



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, November 1, 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:

LBJ/Skillman Urban Planning Initiative

David Schleg, Strategic Planning, Sustainable Development and Construction

Subdivision Docket

Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

CONSENT ITEMS:

(1) **S123-005**
(District 9)

An application to create a 1.686 acre lot from a tract of land in City Block 4410 located on property at 4012 Dalgren Dr. & 7315 Fisher Rd.

Applicant/ Owner: Robert E Weiss & Mary Frances Radford / Cathy Franklin & Mark Sutton

Surveyor: CBG Surveying, Inc.

Application Filed: October 9, 2012

Zoning: R-1ac(A)

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

- (2) **S112-213R**
(District 2)
- An application to create a 0.9598 acre lot from a tract of land in City Block 118 on property located at Young Street at Park Avenue
- Applicant/ Owner: First Presbyterian Church of Dallas
- Surveyor: Raymond L. Goodson, Inc.
- Application Filed: October 19, 2012
- Zoning: PD 357, Sub-district 8
- Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket

RESIDENTIAL REPLAT:

- (3) **S123-001**
(District 13)
- An application to replat a 0.232 acre tract of land containing all of Lots 24 and 25 in City Block 13/5085 into one lot on property located at 9416 Monteleon Court
- Applicant/Owner: Caroline Partee
- Surveyor: Land Point Surveyors, Inc...
- Application Filed: October 8, 2012
- Zoning: TH-2 (A)
- Staff Recommendation: **Denial**
- (4) **S123-003**
(District 10)
- An application to replat all of Lot 1 in City Block A/8140 and all of City Block 8/8135 and an unplatted tract of land containing a total of 13.083 acres of land located at the southwest corner of Church Road and Skillman Street
- Applicant/ Owner: Masterplan Development, LLC.
- Surveyor: MLA Engineering
- Application Filed: October 9, 2012
- Zoning: R-7.5(A); PD 795, Tr.1 & Tr.3.
- Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket

Zoning Cases – Consent

1. **Z112-313(MW)**
Megan Wimer
(CC District 13)
- An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern and a microbrewery, microdistillery, or winery on property zoned a CR Community Retail District on the west side of Preston Road, north of Forest Lane.
- Staff Recommendation: **Approval** for a three-year period subject to a site plan and conditions.
- Applicant: The Art of Wine, Dave Alldredge
- Representative: Permitted Development, Audra Buckley

2. **Z112-320(MW)**
Megan Wimer
(CC District 4)
An application for a Specific Use Permit for a fire station on property zoned an R-7.5(A) Single Family District on the northeast corner of North Jim Miller Road and Benning Avenue.
Staff Recommendation: **Approval** for a permanent time period, subject to a site plan and conditions.
Applicant: City of Dallas
Representative: Chris Sano, BRW Architects
3. **Z112-315(WE)**
Warren Ellis
(CC District 8)
An application for Specific Use Permit for a commercial amusement (inside) for a dance hall on property zoned a CR Community Retail District on the north side of Camp Wisdom Road, east of Cockrell Hill Road.
Staff Recommendation: **Approval** for a three-year period, subject to a site plan and conditions.
Applicant: BBJM Asset Fund, LLC
Representative: Audra Buckley
4. **Z112-308(RB)**
Richard Brown
(CC District 9)
An application for a CS Commercial Service District on property zoned an IR Industrial Research District and a Specific Use Permit for a Petroleum product storage and wholesale use on the northwest corner of International Parkway and Corporate Drive.
Staff Recommendation: **Approval** of a CS Commercial Service District and **approval** of a Specific Use Permit for a Petroleum product storage and warehouse use for a ten-year period, with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.
Applicant: Greenbriar Holdings Dallas
Representative: Rob Baldwin

Zoning Cases – Under Advisement

5. **Z112-105(RB)**
Richard Brown
(CC District 11)
An application for **1)** an amendment to and expansion of Specific Use Permit No. 363 for a Cemetery and Mausoleum on property zoned an R-7.5(A) Single Family District, an LO-1 Limited Office District, a GO(A) General Office District with deed restrictions, and an MU-3 Mixed Use District with deed restrictions, and **2)** an LO-2 Limited Office District on that portion of the request site zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District in the southwest quadrant of Greenville Avenue and Restland Road.
Staff Recommendation: **Approval** of an amendment to and expansion of Specific Use Permit No. 363, subject to a site plan and staff's recommended conditions, and **approval** of an LO-2 Limited Office District.
Applicant: S. E. Cemeteries of Texas, Inc.
Representative: Robert Reeves
U/A From: October 4, 2012

Zoning Cases – Individual

6. **Z112-291(MW)**
Megan Wimer
(CC District 2)
- An application for a new subdistrict and a Specific Use Permit for an outside entertainment and recreation venue on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District on the west side of Riveredge Drive, south of Irving Boulevard.
Staff Recommendation: **Approval** of a new subdistrict, subject to conditions and **approval** of a Specific Use Permit for an outside entertainment and recreation venue for a three-year period, subject to a site plan and conditions.
Applicant: Road Trip 67, LLC
Representative: Cameron Cobb
7. **Z101-277(CG)**
David Cossum
(CC District 7)
- A City Plan Commission authorized hearing to consider amendments to Planned Development District 595, amending the standards for certain uses, considering appropriate zoning on certain parcels currently zoned for multifamily and non-residential uses, adding a new single family district classification and a new mixed use form district classification on property zoned Planned Development District No. 595 and an NS(A) Neighborhood Service District generally bound by the Union Pacific (DART) Railroad, the Southern Pacific Railroad, C.F. Hawn Freeway, the D.P.&L. Company easement, Central Expressway (S.M. Wright Freeway), the Southern Pacific Railroad, the Santa Fe Railroad, R.L. Thornton Freeway, 2nd Avenue, Parry Avenue, Robert B. Cullum Boulevard, Fitzhugh Avenue, Gaisford Street, and the common line between City Blocks 1820 and D/1821.
Staff Recommendation: **Approval**

Other Matters

Minutes: October 18, 2012

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, November 1, 2012

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, November 1, 2012, City Hall, 1500 Marilla Street, in 5ES, at 9:30 a.m. to consider **DCA 112-002(a)** - Consideration of amending the Dallas Development Code to amend certain parking standards to include bicycle parking provisions.

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, NOVEMBER 1, 2012****FILE NUMBER:** S123-005**Subdivision Administrator:** Paul Nelson**LOCATION:** 4012 Dalgreen Drive and 7315 Fisher Road**DATE FILED:** October 9, 2012**ZONING:** R-1ac (A)**CITY COUNCIL DISTRICT:** 9 **SIZE OF REQUEST:** 1.686 Acre**MAPSCO:** 37E**APPLICANT/OWNER:** Robert E Weiss and Mary Frances Radford/Cathy Franklin and Mark Sutton

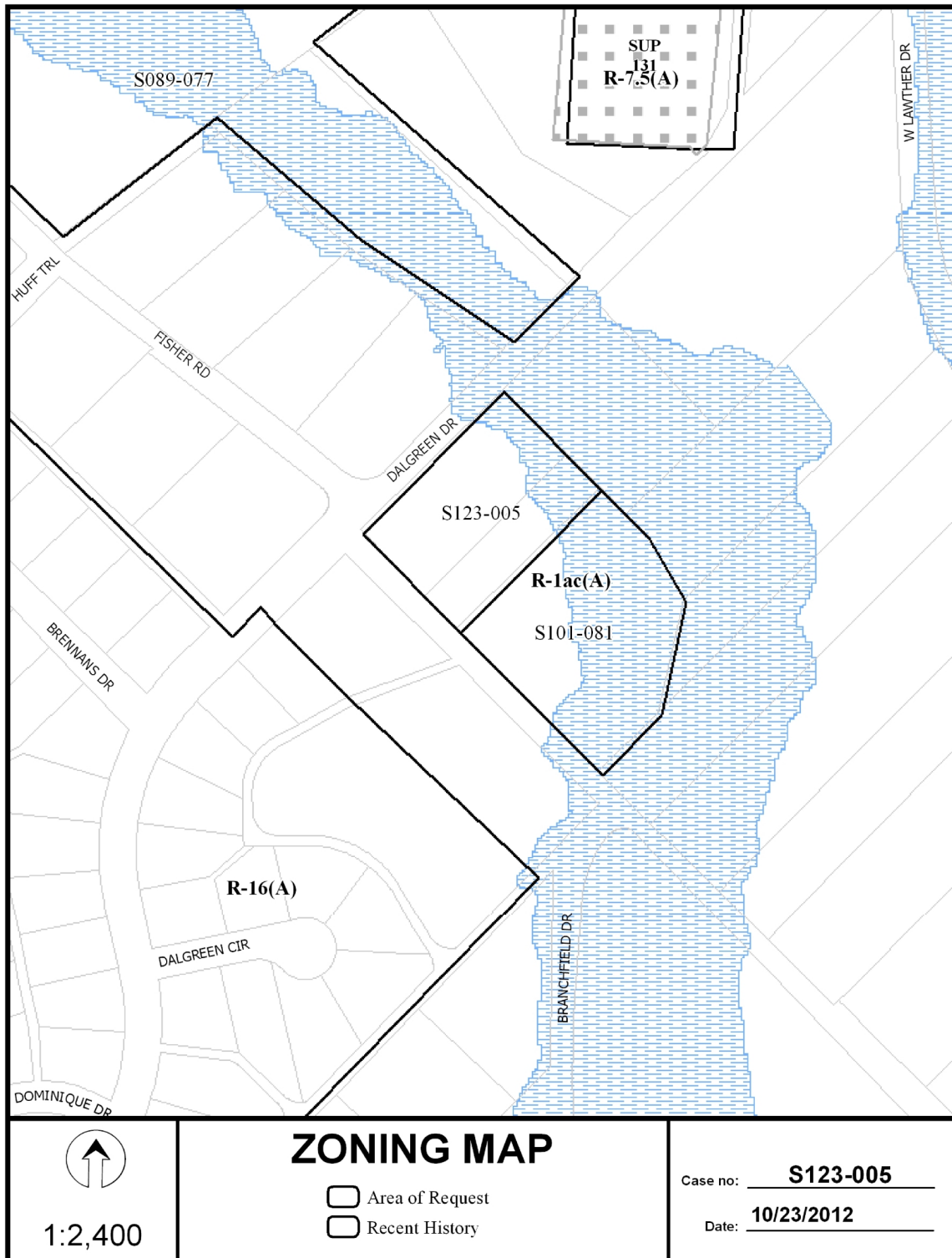
REQUEST: An application to create a 1.686 acre lot from a tract of land in City Block 4410 located on property at 4012 Dalgreen Dr. & 7315 Fisher Rd.

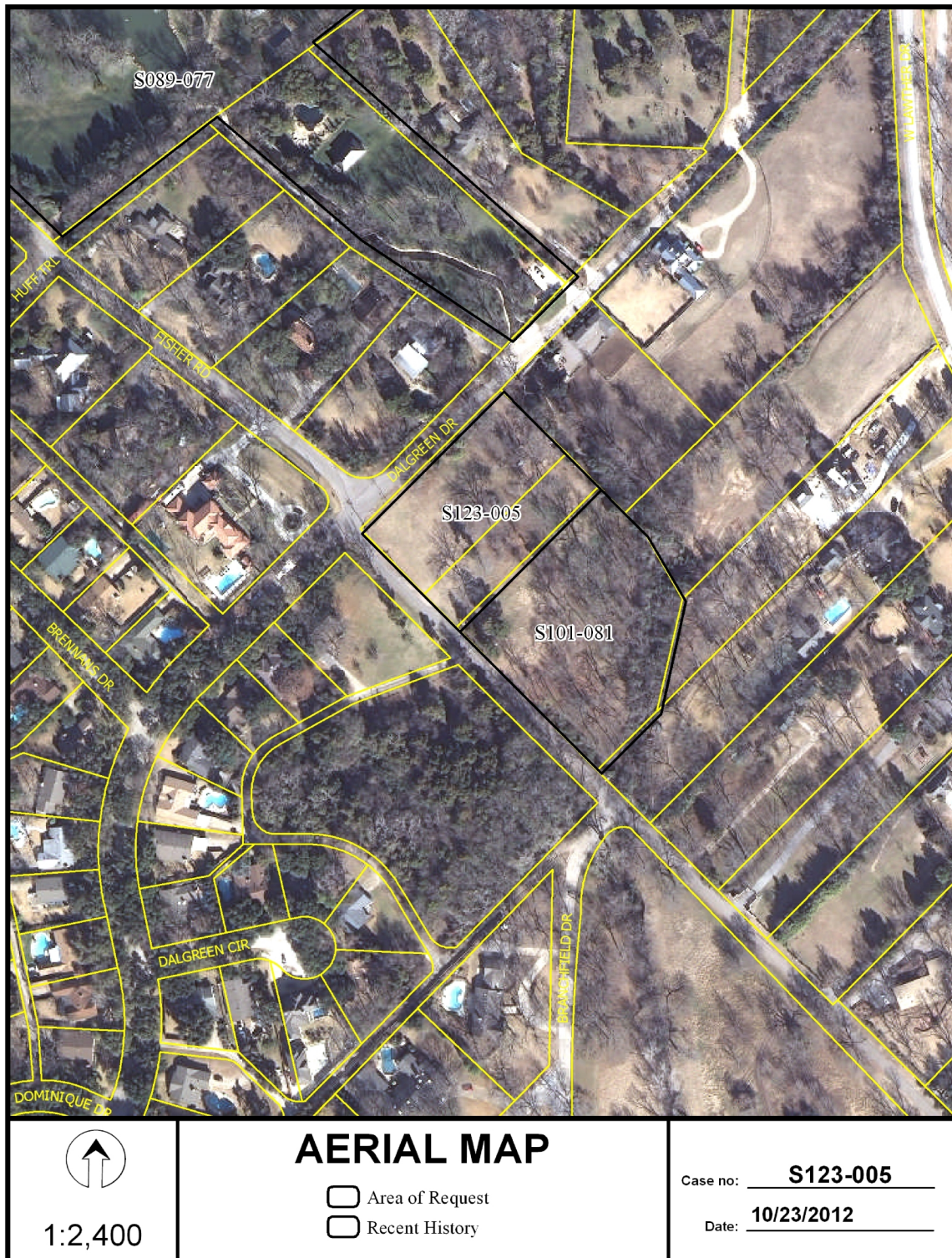
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

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

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with 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. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate a 10 foot by 10 foot corner clip at Dalgreen Road and Fisher Road.
14. On the final plat dedicate 28 feet of Right-Of-Way from the established centerline of Dalgreen Road.
15. On the final plat dedicate 28 feet of Right-Of-Way from the established centerline of Fisher Road.
16. On the final plat determine the 100 year water surface elevation across the plat.
17. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
18. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
19. On the final plat specify minimum fill and minimum finished floor elevations.
20. On the final plat show the natural channel set back from the crest of the natural channel.
21. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
22. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
23. On the final plat verify the Right-Of-Way width for Dalgreen Road.
24. On the final plat change the name of Dalgreen Road to Dalgreen Drive.
25. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
26. New water and/or wastewater easements need to be shown for the existing fire hydrant.
27. On the final plat identify the property as Lot 2, City Block A/4410.





CITY PLAN COMMISSION**THURSDAY, NOVEMBER 1, 2012****FILE NUMBER:** S112-213R**Subdivision Administrator:** Paul Nelson**LOCATION:** Young Street at Park Avenue**DATE FILED:** October 19, 2012**ZONING:** PD 357, Sub-district 8**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.9598 Acre **MAPSCO:** 45Q**APPLICANT/OWNER:** First Presbyterian Church of Dallas

REQUEST: An application to create a 0.9598 acre lot from a tract of land in City Block 118 on property located at Young Street at Park Avenue.

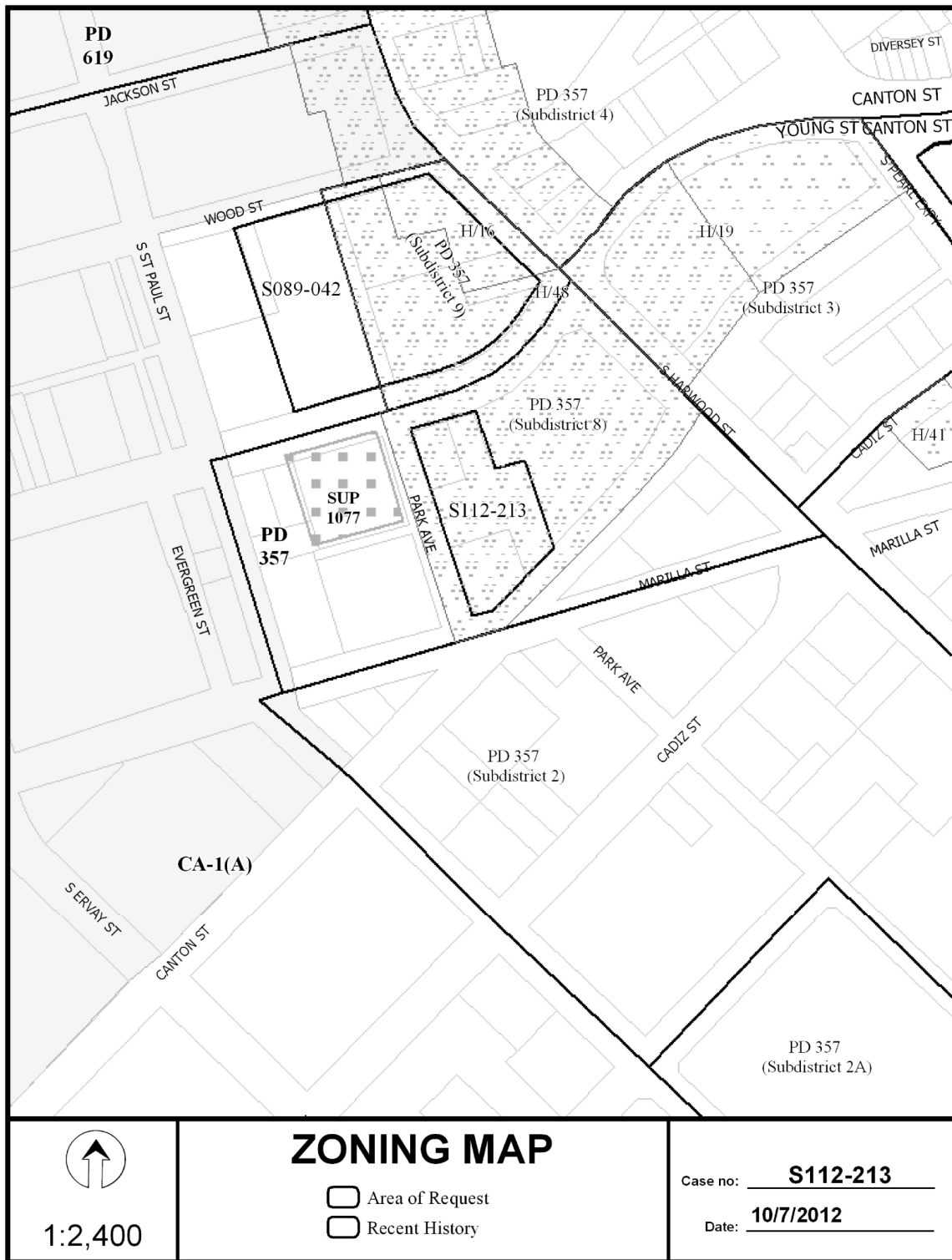
SUBDIVISION HISTORY:

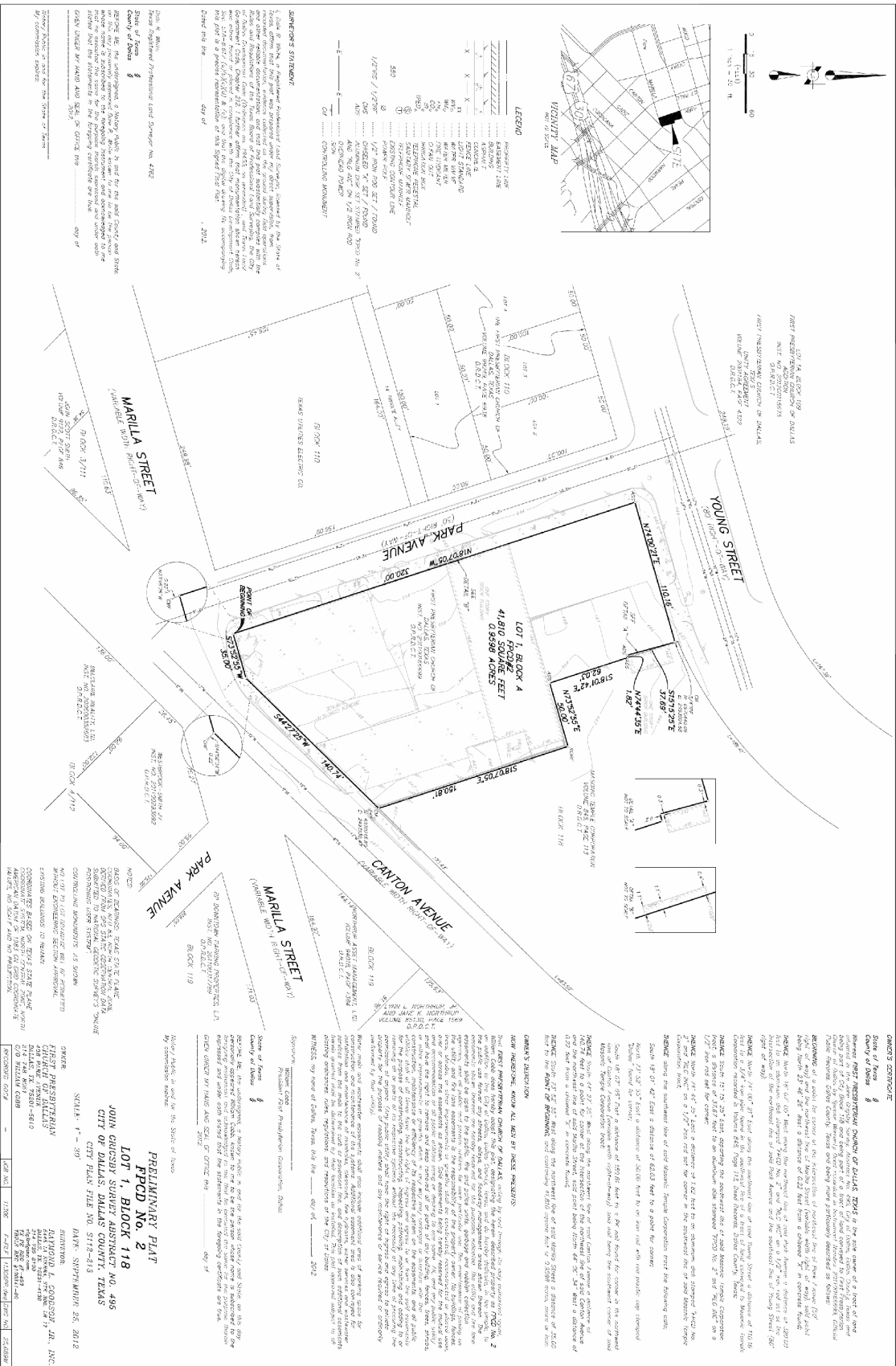
1. S112-213 was an application on this same property to create one lot. The applicant requested a denial of the request on October 18, 2012 in order for more research to be done to determine the ramifications of the CBD Thoroughfare Plan on the future development of the property. The request was denied with the provision that the request be returned to the Commission on November 1, 2012 for further consideration.

STAFF RECOMMENDATION: The request complies with the requirements of PD 357, Sub-district 8; 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 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat dedicate 60 feet of Right-Of-Way from the established center line of Young Street.
14. On the final plat dedicate 32.5 feet of Right-Of-Way from the established centerline of Canton Avenue.
15. On the final plat dedicate a 15 foot by 15 foot corner clip at Young Street and Park Avenue.
16. On the final plat dedicate a 10 foot by 10 foot corner clip at Park Avenue and Canton Avenue.
17. On the final plat show how all adjoining Right-Of-Way was created.
18. On the final plat show the recording information on all existing easements within 150 feet of the property.
19. On the final plat show distances/width of Right-Of-Way Canton Street in a minimum of 2 places.
20. Prior to submittal of the final plat for the Chairman's signature the building encroaching into Park Avenue must be resolved by either: a) removing the encroachment; b) abandoning the Right-Of-Way; or c) creating an "Estate in Expectancy".
21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
22. On the final plat identify the property as Lot 1, City Block A/118.





CITY PLAN COMMISSION**THURSDAY, NOVEMBER 1, 2012****FILE NUMBER:** S123-001**Subdivision Administrator:** Paul Nelson**LOCATION:** 9416 Monteleon Court**DATE FILED:** October 8, 2012**ZONING:** TH-2 (A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 0.232 Acre **MAPSCO:** 24X**APPLICANT/OWNER:** Caroline Partee

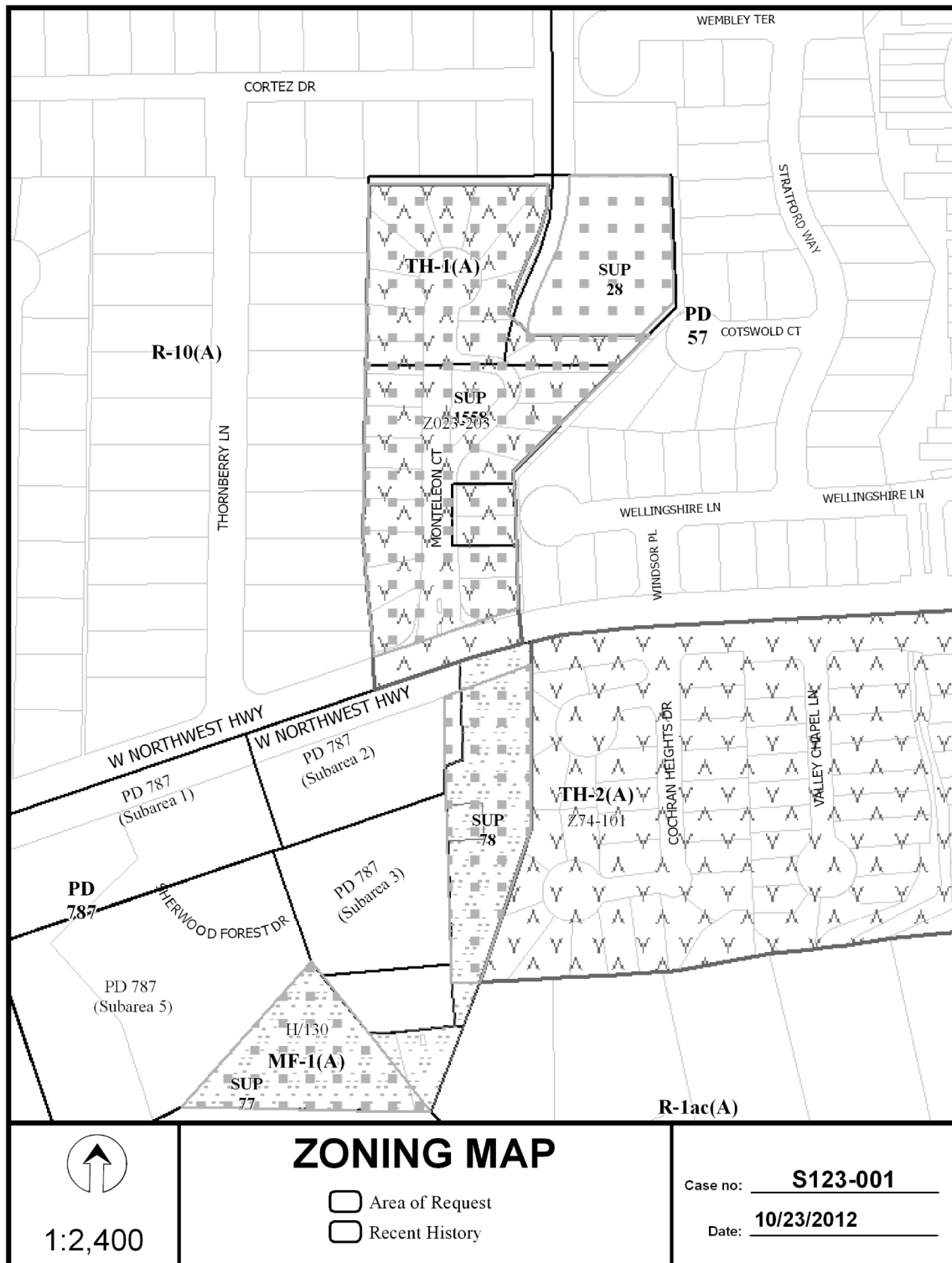
REQUEST: An application to replat a 0.232 acre tract of land containing all of Lots 24 and 25 in City Block 13/5085 into one lot on property located at 9416 Monteleon Court.

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

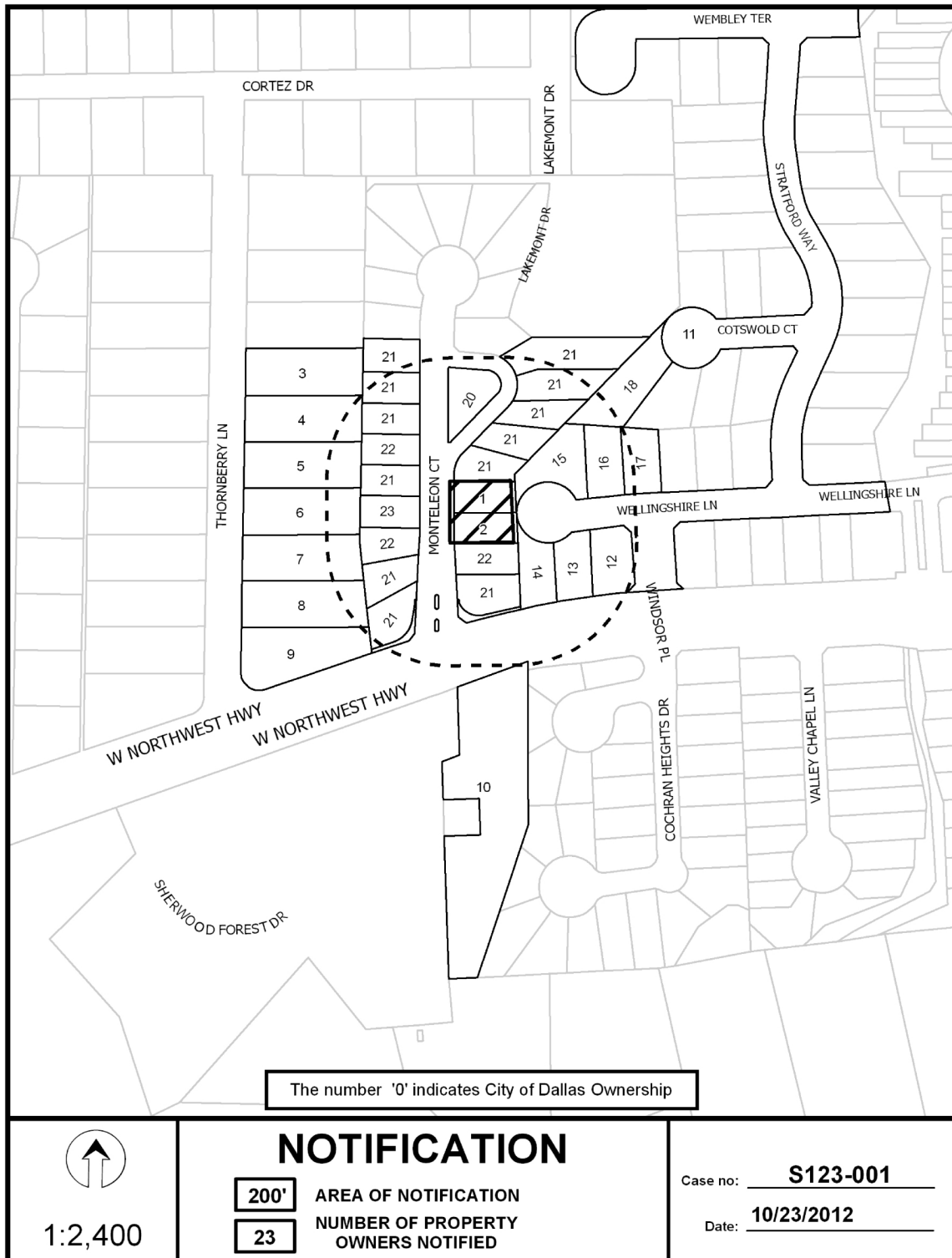
STAFF RECOMMENDATION: The request complies with the requirements of the TH-2(A) District. However, the proposed lot will be a minimum of 2 times larger than all but two of the other lots within the subdivision; therefore, staff recommends denial of the request due to non-compliance with Section 51A-8.503 of the Dallas Development Code. However, should the commission approve the request, the staff recommends that the approval be 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. Place a note on the final plat "Lot-to-lot drainage is not permitted 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 Right-Of-Way was created.
14. On the final plat show the recording information on all existing easements within 150 feet of the property.
15. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information.
16. On the final plat show a minimum of 2 control monuments.
17. On the final plat show or list the prior plat on the map, in the legal description, and or in the title block.
18. On the final plat verify that the existing building is not over the property line..
19. On the final plat change Northwest Highway to Northwest Highway (State Highway Loop 12).
27. On the final plat identify the property as Lot 24A, City Block 13/5085.





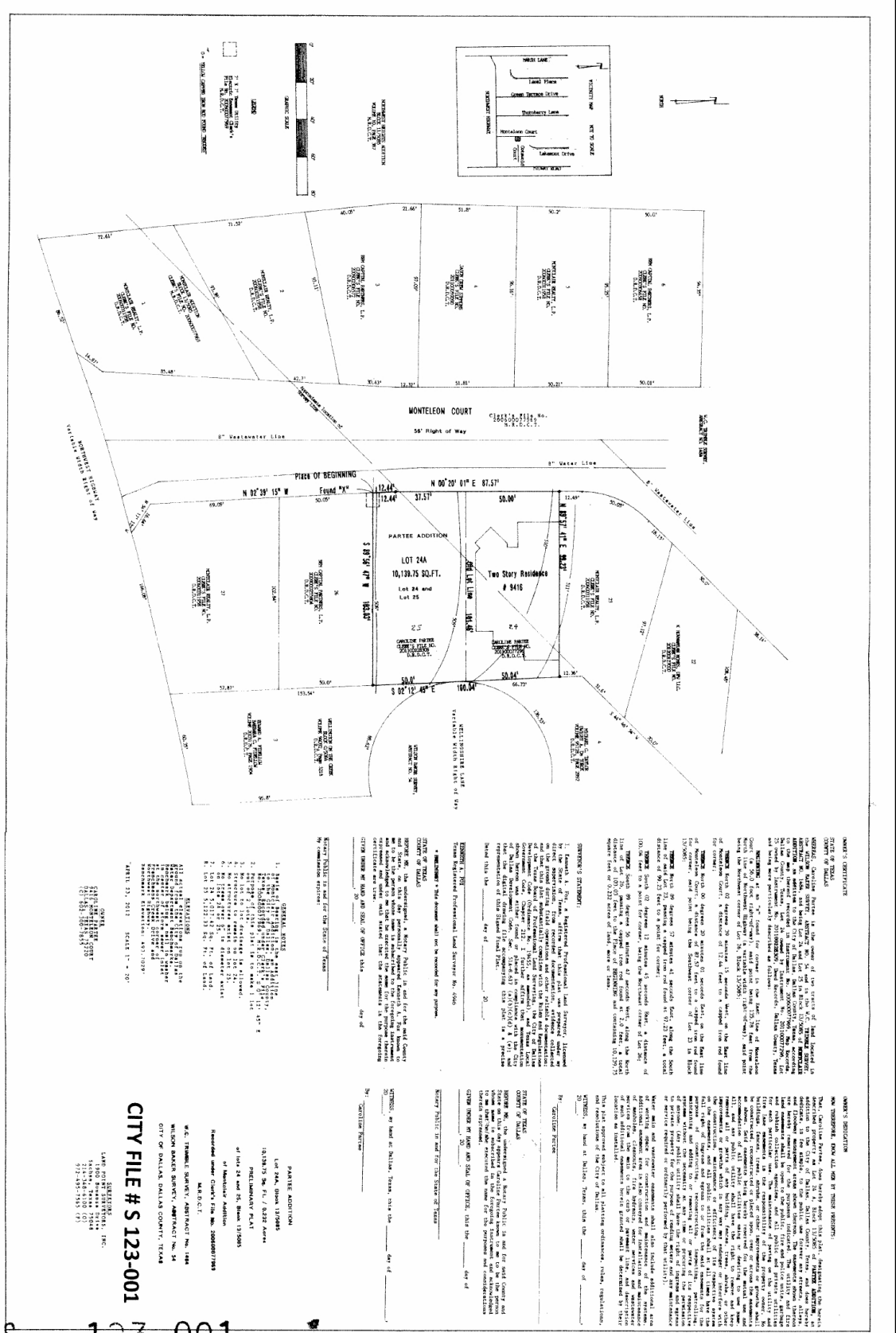


10/24/2012

Notification List of Property Owners**S123-001****23 Property Owners Notified**

Label #	Address	Owner
1	9416 MONTELEON CT	PARTEE CAROLINE
2	9412 MONTELEON CT	PARTEE CAROLINE
3	9444 THORNBERRY LN	FEDERAL NATIONAL MORTGAGE ASSN
4	9438 THORNBERRY LN	TAYLOR JODI L & BRAD C
5	9432 THORNBERRY LN	GERINGER DONNA
6	9426 THORNBERRY LN	WEBB SUSAN A
7	9420 THORNBERRY LN	KNISLEY BRANDY LEE
8	9414 THORNBERRY LN	HAUGEN LORRAINE
9	9408 THORNBERRY LN	SCHRIMSHER EDD H
10	4000 NORTHWEST HWY	FRIENDS OF THE MILITARY % J W JOHNSON #100-411
11	9300 STRATFORD WAY	WELLINGTON ON THE CREEK HOMEOWNERS ASSOC INC
12	4012 WELLINGSHIRE LN	HAYES BARBARA E
13	4008 WELLINGSHIRE LN	TOURVILLE SHARON L
14	4004 WELLINGSHIRE LN	HILL JOHN EDWARD
15	4007 WELLINGSHIRE LN	TAYLOR MICHAEL G & DWIGHT A DE TURCK
16	4011 WELLINGSHIRE LN	BOURRET AMY
17	4015 WELLINGSHIRE LN	JONES MARY LOU
18	4006 COTSWOLD CT	SCOTT LUCY L
19	3993 NORTHWEST HWY	MONTCLAIR HOMEOWNERS ASSN INC
20	3993 NORTHWEST HWY	MONTCLAIR HOMEOWNERS ASSN INC
21	9436 MONTELEON CT	K HOVNANIAN HOMES DFW LLC
22	9423 MONTELEON CT	K HOVNANIAN HOMES DFW LLC
23	9415 MONTELEON CT	SIMMONS JASON D

Wednesday, October 24, 2012



CITY PLAN COMMISSION**THURSDAY, NOVEMBER 1, 2012****FILE NUMBER:** S112-003**Subdivision Administrator:** Paul Nelson**LOCATION:** Church Road and Skillman Street, southwest corner**DATE FILED:** October 9, 2012**ZONING:** R-7.5(A); PD 795, Tr.1 & Tr.3.**CITY COUNCIL DISTRICT:** 10 **SIZE OF REQUEST:** 13.083 Acre **MAPSCO:** 27J**APPLICANT/OWNER:** Masterplan Development, LLC

REQUEST: An application to replat all of Lot 1 in City Block A/8140 and all of City Block 8/8135 and an unplatted tract of land containing a total of 13.083 acres of land into 38 lots located at the southwest corner of Church Road and Skillman Street.

