



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, November 6, 2014
AGENDA

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

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

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

BRIEFINGS:

Trinity River Corridor Project Implementation (Trinity Golf Course and Horse Park)
Sarah Standifer, Assistant Director, Trinity Watershed Management

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket Planner: Paul Nelson

Consent Items:

- (1) **S145-001**
(CC District 13)
- An application to replat a 1.7677-acre tract of land containing all of Lots 4-6 in City Block 10/5201 into one lot on property located at 7039 Twin Hills Avenue.
Applicant/Owner: Prescott Interests, LTD
Surveyor: Scott Davis
Application Filed: October 8, 2014
Zoning: MU-3
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S145-003**
(CC District 2)
- An application to replat a 1.827-acre tract of land containing all of Lots 8-15 in City Block D/1990 into one lot on property located at 4910 Capitol Avenue.
Applicant/ Owner: CVS Pharmacy, Inc.
Surveyor: Winklemann & Associates, Inc.
Application Filed: October 8, 2014
Zoning: CR and MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S145-004**
(CC District 14)
- An application to create one 0.210-acre lot from a tract of land in City Block 2/600 on property located at 3825 Ross Avenue.
Applicant/Owner: Eroze Corporation
Surveyor: Peiser & Mankin Surveying, LLC
Application Filed: October 8, 2014
Zoning: PD 298, Subarea 1
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S145-006**
(CC District 4)
- An application to replat a 7.062-acre tract of land containing all of Lots 9B and 9C in City Block 2/262 into six lots, and to replat a 3.632-acre tract of land containing all of Lot 2A in City Block A/261 into three lots on property bounded by Ross Avenue, Routh Street, Bryan Street, and Leonard Street and bisected by San Jacinto Street.
Applicant/ Owner: Spire Development Holdings, LLC
Surveyor: Pacheco Koch Consulting Engineers
Application Filed: October 9, 2014
Zoning: CA-1(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S145-008**
(CC District 12)
- An application to replat a 2.893-acre tract of land containing all of Lot 1B in City Block A/8747 into one 1.8379-acre lot and one 1.0551-acre lot on property located at 18255 Marsh Lane.
Applicant/Owner: Marsh Road, LLC
Surveyor: Nathan D. Maier Consulting Engineers, Inc.
Application Filed: October 9, 2014
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S145-011**
(CC District 6)
- An application to replat a 19.718-acre tract of land containing all of Lot 3 in City Block H/8465 into two lots on property located at 8941 Cypress Waters Boulevard.
Applicant/Owner: Trammel Crow Company No. 43, Ltd.
Surveyor: Peiser & Mankin Surveying, LLC
Application Filed: October 9, 2014
Zoning: PD 741, Subarea A-2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S145-012**
(CC District 6)
- An application to replat a 32.552-acre tract of land containing all of Lots 1A and 1B in City Block 1/6368 into one 23.212-acre lot and one 9.340-acre lot on property located at 3000 Pegasus Park Drive.
Applicant/Owner: ExxonMobil Oil Corporation
Surveyor: Piburn & Carson, LLC
Application Filed: October 9, 2014
Zoning: PD 278
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats:

- (8) **S145-005**
(CC District 4)
- An application to replat a 2.046-acre tract of land containing all of Lots 1-7 in City Block D/3891, part of Lot 1 and the remainder of Lots 2- 4 in City Block 1/4054 into one lot on property located northeast of Kiest Boulevard and South Denley Drive.
Applicant/Owner: City Wide Community Development
Surveyor: Ringley & Associates, Inc.
Application Filed: October 8, 2014
Zoning: PD 902
Notices Sent: 31 notices sent October 20, 2014
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (9) **S145-013**
(CC District 8)
- An application to replat a 3.424-acre tract of land containing all of Lots 1 and 16 and part of Lots 14 and 15 in City Block 6278 into three lots ranging in size from 0.541 acre to 2.112 acres on property located at 7505 C.F. Hawn Freeway (US Highway 175).
Applicant/Owner: Imran A. Rasheed
Surveyor: Probeck Land
Application Filed: October 8, 2014
Zoning: R-7.5(A) and PD 533
Notices Sent: 29 notices sent October 20, 2014
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Building Line Removal:

- (10) **S145-010**
(CC District 7)
- An application to replat a 1.7347-acre tract of land containing the remainder of Lot 2A and all of Lot 2B in City Block B/2613 into one lot and to remove the existing 30-foot platted building line along the southern boundary of the site on property located at 8249 Moberly Lane.
- Applicant/Owner: First Co.
Surveyor: Texas Heritage Surveying, LLC
Application Filed: October 9, 2014
Zoning: LI
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Street Name Change:

- (11) **NC134-005**
(CC District 7)
- An application to change the name of Bertrand Avenue, between Scyene Road to the terminus of Bertrand Avenue northeast of Junction Street, to "Robert L. Parish, Sr. Avenue".
- Applicant/Owner: City of Dallas
Application Filed: August 25, 2014
Notices Sent: 38 notices sent October 3, 2014
SRC Recommendation: **Approval**
Staff Recommendation: **Approval**

Miscellaneous Items:

- D134-034**
Charles Enchill
(CC District 6)
- An application for a development plan and landscape plan for a portion of Subarea A-2 within Planned Development District No. 741, south of the intersection of Saintsbury Street and Water Mill Road.
- Staff Recommendation: **Approval**
Applicant: Trammel Crow Co. #43 LTD
Representative: Robert Baldwin, Baldwin Associates

Miscellaneous Items – Under Advisement:

- D134-027**
Danielle Jimenez
(CC District 11)
- An application for a development plan for Subarea B within Planned Development District 904 on the northeast corner of Riverfall Drive and Steppington Drive.
- Staff Recommendation: **Approval**
Applicant: Dan Matula & Dan Wollent, Public Storage
Representative: Maxwell Fisher & Dallas Cothrum, Masterplan Consultants
U/A From: October 23, 2014

Zoning Cases – Consent:

1. **Z134-254(CE)**
Charles Enchill
(CC District 14)

An application for the renewal of Specific Use Permit No. 1887 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a Class A dance hall on property zoned Planned Development District No. 619, Tract B on the south side of Main Street, east of South Field Street.
Staff Recommendation: **Approval** for a two-year period, subject to conditions.
Applicant: Strategic Hype, LLC Kevin Richardson
Representative: Roger Albright

2. **Z134-338(CE)**
Charles Enchill
(CC District 6)

An application for the renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned an IM Industrial Manufacturing District with deed restrictions, on the north side of Manaña Drive, east of Spangler Road.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional two-year periods, subject to conditions.
Applicant/Representative: Steven M. Free

3. **Z134-340(CG)**
Carrie Gordon
(CC District 6)

An application for the renewal of Specific Use Permit No. 2010 for a recycling buy-back center for the collection of household and industrial metals on property zoned an LI Light Industrial District on the north side of Congressman Lane, east of Denton Drive.
Staff Recommendation: **Approval** for a two-year period, subject to conditions.
Applicant: Texas Recycling & Surplus, Inc.
Representative: Robert Miklos

4. **Z134-287(CG)**
Carrie Gordon
(CC District 3)

An application for a Specific Use Permit for an open-enrollment charter school on property zoned an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District on the west line of University Hills Boulevard, south of East Red Bird Lane.
Staff Recommendation: **Approval** for a five-year period, subject to a site plan, traffic management plan and conditions.
Applicant: Pearly Gate Baptist Church
Representative: Santos Martinez, Masterplan

5. **Z134-118(OTH)**
Olga Torres Holyoak
(CC District 3)
- An application for the renewal and amendment to Specific Use Permit No. 1749 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the north side of East Wheatland Road, east of R.L. Thornton Freeway.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan, revised traffic management plan and conditions.
Applicant/Representative: Claudia Oliva, ADI Engineering Inc.
6. **Z134-285(OTH)**
Olga Torres Holyoak
(CC District 2)
- An application for a Planned Development District for CR Community Retail District uses and vehicle display and sales on property zoned a CR Community Retail District bounded by West Mockingbird Lane, Lemmon Avenue and Roper Street.
Staff Recommendation: **Approval**, subject to a development plan, landscape plan and conditions.
Applicant: Madison Kimsey Ltd.
Representative: Rob Baldwin
7. **Z134-316(OTH)**
Olga Torres Holyoak
(CC District 5)
- An application for the renewal of Specific Use Permit No. 2017 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS Commercial Service District with a D-1 Overlay on the north line of Bruton Road, east of North Jim Miller Road.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions.
Applicant: Mehd Rezaeizadeh
Representative: Audra Buckley – Permitted Development

Zoning Cases – Under Advisement

8. **Z134-242(OTH)**
Olga Torres Holyoak
(CC District 5)
- An application for a CR Community Retail District, a D-1 Liquor Control Overlay, and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and termination of deed restrictions on property zoned an MF-1(A) Multifamily District, D Liquor Control Overlay and deed restrictions on the south side of Lake June Road, west of Oak Hill Circle.
Staff Recommendation: **Denial**
Applicant: Sikka Investments, LLC
Representative: Tailim Song and Jin Kim, Tailim Song Law Firm
U/A From: October 23, 2014

9. **Z134-284(OTH)**
Olga Torres Holyoak
(CC District 2)
An application for a Specific Use Permit for a Utility or Government Installation other than listed on property zoned Tract 2, Subdistrict 1 within Planned Development District No. 317, the Cedars Area Special Purpose District on the north corner of Gould Street and Savannah Street.
Staff Recommendation: **Approval** for a permanent period, subject to a site plan and conditions.
Applicant: Dallas Independent School District.
Representative: Karl Crawley, Masterplan
U/A From: October 2, 2014 and October 23, 2014
10. **Z134-248(WE)**
Warren Ellis
(CC District 13)
An application for a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District on the east line of Webb Chapel Road, north of Timberview Road.
Staff Recommendation: **Approval** for a five-year period, subject to a site plan and conditions.
Applicant: Mi Escuelita
Representative: Rob Baldwin - Baldwin and Associates
U/A From: October 23, 2014
11. **Z134-312(AF)**
Aldo Fritz
(CC District 6)
An application for an amendment to the deed restrictions on property zoned an IM Industrial Manufacturing District north of Crown Road, west of Newberry Street.
Staff Recommendation: **Approval**
Applicant/Representative: Luis A. Ortiz
U/A From: October 2, 2014
12. **Z123-332(RB)**
Richard Brown
(CC District 2)
An application for an amendment to Planned Development District No. 820 on property generally bounded by Fitzhugh Avenue, Bennett Avenue, and Manett Street.
Staff Recommendation: **Approval**, subject to a development plan and revised conditions, and termination of the existing conceptual plan.
Applicant: JLB Partners
Representative: Britton Church
U/A From: October 23, 2014

Zoning Cases – Individual:

13. **Z134-282(RB)**
Richard Brown
(CC District 6)
An application for a Planned Development District for certain Mixed Uses on property zoned an IR Industrial Research District, generally bounded by Singleton Boulevard, Obenchain Street, Duluth Street, and Borger Street.
Staff Recommendation: **Approval**, subject to a conceptual plan, Subarea A development plan, and staff's recommended conditions.
Applicant: Austin International Ventures, Inc.
Representative: Tommy Mann

14. **Z134-296(OTH)**
Olga Torres Holyoak
(CC District 2)
- An application for an amendment to Specific Use Permit No. 1655 for an open-enrollment charter school on property zoned an MU-3 Mixed Use District and an IR Industrial Research District, on the south corner of Regal Row and Harry Hines Boulevard.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan, traffic management plan and conditions.
Applicant: UPLIFT Education
Representative: Brain Nelson, HKS Architects, Inc.
15. **Z134-311(OTH)**
Olga Torres Holyoak
(CC District 2)
- An application for an amendment to Planned Development District No. 433 on the east corner of North Stemmons Freeway and Inwood Road.
Staff Recommendation: **Approval**, subject to a revised development plan, elevations and revised conditions.
Applicant: Friendly Chevrolet
Representative: Philip Graham, P.E., Wier Associates

Development Code Amendment:

- DCA134-005(ND)**
Neva Dean
- Consideration of amending Chapters 51 and 51A of the Dallas Development Code, Sections 51-4-210, 51A-4.207, 51A-13.201, and 51A-13.306 to amend Alternative Financial Establishment regulations and clarifying definitions for Bank or Savings and Loan Office, with or without Drive-In Window and Financial Institution without Drive-In Window and Financial Institution with Drive-In Window and Check Cashing use.
Staff Recommendation: **Approval**
Zoning Ordinance Committee Recommendation: **Approval**
-

Other Matters

Minutes: October 23, 2014

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, November 6, 2014

ZONING ORDINANCE COMMITTEE (ZOC) MEETING – Thursday, November 6, 2014, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider (1) **DCA134-003** - Consideration of amending the Dallas Development Code to amend Article XIII Form District regulations Section 51A-13.201, 13.304(k), 13.305, 13.501(a), and 13.502(a).

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

EXECUTIVE SESSION NOTICE

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

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

CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-001**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 7039 Twin Hills Avenue**DATE FILED:** October 8, 2014**ZONING:** MU-3**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 1.7677-Acres **MAPSCO:** 26P**APPLICANT/OWNER:** Prescott Interests, LTD

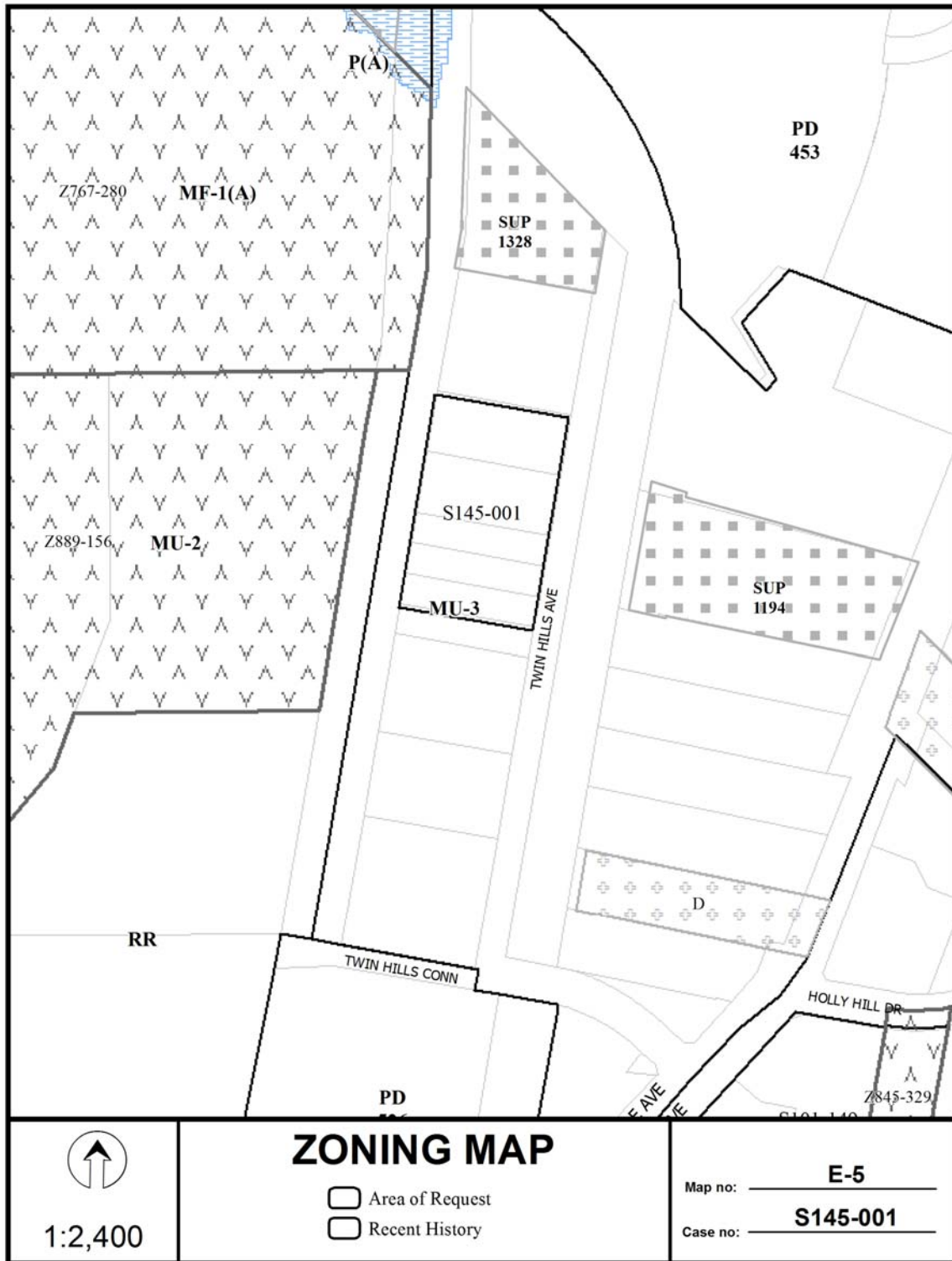
REQUEST: An application to replat a 1.7677-acre tract of land containing all of Lots 4-6 in City Block 10/5201 into one lot on property located at 7039 Twin Hills Avenue.

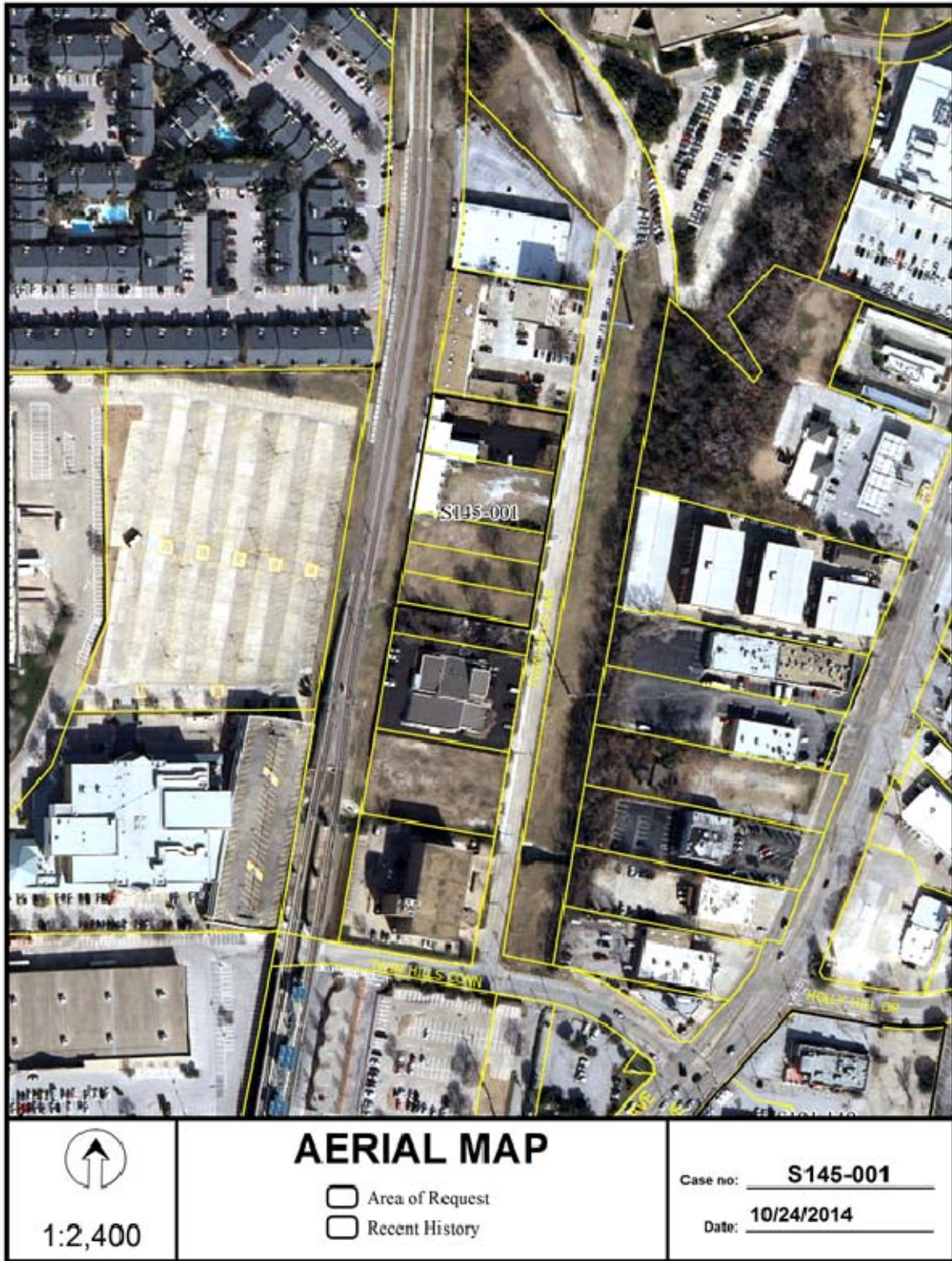
SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

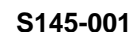
STAFF RECOMMENDATION: The request complies with the requirements of the MU-3 zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 25 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement from the established centerline of Twin Hills Avenue.
14. On the final plat show how all adjoining right-of-way was created.
15. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
16. On the final plat show the recording information on all existing easements within 150 feet of the property.
17. On the final plat choose a different addition name.
18. Prior to the final plat, provide confirmation that the most southerly building does not extend over the property line.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
20. Wastewater main extension may be required by Private Development Contract.
21. On the final plat identify the property as Lot 4A in City Block 10/5201.







CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-003**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 4910 Capitol Avenue**DATE FILED:** October 8, 2014**ZONING:** CR and MF-2(A)**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 1.827-Acres **MAPSCO:** 35Z**APPLICANT/OWNER:** CVS Pharmacy, Inc.

REQUEST: An application to replat a 1.827-acre tract of land containing all of Lots 8-15 in City Block D/1990 into one lot on property located at 4910 Capitol Avenue.

SUBDIVISION HISTORY:

1. 134-196 was an application to replat a 0.207-acre tract of land containing all of Lot 12 in City Block 5/695 into 6 lots ranging in sizes from 1,333 square feet to 2,083 square feet on property located on Bennett Avenue and Fuqua Street, southwest corner. The application was approved on July 10, 2014, but has not yet been recorded.
2. 134-166 was an application to replat a 0.196 tract of land containing part of Lot 5 in City Block 7/695 and part of tract of land in City block B/2008 into 3 lots ranging in size from 2251 square feet to 3189 square feet on property located at 2117 North Fitzhugh Avenue. The application was approved on June 19, 2014, but has not yet been recorded.
3. S134-142 was an application to replat a 0.620-acre tract of land containing all of Lots 20, 21 and 22 in City Block D/1990 into 17 Shared Access Development ranging lots ranging in size from 1267 square foot to 2675 square foot on property located at 2204 Fitzhugh Avenue north of Deere Street. The application was approved on May 22, 2014, but has not yet been recorded.
4. S134-053R was an application to replat 0.413-acre lot containing all of Lots 1 and 2 in City Block D/1990 into an 11 lot shared access development with lots ranging in size from 1,375 square feet to 2,125 square feet on property located at 2207 Bennett Avenue. The application was approved on January 23, 2014, but has not yet been recorded.
5. S134-035 was an application to replat a 0.975-acre tract of land containing all of Lots 21, 22, 23, 24, and 25 in City Block B/1989; to create a 24 lot Shared Access Development with lots ranging in size from 1,494 square feet to 1,682 square feet on property located on Garrett Avenue between Fuqua Street and Capitol Avenue. The application was approved on December 5, 2013, but has not yet been recorded.
6. S123-171 is an application to replat a 0.620 acre tract of land containing all of Lots 4, 5, and 6 in City Block 8/695 into a 17 lot shared access area development

with lots ranging in size from 1,114.12 square feet to 2,401.11 square feet on property located on Fitzhugh Avenue at Deere Street, if extended. The application was approved on June 20, 2013 and subsequently recorded on May 8, 2014.

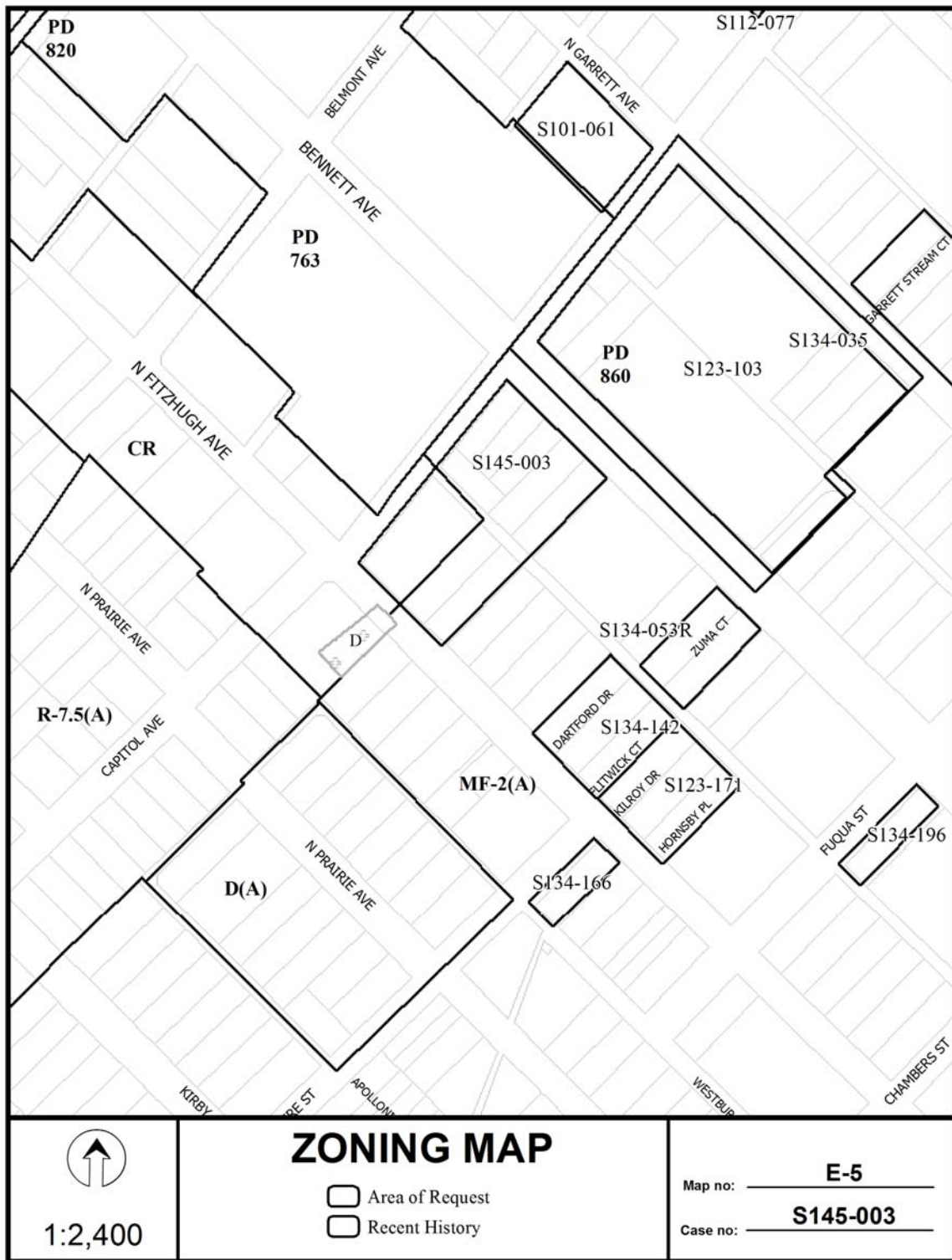
7. S112-103 was an application on Capitol Avenue between Garrett Avenue and Bennett Avenue to combine 21 lots into one 4.45 acre lot in City Block C/1990. The request was approved on April 5, 2012, but has not yet been recorded.
8. S101-061 was an application to replat all of Lot 16 and part of Lot 15 in City Block D/1994 into one 0.610 acre lot on 2407, 2411, and 2415 Garrett Avenue, and 5025 Capitol Avenue. The application was administratively approved on March 24, 2011, and subsequently recorded on May 10, 2012.

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

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

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

10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 28 feet of right-of-way from the established centerline of Fitzhugh Avenue and Capitol Avenue.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at the southeast corner of Capitol Avenue and Bennett Avenue and at the northeast corner of Capitol Avenue and Fitzhugh Avenue.
15. Dedicate alley turnout or cul-de-sac easement, design, and construct.
16. On the final plat show how all adjoining right-of-way was created.
17. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code. 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.
18. On the final plat two control monuments must be shown.
19. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.
20. On the final plat, need Lien Holder's Subordination Agreement.
21. On the final plat, show distances/width of right-of-way across Fitzhugh Avenue and Capitol Avenue.
22. On the final plat, label the 20-foot alley easement.
23. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
24. Water/wastewater main extension is required by Private Development Contract.
25. On the final plat, alley abandonment shall be shown as follows" "Abandonment authorized by Ordinance No. _____ recorded as Instrument No. _____ and quitclaim deed recorded as Instrument No. _____ .
26. Change "Capitol Street" to "Capitol Avenue", as named by Ordinance 777-A.
27. On the final plat identify the property as Lot 8A in City Block D/1990.



CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-004**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 3825 Ross Avenue**DATE FILED:** October 8, 2014**ZONING:** PD 298, Subarea 1**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.210-Acres **MAPSCO:** 35Z**APPLICANT/OWNER:** Eroze Corporation

REQUEST: An application to create one 0.210-acre lot from a tract of land in City Block 2/600 on property located at 3825 Ross Avenue.

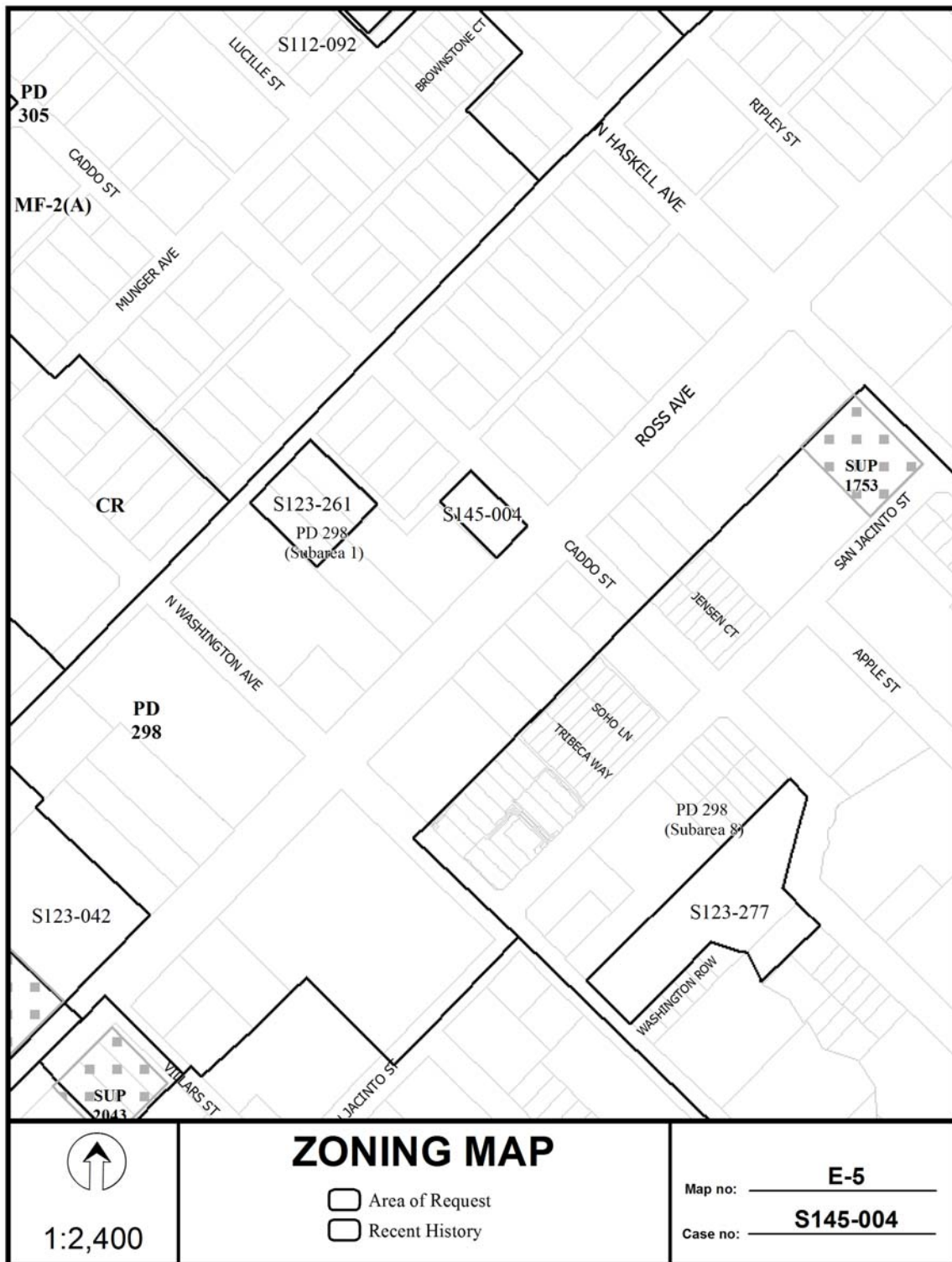
SUBDIVISION HISTORY:

1. S123-277 was an application to replat a tract of land containing all of Lot 9 in City Block 645 and a contiguous 1.15-acre tract of land in City Block 645 into one 1.25-acre lot fronting on Caddo Street and Washington Avenue. The application was approved on October 24, 2013, but has not yet been recorded.
2. S123-261 was an application to create a 0.485-acre lot from a tract of land in City Block 2/600 on property located at 3816 through 3824 Roseland Avenue, southwest of Caddo Street. The application was approved on October 10, 2013, but has not yet been recorded.

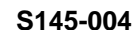
STAFF RECOMMENDATION: The request complies with the requirements of the PD 298, Subarea 1 zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. 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 dedicate a 15 foot by 15 foot alley sight easement at all alley-street or alley-alley intersections.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Caddo Street and the alley.
15. Comply with Mill Creek drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb.
16. On the final plat show how all adjoining right-of-way was created.
17. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
18. Prior to the final plat, provide Lien Holder's Subordination Agreement.
19. Prior to the final plat, verify for existing gas easement. If easement does not exist, then one must be created.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
21. Water/wastewater main extension may be required by Private Development Contract. Service size and location will dictate if P-Contract is required.
22. On the final plat, maintain existing right-of-way on Ross Avenue.
23. On the final plat identify the property as Lot 2 in City Block 2/600.







CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-006**Senior Planner:** Sharon Hurd, AICP**LOCATION:** Bounded by Ross Avenue, Routh Street, Bryan Street, and Leonard Street**DATE FILED:** October 8, 2014**ZONING:** CA-1(A)**CITY COUNCIL DISTRICT:** 4 **SIZE OF REQUEST:** 7.062-Acres**MAPSCO:** 35Z**APPLICANT/OWNER:** Spire Development Holdings, LLC

REQUEST: An application to replat a 7.062-acre tract of land containing all of Lots 9B and 9C in City Block 2/262 into six lots, and to replat a 3.632-acre tract of land containing all of Lot 2A in City Block A/261 into three lots on property bounded by Ross Avenue, Routh Street, Bryan Street, and Leonard Street and bisected by San Jacinto Street.

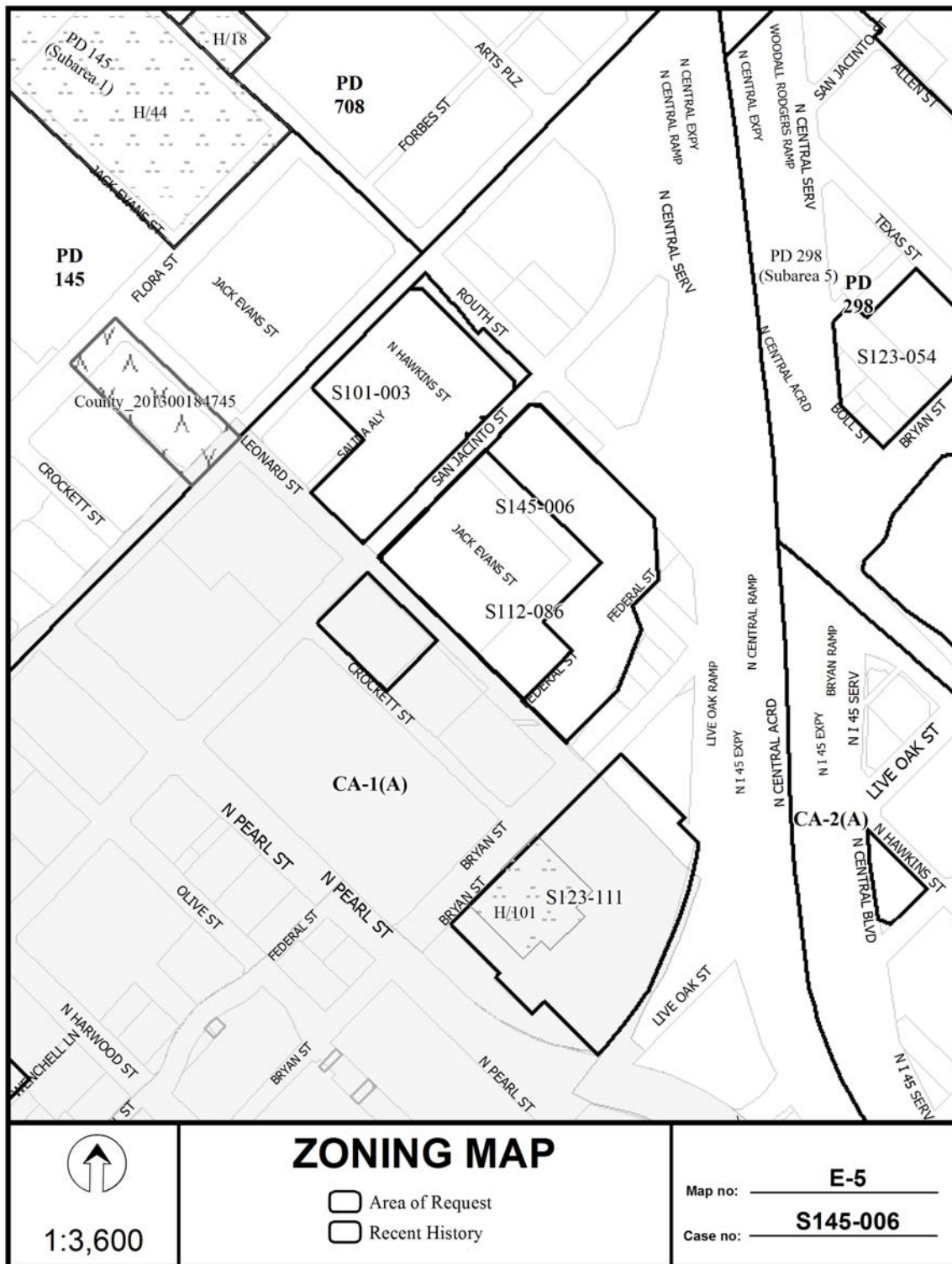
SUBDIVISION HISTORY:

1. S123-054 was an application to create one 2.103 acre lot from a tract of land in City Block 283 and one 3.898 acre lot from all of City Block A/276 on property located on the east side of North Central Expressway at Bryan Street, north and south corners. The application was approved on January 10, 2013, but has not yet been recorded.
2. S112-086 was an application to replat a tract of land containing all of Lot 2 in City Block A/261, all of Lot 9A in City Block 2/262; and Lot 1 in City Block A/316 and abandoned right of way on Jack Evans Street, Hawkins Street and Salina Alley into one 3.903 acre lot, one 2.467 acre lot, and one 4.588 acre lot, and one 0.934 acre lot on property generally at Routh Street between Bryan Street and Ross Avenue. The application was approved on March 22, 2012 and subsequently recorded on June 20, 2012.
3. S101-003 was an application to replat an 8.557 acre tract of land into one 3.903 acre lot, one 3.720 acre lot and one 0.934 acre lot on land containing part of City Blocks 261, 1/262, 2/262, 266 and 316, Lots 9 and 10 in City Block 2/262, Lots 14 thru 17 in City Block 1/262 of the Burks Subdivision; Lots 1 thru 5, 7 thru 9 and part of Lots 6 and 10 in City Block 261 and part of portions of Jack Evans Street, Hawkins Street and Salina Alley to be abandoned, on property bounded by Ross Avenue, Routh Street, Federal Street, Crockett Street and Leonard Street. The application was approved on November 4, 2010 and subsequently recorded October 14, 2011.

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

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

15. Comply with Mill Creek drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb.
16. Prior to the final plat, a site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
17. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
18. Water/wastewater main extension is required by Private Development Contract.
19. There is an existing gas line in the abandoned right-of-way of Jack Evans Street. A cost estimate to abandon/re-route will be furnished upon request; otherwise, Exhibit B would apply.
20. Show dedication callouts on plat for street easements of Instrument No. 201300194368.
21. Add a label indicating the closure and vacation of Jack Evans Street north of Ross Avenue by Ordinance 26516.
22. On the final plat, identify the property as Lots 9D-9H, 9J, Block 2/262 and Lots 2B-2D, Block A/261.





CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-008**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 18255 Marsh Lane**DATE FILED:** October 8, 2014**ZONING:** CR**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 2.893-Acres**MAPSCO:** 3H**APPLICANT/OWNER:** Marsh Road, LLC

REQUEST: An application to replat a 2.893-acre tract of land containing all of Lot 1B in City Block A/8747 into one 1.8379-acre lot and one 1.0551-acre lot on property located at 18255 Marsh Lane.

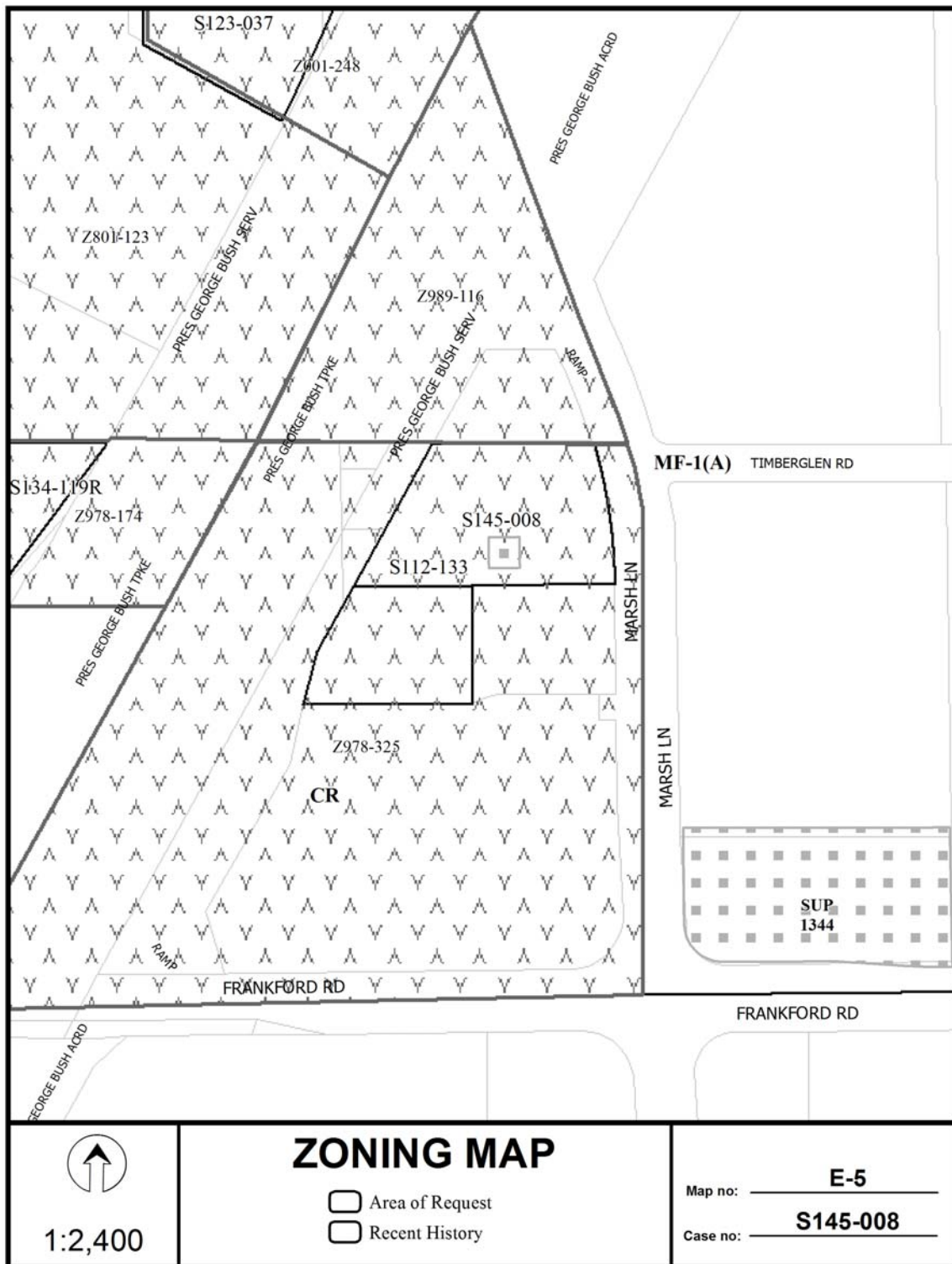
SUBDIVISION HISTORY:

1. S112-133 was an application to replat a 2.8930 acre tract of land containing all of Lot 1B into one 1.8379 acre lot and one 1.0551 acre lot in City Block A/8747 between President George Bush Turnpike, Marsh Lane and Frankford Road. The application was approved on June 21, 2012, but has not yet been recorded.

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

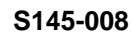
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 50 feet of right-of-way from the established centerline of Marsh Lane.
14. On the final plat, add a note stating "TXDOT approval might be required for any driveway modifications or new access".
15. On the final plat show how all adjoining right-of-way was created.
16. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code. 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.
17. On the final plat, label easement located along the west side of the lot.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
19. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
20. On the final plat, maintain 100 feet of right-of-way on Marsh Lane.
21. On the final plat, identify the property as Lots 1E and 1F, Block A/8747.









CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-011**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 8941 Cypress Waters Boulevard**DATE FILED:** October 9, 2014**ZONING:** PD 741, Subarea A-2**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 19.718-Acres **MAPSCO:** 11AP**APPLICANT/OWNER:** Trammel Crow Company No. 43, Ltd.

REQUEST: An application to replat a 19.718-acre tract of land containing all of Lot 3 in City Block H/8465 into two lots on property located at 8941 Cypress Waters Boulevard.

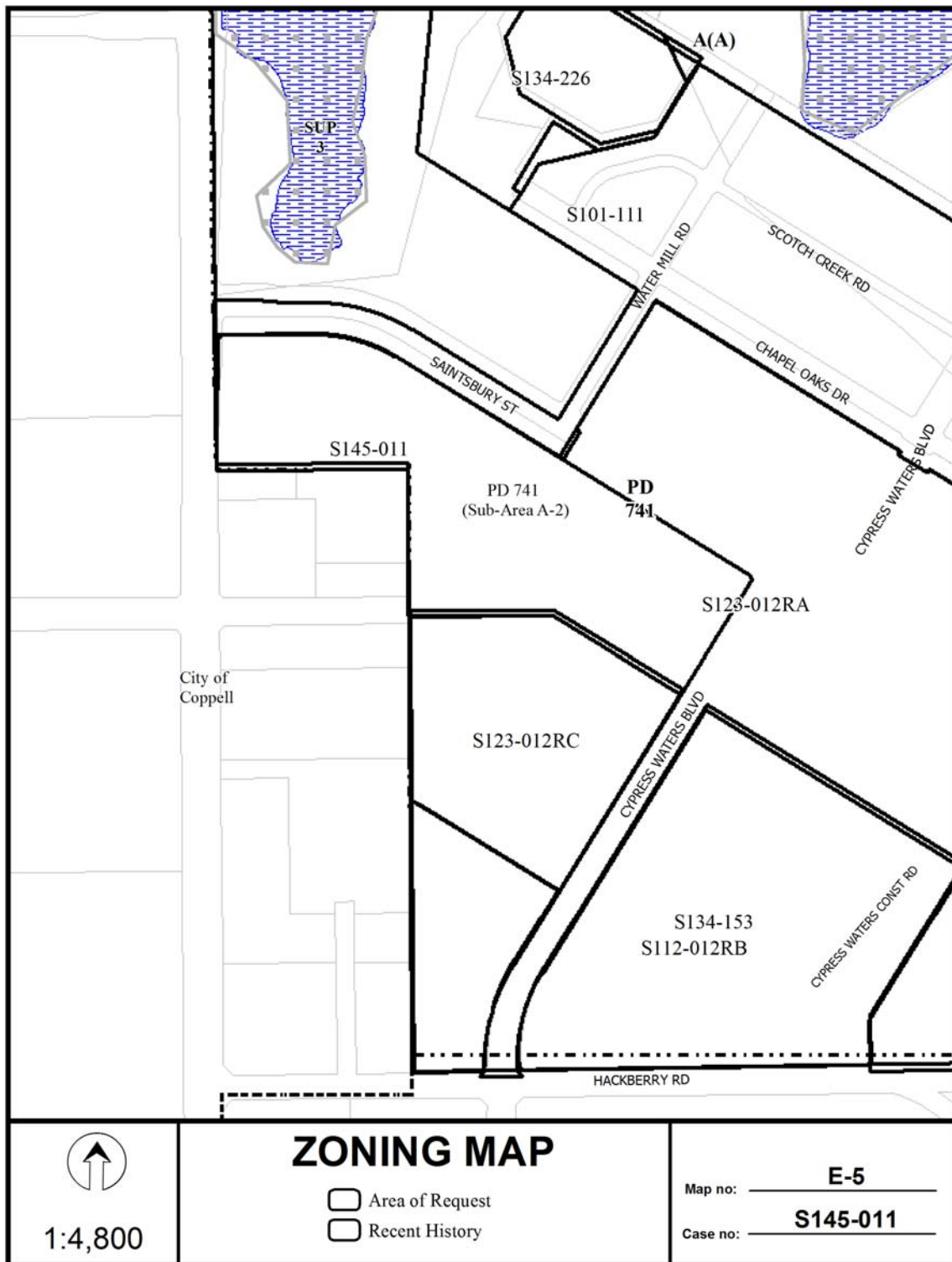
SUBDIVISION HISTORY:

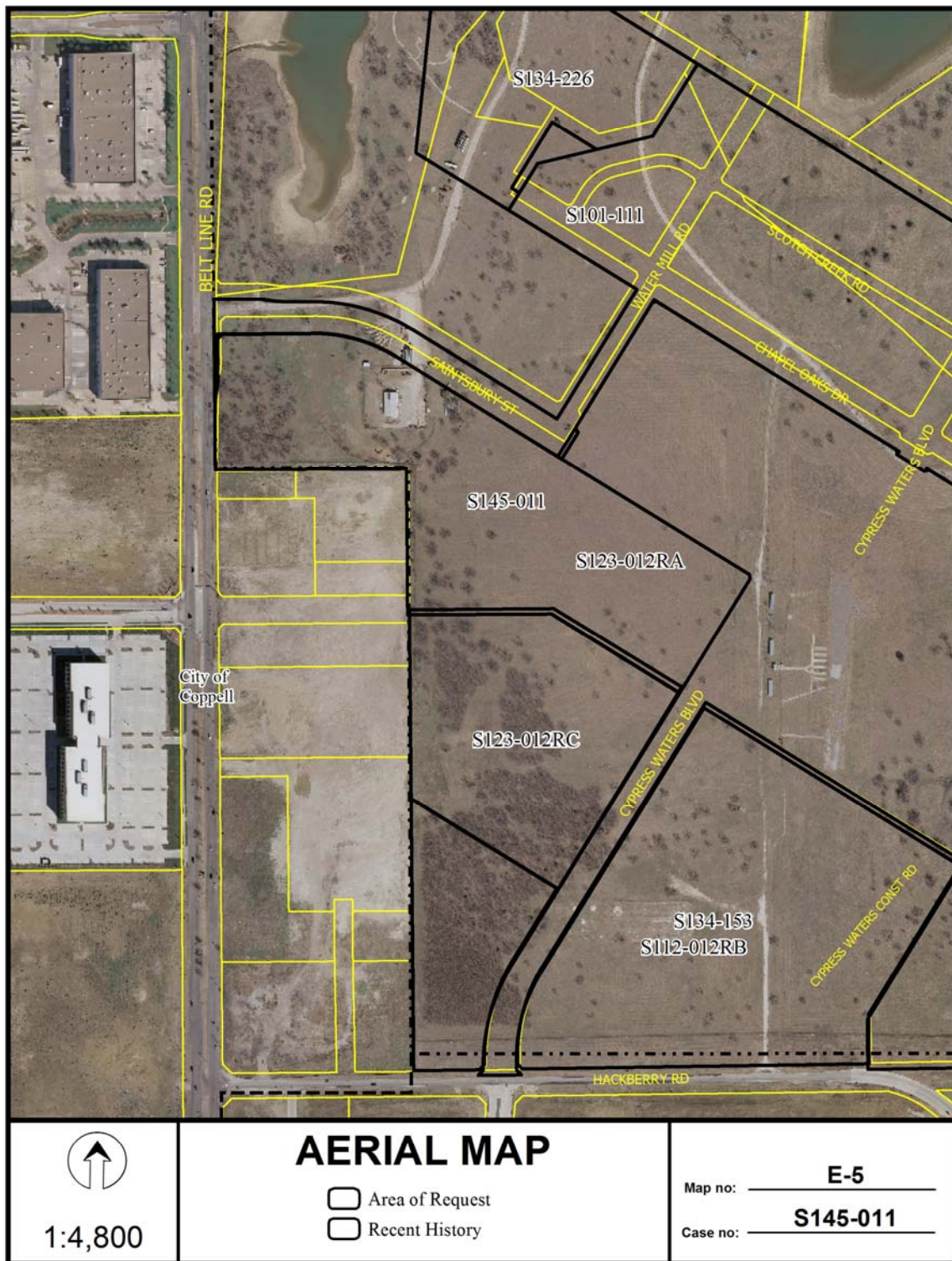
1. S134-226 was an application to create a 10.906-acre tract of land in City Block D/8465 into one lot on property located on Chapel Oaks Drive, west of Scotch Creek Road. The application was approved on September 4, 2014, but has not yet been recorded.
2. S134-153 was an application to replat a 30.20-acre tract of land containing all of Lot 1 in City Block G/8465 and Lot 1 in City Block H/8465 into 5 lots on property located at Cypress Waters Boulevard and Hackberry Road. The request was approved on June 5, 2014, but has not yet been recorded.
3. S123-012 was an application to create one 38.174 acre lot, one 10.595 acre lot and one 56.878 acre lot from a 113.291 acre tract of land in City Block 8465 on property in the vicinity of Belt Line Road, north of Hackberry Lane and was approved on November 15, 2012, and was not recorded.
4. S123-012RA was recorded on March 26, 2013.
5. S123-012RC consisted of one lot and 12.507 acres and was recorded on May 13, 2013.
6. S101-111 was an application to create one 2.91 acre lot, one 1.456 acre lot, one 7.146 acre lot, and one 6.229 acre lot from a 34.222 acre tract of land out of the G.W. Laws Survey, Abstract No. 843, and the Jon L. Whitman Survey, Abstract No. 1521 in the City of Dallas, Dallas County, on property in the vicinity of Belt Line Road north of Hackberry Lane. The application was approved on June 16, 2011, but has not yet been recorded.

STAFF RECOMMENDATION: The request complies with the requirements of the PD 741, Subarea A-2 zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Saintsbury Street and Cypress Waters Boulevard.
15. On the final plat dedicate a 15 foot by 15 foot corner clip at Saintsbury Street and Belt Line Road.

16. Prior to the final plat, coordinate right-of-way, design, and construction with City of Coppell.
17. On the final plat show the recording information on all existing easements within 150 feet of the property.
18. On the final plat choose a different addition name.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
20. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
21. Water/wastewater main extension may be required by Private Development Contract.
22. On page 1 of the final plat, show where "Hackberry Road" changes to "Chartwell Drive" and the approximate City Limits between Dallas, Irving, and Coppell along "Hackberry Road" and "Chartwell Drive".
23. On the final plat, identify the property as Lots 3A and 3B, Block H/8465.





CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-012**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 3000 Pegasus Park Drive**DATE FILED:** October 9, 2014**ZONING:** PD 278**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 32.552-Acres **MAPSCO:** 33Z**APPLICANT/OWNER:** ExxonMobil Oil Corporation

REQUEST: An application to replat a 32.552-acre tract of land containing all of Lots 1A and 1B in City Block 1/6368 into one 23.212-acre lot and one 9.340-acre lot on property located at 3000 Pegasus Park Drive.

