



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, April 17, 2014
AGENDA

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

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

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

BRIEFINGS:

"The Connected City Design Challenge"
David Whitley, Dallas city**design** studio

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket Planner: Paul Nelson

Consent Items:

- (1) **S134-109**
(CC District 13)
- An application to replat a 0.664-acre tract of land containing part of Lots 19, 20 and 21 in City Block 3/5687 and part Lot 1 in City Block 1/5695 into one lot on property located at 7602, 7606 and 7526 Eastern Avenue, south of Lovers Lane.
Applicant/Owner: Magnolia Property Company
Surveyor: Lane's Southwest Surveying Inc.
Application Filed: March 19, 2014
Staff Recommendation: Approval, subject to compliance with the conditions listed in the docket.

- (2) **S134-111**
(CC District 8)
- An application to replat a 3.217-acre tract of land containing all of Lot 1 in City Block A/7551 into one 1.452-acre lot and one 1.765-acre lot on property located at 3650 West Wheatland Road, southwest corner of Bolton Boone Drive at West Wheatland Road.
Applicant/Owner: Mal-Tim, LP.
Surveyor: Walker Land Surveying Company
Application Filed: March 19, 2013
Zoning: MU-2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S134-112**
(CC District 1)
- An application to replat a 4.514-acre tract of land containing all of Lots 1 through 4 and part lot 10 in City Block C/3369 and Lots 1 through 8 in City Block B/3368 into one lot on property located on the northeast corner of West Davis Street and North Zang Boulevard.
Applicant/Owner: Dallas County School
Surveyor: Dal-Tech Engineering
Application Filed: March 19, 2013
Zoning: CS, LO-1
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S134-113**
(CC District 6)
- An application to create two, 0.917-acre lot from a 1.835-acre tract of land in City block A/8346 on property located on Merrifield Road south of Jefferson Boulevard.
Applicant/Owner: Humberto Raymundo and Maria Acosta
Surveyor: MC Surveying, Inc.
Application Filed: March 20, 2013
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S134-115**
(CC District 6)
- An application to replat a 16.258-acre tract of land containing all of Lot 1 in City Block 8/7940 into one 8.524-acre lot and one 7.734-acre lot on property located at 7601 Ambassador Row southeast corner of Ambassador Row and Metromedia Place.
Applicant/Owner: Eastgroup Properties, L.P.
Surveyor: Piburn and Carlson, LLC.
Application Filed: March 20, 2014
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S134-116**
(CC District 8)
- An application to create one 79.05-acre lot and one 17.52-acre lot from a 96.05-acre tract of land in City Block 8264 on property located on Lyndon B. Johnson Freeway/Interstate Highway No. 20 east of I45.
Applicant/Owner: The Dallas Morning News, L.P.
Surveyor: Halff Associates, Inc.
Application Filed: March 20, 2014
Zoning: LI, A(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S134-117**
(CC District 9)
- An application to replat a 1.4029-acre tract of land containing all of Lots 1 and 2 in City Block A/7080 into one lot on property located on southeast corner of East Northwest Highway and Solta Drive.
Applicant/Owner: Jennifer Wilcox.
Surveyor: Pogue Engineering and Development Company, Inc.
Application Filed: March 20, 2014
Zoning: LO-1
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S134-118**
(CC District 6)
- An application to replat a 23.195-acre tract of land containing all of Lot 6 in City Block A/8475 into one 0.622-acre lot and one 22.573-acre lot at 9100 East R.L. Thornton Freeway on southeast corner of St. Francis Avenue and East R.L. Thornton Freeway.
Applicant/Owner: Wal-Mart Real Estate.
Surveyor: Ebannister Engineering.
Application Filed: March 20, 2014
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (9) **S134-119**
(CC District 12)
- An application to replat an 11.724-acre tract of land containing all of Lots 4 and 5 in City Block W/8751 into one 10.580-acre lot and one 1.144-acre lot on property located on northwest corner of Frankford Road and President George Bush Turnpike/State Highway 190.
Applicant/Owner: McKamy Creek Shopping/Armstrong Frankford 190, LLC.
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: March 20, 2014
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (10) **S134-120**
(CC District 12)
- An application to replat a 0.32-acre tract of land containing all of Lot 1A and 2A in City Block and part of Lots 1, 2, and 3 in City Block 1493 into one lot on property located at 312, 314 and 316 N. Henderson Avenue.
Applicant/Owner: Brothers Financial Corporation.
Surveyor: Texas Heritage Surveying, LLC.
Application Filed: March 20, 2014
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (11) **S134-121**
(CC District 7)
- An application to create an 11.207-acre lot from a tract of land in City Block 6375 on property located on northwest corner of Bruton Road and St. Augustine Road.
Applicant/Owner: Dallas I, LTD.
Surveyor: Bury-DFW, Inc.
Application Filed: March 21, 2014
Zoning: MU-2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (12) **S134-122**
(CC District 10)
- An application to create 4 lots ranging in size from 0.825-acre to 3.237-acres from a 7.191-acres tract of land in City Block 8042 on property located 11200 Kingsley Road west of South Jupiter Road.
Applicant/Owner: Pramukhraj Hospitality, LLC.
Surveyor: Peiser and Mankin Surveying, LLC.
Application Filed: March 21, 2014
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (13) **S134-123**
(CC District 4)
- An application to replat a 2.4755-acres tract of land containing part of Lot 2A and all of Lot 1A in City Block 25/5799 and an abandoned portion of Cullum Lane into one lot on property located at 9620 Harry Hines Boulevard.
Applicant/Owner: 9661 Schmitz, L.P./Gingercrest, Inc.
Surveyor: Texas Heritage Surveying, LLC.
Application Filed: March 21, 2014
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (14) **S134-124**
(CC District 4)
- An application to replat a 1.240-acre tract of land containing all of Lots 1 through 4 in City Block C/7533 into two 0.620-acre lots on property located on southeast corner of Dalview Avenue and Brock Street.
Applicant/Owner: Coria Corporation, Inc.
Surveyor: TerraCorp Associates, LLC
Application Filed: March 21, 2014
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (15) **S134-125**
(CC District 14)
- An application to replat a 0.6855-acre tract of land in part of City Block 2/2703 into a 6 lot Shared Access Development and 2 common areas ranging in sizes from 2,129 square feet to 5,949 square feet on the southeast corner of Lindsley Avenue and Shadyside Lane.
Applicant/Owner: MM Finished Lots, LLC.
Surveyor: Miller Surveying, Inc.
Application Filed: March 21, 2014
Zoning: CD-6, Tract IIA
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (16) **S134-126**
(CC District 14)
- An application to replat a 1.7987-acre tract of land in part of City Block 2/2703 into a 17 lot Shared Access Development and 1 common area ranging in sizes from 3,080 square feet to 4,264 square feet from on property located on Shadyside Lane east of Lindsley Avenue.
Applicant/Owner: MM Finished Lots, LLC.
Surveyor: Ion Design Group.
Application Filed: March 21, 2014
Zoning: CD-6, Tract IIA
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (17) **S134-127**
(CC District 14)
- An application to replat a 0.7436-acre tract of land in part of City Block 2/2703 into a 6 lot Shared Access Development and 1 common area ranging in sizes from 3,080 square foot to 4,701 square feet on property located on Shadyside Lane east of Lindsley Avenue.
Applicant/Owner: MM Finished Lots, LLC.
Surveyor: Ion Design Group.
Application Filed: March 21, 2014
Zoning: CD-6, Tract IIA
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Building Line Removal:

- (18) **S134-114**
(CC District 6)
- An application to replat a 10.169-acre tract of land containing all of Lot 2 in City Block 60/7905; part of Lot 1A in City Block 79/7905; part of Lot 2 in City Block 58/7905 into 1 lot; and to remove the existing 25 foot platted building line along the south line of Stemmons Freeway (Interstate Highway No. 35 E) on property located at the south corner of Stemmons Freeway and Medical District Drive.
- Applicant/Owner: Trinity Industries Inc./CJB Prime property, LLC.
Surveyor: Pacheco Koch.
Application Filed: March 20, 2014
Zoning: MU-3, IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- M134-022**
Richard Brown
(CC District 9)
- An application for a minor amendment to the site plan for Specific Use Permit No. 1359 for a Transit passenger station or transfer center and Tower/antenna for cellular communication on the northwest line of Northwest Highway, east of Walling Lane.
- Staff Recommendation: **Approval**
Applicant: Dallas Area Rapid Transit
Representative: Peter Kavanagh

Zoning Cases – Consent:

1. **Z112-267(WE)**
Warren Ellis
(CC District 6)
- An application for the renewal of Specific Use Permit No. 1624 for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial Research District on the northwest corner of Commerce Street and Manila Road.
- Staff Recommendation: **Approval** for a two-year period, subject to a revised site/landscape plan and conditions.
Applicant: Samuel Ramos
Representative: Peter Kavanagh, Zone Systems

2. **Z134-160(WE)**
Warren Ellis
(CC District 2)

An application for a Specific Use Permit for an accessory community center (private) limited to a community pool on property within Subdistrict 10 of Planned Development District No. 357, the Farmers Market Special Purpose District generally in an area southwest of South Cesar Chavez Boulevard and southeast of Helsminster Drive.
Staff Recommendation: **Approval** for a twenty-year period with eligibility for automatic renewals for additional twenty-year periods, subject to a site plan and conditions.
Applicant: Texas InTown Homes, LLC
Representative: Audra Buckley
3. **Z134-133(MW)**
Megan Wimer
(CC District 6)

An application for a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar on property zoned Planned Development District No. 498, the Harry Hines Corridor Special Purpose on the east side of Harry Hines Boulevard, north of Royal Lane.
Staff Recommendation: **Approval** for a three-year period, subject to a site plan and conditions.
Applicant: America's Southern Edge
Representative: Chase Corker
4. **Z134-146(MW)**
Megan Wimer
(CC District 6)

An application for the creation of a new tract within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District on the west side of Denton Drive, north of Royal Lane.
Staff Recommendation: **Approval**, subject to a development plan and conditions.
Applicant: Barberans, LLC
Representative: Chase Corker
5. **Z134-152(MW)**
Megan Wimer
(CC District 12)

An application for a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District on the north side of Frankford Road, west of Vail Street.
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: Mike McDaniel
Representative: Scott Caruthers

6. **Z134-167(MW)**
Megan Wimer
(CC District 11)
An application for a Specific Permit for a business school use on property zoned an NO(A) Neighborhood Office District south of LBJ Freeway and east of Hillcrest 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: 12830 Hillcrest Road Investors, LP
Representative: Elmo Shorter, Cushman & Wakefield of Texas, Inc.
7. **Z134-155(OTH)**
Olga Torres Holyoak
(CC District 6)
An application for a Specific Use Permit for a vehicle or engine repair or maintenance use on property zoned Subdistrict 1A within Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District on the east line of Langford Street, north of Yorktown Street.
Staff Recommendation: **Approval** for a three-year period, subject to a site/landscape plan and conditions.
Applicant: Edwardo Garcia
Representative: Baldemar Rios
8. **Z134-153(RB)**
Richard Brown
(CC District 7)
An application for a Specific Use Permit for a Community service center on property zoned an R-7.5(A) Single Family District, along the east line of La Prada Drive, north of Klondike Drive.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.
Applicant: Mission East Dallas
Representative: Rob Baldwin

Zoning Cases – Under Advisement:

9. **Z123-274(WE)**
Warren Ellis
(CC District 6)
An application for an RR Regional Retail District on property zoned an R-7.5(A) Single Family District on the east line of North Walton Walker Freeway, south of West Jefferson Boulevard.
Staff Recommendation: **Hold under advisement until May 8, 2014**
Applicant: David & Hector Varela
Representative: Santos Martinez, Masterplan
U/A From: December 5, 2013, February 6, 2014 and March 20, 2014

10. **Z123-371(OTH)**
Olga Torres Holyoak
(CC District 8)
- An application for renewal of and an amendment to Specific Use Permit No. 1899 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the north corner of South Belt Line Road and Seagoville Road.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.
Applicant: Abed Ammouri
Representative: Pamela Craig
U/A From: March 20, 2014
11. **Z134-141(MW)**
Megan Wimer
(CC District 5)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS Commercial Service District with a D Liquor Control Overlay on the south side of Bruton Road, east of Jim Miller Road.
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
Applicant: Adnan Karim
Representative: Parvez Malik, Business Zoom
U/A From: April 3, 2014
12. **Z134-163(LHS)**
L. Holmes Stringfellow
(CC District 6)
- An application for an R-5(A) Single Family District on property zoned an A(A) Agricultural District, south of East Belt Line Road and west of South Northlake Road.
Staff Recommendation: **Approval**
Applicant: Henry Land, Ltd.; CW Shoreline Land, Ltd.; Trammell Crow Company No. 43, Ltd.
Representative: Rob Baldwin
U/A From: April 3, 2014
13. **Z123-267(CG)**
Carrie Gordon
(CC District 2, 7 & 14)
- A City Council authorized hearing to determine proper zoning with consideration given to amending certain use regulations and development standards on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side District, in an area generally bounded by the T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L. Thornton Freeway on the south, and North Central Expressway on the west.
Staff Recommendation: **Approval** of staff recommended conditions.
U/A From: March 6, 2014 and April 3, 2014

Zoning Cases – Individual:

14. **Z134-156(RB)**
Richard Brown
(CC District 2)
An application for the removal of the D Liquor Control Overlay, on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Oak Lawn Avenue and Dickason Avenue with consideration being given to the granting of a D-1 Liquor Control Overlay.
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay in lieu of removal of the D Liquor Control Overlay.
Applicant: NADG Oaklawn LP
Representative: Tommy Mann
15. **Z123-343(MD)**
Mark Doty
(CC District 1)
A City Plan Commission Authorized Hearing to consider an Historic Overlay for Sunset High School on property zoned Planned Development District No. 409 south of West Jefferson Boulevard, between North Tennant Street and Oak Cliff Boulevard.
Staff Recommendation: **Approval**, subject to preservation criteria.
Landmark Commission: **Approval**, subject to preservation criteria.

Authorization of Hearing:

- SPSD123-001(CG)**
Carrie Gordon
(CC District 2, 6)
A City Plan Commission authorized hearing to amend the boundary to establish the Southwestern Medical District Special Provision Sign District (SPSD) to include all four corners of the intersections of N. Stemmons Freeway at Medical District Drive, N. Stemmons Freeway at Inwood Road, Harry Hines Boulevard at Mockingbird Lane, Forest Park Road at W. Mockingbird Lane, Maple Avenue at W. Mockingbird Lane, Bomar Avenue at Maple Avenue, Stutz Drive at Maple Avenue, Inwood Road at Maple Avenue, Butler Street at Maple Avenue, New Orleans Place at Maple Avenue, and Medical District Drive at Amelia Street. This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Development Code Amendment:

- DCA134-001**
Diana Lowrance
Public hearing on amendments to Section 51A-4.505 the Conservation District regulations in Chapter 51A of the Dallas Development Code.

Landmark Appeal

Mark Doty
(CC District 14)

An appeal of the Landmark Commission decision to deny Certificate of Appropriateness CA134-110(CH) at 2601 Hibernia Street within the State Thomas Historic District.

Staff Recommendation: **Denial without prejudice**

Landmark Commission Recommendation: **Denial without prejudice**

Other Matters

Minutes: April 3, 2014

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, April 8, 2014

ARTS DISTRICT SIGN ADVISORY COMMITTEE (ADSAC) MEETING – Tuesday, April 8, 2014, City Hall, 1500 Marilla Street, in 5DN, at 1:00 p.m., to consider (1) **1401311080** – An application for Certificate of Appropriateness, by Kim Hlas of Artografx, Inc., for a 314 square foot attached premise sign at 2323 Ross Avenue (northwest elevation, Flora Street), and (2) **1401311081** - An application for Certificate of Appropriateness, by Kim Hlas of Artografx, Inc., for a 314 square foot attached premise sign at 2323 Ross Avenue (southwest elevation, Crockett Street)

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING – Tuesday, April 8, 2014, City Hall, 1500 Marilla Street, in 5DN, at 2:00 p.m., to consider (1) SPSP123-001 - An application to create a new Special Provision Sign District on multiple tracts of land owned by the UT Southwestern Medical District on approximately 865 acres generally bounded generally bounded by Maple Avenue on the northeast; Medical District Drive, Bengal Street, Dallas Area Rapid Transit rail line, Lucas Drive, Harry Hines Boulevard, and Market Center Boulevard on the east; North Stemmons Freeway to the south; Inwood Road, Lee Hall Drive, Record Crossing Road, Wyche Boulevard, Plantation Road and West Mockingbird Lane on the west.

Thursday, April 17, 2014

ZONING ORDINANCE COMMITTEE (ZOC) MEETING – Thursday, April 17, 2014, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider (1) **DCA 078-016** - Consideration of amending the Dallas Development Code to amend regulations pertaining to outside storage and screening requirements.

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, April 17, 2014****FILE NUMBER:** S134-109**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** 7602, 7606 and 7526 Eastern Avenue**DATE FILED:** March 19, 2014**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 0.664 Acres **MAPSCO:** 35A & E**APPLICANT/OWNER:** Magnolia Property Company

REQUEST: An application to replat a 0.664-acre tract of land containing part of Lots 19, 20 and 21 in City Block 3/5687 and part of Lot 1 in City Block 1/5695 into one lot on property located at 7602, 7606 and 7526 Eastern Avenue, south of Lovers Lane.

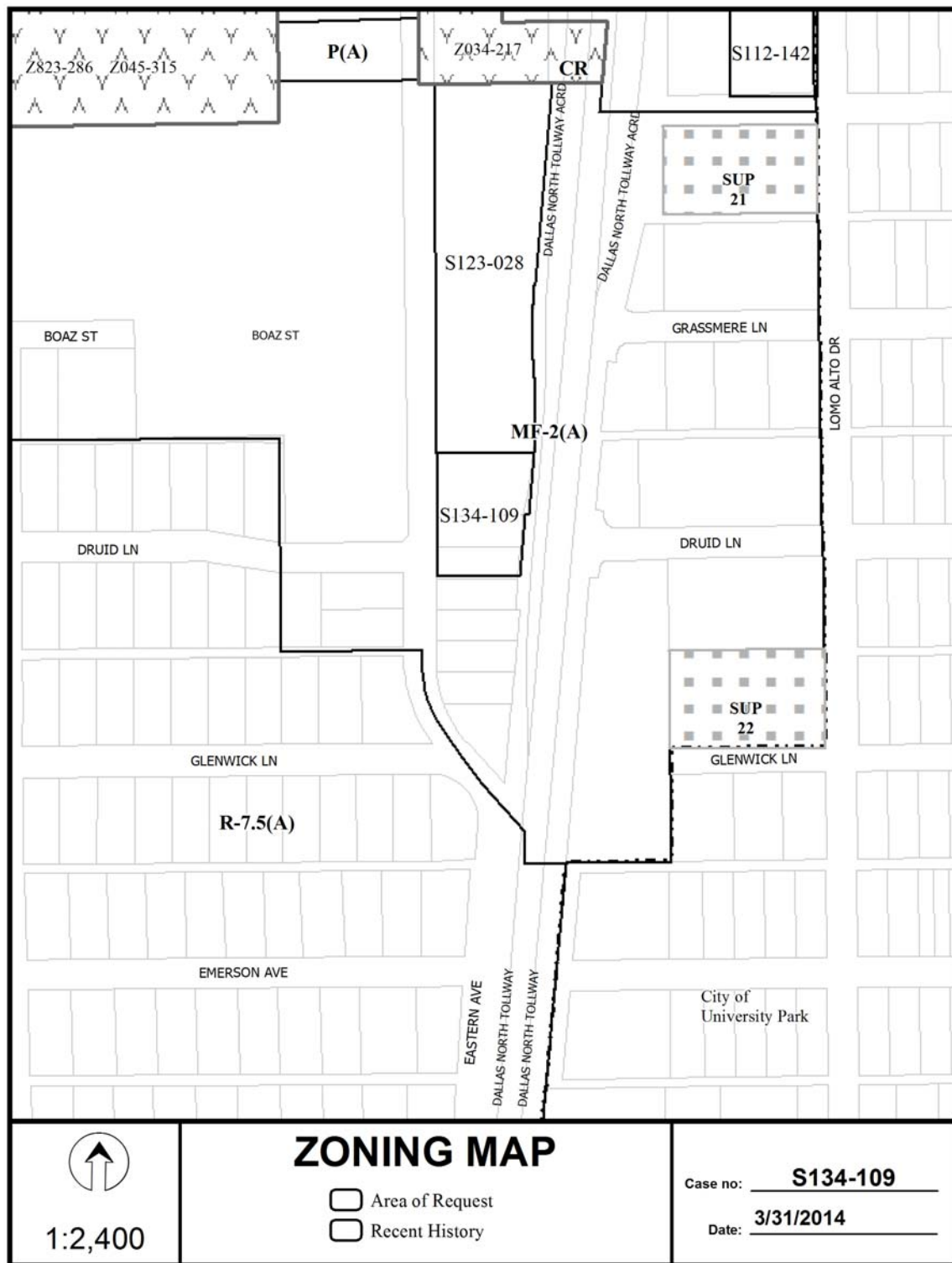
SUBDIVISION HISTORY:

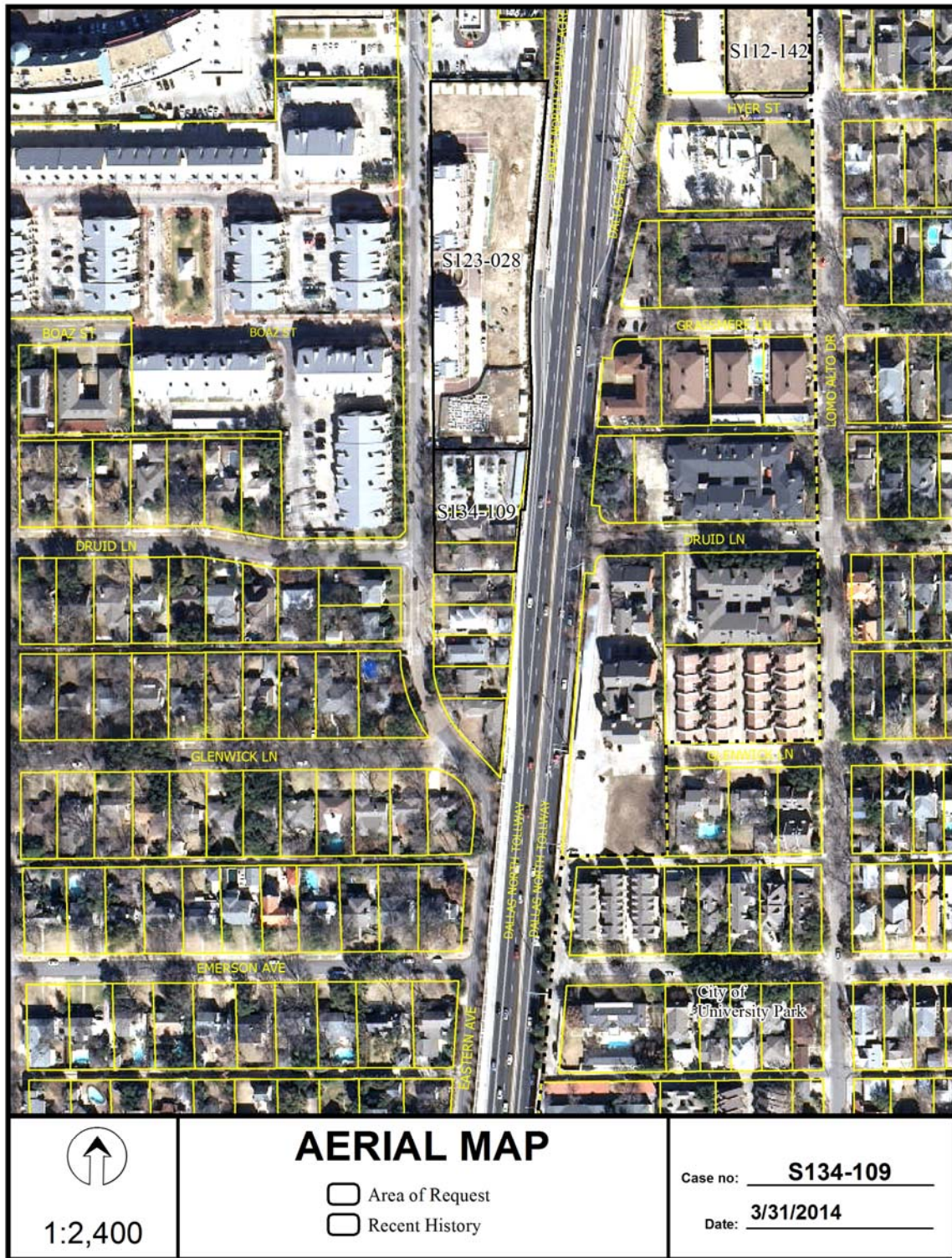
1. S123-028 was an application to create one 1.168-acre lot, and one 1.151-acre lot from a 2.319 acre tract of land in City Block 3/5687 on property located on Eastern Avenue between Emerson Street and Lovers Lane. The request was approved on December 6, 2012 and has not been recorded.

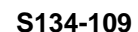
STAFF RECOMMENDATION: The request complies with the requirements of the MF-2(A) zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat dedicate 28 feet of right-of-way from the established center line of Eastern Avenue.
14. On the final plat monument all set corners per the monumentation ordinance.
15. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
16. Water main extension is required by Private Development Contract.
17. On the final plat identify the property as Lot 19A in City Block 3/5687.







CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-111**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** 3650 West Wheatland**DATE FILED:** March 19, 2014**ZONING:** MU-2**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 3.217 Acres**MAPSCO:** 73B**APPLICANT/OWNER:** Mal-Tim, LP.

REQUEST: An application to replat a 3.217-acre tract of land containing all of Lot 1 in City Block A/7551 into one 1.452-acre lot and one 1.765-acre lot on property located at 3650 West Wheatland Road, southwest corner of Bolton Boone Drive and West Wheatland Road.

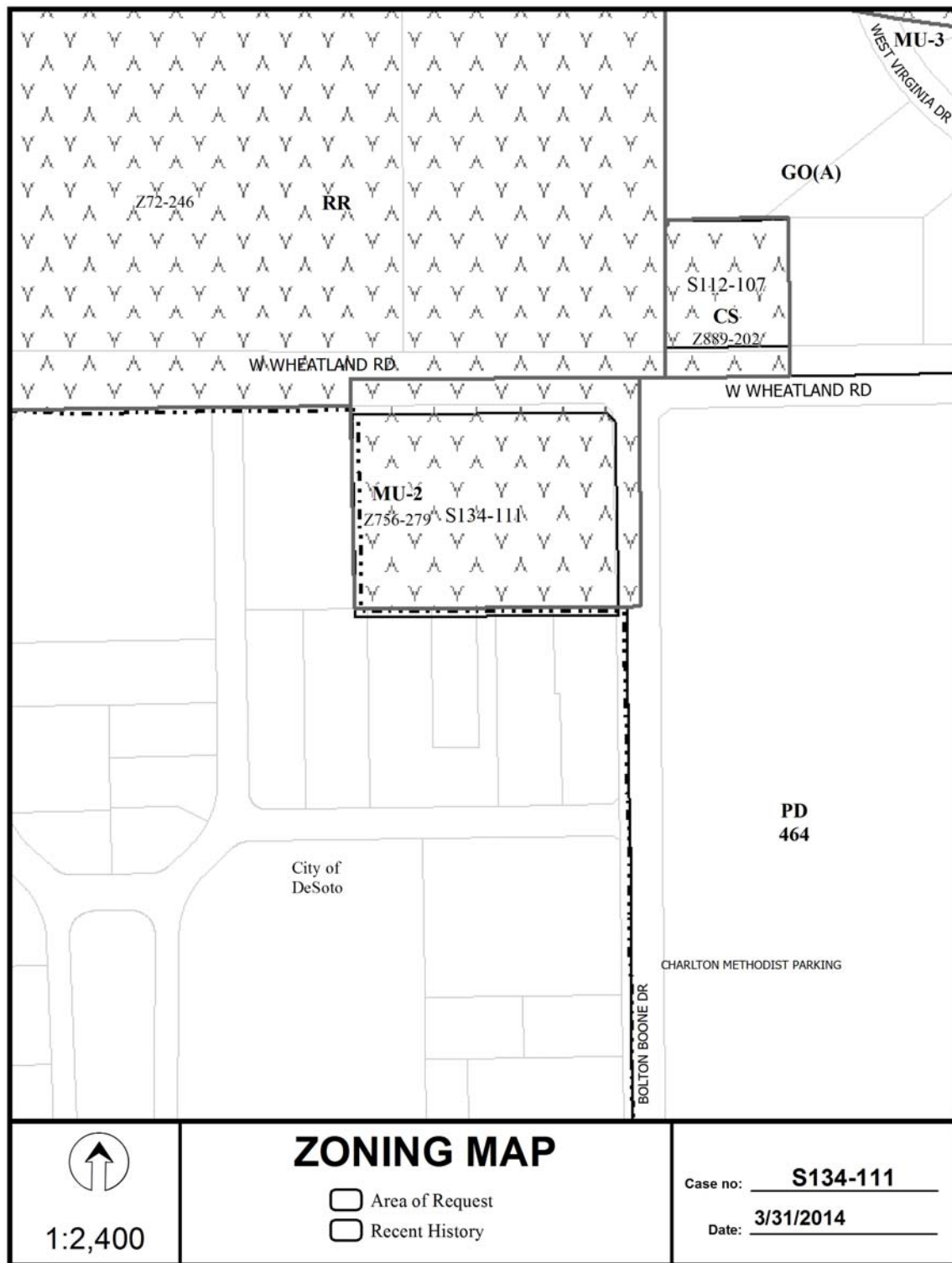
SUBDIVISION HISTORY:

1. S112-107 was an application to create a 0.9412 acre lot from a tract of land in City Block 7547 on property located at 3571 W. Wheatland Road at Bolton Boone Road, northeast corner and was recorded on January 9, 2013.

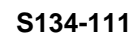
STAFF RECOMMENDATION: The request complies with the requirements of MU-2 zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat approval from City of Desoto may be required for drainage design as well as City of Dallas.
14. Prior to final plat submittal the proposed mutual access easement must be recorded by separate instrument with the recording information placed on the face of the plat.
15. On the final plat choose a different addition name.
16. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
17. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
18. Wastewater main extension is required by Private Development Contract.
19. On the final plat change "Duke of Gloucester" to "Duke of Gloucester Street".
20. On the final plat identify the property as Lot 1A and 1B in City Block A/7551.







CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-112**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Davis Street at Zang Boulevard**DATE FILED:** March 19, 2014**ZONING:** LO-1, CS**CITY COUNCIL DISTRICT:** 1 **SIZE OF REQUEST:** 4. 514 Acres**MAPSCO:** 54D**APPLICANT/OWNER:** Terrance Wright / Dallas County School

REQUEST: An application to replat a 4.514-acre tract of land containing all of Lots 1 through 8 in City Block B/3368 and part of Lot 10, all of Lots 1A, and all of Lots 3 and 4 in City Block C/3369 and part of abandoned W. Neely Street all into one lot on property located on West Davis Street, North Zang Boulevard and Beckley Avenue.

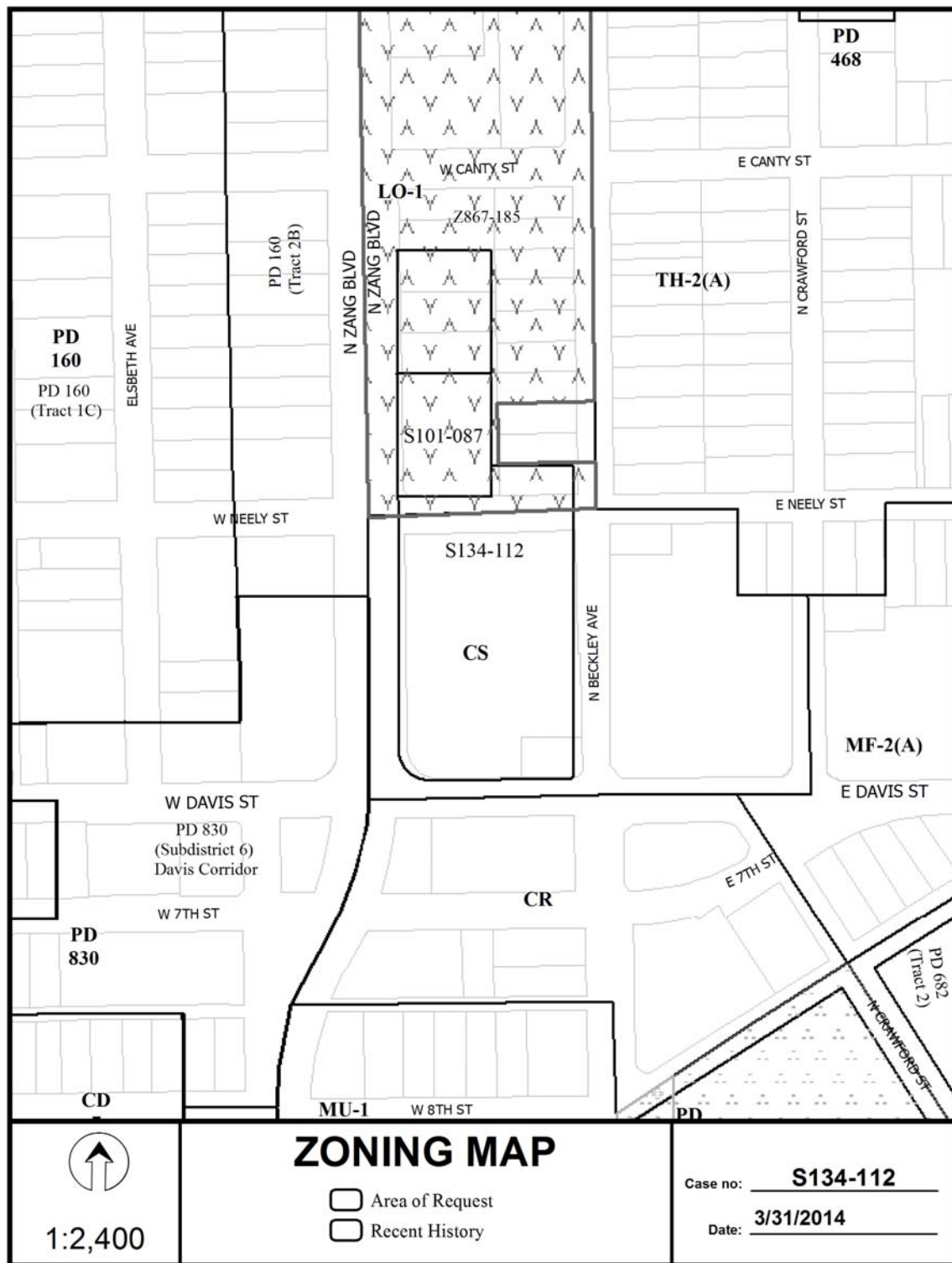
SUBDIVISION HISTORY: There has been no recent plat activity within close proximity to this request.

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

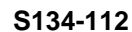
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat dedicate a 10 foot by 10 foot corner clip at West Davis Street and North Beckley Avenue.
14. On the final plat add a note stating: "Access to West Davis Street requires TXDOT approval."
15. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
16. On the final plat monument all set corners per the monumentation ordinance.
17. On the final plat two control monuments must be shown.
18. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.
19. On the final plat show 10 foot by 10 foot wastewater easement, instrument No. 201100266127.
20. On the final plat dedicate existing street easement in simple fee.
21. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
22. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
23. Existing water and wastewater mains must be shown on plat per Chapter 51A-8.403(A)(1)(a)(xii).
24. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
25. New water and/or wastewater easements need to be shown.
26. Wastewater main extension is required by Private Development Contract.
27. On the final plat change "Beckly Avenue " to "Beckley Avenue".

28. On the final plat identify the property as Lot 1A in City Block B/3368.
29. Prior to final plat provide traffic management plan showing no backups on city streets.
30. On the final plat maintain 65 feet of right-of-way on W. Davis Street.
31. On the final plat show dimensions more evident for all easements.







CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-113**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Merrifield Road south of Jefferson Boulevard.**DATE FILED:** March 20, 2014**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 0.917 Acres**MAPSCO:** 52E**APPLICANT/OWNER:** Humberto Raymundo and Maria Acosta

REQUEST: An application to create two, 0.917-acre lot from a 1.835-acre tract of land in City block A/8346 on property located on Merrifield Road south of Jefferson Boulevard.

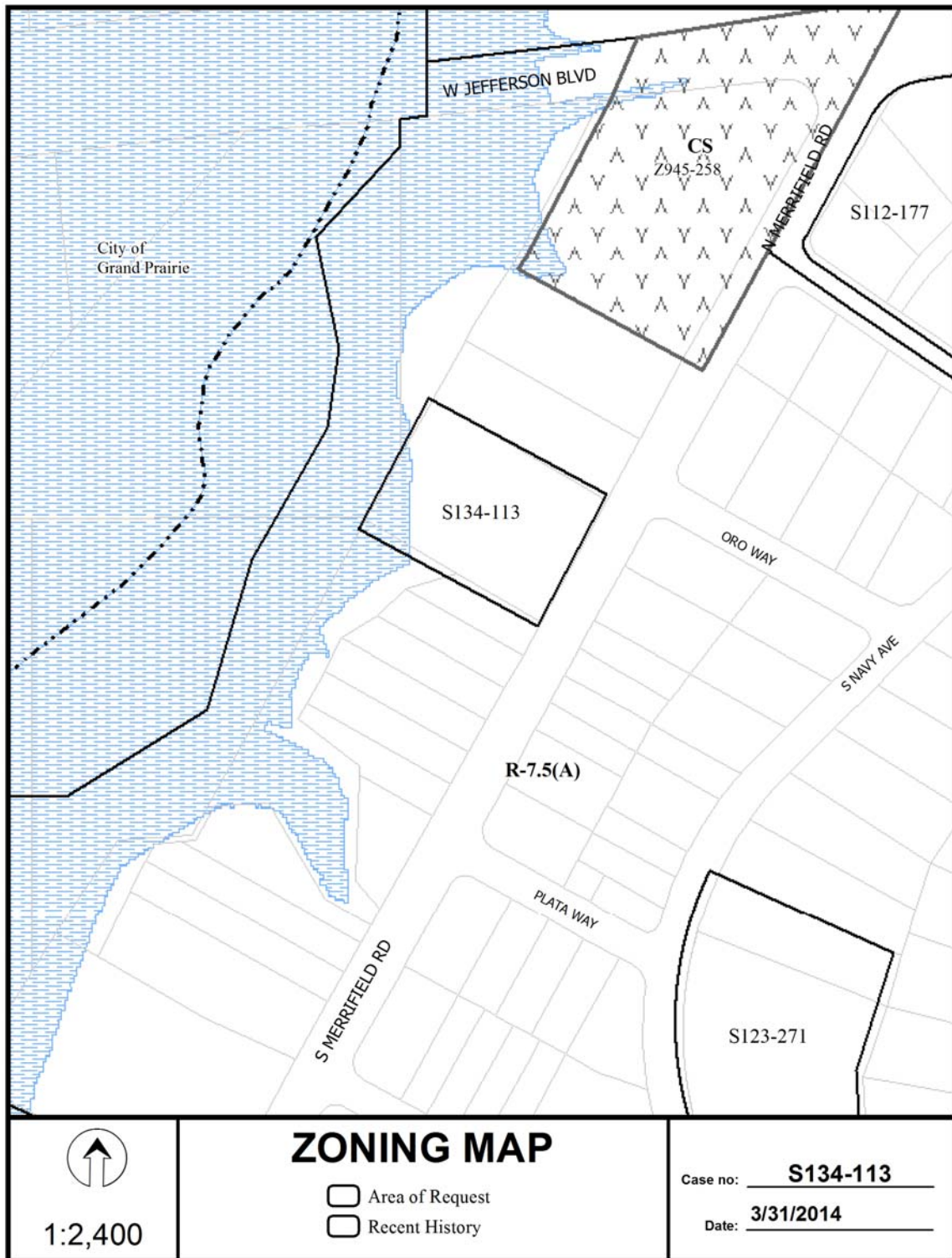
SUBDIVISION HISTORY:

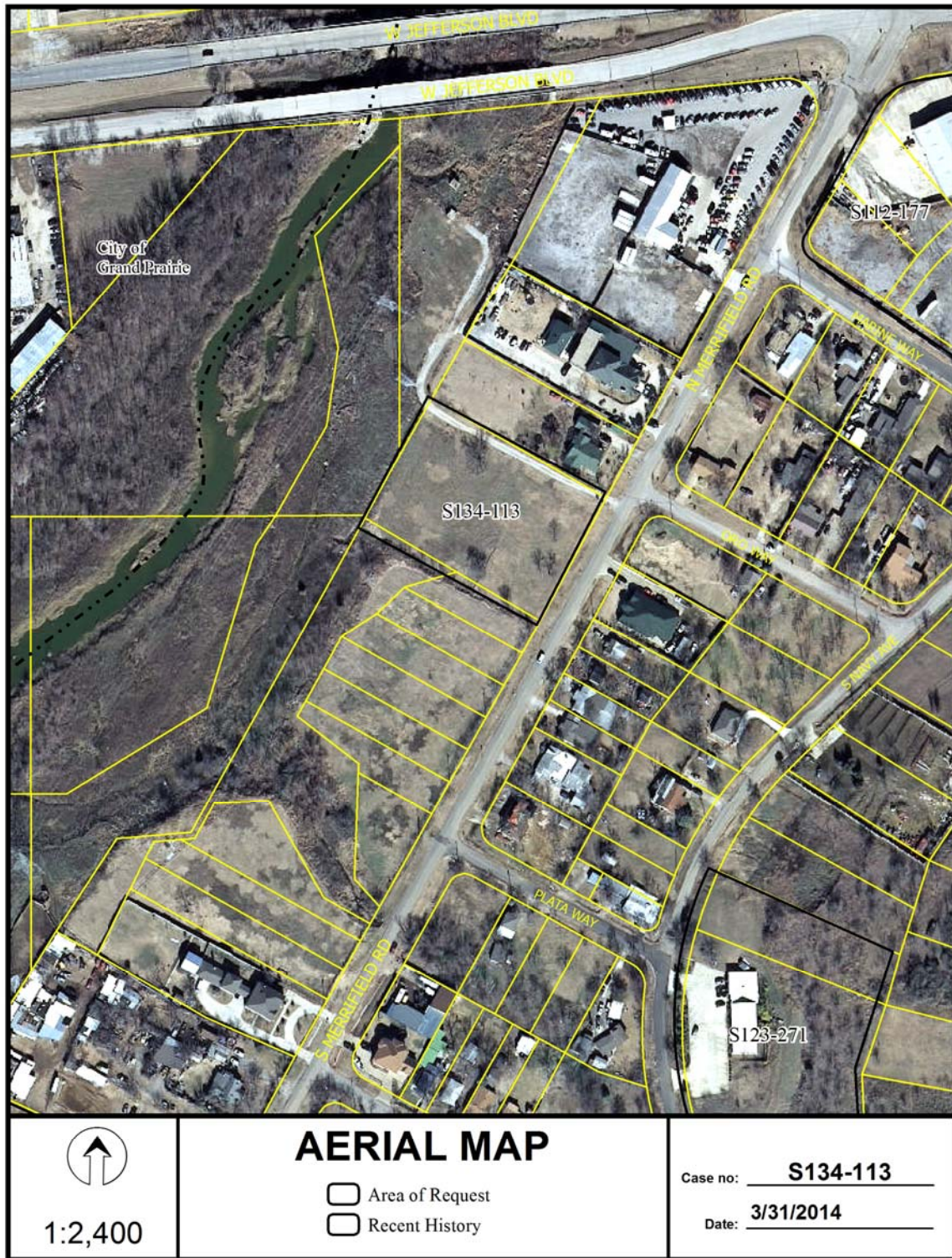
1. S112-177 was an application to replat a 5.426 acre tract of land containing part of Lot 3 and part of Lot 14, all of Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, and part of a 30' wide abandoned alley in City Block H/8343 into one lot on property on Marine Way between Jefferson Boulevard and Navy Avenue and was recorded on September 6, 2013.

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

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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat determine the 100 year water surface elevation across the plat.
14. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
16. On the final plat specify minimum fill and minimum finished floor elevations.
17. On the final plat show the natural channel set back from the crest of the natural channel.
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
20. On the final plat show how all adjoining right-of-way was created.
21. Prior to the final plat access easement must be recorded by separate instrument.
22. On the final plat show the city limits.
23. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
24. Property falls away from the street and may require backflow agreement, submit proposed grading plans.
25. On the final plat identify the property as Lot 3 and 4 in City Block A/8346.





GENERAL NOTES:

1. THIS MAP IS THE BEST COPY AVAILABLE OF THE RECORDS OF THE CITY OF DALLAS, TEXAS, AND IS NOT A SUBSTITUTE FOR THE ORIGINAL RECORDS.
2. THE CITY OF DALLAS, TEXAS, DOES NOT GUARANTEE THE ACCURACY OF THIS MAP.
3. LOT TO LOT DISTANCES WILL NOT BE ALLOWED WITHOUT ENGINEERING SECTION APPROVAL.
4. COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATES.
5. NO STRUCTURE ON SITE.

LOT TABLE:

LOT	ACREAGE	SQUARE FEET
1	0.917	39,569
2	0.917	39,569

OWNERS' DEDICATION

THE UNDERSIGNED, MARIA ACOSTA, DO hereby dedicate to the City of Dallas, Texas, and to the people thereof, the herein described property, to-wit:

MARIA ACOSTA ADDITION

WITNESS, my hand at Dallas, Texas, this ____ day of _____, 2014.

By: _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS: _____

COUNTY OF DALLAS: _____

BEFORE ME, the undersigned authority, on this ____ day of _____, 2014, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2014.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

CITY PLAN FILE NUMBER: **S 134-113**

OWNERS' CERTIFICATE

STATE OF TEXAS: _____

COUNTY OF DALLAS: _____

BEFORE ME, the undersigned authority, on this ____ day of _____, 2014, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2014.

PRELIMINARY PLAT

MARIA ACOSTA ADDITION

LOT 1 AND 2, BLOCK A/8346

E. HORTON SURVEY, ABSTRACT NUMBER 613, R. PLATT SURVEY, ABSTRACT NUMBER 1162, R. LAIDER SURVEY, ABSTRACT NUMBER 816, ALL CITY OF DALLAS COUNTY, TEXAS.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS: _____

COUNTY OF DALLAS: _____

BEFORE ME, the undersigned authority, on this ____ day of _____, 2014, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2014.

MC

4347 S HAMPTON RD • 200
DALLAS, TEXAS 75232
(214) 333-5088

PROJECT NO. 1401-01

DATE

REVISIONS

DRAWN BY

APPROVED BY

DATE

CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-115**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** 7601 Ambassador Row**DATE FILED:** March 20, 2014**ZONING:** IR**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 16.258 Acres**MAPSCO:** 33T**APPLICANT/OWNER:** Eastgroup Properties, L.P.

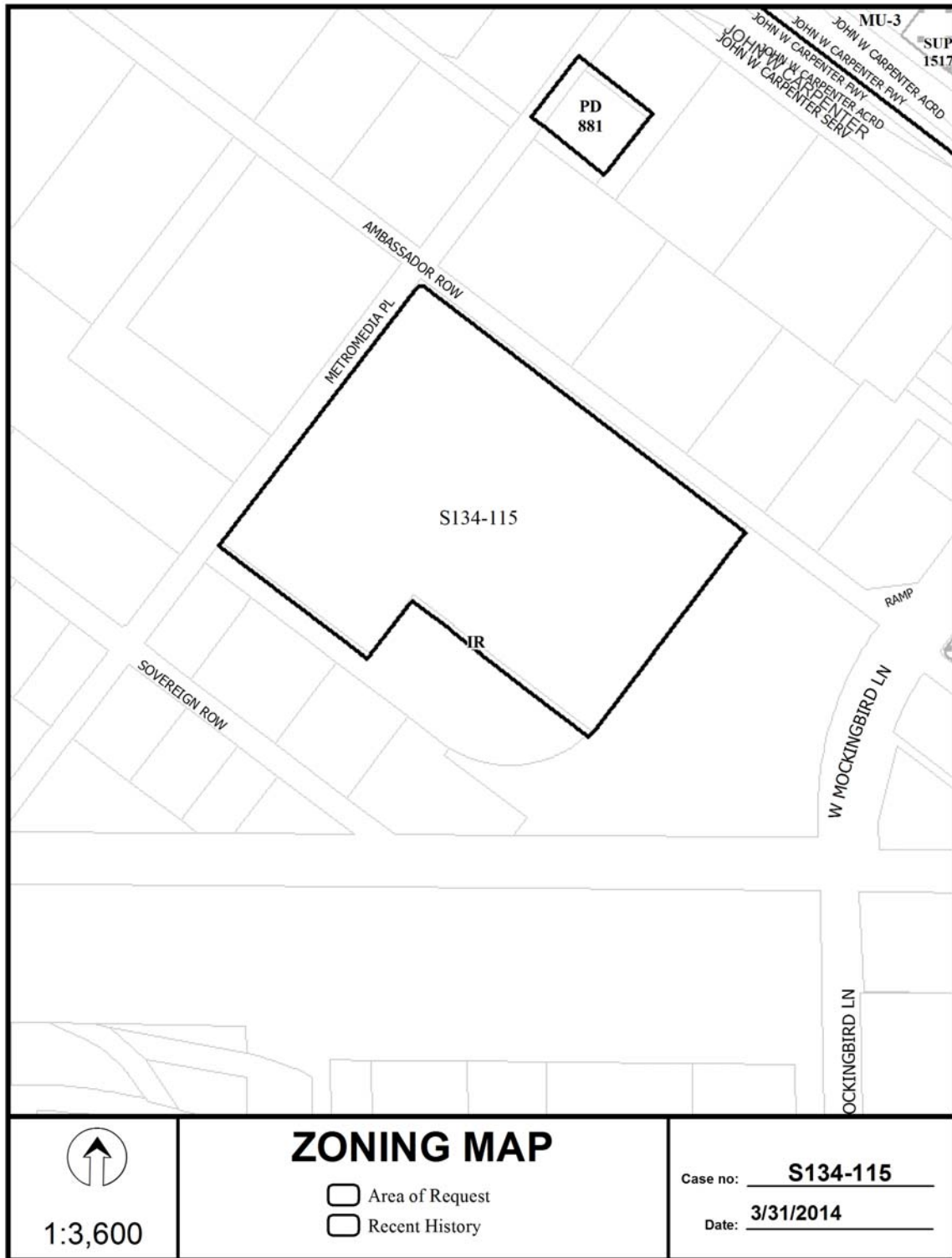
REQUEST: An application to replat a 16.258-acre tract of land containing all of Lot 1 in City Block 8/7940 into one 8.524-acre lot and one 7.734-acre lot on property located at 7601 Ambassador Row southeast corner of Ambassador Row and Metromedia Place.

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

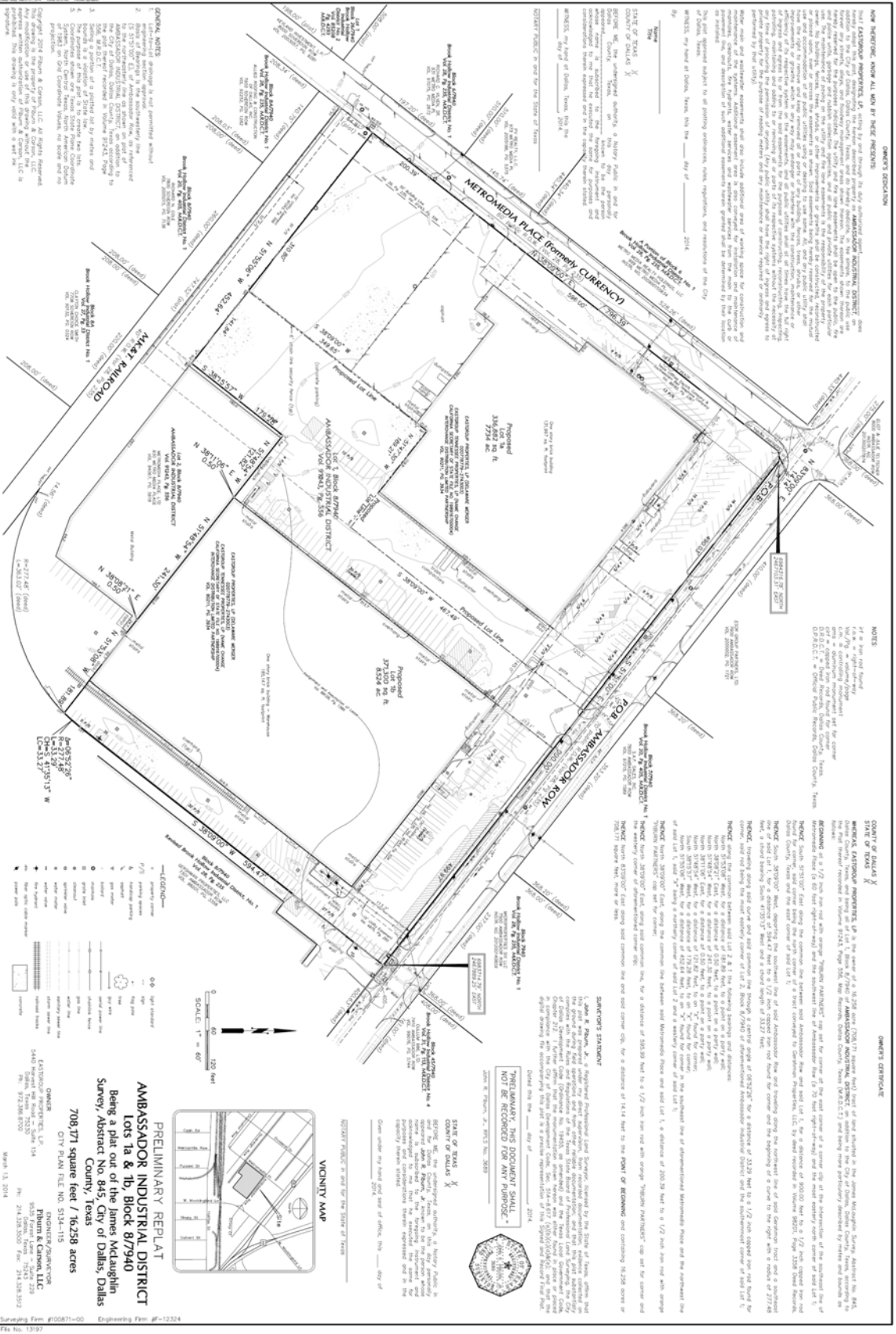
STAFF RECOMMENDATION: The request complies with the requirements of IR zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat two control monuments must be shown
14. On the final plat choose a different addition name.
15. On the final plat provide legal document for current owner name.
16. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
17. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
18. Water/wastewater main extension may be required by Private Development Contract
19. Plumbing cannot cross property line.
20. On the final plat change "Metromedia Place (formerly Currency)" to "Metromedia Place (formerly Currency Drive).
21. On the final plat identify the property as Lot 1A and 1B in City Block 8/7940.







CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-116**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Lyndon B. Johnson Freeway / Interstate Highway No. 20 east of I-45.**DATE FILED:** March 20, 2014**ZONING:** LI, A(A)**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 96.57 Acres**MAPSCO:** 67W**APPLICANT/OWNER:** The Dallas Morning News, LP.

REQUEST: An application to create one 79.05-acre lot and one 17.52-acre lot from a 96.57-acre tract of land in City Block 8264 on property located on Lyndon B. Johnson Freeway / Interstate Highway No. 20 east of I-45.

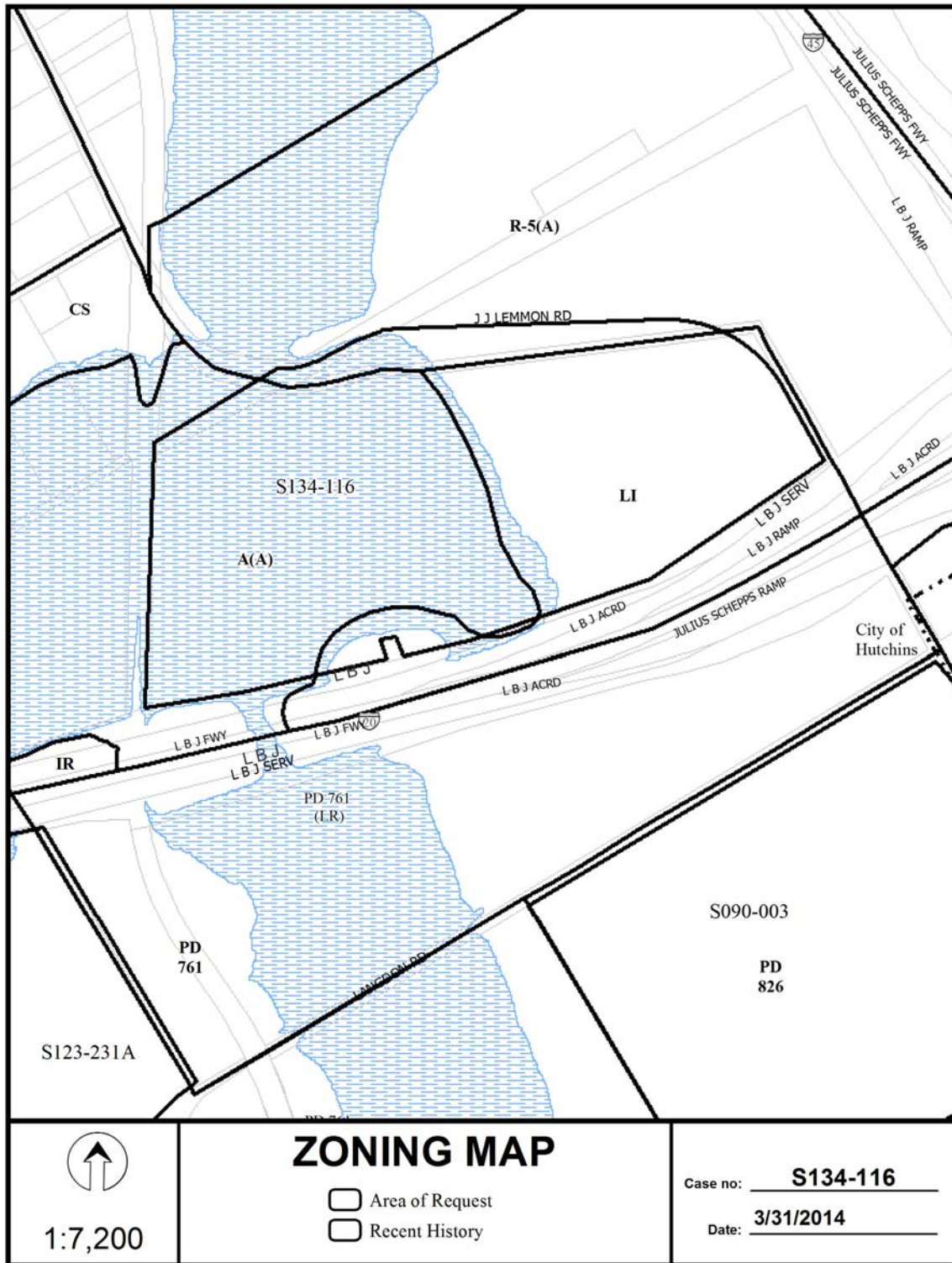
SUBDIVISION HISTORY: There has been no recent plat activity within close proximity to this request.

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

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
14. On the final plat dedicate 30 feet of right-of-way from the established centerline of J.J. Lemmon Road.
15. On the final plat dedicate a 15 foot by 15 foot corner clip at J.J. Lemmon Road and Lyndon B. Johnson Freeway / Interstate Highway No. 20.
16. On the final plat add a note stating: "Access to Lyndon B. Johnson Freeway / Interstate Highway No. 20 requires TXDOT approval."
17. On the final plat determine the 100 year water surface elevation across the plat.
18. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
19. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
20. On the final plat specify minimum fill and minimum finished floor elevations.
21. On the final plat show the natural channel set back from the crest of the natural channel.
22. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
23. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
24. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
25. On the final plat monument all set corners per the monumentation ordinance.
26. On the final plat remove temporary working space easement.
27. On the final plat show the recording information on all existing easements within 150 feet of the property.

28. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
29. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
30. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer. 40 feet required for main 30 inches or larger.
31. Water/wastewater main extension is required by Private Development Contract.
32. On the final plat change "Interstate Highway 635(Lyndon B. Johnson Freeway)" to "Lyndon B. Johnson Freeway (Interstate Highway No. 20)".
33. On the final plat identify the property as Lot 1 and 2 in City Block A/8264.



CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-117**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** East Northwest Highway at Solta Drive**DATE FILED:** March 19, 2014**ZONING:** LO-1**CITY COUNCIL DISTRICT:** 9 **SIZE OF REQUEST:** 1.4029 Acres **MAPSCO:** 27Z &28W**APPLICANT/OWNER:** Jennifer Wilcox.

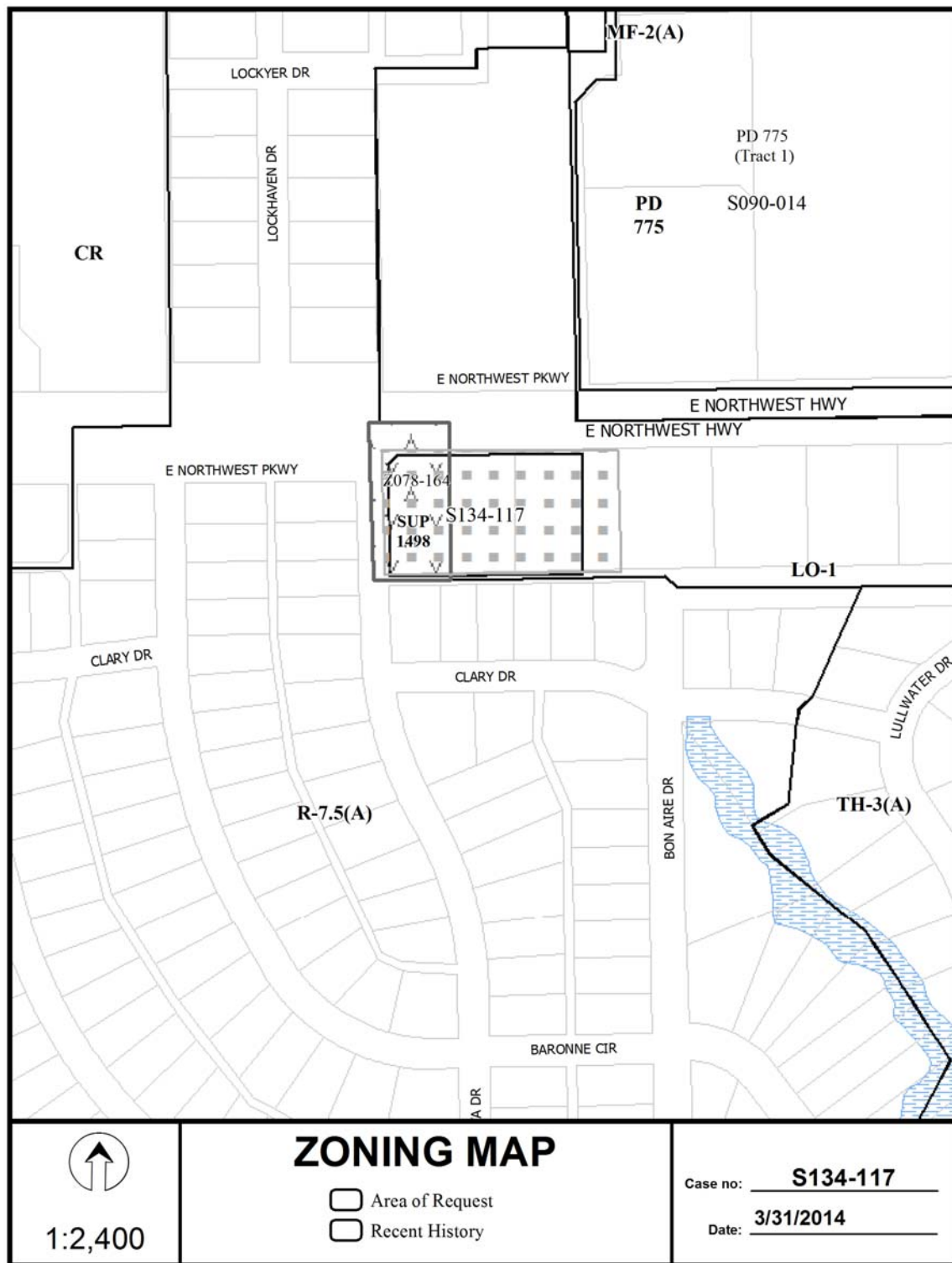
REQUEST: An application to replat a 1.4029-acre tract of land containing all of Lots 1 and 2 in City Block A/7080 into one lot on property located on southeast corner of East Northwest Highway and Solta Drive.

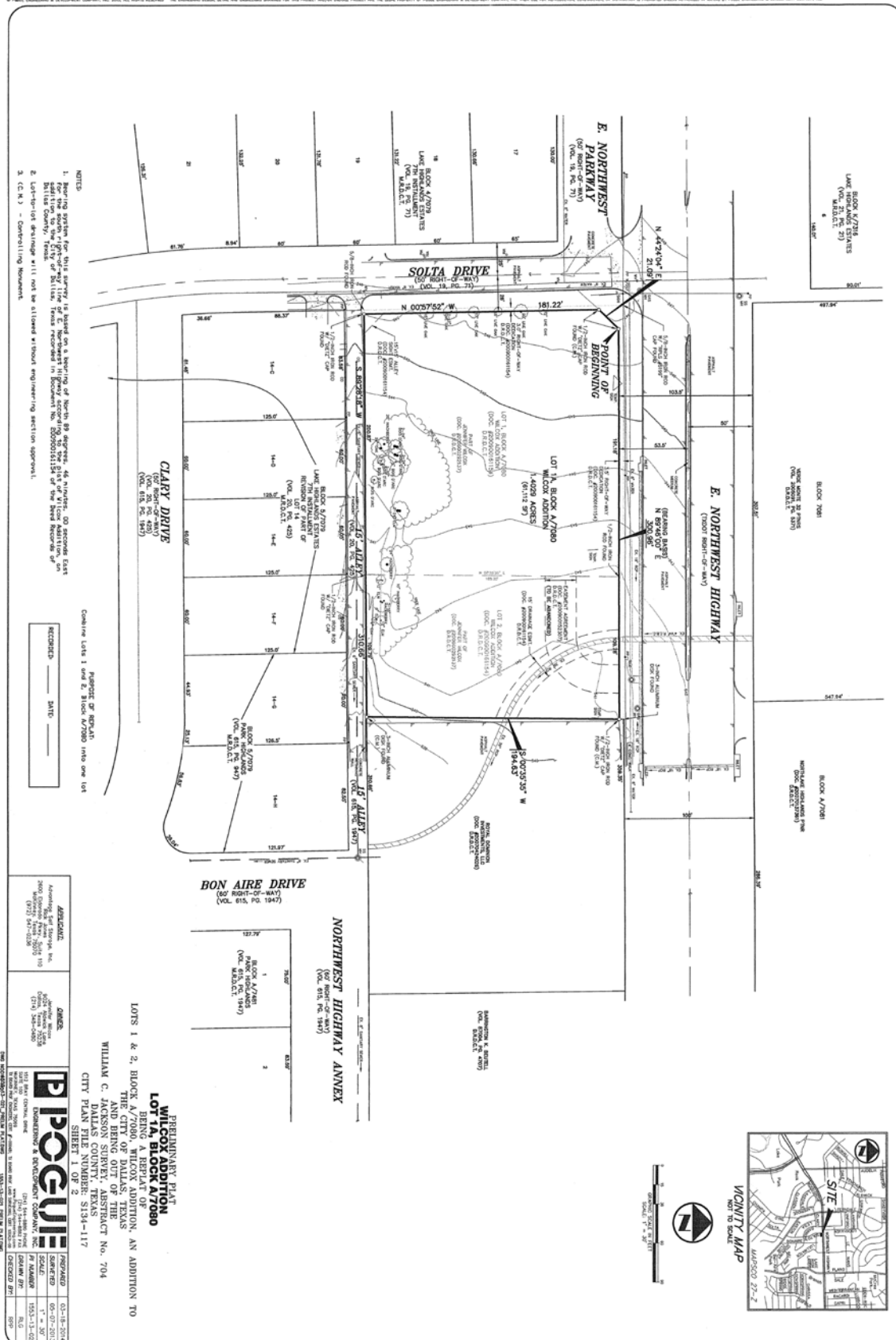
SUBDIVISION HISTORY: There has been no recent plat activity within close proximity to this request.

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

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
14. On the final plat add a note stating: "Access to East Northwest Highway requires TXDOT approval."
15. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
16. On the final plat show the recording information on all existing easements within 150 feet of the property.
17. On the final plat choose a different addition name.
18. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
19. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
20. Wastewater main extension is required by Private Development Contract.
21. On the final plat change "E Northwest Highway" to "Northwest Highway (state Highway SPUR No. 244)".
22. On the final plat identify the property as Lot 1A in City Block A/7080.
23. On the final plat show 3 feet and 3.5 feet dedication boundaries clearly marked.





CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-118**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** St. Francis Avenue and East R.L. Thornton Freeway, southeast corner**DATE FILED:** March 20, 2014**ZONING:** RR**CITY COUNCIL DISTRICT:** 7 **SIZE OF REQUEST:** 23.195 Acres**MAPSCO:** 48F**APPLICANT/OWNER:** Wal-Mart Real Estate

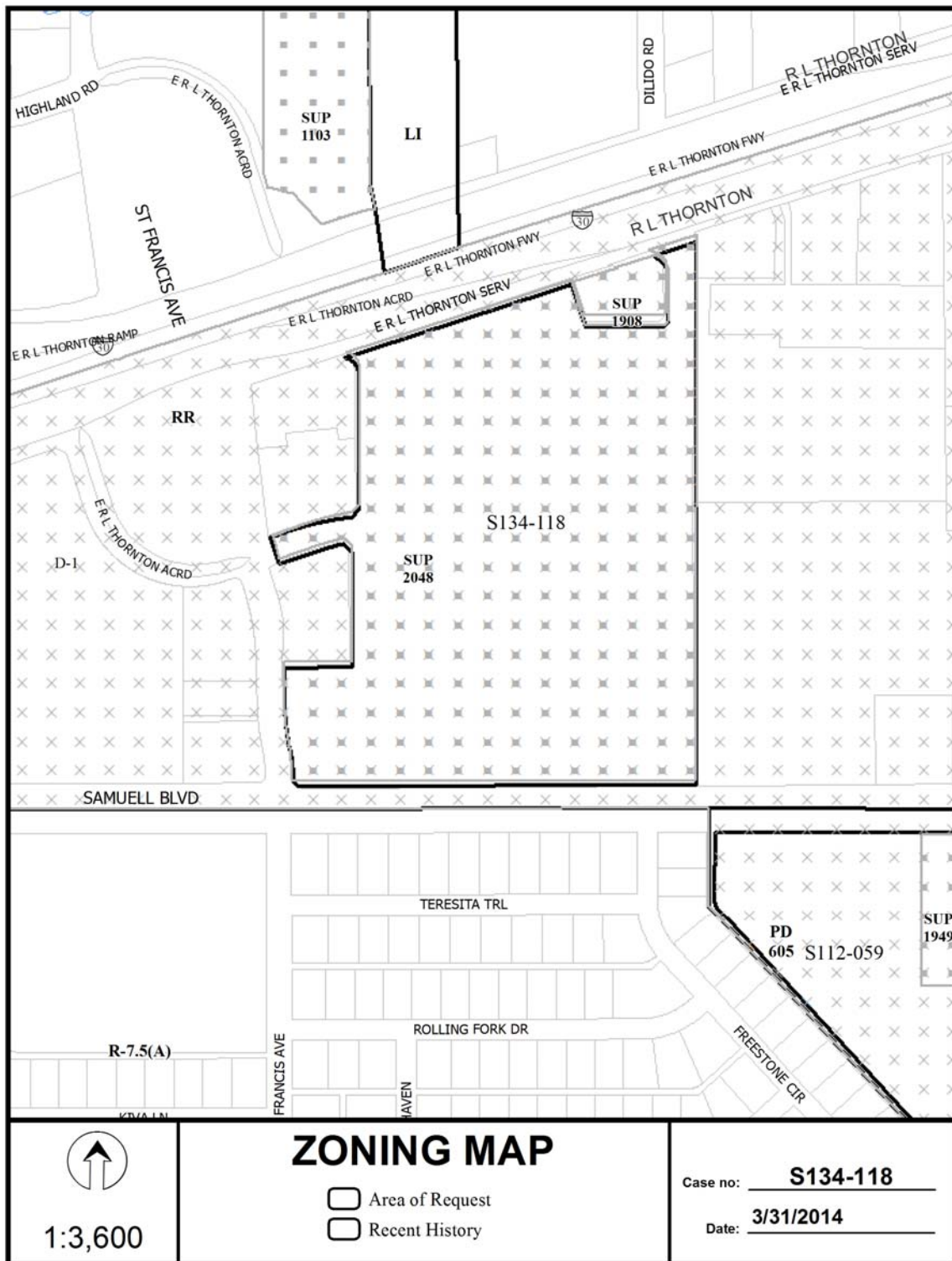
REQUEST: : An application to replat a 23.195-acre tract of land containing all of Lot 6 in City Block A/8475 into one 0.622-acre lot and one 22.573-acre lot at 9100 East R.L. Thornton Freeway on southeast corner of St. Francis Avenue and East R.L. Thornton Freeway.

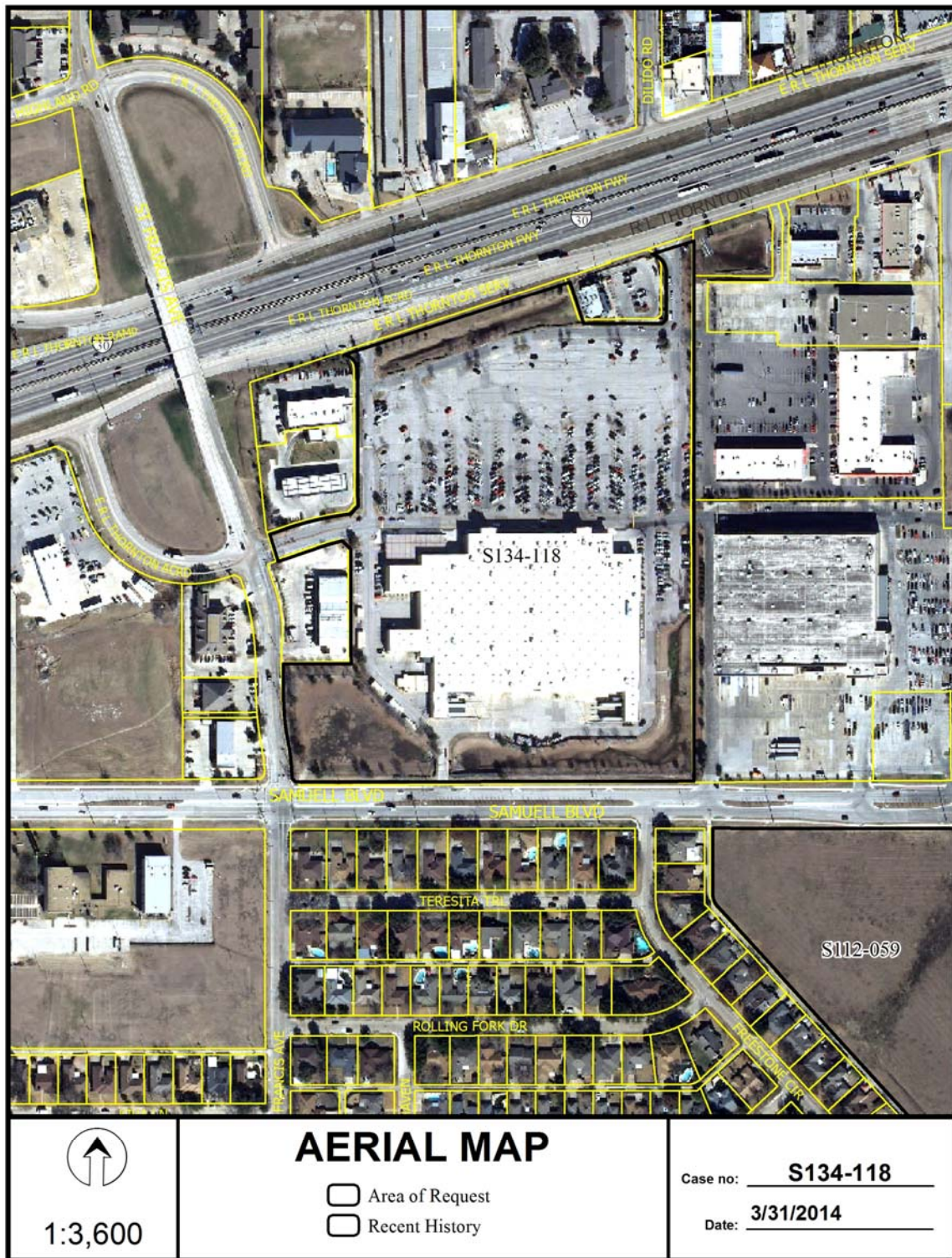
SUBDIVISION HISTORY: There has been no recent plat activity within close proximity to this request.

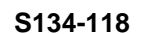
STAFF RECOMMENDATION: The request complies with the requirements of RR zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat add a note stating: "access to R.L. Thornton Freeway (Interstate Highway No. 30) requires TXDOT approval."
14. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
15. On the final plat show the recording information on all existing easements within 150 feet of the property.
16. On the final plat monument all set corners per the monumentation ordinance.
17. On the final plat two control monuments must be shown.
18. Prior to final plat access easement must be recorded by separate instrument.
19. On the final plat choose a different addition name.
20. Prior to final plat provide TXDOT right-of-way map.
21. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
22. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
23. On the final plat change "Samuel Boulevard" to "Samuell Boulevard".
24. On the final plat change "Interstate Highway 30(East R.L. Thornton Freeway)" to "R.L. Thornton Freeway (Interstate Highway 30)".
25. On the final plat identify the property as Lot 6A and 6B in City Block A/8475.







CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-119**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Frankford Road and President George Bush northwest corner**DATE FILED:** March 20, 2014**ZONING:** CR**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 11.724- Acres **MAPSCO:** 3H**APPLICANT/OWNER:** McKamy Creek Shopping/Armstrong Frankford 190, LLC.

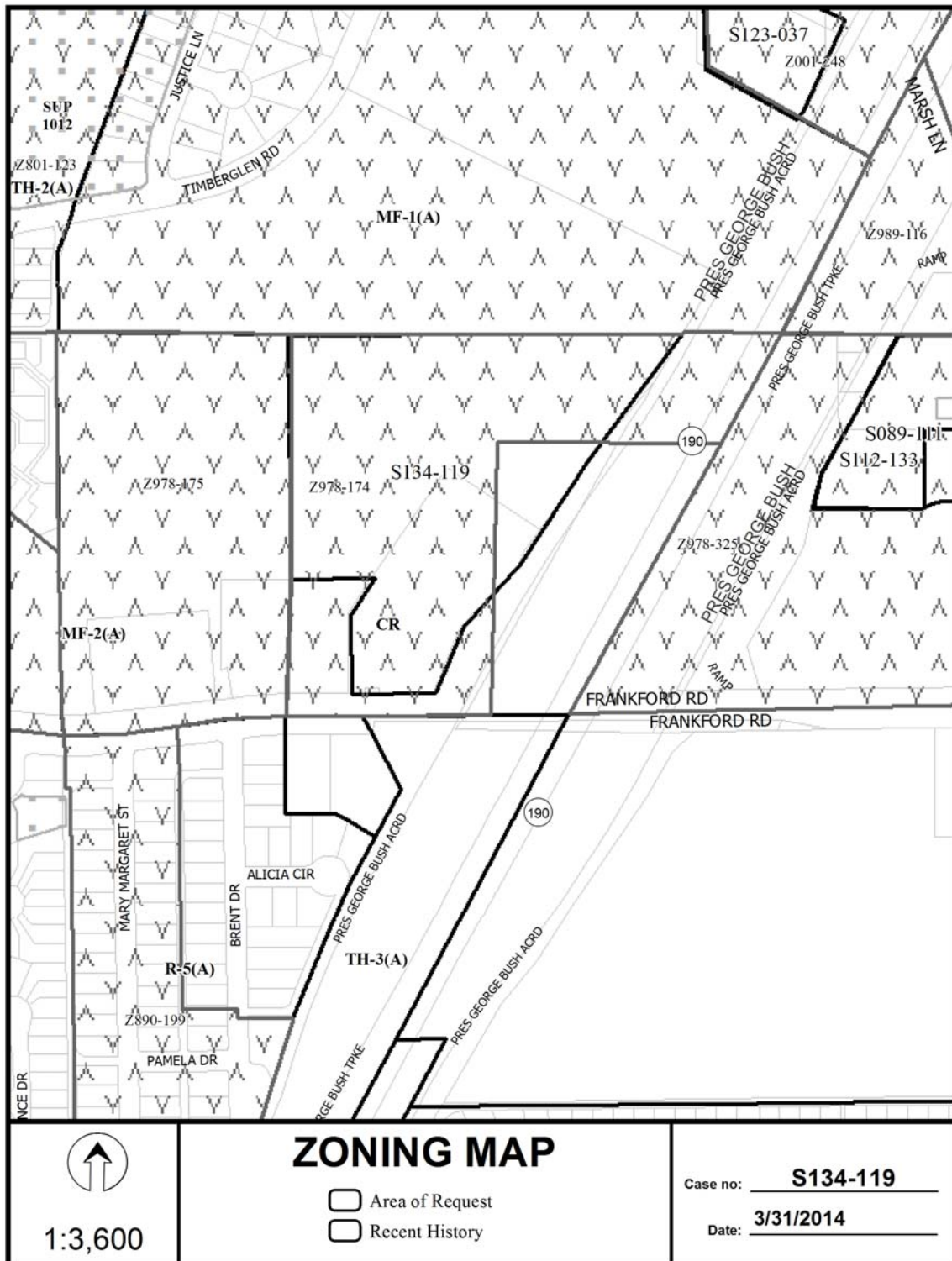
REQUEST: An application to replat an 11.724-acre tract of land containing all of Lots 4 and 5 in City Block W/8751 into one 10.580-acre lot and one 1.144-acre lot on property located on northwest corner of Frankford Road and President George Bush Turnpike/State Highway 190.

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

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

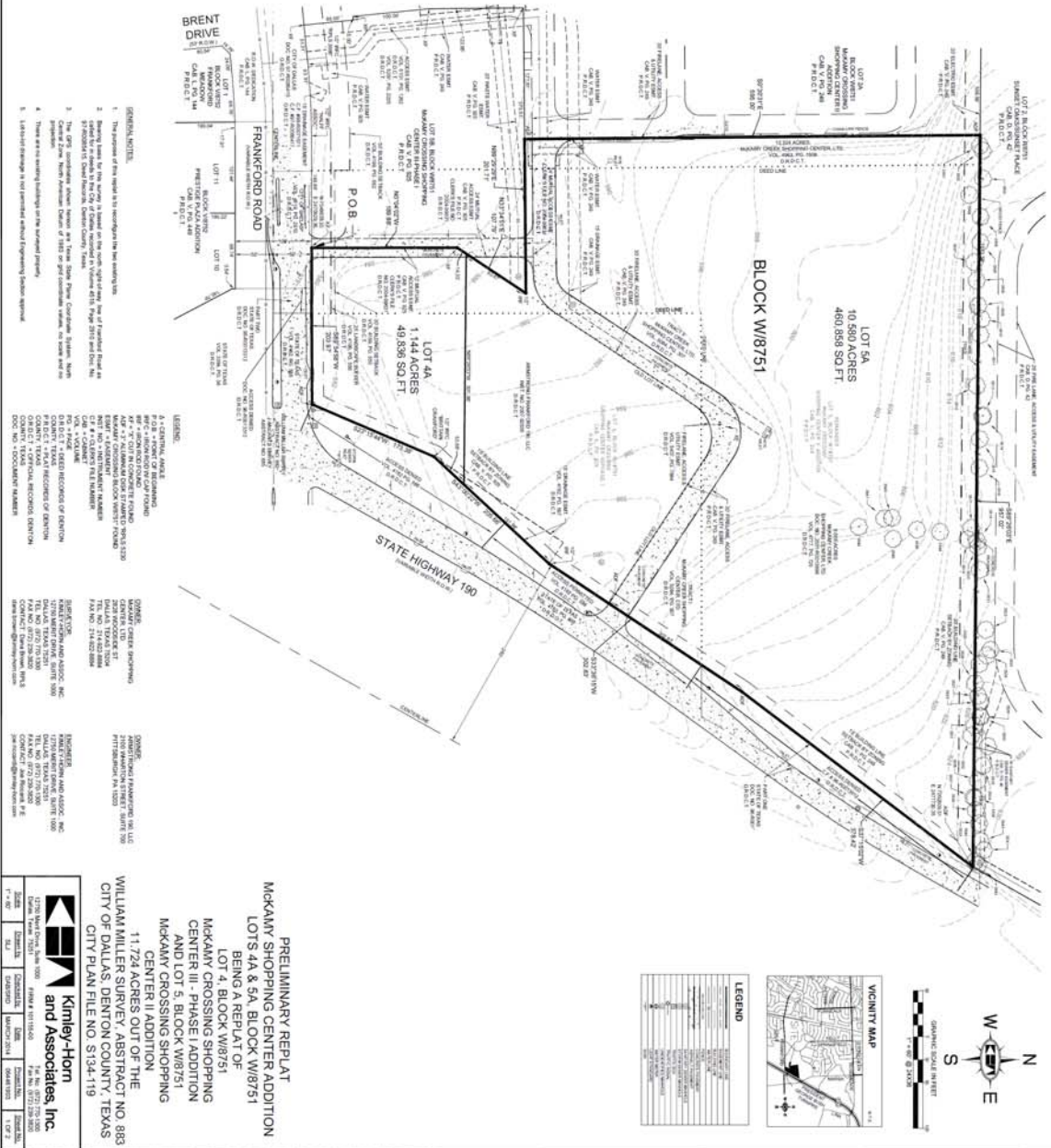
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
14. On the final plat dedicate a 15 foot by 15 foot corner clip at Frankford Road and President George Bush Turnpike/State Highway 190.
15. On the final plat add a note stating: "Access to President George Bush Turnpike/State Highway 190 requires TXDOT approval."
16. On the final plat two control monuments must be shown.
17. On the final plat remove building line(s) from plat.
18. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
19. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
20. Wastewater main extension is required by Private Development Contract.
21. On the final plat change "State Highway 190" to "President George Bush Turnpike/State Highway 190".
22. On the final plat identify the property as Lot 4A and 4B in City Block W/8751.





NO.	DATE	REVISION	BY	DATE	REVISION	BY
1	01/11/14	1	W	01/11/14	1	W
2	01/11/14	2	W	01/11/14	2	W
3	01/11/14	3	W	01/11/14	3	W
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99	01/11/14	99	W	01/11/14	99	W
100	01/11/14	100	W	01/11/14	100	W



CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-120**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** 312, 314 and 316 N. Henderson Avenue.**DATE FILED:** March 20, 2014**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.32 Acres**MAPSCO:** 46C**APPLICANT/OWNER:** Brothers Financial Corporation

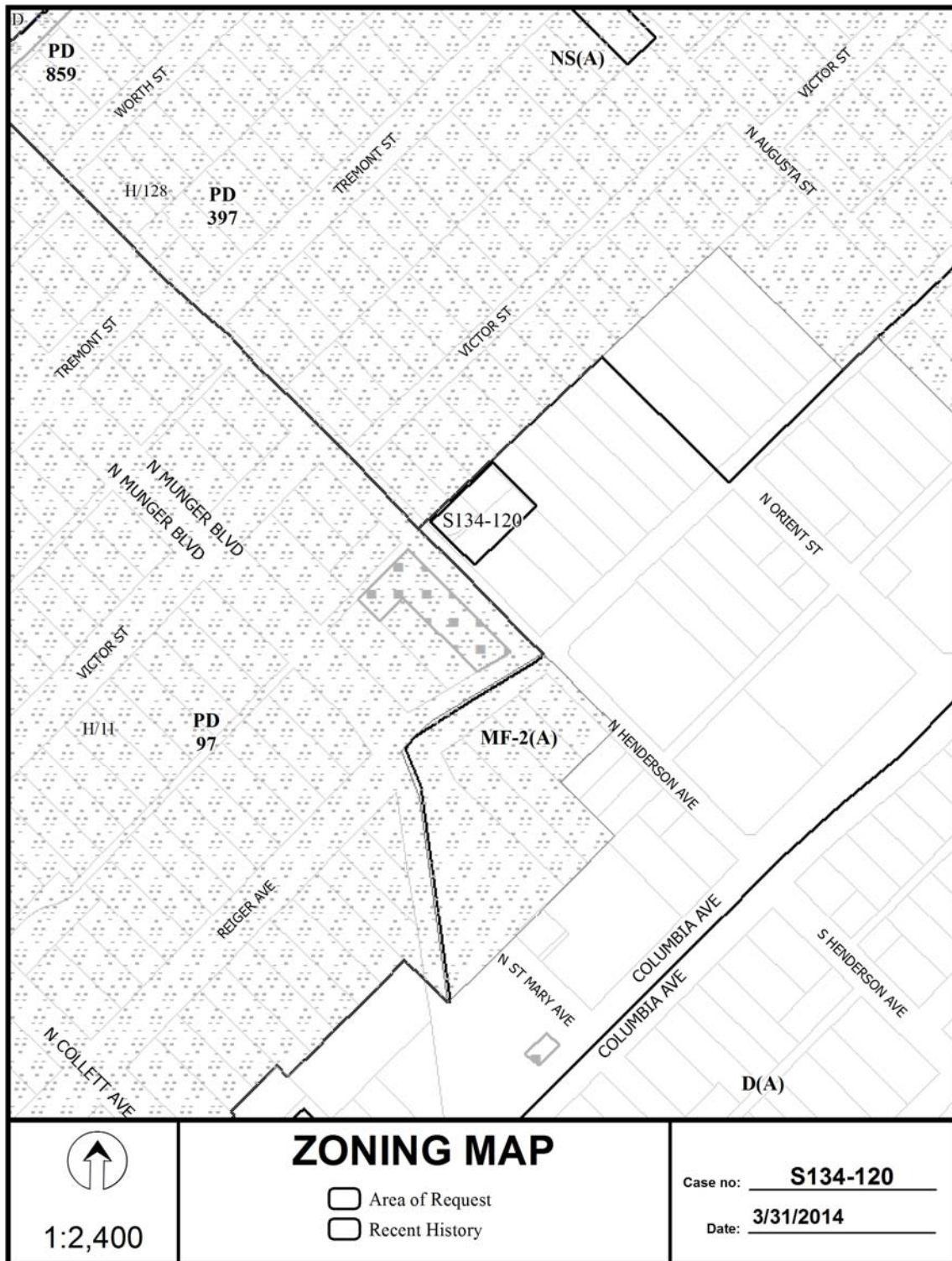
REQUEST: An application to replat a 0.32-acre tract of land containing all of Lot 1A and 2A in City Block and part of Lots 1, 2, and 3 in City Block 1493 into one lot on property located at 312, 314 and 316 N. Henderson Avenue.

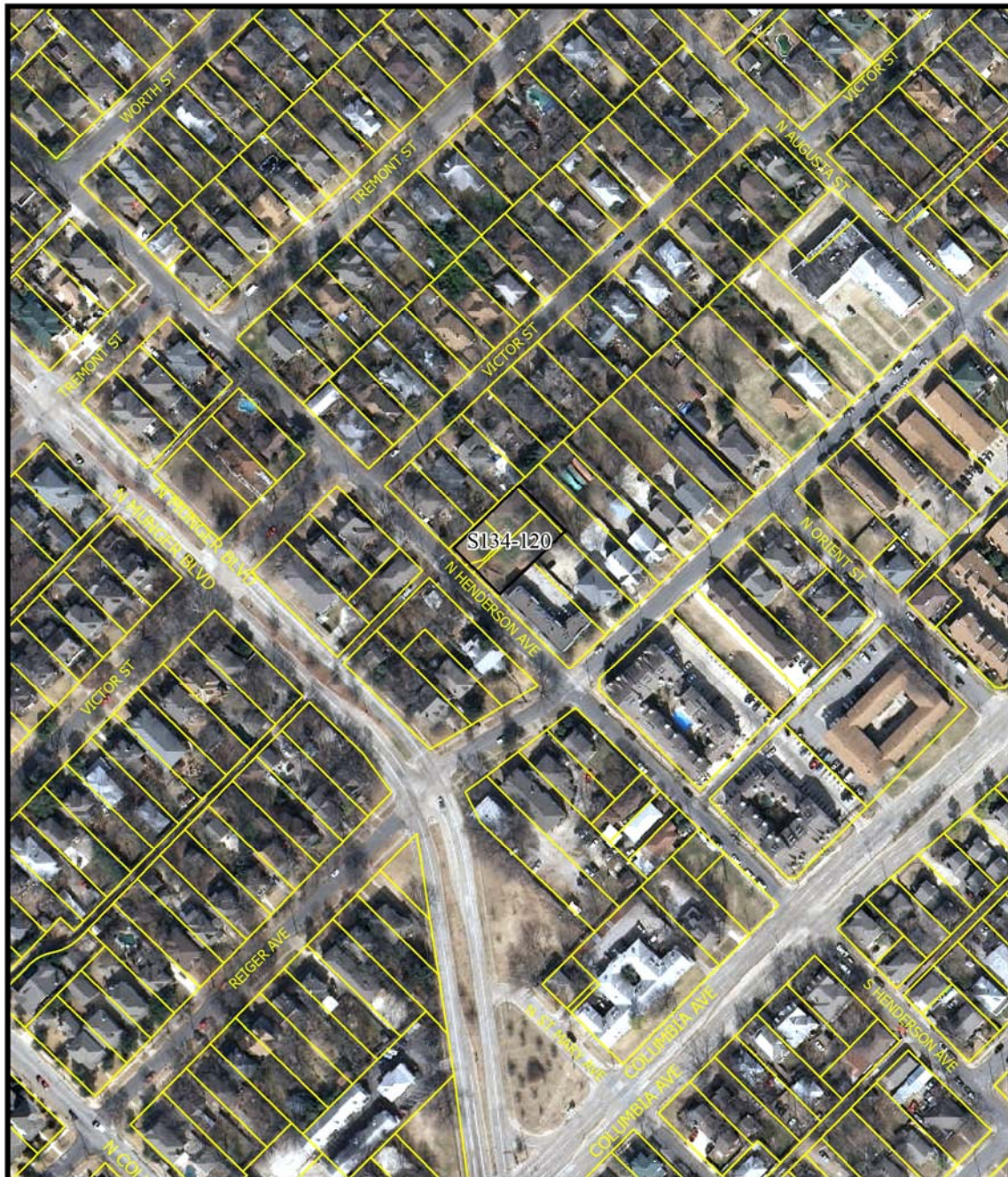
SUBDIVISION HISTORY: There has been no recent plat activity within close proximity to this request.

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

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat dedicate 28 feet of right-of-way from the established centerline of N. Henderson Avenue.
14. Comply with Peaks Branch drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb.
15. On the final plat show abstract line.
16. On the final plat provide an easement for overhead power line crossing south corner.
17. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
18. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
19. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
20. Water/wastewater main extension is required by Private Development Contract.
21. On the final plat identify the property as Lot 1B in City Block 1493.
22. On the final plat show the 5 feet sanitary sewer easement boundaries marked clearly.





1:2,400

AERIAL MAP

- ☐ Area of Request
- ☐ Recent History

Case no: **S134-120**

Date: **3/31/2014**

CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-121**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Bruton Road and St. Augustine Road, northeast corner**DATE FILED:** March 20, 2014**ZONING:** MU-2**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 11.207**MAPSCO:** 3H**APPLICANT/OWNER:** Dallas I, LTD.

REQUEST: An application to create an 11.207-acre lot from a tract of land in City Block 6375 on property located on northwest corner of Bruton Road and St. Augustine road.

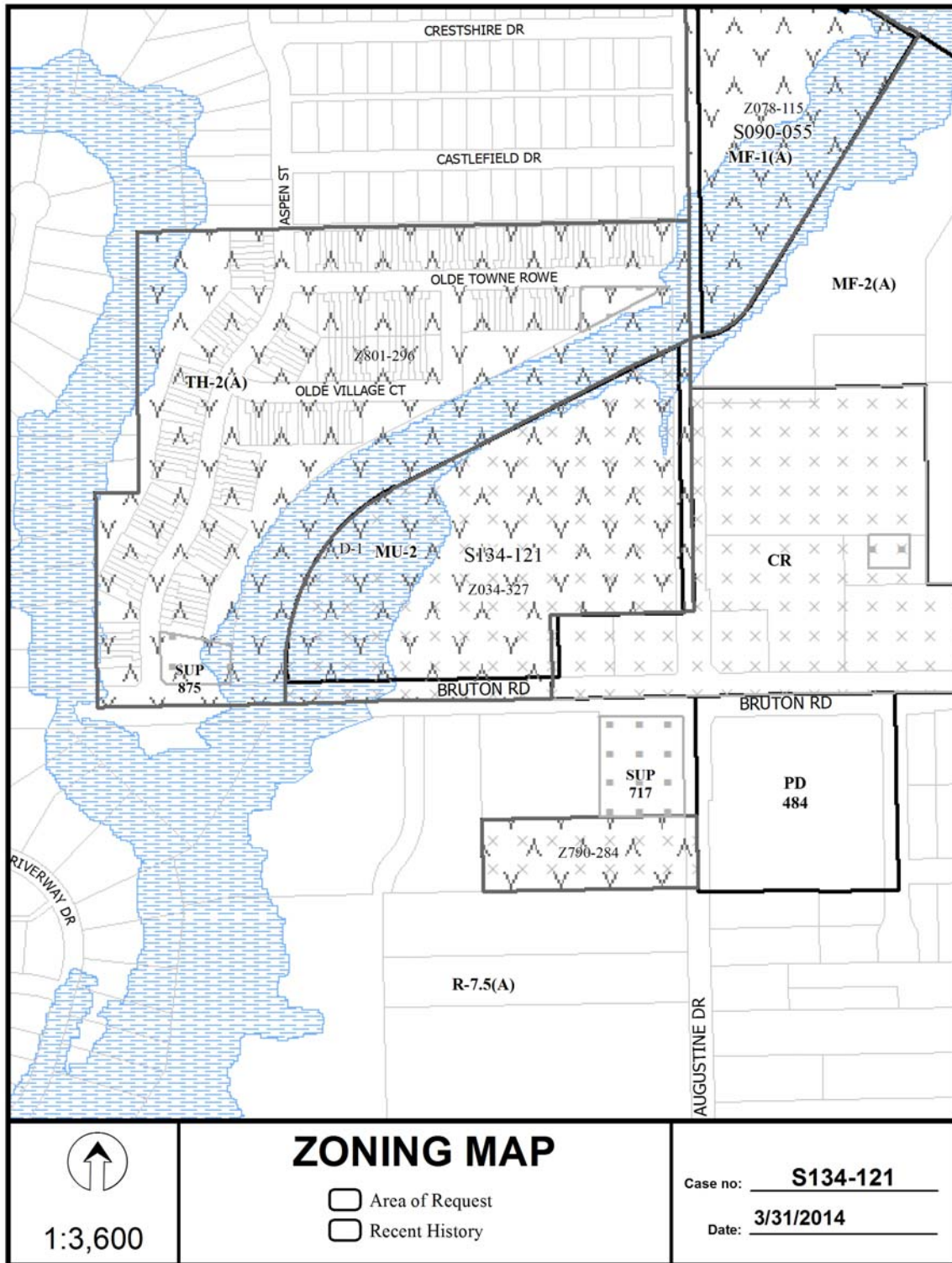
SUBDIVISION HISTORY: There has been no recent plat activity within close proximity to this request.

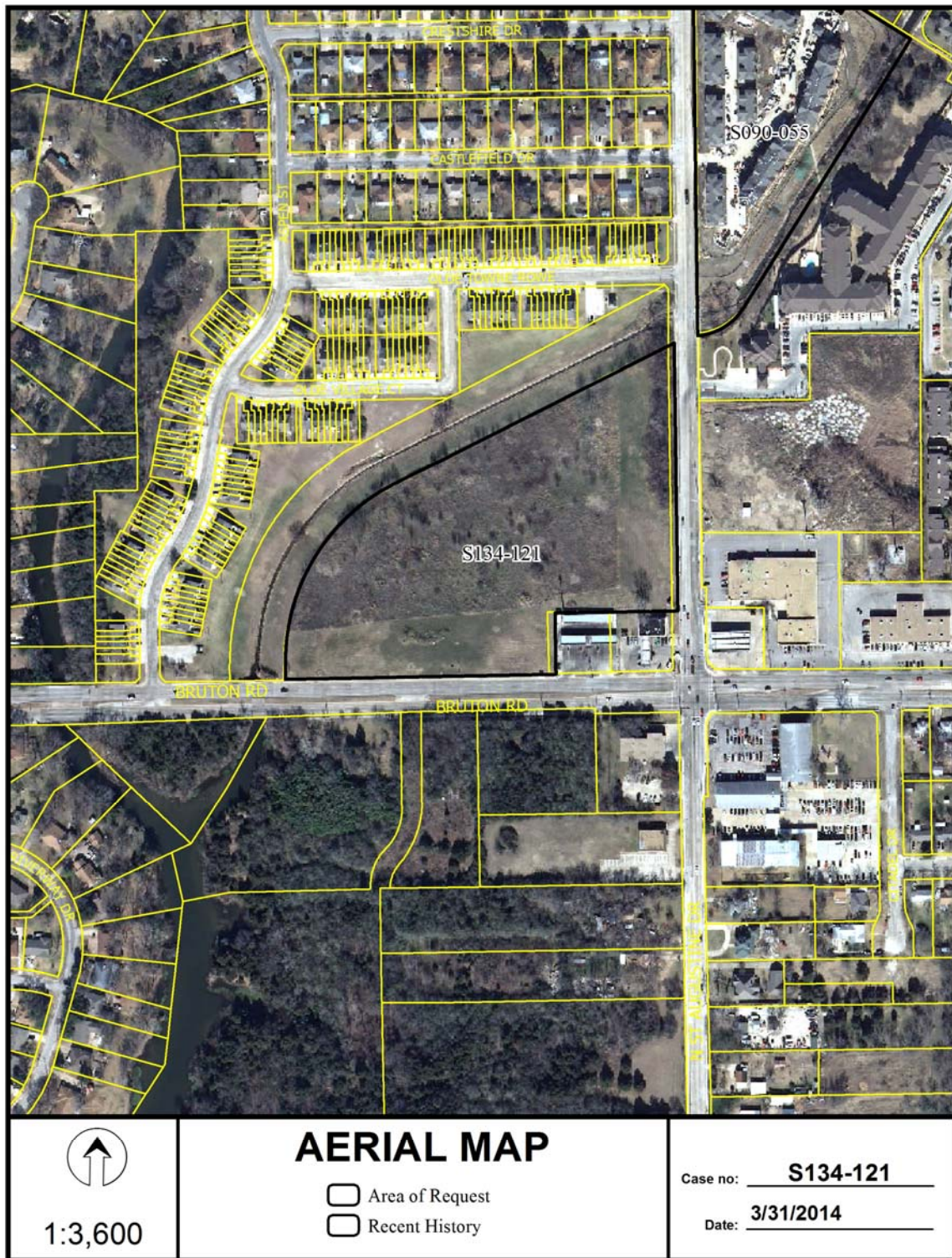
STAFF RECOMMENDATION: The request complies with the requirements of MU-2 zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

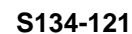
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. 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.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments

must be verified by the Chief City Surveyors Office in the Public Works Department.