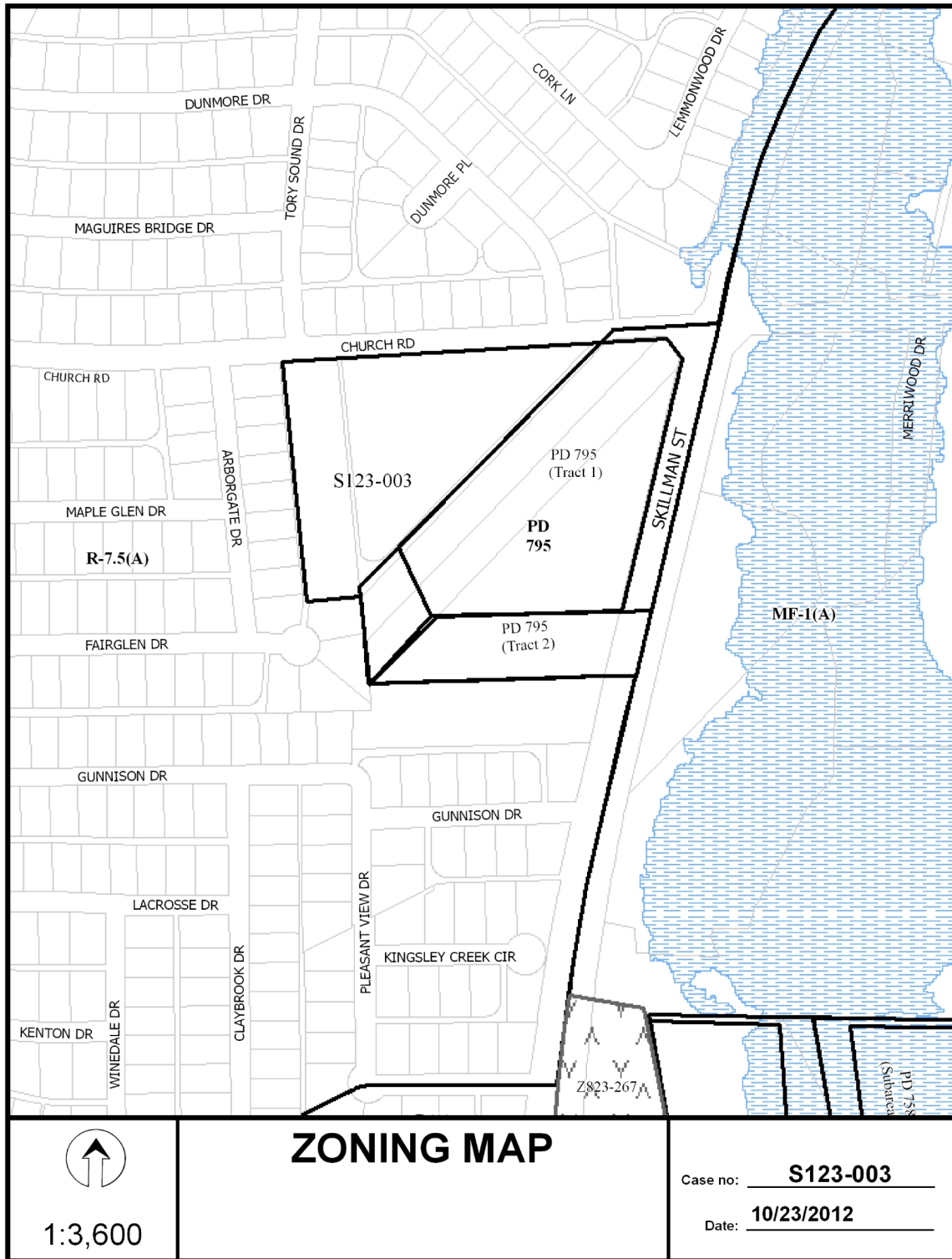
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

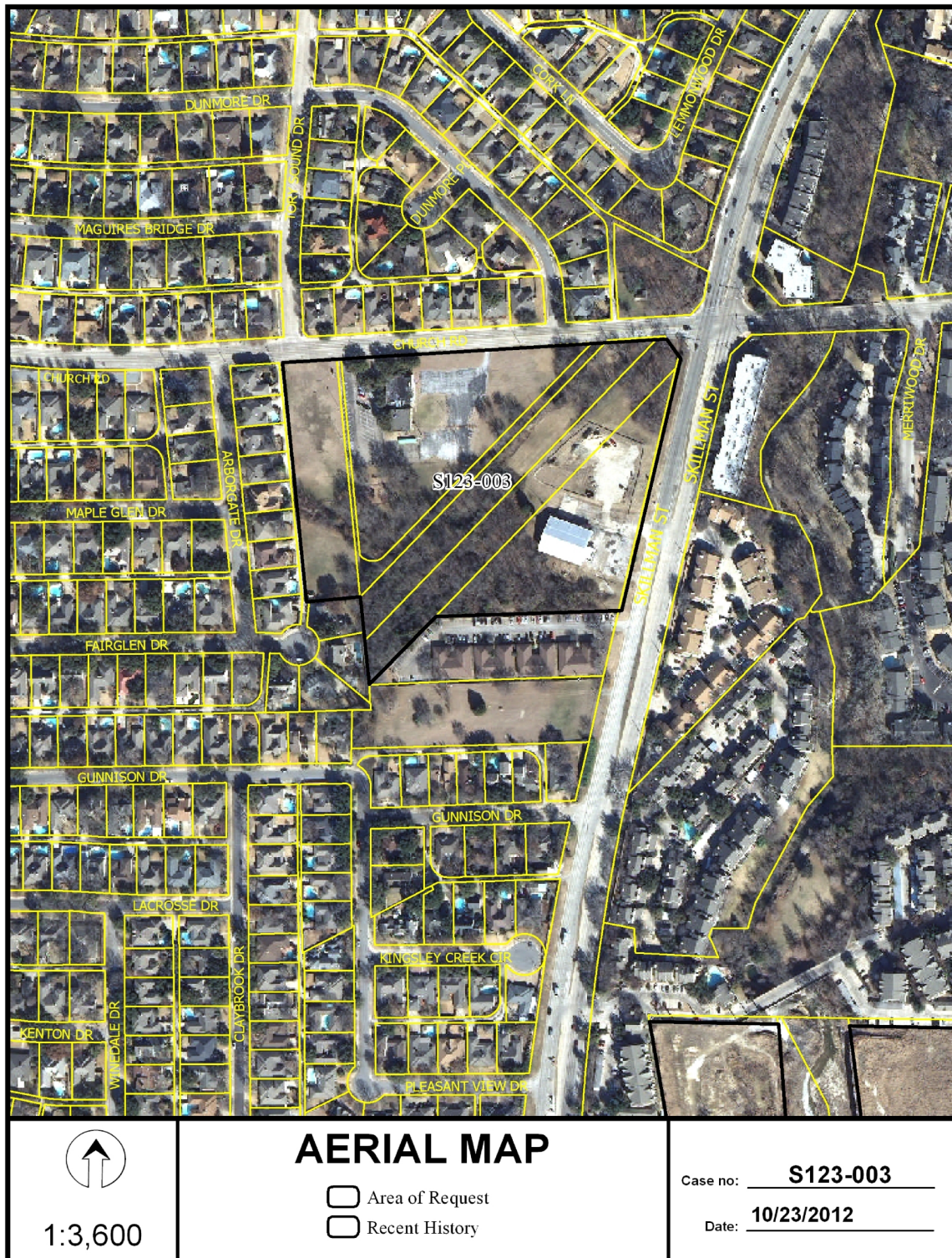
STAFF RECOMMENDATION: The request complies with the requirements of the R-7.5(A); PD 795, Tr.1 & Tr.3 Districts; therefore, staff recommends approval subject to compliance with the following conditions:

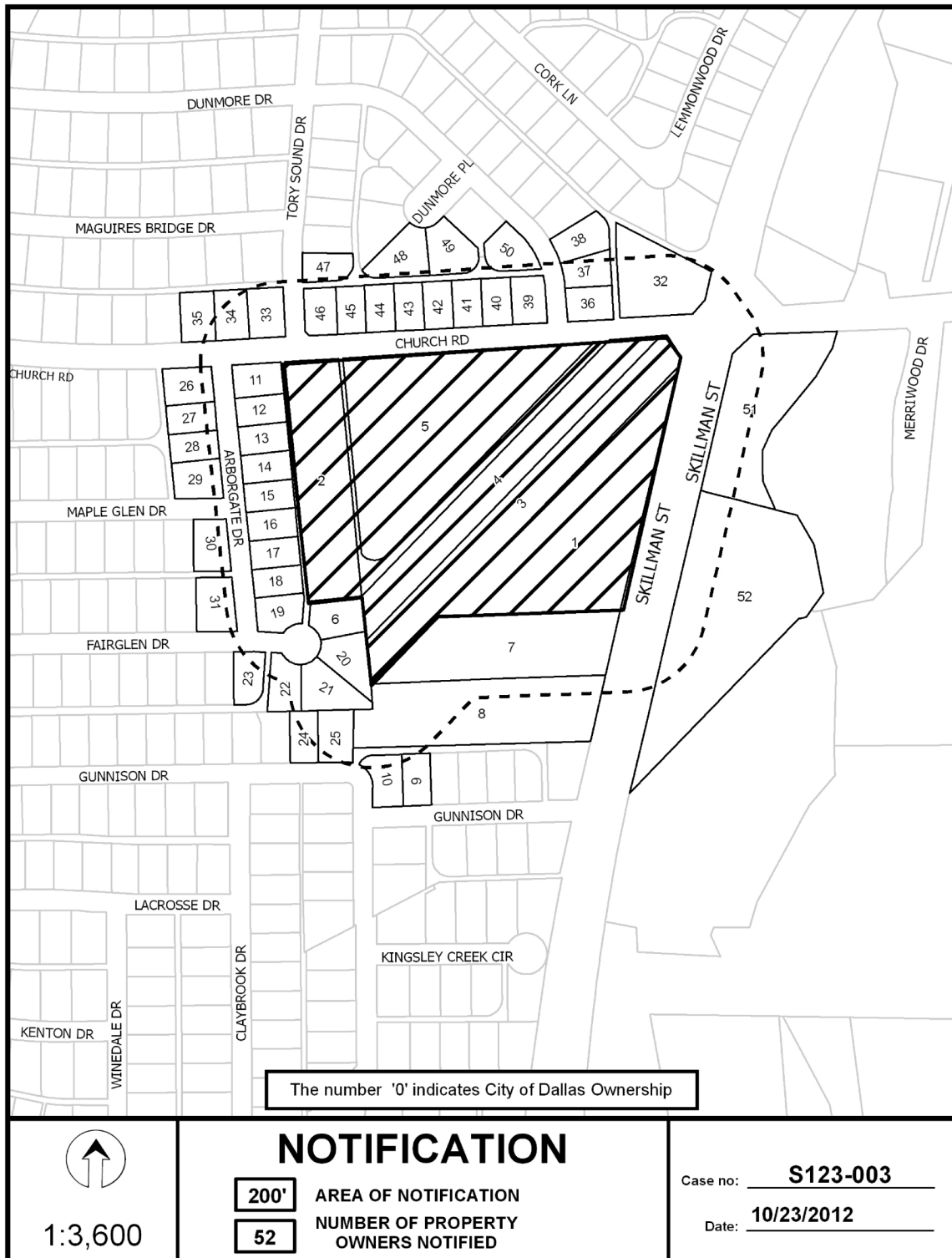
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with 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 38.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 50 feet of Right-Of-Way from the established center line of Skillman Street.
14. On the final plat dedicate a 15 foot by 15 foot alley sight easement at the alley and Church Street.
15. On the final plat dedicate a minimum 3 foot wide traffic barrier easement along Skillman Street.
16. On the final plat provide 7.5 feet of Right-Of-Way from the centerline of the alley that intersects Church Road.
17. On the final plat show how all adjoining Right-Of-Way was created.
18. On the final plat show the recording information on all existing easements within 150 feet of the property.
19. On the final plat show all additions or tracts of land within 150 feet of the property.
20. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code.
21. On the final plat show a minimum of 2 controlling monuments.
22. On the final plat show all utility easement abandonments with the recording information for each.
23. On the final plat list all utility easements as retained within street abandonments when stated such in the abandonment ordinance with the recording information for each.
24. All private easements are to be recorded by separate instrument and the recording information placed on the face of the plat.
25. On the final plat label each public easement to be created by this plat as "created by this plat".
26. Create a permanent maintenance plan for the common areas and the recording number of the document be listed on the face of the plat.

28. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
29. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
30. Water/wastewater main extension is required by Private Development Contract.
31. The developer must provide a full size copy of the final plat to the Street lighting department and receive approval of street lights prior to submitting the plat for the Chairman's signature.
32. On the final plat change Church Street to Church Road.
33. On the final plat change Vintage Way, Vineyard Court, and Bordeaux Court to different names prior to submittal of the final plat for the Chairman's signature.
34. On the final plat identify the property as Lots 1 through 23 in City Block 8/8135 and Lots 1 through 15 in City Block 9/8135.
35. All new lots must comply with the lot area requirements of the zoning district in effect at the time the final plat is submitted to the Chairman for signature.







10/10/2012

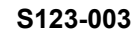
Notification List of Property Owners**S123-003****52 Property Owners Notified**

Label #	Address	Owner
1	7505 SKILLMAN ST	PRESCOTT CHURCH ROAD LAND ASSOCIATES LP
2	9101 CHURCH RD	FOREST MEADOWS BAPTIST CHURCH
3	9178 CHURCH RD	PRESCOTT CHURCH ROAD LAND ASSN
4	9168 CHURCH RD	PRESCOTT CHURCH ROAD LAND ASSOC
5	9150 CHURCH RD	FOREST MEADOW BAPTIST CHURCH
6	9077 FAIRGLEN DR	BRUNKENHOEFER KENNETH W & CAROLYN J
7	7475 SKILLMAN ST	LH SKILLMAN PARTNERS LTD SUITE 101A
8	7455 SKILLMAN ST	CEMETERY
9	9107 GUNNISON DR	DIAMOND THEODORA W & ETAL
10	9101 GUNNISON DR	HAM OLIVER T JR
11	7619 ARBORGATE DR	LOVVORN HOLLY ANN
12	7617 ARBORGATE DR	STURDIVANT TRACY C
13	7615 ARBORGATE DR	HOOD BRADEN & EMILY
14	7611 ARBORGATE DR	MOGK JOHN A
15	7609 ARBORGATE DR	SANTI FREDERICKA
16	7607 ARBORGATE DR	WENTZEL DAVID S & LISA
17	7605 ARBORGATE DR	LUEKEN JENNIFER S
18	7603 ARBORGATE DR	HARRISON THOMAS V TRUSTEE OF LIVING TRUST
19	7601 ARBORGATE DR	SEARS LARRY L & MARCIA
20	9079 FAIRGLEN DR	LILLY STEVEN M & ROBYN M
21	9078 FAIRGLEN DR	WEDEBERG DAVID N & ALLISON M
22	9074 FAIRGLEN DR	TUBBS ROBERT A & SUSAN M
23	9068 FAIRGLEN DR	BEAUCHAMP WILLIAM
24	9063 GUNNISON DR	CHANNEY JIMMY R
25	9069 GUNNISON DR	HITZGES VICKI ROBINSON
26	7618 ARBORGATE DR	VERNON WILLIAM B

Wednesday, October 10, 2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7616 ARBORGATE DR	JOHNSON JULIA CHRISTINE
28	7614 ARBORGATE DR	VILLAMAR FRANCISCO J & EMILY K VILLAMAR-ROBBINS
29	7612 ARBORGATE DR	HALPIN CHRISTOPHER J & COURTNEY R J
30	9064 MAPLE GLEN DR	FENDLEY BETTY
31	9065 FAIRGLEN DR	HARGROVE GENE ALAN & SHERRY LYNNE
32	9181 CHURCH RD	RICHARDSON PHILLIP &
33	9069 CHURCH RD	HARBAUGH FAMILY TRUST
34	9065 CHURCH RD	MUREEN JONATHAN R & APRIL
35	9059 CHURCH RD	CHANG ANDREW T
36	9165 DUNMORE DR	KNEE JOHN C & BRENDA A TRUSTEES JOHN & BRENDA KN
37	9159 DUNMORE DR	DEATS GERALD EDWARD
38	9155 DUNMORE DR	MATTHEWS STEPHEN CHARLES
39	9129 CHURCH RD	ROWELL WILLIAM
40	9125 CHURCH RD	HENRICKSON JAMES V JR & PATTI A
41	9121 CHURCH RD	BEARD CRAVEN WRIGHT
42	9117 CHURCH RD	SMITH DAVID H & MARGARET LYNELL SMITH
43	9113 CHURCH RD	SMITH ROBERT E & BETTY W
44	9111 CHURCH RD	JENNEMAN TOM & LISA M
45	9107 CHURCH RD	BILLINGHURST J CRAIG
46	9103 CHURCH RD	PISTOR CATHERINE L & MATTHEW
47	7606 TORY SOUND DR	TODARO NICKOLAS
48	9132 DUNMORE PL	SCHRADER LISA RACHELLE
49	9136 DUNMORE PL	GASAL DOUGLAS L & BARBARA C GASAL
50	9150 DUNMORE DR	MCPEAK MARC D & MELISSA L CHESNUT
51	7570 SKILLMAN ST	SKILLMAN CHURCH RD PARTNERS LTD
52	7474 SKILLMAN ST	BPI INVESTMENTS LLC

Wednesday, October 10, 2012



FILE NUMBER: Z112-313(MW)

DATE FILED: September 4, 2012

LOCATION: West side of Preston Road, north of Forest Lane

COUNCIL DISTRICT: 13

MAPSCO: 15-X

SIZE OF REQUEST: ±4.96 acres

CENSUS TRACT: 96.04

APPLICANT: The Art of Wine, Dave Alldredge, Sole Officer

REPRESENTATIVE: Permitted Development, Audra Buckley

OWNER: Preston Forest Square LP

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern and a microbrewery, microdistillery, or winery on property zoned a CR Community Retail District.

SUMMARY: The applicant intends to operate a wine shop which will include retail sale of wine for off-premise consumption (permitted by right), as well as the sale and service of wine for on-premise consumption and the fermentation, processing and packaging of wine (both of which are permitted by specific use permit).

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

BACKGROUND INFORMATION:

- The ±4.96-acre request site is developed with a ±65,127-square foot multi-tenant building shopping center. The proposed area of specific use permit is limited to a ±1,425-square suite within the shopping center.
- *Microbrewery, microdistillery or winery* means an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use.
- The request site is surrounded by surface parking and multifamily (condominiums) to the north; retail to the east; a bank with drive-through, office and retail to the south and townhomes to the west.

Zoning History:

There have been no recent zoning requests within the immediate vicinity of the request site.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Preston Road	Principal Arterial	60 feet

Land Use:

	Zoning	Land Use
Site	CR	
North	P(A); MF-1(A)	Surface parking; multifamily (condos)
East	MC-1	Retail
South	CR	Bank with drive-through; office; retail
West	TH-3(A)	Townhomes

STAFF ANALYSIS:

Comprehensive Plan:

The comprehensive plan does not make a specific land use recommendation related to the request, however the ***forwardDallas! Vision Illustration***, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns.

Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

The Vision Illustration depicts the request site as 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.

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

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

Land Use Compatibility:

The ±4.96-acre request site is developed with a ±65,127-square foot multi-tenant shopping center. The proposed area of specific use permit is limited to a ±1,425-square suite within the shopping center.

The applicant intends to operate a wine shop which will include retail sale of wine for off-premise consumption (permitted by right), as well as the sale and service of wine for on-premise consumption and the fermentation, processing and packaging of wine both of which are permitted by specific use permit). The applicant intends to operate between 11:00 am and 11:00 pm, Monday through Sunday.

Pursuant to the Dallas Development Code, *microbrewery, microdistillery or winery* means an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use.

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

The applicant will apply for a TABC Winery Permit (G). This authorizes the holder to manufacture, bottle, label and package wine containing not more than 24% alcohol by volume; sell or buy wine from permit holders authorized to purchase and sell wine including wholesalers, winery and wine bottler's permittees; sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption; and dispense free wine for consumption on the winery premises.

The applicant intends to sell wine for on-premise consumption, which, per City Code, constitute a bar, lounge or tavern use.

The request site is surrounded by surface parking and multifamily (condominiums) to the north; retail to the east; a bank with drive-through, office and retail to the south and townhomes to the west.

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

The request; subject to a site plan and conditions is considered compatible with the surrounding uses. However, staff recommends an initial three-year time period so that the uses can be reevaluated for compatibility.

Development Standards:

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

Traffic:

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

Parking:

Pursuant to the Section 51A-4.210, parking for a microbrewery, microdistillery or winery is required as follows: one (1) space per 500 square feet of floor area, one (1) space per 1,000 square feet of floor area used for storage and one (1) space per 100 square feet of floor area used for retail sales and seating (the same ratio as a bar, lounge or tavern).

Of the ±1,425-square foot establishment, ±630 square feet of floor area will be utilized for production and open storage and ±795 square feet of floor area will be utilized for retail sales and tastings. Therefore, the proposed establishment will require nine (9) off-street parking spaces.

Landscaping:

Any new construction requires landscaping in accordance with Article X of the Dallas Development Code. No new construction is proposed by this application.

Z112-313 (MW)

Partners/Principals/Officers:

Preston Forest Square, LP

Charles W. Klauser, Owner/Manager

Michelle Klauser, Manager

Z112-313
Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern and a microbrewery, microdistillery, or winery.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three-years from the passage of this ordinance).
4. FLOOR AREA: The maximum floor area for an alcoholic beverage establishment is 1,425 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The alcoholic beverage establishment may only operate between 11:00 a.m. and 11:00 p.m., Monday through Sunday.
6. OUTSIDE STORAGE: No outside storage of silos or storage of spent grain is permitted. No spent organic material from the manufacturing of wine may be stored outside.
7. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all conditions, rules, and regulations of the City of Dallas.

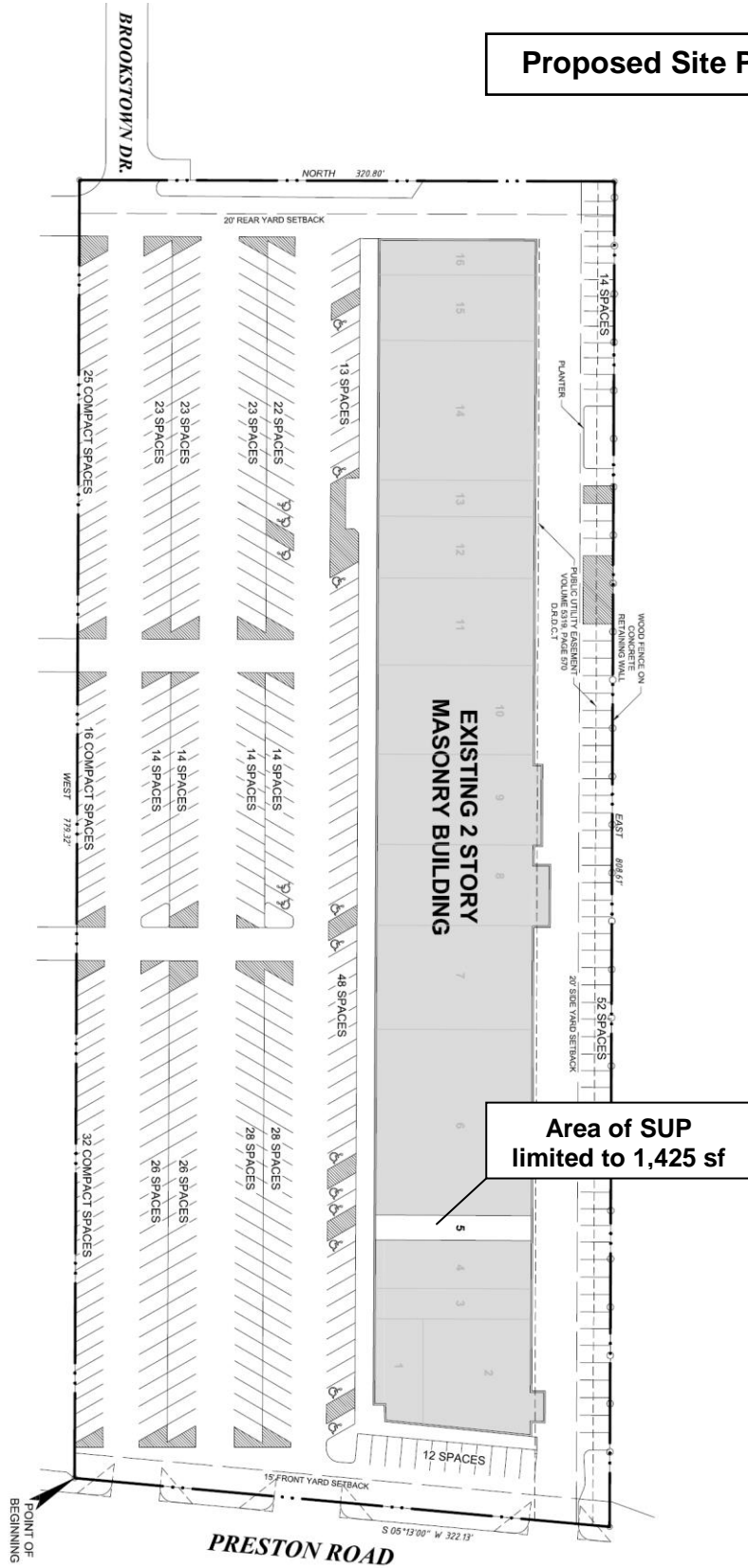


SITE PLAN - SUITE 1415

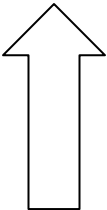
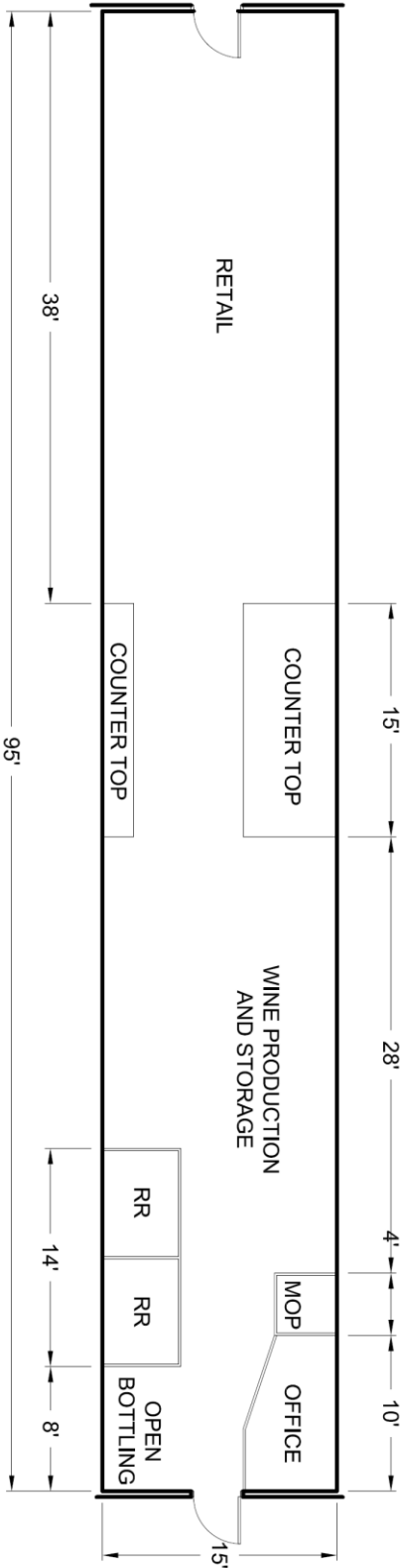
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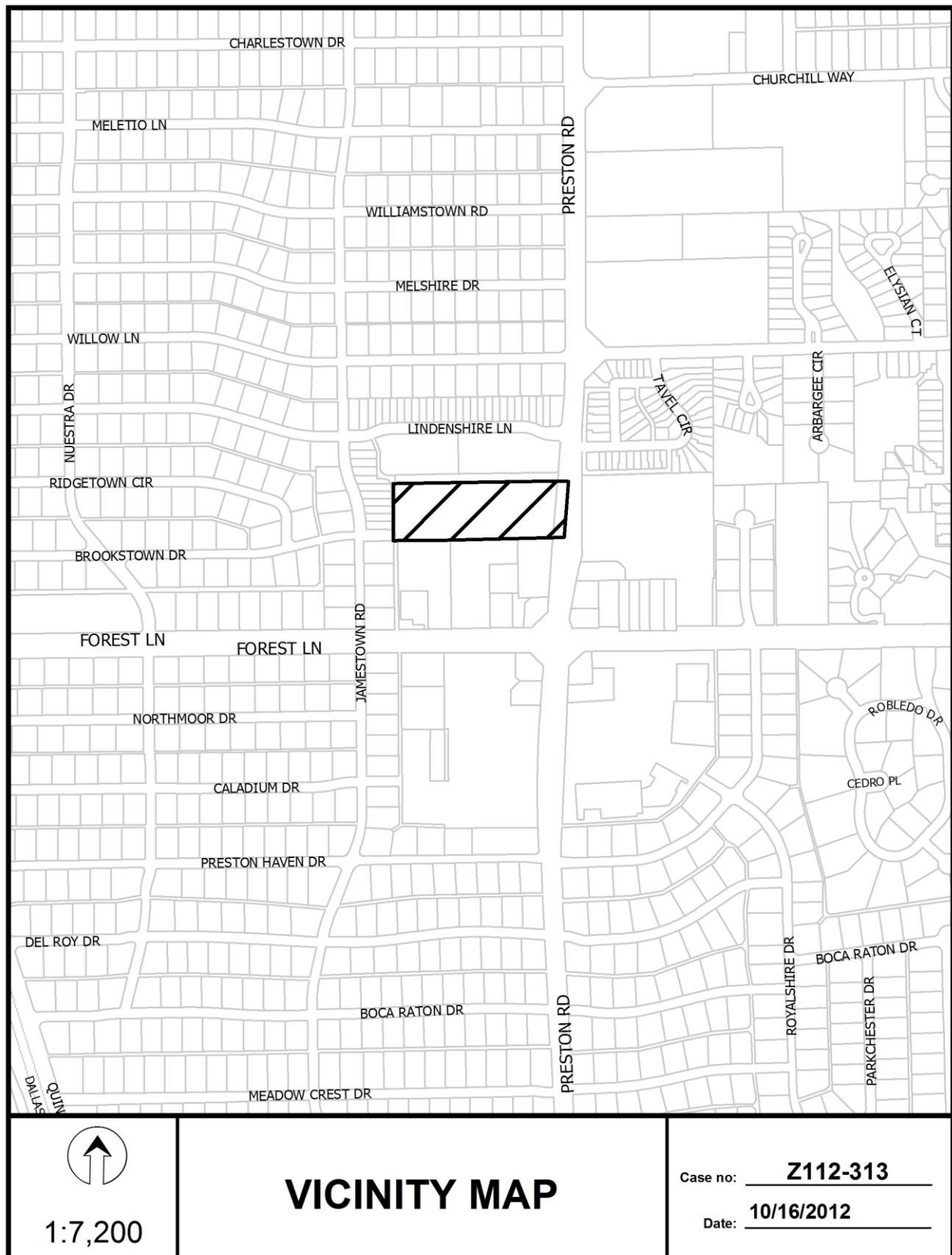


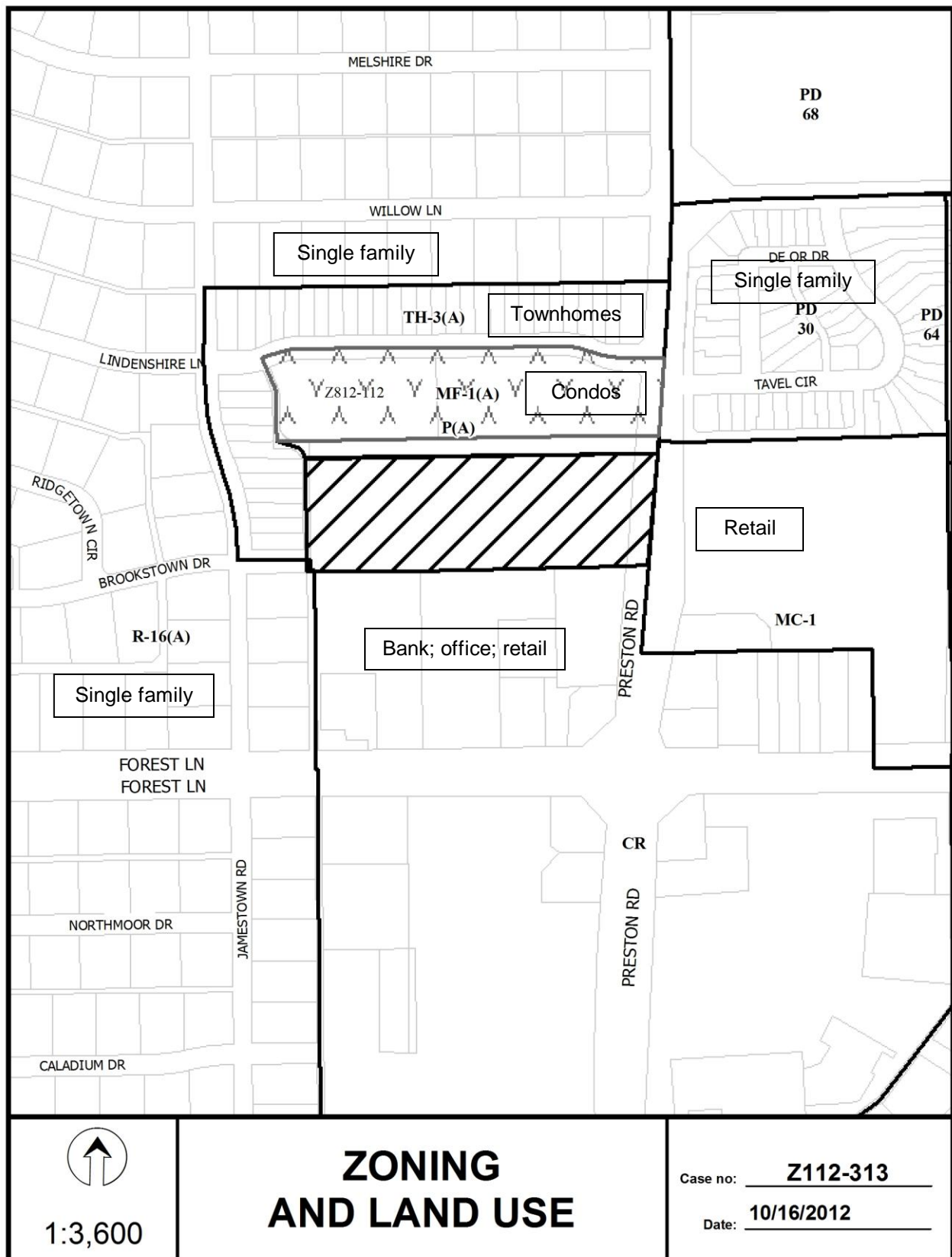
Proposed Site Plan

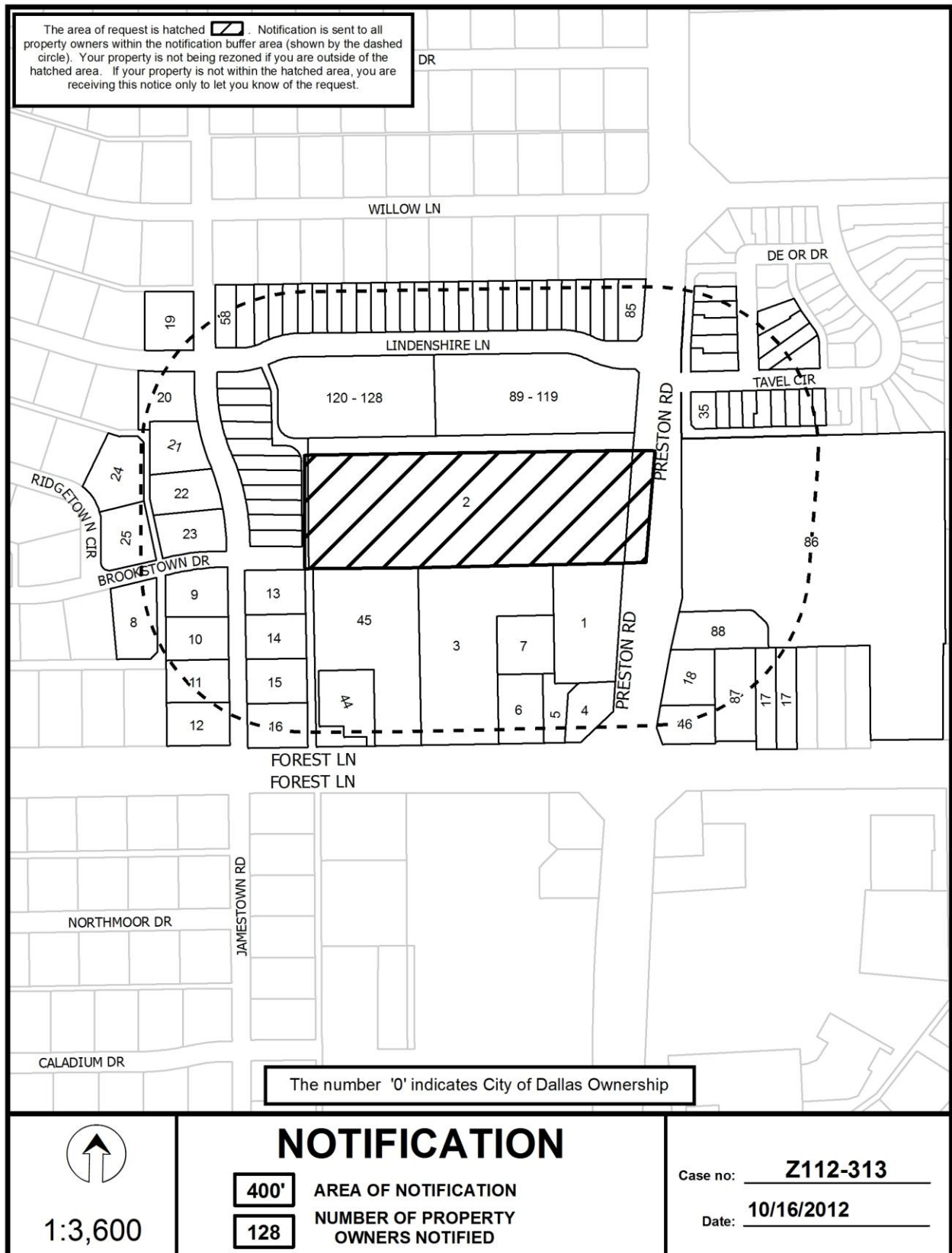


Proposed Floor Plan: For Illustrative Purposes Only









10/16/2012

Notification List of Property Owners***Z112-313***

		<i>128</i>	<i>Property Owners Notified</i>
<i>Label #</i>	<i>Address</i>		<i>Owner</i>
1	11811 PRESTON RD		N D B CO INC ATTN DAN GROVES
2	11909 PRESTON RD		PRESTON FOREST SQUARE LP
3	5925 FOREST LN		INTERVEST PWH LTD
4	11803 PRESTON RD		FONBERG REAL ESTATE INV % PETER D FONBER
5	5945 FOREST LN		WILLINGHAM WILLIAM D
6	5931 FOREST LN		WILLINGHAM W W III
7	5941 FOREST LN		WILLINGHAM WILLIAM D &
8	5826 BROOKSTOWN DR		WIGGINS MARTIN
9	11831 JAMESTOWN RD		STETTNER SHERI & PETER
10	11823 JAMESTOWN RD		LIPINSKY JAY ALLEN & SHARON ANNE
11	11815 JAMESTOWN RD		RESLANE JOINT VENTURE
12	11807 JAMESTOWN RD		FAEGRE BETTY W
13	11832 JAMESTOWN RD		DYER JONATHAN & LINSEY
14	11824 JAMESTOWN RD		ROSBERG ROBERT G
15	11816 JAMESTOWN RD		WEIDMAN BONNIE A
16	11808 JAMESTOWN RD		FRISHMAN BORUCH & HANNA
17	6029 FOREST LN		AUBREY FAMILY LLC &
18	11810 PRESTON RD		DEWBERRY FAMILY LIMITED PARTNERSHIP
19	5837 LINDENSHIRE LN		ROHAN VALERIE R TRUST LIFE ESTATE
20	5838 LINDENSHIRE LN		DAVIS EDWARD & SHANNON D
21	11923 JAMESTOWN RD		COHEN ADAM & LISA
22	11915 JAMESTOWN RD		DAVIS RICHARD JOHN & LINDA FLETCHER
23	11905 JAMESTOWN RD		WADKINS JAMES C & JANET
24	5767 RIDGETOWN CIR		SANDERS CLAYTON JAMES & CORTNEY D
25	5775 RIDGETOWN CIR		MITCHELL ARTHUR D
26	12021 DE OR DR		COLE BETTY M