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

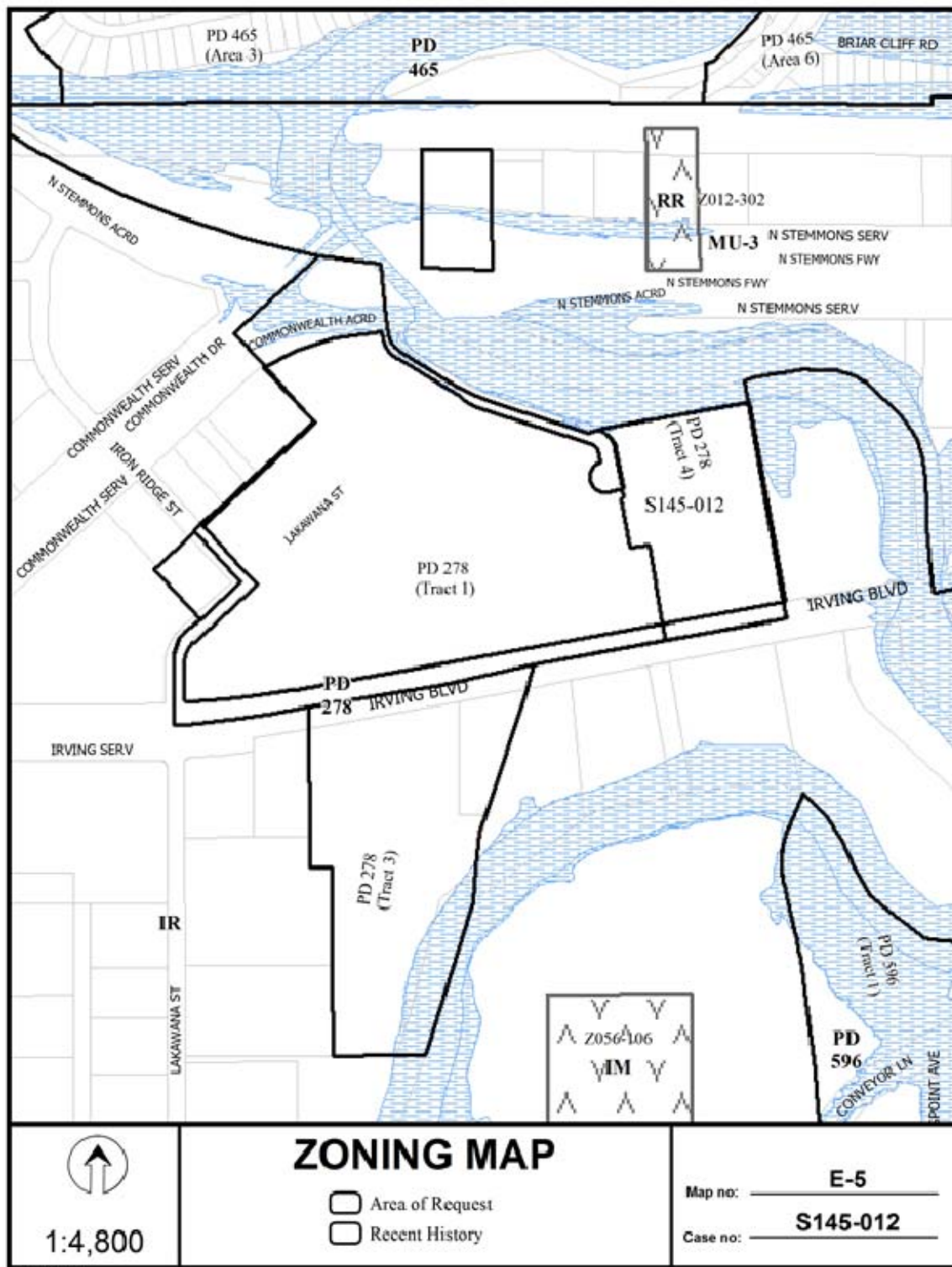
STAFF RECOMMENDATION: The request complies with the requirements of the PD 278 zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

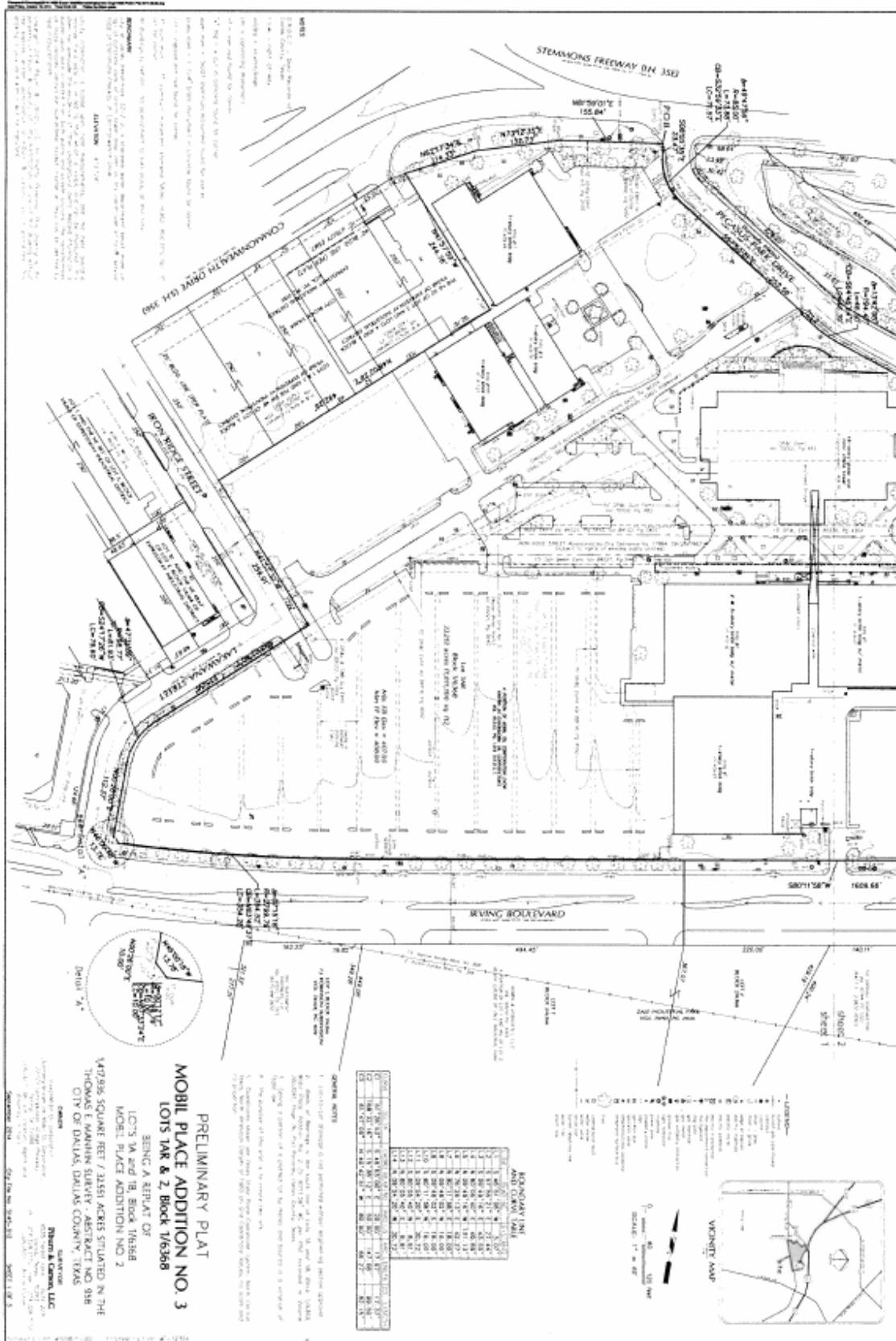
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Prior to the final plat, submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
14. On the final plat dedicate 28 feet of right-of-way from the established centerline of Pegasus Park Drive.
15. On the final plat dedicate 53.5 feet of right-of-way from the established centerline of Commonwealth Drive.
16. On the final plat dedicate a 10 foot by 10 foot corner clip at Commonwealth Drive and Pegasus Park Drive.
17. On the final plat add a note stating: "TXDOT approval might be required for any driveway modifications or new access."
18. On the final plat determine the 100 year water surface elevation across the plat.
19. 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.
20. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
21. On the final plat specify minimum fill and minimum finished floor elevations.
22. On the final plat show the natural channel set back from the crest of the natural channel.
23. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
24. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
25. Location is in the Record Crossing Sump (WSE 405.8). All construction for any proposed development must be above the 405.8-foot elevation. For the areas where the existing elevation is below 405.8 feet, and any improvement is proposed, there must be a fill permit applied for and approved by Public Works and Transportation Department and Minimum Finish Floor elevation for those

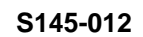
areas will have to be established thru the process and placed on the face of the final plat.

26. On the final plat show how all adjoining right-of-way was created.
27. On the final plat show the recording information on all existing easements within 150 feet of the property.
28. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code. 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.
29. On the final plat two control monuments must be shown.
30. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
31. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
32. Water/wastewater main extension may be required by Private Development Contract.
33. Prior to submission of the final plat, provide a parking analysis which demonstrates that all parking as required by code will be provided for all existing uses on each proposed lot.
34. Use the following labels on abandoned right-of-way, "Abandonment authorized by Ordinance No. _____ and recorded as Instrument No. _____."
35. On the final plat, the retention of the utility easement as part of the right-of-way abandonment area(s) shall be noted on the plat.
36. On the final plat, identify the property as Lots 1C and 1D, Block 1/6368.









CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-005**Senior Planner:** Sharon Hurd, AICP**LOCATION:** Northeast of Kiest Boulevard and South Denley Drive**DATE FILED:** October 8, 2014**ZONING:** PD 902**CITY COUNCIL DISTRICT:** 4 **SIZE OF REQUEST:** 2.046-Acres**MAPSCO:** 55X**APPLICANT/OWNER:** City Wide Community Development

REQUEST: An application to replat a 2.046-acre tract of land containing all of Lots 1-7 in City Block D/3891, part of Lot 1 and the remainder of Lots 2- 4 in City Block 1/4054 into one lot on property located northeast of Kiest Boulevard and South Denley Drive.

SUBDIVISION HISTORY:

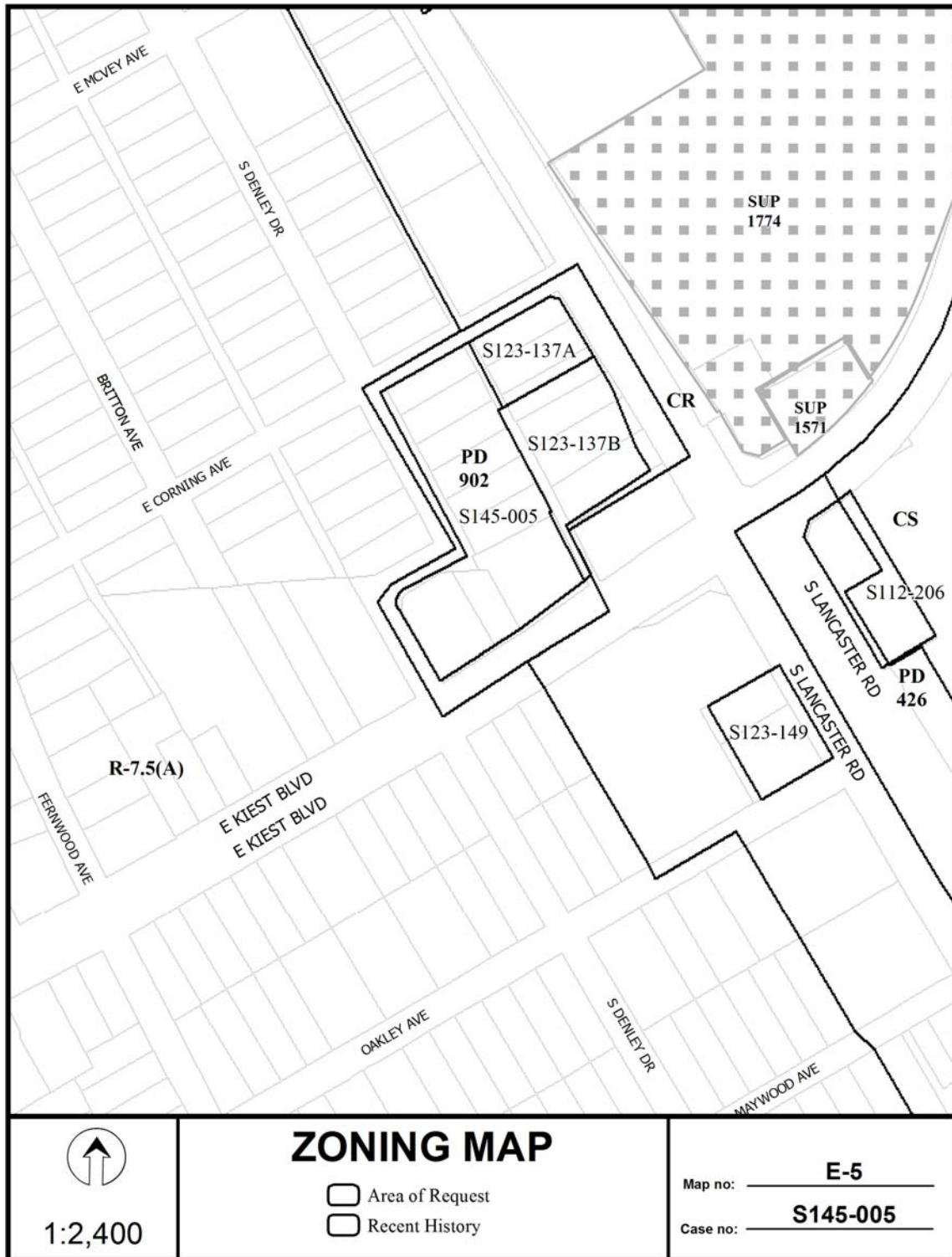
1. S123-149 was an application to replat a 0.542 acre tract of land containing all of Lots 18A and 19A in City Block 6/4058 into one lot on property located at 3225 and 3231 Lancaster Road at Oakley Avenue, west corner. The application was approved on June 6, 2013, but has not yet been recorded.
2. S123-137 was an application to replat a 1.261 acre tract of land containing all of Lots 8, 9, 10, 11, 12 and 13 in City Block D/3891 and into one 0.452 acre lot and one 0.808 acre lot at Lancaster Road between Kiest Boulevard and Corning Avenue. The application was administratively approved on May 2, 2013.
3. S123-137A was recorded on April 25, 2014.
4. S123-137B has not yet been recorded.

STAFF RECOMMENDATION: The request complies with the requirements of the PD 902 zoning district. In addition, due to recent platting activity in the immediate vicinity, the request also complies with Section 51A-8.503 which in part indicates that "lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets." Therefore, staff recommends approval subject to compliance with the following conditions:

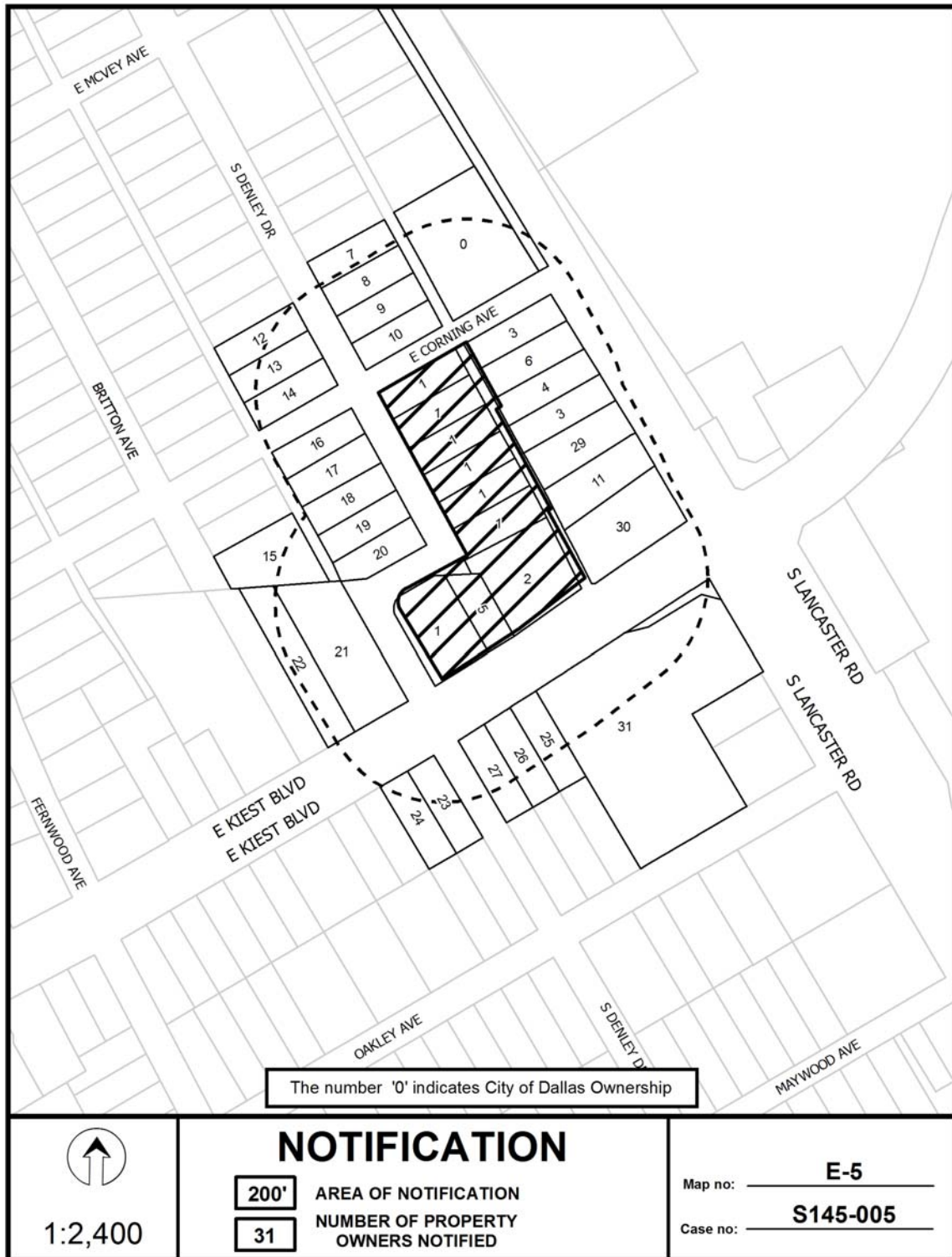
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.

4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 50 feet of right-of-way from the established centerline of Kiest Boulevard.
14. On the final plat dedicate 7.5 feet of right-of-way from the established centerline of the alley.
15. On the final plat dedicate a 10 foot by 10 foot corner clip at Corning Avenue and Denley Drive.
16. On the final plat dedicate a 10 foot by 10 foot corner clip at Kiest Boulevard and Denley Drive.
17. On the final plat dedicate a 15 foot by 15 foot alley sight easement at the intersection of the alley and Kiest Boulevard.
18. On the final plat dedicate a 15 foot by 15 foot alley sight easement at the intersection of the alley and Corning Avenue.
19. On the final plat show how all adjoining right-of-way was created.

20. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
21. On the final plat show the recording information on all existing easements within 150 feet of the property.
22. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code. 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.
23. On the final plat two control monuments must be shown.
24. On the final plat all utility easement abandonments must be shown with the correct recording information.
25. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.
26. Prior to the final plat, provide Lien Holder's Subordination Agreement.
27. On the final plat, dedicate a 20-foot wastewater easement for the 6-inch water line skewing across the property.
28. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
29. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
30. Water/wastewater main extension is required by Private Development Contract.
31. Prior to submission of the final plat, contact the street name coordinator for help determining the name for the right-of-way connecting the offset portions of Denley Drive.
32. On the final plat, the northeast portion of the abandoned alley shall be noted as follows: "Abandonment authorized by Ordinance No. _____ recorded as Instrument No. _____ and quitclaim deed recorded as Instrument No. _____.
33. On the final plat, identify the property as Lots 1A and 1B, Block D/3891.







S145-005

CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-013**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 7505 C.F. Hawn Freeway (US Highway 175)**DATE FILED:** October 9, 2014**ZONING:** R-7.5(A) and PD 533**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 3.424-Acres **MAPSCO:** 58T**APPLICANT/OWNER:** Imran A. Rasheed

REQUEST: An application to replat a 3.424-acre tract of land containing all of Lots 1 and 16 and part of Lots 14 and 15 in City Block 6278 into three lots ranging in size from 0.541 acre to 2.112 acres on property located at 7505 C.F. Hawn Freeway (US Highway 175).

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

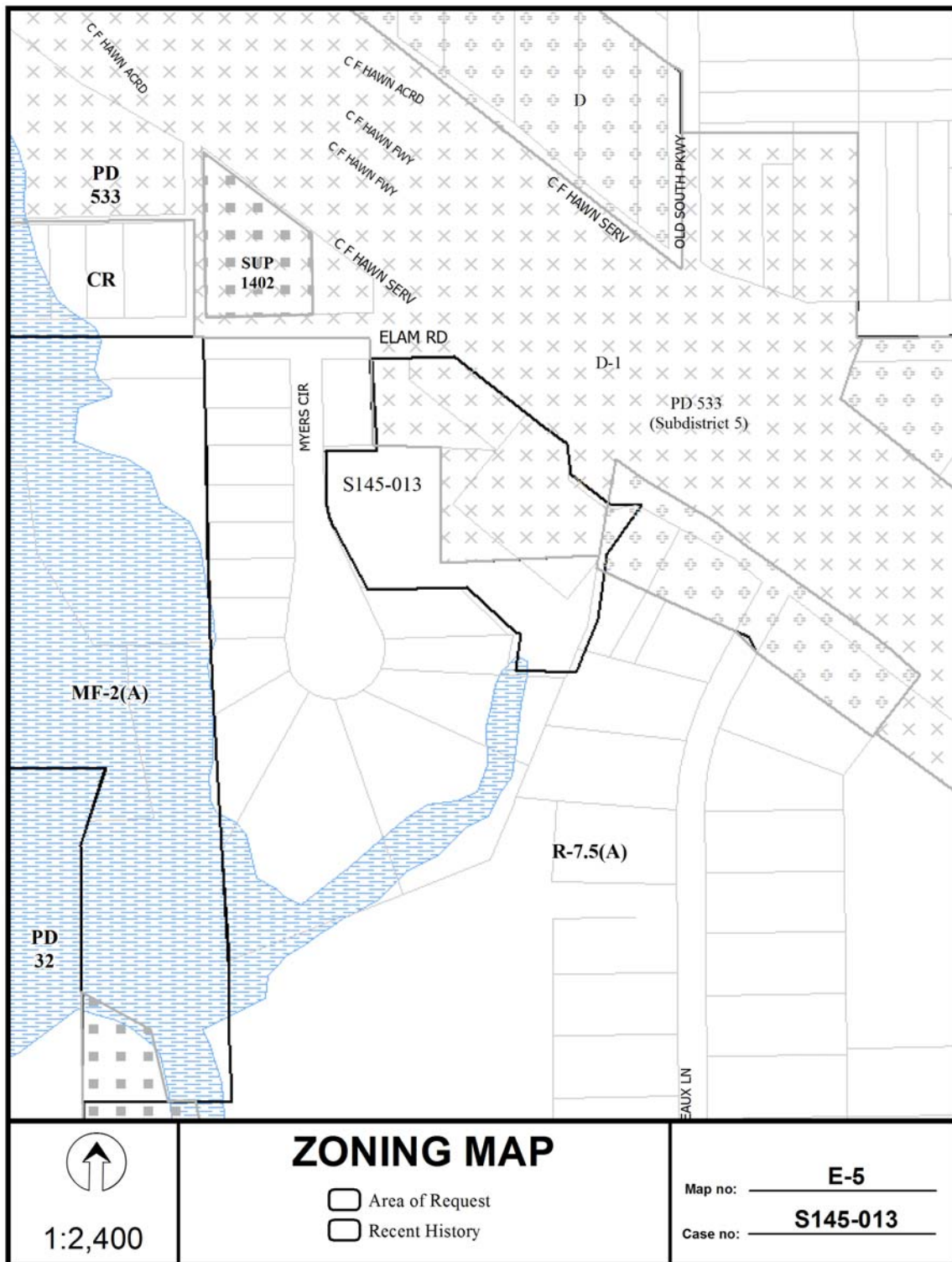
STAFF RECOMMENDATION: Section 51A-8.503 stipulates that “lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets.” There is no defined lot pattern within the adjacent area as the lots in the immediate vicinity range in size from 0.26 acres to 1.72 acres. As such, the proposed request is consistent with Section 51A-8.503.

Moreover, the request complies with the requirements of the R-7.5(A) and PD 533 zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

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

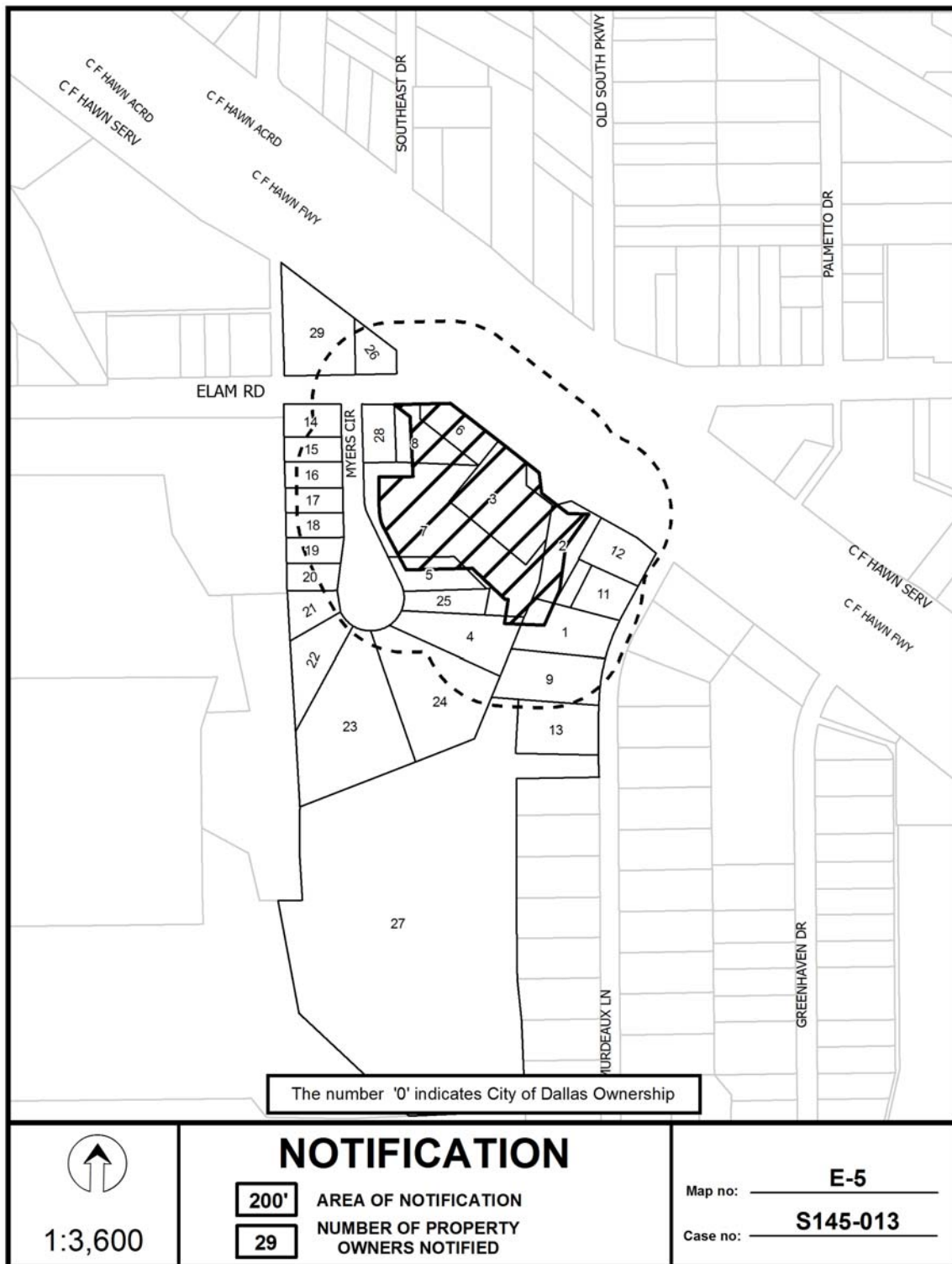
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 3.
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 centerline of Elam Road.
14. On the final plat add a note stating: "TXDOT approval might be required for any driveway modifications or new access."
15. On the final plat determine the 100 year water surface elevation across the plat.
16. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
17. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
18. On the final plat specify minimum fill and minimum finished floor elevations.
19. On the final plat show the natural channel set back from the crest of the natural channel.
20. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
21. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
22. On the final plat show how all adjoining right-of-way was created.
23. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.

24. On the final plat show the recording information on all existing easements within 150 feet of the property.
25. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code. 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.
26. On the final plat two control monuments must be shown.
27. On the final plat show or list the prior plat on the map, in the legal description and/or in the title block.
28. On the final plat all utility easement abandonments must be shown with the correct recording information.
29. On the final plat show the distance/width of right-of-way for C.F. Hawn Freeway (US Highway 175) at a minimum of 2 locations.
30. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes.
31. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
32. Water/wastewater main extension may be required by Private Development Contract
33. On the final plat, identify the property as Lots 1B-1D, Block 6278.

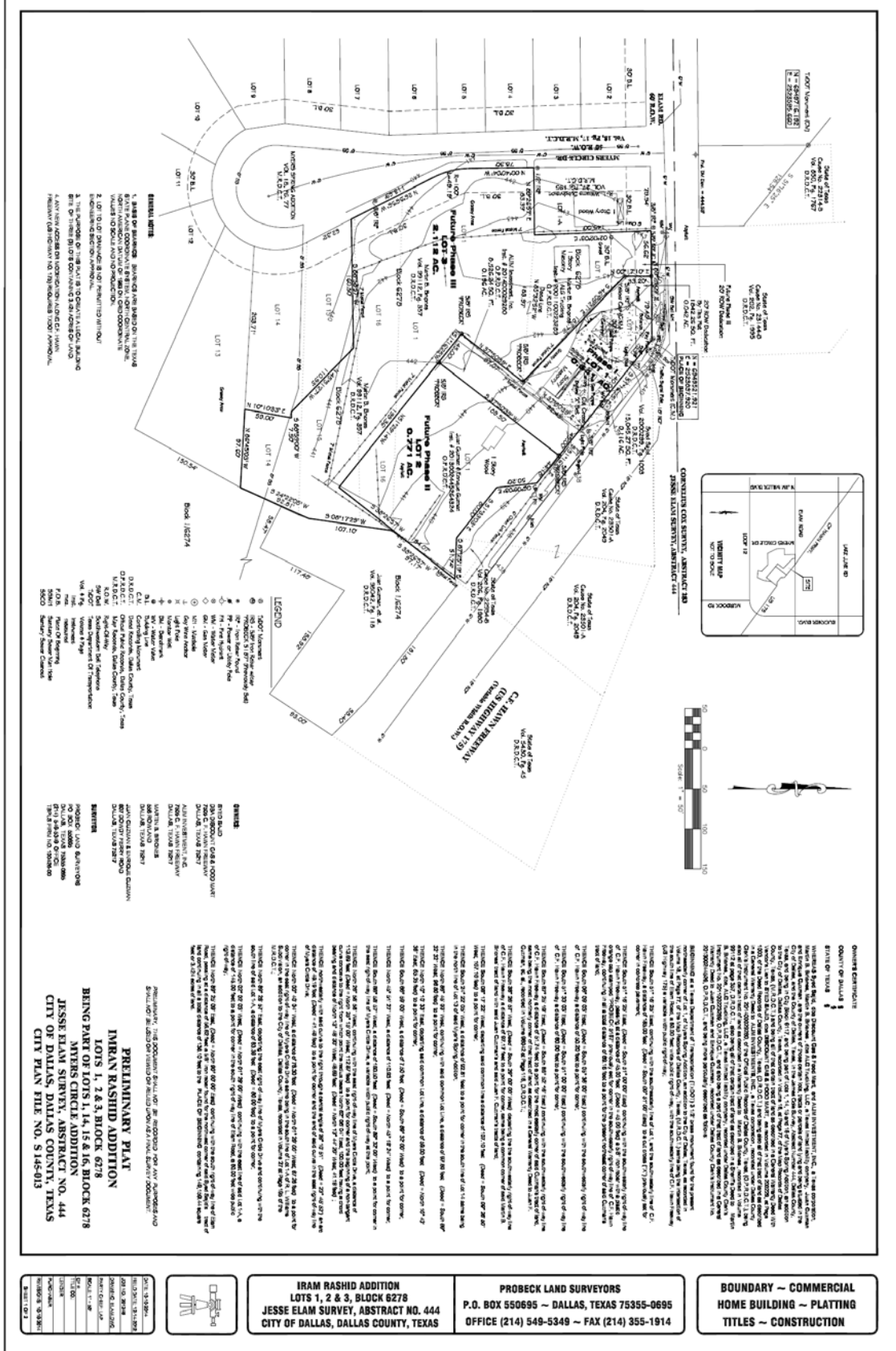




10/27/2014



10/24/2014



CITY PLAN COMMISSION**THURSDAY, November 6, 2014****FILE NUMBER:** S145-010**Senior Planner:** Sharon Hurd, AICP**LOCATION:** 8249 Moberly Lane**DATE FILED:** October 8, 2014**ZONING:** LI**CITY COUNCIL DISTRICT:** 7 **SIZE OF REQUEST:** 1.7347-Acres **MAPSCO:** 48Q**APPLICANT/OWNER:** First Co.

REQUEST: An application to replat a 1.7347-acre tract of land containing the remainder of Lot 2A and all of Lot 2B in City Block B/2613 into one lot and to remove the existing 30-foot platted building line along the southern boundary of the site on property located at 8249 Moberly Lane.

SUBDIVISION HISTORY:

1. S101-130 was an application to replat a 41.671 acre tract of land containing all of Lots 2, 3, and 4 and a tract of land in City Block E/6213 on Eastpoint Drive between Buckner Blvd. and Catron Drive. The application was approved on July 7, 2011, but has not yet been recorded.

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

- (1) upon the affirmative vote of at least three- fourths of the commission members present; and
- (2) if the commission finds that the removal of the platted building line will not:
 - “(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”
 - The required minimum front yard setback, as required by the zoning regulation, will not be impacted by the removal of the 30-foot building line.
 - “(ii) be contrary to the public interest;”
 - The removal of the 30-foot platted building line along the southern boundary of the site will have little impact on the subdivision as the lots are fully developed.
 - “(iii) adversely affect neighboring properties; and”
 - The building line on the neighboring property to the west was removed in May 2001.
 - “(iv) adversely affect the plan for the orderly development of the subdivision.”
 - The request will not adversely impact the orderly development of the subdivision as the omission of the 30-foot building line will not impact the development of the neighboring properties.

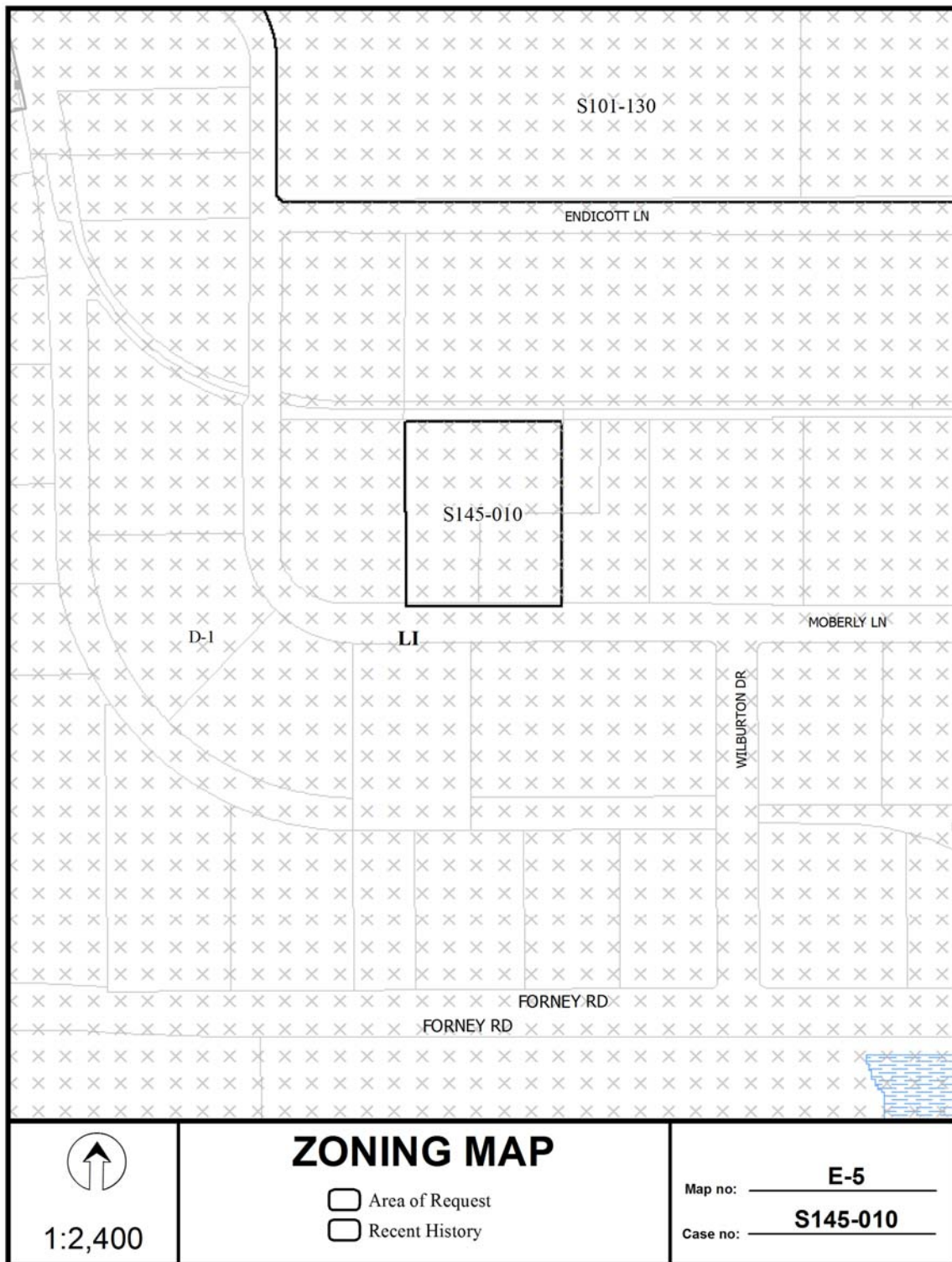
STAFF RECOMMENDATION - BUILDING LINE REMOVAL: The staff recommends approval of the reduction of the 30-foot building line since it will not adversely impact any of the neighboring properties within the subdivision and the request is consistent with the removal of the 30-foot building line from the adjoining property to the west. The existing required front yard setback in the LI zoning district is 15 feet. This setback will be maintained even with the removal of the platted 30-foot building line.

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

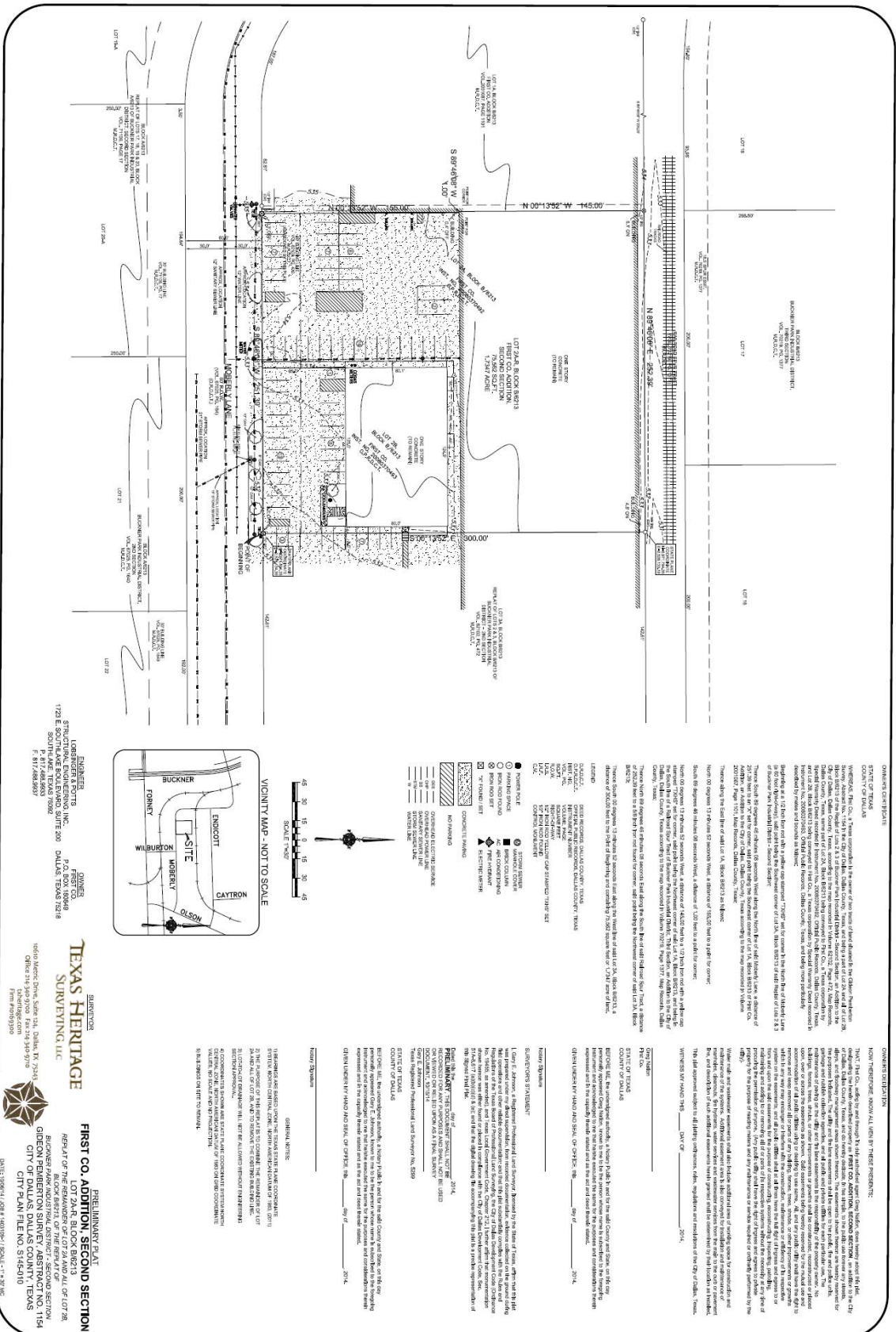
1. The final plat, including the removal of the 30-foot building line, shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200,

Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.

12. On the final plat, add a note stating "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. Proposed property lines on the east and west side of the lot are crossing through the existing building on Lot 21R. A property line proposed through an existing building must result in functionally independent structures on each side of the property line. Each building must rely upon its own structural load paths as well as all other requirements of the building code including fire-resistive walls, exits and restrooms. As such, all final inspections approved by the Building Inspection District Office are required prior to submittal of the final plat for the Chairman's signature.
14. Prior to the submittal of the final plat, a parking analysis of uses on current Lot 1A and Lot 3A and proposed Lot 2C is required to confirm sufficient parking will be maintained to comply with code for all uses.
15. On the final plat, identify the property as Lot 2C, Block B/6213.







FILE NUMBER: D134-034

DATE FILED: September 26, 2014

LOCATION: South of the intersection of Saintsbury Street and Water Mill Road

COUNCIL DISTRICT: 6

MAPSCO: 11-A

SIZE OF REQUEST: Approx. 13.08 acres

CENSUS TRACT: 141.27

MISCELLANEOUS DOCKET ITEM

APPLICANT/OWNER: Trammel Crow Co. #43 LTD

REPRESENTATIVE: Robert Baldwin, Baldwin Associates

REQUEST: An application for a development and landscape plan for a portion of Subarea A-2 within Planned Development District No. 741.

SUMMARY: On January 25, 2006, the City Council passed Ordinance No. 26233 which established Planned Development District No. 741. The request site is located in Subarea A-2. On October 8, 2014, City Council approved an amendment to incorporate Subareas F and G into Subarea A-2 (along with an expansion onto tracts zoned Agricultural). The amendment to the PD did not affect the property for which this development plan and landscape plan have been submitted. The plan provides for the development of a four-story office building approximately 215,000 square feet. The main uses permitted in Subarea A-2 are those permitted in the MU-3 Mixed Use District as set out in Chapter 51A.

The zoning was granted as a planned development district with a conceptual plan and requires City Plan Commission approval of a development and landscape plan prior to the issuance of a building permit.

In conjunction with the above requirement, the attached development and landscape plans have been submitted for Commission's consideration. The plans meet the requirements of PDD 741. Requirements in PDD 741 that differ from Chapter 51A include no residential adjacency review for certain uses, additional uses permitted by right, and yard, lot and space regulations. Since the PDD was just amended, the online link is out-of-date. So, we have inserted the language into this report below.

STAFF RECOMMENDATION: Approval

Partners and Officers

Trammell Crow Company no. 43, Ltd.

Henry GP, LLC (General Partner)

Kenneth Mabry (Manager)

Kimberly Meyer (Manager)

PDD CONDITIONS

ARTICLE 741.

PD 741.

SEC. 51P-741.101. LEGISLATIVE HISTORY.

PD 741 was established by Ordinance No. 26233, passed by the Dallas City Council on January 25, 2006. (Ord. Nos. 26233; 27915)

SEC. 51P-741.102. PROPERTY LOCATION AND SIZE.

PD 741 is established on property located on the north side of Hackberry Road, east of Belt Line Road. The size of PD 741 is approximately 1,030.08 acres. (Ord. Nos. 26233; 27915)

SEC. 51P-741.103. DEFINITIONS AND INTERPRETATIONS.

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

(1) A-FRAME SIGN means a self-supported A-shaped sign with two visible sides that are located on or adjacent to a sidewalk.

(2) AWNING means a fabric or vinyl surface supported by a metal structure that is applied to the face of a building.

(3) AWNING SIGN means a sign attached to, painted on, or otherwise applied to an awning.

(4) BANNER means a sign applied on a strip of cloth, vinyl, or similar material and attached to a building or structure. Awning signs, canopy signs, and flags are not banners.

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

(6) CANOPY SIGN means a sign attached to, applied on, or supported by a canopy.

(7) DATA CENTER means a facility for storing, managing, processing, converting, warehousing, or disseminating data or information and includes the equipment that supports the data center, including computers, servers, and other data storage devices.

(8) DISTRICT IDENTIFICATION SIGN means a sign that is a marker for the identification of the district.

(9) KIOSK SIGN means a multi-sided structure for the display of signage for uses within this district, way-finding maps, artwork, and special events.

(10) LIGHT MANUFACTURING means a facility where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building. Typical items for processing, fabricating, assembly, or disassembly under this use include but are not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewelry, instruments, computers, and electronic devices.

(11) MANUFACTURED HOUSING means a dwelling unit contained in a manufactured home.

(12) PEDESTRIAN CONNECTION means an unobstructed area a minimum of six feet in width and illuminated to allow for pedestrian traffic.

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

(14) TRANSPARENCY means the total area of window and door openings filled with glass, expressed as a percentage of the total facade area by story.

(15) TREE PLANTING ZONE means the area parallel to and between two-and-one-half and nine feet from the back of the projected street curb.

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

(c) Subareas A-1, A-2, B, C, and D, ~~and E~~ are considered to be nonresidential zoning districts.

(d) Subareas ~~G and H~~ are ~~is~~ considered to be a residential zoning districts. (Ord. Nos. 26233; 27915)

SEC. 51P-741.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 741A: conceptual plan.
- (2) Exhibit 741B: mixed use development (MUD) parking chart.
- (3) Exhibit 741C: tree list.
- (4) Exhibit 741D: tree preserve area.

- (5) Exhibit 741E: lighting.
- (6) Exhibit 741F: typical street sections. (Ord. 27915)

SEC. 51P-741.103.2. SUBAREAS.

This district is divided into six ~~eight~~ subareas: Subareas A-1, A-2, B, C, D, ~~F, G,~~ and H, as depicted on the conceptual plan. ~~Subarea E shown on the conceptual plan is not part of this district.~~ (Ord. 27915)

SEC. 51P-741.104. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 741A). In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls. In Subareas A-1, A-2, B, C, and D, minor adjustments to the final street alignments and locations are permitted at the time of platting without requiring an amendment to the conceptual plan. (Ord. Nos. 26233; 27915)

SEC. 51P-741.105. DEVELOPMENT PLAN.

(a) In Subareas A-1, A-2, B, C, and D, a development plan must be approved by the city plan commission before issuance of any building permit to authorize work in these subareas other than paving, grading, installation of infrastructure improvements, tree removal, irrigation improvements, or fill operations.

(b) In Subareas ~~F, G, and~~ H, a development plan must be approved by the city plan commission before issuance of any building permit to authorize work in these subareas. A preliminary plat may serve as the development plan for development of single family uses. The development plan or preliminary plat must comply with the conceptual plan, development agreement, and conditions of this district.

(c) In Subareas A-1, A-2, B, C, and D, the provision of Section 51A-4.702 requiring submission of a development plan within six months after the city council's approval of these subareas does not apply.

(d) A development plan is not required to reflect the entire district or an entire subarea and may include only a portion of the district or a subarea. (Ord. Nos. 26233; 27915)

SEC. 51P-741.106. MAIN USES PERMITTED.

(a) Subareas A-1, A-2, B, C, and D, and F in general. Except as provided in this section, the only main uses permitted in Subareas A-1, A-2, B, C, and D, and F are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the

MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in these subareas only by SUP, and a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in these subareas.

(b) Uses in Subareas A-1, A-2, B, C, and D not requiring residential adjacency review. The following uses are allowed by right without residential adjacency review:

- Animal shelter or clinic without outside runs.
- Auto service center.
- Car wash.
- Commercial parking lot or garage.
- Convalescent and nursing homes, hospice care, and related institutions.
- Hospital.
- Hotel or motel.
- Manufactured housing. *[A maximum of five dwelling units may be constructed in these subareas until a certificate of occupancy is issued or final inspection is performed for another residential use in these subareas. All manufactured housing must be removed within 90 days of the issuance of a certificate of occupancy or final inspection of another residential use.]*
- Public school other than an open-enrollment charter school.
- Restaurant without drive-in or drive-through service.

(c) Main uses permitted by right in Subareas A-1, A-2, B, C, and D. The following main uses are permitted by right:

- (1) Industrial uses.
 - Data center.
 - Light manufacturing.
- (2) Miscellaneous uses.
 - Placement of fill material.
- (3) Residential uses.
 - Handicapped group dwelling unit.
 - Single family.
- (4) Retail and personal service uses.
 - Ambulance service.
 - Surface parking.
- (5) Transportation uses.

- Commercial bus station and terminal.
- Private street or alley.
- Transit passenger station or transfer center.

(d) Subareas G and H. The only main uses permitted in Subareas ~~G and H~~ are those main uses permitted in the TH-3(A) Townhouse District, subject to the same conditions applicable in the TH-3(A) Townhouse District, as set out in Chapter 51A. For example, a use permitted in the TH-3(A) Townhouse District only by specific use permit (SUP) is permitted in these subareas only by SUP, and a use subject to development impact review (DIR) in the TH-3(A) Townhouse District is subject to DIR in these subareas. (Ord. Nos. 26233; 27915)

SEC. 51P-741.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 26233; 27915)

SEC. 51P-741.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Subareas A-1, A-2, B, C, and D.

(1) In general. Except as provided in this subsection, the yard, lot, and space regulations for the MU-3 Mixed Use District apply.

(2) Front yard.

(A) Minimum front yard is five feet.

(B) No urban form setback is required.

(C) Temporary structures such as tables, chairs, and related items for sidewalk dining may be located in the front yard.

(D) Windows sills, bay windows, belt courses, cornices, other architectural features, and fireplace chimneys may project up to three feet into a required front yard.

(E) Unenclosed balconies, unenclosed patios, stoops, and signs may project up to five feet into a required front yard.

(3) Side and rear yard.

(A) Except as provided in this subsection, no minimum side or rear yard is required.

(B) For all uses other than single-family, minimum side and rear yard is five feet if a lot is adjacent to a public alley that borders a single-family use.

(C) No tower spacing is required.

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

(E) Unenclosed balconies, unenclosed patios, stoops, and signs may project up to five feet into a required side or rear yard.

(4) Density. Maximum number of dwelling units is 10,000.

(5) Floor area. All of Subareas A-1 and A-2 are considered one lot.

(6) Height.

(A) Habitable structures within 300 feet of the eastern boundary of the district are limited to 70 feet in height.

(B) The residential proximity slope provisions do not apply.

(7) Lot coverage.

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

(B) All of Subareas A-1 and A-2 are considered one lot.

(8) Lot size. For single-family uses, minimum lot size is 2,000 square feet.

(9) Mixed use project. Subareas A-1 and A-2 are considered a mixed use project.

~~—— (b) Subarea F. Except as provided in this subsection, the yard, lot, and space regulations for the MU-3 and MU-3(SAH) Mixed Use Districts apply. The minimum front yard setbacks may be reduced up to 100 percent upon a determination by the city plan commission that the proposed setbacks are part of the uniform development and streetscape of Subarea F. The proposed setbacks, as well as the street and parkway cross sections, must be reflected on a development plan and landscape plan.~~

(c) ~~Subareas G and H.~~ Except as provided in this subsection, the yard, lot, and space regulations for the TH-1(A), TH-2(A), and TH-3(A) districts apply. Maximum dwelling unit density is 12 dwelling units per acre. (Ord. Nos. 26233; 27915)

SEC. 51P-741.109. OFF-STREET PARKING AND LOADING.

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

(b) Subareas A-1, A-2, B, C, and D.

(1) On-street parking spaces that are adjacent to a lot, or if adjacent to open space, within 80 feet of a lot as measured in a straight line without regard for intervening structures, may be counted toward the required parking for that lot.

(2) For multifamily uses, 1.3 parking spaces per dwelling unit.

(3) Tandem parking is allowed for single family uses.

(4) Parking that requires maneuvering within the proposed Cypress Waters Boulevard right-of-way may be counted toward required parking for the adjacent lot.

(5) For children's amusement center, commercial amusement (outside), dry cleaning or laundry store, general merchandise or food store 3,500 square feet or less, general merchandise or food store greater than 3,500 square feet, general merchandise or food store 100,000 square feet or more, household equipment and appliance repair, liquor store, personal service, skating rink, and swap or buy shop uses, one parking space per 250 square feet of floor area is required.

(6) For a data center, one parking space per 5,000 square feet of floor area, except that one parking space per 333 square feet is required for any floor area used for office space. Handicapped parking must be provided pursuant to Section 51A-4.305. No loading space is required the first 50,000 square feet of floor area. One loading space is required for the first 150,000 square feet of floor area. One additional loading space is required for each additional 100,000 square feet of floor area or fraction thereof above the initial 150,000 square feet.

(7) For light manufacturing, one parking space per 600 square feet of floor area. Handicapped parking must be provided pursuant to Section 51A-4.305. One loading space is required the first 50,000 square feet of floor area. Two loading spaces are required for the first 100,000 square feet of floor area. One additional loading space is required for each additional 100,000 square feet of floor area or fraction thereof above the initial 100,000 square feet.

(8) Parking reductions for proximity to DART light rail stations.

(A) Parking for all uses, except residential uses, located within a quarter mile of an existing DART light rail station, or a future rail station as indicated on an adopted service plan, may be reduced by 20 percent.

(B) Parking for all uses, except residential uses, located more than a quarter mile but less than half a mile from an existing DART light rail station, or a future rail station as indicated on an adopted service plan, may be reduced by 20 percent provided there is a pedestrian connection to the DART light rail station.

(9) Mixed use development parking reduction.

(A) The off-street parking requirement for a mixed use development may be reduced in accordance with the mixed use development (MUD) parking chart (Exhibit 741B).

(B) This reduction may be used in combination with other parking reductions, except that the standard requirement for a mixed use development may not be reduced by more than 30 percent.

(C) The adjusted off-street parking requirement for a mixed use development is calculated as follows:

(i) First, the standard parking requirements for each of the uses in the mixed use development must be ascertained.

(ii) Next, the parking demand for each use is determined for each of the five times of day shown in the MUD parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the MUD parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(iii) Finally, the “time of day” columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted off-street parking requirement for the development.

(10) Seven-and-a-half-foot-wide parking stalls may constitute up to 35 percent of the required parking spaces for any use.

(11) For purposes of this subsection, each subarea is considered a lot.
(Ord. Nos. 26233; 27915)

SEC. 51P-741.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 26233; 27915)

SEC. 51P-741.111. LANDSCAPING.

(a) Subareas A-1 and A-2.

(1) Landscape plan.

(A) Except as provided in this subsection, a landscape plan must be submitted with the development plan and approved by the city plan commission before issuance of a building permit to authorize work in this subarea. No landscape plan is required for:

- (i) a public park;
- (ii) the repair of existing structures;
- (iii) demolition;
- (iv) grading;
- (v) the installation of fencing or other structures for security purposes;
- (vi) work associated with a temporary use;
- (vii) work intended to provide for the irrigation or maintenance of landscaping; or

(viii) the reconstruction or restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of public enemy, or accident of any kind if that reconstruction or restoration does not increase:

- (aa) the number of buildings on the lot;
- (bb) the number of stories in a building on the lot;
- (cc) the floor area of any building on the lot by more than 10 percent or 10,000 square feet, whichever is less; or
- (dd) the nonpermeable coverage of the lot by more than 10,000 square feet.

(B) Except as provided in this subsection, landscape plans must adhere to either the requirements of this article or Article X. Submitted landscape plans must indicate which set of standards apply.

(C) A landscape plan must contain the following information:

- (i) Date, scale, north point, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan.
- (ii) Location of existing boundary lines and dimensions of the lot, the zoning classification of the lot, the subarea classification of adjacent properties and a vicinity map.

(iii) Approximate centerlines of existing water courses and the location of the 100-year flood plain, and geologically similar areas, if applicable; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, driveways, and sidewalks on or adjacent to the lot.

(iv) Project name, street address, and lot and block description.

(v) Location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours).

(vi) Locations and dimensions of proposed landscape buffer strips.

(vii) Complete description of plant materials shown on the plan, including names (common and botanical name), locations, quantities, container or caliper sizes at installation, heights, spread, and spacing. The location and type of all existing trees on the lot over six inches in caliper must be specifically indicated.

(viii) Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided interior to parking areas and the number and location of required off-street parking and loading spaces.

(ix) An indication of how existing healthy trees proposed to be retained will be protected from damage during construction.

(x) Size, height, location, and material of proposed seating, lighting, planters, sculptures, and water features.

(xi) A description of proposed watering methods.

(xii) Location of visibility triangles on the lot.

(xiii) Tabulation of design standard points earned by the plan.

(xiv) Impervious area and front yard landscape area.

(xv) Total quantity of pedestrian facilities, special amenities, and enhanced pavement each.

