



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, August 2, 2012
AGENDA

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

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

Theresa O'Donnell, Director
David Cossum, Assistant Director of Current Planning

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Residential Replat:

(1) **S112-164**
(CC District 14)

An application to replat a 0.833 acre tract of land containing part of Lot 6 and all of lots 7 and 8 in City Block 17/4953 into one 0.393 acre lot and one 0.440 acre lot located at 5310 Wateka Drive at Inwood Road.

Applicant/Owner: John Wade Holden and Brian Thacker

Surveyor: Peiser & Mankin Surveying., LLC

Application Filed: July 10, 2012

Zoning: CD 10

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

Reduction of Building Lines:

- (2) **S112-163**
(CC District 13) An application to reduce the existing 50' platted building line on Lot 1 Block F/5517 to a 40 foot "wrap around" building line along Meaders Lane and Gaywood Drive and located at 10340 Gaywood Drive.
Applicant/Owner: Clay M. and Tracy G. Aaron
Surveyor: Hennessey Engineering, Inc.
Application Filed: July 9, 2012
Zoning: R-1AC (A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S112-165**
(CC District 13) An application to replat a 0.99 acre tract of land containing all of Lot 4A in City Block E/5532 to reduce the existing 75 foot platted building line on Strait Lane to 73.55 feet; and to reduce the existing platted 75 foot building line to 40 feet along the west 40 feet of the property along Dorset Road on property located at 10255 Strait Lane.
Applicant/Owner: C. Gregory Shamoun
Surveyor: Gonzalez and Schneeberg
Application Filed: July 10, 2012
Zoning: R-1ac(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S112-166**
(CC District 13) An application to replat a 0.50 acre tract of land containing all of Lot 5 and part of Lot 6 in City Block 1/6434 into one 0.50 acre lot and to remove the existing 35 foot platted building line parallel to the north line of Royal Lane and to remove the existing 20 foot platted building line parallel to the west line of Webb Chapel Road on property at 10811 Webb Chapel Road.
Applicant/Owner: Michael Hampton / Royal Food and Service, Inc.
Surveyor: Texas Heritage Surveying., LLC
Application Filed: July 10, 2012
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Street Name Change:

- (5) **NC112-001**
(CC District 7) An application to change the name of La Prada Drive (east) between John West Road on the south and La Prada Drive on the north to "Deansgate Lane"
Applicant: City of Dallas
Application Filed: February 27, 2012
Staff Recommendation: **Approval**

Miscellaneous Docket

M112-028

Richard Brown
(CC District 10)

An application for a minor amendment to the development plan and landscape plan for Planned Development No. 501 for a Public school and R-10(A) Single Family District Uses on the south line of Stults Road between Woodshore Drive and Clearwater Drive.

Staff Recommendation: **Hold under advisement until August 16, 2012.**

Applicant: Richardson Independent School District

Representative: Karl Crawley

Zoning Cases – Consent

1. **Z112-236(MD)**

Mark Doty
(CC District 8)

A Landmark Commission authorized hearing to consider an Historic District Overlay on property zoned A(A) Agricultural District on the south side of Haymarket Road, southwest of the intersection of Haymarket Road and Palomino Road.

Staff Recommendation: **Approval**, subject to preservation criteria.

Landmark Commission Recommendation: **Approval**, subject to preservation criteria.

2. **Z112-259(WE)**

Warren Ellis
(CC District 6)

An application for a renewal of Specific Use Permit No. 1813 for a recycling collection center on property zoned an IR Industrial Research District on the northeast corner of Sylvan Avenue and Fabrication Street.

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

Applicant/Representative: Rigoberto Rosales

3. **Z112-261(WE)**

Richard Brown
(CC District 8)

An application for 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 within Subdistrict 2, Tract 1 of Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3 with a D-1 Liquor Control Overlay on the northeast corner of C. F. Hawn Freeway and St. Augustine 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 renewal for additional five-year periods, subject to a site plan and conditions.

Applicant: Shiwakoti Bishnu

Representative: Parvez Malik – Business Zoom

4. **Z112-266(WE)**
Warren Ellis
(CC District 2)
- An application for an amendment to Planned Development Subdistrict No. 91 for Multiple Family Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Cedar Springs Road and Herschel Avenue.
- Staff Recommendation: **Hold under advisement until August 16, 2012.**
- Applicant: Dallas Cedar Point Ltd.
- Representative: MASTERPLAN – Karl Crawley

Zoning Cases – Under Advisement

5. **Z112-178(WE)**
Warren Ellis
(CC District 6)
- An application for a CR Community Retail District on property zoned a TH-2(A) Townhouse District with deed restrictions on the west side of South Polk Street, north of Kirnwood Drive.
- Staff Recommendation: **Denial**
- Applicant: Capital Growth – Buchalter, Inc.
- Representative: Linfield, Hunter & Junius
- U/A From: July 12, 2012.

Zoning Cases – Individual

6. **Z112-234(RB)**
Richard Brown
(CC District 2)
- An application for an amendment to and renewal of Specific Use Permit No. 1685 for a Bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the northeast corner of Crowds Street and July Alley.
- Staff Recommendation: **Approval** for a three-year period, subject to a site plan and conditions.
- Applicant: Renos Chop Shop
- Representative: John Hamilton
7. **Z112-243(RB)**
Richard Brown
(CC District 8)
- An application for a Specific Use Permit for a Private stable on property zoned an R-7.5(A) Single Family District on the north line of Grady Lane, east of Pleasant Woods Drive.
- Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
- Applicant: Jose Sanchez
- Representative: James Kent Cater

8. **Z112-225(JH)**
Jennifer Hiromoto
(CC District 14)

An application for a Planned Development District for multifamily uses on property zoned an MF-1(A) Multifamily District on the southwest corner of Skillman Street and Sandhurst Lane and both sides of Amesbury Drive.

Staff Recommendation: **Approval**, subject to a conceptual plan, street sections, and staff conditions.

Applicant: JLB Realty, LLC

Representative: Jackson Walker

Other Matters

Minutes: July 12, 2012 and July 19, 2012

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, August 2, 2012

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, August 2, 2012, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider (1) **DCA 112-002(a)** Consideration of amending the Dallas Development Code to amend certain parking standards to include bicycle parking provisions.

TRANSPORTATION COMMITTEE MEETING - Thursday, August 2, 2012, City Hall, 1500 Marilla Street, in the Council Chambers, at 8:30. a.m., to consider **(1)** An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of SMU Boulevard from Worcola Street to Greenville Avenue from a special five lane undivided roadway within 100 feet of right of way to a special three lane undivided roadway within 87 feet of right of way and 36 feet of pavement; and **(2)** An amendment to the City of Dallas Thoroughfare Plan to (1) Change the dimensional classification of Danieldale Road from Old Hickory Trail to Hampton Road from a six lane divided roadway (S-6-D) within 107 feet of right of way to a four lane undivided roadway (S-4-U) within 60 feet of right of way; and (2) Delete Westmoreland Road from Wheatland Road to the Desoto City Limit, a four lane divided roadway (S-4-D) within 80 feet of right of way

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, AUGUST 2, 2012****FILE NUMBER:** S112-164**Subdivision Administrator:** Paul Nelson**LOCATION:** 5310 Wateka Drive at Inwood**DATE FILED:** July 10, 2012**ZONING:** CD 10**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.833 Acre **MAPSCO:** 34H**APPLICANT:** John Wade Holden and Brian Thacker

REQUEST: An application to replat a 0.833 acre tract of land containing part of Lot 6 and all of lots 7 and 8 in City Block 17/4953 into one 0.393 acre lot and one 0.440 acre lot located at 5310 Wateka Drive at Inwood

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

DATES NOTICES SENT: 29 notices were mailed to property owners within 200 feet of this request with x replies received in favor and x replies received in opposition to the request as of July 24, 2012.

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

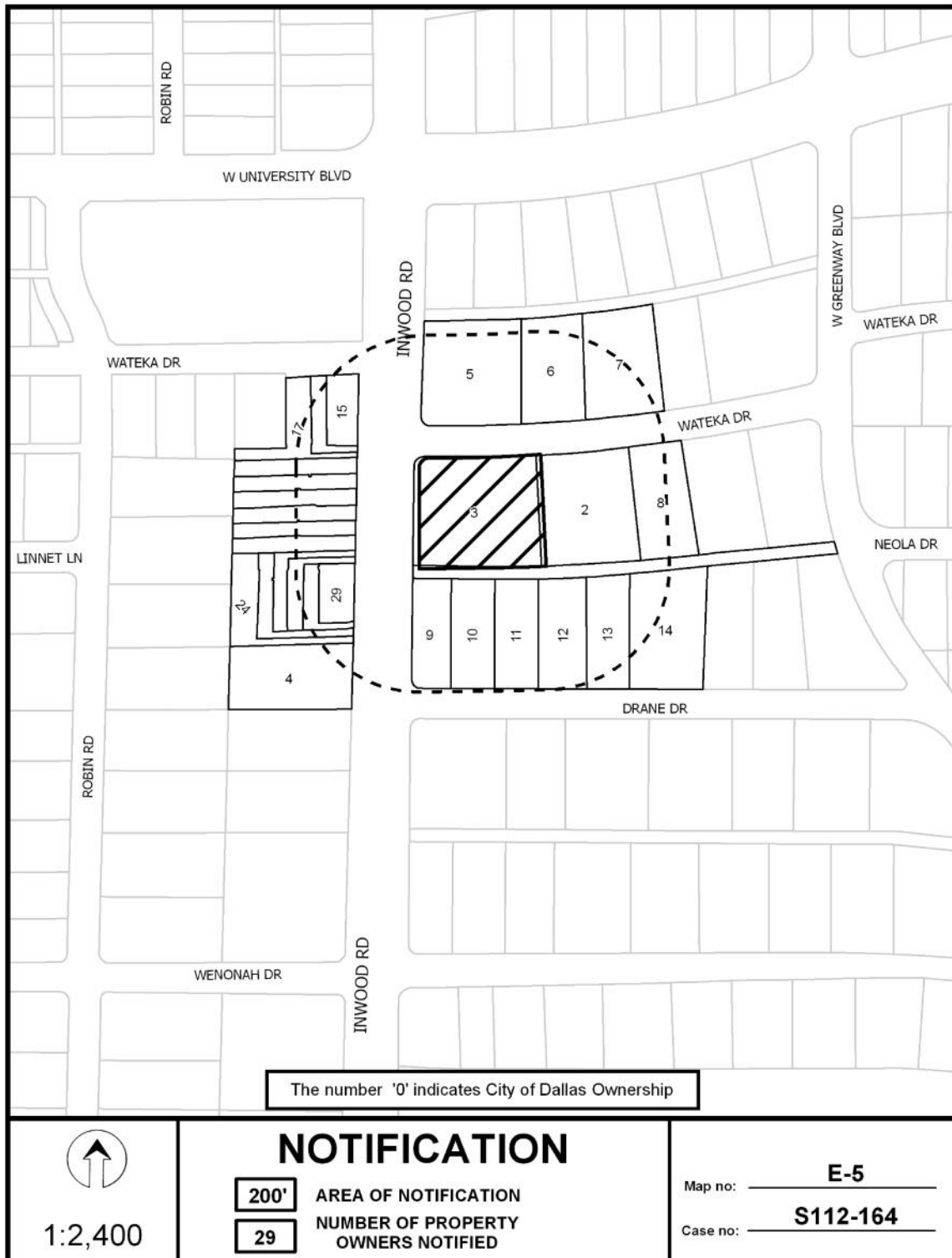
The CD requires a minimum lot area of 10,000 square feet, a minimum lot width of 70 feet, and front yard setback of 47 feet measured from back of curb, and a minimum of 25 feet of setback from the nearest edge of the sidewalk adjacent to the adjacent parkway. The staff has determined that the request complies with the standards of CD 10; 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 Article 10 Division IV of the Dallas Fire Code.
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. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat show how all adjoining ROW for Inwood Road was created.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. Water/wastewater main extension may be required by Private Development Contract.
16. On the final plat identify the property as Lots 7A and 7B City Block 17/4953.







7/15/2012

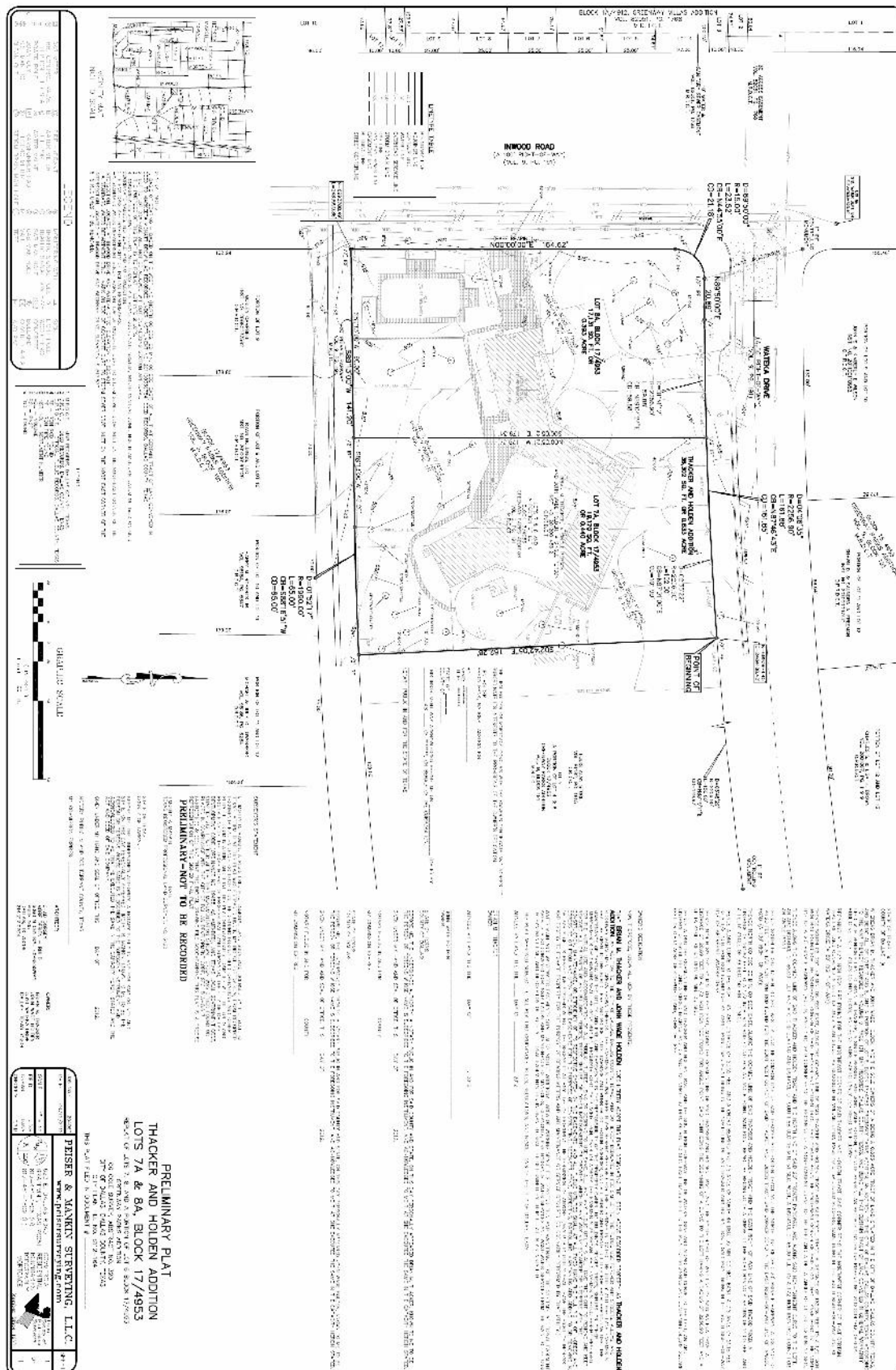
Notification List of Property Owners**S112-164****29 Property Owners Notified**

Label #	Address	Owner
1	7100 INWOOD RD	GREENWAY PARKS HOMEOWNERS ASSN
2	5322 WATEKA DR	STOOL LOUIS ALAN
3	5310 WATEKA DR	MCNATT MARY REBECCA STE E PMB 505
4	7007 INWOOD RD	JOHNSTON JEFF
5	5311 WATEKA DR	WILSON JOHN S & KIMBERLY E
6	5317 WATEKA DR	FREEMAN SHAWN D & SAUNDRA A
7	5331 WATEKA DR	BROWN CHARLES S & LISA H
8	5332 WATEKA DR	PILLOW DAVID J & YOUNGSUN K
9	5305 DRANE DR	CAMPBELL MORLEY
10	5311 DRANE DR	RYAN HOLDINGS TEXAS LLC % G BRINT RYAN
11	5317 DRANE DR	ROBERTS ANNIE M TRUST EST HARRY M ROBERTS JR TRUSTE
12	5321 DRANE DR	LOWENBERG MICHAEL & JULIE G
13	5325 DRANE DR	MOORE RICKY L & ANN K BUCHANAN
14	5335 DRANE DR	BROOKS ROBERT L & ROSA L
15	7067 INWOOD RD	RAYOME JACK J
16	7063 INWOOD RD	HAMPTON JERRY L
17	7059 INWOOD RD	MAY AUDREY W
18	7055 INWOOD RD	BERGER MARY ELIZABETH %WHITE SANDS FED CREDIT UNI
19	7051 INWOOD RD	HIRSCHLER ALBERT J JR & KATHLEEN J
20	7047 INWOOD RD	CALAHAN MARJORIE F
21	7043 INWOOD RD	SUGAREK JOE L
22	7039 INWOOD RD	CAFFEY CHRISTINE
23	7035 INWOOD RD	KENNEDY GAIL H
24	7011 INWOOD RD	DOUGHERTY RON S TR
25	7015 INWOOD RD	ALDRIDGE RICHARD L
26	7019 INWOOD RD	TRACHT CARTER B

City of Dallas
Sunday, July 15, 2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7023 INWOOD RD	WHITE JONATHAN & LIZA GONZALEZ
28	7027 INWOOD RD	ARMSTRONG AMY M
29	7031 INWOOD RD	WESTCAP CORP THE

Sunday, July 15, 2012



CITY PLAN COMMISSION**THURSDAY, AUGUST 2, 2012****FILE NUMBER:** S112-163**Subdivision Administrator:** Paul Nelson**LOCATION:** 10340 Gaywood Drive at Meaders Lane, southeast corner**DATE FILED:** July 9, 2012**ZONING:** R-1ac(A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST** 1.008 Acre **MAPSCO:** 25J**APPLICANT:** Clay M. and Tracy G. Aaron

REQUEST: An application to reduce the existing 50' platted building line on Lot 1 Block F/5517 to a 40 foot "wrap around" building line along Meaders Lane and Gaywood Drive and located at 10340 Gaywood Drive.

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

DATES NOTICES SENT: 11 notices were sent on July 16, 2012.

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 reduction of the building lines will not provide a setback less than what is required by the 40 foot front yard setback of the R-1ac (A) district.

“(ii) be contrary to the public interest;”

- 11 notices were sent to adjoining property owners on July 16, 2012 with no replies as of July 25, 2012.

“(iii) adversely affect neighboring properties; and”

- The existing building lines are front yards and consist of a 50 foot front yard building line along Gaywood Road and Meaders Lane. The required setback for the front yard in the R-1ac(A) district is 40 feet.

“(iv) adversely affect the plan for the orderly development of the subdivision.”

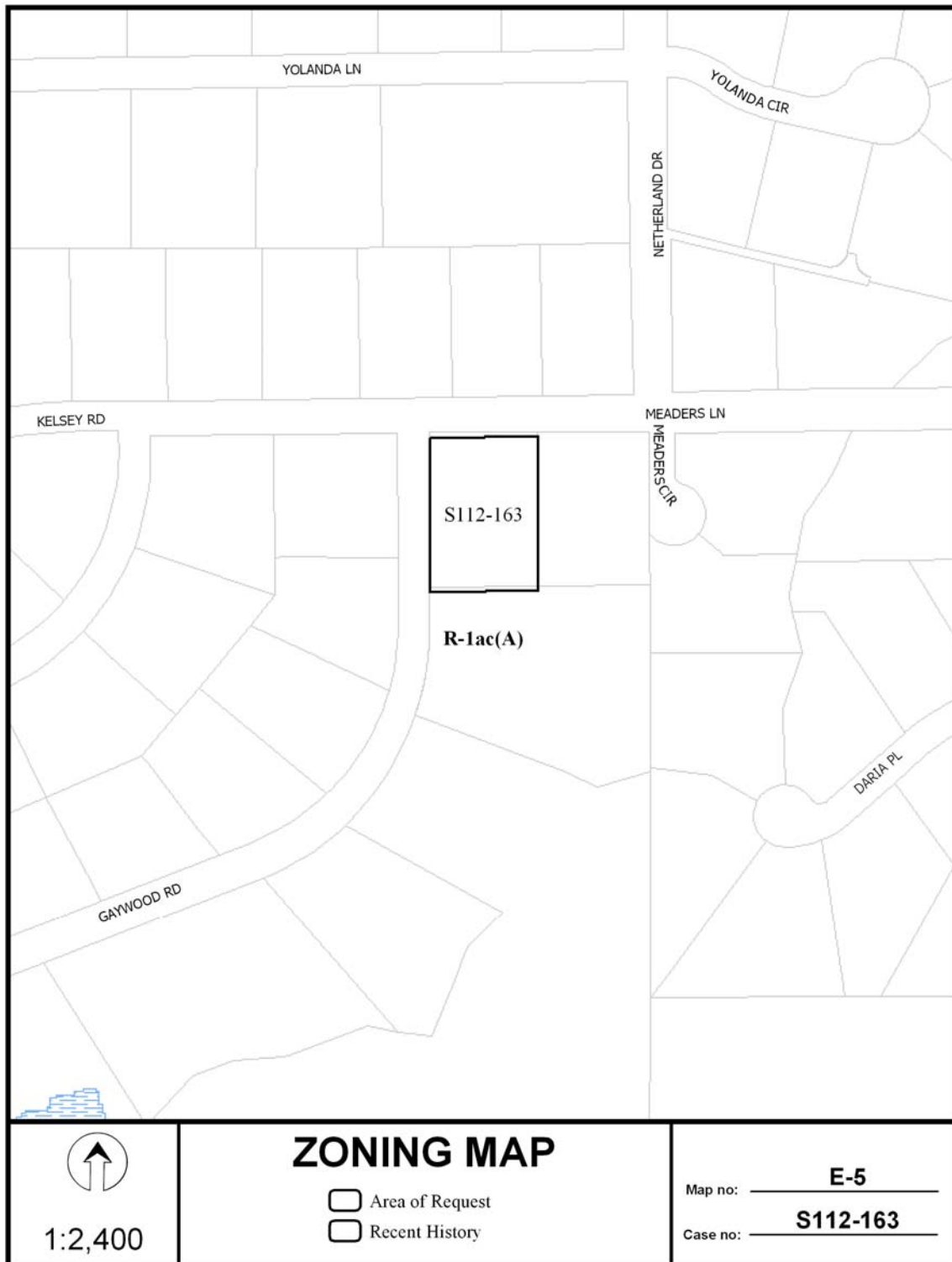
- The “wrap around” of the reduced building lines will not significantly impact the adjoining properties on Gaywood Drive as the existing structures on the contiguous properties set back well beyond the 50 foot building line as well as the 40 foot zoning setback requirement.

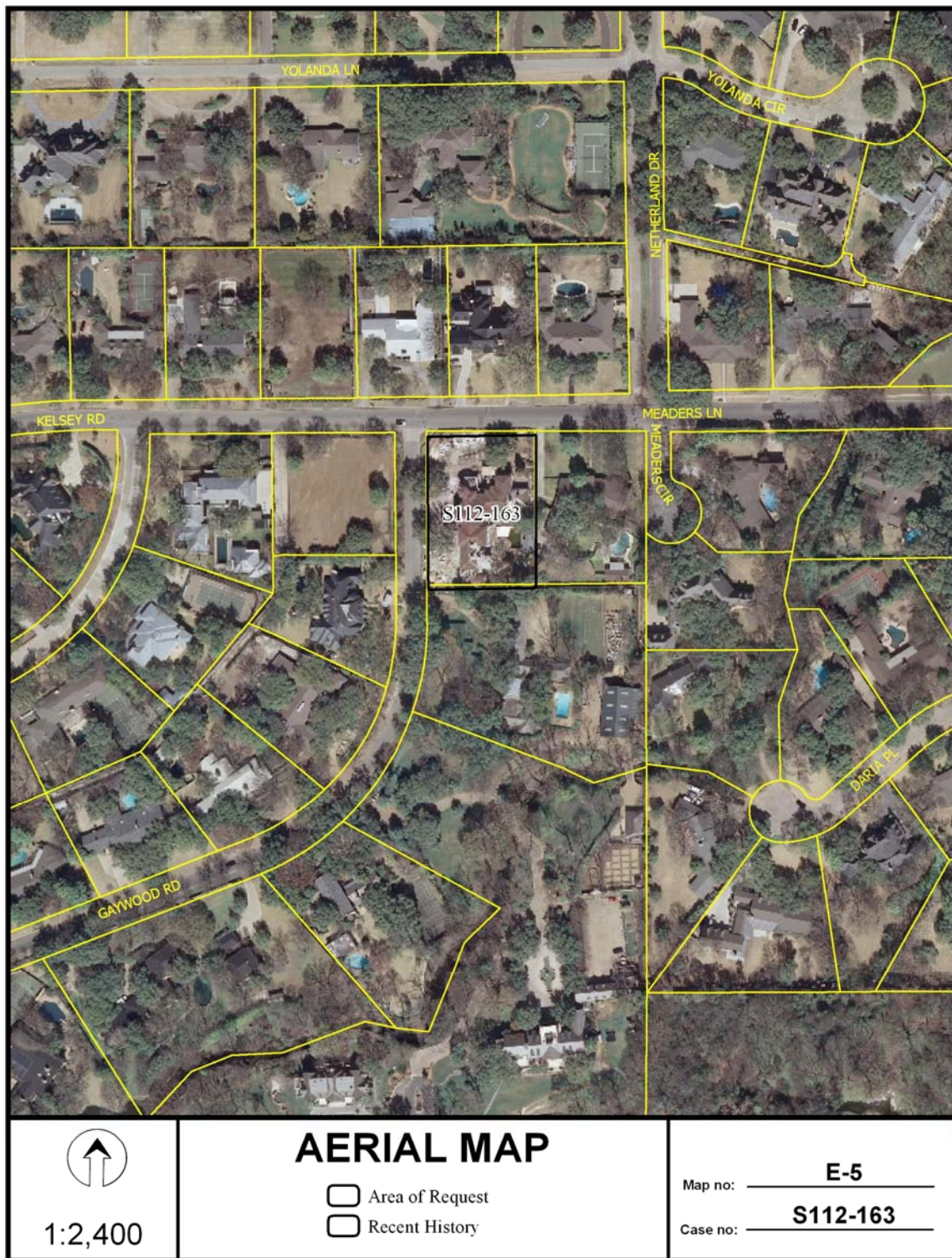
STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The staff supports the reduction of the building lines as “wrap around” to allow minor encroachments into the 50 foot building lines rather than the reduction of the entire 50 foot building lines.

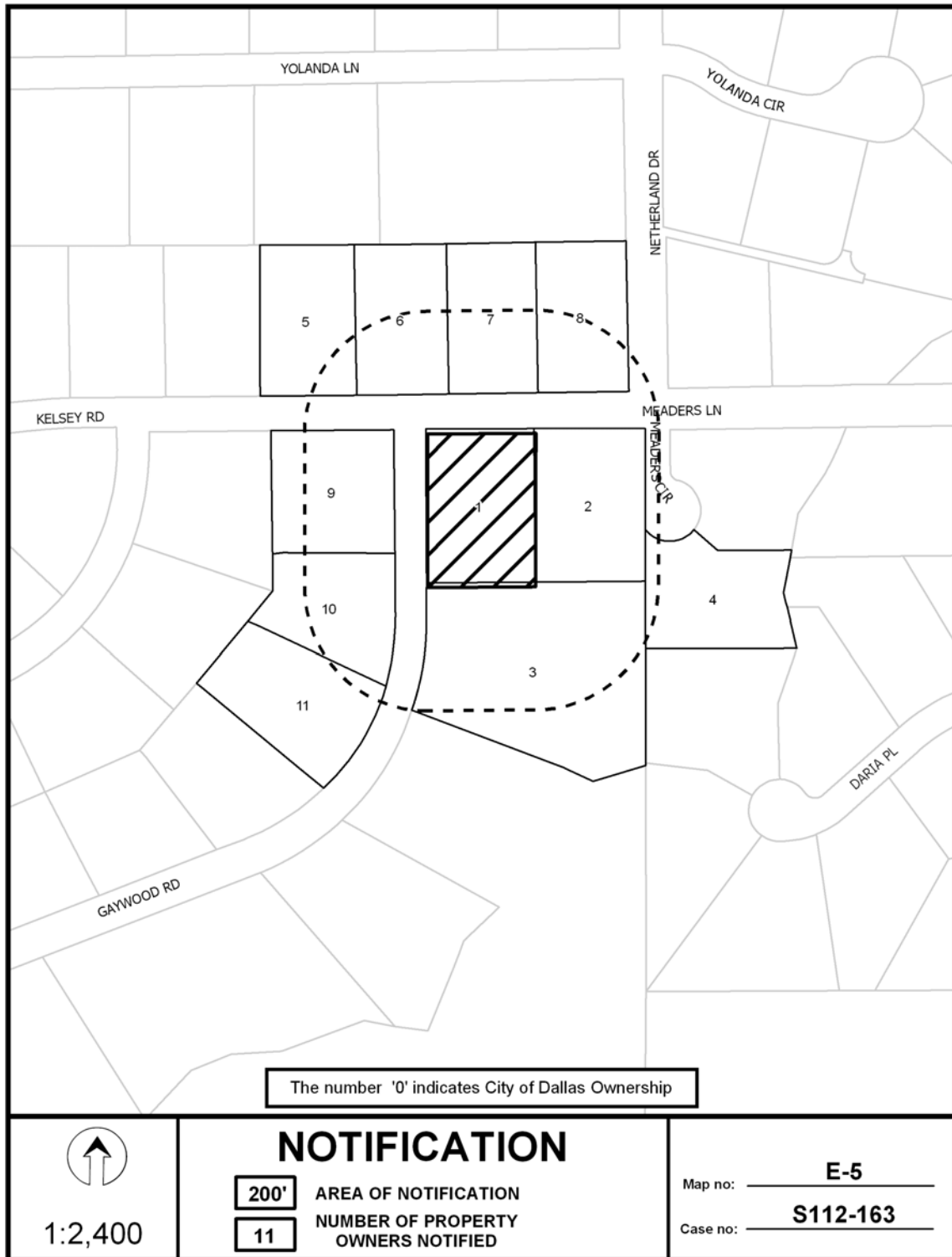
STAFF RECOMMENDATION OF PLAT: The request complies with the requirements of the R-1ac(A) district; therefore staff recommends approval of the request subject to compliance with the following conditions:

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 Article 10 Division IV of the Dallas Fire Code.
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. On the final plat place a note that states that: “Lot-to-lot drainage is not permitted without Engineering Section approval.”
12. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Gaywood Road.

13. On the final plat dedicate a 10 foot by 10 foot corner clip at Meaders Lane and Gaywood Road.
14. On the final plat add notes on the face of the plat on the Building Lines "Removed by this plat."
15. On the final plat change "Gaywood Drive" to "Gaywood Road".
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. On the final plat identify the property as Lot 1 in City Block F/5517.
22. On the final plat add a note on each of the building lines that states "This building line reduced to 40 feet as shown on the detailed drawing provided on the face of this plat."







7/25/2012

7/15/2012

Notification List of Property Owners

S112-163

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10340 GAYWOOD RD	MAINY TIME INC
2	5528 MEADERS LN	WIGLEY W ROBERT JR TRUST
3	10330 GAYWOOD RD	ARCADIAN ENERGY INC
4	5656 MEADERS CIR	MOHR ROBERT & LESLIE
5	5423 MEADERS LN	NELIGAN PATRICK J JR & MAURA
6	5435 MEADERS LN	TEICHMAN CHARLES & JOANNE
7	5511 MEADERS LN	FARRINGTON WALTER L III SARA
8	5527 MEADERS LN	PERKINS STEVEN & ANNETTE BAMBERGER PERKINS
9	5424 MEADERS LN	KAROL THOMAS D
10	10325 GAYWOOD RD	MARSCHER GLENN W JR
11	10311 GAYWOOD RD	MAAS ERIC S & SHERYL

Sunday, July 15, 2012

CITY PLAN COMMISSION**THURSDAY, AUGUST 2, 2012****FILE NUMBER:** S112-165**Subdivision Administrator:** Paul Nelson**LOCATION:** 10255 Strait Lane at Dorset Road, southwest corner**DATE FILED:** July 10, 2012**ZONING:** R-1ac (A)**CITY COUNCIL DISTRICT:** 13**SIZE OF REQUEST:** 0.99 Acre**MAPSCO:** 24-M**APPLICANT:** C. Gregory Shamoun

REQUEST: An application to replat a 0.99 acre tract of land containing all of Lot 4A in City Block E/5532 to reduce the existing 75 foot platted building line on Strait Lane to 73.55 feet; and to reduce the existing platted 75 foot building line to 40 feet along the west 40 feet of the property along Dorset Road on property located at 10255 Strait Lane.

SUBDIVISION HISTORY:

1. S067-108 was an application adjacent on the north to replat the remainder of Lot 6 in City Block D/5532 into one 1.99 acre lot on Dorset Road at Strait Lane. The request was approved on March 8, 2007 and recorded on July 23, 2007.
2. S067-161 was an application adjacent on the east to create one 1.7295 acre lot from a tract of land in City Block 5529 located at 10260 Strait Lane at Dorset Road.

DATES NOTICES SENT: 12 notices were mailed July 16, 2012.

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 reduction of the 75 foot building line will provide a setback equal to the required 40 foot front setback line of the R-1ac.(A) zoning regulations.
- “(ii) be contrary to the public interest;”
- 12 notices were mailed July 16, 2012 with x replies received in favor of the request and x replies submitted in opposition to the request as of July xx, 2012.

“(iii) adversely affect neighboring properties; and”

- The existing building line is 75 feet for the front yard along Dorset Road, the front yard setback in R-1ac.(A) is 40 feet. The building line does not extend further along Dorset Road beyond the present application site.

However, the other houses that have front yards on the south line of Dorsett Road appear to be set back the equivalent distance as the existing structure at 10255 Strait Lane. The reduction of this building line will adversely affect the adjoining properties on the south line of Dorsett Road by allowing a structure to set much closer to the front lot line than the other structures on the south line of Dorsett Road.

“(iv) adversely affect the plan for the orderly development of the subdivision.”

- The reduction of the building line will adversely impact the adjoining neighborhood along the south line of Dorsett Road.

STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The removal of the building line along Dorsett Road will have a negative impact on the adjoining properties along the south line of Dorset Road as the new structures on this property would be able to set closer to the Dorset Road lot line than the other structures along Dorset Road; therefore, staff recommends denial of the building line reduction along Dorset Road.

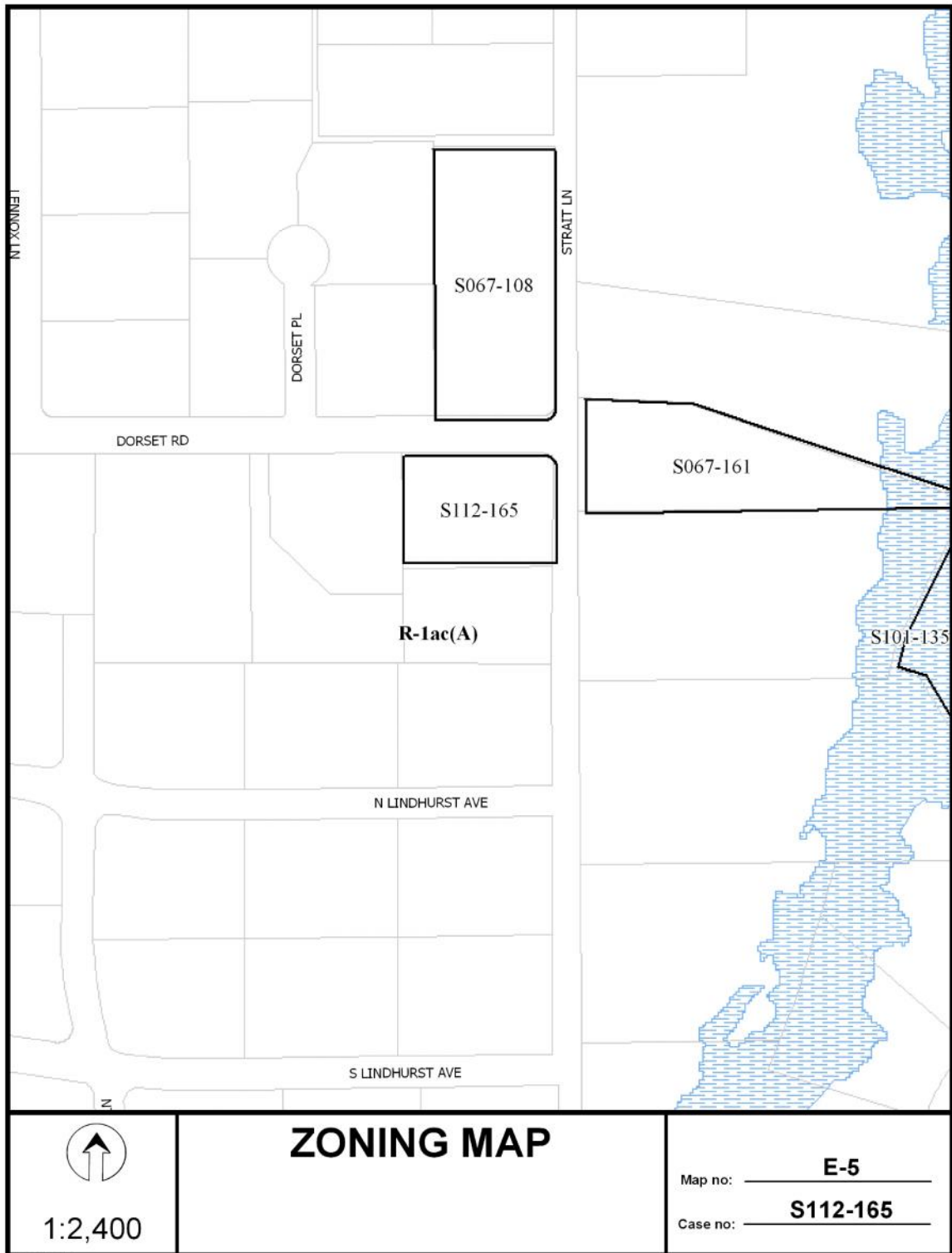
The request to reduce the building line along Strait Lane complies with the requirements of Section 51A-8.505(c) for reduction or removal of building lines.

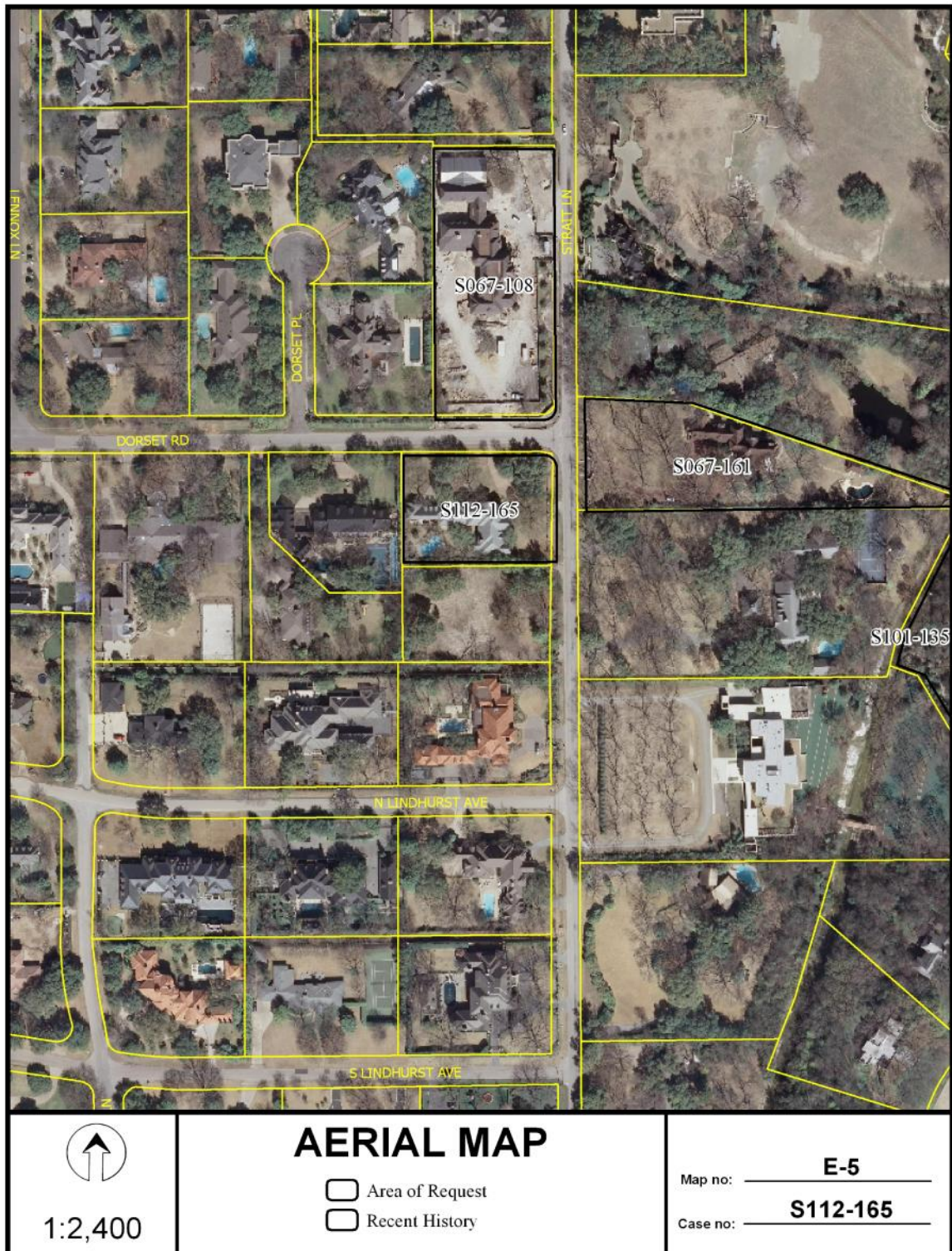
STAFF RECOMMENDATION OF PRELIMINARY PLAT

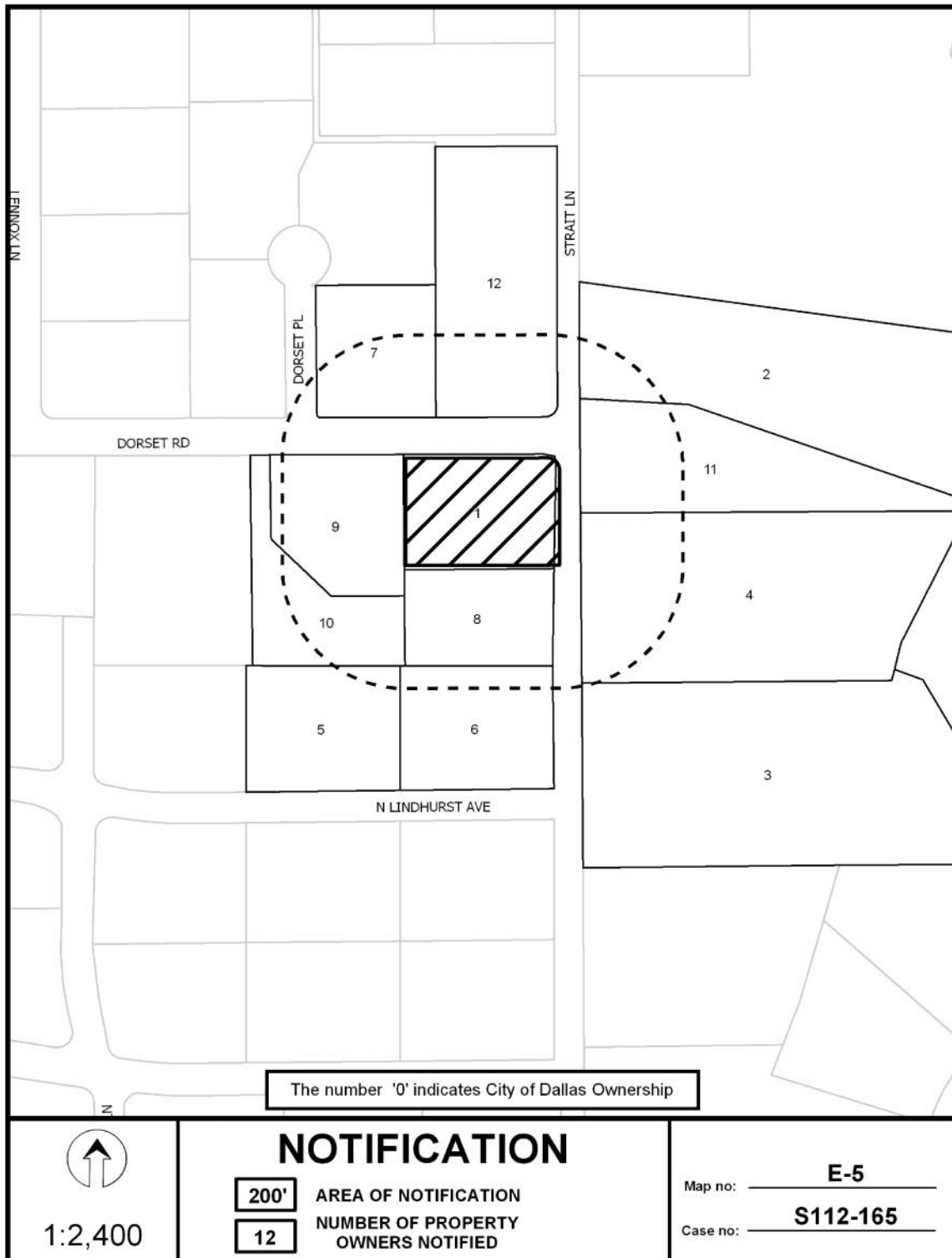
The request complies with the requirements of the R-1(A) district. Staff has determined that the reduction of the building line along Dorset Road will have a negative impact on the other properties along Dorset Road; therefore staff recommends denial of the reduction of the building line along Dorset Road. However, should the commission approve the building line reduction along Dorset Road the staff recommends approval subject to compliance with the conditions listed below.

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 Article 10 Division IV of the Dallas Fire Code.
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. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat dedicate 1.5 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement from the established centerline of Strait Lane.
14. On the final plat add a note on each of the building lines that states "This building line reduced to XX feet as approved by the Plan Commission and as shown on the detailed drawing on this plat."
15. On the final plat change "Lindhurst Ave." to "North Lindhurst Avenue."
16. On the final plat identify the property as Lot 4A, City Block E/5532.







7/15/2012

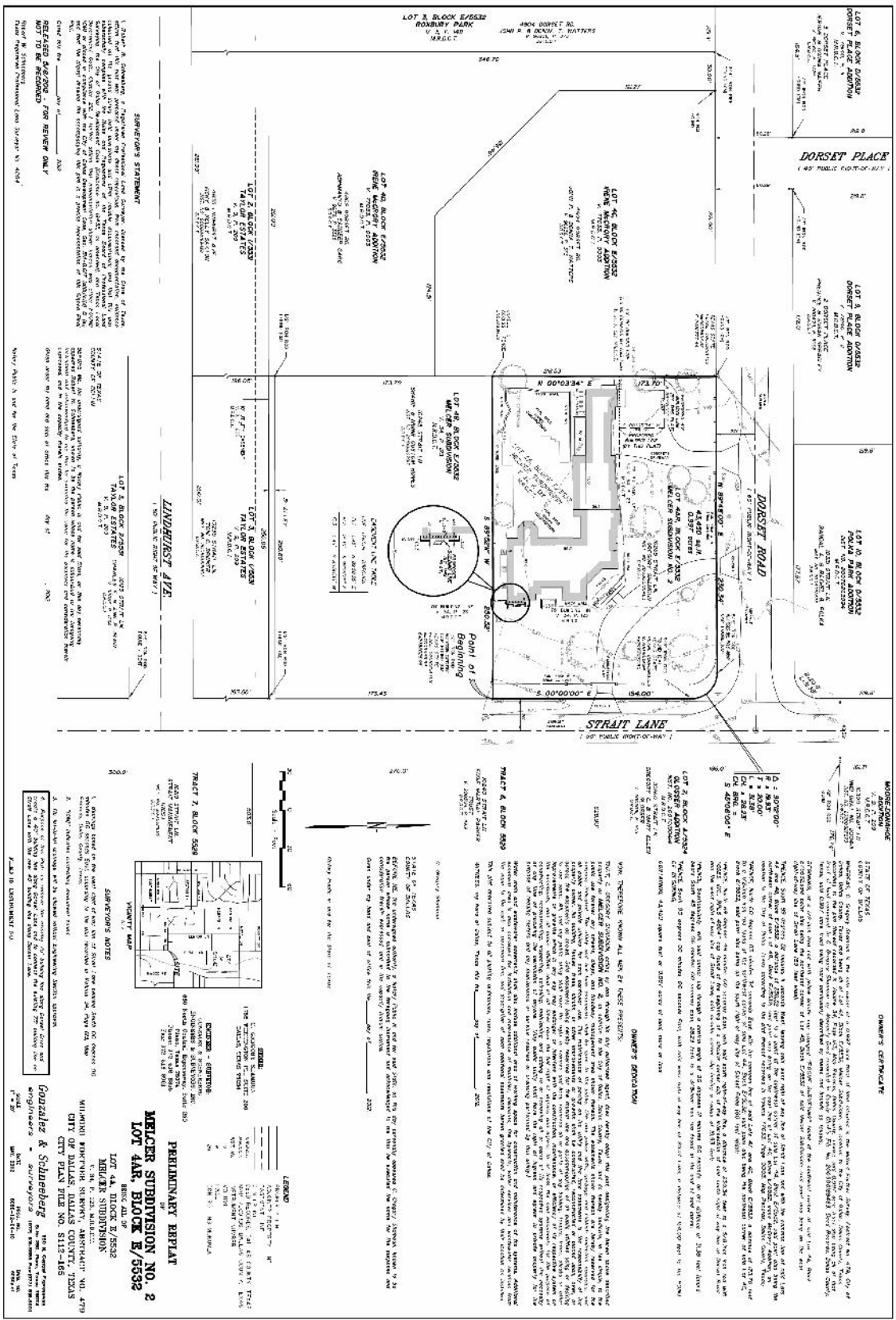
Notification List of Property Owners

S112-165

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10255 STRAIT LN	SHAMOUN C GREGORY
2	10300 STRAIT LN	DEDMAN NANCY M
3	10210 STRAIT LN	STRAIT MANAGEMENT TRUST SUITE 3700
4	10240 STRAIT LN	PARKER RUFUS LF EST % JANET PARKER
5	4835 LINDHURST AVE	SAXTON VICKY & KELLY UNIT 205 LB 35
6	10235 STRAIT LN	BRINKER TONI C
7	2 DORSET PL	SPRADLEY PRENTICE G & SUSAN L
8	10245 STRAIT LN	SHARIF & MUNIR CUSTOM HOMES INC
9	4804 DORSET RD	WATTERS JOHN P & DONNA T WATTERS
10	4802 DORSET RD	GARG ABHIMANYU & SANDEEP
11	10260 STRAIT LN	GLOSSER GREGORY CHARLES & MARY ELLEN GLOSSER
12	10331 STRAIT LN	THE RANDAL A & RACHEL TR REVOCABLE TRUST

Sunday, July 15, 2012



CITY PLAN COMMISSION**THURSDAY, AUGUST 2, 2012****FILE NUMBER:** S112-166**Subdivision Administrator:** Paul Nelson**LOCATION:** 10811 Webb Chapel Road at Royal Lane, northwest corner**DATE FILED:** July 10, 2012**ZONING:** CR**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST** 0.50 Acre **MAPSCO:** 23G**APPLICANT:** Michael Hampton / Royal Food and Service, Inc.

