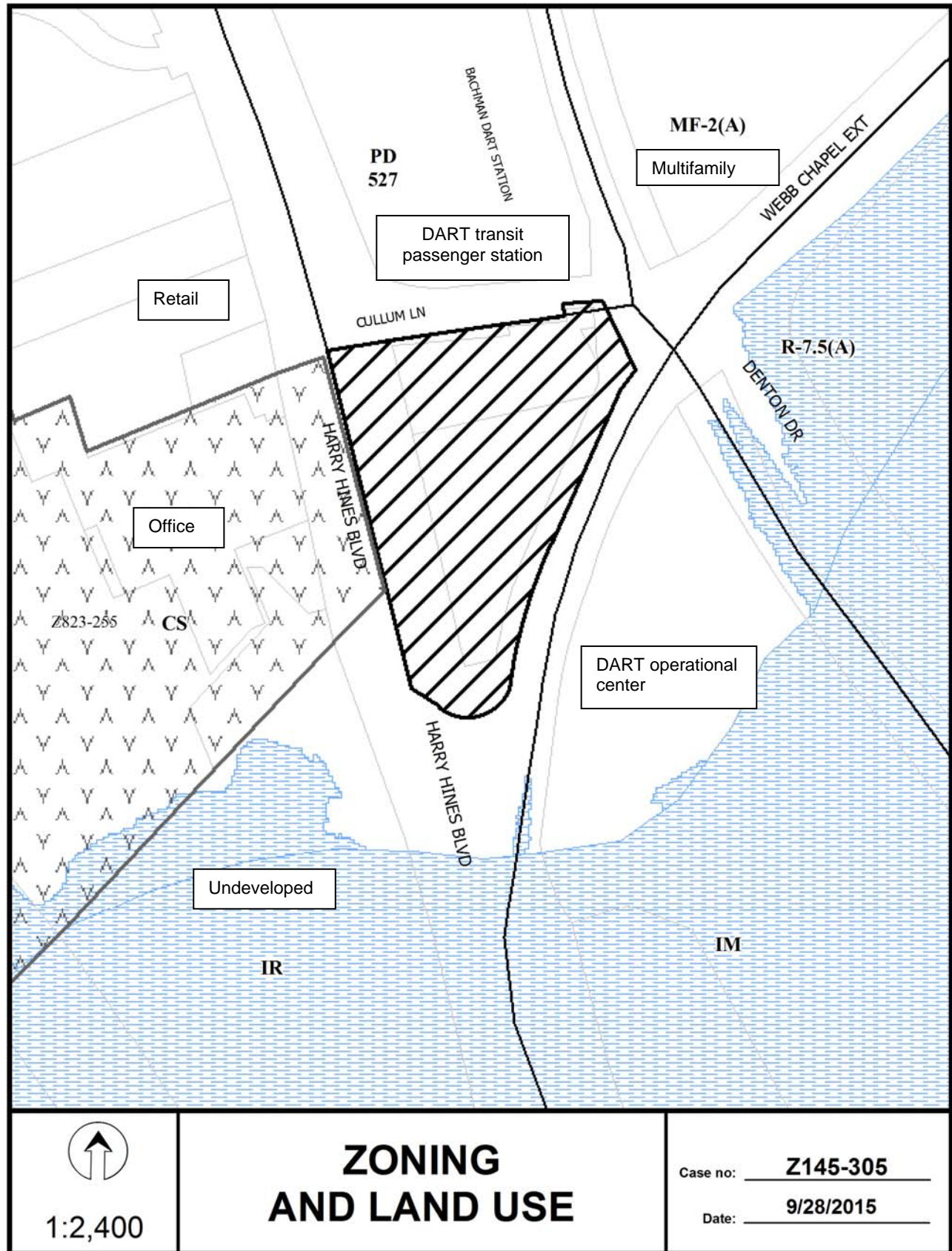
- Allison Bolch Moran, CEO
- Bill Milam, President
- Robert J. Dumbacker, CFO
- Max E. McBrayer, Jr., Chief Supply Officer
- Joseph H. Akers, General Counsel / Assistant Secretary

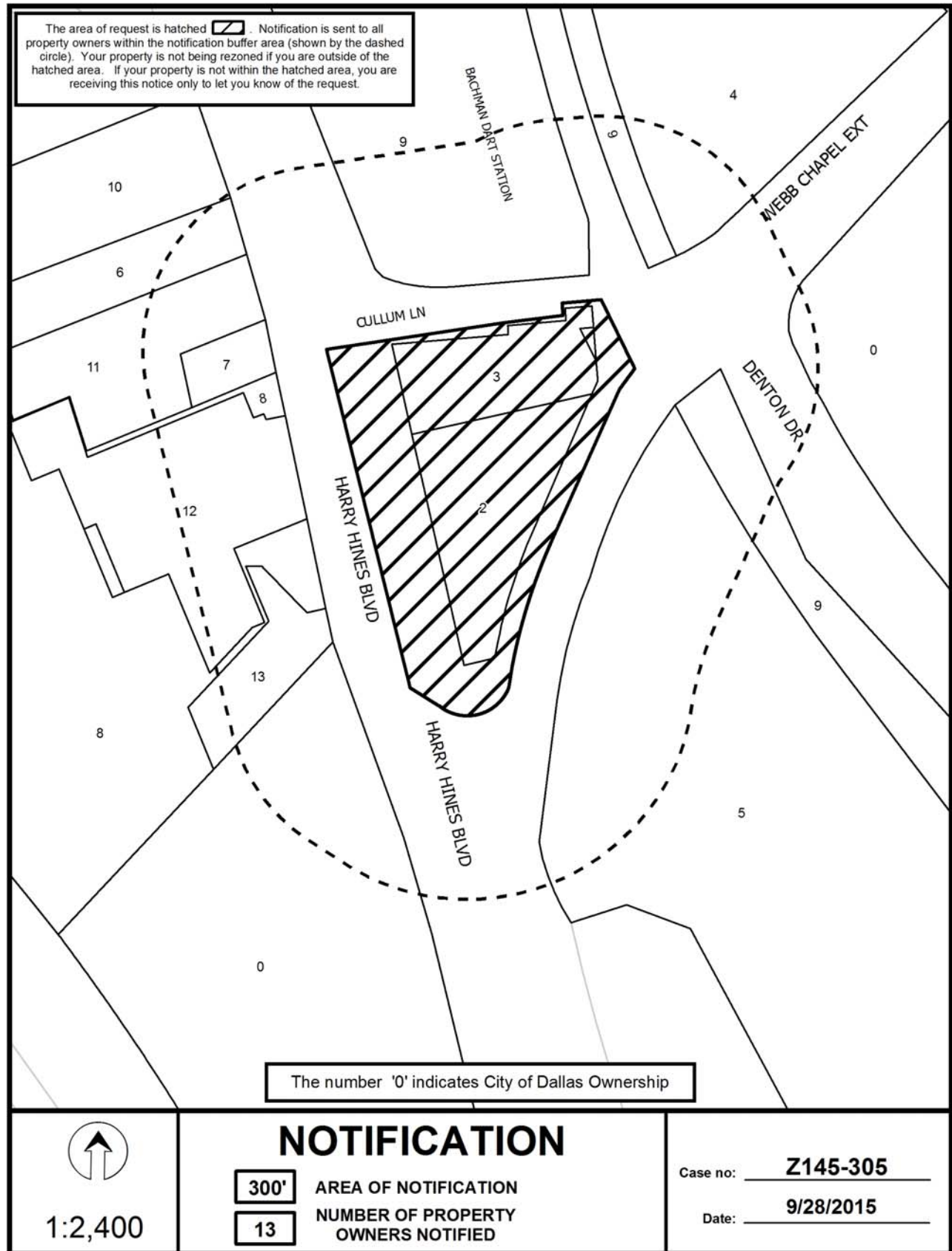












## ***Notification List of Property Owners***

### ***Z145-305***

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

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	9661 DENTON DR	DALLAS AREA RAPID TRANSIT
2	9620 HARRY HINES BLVD	GINGERCREST INC
3	9661 DENTON DR	GINGERCREST INC
4	2501 WEBB CHAPEL EXTENSION	2501 BACHMAN OAKS PARTNER
5	9500 DENTON DR	DALLAS AREA RAPID TRANSIT
6	9743 HARRY HINES BLVD	SALINAS ALMA &
7	9723 HARRY HINES BLVD	O B A INC
8	9717 HARRY HINES BLVD	DRI MEDICAL LTD
9	9752 HARRY HINES BLVD	DART
10	9745 HARRY HINES BLVD	DIMOULAKIS CONSTANTINOS D
11	9737 HARRY HINES BLVD	DRI MEDICAL LTD
12	9705 HARRY HINES BLVD	SALESMANSHIP CLUB YOUTH & FAMILY CENTERS I
13	9701 HARRY HINES BLVD	EJJ PROPERTIES LLC

2

**FILE NUMBER:** Z145-281(OTH)

**DATE FILED:** June 12, 2015

**LOCATION:** Southern corner of Gannon Lane and South Westmoreland Road

**COUNCIL DISTRICT:** 8

**MAPSCO:** 63W

**SIZE OF REQUEST:** Approx. 0.92 acres

**CENSUS TRACT:** 166.07

**APPLICANT:** Atiq Pradhan

**REPRESENTATIVE:** Houshang Jahvani

**OWNER:** AP & TA Investments, Inc.

**REQUEST:** An application for a Specific Use Permit for a motor vehicle fueling station on property zoned an NS(A) Neighborhood Service District.

**SUMMARY:** The applicant proposes to develop the property with a 1,274 square foot restaurant, a 3,500 square foot general merchandise or food store, and a motor vehicle fueling station with eight fuel pumps. The retail use and restaurant are allowed by right. The motor vehicle fueling station requires this SUP request.

**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.

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

Staff recommends approval of this renewal subject to the conditions based upon the following:

1. *Compatibility with surrounding uses and community facilities* – The proposed use will be consistent with the surrounding uses in the area given its location on a principal arterial. The Development Code standards for commercial development adjacent to residential uses help mitigate potential negative impacts. These standards include limiting the height, setbacks and the buffer yard.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use neither contributes to nor deters from the welfare of the area.
3. *Not a detriment to the public health, safety, or general welfare* – The use does not compromise health, safety, and welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request complies with all applicable zoning regulations and standards.

## **Zoning History:**

There has been one zoning change in the area within the last five years.

1. **Z101-335** On February 22, 2012 the City Council approved Planned Development District No. 867, Specific Use Permit No. 1621 for a child-care facility and private school on property at the northeast corner of Westmoreland Road and Glennlyons Drive.

## **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
S. Westmoreland Road	Principal Arterial	100 feet
Gannon Lane	Local	56 feet

## **Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. The DART bus stop shelter will have to be relocated to the north of the proposed driveway to provide a visibility triangle clear of any obstruction to the proposed west driveway.

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

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

The Business Center or Corridor Building Block represents major employment or shopping destinations outside of Downtown. Business Centers are usually at major intersections or along highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

The proposed use of the property is consistent with this building block.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	NS(A)	Undeveloped
Northeast	MU-2(A)	Undeveloped & retail
Southeast	MF-2(A)	Multifamily
Southwest	MU-1 & PD No. 867 Tract 2	Multifamily & church/school/child care
Northwest	MU-1 & MU-2	Multifamily & retail

**Land Use Compatibility:**

The request site is approximately 0.92 acres and is currently undeveloped. The existing zoning of the property is NS(A) Neighborhood Service District. The property is adjacent to multifamily development to the southeast and southwest and is surrounded by



multifamily, church/school/child-care to the southwest; retail, undeveloped and multifamily to the northeast.

The applicant is proposing to develop the site with a 4,774 square feet building. The motor vehicle fuel station will have eight fuel pumps. The proposed development complies with all the requirements of the Development Code.

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

**Parking:**

The Dallas Development Code requires off-street parking to be provided for a general merchandise use at one space for each 200 square feet of floor area, 1 space for each 100 square feet of restaurant use, and two spaces for a motor vehicle fueling station. Therefore, the parking requirements for the proposed 1,274 square foot restaurant use are 13 spaces; 18 spaces for the 3,500 square foot general merchandise store, and two spaces for the motor vehicle fueling station. The total required parking spaces is 33. The attached site plan depicts a total of 34 parking spaces.

**Landscaping:**

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

### **Proposed SUP Conditions**

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

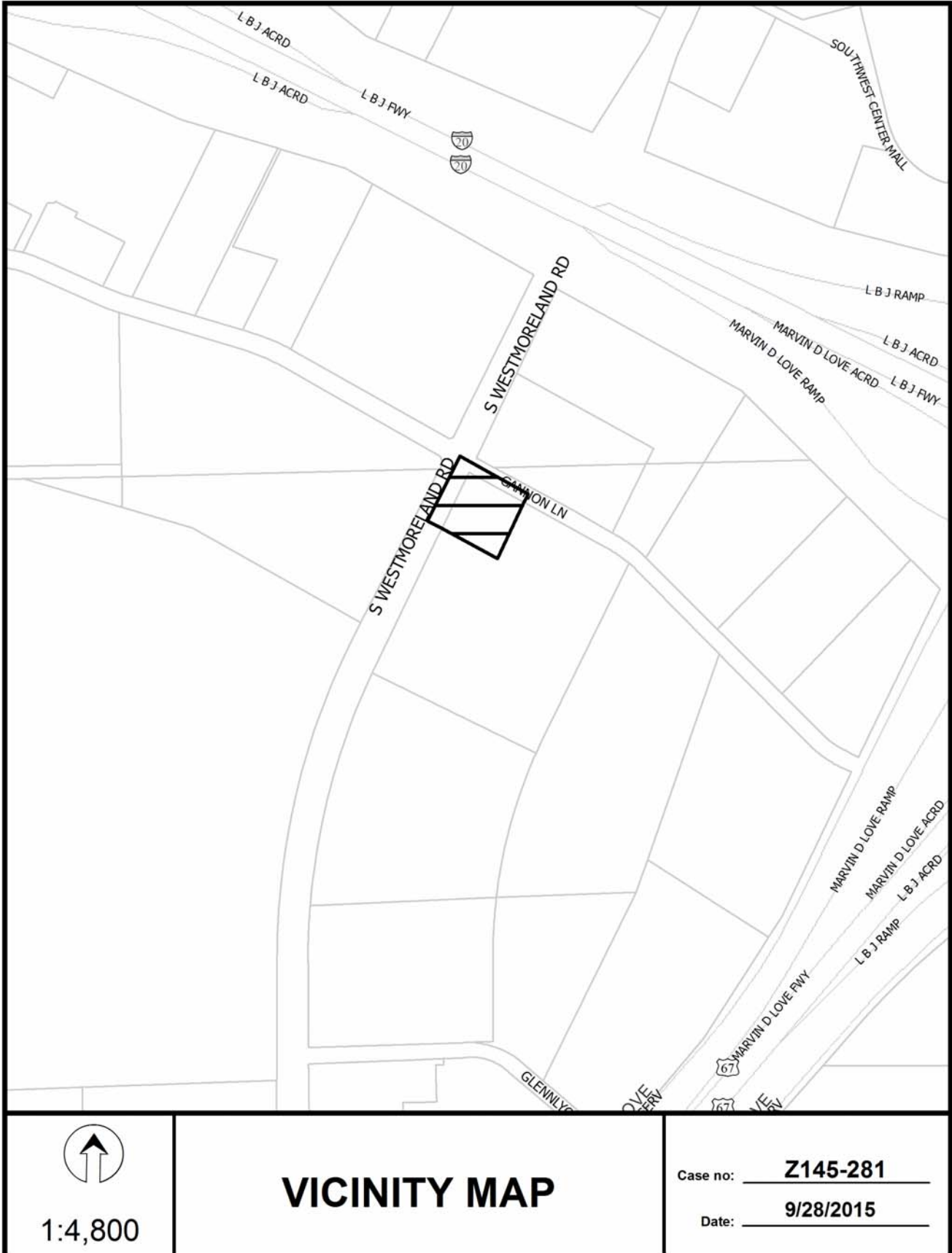
**List of Partners**

**AP & TA Investments, Inc**

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



Z145-281(OTH)







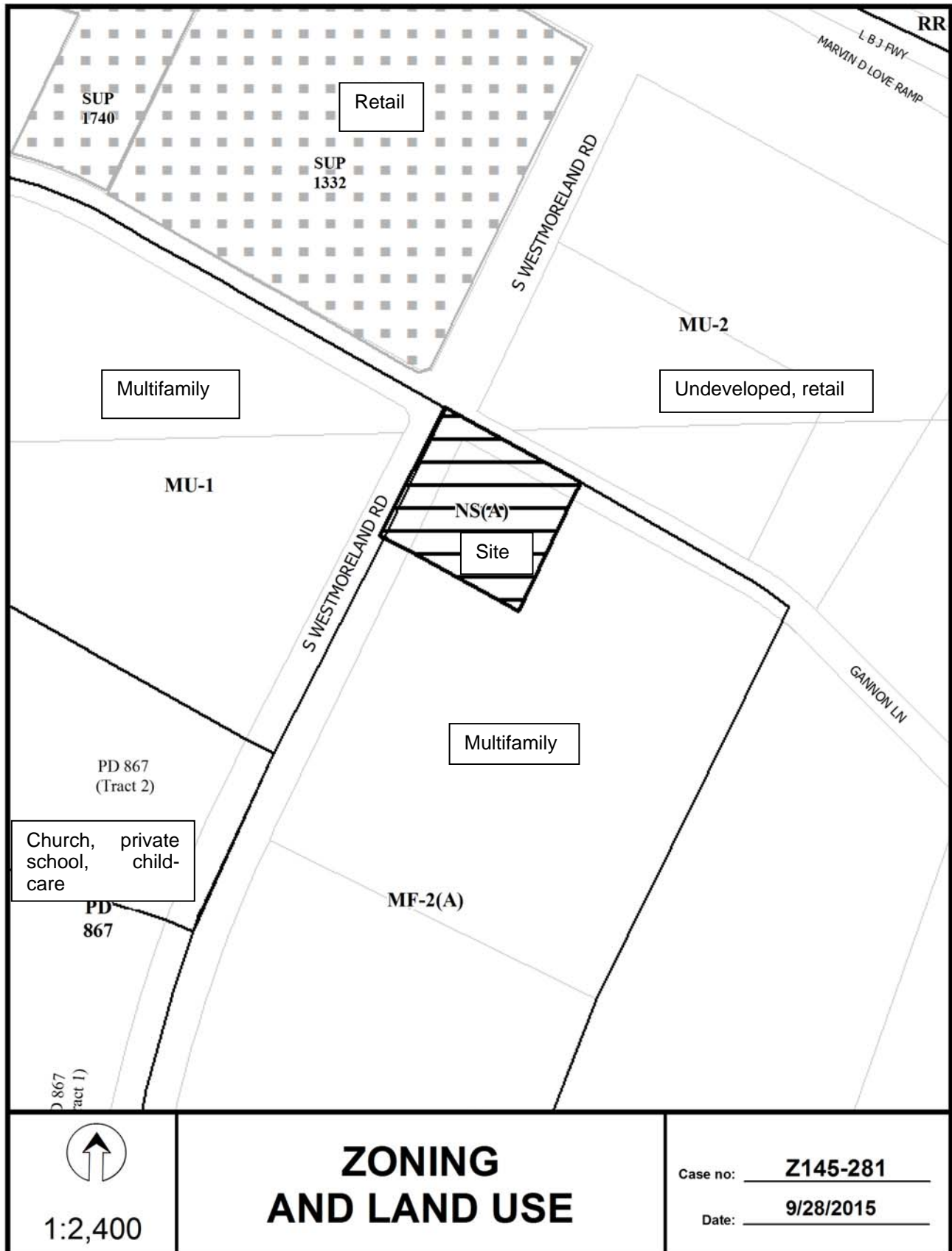
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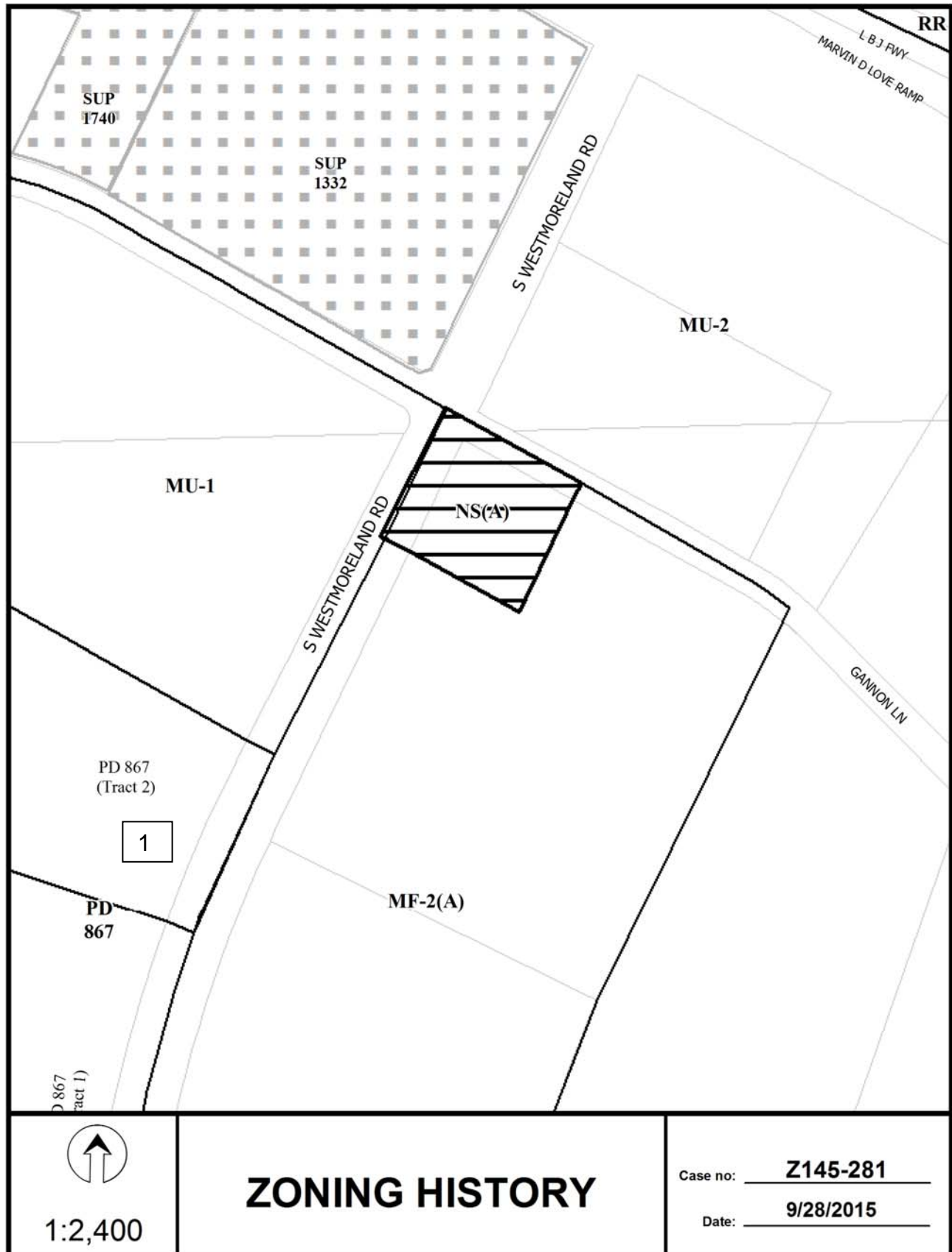
## AERIAL MAP

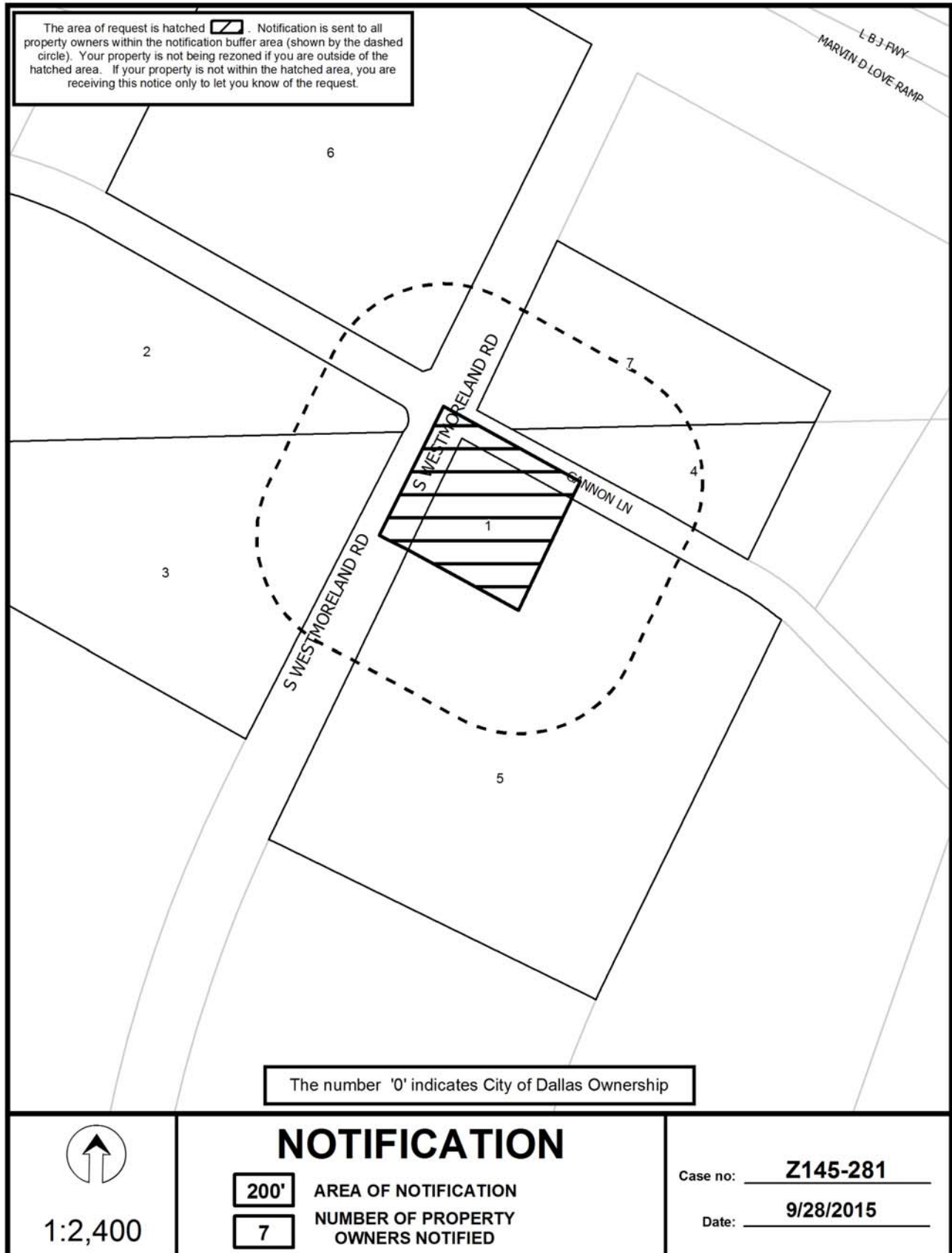
Case no: **Z145-281**

Date: **9/28/2015**









Z145-281(OTH)

09/28/2015

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

***Z145-281***

### ***7 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7500 WESTMORELAND RD	DUNCANVILLE ISD ET AL
2	7575 WESTMORELAND RD	WIP PARK VILLAGE LLP
3	7575 WESTMORELAND RD	WESTMORELAND ROAD APARMEN
4	7460 WESTMORELAND RD	KIM SI IL ET AL
5	7550 WESTMORELAND RD	FLORIDA WORLD PPTIES LLC
6	7401 WESTMORELAND RD	126 GANNON PLAZA LLC
7	7460 WESTMORELAND RD	KIM SI IL ET AL

**FILE NUMBER:** Z145-302(OTH)

**DATE FILED:** July 21, 2015

**LOCATION:** Northwest of the intersection of Easton Road and East Lake Highlands Drive

**COUNCIL DISTRICT:** 9

**MAPSCO:** 38A

**SIZE OF REQUEST:** Approx. 0.011 acres

**CENSUS TRACT:** 129.00

**APPLICANT:** SBA 2010 TC Assets, LLC

**REPRESENTATIVE:** M. David Prejean

**OWNER:** Dallas Independent School District

**REQUEST:** An application for an amendment to the boundaries of Specific Use Permit No. 1592 for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned Planned Development District No. 870.

**SUMMARY:** The applicant proposes to continue the use on the Robert T. Hill Middle School campus for an existing 65' 5" monopole tower/antenna for cellular communication. The site plan has been revised to show the access to the tower, the required parking space and an eight foot wall surrounding the tower equipment. SUP No. 1592 was originally approved on September 14, 2005 for a ten-year period with eligibility for automatic renewals for additional ten-year periods. The SUP expired on September 14, 2015. The applicant did not submit the application during the eligible automatic renewal period.

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

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The use is compatible with the surrounding area. The existing tower/antenna use has not had a negative impact on the surrounding area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The monopole tower/antenna provides cellular coverage to the area in a manner that does not impact the surrounding area from a land use perspective.
3. *Not a detriment to the public health, safety, or general welfare* – The use of this portion of the property for a monopole cellular tower does not pose a detriment to the public health, safety, or general welfare of the area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the existing use complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Eaton Road	Minor Arterial	80 feet
Northcliff Drive	Local	80
East Lake Highlands Drive	City of Garland	City of Garland
Classen Drive	Local	60

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has determined that the use has not significantly impacted the surrounding roadway system.



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

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

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

The proposed use of the property is not addressed by the Transit Center/Multi-modal Building Block. However, the use is not contradictory to the vision of the building block.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	PD No. 870	School and monopole tower/antenna
North	R-5(A)	School
East	TH-1(A)	Residential
South	PD No. 870, R-7.5(A)	School & residential
West	R-7.5(A)	Residential

**Land Use Compatibility:**

The tower/antenna is nestled on the campus of the Robert T. Hill Middle School, southeast of the structures. The surrounding uses are residential. The nearest residential district is approximately 70 feet to the east of the location of the tower. The revised proposed site plan includes the area to access the tower as well as the parking space required by Code. The applicant is also building an eight foot masonry wall around the equipment.

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.

**Landscaping:**

No landscape changes are being triggered with this request.

**Parking:**

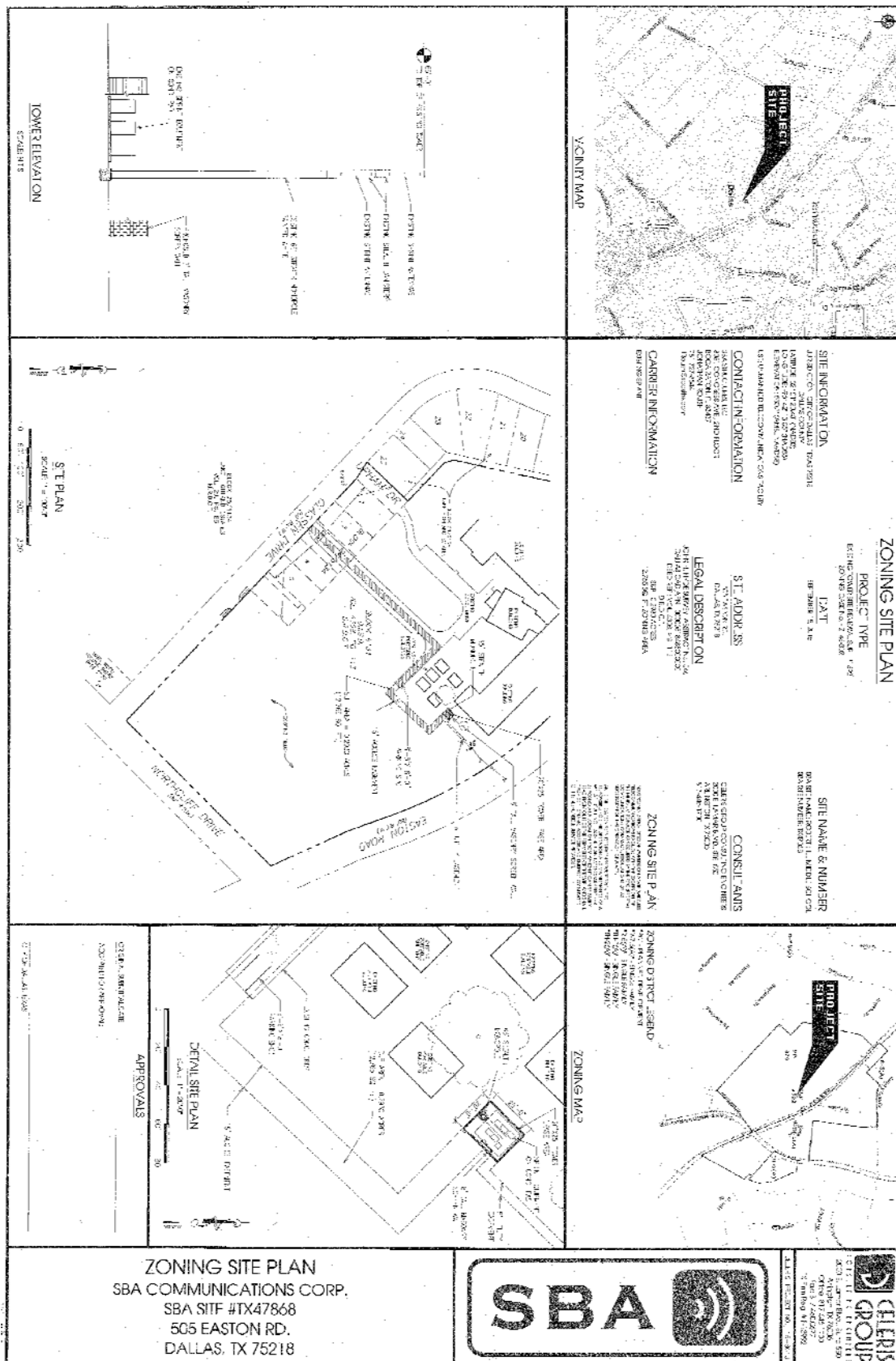
The Dallas Development Code requires one parking space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment greater than 120 square feet. The tower lease area is 500 square feet. The revised site plan shows the required parking.

**Proposed Conditions**  
**SUP No. 1592**  
**Z145-302(OTH)**

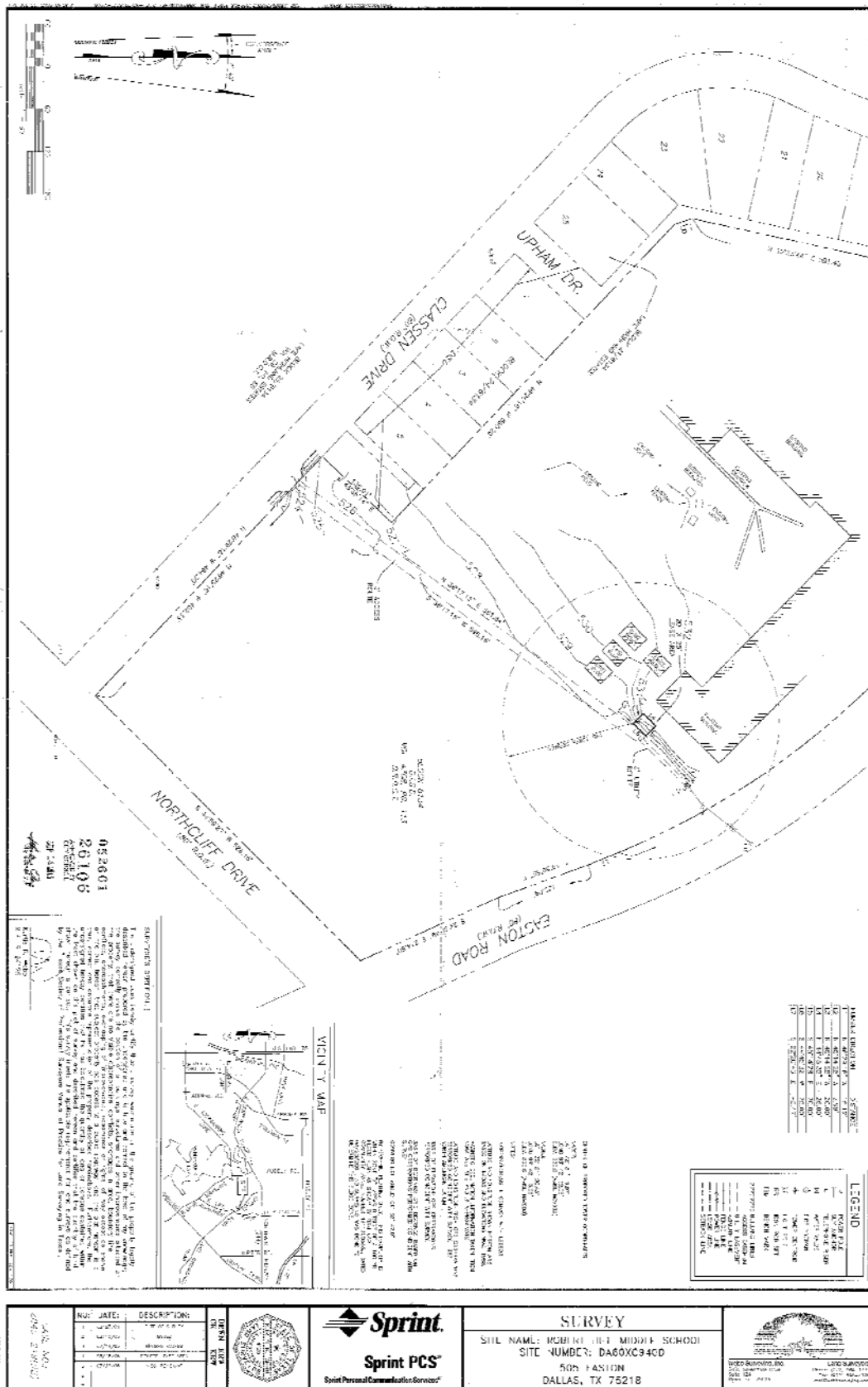
SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to a monopole cellular tower.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a period that expires on ten years ~~September 14, 2015~~, and 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. In order for automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. HEIGHT: The tower/antenna for cellular communication may not exceed 65 feet in height.
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: One parking space must be provided as shown on the site plan.
7. SHARED USE WITH OTHER CARRIERS: Any tower/antenna for cellular communication must be constructed to support the antenna arrays for at least two other wireless communications carriers, and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

## PROPOSED SITE PLAN



# Existing Site Plan



**List of Partners**

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## SBA Communications



## Partners

Executive Leadership | Mission & Vision

### About SBA - Executive Leadership



#### Jeffrey A. Stoops

Director, President and Chief Executive Officer

Mr. Stoops has been Chief Executive Officer since January 1, 2002. He was appointed President in April 2000 and has been a director since August 1999. Mr. Stoops served as Chief Financial Officer from December 1998 to April 2000. He joined the company in March 1997, initially responsible for finance, capital market activities, mergers and acquisitions and legal matters of the company. Prior to joining SBA, Mr. Stoops was a partner with Gunster, a Florida-based law firm, where he practiced for thirteen years in the corporate, securities and mergers & acquisitions areas. Mr. Stoops is a current Director and past Chairman of the Personal Communications Industry Association (PCIA), the trade organization for the wireless communications infrastructure industry. He currently serves on the Board of Directors of The Raymond F. Kravis Center for the Performing Arts, West Palm Beach, Florida; the Advisory Board for the College of Business of Florida Atlantic University; and the Board of Directors of the entity responsible for The Honda Classic PGA golf tournament held annually in Palm Beach Gardens, Florida. Mr. Stoops is a past Chairman of the Board of St. Andrew's School, Boca Raton, Florida. He received his Bachelor of Science and Juris Doctor degrees from Florida State University.



#### Kurt Bagwell

President, International

Mr. Bagwell started with SBA in 2001 and became the Chief Operating Officer a year later. His current duties include the day-to-day development and management of the company's growing international operations. Mr. Bagwell has over two decades of expertise in the wireless industry, having held various management positions at Centel Cellular, Sprint Cellular and Sprint PCS. In his previous role of Chief Operating Officer at SBA, Mr. Bagwell managed the company's Tower Operations, Services, New Tower Builds and Site Management divisions for eight years. While at Sprint PCS from 1995 through 2001, Mr. Bagwell oversaw the initial build out of the Eastern United States for Sprint PCS, in addition to the expanded build out of over 10,000 other cell sites nationwide. Mr. Bagwell has a Bachelor of Science degree in Administrative Management from Clemson University.



#### Brendan T. Cavanagh

Executive Vice President and Chief Financial Officer

Mr. Cavanagh has served as our Senior Vice President and Chief Financial Officer since September 2008. Mr. Cavanagh joined SBA in 1998 and has held various positions with SBA including serving as Vice President and Chief Accounting Officer from June 2004 to September 2008 and Vice President, Site Administration from January 2003 to June 2004. Prior to joining SBA, Mr. Cavanagh was a senior accountant for Arthur Andersen. Mr. Cavanagh is a Certified Public Accountant and received his Bachelor of Science in Accounting from Wake Forest University and his Master of Business Administration from Florida Atlantic University.



#### Mark R. Ciarfella

Executive Vice President, Operations

Mr. Ciarfella started with SBA in 2007. He is responsible for the company's tower operations, services business and new tower development activities. Mr. Ciarfella was formerly the Vice President, New Builds at SBA where he managed the organization's new tower development activities. Prior to joining SBA, Mr. Ciarfella was the co-owner of a Florida-based site development services company that provided site acquisition, zoning, construction management and program management services to the wireless telecommunication industry. Mr. Ciarfella has over a decade of experience in the wireless telecommunication business working directly with PrimeCo Personal Communications and as a consultant for multiple other carriers and tower companies. Mr. Ciarfella has a Bachelor of Science degree in Public Affairs from Florida Atlantic University.



#### Thomas P. Hunt

Executive Vice President, Chief Administrative Officer and General Counsel

Mr. Hunt joined SBA in September, 2000. Prior to joining SBA, Mr. Hunt was a partner with Gunster, a Florida-based law firm, where he practiced for 16 years in the corporate and real estate areas. Mr. Hunt is a member of the Florida Bar and received his Bachelor of Arts in economics from Brown University, *magna cum laude*, and his Juris Doctor from the University of Florida, with high honors.

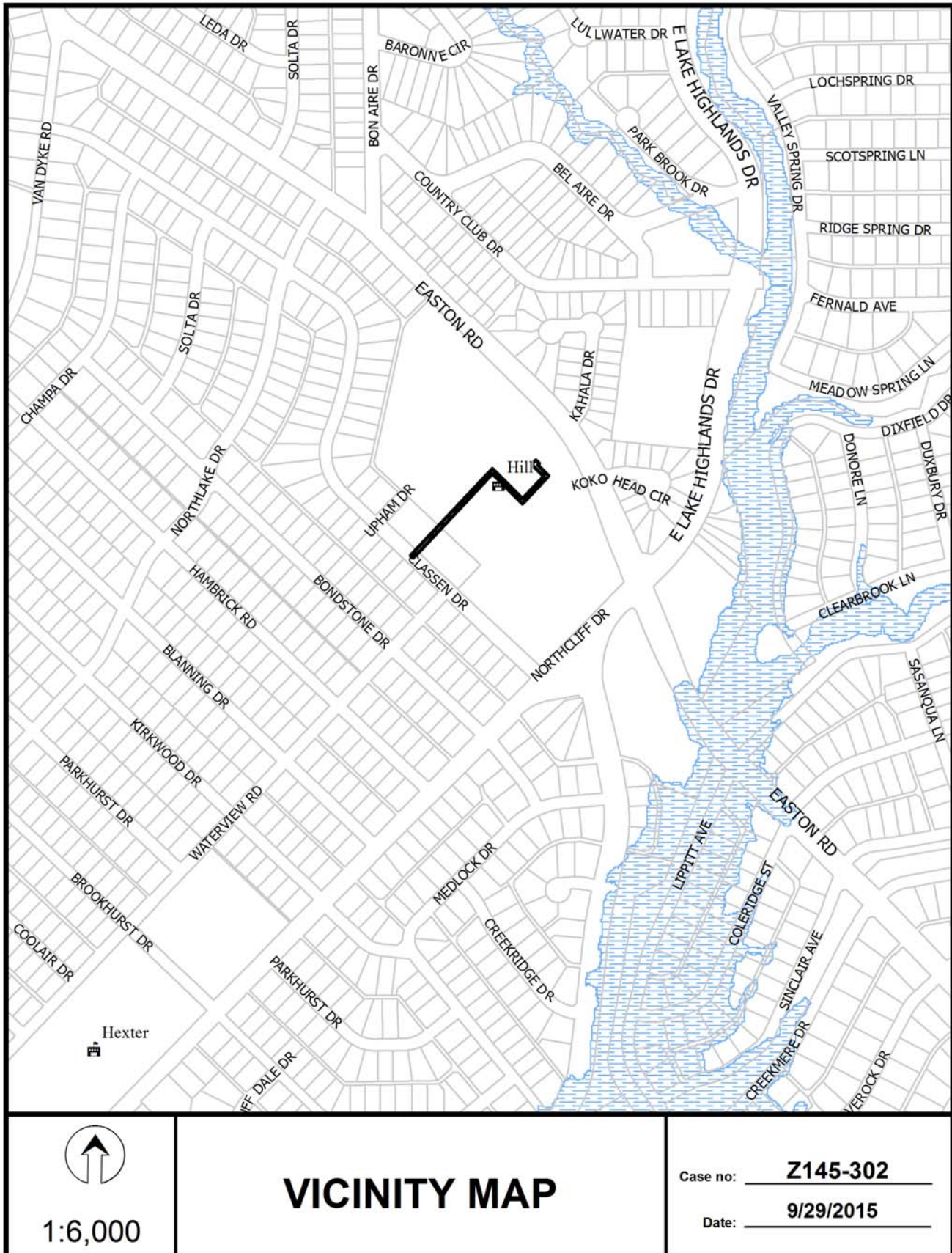


#### Jason V. Silberstein

Executive Vice President, Site Leasing

Mr. Silberstein joined the company in December 1993 and is currently responsible for the overall operations and leasing of SBA owned towers and site management. Mr. Silberstein has been in his current role for approximately fifteen years and has primary responsibility for tower space sales while overseeing site marketing, site leasing and records management. Previously, Mr. Silberstein was successful in a variety of roles for SBA, including Regional Director for Florida, Director of the SBA Collocation Division and Director of Business Development. Mr. Silberstein is a graduate of the University of Florida, where he majored in Business Administration with a specialization in Finance.

Z145-302(OTH)







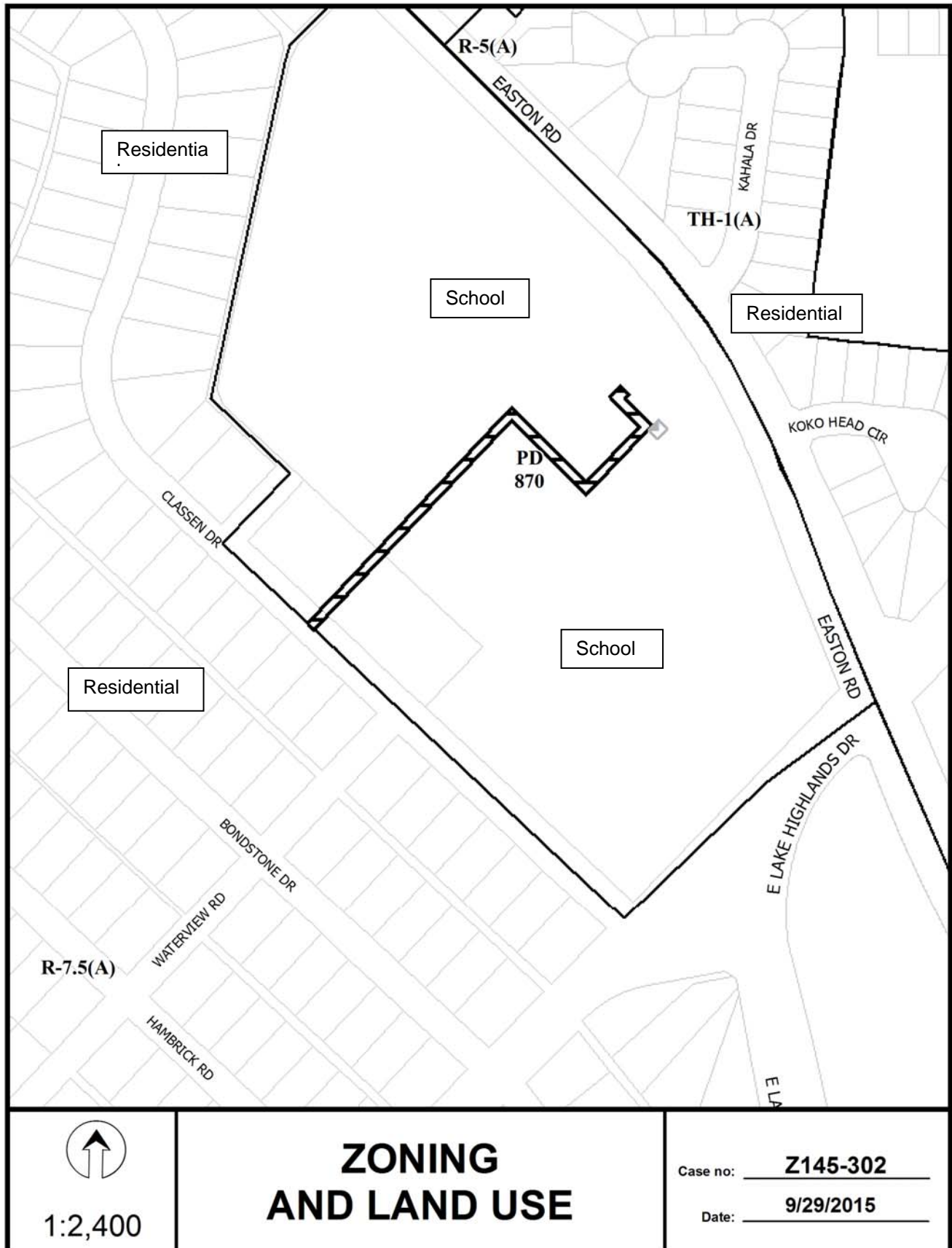
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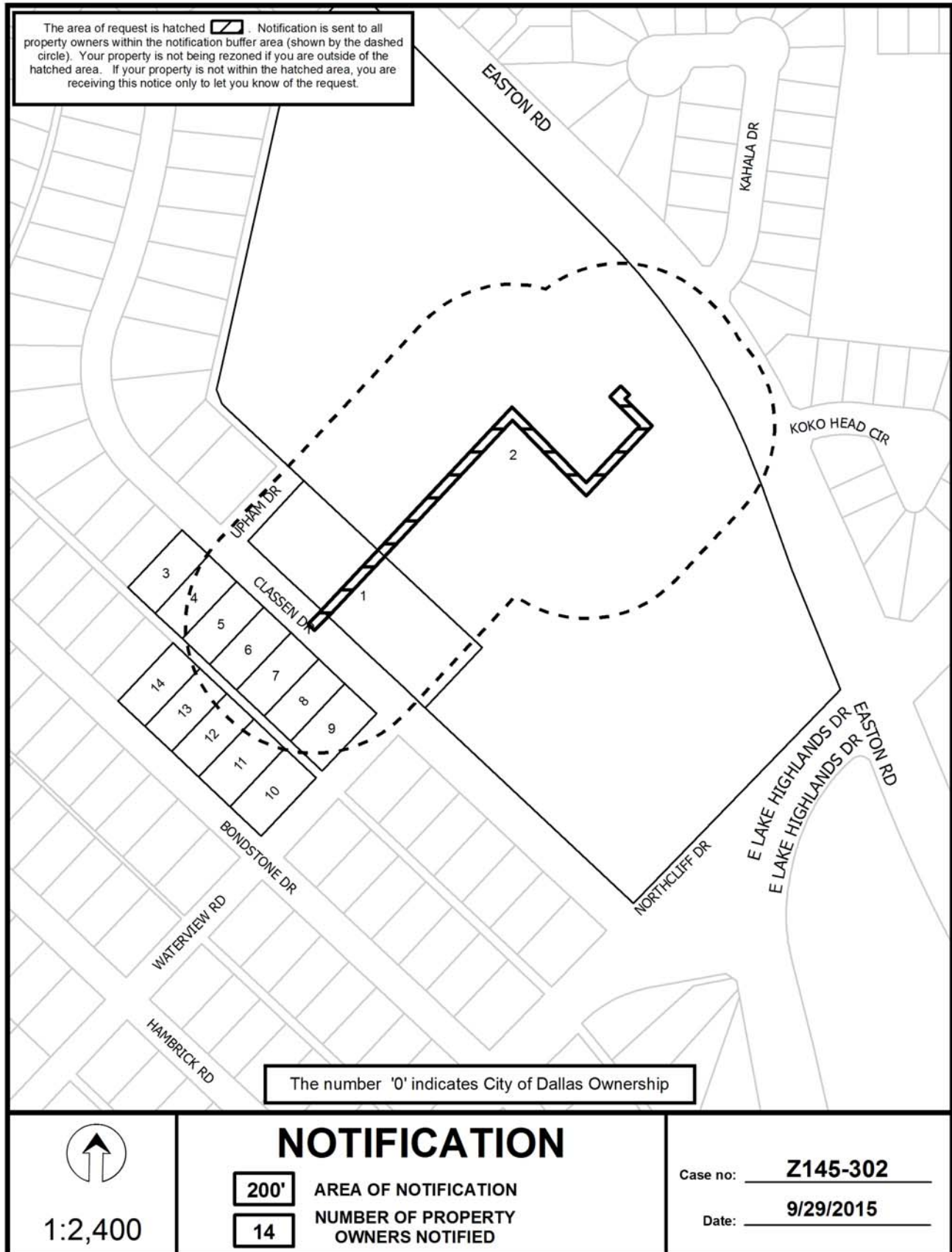
## AERIAL MAP

Case no: **Z145-302**

Date: **9/29/2015**







09/29/2015

***Notification List of Property Owners***  
***Z145-302***

***14 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	570 CLASSEN DR	Dallas ISD
2	505 EASTON RD	DALLAS ISD
3	565 CLASSEN DR	JENKINS JOHN HARRISON
4	569 CLASSEN DR	HART JENNIFER REID
5	573 CLASSEN DR	VANCE STEPHEN S & LINDA R
6	577 CLASSEN DR	LASCOLA LIVING TRUST
7	581 CLASSEN DR	SHULTZ STFANI S
8	585 CLASSEN DR	MILLER C A
9	591 CLASSEN DR	PORTER JUDITH E
10	576 BONDSTONE DR	ALVARADO JONATHAN &
11	570 BONDSTONE DR	MARINO FRANK P
12	566 BONDSTONE DR	HERRINGTON JILL A
13	560 BONDSTONE DR	PELUSO DARLA A
14	556 BONDSTONE DR	BARRERA DIEGO &



**FILE NUMBER:** Z145-330(OTH)

**DATE FILED:** August 21, 2015

**LOCATION:** On the west corner of South Carroll Avenue and Bute Street

**COUNCIL DISTRICT:** 2

**MAPSCO:** 46L

**SIZE OF REQUEST:** Approx. 6,700 sq. ft.

**CENSUS TRACT:** 25.00

**APPLICANT/REPRESENTATIVE:** Jesse Banda

**OWNER:** Ben Leal, Jubilee Park

**REQUEST:** An application for an MF-1(A) Multifamily District on property zoned an NS(A) Neighborhood Service District.

**SUMMARY:** The applicant proposes to develop the property with a single family dwelling unit. However, all uses within the MF-1(A) district would be permitted. The property is presently undeveloped. The property was previously used as a grocery and liquor store. The structure was demolished in December 2013.

**STAFF RECOMMENDATION:** Approval

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

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning district will be consistent with the existing zoning and development in the area. The property is currently undeveloped.
2. *Traffic impact* – The proposed zoning will not have a negative impact on the existing street system.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan identifies the area as an Urban Neighborhood Building Block. The proposed development is consistent with the Urban Neighborhood Building Block.

**Zoning History:** There have been no recent zoning changes in the area within the last five years.

### **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
South Carroll	Local	60 feet
Bute Street	Local	50 feet

### **Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction reviewed the proposed zoning will not have a negative impact on the existing street system.

## **STAFF ANALYSIS:**

### **Comprehensive Plan:**

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

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

### **Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	NS(A)	Undeveloped
Northeast	PD No. 486 & PD No. 601	Institutional (Jubilee Park and Community Service Center)
Southeast	MF-1(A) & PD No. 601	Institutional (Jubilee Park and Community Service Center) and church
Southwest	MF-1(A)	Single Family
Northwest	MF-1(A) & PD No. 486	Institutional, single family, undeveloped, personal service

### **Land Use Compatibility:**

The request site is approximately 6,700 square feet of land and is currently undeveloped. The existing zoning of the property is NS(A) Neighborhood Service District. The property is surrounded by institutional uses to the northeast; institutional and churches to the southeast; Institutional, single family the southwest; and Institutional, single family, undeveloped and personal service to the northwest. The proposed zoning district and use of the property will be compatible with the surrounding zoning and development in the area. Therefore, staff recommends approval of the MF-1(A) Multifamily District.

**Development Standards:**

DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
NS(A) Neighborhood service	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	40%		Retail & personal service, office
Proposed							
MF-1(A) Multifamily	15'	15'	Min lot 3,000 sq. ft. 1,000 sq ft – E 1,400 sq. ft – 1 BR 1,800 sq ft – 2 BR +200 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

## Partners

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Allen Lassiter  
*Vice President & Treasurer*

Jim Skochdopole  
*Vice President & Secretary*

Patrick White  
*Assistant Treasurer*

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*Chief Executive Officer*

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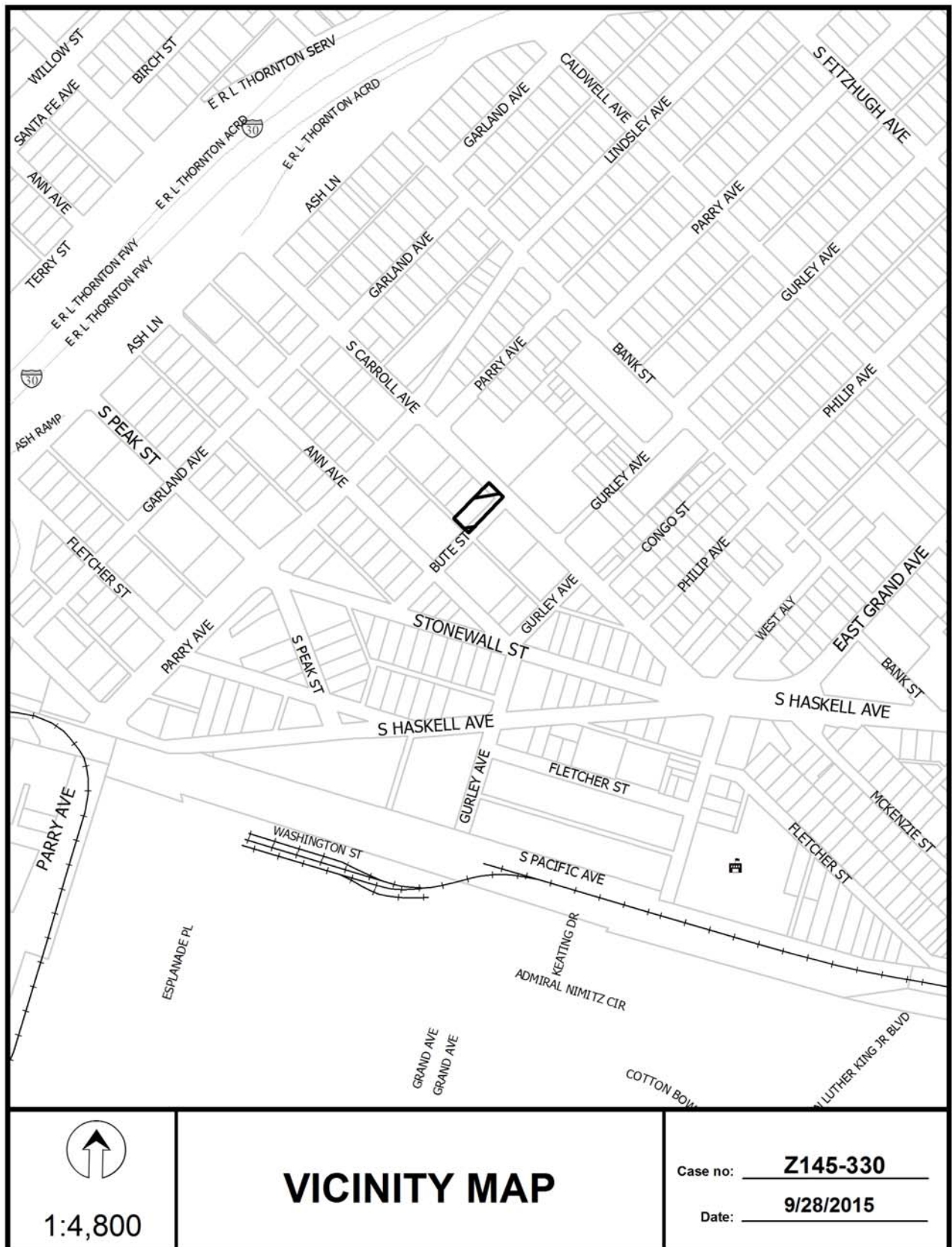
Darrel Rice

Arden Showalter

Ellis Skinner

Wanda Smith

Z145-330(OTH)





Z145-330(OTH)



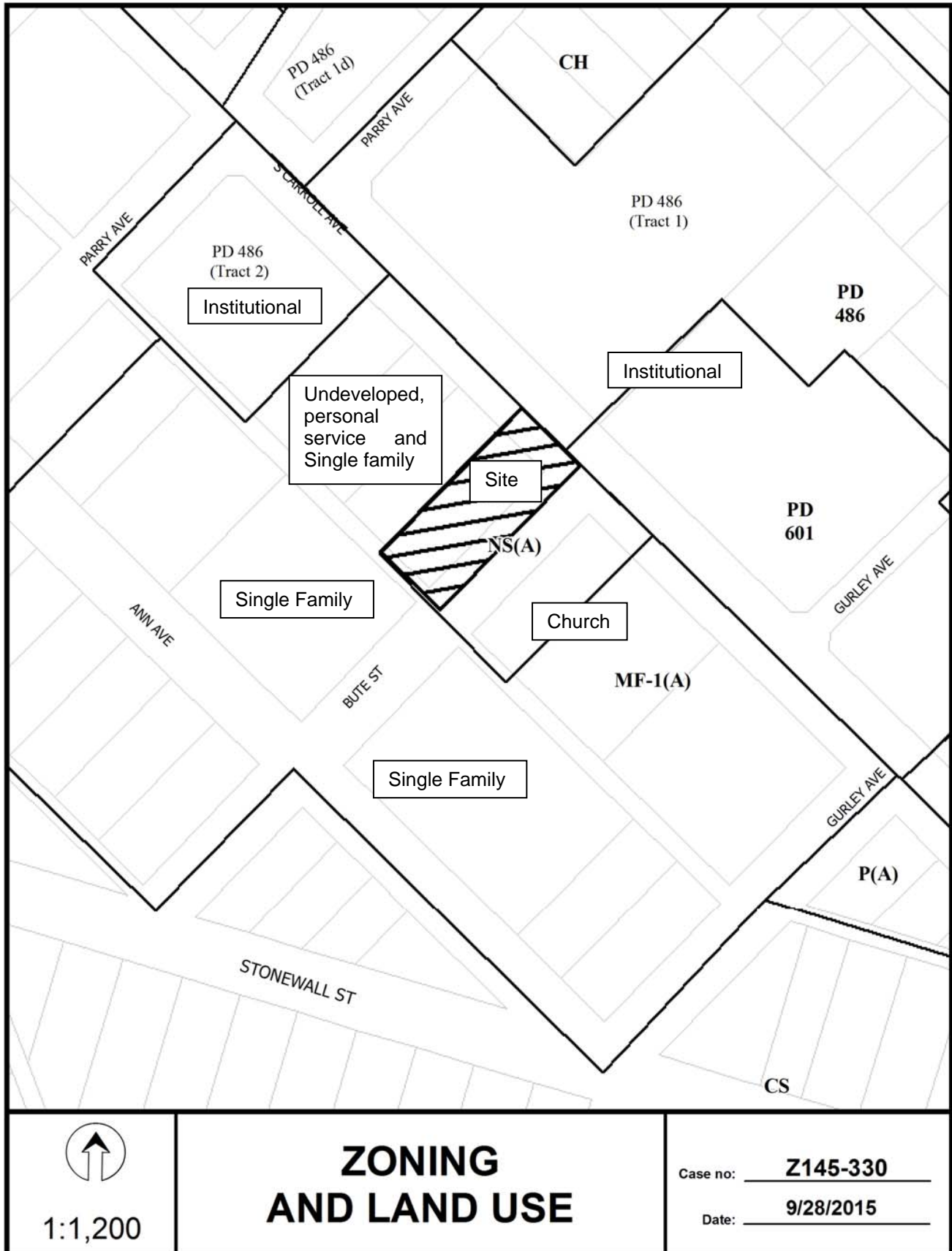
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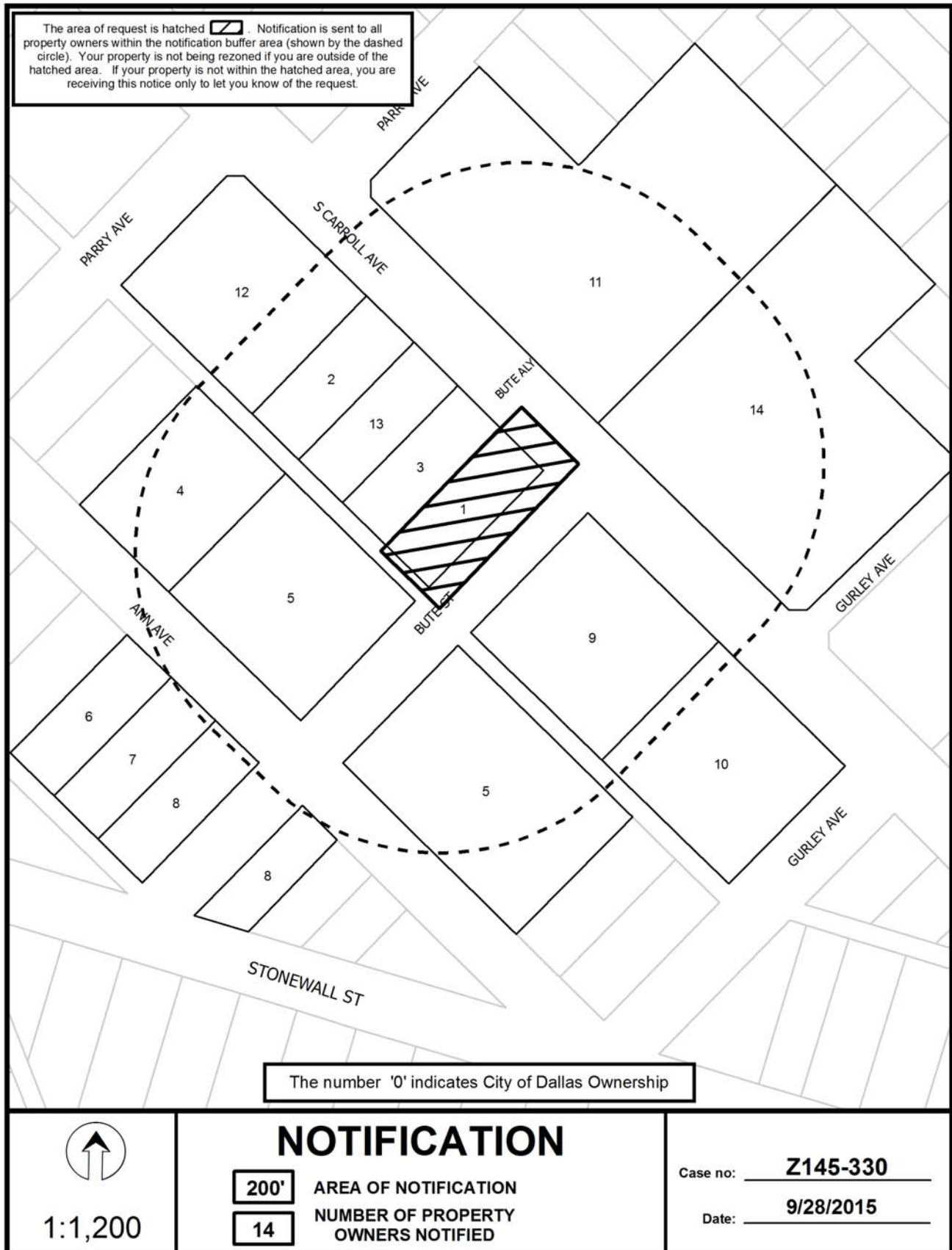
## AERIAL MAP

Case no: **Z145-330**

Date: **9/28/2015**







09/28/2015

***Notification List of Property Owners***  
***Z145-330***

***14 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	925 CARROLL AVE	JUBILEE PARK &
2	913 CARROLL AVE	WEBB DEBRA JOYCE
3	921 CARROLL AVE	KNOX WILLIAM T
4	910 ANN AVE	JUBILEE PARK & COMMUNITY
5	918 ANN AVE	JUBILEE PARK & COMMUNITY CENTER CORP
6	917 ANN AVE	HMK LTD
7	921 ANN AVE	HMK LTD
8	923 ANN AVE	MATA RENE R
9	1001 CARROLL AVE	EAST DALLAS CHURCH OF
10	1015 CARROLL AVE	EAST DALLAS CHURCH
11	910 CARROLL AVE	JUBILEE PARK & COMMUNITY
12	907 CARROLL AVE	JUBILEE PARK & COMMUNITY
13	917 CARROLL AVE	ANGLIN KENNETH & BERNICE
14	1000 CARROLL AVE	JUBILEE PARK & COMMUNITY

**FILE NUMBER:** Z145-323(RB)

**DATE FILED:** August 10, 2015

**LOCATION:** Northwest Line of Travis Street, South of Knox Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 35 U

**SIZE OF REQUEST:** Approx. 16,500 Sq. Ft.

**CENSUS TRACT:** 7.02

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**APPLICANT:** JH Entertainment Group, LLC; Matthew Giese, sole officer

**REPRESENTATIVE:** Roger Albright

**OWNER:** Knox Street Village Holdings, Inc.; C. A. Galpern and Stephen K. Brunner, sole officers

**REQUEST:** An application for a Specific Use Permit for a Class A Dance hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The applicant proposes to utilize a 350 square foot dance floor whose previous SUP for the use has expired. The dance hall (requiring a license to operate by Chapter 14 of the Dallas City Code) is part of a bar, lounge, or tavern use (allowed by right) that provides live music. The applicant did not renew the previous SUP, and as it expired, this application will consider continued operation of the dance hall. It should be noted the dance hall is allowed by right in an LC Subdistrict when located a minimum of 300 feet from a residential district, and by SUP when located within this 300 feet. As residential zoning exists within 300 feet, this application is required for the dance hall.

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

**GUIDING CRITERIA FOR RECOMMENATION:**

Staff recommends approval of the request based upon:

1. *Compatibility with surrounding uses and community facilities* – The request being located along an expanded-width local street has no direct impact on the closest multiple family uses, as this retail/restaurant/entertainment use is similar to others that serve the immediate area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The underlying zoning permits certain entertainment uses by SUP when located within 300 feet of a residential subdistrict. The continued use, subject to the attached site plan and conditions, will offer retail/restaurant/entertainment uses normally located in close proximity to residential uses.
3. *Not a detriment to the public health, safety, or general welfare* – Staff's recommended conditions will continue to provide for a use that is sensitive to its residential adjacency as well as ensuring the off-street parking area is monitored during stipulated hours.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – All proposed improvements will require compliance with the building code and require a dance hall permit as well as a final inspection to ensure compliance with the SUP site plan and ordinance.

**Zoning History:** There has been no zoning activity in the past five years relevant to this request.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it has not significantly impacted the surrounding roadway system.

**Street**

**Designation; Existing & Proposed ROW**

Travis Street

Local; 80' ROW

**STAFF ANALYSIS:**

**Comprehensive Plan:** The request site is located in an area considered Urban Mixed-Use. The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers.



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

GOAL 1.2 Promote desired development.

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

**Area Plans:**

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

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

The applicant's request will provide for a dance floor within existing improvements on the site. As such, the above referenced objectives normally reserved for zoning/land use requests are deemed to not be applicable to the applicant's request.

**Land Use Compatibility:** The request site is developed with improvements that previously supported a bar, lounge, or tavern use along with SUP No. 1460 for a Dance hall, per the following previous City Council action dates:

- January 9, 2002-Class A dance hall approved for a five-year period
- October 25, 2006-Class A dance hall approved for a five-year period
- October 26, 2011-Class A dance hall only permitted in conjunction with a bar, lounge, or tavern approved for a three-year period

The dance hall (requiring a license to operate by Chapter 14 of the Dallas City Code) is part of a bar, lounge, or tavern use (allowed by right) that provides live music. The applicant did not renew the previous SUP, and as it expired, this application will consider continued operation of the dance hall. It should be noted the dance hall is allowed by right in an LC Subdistrict when located a minimum of 300 feet from a residential district, and by SUP when located within this 300 feet. As residential zoning exists within 300 feet, this application is required for the dance hall.

The site is situated along Travis Street, designated as a local street, but possesses right-of-way consistent with a residential collector. The roadway serves the various retail/restaurant/entertainment uses in the immediate area – north, east, south, and northwest. Multiple family uses exist south of the site, with a new development nearing completion to the southeast, at the corner of Armstrong Avenue and Cole Avenue. A warehouse is developed on property to the west, which serves a furniture store (Weirs) situated on Knox Street.

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

As a result of this analysis, staff is supportive of the request, subject to the attached site plan and conditions.

**Off-Street Parking:** The request will require one space for each 100 square feet of floor area for the dance hall (6,000 square feet) plus one space for each 25 square feet of dance floor area (350 square feet). The applicant will continue to provide required parking by on-site parking area, delta credits, and remote parking.

**Landscaping.** The previous SUP possessed a landscape plan that defines plantings along the perimeter and within the parking lot islands. It should also be noted the previously approved plan extends northward beyond the SUP boundary. This expanded landscape area was provided as a result of discussions with area property owners at the time.

**Police Activity:** Attached is activity associated with the most recent time period the applicant operated the dance floor.