(xvi) The total tree mitigation for the district as a running total and the total of proposed tree replacement plantings and alternate tree mitigation methods for that landscape plan. Each landscape plan should subtract tree mitigation credit after a landscape plan has been approved by city plan commission.

(xvii) The adjacent parkway area and any landscaping within the parkway area.

(D) The city plan commission may approve a landscape plan that does not comply with the requirements of this subsection if:

(i) strict compliance with this subsection is impractical due to site constraints or the location of protected trees, or would result in substantial hardship;

(ii) the landscape plan complies with the spirit and intent of this subsection; and

(iii) the variation or exception from this subsection will not adversely affect surrounding properties.

(2) Tree planting zone.

(A) In general. Trees must be planted no closer than 2.5 feet on center from any curb or paved roadway. Large trees must be planted no closer than 10 feet on center from a building wall and no closer than 20 feet from another large tree.

(B) Number, location, and type of trees required. Each lot must have one or more trees whose trunks are located wholly within the tree planting zone. The number of required trees is determined by dividing the number of feet of lot frontage, exclusive of driveways and visibility triangles, by 30. Fractions are rounded to the nearest whole number, with 0.5 being rounded up to the next higher whole number. Trees must have a minimum caliper of two inches at the time of planting.

(C) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within 50 feet of another required tree.

(3) Surface parking area trees. All required parking spaces within a surface parking area must be within 100 feet of a large canopy tree.

(4) Landscape materials.

(A) No artificial plant materials may be used to satisfy the requirements of this subsection.

(B) In satisfying the landscaping requirements of this subsection, the use of high quality, hardy, and drought tolerant plant materials is encouraged.

(C) In addition to those trees listed in Article X, the trees listed in Exhibit 741C may be used to satisfy the requirements of this article.

(5) Soil requirements.

(A) Except as provided in this paragraph, landscape planting areas must have the following soil depths and dimensions:

(i) Each large shrub and each small tree must be planted in soil that is at least 24 inches deep with a surface area of at least 16 square feet (total of 32 cubic feet).

(ii) Each large tree must be planted in soil that is at least 36 inches deep with a surface area of at least 25 square feet (total of 75 cubic feet).

(B) Landscape planting areas located above underground buildings or structures must have the following soil depths and dimensions:

(i) Each large shrub and each small tree must be planted in soil that is at least 30 inches deep with a surface area of at least 25 square feet (total of 62.5 cubic feet).

(ii) Each large tree must be planted in soil that is at least 40 inches deep with a surface area of at least 36 square feet (total of 120 cubic feet).

(C) The building official may waive the minimum soil requirements if a landscape architect certifies that the proposed alternative soil depths and dimensions are sufficient to support the healthy and vigorous growth of the proposed plant materials.

(6) Protection of landscape areas. Required landscape areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

(7) Sidewalks and paving.

(A) Sidewalks must have a minimum width of five feet, unless otherwise depicted on the typical street sections exhibit (Exhibit 741F).

(B) Public sidewalks occurring outside of the street right-of-way must be contained within an identified easement.

(C) Alternative paving materials including, but not limited to, pavers, colored concrete, and stamped concrete are allowable materials to be used in the right-of-way. Cement-stabilized sand base can be used for pedestrian walkways. Cement-concrete base must be used for pavers and drive areas.

(8) Design standards. All landscape plans must earn a minimum of 20 points. Points are earned for the use of design standards only when landscaping is provided in the front yard. For purposes of this subsection, a front yard may include those areas of public right-of-way located behind the curb utilized for streetscape.

(A) Points for landscaping in front yard. One point is awarded for each three percent of the total front yard area provided as landscape area to a maximum of 15 points if the landscape area:

(i) is at least 50 square feet;

(ii) is planted with grass or other plant material as ground cover; and

(iii) is planted with at least one of the following for every 100 square feet of landscape area, or fraction thereof:

(aa) one large canopy tree;

(bb) two small trees;

(cc) one small tree and two large shrubs; or

(dd) three shrubs.

(B) Parking concealment for providing parking in a structure. Five points are awarded for providing parking in structures in which facades which face the right-of-way are:

(i) architecturally complimentary to the main building;

(ii) concealed by a green screen or other vegetation within three years after planting; or

(iii) located 50 percent below grade.

(C) Parking concealment for surface parking. Three points are awarded for providing surface parking that is screened from a street using one or more of the following materials:

(i) A three-foot-high earthen berm planted with turf grass or ground cover recommended for local area use by the building official. The berm may not have a slope that exceeds one foot of height for each three feet of width.

(ii) A minimum three-foot-high solid masonry wall.

(iii) Hedge-like evergreen plant materials recommended for local area use by the building official. 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.

(iv) A combination of (i), (ii), and (iii).

(D) Existing tree credits. Existing healthy trees are categorized in accordance with the definitions of this section and credited toward meeting the design standards as follows:

(i) One point is awarded for each tree retained in or relocated to the front yard of the building site or the parkway, having a caliper equal to or greater than four inches but less than six inches, a credit of one required large tree is allowed.

(ii) Two points are awarded for each tree retained in or relocated to the front yard of the building site or the parkway, having a caliper equal to or greater than six inches but less than 12 inches, a credit of two required large trees is allowed.

(iii) Three points are awarded for each tree retained in or relocated to the front yard of the building site, the parkway, or within any of the subareas having a caliper equal to or greater than 12 inches, a credit of three required large trees is allowed.

(E) Special amenities.

(i) Enhanced pavement material.

(aa) Three points are awarded when enhanced pavement is used in crosswalks, raised intersections, and other traffic-calming devices in and adjacent to the public right of way. (Note: All vehicular pavement must comply with the construction and maintenance provisions for off-street parking in the Dallas Development Code.)

(bb) Three points are awarded when at least 50 percent of all outdoor pedestrian pavement area in the front yard consists of enhanced pavement. (Note: All pedestrian pavement material and design must be approved by the building official.)

(ii) Pedestrian facilities.

(aa) One point is awarded for each publicly accessible special pedestrian feature such as a plaza, covered walkway, fountain, lake/pond, outdoor recreation facility, hike and bike path, and each work of public art up to a maximum of five points.

(bb) One point is awarded for a pedestrian street furniture ensemble included in the front yard consisting of a cluster of at least two benches, one bicycle rack, and a trash receptacle. Maximum of three points.

(F) Sustainable materials and methods. One point is awarded per each sustainable strategy successfully implemented as listed below:

(i) Modular pavers or recycled brick on cement-stabilized sand base.

(ii) Vegetated bio-swales for stormwater treatment, infiltration, or retention.

(iii) Dedicated bike lane in the fronting right-of-way.

(iv) Public transit stop.

(v) A minimum of 50 percent pedestrian or vehicular paving with a pervious paving material.

(vi) Planting area that is adjacent to or part of a larger restored habitat or riparian condition (not limited to front yard).

(9) When landscaping must be completed.

(A) All landscaping located within the parkway or right-of-way must be installed before the issuance of a final certificate of occupancy for any building on the adjacent lot.

(B) For a lot with one building, all other landscaping must be installed before the issuance of a final certificate of occupancy for the building on the lot.

(C) For a lot with multiple buildings, all other landscaping must be installed before the issuance of a final certificate of occupancy for the final building on the lot.

(D) If the property owner provides the building official with documented assurance that the landscaping will be completed within six months, the building official may issue one six-month temporary certificate of occupancy and permit the property owner to complete landscaping during the six-month period. For purposes of this subsection, “documented assurance” means a copy of a valid contract to install the landscaping in accordance with the landscape plan within the six-month period, or a set of deed restrictions containing a covenant to install the landscaping in accordance with the landscape plan within the six-month period. The deed restriction must:

(i) expressly provide that it may be enforced by the city;

(ii) be approved as to form by the city attorney; and

(iii) be filed in the deed records of the county in which the land is located.

(10) Irrigation requirements. Except as otherwise provided in this paragraph, required plant materials must be located within 100 feet of a verifiable water supply.

(A) The lake, as indicated on the conceptual plan, is an acceptable source for water to be used in irrigation.

(B) Proposed watering methods must be indicated on the landscape plan; and adequate to maintain the plant materials in a healthy, growing condition at all times.

(C) Drought tolerant planting may be temporarily irrigated as allowed by the director.

(11) Landscaping and public art within public right-of-way. Landscaping and public art located within the public right-of-way must be installed at the time of construction on the property adjacent to the right-of-way. Landscaping and public art within a right-of-way must be indicated on the development plan.

(12) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this subarea for the exclusive purposes of authorizing compliance with the parkway landscaping requirements of this article and the temporary placement for intervals of time less than 24 consecutive hours of A-frame signs, tables, chairs, and associated improvements for dining within the right-of-way. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

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

(C) Upon the installation of landscaping, dining equipment, and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, 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.

(D) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to

maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this paragraph does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(13) Parkway landscape permit.

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

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

(C) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

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

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

(14) General maintenance. Required landscaping must be maintained in a healthy, growing condition. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings, as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(b) Subareas B, C, D, ~~G~~ and H. Landscaping must be provided in accordance with Article X.

~~—— (c) Subarea F. A landscape plan must be submitted with each development plan and approved by the city plan commission before issuance of a building permit to authorize work in this subarea. Landscaping must be provided as shown on the landscape plan.~~

(d) Maintenance. Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 26233; 27915)

SEC. 51P-741.111.1. TREE PRESERVATION, REMOVAL, AND REPLACEMENT.

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

(b) Subareas A-1 and A-2.

(1) Subareas A-1 and A-2 are considered one lot for purposes of tree mitigation and removal.

(2) Total mitigation required is 19,998 caliper inches.

(c) Subareas B, C, and D.

(1) Subareas B, C, and D are considered one lot for tree mitigation and removal.

(2) Total mitigation required is 2,543 caliper inches.

(d) Tree inventory and replacement for Subareas A-1, A-2, B, C, and D.

(1) Trees planted within the right-of-way or designated open space may be counted as required and site trees and used for mitigation. Trees removed from an existing or proposed right-of-way do not have to be mitigated.

(2) Trees that are preserved or relocated to a park, conservation easement, designated open space, or area shown on a development plan will receive a five-to-one caliper inch credit for purposes of satisfying tree mitigation requirements.

(3) Mitigation of trees removed pursuant to a tree removal permit must be completed in accordance with the following schedule:

(A) 25 percent of mitigation complete within five years after the issuance of the tree removal permit;

(B) 50 percent of mitigation complete within 10 years after the issuance of the tree removal permit;

(C) 75 percent of mitigation complete within 15 years after the issuance of the tree removal permit;

(D) 100 percent of mitigation complete within 20 years after the issuance of the tree removal permit.

(4) A minimum 17-acre tree preserve area must be maintained as shown on Exhibit 741D until such time as 75 percent of required mitigation is complete. (Ord. 27915)

SEC. 51P-741.111.2. LIGHTING IN SUBAREAS A-1, A-2, B, C, AND D.

(a) Decorative street lighting may be placed within the right-of-way.

(b) Temporary string lighting may be affixed to buildings, light standards within the right-of-way, and landscaping within the right-of-way.

(c) In addition to standard city fixtures and poles, fixtures and poles ranging in height from 12 feet to 25 feet and in general conformance with the design criteria outlined in the lighting exhibit (Exhibit 741E) are allowed on the Property and within the right-of-way.

(d) The location, number, and type of light fixtures must be determined when a development plan is submitted. Exceptions to city standards may be granted in order to achieve comprehensive and integrated urban design in relation to building elevations, locations, and orientations.

(e) Athletic field lighting is permitted by right with a maximum height of 120 feet. (Ord. 27915)

SEC. 51P-741.111.3. STORM DRAINAGE DESIGN IN SUBAREAS A-1, A-2, B, C, AND D.

Lots using the lake, as shown on the conceptual plan, as a drainage source are not required to provide detention on the lot. (Ord. 27915)

SEC. 51P-741.111.4. STREET SECTIONS AND DESIGN IN SUBAREAS A-1, A-2, B, C, AND D.

(a) Streets must be one of the following street types, more particularly described in the typical street sections exhibit:

(1) Park street.

(2) Town center street.

- (3) Office and mixed-use street.
- (4) Boulevard.
- (5) Water street.
- (6) Avenue.
- (7) Residential street.

(b) All development plans for Subareas A-1, A-2, B, C, and D must clearly identify which of the street types will be constructed and dedicated adjacent to the area depicted on the development plan.

(c) Right-of-way dedications must be in accordance with the attached street sections.

(d) Minor adjustments to final street right-of-way dedications and locations are permitted at the time of platting without requiring an amendment to Exhibit 741F. (Ord. 27915)

SEC. 51P-741.111.5. TRANSPARENCY.

In Subareas A-1, A-2, B, C, and D, any building with a front yard setback of less than 15 feet must meet the following minimum ground story transparency requirements.

(a) For a building with two or more types of uses, front yard facades must have a minimum transparency of 50 percent, and side yard facades must have a minimum transparency of 25 percent.

(b) For retail, personal service, commercial and business service, institutional and community service, lodging, and multifamily uses, front yard facades must have a minimum transparency of 30 percent, and side yard facades must have a minimum transparency of 25 percent.

(c) For single-family uses, front and side yard facades must have a minimum transparency of 20 percent. (Ord. 27915)

SEC. 51P-741.111.6. VISUAL OBSTRUCTION REGULATIONS.

(a) In Subareas A-1, A-2, B, C, and D, the definition of “visibility triangle” in Section 51A-4.602 for central area districts applies.

(b) In Subareas A-1, A-2, B, C, and D, a conceptual street plan and street section exhibit acceptable to the director of public works and transportation must be included with the development plan submitted to the commission for approval.

(c) In interpreting and enforcing the paving and drainage design manual, Subareas A-1 and A-2 are considered a special area. (Ord. 27915)

SEC. 51P-741.112. SIGNS.

(a) In general. Except as provided in this section, signs in Subareas A-1, A-2, B, C, ~~and D, and E~~ must comply with the provisions for business zoning districts in Article VII. Signs in Subareas ~~G and H~~ must comply with the provisions for non-business zoning districts in Article VII.

(b) Subareas A-1 and A-2.

(1) The effective area for signs includes the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word. Supporting structures, walls, and architectural features are not included in the calculation of effective area.

(2) For all signs other than district identification signs and attached signs, maximum effective area is 200 square feet.

(3) Detached signs.

(A) All detached signs must advertise uses, tenants, or events within the district but do not have to be located on the same lot as the use, tenant, or event being advertised. The exact location of the sign must be shown on the development plan.

(B) No minimum setback exists for detached signs, except that a minimum of three feet of unobstructed sidewalk must be maintained.

(C) For detached signs other than district identification signs and kiosk signs, one sign is allowed for every 450 feet of frontage. For purposes of this calculation, temporary signs, seasonal banners, and A-frame signs are excluded.

(D) For detached signs other than district identification signs and kiosk signs, the setback-to-height slope is 0.5:1 with a maximum height of 35 feet.

(E) Pole signs are prohibited.

(4) District identification signs, and A-frame signs may be located within the right-of-way, including medians. When a sign is located on a sidewalk, a minimum of three feet of unobstructed sidewalk area must be maintained.

(5) Multiple tenants or landowners may be advertised on any sign.

(6) Signs may be attached to light standards within the right-of-way.

(7) In addition to the types of signs allowed in Article VII, the following types of signs are allowed, subject to the conditions listed below:

(A) A-frame signs with a maximum height of four feet and maximum effective area of 12 square feet per side;

(B) Awning signs;

(C) Banner signs;

(D) Blade signs with a maximum effective area of 30 square feet;

(E) Canopy signs;

(F) District identification signs; and

(G) Kiosk signs (prohibited in rights-of-ways).

(8) District identification signs:

(A) May include the name and logo of the district, or the name, logo, and address of any destination located within the district;

(B) Must be a detached sign;

(C) Must not exceed 200 square feet in effective area;

(D) May not exceed 40 feet in height;

(E) May be located in a public right-of-way;

(F) Except as provided in this paragraph, may be erected anywhere as long as they do not create a visual obstruction;

(G) May be located over the public sidewalk or traffic lanes of a public street, providing that a minimum of 14 feet of vertical clearance is provided.

(H) Maximum number of signs is 20.

(I) May not be located within 100 feet of any detached sign located on the same frontage.

(9) Kiosk signs:

(A) May not provide advertising for uses or events outside the district.

(B) May not exceed 40 square feet in total signage area (not including structure).

(C) Maximum number of signs is 20.

(D) May not be located within 50 feet of any detached sign located on the same frontage.

(E) May not be located in rights-of-way.

(c) Public schools. For any public school, other than an open-enrollment charter school, the following sign regulations apply:

(1) Signs may include the school name, logo of the school, and address of the school;

(2) Signage may be either attached or detached;

(3) Detached signs may not exceed 200 square feet in effective area;

(4) Detached signs may not exceed 40 feet in height;

(5) Electronic messages may only be displayed between 6:30 a.m. and 8:30 p.m. Monday through Friday. (Ord. Nos. 26233; 27915)

SEC. 51P-741.113. ADDITIONAL PROVISIONS.

(a) In Subareas ~~F, G, and~~ H, a development plan, landscape plan, or preliminary plat may not be submitted until:

(1) A Traffic Impact Analysis (TIA) has been approved by the director of development services.

(2) A development agreement has been approved by the city council that details infrastructure and service provisions and phasing, and assigns cost responsibilities for the provision of emergency services, water, waste water, and recreational services and facilities.

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

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

(d) The lake, as shown on the conceptual plan, is considered a legal building site for purposes of installing retaining walls and public amenities for pedestrian usage or community activities such as concerts.

(e) All of Subareas A-1 and A-2 are considered a legal building site for establishing a manufactured housing use. (Ord. Nos. 26233; 27915)

SEC. 51P-741.114. COMPLIANCE WITH CONDITIONS.

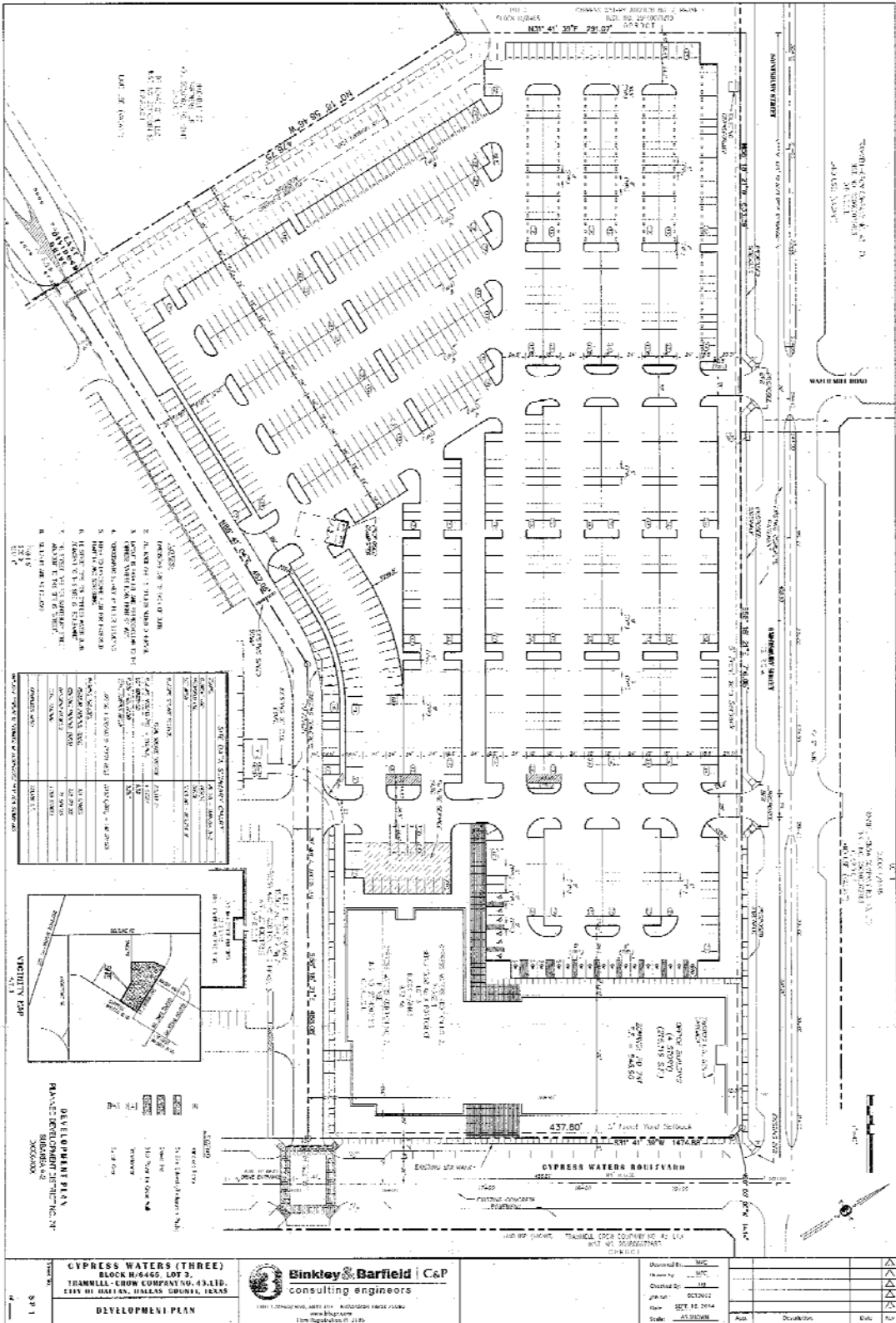
(a) Except as provided in this article, all paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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 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. (Ord. Nos. 26233; 27915)

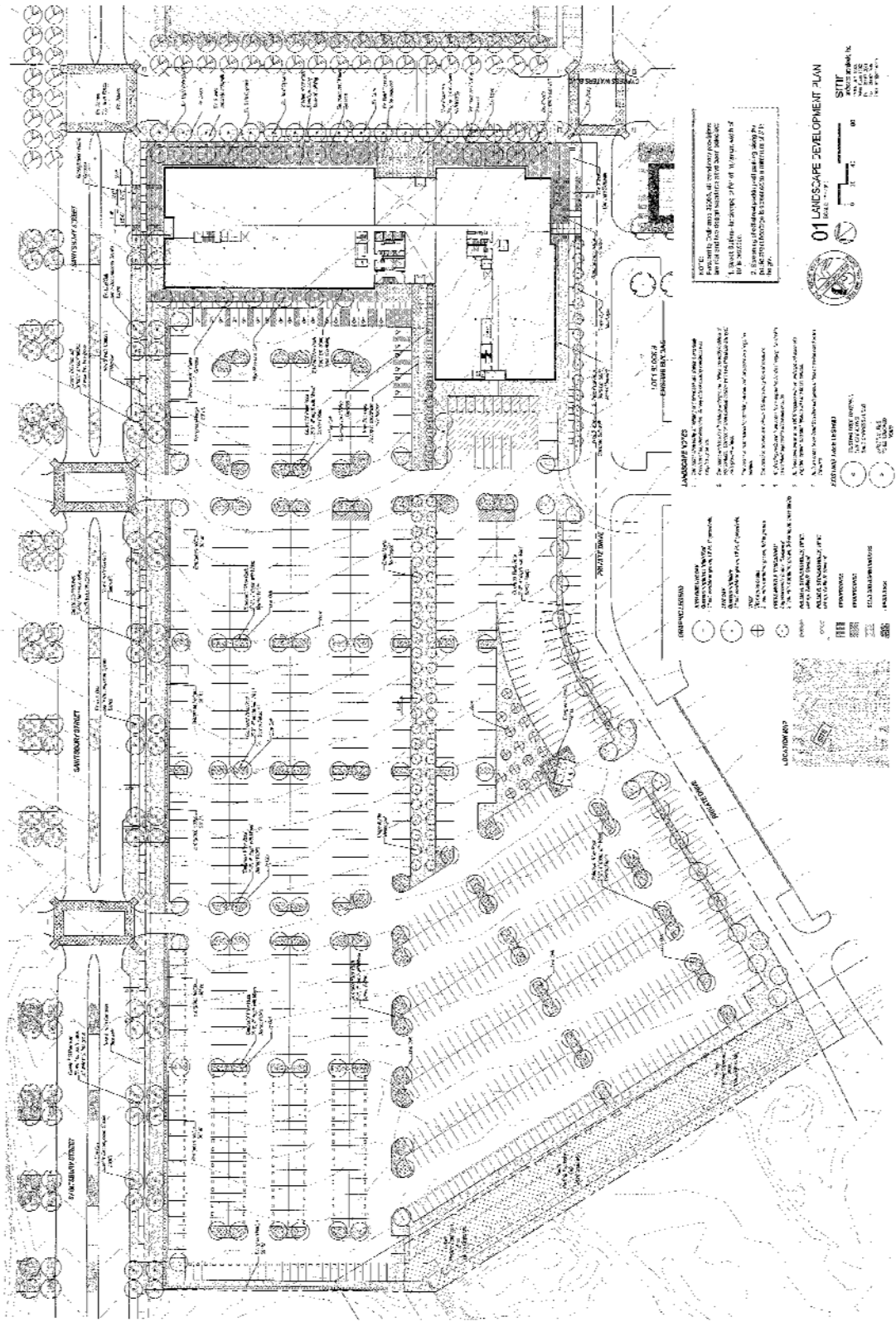
SEC. 51P-741.115. ZONING MAP.

PD 741 is located on Zoning Map Nos. C-2, C-3, D-2, and D-3. (Ord. Nos. 26233; 27915)

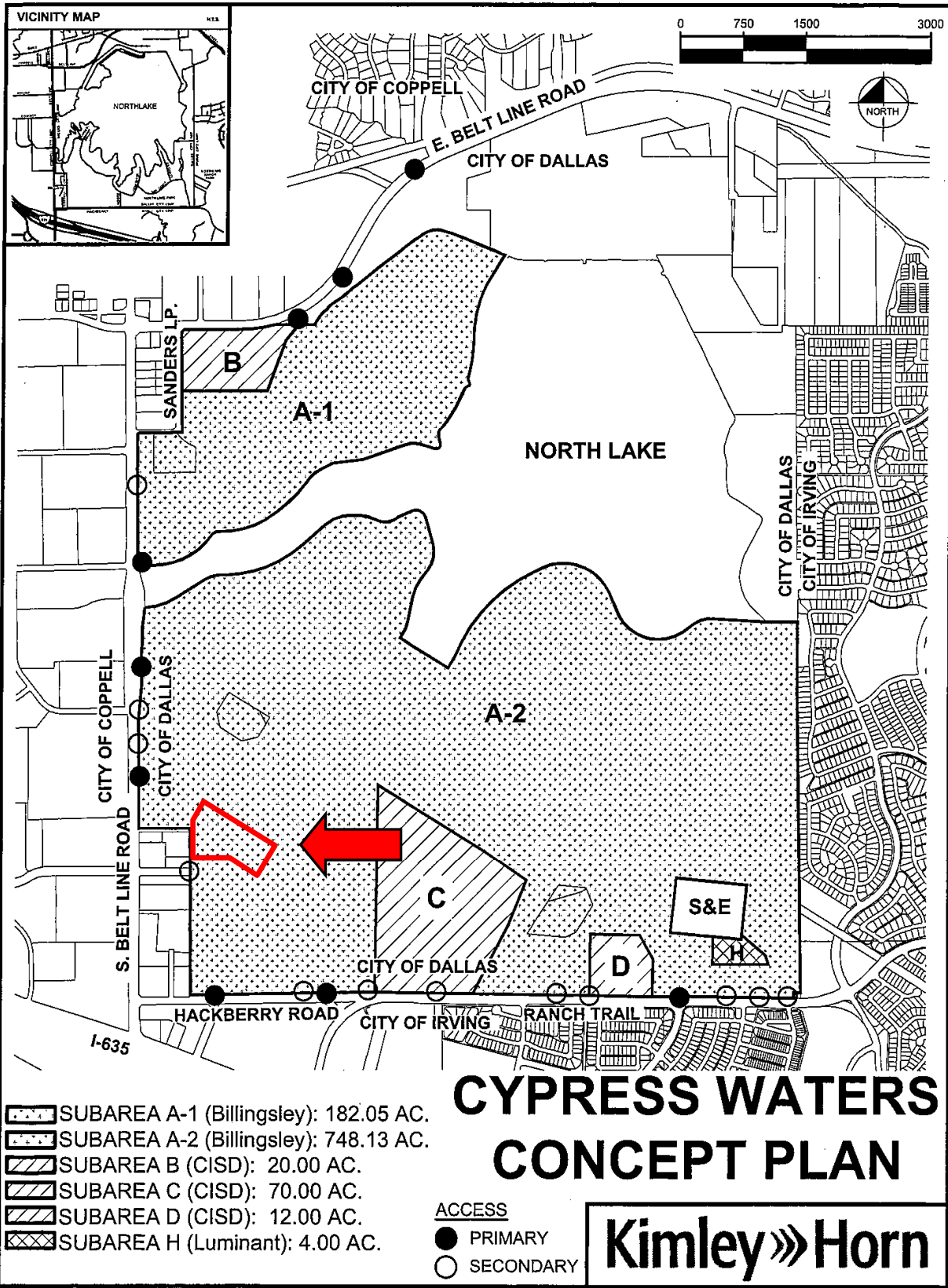
PROPOSED DEVELOPMENT PLAN



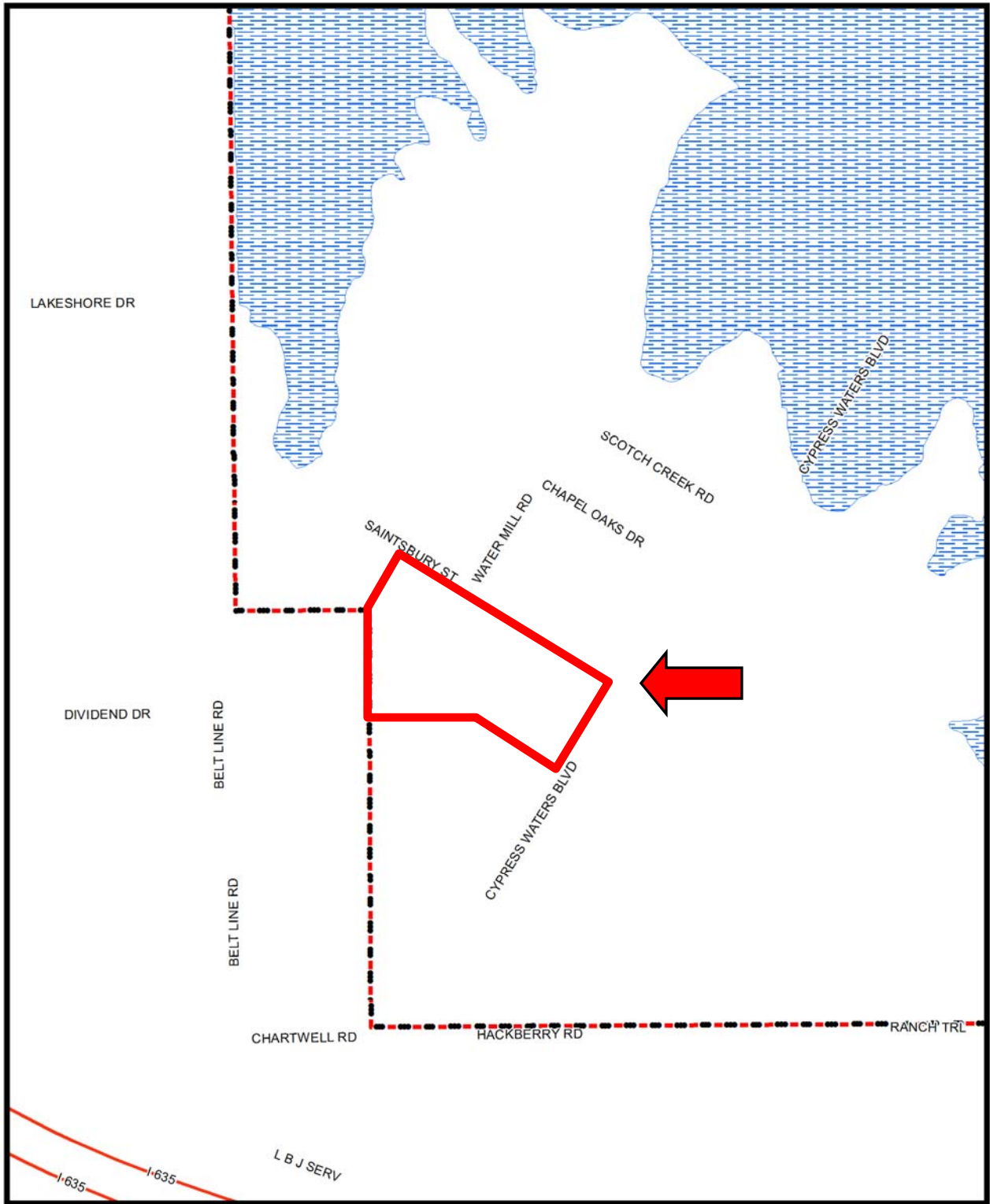
PROPOSED LANDSCAPE PLAN



EXISTING CONCEPTUAL PLAN



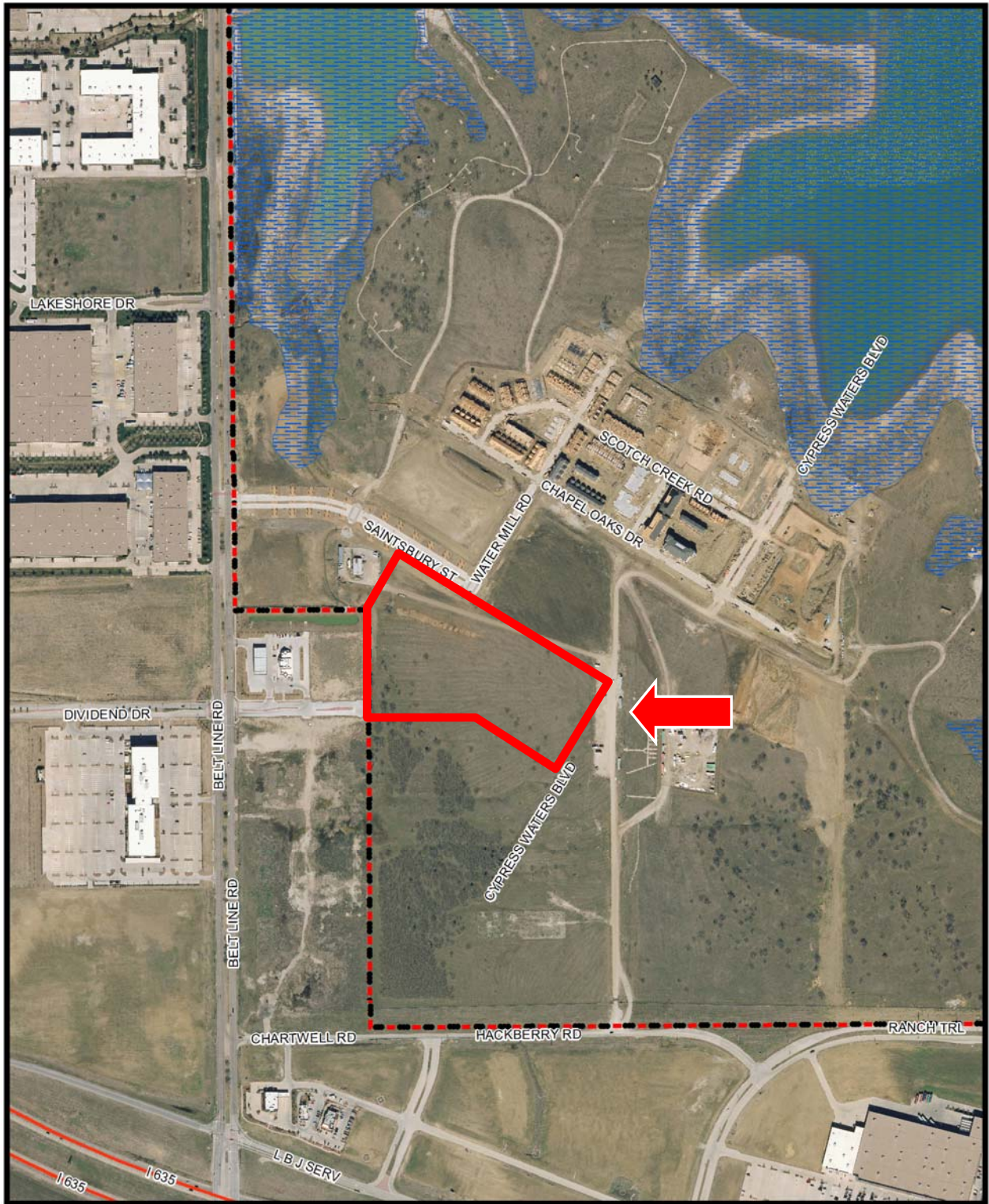
ZONING MAP



1:6,770

Printed Date: 10/27/2014

AERIAL MAP



1:6,770

Printed Date: 10/27/2014

FILE NUMBER: D134-027

DATE FILED: July 24, 2014

LOCATION: Northeast Corner of Riverfall Drive & Steppington Drive

COUNCIL DISTRICT: 11

MAPSCO: 26-F

SIZE OF REQUEST: ±1.72 acres

CENSUS TRACT: 131.05

MISCELLANEOUS DOCKET ITEM

OWNER: Tim Moore, Steppington SLJ/McKinney, LP

APPLICANT: Dan Matula & Dan Wollent, Public Storage

REPRESENTATIVE: Maxwell Fisher and Dallas Cothrum, Masterplan Consultants

REQUEST: An application for a development plan for Subarea B within Planned Development District No. 904 on the west line of Central Expressway, north of Riverfall Drive.

SUMMARY: On March 25, 2014, the City Council passed Ordinance No. 29303, which established Planned Development District No. 904. PDD 904, divided into Subareas A and B.

The plan provides for three self-storage buildings, or a mini-warehouse use, which is permitted by right in PDD 904. For a mini-warehouse use, the maximum floor area permitted is 295,000 square feet. This development plan complies with a floor area of 162,161 square feet. While the development/conceptual plan is the development plan for Subarea A, Subarea B requires City Plan Commission approval of a development plan prior to the issuance of any building permit to authorize work in this district.

The development plan meets the requirements for Subarea B of PDD 904. The ordinance may be viewed at this link:

<http://www.dallascityattorney.com/51P/Articles%20Supp%2035/Article%20904.pdf>

STAFF RECOMMENDATION: Approval

CPC PREVIOUS ACTION: On October 23, 2014, the City Plan Commission voted to hold this case under advisement. The applicant needed to revise the building footprint and tower element along Riverfall Drive to comply with PDD 904 regulations.

Partners and Officers

Steppington SLJ/McKinney LP

General Partners:

2009 McKinney Management, LLC

President

J. Tim Moore

SLJ Company, LLC

President

Louis H. Lebowitz

Limited Partners:

2009 McKinney Investment Fund, L.P.

2009 McKinney Partners, LLC

President

J. Tim Moore

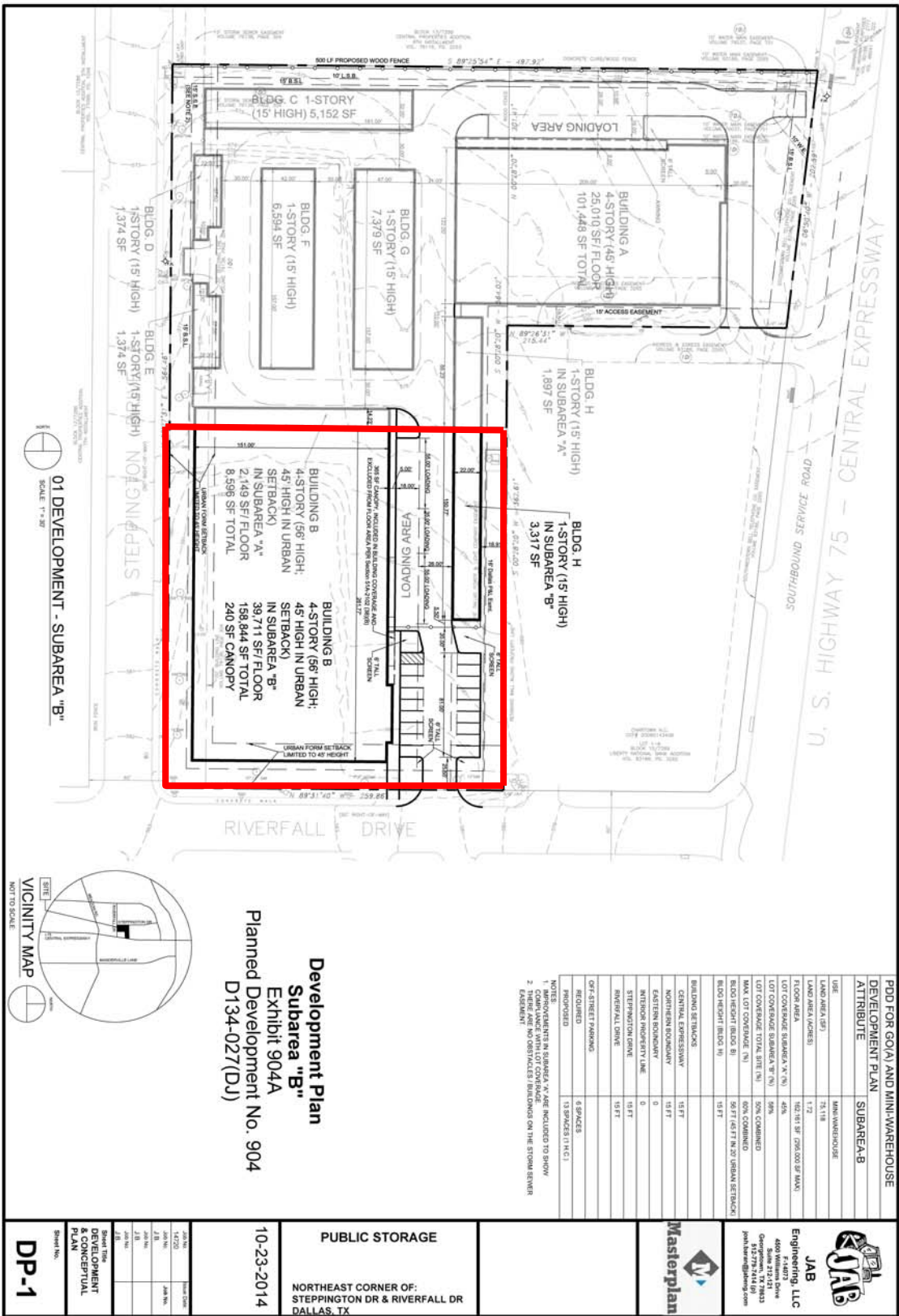
SLJ/EOF VIII, LTD.

SLJ Company, LLC

President

Louis H. Lebowitz

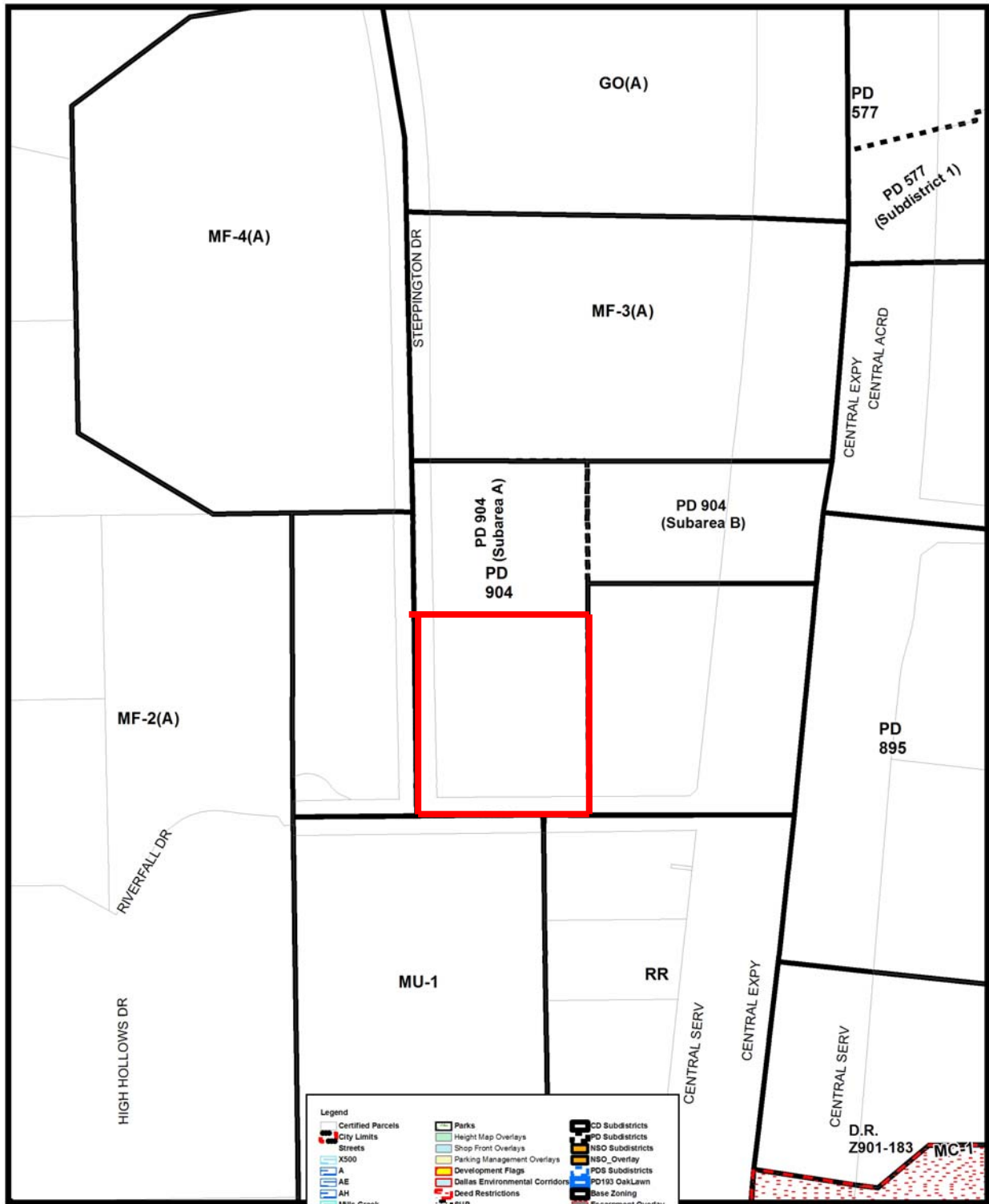
PROPOSED DEVELOPMENT PLAN



29303 140545



ZONING MAP

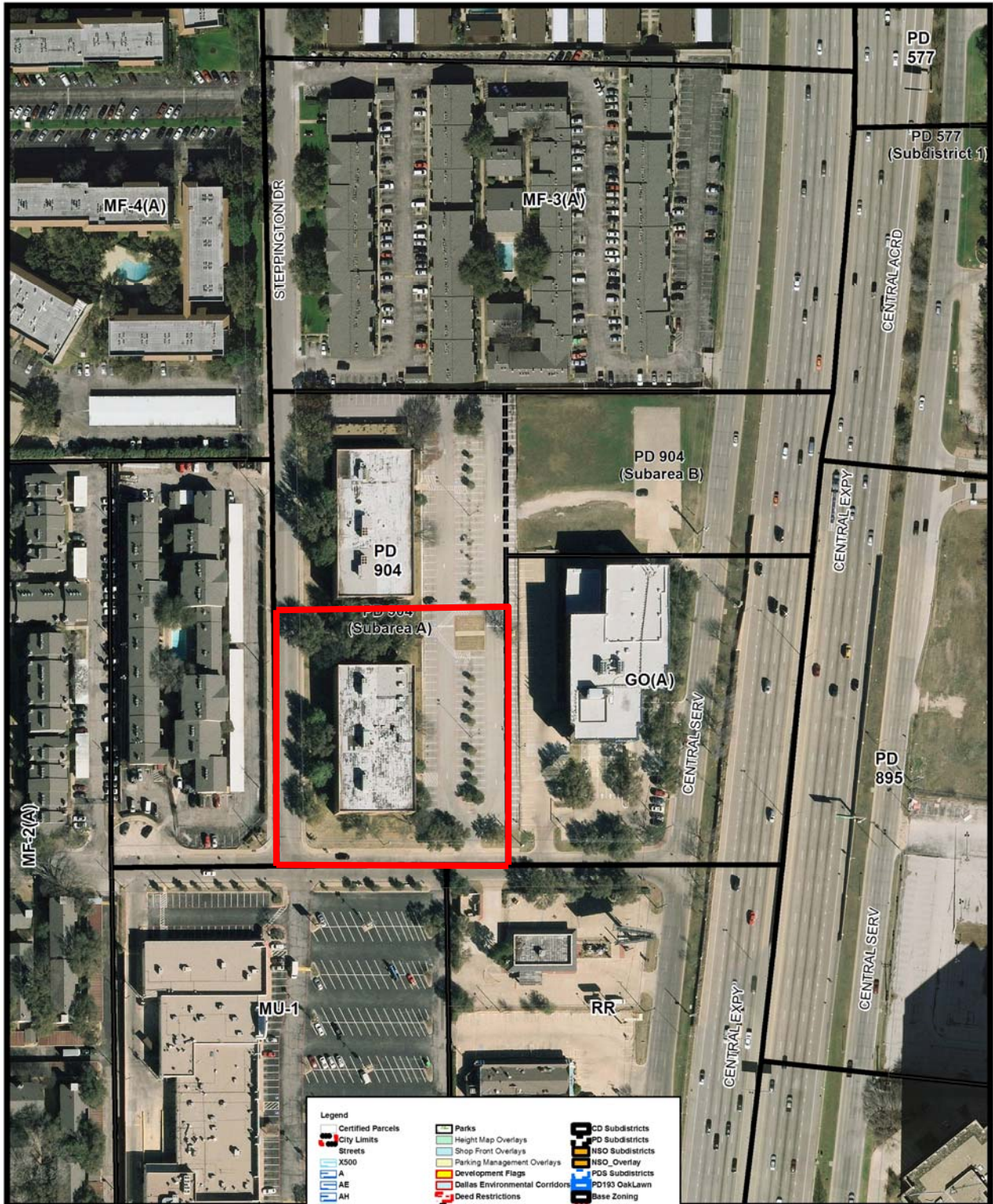


1:2,400

Printed Date: 9/8/2014

D134-027

AERIAL MAP



1:1,800

Printed Date: 9/8/2014

D134-027

FILE NUMBER: Z134-254(CE)

DATE FILED: May 5, 2014

LOCATION: South side of Main Street, east of South Field Street

COUNCIL DISTRICT: 14

MAPSCO: 45-P

SIZE OF REQUEST: ±0.0875 acre

CENSUS TRACT: 31.01

REPRESENTATIVE: Roger Albright

APPLICANT: Strategic Hype, LLC
Kevin Richardson, Chief Executive Officer and sole member

OWNER: Bryan Foster

REQUEST: An application for the renewal of Specific Use Permit No. 1887 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a Class A dance hall on property zoned Planned Development District No. 619, Tract B.

SUMMARY: The applicant proposes to continue to operate a bar [Plush] on the basement level, level one and the roof deck and to have dance floors on the basement level, level one (street level) and level two of the existing building. On September 4, 2014, the City Plan Commission recommended denial without prejudice of this request. The applicant appealed to City Council. On October 8, 2014, the City Council remanded this case to the City Plan Commission.

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

STAFF RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The existing establishment and land use are considered compatible with the surrounding mix of uses that include hotel, office, residential and retail.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing establishment provides a service within the Central Business District and does not appear to negatively impact to the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is not anticipated to be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, it complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

BACKGROUND:

- The ±0.0875 acre request, which comprises all four (4) levels of a multistory building, is located within the Central Business District and is regulated by Planned Development District No. 619. The PDD prohibits alcoholic beverage establishments at street level, but allows commercial amusements (inside) by Specific Use Permit. Alcoholic beverage establishments are allowed by Specific Use Permit when located below street level or above street level.
- Specific Use Permit No. 1887 was approved by City Council on September 14, 2011 for a one-year period subject to a site plan and conditions. Renewal of the Specific Use Permit was approved by City Council on August 22, 2012 for a two-year period subject to conditions.
- A condition of Specific Use Permit No. 1887 is that the alcoholic beverage establishment limited to a bar, lounge or tavern may not operate on level one (street level), as required by PDD No. 619. To comply with this condition, the applicant offers and will continue to offer buffet service of food on level one.

Zoning History:

1. **Z123-182:** On Wednesday, April 10, 2013, the City Council approved the renewal of Specific Use Permit No. 1856 for an alcoholic beverage establishment for a bar, lounge or tavern and a commercial amusement (inside) for a dance hall for a three-year period, subject to conditions.
2. **Z101-382:** On April 25, 2012, the City Council approved a Specific Use Permit for a non-premise district activity video board for a six-year time period subject to a site plan and conditions.
3. **Z089-264:** On January 13, 2010, the City Council approved a Specific Use Permit for a non-premise district activity video board for a six-year time period subject to a site plan and conditions.
4. **Z089-263:** On December 9, 2009, the City Council approved a Specific Use Permit for a non-premise district activity video board for a five-year time period subject to a site plan and conditions.
5. **SPSD 067-003:** On June 10, 2009, the City Council approved a Specific Use Permit for two attached projecting non-premise district activity video board for a six-year time period subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Main Street	Principal Arterial	80 feet
Filed Street	Principal Arterial	50 feet

Traffic:

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

Surrounding Land Uses:

	Zoning	Land Use
North	PDD No. 619; H/87 and SUP 1637 on a portion	Residential; retail
East	PDD No. 619	Restaurants; office
South	PDD No. 619; H/36 on a portion	Hotel
West	PDD No. 619	Hotel; restaurant' residential

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 the City's Downtown; a centrally located hub that provides high intensity concentrated regional job and commercial activity supported by high density housing. A Downtown includes pedestrian-oriented and mixed-use development that offers multiple transportation options.

The applicant's proposal to operate a restaurant, alcoholic beverage establishment and dance hall at this location is consistent with the *forwardDallas! Vision* to promote a pedestrian-oriented mix of uses in the downtown area.

Land Use Compatibility:

The request site is surrounded by a mix of uses, which include residential and retail to the north; restaurants and office to the east, hotel to the south; and hotel; restaurant and residential to the west. To ensure compatibility with adjacent uses, conditions of Specific Use Permit No. 1887 limit the hours of operation and prohibit live music on the roof deck and outdoor speakers.

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.






In general, the applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval for a two-year period subject to conditions.






Parking:

Planned Development District No. 619 requires off-street parking to be provided per the CA-1(A) Central Area District standards. For a new structure or an addition to an existing structure, one space is required for each 2,000 square feet of floor area. The proposed use is located within an existing structure, therefore no parking is required.

Police Report:

An online search of the Dallas Police Department's offense incident reports from August 22, 2012 (the date on which the renewal was approved) to August 13, 2014 revealed the following records:

<div>  DALLAS POLICE DEPARTMENT </div> <div> UCR Codes Year Codes Property Class Codes </div>										
Virtual Viewer - Public Access										Welcome
 										
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0009004-B	01/11/2014	CHARBONNET, AARON	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0012186-A	12/29/2012	*ELI LILLY	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0020672-B	01/25/2014	ISIMINGER, ASHLEY	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0025905-A	02/01/2013	AHMED, AYSHA,	THEFT	01400		MAI...	133	2061	06902	
0043046-A	02/21/2013	SARSOUR, ISLAM	MISSING PERSON	01400		MAI...	133	2061	41023	
0044911-A	02/23/2013	JONES, JESSICA	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0050805-A	03/02/2013	ALIC, AJLA,	LOST PROPERTY	01400		MAI...	133	2061	42020	
0063755-B	03/18/2014	@CITY OF DALLAS	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0066189-B	03/20/2014	ELBAUM, SETH	THEFT	01400		MAI...	133	2061	06101	
0072663-B	03/28/2014	CORLEY, SABRINA	THEFT	01400		MAI...	133	2061	06902	
0080842-B	04/06/2014	HALL, REGINALD	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0092406-A	04/15/2013	FLYNN, CELINA	AUTO THEFT-UUMV	01400		MAI...	133	2061	07172	
0103224-A	04/26/2013	ONORIODE, BRIGHT	AUTO THEFT-UUMV	01400		MAI...	133	2061	07173	
0115254-B	05/11/2014	GANESH-PRABHAKAR, PREETHI	THEFT	01400		MAI...	133	2061	06901	
0115988-A	05/10/2013	WINDHORST, JEFFREY	ASSAULT	01400		MAI...	133	2061	08111	
										Page 1 of 3 (45 items)
AgencyWeb® All rights reserved. ©2009 Orion Communications, Inc.										
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0117179-A	05/12/2013	SPENCER, RICKY	ASSAULT	01400		MAI...	133	2061	08221	
0119235-B	05/11/2014	MAGAM, SOUJANYA	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0128773-A	05/24/2013	CLENSEY, MATTHEW	LOST PROPERTY	01400		MAI...	133	2061	42020	
0129401-A	05/25/2013	SHETH, PAUL	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0136040-A	06/01/2013	BARRETO, MATHEUS GRONOW	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0171795-A	07/07/2013	LEWIS, SONJA,	CRIMINAL MISCHIEF/VA...	01400		MAI...	133	2061	14081	
0203785-A	08/09/2013	DOMINGUEZ, JORGE	THEFT	01400		MAI...	133	2061	26000	06901
0209563-A	08/16/2013	CENOLLI, FATJONA	ASSAULT	01400		MAI...	133	2061	08321	
0209982-Z	08/24/2012	SINGLETON, KLIEN	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0211579-A	08/17/2013	RUBIO, BRENDA	MISSING PERSON	01400		MAI...	133	2061	41023	
0215492-Z	08/30/2012	GRAY, CURTIS	ASSAULT	01400		MAI...	133	2061	08211	
0216112-A	08/22/2013	BOHRANGER, ROBERT D.	ACCIDENTAL INJURY - P...	01400		MAI...	133	2061	33070	
0219173-Z	09/03/2012	HUDSON, WILSON	ACCIDENTAL INJURY - P...	01400		MAI...	133	2061	33070	
0222856-Z	09/07/2012	DEMETRIO, DANI	AGGRAVATED ASSAULT	01400		MAI...	133	2061	04121	
0222876-Z	09/07/2012	@CITY OF DALLAS	FRAUD	01400		MAI...	133	2061	11020	
										Page 2 of 3 (45 items)
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 DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes										
Virtual Viewer - Public Access										Welcome
  										
Search Records - Offense										Filter <input type="text"/>
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> 0119235-B	05/11/2014	MAGAM,SOUJANYA	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0256025-Z	10/14/2012	MALBAEZ,OMAR	ASSAULT	01400		MAI...	133	2061	08111	
0269856-A	10/19/2013	MALKINSKA, KINGA	LOST PROPERTY	01400		MAI...	133	2061	42020	
0237903-Z	09/23/2012	MATLOCK, JAMIE	HOME ACCIDENTS	01400		MAI...	133	2061	34080	
0230362-Z	09/15/2012	MONTES,ALEXIS	THEFT	01400		MAI...	133	2061	06901	
0103224-A	04/26/2013	ONORIODE,BRIGHT	AUTO THEFT-UUMV	01400		MAI...	133	2061	07173	
0224514-A	09/01/2013	RODRIGUEZ,ROGELIO	ASSAULT	01400		MAI...	133	2061	08111	
0211579-A	08/17/2013	RUBIO,BRENDA	MISSING PERSON	01400		MAI...	133	2061	41023	
0043046-A	02/21/2013	SARSOUR,ISLAM	MISSING PERSON	01400		MAI...	133	2061	41023	
0321723-Z	12/30/2012	SCAMARDO,BRITTANY,	THEFT	01400		MAI...	133	2061	06961	
0129401-A	05/25/2013	SHETH,PAUL	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0209982-Z	08/24/2012	SINGLETON,KLIEN	OTHER OFFENSES	01400		MAI...	133	2061	26000	
0117179-A	05/12/2013	SPENCER,RICKY	ASSAULT	01400		MAI...	133	2061	08221	
0329064-A	12/31/2013	TANDAZO,JORGE,EDUARDO,	FOUND PROPERTY	01400		MAI...	133	2061	43020	
0115988-A	05/10/2013	WINDHORST,JEFFREY	ASSAULT	01400		MAI...	133	2061	08111	
   										Page 3 of 3 (45 items)
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Ms. Wimer;

I received your voice mail today regarding Plush.