REQUEST: An application to replat a 0.50 acre tract of land containing all of Lot 5 and part of Lot 6 in City Block 1/6434 into one 0.50 acre lot and to remove the existing 35 foot platted building line parallel to the north line of Royal Lane and to remove the existing 20 foot platted building line parallel to the west line of Webb Chapel Road on property at 10811 Webb Chapel Road.

SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request. However, the building lines came about from the Royal Plaza Subdivision which was recorded in March 1956 and was a replat of the Webster Grove Addition which was recorded on September 9, 1956. The Royal Plaza Addition appears to have been for residential development and the 35 foot building line extended along Royal Lane between Webb Chapel Road and "Old Webb Chapel Road" which is now Royal Haven Lane.

DATES NOTICES SENT: No notices were sent because the property is zoned a CR District.

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 reduction of the building lines will not provide a setback less than what is required by the 15 foot front yard setback of the CR district.

"(ii) be contrary to the public interest;"

- No notices were sent because the property is not zoned as a residential zoning district.

"(iii) adversely affect neighboring properties; and"

- The existing building lines are front yards and consist of a 35 foot front yard building line along Webb Chapel Road and Royal Lane. The required setback for the front yard in the CR district is 15 feet.

“(iv) adversely affect the plan for the orderly development of the subdivision.”

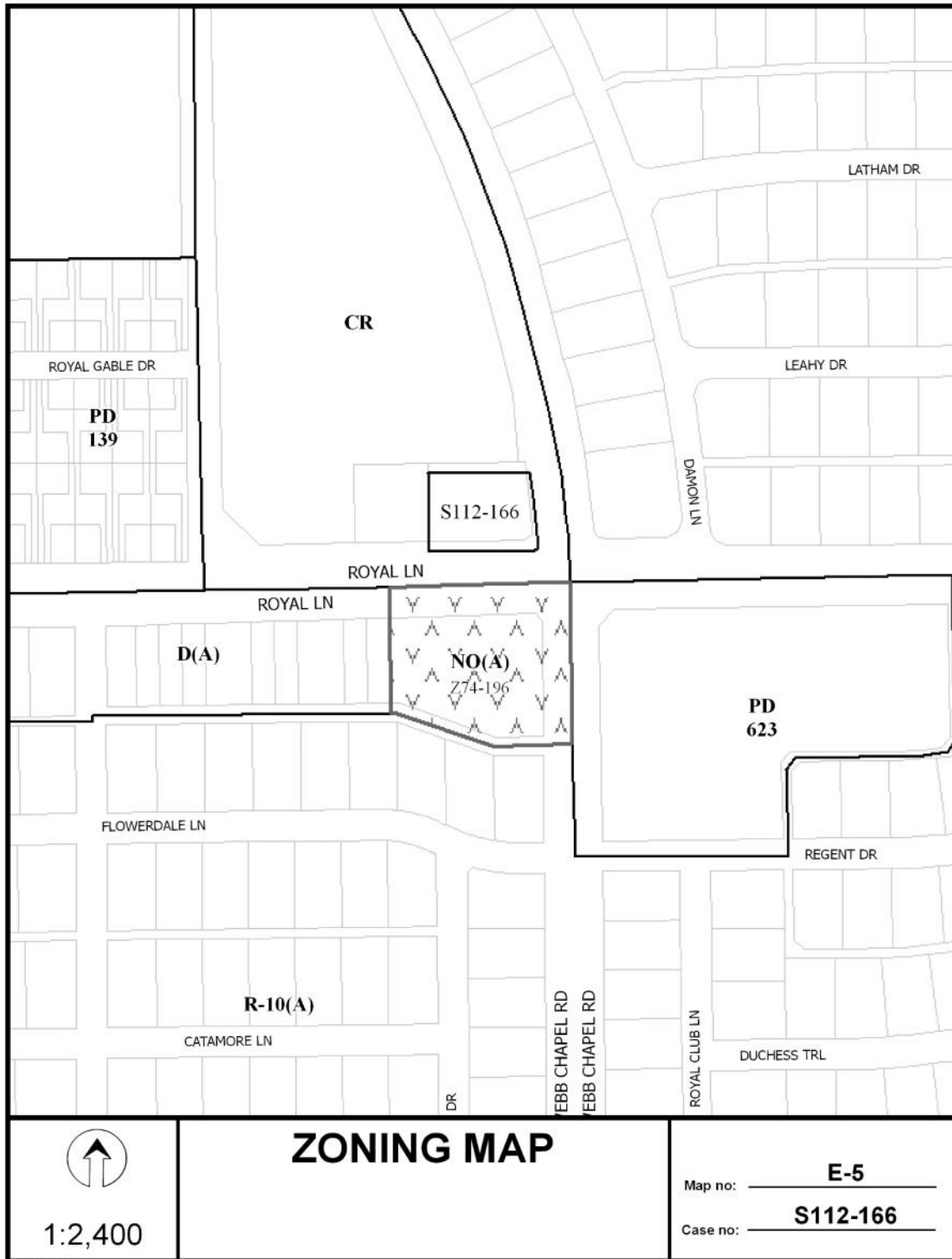
- The removal of the building lines will allow the property to be developed in accordance with the requirements of the zoning district.

STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The staff supports the removal of the building lines because the property is no longer a residential development and contiguous parcels to the west have been developed at a lesser setback than the requested reduction.

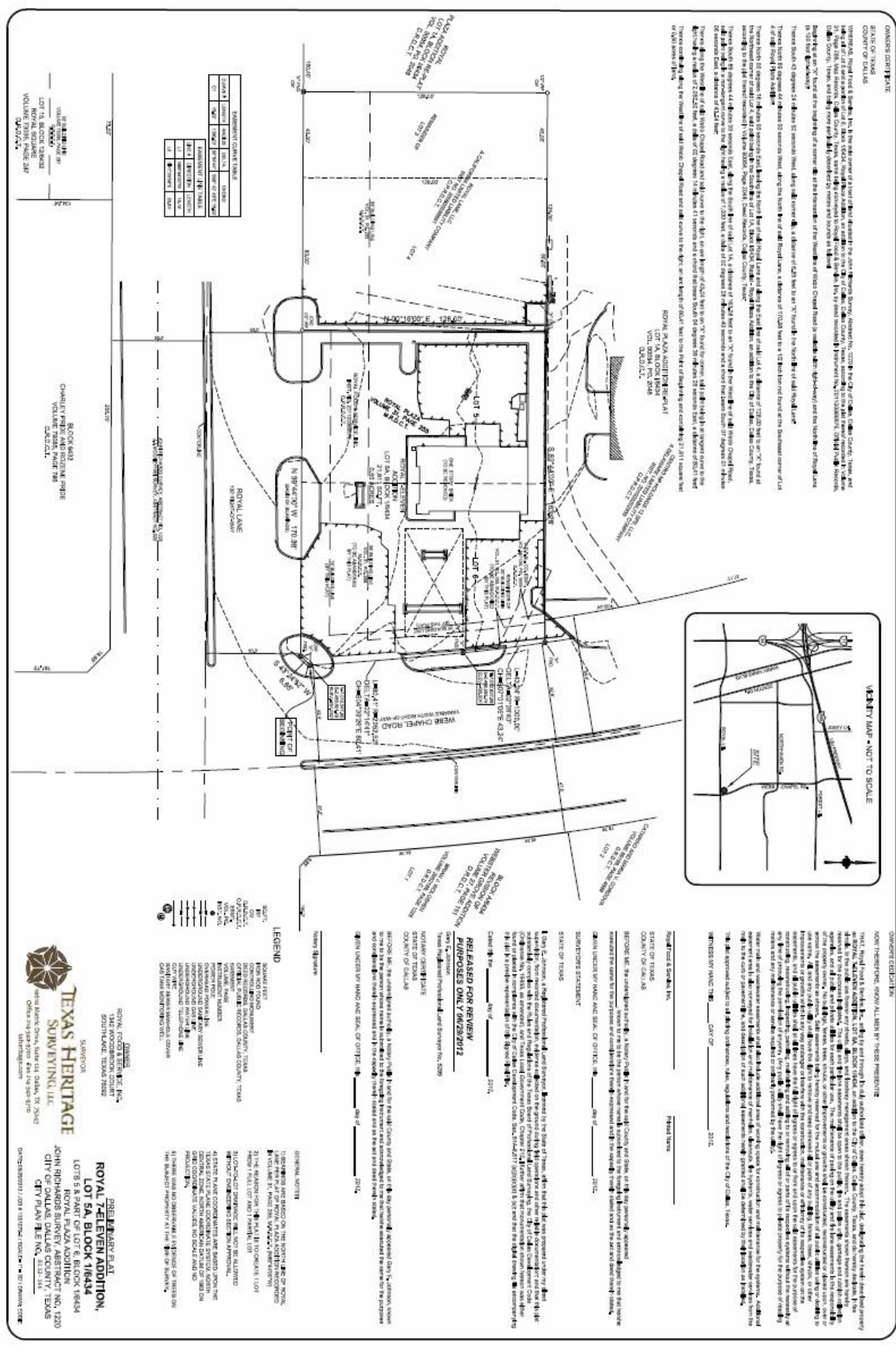
STAFF RECOMMENDATION OF PLAT: The request complies with the requirements of the CR district; therefore staff recommends approval of the request subject to compliance with the following conditions:

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 Article 10 Division IV of the Dallas Fire Code.
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. On the final plat place a note that states that: "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate a 15 feet by 15 feet corner clip at Royal Lane and Webb Chapel Road.
14. On the final plat show recording information on all existing easements within 150 feet of the property boundaries.
15. On the final plat show the recording information on all existing easements within 150 feet of the property.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Water/wastewater main extension may be required by Private Development Contract.
18. On the final plat identify the property as Lot 5A in City Block I/6434.
19. On the final plat add a note on the building line that states "This building line removed by this plat."
20. On the final plat remove the "15 foot building line by this plat".







PLANNER: Paul Nelson**FILE NUMBER:** NC112-001**DATE FILED:** February 27, 2012

LOCATION: The City of Dallas has submitted an application to change the name of La Prada Drive (east) between John West Road on the south and La Prada Drive on the north to "Deansgate Lane".

COUNCIL DISTRICT: 7**MAPSCO:** 39W**APPLICANT:** City of Dallas

REQUEST: Change the name of La Prada Drive (east) between John West Road on the south and La Prada Drive on the north to "Deansgate Lane".

SUBDIVISION REVIEW COMMITTEE RECOMMENDATION: The Subdivision Review Committee unanimously recommended approval of the street name change of La Prada Drive to "Deansgate Lane" on June 7, 2012.

STAFF RECOMMENDATION: Staff recommends **approval** of renaming La Prada Drive (east) between John West Road on the south and La Prada Drive on the north to "Deansgate Lane".

SUMMARY:

- Notices were sent on June 29, 2012
- Notices were sent for the Subdivision Review Committee meeting on May 17, 2012 to 3 property owners notifying them of the proposed street name change. Notification signs were put up on May 22, 2012.
- The proposed name contains 14 characters.
- A waiver of Section 51A-9.304(c)(2) is not needed because the proposed street name is not historic.
- La Prada Drive presently exists in 2 different locations in this vicinity. The section being requested to be renamed only exists between John West Road and La Prada Drive. Due to the 2 existing streets having the same name there is a possibility of confusion in responding to the proper location in the event of an emergency.
- Deansgate Lane is the original name given to this section of La Prada Drive (East) but was changed on November 3, 1975 to "La Prada Dr. (East)".

BACKGROUND INFORMATION:**Thoroughfare/Street**

La Prada Drive (East)

Roadway Status

Minor Street

STAFF ANALYSIS:

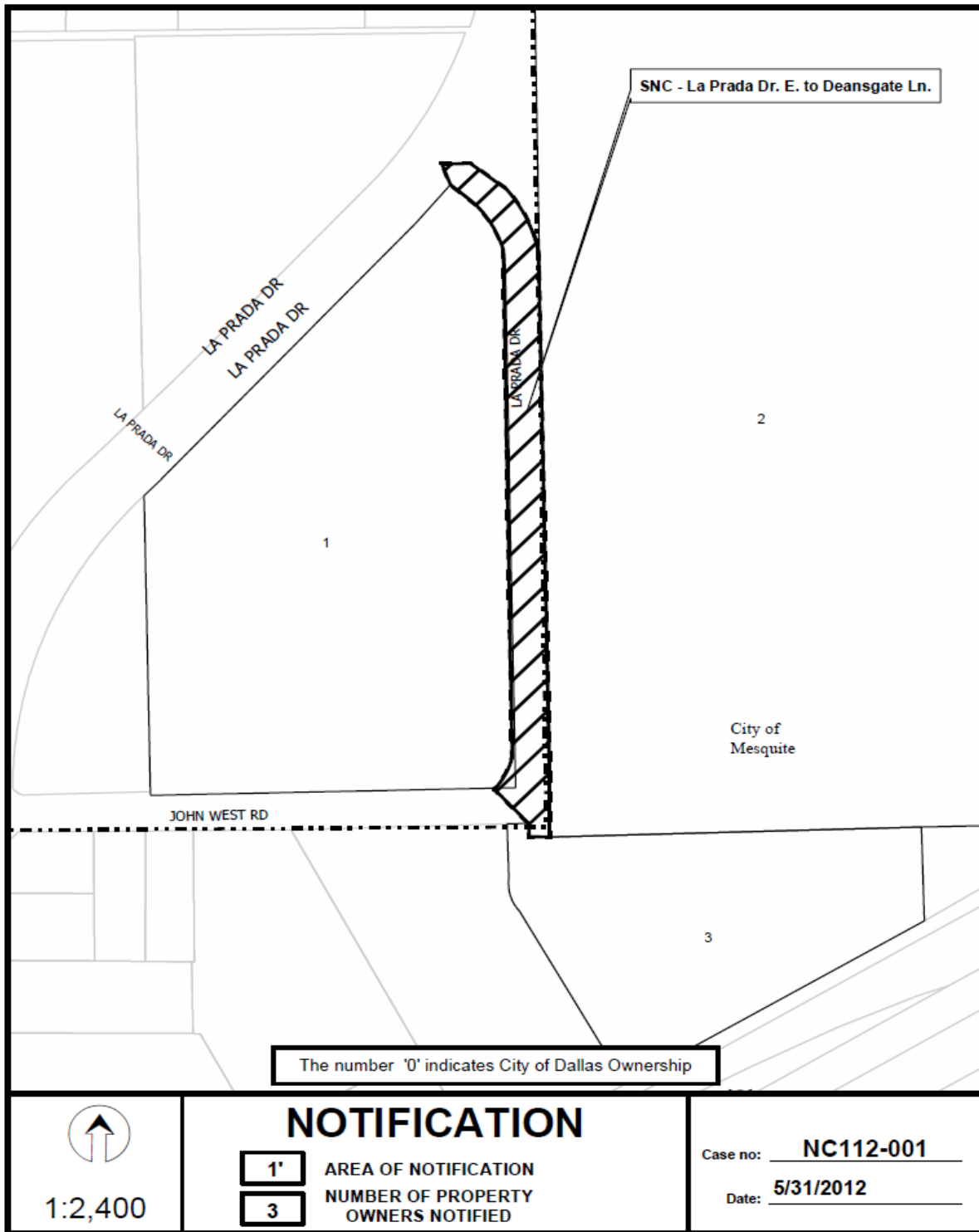
Street Name Change: In terms of compliance of this request with Division 51A-9.300 of the Dallas Development Code, staff observes the following:

- Section 9.304(a)(1) states that “A proposed label in a street name may not duplicate any existing label.” In this instance the requested street name change will eliminate the duplicate labels.”
- The proposed name requires no exceptions.

Departmental Response: Information on this case was routed to the following entities on August 29, 2011.

Department/Entity	Date of response	Department/Entity	Date of response
AT&T	N/R	Property Management	NR
Atmos Energy	N/R	Police	NR
Building Inspection	N/R	PWT (GIS)	4/18/12
City Archivist	5/7/12	SDC (Transportation)	NR
City Attorney	N/R	Sanitation Services	N/R
Comprehensive Planning	N/R	School District	N/R
Dallas County Historical Commission	N/R	Texas DOT	N/R
DART	N/R	Time Warner Cable	N/R
Fire Department	5/17/12	TXU Electric	N/R
Long Range Planning	NR	US Post Office	5/11/12
Park and Recreation	N/R	Water Utilities	N/R

N/R= No written Response



Notification List of Property Owners

NC112-001

3 Property Owners Notified

<i>Label #</i>	<i>Address</i>		<i>Owner</i>
1	2800	JOHN WEST RD	VILLA BONITA LLC
2	3737	MOTLEY DR	DALLAS COUNTY COMMUNITY COLLEGE
3	4405	IH 30	NEWCO PARTNERS LP

FILE NUMBER: M112-028

DATE FILED: April 6, 2012

LOCATION: South Line of Stults Road between Woodshore Drive and Clearwater Drive

COUNCIL DISTRICT: 10

MAPSCO: 26 C, D

SIZE OF REQUEST: Approx. 9.664 Acres

CENSUS TRACT: 78.05

APPLICANT/OWNER: Richardson Independent School District

REPRESENTATIVE: Karl Crawley

MISCELLANEOUS DOCKET ITEM

Minor Amendment for Development Plan and Landscape Plan

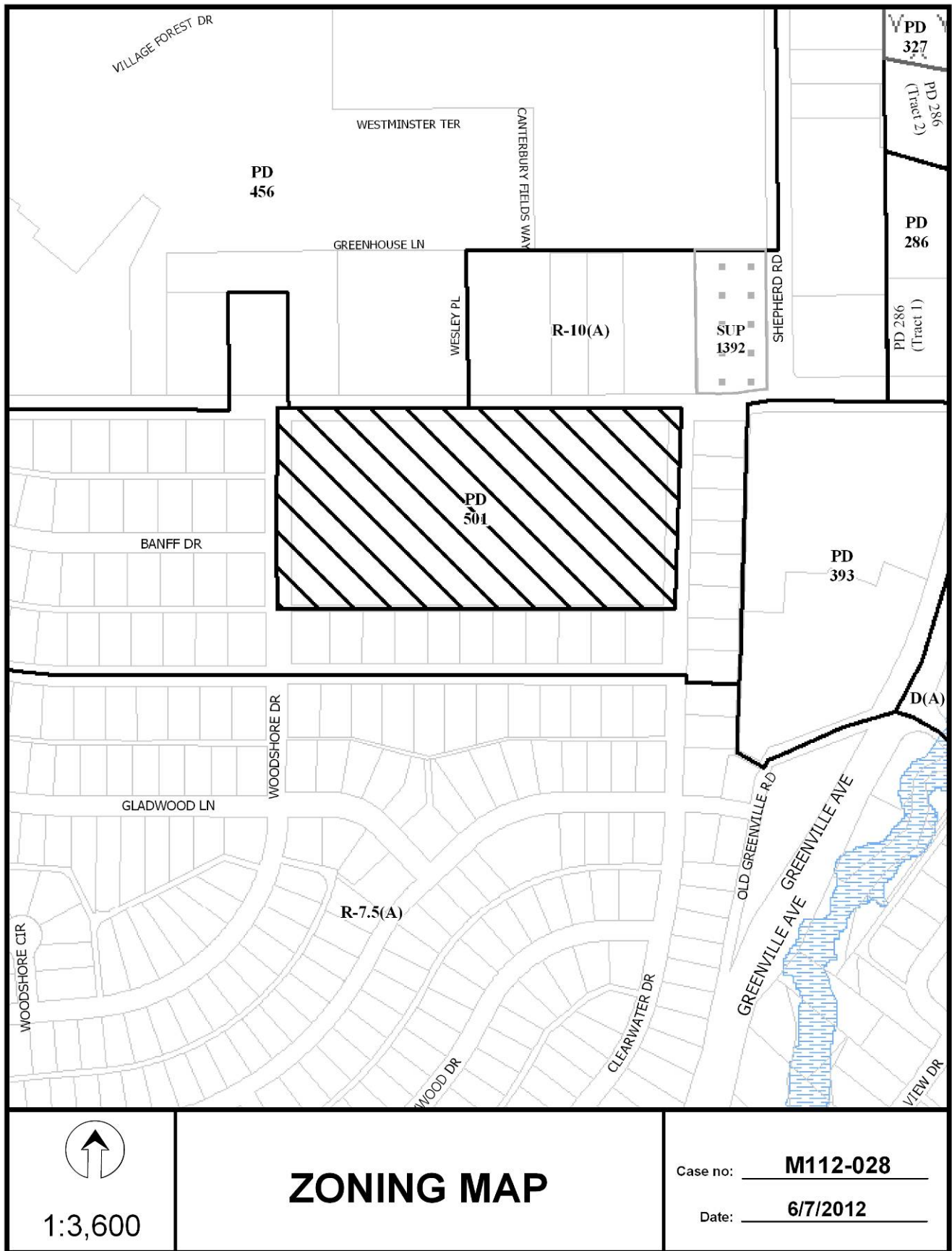
On February 25, 1998, the City Council passed Ordinance No. 23448 which established Planned Development District No. 501 for a Public school and R-10(A) Single Family District Uses on property at the above location.

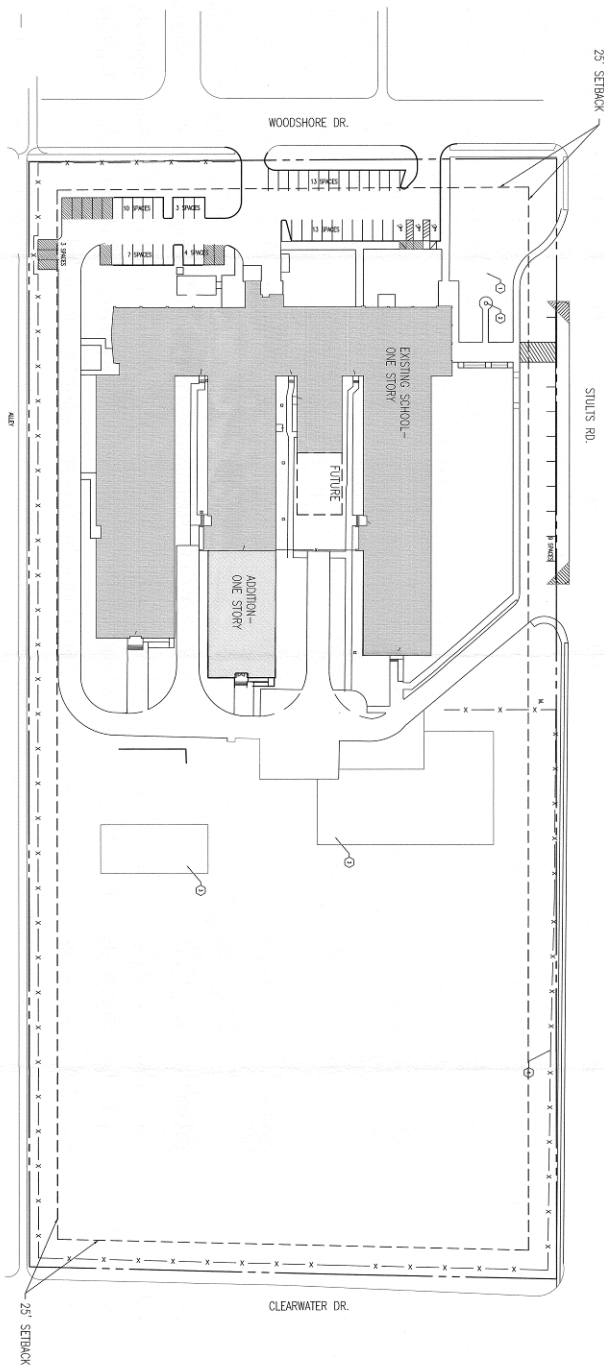
At this time, the property owner has submitted an application for consideration of a minor amendment to the development plan to provide for a revision to the 'addition one story' footprint of the main structure. As a result of the slight increase in floor area, the future expansion area has been reduced accordingly. The landscape plan has been revised to provide for additional screening of the new off-street parking spaces provided by this request as well as revising existing specie inventory.

The request does not impact any of the other provisions of the ordinance permitting this use and otherwise complies with the provisions consideration of a minor amendment for both a development plan.

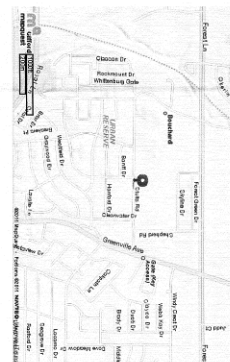
With respect to the revisions to the landscape plan, the applicant's representative has not provided a revised plan addressing comments from staff's initial review. Since the applicant's representative did not provide the plan for review prior to the distribution of these materials to CPC (notification had already been mailed to property owners), staff will need to obtain a copy and review prior to ensuring its compliance for CPC to consider.

STAFF RECOMMENDATION: Hold under advisement until August 16, 2012.





02 VICINITY MAP



01 DEVELOPMENT PLAN



SITE SUMMARY	
SITE AREA:	420,964 SQ. FT.
TOTAL BLDG. AREA	62,000 SQ. FT.
EXISTING:	62,000 SQ. FT.
ADDITION:	0 SQ. FT.
HEIGHT:	22.5 FT.
1-STORY:	22 FT.
COVERAGES:	17%
CLASSROOMS:	41
PARKING REQ'D:	62 SPACES
PARKING PROV'D:	62 SPACES

LEGEND	
	EXISTING ALTERN. FOOTING
	NEW ADDITION
	NEW PARKING
	SETBACK

ARCHITECTURAL SITE PLAN
 NOTES BY NUMBER

- 1 EXISTING BLDG.
- 2 EXISTING PARKING
- 3 EXISTING SIDE DRIVE
- 4 EXISTING SIDE DRIVE
- 5 EXISTING SIDE DRIVE

PERKINS + WILL

100 N. Dearborn Street
 Suite 1000
 Chicago, IL 60610
 www.perkinswill.com

**STULTS
 ELEMENTARY
 SCHOOL**

R
 RICHARDSON
 SCHOOL DISTRICT

400 S. Gayaway Ave.
 Richardson, Texas 75081

in association with:

B.L. GORDON
 State Architect
 11111 Preston Road
 Suite 100
 Dallas, TX 75242

L.A. FARRAR PROJECTS
 3333 Lee Avenue
 Suite 100
 Dallas, TX 75242

Reed, Wells, Benson & Co.
 1201 Main Street
 Suite 100
 Dallas, TX 75201

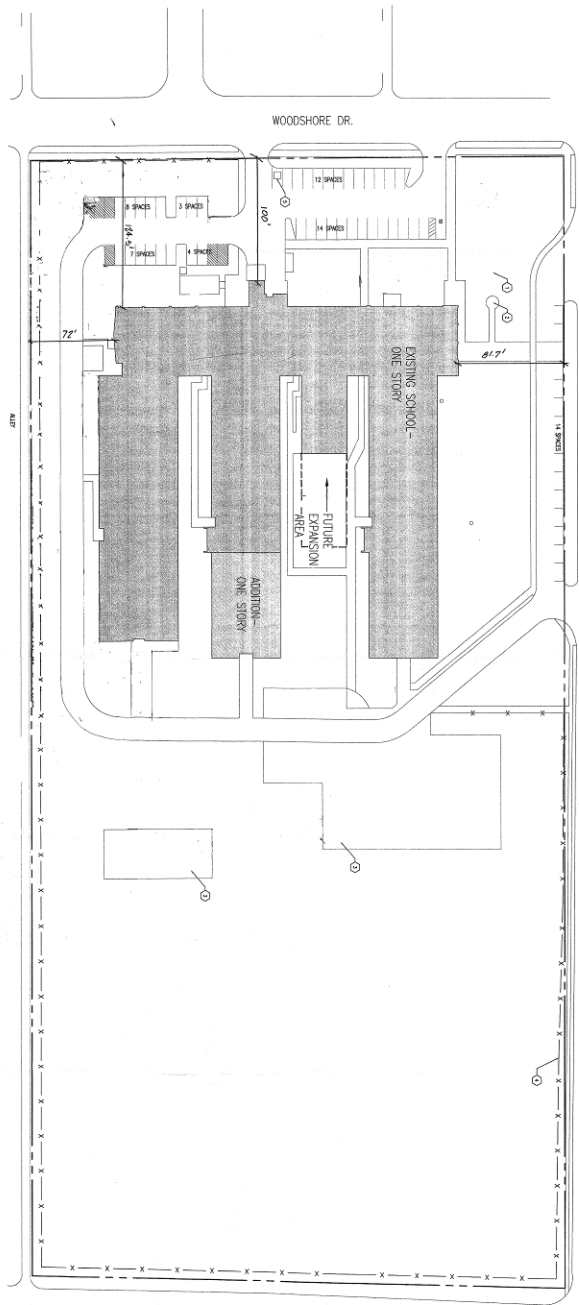
ISSUE FOR CONSTRUCTION
 01/01/2012



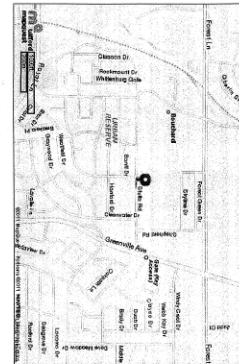
Revisions	
No.	Description
1	ISSUE FOR CONSTRUCTION
2	ISSUE FOR CONSTRUCTION
3	ISSUE FOR CONSTRUCTION
4	ISSUE FOR CONSTRUCTION
5	ISSUE FOR CONSTRUCTION
6	ISSUE FOR CONSTRUCTION
7	ISSUE FOR CONSTRUCTION
8	ISSUE FOR CONSTRUCTION
9	ISSUE FOR CONSTRUCTION
10	ISSUE FOR CONSTRUCTION

DEVELOPMENT PLAN
A-051 DP
 Issued for Construction
 01/01/2012

Awaiting revised landscape plan for staff review



02 VICINITY MAP



01 DEVELOPMENT PLAN
 SCALE: 1/8"



APPROVED FOR CONSTRUCTION
 BY: *[Signature]*
 DATE: 11/17/2011
 PROJECT: STULTS E.S. ADDITION & RENOVATION
 SHEET: A-051 OF 051
 PREPARED BY: *[Signature]*
 DATE: 11/17/2011
 PROJECT: STULTS E.S. ADDITION & RENOVATION
 SHEET: A-051 OF 051

A-051

DEVELOPMENT PLAN

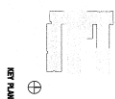
Copyright © 2011 Perkins+Will

ARCHITECTURAL SITE PLAN
 NOTES BY NUMBER

- 1 EXISTING SITE
- 2 EXISTING BUILDING
- 3 EXISTING PARKING
- 4 FUTURE PARKING
- 5 EXISTING SCHOOL BUILDING

SITE SUMMARY

Use: Public School - Elementary
 Site Area: 420,989 sf
 Floor Area:
 Existing 62,000 sf
 Addition 5,600 sf
 Future 3,400 sf
 Total 71,000 sf
 FAR
 Existing 0.15:1
 w/Addition 0.16:1
 Total 0.17:1
 Height/Stories
 Existing 22 ft / 1 story
 Addition 28 ft / 1 story
 Lot Coverage
 Existing 15%
 w/Addition 16%
 Total/Future 17%
 Classrooms 41
 Off-street Parking
 Required 62 spaces
 Provided 62 spaces



NET PLAN

PLAN DEVELOPMENT REVIEW
 TUESDAY

Perkins+Will
 1100 North Dearborn Street
 Chicago, IL 60610
 Tel: 312.345.6789
 Fax: 312.345.6790
 Email: info@perkinswill.com

RSD

200 S. Dearborn Ave.
 Rosemont, IL 60018

In association with:

S.L. Goodrich

State of Illinois

Professional Engineer

11/17/2011

L.A. Foss

2011 L.A. Foss

Professional Engineer

11/17/2011

Perkins+Will

11/17/2011

Perkins+Will

11/17/2011

Perkins+Will

11/17/2011

Perkins+Will

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Perkins+Will

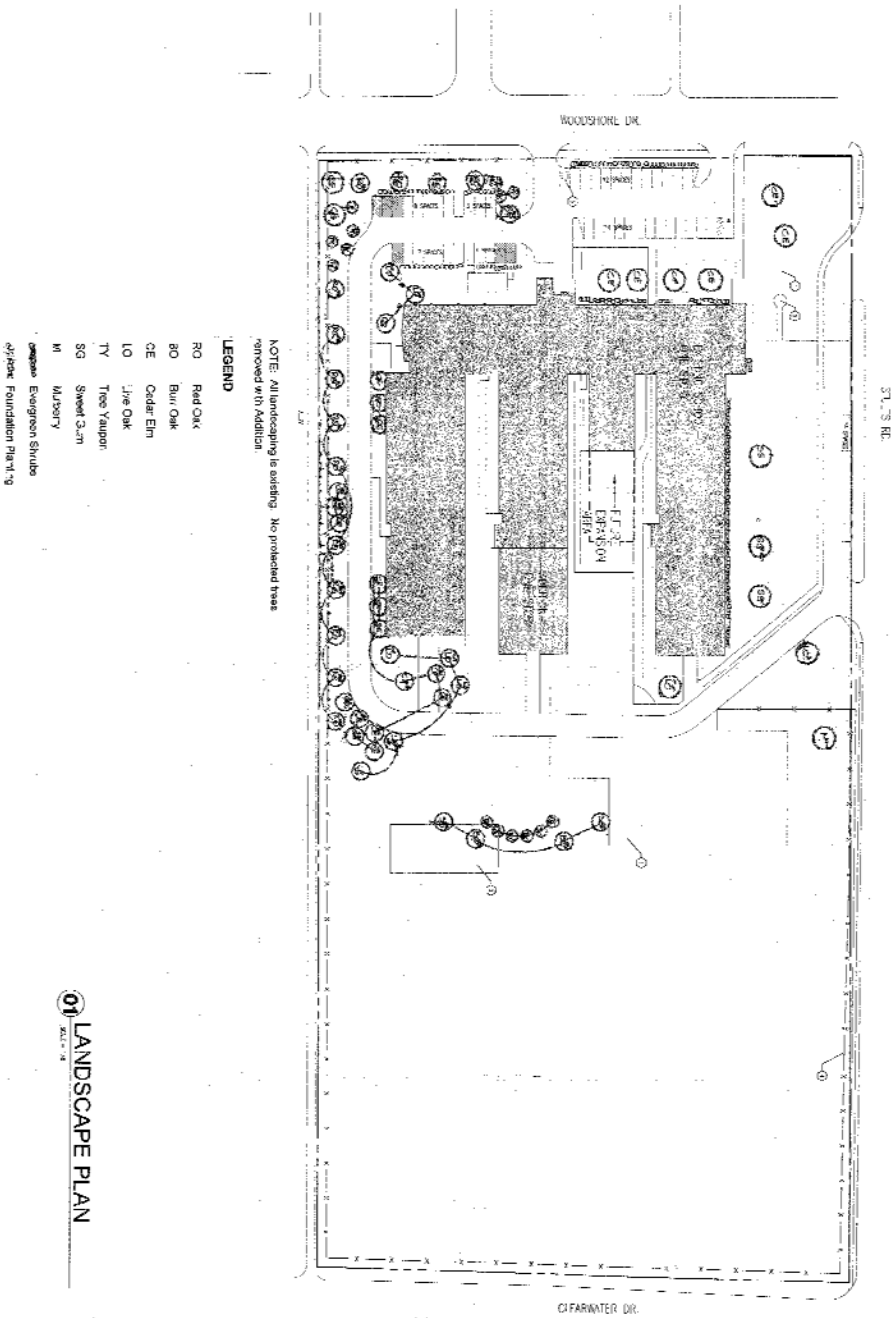
11/17/2011

Perkins+Will

11/17/2011

Perkins+Will

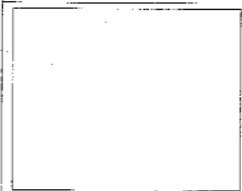
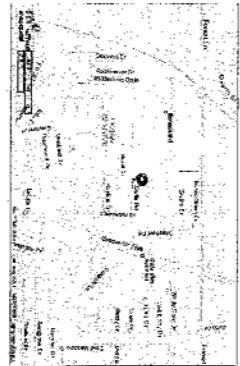
11/17/2011



01 LANDSCAPE PLAN



02 VICINITY MAP



ARCHITECTURAL SITE PLAN
 NOTES BY NUMBER

- 1. 10/11/2011
- 2. 10/11/2011
- 3. 10/11/2011
- 4. 10/11/2011
- 5. 10/11/2011

LEGEND

- 10/11/2011
- 10/11/2011
- 10/11/2011
- 10/11/2011
- 10/11/2011

PERKINS
 + WILL
 10/11/2011
 10/11/2011
 10/11/2011

ST. LOUIS ES.
 ADDITION &
 RENOVATION

RSD

400 S. DIXIE AVE.
 RICHMOND, TEXAS 75081

10/11/2011

10/11/2011

10/11/2011

10/11/2011

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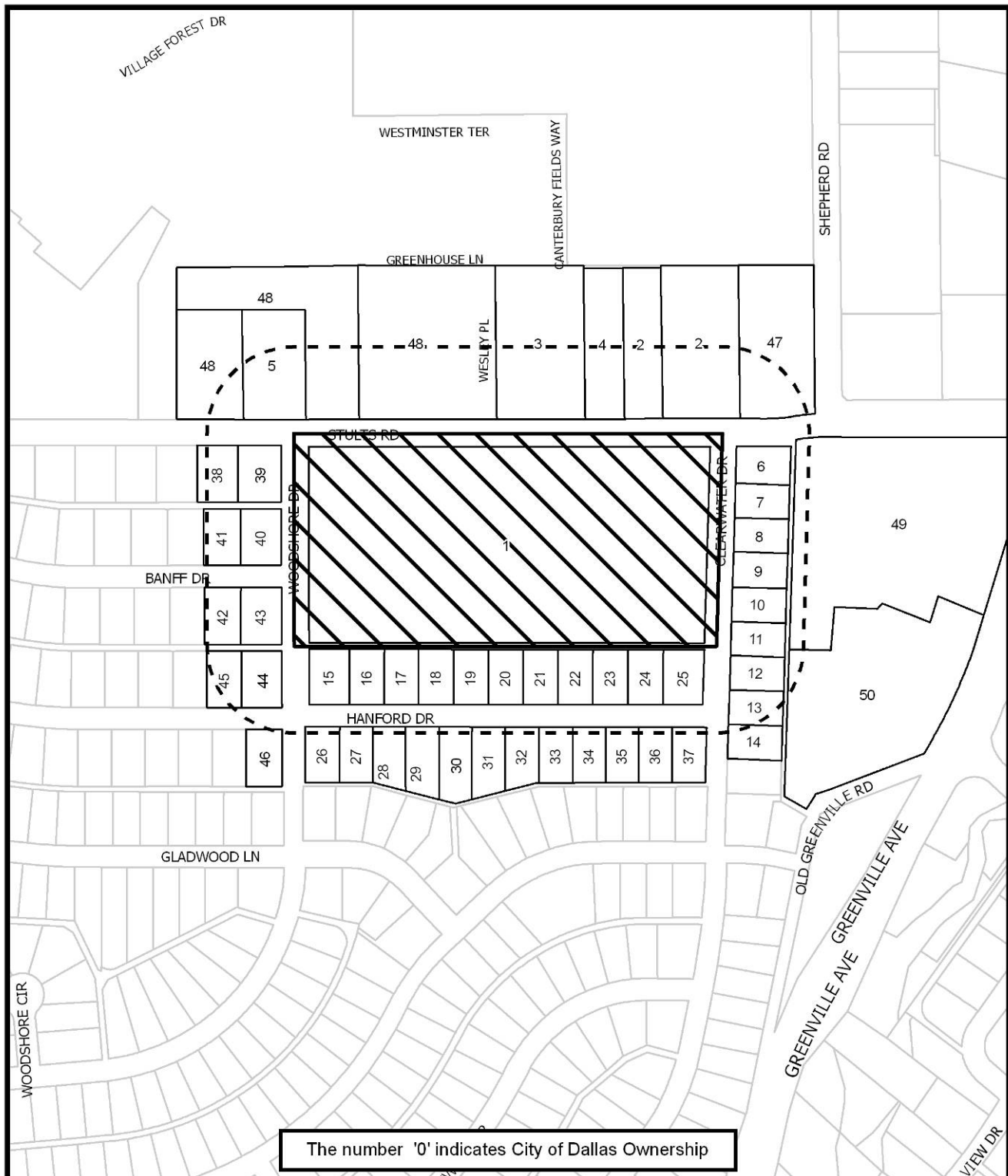
10/11/2011

10/11/2011

10/11/2011

10/11/2011

10/11/2011



1:3,600

NOTIFICATION

200'

AREA OF NOTIFICATION

50

NUMBER OF PROPERTY
OWNERS NOTIFIED

Case no: **M112-028**

Date: **6/7/2012**

6/7/2012

Notification List of Property Owners

M112-028

50 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8700 WOODSHORE DR	RICHARDSON I S D
2	8821 STULTS RD	CORNELL CLYDE BLAKE
3	8807 STULTS RD	CHECKI JOHN J JR
4	8811 STULTS RD	DAMIENS ROY A
5	8631 STULTS RD	DAVIS KATHRYN B
6	9422 CLEARWATER DR	MARSHALL JERALDENE M & MICHELLE TURNER
7	9416 CLEARWATER DR	DAVIS DOROTHY
8	9410 CLEARWATER DR	MCHANNEY DEBRA K
9	9404 CLEARWATER DR	STEPHENS CARL EST OF
10	9324 CLEARWATER DR	FOUNTAIN BOBBY JOE
11	9318 CLEARWATER DR	JUDD COURT LP
12	9312 CLEARWATER DR	VAUGHAN KIMBERLY
13	9306 CLEARWATER DR	TOKERUD ROBERT K & CHANTAL ARASHVAND
14	9228 CLEARWATER DR	KASPAR ASHLEY E & JARED M
15	8707 HANFORD DR	GEORGE MONCY & JOLLY MONCY GEORGE
16	8715 HANFORD DR	AVANT LINDA
17	8721 HANFORD DR	COLLERETTE C BRYCE & GILBERT RANDOLPH V
18	8727 HANFORD DR	RUVALCABA ROGELIO
19	8735 HANFORD DR	BARNHART JAMES E
20	8741 HANFORD DR	ECHOLS HERTHA H
21	8805 HANFORD DR	FIELDS L B ESTATE OF
22	8811 HANFORD DR	MORENO ROBERTO B
23	8819 HANFORD DR	SCHULTZ JAMIE D
24	8827 HANFORD DR	PALMER KAREL L& ARTHUR
25	8835 HANFORD DR	ANSYE YIRGALEM
26	8706 HANFORD DR	LOWE LINDA KAY

6/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	8714 HANFORD DR	FINLAY THOMAS F
28	8720 HANFORD DR	ROBISON DANIEL I & SYLVIA R
29	8726 HANFORD DR	PALCHIK YEFIM & SOFYA UNIT TW210
30	8734 HANFORD DR	GIBBS DONNIE J
31	8740 HANFORD DR	HOOVER AMY &
32	8804 HANFORD DR	MEIER RUTH O MEIER TR
33	8810 HANFORD DR	RAMIREZ FAMILY TRUST
34	8818 HANFORD DR	BARBOSA JAIME
35	8824 HANFORD DR	ALLEN EDWARD L
36	8830 HANFORD DR	MEISNER SAM
37	8836 HANFORD DR	HOERNER KELLY RICHARD
38	8622 STULTS RD	SMITH WILLIE F JR LF EST REM JESSIE RUTH
39	8630 STULTS RD	SMITH THOMAS LEE
40	8633 BANFF DR	REDMAN CECILE M EST OF % JANE REDMAN KIN
41	8625 BANFF DR	TREVIZO ANASTASIO & MARIA LUISA
42	8626 BANFF DR	HILL KAREN
43	8634 BANFF DR	AGERLID PATRICIA
44	8633 HANFORD DR	TERRELL LURLENE & VICKI TURNER
45	8625 HANFORD DR	TERRELL BUCKNEY W
46	8634 HANFORD DR	HILBURN JIMMIE E
47	8835 STULTS RD	NEW MOUNT ZION BAPTIST CHURCH OF DALLAS
48	8703 STULTS RD	PRESBYTERIAN VILLAGE
49	8920 STULTS RD	YOUNG MENS CHRISTIAN ASSN OF
METROPOLITA		
50	9303 GREENVILLE AVE	YMCA OF METROPOLITAN DALLAS

Planner: Mark Doty

FILE NUMBER: Z112-236 (MD) **DATE FILED:** April 2, 2012

LOCATION: South side of Haymarket Road, southwest of the intersection of Haymarket Road and Palomino Road.

COUNCIL DISTRICT: 8 **MAPSCO:** 69 U, Y

SIZE OF REQUEST: 4.363 ac. **CENSUS TRACT:** 171.02

REQUEST: A Landmark Commission authorized hearing to consider an Historic District Overlay on property zoned an A(A) Agricultural District.

SUMMARY: The Missionary Baptist Church cemetery is an historic African-American site that is home to over 100 gravesites, most which have been hidden or removed. The first known burial occurred in 1902 with the last known in 1948. A significant property must meet 3 of 10 designation criteria. This property has been determined to meet 4.

STAFF RECOMMENDATION: Approval, subject to preservation criteria.

LANDMARK COMMISSION RECOMMENDATION: Approval, subject to preservation criteria.

BACKGROUND INFORMATION:

- The Missionary Baptist Church cemetery is located on a portion of the site that is home to over 100 African-American gravesites, most which have been hidden or removed. The first known burial occurred in 1902 with the last known in 1948.
- The Rylie Community, established in the 1870's, was the closest community to the area and provided a source of jobs when the railroad arrived in 1881. Rylie, along with Kleberg and Hutchins supported several African-American farming communities.
- Missionary Baptist Church was organized in 1903 to serve the small group of black property owners and tenant farmers in the area. A church building, a small square wood structure with a pyramidal roof, was destroyed in a 1957 tornado and the congregation ceased formal maintenance of the cemetery at a later date.

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.

STAFF ANALYSIS:

- Both the Landmark Commission and its Designation Committee have determined this complex to be historically significant under 4 designation criteria. These criteria include; history, heritage and culture, archeological, national and state recognition, and historic education.
- This overlay designation does not change the base zoning or permitted uses for the property.
- Since the majority of the property has a known cemetery located on it or may contain other unmarked gravesites, the site has been divided up into three tracts, Tracts A, B, and C. Tract A, the portion of the site closest to Haymarket Road, allows for new construction and site improvements. Tract B, encompassing a large area of the site, is an area of potential graves that allows for new construction and other site improvements with the requirement that if any remains are unearthed, the proper authorities and procedures must be followed. Tract C is the location of the marked cemetery and existing headstones. No new construction is allowed in this area with the same understanding about discovery of new, unmarked graves. The rest of the property, outside of the 12' buffer to the south side of the marked cemetery does not have any restrictions other than the regular zoning requirements for A(A) uses.

LANDMARK COMMISSION ACTION: (April 4, 2012)

This item appeared on the Commission's discussion agenda.

Motion: Approval, subject to revised preservation criteria.

Maker: Silva

Second: *Clicque

Results: 7/3

Ayes:	Flabiano, *Clicque, Cruz, *Piper, Silva, Seale, Tapscott
Against:	Ridley, Johnson, Edwards
Absent:	Burgin, Norcross, Strickland, Ward
Vacancies:	1 & 4

**Dallas Landmark Commission
Landmark Nomination Form**

1. Name

historic: Missionary Baptist Church Cemetery
and/or common: N/A
date: c. 1902 – c. 1955

2. Location

address: 33 Haymarket Road, Dallas, Texas
 (also known as 2500 Haymarket Road)
location/neighborhood: Rylie
block: 8770 **lot:** 33 **land survey:** George W. Shaw Abstract 1387
tract size: 3.0 acres (approximately)

3. Current Zoning

current zoning: A (Agricultural)

4. Classification

Category	Ownership	Status	Present Use	<input type="checkbox"/> museum
<input type="checkbox"/> district	<input type="checkbox"/> public	<input type="checkbox"/> occupied	<input checked="" type="checkbox"/> agricultural	<input type="checkbox"/> park
<input type="checkbox"/> building(s)	<input checked="" type="checkbox"/> private	<input checked="" type="checkbox"/> unoccupied	<input type="checkbox"/> commercial	<input type="checkbox"/> residence
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational	<input type="checkbox"/> religious
<input checked="" type="checkbox"/> site			<input type="checkbox"/> entertainment	<input type="checkbox"/> scientific
<input type="checkbox"/> object			<input type="checkbox"/> government	<input type="checkbox"/> transportation
	Public	Accessibility	<input type="checkbox"/> industrial	<input checked="" type="checkbox"/> other, specify
	Acquisition	<input checked="" type="checkbox"/> yes: restricted	<input type="checkbox"/> military	<input checked="" type="checkbox"/> Cemetery
	<input type="checkbox"/> in progress	<input type="checkbox"/> yes: unrestricted		
	<input type="checkbox"/> being considered	<input type="checkbox"/> no		

5. Ownership

Current Owner: Octavio Raimirez
Contact: Octavio Raimirez **Phone:**
Address: 1015 Shana Lane **City:** Irving **State:** Texas **Zip:** 75061-4052

6. Form Preparation

Date: March 26, 2012
Name & Title: Frances James, Marcel Quimby, Evelyn Montgomery and Daron Tapscott
Organization: Dallas Landmark Commission
Contact: Frances James **Phone:** 214/381-0445

7. Representation on Existing Surveys

Alexander Survey (citywide)	local	state	national	National Register
H.P.L. Survey (CBD)	A	B	C	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

original owner: Unknown
significant later owner(s): Missionary Baptist Church

9. Construction Dates

original: Known marker from 1902
alterations/additions: Unknown

10. Architect

original construction: N/A
alterations/additions: N/A

11. Site Features

natural: The site is relatively flat and slopes towards the southwest to the Trinity River. Originally wooded, the center of the site is largely overgrown with trees and brush; the northern and southern portions of the site are partially cleared with areas of tree and somewhat overgrown with brush. Dirt roads parallel the southeast property line and lead to the southern portion of the site.
urban design: N/A

12. Physical Description

Condition, check one:

☐ *excellent*
☐ *good*
☐ *fair*

☐ *deteriorated*
☒ *ruins*
☐ *unexposed*

☐ *unaltered*
☐ *altered*

Check one:

☒ *original site*
☐ *moved(date _____)*

Describe present and original (if known) physical appearance. Include style(s) of architecture, current condition and relationship to surrounding fabric (structures, objects, etc). Elaborate on pertinent materials used and style(s) of architectural detailing, embellishments and site details.