## Travis Street

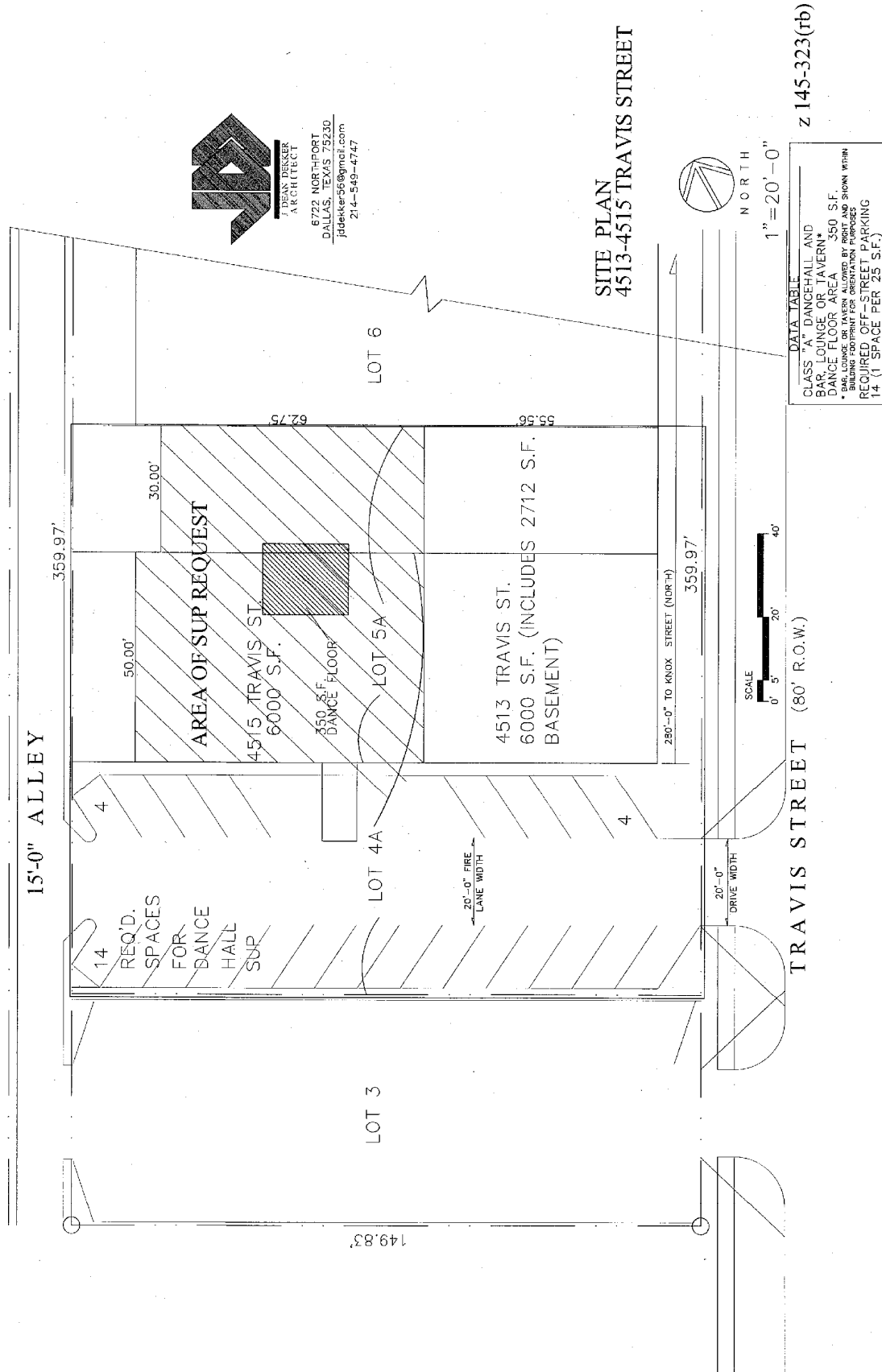
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2011 Part 2 OFFENSE TRAFFIC NON HAZARDOUS	SERVICE NUM 0265194Y	SIGNAL 58	WATCH 1	DATE 10/7/2011	TIME 2:00	ADDRESS 04515 TRAVIS ST	RA 1158	BEAT 125	DIVISION CENTRAL	SECTOR 120	NEW_DISTRICT D14	TAAG_Name Fitzhugh Central+
2012 Part 1 OFFENSE OTHER THEFTS THEFT/BMV OTHER THEFTS OTHER THEFTS	SERVICE NUM 0030912Z 0062505Z 0081394Z 0143398Z	SIGNAL PS 11 PS PS	WATCH 1 2 3 1	DATE 2/5/2012 3/15/2012 3/31/2012 6/10/2012	TIME 1:00 12:15 23:00 0:30	ADDRESS 04515 TRAVIS ST 04515 TRAVIS ST 04515 TRAVIS ST 04515 TRAVIS ST	RA 1158 1158 1158 1158	BEAT 125 125 125 125	DIVISION CENTRAL CENTRAL CENTRAL CENTRAL	SECTOR 120 120 120 120	NEW_DISTRICT D14 D14 D14 D14	TAAG_Name Fitzhugh Central+ Fitzhugh Central+ Fitzhugh Central+ Fitzhugh Central+
2012 Part 2 OFFENSE INVESTIGATION OF INJURY (PUBLIC ACCIDENT) INJURY (PUBLIC ACCIDENT)	SERVICE NUM 0150433Z 0257709Z 0256075Z	SIGNAL PS 25 58	WATCH 3 1 1	DATE 6/16/2012 10/14/2012 10/14/2012	TIME 22:00 23:30 2:00	ADDRESS 04515 TRAVIS ST 04515 TRAVIS ST 04515 TRAVIS ST	RA 1158 1158 1158	BEAT 125 125 125	DIVISION CENTRAL CENTRAL CENTRAL	SECTOR 120 120 120	NEW_DISTRICT D14 D14 D14	TAAG_Name Fitzhugh Central+ Fitzhugh Central+ Fitzhugh Central+
2013 Part 1 OFFENSE OTHER THEFTS OTHER THEFTS OTHER THEFTS	SERVICE NUM 0191803A 0262997A 0321948A	SIGNAL 58 PS 9	WATCH 1 1 3	DATE 7/28/2013 10/13/2013 12/21/2013	TIME 1:00 1:00 22:30	ADDRESS 04515 TRAVIS ST 04515 TRAVIS ST 04515 TRAVIS ST	RA 1158 1158 1158	BEAT 125 125 125	DIVISION CENTRAL CENTRAL CENTRAL	SECTOR 120 120 120	NEW_DISTRICT D14 D14 D14	TAAG_Name Fitzhugh Central+ Fitzhugh Central+ Fitzhugh Central+
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2014 Part 1												

<b>Offense</b> OTHER THEFTS	<b>IncidentNum</b> 286192-2014	<b>Signal</b> 58 - ROUTINE INVESTIGATION	<b>Watch</b> 1	<b>Date</b> 12/1/2014	<b>Time</b> 1:45	<b>Address</b> 4515 TRAVIS ST	<b>RA</b> 1158	<b>Beat</b> 125	<b>Division</b> CENTRAL	<b>Sector</b> 120	<b>New_District</b> D14	<b>TAAG_Name</b> Fitzhugh Central+
2014 Part 2												
<b>Offense</b> ASSAULT	<b>IncidentNum</b> 298648-2014	<b>Signal</b> 58 - ROUTINE INVESTIGATION	<b>Watch</b> 1	<b>Date</b> 12/15/2014	<b>Time</b> 2:00	<b>Address</b> 4515 TRAVIS ST	<b>RA</b> 1158	<b>Beat</b> 125	<b>Division</b> CENTRAL	<b>Sector</b> 120	<b>New_District</b> D14	<b>TAAG_Name</b> Fitzhugh Central+
<b>EMBEZZLEMENT</b>	<b>20140095841</b>	<b>11</b>	<b>1</b>	<b>4/20/2014</b>	<b>2:30</b>	<b>04513 TRAVIS ST</b>	<b>1158</b>	<b>125</b>	<b>CENTRAL</b>	<b>120</b>	<b>D14</b>	<b>Fitzhugh Central+</b>
<b>INVESTIGATION OF</b>	<b>20140057116</b>	<b>PS</b>	<b>1</b>	<b>3/9/2014</b>	<b>0:50</b>	<b>04515 TRAVIS ST</b>	<b>1158</b>	<b>125</b>	<b>CENTRAL</b>	<b>120</b>	<b>D14</b>	<b>Fitzhugh Central+</b>
<b>INVESTIGATION OF</b>	<b>132461-2014</b>		<b>1</b>	<b>6/1/2014</b>	<b>0:30</b>	<b>4515 TRAVIS ST</b>	<b>1158</b>	<b>125</b>	<b>CENTRAL</b>	<b>120</b>	<b>D14</b>	<b>Fitzhugh Central+</b>
2015 Part 1												
<b>Offense</b> BURGLARY-BUSINESS	<b>IncidentNum</b> 034563-2015	<b>Signal</b> 11B/01 - BURG OF BUS	<b>Watch</b> 2	<b>Date</b> 2/13/2015	<b>Time</b> 15:30	<b>Address</b> 4513 TRAVIS ST	<b>RA</b> 1158	<b>Beat</b> 125	<b>Division</b> CENTRAL	<b>Sector</b> 120	<b>New_District</b> D14	<b>TAAG_Name</b> Fitzhugh Central+
2015 Part 2												
<b>Offense</b> ASSAULT	<b>IncidentNum</b> 019002-2015	<b>Signal</b> ODJ - OFF DUTY JOB	<b>Watch</b> 1	<b>Date</b> 1/25/2015	<b>Time</b> 1:30	<b>Address</b> 4515 TRAVIS ST	<b>RA</b> 1158	<b>Beat</b> 125	<b>Division</b> CENTRAL	<b>Sector</b> 120	<b>New_District</b> D14	<b>TAAG_Name</b> Fitzhugh Central+
<b>VANDALISM &amp; CRIM MISCHIEF</b>	<b>058410-2015</b>	<b>PSE/31 - CRIMINAL MISCHIEF</b>	<b>1</b>	<b>3/16/2015</b>	<b>0:00</b>	<b>4515 TRAVIS ST</b>	<b>1158</b>	<b>125</b>	<b>CENTRAL</b>	<b>120</b>	<b>D14</b>	<b>Fitzhugh Central+</b>
<b>ASSAULT</b>	<b>069386-2015</b>	<b>16 - INJURED PERSON</b>	<b>1</b>	<b>3/29/2015</b>	<b>0:30</b>	<b>4515 TRAVIS ST</b>	<b>1158</b>	<b>125</b>	<b>CENTRAL</b>	<b>120</b>	<b>D14</b>	<b>Fitzhugh Central+</b>

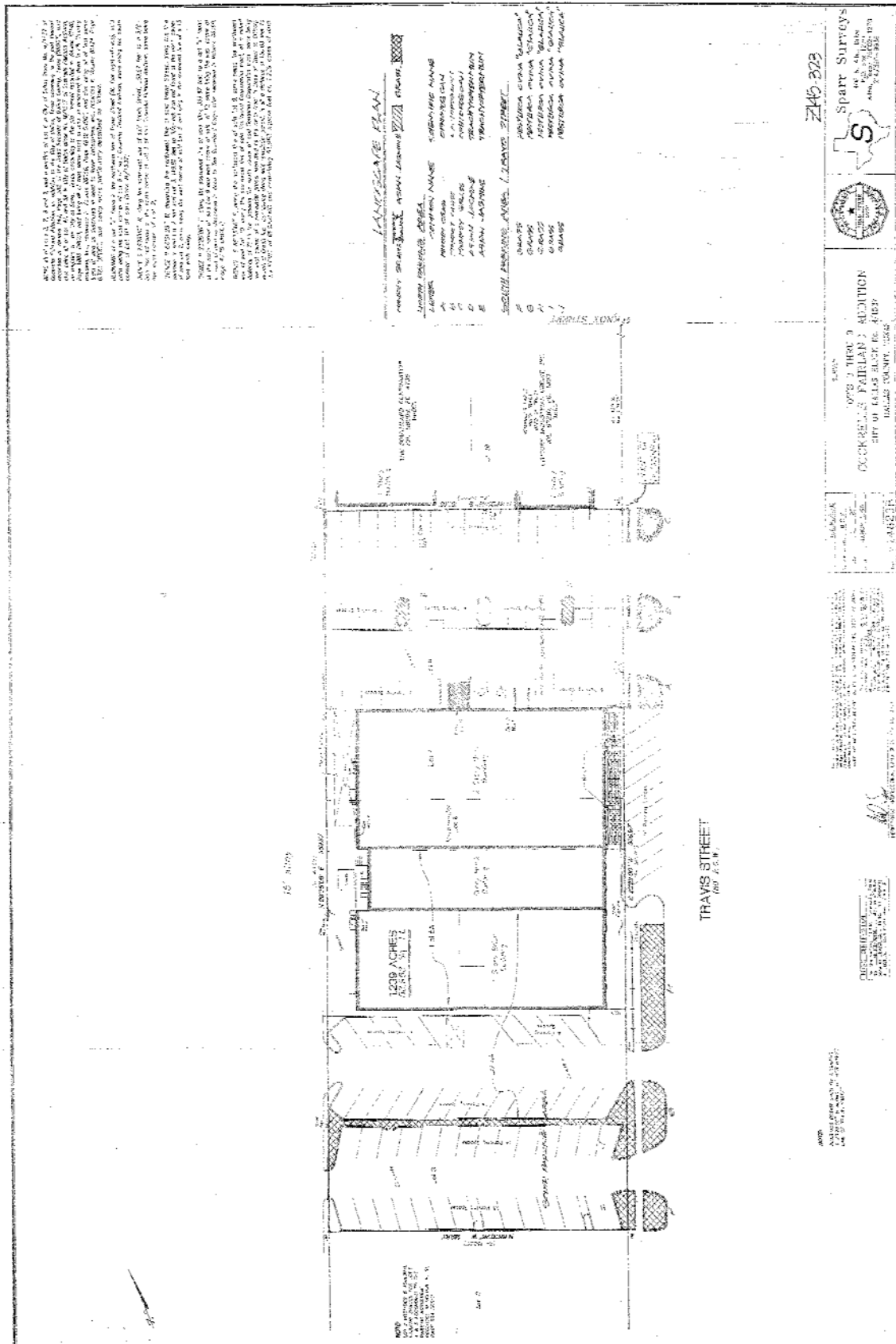
**CONDITIONS FOR A SPECIFIC USE PERMIT  
FOR A CLASS A DANCE HALL**

1. USE: The only use authorized by this specific use permit is a Class A dance hall in conjunction with a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_ (four years from the passage of the ordinance).
4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.
5. FLOOR AREA: The floor area for the Class A dance hall is limited to 6,000 square feet and the size of the dance floor may not exceed 350 square feet in area.
6. HOURS OF OPERATION: The Class A dance hall may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Saturday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day) on Sunday.
7. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
8. OFF-STREET PARKING: Parking must be provided as shown on the attached site plan. Of the 22 spaces designated in Lot 4A on the attached site plan, 14 must be clearly for the exclusive use authorized by this specific use permit.
9. SECURITY: A minimum of two peace officers must be provided between the hours of 11:00 p.m. and 2:45 a.m. (the next day), Monday through Sunday.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

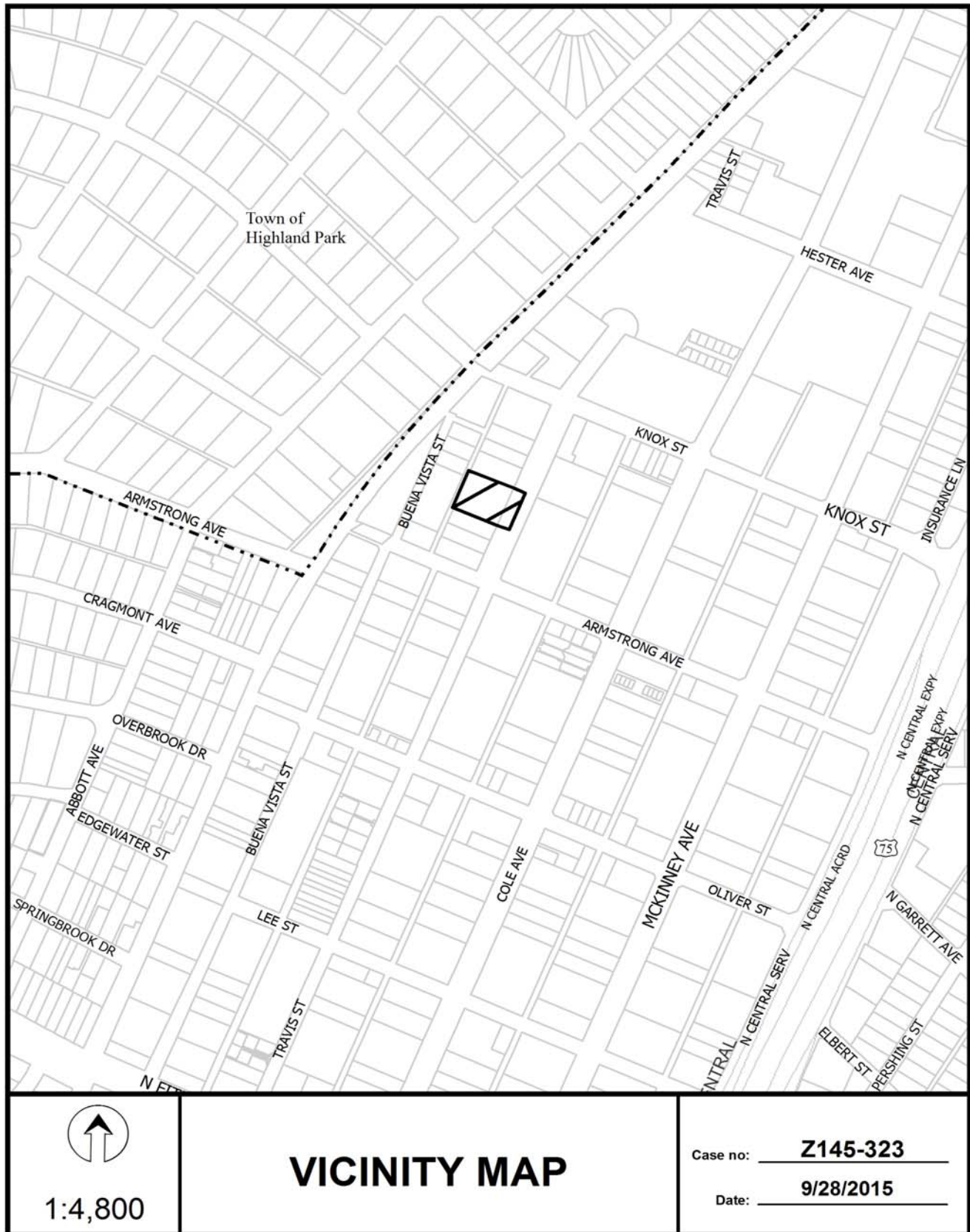




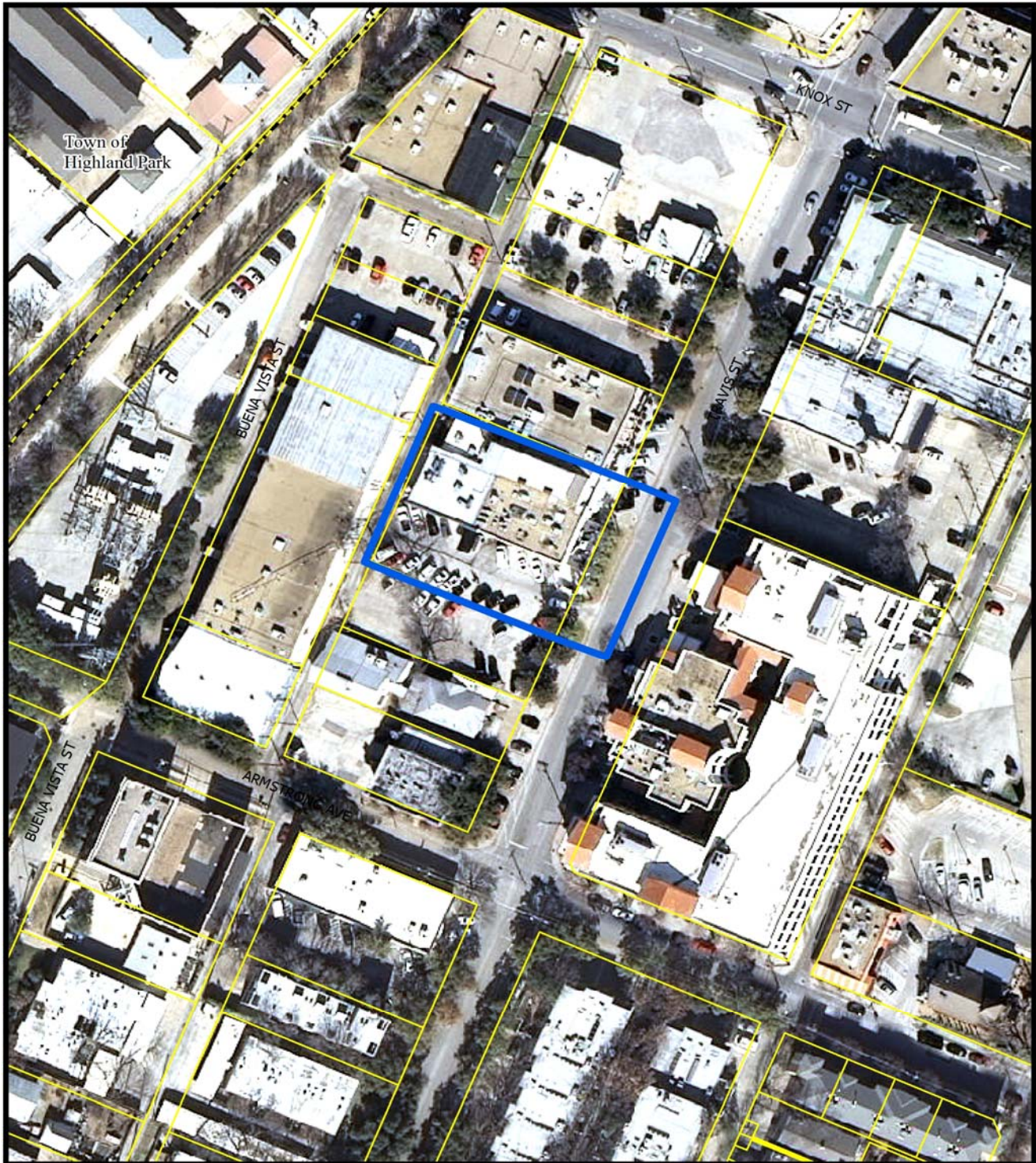
Z 145-323(rb)



Z145-323(RB)







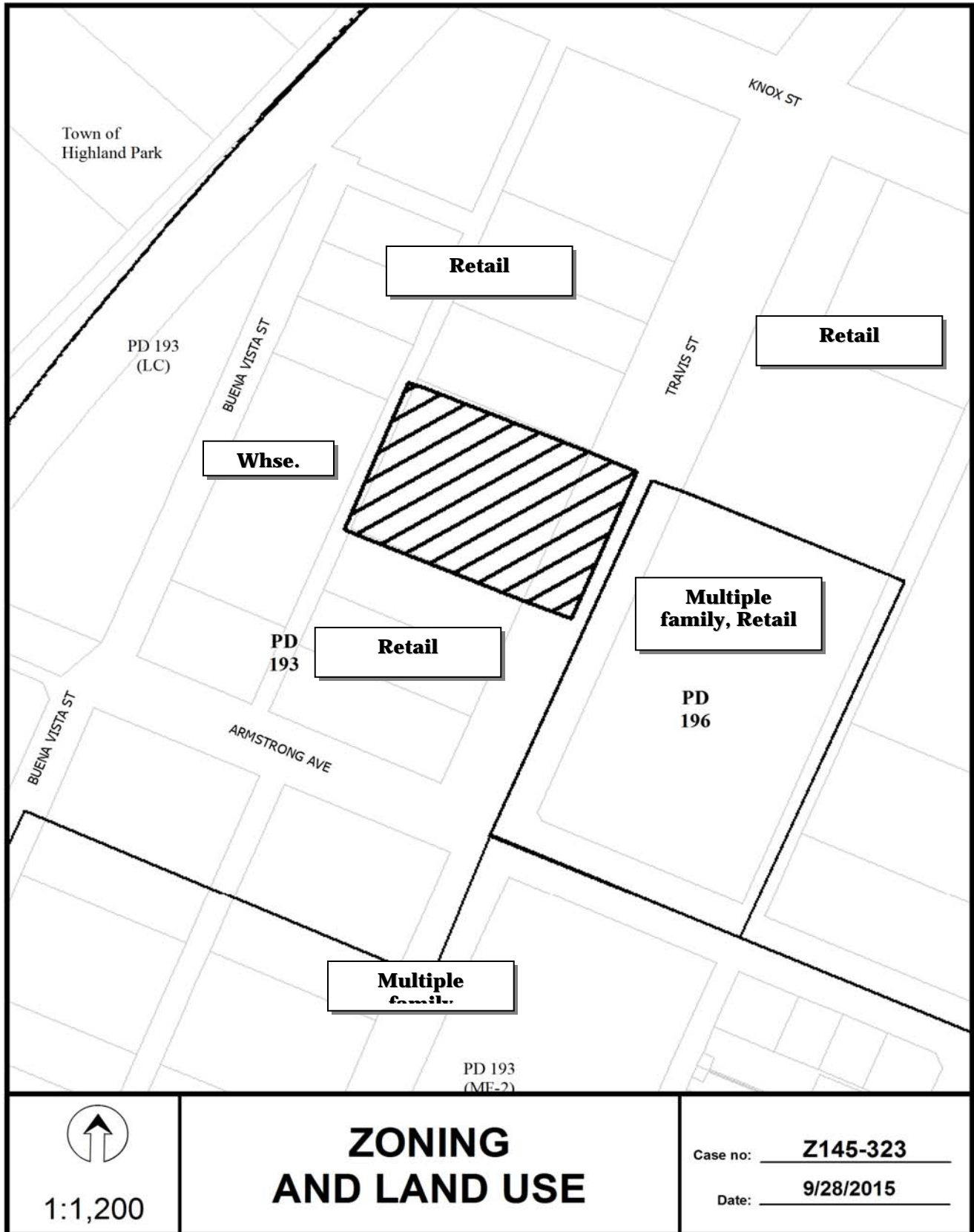
1:1,200

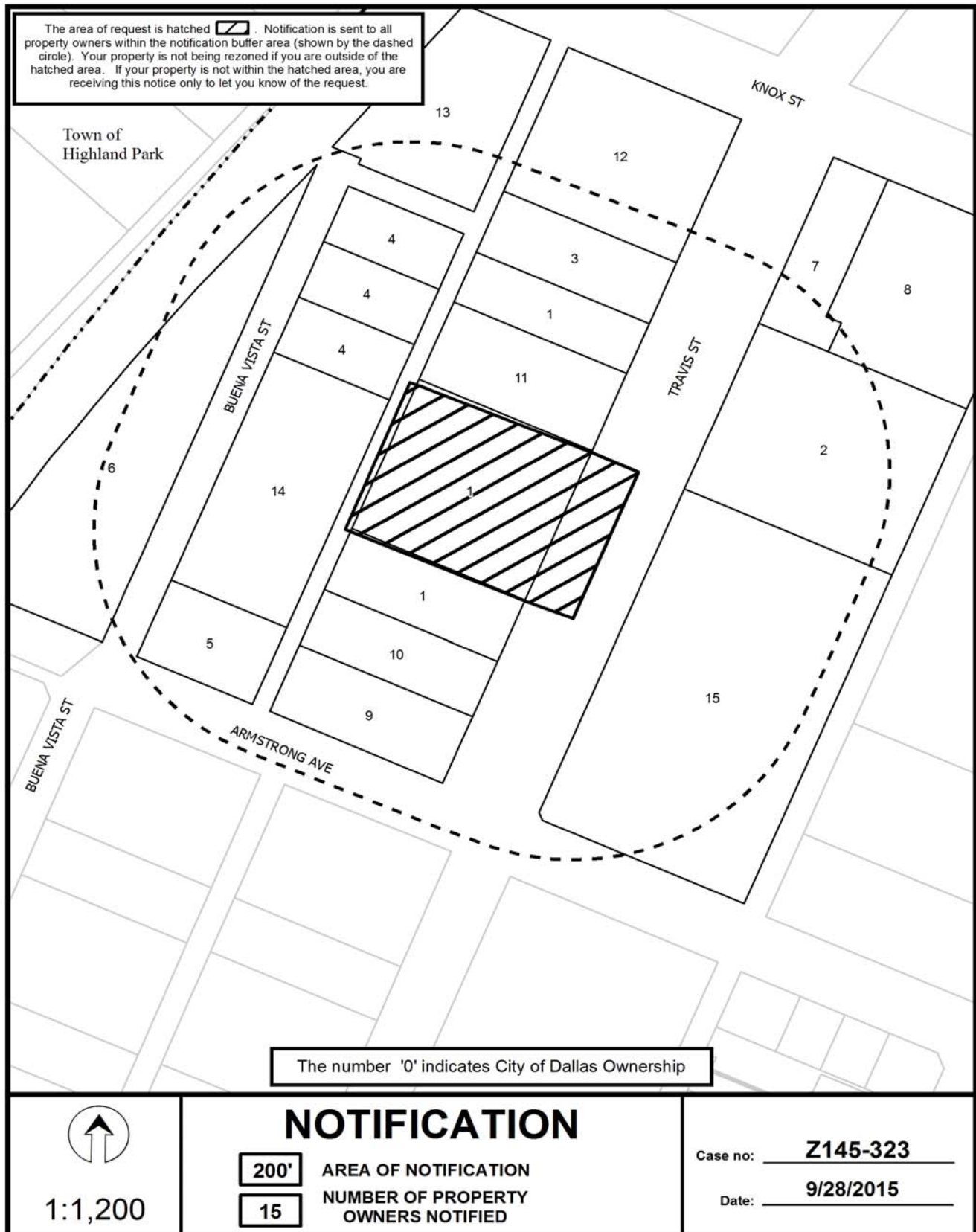
## AERIAL MAP

Case no: **Z145-323**

Date: **9/28/2015**









09/28/2015

***Notification List of Property Owners***

***Z145-323***

***15 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4511 TRAVIS ST	KNOX STREET VILLAGE INC
2	4534 TRAVIS ST	WEIR J RAY TRUST &
3	4535 TRAVIS ST	KNOX STREET VILLAGE
4	4530 BUENA VISTA ST	WEIR DANIEL R
5	4500 BUENA VISTA ST	WEIR DAN R
6	3410 ARMSTRONG AVE	TEXAS UTILITIES ELEC CO
7	3229 KNOX ST	WEIR J RAY TRUST &
8	3219 KNOX ST	WEIR J RAY TRUST
9	4501 TRAVIS ST	CAFE MADRID REAL ESTATE HOLDINGS INC
10	4507 TRAVIS ST	TRAVIS STREET HOLDING CO LLC
11	4527 TRAVIS ST	KNOX STREET VILLAGE INC
12	3311 KNOX ST	KNOX TRAVIS HOLDING COMPANY LLC
13	3313 KNOX ST	KNOX STREET VILLAGE INC
14	4510 BUENA VISTA ST	WEIR DAN R
15	4514 TRAVIS ST	INTERCITY INVESTMENT

**FILE NUMBER:** Z145-203(RB)

**DATE FILED:** March 6, 2015

**LOCATION:** West Northwest Highway and North Central Expressway, Southwest Quadrant

**COUNCIL DISTRICT:** 13

**MAPSCO:** 26 W

**SIZE OF REQUEST:** Approx. 3.08 Acres

**CENSUS TRACT:** 79.06

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**APPLICANT/OWNER:** Buckner Senior Living, Inc.

**REPRESENTATIVES:** Tommy Mann and Brad Williams, Winstead PC

**REQUEST:** A City Plan Commission authorized hearing for Planned Development District No. 463, with consideration being given to increasing the floor area for lodging and similar uses within the Tract III portion (Zones A and B) of the PDD, on property located within the southwest quadrant of West Northwest Highway and North Central Expressway.

**SUMMARY:** The applicant proposes revisions to permitted floor area as well as providing for revised landscaping, inclusive of a tract-specific landscape plan, for a proposed retirement community.

**STAFF RECOMMENDATION:** Approval, subject to a revised conceptual plan, revised Tract III (Zones A and B) development plan, a Tract III (Zones A and B) landscape plan, and revised conditions.

**PRIOR CPC ACTION:** On October 1, 2015, the City Plan Commission recommended to hold this item under advisement to permit completion of a revised development plan and landscape plan, both of which are attached to this material.

**GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval, subject to a revised Tract III (Zone A and B) development plan, a Tract III (Zone A and B) landscape plan, and revised conditions, based upon:

1. *Performance impacts upon surrounding property* – As the applicant is proposing to revise the previously approved development plan for approved retirement and assisted housing uses to account for non-occupied floor area, negative impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – Anticipated trip generations for the proposed development will remain consistent with those approved two years ago. As such, vehicular activity in and out of the development will be served by existing roadways with no additional impact.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.

**Zoning History:**

<b><u>File No.</u></b>	<b><u>Request, Disposition, and Date</u></b>
1. Z123-236	On June 26, 2013, the City Council approved an authorized hearing to consider proper zoning for the Tract III and IV portions of PDD No. 463, specifically increasing floor area and structure height for the Tract III portion.
2. Z145-145	On May 13, 2015, the City Council approved an MU-3 District with volunteered deed restrictions that prohibited certain uses as well as only permitting multifamily uses as part of a mixed use project, on property zoned a GO(A) District.

<b><u>Thoroughfare</u></b>	<b><u>Designation; Existing &amp; Proposed ROW</u></b>
Northwest Highway	Principal Arterial; 107' & 107' ROW
North Central Expressway	Freeway; Variable ROW

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the proposal and has determined there will be no impact on the area's street system.

## **STAFF ANALYSIS:**

**Comprehensive Plan:** The request site is located in an area considered a Business Center or Corridor. This Building Block represents major employment or shopping destinations outside of Downtown. Examples include the Galleria area, the North Park Center area, Southwest Center Mall area at I-20 and US Hwy 67 and the Stemmons Corridor. Business Centers are usually at major intersections or along Highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The request area is undeveloped, and recently received approval (City Council adopted on June 26, 2013) for various amendments to the Tract III and IV portions of the PDD (Tract IV, located at the extreme northwest corner of the PDD is not being amended at this time). Anticipated development of the Tract III portion will provide for an assisted living facility, retirement housing, and convalescent and nursing homes, hospice care, and related institutions when associated with an assisted living facility. Once developed, all of the land area within PDD No. 463 (39+ acres) will be developed. PDD No. 463 was adopted by the City Council on December 18, 1996. As noted in the Zoning History section, City Council previously approved a proposal to increase floor area and structure height within the Tract III and IV portions.

For orientation purposes (see attached conceptual plan), this tract (approx. seven acres) is comprised of four 'zones' and is partially developed (southern half of Zone B, Zone C, and Zone D) with a lodging and multifamily uses. This proposal area consists of the Tract III portion of PDD No. 463, specifically Zones A and B. It should be noted the PDD was created to include both Tracts III and IV in the codification of the ordinance; Tract IV is developed with a financial institution with drive-in window. As the recent

zoning activity was approved within the last two years, an application for waiver of the two-year period was approved by the City Plan Commission on February 5, 2015.

With respect to adjacencies, two such 'uses' consist of freeways – Northwest Highway to the north and North Central Expressway to the east. Lodging, multifamily, and assisted living uses are developed along the southern property line southward to Caruth Haven Lane, with multifamily uses, a parking structure, and office uses along the western line.

As noted above, the potential developer of the property would be providing a residentially-influenced development comprised for the three referenced uses. In the time since the recently noted City Council action, the developer has determined a need exists for larger dwelling units along with typical amenities, some of which are considered as floor area (i.e., common areas, storage), as well as an interpretation that common area balconies are considered as floor area (individual residential balconies are not).

Staff has determined the increase will have minimal impact on the uses adjacent to this tract. It should be noted that the increased floor area is limited to the 'lodging and similar uses'. The PDD defines this use category as convalescent and nursing homes, hospice care and related institutions use, the hotel or motel use, the assisted living facility use, the retirement housing use, and all accessory or limited uses associated with these uses.

In summary of staff's analysis, support for the request is given, subject to attached plans and conditions.

**Landscaping:** PDD No. 463 provides for compliance with Article X, of which a proposed landscape plan would be submitted in conjunction with a building permit for any tract. The applicant has determined a site-specific landscape plan is warranted due to the topography of the site as well as a need to respect existing utility easements along the northern and eastern property lines.

The chief arborist has worked with the applicant to ensure the integrity of Article X is being maintained.



**ARTICLE 463.**

**PD 463.**

**SEC. 51P-463.101. LEGISLATIVE HISTORY.**

PD 463 was established by Ordinance No. 22978, passed by the Dallas City Council on December 18, 1996. Ordinance No. 22978 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 22978 was amended by Ordinance No. 23173, passed by the Dallas City Council on June 11, 1997. Ordinance No. 23173 was amended by Ordinance No. 29066, passed by the Dallas City Council on June 26, 2013.

**SEC. 51P-463.102. PROPERTY LOCATION AND SIZE.**

PD 463 is established on property generally located at the southwest corner of U.S. Highway 75 (North Central Expressway) and Northwest Highway. The size of PD 463 is approximately 39.20 acres.

**SEC. 51P-463.103. DEFINITIONS AND INTERPRETATIONS.**

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

(1) **ASSISTED LIVING FACILITY** means a permanent residential facility which furnishes (in single or multiple facilities) food, shelter, laundry, and other assistance in activities of daily living to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment. Food is prepared in a central kitchen. Assisted living facilities must be licensed as Personal Care Facilities under Chapter 247 of the Texas Health and Safety Code. Assisted living facilities do not include other licensed health facilities under Subtitle B, "Licensing of Health Facilities," of Title 4, "Health Facilities," of the Texas Health and Safety Code, specifically nursing homes.

(2) **LODGING AND SIMILAR USES** means the convalescent and nursing homes, hospice care and related institutions use, the hotel or motel use, the assisted living facility use, the retirement housing use, and all accessory or limited uses associated with these uses.

(3) **MONUMENT SIGN** means a detached sign applied directly onto a grade-level support structure (instead of a pole support) with no separation between the sign and grade.

(4) **POLE SIGN** means a detached sign that is not a monument sign.

(5) RETAIL USES means the retail and personal service uses contained in Section 51A-4.210.

(6) TANDEM PARKING means one parking space in front of another parking space, making it necessary to pass through one parking space to gain access to the other parking space.

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

(c) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district.

#### **SEC. 51P-463.103.1. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 463A: conceptual plan.
- (2) Exhibit 463B: North Central Expressway project map.
- (3) Exhibit 463C: Tracts III and IV development plan.
- (4) Exhibit 463D: Tracts III and IV landscape plan.

#### **SEC. 51P-463.104. CREATION OF TRACTS.**

This district is divided into four tracts (Tracts I, II, III, and IV) as described in Exhibit A attached to Ordinance No. 22978, and as shown on the conceptual plan (Exhibit 463A). In addition, Tract III is divided into four zones (Zones A, B, C, and D) as described in Exhibit B attached to Ordinance No. 22978, and as shown on the conceptual plan. In the event of a conflict between Exhibits A and B attached to Ordinance No. 22978 and the conceptual plan, Exhibits A and B control.

#### **SEC. 51P-463.105. CONCEPTUAL PLAN.**

Development and use of the Property must comply with the conceptual plan. In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. Nos. 22978; 26042; 26880)

#### **SEC. 51P-463.106. DEVELOPMENT PLAN.**

(a) In general. A development plan for each phase of development must be approved by the city plan commission prior to the issuance of any building permit for that phase. Development and use of the Property must comply with the approved development plan. The development plan and any amendments must comply with the

conceptual plan and this article. The Property owner shall submit to the Coalition of North Park Area Homeowner Associations (“the Coalition”), or its successor, if any, a copy of the development plan for review and comment simultaneously with the filing of the development plan with the city. The initial development plan must encompass at least 80 percent of the total allowable multifamily units and at least 50 percent of the total allowable retail floor area permitted on the Property.

(b) Tracts III and IV. Development and use of the Property must comply with the Tracts III and IV development plan (Exhibit 463C). If there is a conflict between the text of this article and the Tracts III and IV development plan, the text of this article controls.

**SEC. 51P-463.107. MAIN USES PERMITTED.**

(a) In general. The following main uses are permitted on the Property. Those uses not specifically listed as permitted uses are prohibited.

(b) Tract I.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- None permitted.

(3) Industrial uses.

-- None permitted.

(4) Institutional and community service uses.

-- Adult day care facility. [L]

-- Cemetery or mausoleum. [SUP]

-- Child-care facility. [L]

-- Church.

-- Convent or monastery.

-- Foster home.

-- Library, art gallery, or museum. [SUP]

(5) Lodging.

- None permitted.
- (6) Miscellaneous uses.
  - Temporary construction or sales office.
- (7) Office uses.
  - None permitted.
- (8) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (9) Residential uses.
  - Duplex.
  - Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
  - Multifamily.
  - Retirement housing.
  - Single family.
- (10) Retail and personal service uses.
  - None permitted.
- (11) Transportation uses.
  - Transit passenger shelter.
- (12) Utility and public service uses.
  - Local utilities.
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower. [Screening must be provided in accordance with Section 51A-4.602(b).]
  - Tower/antenna for cellular communication. [Screening must be provided in accordance with Section 51A-4.602(b).]

-- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]

(c) Tract II.

(1) Agricultural uses.

-- Crop production.

(2) Commercial and business service uses.

-- Catering service.

-- Custom business services.

-- Electronics service center.

(3) Industrial uses.

-- None permitted.

(4) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- Library, art gallery, or museum.

(5) Lodging uses.

-- None permitted.

(6) Miscellaneous uses.

-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.

-- Financial institution with drive-in window.

- Medical clinic or ambulatory surgical center.
- Office.
- (8) Recreation uses.
  - Country club with private membership.
  - Public park, playground, or golf course.
- (9) Residential uses.
  - Duplex.
  - Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
  - Single family.
- (10) Retail and personal service uses.
  - Business school.
  - Dry cleaning or laundry store.
  - Furniture store.
  - General merchandise or food store 3,500 square feet or less.
  - General merchandise or food store greater than 3,500 square feet.
  - Household equipment and appliance repair.
  - Nursery, garden shop, or plant sales.
  - Personal service use.
  - Restaurant without drive-in or drive-through service.
- (11) Transportation uses.
  - Transit passenger shelter.
- (12) Utility and public service uses.
  - Local utilities.
  - Police or fire station.
  - Post office.



- Radio, television, or microwave tower, limited to antennae that are mounted on an existing structure.

- Tower/antenna for cellular communication, limited to mounted cellular antennas.

- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]

(d) Tract III.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Catering service. [L]

(3) Industrial uses.

- None permitted.

(4) Institutional and community service uses.

- Adult day care facility. [L]

- Cemetery or mausoleum. [SUP]

- Child-care facility. [L]

- Church.

- Convalescent and nursing homes, hospice care, and related institutions when associated with an assisted living facility.

- Convent or monastery.

- Library, art gallery, or museum.

(5) Lodging uses.

- Hotel or motel, except in Zone D where the use is prohibited.

(6) Miscellaneous uses.

- Temporary construction or sales office.
- (7) Office uses.
  - Financial institution without drive-in window.
  - Financial institution with drive-in window.
  - Medical clinic or ambulatory surgical center.
  - Office.
- (8) Recreation uses.
  - Country club with private membership.
  - Private recreation center, club, or area.
  - Public park, playground, or golf course.
- (9) Residential uses.
  - Assisted living facility.
  - Duplex.
  - Handicapped group dwelling unit. [SUP required if spacing component of Section 51A-4.209(3.1) is not met.]
  - Retirement housing.
  - Single family.
- (10) Retail and personal service uses.
  - Business school.
  - Dry cleaning or laundry store. [L]
  - General merchandise or food store less than 3,500 square feet. [L]
  - Personal service use. [L]
  - Restaurant without drive-in or drive-through service, except in Zone D where the use is prohibited.
  - Surface parking (permitted only in Zone A and limited to the provision of off-street parking to satisfy a use's off-street parking requirement if that use is located on Tract II).

- (11) Transportation uses.
  - Transit passenger shelter.
- (12) Utility and public service uses.
  - Commercial radio or television transmitting station. [SUP]
  - Local utilities.
  - Police or fire station. [SUP]
  - Post office. [SUP]
  - Radio, television, or microwave tower, limited to antennae that are mounted on an existing structure.
  - Tower/antenna for cellular communication, limited to mounted cellular antennas.
  - Utility or government installation other than listed. [SUP]
- (13) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]
- (e) Tract IV.
  - (1) Agricultural uses.
    - Crop production.
  - (2) Commercial and business service uses.
    - None permitted.
  - (3) Industrial uses.
    - None permitted.
  - (4) Institutional and community service uses.
    - Adult day care facility. [L]
    - Cemetery or mausoleum. [SUP]
    - Child-care facility. [L]
    - Church.

- Convalescent and nursing homes, hospice care, and related institutions when associated with an assisted living facility.

- Convent or monastery.

- Library, art gallery, or museum.

(5) Lodging uses.

- None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.

- Financial institution with drive-in window.

- Medical clinic or ambulatory surgical center.

- Office.

(8) Recreation uses.

- Country club with private membership.

- Private recreation center, club, or area.

- Public park, playground, or golf course.

(9) Residential uses.

- Assisted living facility.

- Duplex.

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

- Retirement housing when associated with an assisted living facility.

- Single family.

(10) Retail and personal service uses.

- Business school. [SUP]

- Personal service use. [L]

- Restaurant without drive-in or drive-through service. [SUP]
- Surface parking, limited to the provision of off-street parking to satisfy a use's off-street parking requirement if that use is located on Tract II.
- (11) Transportation uses.
  - Transit passenger shelter.
- (12) Utility and public service uses.
  - Local utilities.
  - Police or fire station. [SUP]
  - Radio, television, or microwave tower, limited to antennae that are mounted on an existing structure.
  - Tower/antenna for cellular communication, limited to mounted cellular antennas.
  - Utility or government installation other than listed. [SUP]
- (13) Wholesale, distribution, and storage uses.
  - Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]

**SEC. 51P-463.108. ACCESSORY USES.**

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

(b) Tract I. The following accessory uses are not permitted on Tract I:

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

(c) Tract II. The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Private stable.

(d) Tract III. The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Private stable.

(e) Tract IV. The following accessory uses are not permitted in this district:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Private stable.

#### **SEC. 51P-463.109. DEVELOPMENT STANDARDS.**

(a) Tract I (the “Multifamily Tract”).

(1) General standards. Except as provided below, the yard, lot, and space regulations of the MF-1(A) Multifamily District contained in Section 51A-4.116(a) apply to this tract.



(2) Dwelling unit density. Maximum number of dwelling units permitted is 349.

(3) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R(A), D(A), or TH(A) district. Exceptions: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 42 feet.

(4) Stories. No maximum number of stories.

(5) Screening wall. A solid screening wall which runs parallel to that portion of the boundary line between Tracts I and II which represents the southern boundary line of Tract II must be erected on Tract I, as shown on the conceptual plan, prior to issuance of a certificate of occupancy on Tract I. Only emergency vehicular access is permitted between Tracts I and II.

(6) Vehicular and pedestrian access to Tract I. Vehicular access to Tract I is limited to entries equipped with automatic gates with controlled access (emergency crash gates are permitted). Pedestrian access will be through manual gates with controlled access.

(7) Paving materials. All off-street parking areas and permanent drives must be constructed of concrete.

(8) Off-street parking for multifamily uses. A minimum of 1.6 off-street parking spaces are required per dwelling unit. No structured parking (other than individual unit garages) is permitted within 100 feet of Caruth Haven Lane.

(9) Landscape buffer strip. Prior to the issuance of any certificate of occupancy on Tract I, a perimeter landscape buffer strip in accordance with the requirements of Section 51A-10.125(b)(1) must be provided along the entire length of the Caruth Haven Lane frontage of Tract I.

(b) Tract II ( the "Retail Tract").

(1) General standards. Except as provided below, the yard, lot, and space regulations of the CR Community Retail District contained in Section 51A-4.122(b) apply to this tract.

(2) Maximum floor area. Maximum permitted floor area for all uses on Tract II is 150,000 square feet. No single occupancy may contain more than 50,000

square feet of floor area. Excluded from the calculation of floor area are all areas within omitted wall lines that are used solely for the following:

(A) pedestrian traffic wherever located, including plazas and seating areas (no portion of this area, however, may be used for storage or sales); and

(B) outside dining.

(3) Height.

(A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. For purposes of Section 51A-4.412, "Residential Proximity Slope," Tract I is considered a nonresidential district.

(B) Maximum structure height. Unless further restricted under Subparagraph (A), maximum structure height is 42.5 feet. Exceptions: Structures listed in Section 51A-4.408(a)(2) may exceed the maximum structure height not to exceed 12 feet above that height if these structures do not occupy more than five percent of the roof area.

(C) Height of occupied space. No portion of a room may enclose space above a height of 40 feet.

(4) Stories. Maximum number of stories is two stories above grade. No basement may have an exterior public entrance.

(5) Outside sales or display. The outside sale or display of merchandise is prohibited on Tract II.

(6) Outdoor dining. Space allocated for outdoor dining, including dining areas located within omitted wall lines, may not exceed 20 percent of the "floor area of the restaurant." For purposes of this condition, "floor area of the restaurant" means floor area as defined in the Dallas Development Code, exclusive of floor area located within omitted wall lines.

(7) Signs.

(A) Pole signs. Pole signs are prohibited.

(B) Monument signs. A maximum of two monument signs, not to exceed 10 feet in height, are permitted on Tract II.

(C) Clock tower sign. An attached premise identification sign may be located on the clock tower referenced in Paragraph (8) below. For purposes of this condition, premise means all of Tract II.

(8) Clock tower. A clock tower is permitted within Tract II, including the cross hatched area of Tract II as shown on the conceptual plan.

(9) Location of buildings. Only one detached building is permitted within the cross hatched area of Tract II. For purposes of this condition, “detached building” means a building which does not share a common wall or roof with another building. No restaurant without drive-in or drive-through service located in this building may have less than 6,000 square feet of floor area. The clock tower referenced in Paragraph (8) above, may be located in this hatched area, in addition to the one detached building.

(10) Hours of operation. The hours of operation for restaurant uses are limited to the hours between 6:00 a.m. and 1:00 a.m. The hours of operation for all other uses are limited to the hours between 6:30 a.m. and 11:00 p.m.

(11) Paving materials. All off-street parking areas and permanent drives must be constructed of concrete.

(c) Tracts III and IV (the “Office and Lodging Tracts”).

(1) General standards. Except as provided below, the yard, lot, and space regulations of the LO-1 Limited Office District contained in Section 51A-4.121(b) apply to Zones A, B, and C of Tract III, and the yard, lot, and space regulations of the NO(A) Neighborhood Office District contained in Section 51A-4.121(a) apply to Zone D of Tract III and Tract IV.

(2) Maximum floor area. Maximum permitted floor area for all uses combined on Tracts III and IV is ~~920,000~~ 997,000 square feet to be distributed as follows:

(A) Lodging and similar uses. Maximum permitted floor area for all lodging and similar uses is ~~655,000~~ 700,000 square feet.

(B) All other uses. Maximum permitted floor area for all other uses is 600,000 square feet.

(3) Height and stories. Maximum heights and stories for each tract are as follows:

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

(B) Maximum structure heights and stories on Tract III. Maximum structure height and number of stories for all uses on Tract III are as follows, except that the hotel use is exempt from the story limitation. In addition, structures

referenced in Section 51A-4.408(a)(2)(A) may project a maximum of 18 feet above the maximum structure height if screened.

(i) Zone A. Unless further restricted under Paragraph (A) or as otherwise provided herein, maximum structure height in Zone A is 132.5 feet and maximum number of stories is 10 with no more than two buildings exceeding 120 feet in height and nine stories. Maximum structure height for a lodging and similar use is 175 feet and 12 stories.

(ii) Zone B. Unless further restricted under Paragraph (A) or as otherwise provided herein, maximum structure height in Zone B is 107.5 feet and maximum number of stories is eight. Maximum structure height for a lodging and similar use facility is 175 feet and 12 stories.

(iii) Zone C. Unless further restricted under Paragraph (A), maximum structure height in Zone C is 82.5 feet and maximum number of stories is six.

(iv) Zone D. Unless further restricted under Paragraph (A), maximum structure height in Zone D is 42 feet and maximum number of stories is three.

(C) Maximum structure height and stories on Tract IV. Maximum structure height and number of stories for all uses on Tract IV are 30 feet and two stories, except that the hotel use is exempt from the story limitation. In addition, structures referenced in Section 51A-4.408(a)(2)(A) may project a maximum of 18 feet above the maximum structure height if screened.

(3.1) Lot coverage for Tract III. Except as provided in this subsection, maximum lot coverage for a lodging and similar use is 60 percent. For a lodging and similar use, any portion of a building that is above 60 feet in height as measured from grade may not have a floor plate greater than 30 percent of the lot area.

(4) Urban form setback and tower spacing. The urban form setback and tower spacing regulations contained in Section 51A-4.121(b)(4)(A)(ii) and 51A-4.121 (b)(4)(B)(ii), respectively, do not apply.

(5) Maximum hotel or motel guest rooms. Maximum number of hotel or motel guest rooms permitted on Tracts III and IV, combined, is 350. No hotel or motel uses are permitted in Zone D of Tract III.

(6) Signs. Except for signs located on Tract IV, no sign located above a height of 30 feet and facing either west or south may be illuminated. On Tract IV, no sign facing either west or south may be illuminated.

(7) Highly reflective glass. Highly reflective glass is prohibited. For purposes of this subsection, highly reflective glass means glass with an exterior visible reflectance percentage in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass.

(8) Roof-mounted mechanical equipment. Roof-mounted mechanical equipment must be screened from views from public rights-of-way and adjacent neighboring properties.

(9) Other screening. All other mechanical equipment, loading areas, and trash receptacles must be screened from view from all adjacent roadways.

(10) Financial institutions with or without drive-in windows.

(A) Zone D of Tract III. No financial institution located in Zone D may have a drive-in window or automobile stacking area for a drive-in window located within 100 feet of the southerly lot line of Zone D.

(B) Tract IV. No financial institution located on Tract IV may have a drive-in window or automobile stacking area for a drive-in window located on the west side of the building. Direct access to a financial institution with drive-in window on Tract IV is prohibited from Caruth Haven Lane.

(11) Parking structures.

(A) In general. Except as provided in this subsection, It is recommended that above-grade parking structures be designed to be compatible with the main building design.

(B) Tract III. For a lodging and similar use, parking levels must be:

(i) screened through use of vegetation, metal panels, or other architectural elements to obscure sloping ramps and headlights of parked vehicles from view, and

(ii) concealed in a structure with a facade similar in appearance to the main structure's façade.

(12) Paving materials. All off-street parking areas and permanent drives must be constructed of concrete.

## **SEC. 51P-463.110. SIGNS.**

Except as otherwise provided in Section 51P-463.109 or as otherwise provided below, Tract I, Zone D of Tract III, and Tract IV must comply with the provisions for non-business zoning district contained in Article VII, and Tract II and Zones A, B, and C of Tract III must comply with the provisions for business zoning districts contained in Article VII. Non-premise signs and detached special purpose signs are prohibited on the Property.

**SEC. 51P-463.111. OFF-STREET PARKING, LOADING, AND LIGHTING.**

(a) Off-street parking and loading.

(1) Except as otherwise provided in Section 51P-463.109 above and this subsection, consult the use regulations in Division 51A-4.200 for the off-street parking and loading requirements for each use. Consult the off-street parking and loading requirements of the convalescent and nursing homes, hospice care, and related institutions use for the off-street parking and loading requirements of the assisted living facility use.

(2) Off-street parking spaces located on the Property may not be used to satisfy the off-street parking requirements for uses outside of the Property.

(3) Tract II, Zones A and B of Tract III, and Tract IV may be considered as one lot for purposes of Section 51A-4.301, "Off-street Parking Regulations," including but not limited to the mixed use parking reductions. Zones A, B, and C of Tract III may also be considered as one lot for purposes of Section 51A-4.301, including but not limited to mixed use parking reductions.

(4) For lodging and similar uses located in Zone A and Zone B of Tract III, a minimum of 416 parking spaces must be provided. A minimum of 70 of the 416 required parking spaces must be provided as tandem parking.

(b) Parking lot lighting. Parking lot lights may not exceed 20 feet in height and must be fitted with a shielded type directional fixture to direct light onto the Property and away from adjacent properties

**SEC. 51P-463.112. DEVELOPMENT PHASING.**

(a) Development not to exceed 137,000 square feet.

(1) No transportation improvements are required for development limited to 137,000 square feet of office uses or the trip generation equivalent thereof based on the following equivalency ratios:

(A) Retail uses. One square foot of retail use is equivalent to 6.85 square feet of office uses.



(B) Multifamily. One multifamily dwelling unit is equivalent to 336.61 square feet of office uses.

(C) Retirement housing/convalescent and nursing home, hospice care and related institutions/assisted living facility. One dwelling unit, suite, room, or bed is equivalent to 159.86 square feet of office uses.

(D) All other uses. One square foot of floor area is equivalent to one square foot of office uses.

(2) The preceding equivalency chart only applies to the first 137,000 square feet of office development, or its equivalent, on the Property.

(b) Development between 137,001 and 725,000/775,000 square feet. Upon the completion of the Caruth Haven extension and a right turn lane on eastbound Northwest Highway at the Caruth Haven extension, development on the Property is limited to a maximum of 725,000 square feet of floor area for all uses. A minimum of 500,000 square feet of the 725,000 square feet must consist of multifamily floor area. Development on the Property may exceed 725,000 square feet, up to a maximum of 775,000 square feet of floor area without triggering the "M" Section improvements referenced in Section 51P-463.112(c) below, if a minimum of 50,000 square feet of floor area consists of retirement housing, convalescent and nursing home, hospice care and related institutions, and assisted living facility floor area in Zone D of Tract III.

(c) Development in excess of 725,000/775,000 square feet. Upon completion of the improvements contained in Section 51P-463.112(b) above and the "M" Section of the North Central Expressway project, certificates of occupancy may be issued to the fullest extent allowed under this article. For purposes of this condition, the "M" Section of the North Central Expressway project means the improvements to North Central Expressway, interchanges, ramps, main lanes, and service roads between Walnut Hill Lane and Southwestern Boulevard as shown on Exhibit 463B.

(d) Application of Subsection (c). Building permits authorizing development in excess of 725,000/775,000 square feet of floor area may be issued prior to completion of the "M" Section of the North Central Expressway project.

#### **SEC. 51P-463.113. MANDATORY TRANSPORTATION IMPROVEMENTS.**

(a) Deceleration lanes. All entry points to the Property from Northwest Highway and the North Central Expressway service road must have a deceleration lane. Exit driveways onto the North Central Expressway service road are limited to one lane of operation.

(b) Nonresidential parking sites. Each nonresidential parking site within the Property must have access to two perimeter streets (Northwest Highway and Caruth Haven Lane), through routes internal to the Property. (Ord. Nos. 22978; 26042; 26880)

**SEC. 51P-463.114. LANDSCAPING.**

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

(b) Tracts III and IV. Landscaping must be provided as shown on the Tracts III and IV landscape plan (Exhibit 463D).

(c) Prior to the submission of an application for a building permit on the Property, a tree survey must be completed and submitted to the building official.

**SEC. 51P-463.115. OPEN SPACE.**

Open space is required to be provided within Tracts I, III, and IV. Open space must consist of either a "landscape area," as defined in Section 51A-10.101 or a "pedestrian facility," as defined in Section 51A-10.126. The required open space area on Tract I must total a minimum of 20 percent of the total land area of Tract I. The required open space area on Tracts III and IV must total a minimum of 20 percent of the total land area of Tracts III and IV. Surface parking areas are not considered open space.

**SEC. 51P-463.116. ADDITIONAL PROVISIONS.**

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

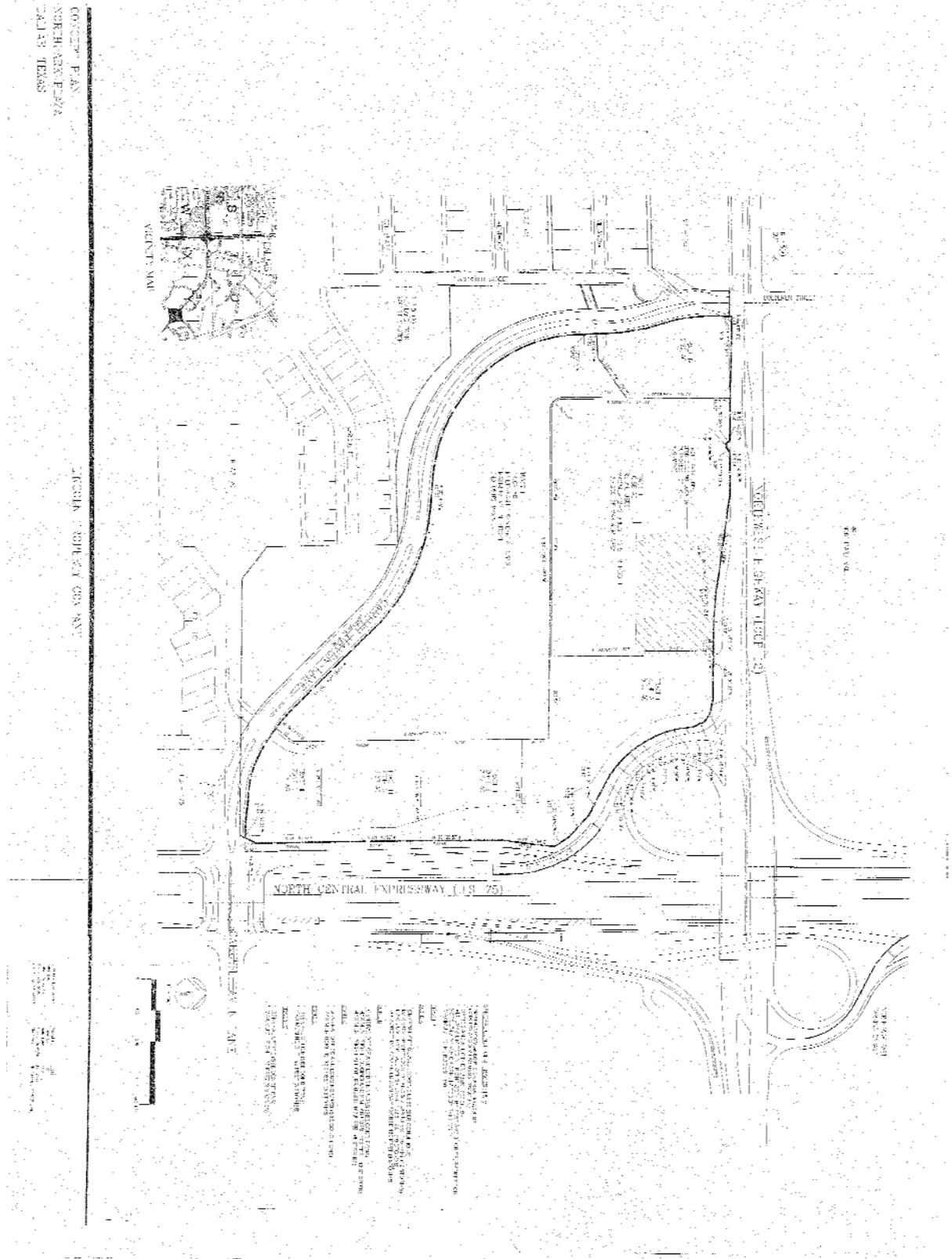
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

**SEC. 51P-463.117. PAVING.**

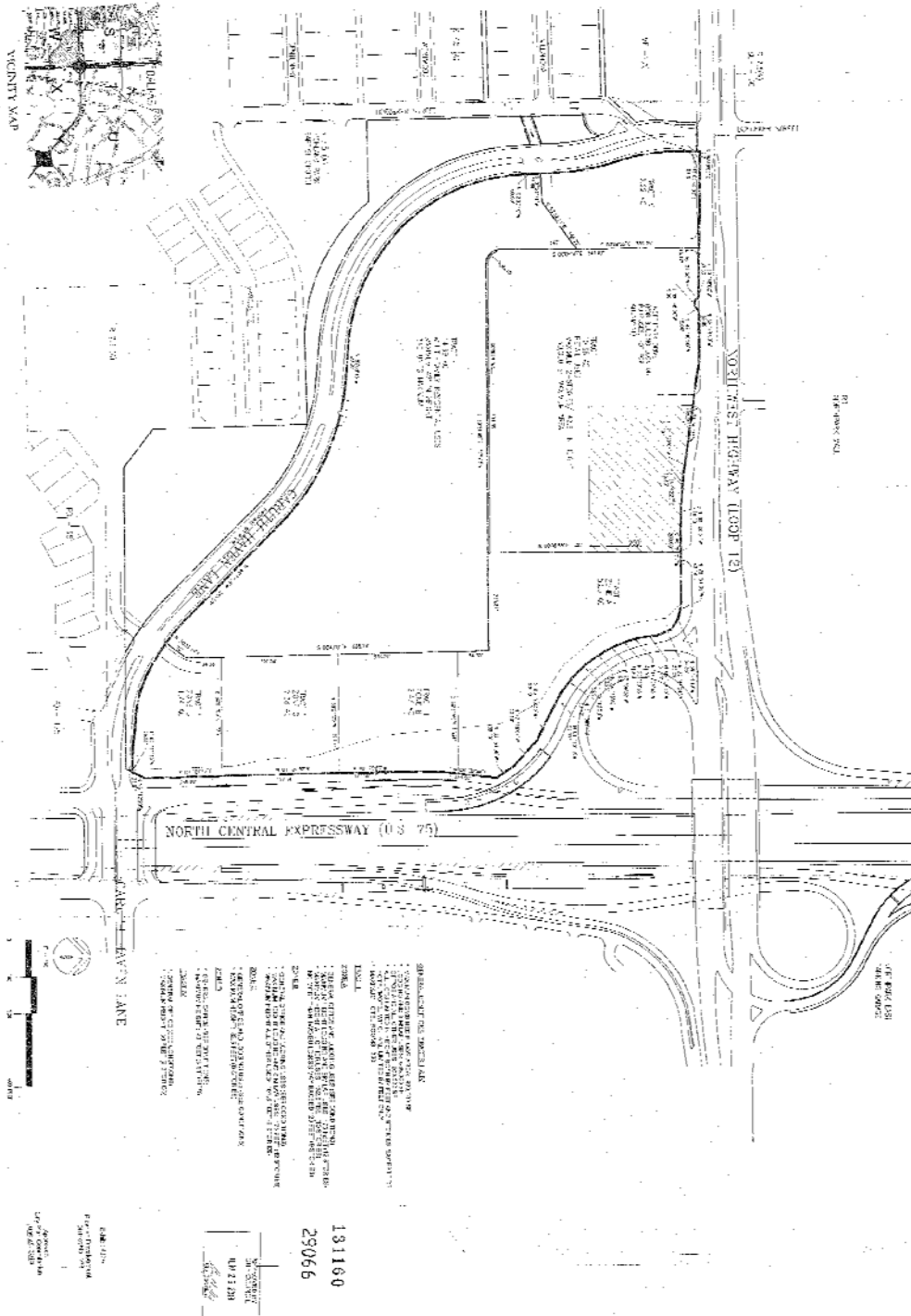
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

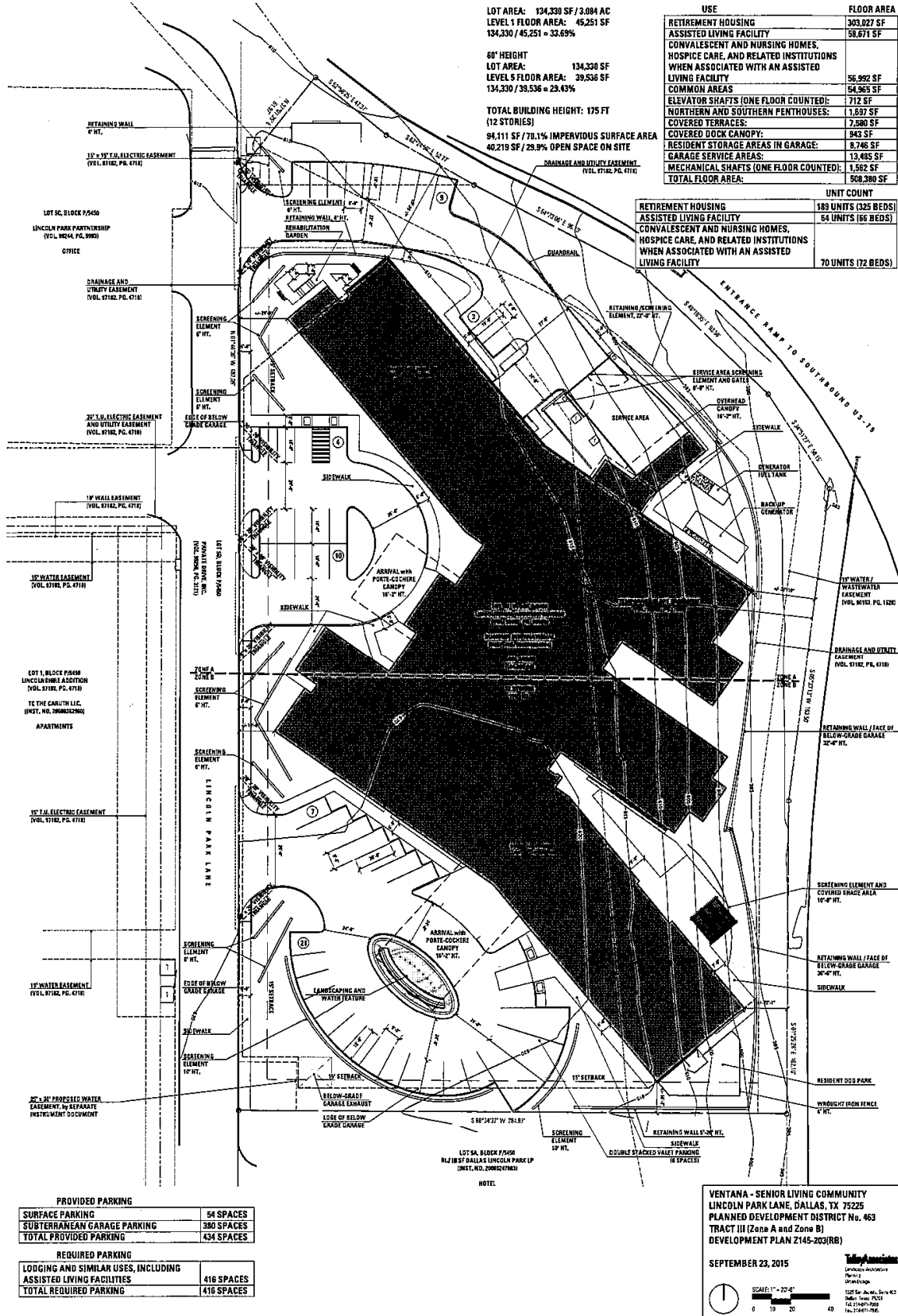
**SEC. 51P-463.118. COMPLIANCE WITH CONDITIONS.**

The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city

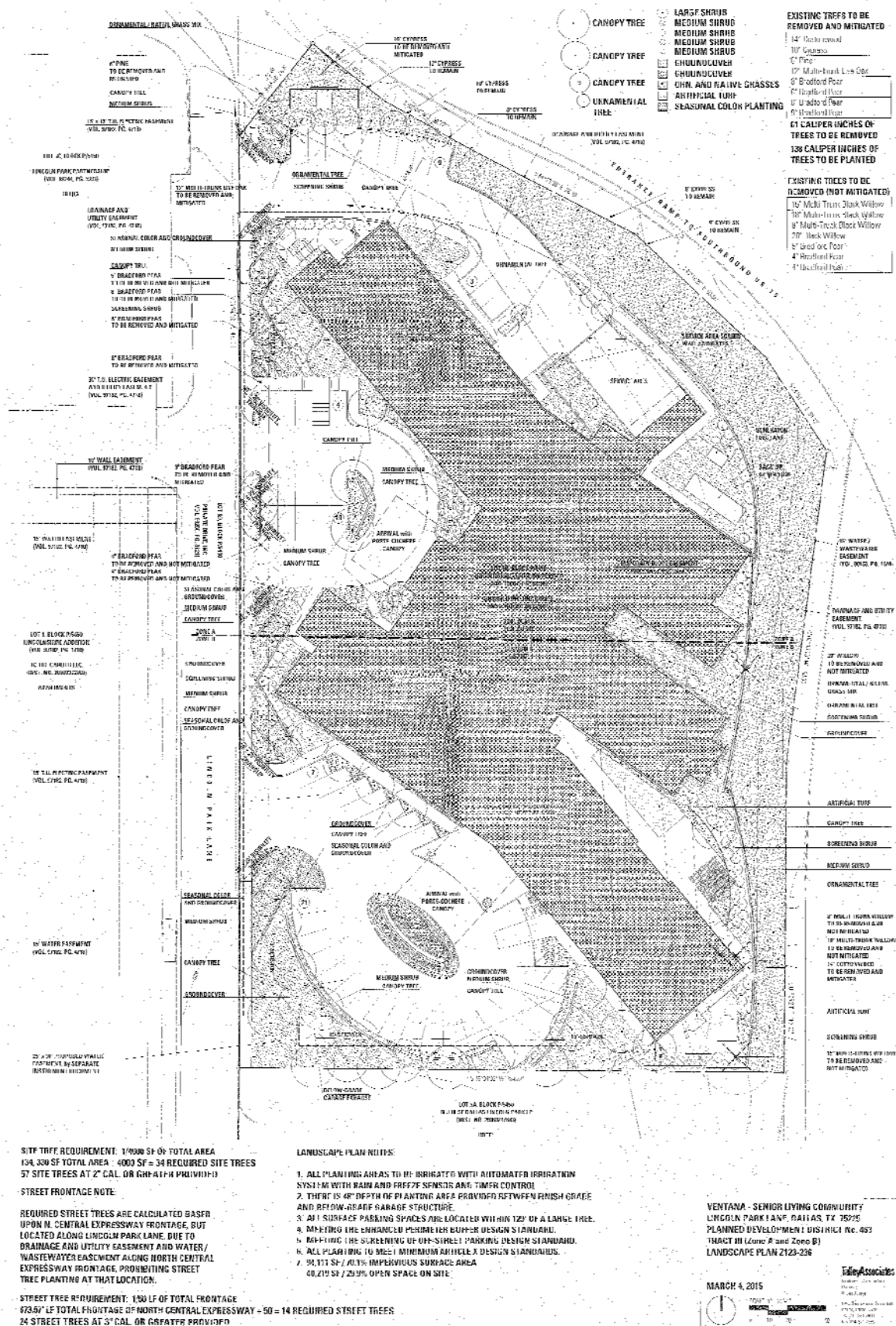


LINGUISTIC PROPERTY COMPANY

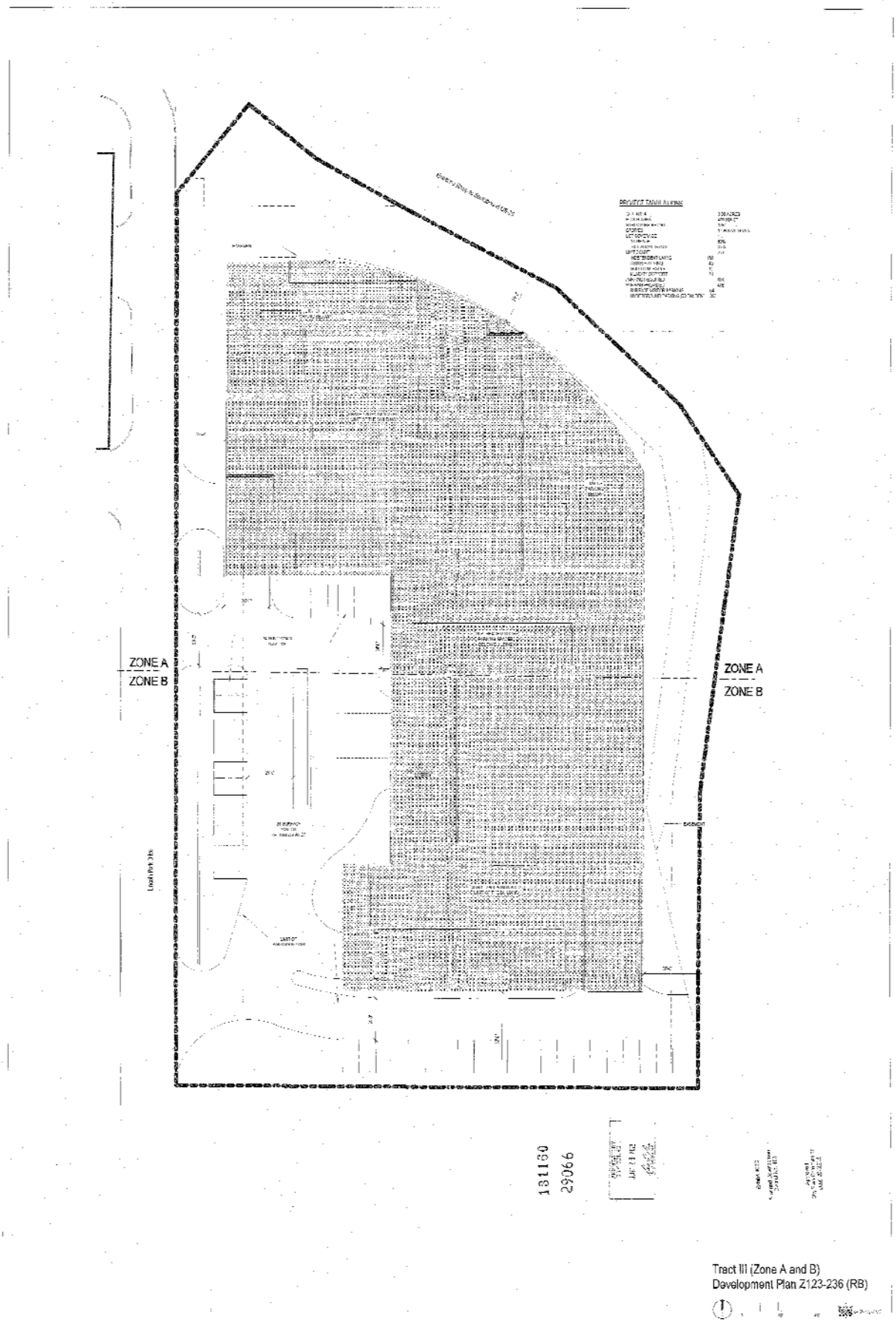


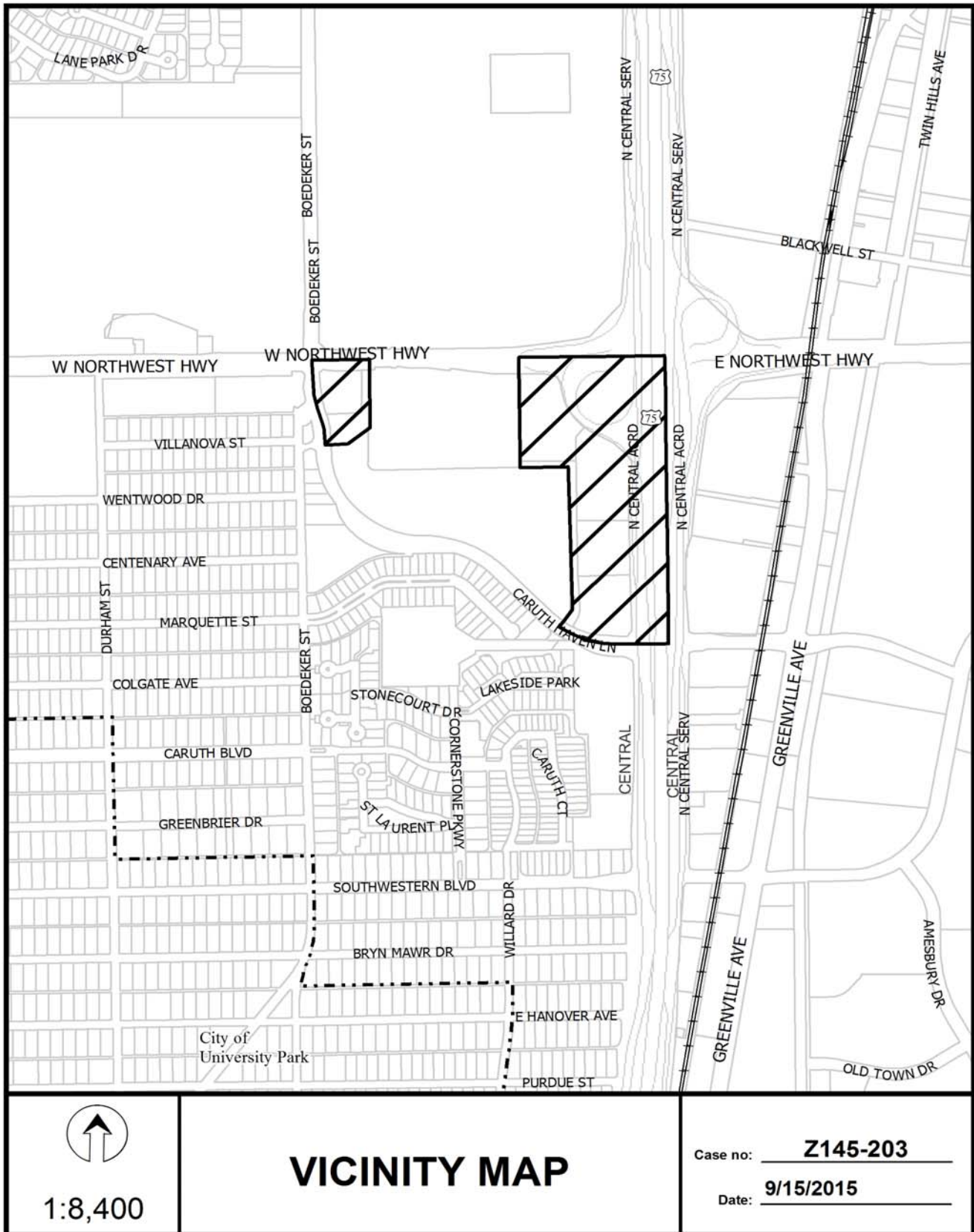


## Proposed Tract III (Zone A and B) Development Plan





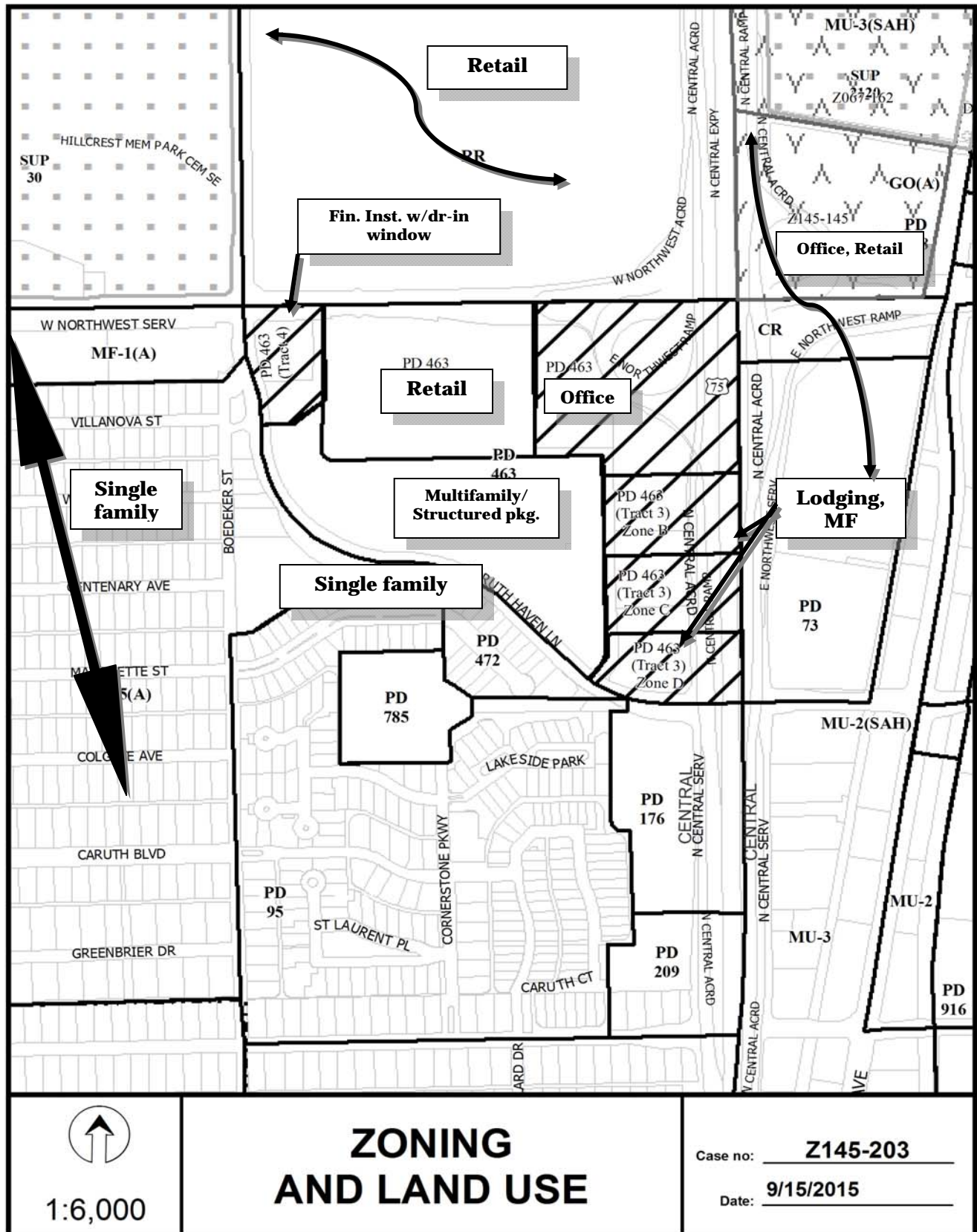


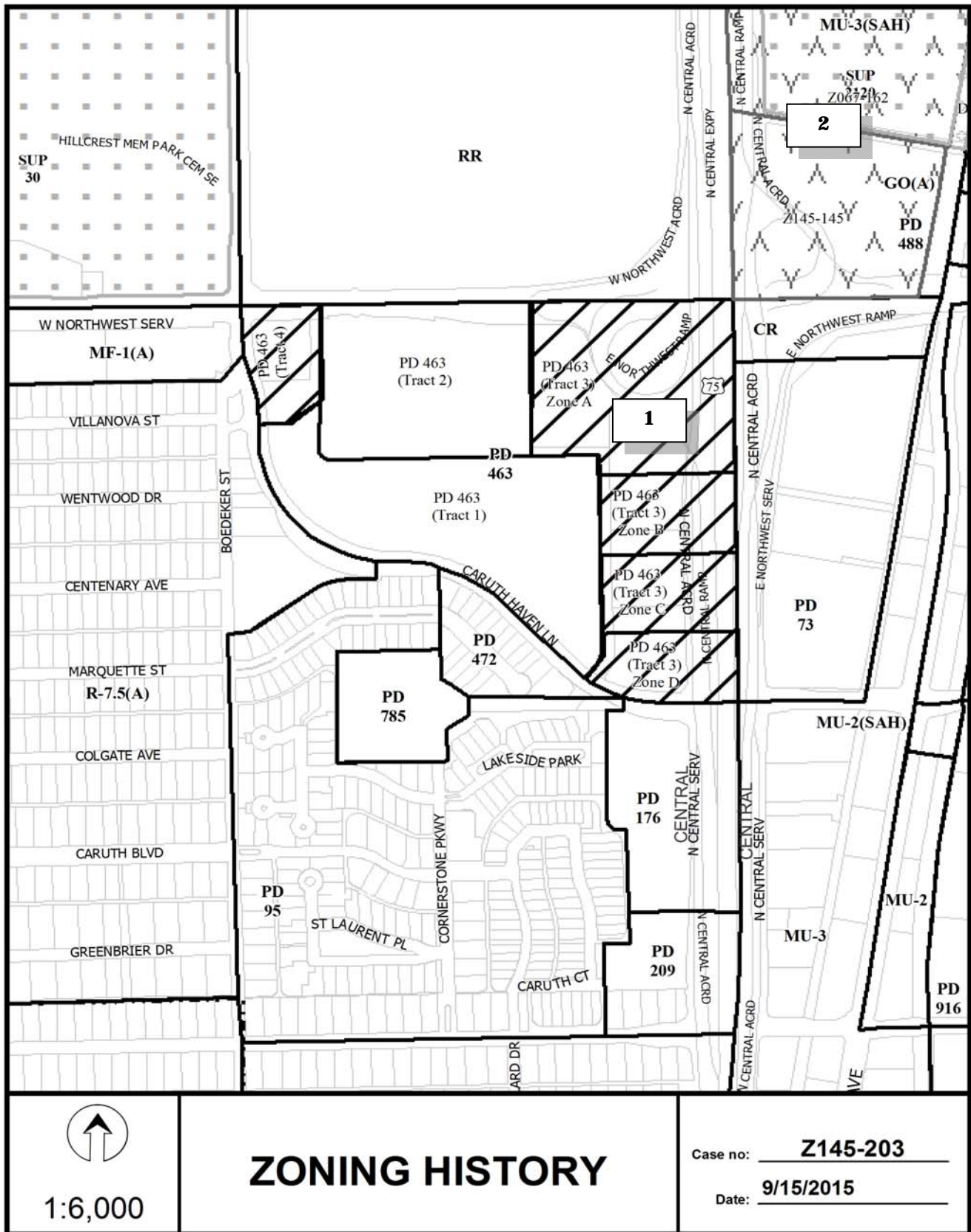


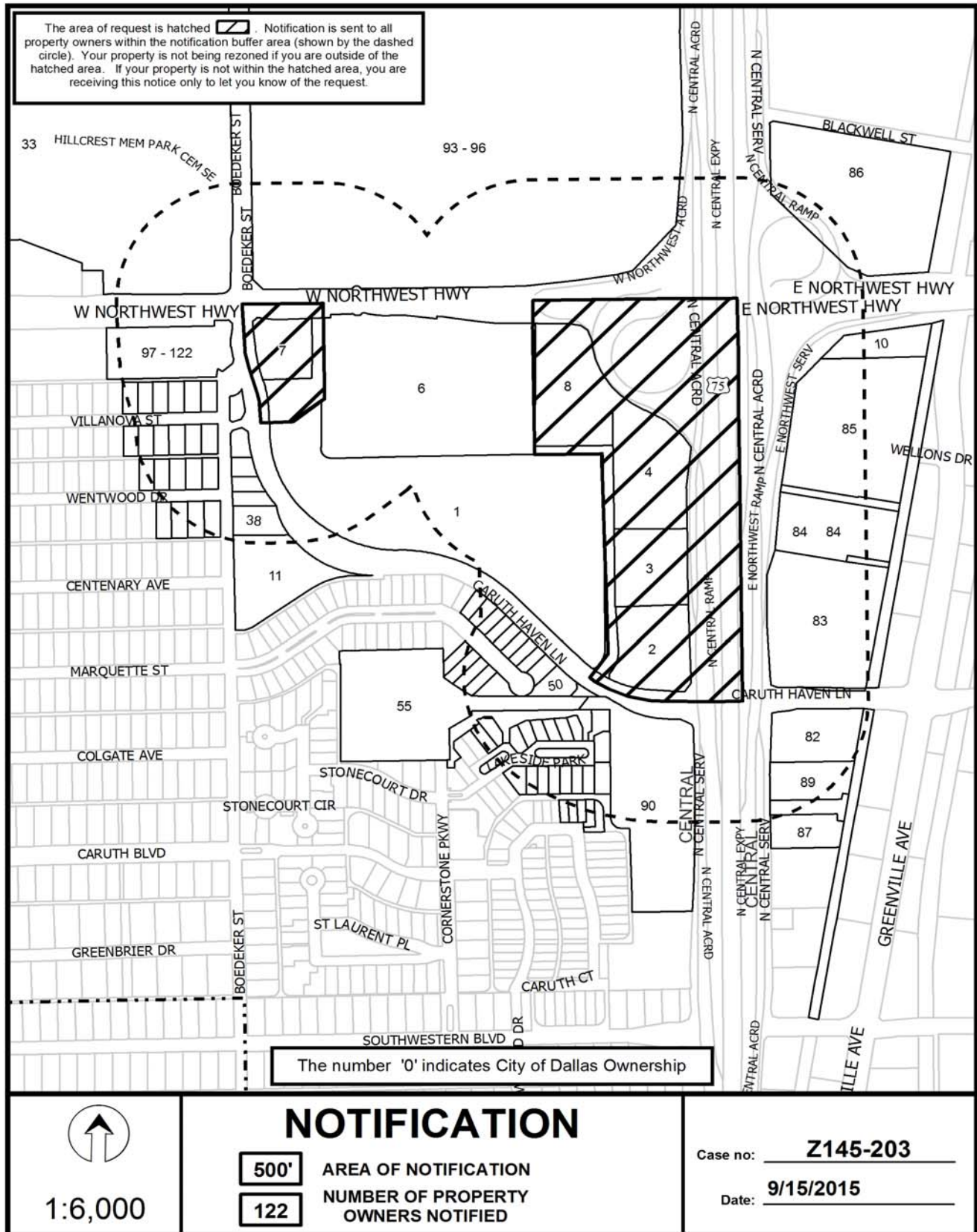














09/15/2015

***Notification List of Property Owners******Z145-203******122 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5445 CARUTH HAVEN LN	T C THE CARUTH LLC
2	5585 CARUTH HAVEN LN	CARUTH HAVEN LP
3	8221 CENTRAL EXPY	RLJ III SF DALLAS LINCOLN PARK LP
4	8401 CENTRAL EXPY	BUCKNER SENIOR LIVING INC
5	5500 CARUTH HAVEN LN	PRIVATE DRIVE INC
6	7700 NORTHWEST HWY	INLAND WESTERN DALLAS
7	7600 NORTHWEST HWY	FIRST NATIONAL BANK OF
8	8401 CENTRAL EXPY	PIEDMONT ONE LINCOLN PARK LP
9	8250 CENTRAL EXPY	BLACK FOREST CC HOTEL LLC
10	5600 NORTHWEST HWY	RODDIMEYER III LLC
11	8202 BOEDEKER ST	HIGHLAND BAPTIST CHURCH
12	7528 WENTWOOD DR	SANDERS GRACE B
13	7532 WENTWOOD DR	ELKINS KATHLEEN
14	7538 WENTWOOD DR	BUNCH BRIAN A
15	7542 WENTWOOD DR	CRAFT RON
16	7516 VILLANOVA ST	WIETHOFF ANDREA J
17	7520 VILLANOVA ST	MESEC NICHOLAS ROBERT
18	7524 VILLANOVA ST	KING SARAH COKE
19	7530 VILLANOVA ST	SPETMAN MICHELLE KAY
20	7534 VILLANOVA ST	JONES RODNEY B & JEANNE V
21	7540 VILLANOVA ST	PRIDE KARON ASHLEY
22	7541 WENTWOOD DR	PIRANIO CATHERINE
23	7535 WENTWOOD DR	OPPENHEIM THOMAS K
24	7531 WENTWOOD DR	TURNER HEATHER
25	7525 WENTWOOD DR	WESTWOOD ASSETS LLC
26	7521 WENTWOOD DR	TOWN CREEK CAPITAL LLC