There is no shooting (Aggravated Assault) criminal offense made at Plush, or in the nearby area. On August 11th, 1:06am, a shots fired call ("6M" in our call system) was received. Caller stated shots heard in vicinity of Main and Field. Field street splits the 1300 and 1400 blocks of Main street.

There was no offense report made. The caller refused to be contacted, so could not be contacted by responding officers. Nothing was found by officers.

FYI, there is a club, Synn Nightclub, at 1217 Main, which is within a block or so of this call. 1400 Main (Plush) is also in the vicinity.

There is no affirmative link between the shots fired call and any location.

Kelly

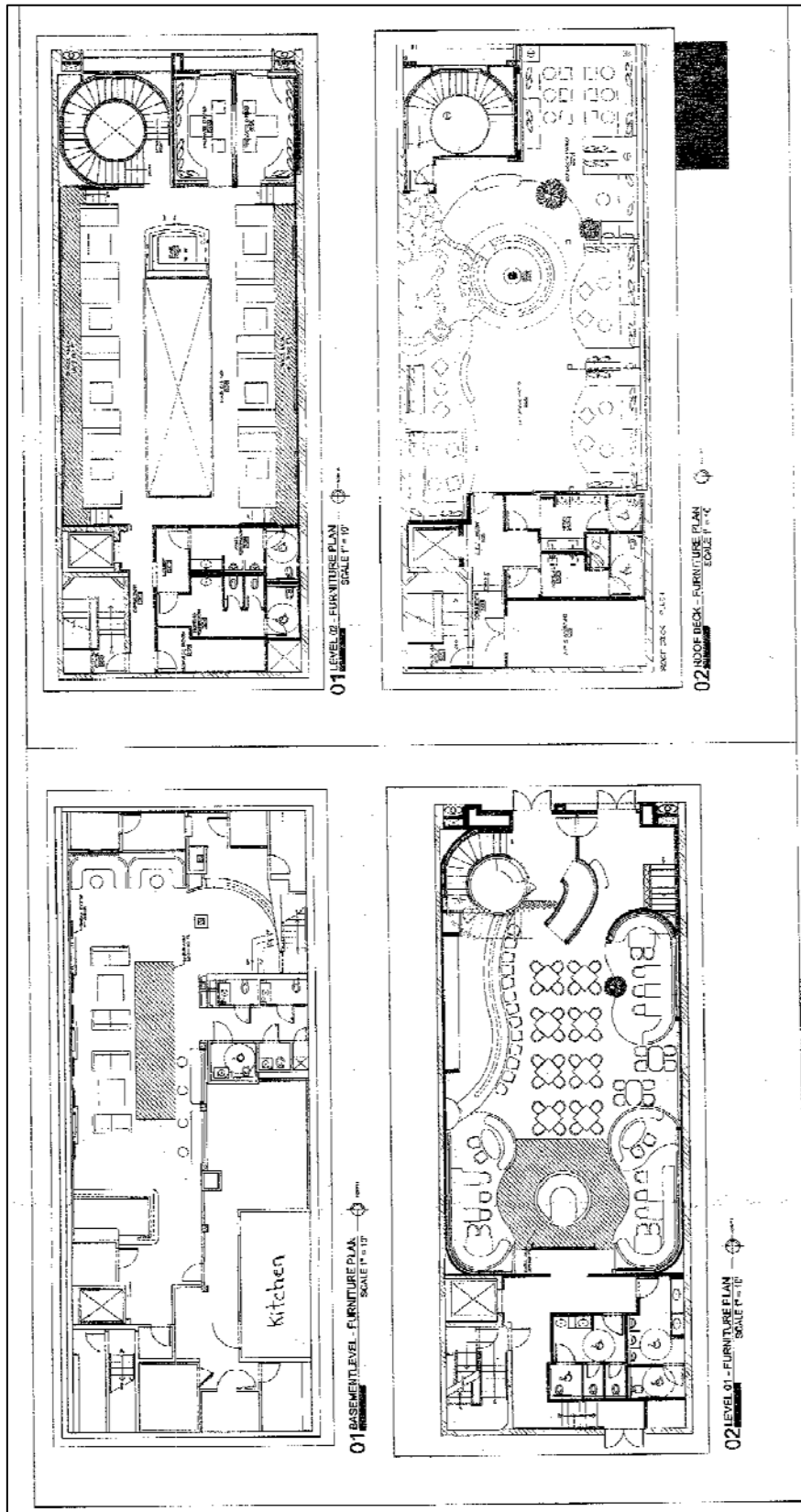


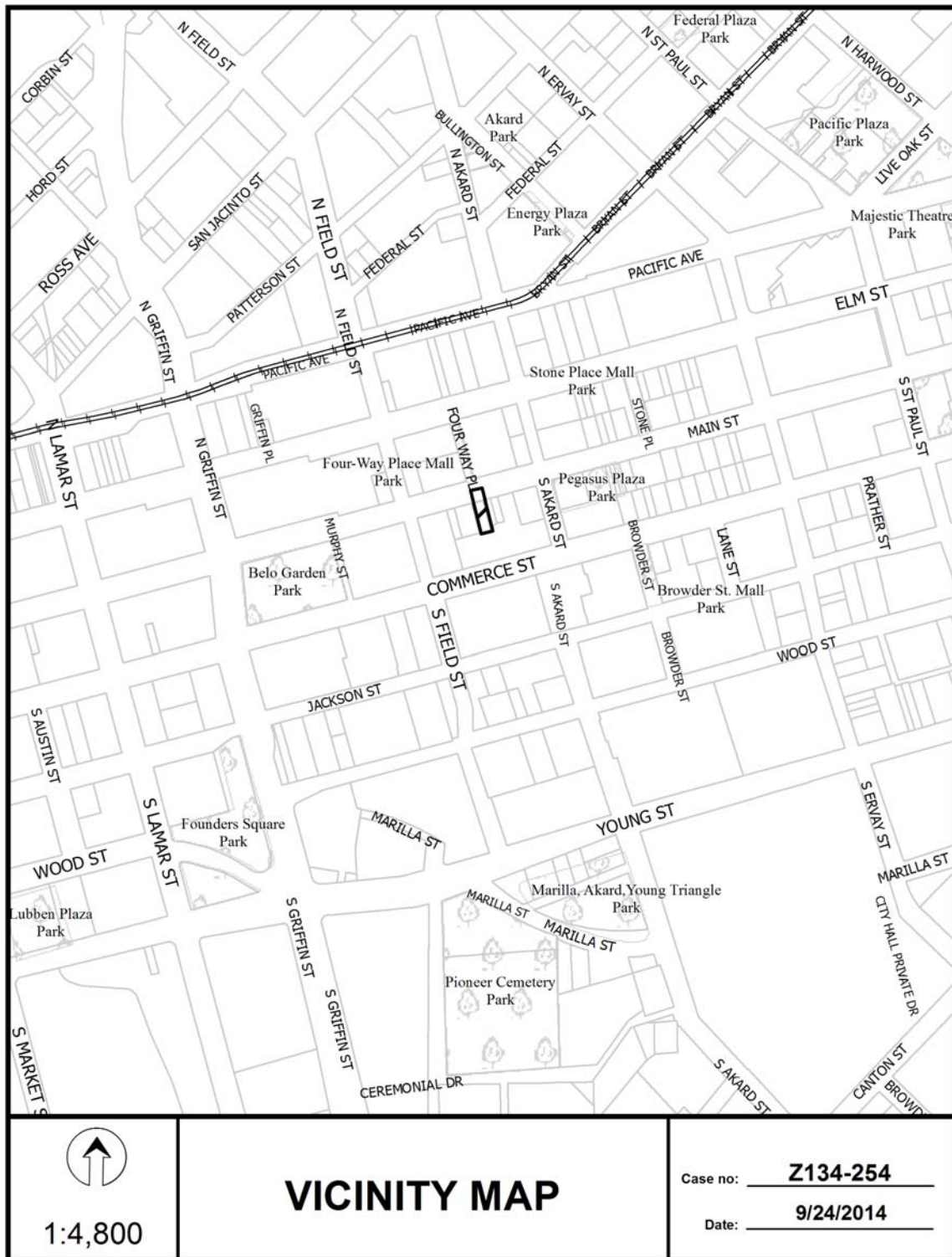
Officer C. K. Qualls, #7666
Crime Analyst
Central Patrol Division
Dallas Police Department
214-671-1358 (Direct)
214-670-4031 (Fax)
clarence.qualls@dpd.ci.dallas.tx.us

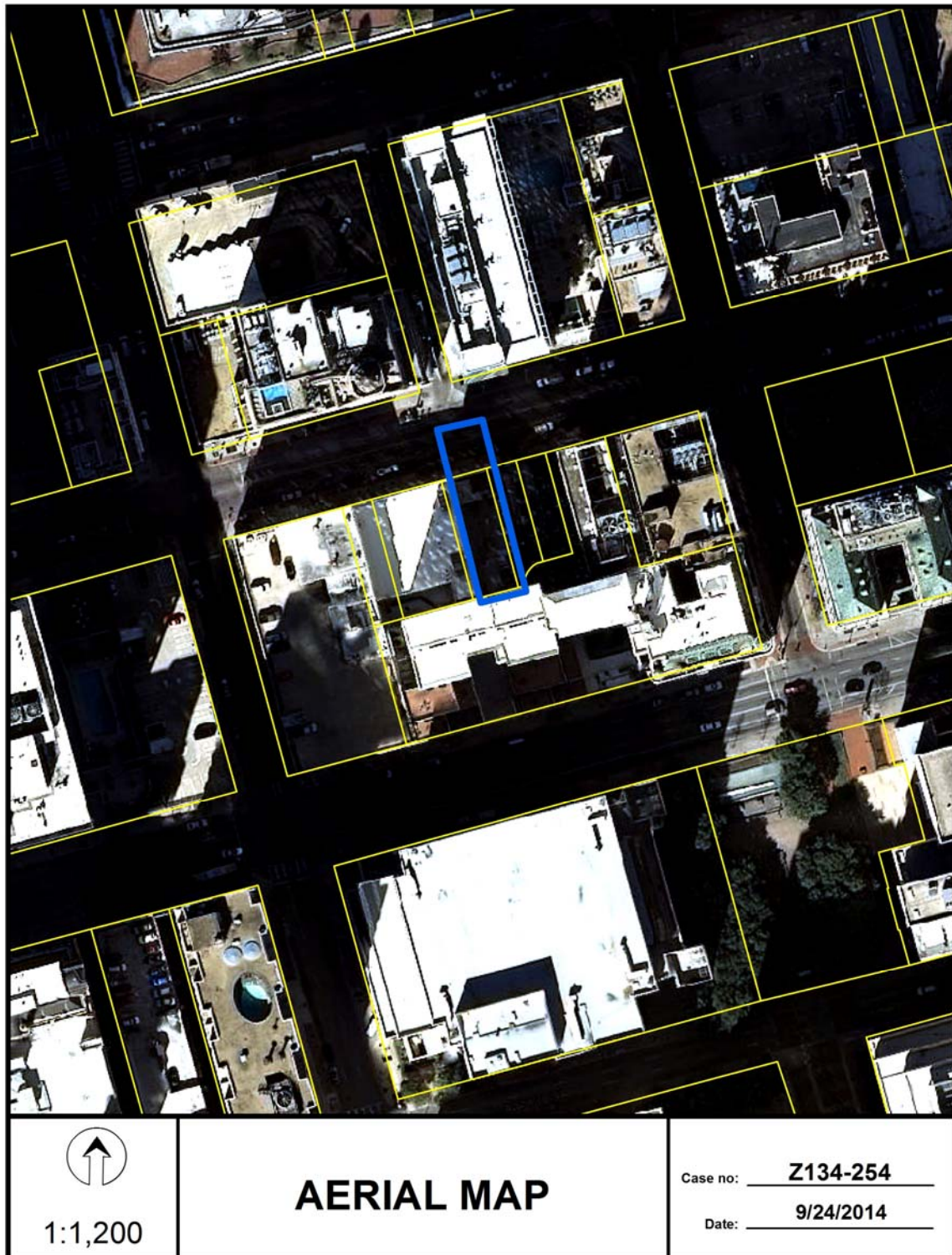
**PROPOSED CONDITIONS
Z134-254**

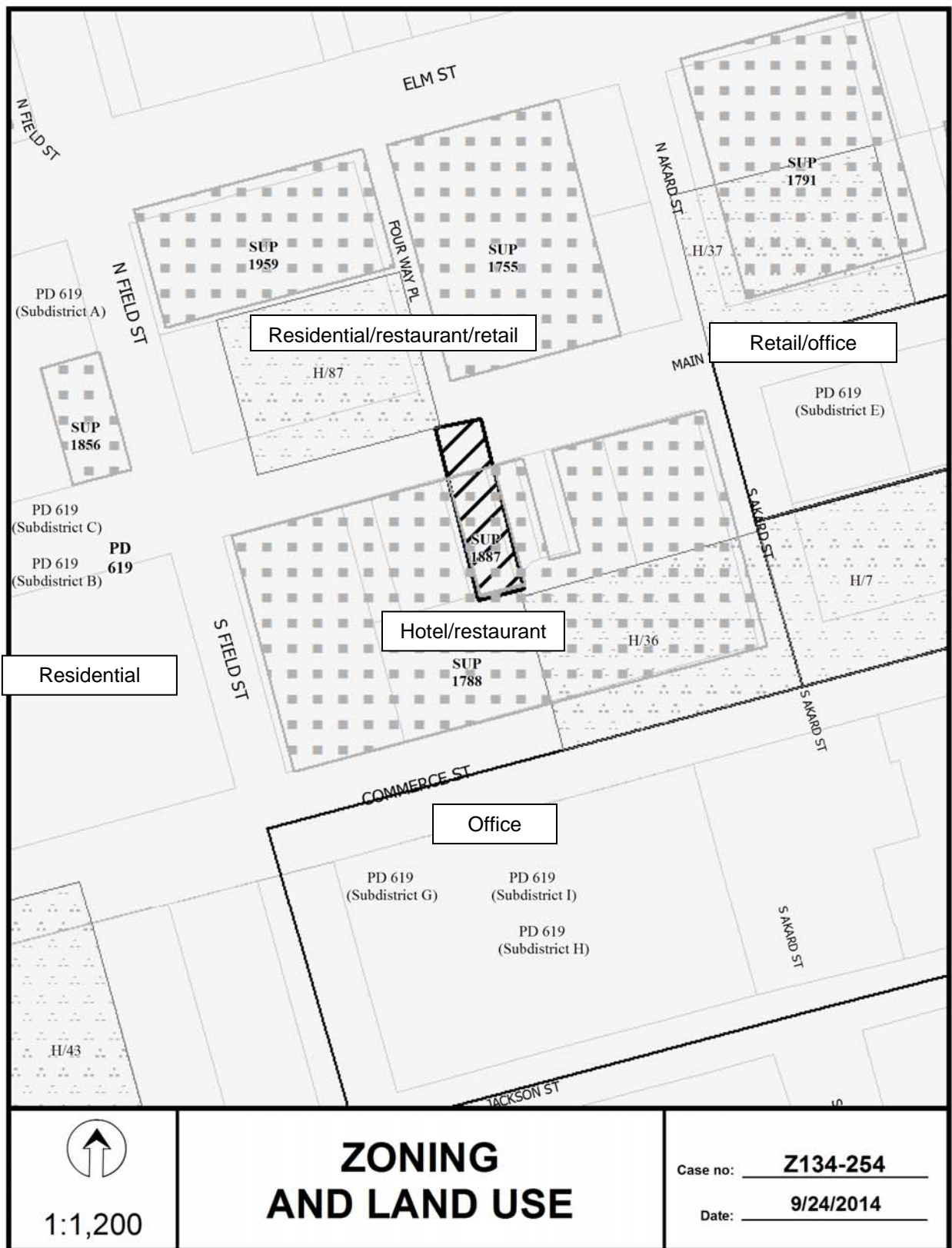
1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) use limited to a Class A dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on ~~August 22, 2014~~ a two-year period.
4. FLOOR AREA:
 - (A) The maximum floor area for an alcoholic beverage establishment limited to a bar, lounge or tavern is 12,092 square feet on the basement level, level 2 and the roof deck in the locations shown on the attached site plan. The alcoholic beverage establishment limited to a bar, lounge or tavern may not operate on level 1.
 - (B) Maximum combined floor area of the dance floors is 711 square feet on the basement level, level 1 and level 2 in the locations shown on the attached site plan. Dance floors are prohibited on the roof deck.
5. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge or tavern use and the commercial amusement (inside) use limited to a Class A dance hall may only operate between 11:00 a.m. and 2:00 a.m. (the next day), Monday through Sunday.
6. LIVE MUSIC: Live music is prohibited on the roof deck.
7. OUTSIDE SPEAKERS: Outdoor speakers are prohibited.
8. SECURITY: Two security officers must be provided onsite from 10:00 pm to 2:00 am (the next day), Monday through Sunday.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Existing Site Plan

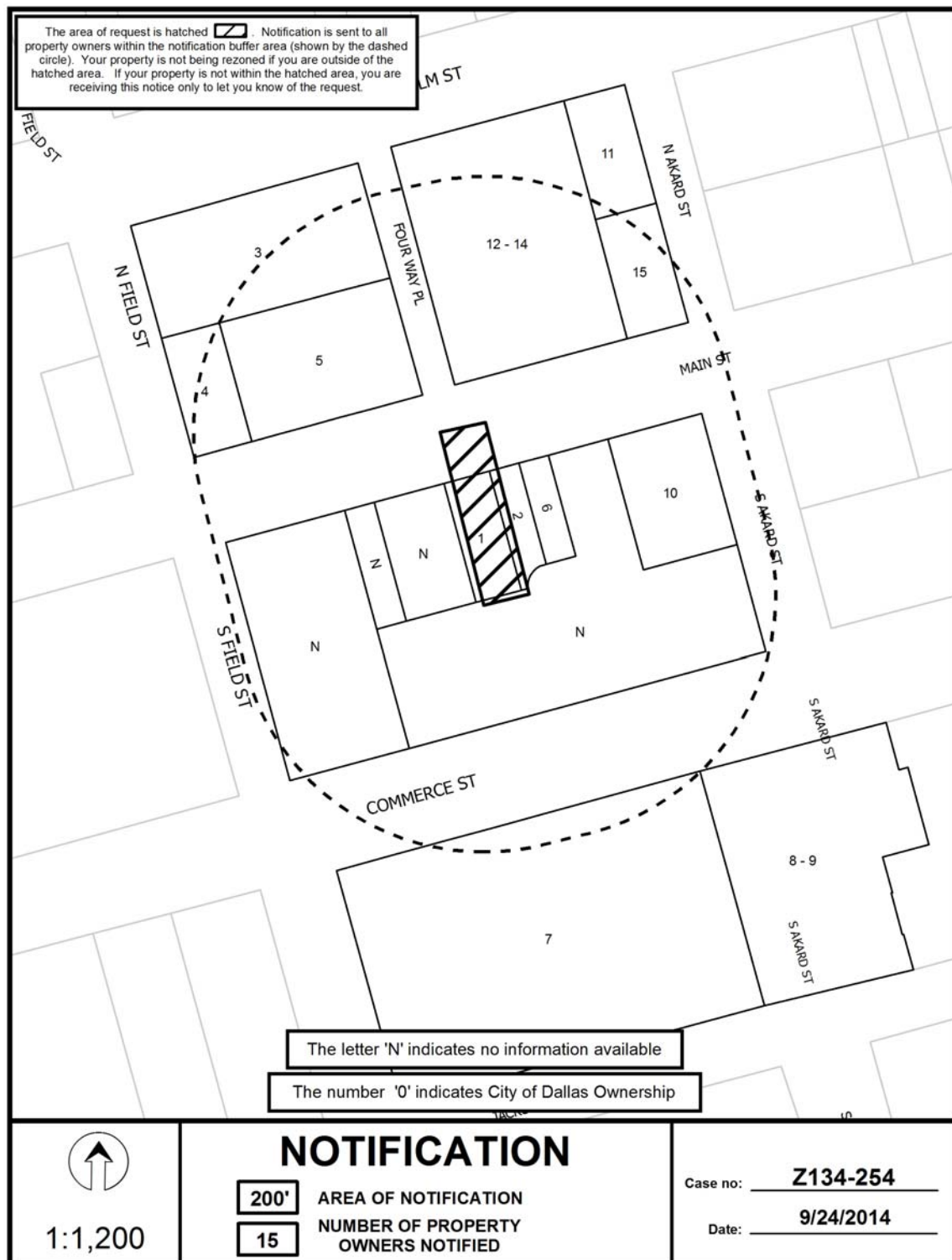












Notification List of Property Owners

Z134-254

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1400 MAIN ST	FOSTER BRYAN S
2	1402 MAIN ST	TIER DEVELOPMENT GROUP LC
3	1302 ELM ST	1309 MAIN STREET APARTMENTS LLC
4	1301 MAIN ST	NAYEB FAMILY LP
5	1309 MAIN ST	1309 MAIN STREET APARTMENTS LLC
6	1404 MAIN ST	1404 MAIN BUILDING LLC
7	211 AKARD ST	SOUTHWESTERN BELL
8	208 AKARD ST	IEP DALLAS LLC
9	1400 JACKSON ST	SOUTHWESTERN BELL
10	1412 MAIN ST	BN 1412 MAIN LP
11	1414 ELM ST	ELM 1414 PPTIES, LTD
12	1407 MAIN ST	DLD PROPERTIES
13	1407 MAIN ST	DRED PROPERTIES LTD
14	1407 MAIN ST	DCAR PROPERTIES LTD
15	1415 MAIN ST	GS RENAISSANCE LTD PS

FILE NUMBER: Z134-338 (CE)

DATE FILED: September 10, 2014

LOCATION: North side of Manaña Drive, east of Spangler Road

COUNCIL DISTRICT: 6

MAPSCO: 22-P

SIZE OF REQUEST: Approx. 6.76 acres

CENSUS TRACT: 99.00

APPLICANT/REPRESENTATIVE: Steven M. Free

OWNER: Steven M. Free, LP

REQUEST: An application for the renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned an IM Industrial Manufacturing District with deed restrictions.

SUMMARY: The applicant proposes to renew the Specific Use Permit to continue operation of a wood or lumber processing use. This SUP was amended to allow additional storage area on the site on February 8, 2012. Deed restrictions on the property limit the potentially incompatible industrial uses to wood or lumber processing. Chapter 51A requires an SUP for wood or lumber processing.

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

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to conditions based upon:

1. *Compatibility with surrounding uses and community facilities* – Surrounding uses make this request compatible. To the west is an office showroom and warehouse use. To the east is undeveloped land and industrial research uses. To the south is similar and more intense industrial manufacturing uses. As discussed below, a 100-foot wide buffer will mitigate any compatibility concerns of the industrial uses with the trail north of the request. The existing wood or lumber processing has not negatively impacted the adjacent properties. The boardwalk trail that will be part of the Elm Fork Athletic Complex will be located north of the request site. The Parks and Recreation Department indicates there will be an approximately 100-foot wide buffer on the city owned parcel, separating the site from the proposed trail. As a result, it will not deter from the enhancement of the trail development.
2. *Not a detriment to the public health, safety, or general welfare* – The existing wood or lumber processing use has not been a detriment to public health or safety and staff does not anticipate this will change with continued operation.
3. *Conforms in all other respects to all applicable zoning regulations and standards* – During the site visit, staff found that few of the stacking areas on site varied from the site plan. The applicant explained that the stacks of processed wood are there for limited timeframes, but would adhere to the approved site plan.

Zoning History of Site:

1. Z101-183
On Wednesday, June 22, 2011, the City Council approved an amendment and renewal of Specific Use Permit No. 1609 for a potentially incompatible industrial (outside) use, limited to concrete and asphalt crushing on property zoned an IM Industrial Manufacturing District.
2. Z078-312
On June 24, 2009, the City Council approved a Specific Use Permit for potentially incompatible uses with outside storage on property zoned an IM Industrial Manufacturing District.
3. Z101-359
On Wednesday, February 8, 2012, the City Council approved an amendment and renewal to Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on

property zoned an IM Industrial Manufacturing District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Mañana Drive	Minor Arterial	30 ft.
Newkirk Street	Minor Arterial	30 ft.
Spangler	Minor Arterial	30 ft.

Parking/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.

STAFF ANALYSIS:

Comprehensive Plan:

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

When considering the applicant's use, this specific use permit renewal can continue to comply with the Industrial Areas building block as outlined in fowardDallas! Comprehensive Plan.

Area Plans:

Elm Fork Floodway Management Study – part of the study targets recreational and environmental restoration opportunities, and transportation linkage that support flood control. Project D4 involves reconstruction of Mañana Drive and Spangler Road to raise the streets above the 100-year water surface elevation of the Elm Fork. The project also entails culvert and tunnel replacement, various retaining walls, and modifications to the local drainage systems.

Elm Fork Athletic Complex Master Plan - targets the 28 acre floodplain parcel immediately north of the request site. The site will be developed as nature and boardwalk trail that will be integrated into the overall Elm Fork trail system and complex.

Land Use Compatibility:

The surrounding land to the north is currently undeveloped and is significantly populated with trees. The 28 acre parcel will be used for recreational use as part of the Elm Fork Athletic Complex. The land to the east is currently undeveloped. South of the request site is a significant wildlife buffer and other industrial uses including concrete batching, cement processing and salvage yard. To the west of the request site is an office showroom-warehouse use located toward the Spangler Road frontage on an eight-acre site.

Landscaping:

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

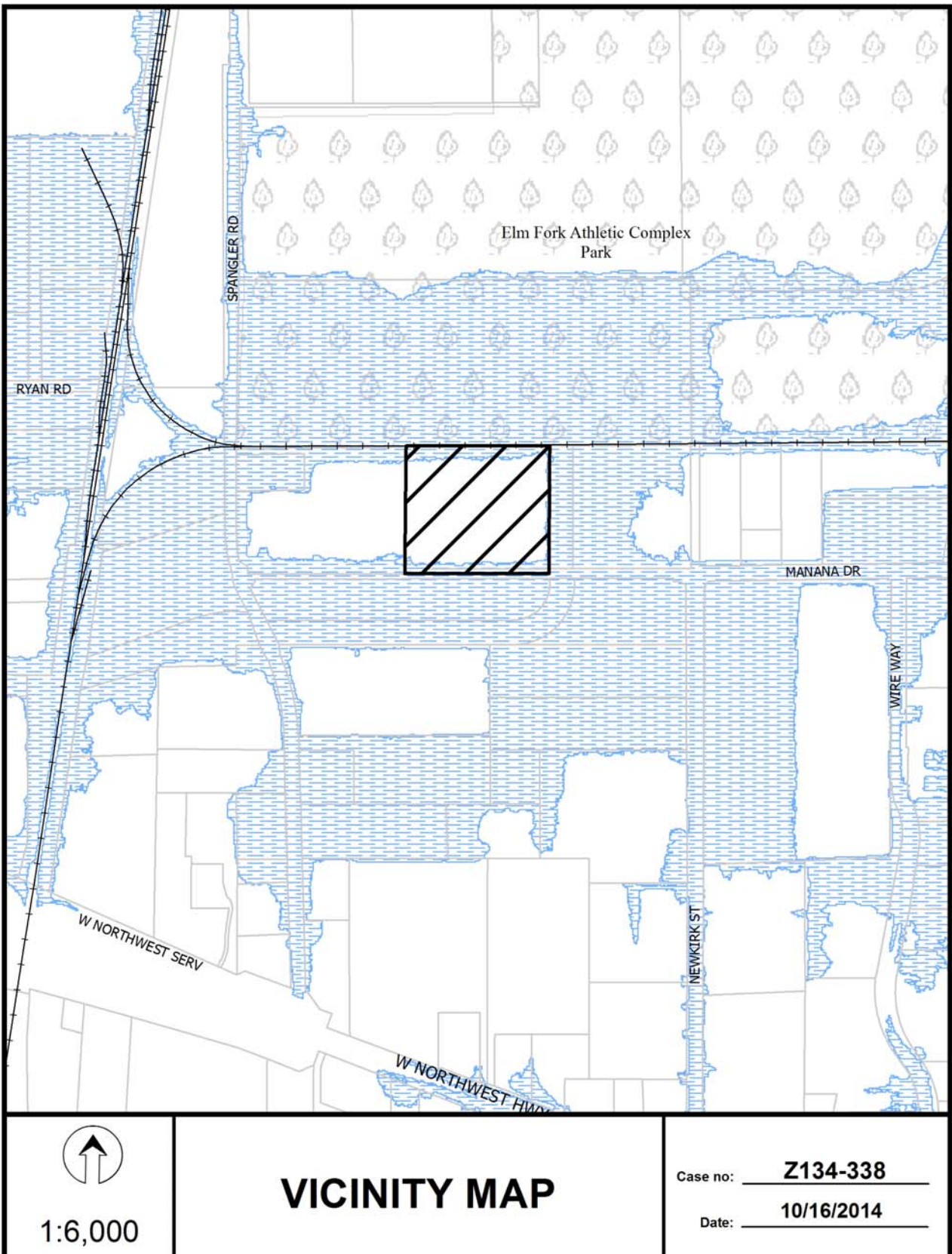
List of Partners
Steven M. Free, LP

- Steven Free

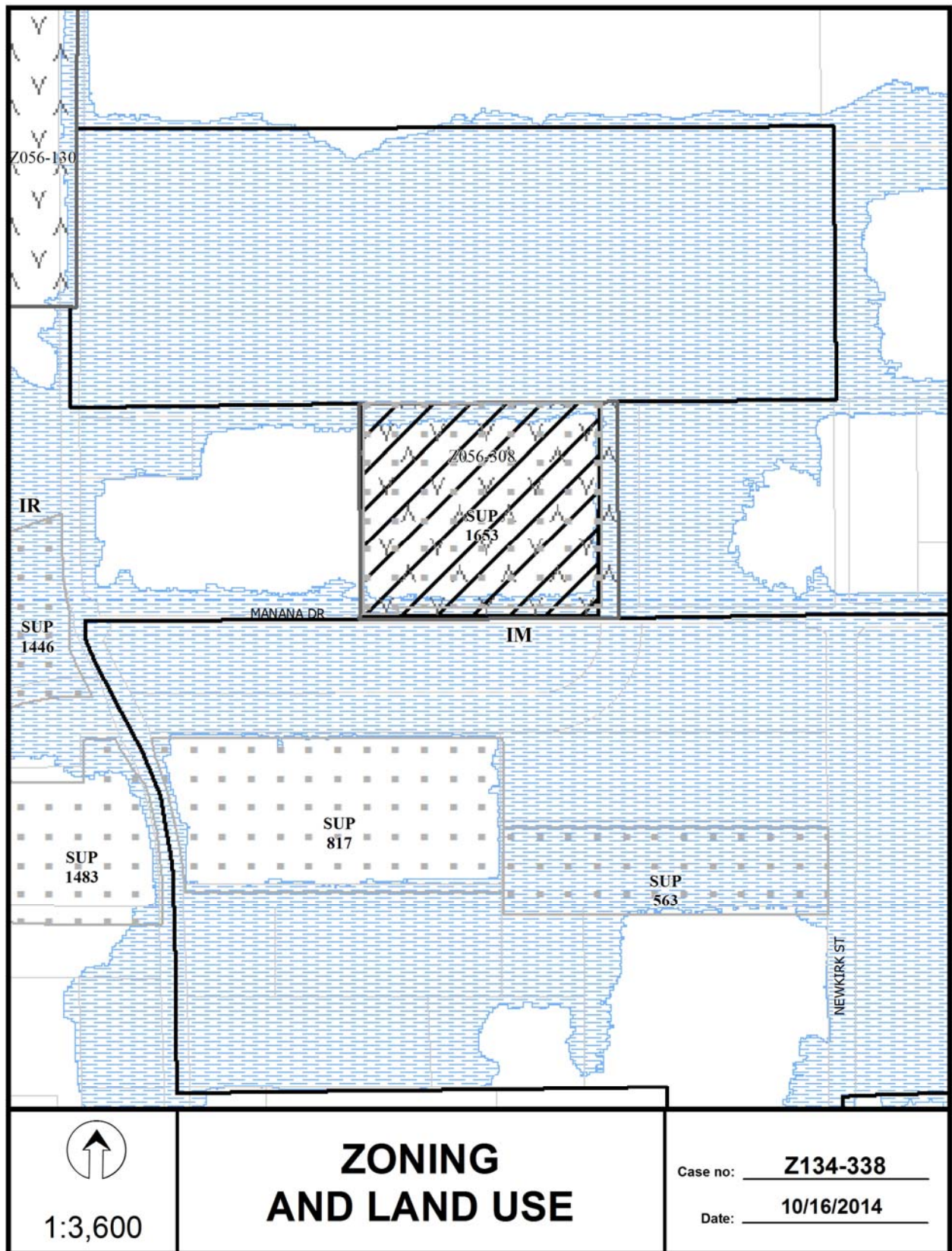
Proposed SUP Conditions

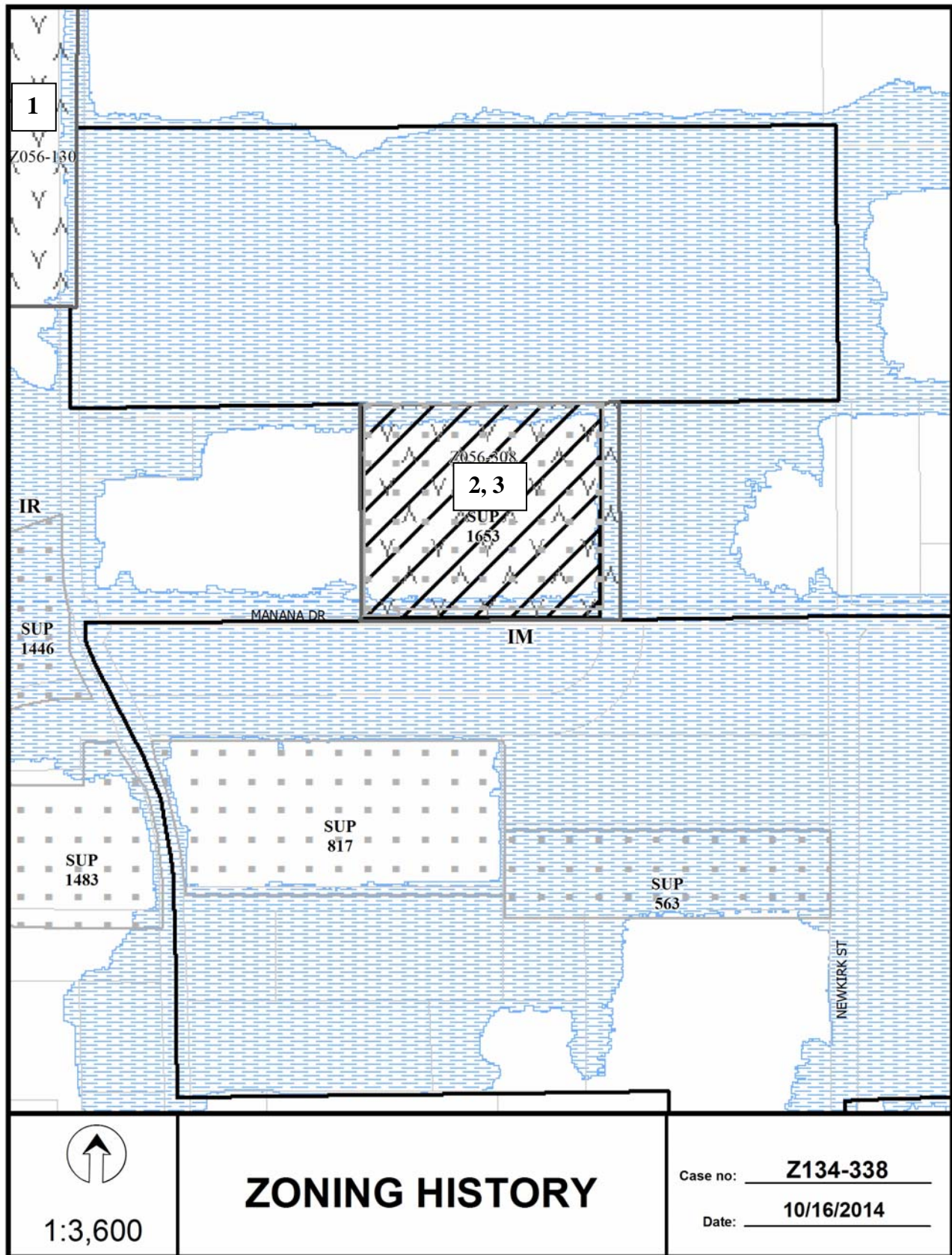
1. USE: The only use authorized by this specific use permit is a potentially incompatible industrial (outside) use limited to wood or lumber processing.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit ~~expires~~automatically terminates on (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. PARKING: A minimum of eight off-street parking spaces must be provided in the locations shown on the attached site plan. All parking, driveways that connect to a street or alley, and vehicle maneuvering areas must comply with Division 51A-4.300, Off-Street Parking and Loading Regulations of the Dallas Development Code, as amended.
5. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. HOURS OF OPERATION: The wood or lumber processing may only operate between 6:00 a.m. and 5:00 p.m., Monday through Friday and between 6:00 a.m. and 12:00 p.m., Saturday.
7. STACKING: The maximum stacking height of materials stored outside is 18 feet in the locations shown on the attached site plan.
8. MANUFACTURING AREA: The maximum area for wood or lumber processing is 5,000 square feet in the location shown on the site plan as "Manufacturing Area"
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

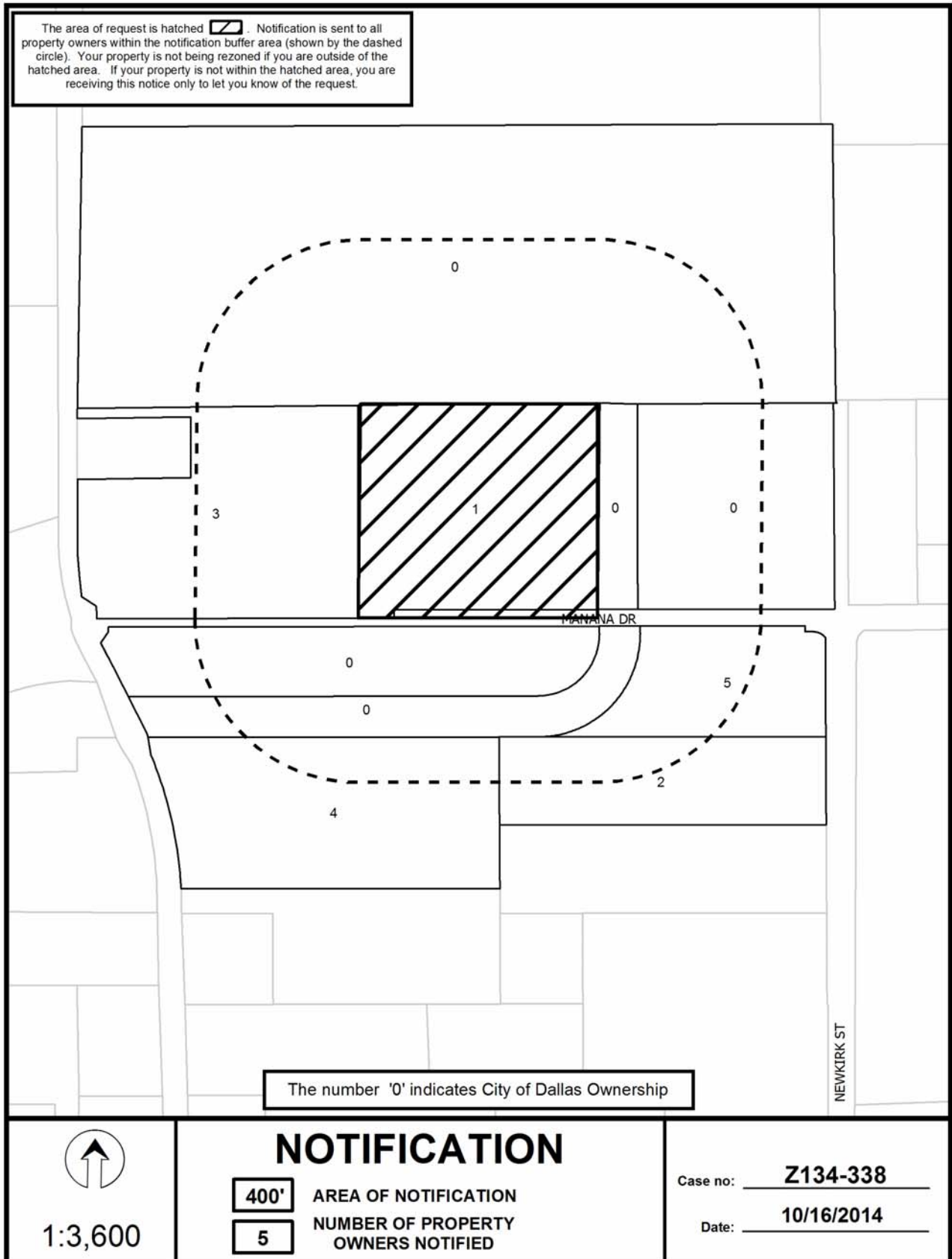












10/13/2014

Notification List of Property Owners
Z134-338

5 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2101 MANANA RD	STEVEN M FREE LIMITED PARTNERSHIP
2	10733 NEWKIRK ST	BARKER & BRATTON STEEL
3	2001 MANANA DR	GT MGMT INC
4	10610 SPANGLER RD	TXI OPERATIONS LP
5	10733 NEWKIRK ST	BARKER & BRATTON STE

Planner: Carrie F. Gordon

FILE NUMBER:	Z134-340(CG)	DATE FILED:	September 15, 2014
LOCATION:	North side of Congressman Lane, east of Denton Drive		
COUNCIL DISTRICT:	6	MAPSCO:	23-N
SIZE OF REQUEST:	± 2.396 acres	CENSUS TRACT:	98.03

APPLICANT/ OWNER: Texas Recycling & Surplus, Inc.

REPRESENTATIVE: Robert Miklos

REQUEST: An application for the renewal of Specific Use Permit No. 2010 for a recycling buy-back center for the collection of household and industrial metals on property zoned an LI Light Industrial District.

SUMMARY: The purpose of this request is to permit the continued operation of a recycling buy-back center of household and industrial metals within an existing recycling warehouse [Texas Recycling Surplus, Inc.]. The items being collected are recyclable materials such as clothing, aluminum cans, steel cans, glass, paper, and plastics. This type of operation is permitted by right in an LI Light Industrial District. The existing Specific Use Permit No. 2010 will expire on January 23, 2015.

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

GUIDING CRITERIA FOR RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The 2.396 acre site is developed with a 104,383 square foot one-story warehouse facility that has operated a recycling buy-back center for the past 2 years under Specific Use Permit No. 2010. The request is to allow for the continued operation of the recycling buy-back center.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The request site is located within an industrial area and is surrounded by warehouse, distribution, auto-related, office and light industrial uses.
3. *Not a detriment to the public health, safety, or general welfare* – The existing use has operated in compliance with existing SUP No. 2010. The use has complied with existing SUP conditions and has not been a detriment to the public health, safety or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Properties north of the site, consist of a vehicle display, sales and service use and various industrial uses. Properties to east and south of the site consist of additional industrial uses. A DART light rail line is located west of the request site. The existing use conforms to all applicable zoning regulations and standards.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Congressman Lane	Local	60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	LI	Warehouse, Recycling
North	LI	Vehicle display, sales and services, Industrial
South	LI	Industrial
East	LI	Industrial
West	LI, IM	Industrial

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

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

The request site is located within an industrial area and surrounded by industrial (inside) uses. The request is to renew the existing SUP to continue operation of the recycling buy-back center, which is in compliance with the goals and policies in the *forwardDallas! Comprehensive Plan*.

ENVIRONMENT USE

GOAL 6.6 INCREASE RECYCLING AND CONSERVATION OF RENEWABLE RESOURCES

Policy 6.6.1 Increase recycling and composting

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

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IM Industrial manufacturing	15' 0' on minor	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	110' 8 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

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

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

Parking: The parking regulations require 1 space per 500 square feet of floor area for a recycling buy-back center. The applicant is required to provide 4 off-street parking spaces.

Police Department: The Dallas Police Department shows for the period January 23, 2013 – October 1, 2014, there were two reported offenses involving criminal mischief/vandalism and theft reported at this location.

Search Records - Offense							
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat
<u>0030112-A</u>	02/04/2013	*TEXAS RECYCLING	CRIMINAL MISCHIEF/VANDALISM	02835		CONGRESSMANLN	535
<u>0219178-A</u>	08/09/2013	*WESTERN EXTRUSIONS CORP.	THEFT	02835		CONGRESSMANLN	535

<p>LIST OF OFFICERS Texas Recycling Surplus, Inc.</p>
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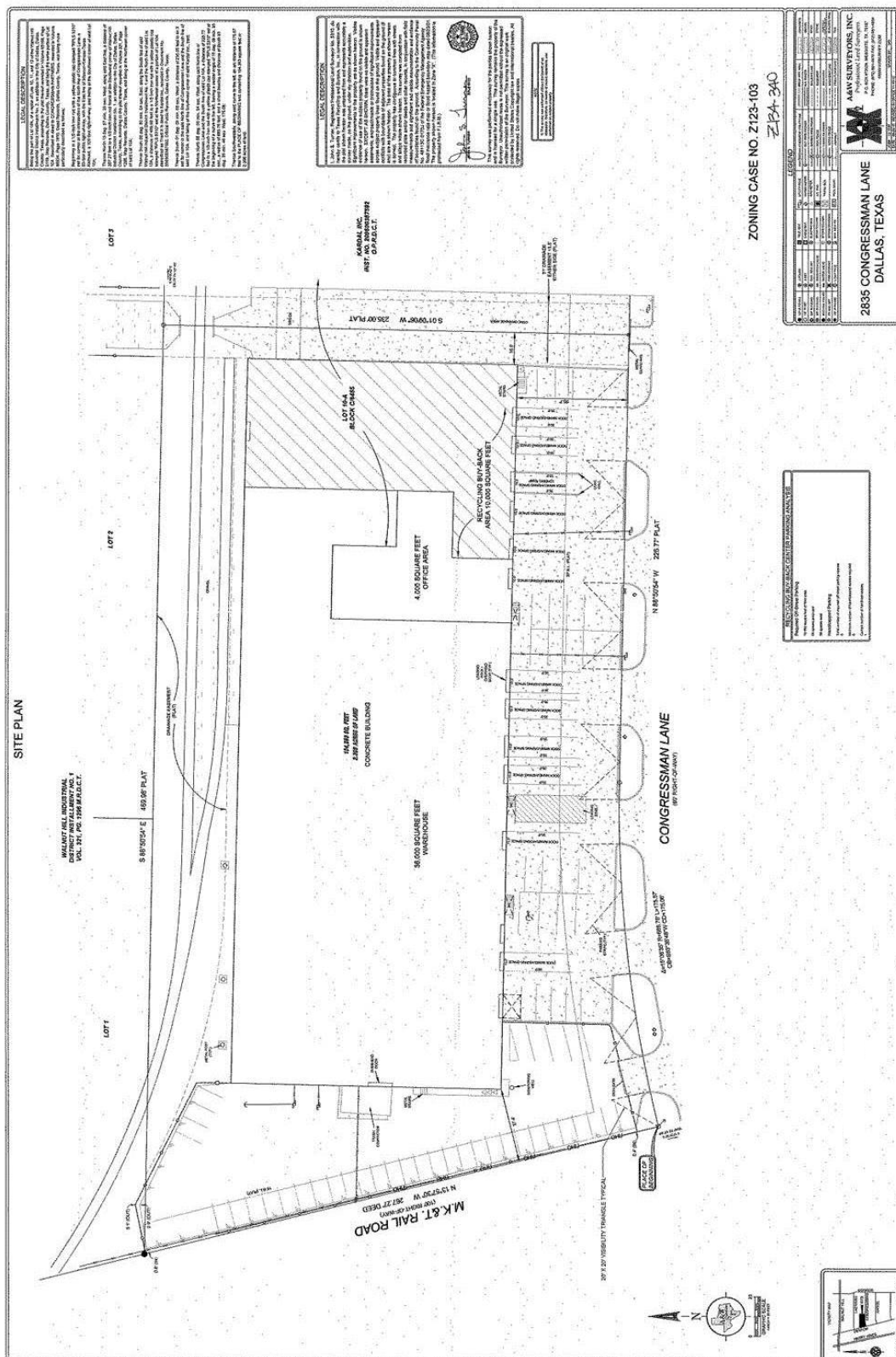
Craig Litman	Chief Executive Officer
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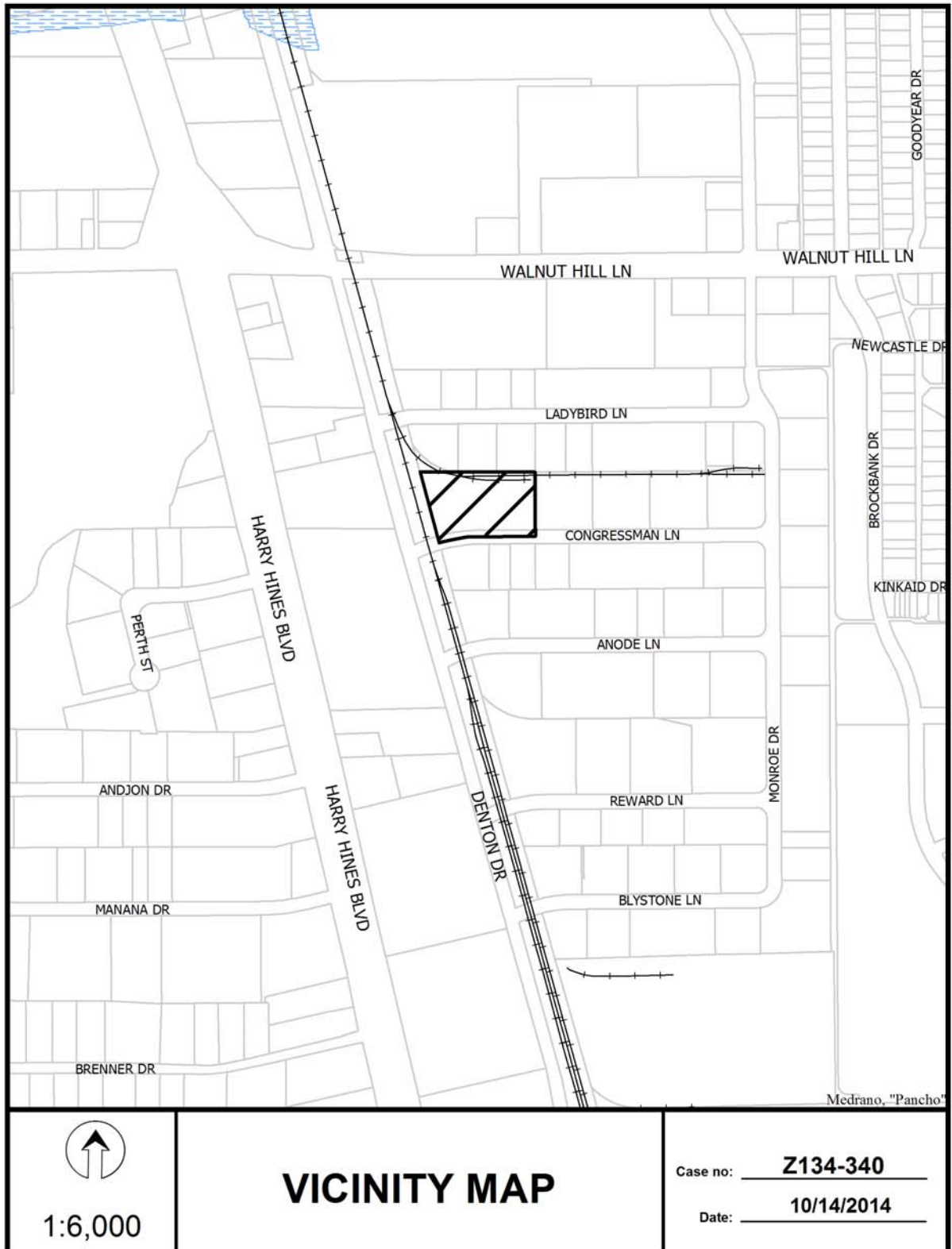
Joel Litman	Chief Financial Officer
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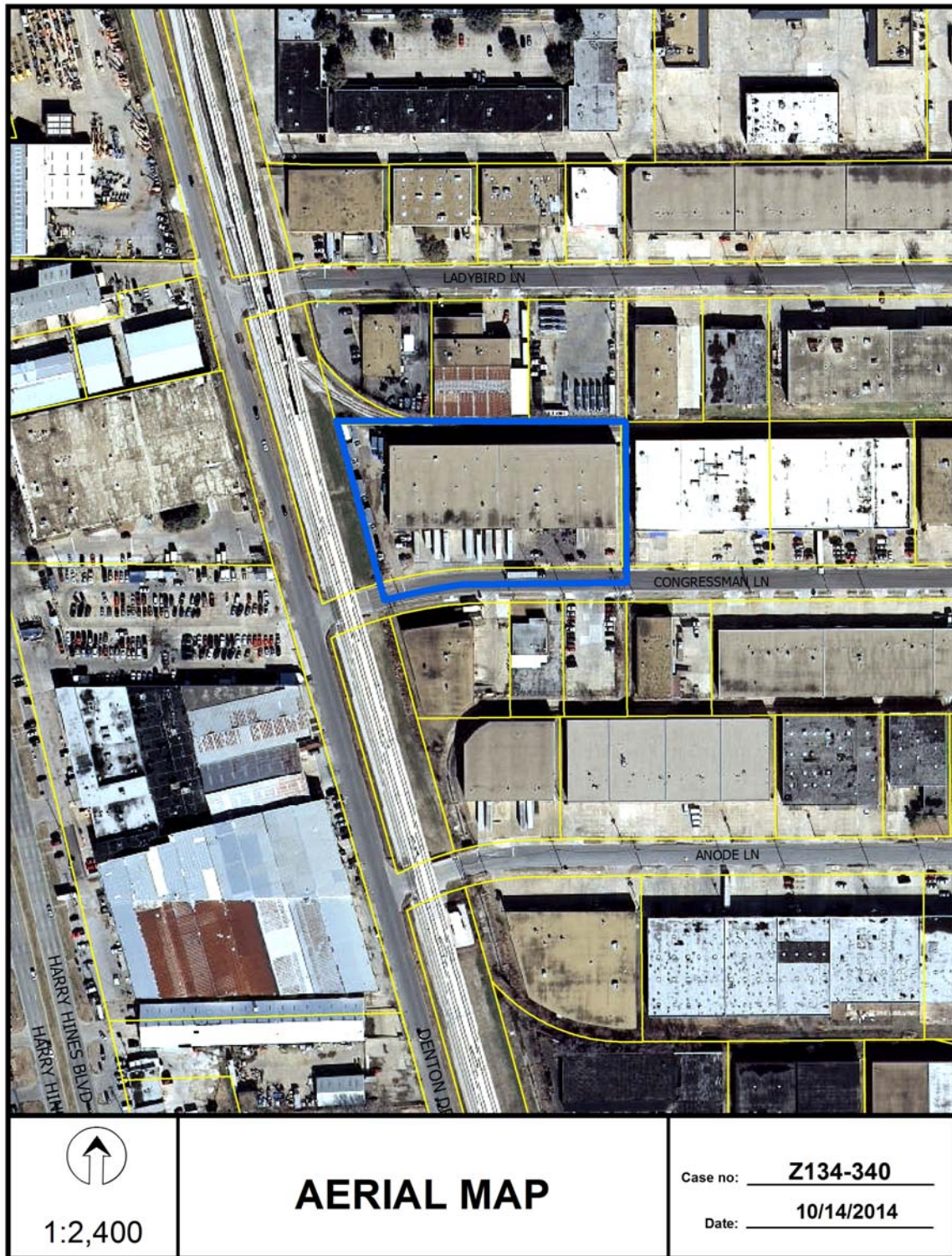
Proposed SUP No. 2010 Conditions