This 3-acre trapezoid-shaped site is located in the southeastern quadrant of Dallas County – a historically rural area of the county. The Sam Street Map of Dallas County of 1900 shows the area's land surveys were orientated towards the nearby Trinity River; the subject site is approximately one mile from the river. In 1900, much of the land in the area was within the Trinity River floodplain and wooded; few of the large parcels had houses associated with the land, indicating the subject property was not farmed (presumably due to the need to clear the land for agricultural use) or were farmed but the owners or tenant farmers did not live on the land. The nearest community to the subject site is Kleberg to the east and Rylie to the north.

The subject site is part of the George W. Shaw Abstract 1387; the land in the abstract (or survey) extended southwest to the Trinity River and included the majority of a small, creek-fed lake identified as 'Dowdy's Club Lake.' The Sam Street County map did not show any development at the southwest end of the property (near the lake) although the adjacent property (the Shelton Abstract 1350) at the west side of the lake, under separate ownership, had several 'club buildings' at the northwest side of the small lake.

Due to the natural advantages of the area – forested, near the Trinity River and including small lakes – there were several clubs for outdoor activities in the vicinity of the subject site at the turn of the century. These clubs were easily accessed by residents of Dallas (10+ miles away) for day or weekend stays for hunting, fishing and swimming. Another small lake was located across the Trinity River – the ‘Fin and Feather Lake’ as shown on the Street map; this lake was close to the town of Hutchins to the east.

A 1952 USGS aerial photograph indicates much of the property surrounding the subject site had been cleared of trees and was in agricultural use. The southwestern third of the site where the marked cemetery is located was heavily treed with large trees. The center portion of the site was largely open with isolated, larger trees – which is consistent with recollections of neighbor Betty and Sam Baty and Dorothy Philpot that the cemetery began a short distance from the back of the church building.^{1,2} Faint trails are visible in this photograph which the neighbors state are the paths of the walking paths within the cemetery. The northeastern third of the site (adjoining Haymarket Road) was also largely open with isolated, larger trees located along the northwestern property line and several large groves of trees are visible at the northeastern corner, near the road. The pyramidal roof of the Missionary Baptist Church building was visible in this area. Photographic enhancement of the 1952 photograph clearly shows this building; GIS measurements indicated it is approximately 30’ x 30’ in size.³ The Baptist Missionary Church building is visible near Haymarket Road. Refer to Illustration 4.

A 1968 USGS aerial photograph continues to show much of the adjacent land to be in agricultural use although the beginnings of gravel and sand pits appear on adjacent property to the southeast. It also appears that a dirt road along the southeastern property line had been relocated slightly (to the northwest) to accommodate trucks accessing these pits; neighbors recall that trucks using this dirt road ran over and destroyed a number of gravestones and sites that were located near this road. However, the majority of the adjacent site to the east of the subject site was still being farmed. The subject site had more tree cover than in 1952. The church building on the site was no longer there. Refer to Illustration 5.

In a 2010 recent aerial photograph, the land to the east of the subject site is now a water-filled gravel pit, including a portion of the site itself; other water-filled gravel pits are seen in the vicinity of the subject site. The center area of the site, around the ‘marked cemetery’ as defined by Texas Historical Commission, has become more treed and has denser ground cover. The front portion of the subject site (nearest to Haymarket Road) has recently been cleared of trees and brush and is the most open area of the property. Although the wood church was located in this area, it was pier and beam construction and there is no remains or evidence of it remaining. The middle portion of the property is now heavily treed with brush with undergrowth below.

Since Missionary Baptist Church left the site and stopped maintaining the site in the mid-1950s, the site has become overgrown, and there is no discernable trace of the boundaries of the historic cemetery. Several grave markers can be found scattered around the middle section of the site (Tracts C) with some appearing to be in their original locations. However, the neighbors recall that many of these and other grave markers were originally located in the center of the site and were later pushed over and moved to the southwest in 2008 – refer to the ‘Historic Significance’ section following. Other artifacts associated with a cemetery have been found in the center and southwestern areas of the site including metal grave markers, a bottle and metal tools; these items appear to have been moved from their original locations.

This area of Dallas County was annexed by the City of Dallas on September 28, 1977 and the entire site entered into the City’s Plat Book shortly thereafter, as lot 33 of Block 8770. This platted site was rhomboid in shape and the City’s plat book shows its’ perimeter dimensions as 1,080’ in length by 200’ at

¹ Meeting with Betty and Sam Baty, Dorothy Philpot and members of the Designation Committee, September 2006 and meeting with Betty Baty, Frances James and Marcel Quimby, March 24, 2012.

² Written recollection, name uncertain, 2006 (see Attachments).

³ Photographic enhancement by Geo-Marine Inc., of Plano, Texas; March 22, 2012.

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the north and south boundaries (refer to Illustration 3). Dallas County Appraisal District records note the entire site as 4.23 acres in size. A recent survey provided by the owner by Precise Land Surveying Inc. shows the site perimeter dimensions as 1,061' in length by 200' along the north (Haymarket Road) and south boundaries, and the site size as 4.363 acres.⁴

As there is no record of the cemetery extending into the southwestern portion of the site, this area was not included as part of the Landmark Designation. The site proposed for Landmark designation referred to as the 'subject site') includes only the land that was historically associated with the Missionary Baptist Church and its cemetery – and is approximately 3 acres in size.

⁴ Survey completed by Precise Land Surveying Inc, Mesquite, Texas, provided to the City of Dallas in March 2012.

13. Historical Significance

Statement of historical and cultural significance. Include: cultural influences, special events and important personages, influences on neighborhood, on the city, etc.

Missionary Baptist Church was established on rural land located midway between the community of Rylie and the Trinity River. (refer to illustration 1). The land was purchased and a church built to house a congregation of rural African-Americans who were farmers or tenant farmers in the area. Though the church building is gone, a cemetery containing at least 100 graves remains

Rylie Community

Rylie, Texas was located on a portion of the land grant named for J. R. Rylie (born in North Carolina c. 1801) and given to his widow Mary Rylie; as a widow with dependents, Mary was issued a Peters Colony Nacogdoches 3rd class certificate for 640 acres which was filed May 16, 1853. J. R. and Mary had moved from Illinois to Dallas by July 1846.⁵ J. R. worked as a blacksmith in Dallas but died in October 1849.⁶ Following his death, Mary and her children (a son and three daughters) moved near Scyene and in 1853 received the land grant. Following Mary's death, her eldest son John Armstrong and his family lived on the 200 acres located in the J. R. Rylie survey that he inherited from Mary.

The community dates to the 1870s but remained small until a railroad line passed through it. A location along a rail line was always a spur to economic and population growth for small towns in Texas in the years after the arrival of the railroads in North Texas. Dallas began its growth into a major city following the arrival of the Texas and Houston Central railroad in 1872, followed by the Texas and Pacific in 1873.

The Texas Trunk Railroad ran southeast from Dallas and stopped in Rylie;⁷ this was perhaps the worst organized and constructed railroad in the state and had a storied history. The Dallas Morning News rail editor often wrote pejoratively of this "smallest line" in Texas. Chartered on November 6, 1879,⁸ the railroad was planned to run from Dallas southeast to the Gulf Coast, a distance of 350 miles.⁹ By 1881 only 36 miles existed (a local line between Dallas and Athens) and it was placed in receivership; the line defaulted several times thereafter and was placed in receivership another seven times, before being purchased by the Texas and New Orleans Railroad, November 25, 1899.¹⁰ The Texas Trunk served primarily as a freight line bringing wood, coal and cotton from rural east Texas to Dallas for shipping elsewhere. Easy rail transport to market would also have increased local agricultural opportunities for farmers who shipped their crops to Dallas' markets. The Trunk Railroad is now largely abandoned.

The railroad arrived in what would become the community of Rylie in 1881 and the community secured recognition in the form of a post office in 1883, with the local railroad agent as postmaster.¹¹ John Rylie layed out and surveyed a townsite on his land in 1884.¹² By 1890 the population was estimated to be fifty people. Rylie's population in 1885 was twenty-five and in 1914, the population had increased to fifty-four – which coincided with the town's peak between 1900 and 1910.¹³ This era coincided with the construction of the locks on the nearby Trinity River; workers from East Texas were brought in on the

⁵ Morris, Rhonda L., 'Rylie Prairie – Gone But Not Forgotten', unpublished manuscript, 1991; page 1.

⁶ Mathew Hayes Nall, "Rylie, TX," Handbook of Texas online (www.tshaonline.org/online/articles/hnr58), accessed June 30, 2011. Published by the Texas State Historical Association.

⁷ Mathew Hayes Nall, *ibid*.

⁸ Nancy Beck Young, "Texas Trunk Railroad," Handbook of Texas Online, (www.tshaonline.org/handbook/online/articles/eqt18), accessed June 30, 2011. Published by the Texas State Historical Association.

⁹ Nancy Beck Young, *ibid*.

¹⁰ Nancy Beck Young, *ibid*.

¹¹ Mathew Hayes Nall, *ibid*.

¹² Morris, Rhonda, *ibid*, page 3

¹³ Mathew Haynes Nall, *ibid*.

Trunk Railroad for this large project. A short haul railroad was constructed to the site of the locks to haul building materials and supplies.

The rural area around Rylie, Kleberg, Wilmer and Hutchins supported numerous small 'dirt farms,' including a small number owned by African Americans.¹⁴ Neighbors of the subject site recall that in the 20s there were several African American farmers in the area, and a school for their children was located at Haymarket and St. Augustine Road).¹⁵ However by the 1940s and 1950s, there were no African Americans living in Rylie or in the nearby rural areas, including around the subject site. This may have been due to the opportunities available to African Americans in the military service or larger cities during and after WWII and is also consistent with the decline of the overall population of the Rylie community noted above.

In 1930, Rylie relocated from its site adjacent to the railroad to a site adjacent to the newly constructed highway (SH 175), a quarter of mile to the northeast.¹⁶ The buildings in the community were abandoned and businesses built new ones; the community lost their post office shortly thereafter.

By the late 1940s Rylie's population was 180 and supported eight businesses – all at the town's new location. After WWII, Rylie developed into a suburb of Dallas and its school system was annexed by Dallas Independent School District in 1959. In 1965 the Texas Almanac listed its population as 950 – which included numerous newer, post war houses on large parcels of land in the area.¹⁷ The community of Rylie had never incorporated and was annexed into the City of Dallas in 1977.

Missionary Baptist Church and Cemetery – 1903 to 1955

The first recorded land transaction of the land that would become Missionary Baptist Church was on January 15, 1900 when Mr. Sam Ayers purchased 60 acres from John A. Campbell.¹⁸ Sam Ayers (1846 – 1925) of Hutchins was a local landowner, proprietor of the Hutchins general store, and the town banker. In 1903 the land for the church was purchased from Ayres by three trustees of the Missionary Baptist Church Corp (Trustees W. N. Nichols, J. C. Carter, and William Grayson). The land was described as being approximately 3 acres in size, 200' wide, located on the east side of the Trinity River; the Trustees paid \$50 for the land. The map of Dallas County produced by Sam Street in 1900 showed the parcel as part of the George W. Shaw Abstract (survey). The north boundary of the subject site faced a wagon road which established the route of the current Haymarket Road.

Missionary Baptist Church was organized to serve the small group of black property owners and tenant farmers in the area. Segregated churches were standard practice in the early twentieth century, and this church may well have been referred to as the Colored Missionary Baptist Church. The Dallas Morning News began reporting on colored churches in the 1890's.¹⁹ For example, the Colored Methodist-Episcopal church listed a statewide membership of 35,000.²⁰ A regional or state organization that may have attracted the Rylie congregation was the Friendship Association of the Colored Missionary Baptist Church. It held annual meetings, in Kaufman in 1888 and Hillsboro the following year.²¹

¹⁴ Dallas County Tax Records of the late 1890s and early 1900s include a small number of African American property owners in the area.

¹⁵ Written recollection of Dorothy Philpot, 2006.

¹⁶ Mathew Hayes Nall, *ibid*.

¹⁷ Mathew Hayes Hall, *ibid*.

¹⁸ Quit Claim Deed of sale of land by Sam Ayres to Trustees of Baptist Missionary Church Corp. of Dallas County, May 1, 1903. Filed for Record on August 30, 1925, W. S. Skiles, Dallas County Clerk, recorded by County Clerk Mary Barnes and notarized by B. D. Atwell; page 599 of County Records.

¹⁹ "Colored Baptist – First Day's Session of Their Meeting at Denison," Dallas Morning News, Sept. 1, 1893; p. 2.

²⁰ "Colored M. E. Church," Dallas Morning News, April 14, 1904; p. 10.

²¹ "Colored Baptist Missionary Meeting," Dallas Morning News, August 15, 1888; p. 6.

Local churches were typically the center of the African-American community. As a segregated institution, they offered a rare chance for members of the congregation to display leadership and knowledge. Such a church offered spiritual comfort and served as a social and cultural center. Establishing this church near Rylie was an exercise in community building by the original congregants. The attached cemetery offered a dignified final resting place under community control. The acquisition of the land and construction of the building would have required a great sacrifice of time and labor. The congregation's attachment to the church is demonstrated by a neighbor's report that members came back to bury loved ones and tend the graves even after the church land had been sold.

The church building appears only in an aerial photo of 1952 (illustration 4); this supports the memory of the church building by the adjacent neighbors. The building was a simple square wood structure with a pyramidal roof located in the northeast portion of the site and somewhat removed from Haymarket Road. However neighbors remember that the church was much closer to Haymarket Road; it is possible that the unpaved road at that time was not located in a straight line as it is now and was located further into the property at that time, and thus was closer to the church building than the paved, straight road is today. At that time much of the property was open which would be consistent with a maintained rural cemetery. Neighbors have described the church building as "a small, one-room, single plank, handbuilt" by the congregation.²² Sam Baty, a neighbor whose land adjoined the south end of the subject site remembers a large, wood framed 'brush arbor' with vines that provided shade in the summer located behind the church building – and recalls sitting there in the summer when he would visit the cemetery in the 1950s.²³ Sam and Betty Baty and Dorothy Philpot remember gravestones quite close to the back of the church during the 1950s and 1960s before the site became overgrown. Simmons and Betty Baty recall gravestones that dated back to the turn of the century, and family plots with wood fences or metal posts with chains around them.

According to neighbors Dorothy Philpot and Shirley Gleaves Ryer, Missionary Baptist Church merged with a church in Seagoville around 1944 or 1945. The congregation abandoned the church building at the subject site but continued to maintain the cemetery for the next decade. Neighbors recall that after the Missionary Baptist Church congregation left the site, Mr. Skpert, a neighbor, used the church building for hay storage.

In 1945, members of The First Baptist Church of Rylie, led E. F. Sherrard, formed a new church on donated property across Haymarket Road from the subject site. This new church (soon named Oak Grove Baptist Church) did not yet have a church building. Rev. Sherrard received permission from the Missionary Baptist Church to use their abandoned church building for church services until they could build their church.²⁴ The new congregation removed the hay from the building and used an old wood stove for heat.²⁵ Oak Grove Baptist Church built a permanent building in 1946 across Haymarket Road; they remain at this site, and are now housed in a newer facility that was constructed in 1964.

In 1948 John White purchased 3.3 acres from the Missionary Baptist Church. Deed records indicate the 3-acre property was then sold to William Aaron Berg on or about June 1, 1949. Even with a change in ownership, the church's congregation continued to maintain the cemetery grounds and burials occurred in the cemetery until the mid 1950s. Mary Shanz Simmons and her brother Alton Shanz lived on land adjacent to Missionary Baptist from the mid-1940s until the early 1980s and both remember burials at the site – with the last burial occurring around 1955. Dorothy Philpot remembers burials until at least 1954.²⁶

²² Written recollection by neighbor (name uncertain), page 1, 2006 (attached).

²³ Discussions with Sam and Betty Baty, 2006, and discussion with Betty Baty, Frances James and Marcel Quimby, March 24, 2012.

²⁴ Written recollection by neighbor (name uncertain), page 1, 2006 (attached).

²⁵ Written recollection, name uncertain, 2006 (attached).

²⁶ Written recollection by Dorothy Philpot, 2006 (attached).

Missionary Baptist Church and Cemetery – 1955 to 2012

The once-again abandoned Missionary Baptist Church building was destroyed in the major storms and tornados that hit Dallas County on April 2, 1957; nothing remains of the historic church building.²⁷ After the Missionary Baptist congregation ceased maintaining the cemetery, members of the Oak Grove Baptist church would clean up the cemetery.²⁸ In an aerial photograph taken by USGS in 1968, the building and brush arbor are no longer visible; the northernmost portion of the subject site remains fairly open while the remainder of the site has numerous large trees that were not planted (or much smaller) in the earlier 1952 aerial photo.

The neighbors of the Missionary Baptist Church have continued to watch over this cemetery since the mid-1950s following the last burials and when the original congregation ceased caring for the property. Due to its location in the Trinity River floodplain, much of the area has gravel deposits. Digging pits to extract the gravel began in the 1960s – this is visible in the adjacent property (to the southeast) in the 1968 aerial photograph. Simmons notes that when the Missionary Baptist Church property was used for access to the adjacent gravel pits, the gravel trucks would cut a path over the graves, and her family would make them move the path over. Illegal dumping was also occurring at the property and several neighbors were concerned about the fate of the cemetery and this loss of this final resting place for those buried there and their families.²⁹ In 2006, several of the neighbors contacted the City of Dallas to express their concern about the fate of this historic cemetery that served the African American community. Discussions began regarding the possibility of historic designation for the cemetery. At that time the property was overgrown with brush and vines covering much of the site. There was no evidence of the historic church building, the brush arbor and few gravestones were found.

In 2008, the City was notified that the area of the historic cemetery was being cleared and the burial sites desecrated, with damage to many of the gravestones. After the contractor was stopped it was discovered that the property had been graded, scraped clean and large trees removed due to the contractor being at the wrong address. Betty Baty stated that she saw front end loaders scraping the ground of brush, medium sized trees, vines, debris and some gravestones into mounds of dirt and debris in the front half of the site. Gravestones were found in pieces and in locations remote from where they had been. When asked to replace the gravestones, the contractor placed some of the gravestones in the southern, uncleared area of the property instead of where they were originally located.³⁰ Betty Baty remembers that the gravestone for Matilda Grayson had been intact prior to this incident but was found lying on a pile of debris that was removed from its original location. She told the contractor that this and other stones must be re-installed in the cemetery. While this was accomplished for several stones, they were not installed at their original locations.

Texas Historical Commission (THC) visited the site and based on site observations, marked the historic cemetery in their database; the boundaries of this 'marked cemetery' are shown on illustrations 5 and 6 and on Exhibit B. The date of THC's visit is not known. If this visit occurred after the clearing incident in 2008, they would not have seen the stones in their original location and this marked cemetery does not reflect the site of the original burials.

Following William Berg's death, probate listed three children as heirs; ultimately his son, Charles Aaron Berg sold the property in November 9, 2007 to Luis Fuentes.³¹ The subject site was subsequently purchased by Octavio Ramirez on September 8, 2009.

²⁷ Interview with Betty Baty, Sam Baty, and Dorothy Hill, September 2006.

²⁸ Written recollection by Dorothy Philpot, 2006 (attached).

²⁹ Written recollection by Mary (Shanz) Simmons, 2006 (attached).

³⁰ Meeting with Betty Baty, Frances James and Marcel Quimby, March 24, 2012.

³¹ Deed Records Dallas County Texas, No 20070414767.

Dallas County Appraisal District records note that in 2008 (the first year the site was owned by Luis Fuentes), the property was noted as being 4.4.230 acres in size. In 2010 Octavio Ramirez purchased the 4.230-acre site and is the current owner. It is not known if Mr. Fuentes purchased additional property to expand the site (which was only possible to the southwest) or if the site's size had been incorrectly listed in property records for many decades.

Missionary Baptist Church – Cemetery and Gravesites

The Cemetery is all that remains of the Missionary Baptist church although the existing locations of the gravestones are not at the original location. Site visits from 2008 and 2011 revealed a limited number of legible markers. The first known burial dates to 1902. The last known burial occurred in 1948. The oldest marker reads:

Farewell
Matilda Ann
Wife of
Rev. Albert Grayson
Died
March 2, 1902
Aged 60 years

The 1880 census confirms that Matilda was married to Albert Grayson and that they had five children at that time. Her age was recorded as 28, his as 27, and they were living in Nacogdoches; her place of birth is noted as Mississippi. Their oldest son, William, was twelve years old in 1880. There are no records in the City of Dallas Directories of William and Matilda Grayson living in the City of Dallas between 1890 and 1902; one assumes that they lived outside the City of Dallas in Dallas County. However, their son William is listed in the Dallas Directory as living in the rear alley between Ninth, Tenth, Cliff and Miller Avenues in Oak Cliff in the 1891-92 Directory; his occupation was teamster. Albert Grayson is listed as a property owner of land in Dallas County's Precinct 7 in 1891; details of the property (amount of land, location) are not noted but his total tax bill was \$1.75 with \$1.50 for State tax and \$0.25 County tax.

Albert Grayson made news in 1893 when he reported for Dallas County Criminal District Court Jury service. The Dallas Morning News reported that Albert Grayson, a Negro, reported for jury service – the first time the court had called a Negro for jury duty since the 1870s. Mr. Grayson disqualified himself.³² This newspaper article noted that Mr. Grayson could neither read nor write.

In June 1897 Albert Grayson sold 91.9 acres of land in the T. J. Campbell Survey to J. A. Campbell for \$1 and other considerations. This land is near the Missionary Baptist Church site and indicates that the Graysons had moved to the Rylie area by that time.³³ It is not known when Albert became a minister, but it assumed that he was a pastor of the Missionary Baptist Church. It was not unusual for a small rural church to be led by a lay preacher, hence the title of Reverend on his wife's grave.

The 1900 Census records notes Albert Grayson was 58 years old, was 'head of household' and lived with his wife 'Tildy' and son Lee (Albert Lee, born in 1882) in Dallas County, Precinct 4. Albert is listed as a farmer and Lee as a farm laborer – presumably on their land near the subject site. Matilda is listed as having given birth to six children, with three surviving. Albert's parents are noted as being born in Virginia (presumably in slavery) while Albert was born in Colorado. Matilda noted her parents were born in Mississippi (also presumably in slavery) as was her place of birth. Their son Lee's place of birth was noted as Texas. Their other children were grown and assume assumed were living in their own households in the area.

³² 'Albert Grayson Excused', Dallas Morning News, March 1, 1893; page 8.

³³ 'Real Estate Transfers', Dallas Morning News, June 4, 1897; page 8.

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It is likely that their son William is the William Grayson who was one of the three original trustees for the church in 1903. Albert and Matilda's youngest son, Albert Lee, registered for the draft during World War I, listing his occupation as laborer and his home as Seagoville.

The most recent marker found on the site reads:

Tom Stinnies, Jr.
Texas
PFC 12 AAF AMMOSCO
World War II
March 11, 1926
October 31, 1948

The Texas Death Index confirms that Private Stinnies died in 1948. He enlisted on Nov. 13, 1945; his home was listed as Dallas, but that may have been an umbrella term for an area like Rylie, which would soon become a Dallas suburb. His civil occupation was listed as farmer, and he had a grammar school education.

The only other legible graves identified during recent site visits were:

Ada Burleson,
Died 7/6/1913

Thomas Brown
Born Feb. 9, 1889
Died April, X 1912

Perry Kelly
Born Feb. 5 190(1)6
Died Ma__ 29, 1947

Additional evidence of burials was found including metal grave markers, a marked concrete marker, and many magnesium glass fragments. The neighbors recalled over a hundred grave makers in the mid fifties.³⁴

The church and cemetery were established during the high point of Rylie's growth and prosperity. Agricultural use declined as the small communities in the area – Rylie, Kleberg, Wilmer and Hutchins - became commuter suburbs of Dallas after World War II.

³⁴ Interview with Betty Baty, Sam Baty, and Dorothy Hill, September 2006.

14. Bibliography

Mathew Hayes Nall, "Rylie, TX," Handbook of Texas online (www.tshaonline.org/online/articles/hnr58), Texas State Historical Association, pub.

Nancy Beck Young, "Texas Trunk Railroad," Handbook of Texas Online, (www.tshaonline.org/handbook/online/articles/eqt18) Texas State Historical Association, pub.

"Colored Baptist – First Day's Session of Their Meeting at Denison," Dallas Morning News, 09-01-1893; p. 2.

"Colored M. E. Church," Dallas Morning News, 04-14-1904; p. 10.

"Colored Baptist Missionary Meeting," Dallas Morning News, 08-15-1888; p. 6.

Interview with Betty Baty, Sam Baty, and Dorothy Hill, Sept. 25, 2006.

Deed Records Dallas County Texas, No 20070414767.

Morris, Rhonda L., *'Rylie Prairie – Gone But Not Forgotten'*, December 5, 1991, unpublished manuscript.

Written information has been provided by the following interested parties:

Lorene Jones
Dorothy Philpot (nearby property owner who moved to the area in 1945 as a child)
Shirley Gleaves Ryers
Mary Shanz Simmons (born on nearby land in 1946; lived there until 1980).
Alton J. Shanz (nearby property owner since 1943).
Unknown name, nearby property owner.

Dallas City Directories, various issues 1890 – 1905.

Dallas County Tax Records, 1890 – 1900

Meetings and discussions with the following:

Betty Baty
Sam Baty
Dorothy Philpot

15. Attachments

MAPS



Illustration 1: Sam Street's Map of Dallas County, Texas of 1900.

Aug. Gast Bank Note & Litho. Map Publishers, St. Louis, MO, 1900; Reprinted by the Dallas Public Library Inc., 1988.

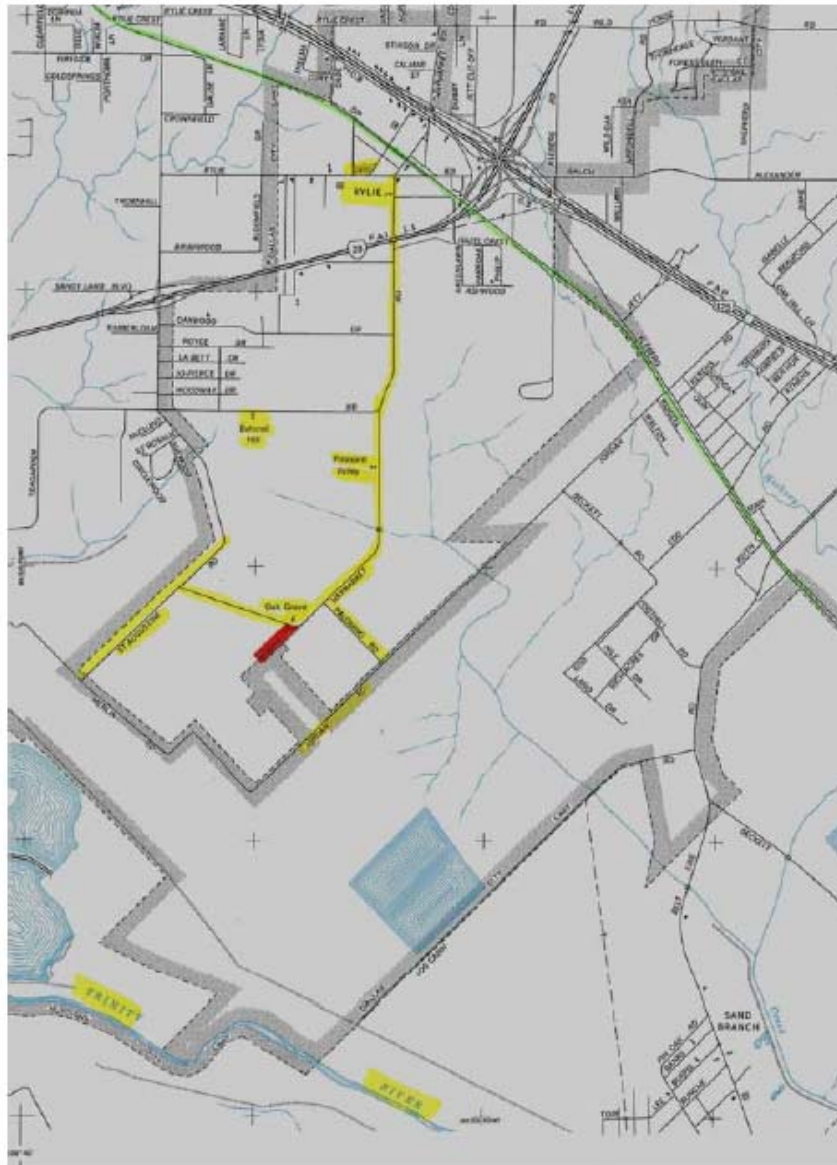


Illustration 2: Dallas County Highway Map, section I; 1975.

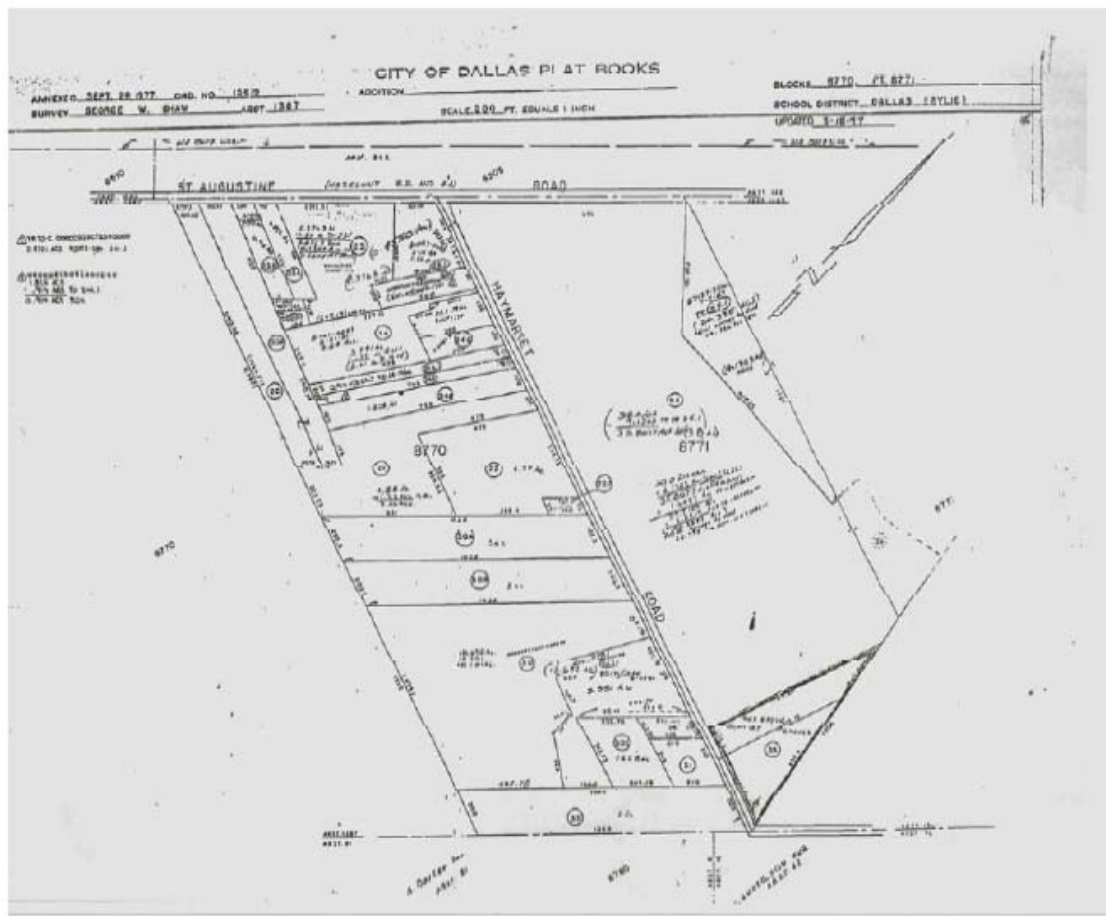


Illustration 3: City of Dallas Plat Books, Plat of Block 8770; Annexed by City Sept. 28, 1977, and plat updated March 18, 1997.

Map shows subject property at bottom of Abstract 1387, Block 8770, lot 33.

Site boundaries are noted as 1,080' by 220'.

AERIAL PHOTOGRAPHS



Approximate location of Haymarket Cemetery.

Illustration 4 – Aerial Photograph, 1952.

Area outlined in red indicates location of marked cemetery per Texas Historical Commission.

Please note the two buildings at the site – the church building at the northeast corner, near Haymarket road and a larger building to its southwest; this larger building is presumed to be an open-air pavilion.



Approximate location of Haymarket Cemetery.

Illustration 5 – Aerial Photograph, 1968.

Area outlined in red indicates location of marked cemetery per Texas Historical Commission; at the time of this photograph, the church and the second building had been demolished.



Illustration 6 – Aerial Photograph, 2010.

Area outlined in red indicates location of marked cemetery per Texas Historical Commission; area outlined in yellow indicates approximate limits of designation; refer to Exhibit B.

Z112-236 (MD)



Illustration 7 – Aerial Photograph, 2011.

GoogleEarth, accessed February 15, 2011

Area outlined in yellow indicates approximate limits of designation; refer to Exhibit B.

PHOTOGRAPHS – EXISTING GRAVESTONES and MARKERS

These gravestones and markers were found at the cemetery in 2008 or 2011; the inscription noted is as read on the gravestone. Please note that some dates and other information are difficult to read and dates should be confirmed following restoration.



Tom Stinnies, Jr.
Texas
PFC
12 AAF AIR AMMOSO
World War II
March 11, 1926
October 31, 1943
*Description: marble gravestone with carved
Cross at top of gravestone.*



Farewell
Matilda Ann
Wife of
Rev. Albert Grayson
Died
March 2, 1902
Aged 60 Years
Gone but not Forgotten
*Description: marble, with carved clasping hands
at top of stone. This is the oldest marked
gravestone found in the cemetery and predates
the purchase of the land by the church.*

Z112-236 (MD)



Thomas Brown

Born

February 9, 1889

Died April 9, 1912

Description: marble gravestone with carved dove at top of stone.



At Rest

Ada Burleson

7-6-1913 (to be confirmed).

Description: concrete base with small marble gravestone inlaid. 'At Rest' scratched in concrete above marble stone.



Unmarked gravestone

Description: unmarked gravestone with curved base; two images.



MJR

Description: initials carved in brick; brick set in handmade concrete base

Z112-236 (MD)



Perry Kelly
February 5, 1913 (or 1930?) Date not legible)
May 29, 1947
2112 NW ????, Texas (to be confirmed)
Description: metal grave marker with intact metal stand



Name not legible.
Description: metal grave marker on intact metal stand; lying on ground.

Photographs by Marcel Quimby, February 9, 2008 or June 6, 2011.

ATTACHMENTS

Written recollection (addressed to the City of Dallas) by Lorene Jones, October 11, 2006; 1 page.

Written recollection by Dorothy Philpot, undated, 1 page.

Written recollection by Shirley Gleaves Ryer, undated, 1 page.

Written recollection by Mary (Shanz) Simmons, September 25, 2006; 1 page.

Written recollection by Alton J. Schanz, September 25, 2006; 1 page.

Written recollection, unknown author, 2006; 3 pages

October 11, 2006

Lorene Jones
4107 Jordan Valley Rd.
Dallas, Texas 75253

City of Dallas
Dallas, Texas

To Whom It May Concern:

I am writing in regards to a cemetery located in the City of Dallas. The location of the cemetery is off a dirt road. The main road is Haymarket Road.

This cemetery is totally disgraceful. Someone's loved ones are buried there. It is all grown up with briars, thorns, poison ivy, weeds & all kinds of other junk. It needs much attention.

Some of these graves are back from the early 1900s, or even before then. I remember as a child, black folks would come in with hoes, rakes, & shovels & clean the graves. They have so much more equipment now that this graveyard could be cleaned. Please remember someone's loved ones were buried there. It's owe respect to everyone.

A clean cemetery & a memorial plaque would show justice to this piece of history.

Thanks,

Lorene Jones

(4)

I, Shirley Gleanes Riser, came here in 1946 with my parents. G. F. and Gloria Gleanes. I was 10 yrs. old. My parents property joined the church and cemetery property. I finished growing up here. Attended Oak Grove Baptist Church and Rylic School. I married John Riser in 1953. John bought one acre of land from my parents and built our first house there. Our one acre lined the cemetery property. I remember the old Negro church and the cemetery. We, John & I remember a wind storm blowing the church building the rest of the way down around 1957 or 1958. We do not remember how many graves were there, just that there were quite a few.

It was always narrow at the front of the property and got a little wider further back. Some people say that it was about 5 acres, and some about 3 acres. This was just the amount that was owned by the church, not ~~the~~ all was burial sites.

In 1948, a man named John White, bought 3.3 acres of land from Dallas Black Missionary Baptist Church. We do not know if this included the burial plots, because they continued to bury people there up into the middle 1950's.

SHIRLEY GLEANES

9/25/2006

To Whom It May Concern:

My family purchased the land adjacent to the cemetery from a black family that moved into Dallas. This was told to me by my mother. It was a total of 13 acres with a house.

They moved there in 1943 and back to Hutchins until the fall of 1944, when they made this land and house their permanent resident. I was born on the land in 1946 and we owned it until the early 1980's.

I remember the last burial being in 1955 and the markers were all on the graves at that time. There were small fences around family plots. The dates were back to the mid to late 1800's. At that time, several people would come out and clean the cemetery and talk with my mother. Over the years when our land and other land back to the east were sold for the gravel, the trucks would cut more of a path over the graves and we would always make them move the truck path over. With the growth of the vines and ivy, the tombstones have been buried. I do not think they have been stolen, mostly buried with the loose sand.

Just like my parents, many of the families that remember have since passed themselves. The younger ones have forgotten about this cemetery, and if they went with their parents, they will have to be in their 50's to 80's now.

Please call if you need any further information. My mother's house burned and she lost the deed in that fire. I am sure we could probably research.

Sincerely,



Mary (Shanz) Simmons

✓ 2459-352

9/25/2006

To whom it may concern:

My parents and I moved to the land adjacent to the cemetery in 1943. At that time 2 to 3 people a year were buried in this cemetery until the 50's. 1955 was the last burial that I do remember.


The land was about 15 acres total that belonged to the Negro church and the cemetery. The church membership moved to Seagoville leaving the church empty. Oak Grove Baptist used the church with the former congregation's approval until their church was built across the street. The church was later destroyed by the tornado that came thru Dallas in the spring of 1957.

There were headstones dating back to the mid to late 1800's. I do not know what this community was called, but it did have the church and cemetery as well as a school on the corner of Haymarket and St. Augustine Rd.

If you need to talk with me please call

Please save this cemetery from being covered over and this part of history lost.

Sincerely,


Alton J. Shanz

D

As a young boy, in 1945, I came to Haymarket Rd to start a new church. The area then had a mailing address of Route 3, Seagoville, Tex. It was called Rylie Community, but Rylie had no Post Office. This was Dallas County.

I had been attending "The First Baptist Church of Rylie" up until this time. Together with my parents and brothers and sisters. Brother E. J. Sherrard attended there also. He felt called to preach. So, my family and some others, decided to follow him down here, to start a new church. Bro. Sherrard found the place, as he lived just up off St. Augustine Rd. It had been a Negro Baptist Church, but they had already moved to another location. They, the congregation of that church still owned the place. And they told Bro. Sherrard that we could use it. It was small, one room, single plank, hand built by them. And in not very good shape. We used an old wood cook stove as the only heat. A neighbor, Mr. Sybert, a white German man, lived next to this place and he had been using the church building to store hay in. I don't know when the people moved to their new place. Mr. Sybert was a dirt farmer, like us, and he had cows. We helped to remove his hay from this building but there was some left on the floor.

1.

(2)

There was already some graves there, back ~~&~~ behind the church building. And they continued to come back to have burial services. Some were like regular markers, some that stood up, some that lay down flat. Some of the men would come with shovels and dig the graves. So, some may not have been very deep. On this side of the levee, it never flooded. Except, before 1908, before the levee was built, by the Army Corps of Engineers. There were some markers that ~~for~~ only had initials carved in them while the concrete was still wet.

Across the road from this, there was nothing but a lot of very big Oak trees. That land was all owned by Mrs. Lush. Her husband had already died. They were white German people, from Germany. Mrs. Lush donated about 2 acres of land for us to build a new and bigger building. No money, just to be a church. We had already voted to name our church "Oak Grove Baptist". We built our church, Bro. E.T. Sherrard was our first pastor. A few years later we bought that same 2 acres from Mrs. Lush. Our building was completed in 1946. The burials continued until the 1950's. Which would be the only time we saw any of the black people come back here.

Mrs. and Mrs. Lush had a daughter named Lena. She married Barney Jett, who was
2. killed in a tractor accident in 1953.

(3)

Lena Lush Jett inherited that land and house, at the address of about 2320 St. Augustine Rd. Lena was born ~~in~~ here in the early 1900's, maybe 1910. And she and her parents were buried at Grove Hill Memorial on Samuel in Dallas. Lena had children but they don't own that property any more. Mr. Lush, use to own a section.

EHRLER Around the corner and across from the cemetery is a house that was built by Paul Ehler. He ~~was~~ also came here from Germany. Paul Ehler was related to Mr. Lush. The house that he built is still standing. And it was built around 1925, or maybe 1930.

Frances Oberbrightner Kanaman^{AN} was born on St. Augustine Rd., in 1927. She remembers the colored school on the corner of St. Augustine and Haymarket. She also remembers the cemetery at 2500 Haymarket. She remembers, from her earliest memories, there being lots of black people here, and that they were farmers. FRANCES OBERBRIGHTNER KANAMAN, was a grand niece of Mr. Lush.

3. AUTHOR UNCERTAIN

<i>15. Statement of Significance</i>

The Missionary Baptist Cemetery is a legacy of Dallas County's past. Rylie was a community in southeast Dallas County with an agricultural background. Its enterprising African-American community established a church to meet their religious and social needs. Much of the legacy of the community of Rylie has been obliterated by changes in transportation and population and is now incorporated in the City of Dallas. This cemetery survives as a reminder of a vibrant African-American community that once found opportunities in that rural community

The period of significance for the Missionary Baptist Church Cemetery site is from 1902 to 1955, reflecting the date of the first known burial to the date of the last known burial.

16. Designation Criteria

 x **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.

 x **Archeological:** Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

 x **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.

 x **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 Sustainable Development and Construction department.

Date:



Daron Tapscott
Chair, Designation Committee

 *21 March 2012*

Mark Doty, Senior Historic Preservation Planner

7-17-12

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following property:

BEING Tract 33 in City Block 8770; fronting approximately 200 feet on the south line of Haymarket Road; and containing approximately 4.230 acres,

by establishing Historic Overlay District No. 142 (Missionary Baptist Church Cemetery Historic District Overlay); 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. 142 on the property described in Exhibit A (“the Property”), which is attached to and made a part of this ordinance.

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 B.

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.

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:
THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

Passed _____

EXHIBIT A

Legal Description Haymarket Cemetery

Being a 123,484.90 square foot or 2.83 acre tract of land taken from a 4.363 acre tract of land situated in the George W. Shaw Survey, Abstract No. 1387, City of Dallas Block 8770, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the centerline of Haymarket Road said point being described as being the Northwesterly corner of the herein described tract of land, set at the following corner (the Texas State Plane, North Central Zone 4202, ON GRID, North American Datum of 1983 Coordinates for this corner are: E=2538508.91(X); N=6929216.12 (Y):

THENCE, South $71^{\circ}30'00''$ East, 200.00 feet;

THENCE, South $45^{\circ}00'00''$ West, 717.26 feet;

THENCE, North $55^{\circ}55'36''$ West, 182.29 feet;

THENCE, North $45^{\circ}00'00''$ East, 662.57 feet; to the POINT OF BEGINNING and containing 123,484.90 square feet or 2.83 acres of land, more or less.

PRESERVATION CRITERIA FORM

**EXHIBIT B
PRESERVATION CRITERIA
MISSIONARY BAPTIST CHURCHCEMETERY HISTORIC OVERLAY
DISTRICT
ADDRESS OR LOCATION**

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. 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. The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
 - c. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.
 - d. 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 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.
- 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 1900 to 1949.

2. DEFINITIONS.

- 2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.
- 2.3 ARTIFACTS means individual products of human manufacture, such as cutlery, glassware, pottery, metal or textiles or natural objects such as shells that could be associated with gravesites; these were often 'broken' and arranged in a decorative manner at gravesites in rural cemeteries.
- 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. 142, the Missionary Baptist Church Cemetery Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibit C.
- 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 GRADE means the existing ground surface elevation.

- 2.10 GRAVE means the space of ground used or intended to be used for the permanent interment of human remains.
 - 2.11 GRAVE MARKER means a permanent marker that identifies the location of one or more graves. Some of the grave markers found in this district are vernacular in style and design and made of fieldstone, cast or natural stone, concrete, masonry, metal or other manufactured or natural materials; they may be inscribed with the name and dates of birth and death. Grave markers are located at the head or foot of a single grave, or located to mark a collection of graves (family gravesites).
 - 2.12 MARKED CEMETERY means a historic cemetery identified by a governmental body, including state agencies such as and including Texas Historical Commission.
 - 2.13 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
 - 2.14 REINTERMENT means the reburial of human remains.
 - 2.15 REMAINS means the body, or parts of the body, of a deceased person.
 - 2.16 TRACTS A, B, and C mean the portions of the Property described in Exhibit A and shown on Exhibit C.
- 3. BUILDING SITE AND LANDSCAPING IN TRACT A (Non-protected area).**
- 3.1 New construction is allowed.
 - 3.2 New driveways, parking areas, sidewalks, walkways and paths are allowed, and do not require approval through the Certificate of Appropriateness process.
 - 3.3 Landscaping is allowed and does not require approval through the Certificate of Appropriateness process.
 - 3.4 Fencing is allowed and does not require approval through the Certificate of Appropriateness process.
 - 3.5 Outdoor lighting is allowed and does not require approval through the Certificate of Appropriateness process.
- 4. BUILDING SITE AND LANDSCAPING IN TRACT B (Area of potential gravesites).**

- 4.1 New construction is allowed.
- 4.2 Activities, including landscaping, that require the disturbance of six inches (depth) or more of surface soil require a certificate of appropriateness in advance of the activities. Archeological studies must be considered as part of the certificate of appropriateness to prevent the inadvertent disturbance of unmarked graves. Any archeological activities must follow state archaeological guidelines for cemetery investigations as described in §8.3.
- 4.3 After site activities, changes to the existing grades may be allowed if these grading changes are consistent with original grading of the cemetery and meet the requirements of §4.2.
- 4.4 New sidewalks, walkways, paths and driveways are allowed. No sidewalks, walkway, paths or driveways may be located on top of or extended over a marked or known grave.
- 4.5 New walkway and paths must be constructed of gravel, decomposed granite, other material similar to original dirt path or other appropriate material. Concrete, asphalt, artificially colored concrete, pavers, exposed aggregate, artificial grass and outdoor carpet are not permitted.
- 4.6 Outdoor lighting is allowed. Light poles may not exceed 12 feet in height.
- 4.7 Landscaping.
 - a. A routine maintenance certificate of appropriateness is required to remove any trees or shrubs, or to install any landscaping material requiring the digging six or less inches in depth.
 - b. No new or replacement shrubs or trees may be planted on a marked or known grave.
 - c. No new destructive or invasive ground cover, such as Boston Ivy or Asian Jasmine, may be planted on or allowed to extend over a marked or known gravesites.
- 4.8 Fencing is allowed and does not require approval through the Certificate of Appropriateness process.
 - a. Fencing that is within 10 feet of Tract C must comply with the requirements for fencing of Tract C.
 - b. Fencing that is more than 10 feet and less than 20 feet of Tract C may be, solid or open in design and must be constructed of wood, wrought iron, masonry or a combination of these materials; chain link is allowed. Solid metal and industrial style fences are not allowed.

5. BUILDING SITE AND LANDSCAPING IN TRACT C (Marked cemetery).

- 5.1 New construction is prohibited.
- 5.2 Activities that require the disturbance of six inches (depth) or more of surface soil require a certificate of appropriateness in advance of the activities. Archeological studies must be considered as part of the certificate of appropriateness to prevent the inadvertent disturbance of unmarked graves. Any archeological activities must follow state archaeological guidelines for cemetery investigations as described in §8.3.
- 5.3 No walkway or paths may be located on top of or extended over a marked or known grave.
- 5.4 New walkway and paths must be constructed of gravel, decomposed granite, other material similar to original dirt path or other appropriate material. Concrete, asphalt, artificially colored concrete, pavers, exposed aggregate, artificial grass and outdoor carpet are not permitted.
- 5.5 No sidewalks, steps, driveways, parking areas or other hard paving areas are allowed.
- 5.6 Outdoor lighting is allowed. Light poles may not exceed 12 feet in height.
- 5.7 Except for reinterments, no grading is allowed unless the grading is associated with an archeological investigation (scraping in search of grave sites). After a reinterment is completed, the grade of that area must be restored.
- 5.8 Landscaping.
 - a. A routine maintenance certificate of appropriateness is required to remove any trees or shrubs, or to install any landscaping material requiring digging six or less inches in depth.
 - b. No new or replacement shrubs or trees may be planted on a marked or known grave.
 - c. No new destructive or invasive ground cover, such as Boston Ivy or Asian Jasmine, may be planted on or allowed to extend over a marked or known grave.
- 5.9 Fencing.
 - a. Perimeter fencing of the Tract is allowed; fences within the Tract are not allowed.
 - b. Fences must be 70 percent open, and may not exceed six feet in height, and may be constructed of wood, wrought iron, masonry or

a combination of these materials; chain link fencing is allowed up to four feet in height.

6. GRAVE MARKERS

- 6.1 Existing grave markers are protected in Tract C and if found or located, in Tract B. It is recommended that existing, or relocated grave markers be preserved and restored and that damaged grave markers be repaired.
- 6.2 The identification of unidentified graves through archeological investigation is encouraged to identify the extent of the cemetery. After research to determine the identity of the deceased or other pertinent information, marking of unidentified graves is encouraged.
- 6.3 It is encouraged that grave markers that are no longer in place, missing, or irreplaceably damaged be replaced with grave markers that are similar in design, material, color, and size to the original grave markers at that location.
- 6.4 If the design of the original grave marker is not known, new flat grave markers may be installed.