09/15/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7517 VILLANOVA ST	WITTEN GEORGE R
28	7521 VILLANOVA ST	ALLEMAN MARTIN J & SARA B
29	7525 VILLANOVA ST	PITCHFORD JOSEPH &
30	7531 VILLANOVA ST	CERCONE ALBERT B
31	7535 VILLANOVA ST	RAWLINS NORA ELDREDGE
32	7541 VILLANOVA ST	REDDICK EDITH DALE
33	7323 NORTHWEST HWY	HILLCREST MEMORIAL PARK
34	8258 BOEDEKER ST	HUNT DALLAS M
35	8306 BOEDEKER ST	WALLACE TOMMIE R
36	8310 BOEDEKER ST	SANDLIN ROBERT H
37	8314 BOEDEKER ST	WOOLSEY JOHN B & DEBRA
38	8250 BOEDEKER ST	SMITH KEVIN
39	8420 BOEDEKER ST	RIKE HAZEL M
40	7800 CARUTH HAVEN LN	CFTH INC
41	7815 MARQUETTE ST	BURKE E J III & BARBARA R
42	7819 MARQUETTE ST	DUFFY MICHAEL S
43	7823 MARQUETTE ST	HEADINGTON TIMOTHY
44	7827 MARQUETTE ST	TERRY MICHAEL F
45	7831 MARQUETTE ST	PRESTIDGE CLAUDE B &
46	7835 MARQUETTE ST	RUMAN BEVERLY M
47	7839 MARQUETTE ST	GOFF WILLIAM R & ELFI MARTINA K
48	7843 MARQUETTE ST	JOHNSON SALLY K
49	7847 MARQUETTE ST	ODOM FLOYD CLARK
50	7853 MARQUETTE ST	EMERY RICHARD W &
51	7824 MARQUETTE ST	HARMAN WALKER G & ELAINE M
52	7836 MARQUETTE ST	PLENGE CHARLES F &
53	7842 MARQUETTE ST	CORCORAM THOMAS J &
54	7848 MARQUETTE ST	STALEY JOE H JR & LINDA B
55	5556 CARUTH HAVEN LN	COMMUNITIES FOUNDATION OF
56	7907 CARUTH CT	DUNLAP CATHERINE A H
57	7911 CARUTH CT	ROGERS NANCY C

09/15/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7915 CARUTH CT	MIGHELL ROBERT W &
59	7919 CARUTH CT	KUHLMANN MARY LOUISE
60	7923 CARUTH CT	CROCKETT JACK
61	6 LAKESIDE PARK	COMER CHASE KENT &
62	7 LAKESIDE PARK	LOMAX REVOCABLE TRUST
63	8 LAKESIDE PARK	NORTON DEE H JR & JOANN
64	9 LAKESIDE PARK	MATHEWS ERIN DONAHUE &
65	22 LAKESIDE PARK	LAKESIDE PARK HOMEOWNERS
66	10 LAKESIDE PARK	GRAY HELEN S
67	11 LAKESIDE PARK	KURACHEK PETER & MARY E
68	12 LAKESIDE PARK	RAPHAEL JOHN A & ROBBIE M
69	14 LAKESIDE PARK	ENLOW EUGENE C &
70	15 LAKESIDE PARK	FISHER MARIE R REV TR
71	16 LAKESIDE PARK	BARNETT DOYLE W &
72	17 LAKESIDE PARK	PAPE GREGORY WARREN
73	18 LAKESIDE PARK	LEONARD JOHN SLOAN JR & MARY LOIS
74	19 LAKESIDE PARK	CHESNUT WILLIAM G JR
75	20 LAKESIDE PARK	SHINE DON M & SONDRAL C
76	21 LAKESIDE PARK	LAFITTE DARRELL M &
77	22 LAKESIDE PARK	MANKOFF RONALD M DALLAS QUALIFIED
78	22 LAKESIDE PARK	MANKOFF RONALD M
79	23 LAKESIDE PARK	BURFORD SAM P JR
80	401 BUCKNER BLVD	DART
81	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT
82	8080 CENTRAL EXPY	DALLAS NCX PROPERTIES
83	8150 CENTRAL EXPY	CAMPBELL CENTRE LTD PS
84	8250 CENTRAL EXPY	BLACK FOREST CC HOTEL LLC
85	8350 CENTRAL EXPY	CAMPBELL CENTRE LTD PS
86	8750 CENTRAL EXPY	8750 NCE DALLAS LLC
87	7830 CENTRAL EXPY	ROSEBRIAR CARUTH HAVEN LP
88	7940 CENTRAL EXPY	ROSEBRIAR CARUTH HAVEN LP

09/15/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	7940 CENTRAL EXPY	ROSEBRIAR CARUTH HAVEN LP
90	5500 CARUTH HAVEN LN	COMMUNITIES FOUNDATION OF
91	7830 MARQUETTE ST	SQUIBB WILLIAM A
92	13 LAKESIDE PARK	TONKON MAX E & MARILYN
93	8850 BOEDEKER ST	NORTHPARK NATIONAL BANK
94	0 NORTHPARK	NEIMAN MARCUS CO LESSEE
95	8687 CENTRAL EXPY	NORTHPARK LAND PARTNERS
96	7901 NORTHWEST HWY	NORDSTROM
97	7510 NORTHWEST HWY	MYERS AMY JO
98	7510 NORTHWEST HWY	FOSTER TIM & DEBORA
99	7510 NORTHWEST HWY	MOORE EDWARD &
100	7510 NORTHWEST HWY	CHAPMAN ROBERT J
101	7510 NORTHWEST HWY	JONES ORVIL &
102	7510 NORTHWEST HWY	LOVELACE JOHN A & MARY E
103	7510 NORTHWEST HWY	TPR LLC
104	7510 NORTHWEST HWY	DARST MARTHA A
105	7510 NORTHWEST HWY	MOORE ELIZABETH F D
106	7520 NORTHWEST HWY	NEFF PAMELA J
107	7520 NORTHWEST HWY	BELL ELIZABETH J
108	7520 NORTHWEST HWY	SOETENGA DOUWE H & SUE
109	7520 NORTHWEST HWY	DONNELLY MARGARET A
110	7520 NORTHWEST HWY	BLACKBURN NORMA
111	7520 NORTHWEST HWY	GREENHAW LARRY D
112	7520 NORTHWEST HWY	WILLIAMS MICHAEL D & SUSAN W
113	7520 NORTHWEST HWY	SCIORTINO DOMENICA
114	7520 NORTHWEST HWY	DONNELLY MARGARET
115	7526 NORTHWEST HWY	PATRICK JAMES MICHAEL & ANGIE LYNN
116	7526 NORTHWEST HWY	FORD BEULAH A
117	7526 NORTHWEST HWY	HORN DAVID CHRISTOPHER & BARBARA JEAN
118	7526 NORTHWEST HWY	TUCKER DAVID C
119	7526 NORTHWEST HWY	THRASHER DIANE T

Z145-203(RB)

09/15/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	7526 NORTHWEST HWY	DELOACH JAMES L & SUSAN H
121	7526 NORTHWEST HWY	COOLEY DAWN L
122	7526 NORTHWEST HWY	CONNER ERNEST JR

**FILE NUMBER:** Z145-140(OTH)

**DATE FILED:** December 10, 2014

**LOCATION:** South of Goodwin Avenue, east of Greenville Avenue

**COUNCIL DISTRICT:** 14

**MAPSCO:** 36-P

**SIZE OF REQUEST:** Approx. 615 sq. ft.

**CENSUS TRACT:** 02.02

**APPLICANT:** Verizon Wireless

**REPRESENTATIVE:** Kathy Zibilich, Griffin Harris PLLC

**OWNER:** 2900 Greenville Trust

**REQUEST:** An application for a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District.

**SUMMARY:** The applicant proposes to build a 65-foot, 5-inch tall monopole cellular tower. The request site is approximately 615 square feet and is located within a parking lot of a multi-tenant retail development. The existing CR zoning allows a tower/antenna for cellular communication to be constructed up to a height of 65 feet by right; however, Chapter 51A requires that it meet residential proximity slope requirements. If the tower/antenna for cellular communication exceeds 65 feet in height, an SUP is required. Chapter 51A permits an exemption to residential proximity slope height restrictions for monopole cellular towers that exceed 65 feet in height via Specific Use Permit approval. Chapter 51A does not permit this exemption for monopole cellular towers 65 feet or less in height with or without Specific Use Permit approval.

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

**CPC PREVIOUS ACTION:** At the request of the applicant, this case was held under advisement on February 19, 2015; April 2, 2015; June 4, 2015; and August 20, 2015. There have been no changes to the request.



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

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

1. *Compatibility with surrounding uses and community facilities* – The proposed use will not have a negative impact in the surrounding area. The proposed tower will be in close proximity to a retail area and will be shielded by local utility transmission and distribution lines as well as existing structures and existing large trees in the neighborhood.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use will not deter or contribute to the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety, or general welfare of the surrounding community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed use complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

**Zoning History:** There have been two recent zoning changes in the area:

1. **Z123-114** On March 27, 2013, the City Council approved a new subarea within Conservation District No. 9 on property on the southwest corner of Greenville Avenue and Vanderbilt Avenue.
2. **BDA 101-039** On Tuesday, May 17, 2011, the Board of Adjustment granted a variance of 15 feet to the front yard setback, subject to conditions at 2815 Greenville Avenue.

## **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Local	60 feet

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR	Parking lot
North	CR	Retail
East	CS & R-7.5(A)	Retail & Single Family
South	CS	Retail & office
West	CR	Retail

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

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

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

The *forwardDallas! Comprehensive Plan* does not directly address the tower/antenna for cellular communication limited to a monopole cellular tower use. Uses permitted by Special Use Permits should be compatible with the neighborhood. The proposed tower

will be shielded by the surrounding buildings and large trees in the area. There are several utility structures that will shield the proposed structure.

**Land Use Compatibility:**

The CR Community Retail District, where this property is located is surrounded by single family development which all are part of Conservation Districts No. 9 and 11 to the north, P(A) Parking District to the west and Conservation District No. 15. There are also office and retail uses to the west and south of the proposed site. The closest residential dwelling unit is approximately 75 feet east of the proposed use.

Because the height of the proposed tower requires an SUP based upon the height exceeding 65 feet, it is exempt from residential proximity slope (RPS) regulations per Chapter 51A. Monopole towers 65 feet or less are subject to RPS regulations. The proposed location will be approximately 60 feet away from the R-7.5(A) zoning.

The monopole cellular tower meets the following requirements:

1. The pole portion of a monopole cellular tower may not exceed 42 inches in diameter; microwave dishes or similar devices up to three feet in diameter may be mounted on the pole portion of a monopole cellular tower.
2. No more than two dishes or similar devices may be placed on a monopole cellular tower.
3. The platform portion of a monopole cellular tower may not have a horizontal cross sectional area greater than 196 square feet. The depth of the platform may not exceed 4 feet, excluding any whip antenna.

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

**Parking:**

The Building Inspection Division determined that the proposed equipment and structures are not 120 square feet or more, therefore it is not required to provide any parking.

Z145-140(OTH)

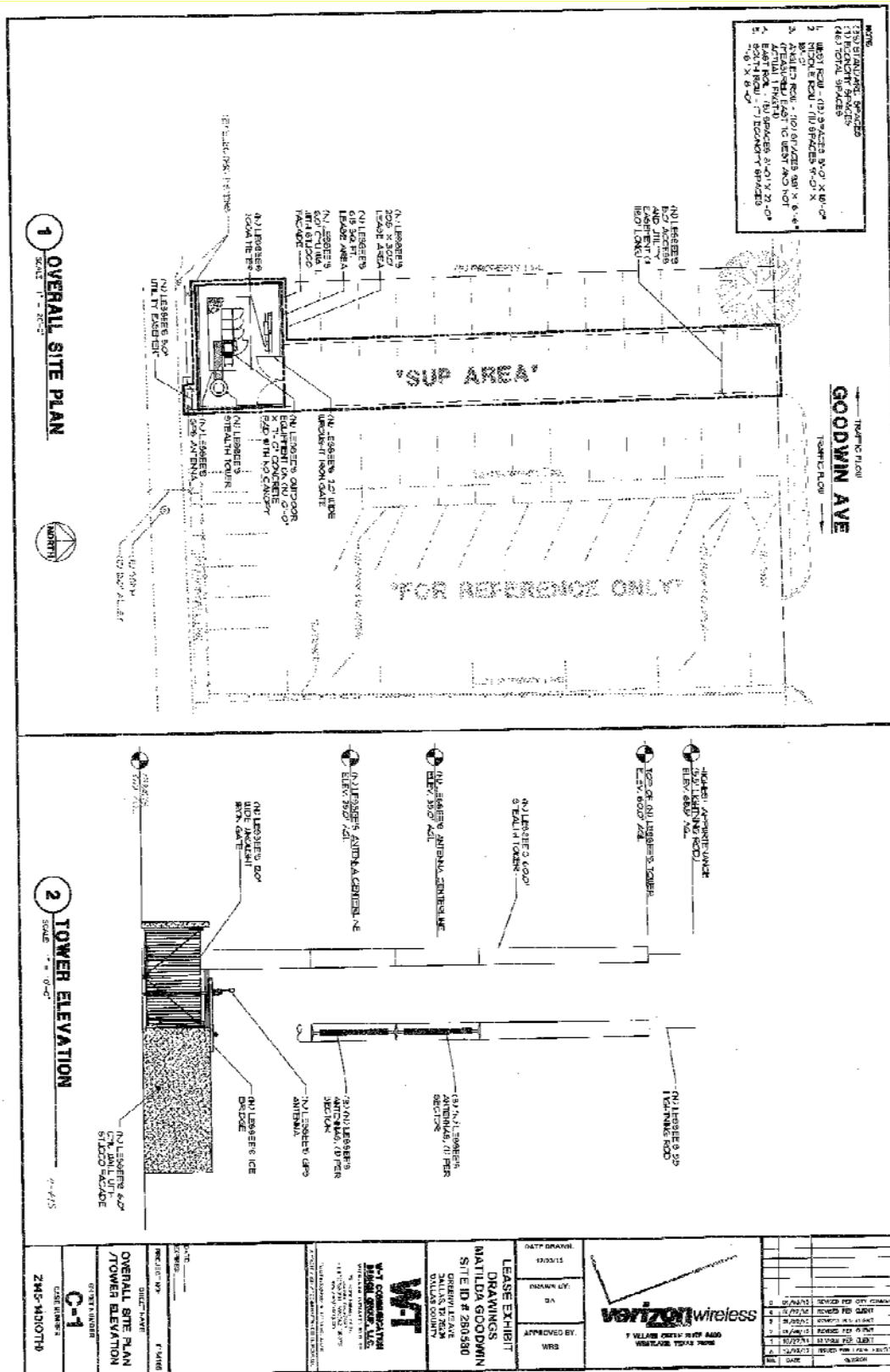
**Landscaping:**

Additional landscaping requirements are not triggered with this request.

**Proposed Conditions  
Z145-140(OTH)**

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

## Proposed Site Plan





**List of Partners**

Madison Pacific Development Company, Inc. list of principals and officers

Name: Susan B Reese

Position held: President

Name: Larry Vineyard

Position held: Vice President

<b>DALLAS MTA, L.P.</b>	
Texas Taxpayer Number	17526822550
Mailing Address	1 VERIZON PL ALPHARETTA, GA 30004-8510
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	08/16/1995
Texas SOS File Number	0008283611
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	1999 BRYAN ST., STE. 900 DALLAS, TX 75201

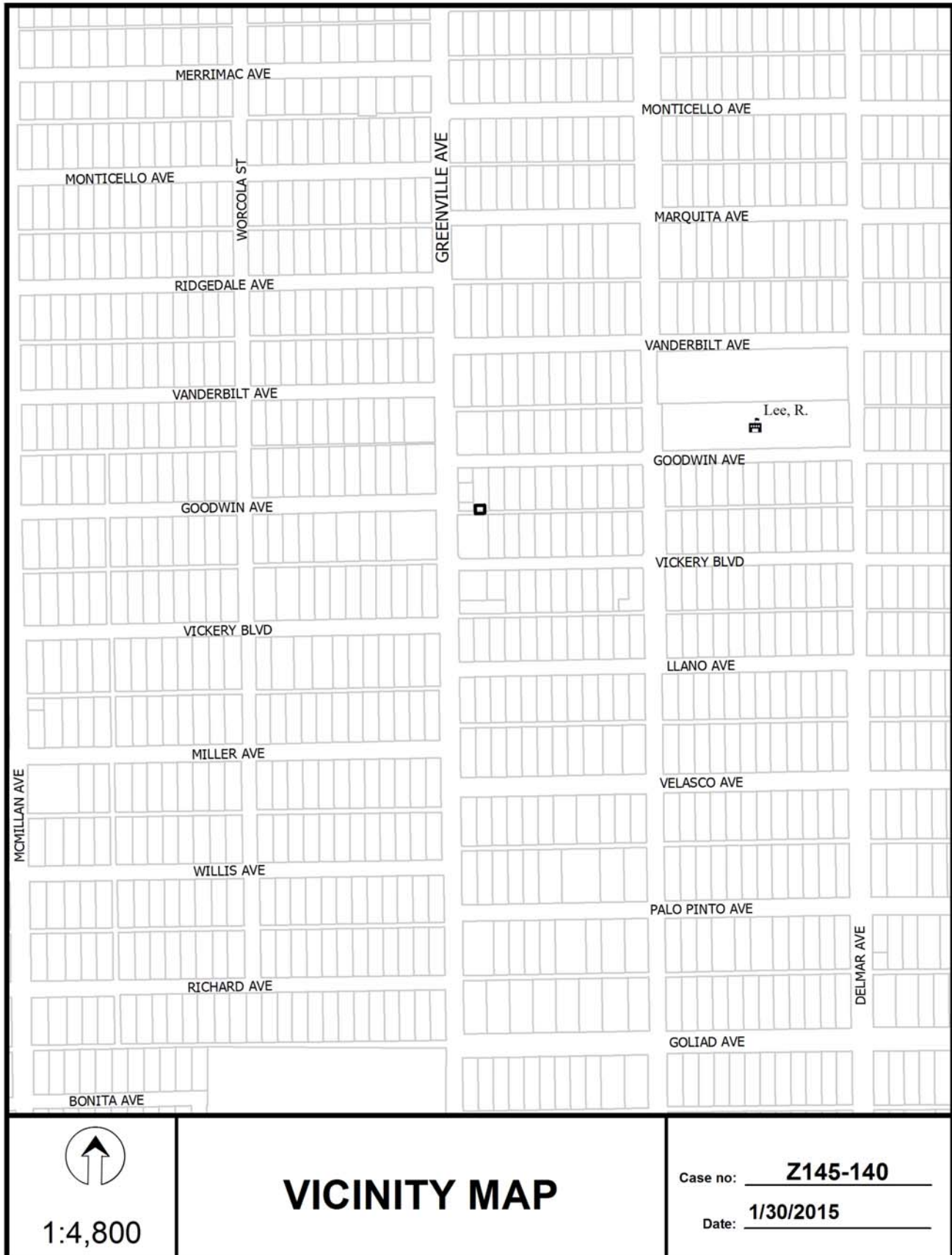
General Partner: Verizon Wireless Texas LLC

No individual Limited partners.

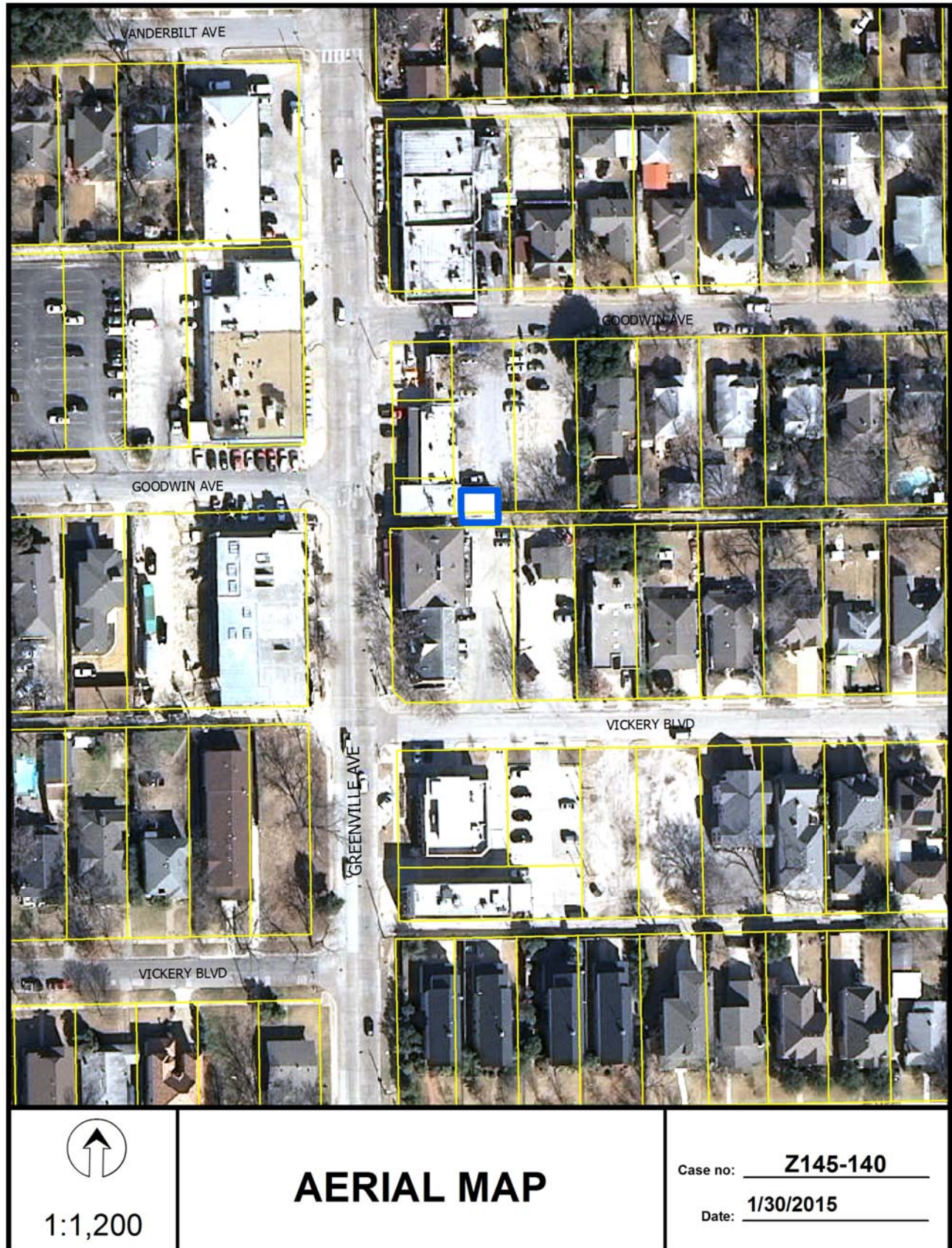
Dallas MTA LP is ultimately 100%  
owned by Verizon Wireless, a public company.

VERIZON WIRELESS TEXAS, LLC	
Texas Taxpayer Number	12237241729
Mailing Address	1 VERIZON PL C/O TAX DEPT ALPHARETTA, GA 30004-8510
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	11/03/2000
Texas SOS File Number	0707769823
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	350 N. ST. PAUL ST. STE. 2900 DALLAS, TX 75201

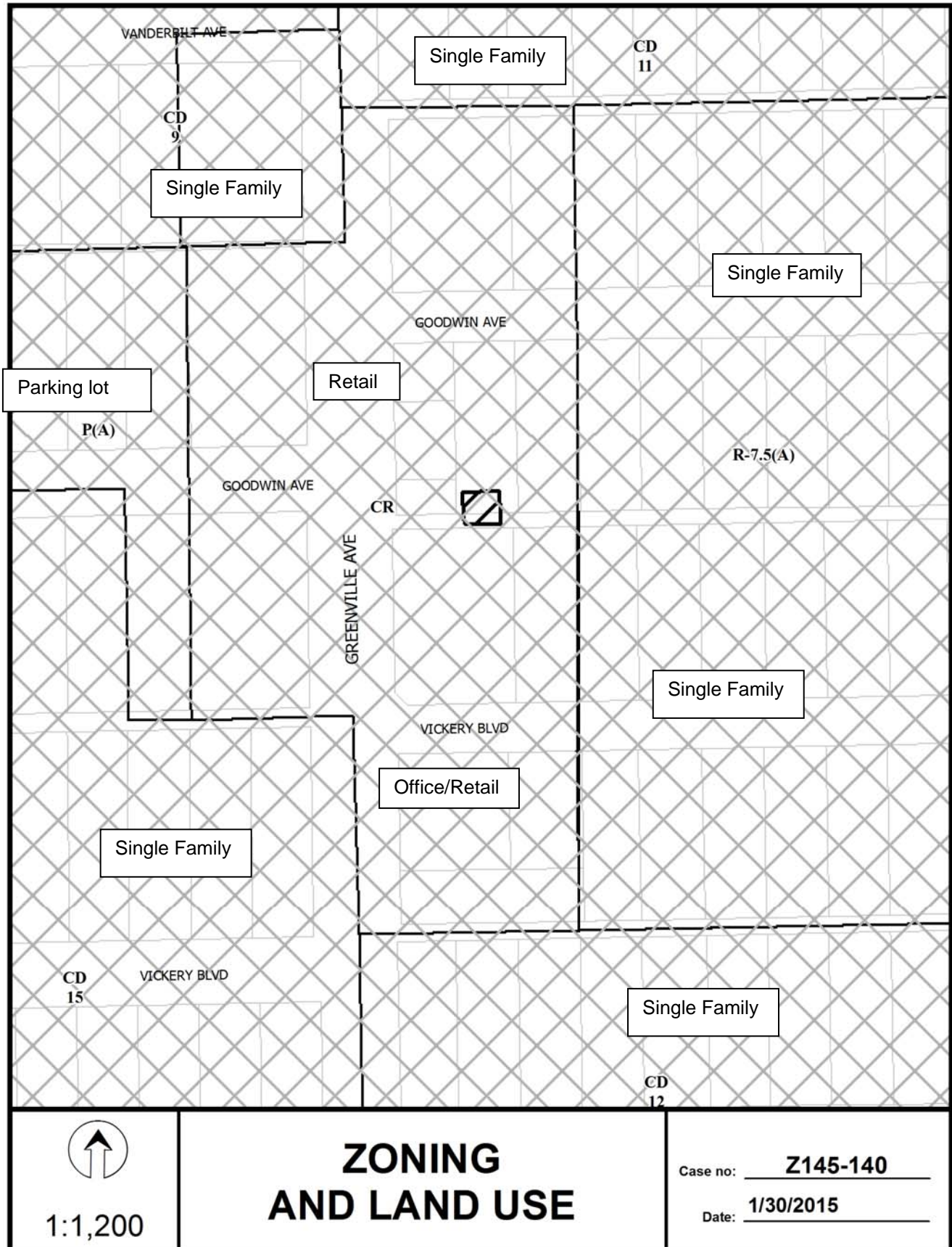
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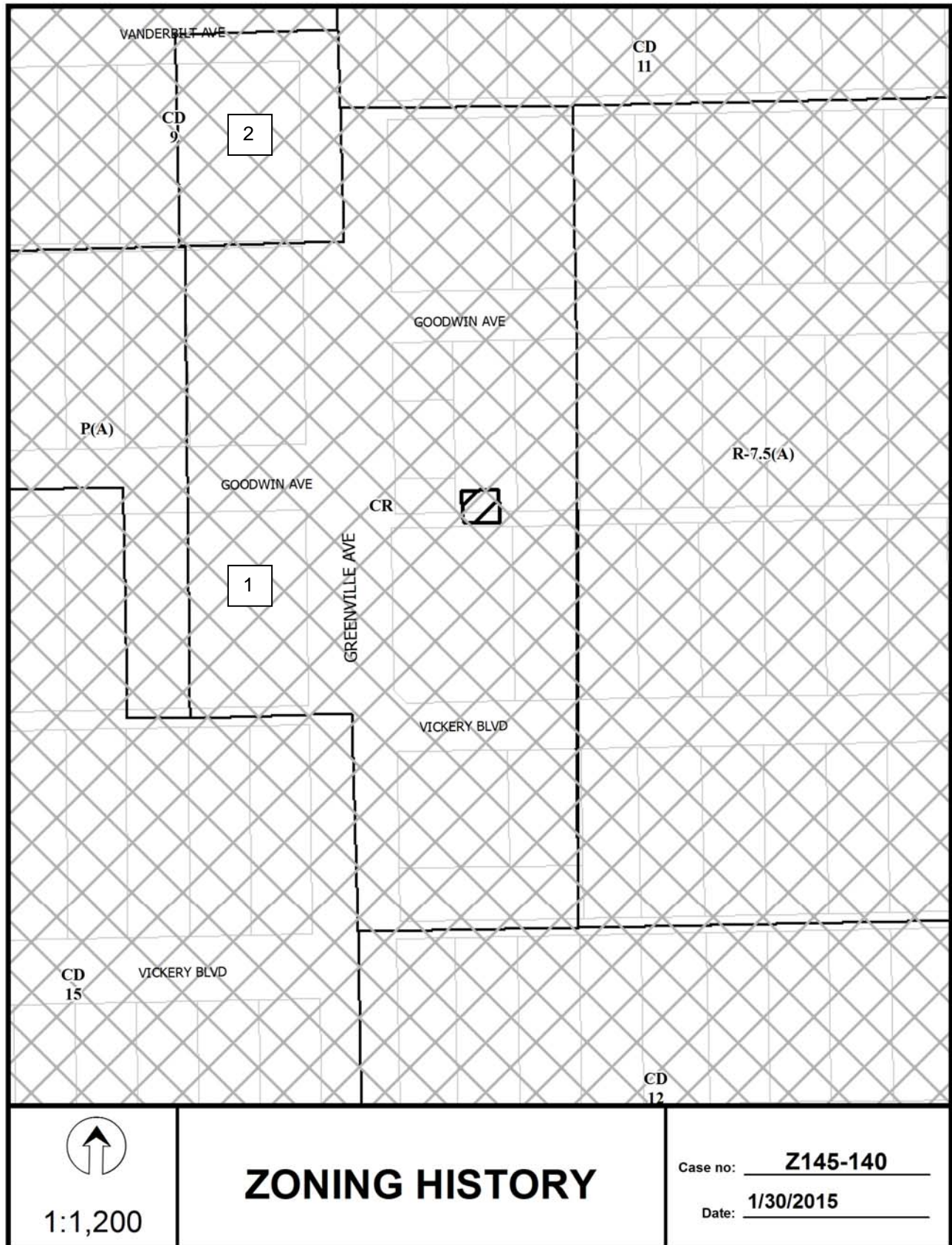














The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only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

The number '0' indicates City of Dallas Ownership

 <p>1:1,200</p>	<h2 style="margin: 0;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">20</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	<p>Case no: <u><b>Z145-140</b></u></p> <p>Date: <u><b>1/30/2015</b></u></p>
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01/30/2015

***Notification List of Property Owners******Z145-140******20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5706 GOODWIN AVE	2900 GREENVILLE TRUST
2	5714 GOODWIN AVE	PHILLIPS JAMES T
3	5718 GOODWIN AVE	COHN ERIC
4	5722 GOODWIN AVE	COHN ERIC
5	5723 VICKERY BLVD	LAMPLIGHT PROPERTIES
6	5717 VICKERY BLVD	AGUIRRE JUANA T
7	5713 VICKERY BLVD	REEDER VIRGINIA
8	5711 VICKERY BLVD	GRAPE BUILDING J V
9	5714 VICKERY BLVD	WILLIAMS HARDMON III &
10	5711 GOODWIN AVE	CASS DON TRUSTEE
11	5715 GOODWIN AVE	RESENDIZ CONSTANTINO I &
12	5710 VICKERY BLVD	K&B COMMERCIAL TEXAS ETAL
13	2820 GREENVILLE AVE	RUBIN MARTIN J
14	2810 GREENVILLE AVE	GRAPE BLDG JT VTR
15	2818 GREENVILLE AVE	RUBIN MARTIN J
16	2815 GREENVILLE AVE	GREENVILLE LANDMARK VENT
17	2901 GREENVILLE AVE	REISBERG FRED INV LTD
18	2900 GREENVILLE AVE	MADISON PACIFIC
19	2808 GREENVILLE AVE	GRAPE BUILDING JV
20	2724 GREENVILLE AVE	CIGS II 5 LLC

**FILE NUMBER:** Z145-181(OTH)

**DATE FILED:** February 9, 2015

**LOCATION:** Bounded by McKinney Avenue, Laws Street, Munger Avenue and North Lamar Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 45-K

**SIZE OF REQUEST:** ± 1.0459 acres

**CENSUS TRACT:** 21.00

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**APPLICANT/OWNER:** Uplift Education – Ann Stevenson

**REPRESENTATIVE:** Brian Nelson

**REQUEST:** An application for the renewal of Specific Use Permit No. 1803 for an open enrollment charter school on property zoned a CA-1(A) Central Area District.

**SUMMARY:** The applicant proposes continue the use of the property as an open enrollment school on the site. There are no changes to the site plan or conditions of the SUP. The site is developed with a multi-story building housing the existing open-enrollment charter school and a parking garage. The school has an enrollment of 450 students, 24 classrooms and serves children from K to 5th grades. The SUP was originally approved in May 23, 2010 for five years with eligibility for automatic renewals of additional five-year periods. The applicant missed the time frame to obtain an automatic renewal.

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

**CPC PRIOR ACTION AND UPDATE:** On October 1, 2015, June 12, 2015, and September 3, 2015, the City Plan Commission held this item under advisement. The applicant submitted a revised TMP to indicate the location of an off-duty police officer at the intersection of Munger Avenue and Laws Street and at the intersection of North Griffin Street and Corbin Street in an effort to guide drivers along the designated route. Uplift Education should continue communications with the Dallas World Aquarium and the City of Dallas Street Services Department to evaluate the circulation. For such reason, staff is recommending that the TMP be reviewed and updated as necessary on an annual basis.

**GUIDING CRITERIA FOR RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities.* The existing use blends in with the surrounding uses. Even though staff does not consider this location an ideal location for a school due to the lack of open space or outside playgrounds for the children, the structure itself blends in with the surrounding area. (Staff was unable to identify the population served by the school at this time but will have the information at the briefing.)
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing open-enrollment school has not negatively impacted the adjacent properties and provides a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The existing open-enrollment charter school has not been a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request to continue the existing use on the property complies with all the zoning regulations and standards.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Lamar Street	Local	70 feet
McKinney Avenue	Local	70 feet
Laws Street	Local	36 feet
Munger Avenue	Local	36 feet

**Traffic:**

The applicant submitted a revised TMP which was revised and approved by the Engineering Section of the Department of Sustainable Development. Exhibit 2 of the TMP indicates the location of an off-duty police officer on at the intersections of Munger Avenue and Laws Street and at the intersection of North Griffin Street and Corbin Street to continue guiding the parents along the designated route. Uplift Education should continue communications with the Dallas World Aquarium and the City of Dallas Street

Services Department to establish a circulation route that works for all parties. For such reason, staff is recommending that the TMP be updated on an annual basis.

## **STAFF ANALYSIS:**

### **Comprehensive Plan:**

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

The Downtown Building Block is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing. A Downtown includes pedestrian-oriented and mixed-use development and offers multiple transportation options. Ground floors of tall buildings feature shops with many windows for visual interest and safety while the streetscape incorporates trees for shade, wide sidewalks and easy-to-use signs for finding points of interest. Civic and open spaces provide an inviting atmosphere for pedestrians as well as a diversity of uses, generating activity throughout the day and evening.

### **Surrounding Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	CA-1(A), SUP No. 1803	Open-enrollment charter school and parking
<b>North</b>	CA-1(A)	Woodall Rodgers Frwy
<b>East</b>	CA-1(A)	Parking lot, Dallas World Aquarium
<b>South</b>	CA-1(A)	Parking, hotel, parking garage
<b>West</b>	CA-1(A)	Offices, event center

### **Land Use Compatibility:**

The surrounding uses include a mix of office, hotel, services uses, parking garages and surface parking areas. The West End entertainment district and the Victory Planned Development District are adjacent to the west and northwest of the property, respectively. SUP No. 1803 was originally approved on May 26, 2010 for a five-year period with eligibility for automatic renewals for additional five-year periods.

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 existing site plan, proposed traffic management plan and conditions are consistent with the requirements of the Dallas Development Code.

### **Development Standards:**

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CA-1(A) Central area	0'	0'	20.0 FAR	Any legal height	100%		All but the heaviest industrial uses

### **Landscaping:**

The request does not trigger any landscape changes. Any new development on the property will require landscaping per Article X of the Dallas Development Code.



**PROPOSED CONDITIONS**  
**SUP No. 1803**  
**Z145-181(OTH)**

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 the ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. CLASSROOMS: The maximum number of classrooms is 2423.
5. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:30 a.m. and 6:00~~3:30~~ p.m., Monday through Friday.
6. INGRESS/ EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. OFF-STREET PARKING: Parking must be provided and located as shown on the attached site plan.
8. TRAFFIC MANAGEMENT PLAN:
  - A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.
  - B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
  - C. Traffic study.
    - i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2016. After the initial traffic study, the

Property owner or operator shall submit annual updates of the traffic study to the director by November 1 of each ~~even-numbered~~ year.

ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- a. ingress and egress points;
- b. queue lengths;
- c. number and location of personnel assisting with loading and unloading of students;
- d. drop-off and pick-up locations;
- e. drop-off and pick-up hours for each grade level;
- f. hours for each grade level; and
- g. circulation.

iii. Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

a. If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

b. If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

D. Amendment process.

i. A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

ii. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

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

Z145-181(OTH)

and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

TRAFFIC MANAGEMENT PLAN REVIEW FOR  
**UPLIFT LUNA PRIMARY CHARTER  
SCHOOL**  
DALLAS, TEXAS

*DeShazo Project No. 14186*

Prepared for:

**PMSI**

1822 W. Barker Lane, #81734  
Austin, Texas 78708-1734

Prepared by:

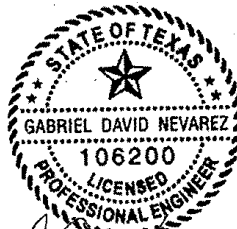
**DeShazo Group, Inc.**

Texas Registered Engineering Firm F-3199

400 South Houston Street, Suite 330

Dallas, Texas 75202

214.748.6740



*[Signature]*  
September 18, 2015





*Traffic. Transportation Planning. Parking. Design.*

400 S. Houston Street, Suite 330

Dallas, TX 75202

ph. 214.748.6740

*deshazogroup.com*

## ***Technical Memorandum***

**To:** Eric Goodloe — PMSI  
**From:** David Nevarez, P.E. — DeShazo Group, Inc.  
**Date:** September 18, 2015  
**Re:** Traffic Management Plan Review for Uplift Luna Primary Charter School in Dallas, Texas  
*DeShazo Project Number 14186; Z145-181(OTH)*

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### **INTRODUCTION**

The services of **DeShazo Group, Inc. (DeShazo)** were retained by PMSI on behalf of the Uplift Education to provide a requisite review of the traffic management plan (TMP) for the Uplift Luna Primary Charter School campus located at 2020 N. Lamar Street in Dallas, Texas. The original TMP was completed by DeShazo on March 1, 2013. As a condition of the approval of the project, submittal of a bi-annual review of the TMP was required, which is the purpose of this study. **DeShazo** is an engineering consulting firm based in Dallas, Texas providing licensed engineers skilled in the field of traffic/transportation engineering.

A Traffic Management Plan (TMP) is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. By properly managing the vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel – including walking – will also inherently improve, and the operational impact on the public street system should also be minimized. The TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it should be used as a tool to facilitate a safer and more efficient environment.

This report contains DeShazo's review of the current traffic conditions on and around the campus and the school's efforts to comply with the TMP. As appropriate, recommendations are listed at the conclusion of this report to modify the previous TMP strategies to improve effectiveness and/or identify action items that the school should consider. A concerted effort and full participation by the school administration, staff, students, and parents are encouraged to provide and maintain safe and efficient traffic operations.

[NOTE: In this report the term "parent" refers to any parent, family member, legal guardian, or other individual who is involved in the pick-up or drop-off of one or more students at the school.]

## SCHOOL OPERATIONAL CHARACTERISTICS

**Table 1** presents a summary of the operational characteristics for the Uplift Luna Primary Charter School assumed in this analysis:

*Table 1. Operational Characteristics*

	2013 Conditions	2014 Conditions	2015 Conditions
Enrollment (by grade):	K – 4 <sup>th</sup> : 243 students  <i>Total: 243 students</i>	K – 2 <sup>nd</sup> : 234 students 3 <sup>rd</sup> – 5 <sup>th</sup> : 182 students  <i>Total: 416 students</i>	K – 2 <sup>nd</sup> : 225 students 3 <sup>rd</sup> – 5 <sup>th</sup> : 225 students  <i>Total: 450 students</i>
Daily Start/End Schedule: (all grades)	Start: 7:55 AM End: 3:40 PM  * 1:50 PM on Wednesdays	Start: 7:55 AM End: 3:30 PM  * 2:00 PM on Wednesdays	Start: 7:55 AM End: 3:30 PM  * 2:00 PM on Wednesdays

NOTE #1: To the highest degree practical, the accounts of “existing conditions” presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day(s) conditions and from personal interviews of school representatives. The analyses and recommendations presented in this report for “future” conditions are based upon evaluations of existing conditions and may be supplemented by DeShazo’s professional judgment and experience.

## REVIEW OF PREVIOUS TMP STRATEGIES

A copy of the prior TMP traffic circulation plan is attached at the beginning of this report. DeShazo observed traffic characteristics on-site and surrounding the site on October 30, 2014. It was generally noted that traffic was being managed in accordance with the TMP. The following is a list of notable observations:

- Off-duty police officers are present at the intersections of Munger Ave. and Laws St. as well as Munger Ave. and N. Griffin St. during the afternoon pick-up period. Police officers direct parents to the site in accordance with the circulation pattern noted in Exhibit 2. Vehicles are not allowed to enter the site until the authorized time for their respective “carline”. Vehicles circulate along Munger Ave. and N. Griffin St. and may extend back to Hord St.

## RECOMMENDATIONS

The following recommendations are provided by DeShazo to the school for the management of vehicular traffic generated by the school during peak traffic conditions. Recommendations may include items contained in the original TMP or and/or new strategies that are proposed based upon DeShazo’s observations.

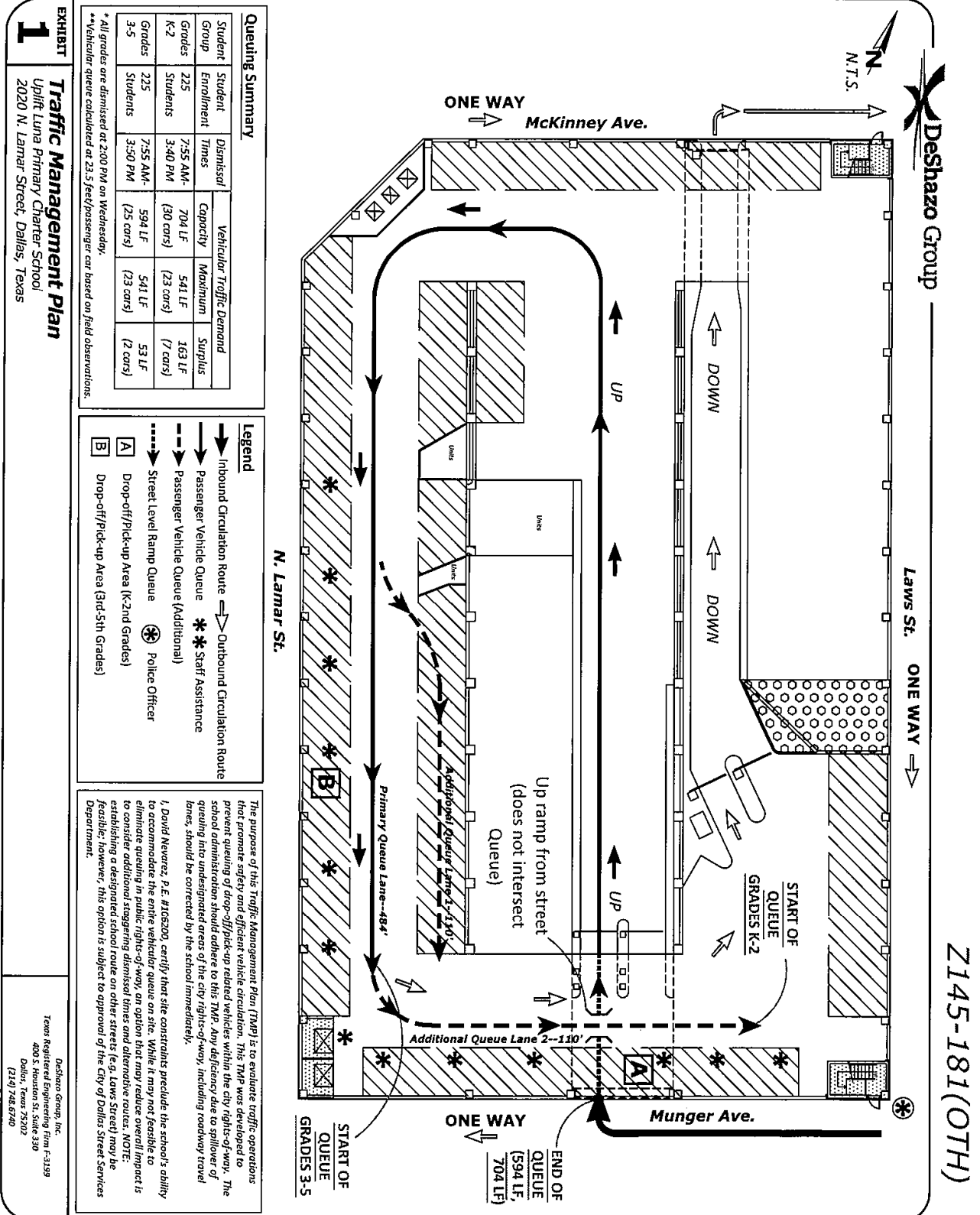
1. The City’s directive to all schools is to avoid queuing of parent vehicles within public right-of-way if at all possible. Site constraints preclude the school’s ability to accommodate the entire vehicular queue on site. While it may not be feasible to eliminate the circulation route on specific public rights-of-way, an option that may reduce overall impact is to consider additional staggering dismissal times or alternative routes. NOTE: establishing a designated school route on other streets (e.g. Laws Street) may be feasible; however, this option is subject to approval of the City of Dallas]
2. Off-duty police officers should continue guiding parents along the designated route.
3. Uplift Education should continue their communications with the Dallas World Aquarium and the City of Dallas Street Services Department to establish a circulation route that works for all parties.

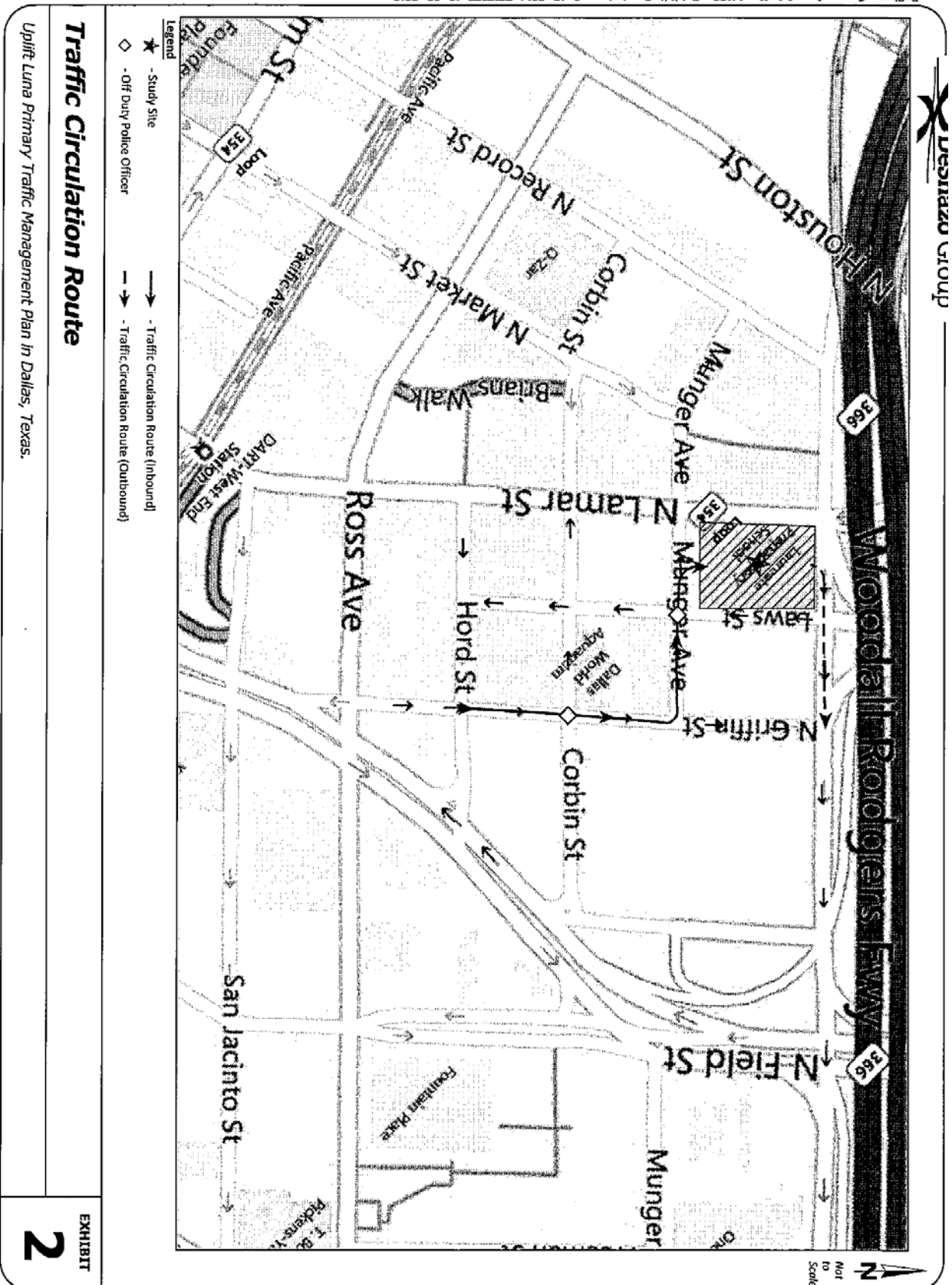
**END OF MEMO**



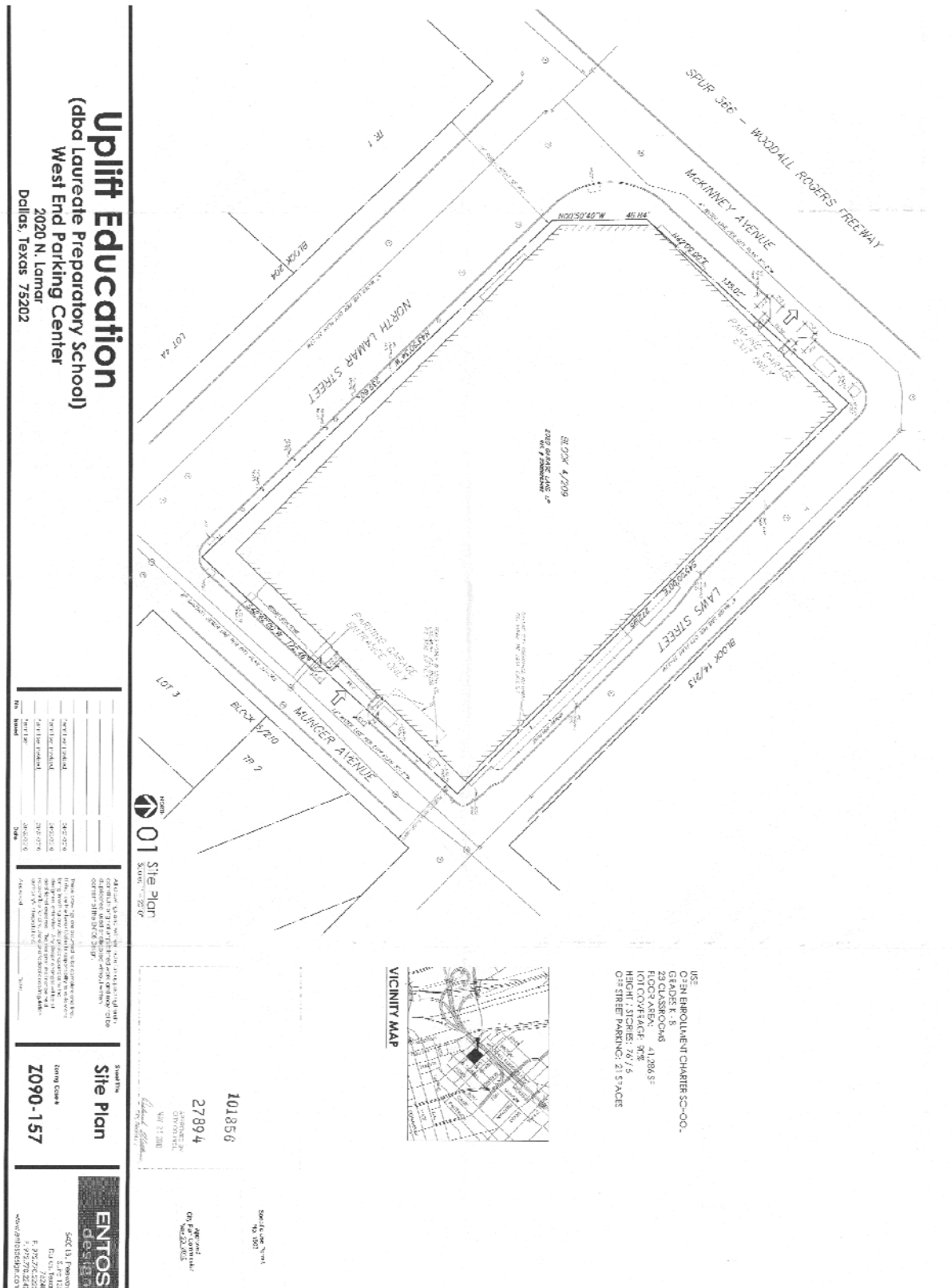
# UPDATED TRAFFIC MANAGEMENT PLAN

Desbazo Group, Inc. Job No. 14186.02 Exhibit Created on 10-02-2016

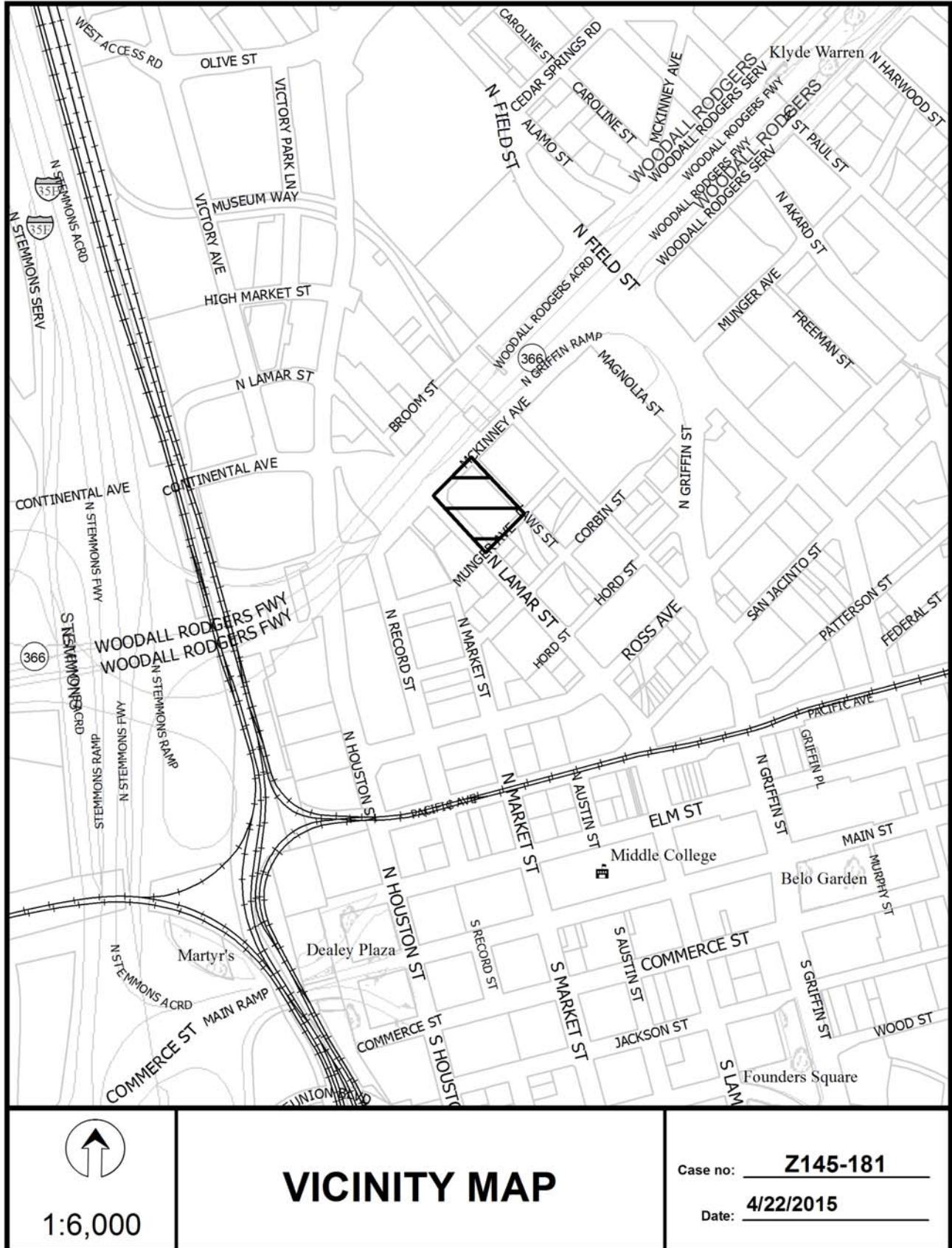




# EXISTING SITE PLAN



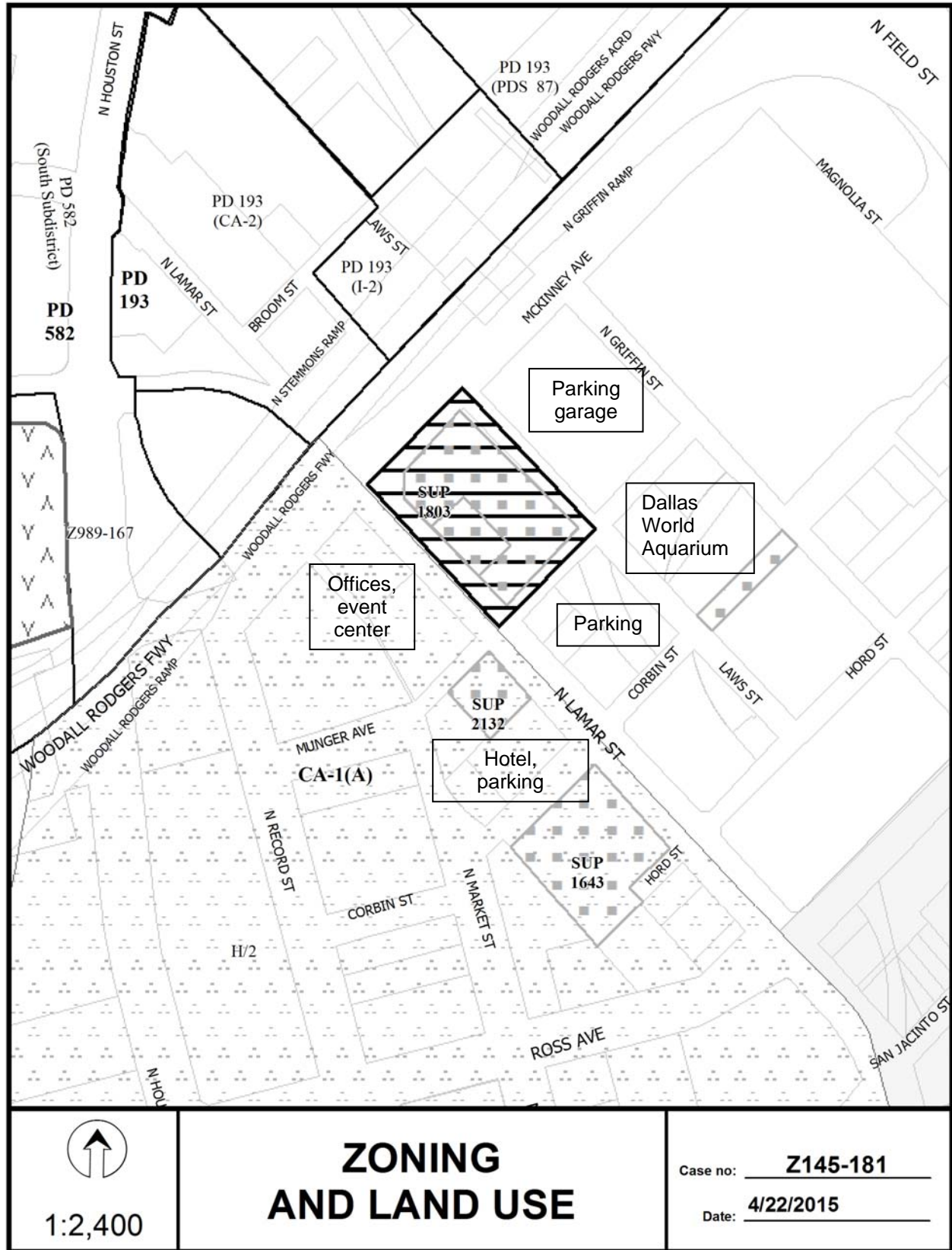
Z145-181(OTH)



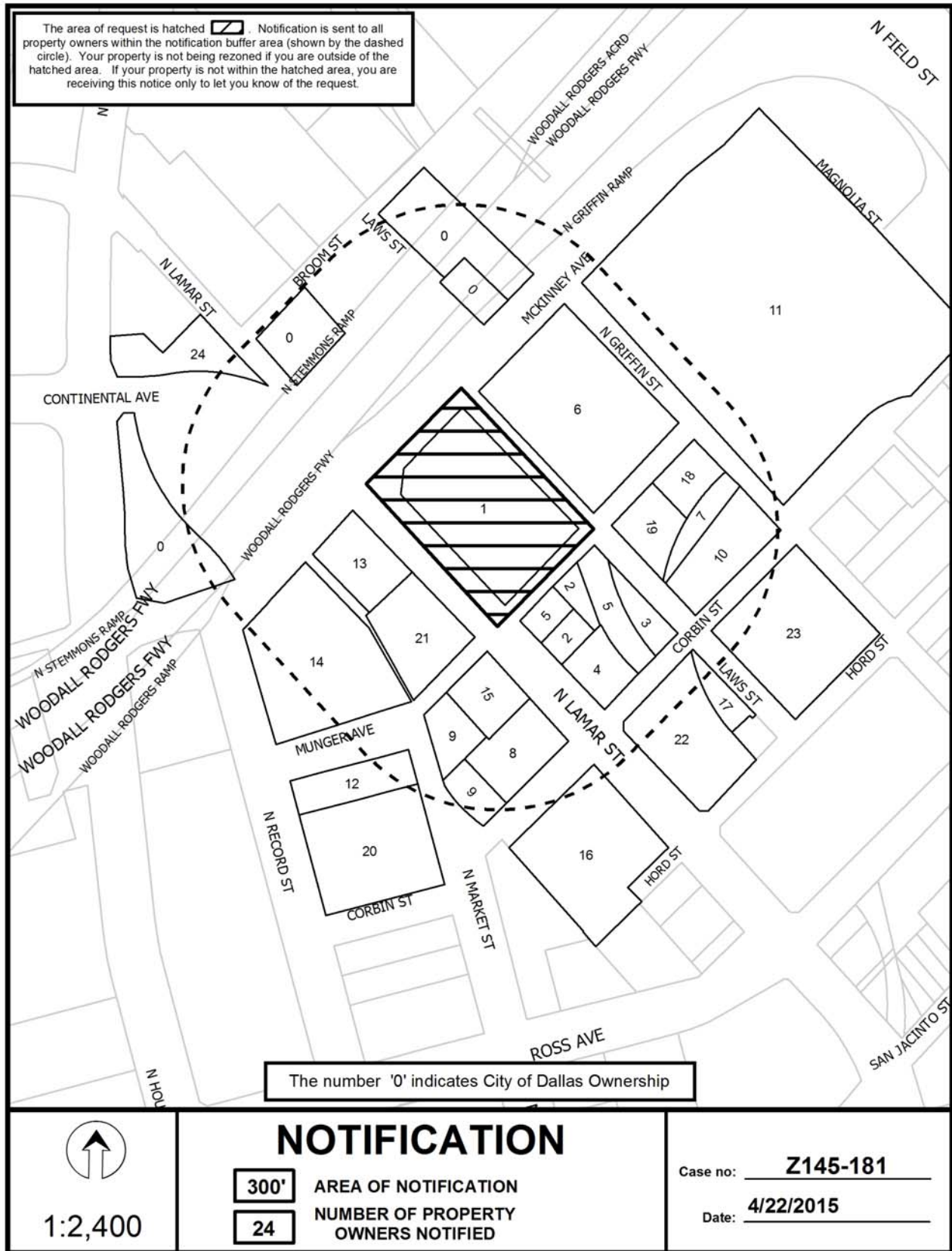












04/22/2015

***Notification List of Property Owners******Z145-181******24 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2020 LAMAR ST	2020 GARAGE LAND LP
2	1910 LAMAR ST	CITY PARK A LOT LP
3	1901 LAWS ST	CHAVEZ ACQUISITIONS LP
4	1902 LAMAR ST	CHAVEZ ACQUISITIONS LP
5	911 CORBIN ST	CHAVEZ ACQUISITIONS LP
6	1012 MCKINNEY AVE	CHAVEZ ACQUISITIONS LP &
7	1909 GRIFFIN ST	DARYL RICHARDSON GOURMET CATERING INC
8	1907 LAMAR ST	BRE SELECT HOTELS TX LP
9	1802 MARKET ST	SOUTHWEST ADVISORY SERVICES LLC
10	1909 GRIFFIN ST	RICHARDSON DARYL GOURMET
11	1100 MCKINNEY AVE	SHRAMAN SOUTH ASIAN
12	1815 MARKET ST	USRP FUNDING 2001 A LP
13	2019 LAMAR ST	ARENA PARTNERS LP
14	603 MUNGER AVE	MARKET STREET DEV LTD
15	1911 LAMAR ST	WEST END API LTD
16	1801 LAMAR ST	ARI LANDMARK CENTER LP
17	1875 LAWS ST	1875 LAWS
18	1911 GRIFFIN ST	DARYL RICHARDSON GOURMET CATERING INC
19	1000 MUNGER AVE	DARYL RICHARDSON GOURMET CATERING INC
20	607 CORBIN ST	LAZ LA III TX 1 LP
21	2001 LAMAR ST	703 MCKINNEY LP
22	1800 LAMAR ST	UNITED WAY OF
23	1801 GRIFFIN ST	RICHARDSON DARYL GOURMET
24	2201 LAMAR ST	DORBET INC

**FILE NUMBER:** Z145-341(ND)**DATE AUTHORIZED:** July 23, 2015

**LOCATION:** An area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8<sup>th</sup> Street, Davis Street, Zang Boulevard, both sides of West 8<sup>th</sup> Street, North Adams Avenue, properties on the south side of West 7<sup>th</sup> Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5<sup>th</sup> Street, and Zang Boulevard

**COUNCIL DISTRICT:** 1**CENSUS TRACT:** 20, 42.01, 47

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**PROPOSAL:** City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7 with consideration given to a zoning category that would allow for a historic building demolition delay.

**SUMMARY:** The Downtown Dallas Historic Preservation Task Force recommended the City initiate a process for a delay for historic buildings facing demolition. City Council endorsed the recommendation. On September 22, 2015, City Council approved a code amendment to create the Historic Building Demolition Delay Overlay. This case, and case Z145-342, would be the first areas to be designated with the demolition delay overlay.

**STAFF RECOMMENDATION:** Approval**LANDMARK COMMISSION RECOMMENDATION:** Approval

## **BACKGROUND INFORMATION:**

The Downtown Dallas Historic Preservation Task Force was formed in December of 2014. Their purpose was to address the vulnerability of Downtown Dallas' historic resources and to explore best practices nationwide for incorporating historic preservation into a broader economic development plan to foster downtown revitalization and growth. The Task Force addressed ways to help preservation and development work together.

The Task Force was comprised of downtown stakeholders, preservationists, developers, architects, planners, and real estate professionals. The Task Force met eight times over four months to formulate recommendations to present to City Council. One of the recommendations was the creation of a demolition delay "for proposed demolition of historic buildings in Greater Downtown to foster dialogue and consider alternatives."

The Task Force recommendations were presented to Council's Arts, Culture, and Libraries Committee on April 20, 2015. The Committee recommended a full Council briefing on the recommendations and staff's proposed action plan.

On June 3, 2015, City Council was briefed on the Task Force recommendations. Council generally supports the recommendations of the Task Force and instructed staff to return with the proposed demolition delay as the first action item and pursue the other recommendations in a timely manner.

On August 3, 2015, Landmark Commission recommended approval of the code amendment creating the Historic Building Demolition Delay Overlay.

City Plan Commission recommended approval of the code amendment on August 20, 2015, and City Council approved the creation of the overlay on September 22, 2015.

On September 8, 2015, the Landmark Commission recommended approval of the overlay for this area as well as the greater Downtown area (Z145-342).

## **STAFF ANALYSIS:**

Currently, up to 60% of the buildings in Downtown Dallas National Register Historic District are not protected from demolition. Crucial components of Dallas' historic fabric and economic viability can be demolished by any owner at any time with no wait period or review.

The goal of the demolition delay is to create a wait period to give staff the opportunity to review demolition applications for buildings 50 years or older and meeting certain criteria in the Greater Downtown Dallas area and to explore alternatives to demolition when appropriate.