10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat dedicate 30 feet of right-of-way from the established centerline of St. Augustine Road.
14. On the final plat determine the 100 year water surface elevation across the plat.
15. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
16. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
17. On the final plat specify minimum fill and minimum finished floor elevations.
18. On the final plat show the natural channel set back from the crest of the natural channel.
19. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
20. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
21. On the final plat monument all set corners per the monumentation ordinance.
22. On the final plat all utility easement abandonments must be shown with the correct recording information
23. On the final plat show the recording information on all existing easements within 150 feet of the property.
24. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
25. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
26. Water/wastewater main extension is required by Private Development Contract.
27. On the final plat identify the property as Lot 3 in City Block 6735.
28. On the final plat show boundaries of floodway clearly. Only one boundary is indicated.







CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-122**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** 11200 Kingsley Road**DATE FILED:** March 21, 2014**ZONING:** IR**CITY COUNCIL DISTRICT:** 10 **SIZE OF REQUEST:** 7.191 Acres **MAPSCO:** 28 Q**APPLICANT/OWNER:** Pramukhraj Hospitality, LLC

REQUEST: An application to create 4 lots ranging in size from 0.825-acre to 3.237-acres from a 7.191-acres tract of land in City Block 8042 on property located 11200 Kingsley Road west of South Jupiter Road.

SUBDIVISION HISTORY:

1. S101-127 is an application to create a 5.60 acre lot and a 0.68 acre common area from a 6.28 acre tract of land in City Block 7487 located at 11100 Walnut Hill Lane at Wickersham Road, southeast corner and was approved on July 7, 2011, but has not been recorded.

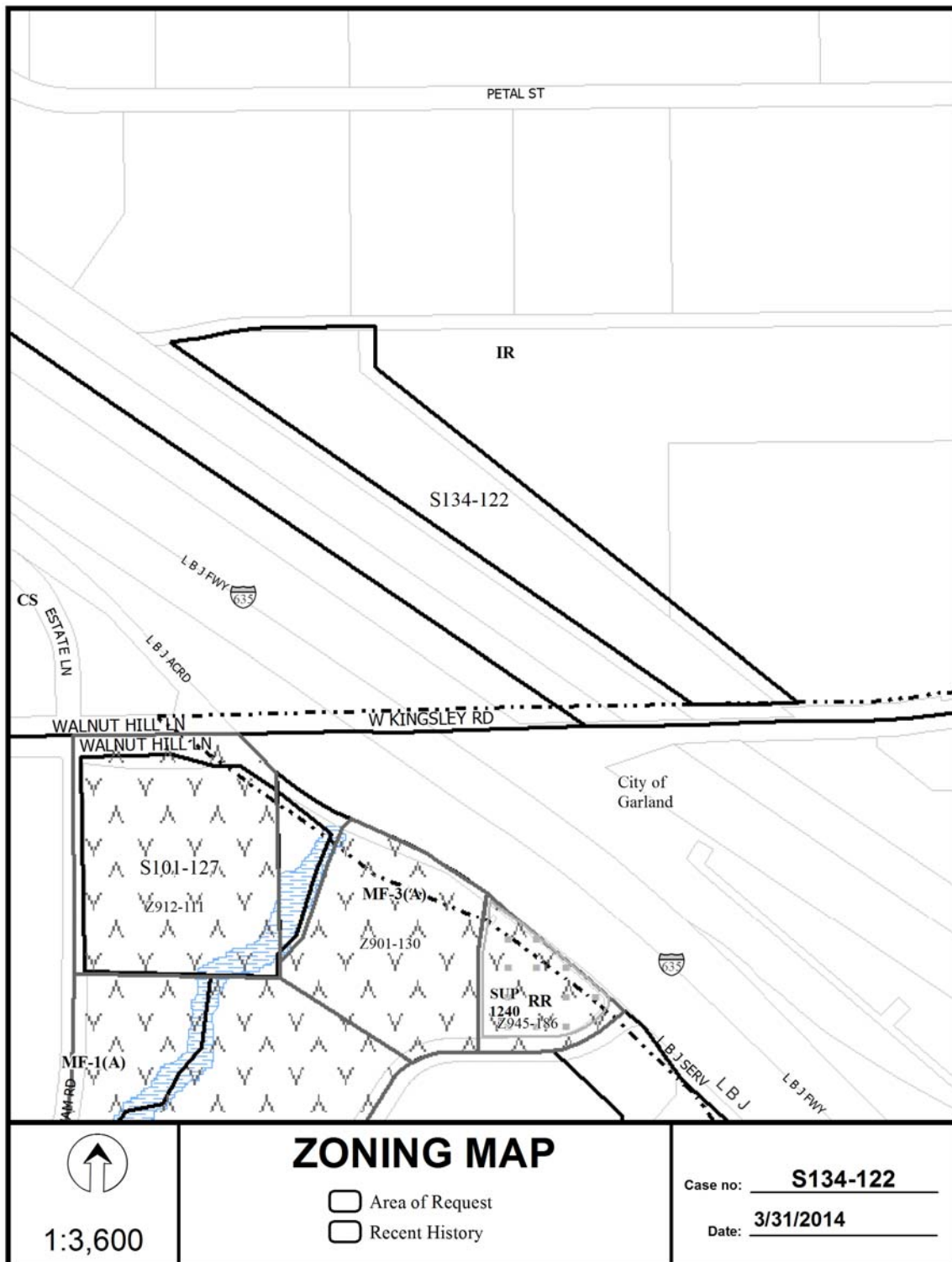
STAFF RECOMMENDATION: The request complies with the requirements of IR zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

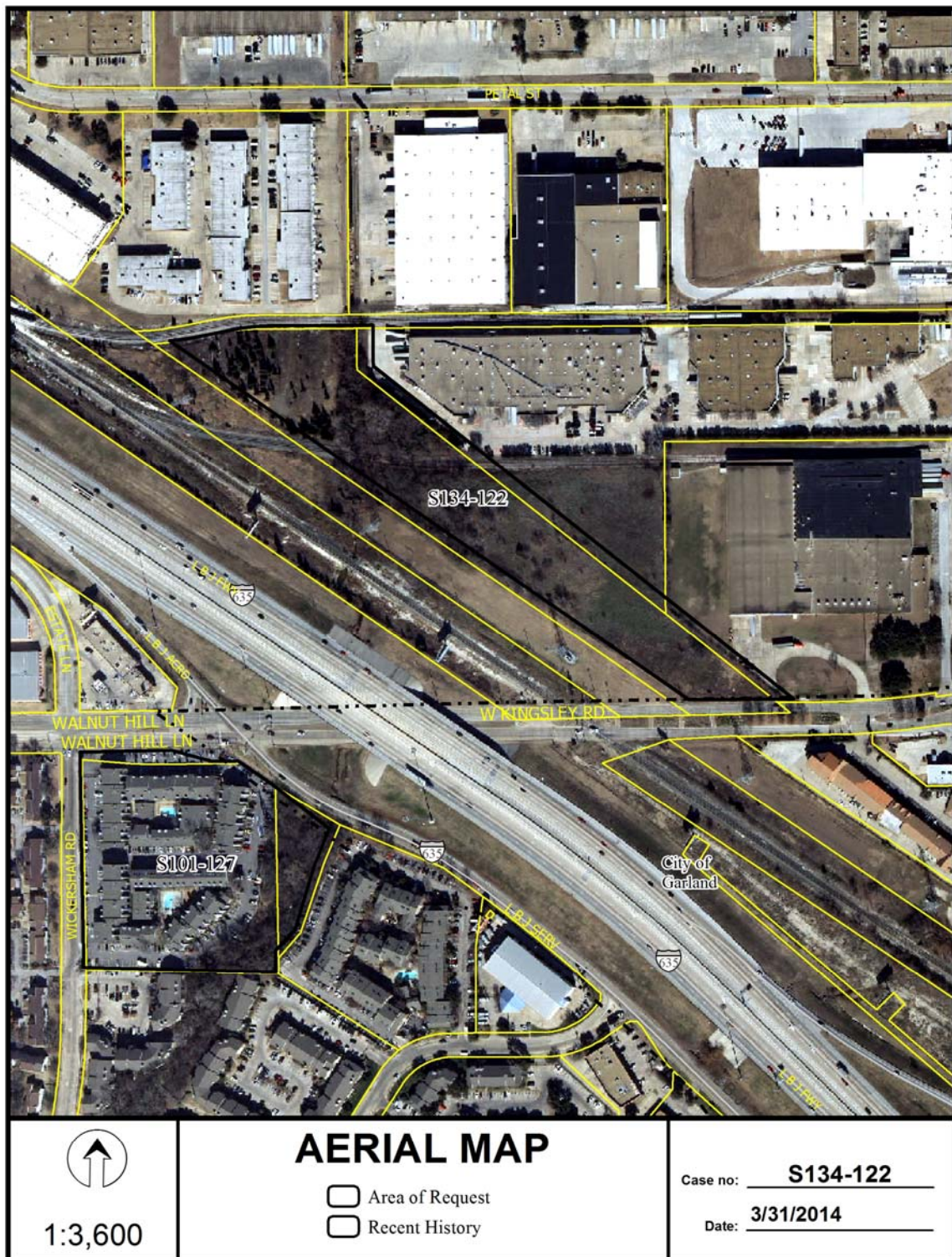
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

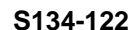
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 4.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
14. On the final plat add a note stating: "access to Kingsley Road requires City of Garland approval."
15. On the final plat show how all adjoining right-of-way was created.
16. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
17. On the final plat show the recording information on all existing easements within 150 feet of the property.
18. Prior to final plat access easement must be recorded by separate instrument.
19. On the final plat remove fire lane from the plat.
20. On the final plat verify city limits of City of Dallas and City of Garland.
21. Prior to final plat provide permission from railroad for crossing.
22. Prior to final plat verify set back from gas line.
23. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
24. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
25. New water and/or wastewater easements need to be shown.
26. A "Fire Protection Certificate" must be signed and approved by the Building Inspection Chief Plans Examiner (or assigned representative) in Room 105 of the Oak Cliff Municipal Center, 320 E. Jefferson Blvd. and must be submitted to the Manager of Water and Sewer Services, Engineering Division, in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for signature by the

Chairperson of the City Plan Commission or the approval of an "Early Release Building Permit" application whichever occurs first.

27. Water/wastewater main extension is required by Private Development Contract.
28. Prior to final plat contact the street name coordinator for help selecting appropriate name for the mutual access easement.
29. On the final plat identify the property as Lots 2, 3, 4 and 5 in City Block C/8042.







CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-123**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** 9620 Harry Hines Boulevard**DATE FILED:** March 21, 2014**ZONING:** IR**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 2.4755 Acres **MAPSCO:** 33 B**APPLICANT/OWNER:** 9661 Schmitz, L.P./Gingercrest, Inc.

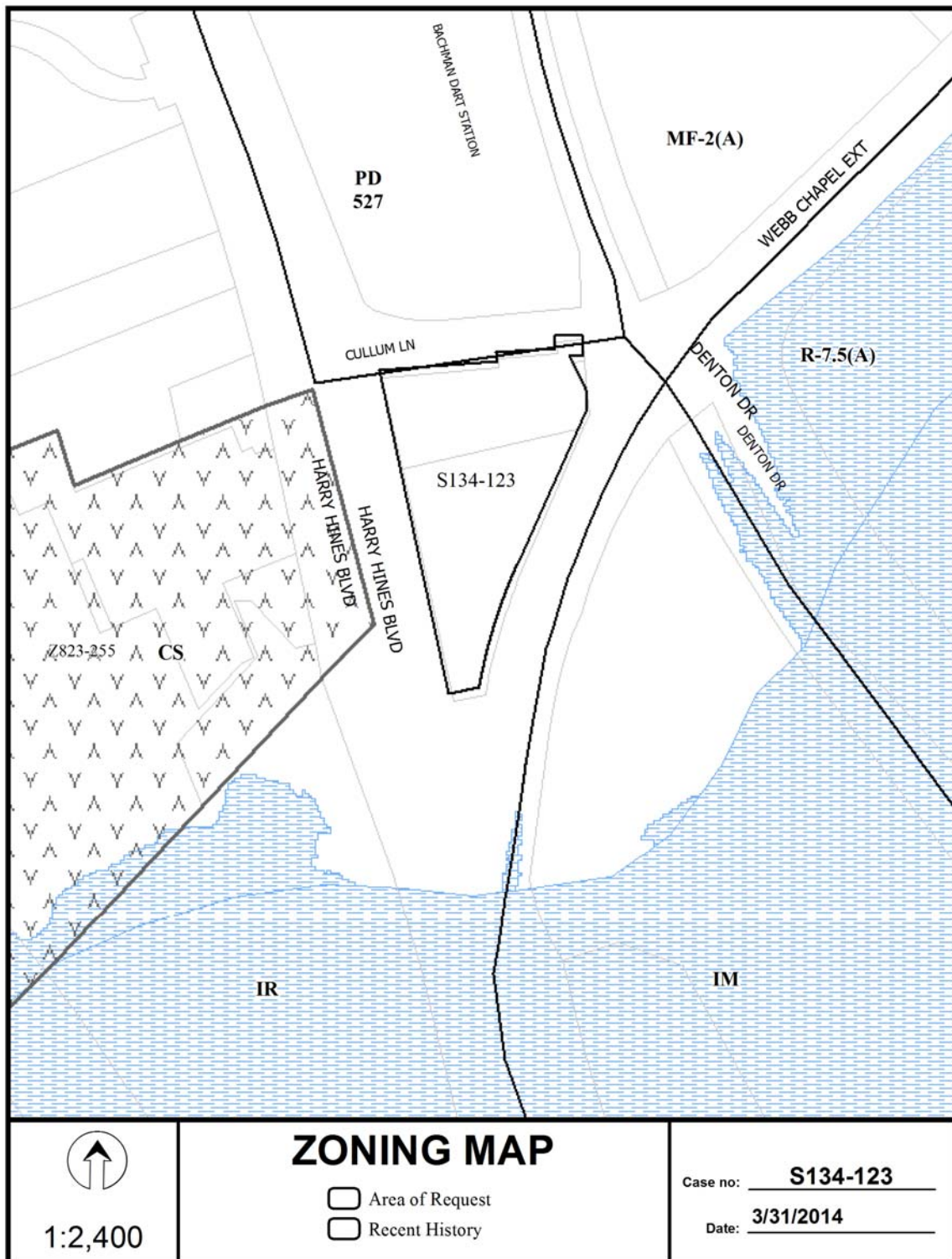
REQUEST: An application to replat a 2.4755-acres tract of land containing part of Lot 2A and all of Lot 1A in City Block 25/5799 and an abandoned portion of Cullum Lane into one lot on property located at 9620 Harry Hines Boulevard

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

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

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat dedicate a 10 foot by 10 foot corner clip at Harry Hines Boulevard and Cullum Lane.
14. On the final plat monument all set corners per the monumentation ordinance.
15. On the final plat two control monuments must be shown.
16. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.
17. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
18. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer. 40 feet required for main 30 inches or larger.
19. On the final plat change "Denton Drive" to "Webb Chapel Extension", as named by Ordinance No. 16625.
20. On the final plat identify the property as Lot 1B in City Block 25/5799.





1:2,400

AERIAL MAP

- ☐ Area of Request
- ☐ Recent History

Case no: **S134-123**

Date: **3/31/2014**

CITY PLAN COMMISSION**THURSDAY, April 17, 2014****FILE NUMBER:** S134-124**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Dalview Avenue and Brock Street, southeast corner**DATE FILED:** March 21, 2014**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 4 **SIZE OF REQUEST:** 1.240 Acres**MAPSCO:** 55 L**APPLICANT/OWNER:** Coria Corporation, Inc.

REQUEST: An application to replat a 1.240-acre tract of land containing all of Lots 1 through 4 in City Block C/7533 into two 0.620-acre lots on property located on southeast corner of Dalview Avenue and Brock Street.

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

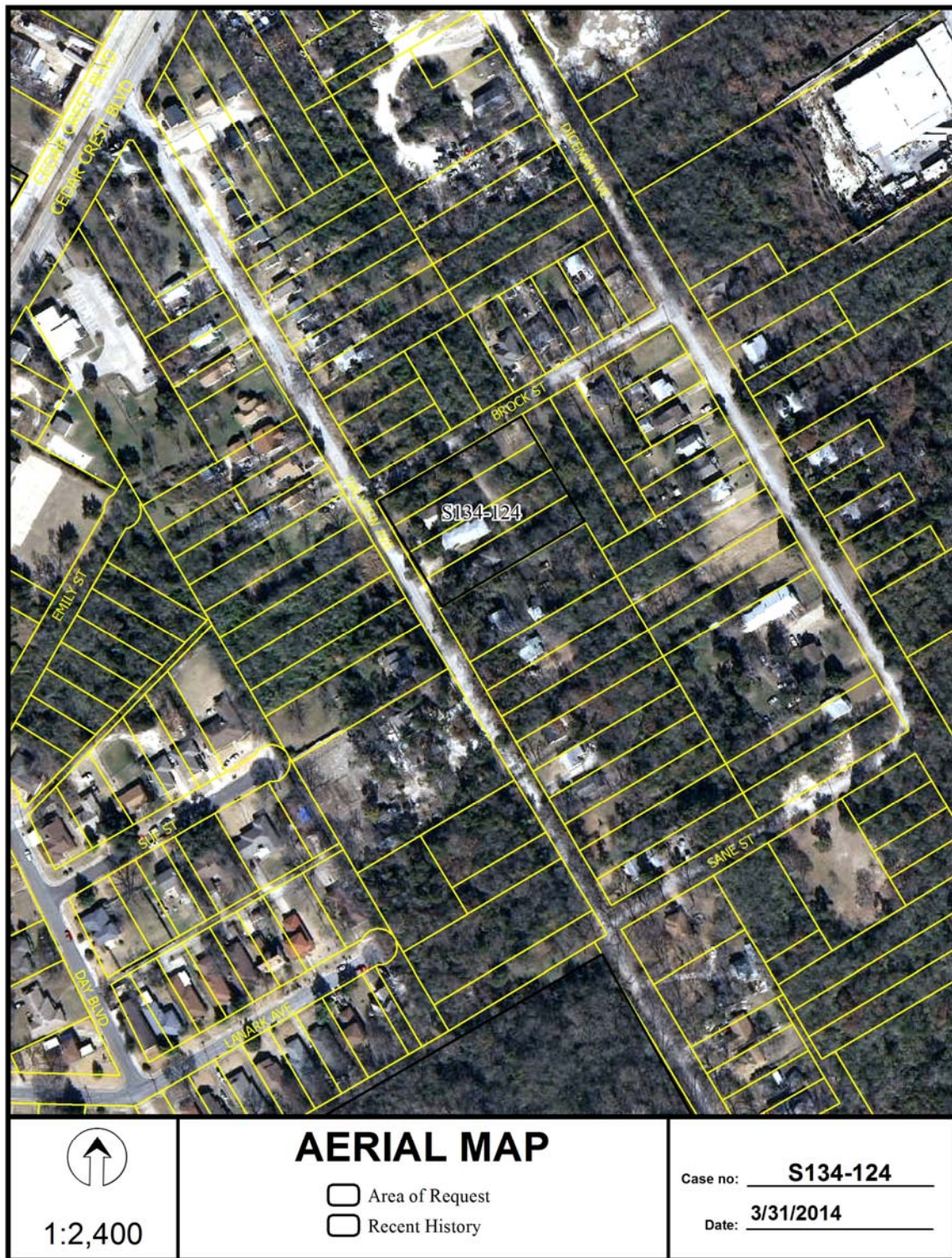
STAFF RECOMMENDATION: Section 51A-8.503(a) says that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

The proposed lot sizes are larger than the most of the existing lots in the adjoining R-7.5(A) area. The adjoining lots are approximately 13,500 square feet in size whereas the proposed lots are 27,013 square feet in size. The existing lots are long and narrow and do not lend themselves to efficient urban development patterns. The proposal in addition to creating a larger parcel size and a more efficient development pattern also eliminates a lot line traversing through an existing house. Due to the lot pattern, more efficient use of land, and elimination of a nonconforming situation staff recommends approval of the application subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. 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.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
13. On the final plat dedicate 26.5 feet of right-of-way from the established centerline of Brock Street.
14. On the final plat dedicate 26.5 feet of right-of-way from the established centerline of Dalview Avenue.
15. On the final plat dedicate a 10 foot by 10 foot corner clip at Dalview Avenue and Brock Street.
16. On the final plat choose a different addition name.
17. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations with service sizes.
18. Water/wastewater main extension may be required by Private Development Contract.
19. On the final plat identify the property as Lots 1A and 3A in City Block C/7533.







3/31/2014

Notification List of Property Owners

S134-124

33 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1327 DALVIEW AVE	CORIA CORPORATION INC
2	1322 DALVIEW AVE	GRIGGS WILLIE JR
3	1245 DALVIEW AVE	EASLEY WANDA J
4	1249 DALVIEW AVE	HARRIS FERNANDA
5	1253 DALVIEW AVE	JENKINS GEORGIA ESTATE
6	1257 DALVIEW AVE	BROWN PAUL
7	1261 DALVIEW AVE	THOMAS ARTHUR
8	1307 DALVIEW AVE	JAMES HENRY
9	1315 DALVIEW AVE	KINGSLEY OMORUYI & SHERRY
10	1319 DALVIEW AVE	JAMES HENRY
11	1323 DALVIEW AVE	ALEXANDER ROSIE L & WILBERT
12	1109 BROCK ST	BRUNSON RUBY F
13	1105 BROCK ST	MARIN MIREYA BARRIENTOS
14	1113 BROCK ST	ZAVALA MARIA D
15	1250 DALVIEW AVE	BRANCH JERRY D
16	1117 BROCK ST	MOORE VERNON
17	1246 DALVIEW AVE	WATKINS CARL
18	1231 DICEMAN AVE	STANTON LUTHER D
19	1120 BROCK ST	DALLAS HOUSING ACQUISITION & DEV CORP CI
20	1116 BROCK ST	RAMSEY WILLIE B ESTATE OF % JANICE WOOD
21	1307 DICEMAN AVE	MORGAN EARLIE MARIE
22	1303 DICEMAN AVE	RICHARDSON WILLIE J EST OF % LISA RICHAR
23	1315 DICEMAN AVE	RODGERS EDWARD
24	1112 BROCK ST	RICHARDSON WILLIE EST OF % LISA RICHARDS
25	1319 DICEMAN AVE	TYESKIE SARAH
26	1311 DICEMAN AVE	WRIGHT LEVENIS G & SERENA L WRIGHT

3/31/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1326 DALVIEW AVE	CORIA ISIDRO &
28	1404 DALVIEW AVE	CORIA ISIDRO & MA AURELIA
29	1407 DICEMAN AVE	VIEYRA LEODEGARIO
30	1403 DICEMAN AVE	VILLANUEVA EDGAR A
31	1329 DICEMAN AVE	ANDERSON MELVIN
32	1323 DICEMAN AVE	ANDERSON MELVIN
33	1325 DICEMAN AVE	ANDERSON MELVIN

CITY PLAN COMMISSION**THURSDAY, APRIL 17, 2014****FILE NUMBER:** S134-125**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Shadyside Lane and Lindsley Avenue, southeast corner**DATE FILED:** March 21, 2014**ZONING:** CD-6, Tract IIA**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.6855-acre **MAPSCO:** 37W**APPLICANT/OWNER:** MM Finished Lots, LLC

REQUEST: An application to replat a 0.6855-acre tract of land in part of City Block 2/2703 into a 6 lot Shared Access Development and 2 common areas ranging in sizes from 2,129 square feet to 5,949 square feet on the southeast corner of Lindsley Avenue and Shadyside Lane.

SUBDIVISION HISTORY:

1. S134-126 is an application located in the same block to create a 17 lot Shared Access Development and 1 common area ranging in size from 3080 square foot to 4264 square foot from a tract of land in City Block 2./2703 on property located on Shadyside Lane east of Lindsley Avenue. This request is scheduled for a public hearing April 17, 2014 also.
2. S134-127 is an application located in the same block to create a 6 lot Shared Access Development and 1 common area ranging in size from 3080 square foot to 4701 square foot from a tract of land in City Block 2./2703 on property located on Shadyside Lane east of Lindsley Avenue. This request is scheduled for a public hearing on April 17, 2014 also.
3. S112-127 was an application to replat a 3.7436 acre tract of land containing all of City Block 2/2703 into 28 lots and to remove the existing 30 foot platted building line on East Grand Avenue at Shadyside Lane between Lindsley Avenue and East Grand Avenue and final plat was recorded on September 19,2013.
4. S112-128 was an application on the entire block of this property to replat a 4.1160 acre tract of land into a 26 lot Shared Access Development in City Block 2/2703 on property located on Shadyside Lane between Lindsley Avenue and Vivian Avenue. This request was approved on June 7, 2012 and withdrawn on March 17, 2013.

DATES NOTICES SENT: 4 notices were mailed April 1, 2014.

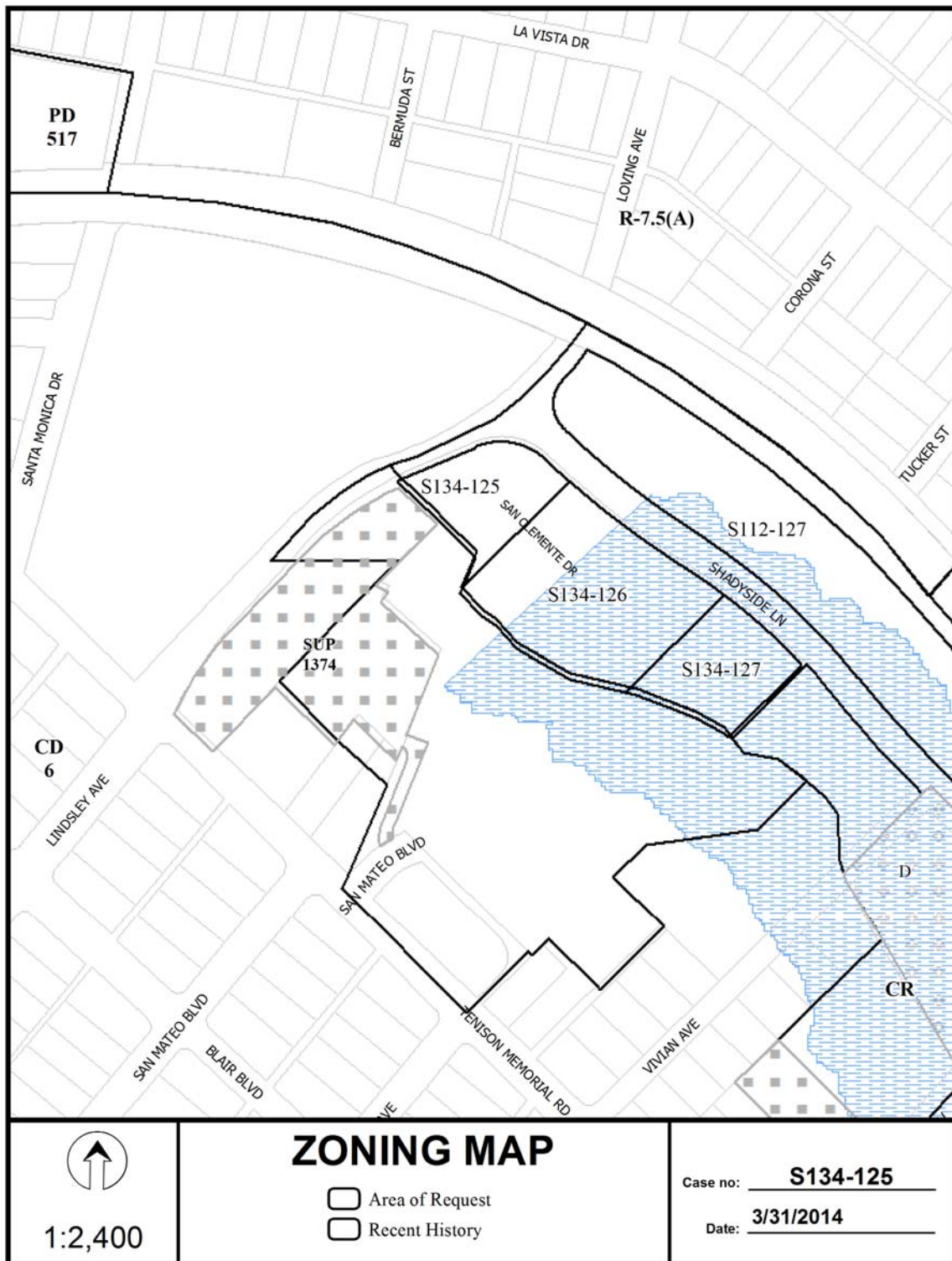
STAFF RECOMMENDATION: The request complies with the requirements of the Shared Access Area Development. The request also complies with the requirements of Conservation District No.6 Tract IIA. The Conservation District No. 6 Tract IIA all lots (including lots within shared access development) must have a minimum lot area of 1,200 square feet, a minimum depth of 50 feet and a minimum width of 18 feet. This particular plat has 6 lots and 2 common areas and a physical barrier between the 2 additions will be provided in order to comply with the Shared Access requirements.

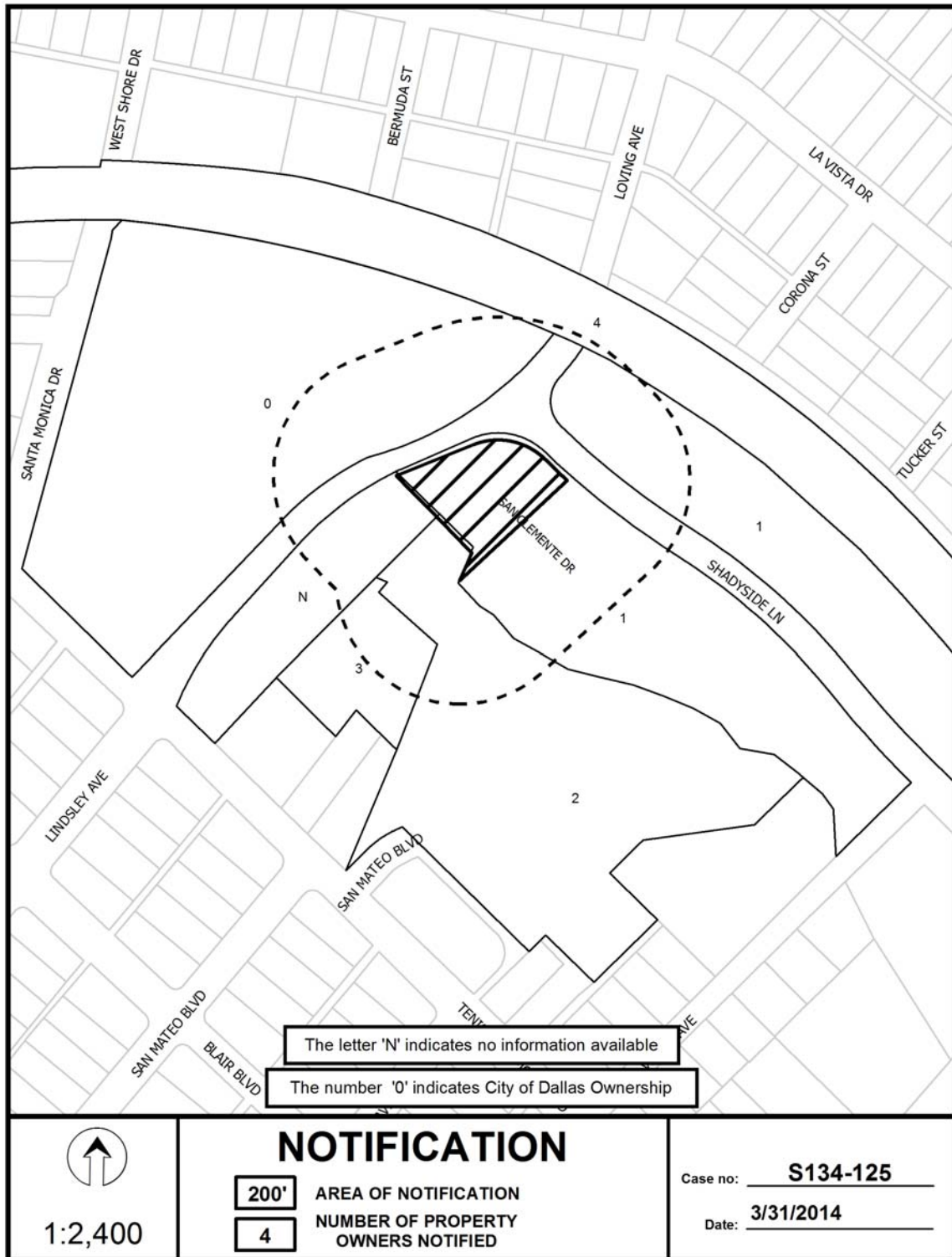
Therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. 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.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The final plat shall limit the number of lots to a maximum of 6 with 2 common areas.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat determine the 100 year water surface elevation across the plat.

14. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
16. On the final plat specify minimum fill and minimum finished floor elevations.
17. On the final plat show the natural channel set back from the crest of the natural channel.
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
20. Provide 0.125 guest parking spaces per lot (for shared access development as defined in Chapter 51A of Dallas City Code, as amended for Tract IIA) the parking spaces must be designed with adequate maneuverability.
21. On the final plat show the correct recording information for the subject property.
22. On the final plat monument all set corners per the monumentation ordinance.
23. On the final plat two control monuments must be shown.
24. On the final plat all utility easement abandonments must be shown with the correct recording information. (Volume 92044, Page 5754
25. On the final plat remove building line(s) from plat.
26. Prior to final plat submit approved fill permit.
27. The Engineer shall furnish plans for water and sanitary sewer and the developer shall furnish a contract for construction of water and wastewater mains.
28. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
29. Water/wastewater main extension is required by Private Development Contract.
30. The final plat must comply with the Dallas Water Utilities rules for a Shared Access Development.
31. Before submission of the final plat, the Shared Access Development must meet all of the requirements of Dallas Development Code Section 51A-4.411, as amended.
32. The Shared Access Area easement must be at least 20 feet wide and contain a minimum paving width of 16 feet.
33. The recording information of the "Shared Access Area Easement and Private Land Use Restrictions" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature.

34. The Shared Access Area Easement and Private Land Use Restrictions must be approved as to form and signed by the Subdivision Administrator for the Building Official and by the City Attorney's office and shall include a metes and bounds description and a drawing of the Shared Access Area as part of an attachment to the agreement.
35. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Easement and Private Land Use Restrictions document have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met.
36. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley.
37. Include the words "Shared Access Area Development" in the title block of the final plat.
38. The final plat requires a note stating "This development is restricted to single family dwellings only."
39. On the final plat show & label 0.125 guest parking spaces per lot on the plat. The spaces must be provided within the Shared Access Area, but may not be located over the water/wastewater easement and must not impede access from any other guest parking space or dwelling unit to the shared access point.
40. If a guard house is provided, it must be set back at least 30 feet from the shared access point.
41. On the final plat identify the lots as Lots 1 through 6 and Common Areas A and B (Shared Access Area), in City Block 2/2703.
42. On the final plat add the following note: "A barrier easement, a minimum of 3 feet in width, must be located along the west boundary line of the Shared Access Drive between lots 21 and 22 to physically separate the two additions and to comply with of Section 51A-8.505(c)."
43. Prior to the final contact the street name coordinator for help selecting an appropriate name for the shared access drive.
44. On the final plat, if 18 feet utility easement and 24 feet Shared Access Easement are to be dedicated "by this plat" or already dedicated and "recorded in instrument No./ Volume, Page" and indicate status of the dedication.





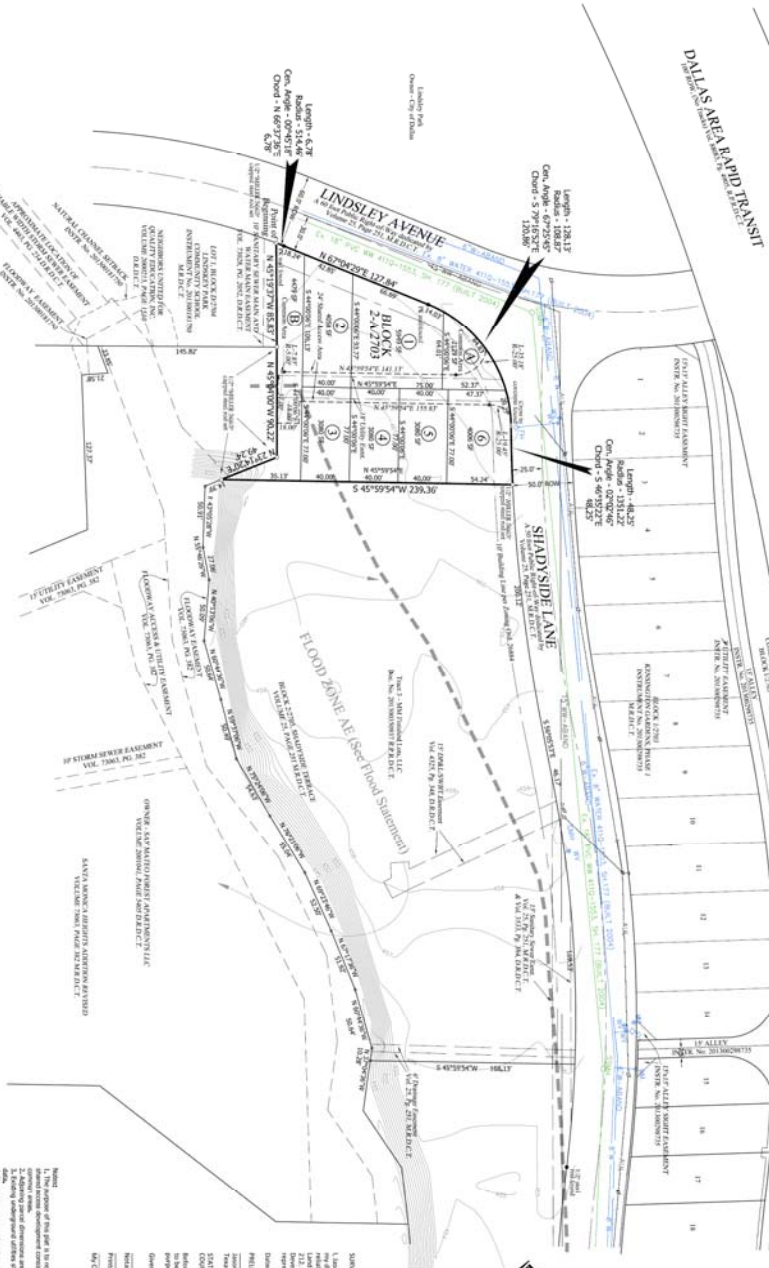
3/31/2014

Notification List of Property Owners

S134-125

4 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	904 SHADYSIDE LN	CADG SHADY SIDE LLC
2	7100 TENISON MEMORIAL	SAN MATEO FOREST APT LLC
3	722 TENISON MEMORIAL	NEIGHBORS UNITED FOR QUALITY EDUCATION I
4	401 BUCKNER BLVD	DART

[illegible][illegible]

WITNESSES my hand this _____ day of _____, 20____.

Notarized Signature _____

NOTARY PUBLIC
STATE OF TEXAS
COUNTY OF DALLAS

Before me, undersigned, a Notary Public in and for Texas and duly sworn in this regard, appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of this day _____ day of _____, 20____.

Notary Public, State of Texas
Printed Name _____
Printed Name _____
My Commission Expires _____

COUNTY CLERK FOR DALLAS COUNTY
1222 W. HUNT STREET, SUITE 100
DALLAS, TEXAS 75201
CONTACT: (214) 752-2100
CONTACT: (214) 752-2100

COUNTY CLERK FOR DALLAS COUNTY
1222 W. HUNT STREET, SUITE 100
DALLAS, TEXAS 75201
CONTACT: (214) 752-2100
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1222 W. HUNT STREET, SUITE 100
DALLAS, TEXAS 75201
CONTACT: (214) 752-2100
CONTACT: (214) 752-2100

City Case No. S 134-125

[illegible]

CITY PLAN COMMISSION**THURSDAY, APRIL 17, 2014****FILE NUMBER:** S134-126**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Shadyside Lane, east of Lindsley Avenue**DATE FILED:** March 21, 2014**ZONING:** CD-6, Tract IIA**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 1.7987-acre **MAPSCO:** 37W**APPLICANT/OWNER:** MM Finished Lots, LLC

REQUEST: An application to replat a 1.7987-acre tract of land in part of City Block 2/2703 into a 17 lot Shared Access Development and 1 common area ranging in sizes from 3,080 square feet to 4,264 square feet from on property located on Shadyside Lane east of Lindsley Avenue.

SUBDIVISION HISTORY:

1. S134-125 is an application to create a 6 lot Shared Access Development and 2 common area ranging in size from 2129 square foot to 5949 square foot from a tract 0.6885-acre tract of land in City Block 2./2703 on property located on southeast corner of Lindsley Avenue and Shadyside Lane.. This request is scheduled for a public hearing April 17, 2014 also.
2. S134-127 is an application located in the same block to create a 6 lot Shared Access Development and 1 common area ranging in size from 3080 square foot to 4701 square foot from a tract of land in City Block 2./2703 on property located on Shadyside Lane east of Lindsley Avenue. This request is scheduled for a public hearing on April 17, 2014 also.
3. S112-127 was an application to replat a 3.7436 acre tract of land containing all of City Block 2/2703 into 28 lots and to remove the existing 30 foot platted building line on East Grand Avenue at Shadyside Lane between Lindsley Avenue and East Grand Avenue and final plat was recorded on September 19, 2013.
4. S112-128 was an application on the entire block of this property to replat a 4.1160 acre tract of land into a 26 lot Shared Access Development in City Block 2/2703 on property located on Shadyside Lane between Lindsley Avenue and Vivian Avenue. This request was approved on June 7, 2012 and withdrawn on March 17, 2013.

DATES NOTICES SENT: 3 notices were mailed April 1, 2014.

STAFF RECOMMENDATION: The request complies with the requirements of the Shared Access Area Development. The request also complies with the requirements of Conservation District No.6 Tract IIA. The Conservation District No. 6 Tract IIA all lots (including lots within shared access development) must have a minimum lot area of 1,200 square feet, a minimum depth of 50 feet and a minimum width of 18 feet. This particular plat has 6 lots and 2 common areas and a physical barrier between the 2: Section 51A-8.503(a) says that "...Lots must conform in width, depth, and area to the

pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets...”.

Also, the proposed lot sizes are larger than the existing lots in the R-10(A) area. The applicant is proposing two lots on Middlefield Road in order to have a residential structure for members of the family. The third lot is proposed to be used for agricultural production; therefore, staff recommends approval of the application subject to compliance with the following conditions:

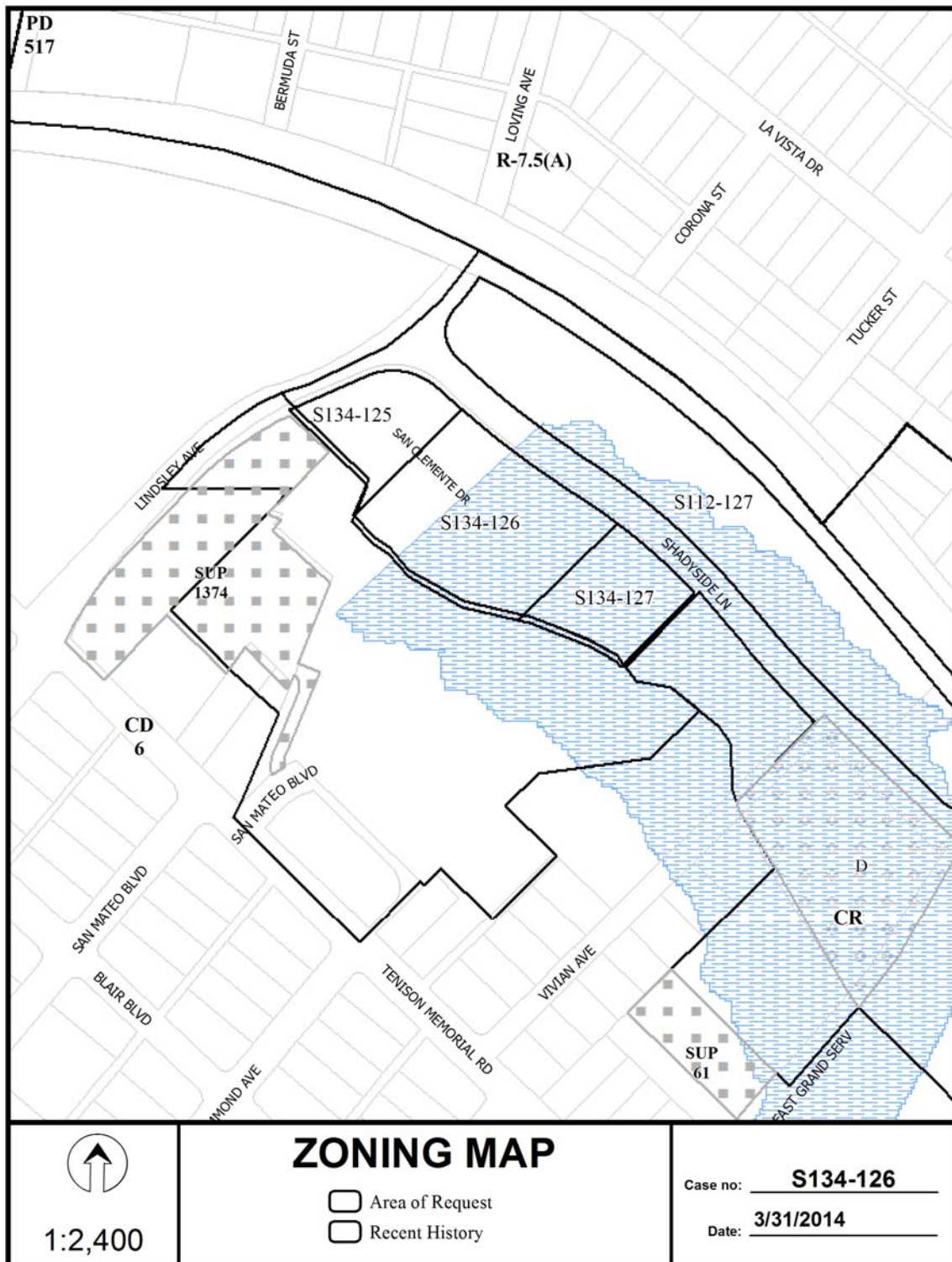
Therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the “Microstation” format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. 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.
8. On the final plat include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The final plat shall limit the number of lots to a maximum of 17 with 1 common area.

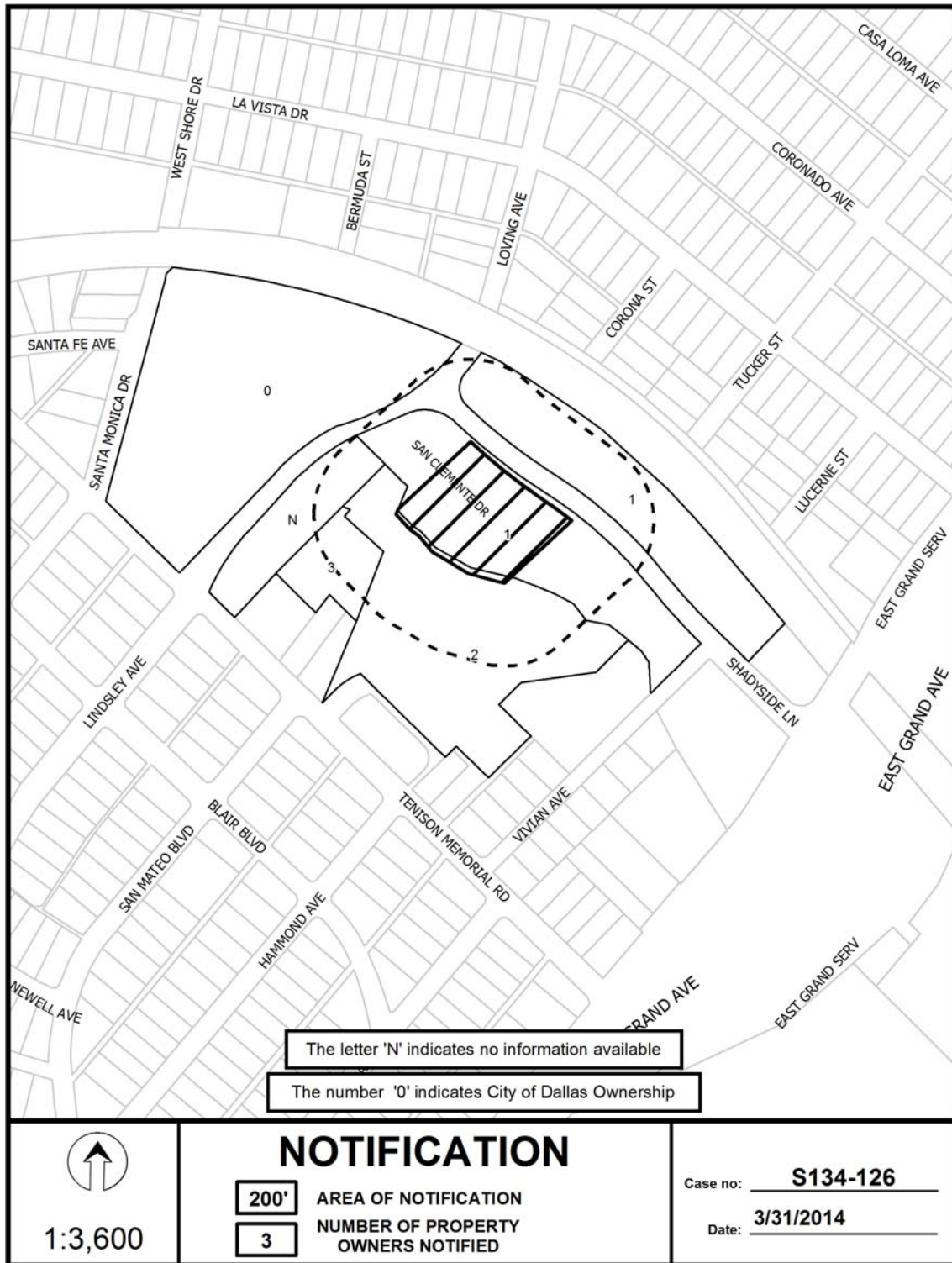
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat determine the 100 year water surface elevation across the plat.
14. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
16. On the final plat specify minimum fill and minimum finished floor elevations.
17. On the final plat show the natural channel set back from the crest of the natural channel.
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
20. Provide 0.125 guest parking spaces per lot (for shared access development as defined in Chapter 51A of Dallas City Code, as amended for Tract IIA) the parking spaces must be designed with adequate maneuverability.
21. On the final plat show the correct recording information for the subject property.
22. On the final plat monument all set corners per the monumentation ordinance.
23. On the final plat two control monuments must be shown.
24. On the final plat all utility easement abandonments must be shown with the correct recording information. (Volume 92044, Page 5754)
25. On the final plat remove building line(s) from plat.
26. Prior to final plat submit approved fill permit.
27. The Engineer shall furnish plans for water and sanitary sewer and the developer shall furnish a contract for construction of water and wastewater mains.
28. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
29. Water/wastewater main extension is required by Private Development Contract.
30. The final plat must comply with the Dallas Water Utilities rules for a Shared Access Development.

31. Before submission of the final plat, the Shared Access Development must meet all of the requirements of Dallas Development Code Section 51A-4.411, as amended.
32. The Shared Access Area easement must be at least 20 feet wide and contain a minimum paving width of 16 feet.
33. The recording information of the "Shared Access Area Easement and Private Land Use Restrictions" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature.
34. The Shared Access Area Easement and Private Land Use Restrictions must be approved as to form and signed by the Subdivision Administrator for the Building Official and by the City Attorney's office and shall include a metes and bounds description and a drawing of the Shared Access Area as part of an attachment to the agreement.
35. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Easement and Private Land Use Restrictions document have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met.
36. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley.
37. Include the words "Shared Access Area Development" in the title block of the final plat.
38. The final plat requires a note stating "This development is restricted to single family dwellings only."
39. On the final plat show & label 0.125 guest parking spaces per lot on the plat. The spaces must be provided within the Shared Access Area, but may not be located over the water/wastewater easement and must not impede access from any other guest parking space or dwelling unit to the shared access point.
40. If a guard house is provided, it must be set back at least 30 feet from the shared access point.
41. On the final plat identify the lots as Lots 7 through 23 and Common Area C (Shared Access Area), in City Block 2/2703.
42. On the final plat add the following note: "A barrier easement, a minimum of 3 feet in width, must be located along the west boundary line of the Shared Access Drive between lots 21 and 22 to physically separate the two additions and to comply with of Section 51A-8.505(c)."
43. Prior to the final contact the street name coordinator for help selecting an appropriate name for the shared access drive.

44. On the final plat choose a different addition name.
45. On the final plat, if 18 feet utility easement and 24 feet Shared Access Easement are to be dedicated "by this plat" or already dedicated and "recorded in instrument No./ Volume, Page" and indicate status of the dedication.







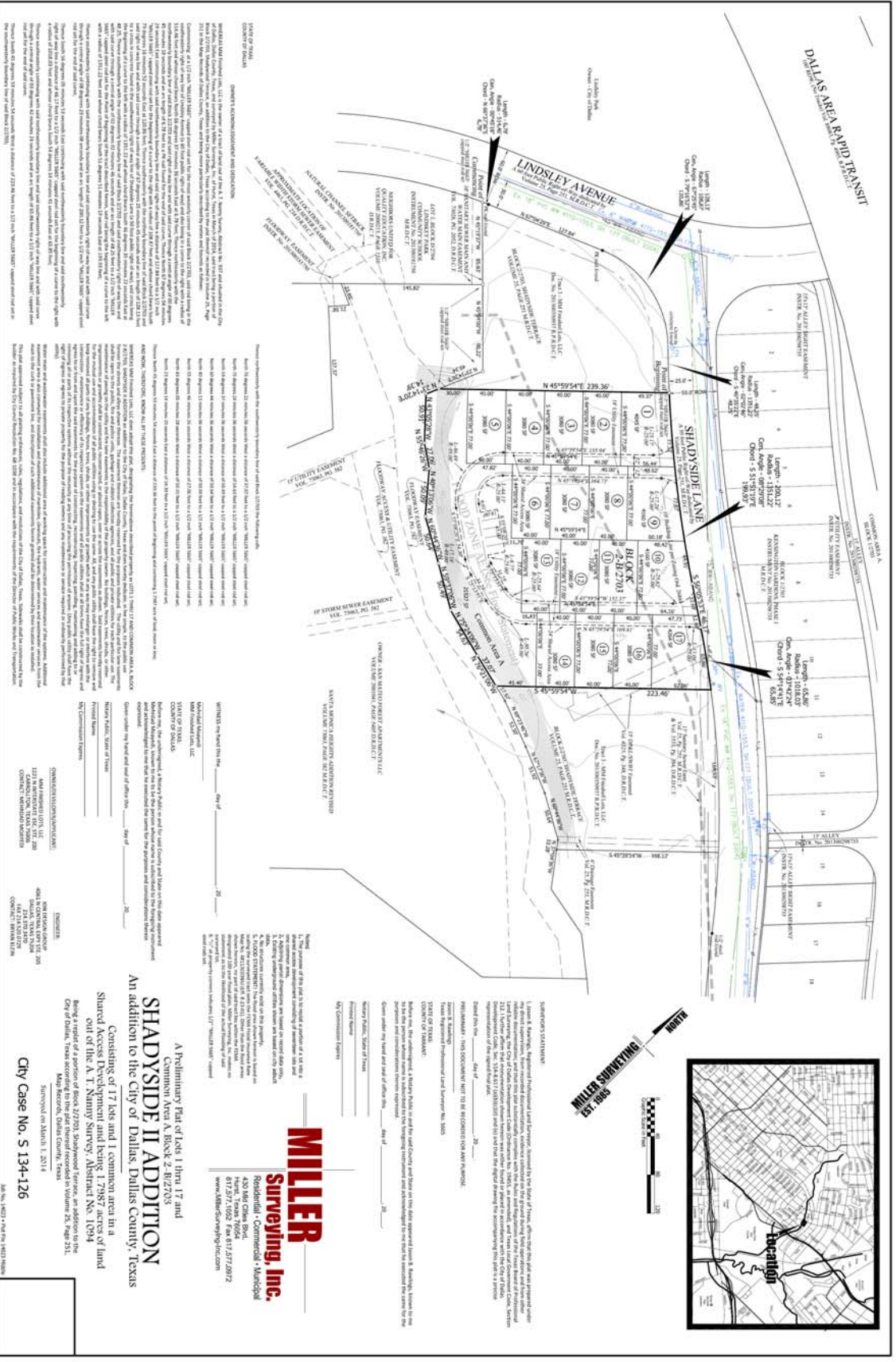
3/31/2014

Notification List of Property Owners

S134-126

3 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	904 SHADYSIDE LN	CADG SHADY SIDE LLC
2	7100 TENISON MEMORIAL	SAN MATEO FOREST APT LLC
3	722 TENISON MEMORIAL	NEIGHBORS UNITED FOR QUALITY EDUCATION I



CITY PLAN COMMISSION**THURSDAY, APRIL 17, 2014****FILE NUMBER:** S134-127**Subdivision Coordinator:** Mohammad Bordbar**LOCATION:** Shadyside Lane, east of Lindsley Avenue**DATE FILED:** March 21, 2014**ZONING:** CD 6, Tract IIA**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.07436-acre **MAPSCO:** 37W**APPLICANT/OWNER:** MM Finished Lots, LLC

REQUEST: An application to replat a 0.7436-acre tract of land in part of City Block 2/2703 into a 6 lot Shared Access Development and 1 common area ranging in sizes from 3,080 square foot to 4,701 square feet on property located on Shadyside Lane east of Lindsley Avenue

SUBDIVISION HISTORY:

1. S134-125 is an application to create a 6 lot Shared Access Development and 2 common area ranging in size from 2129 square foot to 5949 square foot from a tract 0.6885-acre tract of land in City Block 2./2703 on property located on southeast corner of Lindsley Avenue and Shadyside Lane.. This request is scheduled for a public hearing April 17, 2014 also.
2. S134-126 is An application to create a 17 lot Shared Access Development and 1 common area ranging in size from 3080 square foot to 4264 square foot from a 1.7987-acre tract of land in City Block 2./2703 on property located on Shadyside Lane east of Lindsley Avenue. This request is scheduled for a public hearing April 17, 2014 also.
3. S112-127 was an application to replat a 3.7436 acre tract of land containing all of City Block 2/2703 into 28 lots and to remove the existing 30 foot platted building line on East Grand Avenue at Shadyside Lane between Lindsley Avenue and East Grand Avenue and final plat was recorded on September 19,2013.
4. S112-128 was an application on the entire block of this property to replat a 4.1160 acre tract of land into a 26 lot Shared Access Development in City Block 2/2703 on property located on Shadyside Lane between Lindsley Avenue and Vivian Avenue. This request was approved on June 7, 2012 and withdrawn on March 17, 2013.

DATES NOTICES SENT: 3 notices were mailed April 1, 2014.

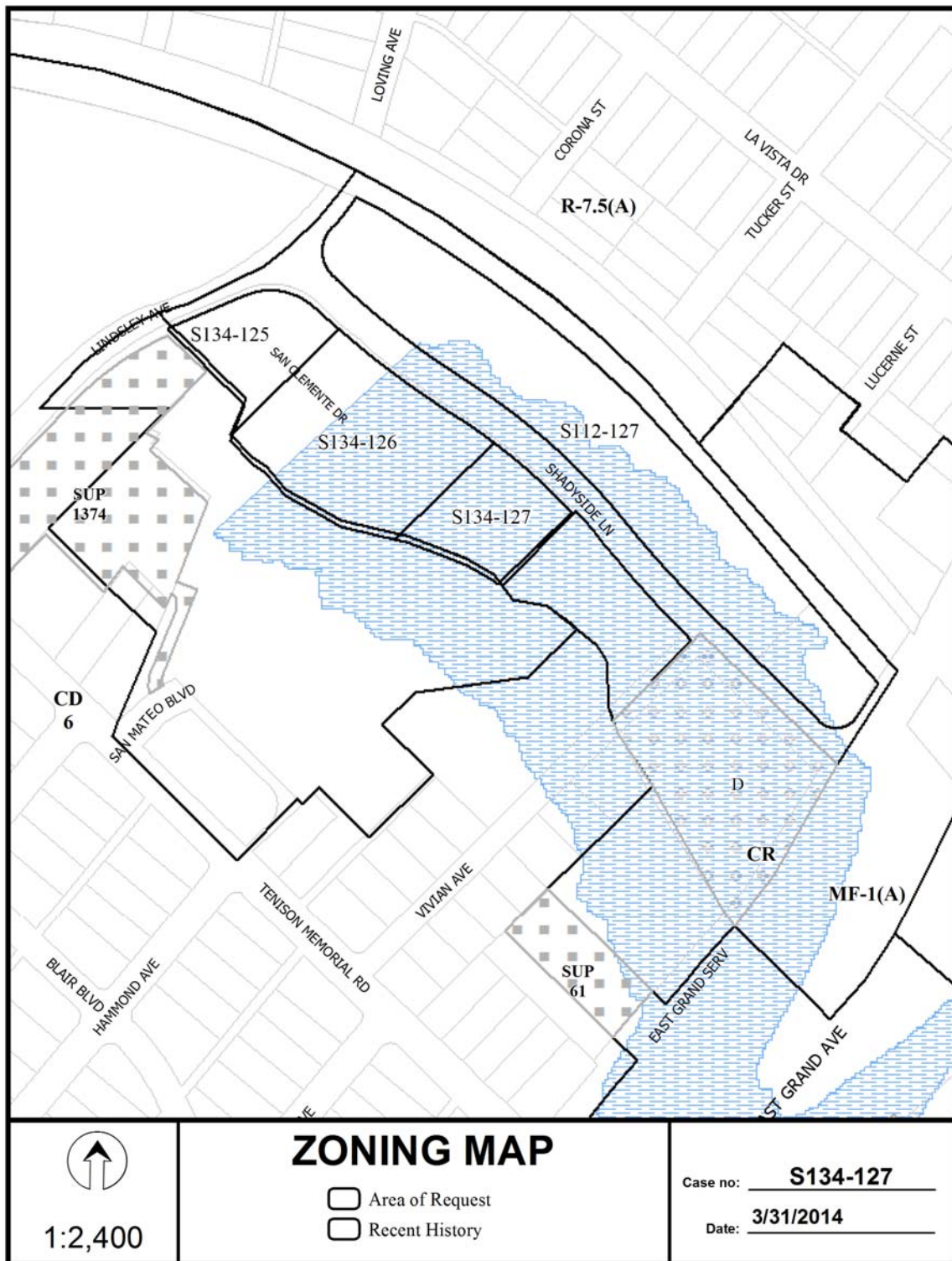
STAFF RECOMMENDATION: The request complies with the requirements of the Shared Access Area Development. The request also complies with the requirements of Conservation District No.6 Tract IIA. The Conservation District No. 6 Tract IIA all lots (including lots within shared access development) must have a minimum lot area of 1,200 square feet, a minimum depth of 50 feet and a minimum width of 18 feet. This particular plat has 6 lots and 2 common areas and a physical barrier between the 2 additions will be provided in order to comply with the Shared Access requirements.

The proposed lot sizes are larger than the existing lots in the R-10(A) area. The applicant is proposing two lots on Middlefield Road in order to have a residential structure for members of the family. The third lot is proposed to be used for agricultural production; therefore, staff recommends approval of the application subject to compliance with the following conditions:

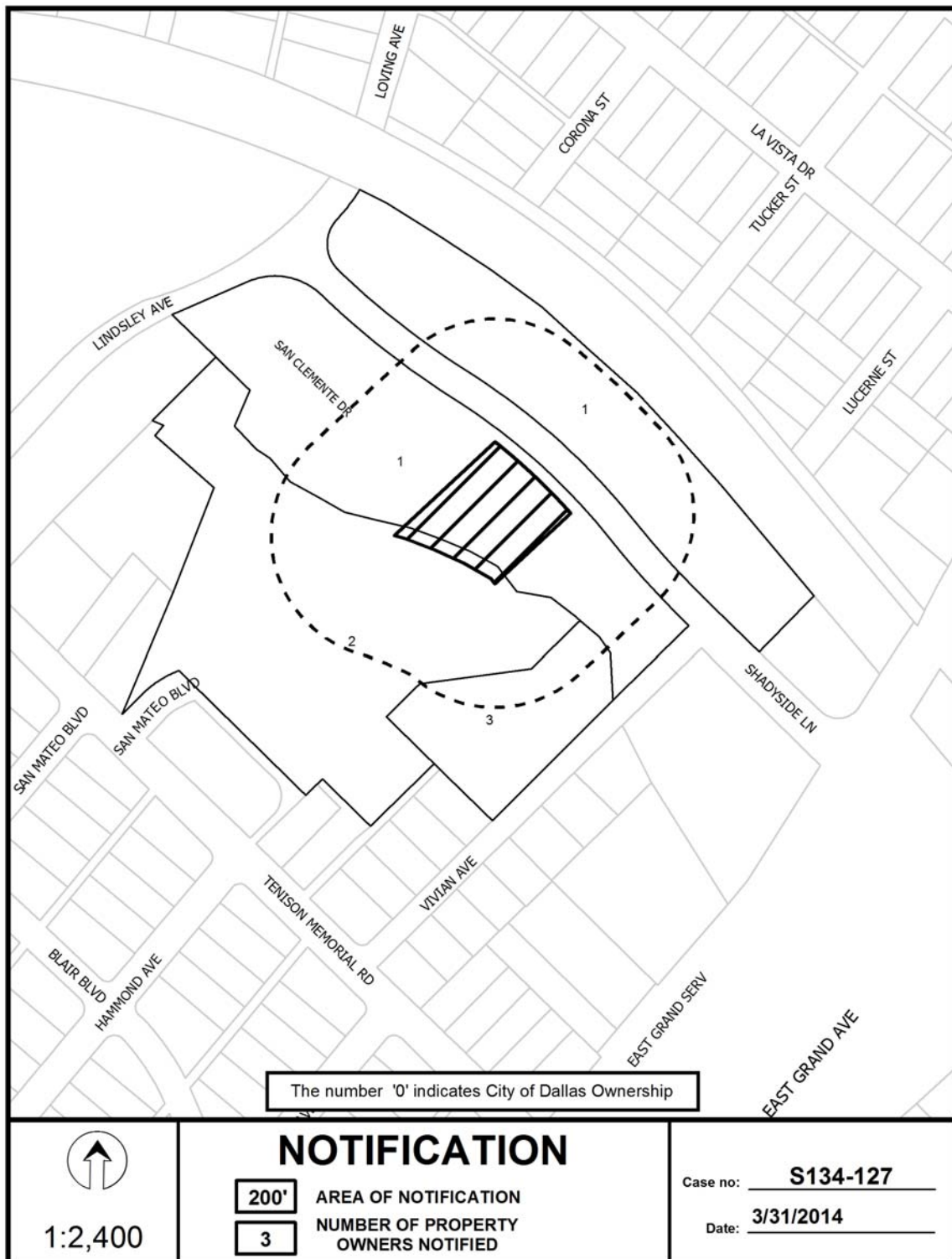
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. 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.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The final plat shall limit the number of lots to a maximum of 6 with 1 common area.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."

13. On the final plat determine the 100 year water surface elevation across the plat.
14. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
16. On the final plat specify minimum fill and minimum finished floor elevations.
17. On the final plat show the natural channel set back from the crest of the natural channel.
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
20. Provide 0.125 guest parking spaces per lot (for shared access development as defined in Chapter 51A of Dallas City Code, as amended for Tract IIA) the parking spaces must be designed with adequate maneuverability.
21. On the final plat show the correct recording information for the subject property.
22. On the final plat monument all set corners per the monumentation ordinance.
23. On the final plat two control monuments must be shown.
24. On the final plat all utility easement abandonments must be shown with the correct recording information. (Volume 92044, Page 5754)
25. On the final plat remove building line(s) from plat.
26. Prior to final plat submit approved fill permit.
27. The Engineer shall furnish plans for water and sanitary sewer and the developer shall furnish a contract for construction of water and wastewater mains.
28. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
29. Water/wastewater main extension is required by Private Development Contract.
30. The final plat must comply with the Dallas Water Utilities rules for a Shared Access Development.
31. Before submission of the final plat, the Shared Access Development must meet all of the requirements of Dallas Development Code Section 51A-4.411, as amended.
32. The Shared Access Area easement must be at least 20 feet wide and contain a minimum paving width of 16 feet.
33. The recording information of the "Shared Access Area Easement and Private Land Use Restrictions" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature.

34. The Shared Access Area Easement and Private Land Use Restrictions must be approved as to form and signed by the Subdivision Administrator for the Building Official and by the City Attorney's office and shall include a metes and bounds description and a drawing of the Shared Access Area as part of an attachment to the agreement.
35. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Easement and Private Land Use Restrictions document have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met.
36. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley.
37. Include the words "Shared Access Area Development" in the title block of the final plat.
38. The final plat requires a note stating "This development is restricted to single family dwellings only."
39. On the final plat show & label 0.125 guest parking spaces per lot on the plat. The spaces must be provided within the Shared Access Area, but may not be located over the water/wastewater easement and must not impede access from any other guest parking space or dwelling unit to the shared access point.
40. If a guard house is provided, it must be set back at least 30 feet from the shared access point.
41. On the final plat identify the lots as Lots 24 through 29 and Common Area D (Shared Access Area), in City Block 2/2703.
42. On the final plat add the following note: "A barrier easement, a minimum of 3 feet in width, must be located along the west boundary line of the Shared Access Drive between lots 21 and 22 to physically separate the two additions and to comply with of Section 51A-8.505(c)."
43. Prior to the final contact the street name coordinator for help selecting an appropriate name for the shared access drive.
44. On the final plat choose a different addition name.
45. On the final plat, if 18 feet utility easement and 24 feet Shared Access Easement are to be dedicated "by this plat" or already dedicated and "recorded in instrument No./ Volume, Page" and indicate status of the dedication.







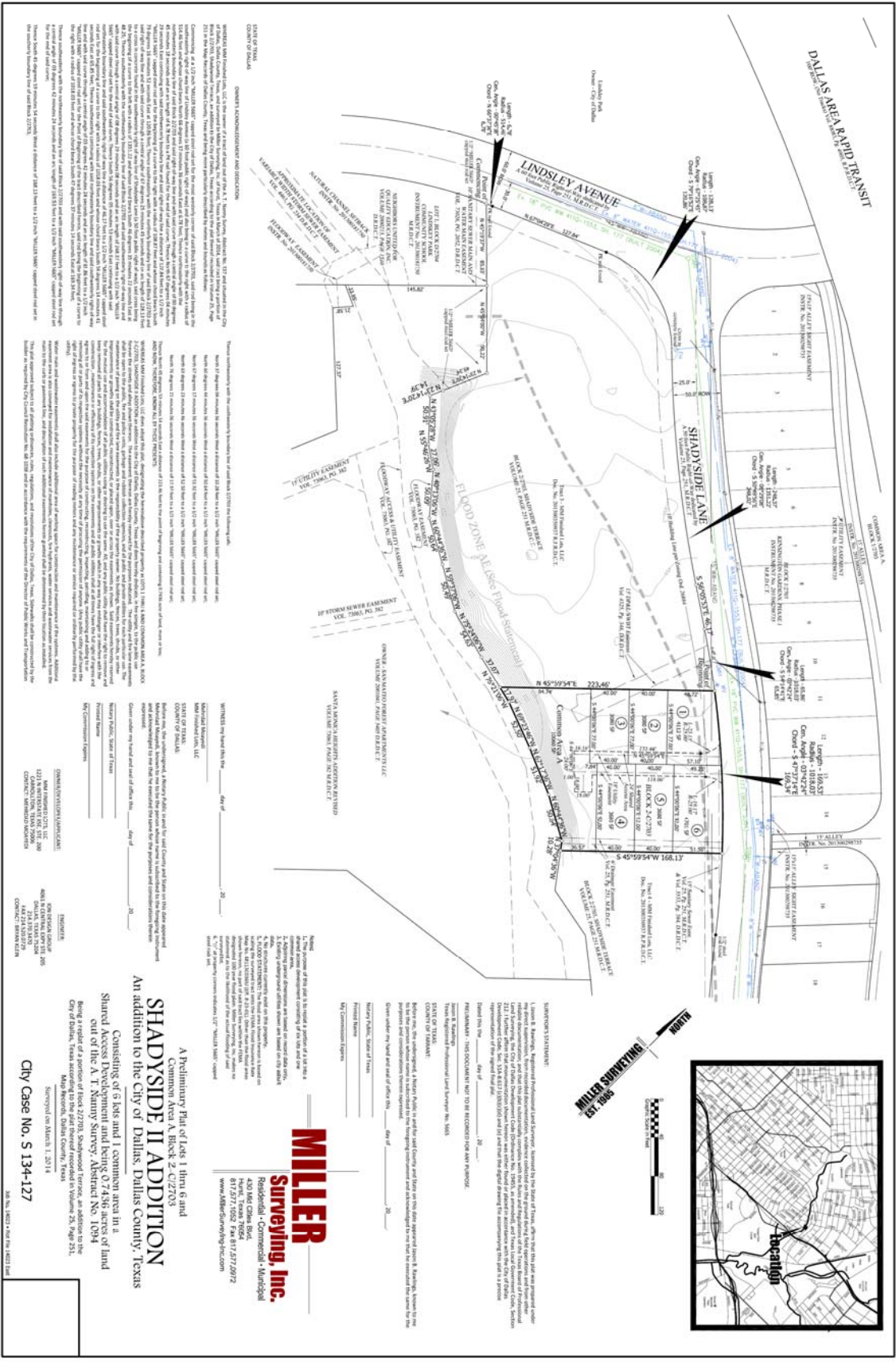
3/31/2014

Notification List of Property Owners

S134-127

3 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	904 SHADYSIDE LN	CADG SHADY SIDE LLC
2	7100 TENISON MEMORIAL	SAN MATEO FOREST APT LLC
3	7201 VIVIAN AVE	BARBOSA GUSTAVE



LOCATION: Stemmons Freeway at Medical District Drive, southeast corner**DATE FILED:** March 20, 2014**ZONING:** MU-3, IR**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 10.169-acre**MAPSCO:** 44B**APPLICANT/OWNER:** Trinity Industries Inc. / CJB Prime property, LLC.

REQUEST: An application to replat a 10.169-acre tract of land containing all of Lot 2 in City Block 60/7905; part of Lot 1A in City Block 79/7905; part of Lot 2 in City Block 58/7905 into 1 lot; and to remove the existing 25 foot platted building line along the south line of Stemmons Freeway (Interstate Highway No. 35 E) on property located at the south corner of Stemmons Freeway and Medical District Drive.

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

DATES NOTICES SENT: The property lies within a nonresidential zoning district; therefore notices were not sent to the adjoining property owners.

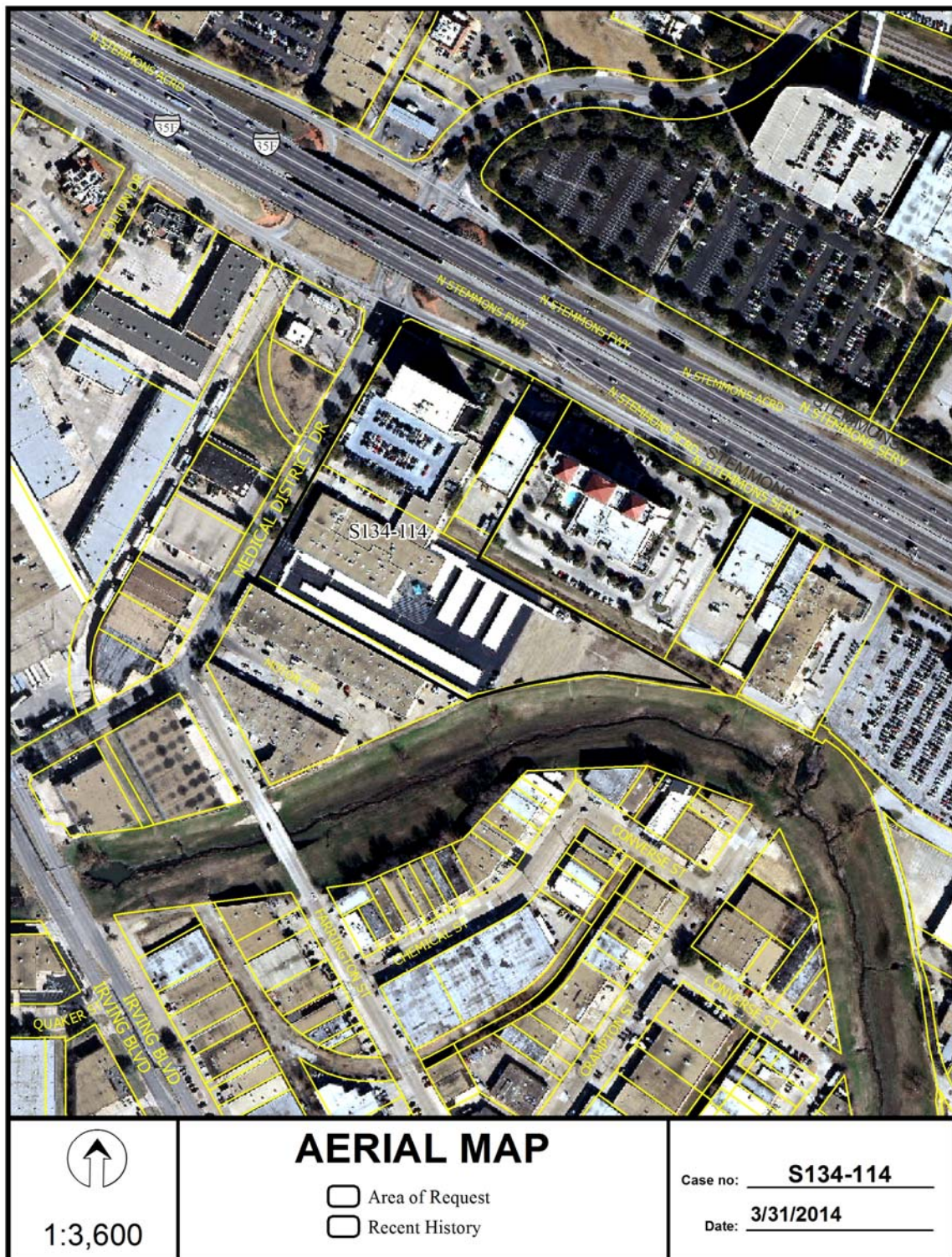
BUILDING LINE REMOVAL STANDARD: The commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

- (1) upon the affirmative vote of at least three- fourths of the commission members present; and
- (2) if the commission finds that relocation or removal of the platted building line will not:
 - “(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”
 - The removal of the 25 foot building line along Stemmons will allow the front yard setback of 15 feet in the MU-3 to take precedence for new development.
 - “(ii) be contrary to the public interest;”
 - “(iii) adversely affect neighboring properties; and”
 - The removal of the existing building line will allow for a uniform building setback along Stemmons Freeway and will not adversely affect neighboring properties.
 - **STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:** The removal of the building line along Stemmons Freeway will not have a negative impact on the adjoining properties and will allow for a unified development; therefore, staff recommends approval of the building line removal on Stemmons Freeway.
 - The request to remove the building line complies with the requirements of Section 51A-8.505(c) for removal of the building lines.

- **STAFF RECOMMENDATION:** The request complies with the requirements of Section 51A-8.505(c) for removal of the building line and with the requirements of the MU-3 and IR zoning Districts; therefore, staff recommends approval subject to compliance with the following conditions:
 1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
 2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
 3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
 4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
 5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
 6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
 7. 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.
 8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
 9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
 11. The final plat shall limit the number of lots to a maximum of 1.
 12. 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.
 13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
 14. On the final plat dedicate a 20 foot by 20 foot corner clip of right-of-way at Medical District Drive and I-35E.

15. On the final plat add the following note: "Any new or modifications to the ingress-egress will require TXDOT approval."
16. On the final plat add the following statement: "The property lies within the Hampton Oak Lawn Sump (WSE 403.7. All construction for any proposed development must be above the 403.7 foot elevation. For the areas where the existing elevation is below 403.7 feet, if any improvement is proposed, there must be a fill permit applied for and approved by Public Works and Transportation Department and Minimum Finish Floor elevation for those areas will have to be established thru the process and placed on the face of the final plat."
17. On the final plat monument all set corners per the monumentation ordinance.
18. On the final plat show identify Volume 95029, Page 1967.
19. On the final plat provide "consent to encroach, remove structure, or provide a release or abandonment of the easement."
20. On the final plat clarify the status of the C.I.R. & P Railroad and its location.
21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
22. On the final plat existing water and wastewater easements need to be shown and/or increased to conform to current design standards. The minimum width for one utility is 20 feet, the minimum width for water and wastewater is 25 feet.
23. Water/wastewater main extension may be required by Private Development Contract.
24. On the final plat identify the property as Lot 1B in City Block 58/7905.
25. On the final plat add the following note: "The existing 25 foot platted building line along the south line of Interstate 35E is removed by this plat."





FILE NUMBER: M134-022

DATE FILED: February 13, 2014

LOCATION: Northwest Line of Northwest Highway, East of Walling Lane

COUNCIL DISTRICT: 9

MAPSCO: 37 A

SIZE OF REQUEST: Approx. 9.8 Acres

CENSUS TRACT:

APPLICANT: Dallas Area Rapid Transit

REPRESENTATIVE: Peter Kavanagh

OWNER: Dallas Area Rapid Transit

MISCELLANEOUS DOCKET ITEM

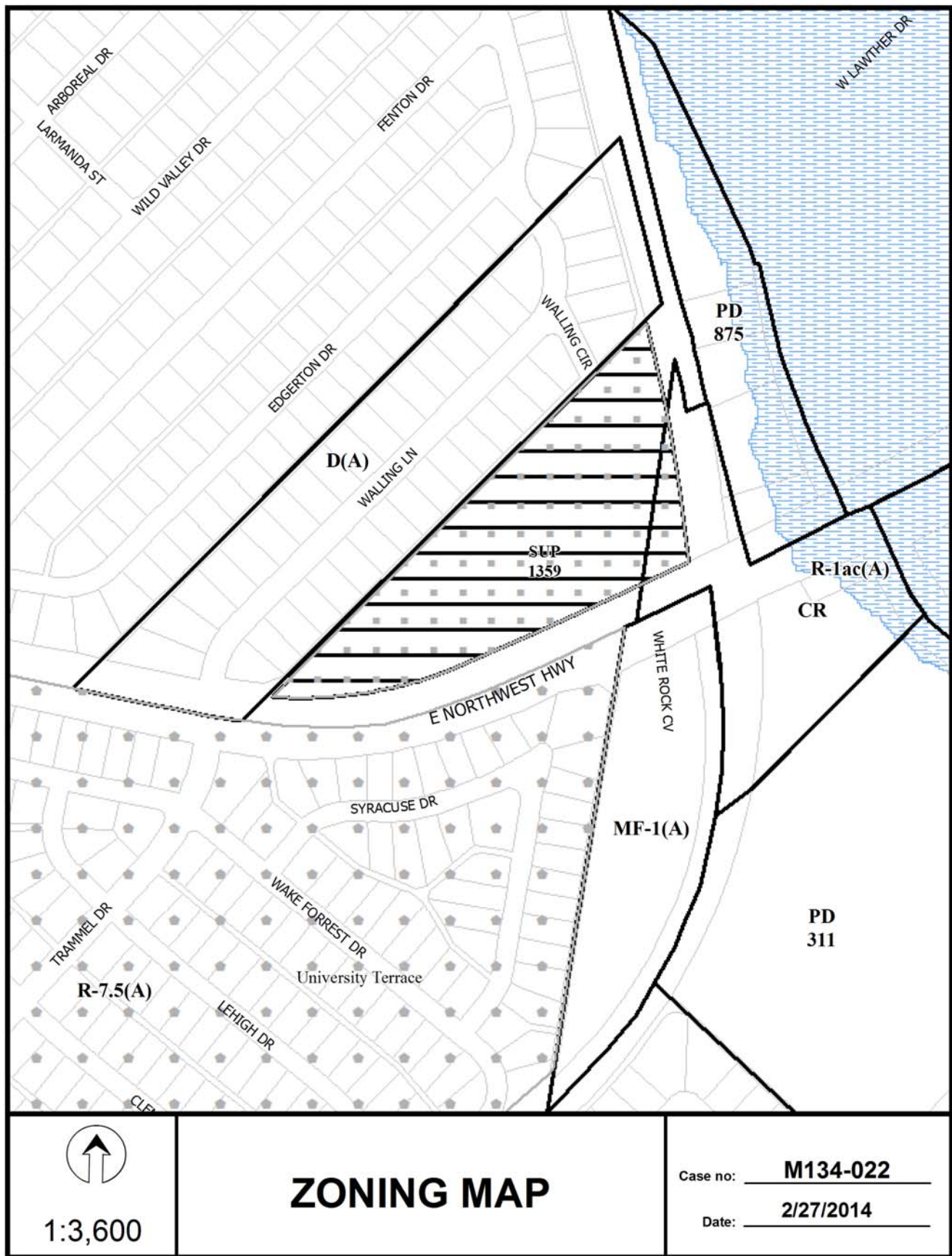
Minor Amendment for Site Plan

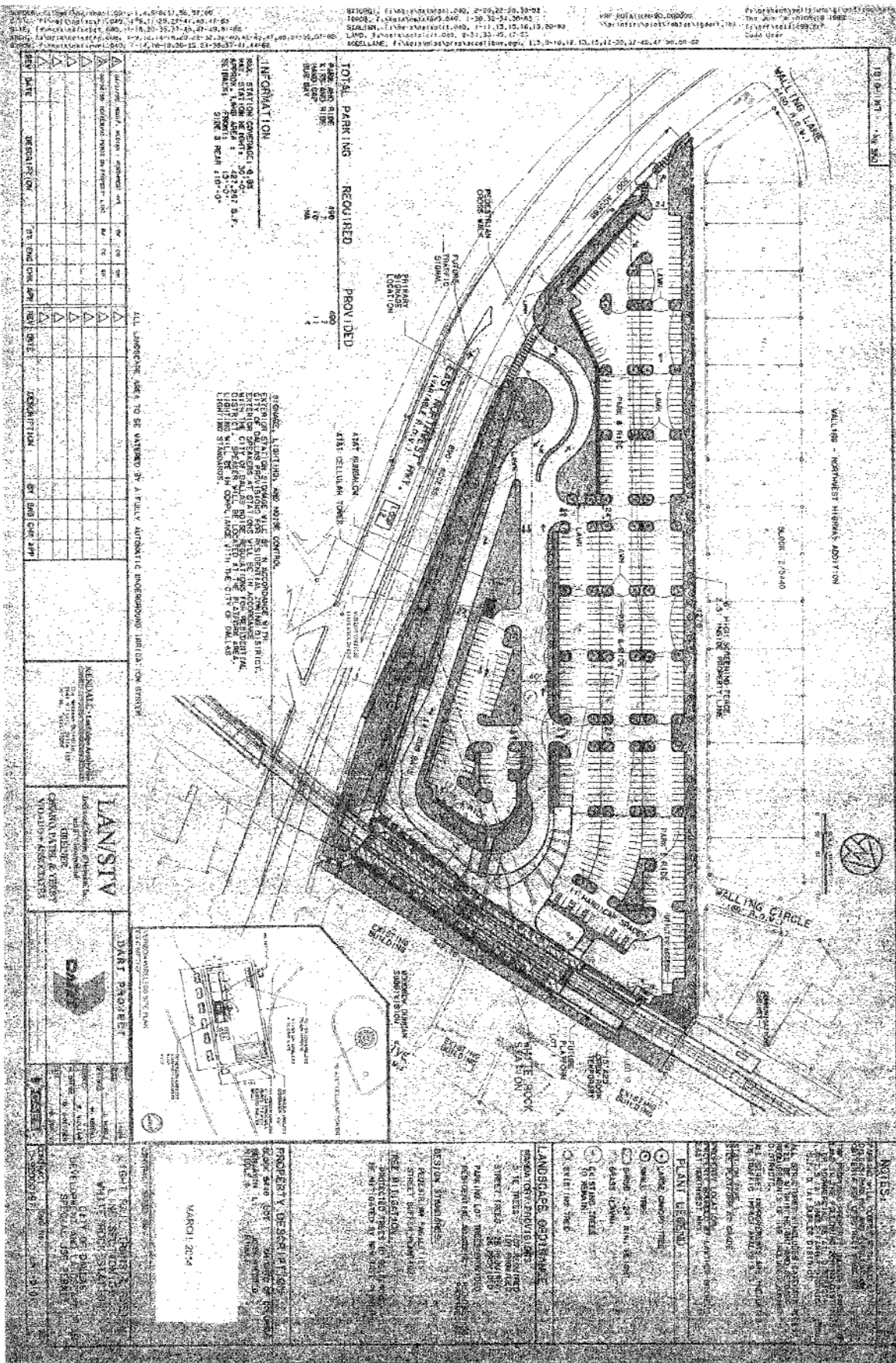
On July 24, 1998, the City Council passed Ordinance No. 23575 which established Specific Use Permit No. 1359 for a Transit passenger station or transfer center and Tower/antenna for cellular communication on property at the above location.

At this time, the applicant has requested a minor amendment to the site plan to provide for the co-location of an additional antenna on the existing monopole tower along with an additional screened equipment shelter to serve the new antenna. Landscape materials will be provided around this screened equipment area as shown on the attached site plan.

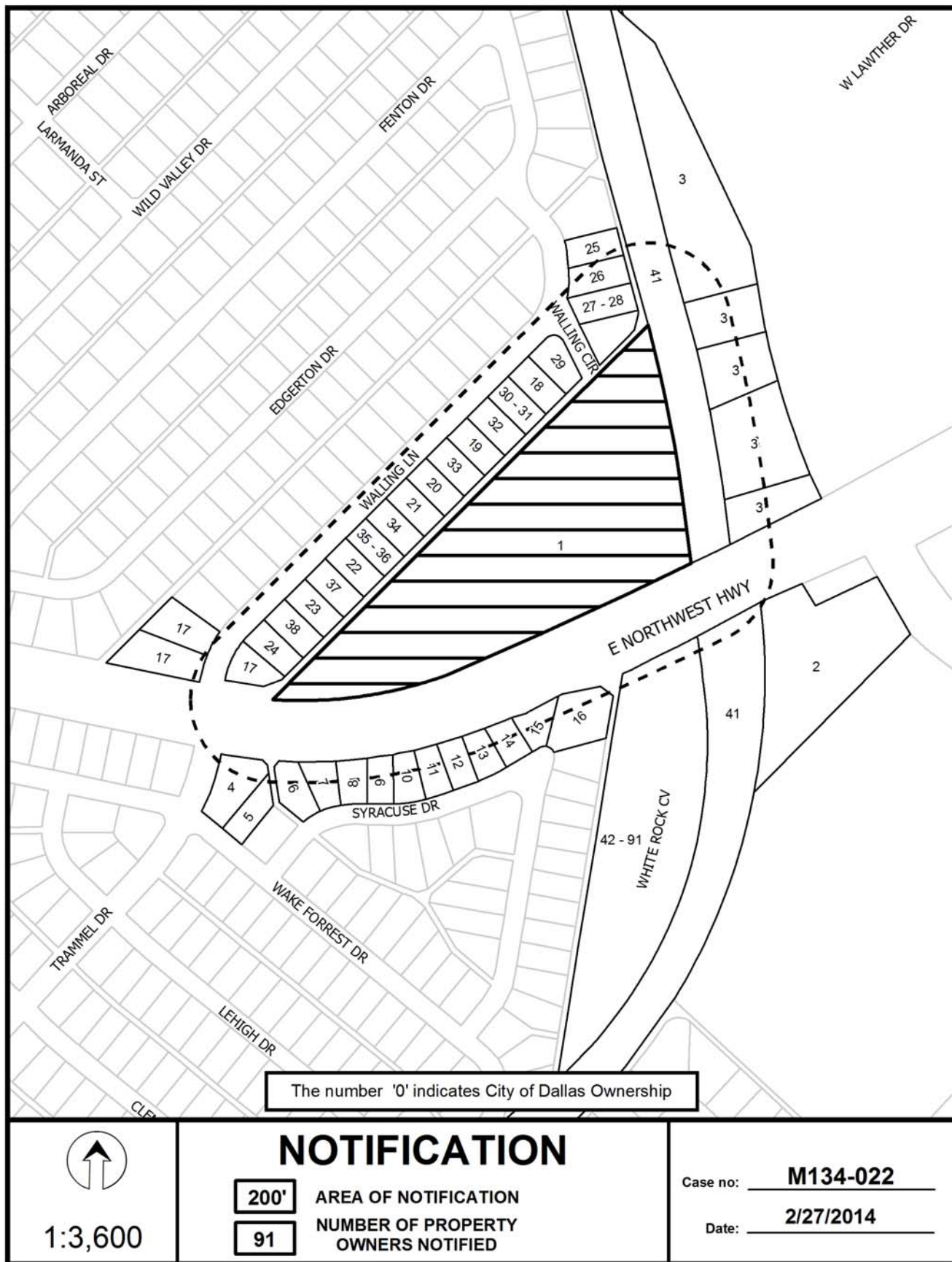
The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use.

STAFF RECOMMENDATION: Approval









Notification List of Property Owners

M134-022

91 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7333 NORTHWEST HWY	DALLAS AREA RAPID TRANSIT
2	4875 LAWOTHER DR	TOWER LAND & INV CO % ROBERT B PAYNE JR
3	7505 NORTHWEST HWY	POST WHITEROCK LLC BLDG J-102
4	7203 WAKE FORREST DR	ADAMS PAUL W & IDA
5	7207 WAKE FORREST DR	WESTERMAN EDWARD A
6	7211 SYRACUSE DR	ALEXANDER CLAUDELLA
7	7215 SYRACUSE DR	BISTRAN PETER & LIDIA CORNELIA
8	7221 SYRACUSE DR	WHITAKER MARYON A & THOMAS L II
9	7225 SYRACUSE DR	HOLSCHER ROBBIN GALE & ROY H BUTLER TRUS
10	7231 SYRACUSE DR	GOODWILL CHRILDRENS MISSION LLC
11	7235 SYRACUSE DR	ADAMS PHILIP A & CATHERINE S TSAI
12	7241 SYRACUSE DR	WRENCH MARLO & BRENDEN
13	7245 SYRACUSE DR	UTT LAURA
14	7251 SYRACUSE DR	COCKRELL JOHN JR & CROW ANDREA
15	7255 SYRACUSE DR	BYRKIT AARON M & SARAH T
16	7303 SYRACUSE DR	ARMSTRONG EVA MAE
17	7493 WALLING LN	FRANKLIN BEN B ET AL
18	7410 WALLING LN	HANSEN THOMAS
19	7428 WALLING LN	TUMINELLO JOHN & LATRELL TUMINELLO
20	7440 WALLING LN	ANDREWS RAYMOND J
21	7446 WALLING LN	FLUME MATTHEW L & ALLISON K
22	7464 WALLING LN	HADDAD SULEIMAN JOHN
23	7476 WALLING LN	HAGEMANN V W JR TRUST & SHARON KAY HAGEM
24	7488 WALLING LN	ELLIS TED LYNN
25	7344 WALLING LN	YRIGOLLEN BENJAMIN & ANGELICA
26	7346 WALLING LN	COWAN JOHN & CAROL M

2/27/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7356 WALLING LN	EDWARDS CHRISTOPHER & MILUSKA A
28	7354 WALLING LN	EDWARDS CHRISTOPHER & MILUSKA A
29	7404 WALLING LN	SOTIROPOULOS ANASTASIOS &
30	7416 WALLING LN	SISK JOHN MATTHEW & DAYNA L SISK
31	7418 WALLING LN	SISK YVONNE Y
32	7422 WALLING LN	OTTO MICHAEL D
33	7434 WALLING LN	SWANER MARY HELEN &
34	7452 WALLING LN	VEVERA MARK C STE 126
35	7458 WALLING LN	JUNG SONIA DIANA &
36	7460 WALLING LN	JUNG SONIA DIANA &
37	7470 WALLING LN	BENEDETTO JOHN L & JOSEPHINE
38	7482 WALLING LN	MIHOS GEORGE G
39	7360 WALLING LN	CUMMINGS ROBERT W JR
40	7362 WALLING LN	CUMMINGS ROBERT JAMES
41	401 BUCKNER BLVD	DART
42	7410 NORTHWEST HWY	STEPHENS LINDA BETH UNIT 101
43	7412 NORTHWEST HWY	CEPAK BRITTANY
44	7414 NORTHWEST HWY	DRYSDALE ASHLEY M
45	7416 NORTHWEST HWY	OSTERLOH LESLIE R UNIT 104
46	7418 NORTHWEST HWY	DAVIS MARTHA C BLDG B UNIT 105
47	7420 NORTHWEST HWY	CITIMORTGAGE INC
48	7422 NORTHWEST HWY	TAYLOR C L
49	7424 NORTHWEST HWY	RAINEY MILDRED
50	7426 NORTHWEST HWY	HART KENNETH R BLDG D UNIT 109
51	7428 NORTHWEST HWY	FANNON LAURA K BLDG D UNIT 110
52	7430 NORTHWEST HWY	GREENBERG CONSUELO & MARK BLDG D UNIT 11
53	7432 NORTHWEST HWY	GARTSIDE TOM LIAM & MARTINE BURLESON
54	7434 NORTHWEST HWY	HIPP JANA LYNN & BLDG E UNIT 114
55	7436 NORTHWEST HWY	STEPHENSON KRISTINE #115
56	7438 NORTHWEST HWY	JONES JUANITA
57	7440 NORTHWEST HWY	ALLIANT PROPERTIES LLC SERIES A

2/27/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7442 NORTHWEST HWY	GALLIA JAMES MICHAEL #F118
59	7444 NORTHWEST HWY	SLATER REVOCABLE TRUST VOICE OF PROPHECY
60	7446 NORTHWEST HWY	CAMPBELL DIANE #120
61	7448 NORTHWEST HWY	HARRIS HEATHER JOYCE UNIT 121
62	7450 NORTHWEST HWY	VILLINES JOHN L
63	7452 NORTHWEST HWY	PARKER KELLY KIRBY & TRACY L UNIT G123
64	7454 NORTHWEST HWY	PEREZ MONICA UNIT 124 BLDG H
65	7456 NORTHWEST HWY	LUNDBERG JON # H 125
66	7458 NORTHWEST HWY	HEINEN DANIEL L
67	7460 NORTHWEST HWY	CHITTY KATHARINE APT 127
68	7462 NORTHWEST HWY	TRAHAN DARRELL A III & SHELLEY L UNIT 12
69	7464 NORTHWEST HWY	SELLERS JEANIE M BLDG I APT 129
70	7466 NORTHWEST HWY	WHEELINGTON JIM BLDG J UNIT 130
71	7468 NORTHWEST HWY	PATTANAYAK ARUNANSU
72	7470 NORTHWEST HWY	VERA MARY ALICE UNIT 132
73	7472 NORTHWEST HWY	HARRIS J A
74	7474 NORTHWEST HWY	GARTSIDE LIAM & MARTINE BURLINSON
75	7476 NORTHWEST HWY	MARCYNIAK JAMIE
76	7478 NORTHWEST HWY	WANG MICHAEL J UNIT 136
77	7480 NORTHWEST HWY	BECKMAN SCOTT
78	7482 NORTHWEST HWY	HAYNES MARGARET APT 138
79	7484 NORTHWEST HWY	KLEIN JOHN J IV
80	7486 NORTHWEST HWY	DRAKE T E
81	7488 NORTHWEST HWY	FERMIER MARCI BLDG L UNIT 141
82	7490 NORTHWEST HWY	BUTLER RALPH & JEAN
83	7492 NORTHWEST HWY	THORNTHWAITE MARTIN E
84	7494 NORTHWEST HWY	COMPAN MARY E BLDG L APT 144
85	7496 NORTHWEST HWY	ROECKER RICHARD J
86	7498 NORTHWEST HWY	MOLECHAT REX BLDG M APT #146
87	7498 NORTHWEST HWY	DUMVILLE JOEL M NO 102
88	7498 NORTHWEST HWY	MEHLE PATSY R UNIT 103

2/27/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	7498 NORTHWEST HWY	POULTER B E # 104
90	7498 NORTHWEST HWY	CASTANO CONSUELO
91	7498 NORTHWEST HWY	FRASER PATSY R APT 106

FILE NUMBER: Z112-267(WE)

DATE FILED: June 18, 2012

LOCATION: Northwest corner of Commerce Street and Manila Road

COUNCIL DISTRICT: 6

MAPSCO: 43-Q

SIZE OF REQUEST: Approx. 1.715 acres

CENSUS TRACT: 205.00

REPRESENTATIVE: Peter Kavanagh, Zone Systems

APPLICANT/OWNER: Samuel Ramos

REQUEST: An application to renew Specific Use Permit No. 1624 for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant on property zoned an IR Industrial Research District.

SUMMARY: The applicant is requesting to renew the SUP for an industrial (outside) not potentially incompatible use to continue operation of a concrete batch plant on the property.

STAFF RECOMMENDATION: Approval for a two-year period, subject to a revised site/landscape 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 request should not have a negative impact on the surrounding areas. The request site is located within an industrial area and is contiguous to several undeveloped tracts of land and industrial/warehouse uses that are in an IR zoning District.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use of the site does not contribute or promote the welfare of the area.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety, or general welfare. The equipment and materials are placed in the site's interior to avoid any safety issues that are associated with the operation of the facility.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The proposed use will comply with all applicable zoning regulations and standards. No variances or exceptions are requested.

BACKGROUND INFORMATION:

- SUP No. 1624 was approved on May 24, 2006 for a five-year period with eligibility for one additional five-year period and expired on May 24, 2011. The applicant failed to meet the deadline for automatic renewal at that time.
- SUP No. 1624 was renewed on September 14, 2011 for a one-year period.
- There are no changes to the approved conditions except for the site plan/landscape plan. The applicant planted additional landscaping and street trees on the site.
- The revised site/landscape plan depicts one proposed structure, a 10-foot by 10-foot batch room, material storage bins, two silos, a water pit, and parking spaces. The site abuts an existing rail corridor; however, the applicant does not anticipate utilizing it. The site/landscape plan is revised to show landscaping that reflects actual conditions and landscaping that is appropriate for the industrial development.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
W. Commerce Street	Local	80 ft.
Manilla Street	Local	70 ft.

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 Industrial Areas Block.

Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

The request site is consistent with the *forwarddallas! Comprehensive Plan* because the Plan identifies the area as Industrial Area.

Land Use Compatibility:

In 2011 when the last SUP renewal application was made, the site was undeveloped. Since then, the site has been developed with the concrete batch plant use. The development contains the outside manufacturing area and material storage on the original site plan; the batch room and proposed building are not constructed yet. There are parking spaces shown on the site plan; however, they do not appear to be paved at this time. The SUP conditions also require that all maneuvering area for trucks be paved as a dust control measure. This pavement has not been installed yet. This has been brought to the applicant's attention and a grading and paving permit application has been made to ensure that the required paving actually occurs in compliance with the SUP requirements.

The area is generally developed with a mix of industrial uses with the majority of the heavy industrial uses developed on property north of the site and south of Singleton Boulevard. The balance of the area is developed with inside industrial uses, inclusive of warehouse/distribution uses.