Z112-313 (MW)

10/16/2012

	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	12015 DE OR DR	CHRISTIAN JERRIE T
	28	12011 DE OR DR	HENDRIX DONALD O & PHYLLIS J
T	29	12007 DE OR DR	LUNDAHL TERRY A TRUSTEE LUNDAHL LIVING
	30	12001 DE OR DR	GIBBONS THOMAS E
	31	11941 TAVEL CIR	MORELAND JOAN REED
	32	12002 DE OR DR	ROSEBURG BETTY B
	33	12006 DE OR DR	EVERGREEN WORKS LLC
	34	12010 DE OR DR	ROSENBURG RUTHY F
	35	11902 TAVEL CIR	TAUB MICHAEL D & KATHIE R
	36	11910 TAVEL CIR	BARNETT W COLLIER
	37	11916 TAVEL CIR	SANFORD JANE
	38	11920 TAVEL CIR	CURLEY THOMAS JAMES JR & CHERYL S STERNB
	39	11926 TAVEL CIR	MANN TRUE SANDLIN
	40	11930 TAVEL CIR	DIMSDLE JUNE
	41	11936 TAVEL CIR	PEPPARD PAULA L
	42	11940 TAVEL CIR	LOVELACE CHARLES RAY JR & JANET LYNNE LA
	43	11946 TAVEL CIR	PEARCE W LEON & PEARCE PATSY A
REA	44	5919 FOREST LN	FAIRWAY CAPITAL PARTNERS % CRESTVIEW
	45	5921 FOREST LN	FAIRWAY CAPITAL PARTNERS
DEPT	46	11800 PRESTON RD	BRANCH BANKING & TRUST CO ATTN: TAX
	47	11948 JAMESTOWN RD	PEEK HAROLD F JR
	48	11904 JAMESTOWN RD	JONES HAROLD
	49	11908 JAMESTOWN RD	HAUCK JUDY
	50	11912 JAMESTOWN RD	ROBINS JOYCE & KEITH
	51	11916 JAMESTOWN RD	TUCKER SHARON J
	52	11920 JAMESTOWN RD	BEST JOE A III
	53	11924 JAMESTOWN RD	HOGAN ROBERT & NORA
	54	11928 JAMESTOWN RD	FARRINGTON WALTER L III
	55	11932 JAMESTOWN RD	RUSSELL STEVEN G
	56	11936 JAMESTOWN RD	BEENE GARY L & NANCY H
	57	11940 JAMESTOWN RD	KRAFT ROBERT A & CINDA

Z112-313 (MW)

10/16/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5903 LINDENSHIRE LN	LANHAM RICHARD F & VIRGINIA A
59	5907 LINDENSHIRE LN	CULGAN MARGARET F
60	5911 LINDENSHIRE LN	CARLSON ANN S TRUSTEE
61	5915 LINDENSHIRE LN	GROSSMAN SUSAN T
62	5919 LINDENSHIRE LN	CARR ROBERT A
63	5923 LINDENSHIRE LN	COHN ANDREW &
64	5927 LINDENSHIRE LN	RICHARDSON JAMES A
65	5931 LINDENSHIRE LN	ZIDELL JEFFREY STUART
66	5937 LINDENSHIRE LN	OSGOOD LINDA S
67	5939 LINDENSHIRE LN	WAGGONER EASLEY B & JAN W
68	5943 LINDENSHIRE LN	CARGILL DAVID L & LUCRETIA A
69	5947 LINDENSHIRE LN	LEVITT MARILYN
70	5951 LINDENSHIRE LN	DONOVAN KATHY
71	5955 LINDENSHIRE LN	LEVY FRED A L
72	5957 LINDENSHIRE LN	SLACK HARRY B JR & REBECCA J
73	5959 LINDENSHIRE LN	WADDLE JERRY M & LUE R FAMILY LIVING TS
74	5961 LINDENSHIRE LN	CRIPPE STEVEN D & KATHERINE ANNE
75	5965 LINDENSHIRE LN	MCCOLL MORAG &
76	5967 LINDENSHIRE LN	HENRY JULIA A
77	5971 LINDENSHIRE LN	LENTZ FRED R
78	5975 LINDENSHIRE LN	BROOKS LARRY D
79	5979 LINDENSHIRE LN	BOX THOMAS D SUITE 200
80	5983 LINDENSHIRE LN	MCCULLARS RONALD L
81	5985 LINDENSHIRE LN	BONICK JOSEPH D TR
82	5987 LINDENSHIRE LN	SANDLER FRADA L & ALAN
83	5991 LINDENSHIRE LN	TOBOLKA HENRY L JR & JO ANN
84	5995 LINDENSHIRE LN	CZITROM PATRICIA E BELL
85	5999 LINDENSHIRE LN	PETREE DAVID R & DAVANA PETREE
86	11920 PRESTON RD	REGENCY CENTERS LP % PROPERTY TAX DEPT
87	6021 FOREST LN	INEZ ROSE LANDFAIR GARZA NONEXEMPT
MARIT		
88	11868 PRESTON RD	REGENCY CENTERS LP ATTN: PPTY TAX DEPT

Z112-313 (MW)

10/16/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	5990 LINDENSHIRE LN	HAWTHORNE TERESA J
90	5990 LINDENSHIRE LN	BIGBIE DEBORAH BLDG B UNIT 102
91	5990 LINDENSHIRE LN	STEVENS JENE J
92	5990 LINDENSHIRE LN	ARNOLD CARA D UNIT 104
93	5990 LINDENSHIRE LN	JC LEASING LLP
94	5990 LINDENSHIRE LN	GLENDORA PPTIES LLC
95	5990 LINDENSHIRE LN	BECKER ALEXANDER UNIT 107
96	5990 LINDENSHIRE LN	COFFMAN NANCY
97	5990 LINDENSHIRE LN	GOMEZ RITA CERVANTES
98	5990 LINDENSHIRE LN	M&M LONG FAMILY TRUST JOHN ALAN PAYNE
TR		
99	5990 LINDENSHIRE LN	PHINYAWATANA JULIA
100	5990 LINDENSHIRE LN	GOLLA DEBRA J # 112
101	5990 LINDENSHIRE LN	PICKERING WAYNE BRIAN # 113
102	5990 LINDENSHIRE LN	DAVIS KENNETH R
103	5990 LINDENSHIRE LN	BALLARD CATHY L UNIT 115
104	5990 LINDENSHIRE LN	PRINCE SHARYN P BLDG A UNIT 116
105	5990 LINDENSHIRE LN	FLOREN NILS & JENNIFER
106	5990 LINDENSHIRE LN	YERIAN DANIEL J #118
107	5990 LINDENSHIRE LN	FAGEN LAWRENCE M & JANICE
108	5990 LINDENSHIRE LN	BREWER LAURA L
109	5990 LINDENSHIRE LN	JAFFE MARLENE L & DENNIS L CLOUSE
110	5990 LINDENSHIRE LN	ASPGREN BRADFORD P APT 122
111	5990 LINDENSHIRE LN	HAGEMANN JOANNA UNIT 123
112	5990 LINDENSHIRE LN	WITTENBERG JEREMY & MORAG
113	5990 LINDENSHIRE LN	BURTON ANTHONY BLDG E UNIT 125
114	5990 LINDENSHIRE LN	JIMENEZMANELA ORTIZ
115	5990 LINDENSHIRE LN	HERNANDEZ BELINDA A # 127
116	5990 LINDENSHIRE LN	VILLAREAL ENRIQUE & HILDA REVOCABLE LIVI
117	5990 LINDENSHIRE LN	WAINSTEIN ALAN & SARA
118	5990 LINDENSHIRE LN	ROGERS MARK E & JOELY C UNIT 130
119	5990 LINDENSHIRE LN	SALYERS JANI J BLDG A UNIT 132

Z112-313 (MW)

10/16/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	5950 LINDENSHIRE LN	LINDENSHIRE RESIDENCES LP
121	5950 LINDENSHIRE LN	JAYASEELAN MITHRAN J
122	5950 LINDENSHIRE LN	HOLMAN WILLIAM &
123	5950 LINDENSHIRE LN	WILSON THOMAS G & PENNY P
124	5950 LINDENSHIRE LN	DILDY DIANA R UNIT 306
125	5950 LINDENSHIRE LN	LARKIN JOHN E
126	5950 LINDENSHIRE LN	BURNETTE RONALD LEE UNIT 406
127	5950 LINDENSHIRE LN	WILSON JOHN M &
128	5950 LINDENSHIRE LN	FISCHER THOMAS APT 504

FILE NUMBER: Z112-320(MW)

DATE FILED: September 14, 2012

LOCATION: Northeast corner of North Jim Miller Road and Benning Avenue

COUNCIL DISTRICT: 4

MAPSCO: 48-N

SIZE OF REQUEST: ±1.25 acres

CENSUS TRACT: 85.00

REPRESENTATIVE: Chris Sano, BRW Architects

OWNER/APPLICANT: City of Dallas

REQUEST: An application for a specific use permit for a fire station on property zoned an R-7.5(A) Single Family District

SUMMARY: The City of Dallas recently acquired property adjacent to Fire Station No. 32 and intends to redevelop the request site with a new fire station.

STAFF RECOMMENDATION: **Approval** for a permanent time period; subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The ±1.25-acre request site is developed with Fire Station No. 32 (±0.607 acre) and two single family homes (recently-acquired ±0.643 acre), all of which will be demolished.
- The site will be redeveloped with a single-story fire station which will house 17 fire fighters.
- The existing fire station is nonconforming. The applicant proposes to replace the existing fire station with a larger facility, which would result in the loss of the nonconforming status. Therefore, a Specific Use Permit is required
- The request site is surrounded by single family residential to the north and east; single family residential and retail to the south and single family residential and a public school to the west.

Zoning History:

There has been no recent zoning activity within the vicinity of the request site.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Jim Miller Road	Minor Arterial	100 feet
Benning Avenue	Local	50 feet
Toland Street	Local	50 feet

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Fire station; single family
North	R-7.5(A)	Single family
East	R-7.5(A)	Single family
South	R-7.5(A); CR	Single family; retail
West	PDD No. 638;R-7.5(A)	School; single family

STAFF ANALYSIS:

Comprehensive Plan:

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

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

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

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

Land Use Compatibility:

The ±1.25-acre request site is developed with Fire Station No. 32 (±0.607 acre) and two single family homes (recently-acquired ±0.643 acre), all of which will be demolished. The site will be redeveloped with a single-story fire station which will house 17 fire fighters. The proposed structure will comply with the residential proximity slope which originates from the R-7.5(A) Single Family District to the north, east, south and west of the request site.

The request site is surrounded by single family residential to the north and east; single family residential and retail to the south and single family residential and a public school to the west.

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

comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval for a permanent time period subject to a site plan and conditions.

Traffic:

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

Parking:

Pursuant to §51A-4.212 of the Dallas Development Code, the off-street parking requirement for a fire station is five (5) spaces plus one additional space per bed. Therefore, the proposed 17-bed fire station will require 22 off-street parking, spaces, as depicted on the site plan.

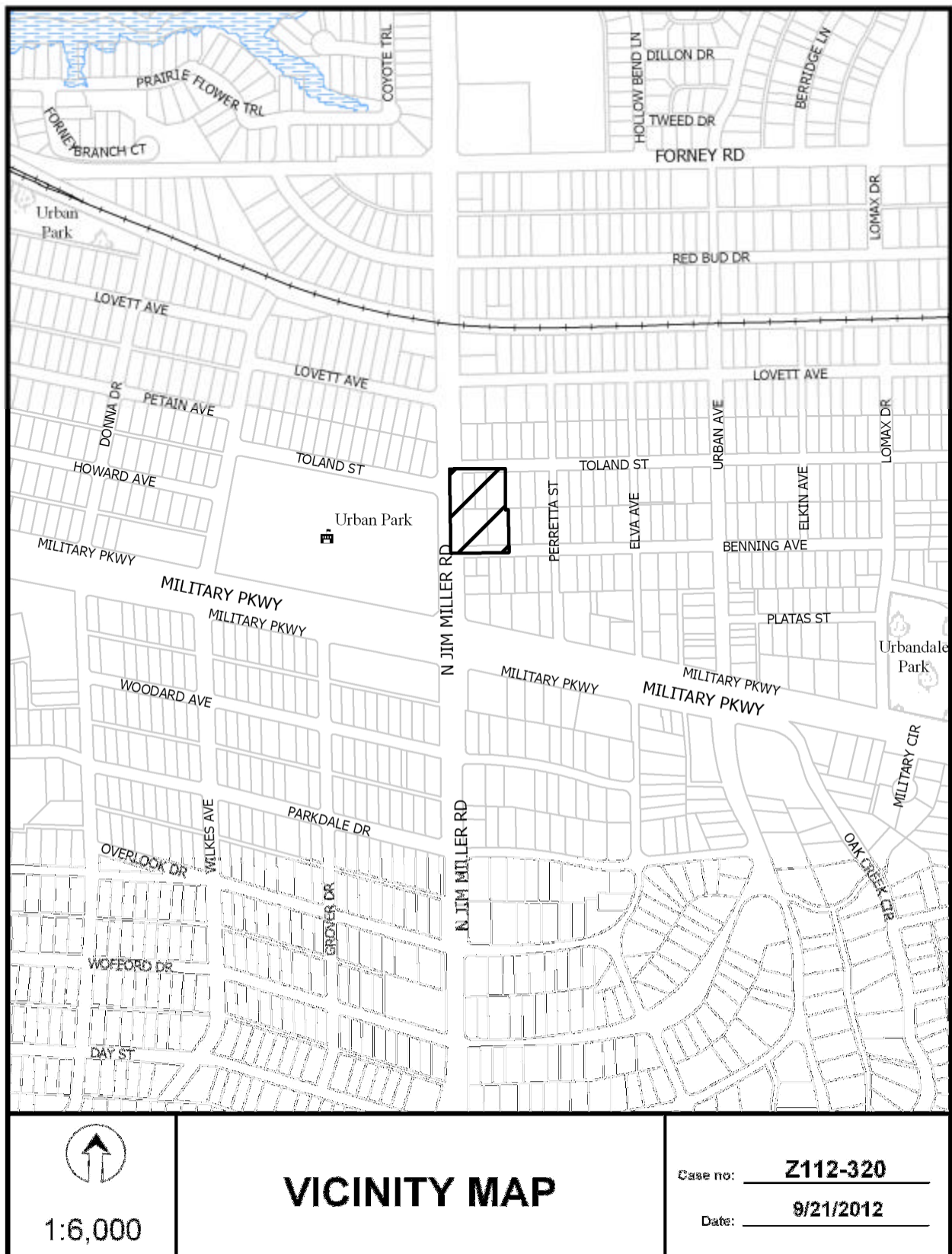
Landscaping:

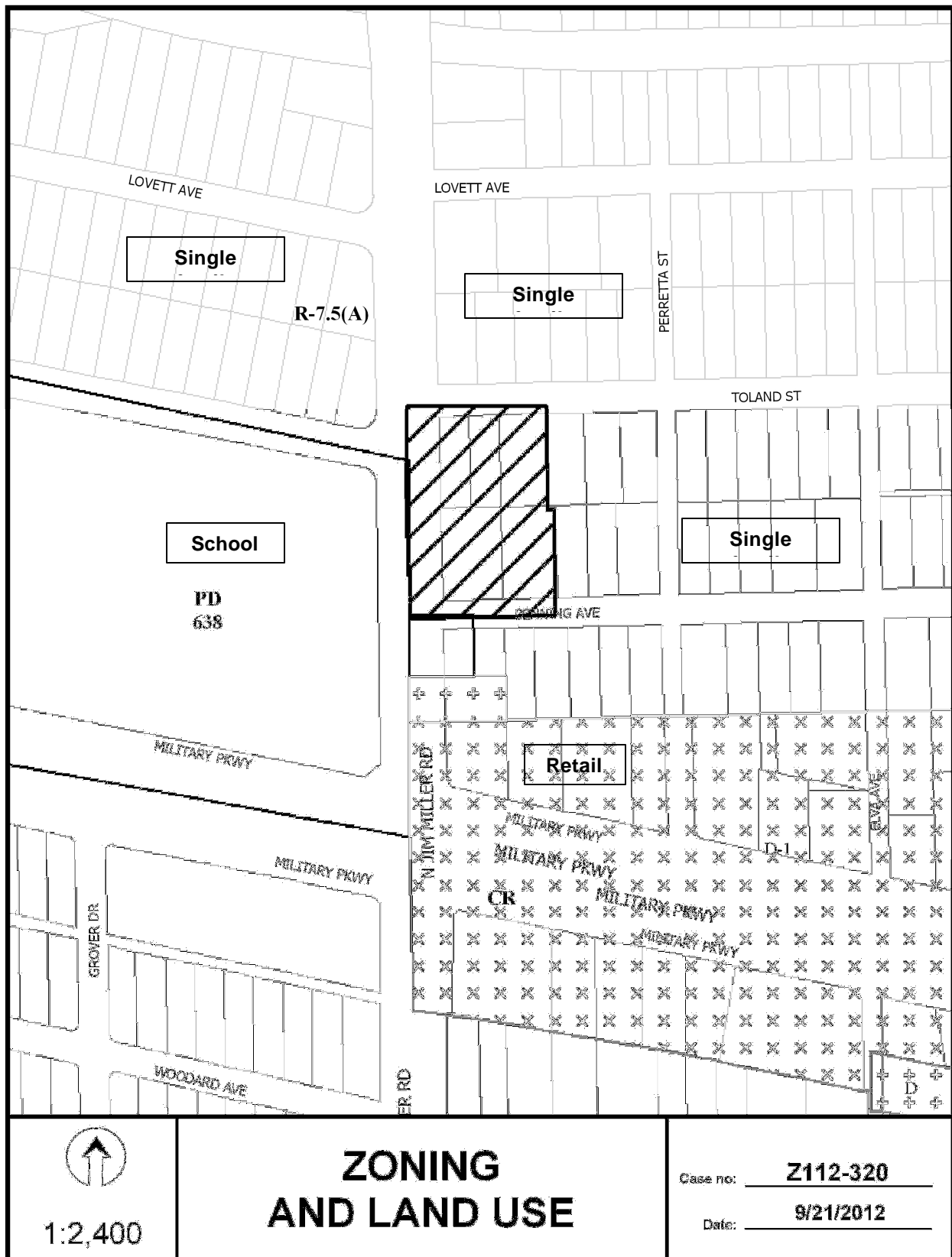
Landscaping will be required pursuant to Article X.

Z112-320
Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is a fire station.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.









9/20/2012

Notification List of Property Owners***Z112-320******47 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7010 TOLAND ST	WURTZ THOMAS W
2	7002 TOLAND ST	ORONA LINO & ARTURO ORONA
3	6901 MILITARY PKWY	Dallas ISD
4	6927 TOLAND ST	ORONA PATRICIA A
5	6923 TOLAND ST	RAMIREZ FERNANDO
6	6919 TOLAND ST	ORNELAS PRIMO & LAURA
7	6915 TOLAND ST	CARREON JORGE H
8	6911 TOLAND ST	SHELL VIRGINIA FAYE
9	6910 LOVETT AVE	HUBERT PRESTON & KATHRYN
10	6914 LOVETT AVE	FLORES MARIA ELENA
11	6918 LOVETT AVE	MARTINEZ NANCY A
12	6922 LOVETT AVE	PAREDES RAFAEL & MARIA G
13	7027 MILITARY PKWY	MEZA JESUS M
14	7023 MILITARY PKWY	ROSAS GERARDO &
15	7011 MILITARY PKWY	SPACE CENTER HOLDINGS LLC
16	7002 BENNING AVE	PMR OIL & GAS CO INC DBA STEP IN DRIVE I
17	7010 BENNING AVE	GALVAN FRANCISCO & SIXTOS ANITA
18	7006 BENNING AVE	GINES MIGUEL ANGEL
19	7014 BENNING AVE	RODRIGUEZ ANTONIO F & ELISA R
20	7026 BENNING AVE	MEZA JESUS
21	7022 BENNING AVE	SOSA MARIA TERESA
22	7024 BENNING AVE	CASTILLO JUAN J & GRACIELA C CASTILLO
23	7038 BENNING AVE	SALAZAR JORGE L &
24	7034 BENNING AVE	NUNEZ FRANCISCA
25	7037 BENNING AVE	PEREZ CARLOS & MARIA ISABEL
26	7033 BENNING AVE	PEREZ CARLOS & MARIA I PEREZ

9/20/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7027 BENNING AVE	LATHEM JERRY R & BONNIE K GANT
28	7017 BENNING AVE	TRISTAN CRECENCIO T & CONCEPCION RIVERA
29	7019 BENNING AVE	OLIVARES CIPRIANO
30	7014 TOLAND ST	MENDEZ PORFIRIO P & MARIA A ET AL
31	7026 TOLAND ST	DOMINUS PPTIES INC
32	7018 TOLAND ST	HILL ROGER ALLEN HILL
33	7032 TOLAND ST	YANEZ MARIO & ELVIA Y RAMIREZ
34	7038 TOLAND ST	CORDERO DANIEL
35	7023 TOLAND ST	DAVILA DAVID
36	7015 TOLAND ST	ORONA CELSA & LINO
37	7027 TOLAND ST	MENDEZ ANTONIO
38	7007 TOLAND ST	PECK LLOYD G
39	7011 TOLAND ST	MARTINEZ MARIA
40	7003 TOLAND ST	PINA JUANITO
41	7006 LOVETT AVE	MALLARD MAMIE
42	7012 LOVETT AVE	SUCHIL MANUEL
43	7018 LOVETT AVE	DEAVILA ELIZONDO & MARTHA
44	7026 LOVETT AVE	SUCHIL APOLINAR
45	7032 LOVETT AVE	PASTRAN MARTIN
46	7037 TOLAND ST	ALBERTO JAIME & EVA
47	7033 TOLAND ST	TAVIRA AUDON &

Planner: Warren F. Ellis**FILE NUMBER:** Z112-315(WE) **DATE FILED:** September 5, 2012**LOCATION:** North side of Camp Wisdom Road, east of Cockrell Hill Road**COUNCIL DISTRICT:** 8 **MAPSCO:** 62-V; 63-S**SIZE OF REQUEST:** Approx. 6.66 acres **CENSUS TRACT:** 109.03

APPLICANT: BBJM Asset Fund, LLC**OWNER:** Armando Aguilar**REPRESENTATIVE:** Audra Buckley**REQUEST:** An application for Specific Use Permit for a commercial amusement (inside) for a dance hall on property zoned a CR Community Retail District.**SUMMARY:** The purpose of this request is to permit a dance hall use to operate within an existing multi-tenant retail development.**STAFF RECOMMENDATION:** Approval, for a three year period, subject to a site plan and conditions

BACKGROUND INFORMATION:

- The applicant is proposing to divide approximately 10,001 square feet of floor area into two suites that will be used for special events. The request site is located on the second floor of an existing multi-tenant retail development.
- This proposed site will be used primarily for weddings, anniversaries, reunion, parties, and business meetings. The commercial amusement (inside) portion of the business will operate between the hours of 6:00 p.m. to 2:00 a.m. (the next day) and will use a portable dance floor for both suites that will not exceed a combined 500 square feet.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Camp Wisdom Road	Principal Arterial	100 ft.	100 ft.
Cockrell Hill Road	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	CR	Retail Development
North	CR, MF-2(A)	Restaurant, Multifamily
South	MU-2	Retail and personal services
East	PDD No. 94	Vehicle display, sales and services
West	Duncanville City limits, CR at the corner	

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

The request site is located within a Residential Neighborhood Building Block and is on a major thoroughfare that is designated as a Multi-modal corridor. Although the site lies within a Residential Neighborhood Building Block, the property has been zoned a CR Community Retail District for at least 20 years. Even though the request site is located within a Residential Neighborhood Building Block, the Building Block does not preclude any other uses from being developed, if the underlying zoning is of a higher density.

The Comprehensive Plan provides a guideline for development throughout the city, but where the development needs to be most sensitive are those Building Blocks areas that have been designated as Residential Neighborhoods.

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

Transit center or Multi-modal Corridor

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

STAFF ANALYSIS:

Land Use Compatibility: The request site is located within a two-story, 87,415 square foot multi-tenant retail development. The applicant’s request for a Specific Use Permit for a commercial amusement (inside) for a dance hall use will allow for the 10,001 square foot retail space to be divided into two suites that will be used for banquet halls. The request site will be used primarily for special events (i.e., weddings, anniversaries, reunion, etc.). Staff and applicant’s representative have met to discuss providing safety for their patrons and as a result of those discussions, the applicant’s representative has agreed to include restrictions within the Specific Use Permit conditions to provide at least 2 peace officers on site. The proposed commercial

amusement (inside) use for a dance hall will operate between 6:00 p.m. and 2:00 a.m., Monday through Sunday and will use a portable dance floor for both suites that will not exceed a combined 500 square feet.

The CR Community Retail District allows for a commercial amusement (inside) by right; however, because the applicant is requesting a dance floor to permit dancing, a Specific Use Permit is required. The Dallas Development Code does not have a use designated for a 'banquet hall' use. Therefore, the applicant had to request a Special Use Permit for a commercial amusement (inside) for a dance hall to accommodate their specific requirements to provide dancing.

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

Even though the request site is located off a major thoroughfare and is within an existing retail development, staff is recommending a three year period. The initial three year time period will allow the applicant to establish a track record as being a good neighbor with the adjacent retail businesses.

Development Standards:

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

Landscaping: The request site is located within an existing retail development; therefore, landscaping requirements in accordance with Article X will not be triggered.

Parking: The parking regulations require 1 space per 100 square feet of floor area for the commercial amusement (inside) portion and 1 space per 25 square feet of floor area for a dance floor. Based on the building's square footage and portable dance floor, the applicant is required to provide 115 off-street parking spaces. The applicant is proposing 115 off-street parking spaces.

The building official may request that the applicant provide a parking analysis showing the parking requirement for each retail use that is located within the retail development.

LIST OF PARTNERS/MANAGERS BBJ Real Estate Investments, LLC
--

- Jonathan Glaser Manager
- Michael Mugal Manager

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a commercial amusement (inside) use limited to a dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on _____, (three-year period from the passage of this ordinance),
4. FLOOR AREA: The maximum floor area for a commercial amusement (inside) for a dance floor is 500 square feet.
5. ON SITE SECURITY: When the commercial amusement (inside) use limited to a dance hall is operating, a minimum of two peace officers must be provided on site between 6:00 p.m. and 2:00 a.m. (the next day). The peace officers must monitor the property and required parking areas.
6. HOURS OF OPERATION: The commercial amusement (inside) use limited to a dance hall may only operate between 6:00 p.m. and 2:00 a.m. (the next day), Monday through Sunday.
7. OFF-STREET PARKING: A minimum of 115 off-street parking spaces must be provided in the location shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas

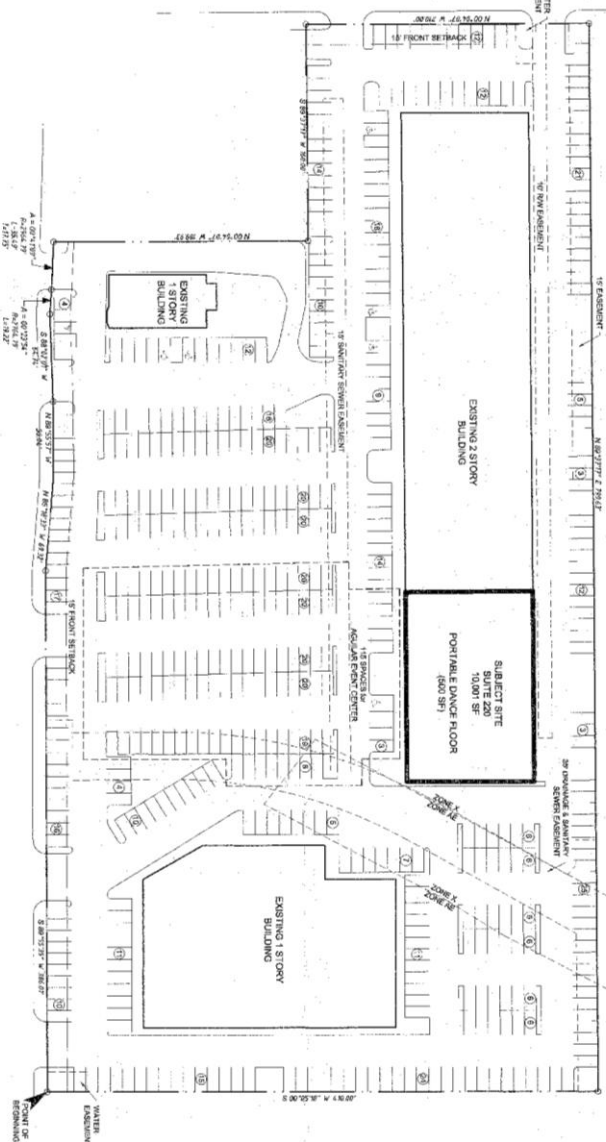
PROPOSED SITE PLAN

SITE PLAN
SCALE: 1" = 40'-0"

CAMP WISDOM ROAD

COCKRELL HILL ROAD

40 0 20 40 80 160

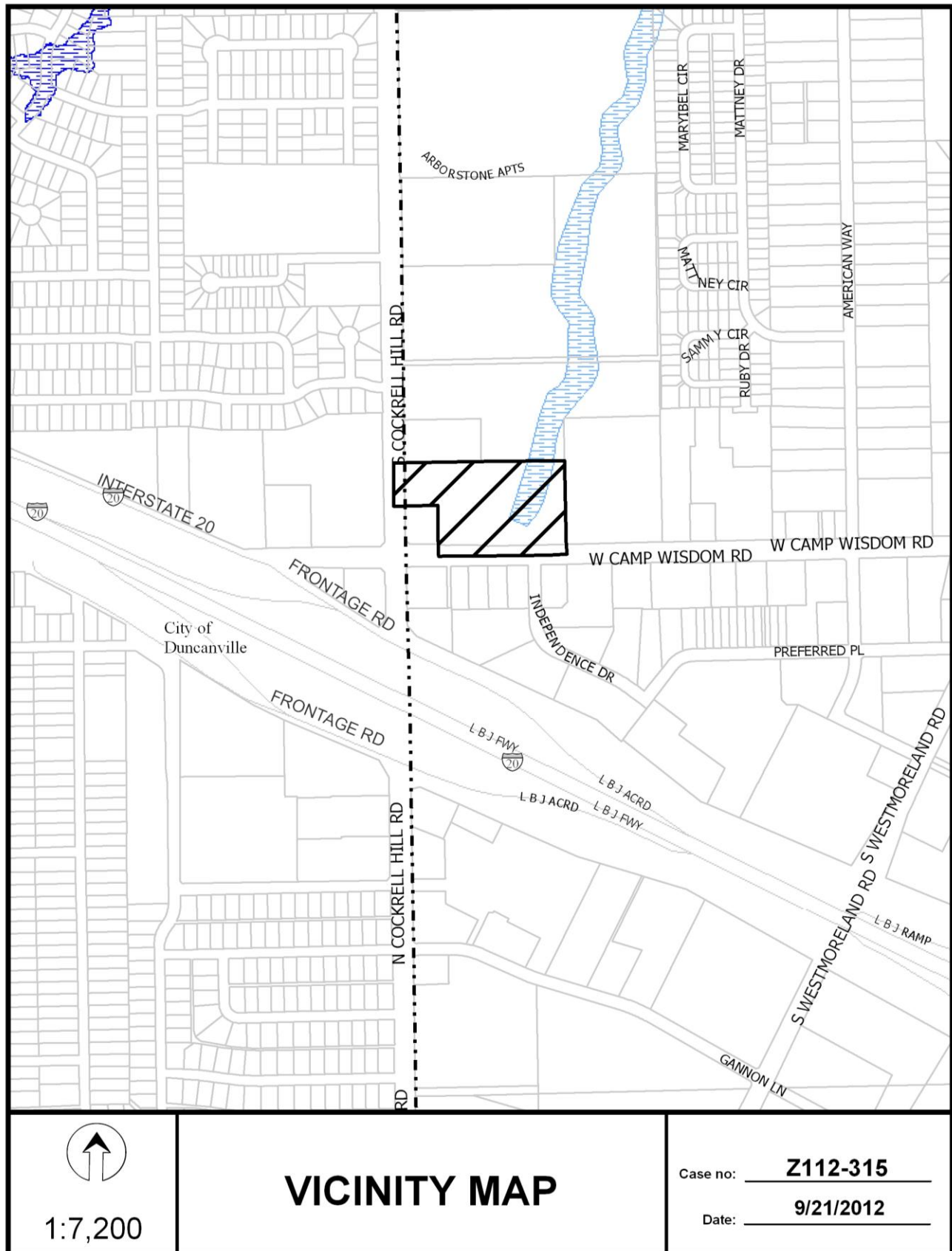


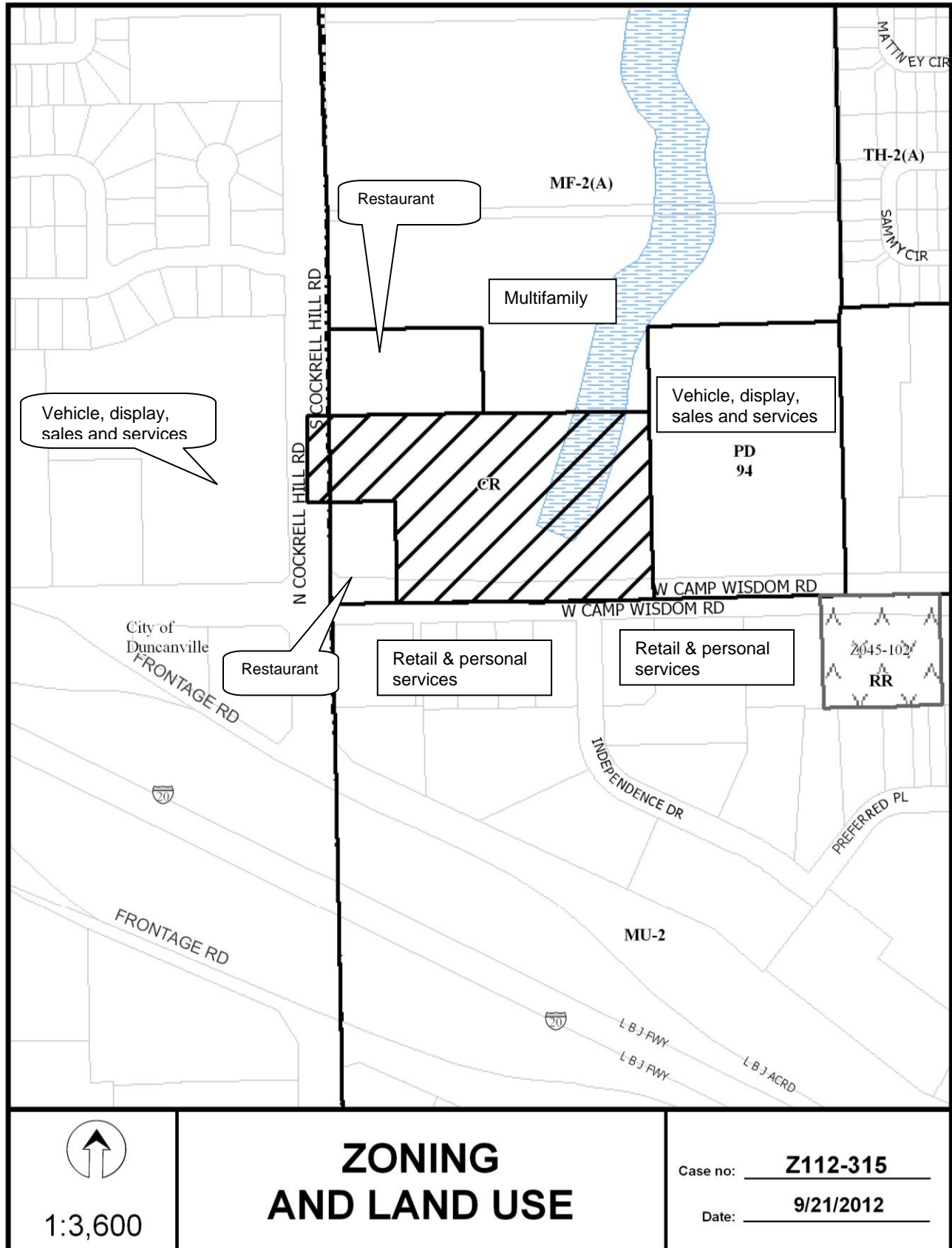
NO.	DESCRIPTION	AMOUNT	UNIT	TOTAL
1	Site Preparation	1.00	sq. ft.	1.00
2	Foundation	1.00	sq. ft.	1.00
3	Framing	1.00	sq. ft.	1.00
4	Roofing	1.00	sq. ft.	1.00
5	Interior Finishes	1.00	sq. ft.	1.00
6	Exterior Finishes	1.00	sq. ft.	1.00
7	Landscaping	1.00	sq. ft.	1.00
8	Utilities	1.00	sq. ft.	1.00
9	Other	1.00	sq. ft.	1.00
10	Subtotal	10.00	sq. ft.	10.00
11	Grand Total	10.00	sq. ft.	10.00