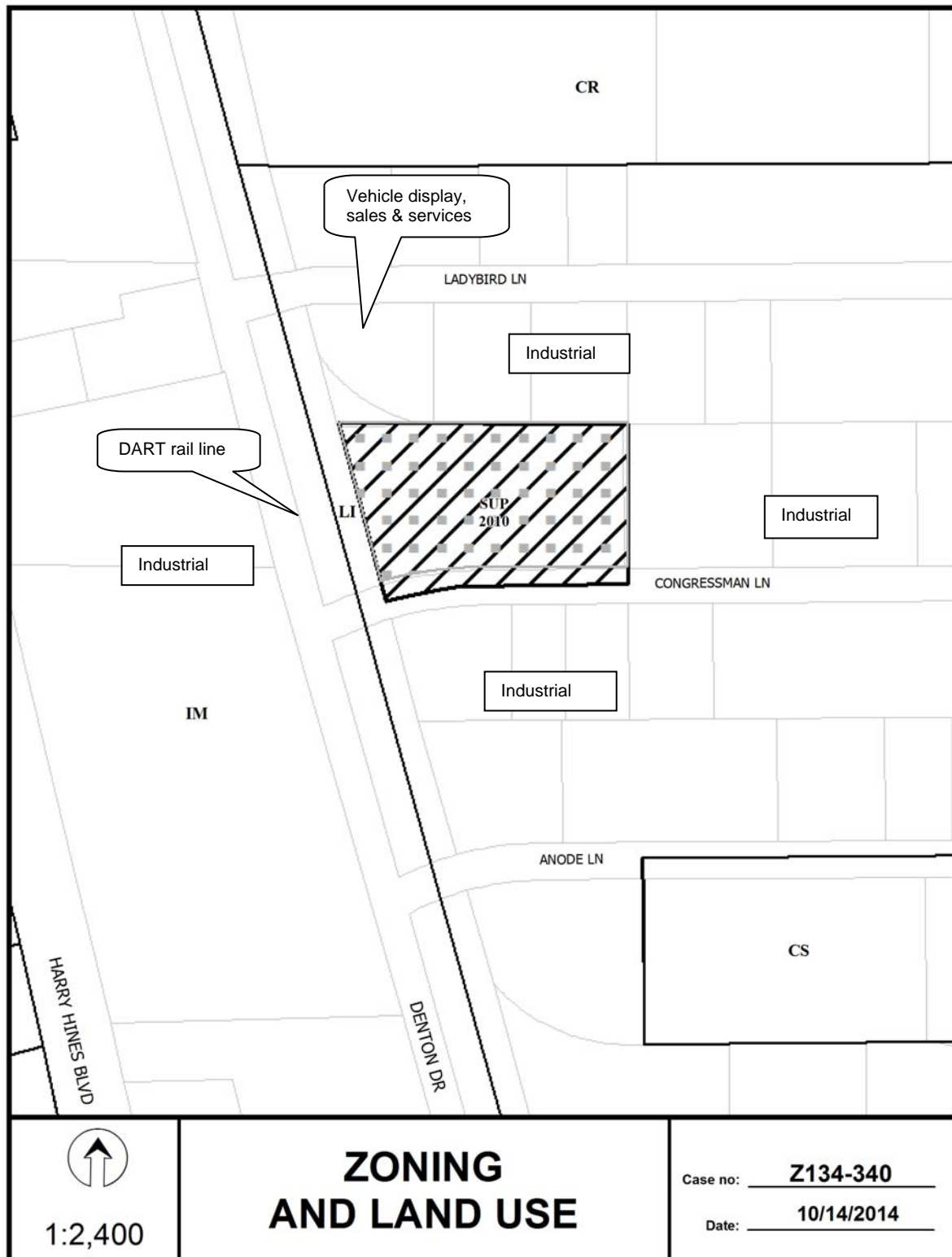
1. USE: The only use authorized by this specific use permit is a recycling buy-back center for the collection of household and industrial metals.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on _____ (two years from the passage of this ordinance).
4. FLOOR AREA: The maximum floor area is 10,000 square feet.
5. HOURS OF OPERATION: The recycling buy-back center for the collection of household and industrial metals may only operate between 7:00 a.m. and 7:00 p.m., Monday through Sunday.
6. INGRESS-EGRESS: Ingress and egress must be provided ~~in the locations~~ as shown on the attached site plan. No other ingress or egress is permitted.
7. LICENSE: The operator must ~~obtain~~ maintain a **current** secondary metals recyclers' license in accordance with Chapter 40B of the Dallas City Code. ~~by March 9, 2013.~~
8. OUTSIDE STORAGE: Outside storage is prohibited.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN

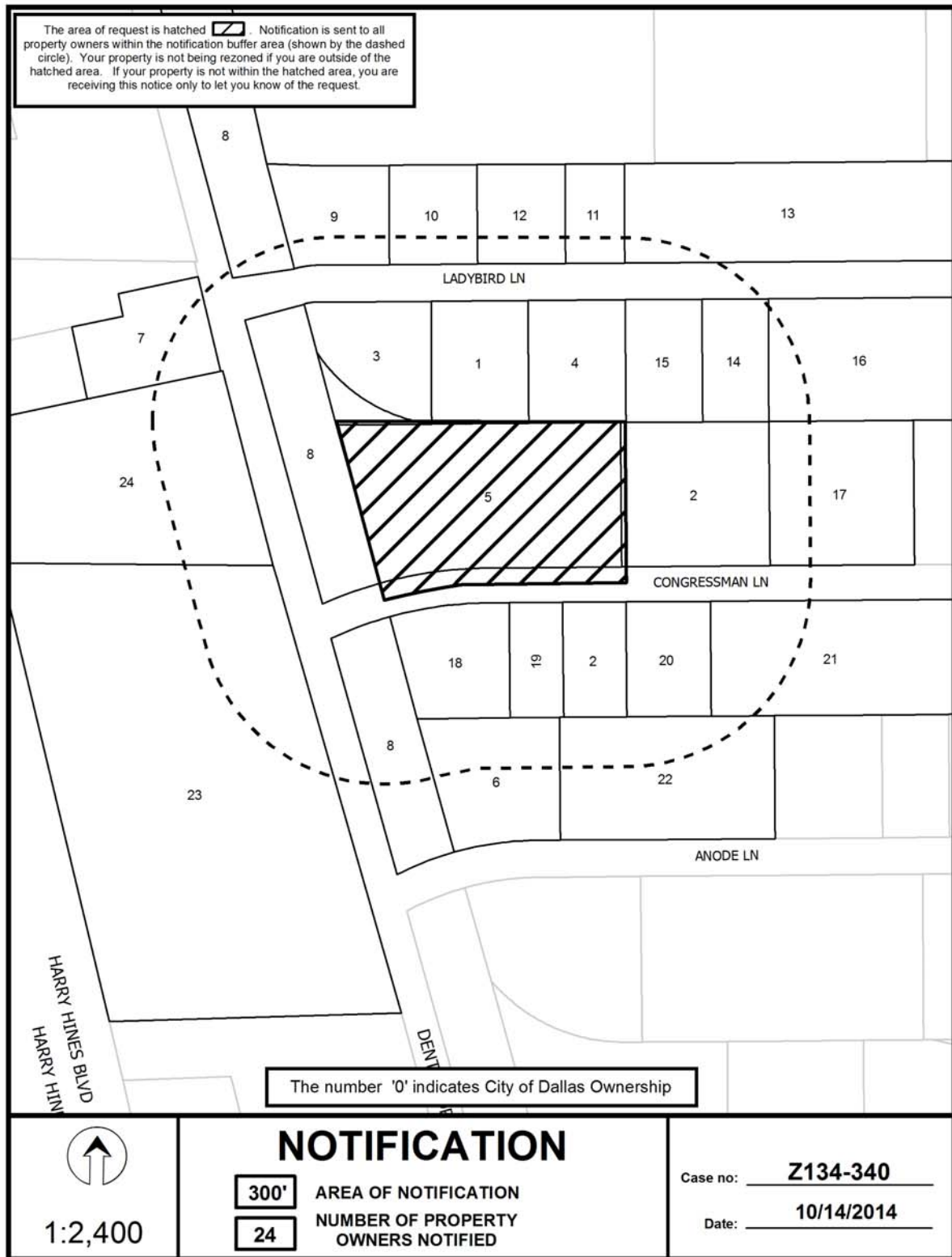












10/14/2014

Notification List of Property Owners***Z134-340******24 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2830 LADYBIRD LN	JVJP INVESTMENTS LLC
2	2832 CONGRESSMAN LN	KARDAL INC
3	2820 LADYBIRD LN	NAGHAVI MORTEZA
4	2840 LADYBIRD LN	ADM TRUCKING INC
5	2815 CONGRESSMAN LN	CONGRESSMAN PARTNERS
6	2819 ANODE LN	BRE IPC TX PROPERTY OWNER LLC
7	10943 DENTON DR	NJAB HOLDINGS LLC
8	401 BUCKNER BLVD	DART
9	2811 LADYBIRD LN	THREE BROTHERS PPTIES LLC
10	2821 LADYBIRD LN	WESTBROOK JAMES P
11	2845 LADYBIRD LN	ETRADE SUPPLY INTL LTD
12	2831 LADYBIRD LN	WILSHIRE BANK
13	2903 LADYBIRD LN	MONROE REALTY LTD
14	2914 LADYBIRD LN	DAL LUF PARTNERS LTD
15	2906 LADYBIRD LN	GEOTEL INVESTMENTS LLC
16	2930 LADYBIRD LN	BROWN LINDA KAY &
17	2861 CONGRESSMAN LN	KARDAL INC
18	2818 CONGRESSMAN LN	SHORI RAVINDAR K
19	2830 CONGRESSMAN LN	SHEA BARBARA G
20	2850 CONGRESSMAN LN	MONROE REALTY LTD
21	2906 CONGRESSMAN LN	MONROE REALTY LTD
22	2837 ANODE LN	WTHW LTD
23	10850 HARRY HINES BLVD	JLO JV XII LP
24	10930 HARRY HINES BLVD	TUALATIN LAKE OSWEGO LLC

FILE NUMBER: Z134-287(CG)

DATE FILED: July 9, 2014

LOCATION: West line of University Hills Boulevard, south of East Red Bird Lane

COUNCIL DISTRICT: 3

MAPSCO: 65-P

SIZE OF REQUEST: ±8.34 acres

CENSUS TRACT: 112.00

REPRESENTATIVE: Santos Martinez, Masterplan

OWNER/APPLICANT: Pearly Gate Baptist Church

REQUEST: An application for a Specific Use Permit for an open-enrollment charter school on property zoned an NO(A) Neighborhood Office District and an R-7.5(A) Single Family District.

SUMMARY: The existing day care facility has grown and now seeks to operate an open-enrollment charter school to serve elementary grade levels. The proposed open-enrollment charter school seeks to maintain the existing classrooms and add classrooms based on enrollment level at a maximum of 600 students. The proposed hours of operation are Monday through Friday from 8:00 am to 3:00 pm for normal school activities.

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

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – Given the grade levels of the proposed charter school and hours of operation, the use should be compatible with the surrounding single family and institutional uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed open-enrollment charter school is not anticipated to negatively impact the adjacent properties and will provide a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is not anticipated to be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the request will comply with all applicable zoning regulations and standards. No variances or exceptions are proposed.

BACKGROUND INFORMATION:

- An existing Deed Restriction No. Z834-330 (dated February 27, 1985) reads that no portion of said property may be used for multifamily dwelling purposes as defined in the Dallas Development Code. This instrument does not impede consideration of the request.

Zoning History:

There has been no zoning activity in the vicinity of the request site within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
University Hills Boulevard	Major Arterial	S-6-D*
E. Redbird Lane	Residential Collector	S-4-D*

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 roadway system. Traffic circulation will be regulated through the attached Traffic Management Plan (TMP), which demonstrates that vehicle queuing can be adequately accommodated onsite.

The drop-off and pick-up traffic will be accessed from University Hills Boulevard. Circulation into the property will occur around the school buildings and into the southern parking lot. Traffic will continue in a one-way direction to University Hills Boulevard behind the existing sanctuary building. The TMP concludes that the one-way direction is optimum for the grade levels on site, and that no queuing of vehicles dropping off or picking up occur will extend onto the City of Dallas public right-of-way as a result of internal queuing constraints.

There are presently 23 classroom with 30 added for a total of classrooms is 53. The TMP has factored in the que length for a starting 375 student enrollment to an anticipated maximum enrollment of 600 students with 53 classrooms.

Surrounding Land Use:

	Zoning	Land Use
SITE	NO(A) & R-7.5(A) & Deed Restriction	Institutional
North	CR	Commercial
East	CR, R-7.5(A)	Commercial, single family
South	R-7.5(A)	Residential, institutional, vacant
West	R-7.5(A)	Institutional, residential

STAFF ANALYSIS:**Comprehensive Plan:**

The Vision Illustration depicts the request site as within a *Commercial Center or Corridor Building Block*. 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 Compatibility:

The ±8.34 acre request site is developed with an existing church facility [Pearly Gate Baptist Church]. The property was re-platted in 2009 to construct a new sanctuary and convert the former religious classrooms into educational classrooms. No new construction is proposed at this time. The site plan reflects the areas for future expansion..

The property to the north and northwest is zoned CR Community Retail and R-7.5(A) and developed with commercial and institutional uses; zoning to the east is CR and R-7.5(A) and developed with commercial and single family uses; and to the south and southwest the area is zoned R-7.5(A) and developed with single family and institutional uses.

With residential adjacency and institutional uses, traffic circulation at this location will be regulated based on the submitted TMP that demonstrates that vehicle queuing will be adequately accommodated.

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

Parking:

Pursuant to §51A-4.210 of the Dallas Development Code, the off-street parking requirement for an elementary school is 1.5 spaces per classroom. Therefore, the proposed 23-classroom open-enrollment charter school will require 34.5 parking spaces. While 201 off-street parking spaces are depicted on the site plan, the Building Inspections Department may require a parking agreement based upon hours of operation since these parking spaces are also for the church's use.

Landscaping:

No new development is proposed by this application as part of application approval at this time; therefore, the landscaping requirements of Article X will not be triggered.

**Pearly Gate Baptist Church
List of Officers**

Frankie Washington	Member
Ivory Armstead	Member
William Anderson	President
Robbie L. Moore	Pastor
Khanetta R. Tankersley	Secretary
Thomas J. Payne	Senior Pastor

Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Applicant recommendation:

- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on _____ (ten years and is eligible for automatic renewal for additional ten-year time periods. months from the passage of this ordinance). |
|---|

Staff Recommendation:

- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on _____ (five-years from the passage of this ordinance). |
|---|

4. CLASSROOMS: The maximum number of classrooms is 23.
5. GRADE LEVELS: Grade levels are limited to Pre-K through elementary.
6. TRAFFIC MANAGEMENT PLAN:

A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.

B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

C. Traffic study.

i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by (six months from beginning operations). After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by that date every other year.

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

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

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

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

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

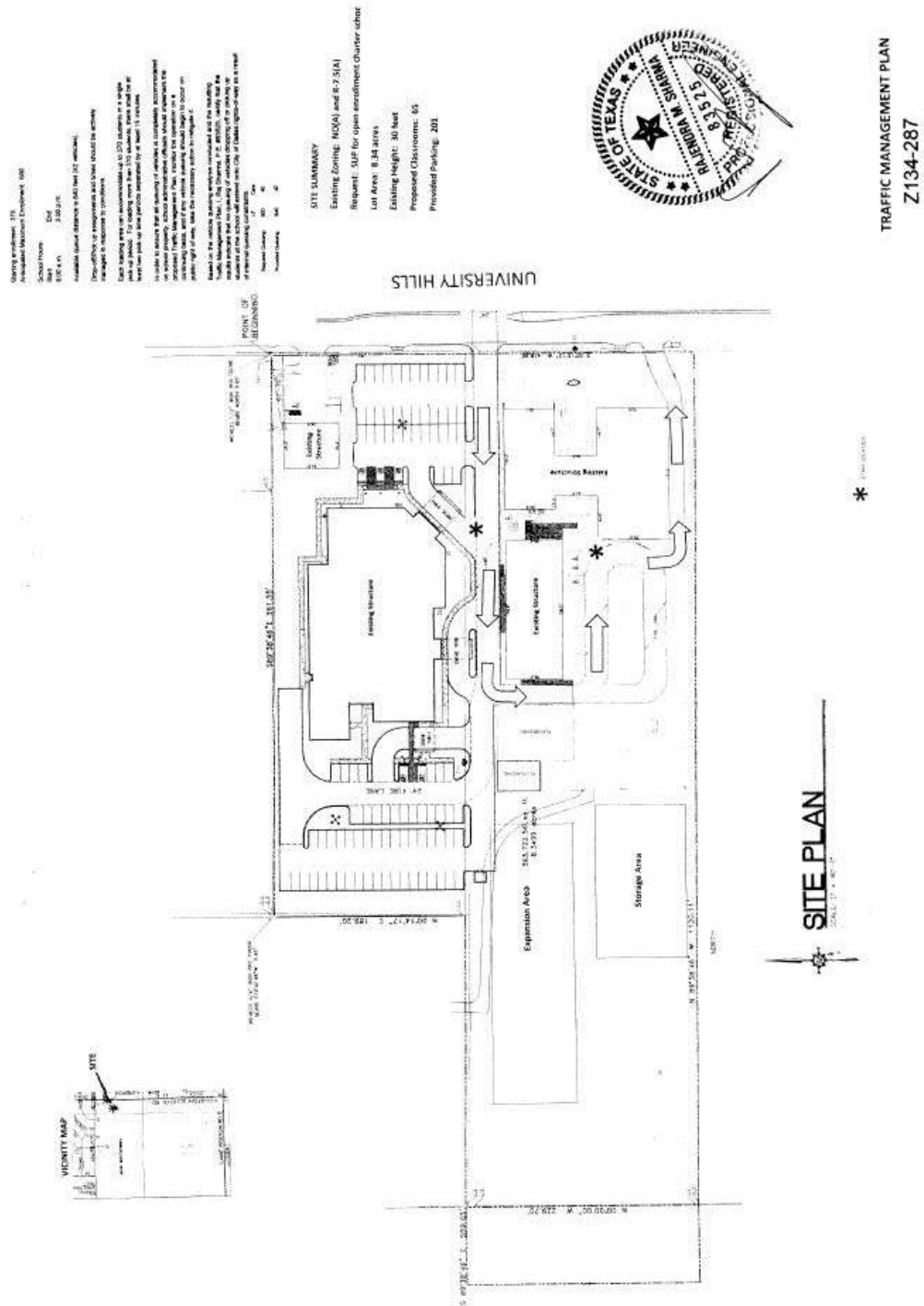
D. Amendment process.

i. A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

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

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

Site Plan



Master Code Inc.

7309 Bay Chase Drive Arlington, Texas, USA 76016
Telephone: (214) 957 5024 Fax: (817) 478 1173 email: rajsharma@mastercode.us

September 30, 2014

Mr. Hamid Fard, P.E.
City of Dallas
320 E. Jefferson Blvd.
Dallas, TX 75203

Subject: TMP for Gateway Charter School – Z 134-287

Dear Mr. Fard,

Further to our meetings, please find enclosed the Transportation Management Plans, along with the report, for the Gateway Charter School.

Please note that this addition replaces existing portables and does not increase the size of student population. The Z # is 134-287

Thanking you for your help and cooperation.

With best regards,



Raj Sharma P.E.

Encl:



Traffic Management Plan For
GATEWAY CHARTER SCHOOL
6103 University Hills

Prepared for Gateway Charter and the City of Dallas

By

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



Gateway Charter School

6103 University Hills

Traffic Management Plan (TMP) School Year 2014-2015

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Gateway Charter School

6103 University Hills

Traffic Management Plan (TMP) School Year 2014-2015

Introduction:

Gateway Charter School is located at 6103 University Hills Blvd. It is near the southwest corner of University Hills and East Red Bird Lane. Gateway Charter School has grown from a day care facility to an open enrollment charter school. Pearly Gate Baptist Church began to convert its former religious classrooms into educational classrooms. The day care facility has expanded its capacity to include non-church members for instructional care. In 2009, Pearly Gate Baptist Church replatted its property with the adjacent lot to the north. It enabled the church to construct a new sanctuary. The old sanctuary can be converted into more classroom space for this use. The school has approximately 375 students in 23 homeroom classrooms. Gateway Charter seeks to maintain the existing 23 classrooms. This request is to accommodate the existing classrooms and a proposed new 30 classrooms. These classrooms will be phased into the property and not constructed immediately with this request.

Overview:

Gateway Charter School conducts classrooms from 8:00 a.m. to 3:00 p.m. The pre-kindergarten classrooms begin instruction at 8:00 a.m. and are dismissed at 2:45 p.m.

The Site and Queue Length:

The school site is somewhat rectangular in shape and has frontage along University Hills. The property was re-platted in 2009 to accommodate a new sanctuary for Pearly Gate Baptist Church. There are over 200 parking spaces on the property with this new addition. The site contains one tract is approximately 8.5 acres in size. The school has one main queue that is completely on private property. The length of this queuing lane is roughly 900 linear feet. There is no time when the queuing length is threatened to be in the public right of way.

Personnel Assistance:

The Principal and teachers manage the queue and provide guidance to ensure the safety and efficiency of the drop-off and pick up operations.

Drop Off and Pick Up Schedule:

Pre-K: 8:00 a.m. and 2:45 p.m.

Elementary: 8:00 a.m. and 3:00 p.m.

Circulation:

The traffic, both at drop off and pick up, enter the property from University Hills Blvd. It circulates into the property around the school buildings and into the southern parking lot. Traffic continues in a one way direction to University Hills Blvd behind the original sanctuary building. The one way circulation is ideal for the grade levels on site.

Gateway Charter School

6103 University Hills

Traffic Management Plan (TMP) School Year 2014-2015

Queuing Analysis:**Queuing Analysis:**

Grade	Nos. of Classrooms	Students/ Class	Nos. of Students	Time Start	Time Dismissal
Pre-K	3	21	64	8:00 a.m.	2:45 p.m.
K	3	23	70	8:00 a.m.	3:00 p.m.
1	3	17	52	8:00 a.m.	3:00 p.m.
2	3	16	48	8:00 a.m.	3:00 p.m.
3	3	17	52	8:00 a.m.	3:00 p.m.
4	4	13	50	8:00 a.m.	3:00 p.m.
5	4	10	40	8:00 a.m.	3:00 p.m.

Subtotal Grades PreK-5

Total**23****376**

REFERENCE TTI REPORT: "OPERATIONS AND SAFETY AROUND SCHOOL: OVERVIEW OF PROJECT ACTIVITIES AND FINDINGS"
 BY TEXAS DEPARTMENT OF TRANSPORTATION & US DEPARTMENT OF HIGHWAYS

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

School Type	Student Population	Loop Drive Stacking Length (Linear Feet)
Elementary	200 - 600	900 - 1200
	600 - 1400	1200 - 1500
Middle	200 - 600	900 - 1200
	600 - 1200	1200 - 1500
High	400 - 800	800 - 1200
	800 - 2500	1200 - 1500

Note:

For high school populations greater than 2,500 students, consider two separate student pick up/drop-off loops

Gateway Charter School

6103 University Hills

Traffic Management Plan (TMP) School Year 2014-2015

According to the above chart the remaining student population would require a stacking length of at least 900 feet.

Gateway Charter School has developed a system of on-site queuing that can accommodate this requirement. All student drop off and pick up takes place on private property within the campus grounds. Gateway Charter School has assigned school personnel to monitor and control this on site stacking.

The school has frontage along University Hills and no other streets. Access to the site is provided by a main entrance. Parents exit the property at the southeast corner of the lot.

The queue length within the drop-off/pick-up area on site is approximately 840 feet in length. There are an additional 200 feet of queuing lanes that could be utilized on the property. No changes to the existing circulation are anticipated.

Starting Enrollment: 375

Anticipated Maximum Enrollment: 600

School Hours:

Start	End
-------	-----

8:00 a.m.	3:00 p.m.
-----------	-----------

Available queue distance is 840 feet (42 vehicles).

Drop-off/Pick up assignments and times should be actively managed in response to conditions.

Each loading area can accommodate up to 370 students in a single pick-up period. For loading more than 370 students, there shall be at least two pick-up time periods separated by at least 15 minutes.

In order to ensure that all queuing of vehicles is completely accommodated on school property, school administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should be occurring on public right of way, take the necessary action to mitigate it.

Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, I, Raj Sharma, P.E. 83525, certify that the results indicate that no queuing of vehicles dropping off or picking up students at the school will extend onto City of Dallas rights-of-way as a result of internal queuing constraints.

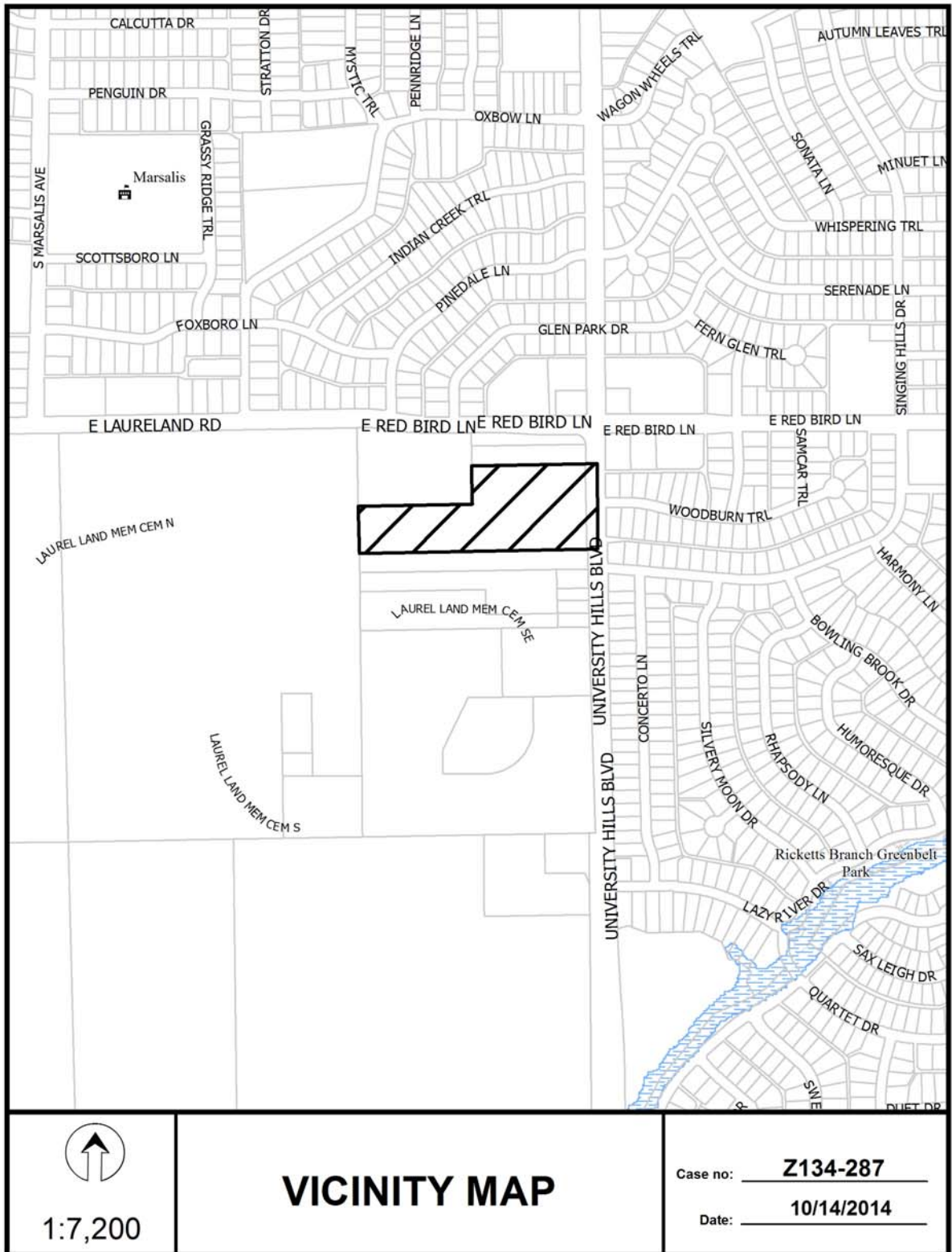
	LF	CARS
Required Queuing:	800	40
Provided Queuing:	840	42

RECOMMENDATION

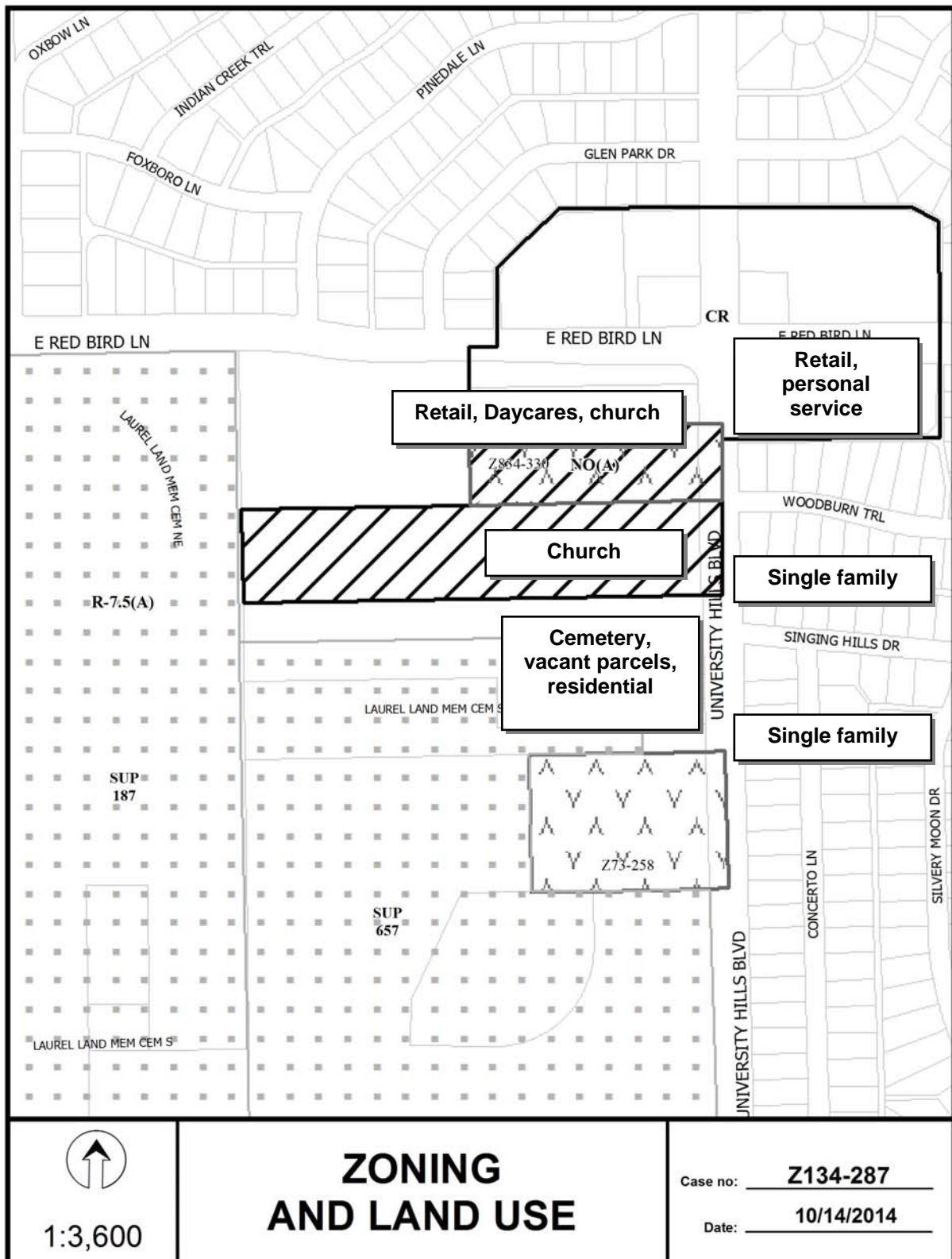
Gateway Charter School shall maintain it's existing on site queuing system for existing and proposed classrooms.

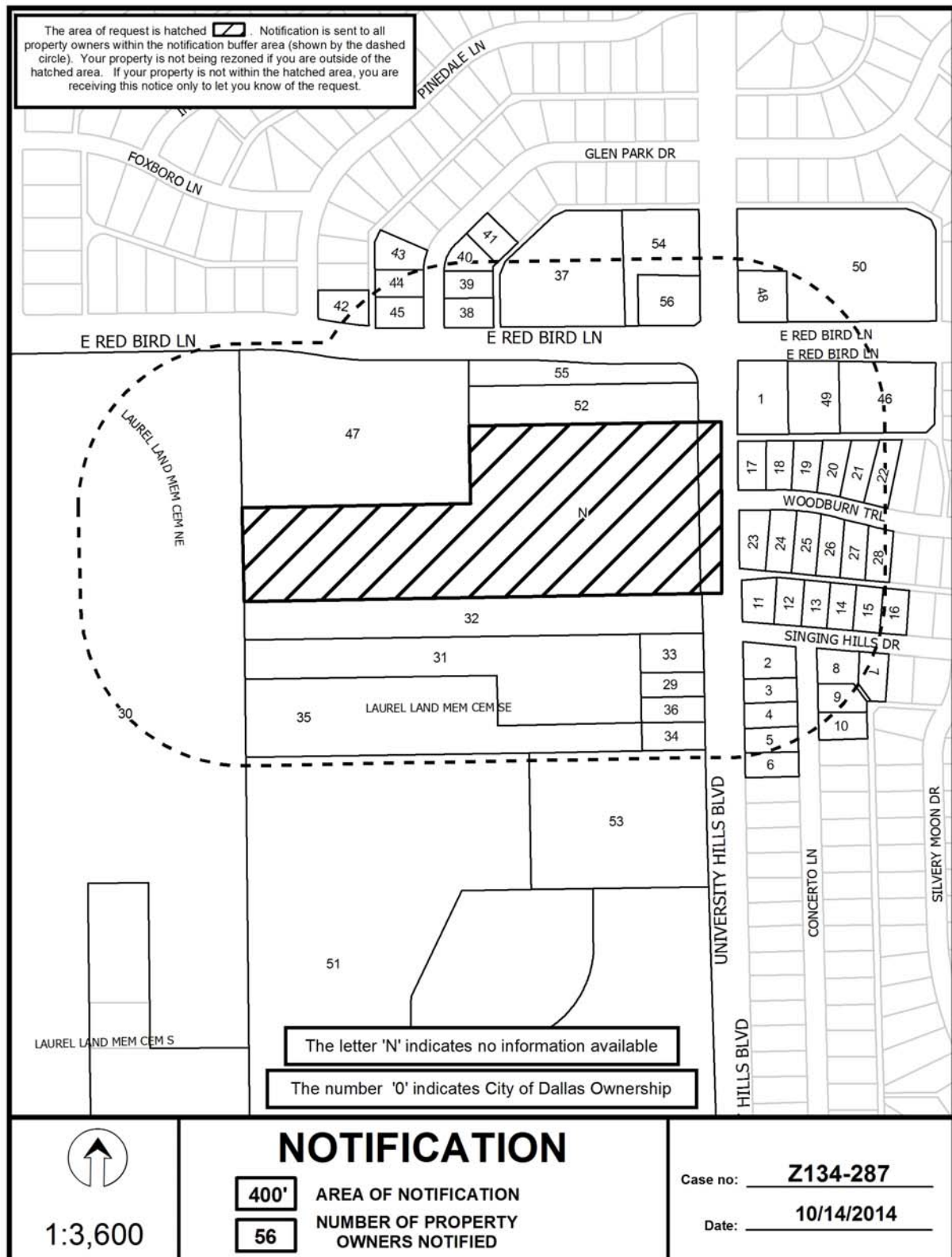
Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, I, Raj Sharma, P.E. #83525, certify that the results indicate that no queuing of vehicles dropping off or picking up students at 6103 University Hills will extend onto City of Dallas rights-of-way as a result of internal queuing constraints.

In order to ensure that all queuing of vehicles is completely accommodated on school property, the school administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it.









10/14/2014

Notification List of Property Owners***Z134-287******56 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1204 RED BIRD LN	COLEMAN JERRY &
2	6105 CONCERTO LN	GREEN GINA HALL & VINCENT L
3	6111 CONCERTO LN	SIMMONS MELVIN
4	6115 CONCERTO LN	BROWN DAISY
5	6119 CONCERTO LN	MADISON PHILIP C
6	6123 CONCERTO LN	BROWN JAMES
7	6138 SINGING HILLS DR	CROW JEAN DELORES
8	6106 CONCERTO LN	HUD
9	6112 CONCERTO LN	BATTEE EVER DEE
10	6116 CONCERTO LN	SOWELLS LAURA
11	6159 SINGING HILLS DR	SPENCER BERNICE
12	6153 SINGING HILLS DR	BADGER MARY M W
13	6149 SINGING HILLS DR	BADGER NAPOLEON
14	6145 SINGING HILLS DR	DAVIS TOMMY L
15	6141 SINGING HILLS DR	ARRINGTON GLADYS
16	6137 SINGING HILLS DR	MOORE JERRY LEE
17	1203 WOODBURN TRL	PEA CASSANDRA
18	1207 WOODBURN TRL	HUNTER WILLIE D & FLORA
19	1215 WOODBURN TRL	AVANT ELAINE M
20	1221 WOODBURN TRL	DANIELS WILLIE J
21	1227 WOODBURN TRL	ROBERTSON ROBERT L &
22	1233 WOODBURN TRL	DOYLE AUGUST
23	1202 WOODBURN TRL	SMITH ANGELA WILLIAMS
24	1208 WOODBURN TRL	WALTON FRANK
25	1216 WOODBURN TRL	JACKSON BILLY R
26	1222 WOODBURN TRL	CLARK SANDRA R

10/14/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1228 WOODBURN TRL	CLARK SANDRA RANSOME
28	1234 WOODBURN TRL	CLARK SANDRA
29	6125 UNIVERSITY HILLS BLVD	MORALES MARTIN &
30	800 RED BIRD LN	LAUREL LAND MEMORIAL
31	6115 UNIVERSITY HILLS BLVD	LAURLAND MEM PARK INC
32	6109 UNIVERSITY HILLS BLVD	LUCKY DAVE & MARY
33	6119 UNIVERSITY HILLS BLVD	STRAING GERTRUDE EST OF
34	6133 UNIVERSITY HILLS BLVD	WASHINGTON COLUMBUS JR
35	6133 UNIVERSITY HILLS BLVD	LAURELAND MEMORIAL
36	6129 UNIVERSITY HILLS BLVD	ROBERTS FAYE EST OF &
37	1125 RED BIRD LN	BETH EDEN BAPT CH
38	1002 GLEN PARK DR	JOHNSON ROY LYNN
39	1006 GLEN PARK DR	BYRD FRANK
40	1016 GLEN PARK DR	BELL EDDIE L
41	1026 GLEN PARK DR	MORROW ROBBYE
42	906 PINEDALE LN	PARISH NORMA JEAN
43	1011 GLEN PARK DR	PARKER ETTA E
44	1007 GLEN PARK DR	PHILLIPS SEABORN P
45	1003 GLEN PARK DR	JACKSON MARY A
46	1222 RED BIRD LN	PARADISE MISSIONARY BAPT
47	1000 RED BIRD LN	IDEAL PENTECOSTAL CHURCH
48	1203 RED BIRD LN	JACKSON ADOLPHUS &
49	1210 RED BIRD LN	RAMIREZ JUAN
50	1207 RED BIRD LN	HOPPENSTEIN PPTIES INC
51	6301 UNIVERSITY HILLS BLVD	LAUREL LAND MEM PARK INC
52	6011 UNIVERSITY HILLS BLVD	FUQUAY SHANDA
53	6221 UNIVERSITY HILLS BLVD	LAUREL LAND MEMORIAL
54	1149 RED BIRD LN	REEVES GROUP LTD ET AL
55	1130 RED BIRD LN	REEVES GROUP LTD ET AL
56	1155 RED BIRD LN	SOUTHLAND CORP 25567

CITY PLAN COMMISSION

THURSDAY, NOVEMBER 6, 2014

Planner: Olga Torres Holyoak

FILE NUMBER: Z134-118(OTH)

DATE FILED: October 23, 2013

LOCATION: North side of East Wheatland Road, east of R.L. Thornton Freeway

COUNCIL DISTRICT: 3

MAPSCO: 74-D

SIZE OF REQUEST: Approx. 11.58 acres

CENSUS TRACT: 112.00

OWNER: Claudis Allen

APPLICANT/ REPRESENTATIVE: Claudia Oliva, ADI Engineering Inc.

REQUEST: An application for the renewal and amendment of Specific Use Permit No. 1749 for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District.

SUMMARY: On March 25, 2009, the City Council approved this specific use permit for a period of five years with eligibility for automatic renewals for additional five-year periods subject to a site plan and conditions. Due to changes to the site plan, this Specific Use Permit has to be considered by the City Plan Commission and City Council.

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

GUIDING CRITERIA FOR RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The existing building and use are compatible in scale and character with the surrounding single-family uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing open-enrollment charter school has not negatively impacted the adjacent properties and provides a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The existing open-enrollment charter school has not been a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards*
The request complies with all regulations and standards. No variances or special exceptions are requested.

BACKGROUND INFORMATION:

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
E. Wheatland Road	Principal Arterial	60 ft.

Surrounding Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Private school
North	PD No. 822	Undeveloped
East	R-7.5(A), LI, D-1	Single Family and undeveloped
South	R-7.5(A)	Single Family and undeveloped
West	R-7.5(A)	Single Family

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

STAFF ANALYSIS:**Comprehensive Plan:**

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

The Residential Neighborhoods block focuses on developing the traditional neighborhood of single-family detached homes that will integrate shops, restaurants, schools, religious centers. Also, parks, trails and roads will be developed to improve the quality of life.

The applicant proposes continue the use of the property for an open-enrollment charter school. The applicant's request is in compliance with the goals and policies in the *forwardDallas! Comprehensive Plan*.

Land Use Compatibility:

The proposed use is complimentary to the neighborhood and creates a sense of community in the area. The property is presently developed with a 504,395 square feet building. The property is adjacent to undeveloped land and single family residential to the east; single family and undeveloped to the south; single family residential to the west; and undeveloped to the north. The surrounded uses are a nursery, undeveloped land and single family uses.

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

Landscaping: The landscaping complies with Article X.

**PROPOSED CONDITIONS SUP No. 1749
Z134-118(OTH)**

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on five years from the date of approval~~March 25, 2014~~, but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. GRADES: The open-enrollment charter school is limited to grades kindergarten through seventh.
5. HOURS OF OPERATION: The open-enrollment charter school may only operate between 8:15 a.m. and 3:00 p.m., Monday and Friday, and between 8:15 a.m. and 3:30 p.m., Tuesday through Thursday.
6. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: Off-street parking spaces must be located as shown on the attached site plan.
8. TRAFFIC MANAGEMENT PLAN:
 - (a) In general. The operation of the open-enrollment charter school must comply with the attached traffic management plan.

- (b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
- (c) Traffic study.
 - (1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by August 1, 2010. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study every two years by August 1 of that year.
 - (2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:
 - (A) ingress and egress points;
 - (B) queue lengths;
 - (C) number and location of personnel assisting with loading and unloading of students;
 - (D) drop-off and pick-up locations;
 - (E) drop-off and pick-up hours for each grade level;
 - (F) hours for each grade level; and
 - (G) circulation.
 - (3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.
 - (A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.
 - (B) If the director determines that the current traffic management plan results in traffic hazards or

traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(d) Amendment process.

- (1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).
- (2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

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

REVISED TRAFFIC MANAGEMENT PLAN

Kelly & Associates

7785 Sleep Creek Drive, Frisco, Texas, 75034; Phone: (214) 697-1328 (972) Fax: 668-7867

TECHNICAL MEMORANDUM

To: Olga Torres-Holyoak, City of Dallas

Copy to: Don Anyanwu

From: Rod Kelly, P.E.

Date: September 30, 2014

RE: Updated Traffic Management Plan Review – Children’s First Academy, in Dallas, Texas (Zoning Case # Z134-118 SUP No. 1749)

**PURPOSE**

The purpose of this memorandum is to document the results of an evaluation of the sufficiency of the existing Traffic Management Plan (TMP) for the Children’s First Academy (CFA), located on Wheatland Road in Dallas, Texas. Preparation of this review is in response to a request from the City of Dallas staff related to Condition 8 (c) (1) of the SUP conditions, which requires periodic review and certification of the Plan. The vicinity map showing the location of the academy is provided in **Figure 1**. The current access and on-site traffic circulation is shown in **Figure 2**. It should be noted that the drop-off location for the AM arrivals and the pick-up location for the PM departures are not the same as in the original plan. During the AM arrival period, all children are dropped off by academy buses and private vehicles at the back building entrance to the academy, the easternmost entrance to the property is barricaded, the westernmost access driveway is used by both entering and exiting buses and private vehicles. During the PM departure period, academy buses pick up children at the building exit in the rear of the academy and private vehicles pick up children at the front building exit of the academy, using the easternmost driveway to enter the property and the westernmost driveway to exit.

EVALUATION

The evaluation was performed for the A M and P M peak hour arrival and departure periods. In the AM drop-off period, this occurs from 7:00 to 8:00 AM. All classes begin at 7:30 AM. In the PM pick-up period, it occurs from 2:00 to 3:00 PM. All classes let out at 2:30 PM. The existing A. M. and P. M. peak hour entering and departing vehicle volumes are presented in **Figure 3**.

One of the critical requirements of a traffic management plan for a private school is to assure that an adequate amount of space is provided for the queuing or stacking of vehicles totally and completely on school property. In order to determine the extent of this requirement, observations were made at the existing 385 student academy, during peak drop-off and pick-up periods on two different days, to determine on-site queuing. These observations are displayed in **Table 1** and show the maximum number of vehicles queued, or stacked, to either drop off or pick up students in any single five-minute period before and after academy take-up and let-out times.

Figure 1 – Location of Children's First Academy

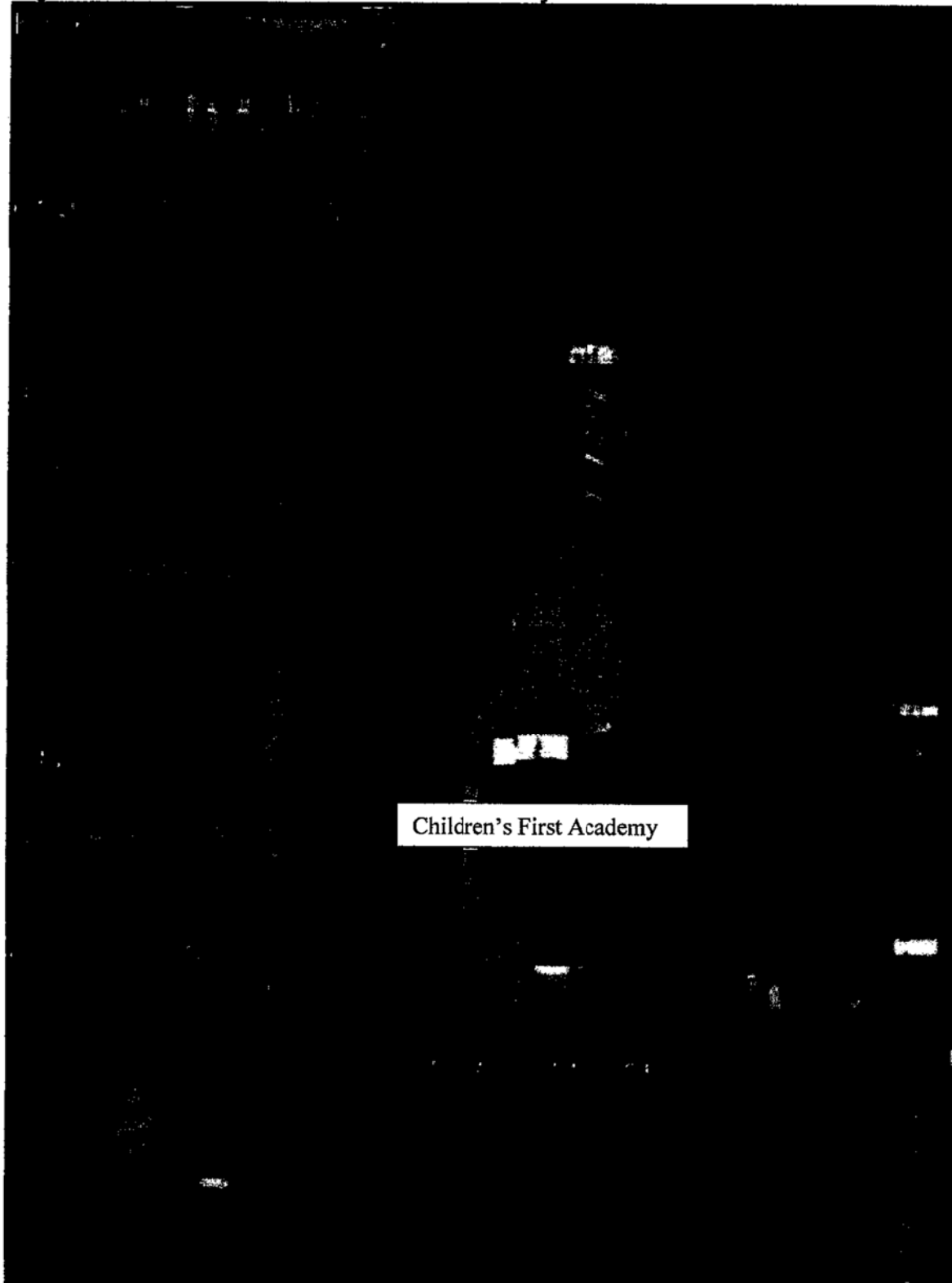


Figure 2 – Current Access and On-Site Traffic Circulation

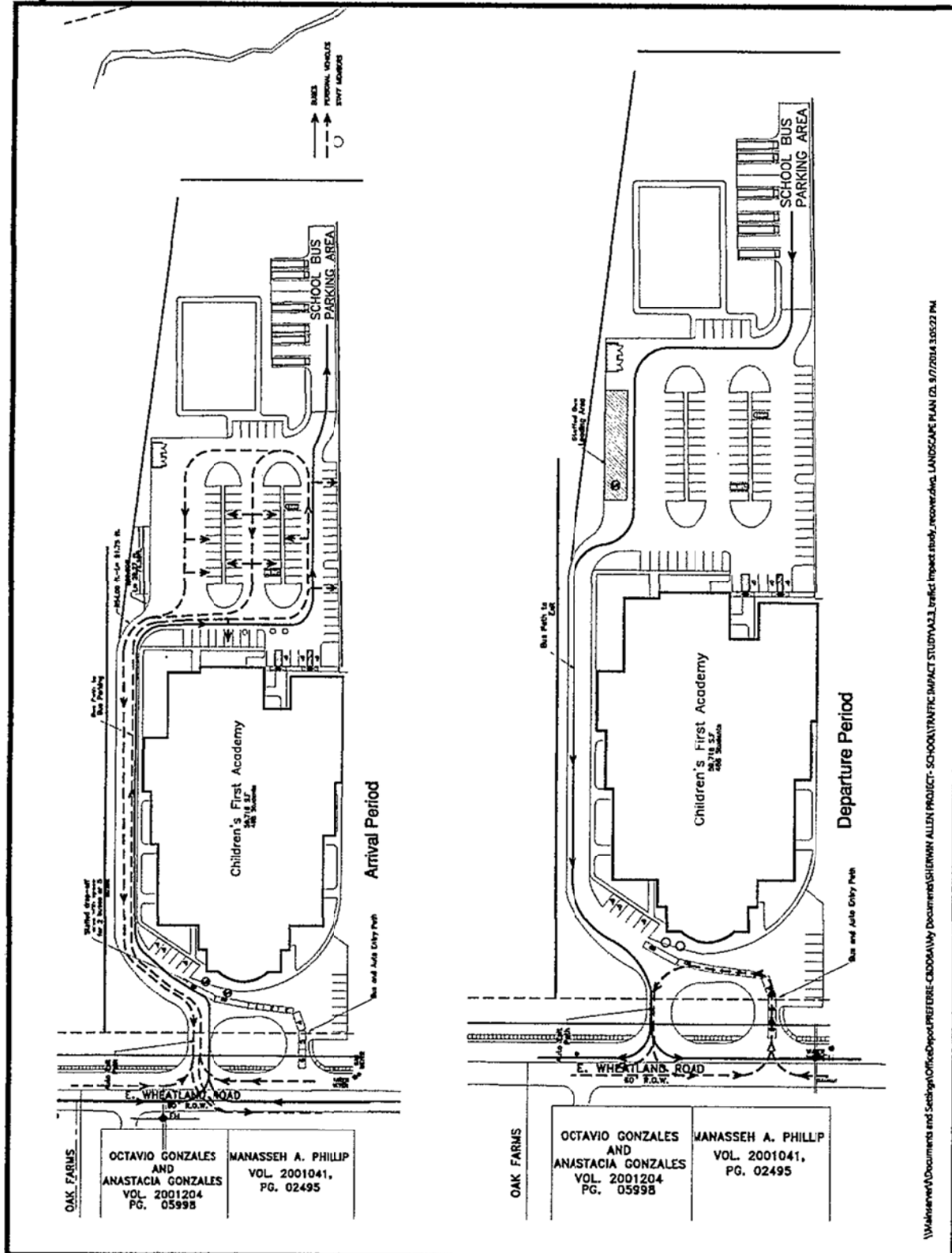
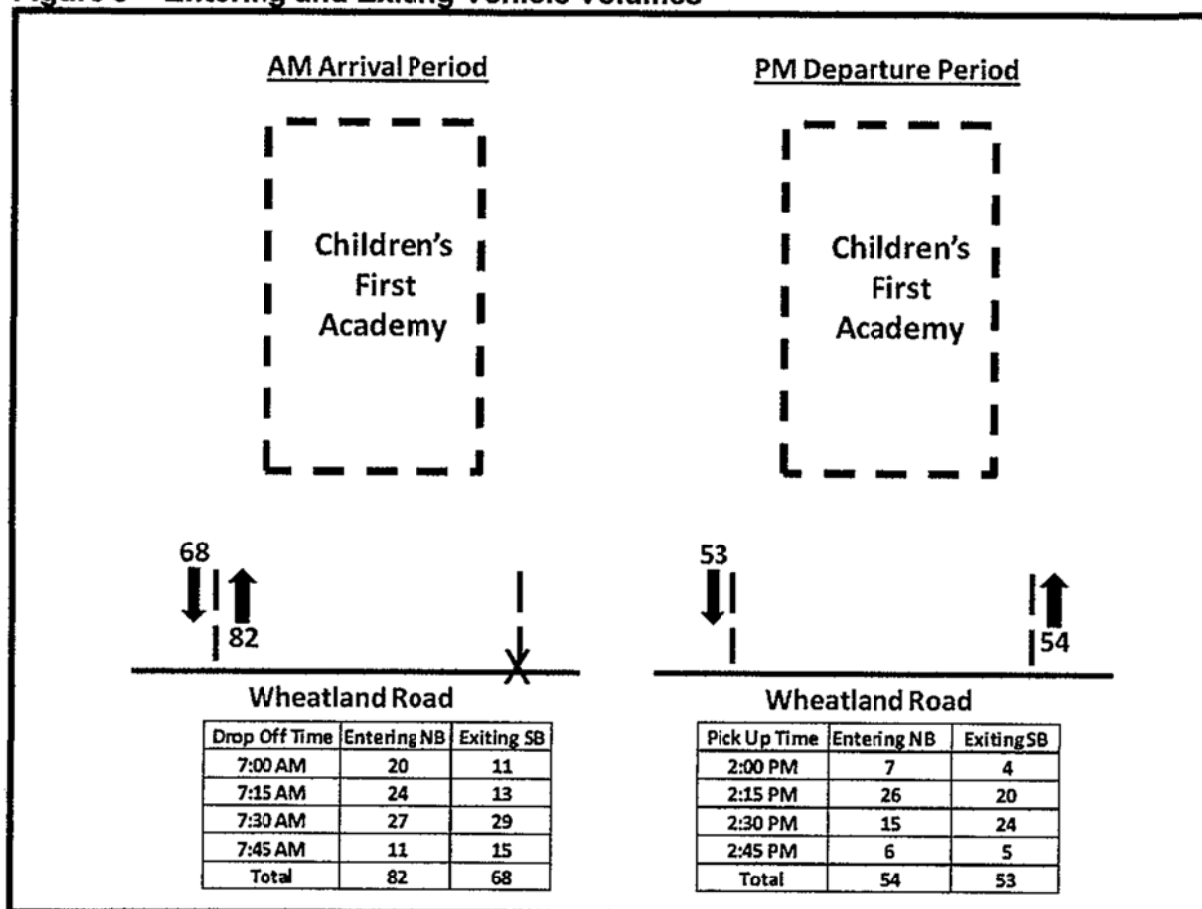


Figure 3 – Entering and Exiting Vehicle Volumes**Table 1 - Maximum Vehicle Queuing (5 Minute Intervals)**

Date	Day of Week	Time (PM)											
9/3/2014	Wednesday	2:00	2:05	2:10	2:15	2:20	2:25	2:30	2:35	2:40	2:45	2:50	2:55
		2	4	5	4	7	10	10	4	5	3	4	5
Date	Day of Week	Time (AM)											
9/4/2014	Wednesday	7:00	7:05	7:10	7:15	7:20	7:25	7:30	7:35	7:40	7:45	7:50	7:55
		2	5	8	6	6	7	7	4	6	7	2	5

As indicated in Table 1, the maximum number of vehicles observed to be queued up on-site at the academy at any single moment in time was observed to be 10, during the morning one hour drop-off period. This condition occurs with an enrollment of 365 students. As shown in Figure 2, the primary drop off/pick up locations is provided at two curbside locations –one in front and one in back of the academy building.