The proposed overlay would apply to buildings or structures at least 50 years old that meet one of the following criteria: 1) located in a National Register District or individually

listed, 2) a Recorded Texas Historic Landmark, 3) State Antiquities Landmark, 4) National Historic Landmark, 5) listed as significant in the 2003 Downtown Dallas Historic/Architectural Significant Properties survey, or 6) listed as contributing in the 1994 Hardy-Heck-Moore survey.

The Dallas Appraisal District data will be used to determine the age of a structure. If the structure is 45 years to 50 years, staff will use the 10 day (Phase I period) to review building permit and certificate of occupancy records to confirm the date of construction.

The proposed process would begin when an owner submits a demolition application to Building Inspections. Building Inspection staff would notify the Historic Preservation Officer (HPO). This would begin a 10 day review by the HPO. If the property met the criteria listed above, the application would have an additional 45 day delay. If the criteria were not met, the HPO notifies Building Inspection and the demolition permit is issued.

For properties meeting the criteria, staff would list the properties on the City's webpage with staff contact information and place a sign on the property. The HPO would schedule a meeting with the owner to discuss alternatives to demolition. Staff would invite interested organizations (such as Dallas Downtown, Inc., Preservation Dallas) and stakeholders to the meeting as well as appropriate City departments.

If no viable solution is agreed upon within 35 days, the HPO would notify Building Inspection staff to issue the demolition permit. However, the property owner may agree in writing to extend the delay period to continue to work on alternatives. The time of the additional delay would be negotiated between the HPO and the property owner. If other alternatives were not agreed upon during this extended time period, the HPO would notify Building Inspection staff to issue the demolition permit.

**Landmark Commission action:**

September 8, 2015

City Plan Commission authorized hearing to determine the proper zoning on property zoned a portion of Tract 1C within Planned Development District No. 160; portions of Subdistrict A, B, C, D, E, and J within Planned Development District No. 468; a portion of Subdistricts 3 and 6 within Planned Development District No. 830; and Conservation District No. 7 in an area generally bound by East Colorado Boulevard, Marsalis Avenue, East 8<sup>th</sup> Street, Davis Street, Zang Boulevard, both sides of West 8<sup>th</sup> Street, North Adams Avenue, properties on the south side of West 7<sup>th</sup> Street between North Adams Avenue and North Llewellyn Avenue, properties on the north side of West Davis Street between North Adams Avenue and North Madison Avenue, West Davis Street, Elsbeth Avenue, West 5<sup>th</sup> Street, and Zang Boulevard with consideration given to a zoning category that would allow for a historic building demolition delay.

Speakers: For: No one

Against: No one

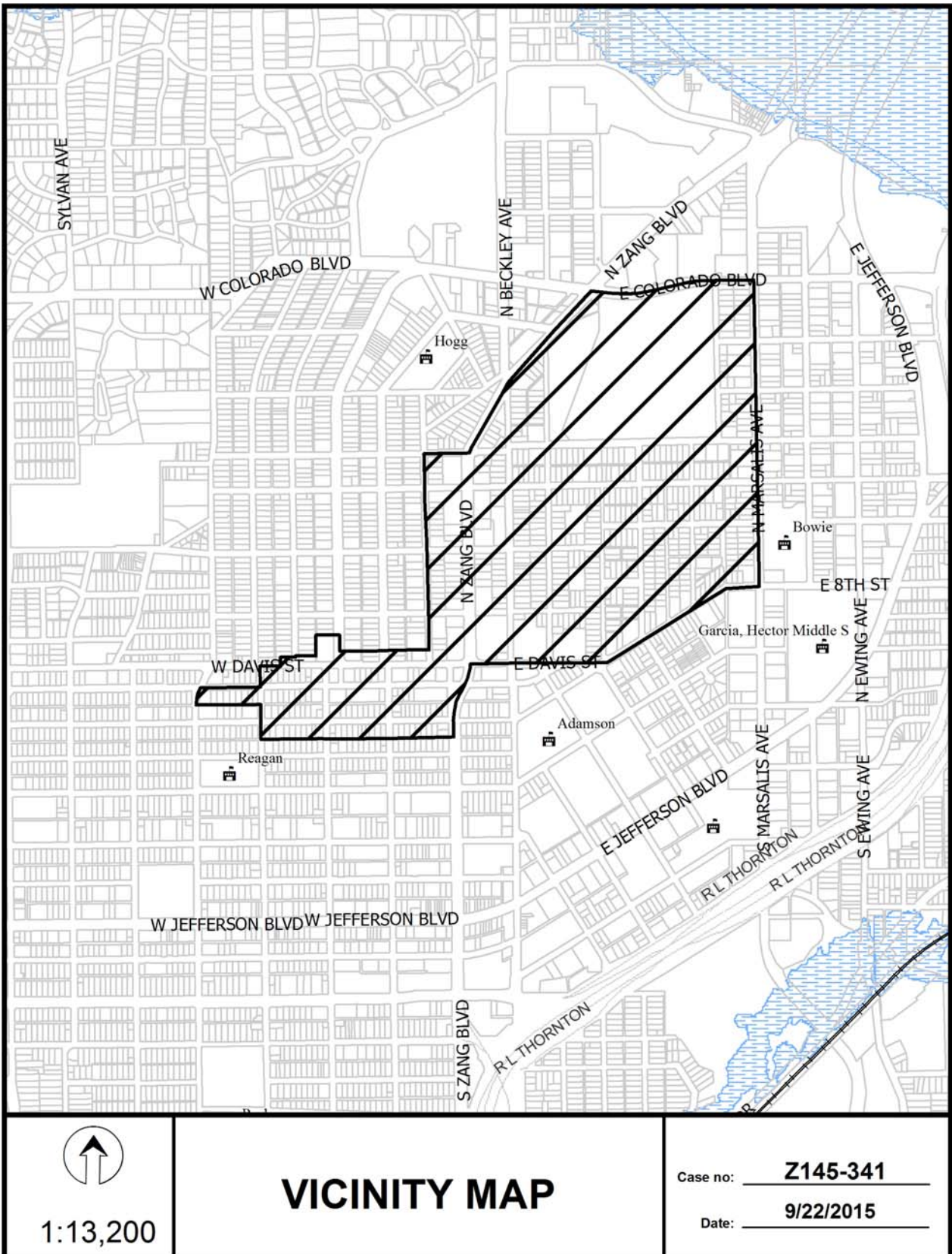
Maker: \*Birch

Second: Gadberry

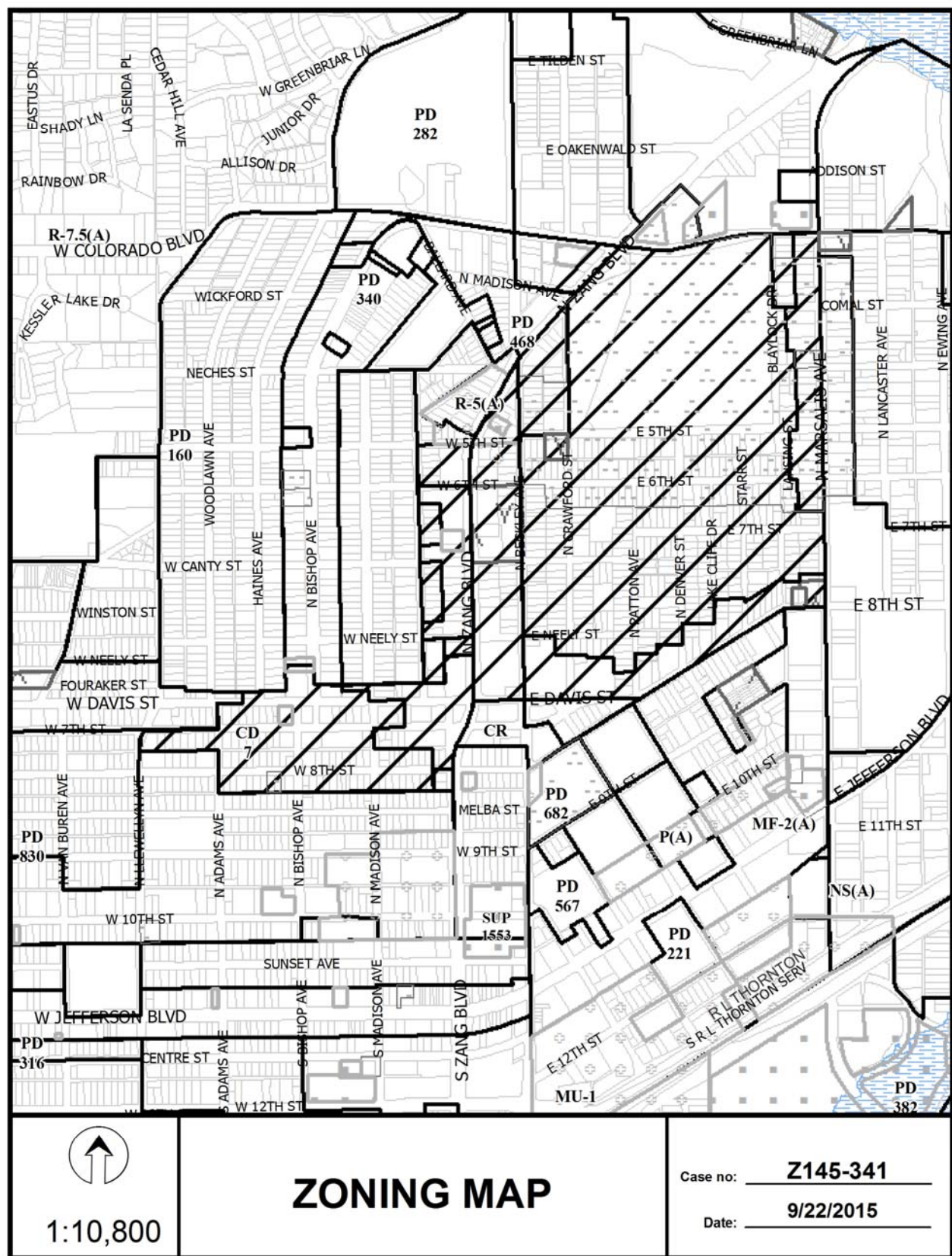
Results: 13/0

Ayes:	- 13	Amonett, *Birch, Birrer, *Childers, Gadberry, Johnson, Jordan, Maten, *Sherman, Seale, Tapscott, Thomas-Drake, Williams
Against:	- 0	
Absent:	- 3	Bowers, Flabiano, Greenberg
Vacancies:	- 2	Dist 7 and 12



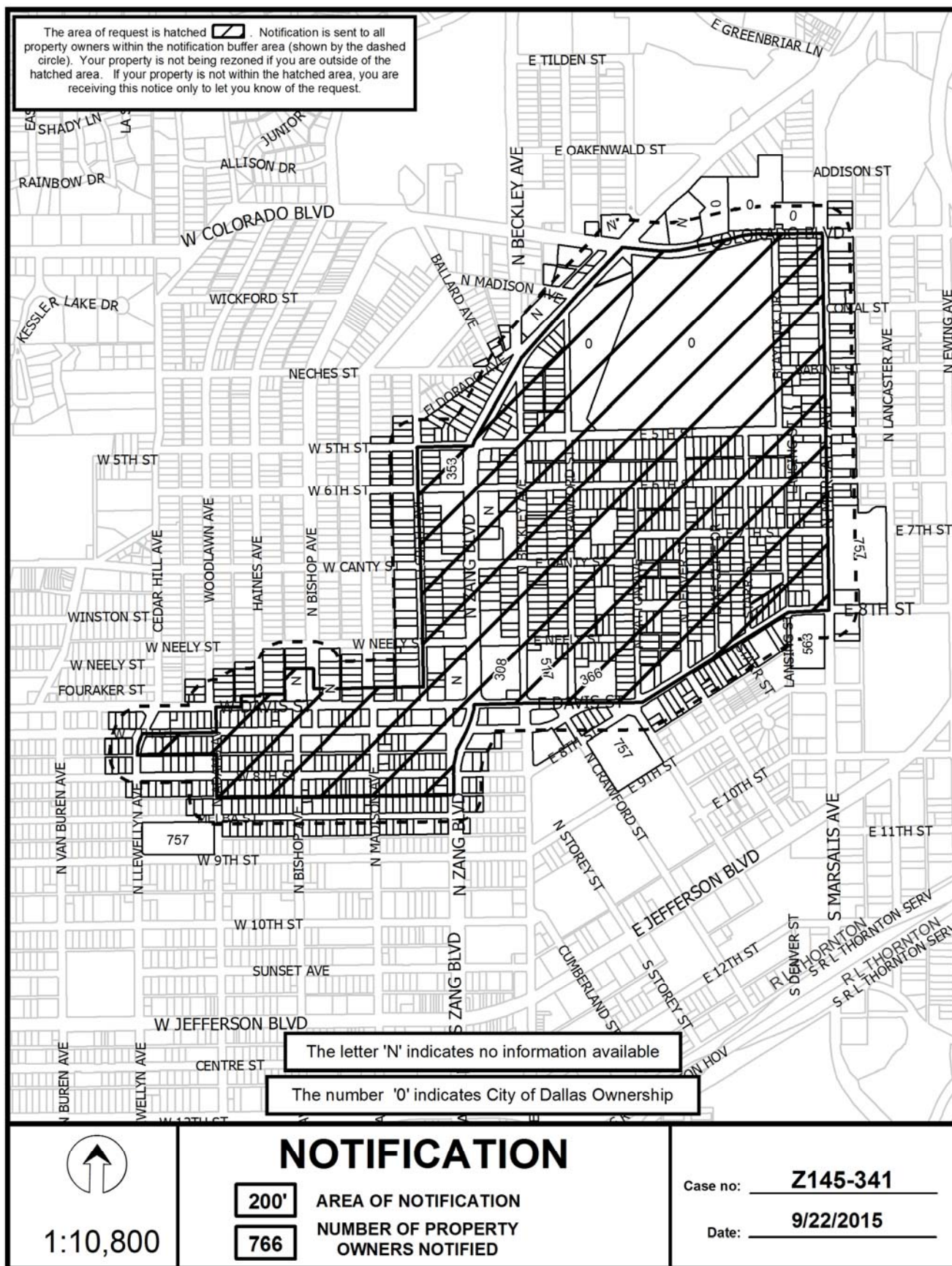


Z145-341(ND)





Z145-341(ND)



09/22/2015

***Notification List of Property Owners******Z145-341******766 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	801 MARSALIS AVE	SALA LARRY J
2	807 MARSALIS AVE	MARTINEK MARK
3	811 MARSALIS AVE	JAMISON MARIANNE &
4	819 MARSALIS AVE	TRI-DESERT INVESTMENTS INC
5	820 BLAYLOCK DR	RATLIFF STEVEN
6	816 BLAYLOCK DR	HEMBRY LISA
7	825 MARSALIS AVE	B J TRUCKING &
8	829 MARSALIS AVE	REYNA KARON DEA BROW &
9	839 MARSALIS AVE	WEISFELD HERSCHEL A
10	834 BLAYLOCK DR	HHRCDC LLC
11	832 BLAYLOCK DR	SAINT JOSEPHS TEXAS ENTERPRISES LLC
12	808 BLAYLOCK DR	RIVERA GROUP
13	800 BLAYLOCK DR	RIVERA GROUP LLC
14	705 MARSALIS AVE	RADKE JONATHAN WILLIAM &
15	716 BLAYLOCK DR	HEYLAND EDWARD A
16	704 BLAYLOCK DR	HERNANDEZ MENDY L
17	708 BLAYLOCK DR	THOMAS BRIAN M
18	714 BLAYLOCK DR	DAVIS ORVILL G &
19	507 SABINE ST	ARAMBULA INOCENCIO &
20	707 MARSALIS AVE	WOOD MICHELE S
21	715 MARSALIS AVE	RAVKIND WILLIAM M
22	723 MARSALIS AVE	LSM 723 MARSALIS LP
23	612 BLAYLOCK DR	SANDBERG LEIF A
24	616 BLAYLOCK DR	DIETERT DALE M &
25	622 BLAYLOCK DR	SMITH BOB W & LINDA J
26	606 BLAYLOCK DR	GORDON EVA M & LESLIE W HALL

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	611 MARSALIS AVE	OLIVER JOHN
28	601 MARSALIS AVE	RISING TIDE LTD PS
29	615 MARSALIS AVE	AHOURAMAZDA LLC
30	629 MARSALIS AVE	JASSO JUANA HERMELINDA &
31	626 BLAYLOCK DR	LOPEZ DAVID A
32	625 MARSALIS AVE	SIXTOS ROCIO
33	630 BLAYLOCK DR	GARCIA MARIA ELBA
34	506 SABINE ST	SEFCIK MRS ROBERT
35	400 5TH ST	PRATT EMRON E & ANNIE H
36	406 5TH ST	PRICE JOHN WILEY
37	410 5TH ST	PENA ALFREDO & ASHLEY C
38	414 5TH ST	RODRIGUEZ SANJUANITA EST OF
39	418 5TH ST	CAMACHO JUAN
40	430 5TH ST	REYES JESUS
41	431 6TH ST	THORNTON JENNIFER
42	427 6TH ST	ZANUDIO MELISSA YANEZ &
43	425 6TH ST	RAMOS JOHN C & CONNIE F
44	423 6TH ST	VIERA JOAQUIN
45	419 6TH ST	DAVILA JUAN M LIFE ESTATE
46	415 6TH ST	TORRES LUIS ARMANDO
47	411 6TH ST	FLORES ROSE
48	401 6TH ST	WARD JAMES A &
49	500 5TH ST	DUBOVE FERNANDO
50	510 5TH ST	PRICE JOHN W
51	519 6TH ST	DELASANCHA ANDRES
52	515 6TH ST	GOMEZ GRACIELA
53	511 6TH ST	BIRNBAUM ENTERPRISES LLC
54	507 6TH ST	CRUZ LEONARDO &
55	501 MARSALIS AVE	STONERIDGE JOINT VENTURE
56	531 6TH ST	GUDELMAN DEBORAH L
57	515 MARSALIS AVE	OAK RIDGE JOINT VENTURE

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	528 5TH ST	JOHNSON CHRISTINA
59	523 MARSALIS AVE	CRUZ MARTHA E
60	501 7TH ST	RODRIQUEZ ERNESTO V &
61	505 7TH ST	NUNEZ ARTURO
62	500 6TH ST	GARZA ROBERT & BRENDA
63	506 6TH ST	CRUZ LUIS GERARDO
64	509 7TH ST	LOPEZ JOSE G & ESTER
65	515 7TH ST	MAY JOSE FRANCISCO
66	511 LANSING ST	ONE EVEN FLOW LLC
67	510 6TH ST	MOXLEY CECELIA K
68	516 6TH ST	WILLIAMS SAMUEL L &
69	532 6TH ST	PORTAL 7 LLC
70	419 MARSALIS AVE	ARRELLANO MARIA LUCILA
71	528 6TH ST	NANEZ BENITO M &
72	524 6TH ST	CASTILLO JUAN S & MARIA E
73	415 MARSALIS AVE	ALONSO JUAN ANTONIO &
74	411 MARSALIS AVE	SALAZAR JOE A
75	516 LANSING ST	CASTILLO JUAN &
76	514 LANSING ST	CASTILLO JUAN &
77	407 MARSALIS AVE	OLIVO ALBERTO &
78	401 MARSALIS AVE	PERALTA PASCUALA J
79	525 7TH ST	LEAL RUBEN JR & MARTA
80	521 7TH ST	LEAL JOEL JOAQUIN & LETICIA
81	531 7TH ST	GALVAN JOSE G & MARY JANE
82	506 DENVER ST	FLORES BILLY MOISES
83	409 7TH ST	CHAVEZ LORA A
84	510 DENVER ST	HERNANDEZ J PASCUAL &
85	502 DENVER ST	FLORES JOSE &
86	404 6TH ST	MCELROY JOSEPH III &
87	512 DENVER ST	WISTERIA HILLS 4 LLC
88	408 6TH ST	WISTERIA HILLS 11 LLC



09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	412 6TH ST	GARZA ROBERT P & BRENDA A
90	415 7TH ST	AGUILLON JOSE L &
91	510 LAKE CLIFF DR	HENDERSON MARLAND M
92	421 7TH ST	GALVAN LORENZA
93	425 7TH ST	ESTRADA NORBERTO &
94	420 6TH ST	WISTERIA HILLS 10 LLC
95	422 6TH ST	CARRION BENJAMIN III &
96	432 6TH ST	GOMEZ EDUARDO & OLGA E
97	428 6TH ST	MOLINA BENITO
98	433 7TH ST	HERNANDEZ VERONICA
99	429 7TH ST	SALINAS CANDELARIO
100	333 STARR ST	SIERRA JOSE AMPARO
101	401 8TH ST	MACIAS EDGAR ALEXANDER
102	407 8TH ST	MACIAS EDGAR A
103	313 LAKE CLIFF DR	PANIAGUA MARTIN
104	327 STARR ST	CEJA OCTAVIANO
105	413 8TH ST	GRANT KIM
106	324 DENVER ST	GASPAR PASTOR A
107	314 DENVER ST	JASSO MARIA CLARA &
108	340 LAKE CLIFF DR	GOMEZ ALMA
109	317 LAKE CLIFF DR	LEAL FEDERICO M
110	321 LAKE CLIFF DR	PEREZ PAUL & FIDELFA
111	326 DENVER ST	SILVAS MARIA L
112	316 DENVER ST	AVALOS JOSIFINA F D
113	328 DENVER ST	AVALOS JOSEFINA
114	329 LAKE CLIFF DR	ORTIZ ERLINDA ESTATE OF
115	325 LAKE CLIFF DR	MAGNA RAUL
116	336 LAKE CLIFF DR	RODRIGUEZ CAROLYN EST OF
117	330 DENVER ST	ORTA J G
118	402 DENVER ST	FLORES RUBEN G
119	403 LAKE CLIFF DR	SANCHEZ FELIBERTO

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	407 LAKE CLIFF DR	HERNANDEZ IRMA ROJAS
121	400 DENVER ST	ORTA JOSE
122	412 DENVER ST	RECINOS SANTOS & IMELDA
123	415 LAKE CLIFF DR	AMADOR MARIA DE LOURDES
124	411 LAKE CLIFF DR	MENDOZA MERCEDES
125	421 LAKE CLIFF DR	TREVINO MARIA ESTELLA
126	424 DENVER ST	MEDINA MARIA LIF EST
127	422 DENVER ST	MEDRANO DANIEL &
128	419 LAKE CLIFF DR	DIOSDADO ERMELINDA & JUAN
129	430 DENVER ST	HERRIG ANDREW
130	434 DENVER ST	MCCORKLE LELA
131	435 LAKE CLIFF DR	BARRERA JOSE &
132	426 DENVER ST	PEREZ RODOLFO M
133	429 LAKE CLIFF DR	BONILLA HERLINDA AGUIRRE
134	431 LAKE CLIFF DR	BARRERA ALFREDO & BARRERA
135	410 LAKE CLIFF DR	CORONA JULIA
136	406 LAKE CLIFF DR	GOMEZ BRIGGET CHAVEZ
137	416 7TH ST	PRADO FELIPA DEJESUS
138	408 LAKE CLIFF DR	GARCIA PETE
139	420 7TH ST	PINONES MARY
140	419 STARR ST	RODRIQUEZ HERLINDA
141	403 STARR ST	CHAVEZ LORA A
142	405 STARR ST	MARQUEZ FELIX &
143	409 STARR ST	ROMERO JOSE ASCENCION &
144	326 LAKE CLIFF DR	JIMENZ ENRIQUE ROBERTO
145	321 STARR ST	QUARLES AUBREY
146	319 STARR ST	BRYANT ELIZABETH
147	330 LAKE CLIFF DR	ANGUIANO JOE T & HELEN R
148	314 LAKE CLIFF DR	JUDKINS DAVID PAUL SR &
149	318 LAKE CLIFF DR	SANCHEZ RUBI &
150	431 8TH ST	FLORES ARMANDO

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	315 STARR ST	MARTINEZ RAMON
152	317 STARR ST	MORALES JORGE D &
153	501 8TH ST	FRANCO TINA M
154	312 STARR ST	RILEY CHRISTINE
155	509 8TH ST	GOMEZ RUTH
156	505 8TH ST	GOMEZ JUAN &
157	316 STARR ST	DIAZ CRISPIN & ROSA M
158	308 STARR ST	BALDERAS MARTIN R
159	513 8TH ST	DORSEY MRS M E
160	517 8TH ST	SALINAS ELIDA
161	521 8TH ST	ALVAREZ JORGE
162	410 STARR ST	ESQUIVEL RAFAEL
163	508 7TH ST	RECIO JESUS & GRACIELA
164	500 7TH ST	PARRA ROLANDO
165	415 LANSING ST	ROSS DON L &
166	411 LANSING ST	OLGUIN JAIME O
167	407 LANSING ST	BARAJAS ADELAIDA
168	403 LANSING ST	NARVAEZ JUAN MANUEL
169	317 LANSING ST	VEGA JUAN
170	525 8TH ST	LEAL ELVIRA TRUSTEE FOR
171	525 8TH ST	LEAL FAMILY PARTNERSHIP
172	529 8TH ST	DALLAS TORTILLAS INC
173	310 LANSING ST	LEAL RUBEN R
174	315 MARSALIS AVE	LEAL FAMILY PARTNERSHIP
175	316 LANSING ST	MEDINA MIGUEL & SACORRO
176	400 LANSING ST	DURAN FELIPE
177	317 MARSALIS AVE	SALINAS ELIDA ETAL
178	323 MARSALIS AVE	MORENO CESAREO & MARIA
179	339 MARSALIS AVE	MARTINEZ MARGARET &
180	335 MARSALIS AVE	KNOX WILLIAM T
181	331 MARSALIS AVE	ALVARADO LIDIA LEIJA

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	327 MARSALIS AVE	TENIENTE LEONELA
183	418 LANSING ST	FLORES BILL
184	414 LANSING ST	HERRERA BENJAMIN N &
185	408 LANSING ST	RAMIREZ MARIE E
186	406 LANSING ST	HUERTA ENRIQUE &
187	311 8TH ST	GONZALEZ JOSE E & EMMA
188	321 8TH ST	JMTT&Z LLC
189	330 PATTON AVE	TORRES EFRAIN &
190	334 PATTON AVE	MENDOZA IRENE
191	311 DENVER ST	ZAMORA JONNY
192	313 DENVER ST	YOUNG JUSTIN
193	338 PATTON AVE	REYES ISIDRO G &
194	300 STEINMAN AVE	DELGADO JUAN & MARIA
195	304 STEINMAN AVE	SILVA RUBEN
196	308 STEINMAN AVE	CANDIDO ENCARNACION
197	321 DENVER ST	LOPEZ RODOLFO &
198	333 DENVER ST	LOPEZ SERGIO A
199	319 DENVER ST	GARCIA HECTOR & MARIA
200	303 STEINMAN AVE	GOMEZ EDUARDO & OLGA
201	410 PATTON AVE	RANGEL ISIDRO &
202	305 STEINMAN AVE	DELGADILLO EDUARDA EST OF
203	307 STEINMAN AVE	GARCIA RAFAEL R
204	313 STEINMAN AVE	GARCIA RAFAEL RAMIREZ
205	407 DENVER ST	SOLORZANO ZEFERINO
206	411 DENVER ST	CARBAJAL VELIA
207	405 DENVER ST	DELEON SEVERO
208	414 PATTON AVE	SILVA JOSE L
209	424 PATTON AVE	MACHADO MARCO A &
210	415 DENVER ST	ARAIZA JUAN J & ROSA M
211	425 DENVER ST	SILVA YOLANDA
212	302 7TH ST	MENDOZA JUANA SILVA &

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	306 7TH ST	SILVA JOSE L
214	310 7TH ST	LARA ALFONSO S LIFE EST &
215	314 7TH ST	SALAS ARMANDO & MARIA
216	316 7TH ST	CAPISTRAN ADRIANA &
217	320 7TH ST	LOPEZ ROGER II ET AL
218	303 7TH ST	VELAZQUEZ MARIA M
219	307 7TH ST	HERNANDEZ FRANCISCO &
220	311 7TH ST	NINO LUIS &
221	315 7TH ST	MENDOZA JUANA
222	317 7TH ST	BARRERA LAEL
223	302 6TH ST	RAMOS OSCAR LIF EST
224	306 6TH ST	AGUILAR FERMIN
225	310 6TH ST	FLOYD WILLIAM R LIFE ESTATE
226	320 6TH ST	CHAVEZ SULEMA CARDENAS &
227	324 6TH ST	GONZALEZ MIGUEL &
228	228 DAVIS ST	WEST DAVIS INVESTMENTS LLC
229	323 7TH ST	DIMOCK PROPERTIES LLC
230	325 7TH ST	HISPANIC SERV UNLTD INC
231	306 DAVIS ST	HISPANIC SERVICES UNLTD
232	409 7TH ST	BELMAR MANAGMENT LTD
233	408 MADISON AVE	MALDONADO MARTHA
234	239 8TH ST	SALVAGGIO CHARLES F
235	235 8TH ST	HOOKS CATHY ANN TICE
236	233 8TH ST	216 W 7TH LLC
237	231 8TH ST	MUSICK RONALD
238	217 8TH ST	TORRES JULIAN J &
239	215 8TH ST	GUZMAN MARIA
240	228 7TH ST	HISPANIC SVCS UNLTD INC
241	234 7TH ST	7TH MADISON LLC
242	410 MADISON AVE	7TH MADISON LLC
243	238 7TH ST	JC LEASING LLP

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	213 8TH ST	HERNANDEZ MARCELINA
245	209 8TH ST	216 W 7TH LLC
246	329 8TH ST	BISHOP STREET PARTNERS JV
247	323 8TH ST	SALAZAR MANUAL & MARIA
248	317 8TH ST	VILLALOBOS CELESTINO A &
249	315 8TH ST	SANCHEZ MARTIN &
250	309 8TH ST	ALVAREZ GERARDO
251	305 8TH ST	OAK CLIFF LEASING LLC
252	301 8TH ST	SIBERT ELAINE R & JAMES E
253	439 8TH ST	MENDOZA ELENA
254	433 8TH ST	AVILA JOSE A ETAL
255	429 8TH ST	ALLMON ALAN DUANE
256	425 8TH ST	ALLMON ALAN D
257	421 8TH ST	GAYTAN JOSE &
258	419 8TH ST	ESPINOSA MARIA
259	413 8TH ST	MORENO AMELIE G
260	411 8TH ST	MORENO JOAQUIN M
261	412 7TH ST	DOMINGUEZ ARTURO &
262	422 7TH ST	D MC LEASING
263	426 7TH ST	CASTILLO VICTORIA
264	428 7TH ST	ALVARADO DAVE H &
265	434 7TH ST	GUERRERO MARGARITA D
266	438 7TH ST	GAMBER MONTY
267	500 7TH ST	CARDENAS APOLINAR &
268	504 7TH ST	DAVILA JOSE L
269	508 7TH ST	SALVAGGIO CHARLES F & PATRICE D
270	512 7TH ST	DAVILA NICHLAS
271	516 7TH ST	LICEA RUBEN &
272	520 7TH ST	BURCIAGA MARIA SOCORRO
273	524 7TH ST	ALBA JESSE
274	528 7TH ST	FUENTES JOSE ISRAEL & GLORIA ETELVIRA



Z145-341(ND)

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	536 7TH ST	MCDONALD NINETTE &
276	404 8TH ST	SULLIVAN JAMES W TR &
277	412 8TH ST	GOOD SPACE ARTS INC
278	416 8TH ST	GOOD SPACE ARTS INC
279	420 8TH ST	6212 INVESTMENTS LLC
280	424 8TH ST	GAYTAN MARY
281	428 8TH ST	RAMOS HILDA
282	432 8TH ST	GOOD SPACE X LLC
283	436 8TH ST	SOLIS JOSE & MARIE DEL
284	300 8TH ST	TEMPLO ESMIMA
285	306 8TH ST	CDP & LRP 306 LLC
286	310 8TH ST	GONZALES EFRAIN JR
287	318 8TH ST	CARDONA GUADALUPE &
288	320 8TH ST	RODRIGUEZ JORGE POSADAS &
289	324 8TH ST	BMR JOHNSON INVESTMENTS L
290	328 8TH ST	MUCHUCA ESPERANZA
291	332 8TH ST	DUARTE JESUS JR &
292	321 ZANG BLVD	228 POOL LLC
293	212 8TH ST	GONZALEZ FELIPE &
294	216 8TH ST	MOJICA NICASIO
295	220 8TH ST	GUZMAN FRANCISCO
296	224 8TH ST	MUNOZ ARMANDO M LIZCANO
297	228 8TH ST	MONCADA ROSA MARIA &
298	232 8TH ST	VASQUEZ AURELIANO &
299	234 8TH ST	STEELE MINNIE ESTATE OF
300	240 8TH ST	BKN REALTY LLC
301	609 MADISON AVE	SAMAYOA LEONEL
302	607 MADISON AVE	AGUILAR JAINY
303	606 MADISON AVE	AMERICA CAN
304	600 ELSBETH ST	ALIGN LP
305	610 ELSBETH ST	FLORES JUAN &

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
306	630 ELSBETH ST	BALLAS VICTOR E BALLAS LLC
307	635 ZANG PL	BISHOP 1910 PARTNERS LTD
308	612 ZANG BLVD	DALLAS COUNTY SCHOOL
309	601 BECKLEY AVE	DALLAS COUNTY SCHOOL TRUS
310	718 ZANG BLVD	DALLAS COUNTY SCHOOLS
311	732 ZANG BLVD	FAZ ISMAEL
312	737 BECKLEY AVE	BUSTAMANTE ANTONIO &
313	735 BECKLEY AVE	HODGES RAMONA G
314	727 BECKLEY AVE	LOPEZ ISRAEL
315	733 BECKLEY AVE	LOPEZ ISRAEL
316	719 BECKLEY AVE	TONGRA LP
317	723 BECKLEY AVE	YBARRA MARY MAGDALENA
318	707 BECKLEY AVE	GOMEZ RAY
319	700 ELSBETH ST	FUENTES VIRGINIA PEREZ
320	708 ELSBETH ST	SIROOSIAN RAMIN
321	712 ELSBETH ST	3M 707 ZANG LLC
322	716 ELSBETH ST	LEE MARIE E
323	720 ELSBETH ST	AFA DEVELOPMENT LLC
324	732 ELSBETH ST	PENA JESUS H &
325	726 ELSBETH ST	GAUCIN ROGER
326	734 ELSBETH ST	CASTILLO GERARDO
327	736 ELSBETH ST	WHITEAKER BETTYE M
328	733 ZANG BLVD	PENA JESUS H & IRMA
329	618 BISHOP AVE	CHERNOCK CHRISTIAN
330	723 ZANG BLVD	GOMEZ CELIA O
331	719 ZANG BLVD	BANCO POPULAR NORTH AMERICA
332	715 ZANG BLVD	3M 707 ZANG LLC
333	810 ELSBETH ST	COUCH KEDRIC
334	814 ELSBETH ST	LOPEZ BENITO JR
335	818 ELSBETH ST	ELAINE S GORENSTEIN
336	820 ELSBETH ST	TOVAR MARTIN

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
337	828 ELSBETH ST	TUCKER MICHAEL BRITT &
338	835 ZANG BLVD	GEMSK LLC
339	813 ZANG BLVD	ARELLANO MIGUEL
340	839 BECKLEY AVE	VINES DAN
341	908 ZANG BLVD	SALAZAR JOSE
342	112 5TH ST	SALDIVAR FAMILY I LIMITED PARTNERSHIP
343	912 ZANG BLVD	VALPARAISO HOLDINGS LLC
344	917 BECKLEY AVE	SALDIVAR FAMILY I LTD PS
345	909 BECKLEY AVE	BREETE LLC
346	907 BECKLEY AVE	DELGADILLO JOSE LUIS
347	903 BECKLEY AVE	TORRES LUIS & MARIA G
348	1006 ZANG BLVD	GARCIA MAGDALENA &
349	1018 ZANG BLVD	NABUA PROPERTY HOLDINGS
350	1030 ZANG BLVD	KSD LLC
351	900 ELSBETH ST	GRACE PRESBYTERY INC
352	918 ELSBETH ST	WHISENANT LAUREL K
353	901 ZANG BLVD	GRACE PRESBYTERY INC
354	202 NEELY ST	CASIAS MARIA DE CARMEN VILLA &
355	632 BECKLEY AVE	PEREZ MAXIMO JR & PETRA
356	204 NEELY ST	CUEVAS MAGDALENA A
357	116 NEELY ST	PRADO MINERVA
358	303 PATTON AVE	CUADROS APOLONIO
359	309 PATTON AVE	QUINTERO MARIA
360	120 NEELY ST	AGUIRRE ANDRES &
361	311 PATTON AVE	NARRO LORENZO A & ROSA M
362	317 PATTON AVE	MONDRAGON ROGELIO
363	321 PATTON AVE	NARRO CAMERINA V
364	325 PATTON AVE	ALONSO RUBEN & MARIA DEL
365	329 PATTON AVE	ZUNIGA JUAN
366	205 DAVIS ST	CFS 1 LTD
367	333 PATTON AVE	MATA FRAYNOE & EVELIA

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
368	335 PATTON AVE	TAMAYO MARIA REYNA
369	620 CRAWFORD ST	DOMINGUEZ MARIA G &
370	710 BECKLEY AVE	MARTINEZ SILVERIO SR
371	716 BECKLEY AVE	CALDERON JORGE A
372	732 BECKLEY AVE	MONTOYA BLANCA E L
373	714 BECKLEY AVE	YBARRA MAGDALENA
374	736 BECKLEY AVE	FIRA MARIA DEL CARMEN
375	724 BECKLEY AVE	RPL PROPERTIES LLC
376	702 BECKLEY AVE	MARTINEZ BENJAMIN
377	720 BECKLEY AVE	ORTIZ JESUS & MARIA
378	728 BECKLEY AVE	RAMIREZ BENJAMIN &
379	730 BECKLEY AVE	DIODATI MONICA CHIARA
380	341 PATTON AVE	JASSO CESILIA
381	343 PATTON AVE	GONZALEZ VICENTE R &
382	345 PATTON AVE	DIAZ MARCELINO
383	347 PATTON AVE	REYES RICARDO
384	401 PATTON AVE	HERNANDEZ TEODORO ETAL
385	405 PATTON AVE	PEREZ RICARDO M & PETRA
386	411 PATTON AVE	GIL JO JESUS G & SILVIA
387	413 PATTON AVE	PUENTE JANET &
388	417 PATTON AVE	SALINAS ELIDA &
389	421 PATTON AVE	CARRANZA BENIGNO
390	701 CRAWFORD ST	ARECHAR FRANCISCO &
391	707 CRAWFORD ST	GARCIA JORGE & LIDIA
392	711 CRAWFORD ST	JASSO JUANA H &
393	715 CRAWFORD ST	CHAVEZ ROMEO
394	719 CRAWFORD ST	LOPEZ JUAN C
395	723 CRAWFORD ST	TORRES OLGA M
396	727 CRAWFORD ST	TORRES JOSE G EST OF
397	731 CRAWFORD ST	GOEN ERIK D
398	735 CRAWFORD ST	DIAZ MARIA TERESA

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
399	739 CRAWFORD ST	DIAZ ELENO NINO &
400	700 CRAWFORD ST	CENDEJAS VICENTE A
401	706 CRAWFORD ST	ROJAS HUMBERTO CARLOS &
402	710 CRAWFORD ST	MUNIZ MIGUEL & MARIA D C
403	714 CRAWFORD ST	JUAREZ MARIO
404	718 CRAWFORD ST	VALVERDE PABLO
405	722 CRAWFORD ST	JUAREZ MARIO & EDILIA A
406	728 CRAWFORD ST	FLORES MAURILIO &
407	730 CRAWFORD ST	ORTIZ JESUS &
408	734 CRAWFORD ST	HERNANDEZ PEDRO & FELIPA
409	738 CRAWFORD ST	CARRIZALES EDWARD
410	212 CANTY ST	IBARRA MANUEL GONZALEZ &
411	211 NEELY ST	ABONZA SUSANO &
412	218 CANTY ST	HERRERA HUMBERTO
413	220 CANTY ST	RAMIREZ FELIPE &
414	215 NEELY ST	GONZALEZ JUAN & MARIBEL
415	219 NEELY ST	MAGDALENO RAMIRO & MARIA
416	223 NEELY ST	LOPEZ ENRIQUE P &
417	838 BECKLEY AVE	WILSON ZAMORA INVESTMENTS
418	818 BECKLEY AVE	PEDRO STEPHANIE
419	812 BECKLEY AVE	TORRES MARTIN
420	800 BECKLEY AVE	SOLORZANO JUAN E &
421	808 BECKLEY AVE	SAUCEDO NICOLAS & MARIA
422	832 BECKLEY AVE	BAEZA LORENA
423	828 BECKLEY AVE	JOINER FAITH RENEE
424	820 BECKLEY AVE	GARCIA RAFAEL QUEVEDO &
425	824 BECKLEY AVE	CHRISTENSEN JANELLE M
426	826 BECKLEY AVE	BOBO LINDA
427	804 BECKLEY AVE	TIDEY CRAIG
428	809 CRAWFORD ST	MENDEZ MANUEL
429	811 CRAWFORD ST	ESTRADA FEDERICO &

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
430	817 CRAWFORD ST	MOONEY MICHAEL
431	823 CRAWFORD ST	MOONEY RICHARD LEE
432	825 CRAWFORD ST	ROMIG RANDALL ROBERT
433	829 CRAWFORD ST	COLLIE LUIS R
434	112 6TH ST	RAMOS TONY M &
435	835 CRAWFORD ST	ADAME MARIA
436	230 6TH ST	TORRES MARIA &
437	228 6TH ST	CASTRO PEDRO & LINA
438	226 6TH ST	LUEVANO MATTHEW A
439	222 6TH ST	CYMMION TERRINGTON G
440	216 6TH ST	SANCHEZ JUAN JOSE
441	212 6TH ST	GENA NORTH LLC
442	824 CRAWFORD ST	VASQUEZ MARIA Z CADENA
443	820 CRAWFORD ST	COUCH KEDRIC &
444	816 CRAWFORD ST	JONES ELIZABETH M
445	812 CRAWFORD ST	COUCH KEDRIC & PAT COUCH
446	800 CRAWFORD ST	CHUPA JAMES EDWARD &
447	213 CANTY ST	MILLER GENE BELL
448	215 CANTY ST	MEEHAN RYAN
449	427 PATTON AVE	BELMONTE JOSE O &
450	431 PATTON AVE	TORRES JOSE JAIME & TORRES SILVIA
451	435 PATTON AVE	TORRES BONIFACIO & AURORA
452	439 PATTON AVE	ORTIZ MOSES &
453	511 PATTON AVE	TOVAR VALENTIN
454	608 7TH ST	FRANCO TINA MARIE
455	507 PATTON AVE	VILLEGAS SYLVESTRE
456	213 CANTY ST	MILLER GENE BELL
457	313 6TH ST	VARELA CRUZ LIFE ESTATE
458	303 6TH ST	VARELA CRUZ LIFE EST
459	305 6TH ST	VANIAN MARY TRUSTEE
460	320 5TH ST	CLAXTON JAMES D



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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
461	323 6TH ST	RODRIGUEZ MARY
462	302 5TH ST	MAY SHARON K
463	307 6TH ST	WISTERIA HILLS 9 LLC
464	222 5TH ST	LEON ROBERT
465	306 5TH ST	GARRISON JEFFERY &
466	310 5TH ST	CASTRO JOHN J
467	1122 ZANG BLVD	FORD KAYCE L & NEAL P &
468	1118 ZANG BLVD	SPILLERS ALLEN & DONNA
469	1102 ZANG BLVD	WALIA & SONS REAL ESTATE INC
470	1032 BECKLEY AVE	PARKER LEON
471	1028 BECKLEY AVE	WHATLEY KATRINA L &
472	1022 BECKLEY AVE	SCHULTZ MEREDITH
473	1018 BECKLEY AVE	GRANADO RALPH & DEBRA
474	1014 BECKLEY AVE	GONZALEZ MARIA &
475	1006 BECKLEY AVE	COFER WILLIE R
476	1002 BECKLEY AVE	WISTERIA HILLS 5 LLC
477	1010 BECKLEY AVE	SPERLING MERCEDES &
478	1001 CRAWFORD ST	STOFOROPOULOS EUTHYMOS
479	1015 CRAWFORD ST	FOUNTAIN VILLA INC
480	1019 CRAWFORD ST	GONZALEZ MACARIO &
481	1023 CRAWFORD ST	RAMIREZ MIGUEL & EVANGELI
482	1027 CRAWFORD ST	EQUITY GATEWAY P1 LLC
483	1103 CRAWFORD ST	SCHROEDER MARTIN C &
484	123 6TH ST	GUFFEY TYLER H
485	119 6TH ST	VICTOR PPTIES LLC
486	113 6TH ST	SEGOVIA RAFAEL
487	111 6TH ST	GASPER PASTOR & MARIA
488	103 6TH ST	BAEZA IGNACIO & MARIA
489	102 5TH ST	PARR DAVID ROBERT
490	106 5TH ST	MURPHY CHRISTOPHER W
491	108 5TH ST	WISTERIA HILLS 6 LLC

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
492	218 5TH ST	LLOYD JOSHUA
493	214 5TH ST	ARELLANO MARTHA
494	210 5TH ST	DANTZLER HAL S
495	204 5TH ST	LUGO ELPIDIO &
496	202 5TH ST	SHEETS CLAY C III
497	205 6TH ST	SAVALA SANTOS R EST OF
498	209 6TH ST	WISTERIA HILLS 8 LLC
499	215 6TH ST	ZRUBEK HENRY J
500	223 6TH ST	BIRNBAUM ENTERPRISES LLC
501	233 6TH ST	BERLIN APRIL
502	237 6TH ST	SAUCEDO RUBEN C
503	517 7TH ST	CARBAJAL JOSE J & LETICIA
504	407 STARR ST	VALENZUELA ROSA
505	320 STARR ST	CASTILLO PABLO
506	400 STARR ST	NIETO RODOLFO ESTATE OF
507	406 STARR ST	PINEDA FRANCISCO
508	324 PATTON AVE	GUTIERREZ VICTOR
509	612 ELSBETH ST	BRIONES MARIA & ADOLFO
510	710 ZANG BLVD	DALLAS COUNTY SCHOOLS
511	820 ZANG BLVD	NORTH ZANG DEV LTD
512	835 BECKLEY AVE	BECKLEY PROFESSIONALS INC
513	208 NEELY ST	BAUTISTA MANUEL
514	212 NEELEY ST	RUIZ VERONICA Y
515	216 NEELEY ST	RUIZ VERONICA YOUNG
516	220 NEELY ST	MENDOZA MARIA ROSA
517	111 DAVIS ST	DALLAS COUNTY SCHOOL
518	230 5TH ST	OBD INVESTMENTS LLC
519	817 MARSALIS AVE	WATERS ROBERT L
520	835 MARSALIS AVE	WEISFELD HERSCHEL
521	520 5TH ST	BARNARD BEVERLY A
522	521 6TH ST	CENTENO MERCEDES

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
523	503 6TH ST	GARCIA MARIA ELENA
524	138 DAVIS ST	DALLAS CITY OF
525	238 DAVIS ST	VICTOR PROPERTIES LLC
526	218 DAVIS ST	ENGLISH FAMILY LTD PS
527	334 DAVIS ST	2 ESQUINAS AT BISHOP ARTS LLC
528	900 MARSALIS AVE	RISING TIDE LTD PS
529	908 MARSALIS AVE	BAKER ALBERT L JR &
530	914 MARSALIS AVE	MALONE TONY L
531	824 MARSALIS AVE	MAYS GREGORY T &
532	812 MARSALIS AVE	ROBINSON RONALD R
533	800 MARSALIS AVE	DRAKEMONT JOINT VENTURE
534	834 MARSALIS AVE	HILLCREST HOUSE
535	609 COMAL ST	WIGGINS MARTIN &
536	830 MARSALIS AVE	HAUPERS ERIC
537	704 MARSALIS AVE	ESPINOZA MARIA ELENA
538	700 MARSALIS AVE	SIMS TROY A & SHAKEELA BROOK
539	708 MARSALIS AVE	WOOD SHAUN D &
540	714 MARSALIS AVE	LOPEZ DAVID
541	718 MARSALIS AVE	CASTILLO GERRARDO G
542	722 MARSALIS AVE	EL PATO JOINT VENTURE
543	600 MARSALIS AVE	P & V INC
544	606 MARSALIS AVE	AMG/TPRF II GENEVA SUBSIDIARY 2 LP
545	622 MARSALIS AVE	ELAM EDNA EST OF
546	626 MARSALIS AVE	KENNEDY LISA
547	630 MARSALIS AVE	MARTINEZ PEDRO JOE &
548	614 SABINE ST	HAYNES DELBERT K &
549	500 MARSALIS AVE	SANDOVAL HERMINIA
550	611 6TH ST	CARBALLO OLIVIA
551	504 MARSALIS AVE	MARSALIS FAMILY TRUST
552	514 MARSALIS AVE	YOCOM GALE
553	612 5TH ST	CHILDS HAROLD K

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
554	602 5TH ST	RAMIREZ GERMAN A & IRMA
555	412 MARSALIS AVE	CHERBONAY AT MARSALIS
556	418 MARSALIS AVE	REFUGIO RIZO VASQUEZ
557	422 MARSALIS AVE	LIME HOLDINGS LLC
558	612 6TH ST	RAMIREZ AGRIPINA
559	226 MARSALIS AVE	REEVES GEORGE M ET AL
560	230 STARR ST	AHOURAMAZDA LLC
561	510 8TH ST	PONDEROSA 8TH LLC
562	520 8TH ST	BLESSED SACRAMENT PARISH
563	201 MARSALIS AVE	ROMAN CATH DIOCESE DALLAS
564	220 DENVER ST	MONROY MARINA
565	406 8TH ST	HOME AGAIN INC
566	400 8TH ST	CARVAJAL RICARDO & MARIA M
567	404 8TH ST	GARCIA MARGARITA
568	216 DENVER ST	FLORES DAMIANA J &
569	412 8TH ST	ORTEGA ELENA
570	408 8TH ST	ORTEGA ELENA
571	430 8TH ST	GOMEZ MARCOS MARIA
572	426 8TH ST	MUNOZ CATALINA PADILLA
573	221 STARR ST	CARRANZA JESUS G & MARIA
574	220 PATTON AVE	ROSALES MARGARITA &
575	308 8TH ST	J&M 401K LLC
576	312 8TH ST	MARTINEZ GABRIEL V
577	320 8TH ST	320 E 8TH ST LAND TRUST
578	316 8TH ST	GOMEZ MARIA EST OF
579	217 DENVER ST	CISNEROS SOCORRO LOPEZ
580	225 DENVER ST	SANCHEZ JOE
581	328 8TH ST	GARCIA CLYDE D & MARIE
582	324 8TH ST	GARCIA MARIA
583	125 8TH ST	SALA GARRY W
584	201 8TH ST	GOMEZ JOHN M &

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
585	207 8TH ST	GOMEZ JOHN MARTIN
586	215 8TH ST	RUIZ RAMON & BERTHA A
587	211 8TH ST	TORRES MARIA
588	217 8TH ST	GOMEZ MICHAEL J
589	629 7TH ST	GOOD SPACE II INC
590	624 DAVIS ST	GAYTAN JOSE SR &
591	617 7TH ST	GOODSPACE II INC
592	520 DAVIS ST	CLIFTON DEBI
593	513 7TH ST	GOOD SPACE II INC
594	125 8TH ST	MORIEL BENITO
595	119 8TH ST	SERRANO JESUS R & LUCIA
596	533 8TH ST	MCDONALD M V JR
597	525 8TH ST	EIGHTH STREET ENTERPRTS
598	521 8TH ST	MCDONALD NINETTE ET AL
599	519 8TH ST	MCDONALD MARVIN V ETAL
600	515 8TH ST	EIGHTH STREET ENTERPRISES
601	505 8TH ST	MCDONALD M V
602	509 MELBA ST	GONZALES PETE E &
603	513 MELBA ST	PARRA TONY JR &
604	505 MELBA ST	ARREAGA MICHAEL A
605	524 8TH ST	MCDONALD CARSON A ET AL
606	538 8TH ST	RODRIGUEZ JESUS
607	437 MELBA ST	Taxpayer at
608	433 MELBA ST	MENDEZ EBERTO
609	429 MELBA ST	GUARDADO JOSE FILEMON &
610	425 MELBA ST	CANO MOISES
611	421 MELBA ST	SOTO FELIX &
612	417 MELBA ST	AQUIRRE MAXIMINO B &
613	413 MELBA ST	FREITAG AMANDA MARLENA
614	409 MELBA ST	RODRIGUEZ RAUL
615	405 MELBA ST	BISHOP ARTS VILLAGE LLC

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
616	308 BISHOP AVE	MLARLB LP
617	337 MELBA ST	KEMP MARGARET JEAN & KATHERINE M BEACH LIFE ESTATE
618	329 MELBA ST	NUNO JOSEPH & PAULINE
619	325 MELBA ST	TOVAR ANTONIO C & ALBINA
620	321 MELBA ST	GARCIA JOSE VICENTE & ROSA MARIA
621	317 MELBA ST	TORRES FRANCISCO &
622	313 MELBA ST	CASTILLO OLIVER G EST OF
623	309 MELBA ST	CERDA JUAN & GUADALUPE
624	305 MELBA ST	ESCALANTE JUAN L &
625	307 MADISON AVE	ESMIRNA TEMPLO
626	301 MELBA ST	POPKEN TRACY M
627	237 MELBA ST	FLORES DAVID & ROSA
628	235 MELBA ST	VARGAS ANTELMA &
629	231 MELBA ST	MANDUJANO J PABLO &
630	225 MELBA ST	CHAVARRIA LUCIANO
631	223 MELBA ST	VARGAS GABINO H JR
632	217 MELBA ST	SALAS FRANCISCO & TERESA
633	213 MELBA ST	ERIVES PATRICIA
634	211 MELBA ST	DEHOYOS DORA
635	205 MELBA ST	CHAVARRIA MACARIO PAIZ
636	201 MELBA ST	BARREIRO CRISEIDA M &
637	131 MELBA ST	BEISER NED E
638	127 MELBA ST	ORTIZ MANUEL &
639	126 8TH ST	GIRLS INCORPORATED OF
640	130 8TH ST	GIRLS INC OF METROPOLITAN
641	200 MELBA ST	EIGHTH ZANG LTD
642	206 MELBA ST	YAWTSAR LLC
643	212 MELBA ST	DRENNAN MARGIE L
644	222 MELBA ST	ESQUIVEL JULIO C &
645	226 MELBA ST	CEJA OCTAVIANO C &
646	230 MELBA ST	CALDERON ALAJANDRO EST OF &



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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
647	234 MELBA ST	GONZALEZ MOISES &
648	236 MELBA ST	RUIZ ANTONIO D
649	300 MELBA ST	EXXIR CAPITAL LLC
650	306 MELBA ST	TAYLOR RONNY R SR
651	312 MELBA ST	EXXIR CAPITAL LLC
652	328 MELBA ST	BISHOP ART VILLAGE LLC
653	336 MELBA ST	SANDOVAL MARCO ANTONIO
654	410 MELBA ST	SOLARZONO JOSE &
655	412 MELBA ST	SANCHEZ JOSE
656	418 MELBA ST	CANO JOEL & ROSA ISELA
657	422 MELBA ST	MEDINA RICARDO & MARCELA
658	426 MELBA ST	DAVILA JESUS
659	428 MELBA ST	MEESTER TRAVIS J
660	432 MELBA ST	MUSICANT AARON &
661	436 MELBA ST	BANDA GUADALUPE
662	600 8TH ST	MUNOZ JESUS PONCE &
663	615 8TH ST	BELMAR MANAGEMENT LTD
664	605 8TH ST	MCDONALD NINNETTE &
665	600 7TH ST	WILLIS SEAN W
666	604 7TH ST	RANGEL MARTHA
667	612 7TH ST	SMITH ROBERT
668	612 HAINES AVE	BATSON DELAINA W
669	616 HAINES AVE	HIDALGO MARIA TERESA
670	620 HAINES AVE	MONZO JAMIE M
671	624 HAINES AVE	JASIECKI KEITH E
672	628 HAINES AVE	BLAKE KENNETH C &
673	631 BISHOP AVE	2444 LLC
674	627 BISHOP AVE	2444 LLC
675	630 BISHOP AVE	FIENTES JOSE CO INC
676	625 MADISON AVE	JASIECKI KEITH
677	621 MADISON AVE	FLORES JAVIER

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
678	617 MADISON AVE	RODRIGUEZ EDUARDO S &
679	613 MADISON AVE	MONDRAGON MARIA E
680	608 MADISON AVE	AMERICA CAN
681	612 MADISON AVE	JASSO JACQUELINE NAVA
682	620 MADISON AVE	PONCE FILEMON I
683	616 MADISON AVE	MARTINEZ MARTIN
684	624 MADISON AVE	RODRIQUEZ TORIBIA C
685	629 ELSBETH ST	EVERLAST CONSTRUCTION LLC
686	212 NEELY ST	1122 HOLDINGS LLC
687	627 ELSBETH ST	ACQUISTO MICHAEL F
688	621 ELSBETH ST	MENA JUAN BARRERA
689	615 ELSBETH ST	MATRIX PARTNERS LP
690	210 CANTY ST	MACIAS JESUS & IRMA V
691	727 ELSBETH ST	MARTINEZ JOSE SANTOS &
692	733 ELSBETH ST	MACIAS EDGAR A
693	719 ELSBETH ST	ACQUISTO AMY F
694	713 ELSBETH ST	FLORES DORA
695	709 ELSBETH ST	CANALES ROBERTO M &
696	701 ELSBETH ST	701 ELSBETH LLC
697	822 MADISON AVE	SANTOS OSCAR &
698	828 MADISON AVE	GARCIA CATALINO &
699	824 MADISON AVE	SHEPHERD GARY A
700	836 MADISON AVE	BREN ADAM STEPHENS & ARRON
701	834 MADISON AVE	BISHOP AVENUE PROPERTIES LLC
702	833 ELSBETH ST	TAYLOR EVELYN S LIVING TRUST &
703	839 ELSBETH ST	PRINCE MICHAEL
704	825 ELSBETH ST	RICHINS RANDALL K
705	819 ELSBETH ST	MARTIN JEREMY &
706	815 ELSBETH ST	ROPPLO MATTHEW J
707	813 ELSBETH ST	CERVANTES CECILIA H
708	809 ELSBETH ST	A & E HOUSING LLC

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
709	805 ELSBETH ST	MARTINEZ AGUSTIN
710	801 ELSBETH ST	CLIMER NICHOLAS I &
711	904 MADISON AVE	FLORES RAMON
712	900 MADISON AVE	CABRALES CARLOS &
713	908 MADISON AVE	NOEL EMANUEAL B
714	912 MADISON AVE	BELTRAN MARY A
715	918 MADISON AVE	MOTA CONSUELO
716	917 ELSBETH ST	BROWN CYNTHIA R
717	913 ELSBETH ST	TORRES EDGAR ALFREDO
718	909 ELSBETH ST	PEREZ VICENTE
719	907 ELSBETH ST	HERNANDEZ BELEN I
720	901 ELSBETH ST	MATA RENE R
721	1002 MADISON AVE	MONROY AMANDO
722	1013 ELSBETH ST	TIJERINA JOSE M & SILVIA DELGADO
723	1011 ELSBETH ST	SALDIVAR RAUL
724	1007 ELSBETH ST	MENDOZA JUANA NAOMI
725	1003 ELSBETH ST	LIMON PAULA
726	222 COLORADO BLVD	TEXAS WAGGONER CORPORATION &
727	1211 ZANG BLVD	OUELETTE JARRETT
728	1215 ZANG BLVD	OUELETTE JARRETT
729	1103 BALLARD AVE	WISTERIA HILLS 14 LLC
730	1039 ZANG BLVD	MALLEY JOSEPH H & MARY L
731	1019 ZANG BLVD	DALAL KARIM & RAYAN DALAL
732	1020 ELDORADO AVE	MENDOZA OSCAR
733	1006 ELSBETH ST	CROW BRENDA ANN
734	1011 ZANG BLVD	ZANG CRYSTAL HILL LLC
735	1015 ZANG BLVD	AVERITE CHRISTOPHER J
736	1024 ELDORADO AVE	CORTEZ NATIVIDAD
737	1000 ELSBETH ST	HERRERA RUBEN D
738	143 5TH ST	ALATORRE DANIEL &
739	1035 ZANG BLVD	VICTOR BALLAS & VA CAPITAL

09/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
740	147 5TH ST	GALVAN ALFREDO GONZALEZ &
741	1003 ZANG BLVD	FISCAL GABRIEL AND MARIA DE LA LUZ FISCAL
742	1022 ELDORADO AVE	BARRIENTOS EMILIO A &
743	1016 ELDORADO AVE	CALZADA ANTONIO
744	1010 ELSBETH ST	DREILING COURTNEY
745	139 5TH ST	AMADOR JUAN
746	607 HAINES AVE	VARGAS ALBERT &
747	611 HAINES AVE	MORENO JUAN
748	615 HAINES AVE	FLEMING SEAN P & FELIX A
749	617 HAINES AVE	GUTIERREZ FRANK M EST OF
750	623 HAINES AVE	CARDENAS APOLINAR &
751	618 WOODLAWN AVE	PENA JESUS R
752	612 WOODLAWN AVE	TAMEZ MARIA & RAMON
753	610 WOODLAWN AVE	MARROQUIN MARIA CARMEN
754	606 WOODLAWN AVE	VEGA JUAN M &
755	615 WOODLAWN AVE	GANTZ & SCODELLER LLC
756	607 WOODLAWN AVE	JAIME LORETTA &
757	330 MARSALIS AVE	Dallas ISD
758	418 8TH ST	WINN ELISE LIFE ESTATE EST OF
759	422 8TH ST	ROCHA ANTONIO
760	602 DAVIS ST	FUENTES JOSE CO INC
761	808 MARSALIS AVE	FLORES MARIA D
762	808 MARSALIS AVE	FLORES MARIA D
763	306 MARSALIS AVE	SOUTHLAND CORP 12292
764	232 MARSALIS AVE	REEVES GEORGE M ET AL
765	510 ZANG BLVD	BANJO VENTURES LTD
766	108 DAVIS ST	LA ESTRELLA DE CUELLAR INC

**FILE NUMBER:** Z145-342(ND)**DATE AUTHORIZED:** July 23, 2015

**LOCATION:** An area generally bound by Haskell Avenue, R.L. Thornton Freeway, 2<sup>nd</sup> Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue

**COUNCIL DISTRICT:** 1, 2, 6, 7, 14

**CENSUS TRACT:** 7.01, 16, 17.01, 17.03, 17.04, 18, 19, 21, 22, 31.01, 34, 41, 100, 203, 204,

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**PROPOSAL:** City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District; Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 – CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development District No. 305, Planned Development District No. 317, Planned Development District No. 330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No.

466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 with consideration given to a zoning category that would allow for a historic building demolition delay.

**SUMMARY:** The Downtown Dallas Historic Preservation Task Force recommended the City initiate a process for a delay for historic buildings facing demolition. City Council endorsed the recommendation. On September 22, 2015, City Council approved a code amendment to create the Historic Building Demolition Delay Overlay. This case, and case Z145-341, would be the first areas to be designated with the demolition delay overlay.

**STAFF RECOMMENDATION:** Approval

**LANDMARK COMMISSION RECOMMENDATION:** Approval



## **BACKGROUND INFORMATION:**

The Downtown Dallas Historic Preservation Task Force was formed in December of 2014. Their purpose was to address the vulnerability of Downtown Dallas' historic resources and to explore best practices nationwide for incorporating historic preservation into a broader economic development plan to foster downtown revitalization and growth. The Task Force addressed ways to help preservation and development work together.

The Task Force was comprised of downtown stakeholders, preservationists, developers, architects, planners, and real estate professionals. The Task Force met eight times over four months to formulate recommendations to present to City Council. One of the recommendations was the creation of a demolition delay "for proposed demolition of historic buildings in Greater Downtown to foster dialogue and consider alternatives."

The Task Force recommendations were presented to Council's Arts, Culture, and Libraries Committee on April 20, 2015. The Committee recommended a full Council briefing on the recommendations and staff's proposed action plan.

On June 3, 2015, City Council was briefed on the Task Force recommendations. Council generally supports the recommendations of the Task Force and instructed staff to return with the proposed demolition delay as the first action item and pursue the other recommendations in a timely manner.

On August 3, 2015, Landmark Commission recommended approval of the code amendment creating the Historic Building Demolition Delay Overlay.

City Plan Commission recommended approval of the code amendment on August 20, 2015, and City Council approved the creation of the overlay on September 22, 2015.

On September 8, 2015, the Landmark Commission recommended approval of the overlay for this area as well as the greater Downtown area (Z145-341).

## **STAFF ANALYSIS:**

Currently, up to 60% of the buildings in Downtown Dallas National Register Historic District are not protected from demolition. Crucial components of Dallas' historic fabric and economic viability can be demolished by any owner at any time with no wait period or review.

The goal of the demolition delay is to create a wait period to give staff the opportunity to review demolition applications for buildings 50 years or older and meeting certain criteria in the Greater Downtown Dallas area and to explore alternatives to demolition when appropriate.

The proposed overlay would apply to buildings or structures at least 50 years old that meet one of the following criteria: 1) located in a National Register District or individually

listed, 2) a Recorded Texas Historic Landmark, 3) State Antiquities Landmark, 4) National Historic Landmark, 5) listed as significant in the 2003 Downtown Dallas Historic/Architectural Significant Properties survey, or 6) listed as contributing in the 1994 Hardy-Heck-Moore survey.

The Dallas Appraisal District data will be used to determine the age of a structure. If the structure is 45 years to 50 years, staff will use the 10 day (Phase I period) to review building permit and certificate of occupancy records to confirm the date of construction.

The proposed process would begin when an owner submits a demolition application to Building Inspections. Building Inspection staff would notify the Historic Preservation Officer (HPO). This would begin a 10 day review by the HPO. If the property met the criteria listed above, the application would have an additional 45 day delay. If the criteria were not met, the HPO notifies Building Inspection and the demolition permit is issued.

For properties meeting the criteria, staff would list the properties on the City's webpage with staff contact information and place a sign on the property. The HPO would schedule a meeting with the owner to discuss alternatives to demolition. Staff would invite interested organizations (such as Dallas Downtown, Inc., Preservation Dallas) and stakeholders to the meeting as well as appropriate City departments.

If no viable solution is agreed upon within 35 days, the HPO would notify Building Inspection staff to issue the demolition permit. However, the property owner may agree in writing to extend the delay period to continue to work on alternatives. The time of the additional delay would be negotiated between the HPO and the property owner. If other alternatives were not agreed upon during this extended time period, the HPO would notify Building Inspection staff to issue the demolition permit.

**Landmark Commission action:**

September 8, 2015

City Plan Commission authorized hearing to determine the proper zoning on property zoned an A(A) Agriculture District, a CA-1(A) Central Area District, a CA-2(A) Central Area District, a CR Community Retail District, a CS Commercial Services District, a GR General Retail District, an IM Industrial Manufacturing District, an IR Industrial Research District, an LO-3 Limited Office District, an MC-3 Multiple Commercial District, an MF-2 Multiple Family District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-3 Mixed Use District, an NO(A) Neighborhood Office District, a P(A) Parking District, WMU-5 Walkable Mixed Use District, WR-5 Walkable Residential District; Planned Development District No. 9, Planned Development District No. 145, Planned Development District No. 153, a portion of Planned Development District No. 174, Planned Development District No. 183, Planned Development District No. 184, Planned Development District No. 190, a portion of Planned Development District No. 193 – CA-2 Central Area, GR General Retail, HC Heavy Commercial, I-2 Industrial, I-3 Industrial, LC Light Commercial, MF-2 Multiple Family, MF-3 Multiple Family, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 2, No. 6, No. 7, No. 8, No. 11, No. 13, No. 15, No. 16, No. 23, No. 24, No. 34, No. 35, No. 39, No. 45, No. 49, No. 50, No. 52, No. 53, No. 54, No. 58, No. 64, No. 66, No. 68, No. 74, No. 77, No. 79, No. 83, No. 85, No. 86, No. 87, No. 88, No. 93, No. 94, No. 95, No. 96, No. 98, No. 103, No. 108, No. 111, and No. 113; Planned Development District No. 201, Planned Development District No. 225, a portion of Planned Development District No. 269, a portion of Planned Development District No. 298, a portion of Planned Development District No. 305, Planned Development District No. 317, Planned Development District No. 330, Planned Development District No. 334, Planned Development District No. 339, Planned Development District No. 346, Planned Development District No. 357, Planned Development District No. 358, Planned Development District No. 363, Planned Development District No. 372, Planned Development District No. 375, Planned Development District No. 442, Planned Development District No. 466, a portion of Planned Development District No. 468, Planned Development District No. 473, Planned Development District No. 513, Planned Development District No. 582, Planned Development District No. 594, a portion of Planned Development District No. 595 [a CC Community Commercial, an FWMU-3 Form Walkable Mixed Use, an MF-1(A) Multifamily, an MF-2(A) Multifamily, an NC Neighborhood Commercial, a P Parking, an RS-C Regional Service-Commercial, an RS-I Regional Service-Industrial, an RS-I(E) Regional Service-Industrial Enhanced, an RS-MU Regional Service-Mixed Use, an RS-MU(E) Regional Service-Mixed Use Enhanced Subdistricts], Planned Development District No. 619, Planned Development District No. 621, Planned Development District No. 708, Planned Development District No. 715, Planned Development District No. 749, Planned Development District No. 747, Planned Development District No. 774, Planned Development District No. 784, Planned Development District No. 800, Planned Development District No. 841, Planned Development District No. 857, Planned Development District No. 871, Planned Development District No. 877 in an area generally bound by Haskell Avenue, R.L. Thornton Freeway, 2<sup>nd</sup> Avenue, Al Lipscomb Way, Trinity River, Express Street, Stemmons Freeway, and Cole Avenue with consideration given to a zoning category that would allow for a historic building demolition delay.

Speakers: For: No one  
Against: No one

**Motion:**

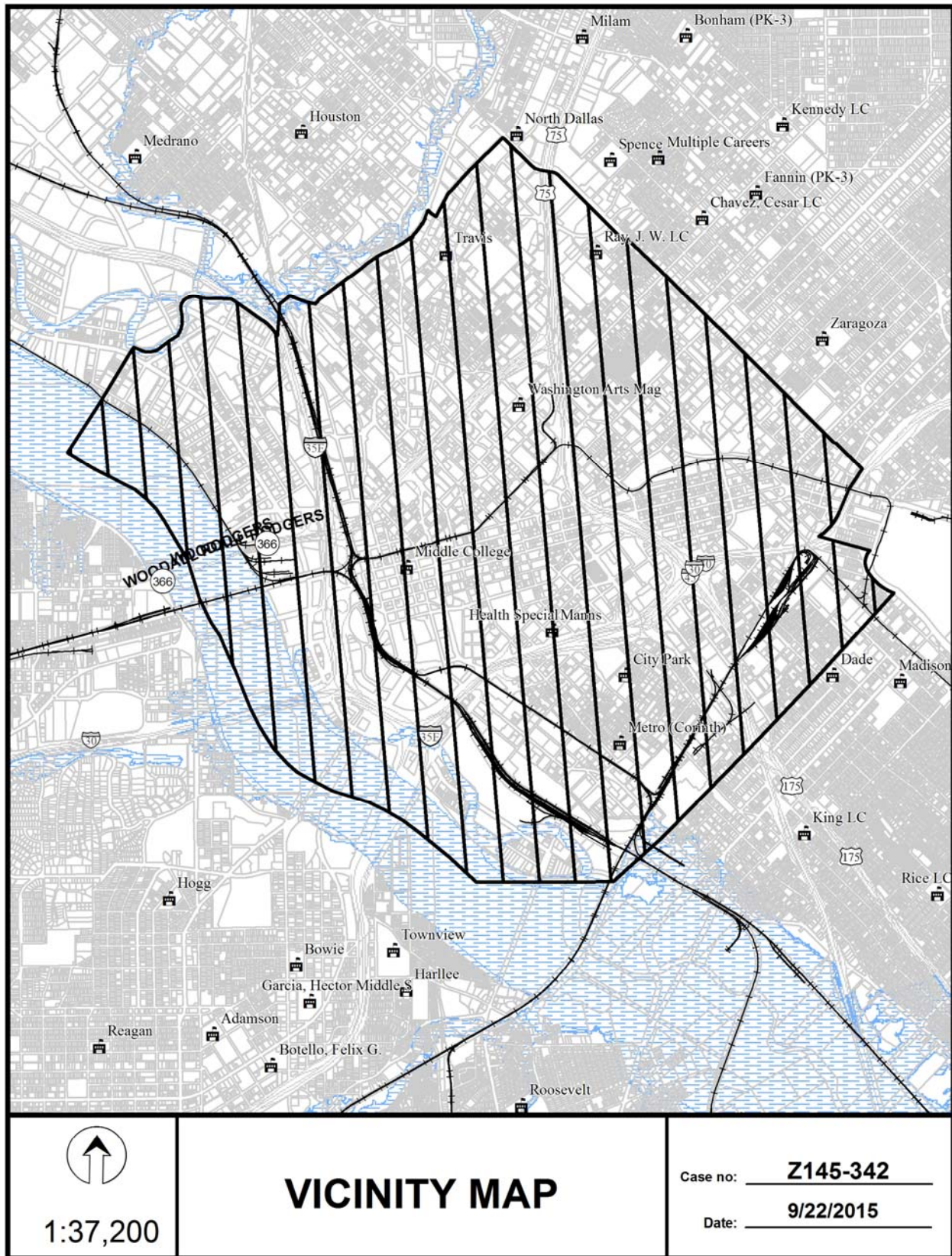
Approve.

Maker: Tapscott

Second: \*Birch

Results: 13/0

Ayes:	- 13	Amonett, *Birch, Birrer, *Childers, Gadberry, Johnson, Jordan, Maten, *Sherman, Seale, Tapscott, Thomas-Drake, Williams
Against:	- 0	
Absent:	- 3	Bowers, Flabiano, Greenberg
Vacancies:	- 2	Dist 7 and 12













Z145-342(ND)

Due to the number (8186) of notices mailed, the complete list of property owners is not included in the case report but is available by contacting the Sustainable Development and Construction Department at 214-670-4209.

**FILE NUMBER:** Z145-238(WE) **DATE FILED:** March 2, 2015

**LOCATION:** Generally bounded by North Fitzhugh Avenue, Chambers Street, North Garrett Avenue, Moser Avenue and Monarch Street

**COUNCIL DISTRICT:** 2 **MAPSCO:** 36W

**SIZE OF REQUEST:** Approx. 8.167 acres **CENSUS TRACT:** 9.00

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**APPLICANT:** Maple Multifamily Development, LLC

**REPRESENTATIVE:** Robert Baldwin, Baldwin Associates

**OWNERS:** Bennett 1901, LLC, Larkspur Monarch, LLC; Larkspur Sycamore LP, Larkspur Capital Partners, LLC; and Bennett Garrett 139, Ltd., 1925 Moser, LLC

**REQUEST:** An application for an MF-2(A) Multifamily District and a Planned Development District for multifamily residential uses on property zoned an MF-2(A) Multifamily District and Planned Development District No. 914.

**SUMMARY:** The applicant requests to rezone 2.687 acres of PDD No. 914 to MF-2(A). The remaining 1.42 acres of PDD No. 914 will be rezoned to a new PDD along with 4.06 acres of property currently zoned MF-2(A). The new PDD is proposed for the construction of a 321-unit multifamily development. However, other MF-2(A) uses will be permitted. The portion that requests to rezone to MF-2(A) would allow those uses as permitted by the Dallas City Code. The new PDD is proposed to eliminate the minimum lot area per dwelling unit requirement, increase the maximum structure height on a portion of the site, and reduce the yard setbacks on a portion of the site.

**STAFF RECOMMENDATION:** Approval of an MF-2(A) Multifamily District; and approval of a Planned Development District, subject to a development plan, and staff's recommended conditions.

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

Staff recommendation for approval of the Planned Development District is based upon:

1. *Performance impacts upon surrounding property* – The performance impact the proposed rezoning will have on the surrounding properties is dependent upon maintaining a density, lot coverage and structure height that is consistent with the surrounding area. In addition, design standards promoting a pedestrian-friendly environment is paramount, in particular for those areas where additional height and/or density are requested. Therefore, staff supports an increase in the structure height and lot coverage on a portion of the property near Fitzhugh Avenue and Monarch Street. However, staff does not support an increase in density in an area that is predominantly developed at lower MF-2(A) density.
2. *Traffic impact* – A traffic impact analysis was submitted. It determined to restrict the on-street parking along North Fitzhugh Avenue in order to maintain roadway capacity. The TIA didn't necessitate any additional off-site or on-site roadway improvements.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in an Urban Neighborhood Building Block. The MF-2(A) zoning is generally consistent with the characteristics of an Urban Neighborhood Building Block. For the PDD zoning request, staff is only supportive of rezoning to increase density, lot coverage and height where it is consistent with the surrounding area.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – A straight MF-2(A) District on the entire property will not permit: 1) a reduction in the side and rear yard setbacks from 10 feet to 5 feet, 2) increase in the structure height from 36 feet to 49 feet in Subarea C; 3) increase in lot coverage from 60 percent to 80 percent in Subarea C, and 3) allow encroachment of specific design elements in the front and side yard setbacks. Staff is supportive in the decrease in the side and rear yards, and increase in the structure height and lot coverage in Subarea C.

**Zoning History:** There have been three zoning cases in the area over the past five years.

1. **Z101-321** On January 25, 2012, the City Council approved a Planned Development District for Multifamily District uses for 316 dwelling units on the southeast side of Capitol Avenue between Garrett Avenue and Bennett Avenue.
2. **Z123-365** On June 11, 2014, the City Council approved a Planned Development District for MF-2(A) Multifamily District uses for 305 units on property zoned an MF-2(A) Multifamily District on the southeast line of Fuqua Street, southwest line of Moser Avenue, northwest line of Monarch Street and northeast line of North Garrett Avenue.

3. **Z145-108** On April 22, 2015, the City Council approved a Planned Development District for CR Community Retail District uses on property zoned an MF-2(A) Multifamily District southeast of Capitol Avenue, between Bennett Avenue and North Fitzhugh Avenue.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Fitzhugh Avenue	Local	50 ft.	50 ft.
Chambers Street	Local	50 ft.	50 ft.
North Garrett Avenue	Local	60 ft.	60 ft.
Moser Avenue	Local	60 ft.	60 ft.
Monarch Street	Local	67 ft.	67 ft.
Bennett Avenue	Local	50 ft.	50 ft.

**Traffic:** A traffic impact analysis was submitted. It determined to restrict the on-street parking along North Fitzhugh Avenue in order to maintain roadway capacity. The TIA didn't necessitate any additional off-site or on-site roadway improvements.

**COMPREHENSIVE PLAN:** The *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depict general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The request site is identified as being within an Urban Neighborhood Building Block on the *forwardDallas! Vision Illustration*, adopted June 2006. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The proposed MF-2(A) zoning is consistent with the Urban Neighborhood Building Block. The area is predominately zoned MF-2(A) with a mixture of single-family

residences and lower density multifamily structures. While the Urban Neighborhood Building supports a mixture of housing choices, it also recognizes that “areas currently developed with single family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process”. Absent an Area Planning process, staff is only supportive of rezoning to increase density, lot coverage and height where it is consistent with the surrounding area.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	MF-2(A), PDD No. 914	Multifamily, Undeveloped
<b>North</b>	MF-2(A)	Multifamily, Single Family
<b>South</b>	MF-2(A)	Multifamily, Undeveloped, Single Family
<b>East</b>	MF-2(A), LO-1 w/deed restrictions	Multifamily, Fire Station, Single Family
<b>West</b>	MF-2(A)	Multifamily, Single Family

**Land Use Compatibility:** The 8.167 acre site is an irregular shape that encompasses several city blocks. The adjacent land uses in the surrounding area are predominately 2- to 3-story multifamily units. In June 2014, the City Council approved Planned Development District No. 914 for MF-2(A) Multifamily District uses, but the site was never redeveloped as result of existing 1920 private restrictions.