7. BURIALS AND REINTERMENTS.

- 7.1 Unmarked graves might be located within the bounds and immediate vicinity of Missionary Baptist Church Cemetery. See §§4.2 and 5.2 for any ground-disturbing activities requiring digging six inches or greater depth in Tract B and C.
- 7.2 In the event that human remains, or artifacts suggestive of the presence of a grave, are encountered during any activity, the site of the discovery must be secured, the city historic preservation staff must be notified, and all ground-disturbing activities in the immediate area must cease. A certificate of appropriateness to restore the site or relocate the grave must be obtained before any activities can resume.
- 7.3 Any future archaeological investigation or relocation of marked or unmarked graves must be conducted in compliance with the State of Texas' Administrative Code for Removal of Remains (Title 13, Cultural Resources; Part 2, Texas Historical Commission; Chapter 22, Cemeteries) and coordinated with the state archaeologist, and if required, done pursuant to a Texas antiquities permit.
- 7.4 Reinterment within the district is allowed in Tract C, subject to compliance with all applicable laws related to cemeteries and

reinternment. Locations of proposed reinternments must be reviewed through the certificate of appropriateness process.

7.5 New burials are permitted if allowed by law.

8. PROTECTED ELEMENTS.

8.1 The following elements are considered important features and are protected:

- a. Gravesites and grave markers.
- b. Concentration of artifacts associated with a grave.

9. CONSERVATION, REPAIR, AND MAINTENANCE OF EXISTING GRAVE MARKERS.

9.1 It is encouraged that existing grave markers be cleaned on a regular basis, but not more than once every 18 months.

9.2 Routine cleaning of grave markers that are in good condition must be done by washing with water, then softly brushing with mild detergent, then thoroughly rinsing with water.

9.3 Grave markers that have a friable or surgery surface; a grainy surface that readily falls away; or other indications that the stone is delicate, brittle, or otherwise vulnerable should not be cleaned.

9.4 Removal of lichen and algae from grave markers that are in good condition must be done by thoroughly soaking the stone with water and then using a wood scraper to gently remove the biological growth. It may be necessary to repeat this process several times to fully remove lichen or algae.

9.5 If a grave marker falls or is otherwise damaged, a temporary grave marker must be installed at the grave marker location before the damaged grave marker is removed for repair.

9.6 Grave markers that have broken into two or more pieces must be repaired using standards accepted by the Association for Grave Stone Studies (278 Main Street, Suite 207, Greenfield, MA 01301, ph. 413-772-0836 or <http://www.gravestonestudies.org>) or in “A Graveyard Preservation Primer” by Lynette Stranstad.

9.7 Fallen or broken grave markers may not be repaired by embedding them (typically face up) in concrete or using metal splints because both methods are detrimental to the integrity of the stone.

- 9.8 Lawnmowers without bumpers and weedwhackers with metal wire may not be used directly around grave markers and memorial monuments as these cause irreversible damage to the stone when they strike or touch the stone. Lawnmower bumpers, fabricated from rubber tires or inner tubes, may be attached to lawnmowers to provide a buffer between the machine and the grave markers and memorial monuments. Weedwhackers with soft nylon whips may be used around grave markers and memorial monuments.

10. NEW CONSTRUCTION.

- 10.1 New construction is prohibited in Tract C.
- 10.2 New construction is allowed in Tracts A and B. New construction must comply with State of Texas 'right of access for known cemeteries' law.
- 10.3 New construction in Tract B shall be set back from Tract C a minimum of 12 feet. All other zoning requirements apply.

11. SIGNS.

- 11.1 Only premise signs, park signs, cemetery identification signs, street signs, interpretive signs, movement control signs, and historic markers may be erected and must be compatible with the district.
- 11.2 All signs must comply with the provisions of the Dallas City Code, as amended.

12. ARCHEOLOGICAL STUDIES.

- 12.1 Any archeological studies must have a certificate of appropriateness prior to any ground-disturbing activities. An archaeologist or a physical anthropologist must conduct any archeological studies in accordance with the Texas Historical Commission guidelines for preserving historic cemeteries.

13. ENFORCEMENT.

- 13.1 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.
- 13.2 A person is criminally responsible for a violation of these preservation criteria if:

- a. the person who owns part or all of the property knowingly allows the violation to exist;
 - b. the person who 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;
 - c. the person who 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; or
 - d. the person knowingly commits the violation or assists in the commission of the violation.
- 13.3 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.
- 13.4 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.

14. RESOURCES FOR ADDITIONAL INFORMATION.

"Conservation of Cemetery Structures"

Dennis, John R.; article included in Preservation Plan for Plano Historic Cemeteries. Report produced by Geo-Marine, Inc. (Plano, Texas), September 2000.

Conservation of Building and Decorative Stone Volumes 1 and 2 Ashurst, John and Francis G. Dimes, Editors. London, Butterworth-Heinemann, 1990.

Metals in America's Historic Buildings: Uses and Preservation Treatments
Gayle, Margot, David W. Look, AIA and John G. Waite. Washington, DC, National Park Service, 1980.

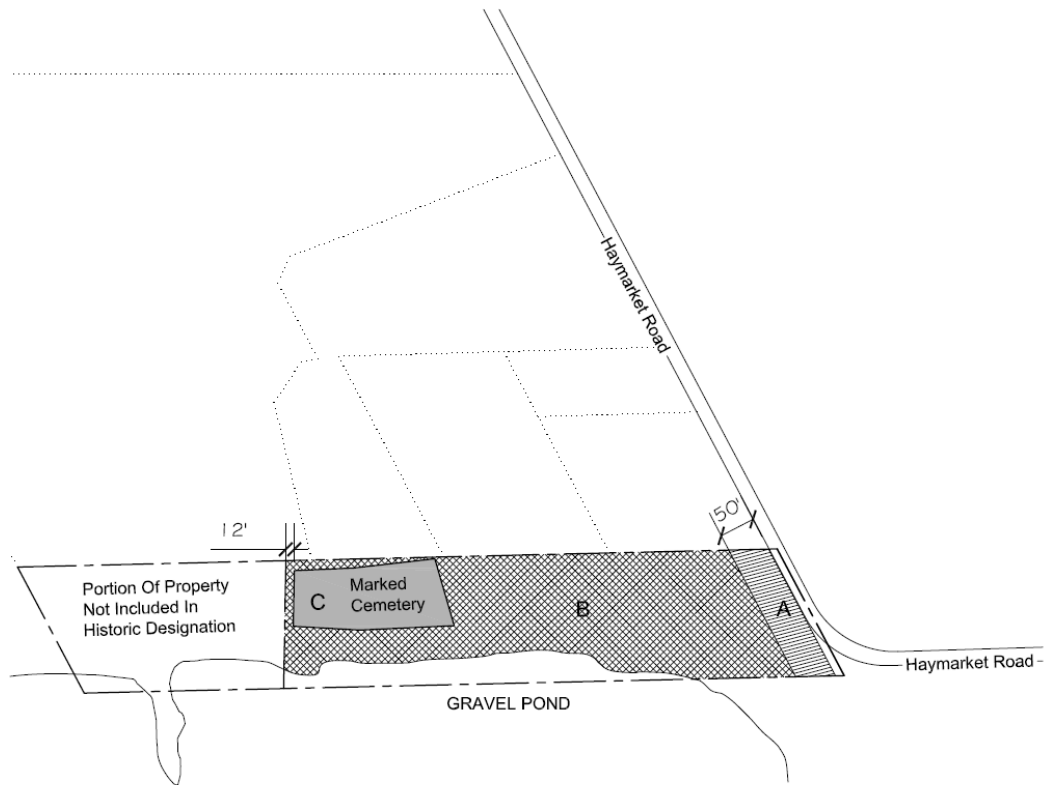
Keeping It Clean, Removing Exterior Dirt, Paint, Stains and Graffiti from Historic Masonry Buildings. Grimmer, Anne E. Washington, DC, National Park Service, 1990.

Ancient and Historic Metals, Conservation and Scientific Research
Scott, David A., Jerry Podany, and Brian B. Considine, Editors. Proceeding from a Symposium by the J. Paul Getty Museum, November 1991. Getty Trust Publications, Getty Conservation Institute, 1995.




A Graveyard Preservation Primer
Stranstad, Lynette (American Association for State and Local History Book Series) Alta Mira Press, 1995.

Texas Graveyards
Jordan, Terry. University of Texas Press, Austin, Texas. 1984.

Exhibit C
Baptist Missionary Church Cemetery
33 Haymarket Rd.
Dallas, Texas 75217



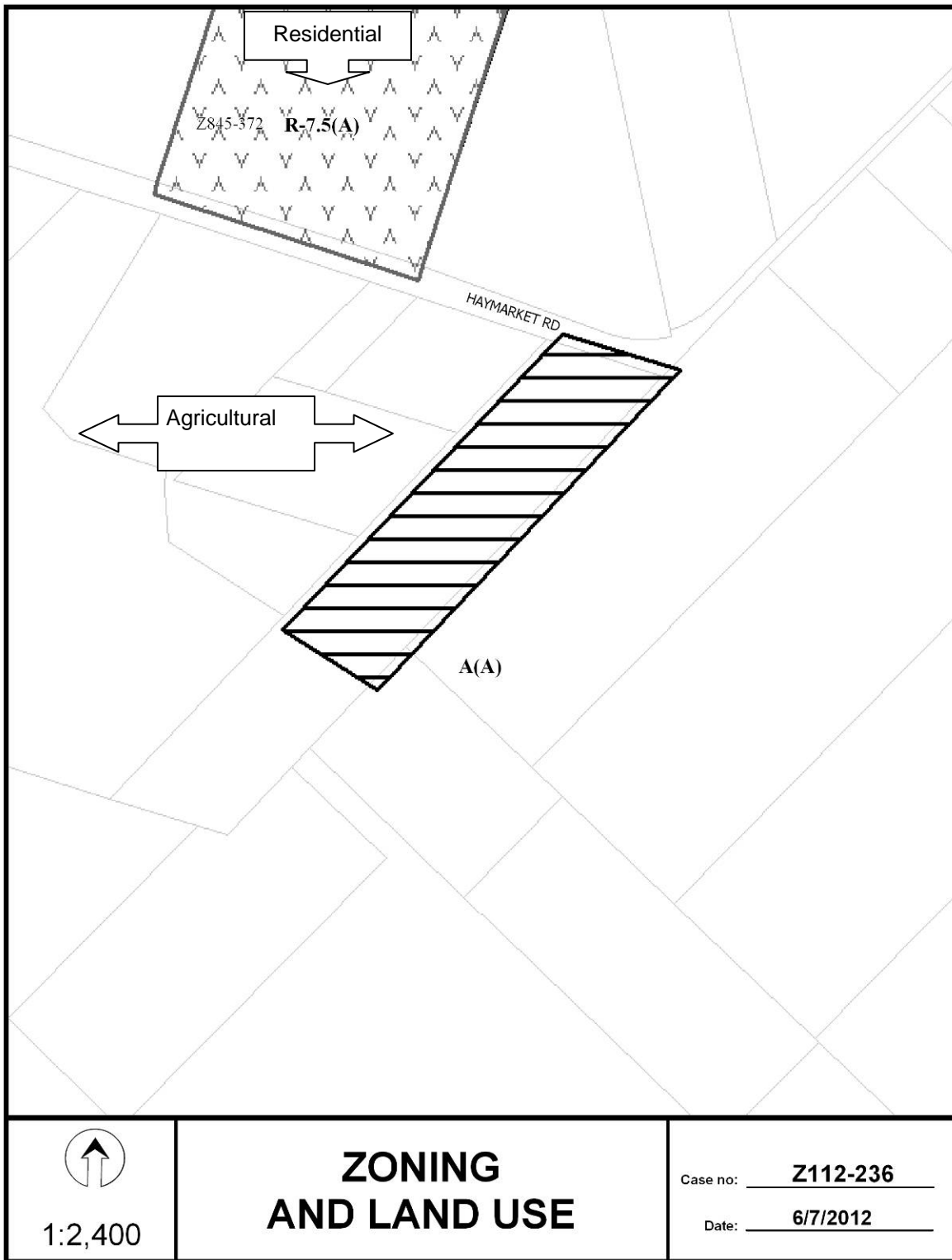
LEGEND

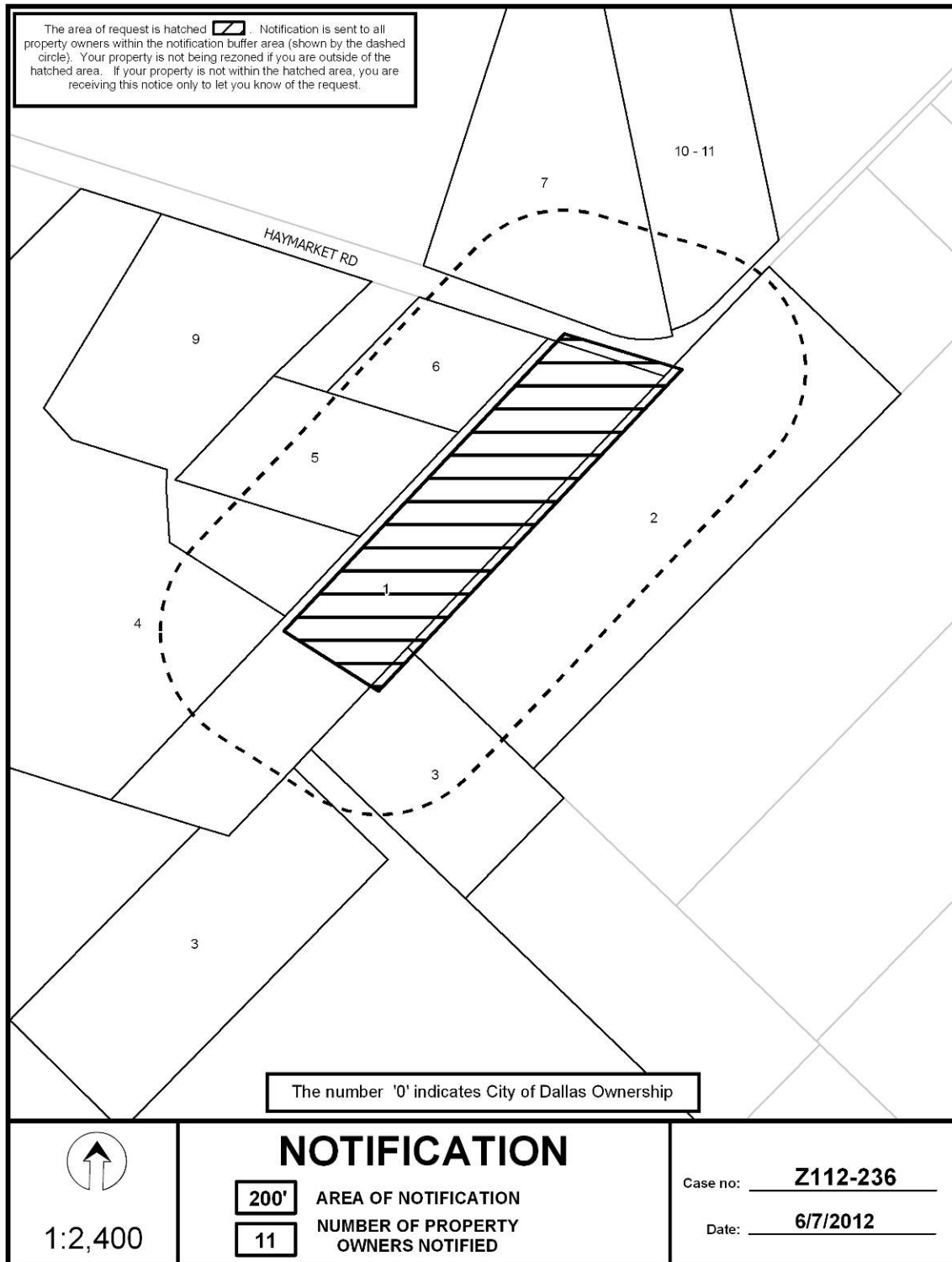
- Limits of Designation/Property Line
-  Track A - Non-protected Area
-  Track B - Potential Gravesite Area
-  Track C - Marked Cemetery

July 17, 2012









Notification List of Property Owners

Z112-236

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	33 HAYMARKET RD	RAMIREZ OCTAVIO
2	2430 HAYMARKET RD	MORGAN LEAH
3	4011 JORDAN VALLEY RD	HURLEY CLARENCE K
4	2560 HAYMARKET RD	MANN LOUIS LYNN & JANE ELIZABETH
5	2530 HAYMARKET RD	COURTNEY JOHN F JR
6	2520 HAYMARKET RD	THOMPSON LARRY D & DONNA K
7	1200 HAYMARKET RD	OAK GROVE BAPTIST CH
8	4007 JORDAN VALLEY RD	HURLEY CLARENCE
9	2550 HAYMARKET RD	COURTNEY JOHN F JR
10	2445 HAYMARKET RD	ONE TEL COMMUNICATIONS & %FIRST
STATE BA		
11	2445 HAYMARKET RD	ONE TEL COMMUNICATIONS %FIRST
STATE BANK		

Planner: Warren F. Ellis

FILE NUMBER: Z112-259(WE) **DATE FILED:** June 13, 2012

LOCATION: Sylvan Avenue and Fabrication Street, northeast corner

COUNCIL DISTRICT: 6 **MAPSCO:** 44-P

SIZE OF REQUEST: 0.263 acres **CENSUS TRACT:** 43.00

APPLICANT / OWNER: Rigoberto Rosales

REPRESENTATIVE: Rigoberto Rosales

REQUEST: An application for a renewal of Specific Use Permit No. 1813 for a recycling collection center on property zoned an IR Industrial Research District.

SUMMARY: The request is to allow for the recycling collection center to continue operating at this location.

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

BACKGROUND INFORMATION:

- The applicant's request for a renewal of SUP No. 1813 will allow for the continued operation of the recycling collection center for an additional two years.
- In October 2010, the City Council approved Specific use Permit No. 1813 for a two year period. The Dallas Development Code permits only a two year period for this use.
- The subject property is surrounded by a variety of commercial, auto related and industrial uses. Properties west of the site, across Sylvan Avenue, consist of a single-family dwelling and several vacant lots.

Zoning History: There has been one recent zoning change requests within the area.

1. Z090-195 On October 13, 2010, the City Council approved a Specific Use Permit for a recycling collection center for a period of two years on property zoned an IR Industrial Research District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Sylvan Avenue	Local	80 ft.	80 ft.
Fabrication Street	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	IR	Recycling facility
North	IR	Commercial
South	IR	Commercial
East	IR	Commercial
West	TH-3(A)	Single Family

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

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

AREA PLANS:

Trinity River Corridor Comprehensive Land Use Plan: The request site is located within a mixed use/adaptive reuse area of the Downtown – Lakes District. The land uses in this zone are to be mixed in nature within an urban setting.

STAFF ANALYSIS:

Land Use Compatibility: The 11,456.28 square foot site is developed with 2 one story, structures; an office building and a storage facility for the various materials. The site is also secured with a perimeter fence around the parking and drop-off area. The applicant's request for a renewal of Specific Use Permit No. 1813 will allow for the continued operation of the recycling collection center. There are no additional changes to the conditions to Specific Use Permit No. 1813.

The request site is located within an industrial area and is surrounded by commercial, industrial (inside) and auto related uses. The applicant has implemented a drop-off procedure that involved entering the site from Fabrication Street to drop-off the various materials and exiting onto an adjacent alley to the north that leads to Sylvan Avenue.

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

health, safety, morals, and general welfare of the city.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR - Existing Industrial	15'	0'	No Maximum	200'	80%	NA	Industrial

Landscaping: The proposed SUP does not trigger additional landscaping requirements. However, new additions and paving must meet all landscape requirements of Article X of the Dallas Development Code. These requirements will be enforced at such time building permits are submitted.

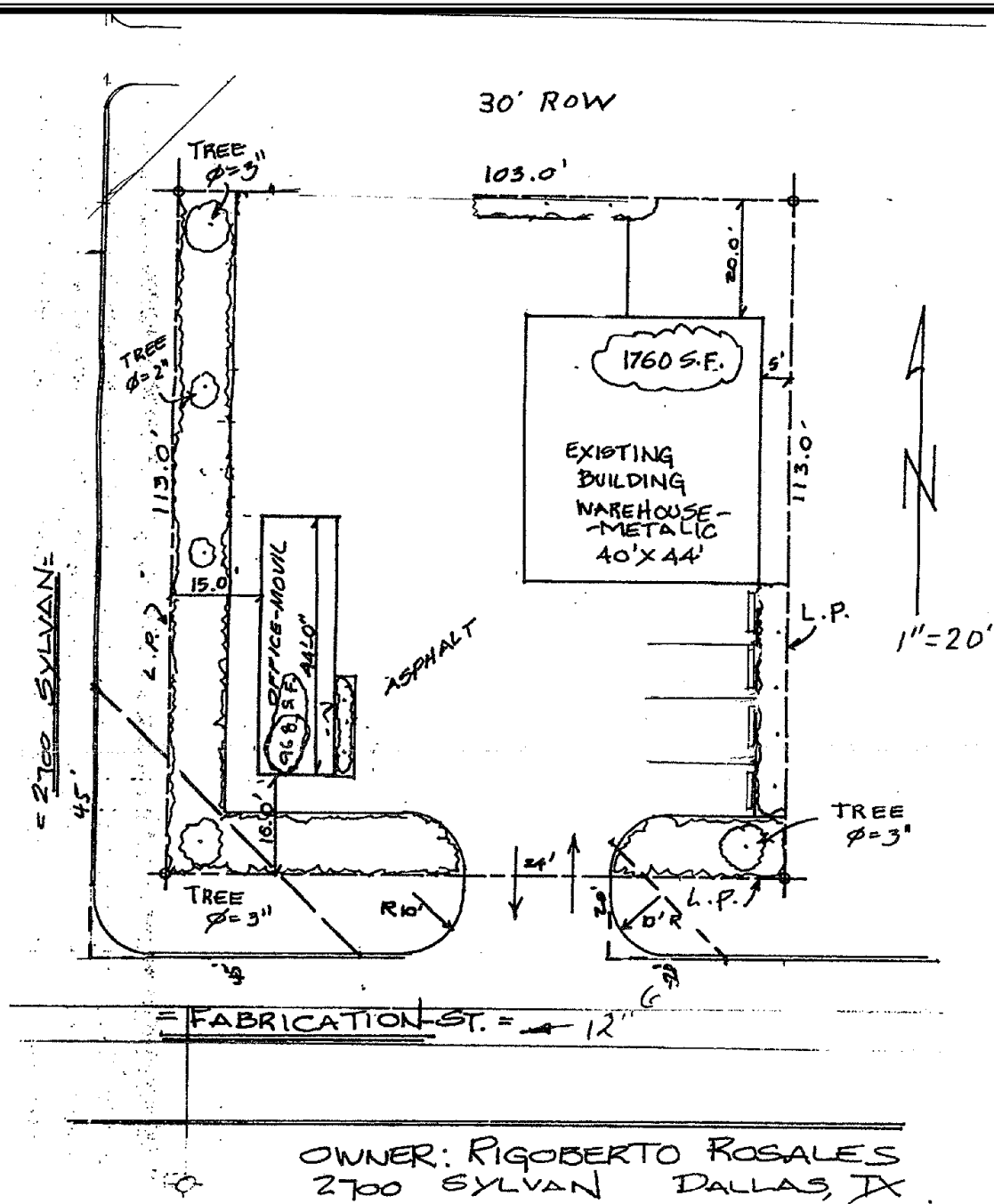
Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system.

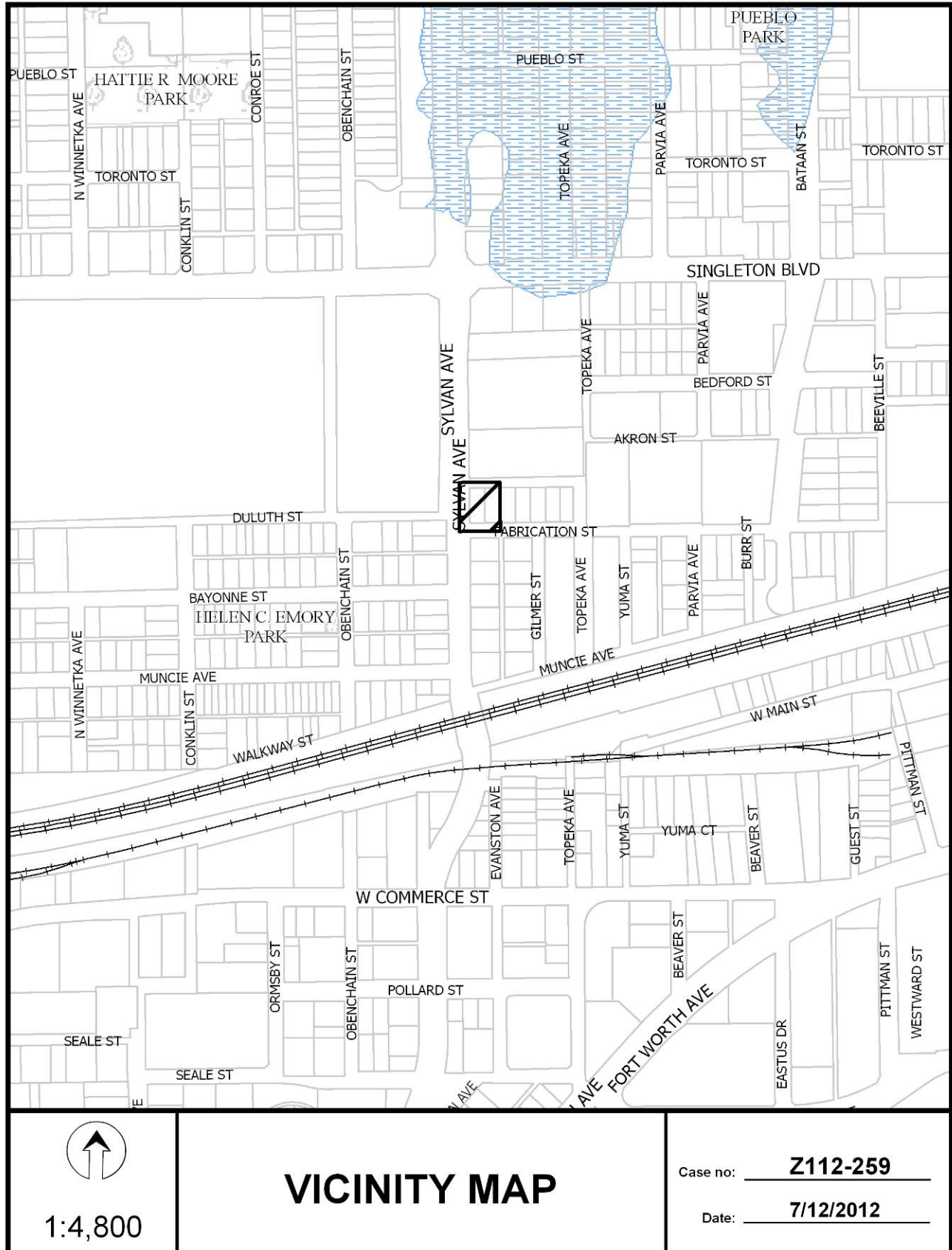
Police Department: The Dallas Police Department has indicated that the applicant is in a “satisfactory manner” and is in compliance with Chapter 40B in operating the proposed recycling collection center. The Dallas Police Department requires a license for a recycling collection center.

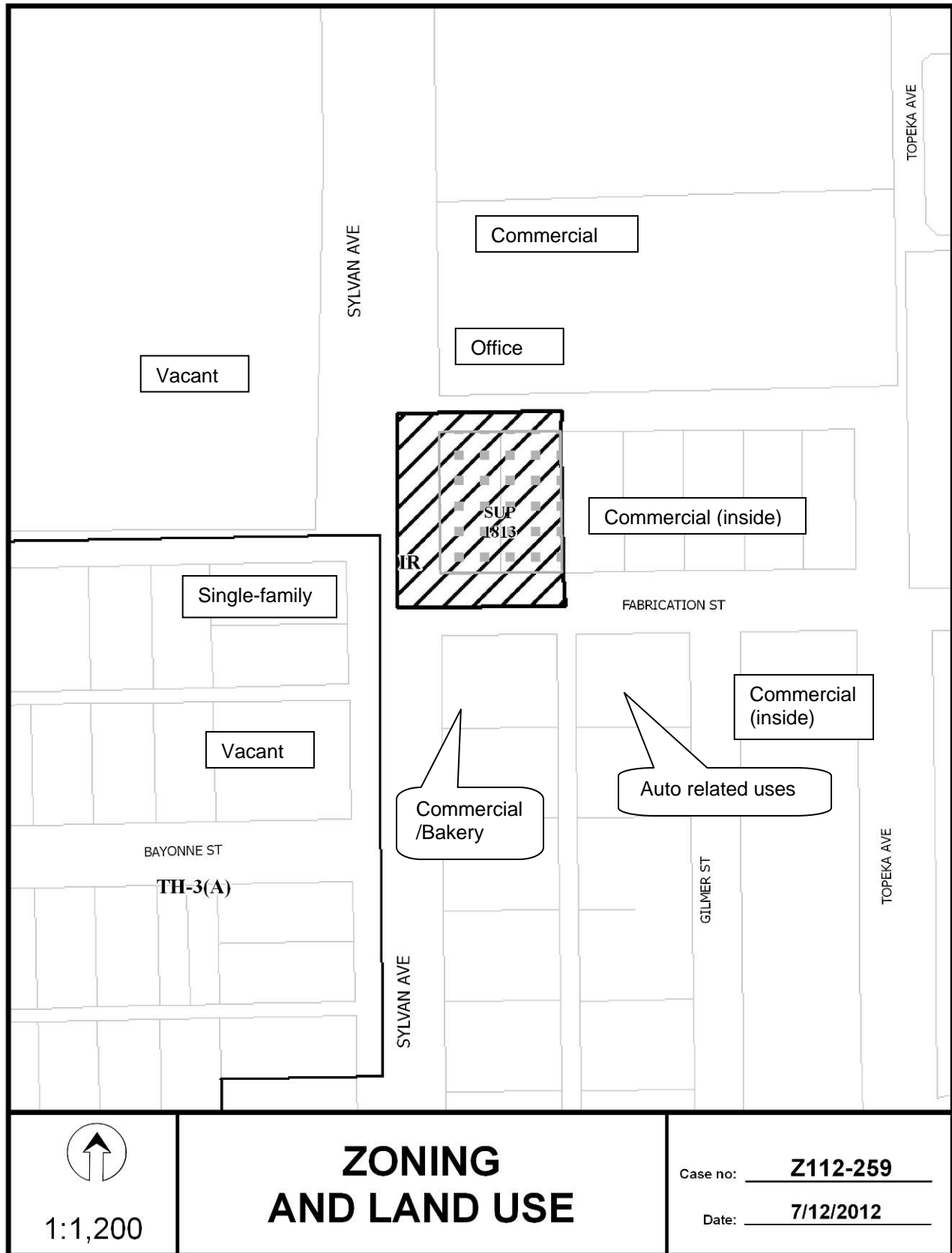
EXISTING SUP CONDITIONS

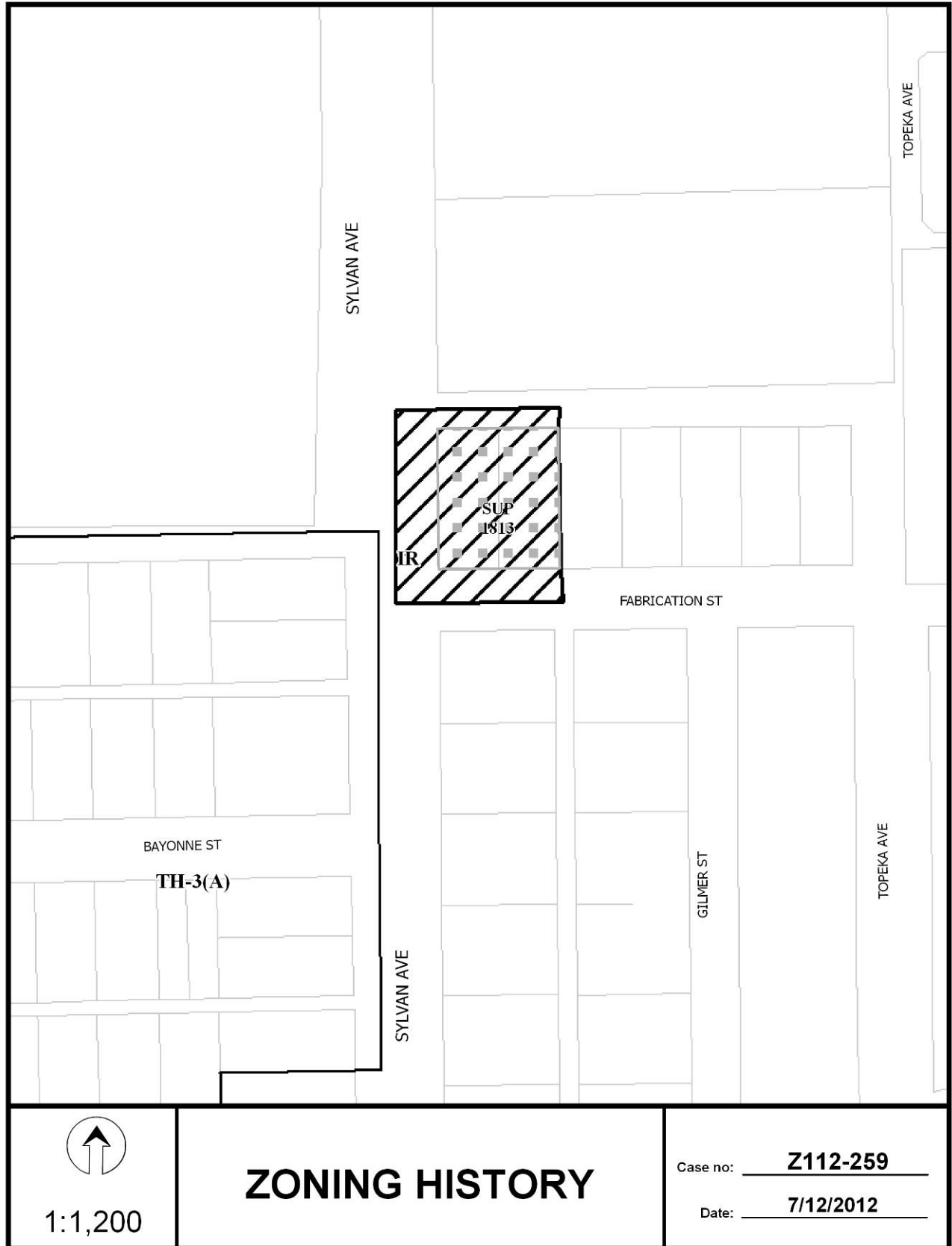
1. USE: The only use authorized by this specific use permit is a recycling collection center for the collection of household metals, industrial metals, and recyclable materials. No other materials may be collected or recycled.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on [~~October 13, 2012~~] two years from passage of this ordinance.
4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.
5. HOURS OF OPERATION: The recycling collection center may only operate between 8:00 a.m. and 6:00 p.m., Monday through Friday, and between 8:00 a.m. and 5:00 p.m. on Saturday.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: Parking must be located as shown on the attached site plan.
8. REGULATED PROPERTY LICENSE: The operator of this use must have a secondary metals recyclers license under Dallas City Code Chapter 40B.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SUP CONDITIONS







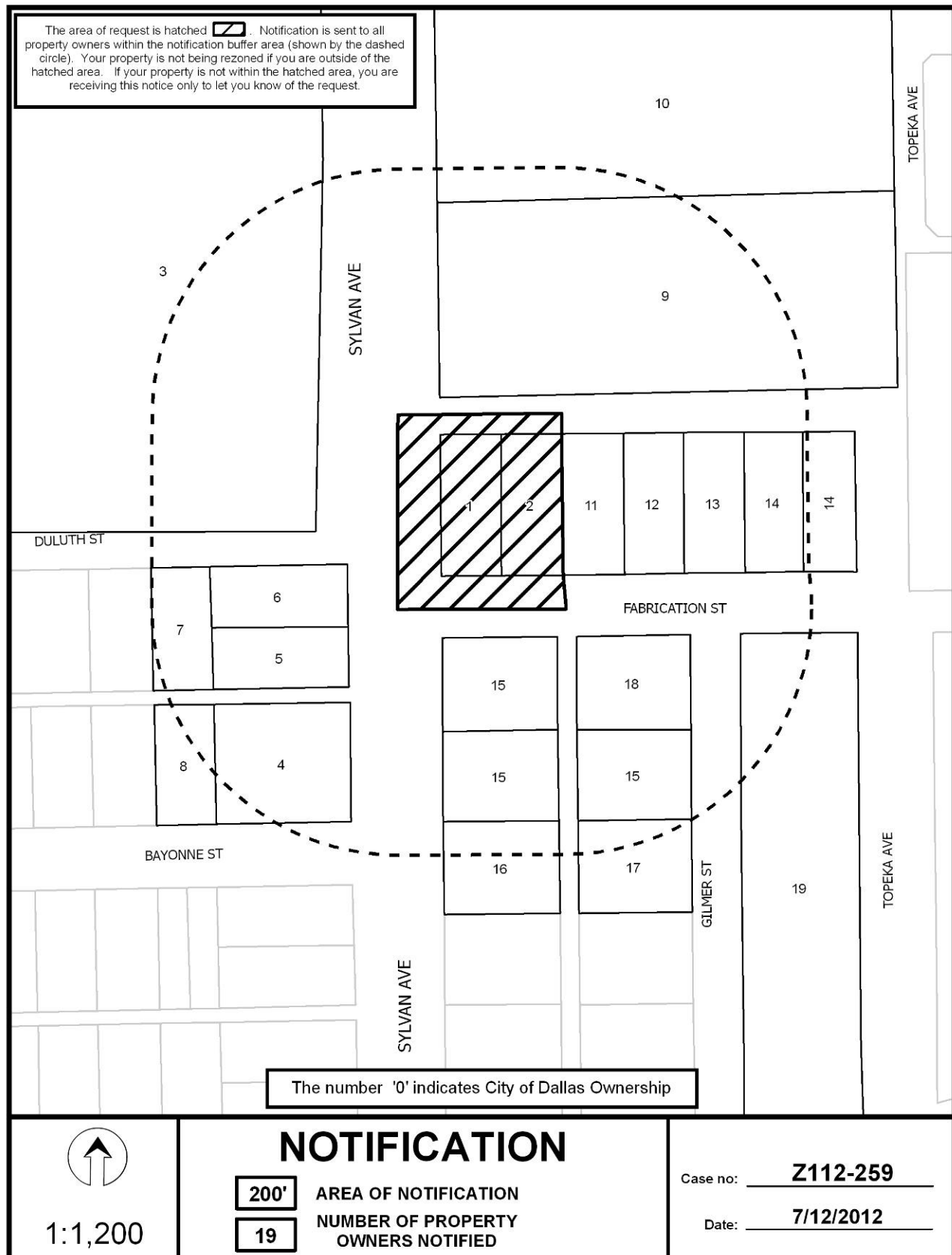


1:1,200

ZONING HISTORY

Case no: **Z112-259**

Date: **7/12/2012**



Notification List of Property Owners

Z112-259

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2700 SYLVAN AVE	BONNILLA JOSE S & RIGOBERTO J ROSALES
2	727 FABRICATION ST	BONNILLA JOSE S & RIGOBERTO ROSALES
3	818 SINGLETON BLVD	ATLAS METAL WORKS
4	805 BAYONNE ST	CARROLL JOHN W % MATTIE L WEBBER
5	2611 SYLVAN AVE	LUSTEA ANNA B
6	2615 SYLVAN AVE	CERVANTEZ LUPE
7	810 DULUTH ST	HURD CHARLIE B
8	811 BAYONNE ST	BOYD RUTH HODGE &
9	2720 SYLVAN AVE	WEST DALLAS INVESTS LP
10	2816 SYLVAN AVE	BIG D TRUCK & TRAILER SERVICES INC
11	719 FABRICATION ST	SHERARD SCOTT T
12	717 FABRICATION ST	ORTIZ ANTONIO M
13	711 FABRICATION ST	CARDENAS ROSALIO & MARIA
14	707 FABRICATION ST	SHERARD M F
15	2600 SYLVAN AVE	TAHERKHARSANDI ALI
16	2514 SYLVAN AVE	SHERARD SCOTT THOMAS
17	2521 GILMER ST	MOHAMMADIAN MOHAMMAD R
18	714 FABRICATION ST	COPELAND MARY ANN G ET AL % FRANKUM LTD
19	700 FABRICATION ST	DAVIS RALEIGH F JR & ANTHONY C DAVIS

Planner: Warren F. Ellis

FILE NUMBER: Z112-261(WE) **DATE FILED:** June 14, 2012
LOCATION: C.F. Hawn Freeway and St. Augustine Road, northeast corner
COUNCIL DISTRICT: 8 **MAPSCO:** 69-B
SIZE OF REQUEST: Approx. 0.7808 acres **CENSUS TRACT:** 117.01

APPLICANT: Shiwakoti Bishnu

OWNER: Deepesh Shrestha

REPRESENTATIVE: Parvez Malik
Business Zoom

REQUEST: An application for 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 within Subdistrict 2, Tract 1 of PDD No. 535, the C. F. Hawn Special purpose District No. 3 with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing convenience store.

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store less than 3,500 square feet use, and a motor vehicle fueling station.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit in the D-1 Liquor Control Overlay.
- The surrounding land uses consist of a hotel, multifamily and a utility use. The properties west of St. Augustine Road are developed with a general merchandise or food store and an office use.

Zoning History: There have been two zoning changes requested in the area.

1. Z089-199 On September 9, 2009, the City Council approved a Specific Use Permit for a vehicle display, sales and service use on property zoned Subdistrict 2 of Planned Development District No. 535-D-1 with a D-1 Liquor Control Overlay.
2. Z101-356 On December 14, 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store or food store less than 3,500 square feet on property within Subdistrict 2 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
C.F. Hawn Freeway		Variable lane widths	Variable lane widths
St. Augustine Road	Collector	60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 535-D-1	General merchandise store
North	PDD No. 535-D-1	Utility
South	CS-D-1	C.F. Hawn Freeway
East	PDD No. 535 D-1 w/SUP No.1770	Hotel
West	PDD No. 535-D-1	General merchandise store

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

These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

LAND USE**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

STAFF ANALYSIS:

Land Use Compatibility: The approximately 1.499 acre site is located within Subdistrict 2 of Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3 and is currently developed with a general merchandise or food store less than 3,500 square feet and a motor vehicle fueling. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property requires a Specific Use Permit in the D-1 Liquor Control Overlay.

The surrounding land uses consist of a hotel, multifamily and a utility use. The properties west of St. Augustine Road are developed with a general merchandise or food store and an office use.

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

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

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

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

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

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 535 - D-Subdistrict 2	15'	30' adjacent to residential OTHER: No Min.	1.0 FAR overall 0.75 office/ retail 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

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

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and 2 spaces for a motor vehicle fueling station. The development requires 13 spaces with 13 being provided per the attached site plan.

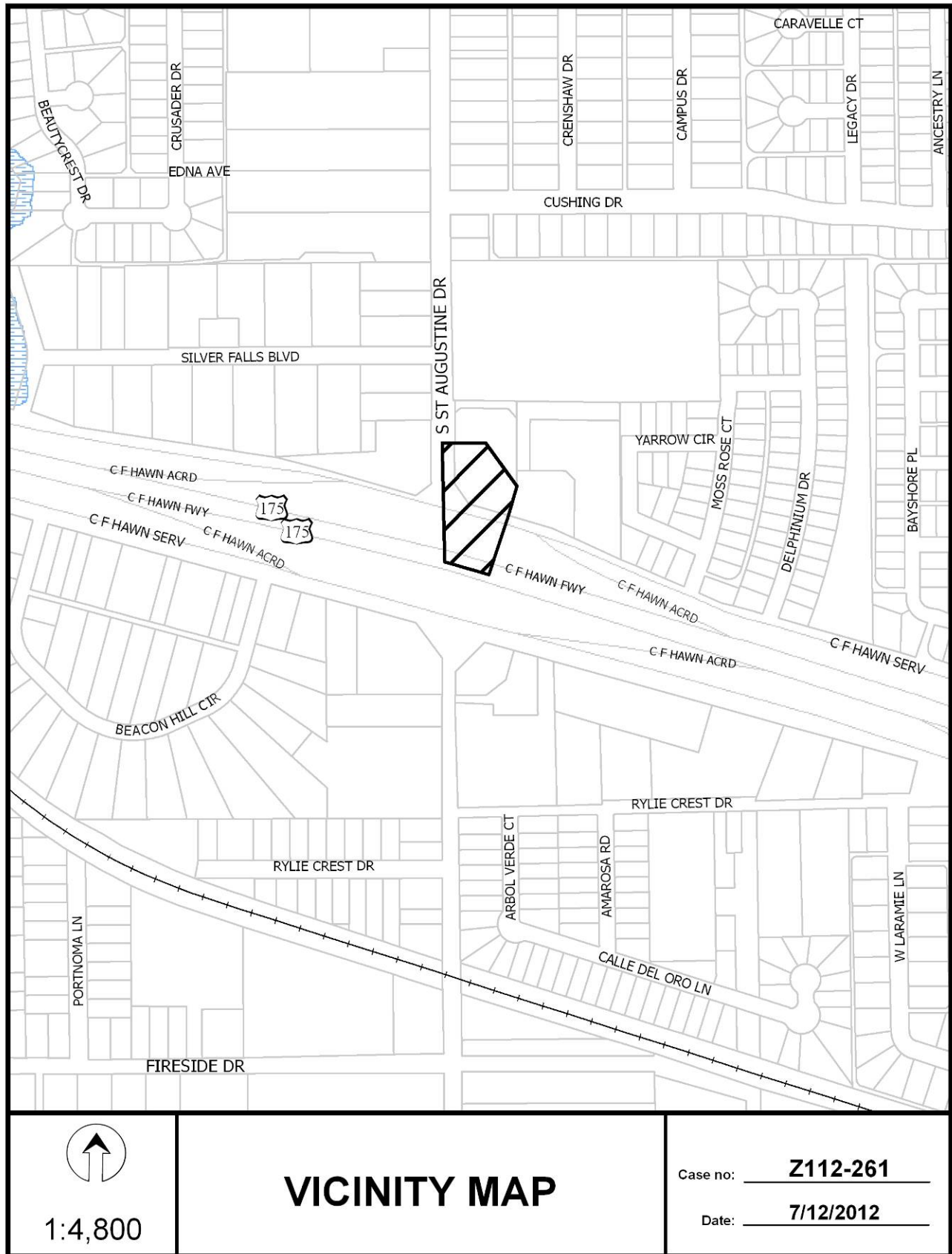
Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

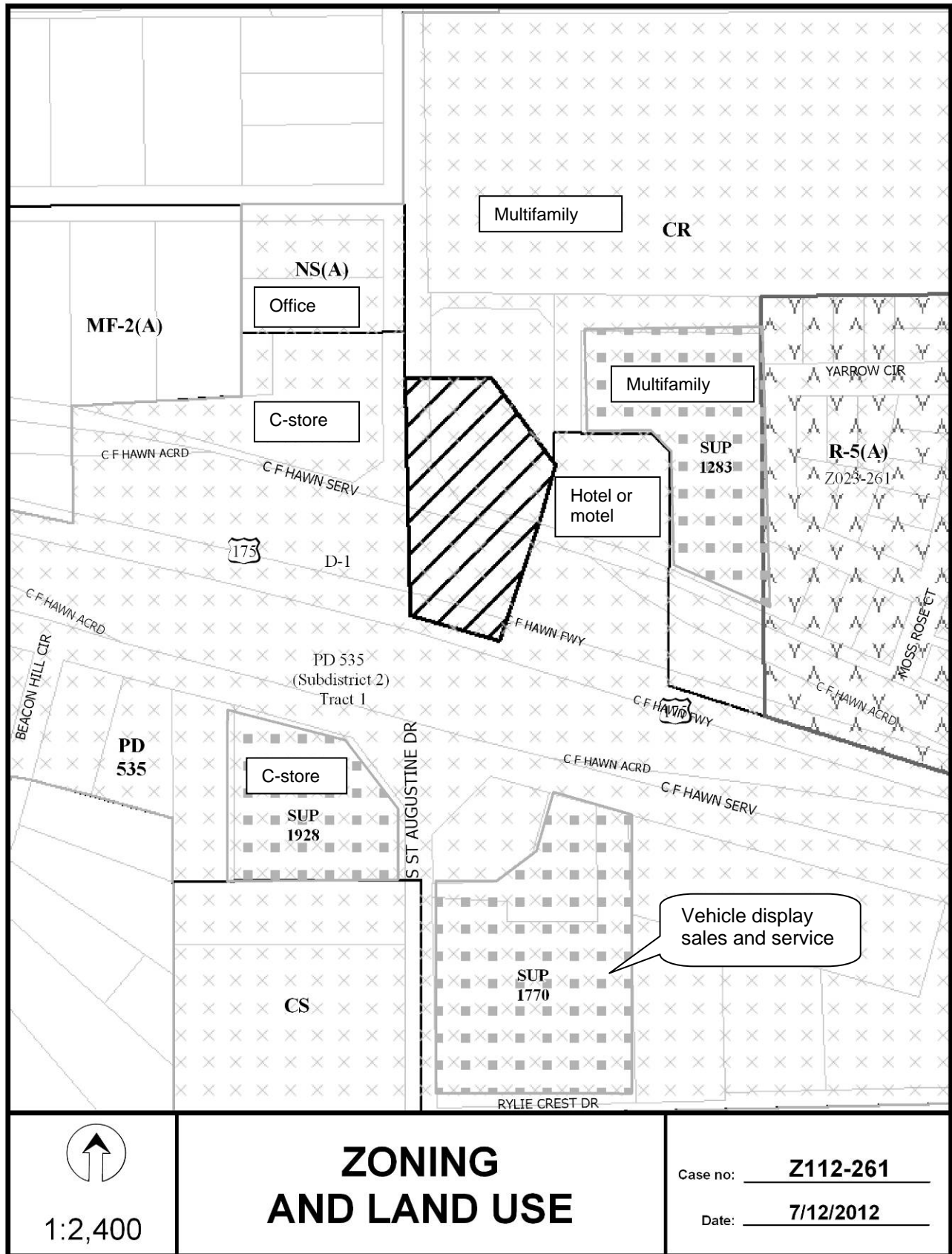
Dallas Police Department: A copy of a police report of the past 5 years of offenses is provided below.