*Traffic Management Plan Review - Children's First Academy, Dallas, Texas Page 5 of 12
September 30, 2014*

AM Arrival Period

As previously stated, the location in back of the academy building is used by both buses and private vehicles to drop-off children. There is **space for as many as four (4) buses** to line up to drop-off children at the rear entrance to the building.

There are also a total of **89 parking spaces in back of the building that are available for the drop-off of children arriving in private vehicles**. Nearly all of the adults dropping off these children park their vehicles in these spaces and personally escort their children into the academy building. **Three academy buses transport and dropped off approximately 260 students during the AM arrival period in the rear arrival area.**

Two staff members were present in the rear arrival area to direct and assist children from the buses and private vehicles into the academy building.

PM Departure Period

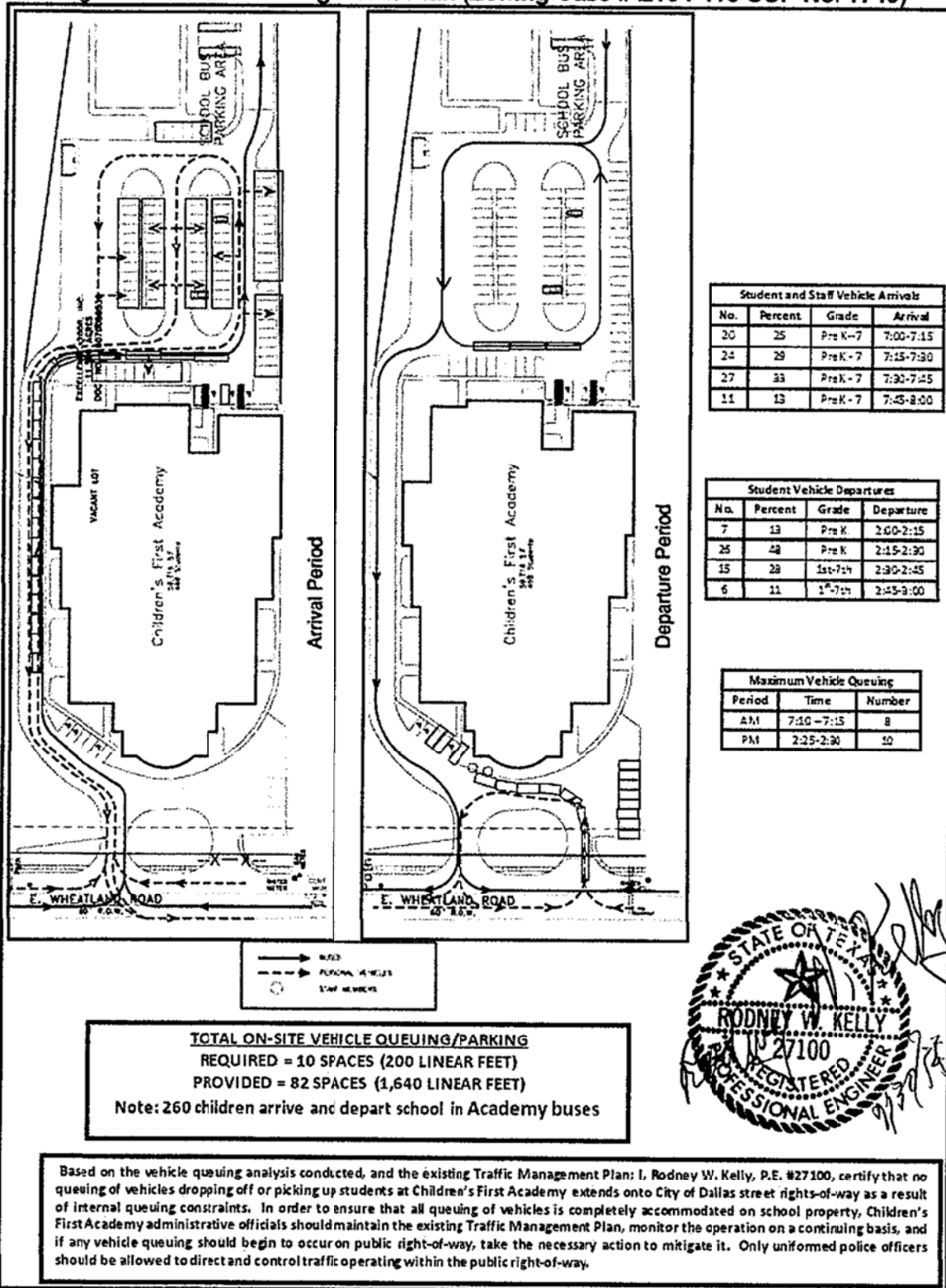
During the PM departure period, the pick-up of children occurs in both the front and back of the building. During this period, **four (4) buses were observed picking up children** in the area behind the building. Three of them departed during the 15 minute period between 2:15 and 2:30 PM. The fourth bus left just after 2:30 PM. Adults picking up children in **private vehicles queued up in 8 available queuing spaces** directly in front of the front building exit to load their children into their vehicles **or parked their vehicles in one of the 11 parking spaces**, excluding 3 handicapped, available in the front of the building and personally escorted their children from the academy building to their vehicles.

Two staff members were present in both the front and back departure areas to direct and assist children from the building into the buses in the back departure area and the private vehicles in the front departure area.

CONCLUSIONS AND RECOMMENDATIONS

As demonstrated by the analysis results described in the preceding paragraphs, it is concluded that the Traffic Management Plan in **Figure 3** provides the required traffic operating efficiency and capacity to assure that all drop-off/pick-up vehicle queuing can be accommodated completely on-site and the necessary safety and security of Children's First Academy students is provided.

No changes to the existing Traffic Management Plan are recommended.

Figure 3 – Traffic Management Plan (Zoning Case # Z134-118 SUP No. 1749)

Appendix A

Entering and Exiting Traffic Counts

Traffic Management Plan Review - Children's First Academy, Dallas, Texas Page 8 of 12
September 30, 2014

METROCOUNT																
9128 Couples Dr.-Plano, TX-75025																
Phone/Fax (972) 359-6310																
315 E. Wheatland Rd., Dallas, TX																
Children's First Academy																
9-4-14																
Vehicles entering and exiting grounds																
File Name : RK9414																
Site Code : 00000001																
Start Date : 9/4/2014																
Page No : 1																
Groups Printed- Unshifted																
Start Time	Exiting Southbound				Westbound				Entering Northbound				Eastbound			
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total
06:45 AM	0	3	0	3	0	0	0	0	0	4	0	4	0	0	0	0
Total	0	3	0	3	0	0	0	0	0	4	0	4	0	0	0	0
07:00 AM	0	11	0	11	0	0	0	0	0	20	0	20	0	0	0	0
07:15 AM	0	13	0	13	0	0	0	0	0	24	0	24	0	0	0	0
07:30 AM	0	29	0	29	0	0	0	0	0	27	0	27	0	0	0	0
07:45 AM	0	15	0	15	0	0	0	0	0	11	0	11	0	0	0	0
Total	0	68	0	68	0	0	0	0	0	82	0	82	0	0	0	0
*** BREAK ***																
02:00 PM	0	4	0	4	0	0	0	0	0	7	0	7	0	0	0	0
02:15 PM	0	20	0	20	0	0	0	0	0	26	0	26	0	0	0	0
02:30 PM	0	24	0	24	0	0	0	0	0	15	0	15	0	0	0	0
02:45 PM	0	5	0	5	0	0	0	0	0	6	0	6	0	0	0	0
Total	0	53	0	53	0	0	0	0	0	54	0	54	0	0	0	0
Grand Total	0	124	0	124	0	0	0	0	0	140	0	140	0	0	0	0
Approch %	0	100	0		0	0	0		0	100	0		0	0	0	
Total %	0	47	0	47	0	0	0	0	0	53	0	53	0	0	0	0
Start Time	Exiting Southbound				Westbound				Entering Northbound				Eastbound			
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total
07:00 AM	0	11	0	11	0	0	0	0	0	20	0	20	0	0	0	0
07:15 AM	0	13	0	13	0	0	0	0	0	24	0	24	0	0	0	0
07:30 AM	0	29	0	29	0	0	0	0	0	27	0	27	0	0	0	0
07:45 AM	0	15	0	15	0	0	0	0	0	11	0	11	0	0	0	0
Total Volume	0	68	0	68	0	0	0	0	0	82	0	82	0	0	0	0
% App. Total	0	100	0		0	0	0		0	100	0		0	0	0	
PHF	.000	.586	.000	.586	.000	.000	.000	.000	.000	.759	.000	.759	.000	.000	.000	.000
Peak Hour Analysis From 06:45 AM to 11:45 AM - Peak 1 of 1																
Peak Hour for Entire Intersection Begins at 07:00 AM																
+0 mins.	07:00 AM				06:45 AM				07:00 AM				06:45 AM			
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total
+0 mins.	0	11	0	11	0	0	0	0	0	20	0	20	0	0	0	0
+15 mins.	0	13	0	13	0	0	0	0	0	24	0	24	0	0	0	0
+30 mins.	0	29	0	29	0	0	0	0	0	27	0	27	0	0	0	0
+45 mins.	0	15	0	15	0	0	0	0	0	11	0	11	0	0	0	0
Total Volume	0	68	0	68	0	0	0	0	0	82	0	82	0	0	0	0
% App. Total	0	100	0		0	0	0		0	100	0		0	0	0	
PHF	.000	.586	.000	.586	.000	.000	.000	.000	.000	.759	.000	.759	.000	.000	.000	.000

Traffic Management Plan Review - Children's First Academy, Dallas, Texas *Page 9 of 12*
September 30, 2014

METROCOUNT
 9128 Couples Dr.-Plano, TX-75025
 Phone/Fax (972) 359-6310

315 E. Wheatland Rd., Dallas, TX
 Children's First Academy
 9-4-14
 Vehicles entering and exiting grounds

File Name : RK9414
 Site Code : 00000001
 Start Date : 9/4/2014
 Page No : 2

	Exiting Southbound				Westbound				Entering Northbound				Eastbound				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 12:00 PM to 02:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 12:00 PM																	
02:00 PM	0	4	0	4	0	0	0	0	0	7	0	7	0	0	0	0	11
02:15 PM	0	20	0	20	0	0	0	0	0	26	0	26	0	0	0	0	46
02:30 PM	0	24	0	24	0	0	0	0	0	15	0	15	0	0	0	0	39
02:45 PM	0	5	0	5	0	0	0	0	0	6	0	6	0	0	0	0	11
Total Volume	0	53	0	53	0	0	0	0	0	54	0	54	0	0	0	0	107
% App. Total	0	100	0		0	0	0		0	100	0		0	0	0		
PHF	.000	.552	.000	.552	.000	.000	.000	.000	.000	.519	.000	.519	.000	.000	.000	.000	.582
Peak Hour Analysis From 12:00 PM to 02:45 PM - Peak 1 of 1																	
Peak Hour for Each Approach Begins at:																	
02:00 PM	0	4	0	4	0	0	0	0	0	7	0	7	0	0	0	0	
+0 mins.	0	4	0	4	0	0	0	0	0	7	0	7	0	0	0	0	
+15 mins.	0	20	0	20	0	0	0	0	0	26	0	26	0	0	0	0	
+30 mins.	0	24	0	24	0	0	0	0	0	15	0	15	0	0	0	0	
+45 mins.	0	5	0	5	0	0	0	0	0	6	0	6	0	0	0	0	
Total Volume	0	53	0	53	0	0	0	0	0	54	0	54	0	0	0	0	
% App. Total	0	100	0		0	0	0		0	100	0		0	0	0		
PHF	.000	.552	.000	.552	.000	.000	.000	.000	.000	.519	.000	.519	.000	.000	.000	.000	

Appendix B

Vehicle Queuing Counts

9-3-14

Children's First Academy

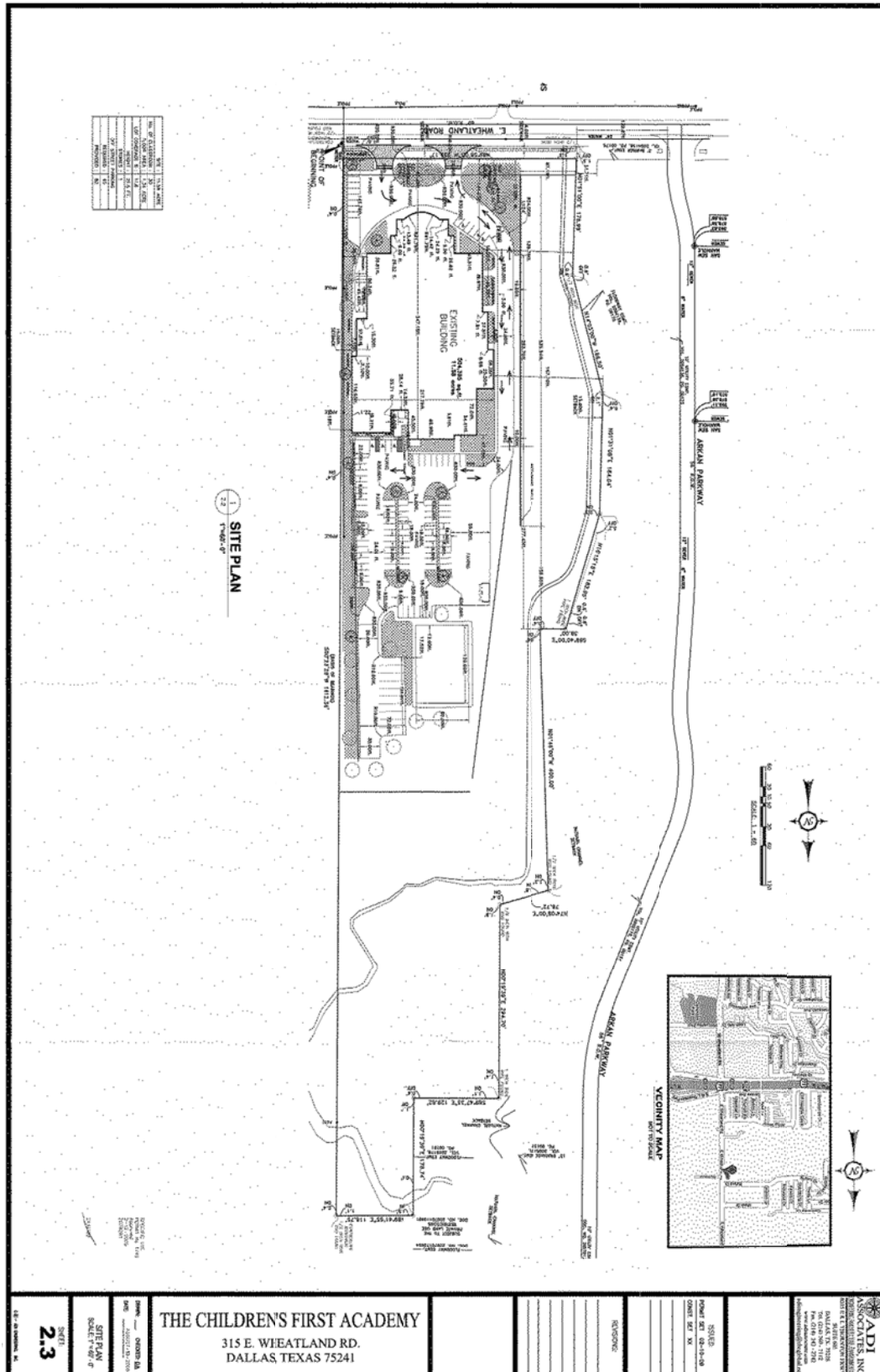
<u>Time</u>	<u>Que</u>	<u>Time</u>	<u>Que</u>	<u>Time</u>	<u>Que</u>
2:00	1	2:20	5	2:40	3
01	1	21	4	41	5
02	2	22	5	42	4
03	2	23	6	43	3
04	<u>2</u>	24	<u>7</u>	44	<u>4</u>
05	2	25	6	45	<u>3</u>
06	2	26	6	46	3
07	3	27	8	47	2
08	5	28	9	48	2
09	<u>4</u>	29	<u>10</u>	49	<u>2</u>
10	3	2:30	10	2:50	2
11	3	31	9	51	2
12	4	32	7	52	3
13	4	33	5	53	3
14	<u>5</u>	34	<u>5</u>	54	<u>4</u>
2:15	4	35	<u>4</u>	55	<u>5</u>
16	3	36	3	56	4
17	2	37	4	57	3
18	2	38	2	58	<u>3</u>
19	3	39	1	3:00	3

Children's First Academy

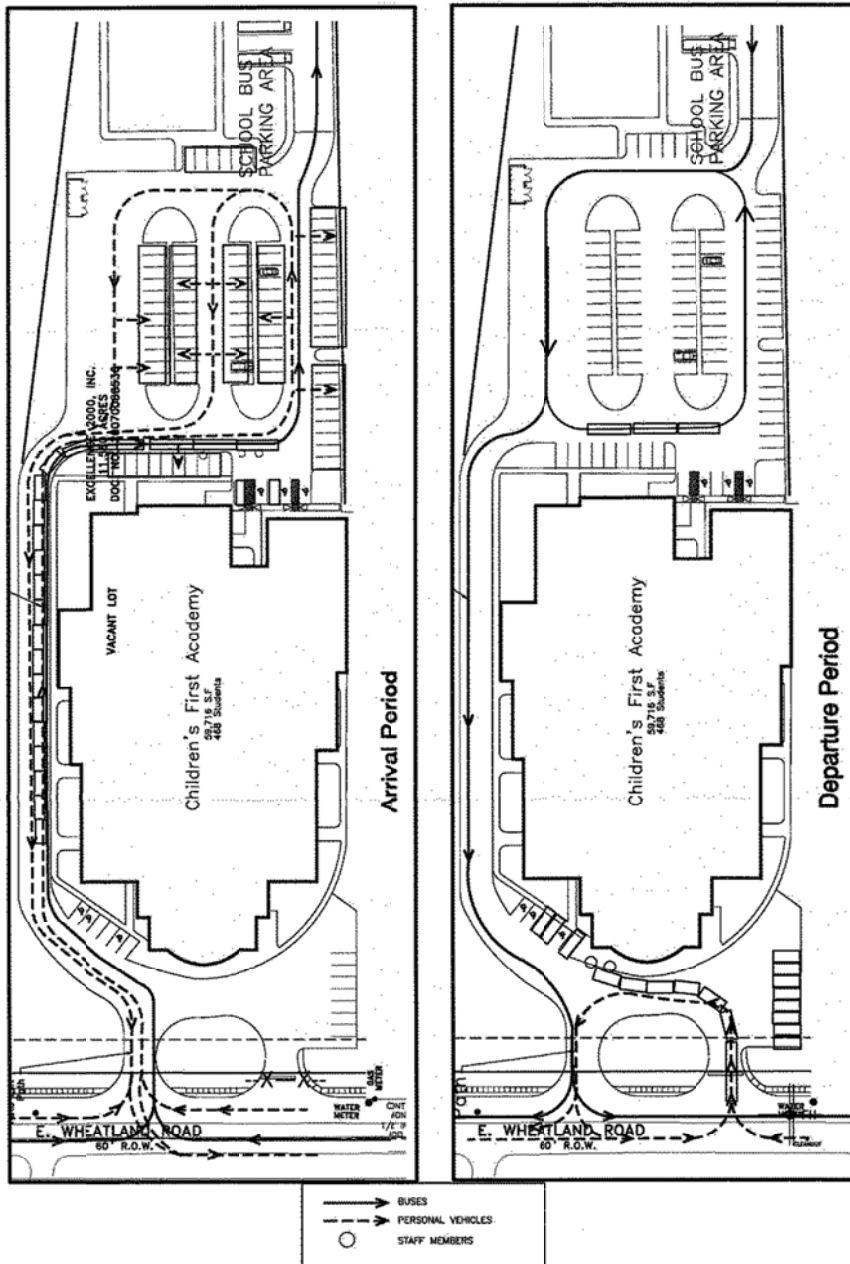
9-4-14

<u>TIME</u>	<u>Que.</u>	<u>TIME</u>	<u>Que.</u>	<u>TIME</u>	<u>Que.</u>
6:45	1	7:11	3	7:37	2
46	1	12	6	38	3
47	0	13	8	39	2
48	0	14	<u>5</u>	40	3
49	<u>2</u>	15	5	41	3
50	3	16	2	42	2
51	1	17	5	43	4
52	0	18	6	44	<u>6</u>
53	0	19	<u>5</u>	45	7
54	<u>0</u>	20	5	46	6
55	0	21	4	47	5
56	0	22	3	48	4
57	0	23	5	49	<u>4</u>
58	0	24	<u>6</u>	50	2
59	<u>0</u>	25	6	51	2
7:00	0	26	7	52	1
01	0	27	6	53	1
02	2	28	4	54	<u>1</u>
03	2	29	<u>5</u>	55	0
04	<u>2</u>	30	4	56	1
05	3	31	3	57	2
06	3	32	7	58	5
07	3	33	7	59	<u>0</u>
08	3	34	<u>4</u>	8:00	0
09	<u>5</u>	35	4		
10	<u>6</u>	36	3		

REVISED SITE PLAN



REVISED TMP



Student and Staff Vehicle Arrivals				
No.	Percent	Grade	Arrival	
20	25	Pre K-7	7:00-7:15	
24	29	Pre K - 7	7:15-7:30	
27	33	Pre K - 7	7:30-7:45	
11	13	Pre K - 7	7:45-8:00	

Student Vehicle Departures				
No.	Percent	Grade	Departure	
7	13	Pre K	2:00-2:15	
26	48	Pre K	2:15-2:30	
15	28	1st-7th	2:30-2:45	
6	11	1 st -7th	2:45-3:00	

Maximum Vehicle Queuing			
Period	Time	Number	
AM	7:10 - 7:15	8	
PM	2:25-2:30	10	



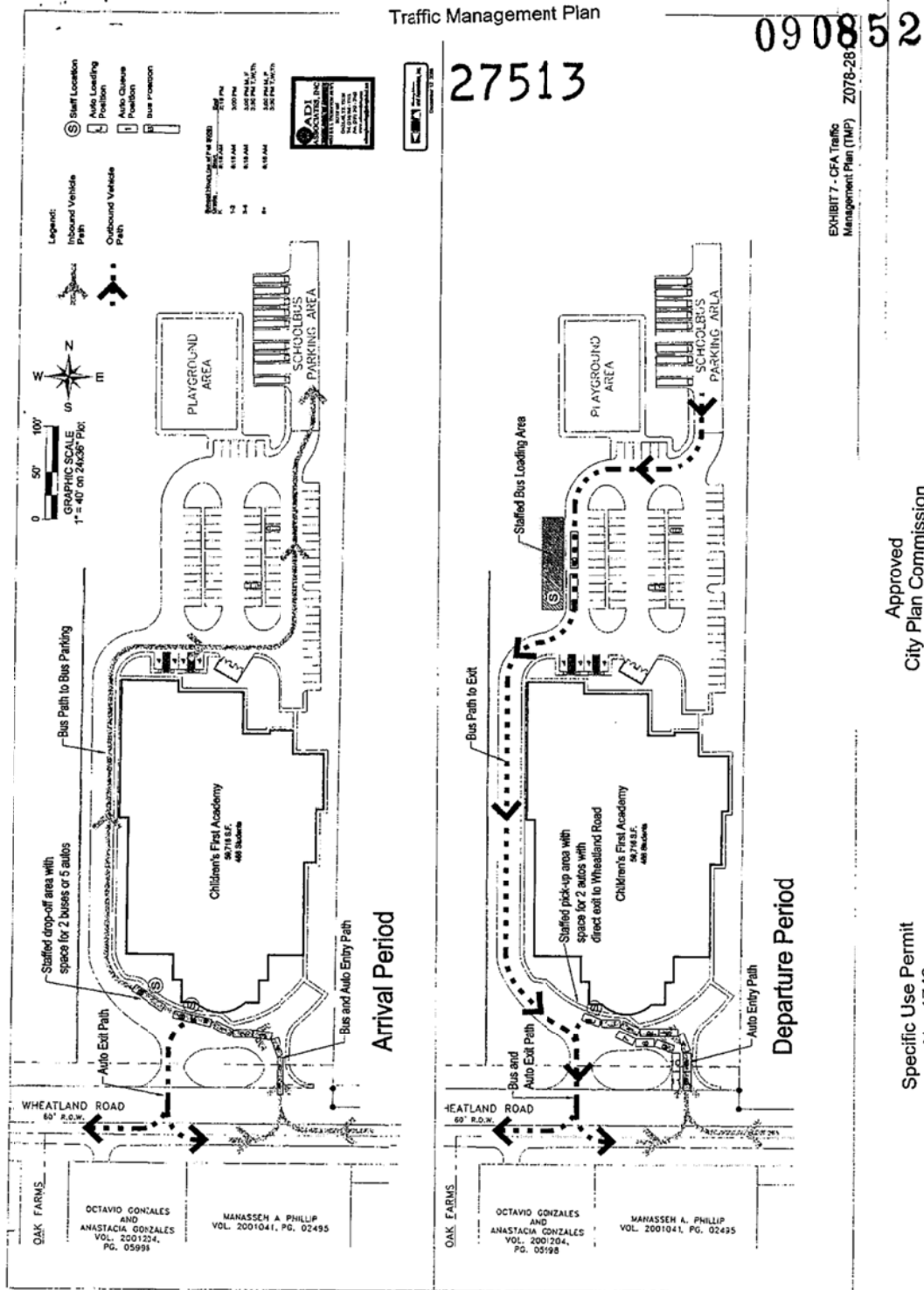
**TOTAL ON-SITE VEHICLE QUEUING/PARKING
REQUIRED = 10 SPACES (200 LINEAR FEET)
PROVIDED = 82 SPACES (1,640 LINEAR FEET)**

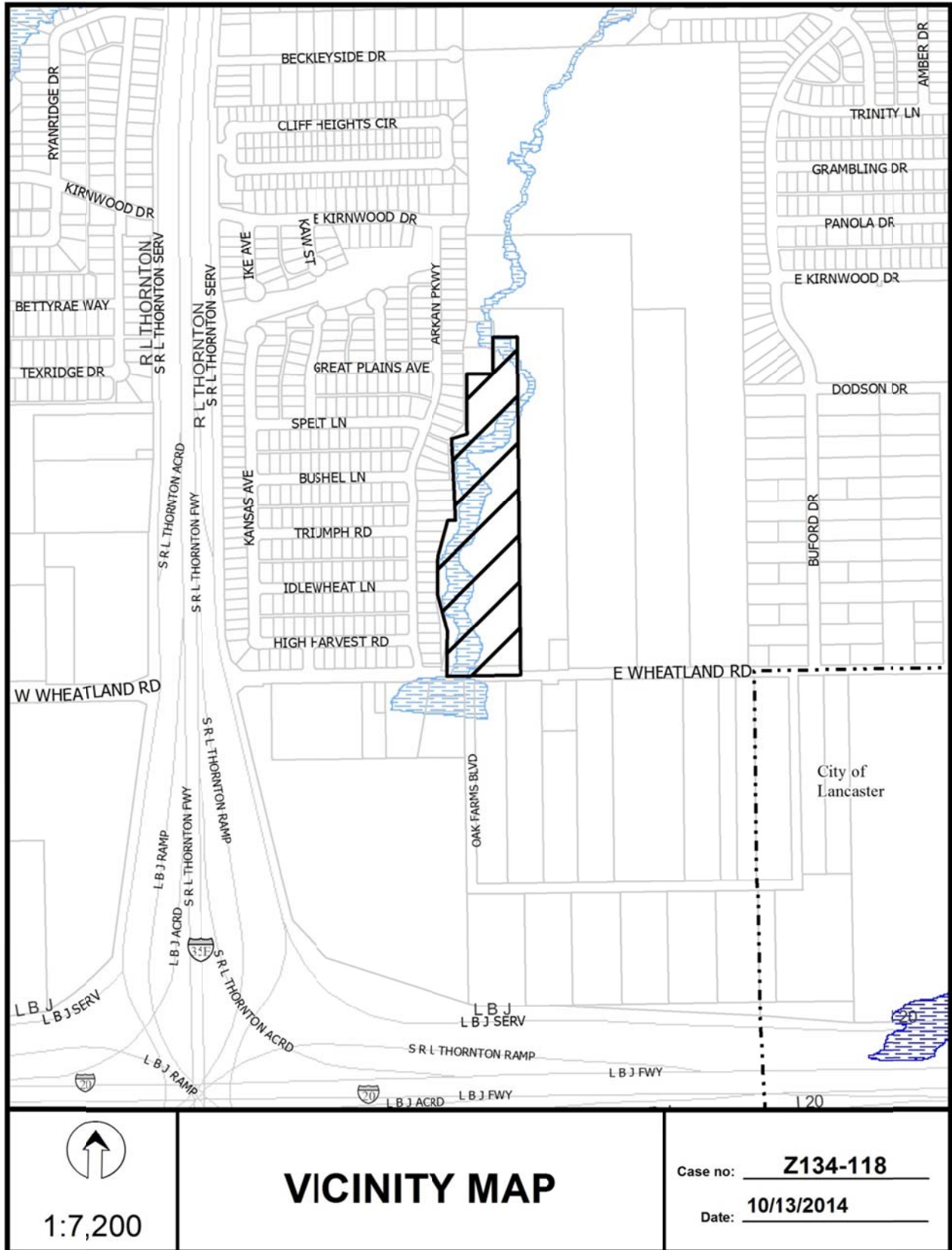
Note: 260 children arrive and depart school in Academy buses

Z134-118

Based on the vehicle queuing analysis conducted, and the existing Traffic Management Plan; I, Rodney W. Kelly, P.E. #27100, certify that no queuing of vehicles dropping off or picking up students at Children's First Academy extends onto City of Dallas street rights-of-way as a result of internal queuing constraints. In order to ensure that all queuing of vehicles is completely accommodated on school property, Children's First Academy administrative officials should maintain the existing Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it. Only uniformed police officers should be allowed to direct and control traffic operating within the public right-of-way.

EXISTING TMP

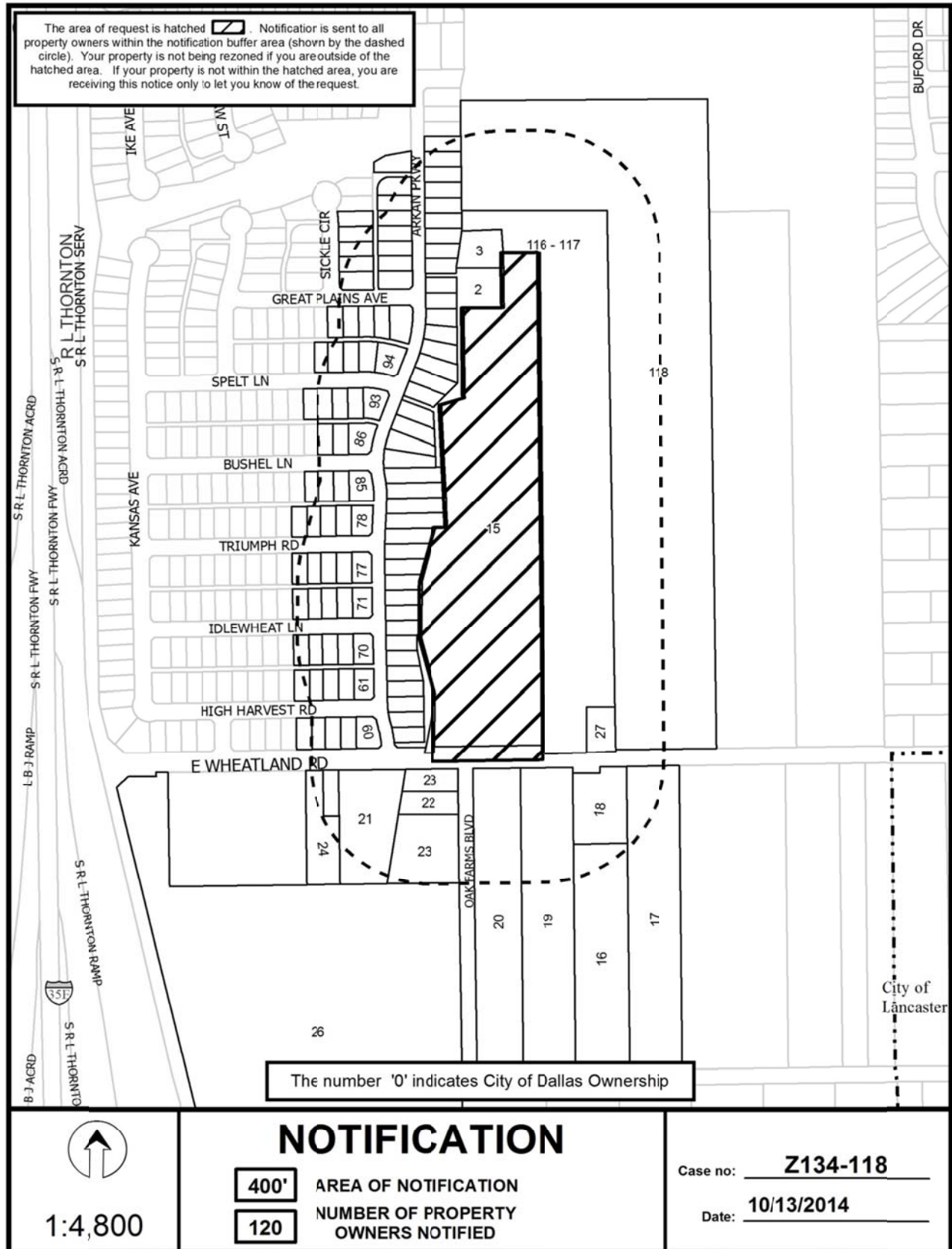






Z134-118(OTH)





10/13/2014

Notification List of Property Owners***Z134-118******120 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	313 WHEATLAND RD	VISTA OAKS DEVELOPMENT LTD
2	8000 R L THORNTON FWY	WHEATLAND MEADOWS LTD
3	8000 R L THORNTON FWY	WHEATLAND MEADOWS LTD
4	8002 ARKAN PKWY	HARRISON INGA
5	7940 ARKAN PKWY	SARGENT ALVIN
6	7936 ARKAN PKWY	EQUITY TRUST COMPANY
7	7932 ARKAN PKWY	EVANS MICHAEL S JR & RUTHIE M
8	7928 ARKAN PKWY	SALIBA JOSEPH
9	7924 ARKAN PKWY	BULLET BROWN LLC
10	7920 ARKAN PKWY	RODRIGUEZ DAMIAN &
11	7916 ARKAN PKWY	FIELDS CRISMON E
12	7912 ARKAN PKWY	MALDONADO-RIVERA REINALDO &
13	7908 ARKAN PKWY	MCNUTT MARCUS T SR
14	7904 ARKAN PKWY	GRANGER DAWN
15	315 WHEATLAND RD	EXCELLENCE 2000 INC
16	326 PINNACLE DR	HANSARD MONETTE &
17	402 WHEATLAND RD	TRIUMPH MISSIONARY
18	326 WHEATLAND RD	BECERRA HECTOR A & JUANNA
19	306 WHEATLAND RD	PHILIP MANASSEH A
20	302 WHEATLAND RD	GONZALES OCTAVIO &
21	308 WHEATLAND RD	BRUCE LEMUIEL M &
22	8223 OAKFARMS BLVD	MENDEZ FORTINO
23	8223 OAKFARMS BLVD	SLAY JOHN D JR
24	208 WHEATLAND RD	BUSINESS ASSIST CENTER IN
25	206 WHEATLAND RD	LA PLACE JANE C
26	8220 R L THORNTON FWY	METHODIST HOSPITALS OF DALLAS

10/13/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	505 WHEATLAND RD	GARCIA BAUDELIO
28	8030 ARKAN PKWY	BAKER MARTIN LEAR &
29	8026 ARKAN PKWY	TYSON SAMUEL T
30	8022 ARKAN PKWY	WALKER LARRY R
31	8018 ARKAN PKWY	AWANA JOHN K & DONNA L CO-TRUSTEES
32	8014 ARKAN PKWY	AMERICAN HOMES 4 RENT PROPERTIES TWO LLC
33	8010 ARKAN PKWY	MONTES ALBERTO & IRMA
34	8006 ARKAN PKWY	KOLPANITZKY HAVA
35	7842 ARKAN PKWY	LIMON YANIN
36	7838 ARKAN PKWY	SMITH EARNESTINE
37	7834 ARKAN PKWY	SMITH LEKEISHA R
38	7830 ARKAN PKWY	GEHAN HOMES LTD
39	7826 ARKAN PKWY	ONTARGET360 GROUP
40	7822 ARKAN PKWY	AH4R I TX DFW LLC
41	7818 ARKAN PKWY	PEREZ JOSE &
42	7814 ARKAN PKWY	SMITH MASHAKEE
43	7810 ARKAN PKWY	HOPE ROGER STEPHENSON
44	7806 ARKAN PKWY	HOLLINGSWORTH ROXANNE
45	7802 ARKAN PKWY	BR REALTY MANAGEMENT
46	7752 ARKAN PKWY	NORRIS FRANCES L
47	7748 ARKAN PKY	CREW VERONICA EVETTE
48	7744 ARKAN PKY	JAMES KIMBERLY BABETTE &
49	7740 ARKAN PKY	KONDAUR CAPITAL CORP
50	7736 ARKAN PKY	TAYLOR ERICA JANAE
51	7732 ARKAN PKY	GUTIERREZ DAVID & LINDA
52	7728 ARKAN PKY	FLORES MARIAELENA & DANIEL
53	7724 ARKAN PKY	SLADE CHARLENE
54	7720 ARKAN PKY	EDWARDS MARY L
55	7716 ARKAN PKY	WESLEY KIMBERLY J
56	142 HIGH HARVEST RD	BROWN ENDY R
57	146 HIGH HARVEST RD	KATTARIA MUKESH K & NANCY D

10/13/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	150 HIGH HARVEST RD	SORIA IGNACIO
59	154 HIGH HARVEST RD	GRAVES DARREN RICHARD
60	158 HIGH HARVEST RD	JONES MELVIN M & ROBIN L
61	159 HIGH HARVEST RD	PATTERSON VINCENT
62	155 HIGH HARVEST RD	MATHIS CHARLES
63	151 HIGH HARVEST RD	SALIBA JOSEPH A
64	147 HIGH HARVEST RD	VU MINH &
65	143 HIGH HARVEST RD	SAYLES JERRY & DORIS SHAW
66	140 IDLEWHEAT LN	LEE ROBBIE
67	144 IDLEWHEAT LN	DANTZLER BOBBIE
68	148 IDLEWHEAT LN	CHISM LORETTA GENE &
69	152 IDLEWHEAT LN	MONTGOMERY BREANN
70	156 IDLEWHEAT LN	BROOM GERALD
71	155 IDLEWHEAT LN	GARRICK TYLER D
72	151 IDLEWHEAT LN	SMITH GENEVA
73	143 IDLEWHEAT LN	POINTER LORETHA R
74	139 IDLEWHEAT LN	COLLINS LATOYA
75	140 TRIUMPH RD	WALKER BRENDA &
76	144 TRIUMPH RD	BAILEY GERALD F
77	156 TRIUMPH RD	TRIUMPH ESTATE TRUST
78	155 TRIUMPH RD	GARDNER LARRY SR
79	151 TRIUMPH RD	SOOLY DOUG P &
80	143 TRIUMPH RD	MCCOY CHANDRIS & JERRY
81	139 TRIUMPH RD	GARDNER MATALYN
82	144 BUSHEL LN	COLFIN AI TX 1 LLC
83	148 BUSHEL LN	PINEDA MONICO
84	152 BUSHEL LN	SHEA KIM
85	156 BUSHEL LN	DAVIS LORETTA
86	157 BUSHEL LN	BROWN DEANNA
87	153 BUSHEL LN	LEWIS CASSANDRA
88	149 BUSHEL LN	TAYLOR DONALD

10/13/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	144 SPELT LN	LEWIS JAMES L & VERBAL
90	148 SPELT LN	CARLSON THOMAS E &
91	152 SPELT LN	MARQUEZ ISMAEL &
92	156 SPELT LN	KEMP HOWARD EARL &
93	160 SPELT LN	RUSSELL TONA A
94	163 SPELT LN	POWELL WILLIAM LEE
95	159 SPELT LN	LE LUAN TRAN & DAISY DUONG
96	155 SPELT LN	COLFIN AI TX 1 LLC
97	151 SPELT LN	BROWN OLETHA W &
98	147 SPELT LN	PEREZ FERNANDO DIAZ &
99	228 GREAT PLAINS AVE	BR REALTY MGMT
100	232 GREAT PLAINS AVE	RABON FRED A JR
101	236 GREAT PLAINS AVE	ALEXANDER TIFFANY
102	240 GREAT PLAINS AVE	MOORE ROSETTA
103	7826 SICKLE CIR	JACKSON LESHONDA
104	7822 SICKLE CIR	SALIBA JOSEPH
105	7818 SICKLE CIR	CRAYTON ROSETTA
106	7814 SICKLE CIR	CONNERS CHARLES EDWARD JR
107	7810 SICKLE CIR	JEFFERSON KALIF
108	7721 ARKAN PKY	WHITE LEROY &
109	7727 ARKAN PKY	ERVIN LEOMIE &
110	7731 ARKAN PKY	LEWIS EDNA &
111	7735 ARKAN PKY	JEFERSON MAURICE & ROLONDA
112	7739 ARKAN PKY	WILLIAMS REGINALD
113	7743 ARKAN PKY	SARNO MARIO A & ANA ROSARIO M
114	7747 ARKAN PKY	RIOS REYNA
115	7751 ARKAN PKY	AMH 2014 1 BORROWER LLC
116	345 WHEATLAND RD	HANSARD MONETTE
117	345 WHEATLAND RD	HANSARD MONETTE
118	401 WHEATLAND RD	PHILIP MANASSEH A
119	244 GREAT PLAINS AVE	MITCHELL KEISHA M & SHIRLY

Z134-118(OTH)

10/13/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	244 GREAT PLAINS AVE	MITCHELL WALTER

FILE NUMBER: Z134-285(OTH)

DATE FILED: July 17, 2014

LOCATION: Bounded by West Mockingbird Lane, Lemmon Avenue, and Roper Street

COUNCIL DISTRICT: 2

MAPSCO: 34-L

SIZE OF REQUEST: ±1.3 acres

CENSUS TRACT: 71.02

OWNER/ APPLICANT: Madison Kimsey Ltd.

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a Planned Development District for CR Community Retail District uses and vehicle display and sales on property zoned a CR Community Retail District.

SUMMARY: The applicant proposes to develop the property for vehicle display and sales of vehicles.

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

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposed use will be consistent with the existing development in the surrounding area. The property is currently undeveloped. The proposed is surrounded by several vehicle display sales and services as well as two major home improvement retail stores.
2. *Traffic impact* – The existing street system can accommodate the proposed development on this site.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! *Comprehensive Plan* states that this area is within the Transit Center/Multimodal Building Block. The requested zoning district and proposed development is consistent with the building block. The site is in close proximity to Love Field Airport and other intermodal facilities.
4. *Deviation from base zoning* – The proposed use will go well with with the existing development of the area. The only change the applicant is requesting is to allow for the use “vehicle sales and display”. The “vehicle display, sales or service” is a use in the Development Code, which typically includes any type of maintenance and repair of motor vehicles. The applicant is not providing any services to vehicles. The applicant is not proposing any other changes to the CR District.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
West Mockingbird Lane	Local	100 feet
Lemmon Avenue	Principal Arterial	90 feet
Roper Street	Principal Arterial	50 feet

Surrounding Land Uses:

	Zoning	Land Use
Site	CR	Undeveloped
North	CR, PD No. 67 & R-7.5(A)	Retail, Single Family & Financial Institution
East	IR & PD No. 738	Retail, personal service &
South	IR	Retail
West	IR	Industrial

STAFF ANALYSIS:**Comprehensive Plan:**

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

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

The requested zoning change and proposed development are consistent with the Transit Center/Multimodal Building Block and supports a compact mix of employment, retail, cultural facilities and housing.

Land Use Compatibility:

The property is a 1.3-acre, undeveloped lot bounded by West Mockingbird Lane, Lemmon Avenue and Roper Drive. The applicant is proposing to develop the property for the sale of new cars. The Dallas Development Code classifies this use as a vehicle, display, sales and service. However, the applicant is requesting a PD to limit the use to new vehicle sales.

The property is surrounded by retail, financial institution and residential to the north and east; vehicle display sales and services, and industrial to the south; and undeveloped, retail and restaurant to the west. Surrounding uses are financial institutions, retail and vehicle display sales and service uses.

Development Standards:

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

Parking:

Pursuant to the Dallas Development Code, off-street and loading required parking must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. For the purpose of this PD, the applicant is proposing to provide parking for the vehicle display and sales use at the same ratio as the vehicle, display, sales and service use as established in Section 51A-4.210(b)(31).

Landscaping:

Landscaping of the property must be provided in accordance to the proposed landscape plan. Initially, the applicant proposed to meet Article X requirements for the landscaping. However, in conversations with the neighborhood, the applicant agreed to provide a landscape plan to comply with the neighborhood's concerns for the look of the site in such a prominent location.

ARTICLE ____.

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

PD ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2014.

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

PD ____ is located at the southeast corner of Mockingbird Lane and Lemmon Avenue. The size of PD ____ is approximately 1.34 acres.

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

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

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

(c) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this district: **VEHICLE DISPLAY AND SALES** means a facility for the display and sale of new automobiles.

SEC. 51P-____.104. EXHIBIT.

(a) The following exhibits are incorporated into this division:

(1) Exhibit __A: development plan.

(2) Exhibit __B: landscape plan.

SEC. 51P-____.105. DEVELOPMENT AND LANDSCAPE PLANS.

Development and use of the Property must comply with the development plan (Exhibit __) and landscape plan (Exhibit __). In the event of a conflict between the text of this division and the development plan or landscape plan, the text of this division controls.

SEC. 51P-____.106. MAIN USES PERMITTED.

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

SEC. 51P-____.107. ACCESSORY USES.

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

(b) The following accessory uses are prohibited:

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

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the CR Community Retail District apply.

(b) Front yard. Light poles may be located within the required front yard setback.

SEC. 51P-____.109. OFF-STREET PARKING AND LOADING.

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

(b) Required off-street parking and loading for the vehicle display and sales:

(1) One space per 500 square feet of floor and site area exclusive of parking area. If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.

(2) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction	1 additional

thereof

SEC. 51P-____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.111. LANDSCAPING.

Landscaping must be provided as shown on the attached landscape plan (Exhibit ____).

SEC. 51P-____.112. SIGNS.

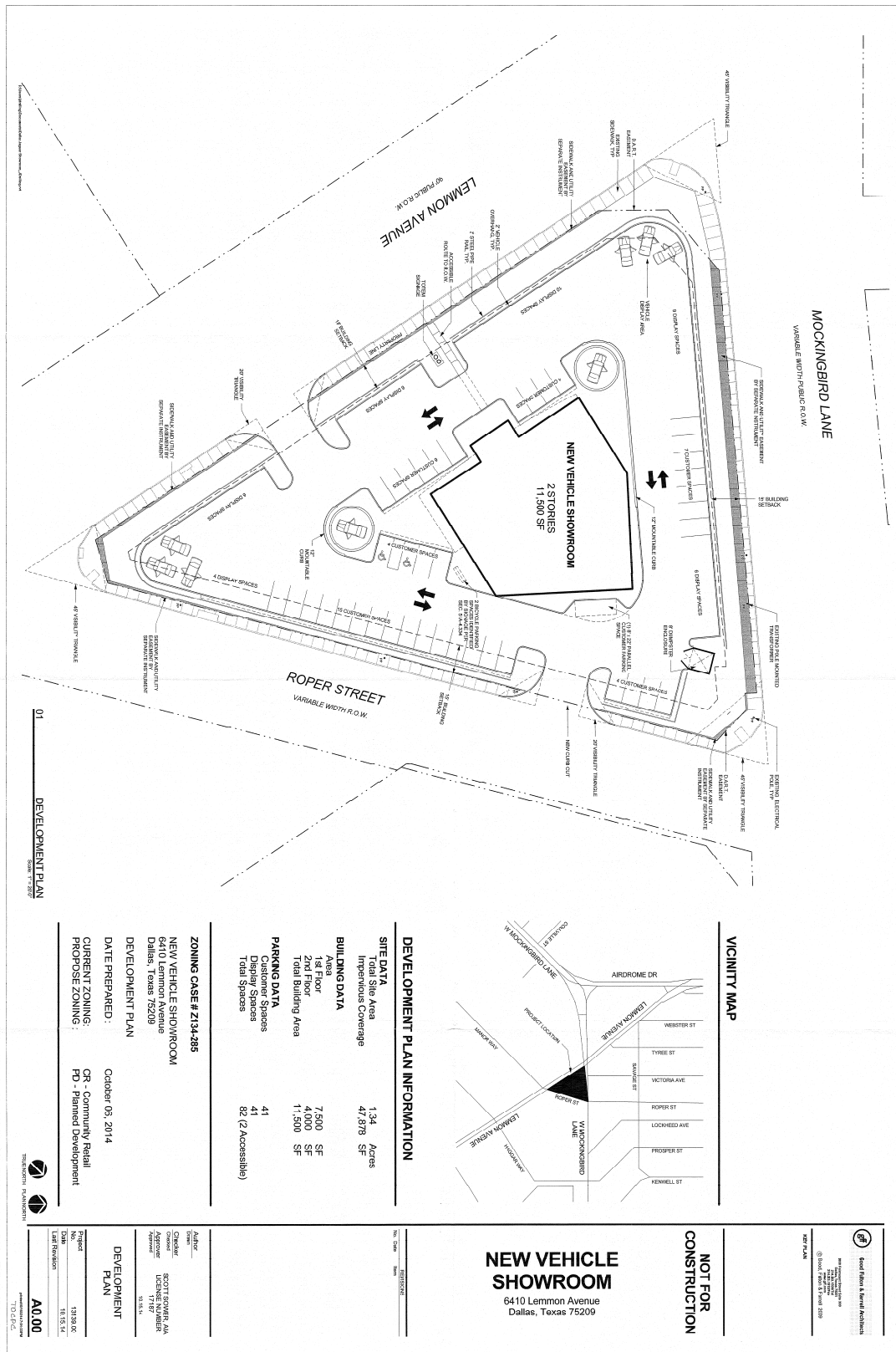
Signs must comply with the provisions for business zoning districts in Article VII.

SEC. 51P-____.113. COMPLIANCE WITH CONDITIONS.