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

Staff is recommending approval of the requested renewal of the SUP for a two-year period, subject to the site plan and conditions. Staff recommends a defined time period to allow an opportunity to re-evaluate the continued compatibility of this land use with the surrounding general area and compliance with the SUP conditions.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
IR Industrial Research	15'	0'/30'	NA	200'	80%	Proximity Slope Does not apply	Research & development, light industrial, office

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has no objections.

Parking: The Dallas Development Code requires off-street parking to be provided for a temporary concrete or asphalt batching plant use at two spaces. While the existing development requires 2 spaces, 12 spaces are provided as shown on the attached site plan.

Landscaping:

The additional pavement on the property has triggered a landscaping requirement. The site has existing trees that are located in the public right-of-way. Some additional landscaping, such as foundation planting and additional trees, are required to be installed with the completion of the pending grading and paving permit.

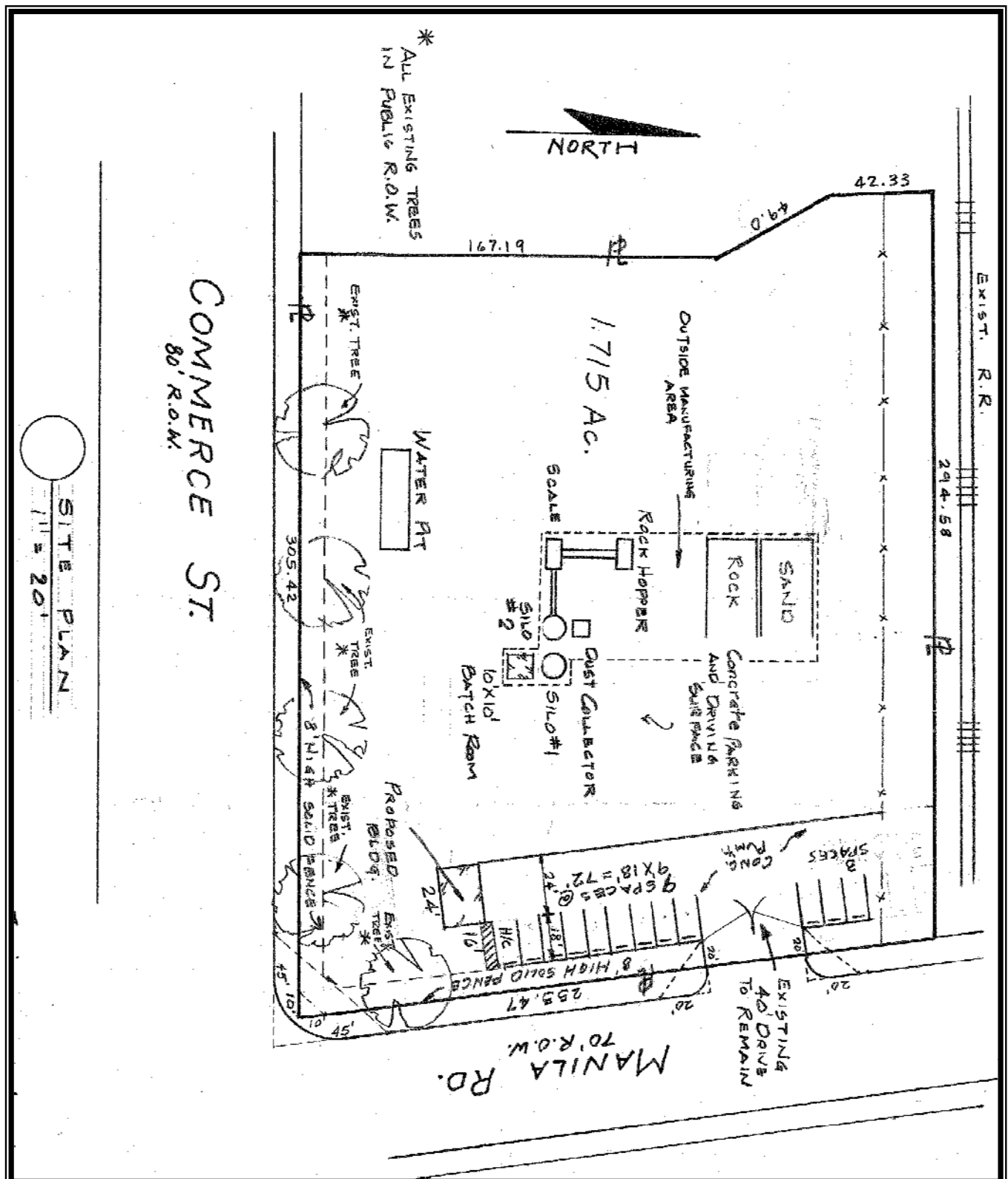
PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an industrial (outside) use for a concrete batch plant.
2. SITE/LANDSCAPE PLAN: Use and development of the Property must comply with the attached site/landscape plan.
3. TIME LIMIT: This specific use permit automatically terminates on (two-year period).
4. GROUND AND DUST CONTROL:
 - A. The following conditions must be met on an ongoing basis:
 - i. All on-site travelways and maneuvering lanes must be paved, watered, and swept as necessary to achieve maximum control of dust emissions.
 - ii. To avoid overloading, a mechanism must be installed on each cement storage silo to warn operators that the silo is full.
 - iii. Spillage of materials must be cleaned up and contained or dampened within thirty minutes after the spillage so that emissions from wind erosion and vehicle traffic are minimized.
 - iv. During operations, all stockpiles must be sprinkled with water or chemicals to eliminate visible dust emissions.
 - B. Prior to the issuance of a certificate of occupancy, a written ground and dust control plan that reflects existing and proposed infrastructure needed to comply with 4(A)(i) through 4(A)(iv) must be delivered to the director of the office of environmental quality and the director of sustainable development and construction.
5. OFF-STREET PARKING: Off-street parking must be provided in the locations shown on the site plan.
6. OUTSIDE MATERIALS STORAGE: Outside storage of materials must be located in bins that are screened on three sides by solid walls a minimum of ten feet in height.
7. ROAD REPAIR: The operator, or its successor or assigns, is responsible for repairing holes or other surface damages on Manila Road caused by operation of

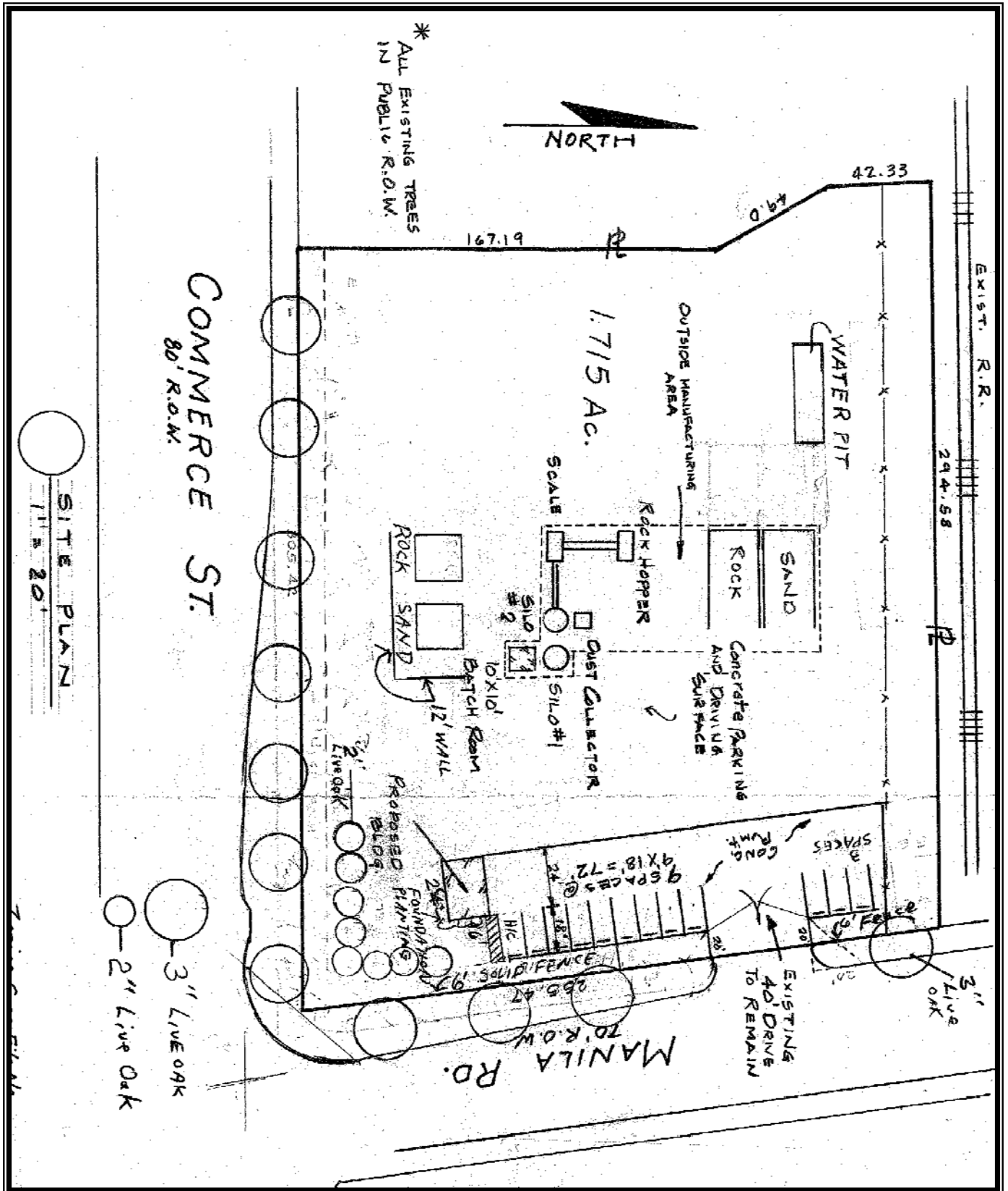
the concrete batch plant. The road repairs must conform to City of Dallas standards as approved by the director of public works and transportation.

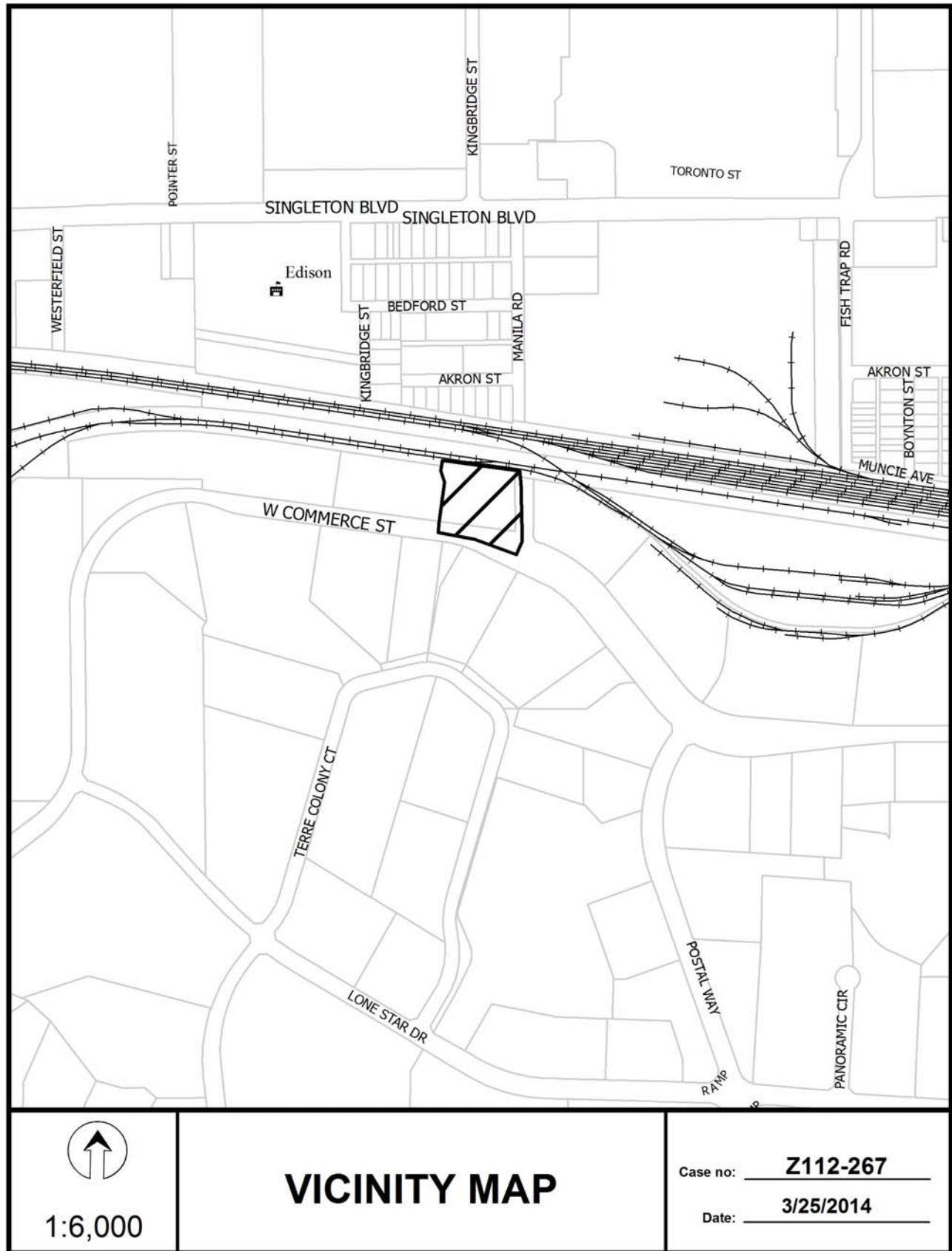
8. SCREENING: A minimum eight-foot-high solid screening fence must be maintained and located as shown on the attached site plan.
9. LANDSCAPING: Landscaping must be provided as shown on the attached site/landscape plan.
- 9 10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 40 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.

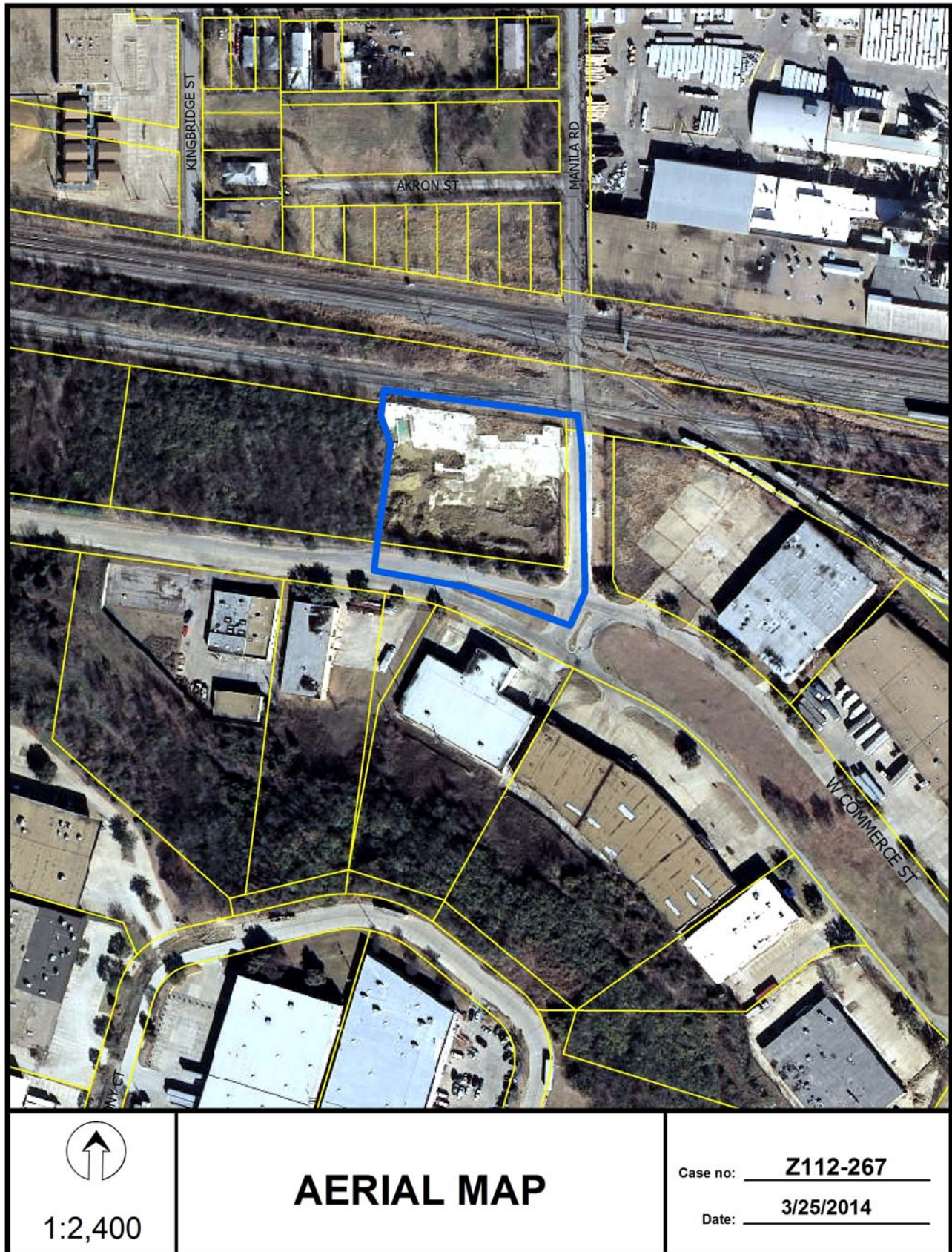
EXISTING SITE PLAN



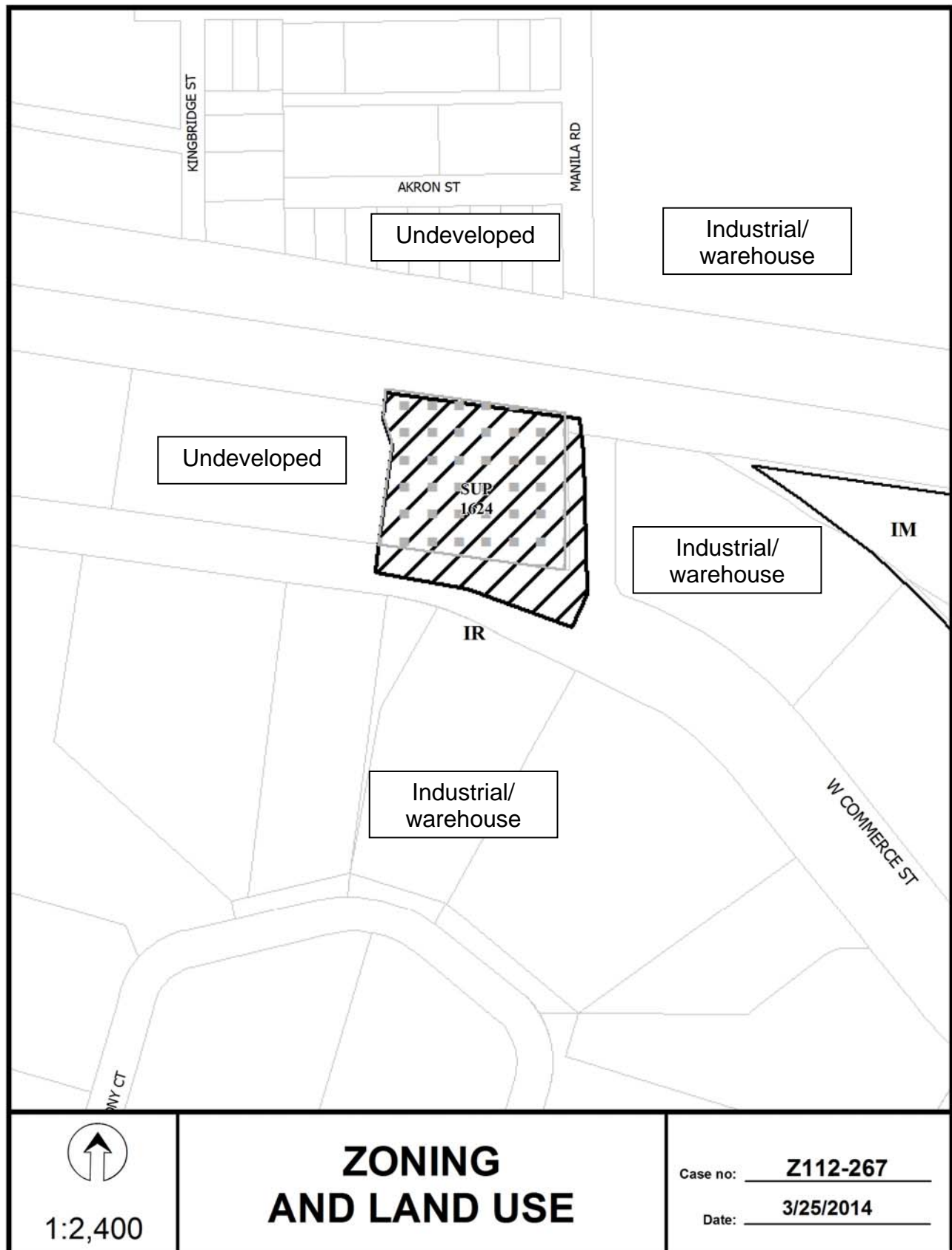
PROPOSED SITE/LANDSCAPE PLAN

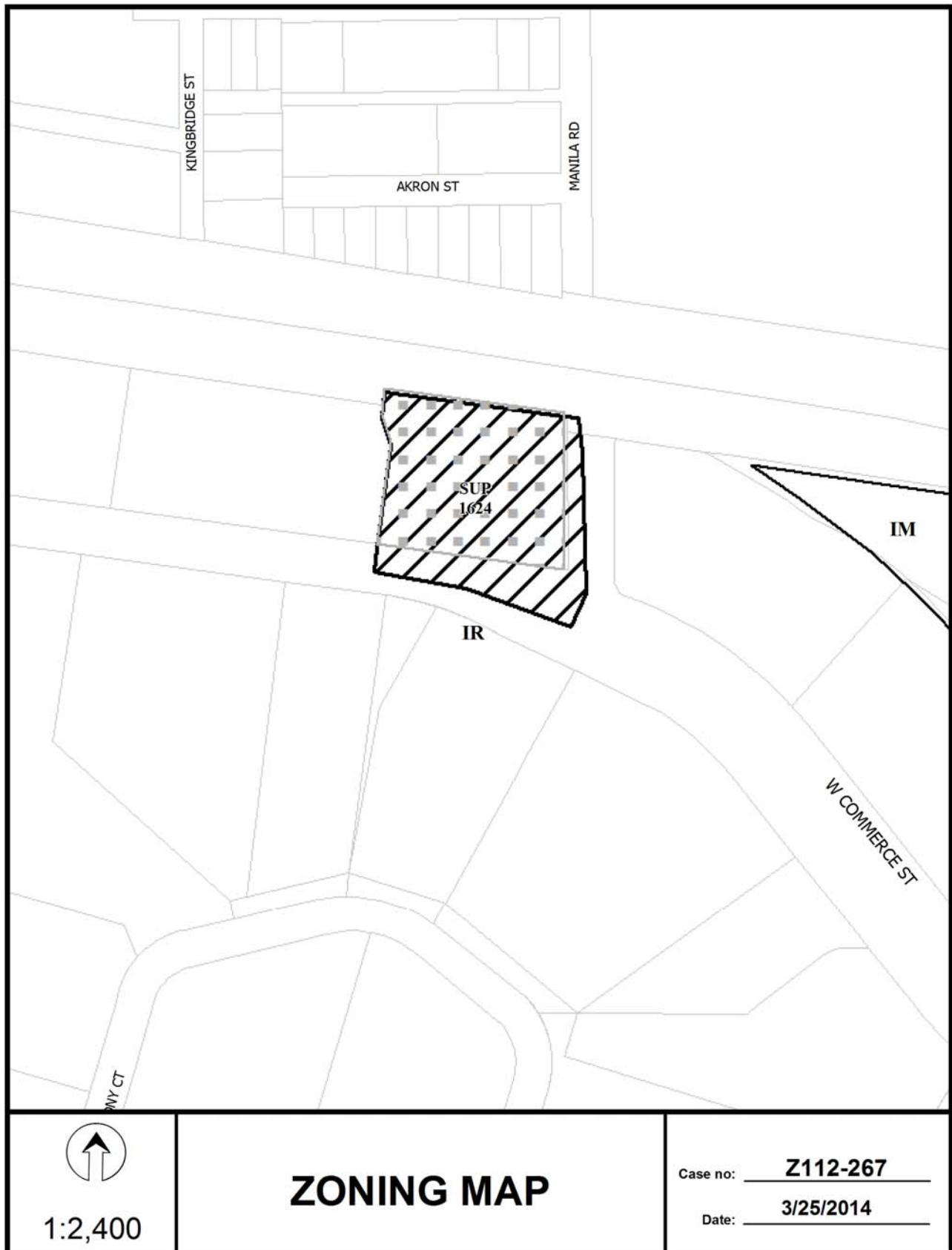


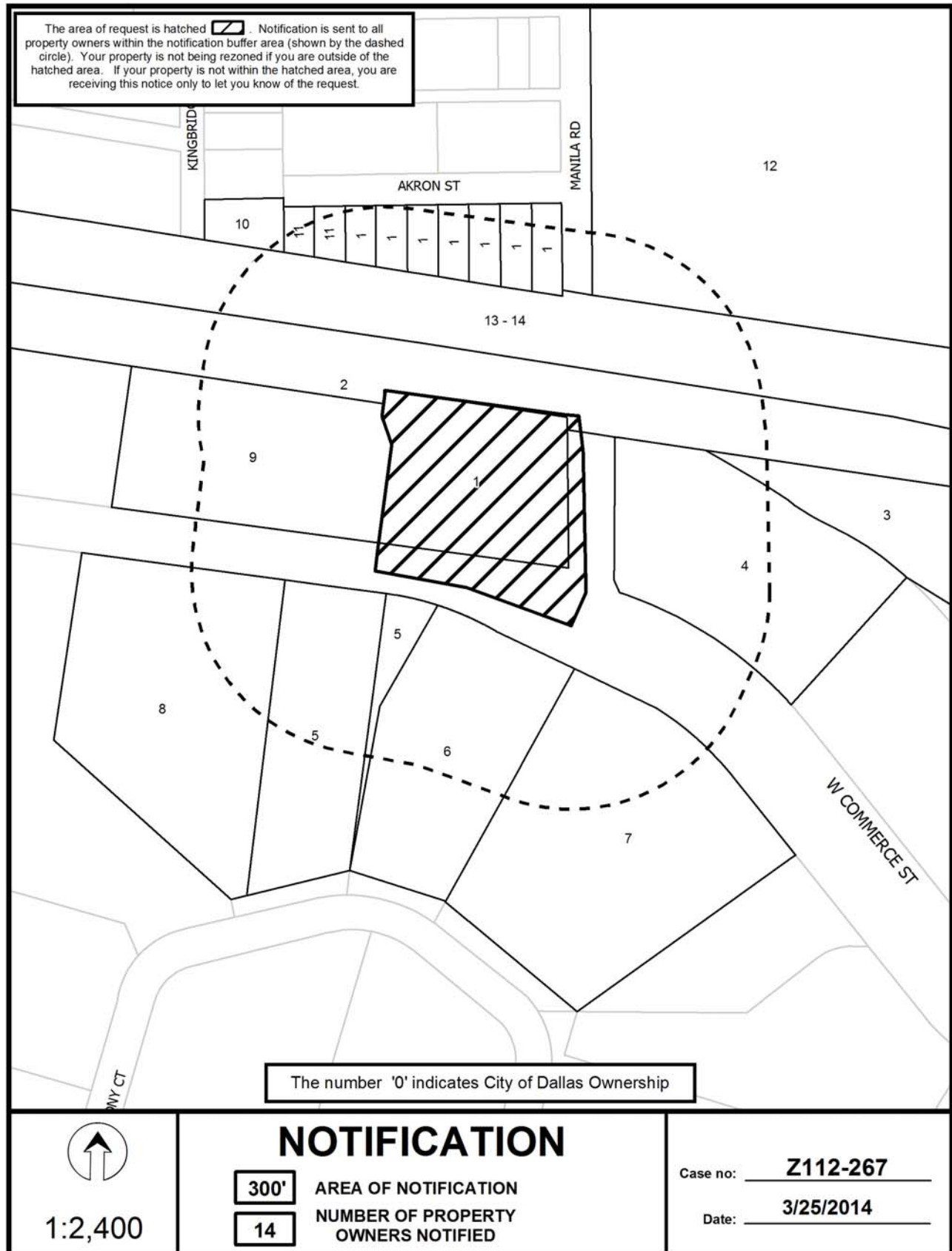




warehouse







Notification List of Property Owners

Z112-267

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2802 AKRON ST	RAMOS SAMUEL
2	2300 GRAND AVE	BNSF RAILWAY % PROPERTY TAX DEPT
3	1801 LONE STAR DR	LONE STAR IND INC % PROPERTY TAX MANAGER
4	2565 COMMERCE ST	CLEMTEX HOLDING INC
5	2700 COMMERCE ST	ARAIZA JUAN J
6	2570 COMMERCE ST	2570 W COMMERCE LLC STE 1200
7	2556 COMMERCE ST	REMINGTON DEV CO & RONALD & ETHEL GRUEN
8	2772 COMMERCE ST	4815 VICKSBURG LLC
9	2800 COMMERCE ST	DALLAS GARLAND & NE RR % RAILAMERICA TAX
10	2706 KINGBRIDGE ST	CORTEZ CLEMENTINA
11	2830 AKRON ST	BROOKS REX
12	2600 SINGLETON BLVD	BUILDING MATERIALS CORP OF AMERICA
13	9999 NO NAME ST	UNION PACIFIC RR CO % TAX DEPT
14	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO % UNION PACIFIC

Planner: Warren F. Ellis

FILE NUMBER: Z134-160(WE) **DATE FILED:** January 24, 2014

LOCATION: Generally located in an area southwest of South Cesar Chavez Boulevard and southeast of Helsminster Drive

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

SIZE OF REQUEST: Approx. 7,848.8 sq. ft. **CENSUS TRACT:** 204

APPLICANT / OWNER: Texas InTown Homes, LLC

REPRESENTATIVE: Audra Buckley

REQUEST: An application for a Specific Use Permit for an accessory community center (private) limited to a community pool on property within Subdistrict 10 of Planned Development District No. 357, the Farmers Market Special Purpose District.

SUMMARY: The purpose of this request is to construct a community pool for the residences in the townhouse development.

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

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The accessory community center (private) use is anticipated with surrounding residential uses and as such, is compatible.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use will be another service provided in the residential development and is an enhancement to the adjacent properties. The proposed SUP, if approved by the CPC and City Council, will have conditions that are associated with the use to mitigate any potential negative impacts. An SUP could be revoked, have a reduced time period or not be renewed if the applicant does not comply.
3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. No variances or special exceptions are requested.

BACKGROUND INFORMATION:

- The development and the accessory community center (private) use is platted on a single lot separate from the rest of the development. As a result, the accessory community center (private) is required to have a Specific Use Permit for the use.
- The accessory community center limited to a community pool and pool house will be accessible to the residents Monday through Friday, 24 hours a day, unless the management of the development imposes hours of operation.
- The request site is located within a townhouse development.

Zoning History: There has been one recent zoning case requested in the area.

1. Z101-247 On August 24, 2011, the City Council approved the creation of a new subdistrict within Planned Development District No. 357, the Farmer's Market Special Purpose District generally bounded by Young Street, S. Pearl Expressway, S. Ceasar Chavez Boulevard, and Marilla Street.

2. Z123-317 On November 12, 2013, the City Council approved the creation of a new Subdistrict in Planned Development District No. 357, the Farmers Market Special Purpose District, the Farmer's Market Special Purpose District generally bounded by Marilla Street, South Cesar Chavez Boulevard, East R.L. Thornton Freeway and South Harwood Street

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Marilla Street	Local	100 ft.	100 ft.
South Cesar Chavez Boulevard	Principal Arterial	variable lane widths	variable lane widths
South Harwood Street	Collector	55 ft.	55 ft.

Traffic: Being that this use is accessory to the surrounding development, no additional impact is proposed.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 357	Undeveloped
North	PDD No. 357	Townhomes
South	PDD No. 357	Townhomes
East	PDD No. 357	Townhomes
West	PDD No. 357	Townhomes

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 the Downtown Building Block.

The Downtown 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.

The Downtown Building Block is an important transit hub for commuter rail, light rail, bus and local systems. This area warrants significant public investment to sustain itself as the signature address in the North Central Texas region and to continually reinvent itself to maintain its competitive advantage.

AREA PLAN: In 2011, the City Council approved the Dallas 360 Plan, which envisioned the development of a mix of townhouses and low-rise multifamily and condominiums that limited ground floor retail and personal service uses the downtown area.

The proposed accessory use is an amenity to the surrounding development, which is consistent with the Comprehensive Plan and Area Plan.

STAFF ANALYSIS:

Land Use Compatibility: The 7,848.8-square-foot site is undeveloped and is located within Subdistrict 10 of Planned Development District 357. When Subdistrict 10 was created, a provision to permit an accessory community center (private) limited to a community pool was not provided. Therefore, the community center (private) requires a Specific Use Permit because the townhouse development and the area of the proposed accessory community center (private) are platted as separate lots. In addition, the request site is required to have a pool house for the residence in the townhouse development.

Staff recommendation is for approval of a Specific Use Permit for an accessory community center (private) limited to a community pool for a twenty-year period with eligibility for automatic renewals for additional twenty-year periods, subject to a site plan and conditions.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 357 - existing	0'	5/10' – duplexes No min. all other areas	20 FAR	Any legal height	Avg. 85%		Multifamily, duplex, single family, Retail and personal service, Warehouses

Landscaping: Landscaping must be in accordance with the landscaping requirements in Planned Development District No. 357, the Farmers Market Special Purpose District.

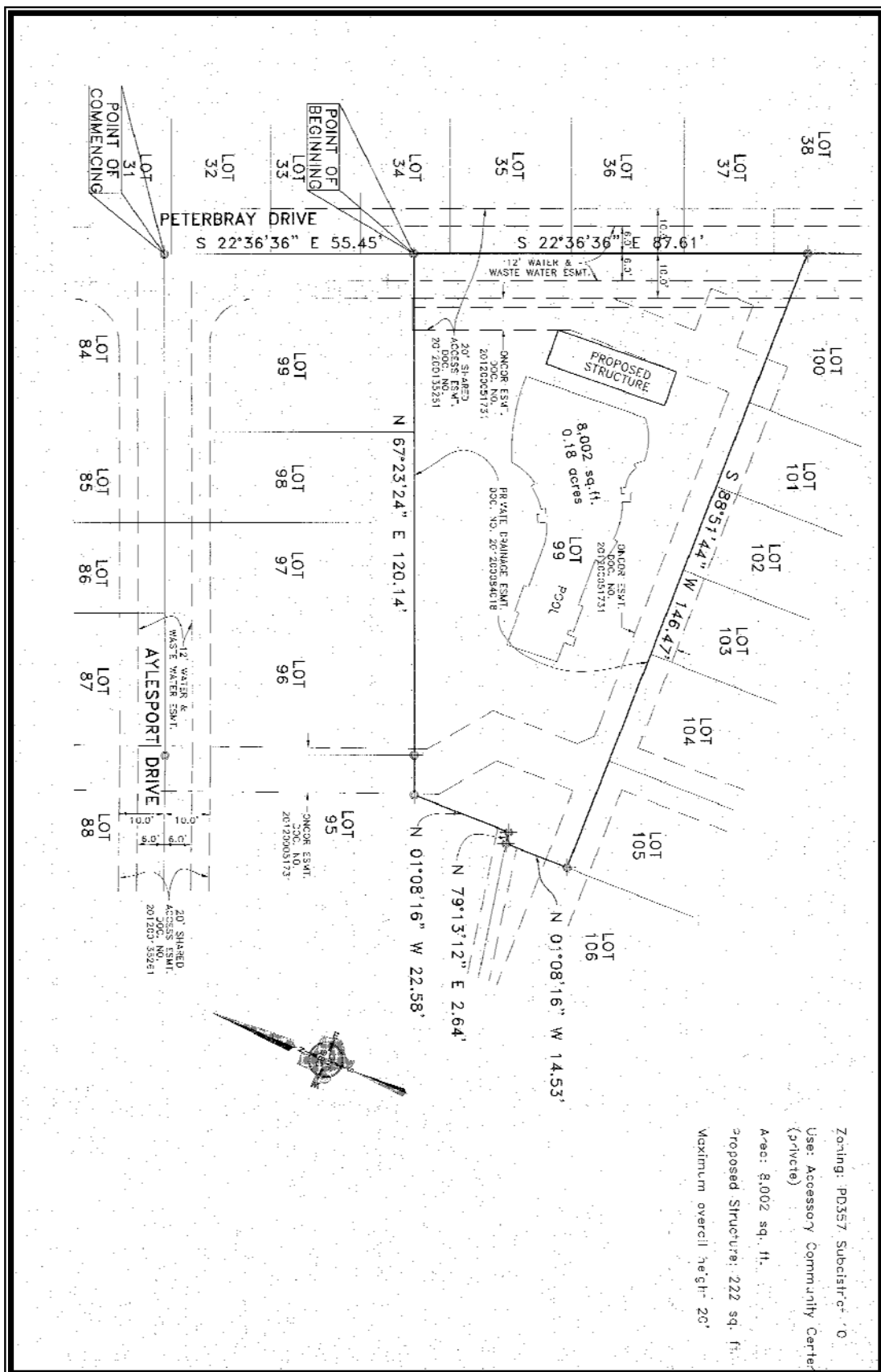
<p>LIST OF OFFICERS Texas InTown Homes, LLC</p>
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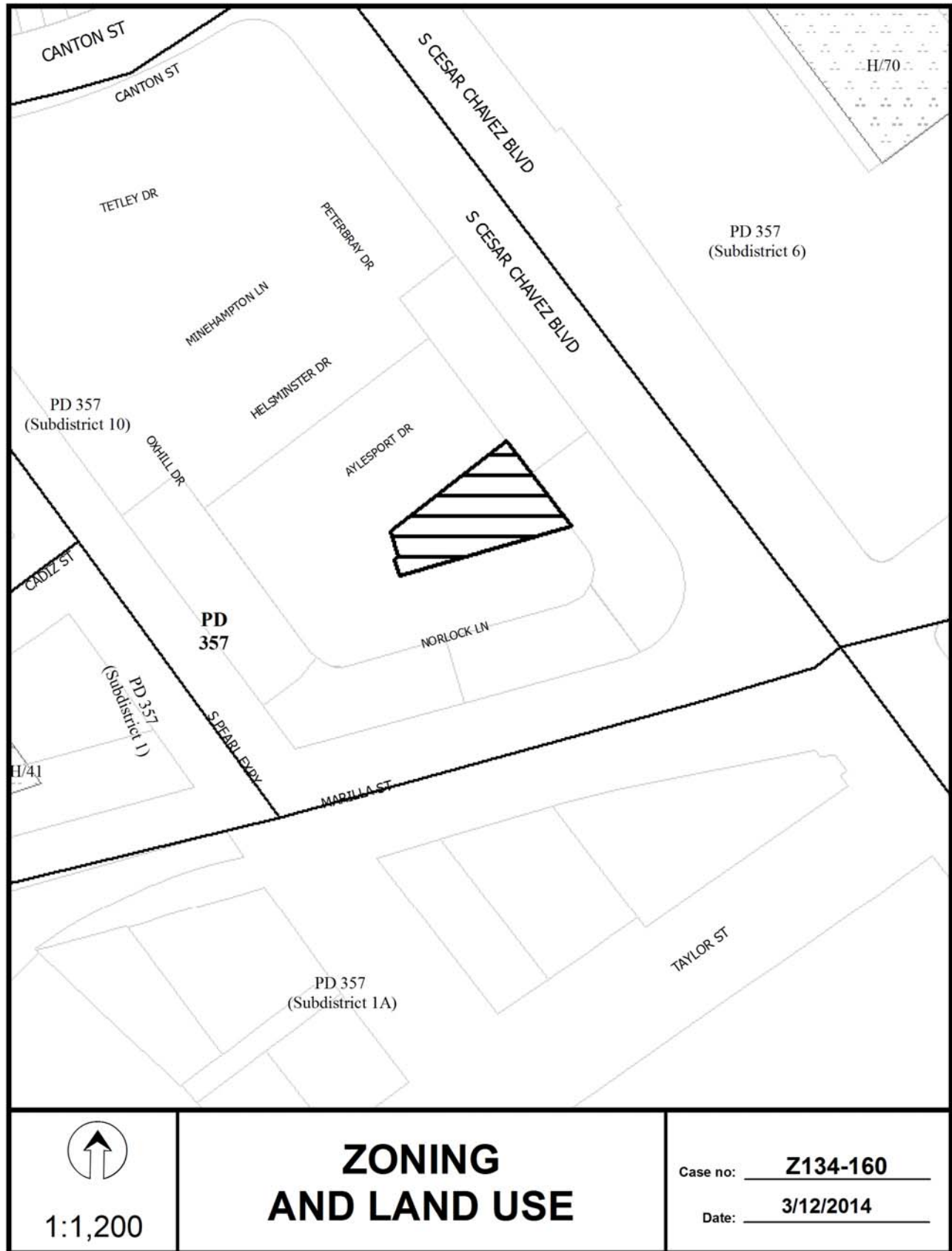
- Frank M. Liu, President
- Ming Liu, Vice-President
- Helen Ghozali, Vice-President

PROPOSED SUP CONDITIONS

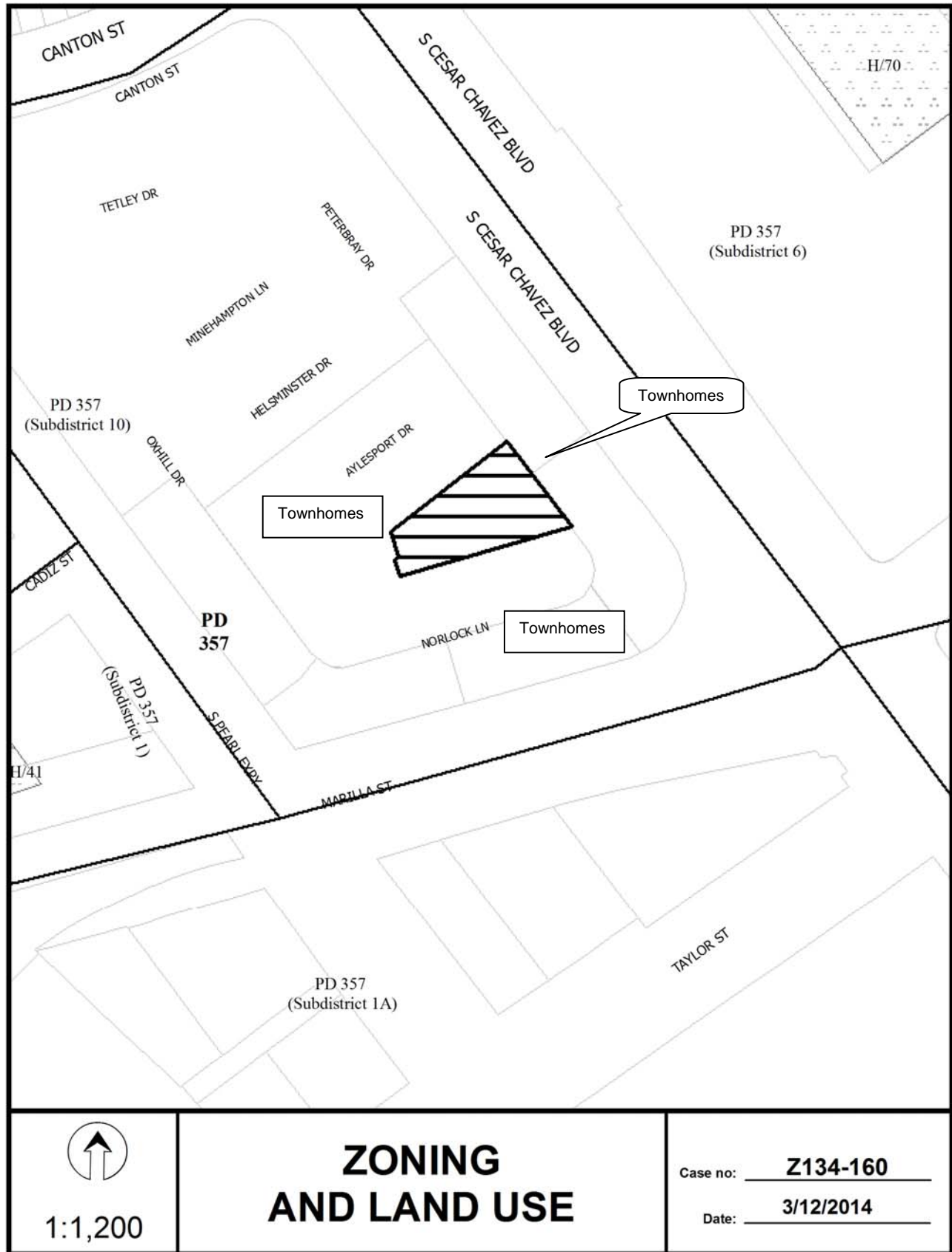
1. USE: The only use authorized by this specific use permit is an accessory community center (private) limited to a community pool and pool house.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (twenty-years from the passage of the ordinance), but is eligible for automatic renewal for additional twenty-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
4. MAXIMUM FLOOR AREA AND HEIGHT: The maximum floor area of the pool house is 222 square feet and cannot exceed a 20 feet in height.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

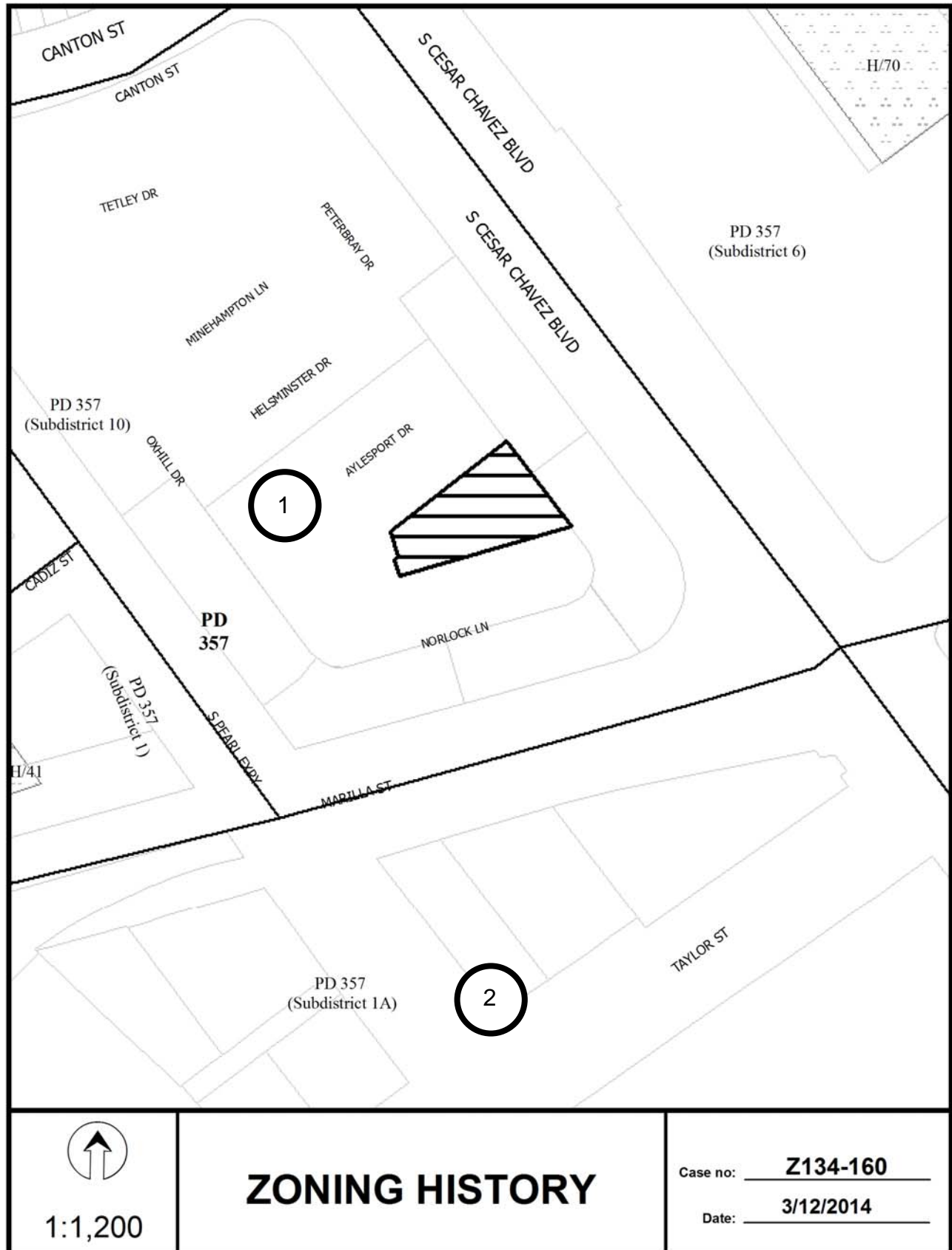
PROPOSED SITE PLAN











Notification List of Property Owners

Z134-160

5 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	514 CESAR CHAVEZ BLVD	FENWAY DEVELOPMENT INC
2	2159 MARILLA ST	TEXAS IN TOWN HOMES
3	715 CESAR CHAVEZ BLVD	TEXAS IN TOWN HOME
4	615 CESAR CHAVEZ BLVD	TEXAS IN TOWN HOMES LLC
5	2210 CANTON ST	2009 CPT COMMUNITY OWNER LLC

FILE NUMBER: Z134-133(MW)

DATE FILED: November 22, 2013

LOCATION: East side of Harry Hines Boulevard, north of Royal Lane.

COUNCIL DISTRICT: 6

MAPSCO: 22-D, 22-H, 23-E, 23-A

SIZE OF REQUEST: ±2.7 acres

CENSUS TRACT: 0099.00

REPRESENTATIVE: Chase Corker

APPLICANT: America's Southern Edge

OWNER: Barberans, LLC

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar on property zoned Planned Development District No. 498, the Harry Hines Corridor Special Purpose District.

SUMMARY: The applicant intends to utilize an existing ±6,811-square-foot building as a private-club bar [The Pig] catering to automotive enthusiasts.

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

GUIDING CRITERIA FOR RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The proposed use is compatible with the surrounding uses given the industrial nature of the area and the intent of Planned Development District No. 498 to accommodate a variety of commercial and business service, industrial, retail and personal service, and wholesale, distribution, and storage uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed private-club bar will provide a service to this area of the City and is not anticipated to negatively impact to the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed private-club bar will not be a detriment to the public health, safety, or general welfare. The specific use permit process provides the city an opportunity to establish conditions such as hours of operation and site layout to mitigate any potential negative impacts.
4. *Conforms in all other respects to applicable zoning regulations and standards* – Based on information depicted on the site plan, the request complies with all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- The ±2.7-acre request site is developed with a variety of warehouse structures and a covered outdoor seating area.
- No new construction is proposed by this application.

Zoning History:

1. **Z134-146:** An application to create a new tract within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Harry Hines Boulevard	Principal arterial	164 feet

Traffic:

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

Adjacent Zoning and Land Use:

	Zoning	Land Use
North	PDD No. 498	Retail
East	PDD No. 498	Contractor's maintenance yard (proposed)
South	PDD No. 498	Retail
West	PDD No. 498	Auto-related; retail

STAFF ANALYSIS:**Comprehensive Plan:**

The request site is identified as being within an Urban Mixed Use Building Block on the *forwardDallas! Vision* Illustration, adopted June 2006.

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

While the existing site layout is not necessarily consistent with the Urban Mixed Use Building Block, it is consistent with the existing development pattern and scale of the area. Furthermore, staff encourages the adaptive reuse of existing buildings and considers this aspect of the request consistent with the following goals and policies of the Comprehensive Plan.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Land Use Compatibility:

Planned Development District No. 498 is intended to accommodate a variety of commercial and business service; industrial; retail and personal service and wholesale, distribution, and storage uses. The proposed alcoholic beverage establishment limited to a private-club bar is considered compatible with the adjacent uses and the surrounding area.

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

A private-club bar requires one off-street parking space per 100 square feet of floor area. Therefore, the ±6,811-square-foot building and ±1,550-square-foot covered seating area proposed for this use will require 84 spaces. As depicted on the proposed site plan, 115 spaces will be provided to accommodate all uses on the site.

Landscaping:

No new development is proposed by this application; therefore, no additional landscaping is required. However, in accordance with PDD No. 498, front yard strip landscaping and sidewalk provisions, as well as Article X site area landscaping, will become applicable to this site if a building permit is issued for certain construction work such as: an increase in the number of stories; an increase in floor area by more than 25 percent or 5,000 square feet, whichever is less, or an increase in nonpermeable coverage by more than 1,000 square feet.

Partners/Principals/Officers:

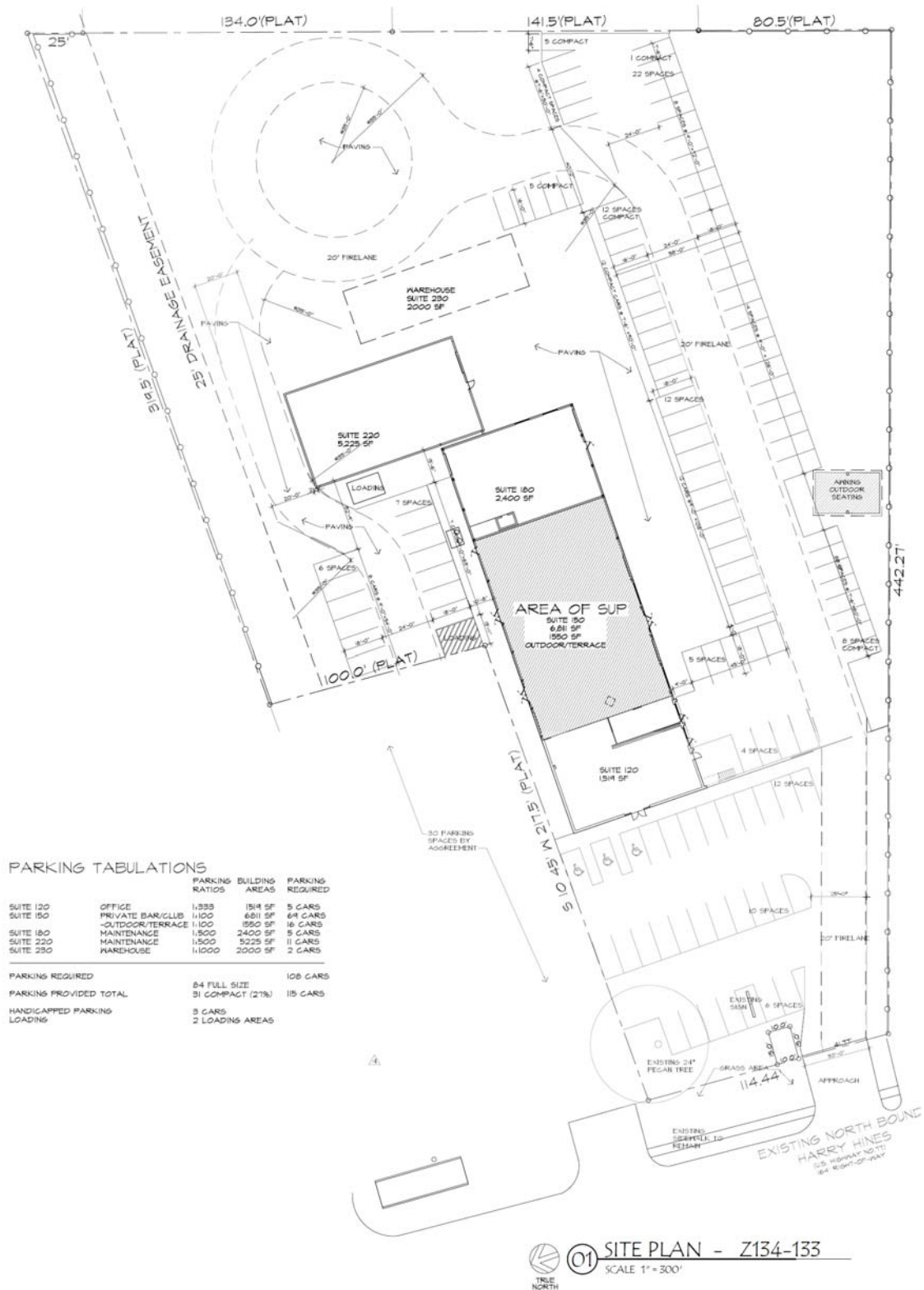
APPLICANT: America's Southern Edge
Billy Ziegenfuss, Sole Proprietor, principal and manager

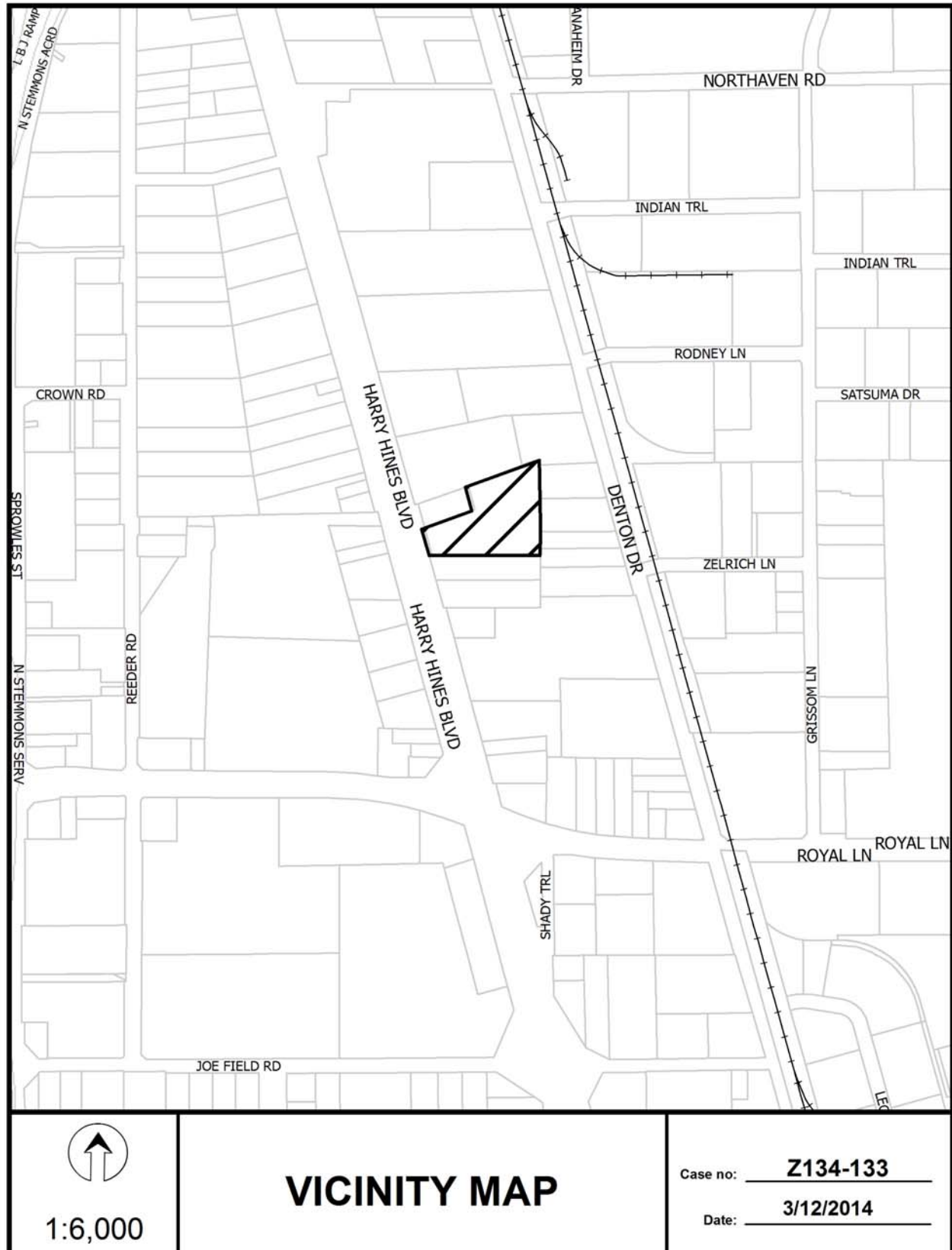
OWNER: Barberans, LLC
Ricky Sigler, Owner

**Z134-133
Proposed SUP Conditions**

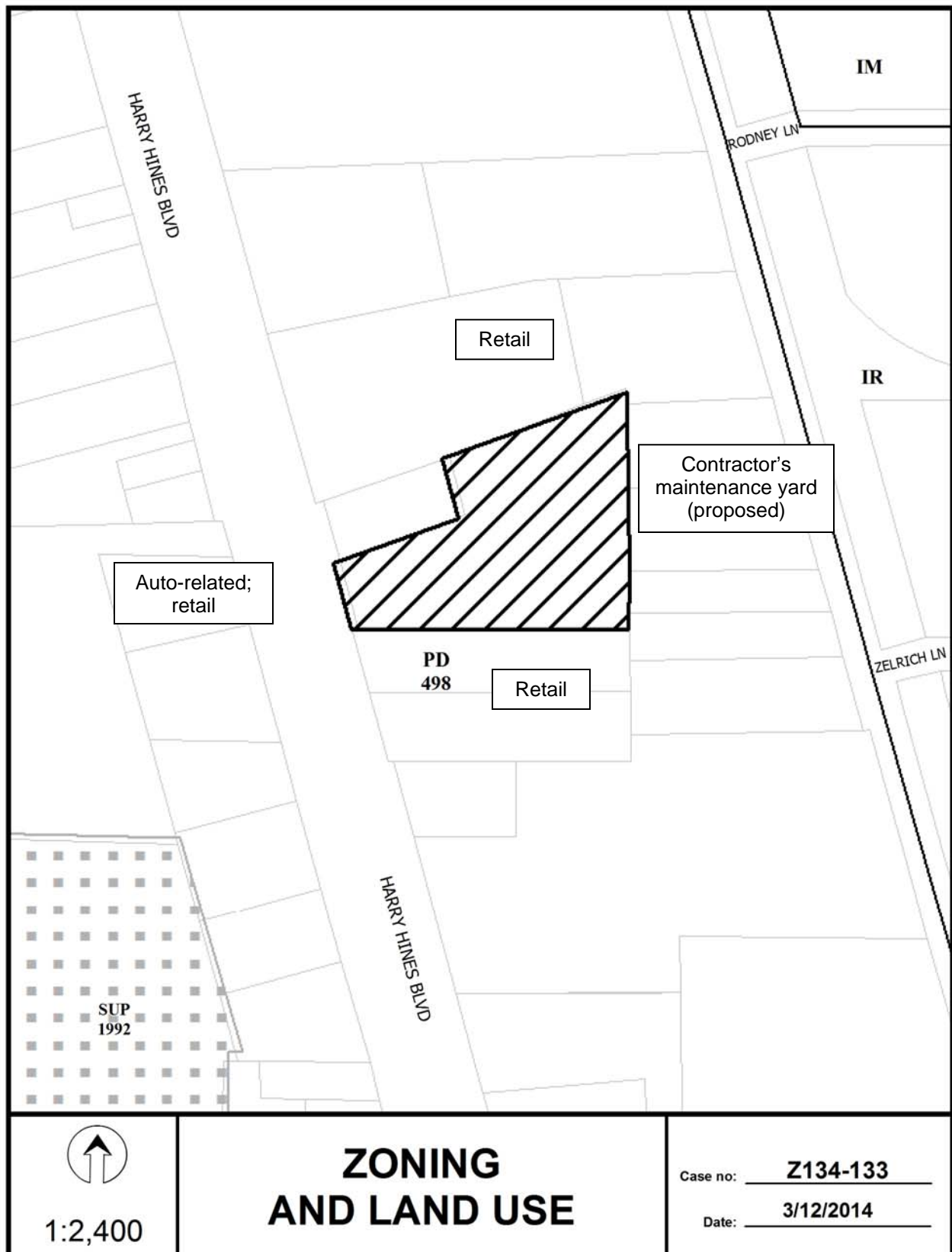
1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a private-club bar.
2. SITE PLAN: Use and development of the property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three-years from passage of the ordinance).
4. FLOOR AREA: The maximum floor area of the private-club bar is 6,811 square feet with a 1,550-square foot covered seating area in the locations shown on the attached site plan.
5. HOURS OF OPERATION: The alcoholic beverage establishment limited to a private-club bar may only operate between 12:00 pm and 12:00 am (the next day), Monday through Thursday, 12:00 pm and 2:00 am (the next day) Friday and Saturday, and 12 pm and 10 pm on Sunday.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

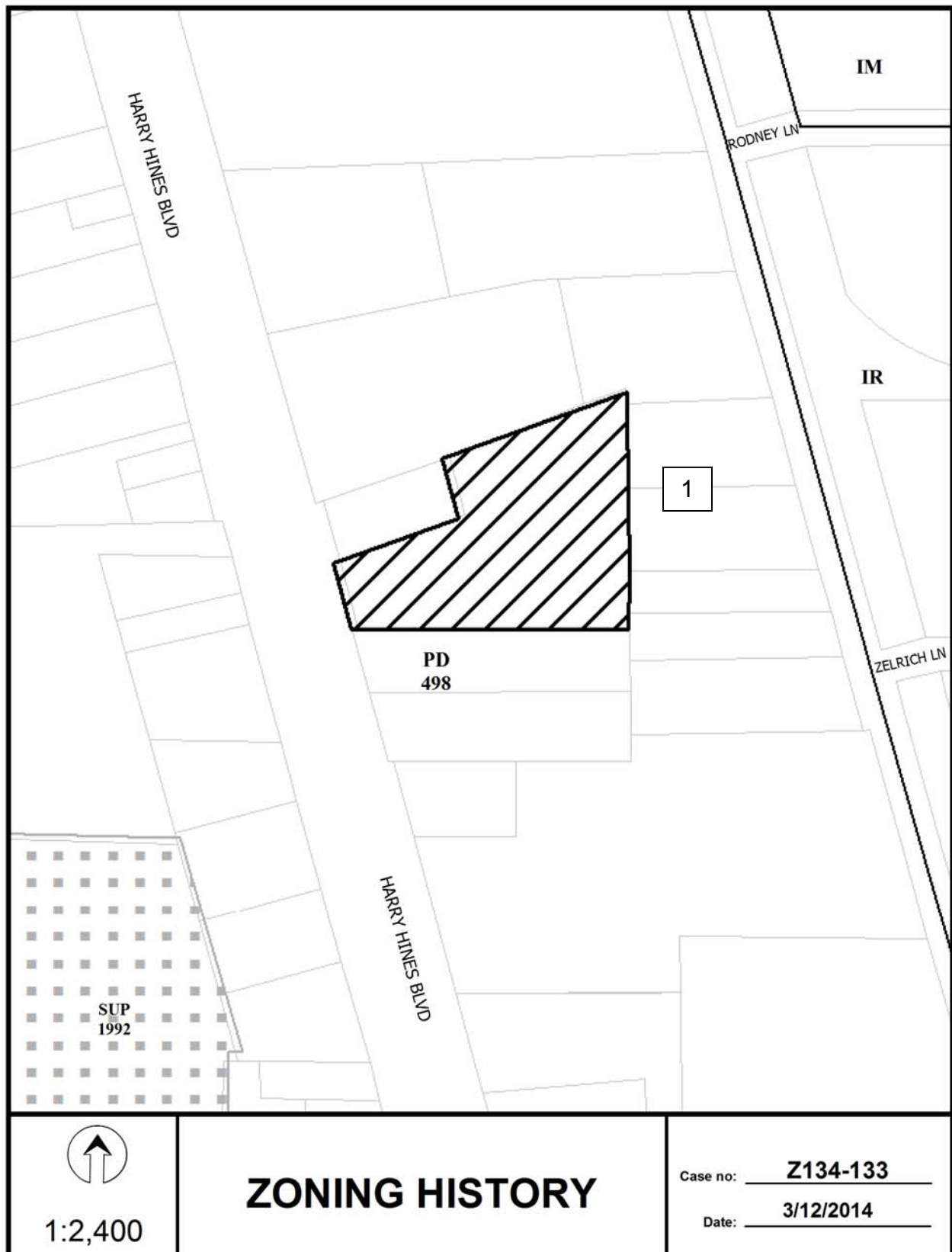
Proposed Site Plan:

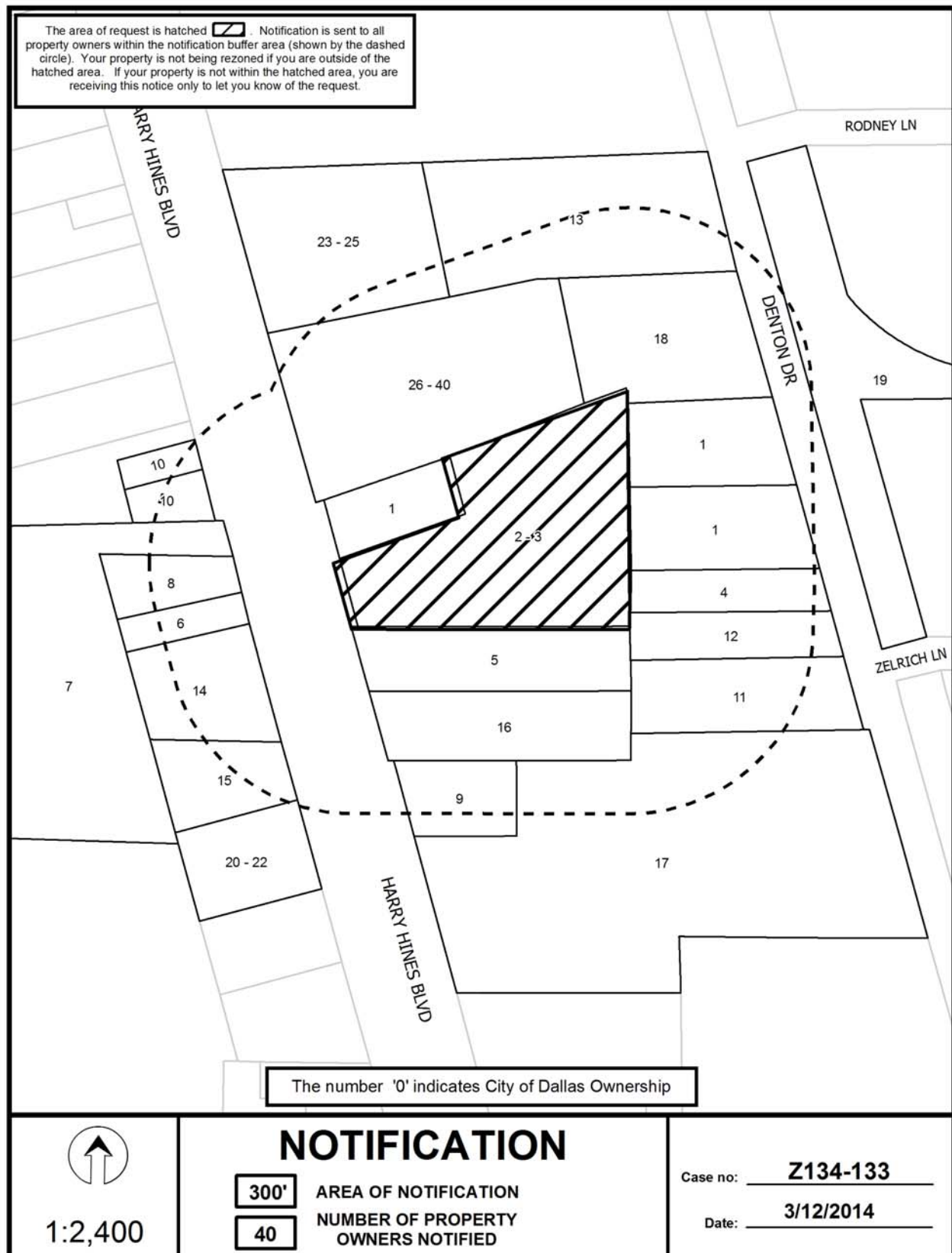












3/12/2014

Notification List of Property Owners***Z134-133******40 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11480 HARRY HINES BLVD	BARBERANS LLC
2	11476 HARRY HINES BLVD	BARBERANS LLC
3	11476 HARRY HINES BLVD	BARBERANS LLC SUITE 150
4	11425 DENTON DR	LEE YOUNG KOO & MYONG S
5	11464 HARRY HINES BLVD	NEAL MEHTA LP
6	11479 HARRY HINES BLVD	GARCIA APOLINAR
7	2525 ROYAL LN	INTERMART II INC SUITE 201
8	11481 HARRY HINES BLVD	PARKS FAMILY CORPORATION
9	11444 HARRY HINES BLVD	TENNINGTON INVESTMENTS LLC
10	11503 HARRY HINES BLVD	DELGADILLO-RAMIREZ JUANA
11	11421 DENTON DR	SUNJAY INVESTMENT LIMITED COMPANY
12	11423 DENTON DR	LEE YOUNG KOO & MYONG SOOK LEE
13	11526 HARRY HINES BLVD	MY Y LTD PS
14	11461 HARRY HINES BLVD	FAVORLAND LLC
15	11457 HARRY HINES BLVD	DIVA PROPERTY MGMT INC STE D
16	11456 HARRY HINES BLVD	KRISRAM INVESTMENTS INC SUITE 1025
17	11422 HARRY HINES BLVD	SHIN CHON DEV CORP
18	11449 DENTON DR	KIMAYA INITIATIVE CORP STE 201
19	401 BUCKNER BLVD	DART
20	11447 HARRY HINES BLVD	PEERMOHAMMED LIAQUAT ALI
21	11447 HARRY HINES BLVD	NORTHSTAR CROSSING GP LLC
22	11447 HARRY HINES BLVD	J LIU PROPERTY LLC
23	11526 HARRY HINES BLVD	MY Y LTD PS
24	11526 HARRY HINES BLVD	FRAGRANCE WORLD INC #106
25	11526 HARRY HINES BLVD	MY Y LIMITED PARTNERSHIP
26	11500 HARRY HINES BLVD	SHARMA UTPAL

Z134-133(MW)

3/12/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	11500 HARRY HINES BLVD	CHEN SHIRLEY
28	11500 HARRY HINES BLVD	AEM ENTERPRISES LLC
29	11500 HARRY HINES BLVD	AJAZ LLC SUITE 107
30	11500 HARRY HINES BLVD	ILA INC
31	11500 HARRY HINES BLVD	RAFIZADEH ARDALAN
32	11500 HARRY HINES BLVD	RYU SUN JA
33	11500 HARRY HINES BLVD	ELEGANT INVESTMENT GROUP INC
34	11500 HARRY HINES BLVD	WEDDING LINENS INC
35	11500 HARRY HINES BLVD	DHOKA PRAKASH & KAMLA
36	11500 HARRY HINES BLVD	SSMD PPTIES LLC
37	11500 HARRY HINES BLVD	A J LEATHER INC
38	11500 HARRY HINES BLVD	KAMPSCHROEDER JOHN C & KAMPSCHROEDER FAN
39	11500 HARRY HINES BLVD	BATRA DALJIT &
40	11500 HARRY HINES BLVD	LIU JIAN &

FILE NUMBER: Z134-146(MW)

DATE FILED: December 20, 2013

LOCATION: West side of Denton Drive, north of Royal Lane

COUNCIL DISTRICT: 6

MAPSCO: 23-E, A

SIZE OF REQUEST: ±1.75 acre

CENSUS TRACT: 0099.00

REPRESENTATIVE: Chase Corker

APPLICANT/OWNER: Barberans, LLC, Ricky Sigler, Owner

REQUEST: An application to create a new tract within Planned Development District No. 498, the Harry Hines Corridor Special Purpose District.

SUMMARY: The applicant intends to create a new tract that permits the “contractor’s maintenance yard” use by right. The site will be utilized by a landscape contractor [ValleyCrest Landscape Companies] for the storage and maintenance of supplies and operational equipment.

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

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request is not anticipated to negatively impact surrounding property given the commercial nature of the area and the intent of Planned Development District No. 498 to accommodate a variety of commercial and business service, industrial, retail and personal service, and wholesale, distribution, and storage uses.
2. *Traffic impact* – This request will not create any additional impact than what the current zoning would permit.
3. *Comprehensive Plan or Area Plan Conformance* – While the applicant's proposal is not necessarily consistent with the Urban Mixed Use Building Block, a contractor's maintenance yard is consistent with the existing development pattern and scale of the area.
4. While staff would rather not create separate tracts within Planned Development Districts for the sole purpose of allowing one additional use, an amendment to permit the use within the Planned Development District would require authorization from all property owners within the 300-acre Special Purpose District.

BACKGROUND INFORMATION:

- The ±1.75 acre request site is developed with a ±7,280-square warehouse.
- No new construction is proposed by this application.
- Planned Development District No. 498 was approved on April 28, 1999 and amended on August 8, 2001 and October 8, 2003.

Zoning History:

1. **Z134-133:** An application for a Specific Use Permit for a private-club bar on property zoned Planned Development District No. 498, the Harry Hines Corridor Special Purpose District.
2. **Z134-138:** An application for an IM Industrial Manufacturing District on property zoned an IR Industrial Research District and for a Specific Use Permit for an industrial (inside) potentially incompatible use.

Traffic:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Denton Drive	Collector	60 feet

Adjacent Zoning and Land Use:

	Zoning	Land Use
North	PDD No. 498	Office showroom/warehouse
East	IR	Industrial (inside)
South	PDD No. 498	Retail; auto-oriented
West	PDD No. 498	Restaurant; warehouse

STAFF ANALYSIS:**Comprehensive Plan:**

The request site is identified as being within an Urban Mixed Use Building Block on the *forwardDallas! Vision* Illustration, adopted June 2006.

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

While the applicant's proposal is not necessarily consistent with the Urban Mixed Use Building Block, a contractor's maintenance yard is consistent with the existing

development pattern and scale of the area. Furthermore, staff encourages the adaptive reuse of existing buildings and considers this aspect of the request consistent with the following goals and policies of the Comprehensive Plan.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Land Use Compatibility:

Planned Development District No. 498 is intended to accommodate a variety of commercial and business service, industrial, retail and personal service, and wholesale, distribution, and storage uses. The proposed contractor's maintenance yard use will be subject to a development plan and is considered compatible with the adjacent uses and the surrounding area.

Pursuant to the Dallas Development Code, a contractor's maintenance yard requires a six-foot solid screening fence which must be brick, stone, or concrete masonry, stucco, concrete or wood (or evergreen plan materials), which will further help ensure compatibility. The applicant has not identified the specific type of screening. However, the location is shown on the development plan.

The site will be utilized predominantly as a depot for typical work trucks. Therefore, the applicant does not anticipate the storage of any items taller than twelve feet in height on the site and has proposed a condition to ensure this.

Parking:

A contractor's maintenance yard requires one off-street parking space per 2,000 square feet of site area exclusive of parking area with a minimum of four spaces required. The request site includes ±28,000 square feet of site area. Therefore, 14 spaces are required; 84 spaces are provided, as depicted on the proposed development plan.

Landscaping:

No new development is proposed by this application; therefore, no additional landscaping is required. However, in accordance with PDD No. 498, front yard strip landscaping and sidewalk provisions, as well as Article X site area landscaping, will become applicable to this site if a building permit is granted for certain construction work such as: an increase in the number of stories; an increase in floor area by more than 25 percent or 5,000 square feet, whichever is less, or an increase in nonpermeable coverage by more than 1,000 square feet.

Development Standards:

Z134-146(MW)

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD No. 498	15'	30' adj. to res. Other: No min	2.0 FAR overall 1.0 retail 0.75 lodging/office	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution and storage, supporting office and retail

Proposed Conditions:

ARTICLE 498.

PD 498.

Harry Hines Corridor Special Purpose District

SEC. 51P-498.101. LEGISLATIVE HISTORY.

PD 498 was established by Ordinance No. 23427, passed by the Dallas City Council on January 28, 1998. Ordinance No. 23427 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23427 was amended by Ordinance No. 23862, passed by the Dallas City Council on April 28, 1999; Ordinance No. 24678, passed by the Dallas City Council on August 8, 2001; and Ordinance No. 25391, passed by the Dallas City Council on October 8, 2003.

SEC. 51P-498.102. PROPERTY LOCATION AND SIZE.

(a) PD 498 is established on property generally bounded by the Lyndon B. Johnson Freeway (IH 635) on the north, Denton Drive and Gemini Lane on the east, Southwell Road on the south, and Reeder Road on the west. The size of PD 498 is approximately 300 acres.

(b) This district is divided into Tract I, Tract II, and Tract III within Subdistrict 1 as described in the subdistrict property descriptions (Exhibit 498B).

SEC. 51P-498.103. 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. In this article, WAREHOUSE/RETAIL SALES means a facility for the inside storage and distribution of items with a retail sales component. The following apply to this use:

(1) Except as provided in (2) below, the retail sales area may not exceed 30 percent of the total warehouse/retail sales floor area.

(2) Up to 100 percent of the total warehouse/retail sales floor area of the use may be devoted to retail sales activities during an occasional sale. No more than six occasional sales may be conducted during any 12-month period. Each occasional sale must be limited in duration to no more than three consecutive calendar days.

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

SEC. 51P-.103.1 EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 498A: development plan.
- (2) Exhibit 498B: subdistrict property descriptions.

~~SEC. 51P-498.104. TRACTS CREATED.~~

~~Ordinance No. 25391, passed by the Dallas City Council on October 8, 2003, created two tracts in this district: Subdistrict 1, Tract I and Subdistrict 1, Tract II. The tracts are described in Exhibits A and B attached to Ordinance No. 25391.~~

SEC. 51P-498.104. DEVELOPMENT PLAN.

(a) For a contractor's maintenance yard, use and development of the Property must comply with the development plan (Exhibit 498 A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

(b) For all other permitted uses, Section 51A-4.702(c)(2) through Section 51A-4.702(i), regarding submission of and amendments to a site plan, a development plan, and a landscape plan, do not apply.

SEC. 51P-498.105. MAIN USES PERMITTED.

- (a) Agricultural uses.
 - None permitted.
- (b) Commercial and business service uses.
 - Building repair and maintenance shop.
 - Catering service.
 - Custom business services.
 - Custom woodworking, furniture construction, or repair.
 - Electronics service center.
 - Machine or welding shop.
 - Machinery, heavy equipment, or truck sales and service.
 - Technical school.
 - Tool or equipment rental.
 - Vehicle or engine repair or maintenance.
- (c) Industrial uses.

- Industrial (inside).
- Industrial (inside) for light manufacturing.
- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*
- Industrial (outside). *[Limited to a concrete plant in Subdistrict 1, Tract II, by SUP only.]*
- (d) Institutional and community service uses.
 - Adult day care facility. *[SUP]*
 - Child-care facility. *[SUP]*
 - Church.
 - College, university, or seminary.
 - Community service center. *[SUP]*
- (e) Lodging uses.
 - Hotel or motel.
- (f) Miscellaneous uses.
 - Carnival or circus (temporary). *[By special authorization of the building official.]*
 - Temporary construction or sales office.
- (g) Office uses.
 - Financial institution without drive-in window.
 - Financial institution with drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (h) Recreation uses.
 - Public park, playground, or golf course.
- (i) Residential uses.
 - None permitted.
- (j) Retail and personal service uses.
 - Auto service center.
 - Commercial amusement (inside). *[SUP required if the use is permitted in a CS Commercial Service District by SUP. See Section 51A-4.210(b)(7)(B).]*
 - Alcoholic beverage establishments. *[SUP]*
 - 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.
- Home improvement center, lumber, brick, or building materials sales yard.
- Home improvement center, lumber, brick, or building materials sales yard with outside storage greater than 25 percent. *[Subdistrict 1, Tract I only, and subject to city plan commission approval of a development plan for this use. The development plan may not indicate an outside storage area covering more than 50 percent of the land area within Subdistrict 1, Tract I.]*

- Household equipment and appliance repair.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Pawn shop.
- Personal service uses.
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service.
- Theater.
- Vehicle display, sales, and service.

(k) Transportation uses.

- Transit passenger shelter.
- Transit passenger station or transfer center. *[DIR]*

(l) Utility and public service uses.

- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication.
- Utility or government installation other than listed. *[SUP]*
- Water treatment plant.

(m) Wholesale, distribution, and storage uses.

- Contractor's maintenance yard. *[Subdistrict 1, Tract III only]*
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage (with visual screening). *[SUP]*
- Trade center.
- Warehouse.
- Warehouse/retail sales.

SEC. 51P-498.106. ACCESSORY USES.

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

(b) The following accessory uses are not permitted in this special purpose district:

- Accessory community center (private).
- Accessory pathological waste incinerator.
- Home occupation.
- Private stable.

SEC. 51P-498.107. YARD, LOT, AND SPACE REGULATIONS.

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

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

(b) Side and rear yard. Minimum side and rear yard is:

(1) 30 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), THE, THE(A), CH, MF, or MF(A) district; and

(2) no minimum in all other cases.

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

(1) 0.75 for lodging and office uses;

(2) 1.0 for retail and personal service uses; and

(3) 2.0 for all uses combined.

(d) Maximum height. Maximum structure height is 200 feet.

(e) Stories. Maximum number of stories above grade is 15.

(f) 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.

(g) Lot size. No minimum lot size.

SEC. 51P-498.108. OFF-STREET PARKING AND LOADING.

(a) Required off-street parking for a warehouse/retail sales use is one space per 500 square feet of retail floor area, and one space per 1000 square feet of warehouse floor area. If more than 10 off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305. Required off-street loading must be provided as follows:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	None
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(b) For all other uses, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

SEC. 51P-498.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 23427; 26042)

SEC. 51P-498.110. LANDSCAPING.

(a) Application.

(1) Front yard strip landscaping and sidewalk provisions become applicable to a lot when application is made for a building permit for construction work that:

(A) increases the number of stories in a building on the building site;

(B) increases by more than 25 percent or 5,000 square feet, whichever is less, the combined floor area of all buildings on the building site; or

(C) increases nonpermeable coverage on the lot by more than 1,000 square feet.

(2) All other landscaping required in this section must be provided pursuant to Section 51A-10.121, "Application of Division."

(b) Front yard strip landscaping. An area consisting of a minimum ten-foot-wide permeable strip of land along the entire length of the front yard (exclusive of driveways), and immediately adjacent to the street right-of-way line, must be landscaped as follows:

(1) One three-inch caliper large tree must be provided for each 30 feet of street frontage, exclusive of driveway frontage, with a minimum of two trees being provided per building site. Trees may be planted closer than 30 feet on-center, but may not be planted within a visibility site triangle.

(2) Existing trees located within the required front yard, which meet the requirements of Subparagraph (1) above, shall count towards fulfillment of the front yard strip landscaping requirements.

(3) In addition, shrubs, a minimum of two feet in height at the time of planting and planted three feet on center, must be placed within the front yard strip landscaping area, but may not be planted within a visibility site triangle.

(4) Front yard strip landscaping requirements may be met within the public street right-of-way if the property owner obtains a parkway landscape permit from the director of public works and transportation or a landscape letter of approval from the Texas Department of Transportation, whichever applies.

(c) Sidewalks. A five-foot-wide concrete sidewalk, located four feet in back of and parallel to the projected or existing street curb, must be placed within the public right-of-way. An existing five-foot-wide concrete sidewalk located within the street right-of-way fulfills this requirement.

(d) Site area landscaping. The remainder of the lot must be landscaped in accordance with the provisions contained in Article X. An automatic irrigation system must be provided.

(e) Protection of landscaped areas. The placement of barrier curbs or wheel stops is required to protect all landscaped areas from vehicular damage.

(f) Completion. All landscaping must be completed in accordance with the provisions contained in Article X and must be maintained in a healthy, growing condition.

SEC. 51P-498.111. SIGNS.

(a) Except as provided below, signs must comply with the provisions for business zoning districts contained in Article VII.

(b) Banners, pendants, and non-governmental flags are prohibited.

(c) Non-premise signs are prohibited.

SEC. 51P-498.112. 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.

(c) A site plan must be submitted and approved in accordance with Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day.

(d) The use regulations for a home improvement center, lumber, brick, or building materials sales yard with outside storage greater than 25 percent are the same as for a home improvement center, lumber, brick, or building materials sales yard except that accessory outside storage may exceed 25 percent of the lot up to a maximum of 50 percent of the land area within Subdistrict 1, Tract I.

(e) For a contractor's maintenance yard use in Subdistrict 1, Tract III, objects may not be stacked higher than 12 feet.

SEC. 51P-498.113. 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.

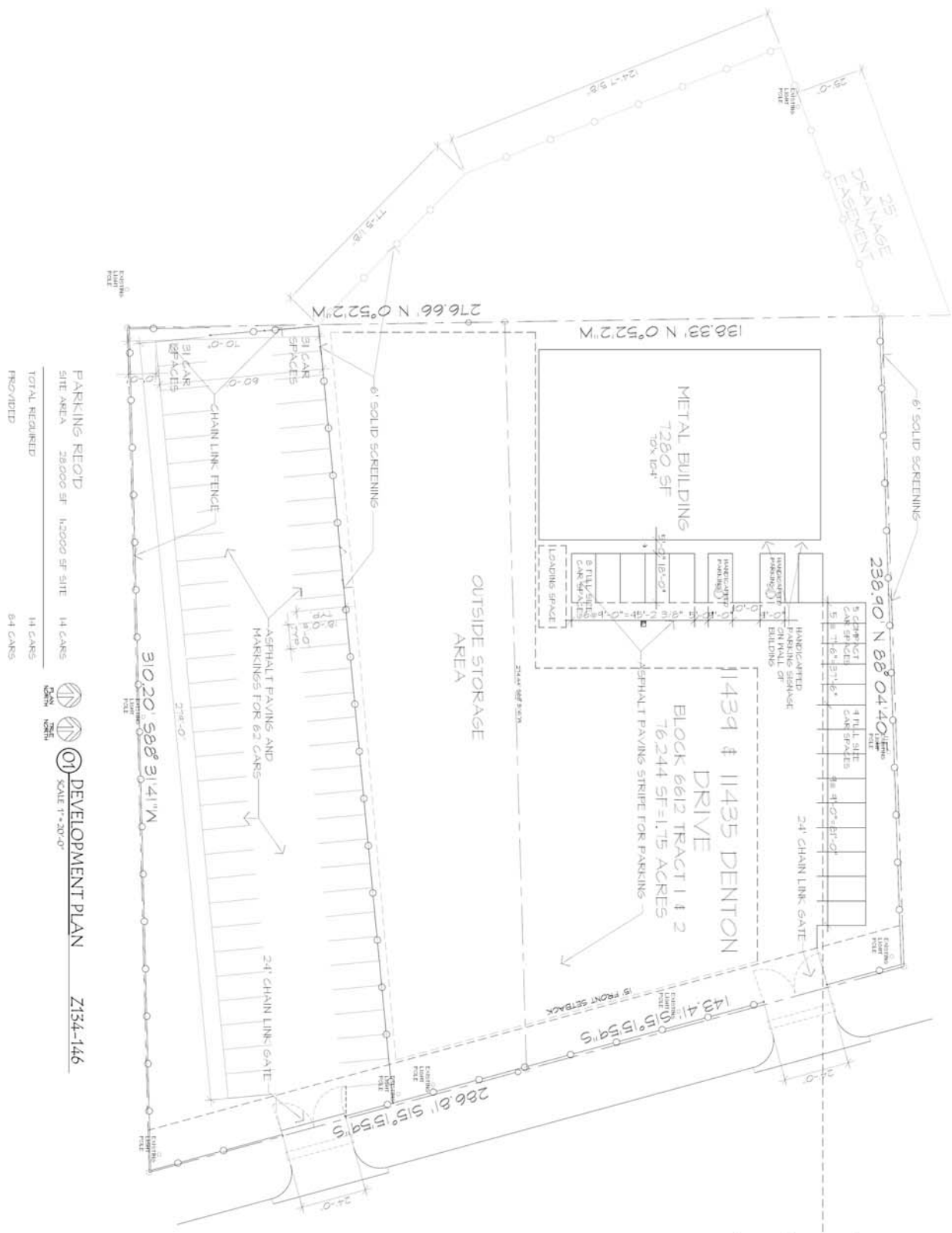
SEC. 51P-498.114. COMPLIANCE WITH CONDITIONS.

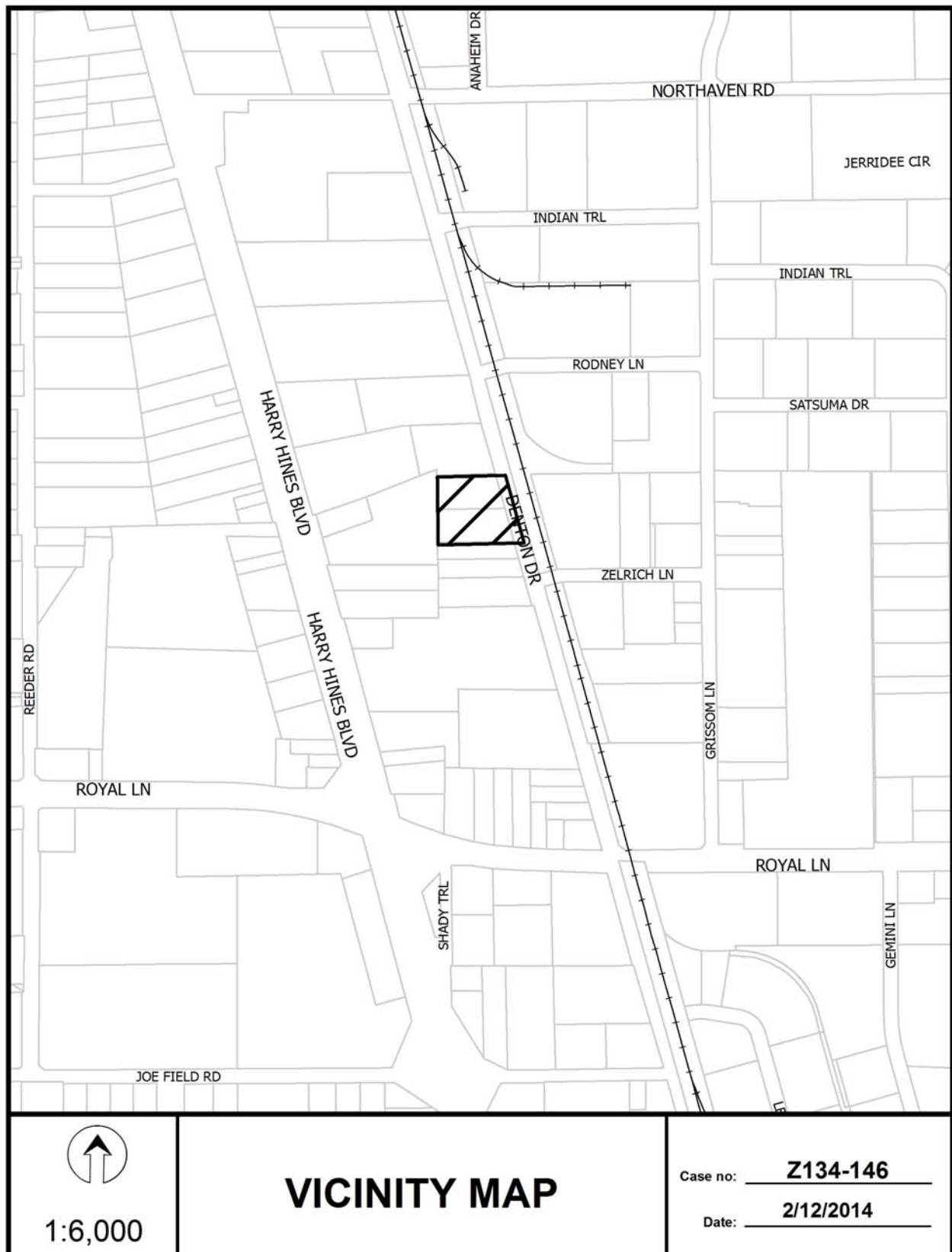
The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

~~SEC. 51P-498.115. ZONING MAP.~~

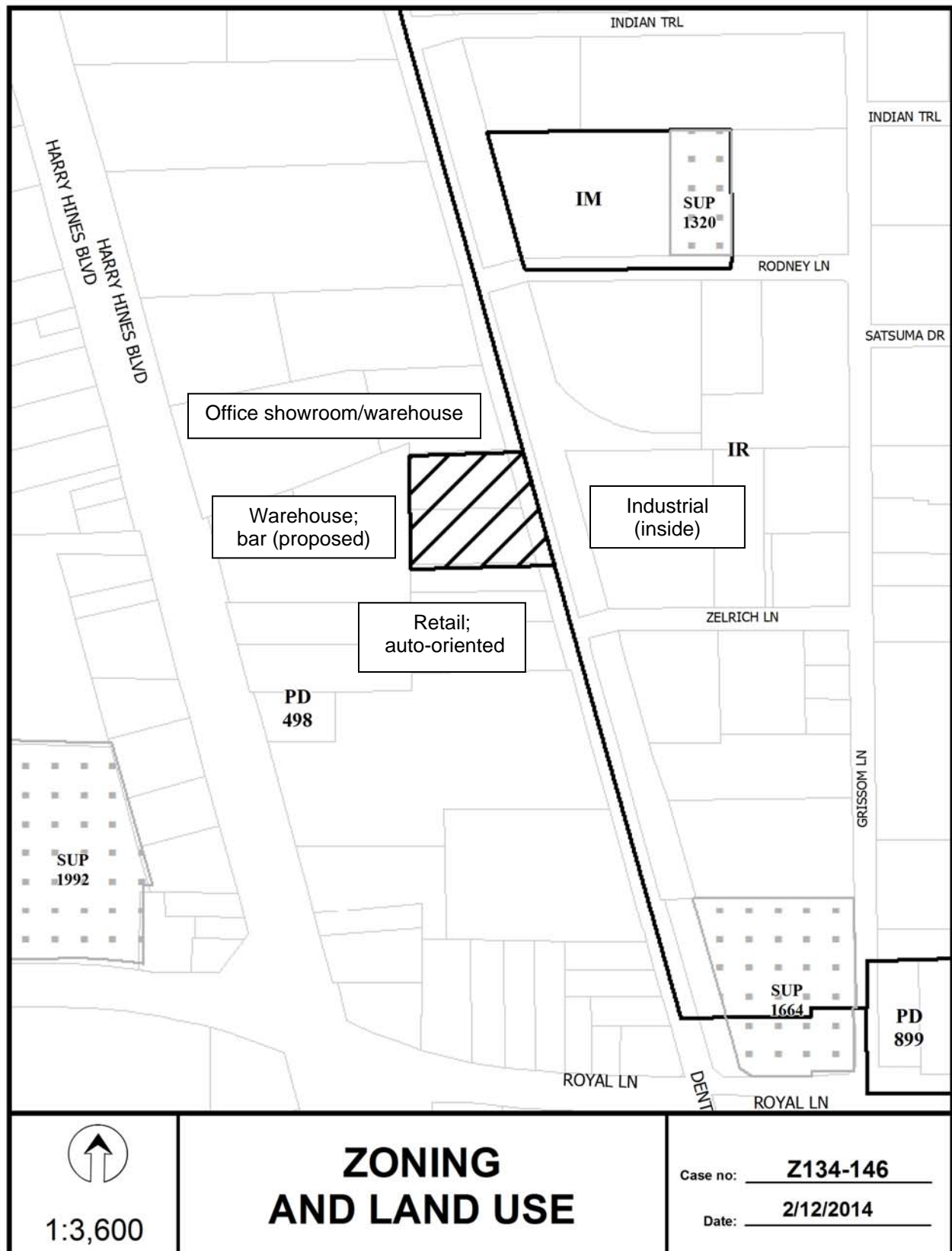
~~PD 498 is located on Zoning Map No. E-5.~~

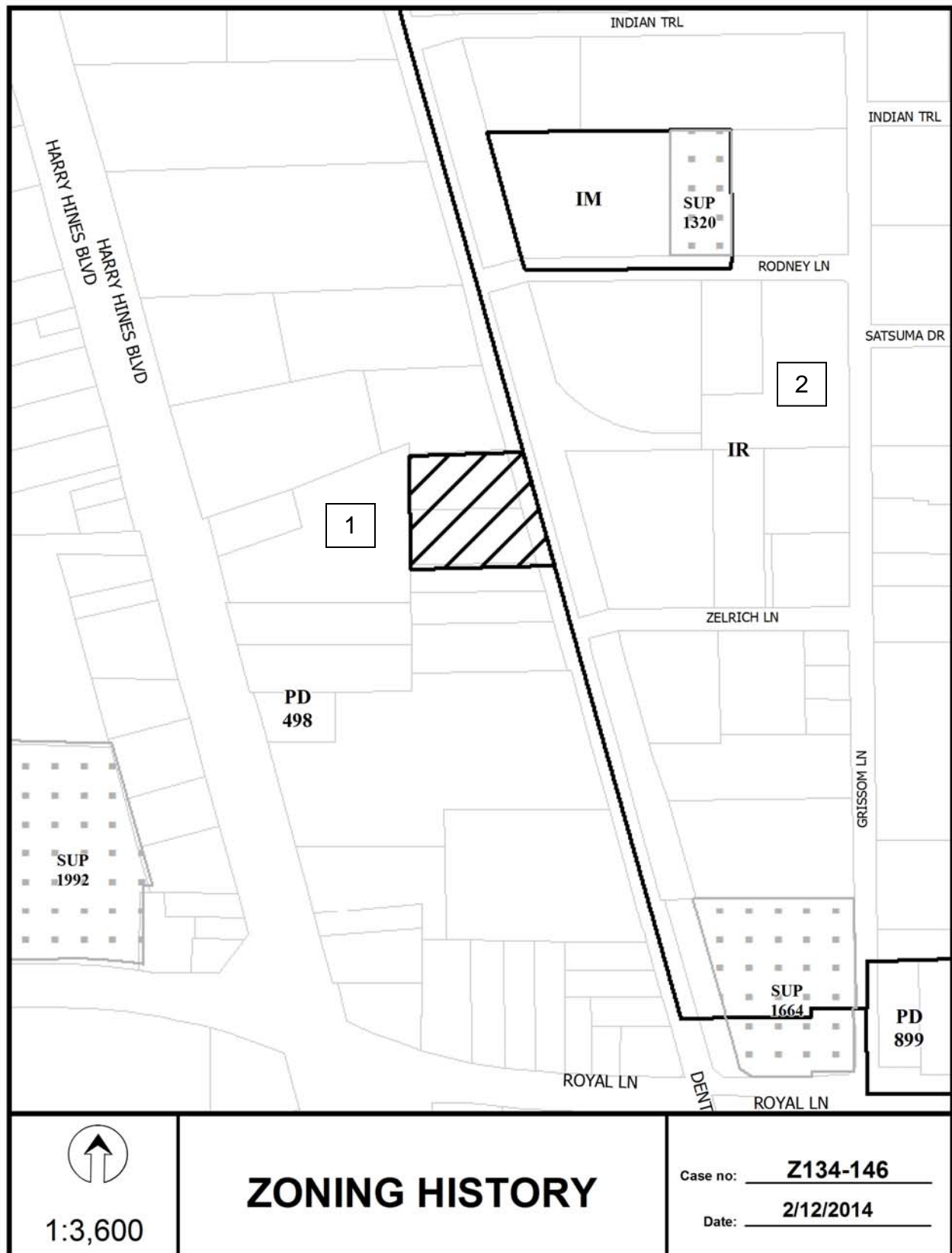
Proposed Development Plan

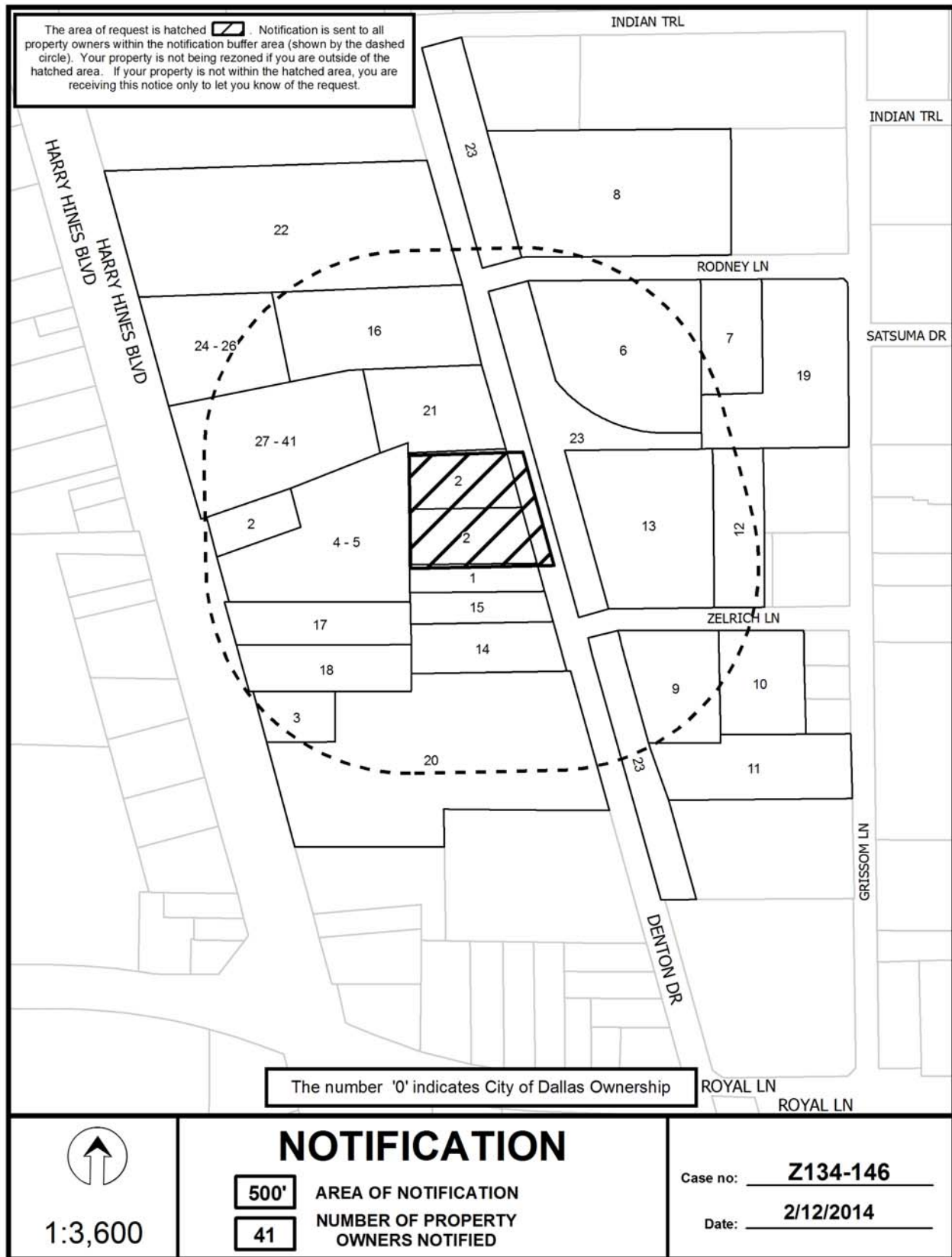












2/12/2014

Notification List of Property Owners***Z134-146******41 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11425 DENTON DR	LEE YOUNG KOO & MYONG S
2	11480 HARRY HINES BLVD	BARBERANS LLC
3	11444 HARRY HINES BLVD	TENNINGTON INVESTMENTS LLC
4	11476 HARRY HINES BLVD	BARBERANS LLC
5	11476 HARRY HINES BLVD	BARBERANS LLC SUITE 150
6	11444 DENTON DR	BRIN JOHN M
7	2624 RODNEY LN	KEANE MAURICE & JOAN
8	2605 RODNEY LN	WILBERT FAMILY LP % JOSEPH P WILBERT JR
9	11418 DENTON DR	JAMES JEROME TR
10	2626 ZELRICH LN	MCDERMOTT ASSOCIATES INC
11	10929 GRISSOM LN	SIXTY EIGHTH LLC
12	2625 ZELRICH LN	E INVESTMENTS
13	11430 DENTON DR	JAMES JEROME
14	11421 DENTON DR	SUNJAY INVESTMENT LIMITED COMPANY
15	11423 DENTON DR	LEE YOUNG KOO & MYONG SOOK LEE
16	11526 HARRY HINES BLVD	MY Y LTD PS
17	11464 HARRY HINES BLVD	NEAL MEHTA LP
18	11456 HARRY HINES BLVD	KRISRAM INVESTMENTS INC SUITE 1025
19	2646 RODNEY LN	MAGNOLIA CHEMICAL CO % CONTROLLER
20	11422 HARRY HINES BLVD	SHIN CHON DEV CORP
21	11449 DENTON DR	KIMAYA INITIATIVE CORP STE 201
22	11528 HARRY HINES BLVD	SCH TRIDENT LTD STE 101
23	401 BUCKNER BLVD	DART
24	11526 HARRY HINES BLVD	MY Y LTD PS
25	11526 HARRY HINES BLVD	FRAGRANCE WORLD INC #106
26	11526 HARRY HINES BLVD	MY Y LIMITED PARTNERSHIP

2/12/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	11500 HARRY HINES BLVD	SHARMA UTPAL
28	11500 HARRY HINES BLVD	CHEN SHIRLEY
29	11500 HARRY HINES BLVD	AEM ENTERPRISES LLC
30	11500 HARRY HINES BLVD	AJAZ LLC SUITE 107
31	11500 HARRY HINES BLVD	ILA INC
32	11500 HARRY HINES BLVD	RAFIZADEH ARDALAN
33	11500 HARRY HINES BLVD	RYU SUN JA
34	11500 HARRY HINES BLVD	ELEGANT INVESTMENT GROUP INC
35	11500 HARRY HINES BLVD	WEDDING LINENS INC
36	11500 HARRY HINES BLVD	DHOKA PRAKASH & KAMLA
37	11500 HARRY HINES BLVD	SSMD PPTIES LLC
38	11500 HARRY HINES BLVD	A J LEATHER INC
39	11500 HARRY HINES BLVD	KAMPSCHROEDER JOHN C & KAMPSCHROEDER FAN
40	11500 HARRY HINES BLVD	BATRA DALJIT &
41	11500 HARRY HINES BLVD	LIU JIAN &

FILE NUMBER: Z134-152(MW)

DATE FILED: January 8, 2013

LOCATION: North side of Frankford Road, west of Vail Street

COUNCIL DISTRICT: 12

MAPSCO: 4-E

SIZE OF REQUEST: ±4.9 acre

CENSUS TRACT: 216.35

REPRESENTATIVE: Scott Caruthers

APPLICANT/OWNER: Mike McDaniel

REQUEST: An application for a Specific Use Permit for a mini-warehouse use on property zoned a CR Community Retail District.