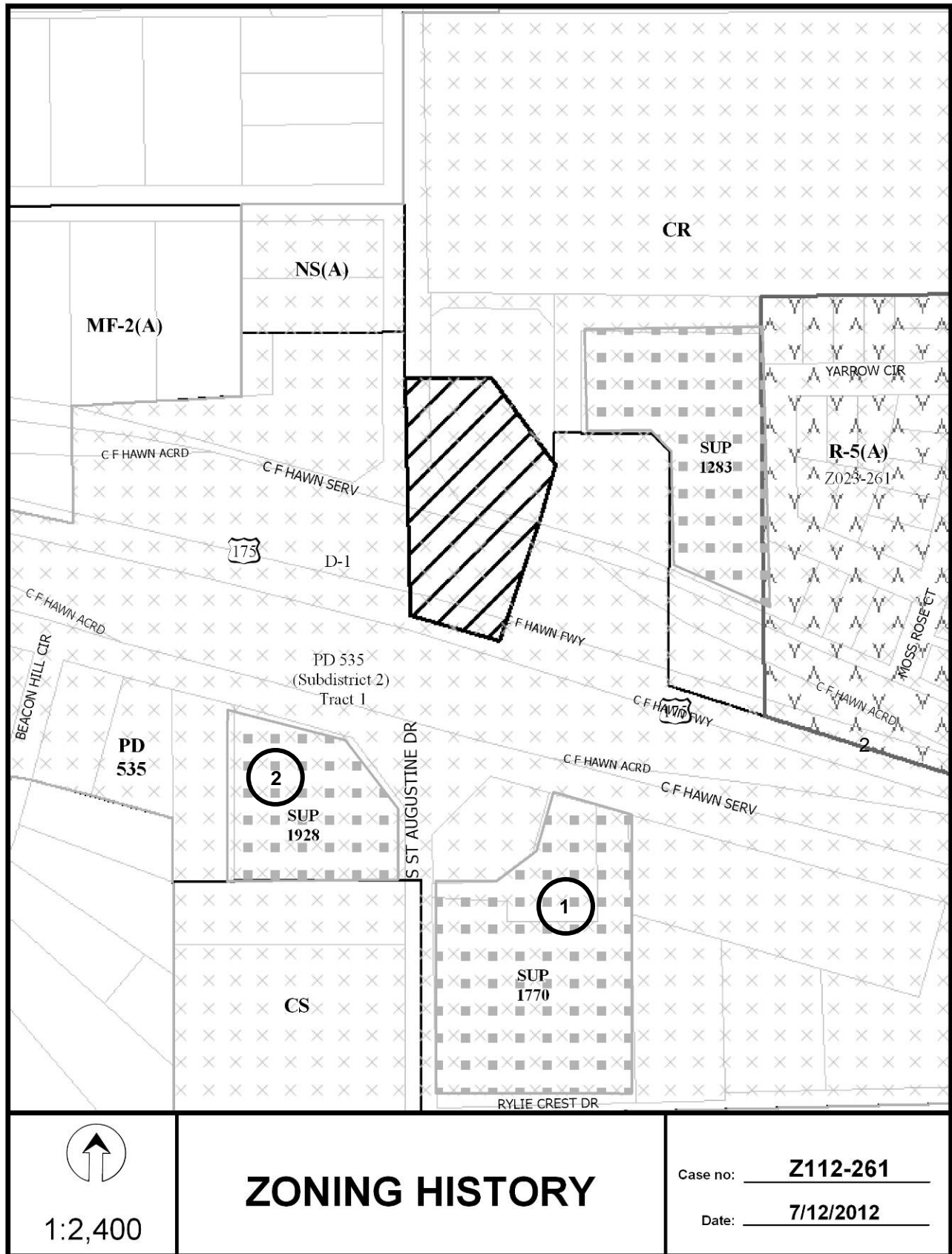
<div>  DALLAS POLICE DEPARTMENT </div> <div> UCR Codes Year Codes Property Class Codes </div>										
Virtual Viewer - Public Access										Welcome
  										
Search Records - Offense								Filter		
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0055856-Y	03/06/2011	RESENDEZ,MAYRA	ASSAULT	09606		CFHAWN...	355	2223	08321	
0058870-T	01/25/2007	*FINA STATION	ROBBERY	09606		CFHAWN...	356	2223	03341	
0062714-W	03/06/2009	SMITH,CARLA	ASSAULT	09606		CFHAWN...	355	2223	08422	
0065858-V	03/05/2008	*S AND B #3	BURGLARY	09606		CFHAWN...	356	2223	05131	
0071038-Y	03/20/2011	EAVES, ROBERT	AUTO THEFT-UUMV	09606		CFHAWN...	355	2223	07213	
0100882-Z	04/26/2012	ORTIZ, BONIFACIO	ROBBERY	09606		CFHAWN...	355	2223	03912	
0126359-R	02/19/2006	ALEJANDRO ,HERNANDEZ	LOST PROPERTY	09606		CFHAWN...	356	2223	42020	
0139704-V	05/11/2008	LOTT,THELMA	AUTO THEFT-UUMV	09606		CFHAWN...	356	2223	07171	
0144097-Z	06/12/2012	@CITY OF DALLAS	FOUND PROPERTY	09606		CFHAWN...	355	2223	43020	
0154614-T	03/06/2007	HIRSCH,SAM	ASSAULT	09606		CFHAWN...	356	2223	08192	
0170148-Z	07/10/2012	SALINAS, ROBERT	AGGRAVATED ASSA...	09606		CFHAWN...	355	2223	04111	
0235771-V	07/30/2008	VERRETT, OLA	AGGRAVATED ASSA...	09606		CFHAWN...	356	2223	04322	
0239905-R	04/01/2006	SANDERS,PATRICK	ROBBERY	09606		CFHAWN...	356	2223	03961	
0253750-R	04/07/2006	CARTER,KENNETH RAY	AGGRAVATED ASSA...	09606		CFHAWN...	356	2223	04212	
0292979-V	09/19/2008	*S&B; STORE NO 3	TRAFFIC MOTOR V...	09606		CFHAWN...	356	2223	32090	
0318802-R	04/29/2006	@CITY OF DALLAS	FOUND PROPERTY	09606		CFHAWN...	356	2223	43020	
0321125-V	10/16/2008	WILLIAMS, SHANTI	ASSAULT	09606		CFHAWN...	356	2223	08491	
0355471-V	11/20/2008	@MESQUITE P.D.	FOUND PROPERTY	09606		CFHAWN...	356	2223	43030	
0385585-T	05/26/2007	MARTINEZ,LUIS	ROBBERY	09606		CFHAWN...	356	2223	03A32	
0459598-T	06/21/2007	*JUNCTION 6	BURGLARY	09606		CFHAWN...	356	2223	05131	
0479358-R	06/24/2006	HERNANDEZ, DAVID	AUTO THEFT-UUMV	09606		CFHAWN...	356	2223	07221	
0485334-T	06/30/2007	VILLEGAS,ISIDRO	ROBBERY	09606		CFHAWN...	356	2223	03A71	
0538118-T	07/18/2007	@GRAPVINE PD	FOUND PROPERTY	09606		CFHAWN...	356	2223	43030	
0668985-T	09/25/2007	BENNETT, CHARLES	THEFT	09606		CFHAWN...	356	2223	06951	
0682878-T	10/09/2007	@CITY OF DALLAS	OTHER OFFENSES	09606		CFHAWN...	356	2223	26270	
0682929-T	10/09/2007	SNEED, MARLON	AUTO THEFT-UUMV	09606		CFHAWN...	356	2223	07171	
0690737-T	07/15/2007	*JUNCTION 6	LOST PROPERTY	09606		CFHAWN...	356	2223	42020	
0736609-T	11/02/2007	WELLMAN,SABRINA	FRAUD	09606		CFHAWN...	356	2223	11110	
0742915-P	09/15/2005	*FINA STATION	BURGLARY	09606		CFHAWN...	356	2223	05121	

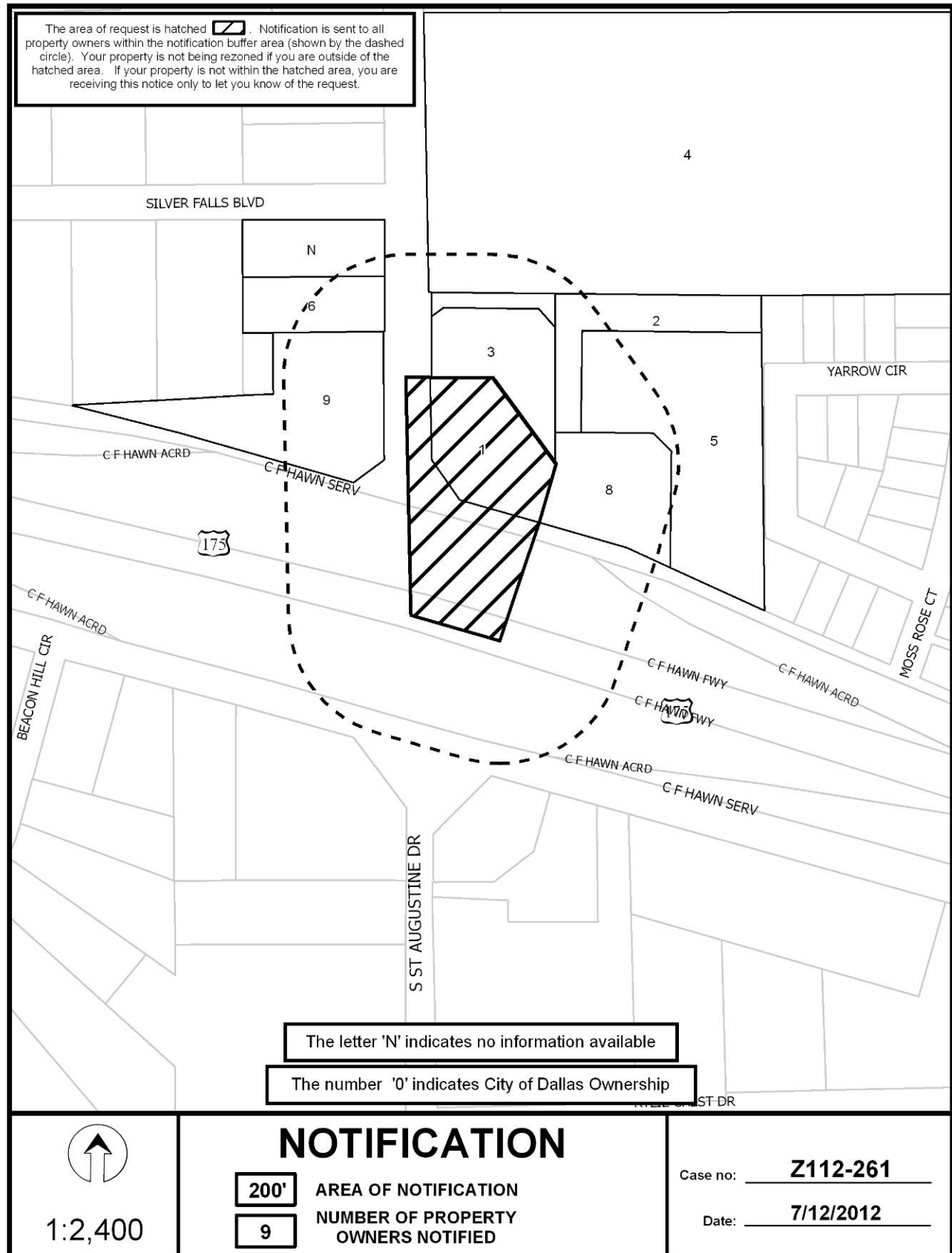
PROPOSED SUP CONDITIONS

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









Notification List of Property Owners

Z112-261

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9606 C F HAWN FWY	SHIWAKOTI BISHNU
2	9600 C F HAWN FWY	NEAL HOSPITALITY LLC
3	459 ST AUGUSTINE RD	TIME WARNER CABLE DALLAS LP
4	414 ST AUGUSTINE RD	SPRUCE SQUARE LLC
5	9626 C F HAWN FWY	SOUTHEAST DALLAS HOSPITALITY LTD
6	515 ST AUGUSTINE RD	AGUIRRE ERLINDA T
7	459 ST AUGUSTINE RD	TIME WARNER NY CABLE LLC
8	9616 C F HAWN FWY	NEAL HOSPITALITY LLC
9	527 ST AUGUSTINE RD	NAURIN INC DBA JUNCTION III

Thursday, February 24, 2011

Planner: Warren F. Ellis**FILE NUMBER:** Z112-266(WE) **DATE FILED:** June 18, 2012**LOCATION:** Cedar Springs Road and Herschel Avenue, west corner**COUNCIL DISTRICT:** 2 **MAPSCO:** 34V, 34Z & 35S, 35W**SIZE OF REQUEST:** Approx. 1.9 acres **CENSUS TRACT:** 05.00

APPLICANT/OWNER: Dallas Cedar Point Ltd.**REPRESENTATIVE:** MASTERPLAN
Karl Crawley**REQUEST:** An application for an amendment to Planned Development Subdistrict No. 91 for Multiple Family Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District.**SUMMARY:** The purpose of the request is to amend the conditions and development plan of the proposed development. The applicant proposes to add an additional 35 units as well as place the parking structure underground. The proposed development will have a total of 215 multiple family units.**STAFF RECOMMENDATION:** Hold under advisement until August 16, 2012

BACKGROUND INFORMATION:

- The purpose of this request is to amend the development standards and regulations for PDS No. 91. The applicant has made some minor changes to the overall development that includes the number of multiple family units, structure height, and placement of the parking structure.
- The applicant proposes an increase in the number of units permitted by an additional 35 units as well as place the parking structure underground. The proposed development will have a total of 215 multiple family units.
- The surrounding land uses primarily consist of multiple family and townhouse uses.

Zoning History: There have been three zoning changes requested in the area.

1. Z090-180 On August 11, 2010, the City Council approved a Planned Development Subdistrict for Multiple Family Subdistrict use on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District
2. Z045-190 On June 8, 2005, the City Council approved a Planned Development Subdistrict for a Planned Development Subdistrict for Multiple-family uses with Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an MF-2 Multiple-family Subdistrict within Planned Development District No. 193.
3. Z056-327 On February 28, 2007, the City Council approved a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Cedar Springs Road	Collector	60 ft.	60 ft.
Herschel Avenue	Local Street	60 ft.	60 ft.
North Dallas Tollway		Variable Street widths	Variable Street widths

Land Use:

	Zoning within PD No. 193	Land Use
Site	MF-2	Multiple Family
North	MF-2	North Dallas Tollway
South	MF-2, PDS No. 63	Undeveloped, Multiple Family
East	MF-2	Multiple Family
West	PDS No. 75	Multiple Family

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

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

Land Use

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas

Economic

GOAL 2.1 PROMOTE BALANCED GROWTH.

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

Urban Design

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WORKABILITY

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

Area Plans:

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

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request complies with the above mentioned objectives except for objectives 2 and 5. The applicant meets the first half of objective No. 2 where the objective is to promote and protect an attractive street level pedestrian environment. The applicant will accomplish a pedestrian environment by meeting the landscaping requirements in PD No. 193. However, the proposed development does not meet the statement that relates to the continuous street frontage activities in retail areas. The proposed multiple family will not have any retail uses that are associated with this development.

As it relates to objective No. 5, prior to 2010, the property was zoned an Multiple Family-2 District and the applicant is proposing an even greater density than what was previously allowed. The applicant is proposing a maximum density of 97.36 units per acre. The proposal does not comply with objective 5 above. The proposed development, on the other hand, does comply with the surrounding densities in the area. Planned Development Subdistrict No. 63, which is adjacent to the request site, permits a maximum density of 95.10 units per acre and PDS No. 75, which is west the proposed development, west of the Dallas Tollway, permits 81.96 units per acre.

STAFF ANALYSIS:

Land Use Compatibility: The 1.9 acre site is currently constructed with a 2-story multiple family development. The surrounding land uses consist primarily of multiple family uses or townhome uses.

In August 2010, the City Council approved Planned Development Subdistrict No. 91 for multiple family uses. Initially, the redevelopment of the site would have provided for the construction of a 5 story, 180 unit multiple family development with the following development standards: a maximum structure height of 68 feet, lot coverage of 86 percent and the required front yard setbacks of 15 feet and side and rear yard setbacks of 10 feet. A pool court is proposed to be constructed in the middle of the multiple family development with the parking structure being developed on the western portion of the property.

The only changes to the development standards that were approved by City Council involve the following standards: Height zone for area E, increase the number of multiple units, and the placement of the parking structure. The changes proposed by the applicant will allow for a slight decrease in the structure height in zone E from 68 feet to 65 feet, an increase in the total number of units from 180 to 215 and the construction of the parking structure underground. The additional units will be built over the parking

structure, which is located on the western portion of the site.

The access to the proposed multiple family development will not change and will have the two driveway approaches on Herschel Street to access a parking structure.

During a site visit, staff observed several multiple family developments (PDS No. 63 and PDS No. 75) with a higher density and increased height on Wycliff Avenue, south of Cedar Springs Road. PDS No. 63 has 350 units and a maximum height of 65 feet; and PDS No. 75 has 250 units and maximum height 65 feet, respectively.

Staff is recommending approval of an amendment to Planned Development Subdistrict 91 for Multiple Family Subdistrict uses. Staff's recommendation is consistent with several Planned Development Subdistricts in the immediate area: such as PDS No. 76 bounded by Dickason, Knight Street, Douglas Avenue and Cedar Springs Road; PDS No. 75 at Cotton Belt Avenue and Lucas Drive; and PDS No. 63 at Dickason Avenue and Wycliff Avenue.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
Planned Development District No. 91 – (Existing) MF-2 Subdistrict	15'	10'/10'	180 units	Max-68'	86%	Urban Form	Multiple Family
PDS No. 91 for Multiple Family (Proposed)	15'	10'/10'	215 units	Max-65'	86%	Urban Form	Multiple Family

Parking: Parking will comply with the off-street parking and loading requirements in Planned Development Subdistrict No. 91.

Landscaping: Landscaping must in accordance with the landscaping requirement in PDD No. 91.

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

**LIST OF MANAGERS
DALLAS CEDAR POINT, LTD.**

- Vernon W. Barge III, Manager

**LIST OF MANAGERS
NRP PROPERTIES, LLC**

- J. David Heller, Member
- Alan F. Scott, Member
- T. Richard Bailey, Jr., Member
- Kyle Lovelady, Sr. Vice President, Development

**PROPOSED PDS No. 91
CONDITIONS**

“ARTICLE

PD

SEC.S S-91.101. LEGISLATIVE HISTORY.

PD Subdistrict 91 was established by Ordinance No._____, passed by the Dallas City Council on August 11, 2010.

SEC. S-91.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 91 is established on property at the west corner Cedar Springs Road and Herschel Avenue. The size of PD Subdistrict 91 is approximately 1.9 acres.

SEC. S-91.103. DEFINITIONS AND INTERPRETATIONS.

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

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

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

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

SEC. S-91.104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-91A: development plan

SEC. S-91.105. DEVELOPMENT PLAN.

(a) For multiple family uses, development and use of the Property must comply with the development plan (Exhibit S-91A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendment to a development plan, site

analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. S-91.106. MAIN USES PERMITTED.

(a) The only main uses permitted in this subdistrict are those main uses permitted in the MF-2 Multiple Family Subdistrict, subject to the same conditions applicable in the MF-2 Multiple Family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-2 Multiple Family Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-2 Multiple Family Subdistrict is subject to DIR in this subdistrict; etc.

SEC. S-91.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

(b) The following accessory uses are not permitted in this subdistrict.

- Private stable.
- Amateur communication tower.
- Open storage.

SEC. S-91.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-2 Multiple Family Subdistrict apply.

(b) Multiple family uses.

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

(2) Side and rear yard. Minimum side and rear yard is 10 feet.

(3) Density. Maximum number of dwelling units is ~~1485~~215.

(4) Height. Maximum structure heights are as designated on the development plan and are measured to the highest point on the roof. The maximum structure heights are as follows:

- (A) Area A: 33 feet
- (B) Area B: 46 feet
- (C) Area C: 57 feet
- (D) Area D: 6~~[8]~~5 feet
- (E) Area E: 55 feet

(5) Lot coverage. Maximum lot coverage is 86 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

SEC. S- 91.109. OFF-STREET PARKING AND LOADING.

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

(b) Multiple family uses.

(1) A minimum of 1.70 parking spaces for each dwelling unit is required. Out of these spaces, 0.25 unassigned spaces per dwelling unit must be available for use by visitors as guest parking and by residents as unreserved parking.

(2) A minimum of one medium loading space must be provided.

SEC.S-91.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC.S- 91.111. LANDSCAPING.

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

(b) All street frontages are to be considered as a front yard.

(c) The tree planting zone on the Cedar Springs Road frontage is that area parallel to and between 2.5 feet and 14 feet from the back of curb of projected street curb.

(d) A sidewalk with a minimum width of ~~[six]~~ four feet must be provided on the Cedar Springs Road frontage. The sidewalk location must be provided in that area parallel to and between ~~[5]~~ 3 feet and ~~[42]~~ 10 feet from the back of the projected street curb.

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

SEC. S-91.112. STRUCTURE FAÇADE STANDARDS

- (a) The structure façade must be clad with masonry materials.
- (b) All permanent parking structures must have a façade that is similar in appearance to the façade of the main non-parking building for which the parking is accessory. Openings in the parking structure façade may not exceed 52 percent of the total façade area.

SEC. S-91.113. SIGNS.

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

SEC. S- ____ .114. ADDITIONAL PROVISIONS.

- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
- (c) Development and use of the Property must comply with Part I of this article.

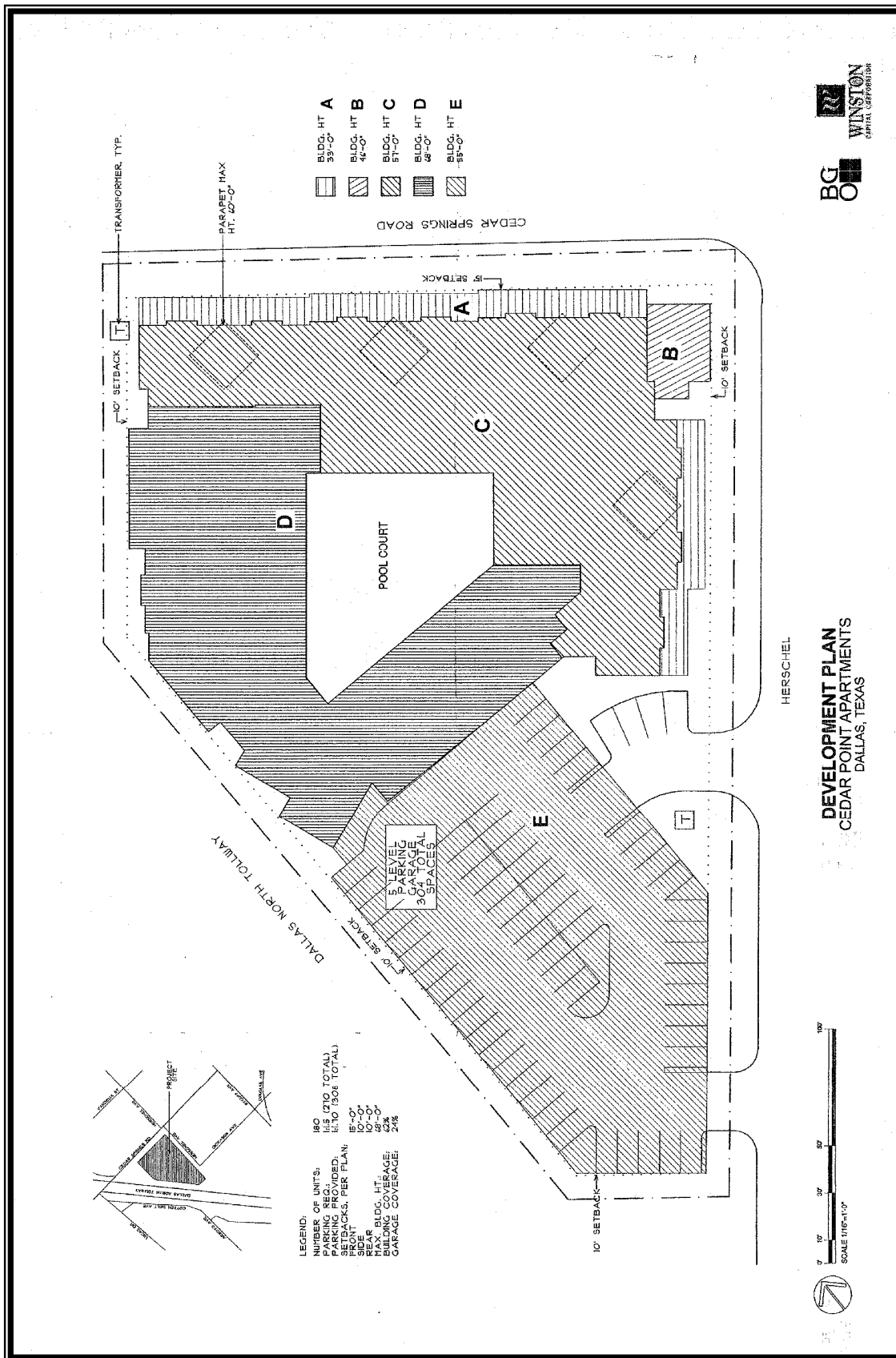
SEC. S- 91.115. COMPLIANCE WITH CONDITIONS.

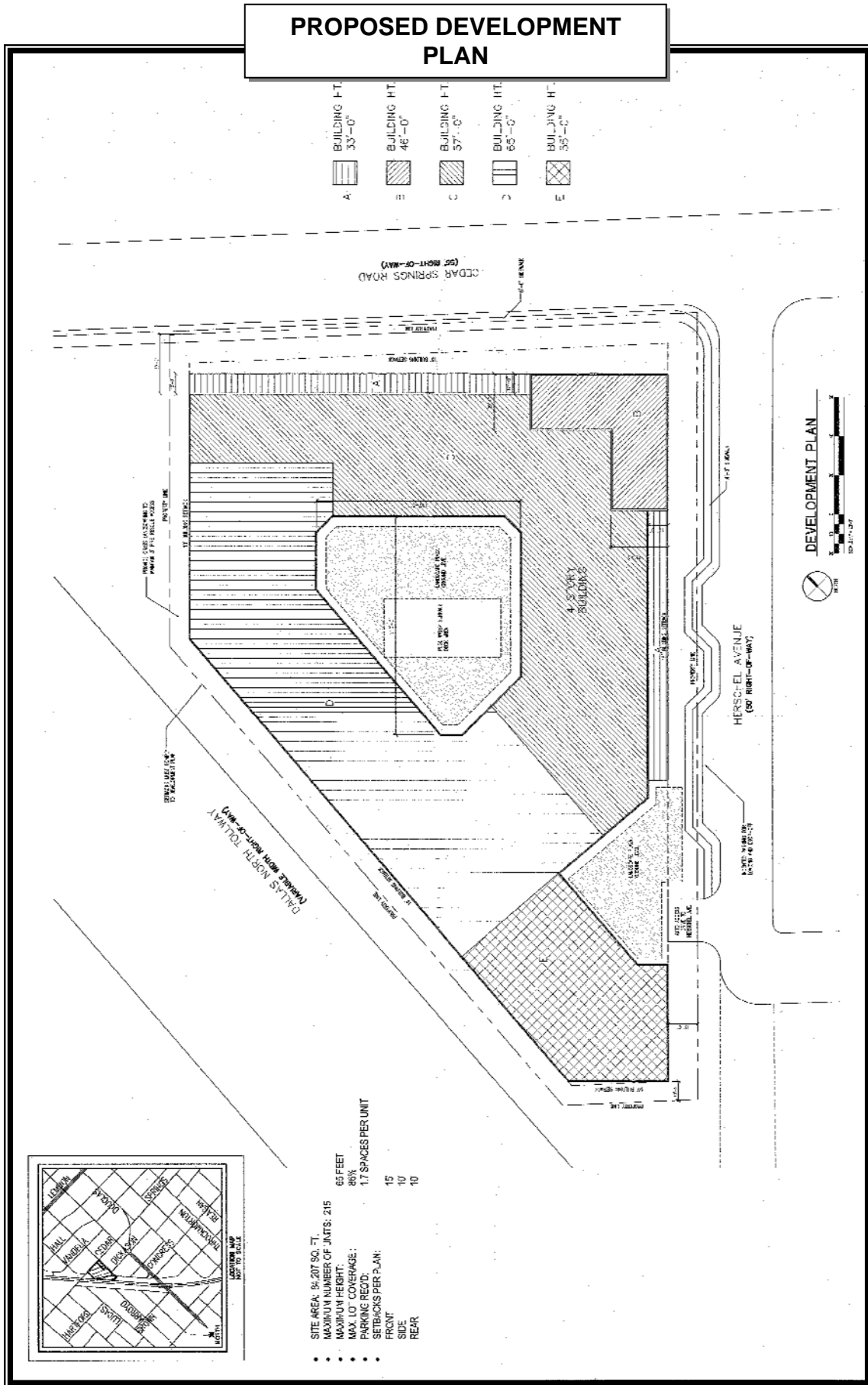
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

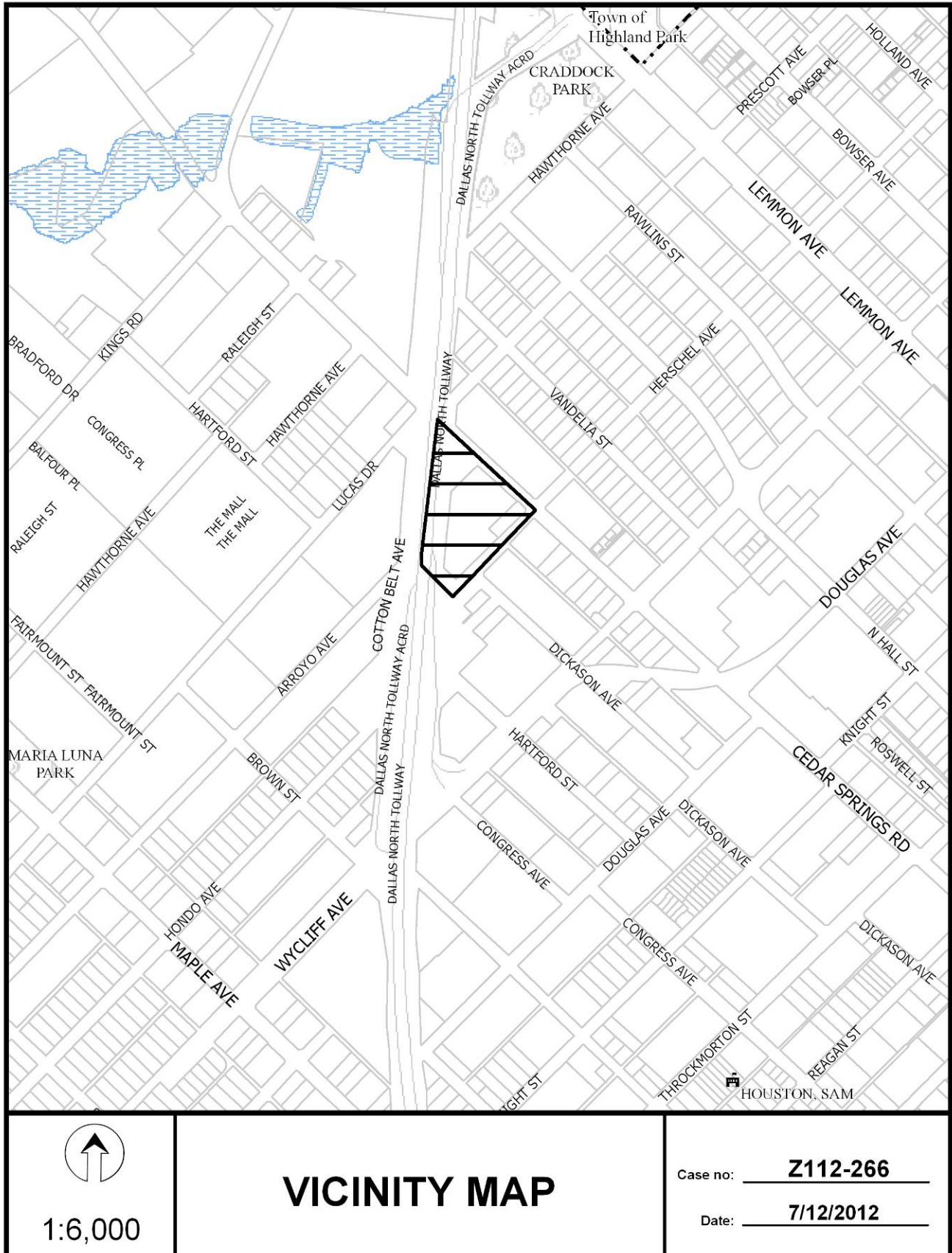
[SEC. S ____ .116. _____ ZONING MAP.]

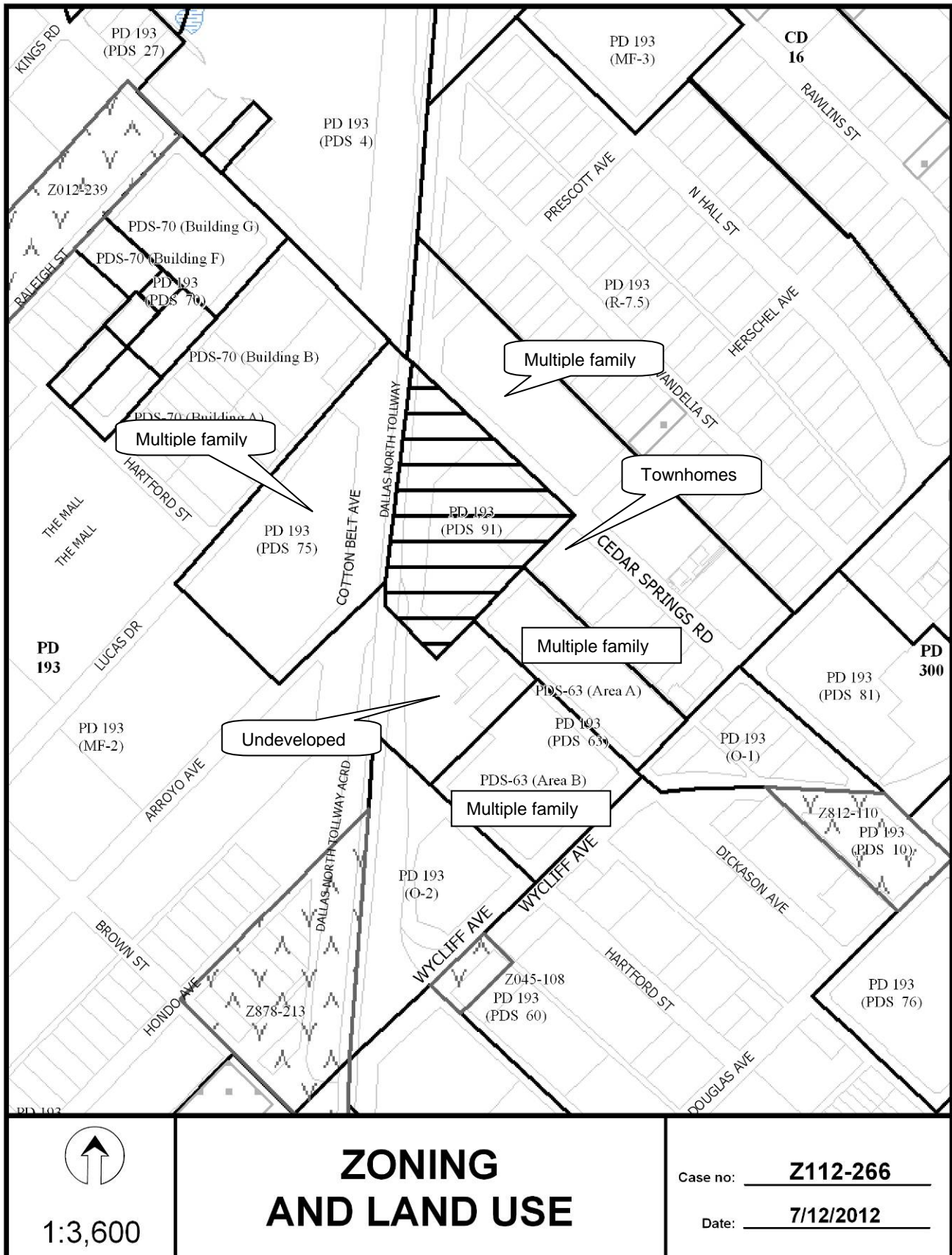
[PD Subdistrict 91 is located on Zoning Map No. 1-7.]

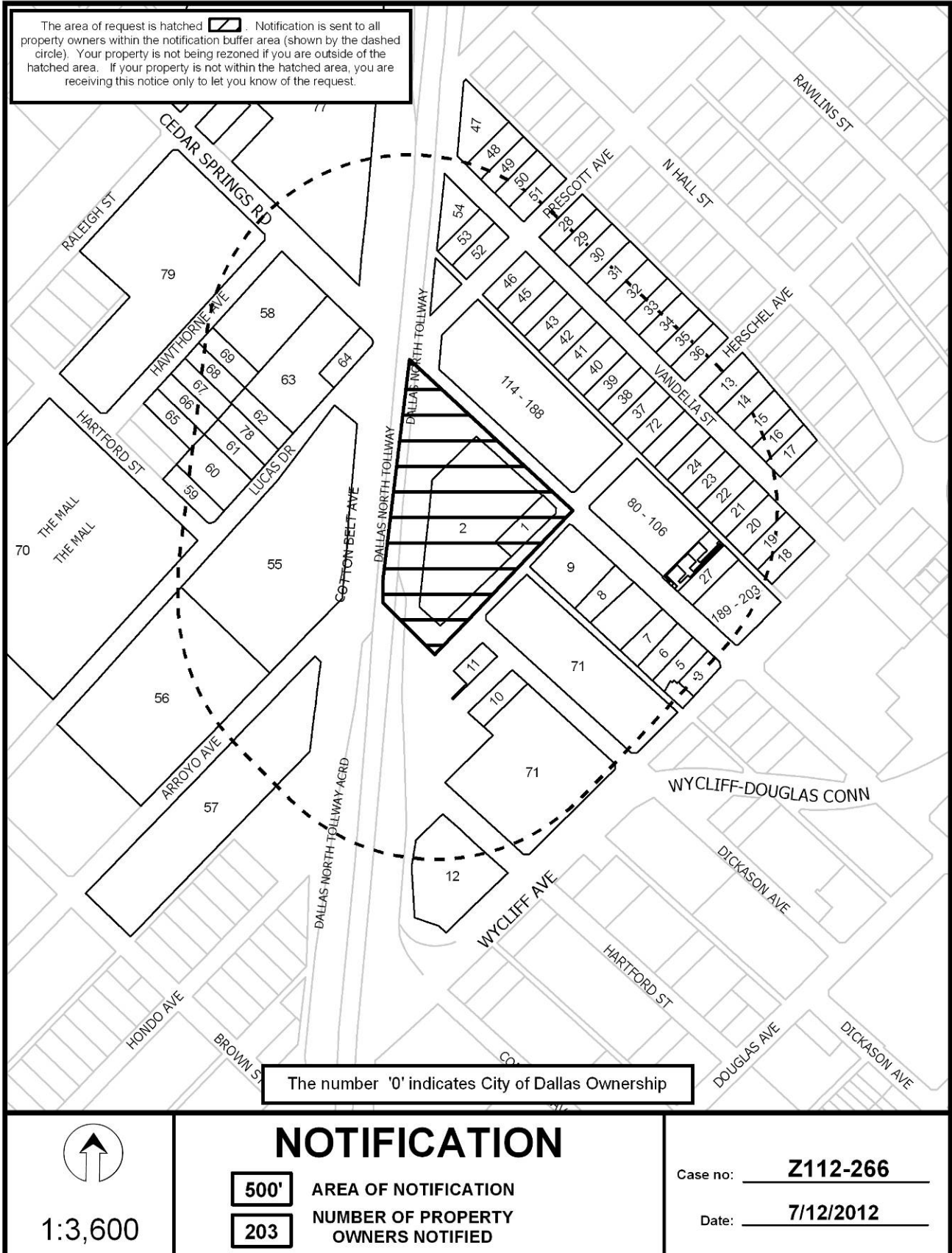
APPROVED DEVELOPMENT PLAN











Notification List of Property

Z112-266

203 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4401 CEDAR SPRINGS RD	DALLAS CEDAR POINT LTD STE 211
2	4411 CEDAR SPRINGS RD	DALLAS CEDAR POINT LTD
3	4303 CEDAR SPRINGS RD	PATEL SHYAM
4	3015 WYCLIFF AVE	SEITZ CHRISTOPHER
5	4307 CEDAR SPRINGS RD	VANDERDYS EDUARDO
6	4309 CEDAR SPRINGS RD	CHIN DAVID & SHWULING CHEN
7	4313 CEDAR SPRINGS RD	HAJIBASHI MOHAMMED & ASCENSION
8	4325 CEDAR SPRINGS RD	NGUYEN VAN TRI & KIM-DUNG THI TRAN NGUYE
9	4335 CEDAR SPRINGS RD	TUBBS WINFRED
10	4427 DICKASON AVE	NORTH TEXAS TOLLWAY AUTHORITY
11	4435 DICKASON AVE	TEXAS TURNPIKE AUTHORITY
12	2801 WYCLIFF AVE	VILLA RESIDENTIAL CARE HOMES-DALLAS LP
13	4338 VANDELIA ST	LAUGHLAND MATT M
14	4332 VANDELIA ST	FRENCH MARTHA WALLACE
15	4328 VANDELIA ST	MATTHEWS JOHN T
16	4324 VANDELIA ST	CLAWSON EARLE H REV TR
17	4318 VANDELIA ST	CLINK DAVID R
18	4307 VANDELIA ST	CHRISTIAN YVETTE M
19	4311 VANDELIA ST	JARVIS ROBERT D
20	4315 VANDELIA ST	CASEY MICHAEL S & ELAINE F
21	4319 VANDELIA ST	NGUYEN QUYEN L
22	4323 VANDELIA ST	SELLMAN WILLARD C & SUSAN DIEHL
23	4327 VANDELIA ST	VANDAGRIFF LOREN L
24	4331 VANDELIA ST	BURTON PATRICK L
25	4335 VANDELIA ST	BARRA MICHAEL C
26	4339 VANDELIA ST	MARKLEY GORDON M

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4312 CEDAR SPRINGS RD	ARMSTRONG MELODEE D
28	4438 VANDELIA ST	WATKINS JEREMY & HEIN MATTHEW
29	4434 VANDELIA ST	DEVENDORF MICHAEL A
30	4428 VANDELIA ST	DAILY LOUIS R
31	4424 VANDELIA ST	NICHOLSON FRANK R II
32	4418 VANDELIA ST	DOWNER WILLIAM V III
33	4414 VANDELIA ST	EVANS PATRICIA L
34	4410 VANDELIA ST	MORALES JOE V JR
35	4406 VANDELIA ST	FLETCHER MARK
36	4402 VANDELIA ST	THOMPSON JAMES S & CARSON D
37	4403 VANDELIA ST	MIELKE JENS R
38	4407 VANDELIA ST	SCIANO DANIEL J T & DENISE L
39	4411 VANDELIA ST	THOMAS MICHAEL
40	4415 VANDELIA ST	SMITH EDGAR LEE
41	4419 VANDELIA ST	SANCHEZ PABLO J
42	4423 VANDELIA ST	WHITTEN ERIC
43	4427 VANDELIA ST	SCHNEER KENNETH E & TERRI B
44	4431 VANDELIA ST	WATERS KAYCI C
45	4435 VANDELIA ST	CED CHARLES & BETTY
46	4439 VANDELIA ST	CUSTER DANIEL J
47	4518 VANDELIA ST	PENDLETON AMY S
48	4512 VANDELIA ST	SCHWEND NICOLE
49	4508 VANDELIA ST	HARTLEY THOMAS G
50	4506 VANDELIA ST	BOONE OLIVIA E
51	4502 VANDELIA ST	HERNANDEZ LUIS A & NILSA
52	4503 VANDELIA ST	HUGGINS JASON
53	4507 VANDELIA ST	TEXAS TURNPIKE AUTHORITY
54	4509 VANDELIA ST	TEXAS UTILITIES ELEC CO % STATE & LOCAL
55	2924 LUCAS DR	SOUTHWEST EMBARCADERO LP % RICHARD M BAR
56	2816 LUCAS DR	MELROSE PLACE APARTMENTS
57	2702 ARROYO AVE	KNOT YOUR ORDINARY APTS LLC

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4515 CEDAR SPRINGS RD	BETHANY PRESBYTERIAN CH
59	2903 LUCAS DR	SOOCKAR KARL D
60	2909 LUCAS DR	KELCHER MANAGEMENT INC
61	2915 LUCAS DR	RODNEY E JOHNSON PPTIES LLC
62	2923 LUCAS DR	GREATER MOUNT ZION BAPTIST CHURCH
63	4505 CEDAR SPRINGS RD	CS VILLAS LLC
64	4503 CEDAR SPRINGS RD	TEXAS TURNPIKE AUTHORITY ATTN JERRY M SH
65	2908 HAWTHORNE AVE	GUEVARA ANTONIO & ROSA TERESA GALINDO
66	2912 HAWTHORNE AVE	ALEJANDRO JOSE ALFREDO
67	2916 HAWTHORNE AVE	ALEJANDRO JOSE A & BLANCA
68	2920 HAWTHORNE AVE	LARA PEDRO
69	3000 HAWTHORNE AVE	SKINNER LEO
70	2801 LUCAS DR	DALLAS HOUSING AUTHORITY
71	4420 DICKASON AVE	BROADSTONE WYCLIFF LP SUITE 901
72	4401 VANDELIA ST	PERRY HTS NEIGHBORHOOD ASSOCIATION INC
73	4316 CEDAR SPRINGS RD	GORMAN DAVID T & UNIT D
74	4316 CEDAR SPRINGS RD	JONES PAULETTE FAMILY LIVING TRUST
75	4316 CEDAR SPRINGS RD	MAR DANIEL UNIT B
76	4316 CEDAR SPRINGS RD	JONES JEFF UNIT A
77	4606 CEDAR SPRINGS RD	M&A TEXAS MADISON LP
78	2919 LUCAS DR	IRVIN ROSS GREGORY
79	4533 CEDAR SPRINGS RD	CLB HAWTHORNE RESIDENCES LP
80	4340 CEDAR SPRINGS RD	HERBERT ROBERT A
81	4340 CEDAR SPRINGS RD	BALLARD WILLIAM PAUL JR BLDG A UNIT #102
82	4340 CEDAR SPRINGS RD	PAOLISSI HENRY J III BLDG A UNIT 103
83	4340 CEDAR SPRINGS RD	LUU TYLER
84	4340 CEDAR SPRINGS RD	VARNER BROOK APT 105
85	4340 CEDAR SPRINGS RD	BADILLO JOSE LUIS S BLDG A UNIT 106
86	4340 CEDAR SPRINGS RD	SPRINKLE DAVID
87	4340 CEDAR SPRINGS RD	CAMERON JOHN S & BEVERLY UNIT 108 BLDG A
88	4340 CEDAR SPRINGS RD	JESR MOHAMAD YOMN BLDG A UNIT 118

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4340 CEDAR SPRINGS RD	SALIT CHAD UNIT 204
90	4340 CEDAR SPRINGS RD	DUPUY DAVID M UNIT 205 BLDG A
91	4340 CEDAR SPRINGS RD	HEIDBRINK CHARLES M
92	4340 CEDAR SPRINGS RD	JENSEN CARL ALBERT
93	4324 CEDAR SPRINGS RD	MILLER DANNY L
94	4340 CEDAR SPRINGS RD	BEBEAU SAMUEL % ZANDER RONALD LEE
95	4340 CEDAR SPRINGS RD	LAFLEUR TRACY J & UNIT 110
96	4340 CEDAR SPRINGS RD	NOVELLO RODOLFO B #212
97	4340 CEDAR SPRINGS RD	JORY ROBERT
98	4340 CEDAR SPRINGS RD	MOSES RANDALL CRAIG & ANN F
99	4340 CEDAR SPRINGS RD	JACOBS BONIFACE J BLDG B UNIT 210
100	4340 CEDAR SPRINGS RD	LOWE ETHEL A
101	4340 CEDAR SPRINGS RD	NOVELLO RODOLFO BLDG B UNIT 212
102	4340 CEDAR SPRINGS RD	MIMS ELIZABETH ANN
103	4340 CEDAR SPRINGS RD	LIMBOC AUDIE P UNIT 114
104	4324 CEDAR SPRINGS RD	CASAS EDUARDO #115
105	4340 CEDAR SPRINGS RD	SKLOSS ALOIS H
106	4340 CEDAR SPRINGS RD	DUPUY DAVID MICHAEL
107	4317 CEDAR SPRINGS RD	SCHWARTZ MICOLE NEIMAN BLDG 1 UNIT A
108	4317 CEDAR SPRINGS RD	ANDREW PAUL S BLDG 1 UNIT B
109	4317 CEDAR SPRINGS RD	LEVINE RICHARD G JR BLDG 1 UNIT C
110	4317 CEDAR SPRINGS RD	ELROD JON D BLDG 1 UNIT D
111	4317 CEDAR SPRINGS RD	BAILEY BRADLEY B & BLDG 2 UNIT E
112	4317 CEDAR SPRINGS RD	LOVELACE DAVID BOYD BLDG 2 UNIT F
113	4317 CEDAR SPRINGS RD	CARTER MELISSA B
114	4414 CEDAR SPRINGS RD	SAMUEL STEVEN D
115	4414 CEDAR SPRINGS RD	HU JOSEPH UNIT 101
116	4414 CEDAR SPRINGS RD	PRICE LESLIE C UNIT 103
117	4414 CEDAR SPRINGS RD	ARMENDARIZ KARLA G UNIT 105
118	4414 CEDAR SPRINGS RD	ARONOWICZ JOEL
119	4414 CEDAR SPRINGS RD	CLENDANIEL JOHN J & JEANA K

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	4414 CEDAR SPRINGS RD	SCHIAVONE JILL M UNIT 111
121	4414 CEDAR SPRINGS RD	CHRONISTER RANDY LEE JR
122	4414 CEDAR SPRINGS RD	INKS ANGELA
123	4414 CEDAR SPRINGS RD	FLECHA LANE INC
124	4414 CEDAR SPRINGS RD	MCCREA ROBERT S # 119
125	4414 CEDAR SPRINGS RD	REEVES SHAWN A UNIT 121
126	4414 CEDAR SPRINGS RD	LEAL ROBERTO
127	4414 CEDAR SPRINGS RD	LAPORTE MIKEL #124
128	4414 CEDAR SPRINGS RD	BOLDING GARY UNIT 125
129	4414 CEDAR SPRINGS RD	TERRELL PAUL & NORMA
130	4414 CEDAR SPRINGS RD	GOINS MICAH & TRACEY
131	4414 CEDAR SPRINGS RD	CHEN TING YU UNIT 201
132	4414 CEDAR SPRINGS RD	DAGROSA ANTHONY L
133	4414 CEDAR SPRINGS RD	PARK EDWARD UNIT 203
134	4414 CEDAR SPRINGS RD	PAULUS MICHAEL J APT 307
135	4414 CEDAR SPRINGS RD	CONNELL KATHERINE K UNIT 205
136	4414 CEDAR SPRINGS RD	PADDOCK LOUIS &
137	4414 CEDAR SPRINGS RD	LAI MY LINH UNIT 207
138	4414 CEDAR SPRINGS RD	KATES TIFFANY R UNIT 208
139	4414 CEDAR SPRINGS RD	THOMPSON WAYNE E
140	4414 CEDAR SPRINGS RD	KIM BILLY J APT 1116
141	4414 CEDAR SPRINGS RD	PHAM RICHARD T NO 10026
142	4414 CEDAR SPRINGS RD	HERCULES ELLSWORTH D APT 212
143	4414 CEDAR SPRINGS RD	JACKSON JENISE
144	4414 CEDAR SPRINGS RD	TERRELL PAUL A & NORMA L
145	4414 CEDAR SPRINGS RD	PLASTERER ROGER
146	4414 CEDAR SPRINGS RD	HEATH LEA ANNE UNIT 216
147	4414 CEDAR SPRINGS RD	HEIMBACH SARAH E UNIT 217
148	4414 CEDAR SPRINGS RD	MIHECOBY ALLEN F
149	4414 CEDAR SPRINGS RD	DRURY MARK #219
150	4414 CEDAR SPRINGS RD	PETTIT STACY L UNIT 220

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	4414 CEDAR SPRINGS RD	BENNETT LORIE A
152	4414 CEDAR SPRINGS RD	ROSSER L B UNIT 222
153	4414 CEDAR SPRINGS RD	MUTREJA SWADESH & JAI G UNIT 223
154	4414 CEDAR SPRINGS RD	SHARMA DARPAN &
155	4414 CEDAR SPRINGS RD	FAROOQI MIDHAT S & APT 225
156	4414 CEDAR SPRINGS RD	HESS JENIFER D UNIT 226
157	4414 CEDAR SPRINGS RD	DO THAO #227
158	4414 CEDAR SPRINGS RD	APNAR JOHN UNIT 228
159	4414 CEDAR SPRINGS RD	RICE JAMES H JR UNIT 229
160	4414 CEDAR SPRINGS RD	HO ELIZABETH D #230
161	4414 CEDAR SPRINGS RD	BURGOON LARRY REV TRUST
162	4414 CEDAR SPRINGS RD	JOHNSON JILL UNIT 302
163	4414 CEDAR SPRINGS RD	VOLLMER DAVID W UNIT 303
164	4414 CEDAR SPRINGS RD	HARIRI WAHIB & HARIRI HEATHER
165	4414 CEDAR SPRINGS RD	DYTKO MICHAEL A UNIT 305
166	4414 CEDAR SPRINGS RD	REEVES JEFFREY S &
167	4414 CEDAR SPRINGS RD	SANFORD QUINN A UNIT #307
168	4414 CEDAR SPRINGS RD	PIRZADEH SARA UNIT 308
169	4414 CEDAR SPRINGS RD	GOH YEE KHAI & YIWEN LEE STE 309
170	4414 CEDAR SPRINGS RD	POWELL TIFFANY #310
171	4414 CEDAR SPRINGS RD	ODUNSI ABAYOMI N #311
172	4414 CEDAR SPRINGS RD	TRIBECA OWNERS ASSN
173	4414 CEDAR SPRINGS RD	DENNIE DEIDRE D UNIT 313
174	4414 CEDAR SPRINGS RD	CHENET FLORENCE J
175	4414 CEDAR SPRINGS RD	TAVARES CARLOS L & ZELIA R
176	4414 CEDAR SPRINGS RD	GIDDENS CHRISTOPHER # 316
177	4414 CEDAR SPRINGS RD	CHISOLM HENRY JR & UNIT 317
178	4414 CEDAR SPRINGS RD	PHAM LINH L
179	4414 CEDAR SPRINGS RD	TRUONG HUY A UNIT 319
180	4414 CEDAR SPRINGS RD	TRUONG HUY A UNIT 320
181	4414 CEDAR SPRINGS RD	GRIMES STEPHANIE R

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	4414 CEDAR SPRINGS RD	BASHARA VIRGINIA & MICHAEL E
183	4414 CEDAR SPRINGS RD	ANDERSON HEATHER L
184	4414 CEDAR SPRINGS RD	WEINER FRANK PHILLIP
185	4414 CEDAR SPRINGS RD	CHEN JIAQIANG UNIT 327
186	4414 CEDAR SPRINGS RD	GOODWIN BOBBY A UNIT #328
187	4414 CEDAR SPRINGS RD	BROCKHOFF HANS C & JUYD BROCKHOFF
188	4414 CEDAR SPRINGS RD	AGUIRRE PATRICIA UNIT 330
189	3121 WYCLIFF AVE	SHARRETT MICHAEL W BLDG A UNIT 3121
190	3123 WYCLIFF AVE	MCANGUS JUDY #1014
191	3125 WYCLIFF AVE	SPEXARTH STEPHANIE L
192	3127 WYCLIFF AVE	COWEN JAMES D EST OF APT 3127
193	3129 WYCLIFF AVE	NELLER S M A
194	3131 WYCLIFF AVE	NEWLIN PATRICIA
195	3101 WYCLIFF AVE	RODRIGUEZ GARRY D BLDG B UNIT #3101
196	3103 WYCLIFF AVE	GOLDBERG ERIC BLDG B UNIT 3103
197	3105 WYCLIFF AVE	NAVAMA TAMAR
198	3109 WYCLIFF AVE	MOTLEY JERRY LEE
199	3111 WYCLIFF AVE	WOODBURY MATTHEW S
200	3113 WYCLIFF AVE	KNIGHT COREY BLDG B UNIT 3113
201	3115 WYCLIFF AVE	JUDD KATHLEEN MARIE UNIT 3115
202	3117 WYCLIFF AVE	HUEBSCHMANN WILHELM
203	3119 WYCLIFF AVE	MCDUFF DOUG BLDG B

Planner: Warren F. Ellis**FILE NUMBER:** Z112-178(WE) **DATE FILED:** January 30, 2012**LOCATION:** West side of South Polk Street, north of Kirnwood Drive**COUNCIL DISTRICT:** 6 **MAPSCO:** 64-X**SIZE OF REQUEST:** Approx. 1.32 acres **CENSUS TRACT:** 111.01

APPLICANT: Capital Growth – Buchalter, Inc.**OWNER:** Vivian & Lillie Thomas**REPRESENTATIVE:** Linfield, Hunter & Junius**REQUEST:** An application for a CR Community Retail District on property zoned a TH-2(A) Townhouse District with deed restrictions.**SUMMARY:** The purpose of this request is to allow for construction of a 9,000 square foot retail store (Dollar General) on site. There are deed restrictions on the property that limit the height of the structures to 24 feet and restrict the number of lots on the property to 183.**STAFF RECOMMENDATION:** Denial**PREVIOUS ACTION:** On July 12, 2012, the City Plan Commission held this under advisement until August 2, 2012, in order for the applicant's representative to meet with the adjacent residents regarding the proposed zoning case.