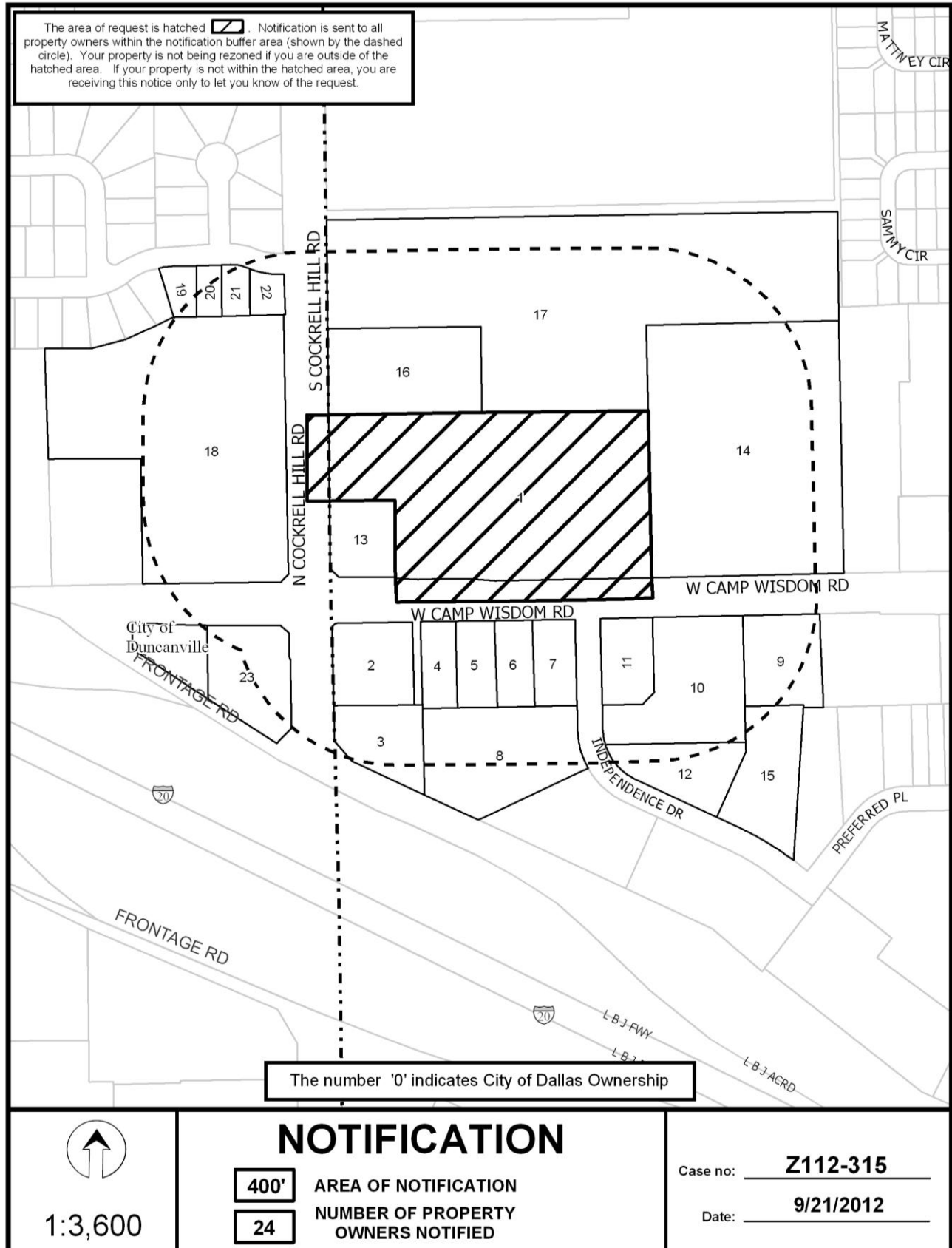


VICINITY MAP
NTS









Notification List of Property Owners

Z112-315

24 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4343 CAMP WISDOM RD	BBJM ASSET FUND I LLC % RED MOUNTAIN GRO
2	7110 COCKRELL HILL RD	VICTRON STORES LP
3	7120 COCKRELL HILL RD	MUZNA MANAGEMENT INC
4	4354 CAMP WISDOM RD	TEXAS CAR AUDIO INC STE 1210
5	4312 CAMP WISDOM RD	CNB REAL ESTATE LLC
6	4306 CAMP WISDOM RD	PRATER JIMMIE D
7	4302 CAMP WISDOM RD	WISDOM WASH INC
8	4220 INDEPENDENCE DR	FOURTH BERKSHIRE PPTY LLC % ACCOR NORTH
9	4140 CAMP WISDOM RD	JJC INTL ENTERPRISES INC
10	4210 CAMP WISDOM RD	SILWAD INC
11	4228 CAMP WISDOM RD	SAVICKAS JOHN E TRUSTEE
12	4137 INDEPENDENCE DR	SHABACH SANCTUARY
13	4355 CAMP WISDOM RD	WEST WALTON REALTY CORP
14	4201 CAMP WISDOM RD	VERDE INVESTMENTS INC SUITE A
15	4102 PREFERRED PL	THE SALVATION ARMY
16	6940 COCKRELL HILL RD	GREAT AMERICAN FOODS CORP
17	6910 COCKRELL HILL RD	CCC&R TRES ARBOLES LLC
18	815 CAMP WISDOM RD	SALEHOUN FAMILY LTD PS
19	750 WREN	DELAY DEE JOHN
20	754 WREN AVE	HERNANDEZ SAN JUANITA
21	758 WREN AVE	PEREZNEGRON MIGUEL A & LAURA
22	762 WREN AVE	KING JESSIE
23	822 COCKRELL HILL RD	DFW CONVENIENCE STORES LP ATTN: GUY FREN
24	814 CAMP WISDOM RD	PARK HYUN JIN

FILE NUMBER: Z112-308(RB)

DATE FILED: August 23, 2012

LOCATION: International Parkway and Corporate Drive, Northwest Corner

COUNCIL DISTRICT: 9

MAPSCO: 29 W

SIZE OF REQUEST: Approx. 2.855 Acres

CENSUS TRACT: 126.01

APPLICANT/OWNER: Greenbriar Holdings Dallas

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a CS Commercial Service District on property zoned an IR Industrial Research District and a Specific Use Permit for a Petroleum product storage and wholesale use.

SUMMARY: The applicant proposes to utilize the existing warehouse building for the storage and distribution of petroleum-based products.

STAFF RECOMMENDATION: Approval of a CS Commercial Service District, and approval of a Specific Use Permit for a Petroleum product storage and warehouse use for a ten-year period, with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is developed with a 52,886 square foot vacant warehouse/distribution structure. Surface parking and designated loading dock areas are situated along both the northern and southern facades.
- The applicant proposes to utilize the property for storage and distribution of petroleum-based products.
- The proposed use is not permitted under the existing IR District standards, but permitted by right in an IM District and by SUP in the requested CS District (see Land Use Compatibility, below).

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

<u>Street</u>	<u>Designation: Existing & Proposed ROW</u>
International Parkway	Local; 60' ROW
Corporate Drive	Local; 60' ROW

STAFF ANALYSIS:

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility:

The request site is developed with a 52,886 square foot vacant warehouse/distribution structure. Surface parking and designated loading dock areas are situated along both the northern and southern facades. The applicant is proposing to provide for a petroleum product storage and distribution use within the existing improvements. The use permits for storage and distribution of petroleum based products. The use tends to possess characteristics of other warehouse/distribution uses distributing to large wholesale users. Generally, the use does not possess a retail component as is the case for the identified tenant for the property.

The predominate land use in the immediate area consists of commercial/inside industrial uses. The majority of structures provide for at-grade and dock level doors for the industrial/distribution component of the respective operations. Various rail spurs serve the general area (request site does not have access to the rail right-of-way abutting the western façade).

The applicant initially submitted for consideration of an IM District, which permits the proposed use by right. While the anticipated use of the improvements lacks the operational aspect normally associated with a manufacturing process, the IM District does permit the introduction of outside industrial activities normally found in the city's heavier industrial areas. The immediate area tends to present itself in an opposite manner, i.e., most operational characteristics of the uses in the area are within existing structures. Office finish-out for these structures tends to be in the ten to twenty-five percent range of existing floor area. Proximity to IH 635 and the city's thoroughfare system supports the dependency of truck service to the area. The impact of the request on residential uses is not a concern for staff, with the closest residential area located approximately 480 feet south of the site (no direct vehicular access to the residential streets). As a result, the applicant agreed to revise the application to request a more compatible underlying zoning district (CS District) which permits the use by specific use permit.

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.

As a result of this analysis, staff supports the request for a CS District, and furthermore supports approval of an SUP for a petroleum product storage and wholesale use, subject to the attached site plan and conditions.

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

Landscaping: The site possesses a fairly heavily landscaped area situated along the eastern façade. A small turf area is found along the northern property line. The request will not trigger additional landscape requirements, nor is staff recommending additional landscape materials.

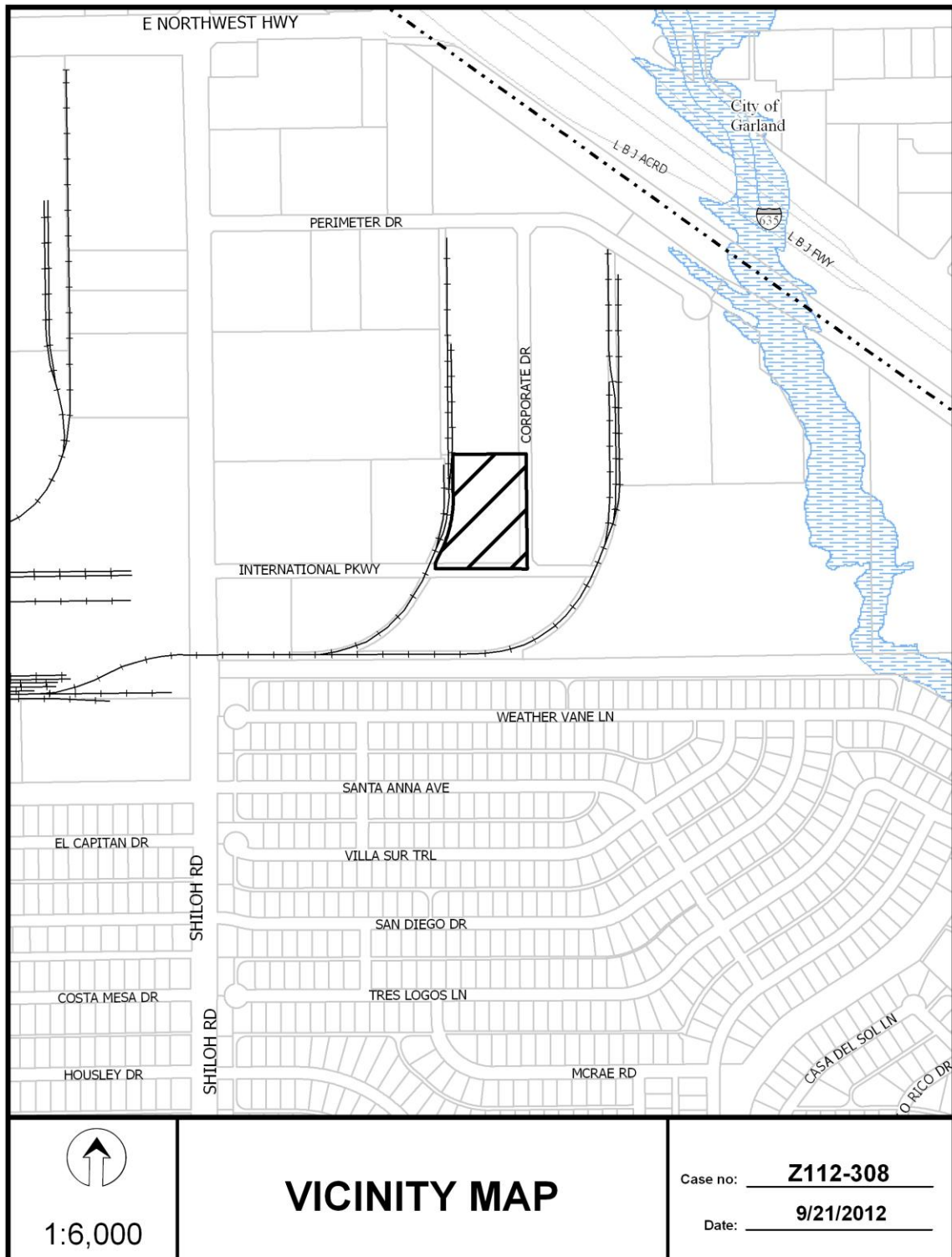
Officers for Greenbriar Holdings

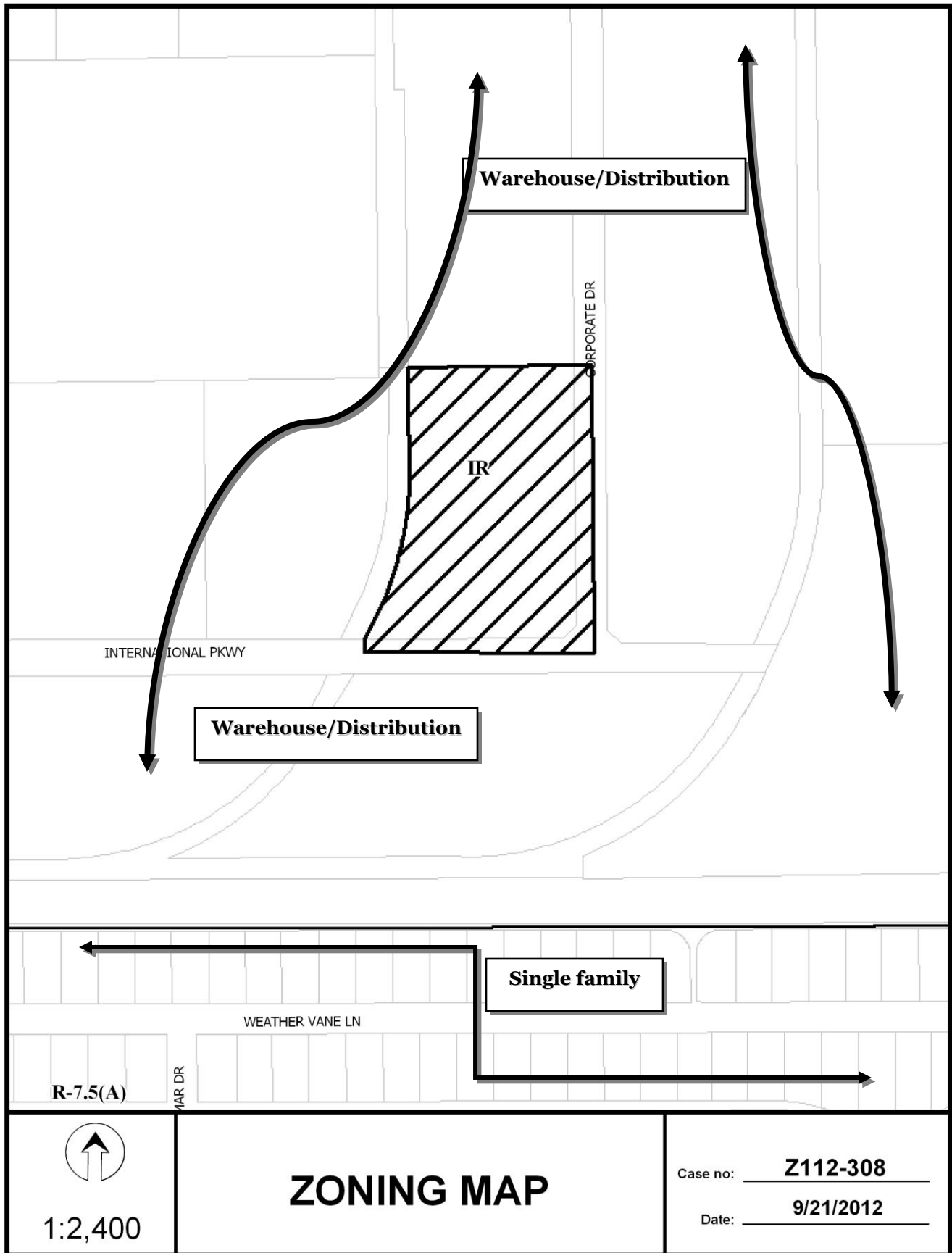
Mark David Cullins – President
James Michael Nolan Jr. - Vice President
Bryan Ammann – Vice President & Secretary


Z112-308

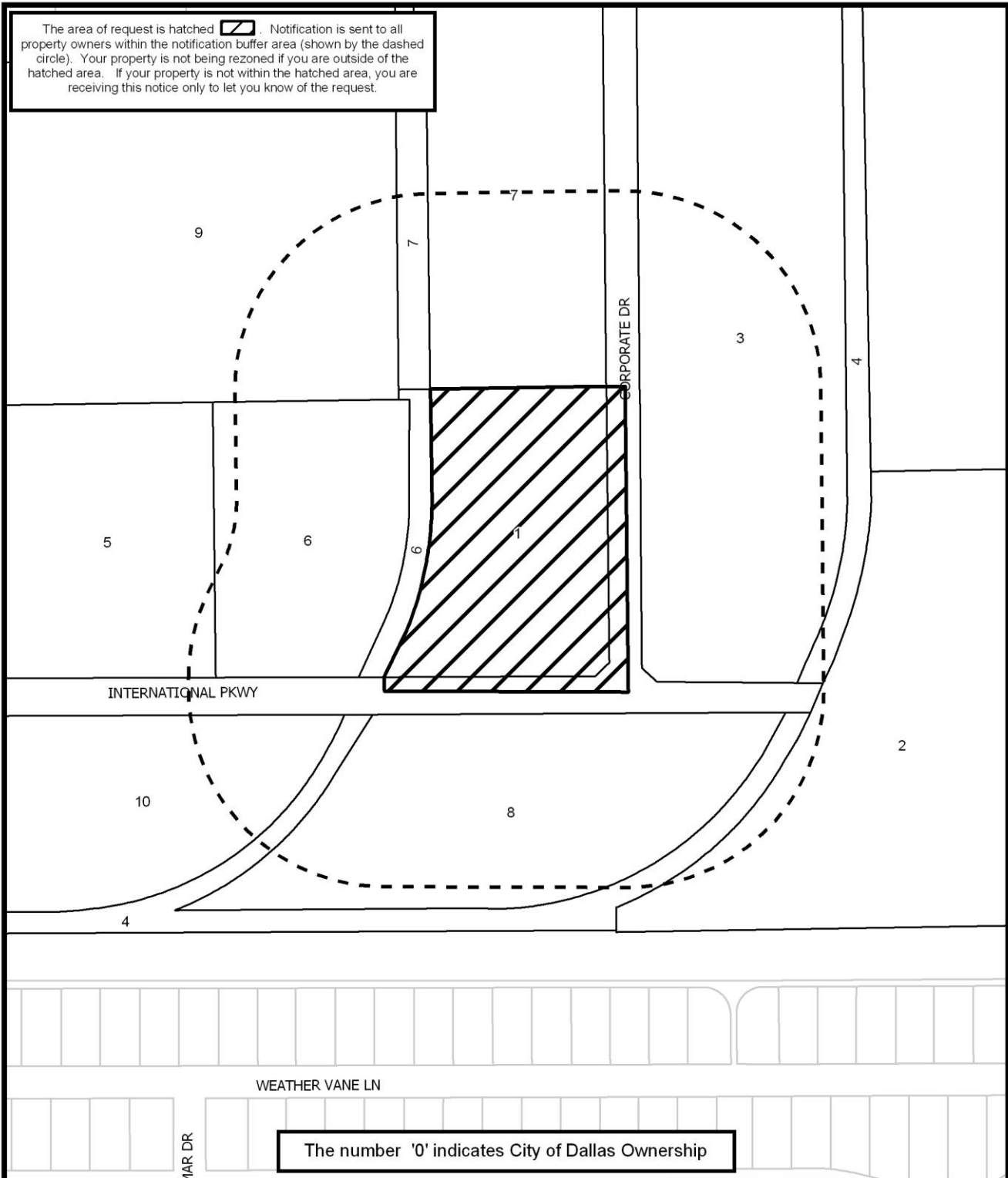
**STAFF'S RECOMMENDED CONDITIONS FOR A
SPECIFIC USE PERMIT FOR A PETROLEUM PRODUCT STORAGE AND
WHOLESALE USE**

1. USE: The only use authorized by this specific use permit is a petroleum product storage and warehouse use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property 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. OUTSIDE STORAGE: Outside storage is prohibited.
5. OFF-STREET PARKING AND LOADING AREAS: Off-street parking and loading areas 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.





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.



1:2,400

NOTIFICATION

300'

AREA OF NOTIFICATION

10

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-308**

Date: **9/21/2012**

9/20/2012

Notification List of Property Owners***Z112-308******10 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	12001 CORPORATE DR	GREENBRIAR HOLDINGS DALLAS LTD STE 730
2	12900 LBJ FWY	PERIMETER INVESTMENTS ONE LIMITED
PARTNE		
3	12002 CORPORATE DR	GREENBRIAR HOLDINGS DALLAS LTD
4	12600 INTERNATIONAL PKWY DALLAS GARLAND IND LP % AGELLAN	
INVESTME		
5	11910 SHILOH RD	DCT TX 2004 RN PORTFOLIO SHILOH LP
6	12621 INTERNATIONAL DR	OUTDOOR CAP CO INC ATTN PAUL W MAHAN
7	12019 CORPORATE DR	TEACHERS INSURANCE & ANNUITY ASSOC OF
AM		
8	12626 INTERNATIONAL PKWY	DDL REALTY LLC
9	11990 SHILOH RD	KNICKERBOCKER PPTIES XII
10	12600 INTERNATIONAL PKWY	ELLIOTT PARTNERS LTD

Planner: Richard E. Brown**FILE NUMBER:** Z112-105(RB) **DATE FILED:** October 11, 2011**LOCATION:** Greenville Avenue and Restland Road, Southwest Quadrant**COUNCIL DISTRICT:** 11 **MAPSCO:** 16V, 17S**SIZE OF REQUEST:** Approx. 57.29 Acres **CENSUS TRACT:** 190.16

APPLICANT/OWNER: S. E. Cemeteries of Texas, Inc.**REPRESENTATIVE:** Robert Reeves

REQUEST: An application for 1) an amendment to and expansion of Specific Use Permit No. 363 for a Cemetery and Mausoleum on property zoned an R-7.5(A) Single Family District, an LO-1 Limited Office District, a GO(A) General Office District with deed restrictions and an MU-3 Mixed Use District with deed restrictions, and 2) an LO-2 Limited Office District on that portion of the request site zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District.

SUMMARY: The applicant is proposing to expand the presence of the existing cemetery and mausoleum use.

STAFF RECOMMENDATION: Approval of an amendment to and expansion of SUP No. 363, subject to a site plan and staff's recommended conditions, and approval of an LO-2 Limited Office District.

PRIOR CPC ACTION: On October 4, 2012, the City Plan Commission held this request under advisement until November 1, 2012.

BACKGROUND INFORMATION:

- The existing SUP No. 363 site boundary is improved with typical structures and infrastructure that support a cemetery use. The expansion area is undeveloped.
- The applicant's request will permit expansion of the cemetery by adding approximately a 9.1 acre tract of land abutting the southeast quadrant of the existing SUP site boundary.
- Existing deed restrictions on a portion of the site provide for maximum floor area, require property for additional right-of-way, and require a solid screening wall along a portion of the site's perimeter (see note on proposed site plan).

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

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Greenville Avenue	Local; 70' ROW
Restland Road	Local; 80' ROW
IH 635	Freeway; Variable ROW

Comprehensive Plan: The site is located within an area identified as a Commercial 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 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 partially developed with cemetery and mausoleum uses. The applicant is requesting to add an approximate 9.1 acre parcel to the existing site boundary for SUP No. 363. Additionally, the applicant requests to rezone the portion of the request site zoned for R-7.5(A) and LO-1 District Uses to an LO-2 District so as to provide for anticipated structure height within the expansion area. Existing deed restrictions providing for maximum floor area, right-of-way dedication, and solid screening wall requirements exist on a portion of the request site. For orientation purposes, the site plan provides for existing improvements along with seven future building areas along with a designated amount of floor area not restricted to one of the seven areas.

Surrounding land use consists of a mix of uses. Specifically, additional cemetery uses operated by the applicant to the north, multifamily and office uses to the east, with a hotel and office that are 'wrapped' by the applicant's request site. The elevated access road to northbound North Central Expressway and undeveloped property zoned for IR District Uses abut the site's southern and western boundaries, respectively. Various retail uses are found on properties to the south, across IH 635. It should be noted that a portion of the applicant's expansion area (specifically, Future Building Areas 3, 4, and 5) is accessed from Greenville Avenue (both north and south bound) by a private access, utility, and drainage easement that also serves the rear of the adjacent lodging use and abutting office use.

The applicant has worked with staff to address the majority of the adjacency issues as the site's expansion area encroaches towards the above referenced office and lodging uses. While the expansion area consists of significant acreage to accommodate the expansion, staff remains concerned as to the impact on the two uses developed to the southeast; an office building that is wrapped by the existing SUP boundary (northern and western facades) and the expansion area (eastern façade).

It should be noted that 'impact on adjacent uses' takes on a different sensitivity when assessing this request. While no studies exist on the impact of cemeteries on adjacent nonresidential uses (studies do exist with respect to residential adjacency), it should be noted that this use can offer superb green spaces and beautiful natural surroundings and interesting architectural detail. At the same time, it is staff's opinion that Future Building Area 5 could be problematic. Suggestions have been made as to utilizing this tract with improvements that would provide more conducive to abutting the office use,

while at the same time providing for efficiencies of operation; for example, a surface parking area served by shuttle to facilitate visitors and family members to specific areas on the property. Since the applicant has, in combination, added 9.1 acres and requested a zoning district that provides for significant structure height (anticipated mausoleum structures; see structure height table, below) to provide for future improvements, prohibiting gravesites and/or development of mausoleum structures of significant height and massing within this area would tend to minimize the impact of the applicant's expansion.

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

Staff has determined the applicant's request, subject to the attached site plan and staff's recommend conditions, complies with the intent of the requirements for an expansion of the existing specific use permit. Additionally, staff supports the request for an LO-2 District on the expansion portion of the request area.

Should CPC not agree with staff's recommended condition that prohibit gravesites and mausoleum structures (limited in height and massing) within Future Building Area 5, it is suggested discussions be considered to provide for enhanced setbacks from the area's northern and western boundaries.

*EXISTING	PROPOSED	**FUTURE BUILDING AREA MAXIMUMS
R-7.5(A)/30' LO-1/70'	LO-2/95'	Area 1-36'; Areas 2, 7-95'; Areas 3, 4, 6-74'; and, Area 5-42'

*The respective areas currently zoned for GO(A) and MU-3 District Uses are being retained

**For a cemetery and mausoleum use, structure height limited by site plan; other permitted uses will comply with the respective land areas zoned for LO-2, GO(A), and MU-3 District Uses.

Traffic: The Engineering Section of the Department Sustainable Development and Construction has reviewed the requested amendment and expansion of SUP No. 363 and determined that it will not significantly impact the surrounding street system.

Landscaping: Both SUP No. 363 and the expansion area are governed by the landscape regulations of Article X. The applicant has provided for additional tree plantings related to 'Future Building Area 5' so as to provide for a visual buffer from the abutting office use.

**MINUTES OF JOINT ANNUAL MEETING
OF
SHAREHOLDER AND BOARD OF DIRECTORS
OF
S.E. CEMETERIES OF TEXAS, INC.**

The joint annual meeting of the shareholder and the Board of Directors of S.E. Cemeteries of Texas, Inc., a Texas Corporation (the "Corporation"), was held in New Orleans, Louisiana on the 30th day of July, 2010, pursuant to Waiver of Notice and Consent to Meeting.

Lewis J. Derbes, Jr., Secretary, representing S.E. South-Central, Inc., sole shareholder of the Corporation, and in his capacity as Secretary of the Corporation, was present.

The following, being all the members of the Board of Directors, were present:

Thomas M. Kitchen
Martin R. de Laoreal
Lewis J. Derbes, Jr.

Thomas M. Kitchen presided as Chairman of the meeting. The shareholder and directors discussed the operations of the Corporation for the past year and the activities of the officers and directors of the Corporation. Upon motion duly made, the shareholder and directors unanimously approved, ratified, and confirmed all lawful actions of the officers and directors of the Corporation during the year, including specifically, but without limitation, the appointment of trustees, investment advisors, custodians and other similar persons, and any amendment to the governing instruments of the trusts maintained by this Corporation. Upon motion duly made, all previously-appointed officers and directors of the Corporation were removed from office.

The chairman announced that nominations were open for directors to serve the Corporation during the ensuing year. Upon nominations duly made by the sole shareholder, the following directors were elected to serve during the next year and until their successors are duly elected and qualified:

Thomas M. Kitchen
Martin R. de Laoreal
Lewis J. Derbes, Jr.

Thereafter, the chairman announced the nominations were open for officers to serve the Corporation during the next year. Upon nomination duly made by the directors named above, the following officers were unanimously elected to serve during the next year and until their successors are duly elected and qualified:

Z112-105

<u>Name</u>	<u>Office</u>
Brian Shake	President/Assistant Secretary
Kenneth G. Myers, Jr.	Executive Vice President/ Assistant Secretary
Thomas J. Crawford	Vice President
Angela M. Lacour	Vice President
Michael G. Hymel	Vice President
Donnie K. Payne	Vice President-Cemetery Sales
Marisa A. Parrott	Assistant Secretary-Cemetery Sales
Sandra L. Wallace	Assistant Secretary-Cemetery Sales
Karen K. Davis	Assistant Secretary-Cemetery Sales
Lewis J. Derbes, Jr.	Secretary/Treasurer
Thomas M. Kitchen	Assistant Secretary/Assistant Treasurer

The Board of Directors has reviewed and discussed the findings described in the last Reports of Examination issued to the Corporation for the audit period ending August 31, 2009 as well as the Corporation's response to such findings and the proposed corrective actions. The Board will continue to monitor the activities of the Corporation and its compliance with all applicable laws.

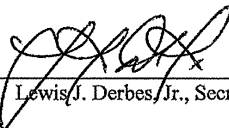
The chairman then discussed the annual shareholder and board meetings. There being no further business, the meeting was duly adjourned.

The sole shareholder and the directors of the Corporation waived notice of meeting at which the foregoing actions were taken, and consent to and approve said actions and the foregoing minutes reflecting the same.

CERTIFICATE

The undersigned, Lewis J. Derbes, Jr., Secretary of the Corporation, certifies that the foregoing resolutions were duly adopted and that the minutes are true and correct.

S.E. CEMETERIES OF TEXAS, INC.



Lewis J. Derbes, Jr., Secretary

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS FOR
SUP NO. 363**

1. SITE PLAN: Development of the Property must be in accordance with the site plan attached to and made a part of this ordinance.

2. USE: ~~The only permitted uses on the Property are a cemetery and mausoleum, as defined in Section 51A-4.204 of the Dallas Development Code, as amended, and as an accessory use, an office. The office use is permitted only as an administrative office for the operation of the cemetery and mausoleum use. The office building may not be leased to other tenants.~~ The only use authorized by this specific use permit is a cemetery and mausoleum.

3. TIME LIMIT: This specific use permit has no expiration date.

4. FLOOR AREA: Except as provided in this section, the maximum permitted floor area for all structures combined is 375,000 square feet. ~~The maximum permitted square footage of the office building is 16,983 square feet. The combined square footage for all mausoleums must not exceed 44,000 square feet.~~

(a) Future building area 1: Maximum permitted floor area for all structures combined is 10,000 square feet.

(b) Future building area 2: Maximum permitted floor area for all structures combined is 75,660 square feet.

(c) Future building area 3: Maximum permitted floor area for all structures combined is 45,000 square feet.

(d) Future building area 4: Maximum permitted floor area for all structures combined is 60,000 square feet.

Applicant requested:

(e) <u>Future building area 5: Maximum permitted floor area for all structures combined is 30,000 square feet.</u>
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Staff recommended:

(e) <u>Future building area 5: Maximum permitted floor area for all structures combined is 30,000 square feet. Mausoleum structures are prohibited.</u>

(f) Future building area 6: Maximum permitted floor area for all structures combined is 40,000 square feet.

(g) Future building area 7: Maximum permitted floor area for all structures combined is 106,000 square feet.

(h) Areas not located within future building areas: Maximum permitted floor area for all structures combined is 8,340 square feet.

Staff recommended:

<p>5. <u>FUTURE BUILDING AREA 5: Gravesites or any mausoleum structures accommodating entombment areas are prohibited.</u></p>
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6. STRUCTURE HEIGHT: The maximum permitted height of the office building is 27 feet, 5 inches. The maximum permitted height of each mausoleum is 28 feet.

(a) Future building area 1: Maximum structure height is 36 feet.

(b) Future building area 2: Maximum structure height is 95 feet.

(c) Future building area 3: Maximum structure height is 74 feet.

(d) Future building area 4: Maximum structure height is 74 feet.

(e) Future building area 5: Maximum structure height is 42 feet.

(f) Future building area 6: Maximum structure height is 74 feet.

(g) Future building area 7: Maximum structure height is 95 feet.

(h) Areas not located within future building areas: Maximum structure height is 36 feet.

7. STORIES:

(a) Future building area 1: Maximum number of stories is two.

(b) Future building area 2: Maximum number of stories is seven.

(c) Future building area 3: Maximum number of stories is four.

(d) Future building area 4: Maximum number of stories is four.

(e) Future building area 5: Maximum number of stories is two.

(f) Future building area 6: Maximum number of stories is four.

(g) Future building area 7: Maximum number of stories is seven.

(h) Areas not located within future building areas: Maximum number of stories is three.

8. SETBACKS: ~~The office building must be set back a minimum of 55 feet from the property line along Restland Road, and a minimum of 50 feet from the property line along Greenville Avenue.~~

(a) Minimum side yard is ten feet.

(b) Property Line Setbacks: Except for gravestones, monuments, fences, walls and structures less than nine feet in height, the minimum setback along the western and southeastern boundary of Future Building Area 5 is 25 feet.

9. MAUSOLEUM ORIENTATION: Entombment areas that are located within a mausoleum may not be visible from:

Applicant requested:

(a) a point located along the boundary of the Property adjacent to Future Building Areas 3, 4, and 5.

Staff recommended:

(a) a point located along the boundary of the Property adjacent to Future Building Areas 3 and 4.

(b) a point located along the east line of Future Building Area 6.

10. LOT COVERAGE: Maximum lot coverage is 16 percent.

11. SIGNS: All signs must comply with the requirements for non-business districts in Article VII.

12. PAVING: All parking spaces, aisles, maneuvering areas, paved surfaces, and driveway connections to streets must comply with the requirements of the Dallas Development Code, as amended.

13. PARKING/LOADING: Parking and loading requirements must comply with the Dallas Development Code, as amended.

14. LANDSCAPING:

(a) Except as provided in this section, landscaping must comply with Article X of the Dallas Development Code, as amended.

(b) Large evergreen trees, each a minimum of three caliper inches, must be planted within 30 feet of the western boundary of Future Building Area 5

within six months from the passage of this ordinance. Trees must be planted no more than 30 feet on-center.

Applicant requested:

15. <u>PHASING:</u> Prior to the issuance of building permits exceeding 2,000 square feet for mausoleum uses located in Future Building Areas 3, 4, and 5, combined, certificate of occupancies for a minimum of 3,500 square feet of new floor area for mausoleum uses located in Future Building Areas 6 and 7, combined, must be issued.

Staff recommended:

15. <u>PHASING:</u> Prior to the issuance of building permits exceeding 2,000 square feet for mausoleum uses located in Future Building Areas 3 and 4, combined, certificate of occupancies for a minimum of 3,500 square feet of new floor area for mausoleum uses located in Future Building Areas 6 and 7, combined, must be issued.

16. MAINTENANCE: The [entire] premises must be property maintained in a state of good repair and neat appearance at all times.

17. GENERAL REQUIREMENTS: Use [Utilization] of the Property must comply with all other applicable ordinances, rules, and regulations of the City of Dallas.

Existing Deed Restrictions

17720 830737

That the undersigned, George Young and Carol Young Marvin, do hereby impress all of the above described property with the following Deed Restrictions, to-wit:

1.

That the maximum floor area of any structure or structures to be erected on the above described property shall not exceed a total of 1,272,000 square feet of floor area, excluding floor area of structures used for off-street parking. Said floor area ratio being a floor area ratio of 1.6 to 1 based upon the total area of the above described tract which consists of 18.25 acres of land.

Application for building permits for office development shall be limited as follows:

For the year 1983 not more than 200,000 square feet.

For the years 1983 and 1984 combined, not more than a cumulative total of 200,000 square feet.

For the year 1985 not more than 200,000 additional square feet, for a cumulative total for the years of 1983, 1984 and 1985 combined of 400,000 square feet.

For the year 1986 not more than 200,000 additional square feet, for a cumulative total for the years of 1983, 1984, 1985 and 1986 combined of 600,000 square feet.