2.687 acres of PDD No. 914 being rezoned to MF-2(A)

The applicant proposes to rezone a portion of Planned Development District No. 914 to an MF-2(A) Multifamily District. A portion of the site, fronting on Moser Avenue is currently development with multifamily units, with remaining site on North Garrett Avenue being undeveloped. This portion of the site along North Garrett Avenue will be developed with a 73-unit multifamily development at a maximum structure height of 36 feet in the new Planned Development District (Subarea A).

While the existing PDD No. 914 provides for some increased standards above MF-2(A) code regulations, it also provides for more density. By rezoning the property back to MF-2(A) zoning providing for lesser density, those enhanced performance criteria are also removed.

	<b>Proposed MF-2(A) District</b>	<b>Existing PDD No. 914</b>
Front yard	15 ft.	15 ft.
Side and rear yards	10 ft. / 10 ft.	10 ft. / 10 ft.
Height	36 ft.	36 ft. <sup>1</sup>
Stories	No maximum	3
Lot Coverage	60%	75%
Dwelling unit density	No maximum per code <sup>2</sup>	74.26 dwelling units per acre
Minimum lot area per dwelling unit	800 sq. ft. – No separate bedroom; 1,000 sq. ft. – 1 BR; 1,200 sq. ft. – 2 BR; Add 150 sq. ft. for each bedroom over 2	No minimum lot area required.
Landscape	Per Article X	Per Article X except for site trees and parkway trees
Sidewalks	Minimum 4 ft.	Minimum 6 ft.
Design Criteria	N/A	Requirements for architectural elements, pedestrian entrances, blank walls, façade wall changes, materials and colors, and pedestrian amenities
Signage	Non-business regulations	Article VII with the exception that blade signs are permitted along Monarch and Garrett; and detached signs are prohibited.

1. Measured from the midpoint of a sloped roof from the building's finished floor at grade level within 170 feet of Moser Avenue.
2. Based upon code revisions to parking for multifamily structures, property zoned MF-2(A) have developed up to 45 dwelling units per acre.



1.42 acres of PDD No. 914 and 4.06 acres of MF-2(A) being rezoned to new PDD

The applicant proposes to raze several multifamily structures to construct a 321-unit multifamily development. Below are tables detailing the development standards for the proposed PDD, MF-2(A) and PDD 914.

	<b>Proposed PDD</b>	<b>Existing MF-2(A) District (4.06 acres)</b>	<b>Existing PDD No. 914 (1.42 acres)</b>	<b>Staff's Recommendation</b>
Front yard	15 ft. min. / 30 ft. max.	15 ft.	15 ft.	15 ft.
Side and rear yards	5 ft.	10 ft. / 10 ft.	10 ft. / 10 ft.	5 ft.
Height Subarea A Subarea B Subarea C	36 ft. 36 ft. 49 ft.	36 ft.	36 ft. <sup>1</sup>	36 ft. 36 ft. 49 ft.
Stories Subarea A Subarea B Subarea C	3 3 4	No maximum	4	3 3 4
Lot Coverage Subarea A Subarea B Subarea C	50% 50% 80%	60%	75%	50% 50% 70%
Density unit density Subarea A	73 units (51.4 dua)	N/A	74.26 dua	73 units (51.4 dua)
Subarea B	86 units (54.77 dua)	No maximum per code. <sup>2</sup>	N/A	70 units (44.58 dua)
Subarea C	162 units (65.06 dua)	No maximum per code. <sup>2</sup>	N/A	115 units (46.18 dua)
Total number units	321 units (58.57 dua)	N/A	N/A	258 units (47.08 dua)
Minimum lot area per dwelling unit	No minimum lot area required.	800 sq. ft. – No separate bedroom; 1,000 sq. ft. – 1 BR; 1,200 sq. ft. – 2 BR; Add 150 sq. ft. for each bedroom over 2	74.26 dwelling units per acre	
Landscape	Per Article X	Per Article X	Per Article X except additional requirements site trees and parkway trees	Per Article X except additional requirements site trees and parkway trees
Sidewalks	6 ft.	4 ft.	Minimum 6 ft.	6 ft.
Design Criteria	Requirements for design standards,	N/A	Requirements for architectural elements,	None

	façade wall changes, materials and colors, pedestrian entrances, parking structure screening, pedestrian amenities and roof pitch.		pedestrian entrances, blank walls, façade wall changes, materials and colors, and pedestrian amenities	
Signage	Article VII with the exception that blade signs are permitted	Non-business regulations	Article VII with the exception that blade signs are permitted along Monarch and Garrett; and detached signs are prohibited.	Article VII with the exception that blade signs are permitted along Monarch and Garrett; and detached signs are prohibited.

1. Measured from the midpoint of a sloped roof from the building's finished floor at grade level within 170 feet of Moser Avenue.
2. Based upon code revisions to parking for multifamily structures, property zoned MF-2(A) have developed up to 45 dwelling units per acre.5 ft.

The development plan identifies this area as Subarea A and Subarea B. The applicant is requesting to reduce the following development standards in Subarea A and Subarea B: 1) a reduction in the side and rear yard setbacks from 10 feet to 5 feet, and 2) encroachment in the front yard. The reduction in the required yards will allow for the off-street parking areas to be screened by the proposed developments from the adjacent multifamily uses.

The 162-unit multifamily development will wrap around a 4-story parking structure on three sides. The only driveway approach to the parking structure is on Chambers Street. The development plan identifies this area as Subarea C and is the only area where the density will increase from the typical MF-2(A) density.

**Parking:** The parking regulations require one space for each bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only.

The applicant is proposing a minimum of one off-street parking space for each dwelling unit must be provided on the building site. Required off-street parking that is not located on the building site must be located within a parking structure that is within a walking distance of 600 feet from the use served by the parking.

The applicant anticipates that of the 371 units, approximately 75% will be one bedroom and 25% will be two bedrooms. It is noted that this unit mix was provided by the applicant for informational purposes but is not a required by the PDD conditions. All required parking will be provided onsite. The applicant will meet the required off-street

parking requirements for the proposed multifamily development. The PDD will allow for the guests in Subarea B to park in the parking structure in Subarea A.

**Signage:** The applicant is requesting to incorporate blade signs in the multifamily family development. The proposed blade signs will not extend beyond 4 feet from the structure and cannot exceed 20 feet in height with a maximum effective area of 45 feet. Blade signs are only permitted in a business zoned district with a maximum effective area of 20 square feet. However, blade signs have been approved in PDDs for MF multifamily developments.

# ZONING AND PARCEL MAP



Zoning and Parcels within 1/4-Mile of Subject Site Z145-238



<p><b>LIST OF OFFICERS</b> Croesus Greenville Avenue, LP</p>
--

**Officers**

**Applicant**

Maple Multifamily Development, LLC

Anne L. Raymond, Manager

Kenneth J. Valach, Vice President

Mathew D. Schildt, Vice President

Megan T. Smith, Vice President

Scott D. David, Vice President

Stephen Bancroft, Vice President

Timothy Hogan, Vice President

**Owners**

Bennett 1909 LLC

Steward J. Jackson, Manager

Larkspur Monarch, LLC and Larkspur Sycamore LP

Larkspur Capital Partners, LLC

Christopher E. Anderson, Managing Partner

Carl B. Anderson, IV, Managing Partner

Bennett Garrett 139, Ltd.

Sterling Bennett, LLC

Stuart Jackson, President

Christopher Jackson, S-CP

1925 Moser, LLC

Neal Morris, Manager

<b>PROPOSED PDD CONDITIONS</b>
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**ARTICLE \_\_\_\_\_.**

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

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

**LEGISLATIVE HISTORY.**

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

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

**PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_\_ is established on property located on the northeast side of Garrett Avenue between Fuqua Street and Monarch Street; on the south corner of Garrett Street and Chambers Street; and the block bounded by Fitzhugh Avenue, Chambers Street, Bennett Avenue, and Monarch Street. The size of PD \_\_\_\_ is approximately 5.48 acres.

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

**PURPOSE STATEMENT.**

The purpose of this article is to facilitate thoughtful redevelopment of the property by modifying the existing zoning regulations to lower the allowed height and density to be compatible with the single family environment.

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

**DEFINITIONS AND INTERPRETATIONS.**

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

(1) **BLADE SIGN** means a sign projecting perpendicularly from the main building facade, or from a building corner, visible from both sides, and made of rigid or soft materials.

(2) **INDIVIDUAL GARAGE** means in close parking space that is attached to a building dwelling units has direct access to one dwelling.

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

(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.

(d) This district has three subareas: A, B, and C.



**SEC. 51P- \_\_\_\_\_.105. EXHIBIT.**

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

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

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

**SEC. 51P- \_\_\_\_\_.107. MAIN USES PERMITTED.**

(a) 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.

(b) Accessory Community Center (Private) is limited to use by residents of the Property.

**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) Front yard. Except as provided in this subsection, minimum front yard is 15 feet.

(1) The following may be located in the required front yard in addition to the ordinary projections allowed in Section 51A-4.401(a)(1):

(A) Retaining walls.

(B) Columns, railings for stairs, stoops, porches, and patios with a maximum height of four feet. When railings are installed above a retaining wall, the height of the railing is measured from the top of the retaining wall. The maximum encroachment is eight feet.

(C) Balconies, patios, awnings, ramps, stairs, and stoops may project into the required front yard if each encroachment does not exceed 18 feet in width. Stairs and ramps are not limited in width. The maximum encroachment is eight feet.

(D) In Subareas A and B, landscaping planters, and accessory structures for multifamily amenities such as canopies, trellises, grills, permanent seating, and fire places if the height of the structures is 12 feet or less. The maximum encroachment is eight feet.

(E) Public art.

(4) In Subarea C, an above-ground parking structure must provide a minimum setback of 20 feet. Architectural features may project up to two feet into this setback requirement.

(b) Side and rear yard.

(1) Except as provided in this subsection, minimum side and rear yard is five feet.

(2) Minimum side yard for the northwest side yard of Subarea A is 15 feet as shown on the development plan.

*Staff's Recommendation*

~~[(3) — No side or rear setback is required for a dumpster and dumpster enclosure.]~~

*Applicant's Proposal*

(3) No side or rear setback is required for a dumpster and dumpster enclosure.

*Staff's Recommendation*

(4) Public art, landscaping planters, and accessory structures for multifamily amenities such as canopies, trellises, grills, permanent seating, and fire places if the height of the structures is 12 feet or less may be located in the required side and rear yard if its area of projection does not exceed two feet in addition to the ordinary projections allowed in Section 51A-4.402(a)(1) and 51A-4.403(a)(1).

*Applicant's Proposal*

(4) Public art, landscaping planters, and accessory structures for multifamily amenities such as canopies, trellises, grills, permanent seating, and fire places if the height of the structures is 12 feet or less may be located in the required side and rear yard in addition to the ordinary projections allowed in Section 51A-4.402(a)(1) and 51A-4.403(a)(1).

*Staff's Recommendation*

(c) Density. Maximum number of dwelling units is 258.

(1) Subarea A. Maximum number of dwelling units is 73.

(2) Subarea B. Maximum number of dwelling units is 70.

(3) Subarea C. Maximum number of dwelling units is 115.

*Applicant's Proposal*

(c) Density. Maximum dwelling units combined is 321.

(1) Subarea A. Maximum number of dwelling units is 73.

(2) Subarea B. Maximum number of dwelling units is 86.

(3) Subarea C. Maximum number of dwelling units is 162.

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

(e) Height.

(1) Subarea A and B. Maximum structure height is 36 feet measured to the top of the roof structure.

(2) Subarea C. Maximum structure height is 49 feet measure to the top of the roof structure.

(3) Projections.

(A) The following structures may project a maximum of six feet above the maximum structure height, not to exceed 30 percent of the roof area.

- a. Chimney and vent stacks.
- b. Mechanical equipment and mechanical equipment room(s).
- c. Ornamental cupola or dome.
- d. Visual screens which surround roof mounted mechanical equipment.
- e. Parapet wall, limited to a height of four feet above the maximum height.

(B) The following structure may project a maximum of eight feet above the maximum structure height: elevator or stair penthouse or bulkhead.

(C) Rooftop amenity areas are prohibited.

(f) Lot coverage.

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

(2) Subarea A and B. Maximum lot coverage is 50 percent.

(3) Subarea C. Maximum lot coverage is 80 percent.

(g) Lot size. No minimum lot size.

(h) Stories.

(1) Subarea A and B. Maximum number of stories above grade is three.

(2) Subarea C. Maximum number of stories above grade is four.

#### **SEC. 51P-\_\_\_\_.110. DESIGN STANDARDS FOR RESIDENTIAL USES.**

(a) Facade wall changes. Facade walls must have one or more of the following changes:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically.

(2) Changes in plane with a depth of at least three feet, either diagonally, horizontally, or vertically.

(b) Materials and colors.

(1) No more than 65 percent of the area of a street facade wall, exclusive of fenestration, may consist of a single color.

(2) A minimum of 80 percent of the exterior wall material, excluding doors and windows, of facades facing a public street must be durable masonry or cementitious siding material.

(A) Masonry includes stone, brick, concrete, hollow clay tile, decorative concrete blocks or tile, glass block, or similar building materials.

(B) Stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.

(c) Entrances.

(1) Enhanced pedestrian building entrances for multifamily uses. A minimum of one visible and usable building entrance is required per Subarea. 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. Enhanced pedestrian building entrances must face the street and be recessed a minimum of four feet from the facade or provide covering extending a minimum of four feet out from the facade.

(2) Dwelling unit entrances. A minimum of 70 percent of the street-level, street-facing dwelling units on a building site must have individual entries that face the street and that have direct access to the street from an improved path connecting to the sidewalk.

(d) Parking structure screening.

(1) Street-facing facades for parking structures must be similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure, except that breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Cable guard strands and chain link fencing on the street-facing facade of the parking structure are prohibited.

(2) Openings in a street-facing parking structure facade may not exceed 60 percent of the total parking structure facade area. The facade of an aboveground parking structure that faces the street must have solid screening at least 42 inches in height from each floor level within the parking structure to screen vehicles and vehicle headlights.

(3) This subsection does not apply to individual garages attached to a single dwelling unit.

(e) Sidewalk. A minimum six foot sidewalk is required.

(f) Pedestrian amenities. A minimum of one of the following pedestrian amenities must be provided along each street frontage.

(1) Bench.

(2) Trash receptacle.

(3) Publicly accessible bicycle rack.

(g) Pedestrian-scale lighting. Pedestrian street lighting fixtures located in pedestrian areas may not be less than nine feet or more than 15 feet in height above a sidewalk or pathway. Pedestrian street lights must be provided at a maximum spacing of 50 feet along all public rights-of-way.

(f) Roof pitch. All roofs must be flat provided that a minimum slope is allowed to accommodate this positive drainage.

**SEC. 51P- \_\_\_\_\_.111. OFF-STREET PARKING.**

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

(b) The Property is considered one lot for off-street parking purposes, except that a minimum of one off-street parking space for each dwelling unit must be provided on each building site. Required off-street parking that is not located on the building site must be located within a parking structure that is within a walking distance of 600 feet from the use served by the parking.

(c) No more than 10 percent of the required off-street parking not provided in individual garages can be assigned to individual units per building site.

*Staff's Recommendation*

(d) Garage doors for individual attached garages may be located no less than 10 feet from the pavement line of an alley if a remote automatic control is installed and maintained in working condition. Parking may not be located in front of the garage door unless a setback of at least 20 feet is provided.

*Applicant's Proposal*

(d) Garage doors for individual attached garages may be located less than 20 feet from the pavement line of an alley if a five-foot setback is provided for the garage door, remote automatic control is installed and maintained in working condition. No portion of the garage door may encroach into the alley when it opens or closes. Parking may not be located between the garage door and payment line of the alley unless a setback of at least 20 feet is provided.

(e) Restrict on-street parking along North Fitzhugh Avenue

**SEC. 51P- \_\_\_\_\_.112. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

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

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

*Staff's recommendation*



(b) Site trees. Site trees must have a minimum height of eight feet and a minimum caliper of two inches measured at a point 12 inches above the root ball at the time of installation.

(c) Parkway trees.

(1) Tree planting zone. Parkway trees must be located within the tree planting zone, which is that area parallel to and between two-and-one-half and 10 feet from the back of the projected street curb. Trees planted within the tree planting zone may count toward site tree and street tree requirements.

(2) Number. The minimum number of required parkway trees is determined by dividing the number of feet of street frontage, excluding visibility triangles, by 35. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. One street tree credit will be allowed for each street tree existing on June 11, 2014 that is preserved.

(3) Type. Parkway trees must be recommended for local area use by the building official.

(4) Height and caliper. Parkway trees must have a minimum height of eight feet and a minimum caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of installation.

(5) Spacing. Parkway trees must be spaced as uniformly as practicable, but must be within 50 feet of the trunk of another required tree or an existing preserved street tree, excluding all visibility triangles, corner clips, and vehicular drives.

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

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

## **SIGNS.**

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

(b) Height. Detached signs are limited to a maximum of 12 feet in height.

(c) Blade signs.

(1) Illumination. Blade signs may not be internally illuminated.

(2) Number. A maximum of two blade signs are permitted in Subarea C, limited to facing Monarch Street and Fitzhugh Avenue.

*Staff's Recommendation*

(A) Overall. Maximum effective area for each blade sign is 50 square feet per side.

(3) Mounting. Blade signs must be attached to the main structure.

(4) Projection. Blade signs may project a maximum of two-and one-half feet into the required setbacks.

*Applicant's Proposal*

(3) Size. Blade signs cannot exceed 20 feet in height and may have a maximum effective area of 45 square feet.

(4) Projection. Blade signs cannot project more than two-and one-half feet from the building.

**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.**

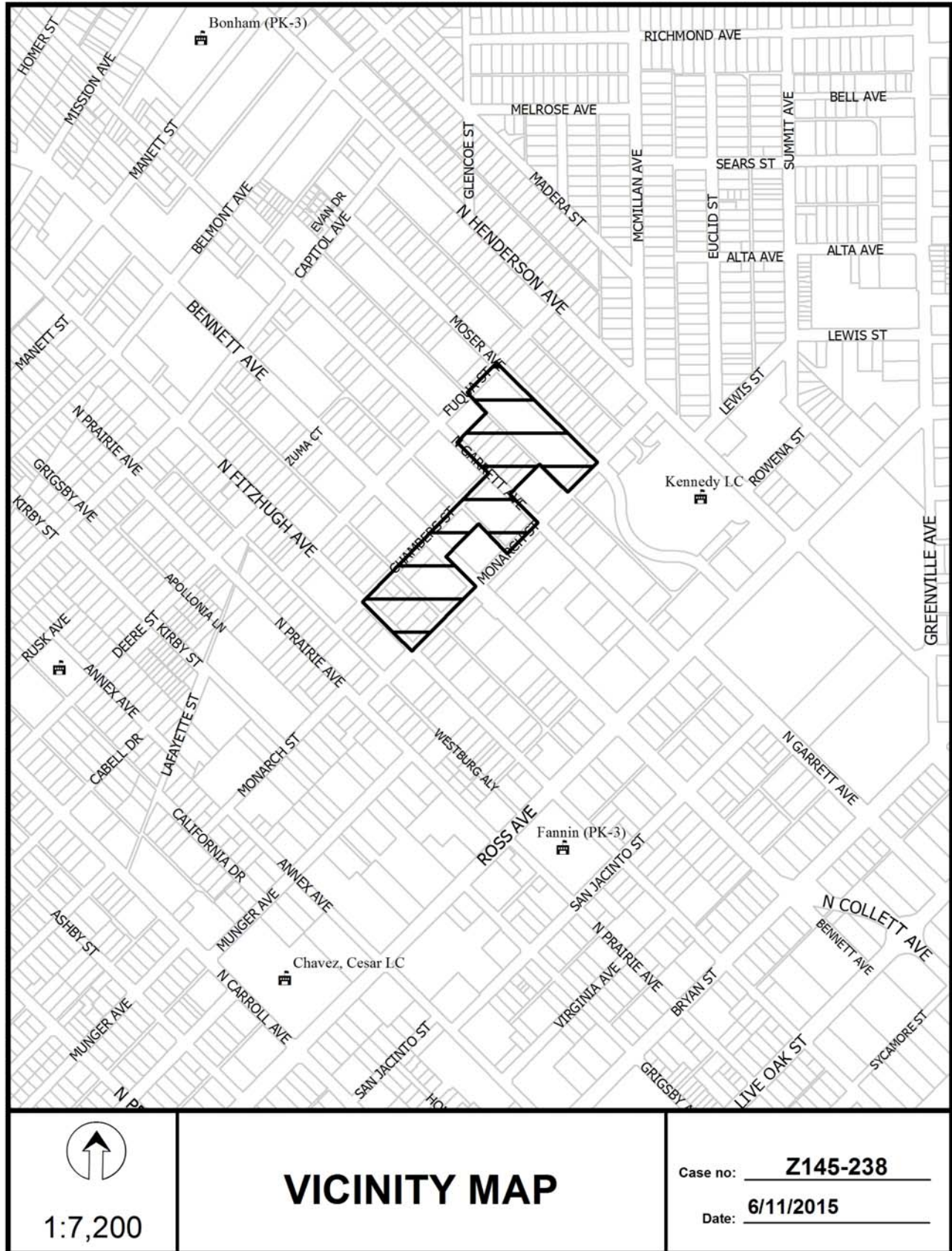
**COMPLIANCE WITH CONDITIONS.**

(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.



Z145-238(WE)





BELMONT AVE  
 CAPITOL AVE  
 BENNETT AVE  
 FLITWICK CT  
 MONARCH ST  
 N GARRET AVE  
 N HENDERSON AVE  
 MOSER AVE  
 MADERA ST  
 MC MILLAN AVE  
 ALTA AVE  
 EUCLID ST  
 LEWIS ST  
 ROWEN ST  
 N GARRET AVE  
 ROSS AVE  
 SAN JACINTO ST  
 PRAIRIE AVE  
 ANNEX AVE  
 CALIFORNIA DR  
 MONARCH ST  
 N PRARIE AVE  
 N TITZHUG AVE  
 CHAMBERS ST  
 FIGU A ST  
 GARRET AVE  
 LARAVENTE ST  
 KIRBY ST

Case no: **Z145-238**  
 Date: **6/11/2015**

**AERIAL MAP**  
 1:4,800



**ZONING AND LAND USE**

Case no: **Z145-238**  
Date: **6/11/2015**

1:4,800

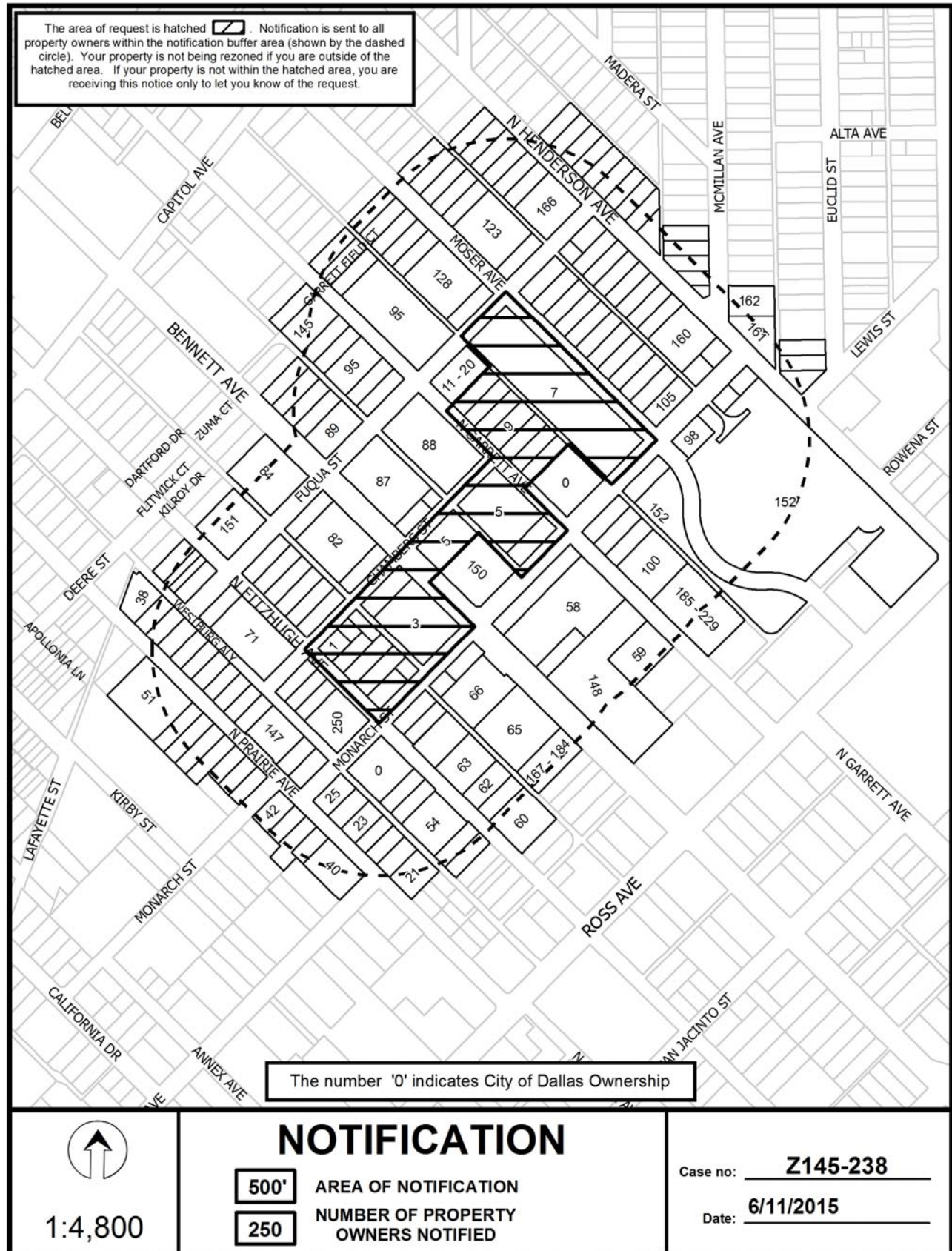


WILD CHERRY WAY  
EVAN DR  
CAPITOL AVE  
MADERA ST  
R-7.5(A)  
HENDERSON AVE  
MOSER AVE  
N GARRETT AVE  
BENNETT AVE  
FUQUA ST  
N FITZHUGH AVE  
MONARCH ST  
N PRAIRIE AVE  
ROSS AVE  
MUNGER AVE  
KIRBY ST  
LAFAYETTE ST  
CALIFORNIA DR  
DARTFORD DR  
FLITWICK CT  
KILROY DR  
ZUMA CT  
CHAMBERLAIN CT  
CLAYTON AVE  
ROWENA ST  
ALTA AVE  
EUCALID ST  
MCMILLAN AVE  
PD 763  
PD 860  
PD 940  
PD 462  
PD 914  
PD 298  
PD 462 (Subdistrict 5)  
PD 842  
PD 691  
MF-2(A)  
NO(A)  
NS(A)  
CR  
Z812-137  
LO-1  
Z834-236  
SUP 600  
H/77  
1  
2  
3  
D(A)  
D  
N GARRETT AVE  
SAN JACINTO ST

1:4,800

**ZONING HISTORY**

Case no: **Z145-238**  
Date: **6/11/2015**



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

### ***Z145-238***

#### ***250 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1900 FITZHUGH AVE	J ROBERT COMPANIES INC THE
2	4910 CHAMBERS ST	J ROBERTS COMPANIES INC THE
3	1909 BENNETT AVE	1909 HODLINGS LTD
4	1919 BENNETT AVE	WRUCK GEORGE JR
5	1918 BENNETT AVE	BENNETT GARRETT 139 LTD
6	1903 GARRETT AVE	DEATON JAMES M & CHARLOTTE A
7	1925 MOSER AVE	URBAN SOUTHWESTEAST
8	2012 GARRETT AVE	2301 GARRETT PTNR LTD
9	2008 GARRETT AVE	2301 GARRETT PARTNERS LTD
10	2004 GARRETT AVE	2301 GARRETT PARTNERS LT
11	2020 GARRETT AVE	UKKESTAD ERIKA L
12	2020 GARRETT AVE	BEATTIE EVAN L
13	2020 GARRETT AVE	GARCIA JESUS
14	2020 GARRETT AVE	JACKSON LISA
15	2020 GARRETT AVE	RIVERA ARMANDO
16	2020 GARRETT AVE	NELSON DAVID S
17	2020 GARRETT AVE	MCCAFFREY MARLA
18	2020 GARRETT AVE	DOTSON DANIEL ALLEN
19	2020 GARRETT AVE	SILVA MARIA G RAMIREZ
20	2020 GARRETT AVE	MEZA ALEJANDRO
21	1810 PRAIRIE AVE	ROGERS STEPHEN J
22	1900 PRAIRIE AVE	VICEROY PRAIRIE LP
23	1906 PRAIRIE AVE	BELLAMY ROBERT P
24	1914 PRAIRIE AVE	BELLAMY ROBERT
25	1918 PRAIRIE AVE	BELLAMY ROBERT LAWRENCE
26	2000 PRAIRIE AVE	BLUCILLE LIMITED

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2004 PRAIRIE AVE	SHAMPAIN RICHARD H
28	2022 PRAIRIE AVE	DOBBS THERESA
29	2026 PRAIRIE AVE	SUBIALDIA HILARIO &
30	2030 PRAIRIE AVE	UVALLE GILBERTO &
31	2032 PRAIRIE AVE	ROMERO LUPE
32	2038 PRAIRIE AVE	FINSTROM LARRY &
33	2102 PRAIRIE AVE	ALARCON JESUS M &
34	2106 PRAIRIE AVE	GAUSE SHARON
35	2110 PRAIRIE AVE	SEGURA YOLANDA
36	2114 PRAIRIE AVE	BARAJAS AMELIA C
37	2120 PRAIRIE AVE	BARAJAS ANTONIO &
38	2124 PRAIRIE AVE	SANDOVAL TERESA &
39	1921 PRAIRIE AVE	STAFFORD JUDSON
40	4715 MUNGER AVE	WESTERMAN AVRIL M &
41	1915 PRAIRIE AVE	RUARK MARY ELLEN
42	1931 PRAIRIE AVE	MAYFIELD NEDGRA NELL
43	1925 PRAIRIE AVE	SALAZAR MARIA
44	2005 PRAIRIE AVE	MAYFIELD ANTIE SHARIE &
45	2001 PRAIRIE AVE	MAYFIELD MARY JO ESTATE OF
46	2015 PRAIRIE AVE	MERCADO REFUGIO
47	2011 PRAIRIE AVE	MARTINEZ MARTIN & JULIA
48	2019 PRAIRIE AVE	LAMB EDDY LEE
49	2023 PRAIRIE AVE	SMITH ROBERT LYNN
50	2027 PRAIRIE AVE	WAGGONER ELVIA G
51	2031 PRAIRIE AVE	STAPACE LTD
52	1733 FITZHUGH AVE	CUEVAS SALVADOR & CARMEN
53	1737 FITZHUGH AVE	GNG PROPERTIES
54	1807 FITZHUGH AVE	FAIR OAKS APTS INC
55	1815 FITZHUGH AVE	FAIR OAKS APTS INCORPORATED
56	1819 FITZHUGH AVE	SALDIVAR FAMILY LP
57	1808 BENNETT AVE	RAMIREZ RICHARD & MARIE



06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1830 BENNETT AVE	VILLA SANTA MARIA INC
59	1805 GARRETT AVE	MEDHANFALEM ERITREAN
60	1728 FITZHUGH AVE	1728 N FITZHUGH LLC
61	1738 FITZHUGH AVE	NGUYEN CAN V
62	1800 FITZHUGH AVE	NGUYEN CHI THI
63	1810 FITZHUGH AVE	1810 N FITZHUGH LLC
64	1830 FITZHUGH AVE	WANG ALERN TR
65	1809 BENNETT AVE	CASA 1809 BENNETT LP
66	1819 BENNETT AVE	BENNETT APARTMENTS LLC
67	1831 BENNETT AVE	HR INVESTMENTS LLC
68	1921 FITZHUGH AVE	FITZHUGH MONARCH LTD
69	1913 FITZHUGH AVE	FITZHUGH MONARCH LTD
70	1915 FITZHUGH AVE	FITZHUGH MONARCH LTD
71	2001 FITZHUGH AVE	ROLLING CASH SONOMA LP
72	2021 FITZHUGH AVE	A & D CONSTRUCTION INC
73	2103 FITZHUGH AVE	ACEVEDO AURORA & SERAFIN
74	2105 FITZHUGH AVE	MAISON DONALD J JR
75	2107 FITZHUGH AVE	BOYER ELIZABETH ANN
76	2109 FITZHUGH AVE	BAXAVANIS JENNIFER CAYE
77	2006 FITZHUGH AVE	BARR BURT JR
78	2008 FITZHUGH AVE	BELTRAN MARCELINO &
79	2012 FITZHUGH AVE	BELTRAN TRAQUILINO
80	2016 FITZHUGH AVE	VILLA JORGE F &
81	2003 BENNETT AVE	G220 ENTERPRISES
82	2015 BENNETT AVE	BLUE FIN PARTNERS INC
83	2021 BENNETT AVE	LARKSPUR DEVELOPMENT LP
84	2109 BENNETT AVE	SEAHORSE HOLDINGS LP
85	5011 CHAMBERS ST	IRA PLUS SOUTHWEST LLC
86	5005 CHAMBERS ST	BROWN MEGAN
87	2014 BENNETT AVE	2014 BENNETT LTD
88	2015 GARRETT AVE	MADDOX RONALD C &

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2106 BENNETT AVE	BENNETT GARRETT 139 LTD
90	2110 BENNETT AVE	KRISHKAV INVESTMENTS LLC
91	2112 BENNETT AVE	DOMINGUEZ MARIANO &
92	2122 BENNETT AVE	TORREZ JUAN & MARIA
93	5023 FUQUA ST	CARDOSO JOSE L & MARIA E
94	2107 GARRETT AVE	PINA MARTHA PARRA
95	2115 GARRETT AVE	MONTANA & CHANCE 21152116 GARRETT LP
96	2117 GARRETT AVE	HERNANDEZ SALVADOR
97	2121 GARRETT AVE	VILLAREAL AMPARO
98	1830 MOSER AVE	BLAIR IAN
99	5216 MONARCH ST	CANELAKES LOUIS
100	1820 GARRETT AVE	FEB RESIDENTIAL LLC
101	1828 GARRETT AVE	TOPSPIN DEVELOPMENT LP
102	1832 GARRETT AVE	TOPSIN DEV LP
103	1836 GARRETT AVE	BURNS ROBERT &
104	1833 MOSER AVE	BURNS ROBERT W
105	1902 MOSER AVE	BOSWELL BRADLY
106	1906 MOSER AVE	STELLMACHER RICHARD &
107	1912 MOSER AVE	TICHANSKY MICHAEL S &
108	1914 MOSER AVE	MCCULLOUGH DAVID W &
109	1918 MOSER AVE	MONDELL FONYA NAOMI
110	1922 MOSER AVE	MONDELL CYNTHIA & ALLEN
111	2002 MOSER AVE	GOODENOW GEORGE
112	2006 MOSER AVE	ULLAH ANJUM
113	2008 MOSER AVE	LOPEZ JAVIER
114	2014 MOSER AVE	CUELLAR- VALDEZ ROSANN
115	2018 MOSER AVE	FAIFAR RIBEIRO PATRICIA X
116	2022 MOSER AVE	ESCARCEGA CARLOS
117	5216 FUQUA ST	SMITH ISABELLE M
118	2003 HENDERSON AVE	MUNTZEL MARK
119	1925 HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC



06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	1901 HENDERSON AVE	HENDERSON MAIN DALLAS LLC
121	5217 MONARCH ST	MUELLER MARK C
122	2100 MOSER AVE	FIG TREE ASSOC INC
123	2110 MOSER AVE	FIG TREE ASSOCIATES INC
124	2122 MOSER AVE	GARCIA JOSE
125	2121 HENDERSON AVE	HENLEY HAROLD HUDSON
126	2115 HENDERSON AVE	AVILA PASTORA MARIA
127	2103 MOSER AVE	HOLZWARTH DENNIS
128	2107 MOSER AVE	YDB PROPERTIES LLC
129	2123 MOSER AVE	HSIANG YUEH YUE &
130	2116 HENDERSON AVE	HENDERSON RESIDENTIAL LANDS DALLAS LLC
131	2114 HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
132	1815 MCMILLAN AVE	HENDERSON RESIDENTIAL LANDS
133	1805 EUCLID AVE	1834 N HENDERSON LLC
134	2201 HENDERSON AVE	HENLEY HAROLD H
135	2209 HENDERSON AVE	HENLEY HUDSON
136	2214 MOSER AVE	FLORES IRMA RUFINA
137	2208 MOSER AVE	FOUR MAD OX LLC
138	2206 MOSER AVE	CHEFCHIS AMELIA
139	2202 MOSER AVE	NEGRETE BLANCA G
140	2203 MOSER AVE	ALVAREZ RODRIGO & MARIA
141	2207 MOSER AVE	NILASENA NANCY
142	2211 MOSER AVE	SEGOVIA ESPERANZA
143	2215 MOSER AVE	KHAN IRFAN A &
144	2214 GARRETT AVE	TDI GARRETT AVENUE LTD
145	2201 GARRETT AVE	OHIRHIAN SAMUEL O
146	2211 GARRETT AVE	JLB BENCAP LP
147	2016 PRAIRIE AVE	RIGGIO DAVID A
148	1800 BENNETT AVE	CHURCH OF JESUS CHRIST OF
149	1826 FITZHUGH AVE	WANG ALERN TR
150	1902 BENNETT AVE	BENNETT LOFT LLC

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	2104 FITZHUGH AVE	GRAHAM MORTGAGE CORP
152	1802 MOSER AVE	Dallas ISD
153	1839 HENDERSON AVE	CANELAKES LOUIS
154	2023 HENDERSON AVE	RIVAS ELIZABETH C
155	2019 HENDERSON AVE	ALARCON ANDRES
156	2015 HENDERSON AVE	ESPINOZA GRACIELA
157	2011 HENDERSON AVE	NGUYEN CUNG LUONG 2010 TRUST
158	2007 HENDERSON AVE	NORTH HENDERSON AVENUE LLC
159	1921 HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
160	1907 HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
161	1900 HENDERSON AVE	HENDERSON MAIN DALLAS LLC
162	1804 MCMILLAN AVE	HENDERSON MAIN DALLAS LLC
163	1924 HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC
164	2026 HENDERSON AVE	HENDERSON MAIN DALLAS LLC
165	2120 BENNETT AVE	RUIZ JAIMIE
166	2107 HENDERSON AVE	2107 N HENDERSON AVENUE LLC
167	1727 BENNETT AVE	PINNEBOG INVESTMENTS LLC
168	1727 BENNETT AVE	PINNEBOG INVESTMENTS
169	1727 BENNETT AVE	PINNEBOG INVESTMENTS LLC
170	1727 BENNETT AVE	ZINN MICHAEL & CAROL
171	1727 BENNETT AVE	CHAILLET BRIAN S
172	1727 BENNETT AVE	PINNEBOG INVESTMENTS LLC
173	1727 BENNETT AVE	PINNEBOG INVESTMENTS LLC
174	1727 BENNETT AVE	PINNEBOG INVESTMENTS LLC
175	1727 BENNETT AVE	SUAREZ JUAN A JR
176	1727 BENNETT AVE	PINNEBOG INV
177	1727 BENNETT AVE	HO JOHN
178	1727 BENNETT AVE	ARISTODEMOU ARISTODEMOS
179	1727 BENNETT AVE	GUTHRIE C RAVIS
180	1727 BENNETT AVE	PINNEBOG INV LLC
181	1727 BENNETT AVE	ABOVO CORP

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	1727 BENNETT AVE	PINNEBOG INVESMENTS LLC
183	1727 BENNETT AVE	GENZEL STANLEY G ETAL
184	1727 BENNETT AVE	MEHL ALEXANDER GERT
185	1810 GARRETT AVE	RODRIGUEZ ESPERANZA &
186	1810 GARRETT AVE	AMADOR LUDMILA & ANA
187	1810 GARRETT AVE	RIVERPOINT PARTNERS
188	1810 GARRETT AVE	BUSTAMANTE CESAR MEDINA
189	1810 GARRETT AVE	EARLY VIRGINIA
190	1810 GARRETT AVE	LOPEZ JUAN PABLO MARQUEZ
191	1810 GARRETT AVE	BONDS ROBERT A
192	1810 GARRETT AVE	MANJREKAR ASHISH
193	1810 GARRETT AVE	REED GEORGE P
194	1810 GARRETT AVE	VILLAGOMEZ JESUS
195	1810 GARRETT AVE	RATLIFF HARVEY LOCKE &
196	1810 GARRETT AVE	CUELLAR PRECILIANO &
197	1810 GARRETT AVE	VILLAGOMEZ JESUS
198	1810 GARRETT AVE	RATLIFF HARVEY LOCKE
199	1810 GARRETT AVE	GARZA MANUEL J & ET AL
200	1810 GARRETT AVE	MACIAS GUSTAVO
201	1810 GARRETT AVE	CALEY KATHRYN
202	1810 GARRETT AVE	GUITERREZ VICTOR & MARIA
203	1810 GARRETT AVE	OWEN FRED D
204	1810 GARRETT AVE	FUSSELMAN ELAINE
205	1810 GARRETT AVE	GARRETT AVE TR NO 907032008 THE
206	1810 GARRETT AVE	TOM ALFRED
207	1810 GARRETT AVE	GUTIERREZ NORMA IRENE
208	1810 GARRETT AVE	MORALES ROSALIA
209	1810 GARRETT AVE	SIKES ROBERT C &
210	1810 GARRETT AVE	MOORE RICHARD BURTON
211	1810 GARRETT AVE	FLORES JUAN & MARIA
212	1810 GARRETT AVE	GARZA MANUEL J

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	1810 GARRETT AVE	DIJKMAN CELIA MARIA TRUST
214	1810 GARRETT AVE	REYES SYLVIA
215	1810 GARRETT AVE	LAFON CYNTHIA FAYE
216	1810 GARRETT AVE	WYLAND MICHAEL
217	1810 GARRETT AVE	GUTIERREZ NORMA I
218	1810 GARRETT AVE	WILLIMAS ELIZABETH L
219	1810 GARRETT AVE	BANDY SCOTT G
220	1810 GARRETT AVE	HUBER WILLIAM R
221	1810 GARRETT AVE	ESTRELLA YOJAIDA
222	1810 GARRETT AVE	ZAK PAUL A
223	1810 GARRETT AVE	FLORES JUANITA L
224	1810 GARRETT AVE	ANDINO JUAN FRANCISCO &
225	1810 GARRETT AVE	WEST DON M &
226	1810 GARRETT AVE	BRAEMAR NORTH JV
227	1810 GARRETT AVE	YBARRA ALFONZO R
228	1810 GARRETT AVE	YBARRA AL
229	1810 GARRETT AVE	GUTIERREZ NORMA IRENE
230	1818 FITZHUGH AVE	ORTIZ SELIA & JOSEFINA
231	1818 FITZHUGH AVE	THOMPSON JASON M
232	1818 FITZHUGH AVE	MURRELL PHILLIP
233	1818 FITZHUGH AVE	LOERACARRILLO ORLANDO
234	1818 FITZHUGH AVE	HUYNH KHOA
235	1818 FITZHUGH AVE	RHODES RYAN
236	1818 FITZHUGH AVE	ROBBINS JODI L
237	1818 FITZHUGH AVE	DEL VALLE TAMARA L
238	1822 FITZHUGH AVE	MURCHISON EQUITIES INC
239	1822 FITZHUGH AVE	OKE VICTOR
240	2002 FITZHUGH AVE	BRAVO HOLLAND PROPERTIES LLC
241	2002 FITZHUGH AVE	BLANK BEAU
242	2002 FITZHUGH AVE	BRAVO HOLLAND PROPERTIES LLC
243	2002 FITZHUGH AVE	PARPAR FI LLC

Z145-238(WE)

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	2022 FITZHUGH AVE	CALDWELL DAVID
245	2022 FITZHUGH AVE	FAIRCHILD MAX M
246	2022 FITZHUGH AVE	KO WINFRED &
247	2022 FITZHUGH AVE	BODILY BRADLEY K
248	2022 FITZHUGH AVE	KELLER STEVE
249	2022 FITZHUGH AVE	SULTEMEIER PERRY BRENT & HAE WON
250	1901 FITZHUGH AVE	XIONG SHANJUN & BEVERLY CHEN

**FILE NUMBER:** Z145-313(WE) **DATE FILED:** July 29, 2015

**LOCATION:** East corner of Forney Road and Lawnview Avenue

**COUNCIL DISTRICT:** 7 **MAPSCO:** 47L

**SIZE OF REQUEST:** Approx. 0.493 acres **CENSUS TRACT:** 84.00

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**APPLICANT:** Antonio Brito, Just to Flirt Inc.

**OWNER:** Robert and Darlene Messina

**REPRESENTATIVE:** Antonio Brito

**REQUEST:** An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District.

**SUMMARY:** The purpose of this request is to allow for the manufacturing of swimwear and dancewear apparel within the existing structure. The deed restrictions will prohibit specific CS District uses on site. The site is currently developed with a one-story, 5,904 square foot structure. The property is unoccupied and was being used as a photo developing lab, which was considered as a personal service use.

**STAFF RECOMMENDATION:** Denial



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

Staff's recommendation of denial is based upon:

1. *Performance impacts upon surrounding property* – The applicant's request to rezone to a CS Commercial Service District will have a negative impact on the surrounding properties. Even though the applicant is volunteering deed restrictions that will prohibit specific CS uses, the industrial (inside) for light manufacturing use will permit a variety of processing, fabricating, and assembly, which is not a compatible use where there is low residential adjacency.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the street system can accommodate the rezoning request.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is not in compliance with the forwardDallas! Comprehensive Plan. The request site is located within a Residential Neighborhood Building Block.

**Zoning History:** There has been one recent zoning change in the area.

1. **Z123-357** On January 8, 2014, the City Council approved a renewal of Specific Use Permit No. 1935 for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet for a five-year period on the south corner Lawnview Avenue and Forney Road.

## **STAFF ANALYSIS**

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

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

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

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Lawnview Avenue	Collector	60 ft.	60 ft.
Forney Road	Collector	60 ft.	60 ft.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the street system can accommodate the rezoning request.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	CR-D-1	Unoccupied
<b>North</b>	R-7.5(A)	Single Family
<b>South</b>	CR-D-1	General merchandise or food store with fueling station, personal service, Personal service,
<b>East</b>	CR-D-1, R-7.5(A)	Church, single-family
<b>West</b>	CR-D-1	Undeveloped, auto-related use

**Land Use Compatibility:** The approximately 0.493 acre site is zoned a CR Community Retail District with a D Liquor Control Overlay and is currently developed with a one-story, 5,904 square foot structure. The property is currently being used as a photo developing lab, which is considered as a personal service use. The applicant's request to manufacture apparels is considered as an industrial (inside) for light manufacturing use and is not a compatible use in a residential area. Even though the applicant has volunteered deed restrictions that prohibit specific uses on the site, the industrial (inside) for light manufacturing use is an industrial use.

The site is located at an intersection (Forney Road and Lawnview Avenue) where properties are developed with community-related retail and personal businesses. The intent of the Community Retail District is to "provide for the development of community-service serving retail, personal service, and office uses at a scale and intensity compatible with residential communities."

Staff's recommendation is for denial due to the residential adjacency and the Residential Neighborhood Building Block.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
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:** The site is currently developed and the applicant is not increasing the impervious surface, landscaping is not required.

**PROPOSED DEED RESTRICTIONS**

DEED RESTRICTIONS

THE STATE OF TEXAS    )  
  )  
COUNTY OF DALLAS    )    KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, 1835 Barnes Bridge Corporation, a Texas Corporation ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the JD Casey Survey, Abstract No. 352 , City Block 7272, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Guadalupe Rios, by deed dated August 6, 2007, and recorded in Volume 19, Page 453, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Exhibit A

II.

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

1.    The following uses are prohibited:

Commercial and business services uses.

- Bus or rail transit vehicle maintenance or storage facility.
- Commercial cleaning or laundry plant.
- Custom woodworking, furniture construction, or repair.
- Job or lithographic printing.
- Labor hall.
- Machinery, heavy equipment, or truck sales and services.
- Medical or scientific laboratory

Institutional and community service uses.

- Halfway house.
- Hospital

Lodging uses

- Extended stay hotel or motel.

Retail and personal service uses.

- Animal shelter or clinic with outside runs.
- Commercial motor vehicle parking.
- Drive-in theater.
- Outside sales.
- Taxidermist.
- Truck stop.
- Vehicle display, sales and service.

Transportation uses.

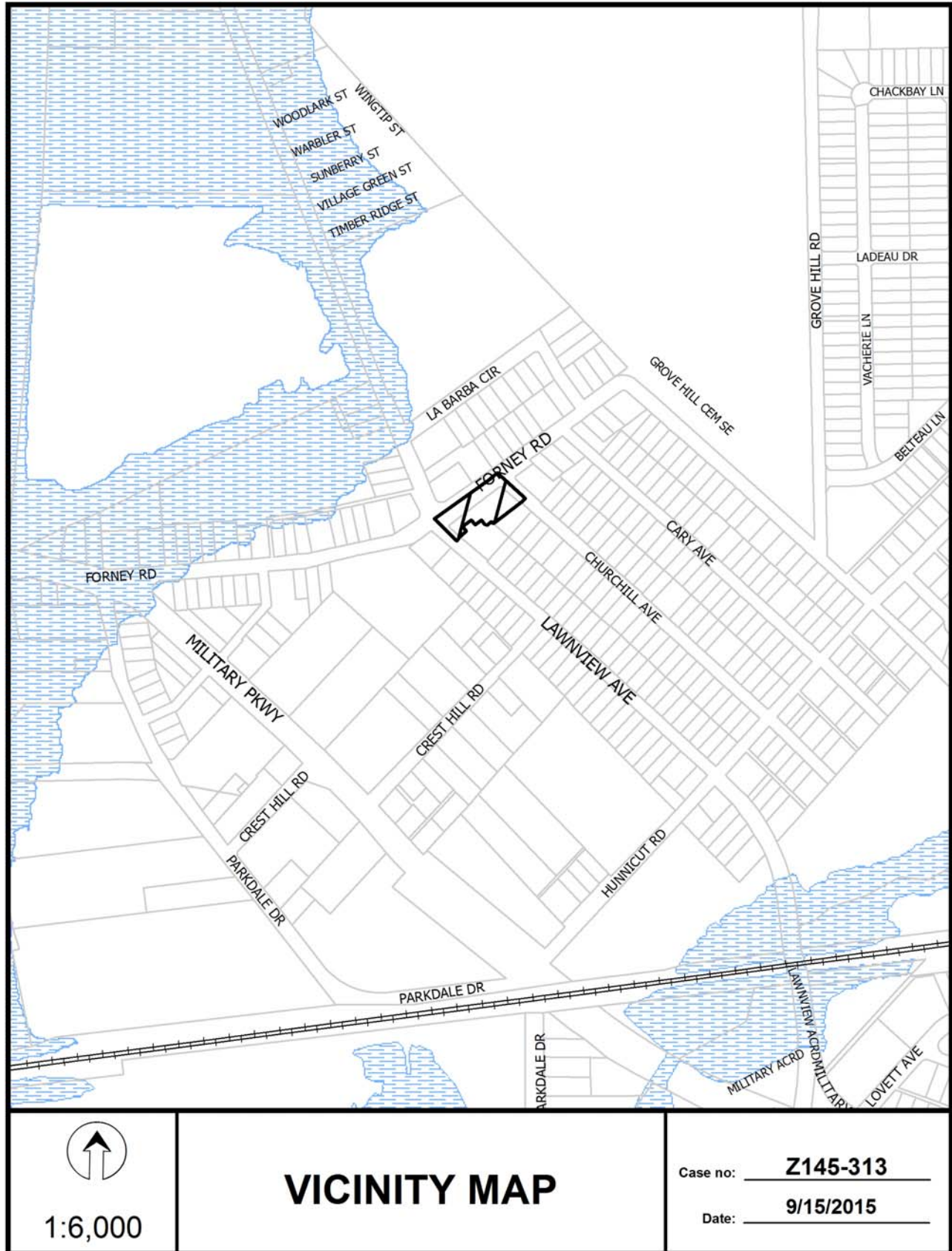
- Commercial bus station and terminal.
- Heliport.
- Helistop.
- Railroad passenger station.

Wholesale, distribution, and storage uses.

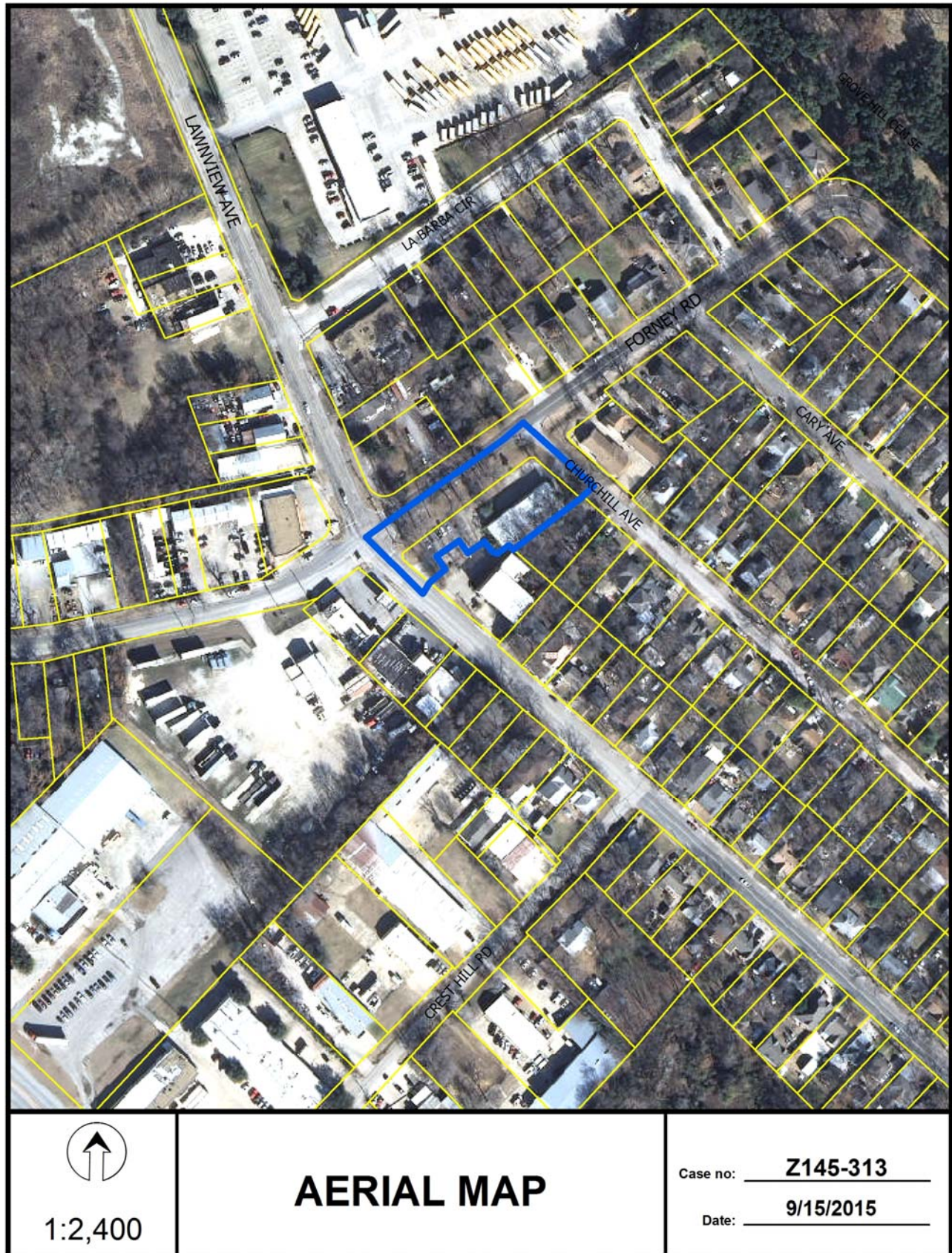
- Auto action.
- Building mover's temporary storage yard.
- Contractor's maintenance yard.
- Freight terminal.
- Manufactured building sales lot.
- Office showroom/warehouse.
- Outside storage.
- Petroleum product storage and wholesale.
- Sand, gravel, or earth sales and storage.
- Trade center.
- Vehicle storage lot.
- Warehouse.

III.

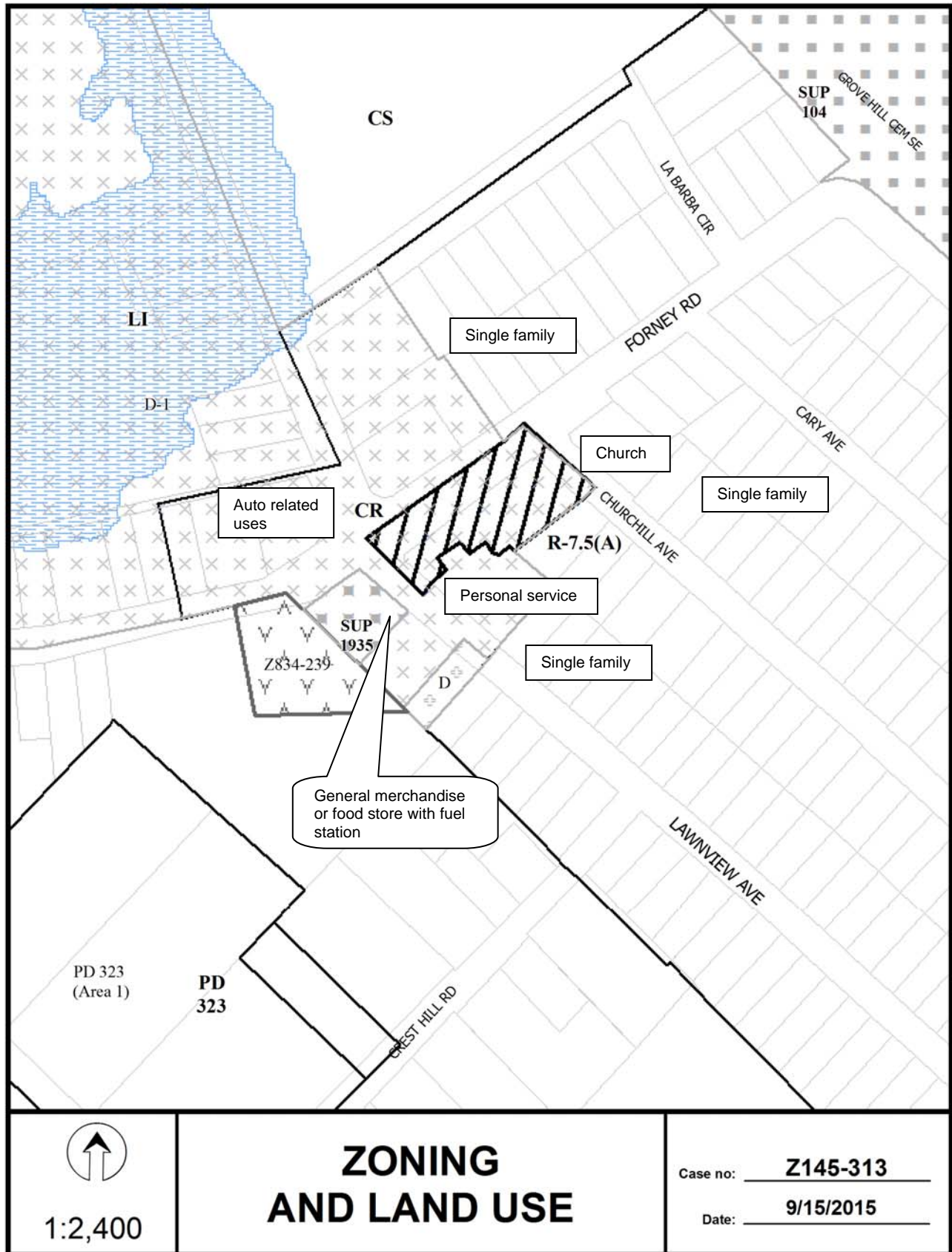
These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

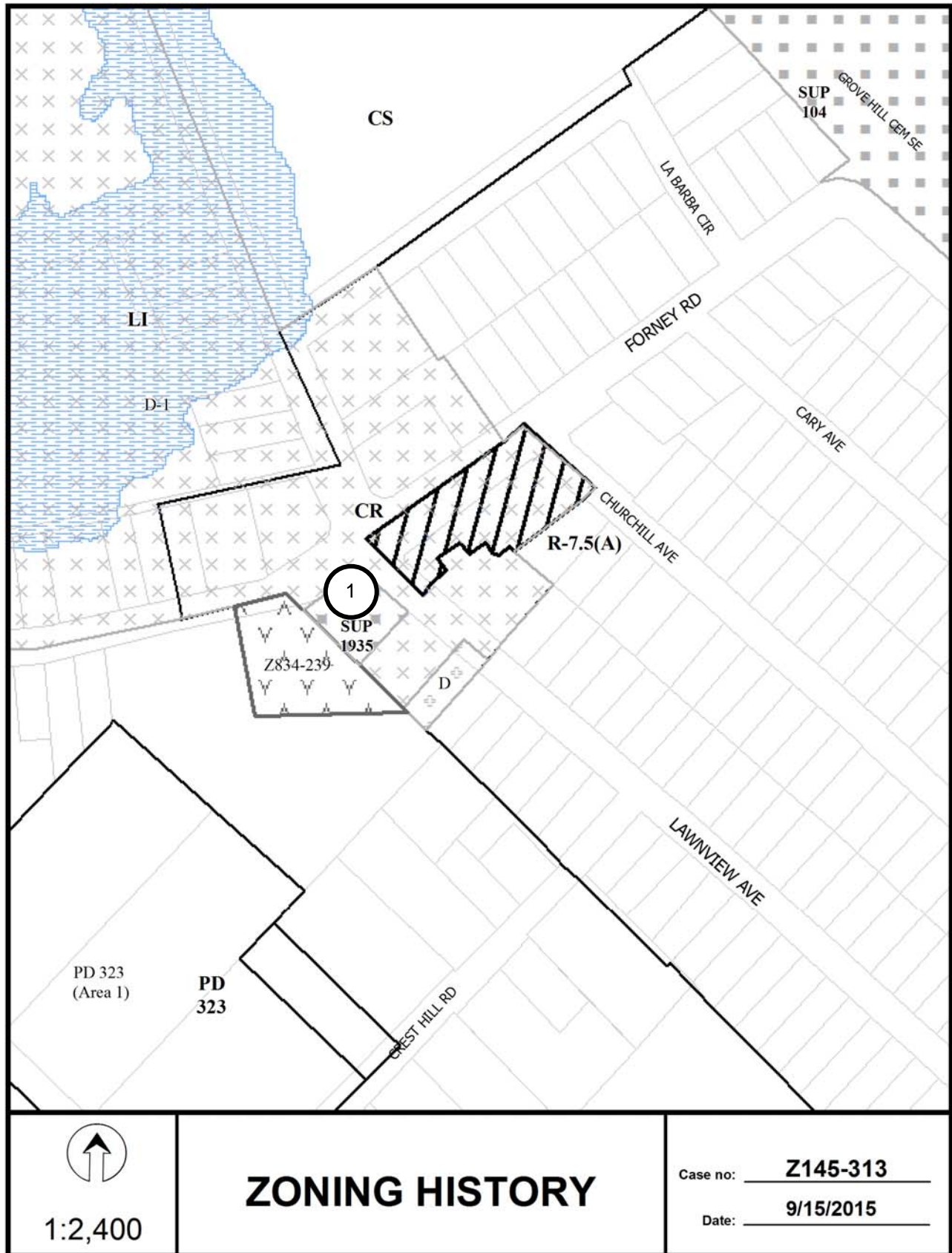


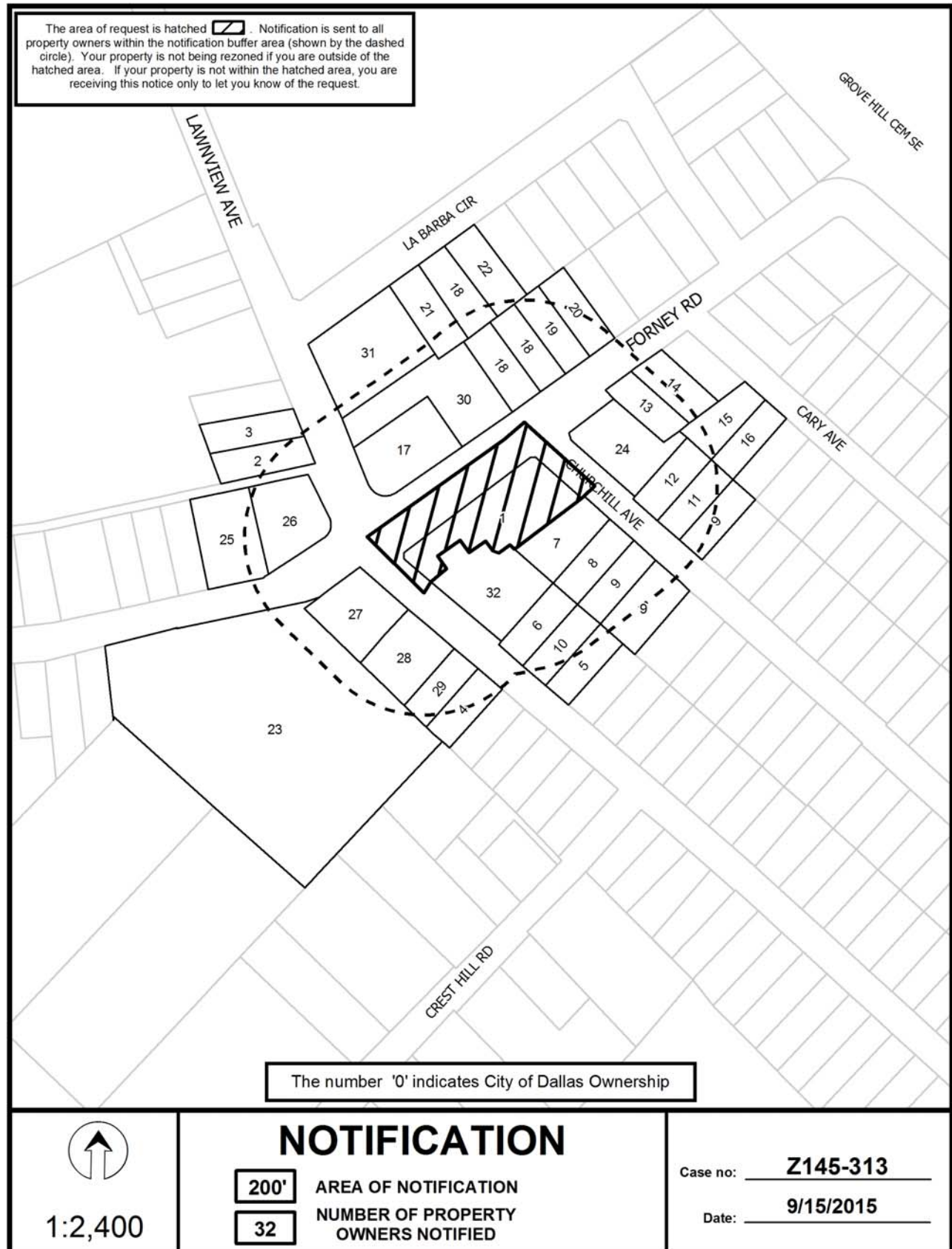












## ***Notification List of Property Owners***

***Z145-313***

***32 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4442 LAWNVIEW AVE	MESSINA ROBERT L &
2	4515 LAWNVIEW AVE	BLACK RICHARD &
3	4525 LAWNVIEW AVE	BURRESCIA MINTA
4	4423 LAWNVIEW AVE	MCLEOD BILLY JOE
5	4416 LAWNVIEW AVE	ZAVALA AURELIO H
6	4424 LAWNVIEW AVE	PEREZ-GUARDADO OLGA L
7	5610 CHURCHILL AVE	FAZ HECTOR &
8	5614 CHURCHILL AVE	MORENO RAUL & CIPRIANA
9	5618 CHURCHILL AVE	MORENO RICARDO
10	4420 LAWNVIEW AVE	HM EXECUTIVE HOMES INC
11	5619 CHURCHILL AVE	REYES MARIA FRANCISCA
12	5615 CHURCHILL AVE	ROBISON ETHEL ESTATE OF
13	5538 FORNEY RD	ZAMARRIPA FELIX C &
14	5542 FORNEY RD	MIRELES JUAN
15	5610 CARY AVE	RIVERA NOE
16	5614 CARY AVE	SUAREZ ENRIQUE & MARTHA E
17	5511 FORNEY RD	MANTZURANIS TONY
18	5521 FORNEY RD	MORRIS HARLEY T
19	5531 FORNEY RD	BIBANCO PATRICIA
20	5535 FORNEY RD	DEGONZALEZ NORA H
21	5508 LA BARBA CIR	GUERRA CYNTHIA ROSALES
22	5516 LA BARBA CIR	BANDA SUSAN P
23	5420 FORNEY RD	PARKER LAURENCE E
24	5528 FORNEY RD	LORING CORP
25	5439 FORNEY RD	ESCOBAR J ALEJANDRO &
26	4503 LAWNVIEW AVE	VARGAS GUILLERMO

09/15/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4439 LAWNVIEW AVE	GRACE KK INV LLC
28	4431 LAWNVIEW AVE	OTTO IRIS
29	4427 LAWNVIEW AVE	MCLEOD BILLY JOE
30	4510 LAWNVIEW AVE	MANTZURANIS TONY
31	4540 LAWNVIEW AVE	LAWNVIEW PPTIES JV
32	4440 LAWNVIEW AVE	MYERS JOHN &



**FILE NUMBER:** Z145-263(AF)

**DATE FILED:** May 13, 2015

**LOCATION:** South corner of Piedmont Drive and Hillburn Drive

**COUNCIL DISTRICT:** 5

**MAPSCO:** 48X

**SIZE OF REQUEST:** Approx. 6.9 acres

**CENSUS TRACT:** 91.01

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**APPLICANT:** Piedmont/Scyene Joint Venture

**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**OWNER:** Piedmont/Scyene Joint Venture

**REQUEST:** An application for a Planned Development District for MF-1(A) Multifamily District uses on property zoned a CR Community Retail District.

**SUMMARY:** The applicant's intention is to build a 120-unit retirement housing development with outside amenities that include trails, outdoor patios, community garden, green space, and a dog park. All uses within the MF-1(A) District would be permitted. The intention of the Planned Development is to provide for additional enhancements to the property that could serve to mitigate potential negative impacts of the new development onto the neighborhood. These enhancements include outdoor amenities, increased setback requirements, and 6 foot sidewalks around the perimeter. However, the applicant is also requesting an exception to MF-1(A) to permit parking in the front yard.

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

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The PDD for MF-1(A) will not have any negative performance impacts upon surrounding property. The reduced height of 36 feet is less than the 54 feet permitted in CR (although restricted by residential proximity slope standards). The proposed conditions and plans allow opportunities for increased standards above and beyond a straight zoning district.
2. *Traffic impact* – A Traffic Impact Study Waiver Worksheet was provided by the applicant to demonstrate the estimated trips per day the development would generate. The estimates concluded the new 120-unit development would generate 797 trips per day. The existing Community Retail District zoning would generate more trips per day. The Engineering Section of the Department of Sustainable Development and Construction has determined that the increased density will not have a detrimental impact upon the surrounding street system.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is generally consistent with the forwardDallas! Comprehensive Plan. The PDD requirements include pedestrian and design enhancements that allow for integration with the adjacent neighborhood.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* –Currently, the site is zoned CR Community Retail. The proposed PD offers enhancements to the property that allow for a better transition into the neighborhood. These enhancements include outdoor amenities, increased setback requirements, and 6-foot sidewalks around the perimeter. However, the applicant is also requesting an exception to MF-1(A) to permit parking in the front yard. The proposed PDD amenity plan help mitigate any potential screening concerns.

**Zoning History:** There have been no recent zoning changes requested in the area within the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing Dimension
Hillburn Drive	Minor Arterial	60'
Piedmont Drive	Minor Arterial	60'
Pleasant Mound	Minor Arterial	Variable

**STAFF ANALYSIS:**

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

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

The PDD request includes conditions and Development Code standards that make the request generally consistent with the Building Block.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR, D-1	Vacant/Undeveloped
North	PD 687	Middle School
South	MF-1(A)	Single Family
East	MF-1(A)	Single Family
West	MF-1(A)	Multi-Family Apartments

**Land Use Compatibility:** Currently, the site is vacant, undeveloped, and across the street from an apartment complex, single family residential neighborhood, and a school. The site is located in a predominately low-density residential neighborhood. The one contrast to the low density is the intersection of Piedmont Drive and Hillburn drive. The site itself is currently zoned CR Community Retail. Formerly, there were offices and retail shops on the site. Located to the east, south, and west of the property is MF-1(A) Multi-family zoning. However, not all of the property was developed with the maximum density allowed. The east and south is developed with single family residential homes. Multi-family residential apartments are located to the west. Located to the north of the site is John B. Hood Middle School.

Dallas City Code defines retirement housing as a residential facility principally designed for persons 55 years of age or older. This use does not include “convalescent and nursing homes, hospice care, and related institutions” use, which is defined as a separate main use in Section 51A-4.504(8).

**Development Standards:**

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

Proposed Development Standards							
DISTRICT	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed PD MF-1(A)	20' *variation from standard MF-1	15'	Min lot 3,000 sq ft 1,000 sq.ft.-E 1,400 sq. ft.-1 BR 1,800 sq.ft.-2 BR	36'	60%	Proximity Slope Visual Intrusion, Enhanced Urban Design Specifications	Multi-family, duplex, single family

The following design standards are included:

- (1) The main public entrance for the building must be architecturally prominent and visible from the street. Architectural elements to define the main public

building entrance may include an awning, porticos, paving treatments, a change in roofline, arcade, arches, integral planters, or a stoop or front porch.

(2) Building massing must be articulated by two of the following elements for every 40 feet of building facade.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches, a depth of at least eight inches, and may include columns, arches, or niches.

(B) Awnings.

(C) Balconies.

(D) Change in material, color, or texture

(3) All upper-story levels must maintain 20 % transparency.

The proposed conditions also call for an unobstructed sidewalk width of six feet along the perimeter of the development. This is not shown in the current development plan.

**Landscaping:** Any new development on the property will require landscaping per Article X of the Dallas Development Code. The applicant has provided a conceptual amenities plan that delineates the proposed amenities for the site that include trails, outdoor patios, community garden, green space, and a dog park.

The development plan does state that landscape islands are to be installed on site, but they are not shown on the development plan. Before commencing construction, the applicant will have to file for an amendment to the development plan, inserting the true locations of the landscape islands.

**Parking:** Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200. Fencing and/or screening of the parking is required in accordance with Sec. 51A-4.602. The mandatory screening will serve to screen the parking lot. Screening of the parking will include one or a combination of the following

(A) brick, stone, or concrete masonry, stucco, concrete, or wood;

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

(C) evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years; or

(D) any combination of the above.



**List of Partners**



March 30, 2015

City of Dallas  
Department of Developmental Services  
1500 Marilla Street, #5BN  
Dallas, Texas 75201

RE: Zoning Change Application  
2500 & 2504 Hillburn Drive  
Dallas, Texas 75227

Listed below are the joint venture partners of the Piedmont/Scyene Joint Venture which owns the above referenced properties:

1. Piedmont/Scyene Neighborhood Association (Joint Venturer)  
Betty Wadkins  
Vice President  
2843 Modesto  
Dallas, Texas 75227
2. Georgetown Residents Association (Joint Venturer)  
Shirley Stark  
Chairman  
Hillburn Hills Apartments  
2603 Hillburn Drive, #A  
Dallas, Texas 75227
3. Dallas City Homes, Inc. (Managing Joint Venturer)  
Karen Brooks-Crosby  
President  
729 N. Bishop  
Dallas, Texas 75208

Sincerely,  
Piedmont/Scyene Joint Venture (Owner)  
BY: Dallas City Homes, Inc. – Managing Joint Venturer



Karen Brooks-Crosby  
President

Z145-263

729 N. Bishop Ave. Dallas, TX 75208 | p: (214)943-9007 f: (214)948-4830  
[www.dallascityhomes.net](http://www.dallascityhomes.net)

**BUILD A COMMUNITY. TRANSFORM THE FUTURE.**

**Proposed 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 south corner of Hillburn Drive and Piedmont Drive. The size of PD \_\_\_\_\_ is approximately 6.641 acres.

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

**DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, STOOP means a small porch leading to the entrance of a residence

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

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

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

**EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit \_\_\_\_A: Development plan.
- (2) Exhibit \_\_\_\_B: Amenities Plan.

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

**DEVELOPMENT PLAN.**

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

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

**MAIN USES PERMITTED.**

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

**SEC. 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-1(A) Multifamily District apply.

(b) Front yard. Minimum front yard is 20 feet.

**SEC.51P-\_\_\_\_.110                      URBAN DESIGN.**

For a multifamily or retirement housing use, the following urban design standards are required.

(1) The main public entrance for the building must be architecturally prominent and visible from the street. Architectural elements to define the main public building entrance may include an awning, porticos, paving treatments, a change in roofline, arcade, arches, integral planters, or a stoop or front porch.

(2) Building massing must be articulated by two of the following elements for every 40 feet of building facade.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches, a depth of at least eight inches, and may include columns, arches, or niches.

(B) Awnings.

(C) Balconies.

(D) Change in material, color, or texture

(3) All upper-story levels must maintain 20 % transparency.

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

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

(b) Parking in the required front yard is permitted in the area shown on the development plan.

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

See Article VI.

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

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

(b) While strict compliance is not required, landscaping must incorporate the general elements on the conceptual landscape/amenities diagram (Exhibit C)

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

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

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

**SEC. 51P \_\_\_\_\_.114. SIDEWALKS.**

(a) Sidewalks along the perimeter of the development must have an unobstructed sidewalk width of six feet.

(b) Sidewalks must have an unobstructed sidewalk width of six feet. The director may approve an alternate sidewalk width that does not comply with this paragraph where a six foot sidewalk is not possible, but no less than four feet.