SUMMARY: The applicant proposes to construct a ±139,183-square-foot self-storage facility (mini-warehouse) on the request site.

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 RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The request site is surrounded by a school to the north; undeveloped land (utility easement), recreation center, daycare and car wash to the east; multifamily and undeveloped land (utility easement) to the south and multifamily to the west. The applicant proposes conditions, as detailed in this report, to ensure compatibility with the adjacent properties.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – Subject to conditions which address the buildings' exterior materials and open space, the proposed mini-warehouse is not anticipated to negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed mini-warehouse use will not be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to applicable zoning regulations and standards* – Based on information depicted on the site plan, the request complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

BACKGROUND INFORMATION:

- The ±4.9-acre request site is currently undeveloped.
- The Parks Department is currently working on the design of the proposed Timberglen Trail, which is funded through the 2012 bond program. While the trail's alignment has not been finalized, it is likely that approximately 20 to 30 feet will be needed along the property's eastern edge to accommodate the trail. It is noted that the applicant/owner also owns the undeveloped property, which serves as a utility easement, adjacent to the east and is aware of potential acquisition by the City of Dallas.

Zoning History:

1. **Z090-107:** On December 14, 2009, Specific Use Permit No. 1396 for a public or private school was automatically renewed for an additional ten-year period.

Traffic:

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Frankford Road	Principal arterial	100

Surrounding Land Uses:

	Zoning	Land Use
North	TH-1(A)	School
East	CR	Undeveloped (utility easement); recreation center; daycare; car wash
South	MF-1(A) with deed restrictions; PDD No. 494	Multifamily; undeveloped (utility easement)
West	MF-1(A)	Multifamily

STAFF ANALYSIS:**Comprehensive Plan:**

The Vision Illustration depicts the request site as within a Commercial Center or Corridor on the ***forwardDallas! Vision Illustration***, adopted June 2006.

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.

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

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Land Use Compatibility:

The applicant proposes to construct a ±139,183-square-foot self-storage facility (mini-warehouse), with a maximum height of 28 feet, on the request site. Proposed conditions will prohibit outside storage of vehicles, parking of rental vehicles, boats, and/or equipment and will limit the hours of operation from 6:00 a.m. to 10:00 p.m., Monday through Sunday.

To ensure compatibility with the adjacent properties, the applicant proposes to limit the exterior perimeter walls of all buildings to brick, stone, split face concrete, stucco, or a simulation or combination of such materials. However, if stucco is utilized it will be limited to a maximum of 25% of the total surface area. In addition, the applicant proposes to provide open space along the east and west property lines to buffer the mini-warehouse use from the adjacent multifamily residential development and potential trail alignment.

To encourage the development of an active use near the future trail, the proposed site plan does not include a mini-warehouse building in the southeast corner of the request site, on the Frankford Road frontage. Ideally, this portion of the property will be developed with a retail or personal service use to promote pedestrian activity in the area.

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

public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The 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.

Based on staff's findings of compliance with the above criteria, staff recommends approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods subject to a site plan and conditions.

Development Standards:

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

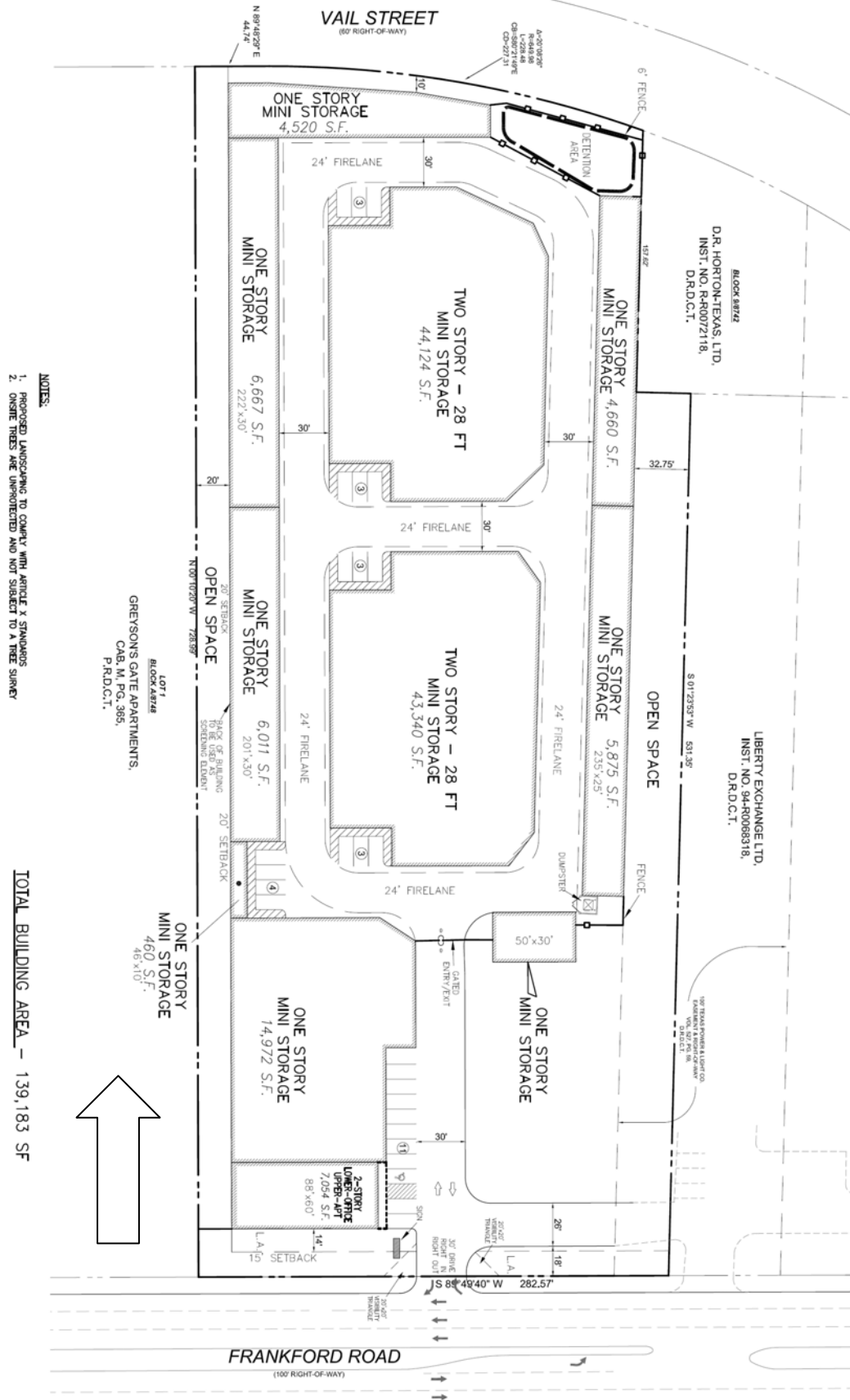
Parking:

The applicant proposes parking in accordance with the Dallas Development Code, which requires a minimum of six spaces for a mini-warehouse use. Spaces may not be used for outside storage vehicle storage, or parking for vehicles for rent. As depicted on the proposed development plan, 11 spaces will be provided.

Landscaping:

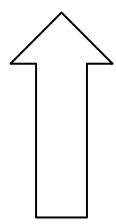
Landscaping is required in accordance with Article X of the Dallas Development Code. In addition, open space will be provided adjacent to the east and west property lines.

Proposed Site Plan



- NOTES:
1. PROPOSED LANDSCAPING TO COMPLY WITH ARBORE X STANDARDS
 2. ON-SITE TREES ARE UNPROTECTED AND NOT SUBJECT TO A TREE SURVEY

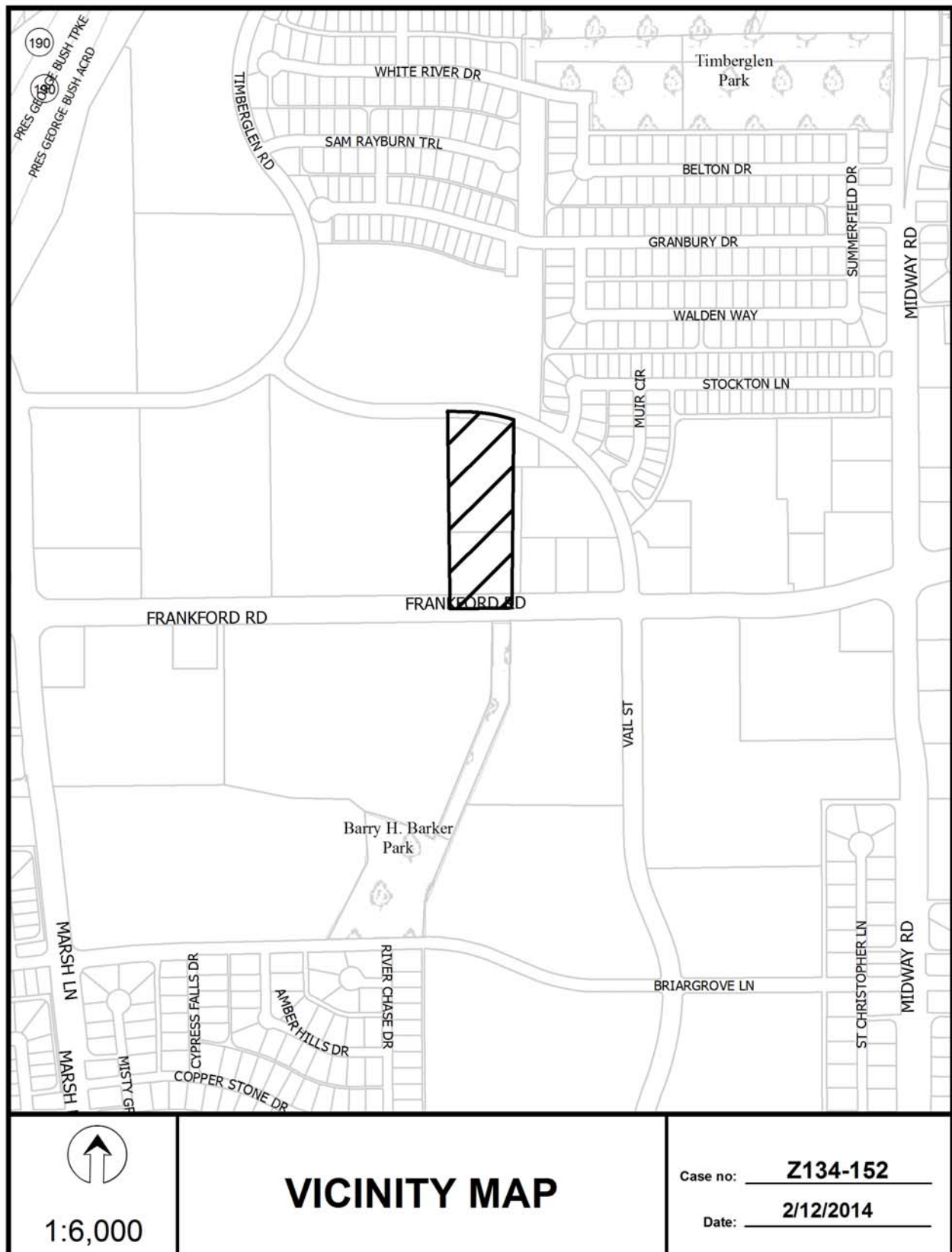
TOTAL BUILDING AREA - 139,183 SF

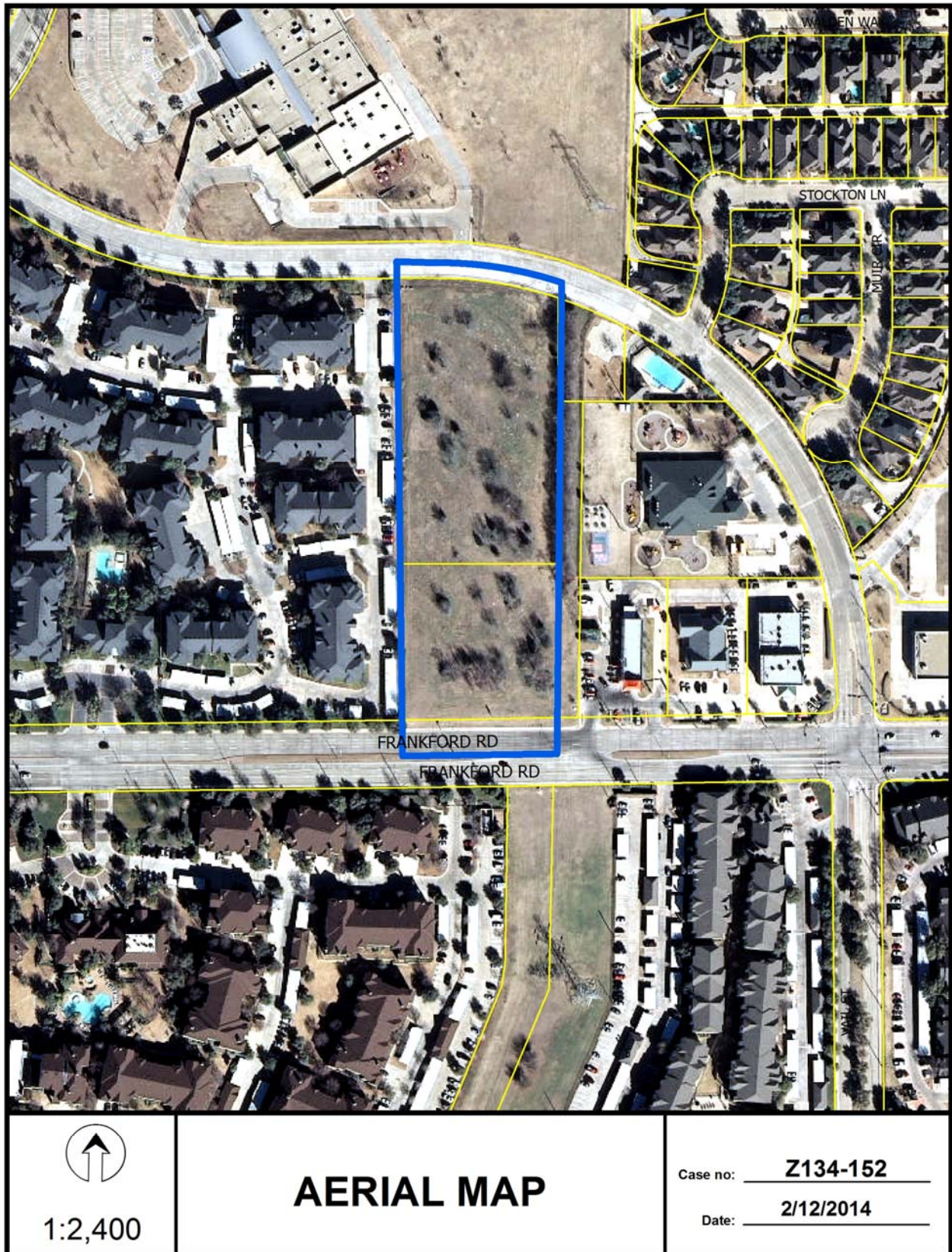


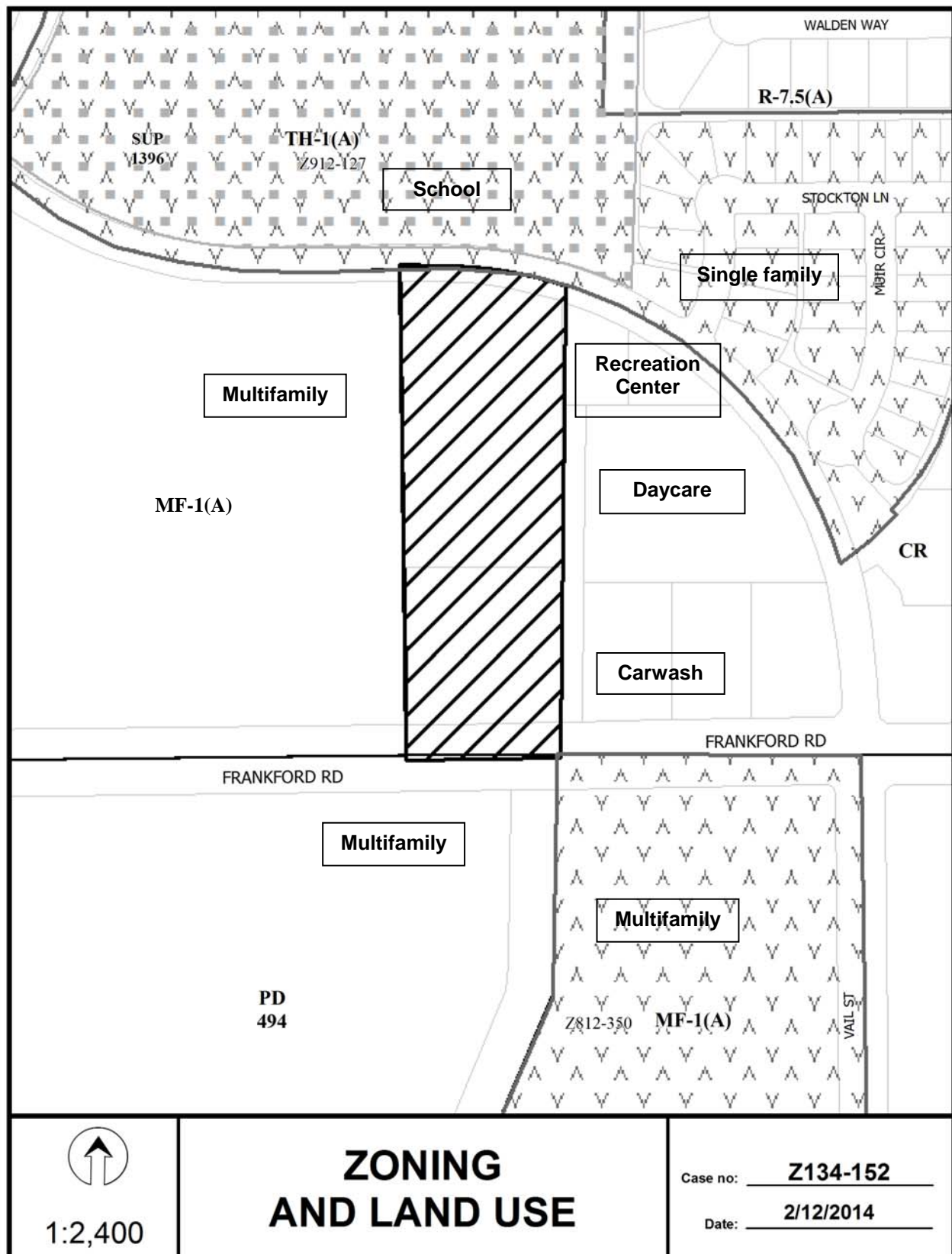
**Z134-152
Proposed SUP Conditions**

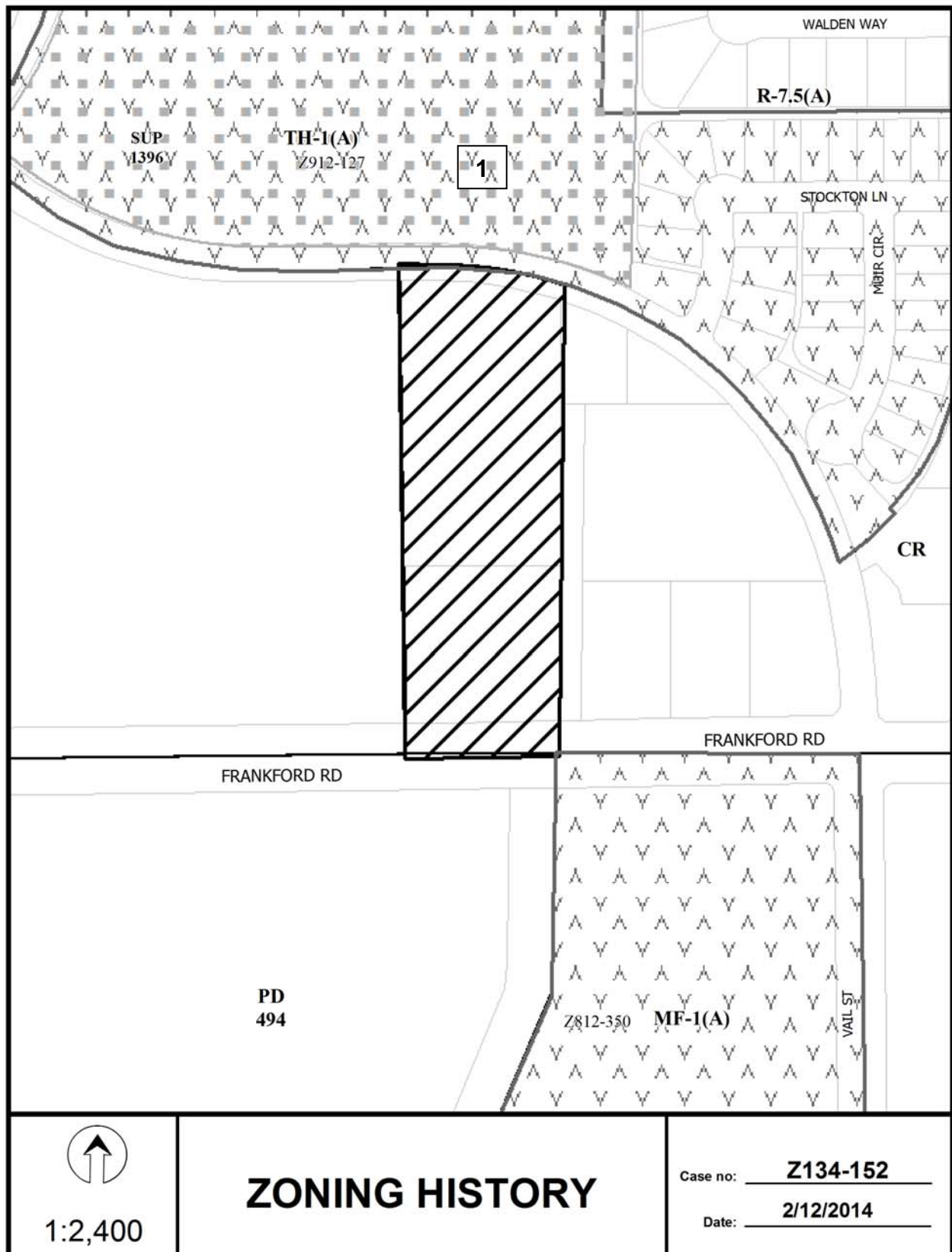
1. USE: The only use authorized by this Specific Use Permit is a mini-warehouse.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (ten-year period from the passage of this ordinance), but is eligible for 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. FLOOR AREA:
 - a. Total maximum floor area is 139,183 square feet.
 - b. Maximum floor area for the office and caretaker's quarters is 7,054 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The mini-warehouse may only operate between 6:00 a.m. and 10:00 p.m., Monday through Sunday.
6. OUTSIDE STORAGE: Outside storage of vehicles, parking of rental vehicles, boats, and /or equipment is prohibited.
8. EXTERIOR MATERIALS: The exterior perimeter walls of all buildings must be comprised of brick, stone, split face concrete, stucco, or a simulation or combination of such materials. However, if stucco is utilized it shall be limited to a maximum of 25% of the total surface area.
9. OPEN SPACE: Open space must be provided in the locations shown on the attached site plan and may not be utilized for parking or outdoor storage.
11. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

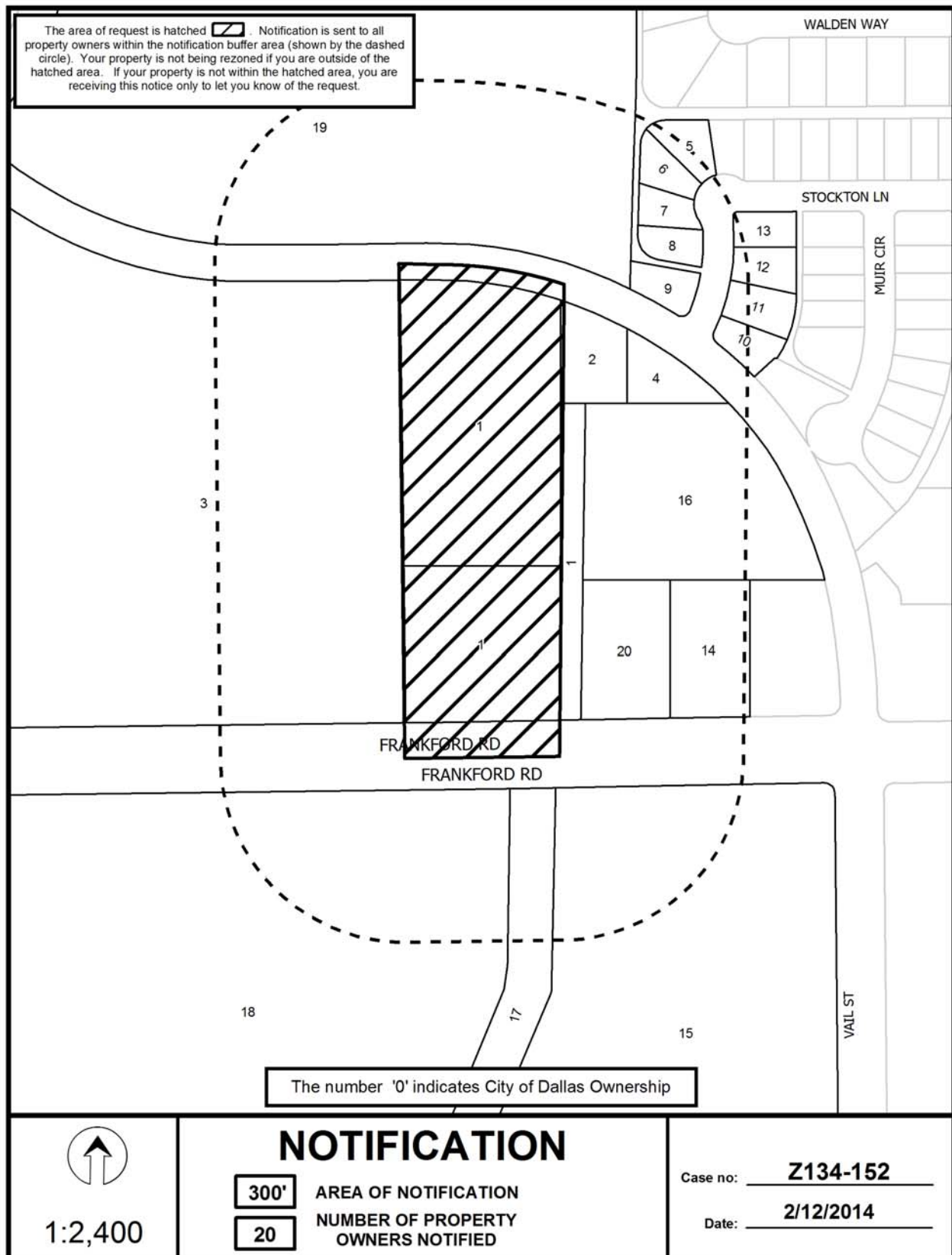
12. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.











2/12/2014

Notification List of Property Owners***Z134-152******20 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3600 FRANKFORD	TIMBERGLEN FRANKFORD 4 LTD C/O SYNERPLEX
2		THE VILLAS OF MIDWAY OWNERS ASSN INC C/O
3	3621 FRANKFORD	GREYSON S GATE PARTNERS I LP & GREYSON S
4	VAIL	VILLAS MIDWAY OWNERS ASN C/O PRINCIPAL M
5	3819 STOCKTON	JENSEN, DONALD J
6	3815 STOCKTON	GASTWIRTH, LLOYD S
7	3811 STOCKTON	CRAMB, ANN
8	3807 STOCKTON	REDING, NOELLE L & GREGORY C
9	3803 STOCKTON	GILES, SHELLEY A
10	3804 STOCKTON	ALFARAJ, MOHD & RENEE
11	3808 STOCKTON	HARDWICK, CYNTHIA K
12	3812 STOCKTON	DANIEL, CAROL
13	3816 STOCKTON	BRYAN, DENNIS G
14	3851 FRANKFORD	KUNDE, JEFF & ANNE LIVING TRUST
15	3840 FRANKFORD	VAIL VILLAGE GARDENS LLC
16	18273 VAIL	BENT TREE DAY SCHOOL INC
17	MARSH & BRIARGROVE	DALLAS, CITY OF
18	3702 FRANKFORD	SEQUOIA FRANKFORD SPRINGS ETAL
19	3678 TIMBERGLEN	CARROLLTON-FARMERS BRANCH ISD
20	3751 FRANKFORD	CLEAN N GO, LLC

FILE NUMBER: Z134-167(MW)

DATE FILED: August 3, 2011

LOCATION: South of LBJ Freeway and east of Hillcrest Road

COUNCIL DISTRICT: 11

MAPSCO: 15-V

SIZE OF REQUEST: ±9.99 acres

CENSUS TRACT: 132.00

REPRESENTATIVE: Elmo Shorter, Cushman & Wakefield of Texas, Inc.

APPLICANT/OWNER: 12830 Hillcrest Road Investors, LP

REQUEST: An application for a Specific Permit for a business school use on property zoned an NO(A) Neighborhood Office District.

SUMMARY: The applicant proposes to utilize a ±2,170-square-foot suite within the existing office complex as a business school offering instruction and training in a service for hair [Dallas Academy of Hair Extension and Aesthetic Training].

STAFF RECOMMENDATION: Approval for a ten-year period with eligibility for automatic renewal for additional ten-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 proposed business school is compatible with the surrounding uses which include LBJ right-of-way and undeveloped land to the north; undeveloped land and a park to the east; and office uses to the south and west.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed business school is not anticipated to negatively impact the surrounding properties. In addition, the supportive nature of the use will cultivate future business owners.
3. *Not a detriment to the public health, safety, or general welfare* –The proposed business school use will not be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the request complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

BACKGROUND INFORMATION:

- The ±9.99-acre request site is developed as an office complex comprised of three (3), two-story office buildings. No new construction is proposed by this application.

Zoning History:

1. **Z101-346:** On December 14, 2011, the City Council approved a Specific Use Permit for a restaurant without drive-in or drive through service on property zoned an NO(A) Neighborhood Office District for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions.
2. **Z101-291:** On September 14, 2011, the City Council approved a Specific Use Permit for a restaurant without drive-in or drive through service on property zoned an NO(A) Neighborhood Office District for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Hillcrest Road	Principal Arterial	80 feet

Traffic:

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

Surrounding Land Uses:

	Zoning	Land Use
North	R-1/2 ac(A)	LBJ right-of-way; undeveloped land
East	R-10(A)	Undeveloped; park
South	GO(A); NO(A)	Office
West	PDD No. 137	Office

STAFF ANALYSIS:**Comprehensive Plan:**

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

The Vision Illustration depicts the request site as within a *Business Center or Corridor* Building Block. This Building Block represents major employment or shopping destinations outside of Downtown. Examples include the Galleria area, the NorthPark 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.

In general, the applicant's request for a business school is consistent with the Comprehensive Plan given the limited amount of lease space. In addition, the supportive nature of the use will cultivate future business owners.

Land Use Compatibility:

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 is consistent with the intent of the Dallas Development Code and is compatible with the adjacent and surrounding lands uses. Therefore, staff recommends approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions. Staff does not believe it is necessary to place a condition on the hours of operation.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	Primary Uses
NO(A) Neighborhood Office	15'	20' adjacent to residential Other: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a business school is one (1) space per 25 square feet of classroom. Therefore, the ±2,170-square foot business school, which includes ±513.2 square feet of classroom space, requires 21 parking spaces. According to the parking analysis provided by the

applicant, 574 spaces are required to accommodate all uses on the site; 624 spaces are provided in the locations shown on the site plan.

Landscaping:

Any new development on the property will require landscaping per Article X of the Dallas Development Code. No new construction is proposed by this application.

Partners/Principals/Officers:

12830 Hillcrest Road Investors, LP, A Delaware limited partnership

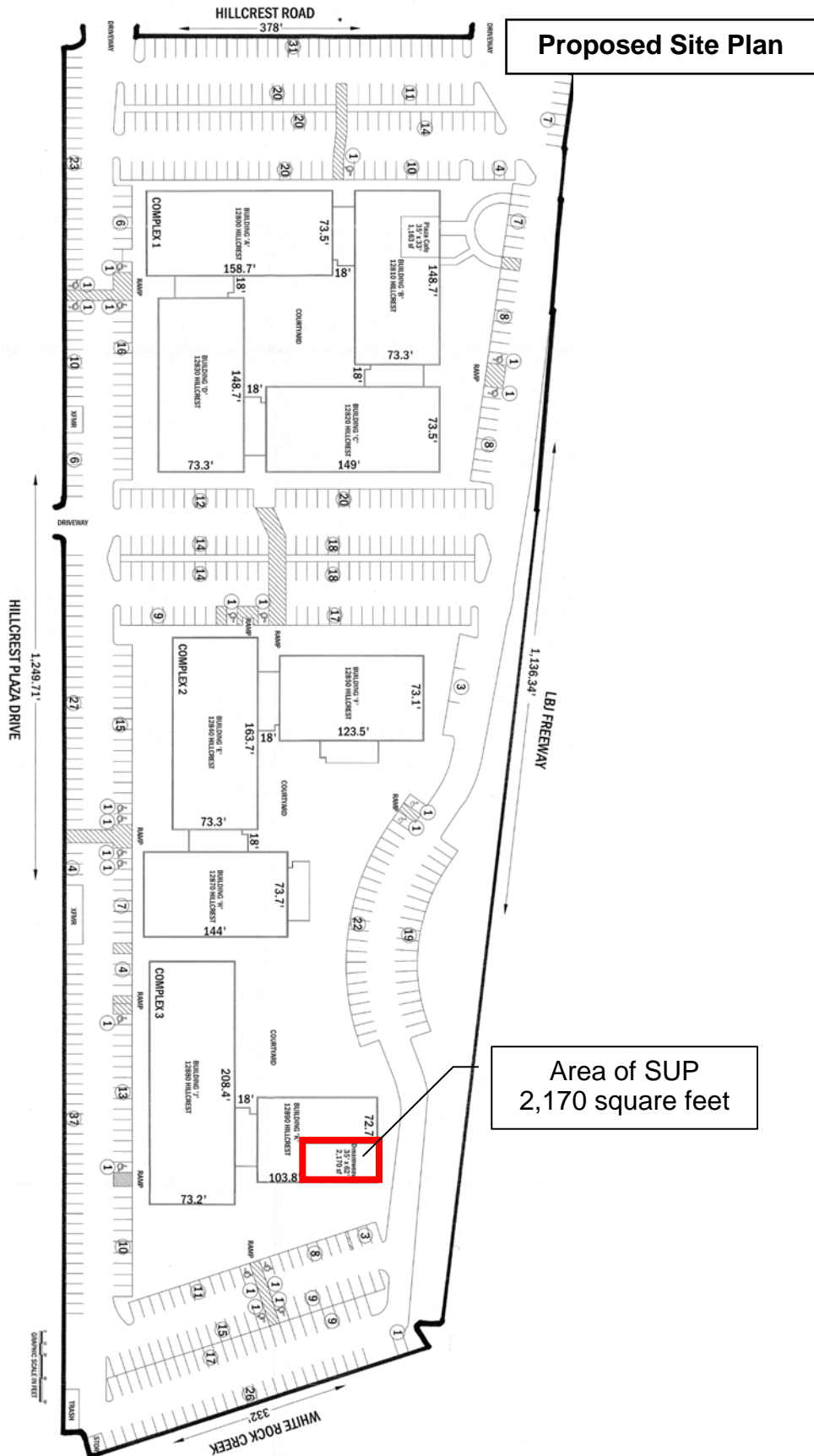
By: Trumbull One Investors LLC, its general partner

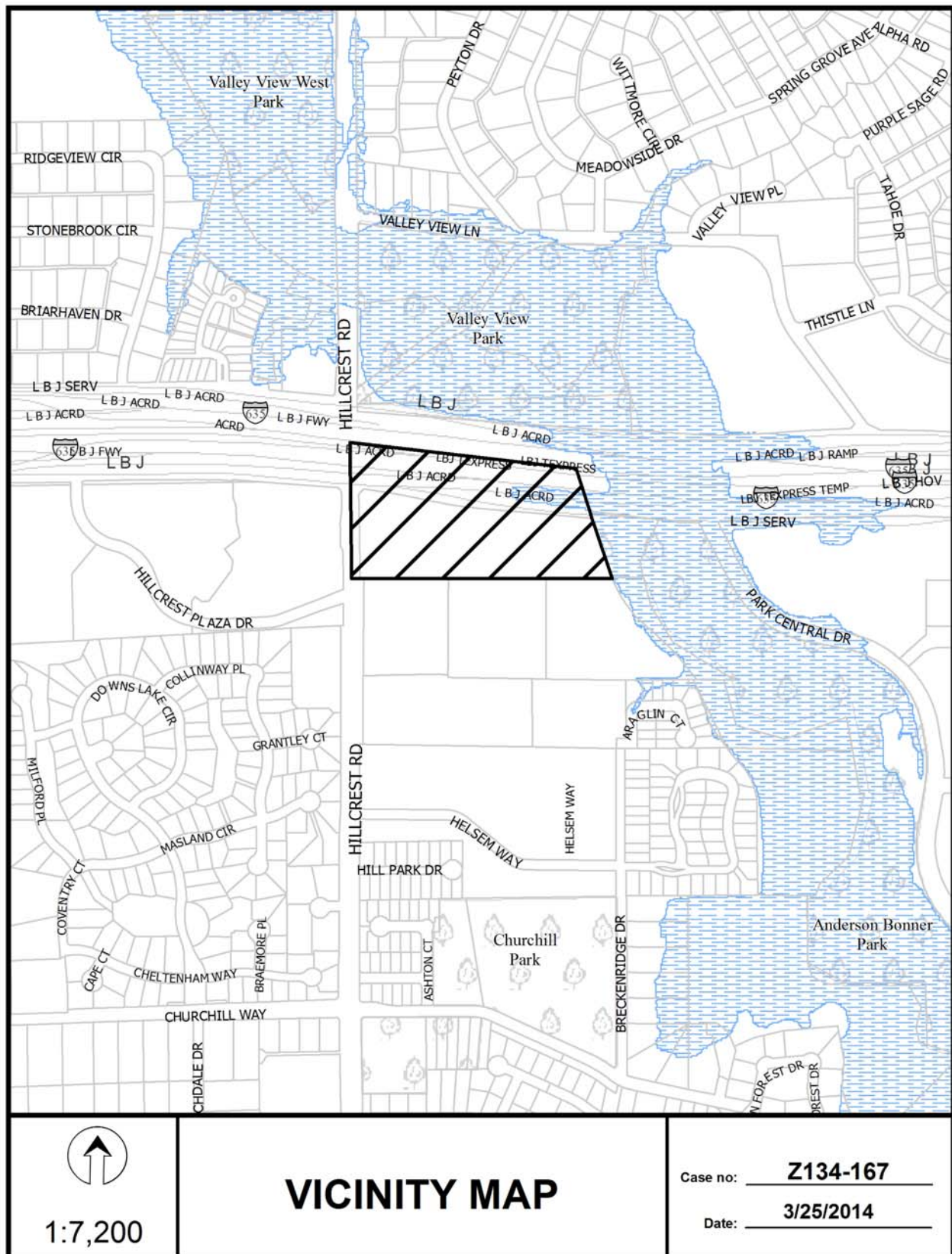
By: TRF REIT Operating Partnership GP, LLC, its general partner

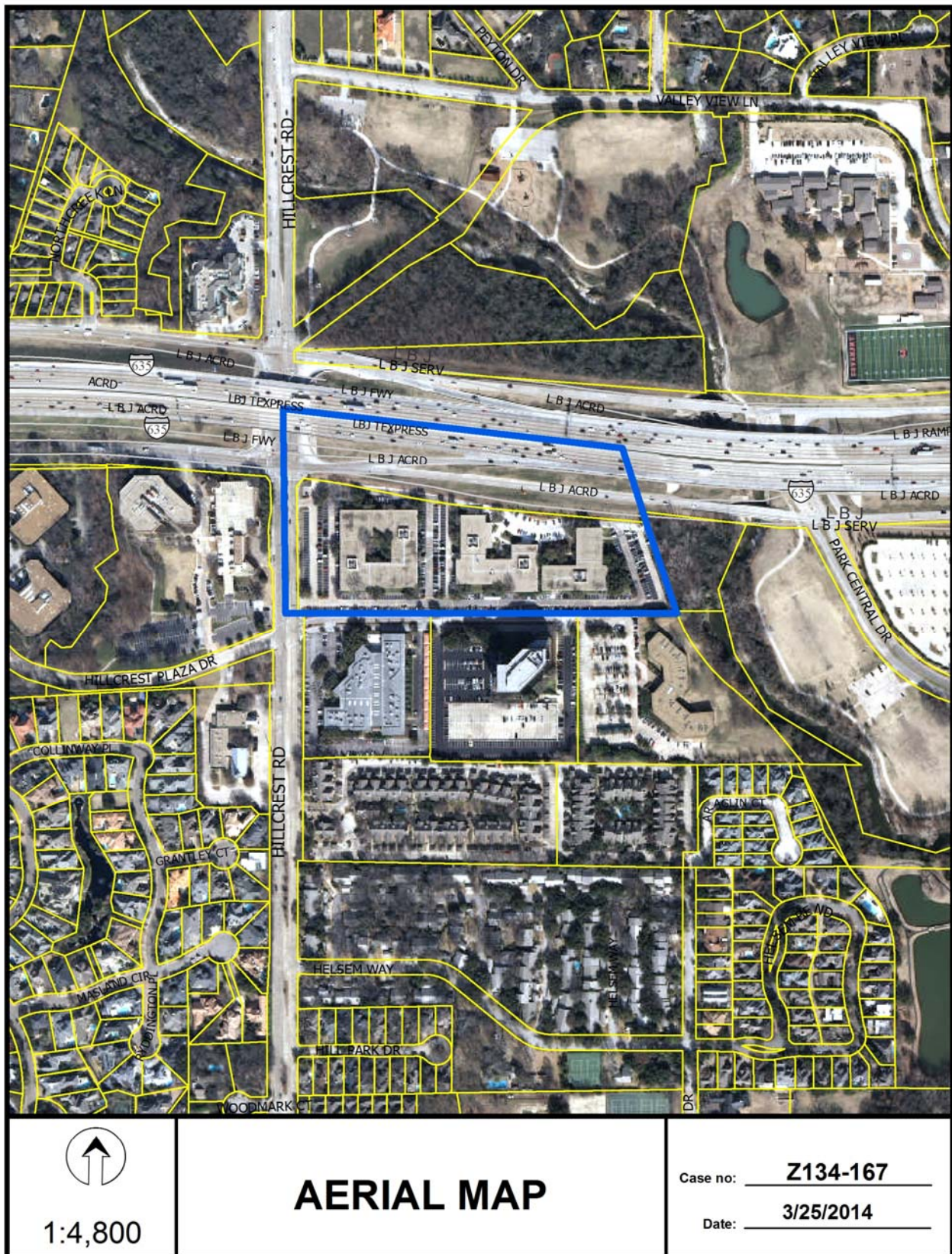
By: J. Raymond Frazier, Director

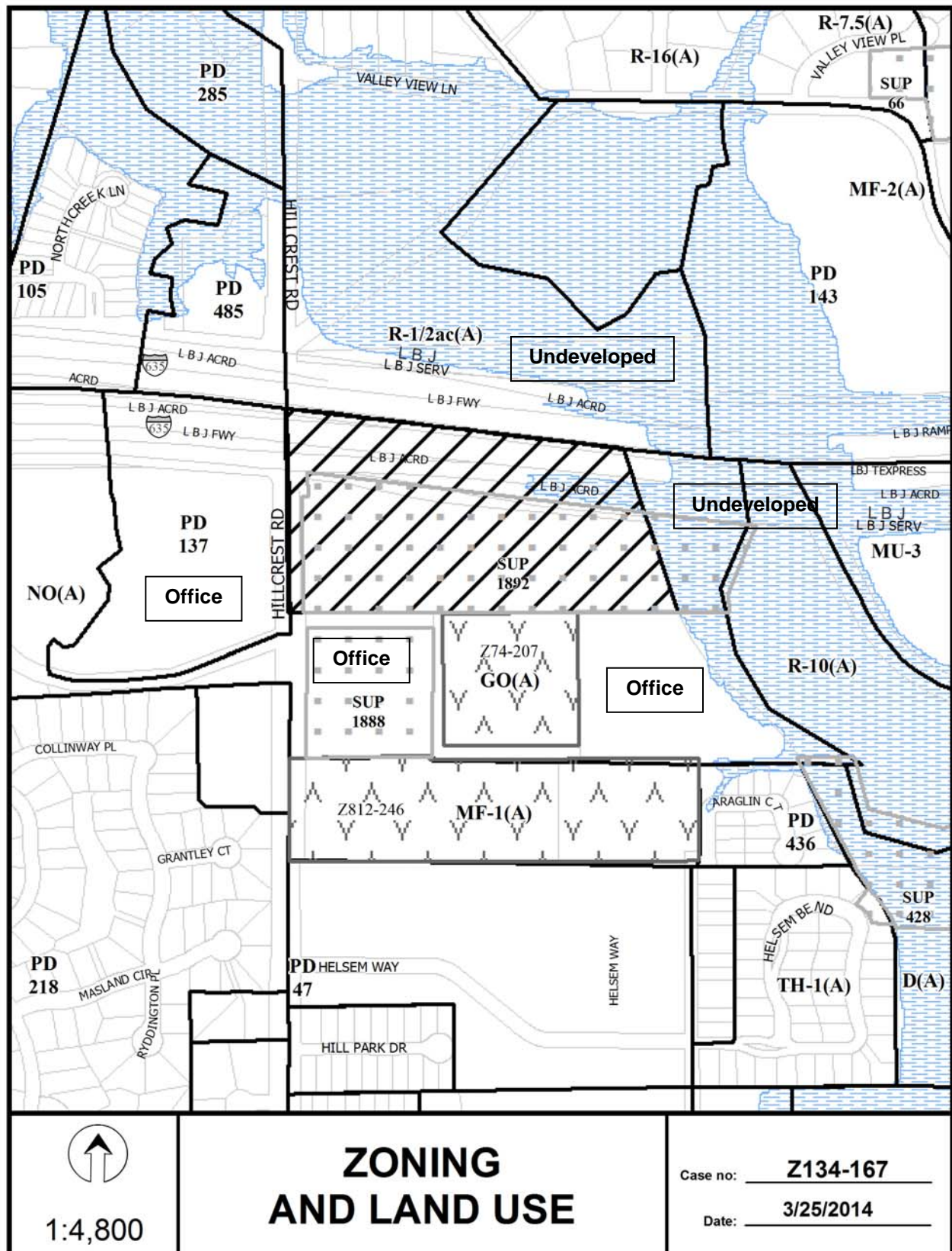
Z134-167
Proposed SUP Conditions

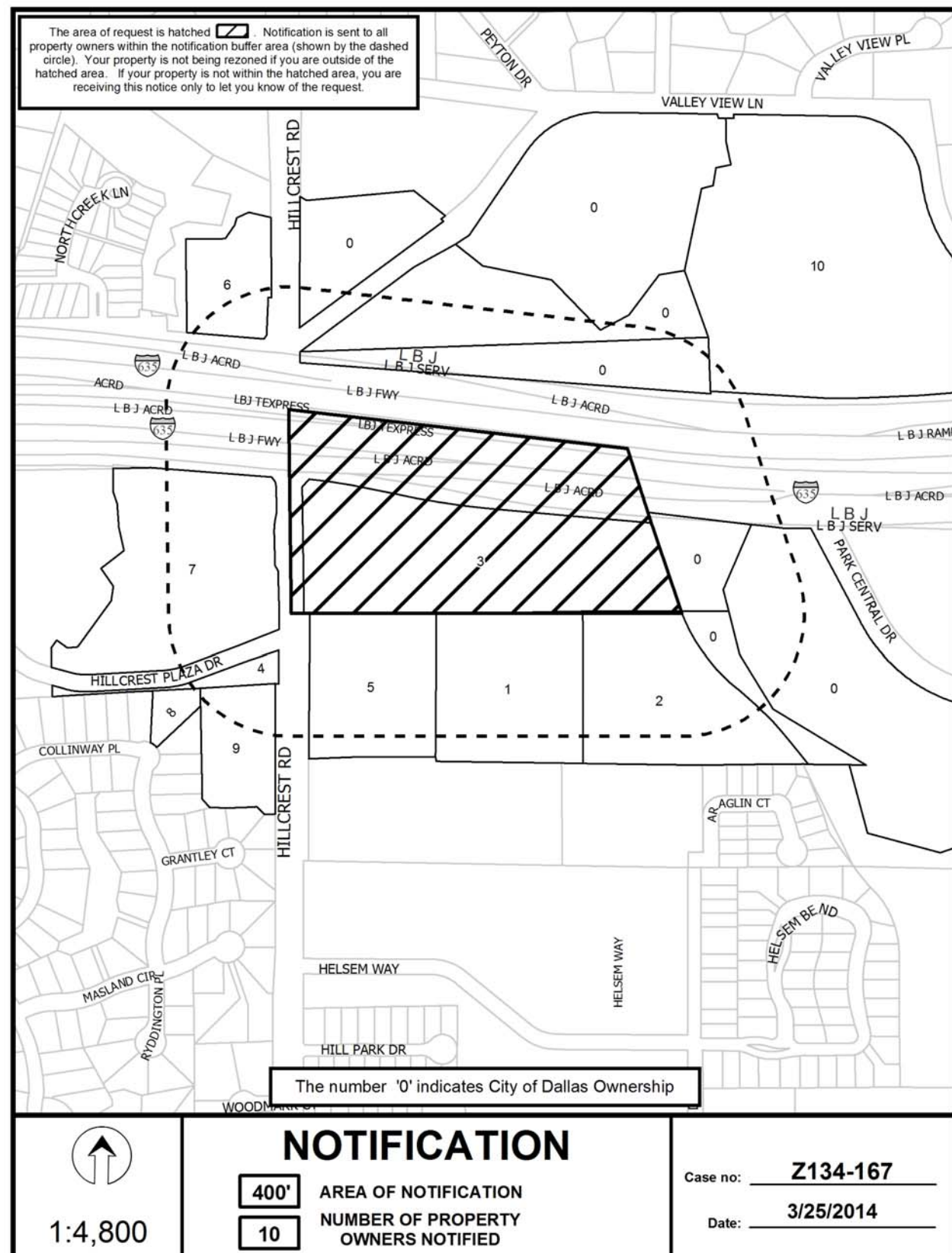
1. USE: The only use authorized by this specific use permit is a business school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (ten-year period from the passage of this ordinance) but is eligible for 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).
3. FLOOR AREA: Maximum floor area is 2,170 square feet.
4. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.











3/24/2014

Notification List of Property Owners

Z134-167

10 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	12720 HILLCREST RD	TWO HILLCREST GREEN LTD SUITE 750
2	12740 HILLCREST RD	LAB HOLDINGS INC C/O CASTLEBROOK MGMT. I
3	12800 HILLCREST RD	12830 HILLCREST RD INV LP SOUTH LP
4	6700 LBJ FWY	CORPORATION OF EPISCOPAL DIOCESE OF DALL
5	12700 HILLCREST RD	ONE HILLCREST PARTNERS LTD
6	13001 HILLCREST RD	SUNRISE HILLCREST SR LIV % RC 63107 SUNR
7	6820 LBJ FWY	BRINKER INTERNATIONAL
8	17 COLLINWAY PL	EHLERS MELVILLE V & EHLERS GANO S
9	12727 HILLCREST RD	CORPORATION OF EPISCOPAL DIOCESE OF DALL
10	7300 VALLEY VIEW LN	COVENANT KNIGHTS SCHOOL THE

FILE NUMBER: Z134-155(OTH)

DATE FILED: January 10, 2014

LOCATION: On the east line of Langford Street, north of Yorktown Street

COUNCIL DISTRICT: 6

MAPSCO: 57-M

SIZE OF REQUEST: ±0.418 acre

CENSUS TRACT: 93.03

OWNER: Leon Craig

APPLICANT: Edwardo Garcia

REPRESENTATIVE: Baldemar Rios

REQUEST: An application for a Specific Use Permit for a vehicle or engine repair or maintenance use on property zoned Subdistrict 1A with Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District.

SUMMARY: The applicant proposes to operate a vehicle or engine repair or maintenance use on the property.

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

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 is in the location will not negatively impact the surrounding area. The area is predominantly industrial and the proposed use is compatible with the surrounding uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use is not anticipated to negatively impact to the adjacent properties since it is consistent with the established development pattern in this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is considered compatible with adjacent land uses, which are of the same type, and are not considered detrimental to the public health, safety, or general welfare of the city.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the proposed site plan, the request complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

BACKGROUND INFORMATION:

- The request site is developed with a 4,040-square-foot single-story structure that is currently vacant.
- The property is adjacent to a vacant property to the north, a warehouse use to the east, and a machinery or heavy equipment or truck sales use to the south. The property is surrounded by office, showroom, warehouse, warehouse and office, auto service center and vacant uses.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Langford Street	Local	50 feet
Yorktown Street	Local	50 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and

Construction has reviewed the request and determined it will not significantly impact the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 714 Subdistrict A	Warehouse
North	PD No. 714 Subdistrict A	Vacant
East	PD No. 714 Subdistrict A	Warehouse
South	PD No. 714 Subdistrict A	Machinery or heavy equipment
West	PD No. 714 Subdistrict A	Warehouse; Office, showroom warehouse

STAFF ANALYSIS:

Comprehensive Plan:

The request site lies within an Urban Mixed-Use Building Block. These blocks are near Downtown, along the Trinity River or near major transit centers and will integrate housing, commercial activities and jobs. These areas will provide the residents with great opportunities to live, work, play, and shop within a defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum.

PD 714 defines Subdistrict 1, which incorporates the subject site, similarly. More specifically, the “subdistrict is for medium density mixed-use development that respects existing businesses but gives incentive for new mid-rise commercial and residential development. Development should support West Commerce Street as the gateway from downtown into the area, and strengthen the Sylvan Avenue-Fort Worth Avenue intersection as a retail anchor.

As this area transitions into the vision for the surrounding corridor, this use may not be appropriate in the long term. However, given the surrounding character, it is appropriate at this time. As a result, staff is only recommending a three-year period with no automatic renewals so that the use can be re-evaluated based upon the status of the area’s transition.

Land Use Compatibility:

The proposed use is allowed by SUP on the subject property. The applicant is not proposing any additional construction on the property which would have triggered landscaping on the site. However, the applicant is proposing to provide additional landscaping and improvements on the site such as a solid 8-foot fence on the front and side yard (north side of the property) for security and to screen the view of the overhead doors. The type of shrubs, Burford Holly, has the capability to grow to height that softens the appearance of a solid wood fence.

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 the vehicle or engine repair or maintenance and outside salvage or reclamation uses is one space per 500 square feet of floor area with a minimum of 8 spaces required. Therefore, the 4,040 square foot structure requires 8 spaces. As illustrated on the site plan, 8 spaces are provided.

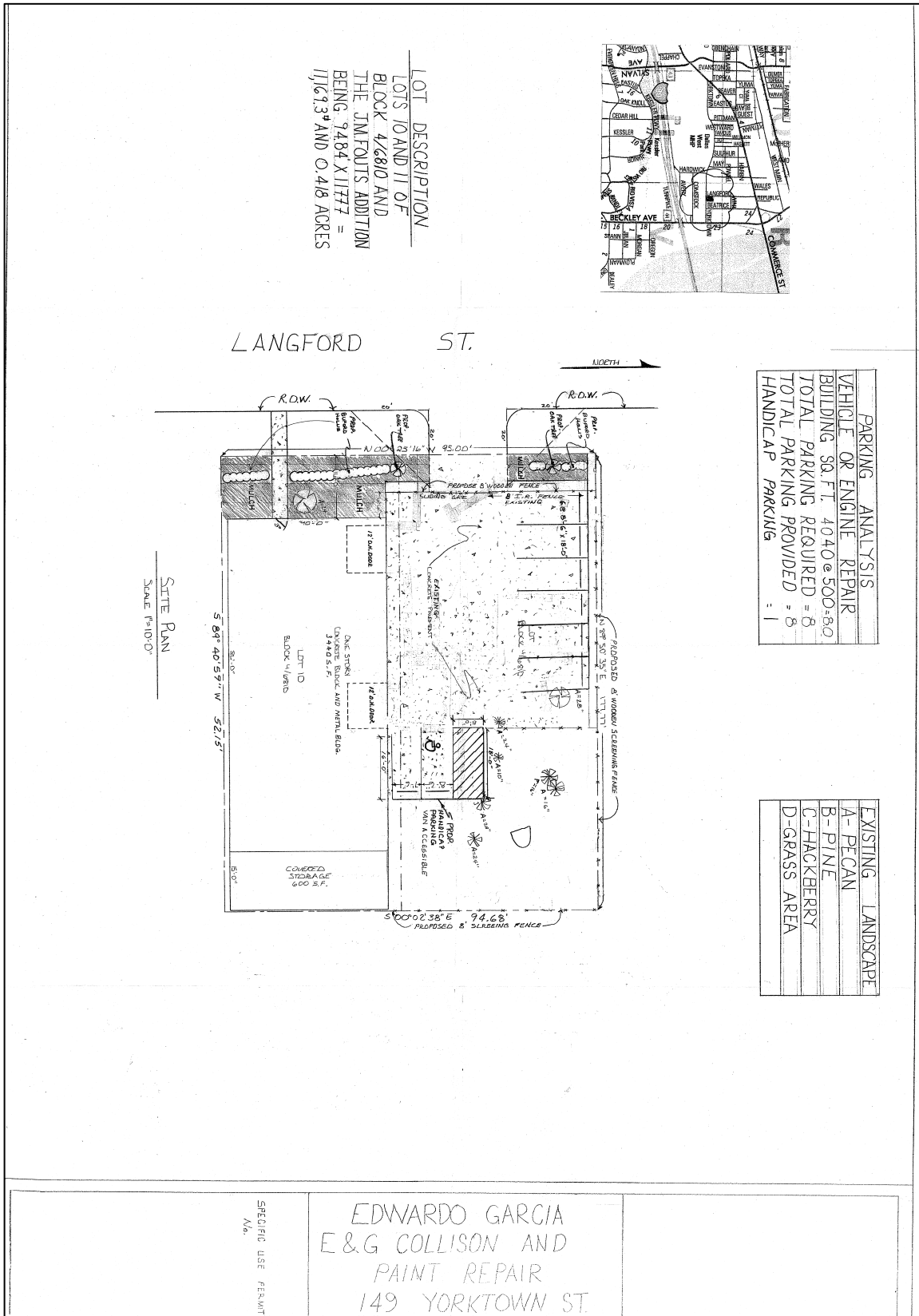
Landscaping:

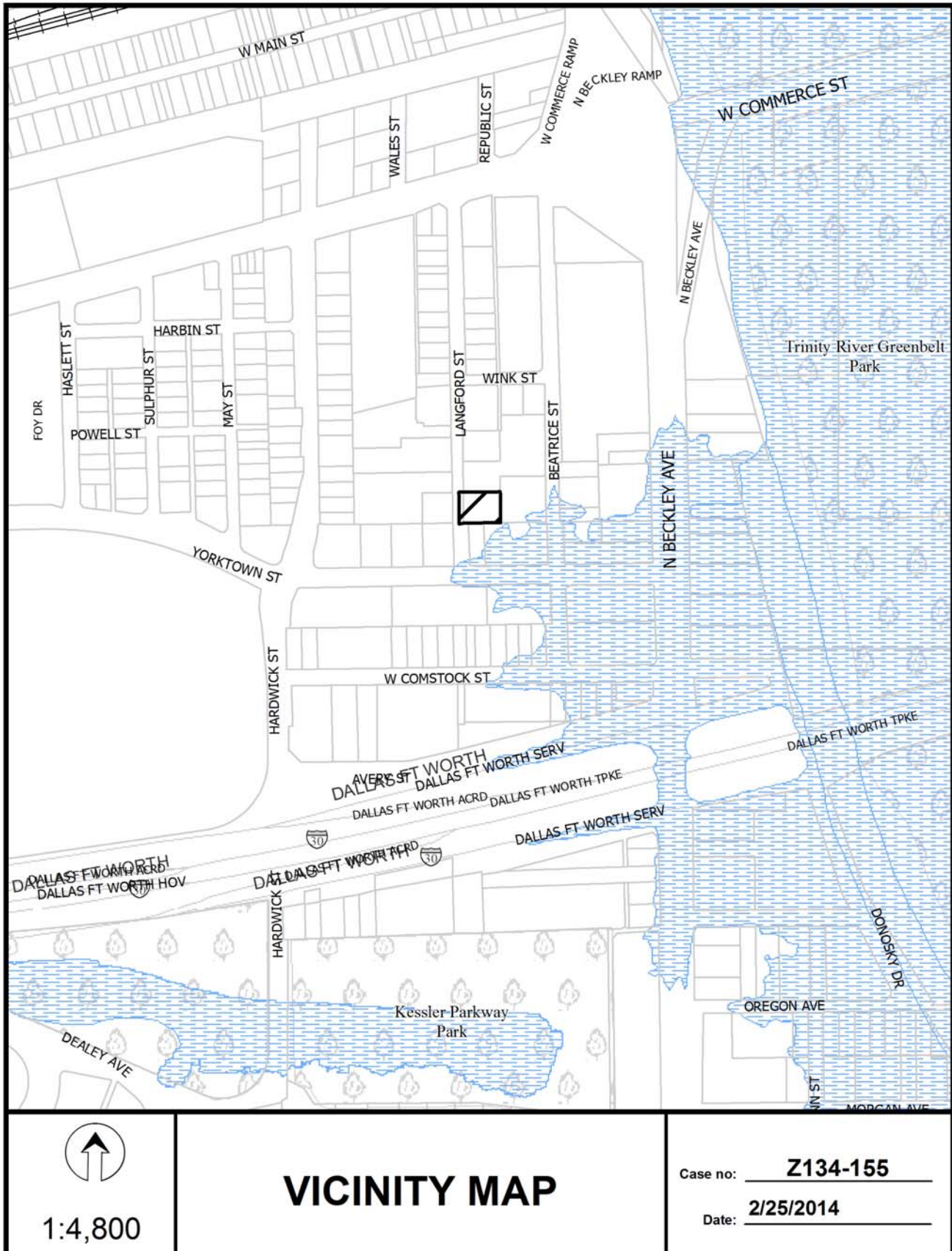
Landscape requirements are triggered when new or additional construction over 2,000 square feet is proposed. The applicant is not proposing any additional construction on the site; therefore, no additional landscaping is required. However, the applicant is proposing additional landscaping to soften the appearance of the fences along the front yard. Landscaping must comply with the landscape shown in the site plan.

**Z134-155
Proposed Conditions**

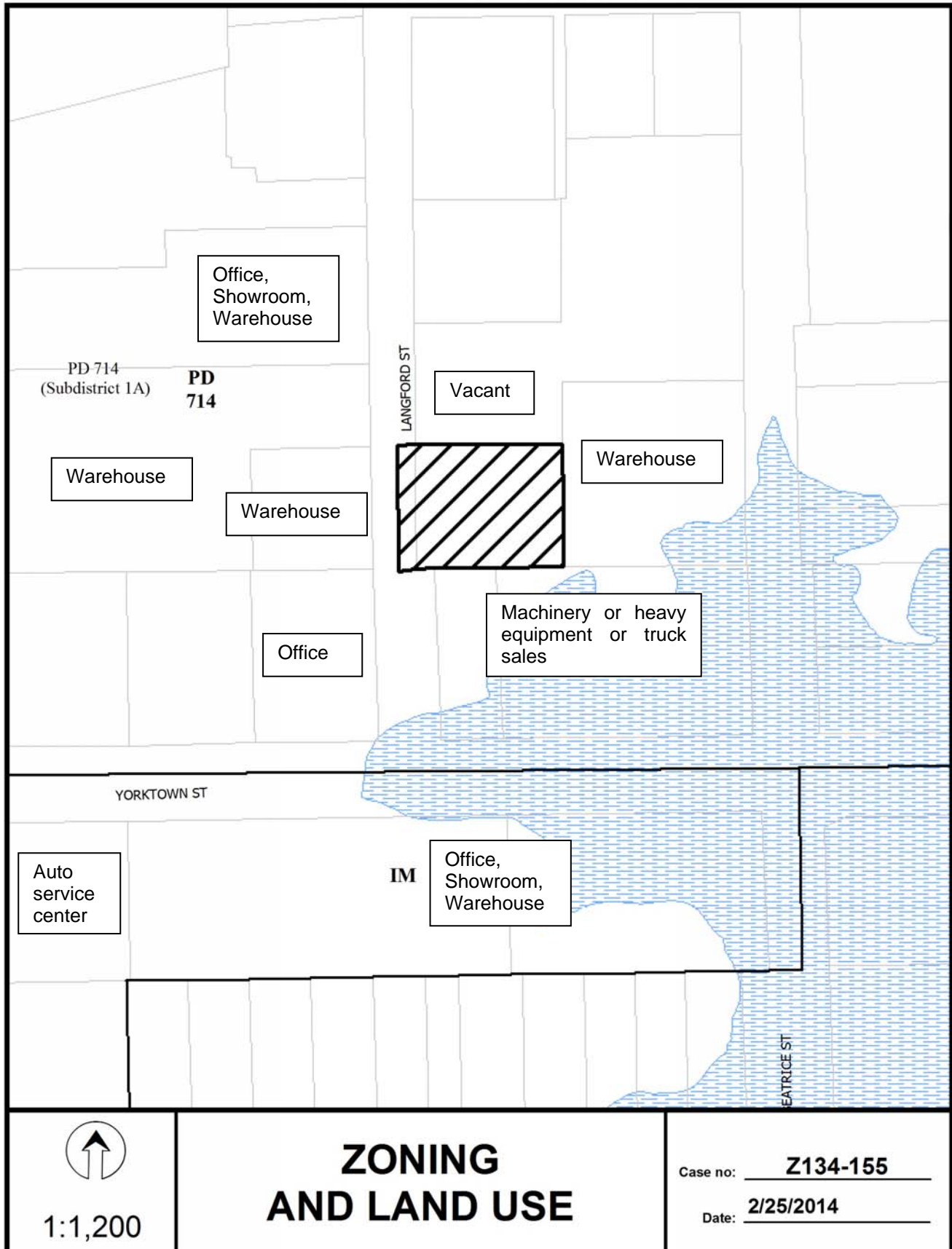
1. USE: The only use authorized by this specific use permit is a vehicle or engine repair or maintenance use.
2. SITE/LANDSCAPE PLAN: Use and development of the Property and landscaping must comply with the attached site/landscape plan.
3. TIME LIMIT: This specific use permit expires on ____ (three years from passage of the ord.).
4. DAYS OF OPERATION: The vehicle or engine repair or maintenance use may only operate Monday through Saturday from 8:00 a.m. to 8:00 p.m.
5. FLOOR AREA: The maximum floor area is 4,040 square feet in the location shown on the attached site plan.
6. OFF-STREET PARKING: A minimum of eight off-street parking spaces must be provided in the location shown on the attached site plan.
7. OPERATIONS. Any mechanical or maintenance work on equipment or vehicles must be performed within a structure.
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.

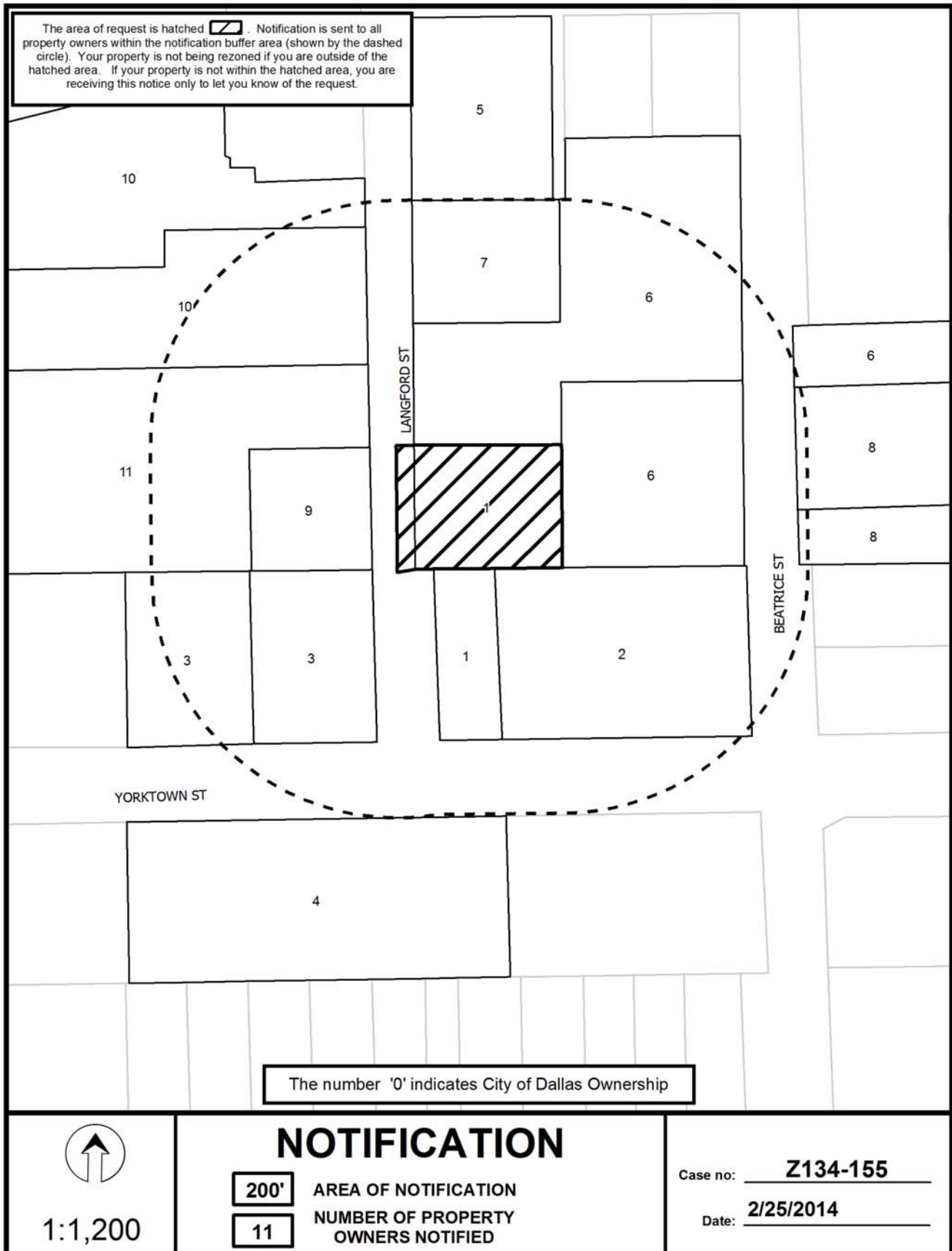
Proposed Site Plan











2/24/2014

Notification List of Property Owners

Z134-155

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	149 YORKTOWN ST	CRAIG LEON
2	131 YORKTOWN ST	WOOD ETC CORPORATION
3	213 YORKTOWN ST	FLOYD WILLIAM R ALLEAN
4	202 YORKTOWN ST	CONTINENTAL LP PRODUCTS CO INC
5	212 WINK ST	ALLIED FENCE CO OF DALLAS % JOE M CARPEN
6	2327 BEATRICE ST	QUIRL FAMILY FIRST LTD PS
7	2330 LANGFORD ST	QUIRL FAMILY FIRST LTD
8	2318 BEATRICE ST	LYLES DAVID
9	2313 LANGFORD ST	HOUSE JAMES G
10	2327 LANGFORD ST	BONSAL AMERICAN INC
11	2323 LANGFORD ST	ROSEN MICHAEL D

FILE NUMBER: Z134-153(RB)

DATE FILED: March 4, 2013

LOCATION: East Line of La Prada Drive, North of Klondike Drive

COUNCIL DISTRICT: 7

MAPSCO: 39-S

SIZE OF REQUEST: Approx. 1.59 Acres

CENSUS TRACT: 123.01

APPLICANT: Mission East Dallas

REPRESENTATIVE: Rob Baldwin

OWNER: New Life Tabernacle

REQUEST: An application for a Specific Use Permit for a Community service center on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant is proposing to provide for a community service center within the main church structure.

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

GUIDING CRITERIA FOR RECOMMENATION:

Staff recommends approval of the request, subject a site plan and conditions, based upon:

1. *Compatibility with surrounding uses and community facilities* – The request will utilize existing improvements with a physical separation ranging from 120 feet to 150 feet and possessing a six foot-tall solid screening fence from single-family uses to the east.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed community service center will serve the immediate area with services consistent with those provided in by the nearby churches (i.e., child-care, community and social programs/events).
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is consistent with those normally found in close proximity to residential uses.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – No variances or special exceptions are requested as part of this use.

BACKGROUND INFORMATION:

- The request site is developed with a church structure, single family residence utilized for office/administrative operations, and surface parking area.
- The applicant proposes to operate a community service center on the property.
- The applicant will purchase the property; it is not known if the church will be relocating or dissolving.

Zoning History: There has been no recent zoning activity in the immediate area relevant to this request.

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

Thoroughfare

La Prada Drive

Designation; Existing & Proposed ROW

Principal Arterial; 100' & 100' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. 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 proposed use is consistent with the Comprehensive Plan.

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 site is surrounded by existing low-density single family development. Additionally, various institutional uses are found to the north and northeast, along Oates Drive (approximately 420 feet north of the site).

The various programs associated with the requested use will be provided within the existing improvements. While it is unanticipated, there will be no outside activities due to the proximity of the rear yards for the single family uses to the east, staff has recommended specific hours of operation for any future outside activities.

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 property was developed with a church use and parked accordingly. The proposed use will provide for required parking for the community service center (one space per 200 square feet of floor area) and supporting office operations (one space per 333 square feet of floor area); 103 spaces required and 104 spaces provided.

Landscaping: The site possesses established planting areas associated with the existing improvements. The change of use will not trigger, nor is staff recommending any additional landscaping.

Reports Unit
P O. Box 12028
Austin, Texas 78711-2028



Phil Wilson
Secretary of State

Office of the Secretary of State
PERIODIC REPORT - NONPROFIT CORPORATION

File Number: 162417201
Filing Fee: \$5

Page 1 of 2

1. The corporation name is:

MISSION EAST DALLAS AND METROPLEX PROJECT

FILED In the Office of the
File Number 162417201
Page 2 of 2

7. The names, addresses, and titles of all officers of the corporation are: (A Texas corporation must include a president and a secretary and the same person cannot hold both offices).
(If additional space is needed, include the information as an attachment to this form for item 7.)

Name	Address	City/State/Zip	Title
JENNY L WILLIAMS	476 PRESTON TRAIL	Mesquite, TX 75150	EXEC DIR
ELMIN HOWELL	326 HARBOR LANDING	Rockwall, TX 75082	PRESIDENT
JAMES E. HUCKABY, JR.	405 EAST DAVIS	MESQUITE, TX 75145	PRESIDENT
MARJORIE TURNER	2104 PROVINCE LANE	Dallas, TX 75228	VICE PRESIDENT TREASURER
JESSE LOCKE	2545 BEECHMONT	Dallas, TX 75228	SECRETARY
JACK MORRIS	2445 FENESNA	DALLAS, TX 75228	VICE PRESIDENT
JESSE LOCKE	2545 BEECHMONT	Dallas, TX 75228	TREASURER
RONNIE RAWLS	3140 EMILY DR	Mesquite, TX 75150	TRUSTEE
VICKI PURDUE	2021 OATES DR	DALLAS, TX 75220	SECRETARY

Execution:

6. The names and addresses of all directors of the corporation are: (A Texas corporation must have at least 3 directors.)

(If additional space is needed, include the information as an attachment to this form for item 6.)

Name	Address	City/State/Zip
JENNY L WILLIAMS EXECUTIVE DIRECTOR	476 PRESTON TRAIL 4761	Mesquite, TX 75150

RONNIE RAWLS	5400 N. GALLOWAY	MESQUITE, TX 75150
BILL WALKER	4514 SILVERTHORN	MESQUITE, TX 75150
MARK KERBY	1515 N. GALLOWAY AVE	MESQUITE, TX 75149

**RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A
COMMUNITY SERVICE CENTER**

1. USE: The only use authorized by this specific use permit is a community service center.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. FLOOR AREA: The maximum floor area is 19,100 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The community service center may only operate between 7:30 a.m. and 6:00 p.m., Monday through Friday.
6. OUTSIDE ACTIVITIES: Any outside activities associated with the community service center are limited to the hours between 10:00 a.m. and 4:00 p.m., Monday through Friday.
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.



SITE PLAN

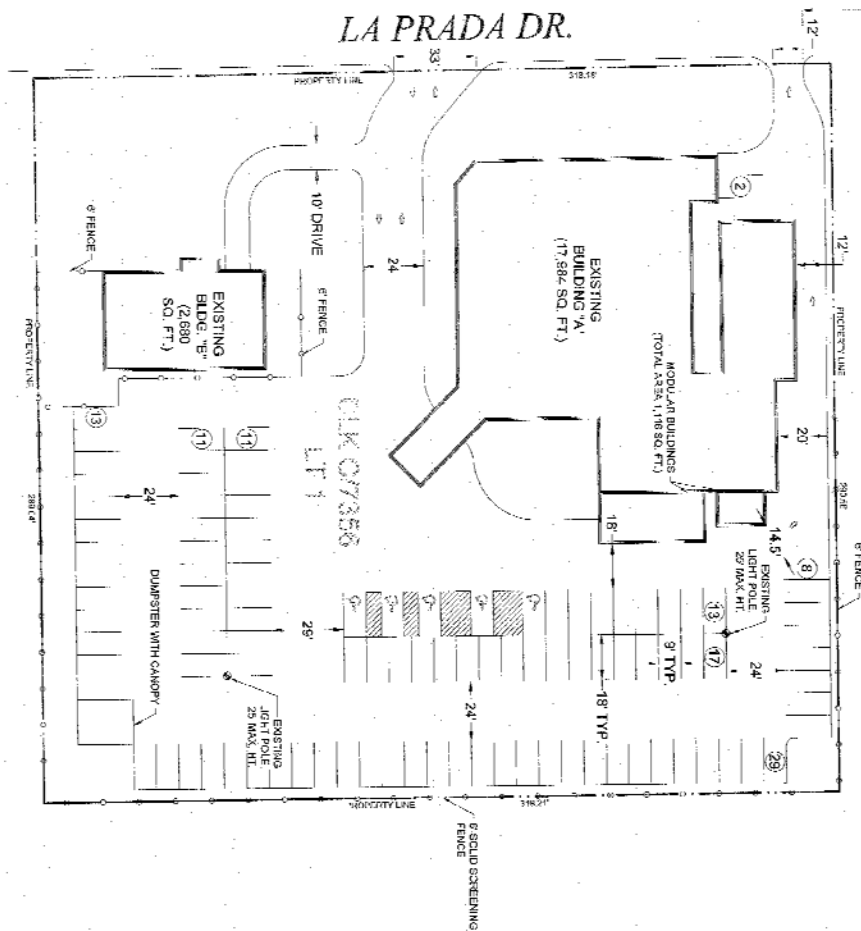
SCALE: 1" = 20'-0"



SITE PLAN Z134-153 (RB)

LA PRADA DR.

4.7-0 CATS DR.



CLIENT/COMPANY: H.Y.C (A)
 SITE ADDRESS: 25, NUSQUA, P.O. BOX 66,
 LOT COVERED: 21.76%

MOLECULE	MO ₂ , wt%	USE	Feeding trials	Uses
(410, °C)				
ALUM. N ^o	17.00	27.00°C	2.225	36
		34.00°C		
MOLEC. BLENDS	ALUM.	35.00°C	4.225	6
		24.7.00°C		
MO ₂ , N ^o	5.57	15.00°C	1.225	3
		15.00°C		
TOTAL MO ₂ , PPM NO				101
TOTAL MO ₂ , PPM NO				101
REG. ACCESSIBLE STAYS				3

VICINITY MAP



9606 LA PRADA DR.
CITY OF DALLAS, TEXAS

Baldwin
Associates

**BALDWIN
ASSOCIATES**

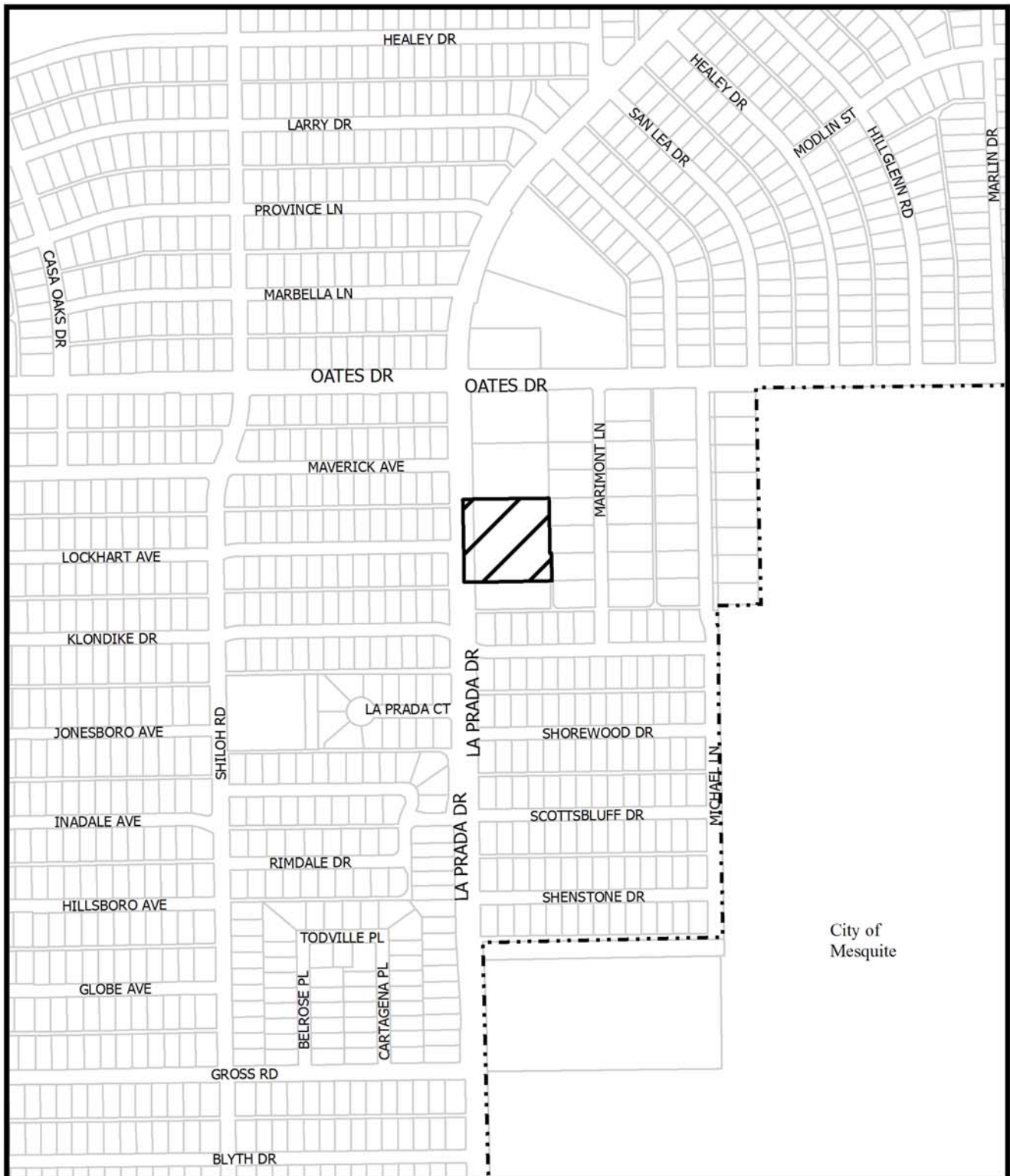
3904 Fim Street, Suite E
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

03/31/14

MOULT NUMB. 6

CASE NUMBER:

Proposed Site Plan

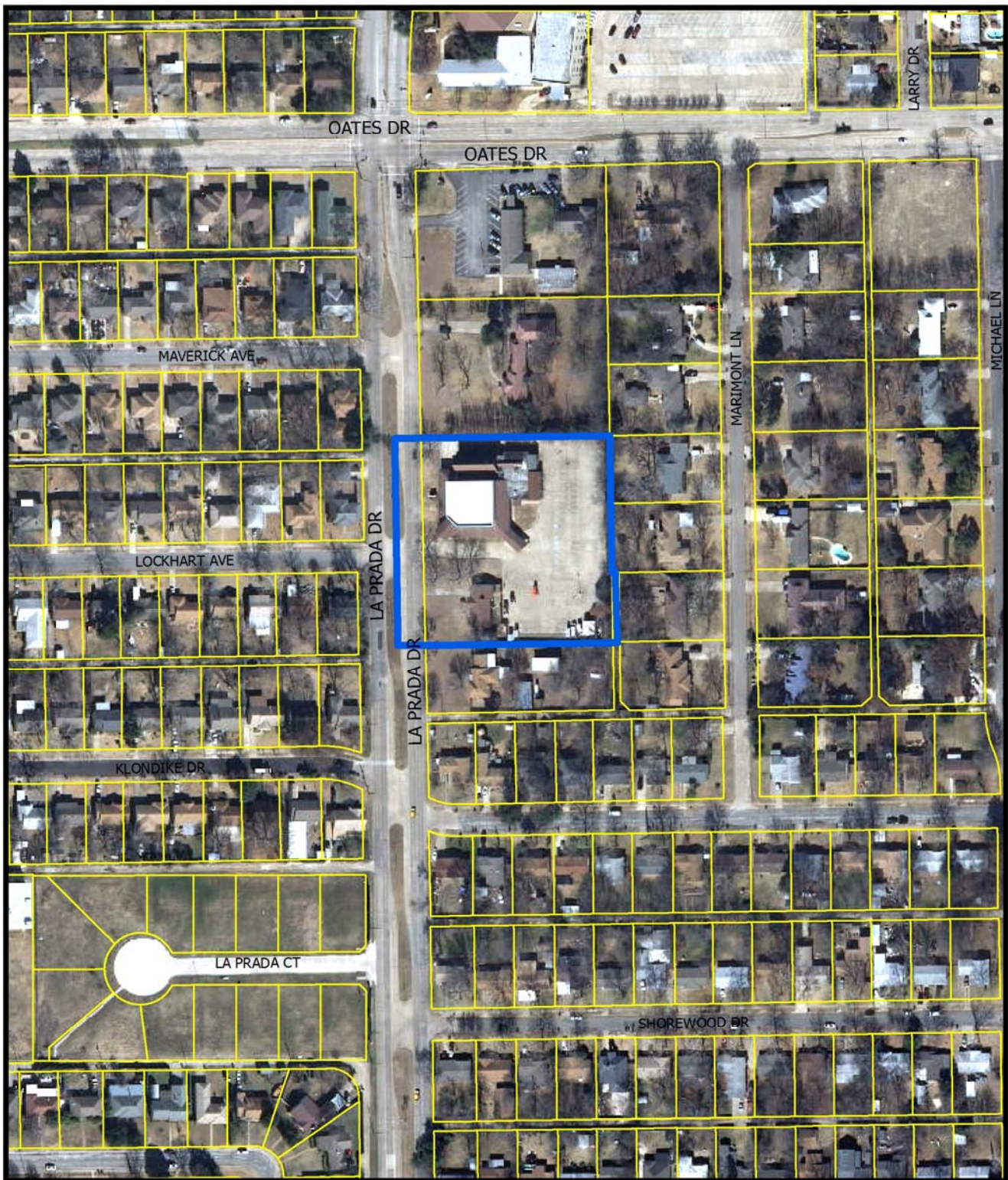


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VICINITY MAP

Case no: **Z134-153**

Date: **2/25/2014**

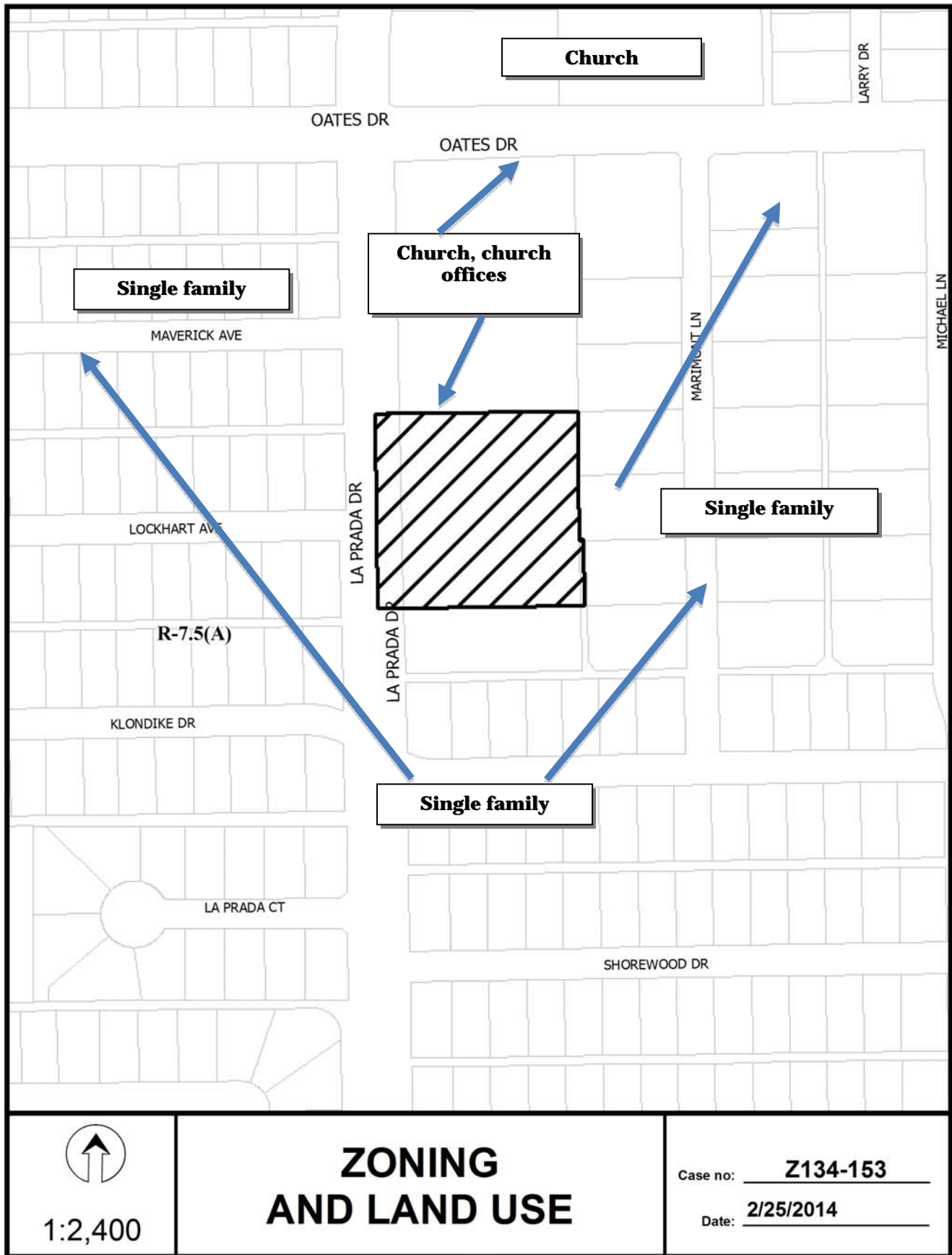


1:2,400

AERIAL MAP

Case no: Z134-153

Date: 2/25/2014



2/24/2014

Notification List of Property Owners***Z134-153******56 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9606 LA PRADA DR	NEW LIFE TABERNACLE
2	2905 KLONDIKE DR	MANIRUZZAMAN MOHAMMED
3	2911 KLONDIKE DR	SUTTON BRUCE B
4	2915 KLONDIKE DR	HENSON JACK KENNETH
5	2919 KLONDIKE DR	BARRERA MARIA & DANIEL CHAVEZ
6	2925 KLONDIKE DR	ESTRADA SALOMON
7	2929 KLONDIKE DR	MCDANIEL ALLAN WAYNE
8	2935 KLONDIKE DR	CRUZ ARMANDO
9	3005 KLONDIKE DR	JANDRES JORGE
10	2904 KLONDIKE DR	MORA CARLOS & JUANA
11	2910 KLONDIKE DR	DEANS REX D
12	2914 KLONDIKE DR	GONZALES ELIAS P
13	2918 KLONDIKE DR	GARCIA PABLO & HILDA
14	2924 KLONDIKE DR	WILLIAMS EMILY CLAUDIA
15	2928 KLONDIKE DR	NEVIZ ABEL JR &
16	9708 MARIMONT LN	KEELE CATHERINE V
17	2914 OATES DR	SHILOH TERRACE BAP CHURCH
18	9518 MARIMONT LN	CASTILLO ROSALIE & JORGE
19	9615 MARIMONT LN	MOORE KRYSLIN & PERISHE
20	9616 MARIMONT LN	CASA VIEW CHURCH OF THE NAZARENE
21	9608 MARIMONT LN	MCDANIEL RANDALL M
22	9706 LA PRADA DR	SHILOH TERRACE BAPTIST CHURCH
23	9623 MARIMONT LN	CARRARA JOHN NORMAN
24	9526 MARIMONT LN	CUNNINGHAM ROBERT J III
25	9707 MARIMONT LN	WILLIAMSON MELVIN C & WANDA G
26	9522 LA PRADA DR	TIPPING WILLIAM D

2/24/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2930 OATES DR	STRANGE DOROTHY &
28	9607 MARIMONT LN	BARNES ANTONIO & DENISE
29	9624 MARIMONT LN	WADDLE DAVID EARL
30	9517 MARIMONT LN	BULKLEY NIHL B III
31	9525 MARIMONT LN	STONE MEAGHAN LEIGH
32	2819 MAVERICK AVE	MELENDEZ JESUS & EMA
33	2825 MAVERICK AVE	BURGOS ROSA
34	2829 MAVERICK AVE	TREJO ALFREDO G & MARIA D
35	2835 MAVERICK AVE	JONES ANNA BELLE
36	2811 LOCKHART AVE	GONZALEZ RAFAEL M
37	2815 LOCKHART AVE	EVANS JOHN WAYNE LF EST
38	2819 LOCKHART AVE	BAKER MICHAEL JAMES
39	2823 LOCKHART AVE	WINSTON J RONNY
40	2829 LOCKHART AVE	BOOKER THERESA
41	2834 MAVERICK AVE	LACY JAMES E
42	2828 MAVERICK AVE	EVANS WILLIAM & PEGGY A
43	2824 MAVERICK AVE	GONZALEZ HECTOR & ANA M
44	2818 MAVERICK AVE	GONZALEZ HECTOR M & ANA M GONZALEZ
45	2814 MAVERICK AVE	BROWN CRAIG
46	2816 LOCKHART AVE	SPENCER HOMER R JR
47	2820 LOCKHART AVE	HILL DIANE D
48	2824 LOCKHART AVE	CHIK ERIK K & WENDY PEI LING YEH
49	2830 LOCKHART AVE	RODDEN RICHARD ALLEN
50	2829 KLONDIKE DR	NUNES RAEJEAN % R K MANAGEMENT INC
51	2823 KLONDIKE DR	CURRIN MARVIN F
52	2819 KLONDIKE DR	CORTES MARIA J &
53	2815 KLONDIKE DR	ROMERO JAVIER
54	2820 KLONDIKE DR	GEORGE RAYMOND &
55	2824 KLONDIKE DR	ZAGALA NICOLAS
56	2830 KLONDIKE DR	CHANCELLOR MARSHA

Planner: Warren F. Ellis**FILE NUMBER:** Z123-274 (WE) **DATE FILED:** April 29, 2013**LOCATION:** East line of North Walton Walker Freeway, south of West Jefferson Boulevard**COUNCIL DISTRICT:** 6 **MAPSCO:** 52- B & F**SIZE OF REQUEST:** Approx. 0.76 acres **CENSUS TRACT:** 107.04

APPLICANT/ OWNER: David & Hector Varela**REPRESENTATIVE:** Santos Martinez, MasterPlan**REQUEST:** An application for an RR Regional Retail District on property zoned an R-7.5(A) Single Family District.**SUMMARY:** The purpose of this request is to allow for the development of retail type uses on the site.**STAFF RECOMMENDATION:** Hold under advisement until May 8, 2014.