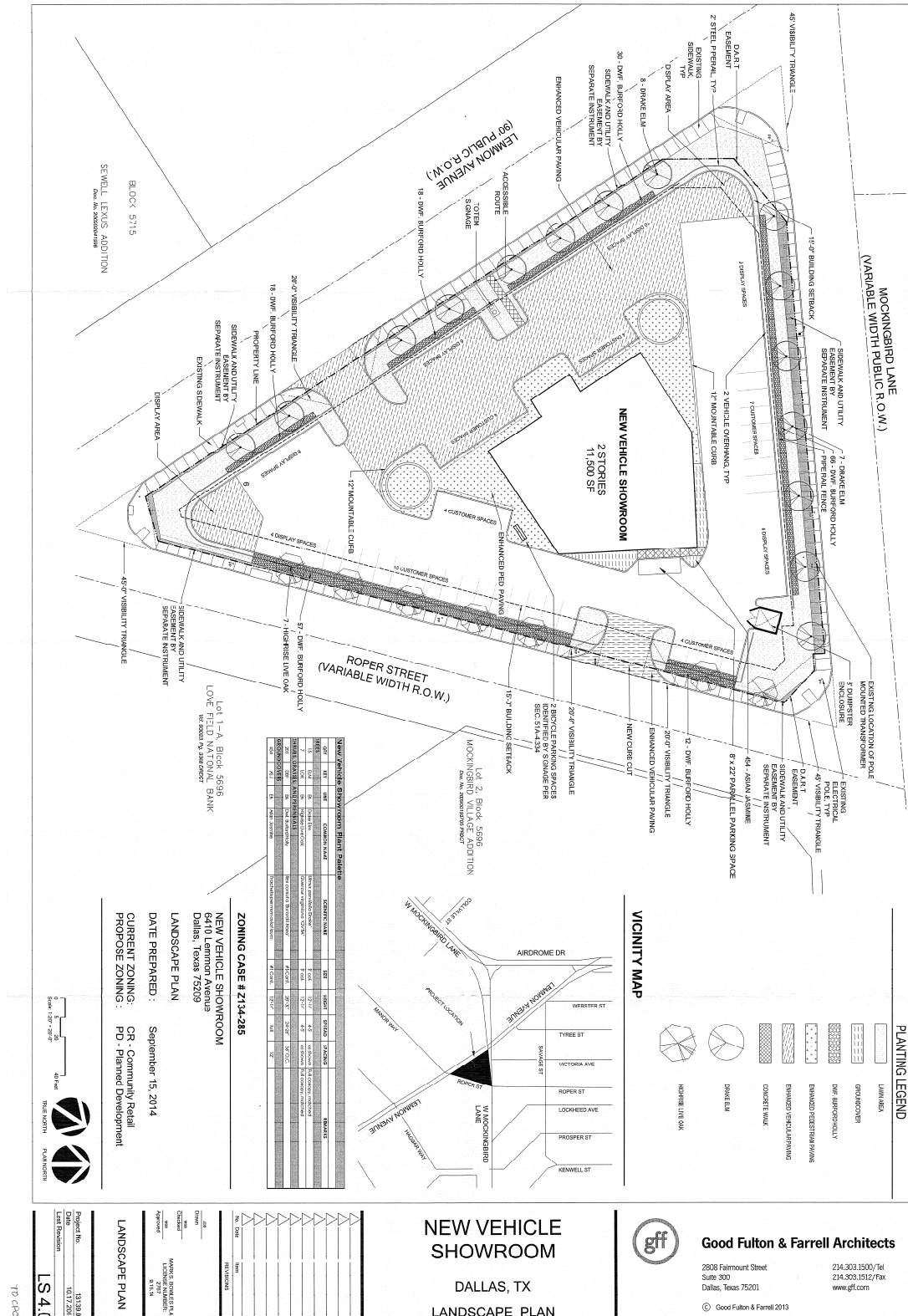
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

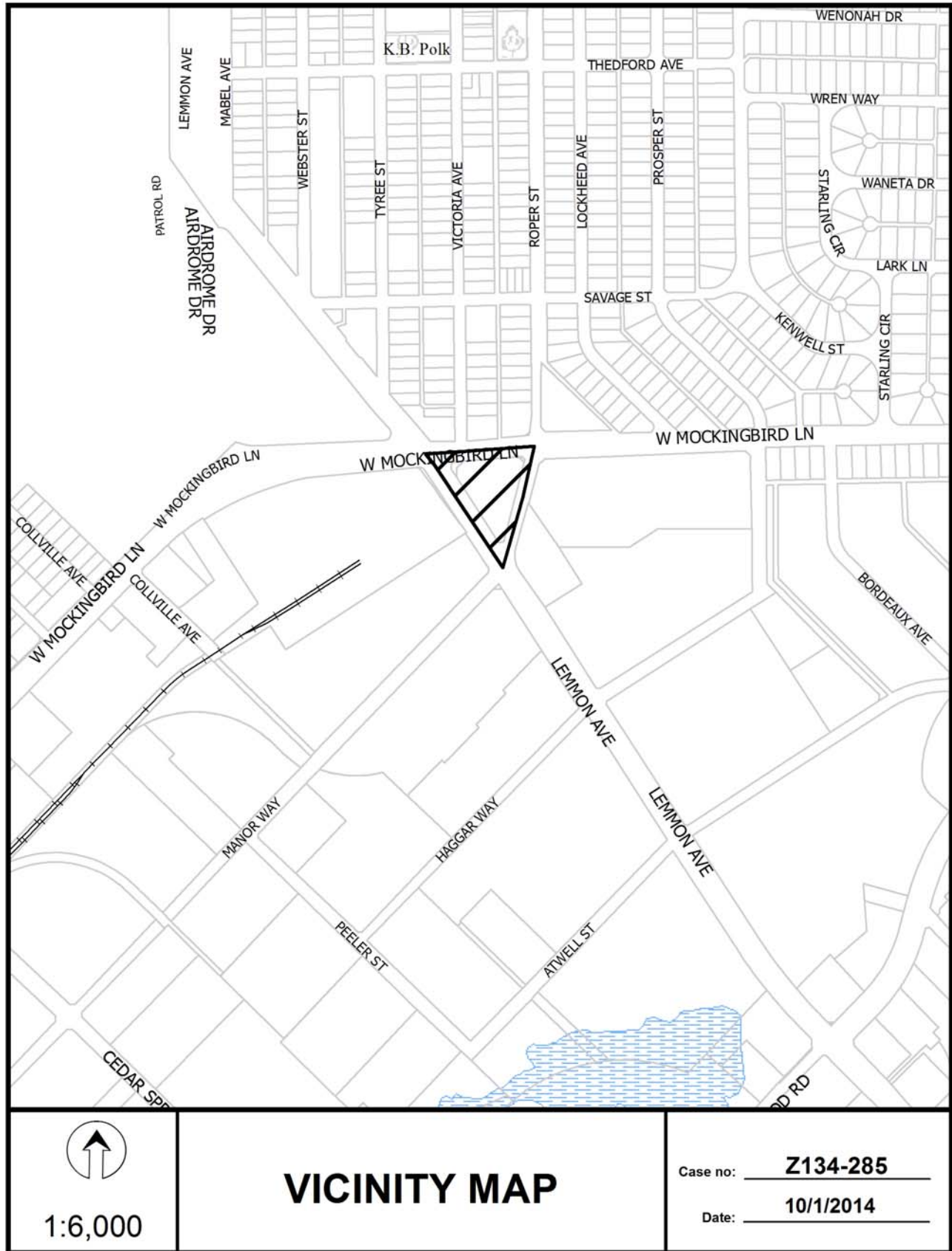
(b) Except as provided below, the building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

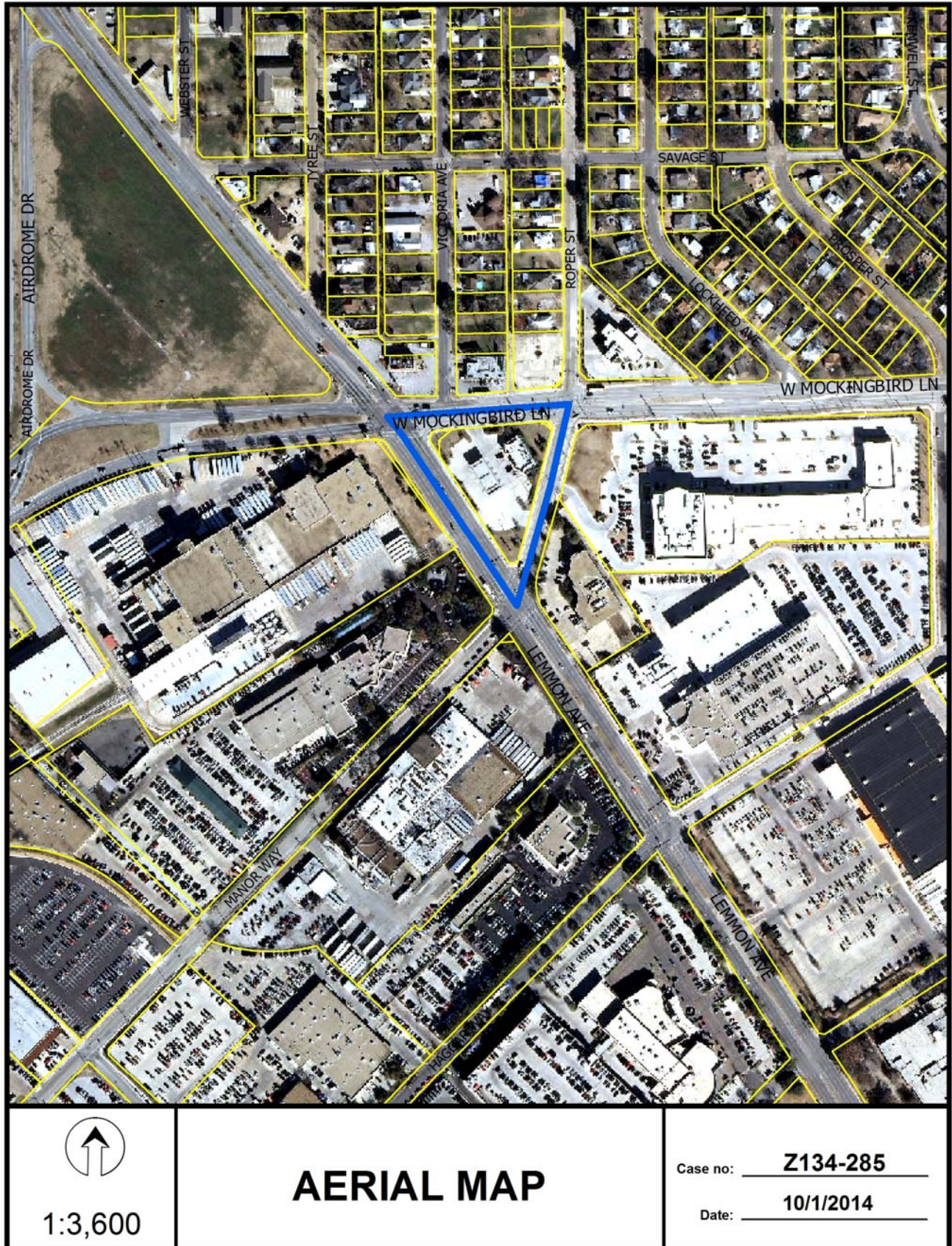
PROPOSED DEVELOPMENT PLAN

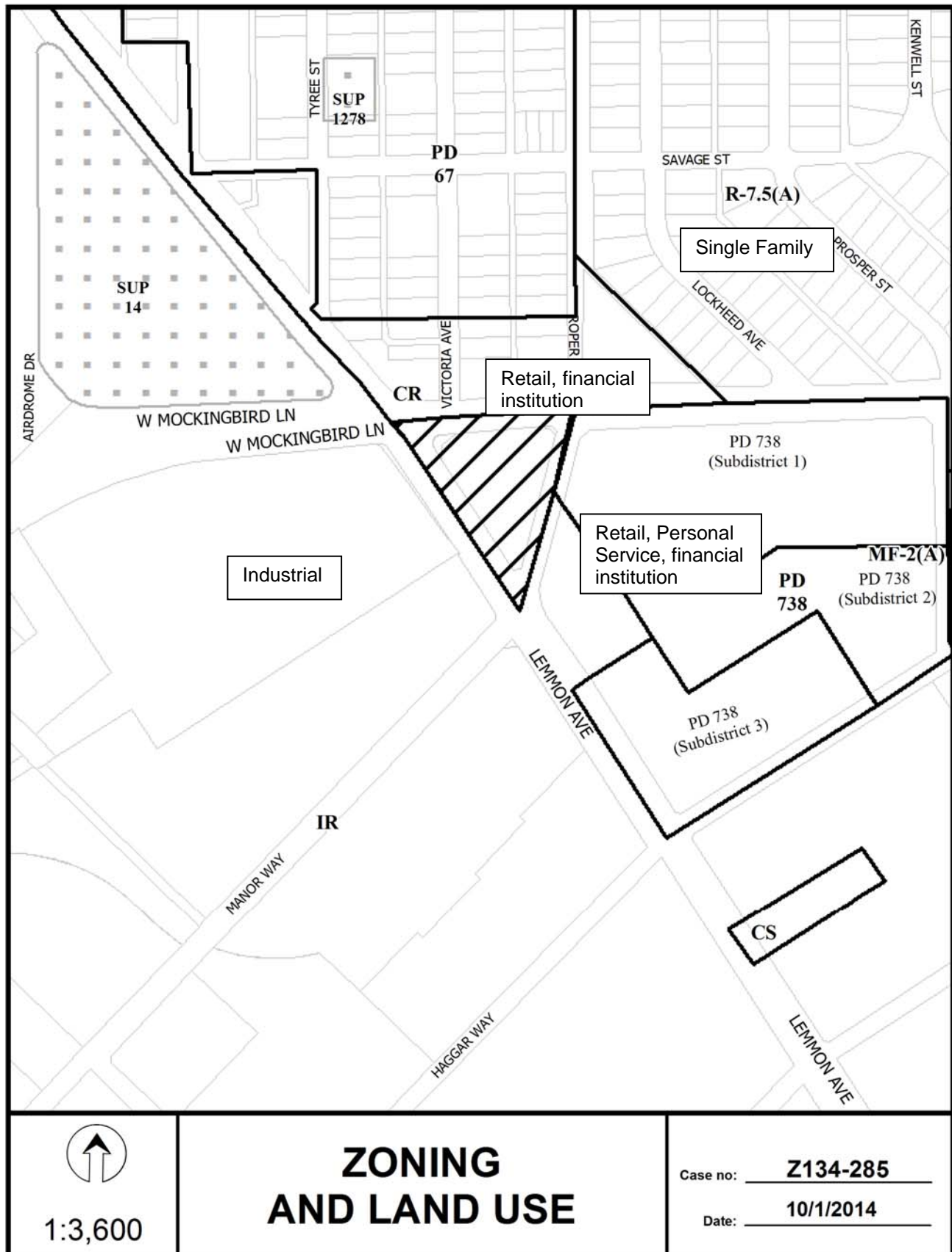


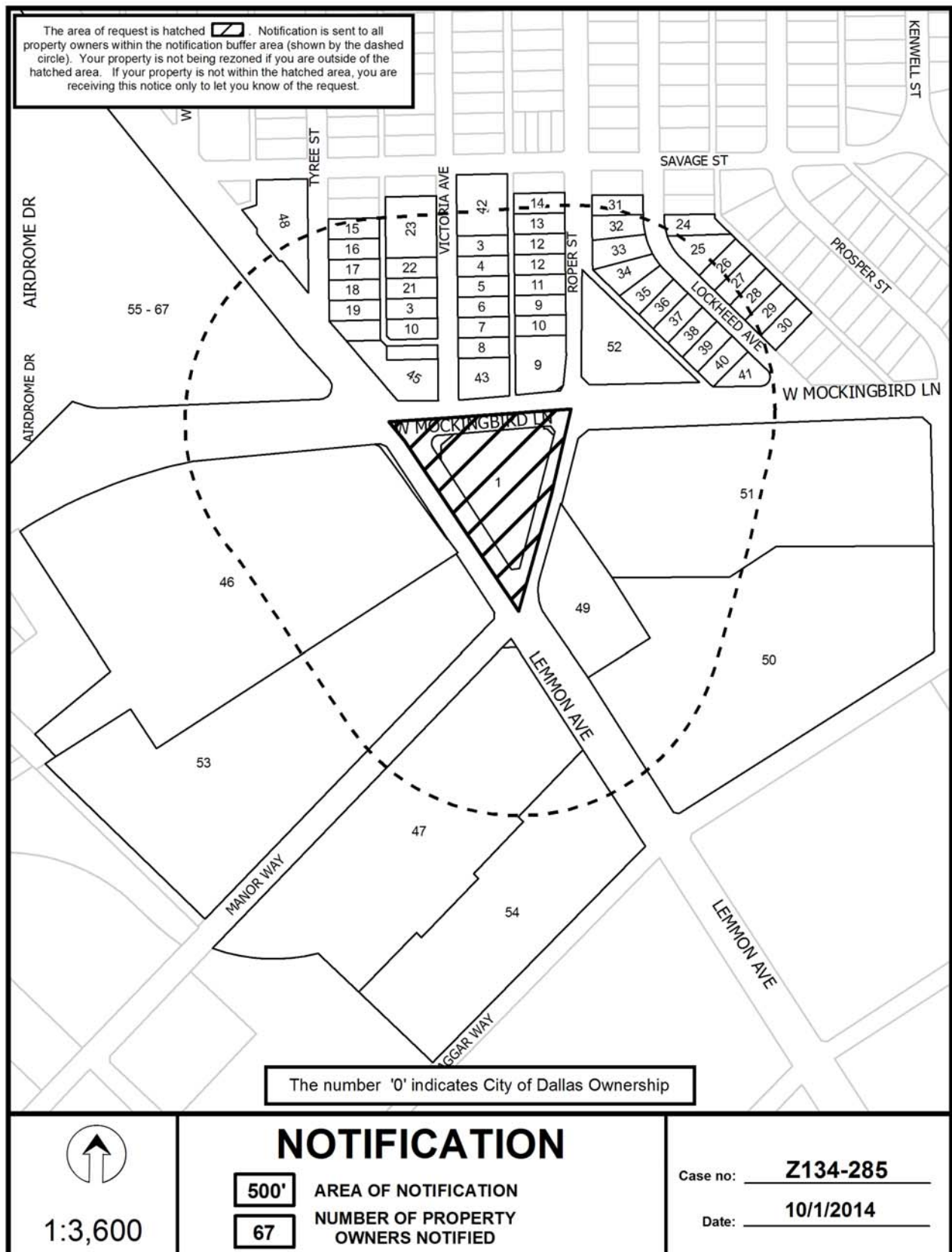
PROPOSED LANDSCAPE PLAN











10/01/2014

Notification List of Property Owners***Z134-285******67 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6410 LEMMON AVE	NWH LAND
2	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT
3	6532 VICTORIA AVE	GREATER NORTH PARK
4	6528 VICTORIA AVE	TRAN SANG QUANG
5	6524 VICTORIA AVE	BONILLA NIDIA M ET AL
6	6520 VICTORIA AVE	JDAL PROPERTIES INC
7	6516 VICTORIA AVE	MSC-I LTD
8	6512 VICTORIA AVE	4407 CORPORATION
9	4415 MOCKINGBIRD LN	MSC 1 LTD
10	6515 ROPER ST	MSC I LTD
11	6525 ROPER ST	NGUYEN LOC TRONG
12	6527 ROPER ST	LEWIS LEOLICE
13	6535 ROPER ST	BROWN JEWELL DEAN LIFE ESTATE
14	6539 ROPER ST	GUZMAN ANGEL
15	6520 TYREE ST	KNOX BENJAMIN
16	6516 TYREE ST	CABRERA EMMA
17	6512 TYREE ST	GROGGS TEREICE LANEL
18	6508 TYREE ST	CABRERA MARIA LUISA
19	6504 TYREE ST	N & D PREMIER REALTY INC
20	6511 VICTORIA AVE	CHURCHS FRIED CHICKEN INC
21	6527 VICTORIA AVE	ESCALANTE MARICRUZ
22	6529 VICTORIA AVE	WOODEN RHODA EST OF
23	6533 VICTORIA AVE	GREATER NORTH PARK
24	6542 LOCKHEED LN	LATTIMER THELMA L
25	6536 LOCKHEED LN	GALICIA BOLIVAR SERAFIN &
26	6528 LOCKHEED LN	RICHARD CLEMON JR

10/01/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6524 LOCKHEED LN	ABOVO CORPORATION
28	6520 LOCKHEED LN	ADAMS TAMMY
29	6516 LOCKHEED LN	PRICE DOROTHY &
30	6512 LOCKHEED LN	SANCHEZ JUAN A
31	6543 LOCKHEED LN	MORRIS MARY LEE
32	6539 LOCKHEED LN	LIU JOHN M
33	6535 LOCKHEED LN	ROBINSON CHARLES L &
34	6531 LOCKHEED LN	BERRY MURDINE E
35	6529 LOCKHEED LN	SCATES LULA M &
36	6525 LOCKHEED LN	PARKER WILLIAM H
37	6521 LOCKHEED LN	WB HIRTZ LLC
38	6517 LOCKHEED LN	BARNES DOROTHY B
39	6513 LOCKHEED LN	VAZQUEZ ANGEL R & OFELIA H
40	6509 LOCKHEED LN	VASQUEZ ANGEL R & OFELIA
41	6505 LOCKHEED LN	VAZQUEZ ANGEL &
42	6540 VICTORIA AVE	PLEASANT RUN /LANCASTER LTD
43	4407 MOCKINGBIRD LN	4407 CORPORATION
44	6522 LEMMON AVE	N & D PREMIER REALTY
45	6502 LEMMON AVE	CHURCHS FRIED CHICKEN INC
46	6445 LEMMON AVE	COCA COLA CO THE
47	3500 MANOR WAY	SEWELL CORPORATION
48	6606 LEMMON AVE	FIEDLER LLOYD
49	6310 LEMMON AVE	LOVE FIELD FINANCIAL
50	6200 LEMMON AVE	AN LUXURY IMPORTS LTD
51	4550 MOCKINGBIRD LN	CARLYLE CYPRESS
52	4515 MOCKINGBIRD LN	PEGASUS BANK
53	6421 LEMMON AVE	CALISTO PROPERTY COMPANY
54	6211 LEMMON AVE	SEWELL CORPORATION
55	3001 MOCKINGBIRD LN	DALLAS CITY OF
56	2702 LOVE FIELD DR	SOUTHWEST AIRLINES CO
57	8020 DENTON DR	JACKS AUTO SUPPLY

Z134-285(OTH)

10/01/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7212 CEDAR SPRINGS RD	HERTZ RENT A CAR
59	7020 CEDAR SPRINGS RD	AVIS RENT A CAR
60	3407 HAWES AVE	TUCKER BLAKE C
61	7555 LEMMON AVE	DALLAS CITY OF
62	8333 LEMMON AVE	SOUTHWESTERN BELL
63	8008 CEDAR SPRINGS RD	DALLAS CITY OF
64	8611 LEMMON AVE	BUSINESS JET CENTER
65	3250 LOVE FIELD DR	MLT DEVELOPMENT
66	3232 LOVE FIELD DR	MLT DEVELOPMENT COMPANY
67	7366 CEDAR SPRINGS	ENTERPRISE HOLDINGS

FILE NUMBER: Z134-316(OTH)**DATE FILED:** August 14, 2014**LOCATION:** On the north line of Bruton Road, east of Jim Miller Road**COUNCIL DISTRICT:** 5**MAPSCO:** 58-A**SIZE OF REQUEST:** ± 0.34 acres**CENSUS TRACT:** 91.01**APPLICANT:** Mehd Rezaeizadeh**OWNER:** Mazoud Rezael, Sadeh Rezaeizadeh**REPRESENTATIVE:** Audra Buckley, Permitted Development

REQUEST: An application for the renewal of Specific Use Permit No. 2017 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS Commercial Service District with a D-1 Overlay.

SUMMARY: The applicant proposes to continue the sale of alcohol in the existing convenience store [Top Mart]. SUP No. 2017 was originally approved on February 13, 2013 for a period of two years. The 0.34 acre request site is currently developed with an approximately 1,822-square-foot building.

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

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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

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

Surrounding Zoning History:

There have been two recent zoning changes in the area:

1. **Z123-127** On February 13, 2013, the City Council approved a D-1 Liquor Control Overlay and Specific Use Permit No. 2017 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D Commercial Service District with a D Liquor Control Overlay on property located on the north line of Bruton Road between Jim Miller Road and Mack Lane.
2. **Z134-141** On May 28, 2014, the City Council approved a D-1 Liquor Control Overlay and Specific Use Permit No. 2093 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property located on the south side of Bruton Road, east of North Jim Miller Road.

Thoroughfares/Streets:

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

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the requested renewal and determined that it will not impact the surrounding roadway system.

Surrounding Land Uses:

	Zoning	Land Use
Site	CS-D-1& SUP No. 2017	Convenience Store with sale of alcoholic beverages and vehicle fueling station
North	R-7.5(A)	Undeveloped
East	R-7.5(A)	Undeveloped & Single Family
South	CS-D & D-1, SUP No. 2093 & R-7.5(A)	Retail, Office, & Auto Related Uses
West	CS-D	Retail, Office, & Auto Related Uses

STAFF ANALYSIS:**Comprehensive Plan:**

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

The Plan identifies the request site as being in the *Residential Neighborhood* Building Block. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood “pocket parks” provide open space for families. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park and-ride

facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

Land Use Compatibility:

There site is surrounded by undeveloped land to the north; undeveloped and single family to east; a church, office, retail, vacant and auto related uses to the south; and offices, retail, vacant and auto service uses 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 conforms to the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. The proposed sale of alcoholic beverages in conjunction with the existing convenience store is not anticipated to negatively impact the adjacent properties. Therefore, staff recommends approval for a three-year period subject to a site plan and conditions. This time period will allow re-evaluation of the request to ensure ongoing compliance with all the requirements.

Development Standards:

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the ±1.822-square-foot convenience store requires 9 parking spaces. Parking will be provided as shown on the site plan.

Landscaping:

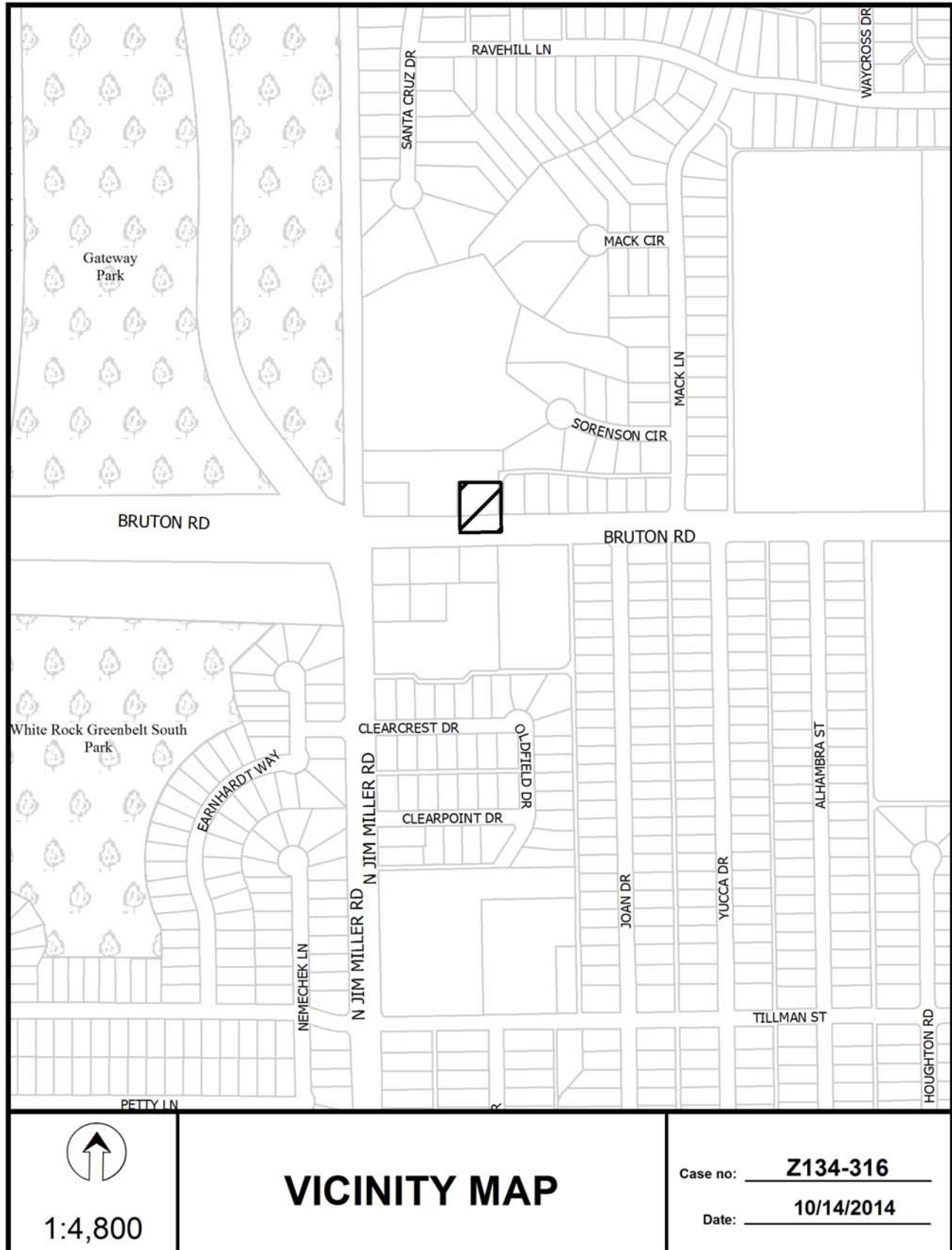
No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

**PROPOSED CONDITIONS SUP No. 2017
Z134-316(OTH)**

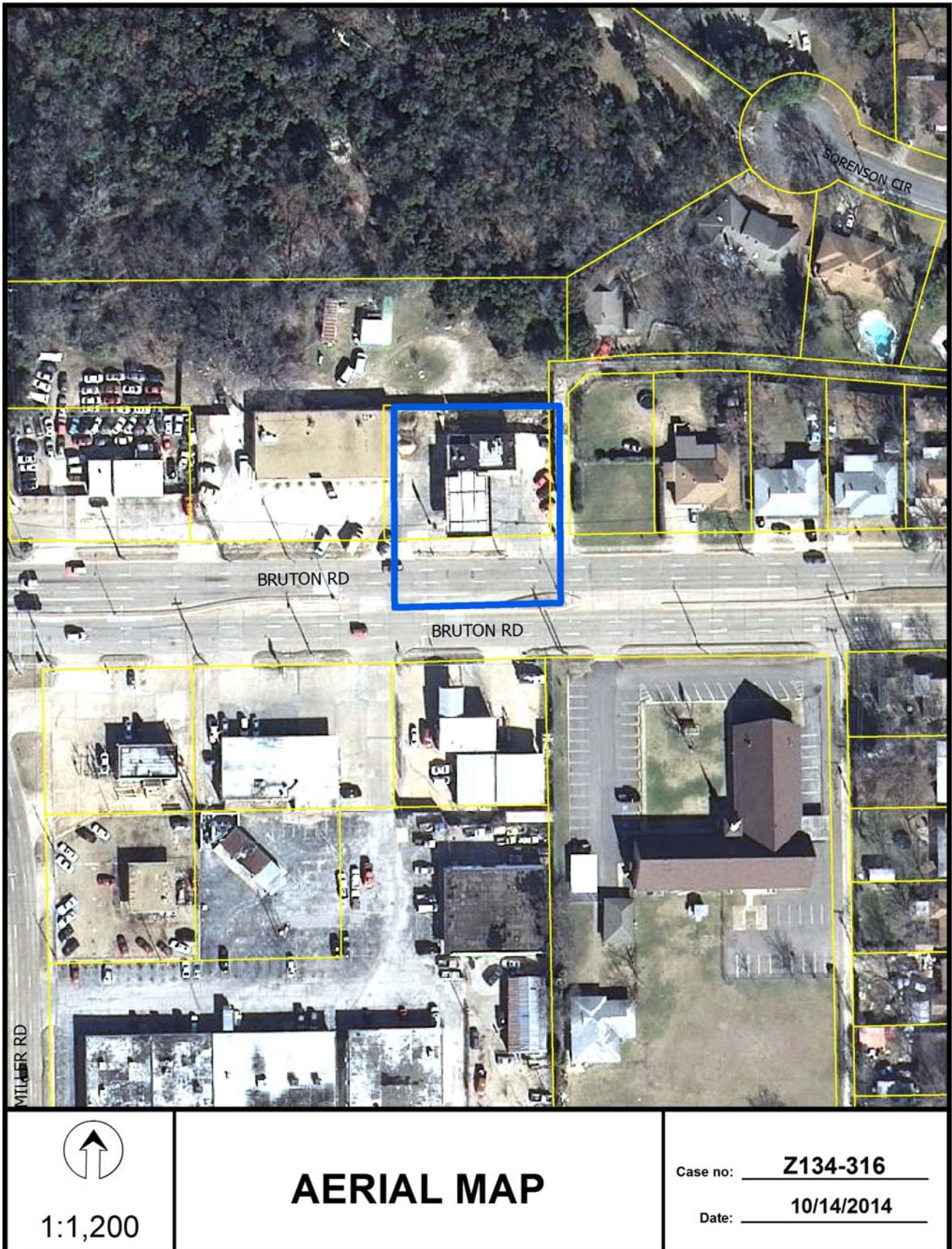
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: TIME LIMIT: This specific use permit expires on two years from the day of approval February 13, 2015, and is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

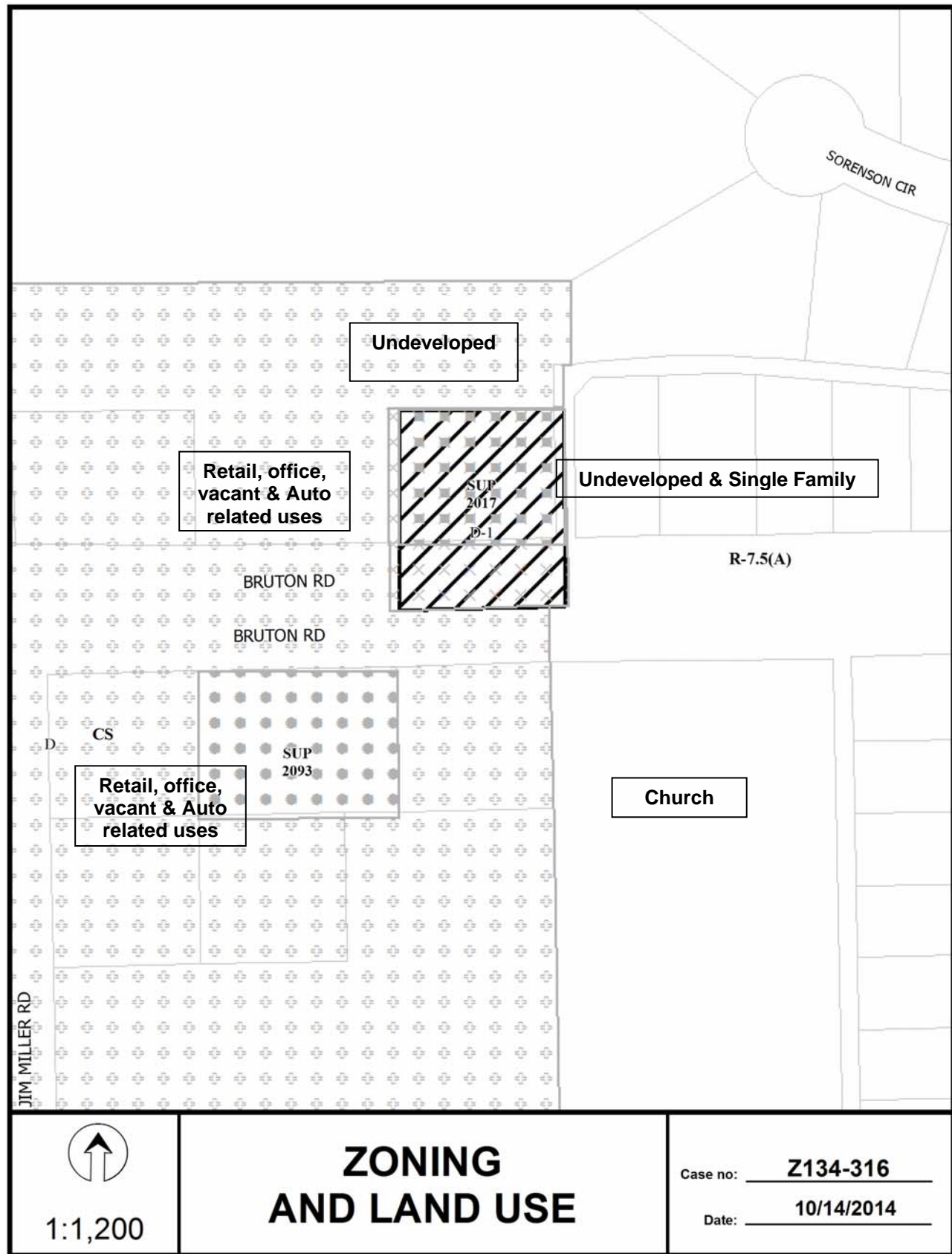
Existing Site Plan

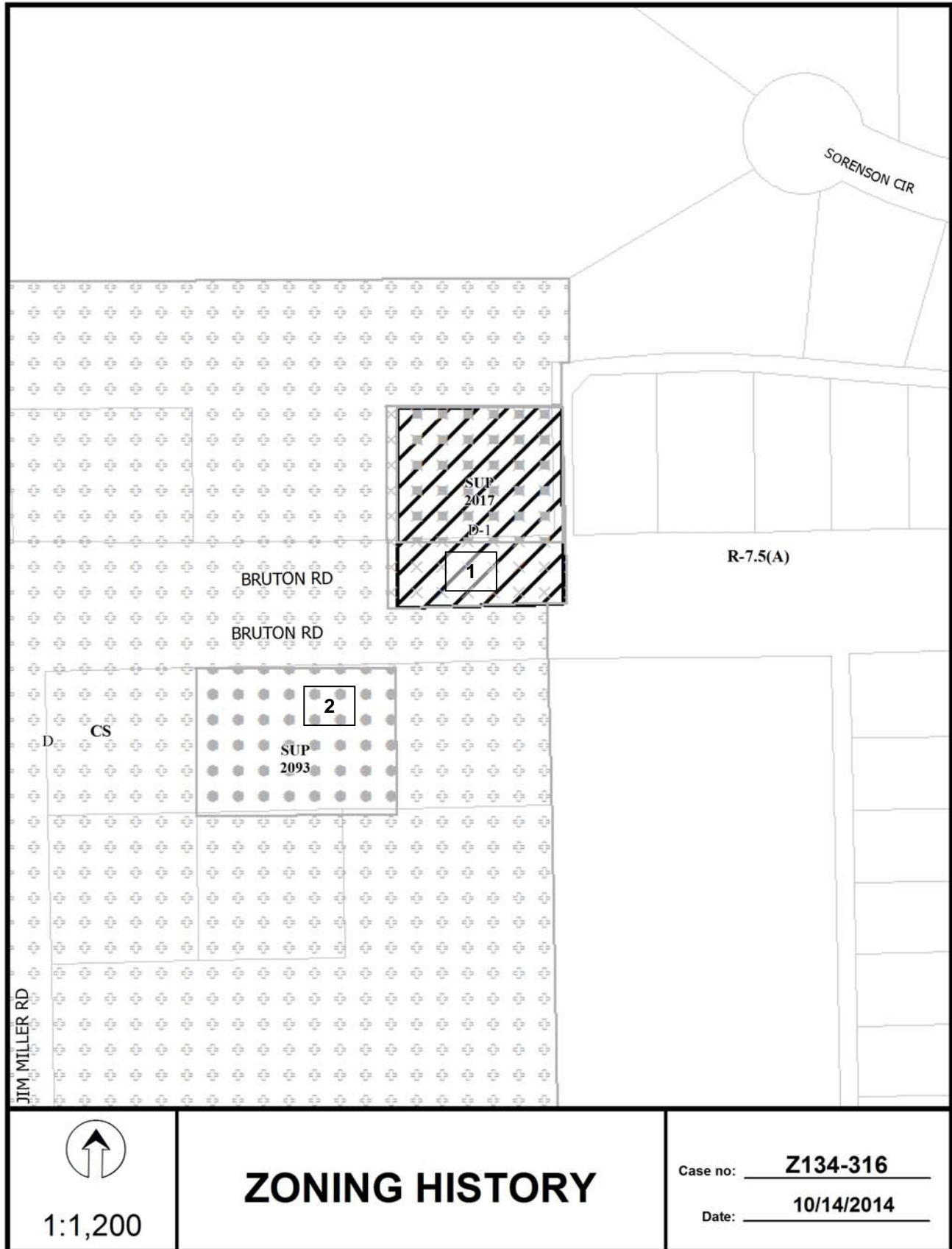
Z134-316(OTH)

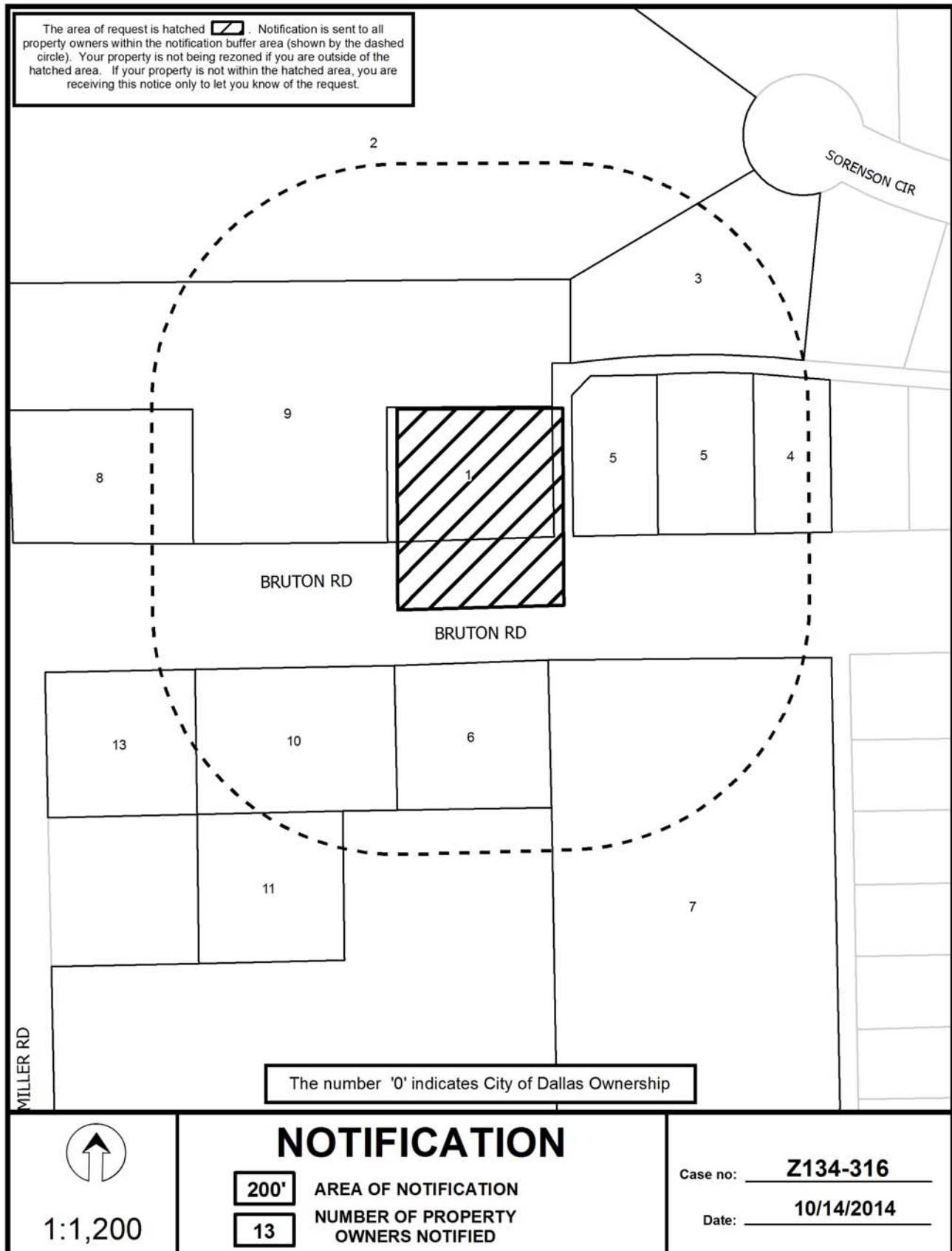


Z134-316(OTH)









10/14/2014

Notification List of Property Owners

Z134-316

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7047 BRUTON RD	ZADEH MASOUD REZAEL
2	7102 SORENSON CIR	PEET MARK CHARLES
3	7106 SORENSON CIR	JENKINS LEE ROY & PATTYE TRUSTEES
4	7115 BRUTON RD	CHRISTIAN LIZZIE FAYE
5	7109 BRUTON RD	HERNANDEZ RICARDO & EVA
6	7022 BRUTON RD	BLAKE CHARLES & JANET L
7	7110 BRUTON RD	CENTRO EVANGELISTICO
8	7007 BRUTON RD	YESTAFYEVA NATALYA
9	7023 BRUTON RD	ANDREWS HERSEL V & LADY ALICE
10	7010 BRUTON RD	MOSER PROPERTIES INC
11	2090 JIM MILLER RD	MOSER PROPERTIES INC
12	2084 JIM MILLER RD	MOSER PROPERTIES INC
13	7000 BRUTON RD	SANTOS JUAN J

FILE NUMBER: Z134-242(OTH)

DATE FILED: April 22, 2014

LOCATION: South side of Lake June Road, west of Oak Hill Circle

COUNCIL DISTRICT: 5

MAPSCO: 58-M

SIZE OF REQUEST: ±5.68 acres

CENSUS TRACT: 92.02

OWNER/APPLICANT: Sikka Investments, LLC

REPRESENTATIVE: Tailim Song and Jin Kim, Tailim Song Law Firm

REQUEST: An application for a CR Community Retail District, a D-1 Liquor Control Overlay, a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and termination of deed restrictions on property zoned an MF-1(A) Multifamily District, D Liquor Control Overlay and deed restrictions.

SUMMARY: The applicant proposes to develop the request site with a 13,200-square-foot structure for a motor vehicle fueling station (14 pumps), Laundromat, and a convenience store with the sale of alcoholic beverages. The applicant is requesting to terminate existing deed restrictions that only allow the retirement housing use, limit the maximum structure height to 18 feet and limit the maximum number of stores to one.

STAFF RECOMMENDATION: Denial

PREVIOUS CPC ACTION: On October 23, 2014, the City Plan Commission recommended to hold this case under advisement until November 6, 2014.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends denial based of the rezoning based upon:

1. *Performance impacts upon surrounding property* – The proposed zoning would allow for a more aggressive type of commercial development and may bring undesired noise and excess lighting onto the existing residential neighborhood. Even though the property is on a major thoroughfare, it is located in the middle of a single-family neighborhood. Rezoning the subject site will have a direct impact upon this adjoining neighborhood. The intensity of the proposed development will not be compatible with the existing residential uses of the property and the surrounding uses in the area.
2. *Traffic impact* – The major thoroughfare can accommodate the increase number of trips that would be expected from this site. However, the increases amount of traffic would have an impact upon the adjoining residential neighborhood.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! *Comprehensive Plan* states that this area is within a Residential Neighborhood Building Block. The location of the requested zoning district is not consistent with the Residential Building Block.

Typically, staff's findings of the guiding criteria from Chapter 51A for granting Special Use Permits would also be listed here. However, staff did not make individual findings for the granting of the SUP because it is subject to approval of rezoning the property to a CR District, for which staff is recommending denial. The SUP for alcohol sales would be linked to a general merchandise use greater than 3,500 square feet. This use and others permitted in the CR District are inappropriate when they adjoin a residential neighborhood on three sides.

Background:

On October 16, 2008, the City Plan Commission recommended denial of zoning application Z078-277 to rezone the subject site from CR-D Community Retail District with a D Liquor Control Overlay and an R-7.5(A) Single Family District to MF-1(A) Multifamily District with deed restrictions volunteered by the applicant. The applicant proposed a 172-unit multifamily development for seniors.

On December 10, 2008, the City Council remanded the case back to CPC for further consideration.

On January 8, 2009, the City Plan Commission recommended approval of the request.

On February 25, 2009, the City Council approved this zoning request.

Zoning History of Surrounding Area: Zoning cases within the last five years.

1. **Z123-297** On October 8, 2013 the City Council approved the renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.
2. **Z123-161** On March 19, 2013, staff approved the automatic renewal of SUP No. 1866 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less, for an additional five-year period.
3. **Z123-228** On June 26, 2013, the City Council approved Specific Use Permit No. 1867 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less.
4. **Z123-369** On December 12, 2013, staff approved the automatic renewal for an additional five-year period of SUP No. 1932 for the sale of alcohol in conjunction with a general merchandise or food store greater than 3,500 square feet.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lake June Road	Principal Arterial	85 feet
Oak Hill Circle	Local	50 feet

Land Use:

	Zoning	Land Use
Site	MF-1(A)-D with deed restrictions; D Overlay on a portion	Undeveloped
North	R-7.5(A)	Single family; undeveloped; car wash, auto service center
East	R-7.5(A); CR-D	Auto service center; vacant, single family, retail and related uses
South	R-7.5(A)	Single family, park
West	CR-D; R-7.5(A)	Carwash; single family, retail and related uses

STAFF ANALYSIS:**Comprehensive Plan:**

The Vision Illustration depicts the request site as within a *Residential Building Block*. 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.

The applicant's proposal to provide a large scale commercial development in this area of the City is not consistent with the *forwardDallas!* Vision and does not comply with the Comprehensive Plan.

Land Use Compatibility:

The request site is surrounded adjacent to single family residential to the east, west and south, and to a car wash to the northwest corner of the property and an auto service center to the northeast corner of the property. The property is surrounded by undeveloped land and single family to the north; single family residential, retail and related uses and undeveloped land to the east; a public park and single family residential to the south; and single family residential, retail and related uses to the west. There are some businesses along Lake June Road combined with single family residential and undeveloped land.

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 not consistent with the development of the surrounding area. Therefore, staff recommends denial of this request.

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 existing roadway system.

Parking:

Pursuant to §51A-4.204 of the Dallas Development Code, the off-street parking requirement for a Laundromat and convenience store is one space per 200 square feet, and the motor vehicle fueling station requires 2 parking spaces. This will total 66 required parking spaces for the proposed uses. For the purpose of the SUP, the applicant submitted a site plan. The site plan provides 83 off-street parking spaces, as depicted on the site plan.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code.

Z134-242(OTH)

Partners/Principals/Officers:

Sikka Investments, LLC

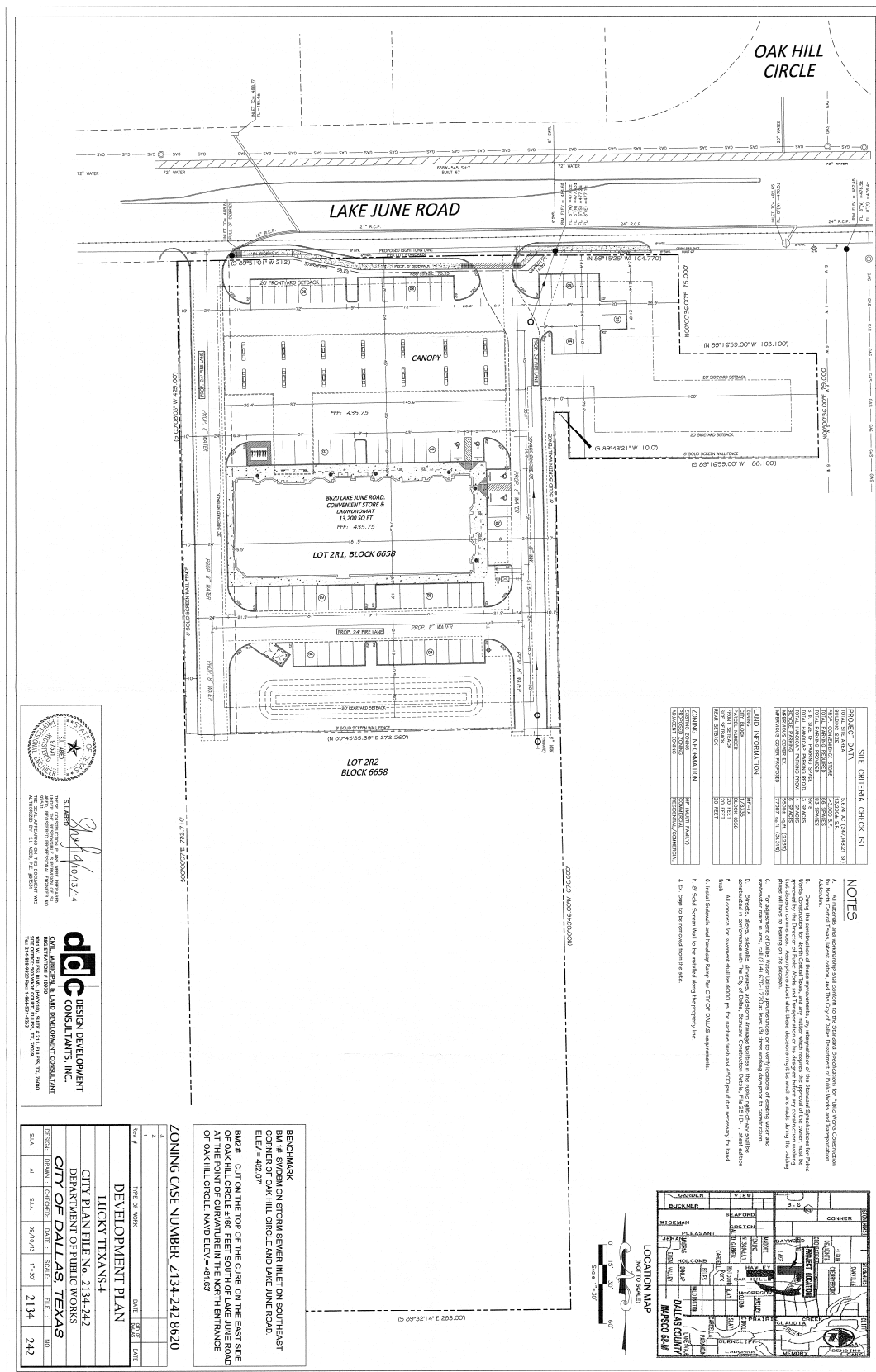
Alex Daredia, Officer

Shazeb Deredia, Officer

**Proposed SUP Conditions
Z134-242(OTH)**

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

PROPOSED SITE PLAN



Deed Restrictions to be terminated:

090575

DEED RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF _____)

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, Lynn B Brantley , an individual ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the WB Elam Survey, Abstract No. 441, City Block 6658, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by , by deed dated 3/5/2007, and recorded ELECTRONICALLY, Document # 20070079862, in Volume n/a, Page n/a, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

8620 Lake June Rd., Dallas, TX 75217

II.

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

1. The following use is the only use permitted:

-- Retirement housing.

2. Maximum structure height is 18 feet.

3. Maximum number of stories is one.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the

TERMINATION OF DEED RESTRICTIONS

RECEIVED BY

JUN 18 REC'D

Current Planning

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

I.

The undersigned, Sikka Investments, LLC ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the W.B. Elam Survey, Abstract No. 441, part of City Block 6658, City of Dallas ("City"), County, Texas, and being that same tract of land conveyed to the Owner by , by deed dated 2/3/2014, and recorded ELECTRONICALLY in Volume 24, Page 203, in the Deed Records of County, Texas, and being more particularly described as follows:

8620 Lake June Road, Dallas, Texas 75217

II.

The Property was impressed with certain deed restrictions ("restrictions") as shown in an instrument dated 1/29/2009, signed by Lynn B. Brantley and recorded in Volume N/A, Page N/A, of the Deed Records of Dallas County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "A" and made a part of this instrument.

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

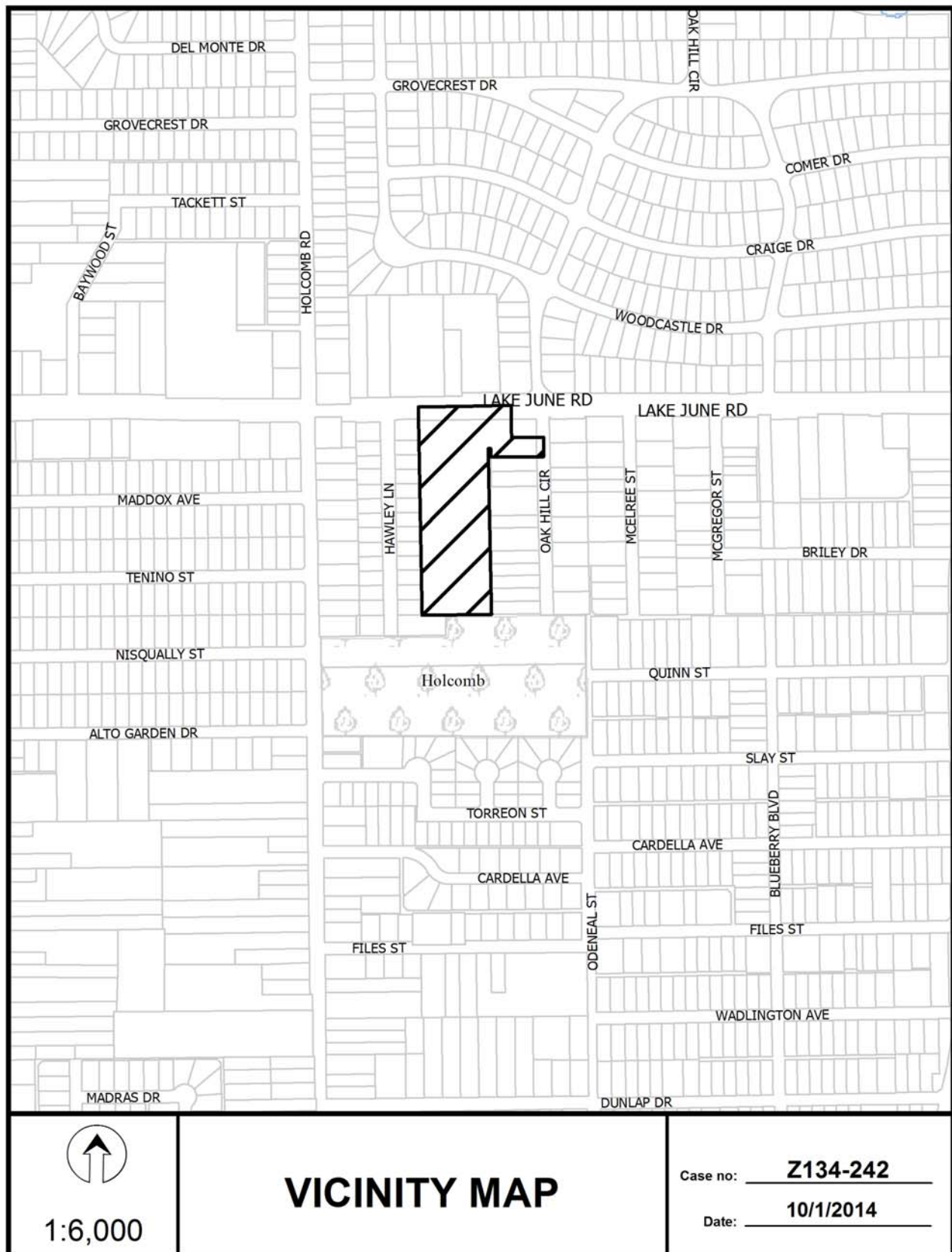
1. The following use is the only use permitted:

-- Retirement housing.

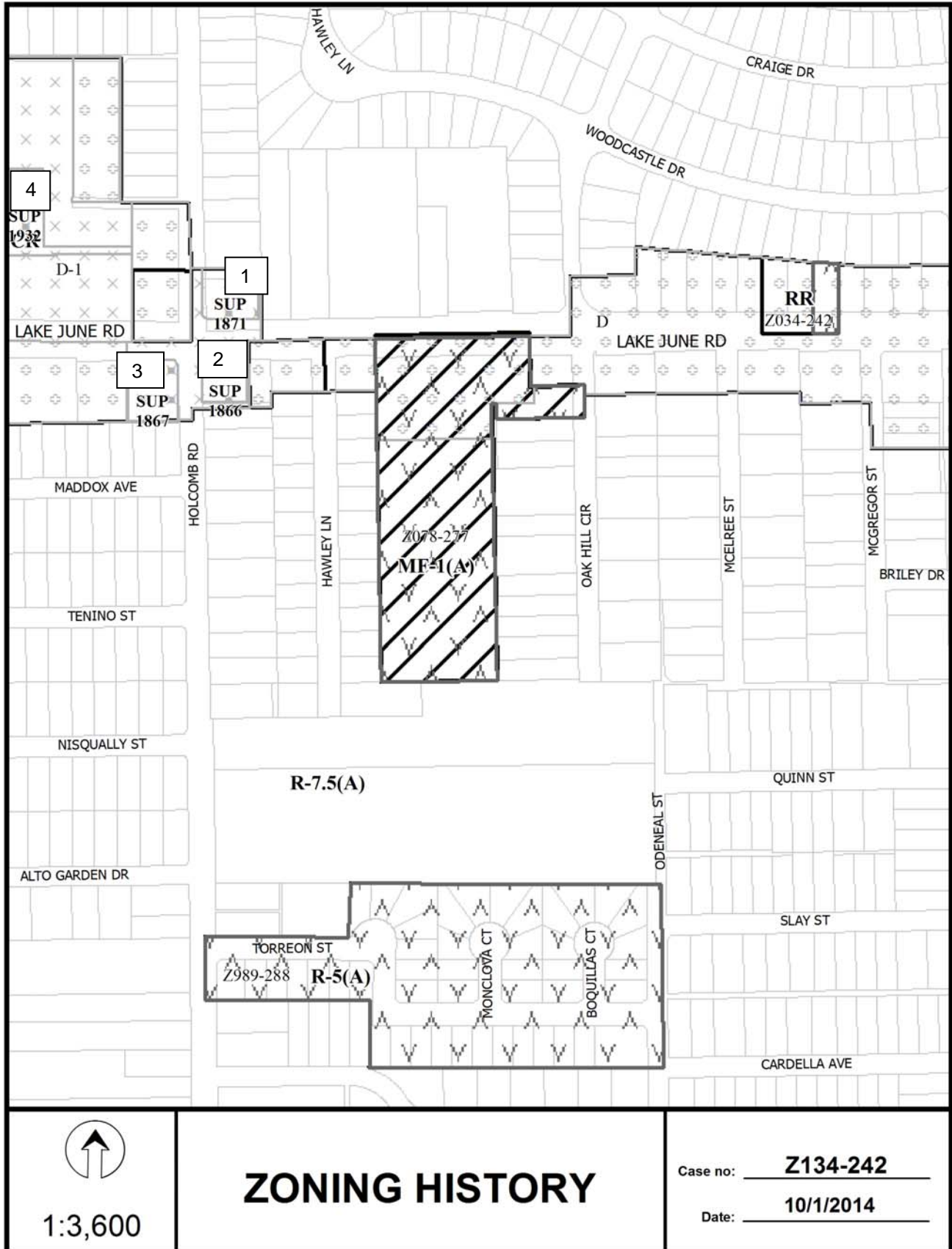
2. Maximum structure height is 18 feet.
3. Maximum number of stories is one.