For the year 1987 and later, no building permits for additional square feet of building until Greenville Avenue has been improved to six (6) lanes from LBJ Freeway north to the Dallas City Limits.

2.

That the owners shall provide to the City of Dallas an additional right-of-way of ten (10) feet in width for an extra lane along the west side of Greenville Avenue for a distance of 1,030 feet north from the LBJ Freeway, at the owner's expense. The said additional lane to be installed prior to the issuance of a certificate of occupancy for the first phase 200,000 square feet of office building to be constructed on the above described tract.

17720 830737

3.

Owners agree to reserve an additional right-of way for a service road along the LBJ Freeway for a depth of twenty-five (25) feet from the present right-of-way line for the width of owner's property adjacent to the LBJ Freeway. Such reservation to be for a period of ten (10) years, and should said additional right-of-way not be required by the State of Texas within said ten (10) year period the reservation will terminate.

4.

That owner will construct and maintain at owner's expense a masonry wall (concrete, brick or like material) along the north and west side of the above described property, said wall to be eight (8) feet in height except said wall may be six (6) feet in height if adjacent to a parking structure.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

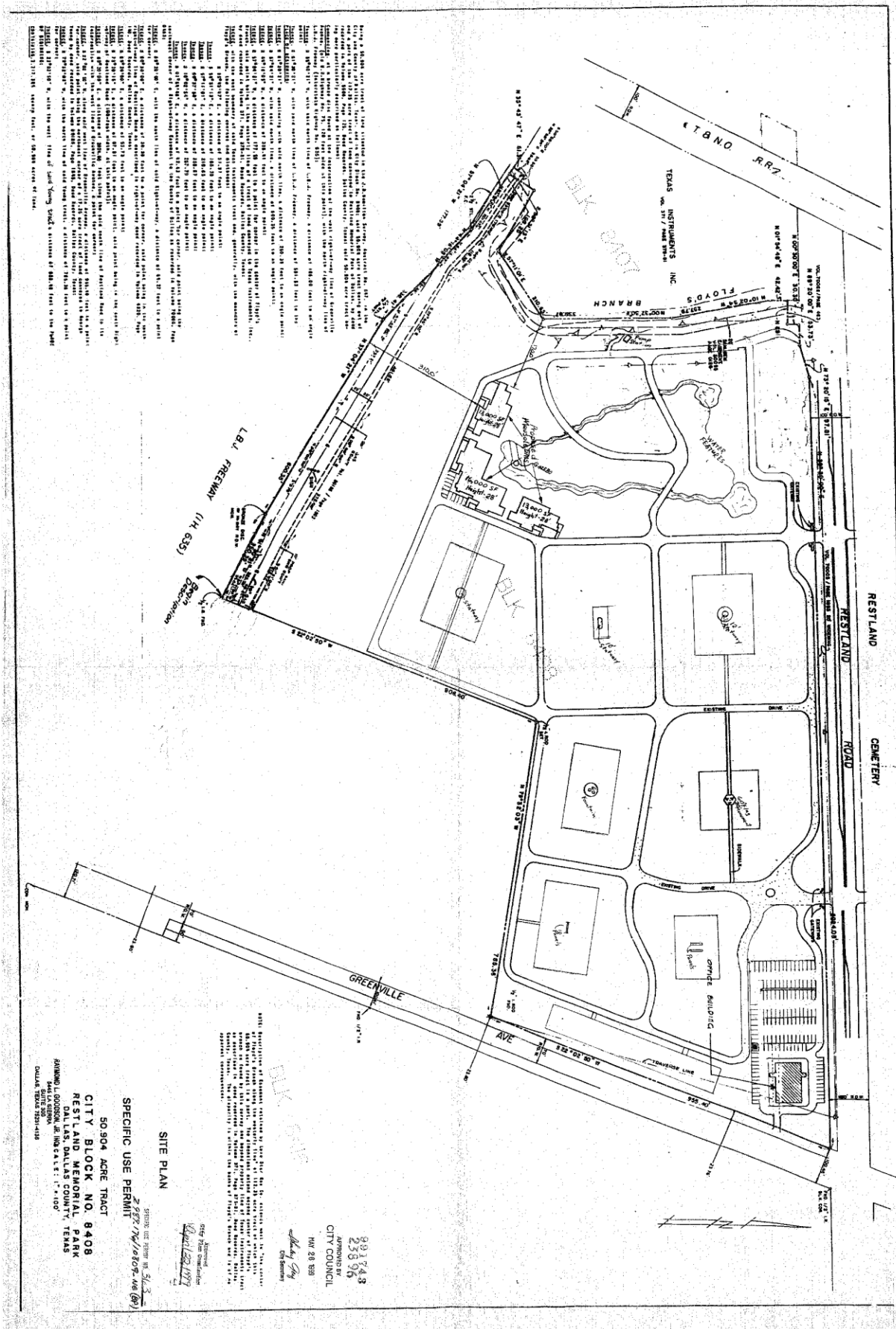
These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

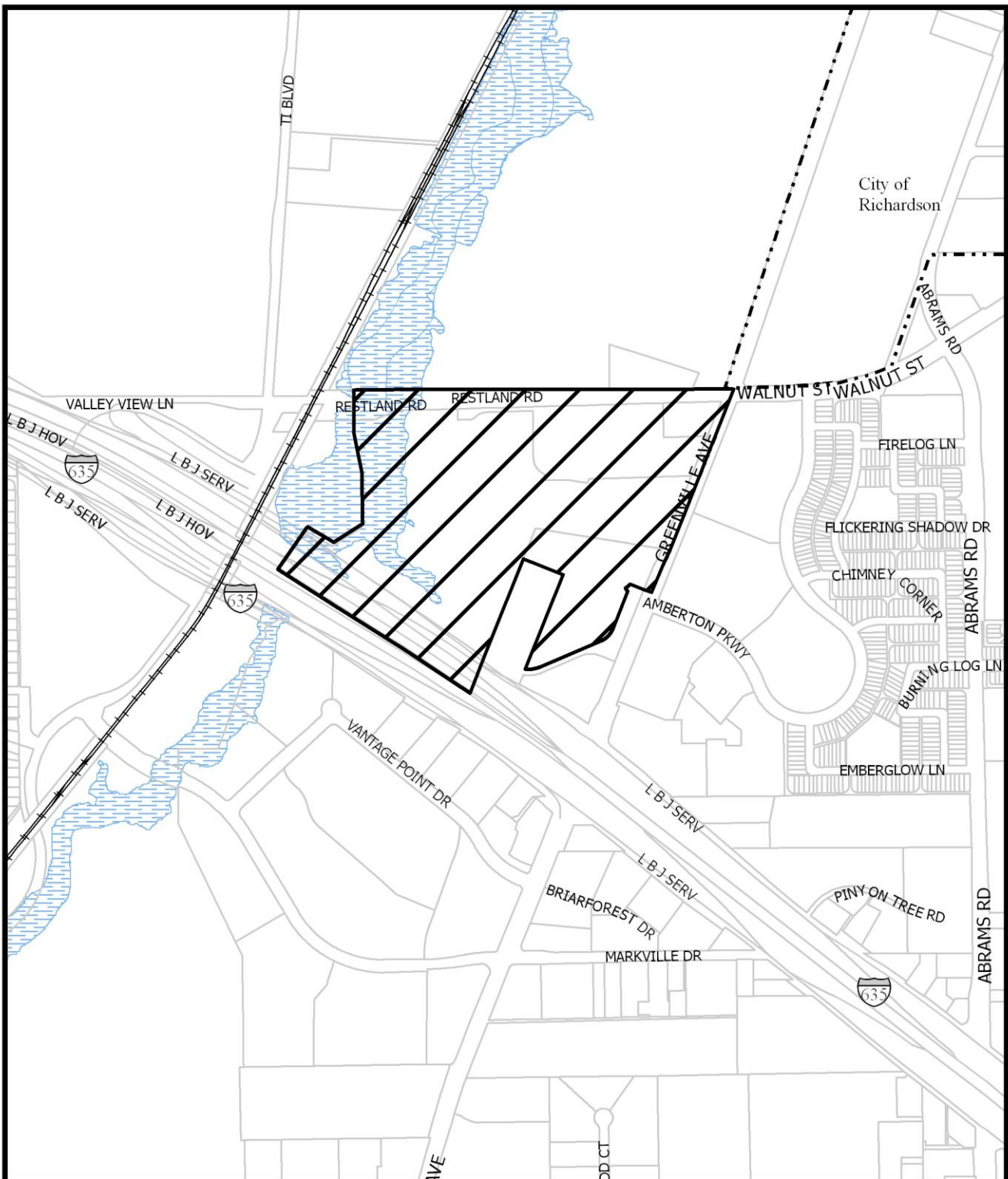
These restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owners hereof do hereby grant to the City of Dallas the right to prosecute, at law and in equity,

DEED RESTRICTIONS - Page 3

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
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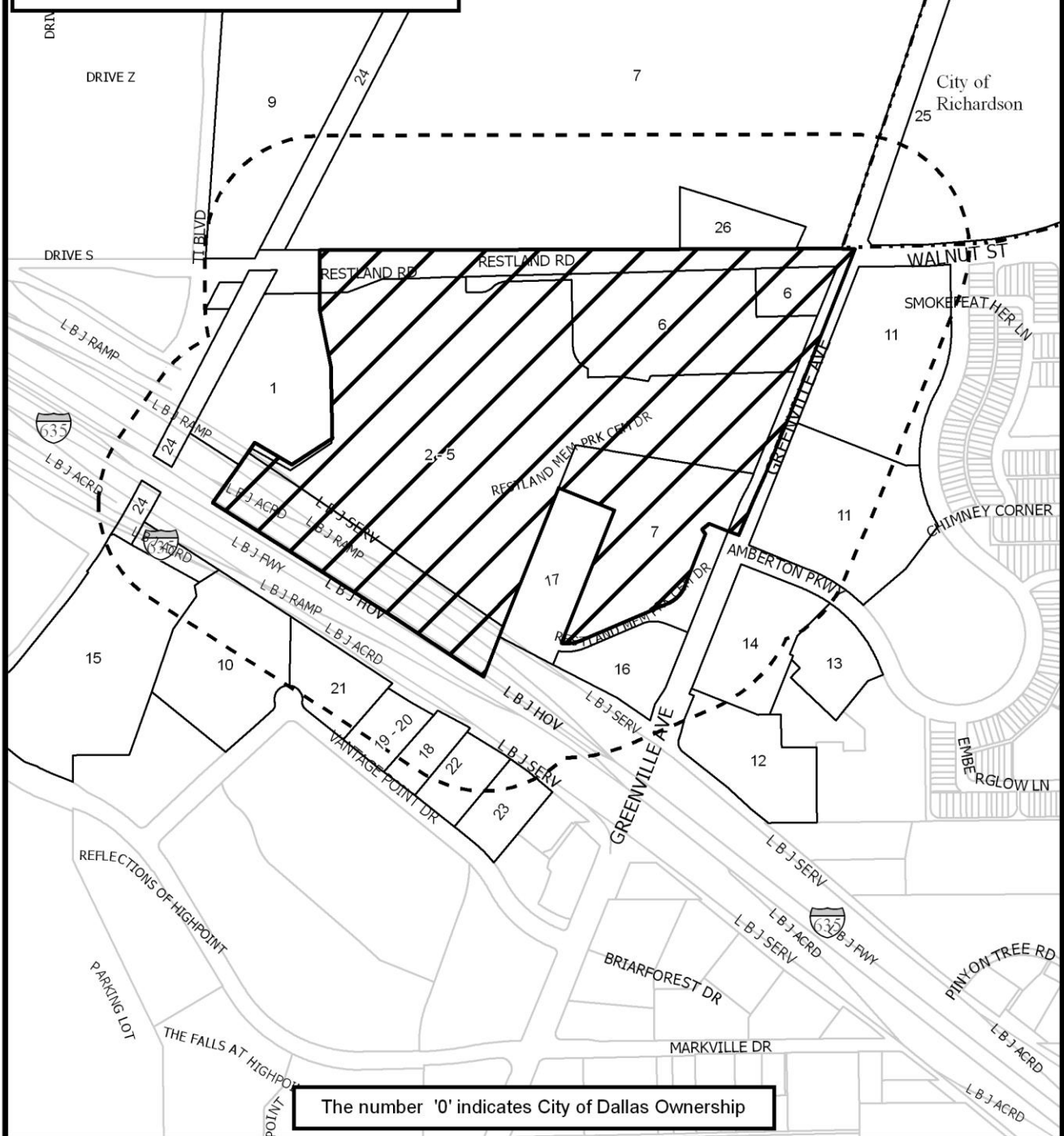
VICINITY MAP

Case no: **Z112-105**

Date: **3/22/2012**



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.



1:7,200

NOTIFICATION

500'

AREA OF NOTIFICATION

26

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-105**

Date: **3/22/2012**

3/22/2012

Notification List of Property Owners***Z112-105******26 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9000 LBJ FWY	TEXAS INSTRUMENTS INC MS3998
2	12705 GREENVILLE AVE	RESTLAND OF DALLAS
3	9300 RESTLAND DR	RESTLAND OF DALLAS % BILL HILL
4	9060 RESTLAND DR	RESTLAND OF DALLAS
5	12700 GREENVILLE AVE	RESTLAND MEMORIAL PARK
6	12969 GREENVILLE AVE	RESTLAND MEMORIAL PARK
7	12525 GREENVILLE AVE	RESTLAND OF DALLAS INC
8	13000 T I BLVD	ENSERCH CORP % ATMOS ENERGY / PPTY TAX
9	13020 T I BLVD	TEXAS INSTRUMENTS INC % BILL SCHLEUSNER
10	9000 VANTAGE POINT DR	LBJ STATION LTD SUITE 400
11	9737 AMBERTON PKWY	PRICEBLU CANDLEWYCK LLC
12	9229 LBJ FWY	NP I DALLAS PORTFOLIO LP % H & R REIT HO
13	9250 AMBERTON PKWY	NORTHPOINT INVESTMENT LTD
14	12606 GREENVILLE AVE	Q NORTHPOINT LP
15	8902 LBJ FWY	DALLAS AREA RAPID TRANSIT
16	12525 GREENVILLE AVE	CANDLEWOOD DALLAS TX %
INTERCONTINENTAL		
17	9101 LBJ FWY	WHITESTONE OFFICES LLC STE 500
18	9049 VANTAGE POINT DR	PRIVATE RESTAURANT PPTIES LLC
19	9039 VANTAGE POINT DR	REALTY INCOME TEXAS %PORTFOLIO MGMT #710
20	9039 VANTAGE POINT DR	DF&R RESTAURANTS INC ATTN:PORTFOLIO
MGMT		
21	9019 VANTAGE POINT DR	BRE/ESA P PORTFOLIO TXNC % FRANCES PARKE
22	9069 VANTAGE POINT DR	GENERAL MILLS RESTAURANTS DBA: 0010873
23	9079 VANTAGE POINT DR	GENERAL MILLS RESTS INC DBA:0021257 ATTN
24	401 BUCKNER BLVD	DART
25	1132 ABRAMS RD	RICHARDSON ISD
26	9001 GREENVILLE AVE	RESTLAND FUNERAL HOME

FILE NUMBER: Z112-291(MW)

DATE FILED: January 27, 2012

LOCATION: West side of Riveredge Drive, south of Irving Boulevard

COUNCIL DISTRICT: 2

MAPSCO: 44-G; H

SIZE OF REQUEST: ±1.7045 acres

CENSUS TRACT: 100.00

REPRESENTATIVE: Cameron Cobb

APPLICANT: Road Trip 67, LLC

OWNER: La Zona Verde, LLC

REQUEST: An application for a new subdistrict and a Specific Use Permit for an outside entertainment and recreation venue on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District

SUMMARY: The applicant proposes to operate an outside entertainment and recreation venue offering live music, motion pictures, theatrical performances and open space for recreational use with the sale and service of alcoholic beverages.

STAFF RECOMMENDATION: Approval of a new subdistrict; subject to conditions and approval of a specific use permit for an outside entertainment and recreation venue for a three-year period; subject to a site plan and conditions

BACKGROUND INFORMATION:

- The ±1.7045-acre request site is developed with a vacant ±2,520-sqaure foot storage warehouse.
- The applicant intends to utilize the existing structure, as part of the proposed outside entertainment and recreation venue, for storage, restrooms and a service bar. As depicted on the proposed site plan, the project will also include both open and covered outdoor seating areas, a pavilion structure, additional restrooms, a fenced dog walk area and open space.
- Alcoholic beverage establishments are currently permitted by Specific Use Permit in Subdistrict 1A of PDD No. 621. The live music, motion pictures and theatrical performances aspect of the request would be classified by the Dallas Development Code as a commercial amusement (outside), which is not a permitted use in PDD No. 621.
- The purpose of the proposed subdistrict is to retain all of the current regulations of Subdistrict 1A but to also create a new use which more accurately captures the intent of the applicant's proposed project. The outside entertainment and recreation venue will be permitted by specific use permit; the sale and service of alcoholic beverages will be allowed in conjunction with the outside entertainment and recreation venue.
- The request site is surrounded by undeveloped land to the north; warehouse to the east; undeveloped land and food processing to the south and office/showroom/warehouse to the west.

Zoning History: There have been no recent zoning requests in the vicinity of the request site.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Riveredge Drive	Local	70 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 621, Subdistrict 1A	Warehouse
North	PDD No. 621, Subdistrict 1A	Undeveloped
East	PDD No. 621, Subdistrict 1A	Warehouse
South	PDD No. 621, Subdistrict 1A	Undeveloped; food processing
West	PDD No. 621, Subdistrict 1A	Office/showroom/warehouse

STAFF ANALYSIS:**Comprehensive Plan:**

The Vision Illustration depicts the request site as within an *Urban Mixed Use* Building Block. This 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.

The request complies with the following land use goals and policies of the Comprehensive Plan.

ECONOMIC ELEMENT**GOAL 2.1 PROMOTE BALANCED GROWTH**

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

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

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

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

Land Use Compatibility:

The ±1.7045-acre request site is developed with a vacant ±2,520-sqaure foot storage warehouse. The applicant intends to utilize the existing structure, as part of the proposed outside entertainment and recreation venue, for storage, restrooms and a bar service window.

As depicted on the proposed site plan, the project will also include both open and covered outdoor seating areas, a pavilion structure, additional restrooms, a fenced dog walk area and open space. Within the proposed subdistrict, the following accessory uses will be permitted in conjunction with an outside entertainment and recreation venue: art displays; community gardens; dog parks or dog walk areas (not limited to the five percent area restriction contained in Section 51A-4.217); farmers markets and mobile food units. Pursuant to Section 51A-4.217, if an accessory use is conducted outside, it may not occupy more than five percent of the area of the lot containing the main use; if conducted inside, it may not occupy more than five percent of the floor area of the main use.

The live music, motion pictures and theatrical performances aspect of the request would be classified by the Dallas Development Code as a commercial amusement (outside), which is not a permitted use in PDD No. 621. The purpose of the proposed subdistrict is to retain all of the current regulations of Subdistrict 1A but to also create a new use which more accurately captures the intent of the applicant's proposed project. The outside entertainment and recreation venue will be permitted by specific use permit.

Within the proposed PDD Subdistrict, the sale and service of alcoholic beverages in conjunction with an outside entertainment and recreation venue will be allowed generally, and will not limited to the five percent area restriction contained in Section 51A-4.217(a)(3), and will be considered as part of the main use when determining the gross revenue derived by the establishment from the sale of alcoholic beverages for on-premise consumption.

The uses surrounding the request site are consistent with the nature of the Design District and include undeveloped land to the north; warehouse to the east; undeveloped land and food processing to the south and office/showroom/warehouse to the west. The applicant's request is compatible with the existing nonresidential uses and, subject to the proposed site plan and conditions, could also operate compatibly with future residential development Therefore, staff supports the request but recommends an initial three-year time period so that the use can be reevaluated for compatibility as the area undergoes the anticipated redevelopment.

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Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
PDD 621 Subdistrict 1A	0'	0'	4.0 FAR	130'	100%	Height bonus, tower orientation & size	Retail, multifamily, industrial, warehouse
Proposed							
PDD 621 New Subdistrict	0'	0'	4.0 FAR	130'	100%	Height bonus, tower orientation & size	Retail, multifamily, industrial, warehouse

Traffic:

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

Parking:

As proposed by the PDD Conditions and depicted on the site plan, 84 off-street spaces and five (5) bicycle parking stands to accommodate 25 bicycles will be provided. It is noted that the request site has ± 220 feet of street frontage outside of the visibility triangles, which could accommodate ± 10 parallel on-street parking spaces. Rather than imposing a specific parking ratio, staff worked with the applicant to establish the total number of required off-street parking spaces to accommodate the proposed project. In general, the parking requirements for PDD No. 621 and Chapter 51A were used as a basis for establishing the proposed parking scenario.

Within PDD No. 621, except as provided within the Article, parking must be provided pursuant to §51A-4.200. Pursuant to Article 621, an alcoholic beverage establishment requires one (1) space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the alcoholic beverage establishment.

The proposed outdoor entertainment and recreation venue will include $\pm 6,236$ square feet of covered area (i.e. floor area), as follows:

$\pm 2,520$ sf	Storage (2,056 sf), service bar (234 sf) and bathrooms (230 sf)
$\pm 1,680$ sf	Covered seating
$\pm 1,494$ sf	Pavilion
± 542 sf	Bathrooms

In addition, the proposed outside entertainment and recreation venue will include $\pm 4,017$ square feet of uncovered seating area, intended to provide for a flexible seating arrangement.

The sale and service of alcoholic beverages will be allowed in conjunction with the outside entertainment and recreation venue. If all floor area and uncovered seating areas were parked as an alcoholic beverage establishment, 97 spaces would be required (without accounting for the reduction).

The remainder of the site area will function is a dog walk area, open space and landscape buffer. Similar uses, such as a public park, playground or golf course; a country club with private membership and a private recreation center, club or area require minimal parking. A public park, playground or golf course requires no parking, while a country club with private membership and a private recreation center, club or area both require three (3) spaces per game court and one space for each additional 150 square feet of floor area. Open space is not parked for these uses.

Due to the unique nature of the proposed venue and given the site's location within the Design District, which allows for reduced parking, staff supports the proposed parking approach consisting of 84-street spaces, the potential for 10 on-street spaces and the accommodation for 25 bicycles.

Landscaping:

Landscaping will be required per Planned Development District No. 621. In addition, the applicant proposes a ±2,096-square foot landscape buffer area on the western portion of the property.

List of Partners/Principals/Officers:

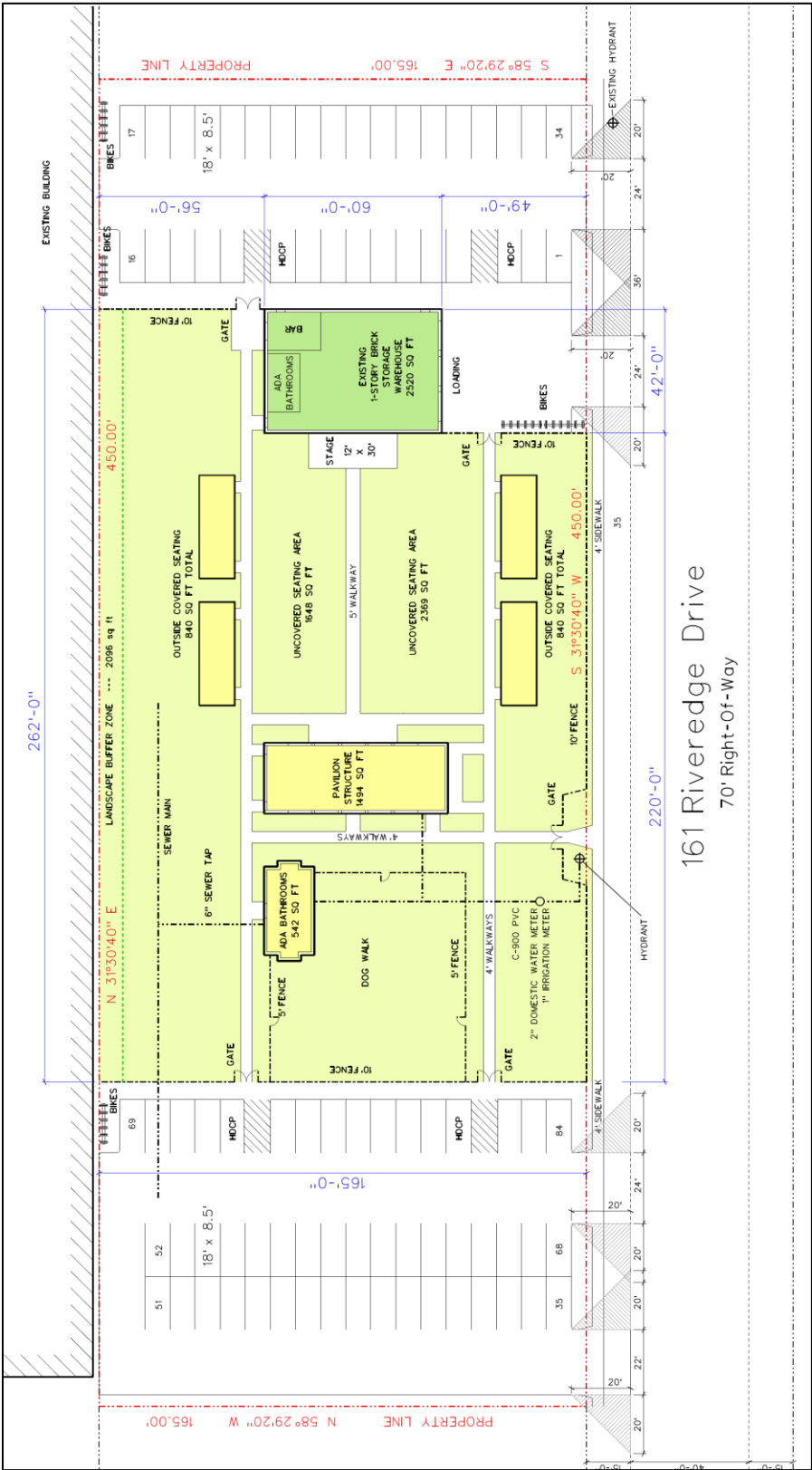
La Zona Verde LLC

Lillian Walcott Albritton, Partner
Katherine Elizabeth Albritton, Partner
Alexander Heldt Albritton
Claude C. Albritton, President

Road Trip 67, LLC

Lillian Walcott Albritton, Partner
Katherine Elizabeth Albritton, Partner
Alexander Heldt Albritton

Proposed Site Plan



Z112-291
Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is an outside entertainment and recreation venue.
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).
4. HOURS OF OPERATION: An outside entertainment and recreation venue may only operate between 4:00 p.m. and 12:00 a.m. (the next day), Tuesday through Friday; between 12:00 p.m. and 12:00 am (the next day) on Saturday; and between 12:00 p.m. and 10:00 p.m. on Sunday.
5. OUTSIDE SPEAKERS: Outside speakers are prohibited after 11:00 pm.
6. PARKING: 84 off-street parking spaces must be provided in the locations shown on the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENT: 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.

ARTICLE 621.

PD 621.

Old Trinity and Design District Special Purpose District

Note: These conditions also reflect the conditions proposed for Z112-283 for the creation of subdistrict 1D.

SEC. 51P-621.101. LEGISLATIVE HISTORY.

PD 621 was established by Ordinance No. 25013, passed by the Dallas City Council on August 28, 2002.

SEC. 51P-621.102. PROPERTY LOCATION AND SIZE.

PD 621 is established on property generally bounded by Sylvan Avenue/Wycliff Avenue on the northwest, the meanders of the old channel of the Trinity River on the north, Interstate 35 on the east, Continental Avenue on the south, and the Trinity River Floodway on the west. The size of PD 621 is approximately 415.13 acres.

SEC. 51P-621.102.1. CREATION OF SUBDISTRICTS.

(a) Name. This special purpose district is to be known as the Old Trinity and Design District Special Purpose District.

(b) Creation of subdistricts.

(1) This special purpose district is divided into ~~six~~ subdistricts. Exhibit 621A describes the boundaries of each subdistrict. The map labeled Exhibit 621B shows the boundaries of each subdistrict. In case of a conflict, the verbal description in Exhibit 621A controls over the map in Exhibit 621B.

(2) Subdistricts 1, 1A, 1B, ~~and~~ 1C, 1D and 1E are transit-oriented, mixed-use zoning districts for the development of combinations of medium-density residential, retail, and office uses. Development should encourage residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light-rail stations; conserve energy; provide for efficient traffic circulation; conserve land; minimize vehicular travel; encourage both day-time and night-time activity; encourage use of mass transit; increase pedestrian activity; and encourage bicycle usage. Subdistricts 1, 1A, 1B, ~~and~~ 1C, 1D and 1E retain the potential for limited industrial and warehouse uses.

(3) Subdistrict 2 is for MU-3 Mixed Use District uses, bus or rail transit vehicle maintenance or storage facility uses, and commercial bus station and terminal uses.

SEC. 51P-621.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. The following definitions apply to this special purpose district:

(1) ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.

(2) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

(3) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.

(3.1) BEER OR WINE MANUFACTURING means an enclosed facility that processes and manufactures alcoholic beverages. This use does not include the processing or manufacturing of distilled spirits.

(4) BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY means a facility for the maintenance, repair, or storage of bus, rail, or other transit vehicles, including the following accessory uses: sleeping facilities for bus, rail or transit vehicle drivers, vehicle paint and body shop, vehicle washing, vehicle fueling facilities, sanitary hoppers, oil storage, package express services, bus charter sales, offices, training facilities, vehicle storage, vehicle sales, and communication antennas.

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

(6) DUMPSTER means a movable container holding two cubic yards or more of garbage.

(7) FACADE means any separate face of a building that is visible from a street, alley, or railbed.

(8) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in the floor area of an original building if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, and over 75 percent for residential projects.

(9) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(10) MEANDERS OF THE OLD TRINITY RIVER CHANNEL means the old Trinity River channel within this special purpose district, as shown on the map labelled Exhibit 621C.

(11) MIXED USE PROJECT means a development, on a single building site, that contains more than one use.

(12) NEW CONSTRUCTION means construction of a main structure that is not an original building.

(13) OPENING means a door, window, passageway, or any other similar architectural feature through which light or solid objects may pass.

(14) ORIGINAL BUILDING means a structure existing on the date of the establishment of this special purpose district, but does not include a structure that has undergone a major modification.

(15) OUTSIDE SEATING means the area between an omitted wall line and the structural wall when the area is used solely for seating of patrons.

(16) OUTSIDE ENTERTAINMENT AND RECREATION VENUE means an open-air facility offering live music, motion pictures, theatrical performances, and open space for recreational use.

~~(17) (16)~~ PIERCING SALON means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

~~(18) (17)~~ RAILBEDS means the areas shown on the map labeled Exhibit 621D.

~~(19) (18)~~ TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

~~(20) (19)~~ WALKING DISTANCE means the distance from the nearest point of a parking lot to the nearest public entrance of a main use, measured along the most convenient pedestrian walkway.

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

(c) This special purpose district is considered to be a mixed use zoning district.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol [L] appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol [SUP] appearing after a listed use means that the use is permitted by specific use permit only.

(4) The symbol [DIR] appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan Review." ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800, "Development Impact Review.")

(5) The symbol [RAR] appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, “Site Plan Review,” a site plan must be submitted and approved in accordance with the requirements of that section. (“RAR” means “residential adjacency review.” For more information regarding residential adjacency review generally, see Division 51A-4.800, “Development Impact Review.”)

SEC. 51P-621.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 621A: property and subdistrict descriptions.
- (2) Exhibit 621B: subdistrict map.
- (3) Exhibit 621C: meanders of the Old Trinity River channel.
- (4) Exhibit 621D: existing railbeds.
- (5) Exhibit 621E: list of native plants.
- (6) Exhibit 621F: the Old Trinity and Design District woonerf—living streets conceptual plan.
- (7) Exhibit 621G: tower diagrams for Subdistrict 1A.
- (8) Exhibit 621H: tower orientation.

SEC. 51P-621.104. CONCEPTUAL PLAN.

There is no conceptual plan for this special purpose district.

SEC. 51P-621.105. DEVELOPMENT PLAN.

(a) Except as otherwise provided in this article, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

(b) Development of the railbeds as woonerf, as described in Exhibit 621F, is encouraged. The provisions of Exhibit 621F are not required.

SEC. 51P-621.106. MAIN USES PERMITTED.

(a) Subdistricts 1, 1A, 1B, 1C, 1D and 1E.

(1) Agricultural uses.

None permitted.

(2) Commercial and business service uses.

- Building repair and maintenance shop. [RAR]
- Catering service.
- Commercial cleaning or laundry plant. [SUP]
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing. [RAR]
- Labor hall. [SUP]
- Machine or welding shop. [RAR]
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

(3) Industrial uses.

- Beer or wine manufacturing. [Limited to Subdistrict 1C and 1D]
- Industrial (inside) for light manufacturing.
- Industrial (inside). [RAR]
- Temporary concrete or asphalt batching plant. [By special authorization of the building

official.]

(4) Institutional and community service uses.

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

(5) Lodging uses.

- Hotel or motel. [RAR]
- Lodging or boarding house. [SUP]

(6) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [SUP, except with RAR only for lots adjacent to Oak Lawn Avenue, Market Center Boulevard, or Turtle Creek Boulevard.]
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

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

(9) Residential uses.

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

(10) Retail and personal service uses.

- Alcoholic beverage establishments. [SUP. See Section 51A-4.210(b)(4).]
- Ambulance service. [RAR]
- Animal shelter or clinic without outside run. [RAR]
- Animal shelter or clinic with outside run. [SUP]
- Antique shop.
- Art gallery.
- Art or craft production facility. [Limited to 5,000 square feet or less of floor area.]
- Auto service center. [SUP]
- Billiard hall. [SUP]
- Bingo parlor. [SUP]
- + -- Business school.
- Car wash. [SUP]
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Except as otherwise provided, permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use

District. Class E dance halls, as defined in Chapter 14 of the Dallas City Code, are not permitted. Billiard hall by SUP only. Bingo parlor by SUP only.]

- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard.
- Household equipment and appliance repair.
- Liquor store.
- Massage establishment. [SUP]
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station. [SUP]
- Nursery, garden shop, or plant sales.
- Outside sales. [SUP]
- Outside entertainment and recreation venue [Limited to Subdistrict 1E]
- Personal service uses.
- Piercing salon. [SUP]
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [SUP]
- Swap or buy shop. [SUP]
- Taxidermist.
- Tattoo studio. [SUP]
- Temporary retail use.
- Theater. [Limited to 1,000 seats or fewer.]
- Truck stop. [SUP]
- Vehicle display, sales, and service. [SUP]

(11) Transportation uses.

- Heliport. [SUP]
- Helistop. [SUP]
- Railroad passenger station. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council resolution.]

(12) Utility and public service uses.

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

(13) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Contractor's maintenance yard. [RAR]

- Mini-warehouse. [SUP, except with RAR only if all on-site circulation is internal to the structure.]
- Office showroom/warehouse.
- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]
- Trade center.
- Warehouse.

(b) Subdistrict 2.

(1) Except as otherwise provided in this subsection, the uses permitted in this subdistrict are the same as those uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in this special purpose district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in this special purpose district; etc.

(2) The following use is permitted in this subdistrict subject to residential adjacency review:

- Bus or rail transit vehicle maintenance or storage facility. [RAR]

(3) The following use is permitted in this subdistrict by specific use permit only:

- Commercial bus station and terminal. [SUP]

SEC. 51P-621.107. ACCESSORY USES.

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

(b) The following accessory uses are not permitted in Subdistricts 1, 1A, 1B, 1C, 1D and 1E:

- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Amateur communications tower.
- Day home.
- General waste incinerator.
- Private stable.

(c) Except as otherwise provided in this section, accessory uses in Subdistrict 2 must comply with the accessory use regulations applicable to the MU-3 Mixed Use District.

(d) The following accessory uses are permitted by SUP only:

- Accessory outside storage. [SUP]
- Pedestrian skybridges. [SUP]

(e) The following accessory uses are permitted in conjunction with an outside entertainment and recreation venue:

- art displays
- community gardens
- dog parks or dog walk areas [not limited to the five percent area restriction contained in Section 51A-4.217(a)(3)]
- farmers markets
- mobile food units

(f) The sale and service of alcoholic beverages in conjunction with an outside entertainment and recreation venue is allowed generally, and is not limited to the five percent area restriction contained in Section 51A-4.217(a)(3), and will be considered as part of the main use when determining the gross revenue derived by the establishment from the sale of alcoholic beverages for on-premise consumption.

SEC. 51P-621.108. CREATION OF A BUILDING SITE.

(a) The building official shall not issue a certificate of occupancy or a building permit until:

(1) a building site has been established under Section 51A-4.601, “Creation of a Building Site”; or

(2) the yard, lot, and space requirements of a lot or parcel can be determined from property lines described in deed records. (Ord. 25013)

SEC. 51P-621.109. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Subdistricts 1, 1A, 1B, ~~and~~ 1C, 1D and 1E.

(1) Front yard. No minimum front yard.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. No maximum density.

(4) Floor area.

(A) For Subdistricts 1, 1A, ~~and~~ 1C, 1D and 1E, maximum floor area ratio is 4.0.

(B) For Subdistrict 1B, maximum floor area is 449,316 square feet.

(5) Height. Except as provided in this subsection, maximum height is:

(A) 150 feet for buildings having an FAR for residential uses of 0.5 or more; and

(B) 130 feet for all other buildings and structures.

(5.1) Height bonuses for Subdistricts 1A, 1B, 1D and 1E. One or more of the following height bonuses may be combined to achieve a maximum building height of 270 feet:

(A) Tower size and orientation. Building height may be increased a maximum of 60 feet if (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B.):

(i) in Subdistrict 1A and 1D and 1E:

(aa) the portion of the building above 75 feet in height has a floor plate of 12,500 square feet or less; and

(bb) the tower dimension perpendicular to the east Trinity River levee is at least three times longer than the tower dimension parallel to the east Trinity River levee (tower dimension is measured at the widest point of the building facade).

(ii) in Subdistrict 1B:

(aa) the portion of the building above 75 feet has a floor plate of 25,000 square feet or less;

(bb) the tower is oriented as indicated on Exhibit 621H; and

(cc) the longer tower dimension is at least three times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(B) Street-level parking structure concealment. Building height may be increased a maximum of 36 feet if:

(i) the building has street-level office showroom/warehouse, office, restaurant, or residential uses that conceal 100 percent of the street-level parking structure facade; and

(ii) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(C) LEED rating.

(i) Building height may be increased a maximum of 12 feet if the building is eligible for silver, gold, or platinum designation under the United States Green Building Leadership in Energy and Environmental Design (LEED) rating system.

(ii) Determination of eligibility.

(aa) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation. The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of development services.