PREVIOUS ACTION & STATUS: On December 5, 2013, February 6, 2014, March 20, 2014, the City Plan Commission held this case under advisement to allow the applicant to meet with the adjacent property owners. The applicant has submitted deed restrictions that are currently under review. Staff is requesting to hold this case under advisement until May 8, 2014, to allow for a companion case to be heard at the same time.

BACKGROUND INFORMATION:

Staff recommends denial based upon:

1. *Performance impacts upon surrounding property* – The proposed RR Regional Retail District may have a negative impact on the residential uses due to the type of uses that are permitted within the RR District such as machinery, heavy equipment or truck sales and services, outside sales, and vehicle display, sales and services. These uses are not compatible or conducive to a low-density residential development but are more suitable to serve a regional area.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the applicant's request will not have a negative impact on the street system. The request site fronts on the Walton Walker frontage Road and North Ira Avenue. However, any utilization of the internal streets to access this site (North Ira Avenue) could have a negative impact upon the residential neighborhood dependent upon the type of RR Regional Retail District uses.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is not in compliance with the forwardDallas! Comprehensive Plan. The plan shows the request site located in a Residential Building Block. NS(A) Neighborhood Service District or low-intensity office districts could be more compatible because the Comprehensive Plan envisions some of these low-intensity uses at certain locations along major roadways adjoining residential neighborhoods.

BACKGROUND INFORMATION:

- The applicant's request for an RR Retail Regional District will allow for a variety of retail and personal services uses on the site. A specific type development has not expressed by the applicant at this time.
- The request site is adjacent to an R-7.5(A) Single Family District where the development is primarily single family uses. The property north of the site is undeveloped.

Zoning History: There is one zoning change requested in the area.

1. **Z123-275** The applicant has submitted an application for an RR-D regional Retail District with retention of a D Overlay on property zoned a CR-D Community Retail District. A City Plan Commission tentative hearing date is April 17, 2014.

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped, Single Family
North	R-7.5(A)	Undeveloped
South	R-7.5(A)	Single Family
East	R-7.5(A)	Single Family
West	R-7.5(A)	Walton Walker Freeway

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

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 request site is located within an area that limits office uses and is in close proximity to residential uses. The RR District is a more intensive district than the surrounding LO-3 District. The proposed RR Regional Retail District could have a negative impact on the adjacent uses even though the request site is adjacent to a frontage road.

STAFF ANALYSIS:

Land Use Compatibility: A portion of the 0.76-acre site is undeveloped with the remainder of the site being developed with single family uses. The site is located in a residential area where a portion of the street frontage is on North Walton Walker Service Road and several residential streets.

The applicant's request for an RR regional Retail District will allow for the development of various retail and personal service uses. Certain uses that are permitted within the RR District are not compatible when adjacent to low residential uses.

Staff is concerned that any encroachment of the RR Regional Retail District into a residential area could have a negative impact on the surrounding uses. Even though the site has street frontage on a service road and residential street and will be limited in the structure height due to the residential adjacency, an RR Regional Retail District is intended to "provide for the development of regional-serving retail, personal service, and office uses. This district is not intended to be located in areas of low-density residential development." There is an undeveloped tract of land that is zoned for CR-D Community Retail District uses that is located north of the request site at the southeast corner of

North Walton Walker Freeway and West Jefferson Boulevard that could be developed to serve the adjacent neighborhood.

Staff's recommendation is to hold under advisement until April 17, 2014.

Development Standards:

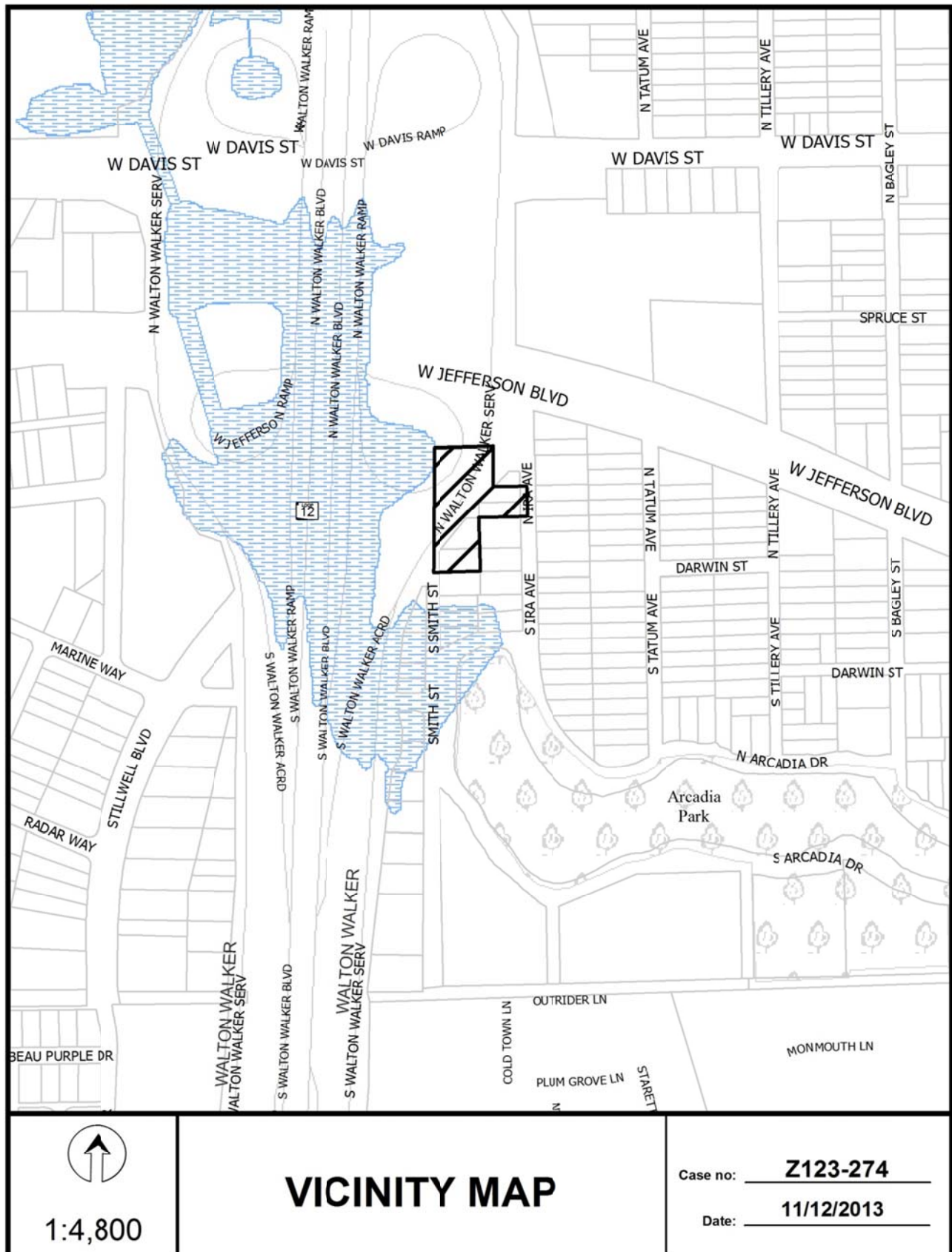
<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
RR - proposed Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

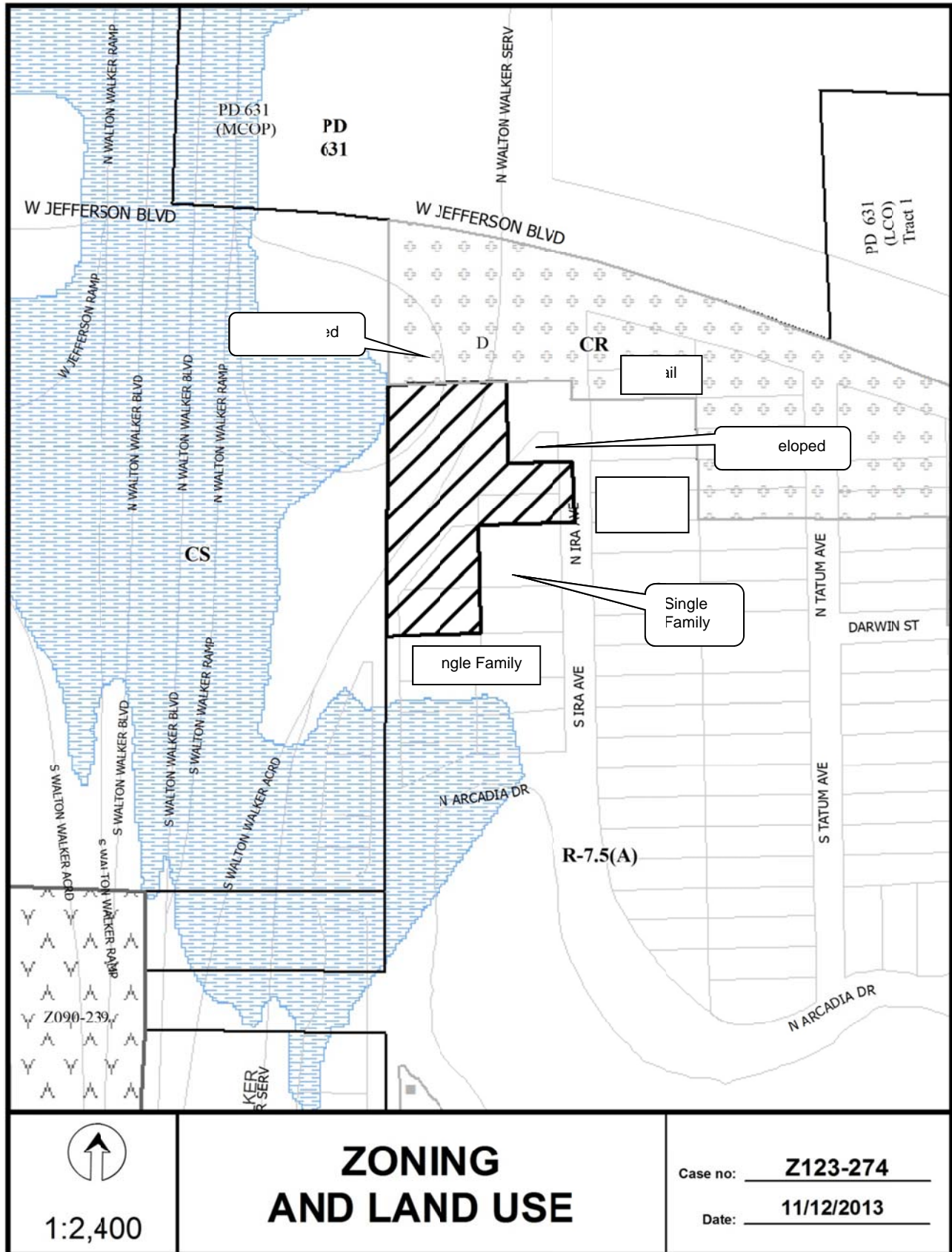
Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

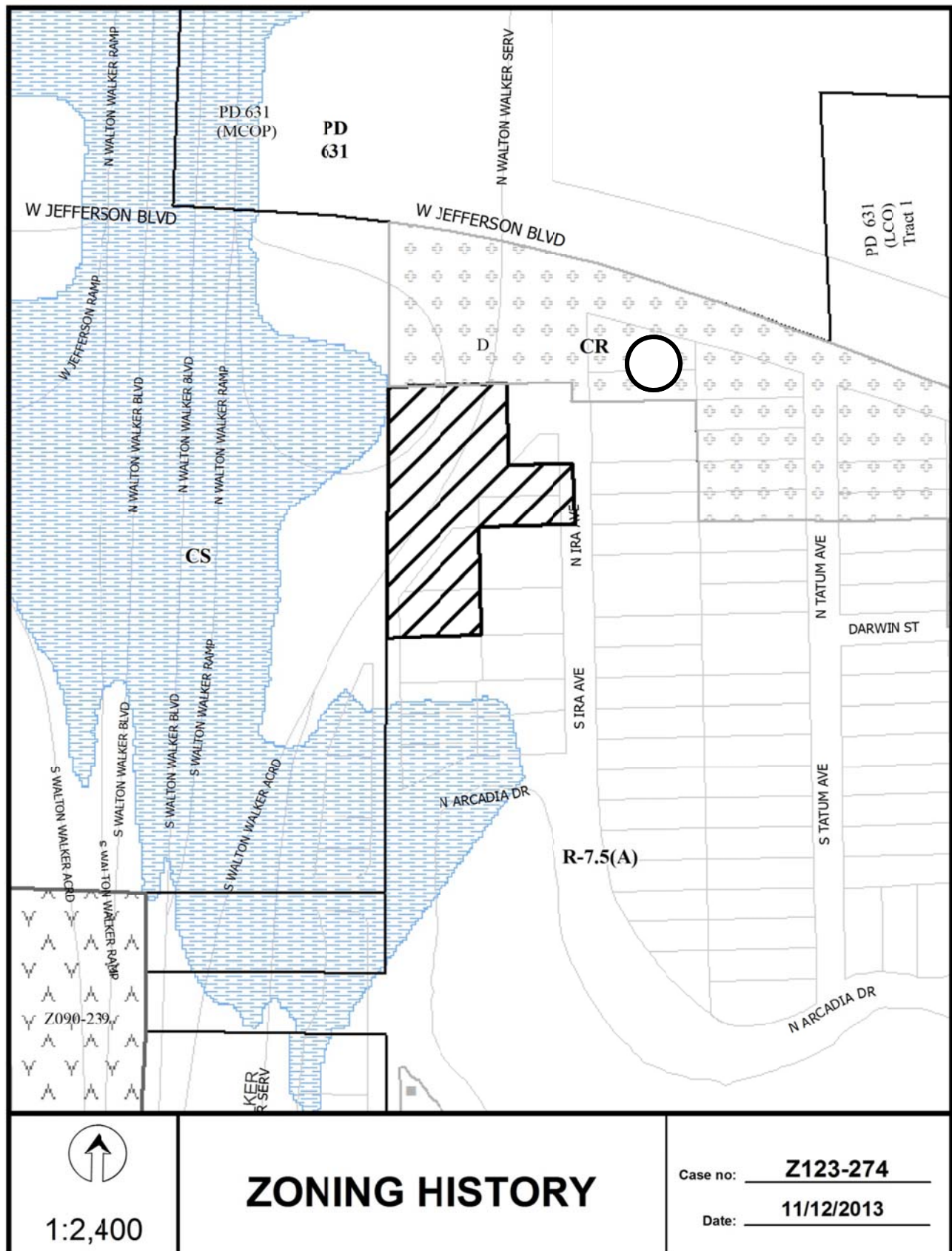
Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
N. Walton Walker	Variable lane widths		
North Ira Avenue	Local	50 ft.	50 ft.

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







Notification List of Property Owners

Z123-274

21 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	119 IRA AVE	VARELA DAVID
2	206 IRA AVE	VARELA DAVID
3	108 SMITH ST	VARELA HECTOR & SANDRA
4	110 IRA AVE	COUCH TAWANA
5	106 IRA AVE	CENTRO DE ADORACION
6	106 IRA AVE	MENDEZ PATRICIA LOT 18
7	110 IRA AVE	ALEMAN LINDA
8	118 IRA AVE	JONES LEROY A %EMMA JEAN JONES
9	111 IRA AVE	FOSTER CLEOPLE & WM ODENEAL
10	103 IRA AVE	LERMA DIONISIO ARROYO
11	104 SMITH ST	ESPARZA RAUL TORRES & MARIA DELORES
12	101 IRA AVE	ALVAREZ JOSE DE JESUS & LILIA MARIBEL
13	106 SMITH ST	MORALES MARIA GUILLERMINA
14	107 IRA AVE	COOK JOHN H
15	115 IRA AVE	VILLANEDA MARIA GUADALUPE
16	110 SMITH ST	ANDRADE HILARIO LEIVA & RAMOS CIRILA LEI
17	114 SMITH ST	GONZALEZ MARIA LUISA
18	103 SMITH ST	TARRANT JOAN SMITH
19	103 SMITH ST	WEBSTER LOLA B
20	107 SMITH ST	STARNES ALTON L
21	202 IRA AVE	GONZALES BERNARDINO O

FILE NUMBER: Z123-371(OTH)

DATE FILED: September 9, 2014

LOCATION: North corner of South Belt Line Road and Seagoville Road

COUNCIL DISTRICT: 8

MAPSCO: 70-E

SIZE OF REQUEST: ±0.584 acres

CENSUS TRACT: 171.01

APPLICANT: Abed Ammouri

OWNER: Hamza Alkam & Abed Ammouri

REPRESENTATIVE: Pamela Craig

REQUEST: An application for renewal of and an amendment to Specific Use Permit No. 1899 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue to sell beer and wine for off-premise consumption in conjunction with the existing convenience store. Changes to the site layout triggered the need for an amendment to the SUP site plan.

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

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 existing general merchandise or food store 3,500 square feet or less is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with the main use does not affect compatibility.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The alcohol use has not deterred or enhanced adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – This use has not been a detriment to the public health, safety or general welfare of the community. This SUP has conditions that are associated with the use. An SUP could be revoked, have a reduced time period or not be renewed if it is found that the use is a detriment to the public health, safety or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Staff will update the Commission at the briefing pending findings about this operation's compliance with Chapter 12B.

BACKGROUND INFORMATION:

- The ±0.584 acre request site is developed with a 3,195 square feet building for a general merchandise or food store (convenience store) which includes gas pumps.
- The general merchandise or food store use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit due to the D-1 Liquor Control Overlay.
- Specific Use Permit No. 1899 was approved on September 28, 2011 for a two-year period and expired September 28, 2013.

Surrounding Zoning History:

1. **Z101-137:** On April 13, 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for additional five year periods, subject to a site plan and conditions on property zoned a CR-D-1 Community Retail District with a

D-1 Dry Liquor Control Overlay on property located on the east side of Beltline Road, south of Seagoville Road.

2. **Z112-108:** On June 27, 2012, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on the northwest corner of Seagoville Road and South Belt Line Road.
3. **Z123-157:** On February 11, 2013, the City of Dallas approved the automatic renewal of SUP No. 1838 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less, located at 1050 S Belt. The automatic renewal is for an additional five-year time period, pursuant to Section 51A-4219 of Chapter 51A Part II of the Dallas Development Code, of the Dallas City Code, as amended.

Surrounding Land Use:

	Zoning	Land Use
Site	CR-D-1; SUP 1899	Convenience Store with fuel pumps; with beer/wine
North	CR-D-1	Undeveloped
Southeast	CR-D-1	Undeveloped
South	CR-D-1	Grocery store with beer/wine
Southwest	CR-D-1	Convenience store with fuel pumps

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
S. Belt Line Road	Principal arterial	80 feet
Seagoville Road	Minor arterial	60 feet

Traffic:

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

STAFF ANALYSIS:

Comprehensive Plan:

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

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.

Land Use Compatibility:

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, subject to the attached conditions, is consistent with the requirements of the Dallas Development Code. Therefore, staff recommends approval

Z123-371(OTH)

for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR-D-1	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking:

Parking must be provided as shown in the site plan. The parking on the site has been reconfigured; however, the changes do not affect the number of required parking spaces nor the traffic flow on the site.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required.

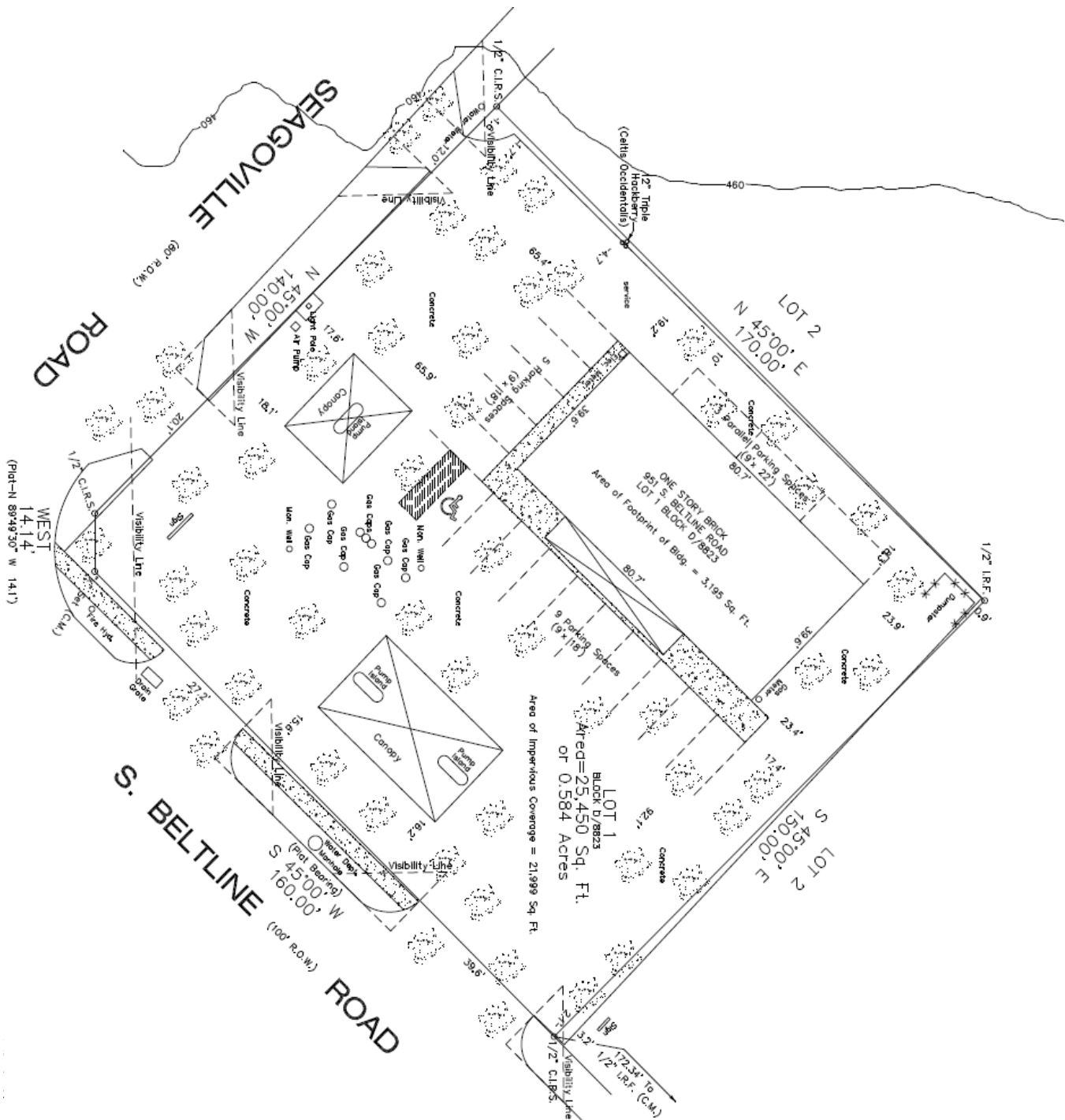
Police Report:

Specific Use Permit No. 1899 was approved on September 8, 2011. An online search of the Dallas Police Department's offense incident reports for the period from September 8, 2011 to February 25, 2014 was requested, and it revealed no incidents involving the police.

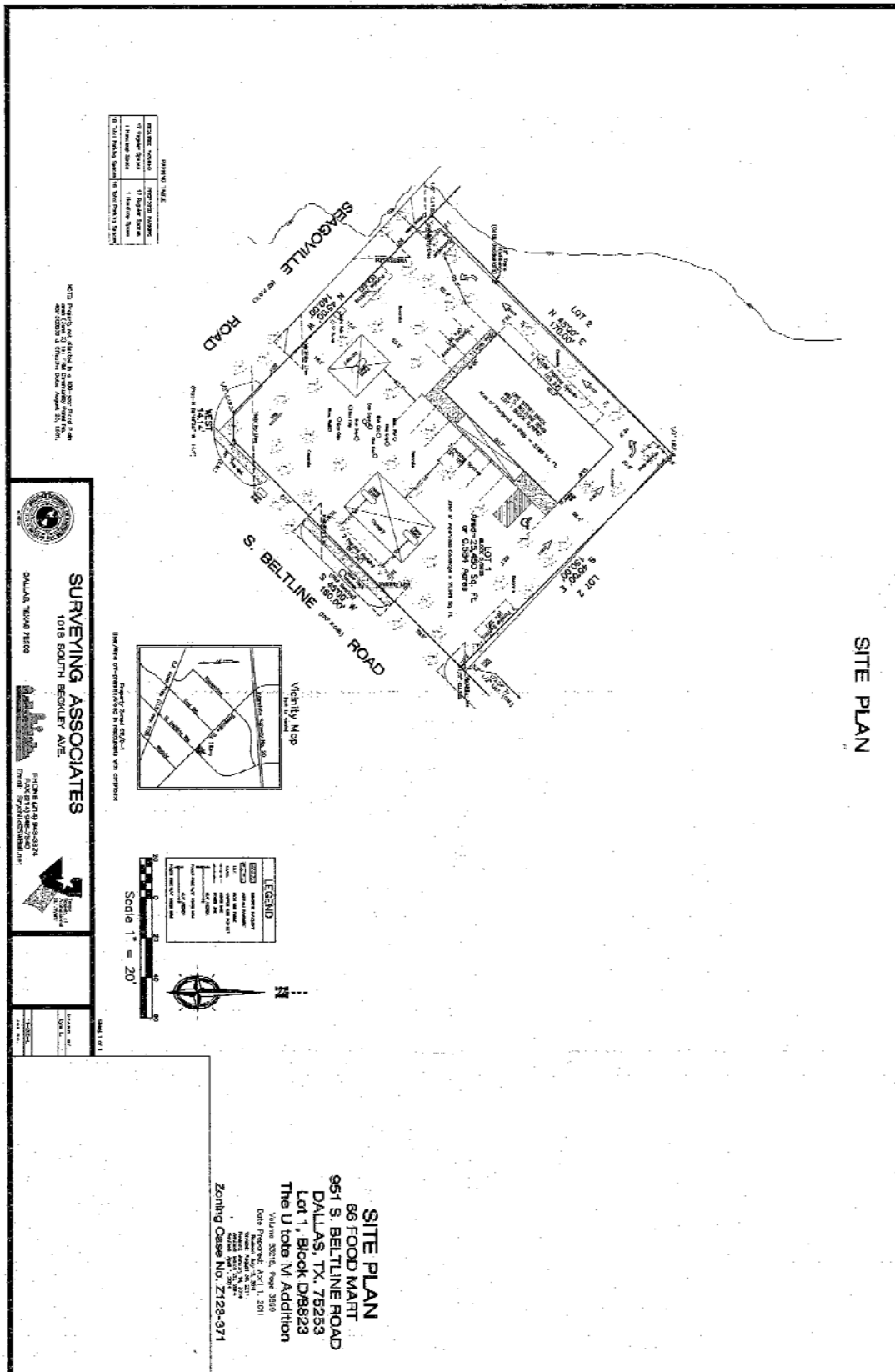
CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.). ~~This specific use permit expires on September 28, 2013.~~
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

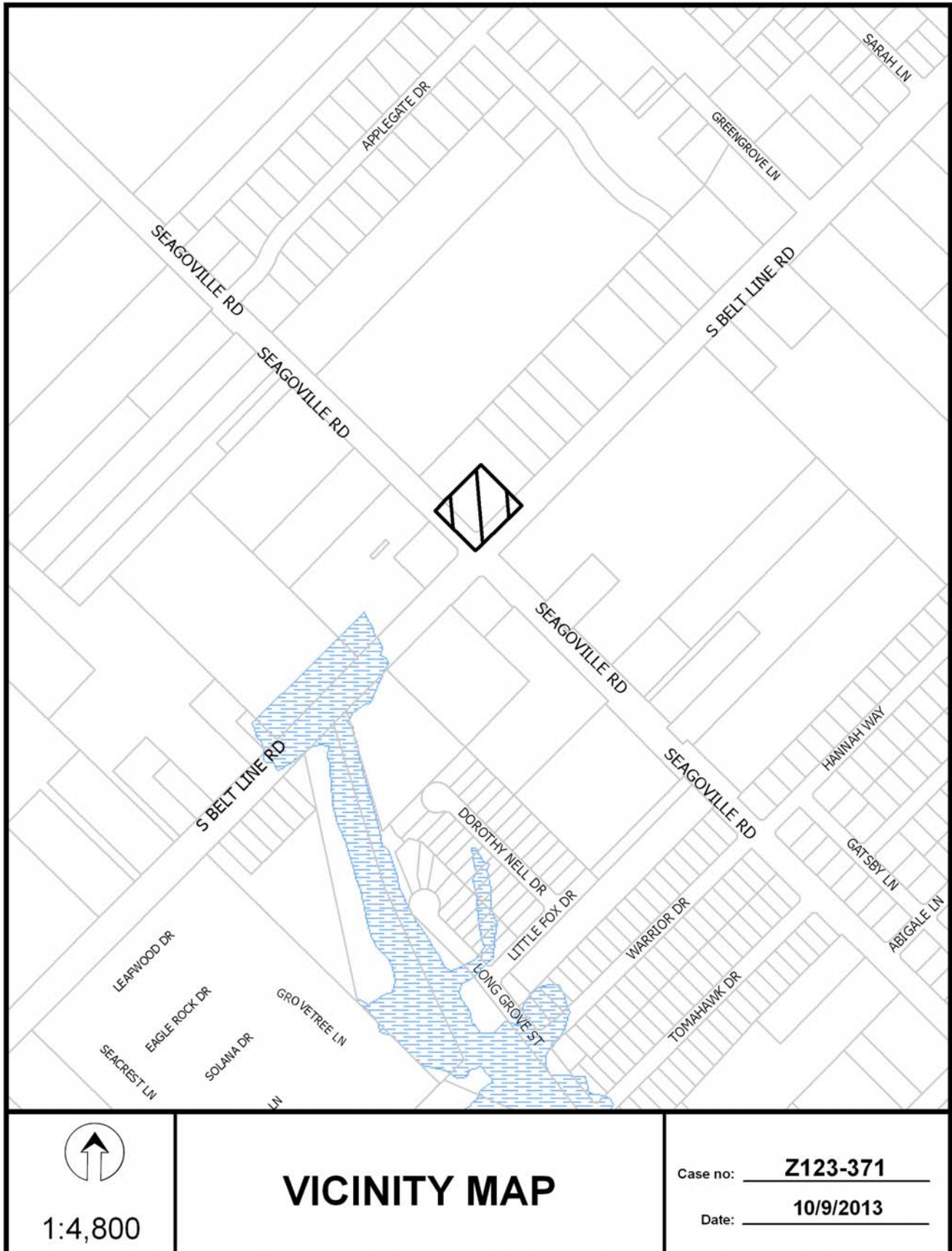
Existing Site Plan

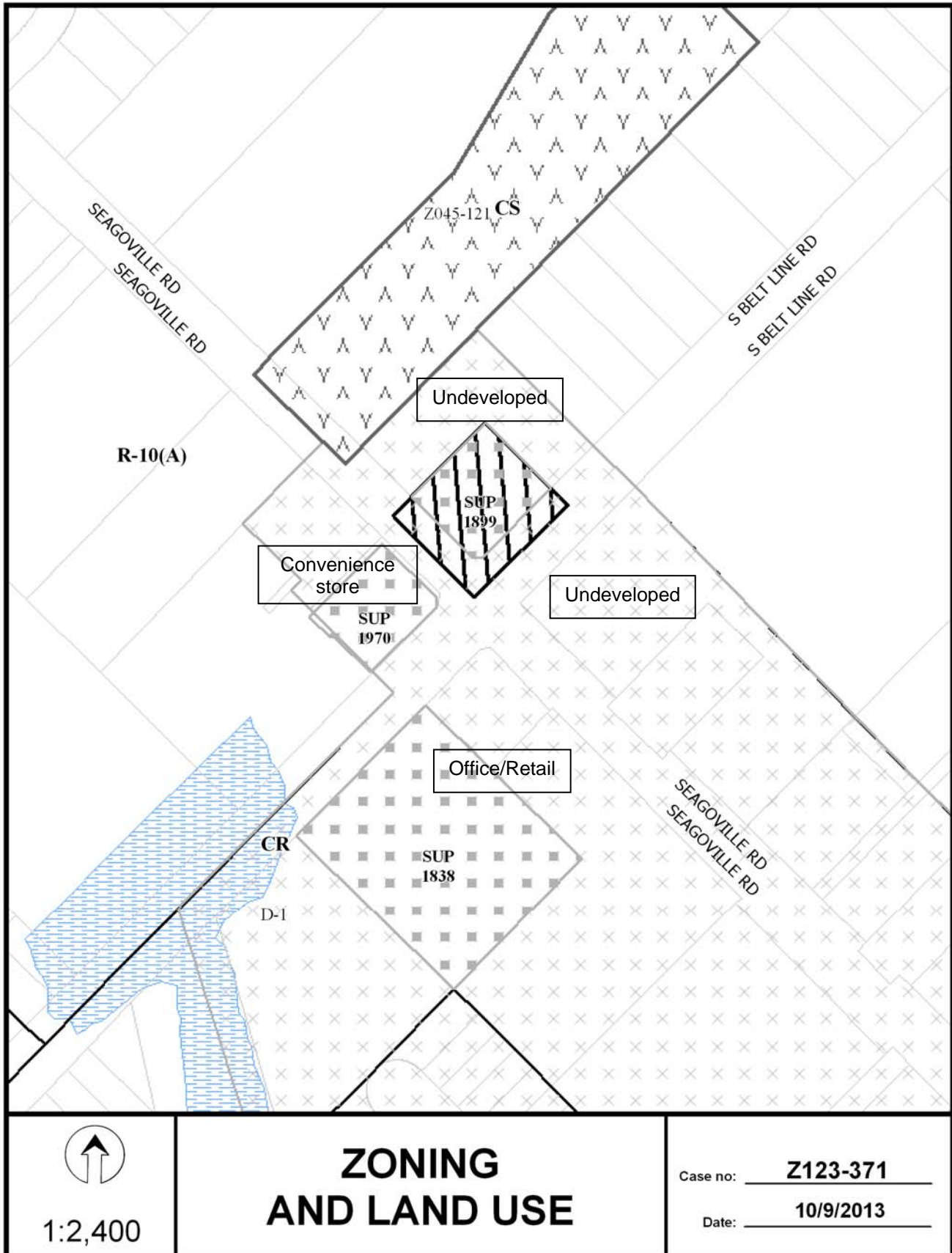


PROPOSED SITE PLAN

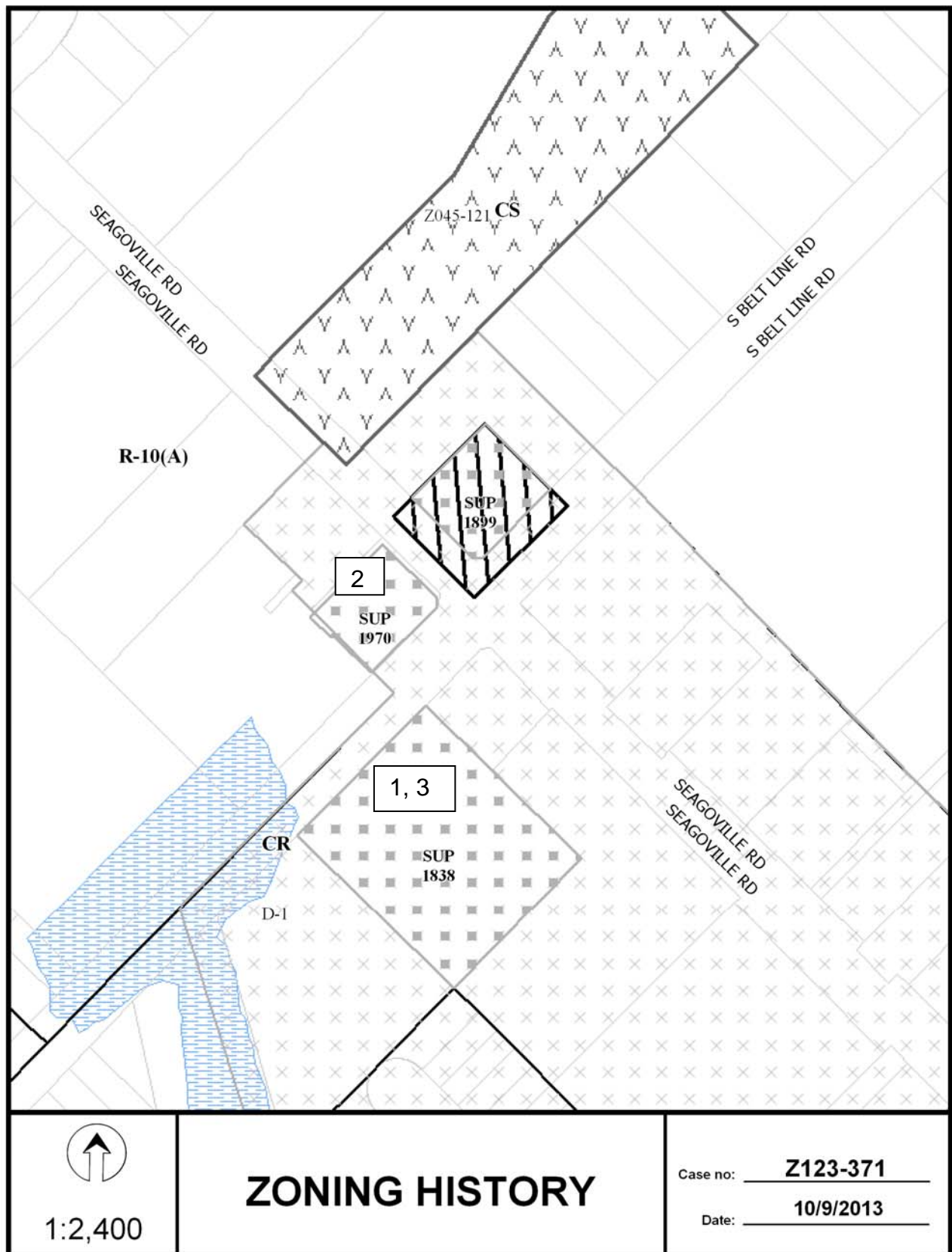


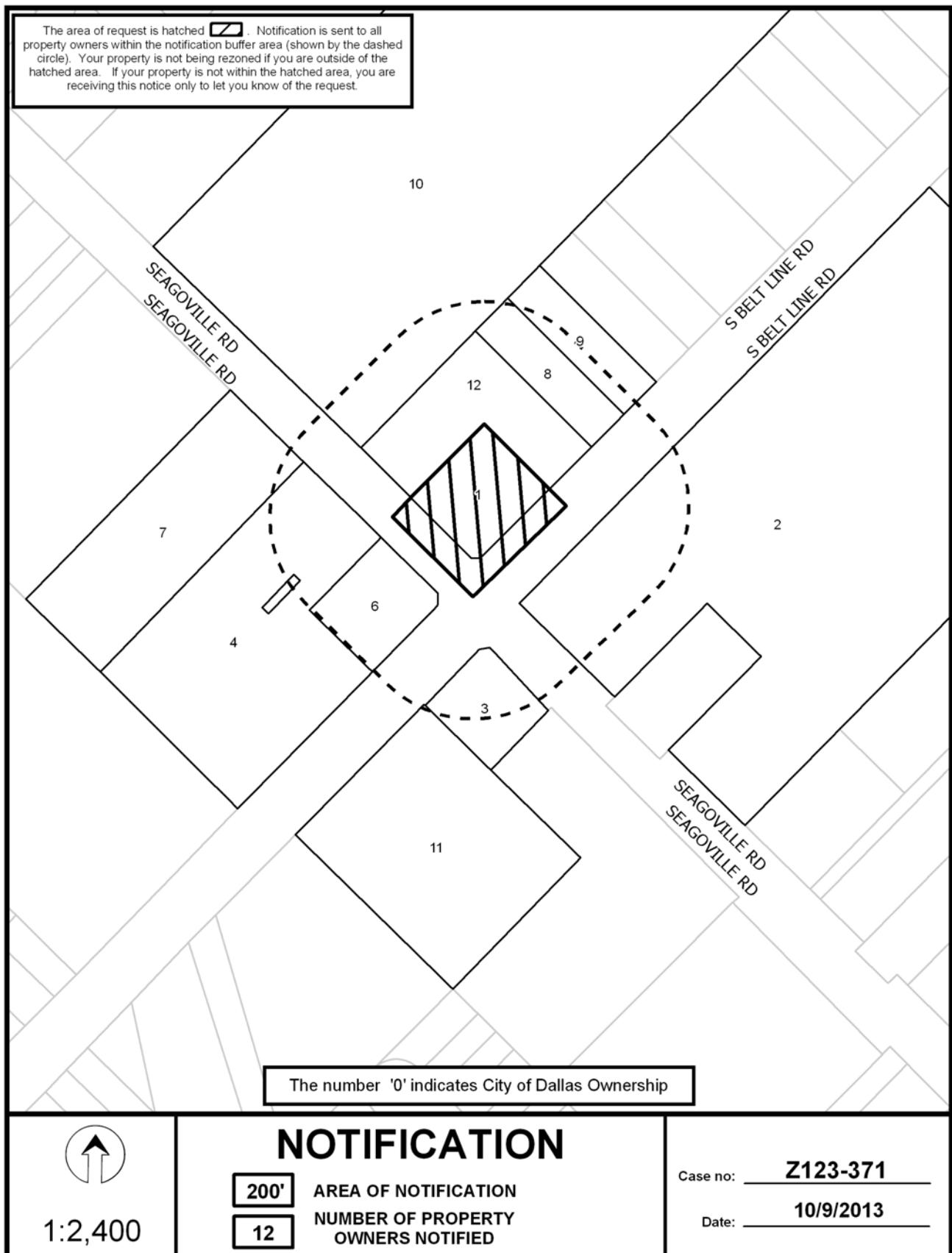
Z123-371(OTH)











10/3/2013

Notification List of Property Owners

Z123-371

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	951 BELTLINE RD	AMMOURI ABED
2	15251 SEAGOVILLE RD	BIG SCORE INVESTORS LLC
3	1000 BELTLINE RD	ALKAM HAMZA
4	1025 BELTLINE RD	FLOYD CHARLES M
5	1001 BELTLINE RD	FLOYD CHARLES M & BARBARA
6	15130 SEAGOVILLE RD	MEMON SHAHZAD
7	15104 SEAGOVILLE RD	SCHLEIMER PATSY SUE
8	937 BELTLINE RD	AMMOURI ABED & HAMZA ALKAM
9	933 BELTLINE RD	BUNCH SHEILA
10	15029 SEAGOVILLE RD	FORD TOM W
11	1050 BELTLINE RD	BOWMAW INC % BOBBY WRIGHT
12	915 BELTLINE RD	ALKAM HAMZA & ABED AMMOURI

FILE NUMBER: Z134-141(MW)

DATE FILED: December 11, 2013

LOCATION: South side of Bruton Road, east of North Jim Miller Road

COUNCIL DISTRICT: 5

MAPSCO: 58-A

SIZE OF REQUEST: ±0.45 acre

CENSUS TRACT: 91.04

REPRESENTATIVE: Parvez Malik, Business Zoom

APPLICANT: Adnan Karim

OWNER: Moser Properties, Inc.

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

SUMMARY: The applicant proposes the sale of alcoholic beverages for off-premise consumption in conjunction with the existing convenience store [Manna Food Store].

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

PREVIOUS ACTION: On April 3, 2014, the City Plan Commission held the case under advisement to allow the applicant additional time to meet with the neighborhood.

STAFF RECOMMENDATION:

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

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

BACKGROUND INFORMATION:

- The ±0.45-acre request site is developed with a ±4,150-square-foot building comprised of two suites both of which are occupied by general merchandise or food store uses.
- The general merchandise or food store use is permitted by right, but the D Liquor Control Overlay prohibits the sale of alcoholic beverages on the property. The applicant proposes the sale of beer and wine for off-premise consumption in conjunction with a ±2,400-square foot convenience store, which requires a general zoning change (D to D-1) and a Specific Use Permit.
- No new construction is proposed by this application.

Surrounding Zoning History:

1. **Z123-127:** On Wednesday, February 13, 2013, the City Council approved a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period subject to a site plan and conditions.

Thoroughfares/Streets:

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

Traffic:

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

Surrounding Land Uses:

	Zoning	Land Use
North	CS-D	Retail and personal services
Northeast	CS-D-1; SUP No. 2017	Convenience store
East	CS-D	Auto related
South	CS-D	Retail and personal services
West	CS-D	Auto related

STAFF ANALYSIS:**Comprehensive Plan:**

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

The Plan identifies the request site as being in the *Residential Neighborhood* Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. 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. 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.

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

Land Use Compatibility:

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

Development Standards:

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CS-D-1	15' 0'	20' adj. to res. Other: no min.	0.75 Overall 0.5 Office/lodging/retail	45' 3 stories	80%	RPS Visual Intrusion	Commercial and business service

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the ±2,400-square-foot convenience store requires 12 parking spaces. As depicted on the site plan, 21 spaces are provided to serve the both retail uses located on the site.


Landscaping:

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

Z134-141(MW)

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from March 13, 2012 to March 13, 2014 revealed the following results:





DALLAS POLICE
DEPARTMENT

[UCR Codes](#) [Year Codes](#) [Property Class Codes](#)

Virtual Viewer - Public Access






Welcome

Search Records - Offense

Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0108837-A	05/03/2013	DRAKE, DONALD	ROBBERY	07010		BRUTO...	332	1249	03A12	
0203614-A	08/09/2013	MORONES,ASHLEY	ASSAULT	07010		BRUTO...	332	1249	08322	
0203853-A	08/09/2013	MORONES,ASHLEY	OTHER OFFENSES	07010		BRUTO...	332	1249	26000	
0326800-A	12/28/2013	@CITY OF DALLAS	FOUND PROPERTY	07010		BRUTO...	332	1249	43020	

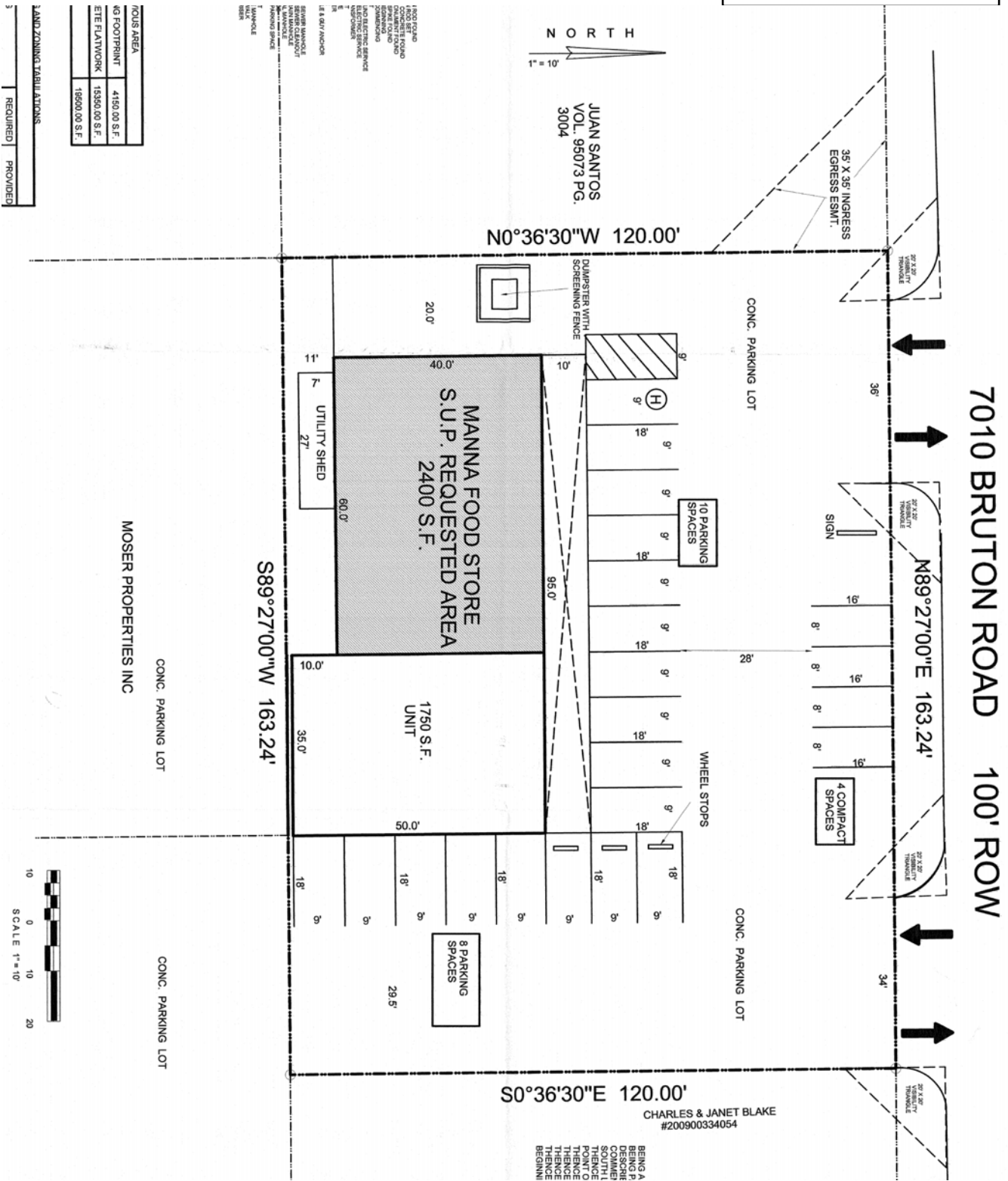
Page 1 of 1 (4 items)

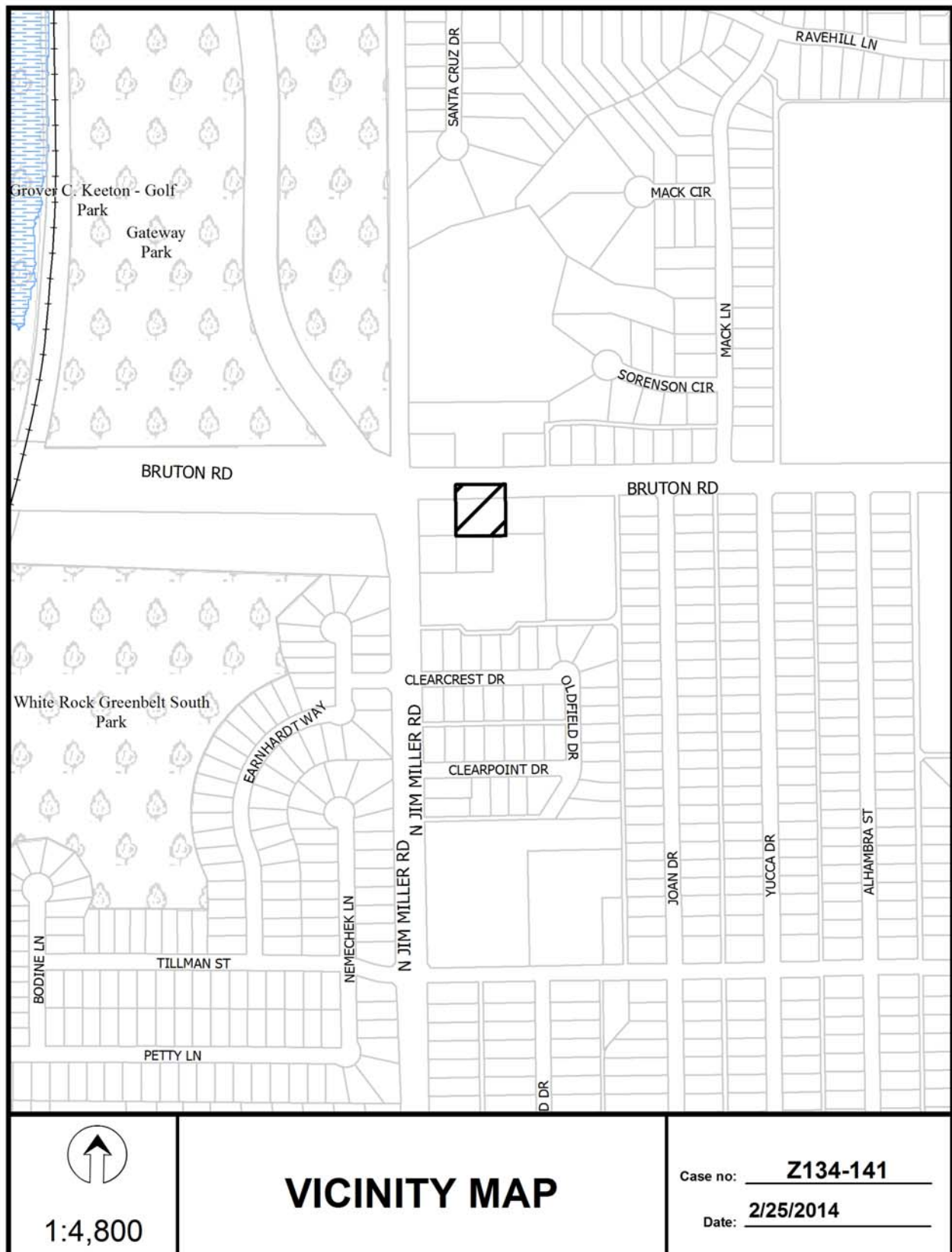
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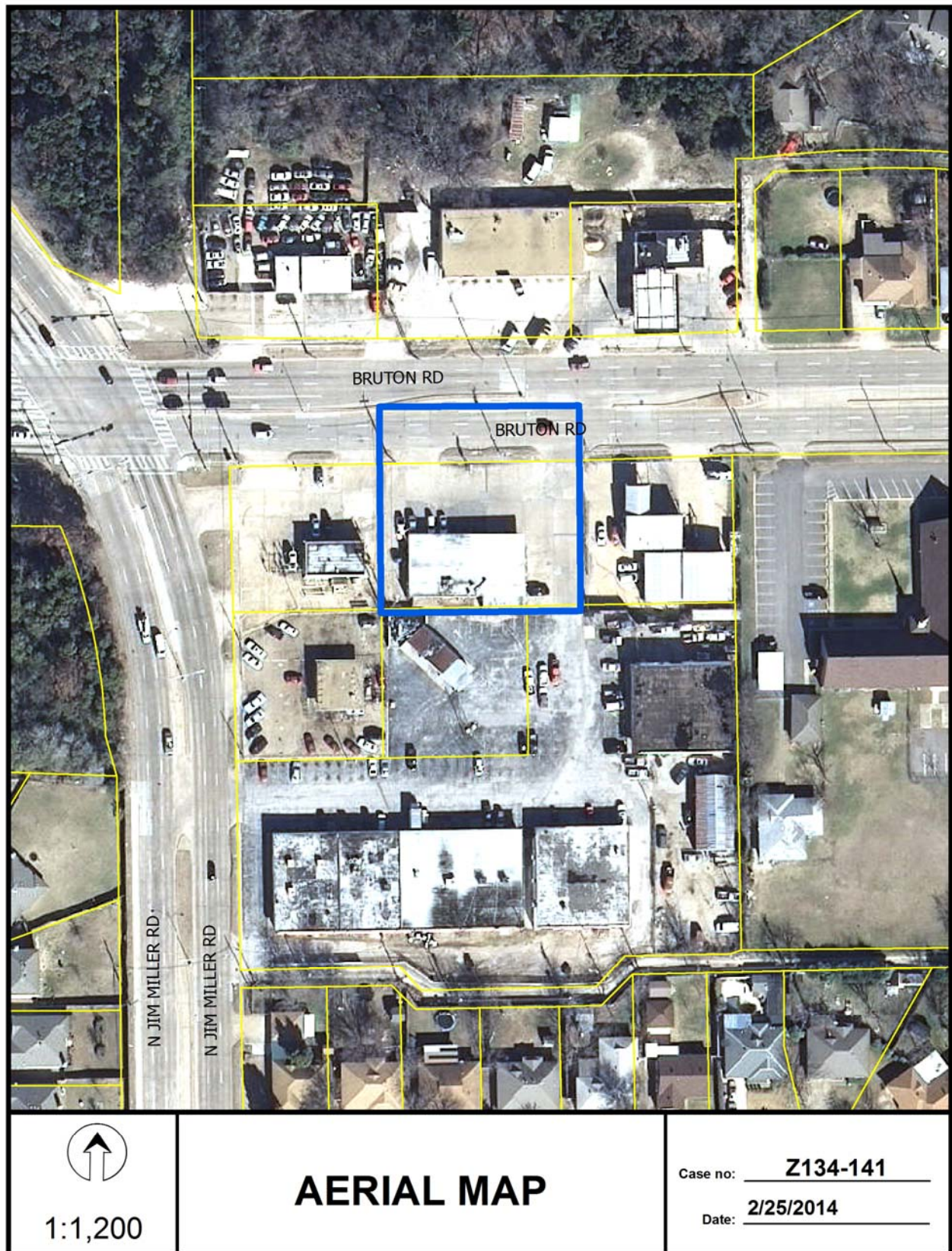
Z134-141
Proposed SUP Conditions

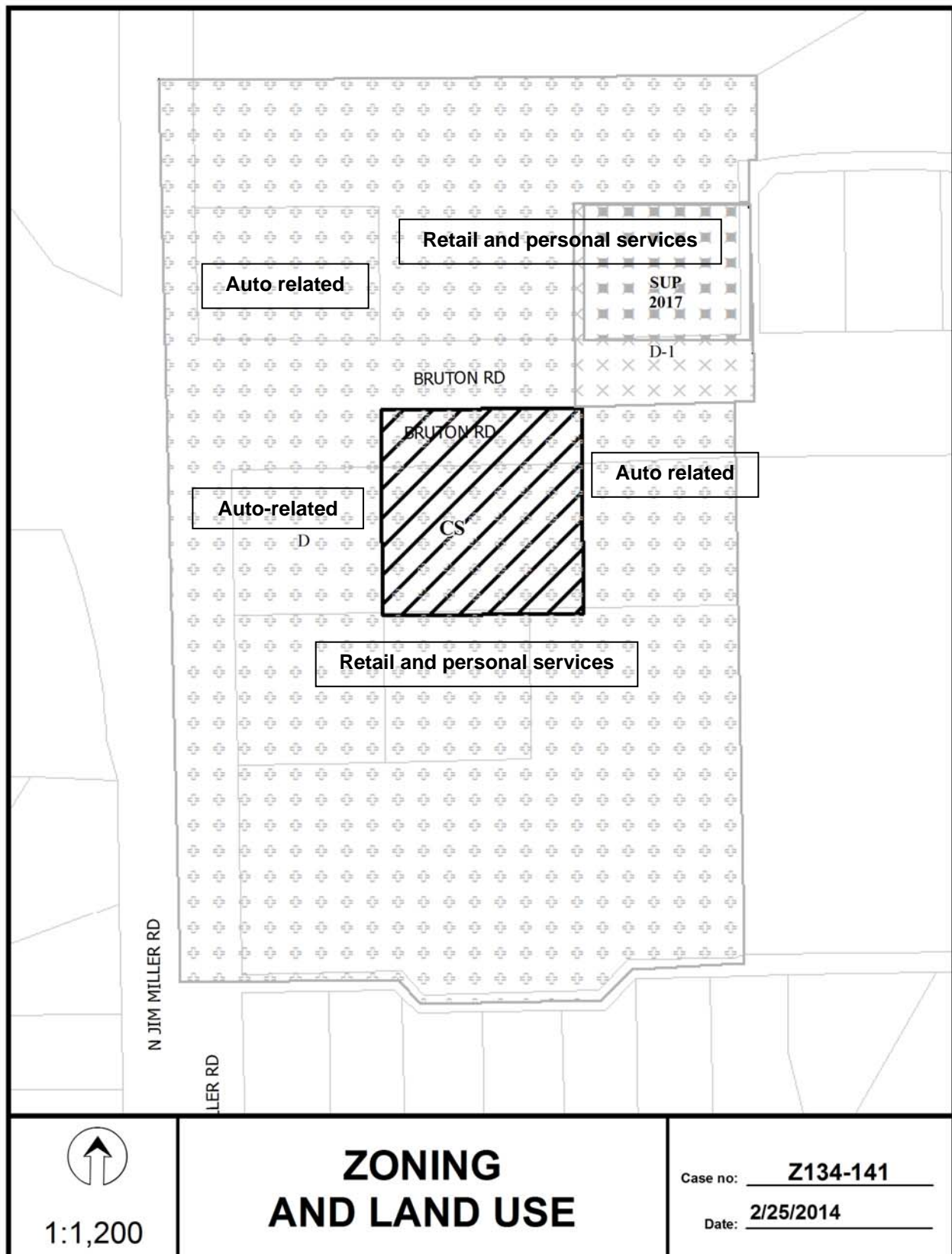
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific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

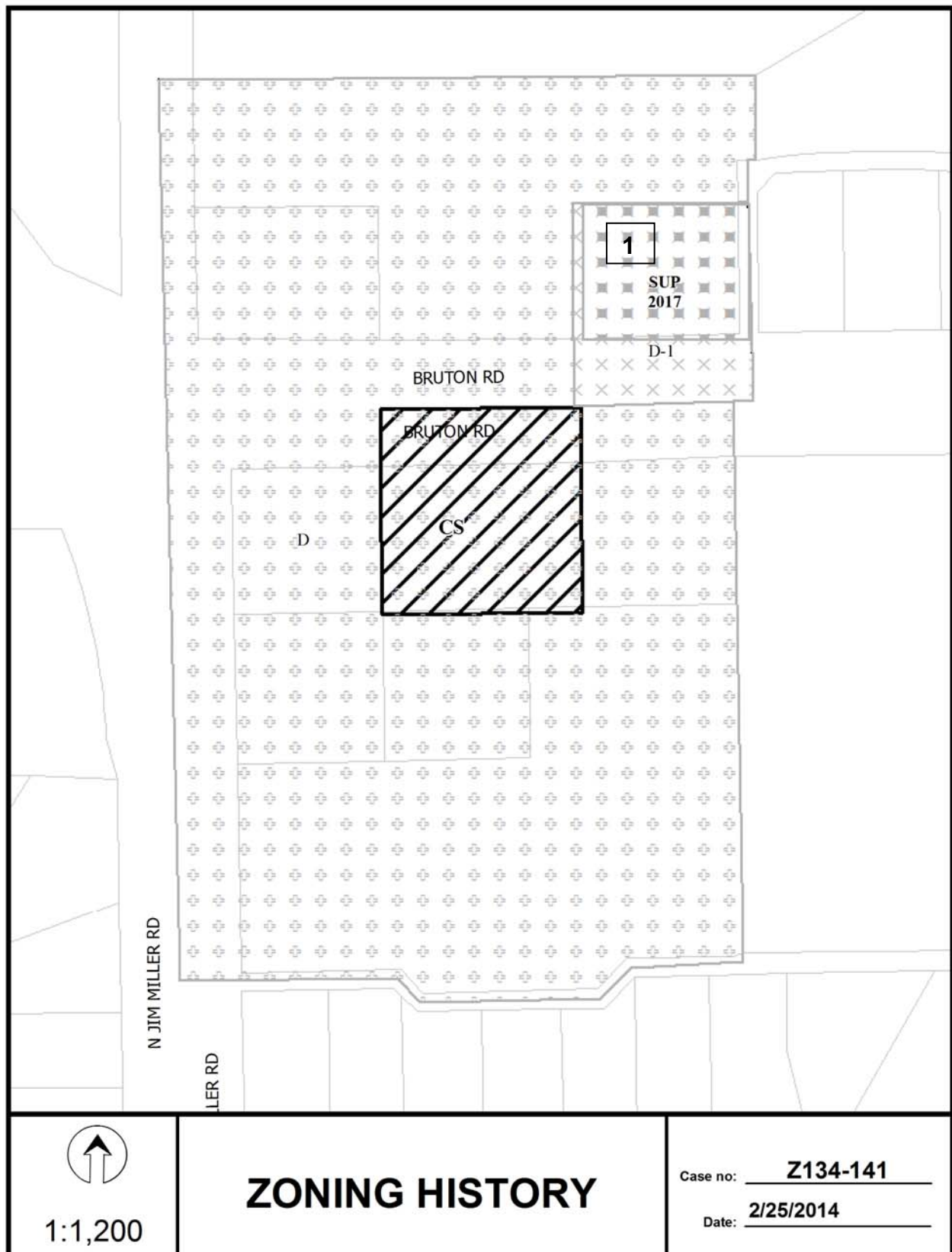
Proposed Site Plan

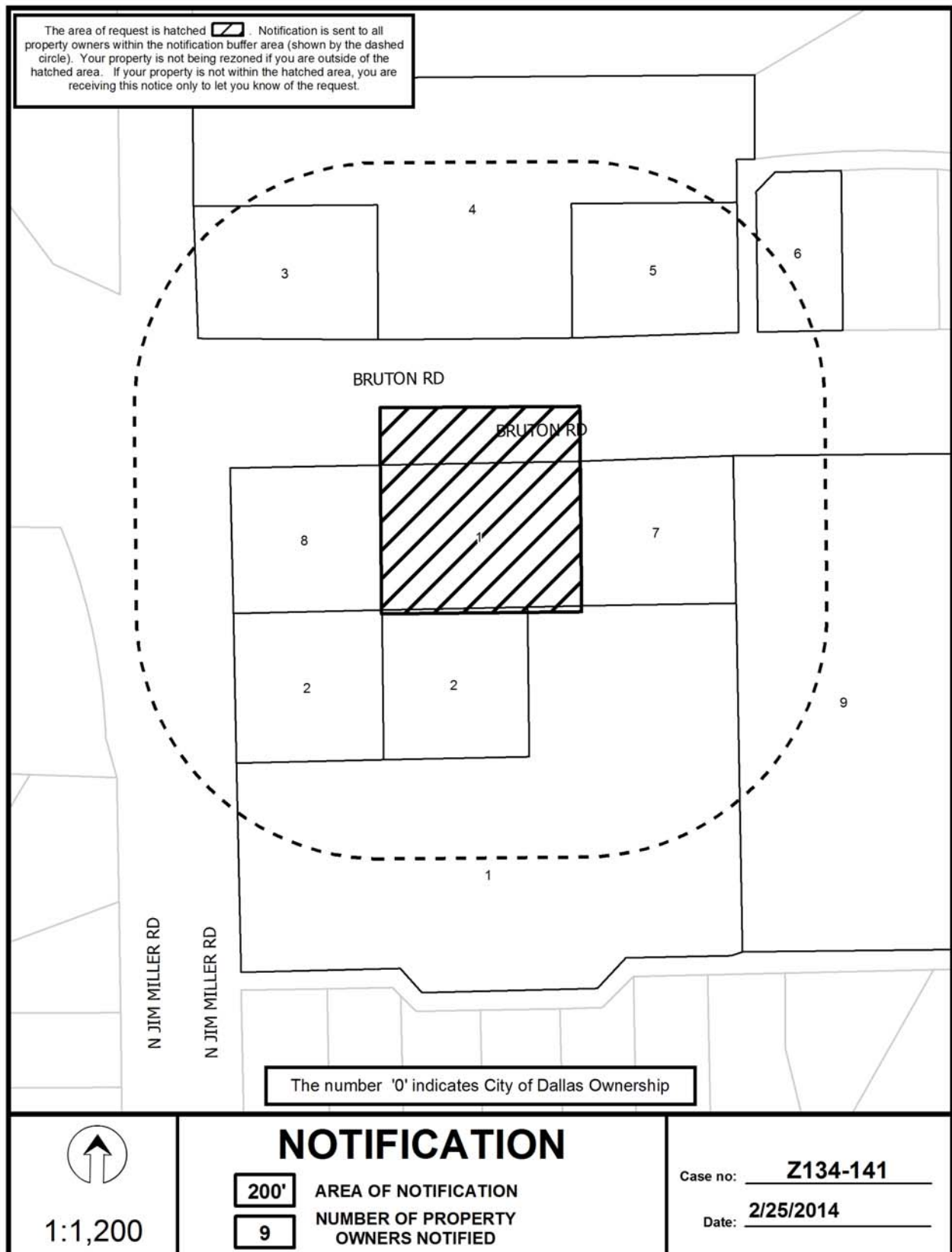












Z134-141(MW)

2/24/2014

Notification List of Property Owners

Z134-141

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7010 BRUTON RD	MOSER PROPERTIES INC
2	2086 JIM MILLER RD	MOSER PROPERTIES INC
3	7007 BRUTON RD	REALEINS PROPERTIES LTD %HARPOL INVESTME
4	7023 BRUTON RD	ANDREWS HERSEL V & LADY ALICE
5	7047 BRUTON RD	ZADEH MASOUD REZAEI
6	7109 BRUTON RD	HERNANDEZ RICARDO & EVA
7	7022 BRUTON RD	BLAKE CHARLES & JANET L
8	7000 BRUTON RD	SANTOS JUAN J
9	7110 BRUTON RD	CENTRO EVANGELISTICO JERUSALEN INC

FILE NUMBER: Z134-163(LHS)

DATE FILED: February 18, 2014

LOCATION: South of East Belt Line Road and west of South North Lake Road

COUNCIL DISTRICT: 6

MAPSCO: 11A-D

SIZE OF REQUEST: Approx. 22.8 acres

CENSUS TRACT: 141.27

REPRESENTATIVE: Robert Baldwin

APPLICANT/OWNER: Henry Land, Ltd.; CW Shoreline Land, Ltd.; Trammell Crow Company No. 43, Ltd.

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

SUMMARY: The property is proposed to be developed with a single-family development with lots having a minimum lot size of 5,000 square feet. The area could provide for approximately 130 lots.

STAFF RECOMMENDATION: **Approval**

PRIOR ACTION: On April 3, 2014, the City Plan Commission held this item at the request of staff.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to conditions based upon:

1. *Performance impacts upon surrounding property (lighting, noise, odor, etc.)* – The proposed rezoning to single-family is compatible with surrounding uses in the area and will have no negative impacts.
2. *Traffic impact* – The increased traffic will create the need for roadway improvements along South North Lake Road.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is inconsistent with the Business Centers or Corridors Building Block for this property. However, staff does not oppose the request given the site constraints surrounding the property.

Surrounding Zoning History:

1. Z090-103 On June 23, 2010, PD 741 was expanded and amended to incorporate the subject site denoted on the Zoning History Map.
2. Z134-122 On April 3, 2014, the City Plan Commission recommended approval to rezone approximately 6.2 acres from A(A) to R-5(A) submitted by the same applicant of the subject request.

Background:

- The northern boundary of the subject site forms the city limit boundary line with Coppell.
- The subject site is part of the Cypress Waters Tax Increment Financing (TIF) District. The TIF Plan identifies the subject site as “Future Development” with no specific land use assumptions.

Thoroughfares/Streets:

Belt Line Road is the nearest major access point for this property. South North Lake Road is being improved to provide access to this development.

The developer will be responsible for necessary right-of-way if needed, and funding for possible construction and re-striping of the North Lake Road approach at the intersection with Belt Line Road to provide two approach lanes — one lane for left turns and an exclusive lane for right-turn maneuvers onto Belt Line Road subject to Transportation Section of the Street Department approval.

Water/Sewer:

The City of Dallas has no immediate plans to provide service to this tract.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas!* Plan designates this area as a Business Centers or Corridors Building Block.

The Business Centers or Corridors 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. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

The proposed request for suburban-style, single-family lots is inconsistent with this building block. However, due to a future alignment of a potential railroad line to the north and existing site constraints (creek, power lines, old substation) to the south of the subject site, staff is not opposed to a plan for lower-density housing at this location. The Comprehensive Plan foresaw that market conditions may dictate a different growth plan and zoning should be flexible to accommodate such.

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

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

Land Use Compatibility:

The subject site is approximately 1,300 feet north of another request submitted by the same applicant and owner for R-5(A) zoning (Z134-122). If this request is granted, approximately 130 lots could be constructed. The property owners do not own the surrounding property between these requests. Therefore, it is not included in this rezoning.

The northern boundary of the subject site forms the city limit boundary line with Coppell. North of Belt Line in the City of Coppell is a flood plain and single-family residences.

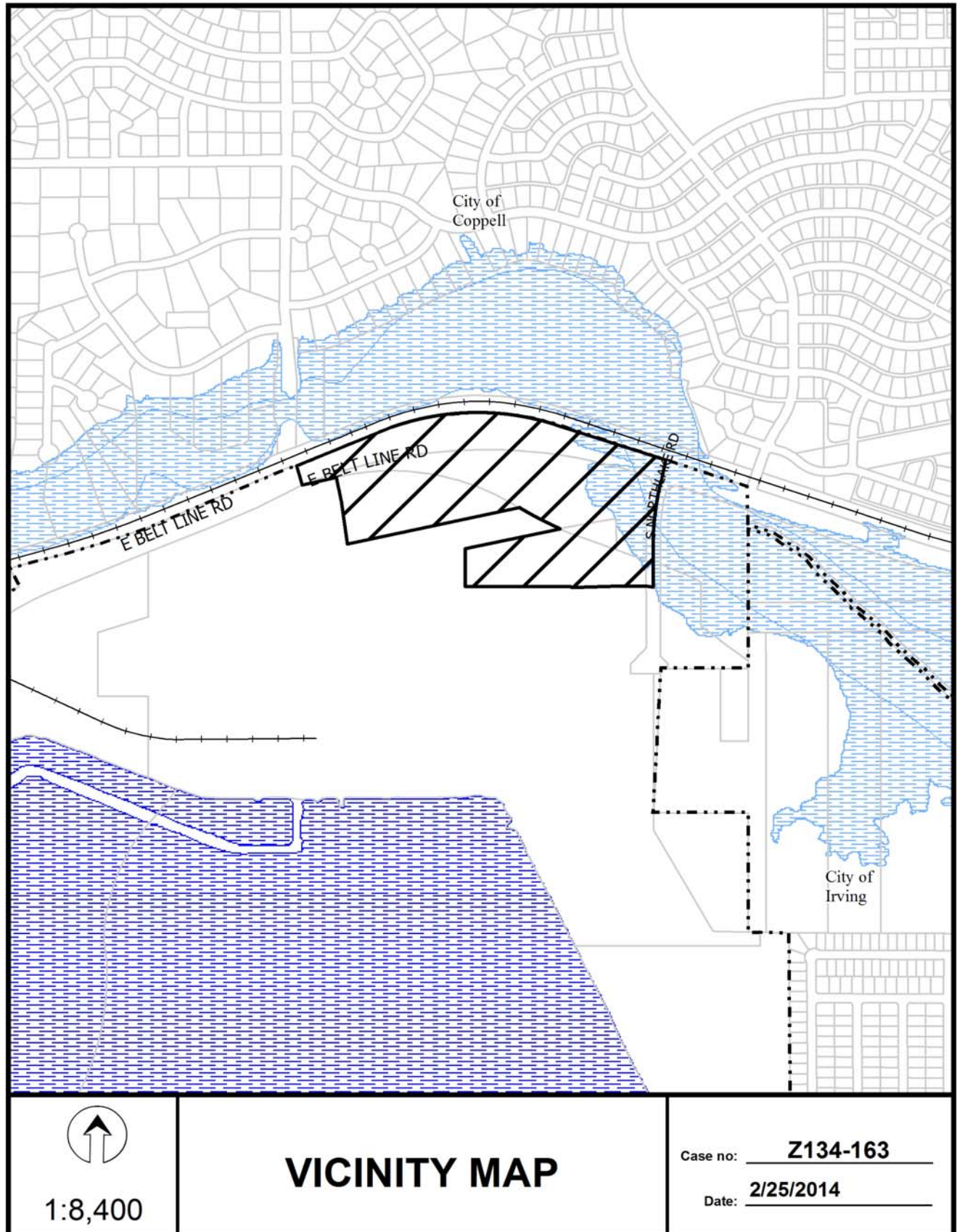
The property to the south, City of Dallas, is zoned agriculture and was part of the TXU power plant's property. The power plant is no longer operational. However, the office to the west is operational.

Development Standards:

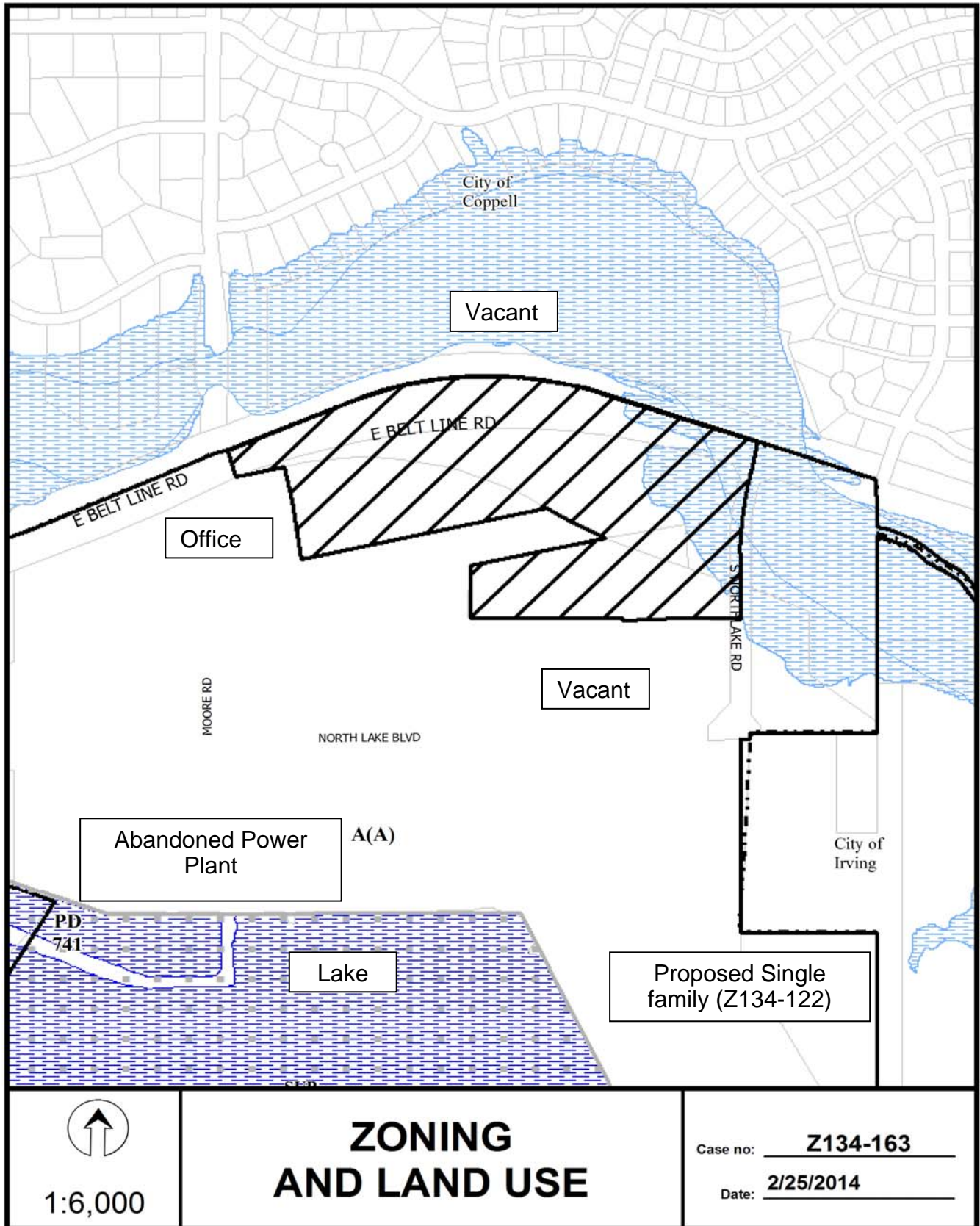
DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
R-5(A) Single Family	20'	5'	1 Dwelling Unit / 5,000 sq. ft.	30'	45%	N/A	Single family
Existing							
A(A) Agricultural	50'	20"	1 Dwelling Unit / 3 acres	24'	10%, 25%	N/A	Single family, agricultural

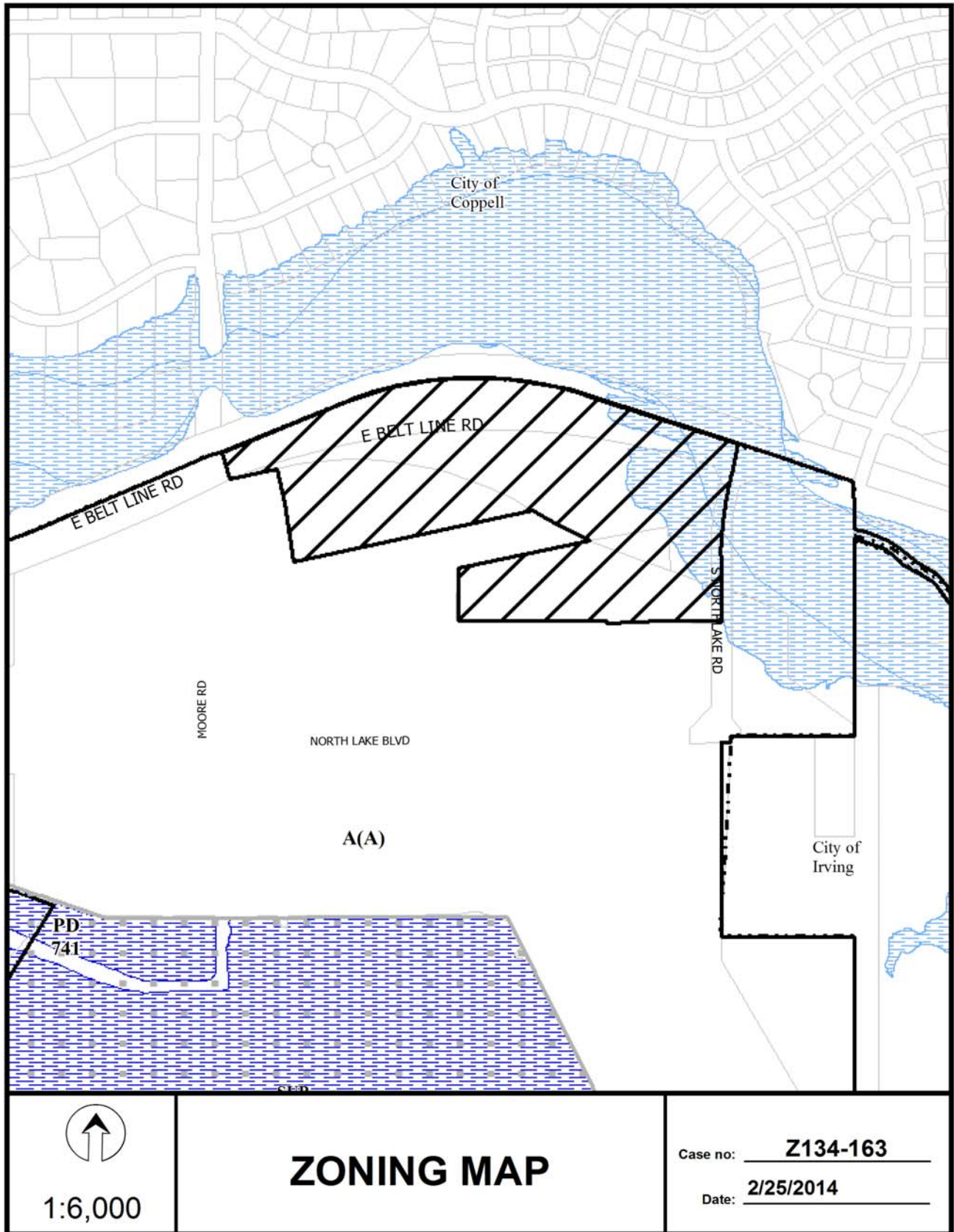
Landscaping:

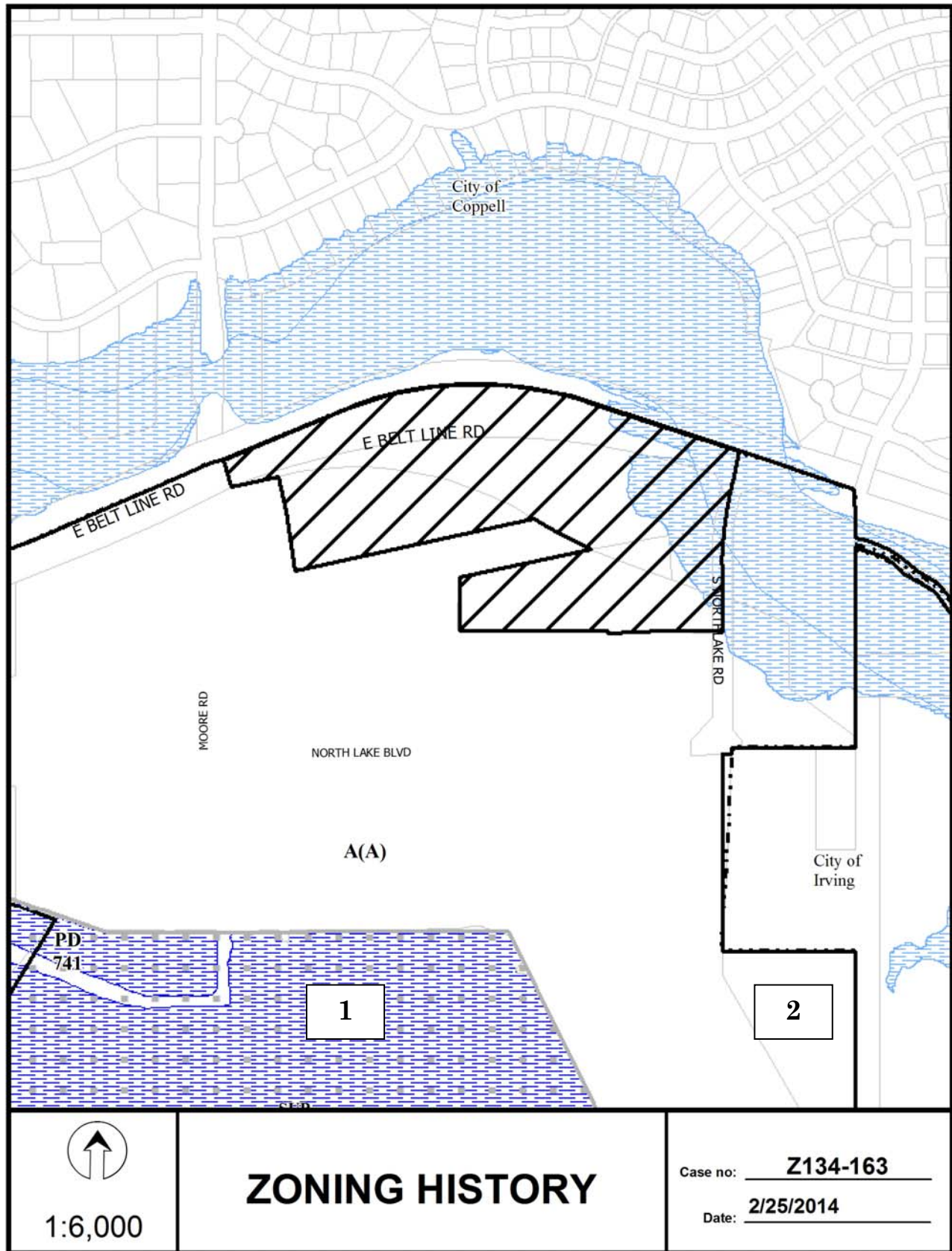
There subject site has sparse foliage. For single-family development, each lot will be required to have at least three trees with a caliper equal to or exceeding two inches. At least two of the trees must be located in the front yard.

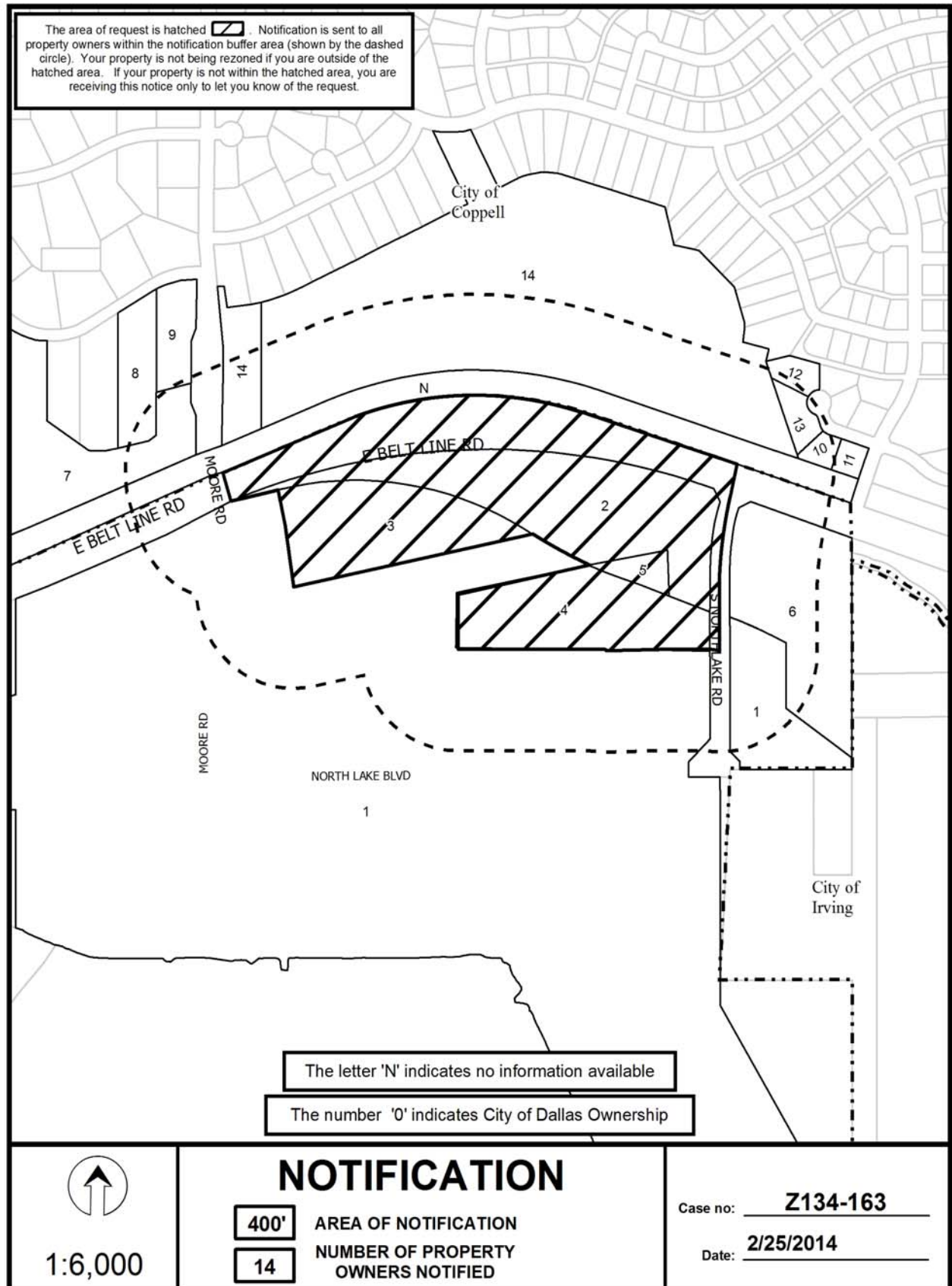












Notification List of Property Owners

Z134-163

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	14901 NORTH LAKE RD	LUMINANT GENERATION CO LLC % STATE & LOC
2	14901 NORTH LAKE RD	CROW BILLINGSLEY 17
3	700 BELT LINE RD	CW SHORELINE LAND LTD
4	700 BELT LINE RD	CW SHORELINE LAND LTD
5	708 BELT LINE RD	LUMINANT GENERATION CO LLC % STATE & LOCA
6	1403 NORTH LAKE RD	CROW BILLINGSLEY N LAKE
7	501 CARTER DR	RATHE BRIAN & ELIZABETH A
8	525 CARTER DR	SHEPARD JOHN A & ANN
9	533 CARTER DR	LASATER JAMES T & ROANNE
10	768 CRESTVIEW CT	PARSONS JUDY & TRUST LOUIS E
11	764 CRESTVIEW CT	REID DARLINGTON & CECELIA D
12	780 CRESTVIEW CT	HUTCHINSON JOHN D & DONNA V
13	776 CRESTVIEW CT	LONG HENRY C
14	640 MOORE RD	COPPELL CITY OF

Planner: Carrie F. Gordon

FILE NUMBER: Z123-267(CG) **DATE FILED:** April 24, 2013

LOCATION: T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L.Thornton Freeway on the south, and North Central Expressway on the West

COUNCIL DISTRICT: 2, 7 & 14 **MAPSCO:** M-45, R-45, J-46, K-46, N-46 and P-46

SIZE OF REQUEST: ±273.64 acres **CENSUS TRACT:** 33.00

REQUEST: A City Council authorized hearing to determine proper zoning on property zoned Planned Development District No. 269, the Deep Ellum/East Side District, with consideration given to amending certain use regulations and development.

SUMMARY: Staff was asked to evaluate recommended use regulations and development standards proposed by the Deep Ellum Association Foundation and other stakeholders resulting from numerous meetings between 2011 to date.

STAFF RECOMMENDATION: Approval of staff recommended conditions.

PRIOR ACTION: The City Plan Commission held under advisement on April 3, 2014 and March 6, 2014.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The type of uses proposed to encourage mixed use development will promote a vibrant urban, walkable pedestrian community envisioned by the forward Dallas! Comprehensive Plan and the Downtown 360 Plan.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable development and Constructions has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is in compliance with the forward Dallas! Comprehensive Plan and the Downtown 360 Plan.
4. At the request of the Deep Ellum Foundation and stakeholders, the City Plan Commission authorized a hearing to determine proper zoning with consideration given to amendments of use regulations and design standards to encourage and stimulate development activity within the district.

BACKGROUND INFORMATION:

- The Deep Ellum/Near East Side District (Planned Development District No. 269) was created on April 29, 1987. The PD has been amended several times most recently in June 2006.
- Representatives of the Deep Ellum (DE) Foundation and stakeholders indicated that zoning ordinance changes were initiated in early 2011. With the support of the Foundation and Deep Ellum stakeholders, and their efforts to brand the area for a “new look” along Elm and Commerce Streets with wider sidewalks and pedestrian friendly environment, the focus was to amend the existing Deep Ellum/Near East Side PD No. 269 and the Special Provision Sign District regulations to ensure growth of the area as seen in other areas within the Downtown Central Business District (CBD).
- In July 2013, City staff participated in a community meeting to address issues associated with proposed amendments to PD No. 269.
- On April 24, 2013, the City Plan Commission authorized a hearing to determine proper zoning of the area based on input from representatives of the Deep Ellum Foundation and key stakeholders.
- The proposed amendments are offered to update use regulations, design standards and to allow for parking reductions to attract certain uses to increase the business

potential and facilitate growth in the areas of mix use development in the Deep Ellum community.

- On March 6, 2014, the City Plan Commission held the case under advisement to afford representatives of the Deep Ellum Foundation and stakeholders to reach consensus on proposed recommendations with the conditions offered for consideration to meet the intent of the authorized hearing.
- On April 3, 2014, the City Plan Commission held the case under advisement until April 17, 2014, to afford representatives of the Deep Ellum Foundation and stakeholders to review proposed recommendations with Commissioners representing Districts 2, 7 and 14.

Zoning History: There has been one recent zoning case requested in the area.

1. SPSPD 134-003 On March 11, 2014, the Special Sign District Advisory Committee will consider proposed amendments to the Deep Ellum/Near East Side Special Provision Sign District. (Action pending.)
2. Z123-267 Authorized hearing to determine proper zoning. (Action pending.)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Parry Ave.	C / M-F-U	100 ft.	100 ft.
East R.L. Thornton Frwy.	Highway	variable lane widths	variable lane widths
N. Central Expwy.	Highway	variable lane widths	variable lane widths

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 being within the Downtown Building Block.

The Downtown area 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.

The Downtown Building Block is an important transit hub for commuter rail, light rail, bus and local systems. This area warrants significant public investment to sustain itself as the signature address in the North Central Texas region and to continually reinvent itself to maintain its competitive advantage.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

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

HOUSING

GOAL 3.2 ANSWER THE NEED FOR HOUSING OPTIONS

Policy 3.2.2 Encourage higher density housing within a quarter-mile of DART stations.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

AREA PLAN: In 2011, the City Council approved the Dallas 360 Plan, which envisioned the development of a mix of townhouses and low-rise multifamily and condominiums that limited ground floor retail and personal service uses in the downtown area.

STAFF ANALYSIS:

Land Use Compatibility: The Deep Ellum/Near East Side Planned Development District comprises approximately 274 acres, located east of Downtown. The recommended amendments to use regulations, parking regulations and design standards are offered to allow and prohibit uses to address subsequent changes in Chapter 51 and/or character of the neighborhood. In general, the reduced parking requirements for multifamily, office, retail and restaurant uses in Original Buildings is offered to allow use of specified leased parking to satisfy off-street parking requirements; and decreased parking requirements for desired uses in existing

buildings is offered to encourage business retention and new construction projects to account for the plethora of parking spaces available in the City-owned parking lots, metered spaces and privately-owned public use parking lots. The proposed parking reductions would also complement and encourage use of DART stations and bike parking in the area. The Deep Ellum Foundation and stakeholders support restrictions on larger uses and new development but feel that “market forces” will determine parking for smaller uses. For most uses, the existing zoning does not have a parking requirement for the first 2,500 sf and that is being increased to 5,000 sf with some exceptions.

The proposed development focuses on the type of development envisioned for this area as it provides for addition housing and recreational activities in the urban core of downtown area and is in compliance with the vision of the Downtown 360 Plan.

Staff’s recommendation is for approval of the proposed amendments to the Deep Ellum/Near East Side PDD No. 269, subject to staff’s recommended conditions.

Landscaping: Landscaping must be in accordance with the landscaping requirements of the Deep Ellum/Near East Side Planned Development District No. 269.

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

City Plan Commission Action:
(April 3, 2014)

Motion: In considering a City Council authorized hearing to determine proper zoning with consideration given to amending certain use regulations and development standards on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side District, in an area generally bounded by the T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L. Thornton Freeway on the south, and North Central Expressway on the west, it was moved to **hold** this case under advisement until April 17, 2014.

Maker: Ridley
Second: Murphy
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene,
Schultz, Peadon, Murphy, Ridley, Abtahi

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 200 Mailed: 394

Replies: For: 35 Against: 1

Speakers: For: Roger Albright, 3301 Elm St., Dallas, TX, 75226
Barry Annino, 2630 Commerce St., Dallas, TX, 75226
Jonathan Hetzel, 7002 Vivian Ave., Dallas, TX, 75223

For (Did not speak): Benton Payne, 5219 McCommas Ave., Dallas, TX, 75206
Against: None

City Plan Commission Action:

(March 6, 2014)

Motion: In considering a City Council authorized hearing to determine proper zoning with consideration given to amending certain use regulations and development standards on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side District, in an area generally bounded by the T. & P. Railroad right-of-way on the north, Parry Avenue on the east, R.L. Thornton Freeway on the south, and North Central Expressway on the west, it was moved to **hold** this case under advisement until April 3, 2014.

Maker: Soto
Second: Bagley
Result: Carried: 15 to 0

For: 15 - Anglin, Soto, Rodgers, Culbreath, Shidid,
Anantasomboon, Bagley, Lavallaisaa, Tarpley, Shellene,
Schultz, Peadon, Murphy, Ridley, Alcantar

Against: 0

Absent: 0

Vacancy: 0

Notices: Area: 200

Mailed: 394

Replies: For: 35

Against: 1

Speakers: None

ORDINANCE**SEC. 51P-269.101. LEGISLATIVE HISTORY.**

PD 269 was established by Ordinance No. 19532, passed by the Dallas City Council on April 29, 1987. Ordinance No. 19532 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 19532 was amended by Ordinance Nos. 20409, passed by the Dallas City Council on August 9, 1989; Ordinance No. 21195, passed by the Dallas City Council on February 12, 1992; and Ordinance No. 22752, passed by the Dallas City Council on May 8, 1996. (Ord. Nos. 10972; 19532; 20409; 21195; 22752; 25423; 26369)

SEC. 51P-269.102. PROPERTY LOCATION AND SIZE.

PD 269 is established on property generally bounded by the T. & P. Railroad right-of-way on the north, Parry Avenue on the East, R.L. Thornton Freeway on the south, and North Central Expressway on the west. The size of PD 269 is approximately 273.64 acres. (Ord. Nos. 19532; 25423; 26369)

SEC. 51P-269.103. ESTABLISHMENT OF TRACTS.

The Deep Ellum/Near East Side District is divided into three tracts: Tract A, Tract A-1, and Tract B. The boundaries of these three tracts are described in the Exhibit B attached to and made a part of Ordinance No. 19532. (Ord. Nos. 19532; 25423; 26369; 28594)

SEC. 51P-269.104. DEFINITIONS AND INTERPRETATIONS.

(a) Interpretations. Unless otherwise stated, all references to code sections in this article refer to sections in Chapter 51.

(b) Measurement of distances between body piercing studios and tattoo studios.

(1) The distance between body piercing studios and tattoo studios is measured in a straight line on either side of the street where the uses are located, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the uses are located (this means that body piercing studios and tattoo studios on the same side or opposite sides of a street must be spaced from each other, but the spacing requirement does not apply to body piercing studios and tattoo studios that are on different streets).

(2) If two uses are in a permissible location except for the spacing between the two uses, the use that was first established and continually operated at a particular location is the conforming use and the later-established use is the nonconforming use for purposes of the spacing requirement.

(c) Definitions. Except as otherwise provided in this section, the definitions contained in Chapter 51, apply to this article. In this article:

(1) BED AND BREAKFAST means a lodging use that has no more than five guest rooms; provides accommodations for periods not to exceed five nights; serves no meals other than breakfast; and is a member of, or certified by, a recognized bed and breakfast association such as the National Bed and Breakfast Association (NBBA) or Historic and Hospitality Accommodation of Texas.

~~(+)(2)~~ BOARD means the board of adjustment.

~~(2)(3)~~ BODY PIERCING STUDIO means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

~~(3)(4)~~ CALIPER means the diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

~~(4)(5)~~ CANOPY TREE means a species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity.

~~(5)(6)~~ COMMERCIAL PARKING GARAGE means a multi-story facility for vehicle parking that is operated as a business enterprise by charging a fee for parking.

~~(6)(7)~~ COMMERCIAL PARKING LOT means an at-grade parking lot that is operated as a business enterprise by charging a fee for parking.

(8) COMMUNITY GARDEN means an area of land managed and maintained by a group of individuals to grow and harvest food crops and/or ornamental crops for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

~~(7)(9)~~ CONSTRUCTED means that a certificate of occupancy has been issued by the city signifying completion of the building, or that the building has otherwise been approved by the building official as completed and in compliance with all applicable codes and ordinances of the city.

~~(8)(10)~~ DANCE HALL means a dance hall as defined in Chapter 14 of the Dallas City Code, as amended.

~~(9)(11)~~ DEEP ELLUM/NEAR EAST SIDE CONCEPTUAL PLAN means Exhibit 269A.

~~(10)(12)~~ DIRECTOR means the director of ~~development services~~ sustainable development and construction or the director's representative.

~~(+)(13)~~ ECONOMICALLY INFEASIBLE means that:

(A) the property owner certifies that preservation of the building will require an unreasonable expenditure of funds; and

(B) the director agrees with the certification.

~~(12)~~**(14)** FAR means floor area ratio.

~~(13)~~**(15)** FACING A STREET means parallel to or within 45 degrees of being parallel (excluding ornamental features) to a street, and marking the extent of a front yard.

~~(14)~~**(16)** FLUORESCENT COLOR means any color defined by the Munsell Book of Color as having a minimum value of eight and a minimum chroma of ten.