**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.**

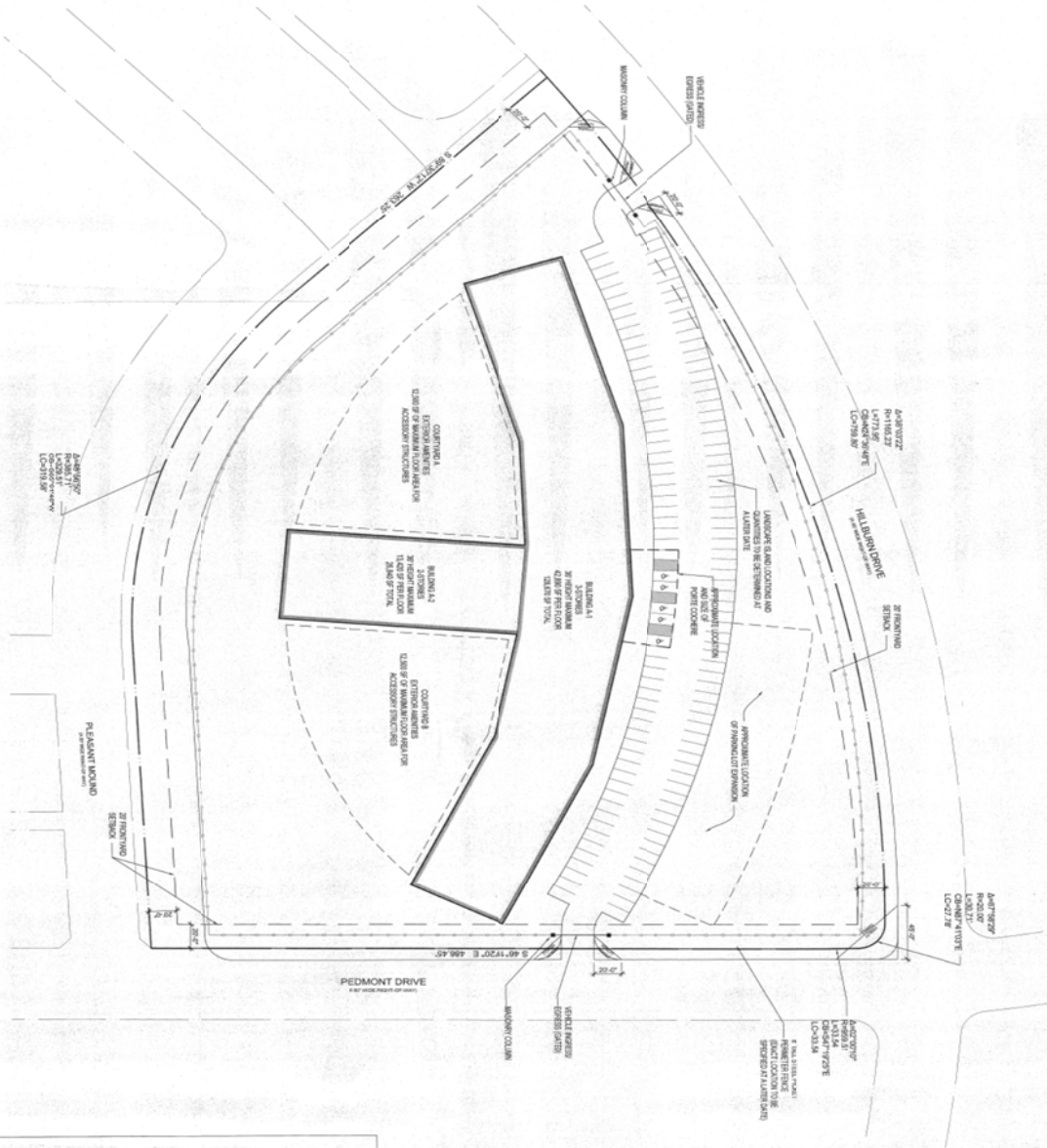
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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.

# **Proposed Development Plan**



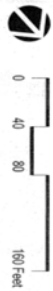
GFF Planning



## **PROJECT DATA**

SITE AREA	6.52 Acres
TOTAL IMPROVED COVERAGE	30,000 SF
PROPOSED COVERAGE	31%
PROPOSED USE	RESIDENTIAL HOUSING
MAXIMUM RESIDENTIAL DENSITY	10 UNITS PER ACRE
PROPOSED PARKING SPACES	127 SPACES

## **2500/2504 HILLBURN DRIVE DEVELOPMENT PLAN**



September 3, 2015

Case: Z145-263(AF)



Proposed Amenities Plan

TB6

DALLAS, TX

1 October 2015

DALLAS CITY HOMES/ CONCEPTUAL LANDSCAPE DIAGRAM

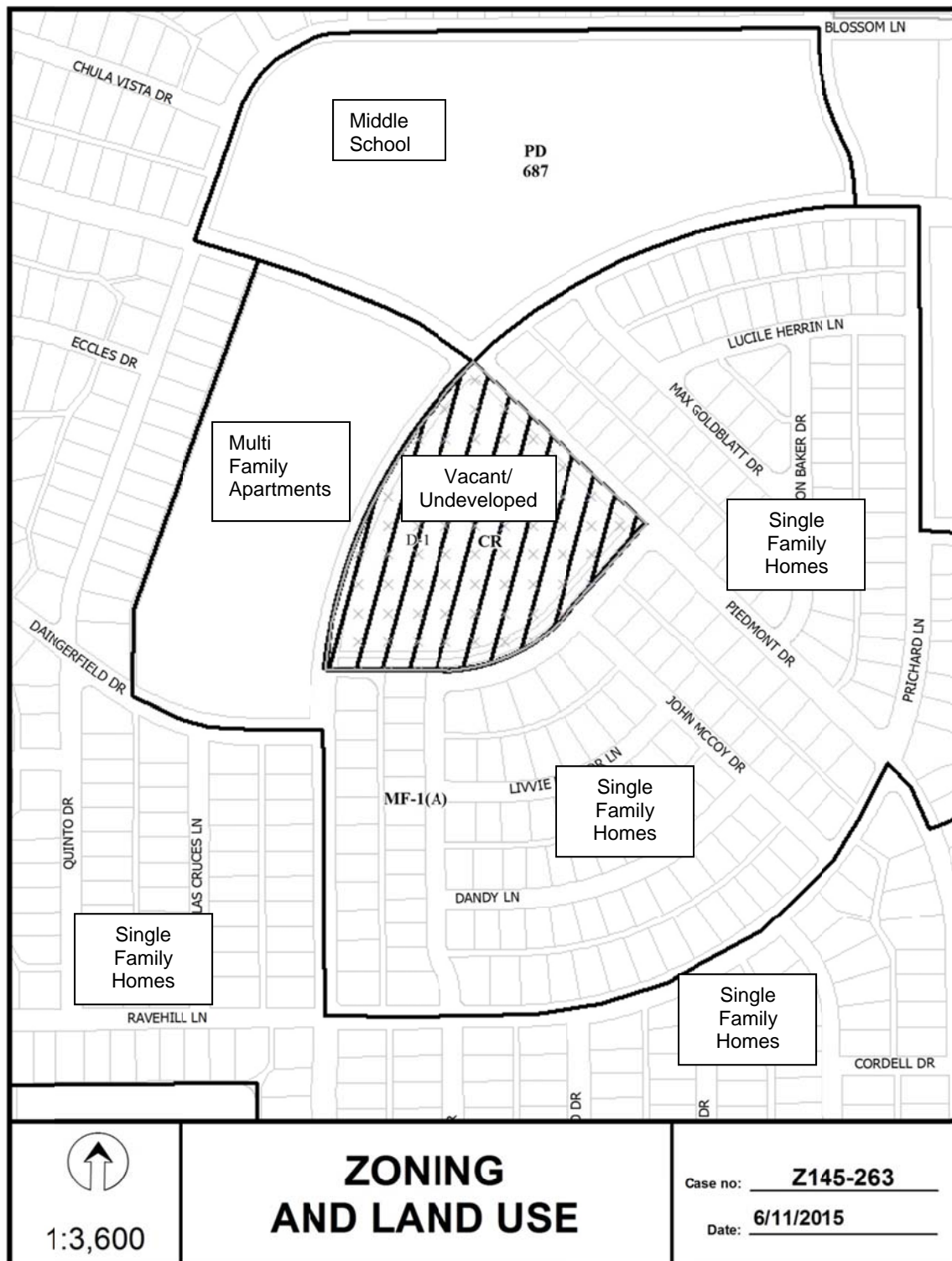
0 20' 40' 80'



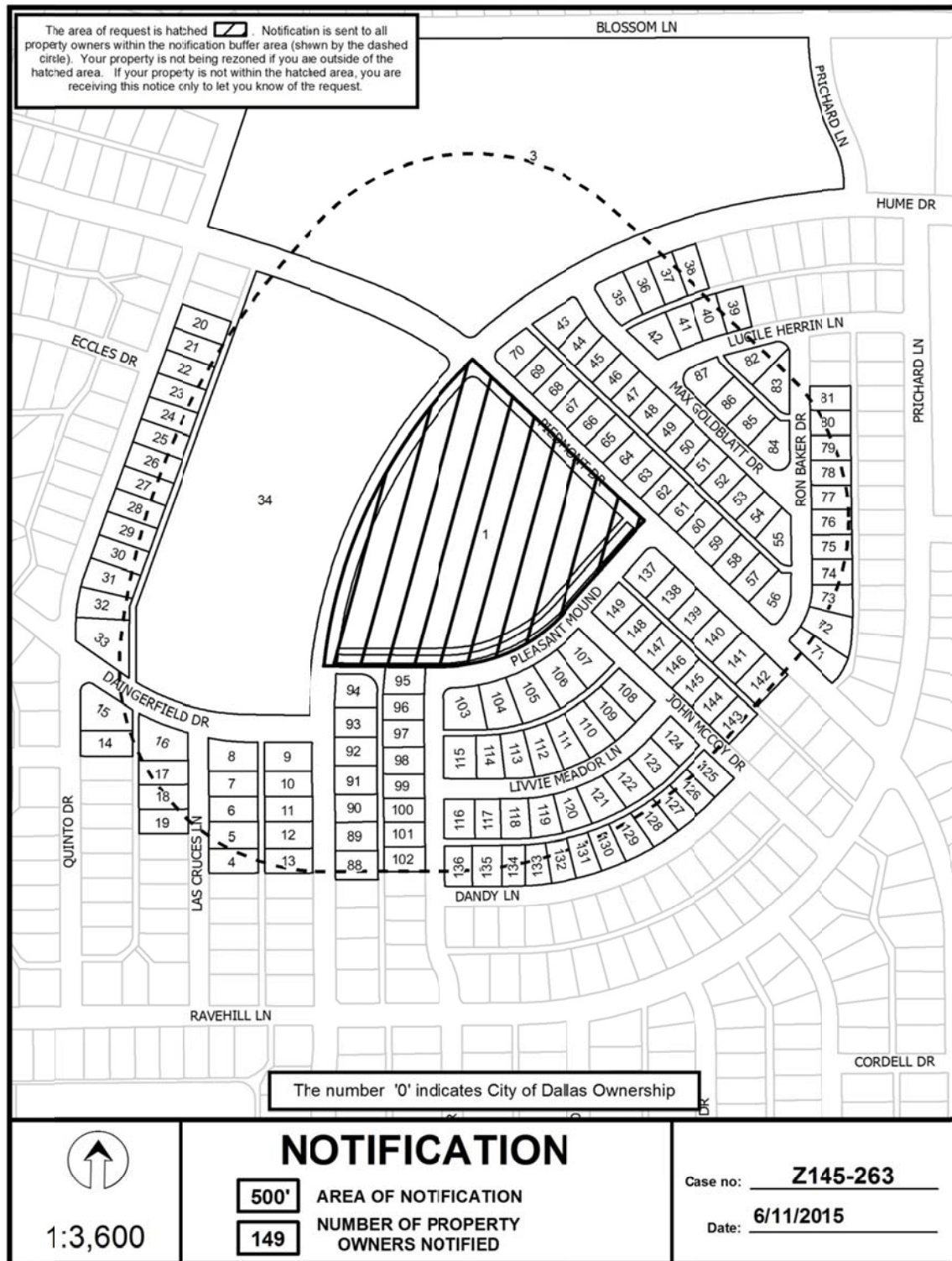












06/11/2015

***Notification List of Property Owners******Z145-263******149 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2500 HILLBURN DR	PIEDMONT SCYENE JOINT VENTURE
2	2600 PLEASANT MOUND	NATIONSBANK CDC SPECIAL
3	7625 HUME DR	Dallas ISD
4	2332 LAS CRUCES LN	GAMEZ MARIO
5	2336 LAS CRUCES LN	MORALES VICTOR &
6	2340 LAS CRUCES LN	CASTRO HECTOR
7	2344 LAS CRUCES LN	PERDOMO FREDY A
8	2352 LAS CRUCES LN	BREWER TRACY
9	2421 HILLBURN DR	INGRAM LAWRENCE K JR &
10	2417 HILLBURN DR	SAAVEDRA ANA JULIA
11	2411 HILLBURN DR	FIERRO RODOLDO H &
12	2407 HILLBURN DR	PEREZ JOSE
13	2403 HILLBURN DR	SMITH BARRY V
14	2402 QUINTO DR	LIEF PETERSON ENTERPRISE LLC
15	2410 QUINTO DR	OROZCO VICTORIA
16	2353 LAS CRUCES LN	QUIROZ J FELIX & JOSEFINA GARCIA
17	2349 LAS CRUCES LN	ENGLAND MICHAEL S
18	2343 LAS CRUCES LN	REYES DOLORES
19	2339 LAS CRUCES LN	GUZMAN MARIO R
20	2608 QUINTO DR	MENDOZA JOSE
21	2602 QUINTO DR	CHAVEZ JESSE & BECKY
22	2554 QUINTO DR	SMITH SANDRA
23	2550 QUINTO DR	MENDEZ LUCIANO
24	2546 QUINTO DR	CONTRERAS LORENZO A
25	2542 QUINTO DR	OROZCO IVONNE &
26	2536 QUINTO DR	JOHNSON MARGARETT



06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2532 QUINTO DR	WALDROUP MARVIN
28	2526 QUINTO DR	RENTERIA ARMANDO P &
29	2522 QUINTO DR	GUERRERO MARIA L & JUAN &
30	2518 QUINTO DR	RIVERA BRUCE J
31	2514 QUINTO DR	BOSTWICK ERIC W
32	2508 QUINTO DR	GREY PATRICIA
33	2502 QUINTO DR	REYES JUAN A & ANITA
34	2501 HILLBURN DR	PIEDMONT SCYENE JV
35	7702 HUME DR	CROCKETT CURTIS JR &
36	7706 HUME DR	CHACKO THOMAS &
37	7710 HUME DR	ESTRADA AVELINA QUEZADA
38	7714 HUME DR	ROCHA PEDRO &
39	2715 LUCILE HERRIN LN	SCOTT HARRISON L JR &
40	2711 LUCILE HERRIN LN	VAZQUEZ JULIO C
41	2707 LUCILE HERRIN LN	RANGEL JOSE LOPEZ
42	2703 LUCILE HERRIN LN	ORELLANA BLANCA A
43	2649 MAX GOLDBLATT DR	JONES JIMMY JR &
44	2645 MAX GOLDBLATT DR	ROCKWELL SANDRA
45	2641 MAX GOLDBLATT DR	HERNANDEZ JUAN & CECILIA
46	2637 MAX GOLDBLATT DR	ARREOLA GABRIELLA
47	2633 MAX GOLDBLATT DR	MUJICA FERNANDO &
48	2629 MAX GOLDBLATT DR	MONTIEL HENRY F &
49	2625 MAX GOLDBLATT DR	FERGUSON CORAZON &
50	2621 MAX GOLDBLATT DR	STEWART MARY H
51	2617 MAX GOLDBLATT DR	STANDARD HAROLD E &
52	2613 MAX GOLDBLATT DR	VEGA MAURICIO
53	2609 MAX GOLDBLATT DR	BANDOH MARYCHLOE
54	2605 MAX GOLDBLATT DR	ORTIZ VICENTE G & GUZMAN ANGELA D
55	2601 MAX GOLDBLATT DR	FRANKLIN ROSIE
56	7660 PIEDMONT DR	VANGELDER ALEXIS
57	7656 PIEDMONT DR	SALINAS GILBERTO &

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7652 PIEDMONT DR	VALLADARES GLORIA
59	7648 PIEDMONT DR	MENDOZA JOSE
60	7644 PIEDMONT DR	MENDOZA ISAIAS
61	7640 PIEDMONT DR	CARTER BLENTHIA
62	7636 PIEDMONT DR	OREJEL EUGENIO &
63	7632 PIEDMONT DR	NORMAN MARCIA D &
64	7628 PIEDMONT DR	MENDOZA JUAN
65	7624 PIEDMONT DR	ROMERO RAMON LUIS
66	7620 PIEDMONT DR	GALLARDO ADRIANA NIETO &
67	7616 PIEDMONT DR	ORTIZ MARIO
68	7612 PIEDMONT DR	RAMIREZ ALEJANDRO
69	7608 PIEDMONT DR	RECORD JANICE M
70	7604 PIEDMONT DR	HERNANDEZ EDWIN O
71	2504 RON BAKER DR	JOHNSON SCHRONDA
72	2508 RON BAKER DR	KESLER CHARLES &
73	2512 RON BAKER DR	GOLDMAN FELICIA P
74	2516 RON BAKER DR	CASTELLON CRISTELA M
75	2520 RON BAKER DR	BLANCO GERARDO &
76	2524 RON BAKER DR	OVIEDO LAURENTINA
77	2528 RON BAKER DR	HUERTA OSCAR &
78	2532 RON BAKER DR	CLAY CELIA A & PERCY L
79	2536 RON BAKER DR	ELMORE ANDREA & THERESA
80	2540 RON BAKER DR	RILEY MARCO
81	2544 RON BAKER DR	BONNER DARRION &
82	2714 LUCILE HERRIN LN	BOWENS JADA
83	2543 RON BAKER DR	DRIVER DUANE A
84	2612 MAX GOLDBLATT DR	STARK SHIRLEY & BYRON
85	2616 MAX GOLDBLATT DR	BYER KURT
86	2620 MAX GOLDBLATT DR	ALEXANDER KANIKA L
87	2624 MAX GOLDBLATT DR	ESCOBEDO JOSE
88	2404 HILLBURN DR	SOSA JOSE CARLOS

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2408 HILLBURN DR	RIOS SAMEUL &
90	2412 HILLBURN DR	GAMA WBLEHSTER
91	2416 HILLBURN DR	MEDINA AMELIA
92	2420 HILLBURN DR	PINEDA JOSE MANUEL &
93	2424 HILLBURN DR	BRAVO JOSE ARTEMIO &
94	2528 HILLBURN DR	CERDA MIGUEL
95	2351 GAYLORD DR	PADILLA MARTIN & ANTONIA
96	2347 GAYLORD DR	LAMELA LEONIDA
97	2343 GAYLORD DR	SALAZAR JUANA M & JUAN D
98	2339 GAYLORD DR	MATURINO MARIA &
99	2335 GAYLORD DR	GARCIA MA EVELIA
100	2331 GAYLORD DR	AVILA VALENTIN
101	2327 GAYLORD DR	CUEVAS FRANCISCO &
102	2323 GAYLORD DR	MEJIA JULIO & REINA I
103	7602 PLEASANT MOUND	HERNANDEZ FRANCISCO J
104	7608 PLEASANT MOUND	SANCHEZ JOAQUIN TINAJERO &
105	7610 PLEASANT MOUND	DAVIS BERTHA
106	7614 PLEASANT MOUND	ARTEAGA SANDRA DEL CARMEN
107	7618 PLEASANT MOUND	ERAZO JOSE LUIS &
108	7631 LIVVIE MEADOR LN	ULLOASOLIS ALFREDO &
109	7627 LIVVIE MEADOR LN	MONTES CARLOS ANDRES
110	7623 LIVVIE MEADOR LN	BYNAUM JUQUITA MICHELL
111	7619 LIVVIE MEADOR LN	DAVIS FANTA L &
112	7615 LIVVIE MEADOR LN	RAMIREZ ABELARDO
113	7611 LIVVIE MEADOR LN	DIAZ DARIO
114	7607 LIVVIE MEADOR LN	RANKINS BRENDA J
115	7603 LIVVIE MEADOR LN	STEPHENS VIRGINIA R
116	7604 LIVVIE MEADOR LN	SORIANO VICENTE &
117	7608 LIVVIE MEADOR LN	MOLINITO NOE &
118	7612 LIVVIE MEADOR LN	TARALA JAYALAKSHMI
119	7616 LIVVIE MEADOR LN	LOPEZ MARIA L &

06/11/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	7620 LIVVIE MEADOR LN	RODRIGUEZ JOSE C &
121	7624 LIVVIE MEADOR LN	GARCIA GILBERTO
122	7628 LIVVIE MEADOR LN	GONZALEZ DANIEL &
123	7632 LIVVIE MEADOR LN	ENENMOH IKE &
124	7636 LIVVIE MEADOR LN	HERNANDEZ EZEQUIEL &
125	7647 DANDY LN	BLOXSON SHARON M
126	7643 DANDY LN	SANCHEZ JOSE &
127	7639 DANDY LN	CHATMON LISA
128	7635 DANDY LN	SLAYTON CASSAUNDRA
129	7631 DANDY LN	SEPULVEDA MIQUEL &
130	7627 DANDY LN	MONTGOMERY N ALICE &
131	7623 DANDY LN	ACEVEDO LUIS &
132	7619 DANDY LN	BETTLES KENNETH &
133	7615 DANDY LN	CHAVEZ J INES
134	7611 DANDY LN	MEDINA EMILIO & ALEJANDRA
135	7609 DANDY LN	MALDONADO ALMA ETAL
136	7603 DANDY LN	SANCHEZ JESUS A
137	7643 PIEDMONT DR	SANCHEZ MARCOS
138	7647 PIEDMONT DR	GONZALEZ MARIA &
139	7651 PIEDMONT DR	QUINONES YASMIN
140	7655 PIEDMONT DR	GARCIACHAVEZ JUANA
141	7659 PIEDMONT DR	FORTUNE VENTURE SOLUTIONS LLC
142	7703 PIEDMONT DR	BARRIOS MARIA ANTONIA
143	2336 JOHN MCCOY DR	LIVELY BRIGGITTE R
144	2342 JOHN MCCOY DR	CABALLERO JOSE A
145	2348 JOHN MCCOY DR	EVANS DONALD
146	2354 JOHN MCCOY DR	BANK OF AMERICA N A
147	2360 JOHN MCCOY DR	RODRIGUEZ RICARDO
148	2366 JOHN MCCOY DR	GUZMAN JOSE M &
149	2372 JOHN MCCOY DR	SMALLWOOD BOBBIE

**CITY PLAN COMMISSION**

**THURSDAY, OCTOBER 15, 2015**

**Planner: Aldo Fritz**

**FILE NUMBER:** Z145-269(AF)

**DATE FILED:** May 27, 2015

**LOCATION:** North of West Camp Wisdom Road and west of Interstate 35E Freeway

**COUNCIL DISTRICT:** 3

**MAPSCO:** 64V

**SIZE OF REQUEST:** Approx. 17.97 acres

**CENSUS TRACT:** 111.03

---

**APPLICANT:** Uplift Education

**REPRESENTATIVE:** Brian Nelson, HKS Architects

**OWNER:** Ravic Investment Co.

**REQUEST:** An application for a Specific Use Permit for an Open-enrollment charter school on property zoned an RR Regional Retail District.

**SUMMARY:** It is the applicant's intention to build a 169,000 square foot Charter school with 66 total classrooms. These classrooms would encompass 24 elementary classrooms, 30 middle school classrooms, and 12 high school classrooms.

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

**GUIDING CRITERIA FOR STAFF RECOMMENDTION:**

Staff recommends approval of the request based upon:

1. *Compatibility with surrounding uses and community facilities* – The proposed buildings and use are compatible in scale with the surrounding area. The school will have a maximum height of 40 feet except where it is restricted by residential proximity slope standards. The site’s residential adjacency will dictate added development standards that serve to mitigate any potential negative impacts. These standards include an increased side and rear setback of 20 feet, residential proximity slope restrictions with a 1 to 3 slope angle of projection restricting higher portions of the building farther away from the perimeter, and added screening and visual intrusion provisions.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed open-enrollment charter school will provide a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety, or general welfare. Infrastructure/street improvements around the site to further minimize the impact on the surrounding neighborhood.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the request will comply with all applicable zoning regulations and standards. No variances or exceptions are proposed. All proposed improvements will require compliance with the building code and require final inspection compliance with the site plan.

**Zoning History:** There have not been any recent zoning changes requested in the area within the last five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing Dimension
West Camp Wisdom	Major Arterial	100'
US Highway 35	Freeway	Variable



**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will significantly impact the current state of the surrounding roadway system. Traffic circulation will be regulated through the traffic management plan included in the conditions. The Engineering Section has recommended street/infrastructure improvements to mitigate the impact on the surrounding neighborhood. These recommendations include new driveways southbound IH 35 E frontage road and Camp Wisdom Road, median modification for the eastbound left turn into the school campus, and right turn deceleration lanes for the approaches to two proposed driveways. It should be noted that any other development on this property would likely have triggered roadway improvements at permitting, as well.

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

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

**STAFF ANALYSIS:****Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
Site	RR	Vacant/Undeveloped
North	R-7.5 (A)	Single Family
South	R-7.5 (A)	Single Family
East	RR	Restaurant with Drive-Thru
West	R-7.5 (A)	Single Family

**Land Use Compatibility:** The site is located within a predominately low density residential neighborhood on the northwest of the intersection of West Camp Wisdom Road and I35E. A variety of more intense uses are located at each intersection. Because the site is adjacent to or directly across an alley from a single family residential district, additional code regulations are triggered. These limitations dictate an increased side and rear setback of 20 feet, residential proximity slope restrictions with a 1 to 3 slope angle of projection restricting higher portions of the building farther away from the perimeter, and added screening and visual intrusion provisions.

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

The applicant's request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval subject to a site plan and conditions.

**Development Standards:**

<b>Current Development Standards</b>							
<b>DISTRICT</b>	<b>Setbacks</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>Primary Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
RR Regional Retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope Visual Intrusion	Retail & personal service, office

<b>Proposed Development Standards</b>							
<b>DISTRICT</b>	<b>Setbacks</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>Primary Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
RR Regional Retail: SUP- Open Enrollment Charter School	15'	20' adjacent to residential OTHER: No Min.	.21	36' 2 Stories	14%	Proximity Slope Visual Intrusion	School

**Landscaping:** The request will trigger any landscape changes. All development on the property will require landscaping per Article X of the Dallas Development Code.

**Parking:** Pursuant to §51A-4.204 of the Dallas Development Code, schools require one and one-half parking spaces for each kindergarten/elementary school classroom along with three and one half parking spaces for every junior high/middle school classrooms and nine and one half spaces for each senior high school classroom. The proposed school is projected to have 24 elementary, 30 middle, and 12 high school classrooms, which would require a total of 255 parking spaces. The applicant is proposing 300 parking spaces.

## **List of Partners**

Raymond D. Nasher Irrevocable Management Trust, Bank of America, N.A., Trustee, Dallas, TX  
Emily L. Hexter Irrevocable Trust, Louis J. Hexter, II, Trustee, Mill Valley, CA  
Louis J. Hexter, II, Mill Valley, CA  
Victoria Hexter, Lake Oswego, OR  
Holly Hexter, Washington, DC

**Tony Dona\***

Chairman of the Board  
Partner, Thackeray Partners

**Melissa McNeil\***

Vice Chair  
Community Volunteer

**W. Carey Carter\***

Retired Partner, Deloitte & Touche

**Angie Dickson**

Community Volunteer

**Angela Farley**

Vice President of Public Policy and Education,  
Dallas Regional Chamber of Commerce

**Ossa Fisher**

Senior Vice President, Strategy & Analytics  
Match.com

**Daniel Flaherty**

President, Gemmy Industries

**Michael Giles**

President, Right Management

**Mary Ellen Weber**

Managing Director, Stellar Strategies, LLC

**Gilbert Prado**

Dallas Independent School District

**Randall Ray\***

Partner, Munck Wilson & Mandala LLP

**Josh Terry\***

Managing Director, Highland Capital

**Donell Wiggins\***

Community Volunteer

**Srikanth Srinivas**

SVP Solution Innovation, Medecision

**Dustin Marshall \***

CEO, Hazels Hot Shot

**Marnie Wildenthal**

Community Volunteer

**Richard Frapart**

CFO, Mount Kellett Capital Management

**John Beckert**

Operating Partner, Highland Partners

**Kay Allen**

Certified Financial Planner, Aspen Wealth  
Management

**Abigail Williams**

Community Volunteer

**Alan LeBlanc**

Vice President of Sales and Marketing, RAM  
Surgical Supplies

**Ardo Fuentes**

Financial Advisor, Merrill Lynch & Co.

**Catherine Estrada**

Community Volunteer

**Kevin Bryant**

Chief Counsel, Crow Holdings

**Ryan Moss**

Partner, Perella Weinberg Partners

**Cristina Barbosa**

Community Volunteer

**Dawn Mann**

Founding Principal, Break of Day Design

**Proposed 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), 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 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. **CLASSROOMS:** The maximum number of classrooms is 66.
  - a. 24 Elementary classrooms
  - b. 30 middle school (MS) classrooms
  - c. 12 high school (HS) classrooms
5. **PLAYING FIELDS:** Use of the playing fields as shown on the site plan is prohibited between the hours of 8:00 p.m. and 6:00 a.m.
6. **TRAFFIC MANAGEMENT PLAN:**
  - (a) **In general.** Operation of the open-enrollment charter school must comply with the attached traffic management plan.
  - (b) **Queuing.** Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
  - (c) **Traffic study.**
    - (1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by November 1, 2016. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the Director by November 1st of each even-numbered year.
    - (2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:



- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level; and
- (G) circulation.

(3) Within 30 days after submission of a traffic study, the Director shall determine if the current traffic management plan is sufficient.

(A) If the Director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

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

(d) Amendment process.

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

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

7. PARKING: Parking must be located as shown on the attached site plan.

8. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

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

Z145-269(AF)

and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



**Proposed Traffic Management Plan**

Traffic Management Plan

Uplift Pinnacle Preparatory

Z145-269-AF

Dallas, Texas



Walter P. Moore and Associates, Inc.  
TBPE Firm Registration No. 1856

Prepared for  
Uplift Education

Prepared by  
WALTER P MOORE

Walter P. Moore and Associates, Inc.  
1845 Woodall Rodgers Freeway, Suite 1650  
Dallas, Texas 75201  
214-740-6200

August 2015

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## LIST OF EXHIBITS

EXHIBIT 1: Traffic Management Plan

## LIST OF TABLES

TABLE 1: Calculated Queuing Space for Uplift Pinnacle Preparatory – Full Build Enrollment

## INTRODUCTION

Uplift Education is proposing to initiate the operations for a charter school at the northwest corner of IH 35E and Camp Wisdom Road in Dallas, Texas. The proposed school site is bounded by IH 35E Southbound Frontage Road (SBFR) on the east, Camp Wisdom on the south, single-family homes that front Brierfield Drive on the west and the alley that serves homes that front Cherry Point Drive on the north. During the Full Build enrollment year of the school, the school proposes to accommodate 600 students in the Elementary School and 1,176 students in the Secondary School. Uplift Education acquired the services of Walter P Moore (WPM) to address traffic and queuing concerns of the City of Dallas and provide a Traffic Management Plan for the proposed site.

## QUEUING ANALYSIS

The queuing data collected at existing Uplift Education school campuses was evaluated. From the data available, overall averages of approximately 1 vehicle for every 6.8 elementary students and 1 vehicle for every 7.5 secondary school students were calculated for peak queuing conditions.

Utilizing these peak queuing ratios as planning guidelines for Full Build enrollment of the school, the calculated linear feet of queuing space for the school was developed as provided in **TABLE 1**. The provided queuing space is also shown in **TABLE 1**.

**TABLE 1: Calculated Queuing Space for Uplift Pinnacle Preparatory – Full Build Enrollment**

School Level	Grades	Number of Students- Full Build-out	Ratio: Number of Students per Peak Queued Vehicle*	Number of Peak Queued Vehicles-	Calculated Queuing Space- Linear Feet**	Provided Queuing Space – Linear Feet
Elementary School	K - 5	600	6.8:1	88	2,200	2,852
Middle School	6 - 8	504	7.5:1	67	1,675	2,969
High School	9 - 12	672	7.5:1	90	2,250	2,852***

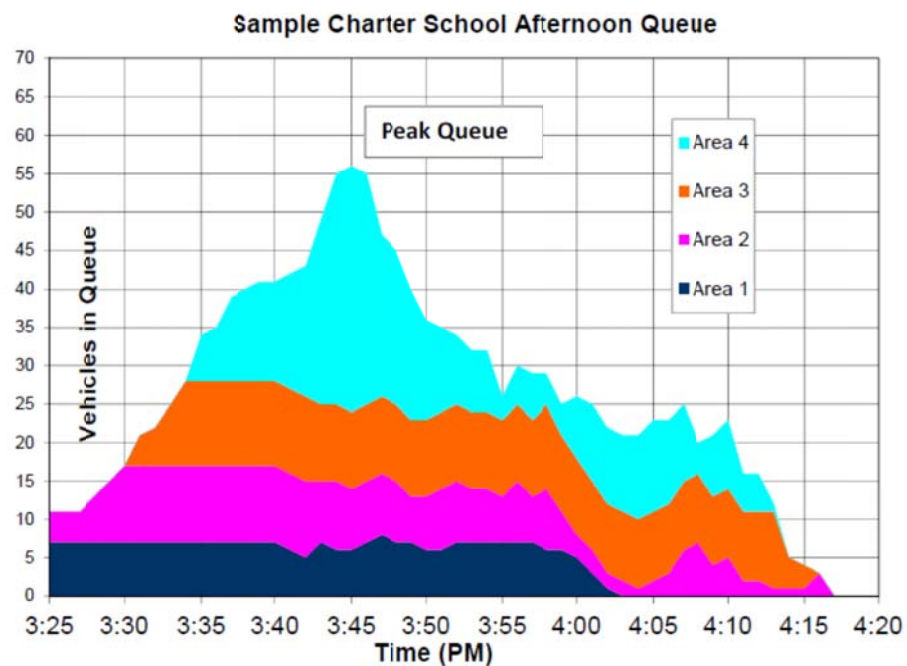
\*Average peak queuing rates obtained from existing school queuing data

\*\*Assuming 25 feet per vehicle

\*\*\*Re-utilizing the Elementary queuing areas



The following figure illustrates a typical accumulation of queued vehicles leading up to the dismissal time and after the students have been released. As the figure indicates, the duration of the "Peak Queue" during the PM peak typically lasts for a minute or two before quickly diminishing. The Areas 1 through 4 represent the different queuing areas inside the school (curb lines, parking lots, etc.). This particular school campus has two dismissal times as is indicated by the peak at 3:45 PM as well as just after 4:05 PM.



The on-site queuing space for the Pinnacle Preparatory campus illustrated in **EXHIBIT 1** measures 1,580 linear feet for the red pick-up area, 1,272 linear feet for the green pick-up area and 2,969 linear feet for the blue pick-up area for a total single-use length of 5,821 linear feet. During the initiation of the school operations, it is recommended to monitor the drop off and pick up operations and make adjustments to the procedures as necessary. The site plan is anticipated to sufficiently serve the Full Build enrollment plan of the school campus with implementation of the Traffic Management Plan as further described.



## TRAFFIC MANAGEMENT PLAN

The Traffic Management Plan was designed to create a vehicular circulation route for parents to drop-off and pick-up their children during the critical morning and afternoon times associated with the beginning and dismissal of school. It is designed to maintain all queued vehicles within the school property during both the AM and PM peak periods and not impede the flow of traffic on adjacent streets. Elements of the proposed traffic management plan are provided.

### *Family Identification Numbers*

It is recommended to provide a carpool identification card for each elementary school family. The parents should be instructed to have the identification card visible for the administrator collecting this information to relay the specific parent's arrival information to the staff to alert the elementary students.

### *Ingress & Egress*

Three driveways will provide access to the site as illustrated in **EXHIBIT 1**. The driveway along IH 35 SBFR on the northeast side of the school will primarily provide entry and exit access to the Secondary School carline. The driveway on the southern end of the campus at Camp Wisdom Road will primarily serve entry and exit for the Elementary School carline. Modification to the existing median opening will be necessary for the eastbound left turn movement from Camp Wisdom Road.

The driveway that runs parallel to Camp Wisdom Road along Brierfield Drive on the south side of the proposed school site will provide auxiliary access from the Elementary School carline. As the school population grows, it is recommended to utilize the Elementary School access for a portion of the Secondary School, potentially the High School.

### *Drop-off/Pick-up Locations*

As depicted in **EXHIBIT 1**, there are three proposed student Drop-off/Pick-up locations provided on the school campus. Two areas are located on the east side of the school buildings parallel to the IH 35 frontage road and one is located on the south side of the elementary building parallel to Camp Wisdom Road. As illustrated in **EXHIBIT 1**, the Elementary School carline is proposed to utilize the two areas on the south side of the campus. The Middle School is proposed to utilize the area on the north side of the campus. The High School operations would initially operate at the loading area on the north side of the campus and may adjust to the south side of the campus as necessary to



respond to the changing needs and loading/queuing demands of the campus as the enrollment increases.

#### ***Circulation***

Vehicles for the Elementary School drop-off/pickups will enter the south side driveway from Camp Wisdom Road with either a left turn or a right turn into the school campus. After entering the school site, the motorists will follow either the red path or the green path as illustrated in **EXHIBIT 1**. Motorists in the red line will proceed to the red pick-up area and either exit the site via the school drive to Camp Wisdom Road or from the driveway along IH 35 SBFR. As the need and/or demand warrants, the Elementary School also has the opportunity to utilize the green path as indicated on **EXHIBIT 1** with motorists exiting to Brierfield Drive. Depending on the number of students living in the neighborhood with access to Brierfield Drive, this auxiliary access point may be utilized for entry to the school site.

The vehicles for Secondary School drop-off/pickup operations will enter the site through the north side driveway along IH 35 SBFR with a southbound right-turn. The motorist carline will proceed counterclockwise around the parking lots north of the Secondary School building, as shown in **EXHIBIT 1**. There is potential for double stacking of the carline during the Full Build enrollment of the school.

Since it is assumed that the Elementary School pickup operations and Secondary School pickup operations will be staggered by at least a period of 20 minutes, it is recommended that a portion of the Secondary School (potentially the High School) utilize the Elementary School queuing space and circulation plan.

#### ***Release Time***

Other Uplift Education campuses typically stagger the release times between the Elementary School (grades Kindergarten through fifth grade) at 3:30 PM and the Upper School (Grades 6 -12) at 4:00 PM. It is assumed that the Elementary School pickup operations and Secondary School pickup operations will be staggered similarly by a minimum of 20 minutes.

#### ***Administrative Officials***

School staff and/or volunteers will be necessary to assist with both morning drop-off and afternoon pick-up operations at the Elementary School.

Each school campus has unique carpool operation conditions with its number of staff, students and parents. Monitoring of the proposed Traffic Management Plan should be performed at the onset of the school's opening to ensure that it is operating efficiently. As this campus will be a new location, the school should be prepared to provide additional staff at the onset of the school's opening and adjust based on the demand both in the morning and in the afternoon. With full enrollment, it is proposed that a number of staff or volunteers assist during the afternoon pick-up operations. There are six potential staff or volunteer locations indicated for the Elementary School loading areas located at on **EXHIBIT 1**. One potential staff member or volunteer is also illustrated on **EXHIBIT 1** at the location where two queuing lines would merge into one line.

An additional administrator can be utilized near the Elementary entry to alert the staff at the pick-up areas of the names of students that are to be picked-up so that they are queued up and ready to load into the vehicles. Police assistance should be anticipated to be needed at the stop-controlled exit to Camp Wisdom Road across from Wilcox Drive.

#### *Summary*

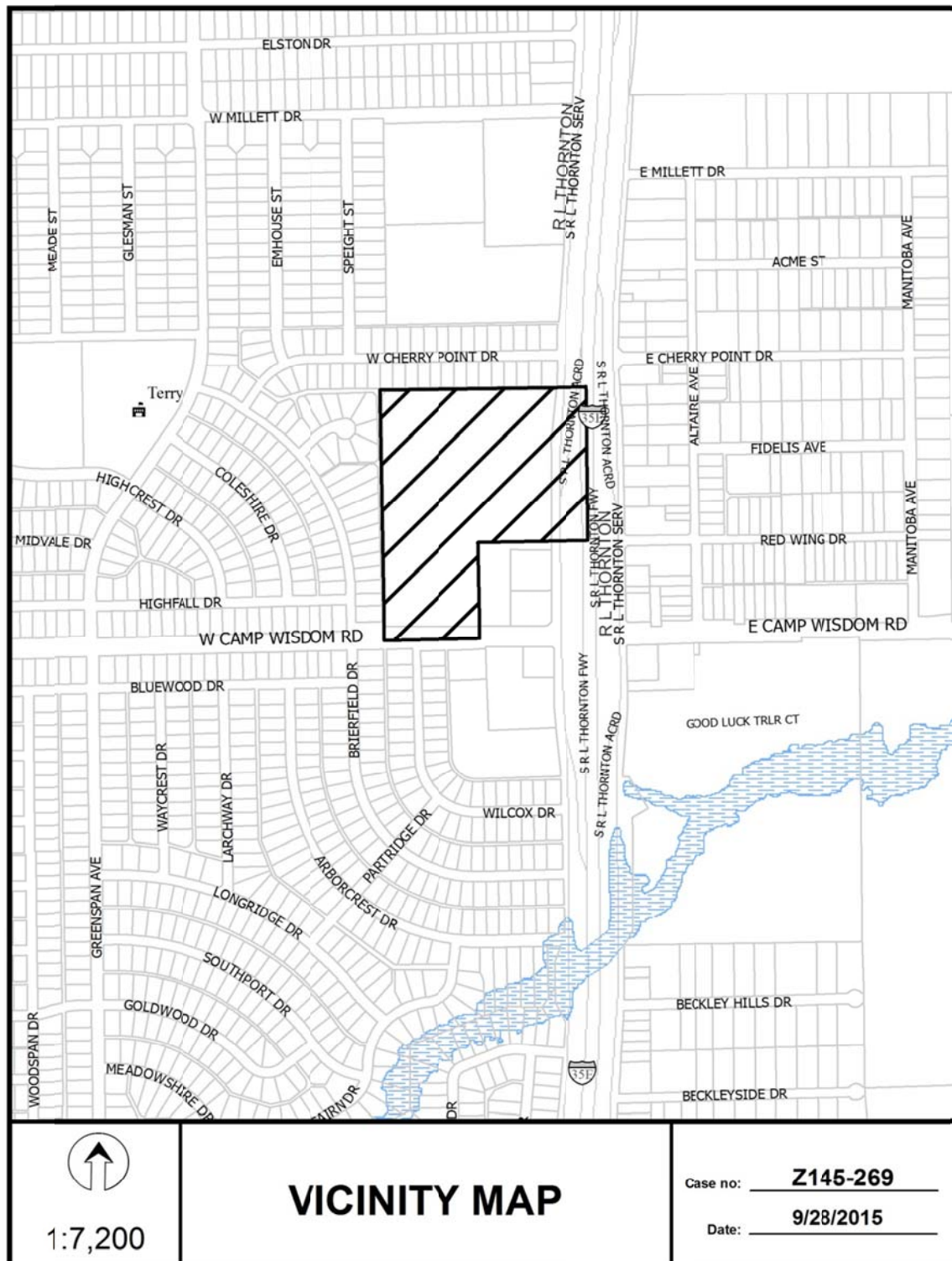
**EXHIBIT 1** illustrates the Traffic Management Plan for Uplift Pinnacle Preparatory. New driveways are requested along southbound IH 35 E frontage road and Camp Wisdom Road. Median modification for the eastbound left turn into the school campus from Camp Wisdom Road is also requested. The City of Dallas has also requested right turn deceleration lanes for the approaches to the two proposed driveways as reflected on **EXHIBIT 1**.

During the initiation of the school operations, it is recommended to monitor the drop off and pick up operations and make adjustments to the procedures as necessary. It is the responsibility of the Uplift Pinnacle Preparatory administrators to implement the plan. Based on the information provided by the school representatives and best planning practices, the provided circulation and queuing plan should be sufficient to accommodate the peak vehicular queue on site. No queuing will be allowed on the street right-of-way and administrators are responsible for immediately implementing any correction deemed necessary by City staff to correct any spill of queuing in the City of Dallas Right of Way. Strategies to minimize peak queuing conditions on school campuses include:

- Provide several opportunities for the parents, students and staff to learn any new carpool circulation plan; meetings, e-mails, posting on the school website, etc.,
- Instruct parents not to arrive at the school too early,

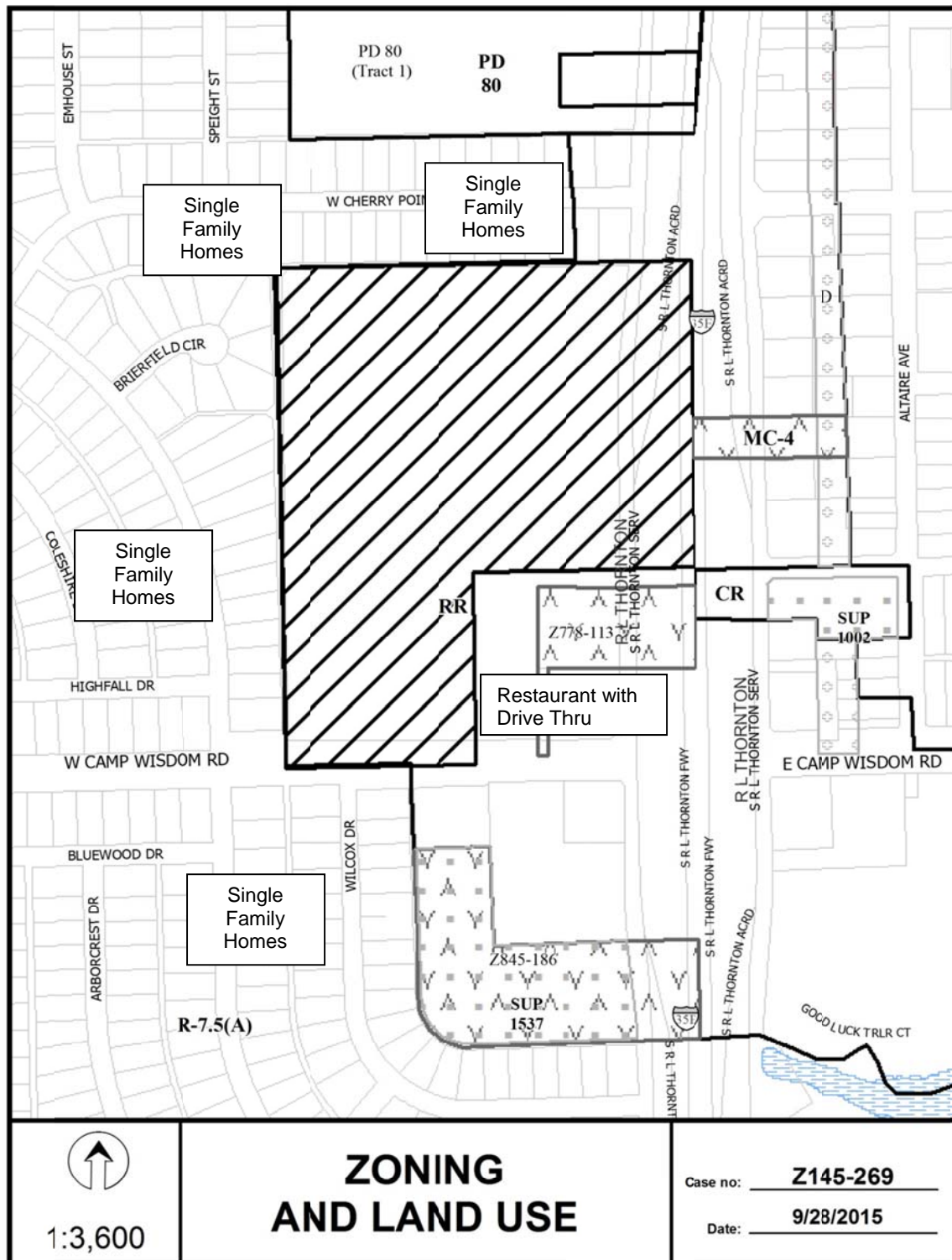
- Encourage carpooling among families,
- Have parents visibly display their family name or carpool number for easy identification,
- Encourage the parents to queue up closely to the vehicle in front of them,
- Provide additional staff members to assist with unloading/loading the Elementary School students, and/or
- Stagger release times for different grade levels.

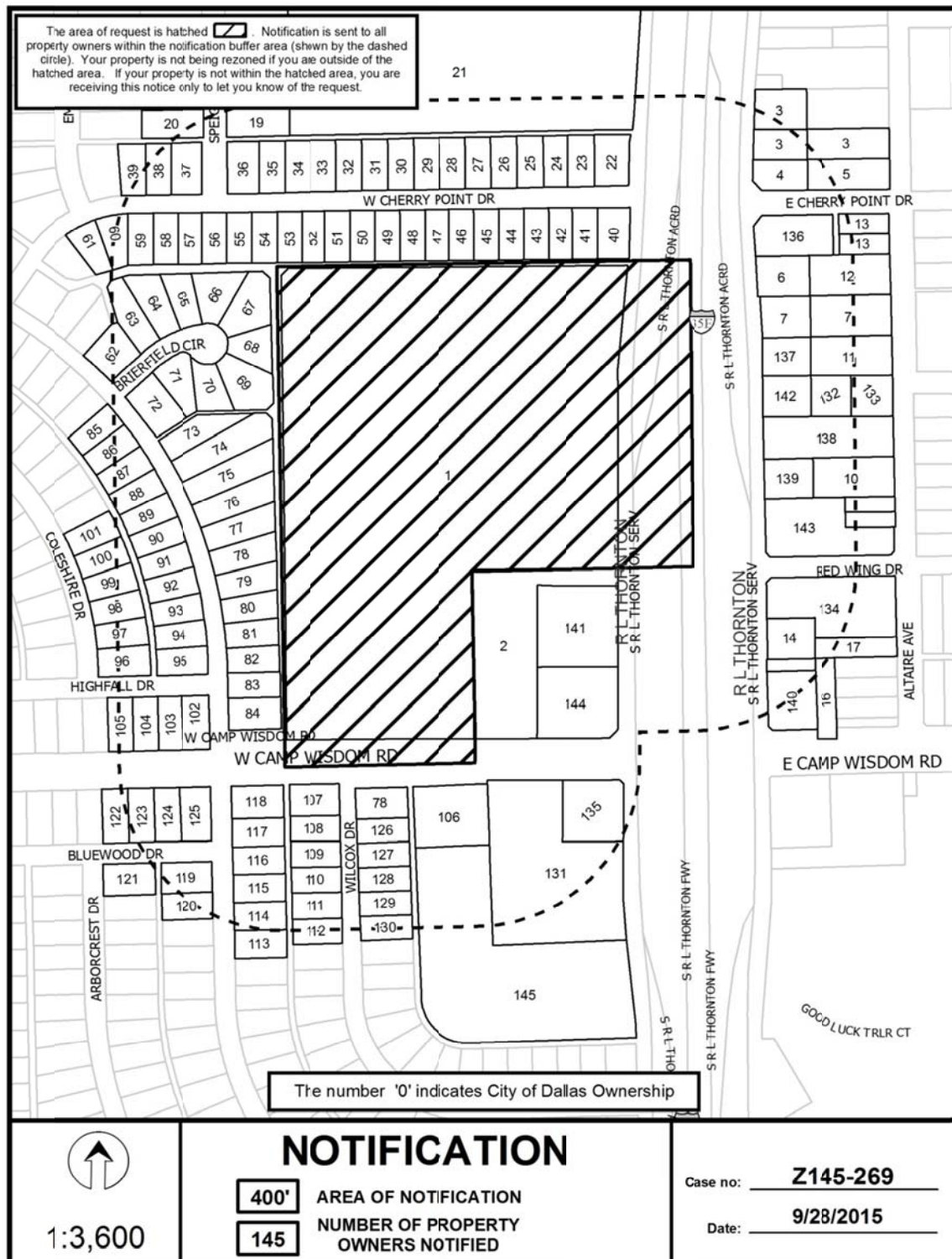












09/28/2015

***Notification List of Property Owners******Z145-269******145 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	125 CAMP WISDOM RD	RAVIC INV CO
2	125 CAMP WISDOM RD	MCDONALDS CORP 042 0425
3	6718 R L THORNTON FWY	TRUE VINE OF HOLINESS
4	6734 R L THORNTON FWY	TRUE VINE OF HOLINESS MISSIONARY BAPTIST
5	6735 ALTAIRE AVE	TRUE VINE BAPTIST CHURCH
6	6810 R L THORNTON FWY	MAGEE A INV INC
7	6822 R L THORNTON FWY	DELEON THOMAS
8	6929 ALTAIRE AVE	DAVIS FAMILY LIVING TRUST
9	6925 ALTAIRE AVE	DUNCAN MRS MARGIE
10	6923 ALTAIRE AVE	JORDAN WILLIE L
11	6831 ALTAIRE AVE	VELASQUEZ TOBIAS &
12	6815 ALTAIRE AVE	VELASQUEZ TOBIAS ETUX
13	6807 ALTAIRE AVE	MAGEE A INV INC
14	7010 R L THORNTON FWY	HOWARD MARSHALL &
15	7014 R L THORNTON FWY	SPEED ED REVOCABLE LIV TR
16	117 CAMP WISDOM RD	BOSCHERT DANIEL S KAREN S REV LIVING TRUST &
17	7015 ALTAIRE AVE	BOSCHERT DANIEL S & KAREN S REV LIVING TRUST
18	6632 SPEIGHT ST	LONGORIA ROBERTO &
19	6636 SPEIGHT ST	MORIN SAN JUANA DIAZ
20	6637 SPEIGHT ST	GORDON CLAY
21	6601 R L THORNTON FWY	INSPIRING BODY OF CHRIST
22	105 CHERRY POINT DR	CALDWELL VICKI
23	109 CHERRY POINT DR	RAMOS ALEX TOLY &
24	115 CHERRY POINT DR	PEREZ MARGARITA
25	119 CHERRY POINT DR	ERWIN DOROTHY EST OF
26	125 CHERRY POINT DR	READY MORTGAGE CORP

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	129 CHERRY POINT DR	FALLS TERRANCE ANINE &
28	135 CHERRY POINT DR	MATHIS WILLIE F
29	139 CHERRY POINT DR	PFEIL RICHARD A
30	205 CHERRY POINT DR	HERNANDEZ JOSE LUIS
31	209 CHERRY POINT DR	WOODS LORENE
32	215 CHERRY POINT DR	CORTEZ ARMANDO
33	219 CHERRY POINT DR	JONES AMOS D
34	223 CHERRY POINT DR	MENDEZ JOSE D
35	227 CHERRY POINT DR	HOLLINS DANIEL SR
36	235 CHERRY POINT DR	FINN SR LARRY LEROY
37	305 CHERRY POINT DR	DENNIS DEBORAH
38	311 CHERRY POINT DR	PAULIN SALVADOR & MA JEROMNIMA
39	317 CHERRY POINT DR	CHILDERS ROY L
40	106 CHERRY POINT DR	BRIONES GREGORIO T
41	110 CHERRY POINT DR	DUARTE TERESO
42	116 CHERRY POINT DR	WORTHAM MISHA L &
43	120 CHERRY POINT DR	SKINNER CHARLES RAY
44	126 CHERRY POINT DR	HOUSTON VERNON LLC
45	130 CHERRY POINT DR	BLOSSER MARK & DEBORAH
46	136 CHERRY POINT DR	BLOSSER MARK
47	140 CHERRY POINT DR	COLEMAN MICHAL DEWYAN
48	204 CHERRY POINT DR	IBARRA ROSA M &
49	208 CHERRY POINT DR	PFEIL DICK
50	214 CHERRY POINT DR	KING CHARLENE
51	218 CHERRY POINT DR	COLEMAN JAMES
52	224 CHERRY POINT DR	GREEN MARIE R
53	228 CHERRY POINT DR	LEWIS ANDREA
54	234 CHERRY POINT DR	STEEN ISAAC A & RHONDA
55	238 CHERRY POINT DR	OLIVE PIT LLC
56	244 CHERRY POINT DR	COLEMAN ROMMIE
57	304 CHERRY POINT DR	GUILLEN ANTONIO &



09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	310 CHERRY POINT DR	MARTINEZ MARIA L & NICANOR HERNANDEZ
59	316 CHERRY POINT DR	MARTIN ALFRED H
60	320 CHERRY POINT DR	PRICE NOMOREE
61	326 CHERRY POINT DR	WILSON JERRY D
62	6822 BRIERFIELD DR	LAGARD BRENDA S
63	6828 BRIERFIELD CIR	MARTINEZ LUIS E & CARMELA
64	6832 BRIERFIELD CIR	BANKS JAMES & THELMA
65	6836 BRIERFIELD CIR	BANKS JAMES & THELMA
66	6840 BRIERFIELD CIR	JJB III INVESTMENTS INC
67	6844 BRIERFIELD CIR	CLARK RANDY
68	6848 BRIERFIELD CIR	LONDON RODERICK L MAR
69	6852 BRIERFIELD CIR	PEREZ MIGUEL
70	6856 BRIERFIELD CIR	SANTIBANEZ RENE & CONSTANCIA
71	6860 BRIERFIELD CIR	PAULIN ADRIAN
72	6864 BRIERFIELD CIR	LEWIS ROBERT B JR
73	6914 BRIERFIELD DR	DUARTE MARTIN &
74	6920 BRIERFIELD DR	PFEIL RICHARD A & ALANA P
75	6924 BRIERFIELD DR	PFEIL RICHARD ALAN
76	6930 BRIERFIELD DR	HERNANDEZ JOSE &
77	6934 BRIERFIELD DR	BROOKS FRANCES B
78	6940 BRIERFIELD DR	CLARK FREEMAN CO LLC
79	7004 BRIERFIELD DR	WILLIAMS LEWILBURNE &
80	7010 BRIERFIELD DR	AUSTIN BILLY
81	7014 BRIERFIELD DR	ANGLEFORGE PROPERTIES LLC
82	7020 BRIERFIELD DR	BROWN EMMETT D JR ETAL
83	7024 BRIERFIELD DR	DAWKINS HANTOYO
84	7030 BRIERFIELD DR	ANDREWS RUBY EST
85	6903 BRIERFIELD DR	CONTRERAS KENNEDY A
86	6909 BRIERFIELD DR	DANIELS H PAUL
87	6915 BRIERFIELD DR	BUSBY WANDA
88	6919 BRIERFIELD DR	CURRY MELVIN L

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	6923 BRIERFIELD DR	ORTEGA LEOPOLDO & MARIA LOURDES
90	6929 BRIERFIELD DR	ESCUADRA JAVIER T.
91	6933 BRIERFIELD DR	VILLAFRANCO ANA &
92	7005 BRIERFIELD DR	KELLEY OSCAR JR
93	7011 BRIERFIELD DR	UNGER DONALD G & RHONDA S
94	7015 BRIERFIELD DR	OAK CLIFF RENTALS & RESTORATION PROJECTS LLC
95	7019 BRIERFIELD DR	BATTS SHARON
96	7028 COLESHIRE DR	HARPER JERRY D
97	7022 COLESHIRE DR	POSADA FRANCISCO J &
98	7018 COLESHIRE DR	ALLISON BRIAN
99	7012 COLESHIRE DR	TAYLOR AMOS JR &
100	7008 COLESHIRE DR	YOUNG ROBERT
101	7002 COLESHIRE DR	MITCHELL LOUIS H &
102	406 HIGHFALL DR	HILL LEWIS L
103	410 HIGHFALL DR	JEFFERSON WILLIE L ESTATE
104	416 HIGHFALL DR	BROWN H L
105	420 HIGHFALL DR	ALLEN DOROTHY
106	110 CAMP WISDOM RD	HINDI AMGAD HAMID
107	7105 WILCOX DR	WRIGHT LEWIS W &
108	7111 WILCOX DR	WHISNANT J CLIFTON
109	7115 WILCOX DR	VILLEGAS JESUS
110	7121 WILCOX DR	JOHNSON ROYDELL
111	7125 WILCOX DR	FIELDS BETTYE J
112	7131 WILCOX DR	ROSENBOROUGH MICHAEL
113	7130 BRIERFIELD DR	IRVIN WALTER L
114	7126 BRIERFIELD DR	MCCLENDON BERTHA L
115	7120 BRIERFIELD DR	SCARBER FRED
116	7116 BRIERFIELD DR	BUTLER TIMMIE D &
117	7110 BRIERFIELD DR	ESSLINGER INVESTMENTS IV LLC
118	7106 BRIERFIELD DR	VILLAREAL RENE
119	7119 BRIERFIELD DR	GARDNER WILLIAM & LUCY

09/28/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	7125 BRIERFIELD DR	FONTENOT ROOSEVELT JR &
121	7104 ARBORCREST DR	HILL TERESA A
122	421 BLUEWOOD DR	WAKEFIELD WALKER &
123	417 BLUEWOOD DR	VALIENTE DANIELA
124	411 BLUEWOOD DR	BROWN KENNARDS C &
125	405 BLUEWOOD DR	ESPINOZA ROBERTO M &
126	7110 WILCOX DR	PALMER GLADYS M
127	7114 WILCOX DR	HAL LOUISE
128	7120 WILCOX DR	TIMOTHY PROPERTIES LLC
129	7124 WILCOX DR	MAIZE VIDA
130	7130 WILCOX DR	CONNER WILLIAM C
131	220 CAMP WISDOM RD	GOKUL GROUP CORPORATION
132	6906 R L THORNTON FWY	VELASQUEZ TOBIAS & ABELINA
133	6907 ALTAIRE AVE	VELASQUEZ TOBIAS & ABELINA
134	7006 R L THORNTON FWY	RAM LAXMAN INC
135	7107 R L THORNTON FWY	RL THORNTON FUEL CNT LP
136	6802 R L THORNTON FWY	MAGEE A INV INC
137	6830 R L THORNTON FWY	VELASQUEZ TOBIAS &
138	6910 R L THORNTON FWY	ROSTON CHARLOTTE N NAULLS &
139	6918 R L THORNTON FWY	JORDAN WILLIE L
140	7026 R L THORNTON FWY	BOSCHERT DANIEL S & KAREN SPEED BOSCHERT T
141	7015 R L THORNTON FWY	AMERCO REAL ESTATE CO
142	6906 R L THORNTON FWY	VELASQUEZ TOBIAS & ABELINA
143	6928 R L THORNTON FWY	DAVIS WM B & CONSTANCE TR
144	7027 R L THORNTON FWY	GHALA PETROLEUM INC
145	7227 R L THORNTON FWY	I 35 WAREHOUSE ASSOC LTD

**FILE NUMBER:** Z145-308(SM)

**DATE FILED:** July 27, 2015

**LOCATION:** Southeast corner of Prospect Avenue and Kidwell Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 36U

**SIZE OF REQUEST:** ±0.4502 acre

**CENSUS TRACT:** 11.02

---

**APPLICANT/ OWNER:** Lawler Platner Wilson, LP

**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**REQUEST:** An application for a new Planned Development Subdistrict on property zoned Center Core Area, Subdistrict E-F within Planned Development District No. 281, the Lakewood Special Purpose District.

**SUMMARY:** The applicant has requested a new subdistrict to allow for the continued operation of 6324 Prospect Avenue and expansion into the next door building at 2018 Kidwell Street. When the current establishment opened in 2005, the “winery” use was not codified into the Dallas Development Code. The building official determined that the most appropriate use permitted in the planned development regulations was a “beverage [or liquor] store”. The new subdistrict will incorporate the “winery and tasting room” use similar to the Dallas Development Code’s use for “microbrewery, microdistillery, or winery”. The PDD is not incorporating the Development Code’s definition in the PDD because Dallas Development Code’s definition does not permit outside activities. Staff is recommending that the newly created use be permitted by Specific Use Permit, similar to the Dallas Development Code.

**STAFF RECOMMENDATION:** Approval, subject to staff’s recommended conditions.

## **GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval of staff's recommended Planned Development Subdistrict regulations based upon:

1. *Performance impacts upon surrounding property* – Staff's recommended conditions offer additional protections for surrounding neighbors as it requires a winery and tasting room to obtain a specific use permit, and prohibits outside activities between the hours of 10 p.m. and 6 a.m. the next day. These restrictions will require specific and regular reviews of a winery and tasting room and the late hours provision will prohibit nighttime activities that cause a nuisance to adjacent residential properties. Because the site currently operates under retail parking requirements, much of the parking for clientele is on-street parking and valet. Neighbors have reported that valet services have been provided in private parking lots without prior permission. If parking requirements are increased then those spaces required by the PDD regulations must be provided in remote parking agreements where neighbors are aware and have agreed to the remote parking situations. Staff has thereby recommended parking equivalencies to standard Dallas Development Code parking requirements for a winery. The additional layer of protection that a specific use permit provides will allow for periodical review of the use to ensure continued protection of surrounding properties.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed modifications will not have a negative impact on the surrounding street system.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan indicates that this area is a Commercial Center or Corridor Building Block. The proposed changes are consistent with this building block.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – Since a microbrewery, microdistillery, and winery use do not allow outside activities, an amendment to the planned development regulations is required to create a new use, winery and tasting room.

## **BACKGROUND INFORMATION:**

- The main building at 6324 Prospect Avenue was originally constructed in 1945, according to Dallas Central Appraisal District Records, as an art deco themed post office.
- According to Dallas Central Appraisal District records, the smaller building at 2018 Kidwell Street was originally constructed in 1947 as a retail building.
- The post office building was remodeled in 1978 for an office use.

- In June 2005, Times Ten Cellars was issued a retail certificate of occupancy. The planned development district, originally adopted in 1988, allows a “beverage store”. The term “beverage store” was renamed to “liquor store” in the Dallas Development code by ordinance 21735, passed by Council June 23, 1993 and is “an establishment principally for the retail sale of alcoholic beverages for off-premise consumption, as defined in the Texas Alcoholic Beverage Code.”<sup>1</sup>
- On July 8, 2005, The Texas Alcoholic Beverage Commission issued the original winery permit for Times Ten Cellars at 6324 Prospect Avenue. Among other authorized activities, a TABC winery permit allows the permit holder to
  - manufacture, bottle, label and package wine containing not more than 24% alcohol by volume;
  - sell or buy wine from permit holders authorized to purchase and sell wine, including wholesalers, winery and wine bottler's permittees;
  - sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption; and
  - dispense free wine for consumption on the winery premises.<sup>2</sup>
- On December 12, 2005, the Board of Adjustments (BDA056-057) granted a parking variance of seven spaces for a retail use to allow the site to provide 15 parking spaces, instead of 23. Since a parking variance (not special exception) was granted, the variance is only tied to the approved site plan and has no requirement to a use condition or termination because it was granted based on a hardship of the land. In contrast, parking special exceptions are only applicable to the use that was considered for the special exception; if there is a change in land use, the special exception is no longer valid.
- On May 24, 2006, a permit was completed to extend an outdoor patio 600 square feet at 6324 Prospect Avenue.
- On June 22, 2012, Council approved an amendment to the Dallas Development Code which included the addition of a new term, *microbrewery, microdistillery or winery*, which means:

an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use.<sup>3</sup>

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<sup>1</sup> Reference Section 51A-4.210(b)(17).

<sup>2</sup> Reference Section 16.01 of the Texas Alcoholic Beverage Code.

<sup>3</sup> Reference Section 51A-4.210(4)(A)(ii) of the Dallas Development Code.



- Because “winery” was not codified into the Dallas Development Code in 2005, the time that Times Ten Cellars filed for a certificate of occupancy, the building official determined that the most appropriate use for their certificate of occupancy was a kind of retail store, or more specifically a “beverage [or liquor] store” as allowed by the planned development regulations.

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

**STAFF ANALYSIS:**

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Prospect Avenue	Local	50 feet
Kidwell Street	Local	50 feet

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being located along a Commercial Center or Corridor.

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

**Surrounding Land Uses:**

	<b>PDD 281 Center Core Area</b>	<b>Land Use</b>
<b>North</b>	Subdistrict S	Medical clinic
<b>East</b>	Subdistrict E-F	Office
<b>South</b>	Subdistrict E-F	Retail
<b>West</b>	Subdistrict P	Single family townhomes

**Land Use Compatibility:**

The applicant is proposing to continue the following primary operations:

- produce and bottle wines and to provide tastings and retail sales in accordance with Texas Alcoholic Beverage Commission (TABC) regulations,
- allow clients to have food delivered and the applicant provides light meals and plates to compliment the wine, and
- allow designated spaces to be rented for private events.

The applicant also proposes to include the smaller building, 2018 Kidwell Street, if the request is approved. The smaller building will provide room for a commercial kitchen and additional tasting areas so that the applicant can forgo caterers and prepare its own food for its customers.

Pursuant to the Dallas Development Code, *microbrewery, microdistillery or winery* means an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use. This use also prohibits outside activities and therefore a new use, *winery and tasting room*, was proposed.

The applicant operates with a TABC Winery Permit (G). This authorizes the holder to manufacture, bottle, label and package wine containing not more than 24% alcohol by volume; sell or buy wine from permit holders authorized to purchase and sell wine including wholesalers, winery and wine bottler's permittees; sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption; and sell wine to ultimate customers for consumption on the winery premises or in unbroken packages for off-premises consumption.<sup>4</sup>

<sup>4</sup> Reference Texas Alcoholic Beverage Code Section 16.01 (2015)  
<http://www.tabc.state.tx.us/laws/code/84th/AllTitles.pdf>

The area of request is at the corner of two streets that contain both residential and non-residential uses and is on the edge of a non-residentially developed area. To the north of the site, there is a multi-tenant medical office with various practitioners. These clinics also provide private off-street parking just to the west of their building. To the east of the site is a small realtor office, then surface parking, and ultimately there is a multi-tenant retail building before Abrams Road. To the south, there is surface parking and a dental practice just north of Oram Street. These businesses are often compatible with a winery because peak hours of these businesses are often at different times and therefore agreeable private parking agreements are beneficial to those neighbors.

On the opposite Kidwell Street, just to the west of the area of request, there is a seven unit shared access development. Six of the units were constructed in 1999 and the last was constructed in 2000 according to Dallas Central Appraisal District records.

Staff has recommended that a winery and tasting room be allowed by specific use permit, similar to a microbrewery, microdistillery, and winery use.

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

### **Parking:**

Because the request will add additional tasting areas to the existing use, staff has recommended equivalent parking requirements as adopted in the Dallas Development Code. With staff's recommended conditions, the proposed changes will require accommodations for the increase in patrons in off-street parking areas. Staff has recommended that a winery and tasting room use mimic the parking requirements of a winery because it would require twice as much parking for the retail and seating areas and this will provide more parking for patrons in code compliant off-street parking areas. The applicant has requested a retail parking ratio for the retail sales and seating areas of the use. A winery requires one space per 1,000 square feet of floor area that is devoted to storage, one space per 100 square feet of floor area for retail sales and seating, and one space per 600 square feet of floor area as otherwise provided.

**Landscaping:**

The Lakewood Special Purpose District requires landscaping review when a permit for construction is submitted for work that:

- increases the number of stories in a building on the lot;
- increases by more than 10 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot; or
- increases by more than 10 percent or 2,000 square feet, whichever is less, the nonpermeable coverage on the lot.<sup>5</sup>

The proposed application does not include any of the above; hence, it will not trigger any landscaping requirements under Lakewood Special Purpose District.

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<sup>5</sup> Reference 51P-281.107(c)(2)(A) of the Dallas Development Code.

**List of Officers**

LAWLER PLATNER WILSON, LP

Chris Lawler, Partner

Kert Platner, Partner

Robert Wilson, Partner

**ARTICLE 281.**

**PD 281.**

**Lakewood Special Purpose District**

**SEC. 51P-281.101. LEGISLATIVE HISTORY.**

PD 281 was established by Ordinance No. 20062, passed by the Dallas City Council on September 14, 1988. Ordinance No. 20062 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 20062 was amended by Ordinance No. 23498, passed by the Dallas City Council on April 22, 1998, and Ordinance No. 24381, passed by the Dallas City Council on September 13, 2000. (Ord. Nos. 10962; 19455; 20062; 23498; 24381; 25711)

**SEC. 51P-281.102. PROPERTY LOCATION AND SIZE.**

PD 281 is established on property generally located on both sides of Abrams Parkway, between Junius Street and Goliad Avenue. The size of PD 281 is approximately 44.17 acres. (Ord. Nos. 20062; 25711)

**SEC. 51P-281.103. PURPOSE.**

State law authorizes the city to regulate and restrict the construction, reconstruction, alteration, or razing of buildings and other structures in "places and areas of historic, cultural, or architectural importance and significance." These provisions are established for the Lakewood Special Purpose District for the purpose of providing a means of conserving the area's distinctive atmosphere or character by protecting or enhancing its significant architectural or cultural attributes. (Ord. Nos. 20062; 25711)

**SEC. 51P-281.104. CREATION OF AREA AND SUBDISTRICTS.**

(a) In general. The following areas and subdistricts are hereby established within the Lakewood Center SPD. A map showing the boundaries of the four areas and the ~~[27]~~ 28 subdistricts of the Lakewood Center SPD is labelled Exhibit 281A.

(b) The Center Core area. The Center Core area consists of Subdistricts A, B, C, D, E-F, E-F-1, G, H, I, J, K, L, M/a, M/b, N, O, P, Q, R, S, and T on properties more particularly described in Exhibit B of Ordinance No. 20062, as amended.

(c) The North Abrams area. The North Abrams area consists of Subdistricts A, A-1, and B on properties more particularly described in Exhibit C of Ordinance No. 20062, as amended.

(d) The Abrams/Richmond/Gaston area. The Abrams/Richmond/Gaston area consists of Subdistricts A and B on properties more particularly described in Exhibit D of Ordinance No. 20062, as amended.

(e) The Paulus Avenue area. The Paulus Avenue area consists of Subdistricts A and B on properties more particularly described in Exhibit E of Ordinance No. 20062, as amended. (Ord. Nos. 20062; 25711; 26523)



**SEC. 51P-281.105. RECONCILIATION WITH OTHER ORDINANCES.**

(a) The definitions and other provisions of Chapter 51A apply to the Lakewood Center SPD unless expressly modified by this article or unless a specific reference is made in this article to Chapter 51.

(b) The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," do not apply to the Lakewood Center SPD. (Ord. Nos. 20062; 25711)

**SEC. 51P-281.106. INTERPRETATIONS.**

Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. (Ord. 25711)

**SEC. 51P-281.106.1. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 281A: map.
- (2) Exhibit 281B: Paulus Avenue elevations.
- (3) Exhibit 281C: Abrams Road elevation concept sketch (proposed retail).
- (4) Exhibit 281D: Abrams Road elevation concept sketch (proposed bank).
- (5) Exhibit 281E: Subdistrict A-1 development plan and landscape plan.
- (6) Exhibit 281F: photos of existing structure. and existing canopy

**SEC. 51P-281.107. GENERAL PROVISIONS APPLICABLE TO THE LAKEWOOD CENTER SPD.**

(a) Definitions. Unless the context clearly indicates otherwise, the following definitions apply in the Lakewood Center SPD:

(1) ABRAMS PARKWAY (OLD ABRAMS ROAD) means the right-of-way between Prospect Avenue and Junius Street previously known as Abrams Road before the construction of the bypass roadway to the east.

(2) ABRAMS PARKWAY PARKING MALL means the parking areas and circulation aisles within the Abrams Parkway right-of-way between Prospect Avenue and Abrams Road.

(3) ABRAMS ROAD (BYPASS) means the roadway constructed to the east of the Old Abrams Road right-of-way between Richmond Avenue and a point in Abrams Road south of Junius Street.

(4) ART GALLERY USE means a privately-owned facility for the display or retail sale of art.

(5) AVERAGE SIDEWALK WIDTH means the total sidewalk area divided by the length of its lot frontage.

(6) BLOCKFACE means all of the lots on one side of a block.

(7) **BUFFER ZONE** means a setback corridor along street frontages providing a landscaped separation between uses in the SPD and adjacent residential uses.

(8) **BUSINESS SUPPLY STORE USE** means a facility for the sale of supplies used in business, including desk, computer, and mailing supplies.

(9) **CALIPER** means the diameter of a tree trunk measured 12 inches above the root ball. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

(10) **COMMERCIAL PARKING LOT OR GARAGE** means a surface or below-grade vehicle parking facility that is operated as a business enterprise by charging a fee for parking.

(11) **COURT OR PLAZA** means a pedestrian area covered with a permeable or nonpermeable surface paving material.

(12) **COVERED WALKWAY** means a pedestrian passageway with a paved surface and a roof structure.

(13) **CUSTOM FURNITURE REPAIR OR UPHOLSTERY USE** means a facility for repairing or reupholstering furniture on a single-item basis.

(14) **DESIGNATED RETAIL STREET** means the portion of a street which has been designated for restaurant, food, and drink service uses, and retail and service uses, and where special landscape improvements are required.

(15) **DEVELOPMENT IMPACT REVIEW ("DIR")** means "development impact review" as provided in the Dallas Development Code.

(16) **DEVELOPMENT RIGHTS** mean the maximum permissible floor area of structures permitted on a building site, expressed as maximum floor area ratio for the site.

(17) **FENCE** means a structure or hedgerow that provides a physical barrier.

(18) **FLOOR AREA** means the total square feet of floor space in a building measured to the outside faces of exterior walls or to the omitted wall lines, whichever produces the larger area. Parking structures are not included in the calculation of floor area.

(19) **FLOOR AREA RATIO** means the ratio of floor area of a structure, other than a parking structure, to lot area.

(20) **FRONT FACADE** means the wall of a building that faces an adjoining street.

(21) **FRONT YARD** means the portion of a lot that abuts a street and extends across the width of the lot between the street and the main building and lines parallel to and extending outward from the front facade of the main building.

(22) **GAME COURT CENTER (INDOOR) USE** means an indoor facility that contains a court for engaging in tennis, handball, racquetball, or similar physical activities.

(23) **GROUND COVER** means natural plants, of species which normally reach a height of less than three feet upon maturity, that form a continuous cover over the ground.

(24) **JEWELRY STORE OR GIFT SHOP USE** means a facility for the retail sale of jewelry, novelties, or other small manufactured articles intended mainly for personal or household adornment.

(25) LARGE SHRUB means a shrub that normally reaches a height of six feet or more upon maturity.

(26) LARGE TREE means a tree of a species that normally reaches a height of 30 feet or more upon maturity.

(27) LOBBY means an enclosed hall or foyer connected with a series of rooms and used as a passageway or waiting room.

(28) MAILING CENTER USE means a facility for handling bulk mailings of small parcels such as letters, advertisements, newspapers, and magazines, including public or private delivery services.

(29) MASONRY PAVER means a solid brick or block of masonry material used as a paving material.

(30) MEDICAL CLINIC USE means a facility for examination, testing, analyzing, and treatment of medical, dental, or optical patients.

(31) MEDIUM TREE means a tree of a species which normally reaches a height of 20 feet or more upon maturity.

(32) MINIMUM FRONT YARD means that portion of a lot that abuts a street and extends across the width of the lot between the street and the setback line.

(33) MOTORCYCLE DISPLAY, SALES, AND SERVICE (INSIDE DISPLAY) USE means a facility for the display, service, and retail sale of new or used motorcycles and motor scooters.

(34) MOUNTED CELLULAR ANTENNA means a cellular antenna that is attached to an existing structure, that does not exceed 12 feet above the structure to which it is attached (whip antennas are excluded from this calculation), that has a cross sectional area less than or equal to 25 square inches, and that is part of a cellular system authorized by the Federal Communications Commission. An auxiliary building housing electronic and communication equipment is permitted as part of this use.

(35) NONPERMEABLE COVERAGE means coverage with nonpermeable pavement.

(36) OFF-STREET PARKING means code-required parking, parking in excess of code requirements, and related circulation areas other than access to and from the adjoining street.

(37) PARKING LOT OR GARAGE USE means a surface or below-grade vehicle parking facility.

(38) PARKWAY means the portion of right-of-way located between the street curb and the property line of an adjoining lot.

(39) PARKWAY LANDSCAPE PERMIT means a permit issued by the director of public works and transportation that allows landscaping within the parkway, subject to certain conditions.

(40) PEDESTRIAN PAVEMENT means pavement for pedestrian foot traffic and not for vehicular traffic.

(41) PROJECTED STREET CURB means the future location of the street curb pursuant to the city thoroughfare plan, as determined by the director of public works and transportation. If the existing street curb is indicated on the city thoroughfare plan, the projected street curb means the existing street curb.

(42) RESIDENTIAL ADJACENCY REVIEW ("RAR") means "residential adjacency review," as provided in the Dallas Development Code.

(43) RESTAURANT WITH ALCOHOLIC BEVERAGE USE means an establishment for the sale and service of food and alcoholic and non-alcoholic beverages on the premises.

(44) RESTAURANT WITH ALCOHOLIC BEVERAGES AND ENTERTAINMENT USE means an establishment for the sale and service of food and alcoholic and non-alcoholic beverages and facilities for entertainment and dancing may be provided under this use.

(45) RESTAURANT WITH DRIVE-THROUGH SERVICE means an establishment principally for the sale and consumption of food which has direct window service allowing customers in motor vehicles to pick up food for off-premise consumption.

(46) ROOF SLOPE means the degree and direction of roof slope in terms of a specified amount of rise in inches for a specified amount of horizontal distance. (Example: A 2:1 roof slope means two inches of rise for each one inch of horizontal distance.)

(47) SERVICE AREA means an off-street occupancy support service area, including but not limited to areas for delivery, loading, and trash storage and removal.