(bb) Before the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(cc) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(dd) The checklist, certified development plans, and any supporting documents and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified designation.

(D) Pedestrian amenities. Building height may be increased a maximum of 12 feet if the building achieves 25 points under Paragraph 51P-621.113(c)(3).

(6) Building site coverage.

(A) Except as provided in this paragraph, maximum building site coverage is 100 percent.

(B) For Subdistricts 1A and 1B and 1E, any portion of a building that is above 75 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B.).

(7) Building site size. No minimum building site size.

(8) Stories. No maximum number of stories.

(b) Subdistrict 2.

(1) Except for a bus or rail transit vehicle maintenance or storage facility, the yard, lot, and space regulations applicable to the MU-3 Mixed Use District, as amended, apply to this subdistrict.

(2) The following yard, lot, and space regulations apply to bus or rail transit vehicle maintenance or storage facility uses:

(A) Front yard. No minimum front yard.

(B) Side and rear yard. No minimum side or rear yard.

(C) Density. No maximum density.

(D) Floor area. Maximum floor area ratio (FAR) is 4.0.

(E) Height. Maximum structure height is 200 feet.

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- (F) Building site coverage. Maximum building site coverage is 100 percent.
- (G) Building site size. No minimum building site size.
- (H) Stories. No maximum number of stories.

SEC. 51P-621.110. OFF-STREET PARKING AND LOADING.

(a) General requirements applicable to all subdistricts.

(1) Except as otherwise provided in this section, off-street parking and loading must be provided in compliance with Division 51A-4.300, “Off-Street Parking and Loading Regulations.” In the event of a conflict between this section and Division 51A-4.300, this section controls.

(2) If several uses are located on a single building site, the off-street parking requirement is the sum of the requirements for each use, and off-street parking spaces for one use may not be counted toward the off-street parking requirement of another use, except as otherwise provided in this section.

(3) If more than 10 off-street parking spaces are required, handicapped parking must be provided pursuant to Section 51A-4.305, “Handicapped Parking Regulations.”

(b) Subdistricts 1, 1A, 1B, ~~and 1C~~, 1D, and 1E.

(1) Except for the uses listed below, consult the use regulations in Division 51A-4.200, “Use Regulations,” for the specific off-street parking requirements for each use.

(A) Alcoholic beverage establishment. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the alcoholic beverage establishment. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(B) Antique shop. One space per 600 square feet of floor area.

(C) Art gallery. One space per 600 square feet of floor area.

(D) Art or craft production facility. One space per 1,000 square feet of floor area.

(E) Beer or wine manufacturing. One space per 600 square feet of floor area.

(F) Dance hall. One space per 25 square feet of floor area.

(G) Duplex.

(i) One space per dwelling unit with one or fewer bedrooms.

(ii) Two spaces per dwelling unit with more than one bedroom.

(iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(H) Furniture store. One space per 1,000 square feet of floor area.

(I) General merchandise or food store 3,500 square feet or less. One space per 275 square feet of floor area.

(J) General merchandise or food store greater than 3,500 square feet. One space per 275 square feet of floor area.

(K) Multifamily.

(i) One-and-one-half spaces per dwelling unit.

(ii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(L) Office. One space per 358 square feet of floor area.

(M) Office showroom/warehouse. One space per 1,100 square feet of floor area up to 20,000 square feet, and one space per 4,100 square feet of floor area over 20,000 square feet.

(N) Outside entertainment and recreation venue. In Subdistrict 1E, the off-street parking requirement shall be established in the ordinance granting the Specific Use Permit.

(N) Personal service uses. One space per 275 square feet of floor area.

(O) Restaurant. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the restaurant. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(P) Single family.

(i) One space per dwelling unit with one or fewer bedrooms.

(ii) Two spaces per dwelling unit with more than one bedroom.

(iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(2) Parking reductions.

(A) Bicycle parking. The off-street parking requirement for nonresidential uses located within 600 feet of the centerpoint of the intersection of Slocum Street and Cole Street may be reduced by 10 percent if:

(i) one five-bicycle parking stand for each 100 feet of street frontage is provided in the front yard of the building site; and

(ii) a minimum 12-foot-wide pedestrian and bicycle path is provided to link the building site with a DART light rail station.

(B) Employment centers adjacent to shuttle or bus stops. The following uses may provide off-street parking as specified if the use is within 1,000 feet of a shuttle stop or bus stop that provides a direct link to the Victory rail transit station or the Market Center rail transit station and if the use has 75,000 or more square feet of floor area:

(i) Industrial (inside). One space per 750 square feet of floor area.

(ii) Office. One space per 450 square feet of floor area.

(C) On-street parking. On-street parking spaces adjacent to a building site may be credited toward the off-street parking requirement of uses on the building site, even if the parking, backing, or maneuvering must be performed in the public right-of-way. On-street parking must be striped in accordance with standard city specifications.

(i) Head-in parking. One head-in parking space may be credited for each nine feet of frontage of the building site. Angled head-in parking must be angled more than 60 degrees but less than 90 degrees to the curb. The closest point of any angled head-in parking space may not be located closer than 10 feet to any perpendicular (90 degree) head-in parking space.

(ii) Parallel parking. One parallel parking space may be credited for each 22 feet of frontage of the building site.

(D) Special exception. The board of adjustment may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in Section 51A-4.311. The board of adjustment may impose conditions on the special exception.

(3) Delta theory.

(A) Except as otherwise provided in this paragraph, see Section 51A-4.704(b)(4). In the event of a conflict between this paragraph and Section 51A-4.704(b)(4), this section controls.

(B) The right to carry forward nonconforming parking and loading spaces does not terminate.

(4) Special parking.

(A) In general. Except as otherwise provided in this paragraph, see Division 51A-4.320, "Special Parking Regulations."

(B) Special parking allowed. Except as specifically modified in this section, required off-street parking may be special parking.

(C) Remote parking for nonresidential uses.

(i) Required off-street parking for nonresidential uses may be remote parking.

(ii) Remote parking for nonresidential uses must be located within 1,000 feet of the use served by the remote parking. The building official may extend the distance for remote parking to no more than 1,500 feet if a shuttle from the remote parking is provided. A license is required to authorize an extension of distance beyond 1,500 feet.

(iii) Remote parking lots must meet on-site parking landscape requirements.

(iv) Parking located in a railbed may be used as remote parking.

(D) Shared parking. Except for residential uses in Subdistrict 1B, if more than one type of use is located on a building site, all uses on the building site must share parking. Table 1 must be used to calculate the required off-street parking spaces when parking is shared. The number of off-street parking spaces that must be provided for the development is the largest number of spaces required under any of the five time-of-day columns. For example, in the morning, a development with residential and office uses must provide 80 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. Likewise, in the afternoon, that development must provide 60 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. A similar calculation must be performed for each time of day. If the number of spaces required in the morning is greater than the number of spaces required during any other time of day, then the number of spaces required in the morning must be provided. Likewise, if the number of spaces required in the late afternoon is greater than the number of spaces required during any other time of day, then the number of spaces required in the late afternoon must be provided.

Table 1: Shared Parking Table

(For calculating the parking requirement for shared parking)

<u>Use Category</u>	<u>% Morning</u>	<u>% Noon</u>	<u>% Afternoon</u>	<u>% Late Afternoon</u>	<u>% Evening</u>
Residential	80	60	60	70	100
Office-related	100	80	100	85	35
Retail-related	60	75	70	65	70
Bar and Restaurant	20	100	30	30	100
Warehouse/showroom	100	75	100	65	35
All other	100	100	100	100	100

(5) Cash in lieu of required parking. A property owner may make a one-time cash payment to the Old Trinity and Design District Parking Fund in lieu of providing required parking for a use in an original building. The amount of the payment is calculated by using the following formula:

National median cost per square foot x 350 x Dallas cost index x Number of required spaces not provided x .75 = Payment required

where “national median cost per square foot” is the national median cost per square foot of a parking space in a parking garage. Both the “national median cost per square foot” and the “Dallas cost index” must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another comparable publication is designated by the director. The department shall administer a city account to be known as the Old Trinity and Design District Parking Fund. Funds from the Old Trinity and Design District Parking Fund must be used only for the acquisition or construction of parking garages or other parking improvements within Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D. The payment into the Old Trinity and Design District Parking Fund is due at the time of application for a building permit.

(6) Fees for required parking. Fees may be charged for use of required parking.

(c) Subdistrict 2. The off-street parking requirement for a bus or rail transit vehicle maintenance or storage facility is one space per 1,500 square feet of floor area. For all other uses, consult the use regulations contained in Division 51A-4.200, "Use Regulations," for the specific off-street parking/loading requirements for each use.

SEC. 51P-621.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-621.112. LANDSCAPING.

(a) General requirements applicable to all subdistricts.

(1) Required tree species. All required trees must be from the following list of Texas native species:

Scientific name	Common name
Aesculus glaba v. arguta	Texas buckeye
Aesculus pavia	Red buckeye
Bumelia lanuginosa	Woolly-bucket bumelia
Carya illinoensis	Pecan
Carya texana	Black hickory
Cercis canadensis v. Canadensis	Eastern redbud
Diospyros virginiana	Common persimmon
Ilex decidua	Deciduous holly
Ilex vomitoria	Yaupon holly
Juglans nigra	Black walnut
Juniperus virginiana	Eastern red cedar
Morus rubra	Red mulberry
Myrica cerifera	Wax myrtle
Prunus mexicana	Mexican plum
Quercus macrocarpa	Bur oak
Quercus marilandica	Blackjack oak
Quercus shumardii	Shumard red oak
Quercus stellata	Post oak
Quercus virginiana	Live Oak
Rhamnus caroliniana	Carolina buckthorn
Rhus copallina	Flameleaf sumac
Rhus virens	Evergreen sumac
Sapindus drummondii	Western soapberry
Sophora affinis	Eve's necklace
Taxodium distichum	Bald cypress
Ulmus americana	American elm
Ulmus crassifolia	Cedar elm
Viburnum rufidulum	Rusty blackhaw viburnum
Zanthoxylum clavaherculis	Hercules' club

(2) Prohibited trees.

(A) The following trees may not be planted within this special purpose district:

Scientific name	Common name
Populus deltoides	Cottonwood
Albizia julbrissen	Mimosa

(B) Bradford pears (pyrus calleryana) may be planted as site trees. Bradford pears may not be used as street trees, used as landscape buffer trees, or planted in the public right-of-way.

(3) Street trees.

(A) In Subdistricts 1, 1A, 1B, ~~and 1C~~, and 1D, one street tree must be provided per 25 feet of street frontage, with a minimum of one street tree per building site. In Subdistrict 2, one street tree must be provided per 50 feet of street frontage, with a minimum of one street tree per building site.

(B) Street trees must be located on the building site within 50 feet of the projected street curb, except that street trees may be located in the public right-of-way if all private licensing requirements of the city code and charter are met and a right-of-way landscape permit is obtained from the city. For purposes of this subparagraph, “projected street curb” means the future location of the street curb consistent with the City of Dallas Thoroughfare Plan as determined by the director of public works and transportation.

(C) Street trees must be provided for all new construction.

(4) Landscaping in the public right-of-way.

(A) Landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.

(B) Plants in the public right-of-way may not obstruct visibility or create a traffic hazard. See Section 51A-4.602(d), “Visual Obstruction Regulations.”

(C) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the landscaping requirements of this special purpose district. 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 right-of-way landscape permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the 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 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.

(D) A property owner or tenant is not required to comply with any right-of-way landscaping requirement to the extent that compliance is made impossible due to the city council’s

revocation of a right-of-way landscape permit or the revocation of the private license granted under this subsection.

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

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

(5) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that compliance is made impossible by Subsection (d), “Visual Obstruction Regulations,” of Section 51A-4.602, “Fence, Screening, and Visual Obstruction Regulations.”

(b) Subdistricts 1, 1A, 1B, 1C, ~~and~~ 1D and 1E.

(1) General requirement. Except as otherwise provided in this section, landscaping must be provided as required by Article X.

(2) Landscaping in railbeds.

(A) Any landscaping planted in the area to the centerline of a railbed may be used to satisfy required landscaping for the adjacent property. Landscaping planted in a railbed may not be located in an access easement.

(B) The requirements of Section 51A-10.125(b)(5), “Parking Lot Trees,” do not apply to parking located within a railbed.

(3) Parking lot buffer. A five-foot-wide landscaped strip must be located along any edge of a parking lot or parking structure that is visible at grade level from a street. A minimum three inch-caliper tree must be located every 15 feet, or fraction thereof, or clustered every 30 feet within the landscaped strip.

(4) Plant requirements. Plants used to satisfy the landscape requirements must comply with the following requirements:

(A) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.

(B) Solid sod or hydro-mulch grass may be used.

(C) Artificial plant materials may not be used.

(D) Any required landscaping that dies must be replaced.

(5) Landscape plan. A landscape plan must accompany any application for a building permit to expand floor area if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, or over 75 percent for residential projects. A landscape plan must earn at least 50 points (out of a total of 155 possible points.) The points awarded for providing these features are provided in parentheses. Existing landscaping qualifies for points.

(A) Lighting. (Total possible points = 20) Ten points each are awarded for providing tree lighting, light bollards, light poles, building facade lighting, or landscaped area lighting, up to a maximum of 20 points. The lighting provided must be at least 1.5 foot-candles in intensity over adjacent pedestrian areas.

(B) Landscaping on rooftops and facades. (Total possible points = 30) Ten points each are awarded for large planters, hanging planters, exterior embedded or extended planters, and vine supports on rooftops or along front facades up to a maximum of 30 points. Vines within ground-based planters must be able to extend above one-half the total height of the ground story of the main structure.

(C) Landscape buffer. (Total possible points = 25) The landscape buffer must be a minimum of 80 square feet. A mix of plant materials may be used.

(D) Tree canopy at the street frontage. (Total possible points = 20) Points may be obtained for planting canopy trees along the entire street frontage, exclusive of vehicular and pedestrian entrances and exits. The trees may be planted in the right-of-way if a right-of-way landscape permit is obtained. Ten points are awarded for planting these trees at a density of one tree per 30 linear feet of street frontage and 20 points are awarded for planting these trees at a density of one tree per 15 linear feet of street frontage. Note: Power lines may affect the types of trees used.

(E) Seasonal color landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. The plants in the landscape area must be changed at least twice per year with the appropriate seasonal color plants. This area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.

(F) Native plant landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area containing native plants. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at

least three-fourths of a square foot multiplied by the number of feet of street frontage. Native plants listed in Exhibit 621E must be used.

(G) Creation of open space. (Total possible points = 20) Five points are awarded per 200 square feet of open space if the open space is a minimum of 500 feet from the building site but within this special purpose district. For purposes of this subparagraph, “open space” means a space containing no structures or pavement at or above grade, and containing only grass or other vegetation. Open space must be available for use by the public. The open space must be maintained in a state of good repair and neat appearance at all times by the owner of the property for which the building permit was issued.

(6) Open space fund. If a property owner in Subdistricts 1, 1A, 1B, ~~and~~ 1C, 1D and 1E cannot plant all of the required trees on the building site, the property owner shall comply with the following requirements for no more than 50 percent of the required trees:

(A) Make a payment into the Old Trinity and Design District Open Space Fund. The department shall administer a city account to be known as the Old Trinity and Design District Open Space Fund. Funds from the Old Trinity and Design District Open Space Fund must be used only for acquiring and maintaining property for parks and open-space within this special purpose district. The amount of the payment required per tree not planted is calculated by using the formula for appraising the value of a two-inch-caliper tree, as derived from the most recent edition of the Guide for Establishing Values of Trees and Other Plants published by the Council of Tree and Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining a two-inch tree for two years.

(B) Plant trees within:

(i) portals to the Trinity River (as identified in the Trinity River Corridor Comprehensive Land Use Plan) within this special purpose district,

(ii) along that portion of the Old Trinity Trail within this special purpose district, or

(iii) along the meanders of the Old Trinity River channel, as shown on Exhibit 621C.

(7) Parking/landscaping zone. Where there is at least a 70-foot space between buildings, a parking/landscaping zone meeting the following requirements is allowed in the space between the two buildings, but is not required. The composition of the parking/landscaping zone, moving from one building façade across to the other building façade, is as follows:

(A) First, a minimum six-foot-wide sidewalk parallel to the façade of the first building.

(B) Second, a parking area between six feet from the first building façade to 16 feet from the first building façade. This parking area must have angled head-in parking at an angle of 60 degrees to 90 degrees. A landscaped area containing one tree must be located between every fifth parking stall. Trees in the parking area must be spaced 46 to 50 feet on center, and must be 12 to 16 feet away from the first building façade. One parking stall may be omitted to allow for a loading dock to remain functional.

(C) Third, a minimum of 26 feet of right-of-way for the two-way traffic in the middle.

(D) Fourth, a matching parking area from between 16 feet from the second building façade to six feet from the second building façade.

(E) Fifth, a matching six-foot-wide sidewalk parallel to the façade of the second building.

(c) Subdistrict 2. Except as otherwise provided in this section, all properties in Subdistrict 2 must comply with Article X.

SEC. 51P-621.113. ARCHITECTURAL DESIGN GUIDELINES.

(a) Purpose. The architectural design guidelines of this section are intended to preserve the historical, cultural, and architectural importance and significance of Subdistricts 1, 1A, 1B, ~~and 1C~~, 1D and 1E. These architectural design guidelines are intended to encourage adaptive reuse of existing buildings; new contemporary and creative construction and major modifications that will enhance the architectural character of the district; and sustainable, green, energy efficient design and construction.

(b) Facade requirements for new construction and major modifications in Subdistricts 1, 1A, 1B, ~~and 1C~~, and 1D and 1E.

(1) Facades must be brick, concrete masonry, glass, hollow tile, stone, or other fireproof materials, except that wooden siding, wooden sheets, and metal may not be used on more than 50 percent of any facade.

(2) Facades consisting of more than 80 percent glass, excluding glass block, are prohibited.

(3) The maximum permitted reflectance of glass used as a facade material varies depending on where the glass is used. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used above the first two stories may not exceed 27 percent. Reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. The higher the percentage, the more visible light reflected and the more mirror-like the glass will appear.

(c) Design test requirements in Subdistricts 1, 1A, 1B, 1C ~~and 1D~~ and 1E. New construction or a major modification must earn at least 50 points for properties with a floor area ratio of 2.0 or less, and at least 70 points for properties with floor area ratios greater than 2.0 (out of 205 possible points). The total possible points in any category are provided in parentheses.

(1) Maintenance of original facades. (Total possible points = 10) Ten points are awarded for the adaptive reuse of an original building if its original facade design elements are not altered.

(2) Ground floor uses, building facades, and roofs. (Total possible points = 20) Points may be earned as follows:

(A) Retail and showroom uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) is allocated to retail and personal service uses or office showroom/warehouse uses.

(B) Restaurant uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) includes restaurant uses.

(C) Facade treatments. Ten points are awarded if the building's front facade is given texture and complexity by the inclusion of ground level entries more than 14 feet in height, porticos, indented entries, belt coursing or other horizontal banding, grid coursing, articulation of window openings, corner pilasters, rustication of the first floor, changes of color, or ornamental iron.

(3) Pedestrian amenities. (Total possible points = 25) Five points each are awarded for benches, trash receptacles, awnings/canopies, bicycle parking racks, and pedestrian street lamps. These items should be creative and contemporary. Pedestrian amenities must be located within the curb-to-building area of the building site, but, if a hardship prohibits locating these in the curb-to-building area of the building site, the amenities may be placed within the public right-of-way as long as they meet city standards and licensing requirements and do not block free movement of pedestrians. Pedestrian amenities must be maintained and operated by the owner of the building site. If there is more than one owner, all owners are jointly responsible for maintenance. Such amenities include:

(A) Benches or exterior seating areas (maximum of one every 50 feet).

(B) Trash receptacles (maximum of five points).

(C) Awnings/canopies along the front facade.

(D) One five-bicycle stand per 100 feet of street frontage.

(E) At least one pedestrian street lamp (freestanding or wall mounted) per 50 feet of street frontage.

(4) Public art or water features. (Total possible points = 15) Fifteen points are awarded for public art or water features costing at least \$2,500, limited to one per building site. In order to qualify for public art points, the public art must be visible from a public right-of-way at all times. Examples of public art could include art in an atrium or lobby that is visible from a public right-of-way, art incorporated into the sidewalk or building facade, or freestanding art. For purposes of this paragraph, "water features" means: fountains, pools, mechanical water jets, or similar water devices.

(5) Paving material. (Total possible points = 15) Five points are awarded per one third increment of an outdoor private walkway area accessible to the public that is covered by decorative pavement. For purposes of this paragraph, "decorative pavement" means: colored concrete pavers; brick; stone; stamped, textured, or colored concrete; and exterior grade tile.

(6) Pedestrian orientation of building facade. (Total possible points = 20) Twenty points are awarded if a minimum of 25 percent of the front facade has transparent display windows or windows affording views into retail, office, or lobby space. The transparency requirement applies to the first 16 feet of height of the facade.

(7) Structured parking facilities. (Total possible points = 50) Fifty points are awarded for a structured parking facility if the design matches the facade of a new building or architecturally complements the facade of an original building.

(8) Energy conservation. (Total possible points = 15) Ten points are awarded for using solar, geothermal, or other non-petroleum, non-coal energy sources. Five points are awarded for planting twice the number of canopy trees required by Section 51P-621.112, "Landscaping."

(9) Permeable surface. (Total possible points = 15) Five points are awarded each third of an outdoor walkway or driveway with a permeable surface.

(10) LEED's credit. (Total possible points = 20) Twenty points are awarded for a project with a floor area ratio of more than 2.0 when the project complies with the following:

(A) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) Checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation (26 to 32 project points). The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of development services. Prior to the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(B) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(C) All supporting documentation and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified designation (26 to 32 project points).

(d) Approval by development plan. The city plan commission may approve new construction or a major modification that does not meet the requirements of Subsections (b) and (c) of this section if the development plan and elevations show that the new construction or major modification is consistent with the spirit and intent of this section.

(e) Fences and walls in Subdistricts 1, 1A, 1B, 1C, 1D and 1E. Fences and walls longer than 200 feet adjacent to any public street must be designed to prevent visual monotony through use of offsets, changes of materials and textures, gates or openings, or landscaping.

SEC. 51P-621.114. SITE DESIGN REQUIREMENTS.

(a) Above-grade off-street parking. Parking is permitted on any level of a building.

(b) Median and curb cuts along Industrial Boulevard. Median and curb cuts to access railbeds for off-street parking from Industrial Boulevard, between Continental Avenue and Sylvan/Wycliff Avenue, must be approved by the director of public works and transportation. Traffic must be one-way from Industrial Boulevard westbound to Levee Street.

(c) Sidewalk standards for new construction.

(1) In general.

(A) Sidewalks complying with the standards of this subsection must be provided for all new construction.

(B) If a sidewalk is to be located in a front yard, a sidewalk easement must be dedicated to the city to assure its availability to the public for pedestrian access.

(C) Except as otherwise provided in this subsection, the requirements of Chapter 43, "Streets and Sidewalks," apply to all sidewalks.

(2) Location.

(A) Sidewalks must be located along the entire length of the street frontage.

(B) On state highways, sidewalks must be provided in the parkway, subject to Texas Department of Transportation approval. If Texas Department of Transportation approval cannot be obtained, the property is exempt from this requirement.

(C) Sidewalks must be located between five feet and 10 feet from the back of the projected street curb, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must be located between five feet and 12 feet from the back of the projected street curb. Sidewalks may be located farther from the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(3) Width.

(A) Sidewalk widths must match the width of existing sidewalks in front of adjacent properties at the point of convergence. Where there are different sidewalk widths on each side of the street frontage, the new sidewalk must taper or expand to meet the incongruous sidewalks.

(B) Sidewalks must have an unobstructed minimum width of four feet, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must have an unobstructed minimum width of six feet. For purposes of this provision, "unobstructed" means by structures or landscaping, excluding utility poles and service boxes.

(d) License to allow compliance with ADA requirements.

(1) If there is no other way to install ramps required by the Americans with Disabilities Act or similar state laws other than to install the ramps in the public right-of-way, the city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the Americans with Disabilities Act or similar state laws. 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 building permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need

for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the 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 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) Upon the installation of ramp in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

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

(e) Exemption for Subdistrict 2. The site design requirements of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2.

SEC. 51P-621.115. SCREENING REGULATIONS.

(a) Parking lot screening.

(1) Except as otherwise provided in this section, Section 51A-4.301(f), "Screening Provisions for Off-Street Parking," applies to all parking lots and parking structures.

(2) Fences may complement but not substitute for parking lot trees and shrubbery screening.

(3) The provision of screening for surface parking only applies to new construction. All surface parking must be screened from a street or access easement by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:

(A) Earthen berm planted with turf grass or groundcover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height per three feet of width.

(B) A fence constructed of one or more of the following: brick, stone, concrete masonry, stucco, concrete, wood, or other durable material. Wrought iron fences are allowed.

(C) Hedge-like evergreen plant materials recommended for local area use by the city arborist. The plant materials must be located in a bed that is at least three feet wide with a minimum

soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(b) Screening of off-street loading spaces, dumpsters, and garbage storage areas.

(1) Except as otherwise provided in this subsection, screening of off-street loading spaces, dumpsters, and garbage storage areas must be provided in compliance with Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

(2) All off-street loading spaces, dumpsters, and garbage storage areas must be screened from all public streets adjacent to the building site. Screening is not required on sides that are not visible from a public street.

(3) Screening of all off-street loading spaces, dumpsters, and garbage storage areas must be at least six feet in height.

(4) Screening is not required in the railbeds.

(c) Outdoor storage areas. Except for vehicle display, sales, and service uses and nursery, garden shop, and plant sales uses, all outdoor storage areas for commercial and business services uses and industrial uses must be entirely screened by an eight-foot solid screening fence, vegetative materials, or other alternative deemed appropriate by the building official.

(d) Exemption for Subdistrict 2. The screening regulations of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2.

SEC. 51P-621.116. SIGNS.

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

(b) In Subdistrict 2, detached premise signs existing on the date of establishment of this special purpose district may remain, provided the sign and sign supports are maintained in a state of good repair and neat appearance at all times. See Section 51A-7.210, "General Maintenance."

(c) Projecting attached premise signs for retail and personal service uses are allowed, provided they do not project more than five feet from the building façade and are between nine and 15 feet above the sidewalk. For purposes of this provision, a "projecting attached premise sign" means an attached premise sign projecting more than 12 inches from a building at an angle other than parallel to the façade.

SEC. 51P-621.117. ADDITIONAL PROVISIONS.

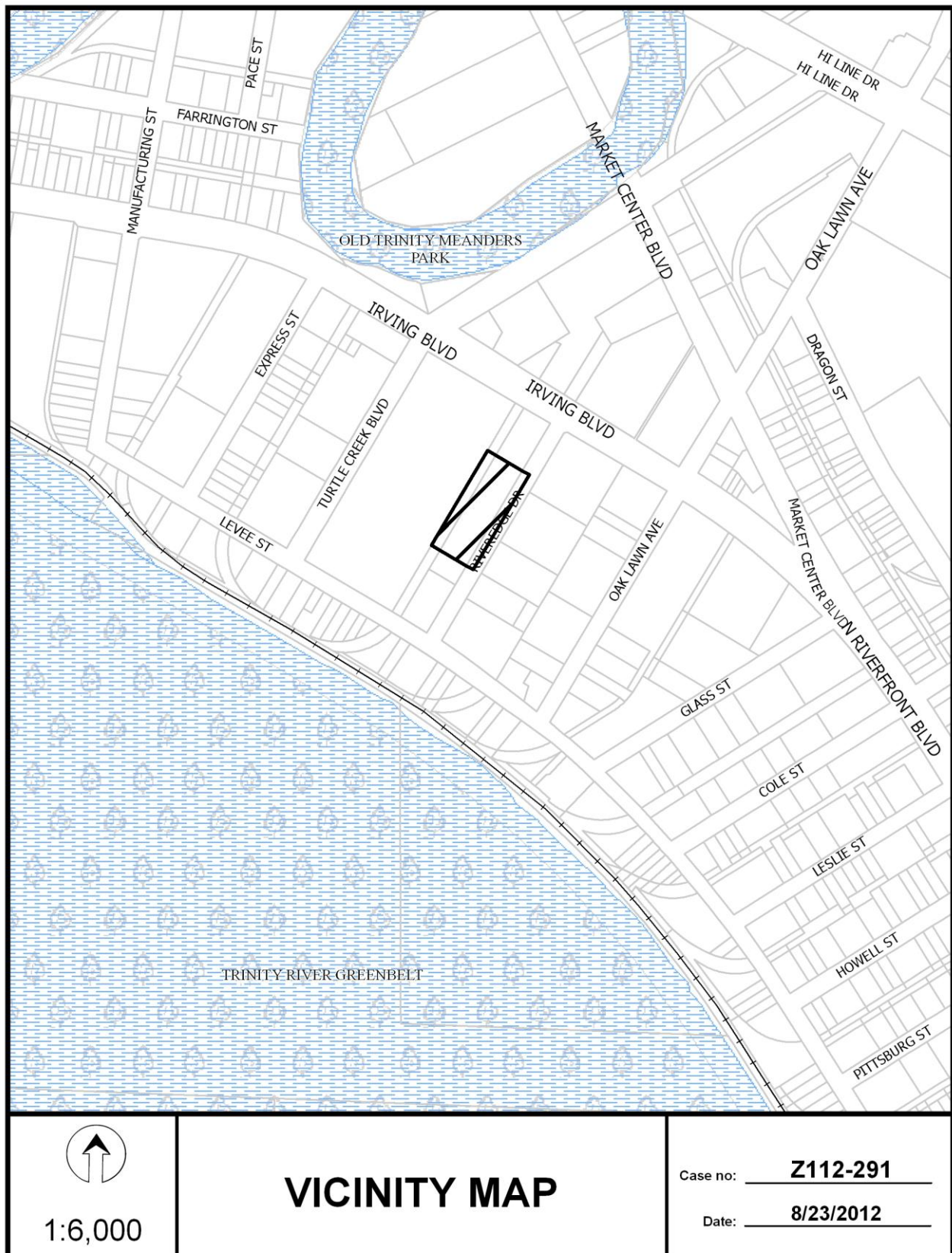
(a) The entire Property and any improvements in the public right-of-way must be properly maintained in a state of good repair and neat appearance. The city may remove any improvements in the public right-of-way that are not maintained in a state of good repair and neat appearance at the sole expense of the property owner, and may use any available legal remedy to recover the cost of removal from the property owner.

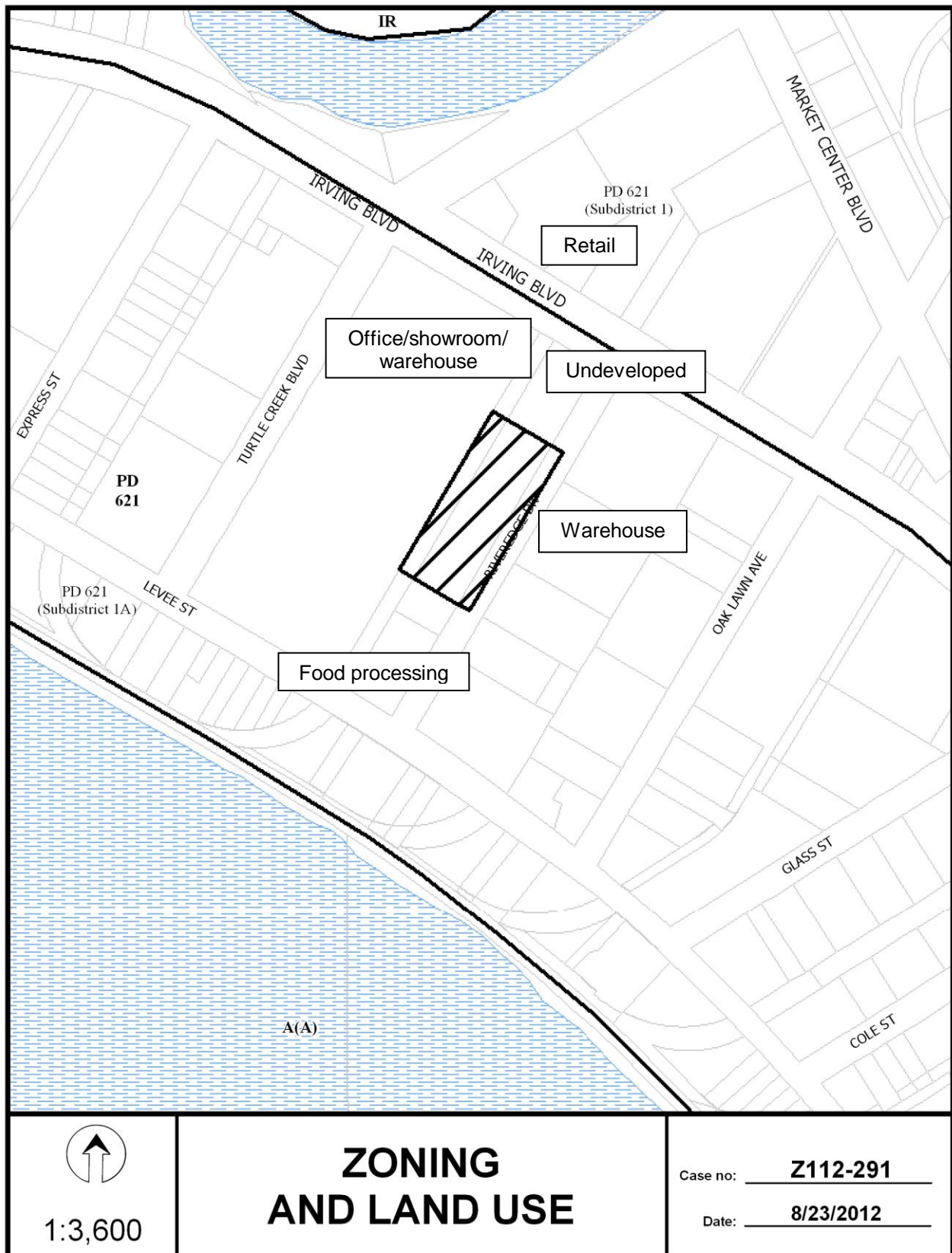
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

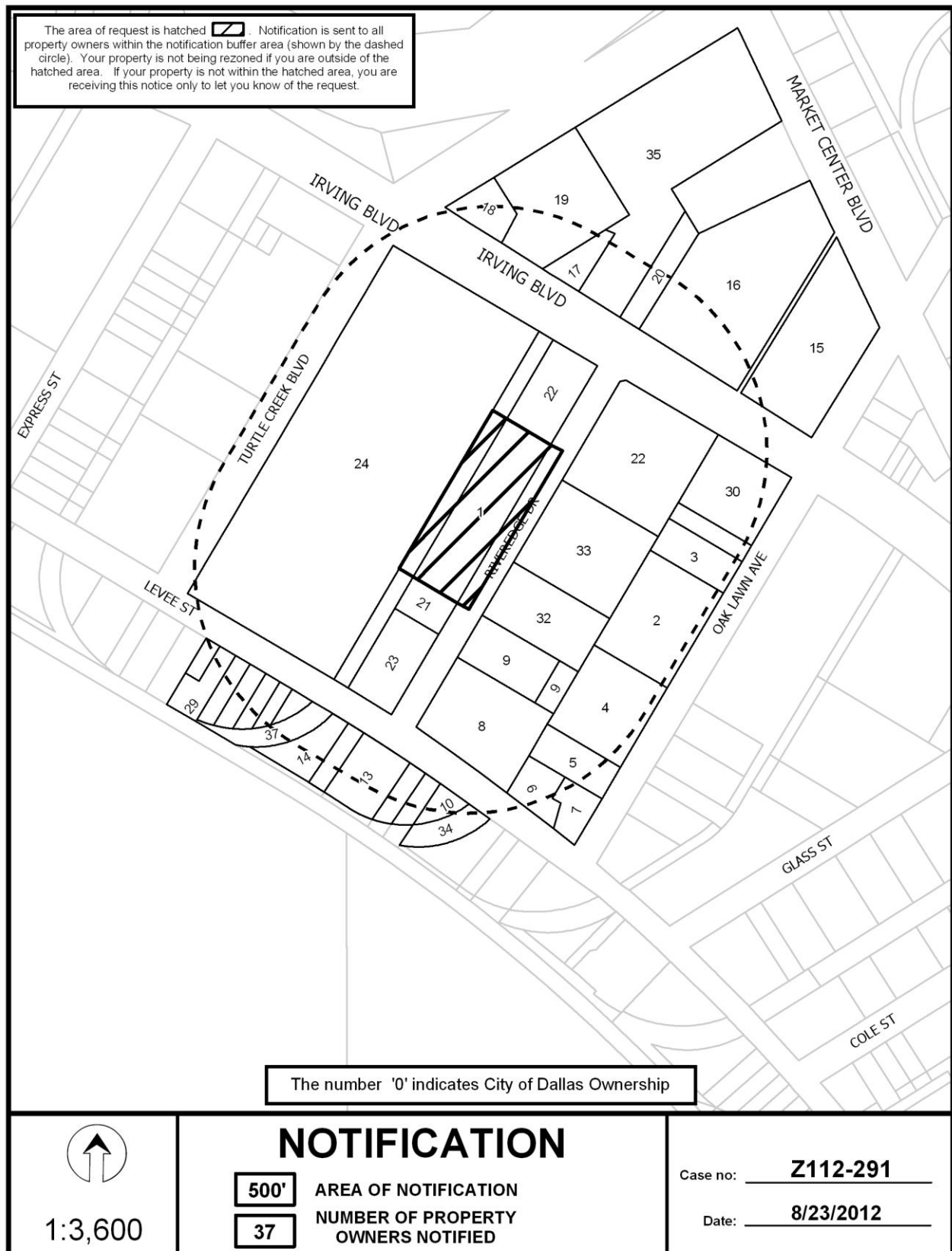
SEC. 51P-621.118. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work or a certificate of occupancy to authorize the operation of a use in this special purpose district 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.