~~(15)~~**(17)** FLOOR AREA RATIO means the ratio of building floor area to lot area. (Note: A 1:1 FAR is stated as "1.0," 2:1 is stated as "2.0," 2.5:1 is stated as "2.5," etc.)

~~(16)~~**(18)** FRONT LOT LINE means any lot between a front yard and the primary street.

~~(17)~~**(19)** LARGE TREE means a tree of a species which normally reaches a height of 30 feet or more upon maturity.

~~(18)~~**(20)** LIVE MUSIC VENUE means an inside commercial amusement use primarily for the performance of live (not recorded) music for an audience. A use having a dance hall license pursuant to Chapter 14 of the Dallas City Code, as amended, is not a live music venue.

(21) MARKET GARDEN means an area used for the raising or harvesting of agricultural crops such as vegetables, fruit, trees, grain, field forage, and other plant crops intended to provide food or fiber; or aquaponics facilities that include crop and fish production.

(22) MICROBREWERY, MICRODISTILLERY, OR WINERY means an establishment for the manufacture, blending, fermentation, processing, and packaging of alcoholic beverages with a floor area of 15,000square feet or less where the production of the alcoholic beverages takes place wholly inside a building. The floor area dedicated to retail sales and on-site consumption will not count towards the 15,000 square foot maximum floor area for this use. A facility that only provides tasting or retail sale of alcoholic beverages is not a microbrewery, microdistillery, or winery use.

~~(19)~~**(23)** NEWLY CONSTRUCTED BUILDING means a building that is not an Original Building.

~~(20)~~**(24)** OPENING means a door, window, passageway, or any other feature through which light or solid objects may pass.

~~(21)~~**(25)** ORIGINAL BUILDING means a building constructed on or before June 27, 1984, the floor area of which has not since June 27, 1984, been increased by more than:

(A) ~~75~~ **150** percent if the increase is 5,000 square feet or less; or

(B) ~~50~~ **100** percent if the increase is more than 5,000 square feet. An Original Building damaged or destroyed on or before June 27, 1984, other than by the intentional act of the owner or his agent, may be restored after that date without losing its Original Building status.

~~(22)~~**(26)** PRIMARY SIDE means the side of a building facing the primary street.

~~(23)~~**(27)** PRIMARY STREET means the public street that is adjacent to the lot. If there is more than one street adjacent to the lot, the property owner shall designate the primary street.

~~(24)~~**(28)** REFRIGERATED means normally kept at a temperature of 45 degrees or less.

~~(25)~~**(29)** RESTORED means the act of putting back substantially into a former or original state of appearance, as determined by the director.

~~(26)~~**(30)** RETAIL-RELATED USES means any of the following:

(A) Any permitted use listed in Section 51-4.211, "Retail Uses," or in Section 51-4.209, "Bar and Restaurant Uses."

(B) Barber and beauty shop.

(C) Health studio.

(D) Custom cleaning shop.

(E) Commercial cleaning shop.

(F) Commercial laundry or dry cleaning.

(G) Laundry or dry cleaning pickup and receiving station.

(H) Key shop.

(I) Shoe repair.

(J) Tailor, custom sewing, and millinery.

~~(K) Taxidermist.~~

(L) Travel bureau.

(M) Handcraft bookbinding.

(N) Photography studio.

(O) Handcrafted art work studio.

(P) Art gallery.

(Q) Instructional art studio.

~~(R) Drive-through restaurant with sound system.~~

~~(S) Drive-through restaurant without sound system.~~

~~(27)~~**(31)** SCREENING means a visual barrier provided by using one or more of the following three methods to separately or collectively attain a minimum height of two feet above the parking surface:

(A) Brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence.

(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 three feet of width. The earthen berm may be used in combination with a wall or fence as described in Subparagraph A.

(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.

~~(28)~~**(32)** SECONDARY SIDE means the side of a building facing the secondary street, if any.

~~(29)~~**(33)** SECONDARY STREET means a public street that is adjacent to a lot, but not a primary street. There is no secondary street unless the lot has frontage on more than one street. If the lot has frontage on three or more streets, the property owner shall designate the secondary street.

~~(30)~~**(34)** SERVICE AREA means the area for all off-street occupancy support services, including but not limited to areas for delivery, loading, and trash removal.

(35) SKATE PARK means a recreational area used by skateboarders, inline skaters and/or bicyclists. The use can be located either indoors or outdoors. Required off-street parking is one (1) space for each 300 square feet of floor area. A specific use permit is required if any portion of the skate park is not located entirely inside an enclosed structure.

~~(31)~~**(36)** STREETSCAPE IMPROVEMENTS means plant materials recommended for local area use by the director of parks and recreation, tree grates, and pedestrian furniture.

~~(32)~~**(37)** STRUCTURALLY UNSOUND means that:

(A) a structural engineer has provided a written opinion to the city certifying that the building cannot support or withstand a major renovation; and

(B) the building official agrees with the written opinion.

~~(33)~~**(38)** SUP means specific use permit. See Section 51-4.219.

~~(34)~~**(39)** TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

~~(35)~~**(40)** THIS DISTRICT means the Deep Ellum/Near East Side District.

(41) TREESCAPE AREA means the portion of the lot between the front lot line and the vertical plane parallel to the front lot line containing the point or points in the front building wall that are closest to the front lot line. (Ord. Nos. 19532; 21195; 25423; 26369; 26408)

SEC. 51P-269.104.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 269A: Deep Ellum/Near East Side conceptual plan.
- (2) Exhibit 269B: Boundaries of parking subdistricts. (Ord. 28594)

SEC. 51P-269.105. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACTS A AND A-1.

(a) Use regulations. The uses listed in this section are the only uses permitted. Except for current and traditional uses, special uses, **and other uses defined in this ordinance,** the definitions of uses contained in Chapter 51 apply to the uses listed in this section.

(1) Current and traditional uses.

(A) Current uses. This use is defined as a use not listed in this article as a permitted use or a prohibited use which, in the opinion of the director, legally existed on Tracts A and A-1 on June 27, 1984. This use is permitted by right on Tracts A and A-1.

(B) Traditional use. This use is defined as a use not listed in this article as a permitted use or a prohibited use which, in the opinion of the director, did not legally exist on Tracts A and A-1 on June 27, 1984, but which did legally exist on Tracts A and A-1 during the 10-year period between June 27, 1974 and June 27, 1984. A traditional use is permitted by right on the same building sites where it legally existed during the 10-year period, but requires an SUP to locate on any other building site on Tracts A and A-1.

(C) Definitions required. If the director determines that a use is a current or traditional use, he shall define the use as specifically as possible in writing and send a copy of the written definition to both the building official and the city secretary. The city secretary shall keep copies of all definitions received pursuant to this paragraph in the same file with Ordinance No. 19532, as amended.

(2) Special uses. Unless otherwise indicated, the following special uses are permitted by right on Tracts A and A-1:

(A) Auto body rebuilding shop (outside/with screening). This use is defined as a facility for restoring or refinishing auto bodies, with outside display and repair permitted. This use must have a visual screen of at least six feet in height which consists of solid masonry or concrete.

(B) Cold storage, freezer storage, and ice manufacturing establishment. This use is defined as an establishment for the refrigerated storage of ice, dairy products, or foodstuffs and the manufacture of ice, and includes all indoor processes required for or related to the manufacture of ice, dairy products, or foodstuffs.

(C) Commercial mailboxes. This use is defined as an establishment offering mailboxes for rent and private postal services.

(D) Commercial parking garage. Commercial parking garages must comply with the additional requirements in Section 51P-269.110.

Applicant's Recommendation

<u>(E)</u> <u>Commercial parking lot /SUP/</u>

Staff's Recommendation: Staff would support no SUP if revisions are accepted to small parking lot exemption.

<u>(E)</u> <u>Commercial parking lot /SUP/</u>

(i) An Original Building that meets the design standards test set out in Subsection (1)(3) of this section may not be destroyed or removed to make room for this use unless:

(aa) the building is structurally unsound; or

(bb) preservation of the building is economically infeasible.

(ii) Commercial parking lots must comply with the additional requirements in Section 51P-269.110.

(F) Drive-in restaurant with sound system ~~/SUP/~~. This use is defined as an establishment offering food service to customers in automobiles for consumption on the premises, and which uses an outdoor public address or paging system between the hours of 6:30 p.m. and 8:00 a.m.

(G) Drive-in restaurant without sound system. This use is defined as an establishment offering food service to customers in automobiles for consumption on the premises, and which does not use an outdoor public address or paging system between the hours of 6:30 p.m. and 8:00 a.m. This use is permitted by right.

~~(H) Drive-through restaurant with sound system ~~/SUP/~~. This use is defined as any restaurant with direct window service allowing customers in motor vehicles to pick up food for off-premise consumption, and which uses an outdoor public address or paging system between the hours of 6:30 p.m. and 8:00 a.m.~~

~~(I) Drive-through restaurant without sound system. This use is defined as any restaurant with direct window service allowing customers in motor vehicles to pick up food for off-premise consumption and which does not use an outdoor public address or paging system between the hours of 6:30 p.m. and 8:00 a.m.~~

~~(J)~~**(H)** **Exhibits or decoration manufacturing, design, sales, or rental establishment**. This use is defined as an establishment for the manufacture, design, sales, or rental of exhibits or decorations and includes any indoor processes required for or related to the manufacture of exhibits or decorations.

~~(K)~~**(I)** **Food processing, manufacturing, or packaging establishment**. This use is defined as an establishment for the manufacture, processing, or packaging of foodstuffs from raw materials.

~~(L)~~**(J)** **Municipal service center**. This use is defined as a local government center or development complex for the storage of local government equipment and the distribution and delivery of local government services, and includes any indoor processes required for or related to the delivery of those services.

~~(M)~~ ~~Rag or paper recycling establishment.~~ This use is defined as an establishment for the recycling of paper or rags, and includes any indoor processes required for or related to the recycling of paper or rags.

~~(N)~~**(K)** Sign manufacturing establishment. This use is defined as an establishment for the manufacturing of signs and includes any indoor processes required for or related to the manufacture of signs.

~~(O)~~**(L)** Soap manufacturing establishment. This use is defined as an establishment for the manufacturing of soap products and includes any indoor processes required for or related to the manufacture of soap.

~~(P)~~**(M)** Sound equipment manufacturing and assembly establishment. This use is defined as an establishment for the manufacturing, fabrication, assembling, and testing of sound equipment and includes any indoor processes required for or related to the manufacture of sound products.

~~(Q)~~**(N)** Tool or machinery manufacturing establishment. This use is defined as an establishment for the manufacturing of tools or machinery, and includes indoor processes required for or related to the manufacture of tools or machinery.

(3) Agricultural uses.

(A) Community garden.

(B) Market garden.

~~(3)~~**(4)** Animal related uses.

(A) Animal clinic without outside run.

(B) Kennel without outside run.

(C) Kennel with outside run. [SUP]

(D) Veterinarian's office.

~~(4)~~**(5)** Bar and restaurant uses.

(A) Bar, lounge, or tavern. [SUP]

(B) Catering service.

(C) Microbrewery, Microdistillery, or Winery. [SUP]

(D) Private club. [SUP]

(E) Restaurant with alcoholic beverages and/or entertainment.

(F) Restaurant without drive-in service.

~~(5)~~**(6)** Commercial uses.

- (A) Appliance fix-it shop.
- (B) Building repair and maintenance shop.
- (C) Computer service center.
- (D) Custom commercial engraving.
- (E) Custom furniture construction, repair, or upholstery shop.
- (F) Custom print shop.
- (G) Design or decorative center.
- (H) Diamond and precious stone sales. *[Wholesale only]*
- (I) Duplication shop.
- (J) Flea market.
- (K) Garden shop, plant sales, or greenhouse.
- (L) Gummed label printing.
- (M) Job printing, lithographer, printing, or blue-printing plant.
- (N) Machine or welding shop *[Includes sheet metal fabrication]*.
- (O) Machinery sales and services.
- (P) Plumbing, electrical, air conditioning, and heating shops.
- (Q) Tool and equipment rental *[Inside display only]*.
- (R) Venetian blind or window shade repair, assembly, and sales.

~~(6)~~**(7)** Community service uses.

- (A) Community, welfare, or health center.
- (B) Day care center.
- (C) Foster home.
- (D) Post office.

~~(7)~~**(8)** Educational uses.

- (A) Business school.
- (B) College, university, or seminary.
- ~~(C) College, fraternity, or sorority house.~~

~~(D)~~—College dormitory.

~~(E)~~(C) Institution for special education.

~~(F)~~(D) Library, art gallery, or museum.

~~(G)~~(E) **Public, denominational, or private school. [SUP]**

(H)(F) Technical school.

~~(8)~~(9) Industrial and manufacturing uses.

(A) Bedspread, drapes, and headboard manufacturing.

(B) Clothing manufacturing.

(C) Corrugated cardboard box fabrication.

(D) Light fabrication and assembly.

(E) Manufacturing laboratory. [SUP]

~~(9)~~(10) Medical uses.

(A) Ambulance service.

(B) Establishment for care of alcoholic, narcotic, or psychiatric patients.
[SUP]

(C) Hospital.

(D) Medical appliance fitting and sales.

(E) Medical clinic.

(F) Medical or scientific laboratory.

(G) Nursing home.

(H) Optical shop.

(I) Residence home for the aged.

~~(10)~~(11) Motor vehicle related uses.

(A) Auto glass, muffler, or seat cover shop.

(B) Auto parts sales (inside).

(C) Auto repair garage (inside).

- (D) Auto painting or body rebuilding shop (inside).
- (E) Automobile or motorcycle display, sales, and service (inside).
- (F) Bus or truck repair/parking garage.
- (G) Car wash.
- (H) Engine or motor repair shop.
- (I) Service station.
- (J) Steam cleaning of vehicles and machinery.

~~(H)~~**(12)** Professional, personal service, and custom crafts uses.

- (A) Bank or savings and loan office (with drive-in windows).
- (B) Bank or savings and loan office (without drive-in windows).
- (C) Barber and beauty shop.
- (D) Body piercing studio. *[SUP. Must be located at least 300 feet from all other tattoo studios or body piercing studios. A body piercing studio must be treated as a separate main use, and cannot be an accessory use.]*
- (E) Broadcast or recording studio.
- (F) Commercial cleaning shop.
- (G) Commercial laundry or dry cleaning.
- (H) Custom cleaning shop.
- (I) Handcraft bookbinding.
- (J) Handcrafted art work studio.
- (K) Health studio.
- (L) Instructional art studio.
- (M) Key shop.
- (N) Laundry or dry cleaning pickup and receiving station.
- (O) Office.
- (P) Photography studio.
- (Q) Safe deposit boxes.

(R) Self service laundry or dry cleaning.

(S) Shop repair.

(T) Tailor, custom sewing, and millinery.

(U) Tattoo studio. *[SUP. Must be located at least 300 feet from all other tattoo studios or body piercing studios. A tattoo studio must be treated as a separate main use, and cannot be an accessory use.]*

~~(V)~~ ~~Taxidermist.~~

(W) Temporary construction or sales office.

(X) Trade center.

(Y) Travel bureau.

~~(12)~~**(13)** Recreation and entertainment uses.

(A) Country club with private membership.

(B) Game court center.

(C) Inside commercial amusement. *[SUP required for dance halls. SUP required for live music venues. Dance halls and live music venues must be treated as a separate main use, and cannot be an accessory use. **SUP required for arcade. SUP required for billiard hall. SUP required for bingo parlor.***

(D) Private recreation club or area.

(E) Public park or playground.

(F) Theatre.

(G) Wax museum.

~~(13)~~**(14)** Religious uses.

(A) Church.

(B) Convent or monastery.

(C) Establishment of a religious, charitable, or philanthropic nature. *[SUP]*

(D) Rectory.

~~(14)~~**(15)** Residential uses.

(A) **Bed & breakfast.**

~~(A)~~**(B)** Duplex.

~~(B)~~**(C)** **Handicap group dwelling unit (HGDU).**

(D) Hotel and motel.

(E) Lodging or boarding house. *[SUP]*

(F) Multiple-family.

(G) Single-family.

~~(+5)~~**(16)** **Retail uses.**

(A) Antique shop.

(B) Bakery or confectionery store.

(C) Beverage store.

(D) Book and stationery store.

(E) Camera shop.

(F) Cigar, tobacco, and candy store.

(G) Clothing store.

(H) Drug store.

(I) Feed store.

(J) Florist store.

(K) Furniture store.

(L) Hardware or sporting goods store.

(M) Home improvement center.

(N) Hobby and art supplies store.

(O) Liquor store.

(P) Paint and wallpaper store.

(Q) Pet shop.

(R) Retail food store.

(S) Retail stores other than listed.

(T) Secondhand store.

- (U) Swimming pool sales and supply.
- ~~(+6)~~**(17)** Storage and waste disposal uses.
- ~~(A)~~ ~~Aluminum collection center.~~
- (A)** Mini-warehouse.
- (B)** Warehouse.
- ~~(+7)~~**(18)** Transportation uses.
- (A) Bus passenger shelter.
- (B) Passenger bus station and terminal.
- (C) Railroad passenger station.
- (D) Helistop. *[SUP]*
- ~~(+8)~~**(19)** Utility and service uses.
- (A) Electrical energy generating plant.
- (B) Electrical substation.
- (C) Local utilities.
- (D) Telephone exchange, switching, and transmitting equipment.
- (E)** **Tower antennae for cellular communications. *[SUP]***
- ~~(+9)~~**(20)** Accessory uses.
- (A) Amateur communication tower.
- (B) Community center (private).
- (C) Game court (private).
- (D) Home occupation.
- (E) Occasional sales (garage sales).
- (F) Open storage.
- (G) Private street or alley.
- (H) Swimming pool (private).
- (I) Any other use that is customarily incidental to a permitted main use.

(b) Prohibited uses. The following main uses are specifically prohibited on Tracts A and A-1. In the event of a conflict between this subsection and Subsection (a) above, this subsection controls.

(1) Airport or landing field.

(2) Aluminum collection center.

~~(2)~~**(3)** Animal pound.

~~(3)~~**(4)** Auto painting or body rebuilding shop (outside/without screening).

~~(4)~~**(5)** Bail bonding service.

(6) Building mover's, temporary storage yard.

~~(5)~~**(7)** Carnival or circus.

~~(6)~~**(8)** Cemetery or mausoleum.

~~(7)~~**(9)** Class E dance hall, as defined in Chapter 14 of the Dallas City Code, as amended.

~~(8)~~**(10)** Commercial stable.

~~(9)~~**(11)** Contractor's maintenance yard.

~~(10)~~**(12)** Drag strip, go-cart track, or commercial racing.

~~(11)~~**(13)** Drive-in theatre.

(14) Extended stay hotel or motel.

~~(12)~~**(15)** Fairgrounds.

~~(13)~~ ——— Farm or ranch.

(16) Group residential facility.

~~(14)~~**(17)** Halfway house.

~~(15)~~**(18)** Hatchery and breeding operations.

(19) Hazardous waste management facility.

~~(16)~~**(20)** Helicopter base.

~~(17)~~**(21)** Inside salvage and reclamation.

~~(18)~~ ——— Kennel with outside run.

~~(19)~~**(22)** Labor hall.

- ~~(20)~~**(23)** Livestock auction pens or sheds.
- (24)** **Manufactured building sales lot.**
- (25)** **Manufactured home park, manufactured home subdivision and campground.**
- ~~(21)~~**(26)** Motor freight hauling and storage.
- ~~(22)~~**(27)** Open storage with visual screening.
- ~~(23)~~**(28)** Open storage without visual screening.
- ~~(24)~~**(29)** Outside commercial amusement.
- ~~(25)~~**(30)** Outside salvage or reclamation.
- ~~(26)~~**(31)** Overnight general purpose shelter.
- (32)** **Pathological waste incinerator.**
- ~~(27)~~**(33)** Pawn shop. *[Certain pawn shops may be allowed to relocate. See Section 51A-4.210(22) of the Dallas City Code, as amended.]*
- ~~(28)~~**(34)** Permanent concrete or asphalt batching or recycling plant.
- ~~(29)~~**(35)** Petroleum products storage and wholesale.
- (36)** **Placement of fill material.**
- ~~(30)~~**(37)** Private stable.
- ~~(31)~~**(38)** Public golf course.
- ~~(32)~~**(39)** Radio, television, or microwave tower.
- ~~(33)~~**(40)** Railroad freight terminal.
- ~~(34)~~**(41)** Railroad team track.
- ~~(35)~~**(42)** Railroad yard, roundhouse, or shops.
- ~~(36)~~**(43)** Refuse transfer station.
- ~~(37)~~**(44)** Rendering plant.
- (45)** **Residential hotel.**
- ~~(38)~~**(46)** Retail use deriving 10 percent or more of its gross revenue from the sale of firearms. *[A person owning or operating a use selling firearms shall, upon request, supply the building official with any records needed to document the percentage of gross revenue on an annual basis derived from the sale of firearms.]*

(39) (47)	Rodeo.
(40) (48)	Sand, gravel, or earth sales, and storage.
(41) (49)	Sanitary landfill.
(42) (50)	Sewage pumping station.
(43) (51)	Sewage treatment plant.
(44) (52)	Sexually-oriented business, as defined in Chapter 41A of the Dallas City Code, as amended.
(45) (53)	Slaughterhouse.
(46) (54)	STOL aircraft port.
(47) (55)	Stone, sand, or gravel mining.
(48) (56)	Temporary concrete or asphalt batching plant.
(49) (57)	U-cart concrete system.
(58)	<u>Vehicle storage lot.</u>
(50) (59)	Water reservoir, well, or pumping station.
(51) (60)	Water treatment plant.
(52) (61)	Zoo.

(c) Maximum building heights. ~~Maximum permitted heights for buildings are:~~

- ~~(1) 150 feet for buildings having an FAR for residential uses of 1.0 or more; and~~
- ~~(2) 130 feet for all other buildings.~~

Except as provided in this section, maximum permitted height for all buildings is 200 feet. Any portion of a building above 75 feet in height may not have a floor plate greater than 30,000 square feet.

(d) **Special height provision.** The following structures located on top of a building may project a maximum of 18 feet above the height specified in Subsection (c):

- (1) A mechanical room that covers no more than one-third of the roof.
- (2) An elevator penthouse that covers no more than one-third of the roof.

(e) **Building setback requirements.** There are no front, side, or rear yard setback requirements except as may be required under the building and fire codes and other applicable ordinances.

- (f) Lot coverage. There are no lot coverage requirements.
- (g) Maximum floor area ratio.
 - (1) Generally. Maximum permitted FAR is 4.0.
 - (2) Bonus provisions. FAR on a building site may be increased from 4.0 to a maximum of 6.0 if:
 - (A) one additional square foot of floor area for nonresidential use is added for each additional square foot of floor area for residential use; or
 - (B) the FAR for residential uses on the building site is equal to or greater than 2.0; or
 - (C) development rights are transferred to the building site pursuant to Section 51P-269.108 of this article.
 - (3) In no event may FAR exceed 6.0 regardless of the use mix or transfer of development rights.
 - (4) For purposes of this article, the floor space of a refrigerated closed storage area in a building is excluded in the calculation of floor area ratio.
- (h) Reflective glass. The maximum permitted daylight reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The daylight reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The daylight reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent. The above restrictions do not apply to exterior glass that, in the opinion of the director, continues the architectural integrity of an Original Building.
- (i) Off-street loading requirements. Off-street loading for all uses in newly constructed buildings must be provided as required by Section 51-4.303.
- (j) Off-street parking requirements.
 - (1) Number of spaces required. Except as otherwise indicated in this subsection, the number of off-street parking spaces required for uses on Tracts A and A-1 are those required under Chapter 51. The following off-street parking requirements apply to uses as indicated below:
 - (A) Single-family and duplex uses. None required.
 - (B) Multiple-family uses. ~~One space per each dwelling unit. For each Original Building used or converted to be used for multiple-family, no off-street parking is required for the first five units. Thereafter, one parking space must be provided for every two units. For new construction (i.e., not renovation or conversion of an existing building to multiple-family use, but construction of a new building) and all other multiple-family uses, one space per each dwelling unit. Cannot be combined with "residents only parking".~~
 - (C) Office uses. ~~No off-street parking spaces are required for the first 2,500 5,000 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an Original Building. See paragraph (M) below for possible exemption.~~ Otherwise, one space for each 385 square feet of floor area.

(D) Retail uses. ~~No off-street parking spaces are required for the first 2,500 5,000 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an Original Building. See paragraph (M) below for possible exemption.~~ Otherwise, one space for each 275 square feet of floor area.*[now incorporated with “retail related” uses]*

(E) Bar, lounge, or tavern and private club uses. No off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an Original building. Otherwise, one space for each 100 square feet of floor area. ~~No parking is required for outside seating.~~ Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement. **An outdoor seating area covered by a non-permeable covering that is within 20 feet of, and has direct access to a street, sidewalk, or publically accessible open space is not included in the parking requirement calculations for up to 25 percent of the interior floor area of that use. An outdoor seating area which is either not covered, or has a permeable covering, is not included in required parking calculations.**

(F) Inside commercial amusement. **For inside commercial amusement uses other than dance hall uses, no off-street parking spaces are required for the first 2,500 square feet of ground level floor area in a use that has a separate certificate of occupancy if the use is located in an Original Building. Otherwise, this use must be parked in accordance with the Dallas Development Code. An outdoor seating area covered by a non-permeable covering that is within 20 feet of, and has direct access to a street, sidewalk, or publically accessible open space is not included in the parking requirement calculations for up to 25 percent of the interior floor area of that use. An outdoor seating area which is either not covered, or has a permeable covering, is not included in required parking calculations.**

(G) Microbrewery, microdistillery or winery. No off-street parking spaces are required for the first 5,000 square feet of floor area in a use that has a separate certificate of occupancy if the use is located in an Original Building. Otherwise, one space per 1,000 square feet of storage area, one space per 200 square feet of retail sales area, one space per 100 square feet of bar or restaurant area, and one space per 600 square feet of remaining floor area. **An outdoor seating area covered by a non-permeable covering that is within 20 feet of, and has direct access to a street, sidewalk, or publically accessible open space is not included in the parking requirement calculations for up to 25 percent of the interior floor area of that use. An outdoor seating area which is either not covered, or has a permeable covering, is not included in required parking calculations.**

(H) Restaurant uses. No off-street parking spaces are required for the first ~~2,500~~ **5,000** square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an Original Building. **Otherwise,** one space for each 100 square feet of floor area. **An outdoor seating area covered by a non-permeable covering that is within 20 feet of, and has direct access to a street, sidewalk, or publically accessible open space is not included in the parking requirement calculations for up to 25 percent of the interior floor area of that use. An outdoor seating area which is either not covered, or has a permeable covering, is not included in required parking calculations.**

~~(G)~~**(I) Dance hall.** One space per 25 square feet of dance floor and one space per 100 square feet of floor area for the remainder of the use. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.

~~(H)~~**(J)** Library, art gallery, or museum uses. None required.

~~(H)~~**(K)** Handcrafted art work studio uses. None required.

~~(H)~~**(L)** Special uses.

(i) Generally. One space for each 500 square feet of floor area.

(ii) Drive-in restaurant and drive-through restaurant uses. One space for each 50 square feet of floor area; a minimum of 12 spaces is required.

(iii) Commercial parking garage and commercial parking lot uses.
No parking spaces are required.

~~(K) — Limited exemption for certain retail related uses. No off street parking spaces are required for the first 2,500 square feet of floor area in a ground level retail related use that has a separate certificate of occupancy if the use is located in an original building (See Section 51P-269.104(b), "Definitions," of this article).~~

(M) Retail-related uses or professional, personal service, and custom crafts uses. No off-street parking spaces are required for the first 5000 square feet of floor area in a retail-related use or professional, personal service, and custom crafts use that has a separate certificate of occupancy if the use is located in an Original Building.

(N) The Board of Adjustment may grant a special exception to authorize a reduction of the number of off-street parking spaces required under this Ordinance in accordance with the provisions of Section 51A-4.311, as amended or the Director may grant an administrative parking reduction in accordance with the provisions of Section 51A-4.313 of the Dallas Development Code. Considering the facts as set forth therein, the Board and/or the Director shall be cognizant of the intent of this Ordinance and the parking reductions contained herein to promote a viable mixed use community.

(2) Location of off-street parking.

(A) Definitions. In this subsection:

(i) SPECIAL PARKING includes packed parking, remote parking, and shared parking as those terms are defined in Section 51-4.321.

(ii) WALKING DISTANCE means the distance from the nearest point of the parking lot to the nearest public entrance of the main use, measured along the most convenient pedestrian walkway.

(B) In general. Except as specifically provided in this subsection, required off-street parking must be provided on the lot occupied by the main use.

(C) Remote parking.

(i) Remote parking may be located on a separate lot that is within the following walking distances of the use served by the remote parking:

(aa) 800 feet if the use served is located in a newly constructed building.

(bb) 1,200 feet if the use served is located in an Original Building.

(ii) The walking distance for remote parking may be extended by license as set out in Division 51-4.320.

(iii) The agreement requisites of Division 51A-4.328(a) of Chapter 51A of the Dallas Development Code as incorporated by reference into Chapter 51 of the Dallas Development Code shall not apply. Instead, a lease agreement authorizing remote parking for a use to satisfy its off-street parking requirement shall be valid and may be based on a lease of the remote parking spaces, but only if the lease:

(aa) is in writing;

(bb) contains legal descriptions of the properties affected;

(cc) specifies the special parking being provided and the hours of operation of any use involved;

(dd) is governed by the laws of the State of Texas;

(ee) is signed by all owners of the properties affected;

(ff) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;

(gg) is for a minimum term of three years; and

(hh) provides that both the owner of the lot occupied by the use benefitting from the parking and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(iv) The remote parking provisions of this subsection and Division 51A-4.320 shall not affect or cause the reduction of delta credits.

(D) Special parking. Except as expressly modified in this article, the special parking regulations in Division 51-4.320 apply to all uses in Tracts A and A-1. If special parking is used to satisfy off-street parking requirements, an agreement must be signed and filed in accordance with Section 51-4.328. In the event of a conflict between this article and the special parking regulations, this article controls.

(3) Cash in lieu of required parking.

(A) A property owner may make a one-time cash payment in lieu of providing required off-street parking spaces for a use in an Original Building in accordance with this section. The amount of the payment required is calculated by taking three-fourths of the cost of constructing a parking garage space and multiplying that cost by the number of parking spaces that will not be required by reason of the cash payment.

(B) The cost of a parking garage space is calculated by using the following formula:

$$\text{National Median Cost/Sq. Ft.} \times 350 \text{ square feet} \times \text{Dallas Cost Index}$$

where National Median Cost/Sq. Ft. is the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq. Ft. and the Dallas Cost Index must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another comparable publication is designated by the director.

(4) Parking subdistricts.

(A) Tracts A and A-1 are subdivided into four parking subdistricts as shown on the map titled "Parking Subdistricts" (Exhibit 269B).

(B) Payments in lieu of required parking shall be paid to special parking subdistrict accounts and used to finance the construction of parking garages or other parking improvements to serve uses in the parking subdistrict which contains the property for which the payment in lieu of required parking is located, pursuant to the requirements of all applicable rules, regulations, and ordinances of the city.

(5) Parking reduction for proximity to DART stations. The off-street parking requirement for uses located within one-fourth mile of a DART light-rail station may be reduced by 10 percent.

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

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8 \div 24 = \text{one-third}$). The total of the limited availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(7) Uses may charge for required parking. Section 51A-4.301(a)(8), which requires that required off-street parking must be available as free parking or contract parking on other than an hourly or daily fee basis, does not apply in this district.

(k) Nonconforming uses and structures.

(1) Generally. Except as provided in this subsection, nonconforming uses are not subject to the compliance regulations for nonconforming uses contained in Dallas Development Code Section 51A-4.704(a).

(2) Rebuilding or renovating damaged or destroyed nonconforming structures. A person may repair, renovate, rebuild, or enlarge a nonconforming structure without board of adjustment approval if the work does not increase the degree of nonconformity.

(3) Automatic termination of nonconforming rights for certain uses.

(A) The city council finds that certain nonconforming uses have an adverse effect on nearby properties. The purpose of this subsection is to eliminate these nonconforming uses and to make them comply with the regulations of the Dallas Development Code, having due regard for the property rights of the persons affected, the public welfare, and the character of the surrounding area.

(B) The right to operate a nonconforming bar, lounge, or tavern use; nonconforming private club use; nonconforming tattoo studio use; nonconforming body piercing studio use; or nonconforming dance hall shall automatically terminate on December 14, 2007 or one year after the use became nonconforming, whichever is later.

(C) An owner of a nonconforming bar, lounge, or tavern use; nonconforming private club use; nonconforming tattoo studio use; nonconforming body piercing studio use; or nonconforming dance hall may request an extension of the compliance deadline in Subparagraph (B) by filing an application with the director on a form provided by the city for that purpose. The application must be filed at least 30 days before the deadline in Subparagraph (B). If a fee is required, the application shall not be considered filed until the fee is paid. Failure to timely file a complete application for extension shall constitute a waiver of the right to contest the reasonableness of the deadline in Subparagraph (B).

(D) Upon the filing of a complete application for extension, the board of adjustment shall, in accordance with the law, determine whether it is necessary to extend the compliance deadline for the nonconforming use. The board shall consider the factors listed in Section 51A-4.704(a)(1)(D) in determining whether to grant the request for extension.

(E) If, based on evidence presented at the public hearing, the board of adjustment finds that additional time is needed to recoup the owner's actual investment in the use before the use became nonconforming, the board of adjustment shall grant the request for extension and establish a new compliance deadline consistent with its determination of a reasonable amortization period; otherwise, the board of adjustment shall deny the request. If the board of adjustment denies the request, the right to operate the nonconforming use shall automatically terminate on the deadline in Subparagraph (B), or 30 days after the date of the board of adjustment's decision to deny, whichever is later.

(l) Development plan review. The following development plan review procedure applies to Tracts A and A-1:

(1) Preapplication conference. A person desiring to develop property on Tracts A or A-1 should consult with the director to discuss whether the project is consistent with the Deep Ellum/Near Eastside Conceptual Plan and the requirements of this article.

(2) Review of project by director.

(A) General procedure. Upon receipt of an application for a permit for the construction or exterior modification of any building or structure on Tracts A or A-1, the building official shall refer the application and plans to the director for review to determine whether the project involves an Original Building, new construction, or renovation, and whether it is residential or nonresidential in character. The director shall also determine the parking requirements for the project and the project's

eligibility for incentive programs. The director shall evaluate the project in accordance with the design standards test and prohibitions set forth below. The director shall complete his review within 30 days from the date of submission of the completed application to the building official, or the application shall be deemed to be approved.

(B) Demolition review. Upon receipt of an application for a permit for the demolition of any building or structure on Tract A, the building official shall refer the application and plans to the director. All demolition permit requests referred to the director for review in accordance with this subsection must be accompanied by a statement expressing the need for demolition and describing what, if anything, is planned to replace the demolished building. The director shall encourage alternatives to demolition and careful consideration of adaptive reuse of the property. The director shall complete his review within 30 days from the date of submission of the completed application to the building official. After completion of the review by the director, this subsection does not act to delay or prohibit any demolition.

(3) Design standards test and prohibitions. All projects referred to the director for review in accordance with Paragraph (2)(A) above must be evaluated against the test set forth in this subsection. Plans for newly constructed buildings must score at least 65 points for the primary side and at least 50 points for the secondary side. Plans for Original Buildings must score at least 65 points for the primary side and at least 50 points for the secondary side, or the same score for those sides that the Original Building scored on the date the completed permit application was submitted, whichever is less. If a building was constructed prior to June 27, 1984, and the remodeling, reconstruction, renovation, or expansion of the building constitutes a continuation of an architectural theme already established for the building, the primary and secondary side will not be required to score more than the same score those sides scored on the date the completed building permit was submitted.

(A) Design points. Design points are awarded to projects in accordance with the following criteria:

(i) Public art or streetscape improvements. (Total possible points = 5) One point is awarded for each one-tenth of a percent of the value of improvements stated in the building permit application that is allocated to public art or to streetscape improvements, but not both, up to a maximum of five points. In order to qualify for public art points, the public art must be visible from a public right-of-way at all times, or located in the first floor lobby of a structure and accessible to the public during normal business hours.

(ii) Elimination of front yard setback. (Total possible points = 20) One point is awarded for each two and one-half percent increment greater than 50 percent of total building facade area that is contained between the following vertical planes:

(aa) The vertical plane passing through the front lot line.

(bb) The vertical plane set back 15 feet from the front lot line and parallel to the plane described in Subparagraph (ii)(aa).

(iii) Tree plantings. If any of the points available for elimination of the front yard setback are not awarded to a project, these unused points may be awarded for planting a large tree of at least a three-inch caliper in the treescape area, according to the following scale:

<u>No. of square feet of treescape area per tree</u>	<u>Points</u>
400 or less	10

484	8
576	6
676	4
784	2

(iv) Awnings and arcades. To qualify for points under this paragraph, an arcade must have a minimum depth of six feet, a minimum height of seven feet, and a maximum height of 20 feet. An awning must have a minimum height of seven feet, and a maximum height of 14 feet. For the purpose of this subparagraph, awning and arcade height is the vertical distance between the ground or pavement directly beneath the awning or arcade and the lowest point of the awning or arcade.

(aa) For newly constructed buildings, one point is awarded for each 10 percent of front lot line linear footage of awning or arcade width. (Total possible points = 10)

(bb) When renovating or remodeling an Original Building, one point is awarded for each ten percent of front lot line linear footage of awning width. No points are awarded for arcades. (Total possible points = 10)

(cc) When arcades extend over public rights-of-way, the minimum depth requirement of the arcade may be reduced from six feet to the maximum depth permitted under the necessary agreement with the city.

(dd) Sections 43-29, "Awning Posts," and 43-30 "Extending Over Public Property," of the Dallas City Code, as amended, apply in this district. It is the intent of this subparagraph to encourage awnings supported solely by the building to which they are attached, provided the requirements of all applicable ordinances, rules, and regulations are satisfied.

(v) Building materials. (Total possible points = 20) One point is awarded for each three percent increment greater than 40 percent of total building front facade area, excluding openings, incorporating stone, brick, glass block, tile, cast metal, cast stone, concrete masonry (split or polished face only; no unfinished units or cinder block), or a combination of those materials as facade materials.

(vi) Front facade openings. (Total possible points = 20) For purposes of this subparagraph, "front facade" means any facade facing a primary or secondary street. For purposes of awarding design points to a multi-story building under this subparagraph, the percentage of front facade area occupied by doors and windows is determined by averaging the percentages of the first and second stories. Points are awarded for the percentage of front facade occupied by doors and windows in accordance with the following scale:

<u>Percent</u>	<u>Points</u>	<u>Percent</u>	<u>Points</u>
21 or 79	1	31 or 69	11
22 or 78	2	32 or 68	12
23 or 77	3	33 or 67	13
24 or 76	4	34 or 66	14
25 or 75	5	35 or 65	15
26 or 74	6	36 or 64	16
27 or 73	7	37 or 63	17
28 or 72	8	38 or 62	18
29 or 71	9	30 or 61	19
30 or 70	10	40-60	20

(vii) Retail-related uses.

(aa) One point is awarded to both the primary side and the secondary side (if any) of the building for each four percent of first story floor area excluding halls, restrooms, utilities, and other public spaces, allocated to retail-related uses. (Total possible points = 25 for each side)

(bb) In Tract A-1, points are awarded, according to the criteria in the front facade opening standards in Item (vi), if the first story is constructed to a minimum height of 15 feet. The height of the story is measured from the top of the finished floor to the top of the finished floor above or, if there is no floor above, to the midpoint of the vertical dimension of the roof. Points are awarded regardless of whether the floor area is used for retail uses. (Total possible points = 25 for each side)

(cc) One point is awarded to both the primary side and the secondary side (if any) of the building for each 20 percent of basement or second story floor area, excluding halls, restrooms, utilities, and other public spaces, allocated to retail-related uses. (Total possible points = 5 for each side)

(viii) Sidewalk cafes. To qualify for points under this subparagraph, a sidewalk café must have a minimum depth of four feet. Sidewalk cafes must have a minimum three-foot-high railing at the perimeter. A minimum of six feet of open sidewalk must be maintained between the sidewalk café to the curb. For the purpose of this subparagraph, sidewalk café depth is the horizontal distance between the railing and the façade of the adjacent building. One point is awarded for each 20 square feet of sidewalk café. (Total possible points = 10)

Applicant's Recommendation: No Change.

(ix) Private license granted.

(aa) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this district for the exclusive purpose of authorizing use of the public right-of-way for public art, landscaping, awnings, arcades, and sidewalk cafes and other streetscape improvements. An owner or tenant is not required to pay an initial or annual fee for a license for landscaping, although a fee may be charged for issuance of a streetscape improvement permit. An owner or tenant is required to pay an initial and annual fee of \$25 for a license for public art, awnings, arcades, and other streetscape improvements, in addition to any fee for issuance of a streetscape improvement permit. An owner or tenant is required to pay an initial and annual fee of \$150 a license for sidewalk cafes, in addition to any fee for issuance of a streetscape improvement permit. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the licensed is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

Staff's Recommendation: Should defer to proposed city wide reduced fees for licenses.

(ix) Private license granted.

(aa) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this district for the exclusive purpose of authorizing use of the public right-of-way for ~~public art, landscaping, awnings, arcades, and sidewalk cafes and other streetscape improvements.~~ An owner or tenant is not required to pay an initial or annual fee for a license for landscaping, although a fee may be charged for issuance of a streetscape improvement permit. ~~An owner or tenant is required to pay an initial and annual fee of \$25 for a license for public art, awnings, arcades, and other streetscape improvements, in addition to any fee for issuance of a streetscape improvement permit. An owner or tenant is required to pay an initial and annual fee of \$150 a license for sidewalk cafes, in addition to any fee for issuance of a streetscape improvement permit.~~ This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the licensed is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(bb) A property owner or tenant is not required to comply with any streetscape improvement requirement to the extent that compliance is made impossible due to the city council's revocation of a streetscape improvement permit or the revocation of the private license granted under this subsection.

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

(dd) Each owner or tenant is responsible for maintaining the streetscape improvements and the premises safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to maintain streetscape improvements or make repairs. The granting of a license for streetscape improvements under this subsection does not release the owner or tenant from liability for the installation or maintenance of streetscape improvements in the public right-of-way.

(x) Permit required.

(aa) It is the responsibility of the property owner to apply for and obtain a streetscape improvement permit ("permit") before locating streetscape improvements in the public right-of-way. An application for a permit must be made to the director. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the public right-of-way affected and the construction and planting proposed.

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

(cc) A permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the right-of-way authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way.

(dd) the issuance of a permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of streetscape improvements in the public right-of-way.

(xi) Work in the public right-of-way. Except as otherwise provided for streetscape improvements including sidewalk cafes, all use of the public right-of-way must be approved in accordance with the requirements of Article VI, "License for the Use of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended.

(B) Special screening requirements. Except for driveways and accessways at points of ingress and egress, off-street parking for newly constructed buildings that is adjacent to sidewalks, public rights-of-way, or other public areas must be screened. Service areas for newly constructed buildings that are adjacent to sidewalks or open areas intended for pedestrians must be screened, except where the director determines that such screening would:

- (i) not reasonably accomplish any useful purpose; or
- (ii) create a safety hazard.

(C) Facade prohibitions.

- (i) Fluorescent exterior colors are prohibited.
- (ii) Facades incorporating wooden siding, wooden sheets, or extruded metal with openings less than one inch square are prohibited if the area covered by those materials totals more than 50 percent of the total facade area. This restriction does not apply to materials that, in the opinion of the director, would continue the architectural integrity of an Original Building.
- (iii) Buildings with total facade opening areas of less than 10 percent or more than 90 percent are prohibited.
- (iv) Facades made of more than 80 percent glass, excluding glassblock, are prohibited.

(D) Special lighting requirement. Sodium, mercury vapor, and exposed fluorescent lighting sources must be oriented onto the property they light and generally away from adjacent residential properties.

(E) Sidewalks. Except as otherwise provided in this subparagraph, sidewalks must be a minimum of eight feet wide. All sidewalks must be clear and unobstructed ~~by any structure or planting~~ for a minimum of four feet-in-width within the area of the required eight-foot-width. The requirement of a sidewalk only becomes applicable to a lot when an application is made for a building permit for construction work that results in any increase in ~~street-level floor~~ ground level area. In the event the proposed construction increases the ~~street-level floor~~ ground level area of an existing main building, the sidewalk width requirement for the portion of the building site that provides street frontage for the existing building is the width available, up to eight feet, between the back of the street curb and the face of the existing main building. In no event should the sidewalk width provisions of this subparagraph be construed to require the relocation of the facade of an existing main building.

(4) Return of application to the building official. Once the director makes his determination and evaluation, he shall refer the permit application, plans, all other relevant information, and his recommendation to the building official. If the director determines that sufficient points have been accumulated under the design standards test and all mandatory provisions of this article have been met, he shall recommend approval. Otherwise, he shall recommend denial. If the recommendation is for denial, the director shall state the grounds for denial in writing to the applicant, and the building official shall not issue the permit unless the director's recommendation is overturned upon appeal. If the recommendation is for approval and the building official determines that all requirements of the construction codes and all other applicable ordinances have been met, the building official shall issue the permit. (Ord. Nos. 19532; 21195; 22752; 25423; 26369; 26408; 28594)

SEC. 51P-269.106. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT B.

(a) Use regulations.

(1) The following uses are permitted on Tract B:

(A) Any use permitted in the Central Area-2 (CA-2) District.

(B) Liquor store.

(C) Tattoo studio. *[SUP. Must be located at least 300 feet from all other tattoo and body piercing studios. A tattoo studio must be treated as a separate main use and cannot be an accessory use.]*

(D) Body piercing studio. *[SUP. Must be located at least 300 from all other tattoo and body piercing studios. A body piercing studio must be treated as a separate main use and cannot be an accessory use.]*

(2) The following main uses are specifically prohibited on Tract B. In the event of a conflict between this subsection and Subsection (1) above, this subsection controls.

(A) Bail bonding service.

(B) Reserved.

amended. (C) Class E dance hall, as defined in Chapter 14 of the Dallas City Code, as

(D) Labor hall.

(E) Motor freight hauling and storage.

(F) Overnight general purpose shelter.

(G) Pawn shop. *[Certain pawn shops may be allowed to relocate. See Section 51A-4.210(22) of the Dallas City Code, as amended.]*

(H) Retail use deriving 10 percent or more of its gross revenue from the sale of firearms. (A person owning or operating a use selling firearms shall, upon request, supply the building official with any records needed to document the percentage of gross revenue on an annual basis derived from the sale of firearms.)

(I) Sexually-oriented business, as defined in Chapter 41A of the Dallas City Code, as amended.

(b) Development standards. Except as otherwise provided in this section, the development standards contained in Chapter 51, including the off-street parking and loading regulations, applicable to a Central Area-2 (CA-2) District, apply to this tract.

(c) Building materials. Reflective glass may not be used as an exterior building material except in accordance with Section 51P-269.105(h).

(d) Setback requirements along Good Latimer Expressway.

(1) Any portion of a building over 120 feet in height must be set back at least 20 feet from Good Latimer Expressway.

(2) Any portion of a building over 170 feet in height must be set back at least 30 feet from Good Latimer Expressway.

(e) Development plan review. The following development plan review procedure applies to Tract B:

(1) A person desiring to develop property on Tract B should consult with the director to discuss whether the project is consistent with the Deep Ellum/Near East side Conceptual Plan and the requirements of this article.

(2) Upon receipt of an application for a permit for the construction, modification, or demolition of any building or structure in this district, the building official shall refer the permit applications and plans to the director for review to determine whether the project involves an Original Building, new construction, or renovation, and whether the structure or project is residential or nonresidential. The director shall also determine the parking requirements for the project, the project's eligibility for incentive programs, and the extent to which the project is consistent with the Deep Ellum/Near East side Conceptual Plan. The review must be conducted so that the decision on the issuance of the building permit can be completed no later than 30 days from the date of submission of the completed application to the building official.

(3) Once the director makes his determinations in accordance with Paragraph (e)(2) of this section, he shall refer the permit application, plans, and all other relevant information to the building official, who shall issue the permit if all requirements of the construction codes and other applicable ordinances have been met.

(f) Nonconforming uses and structures.

(1) Generally. Except as provided in this subsection, nonconforming uses are not subject to the compliance regulations for nonconforming uses contained in Dallas Development Code Section 51A-4.704(a).

(2) Rebuilding or renovating damaged or destroyed nonconforming structures. A person may repair, renovate, rebuild, or enlarge a nonconforming structure without board of adjustment approval if the work does not increase the degree of nonconformity.

(3) Automatic termination of nonconforming rights for certain uses.

(A) The city council finds that certain nonconforming uses have an adverse effect on nearby properties. The purpose of this subsection is to eliminate these nonconforming uses and to make them comply with the regulations of the Dallas Development Code, having due regard for the property rights of the persons affected, the public welfare, and the character of the surrounding area.

(B) The right to operate a nonconforming bar, lounge, or tavern use; nonconforming private club use; nonconforming tattoo studio use; nonconforming body piercing studio use; or nonconforming dance hall shall automatically terminate on December 14, 2007 or one year after the date the use became nonconforming, whichever is later.

(C) An owner of a nonconforming bar, lounge, or tavern use; nonconforming private club use; nonconforming tattoo studio use; nonconforming body piercing studio use; or nonconforming dance hall may request an extension of the compliance deadline in Subparagraph (B) by filing an application with the director on a form provided by the city for that purpose. The application must be filed at least 30 days before the deadline in Subparagraph (B). If a fee is required, the application shall not be considered filed until the fee is paid. Failure to timely file a complete application for extension shall constitute a waiver of the right to contest the reasonableness of the deadline in Subparagraph (B).

(D) Upon the filing of a complete application for extension, the board of adjustment shall, in accordance with the law, determine whether it is necessary to extend the compliance deadline for the nonconforming use. The board shall consider the factors listed in Section 51A-4.704(a)(1)(D) in determining whether to grant the request for extension.

(E) If, based on evidence presented at the public hearing, the board of adjustment finds that additional time is needed to recoup the owner's actual investment in the use before the use became nonconforming, the board of adjustment shall grant the request for extension and establish a new compliance deadline consistent with its determination of a reasonable amortization period; otherwise, the board of adjustment shall deny the request. If the board of adjustment denies the request, the right to operate the nonconforming use shall automatically terminate on the deadline in Subparagraph (B), or 30 days after the date of the board of adjustment's decision to deny, whichever is later. (Ord. Nos. 20409; 22752; 25423; 26369)

SEC. 51P-269.107.

WAIVER OF CERTAIN REQUIREMENTS.

The provisions of Section 51-4.702, "Planned Development (PD) District Regulations," relating to the PD preapplication conference, site plan procedure, site analysis, conceptual plan, development plan, development schedule, and amendments to the development plan do not apply to this district. (Ord. Nos. 19532; 25423; 26369)

SEC. 51P-269.108.

TRANSFER OF DEVELOPMENT RIGHTS.

(a) Generally. The transfer of development rights in this district is governed by this section. For purposes of this section, "development rights" eligible for transfer means the difference between the actual floor area of structures on a building site and the maximum permissible floor area as determined by the floor area ratio of the building site. The minimum amount of development rights that may be transferred under this section is:

- (1) 1,000 square feet if the building site contains a city landmark building; and
- (2) 10,000 square feet in all other cases.

(b) Eligibility for transfer.

(1) Tracts A and A-1. Development rights in a building site on Tracts A and A-1 may only be transferred to another building site on Tracts A and A-1.

(2) Tract B.

(A) Generally. Development rights may not be transferred from a building site on Tract B unless:

- (i) the building site contains a city landmark building;
- (ii) the building has been restored within the five-year period immediately preceding the date of the application for transfer; and
- (iii) the total cost of the restoration exceeded 50 percent of the assessed value of the building immediately prior to the restoration.

(B) Special provision. Only that restoration for which a building, electrical, plumbing, or other permit was issued by the city may be counted in determining whether the cost exceeded 50 percent of the assessed value.

(c) Transfer process.

(1) An owner who wishes to transfer development rights shall submit to the director the following information in a form approved by the director and suitable for filing in the county deed records:

- (A) Names and addresses of the owners of the development rights.
- (B) Street address, lot and block number, and legal description of the property from which the development rights are to be transferred.

(C) Street address, lot and block number, and legal description of the property to which the development rights are to be transferred.

(D) The floor areas of the buildings and the lot areas of the building sites to be affected by the transfer.

(E) The amount of development rights to be transferred.

(2) Within 30 days from the date of submission of the form, 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.

(3) When the director has signed the form, the applicant shall file the form in the county deed records and supply the director and the building official with a copy of the filed document.

(4) The recipient of transferred development rights may transfer those rights to another building site in the tract by following the procedure outlined in this section.

(d) Transfer limitations.

(1) The maximum amount of development rights that may be transferred from a building site is three times the area of that building site. No development rights may be transferred from a building site if such a transfer would have the practical effect of reducing the maximum FAR on that site to less than 1.0.

(2) An increase in FAR acquired through the residential bonus provisions of Sections 51P-269.105(g)(2)(A) and (B) of this article may not be transferred. (Ord. Nos. 19532; 25423; 26102; 26369; 28594)

SEC. 51P-269.109.

GENERAL REQUIREMENTS.

(a) All newly paved areas, permanent drives, streets, and drainage structures, if any, shall be constructed in accordance with standard city specifications and the same may be done to the satisfaction of the director of public works and transportation. No streets shall be widened, closed, or narrowed or a change made in the direction of traffic without proper public hearing of the city plan commission and the city council. This section does not apply to the recommended narrowing of Main Street within this district, nor does it apply to Pacific Avenue, Virgil Street, Clover Street, or July Alley Street within this district.

(b) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 19532; 25423; 26102; 26369)

SEC. 51P-269.110.

ADDITIONAL REQUIREMENTS FOR COMMERCIAL PARKING GARAGES AND COMMERCIAL PARKING LOTS.

(a) Intent. The intent of this section is to create a distinct boundary between public space and private parking facilities, raise the aesthetic standards for parking facilities, and improve the quality of right-of-ways.

(b) Definitions. In this section:

(1) CORNER LANDSCAPING AREA means an area of any shape abutting the intersection of two right-of-ways equal to the area on a commercial parking lot covered by a triangle formed by connecting together the point of intersection of adjacent right-of-way lines and points on each of the right-of-way lines 12.5 percent of the length of the commercial parking lot's right-of-way frontage from the intersection, but in no case to exceed 225 square feet.

(2) PARKWAY means the portion of a right-of-way located between the street curb and the property line of an adjoining commercial parking garage or commercial parking lot.

(3) RIGHT-OF-WAY means an area dedicated to public use for pedestrian and vehicular movement, but does not include alleys.

(4) SELF-PARK SPACE means a parking space where a customer parks his vehicle and it remains there until a customer drives it away. It does not include a space where an attendant parks a customer vehicle.

(5) STRIP LANDSCAPING AREA means an area 1.5 feet in width abutting the parkway (or right-of-way if there is no parkway) and extending the length of the street frontage of a commercial parking lot, excluding the corner landscaping area and openings for pedestrian and vehicular access. **Strip landscape areas may be converted to landscape islands adjacent to street right-of-way if the landscape island is a minimum of 60 square feet in area. The total combined landscape island area must be equal to or greater than the landscape area that would have been required to comply with the strip landscape area.**

(6) WROUGHT IRON includes metal that resembles wrought iron in appearance.

(c) Site plan.

(1) When required. A site plan must be submitted to and approved by the building official in accordance with this subsection before a building permit or certificate of occupancy may be issued.

(2) Requisites. The site plan must include the following information:

(A) The number of existing and proposed parking spaces on the property.

(B) The location and dimensions of the property.

(C) The location and dimensions of all existing and proposed off-street parking and loading areas, parking bays, aisles, driveways, pedestrian access openings, and attendant booths.

(D) The location and type of all existing and proposed landscaping, fencing, trash receptacles, lighting, and signs.

(E) Any other reasonable and pertinent information that the building official determines to be necessary for site plan review.

(3) Development. If a site plan is approved by the building official, development of the property must be in accordance with the site plan.

(d) Construction.

(1) Slope. The entire surface of a commercial parking lot may not deviate more than seven degrees from the horizontal plane. No portion of the surface may deviate more than 12 degrees from the horizontal plane.

(2) Driveways. No more than one two-way driveway or two one-way driveways may be maintained for each 300 feet, or fraction thereof, of frontage of a commercial parking lot. This provision does not require the closure or relocation of driveways existing as of June 14, 2006.

(3) Pervious surface. The use of pervious surfacing materials for commercial parking lots is encouraged.

(e) Striping. All self-park spaces must be clearly and permanently identified by stripes. All self-park spaces for compact cars must be at least 7.5-foot wide stalls and must be clearly and permanently marked "compact car only." All other self-park spaces must be at least eight-foot wide stalls. Except as specified in this provision, these spaces must be provided and striped in accordance with Section 51A-4.301(d)(1).

(f) Lighting.

(1) Requirement. The following must be lighted between one-half hour after sunset and 2:30 a.m. and between 6:00 a.m. and one-half hour before sunrise:

(A) A commercial parking lot.

(B) The first story of an above-grade commercial parking garage.

(C) All other portions of a commercial parking garage that are accessible to pedestrians or vehicles during the time between one-half hour after sunset and one-half hour before sunrise.

(2) Intensity. The intensity of required lighting on the surface where vehicles are parked must be:

(A) an average of at least two footcandles, initial measurement, and at least one footcandle on a maintained basis; and

(B) a minimum at any point of at least 0.6 footcandle initial, and at least 0.3 footcandle maintained or one-third of the average footcandle measurement for the lighted area, whichever is greater.

(3) Type of fixtures. Light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(4) Location of fixtures for commercial parking lots. Fixtures must be attached to buildings or mounted on permanent poles. Fixtures may be located on adjoining property. This requirement does not apply to commercial parking garages.

(5) Height of fixtures for commercial parking lots. Fixtures on commercial parking lots must be at least 20 feet above the lot surface. This requirement does not apply to commercial parking garages.

(6) Reconciliation. This subsection controls over Section 51A-4.301(e).

(g) Trash receptacles. At least one trash receptacle must be provided for each commercial parking garage or commercial parking lot. Trash receptacles must not have a fluorescent color.

(h) Attendant booths. An attendant booth may not be constructed of flammable materials or have a fluorescent color.

(i) Access openings.

(1) Access openings for commercial parking lots may not exceed:

(A) 30 feet in width for a two-way drive.

(B) 20 feet in width for a one-way drive.

(C) 10 feet in width for pedestrian access openings.

(2) At least one pedestrian access opening must be provided for each commercial parking garage and commercial parking lot. The spacing between pedestrian access openings must be from 30 feet to 150 feet.

(3) This subsection does not require the closure or relocation of access openings existing as of June 14, 2006.

(j) Fencing.

(1) Fencing must be provided:

(A) For commercial parking lots, along an abutting right-of-way, excluding openings for pedestrian and vehicular access. Fencing may be located behind a corner landscaping area.

(B) For commercial parking garages, to eliminate openings not intended for pedestrian and vehicular access in the first story above grade where the garage abuts the right-of-way.

(C) Fencing is not required along a DART right-of-way if DART has provided fencing along the right-of-way.

(2) Commercial parking lots in the middle of a block with buildings on both adjoining lots and less than 100 feet of frontage and all commercial parking garages must have wrought iron fencing.

(3) All other commercial parking lots must have:

(A) a wrought iron fencing;

(B) bollards;

(C) post-and-cable fencing; or

(D) other fencing that is in keeping with the intent of this paragraph, as determined by the director.

- (4) If a wrought iron fence is provided:
 - (A) it must be at least 36 inches in height;
 - (B) its bars must be spaced no more than eight inches apart; and
 - (C) it may have a foundation that does not exceed twelve inches in height.
- (5) If bollards are provided, each bollard must be:
 - (A) constructed of concrete, brick, or stone;
 - (B) at least eight inches in width or diameter;
 - (C) at least 30 inches in height;
 - (D) no more than seven feet from another bollard, unless connected by a metal chain, in which case they may be no more than nine feet from another bollard.
- (6) If post-and-cable fencing is provided, the posts must:
 - (A) be finished metal with caps;
 - (B) have a minimum diameter of two-and-one-half inches;
 - (C) be spaced no more than 18 feet apart; and
 - (D) be connected with stainless steel tension cable.

(k) Landscaping.

(1) Parkway landscaping requirement for commercial parking garages and commercial parking lots. Unless a parkway landscape permit is denied or revoked, one tree or shrub must be provided in the adjoining parkway for each 30 feet along the frontage abutting the right-of-way. This provision does not apply to commercial parking garages or commercial parking lots existing as of June 14, 2006.

(2) Perimeter landscaping requirement for commercial parking lots. The corner landscaping area must be planted with a combination of ground cover, shrubs, and trees. The strip landscaping area must be planted with a combination of ground cover, shrubs, and trees. Car bumpers may overhang the strip landscaping area.

(3) Exemption along certain DART right-of-ways. Landscaping is not required along a DART right-of-way if DART has provided landscaping along the right-of-way.

Applicant's Recommendation: No Change.

(4) <u>Exemption for certain small commercial parking lots.</u> Landscaping is not required for commercial parking lots with a total area of 10,000 square feet or less, unless two or more contiguous lots have an aggregate area of 10,000 square feet or more.

Staff's Recommendation: Delete and replace with alternative landscape plan in (5)(C) below.

<p>(4) Exemption for certain small commercial parking lots. Landscaping is not required for commercial parking lots with a total area of 10,000 square feet or less, unless two or more contiguous lots have an aggregate area of 10,000 square feet or more.</p>
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(5) Alternative landscape plan.

(A) The director may approve an alternative landscape plan if compliance with this paragraph is not possible, the inability to comply is not self-created, and the alternative landscape plan is in keeping with the intent of this paragraph. An alternative landscape plan may include placement of landscaping in alternative locations. An alternative landscape plan may reduce the square footage of landscape area if additional trees or shrubs are provided.

(B) The director may approve an alternative landscape plan if compliance with this paragraph is not possible due to the location of the commercial parking garage or commercial parking lot underneath a highway. An alternative landscape plan may include placement of landscaping in alternative locations. An alternative landscape plan may reduce the square footage of landscape area if additional trees or shrubs are provided. An alternative landscape plan may allow the use of non-plant (hardscape) materials.

Staff's Recommendation: In lieu of exemption in paragraph 4 above.

<p><u>(C) The director may approve an alternative landscape plan for commercial parking lots 10,000 square feet or less, unless two or more contiguous lots have an aggregate area of 10,000 square feet or more. The alternative landscape plan may approve alternate irrigation methods or an exemption to irrigation requirements if xeriscape is employed and adequate measures are taken to establish any plant materials. An alternative landscape plan may allow the use of non-plant (hardscape) materials. The alternative landscape plan may require less landscape area than required by this section but may not allow less landscape area than the greater of the landscape area required for either a corner landscape area or the strip landscape area.</u></p>

(6) Trees. All trees provided must be recommended for local area use by the director. Each tree planted must have a caliper of at least two-and-one-half inches.

(7) Shrubs. All shrubs provided must be recommended for local area use by the director. Each shrub provided must be at least 30 inches in height.

(8) Minimum tree clearance. All portions of a tree above street pavement must be at least thirteen-and-one-half feet in height.

(9) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees planted within a public sidewalk.

(10) Private license granted. The city council hereby grants a private license to the owners of all commercial parking garages and commercial parking lots in this district 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. 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 in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance. A property owner is not required to comply with any landscaping requirement of this subparagraph if compliance is made impossible due to the termination of this license. This provision controls over Article VI, "License for Use of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of this code. Note: This private license does not eliminate the need for a parkway landscape permit or commercial general liability insurance.

(11) Parkway landscape permit. A parkway landscape permit must be obtained from the director of development services for all landscaping in the parkway required by this section.

(A) An application for a parkway landscape permit must be in writing on a form approved by the director of development services and accompanied by plans or drawings showing the area of the parkway affected and the planting proposed.

(B) Upon receipt of the application, the director of development services shall circulate it to all affected city departments, utilities, and other franchise holders for review and comment. If, after receiving those comments, the director of development services 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, he shall issue a parkway landscape permit to the property owner; otherwise, he shall deny the permit.

(C) A parkway landscape permit issued by the director of development services is subject to immediate revocation upon written notice if at any time he 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.

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

(12) Xeriscape. The use of xeriscape is encouraged.

(l) Additional regulations. All commercial parking garages and commercial parking lots must comply with Subsection (e), "Wheel Guards and Barriers," Subsection (f), "Passenger Unloading Zone Required in Certain Cases," and Subsection (g), "Stacking Space Required in Certain Cases," of Section 51A-4.306, "Off-Street Parking in the Central Business District."

(m) Compliance. All commercial parking garages and commercial parking lots must comply with this paragraph before July 1, 2007.

(n) Maintenance.

(1) Any improvements required by this section must be properly maintained in a state of good repair and neat appearance at all times.

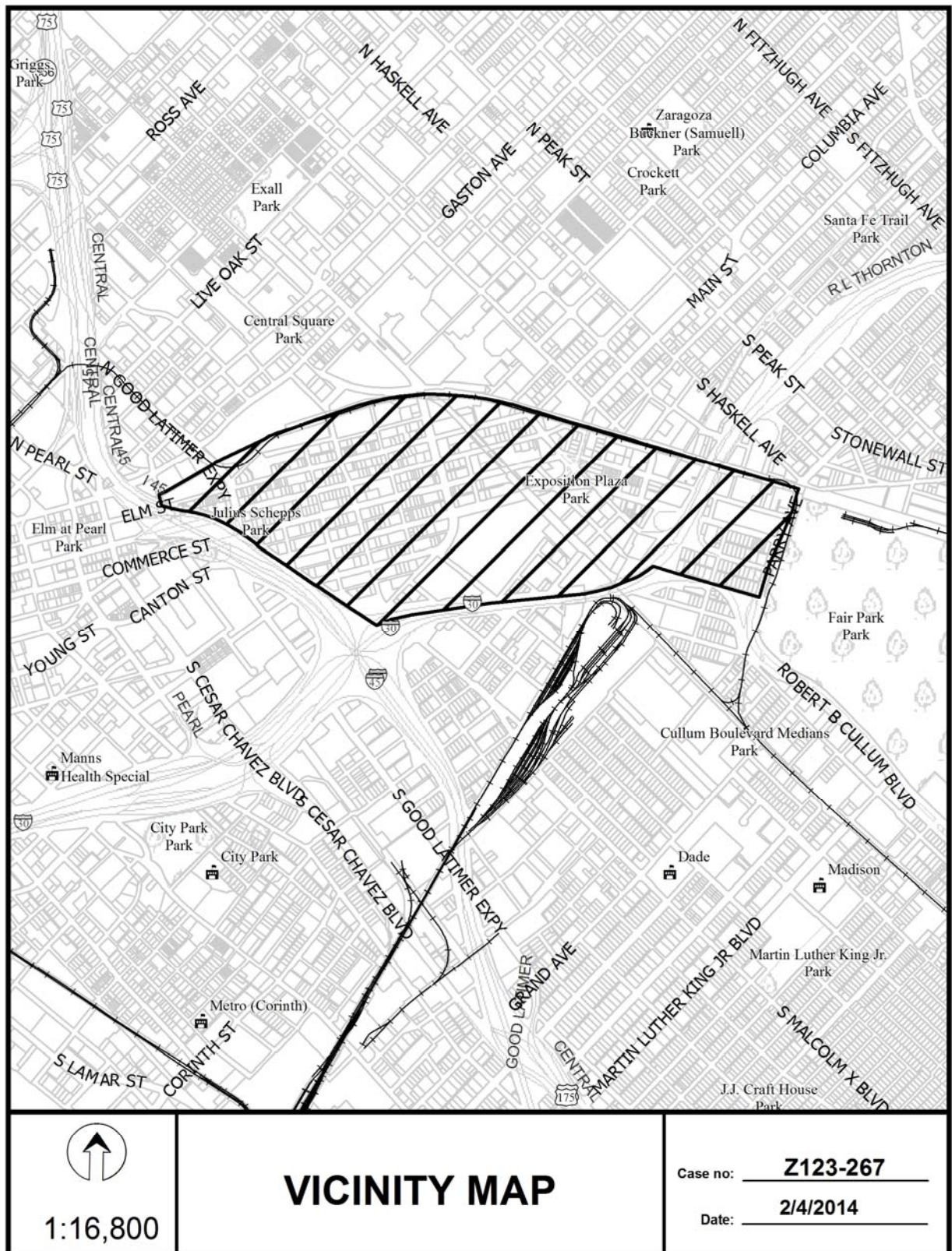
(2) Plant materials required by this section must be maintained in a healthy, growing condition at all times.

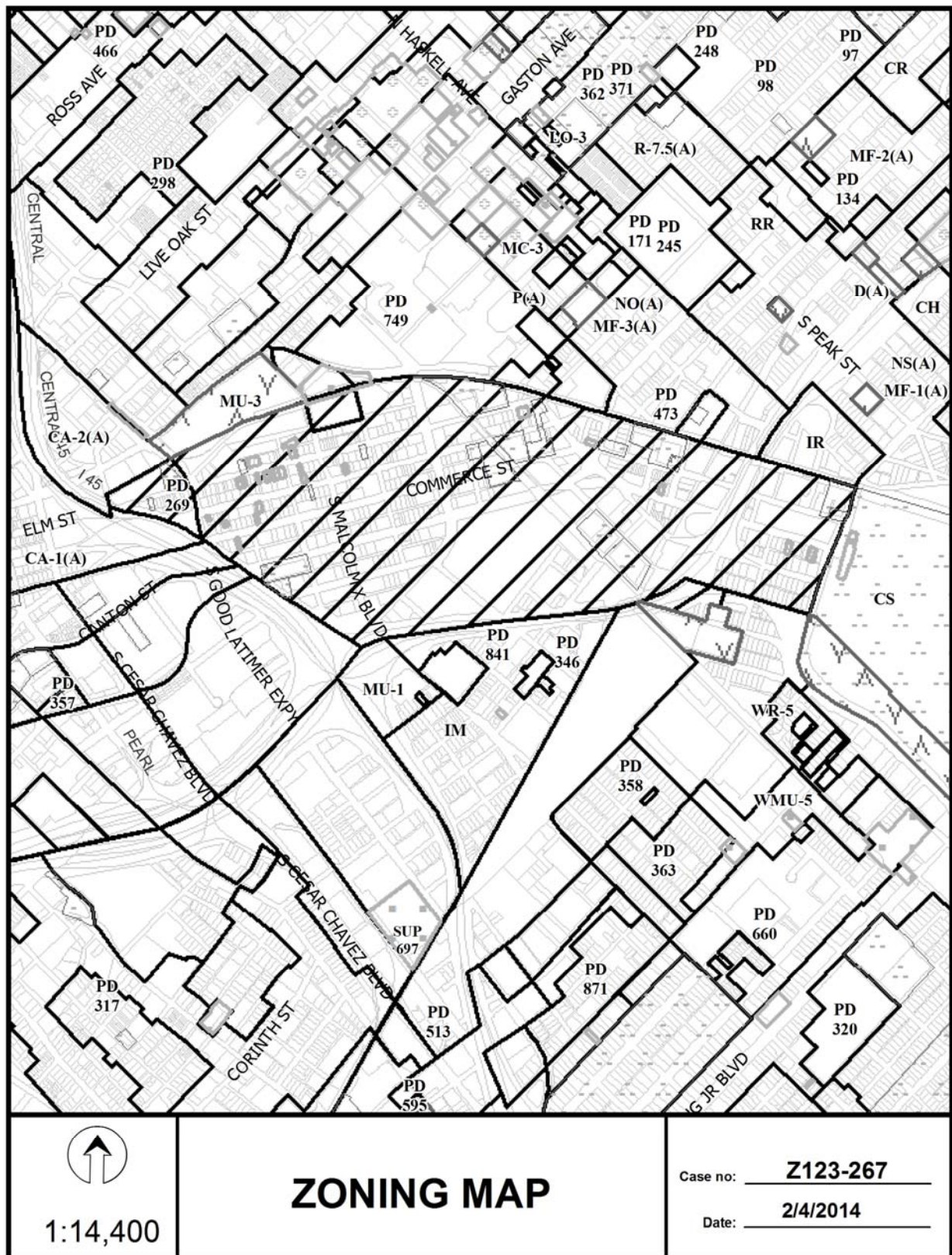
(o) Special exception.

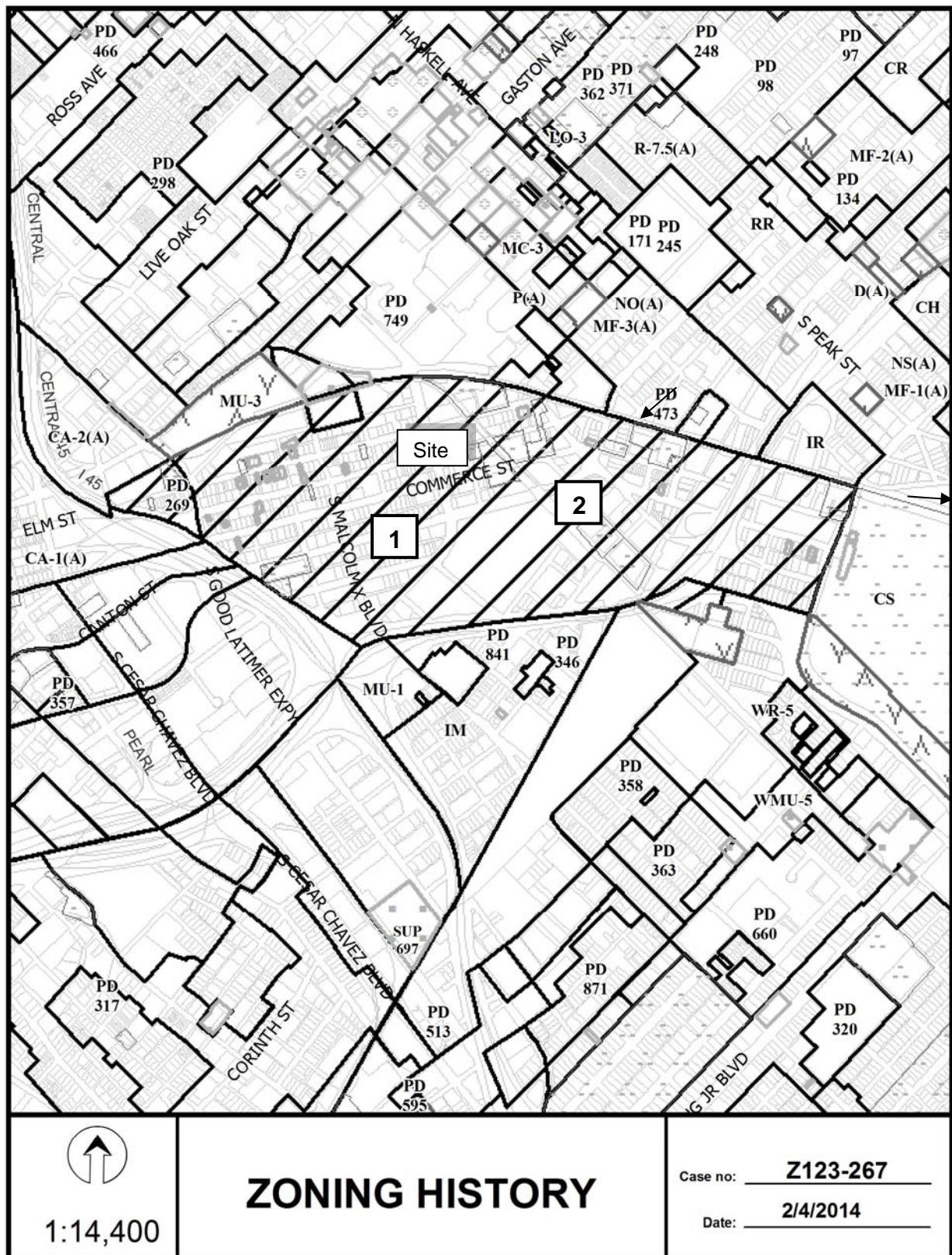
(1) In general. The board of adjustment may grant a special exception to any requirement of this section if the board finds, after a public hearing, the special exception will not adversely affect the other properties within the district and strict compliance with the requirement would result in unnecessary hardship. If the board grants a special exception, it must specify the length of time the special exception is effective.

(2) Lighting. The board shall not grant a special exception to a lighting requirement unless the board also finds, after a public hearing, that the special exception will not compromise the safety of persons using the parking. In determining whether to grant this special exception, the board shall consider:

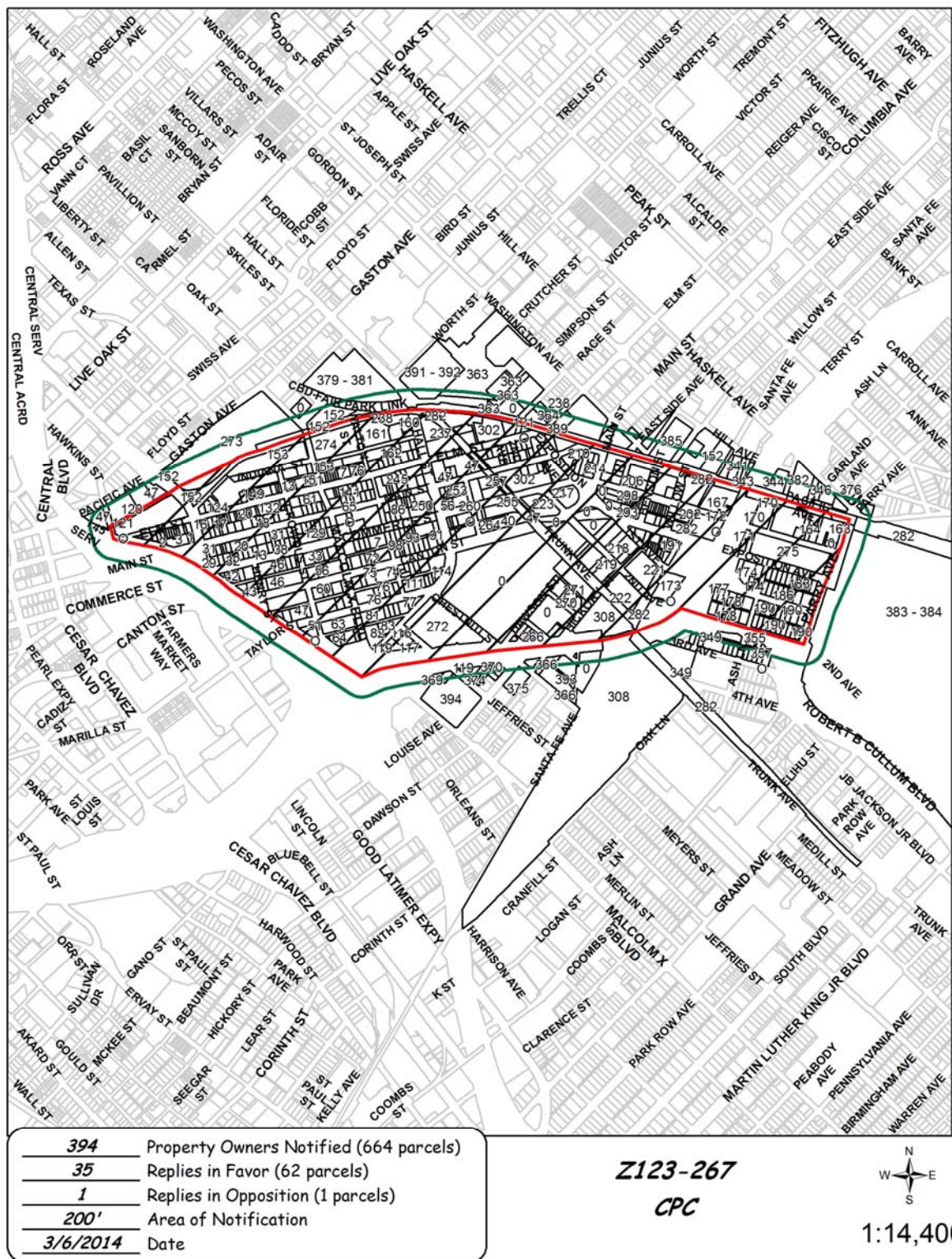
- (A) the extent to which the parking will be used after dark;
- (B) the crime statistics for the area;
- (C) the extent to which adequate lighting may be provided by light sources located on adjacent property; and
- (D) the extent to which the commercial parking garage or commercial parking lot will be secured by fences, gates, and chains. (Ord. 26369)







CPC RESPONSES FROM 3-6-2014



3/10/2014

Reply List of Property Owners***Z123-267******394 Property Owners Notified
Opposed******35 Property Owners in Favor******1 Property Owners***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	2511 MAIN ST	ELM STREET LOFTS LTD
	2	2429 MAIN ST	ELLER MEDIA COMPANY
	3	2509 MAIN ST	WESTDALE MAIN LTD
	4	2512 ELM ST	KUNOFSKY MORRIS &
	5	2518 ELM ST	GOLDSTEIN EDWARD M
	6	2528 ELM ST	CITY HOTEL LTD
	7	2532 ELM ST	CTC TEXAS ASSOCIATES LLC
	8	2536 ELM ST	JEANETTE INV II LTD
	9	2542 ELM ST	FRIEDMAN LAWRENCE J TR
	10	2540 ELM ST	SCHWARTZ HYMIE TRUST
	11	2544 ELM ST	SCHWARTZ JERRY TRUSTEE &
O	12	2612 COMMERCE ST	DEEP ELLUM HOLDINGS LLC
	13	2625 MAIN ST	42 DEEP ELLUM LP
	14	2634 ELM ST	ROSE BARSHOP RESIDUARY TR
	15	2628 ELM ST	ROSE BARSHOP RESIDUARY TR
	16	2604 ELM ST	SEJ ASSET MGMT & INVESTMENT CO
	17	2610 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	18	2649 MAIN ST	PETERS WILSON G
	19	2644 ELM ST	CAMERON PAUL DARREN
	20	2635 MAIN ST	42 DEEP ELLUM LP
	21	2638 ELM ST	MGP HOLDINGS LLC
	22	2634 ELM ST	BAZZLE S WAYNE &
	23	2603 MAIN ST	PARKIN ART JOINT VENTURE
	24	2642 ELM ST	LALCO INC
	25	2650 ELM ST	ELM ELM LLC
	26	2646 ELM ST	TEXAS AUTO RADIATOR CO

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	2650 MAIN ST	42 DEEP ELLUM LP
	28	2616 MAIN ST	MASTERMIND INVESTMENT GROUP LLC
	29	2611 COMMERCE ST	MEGGS RICHARD LLC ET AL
	30	2612 MAIN ST	2612 MAIN LLC
	31	2604 MAIN ST	42 DEEP ELLUM LP
	32	2623 COMMERCE ST	KLUCK LINDA LOU
	33	2620 MAIN ST	BLANTON DON
	34	2622 MAIN ST	BLANTON DON EST OF
	35	2712 MAIN ST	CASS DON E TR
	36	2708 MAIN ST	LAMBETH WILLIAM V &
	37	2656 MAIN ST	SCHWARTZ HYMIE TRUST &
	38	2703 COMMERCE ST	SCHWARTZ JEANNETTE TRUST
	39	2711 COMMERCE ST	LAMBETH WILLIAM V
	40	2713 COMMERCE ST	WESTDALE PPTIES AMERICA I
O	41	2622 COMMERCE ST	SDL PARTNERS LTD
	42	2616 COMMERCE ST	NOLA LTD
	43	215 HENRY ST	BARNES & ROBERTS REAL ESTATE
O	44	2730 COMMERCE ST	MADISON PACIFIC DEV CO
O	45	2724 COMMERCE ST	SDL PARTNERS INC
	46	2718 COMMERCE ST	2713 CANTON LTD
	47	2700 COMMERCE ST	WESTDALE PROPERTIES
X	48	2701 CANTON ST	BARNES & ROBERTS REAL ESTATE
O	49	2700 CANTON ST	WESTDALE ADAM HATS LTD
	50	2705 TAYLOR ST	WESTDALE ADAM HATS LTD
O	51	2720 TAYLOR ST	WESTDALE PROPERTIES
	52	2700 TAYLOR ST	BA PROPERTIES
	53	2820 COMMERCE ST	BLANTON DON
	54	2800 COMMERCE ST	GILPIN J R
	55	2805 CANTON ST	GEBHARDT BROADCASTING LLC
	56	2809 CANTON ST	BALLAS VICTOR
	57	2825 CANTON ST	INDUSTRIAL RESERVES LLC

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	2824 CANTON ST	HORTON T L DESIGN INC
	59	2814 CANTON ST	FITZGERALD KAREN K &
	60	2810 CANTON ST	WARREN PROPERTY HOLDINGS LLC
	61	2801 VIRGIL ST	BLANTON DONNY G
O	62	2803 TAYLOR ST	DEEP ELLUM CHURCH
	63	2800 TAYLOR ST	SOUTHWESTERN TYPOGRAPHICS
	64	2801 ST LOUIS ST	DEEP ELLUM BREWING COMPANY LLC
O	65	2900 MAIN ST	SDL PARTNERS LTD &
	66	2900 MAIN ST	SUNRISE FURNITURE COMPANY
	67	2901 COMMERCE ST	CITY PARK A LOT LP
	68	2926 COMMERCE ST	STAHLMORR PROPERTIES LTD
O	69	2909 CANTON ST	CANTON MAIN PROP LTD
	70	2913 CANTON ST	DUET COMMERCIAL LLC
	71	2917 CANTON ST	MORRISON ROBERT C &
	72	2919 CANTON ST	GARDNER ROBERT P III
O	73	2921 CANTON ST	CERVIN BENNETT W
	74	2930 CANTON ST	2930 CANTON STREET INC
	75	2914 CANTON ST	ONDRUSEK W J
	76	2909 TAYLOR ST	RADICAL COMPUTING INC
	77	2934 TAYLOR ST	TRW REALTY HOLDING LLC
	78	2928 TAYLOR ST	2930 CANTON STREET INC &
O	79	2924 TAYLOR ST	ALAND RONALD Z
	80	2920 TAYLOR ST	2920 TAYLOR LTD
	81	2914 TAYLOR ST	OPUS FORTUNATUS LTD
	82	2903 ST LOUIS ST	OPUS FORTUNATUS TOO
	83	2915 ST LOUIS ST	INDUSTRIAL RESERVICES LLC
	84	3010 MAIN ST	SILKY LLC
	85	3017 COMMERCE ST	VOGEL BRACKEN PRINTERS
	86	3004 MAIN ST	FUSSELL GREGG &
	87	3000 MAIN ST	CARRANZA DAVID &
O	88	3003 COMMERCE ST	N Y EXPRESS DRYWALL CONST

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
O	89	3005 COMMERCE ST	FUSSELL GREGG &
	90	3034 COMMERCE ST	MARTIN JEANNE C
	91	3035 CANTON ST	3035 CANTON STREET PARTNERS LTD
	92	3018 COMMERCE ST	DIXIE RESORTS INC
	93	3014 COMMERCE ST	BALLAS VICTOR E
O	94	3012 COMMERCE ST	HUNT DENNY H
	95	3008 COMMERCE ST	HOPPER KIRK
	96	3004 COMMERCE ST	VINTAGE WAREHOUSE LLC
	97	3000 COMMERCE ST	SWANEY JEFFREY A
	98	210 WALTON ST	COLLINS KAREN E
	99	3007 CANTON ST	RDS HOLDINGS INC
	100	3005 CANTON ST	ANDERSON DEAN BELL
	101	3011 CANTON ST	30009 CANTON STREET
	102	3013 CANTON ST	UPPERCASE COMMERCIAL LLC
	103	3021 CANTON ST	3009 CANTON ST PTNR LTD
	104	3027 CANTON ST	3030 CANTON LP
	105	3020 CANTON ST	GRAHAM MORTGAGE CORP
	106	3008 CANTON ST	DUNLAP DELANO &
	107	3002 CANTON ST	HASKINS MICHAEL & VIRGINIA
	108	306 WALTON ST	WORKMAN ROBERT BRUCE
	109	3004 CANTON ST	BEAUREGARD PAUL DONALD II
	110	310 WALTON ST	SEELIG TIMOTHY
	111	3030 TAYLOR ST	RADICAL COMPUTING, INC.
	112	335 HALL ST	SINNETT IAN C
	113	3025 TAYLOR ST	NEWTON JEFFREY PAUL
	114	333 HALL ST	LABARBA JEFFREY L &
	115	3027 TAYLOR ST	PETERMAN JOHN MOFFATT &
	116	514 HALL ST	GLASFLOSS INDUSTRIES LP
	117	2830 JEFFRIES ST	GLASFLOSS INDUSTRIES, LP
	118	528 HALL ST	PETER NEELY COMPANY LLC
	119	530 HALL ST	PATRICK REALTY CORP

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	120	2500 PACIFIC AVE	GRAINGER W W INC
O	121	2505 ELM ST	WESTDALE PROPERTIES
O	122	2605 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
	123	2625 ELM ST	UPLIFT EDUCATION
	124	2615 ELM ST	GRAVES ALBERT JR ET AL
	125	2824 MAIN ST	BLADE PROPERTIES LLC
	126	2820 MAIN ST	SMITH PACIFIC PPTIES LTD
	127	2814 MAIN ST	SOUND WAREHOUSE OF DALLAS
	128	2800 MAIN ST	CONGRESS STREET NIGHTS
	129	2801 COMMERCE ST	WESTDALE PPTIES AMERICA
	130	2815 COMMERCE ST	SMITH PACIFIC LP
	131	2825 COMMERCE ST	INTERNATIONAL LIONS LAIR
	132	2720 ELM ST	ELM STREET REALTY LTD
	133	2715 MAIN ST	MAIN PROPERTIES LLC
	134	2707 MAIN ST	DEALEY CHRISTOPHER C
	135	2701 MAIN ST	42 DEEP ELLUM LP
	136	2825 MAIN ST	SMITH PACIFIC INC
	137	2809 MAIN ST	BLANTON DON G
	138	2944 ELM ST	ANDREASON JUSTINE POKLADNIK
O	139	2936 ELM ST	EISCHINGER FURTULA BUDD
	140	2928 ELM ST	ANDREASON JUSTIN MARIE POKLADNIK
	141	2920 ELM ST	ANDREASON JUSTINE MARIE POKLADNIK
O	142	2908 ELM ST	SDL PARTNERS LTD
	143	2931 MAIN ST	POKLADNIK CYRILL J
	144	2913 MAIN ST	POKLADNIK CYRILL J ESTATE
	145	2723 ELM ST	2723 ELM STREET JV
	146	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
	147	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
	148	2707 ELM ST	BELMOR CORP
	149	2703 ELM ST	BELMOR CORP
	150	2701 ELM ST	BELMOR CORP

3/10/2014

	<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
		151	2819 ELM ST	MCCORMICK ARTHUR SR LFEST
		152	2600 MONUMENT ST	DALLAS AREA RAPID TRANSIT
		153	2901 INDIANA BLVD	ANIMATION BUILDING LP THE
		154	2901 ELM ST	R & F INVESTMENTS LTD
		155	2905 ELM ST	2905 ELM STREET PTNR LTD
		156	2907 ELM ST	2905 ELM STREET PTNRS LTD
		157	2935 ELM ST	MANZANARES PORFIRIA &
		158	3001 ELM ST	BAYLOR HEALTH CARE SYSTEM
		159	3009 ELM ST	MCMURRAY JOHN D III
		160	3004 INDIANA BLVD	BAYLOR HEALTH CARE SYSTEM
		161	300 WALTON ST	BAYLOR HEALTH CARE SYSTEM
		162	3021 ELM ST	BAYLOR HEALTH CARE SYSTEM
		163	3809 PARRY AVE	BLOCK 809 LTD
		164	4112 PACIFIC AVE	GIBSON DAVID H
		165	4100 COMMERCE ST	GODWIN DWAYNE & PAT
		166	4118 COMMERCE ST	4118 4130 COMMERCE LTD
		167	4008 COMMERCE ST	DAVIS J MICHAEL
		168	4018 COMMERCE ST	DAVIS J MICHAEL
		169	4006 COMMERCE ST	HINCKLEY INC
		170	4040 COMMERCE ST	BOUCHER DANIEL D &
		171	710 EXPOSITION AVE	GONZALES ALEX
	O	172	4003 COMMERCE ST	3900 COMMERCE 1996 LTD
	O	173	601 1ST AVE	BELCLAIRE INV CORP &
		174	721 EXPOSITION AVE	JEFFEXPO LTD
		175	729 EXPOSITION AVE	BERT CONCESSIONS INC
		176	3609 ASH LN	JEFFEXPO LTD
		177	701 1ST AVE	PATRICK MEDIA GROUP INC
		178	713 1ST AVE	EXPO PARK PARTNERS LTD &
	O	179	3525 ASH LN	ASH LLC
	O	180	728 2ND AVE	PARK A LOT LP
		181	811 EXPOSITION AVE	ROBERTS JOHN STEVEN

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	182	821 EXPOSITION AVE	MCNEILL ROBERT K
	183	827 EXPOSITION AVE	GREENE PATRICK
	184	829 EXPOSITION AVE	HAYS BURL A
	185	820 1ST AVE	JAMES WILLIAM PRITCHETT REVOCABLE LIVING
	186	816 1ST AVE	JAMES W PRICHETT REVOCABLE LIVING TRUST
O	187	812 1ST AVE	BELCLAIRE REALTY LTD
	188	808 1ST AVE	MOXIE INVESTMENTS LTD
O	189	804 1ST AVE	PARK LINK LTD
	190	801 1ST AVE	TEXAS STATE OF
	191	507 EXPOSITION AVE	621 CARROLL LLC
	192	345 EXPOSITION AVE	ANDERSON BARRY
	193	401 EXPOSITION AVE	404 EXPOSITION LTD
	194	417 1ST AVE	BOSWELL PATRICIA &
	195	417 1ST AVE	BANK ONE TEXAS NA TRUSTEE
	196	418 1ST AVE	BOSWELL PATRICIA &
	197	418 1ST AVE	BANK ONE TEXAS NA TRUSTEE
	198	400 1ST AVE	BOSWELL PATRICIA &
	199	400 1ST AVE	BANK ONE TEXAS NA TRUSTEE
	200	409 EXPOSITION AVE	SIMUN FRANCIS
	201	500 EXPOSITION AVE	500 EXPOSITION LTD
	202	3900 COMMERCE ST	500 EXPOSITION LTD
	203	412 EXPOSITION AVE	BOUCHER DANIEL D
	204	408 EXPOSITION AVE	MEYER FRED & MICHELLE
	205	404 EXPOSITION AVE	404 EXP PARTNERSHIP
	206	3712 COMMERCE ST	3714 COMMERCE ST PS LTD
	207	3815 EAST SIDE AVE	REEVES GEORGE M ET AL
	208	3612 COMMERCE ST	REEVES GROUP LTD
	209	3600 COMMERCE ST	CITY POCKET LP
	210	3600 MAIN ST	ALDRIDGE DOUGLAS E &
	211	110 EXPOSITION AVE	HEYLAND EDWARD
	212	3500 COMMERCE ST	PANORAMIC DEV LLC

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	213	3506 COMMERCE ST	SCHWARTZ HYMIE TRUST &
	214	3713 CANTON ST	MOTT W E JR SPOUSAL TRUST
	215	3511 PACIFIC AVE	PANORAMIC DEVELOPMENT LLC
O	216	305 EXPOSITION AVE	TALL COTTON PPTIES LTD
	217	3400 COMMERCE ST	RIEGEL MAYNARD W &
	218	333 1ST AVE	333 1ST AVE LTD
	219	424 2ND AVE	SECOND HICKORY LTD
	220	417 1ST AVE	MCGREGOR AUTOMOTIVE INC
	221	502 2ND AVE	PETO HOLDINGS LLC
	222	501 2ND AVE	KAELSON COMPANY
	223	3300 COMMERCE ST	WESTDALE PPTIES AMERICA I
O	224	3404 MAIN ST	JERNIGAN REALTY PTNR LP
	225	3416 MAIN ST	CHOW JUNE C &
	226	3418 MAIN ST	WITHERSPOON DAVID
	227	3302 ELM ST	TEXAS UTILITIES ELEC CO
	228	3400 ELM ST	WESTDALE PPTIES AMERICA 1
O	229	3404 ELM ST	WESTDALE PPTIES AMERICA I
O	230	3407 MAIN ST	JERNIGAN & MITCHELL INV
	231	3414 ELM ST	SONS OF HERMANN
O	232	3417 MAIN ST	JERNIGAN REALTY PTNRS LP
	233	3502 PACIFIC AVE	ADVANCE BRAKE & CLUTCH
	234	232 TRUNK AVE	STAHL PATRICIA L
	235	3333 ELM ST	WESTDALE PROPERTIES
	236	210 HALL ST	BAYLOR HEATH CARE SYSTEM
	237	334 HALL ST	BAYLOR HEALTH CARE SYSTEM
	238	3713 ELM ST	BAYLOR HEALTH CARE SYSTEM
	239	3011 MAIN ST	MADDRAN RONALD W & ROBIN
	240	3013 MAIN ST	DEEP ELLUM MAIN GROUP LLC
	241	3033 MAIN ST	BAKERS RIBS INC
	242	3029 MAIN ST	HUDSPETH HUDSPETH
	243	3036 ELM ST	SCHMITZ JOHN

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	244	3026 ELM ST	UNICORP SERVICES INC
	245	3016 ELM ST	MCMURRAY JOHN DENNISON IV
	246	3008 ELM ST	MCMURRAY JOHN DENNISON IV &
	247	111 HALL ST	KIPRIOTIS TONY & SYBIL
	248	3028 MAIN ST	JAS INTERESTS INC
	249	3033 COMMERCE ST	KIPRIOTIS TONY & SYBIL S
	250	3023 COMMERCE ST	CHAMPION COMMERCIAL PTIES
	251	3100 MAIN ST	KELCHER MARK &
	252	3104 MAIN ST	LEE LIZA
	253	3112 MAIN ST	MAIN MURRAY L L C
O	254	3117 COMMERCE ST	SMITH ED W MACHINE WORK
	255	3200 MAIN ST	WESTDALE FUTURA LOFTS LTD
	256	3210 MAIN ST	WESTDALE FUTURA LOFTS LTD
	257	100 TRUNK ST	WESTDALE PROPERTIES
	258	3102 COMMERCE ST	GARTMAN TERRY W
	259	3106 COMMERCE ST	BAXTER ALLEN T
O	260	3116 COMMERCE ST	WEINBERG ROBERT
	261	3101 CANTON ST	CORNELL D M REVOCABLE TRUST
	262	3111 CANTON ST	OBER PHILIP B &
	263	3200 COMMERCE ST	BAUMGARTNER HERBERT &
	264	3209 CANTON ST	BAUMGARTNER CECILIA E
	265	3225 CANTON ST	ALFORD ENTERPRISES
	266	1613 BAYLOR ST	BARTZ ARTHUR G SUPPLEMENTAL NEEDS TRUST
	267	1620 BAYLOR ST	WOOD BRITTON M
	268	3103 HICKORY ST	WOOD MAURICE JR &
	269	1600 PEARLSTONE ST	ROGERS JAMES F
	270	1622 PEARLSTONE ST	LIQUID STONE INC
	271	3200 HICKORY ST	ROGERS JAMES F &
	272	400 HALL ST	GLASFLOSS INDUSTRIES INC
	273	2752 GASTON AVE	DEEP ELLUM MARQUIS LP
	274	2901 INDIANA BLVD	BROADSTONE AMBROSE LP

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	275	4115 COMMERCE ST	BLOCK 811 LTD
	276	500 1ST AVE	NGUYEN KIM KHANH DINH
	277	502 1ST AVE	ORESKOVICH ANDREW J
	278	504 1ST AVE	JOHNSON OWEN JOE
	279	506 1ST AVE	TSAI JEFFREY S
	280	405 EXPOSITION AVE	LONG ROBERT DUSTIN
	281	3808 WILLOW ST	WILLOW BUILDING 3800 LTD
	282	821 HASKELL AVE	DART
	283	3831 COMMERCE ST	SOLOMON DONALD W
	284	3827 COMMERCE ST	ROTHWELL TRINA
	285	3823 COMMERCE ST	PATTERSON RICHARD &
	286	3819 COMMERCE ST	BHUTANI YVETTE P & SUMIT
	287	3815 COMMERCE ST	ANDERSON BRENT
	288	3811 COMMERCE ST	MAXWELL KENNETH E
	289	3807 COMMERCE ST	GRANT SUSAN K
	290	3803 COMMERCE ST	BOUCHER DANIEL D
	291	3816 COMMERCE ST	PINNELL ALDEN G
	292	3800 COMMERCE ST	MITCHELL INV PTNS LTD
	293	302 EXPOSITION AVE	KARRION ENTERPRISES INC
	294	3715 COMMERCE ST	HORNBuckle LOE
	295	3713 COMMERCE ST	FAGERSTONE DENNIS & SUSAN
	296	3711 COMMERCE ST	ANDERSON JEREMY C
	297	3709 COMMERCE ST	3700 COMMERCE STREET
	298	3703 COMMERCE ST	3703 COMMERCE STREET LLC
	299	3701 COMMERCE ST	LINE DIANE
	300	3720 CANTON ST	METRO PACIFIC EQUITIES IN
	301	3435 COMMERCE ST	BOATWRIGHT JOYCE CAMPBELL
	302	3300 MAIN ST	WESTDALE DEEP ELLUM LOFTS
	303	3400 MAIN ST	WESTDALE DEEP ELLUM LOFTS
	304	317 2ND AVE	FONBERG PETER TR
O	305	3309 ELM ST	TALL COTTON PPTIES LTD

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
306	3301	ELM ST	DICKENSON DANIEL
307	3215	HICKORY ST	DEEP ELLUM SELF STO 1 LLC
308	3101	OAK LN	DALLAS AREA RAPID TRANSIT
309	9999	NO NAME ST	UNION PACIFIC RR CO
310	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
311	3026	COMMERCE ST	GRUNNAH WIILAIM JR
312	3026	COMMERCE ST	FEDERAL HOME LOAN MTG CO
313	3026	COMMERCE ST	ROWAND EDWIN W
314	3026	COMMERCE ST	SCOGIN MELISSA LEE
315	3026	COMMERCE ST	KORMANIK JOSEPH D
316	3026	COMMERCE ST	MCQUILLEN EDWARD R
317	3026	COMMERCE ST	KU LEO
318	3020	COMMERCE ST	DELIPSEY JAN MARIE
319	3022	COMMERCE ST	MUNSTERMAN PAUL &
320	3024	COMMERCE ST	SMITH DEBORAH A
321	3027	CLOVER ST	KLORES JILL
322	3028	COMMERCE ST	HUSSEINI NADER
323	3029	CLOVER ST	REEVES STEVEN W &
324	3030	COMMERCE ST	MCCLURE JASON S
325	3031	CLOVER ST	MARTINEZ ADELAIDA L
326	3032	COMMERCE ST	PETREAS JAMES &
327	215	WALTON ST	FUTURA LLC
328	215	WALTON ST	MALY ALLAN
329	215	WALTON ST	DUBOSE BRUCE KEVIN
330	215	WALTON ST	CONNOLLY GAIL
331	215	WALTON ST	GRIFFITH JUSTIN
332	215	WALTON ST	SALINAS GERRIT & LEAH
333	215	WALTON ST	ANNINO BARRY
334	215	WALTON ST	WALTON LOFT LLC
335	215	WALTON ST	ARTIGLIERE ORLANDO JR
336	215	WALTON ST	MOON THOMAS J

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	337	215 WALTON ST	YUMA PPTIES LP
	338	201 HAWKINS ST	PHILLIPS PATRICIA W EST
	339	2500 PACIFIC AVE	WESTDALE PROPERTIES AMERICA I
	340	509 HILL AVE	HINCKLEY COLD STG INC
	341	503 HILL AVE	HINCKLEY FRANK B ETAL
	342	503 HILL AVE	HINCKLEY FRANK B III ETAL
	343	513 HILL AVE	HINCKLEY F B III ET AL
	344	619 HILL AVE	TOURMALINE PARTNERS PROPERTIES LLC
	345	817 HASKELL AVE	PINSKER OTTO & BARBARA
	346	723 HASKELL AVE	PINSKER OTTO & BARABARA
	347	717 HASKELL AVE	PATTERSON MEAT COMPANY
O	348	3407 OAK LN	GRTP LTD
	349	3301 OAK LN	THIRD AND ASH LLC
	350	715 2ND AVE	PAYNE OUIDA M
	351	700 3RD AVE	GRUBBS DAVID K
	352	3410 ASH LN	DARBY ELSON III ET AL
	353	3416 ASH LN	FAIR PARK J V
	354	801 2ND AVE	SMITH THOMAS M &
	355	807 2ND AVE	DARBY EVERETT V &
	356	809 2ND AVE	DARBY MAYE E
O	357	818 3RD AVE	JERNIGAN ARVEL L
	358	812 3RD AVE	CAMPBELL BERNARD D
	359	808 3RD AVE	DARBY ELSON JR EST OF
	360	802 3RD AVE	CHAMPION DAVID W
	361	3901 EAST SIDE AVE	RMW DEVELOPMENT INC
	362	3995 BENSON ST	AC BENSON REALTY LTD
	363	3704 RACE ST	BAYLOR HEALTH CARE SYSTEM
	364	3705 ELM ST	WHITEHEAD RICHARD
	365	3712 RACE ST	BAYLOR HEALTH CARE SYSTEM
	366	1802 CHESTNUT ST	1818 CHESTNUT LLC
	367	1714 BAYLOR ST	NATIONAL ADVERTISING CO

3/10/2014

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	368	3001 HICKORY ST	MORALES ANDREW &
	369	1601 JEFFRIES ST	BERKSHIRE ENTERPRISES INC
	370	2960 R L THORNTON FWY	SMITH MARGUERITE M
	371	2917 DAWSON ST	JAMAICA ROBERT
	372	2921 DAWSON ST	JAMAICA ROBERT & EVA
	373	2913 DAWSON ST	MORENO AUGUSTINE M
	374	1616 JEFFRIES ST	HENDERSON WADE
	375	1703 CHESTNUT ST	SAFAVIMATIN PARVIN
	376	802 HASKELL AVE	HOMEWORKS CONST CO
	377	822 HASKELL AVE	ZOYS INC
	378	900 HASKELL AVE	PURE ICE & COLD STG CO
	379	705 HALL ST	BAYLOR HEALTH CARE SYSTEM
	380	621 HALL ST	BAYLOR UNIVERSITY MED CTR
	381	621 HALL ST	BAYLOR UNIVERSITY MED CTR
	382	4000 ASH LN	PATTERSON BROS
	383	3500 FITZHUGH AVE	DALLAS CITY OF
	384	3839 FITZHUGH AVE	MCA PACE AMPHITHEATERS LP
	385	3917 WILLOW ST	CA WILLOW LLC
	386	3912 WILLOW ST	SIMBOLWOOD LTD
	387	3812 ELM ST	BAYLOR UNIVERSITY MED CTR
	388	3801 MAIN ST	BAYLOR UNIVERSITY MED CTR
	389	3700 ELM ST	BAYLOR HEALTHCARE SYSTEM
O	390	3800 MAIN ST	CANTON MAIN PROP LTD
	391	3410 WORTH ST	BAYLOR HEALTH CARE SYSTEM
	392	3410 WORTH ST	RREAL EST TAX ADVISORS LLC
	393	1800 CHESTNUT ST	STANLEY BLANCHE M TRUST
	394	1610 MALCOLM X BLVD	CDM CENTER OF HOPE INC

FILE NUMBER: Z134-156(RB)

DATE FILED: January 14, 2014

LOCATION: Oak Lawn Avenue and Dickason Avenue, West Corner

COUNCIL DISTRICT: 2

MAPSCO: 35 W

SIZE OF REQUEST: Approx. 1.9 Acres

CENSUS TRACT: 5.00

APPLICANT/OWNER: NADG Oaklawn LP

REPRESENTATIVE: Tommy Mann

REQUEST: An application for the removal of the D Liquor Control Overlay, on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, located on the west corner of Oak Lawn Avenue and Dickason Avenue. Consideration will also be given to the granting of the D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to utilize the western half of the existing retail structure for a grocery store that will sell beer and wine for off-premise consumption.