(48) SIDE YARD means any portion of a lot not occupied by a main building that is not a front or rear yard.

(49) SMALL SHRUB means a shrub of a species which normally reaches a height of less than three feet upon maturity.

(50) SMALL TREE means a tree of a species which normally reaches a height of less than 20 feet upon maturity.

(51) SPD means special purpose district.

(52) SPECIAL AMENITIES ZONE means a portion of the parkway, in the form of a corridor area along the street curb, that is designated for landscape improvements and pedestrian facilities.

(53) STORY means the portion of a structure between two successive floors or between the floor and the ceiling of a structure.

(54) STREET FRONTAGE means the length of the portion of a lot abutting a public street.

(55) STREETSCAPE means the landscape improvements and pedestrian amenities located within or adjacent to the parkway.

(56) STREET TREE means a tree within the parkway.

(57) SUBDISTRICT means a designated tract within the Lakewood Center SPD that is governed by unique use regulations and development standards.

(58) "SUP" means "specific use permit" as provided in the Dallas Development Code.

(59) TOOL AND EQUIPMENT AND APPLIANCE RENTAL, SALES, AND SERVICE (INSIDE) USE means a facility for renting, selling, and servicing tools, equipment, or appliances.

(60) TOY STORE USE means a facility for the sale of items with which a child can play for amusement, entertainment, or education.

(61) UNDERGROUND STRUCTURE means a structure with a roof located below-grade. For example, a building basement or an underground parking garage is an underground structure.

(62) UNOBSTRUCTED SIDEWALK WIDTH means the portion of a public sidewalk that is maintained without impediments to the free movement of pedestrians.

(63) VIDEO AND MOVIE STORE USE means a facility for the rental or sale of video tapes or devices.

(64) VOCATIONAL AND TECHNICAL SCHOOL USE means a business enterprise offering instruction and training in a trade such as welding, bricklaying, machinery operation, and other similar trades or crafts.

(65) WATER FEATURE means a pool or fountain.

(66) WINERY AND TASTING ROOM: means a facility for the manufacture, blending, fermentation, processing, packaging, and consumption of wine. A winery and tasting room use includes but is not limited to hosting event meetings, food preparation and service, outdoor consumption, and retail sales for off-premise consumption and related items, and in accordance with Texas Alcoholic Beverage Commission regulations.

(b) Development impact review. Before making application for a building permit, a site plan must be submitted in accordance with Division 51A-4.800 if:

(1) the work to be permitted will create a floor area ratio equal to or greater than one to one on the lot; or

(2) the work to be permitted will increase the building floor area by more than 20,000 square feet.

(c) General landscape and streetscape regulations.

(1) Introduction.

(A) The submission of a landscape plan is required with building permit applications that come under the applicability section below. Each property owner is required to provide landscaping and pedestrian facilities in the minimum front yard or the adjacent parkway. Points may be earned by providing landscaping and trees; enhanced pavement; various pedestrian facilities including covered walkways, courts or plazas, amenities areas, and seating areas; street trees; or pedestrian-scale lighting. Points are earned only if the landscaping and facilities provided occupy a specified amount of area, called an increment, and if they are not required by other provisions in this subsection. Credit is also given for retention of existing trees if they comply with all of the applicable criteria.

(B) In addition to the general landscape regulations, a streetscape amenities zone is required in some areas for building sites with frontage on a designated retail street or for building sites with frontage on a buffer zone. (See area regulations for more information.) Street trees and pedestrian-scale lighting are required in a streetscape amenities zone.

(C) General regulations are provided that require screening of parking, loading, and service areas, as well as those that govern the installation of landscaping, including acceptable landscape materials, soil requirements, protection barriers, and irrigation requirements. Provisions are also provided to regulate when landscaping must be completed and how it must be maintained.

(D) A private license is granted to authorize use of the public parkway for the required landscaping as long as a parkway landscape permit is obtained in accordance with the procedure outlined.

(2) Applicability.

(A) This subsection and the landscape regulations for the areas of this SPD contained in Sections 51P-281.108 through 51P-281.111 only become applicable to a lot when an application is made for a building permit for construction work that:

- (i) increases the number of stories in a building on the lot;
- (ii) increases by more than 10 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot; or
- (iii) increases by more than 10 percent or 2,000 square feet, whichever is less, the nonpermeable coverage on the lot.

(B) When this subsection becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

(C) Paragraphs (3), (4), and (5) of this subsection do not apply to Subdistrict A-1 of the North Abrams area as long as plans submitted for a building permit are in compliance with the development plan/landscape plan for Subdistrict A-1 of the North Abrams area (Exhibit 281E), and elevations (Exhibits 281C and 281D), with any minor amendments authorized in accordance with Section 51A-4.702.

(3) Landscape plan and point requirement. A landscape plan is required for all building sites in this SPD. All landscape plans must earn a minimum of 15 points.

(4) Design standards. In order to earn points under this subsection, landscape areas and pedestrian facilities must be placed in the minimum front yard of a building site or in the adjacent parkway. For building sites with more than one front yard, each front yard or the adjacent parkway must earn 15 points. The following provisions apply to all building sites in all areas, unless more restrictive provisions are stated elsewhere in this subsection.

(A) Front yard area landscaping.

(i) Points for landscape area increments. Five points are awarded for the first landscape area increment, and one point is awarded for each additional landscape area increment, to a maximum under this provision of eight points. A landscape area increment is one square foot times the total length (in feet) of the lot's street frontage. Credits for earning the square foot increment requirements are listed below.

(ii) Square foot landscape area credits. The following is a menu of plant materials for which landscape area credit can be earned. Landscape area (square foot) credits for trees or shrubs must be equal to the landscape area increment requirements specified in Subparagraph (A)(i).

(aa) One large canopy tree earns a 100 square foot landscape area credit.

(bb) One medium canopy tree earns a 50 square foot landscape area credit.

(cc) One small tree or one large shrub earns a 30 square foot landscape area credit.



(dd) One small shrub earns a 15 square foot landscape area credit.

(iii) Ground coverage requirement. The soil beneath trees and shrubs must be planted with ground cover in order to obtain landscape area credit.

(iv) Existing tree credits. Existing healthy trees retained in or relocated to the front yard of a building site or to the parkway may be credited toward meeting the landscape increments if they have a caliper equal to or greater than that required in this paragraph or Subsection (c)(5)(A).

(B) Pavement enhancement.

(i) Five point are awarded when an increment of at least 50 percent of all outdoor pavement area, both vehicular and pedestrian, within the front yard and the adjoining parkway of a lot, consists of enhanced pavement. One-half of a point is awarded for each additional enhanced pavement increment which represents an additional 10 percent of the total front yard of a lot and the adjoining parkway pavement, to a maximum under this provision of seven and one-half points.

(ii) All vehicular pavement must comply with the applicable construction and maintenance provisions in the Dallas Development Code.

(iii) The material and design for all pedestrian pavement within the public right-of-way, or elsewhere if required as a public pedestrianway, must be approved by the director of public works and transportation.

(C) Pedestrian facilities and amenities.

(i) Covered walkways. Three points are awarded for the first 25 percent covered walkway increment, and one point is awarded for each additional 25 percent increment. The covered walkway increment is expressed as a percentage of the total length of the allowable front facade for the lot occupied by a covered walkway with a depth of at least five feet.

(ii) Courts or plazas. Three points are awarded for the first on-site court or plaza area increment equal to three square feet times the length (in feet) of the lot's street frontage. One point is awarded for each additional on-site court or plaza area increment equal to .5 square feet times the length (in feet) of the lot's street frontage. The maximum number of points available under this provision is five points. Court or plaza areas must be covered with a pedestrian paving surface. Vehicle parking or traffic is not permitted on the court or plaza pavement.

(iii) Amenities areas. Three points are awarded for the first amenities area increment, and one point is awarded for each additional amenities area increment, up to a maximum under this provision of five points. An amenities area is that area occupied by fountains, pools, or sculpture. An amenities area increment is equal to .5 square feet times the total length (in feet) of the lot's street frontage.

(iv) Seating areas. Three points are awarded for the first seating area increment equal to 25 percent of the length (in feet) of the lot's street frontage. One point is awarded for each additional 25 percent seating area increment. The maximum number of points available under this provision is five points. The seating area must have at least a 16-inch width or depth.

(D) Street trees outside of streetscape amenities zone. This paragraph applies to all building sites where the designation of a streetscape amenities zone is not required. A building site under this provision is awarded six points for street trees that meet the standards listed in Paragraph (5)(A).

(E) Pedestrian-scale lighting. This paragraph applies to all building sites where the designation of a streetscape amenities zone is not required. A building site which qualifies under this provision is awarded three points for pedestrian-scale lighting that meets the standards listed in Paragraph (5)(C).

(5) Mandatory provisions.

(A) Street trees within streetscape amenities zone. The following provisions apply to building sites in any area where the designation of a streetscape amenities zone is a requirement.

(i) Location, number, and type of trees required.

(aa) Each building site must have a minimum number of trees located within the streetscape amenities zone pursuant to Subparagraph (bb). A tree is not considered located within the streetscape amenities zone unless its trunk is entirely within that zone. If a property owner cannot obtain a parkway landscape permit in accordance with provisions of Paragraph (10), the trees must be located 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 a required tree in the parkway, the property owner need not provide that required tree.

(bb) The minimum number of trees required is one or the number calculated by dividing the length (in feet) of the lot's street frontage by 25, whichever is greater. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

(cc) All required trees must be recommended for local area use by the director of the park and recreation department.

(ii) Minimum tree height and trunk caliper. Required trees must have a minimum height of 12 feet, and a minimum trunk caliper of two and one-half inches measured at a point 12 inches above the root ball.

(iii) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The center of the trunk of a required tree, measured at grade, must be within 50 feet of the center of the trunk of another required tree, measured at grade.

(iv) Minimum clearance above pavement. All required trees must be maintained to comply with the following minimum vertical height clearances over street and sidewalk pavements:

(aa) Thirteen and one-half feet above street pavement.

(bb) Seven and one-half feet above public sidewalks and any other sidewalk required by this article.

(v) Tree grates required near sidewalks. Tree grates must be provided for large and medium size trees with trunks within 18 inches of public sidewalks or any other sidewalk required by this article. The grates must:

(aa) conform to state standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons; and

(bb) be large enough to permit healthy tree growth.

(B) Screening of off-street parking spaces, loading spaces, and service areas.

(i) Screening required in this paragraph must comply with the standards set forth in Section 51A-4.602.

(ii) Off-street parking spaces and related vehicular circulation areas must be screened by a three-foot-high fence or hedge from public streets, and by a six-foot-high fence or hedge from all residentially zoned abutting property or residentially zoned property located directly across an alley or easement from the parking.

(iii) Off-street loading spaces and service areas, including related vehicular circulation areas, must be screened by a six-foot-high fence or hedge from public streets and from abutting residentially zoned property or residentially zoned property located directly across an alley or easement from the loading or service area.

(C) Pedestrian-scale lighting. At least one pedestrian-scale light must be provided for each building site located in an area where the designation of a streetscape amenities zone is required. The design and placement of the standards and fixtures must be approved by the director of public works and transportation. Each property owner is responsible for the cost of installation, operation, and maintenance of pedestrian-scale lighting on his property or in the public right-of-way adjacent to his property. To qualify as pedestrian scale lighting, lighting must:

(i) be mounted at a height no greater than 14 feet above the grade of the sidewalk; and

(ii) provide a minimum maintained average illumination level of 1.5 footcandles on the designated public sidewalk.

(6) Installation standards for landscaping.

(A) Acceptable landscape materials. No artificial plant materials may be used to satisfy the requirements of this section. The 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 five inches and a minimum height of 18 feet.

(ii) Medium trees must have a minimum caliper of two and one-half inches and a minimum height of 12 feet.

(iii) Small trees must have a minimum caliper of one inch and a minimum height of six feet.

(iv) Large shrubs must be installed from at least five gallon containers and have a minimum height of four feet.

(v) Small shrubs must be installed from at least three gallon containers and have a minimum height of two feet.

(B) Measurement of height. For purposes of this subparagraph, "height" is measured from a point 12 inches above the top of the root ball or, if the plant is in a container, from the soil level in the container.

(C) Plant materials recommended. In satisfying the landscaping requirements of this section, the use of high-quality, hardy, and drought-tolerant plant materials is recommended.

(D) Soil requirements.

(i) Landscape planting areas must have the following soil depths and dimensions. (The building official may waive the minimum soil requirements if a landscape architect certifies that the proposed alternative soil depth and dimensions are sufficient to support the health and vigorous growth of the plant materials.)

(ii) For each small shrub installed, a minimum of 16 inches of soil depth and four square feet of surface area (totalling five cubic feet) is required. For each small shrub installed above an underground structure, a minimum of 18 inches of soil depth and nine square feet of surface area, totalling 13.5 cubic feet, is required.

(iii) For each large shrub or small tree installed, a minimum of 24 inches of soil depth and 12 square feet of surface area (totalling 24 cubic feet) is required. For each large shrub or small tree installed above an underground structure, a minimum of 30 inches of soil depth and 16 square feet of surface area, totalling 40 cubic feet, is required.

(iv) For each medium tree installed, a minimum of 36 inches of soil depth and 25 square feet of surface area (totalling 75 cubic feet) is required. For each medium tree installed above an underground structure, a minimum of 42 inches of soil depth and 36 square feet of surface area (totalling 126 cubic feet) is required.

(v) For each large tree installed, a minimum of 48 inches of soil depth and 49 square feet of surface area (totalling 196 cubic feet) is required. For each large tree installed above an underground structure, a minimum of 54 inches of soil depth and 64 square feet of surface area (totalling 288 cubic feet) is required.

(E) Protection of landscape areas. Required landscape areas must be protected from vehicular traffic by concrete curbs, wheel stops, or other permanent barriers.

(F) Irrigation requirements. Required plant materials must be located within 100 feet of a verifiable water supply. Proposed water sources must be:

- (i) shown on the landscape plan; and
- (ii) adequate to maintain the plant materials in a healthy, growing condition at all times.

(7) When landscaping must be completed.

(A) Except as otherwise provided in this paragraph, all landscaping must be completed in accordance with the approved landscape plan before a certificate of occupancy may be issued for any use on the lot.

(B) If the property owner provides the building official with satisfactory documentation showing 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. For purposes of this subsection, "documented assurance" means:

- (i) a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six-month period; or
- (ii) 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:

- (aa) expressly provide that they may be enforced by the city;
- (bb) be approved as to form by the city attorney; and
- (cc) be filed in the deed records of the county in which the

land is located.

(iii) If a temporary certificate of occupancy is issued under this paragraph and if, at the end of the six-month period, no permanent certificate of occupancy has been issued because 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 \$2,000 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.

(iv) The civil penalty provided for in Subparagraph (B)(iii) is in addition to any other enforcement remedies the city may have under city ordinances and state law.

(8) General maintenance.

(A) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, 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.

(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 landscaping 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 landscaping 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.

(9) Private license granted. The city council hereby grants a private license to the owners of all property in the Lakewood Center SPD for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. 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 Subparagraph (10)(B). This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever the purpose or use of this license is likely to become a nuisance.

(10) Parkway landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or pavement other than for the sidewalk required under this article in the parkway. An application for a parkway landscape permit, if required, 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 of public works and transportation and accompanied by plans or drawings showing the area of the parkway affected and the construction and planting proposed.

(B) Upon receipt of the application and any required fees, the director of public works and transportation 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 of public works and transportation determines that the construction and planting 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 of public works and transportation 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, landscaping, or pavement in the public right-of-way.

(d) Lakewood Center SPD general plan review.

(1) Except as otherwise provided, prior to applying for a building permit, a person desiring to develop property in the Lakewood Center SPD shall consult with the director or his designated representative to discuss whether the project is consistent with the general plan for the area and the requirements of this article. The director shall determine if the project complies with this article generally, and shall advise the applicant of any landscape review, residential adjacency review, development impact review, or any other review which may be necessary prior to the issuance of a building permit. The director shall forward a written copy of his determination to the building official.

(2) Paragraph (1) of this subsection does not apply in Subdistrict A-1 of the North Abrams area as long as plans submitted for a building permit are in compliance with Exhibits 281C, 281D, and 281E, with minor amendments authorized in accordance with Section 51A-4.702.

(e) Nonconforming uses and structures. Section 51A-4.704, relating to nonconforming uses and structures, applies in the Lakewood Center SPD.

(f) Parking structures (above-grade) prohibited. Above-grade parking structures are prohibited in this district.

(g) Use group categories applicable to the Lakewood Center SPD. The uses listed in the following use group categories are the only uses permitted in the Lakewood Center SPD. If "[SUP]" follows a use, a specific use permit is required for that use. If "[RAR]" follows a use, residential adjacency review is required for that use. If "[DIR]" follows a use, development impact review is required for that use. Unless expressly modified by this article, the definitions of uses contained in Chapter 51 apply in this district.

(1) Office uses.

- Bank or savings and loan office (without drive-in windows).
- Bank or savings and loan (with drive-in window). *[DIR required except in Subdistrict A-1 of the North Abrams area as long as plans submitted for a building permit are in compliance with Exhibits 281C, 281D, and 281E, with any minor amendments authorized in accordance with Section 51A-4.702.]*
- Broadcasting or recording studio.
- Medical clinic.
- Office.
- Veterinarian's office.
- Safe deposit boxes.
- Travel bureau.



(2) Public service, utility, and institutional uses.

- Amateur communication tower.
- Bus passenger shelter.
- Church.
- Electrical substation. [SUP]
- Establishments of a religious, charitable, or philanthropic nature. [SUP]
- Local utilities.
- Parking lot or garage.
- Public or private school. [SUP]
- Public park or playground.
- Radio, television, or microwave tower. [SUP]
- Sewage pumping station. [SUP]
- Telephone exchange, switching, and transmitting equipment. [SUP]
- Temporary construction or sales office.
- Utility or governmental installation other than listed. [SUP]
- Water reservoir, well, or pumping station. [SUP]

(3) Residential uses.

- Multiple-family.
- Residence home for the aged.
- Single-family.
- The following residential accessory uses: game court (private); home occupation; occasional sales (garage sales); open storage; and swimming pool (private).

(4) Restaurant, food, and drink service uses.

- Bakery or confectionery shop.
- Private club. [SUP]
- Catering service.
- Restaurant with alcoholic beverages.
- Restaurant with alcoholic beverages and entertainment. [SUP]
- Restaurant with drive-through service. [RAR]

(5) Restricted Paulus Avenue Subdistrict A uses.

(A) Residential uses.

- Single-family.
- Duplex.

(B) Office-related uses.

- All office uses listed in Paragraph (1).

(C) Retail uses (2,000 square feet or less).

- Art gallery.
- Antique shop.
- Book and stationery store.
- Camera shop.
- Florist store.
- Jewelry store or gift shop.
- Photography studio.
- Travel bureau.

(6) Restricted Paulus Avenue Subdistrict B uses.

(A) Residential uses.

- Single-family.
- Duplex.

(B) Office-related uses.

- All office uses listed in Paragraph (1).

(C) Retail uses (3,500 square feet or less).

- Antique shop.
- Appliance fix-it shop.
- Art gallery.
- Book and stationery store.
- Business school.
- Business supply store.
- Camera shop.
- Cigar, tobacco, and candy store.
- Clothing store.
- Computer service center.
- Custom print shop.
- Custom commercial engraving.
- Duplication shop.
- Florist store.
- Furniture store.
- Game court center (indoor).
- Handcraft bookbinding.
- Handcrafted art work studio.
- Hardware or sporting goods store.
- Hobby and art supplies store.
- Home improvement center.
- Instructional arts studio.
- Jewelry store or gift shop.
- Key shop.
- Mailing center.
- Medical appliance fitting and sales.
- Optical shop.
- Paint and wallpaper store.
- Pet shop.
- Photography studio.
- Retail or service uses similar to those listed in this group category.
- Safe deposit boxes.
- Shoe repair.
- Tailor, custom sewing, and millinery shop.
- Toy store.
- Travel bureau.
- Venetian blind or window shade repair, assembly, and sales.
- Video and movie store.
- Vocational and technical school.

(7) Retail and service uses.

- Aluminum collection center. [SUP]

- Ambulatory surgical center.
- Animal clinic without outside run.
- Antique shop.
- Appliance fix-it shop.
- Auto glass, muffler, or seat cover shop. *[RAR]*
- Auto parts sales (inside only).
- Auto repair garage (inside). *[RAR]*
- Barber and beauty shop.
- Beverage store.
- Book and stationery store.
- Business school.
- Camera shop.
- Car wash. *[SUP]*
- Cigar, tobacco, and candy store.
- Clothing store.
- Commercial parking lot or garage.
- Community, welfare, or health center. *[SUP]*
- Computer service center.
- Custom commercial engraving.
- Custom furniture repair or upholstery.
- Custom print shop.
- Custom cleaning shop.
- Day care center.
- Diamond and precious stone sales (wholesale only).
- Drug store.
- Duplication shop.
- Feed store.
- Florist store.
- Furniture store.
- Game court center.
- Garden shop, plant sales, or greenhouse.
- Handcraft bookbinding.
- Handcrafted art work studio.
- Hardware or sporting goods store.
- Health studio.
- Hobby and art supplies store.
- Home improvement center. *[RAR]*
- Inside commercial amusement.
- Instructional arts studio.
- Key shop.
- Laundry or cleaning pickup and receiving station.
- Library, art gallery, or museum.
- Medical appliance fitting and sales.
- Mortuary or funeral home.
- Motorcycle display, sales, and service (inside display).
- Optical shop.
- Outside commercial amusement. *[SUP]*
- Paint and wallpaper store.
- Passenger bus station and terminal. *[RAR]*
- Pet shop.
- Photography studio.
- Plumbing, electrical, air conditioning, and heating shops. *[RAR]*
- Post office.
- Private recreation club or area. *[SUP]*
- Retail and personal service uses similar to those listed in this group
- category.
- Retail food store. *[RAR]*

- Safe deposit boxes.
- Second hand store.
- Self service laundry or dry cleaning.
- Service station. [RAR]
- Shoe repair.
- Swimming pool sales and supply.
- Tailor, custom sewing, and millinery.
- Theatre.
- Tool and equipment and appliance rental, sales, and service (inside).
- Travel bureau.
- Venetian blind or window shade repair, assembly, and sales.
- Wax museum.

**Staff recommendation:**

(8) Winery and tasting room. [Limited to Subdistrict E-F-1 only.] [SUP]

**Applicant requested:**

(8) Winery and tasting room. [Limited to Subdistrict E-F-1 only.]

- (h) Use restrictions. The following use restrictions apply in the Lakewood Center SPD.
- (1) Business supply store use. The sale of heavy equipment is prohibited in this use.
  - (2) Medical clinic use. This use may only be conducted between 7 a.m. through 7 p.m., Monday through Saturday. This use is limited to office space for no more than three doctors.
  - (3) Motorcycle display, sales, and service (inside display) use. Only display, sales, and service conducted within a structure are permitted in this use.
  - (4) Restaurant with alcoholic beverage use. The on-premise sale of alcoholic beverages may comprise no more than 75 percent of this use's gross revenue.
  - (5) Restaurant with alcoholic beverages and entertainment use. The on-premise sale of alcoholic beverages may comprise no more than 75 percent of this use's gross revenue.
  - (6) Tool and equipment and appliance rental, sales, and service (inside) use. Only rental, sales, and service conducted within a structure are permitted in this use. (Ord. Nos. 20062; 23498; 25711; 26523)

**SEC. 51P-281.108. DEVELOPMENT STANDARDS FOR THE CENTER CORE AREA.**

- (a) Height and story standards in the center core area.
- (1) Residential proximity slope applies. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exceptions:
    - (A) Structures on building sites located in Subdistricts G and H are not required to observe any proximity slope emanating from the Lakewood Country Club property.

(B) Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height or 12 feet above the slope, whichever is less.

(2) Height and stories. Unless further restricted under Paragraph (1), maximum height and number of stories allowed in all subdistricts of the center core area are as follows:

	<u>Subdistrict</u>	<u>Maximum Height (In feet)</u>	<u>Maximum Number of Stories</u>
<b>G, and M/a</b>	<b>A, B, E-F, <u>E-F-1</u></b>	<b>75</b>	<b>5</b>
	<b>C</b>	<b>125</b>	<b>9</b>
	<b>D and Q</b>	<b>60</b>	<b>4</b>
	<b>H, I, M/b, O, P, R, S, and T</b>	<b>50</b>	<b>3</b>
	<b>J and N</b>	<b>36</b>	<b>2</b>
	<b>K</b>	<b>75</b>	<b>5</b>
	<b>L</b>	<b>90</b>	<b>7</b>

(b) Landscaping in the center core area.

(1) Additional regulations. General landscape regulations applicable to the Lakewood Center SPD are listed in Section 51P-281.107(c) of this article. The following landscaping regulations must be satisfied in addition to the regulations in Section 51P-281.107(c).

(2) Buffer zone. All building sites with frontage on Abrams Road (Bypass) between Abrams Parkway and Gaston Avenue must designate the area between a line 25 feet back of and parallel to the Abrams Road Street curb and the street curb as a buffer zone. Use of the buffer zone area is restricted to landscaping, pedestrian walkways and facilities, and vehicular driveways to and from the street. The buffer zone area must contain a streetscape amenities zone.

(3) Streetscape amenities zone. All building sites with frontage on either a designated retail street or a buffer zone must designate the area between a line three feet back from the designated retail street curb, and a line six feet back and parallel to the curb, as a streetscape amenities zone. Use of a streetscape amenities zone is restricted to vehicular driveways to and from the street, street trees, pedestrian-scale lights, and other pedestrian amenities approved by the director of public works and transportation. The installation of street trees and pedestrian-scale lights is mandatory and must be completed before a certificate of occupancy is issued for any use located on these building sites.

(c) Lot coverage in the center core area. Maximum lot coverage for building sites in all subdistricts of the center core area is as follows:

<u>Subdistrict</u>	<u>Maximum Lot Coverage (in percent)</u>
<b>A, B, C, E-F, <u>E-F-1</u>, G, I K, M/a, Q, and S</b>	<b>80</b>
<b>D, H, M/b, N, O, P, R, and T</b>	<b>70</b>

<b>J</b>	<b>40</b>
<b>L</b>	<b>60</b>

(d) Lot size in the center core area. There are no lot size requirements in the center core area.

(e) Maximum floor area ratios in the center core area.

(1) General standards. Maximum floor area ratios for building sites in all subdistricts of the center core area are as follows:

<u>Subdistrict</u>	<u>Maximum Floor Area Ratio</u>
<b>A, B, G, and K</b>	<b>2.0</b>
<b>C</b>	<b>2.5</b>
<b>D, E-F, <u>E-F-1</u>, L, Q, and S</b>	<b>1.5</b>
<b>H, I, M/b, N, O, P, R, and T</b>	<b>1.0</b>
<b>J</b>	<b>0.8</b>
<b>M/a</b>	<b>1.5</b>

(2) Special provisions.

(A) Retail and service use bonus.

(i) Maximum floor area ratios provided in Paragraph (1) may be increased in Subdistricts A, B, E-F, E-F-1, G, H, I, K, M/a, Q, and R if:

(aa) the amount of floor area designated for retail and service uses exceeds that required in the ground floor use requirement contained in Subsection (k)(2); and

(bb) an exterior entrance accessible from a city sidewalk is provided for all retail and service uses in excess of the ground floor use requirement. An exterior entrance that requires passage through a lobby serving multiple uses does not satisfy this requirement.

(ii) The floor area available under this bonus is calculated by subtracting the amount of floor area of retail and service uses required under the ground floor use requirement from the total amount of floor area designated for retail and service uses and multiplying the difference by two.

(iii) A development plan designating all retail and service uses must be submitted to the building official at the time application is made for a building permit. A deed restriction instrument must be filed with the building official concurrently with the development plan which contains a covenant limiting the relevant portion of the property to retail and service use. This instrument must expressly provide that the restrictions may be enforced by the city; must be approved as to form by the city attorney's office; and must be filed in the deed records of Dallas County.

(iv) An amendment to this article is required to permit any use other than one within the retail and service use group in space designated for retail and service use pursuant to this subparagraph. At least 30 days before filing an application for such an amendment with the city, the owner of the property subject to the amendment must mail notices of intent to amend this article to all owners of lots or land within 500 feet of the subject property and to the designated representative of the following neighborhood groups:

(aa) Abrams Brookside Neighborhood Association.



- (bb) Lakewood Heights Neighborhood Association.
- (cc) Edgemont Park Residents Association.
- (dd) Lakewood Homeowners Association.
- (ee) Junius Heights Homeowners Association.
- (ff) Gastonwood/Coronado Hills Association.
- (gg) Lakewood Country Club Estates Association.
- (hh) Swiss Avenue Historic District Association.

(B) Transfer of development rights from Subdistrict J.

(i) Introduction. The following provisions permit a one-time transfer of floor area from the building sites where the Lakewood Theater and the former city library structures are located to other specified subdistricts in the center core area. A review procedure is provided to insure proper documentation of the transfer. The listed information must be provided on a document that must be filed in county deed records. The consequences of the transfer to the property from which the transfer is made would be to tie the future development of that property to the elevation drawings filed in deed records. The purpose of this provision is to provide an incentive to conserve and protect the Lakewood Theater and the former city library structures pursuant to state law authority to regulate places and areas of historical, cultural, or architectural importance and significance.

(ii) Transfer allowed. If the Lakewood Theater and the former city library structures are preserved in accordance with this subparagraph, square footage reflecting up to a floor area ratio of 1.2 may be transferred from each of the building sites where those structures are located to building sites in Subdistricts A, B, E-F, E-F-1, G, H, I, K, M/a, Q, or R.

(iii) Transfer process.

(aa) An owner who wishes to transfer development rights shall submit to the director the following information on a form approved by the director and suitable for filing in the county deed records:

-- Names and addresses of the owners of the development rights.

-- Street address, lot, and block number, and legal description of the property from which the development rights are to be transferred.

-- Street address, lot, and block number, and legal description of the property to which the development rights are to be transferred.

-- The floor area of the structure on the property from which the development rights are to be transferred (Lakewood Theater or former city library) and the lot area of the building site where the structure involved is located.

-- The amount of development rights to be transferred.

(bb) The applicant shall also provide to the director elevation drawings of the structure (Lakewood Theater or former city library structure) on the property from which the development rights are to be transferred. These elevations must indicate facade materials, roof form

and materials, door and window openings, entry covers, and signage spaces, including the theater marquee.

(cc) The director shall check the information supplied on the form and sign the form if the applicant has complied with the requirements of this section.

(dd) When the director has signed the form, the applicant shall file the form in the county deed records, and shall supply the director and the building official with a copy of the filed document.

(ee) When a person applies for a building permit to use the transferred development rights, the building official shall forward the building permit application and the form transferring the development rights to the director. The director shall review the application and verify that the development rights have been properly transferred and may be used.

(iv) Consequences of transfer. If development rights are transferred in accordance with this subparagraph, all development of the building sites where the Lakewood Theater or the former city library structure are located must comply with the elevation drawings of those structures required in this subparagraph. If the Lakewood Theater or former city library structure is destroyed after the transfer of development rights, any new structure on those building sites must comply with the elevation drawings.

(C) Maximum floor area ratio under special provisions. Maximum floor area ratios attainable under Subparagraphs (A) and (B) are as follows:

<u>Subdistrict</u>	<u>Maximum Bonus Floor Area Ratio</u>
<b>A, B, G, and K</b>	<b>.5</b>
<b>E-F, E-F-1, M/a, and Q</b>	<b>.375</b>
<b>H, I, and R</b>	<b>.25</b>

(D) Transfer bonus from Subdistricts M/b and N.

(i) The following provisions permit a one-time transfer of floor area from Subdistricts M/b and N to Subdistrict M/a. The transfer must occur when an application for a building permit is made which would involve the use of the additional floor area in Subdistrict M/a. Before the building permit application may be accepted as complete, the applicant must submit deed restrictions in accordance with the following provisions that limit the maximum floor area in Subdistrict M/b or N to reflect the amount transferred to Subdistrict M/a. The purpose of this provision is to permit flexibility in the development of Subdistricts M/a, M/b, and N, and to provide an incentive for lessening the intensity of development in Subdistricts M/b and N due to their proximity to residential uses and for increasing the intensity of development in Subdistrict M/a, which is further from residential uses and good accessibility to major area roadways.

(ii) The floor area in Subdistrict M/a may be increased by a transfer of the amount of floor area not used in Subdistricts M/b or N if deed restrictions are filed in accordance with Subparagraphs (D)(iii) at the time application is made for a building permit involving the use of the additional floor area in Subdistrict M/a.

(iii) A set of deed restrictions must be filed in deed records of Dallas County that contains a covenant limiting the floor area to that existing or reserved for Subdistricts M/b or N after the transfer to Subdistrict M/a. The formula for calculating the amount of floor area for Subdistricts M/b or N after the transfer to Subdistrict M/a is as follows:

$$A - B = C$$

where A represents the maximum floor area permitted under this article in Subdistricts M/b or N, B represents the amount of floor area transferred to Subdistrict M/a, and C is the maximum amount of floor

area permitted in Subdistricts M/b or N after the transfer. These restrictions must expressly provide that they may be enforced by the city, and must be approved as to form by the city attorney.

(f) Off-street parking in the center core area.

(1) Minimum number of spaces required.

(A) Uses in the public service, utility, and institutional use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(B) Except as provided in Subparagraph (D), uses in the retail and service use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(C) Except as provided in Subparagraph (D), uses in the restaurant, food, and drink service use group must provide one off-street parking space for each 100 square feet of floor area.

(D) Uses in the retail and service, and restaurant, food, and drink service use groups located on building sites in Subdistricts A, B, E-F, G, I, and J with frontage on the Abrams Parkway Parking Mall must provide off-street parking at the ratio of 65 percent of the requirement indicated in Division 51-4.200 of Chapter 51.

(E) Uses in the office use group must provide one off-street parking space for each 333 square feet of floor area.

(F) Uses in the residential use group must provide one off-street parking space for each dwelling unit.

(G) For a winery and tasting room.

(i) Except as otherwise provided, one space per 600 square feet of floor area.

(ii) One space per 1,000 square feet of floor area used for storage.

*Staff recommended:*

(iii) One space per 100 square feet of floor area used for retail sales and seating.

*Applicant requested:*

(iii) One space per 200 square feet of floor area used for retail sales and seating.

(2) Location of off-street parking. No off-street parking is permitted in the front yard. Required off-street parking must be provided on the lot occupied by the main use, or in compliance with the special parking regulations of the Dallas Development Code.

(g) Other regulations applicable to the center core area.

(1) Outside speaker and intercom system use restrictions.

(A) The use of an outside public address or paging speaker is prohibited.

(B) The use of an outside speaker as a part of an intercom system is prohibited within 150 feet of a residential zoning district unless its use is approved through the residential adjacency review procedure.

(C) Outside speakers are prohibited along Kidwell Street in Subdistrict E-F-1.

*Staff recommendation:*

(D) In Subdistrict E-F-1, a restaurant, food, and drink service use group and a winery and tasting room use must cease outdoor activities between the hours of 10 p.m. and 6 a.m. the next day.

*Applicant request:*

No change

(2) Alley use restriction. If a nonresidential use adjoins an alley that is within or abuts a residential zoning district, truck delivery and garbage or trash pickup is prohibited between the hours of 10 p.m. and 7 a.m. The board of adjustment may grant a special exception to the alley use restriction in accordance with the provisions of Section 51A-4.301(h)(2).

(3) Building site. For parking purposes and yard, lot, and space regulations, all of Subdistrict E-F-1 is considered a building site.

(h) Setbacks in the center core area.

(1) Setbacks in subdistricts. The setbacks required in the subdistricts of the center core area are as follows. All street frontages are treated as front yards, and there is no distinction between side and rear yard setbacks.

<u>Subdistrict</u>	<u>Front Yard Setback</u>	<u>Side and Rear Yard Setback</u>
<b>A, B, C, D, E-F, <u>E-F-1</u>, G, H, I, J, K, M/a, O, P, Q, R, and S</b>	<b>0</b>	<b>0</b>
<b>L and T</b>	<b>10</b>	<b>10</b>
<b>M/b and N</b>	<b>15</b>	<b>0</b>

(2) Other setback requirements in the center core area.

(A) Residential adjacency setbacks. The following setbacks apply to building sites adjacent to a residential zoning district.

(i) A 10-foot front yard setback must be provided on a building site located across an adjoining street from a residential zoning district or on a building site located within the same blockface as a residential zoning district.

(ii) A 10-foot side and rear yard setback must be provided on a building site that adjoins or is across a public alley or easement from a residential district.

(B) Designated retail street setbacks.

(i) Designation. The designated retail streets in this area are Abrams Parkway between Abrams Road (Bypass) and Prospect Avenue; Abrams Road between Gaston Avenue and Richmond Avenue; Gaston Avenue between Paulus Avenue and Abrams Road (Bypass); La Vista Drive between Alderson Street and Gaston Avenue; and Paulus Avenue between Gaston Avenue

and La Vista Drive. The following setbacks apply to building sites with frontage on a designated retail street.

(ii) Minimum front yard setback. Structures on a building site with frontage on a designated retail street must have a minimum setback of five feet from the front property line and 15 feet from the projected street curb.

(iii) Exception to the minimum front yard setback. Trellises, screens, stairs, awnings, and canopies may encroach into the minimum front yard of a building site with frontage on a designated retail street if at least a seven-foot unobstructed sidewalk width is maintained between these improvements and the projected street curb.

(iv) Maximum front yard setback. Structures on a building site with frontage on a designated retail street may not have a setback greater than 15 feet from the front property line, or 25 feet from the projected street curb.

(C) Buffer zone setback. A minimum setback of 25 feet must be provided for all structures on a building site with frontage on Abrams Road (Bypass) between Abrams Parkway and Gaston Avenue. This buffer zone setback area may not be used for vehicular parking or vehicular circulation except for access to and from the street.

(D) Urban form setback. If any portion of a structure located in this area is over 36 feet in height, an additional front yard setback of 15 feet must be provided for that portion of the structure.

(E) Setback from Lakewood Theater required. Any structure located in Subdistrict K that is more than 36 feet in height must provide a setback from the Lakewood Theater structure of at least one foot of horizontal distance for each one foot of height over 36 feet.

(i) Sidewalks in the center core area.

(1) Sidewalks required. Before the issuance of a certificate of occupancy, owners of building sites in the center core area must construct and maintain a minimum average seven-foot sidewalk width generally parallel to the back curb of any adjoining street. Five feet of the required average sidewalk width must be maintained in an unobstructed state. The remaining two feet may be used as authorized by this article or the Dallas City Code, as amended.

(2) Special sidewalk width standards. Before the issuance of a certificate of occupancy, all owners of building sites in the center core area with frontage on a designated retail street, as defined in Subsection (h)(2)(B), must construct and maintain a minimum average 10-foot sidewalk width generally parallel to the back curb of any adjoining designated retail street. Seven feet of the required average sidewalk width must be maintained in an unobstructed state. The remaining three feet may be used as authorized by this article or the Dallas City Code, as amended.

(3) Sidewalk easement required in some cases. If any portion of the sidewalk is to be located in the front yard of the building site, the owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway.

(j) Sign in the center core area.

(1) Except as otherwise provided in Paragraphs (2) and (3), attached and detached signs are permitted in the center core area in accordance with the provisions for business zoning districts contained in the Dallas Development Code.

(2) In Subdistricts L, M/b, N, O, and T, attached and detached signs must comply with the provisions for non-business zoning districts contained in the Dallas Development Code.

(3) Signs in the front yard of a building site in Subdistricts D and P with frontage on Prospect Street, Alderson Street, or Oram Street must comply with provisions for non-business zoning districts contained in the Dallas Development Code.

(k) Uses in the center core area.

(1) Subdistrict uses. Only the uses within the listed use groups are permitted in the following subdistricts of the center core area.

(A) Subdistricts A, B, C, E-F, E-F-1, G, H, I, K, M/a, Q, and R.

- (i) Office use group.
- (ii) Public service, utility, and institutional use group.
- (iii) Residential use group, providing that residential uses do not exceed 50 percent of the total developed floor area of any structure.
- (iv) Restaurant, food, and drink service use group.
- (v) Retail and service use group.
- (vi) Mounted cellular antenna. *[Permitted in Subarea C only.]*

*Staff recommended:*

	(vii) Winery and tasting room. <i>[Permitted in Subdistrict E-F-1 only.]</i>
<u>SUP.]</u>	

*Applicant requested:*

	(vii) Winery and tasting room. <i>[Permitted in Subdistrict E-F-1 only.]</i>
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(B) Subdistrict J.

- (i) Office use group.
- (ii) Public service, utility, and institutional use group.
- (iii) Restaurant, food, and drink service use group.
- (iv) Retail and service use group.

(C) Subdistrict M/b.

- (i) Office use group.
- (ii) Public service, utility, and institutional use group.
- (iii) Residential use group, except that the southerly 50 feet of this subdistrict is limited to only those uses allowed in the Restricted Paulus Avenue Subdistrict B use group.
- (iv) Restaurant, food, and drink service use group.
- (v) Retail and service use group.

(D) Subdistrict P.

- (i) Office use group.

(ii) Public service, utility, and institutional use group.

(iii) Residential use group.

(iv) Retail and service use group, with the condition that access to any retail use is limited to the Kidwell Street frontage.

(E) Subdistrict S.

(i) Office use group.

(ii) Public service, utility, and institutional use group.

(iii) Residential use group.

(iv) Retail and service use group.

(F) Subdistricts D, N, O, and T.

(i) Office use group.

(ii) Public service, utility, and institutional use group.

(iii) Residential use group.

(G) Subdistrict L.

(i) Mounted cellular antenna.

(ii) Office use group.

(iii) Public service, utility, and institutional use group.

(iv) Residential use group, providing that residential uses do not exceed 50 percent of the total developed floor area of any structure.

(2) Ground floor use requirement.

(A) The ground floor use requirement set forth in Subparagraph (B) applies to all new construction and additions that increase floor area. The ground floor use requirement does not apply to existing structures or to remodeling or additions that do not increase floor area.

(B) At least 75 percent of the floor area of all uses on the ground floor of structures in Subdistricts A, B, E-F, G, I, K, Q, and R must be devoted to those uses listed in the retail and service, or restaurant, food, and drink service use groups.

(C) At least 75 percent of the floor area of all uses on the ground floor of structures in Subdistrict E-F-1 must be devoted to those uses listed in the retail and service, or restaurant, food, and drink service use groups.

(I) Width in the center core area.

(1) The minimum building width regulations in this subsection apply only to that portion of a building site in Subdistricts A, B, C, D, E-F, G, I, K, M/a, Q, and R that has frontage on a designated retail street.



(2) All structures must have a front building wall that extends through the setback corridor along a line generally parallel to the street for a distance that is at least 70 percent of a number equal to the length of the minimum front yard setback line minus any required setbacks at either end of the minimum front yard setback line. This calculation expressed mathematically is:  $.70 \times (\text{length of front yard setback line minus required setback lines at either end})$ . The setback corridor is a ten-foot-wide corridor that runs across the width of the lot from the minimum front yard setback line towards the rear of the lot a distance of 10 feet and across the lot from setback line to setback line. The portion of front building wall affected by this subsection extends from grade to 15 feet in height. (Ord. Nos. 20062; 23498; 24381; 25711)

**SEC. 51P-281.109. DEVELOPMENT STANDARDS FOR THE NORTH ABRAMS AREA.**

*OMITTED FOR BREVITY*

**SEC. 51P-281.110. DEVELOPMENT STANDARDS FOR THE ABRAMS/RICHMOND/GASTON AREA.**

*OMITTED FOR BREVITY*

**SEC. 51P-281.111. DEVELOPMENT STANDARDS FOR THE PAULUS AVENUE AREA.**

*OMITTED FOR BREVITY*

**SEC. 51P-281.112. SPECIAL PENALTY PROVISIONS.**

(a) General. A person violating a provision of this article, upon conviction, is punishable by a fine not to exceed \$2,000. A person commits an offense if the person is criminally responsible for a violation of the use regulations or development standards of this article. A person is criminally responsible for a violation if the person:

- (1) commits or assists in the commission of an act in violation; or
- (2) owns part or all of the land or a structure on the land where a violation exists.

(b) Additional penalty. In addition to punishment by fine, the city may institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land in the Lakewood Center SPD. (Ord. Nos. 20062; 25711)

**~~[SEC. 51P-281.113. ZONING MAP.~~**

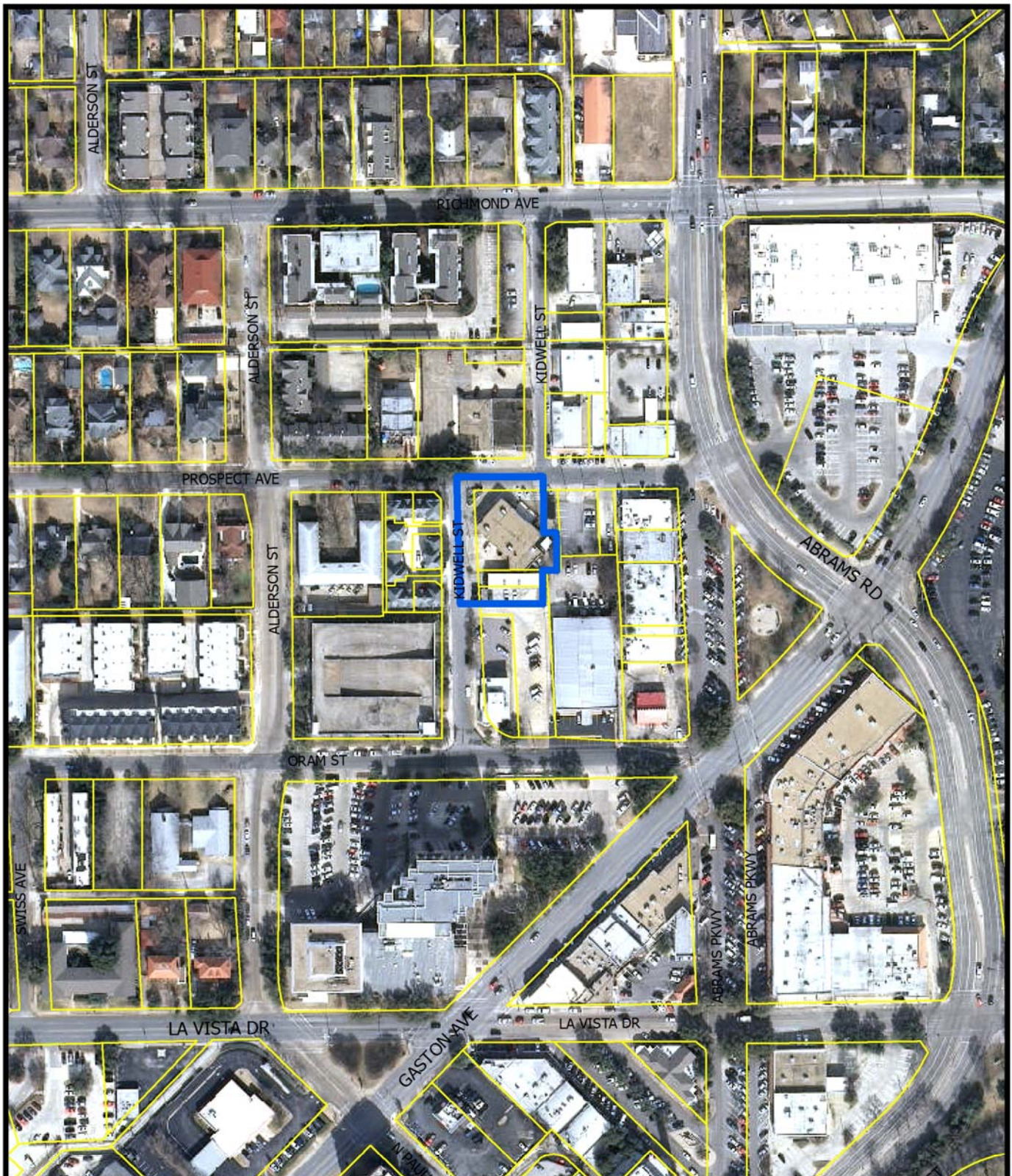
~~PD 281 is located on Zoning Map No. 1-8.]~~ (Ord. Nos. 20062; 25711)

Z145-308(SM)





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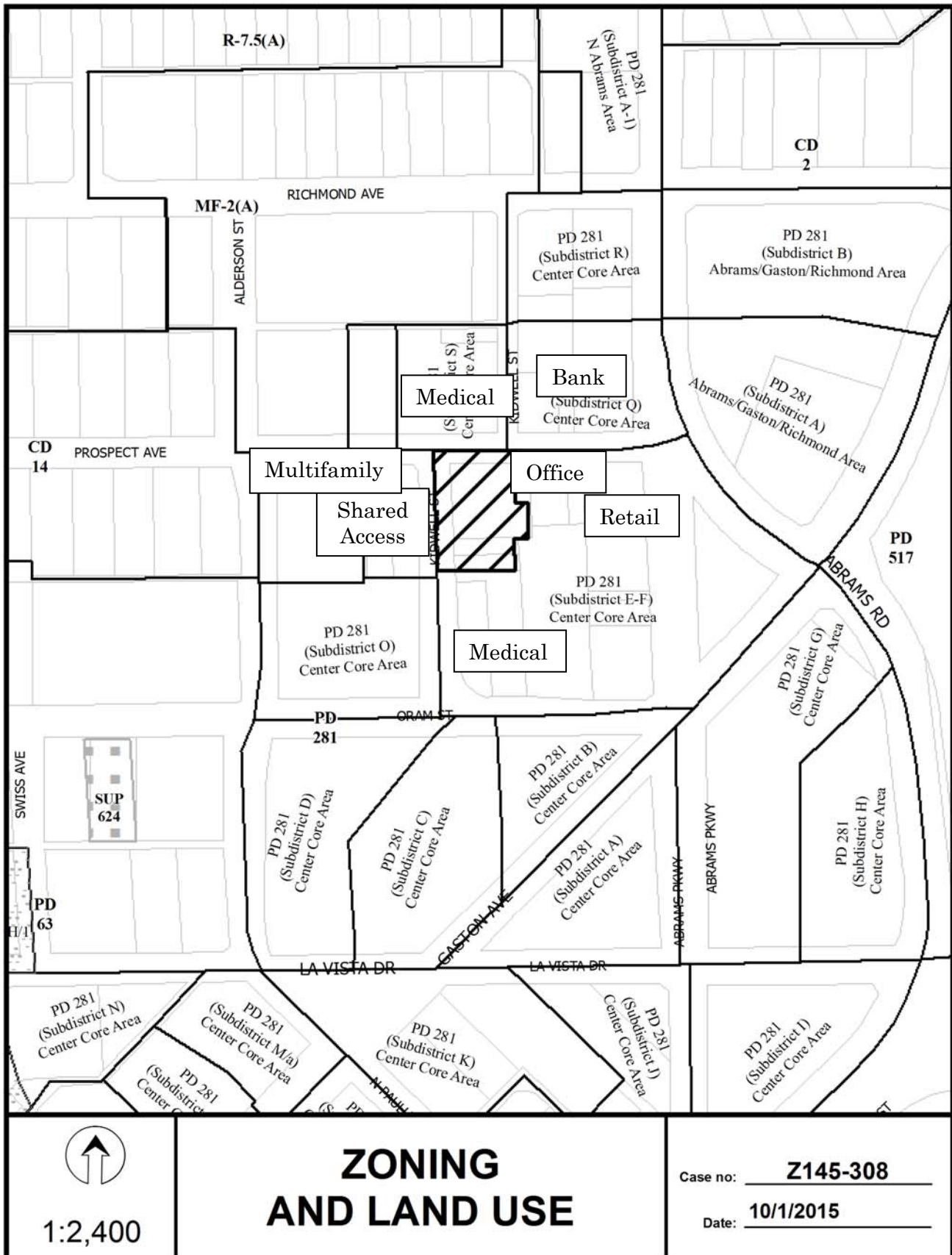
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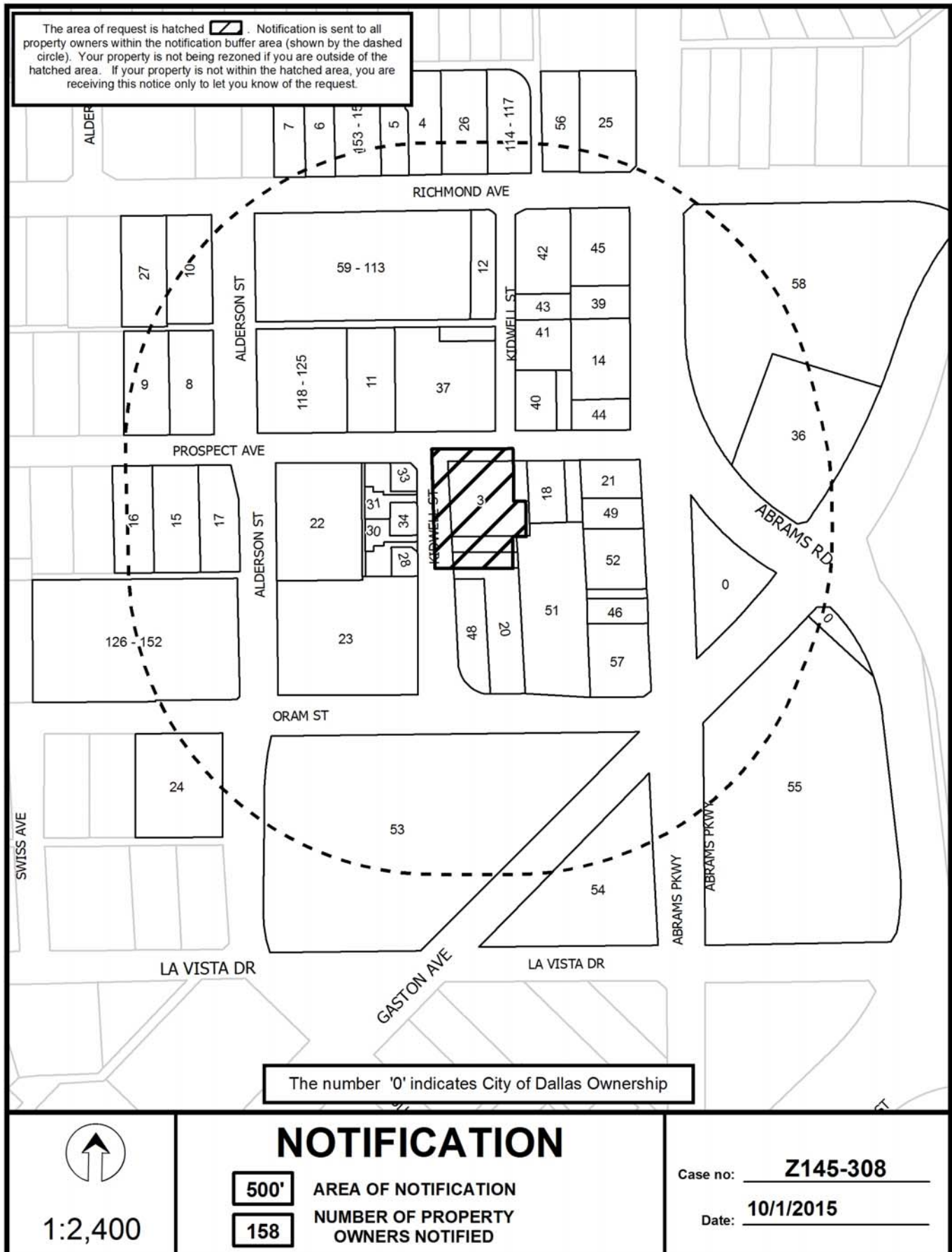
## AERIAL MAP

Case no: **Z145-308**

Date: **10/1/2015**







10/01/2015

***Notification List of Property Owners******Z145-308******158 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2016 KIDWELL ST	PLATNER KERT &
2	2018 KIDWELL ST	PLATNER KERT &
3	6324 PROSPECT AVE	LAWLER PLATNER WILSON LP
4	6343 RICHMOND AVE	FERGUSON CARLTON W &
5	6339 RICHMOND AVE	LAHAT GAL
6	6329 RICHMOND AVE	SCOTT WILLIAM H JR &
7	6325 RICHMOND AVE	PATTS NICHOLAS JAMES
8	6285 PROSPECT AVE	CORNELIUS TODD M & ELIZABETH B
9	6277 PROSPECT AVE	YOUNG JENEAN A &
10	6284 RICHMOND AVE	HOLMES JOHN B
11	6315 PROSPECT AVE	SMITH JAMES & LAUREL REVOCABLE TRUST
12	6328 RICHMOND AVE	2122 KIDWELL LLC
13	6341 PROSPECT AVE	J LAKEWOOD LTD
14	2111 ABRAMS RD	J LAKEWOOD LTD
15	6280 PROSPECT AVE	CHITWOOD ROBERT EUGENE &
16	6274 PROSPECT AVE	SMITH HELEN L
17	6284 PROSPECT AVE	DONLIN PATRICK
18	6336 PROSPECT AVE	ALLEGRO MANAGEMENT TRUST
19	6338 PROSPECT AVE	INTERRANTE INTERESTS LTD
20	6337 ORAM ST	TETER JACK
21	2031 ABRAMS PKWY	2031 ABRAMS LLC
22	6304 PROSPECT AVE	WWW PROPERTIES LTD
23	2010 ALDERSON ST	HIGHLAND LAKEWOOD LLC
24	6282 ORAM ST	BETHANY CHRISTIAN CHURCH
25	2201 ABRAMS RD	JB & T PROPERTIES LLC
26	6345 RICHMOND AVE	BUCHANAN JO ANN

10/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6276 RICHMOND AVE	GARRETT JOHN & NATALIA
28	2005 KIDWELL ST	IVERSON CLAIRE A
29	2007 KIDWELL ST	BOZARTH CHARLOTTE TR
30	2009 KIDWELL ST	WHETSTINE DANIEL A
31	2013 KIDWELL ST	REGO RHONDA A
32	2015 KIDWELL ST	HEDRICK KATHLEEN
33	2017 KIDWELL ST	ETHRIDGE RICHARD L
34	2011 KIDWELL ST	FEROZE ZAMMURAD H
35	2011 KIDWELL ST	LAKEWOOD VILLAS HOA
36	6433 GASTON AVE	MERIDITH JANET DINES ETAL
37	6331 PROSPECT AVE	LAKEWOOD MEDICAL BLDG INC
38	2105 KIDWELL ST	LAKEWOOD MEDICAL BLGD INC
39	2115 ABRAMS RD	GOOD PPTIES LLC
40	6333 PROSPECT AVE	J LAKEWOOD LTD
41	2108 KIDWELL ST	HOLMES JOHN
42	2122 KIDWELL ST	2122 KIDWELL LLC
43	2114 KIDWELL ST	CHAMBERLAIN NICHOLAS
44	2101 ABRAMS RD	J LAKEWOOD LTD
45	2121 ABRAMS RD	SEJ ASSET MGMT & INVESTMENT COMPANY
46	2009 ABRAMS PKWY	CCP 2009 ABRAMS LP
47	2011 ABRAMS PKWY	MAST ELIZABETH
48	6329 ORAM ST	HELDON CORP
49	2025 ABRAMS PKWY	INTERRANTE INTERESTS LTD
50	6326 PROSPECT AVE	ALLEGRO MANAGEMENT TRUST
51	6337 ORAM ST	TETER JACK
52	2015 ABRAMS PKWY	LAKEWOOD SHOPPING CTR LTD
53	6301 GASTON AVE	HIGHLAND LAKEWOOD LLC
54	6316 GASTON AVE	GREENWAY LAKEWOOD PTNRS
55	1904 ABRAMS PKWY	1924 ABRAMS LTD
56	6363 RICHMOND AVE	HOPKINS A F TRUSTEE
57	2001 ABRAMS PKWY	TEXAS MCFARLIN LTD PS



10/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2118 ABRAMS RD	ALEFF LLC
59	6318 RICHMOND AVE	SHEUMAKER ANDREW
60	6318 RICHMOND AVE	BURKHALTER BRADLEY G
61	6318 RICHMOND AVE	HALE VALLI
62	6318 RICHMOND AVE	HEARN ROBERT J
63	6318 RICHMOND AVE	MOSELEY KATE K
64	6318 RICHMOND AVE	TOPP PATRICIA ANN
65	6318 RICHMOND AVE	PIGG MICHAEL W
66	6318 RICHMOND AVE	SAUCEDO GUADALUPE
67	6318 RICHMOND AVE	JOHN PAUL HOLDING INVESTMENTS CORP
68	6318 RICHMOND AVE	ADCOCK RONALD K & BARBARA
69	6318 RICHMOND AVE	NEMETH MARY A
70	6318 RICHMOND AVE	ECKIAN ALBERT G REVOCABLE TRUST
71	6318 RICHMOND AVE	BRADY PATRICIA A
72	6318 RICHMOND AVE	MAYER BARBARA ANN &
73	6318 RICHMOND AVE	SHRIVER JODI LYN
74	6318 RICHMOND AVE	SEUFER AIMEE R
75	6318 RICHMOND AVE	THIBAUT JEANNINE
76	6318 RICHMOND AVE	LACHER KIMBERLY A
77	6318 RICHMOND AVE	TODD BRETT
78	6318 RICHMOND AVE	BAILEY GRETCHEN
79	6318 RICHMOND AVE	COX CRISTIN E
80	6318 RICHMOND AVE	GONZALEZ LEONOR
81	6318 RICHMOND AVE	HARTFIEL HOLLY M
82	6318 RICHMOND AVE	DELANEY DENA
83	6318 RICHMOND AVE	LEOPOLD ANTHONY M
84	6318 RICHMOND AVE	BALARAMA KRISHNA
85	6318 RICHMOND AVE	BELL KENDRA
86	6318 RICHMOND AVE	MCLEAN MELISSA MARY
87	6318 RICHMOND AVE	MILLER JACQUELINE N
88	6318 RICHMOND AVE	AUTREY STEPHANIE M

10/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	6318 RICHMOND AVE	LABRIE LINDSAY
90	6318 RICHMOND AVE	PERKINS SYDNEY MARIE &
91	6318 RICHMOND AVE	MOON ADAM
92	6318 RICHMOND AVE	J & P LEYMON FAMILY TRUST
93	6318 RICHMOND AVE	BLONS JEANETTE M LIF EST
94	6318 RICHMOND AVE	ROBINSON BECKY
95	6318 RICHMOND AVE	GANN THOMAS K & ANN M
96	6318 RICHMOND AVE	MCCOLLUM MILES G
97	6318 RICHMOND AVE	POLLAK ROBERT N
98	6318 RICHMOND AVE	BACH PROPERTIES LLC
99	6318 RICHMOND AVE	FANNIE MAE
100	6318 RICHMOND AVE	MINICK MATTHEW
101	6318 RICHMOND AVE	BONGANI HOLDINGS LLC
102	6318 RICHMOND AVE	WILLE ELIZABETH A
103	6318 RICHMOND AVE	CLAYTON LESLEY
104	6318 RICHMOND AVE	LEATHERWOOD NANCY R
105	6318 RICHMOND AVE	MEYERS KAREN LINNET
106	6318 RICHMOND AVE	GERHART MARTHA
107	6318 RICHMOND AVE	BONDURANT KAREN
108	6318 RICHMOND AVE	HUTCHESON MELEISSA L
109	6318 RICHMOND AVE	BERRELLS BRENDAN J
110	6318 RICHMOND AVE	WADINO MICHAEL J JR &
111	6318 RICHMOND AVE	REAVES CATHRYN
112	6318 RICHMOND AVE	REYNA MICHAL
113	6318 RICHMOND AVE	ACOSTA VERONICA M
114	6355 RICHMOND AVE	TRAVIS PATRICIA J
115	6355 RICHMOND AVE	ESPENSEN SCOTT LETH
116	6355 RICHMOND AVE	MARSHALL DAHL
117	6355 RICHMOND AVE	MARTIN ELAINE P
118	6303 PROSPECT AVE	WOHLRABE BARBARA LEE
119	6303 PROSPECT AVE	BRAZOS PROPERTIES INC

10/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	6303 PROSPECT AVE	NELSON JAMES ANDREW
121	6303 PROSPECT AVE	SHELTON THOMAS B
122	6303 PROSPECT AVE	DANZA ISABEL C
123	6303 PROSPECT AVE	ARTH WILLIAM P
124	6303 PROSPECT AVE	WITT KENT P & YOLANDA E
125	6303 PROSPECT AVE	CROSIER PAMELA G
126	6269 ORAM ST	WEST SHELLY V
127	6269 ORAM ST	EVANS JOSHUA & TANYA
128	6269 ORAM ST	SULLIVAN CYNTHIA ANN
129	6269 ORAM ST	HERNANDEZ ELIZABETH
130	6269 ORAM ST	QUICK BRENDON C & GENEVIEVE
131	6269 ORAM ST	IRONS KYLE T
132	6269 ORAM ST	GOBERT JUSTIN R
133	6269 ORAM ST	CULLISON MATTHEW T
134	6269 ORAM ST	GRUSSENDORF CECILIA
135	6269 ORAM ST	PERRYMAN JOHN
136	6269 ORAM ST	RICE ADAM T
137	6269 ORAM ST	RICKARD LIONEL
138	6269 ORAM ST	BRONAUGH SHARON L
139	6269 ORAM ST	DOUGLAS ANN B
140	6269 ORAM ST	ANDRIEN KENNETH J & ANNE B
141	6269 ORAM ST	BILL NATALIE A
142	6269 ORAM ST	SCHMITT JULIE ANNA
143	6269 ORAM ST	CARTER ANDREW F
144	6269 ORAM ST	FERTITTA STACY MICHELLE
145	6269 ORAM ST	LUBBOCK B & V INVESTMENTS LLC
146	6269 ORAM ST	MONNICH C R
147	6269 ORAM ST	LYNCH CAROL J
148	6269 ORAM ST	LACHER KIMBERLY A
149	6269 ORAM ST	FREDERICK LISA
150	6269 ORAM ST	STEPHENS KANDICE

Z145-308(SM)

10/01/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	6269 ORAM ST	HILL VAN D & ANNE B
152	6269 ORAM ST	MIKESKA JEFFREY W & DEBORAH J
153	6333 RICHMOND AVE	HILL HAYLEY &
154	6333 RICHMOND AVE	SHAH LINA A & ATIT M
155	6333 RICHMOND AVE	MERBLER KENNETH G
156	6333 RICHMOND AVE	BOHANNON GEORGE T
157	6333 RICHMOND AVE	FENNER RYAN DONALD
158	6333 RICHMOND AVE	JOHANNESSEN TRACE

**Planner: Sarah May**

**FILE NUMBER:** Z145-264(SM) **DATE FILED:** May 14, 2015

**LOCATION:** Northeast line of Webb Chapel Road and on the west line of Larga Drive, east of Webb Chapel Extension

**COUNCIL DISTRICT:** 6 **MAPSCO:** 23V

**SIZE OF REQUEST:** Approx. 2.19 acres **CENSUS TRACT:** 98.02

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**APPLICANT / OWNER:** DeWayne D. Hughes

**REPRESENTATIVE:** Maxwell J. Fisher, Masterplan Consultants

**REQUEST:** An application for a Planned Development District for LO-1 uses and a mortuary, funeral home, or commercial wedding chapel use on property zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District with a D Overlay.

**SUMMARY:** The applicant proposes to enlarge the existing funeral home, to extend the parking area to Larga Drive, to decrease parking requirements, and to modify landscaping requirements. On September 22, 2015, the City Council remanded the request to the City Plan Commission. The applicant revised the development plan and landscape plan to keep the alley open.

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

## **GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommendation for approval is based upon:

1. *Performance impacts upon surrounding property* – This request proposes to enlarge an existing use and to expand the surface parking to two adjacent residential lots. The proposed request requires an enlarged residential landscape buffer and a 125-foot setback from Larga Drive, the area that is currently residential, in order to prohibit vertical development. Therefore the impacts on surrounding properties are lessened.
2. *Traffic impact* – The request has controls to direct daily traffic to and from Webb Chapel Road and to prohibit additional traffic on Larga Drive.
3. *Comprehensive Plan or Area Plan Conformance* – The request area is located in the Urban Neighborhood Building Block. The proposed zoning is consistent with this building block.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The site has an existing overhead utility transmission easement ranging from 50 to 100 feet in width that generally bisects the property. The location of this existing easement and the existing building along with its proximity to a cemetery make for a unique relationship that functions well, but is not supported by the Dallas Development Code. A planned development district allows specialized conditions to control the impacts the proposed development has on surrounding properties but also grants modifications to Article X landscaping requirements and parking requirements to accommodate the constraints of the large overhead utility easement.

## **BACKGROUND INFORMATION:**

- The lots 3 and 4 of Block 7/6144 were filed in the County of Dallas in September 1946, annexed in December 1947. The lots were then constructed as two single family homes in 1950 according to Dallas Central Appraisal District records.
- Lot 2A of Block 7/6144 was filed in May of 1972 and was constructed as a funeral home in 1972 according to Dallas Central Appraisal District records.
- The site is currently under review for the alley abandonment that divides the funeral home from the single family homes.

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

1. **Z101-185:** On September 26, 2011, City Council approved a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an LO-1 Limited Office District with the D Liquor Control Overlay.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing Dimension
Webb Chapel Road	Community Collector	Standard-4 lanes-Divided, 80 feet R.O.W.
Larga Drive	Local	50 feet R.O.W.

**Comprehensive Plan:** The *forwardDallas! Comprehensive Plan* designates the area of request located in an Urban Neighborhood Building Block.

This Building Block should encourage the redevelopment of aging auto-oriented single family neighborhoods. These areas offer dense mixed use and then transition to multi-family and single family housing at the edge. These corridors should diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit-orientation and access.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	LO-1 and R-7.5(A)	Mortuary, funeral home, or commercial wedding chapel and single family
<b>North</b>	R-7.5(A)	Cemetery and single family
<b>South</b>	NS(A)	Retail and personal service
<b>East</b>	SUP 528, MF-2(A), and R-7.5(A)	Child care facility, multifamily and single family
<b>West</b>	CR	Personal service and retail

**Land Use Compatibility:**

The land uses surrounding the request site consist of a cemetery and single family to the north, a home that was converted into a child care facility and additional single family to the east, and retail uses to the south and west.

An enhanced landscape buffer will be provided along Larga Drive to screen parking to the residential street and limit vehicular access to the street to emergency vehicles. In addition, a large setback will prohibit vertical development. These conditions are aimed



to protect the residential character of Larga Drive while allowing emergency access and adequate parking areas for the proposed expansion of the funeral home.

**Parking:** The request includes a parking reduction for a mortuary, funeral home, or wedding chapel. The proposed development seeks to enlarge areas for reception, body preparation, and a family visitation room, but to keep the existing chapel size unchanged. The proposed modification to parking requirements decreases the Development Code parking requirements by 7 spaces. The proposed parking analysis is as follows:

	Development Code			Proposed	
Factor	Ratio	Required		Ratio	Required
250 seats in chapel	1 per 2 seats	125		1 per 2 seats	125
13,500 SF excluding the chapel	1 per 500 SF	27		1 per 675 SF	20
	Total	152		Total	145

The development plan shows 145 standard-width parking spaces provided on site, therefore providing seven less spaces than the Development Code requires. It is possible to squeeze in these seven spaces with compact car parking spaces, however, staff believes parking is better facilitated with standard-width parking stalls than over a quarter of the parking lot with compact stalls and the majority of vehicles double park.

Staff supports the requested parking reduction due to the unique factors of the overhead utility easement and placement of the existing building.

**Landscaping:** The request generally complies with Article X of the landscaping regulations with an enlarged landscape buffer adjacent to residential properties, requiring evergreen hedges to Larga Drive, and allowances for the existing overhead utility easement which prohibits plantings underneath. An alley hammerhead turnaround encroaches into the residential landscape buffer. Also, due to the overhead utility easement, street trees and parking lot trees are not provided in accordance with the code.

**“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 line of Webb Chapel Road and at the west line of Larga Drive, north of Bolivar Drive. The size of PD \_\_\_\_\_ is approximately \_\_\_\_\_ 2.19 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 nonresidential zoning district.

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

The following exhibits are incorporated into this article:

(1) Exhibit \_\_\_\_A: development plan.

(2) Exhibit \_\_\_\_B: landscape plan.

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

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

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

**MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the LO-1 Office District, subject to the same conditions applicable in the LO-1 Office District, as set out in Chapter 51A. For example, a use permitted in the LO-1 Office 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 LO-1 Office District is subject to DIR in this district; etc.

(b) The following additional main uses are permitted:

-- Mortuary, funeral home, or commercial wedding chapel.

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

**ACCESSORY USES.**

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

(b) The following accessory use is permitted:

-- Accessory pathological waste incinerator in conjunction with a mortuary or funeral home.

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

**YARD, LOT, AND SPACE REGULATIONS.**

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

(a) Front yard.

(1) Except as provided in this subsection, minimum front yard is 15 feet.

(2) For Larga Drive, minimum front yard is 125 feet.

(b) Side and rear yard. :

(1) Except as provided in this subsection, no minimum side and rear yard is required.

(2) Minimum side and rear yard is 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(3) Garbage storage areas adjacent to an alley or a cemetery or mausoleum may be located in required side and rear yards.

(c) Density. No maximum dwelling unit density.

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

(i) 0.5 for any combination of lodging, office, and retail and personal service uses; and

(ii) 0.75 for all uses combined.

(e) Height. Except as provided in this subsection, maximum structure height is 30 feet.

(1) For buildings with a gable, hip, or gambrel roof maximum structure height is 35 feet.

(2) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height. A cemetery or mausoleum is not private property for purposes of Section 51A-4.412.

(f) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. For the purpose of determining lot coverage, the district is considered one lot.

(g) Lot size. No minimum lot size.

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

## **SEC. 51P- \_\_\_\_\_.109.**

## **OFF-STREET PARKING AND LOADING.**

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

(b) Ingress and egress on Larga Drive must be as shown on the development plan (Exhibit \_\_\_\_A). The gated entry must be secured with a Knox-Box that is approved

by the Dallas Fire Department and must remain closed except to provide access to emergency vehicles, equipment, and personnel.

(c) For parking purposes the district is considered one lot.

(d) The minimum off-street parking requirement for a mortuary, funeral home, or commercial wedding chapel is:

(1) One space per 300 square feet of floor area other than the chapel, plus one space for each two seats in the chapel. Up to 50 percent of the required off-street parking for this use may be tandem spaces.

(2) If all spaces provided are non-tandem, the off-street parking requirement for this use is one space per 675 feet of floor area other than the chapel, plus one space for each two seats in the chapel.

(3) No bicycle parking is required.

(4) Loading spaces are not required.

**SEC. 51P- \_\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

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

(a) Except as provided in this section, landscaping must be provided as shown on the landscape plan (Exhibit \_\_\_\_B). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(b) New development must comply with Article X.

(c) Parking lot tree requirements are not applicable in utility transmission corridor easements.