8/23/2012

Notification List of Property Owners***Z112-291******37 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	161 RIVEREDGE DR	LA ZONA VERDE LLC STE 200
2	155 OAK LAWN AVE	SUGAR INVESTMENT GROUP LLC
3	163 OAK LAWN AVE	JAGANNATHAN SURAJ & PRACHI SHAH
4	123 OAK LAWN AVE	S2 RESOURCES INC
5	111 OAK LAWN AVE	DALLAS CRYSTAL CLEAR SOUND INC
6	1710 LEVEE ST	ATWS LLC
7	107 OAK LAWN AVE	CHT SYSTEMS LLC
8	100 RIVEREDGE DR	3M RIVEREDGE LLC
9	122 RIVEREDGE DR	POTTS MCCRIGHT K & CATHERINE CAMILLE
10	1727 LEVEE ST	SEELCCO PARTNERS LTD
11	1733 LEVEE ST	POLISHUK ERVIN
12	1737 LEVEE ST	KNOBLER DONALD G
13	1745 LEVEE ST	MADERA 1745 LEVEE ST REVO DIANE L SNYDER
14	1807 LEVEE ST	LEVEE STREET PPTIES LLC
15	1201 OAK LAWN AVE	343 W SUNSET LTD
16	1715 MARKET CENTER BLVD	J&D REAL ESTATE LLC
17	1820 IRVING BLVD	PFIFFNER STEVEN J
18	1838 IRVING BLVD	TURTLE CREEK & IRVING LTD
19	1212 TURTLE CREEK BLVD	TEXAS SECURITY BANK
20	1800 IRVING BLVD	PETTIGREW ASSOC INC PROFIT SHARING PLAN
21	178 RIVEREDGE DR	COONER JOSEPH MAYNE
22	175 FORDYCE ST	VICHYASTIT KITTICHAJ & WHITIS WANNEE
23	1802 LEVEE ST	COX ROSEMARY
24	150 TURTLE CREEK BLVD	ONE TURTLE CREEK, LTD STE 101
25	1821 LEVEE ST	LEVEE PARTNERS LP
26	1825 LEVEE ST	PARADOX PPTIES LP

Z112-291(MW)

8/23/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1829 LEVEE ST	PARADOX PROPERTIES
28	1831 LEVEE ST	ALCALA LUIS M DBA ALCALA CUSTOM FURN
29	1833 LEVEE ST	GRATTAN GWENDOLYN C
30	175 OAK LAWN AVE	WSL JKO VENTURES LTD
31	171 OAK LAWN AVE	THE LORDS PROVISION LTD CO
32	134 RIVEREDGE DR	GROTH JAMES A
33	148 RIVEREDGE DR	MCSHANE R D LP
34	1700 LEVEE ST	SEELCCO PARTNERS LTD % CHAMPIONS
MANAGEM		
35	1825 MARKET CENTER BLVD	1825 MARKET CENTER LP SUITE 388
36	1811 IRVING BLVD	MK PARTNERS LTD
37	1800 LEVEE ST	ALCALA LUIS

FILE NUMBER: Z101-277(DC)**DATE FILED:** May 19, 2011

LOCATION: Generally bounded by the Union Pacific (DART) Railroad, the Southern Pacific Railroad, C.F. Hawn Freeway, the D.P.&L. Company easement, Central Expressway (S.M. Wright Freeway), the Southern Pacific Railroad, the Santa Fe Railroad, R.L. Thornton Freeway, 2nd Avenue, Parry Avenue, Robert B. Cullum Boulevard, Fitzhugh Avenue, Gaisford Street, and the common line between City Blocks 1820 and D/1821.

COUNCIL DISTRICT: 7

MAPSCO: 45 V, Z; 46 J, K, N, P, Q, R, S, T, U, V, W, X, Y, Z; 47 N, S, W; 56 A, B, C, D, F, G, H, M, L; & 57 A, E

SIZE OF REQUEST: ±3,700 acres

CENSUS TRACTS: 27.01, 27.02, 29, 34, 35, 37, 38, 39.01, 39.02, 40 & 115

REQUEST: A City Plan Commission authorized hearing to consider amendments to Planned Development District 595, amending the standards for certain uses, considering appropriate zoning on certain parcels currently zoned for multifamily and non-residential uses, adding a new single family district classification and a new mixed use form district classification on property zoned Planned Development District No. 595 and an NS(A) Neighborhood Service District.

SUMMARY: The proposed amendments to PD No. 595 are intended to: (1) identify certain uses that may potentially have a negative impact on surrounding properties and develop appropriate standards for those uses; (2) establish new mixed use form district(s) on property generally bounded by Grand Avenue to the north, Interstate 45 to the east, Pennsylvania Avenue to the south and Lamar Boulevard to the west and on property at the north corner of South Central Expressway/S. M. Wright and Hatcher Street ; (3) create a new minimum 3,800 square foot lot size single family district to provide an additional alternative for affordable housing single family housing; and 4) amend PD No. 595 to include an existing Neighborhood Service NS tract generally located south of the intersection of Spring Avenue and Foreman Street.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- Planned Development District (PD) No. 595 (South Dallas/Fair Park Special Purpose District) was established by Ordinance No. 24726 on September 26, 2001.
- On May 19, 2011, the City Plan Commission authorized a hearing to amend the ordinance to determine proper zoning with consideration given to create new single family and Form Base Overlay district classifications.
- The authorized hearing would also consider amending PD No. 595 to include a Neighborhood Service NS District (approximately .34 acres) inadvertently omitted during initial creation of PD No. 595.
- On November 3, 2011, a community meeting was held at the Martin Luther King, Jr. Center to discuss proposed zoning amendments to PD No. 595 to present and discuss the proposal. Notices were sent to all property owners in PD-595 to advise them of the meeting.
- Based on discussions with area stakeholders it was concluded that land use and zoning options be recommended to establish form districts at appropriate locations to encourage development that enhances redevelopment opportunities and provides for a more pedestrian friendly environment; impose additional restrictions on certain uses that may have negative impacts on existing neighboring uses and redevelopment opportunities; and provide for uses that have been incorporated into the development code since the adoption of PD No. 595.
- There is a need for a smaller lot single family district to facilitate additional affordable housing options. Rezoning proposals in the area to PDs and Form Districts have not always captured general use restrictions in PD No. 595.
- The proposed form based zoning would provide for development of a WMU-3 Walkable Mixed Urban Use District in an area generally bounded by Lamar St. (W), Pennsylvania Ave. (S), Julius Schepps Frwy. (E), and Grand Ave. (N), and contains approximately 139 acres. A shop front overlay is being proposed along Martin Luther King Blvd and Lamar Blvd for the area currently zoned CC subdistrict. A second location for the form district would be at the north corner of South Central Expressway (S.M. Wright) and Hatcher Street on approximately 7 acres of land.

Zoning History:

The principal zoning cases over the past three-year period are summarized below:

#	CASE #	DATE	DISPOSITION
1	Z089-103	1/28/2009	Denied SUP for a motel or hotel use.
2	Z089-112	4/22/2009	Approved PD for R-5(A) SF District uses and an open enrollment charter school and terminated SUP No. 1245 for a private school on property zoned R-5(A) Single Family Subdistrict.
3	Z089-175	6/24/2009	Approved from R-5(A) SF Subdistrict, NC Neighborhood Commercial Subdistrict, and CC(E) Community Commercial (Enhanced) Subdistrict to PD No. 730.
4	Z089-176	10/28/2009	Approved five (5) zoning changes: D(A) Duplex Subdistrict to R-5(A) SF Subdistrict; portion of D(A) Duplex Subdistrict to NC Neighborhood Commercial Subdistrict; portion of NC Neighborhood Commercial Subdistrict to R-5(A) SF Subdistrict; portion of the R-5(A) SF Subdistrict to NC Neighborhood Commercial Subdistrict; and MF-1(A) MF Subdistrict to NC Neighborhood Commercial Subdistrict.
5	Z089-184	8/12/2009	Approved P(A) Parking Subdistrict on property zoned R-5(A) SF Subdistrict and approved voluntary deed restrictions on property zoned CC Community Commercial.
6	Z089-195	8/26/2009	Approved PD amendment from MF-2(A) Multifamily Subdistrict, CC Community Commercial Subdistrict, and NC Neighborhood Commercial Subdistrict to PD No. 597.
7	Z089-217	8/12/2009	Approved change from R-5(A) Single Family Subdistrict to NC Neighborhood Commercial Subdistrict.
8	Z089-223	9/23/2009	Approved change from R-5(A) SF Subdistrict to PD No. 813.
9	Z090-215	8/10/2011	Approved mixed uses for Phase I and Phase II of the residential development and terminated SUP No. 1198 for a Community Service Center on property zoned MF-1(A) Multifamily Subdistrict.
10	Z090-218	6/8/2011	Approved change from CC Community Commercial Subdistrict to WMU-5 Walkable Urban Mixed Use District (Tracts 1 & 2); from MF-1(A) Multifamily Subdistrict to WR-5 WMU District (Tracts 3 and 4); and created the HM- 1 Height Map Overlay District and SH- 1 Shopfront Overlay District.
11	Z101-165	6/22/2011	Approved change from RS-MU Regional Service Mixed Use Subdistrict to PD No. 331.
12	Z101-194	5/25/2011	Approved change from CC Community Commercial Subdistrict, MF-1(A) Multifamily Subdistrict, and R-5(A) SF residential Subdistrict to PD No. 849.
13	Z101-297	9/28/2011	Approved a R-5(A) SF Subdistrict and terminated deed restrictions.
14	Z112-214	6/27/2012	Approved PD for a public school other than an open-enrollment charter school and MF-2(A) Multifamily Subdistrict uses on property zoned MF-2(A) Multifamily Subdistrict, NC Neighborhood Commercial Subdistrict and CC Community Commercial Subdistrict.

Thoroughfares/Streets:

See thoroughfare plan exhibit for the area.

Land Use:

The vast majority of the area within PD-595 is zoned for and developed with single family uses. The primary commercial corridors are Lamar Boulevard, Martin Luther King Jr. Boulevard, Robert B. Cullum Boulevard and Second Avenue. Portions of Grand Avenue, Malcolm X Boulevard, Hatcher Street and Bexar Street also serve as commercial corridors. The heavier commercial and industrial areas are centered along Lamar Boulevard and along the DART rail line serving the DART maintenance facility along the northwest boundary of the PD.

STAFF ANALYSIS:

Comprehensive Plan:

South Dallas/Fair Park Moratorium Study

The study recommends that the City Council: 1) authorize consideration of creation of a Planned Development District (PD) focused on protecting residential areas from the negative impacts of commercial land uses, 2) establish a citizens advisory committee to guide the process, and 3) develop a commercial corridor revitalization strategy focused on identifying opportunities for community oriented retail and office development 4) extend the current moratorium on building permits and certificates of occupancy pending completion of a PD ordinance.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.3 Build a dynamic and expanded Downtown.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.2 Establish clear and objective standards for land use planning.

TRANSPORTATION ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.6 Follow a consistent neighborhood planning framework.

Area Plan: The request complies with the recommendations identified in the South Dallas/Fair Park Comprehensive Land Use Study, June 2001, which states as a primary goal to "encourage mixed use development, heavy commercial, and industrial development, as appropriate, along regional service corridor subdistricts."

The request complies in regards to the proximity to the regional service corridors of heavy commercial and industrial uses, the rail line, and thoroughfares that connect to interstate highways.

Land Use Compatibility:

The authorized hearing area is comprised of approximately ±3,700 acres and zoned Planned Development District No. 595 (South Dallas/Fair Park Special Purpose District), and is currently developed with an array of uses. The vast majority of the site is zoned as an R-5(A) subdistrict and developed with single family uses.

There is a history of certain types of uses that adversely impact adjacent uses to residential areas within PD No. 595 (South Dallas / Fair Park area). The PD attempted to address this through a specific use classification for food and beverage stores. Since the PD was adopted, there have been several code amendments approved which do not apply since it is an "stand alone" PD with specific use regulations for non-residential districts. These code amendments include creating a use for alternative financial institutions, a use for community gardens and adoption of the form districts.

The form based zoning districts were adopted by the City Council on February 25, 2009. The purpose of creating form based zoning, as stated in the new code, is to provide for an additional tool for the implementation of *forwardDallas!*, however, it does not prohibit the use of PD's where applicable. Form based zoning encourages increased development rights that ultimately provide for a lesser dependence on the automobile (by providing pedestrian amenities and proximity to mass transit). Lastly, these districts should transition to existing adjacent developments while not negatively impacting the built environment.

The proposed single family residential district would provide for smaller lots with the creation of a new R Residential 3.8 district. The recommended requirements would be: minimum lot area of 3,800 square feet; minimum front yard setback of 15 feet; minimum side and rear yard setback of 5 feet for single family structures and 10 feet for other structures; maximum lot coverage at 50% for single family and 25% for other uses; maximum height of 30 feet; and a minimum off-street parking for single family uses at 1 space. The district would also create a single family dwelling district which is appropriate for development of higher density single family development while providing a reasonable standard of light, air, and similar living amenities.

It is further recommended that additional restrictions be imposed on certain uses to address the adverse conditions perceived to impede growth and development in certain areas of PD No. 595.

The recommended additional restrictions for certain uses are as follows:

- Alternative Financial Establishment – require SUP in the CC, RS-MU, RS-C, RS-I Subdistricts
- Auto Service – require SUP in the CC Subdistrict
- Car washes – strike from NC(E) Subdistrict and require SUP in other districts
- Commercial Amusements (inside) – require SUP
- Community Garden – allow subject to same restrictions in Chapter 51A in the NC, CC, RS-MU, RS-C, RS-I and form subdistricts
- Market Garden – create the new use and allow by SUP in all subdistricts
- Public and Private Schools – require SUP in all subdistricts (previously allowed by right in most non-residential subdistricts)
- Food and Beverage store – increase requirement for SUP from 3,500 s/f to 5,000 s/f
- Personal Service Uses – prohibit massage parlors and tattoo parlors
- Tobacco Shop – require SUP in the CC Subdistrict

It is also recommended the following definitions be amended to read: FOOD, BEVERAGE OR TOBACCO STORE be amended as “a retail store for the sale of food, beverages and tobacco. The term “food, beverage or tobacco store” includes a grocery, delicatessen, convenience store, specialty foods store, tobacco store or smoking accessory store. This use does not include other uses in this article that are specifically listed.” A new definition will be created for TOBACCO STORE as: “a retail store primarily for the sale of tobacco, smoking products or smoking accessories. A tobacco store includes a smoke shop, cigar store, head shop, or other store that primarily sales tobacco, smoking products or smoking accessories.”

Another proposal that grew out of discussions with stakeholders was to require an SUP for general merchandise store less than 5000 s/f. Staff cannot support this proposal and has determined that it might discourage new start up businesses in the area. Staff believes that amendments to the food and beverage store use and creation of the tobacco shop use address many of the concerns with smaller general merchandise stores.

Development Standards:

Not applicable due to size of authorized hearing request.

Traffic:

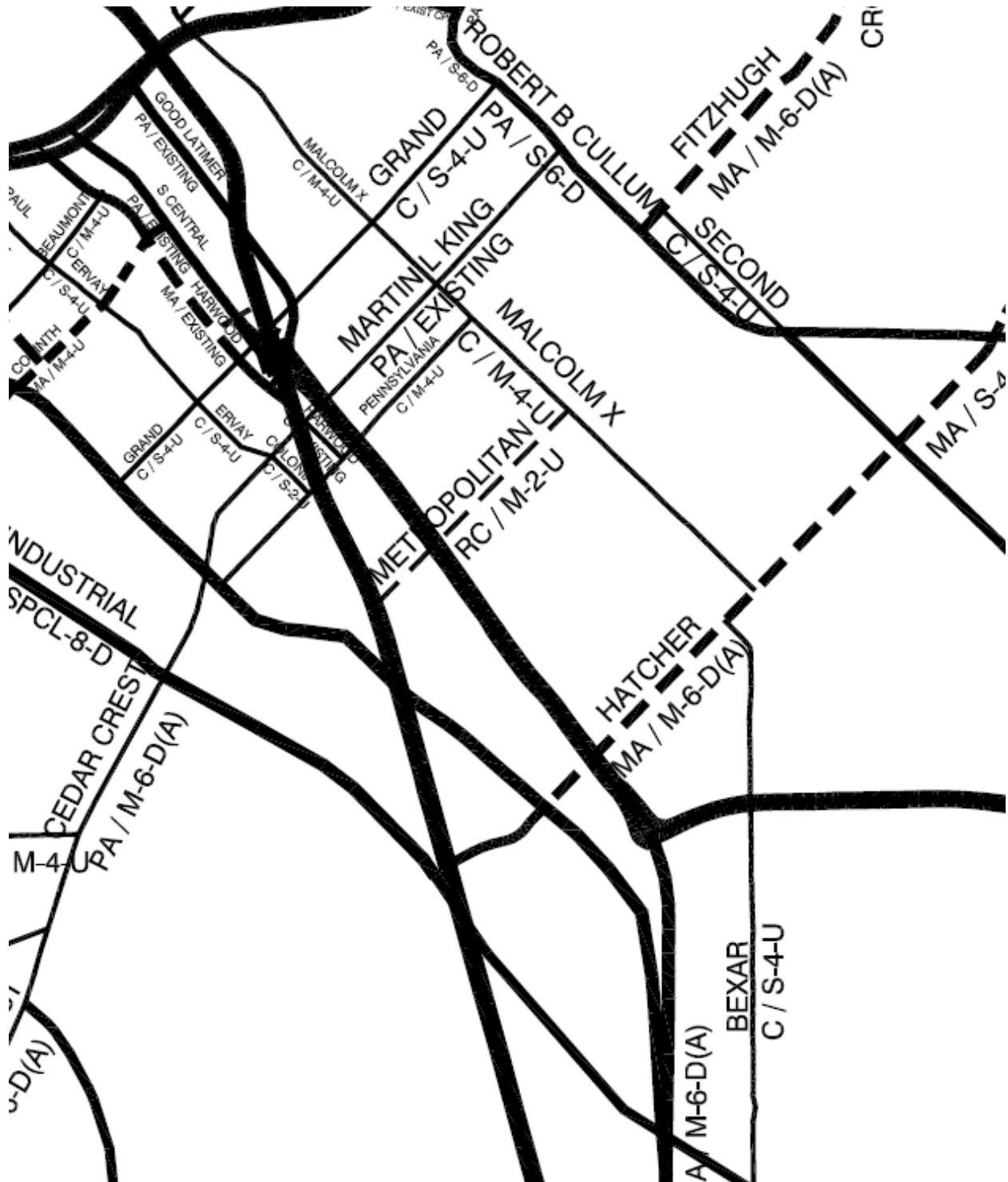
The proposed changes to allow form districts would create minimal traffic impacts in the area generally. As areas are platted for redevelopment appropriate infrastructure will be required.

Off-Street Parking: Off-street parking requirements will be required per the applicable code. Must uses defer to Chapter 51A for parking requirements. The new form subdistricts will be required to park to the form district standards.

Landscaping:

Currently the PD defaults to Article X except for some additional front yard landscaping requirements in the NC and CC districts. There are no proposed changes to these landscape standards. New form districts will comply with the additional landscape requirements of the form districts.

Thoroughfare Plan



Proposed Use Amendments by Subdistrict Comparison Matrix

NC Existing (Neighborhood Commercial)	NC Proposed
<p>(1) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Catering service [SUP].</p> <p>(3) <u>Industrial uses.</u></p> <p>-- None permitted.</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Adult day care facility.</p> <p>-- Child-care facility.</p> <p>-- Church.</p> <p>-- Community service center. [SUP]</p> <p>-- Library, art gallery, or museum.</p> <p>-- Public or private school. [RAR]</p> <p>(5) <u>Lodging uses.</u></p> <p>-- none permitted</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales office.</p> <p>(7) <u>Office uses.</u></p> <p>-- Financial institution without drive-in window.</p> <p>-- Medical clinic or ambulatory surgical center.</p> <p>-- Office.</p> <p>(8) <u>Recreation uses.</u></p> <p>-- Private recreation center, club, or area. [SUP]</p> <p>-- Public park, playground, or golf</p>	<p>(1) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>-- <u>Community Garden.</u></p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Catering service. [SUP].</p> <p>(3) <u>Industrial uses.</u></p> <p>-- None permitted.</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Adult day care facility.</p> <p>-- Child-care facility.</p> <p>-- Church.</p> <p>-- Community service center. [SUP]</p> <p>-- Library, art gallery, or museum.</p> <p>-- <u>Public or private school. [SUP]</u></p> <p><u>[RAR]</u></p> <p>(5) <u>Lodging uses.</u></p> <p>-- none permitted</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales office.</p> <p>(7) <u>Office uses.</u></p> <p>---- Financial institution without drive-in window.</p> <p>-- <u>Medical clinic or ambulatory surgical center. [plasma or blood donation center prohibited.]</u></p> <p>-- Office.</p> <p>(8) <u>Recreation uses.</u></p> <p>-- Private recreation center, club, or area. [SUP]</p> <p>-- Public park, playground, or golf</p>

<p>course.</p> <p>(9) <u>Residential uses.</u></p> <p>-- None permitted.</p> <p>(10) <u>Retail and personal service uses.</u></p> <p>-- Auto service center. <i>[By SUP in NC(E) Enhanced only.]</i></p> <p>-- Car wash. <i>[by SUP in NC(E) Enhanced only]</i></p> <p>-- Dry cleaning or laundry store.</p> <p>-- Furniture store. [5,000 square feet or less.]</p> <p>-- General merchandise store 3,500 square feet or less.</p> <p>-- Home improvement center; lumber, brick, or building materials sales yard. <i>[DIR]</i></p> <p>-- Mortuary, funeral home, or commercial wedding chapel. <i>[SUP]</i></p> <p>-- Motor vehicle fueling station. <i>[by SUP in NC(E) Enhanced only]</i></p> <p>-- Personal service uses.</p> <p>-- Restaurant without drive-in or drive-through service. <i>[RAR]</i></p> <p>(11) <u>Transportation uses.</u></p> <p>-- Transit passenger shelter.</p> <p>(12) <u>Utility and public service uses.</u></p> <p>-- Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]</i></p> <p>-- Police or fire station.</p> <p>-- Post office.</p> <p>-- Tower/antenna for cellular communication. <i>[SUP]</i></p> <p>(13) <u>Wholesale, distribution, and storage uses.</u></p> <p>-- None permitted</p>	<p>course.</p> <p>(9) <u>Residential uses.</u></p> <p>-- None permitted.</p> <p>(10) <u>Retail and personal service uses.</u></p> <p>-- Auto service center. <i>[By SUP in NC(E) Enhanced only.]</i></p> <p>-- Car wash. <i>[by SUP in NC(E) Enhanced only [DIR]</i></p> <p>-- Dry cleaning or laundry store.</p> <p>-- Furniture store. [5,000 square feet or less.]</p> <p>-- General merchandise store. [3,500 square feet or less.]</p> <p>-- Home improvement center; lumber, brick, or building materials sales yard. <i>[DIR]</i></p> <p>-- Mortuary, funeral home, or commercial wedding chapel. <i>[SUP]</i></p> <p>-- Motor vehicle fueling station. <i>[by SUP in NC(E) Enhanced only]</i></p> <p>-- Personal service uses. <i>[Massage establishment and tattoo or body piercing studio are prohibited.]</i></p> <p>-- Restaurant without drive-in or drive-through service. <i>[RAR]</i></p> <p>(11) <u>Transportation uses.</u></p> <p>-- Transit passenger shelter.</p> <p>(12) <u>Utility and public service uses.</u></p> <p>-- Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]</i></p> <p>-- Police or fire station.</p> <p>-- Post office.</p> <p>-- Tower/antenna for cellular communication. <i>[SUP]</i></p> <p>(13) <u>Wholesale, distribution, and storage uses.</u></p> <p>-- None permitted</p>
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CC Existing (Community Commercial)	CC Proposed
<p>(13) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Catering service.</p> <p>-- Custom business services.</p> <p>-- Electronics service center.</p> <p>-- Job or lithographic printing. [3,500 square feet or less.]</p> <p>-- Medical or scientific laboratory. [SUP]</p> <p>(3) <u>Industrial uses.</u></p> <p>-- None permitted.</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Adult day care facility.</p> <p>-- Cemetery or mausoleum. [SUP]</p> <p>-- Child-care facility.</p> <p>-- Church.</p> <p>-- College, university, or seminary. [SUP]</p> <p>-- Community service center. [SUP]</p> <p>-- Convalescent and nursing homes, hospice care, and related institutions. [SUP]</p> <p>-- Convent or monastery.</p> <p>-- Library, art gallery, or museum.</p> <p>-- Public or private school. [RAR]</p> <p>(5) <u>Lodging uses.</u></p> <p>-- Hotel or motel. [SUP]</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales office.</p>	<p>(13) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>-- <u>Community Garden.</u></p> <p>-- <u>Market Garden [SUP].</u></p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Catering service.</p> <p>-- Custom business services.</p> <p>-- Electronics service center.</p> <p>-- Job or lithographic printing. [3,500 square feet or less.]</p> <p>-- Medical or scientific laboratory. [SUP]</p> <p>(3) <u>Industrial uses.</u></p> <p>-- None permitted.</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Adult day care facility.</p> <p>-- Cemetery or mausoleum. [SUP]</p> <p>-- Child-care facility.</p> <p>-- Church.</p> <p>-- College, university, or seminary. [SUP]</p> <p>-- Community service center. [SUP]</p> <p>-- Convalescent and nursing homes, hospice care, and related institutions. [SUP]</p> <p>-- Convent or monastery.</p> <p>-- Library, art gallery, or museum.</p> <p>-- <u>Public or private school. [SUP]</u></p> <p>[RAR]</p> <p>(5) <u>Lodging uses.</u></p> <p>-- Hotel or motel. [SUP]</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales office.</p>

<p>(7) <u>Office uses.</u></p> <p>-- Financial institution without drive-in window.</p> <p>-- Financial institution with drive-in window. <i>[DIR]</i></p> <p>-- Medical clinic or ambulatory surgical center.</p> <p>-- Office.</p> <p>(8) <u>Recreation uses.</u></p> <p>-- Private recreation center, club, or area.</p> <p>-- Public park, playground, or golf course.</p> <p>(9) <u>Residential uses.</u></p> <p>-- None permitted.</p> <p>(10) <u>Retail and personal service uses.</u></p> <p>-- Alcoholic beverage establishments. <i>[SUP]</i></p> <p>-- Ambulance service. <i>[RAR]</i></p> <p>-- Animal shelter or clinic without outside run. <i>[RAR]</i></p> <p>-- Auto service center. <i>[RAR]</i></p> <p>-- Business school.</p> <p>-- Car wash. <i>[DIR]</i></p> <p>-- Commercial amusement (inside). <i>[See Section 51A-4.210(b)(7). Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]</i></p> <p>-- Commercial parking lot or garage. <i>[RAR]</i></p> <p>-- Dry cleaning or laundry store.</p> <p>-- Food or beverage store 3,500 square feet or less. <i>[SUP]</i></p> <p>-- Furniture store.</p> <p>-- General merchandise store 3,500 square feet or less.</p> <p>-- General merchandise or food store greater than 3,500 square feet.</p> <p>-- Home improvement center; lumber, brick, or building materials sales yard.</p>	<p>(7) <u>Office uses.</u></p> <p>-- Check cashing facility. <i>[SUP]</i></p> <p>-- Financial institution without drive-in window.</p> <p>-- Financial institution with drive-in window. <i>[DIR]</i></p> <p>-- Medical clinic or ambulatory surgical center. <i>[SUP required for plasma or blood donation center.]</i></p> <p>-- Office.</p> <p>(8) <u>Recreation uses.</u></p> <p>-- Private recreation center, club, or area. <i>[SUP]</i></p> <p>-- Public park, playground, or golf course.</p> <p>(9) <u>Residential uses.</u></p> <p>-- None permitted.</p> <p>(10) <u>Retail and personal service uses.</u></p> <p>-- Alcoholic beverage establishments. <i>[SUP]</i></p> <p>-- Ambulance service. <i>[RAR]</i></p> <p>-- Animal shelter or clinic without outside run. <i>[RAR]</i></p> <p>-- Auto service center. <i>[SUP] [RAR]</i></p> <p>-- Business school.</p> <p>-- Car wash. <i>[DIR]</i></p> <p>-- Commercial amusement (inside). <i>[SUP] [See Section 51A-4.210(b)(7). Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]</i></p> <p>-- Commercial parking lot or garage. <i>[RAR][SUP]</i></p> <p>-- Dry cleaning or laundry store.</p> <p>-- Food or beverage store. <i>[3,500 square feet.] [SUP if less than 5,000 square feet.]</i></p> <p>-- Furniture store.</p> <p>-- General merchandise store. <i>[3,500 square feet or less.]</i></p> <p>-- General merchandise or food store greater than 3,500 square feet.</p> <p>-- Home improvement center; lumber, brick, or building materials sales yard.</p>
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<p><i>[DIR]</i></p> <ul style="list-style-type: none"> -- Household equipment and appliance repair. -- Liquor store. <i>[In CC(E) Enhanced only.]</i> -- Mortuary, funeral home, or commercial wedding chapel. -- Motor vehicle fueling station. -- Nursery, garden shop, or plant sales. -- Personal service uses. <ul style="list-style-type: none"> -- Restaurant without drive-in or drive-through service. <i>[RAR]</i> -- Restaurant with drive-in or drive-through service. <i>[DIR]</i> -- Swap or buy shop. <i>[SUP]</i> -- Theater. <ul style="list-style-type: none"> -- Vehicle display, sales, and service. <i>[RAR]</i> <p>(11) <u>Transportation uses.</u></p> <ul style="list-style-type: none"> -- Transit passenger shelter. -- Transit passenger station or transfer center. <i>[SUP or city council resolution.]</i> <p>(12) <u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> -- Electrical substation. <i>[SUP]</i> -- Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]</i> -- Police or fire station. -- Post office. -- Tower/antenna for cellular communication. <i>[See Section 51A-4.212(10.1), "Tower/antenna for cellular communication." Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]</i> <p>(13) <u>Wholesale, distribution, and storage uses.</u></p> <ul style="list-style-type: none"> -- Mini-warehouse. <i>[SUP]</i> -- Recycling drop-off container. <i>[See Section 51A-4.213(11.2).]</i> 	<p><i>[DIR]</i></p> <ul style="list-style-type: none"> -- Household equipment and appliance repair. -- Liquor store. <i>[In CC(E) Enhanced only.]</i> -- Mortuary, funeral home, or commercial wedding chapel. -- Motor vehicle fueling station. -- Nursery, garden shop, or plant sales. -- Personal service uses. <i>[Massage establishment and tattoo or body piercing studio are prohibited.]</i> <ul style="list-style-type: none"> -- Restaurant without drive-in or drive-through service. <i>[RAR]</i> -- Restaurant with drive-in or drive-through service. <i>[DIR]</i> -- Swap or buy shop. <i>[SUP]</i> -- Theater. -- Tobacco shop. <i>[SUP]</i> -- Vehicle display, sales, and service. <i>[SUP] [RAR]</i> <p>(11) <u>Transportation uses.</u></p> <ul style="list-style-type: none"> -- Transit passenger shelter. -- Transit passenger station or transfer center. <i>[SUP or city council resolution.]</i> <p>(12) <u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> -- Electrical substation. <i>[SUP]</i> -- Local utilities. <i>[SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]</i> -- Police or fire station. -- Post office. -- Tower/antenna for cellular communication. <i>[See Section 51A-4.212(10.1), "Tower/antenna for cellular communication." Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]</i> <p>(13) <u>Wholesale, distribution, and storage uses.</u></p> <ul style="list-style-type: none"> -- Mini-warehouse. <i>[SUP]</i> -- Recycling drop-off container. <i>[See Section 51A-4.213(11.2).]</i>
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RS-MU Existing (Regional Service-Mixed Use)	RS-MU Proposed
<p>(1) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Catering service.</p> <p>-- Custom business services.</p> <p>-- Electronics service center.</p> <p>-- Job or lithographic printing. [3,500 square feet or less.]</p> <p>(3) <u>Industrial uses.</u></p> <p>-- Industrial (inside) for light manufacturing. [In RS-MU(E) Enhanced only]</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Adult day care facility.</p> <p>-- Cemetery or mausoleum. [SUP]</p> <p>-- Child-care facility.</p> <p>-- Church.</p> <p>-- College, university, or seminary.</p> <p>-- Community service center.</p> <p>-- Convalescent and nursing homes, hospice care, and related institutions. [SUP]</p> <p>-- Convent or monastery.</p> <p>-- Halfway house. [SUP]</p> <p>-- Hospital [RAR]</p> <p>-- Library, art gallery, or museum.</p> <p>-- Public or private school.</p> <p>(5) <u>Lodging uses.</u></p> <p>-- Hotel or motel. [SUP]</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales office.</p>	<p>(1) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>-- <u>Community Garden.</u></p> <p>-- <u>Market Garden [SUP].</u></p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Catering service.</p> <p>-- Custom business services.</p> <p>-- Electronics service center.</p> <p>-- Job or lithographic printing. [3,500 square feet or less.]</p> <p>(3) <u>Industrial uses.</u></p> <p>-- Industrial (inside) for light manufacturing. [In RS-MU(E) Enhanced only]</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Adult day care facility.</p> <p>-- Cemetery or mausoleum. [SUP]</p> <p>-- Child-care facility.</p> <p>-- Church.</p> <p>-- College, university, or seminary.</p> <p>-- Community service center.</p> <p>-- Convalescent and nursing homes, hospice care, and related institutions. [SUP]</p> <p>-- Convent or monastery.</p> <p>-- Halfway house. [SUP]</p> <p>-- Hospital [RAR]</p> <p>-- Library, art gallery, or museum.</p> <p>-- Public or private school.</p> <p>(5) <u>Lodging uses.</u></p> <p>-- Hotel or motel. [SUP]</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales office.</p>

<p>(7) <u>Office uses.</u></p> <ul style="list-style-type: none"> -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] -- Medical clinic or ambulatory surgical center. -- Office. <p>(8) <u>Recreation uses.</u></p> <ul style="list-style-type: none"> -- Country club with private membership. -- Private recreation center, club, or area. -- Public park, playground, or golf course. <p>(9) <u>Residential uses.</u></p> <ul style="list-style-type: none"> -- Multifamily. [Must be a component of a mixed use project. May not exceed 85 percent of floor area.] -- Retirement housing. [Must be a component of a mixed use project. May not exceed 85 percent of floor area.] <p>(10) <u>Retail and personal service uses.</u></p> <ul style="list-style-type: none"> -- Alcoholic beverage establishments. [SUP] -- Ambulance service. [RAR] -- Animal shelter or clinic without outside run. [RAR] -- Auto service center. [RAR] -- Business school. -- Car wash. [RAR] -- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.] -- Commercial parking lot or garage. [RAR] -- Dry cleaning or laundry store. -- Food or beverage store 3,500 square feet or less. [SUP] -- Furniture store. -- General merchandise store 3,500 	<p>(7) <u>Office uses.</u></p> <ul style="list-style-type: none"> -- Check cashing facility. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] -- Medical clinic or ambulatory surgical center. -- Office. <p>(8) <u>Recreation uses.</u></p> <ul style="list-style-type: none"> -- Country club with private membership. -- Private recreation center, club, or area. -- Public park, playground, or golf course. <p>(9) <u>Residential uses.</u></p> <ul style="list-style-type: none"> -- Multifamily. <i>[Must be a component of a mixed use project. May not exceed 85 percent of floor area.]</i> -- Retirement housing. <i>[Must be a component of a mixed use project. May not exceed 85 percent of floor area.]</i> <p>(10) <u>Retail and personal service uses.</u></p> <ul style="list-style-type: none"> -- Alcoholic beverage establishments. [SUP] -- Ambulance service. [RAR] -- Animal shelter or clinic without outside run. [RAR] -- Business school. -- Auto service center. [RAR] -- Car wash. [SUP] [RAR] -- Commercial amusement (inside). <i>[See Section 51A-4.210(b)(7). Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]</i> -- Commercial parking lot or garage. [RAR] [SUP] -- Dry cleaning or laundry store. -- Food or beverage store. [3,500 square feet.] [SUP if less than 5,000 square feet.] -- Furniture store. -- General merchandise store. [3,500
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<p>square feet or less.</p> <ul style="list-style-type: none"> -- General merchandise or food store greater than 3,500 square feet. -- Home improvement center; lumber, brick, or building materials sales yard. [DIR] -- Household equipment and appliance repair. -- Liquor store. -- Mortuary, funeral home, or commercial wedding chapel. -- Motor vehicle fueling station. -- Nursery, garden shop, or plant sales. -- Outside sales. [SUP] -- Personal service uses. <ul style="list-style-type: none"> -- Restaurant without drive-in or drive-through service. [RAR] -- Restaurant with drive-in or drive-through service. [DIR] -- Swap or buy shop. [SUP] -- Theater. <ul style="list-style-type: none"> -- Vehicle display, sales, and service. [RAR] <p>(11) <u>Transportation uses.</u></p> <ul style="list-style-type: none"> -- Commercial bus station and terminal. [DIR] -- Heliport. [SUP] -- Helistop. [SUP] -- Transit passenger shelter. -- Transit passenger station or transfer center. [SUP or city council resolution.] <p>(12) <u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> -- Electrical substation. -- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."] -- Police or fire station. -- Post office. -- Tower/antenna for cellular communication. 	<p>square feet or less.]</p> <ul style="list-style-type: none"> -- General merchandise or food store greater than 3,500 square feet. -- Home improvement center; lumber, brick, or building materials sales yard. [DIR] -- Household equipment and appliance repair. -- <u>Liquor store.</u> -- Mortuary, funeral home, or commercial wedding chapel. -- Motor vehicle fueling station. -- Nursery, garden shop, or plant sales. -- Outside sales. [SUP] -- Personal service uses. <u>[Massage establishment and tattoo or body piercing studio are prohibited.]</u> <ul style="list-style-type: none"> -- Restaurant without drive-in or drive-through service. [RAR] -- Restaurant with drive-in or drive-through service. [DIR] -- Swap or buy shop. [SUP] -- Theater. -- <u>Tobacco shop. [SUP]</u> -- Vehicle display, sales, and service. [RAR] <p>(11) <u>Transportation uses.</u></p> <ul style="list-style-type: none"> -- Commercial bus station and terminal. [DIR] -- Heliport. [SUP] -- Helistop. [SUP] -- Transit passenger shelter. -- Transit passenger station or transfer center. [SUP or city council resolution.] <p>(12) <u>Utility and public service uses.</u></p> <ul style="list-style-type: none"> -- Electrical substation. -- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."] -- Police or fire station. -- Post office. -- Tower/antenna for cellular communication.
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(13) <u>Wholesale, distribution, and storage uses.</u>	(13) <u>Wholesale, distribution, and storage uses.</u>
<ul style="list-style-type: none"> -- Mini-warehouse. [SUP] -- Office showroom/warehouse. [In RS-MU(E) Enhanced only.] -- Recycling buy-back center. [SUP] -- Recycling collection center. [SUP] -- Recycling drop-off container. [See Section 51A-4.213(11.2).] -- Warehouse. [In RS-MU(E) Enhanced only.] 	<ul style="list-style-type: none"> -- Mini-warehouse. <i>[SUP]</i> -- Office showroom/warehouse. <i>[In RS-MU(E) Enhanced only.]</i> -- Recycling buy-back center. <i>[SUP]</i> -- Recycling collection center. <i>[SUP]</i> -- Recycling drop-off container. <i>[See Section 51A-4.213(11.2).]</i> -- Warehouse. <i>[In RS-MU(E) Enhanced only.]</i>