BACKGROUND INFORMATION:

- The applicant's request for a CR Community Retail District will allow for the development of a 9,000 square foot retail store on 1.32 acres.
- There are deed restrictions on the property that limit the height of the structures to 24 feet and restricted the number of lots on the property to 183. The deed restrictions were placed on the property to limit the density of the proposed development.
- The request site is contiguous to several undeveloped tracts of land. There is a church that is located north of the request site. East of the site, across South Polk Street is a residential development. There are single family uses and a child care facility that is located south of the request site.
- The nearest retail district is located at the intersection of South Polk Street and Camp Wisdom Road, which is approximately 2,251 feet north of the request site. In addition, Planned Development District No. 598, Tract 3, is approximately 2,840.3 feet south of the site. PDD No. 598, Tract 3 was approved for mixed uses.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Polk Street	Collector	80 ft.	80 ft.

Land Use:

	Zoning	Land Use
Site	TH-2(A) with deed restrictions	Undeveloped
North	TH-2(A) with deed restrictions	Undeveloped
South	TH-2(A) with deed restrictions	Undeveloped
East	R-7.5(A)	Single Family
West	TH-2(A) with deed restrictions	Undeveloped

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.

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.

STAFF ANALYSIS:

Land Use Compatibility: The request site is located within a residential zoning district and contiguous to a large undeveloped tract of land. In 1979, the property in which the request is located on was rezoned from a Residential-7,500 Square Feet District to a Townhouse-2 District with deed restrictions volunteered by the applicant. The deed restrictions limit the height of the structure to 24 feet and restricted the number of lots on the property to 183 lots. The deed restrictions were placed on the property to limit the density of a proposed residential development.

The applicant's request is to rezone approximately 1.32 acres form a TH-2(A) Townhouse District to a CR Community Retail District to allow for the development of a 9,000 square foot retail store. The proposed development will be located in a predominately residential area where any retail zoning change will be considered to an encroachment. Staff has reviewed the applicant's request and believes that there are sufficient amounts of retail zoning in the area that could support their request. The nearest retail district is located at the intersection of South Polk Street and Camp Wisdom Road, which is approximately 2,251 feet north of the request site. Moreover, there is an area south of the request site that is zoned Planned Development District No. 598 and is located at the intersection of South Polk Street and Wheatland Road. PDD No. 598, Tract 3 is approved for mixed uses and could support the development of retail uses.

Staff's recommendation is denial of the applicant's request for a CR Community Retail District. The proposed use could have a negative impact on the surrounding residential uses. Staff considers the applicant's proposal an encroachment of non-residential use

in a predominately residential area.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
TH-2(A) - existing Townhouse	0'	0'	9 Dwelling Units/ Acre	36'	60%	Min. Lot: 2,000 sq. ft	Single family
CR - Proposed Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

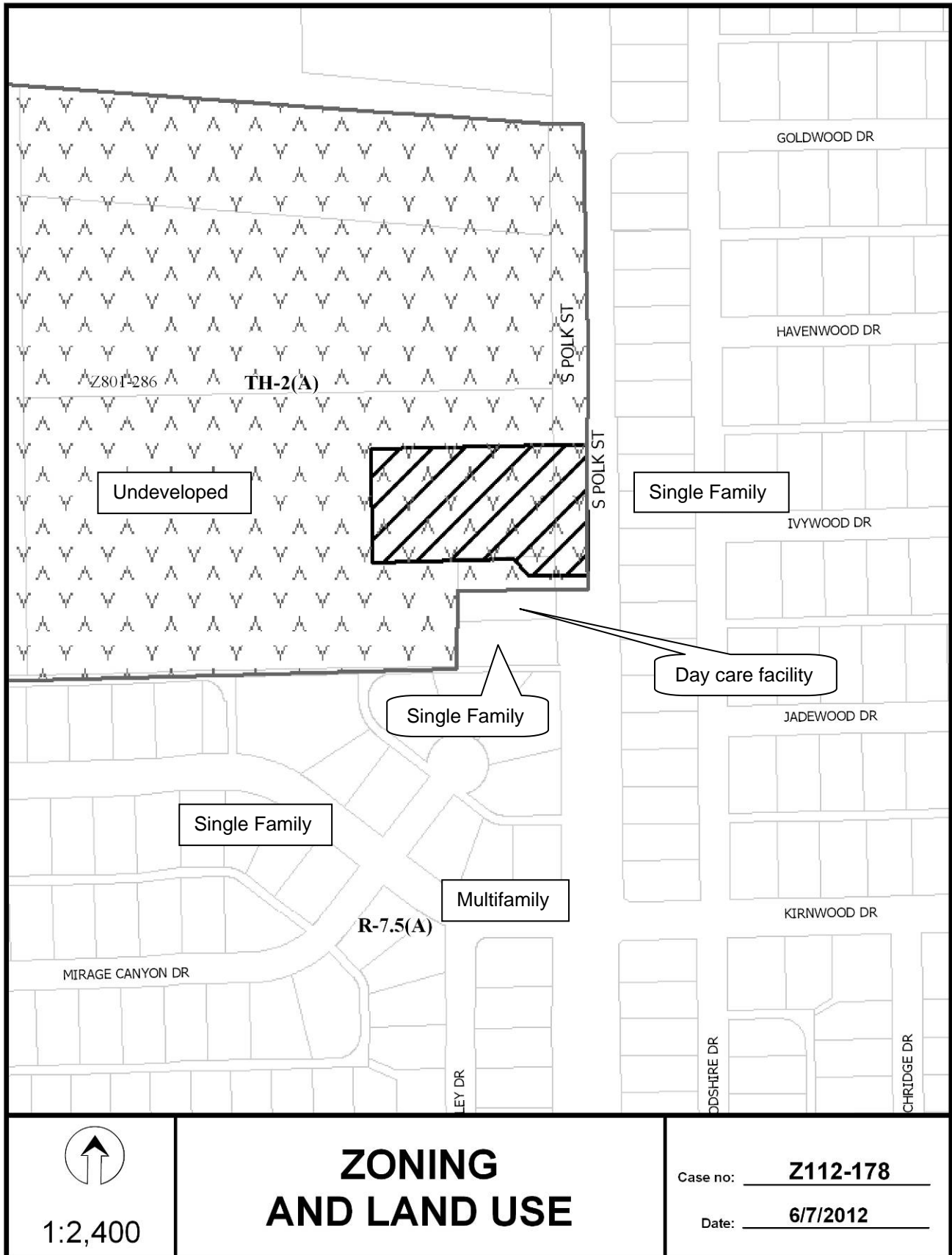
Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

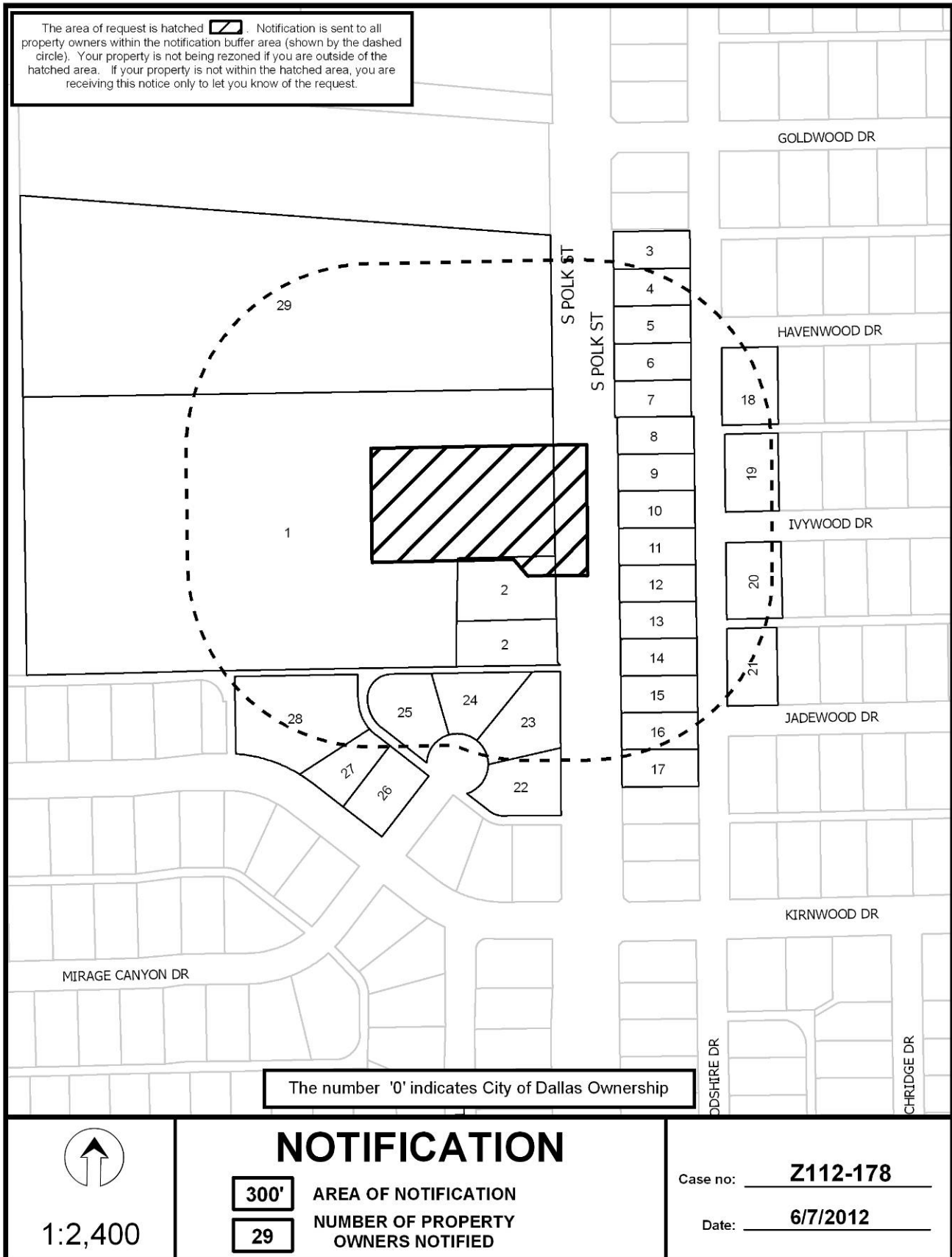
Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

<p>LIST OF OFFICERS Capital Growth – Buchalter, Inc.</p>
--

- Robert W. Buchalter President
- William O. Buchalter Vice President
- Steven E. Camp Chief Financial Officer







Notification List of Property

Z112-178

29 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7601 POLK ST	THOMAS VIVIAN R & LILLIE M THOMAS
2	7655 POLK ST	THOMAS VIVIAN RENA
3	7615 WOODSHIRE DR	DPLS LLC
4	7619 WOODSHIRE DR	BROWN JAMES
5	7625 WOODSHIRE DR	SMITH C
6	7629 WOODSHIRE DR	DICKERSON JOHN L
7	7635 WOODSHIRE DR	WILLIS CHARLES D & EVELYN FAYE
8	7641 WOODSHIRE DR	SMITH BRENDA & JOHN D SMITH
9	7645 WOODSHIRE DR	HAYDEN SYLVIA
10	7651 WOODSHIRE DR	GEORGE JOE R
11	7655 WOODSHIRE DR	PEREZ BERTHA V
12	7661 WOODSHIRE DR	BARREE RUTH M
13	7665 WOODSHIRE DR	SHANNON LINDA SHARON
14	7669 WOODSHIRE DR	MOFFETT PEARLINE
15	7675 WOODSHIRE DR	BARRERA DANIEL G
16	7707 WOODSHIRE DR	DALLAS METRO PROPERTIES LLC
17	7711 WOODSHIRE DR	PYBURN RUFUS & JENNIFER
18	948 HAVENWOOD DR	FONTENOT ROOSEVELT & JESWEDA W FONTENOT
19	955 IVYWOOD DR	COX ROBERT L
20	954 IVYWOOD DR	THOMAS BRENDA
21	951 JADEWOOD DR	BARTON DEZRENE V
22	1108 MIRAGE CANYON DR	COLEMAN GEORGE H & JODIESTEEN
23	1104 MIRAGE CANYON DR	BURKS JOHN
24	1103 MIRAGE CANYON DR	PATTERSON BETTY J
25	1107 MIRAGE CANYON DR	MILLER KELLY
26	1205 KIRNWOOD DR	PRUITT EMANUEL

Z112-178(WE)

6/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1215 KIRNWOOD DR	LEWIS BOYD
28	1225 KIRNWOOD DR	DANIELS TARA
29	7615 POLK ST	CHURCH ON THE MOVE INC C

FILE NUMBER: Z112-234(RB)

DATE FILED: May 7, 2012

LOCATION: Crowds Street and July Alley, Northeast Corner

COUNCIL DISTRICT: 2

MAPSCO: 45 M

SIZE OF REQUEST: Approx. 7,853 Sq. Ft.

CENSUS TRACT: 33

APPLICANT: Renos Chop Shop

REPRESENTATIVE: John Hamilton

OWNER: TXON-Don Blanton, Sole Officer

REQUEST: An application for an amendment to and renewal of Specific Use Permit No. 1685 for a Bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The applicant is requesting to continue operation of the existing entertainment venue.

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

BACKGROUND:

- The request site consists of a one-story structure.
- The applicant proposes to utilize the existing improvements along with the following additions: 1) increase of 512 square feet of floor area within the main structure (bump-out along the July Alley frontage), and 2) outdoor patio area, consisting of uncovered (2,066 square feet) and covered (719 square feet) areas.
- On June 14, 2006, the City Council approved an amendment to PDD No. 269 which requires an SUP for the existing use.
- On October 24, 2007, the City Council approved SUP No. 1685 for a bar, lounge, or tavern for a two-year period. On October 23, 2009, the City Council approved a renewal of the SUP for a three-year period.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z067-233	On August 8, 2007, the City Council approved a Specific Use Permit for a bar, lounge or tavern for a one-year time period.
2. Z112-206	An SUP for a bar, lounge, or tavern and a commercial amusement (inside) use for a dance hall. Pending the August 22, 2012 City Council public hearing.
3. Z056-271	On January 10, 2007, the City Council approved a Specific Use Permit for a Tattoo Studio and Body Piercing Studio for a five-year time period with eligibility for automatic renewal for additional five-year periods.
4. Z101-219	On January 8, 2011, the City Council approved a Specific Use Permit for a bar, lounge or tavern for a two-year time period.
5. Z067-347	On December 12, 2007, the City Council approved a Specific Use Permit for a bar, lounge or tavern and an Inside commercial amusement limited to a live music venue for a five-year time period.
6. Z078-122	On Wednesday, March 26, 2008 approved a Specific Use Permit for a Tattoo Studio and Body Piercing Studio.

7. Z101-187 On May 23, 2011, the City Council approved the renewal of Specific Use Permit No. 1757 for a bar, lounge or tavern for a three-year time period.
8. Z089-273 On December 9, 2009, the City Council approved a Specific Use Permit for a bar, lounge, or tavern and Inside commercial amusement for a Class A Dance hall for a two-year period.
9. Z101-347 On December 14, 2011, the City Council approved a Specific Use Permit for a bar, lounge, or tavern for a three-year period time period.
10. BDA112-019 On February 21, 2012, the Board of Adjustment denied a special exception of 21% to the parking regulations for a public or private school.
11. Z090-213 On October 24, 2007, the City Council approved SUP No. 1686 for a tattoo or body piercing studio for a three-year period with eligibility for automatic renewal for additional three-year periods.
12. Z101-344 On November 7, 2011, the City Council approved an SUP for a bar, lounge or tavern for a two-year period.
13. Z090-144 On June 23, 2010, the City Council approved an amendment to and renewal of Specific Use Permit No. 1700 for a Bar, lounge or tavern and an Inside commercial amusement limited to a Class A dance hall for a two-year period.

Street

Designation; Existing & Proposed ROW

Crowdus Street

Local; 50' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site lies within an Urban Mixed-Use Building Block. This Building Block provides for a healthy balance of housing, job, and shopping that permits residents to live, work, shop, and play in the same neighborhood. Wide sidewalks and pedestrian features offer alternative access options to this type of area, thus permitting foot and bike traffic to benefit from the mix of uses.

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site consists of a one-story structure. The applicant proposes to continue operation of this entertainment venue, utilizing the existing improvements along with the following additions: 1) increase of 512 square feet of floor area within the main structure (bump-out along the July Alley frontage), and 2) outdoor patio area, consisting of uncovered (2,066 square feet) and covered (719 square feet) areas.

The site is surrounded by a mix of retail/restaurant uses that are served by various surface parking lots and metered spaces along the street frontages. Medium density multifamily uses are found on property to the northeast. It should be noted the abutting parking area, eastward to Malcolm X Boulevard is not part of the request site.

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 proposed use is consistent with not only the most recent use on the property, but is similar in operational characteristics of other entertainment venue uses in the immediate area. It should be noted that the general land use in the immediate area provides for various retail and entertainment venue uses (i.e., bars, live music, restaurants) that serve the new housing stock in Deep Ellum as well as serving as a destination for patrons outside of the area.

As a result of this analysis, the request complies with the general provisions for consideration of an SUP, subject to the attached site plan and conditions.

Traffic: The Engineering Section of the Department of Sustainable Development and

Construction has reviewed the requested renewal and amendment and determined it will not significantly impact the surrounding street system.

Off-Street Parking: PDD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for this use located in an original building on the first floor. Inclusive of the respective portion of the expansion that would trigger an off-street parking requirement (inside floor area and that portion of the patio that is covered), the applicant will be required to provide a total of 22 off-street parking spaces. This will require a parking agreement filed with the building official prior to the issuance of an amended certificate of occupancy for the use.

Police Activity: As noted above, the applicant has operated at this location since October, 2007 and has had no issues regarding criminal activity during this time. Reported offenses for the most recent three-year period is being provided.

Service # ▲	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0097532-Y	04/17/2011	REYNOLDS, WILLIAM CEM	ASSAULT	00210	N	CROWDUSST	153	2066	08111	
0120442-Y	05/11/2011	HARGRAVES, JERRY	THEFT	00210	N	CROWDUSST	153	2066	06901	
0154000-Y	06/11/2011	HARRIS, SHANNON,	THEFT	00210	N	CROWDUSST	153	2066	06961	
0201422-X	07/18/2010	ALEXANDER, BRAD	ASSAULT	00210	N	CROWDUSST	153	2066	08121	
0240159-X	08/24/2010	STUDDARD, DANIELLE	THEFT	00210	N	CROWDUSST	153	2066	06903	
0286939-X	10/08/2010	ROY, JESSICA	ASSAULT	00210	N	CROWDUSST	153	2066	08311	
0292921-Y	11/06/2011	GOLDEN, JUSTIN	AGGRAVATED ASSAULT	00210	N	CROWDUSST	153	2066	04131	
0311372-Y	11/27/2011	PULIS, HEATHER	CRIMINAL MISCHIEF/VANDALISM	00210	N	CROWDUSST	153	2066	14092	
0343665-X	12/16/2010	DOWNING, AMANDA	ASSAULT	00210	N	CROWDUSST	153	2066	08321	
0346917-W	11/22/2009	JAGIELSKI, JACQUELINE	CRIMINAL MISCHIEF/VANDALISM	00210	N	CROWDUSST	153	2066	26000	14081

STAFF RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A BAR, LOUNGE, OR TAVERN

1. USE: The only use authorized by this specific use permit is a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Staff recommended:

- | |
|--|
| 3. <u>TIME LIMIT</u> : This specific use permit automatically terminates on (three years). |
|--|

Applicant requested:

- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit automatically terminates on (five years). |
|---|

4. FLOOR AREA:
 - A. Maximum indoor floor area for a bar, lounge, or tavern use is 3,912 square feet.
 - B. Maximum area for the covered patio area is 719 square feet in the location shown the attached site plan.
 - C. Maximum area for the uncovered patio area is 2,066 square feet in the location shown the attached site plan.
5. HOURS OF OPERATION: The bar, lounge or tavern may only operate between 7:00 p.m. and 2:00 a.m. (the next day), Monday, Tuesday, and Wednesday; between 4:00 p.m. and 2:00 a.m. (the next day), Thursday and Friday; and, between 11:00 a.m. and 2:00 a.m. (the next day), Saturday and Sunday.
6. OFF-STREET PARKING:
 - A. Parking must be provided in accordance with the remote and special parking requirements of Planned Development District No. 269, the Deep Ellum Special Purpose District.
 - B. For an alcoholic beverage establishment limited to a bar, lounge, or tavern, delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.
7. OUTSIDE AMPLIFICATION: Outside amplification on the Property is prohibited.

8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Existing SUP No. 1685 Conditions

092340

9-8-09

ORDINANCE NO. 27673

An ordinance amending Ordinance No. 26980, passed by the Dallas City Council on October 24, 2007, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1685 for a bar, lounge, or tavern; amending the conditions in Section 2 of that ordinance; providing a revised site plan; 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 Specific Use Permit No. 1685; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1685; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the conditions in Section 2 of Ordinance No. 26980 are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit is [~~an alcoholic beverage establishment limited to~~] a bar, lounge, or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on September 23, 2012 [~~April 24, 2009~~].
4. FLOOR AREA: The maximum floor area is 3,440 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

27673

092340

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."

SECTION 2. That the site plan attached to Ordinance No. 26980 is replaced by the site plan attached to this ordinance.

SECTION 3. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 4. 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 5. 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.

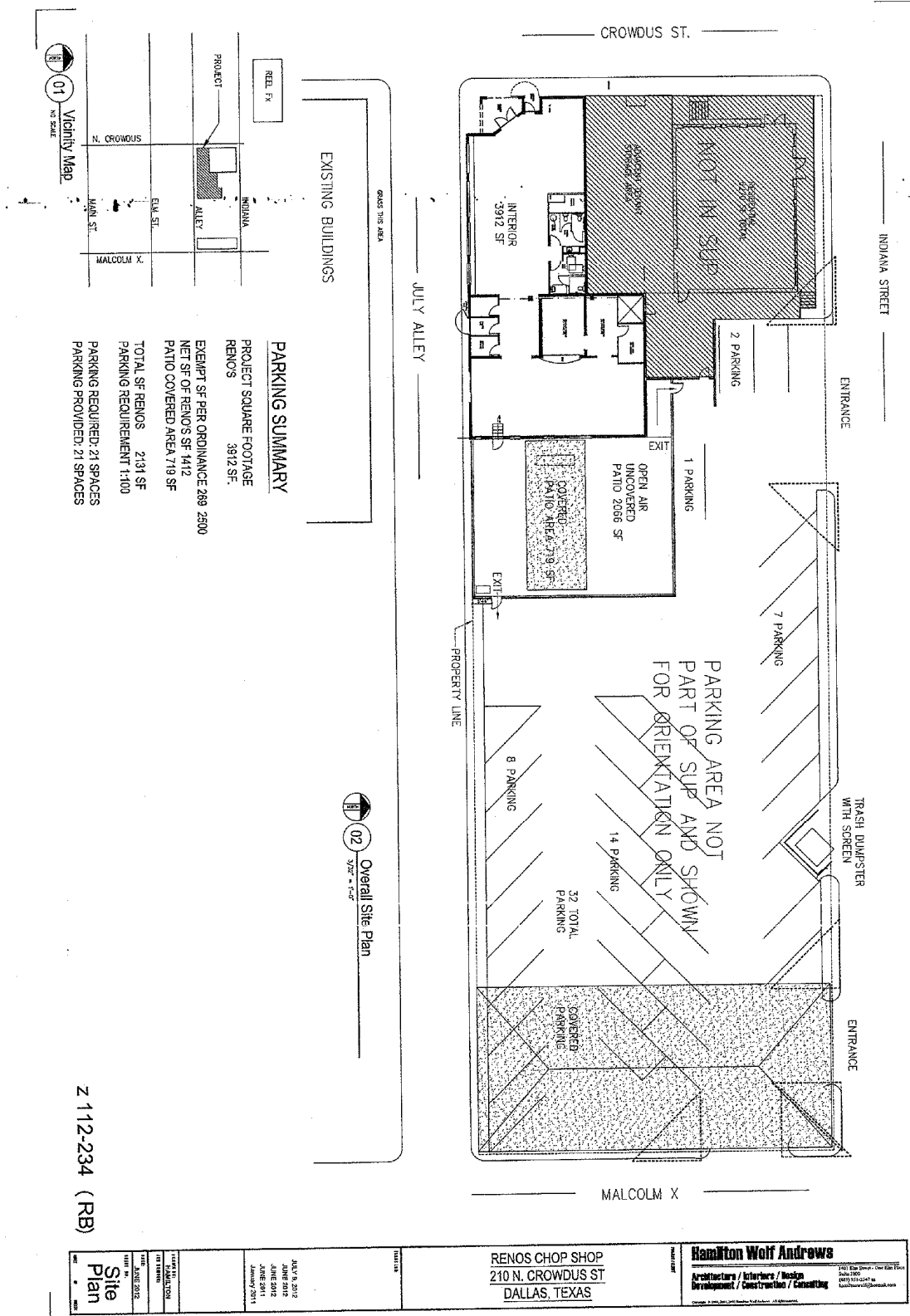
SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

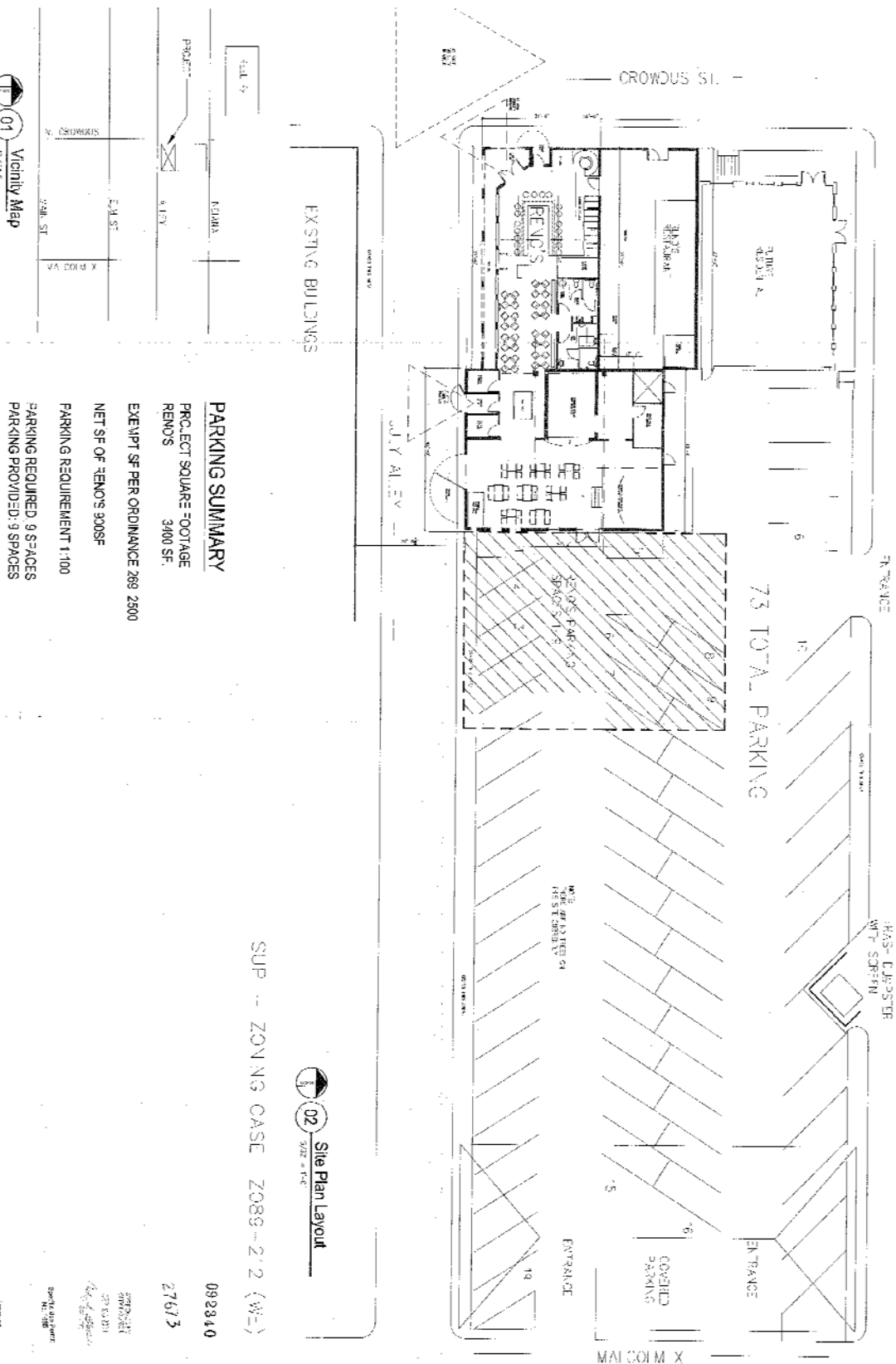
THOMAS P. PERKINS, JR., City Attorney

By Cathy B. Myers
Assistant City Attorney

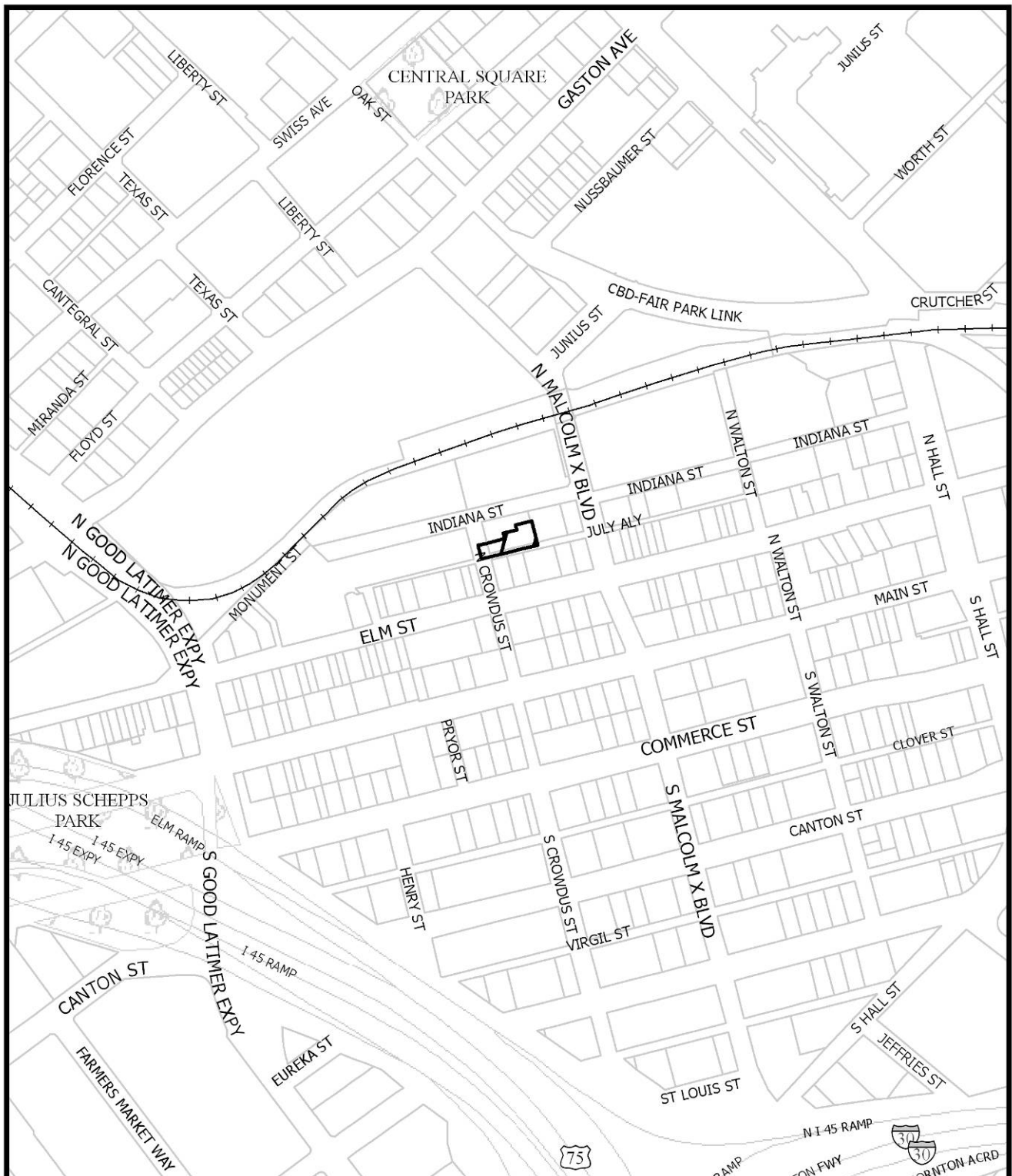
Passed SEP 23 2009



Proposed Site Plan



Reno's Chop Shop Saloon
210 N. Crowder Street
Dallas, Texas 75226
HAMILTON WOLF ANDREWS
Architects • Design • Development
Investment D.

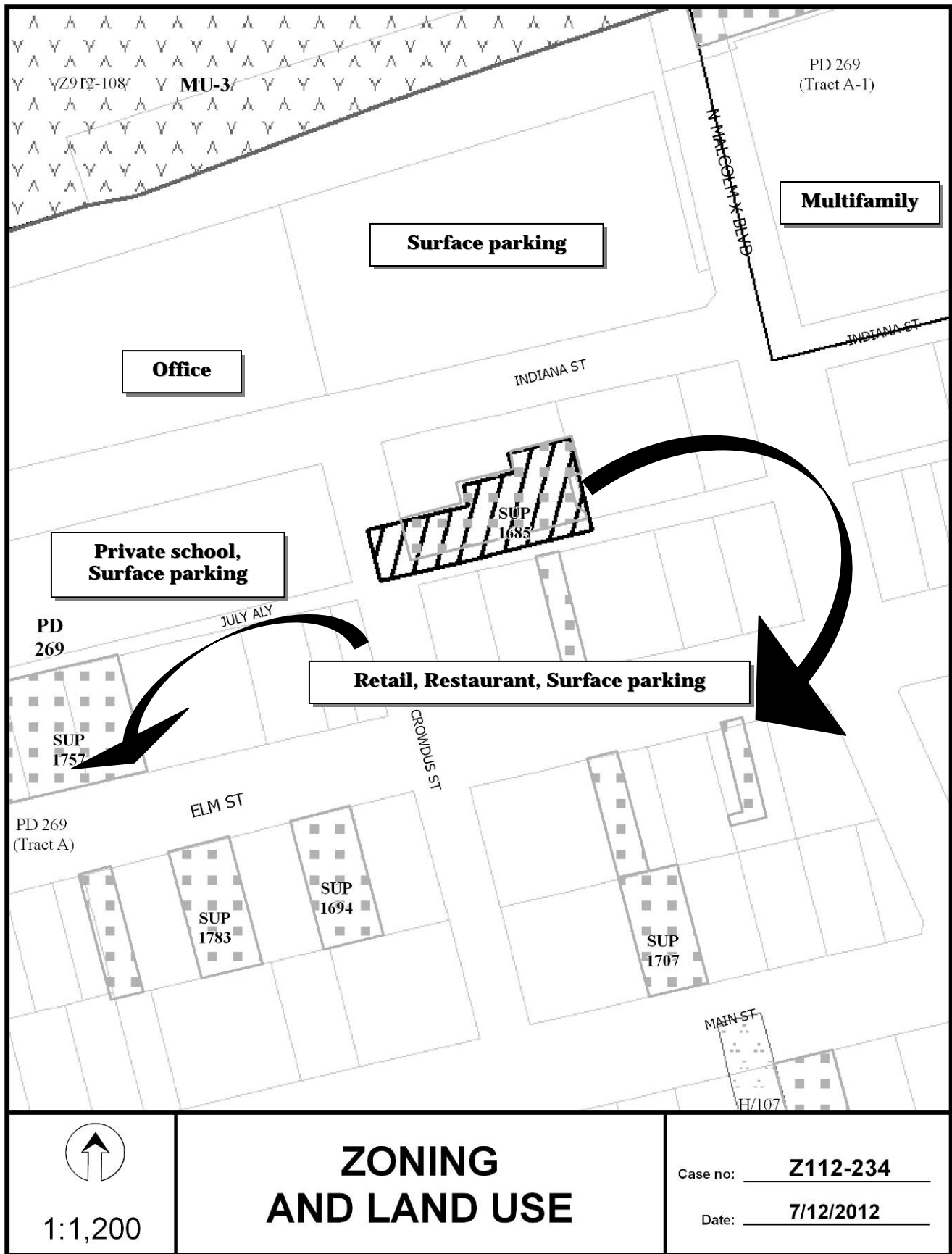



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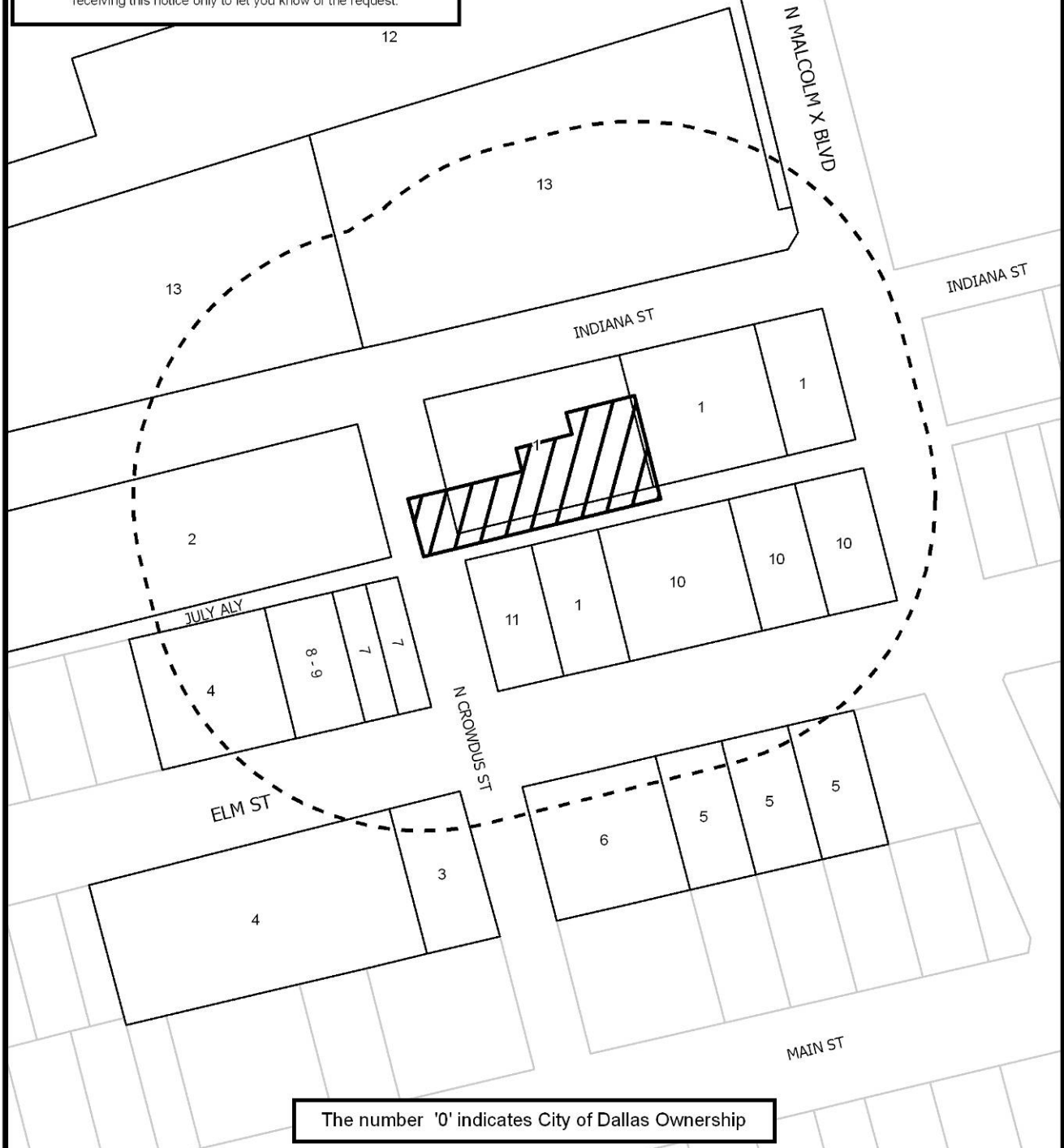
VICINITY MAP

Case no: **Z112-234**

Date: **7/12/2012**



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.



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

13

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-234**

Date: **7/12/2012**

7/12/2012

Notification List of Property Owners***Z112-234******13 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2810 INDIANA BLVD	BLANTON DON
2	2625 ELM ST	HRT PROPERTIES OF TX LTD
3	2724 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
4	2720 ELM ST	ELM STREET REALTY LTD
5	2818 ELM ST	BLANTON DONNY G
6	2806 ELM ST	DEEP ELM I LTD % DON E CASS
7	2723 ELM ST	2723 ELM STREET JV ATTN JOHN BROUDE
8	2717 ELM ST	WESTDALE PPTIES AMERICA LTD
9	2717 ELM ST	DANIELL JAMES PARKER
10	2819 ELM ST	MCCORMICK ARTHUR SR LFEST REM: A
MCCORMI		
11	2801 ELM ST	MAGERS SCOTT E & DOUGLAS E ALDRIDGE
12	2600 MONUMENT ST	DALLAS AREA RAPID TRANSIT
13	301 CROWDUS ST	BCS DALLAS LLC SUITE 101

FILE NUMBER: Z112-243(RB)

DATE FILED: May 22, 2012

LOCATION: North Line of Grady Lane, East of Pleasant Woods Drive

COUNCIL DISTRICT: 8

MAPSCO: 59 U

SIZE OF REQUEST: Approx. 16,800 Sq. Ft. **CENSUS TRACT:** 117.02

APPLICANT/OWNER: Jose Sanchez

REPRESENTATIVE: James Kent Carter

REQUEST: An application for a Specific Use Permit for a Private stable on property zoned an R-7-5(A) Single Family District.

SUMMARY: The applicant is proposing to provide for the care and enjoyment of a horse for private use.

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

BACKGROUND INFORMATION:

- The property is undeveloped but does possess fencing and a small storage building.
- The applicant proposes to utilize the property to provide for the care and enjoyment of a horse for private use.

Zoning History: There has been no recent

Street

Designation; Existing & Proposed ROW

Grady Lane

Local; 60' 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.

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is undeveloped but does possess perimeter fencing and a small storage building. The applicant proposes to provide for the care and enjoyment of a horse for private use. A minimum of 15,000 square feet of site area per horse is required; at least 800 square feet of fenced area/pen/corral for each horse; and, minimum setbacks for these improvements.

The site is located within a low density residential area and developed with single family structures. The lots in the immediate area are platted with approximately twice the land area required by the underlying zoning and tend to be platted with significant depth; the request site is approximately 210 feet in depth. Many of these owners utilize their property for support areas for private pets and animals.

The applicant will utilize the existing storage building, along with the addition of two covered areas to support the caring for his horse. Required setbacks are provided

along with staff's recommendation for placement of an earthen berm parallel to the site's southern property line. This will ensure stormwater runoff is maintained onsite and certain byproducts for the caring of a horse are managed on the property.