STAFF RECOMMENDATION: Approval of a D-1 Liquor Control Overlay in lieu of removal of the D Liquor Control Overlay.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* –The proposed expansion of an existing use is not anticipated to negatively impact the performance of surrounding property.
2. *Traffic impact* – The request will not significantly impact the surrounding roadway system.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Comprehensive Plan and the Oak Lawn Plan.
4. Due to residential adjacency, staff recommends consideration of a D-1 Liquor Control Overlay, which permits the sale or service of alcoholic beverages subject to a specific use permit, yet allows oversight of the use in the future to ensure ongoing compatibility.

BACKGROUND INFORMATION:

- The property, which includes the request site/parcel, is developed with a retail store consisting of 25,647 square feet, wrapped by surface parking areas.
- The applicant is requesting the removal of D Liquor Control Overlay from the site/parcel (balance of the site is void of any liquor control overlay).
- The existing structure will be subdivided to provide for a food store that will permit the sale of beer and wine for off-premise consumption.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, Date</u>
1. Z112-163:	On Wednesday, April 11, 2012, the City Council approved an amendment to the Phase I portion of PDS No. 20, subject to a development/landscape plan and conditions.
2. Z123-149	On December 11, 2013, the City Council approved a Planned Development Subdistrict for GR General Retail Subdistrict Uses, removal of the D Liquor Control Overlay, and termination of existing deed restrictions.

Traffic:

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

<u>Thoroughfares/Streets:</u>	<u>Existing and Proposed ROW</u>
Oak Lawn Avenue	Principal Arterial; 100' & 100' ROW
Dickason Avenue	Local; 40' ROW
Shelby Street	Local; 50' ROW

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 building was constructed in 1990, with surface parking that wraps the site's three street frontages – Oak Lawn Avenue, Dickason Avenue, and Shelby Street. A mature streetscape exists along all three street frontages.

At this point, the applicant's representative has not provided any detail related to design or streetscape improvements associated with the subdivision of the existing building. As a result, staff has not determined if additional landscaping/screening would be required based on the reconfiguration and/or any improvements that would merit consideration of such (i.e.' exposed loading area to the residential area to the west).

Comprehensive Plan:

The Vision Illustration depicts the request site as within an *Urban Mixed Use* Block on the ***forwardDallas! Vision Illustration***, adopted June 2006. The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or midrise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

Land Use Compatibility:

The applicant is requesting to remove the D Liquor Control Overlay from the majority of the property. It is anticipated the existing building will be subdivided to permit a retail food store with beer and wine sales for off-premise consumption.

The site possesses three street frontages with varying use patterns: 1) the Oak Lawn Avenue frontage possesses various retail and office uses along its alignment, inclusive of a hotel, church, and post office; 2) the referenced hotel and accompanying surface parking area is situated across the site's Dickason Avenue frontage, transitioning to

residential uses further west; and, 3) multiple family uses and undeveloped property zoned for MF-3 Subdistrict Uses south and west along Shelby Avenue.

As noted in the Zoning History section, two recent applications that were affected by either the existence or lack thereof, of a liquor control overlay:

1) A February, 2011 amendment to the Tract I portion of PDS No. 20 was approved. As part of the application, a retail food store that sells beer and wine for off premise consumption is prohibited, except convenience store as defined in Chapter 12B.

2) A December, 2013 staff recommendation of denial of the removal of the Dry Liquor Control Overlay (approved by CPC and CC) for that portion of the request.

Due to proximity to residential uses (and undeveloped property zoned for residential uses), staff has a policy of denying the removal of any Liquor Control Overlay encumbering property. As an alternative, staff often does recommend a D-1 Liquor Control Overlay in lieu of the removal of the D Liquor Control Overlay. Briefly, the differences:

The "D" Overlay District is a Liquor Control Overlay District which prohibits an individual from selling or serving alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

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

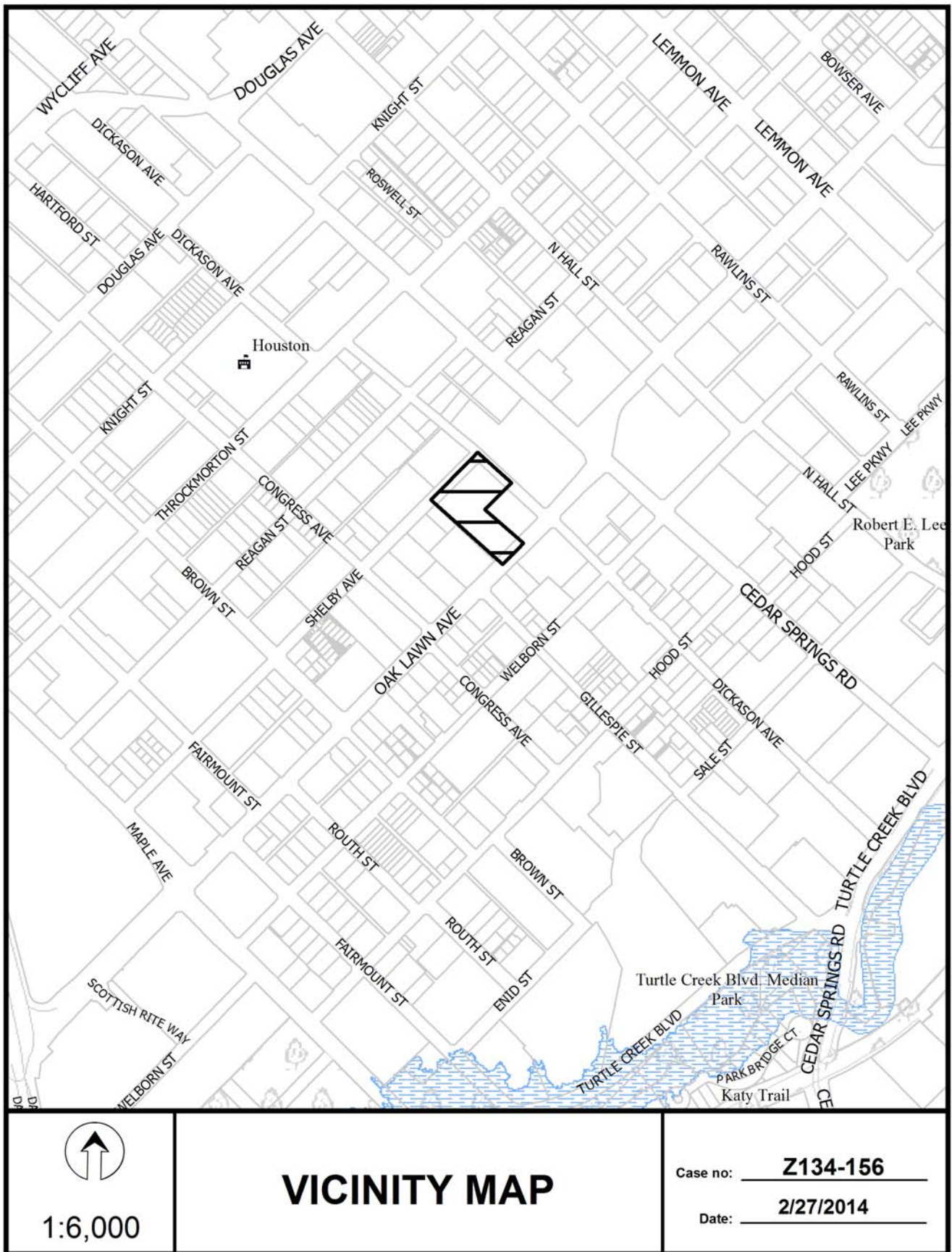
It should be noted that a child-care facility exists in the adjacent church which is within 300 feet of the site. As a result, uses such as a bar, lounge, or tavern or liquor store would not be permitted regardless of any liquor control overlay. Assuming the child-care use remains, the only type of uses permitted would be a retail food store (such as that proposed) or a restaurant that serves alcohol.

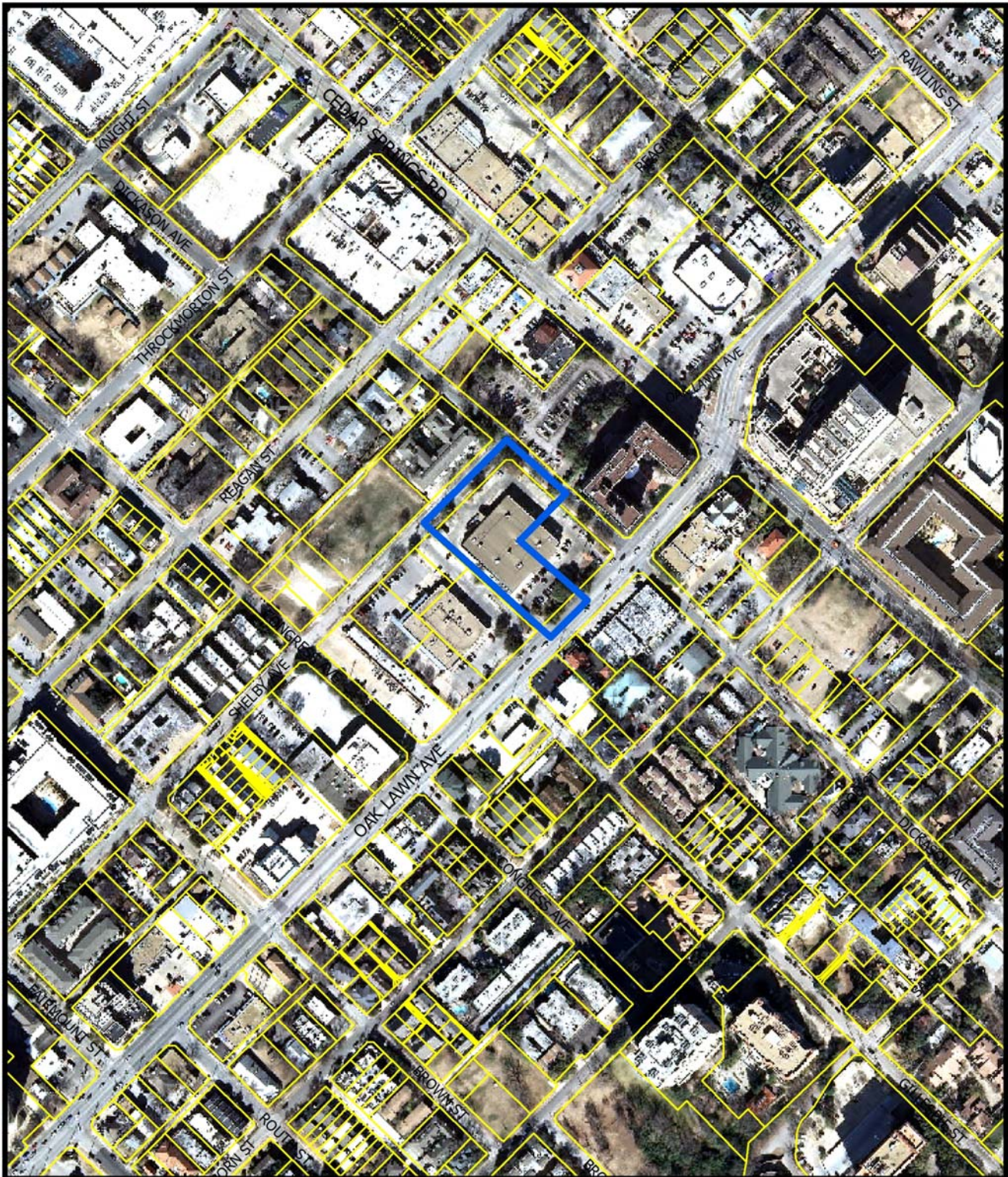
As zoning changes are tied to the respective parcels and not particular businesses, staff does not support the removal of the D Liquor Control Overlay, but is supportive of a D-1 Liquor Control Overlay in lieu of the applicant's request.

OFFICERS AND DIRECTORS

Applicant/Owner: **NADG Oaklawn Limited Partnership**

General Partner: NADG OAKLAWN GP LLC
 - Robert Green, Manager
 - Stephen S. Preston, Manager



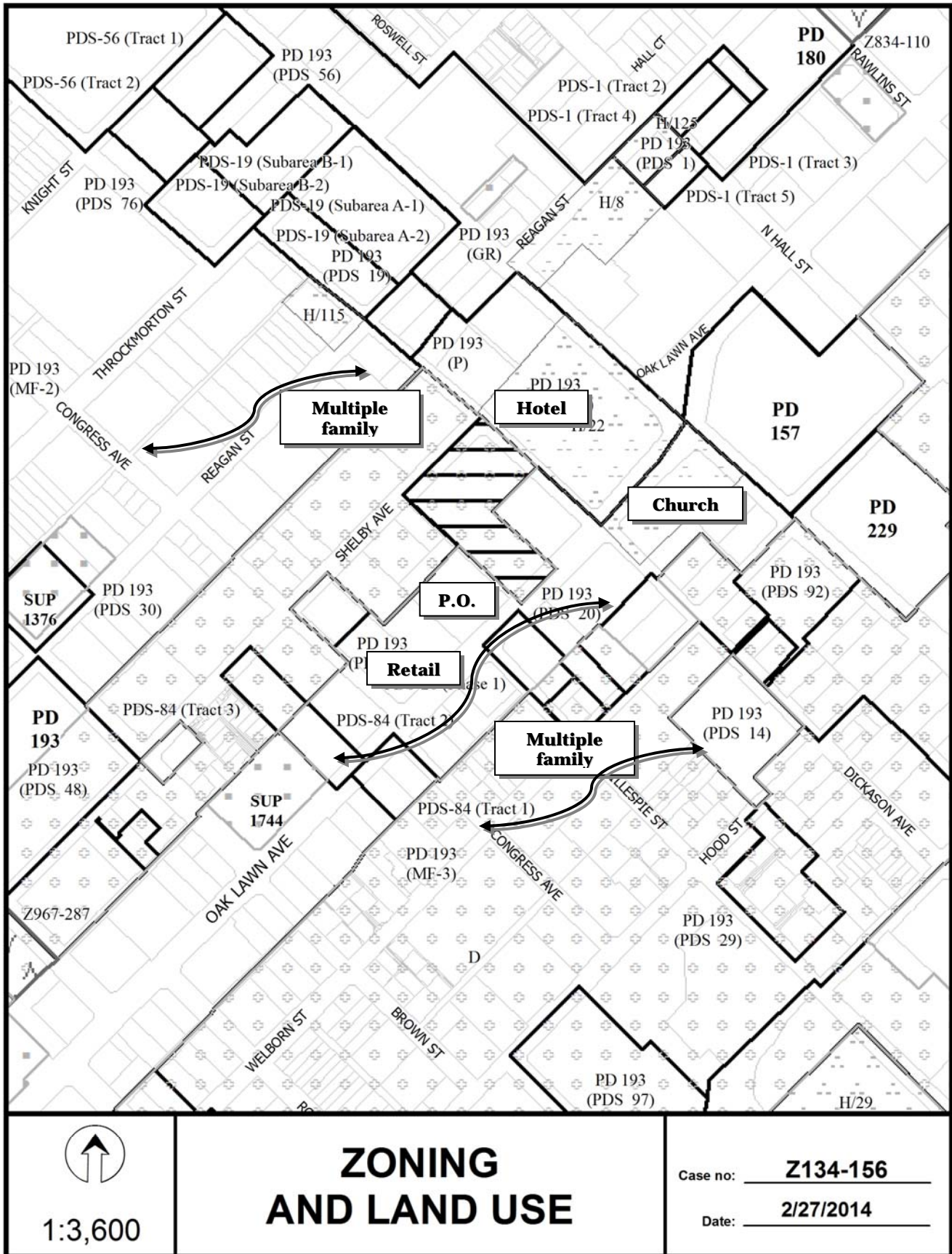



1:3,600

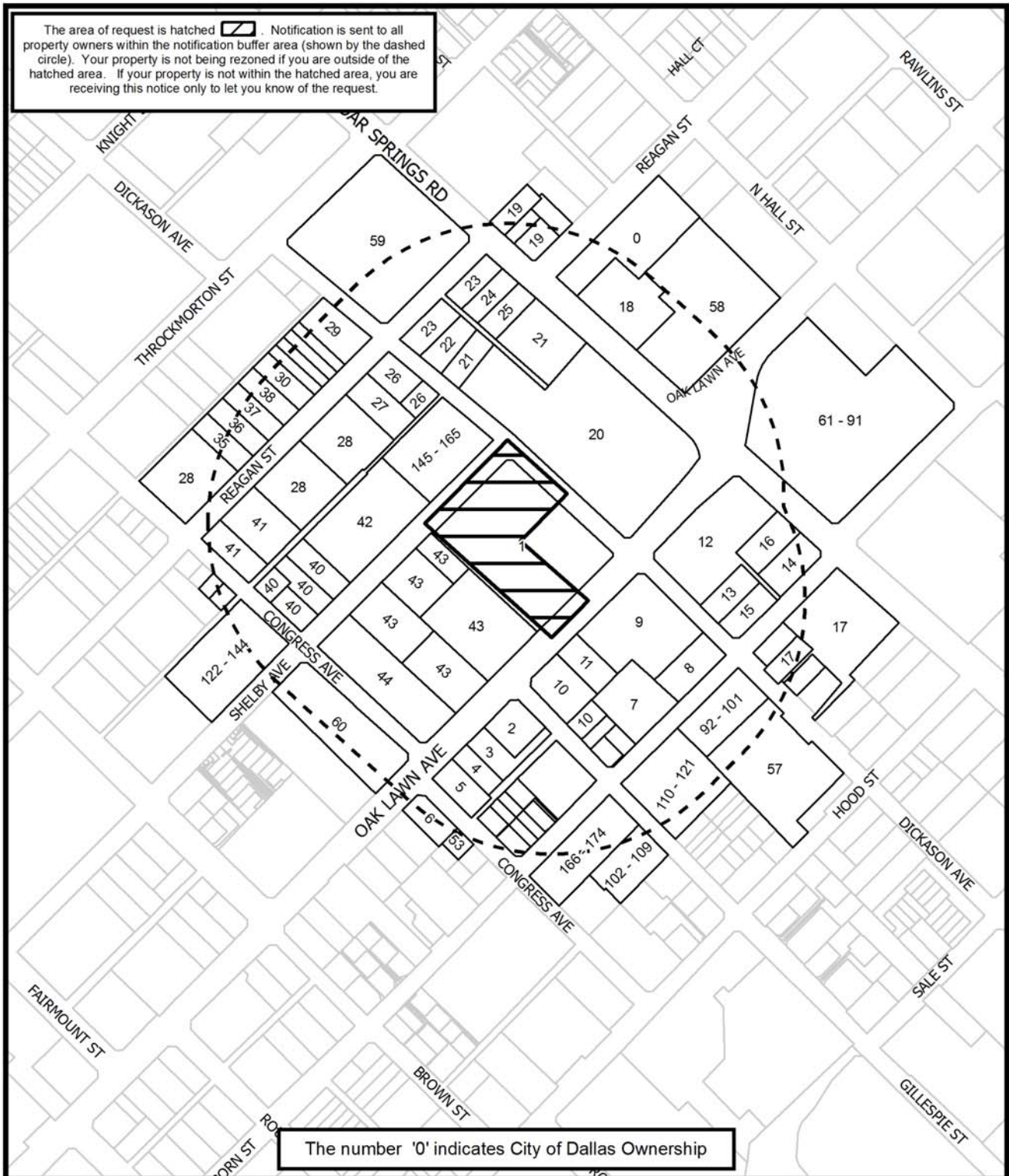
AERIAL MAP

Case no: Z134-156

Date: 2/27/2014



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



The number '0' indicates City of Dallas Ownership



1:3,600

NOTIFICATION

500'

AREA OF NOTIFICATION

176

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z134-156**

Date: **2/27/2014**

2/27/2014

Notification List of Property Owners***Z134-156******176 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2909 OAK LAWN AVE	CH REALTY IV 2929 OAKLAWN LP % CROW HOLD
2	2820 OAK LAWN AVE	RANJBARAN JAMSHID & MARZJEH RANJBARAN
3	2814 OAK LAWN AVE	TEXAS LAND & CAPITAL LTD
4	2808 OAK LAWN AVE	5612 YALE HOLDINGS LP
5	2800 OAK LAWN AVE	JANO AT OAK LAWN LP % THE MEDVE GROUP IN
6	2732 OAK LAWN AVE	CANNON YOUNG PROPERTIERS LP
7	2919 WELBORN ST	JST REAL ESTATE LLC STE 101
8	2929 WELBORN ST	CONRADO INC
9	2920 OAK LAWN AVE	INTERPROPERTIES GROUP INC
10	2904 OAK LAWN AVE	AHNS GROUP INC
11	2912 OAK LAWN AVE	SACHDEV PRAVEEN
12	3014 OAK LAWN AVE	OAK LAWN M E CHURCH
13	3706 DICKASON AVE	OAK LAWN METH CHURCH EXEMPT 1967
14	3703 CEDAR SPRINGS RD	OAK LAWN METH CH
15	3704 DICKASON AVE	OAK LAWN METH CHURCH
16	3707 CEDAR SPRINGS RD	BD OF TRUSTEES OAK LAWN UNITED METHODIST
17	3631 CEDAR SPRINGS RD	OAK LAWN UNITED METHODIST CHURCH
18	3818 CEDAR SPRINGS RD	GILLILAND PPTIES II LTD % LYNN GILLILAND
19	3105 REAGAN ST	CEDAR SPRINGS LLC
20	3015 OAK LAWN AVE	WARWICK MELROSE DALLAS %WARWICK AMUSEMEN
21	3912 DICKASON AVE	WARWICK CEDAR SPRINGS CORP
22	3914 DICKASON AVE	HATTERAS PENELOPE
23	3918 DICKASON AVE	OKRA PROPERTIES JV
24	3851 CEDAR SPRINGS RD	HATTERAS PENELOPE DMPT ENTERPRISES
25	3847 CEDAR SPRINGS RD	LERER JANE SAGINAW
26	2918 REAGAN ST	JUREK PROPERTIES LTD

2/27/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2914 REAGAN ST	JUREK PROPERTIES
28	2900 REAGAN ST	REAGANCONGRESS STREET APARTMENTS LLC
29	4011 DICKASON AVE	FALCONE A W FAMILY THE A WAYNE FALCONE &
30	2901 REAGAN ST	WEISFELD HERSCHEL ALAN
31	2909 REAGAN ST	HOFFMAN DREW S
32	2911 REAGAN ST	JIANG SHUKMAN OLIVIA
33	2913 REAGAN ST	HUGH ROGER P &
34	2915 REAGAN ST	CUNARD THOMAS D
35	2815 REAGAN ST	CINCO ACES PROPERTIES LLC
36	2821 REAGAN ST	2821 REAGAN LLC STE 115-214
37	2825 REAGAN ST	AN CONSTANCE
38	2829 REAGAN ST	ELLERBACH LYLE
39	3915 CONGRESS AVE	MARTIN STEVEN R
40	3910 CONGRESS AVE	TEXAS INTOWNHOMES LLC
41	2806 REAGAN ST	CREE DELANO LP
42	2817 SHELBY AVE	SIARAM PROPERTIES LP STE 525
43	2825 OAK LAWN AVE	U S POSTAL SERVICE
44	3810 CONGRESS AVE	OAK LAWN PLAZA LP
45	3780 CONGRESS AVE	GANDOLFO ANA MARIA M & CRISTIAN T
46	2801 WELBORN ST	BROOKSHIER ANDREW S
47	2811 WELBORN ST	OTHMAN ANAS R
48	2813 WELBORN ST	CLARK KELSEY
49	2803 WELBORN ST	MAXWELL ELEANOR POWELL
50	2805 WELBORN ST	PESTL MARCUS G
51	2807 WELBORN ST	NEWMAN JULIE
52	2809 WELBORN ST	MARTIN ROB
53	3715 CONGRESS AVE	MORELAND NANCY
54	3716 GILLESPIE ST	GINSBERG LAURIE BECKER & MAJOR
55	3722 GILLESPIE ST	MEYRAT RICHARD
56	2905 WELBORN ST	Taxpayer at
57	3611 DICKASON AVE	SSL LANDLORD LLC

2/27/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3802 CEDAR SPRINGS RD	WALGREENS STORE NO 7839 LLC
59	3917 CEDAR SPRINGS RD	CAVEN ENTERPRISES INCORP
60	2733 OAK LAWN AVE	OAK LAWN OUTDOOR LLC
61	3102 OAK LAWN AVE	CENTRUM GS LTD STE 390 LB 100
62	3102 OAK LAWN AVE	CENTRUM GS LTD SUITE 390 LB 100
63	3111 WELBORN ST	FORMANEK JONATHAN PAUL
64	3111 WELBORN ST	ANBOUBA IMAD K
65	3111 WELBORN ST	CAPRA JACQUELINE D
66	3111 WELBORN ST	WRIGHT RUSSELL & PATRICIA
67	3111 WELBORN ST	ROBINSON JAY E & LAUREN S
68	3111 WELBORN ST	MERINGER CHRISTOPHER G & MARIA CANO
69	3111 WELBORN ST	LAWRENCE CHARLES M & KIMBERLY D
70	3111 WELBORN ST	JOHNSON MADELEINE UNIT 1208
71	3111 WELBORN ST	ROBERTS MAIDA L B STE 1301
72	3111 WELBORN ST	DASEKE DON ROBERT & BARBARA SUE
73	3111 WELBORN ST	MOHR SAMUEL EDWARD
74	3111 WELBORN ST	LONDON FREDERICK A & JUDITH A UNIT 1304
75	3111 WELBORN ST	RACZ TRUST
76	3111 WELBORN ST	TIMCO CONSTRUCTION INC
77	3111 WELBORN ST	SCHWARTZ JEANNINE BAZER
78	3111 WELBORN ST	BOYD CURTIS W & GLENNA HALVORSONBOYD
79	3111 WELBORN ST	BOONE GARRETT & CECILIA
80	3111 WELBORN ST	BOONE GARRETT & CECILIA STE 110
81	3111 WELBORN ST	DASEKE DON ROBERT & BBARBARA SUE
82	3111 WELBORN ST	JOHNSON MADELEINE UNIT 1501
83	3111 WELBORN ST	DANIS JEROLD I & JEANNE M UNIT 1502
84	3111 WELBORN ST	FORMANEK JONATHAN PAUL
85	3111 WELBORN ST	SANTA FE REALTY CORPORATION PMB 319
86	3111 WELBORN ST	SHEKTER MARK ARTHUR UNIT 1601
87	3111 WELBORN ST	SUDER ERIC UNIT 1602
88	3111 WELBORN ST	THOMSON MICHAEL D UNIT 1604

2/27/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	3111 WELBORN ST	CENTRUM TOWERS LTD STE 390 LB 100
90	3111 WELBORN ST	JONES JERRAL W #1702
91	3111 WELBORN ST	REED ALBERT S JR
92	3627 DICKASON AVE	SMITH TREY
93	3627 DICKASON AVE	ADAMS DAVID G
94	3627 DICKASON AVE	HUGHES STEVEN L
95	3727 DICKASON AVE	SNAPP CHARLES W
96	3627 DICKASON AVE	RICE JAMES L & VONDA L RICE
97	3727 DICKASON AVE	HESTON MATTHEW R
98	3727 DICKASON AVE	BOECKLE SCOTT
99	3627 DICKASON AVE	MACIAS ROSENDO GILBERTO & MACIAS ROSA IR
100	3627 DICKASON AVE	HARTLEY NICHOLE L UNIT 10 BLDG C
101	3627 DICKASON AVE	GALLI JEFFREY
102	3615 GILLESPIE ST	WOOD WILLIAM
103	3615 GILLESPIE ST	MM MUTLIPHE HOLDINGS LLC
104	3615 GILLESPIE ST	DAVIS GREGORY T
105	3615 GILLESPIE ST	JASPER LESLIE L &
106	3615 GILLESPIE ST	MARGO WILLIAM W
107	3615 GILLESPIE ST	BOHDAN ERIK
108	3615 GILLESPIE ST	MITCHELL KELLY D
109	3615 GILLESPIE ST	KOELSCH CHRISTOPHER S
110	3618 GILLESPIE ST	MCRAE WILLIAM H
111	3618 GILLESPIE ST	LANDRUM MARY E
112	3618 GILLESPIE ST	MILLER ELAINE K & RICHARD B UNIT A103
113	3618 GILLESPIE ST	LYNN JAMES B & KATIE A
114	3618 GILLESPIE ST	BARBER SCOTT C # A-105
115	3618 GILLESPIE ST	SIEGAL MICHAEL UNIT 106
116	3618 GILLESPIE ST	FARRIS EFISIO & LORI
117	3618 GILLESPIE ST	BURKE GENIE
118	3618 GILLESPIE ST	BAHRAMI SHOHREH UNIT 109B
119	3618 GILLESPIE ST	KOPEC FRANK J & DEBORAH A

Z134-156(RB)

2/27/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	3618 GILLESPIE ST	SBEITY ALI UNIT 111
121	3618 GILLESPIE ST	WHITTIER ANTONIE BLDG B APT 112
122	2727 SHELBY AVE	WESTBROOK LAFAY
123	2727 SHELBY AVE	NARVARTE ANTONIO
124	2727 SHELBY AVE	NARVARTE ANTONIO & ROCKY CHESTNUT
125	2727 SHELBY AVE	HARRISON RICHARD BLDG 1 UNIT D
126	2727 SHELBY AVE	PAUNER ROGER LEE UNIT E
127	2727 SHELBY AVE	STEELE NATHAN C & ALLISON M
128	2727 SHELBY AVE	ELEY GARY TALBERT UNIT G
129	2727 SHELBY AVE	NARVARTE ANTONIO & ROCKY CHESNUTT
130	2727 SHELBY AVE	DOUBET ALEXANDER W
131	2727 SHELBY AVE	GUY STANLEY E & CHARLES D EVANS
132	2727 SHELBY AVE	KELLY BRIAN K
133	2727 SHELBY AVE	KUEHNE JOHN W BLDG 3 UNIT L
134	2727 SHELBY AVE	LESZINSKI SLAWOMIR
135	2727 SHELBY AVE	KROL FLORENCE D BLDG 3 UNIT N
136	2727 SHELBY AVE	OLSON DREE A UNIT O
137	2727 SHELBY AVE	SHAFFER ALAN BLDG 4 UNIT Q
138	2727 SHELBY AVE	YIN LONGDA
139	2727 SHELBY AVE	BAKER SUZANNE BLDG 4 UNIT S
140	2727 SHELBY AVE	CORTEZ SANTOS
141	2727 SHELBY AVE	KAZYNSKI JUSTIN BLDG 5 UNIT V
142	2727 SHELBY AVE	HARROD J MICHAEL TR
143	2727 SHELBY AVE	BURT TERRY W UNIT X
144	2727 SHELBY AVE	BURKETT JILL T BLDG 5 UNIT Y
145	2907 SHELBY AVE	KELSCH DAVID R
146	2909 SHELBY AVE	BUSHE PRISCILLA W BLDG A UNIT 2909
147	2929 SHELBY AVE	MAH YEE CHING BLDG A UNIT 2929
148	2931 SHELBY AVE	RODRIGUEZ SIMON
149	2925 SHELBY AVE	ALOISIO GINA M
150	2927 SHELBY AVE	BOLDEN LARRY BLDG B UNIT 2927

Z134-156(RB)

2/27/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	2947 SHELBY AVE	LEWIS RICHARD S BLDG B UNIT 2947
152	2949 SHELBY AVE	THRESHER STUART D
153	2911 SHELBY AVE	MENDOLIA PAUL JR BLDG C UNIT 2911
154	2913 SHELBY AVE	RAMIREZ VIRGINIA NOEMI SANZ
155	2915 SHELBY AVE	JJEMMA LLC
156	2919 SHELBY AVE	MCLARRY ELIZABETH
157	2921 SHELBY AVE	ARNETT MARGARET L
158	2923 SHELBY AVE	HEADINGS THEODORE H
159	2933 SHELBY AVE	RIVIELLO CHRISTINE UNIT 2933
160	2935 SHELBY AVE	BRAY WADE
161	2937 SHELBY AVE	RODRIGUEZ ROSA M
162	2939 SHELBY AVE	JACOBSEN DESIREE A
163	2941 SHELBY AVE	DICKERSON JEFFREY H UNIT 2941 BLDG C
164	2943 SHELBY AVE	YOUNG KAREN E
165	2945 SHELBY AVE	OBRIEN ANN LOUISE
166	2802 WELBORN ST	SHUGHRUE CYNTHIA L & CARLOS L BARRAGUE
167	2804 WELBORN ST	BOUNDS JAMES T III UNIT 2
168	2806 WELBORN ST	FUNK JUDITH EHMAN
169	2808 WELBORN ST	BORLENGHI ELLEN S
170	2810 WELBORN ST	SCOTT LLOYD & ALVIN C TISDALE
171	2812 WELBORN ST	JANSING WILLIAM S
172	2814 WELBORN ST	BOLIN DENNIS L UNIT 7
173	2816 WELBORN ST	ENGLISH RICK L & SUSAN P
174	2818 WELBORN ST	GUZZETTI WILLIAM L
175	2815 WELBORN ST	WAIATARUA INC %STEVE STRANGE
176	2815 WELBORN ST	WAIATARUA INC % STEVE STRANGE

FILE NUMBER: Z123-343(MD)

DATE FILED: July 7, 2013

LOCATION: South of West Jefferson Boulevard, between Tennant Street and Oak Cliff Boulevard

COUNCIL DISTRICT: 1

MAPSCO: 53-H

SIZE OF REQUEST: ±11.384 acres

CENSUS TRACT: 0052.00

REQUEST: A City Plan Commission Authorized Hearing to consider an Historic Overlay for Sunset High School on property zoned Planned Development District No. 409.

SUMMARY: Sunset High School is the second oldest extant public high school in Oak Cliff and is the eighth oldest high school in Dallas. The Georgian Revival style structure was constructed between 1923 and 1925 and was designed by the renowned architectural firm of DeWitt and Lemmon. A significant property must meet 3 of 10 designation criteria. This property has been determined to meet 8.

STAFF RECOMMENDATION: Approval, subject to preservation criteria.

LANDMARK COMMISSION RECOMMENDATION: Approval, subject to preservation criteria.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon the following:

1. Both the Landmark Commission and its Designation Committee have determined this complex to be historically significant under 8 designation criteria. These criteria include; history, heritage and culture, significant persons, architecture, architect or master builder, historic context, unique visual feature, national and state recognition, and historic education.
2. The proposed historic overlay will only affect the historic 1925 portion of the existing structure and the areas in the 'no build zone'. The subsequent additions and rest of the site will not be affected by the historic designation.
3. The designation is supported by Dallas Independent School District Board of Trustees, who voted on March 20, 2014 to support the designation.
4. This overlay designation does not change the base zoning or permitted uses for the property.
5. The request complies with the Comprehensive Plan.

BACKGROUND INFORMATION:

- After Sunset High School was authorized by the City Plan Commission on July 7, 2013, the Designation Committee of the Landmark Commission met four times with DISD and the Sunset Alumni Association to work on the landmark nomination form and preservation criteria.
- The Designation Committee approved the designation report, comprised of the landmark nomination form and preservation criteria, on February 11, 2014.
- Landmark Commission approved the designation on Monday, March 3, 2014.

STAFF ANALYSIS:

Comprehensive Plan:

The historic overlay is consistent with both the Urban Design and the Neighborhood Elements of the Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation historic neighborhoods and buildings creates a direct, visual link to the past, contributing to a "sense of place."

Goal 5.1 Create a Sense of Place, Safety and Walkability

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

Goal 5.2 Strengthen Community and Neighborhood Identity
Policy 5.2.1 Maintain neighborhood scale and character.

Goal 7.2 Preservation of Historic and Cultural Assets
Policy 7.2.2 Create a sense of place through the built environment while maintaining the existing historic fabric.
Policy 7.2.4 Protect historic and cultural assets.

LANDMARK COMMISSION ACTION: (March 3, 2014)

This item appeared on the Commission's discussion agenda.
Motion: Approval, subject to preservation criteria.

Maker: Silva

Second: *Sherman

Results: 11/0

Ayes:	Amonett, Birrer, Campbell, Flabiano, Johnson, Jordan, Maten, Seale, Silva, *Sherman, Tapscott
Against:	None
Absent:	Dickey
Vacancies:	4, 5, 7 & 12

**Dallas Landmark Commission
Landmark Nomination Form**

1. Name

Historic: **Sunset High School**
and/or common: n/a
Date: 1925

2. Location

Address: **2120 West Jefferson Blvd.**
Location/neighborhood: **Dallas, 75208**
Block and lot: Block A/3320, lot 1 **land survey:** n/a **tract size:** 11.384 Acres

3. Current Zoning

current zoning: **PD 409**

4. Classification

Category	Ownership	Status	Present Use	_____museum
_____district	<input checked="" type="checkbox"/> public	<input checked="" type="checkbox"/> occupied	_____agricultural	_____park
<input checked="" type="checkbox"/> building(s)	_____private	_____unoccupied	_____commercial	_____residence
<input checked="" type="checkbox"/> structure	_____both	_____work in progress	<input checked="" type="checkbox"/> educational	_____religious
<input checked="" type="checkbox"/> site	Public	Accessibility	_____entertainment	_____scientific
_____object	Acquisition	<input checked="" type="checkbox"/> yes: restricted	_____government	_____transportation
	_____in progress	_____yes: unrestricted	_____industrial	_____other, specify
	_____being consider'd	_____no	_____military	

5. Ownership

Current Owner: Dallas Independent School District
Contact: Orlando Alameda, Real Estate and Leasing Services Ph: 972/925-5142
Address: 3700 Ross Avenue City: Dallas State: TX Zip: 75204

4. Form Preparation

Date: February 14, 2014
Name & Title: Marcel Quimby, Designation Committee, assisted by Cindy W. Billman
Organization: Sunset High School Alumni Association
Contact: Mitch Womble: 214/675-2843 (cell)

7. Representation on Existing Surveys

Alexander Survey (citywide): local state national
 National Register no
 H.P.L. Survey (CBD) A B C D Recorded TX Historic Ldmk
 Oak Cliff TX Archaeological Ldmk
 Victorian Survey
 Dallas Historic Resources Survey, Phase _____ high _____ medium _____ low

For Office Use Only

Date Rec'd: _____ **Survey Verified:** Y N **by:** _____ **Field Check by:** _____ **Petitions Needed:** Y N
Nomination: Archaeological Site Structure(s) Structure & Site District

8. Historic Ownership

<i>Original owner:</i>	City of Dallas Public Schools (now known as Dallas Independent School District)
<i>Significant later owner(s):</i>	none

9. Construction Dates

<i>Original:</i>	1925
<i>Alterations/additions:</i>	1952, 1956, 1963, date unknown, 2005

10. Architect

Continued on page 11

<i>Original construction:</i>	1925	DeWitt and Lemmon Architects
<i>Alterations/additions:</i>	1952	Team Room Wiltshire & Fisher Architect Mark Lemmon, Consulting Architect
	1956	Physical Education Addition Robert D. White, Architect Mark Lemmon, Consulting Architect
	1963	Science Annex Jarvis Putty Jarvis Architect Mark Lemmon, Consulting Architect
	N/A	Date of construction, name of building and of architect not known
	2005	Addition and South Entry BCI Architects

11. Site Features

Sunset High School sits on a full block fronting West Jefferson Boulevard, a major divided street that is a historic east-west travel route in North Texas; the street typically is located atop a natural ridge. The site selected for the school is on the south side of West Jefferson Blvd., and is almost a full floor level above the street level. A concrete sidewalk at the street is flanked by long, low concrete retaining walls along most of the block. This low retaining wall hold back the sloping lawn - which then levels off adjacent to the building's front facade. These low retaining walls increase in height at each side of the school, providing level playing areas for the newer tennis courts and baseball field.

The site largely retains its original topography with a high point at the original south property line that slopes down to West Jefferson at the northeast corner of the site. This vertical elevation varies from a grade difference of 20' along Tennant Street to 7' along Oak Cliff Blvd. While the large front lawn and baseball field at the west end of the site are lawn, the remainder of the site is covered with buildings (the large original school and numerous additions) and paved areas for parking, basketball and tennis courts. Vegetation is limited to occasional trees in the front lawn, in the courtyard between the historic school and the addition to the east and in the parking lot.

12. Physical Description

Condition, check one:

☐ excellent

☒ good

☐ fair

☐ deteriorated

☐ ruins

☐ unexposed

☐ unaltered

☒ altered

Check one:

☒ original site

☐ Moved (date _____)

Sunset High School was constructed between December 1923 and September 1925, on the northern half of the block bounded by West Jefferson Blvd. on the north, North Oak Cliff Blvd on the east, the alley between West Jefferson Blvd and West Tenth Street on the south and Tennant Street on the west. Single family homes were on the southern half of the block, facing West Tenth Street; these were later removed for the schools' first addition. Currently, the school is surrounded by the Sunset Hill neighborhoods to the north, west and south with the immediate block to the east institutional use (churches).

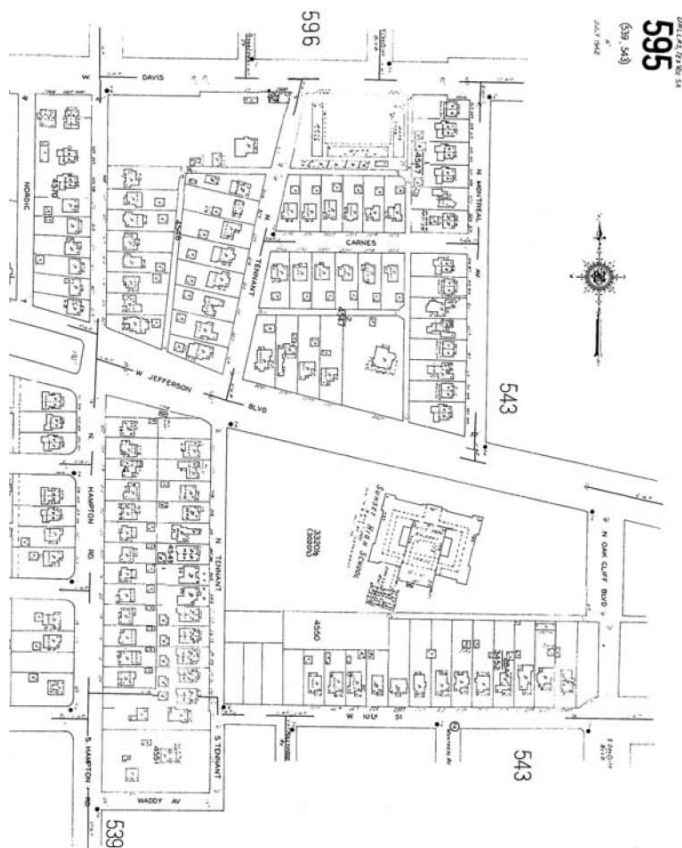


Photograph of Sunset High School, c. 1925. *Sundial* yearbook, courtesy of Joe Whitney.

The full-block site is located on West Jefferson Blvd., a major boulevard and thoroughfare that runs east-west towards Oak Cliff's 'downtown' commercial and downtown Dallas area to the east. The historic lawn in front of the school remains in place, with wide, new monumental concrete steps that lead to the open loggia and front entrance to the school.

This three-story steel frame building with masonry walls was designed in the Georgian Revival style – an architectural style that was popular in the early twentieth century in the United States. Based on Renaissance architectural ideals (symmetry, geometric proportions and prominent entrance), the Georgian style dates from the Revolutionary period of the United States through the reign of King George IV of England – a period dating from 1700 until the 1830. The Georgian style was used for larger institutional and residential buildings, typically in brick, two to three-stories in height and was characterized by symmetrical facades in a three or five-part composition, prominent central entries, hipped roof form with front facing gables on side wings and typically with single windows.

Like other architectural styles, the Georgian style was revived in the early decades of the twentieth century for commercial, institutional and residential buildings - and referred to as 'Georgian Revival.' While this revival style included many of the Georgian style's original features, it added new components including flat roofs with pediments, semi-engaged pilasters and paired or triple windows. Sunset High School incorporates many of these features – a flat roof, the five-part composition with pediments above the center portion and end wings, flat facades, triple windows compositions as well as horizontal stone courses and a water table at the first floor. However the triple round-arched (semi-circular) entry openings with Doric columns and paired round arched windows above the building entry are not of Georgian style but reflect the Romanesque style.



Sunset High School and surrounding neighborhood, c. 1942.

Sanborn Map, 1942, page 595, courtesy of Dallas Public Library, Dallas

Note the school sits on its original site - the northern half of the block.

The Romanesque style, also known as the Rundbogenstil or Round Arch style, is characterized by round arches found on medieval churches of Europe including layered arches surrounding entry doors, columns at arcaded cloisters, and arched windows, masonry or brick construction and towers. The central bay at Sunset High School's triple entry arches and three sets of double arched window above are typical Romanesque features. This mix of architectural styles in a single building such as Sunset High School is not unknown. A change in style at a major building feature (such as the building entry) provides the school with a more prominent entry and provides the building with a unique appearance.

The building's structure is reinforced concrete frame with exterior masonry walls. The lower level brick is a blend of red, orange and brown bricks while the upper levels are a similar blend but with a darker brown appearance. A cast stone water course separated these two brick colors.

The front facade is composed of five wide bays with the two end bays protruding slightly with small pediments above; a large recessed brick panel exists in each of the end bays. An exterior grand stair from West Jefferson Blvd. extends towards the main building entry; these steps are divided into three equal sets with two large landings. The central bay protrudes slightly and is punctuated by three tall arched openings at the main entry (the raised first floor of the building). The stairs lead one under these three openings to an open porch or loggia. These large openings at the first floor have pairs of arched, double windows above. Pilasters flank each side of this center bay; these support simple cast stone capitals above that in turn, visually support the ends of the large pediment above. An oval cast stone decoration sits within this brick pediment. This procession up the stairs into an open loggia that leads to the school's main entry doors provides a formal entrance into the school.

The second and fourth bays are of a simple design and serve to connect the end bays to the center bay. These bays have a flat roofline, with cast stone cornice and no penetrations for windows or doors. The original window openings remain in place although the original windows wood windows have been removed and are placed with aluminum, 9/9 windows that are similar in design to the originals. The glass panes are clear.



Sunset High School, January 6, 2014



Front entry steps leading to loggia and front entrance.

The east and west side facades of the 1925 building are of the same materials as the front facade - masonry walls with a cast stone water course, largely rectangular floor plan. The windows are newer aluminum, 6/6 with clear glass and similar to the historic. The windows are arranged in groups of two or three. The east and west facades have two additional pairs of exterior doors; these are surrounded by semi-engaged brick pilasters with cast stone ornamentation. The original wood doors have been replaced with hollow metal but the original metal and glass wall-hung light fixture remains in place.

At the west facade, two groups of original wood windows at the first floor have been removed and replaced with new aluminum storefront and metal doors that provide an entrance to what has become an exterior patio with covered picnic tables at this facade. These modifications are sympathetic with the historic facade.



West facade, with brick and metal picnic shelters at adjacent patio.



Detail of historic exterior door surround at west facade

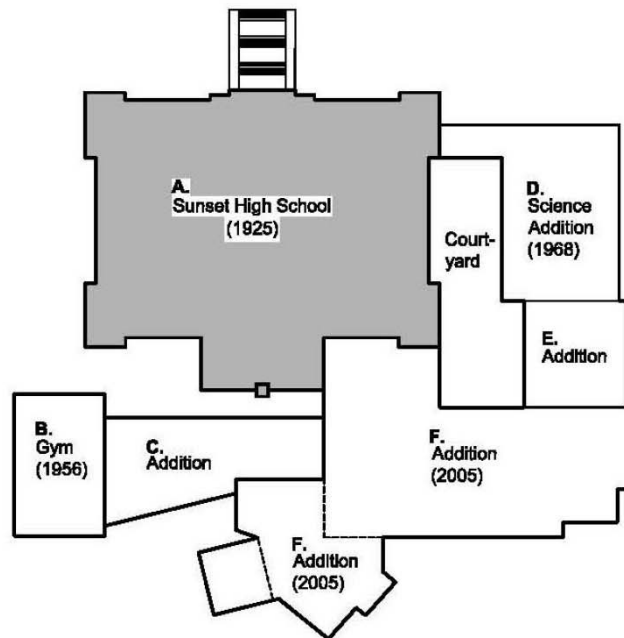


Original windows have been removed and new exterior doors and storefront installed in their place at west facade

The rear (south) facade is only partially visible due to later new construction and additions. A linear, one-story brick building is parallel to the rear facade but separated from the building by an open space that is approximately 20' wide; this smaller building restricts the view of the rear facade. The date of construction of this smaller building is not known (noted as building C on the Building Diagram). The gymnasium (1952) to the southwest of the original building, remains in place.

The large, newest addition with a new building entry adjoins (2005) is built immediately adjacent to the rear facade, so this portion of the facade has been lost to view.

The east facade of the original school remains largely intact although within the courtyard of the Science Addition - the school's first large addition (1963). This facade is not accessible to the public.



Building Diagram

Interior finishes

The interior of the school originally had concrete or terrazzo floors, painted plaster walls and ceilings. The classroom doors were solid wood doors with glass lights in wood door frames with operable transom windows above. Most offices also had high, single, pivoting wood windows that opened into the interior corridors and wood, double-hung wood exterior windows - these features allowed the teachers to control ventilation and air temperature within the room.

Unfortunately these finishes and features typically no longer remain as resilient flooring has been placed over the historic concrete and terrazzo floors, walls have new finishes and a low, 2' x 4' lay-in ceiling has been added in the public corridors and classrooms with mechanical equipment and ducts located above this new ceiling.



Interior lobby and entry doors to right. Mural by students is at far wall



Typical interior corridor with new finishes.



Third floor corridor with newer resilient tile floor, encased columns and 2' x 4' lay in ceiling.



Library with exterior windows at right

Historic interior features within the building

There are many interior features remaining in the original (1925) school building, including the interior stairs from the front doors into the school and the adjoining door frames and semi-circular transom windows, the auditorium, interior stairs to the lower and upper levels, library at third floor and two historic murals in the library.

Historic Murals at the Third Floor

In 1934 the federal government's Works Progress Administration Federal Art Project hired local artists to paint murals in public buildings and schools in Dallas.¹ Granville Bruce was selected to paint two murals at Sunset High School - the 'Landing of Pioneers' and 'An Early Texas School.' The oil on canvas murals were located on what was then a large hallway outside the Library on the third floor; this space had tall ceilings and skylight and easily accommodated these large murals. The Library was later expanded into this corridor, and these murals are now in a prominent location within the library. The two arches adjacent to these murals indicate the location of the original doors to the upper level of the adjacent auditorium.

These murals depicted topics that Bruce would depict throughout his career - the early expansion and settlement of Texas, often in a romanticized style. 'Landing Pioneers' shows a family that has just arrived by boat in the Gulf of Mexico and have walked up the sand dunes and are looking over the new land of Texas, as they begin their trek across the state to their destination. 'An Early Texas School' reflects an outdoor school where a teacher (in suit and tie), leans over a homemade lectern and reads from a book as he teaches; he is the only one with a book. His students are a mix of the community with children, men, women and an Indian who is removed from the settlers, but appears comfortable although his arms are crossed. A farmstead is visible in the background; the foreground shows a wood water barrel and gourd dipper on one of the homemade wood benches.

These murals remain in their original location. The Sunset Alumni Association paid for an evaluation of these murals in 2001; conservator Helen Hoop noted that the murals 'have never been 'sealed, cleaned or restored.' Ms. Hoop found some deterioration to the murals (mainly paint flaking) exists and the canvas paintings were beginning to come loose from the walls; she concluded that deterioration was likely to continue unless action is taken.² She also noted the adjacent fluorescent lighting, added in 1991, should be replaced. This letter noted a then-current (2003) cost estimate for the restoration of these important murals would be \$20,000 to \$25,000.



'Landing of Pioneers' mural; note original skylights in the ceiling. .



'An Early Texas School' mural.

Granville Bruce

Granville Bruce was born in Grand Island, Nebraska and was raised in Milwaukee, Wisconsin. There, he attended the Layton School of Art. Bruce later studied at the Art Institute of Chicago. He moved to Texas in 1924, settling in San Antonio.³ While he was living in San Antonio, Bruce studied under Hugo Pohl, a mural

¹ Holmes, Maxine, ed., Saxon, Gerald D. introduction, 1992. WPA Dallas Guide to and History; Dallas Public Library, Texas Center for the Book, and University of North Texas Press, 1992. p 234

² Letter from Joe Whitney, Sunset High School Alumni Association to Raphael Anchia, DISD Board, March 17, 2003.

³ Granville Bruce, Sunset High School Alumni Association website; <http://www.sunsetalumni.com/about-the-artist.htm>. Accessed January 7, 2014.

decorator, painter of historical and genre subjects, and director of the San Antonio Academy of Art. The two artists eventually built a studio in the late 1920s near San Antonio's Brackenridge Park. Bruce was successful in San Antonio. In 1929, he submitted a painting to the 1929 San Antonio Competitive Exhibition, he exhibited at the Davis Wildflower Competition and he had a solo exhibition at San Antonio's Witte Museum the following year.

In the 1930s, Bruce found work painting diorama backgrounds for the Dallas Museum of Natural History, a partnership that lasted for almost fifty years; he painted many of the display backgrounds and animals at the museum. He married Ula Lee Mead in 1930; Ula was the sister of fellow artist Ben Carlton Mead, and the couple moved to Dallas; there, Bruce did illustrations for *Holland's Magazine*, *Progressive Farmer* and other publications. He also illustrated several books on Western history and worked for the Public Works of Art Project where he painted murals for Sunset and at least one other public school. He also exhibited at Dallas Allied Arts in 1932 and at the State Fair of Texas in 1934.

About 1963, Bruce was commissioned to paint watercolors of six Texas missions, which Governor John Connally presented to the State of Texas. At about the same time, the Texas State Fish and Game Commission hired Bruce to paint a 68-foot panoramic mural, showing the landscape of Texas across the state, for the John H. Reagan Building - a an aspect of his career that he enjoyed. Bruce moved to Irving, Texas, about 1950, then to Sanger in 1987.⁴ The Dallas Museum of Natural History hosted Bruce's last major exhibition in 1982, and he was featured in *Southwest Art* magazine. Bruce died in 1989.

Other Dallas high schools also received murals including Oak Cliff (Harry Carnohan), North Dallas (John E. Douglass), Forest Avenue (Otis Dozier), Dallas Technical (Perry Nichols) and Forest Avenue (Thomas M. Stell). Several junior high schools also received murals as part of this program. Many of these artists would become important regional or nationally known artists in the years to come, including Bruce.

⁴ *Granville Bruce: Old Texas* exhibit at West Texas and Plains Museum; <http://www.tfaoi.com/aa/6aa/6aa38.htm>; accessed January 4, 2014.

10. Architect

Sunset High School was designed by the architectural firm of DeWitt and Lemmon which formed in 1921 by Roscoe DeWitt and Mark Lemmon. The two men would close their professional partnership in 1926 and both would have successful architectural practices in Dallas until the 1960s and 1970s. J. A. Rife Construction Co. was the general contractor.

Roscoe Plimpton DeWitt - partner with DeWitt and Lemmon, Architects⁵

Dallas-based architect Roscoe P. DeWitt graduated from Dartmouth in 1914 and received his MA in architecture from Harvard in 1917. He then served as a Captain with Battery E of the Fifty-Eighth Artillery in the Coast Artillery Corps during World War I. Following World War I, he began his career as a prominent Dallas architect, first partnering with Mark Lemmon (1921–1927) and their firm designed Sunset High School, Woodrow Wilson High School, several projects at Southern Methodist University, and the main sanctuary for Highland Park United Methodist Church. DeWitt and Lemmon dissolved their partnership in 1926 and DeWitt practiced as a sole proprietor until 1940.

DeWitt joined the U.S. Army as a Lieutenant Colonel and was later transferred to the Monuments, Fine Arts and Archives (MFAA) section of the Army due to his architectural background. The Army had recognized that during the Allies' planned invasion of France and Europe to end the war, it was imperative that they save as much of the culture of Europe as they could during the combat. The MFAA identified the hundreds of thousands of known pieces of art - public and private - and accompanied the first troops on land with the goal to find and protect these works from damage during combat, from theft, and made arrangement with the local authorities to protect and transfer the works of art to their owners. DeWitt was part of this advance MFAA team that inspected and safeguarded historical buildings throughout the countryside of France.

After World War II, DeWitt returned to Dallas and reopened his architectural firm. Three years later he began a partnership with Arch B. Swank to form DeWitt and Swank Architects. Their architectural firm "emerged as one of the most successful in Texas after the war" and the two men practiced together until 1953.⁶ DeWitt resumed his own architectural practice and gained a reputation as a modernist. Upon his retirement, DeWitt sold his practice to Page Southerland Page, an Austin-based firm which began in 1898. The Dallas office of Page Southerland Page, now known as Page/, continues as one of the larger firms in Dallas today.

DeWitt designed buildings at Parkland Memorial Hospital in Dallas, two Neiman Marcus stores (as well as Stanley Marcus' home in 1937), St. Vincent's Medical Center in Jacksonville, Florida and several public housing projects in the Dallas area. Among numerous other projects, DeWitt participated in the restoration of the original Senate and Supreme Court chambers and the James Madison Memorial Building of the Library of Congress in Washington, D.C. He had an active civic career, serving on the board of directors of the Dallas Civic Opera and the advisory board for the Texas Commission on Arts and Humanities. He was a member of the Dallas Historical Society, Texas Philosophical Society, Royal Society of Arts, the American Federation of the Arts, the Harvard Club of New York and the Cosmos Club of Washington, D.C. DeWitt died November 2, 1975.

This section on Roscoe DeWitt is largely based on information from the following sources:

⁵ Monuments Men Foundation, <http://www.monumentsmenfoundation.org/heroes/the-monuments-men/dewitt-maj.-roscoe-p.-dewitt>

⁶ Jensen, Randy, "Arch B. Swank, Jr.: An Inventory of his Drawings, Photographs and Papers, 1951-1979." Alexander Architectural Archive, The University of Texas at Austin, p. 2.

Mark Lemmon⁷ - partner with DeWitt and Lemmon, Architects

Mark Lemmon was born to William Leonard and Cosette Lipscomb Lemmon in Gainesville, Texas in 1889. William was from Missouri, but had moved to Texas to teach at the Masonic Female Institute in Marshall, Texas, where he met Cosette. She was the daughter of Garland Lipscomb, the general counsel for the Texas & Pacific Railroad where the railroad had its regional offices. After their marriage, the couple moved to Gainesville. In 1897, the family moved to Sherman, Texas where William taught school and was later appointed Superintendent of Schools. William also wrote textbooks, including a set of grade school readers; he died in 1909 when his son Mark was attending the University of Texas in Austin; Mark was the couple's only child.

Lemmon graduated from the University of Texas in 1912 with a degree in geology; he then attended Massachusetts Institute of Technology (MIT) where he received a degree in architecture and engineering in 1916. He moved to New York and worked for Warren and Westmore Architects for about six months where he participated on the design of the Commodore Hotel in New York City and the Boradmoor Hotel in Colorado Springs, Colorado. He then joined the army, serving as an officer with the 77th Engineering Division in France, in the Normandy region. During his time in France Lemmon was exposed to and developed a lasting admiration for French Gothic and other historic architecture styles that he would later utilize in his practice.

Lemmon returned to Dallas in 1919 and worked for Hal B. Thompson whom he knew while both were students at the University of Texas. Thompson's practice primarily included prestigious homes for clients in East Dallas and Highland Park. In 1921 Lemmon and Roscoe DeWitt, who had his own practice in Dallas, formed a partnership - DeWitt and Lemmon. One of the new firms' first commissions was the Stephen F. Austin Elementary School in Dallas (now demolished). This early school commission and Lemmon's family background in the educational profession would lead to additional school projects for the firm including Sunset and Woodrow Wilson high schools in Dallas and schools in Galveston, Denison and Cameron. Lemmon and DeWitt partnered with William B. Ittner of St. Louis, a renowned architect of public schools for the Goliad Junior High School in Galveston, Texas - a savvy move that allowed the young firm to learn the art of school design from one of the country's masters.

Another of DeWitt and Lemmon's clients was Southern Methodist University. They received three commissions on the campus, of which two were constructed. They also received a commission for Highland Park United Methodist Church, adjacent to SMU, which was completed in 1927.

DeWitt and Lemmon dissolved their partnership in 1926; both men continued their practices in Dallas and both would have remarkable careers. Lemmon's practice continued to focus on education and ecclesiastical buildings including several schools for Port Arthur (1927 thru the 1930s), Third Church of Christ Scientist (1931) and Boude Story Junior High School (1933). Lemmon also designed the Art Deco-style Tower Petroleum Building - his first high rise - that was completed in 1931. In 1935 - 1936 Lemmon was a member of the Texas Centennial Architects, Inc, the consortium of architects hired for the Hall of State building at the Texas Centennial at Fair Park. Other projects during this time included the U. S. Post Office in Stephenville, Texas, Cokesbury Book Store in downtown Dallas (1936 - 1937) and Alex Spence Junior High School (1938 - 1940) - a Dallas Landmark building. Much of his early work during this time was characterized by the use of

This section on Mark Lemmon is largely based on information from the following sources:

⁷ Christopher Long, "Lemmon, Mark," *Handbook of Texas Online* (<http://tshaonline.org/handbook/online.org/handbook/articles/fle64>). accessed January 1, 2014. Published by the Texas State Historical Association.

Singleton, Kate. Recorded Texas Historic Landmark Application for Mark and Maybelle Lemmon House, Highland Park, unpublished document. Dallas, 2005.

Brettell, Richard R. and Winters, Willis Cecil, *Crafting Traditions, The Architecture of Mark Lemmon*. Dallas: Meadows Museum, Southern Methodist University Press, 2005.

various historic styles including Gothic, Romanesque, Georgian and Neo-Classical although in the late 1920s and 1930s some of his buildings utilized Moderne and Art Deco styles - the Petroleum Building, Alex Spence Junior High School, the Hall of State and Cokesbury buildings.

As with many architects across the country, Lemmon served in the Army, and was stationed in Dallas, with the Army's 8th Service Command, doing both traditional architecture and developing and negotiating contracts for the army. He was the architect for the San Angelo Air Force Base Advanced Flying School in San Angelo, Texas and also served on a committee to re-negotiate all Army contracts in the United States.⁸ As he was stationed locally, Lemmon was able to keep his architectural practice open with several projects designed and constructed during this time including Frazer Courts Public Housing in Dallas (1940-42) and Perkins Gymnasium at SMU (1940-42).

Following the end of World War II, Lemmon's practice grew and he completed numerous projects in the last years of the decade including Fondren Science Building (1949) and Kirby Hall Renovation and addition (1947-51), Perkins Chapel (1950) and Caruth Engineering Building (1946-48) at SMU, Robert S. Hyer Elementary for Dallas Public Schools, Highland Park Junior High School (1945-47), Wynnewood Presbyterian Church (1947-49) and First Presbyterian Church in Tyler (1947-49). Lemmon also worked on numerous commissions for the University of Texas System for the Austin, Dallas and Galveston.

In 1945 Dallas Independent School District selected Lemmon for the position of 'consulting architect' - a position that insured his involvement in the design of all new work at DISD school. In his role as 'consulting architect' Lemmon mandated the design, form and materials for these projects and received a commission of 1% of the construction cost for these projects. While Lemmon served as DISD's consulting architect, his firm continued to be selected as architect by DISD for a number of school project in the four bond programs DISD passed between 1945 and 1954. During this time frame, Lemmon assigned eight new elementary schools and one high school to his firm. This role of 'consulting architect' and its lucrative fees were resented by the local architects and in 1955 the Dallas chapter of the American Institute of Architects asked that this position be eliminated. DISD supported Lemmon's role and he retained the position until 1968.

Of the numerous schools Lemmon completed for DISD, two are Dallas Landmarks - Woodrow Wilson High School and Alex Spence Junior High School.

The 1950s saw great growth in Dallas and Lemmon's office was busy with projects including five new buildings at SMU, Churchill Way Presbyterian Church (1957-59), St. Phillips Catholic Church (1957-59), the addition to the Municipal Building (with Harwood K. Smith. 1954-55), Hoblitzelle Clinical Sciences Building (1955-58), associate architect on Braniff Airlines Operations Center with Pereira and Luckman (1956-58) and Southland Center with Welton Beckett and Associates (1958-59). Mark Lemmon and George Dahl's firm joined forces to complete the Dallas Federal Building (1958-early 1960s). At a construction cost of \$24 million, this was one of Lemmon's larger projects.

In the latter years of his career, Lemmon returned to ecclesiastical buildings including several for former clients such as Highland Park Presbyterian Church and Highland Park Methodist Church. He retired from practice in 1965 (at the age of 76) although he continued to serve as consulting architect for Dallas Independent School District until 1968, when he ended his forty-six year relationship with the school district. Lemmon passed away on December 22, 1975 and his memorial service was held at one of his beloved churches, Highland Park Presbyterian Church. He was survived by his wife Maybelle Reynolds Lemmon of fifty-two years, and two sons - Mark L. and George R. Lemmon.

⁸ Singleton, idid

A. J. Rife Construction Company, Contractor

The contractor for Sunset High School was A. J. Rife General Construction, a Dallas contractor. The first known building that the firm constructed was a large, 2-story house for Jacob Kahn at 2519 South Boulevard, Dallas in 1921; the architect for the Kahn house was the new firm of DeWitt and Lemmon.⁹ Jacob Kahn was a prominent cotton broker; his son Edmond J. Kahn followed his father into the cotton business and served as President of the Dallas Cotton Exchange; Edmond and his wife, Louise Wolff Kahn, were would later become among Dallas's most prominent and philanthropic citizens.

The construction company's projects in the 1920s and 1930s included commercial projects including the remodel of the historic (1874) Collin County Courthouse in McKinney in 1927 and a new warehouse and division workshop for the Texas Highway Department in Dallas in 1930. The Rife Construction Company numerous projects for the military during World War II including a medical replacement facility at Camp Barkley buildings at the new Swift Army Camp in Bastrop County and at Fort Sill. One of their more interesting projects was the construction of the Jerome Relocation Center, Arkansas in 1942 to accommodate relocated Japanese Americans from California and Hawaii. This center was the first such center and opened in October 6, 1942 and it would be the first to close in June 1944. Built at a cost of \$4.7 million, the project was completed by the J. A. Rife Construction Company & Associates which was a partnership of J. A. Rife Construction Company of Dallas (75% ownership), and Stephen Chandler.^{10, 11}

A. J. Rife's projects in the 1950s included buildings at Carswell Air Force Base in Fort Worth and work for the Dallas Housing Authority.

⁹ Industrial Development and Manufacturers Record, 1921. www.books.google.com/books?id=cl8-AQAAMAJ; accessed January 2, 2014

¹⁰ Burton, Jeffrey, Mary M. Farrell, Florence B. Lord and Richard D. Lord, 'Confinement and Ethnicity, an Overview of World War II Japanese American Relocation Sites', online/ accessed Jan. 4, 2013 pages 149 - 160
 Pub 1999 by Western Archeological and Conservation Center, U. S. Department of the Interior; reprinted 2000.
books.google.com/books?isbn+0295981563

¹¹ Jerome War Relocation Center, http://en.wikipedia.org/wiki/Jerome_War_Relocation_Center; accessed Jan. 4, 2014.

13. Historical Significance

Oak Cliff Schools¹²

In 1891 the newly-incorporated town of Oak Cliff decided to provide public education facilities for its population, and shortly thereafter voted to seek bids on a new school building. The newspaper reported: "Resolved by the city council of Oak Cliff that the mayor be instructed to advertise for plans for a modern three-story brick school building with brick cross walls [*sic*] to be erected at Oak Cliff, Texas, to contain twelve rooms for school purposes and the cost of said building, complete, not to exceed the sum of \$22,000." The corner stone for the school was laid at the corner of Patton (then St. George) and Tenth Streets in September 1892 under the auspices of the Masonic Grand Lodge of Texas.¹³ This school building was known as the Oak Cliff Central High School and served grades 1 through 11; the 12th grade would be added in the future.

In 1901 William Harden Adamson was named Superintendent of the Oak Cliff Central School; it is thought that in this smaller school system, the Superintendent's responsibilities included also serving as principal of the school. In May 1902 Adamson presided over his first graduation of students from Oak Cliff, awarding some 18 diplomas at a ceremony held at Oak Cliff Methodist Church. In 1903 Adamson was unanimously re-elected as Superintendent at a salary of \$1,300 per year.

Room assignments for 1903 listed 15 teachers at the Central Building – 2 in the high school and 13 in grades 1-8. In December 1903 the enrollment figures totaled 819 with 386 boys, 433 girls and an additional 105 enrolled in the 'colored school' – 43 boys and 62 girls.

Dallas Public School System¹⁴

The first public school system that served the City of Dallas - the Dallas Public School system - was founded and operated by City of Dallas' municipal government. As the town of Oak Cliff was a separate town, it operated its own school system for Oak Cliff and nearby residents until 1903 when Oak Cliff was annexed by the City of Dallas. In 1904, the Oak Cliff schools became part of the Dallas Public School system. Due to lack of school space, the students from Oak Cliff High School were moved to the new Dallas High School on Bryan Street (built in 1903 and mostly recently known as Crozier Tech High School) which was Dallas' only high school for white students at the time. Elementary and middle school students in Oak Cliff remained at the Oak Cliff Central School.

By 1906 the Dallas school system had grown to 10,000 students in 14 schools and 200 teachers, with 1,000 students in Oak Cliff. Oak Cliff continued to grow and by 1912 the Oak Cliff community requested a new high school be provided. School officials began to project their future needs for the next few decades and in 1914, it was estimated that the school population would increase from 2,801 in the 1915-16 school year to 8,902 by 1925 - reflecting the future growth of the city of Dallas and its suburban growth patterns. The Dallas School Board then recommended that sites in Oak Cliff and South Dallas areas be secured for 'high school buildings of the standard capacity (to) be forthwith constructed, furnished and installed...' ¹⁵ By 1915 two sites had been selected and nationally known architect William B. Ittner was hired to design both high schools – Oak Cliff High School (now known as Adamson High School) and Forest Avenue High School in South Dallas (now known as Madison High School). This venerable architect, nationally known for transforming

¹² Largely based on Johnson, Bob; Glenn Strauss and Marcel Quimby, ed.. 'Oak Cliff High School Dallas Landmark Nomination', September 15, 2009, pgs 14 - 15.

¹³ "Corner Stone of the Oak Cliff Public School Building Laid To-Morrow," September 12, 1892, *Dallas Daily Times Herald*, p. 4, col. 1.

¹⁴ Largely based on Johnson, Bob; Glenn Straus and Marcel Quimby, ed.. 'Oak Cliff High School Dallas Landmark Nomination', September 15, 2009, pgs 14 - 15.

¹⁵ 'Historic and Architectural Resources of East and South Dallas' National Register nomination, 1995

American public school architecture by designing schools with light in all classrooms, introduced ventilation into the classrooms, provided modern plumbing and bath facilities by moving the student bathrooms (previously delegated to basements) to the same floor as the classrooms; in general his schools were much more humane than those of the previous century. With the completion of these new high schools, Dallas now had three high schools, each serving distinct areas of the city - north, south and south-west (Oak Cliff); Professor Adamson was selected as the Principal of the New Oak Cliff High School. The school board also looked at purchasing additional land in both areas for additional elementary and middle schools. Oak Cliff continued to grow and then new Oak Cliff (Adamson) High School was soon over-crowded; by the early 1920s, the need for another new high school to serve the western portion of Oak Cliff was identified.

Sunset Hill Addition and adjacent context

The site for the new high school was located on West Jefferson Blvd., adjacent and to the north of Sunset Hill Addition. This neighborhood was originally part of the John Merrifield farm in the late nineteenth century. The farm was purchased by Leslie Stemmons in 1911 and platted for development. In July 1911, 160 lots were put up for sale, with the typical lot selling for \$750. Sunset Hill Addition and nearby Rosemont neighborhoods were annexed by the City of Dallas in 1915.¹⁶ The site of the future school was not annexed until several years later. At the time of the school's opening in 1925 the south boundary of the school site was adjacent to the rear side of northern lots on West Tenth Street.

Sunset Hill neighborhood largely consists of one and two-story bungalow and craftsman homes. The subdivision was bounded by West 10th Street, Clarendon Street, South Waverly Drive and Hampton Road. Most of the homes were built prior to the construction of the school and most retain much of their original character. The historic Cedar Crest house, a large Greek-Revival country estate that was originally built outside Dallas' city limits in 1905 now sits on a large lot directly across West Jefferson Blvd. While the street is a mix of commercial and residential buildings and uses, the surrounding residential neighborhoods date from the early 20th century and many pre-date the school. Two of these neighborhoods have local or national historic designation, including Rosemont (NR) to the north-east and Winnetka Heights (Dallas Landmark, NR, RTHL) to the east.

The school site faced West Jefferson Blvd., a historic road that ran from downtown Dallas, through downtown Oak Cliff towards Grand Prairie. The road was a six lane boulevard from downtown Oak Cliff to Marlborough Street - six blocks east of the school site. From Marlborough Blvd. west (including at the Sunset school site) it was a two-lane road leading through the nearby countryside; this was deemed unsuitable for the traffic anticipated at the new high school.¹⁷ The City of Dallas extended the six-lane boulevard at West Jefferson Blvd. from Marlborough Avenue to Hampton Road in 1925; this was done in conjunction with Dallas County extending the road from Hampton west to Cockrell Hill, as this portion was beyond Dallas city limits (which was at Hampton Road). The street car alignment within this wide boulevard was also extended as part of this construction project, allowing students from the Cockrell Hill and the rural areas along West Jefferson to ride the streetcar to the new school.¹⁸ This expansion of the boulevard connected the western edge of Oak Cliff with downtown Dallas and provided improved vehicular and street car access for the faculty and students of the new high school.

Sunset High School design and construction, 1923 - 1925

Hired by the Dallas Board of Education in 1923 to design two new high schools, Sunset and Woodrow, DeWitt and Lemmon began work first on Sunset High School. R. O. Jamison was the structural engineer. The construction documents were issued for bid on October 23, 1923 and bids were received in December 1923. J. A. Rife Construction Co. was awarded the construction project and began work in January 1924. J. A. Rife has

¹⁶ 'Sun rising again for Oak Cliff's Sunset Hill neighborhood group', Roy Appleton, Dallas Morning News blog; January 3, 2012; accessed October 15, 2012. <http://oakcliffblog.dallasnews.com>.

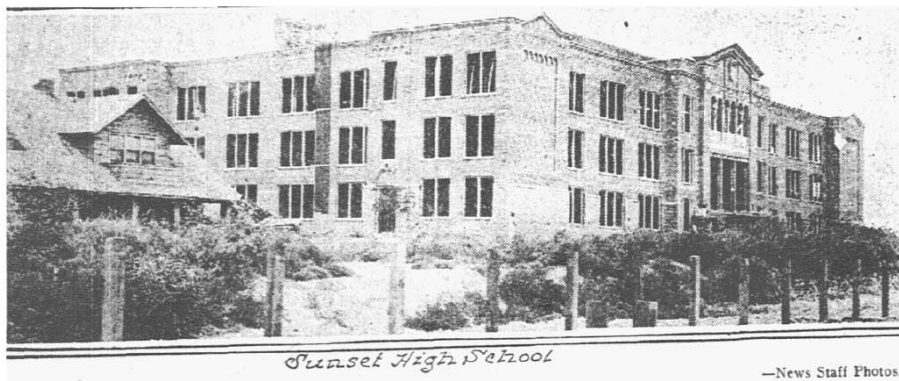
¹⁷ 'Thorough Street Opened to Sunset High School', Dallas Morning News, May 24, 1924 pg 13.

¹⁸ Dallas Morning News, September 4, 1925.

worked on at least one project with DeWitt and Lemmon previously - on the construction of the Kahn house in South Dallas in 1921.

The cornerstone for the school was laid, June 7, 1924.¹⁹ A newspaper article in the August 31, 1924 Dallas Morning News discusses the new school under construction, and referred to Sunset High School as the '*largest such [high school] in the South.*' The completion cost was originally scheduled to be less than \$500,000. The actual construction cost was reported to have cost \$384,000 (not including land acquisition, furniture nor equipment).

The structural system was of reinforced concrete foundation, and structural steel frame. Large steel trusses spanned the auditorium; each truss was 82' long and almost 8' high. The exterior materials included clay tile walls with brick facing; cut Indiana Limestone at sills, steps, copings, loggia base; terra cotta - with acceptable manufacturers of Federal Terra Cotta Co., Northwest Terra Cotta Co., Tottenville Plant of the Atlantic Terra Cotta Co.²⁰ A corner stone box was to be fabricated to fit within a recess in corner stone; the box to be of 16 oz. copper, about 4" x 6" x 12" with tight fitting lid. The roof was to be 4-ply composition, of asphalt saturated allrag felt, mopped with hot asphalt. The Specifications also included the demolition of the 'dwelling now on the building site'.²¹



Photograph of Sunset High School

Dallas Morning News, August 31, 1924, p 1.

This photograph shows the almost-completed high school, construction associated with West Jefferson Street and the house that existed at the site at the left of the new school; this house would be demolished shortly.

¹⁹ 'Sunset HS Corner Stone Laying to Held Saturday', DMN, June 5, 1924.

²⁰ *Specifications for Sunset High School, Set #56.* DeWitt and Lemmon Architects; Mark Lemmon Consulting Architect, December, 1923; p. 37. Courtesy of Joe Whitney.

²¹ Ibid., p. 37.

Interior materials specified included brick at interior walls, smooth vitrified brick wainscoting (to 6' high) in the Gymnasium, salt glazed brick as a wall base (four courses high) in the lunchroom and the shower room walls, interior 'partition tile' (clay or shale tile) to be plastered, brick at selected interior walls, mastic linoleum flooring of red or green integral color. Accessories include cork panels (4' high x length indicated) for tackboards and slate blackboards - a few of which remain.

Sunset High School Opens - September 1925

The school opened its doors for the first time on September 21, 1925 and served students in the western portion of Oak Cliff and Cockrell Hill. The school had fourteen hundred students - less than the two thousand the facility could accommodate - and thirty-nine teachers. Sophomores, juniors and senior students had been transferred from Oak Cliff High School and a new class of freshmen who would later comprise the class of 1929 - the first class to have attended the new Sunset High School for the entire four years of high school. The first graduation was held in January 28, 1926 with forty-eight student receiving their diplomas; W. H. Adamson, principal of Oak Cliff High School which most of the students attended prior to Sunset, addressed the students.²² It was typical for high schools in the 1920s to have two graduations each year - one after the first semester in the winter and a larger group that graduated in June; this was discontinued in 1959 when graduations only occurred in June of each year.

While there are several thoughts about the origin of the school's name, the name Sunset was finally given to the school due to the residential district in which it is placed', page 169.

Sunset High School was not the first Dallas school to bear the name 'Sunset'. A new elementary school that opened in 1920, at Hampton and Gladstone Streets was originally called 'Sunset Hill Elementary School'. Miss Lida Hooe (1875-1923) was a beloved elementary school teacher, and became the first Supervisor of Penmanship and Drawing in 1904. After she died of breast cancer, the new Sunset Hill Elementary School was renamed Lida Hooe Elementary School in her honor in 1924.²³

The 1945 Sundial article also notes "Since the student body had to literally cross countryside in order to come to Sunset, they compared themselves to the American Bison as pioneering the western frontier of the barren plains and chose the Bison as their mascot." The 1945 Sundial article further refers to the view from the upper floors of 'the smooth grassy plains stretching out as far as the eye can see.'

Sunset History, 1925 - present

An unfortunate incident occurred in October 3, 1933 when a gas explosion occurred in the west wing of the school. William Henry Franklin, the school's custodian was critically injured in the explosion and soon died.^{24, 25}

World War II

In the 1940's patriotism was at its peak. Many faculty and students would fight in World War II but not all would return. Principal W.W. Bushman, a much loved, much respected man, who said he "could not ask those boys to volunteer without going himself," resigned his position as Principal and joined the U. S. Army. Sunset students supported the war effort in many ways - including student Miss June Pressley was crowned Dallas Bond Queen for Dallas purchasing more war bonds than anyone else.

²² In the early decades of the 20th century, it was common for high schools to have graduations following the first and second semesters of the year; the spring/summer graduation was the larger group and eventually the winter graduation was dropped.

²³ 'Lida Hooe Elementary School', http://en.wikipedia.org/wiki/Lida_Hooe_Elementary_School; accessed December 30., 2013.

²⁴ Dallas Morning News

²⁵ Bison Spirit newsletter, Sunset High School Alumni Association; Curry Printing, Euless, Texas. Fall 2012.

Plaques installed at Sunset displays the names of those who served so valiantly in the defense of our country in World War II and the Vietnam War; refer to the 'Casualties of World War II and Vietnam' section. Plaques that list these students are installed in the new building entry.

After WWII, the diversity of courses offered in school, necessitated a need for both classroom and recreation space. This new and future expansion of the school required the purchase of the southern half of the block for use by the school. This took several years to accomplish in the late 1940s and early 1950s. The first new construction was for a new Team Room in 1952 and new Gym and Band hall, completed in 1956. As students were then driving to school, the first parking lot for students was built in the southeast quadrant around 1959; this was an unimproved (dirt) lot. Tennis courts were also constructed at the east side of the school and additional courts would be built in this area in 1964.

The 1950s instituted several changes to the class structure. For the 1952-1953 school year the school district did not have adequate room to accommodate 8th grade students from Cockrell Hill in a nearby junior high school so Sunset accommodated them for their 8th grade. These students attended Sunset for five years, the only class ever to do this. In 1958 the fall/winter graduation was eliminated, with all students graduating in the spring - which continues today.

The class of 1964 provided a time capsule for the addition that was under construction. A student recalls that they "produced a copper box and ...filled it with various things they thought someone sometime might care something about." This box was soldered closed placed in the cornerstone in the Annex (Science Addition). Another addition to the school facilities was a large parking lot behind Sunset High School in the 1950 with new tennis courts at the east side of the school. In 1969, additional tennis courts were added.

In 1969 a night of vandalism occurred at both Sunset and Adamson High Schools. The damage was quite extensive at both schools, with both the Bison head and the Leopard damaged, trophy cases demolished and trophies thrown up and down the halls. There was no security at that time to detect the vandalism in progress. However, is such that an occurrence such as that cannot happen again. In the event of a break-in, electronic surveillance would signal an alarm and police would arrive within minutes.

Integration began in DISD schools in the late 1960s, included Sunset. Some population movement was noticed in the areas as parents either put their children in private schools, or moved, perhaps to the suburbs, to achieve what they felt would be a more settled school situation for their children. The principal, Mr. Filgo noted "We have had a change - ethnic ratio - of course, it was brought on by desegregation and brought on by changes in the pattern of the neighborhood. The ratio in 1975 was 61% Anglo, and about 30% Mexican- American and 7% Black. Parents who kept their children in Sunset were satisfied with the choice and the education the students received in the interim settling-in period. The entry of the new students was accomplished quietly with no appreciable problems. Obvious successes of this change included Perry Washington, Sunset's first black cheerleader - chosen not for his color, but for his own likable happy-go-lucky personality. Melvin Lemmon was elected Wittiest Senior Boy in 1973 and Willie Pierson, Most Talented Senior Boy in 1975. By the mid-1970s Sunset would be the epitome of ethnic equality and its racial mix would be acceptable to the courts.

Activities and Organizations at Sunset High School

Sunset has a number of activities and organizations for the students' enrichment. A sampling of the numerous activities follows.

Music - In the 1930s, there was a school orchestra and chorus; in 1932 the orchestra was the largest high school orchestra in Dallas, and the chorus was the largest Sunset had ever had.

Occupational Education Program - this new program implemented in the 1950s was designed to provide a career path for employment for students by attending school for half-days and working

half-days. In 1965, Vocational Office Education was added.

The Bison, the school mascot - Since the opening of Sunset, there have been three Bison heads displayed in the front hall - a tradition that extends to this day.

Band - In 1961 the Band Director, Mr. Utley, organized a dance band called the First Herd, in 1962 the Second Herd and so on. In 1964 Cerminaro was named 1st Chair brass section of the State Band. The band was invited to march in San Antonio's Fiesta of the Flowers parade in 1964.

Reserve Officer Training Corps (R.O.T.C.) - Like most Dallas high schools, Sunset had an active program which was originally for male students; girls were admitted in 1976.

Sports at Sunset High School

Like other DISD schools, Sunset had the full complement of sports available to schools, including:

Football - Like most high schools, football at Sunset is a major activity of the students' high school experience with the first games held in the fall of 1925. The local media seemed to be confused during these early games with several Dallas Morning News sports articles referring to the 'Sunset Buffaloes.' The first football team was named after its mascot - the bison. In 1934 the team won the first 'City Championship', and again in 1938. The 1940s the football team was a contender for the state championship over several years and was State Runner up in 1942 and 1949. In 1950 the team won the 'City Championship' title (now discontinued) as well as the State Championship; the team was a State Semi-Finalist again in 1955.^{26, 27}

Sunset's first football rivalry was with Oak Cliff (Adamson) High School - the other Oak Cliff high school; the two schools are the only Dallas schools to have won state championships - Adamson in 1924 and Sunset in 1950. This rivalry continued until 1979 when the two schools were assigned to different to different athletic districts.²⁸ The rivalry was re-ignited when the teams met again in 2003 (Sunset 27 - Adamson 6), in 2012 (Adamson 35 - Sunset 12) and 2013 (Adamson 40 - Sunset 6), continuing what is now an 88- year tradition.

Basketball - Sunset won the state basketball championship in 1944. Coached Stanley Thomas's teams during these years included notable players such as Hank Foldberg and, Bobby Folsom.²⁹

Baseball - Sunset won the state baseball championship in 1943-44 and 1944-45. Davey Williams contributed to the teams' success and would play professional baseball, spending his entire career with the New York Yankees as player and coach.

Track - The track team won the city Championship in 1961 under Coach Jack Roten. Along with volleyball and basketball, track programs for girls were started in 1974.

Swim Team - Sunset would have its first Swim Team in 1965. Robert May and Roger Veal would set records in the breaststroke and backstroke.

Golf Team - Sunset's golf team won the state golf championship in 1938, 1940, 1947 and 1952. A girl's golf team was started in 1972.

²⁶ Sunset High School entry, Wikipedia. [http://en.wikipedia.org/wiki/Sunset_High_School_\(Dallas\)](http://en.wikipedia.org/wiki/Sunset_High_School_(Dallas)).

²⁷ Campbell, Dave. *Dave Campbell's Texas Football*, 2008 ed., p. 362.

²⁸ Appleton, Roy. Adamson, *Sunset looking to revive Oak Cliff's long-gone high school football rivalry*, Dallas Morning News, September 5, 2012; accessed January 1, 2014.

²⁹ Robert Folsom would become Mayor of Dallas, 1976 - 1981.

The Sanger Trophy - A unique sports competition was established by Sanger Brothers Department Store in 1929 to recognize a Dallas high school for its excellence in athletics with a large, ornate trophy awarded annually to one of six high schools within Dallas Public Schools (and later DISD) who had achieved the best record in sports based on a points system.³⁰ The store provided a large trophy which was passed to the successful school each year. Sunset High School was awarded the trophy 12 times - more than any other school; upon the competitions' end in 1954, the trophy was awarded permanently to Sunset High School for this remarkable record. The Sanger trophy was restored in 2012 and it now resides in the Old Red Museum of Dallas Culture and History where this impressive and coveted trophy is now publicly displayed and its story told.

Changes to the building since 1925

Like most public schools of the time, changes in enrollment and school programs have necessitated additions at the school since its original construction. These changes include the following:

Team Room, 1956

The Team Room at Sunset housed locker and shower rooms; this was a small building and its cost was approximately \$28,000. This project was issued for bid along with new ROTC Facilities at Lincoln High School in South Dallas. The new Team Room was a steel frame building, with exterior masonry walls and steel sash windows; the interior walls and ceilings were plaster. The architects were Wiltshire & Fisher Architects, with Mark Lemmon, Consulting Architect.³¹ The construction documents were issued in February 1950, with bids due March 14, 1950. It is thought this small building was demolished when later construction occurred.

Physical Education Addition, 1956

The need for a new gymnasium resulted in the construction of this building. The architect for the school was Robert D. White; Mark Lemmon was Consulting Architect and structural engineer was Frank Chappell, and Zumwalt & Vinther were the mechanical engineers. The drawings were issued for bid in May 1954 with bids due June 7. Dallas Morning News articles noted that this new gymnasium would be completed at a cost of over \$185,000.00 and that the building would also be used as a band hall.³²

The gym was of structural steel frame, masonry and cast stone exterior, windows and curtainwall. Interior finishes include ceramic tile, resilient floors, wood floors, suspended ceiling tile and plaster finishes. The exterior brick matches that of the high school. The gymnasium building remains in place, and hosts a large 'Sunset Bison' logo and bison image.

³⁰ The six Dallas high schools in 1929 were Dallas High School (also known as Crozier Tech), North Dallas High School, Oak Cliff High School (now known as Adamson High School), Forrest Avenue High School (now known as Madison High School), Woodrow Wilson High School and Sunset High School. Booker T. Washington High School which served Dallas' African American population was not included in this competition.

³¹ *Specifications for Team Room for Sunset High School, Set No. 2*. Wiltshire & Fisher Architects, Mark Lemmon Consulting Architect, February 1950, p. 23. Courtesy of Joe Whitney.

³² Dallas Morning News, January 20, 1954.



Physical Education Addition (Gymnasium)

Annex (Science Addition), 1963

This large addition to the east of the original added much needed space for the new school. This was one of the projects funded by the \$10 million Bond Program in 1962. A courtyard separated the existing and new building and accommodated the science labs and classrooms and was soon referred to as the 'science lab'. The new addition opened in September 1963.

The two-story building is constructed red and brown brick with horizontal precast concrete band below the roof line, and is set back slightly from the original building's front facade. The front facade is a blank brick wall with an arched opening at the west side; a canopy at grade and an raised, enclosed glass overhead connection tie the this addition to the existing school. The east facade of this building has large expanses of curtainwall that are slightly recessed from the exterior wall and roof.

The architect was Jarvis-Putty-Jarvis of Dallas, with Office of Mark Lemmon as Consulting Architect. The mechanical engineers were Ratliff-Irby-Purdy and the structural engineers were Mayes & Brockett. Construction drawings were issued early January 1963, with bids due February 12, 1963. Avery Mays Construction was the contractor. Avery May's son Gerard Avery Mays was a Sunset graduate who attended Southern Methodist University on a football scholarship and excelled at the sport. Upon graduation he played defensive lineman for the AFL Dallas Texans in 1961-62, and then played for the AFL Kansas City Chiefs and NFL Kansas City Chiefs. While with the Chiefs, Avery was a captain in Super Bowls 1 and IV. He retired in 1970, and returned to Dallas to work with his father in the construction business.

Later Addition to the Science Addition, date unknown.

A two-story addition at the south side (rear) of the Science Addition was constructed after the Science Addition. With its simpler brick detailing, horizontal band at the center of the upper windows and use of brick soldier courses instead of precast concrete at the roofline, is it a different design from both the Science Addition and newer 2005 addition. No information was available on this building and its date of construction is not known.



Addition to east facade at left (date unknown; noted as E on Building Diagram). Note design does not match the earlier Science Addition.



North facade of Science Addition at right (1963).

Addition including new entry at school, 2005

To accommodate an increased student population, new programs and technology, a major expansion (153,000 SF) of the school was planned in the early 2000s with construction completed in 2005. This large addition is at the south side of the school and faces West 10th Street; a large two-story entrance hall is provided, creating a large lobby which accommodates the larger student body and allows the use of metal detectors and other security measures.

Two stories in height, the exterior is a planar brown brick facade with punched openings for window; a cast stone water table reflects that of the historic building. The new entry is curtainwall storefront glazing. The architects for this newest project at the school was BCI architects Inc. and McCarthy Building Construction Inc. was the General Contractor. Jacobs/Pegasus JV was the Program Manager for DISD.



Aerial view of 2005 addition to the south side of the school Addition
Courtesy of McCarthy Construction, Inc.



New entrance to the school in 2005

2013 - Byron Rhome Field House. The practice football field and field house is located on West 12th Street, several blocks west of the school. Completed in 2013, the new field house is named for Coach Byron Rhome who coached at Sunset from 1936 - 1964. He was coach for the Freshman Football and Track teams, and served as head coach from 1946 - 1964.³³

³³ "New Sunset Field House", Bison Spirit Newsletter, Spring 2013, pg 2.

Summary

Sunset High School is the second public high school in Oak Cliff; the first high school - Oak Cliff High School (Adamson) was split in half with students in the newer residential neighborhoods in the western and southwestern areas of Oak Cliff and Cockrell Hill attending Sunset; students in eastern and northern areas of Oak Cliff remained at Oak Cliff High School. Today, Sunset High School is a comprehensive high school that serves approximately 2,300 students in grades nine through twelve. Principal Luz Martinez, PhD leads a faculty of 120.

With the successful designation of Sunset High School as a City of Dallas Landmark, the eight oldest high schools in Dallas will have achieved City of Dallas historic Landmarks status, in recognition of their significance to their graduates and faculty and their contributions to the City of Dallas. These oldest eight high schools in DISD are:

- Dallas High School, 1907
- Oak Cliff High School (Adamson), 1915
- Forest Avenue High School (Madison), 1916
- North Dallas High School, 1922
- Booker T. Washington High School (Booker T. Washington School for the Performing Arts), 1922
- Sunset High School, 1925 (Landmark designation pending)
- Woodrow Wilson High School, 1928
- Lincoln High School, 1938

APPENDIX

Sunset High School Hall of Fame³⁴

In 1933, the Sundial staff established the Sunset Hall of Fame for the school for the purpose of recognizing Sunset graduates who achieved national fame while students at Sunset. Between 1933 and 1974, seven students were so recognized.

The Sundial staff of 1975 recognized that a number of students had distinguished themselves following graduation and were honored with admission to the Hall of Fame; two additional members were added that year - Jack James and Dr. Lee Smith. It is not known if the Sundial staff or school has added to the Hall of Fame since 1975.

Ross L. Bush, 1933 (track)
 Jack James, 1975 (Assistant Director, Jet Propulsion Laboratory, California Institute of Technology)
 Linda Darnell, 1939 (film actress)
 Bill Hammon, 1942 (track)
 Dr. W. T. White, 1950 (President of the American Association of School Administrators)
 Lewis Stuckey, 1955 (President of Key Club International)
 Jerry Cobb, 1957 (basketball)
 Eddie Southern, 1955 (Track, Olympic Silver medalist, hurdles, 1956; member UT world record 440 and 880 yard relay team)
 Lee Smith, 1975 (President, Southwest Texas State University)

Notable Graduates³⁵

In addition to the more formal Hall of Fame list of alumni recognized by the Sundial staff, a number of graduates have been made significant contributions following graduation. This list is largely excerpted from Wikipedia, and is listed alphabetically:

Clay Armstrong, PhD, 1952 (Physiologist; much present knowledge on ion channel structure and function traced to him)
 Billy Lee Brammer, 1947 (journalist and novelist)
 Stockton Briggles, 1953 (movie and television producer)
 Ballard Burgher 'Buck' Cobb, 1938 (U. S. navy, crew member of U.S.S. Arizona at Pearl Harbor and first Sunset alumni to die in World War II)
 Ross L. Bush, 1933 (set national high school record in 880 yard run)
 Henry Calvin, 1935 (television actor)
 John Cerimaro, 1965 (New York Philharmonic principal horn player; Los Angeles Philharmonic and Seattle Symphony Orchestra)
 Jerry Cobb, 1957 (All American High School basketball player; TCU basketball team)
 Betty Mims Danoff, 1940 (one of the founders of the Ladies Professional Golf Tour; won major title that stopped Babe Didrickson Zaharias' 13-tournament winning streak)
 John Dodd, 1958 (Mayor, Farmers Branch)
 Edward Edwards, 1968 (Actor in television)
 Hank Foldberg, 1944 (West Point All American football player)
 Don Foldberg, 1946 (West point All American football player)
 Hon. Robert Skillern Folsom, 1944 (Mayor of Dallas; President, Dallas School Board)
 Dr. Robert Haley, 1965 (UT Southwestern Medical School, Chief of Epidemiology, expert on Gulf War Syndrome; Past President, Dallas County Medical Society)
 Danny Hall, 1970 (Deputy Chief of Mission, U. S. State Department, Helsinki, Finland)
 Bill Hamman, 1942 (set national high school record in 200 yard low hurdles)
 Dr. Jo Gayle Dillon Howard, 1969 (Smithsonian research scientist)

³⁴ Sundial, 1975, courtesy of Doris Murphy

³⁵ Wikipedia, [www.en.wikipedia.org/Sunset_High_School_\(Texas\)](http://www.en.wikipedia.org/Sunset_High_School_(Texas)); accessed January 2, 2014

Jack N. James, 1937 (Assistant Director, Jet Propulsion Laboratory of California Institute of Technology)
 Betty Jameson, 1939 (Founding member of the Ladies Professional Golf Tour, won 13 LPGA titles, including 3 majors)
 Don January, 1947 (professional golfer, 10 PGA tour titles including PGA Championship, 1967)
 Rudy Jaramillo, 1970 (UT baseball team; hitting coach for Texas Rangers and Chicago Cubs)
 Michael Jenkins, 1960 (President, Dallas Summer Musicals; founder and owner of LARC Entertainment Systems; one of founders of the Six Flags Amusement Parks; winner of Tony award)
 Mickey Jones, 1959 (musician and television actor including drummer for Bob Dylan, Trini Lopez and Johnny Riveres)
 Louise Latham, 1940 (film, television and Broadway actress)
 Jerry Mays, 1957 (AFL Dallas Texas championship team; Kansas City Chiefs in Super Bowl I; played Super Bowl IV Championship team).
 Bill Meeks, 1940 (music industry and radio station jingles entrepreneur)
 William Allen 'Bill' Melton, 1958 (Dallas County Treasurer for 25 years; announcer for 1996 Olympic games, Super Bowls VI, VIII and IX, Cotton Bowl Classic and 2001 and 2005 Presidential Inaugurations.)
 Dr. Tomothy G. Nance, 1980 (President, Evangel Christian University of America)
 Dick Penner, 1955 (English professor and co-composer of 'Oobly Dooby', Roy Orbison's rockabilly classic)
 Jerry Rhome, 1960 (football at Sunset, made All State and All American. Runner up for 1964 Heisman Trophy; College Football Hall of Fame, Washington Redskin's Super Bowl XXII Championship)
 Lee Smith, PhD, 1953 (educator; President, Southwest Texas State University)
 Terry Southern, 1941 (Novelist and screenwriter, including Easy Rider, Dr. Strangelove; taught at Columbia and NYU)
 John M. Stemmons, 1927 (developer, donated land for Stemmons Freeway, Linz Award recipient)
 Earl Stewart, Jr., (professional golfer)
 Pete Stobestreet, 1958 (high school and collegiate basketball and Lewis Stuckey Jr., 1955 (President, Key Club International)
 Glen Waggoner, 1958 (Founder of ESPN's The Magazine; author; National Baseball Hall of Fame - writers division)
 Davey Williams, 1945 (professional baseball player, spent entire career with New York Giants as player and coach)
 Michael Yeargan, 1964 (Tony Award winner for Best Scenic design)

Principals of Sunset High School³⁶

Sunset has had a strong list of principals since 1925. In the 1970s the ethnic population of north Oak Cliff began changing with the Hispanic population increasing, and DISD encouraged teachers and administrators to more closely reflect this diversity. In 1983, Sam Lopez became the first Hispanic principal at Sunset High School. The schools principals have included:

1925-1931	Jack A. Wilson
1931-1941	W. T. White
1941-1942	W. W. Bushman
1942-1946	J. D. Chalk
1946-1947	Shumake M. Baber
1947-1950	Robert H. McKay
1950-1959	C. C. Miller
1959-1968	H. S. Griffin
1968-1980	Harold J. Filgo
1980-1983	Joel Pittman
1983-1985	Sam Lopez

³⁶ Information on Principal J. A. Wilson, largely taken from biography of Wilson in 1926 issue of Sundial (first yearbook), page 12 - 13.