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

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

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

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

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

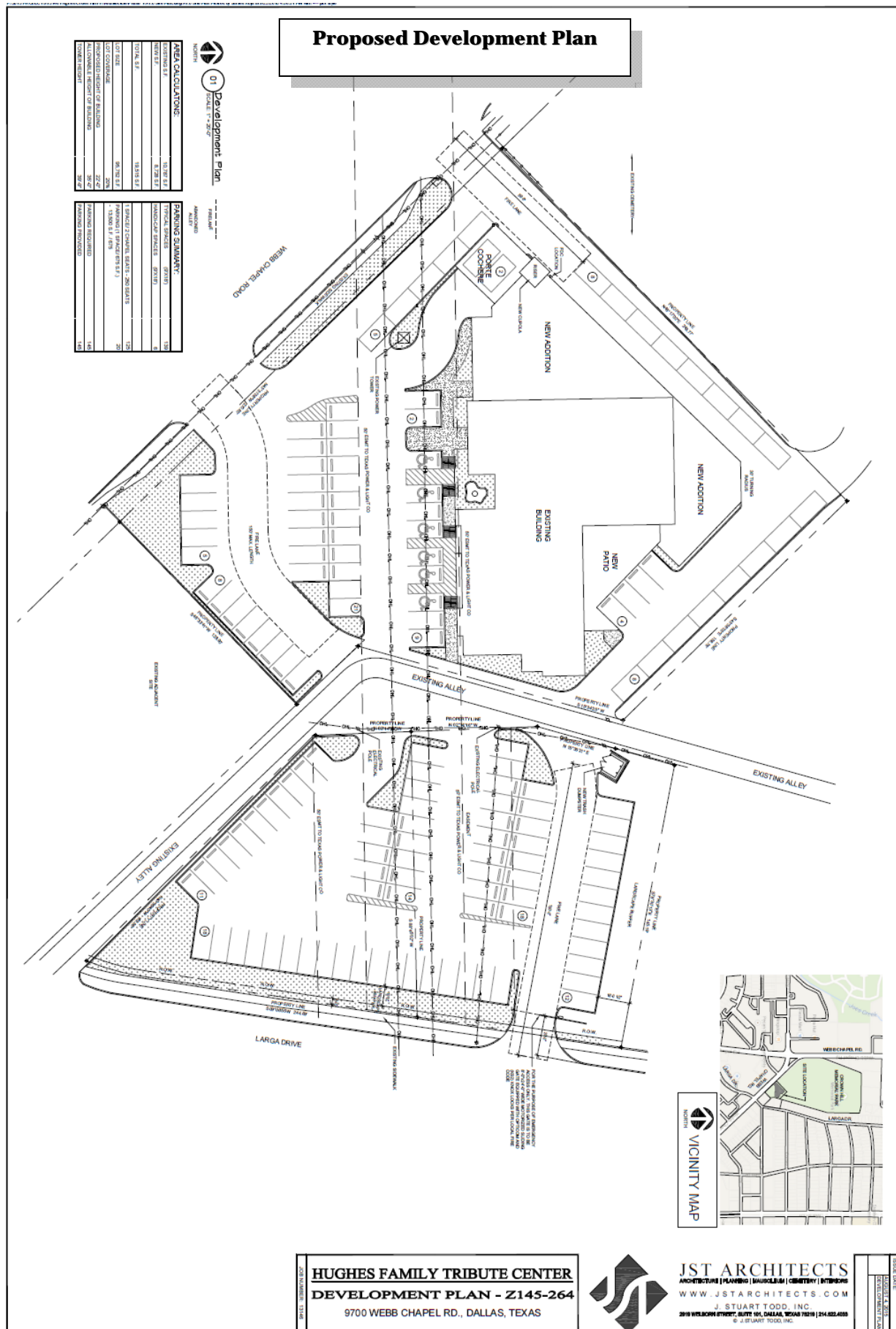
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

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

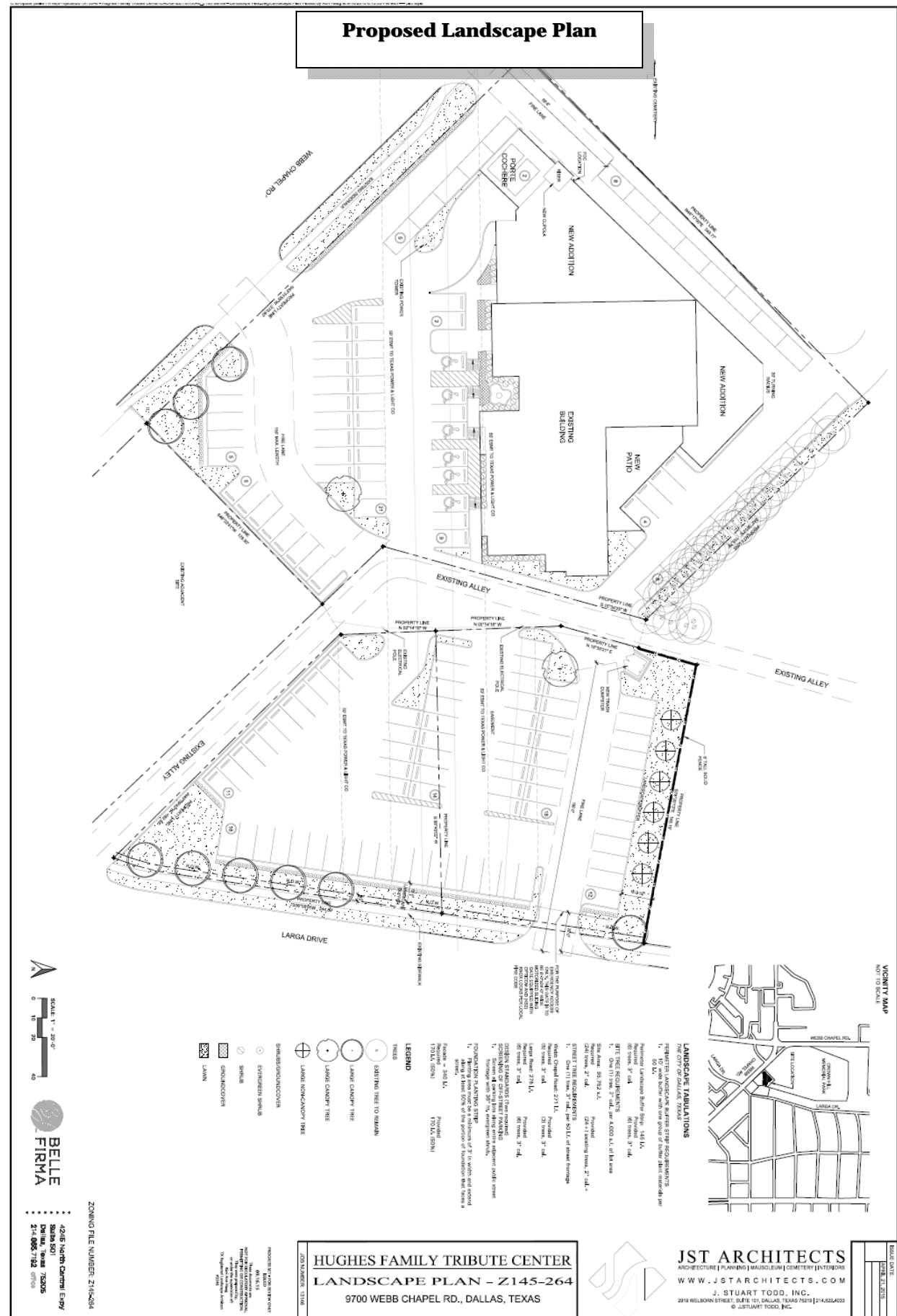
**COMPLIANCE WITH CONDITIONS.**

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

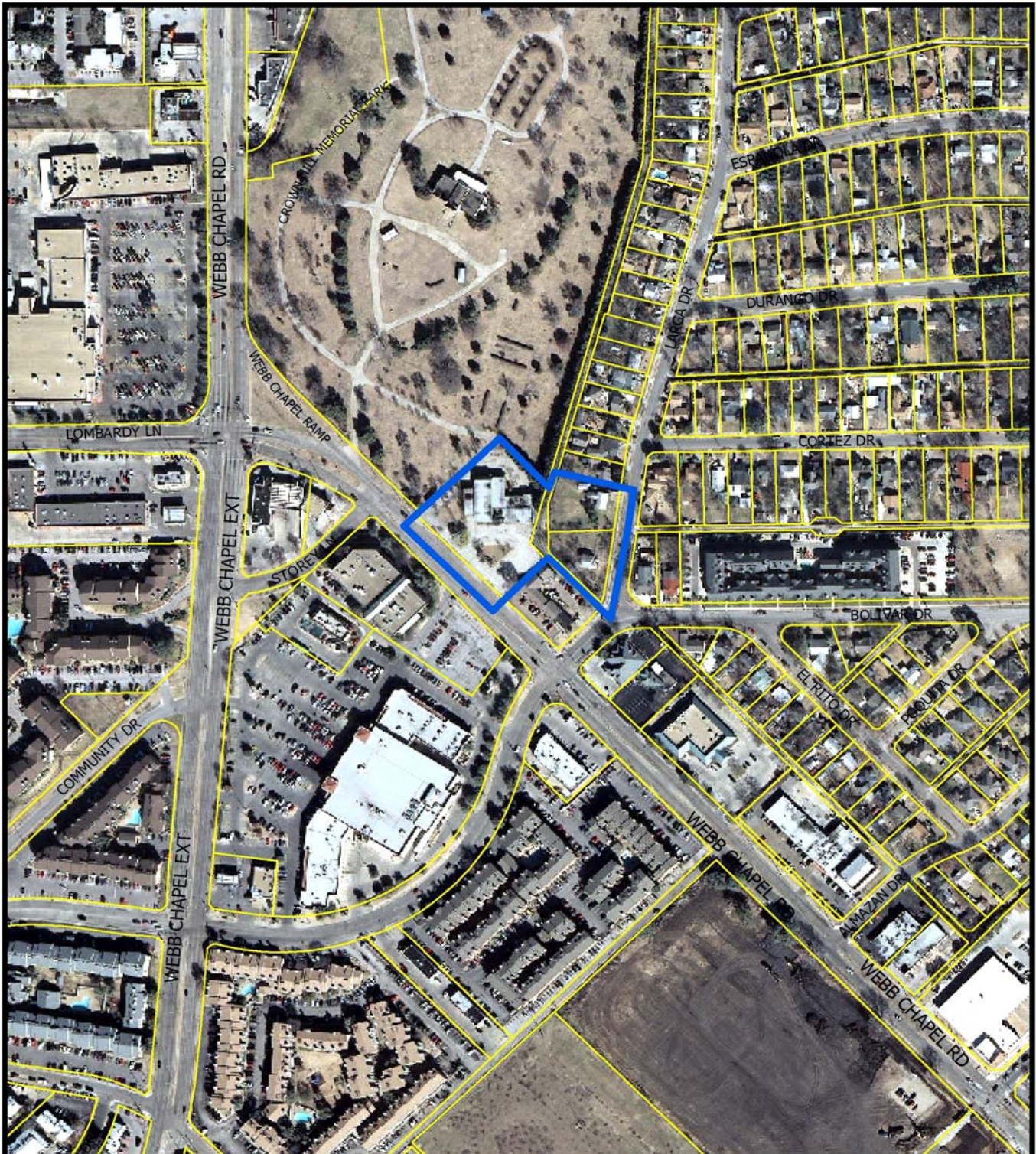
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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











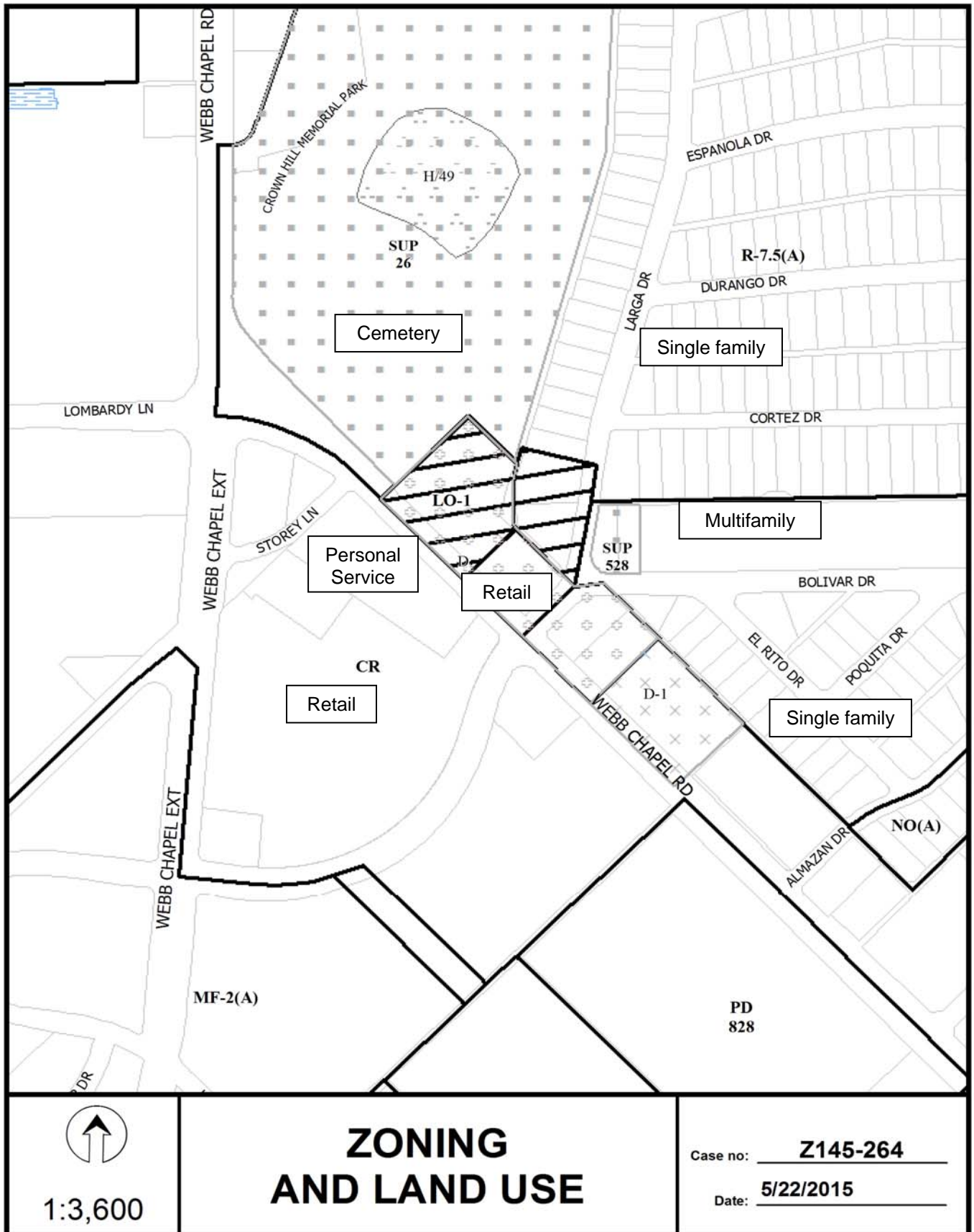
1:3,600

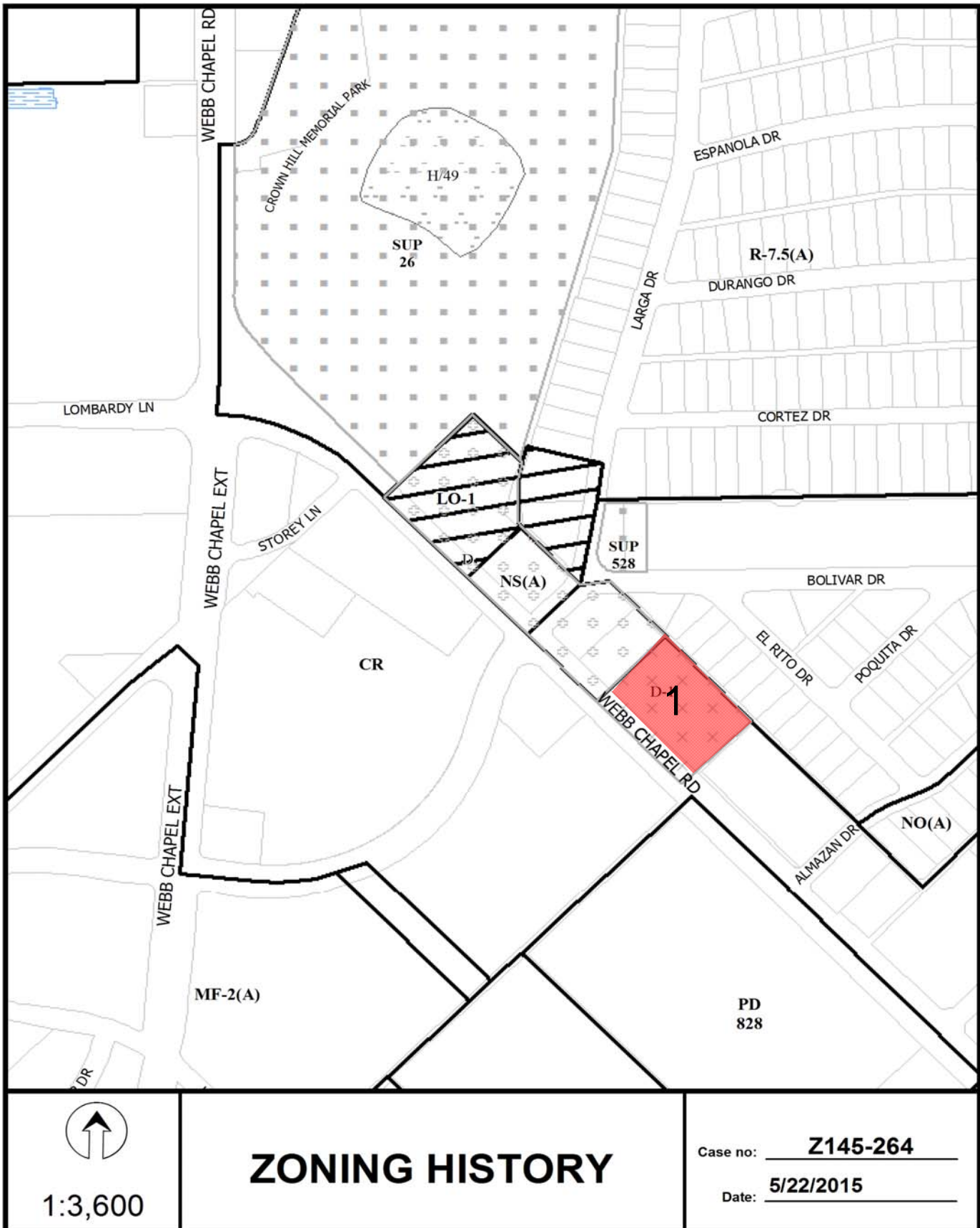
## AERIAL MAP

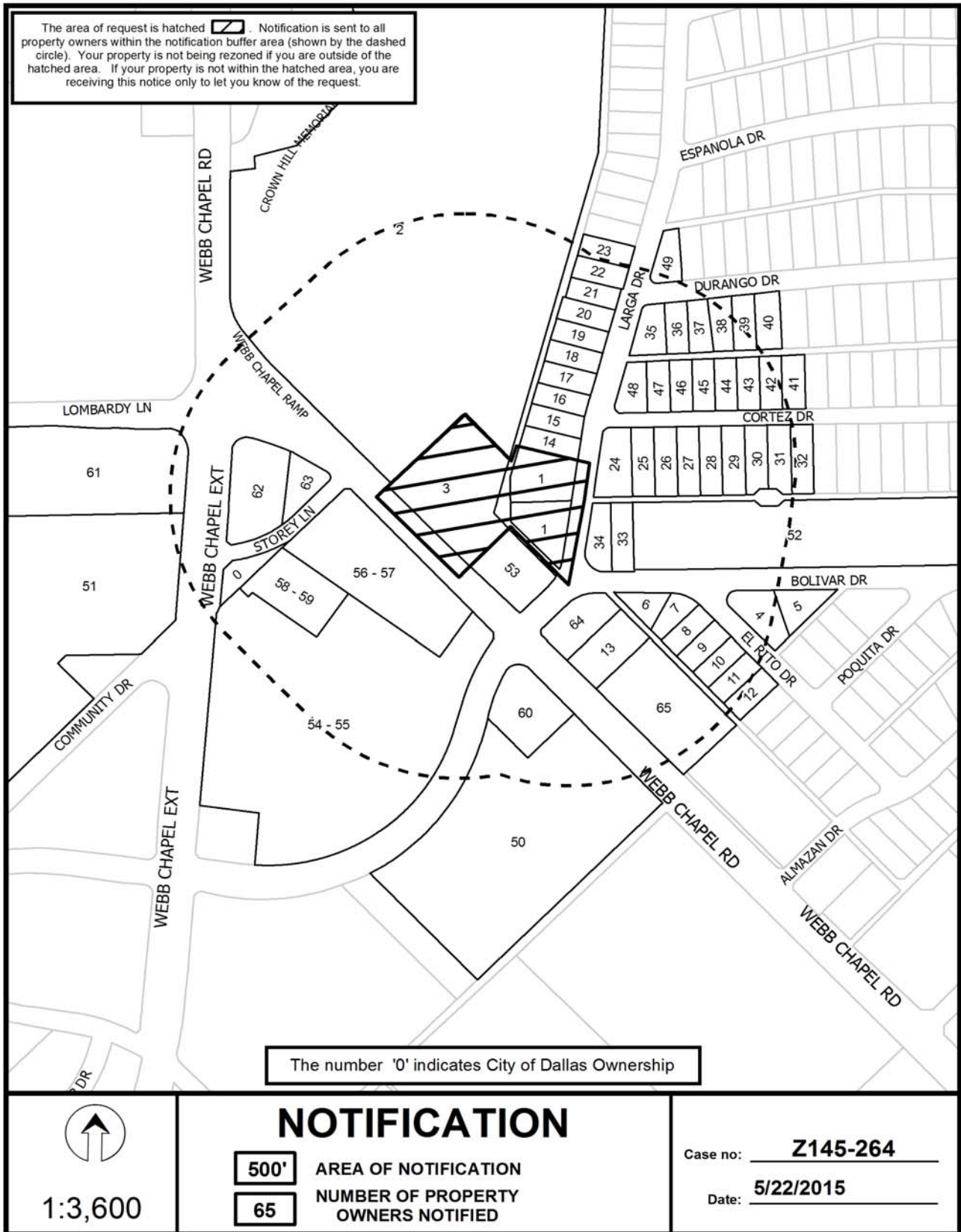
Case no: **Z145-264**

Date: **5/22/2015**









05/22/2015

***Notification List of Property Owners******Z145-264******65 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	9511 LARGA DR	PRESTON DIGBY M &
2	9718 WEBBS CHAPEL RD	CROWN HILL MEMORIAL PARK
3	9700 WEBBS CHAPEL RD	HUGHES DEWAYNE D
4	3534 BOLIVAR DR	PEREZ RIGOBERTO & DIANA
5	3538 BOLIVAR DR	ALVARADO HECTOR C &
6	3512 BOLIVAR DR	SAVAGE DWIGHT E & SANDRA
7	9555 EL RITO DR	HERNANDEZ JESUS & MARIA E
8	9551 EL RITO DR	HERNANDEZ JESUS & MARIA
9	9547 EL RITO DR	JASSO APOLONIO
10	9541 EL RITO DR	CANTU MARTIN R RAMIREZ & NORA A RAMIREZ
11	9537 EL RITO DR	GARCIA ISMAEL & ADRIANA
12	9531 EL RITO DR	PORTILLO FRANCISCO &
13	9616 WEBBS CHAPEL RD	BROWN J HAL MD
14	9525 LARGA DR	STILES KIRBY G
15	9531 LARGA DR	LOPEZ GIL J
16	9535 LARGA DR	VEGA VENTURA & MARIA E
17	9539 LARGA DR	JAMIE JOSE G
18	9543 LARGA DR	VIKING COMMERCIAL SVCS
19	9547 LARGA DR	WOOD CHARLES B
20	9551 LARGA DR	DAVILA ELVIA
21	9555 LARGA DR	VELEZ MARTHA &
22	9559 LARGA DR	VILLASENOR GALDINO &
23	9565 LARGA DR	FEDERAL NATIONAL MTG ASSOCIATION
24	3502 CORTEZ DR	SALINAS FRANCISCO M
25	3508 CORTEZ DR	OROZCO JOSE GUADALUPE
26	3512 CORTEZ DR	ROSAS MARIA

05/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3516 CORTEZ DR	PLANCARTE SIXTO
28	3522 CORTEZ DR	ROMERO GREGORIO
29	3526 CORTEZ DR	FLORES RUTH
30	3530 CORTEZ DR	SANCHEZ ANGELICA & BRIGIDA
31	3534 CORTEZ DR	MARTINEZ EDUVIGES B &
32	3538 CORTEZ DR	MARTINEZ ESTEBAN
33	3507 BOLIVAR DR	JUAREZ JOSE
34	3503 BOLIVAR DR	ARRIETA LUZ HERLINDA
35	3502 DURANGO DR	VEGA ADOLFO &
36	3506 DURANGO DR	ME SWISS MGMT LLC
37	3510 DURANGO DR	DIAMANTE HOMES INC
38	3514 DURANGO DR	ANAYA MATIAS
39	3518 DURANGO DR	ANDRADE MARIO
40	3524 DURANGO DR	VILLA JORGE
41	3535 CORTEZ DR	MORENO MARIA R A B
42	3531 CORTEZ DR	ARMILLA EVODIO
43	3527 CORTEZ DR	GONZALES JOHN GABRIEL
44	3523 CORTEZ DR	JONSE TOM
45	3519 CORTEZ DR	LAND STEVE R
46	3515 CORTEZ DR	RAMIREZ JAVIER
47	3511 CORTEZ DR	FLORES JESUS M &
48	3503 CORTEZ DR	RAMIREZ OLGA
49	3503 DURANGO DR	SPECIALIZED SERVICES LLC
50	9494 LARGA DR	CHAPEL OAKS APARTMENTS LP
51	3350 LOMBARDY LN	VREC PECAN LP
52	3527 BOLIVAR DR	SCRIBA RALPH D TRUSTEE
53	9640 WEBB CHAPEL RD	3D PARTNERS LTD
54	3440 WEBB CHAPEL EXTENSION	DALLAS CITY OF
55	3460 WEBB CHAPEL EXTENSION	MARKET PLACE AT WEBB
56	9655 WEBB CHAPEL RD	DALLAS CITY OF
57	9655 WEBB CHAPEL RD	HEALTH & TENNIS OF AMERIC



Z145-264(SM)

05/22/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3520 STOREY RD	DALLAS CITY OF
59	3520 STOREY LN	MCDONALDS CORP
60	9625 WEBB CHAPEL RD	CENTURY 9625 LLC
61	3400 LOMBARDY LN	PECAN PLAZA LTD
62	9717 WEBB CHAPEL RD	CMCR CORP
63	9707 WEBB CHAPEL RD	CHOI JAE MIN
64	9620 WEBB CHAPEL RD	BROWN J HAL
65	9528 WEBB CHAPEL RD	AHRLEM LP

**FILE NUMBER:** Z145-325(OTH)

**DATE FILED:** August 14, 2015

**LOCATION:** Northeast corner of Samuell Boulevard and South Buckner Boulevard

**COUNCIL DISTRICT:** 7

**MAPSCO:** 48 G

**SIZE OF REQUEST:** Approx. 1.36 acres

**CENSUS TRACT:** 178.05

**APPLICANT/OWNER:** JD Dudley

**REPRESENTATIVE:** Robert Miklos, Miklos Law, PLLC

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

**SUMMARY:** The applicant proposes to remove the D-1 Liquor Control Overlay in order to sell beer and wine without a Specific Use Permit. If removal of the D-1 Liquor Control Overlay is not approved, the applicant requests a Specific Use Permit to sell beer and wine. The applicant proposes to build an approximately 5,858 square foot structure for a general merchandise or food store and a motor vehicle fueling station and 24 fuel pumps [Quik Trip]. A portion of the proposed building will be located in the City of Mesquite; however, the fuel pumps and a large portion of the parking for the development are located in the City of Dallas. The sale of alcoholic beverages is allowed by right in the City of Mesquite.

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

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

Staff recommends denial of the removal of the D-1 Liquor Control Overlay based upon:

1. *Performance impacts upon surrounding property* – The removal of the D-1 Liquor Control Overlay is consistent with the surrounding area. Several properties have an SUP for the sale of alcoholic beverages. There is no land use rationale for removing the D-1 Liquor Control Overlay solely on this one parcel without consideration for the surrounding properties particularly north of Samuell Boulevard.
2. *Traffic impact* – The proposed development has direct access to two major thoroughfares – South Buckner Boulevard to the west and Samuell Boulevard to the south. Removal of the D-1 Liquor Control Overlay has no impact upon traffic.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan identifies the area as being a Business Center or Corridor Building Block. As previously noted, the Comprehensive Plan would support looking at a change to the area as opposed to a singular parcel for the benefit of one property owner.

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

1. *Compatibility with surrounding uses and community facilities* – The sale of alcoholic beverages in conjunction with the proposed general merchandise or food store greater than 3,500 square feet will not impact compatibility with the surrounding land uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale alcoholic beverages in conjunction with the existing general merchandise or food store neither contributes to nor deters from the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The sale of alcoholic beverages is not anticipated to be a detriment to the public health, safety or general welfare of the area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed development complies with all applicable zoning regulations and standards of the City of Dallas. No variances or special exceptions are requested.

**Zoning History:**

There have been three zoning requests in the area within the last five years.

- 1. Z145-258** On August 12, 2015, the City Council approved Specific Use Permit No. 1975 for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay, on the northwest corner of Samuell Boulevard and S. Buckner Boulevard.
- 2. Z145-130** On March 25, 2015, the City Council approved Specific Use Permit No. 2142 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more, on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay located on the north line of Samuell Boulevard, west of South Buckner Boulevard.
- 3. Z112-138** On April 11, 2012, the City Council approved an amendment to Planned Development District No. 605 with a D-1 Liquor Control Overlay and Specific Use Permit No. 1949 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property located on the southwest corner of Samuell Boulevard and Buckner Boulevard.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
S. Buckner Boulevard	Principal Arterial	Variable width
Samuell Boulevard	Community Collector	100 feet

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction reviewed the requests and determined that the use nor removal of the D-1 Overlay will impact the surrounding roadway system.

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

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

The Business Center or Corridor Building Block represents major employment or shopping destinations outside of Downtown. Business Centers are usually at major intersections or along highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

Staff recommends that the removal of the D-1 Liquor Control Overlay be denied.

Staff recommends approval of the Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store. The proposed use is compatible with the surrounding areas and is maintains the balance with the surrounding land uses.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	RR-D-1	Undeveloped
North	RR	Undeveloped
East	NA	City of Mesquite
South	PD No. 549, PD No. 605-D-1, and SUP 1979	Foster home, Undeveloped
West	RR-D-1, SUP 1975 & SUP 2142	Retail

**Land Use Compatibility:**

The request site is approximately 1.36 acres and is currently undeveloped. The existing zoning of the property is RR Regional Retail District with a D-1 Liquor Control Overlay. The applicant is proposing to develop the site with a 5,858 square foot building for a general merchandise or food store greater than 3,500 square feet with a motor vehicle fuel station and 24 fuel pumps. The property is adjacent to undeveloped land to the north and east, institutional and undeveloped to the south, and retail to the west. Specific Use Permits No. 1975, 1979 and 2142 are for the sale of alcoholic beverages in conjunction with the general merchandise or food stores. The proposed development complies with all the requirements of the Development Code.

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

**Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the ±4,225.95 square-foot store requires 21 parking spaces. The motor vehicle fueling station has a standard requirement of two parking spaces. The total required parking spaces is 23 spaces. The applicant is providing 74 parking spaces as shown in the site plan. Staff discussed with the applicant the excessive amount of parking provided, but the applicant claims that the proposed parking is the standard provided with the signature design of the Quik Trip development.

**Landscaping:**

The newly proposed development will require landscaping per Article X of the Dallas Development Code. The proposed development is required to provide landscaping in accordance with Article X for the Dallas Development Code. Some of the mandatory requirements are: site trees, street trees, and screening of off-street parking.

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



## **List of Partners**

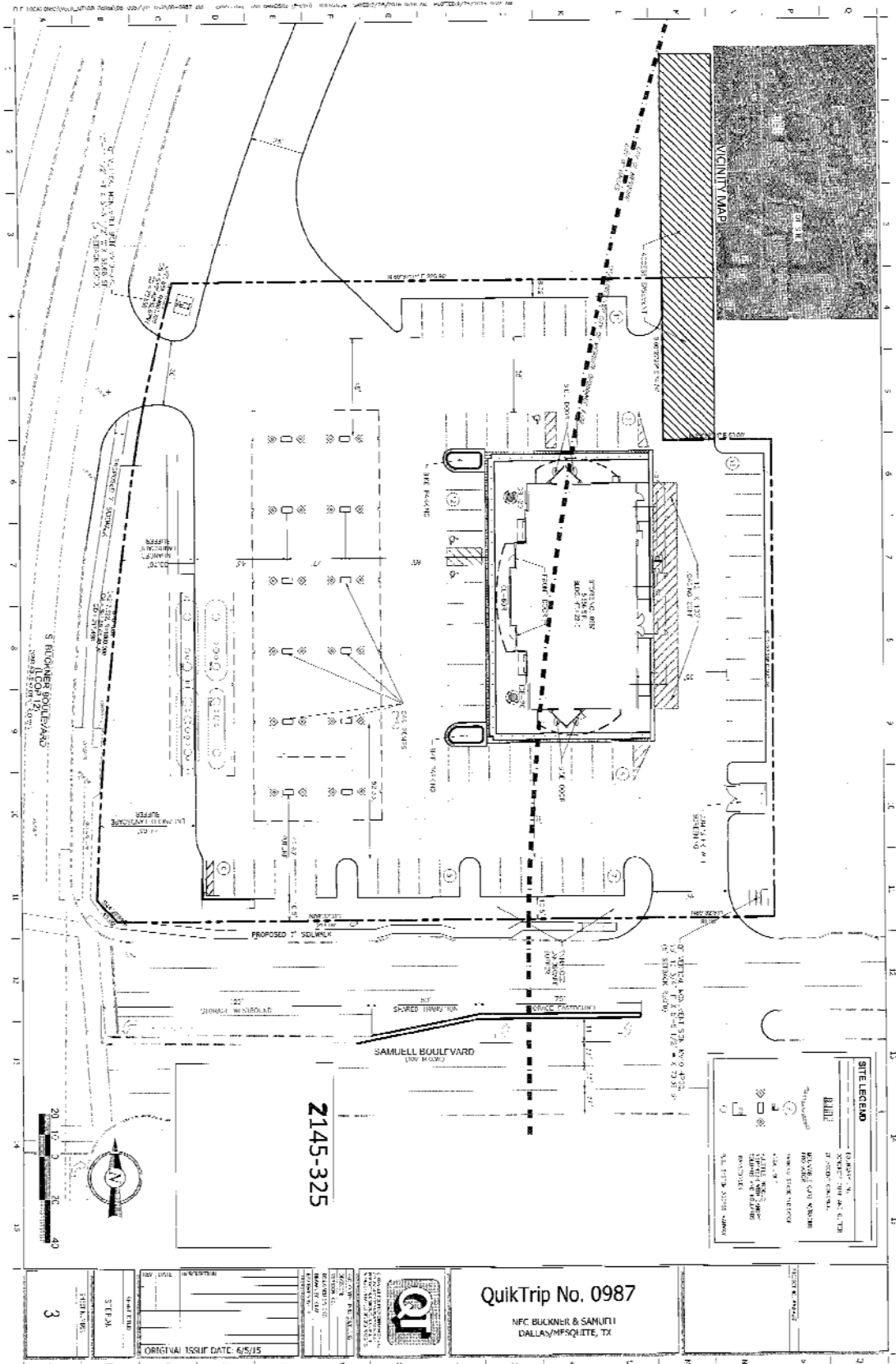
### **Resource One Credit Union**

President/CEO- Jim Bredensine;  
CFO- Jim Ladner  
COO- Doug Bedner  
CLO (Chief Lending Officer)- Lee Strickhouser; and  
CSMO (Chief Sales and Marketing Officer)- Jennifer Grinder

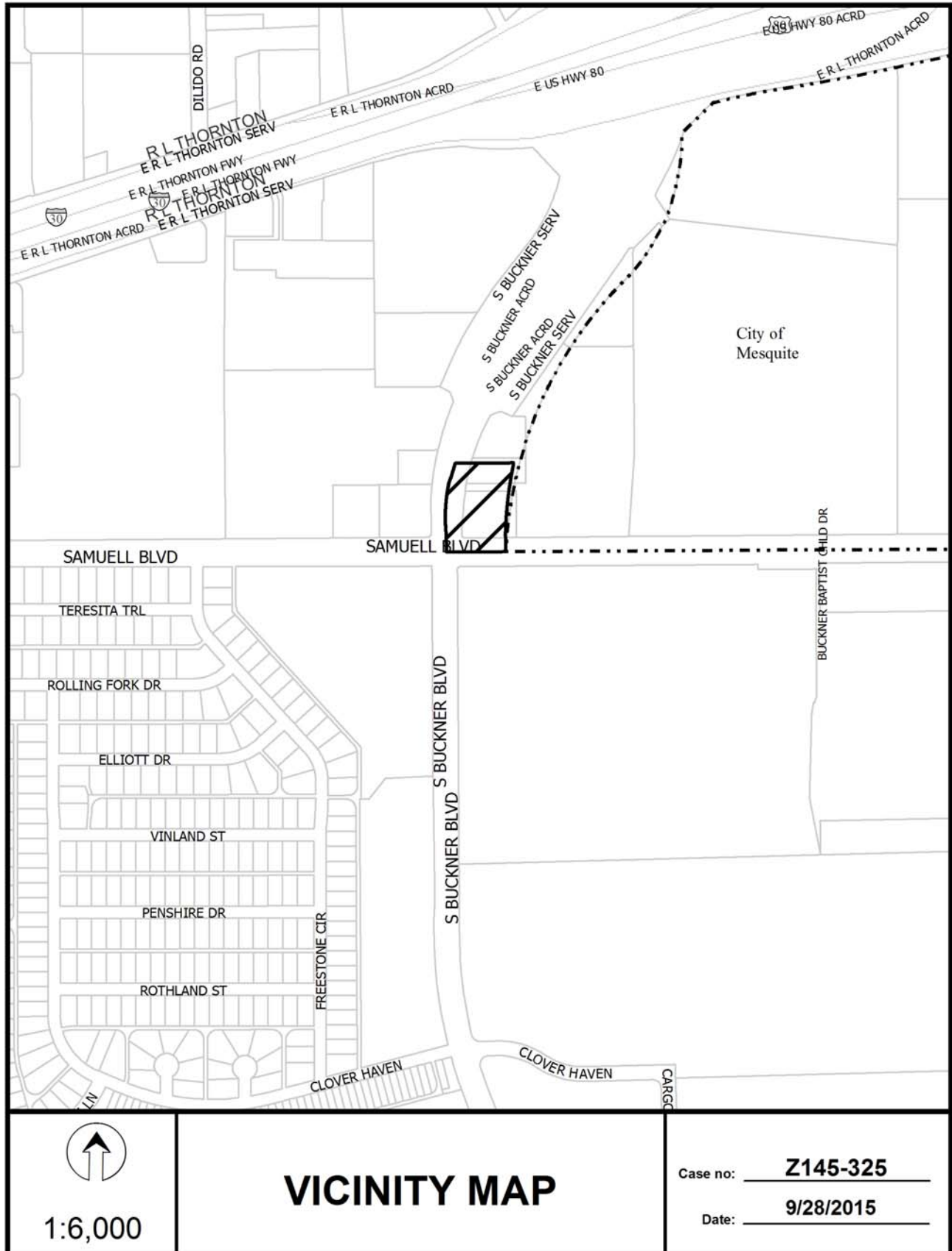
### **Vista Property Company**

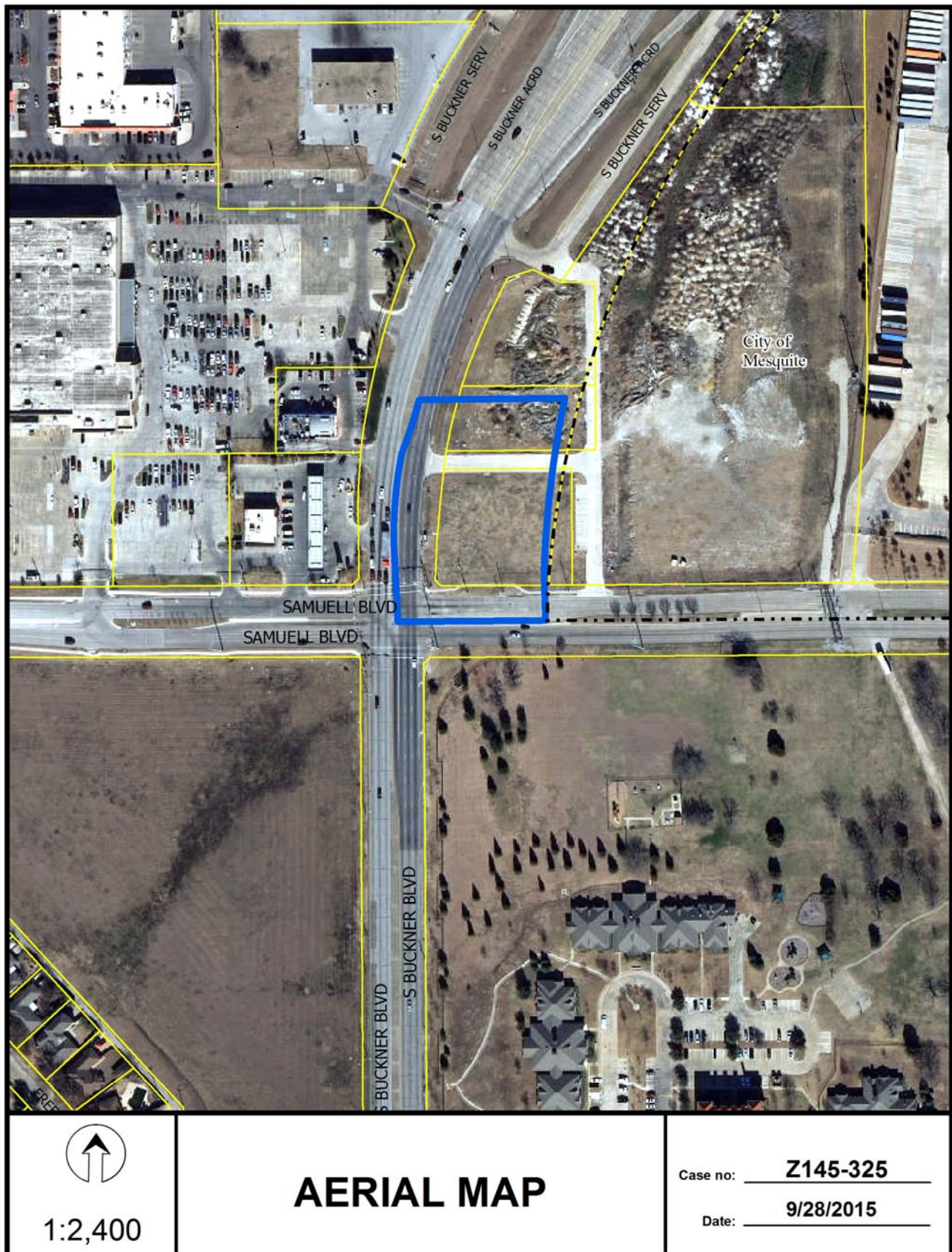
CEO- Syd Hurley;  
COO/CFO- to be determined  
Senior Vice President of Development- Colton Wright;  
Vice President of Project Leasing- Mason duPerier;  
Vice President of Brokerage Services- Travis Wilderman; and  
Property Management- Cheri Donohue

# Proposed Site Plan

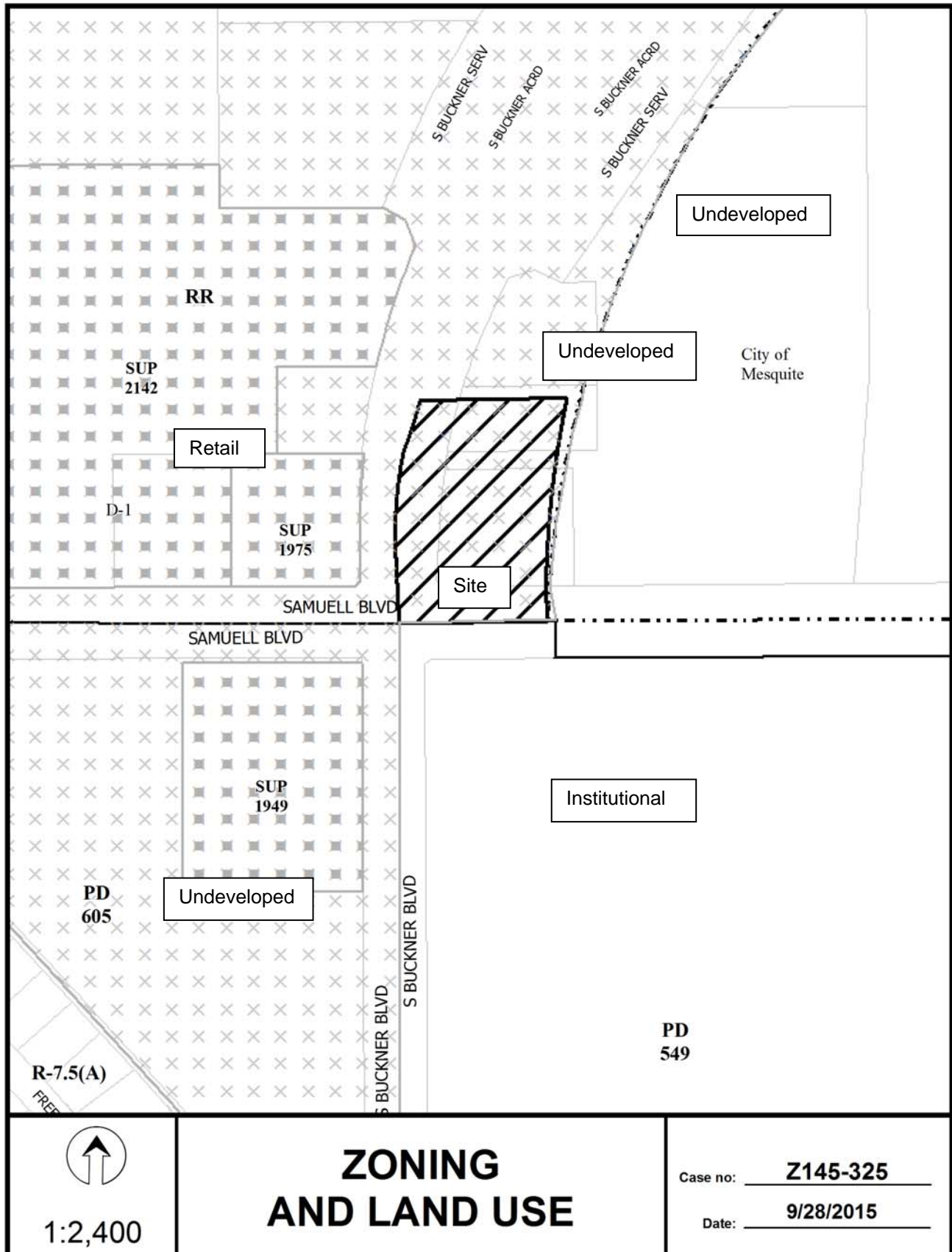


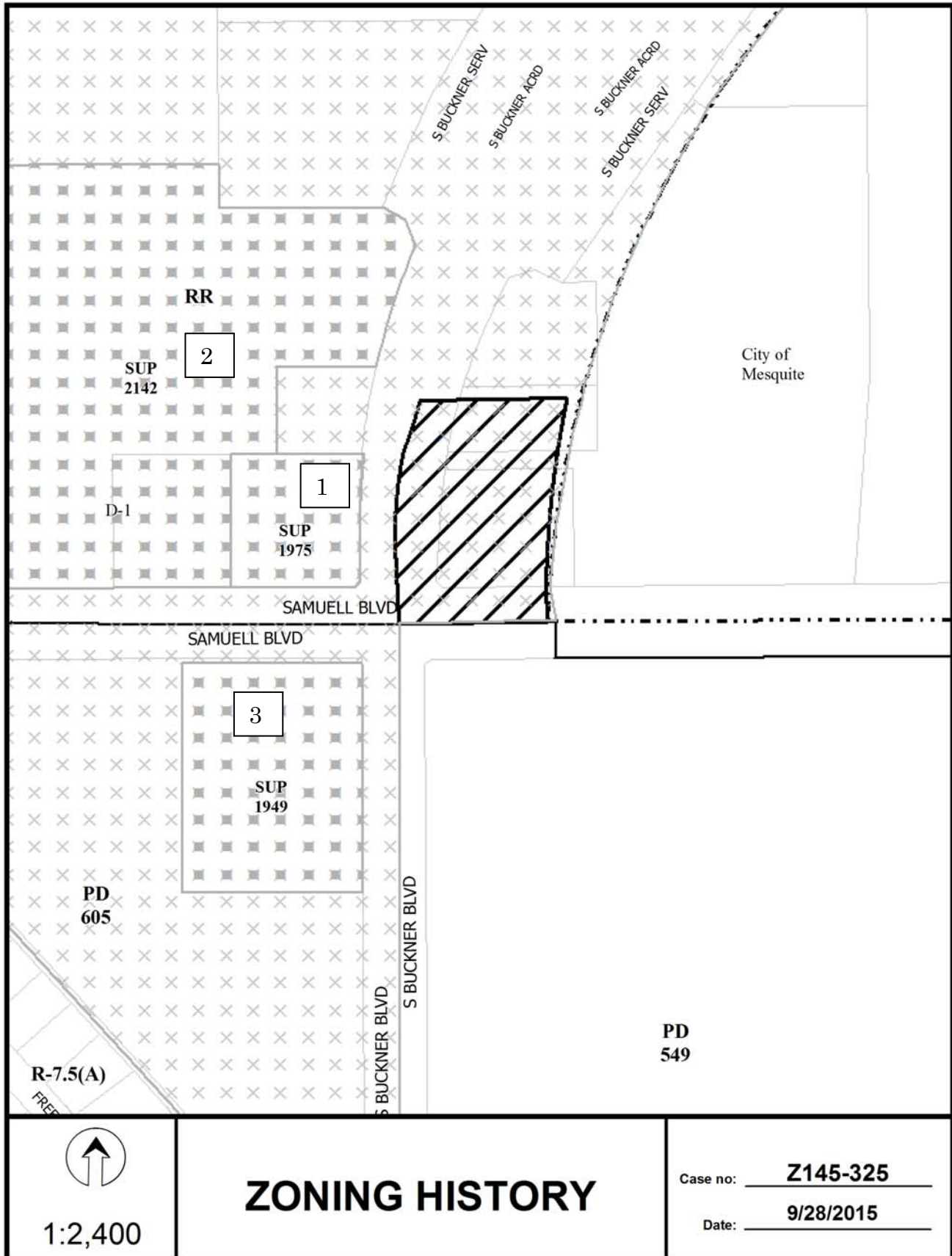
Z145-325(OTH)

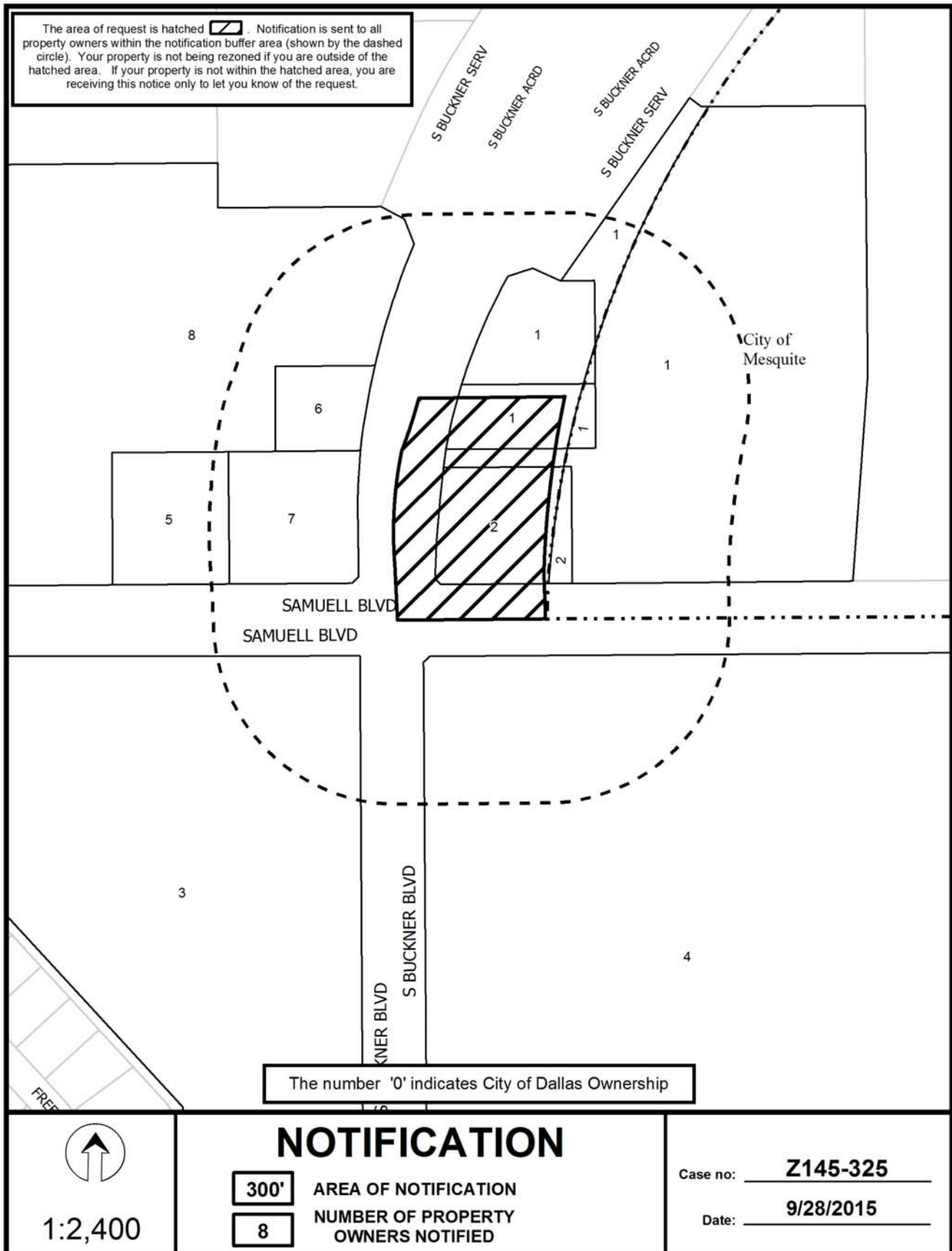














09/28/2015

***Notification List of Property Owners***  
***Z145-325***

***8 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5361 SAMUELL BLVD	BC RETAIL INVESTMENT LP
2	5500 BUCKNER BLVD	RESOURCE ONE CREDIT UNION
3	5204 BUCKNER BLVD	RACETRAC PETROLEUM INC
4	5202 BUCKNER BLVD	BUCKNER BAPTIST
5	5655 BUCKNER BLVD	SAMS REAL EST BUSINESSTR
6	5525 BUCKNER BLVD	WHATABURGER OF MESQUITE
7	5501 BUCKNER BLVD	7-ELEVEN INC
8	5555 BUCKNER BLVD	WM DALLAS PORTFOLIO LP

**FILE NUMBER:** Z145-306(RB)

**DATE FILED:** July 24, 2015

**LOCATION:** West line of Harry Hines Boulevard and the east line of the Houston Street Extension

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45 E

**SIZE OF REQUEST:** Approx. 4.995 Acres

**CENSUS TRACT:** 19.00

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**APPLICANT/OWNER:** ASA Apartments, LP

**REPRESENTATIVE:** Rob Baldwin

**REQUEST:** An application for an amendment to Planned Development Subdistrict No. 96 within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The applicant is proposing to provide for standards to locate a utility structure along the east façade and revised sign regulations. Specific attached signage along with one detached sign will provide for an effective area greater than permitted by existing sign regulations. Due to the site's topography, the development rises above the adjacent roadway network. As such, the attached enhanced signage will provide for required visibility normally associated with sign regulations while not impacting adjacent uses.

**STAFF RECOMMENDATION:** Approval, subject to revised conditions.

## **GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed revisions, certain sign additions and criteria for locating electric generator infrastructure will not impact the adjacent high-density mixed use developments.
2. *Traffic impact* – The applicant's request will not revise any existing entitlements nor existing construction efforts on the property.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Urban Mixed-Use Building Block as well as the Objectives of the Oak Lawn Plan.

**Zoning History:** Other than noted above, there has been no recent zoning activity in the immediate area relevant to the request.

### **Thoroughfare**

### **Existing & Proposed ROW**

Harry Hines Boulevard

Principal Arterial/Existing Couplet; 85' ROW

Houston Street

Minor Arterial/Existing Couplet; 80' ROW

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

## **STAFF ANALYSIS**

### **Area Plans:**

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

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The site is currently under construction to provide for multiple family dwellings and a small component of retail uses (see Existing Development Plan). As such, the above referenced Objectives are not being impacted by the applicant's request.

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

## **LAND USE ELEMENT**

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** On January 9, 2013, the City Council adopted PDS No. 96 for development of a mixed use development comprised of 375 multiple family dwelling units, retail, and accessory uses to the residential component of the development. The site is currently developing according to the attached development plan. The site wraps (as well as incorporates, design-wise) a billboard that is outside the PDS property

boundary.

At this time, the applicant has requested certain amendments to the sign regulations. Specifically, specific attached signage along with one detached sign will provide for an effective area greater than permitted by existing sign regulations.

The site possesses significant topography, rising approximately 40 feet from its intersection with Houston Street/Harry Hines Boulevard to the Katy Trail site frontage, with a highpoint in the middle of the site, approximately 50 feet above the Houston Street elevation, as measured midpoint along the street's frontage. As such, the site is somewhat isolated yet is surrounded by high-density mixed use projects. Examples of this includes Harwood International's 'Walk to Life' mixed use area that is situated to the east and generally spans along both sides of the Harwood Street frontage from Jack Street southeasterly to Olive Street. The Victory Planned Development District (PDD No. 582) is situated on approximately to the south/southwest on approximately 87 acres and is partially developed within the southern half of its boundary with a mix of uses inclusive of American Airlines Arena. The DART Victory Station (served by the Orange and Green Lines) is situated along the IH 35 frontage and interconnects with the balance of the DART system and the Trinity Rail Express (TRE) service line at DART's Union Station platform. It should be noted that acceptable walking distances to mass transit are approximately one-quarter mile (1,320 feet); the distance from the site's southernmost point along Houston Street to the Victory Station, measured diagonally, is approximately 1,900 feet and approximately 2,900 feet measured along existing right-of-way alignments.

During the initial zoning process creating the subdistrict, the applicant worked with staff to require certain design criteria as well as a commitment to publicly accessible open space being provided, thus ensuring this development becomes part of the ground level activity generated by the Katy Trail, future connection to the Trinity Strand Trail (see attached masterplan) and their interconnectivity with adjacent high-density mixed use developments. The development plan and ordinance provide for this commitment, with no revisions proposed at this time.

Regarding signage, due to the site's topography, the development rises above the adjacent roadway network. As such, the attached enhanced signage will provide for required visibility normally associated with sign rights while not impacting adjacent uses.

As a result of this analysis, staff supports the requested amendment to PDS No. 96, subject to the revised conditions attached to this material.

**Landscaping:** PDS No. 96 generally requires compliance with PDD No. 193's landscape requirements, subject to specific revisions that were adopted with the recently adopted revision to the PDS (January 9, 2013). Additionally, there is a Houston Street Tree Plan that was created, in part, due to the existing topography (at the time) and a difficulty to create a streetscape; the applicant's request does not affect this plan.

**Environmental:** As noted in this material, the site enjoys significant topography that the applicant has indicated plans on showcasing within the development of the property.

As a result, PDS No. 96 requires a slope stability analysis, of which has been submitted and accepted by the Engineering Section of the Department of Sustainable Development and Construction.

**List of Officers**

ASA Apartments Limited Partnership

DCH 104 Skyline, LP, General Partner

Maple Multi-Family Development, LLC

Anne L. Raymond, Manager

Kenneth J. Valach, Vice President

Mathew D. Schildt, Vice President

Mat Enzler, Vice President

Megan T. Smith, Vice President

Scott D. David, Vice President

Stephen Bancroft, Vice President

Timothy Hogan, Vice President

Behringer Harvard Skyline Project GP, LLC, General Partner

Behringer Harvard Skyline Investors LP

E. Alan Patton, Chairman

Sami S. Abbasi, Member

Roger D. Bowler, Member

David D. Fitch, Member

Jonathan L. Kempner, Member

Mark T. Alfieri, Member

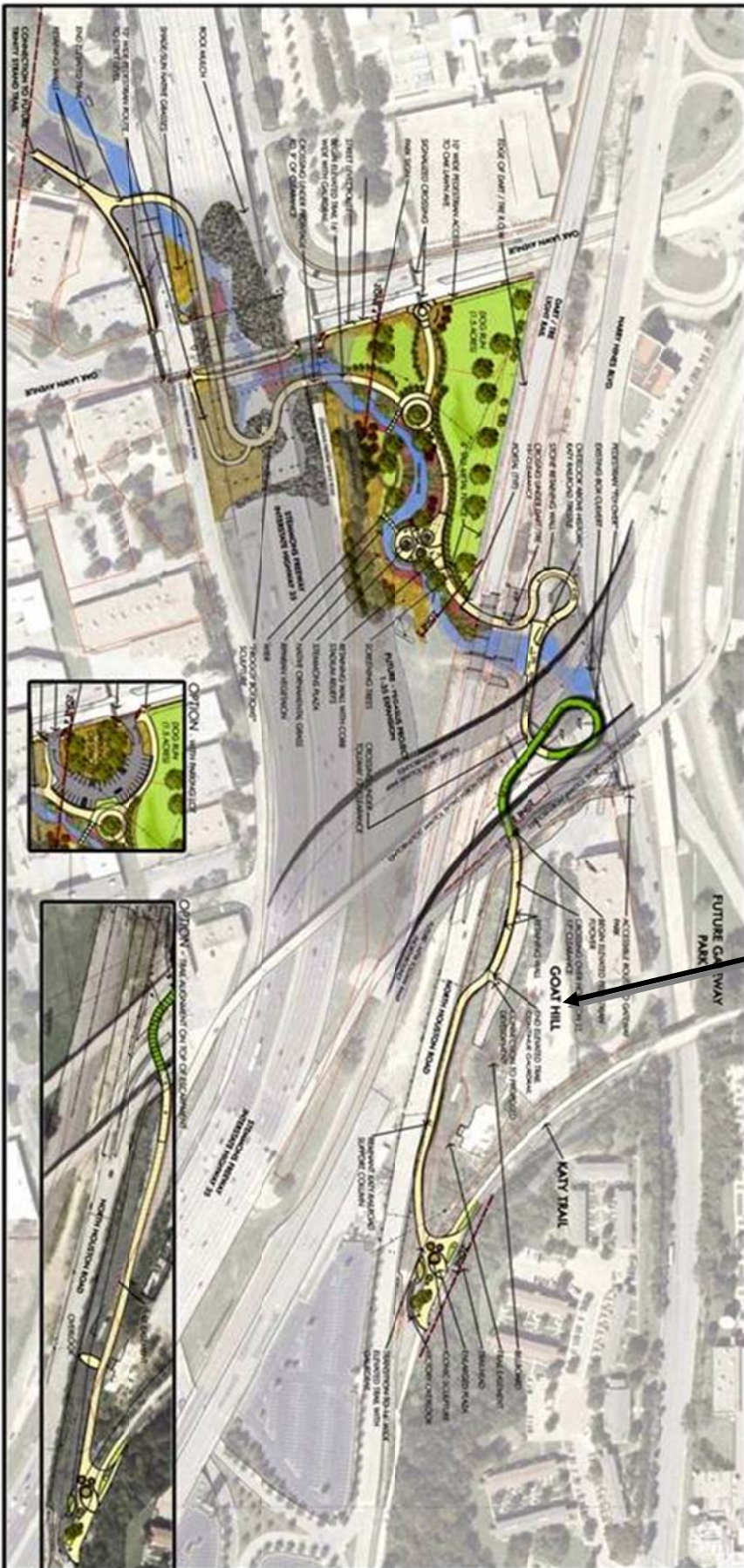
Murray J. McCabe, Member

Robert S. Aisner, Member



# Trinity Strand Trail/Katy Trail Master Plan

Site



**Proposed Conditions**

**Division S-96. PD Subdistrict 96.**

**SEC. S-96.101. LEGISLATIVE HISTORY.**

PD Subdistrict 96 was established by Ordinance No. 28878, passed by the Dallas City Council on January 9, 2013.

**SEC. S-96.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict 96 is established on property generally bounded by Harry Hines Boulevard, the Dallas North Tollway, Houston Street, and the Katy Trail. The size of PD Subdistrict 96 is 4.995 acres. (Ord. 28878)

**SEC. S-96.103. DEFINITIONS AND INTERPRETATIONS.**

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

(b) In this division:

(1) **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.

(2) **SUBDISTRICT** means a subdistrict of PD 193.

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

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

**SEC. S-96.104. EXHIBITS.**

The following exhibits are incorporated into this division:

(1) Exhibit S-96A: conceptual plan.

(2) Exhibit S-96B: Houston Street tree plan.

**SEC. S-96.105. CONCEPTUAL PLAN.**

Development and use of the Property must comply with the conceptual plan (Exhibit S-96A). If there is a conflict between the text of this division and the conceptual plan, the text of this division controls.

**SEC. S-96.106. DEVELOPMENT PLAN.**

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. If there is a conflict between the text of this division and the development plan, the text of this division controls.

**SEC. S-96.107. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the I-2 Industrial Subdistrict, subject to the same conditions applicable in the I-2 Industrial Subdistrict, as set out in Part I of this article. For example, a use permitted in the I-2 Industrial 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 I-2 Industrial Subdistrict is subject to DIR in this subdistrict; etc.

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

- Multiple-family.
- Community center (private). *[Only as a limited use within a multiple-family use.]*

**SEC. S-96.108. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

(b) The following accessory uses are prohibited:

- Amateur communications tower.
- Open storage.
- Private stable.

**SEC. S-96.109. 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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the I-2 Industrial Subdistrict apply.

(b) Multiple-family uses.

(1) Front yard. Minimum front yard is 10 feet. Balconies may extend up to five feet into the required front yard setback.

(2) Side and rear yard. Minimum side and rear yards are 10 feet. Balconies may extend up to five feet into the required side or rear yard setback, provided that any balcony projecting towards the Katy Trail must have a clear height of at least 25 feet above the Katy Trail.

(3) Density. Maximum number of dwelling units is 388.

(4) Height. Except as provided in this paragraph, maximum structure height for occupied floor area is 150 feet.

(A) Elevator penthouses, mechanical equipment, or a clerestory may project a maximum of 12 feet above occupied floor area.

(B) A parapet wall, limited to a height of four feet, may project above the maximum structure height for occupied floor area.

(5) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(6) Stories. Except as provided in this paragraph, maximum number of stories is 12. Maximum number of stories for an aboveground parking garage is three.

## **SEC. S-96.110. OFF-STREET PARKING AND LOADING.**

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

(b) Multiple-family uses.

(1) In general. Parking and loading must be provided in accordance with Part I of this article.

(2) Leasing office. A minimum of four off-street parking spaces must be provided for the exclusive use of the leasing office between the hours of 8:00 a.m. and 6:00 p.m., Monday through Sunday.

(3) Community center (private). No off-street parking is required for the first 2,000 square feet of floor area. For floor area over 2,000 square feet, one space is required for each 1,000 square feet of floor area, with no less than one space being provided.

(c) Parking structures.

(1) All permanent parking structures must be located either underground or be concealed by a facade that is similar in appearance to the facade of either the main building it serves or the closest main building.

(2) Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property to the east and shining into the airspace above the Katy Trail by a minimum forty-two-inch high wall.

(3) Openings in a parking structure facade must not exceed 55 percent of the total garage facade area.

(d) Valet parking. Use of the right-of-way for valet parking is subject to a central valet plan if required by Chapter 43 of the Dallas City Code.

**SEC. S-96.111. SIDEWALKS.**

(a) In general. Except as provided in this section, sidewalks must be provided in accordance with Part I of this article.

(b) Houston Street. Existing sidewalks along Houston Street must be maintained and located as shown on the conceptual plan.

(c) Variance. The Board of Adjustment may not grant a variance to the sidewalk requirements in this subsection.

(d) Waiver. Sidewalk waivers are not permitted.

**SEC. S-96.112. TRAIL IMPROVEMENTS.**

For the Trinity Strand Trail located as shown on the conceptual plan, a minimum unobstructed trail width of 12 feet must be provided.

**SEC. S-96.113. STABILITY SLOPE ANALYSIS.**

Prior to the issuance of a building permit, a stability slope analysis, as part of the engineering plans, must be submitted to the Engineering Section of the Department of Sustainable Development and Construction to confirm that a minimum safety factor of 1.5 is achieved for any overturning along the slip surface of the structure.

**SEC. S-96.114. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. S-96.115. 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) Tree preservation. Protected trees must be preserved in accordance with Article X. The protective fencing and tree mitigation requirements apply to all uses. No grading may occur and no building permit may be issued to authorize work on the Property until required protective fencing is inspected and approved by the building official.

(c) Parkway trees.

(1) Except as provided in this subsection, parkway trees must have a minimum height of 12 feet and a minimum caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of installation.

(2) If the building official determines that a tree with a minimum height of 12 feet will interfere with utilities, a parkway tree may be a small tree and may have a minimum height of six feet and a minimum caliper of two inches measured at a point 12 inches above the root ball at the time of installation.

(3) Except as provided in this paragraph, landscaping along Houston Street must comply with the Houston Street tree plan (Exhibit S-96B). In order to maintain the integrity of the existing slopes and areas of dense vegetation, any removal of vegetation in the areas shown on the Houston Street Tree Plan must be approved by the building official.

(d) Loading screening. Off-street loading spaces abutting a street must be screened by a minimum three-foot-wide planting area with minimum three-foot-tall evergreen shrubs spaced a minimum three feet on center.

(e) Emergency generator screening.

(1) Solid screening must be provided on all sides, excluding an area to access the emergency generator, utilizing one or a combination of both of the following:

(i) Solid fencing a minimum of six feet in height.

(ii) Evergreen plant materials, a minimum of six feet in height at time of planting and capable of obtaining a solid appearance within three years of planting.

(2) The emergency generator is not required to be shown on a development plan if it is less than six feet in height.

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

**SEC. S-96.116. URBAN DESIGN REQUIREMENTS FOR MULTIPLE-FAMILY USES.**

(a) Building facades longer than 80 feet must incorporate at least three of the following:

(1) Changes in building materials, color, and texture that contrast with the rest of the facade.

(2) Building articulation with projections, recesses, parapets, cornices, and varying roof height.

(3) Distinction between the building's base (street and lower levels), middle (core mid-section), and top (upper level) by use of architectural elements, materials, details, or changes in wall plane.

(4) Deep inset windows.

(5) Stepped-back floor plates at upper levels to diminish overall scale.

(6) Architectural elements that protrude from the face of the building, such as balconies, decks, overhangs, sunshades, and terraces, that are integrated into the building's architecture.

(b) A minimum of 1,000 square feet of publicly accessible, high quality usable open space must be provided as noted on the conceptual plan and must contain a minimum of four of the following:

(1) Benches, and/or built-in seatwalls to accommodate a minimum of 16 people.

(2) A minimum of one trash receptacle.

(3) Bicycle racks to accommodate a minimum of 12 bicycles.

(4) Enhanced paving, wherever paving is provided.

(5) Pedestrian scaled lighting.

(6) A minimum of one drinking fountain.

(c) Highly reflective glass may not be used as an exterior building material.

#### **SEC. S-96.117. SIGNS.**

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

(b) Detached signs.

(1) A maximum of one detached sign is permitted on the Property.

(2) A minimum setback of 10 feet is required.

(3) Maximum height is 15 feet.

(4) Maximum effective area is 70 square feet.

(c) Attached signs.



(1) A maximum of one attached sign is permitted within the first two stories on the Property with a maximum effective area of 180 square feet.

(2) A maximum of one attached sign is permitted above a fourth story on the Property with a maximum effective area of 65 square feet.

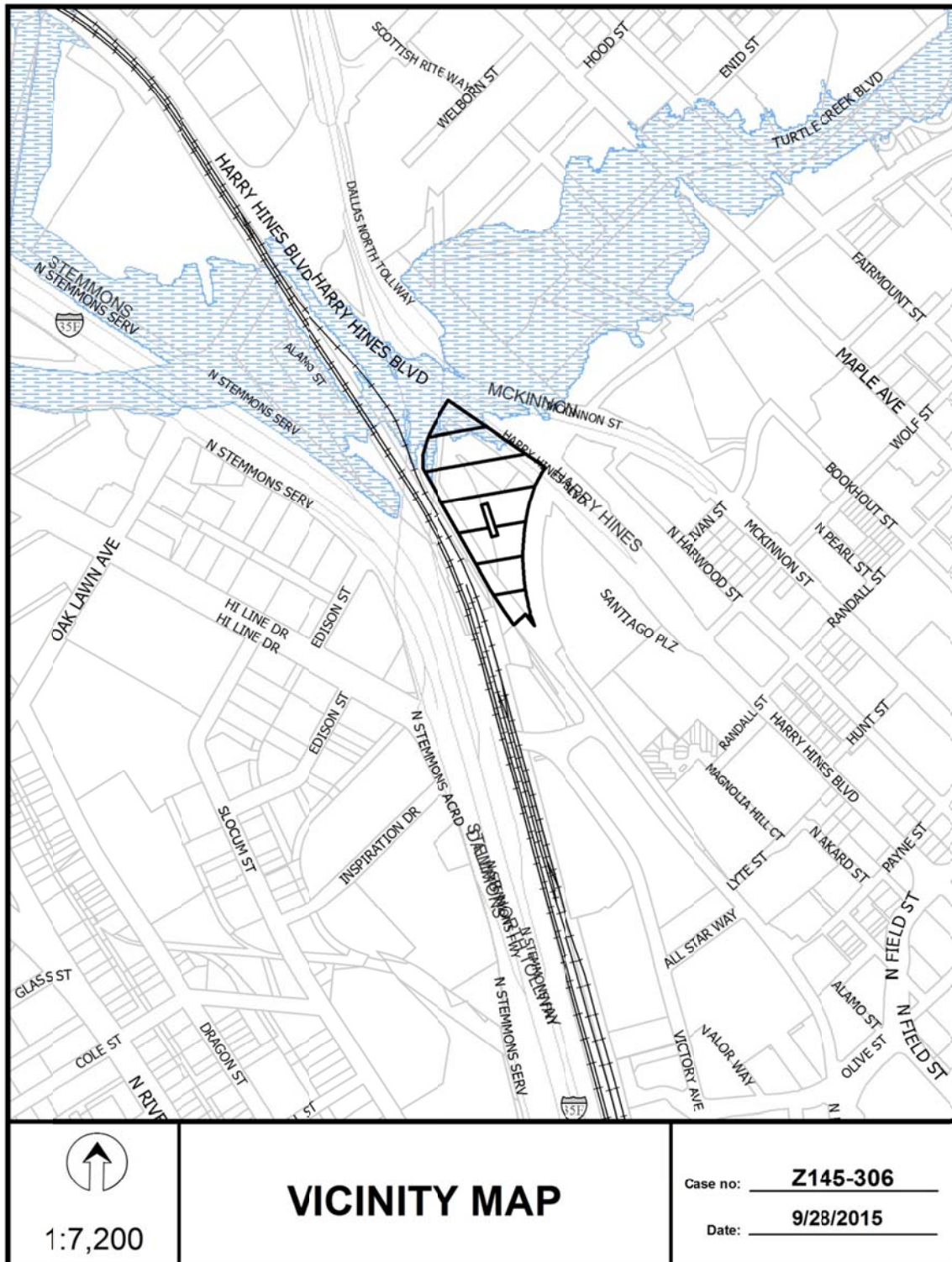
**SEC. S-96.118.            ADDITIONAL PROVISIONS.**

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

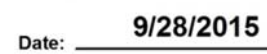
**SEC. S-96.119.            COMPLIANCE WITH CONDITIONS.**

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

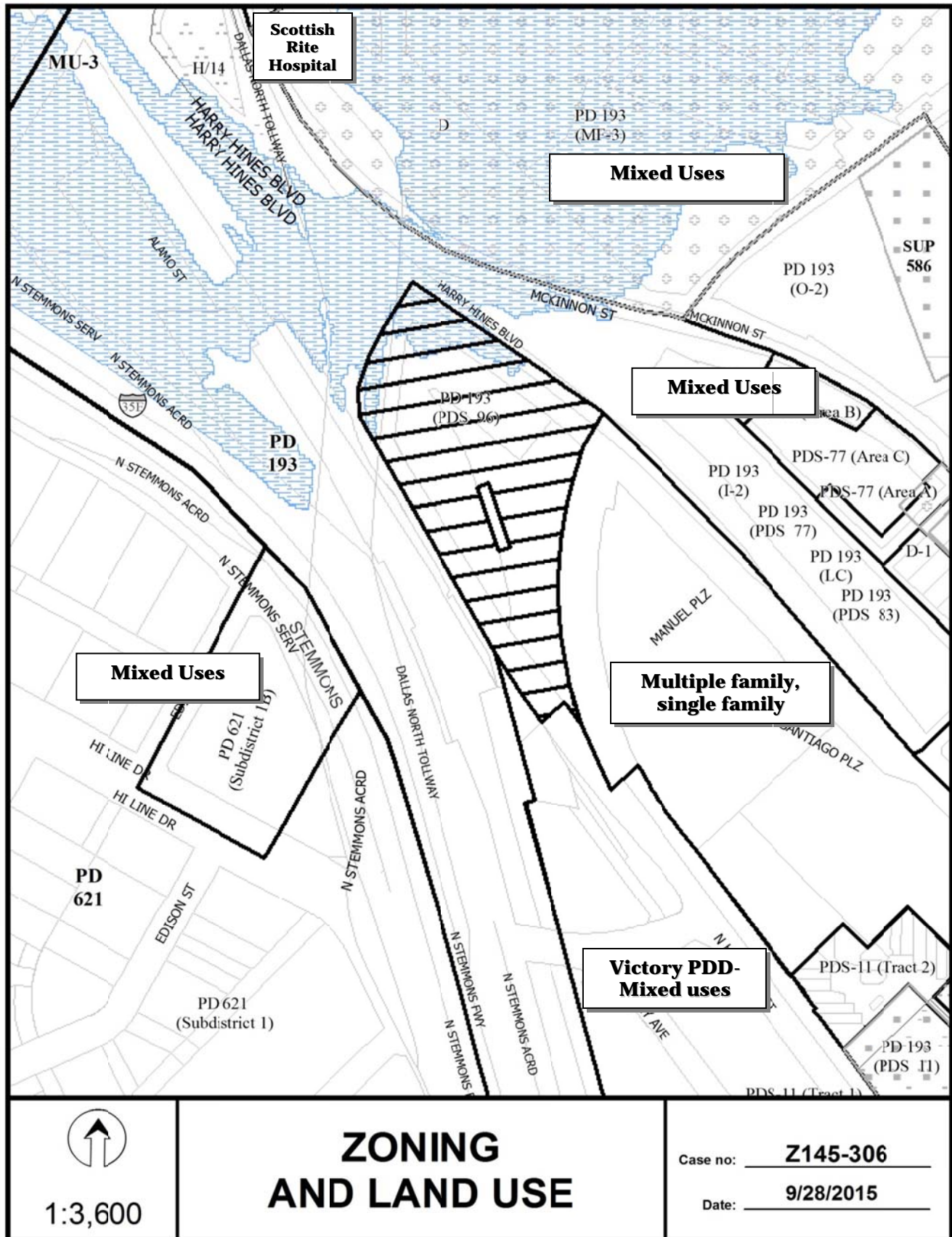


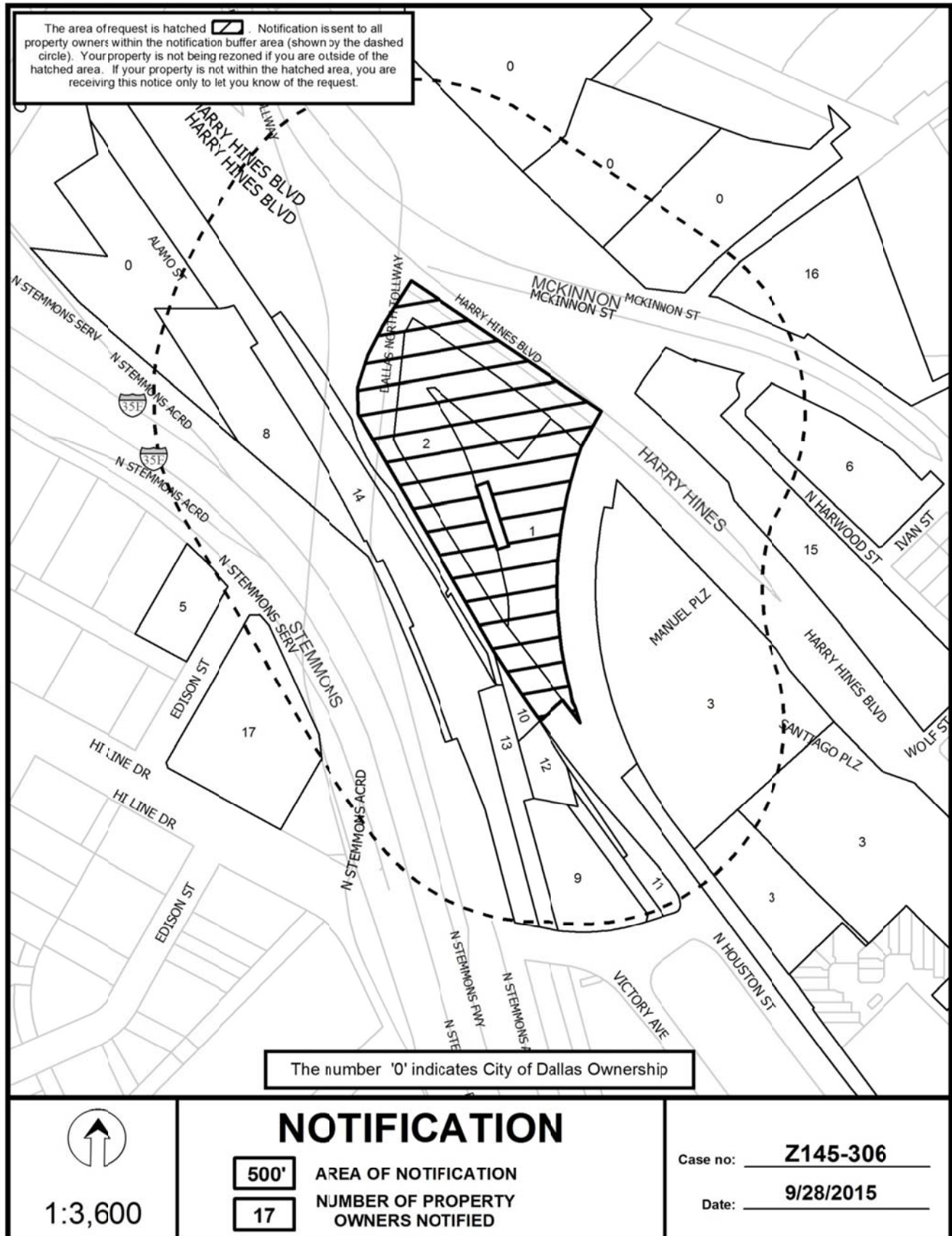












09/28/2015

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

### ***Z145-306***

#### ***17 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3305 HARRY HINES BLVD	ASA APARTMENTS LIMITED PARTNERSHIP
2	3333 HARRY HINES BLVD	ASA APARTMENTS LP
3	2927 HARRY HINES BLVD	DALLAS HOUSING AUTHORITY
4	3303 HARRY HINES BLVD	CLEAR CHANNEL OUTDOOR INC
5	1605 STEMMONS FWY	LUI2 DALLAS OAK LAWN VI
6	3130 HARWOOD ST	BLEU CIEL TOWER DEVELOPMENT LTD
7	1300 STEMMONS FWY	DALLAS AREA RAPID TRANSIT
8	1680 STEMMONS FWY	MILLWEE STEPHEN MICHAEL
9	1400 ALAMO ST	ANLAND NORTH LP
10	1400 ALAMO ST	ANLAND 2A LP
11	1400 ALAMO ST	ANLAND NORTH LP
12	1400 ALAMO ST	ANLAND NORTH COMM LP
13	555 2ND AVE	DART
14	1900 OAK LAWN AVE	DART & FT WORTH TRANSP AUTH
15	3000 HARRY HINES BLVD	NORTH TEXAS PUBLIC
16	3100 MCKINNON ST	HINES REIT 3100 MCKINNON
17	1400 HI LINE DR	LOWER OAK LAWN INVESTMENT LP