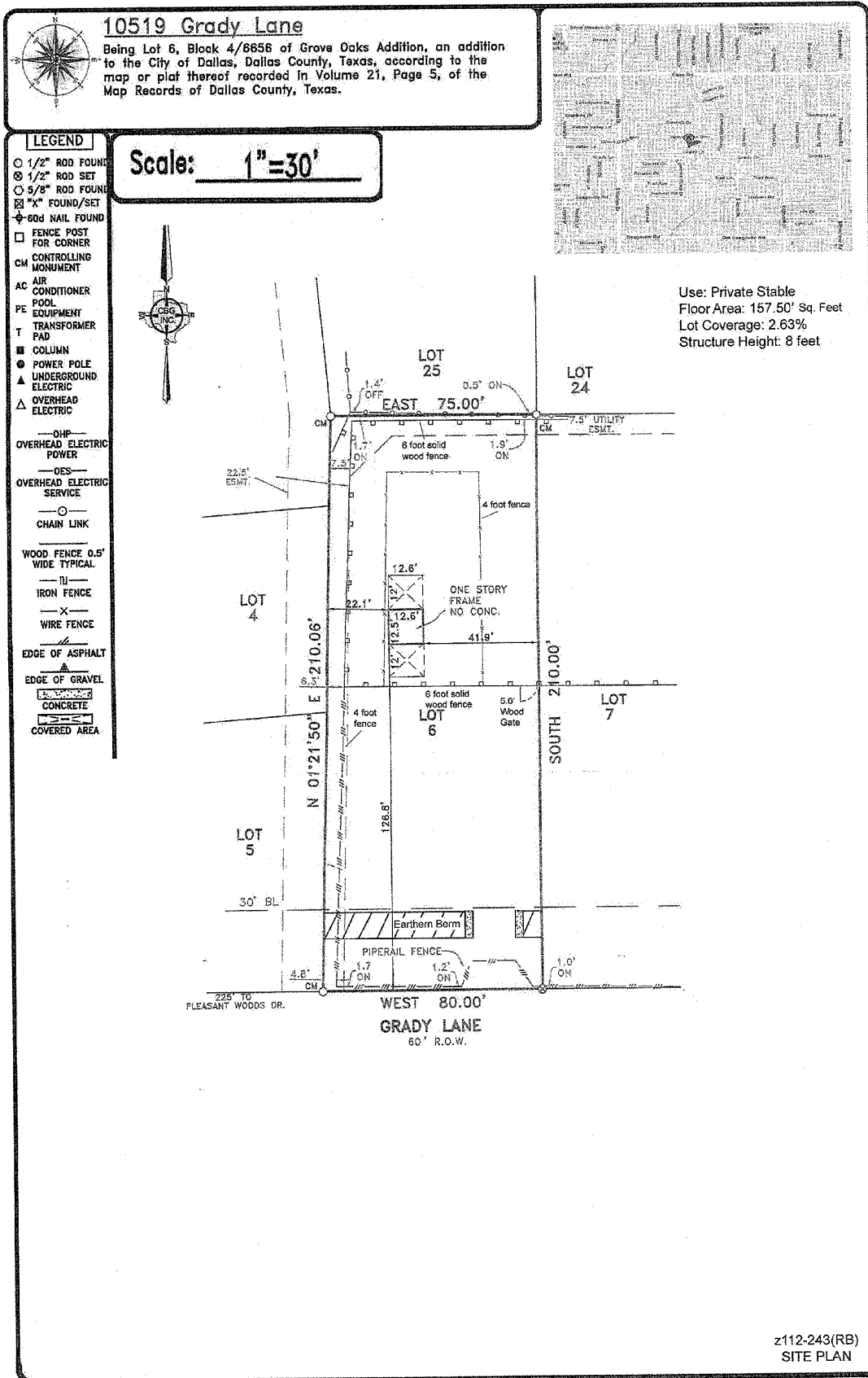
As a result of this analysis, staff supports the request, subject to the attached site plan and conditions.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined it will not significantly impact the street system.

Landscaping: The site possess a significant inventory of native trees. A tree survey will be required prior to the issuance of a building permit, with removal of any trees complying with the tree mitigation regulations of Article X. The applicant has indicated a desire to retain the vast majority of these trees.

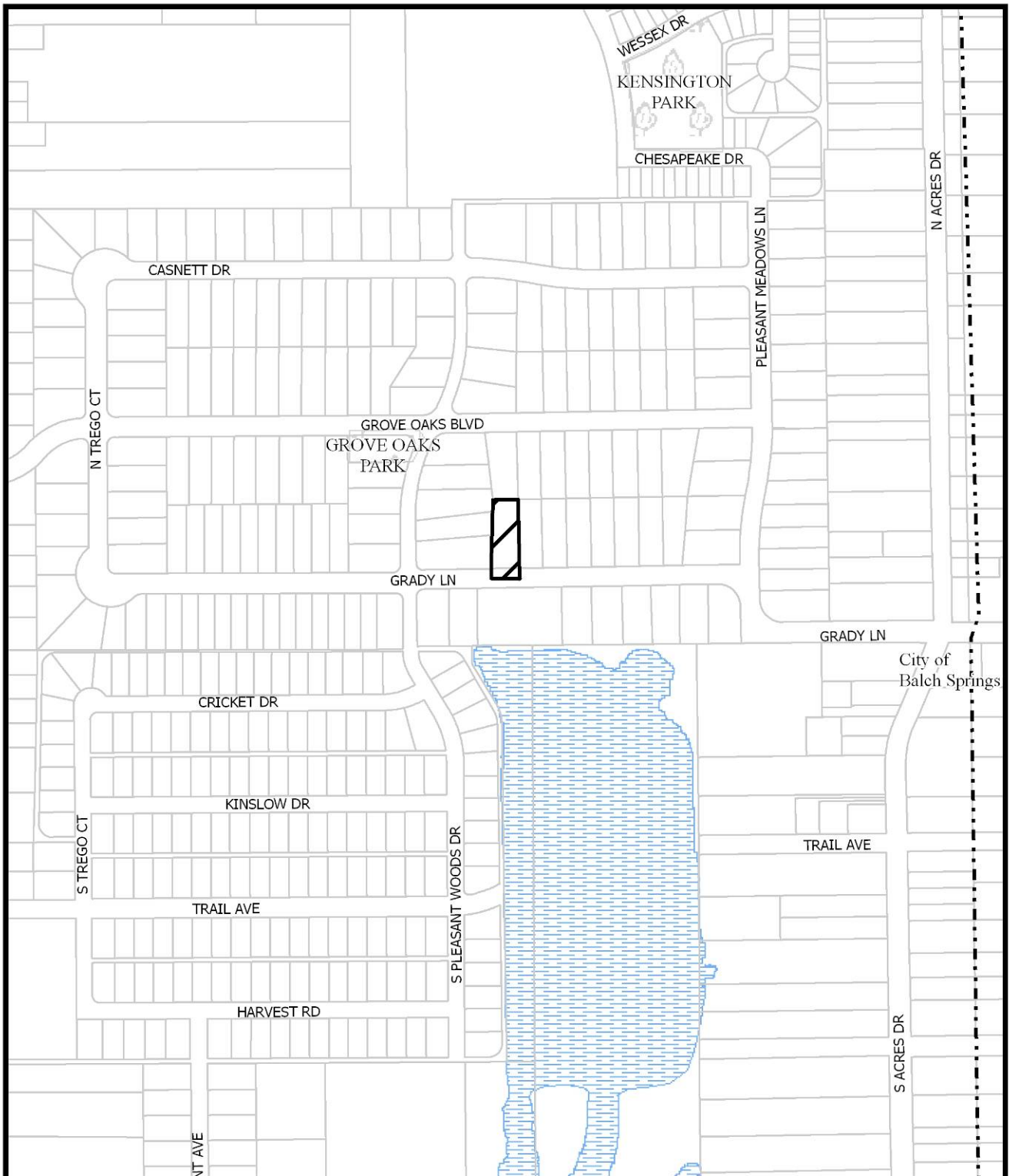
**PROPOSED CONDITIONS FOR A
SPECIFIC USE PERMIT FOR A PRIVATE STABLE**

1. USE: The only use authorized by this specific use permit is a private stable.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years from the passage of the ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. HORSES: A maximum of one horse is permitted on the property.
5. EARTHEN BERM: Prior to the issuance of a certificate of occupancy, an earthen berm must be provided in the location shown on the site plan. The berm must be constructed with a slope not to exceed one foot in height for each two feet in width.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance at all times.
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.



z112-243(RB)
SITE PLAN

Proposed Site Plan

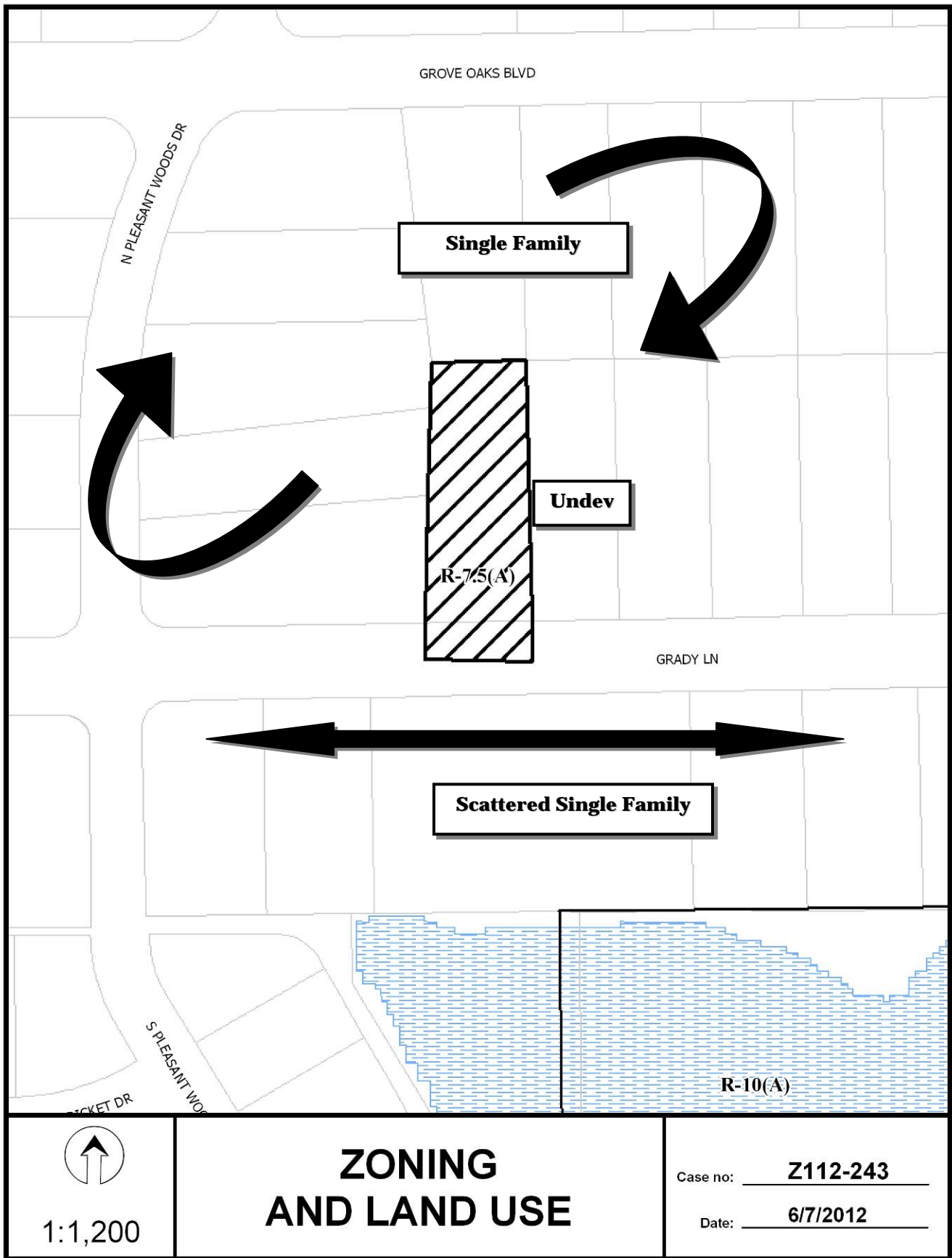



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VICINITY MAP

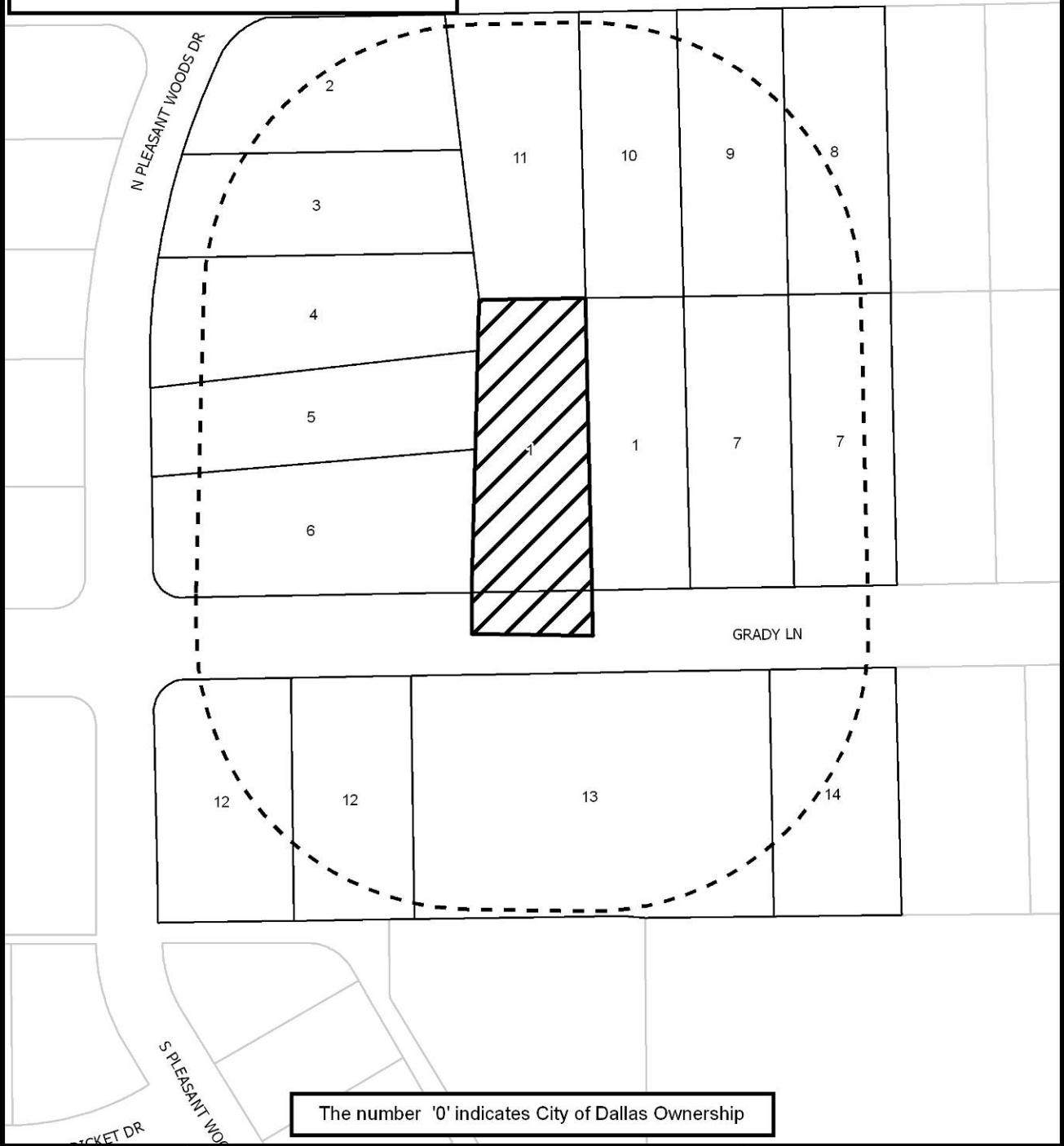
Case no: **Z112-243**

Date: **6/7/2012**



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GROVE OAKS BLVD



The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

14

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-243**

Date: **6/7/2012**

6/7/2012

Notification List of Property Owners

Z112-243

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10519 GRADY LN	CASAS REALIDAD LP
2	128 PLEASANT WOODS DR	KRIVE CHRISTOPHER A & AIMAY
3	122 PLEASANT WOODS DR	LOPEZ ROMAN & DELORES
4	116 PLEASANT WOODS DR	APOLINAR JAIME
5	110 PLEASANT WOODS DR	GOMEZ RICARDO APT 131
6	104 PLEASANT WOODS DR	CITY QUALITY HOMES LTD SUITE 402
7	10611 GRADY LN	CASAS REALIDAD LP
8	10610 GROVE OAKS BLVD	MONTANEZ ABNER
9	10604 GROVE OAKS BLVD	TURAN JOHNNY & GLORIA
10	10522 GROVE OAKS BLVD	NUNEZ IGNACIO & ROSARIO
11	10516 GROVE OAKS BLVD	RICHARDSON JANICE
12	10506 GRADY LN	SARAZUA NICOMEDES
13	10524 GRADY LN	DENN FRANCES CLAUDINE
14	10616 GRADY LN	WOODS VOLNEY JR

FILE NUMBER: Z112-225 (JH)

DATE FILED: April 23, 2012

LOCATION: Southwest corner of Skillman Street and Sandhurst Lane and both sides of Amesbury Drive

COUNCIL DISTRICT: 14

MAPSCO: 36-F

SIZE OF REQUEST: Approx. 19.11 acres

CENSUS TRACT: 79.14

REPRESENTATIVE: Jackson Walker

APPLICANT: JLB Realty, LLC

OWNER: Amesbury Skillman LP

REQUEST: An application for a Planned Development District for multifamily uses on property zoned an MF-1(A) Multifamily District.

SUMMARY: The applicant proposes to redevelop the property with multifamily uses that range in height from 36 feet/three stories to 78 feet/six stories and an overall density of approximately 73 dwelling units per acre.

STAFF RECOMMENDATION: Approval, subject to a conceptual plan, street sections, and staff conditions

BACKGROUND INFORMATION:

- The request site is currently developed with approximately 472 multifamily dwelling units that were constructed in the 1960s.
- The proposed use is a denser and taller multifamily development. Average maximum density is proposed at 73 dwelling units per acre. Maximum heights are specific to the Subareas shown on the conceptual plan, ranging from 36 feet/three stories to 78 feet/six stories

Zoning History:

1. Z112-201 A pending application for an amendment to the development plan and conditions for Planned Development District No. 493 for certain Nonresidential Uses and a Specific Use Permit for a Child-care facility scheduled for the August 8, 2012 City Council hearing.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Sandhurst Lane	Local	50 ft.
Amesbury Lane	Local	50 ft.
Skillman Street	Collector	100 to 120 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because the proposed redevelopment will provide enhanced urban design and streetscape elements. The increased density will be in an area that can support more people with minimal changes required to the nearby street network. The development is also providing access and amenities that enhance the connection to the Ridgewood Trail.

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

- Policy 2.5.2 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

- Policy 4.2.2 Promote a network of on-street and off street walking and biking paths.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

- Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Land Use Compatibility:

The approximately 19.11-acre request site is zoned an MF-1(A) Multifamily District and is currently developed with approximately 472 dwelling units in multiple buildings. The applicant is proposing to redevelop the site with a maximum density of 1,396 dwelling units (approximately 73 units per acre) with maximum heights ranging from 36 feet and three stories to 78 feet and six stories.

The surrounding land uses are multifamily to the north, single family to the east and south, and utilities (ONCOR) to the west. The multifamily uses are adjacent to the request site and across streets. The single family uses to the east are separated by approximately 120 feet across Skillman Street; single family uses to the south are separated from the request site by a 100 foot DART right-of-way and a 100 foot ONCOR property that is planned for the Ridgewood Trail.

The Ridgewood Trail is a four mile long linear park currently under construction from US-75 to the White Rock DART Station. When completed in mid-2013, the Ridgewood Trail will connect the Katy Trail with the north side of White Rock Lake, two DART light rail stations, and single and multi-family neighborhoods in between.

The request site will be accessible to Mockingbird Station when Ridgewood Trail is completed. The walking distance from the southwestern corner of the request site to Mockingbird Station is approximately 4,000 square feet, which is about three-quarters of a mile. The typical comfortable walking distance to consider a project a transit-oriented development is less than one-quarter to one-half a mile. The request site will be more comfortably accessible by bicycle on the trail.

There are two conceptual plans attached. The only difference between these drawings is the text boxes regarding the maximum height for Subarea D-2.

The surrounding MF-1(A) Multiple Family District allows for a maximum height of 36 feet with an additional 12 feet for mechanical equipment and other listed structures. Staff is comfortable with the requested height of 54 feet plus an additional 12 feet for mechanical equipment and clerestory for the property that is setback so to be not visible from the street; staff is very concerned with 78 feet / six stories in Subarea D-2. The PD conditions indicate that Residential Proximity Slope will apply and additional setbacks are required on the side yards adjacent to multifamily uses to the north.

The request site has existing topography that falls from west to east approximately 7-10 feet in Subarea D; 15 feet in Subarea B; 14 feet in Subarea C; and 5 feet in Subarea A. The request site is also developed with approximately 60 two-story buildings. The site will likely be redeveloped with approximately 7 to 10 apartment buildings with parking structures and an area on the east side for townhouses.

The applicant is proposing to alter the definition of height and from where height is measured. The Dallas Development Code currently specifies for height to be measured from average grade; grade may be altered as reasonably necessary to allow for development. The applicant has concern in how Building Inspection interprets where average grade is after grade is altered. The applicant is proposing to measure height from the highest point of grade. Staff is very concerned with this proposed definition and does not think it is appropriate to alter a standard definition. The applicant's proposal will also result in additional height allowed compared to zoning districts that do not alter the definition of height.

The MF-1(A) Multifamily District generally allows maximum densities that range from 24 to 41 dwelling units per acre, based on the mix of bedrooms in a multifamily development. The PD conditions indicate the maximum density overall will be 1,396 dwelling units, which equates to approximately 73 dwelling units per acre. The PD conditions are restrictive on the location of density only in Subarea A and limits density to 196 dwelling units.

The applicant is providing urban design elements in the PD conditions. The proposed development will have individual units on the ground floor that have direct access to the street, bicycle parking, benches, and trash receptacles, which will enhance pedestrian activity. The urban form of the building will be broken up with required articulations every 50 feet and using a mix of façade materials. Staff supports the applicant's request for more density and height because of the increase urban design, pedestrian amenities, and encouraged protection of large existing trees.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
PDD Multifamily	10'	10'	1,396 dwelling units / 73 u/ac	36'/3 stories to 78'/6 stories	Subarea A- 50% All other 85%		Multifamily, duplex, single family
Existing							
MF-1(A) Multifamily	15'	15'	Min lot 3,000 sq. ft. 1,000 sq ft – E 1,400 sq. ft – 1 BR 1,800 sq ft – 2 BR +200 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

Parking:

The PD conditions state that multifamily uses must provide off-street parking at one space per bedroom and tandem parking may be counted to meet the parking requirements. Parking structures that are visible from the right-of-way or Ridgewood Trail must be concealed with a façade that is similar in appearance to the main or adjacent structure.

Traffic:

The PD conditions include traffic improvements that were recommended from the Traffic Impact Analysis. The improvements include providing striping to define turn lanes at certain intersections nearby and turning a two-way stop into a four-way stop at Jason Drive/Amesbury Drive at Sandhurst Lane.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code with some additional requirements. Parkway trees are required at a spacing of one per 35 feet of street frontage and a private license is granted in the PD. An additional option to satisfy the design standard requirement of Article X is provided for the trailhead amenities. The applicant is providing additional trees along the alley in Subarea B at one per 50 feet of alley frontage. A minimum of eight percent open space, which can be provided through courtyards and private accessory recreation areas for the multifamily uses, must be provided for each lot.

The PD conditions include some modification to tree mitigation. Yaupon hollies and crape myrtles are excluded as protected trees based on the way these species have multiple trunks. An incentive is provided to preserve existing large trees within 50 feet of a right-of-way. New trees that are planted in the parkway or the adjacent portion of the adjacent linear park may count towards the tree replacement requirements.

List of Partners/Principals/Officers

Owner: Amesbury Skillman, LP

General Partner: CRV Intervest GP, LLC

M. Timothy Clark, President & Manager
Stephen T. Clark, Chairman & Manager
Pamela H. Harper, Secretary & Treasurer

Applicant: JLB Realty, LP

Bay Miltenberger, Manager
Charles C. Carey, Vice President
Scott Sherwood, Executive Vice President
John Santry, Executive Vice President
Hudson Hooks, Executive Vice President

PD CONDITIONS

“ARTICLE ____.

P.D. ____

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

PD ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2012.

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

PD _____ is established on property generally bounded by Sandhurst Lane, Skillman Street, and Amesbury Lane. The size of PD _____ is approximately 19.106 acres.

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

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

(1) BLADE SIGN means an attached premise sign projecting perpendicularly from a main building façade, visible from both sides, and made of rigid or soft materials.

Staff recommended

~~(2) HEIGHT means the measurement to the midpoint of the roof, if a gable, hip, or gambrel roof, otherwise to the highest point of the structure, from the highest exterior grade elevation.~~

Applicant proposed

(2) HEIGHT means the measurement to the midpoint of the roof, if a gable, hip, or gambrel roof, otherwise to the highest point of the structure, from the highest exterior grade elevation.

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

(4) TANDEM PARKING means one parking space in front of another parking space, making it necessary to pass through one parking space to gain vehicular access to the other parking space from a street, alley, or driveway.

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

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

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

This Property is divided into four main Subareas: Subarea A, Subarea B, Subarea C, and Subarea D. Subarea D is further divided into Subarea D-1 and Subarea D-2.

SEC.51P-____.105 EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ____A: Conceptual Plan
- (2) Exhibit ____B: Street and Sidewalk Sections

SEC.51P-____.106 CONCEPTUAL PLAN

(a) Development and use of the property must comply with the conceptual plan (Exhibit ____A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

(b) A minor amendment to the conceptual plan required due to right-of-way modifications may be approved by the city plan commission if the amendment does not change the basic relationship of the proposed development to the abutting property and does not reduce the area of trail access shown on the conceptual plan. The minor amendment to the conceptual plan does not require the public notice procedure in Section 51A-1.105(k).

SEC.51P-____.107 DEVELOPMENT PLAN

(a) A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved development plan, the text of this article controls.

(b) Development plans may be submitted in phases.

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

(a) The following uses are the only main uses permitted:

- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(3.1) is not met.]*
- Local utilities. *[SUP may be required. Communications exchange facility prohibited.]*
- Multifamily.
- Public park, playground, or golf course.
- Retirement housing.
- Single family.

SEC.51P-____.109. ACCESSORY USES.

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

(b) The following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.
- Amateur communication tower.
- Day home.
- General waste incinerator.
- Private stable.

SEC.51P-____.110. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Setbacks.

Minimum setbacks apply to the outer perimeter of the Property. Setbacks are not required between subareas or lots within the Property.

(1) Encroachments.

(A) For residential uses, unenclosed balconies, bay windows, awnings, and patios may encroach up to five feet into a required front yard setback. Stoops, retaining walls, raised planters, sculptures, and other decorative landscape items may be located within the required setback.

(B) In the required front yard along Skillman Street, gazebos, pergolas, and trellises may be located within the required setback if they are for public use.

(C) Accessory structures for residential uses that are located in a side or rear yard and less than 15 feet in height may provide no side or rear setback.

(2) Front yard.

(A) Minimum front yard along Amesbury Drive is 10 feet.

(B) Minimum front yard along Sandhurst Lane is 15 feet.

(B) Minimum front yard along Skillman Street is 30 feet except where shown on the conceptual plan.

(3) Side and rear yard.

(A) Except as provided, minimum side and rear yard is 10 feet.

(B) In Subarea B, minimum side yard is 30 feet.

(C) In Subarea D-2, minimum side yard is 20 feet.

(b) Dwelling unit density.

(1) Except Subarea A, maximum dwelling unit density is 1,200.

(2) For Subarea A, maximum dwelling unit density is 196.

(c) Floor area ratio. None.

(d) Height and stories.

(1) In general.

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

(B) The additional projections specified in Sec. 51A-4.408(a)(2)(A) are permitted to project an additional four feet above the maximum building height from 10 feet to 40 feet from front, rear and side yard property lines, and 12 feet when greater than 40 feet from front, rear and side yard property lines, provided they comply with the residential proximity slope above the maximum building height.

(C) Parapet walls may project a maximum of four feet above the maximum building height.

- (2) Subarea A. Maximum height is 36 feet. Maximum stories is three.

Staff recommended

(3) <u>Subareas B and D-2</u> . Maximum height is 54 feet. Maximum stories is four.

Applicant proposed

(3) <u>Subarea B</u> . Maximum height is 54 feet. Maximum stories is four.
(4) <u>Subarea D-2</u> . Maximum height is 78 feet. Maximum stories is six.

(5) Subarea C and D-1. Maximum height is 65 feet. Maximum stories is five.

- (e) Lot coverage.

(1) Except Subarea A, maximum lot coverage is 85 percent.

(2) For Subarea A, maximum lot coverage is 50 percent.

- (f) Lot size. None.

SEC.51P-____.111. URBAN DESIGN ELEMENTS FOR RESIDENTIAL USES.

(a) A minimum of 50 percent of the street-facing, ground floor dwelling units must have individual entries that access the street and must have an improved path connecting to the sidewalk.

(b) Individual entries may be gated and private yards fenced if the fencing is a minimum of 50% open, such as wrought iron.

(c) Solid fencing is prohibited between a street-facing façade and the right-of-way and between a façade that faces the Ridgewood Trail and the southern property line of the Property.

(d) Street facing facades must be clearly visible from the street.

(e) In order to break up long walls, building articulation of a minimum depth of one foot is required for every 50 feet of length of a street facing façade is required.

(f) A minimum of two different façade materials is required on each street-facing facade.

(g) Special architectural elements, such as architecturally prominent public entrances, a canopy or awning, attached tower or turret, are required at the building corners at street intersections and building public entry points.

(h) A minimum of two of each of the following pedestrian amenities are required along each street frontage per lot: bench, trash receptacle, and bicycle rack.

Sec. 51P-____.112. OFF-STREET PARKING AND LOADING.

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

(b) For multifamily uses, a minimum of one space per bedroom is required. No additional off-street parking is required for an accessory use.

(c) A maximum of 25 percent of the required off-street parking spaces may be compact.

(d) Tandem parking may count towards required off-street parking for residential uses.

(e) Exterior parking structure facades that are visible from a public right-of-way or the southern property line of the district must be concealed with a facade that is similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure, except that breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in the exterior parking structure facade may not exceed 60 percent of the total parking structure facade area.

SEC.51P-____.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC.51P-____.114. LANDSCAPING AND SIDEWALKS.

(a) In general. Except as provided in this section, landscaping and tree mitigation must be provided in accordance with Article X. If there is a conflict between the text of this article and Article X, the text of this article controls.

(b) Landscaping.

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

(2) For each subarea, or portion approved by a development plan, landscaping must be installed within six months after the issuance of a certificate of occupancy.

(3) Large trees must be planted a minimum of 10 feet from a building.

(c) Parkway trees.

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

(2) Number. The minimum number of required parkway trees is determined by dividing the number of feet of street frontage, exclusive of visibility triangles, by 35. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number.

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

(4) Height and caliper. Parkway trees must have a minimum height of 14 feet and a minimum caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of installation.

(5) Spacing. Parkway trees must be spaced as uniformly as practicable, but must be within 50 feet of the trunk of another required tree.

(d) Design standards. A public trail access area as shown on the conceptual plan will count toward satisfying the design standard requirements in Article X for both tract C and D as long as it contains the following:

(1) a pathway with a minimum 12 feet in width connecting Amesbury Drive to the Ridgewood Trail;

(2) a minimum of two drinking fountains;

(3) bench seating at one bench per 50 linear feet of pathway;

(4) trash cans at one per 100 linear feet of pathway;

(5) pedestrian scale lighting at one per 25 linear feet;

(6) large canopy tree within 10 feet of pathway at one per 50 feet; and

(7) signage indicating trail connection.

(e) Alley trees in Subarea B. One minimum four inch caliper tree must be planted in Subarea B within 30 feet of the alley right-of-way for every 50 feet of alley frontage. These trees are not required to be evenly spaced.

(f) Open space. A minimum of eight percent of the lot area must be provided as open space. Open space may be provided at or below grade or aboveground through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area. Open space cannot be parked or driven upon.

(g) Tree mitigation and protection.

(1) Mitigation for trees removed under a tree removal permit or building permit must be completed prior to the final inspection of the newest building permit for new construction within the district. (Tree removal carries forward to a building permit as long as an active building permit for new construction is pending within the district. If no active building permit exists, tree mitigation is due before final certificate of occupancy or final inspection.) Building permits must specify tree mitigation balances.

(2) Yaupon holly (*Ilex Vomitoria*), and crepe myrtles (*lagerstroemia*), are not considered protected trees for mitigation purposes under Article X.

(3) To preserve existing tree canopies, existing large trees with a caliper of 20 inches or greater whose trunks are within 50 feet of a right-of-way may reduce the number of replacement inches by a factor of 1.5. For example, a tree with a caliper of 20 inches that is preserved reduces the tree replacement requirement by 30 caliper inches.

(4) Trees planted on the Property, in the parkway, or within an adjacent public linear park may count towards the tree replacement requirements.

(h) Sidewalks

(1) Sidewalks located adjacent and parallel to public right of way must be a minimum width of six feet unobstructed.

(2) Street and sidewalk sections must generally follow the conceptual Street and Sidewalk Section plan as shown in Exhibit B. Sidewalks and unobstructed areas can be larger than shown in the Exhibit B.

(3) Tree grates do not count toward the minimum unobstructed sidewalk width.

(4) If a sidewalk is located in the front yard, the property owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrian way.

(i) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) within the Property for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. Parkway means the portion of a street right of way between the street curb and the property line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolutions passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

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

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or

condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(j) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) If compliance or partial compliance with the parkway landscaping requirement is made impossible due to the building official's denial of a parkway landscape permit, the director may approve an alternate landscaping that meets the intent of the parkway landscaping requirement, including but not limited to replacing a requirement for large trees with small trees where overhead utilities exist. If no alternative exists, the director may waive all or part the parkway landscaping requirement.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

SEC.51P-____.115 SIGNS

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

(b) Blade signs. A multifamily premise may erect no more than two blade signs per subarea that project no further than four feet from the vertical building surface. The sign may not be illuminated, exceed 20 square feet in effective area, extend above the roof or over any public right-of-way, be located within the space 10 feet above grade, or be on a premise with a detached sign. No blade signs are allowed to project from a building façade facing Skillman Street.

SEC.51P-____.116 TRAFFIC IMPROVEMENTS.

The following traffic control improvements must be implemented, subject to approval by the city, prior to the issuance of the first certificate of occupancy for new construction in this district.

(1) At the intersection of East University Boulevard and Matilda Street, restripe the northbound and southbound approaches to create a dual lane approach with a dedicated left turn bay.

(2) At the intersection of East University Boulevard and Amesbury Drive, restripe the northbound approach to create a dual lane approach with a dedicated left turn bay.

(3) At the intersection of Skillman Street and Sandhurst Lane, restripe the eastbound approach to provide a dual lane approach with a dedicated right turn bay.

(4) At the intersection of Jason Drive and East University Boulevard, restripe the northbound approach to provide a dual lane approach with a dedicated right turn lane and an additional right turn lane.

(5) Installation of a four-way stop at Jason Drive/Amesbury Drive at Sandhurst Lane.

SEC.51P-____.117 ADDITIONAL PROVISIONS.

(a) One pedestrian, public access location shall be provided through Subarea D as shown on the conceptual plan. The trail access point shall be open for public use and provide pedestrian access from Amesbury Drive to the Ridgewood Trail with the minimum area as shown on the conceptual plan. If provided by easement, the easement must be provided prior to issuance of the first certificate of occupancy for structures in Subarea D.

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

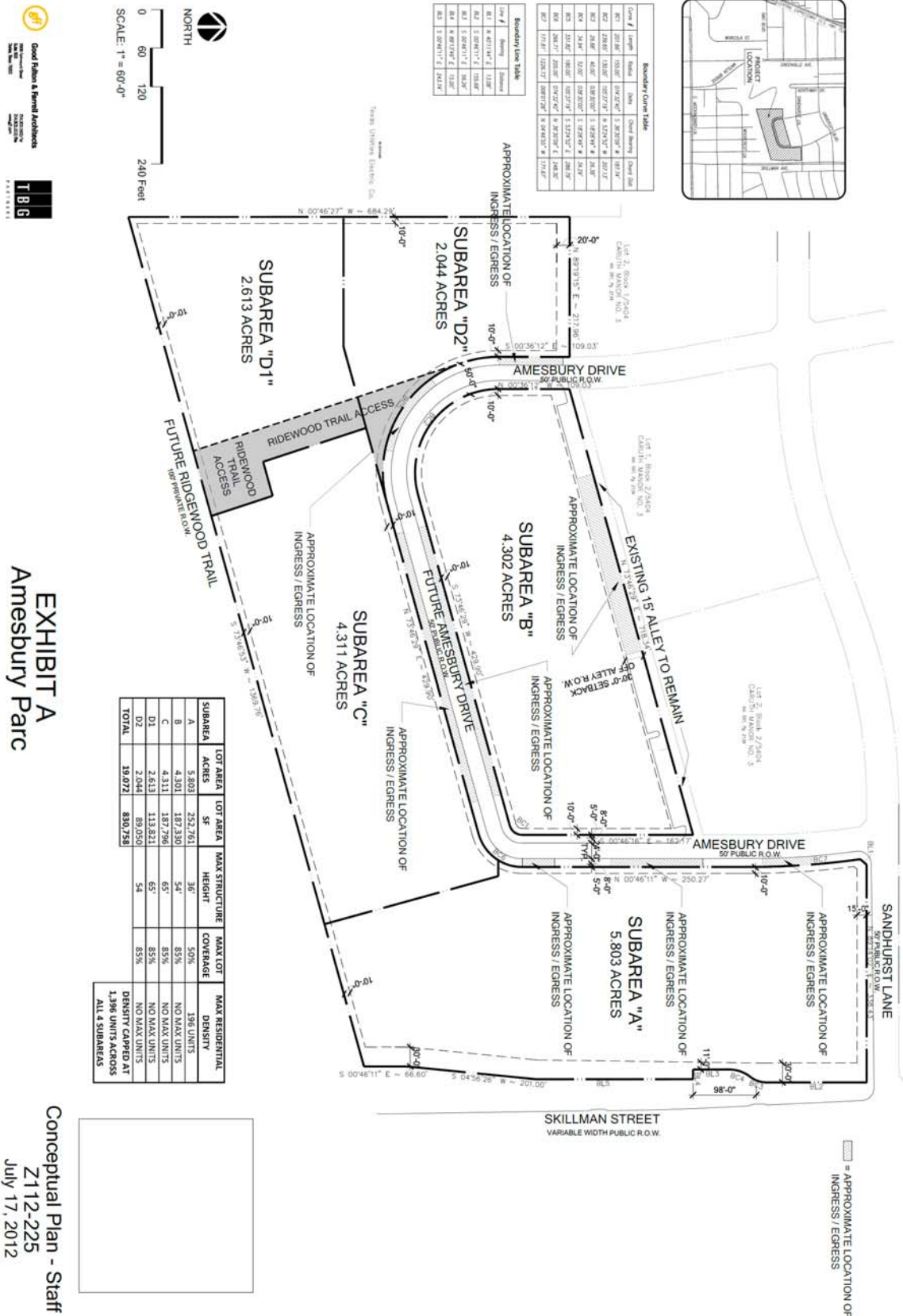
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SEC.51P-____.118 COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, 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.

STAFF RECOMMENDED CONCEPTUAL PLAN



APPLICANT'S PROPOSED CONCEPTUAL PLAN

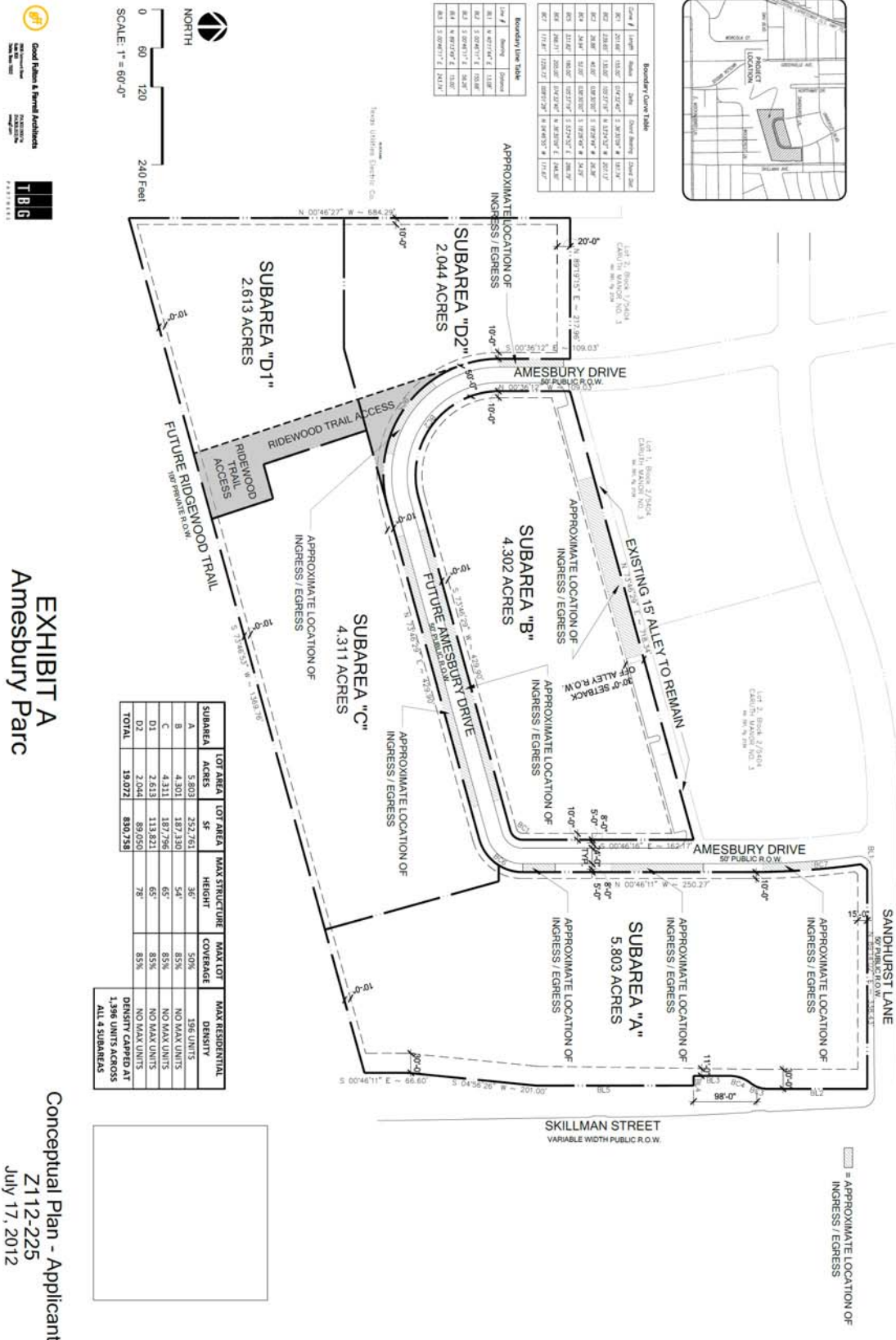
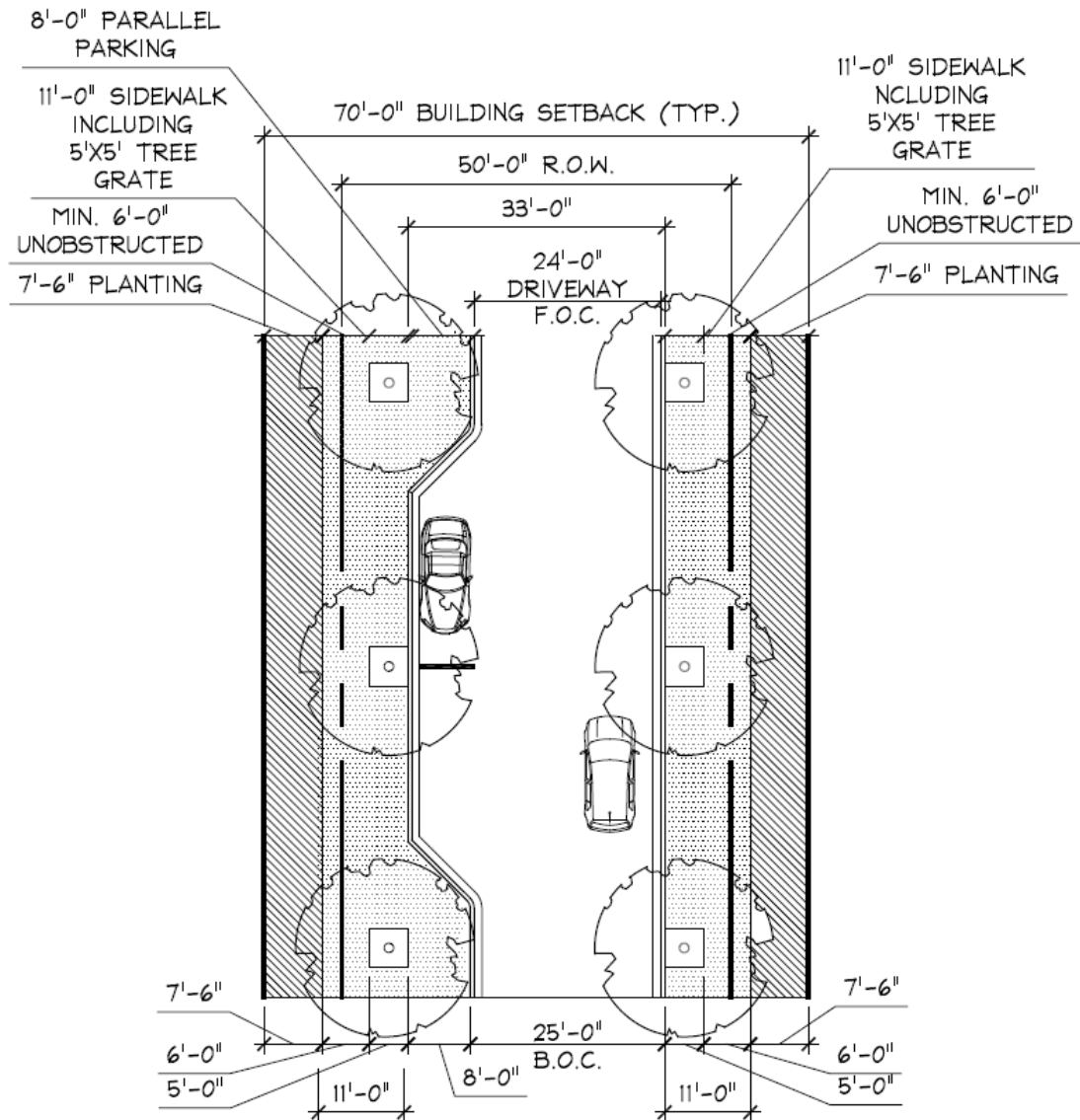


EXHIBIT A
Amesbury Parc

Conceptual Plan - Applicant
 Z112-225
 July 17, 2012

PROPOSED STREET SECTIONS



Typ. Street Section - Parallel Parking on One Side

PLAN

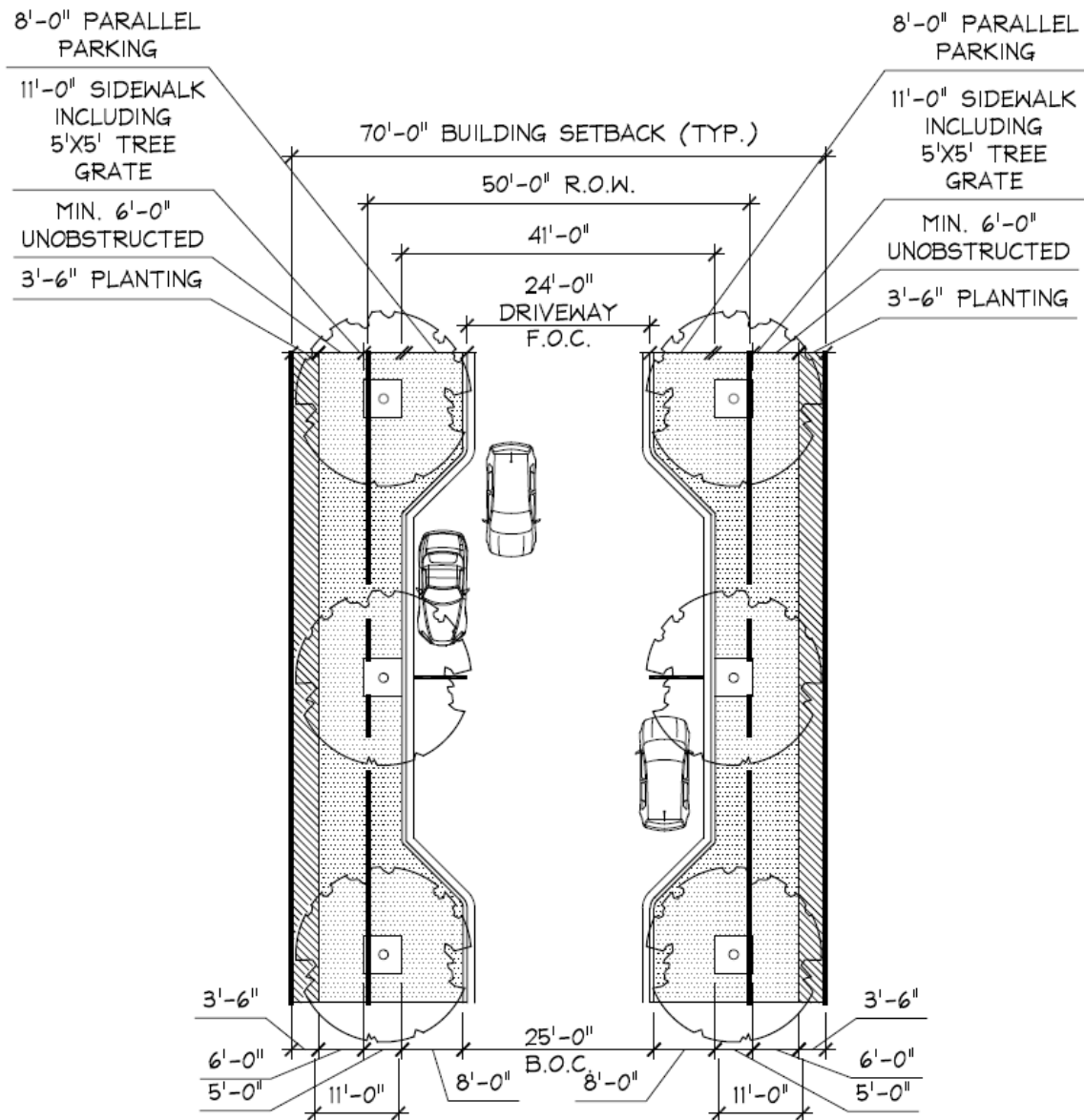
SCALE: 1"=20'