1985-1989	Richard Marquez
1989-1990	Cele Rodriguez
1990-1992	Michael Stiles
1992-1992	Carl Montoya
1992-1994	Domingo Regalado
1994-1997	Oscar Rodriguez
1998-2001	Daniel Menchaca
2001-2004	Silvia Lopez
2004-2006	Emilio Castro
2006 - 2013	Anthony Tovar
2013 - present	Luz Martinez

Jack A. Wilson - Sunset's first principal was born April 10, 1878 in Detroit, Michigan to Joseph and Barbara McMurchie Wilson, who had immigrated from Ireland and Scotland. Wilson completed high school at Central High School in Detroit, then attended Lafayette College in Easton, Pennsylvania on a scholarship. He received his B. A. degree in 1901 and his M. A. degree in 1904 from Lafayette College. He then served two years on sailing ships before beginning his teaching career at his alma mater - Central High School in Detroit until 1914 when he became principal of Morley School in Detroit. where he taught until April, 1917 when he joined the U. S. Navy as Commander of the U.S.S. Summers for several months. He then served on the U.S.S. Bath as navigating officer, then was transferred to the destroyer force and served on the U.S.S Reid and U.S.S. Laub; he was discharged on January 1, 1920 and moved to New Orleans for a short time then returned to the sea as chief mate on the Steamer Boswell.

Wilson left the sea for good and in October 1921, he joined the faculty at Bryan Street High School (originally known as Dallas High School, and most recently known as Crozier Tech High School) for a year. From 1922 - 1925 he taught history and coached athletics at North Dallas High School, then was appointed as Sunset High School's first principal in Fall 1925.

Wilson married Eva Lenore Smith while in Detroit, and they had one daughter Barbara, who graduated from Sunset in 1929. Mrs. Wilson was also a teacher. The couple lived on South Montclair, near the school. Wilson served as Sunset as principal until 1931, and died on October 2, 1946; he is buried in his hometown of Detroit.

W. T. White - W. T. White was Superintendent of Fairview School District prior to teaching for DISD in the 1930s. He met his wife Janice Yarborough while teaching; she was also a teacher with DISD. White became Sunset's second principal, serving from 1931 - 1941. He was then transferred to DISD administration as Assistant Superintendent and in 1946, became DISD Superintendant, a position he held until 1968 - one of the longest serving superintendents at the school system. A high school was named in his honor.

W. W. Bushman³⁷ - W. W. Bushman was born in Missouri April 23, 1901. Bushman was football coach at Sunset High School for a number of years and became principal in 1941. Later that year he left Sunset and joined the US Army. When asked why he would join the Army and enter the war, his response was 'I could not ask these boys to join without going myself.'³⁸

Bushman served the 312th Fighter Wing, 14th Air Force and served in the China Burma Theater of Operations. He died of unknown causes, August 23, 1944 at Kunming, China, and was buried at the National Cemetery of the Pacific, Honolulu, Hawaii. Bushman was the first and only faculty member at Sunset to die in WWII. He was survived by his wife Janice Bushman and their young daughter Billie Jan (born 1941). Billie Jan would attend Sunset High School and graduated in 1958.

³⁷ This section on Principal Bushman is largely based on 'William Waltger Bushman' article, Bison Spirit Newsletter, sunset High School Alumni Association., p. 1.

³⁸ Ibid., p. 1.

Casualties - World War II³⁹ and Vietnam.

Sunset High School has had numerous students who attended Sunset High School students from WWII to the more recent wars in Iraq an Afghanistan.

World War II casualties include:

Faculty

W. W. Bushman, Major, U. S. Army Air Force (Sunset High School Football Coach (1939-1941 and Principal, 1941-1942). 1901 - 1943.

Students

Robert James Aderhold, Second Lieutenant, U. S. Marine Corps; 1924 - 1944 (U. S. class of 1941)
 Leonard W. Akins, Corporal, U. S. Marine Corps; 1924 - 1945 (class unknown)
 Jack H. Alford, Second Lieutenant, U. S. Army; 1915 - 1945 (class of 1933)
 David C. Allen, Technical Sergeant, U. S. Army Air Corps; 1913 - 1945 (class unknown)
 Thomas Percy Angers III, Yeoman Second Class, U. S. Navy; 1922 - 1944 (class of 1941)
 Wallace Averett Angle, First Lieutenant, U. S. Army; 1922 - 1944 (class of 1941?)
 Charles William Bauman, First Lieutenant, U. S. Army Air Corps; 1917 - 1944 (class of 1935)
 William Luther Black, Jr., Seaman Second Class, U. S. Navy; 1926 - 1946 (class unknown)
 William K. Blackburn, Jr., Technical Sergeant, U. S. Army Air Corps, 1924 - 1944 (class of 1942)
 Walter R. Bone, Second Lieutenant, U. S. Army Air Corps; 1917 - 1943 (class of 1935)
 Warren Holmes 'Zeke' Boone, Jr., Second Lieutenant, U. S. Army Air Corps; 1924 - 1944 (class of 1941)
 Robert J. 'Bobby' Bradford, Captain, U. S. Army Air Corps; 1919 - 1944 (class of 1937)
 James Bradley, U. S. Navy (dates and class unknown)
 William Evan Bridges, Sergeant, U. S. Army; d. 1943 (class unknown)
 Robert Theodore 'Bob' Brown, Staff Sergeant, U. S. Army Air Corps; 1922 - 1944 (class of 1940)
 George Boone Brundrett, Captain U. S. Army; 1911 - 1945 (class of 1929)
 Floyd Burrows, Corporal, U. S. Army; 1919 - 1942 (class of 1935)
 Maxwell W. Caldwell, Second Lieutenant, U. S. Army Air Corps; 1916 - 1942 (class unknown)
 Joseph W. Carroll, Jr., First Lieutenant, U. S. Army Air Corps; d. 1943 (class unknown)
 Robert E. Cloud, Jr., Second Lieutenant, U. S. Army Air Corps; 1918 - 1945 (class of 1937)
 Ballard Burgher Cobb, Seaman U. S. Navy; 1920 - 1941 (class of 1938)
 Percy B. Coker, Captain, U. S. Army Air Corps; 1918 - 1940s (date unknown) (class of 1937)
 Hawood Comer, dates and class unknown.
 Charles Buford Cothran, Technical Sergeant, U. S. Army Air Corps; 1921 - 1943 (class of 1940)
 William Clyde Couch, Jr., Sergeant, U. S. Army; 1918 - 1943 (class of 1941)
 Don E. Cousins, First Lieutenant, U. S. Army Air Corps; 1921 - 1945 (class of 1936)
 William Sherwood Council, Captain, U.S. Army Air Corps; 1921 - 1945 (class of 1939)
 Elton Leon Darden, Seaman First Class, U. S. Naval Reserve; d. 1944 (class unknown)
 Jack Steele Davis, Sr. First Lieutenant, U.S. Army; 1917 - 1944 (class of 1935)
 Lloyd Dean, U.S. Navy; 1917 - unknown (class of 1939)
 Earl Roe Donnell, Jr., Ensign, U.S. Navy; 1918 - 1942 (class of 1935)
 Marvin Louis Duncan; dates and class unknown.
 Frederick M. Eidson, Water Tender Second Class, U.S. Navy; 1919 - 1944 (class of 1938)
 Adnirum J. Etheridge, Technician First Class, U.S. Army; d. 1943 (class unknown)
 Glenn S. Farris, First Lieutenant, U.S. Army; 1918 - date unknown (class of 1940)
 Thomas Hearne Felker, First Lieutenant, U.S. Army Air Corps; 1923 - 1945 (class of 1940)
 James Findley, Second Lieutenant, U.S. Army Air Corps; 1919 - 1943 (class unknown)
 Norbert Owen Finks, Sergeant, U.S. Army Air Corps; 1918 - 1943).
 John West Folsom, Jr., Second Lieutenant, U.S. Army Air Corps; 1919 - 1944 (class unknown; younger brother of Robert Folsom, later Mayor of Dallas.
 James Ward Fouts, Lieutenant Junior Grade, U.S. Navy; date unknown - 1944 (class of 1935)
 William Henry Fulghum, First Sergeant, U.S. Army; 1918 - 1944 (class unknown)
 Albert Troy Garrison, Sergeant, U.S. Army Air Corps; d. 1943 (class of 1941)
 David M. Gay, U.S. Marine Corps; 1920 - 1944 (class unknown)

³⁹ Whitney; Joe; ed.; World War II Casualties (of) Sunset High School, Dallas, Texas; unpublished manuscript.

James Henry George, Private U.S. Army; 1922 - 1944 (class unknown)
Wallace K. Gibson, Seaman Merchant Marine; 1925 - 1945 (class unknown)
Henry Grady Giles, Jr., First Lieutenant, U.S. Army Air Corps; 1923 - 1944 (class of 1940)
William Leo Graham, Private, U.S. Army; dates and class unknown
Fred C. Grant, Flight Officer, U.S. Army Air Corps; 1922 - 1944 (class of 1940)
William Allen Gray, Jr., U.S. Army; dates and class unknown
Gray Hamilton, U.S. Army Air Corps; dates and class unknown
Charles Austel Henderson, Jr., Private, U.S. Army; 1921 - 1944 (class unknown)
Ben W. Herndon, Private, U.S. Army; d. 1944 (class unknown)
Richard G. Hinkley, Private, U.S. Marine Corps; d. 1945 (class unknown)
Eugene Horton, Private First Class, U.S. Army; d. 1943 (class unknown)
Gerrard Horton, Sergeant U.S. Army Air Corps; 1922 - unknown (class of 1941)
William L. 'Billy' Hotard, Staff Sergeant, U.S. Army Air Corps; d. 1942 (class on 1935).
Gordon E. Houston, Second Lieutenant, U.S. Army Air Corps; d. 1942 (class unknown)
Roland H. Jackson, Second Lieutenant, U.S. Army Air Corps; 1921 - 1944 (class unknown)
Jeff Gerrard Johnson, Staff Sergeant, U.S. Army Air Corps; 1920 - 1943 (class of 1941)
Walter Manion Jones, Seaman Second Class, U.S. Army; d. 1943 (class of 1940)
Doran DeWitt Kemper, First Lieutenant, U.S. Marine Corps; 1921 - 1944 (class unknown)
Earl Lowry Kerbow, Staff Sergeant, U.S. Army Air Corps; 1921 - 1943 (class unknown)
Lawrence Kiskadden; U.S. Army; dates and class unknown
William Frederick Lambert, Jr., Second Lieutenant, U.S. Army Air Corps; 1924 - 1945 (class of 1943)
Leonard Robert Land, Captain, U.S. Army Air Corps; d. 1945 (class unknown)
Joe Bob Law, U.S. Army; dates and class unknown
Richard C. Lawson, Second Lieutenant, U.S. Army Air Corps; 1921 - 1944 (class of 1938)
William G. 'Bill' Ligon, U.S. Army; dates unknown (class of 1940)
Samuel Webb Lipscomb, First Lieutenant, U.S. Army Air Corps; 1918 - 1945 (class unknown)
Warren G. McCord, Flight Officer, U.S. Army Air Corps; 1924 - 1944 (class unknown)
Louie F. Mathews, Private First Class, U.S. Army; 1916 - 1943 (class unknown)
William Garland Medaris, Jr., Second Lieutenant, U. S. Army Air Corps; d. 1945 (class of 1942)
Paul Merritt, Torpedoman's Mate Second Class, U. S. Navy; d. 1945 (class of 1940)
Arthur Ross Moore, First Lieutenant, U. S. Army Air Corps; d. 1943 (class of 1937)
William B. Morehouse, Second Lieutenant, U. S. Army; d. 1944 (class of 1939)
William S. Morriss, Royal Air Force; d1915 - 1941 (class of 1932)
John Muse, Second Lieutenant, U. S. Army Air Corps; 1918 - 1943 (class of 1936)
John Owen, U. S. Army; dates and class unknown.
Edwin Forrest Patterson, First Lieutenant, U. S. Army Air Corps; 1920 - unknown (class unknown)
Wilson Pershing, U. S. Army; dates and class unknown.
Robert E. Pettigrew, Flight Officer, U. S. Army Air Corps; 1924 - 1945 (class unknown)
Charles R. Pierce, Private, U. S. Army; d. 1942 (class of 1935)
Albert Anthony Pinto, Seaman Second Class, U.S. Army; 1925 - date unknown (class of 1942)
Ralph McKnight Pope, Aviation Radioman First Class, U. S. Navy; 1915 - 1944 (class unknown)
Pierce M. Pritchett, Second Lieutenant, U. S. Army Air Corps; 1916 - 1943 (class unknown)
Glenn W. Reagan; Second Lieutenant, U. S. Army Air Corps; 1919 - 1945 (class unknown)
William M. Ridgeway, Second Lieutenant, U. S. Army Air Corps; d. 1944 (class unknown)
Arthur Rat 'Arch' Ross, Water Tender Second Class, U. S. Navy; d. 1942 (class unknown)
Thomas Oscar Russell, Aviation Radioman Second Class, U. S. Navy; d. 1945 (class unknown)
Dathan Sample, Aviation Cadet, U. S. Army Air Corps; 1923 - 1942 (class of 1940)
George Benjamin 'Ben' Sandifer, Jr., First Lieutenant, U. S. Army; 1915 - 1944 (class of 1935)
Homer Neil 'Mack' Santerre, First Lieutenant, U. S. Army Air Corps; 1920 - date unknown (class unknown)
Wallace Carl Sharp, Corporal, U. S. Army; 1922 - 1942 (class unknown)
George Benjamin Simpson, Jr., Aircraft Machinist Mate Second Class, U. S. Navy; d. 1944 (class of 1941)
Byron K. Sims, Corporal, U. S. Marines; 1926 - 1945 (class unknown)
Albert T. Smith, Staff Sergeant, U. S. Army Air Corps; d. 1944 (class unknown)
William Frank Snellen, Private, U. S. Army; 1912 - 1943 (class of 1932)
John Wayne Spears, Second Lieutenant, U. S. Army; 1919 - 1942 (class of 1937)
Jimmy Statler; U. S. Navy; dates and class unknown.
George Lupodlphus Stephens, Fireman Second Class, U. S. Navy; dates and class unknown.

Jack Boyd Swaim, Private First Class, U. S. Army; 1926 - 1945 (class of 1942)
Dalton B. Tarver, Aviation Cadet, U. S. Army Air Corps; 1925 - 1945 (class of 1943)
Jouette Edmond Thomas, Jr., U. S. Navy; 1925 - 1943 (class unknown)
John Ross Thurman, Second Lieutenant, U. S. Army; 1919 - 1943 (class unknown)
Harvey Harrison Tilford, Jr., Private First Class, U. S. Marines; 1926 - 1945 (class of 1943)
William H. Wallace, Jr., Second Lieutenant, U. S. Army; d. 1944 (class of 1936)
Ned Warner, Second Lieutenant, U. S. Army Air Force; 1915 - 1941 (class unknown)
Percy Alton Weaver, Jr., Lieutenant Junior Grade, U. S. Navy; 1919 - 1943 (class of 1936)
Earl H. Webster, Private, U. S. Army Air Corps; d. 1942 (class unknown)
William 'Bill' White, Gunnery Sergeant, U. S. Marines; d. 1944 (class of 1937)
Fred S. Wilcox, Jr., Second Lieutenant, U. S. Army Air Corps; 1921 - 1944 (class of 1939)
Robert Irving 'Bob' Wiskochil, Private First Class, U. S. Marines; 1921 - 1942 (class unknown)
William Wisner, First Lieutenant, U. S. Army Air Corps; 1924 - 1944 (class of 1941)
Julius Emmett Ziegelmeyer, Jr., Second Lieutenant, U. S. Army Air Corps; 1920 - 1943 (class of 1938)

Vietnam casualties include:

David Calabria, (class of 1965)
Wayne Emerton, (class of 1964)
Robert Rudd, (class of 1964)
Stephen Franklin Jumper, (class of 1967)
Robert Fritz Speer, (class of 1967)
Sidney Taylor Stratton, (class of 1967)

Korea War, Iraq War and Afghanistan War casualties are not known at this time.

Sunset Alumni Association

The alumni association was formed in 2000 with a goal of supporting the school, its students and the preservation of the school's history. It currently holds an annual alumni meetings and has recently worked with the DISD and the City of Dallas on obtaining Dallas Landmark designation for the school.

Sunset Foundation, Inc.

The Sunset Foundation Inc., is a non-profit organization formed in 1996 that supports the continuation of education by funding college scholarships for Sunset High School graduates. To date over 65 scholarships have been awarded for a total of almost \$300,000.

14. Bibliography

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Singleton, Kate. Recorded Texas Historic Landmark Application for Mark and Maybelle Lemmon House, Highland Park, unpublished document. Dallas, 2005.

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Other resources included The Sundial, Sunset Bison (Sunset Alumni Association's newsletter), Dallas Morning News and Wikipedia.

15. Attachments

<u> </u> District or Site Map	<u> </u> Additional descriptive material
<u> </u> Site Plan	<u> </u> Footnotes
<u> </u> Photos (historic & current)	<u> </u> Other: _____

16. Designation Criteria

☒ **History, heritage and culture:**

Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.

 Historic event: *Location of or association with the site of a significant historic event.*

☒ **Significant persons:**

Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.

☒ **Architecture:** *Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.*

☒ **Architect or master builder:**

Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country.

☒ **Historic context:** *Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.*

☒ **Unique visual feature:** *Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.*

 Archeological: *Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.*

☒ **National and state recognition:**

Eligible of or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.

☒ **Historic education:** *Represents as era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.*

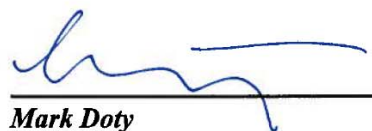
<i>Recommendation</i>

The Designation Committee requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.

Further, the Designation Committee endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Department of Development Services.

Date:


11 FEB 14
Daron Tapscott - Chair
Designation Committee


2/11/14
Mark Doty
Historic Preservation Planner

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following property:

BEING Lot 1 in City Block A/3320; bounded by Jefferson Boulevard, Oak Cliff Boulevard, 10th Street, and Tennant Street; and containing approximately 11.384 acres,

by establishing Historic Overlay District No. 144 (Sunset High School); providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property described in this ordinance; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed by establishing Historic Overlay District No. 144 on the following property (“the Property”):

BEING Lot 1 in City Block A/3320; bounded by Jefferson Boulevard, Oak Cliff Boulevard, 10th Street, and Tennant Street; and containing approximately 11.384 acres.

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the

regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit A.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

Z123-343(MD)

SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

EXHIBIT A

**PRESERVATION CRITERIA
SUNSET HIGH SCHOOL
2120 WEST JEFFERSON BOULEVARD**

1. GENERAL.

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. If there is a conflict, these preservation criteria control.
- 1.3 Certificate of appropriateness.
 - a. Except as provided in (c), a person may not alter a site within this district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
 - b. Except as provided in (c), the certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
 - c. No certificate of appropriateness is required for:
 1. Work involving routine maintenance, repair, and replacement of portions of the athletic field (dugouts, nets, backstops, etc.), tennis courts (tennis netting), parking lot, and related appurtenances within the no-build zone shown on Exhibit B; or
 2. Work outside the no-build zone and not affecting the 1925 building or a protected facade.
 - d. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.
 - e. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward

completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

1.4 Certificate for demolition or removal.

- a. Except as provided in (b), a person may not demolish or remove any structure in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.
- b. No certificate of demolition or removal is required for:
 1. Demolition or removal of portions of the athletic field (dugouts, backstop, etc.), tennis courts, parking lot, and related appurtenances within the no-build zone shown on Exhibit B; or
 2. Demolition or removal of any structure outside the no-build zone other than the 1925 building or a protected facade.

1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.

1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.

1.7 Consult Article XI, "Development Incentives," of the Dallas Development Code, as amended, for tax incentives that may be available in this district.

1.8 The period of historic significance for this district is the period from 1925 to 1950.

2. DEFINITIONS.

2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.

2.2 1925 BUILDING means the 1925 Sunset High School Building, shown on Exhibit B.

- 2.3 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.
- 2.4 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.5 DIRECTOR means the Director of the Department of Sustainable Development and Construction or the Director's representative.
- 2.6 DISTRICT means Historic Overlay District No. 144, the Sunset High School Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibit B.
- 2.7 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.
- 2.8 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.9 NO-BUILD ZONE means that part of this district in which no new construction may take place.
- 2.10 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.11 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

3. BUILDING SITE AND LANDSCAPING.

- 3.1 New construction is prohibited in the no-build zone shown on Exhibit B.
- 3.2 The 1925 building as shown on Exhibit B is protected.
- 3.3 New sidewalks, steps, and walkways must be constructed of brush finish concrete.
- 3.4 New driveways and parking areas must be concrete or asphalt paving.
- 3.5 Artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted.
- 3.6 Any new mechanical equipment must be screened.
- 3.7 Landscaping.

- a. Outdoor lighting must be appropriate and enhance the structure.
- b. Landscaping must be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades.

3.8 Fences.

- a. Fences used to secure the athletic field and tennis courts as shown on Exhibit B are permitted in the no-build zone.
- b. No other new fences are permitted in the no-build zone.
- c. Fences must be constructed of brick, cast stone, iron, stone, wood, chain link, a combination of these materials, or other appropriate materials.

4. FACADES.

4.1 Protected facades.

- a. The facades shown on Exhibit B are protected.
- b. Reconstruction, renovation, repair, or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.
- c. Historic solid-to-void ratios of protected facades must be maintained.
- d. Brick added to protected facades must match in color, texture, module size, bond pattern, and mortar color.
- e. Brick, cast stone, and concrete elements on protected facades may not be painted, except that portions of the structure that had been painted before the effective date of this ordinance may remain painted.

4.2 Reconstruction, renovation, repair, or maintenance of non-protected facades must be compatible with protected features.

4.3 Wood siding, trim, and detailing must be restored wherever practical.

4.4 All exposed wood must be painted, stained, or otherwise preserved.

4.5 Historic materials must be repaired if possible; they may be replaced only when necessary.

4.6 Paint must be removed in accordance with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library, before refinishing.

- 4.7 Aluminum siding, stucco, and vinyl cladding are not permitted.
- 4.8 Historic color must be maintained wherever practical. Color schemes for non-masonry elements should conform to any available documentation as to historic color.
- 4.9 Exposing and restoring historic finish materials is recommended.
- 4.10 Cleaning of the exterior of a structure must be in accordance with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

5. FENESTRATION AND OPENINGS.

- 5.1 Historic door and window openings on protected facades must remain intact.
- 5.2 Replacement of doors and windows that have been altered and no longer match the historic appearance is recommended, but not required.
- 5.3 Replacement doors and windows on the 1925 building must express overall appearance similar to the historic.
- 5.4 Storm doors and windows are permitted if they are appropriate and match the existing doors and windows in profile, width, height, proportion, glazing material, and color.
- 5.5 Decorative ironwork and burglar bars are not permitted over doors or windows of protected facades. Interior mounted burglar bars are permitted if appropriate.
- 5.6 Glass must match historic materials as much as practical. Tinted or reflective films or glazings are not permitted.
- 5.7 New door and window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.
- 5.8 The Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library, should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration.

6. ROOFS.

- 6.1 The historic slope, massing, configuration, and materials of the roof must be preserved and maintained.

- 6.2 The following roofing materials are allowed: built-up and single-ply membrane.
- 6.3 Historic eaves, coping, cornices, parapets, and roof trim must be retained, and should be repaired with material matching in size, finish, module, and color.
- 6.4 Mechanical equipment, skylights, and solar panels on the roof must be set back or screened so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.

7. PORCHES.

- 7.1 Porch stairs, balustrades, and railings on the 1925 building are protected.
- 7.2 Porches on protected facades may not be enclosed.
- 7.3 Concrete porch and stair floors may not be covered with carpet or paint. A clear sealant is acceptable on porch floors.

8. EMBELLISHMENTS AND DETAILING.

- 8.1 The following architectural elements are considered important features and are protected:
 - a. Masonry, stone detailing, and cornices.
 - b. Stone and cast stone trim and detailing, including the stone door surround at the main entry, and the medallion and balustrade at the parapet and water courses.
 - c. Brick, brick detailing, and trim.
 - d. Monument front steps and balustrades.
 - e. Window openings and the rhythm of window openings.

9. PRESERVATION CRITERIA FOR THE INTERIOR.

- 9.1 The following interior element is considered an important feature and is protected: The 1934 Public Works Administration's federal art project murals by Granville Bruce located in the current library.

10. NEW CONSTRUCTION AND ADDITIONS.

- 10.1 Stand-alone new construction is permitted outside of the no-build areas shown on Exhibit B.

- 10.2 Vertical additions to the 1925 building are not permitted.
- 10.3 Horizontal additions to the 1925 building are not permitted on protected facades.
- 10.4 Horizontal additions to the 1925 building must have appropriate massing, roof form, shape, materials, detailing, color, fenestration patterns, and solids-to-voids ratios.
- 10.5 The form, materials, and general exterior appearance of horizontal or vertical additions to existing non-protected structures must be compatible with the 1925 building.
- 10.6 New construction and additions must be designed so that connections between new construction or additions and the historic structure are clearly discernible as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new construction or additions and the historic structure must be established and maintained. Historic details in the coping, eaves, and parapet of the historic structure must be preserved and maintained at the point where the historic structure abuts new construction or additions.

11. SIGNS.

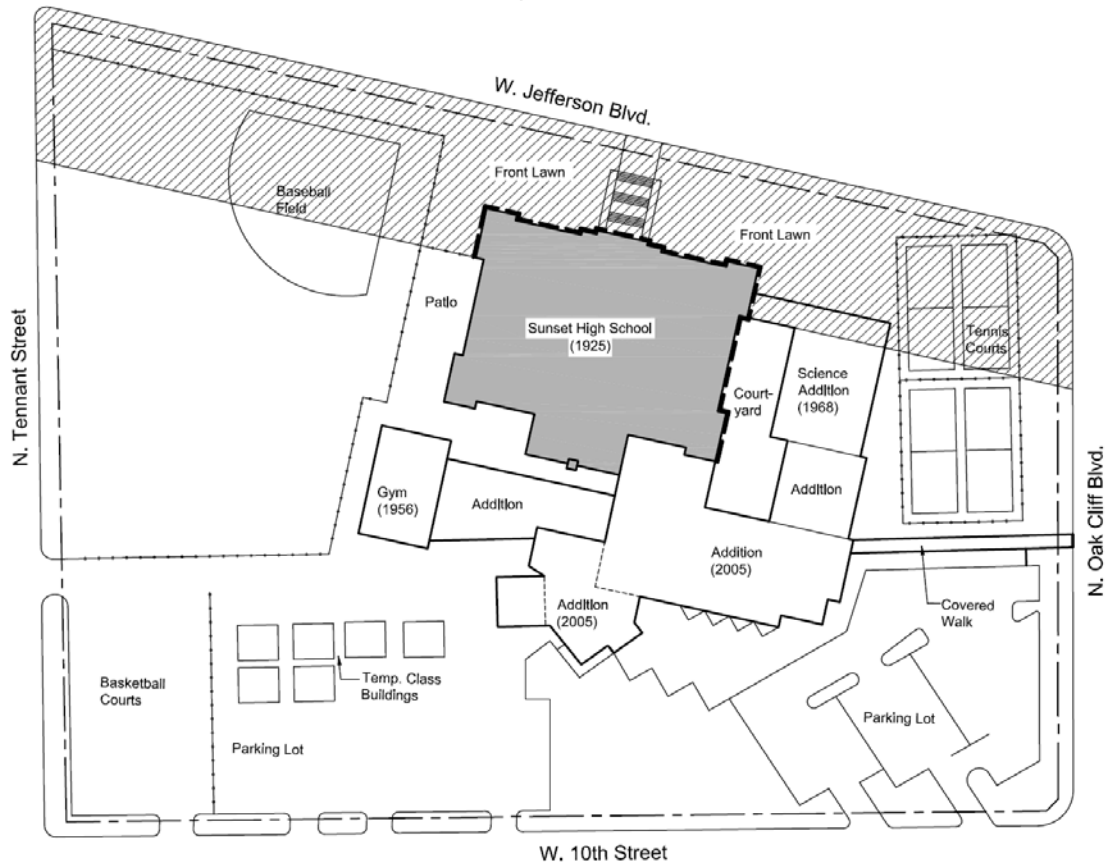
- 11.1 Government signs, DISD standard school identification signs, and protective signs that are appropriate to the appearance of the 1925 building may be erected.
- 11.2 The non-historic DISD identification sign located in front of the 1925 building as shown on Exhibit B is permitted.
- 11.3 All signs must comply with the provisions of the Dallas City Code, as amended.
- 11.4 Temporary political campaign signs and temporary real estate signs may be erected without a certificate of appropriateness.

12. ENFORCEMENT.

- 12.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.
- 12.2 A person is criminally responsible for a violation of these preservation criteria if:
 - a. the person knowingly commits the violation or assists in the commission of the violation;

- b. the person owns part or all of the property and knowingly allows the violation to exist;
 - c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or
 - d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.
- 12.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.
- 12.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense

Exhibit B
Sunset High School
2120 W. Jefferson Blvd.
Dallas, Texas 75208



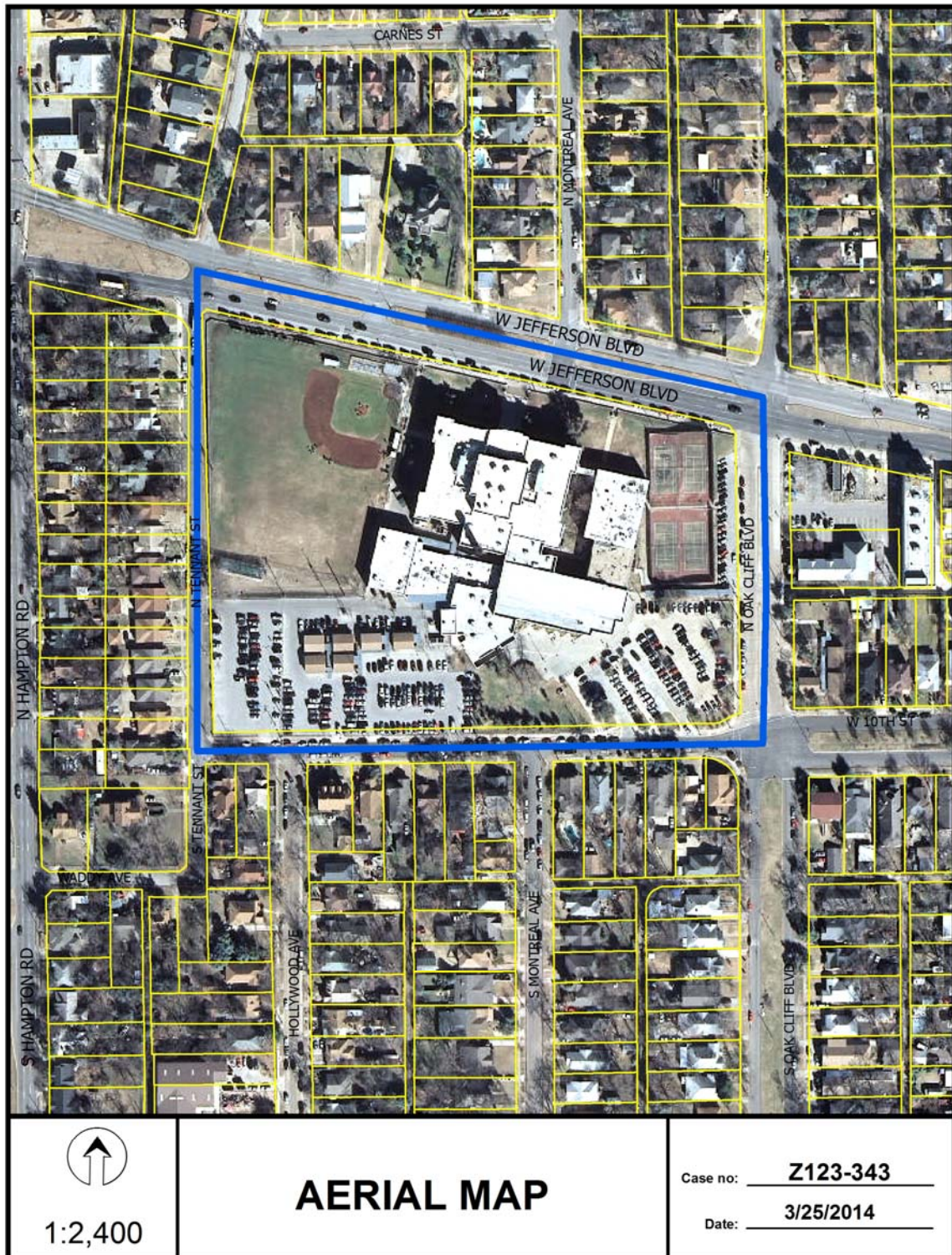
LEGEND

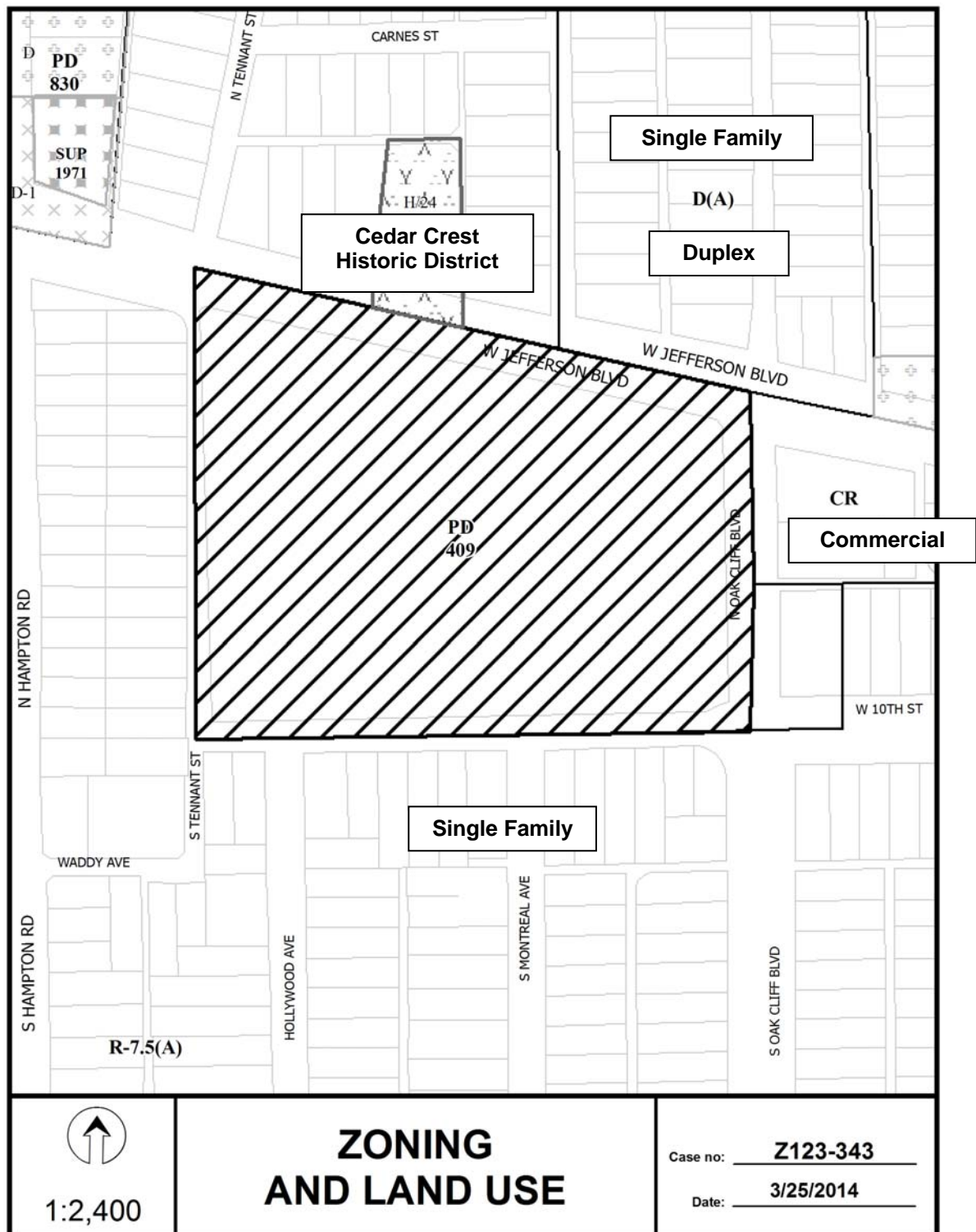
- Limits of Designation
- Protected Facades
- - - Existing Fence
- Main Building
- ▨ No Build Zone

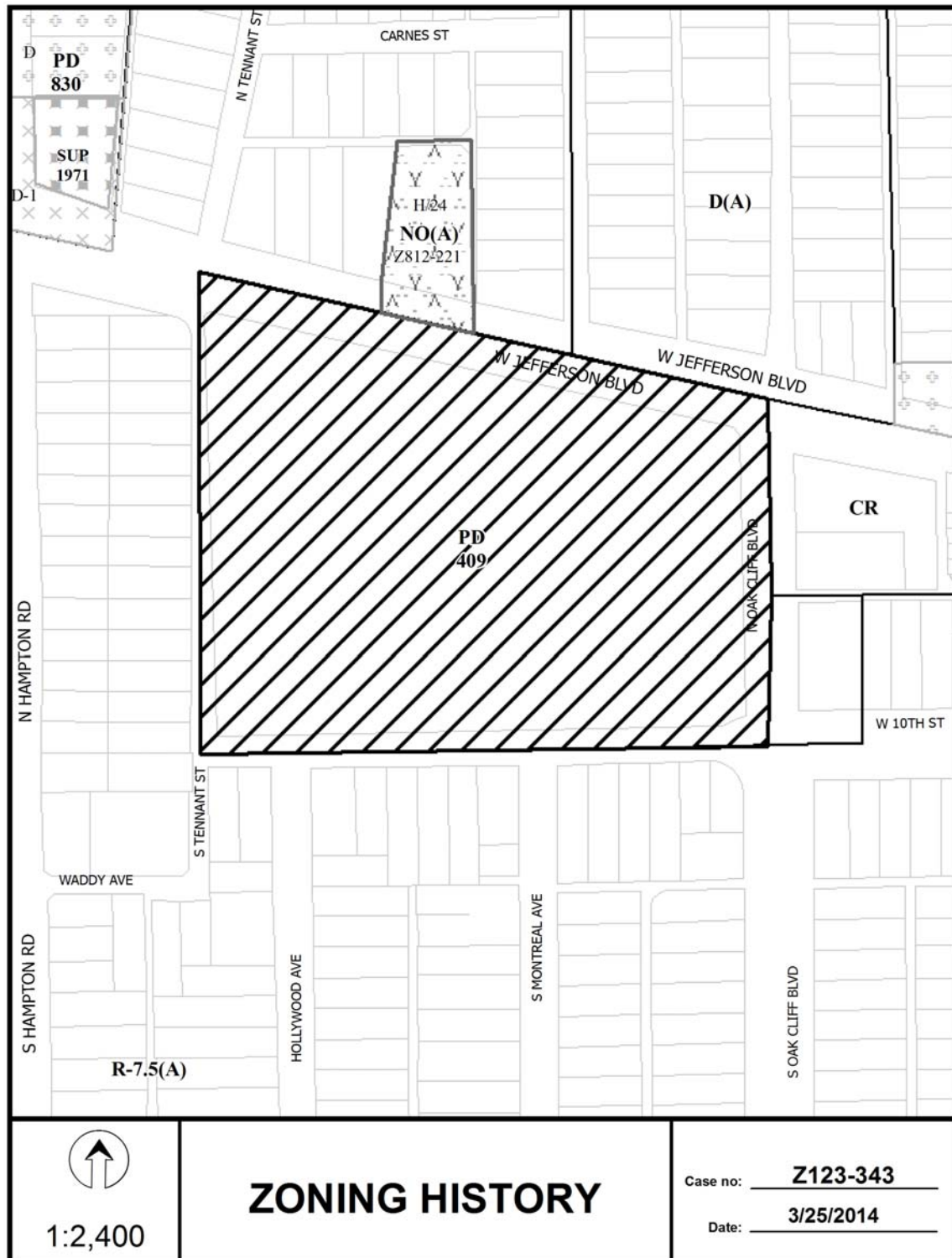
February 14, 2014

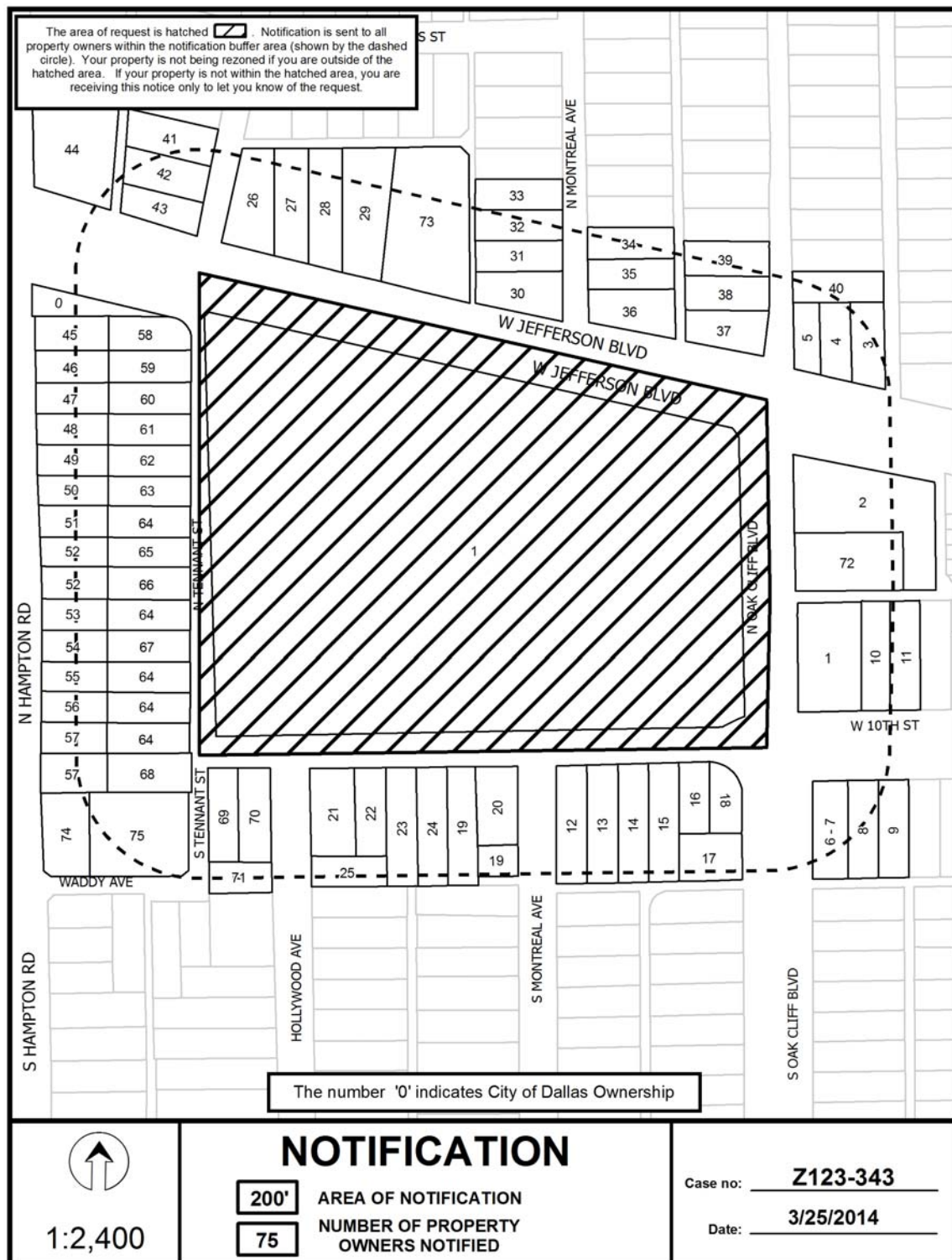












3/24/2014

Notification List of Property Owners***Z123-343******75 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2120 JEFFERSON BLVD	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
2	2010 JEFFERSON BLVD	IGLESIA DEL DIOS VIVO COLUMNA Y APOYO DE
3	2017 JEFFERSON BLVD	THORNTON BETTY LOUISE
4	2021 JEFFERSON BLVD	THORNTON BETTY L
5	2031 JEFFERSON BLVD	THORNTON BETTY LOUISE
6	2020 10TH ST	ESCOBAR JUAN P
7	2020 10TH ST	ESCOBAR JUAN P APT D
8	2018 10TH ST	MARROQUIN JESUS S
9	2014 10TH ST	VARELAS DOMINGO & THERESA
10	2017 10TH ST	LINAREZ DANIEL & MARY L
11	2015 10TH ST	IGLESIA DD VIVOCOLUMNA Y APOYO DE LA VER
12	2120 10TH ST	SANCHEZ JULIUS O
13	2116 10TH ST	MARTINEZ MAUEL & MARIA S
14	2112 10TH ST	MARTINEZ MANUEL
15	2108 10TH ST	MARTINEZ MARIA
16	2106 10TH ST	RAMIREZ MAGDALENO R & ANGELICA M PADRON
17	111 OAK CLIFF BLVD	MELVILLE RONNIE G
18	2100 10TH ST	SPARACINO BILLIE M EST OF &
19	2204 10TH ST	THOMAS WAYNE E
20	2200 10TH ST	VANEGAS VILMA Y
21	2222 10TH ST	TUCK BILLY D & TIMOTHY S BROWN
22	2218 10TH ST	SANCHEZ LILIA
23	2214 10TH ST	PATRICK MICHAEL WAYNE
24	2210 10TH ST	AMONETT MICHAEL
25	114 HOLLYWOOD AVE	ORTIZ MARIO REY &
26	2241 JEFFERSON BLVD	LUGO DELIA M

3/24/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2237 JEFFERSON BLVD	COLIZ W J & MARTHA W
28	2233 JEFFERSON BLVD	CARDENAS MARIA
29	2227 JEFFERSON BLVD	BISHOP MARY RHEA
30	305 MONTREAL AVE	MORTENSEN VIBEKE MANTHEY
31	311 MONTREAL AVE	REED JONATHAN ANDREW
32	315 MONTREAL AVE	MILLS RANDALL
33	401 MONTREAL AVE	AMARO ALEJANDRO & JOHANNA R
34	310 MONTREAL AVE	JENSEN ANNETTE L
35	304 MONTREAL AVE	HATCHER STEPHEN
36	300 MONTREAL AVE	TREVINO JUAN A
37	307 OAK CLIFF BLVD	DAVIS RICHARD
38	311 OAK CLIFF BLVD	DALE RICHARD B & MICHELLE
39	315 OAK CLIFF BLVD	THOMPSON JOYCE
40	308 OAK CLIFF BLVD	RODRIGUEZ SULEMA
41	411 TENNANT ST	CHANDLER CATHY
42	407 TENNANT ST	CASTILLO MARIA
43	403 TENNANT ST	TIMMONS ERNEST LEE
44	408 HAMPTON RD	LCG HAMPTON LLC
45	302 HAMPTON RD	CERVANTES RICHARD F
46	222 HAMPTON RD	GREENFIELD VIRGINIA
47	218 HAMPTON RD	WILKINSON DAVID W
48	214 HAMPTON RD	LACKEY JASON P & LACKEY CARRIE E
49	210 HAMPTON RD	HUTCHINSON GREG
50	206 HAMPTON RD	RODRIQUEZ JOSE R
51	202 HAMPTON RD	GONZALEZ JOSE M & PATRICIA ORTIZ
52	126 HAMPTON RD	CARDENAS ABELARDO B
53	118 HAMPTON RD	LIGHT BRENDA SPEAR
54	114 HAMPTON RD	DELBOSQUE JUAN & MARIA
55	110 HAMPTON RD	C & C RESIDENTIAL PPTIES INC
56	104 HAMPTON RD	BROWN TIMOTHY S
57	102 HAMPTON RD	PFEIL RICHARD A

3/24/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	331 TENNANT ST	CERVANTES MARY F
59	327 TENNANT ST	APPLE DALE ALLEN
60	323 TENNANT ST	HOLDER JESSE L
61	319 TENNANT ST	CABAZOS AMELIA
62	315 TENNANT ST	UGWU KENNETH
63	311 TENNANT ST	ZEPPA AUBREY A
64	305 TENNANT ST	PFEIL DICK
65	303 TENNANT ST	HALLUM GEORGE & MARIA D
66	223 TENNANT ST	ROMERO CLAUDIA M
67	213 TENNANT ST	HERRERA DAVID & MARA MORENO
68	101 TENNANT ST	MARTINEZ ROLANDO & MARIA ANGELICA
69	2330 10TH ST	QUINTERO RAUL
70	2302 10TH ST	ALONZO BRENDA
71	115 HOLLYWOOD AVE	TOSTADO MARIA
72	120 OAK CLIFF BLVD	IGLESIA APOSTOLES Y PROFETAS BETEL
73	2223 JEFFERSON BLVD	NASMA LTD STE 206
74	2325 WADDY AVE	HAMM DONNA
75	105 TENNANT ST	REEVES MARTIN P

Memorandum



CITY OF DALLAS

DATE April 3, 2014

TO Gloria Tarpley, Chair and
City Plan Commissioners

SUBJECT City Plan Commission Authorized Hearing Area Amendment

On May 16, 2013, the City Plan Commission authorized a hearing to establish the Southwestern Medical District Special Provision Sign District (SPSD). During staff review, it was determined that 11 intersections within the request area be included for wayfinding signs that were not included in the original request.

Commissioners Alcantar, Shellene, and Ridley are requesting that the City Plan Commission authorize a public hearing to amend the boundary to establish the Southwestern Medical District Special Provision Sign District (SPSD) on approximately 865 acres to include all four corners of the intersections of N. Stemmons Freeway at Medical District Drive, N. Stemmons Freeway at Inwood Road, Harry Hines Boulevard at Mockingbird Lane, Forest Park Road at W. Mockingbird Lane, Maple Avenue at W. Mockingbird Lane, Bomar Avenue at Maple Avenue, Stutz Drive at Maple Avenue, Inwood Road at Maple Avenue, Butler Street at Maple Avenue, New Orleans Place at Maple Avenue, and Medical District Drive at Amelia Street. A map of the full authorized area to be considered is attached.

This is a hearing to consider the request to amend the area of request and not the rezoning of property at this time.

A handwritten signature in black ink, appearing to read 'Neva Dean'. The signature is fluid and cursive, with the first name 'Neva' being more prominent than the last name 'Dean'.

Neva Dean, Interim Assistant Director
Sustainable Development and Construction Department
Current Planning Division

Memorandum



CITY OF DALLAS

Date: March 20, 2014
To: David Cossum, Interim Director
Department of Sustainable Development and Construction
Subject: Request for Agenda Item for Authorized Hearing Area Amendment

All four corners of the intersections of N. Stemmons Freeway @ Medical District Drive, N. Stemmons Freeway @ Inwood Road, Harry Hines Boulevard @ Mockingbird Lane, Forest Park Road @ W. Mockingbird Lane, Maple Avenue @ W. Mockingbird Lane, Bomar Avenue @ Maple Avenue, Stutz Drive @ Maple Avenue, Inwood Road @ Maple Avenue, Butler Street @ Maple Avenue, New Orleans Place @ Maple Avenue, and Medical District Drive @ Amelia Street.

On May 16, 2013, the City Plan Commission authorized a hearing to establish the Southwestern Medical District Special Provision Sign District (SPSD). During staff review, it was determined that 11 intersections within the request area be included for wayfinding signage.

We respectfully request that the following item be placed on the City Plan Commission agenda and advertised as required by Section 51A-7.701(a)(1) of the City of Dallas Development Code.

We request consideration to authorize a public hearing to amend the boundary to establish a Special Provision Sign District on approximately 865 acres to include all four corners of the intersections along North Stemmons Freeway, Harry Hines Boulevard, West Mockingbird Lane, and Maple Avenue. Consideration is to be given to the appropriate signage regulations on property located in the Medical District Area. A map of the full authorized area to be considered is attached.

Thank you for your attention to this matter.



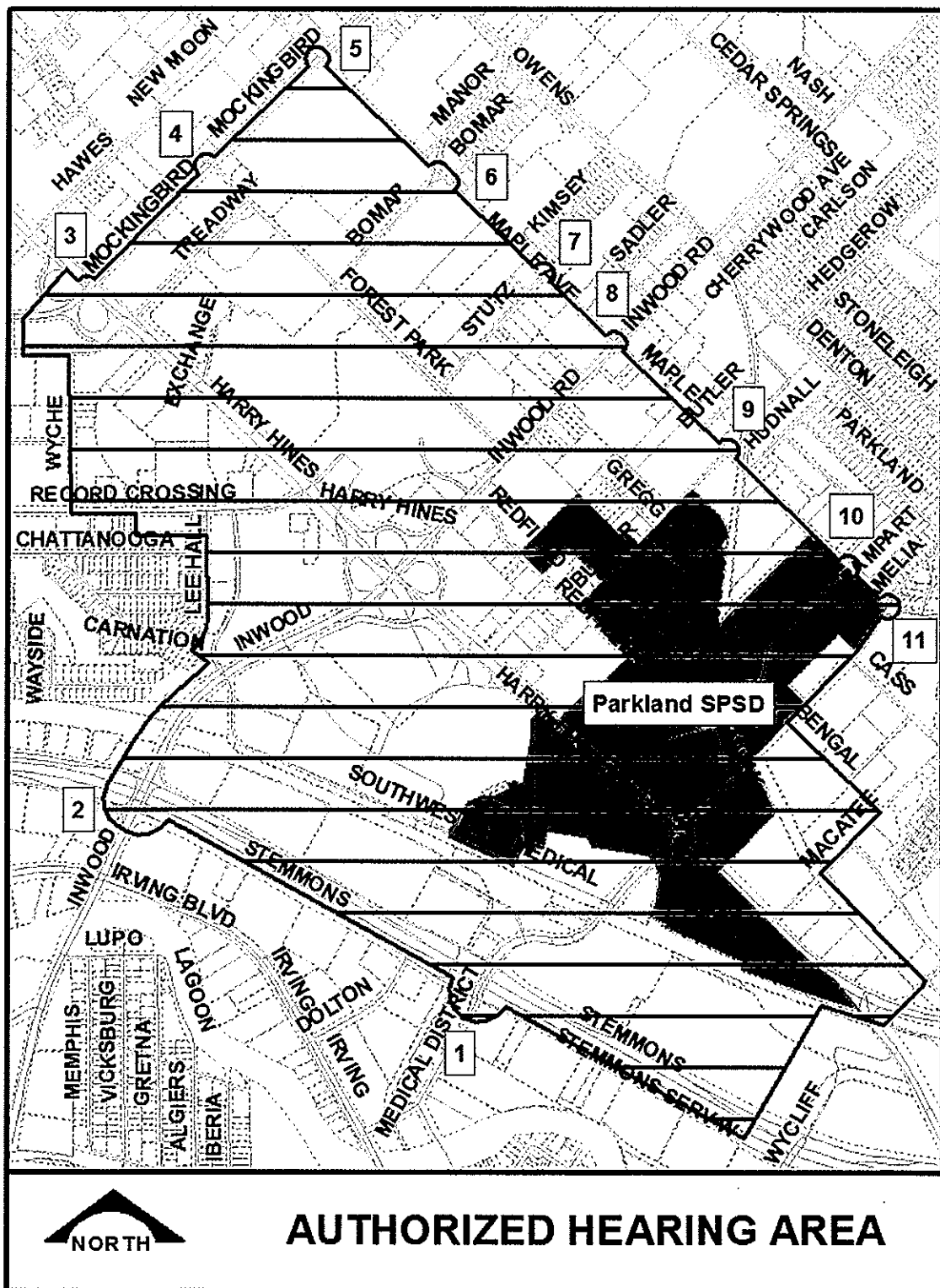
Commissioner Gabriel Soto



Commissioner Jed Anatasomboon



Commissioner



Date: March 10, 2014

FILE NUMBER: DCA 134-001

DATE INITIATED: April 5, 2010

TOPIC: Conservation District Regulations

CITY COUNCIL DISTRICTS: All

CENSUS TRACTS: All

PROPOSAL: Public hearing to receive comments on amendments to section 51A-4.505 the Conservation District regulations in Chapter 51A of the Dallas Development Code.

SUMMARY: This is a public hearing to receive comments only. The proposal amends the development code to allow for a clearer more transparent process for the adoption of conservation districts. In addition, it provides additional steps to add areas to existing conservation districts; create subareas in existing conservation districts; and amend the architectural and development standards in existing conservation districts.

BACKGROUND

Conservation districts (CDs) are just one of several zoning tools used to protect residential neighborhoods. Currently, the City has 17 CDs. However in recent years, the process to adopt a CD has become more contentious (pitting neighbor against neighbor). Staff was directed by City Council to address a number of concerns with respect to the adoption of Conservation Districts, including: the size of the proposed districts; the threshold of support expressed by the community at various stages; the lack of clarity of the process; and the length of time it takes from initiation/authorization to adoption by City Council.

The overall goal of the proposed amendments is to create a clearer more transparent process. Specific steps in the process are defined as are the roles and responsibilities of stakeholders. Several neighborhood meetings, in addition to the public meetings held to get input from property owners regarding the content of their proposed CD ordinance, have been added to the process. Two additional meetings, specifically pre-application meetings, are now required to be held by the department in the community prior to the petitions being circulated by the neighborhood committee. These meetings assist the neighborhood committee by informing property owners about the purpose of a CD, the determination of eligibility and the CD ordinance process. The pre-application meetings also allow for the discussion (specifically at the first pre-application meeting) of the development and architectural standards the neighborhood committee and the community is interested in adopting. While not the final detailed architectural and development standards, these initial standards are intended to be included on the petitions to give property owners (who will be signing the petition in support of a CD ordinance) an idea of the types of regulations that will be discussed later during the public meeting process. In addition, the department is now required to hold a neighborhood meeting at least 30 days prior to the CPC hearing to review the proposed ordinance with the community.

On April 5, 2010, the Economic Development Committee was briefed on the regulations and process for establishing Conservation Districts. The purpose of the briefing was to receive direction from the Committee on the type and scope of revisions desired by the City Council. A number of concerns were expressed by the Committee including:

- Should there be a cap on the maximum size of a Conservation District;
- Who owns the process when a Conservation District is adopted or formulated and what are the roles and responsibilities of stakeholders;
- The need for a clear distinction between the Feasibility Study and the actual zone change;

- What is the appropriate threshold of support, both at the initial application and prior to the City Plan Commission and City Council hearings;
- That new rules should be consistent with what is built, that rules should not make existing structures non-conforming; and
- Should there be boundary changes after authorization.

In the interim, staff researched conservation district regulations in other municipalities and developed the proposed changes.

On March 25, 2013, the Quality of Life and Government Services Committee was briefed on the proposed development code amendment to the Conservation District regulations including aspects of the current ordinance that need improvement and the issues and concerns the Economic Development Committee expressed. Concerns expressed by the Quality of Life and Government Services Committee included:

- That staff work with non-profit organizations, such as Preservation Dallas;
- That the threshold of property owners in support for a proposed Conservation District should be defined; and
- The number of returned reply forms versus the total number of property owners and that unreturned reply forms are counted as “no” votes.

The Zoning Ordinance Committee (ZOC) considered this issue at 8 public meetings between November 21, 2013, and March 6, 2014. On March 6, 2014, ZOC recommended approval of the proposed ordinance.

The Zoning Ordinance Committee recommended no change to the procedures for the reply forms for both the City Plan Commission and the City Council.

With respect to petition forms, the ZOC recommended the following:

- that the petition forms submitted with an application for a new CD represent at least 66 percent of the land, excluding street and alleys, within the proposed CD or 66 percent of the lots within the proposed CD;
- that the petition forms submitted with an application to add an area to an existing CD represent at least 66 percent of the land, excluding streets and alleys, within the proposed area to be added to the CD or 66 percent of the lots within the area proposed to be added to the CD;
- that the petition forms submitted with an application to amend an existing CD to change the regulations represent at least 66 percent of the land, excluding street and alleys, within the established CD or 66 percent of the lots within the established CD; and

- that the petition forms submitted with an application to amend an existing CD to create a subarea represent at least 66 percent of the land, excluding street and alleys, within the proposed subarea or 66 percent of the lots within the proposed subarea.

Finally, the Zoning Ordinance Committee recommended that the threshold of support to waive the application fee be at least 75 percent.

With respect to petition forms, the Staff recommends the following:

- that the petition forms submitted with an application for a new CD represent at least 75 percent of the land, excluding street and alleys, within the proposed CD or 75 percent of the lots within the proposed CD;
- that the petition forms submitted with an application to add an area to an existing CD represent at least 75 percent of the land, excluding streets and alleys, within the proposed area to be added to the CD or 75 percent of the lots within the area proposed to be added to the CD;
- that the petition forms submitted with an application to amend an existing CD to change the regulations represent at least 75 percent of the land, excluding street and alleys, within the established CD or 75 percent of the lots within the established CD; and
- that the petition forms submitted with an application to amend an existing CD to create a subarea represent at least 75 percent of the land, excluding street and alleys, within the proposed subarea or 75 percent of the lots within the proposed subarea.

Staff also recommends that the threshold of support to waive the application fee be at least 85 percent.

PROPOSAL

The amendments to the Conservation District regulations are intended to accomplish the following goals:

- Distinguish the use of Conservation Districts from Planned Developments, Neighborhood Stabilization Overlays, and Historical District Overlays;
- Differentiate between the “determination of eligibility” and the creation of an actual zoning ordinance;
- Provide a clearer process for the adoption of new CDs;
- Require that new CDs include minimum architectural and development standards to limit “interpretation”;
- Formally institute a minimum percentage of support that a CD application must have;
- Formally institutes a minimum age for structures in a CD;

- Outline specific procedures for creating a subarea in an existing CD;
- Outline specific procedures for adding areas to a CD;
- Outline specific procedures to amend specific architectural and development standards in an existing CD and
- Require a neighborhood meeting before the CPC hearing if an application to remove a property from a CD is received.

Section (a) Definitions

The definition of Architectural Attributes was changed to Architectural Significance. This change is consistent with the overall purpose of a CD, which is to protect the architectural significance of an area or neighborhood.

Blockface was modified to be consistent with the definition in section 51A-4.507, the Neighborhood Stabilization Overlay regulations.

The definition of CD Feasibility Study was deleted as the Feasibility Study process was replaced with the new Determination of Eligibility process.

A definition for Demolition was added as it is one of the development standards that may be regulated in a CD.

A definition for Neighborhood Committee was added. The proposed Determination of Eligibility process is initiated by a Neighborhood Committee composed of at least 10 property owners within the proposed conservation district.

Section (b) Purpose was changed to (b) Findings and purpose

As conservation districts are just one of several zoning tools used to protect residential neighborhoods, language was added to distinguish their use from that of historic overlay districts, neighborhood stabilization overlay districts, and planned developments.

In addition, the purpose of a conservation district was expanded and clarified to specifically: protect the architectural significance of an area or neighborhood; promote development or redevelopment that is compatible with an existing area or neighborhood; provide residents with a planning tool for future development or redevelopment of an area or neighborhood while preserving its architectural significance; promote economic revitalization; enhance the livability of the city; and ensure harmonious, orderly and efficient growth.

Section (c) General provisions

This section was modified to outline the steps in the new process for the adoption of a conservation district; clarify when a CD may replace a historic district overlay

or neighborhood stabilization overlay; and delete language related to the conceptual plan.

Section (d) Initiation was changed to (d) Determination of eligibility

Language outlining the existing process of the CD feasibility study was deleted and replaced with language outlining the new determination of eligibility process.

One of the concerns raised by Council was the need for a clear distinction between the CD Feasibility Study and the actual zone change. To achieve this, the determination of eligibility is proposed as the first step in the process of obtaining a CD. It replaces the current CD feasibility study and requires the director to determine whether an area is eligible for a CD based on criteria outlined in the ordinance.

Section (e) Determination of eligibility was changed to (e) Pre-application meetings

Pre-application meetings are proposed as the second requirement before a neighborhood committee may apply for a zone change for a CD. They are noticed neighborhood meetings held by the department to inform property owners about the purpose of a CD, the determination of eligibility, and the CD ordinance process. In addition, the first pre-application meeting is an opportunity for property owners to discuss the development and architectural standards they are interested in adopting. The department is required to hold a minimum of two of these neighborhood meetings prior to providing the neighborhood committee with the petition forms.

As directed by council, staff reviewed the threshold of support both at the initial application (the petitions) and prior to the City Plan Commission and City Council hearings (the reply forms). The current regulations require a threshold of support of more than 50 percent of the land (excluding streets and alleys) and more than 50 percent of the building sites within the area of request. However, the department has a longstanding policy of suggesting a minimum threshold of 75 percent for the petitions. Therefore staff recommendation is that the minimum threshold of support for petitions be 75 percent.

Section (f) Conceptual Plan formulation and review was changed to (f) Application for a CD

As preparation of a conceptual plan was removed from the process, this language was deleted.

Applying for a CD is proposed to be the third step in the process for the adoption of a conservation district. At this step, the neighborhood committee would submit

their zone change application, with the original signed petition forms and the application fee, if applicable.

As directed by council, staff reviewed the threshold of support both at the initial application (the petitions) and prior to the City Plan Commission and City Council hearings (the reply forms). The current regulations require a threshold of support of more than 50 percent of the land (excluding streets and alleys) and more than 50 percent of the building sites within the area of request. However, the department has a longstanding policy of suggesting a minimum threshold of 75 percent for the petitions. Therefore staff recommendation is that the minimum threshold of support for petitions be 75 percent.

The Zoning Ordinance Committee has recommended a threshold of support for the petitions of 66 percent of the land (excluding streets and alleys) within the proposed CD or 66 percent of the lots within the proposed CD. The Zoning Ordinance Committee recommended no change to the current policy with respect to the City Plan Commission and City Council hearing reply forms.

Section (g) CD ordinance preparation and review was changed to (g) CD ordinance preparation

This section provides direction as to the preparation and content of a CD ordinance. The major changes proposed include setting a deadline for the director to begin scheduling public meetings to receive input from property owners regarding the content of the CD ordinance (once a CD application is deemed complete). In addition, minimum architectural and development standards are proposed to limit “interpretation” when plans are reviewed by staff. It’s important to note that these standards are not mandatory. Neighborhoods can choose to defer to the existing standards of their respective underlying zoning.

Section (h) Board of adjustment fee waiver was changed to (h) Amending an established CD ordinance

This section outlines the proposed procedures for amending an established CD by adding areas (including a proposed determination of eligibility process); creating subareas; or changing the regulations. Currently, there are no provisions that address these issues. In addition, a neighborhood meeting is now required to be held by the department, prior to the CPC hearing, if an application is received to remove property from a CD.

Section (i) Board of adjustment fee waiver

The language from the original section (h) Board of adjustment fee waiver was moved to this section.

ZOC ACTION

On March 6, 2014 the Zoning Ordinance Committee voted 7 to 0 to recommend approval of the proposed amendments.

In Favor	Shellene, Murphy, Brown, Gomez, Jones, Enzler and Shidid
Against	None
Absent	None

2-26-14

ORDINANCE NO. _____

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Section 51A-4.505; providing (description of amendment); providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 51A-4.505, “Conservation Districts,” of Division 51A-4.500, “Overlay and Conservation District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“SEC. 51A-4.505. CONSERVATION DISTRICTS.

(a) Definitions. In this section:

(1) ARCHITECTURAL SIGNIFICANCE ~~[ATTRIBUTES]~~ means the impact or importance of buildings in an area based on [those] physical aspects, building design, characteristics of a period, or method of construction, architectural style, or craftsmanship. ~~[features of buildings and structures that are generally identified and described as being important products of human thought and action characteristic of a population or community.]~~

(2) BLOCK means an area bounded by streets on all sides.

(3) BLOCKFACE means [all-of] the linear distance of lots along [on] one side of a street between the two nearest intersecting streets. If a street dead ends, the terminus of the dead-end will be treated as an intersecting street [block].

(4) CD means conservation district.

(5) ~~[CD FEASIBILITY STUDY means a study conducted by the director to determine whether or not a particular area of the city is eligible for conservation district classification.~~

(6) CD ORDINANCE means the ordinance establishing a particular conservation district.

~~(7) CULTURAL ATTRIBUTES means all of those physical features of an area that, either independently or by virtue of their interrelationship, are generally identified or [and] described as being important products of human thought and action characteristic of a population or community. Accordingly, the term "cultural attributes" necessarily includes "architectural attributes" as that term is defined in this section. The term "cultural attributes" does not refer to the characteristics or beliefs of people who may reside in or frequent a particular area.]~~

(6) DEMOLITION means the intentional destruction of an entire building.

(7) NEIGHBORHOOD COMMITTEE means the property owners of at least 10 properties within the proposed CD, proposed area to be added to an established CD, proposed subarea, or proposed amendments to an entire established CD; or, if less than 10 properties, 50 percent of the property owners within the proposed CD, proposed area to be added to an established CD, proposed subarea, or proposed amendments to an entire established CD.

(8) STABLE means that the area is expected to remain substantially the same over the next 20 years with continued maintenance of the property. While some changes in structures, land uses, and densities may occur, all such changes are expected to be compatible with surrounding development.

(9) STABILIZING means that the area is expected to become stable over the next 20-year period through continued reinvestment, maintenance, or remodeling.

(b) Findings and p[P]urpose.

(1) State law authorizes the city of Dallas to regulate the construction, alteration, reconstruction, or razing of buildings and other structures in "designated places and areas of historic, cultural, or architectural importance and significance." [Whereas the

~~city has historic districts containing such regulations and restrictions for historic places and areas,]~~

(2) T[~~t~~he conservation district is intended ~~established~~ to provide a means of conserving an area's distinctive ~~atmosphere or~~ character by protecting or enhancing its ~~significant~~ architectural significance ~~or cultural attributes~~].

(3) Conservation districts are distinguished from historic overlay districts, which preserve historic residential or commercial places; neighborhood stabilization overlay districts, which preserves single family neighborhoods by imposing neighborhood-specific yard, lot, and space regulations that reflect the existing character of the neighborhood; and planned development districts, which provide flexibility in planning and construction while protecting contiguous land uses and significant features.

(4) The purpose of a CD is to:

(A) protect the architectural significance of an area or neighborhood;

(B) promote development or redevelopment that is compatible with an existing area or neighborhood;

(C) provide residents with a planning tool for future development or redevelopment of an area or neighborhood while preserving its architectural significance;

(D) promote economic revitalization;

(E) enhance the livability of the city; and

(F) ensure harmonious, orderly, and efficient growth.

(c) General provisions.

(1) Each CD ~~[conservation district]~~ must be established by a separate CD ordinance. Before a CD may be adopted, the following processes, detailed throughout this section, must occur:

(A) A neighborhood committee must submit an application requesting a determination of eligibility.

(B) The director shall then determine if the proposed area is eligible for a CD.

(C) If the director determines that an area is eligible for a CD, a neighborhood committee must submit a request for pre-application meetings. A request for pre-application meetings is not an application for a CD.

ZOC Recommendation

(D) After the pre-application meetings, the neighborhood committee must obtain signatures of support from 66 percent of the land, excluding streets and alleys, within the proposed CD area; or at least 66 percent of the lots within the proposed CD area.

Staff Recommendation

(D) After the pre-application meetings, the neighborhood committee must obtain signatures of support from 75 percent of the land, excluding streets and alleys, within the proposed CD area; or at least 75 percent of the lots within the proposed CD area.

(E) Once the neighborhood committee obtains the required signatures of support and an application for a CD is deemed complete by the director, a public hearing to create a CD is initiated or may be authorized pursuant to Section 51A-4.701(a)(1). [adopting a CD ordinance, the city council shall approve a conceptual plan for the district in accordance with this section. Each CD ordinance must be consistent with the conceptual plan approved for the district by the city council.]

(2) A CD may replace a historic district overlay or a neighborhood stabilization overlay if the overlay zoning classification is repealed when the CD ordinance is established. A CD may not be placed on a neighborhood with a historic district overlay or a neighborhood stabilization overlay. [If the director determines that, due to the sensitivity of the area, or due to the nature of the proposed regulations for the area, a special administrative procedure should be established for the review of proposed work in a conservation district, he may recommend that such a procedure be incorporated into the conceptual plan for the district. Unless such a procedure is considered by the commission and approved by the city council as part of the conceptual plan for the district, there shall be no administrative review of proposed work in a conservation district other than the customary review for compliance with all applicable city codes, ordinances, rules, and regulations which occurs at the time a person makes application for a building permit.]

(3) For purposes of determining the applicability of regulations in this chapter triggered by adjacency or proximity to another zoning district, an identifiable portion of a CD [conservation (CD) district] governed by a distinct set of use regulations is treated as though it were a separate zoning district. If the CD district or a portion of the district is limited to those uses permitted in an expressly stated zoning district, the CD district or portion of the district is treated as though it were that expressly stated zoning district; otherwise it is treated as though it were:

(A) a TH-3(A) zoning district if it is restricted to single family and/or duplex uses;

(B) an MF-2(A) zoning district if it is restricted to residential uses not exceeding 36 feet in height and allows multifamily uses;

(C) an MF-3(A) zoning district if it is restricted to residential uses and allows multifamily uses exceeding 36 feet in height; or

(D) a nonresidential zoning district if it allows a nonresidential use.

(d) Determination of eligibility.

(1) Before a neighborhood committee may request pre-application meetings or apply for a CD, the director must determine if the area is eligible for a CD. A request for or a determination of eligibility is not an application for a CD.

(2) A request for determination of eligibility must be submitted by a neighborhood committee on a form furnished by the department. The request for a determination of eligibility must include:

(A) The names and addresses of the neighborhood committee members.

(B) The name and address of the neighborhood committee member designated to receive notice from the department.

(C) A map of the request area that is compact and contiguous with boundary lines drawn to include at least one blockface, and to the logical edges of the area or subdivision, as indicated by a creek, street, subdivision line, utility easement, zoning boundary line, or other boundary.

(D) A written statement explaining how the neighborhood committee selected the request area. For example, the request area is the original subdivision.

(E) A list of the architectural styles of each main building in the area of request and the year that each main building was constructed. The list must show that at least 75 percent of the lots in the area of request are developed with main buildings that are at least 25 years old.

(F) A statement describing the architectural significance of the area.

(G) A statement describing how the area of request meets all of the eligibility requirements in Paragraph (d)(3).

(H) Any additional information that the director deems necessary.

(3) Within 65 days after a complete request for determination of eligibility is submitted, the director shall make a determination of eligibility. An area is not eligible for a CD unless it satisfies all of the following criteria:

(A) The area contains at least one blockface.

(B) The area must be either “stable” or “stabilizing” as defined in this section.

(C) The area is compact and contiguous with boundary lines drawn to the logical edges of the area or subdivision, as indicated by a creek, street, subdivision line, utility easement, zoning boundary line, or other boundary.

(D) At least 75 percent of the lots are developed with main buildings that are at least 25 years old.

(E) The area has architectural significance.

(F) The area has two or more of the following distinctive features:

(i) scale, size, type, or materials of construction;

(ii) spatial relationship between buildings;

(iii) lot layouts, setbacks, street layouts, alleys, or sidewalks;

(iv) natural or streetscape characteristics, such as creek beds, parks, greenbelts, gardens, or street landscaping; or

(v) land-use patterns.

(4) If the director determines that the area is eligible for a CD, the director shall notify the designated neighborhood committee member in writing. Once the director determines that the area is eligible for a CD, the boundaries may not be changed by the neighborhood committee or the director unless the neighborhood committee requests a new determination of eligibility. The decision of the director that an area is eligible for CD classification may not be appealed.

(5) If the director determines that the area is not eligible for CD classification, the director shall notify the designated neighborhood committee member. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The decision of the director that an area is not eligible for CD classification may be appealed to the city plan commission by the neighborhood committee.

(6) An appeal of a determination that an area is not eligible for CD classification is made by filing a written notice of appeal with the director. The notice of appeal must be filed within 30 days after the director provides written notice to the designated neighborhood committee member. The sole issue on appeal is whether the director erred in the determination of eligibility. The city plan commission shall consider the same criteria that the director is required to consider.

(7) The city plan commission's determination of eligibility on appeal is final. If the city plan commission determines that the area is not eligible for CD classification, no further applications for a CD may be considered for the area of request for two years from the date of its decision. A property owner in the area of request may apply for a waiver of the two-year limitation period pursuant to Section 51A-4.701(d)(3).

[Initiation.

~~(1) A CD feasibility study may be initiated by a group of persons who collectively own:~~

~~(A) more than 50 percent of the land, excluding streets and alleys, within the area of request; and~~

~~(B) more than 50 percent of the building sites within the area of request.]~~

~~(2) An agent of a group that satisfies the requirements of Subsection (d)(1) may file an application for a CD feasibility study with the director on a form furnished by the department. Each person in the group must sign the application.~~

~~(3) An application for a CD feasibility study must include the following:~~

~~(A) The application fee.~~

~~(B) Map(s) showing the existing zoning and land uses on all of the land in the area of request, and on all of the land within 200 feet, including streets and alleys, measured from the boundary of the area of request.~~

~~(C) A list of the names and addresses of all property owners and residents in the area of request.~~

~~(D) A list of all neighborhood associations or other organizations representing the interests of property owners in the area of request. This list should include information as to the number of members and the officers' names, mailing addresses, and phone numbers.~~

~~(E) A statement of justification. This statement should:~~

~~(i) point out the factors which render the area of request eligible for CD classification; and~~

~~(ii) explain in detail how and why such a classification would be in the best interest of the city as a whole.~~

~~(F) A description of the prevalent architectural and cultural attributes of the area.~~

~~(G) Any additional information that the director determines to be necessary for the study.~~

~~(4) A CD feasibility study may also be initiated by the commission or the city council.]~~

(e) Pre-application meetings.

(1) After a proposed area is determined eligible, but before a neighborhood committee may apply for a CD, the neighborhood committee must request pre-application meetings. A request for pre-application meetings is not an application for a CD.

(2) Pre-application meetings are held by the department. The pre-application meetings are intended to inform the neighborhood committee and property owners within the area determined to be eligible about the determination of eligibility process, purpose of a CD, CD ordinance process, and development and architectural standards the neighborhood committee is interested in adopting.

(3) The neighborhood committee must submit a request for pre-application meetings on a form furnished by the department within 65 days after the director has determined that an area is eligible for a CD, or the determination of eligibility for that area expires. If the determination of eligibility expires, the neighborhood committee must reapply for a request for determination of eligibility before a request for pre-application meetings may be accepted by the director.

(4) The request for pre-application meetings must include a list of the development and architectural standards listed in Section 51A-4.505(g)(3) and (4) that the neighborhood committee is interested in adopting.

(5) Once a complete pre-application form is submitted, the director shall schedule the first of two pre-application meetings. Notice of each pre-application meeting shall be given at least 10 days before the pre-application meeting to all property owners within the area determined to be eligible for a CD as evidenced by the last certified municipal tax roll.

(6) At the end of the second pre-application meeting, the department shall provide the neighborhood committee with the original petition forms. The original petition forms must include a map of the boundaries of the proposed CD, a list of the development and architectural standards the neighborhood committee is interested in adopting, the name and address of all property owners within the proposed CD, and a statement that by signing the petition, the signer is indicating support for the CD.

~~[Determination of eligibility:~~

~~(1) When a CD feasibility study is initiated under Subsection (d), the director shall determine the eligibility of the area for CD classification in accordance with this subsection.~~

~~(2) The director's determination of eligibility must be based on a consideration of the standards in this subsection. An area is not eligible for CD classification unless it satisfies all of the following criteria:~~

~~(A) The area must contain at least one blockface.~~

~~(B) The area must be either "stable" or "stabilizing" as those terms are defined in this section.~~

~~(C) The area must contain significant architectural or cultural attributes as those terms are defined in this section.~~

~~(D) The area must have a distinctive atmosphere or character which can be conserved by protecting or enhancing its architectural or cultural attributes.~~

~~(3) If the director determines that the area is not eligible for CD classification, he shall notify the applicant of this fact in writing. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice must be sent to the address shown on the application. The decision of the director that an area is not eligible for CD classification may be appealed to the commission by the applicant.~~

~~(4) An appeal under Subsection (e)(3) is made by filing a written request with the director. The request must be filed within 30 days of the date written notice is given to the applicant of the director's decision. In considering the appeal, the sole issue shall be whether or not the director erred in his determination of eligibility,~~

~~and, in this connection, the commission shall consider the same standards that were required to be considered by the director in making his determination.~~

~~(5) The commission's determination of eligibility on appeal is final. If the commission determines that the area is not eligible for CD classification, no further applications for CD classification may be considered for the area of request for two years from the date of its decision. A property owner in the area of request may apply for a waiver of the two-year limitation pursuant to Section 51A-4.701(d)(3).~~

~~(6) If the director determines that the area is eligible for CD classification, he shall proceed to formulate a conceptual plan for the area in accordance with Subsection (f). The decision of the director that an area is eligible for CD classification may not be appealed.]~~

~~[Conceptual plan formulation and review.~~

~~(1) If the area is determined to be eligible for CD classification pursuant to Subsection (e), the director shall schedule a public meeting for the purpose of informing property owners in the proposed district of the nature of the pending request. The director shall send notice of the time and place of the meeting by mail to all addresses of property owners and residents shown on the application, and to any additional addresses of properties in the proposed district shown on the last approved city tax roll.~~

~~(2) The director shall prepare a conceptual plan for the proposed district and schedule a public hearing before the commission to receive public comment regarding the plan. The director shall send written notice of the public hearing to all owners of real property in the proposed district and within 200 feet of its boundaries. The measurement of the 200 feet includes streets and alleys. The notice must be given not less than 10 days before the date set for the hearing. Notice is given by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.~~

~~(3) After the public hearing, the commission shall make a recommendation regarding the plan and forward it to the city council for further action.~~

~~(4) The city council shall hold a public hearing before it makes a decision regarding the plan. The city secretary shall give notice of the public hearing in the official newspaper of the city at least 15 days before the hearing.~~

~~(5) After the city council holds the public hearing, it shall make a decision regarding the plan. The council may make minor changes in the plan without sending it back to the commission; however, if the changes are substantial, the council shall send the plan back to the commission for another public hearing.~~

~~(6) No conservation district may be established in the city unless the city council first approves a conceptual plan for the district in accordance with this subsection.]~~

(f) Applying for a CD.

(1) After an area is determined eligible for a CD and the pre-application meetings have been held by the department, the neighborhood committee may submit an application for a CD.

(2) The application must be on a form provided by the department and must include:

(A) The original petition forms with dated signatures of property owners within the proposed CD in support of the proposed CD. The signatures on the original petition forms must be dated within 180 days after the date of the second pre-application meeting and must represent at least:

ZOC Recommendation

(i) 66 percent of the land, excluding streets and alleys, within the proposed CD; or

(ii) 66 percent of the lots within the proposed CD.

Staff Recommendation

(i) 75 percent of the land, excluding streets and alleys, within the proposed CD; or

(ii) 75 percent of the lots within the proposed CD.

(B) The application fee, if applicable.

ZOC Recommendation

(i) If the original petition forms are signed by 75 percent or more of the lots within the proposed CD boundaries, the application fee is waived.

Staff Recommendation

(i) If the original petition forms are signed by 85 percent or more of the lots within the proposed CD boundaries, the application fee is waived.

(ii) If the proposed CD is authorized pursuant to Section 51A-4.701(a)(1), the application fee is waived.

(C) Any other information that the director deems necessary.

(3) Once the application for a CD is submitted, the director shall determine if the application is complete.

(4) When the application for a CD is submitted, the 180 day requirement for signatures in support of the proposed CD is stopped until the director gives the designated neighborhood committee member notice that the application is incomplete. Notice is given by depositing the notice properly addressed and postage paid in the United States mail.

(5) If the application is deemed complete or the CD is authorized pursuant to Section 51A-4.701(a)(1), a public hearing to create a CD is initiated.

(6) If the director deems the application incomplete, the director shall notify the designated neighborhood committee member shall return the application to the neighborhood committee member designated to receive notice with a description of its deficiencies.

(7) For purposes of Section 51A-4.701, "Zoning Amendments," once a complete CD application has been deemed complete, the CD shall be treated as a city plan commission authorized public hearing and may not be appealed to city council if the city plan commission recommends denial. If the proposed CD is initiated by application, the notice of authorization contained in Section 51A-4.701(a)(1) is not required.

~~[CD ordinance preparation and review.]~~

~~(1) The director shall hold public meetings as necessary for the purpose of receiving input from property owners regarding the content of the CD ordinance.~~

~~(2) The city attorney shall prepare a CD ordinance based on the approved or proposed conceptual plan, the reports and recommendations of the city staff, and input received from property owners at the public meetings held by the director. The ordinance must contain regulations governing permitted uses, heights of buildings and structures, lot size, floor area ratio, density, setbacks, off-street parking and loading, environmental performance, signs, landscaping, and nonconforming uses and structures, and may further contain any additional regulations, special exceptions, or procedures that the city council considers necessary to conserve the distinctive atmosphere or character of the area, or to minimize potential adverse impacts which could result from creation of the district.~~

~~(3) After preparation of the ordinance by the city attorney, the commission shall hold a public hearing to allow all citizens to present their views regarding the proposed ordinance. If the commission so desires, it may hold this public hearing on the same day that it holds the public hearing on the conceptual plan. Notice of~~

~~this public hearing must be given as required by law for a change in zoning district classification.~~

~~(4) After the public hearing, the commission shall make a recommendation regarding the proposed ordinance. The commission shall not recommend approval of the ordinance unless it determines that the ordinance is consistent with the conceptual plan.~~

~~(5) After the commission makes its recommendation on the proposed ordinance, the director shall forward the recommendation and ordinance to the city council for further action. The city council shall hold a public hearing before taking any action on the ordinance. If the city council so desires, it may hold this public hearing on the same day that it holds the public hearing on the conceptual plan. Notice of this public hearing must be given as required by law for a change in zoning district classification.~~

~~(6) Each CD ordinance must be approved by the affirmative vote of a majority of city council members present; except, the favorable vote of three-fourths of all members of the city council is required if:~~

~~(A) the commission recommends against adoption of the ordinance; or~~

~~(B) a written protest against adoption of the ordinance has been signed by the owners of 20 percent or more of either the land in the area of request or land within 200 feet, including streets and alleys, measured from the boundary of the area of request and the protest has been filed with the director.]~~

(g) CD ordinance preparation.

(1) Within 30 days after a CD application is deemed complete, the director shall begin scheduling public meetings. Public meetings shall be held as necessary to receive input from property owners regarding the content of the CD ordinance.

(2) The city shall prepare a CD ordinance that includes:

(A) maps indicating the boundaries of the proposed CD;

(B) maps and other graphic and written materials describing the architectural significance of the proposed CD; and

(C) regulations for development and architectural standards.

(3) The CD ordinance must include the following regulations:

(A) Development standards.

- (i) permitted uses;
- (ii) lot size;
- (iii) density;
- (iv) floor area ratio;
- (v) lot coverage;
- (vi) setbacks;
- (vii) building and structure height;
- (viii) stories;
- (ix) off-street parking and loading requirements;
- (x) fences and walls; and
- (xi) accessory structures.

(B) Architectural standards.

- (i) architectural styles;
- (ii) building materials;
- (iii) building elevations;
- (iv) roof form or pitch;
- (v) roofing materials;
- (vi) windows;
- (vii) porch styles; and
- (viii) chimneys.

(4) The CD ordinance may also include, but is not limited to, the following development and architectural standards:

- (A) building width;

- (B) paint colors;
- (C) demolition;
- (D) garage location and entrance;
- (E) window and dormer size and location;
- (F) impervious surfaces;
- (G) driveways, curbs, and sidewalks;
- (H) solar systems and the components;
- (I) foundations;
- (J) steps; or
- (K) building relocation.

(5) At least 30 days before the city plan commission public hearing to consider the proposed CD ordinance, the director shall conduct a neighborhood meeting to review the proposed CD ordinance.

(6) Notice of the neighborhood meeting shall be given at least 10 days before the neighborhood meeting to all property owners within the boundaries of the proposed CD as evidenced by the last certified municipal tax roll. The notice must include a link to the draft of the proposed CD ordinance.

(7) After the neighborhood meeting and at least 10 days before consideration by the city plan commission, the director shall send written notice of the city plan commission public hearing and a reply form to all real property owners within the area of notification. The reply form allows the recipient to indicate support or opposition to the proposed CD and give written comments. The director shall report to the city plan commission the percentage of replies in favor and in opposition, and summarize any comments.

(8) If city plan commission recommends approval of the proposed CD, at least 10 days before consideration by the city council, the director shall send written notice of the city council public hearing and a reply form to all real property owners within the area of notification. The reply form allows the recipient to indicate support or opposition to the proposed CD and give written comments. The director shall report to the city council the percentage of replies in favor and in opposition, and summarize any comments.

(h) Amending an established CD ordinance.

(1) Adding property to an established CD.

(A) In general. To add property to an established CD, a neighborhood committee or, if the area proposed to be added is one lot, an applicant must first request a determination of eligibility. A request for a determination of eligibility is not an application to amend the established CD.

(B) Determination of eligibility.

(i) To obtain a determination of eligibility, a neighborhood committee or applicant must submit a request on a form furnished by the department. The request for a determination of eligibility must include:

(aa) The names and addresses of the neighborhood committee members or applicant.

(bb) The name and address of the neighborhood committee member designated to receive notice from the determination of eligibility, if applicable.

(cc) A map of the area to be added that is compact and contiguous with the CD.

(dd) A written statement explaining how the neighborhood committee or the applicant selected the proposed area to be added. For example, the proposed area to be added is part of the original subdivision but was not included when the CD was established.

(ee) A list of the architectural styles of each main building in the proposed area to be added and the year that each main building was constructed. The list must show that at least 75 percent of the lots in the proposed area to be added are developed with main buildings that are at least 25 years old.

(ff) A written statement describing the architectural significance of the proposed area to be added.

(gg) A written statement describing how the proposed area to be added meets all of the eligibility requirements in Section 51A-4.505(d)(3) except that the area proposed is not required to be at least one blockface.

(hh) A written statement describing how the architectural significance and distinctive features of the proposed area to be added are similar to and compatible with the established CD.

(ii) Any additional information that the director deems necessary.

(ii) Within 65 days after a complete request for determination of eligibility is submitted, the director shall make a determination of eligibility. A proposed area is not eligible to be added to an established CD unless it satisfies all of the criteria in Section 51A-4.505(d)(3), except the requirement that the area is at least one blockface, and the additional criteria that the architectural significance and distinctive features of the proposed area to be added are similar to and compatible with the established CD.

(iii) If the director determines that the proposed area is eligible to be added to an established CD, the director shall notify the designated neighborhood committee member or applicant in writing. Once the director determines that the proposed area is eligible to be added to an established CD, the boundaries of the added area may not be changed by the neighborhood committee, the applicant, or the director unless the neighborhood committee or applicant requests a new determination of eligibility. The decision of the director that an area is eligible to be added to an established CD may not be appealed.

(iv) If the director determines that the proposed area is not eligible to be added to a CD, the director shall notify the designated neighborhood committee member or applicant. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The decision of the director that an area is not eligible to be added to a CD may be appealed the city plan commission. An appeal to the city plan commission must comply with Section 51A-4.505(d)(6) and (7).

(C) Request for petitions.

(i) After an area is determined eligible to be added into an established CD, the neighborhood committee or applicant may submit a request for petitions. The request for petitions is not an application to amend a CD.

(ii) The neighborhood committee or applicant must request the petitions within 65 days after the director determines that the area is eligible to be added to an established CD or the determination of eligibility for that proposed area to be added expires.

(iii) The request for petitions must be on a form furnished by the department and must include the names and addresses of the neighborhood committee members or the applicant and a list of the development and architectural standards listed in Section 51A-4-505(g)(3) and (4) that the neighborhood committee or applicant is interested in adopting.

(iv) Once a complete request for petitions is submitted, the director shall provide the neighborhood committee or the applicant with the original

petition forms. The original petition forms must include a map of the boundaries of the proposed area to be added to the established CD, a list of the development and architectural standards the neighborhood committee or applicant is interested in adopting, the name and address of all property owners within the area proposed to be added to the established CD, and a statement that by signing the petition, the signer is indicating support for adding their property to an established CD.

(v) As soon as possible after the department provides the neighborhood committee or applicant with the original petition forms, the department shall conduct a neighborhood meeting. Notice of the neighborhood meeting shall be given at least 10 days before the neighborhood meeting to all property owners with the proposed area to be added and the established CD as evidenced by the last certified municipal tax roll.

(vi) The neighborhood meeting is held by the department. The propose of the neighborhood meeting is to inform the property owners within the proposed area to be added and the established CD that petitions have been requested to amend the established CD to add an area.

(D) Application to amend an established CD.

(i) After an area is determined eligible to be added to an established CD and the neighborhood committee or applicant has requested and received the original petition forms, the neighborhood committee or the applicant may submit an application to amend an established CD to add an eligible area.

(ii) The application must be on a form provided by the department and must include:

(aa) The original petition forms with dated signatures of property owners within the proposed area to be added to the established CD in support of amending the CD to add the proposed area.

(bb) The signatures on the original petition forms must be dated within 60 days after the date the director provides the original petition forms to the neighborhood committee or applicant and must represent at least:

ZOC Recommendation

<u>(I) 66 percent of the land, excluding streets and alleys, within the proposed area to be added to the CD; or</u>
<u>(II) 66 percent of the lots within the area proposed to be added to the CD.</u>

Staff Recommendation

(I) 75 percent of the land, excluding streets and alleys, within the proposed area to be added CD; or

(II) 75 percent of the lots within the area proposed to be added to the CD.

(cc) The application fee, if applicable. If the amendments to the established CD to add an area is authorized pursuant to Section 51A-4.701(a)(1), the application fee is waived.

(dd) Any other information that the director deems necessary.

(iii) Once the application for an amendment to an established CD to add an area is submitted, the director shall determine if the original petition forms are complete.

(iv) When the application to amend the CD to add area is submitted, the 60 day requirement for signatures in support of the proposed amendment to the established CD to add an area is stopped until the director gives the designated neighborhood committee member notice that the application is incomplete. Notice is given by depositing the notice properly addressed and postage paid in the United States mail.

(v) If the application is deemed complete or the request to amend the established CD is authorized pursuant to Section 51A-4.701(a)(1), a public hearing to amend the established CD is initiated.

(vi) If the director deems the application incomplete, the director shall return the application to the neighborhood committee member designated to receive notice or with a description of deficiencies.

(E) Amending an established CD ordinance to add an area.

(i) The city shall prepare the amendments to the established CD in accordance with Section 51A-4.505(g)(2) through (4) to provide for development and architectural standards for the area to be added.

(ii) Along with other required notices, at least 10 days before consideration by the city plan commission, the director shall send written notice of the city plan commission public hearing and a reply form to all real property owners within the area of notification. The reply form allows the recipient to indicate support or opposition to the proposed amendments to the established CD ordinance and give written comments. The director shall report to the city plan commission the percentage of replies in favor and in opposition, and summarize any comments.

(iii) At least 10 days before consideration by the city council, the director shall send written notice of the city council public hearing and a reply form to all real property owners within the area of notification. The reply form allows the recipient to indicate support or opposition to the proposed amendments to the established CD ordinance and give written comments. The director shall report to the city council the percentage of replies in favor and in opposition, and summarize any comments.

(2) Amending an established CD to create a subarea or change the regulations.

(A) Request for petitions.

(i) To amend the regulations or create a subarea within an established CD, a neighborhood committee or must submit a request for petitions. A request for petitions is not an application to amend a CD.

(ii) The neighborhood committee must submit a request for petitions on a form furnished by the department and must include the names and addresses of the neighborhood committee members or applicant and a list of the development and architectural standards listed in Section 51A-4-505(g)(3) and (4) that the neighborhood committee or applicant is interested in amending or adopting.

(iii) Once a complete request for petitions is submitted, the director shall provide the neighborhood committee or applicant with the original petitions forms. The original petition forms must include a map of the boundaries of the proposed subarea, if applicable, a list of the development and architectural standards the neighborhood committee is interested in amending or adopting, the name and address of all property owners within the proposed subareas, or if the amendments affect the entire established CD, the name and address of all property owners within the established CD, and statement that by signing the petition, the signer is indicating support for the amendments to or creation of a subarea within the CD.

(iv) As soon as possible after the department provides the neighborhood committee with the original petition form, the department shall conduct a neighborhood meeting. Notice of the neighborhood meeting shall be given at least 10 days before the neighborhood meeting to all property owners with the established CD as evidenced by the last certified municipal tax roll.

(v) The neighborhood meeting is held by the department. The purpose of the neighborhood meeting is to inform the property owners within the established CD that petitions have been requested to amend the established CD regulations or create a subarea within the established CD.

(B) Application to amend an established CD.

(i) After the neighborhood committee or applicant has requested and received their original petition forms, the neighborhood committee or applicant may submit an application to amend an established CD to amend the regulations or create a subarea within the established CD.

(ii) The application must be on a form provided by the department and must include:

(aa) The original petition forms with dated signatures of property owners within the established CD, or if a subarea is proposed, the proposed subarea that are in support of amending the established CD regulations or creating a subarea within the established CD. The signatures on the original petition forms be dated within 180 days after the date of the neighborhood meeting if the entire established CD is proposed to be amended, and within 60 days after the date the director provides the original petition forms to the neighborhood committee or applicant if a subarea is proposed and must represent at least:

ZOC recommendation

(I) 66 percent of the land, excluding streets and alleys, within the established CD or, if a subarea is proposed, the subarea; or

(II) 66 percent of the lots within the established CD or, if a subarea is being proposed, the subarea.

Staff recommendation

(I) 75 percent of the land, excluding streets and alleys, within the established CD or, if a subarea is proposed, the subarea; or

(II) 75 percent of the lots within the established CD or, if a subarea is being proposed, the subarea.

(bb) For an application to create a subarea within an established CD, an application fee, if applicable. If the amendments to the established CD to create a subarea are authorized pursuant to Section 51A-4.701(a)(1), the application fee is waived.

(cc) For an application to amend the entire established CD, an application fee, if applicable.

ZOC Recommendation

(I) If the original petition forms are signed by 75 percent or more of the lots within the established CD, the proposed amendments to the established CD, application fee is waived. If the proposed amendments to the established CD are authorized pursuant to Section 51A-4.701(a)(1), the application fee is waived.

Staff Recommendation

(I) If the original petition forms are signed by 85 percent or more of the lots within the established CD, the application fee is waived. If the proposed CD amendments are authorized pursuant to Section 51A-4.701(a)(1), the application fee is waived.

(dd) Any other information that the director deems necessary.

(iii) Once the application for an amendment to the entire CD or to create a subarea within an established CD is submitted, the director shall determine if the application is complete.

(iv) When the application is submitted, the 180 or 60 day requirement for signatures in support of amendments to the established CD is stopped until the director gives the designated neighborhood committee member notice that the application is incomplete. Notice is given by depositing the notice properly addressed and postage paid in the United States mail.

(v) If the application is deemed complete or the request to amend the established CD is authorized pursuant to Section 51A-4.701(a)(1), a public hearing to amend the CD is initiated.

(vi) If the director deems the application incomplete, the director shall return the application to the neighborhood committee member designated to receive notice or with a description of deficiencies.

(vii) For an application to amend the entire established CD, for purposes of Section 51A-4.701, "Zoning Amendments," once an original petition form is deemed complete, the amendment to the CD shall be treated as a city plan commission authorized public hearing and may not be appealed to city council if the city plan commission recommends denial. If the proposed amendments to the CD is initiated by petition, the notice of authorization contained in Section 51A-4.701(a)(1) is not required.

(viii) For an application to amend the entire established CD, after the original petition forms are deemed complete, the director may schedule public meetings as necessary to receive input from property owners regarding the amendments to the CD.

(ix) The city shall prepare the amendments to the CD in accordance with Section 51A-4.505(g)(2) through (4).

(x) For an application to amend the entire established CD, at least 30 days before the city plan commission public hearing to consider the

proposed amendments to the CD ordinance, the director shall conduct a neighborhood meeting to review the proposed CD ordinance. Notice of the neighborhood meeting shall be given at least 10 days before the neighborhood meeting to all property owners within the boundaries of the CD as evidenced by the last certified municipal tax roll. The notice must include a link to the draft of the proposed amendments to the CD ordinance.

(xi) Along with other required notices, at least 10 days before consideration by the city plan commission, the director shall send written notice of the city plan commission public hearing and a reply form to all real property owners within the area of notification. The reply form allows the recipient to indicate support or opposition to the proposed CD and give written comments. The director shall report to the city plan commission the percentage of replies in favor and in opposition, and summarize any comments.

(xii) If city plan commission recommends approval of the proposed CD, at least 10 days before consideration by the city council, the director shall send written notice of the city council public hearing and a reply form to all real property owners within the area of notification. The reply form allows the recipient to indicate support or opposition to the proposed CD and give written comments. The director shall report to the city council the percentage of replies in favor and in opposition, and summarize any comments.

(3) Amending an established CD to remove property.

(A) If a property or properties apply to remove their property from an established CD, at least 30 days before the city plan commission public hearing to consider the proposed amendment, the director shall hold a neighborhood meeting. The purpose of the neighborhood meeting is to inform the property owners with the established CD of the request to remove a property or properties from an established CD.

(B) Notice of the neighborhood meeting shall be given at least 10 days before the neighborhood meeting to all property owners within the established CD as evidenced by the last certified municipal tax roll.

(i) Board of adjustment fee waiver. The board of adjustment may waive any filing fee for an appeal from a decision of the building official interpreting a CD ordinance, or for a variance or special exception to a CD ordinance requirement when the board finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may either pay the fee and request reimbursement as part of his appeal or request that the matter be placed on the board's miscellaneous docket for predetermination. If the matter is placed on the miscellaneous docket, the applicant may not file his appeal until the merits of the request for waiver have been determined by the board.”

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 3. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____



CITY OF DALLAS

Memorandum

DATE April 8, 2014

TO Gloria Tarpley, Chair and
Members of the City Plan Commission

SUBJECT **Appeal of Landmark Commission Decision**
2601 Hibernia St., Case #: CA134-110(CH)
CPC Consideration: April 17, 2014

Attached is the record relating to the applicant's appeal of the denial of a Certificate of Appropriateness application for **2601 Hibernia Street** to replace wood windows on historic part of main structure with clad wood windows and to replace one entry door on historic part of main structure.

If you have any questions related to City Plan Commission review procedures, please contact Bert Vandenberg, Assistant City Attorney, at 214-243-2134.

Neva Dean
Interim Assistant Director
Sustainable Development and Construction

c: David Cossum, Interim Director, Sustainable Development and Construction
Casey Burgess, Assistant City Attorney
Bert Vandenberg, Assistant City Attorney
Adam Alsobrook, Senior Planner, Historic Preservation