RS-C Existing (Regional Service-Commercial)	RS-C Proposed
<p>(1) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Building repair and maintenance shop. [RAR]</p> <p>-- Catering service.</p> <p>-- Custom business services.</p> <p>-- Custom woodworking, furniture construction, or repair.</p> <p>-- Electronics service center.</p> <p>-- Job or lithographic printing. [RAR]</p> <p>-- Labor hall. [SUP]</p> <p>-- Machine or welding shop. [RAR]</p> <p>-- Machinery, heavy equipment, or truck sales and service. [RAR]</p> <p>-- Medical or scientific laboratory.</p> <p>-- Technical school.</p> <p>-- Tool or equipment rental.</p> <p>-- Vehicle or engine repair or maintenance. [RAR]</p> <p>(3) <u>Industrial uses.</u></p> <p>-- None permitted</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Church.</p> <p>(5) <u>Lodging uses.</u></p> <p>-- None permitted</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales office.</p> <p>(7) <u>Office uses.</u></p> <p>-- Financial institution without drive-in</p>	<p>(1) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>-- <u>Community Garden.</u></p> <p>-- <u>Market Garden [SUP].</u></p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Building repair and maintenance shop. [RAR]</p> <p>-- Catering service.</p> <p>-- Custom business services.</p> <p>-- Custom woodworking, furniture construction, or repair.</p> <p>-- Electronics service center.</p> <p>-- Job or lithographic printing. [RAR]</p> <p>-- Labor hall. [SUP]</p> <p>-- Machine or welding shop. [RAR]</p> <p>-- Machinery, heavy equipment, or truck sales and service. [RAR]</p> <p>-- Medical or scientific laboratory.</p> <p>-- Technical school.</p> <p>-- Tool or equipment rental.</p> <p>-- Vehicle or engine repair or maintenance. [RAR]</p> <p>(3) <u>Industrial uses.</u></p> <p>-- None permitted</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Church.</p> <p>(5) <u>Lodging uses.</u></p> <p>-- None permitted.</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales office.</p> <p>(7) <u>Office uses.</u></p> <p>-- <u>Check cashing facility. [SUP]</u></p> <p>-- Financial institution without drive-in</p>

<p>window.</p> <p>-- Financial institution with drive-in window. <i>[DIR]</i></p> <p>-- Medical clinic or ambulatory surgical center.</p> <p>-- Office.</p> <p>(8) <u>Recreation uses.</u></p> <p>-- Country club with private membership.</p> <p>-- Public park, playground, or golf course.</p> <p>(9) <u>Residential uses.</u></p> <p>-- None permitted.</p> <p>(10) <u>Retail and personal service uses.</u></p> <p>-- Alcoholic beverage establishments. <i>[SUP]</i></p> <p>-- Animal shelter or clinic without outside run. <i>[RAR]</i></p> <p>-- Auto service center. <i>[RAR]</i></p> <p>-- Business school.</p> <p>-- Car wash. <i>[RAR]</i></p> <p>-- Commercial amusement (inside). <i>[See Section 51A-4.210(b)(7). Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]</i></p> <p>-- Commercial amusement (outside) <i>[DIR]</i></p> <p>-- Commercial parking lot or garage. <i>[RAR]</i></p> <p>-- Home improvement center; lumber, brick, or building materials sales yard. <i>[DIR]</i></p> <p>-- Household equipment and appliance repair.</p> <p>-- Liquor store.</p> <p>-- Motor vehicle fueling station.</p> <p>-- Nursery, garden shop, or plant sales.</p> <p>-- Outside sales. <i>[SUP]</i></p> <p>-- Restaurant without drive-in or drive-through service. <i>[RAR]</i></p> <p>-- Restaurant with drive-in or drive-through service. <i>[DIR]</i></p> <p>-- Swap or buy shop. <i>[SUP]</i></p> <p>-- Taxidermist.</p>	<p>window.</p> <p>-- Financial institution with drive-in window. <i>[DIR]</i></p> <p>-- Medical clinic or ambulatory surgical center.</p> <p>-- Office.</p> <p>(8) <u>Recreation uses.</u></p> <p>-- Country club with private membership.</p> <p>-- Public park, playground, or golf course.</p> <p>(9) <u>Residential uses.</u></p> <p>-- None permitted.</p> <p>(10) <u>Retail and personal service uses.</u></p> <p>-- Alcoholic beverage establishments. <i>[SUP]</i></p> <p>-- Animal shelter or clinic without outside run. <i>[RAR]</i></p> <p>-- Auto service center. <i>[RAR]</i></p> <p>-- Business school.</p> <p>-- Car wash. <i>[SUP] [RAR]</i></p> <p>-- Commercial amusement (inside). <i>[See Section 51A-4.210(b)(7). Permitted in this subdistrict subject to the same requirements as if located in the CR Community Retail district.]</i></p> <p>-- Commercial amusement (outside) <i>[DIR]</i></p> <p>-- Commercial parking lot or garage. <i>[RAR][SUP]</i></p> <p>-- Home improvement center; lumber, brick, or building materials sales yard. <i>[DIR]</i></p> <p>-- Household equipment and appliance repair.</p> <p>-- Liquor store.</p> <p>-- Motor vehicle fueling station.</p> <p>-- Nursery, garden shop, or plant sales.</p> <p>-- Outside sales. <i>[SUP]</i></p> <p>-- Restaurant without drive-in or drive-through service. <i>[RAR]</i></p> <p>-- Restaurant with drive-in or drive-through service. <i>[DIR]</i></p> <p>-- Swap or buy shop. <i>[SUP]</i></p> <p>-- Taxidermist.</p>
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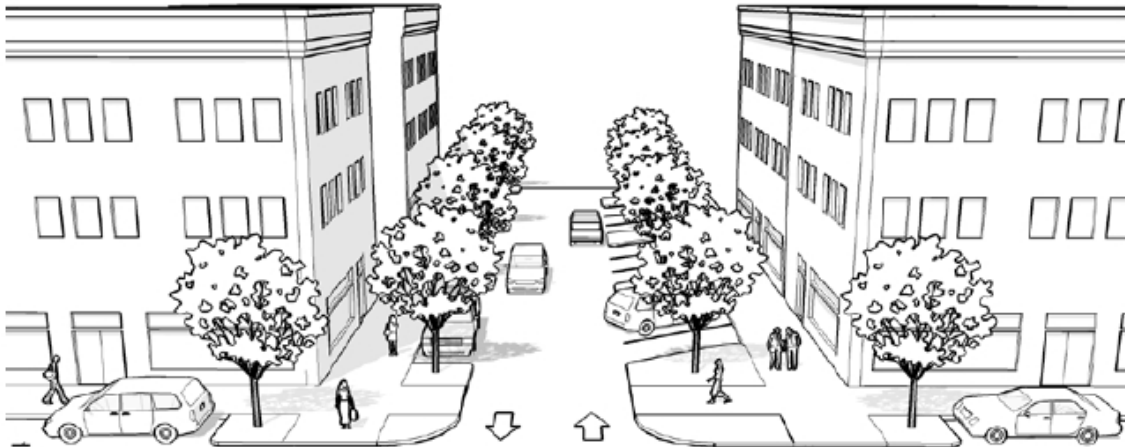
<p>-- Vehicle display, sales, and service. [RAR]</p> <p>(11) <u>Transportation uses.</u></p> <p>-- Heliport. [SUP] -- Helistop. [SUP] -- Transit passenger shelter. -- Transit passenger station or transfer center. [SUP or city council resolution.]</p> <p>(12) <u>Utility and public service uses.</u></p> <p>-- Electrical substation. -- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."] -- Police or fire station. -- Post office. -- Tower/antenna for cellular communication. -- Utility or government installation other than listed. [SUP]</p> <p>(13) <u>Wholesale, distribution, and storage uses.</u></p> <p>-- Building mover's temporary storage yard. [SUP] -- Contractor's maintenance yard. [RAR] -- Freight terminal. [RAR] -- Manufactured building sales lot. [RAR] -- Mini-warehouse. -- Office showroom/warehouse. -- Outside storage (with visual screening). [RAR] -- Recycling buy-back center. [SUP] -- Recycling collection center. [SUP] -- Recycling drop-off container. [See Section 51A-4.213(11.2).] -- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).] -- Vehicle storage lot. [SUP] -- Warehouse. [RAR]</p>	<p>-- Vehicle display, sales, and service. [RAR]</p> <p>(11) <u>Transportation uses.</u></p> <p>-- Heliport. [SUP] -- Helistop. [SUP] -- Transit passenger shelter. -- Transit passenger station or transfer center. [SUP or city council resolution.]</p> <p>(12) <u>Utility and public service uses.</u></p> <p>-- Electrical substation. -- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."] -- Police or fire station. -- Post office. -- Tower/antenna for cellular communication. -- Utility or government installation other than listed. [SUP]</p> <p>(13) <u>Wholesale, distribution, and storage uses.</u></p> <p>-- Building mover's temporary storage yard. [SUP] -- Contractor's maintenance yard. [RAR] -- Freight terminal. [RAR] -- Manufactured building sales lot. [RAR] -- Mini-warehouse. -- Office showroom/warehouse. -- Outside storage (with visual screening). [RAR] -- Recycling buy-back center. [SUP] -- Recycling collection center. [SUP] -- Recycling drop-off container. [See Section 51A-4.213(11.2).] -- Recycling drop-off for special occasion collection. [See Section 51A-4.213(11.3).] -- Vehicle storage lot. [SUP] -- Warehouse. [RAR]</p>
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RS-I Existing (Regional Service-Industrial)	RS-I Proposed
<p>(1) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Building repair and maintenance shop. [RAR]</p> <p>-- Bus or rail transit vehicle maintenance shop.</p> <p>-- Custom woodworking, furniture construction, or repair.</p> <p>-- Electronics service center.</p> <p>-- Job or lithographic printing. [RAR]</p> <p>-- Labor hall. [SUP]</p> <p>-- Machine or welding shop. [RAR]</p> <p>-- Machinery, heavy equipment, or truck sales and service. [RAR]</p> <p>-- Medical or scientific laboratory.</p> <p>-- Technical school.</p> <p>-- Tool or equipment rental.</p> <p>-- Vehicle or engine repair or maintenance. [RAR]</p> <p>(3) <u>Industrial uses.</u></p> <p>-- Industrial (inside) not potentially incompatible. [RAR]</p> <p>-- Industrial (inside) potentially incompatible. [SUP]</p> <p>-- Industrial (inside) for light manufacturing.</p> <p>-- Industrial (outside) not potentially incompatible. [SUP]</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Church.</p> <p>(5) <u>Lodging uses.</u></p> <p>-- None permitted</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales</p>	<p>(1) <u>Agricultural uses.</u></p> <p>-- None permitted.</p> <p>-- <u>Community Garden.</u></p> <p>-- <u>Market Garden [SUP].</u></p> <p>(2) <u>Commercial and business service uses.</u></p> <p>-- Building repair and maintenance shop. [RAR]</p> <p>-- Bus or rail transit vehicle maintenance shop.</p> <p>-- Custom woodworking, furniture construction, or repair.</p> <p>-- Electronics service center.</p> <p>-- Job or lithographic printing. [RAR]</p> <p>-- Labor hall. [SUP]</p> <p>-- Machine or welding shop. [RAR]</p> <p>-- Machinery, heavy equipment, or truck sales and service. [RAR]</p> <p>-- Medical or scientific laboratory.</p> <p>-- Technical school.</p> <p>-- Tool or equipment rental.</p> <p>-- Vehicle or engine repair or maintenance. [RAR]</p> <p>(3) <u>Industrial uses.</u></p> <p>-- Industrial (inside) not potentially incompatible. [RAR]</p> <p>-- Industrial (inside) potentially incompatible. [SUP]</p> <p>-- Industrial (inside) for light manufacturing.</p> <p>-- Industrial (outside) not potentially incompatible. [SUP]</p> <p>(4) <u>Institutional and community service uses.</u></p> <p>-- Church.</p> <p>(5) <u>Lodging uses.</u></p> <p>-- None permitted.</p> <p>(6) <u>Miscellaneous uses.</u></p> <p>-- Temporary construction or sales</p>

office.	office.
(7) <u>Office uses.</u>	(7) <u>Office uses.</u>
-- Financial institution without drive-in window.	-- Check cashing facility. [SUP]
-- Financial institution with drive-in window. [RAR]	-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center.	-- Financial institution with drive-in window. [RAR]
-- Office.	-- Medical clinic or ambulatory surgical center.
(8) <u>Recreation uses.</u>	-- Office.
-- Country club with private membership.	(8) <u>Recreation uses.</u>
-- Public park, playground, or golf course.	-- Country club with private membership.
(9) <u>Residential uses.</u>	-- Public park, playground, or golf course.
-- None permitted.	(9) <u>Residential uses.</u>
(10) <u>Retail and personal service uses.</u>	-- None permitted.
-- Car wash. [RAR]	(10) <u>Retail and personal service uses.</u>
-- Liquor store.	-- Car wash. [SUP] [RAR]
-- Motor vehicle fueling station.	-- Liquor store.
-- Nursery, garden shop, or plant sales.	-- Motor vehicle fueling station.
-- Pawn shop.	-- Nursery, garden shop, or plant sales.
-- Vehicle display, sales, and service. [RAR]	-- Pawn shop.
(11) <u>Transportation uses.</u>	-- Vehicle display, sales, and service. [RAR]
-- Heliport. [SUP]	(11) <u>Transportation uses.</u>
-- Helistop. [SUP]	-- Heliport. [SUP]
-- Transit passenger shelter.	-- Helistop. [SUP]
-- Transit passenger station or transfer center. [SUP or city council resolution.]	-- Transit passenger shelter.
(12) <u>Utility and public service uses.</u>	-- Transit passenger station or transfer center. [SUP or city council resolution.]
-- Electrical substation.	(12) <u>Utility and public service uses.</u>
-- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]	-- Electrical substation.
-- Police or fire station.	-- Local utilities. [SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]
-- Post office.	-- Police or fire station.
	-- Post office.

-- Tower/antenna for cellular communication. -- Utility or government installation other than listed. <i>[SUP]</i> (13) <u>Wholesale, distribution, and storage uses.</u> -- Auto auction. -- Building mover's temporary storage yard. <i>[SUP]</i> -- Contractor's maintenance yard. <i>[RAR]</i> -- Freight terminal. <i>[RAR]</i> -- Manufactured building sales lot. <i>[RAR]</i> -- Mini-warehouse. -- Office showroom/warehouse. -- Outside storage (with visual screening). <i>[RAR]</i> -- Recycling buy-back center. <i>[SUP]</i> -- Recycling collection center. <i>[SUP]</i> -- Recycling drop-off container. <i>[See Section 51A-4.213(11.2).]</i> -- Recycling drop-off for special occasion collection. <i>[See Section 51A-4.213(11.3).]</i> -- Warehouse. <i>[RAR]</i>	-- Tower/antenna for cellular communication. -- Utility or government installation other than listed. <i>[SUP]</i> (13) <u>Wholesale, distribution, and storage uses.</u> -- Auto auction. -- Building mover's temporary storage yard. <i>[SUP]</i> -- Contractor's maintenance yard. <i>[RAR]</i> -- Freight terminal. <i>[RAR]</i> -- Manufactured building sales lot. <i>[RAR]</i> -- Mini-warehouse. -- Office showroom/warehouse. -- Outside storage (with visual screening). <i>[RAR]</i> -- Recycling buy-back center. <i>[SUP]</i> -- Recycling collection center. <i>[SUP]</i> -- Recycling drop-off container. <i>[See Section 51A-4.213(11.2).]</i> -- Recycling drop-off for special occasion collection. <i>[See Section 51A-4.213(11.3).]</i> -- Warehouse. <i>[RAR]</i>
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CHAPTER 51A
ARTICLE XIII: FORM DISTRICTS
CITY OF DALLAS



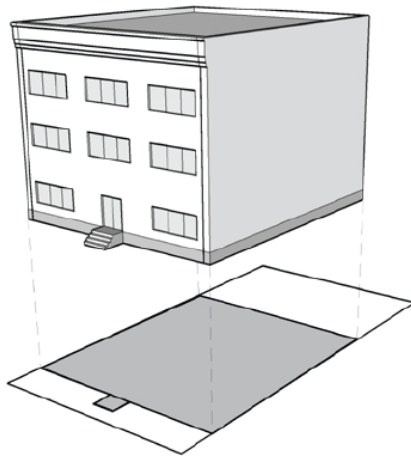
	Mixed Use Shopfront	Single-Story Shopfront	General Commercial	Apartment	Townhouse Stacked	Townhouse	Manor House	Single-Family House	Civic Building	Open Space Lot
District	Mu	Ss	Gc	Apt	Ts	Th	Mh	Sf	Civ	O
Walkable Urban Mixed Use (WMU)										
Low (WMU-3, WMU-5)	■	■	■	■	■	■	■		■	■
Medium (WMU-8, WMU-12)	■		■	■	■	■			■	■
High (WMU-20, WMU-40)	■		■	■					■	■
Walkable Urban Residential (WR)										
Low (WR-3, WR-5)				■	■	■	■		■	■
Medium (WR-8, WR-12)				■	■	■			■	■
High (WR-20, WR-40)				■					■	■
Residential Transition (RTN)						■	■	■	■	■
Shopfront (-SH) Overlay over any WMU or WR district	■	■							■	■

Division 51A-13.300. District Regulations.

Sec. 51A-13.304. Development Types.

Apt

apartment

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

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

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

(2) Character Examples.

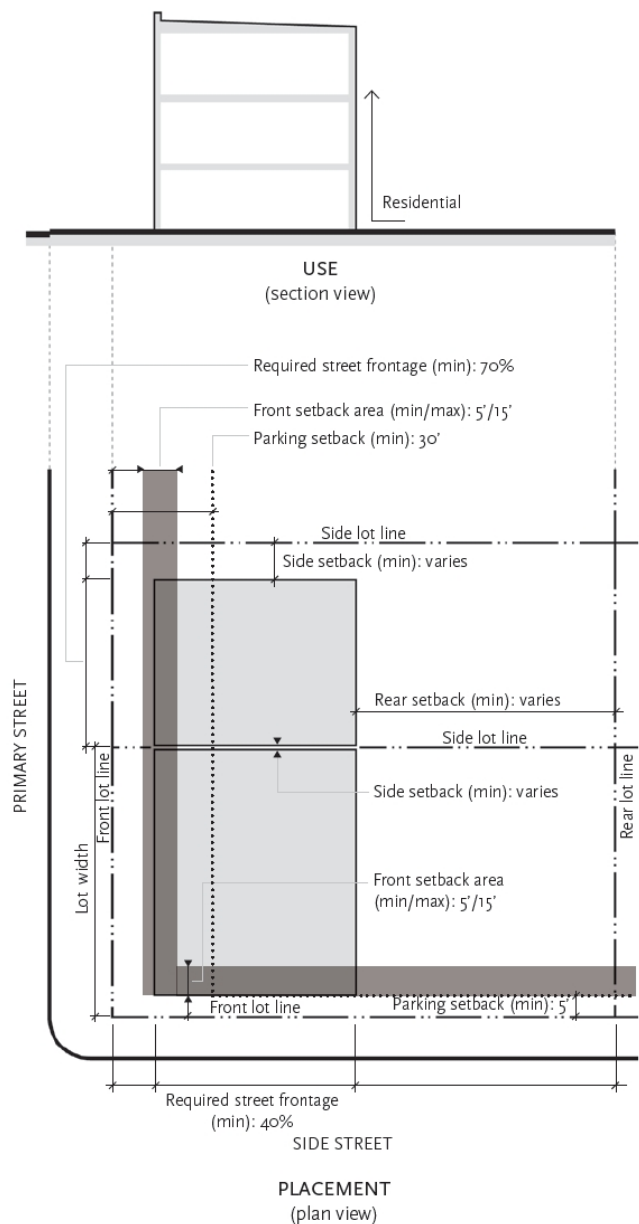
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts Permitted.

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

(4) Use and Placement.



BUILDING USE

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

BUILDING PLACEMENT

LOT

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

FRONT SETBACK AREA

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

REQUIRED STREET FRONTAGE

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

PARKING SETBACK

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

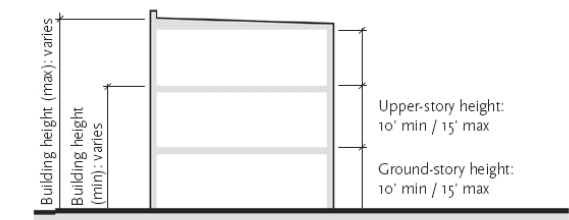
SIDE SETBACK

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

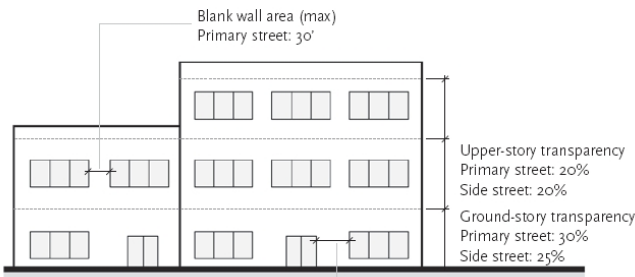
REAR SETBACK

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

(5) Height and Elements.



HEIGHT
(section view)



ELEMENTS
(elevation view)

BUILDING HEIGHT

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

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

BUILDING FACADE

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

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

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

BLANK WALL AREA	
Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

(d) Shopfront Overlay (-SH).

(1) The Shopfront (-SH) overlay is intended to create pedestrian shopping streets through the designation of specific street frontages with development types that support active uses.

(2) The -SH overlay may be applied over any WMU or WR district.

(3) The -SH overlay is intended to accommodate a limited set of development types. (See Section 51A-13.304(a)(1), "Development Types by District.")

(4) Where a -SH overlay designation has been applied to a WMU or WR district, the standards for a mixed use or single-story shopfront development type apply to at least the first 30 feet of the building measured inward from the street-facing facade. In a WR district, uses allowed by the -SH overlay that are not allowed in a WR district may extend no more than the first 50 feet of the building measured inward from the street-facing facade.

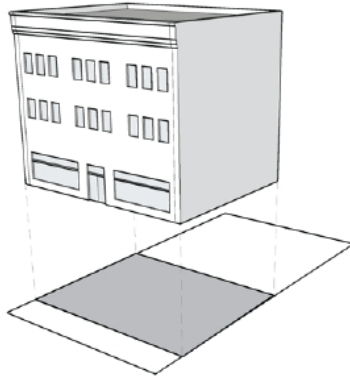
(5) Any street designated with a -SH overlay is a primary street.

(6) The boundaries of a -SH overlay are not required to follow lot lines or match parcel boundaries.

(7) A shopfront overlay may be designated internal to a site in anticipation of a planned public or private street.

Mu

mixed use shopfront

(b) Mixed Use Shopfront.**(1) Definition.**

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

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

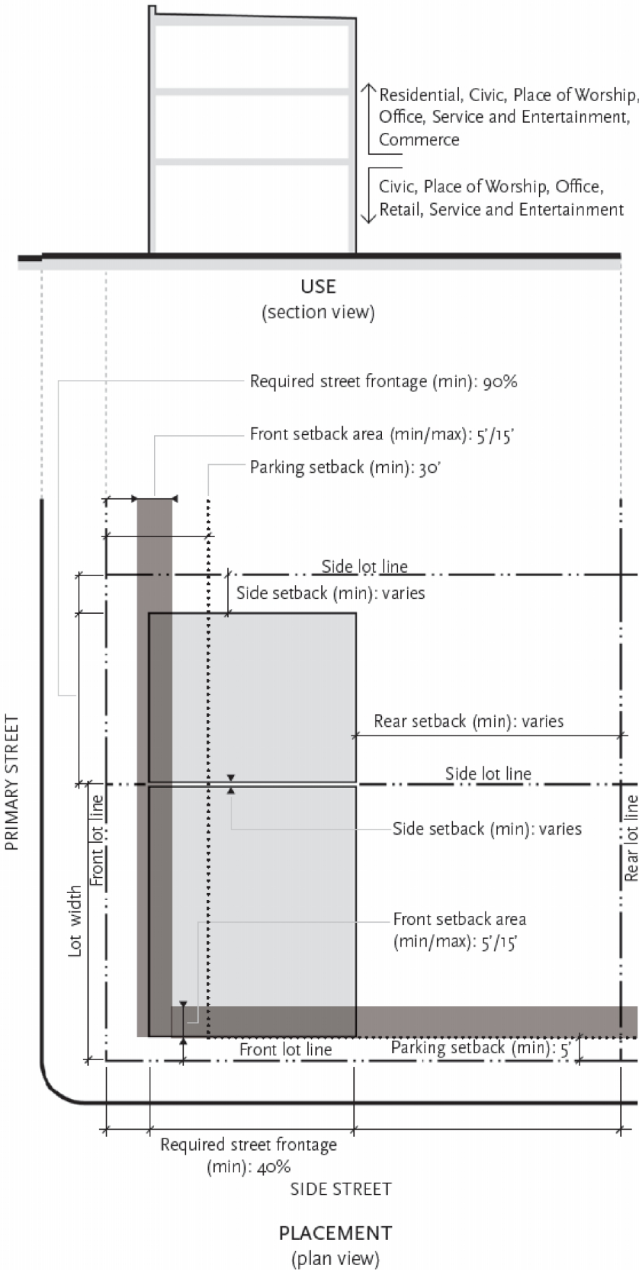
(2) Character Examples.

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

**(3) Districts permitted.**

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

(4) Use and Placement.



BUILDING USE

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

BUILDING PLACEMENT

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

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

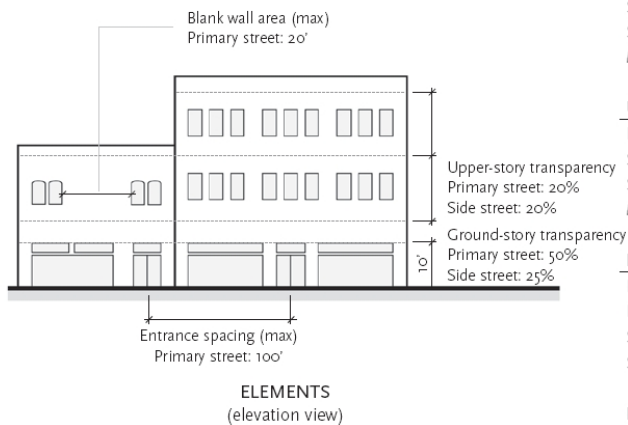
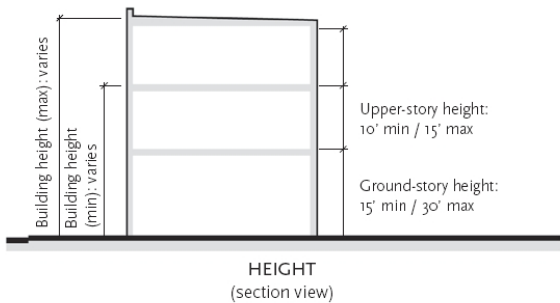
REQUIRED STREET FRONTAGE	
Primary street (min)	90%
Side street (min)	40%
Service street (min)	none

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

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

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

(5) Height and Elements.



BUILDING HEIGHT

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

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

BUILDING FACADE

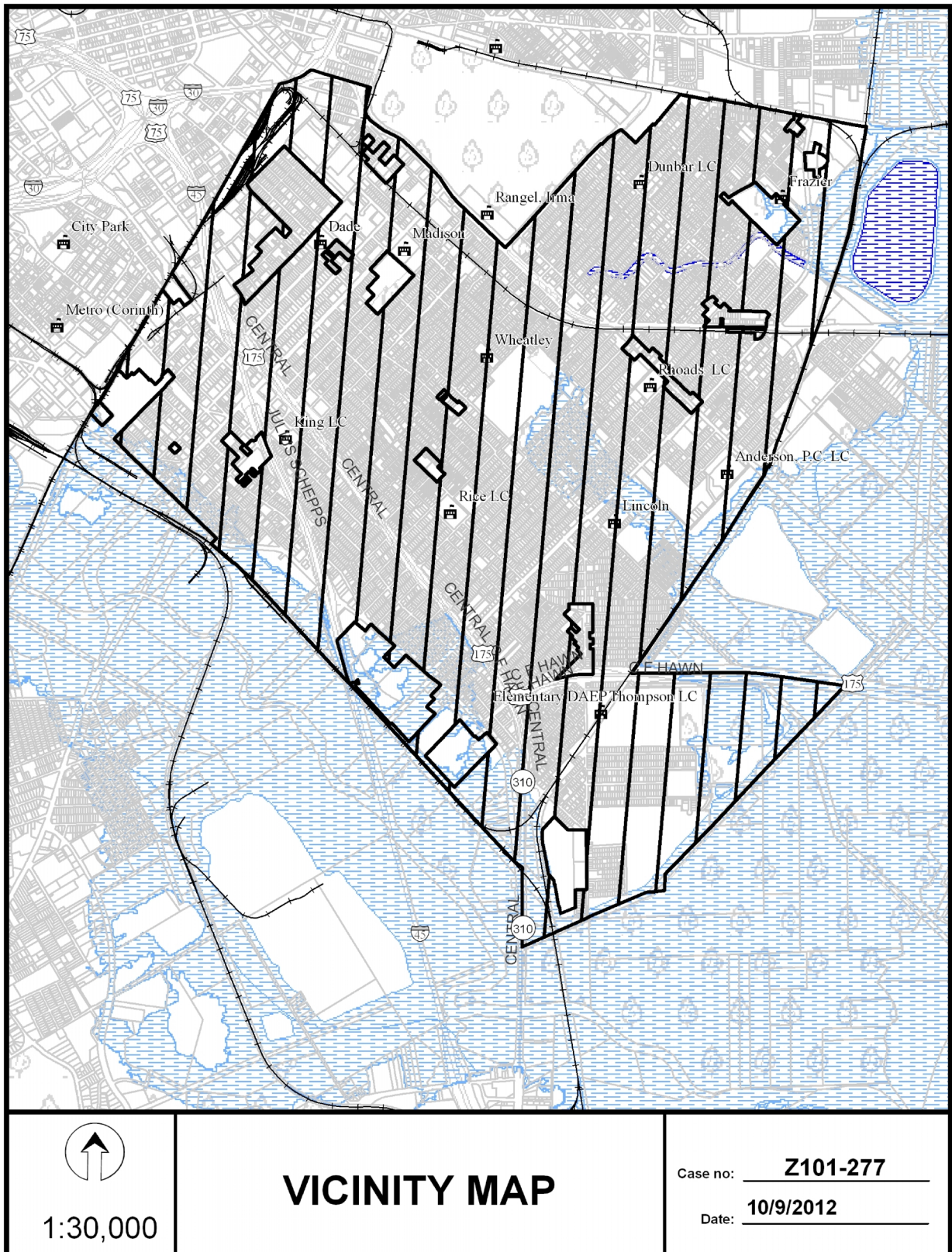
GROUND-STORY TRANSPARENCY	
Primary street facade (min)	50%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured between 0 and 10 ft above adjacent sidewalk.</i>	

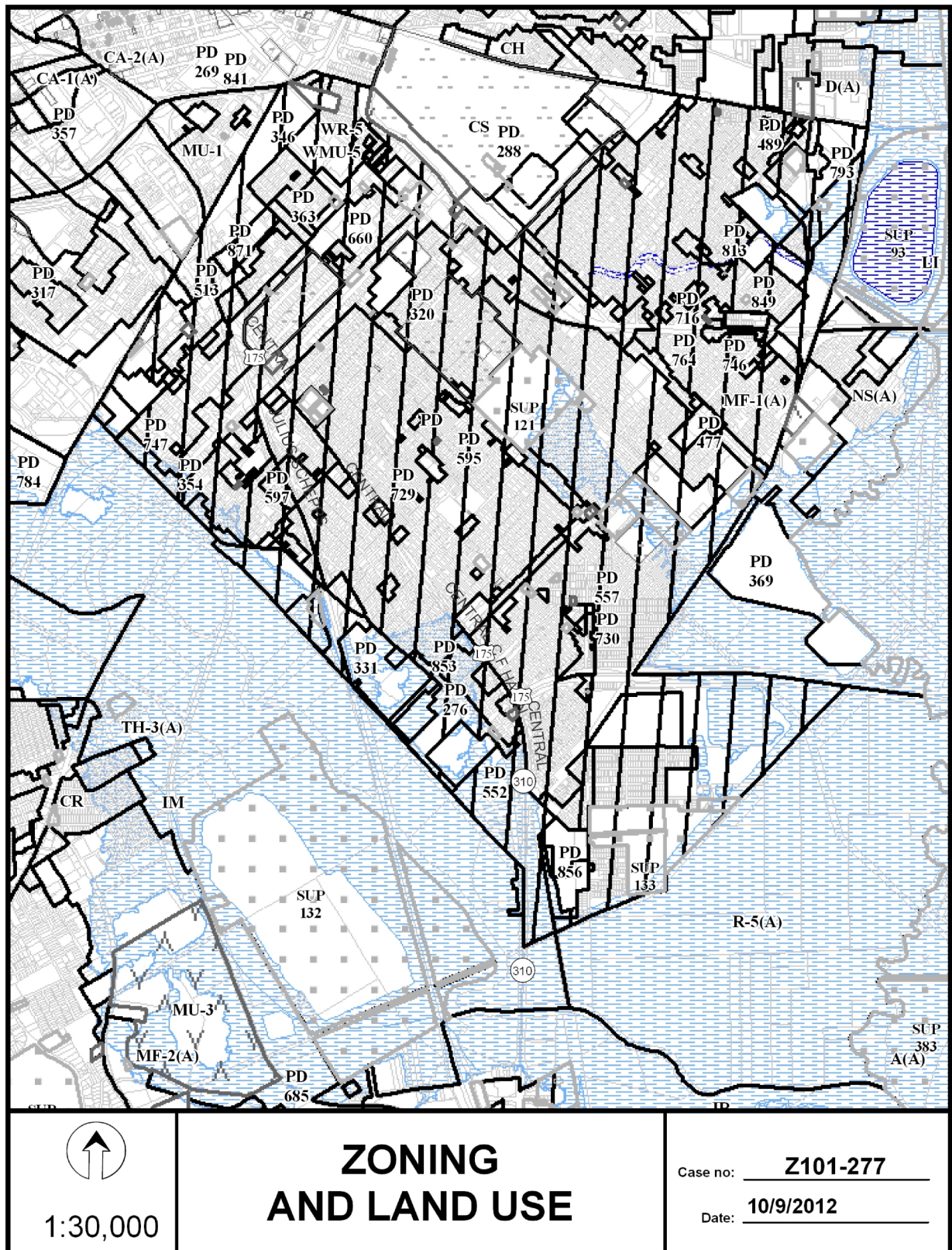
UPPER-STORY TRANSPARENCY	
Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

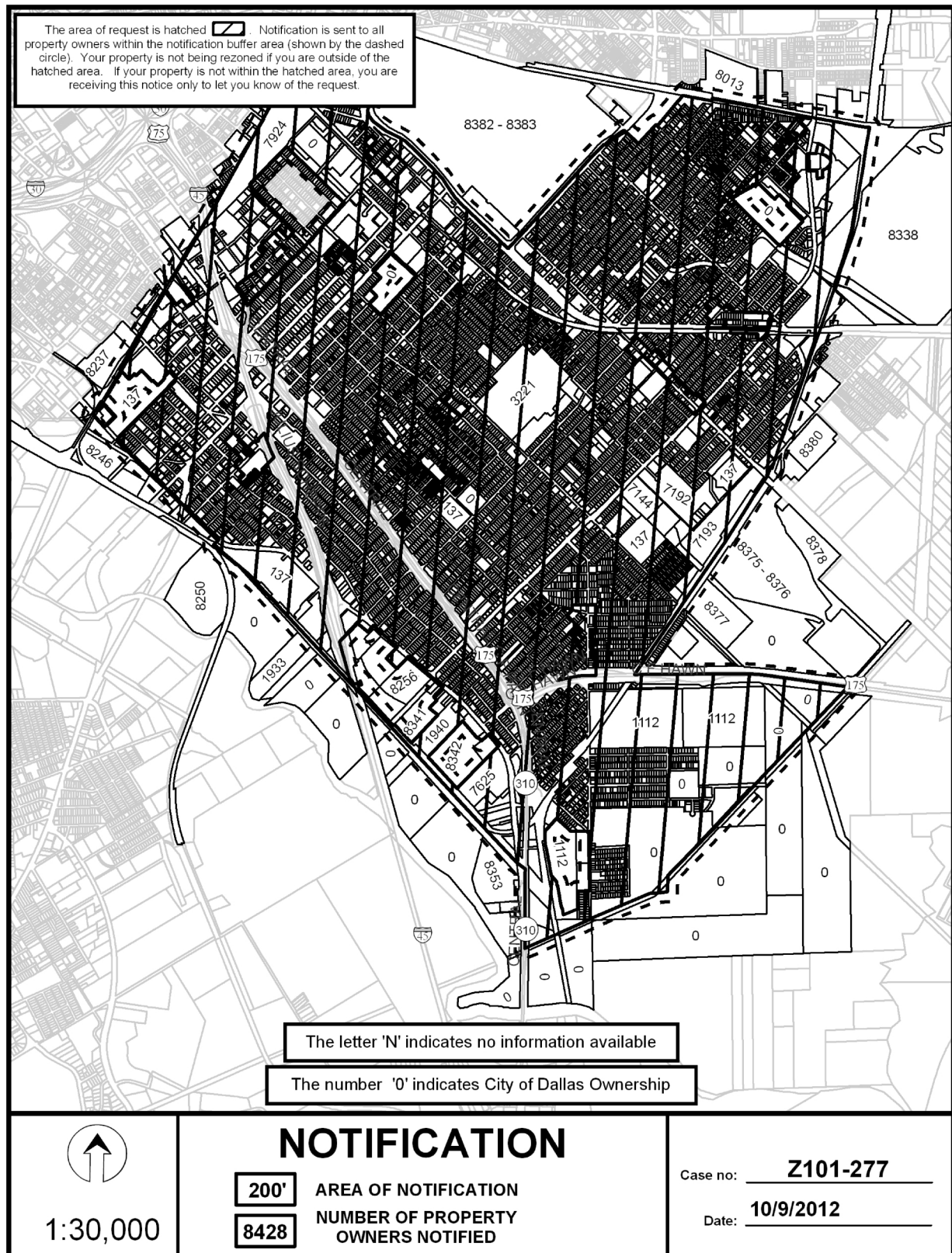
ENTRANCE	
Primary street	required
Entrance spacing (max linear ft)	100
Side street	allowed
Service street	allowed

BLANK WALL AREA	
Primary street (max linear ft)	20
Side street (max linear ft)	none
Service street (max linear ft)	none

DRAFT ORDINANCE







Z101-277(CG)

Notification List:

Due to the size of the notification property list, a copy may be viewed at Dallas City Hall, Room 5/B/N.