05.03.2012



Good Fulton & Farrell Architects



Typ. Street Section - Parallel Parking on Both Sides

PLAN

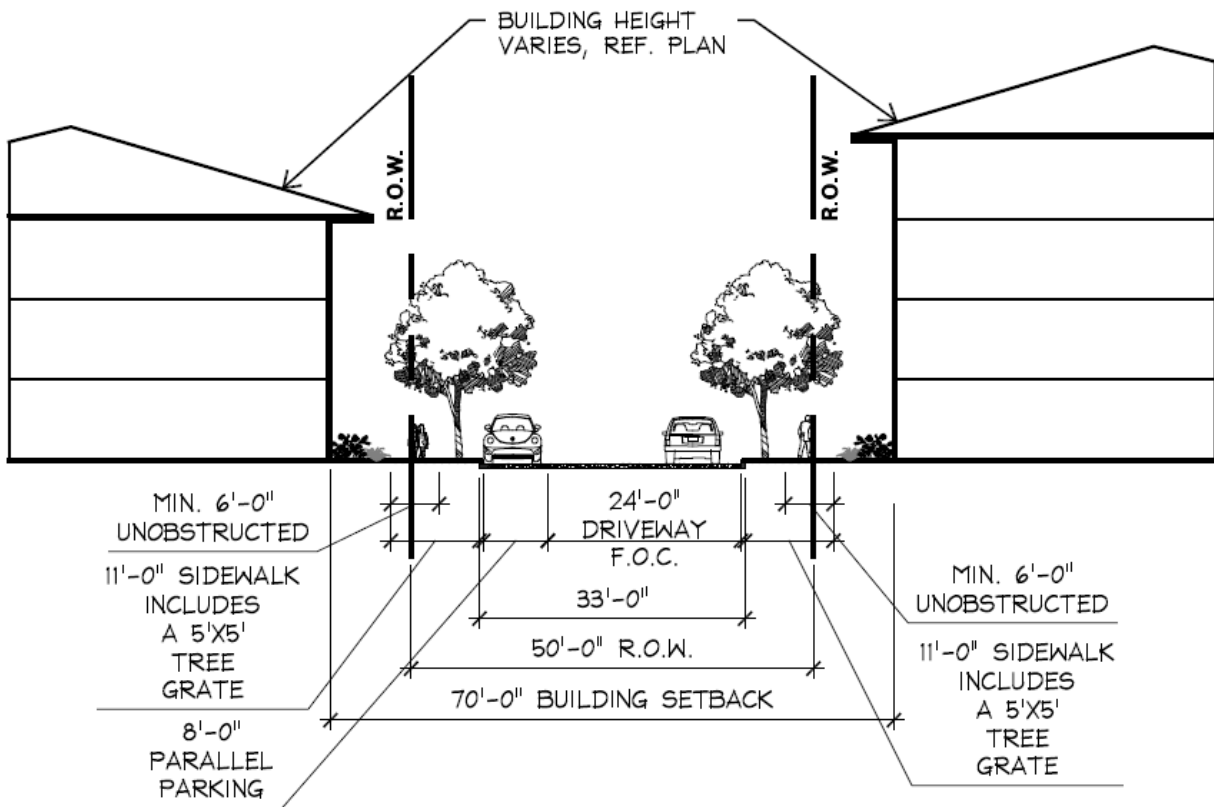
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05.03.2012



Good Fulton & Farrell Architects



Typ. Street Section - Parallel Parking on One Side

SECTION

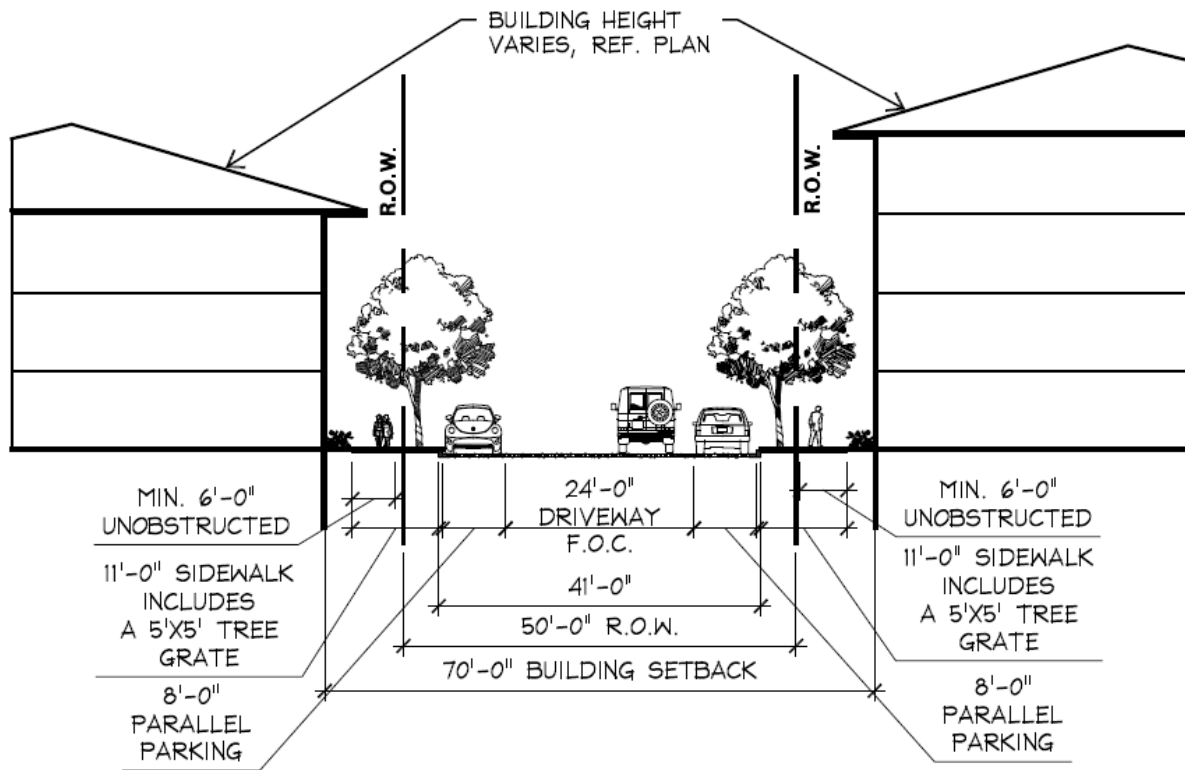
SCALE: 1"=20'



05.03.2012



Good Fulton & Farrell Architects



Typ. Street Section - Parallel Parking on Both Sides

SECTION

SCALE: 1"=20'

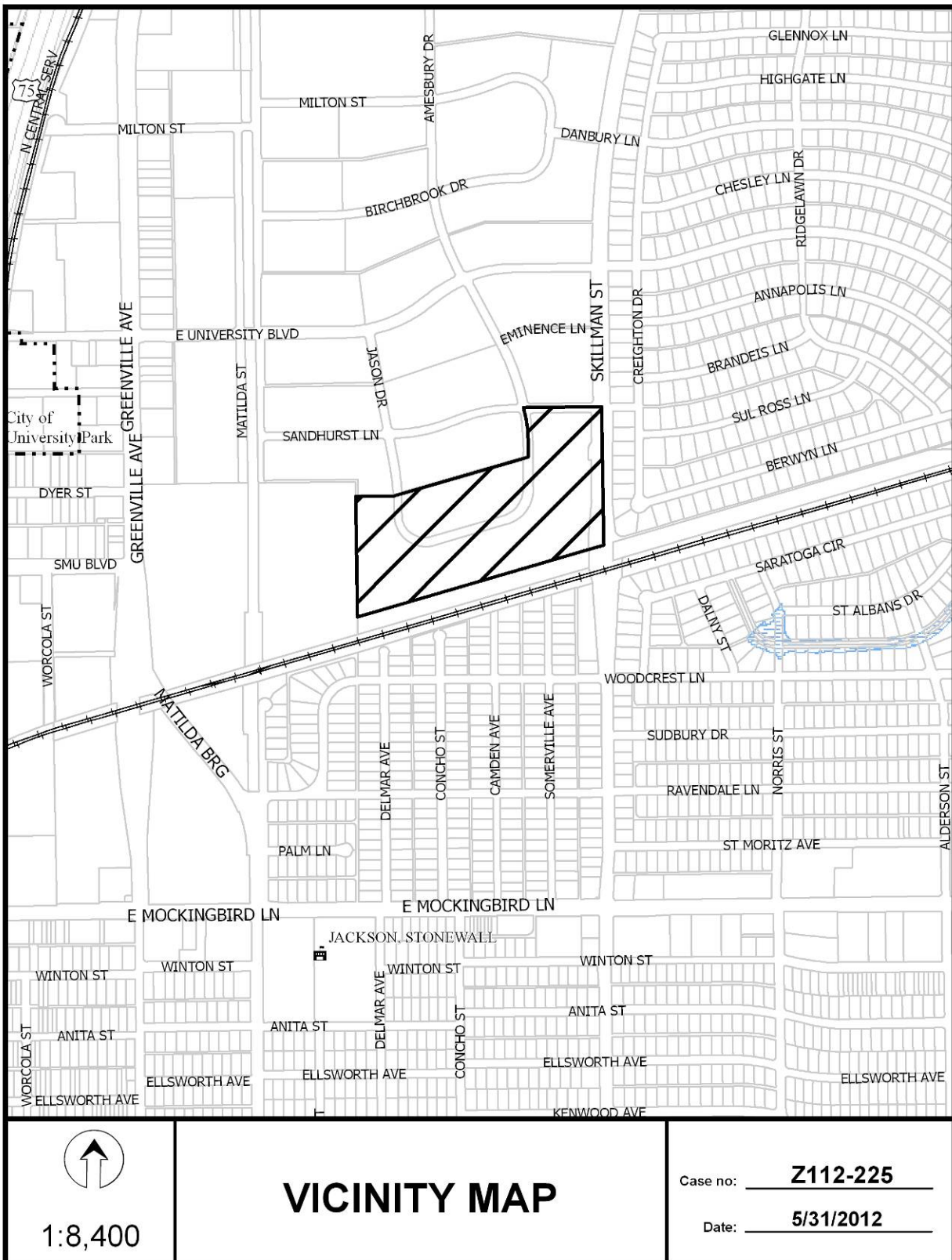


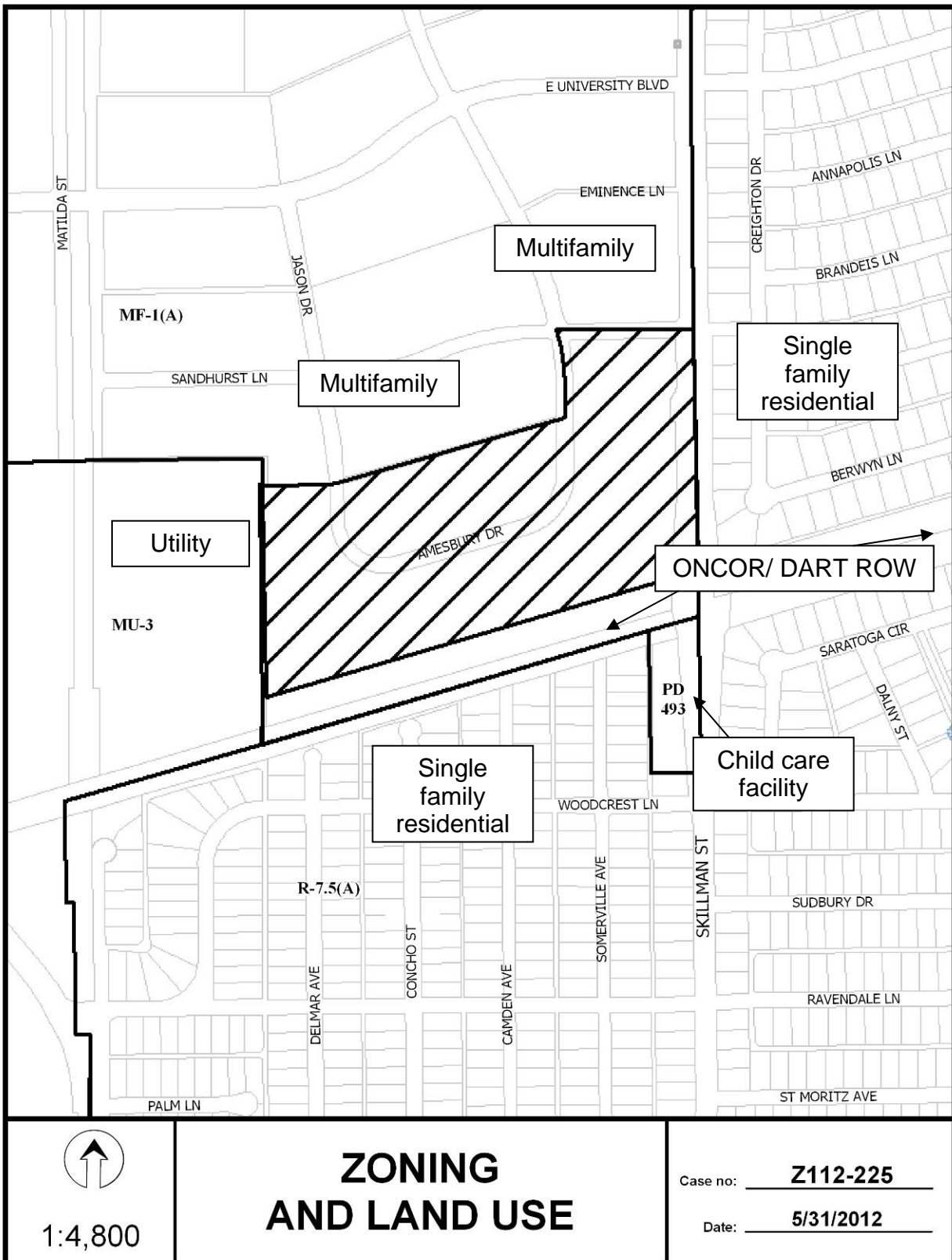
05.03.2012



Good Fulton & Farrell Architects

Z112-225(JH)









5/31/2012

Notification List of Property Owners

Z112-225

510 Property Owners Notified

Label #	Address	Owner
1	4601 AMESBURY DR	AMESBURY SKILLMAN LP
2	4434 SOMERVILLE AVE	JOHNSON ERIC W
3	4430 SOMERVILLE AVE	JORDAN JAMES MICHAEL
4	4426 SOMERVILLE AVE	COOK SCOTT C
5	4422 SOMERVILLE AVE	JOHNSON MATTHEW S & JENNIFER L
6	4418 SOMERVILLE AVE	ZIELKE DARYL & MARZELLA
7	4412 SOMERVILLE AVE	TAYLOR SHARON R
8	4431 SOMERVILLE AVE	HERRICK JACK L TRUSTEE JACK L HERRICK LI
9	4427 SOMERVILLE AVE	JAVADI EMILY &
10	4421 SOMERVILLE AVE	KARY NORMAN E
11	4417 SOMERVILLE AVE	BROWN SHAWN MICHAEL
12	4413 SOMERVILLE AVE	DANIELSON STEVEN JON
13	4407 SOMERVILLE AVE	HARRIS DEBORAH KAY
14	4420 CAMDEN AVE	HARDISON TANYA
15	4416 CAMDEN AVE	MAKAR ROGER J
16	4410 CAMDEN AVE	GLEISER KATHERINE L
17	4406 CAMDEN AVE	FILES JAMES B
18	4402 CAMDEN AVE	TOMPKINS JAMES B ETAL
19	4419 CAMDEN AVE	SANDRES HERSCHEL R
20	4417 CAMDEN AVE	BARCENAS DIANA
21	4411 CAMDEN AVE	MCCOMBIE JAMES JR
22	4407 CAMDEN AVE	SCHMELTZ ANDREW & BETANCOURT KATHRYN
23	4403 CAMDEN AVE	J GREGORY HOMES INC
24	6161 SARATOGA CIR	HEBERT LAURA E
25	6155 SARATOGA CIR	LIPSEY SCOTT F
26	6151 SARATOGA CIR	CHERRY SUSIE MELISSA
27	6145 SARATOGA CIR	NELSON ROBERT L & BONNIE E
28	6141 SARATOGA CIR	THOMAS DIANNE C
29	6137 SARATOGA CIR	PATE CHARLES ANDREW & LAURA ELIZABETH
30	6133 SARATOGA CIR	GEORGE KENN S

Label #	Address	Owner
31	6129 SARATOGA CIR	MCCLURE RONALD C & BARI LEE MCCLURE
32	6123 SARATOGA CIR	MEMZDORF SCOTT & JENNIFER
33	6128 SARATOGA CIR	HECHT EDWARD H
34	4437 DALNY ST	HARRISON PATRICIA LYNN
35	4345 CONCHO ST	SOCCIO MARJORIE A MCNEAL
36	4403 CONCHO ST	TURNER PATRICK & NANCY
37	4407 CONCHO ST	TURNER PATRICK & NANCY
38	4411 CONCHO ST	MARR COREY HOWARD
39	4415 CONCHO ST	ECHELLE ANTHONY
40	4402 CONCHO ST	GOSSETT EMILY
41	4406 CONCHO ST	STACY SUSAN
42	4410 CONCHO ST	BONG ROBERT S
43	4414 CONCHO ST	KOH ANGELINE
44	4418 CONCHO ST	ROBERTS CHAD
45	4337 DELMAR AVE	THOMAS CLYDENE SETZER
46	4343 DELMAR AVE	DAY JULIE
47	4347 DELMAR AVE	HUDDLESTON BRIAN
48	4342 DELMAR AVE	PANKO HEATHER & JASON
49	4346 DELMAR AVE	HEDGES JUDITH
50	4403 DELMAR AVE	WARD GILBERT O & LYNN L WARD
51	4411 DELMAR AVE	QUAIL ASSETS LP
52	4402 DELMAR AVE	CHOWN JEFFREY P & MELINDA D
53	4406 DELMAR AVE	CHOWN JEFFERY P & CHOWN MELINDA D
54	4412 DELMAR AVE	BRADLEY NORMA
55	4342 WOODCREST LN	CORONA GREGORIO A & MARTHA C
56	4336 WOODCREST LN	GONZALES CONNIE B
57	4357 WOODCREST LN	DAVIS RYAN
58	4353 WOODCREST LN	MINNIS NORMA
59	4349 WOODCREST LN	KINGSTON THOMAS E JR & ELIA L
60	4345 WOODCREST LN	STRAUSS JEFFREY C & TAMARA J
61	4341 WOODCREST LN	HOOPER GREGORY LANDIS & DIANE MICHELLE
62	4530 GREENVILLE AVE	TEXAS UTILITIES ELEC CO % STATE & LOCAL
63	4639 CREIGHTON DR	BURGIN CHARLES E
64	4633 CREIGHTON DR	FINCH KATHY
65	4627 CREIGHTON DR	BEYER JENNIFER A

Label #	Address	Owner
66	4621 CREIGHTON DR	MILLER B J AND JERRY
67	4615 CREIGHTON DR	SABA JOHN D & EDWINA SABA
68	4609 CREIGHTON DR	WEBER ANN M
69	4603 CREIGHTON DR	CHARLES BRONSON
70	6104 BERWYN LN	FOSTER FRED M & MARSHA KAY TRUSTEES
71	6108 BERWYN LN	DEFAZIO JOHN B
72	6114 BERWYN LN	FORD FAMILY REVOCABLE LIVING TURST
73	6120 BERWYN LN	HERNDON CHRIS
74	6126 BERWYN LN	WIEGERT LISA G
75	6110 SUL ROSS LN	GOODWIN BETTY
76	6118 SUL ROSS LN	BARRACO JOE
77	6124 SUL ROSS LN	MONTGOMERY CYNTHIA
78	6133 BERWYN LN	STRANSKY GEORGIA H
79	6127 BERWYN LN	LAWRENCE LAIRD
80	6121 BERWYN LN	ALLOWAY PAUL & SUE
81	6115 BERWYN LN	FJORDBAK ANNETTE
82	6106 BRANDEIS LN	PRIOLO LEO JR & MICHELLE D
83	6112 BRANDEIS LN	CUMBERWORTH ROBERT B & MARTHA CLAIRE
84	6118 BRANDEIS LN	TEETERS LESTER
85	6131 SUL ROSS LN	HALL ROMEO L
86	6123 SUL ROSS LN	GRISSOM BILLIE W TR BMG LIVING TRUST
87	6117 SUL ROSS LN	RASH PAUL JONES JR
88	6109 SUL ROSS LN	MCKENZIE DIANE E
89	6106 ANNAPOLIS LN	PERRY SHERRI A
90	6114 ANNAPOLIS LN	PUDDY GLENN L & STACY L
91	6119 BRANDEIS LN	EMERSON MICHAEL & JENNIFER
92	6115 BRANDEIS LN	CAIN MELINDA L
93	6107 BRANDEIS LN	SHELTON GREGORY &
94	4739 CREIGHTON DR	WADE ELISE &
95	4733 CREIGHTON DR	TIMMONS ROBERT N SR
96	4727 CREIGHTON DR	MORRISON KELLY S
97	4721 CREIGHTON DR	MASON ROY H
98	4715 CREIGHTON DR	GURLEY LARRY D & SANDRA L
99	4707 CREIGHTON DR	CHAMBLESS GERALDINE
100	5902 UNIVERSITY BLVD	SSWH PARTNERS LP SUITE 960

Label #	Address	Owner
101	6132 SARATOGA CIR	KELEMEN RUSSELL M & CARI P
102	4411 SKILLMAN ST	LEETEX CONSTRUCTION LLC
103	401 BUCKNER BLVD	DART
104	4705 SKILLMAN ST	MEINES SHARON J & LARRY JAMES
105	4705 SKILLMAN ST	NICHOLS CHRISTOPHER C
106	4705 SKILLMAN ST	DYER REX
107	4705 SKILLMAN ST	DECKARD JOHN W & DEBORAH C
108	4709 SKILLMAN ST	SWOPE GLENN
109	4709 SKILLMAN ST	LOSCERBO VIRGINIA S
110	4709 SKILLMAN ST	SVANE ERIK J
111	4709 SKILLMAN ST	DTRE LLC STE 104-442
112	4715 SKILLMAN ST	MILLICAN MARY
113	4715 SKILLMAN ST	HINDMAN JOYCEE
114	4715 SKILLMAN ST	BAKER RITA M
115	4715 SKILLMAN ST	ELLIOTT LORI A
116	4719 SKILLMAN ST	HILL THERESA M
117	4719 SKILLMAN ST	LONG RALPH & LINDA BLDG A UNIT 4719
118	4719 SKILLMAN ST	TEWOLDE ZIGEREDA
119	4719 SKILLMAN ST	RED STICK PPTIES LTD
120	6005 SANDHURST LN	BAILEY LENNIE T
121	6005 SANDHURST LN	TAYLOR CATHERINE R BLDG B APT B
122	6005 SANDHURST LN	COLE EMILY C UNIT C
123	6005 SANDHURST LN	LANE TARA
124	6007 SANDHURST LN	HARPER HELEN JACKSON
125	6007 SANDHURST LN	LEONG CRAIG S
126	6007 SANDHURST LN	HARPER HELEN J
127	6007 SANDHURST LN	DAVIS JUNE S
128	6009 SANDHURST LN	FLIPPO ALINE J
129	6009 SANDHURST LN	SANDFORT JANE L
130	6009 SANDHURST LN	OATES RICHARD BURT
131	6009 SANDHURST LN	SHUEMAKE JEAN C # D
132	6015 SANDHURST LN	FLYNN PATRICIA A & ROBERT W
133	6015 SANDHURST LN	DIMOULAKIS JULIA L BLDG C UNIT 6015B
134	6015 SANDHURST LN	MCLEROY PEGGY
135	6015 SANDHURST LN	LANGLEY WILLIAM JR & CHARLEEN

Label #	Address	Owner
136	6017 SANDHURST LN	HUNTER TANA LYNN
137	6017 SANDHURST LN	CULPEPPER KENNETH & CHARLOTTE A
138	6017 SANDHURST LN	BJORK JAYNE F UNIT 6017 C
139	6017 SANDHURST LN	HANSEN MICHAEL &
140	6021 SANDHURST LN	STORY MAURICE
141	6021 SANDHURST LN	CURTIS HAROLD R & BILLIE FAYE CURTIS
142	6021 SANDHURST LN	MARX PATRICIA
143	6021 SANDHURST LN	PARKER NINA ELIZABETH
144	6023 SANDHURST LN	CURTIS HAROLD R & BILLIE FAYE
145	6023 SANDHURST LN	THIGPEN HOLLY
146	6023 SANDHURST LN	AFFLECK BERT
147	6023 SANDHURST LN	STAMBAUGH JOHNSON L
148	6027 SANDHURST LN	RASKOPF ANN O LIFE ESTATE
149	6027 SANDHURST LN	GEBRON ALBERT G
150	6027 SANDHURST LN	SILBERSTEIN BETTY G TR
151	6027 SANDHURST LN	MCQUEEN FRANCES V
152	6029 SANDHURST LN	HALLARD SONYA FAYE
153	6029 SANDHURST LN	GRANSTROM PETER NILS E & KARIN M EDMAN G
154	6029 SANDHURST LN	BLANKENSHIP MARY
155	6029 SANDHURST LN	ROONEY ANTON P
156	6033 SANDHURST LN	TRUITT FANNIE BLDG F UNIT A
157	6033 SANDHURST LN	BAKER KENNETH E & PATRICIA A
158	6033 SANDHURST LN	WILSON ELVA M
159	6033 SANDHURST LN	PIERCE LOUIS P & REBECCA A PIERCE
160	6035 SANDHURST LN	SAMPSON REBECCA UNIT A
161	6035 SANDHURST LN	SCHULTZ CAROL APT B
162	6035 SANDHURST LN	COX CHARLENE M
163	6035 SANDHURST LN	YOSEPH AZEB
164	6037 SANDHURST LN	NANCE CAROLYN BLDG F APT A
165	6037 SANDHURST LN	STEWART LAURA L
166	6037 SANDHURST LN	BURKHART LOUIZA
167	6037 SANDHURST LN	WILSON KYLE DAVID
168	4718 AMESBURY DR	ALEXANDER LAVEY L
169	4718 AMESBURY DR	KINNEY PEARL A
170	4718 AMESBURY DR	WORLEY KATHRYN % FRANK W WORLEY

Label #	Address	Owner
171	4718 AMESBURY DR	GEORGE JUNE
172	4712 AMESBURY DR	GLOECKNER SILKE
173	4712 AMESBURY DR	DUSSAU BONNIE BUIL H, UNIT B
174	4712 AMESBURY DR	BROWN JOHN A
175	4712 AMESBURY DR	RHODES RICHARD STEPHENSON UNIT D
176	5801 SANDHURST LN	GAMBLE KAREN
177	5801 SANDHURST LN	HEIL ERIC & JAYE
178	5801 SANDHURST LN	RUTLEDGE MARJORIE J TRUSTEE THE
RUTLEDGE		
179	5801 SANDHURST LN	HEADLEY CAREY J
180	5805 SANDHURST LN	VAILLANCOURT LOIS
181	5805 SANDHURST LN	PATTERSON D M
182	5805 SANDHURST LN	WILSON JANE E
183	5805 SANDHURST LN	WRIGHT HELENA CONLY
184	5807 SANDHURST LN	MONCIBAIS MATILDA
185	5807 SANDHURST LN	BEAL MARTHA ANN
186	5807 SANDHURST LN	BURCHAM SHEILA M BLDG A # C
187	5807 SANDHURST LN	MOORE RUTH & BURCHAM SHIELA BLDG A UNIT
188	5839 SANDHURST LN	FULLINGIM DIANE
189	5839 SANDHURST LN	WOOD ROBERT C
190	5839 SANDHURST LN	RAFFERTY BRIAN JOHN
191	5839 SANDHURST LN	NETTLE JAMES P & MICHELLE M NETTLE
192	5841 SANDHURST LN	DURKIN COLLEEN E UNIT A
193	5841 SANDHURST LN	THORNHILL CYNTHIA C
194	5841 SANDHURST LN	FERRILLO GINA V MOSS
195	5841 SANDHURST LN	IRFAN SALMAN & MONA FARYAL
196	5845 SANDHURST LN	MILIARA DEBBIE G
197	5845 SANDHURST LN	BRADLEY SHARON G
198	5845 SANDHURST LN	RWD HOLDINGS LP
199	5845 SANDHURST LN	JONES DOUG B
200	5849 SANDHURST LN	DAVIS HELENE ESTATE OF BLDG C UNIT 5849-
201	5849 SANDHURST LN	ROGERS PEGGY J
202	5849 SANDHURST LN	ARREDONDO VIRGINIA L
203	5849 SANDHURST LN	SCOGGINS BLAKE W
204	5815 SANDHURST LN	BURGESS ELMER R
205	5815 SANDHURST LN	LAKE LESLEY A

Label #	Address	Owner
206	5815 SANDHURST LN	ANGELO JOAN M
207	5819 SANDHURST LN	BOYSE SHERRY
208	5819 SANDHURST LN	WESTBROOK MELBA J BLDG D UNIT 5819B
209	5819 SANDHURST LN	WAKEFIELD SHARON
210	5819 SANDHURST LN	CHERONES STACY BLDG D
211	5823 SANDHURST LN	PRITCHARD HOLLY A
212	5823 SANDHURST LN	HULSE MARILYN F
213	5823 SANDHURST LN	MCCARTY MELISSA A
214	5823 SANDHURST LN	ZIVNEY DARLA JUNE
215	5827 SANDHURST LN	WATSON MARY
216	5827 SANDHURST LN	SOTELO GLORIA BLDG E UNIT B
217	5827 SANDHURST LN	CASE TERRY W
218	5827 SANDHURST LN	SHUSTER EARL T
219	5831 SANDHURST LN	WEBB GUYDA B
220	5831 SANDHURST LN	BENNETT-HINES CHERE
221	5831 SANDHURST LN	WALLACE TERRY D BLDG E & UNIT C
222	5831 SANDHURST LN	CARTHEW J ANDREW & CHARLES M CARTHEW
223	5835 SANDHURST LN	MILLS DARLENE LIFE ESTATE BLDG F UNIT A
224	5835 SANDHURST LN	EADES ROBERT BLDG F UNIT B
225	5835 SANDHURST LN	POLITE JODY
226	5835 SANDHURST LN	SMITH MARK ALAN & CATHERINE C
227	5811 SANDHURST LN	SNOW ROBERT A
228	5811 SANDHURST LN	DAVIS SANDRA D
229	5811 SANDHURST LN	SOTELO GLORIA L
230	5811 SANDHURST LN	IRFAN SALMAN U
231	5817 SANDHURST LN	PETCHSUWAN WIPHORN
232	5817 SANDHURST LN	PEABERRY PROPERTIES LLC
233	5817 SANDHURST LN	KUSMIN SEAN & SUSAN
234	5817 SANDHURST LN	SHOEMAKER MARY JONES
235	5821 SANDHURST LN	GARCIA HOPE L
236	5821 SANDHURST LN	CARPENTER PETER JON
237	5821 SANDHURST LN	BASSI NOELLE BLDG G
238	5821 SANDHURST LN	KELLY REAGAN MARY
239	5825 SANDHURST LN	LIN WEI CHEN
240	5825 SANDHURST LN	ALLEN ELIZABETH A UNIT B

Label #	Address	Owner
241	5825 SANDHURST LN	LESSER ROBERT &
242	5825 SANDHURST LN	FRANKLIN DANIEL J & KIMBERLY W
243	5829 SANDHURST LN	GICK MICHAEL & EUNICE
244	5829 SANDHURST LN	DEGRAAF SONJA MARIJKE
245	5829 SANDHURST LN	HAMMOND JIMMIE
246	5829 SANDHURST LN	NEWSOME SHIRLEY ISON
247	5833 SANDHURST LN	WOOD CYNTHIA
248	5833 SANDHURST LN	DUSTON MONICA
249	5833 SANDHURST LN	ROUSSEAU WILLIAM
250	5833 SANDHURST LN	TESFAYOHANNES TWOLDE T UNIT 5833 D
251	4512 AMESBURY DR	SLAUGHTER STEVEN M
252	4512 AMESBURY DR	RICKRICH WHITE LLC
253	4512 AMESBURY DR	MAZZINI CHRIS G & MICHELLE H
254	4512 AMESBURY DR	STAGGS JENNA L
255	4512 AMESBURY DR	HOLLAND BILLIE R
256	4512 AMESBURY DR	DAHM DEREK W
257	4512 AMESBURY DR	BAUMGARDNER TIMOTHY
258	4518 AMESBURY DR	SLAUGHTER STEVEN
259	4518 AMESBURY DR	MARTINEZ MARISA N BLDG A UNIT 4518B
260	4518 AMESBURY DR	CHAILLET BRIAN STEPHEN
261	4518 AMESBURY DR	BRACKEN CORRINE CATHERINE
262	4518 AMESBURY DR	WOOD MARY E BLDG A UNIT E
263	4518 AMESBURY DR	DECKARD JOHN & DEBBIE
264	4524 AMESBURY DR	PATERNOSTRO RONALD L
265	4524 AMESBURY DR	DECKARD JOHN W & DEBORAH DEBORAH C
DECKA		
266	4524 AMESBURY DR	MAYPO REALTY 1 LP
267	4524 AMESBURY DR	WILDBERGER PAUL &
268	4652 MATILDA ST	MURRAY JOHN G UNIT 259
269	4652 MATILDA ST	KLEPACZ KELLY
270	4652 MATILDA ST	DITTMAR DANA UNIT C
271	4652 MATILDA ST	BELIZARIO A R
272	4652 MATILDA ST	OSWIECINSKI ALEXANDER D
273	4652 MATILDA ST	CHENG MICHAEL M
274	4652 MATILDA ST	JEFFREY JARED

Label #	Address	Owner
275	4652 MATILDA ST	PATTERSON W DRAKE
276	4658 MATILDA ST	DEORNELLAS LLOYD JACOB
277	4658 MATILDA ST	BAEZ ROBERTO C
278	4658 MATILDA ST	DOAN-LYN INVESTMENT INC
279	4658 MATILDA ST	CHOMSHOEY TANONGSAK BLDG B UNIT G
280	4658 MATILDA ST	BUTLER BARBARA K BLDG B UNIT H
281	4664 MATILDA ST	SCALLA ANTHONYJ III STE 300
282	4664 MATILDA ST	OSELL BRUCE
283	4664 MATILDA ST	BOND CAROLYN S
284	4664 MATILDA ST	DOAN-LYNN INVESTMENTS INC
285	4664 MATILDA ST	DECKARD JOHN & DEBORAH
286	4676 MATILDA ST	DECKARD JOHN W & DEBORAH C
287	4676 MATILDA ST	ANTHONY WILLIAM M II
288	4676 MATILDA ST	ALLEN CYNTHIA L
289	4676 MATILDA ST	SIMPSON SANDRA K BLDG C UNIT E
290	4676 MATILDA ST	DECKARD JOHN W & DEBORAH UNIT 130
291	4676 MATILDA ST	HOLT JOHN E UNIT G
292	4676 MATILDA ST	KERSHAW ALAN APT H
293	4682 MATILDA ST	TWILIGHT PPTIES LLC
294	4682 MATILDA ST	DEAL ARTHUR & JUDITH DEAL
295	4682 MATILDA ST	DECKARD JOHN W & DEBORAH C
296	4682 MATILDA ST	SAVARD MARY E
297	4688 MATILDA ST	HOSS MICHELLE M & CHRISTOPHER G MAZZINI
298	4688 MATILDA ST	LOGUE PAULINE LIFE ESTATE REM: ALENE CAT
299	4688 MATILDA ST	MANGELSDORF PAUL
300	4688 MATILDA ST	ALVARADO OWEDIA S BLDG C UNIT G
301	5802 SANDHURST LN	HARMON STEPHANIE L BLDG D UNIT A
302	5802 SANDHURST LN	PRETZMAN CHRISTOPHER & CELEEN B
303	5802 SANDHURST LN	PETCHSWAN WIPHORN & VARISA S CLAPPER
304	5808 SANDHURST LN	SU ZHEN
305	5808 SANDHURST LN	BUSSEY MARTY T BLDG D UNIT #B
306	5808 SANDHURST LN	HULLUM ANITA
307	5808 SANDHURST LN	SMELLAGE CALVIN LEE UNIT 5808 BLDG D
308	5814 SANDHURST LN	BARNETT STACEY W
309	5814 SANDHURST LN	WHITE LANCE W

Label #	Address	Owner
310	5814 SANDHURST LN	RUCKS SUSAN T
311	5814 SANDHURST LN	KEBEDE GENET BLDG E UNIT 5814D
312	5820 SANDHURST LN	FLEMING KELLIE M
313	5820 SANDHURST LN	PARKER JAMES III
314	5820 SANDHURST LN	DANSER MICHAEL &
315	5820 SANDHURST LN	PINO CARLOS J & ANNALY M PINO
316	5826 SANDHURST LN	PLUSS NOHEMI B & DAVID
317	5826 SANDHURST LN	MINNIS NORMA
318	5826 SANDHURST LN	PATTERSON MARLENE L
319	5826 SANDHURST LN	HAMMOND JIMMIE
320	5832 SANDHURST LN	THOMPSON MARCUS M &
321	5838 SANDHURST LN	ALFANO MARY BLDG E UNIT A
322	5838 SANDHURST LN	RUSH SAMANTHA #B
323	5838 SANDHURST LN	NICOLET TED
324	5844 SANDHURST LN	WOOD BOB & PAT WOOD
325	5844 SANDHURST LN	DOYLE ANDREW I BLDG E UNIT B
326	5844 SANDHURST LN	BEYER BRADLEY J
327	5844 SANDHURST LN	BLEY TIMOTHY JOHN
328	5850 SANDHURST LN	MALL LORI & HAROLD
329	5850 SANDHURST LN	FLANAGAN JESSE
330	5850 SANDHURST LN	COLEMAN CALVIN
331	5850 SANDHURST LN	TAYLOR LIDA T BLDG F UNIT 5850
332	5856 SANDHURST LN	BOSSIO BEATRIZ
333	5856 SANDHURST LN	HODGSON JEFFREY E
334	5856 SANDHURST LN	KOWITZ JEFFREY E UNIT D
335	5904 SANDHURST LN	DAVIS JOHANNA C
336	5904 SANDHURST LN	SOO WILLIAM N
337	5904 SANDHURST LN	RIDGEWAY LEAH
338	5904 SANDHURST LN	REEVES PAMELA C BLDG 5904 UNIT 148
339	5904 SANDHURST LN	LANDRY MATHEW G
340	5904 SANDHURST LN	MCLEAN KIMBERLY J
341	5904 SANDHURST LN	JOWELL LISA C
342	5904 SANDHURST LN	BERG GREG T UNIT247
343	5904 SANDHURST LN	SMITH CHRISTINE
344	5904 SANDHURST LN	DONNER CHRISTOPHER

Label #	Address	Owner
345	5908 SANDHURST LN	BRONSTAD JOSHUA LEE
346	5908 SANDHURST LN	CHUD ANDREW CHRISTOPHER
347	5908 SANDHURST LN	ROBERTS BRIDGET D
348	5908 SANDHURST LN	ALLEN MARK BLDG 5908 UNIT 242
349	5908 SANDHURST LN	GLASS TIMOTHY C
350	5908 SANDHURST LN	MENTER ROBERT
351	5910 SANDHURST LN	CARROLL JAMES R ET AL
352	5910 SANDHURST LN	SCHINDLER CHELSEA L BLDG 5910 UNIT 140
353	5910 SANDHURST LN	WILLIAMS DANIEL LEE
354	5910 SANDHURST LN	HILL ROBERT C & CHARLOTTE E
355	5910 SANDHURST LN	GROSS ANNE MARIE
356	5910 SANDHURST LN	FINNEY WILLIAM PRESTON UNIT 241
357	5912 SANDHURST LN	BIVENS WILLIAM
358	5912 SANDHURST LN	TURPIN JENNIFER R UNIT 137
359	5912 SANDHURST LN	GLOVER MICHAEL L & KAREL C
360	5912 SANDHURST LN	GRAHAM KIMBERLEY
361	5912 SANDHURST LN	TOWNSEND GARY B SR
362	5912 SANDHURST LN	OLSON BRIAN & KELLY OLSON
363	5916 SANDHURST LN	COLE KIMBERLY A
364	5916 SANDHURST LN	SPENCER JULIA
365	5916 SANDHURST LN	WEIDBERG CARLI E
366	5916 SANDHURST LN	KHURANA EDITH B TRUST
367	5916 SANDHURST LN	THORMODSGARD JUSTIN
368	5916 SANDHURST LN	EDDY DUSTIN J
369	5916 SANDHURST LN	ALLEN CHAD
370	5916 SANDHURST LN	JOHNSTON JEFFREY A JR UNIT 233
371	5916 SANDHURST LN	CASSIDY C BRIAN & BARBARA
372	5916 SANDHURST LN	GARCIA EVA & MARIO SAUCEDO
373	5920 SANDHURST LN	YOHN ELIZABETH
374	5920 SANDHURST LN	WILCOX DIANE POU BLDG 5920 UNIT 130
375	5920 SANDHURST LN	NG ADRIAN H
376	5920 SANDHURST LN	GALVAN SYLVIA
377	5920 SANDHURST LN	BATES LAUREN
378	5920 SANDHURST LN	BRUNSON JONATHAN M BLDG 5920 UNIT 230
379	5920 SANDHURST LN	ROUQUETTE JOHN F JR

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380	5920 SANDHURST LN	MARTIN D &
381	5926 SANDHURST LN	BRYAN BARRY C
382	5926 SANDHURST LN	OLDING KEVIN UNIT 122
383	5926 SANDHURST LN	TOOMAY INVESTMENTS LLC
384	5926 SANDHURST LN	MITCHELL DANIEL G
385	5926 SANDHURST LN	GAUTHIER RACHEL &
386	5926 SANDHURST LN	MCELROY CASSIE
387	5926 SANDHURST LN	PECKAT WALTER L III
388	5926 SANDHURST LN	BERRY JOANNE
389	5928 SANDHURST LN	BENDER PAUL D & VIRGINIA L BENDER
390	5928 SANDHURST LN	VANBRED A MICHAEL & MARYANN IBRAHIM
391	5928 SANDHURST LN	SANTOS LEONARDO O
392	5928 SANDHURST LN	MONTOYA CUAUHEMOC & NICOLE KINSON
393	5928 SANDHURST LN	WATSON FLYNN
394	5928 SANDHURST LN	TUSCANY HOME OWNERS ASSOCIATION
395	5930 SANDHURST LN	PADDOCK CARTER D #118
396	5930 SANDHURST LN	HAITZ DANIEL J APT 119
397	5930 SANDHURST LN	MERRITT DAN
398	5930 SANDHURST LN	WEST ANN MARIE
399	5930 SANDHURST LN	AGER ZACHARY A # 219
400	5930 SANDHURST LN	MCGEHEE CRYSTAL ANN
401	5932 SANDHURST LN	HAYES BRIAN A & MIRANDA L APT 113
402	5932 SANDHURST LN	MANDALA STEPHEN & JESSICA
403	5932 SANDHURST LN	MORGAN JAYSON
404	5932 SANDHURST LN	HALL DON K
405	5932 SANDHURST LN	LANDRY ELIZABETH M
406	5932 SANDHURST LN	ROBERTO DOUGLAS P
407	5932 SANDHURST LN	MOORE STANLEY R & SHARON A
408	5932 SANDHURST LN	THOMAS KAMERON
409	5932 SANDHURST LN	DAVIS DARYL
410	5932 SANDHURST LN	MARTINDALE EMERY S
411	5934 SANDHURST LN	PILLANS JULIE A
412	5934 SANDHURST LN	STEPHENSON STACY D
413	5934 SANDHURST LN	HARLOW JAMES & LISA
414	5934 SANDHURST LN	COUCH KATRINA UNIT 109

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415	5934 SANDHURST LN	COKELEY JENNIFER L &
416	5934 SANDHURST LN	RICO DAVID
417	5934 SANDHURST LN	MORAN NOZALED A ANGIE
418	5934 SANDHURST LN	JUDKINS SUSAN UNIT 208
419	5934 SANDHURST LN	HOLMAN HAWLEY
420	5934 SANDHURST LN	SINGLETON KENTNER & JULIA SINGLETON
421	5936 SANDHURST LN	RUGG JESSICA & ANDREW
422	5936 SANDHURST LN	CAPONE DONALD W III
423	5936 SANDHURST LN	CONFER JOHN
424	5936 SANDHURST LN	GUNN ANDREW MCDOWELL
425	5938 SANDHURST LN	PENNINGTON JOSHUA
426	5938 SANDHURST LN	VAREL JESSICA #102
427	5938 SANDHURST LN	SIMPSON SANDRA S
428	5938 SANDHURST LN	DAVIDSON JOHN UNIT 104
429	5938 SANDHURST LN	WALTERS BESSIE R
430	5938 SANDHURST LN	RICHARDS VELMA P
431	5938 SANDHURST LN	UHLER LYNNE B & ROBERT B UHLER
432	5938 SANDHURST LN	LAU WILLIAM
433	5938 SANDHURST LN	MARBLE ERIKA
434	5938 SANDHURST LN	WILLIAMS SARA ELIZABETH
435	6018 UNIVERSITY BLVD	BARBARY GEORGE F JT BLDG A UNIT 101
436	6018 UNIVERSITY BLVD	SINGH AMRITPREET UNIT 102
437	6022 UNIVERSITY BLVD	HOPKINS JOANNE S BLDG A UNIT 103
438	6022 UNIVERSITY BLVD	ROBERTSON LORETTA
439	6026 UNIVERSITY BLVD	THOMAS DORINA
440	6026 UNIVERSITY BLVD	PIERCE JAN
441	6018 UNIVERSITY BLVD	KIWIET TALITHA BLD A UNIT 201
442	6018 UNIVERSITY BLVD	DURAN OMAR MOISES #202
443	6022 UNIVERSITY BLVD	LEMONS MARTHA ANN UNIT 203 BLDG A
444	6022 UNIVERSITY BLVD	COLWELL MATT UNIT 204
445	6026 UNIVERSITY BLVD	WININGHAM ROBERT G UNIT 205 BLDG A
446	6026 UNIVERSITY BLVD	CHAWNER LUCIA M
447	6030 UNIVERSITY BLVD	PORTER NANCY G UNIT 107
448	4819 SKILLMAN ST	VOGEL JUDITH CAROL
449	4817 SKILLMAN ST	SOLARI LOIS # 109

Label #	Address	Owner
450	4815 SKILLMAN ST	DAVIS ESTHER L TR
451	4811 SKILLMAN ST	WHYTE NICOLE
452	4807 SKILLMAN ST	MISENHELTER EDWARD F
453	6030 UNIVERSITY BLVD	BABCOCK THADDEUS J ET AL UNIT 207
454	4819 SKILLMAN ST	HAMMOND CAROL DELEAN BLDG B UNIT 208
455	4819 SKILLMAN ST	MERMAID PROPERTIES LLC
456	4815 SKILLMAN ST	BANKSTON JENNIFER JO BLDG B UNIT 210
457	4807 SKILLMAN ST	BARNETT BRYAN R
458	4807 SKILLMAN ST	FUNKE KAREN M
459	6028 UNIVERSITY BLVD	BULLARD CAROL J BLDG C UNIT 113
460	6028 UNIVERSITY BLVD	HULT BARBARA UNIT 114
461	6024 UNIVERSITY BLVD	KOHLBECK ANNA R UNIT 115
462	6024 UNIVERSITY BLVD	BYRD MARY E UNIT 116 BLDG C
463	6028 UNIVERSITY BLVD	BAUER JOHN R & KATHALEEN K
464	6028 UNIVERSITY BLVD	SHEEHAN SUMALEE BLDG C UNIT 214
465	6024 UNIVERSITY BLVD	WU FEN FEN UNIT 215
466	6024 UNIVERSITY BLVD	RAINEY BETH A & UNIT 216
467	6020 UNIVERSITY BLVD	PIMENTEL CARLOS BLDG D UNIT 117
468	6020 UNIVERSITY BLVD	HANCOCK HEATHER UNIT 118
469	6016 UNIVERSITY BLVD	JACK ANASTASIA & KENNETH #119
470	6016 UNIVERSITY BLVD	DENNEY MARION
471	6012 UNIVERSITY BLVD	IBARRA GUADALUPE
472	6008 UNIVERSITY BLVD	OLDHAM GIP D JR
473	6008 UNIVERSITY BLVD	LAUDERDALE DUSTIN UNIT 123
474	6020 UNIVERSITY BLVD	TOWNSEND EMILY J UNIT # 217 BLDG D
475	6020 UNIVERSITY BLVD	NAGY LEILA W
476	6016 UNIVERSITY BLVD	WITT LEE ANN UNIT #219
477	6016 UNIVERSITY BLVD	ROBINSON JOEL E #220
478	6012 UNIVERSITY BLVD	DAVISSON AMANDA K STE 221
479	6008 UNIVERSITY BLVD	CUNNINGHAM WILLIAM R JR #8L
480	6008 UNIVERSITY BLVD	WILSON CATHERINE A # 223
481	4810 AMESBURY DR	CLARK KITTY D # 124
482	4814 AMESBURY DR	KEY CYNTHIA ANN
483	4814 AMESBURY DR	ASHTON JANE M # 126
484	4816 AMESBURY DR	YOUNG ASHLEY N

Label #	Address	Owner
485	4816 AMESBURY DR	FERGUSON JUANITA LOUISE
486	4820 AMESBURY DR	KADING DOLLIE B
487	4820 AMESBURY DR	VAUGHAN MARTHA RITA
488	4810 AMESBURY DR	JOHNSON VICTORIA L UNIT 224
489	4814 AMESBURY DR	HILL MICKEY H
490	4814 AMESBURY DR	KIWIET MARGARET E UNIT 226 BLDG E
491	4816 AMESBURY DR	PORTERFIELD LESLIE
492	4816 AMESBURY DR	INMAN MEGAN L UNIT 228
493	4820 AMESBURY DR	CREGOR LLOYD C & DOROTHY L
494	4820 AMESBURY DR	WRIGHT CHARLES TONY
495	6004 UNIVERSITY BLVD	KERR L DARRELL #131
496	6004 UNIVERSITY BLVD	EVERETT JOHN
497	6006 UNIVERSITY BLVD	BROWN KIRBY BLDG F UNIT 133
498	6006 UNIVERSITY BLVD	ARMOUR MAUREEN N BLDG F UNIT 134
499 EDWARD	6010 UNIVERSITY BLVD	MARTIN MARGARET E EST OF & ROBERT
500	6010 UNIVERSITY BLVD	HARRISON HARRY H & FIELD G HARRISON
501	6014 UNIVERSITY BLVD	DETAR DAN BLDG F UNIT 137
502	6014 UNIVERSITY BLVD	SCHWARTZ GLORIA ESTATE OF
503	6004 UNIVERSITY BLVD	GAVIGAN AMY BLDG F UNIT 231
504	6004 UNIVERSITY BLVD	SANDS STACY CAROL BLDG F UNIT 232
505	6006 UNIVERSITY BLVD	FRY KAREN E
506	6006 UNIVERSITY BLVD	VENUTO ALLISON & JOHN
507	6010 UNIVERSITY BLVD	SANTANA KATHERINE #235
508	6010 UNIVERSITY BLVD	DRYSDALE RICHARD ET UX # 236
509	6014 UNIVERSITY BLVD	RUTLEDGE JEFFREY BLDG F UNIT 237
510	6014 UNIVERSITY BLVD	ROBERTS BILLY