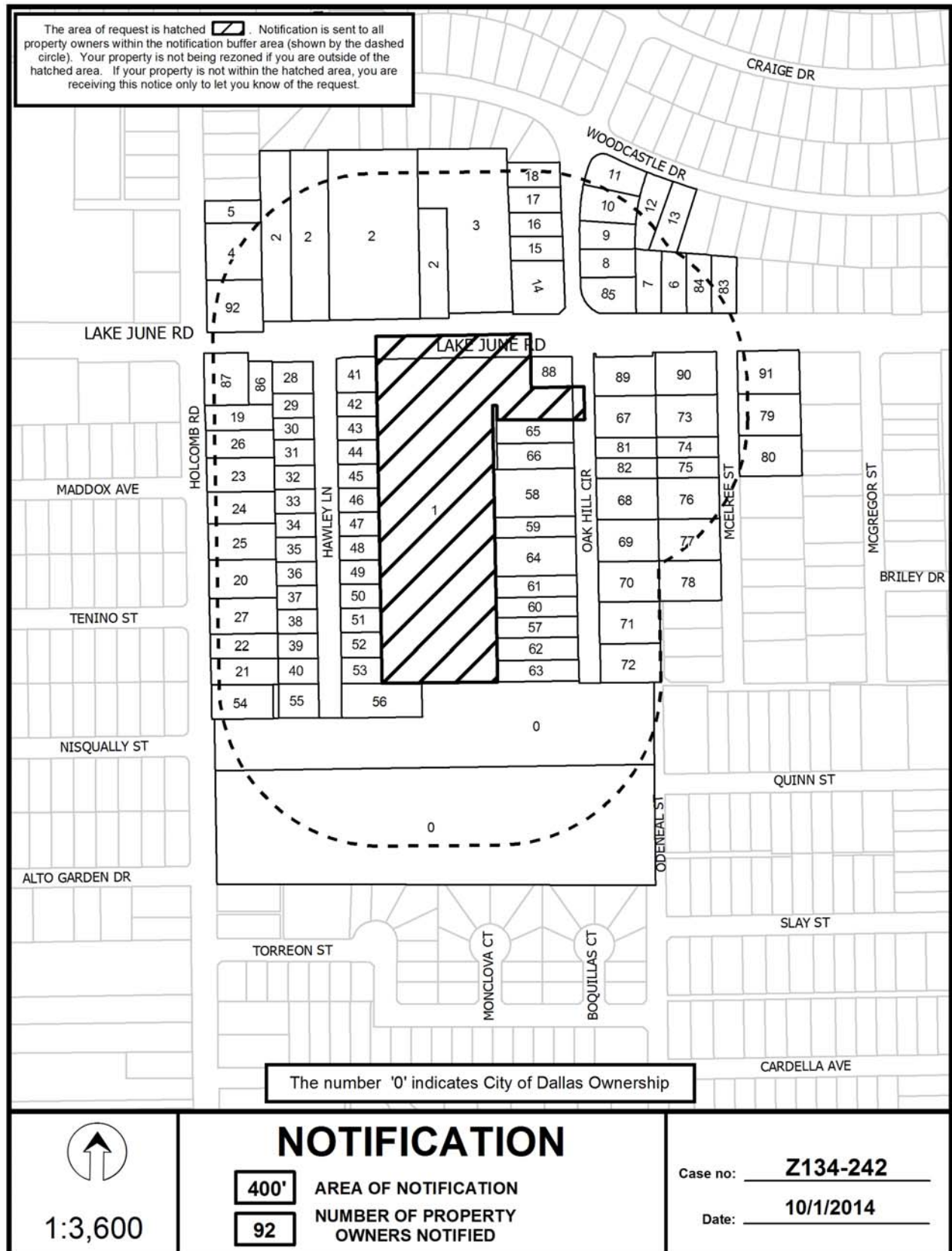
IV.

The above termination was made following a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public









10/01/2014

Notification List of Property Owners***Z134-242******92 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8620 LAKE JUNE RD	SIKKA INVESTMENTS LLC
2	8601 LAKE JUNE RD	SMITH ALVIE DOUGLAS
3	8555 LAKE JUNE RD	MOORE DANAH L
4	1316 HOLCOMB RD	RAMIREZ JOSEFINA
5	1324 HOLCOMB RD	MONGE JOSE &
6	8713 LAKE JUNE RD	GARCIA ROSALBA S
7	8709 LAKE JUNE RD	DELRIEGO ANA MARIA GONZALEZ
8	1306 OAK HILL CIR	FISHER MICHAEL W & BETTY R
9	1310 OAK HILL CIR	HERNANDEZ CYNTHIA
10	1316 OAK HILL CIR	SALGADO DOLORES & MIREYA SERRATO
11	1320 OAK HILL CIR	CISNEROS RODOLFO RENE &
12	8708 WOODCASTLE DR	AVELLANEDA RUFINO & FERNANDA GOMEZ
13	8712 WOODCASTLE DR	GUZMAN PEDRO
14	8639 LAKE JUNE RD	RITCHIE FAMILY REVOCABLE
15	1309 OAK HILL CIR	BENITEZ NORMA
16	1313 OAK HILL CIR	HENDERSON LYNDELL &
17	1317 OAK HILL CIR	ESPINOZA LUZ
18	1321 OAK HILL CIR	BONER JOHNNY RAY
19	1236 HOLCOMB RD	DURAN JOSE JORGE
20	1204 HOLCOMB RD	RAMIREZ HILDA
21	1138 HOLCOMB RD	DELASANCHA EFRAIN &
22	1142 HOLCOMB RD	RUIZ RUAL & ROSA
23	1224 HOLCOMB RD	MARTINEZ JACINTO &
24	1218 HOLCOMB RD	MAGANA MARIA
25	1212 HOLCOMB RD	LOPEZ JUAN JOSE
26	1232 HOLCOMB RD	DURAN AGUSTIN

10/01/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1148 HOLCOMB RD	UHRICK MICHAEL
28	8516 LAKE JUNE RD	MUMITH FAHIM
29	1231 HAWLEY LN	HERNANDEZ ROGELIO
30	1227 HAWLEY LN	MENDEZ BELEN V
31	1223 HAWLEY LN	RODRIGUEZ LISA ANN
32	1219 HAWLEY LN	HARPER EARLIE B
33	1213 HAWLEY LN	ESTRADA JOSE L
34	1209 HAWLEY LN	PEREZ CANDELARIO ETUX
35	1203 HAWLEY LN	JASSO ANTONIO &
36	1135 HAWLEY LN	GARCIA PAUL M
37	1131 HAWLEY LN	MALDONADO JUAN C &
38	1125 HAWLEY LN	MALDONADO JUAN C &
39	1121 HAWLEY LN	BRYANT BARBARA
40	1115 HAWLEY LN	DIAZ ARMANDO & GLORIA
41	8600 LAKE JUNE RD	MUMITH FAHIM & OMRAN
42	1230 HAWLEY LN	BEDOLLA MARTIN
43	1226 HAWLEY LN	MECCA APRIL INC
44	1222 HAWLEY LN	GONZALEZ EFRAIN & ANDREA
45	1218 HAWLEY LN	GARZA ARTEMIO & CLAUDINA
46	1212 HAWLEY LN	DENOVA CELESTINO & NORMA P
47	1208 HAWLEY LN	ORTIZ EUGENIO JR
48	1202 HAWLEY LN	BRIASHE MANAGEMENT LLC
49	1134 HAWLEY LN	ONE TEL COMMUNICATIONS
50	1130 HAWLEY LN	GUERRERO UVALDO
51	1124 HAWLEY LN	KENNGOTT JON M &
52	1120 HAWLEY LN	ESTRADA RICARDO
53	1114 HAWLEY LN	AYALA MICHELLE
54	1130 HOLCOMB RD	HINOJOSA HILARIO
55	1111 HAWLEY LN	ROSALES EDWIN &
56	1110 HAWLEY LN	SORIANO JESUS &
57	1123 OAK HILL CIR	RIVERA RICKY JOE

10/01/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1219 OAK HILL CIR	SMITH JIMMIE R EST OF
59	1207 OAK HILL CIR	BASSDALE INVESTMENTS LLC
60	1125 OAK HILL CIR	GARCIA NOE & DOLORES
61	1131 OAK HILL CIR	RUEDA JESUS
62	1119 OAK HILL CIR	SOWELLS PAULETTE GOSHA
63	1115 OAK HILL CIR	VERDUZCO JOSE V
64	1203 OAK HILL CIR	ORTIZ JOE E & VERONICA MENDEZ
65	1229 OAK HILL CIR	GUERRERO MIGUEL JR
66	1225 OAK HILL CIR	RUEDA ALFREDO & MAYELA
67	1232 OAK HILL CIR	THOMAS EMMA
68	1214 OAK HILL CIR	MARTINEZ ANTONIO
69	1208 OAK HILL CIR	SEGOVIA JOSE L
70	1202 OAK HILL CIR	RAMIREZ PATRICIA A
71	1128 OAK HILL CIR	RAMIREZ PEDRO & PATRICIA
72	1120 OAK HILL CIR	MA ST PARTNERS 5
73	1231 MCELREE ST	GUZMAN BULMARO F
74	1221 MCELREE ST	CANO ISABEL C &
75	1217 MCELREE ST	LLAMAS MARIA C &
76	1215 MCELREE ST	MENDOZA STEPHANIE N & EDUARDO M
77	1201 MCELREE ST	OBRIEN THOMAS M
78	1137 MCELREE ST	OBRIEN IRENE VIRGINIA LIFE ESTATE
79	1226 MCELREE ST	SALINAS ASUNCION J
80	1222 MCELREE ST	PENA JOEL F
81	1228 OAK HILL CIR	RANGEL ISABEL
82	1224 OAK HILL CIR	EWING MARK
83	8721 LAKE JUNE RD	BEDOLLA GILBERTO JR
84	8717 LAKE JUNE RD	TAYLOR ROCKY & STEPHANIE
85	8701 LAKE JUNE RD	MONSIVAIS AMALIA A &
86	8508 LAKE JUNE RD	MUMITH FAHIM
87	8502 LAKE JUNE RD	CHIN ROBERT K &
88	8640 LAKE JUNE RD	VILLEGAS VICTOR & MARIA

Z134-242(OTH)

10/01/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	8700 LAKE JUNE RD	MENDOZA JUAN R &
90	8718 LAKE JUNE RD	LACY INVESTMENTS ENTERPRISE LLC
91	8726 LAKE JUNE RD	CHANDLER BILLY JR
92	8505 LAKE JUNE RD	CLUB CREEK RENTAL PROPERTY LLC

FILE NUMBER: Z134-284(OTH)

DATE FILED: July 7, 2014

LOCATION: North corner of Gould Street and Savannah Street

COUNCIL DISTRICT: 2

MAPSCO: 45-V

SIZE OF REQUEST: Approx. 0.81 acres

CENSUS TRACT: 204.00

OWNER/ APPLICANT: Dallas Independent School District

REPRESENTATIVE: Karl Crawley, Masterplan

REQUEST: An application for a Specific Use Permit for a Utility or Government Installation other than listed on property zoned Tract 2, Subdistrict 1 within Planned Development District No. 317, the Cedars Area Special Purpose District.

SUMMARY: The applicant proposes to continue the use of the property for a police substation for the Dallas Independent School District, which has been in the neighborhood since the 1970s. The use has been operating without a Specific Use Permit. The need to acquire a permit for a generator triggered this application. The applicant is not proposing any new construction; however, some landscaping and new fencing will be installed on the property.

STAFF RECOMMENDATION: Approval for a permanent period, subject to a site plan and conditions.

CPC PREVIOUS ACTION: On October 23, 2014, the City Plan Commission held this case under advisement until November 6, 2014.

GUIDING CRITERIA FOR RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The proposed use is compatible in scale and character of the surrounding development.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use will not negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety, or general welfare of the area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The proposed use and site plan as proposed, comply with all the zoning regulations and standards.

Zoning History: There are no recent zoning cases in the area.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Savanah Street	Local	20 ft.
Gould Street	Local	Varies
Seegar Street	Local	40 ft.

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

Surrounding Land Uses:

	Zoning	Land Use
Site	Subdistrict 1 PD 317	Utility or Government Installation other than listed
Northwest	Subdistrict 1 PD 317	Single Family
Northeast	Subdistrict 1 PD 317	Vacant, undeveloped, single family
Southeast	Subdistrict 2 PD 317	Institutional
Southwest	Subdistrict 4 PD 317	Undeveloped, vacant

STAFF ANALYSIS:**Comprehensive Plan:**

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

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

The applicant proposes to operate a Utility or Government Installation other than listed on the property.

Land Use Compatibility:

The characteristics of the use blend with the surrounding uses. This building and the building located across Savannah, on the corner of Corinth Street and Gould Street, have been utilized by DISD for offices and school related uses since the 1970s.

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

Landscaping: The applicant is not proposing any new construction; therefore, no new landscaping is being triggered with the proposed use. However, the applicant is proposing to plant street trees to make the place more appealing to the area as well as installing a wrought iron fence on a portion of the property. This landscaping is not required but it is being proposed voluntarily by the applicant.

Parking: Because of the nature of the use, the applicant is providing over 64 parking spaces for the use. A minimum of 40 parking spaces are required.

**PROPOSED SUP CONDITIONS
Z134-284(OTH)**

USE: The only use authorized by this specific use permit is a utility or government installation other than listed to be used as a police substation by the Dallas Independent School District

SITE PLAN: Use and development of the Property must comply with the attached site plan.

TIME LIMIT: This SUP has no expiration date.

PARKING: For a utility or government installation other than listed to be used as a police substation, a minimum of 40 off-street parking spaces must be provided in the location shown on the attached site plan.

LANDSCAPING:

(A) Landscaping must be provided as shown on the attached site plan and must include a minimum of three street trees on the Gould Street and Seegar Street frontages in the locations as shown on the attached site plan.

(B) Landscaping must be installed within six months after the issuance of a certificate of occupancy for a utility or government installation other than listed to be used as a police substation.

(C) An automatic irrigation system must be provided.

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

FENCE:

(A) An open metal or "wrought-iron fence must be provided as shown on the attached site plan.

(B) Fencing must be installed within six months after the issuance of a certificate of occupancy for a utility or government installation other than listed to be used as a police substation.

(C) The existing chain link fence gate for the entrance to the Property from Savannah Street is allowed to remain.

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

Z134-284(OTH)

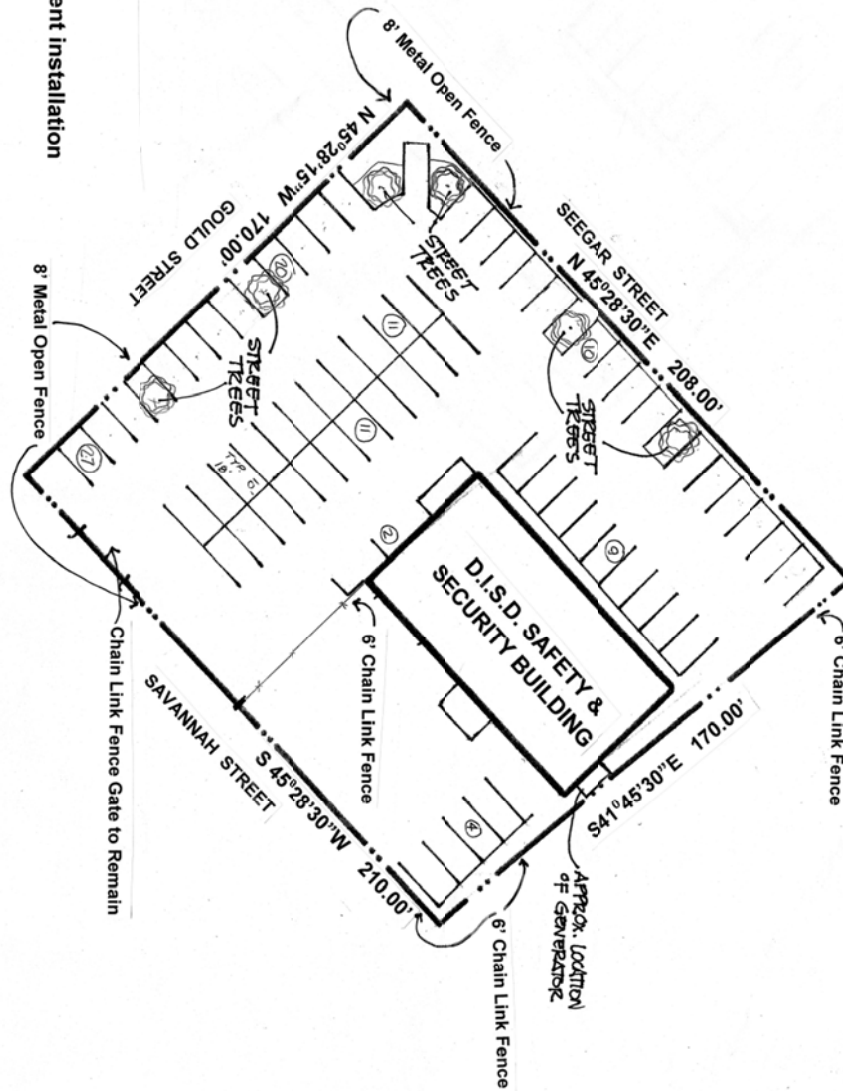
GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN

SITE DATA

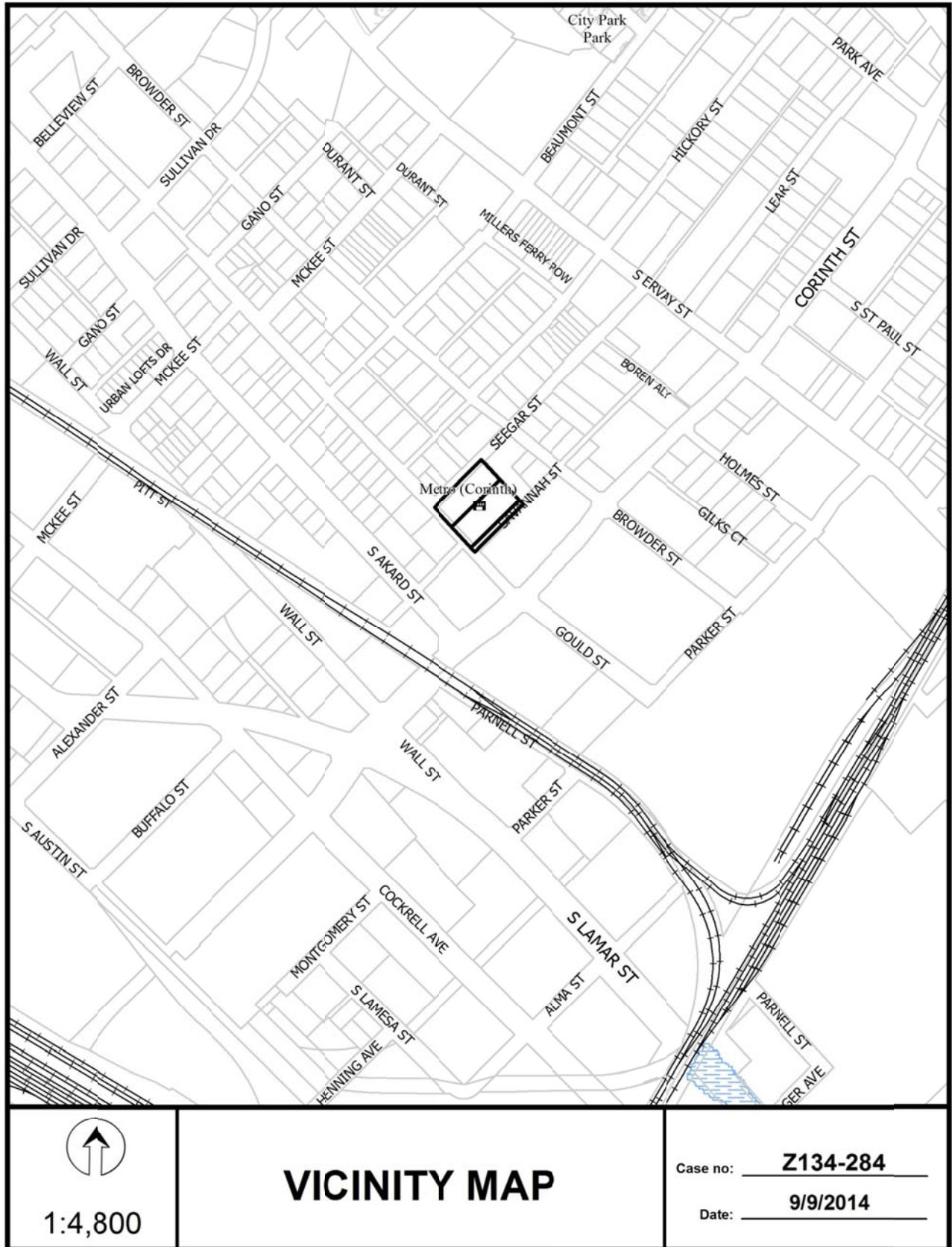
Land Area: 0.81 acres
 Use: Utility or government installation
 Other than listed

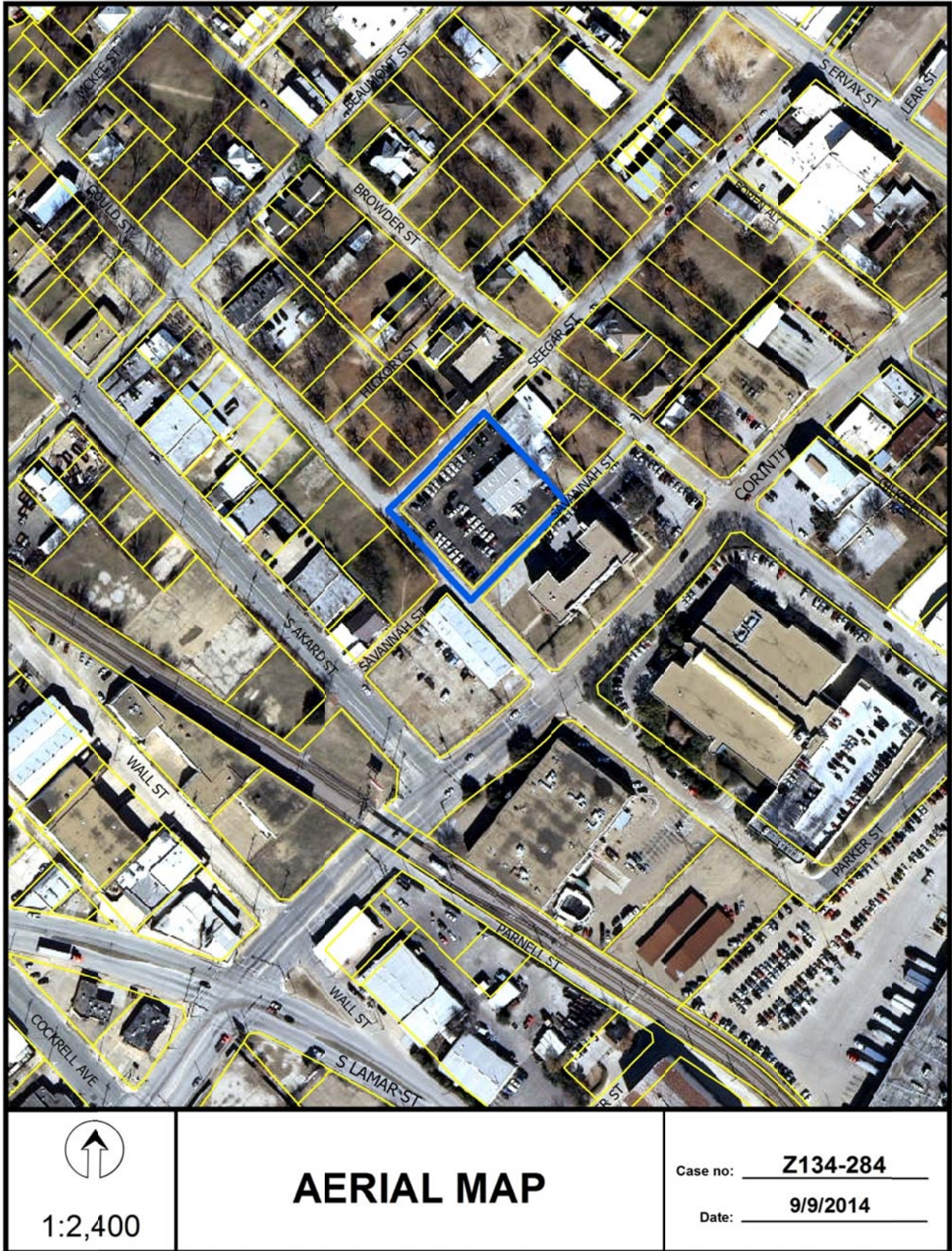
Building Area: 5000 sf
 Building Height: 25 feet
 Parking Spaces: 64

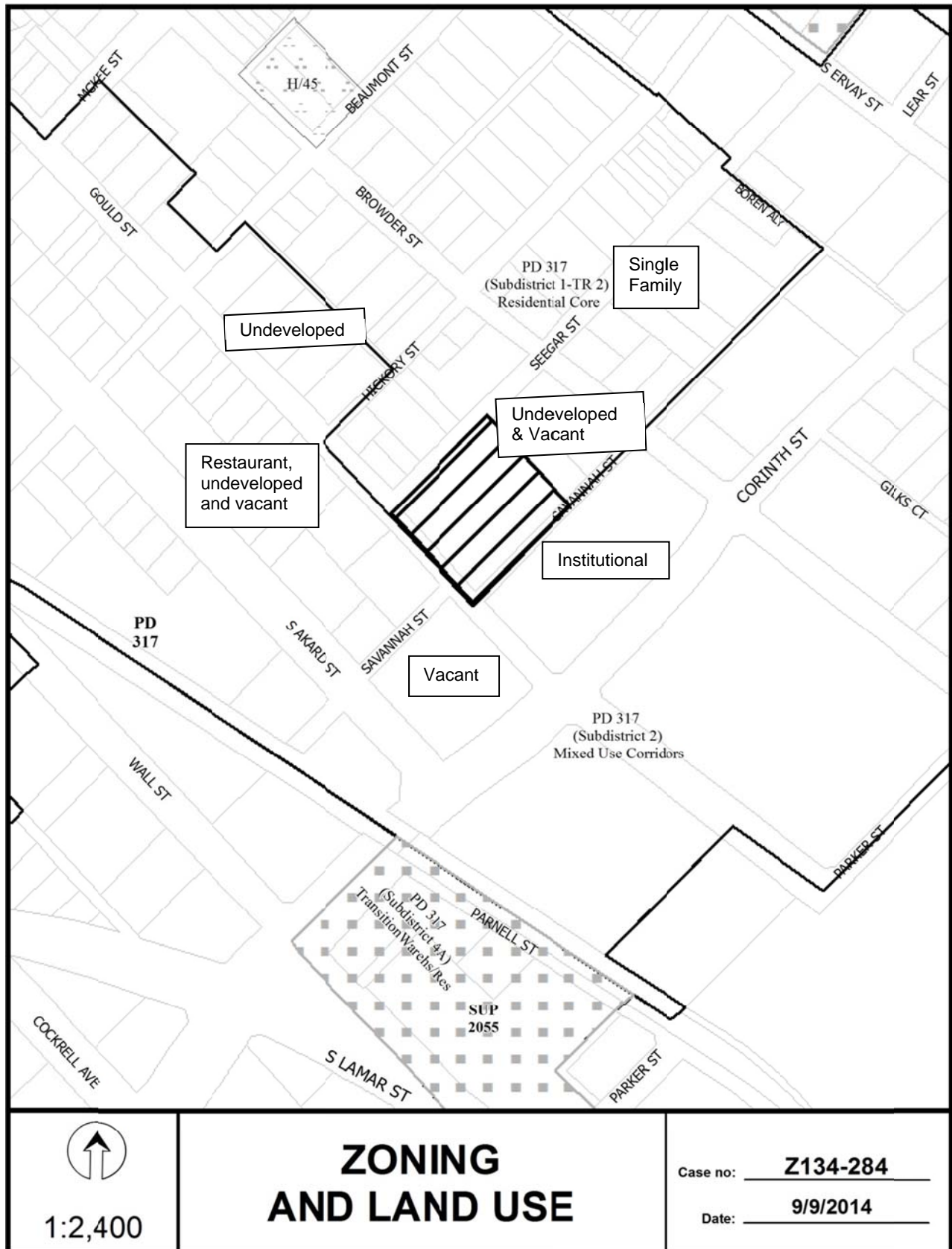


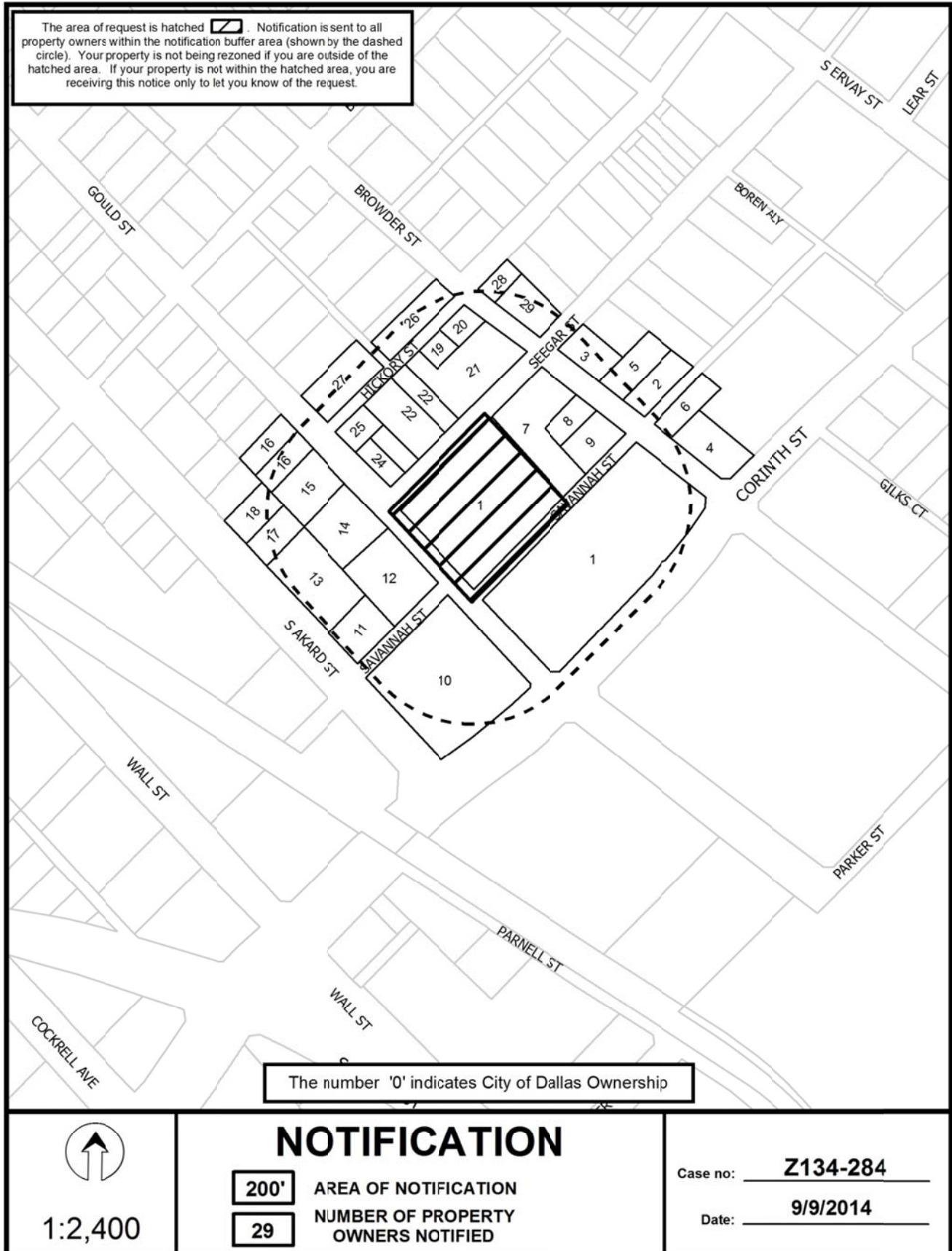
SITE PLAN

SCALE: 1"=30'









09/08/2014

Notification List of Property Owners***Z134-284******29 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1403 CORINTH ST	Dallas ISD
2	2008 BROWDER ST	JAMAICA HENRIETTA GARZA &
3	1502 SEEGAR ST	WOOD PRINTING CO
4	1503 CORINTH ST	FORRER HANS
5	2004 BROWDER ST	V L LACY & CO INC
6	2012 BROWDER ST	MARTINEZ IRMA H
7	1418 SEEGAR ST	WOOD W R SAWYERS
8	2007 BROWDER ST	BARNES M W ESTATE OF
9	2009 BROWDER ST	MARTINEZ JUAN EST OF
10	2001 GOULD ST	STAY ON THE MARK LLC
11	1928 AKARD ST	JLK IRREVOCABLE TRUST &
12	1917 GOULD ST	BAKER WILLIAM HURT III
13	1922 AKARD ST	HURT OLSON ENTERPRISES LLC
14	1922 AKARD ST	HURT OLSON ENTERPRISES
15	1903 GOULD ST	HURT OLSEN ENTERPRISES
16	1825 GOULD ST	ROUMAYA ZAYAD &
17	1914 AKARD ST	HURST OLSON ENTERPRISES L
18	1910 AKARD ST	BROCK CHRISTOPHER
19	1414 HICKORY ST	CLAUS RICHARD
20	1416 HICKORY ST	JAMES TERRY A
21	1909 BROWDER ST	DESAI VALLABHBHAI &
22	1409 SEEGAR ST	VIDALES JUAN
23	1403 SEEGAR ST	CC & GB PPTIES LLC
24	1401 SEEGAR ST	PURE ICE & COLD STG CO
25	1900 GOULD ST	WHITE MARVIN
26	1819 BROWDER ST	WEISFELD RONALD &

Z134-284(OTH)

09/08/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1820 GOULD ST	DANIEL CRUZ
28	1900 BROWDER ST	HUERTA ESTANISLAO
29	1501 SEEGAR ST	COLLINS PATRICK & MICHAEL 1988 TRUST

FILE NUMBER:	Z134-248(WE)	DATE FILED:	May 1, 2014
LOCATION:	East line of Webb Chapel Road, north of Timberview Road		
COUNCIL DISTRICT:	13	MAPSCO:	23-L
SIZE OF REQUEST:	Approx. 4.610 acres	CENSUS TRACT:	97.02

APPLICANT: Mi Escuelita

OWNER: Grace Presbyterian Inc.

REPRESENTATIVE: Rob Baldwin, Baldwin and Associates

REQUEST: An application for a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District.

SUMMARY: The applicant is proposing to operate a child-care facility on site. The applicant will construct a new 65,500-square-foot facility that will have approximately 208 children. The applicant will raze an existing one-story, 10,000-square-foot church to develop a 65,500-square-foot child-care facility.

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

PREVIOUS ACTION: On October 23, 2014, the City Plan Commission held this case under advisement until November 6, 2014. The applicant has provided staff with additional conditions that reflect the concerns of the neighborhood. Staff reviewed the conditions and inserted the language into the conditions that relate to the perimeter fence. Several restrictions pertaining to setbacks or vehicular access were placed on the site plan.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The compatibility of the proposed child-care facility is compatible in height with the surrounding residential developments. The applicant has limited certain portions of the development to 1-stories. The portion of the development that is limited to one story is adjacent to residential uses. The remaining portion of the child-care facility is two stories and will not exceed 30 feet. The proposed child-care facility will operate from Monday through Friday, 7:00 a.m. to 6:00 p.m. The applicant will secure the facility with a perimeter fence and have prohibited any access to the site from the alley. In addition, there are 3-temporary modular buildings that are proposed on northern portion of the site that will be used for classrooms. These temporary structures will be removed when the proposed development is completed.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The child-care facility will provide a service to the neighborhood and is an appropriate use at this location.
3. *Not a detriment to the public health, safety, or general welfare* – This use will not be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. No variances or special exceptions are requested.

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

1. Z134-255 The City Plan Commission will consider a request for a Planned Development District for single family uses on property zoned an R-10(A) Single Family District and termination of SUP No. 86 for a community recreation center. A City Plan Commission hearing date has not been scheduled at this time.

Thoroughfares/Streets:

	Type	Existing ROW	Proposed ROW
Webb Chapel Road	Local	80 ft.	80 ft.

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

Land Use:

	Zoning	Land Use
Site	R-10(A)	Church
North	R-10(A)	Utility easement, Single Family
South	R-10(A)	Single Family
East	R-10(A)	Single Family
West	R-10(A), SUP No. 86	Community recreation center, Single Family

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

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

STAFF ANALYSIS:

Land Use Compatibility: The request site is adjacent to single family uses that are located to the east and south of the proposed development. The property to the north is an undeveloped utility easement. However, there is an undeveloped utility easement that is located north of the request site. The child-care facility will comply with the development standards and regulations that govern the structure height within an R-10(A) Single Family District.

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

public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Parking: The off-street parking requirement for a child-care facility is one space per 500 square feet of floor area. The applicant is required to provide 131 off-street parking spaces for a child-care facility that has approximately 65,500 square feet of floor area. The applicant is proposing to provide 131 spaces.

LIST OF OFFICERS

Applicant

Mi Escuelita Preschool, Inc

Lisa Vines, Chair
Ricardo Barrenechea, Vice-chair
Aracely Rios, Treasurer
Paul Musgrave, Secretary

Owner

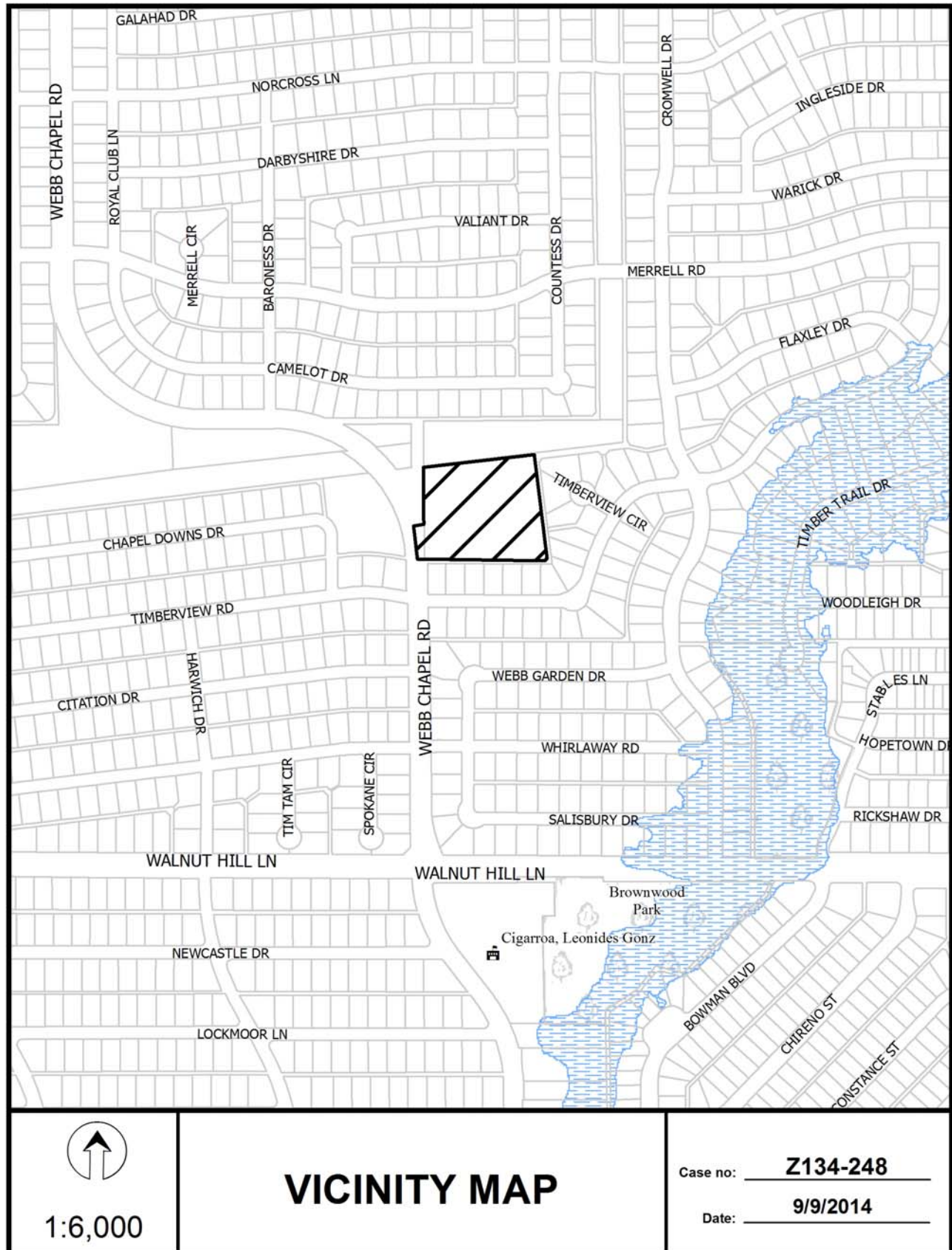
Grace Presbytery

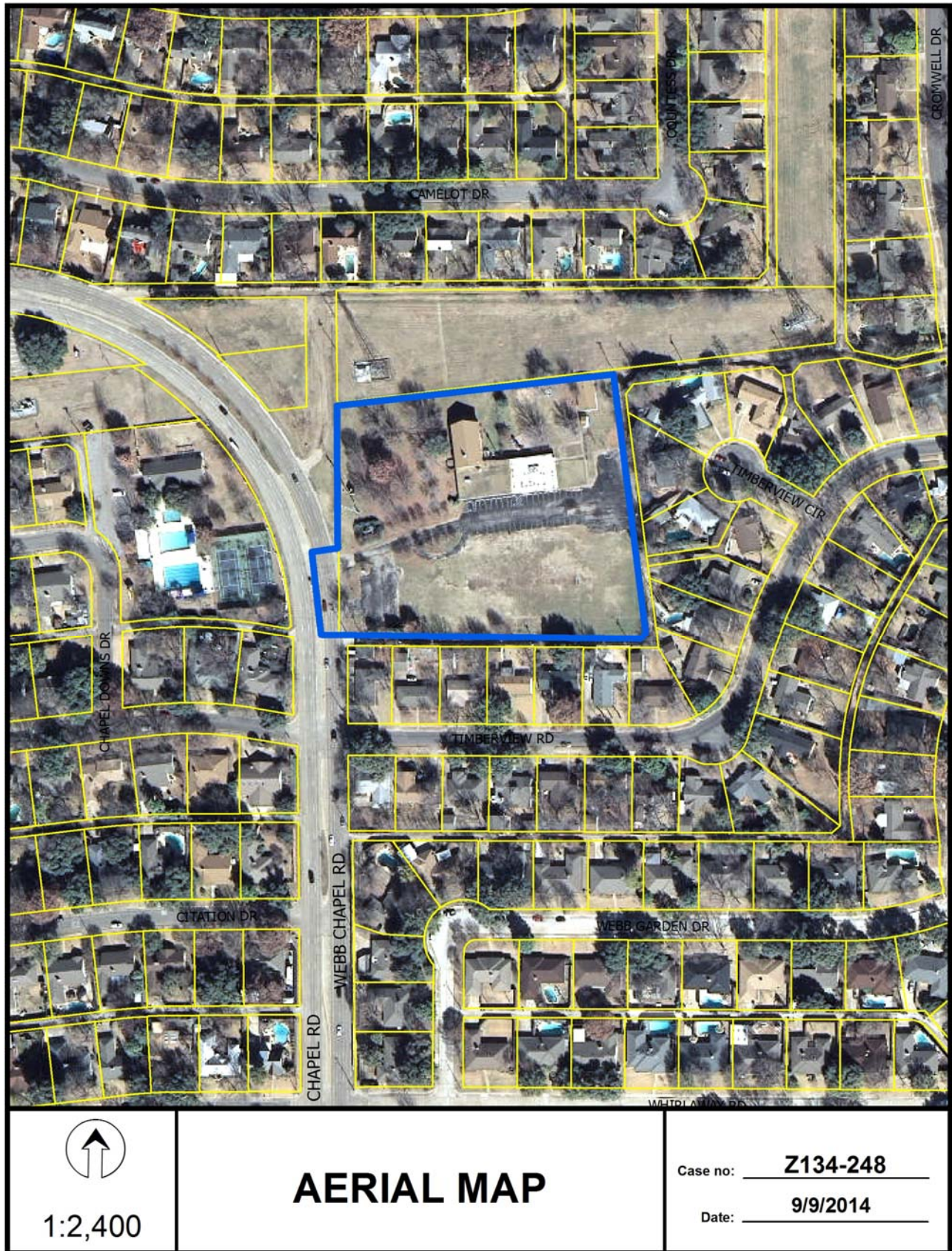
Pruitt Ashworth
Jack Moore
The Rev. Stephen Plunkett
The Rev. Dr. Gerry Tyer
The Rev. Melinda Veatch
The Rev. Frank Diaz
Elizabeth Williams
The Rev. Nicole Bates
Dan Klein
Karen Montgomery
The Rev. Dr. Janet M. DeVries (General Presbyter)

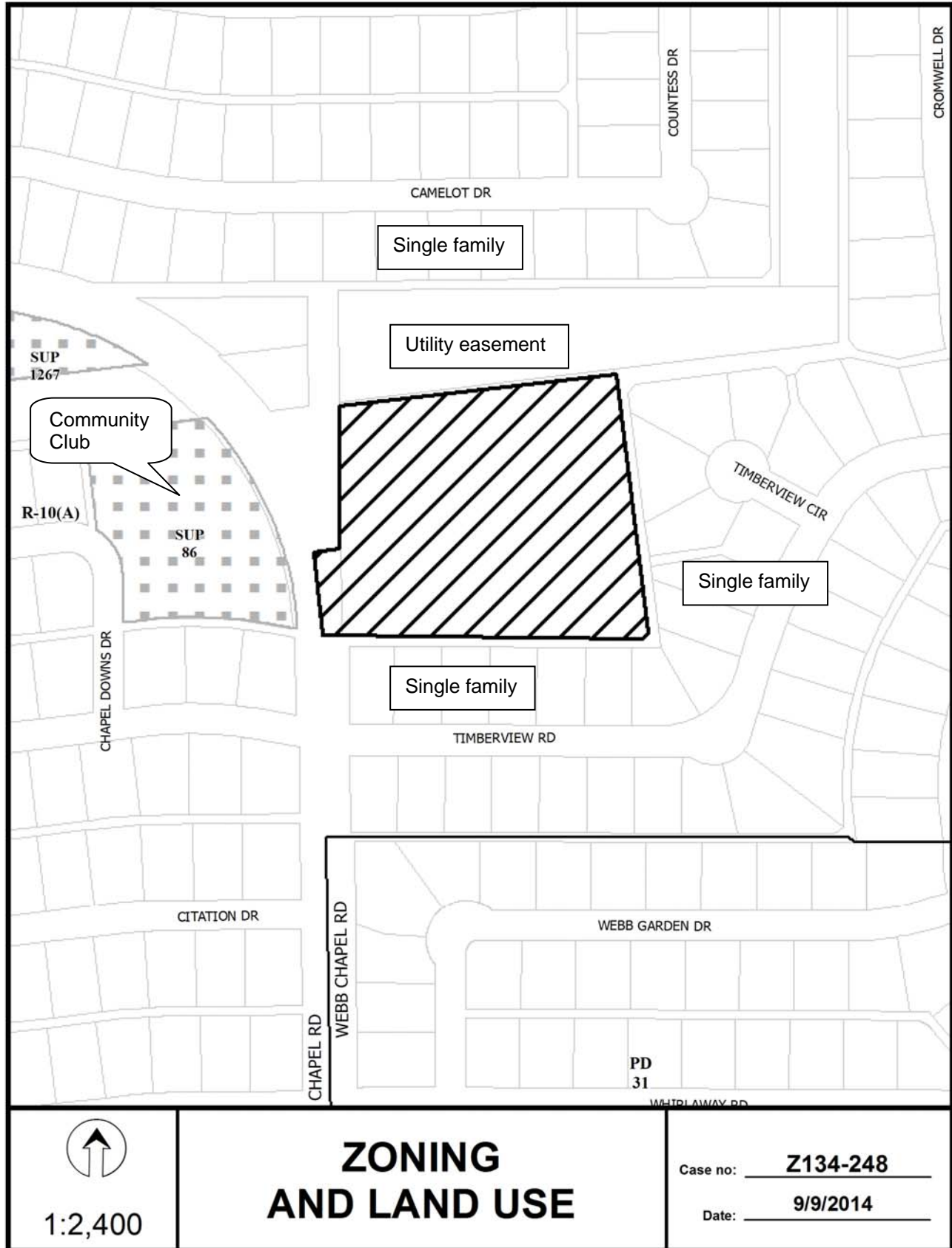
PROPOSED SUP CONDITIONS

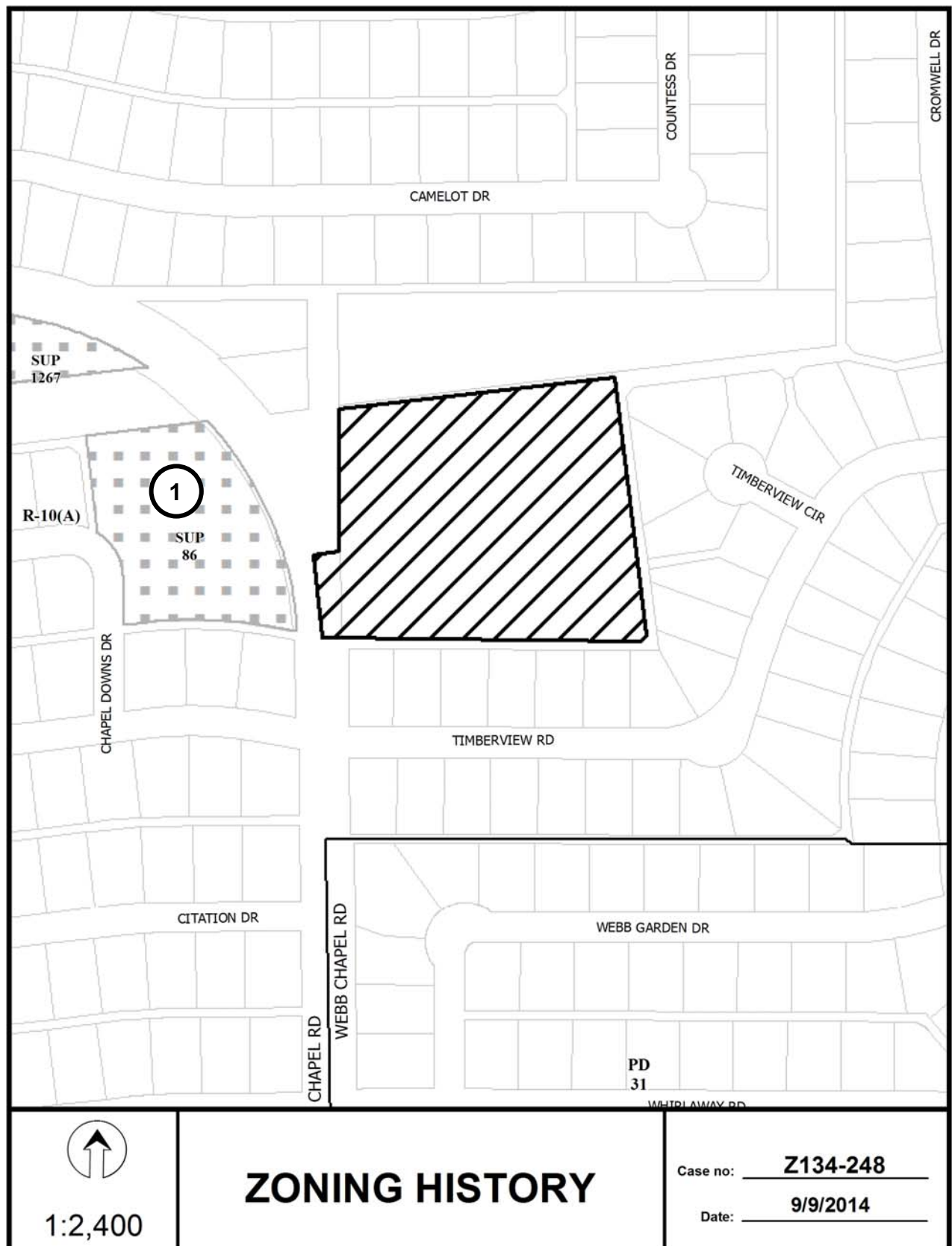
1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five-years from the passage of the ordinance).
4. HOURS OF OPERATION: The child-care facility may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.
5. FENCING: The outdoor play area must be enclosed by a minimum four-foot-high fence, as shown on the attached site plan.
6. PERIMETER FENCE: A perimeter fence must be provided in the location as shown on the site plan. A minimum eight-foot fence must be provided on the north, east and south side of the Property. A four-foot fence must be provided in the front yard.
7. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
8. MAINTENANCE: The entire 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.













Notification List of Property Owners

Z134-248

52 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10210 WEBBS CHAPEL RD	GRACE PRESBYTERY INC
2	10234 WEBBS CHAPEL RD	TEXAS UTILITIES ELEC CO
3	3403 TIMBERVIEW RD	CHROBAK ANTHONY
4	3407 TIMBERVIEW RD	ROYER EVA R
5	3411 TIMBERVIEW RD	HODGE PRISCILLA GRESHAM
6	3415 TIMBERVIEW RD	BAKER VIVIAN
7	3419 TIMBERVIEW RD	BUSH WILLIAM W & DONA K
8	3423 TIMBERVIEW RD	ROJAS MARTIN &
9	3429 TIMBERVIEW RD	JOHNS PATTIE J
10	3439 TIMBERVIEW RD	HALVERSON VALERIE RUYLE & ANDREW RYAN
11	3449 TIMBERVIEW RD	MENEFEE JAMES & AMANDA
12	3455 TIMBERVIEW RD	LORITZ BARBARA
13	3459 TIMBERVIEW RD	GOOD BEVERLY
14	3463 TIMBERVIEW CIR	SAWYER JANE LEE
15	3467 TIMBERVIEW CIR	BEDELL DOUG &
16	3471 TIMBERVIEW CIR	MARRINAN ROBERT G F ETAL
17	3475 TIMBERVIEW CIR	COBB JAMES R JR
18	3479 TIMBERVIEW RD	SHETTLE SPENCE O
19	3483 TIMBERVIEW RD	NIDER NICHOLAS &
20	3404 TIMBERVIEW RD	HA THOMAS
21	3408 TIMBERVIEW RD	LORD SHARON KAYE
22	3412 TIMBERVIEW RD	RODRIGUEZ MIGUEL J
23	3416 TIMBERVIEW RD	TREVINO MIKE
24	3420 TIMBERVIEW RD	BRYANT AMANDA L
25	3424 TIMBERVIEW RD	SHUGART JAMES O
26	3428 TIMBERVIEW RD	PYSIAK GRZEGORZ R & EWA

09/08/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3434 TIMBERVIEW RD	ESTES GARY LEE &
28	3438 TIMBERVIEW RD	BROWN HEATHER
29	3442 TIMBERVIEW RD	MITTELMAN LUBA
30	3446 TIMBERVIEW RD	JOHNSON SUSAN H
31	3452 TIMBERVIEW RD	SWIERGOL JASON
32	3458 TIMBERVIEW RD	SCHAER DAVID D
33	3464 TIMBERVIEW RD	PEDERSEN DOUGLAS P
34	3265 CHAPEL DOWNS DR	COMPASS BANK
35	10345 WEBBS CHAPEL RD	MAPLEWOOD ASSEMBLY
36	3311 TIMBERVIEW RD	DILLMAN JULIE D
37	3321 TIMBERVIEW RD	BLAKE JOEL & CYNTHIA E
38	3331 TIMBERVIEW RD	DIGGS JOE D
39	3310 TIMBERVIEW RD	CARTER VINCENT A
40	3320 TIMBERVIEW RD	WILKERSON JEAN L
41	3330 TIMBERVIEW RD	DECOSTA MARY E
42	3380 CAMELOT DR	MCGRAW KATHY L
43	3376 CAMELOT DR	TAYLOR JIMMY D & LANAE S
44	3372 CAMELOT DR	HUBLER PAMELA HUBLER
45	3366 CAMELOT DR	DESCHENES THOMAS JEROME &
46	3362 CAMELOT DR	TREBER JORG U
47	3356 CAMELOT DR	NEWTON DORIS M
48	3352 CAMELOT DR	KRICKEN WADE T & CASEY M
49	3348 CAMELOT DR	LOFTICE DON W
50	3340 CAMELOT DR	PAVON MARK A & GINA A
51	3336 CAMELOT DR	KENT SANLYN KAY REV TRUST
52	3332 CAMELOT DR	JANDRUCKO RANDOLPH A & KELLY A

Planner: Aldo Fritz**FILE NUMBER:** Z134-312(AF) **DATE FILED:** September 2, 2014**LOCATION:** North of Crown Road, west of Newberry Street**COUNCIL DISTRICT:** 6 **MAPSCO:** 22-C**SIZE OF REQUEST:** Approx. 3.24 Acres **CENSUS TRACT:** 99.00

APPLICANT: Luis A. Ortiz**OWNER:** 11507 Newberry, LLC**REPRESENTATIVE:** Luis A. Ortiz**REQUEST:** An application for an amendment to the deed restrictions on property zoned IM Industrial Manufacturing District.**SUMMARY:** The applicant proposes to amend the deed restrictions to allow for sand, gravel, or earth sales on the northern portion of the property in order to allow a contractor's maintenance yard. On August 22, 2012 when zoning case Z101-391 was approved, the applicant volunteered deed restrictions to address compatibility concerns with the surrounding area.**STAFF RECOMMENDATION:** Approval**PREVIOUS ACTION:** Case was held by City Planning Commission on October 2, 2014 until November 6, 2014. The applicant was asked to communicate his intentions for the site to the adjacent residential landowners.

Zoning History:

File No.

Request, Disposition, and Date

1. Z123-211

On September 10, 2014, the City Council approved the renewal of Specific Use Permit No. 1747 for an alcoholic beverage establishment limited to a private-club bar on property zoned an IR Industrial Research District.

2. Z101-391

On August 14, 2013, the City Council approved an IM Industrial Manufacturing District with deed restrictions on property zoned an IR Industrial Research District.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Crown Road	Local	60' ROW
Newberry Street	Local	40-50' ROW

LAND USE:

	Zoning	Land Use
Site	IM, Industrial Manufacturing	Industrial
North	IM, Industrial Manufacturing	Industrial
South	R-7.5(A)	Single Family
West	IM, Industrial Manufacturing	Industrial, Warehouse
East	IR, Industrial Research	Office

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered an Industrial Area. These 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 Compatibility: The request site consists of multiple parcels and is partially developed with vacant industrial buildings with what appears as an outside storage area utilized by the previous tenant. The applicant proposes to utilize the parcels for a contractor's maintenance yard.

The site is generally surrounded by commercial/industrial uses (both inside and outside use classifications) and supporting administrative/office components in all directions. It should be noted that residential adjacency does exist south of the site, southward from the intersection of Crown Road and Newkirk Street.

This area of the city possesses a large percentage of industrial users that rely on convenient freeway accessibility (IH 35/IH 635/Loop 12) thus a significant amount of truck traffic is present in the area. The general area has somewhat smaller parcels, many of which utilize multi-tenant commercial buildings as well as smaller platted lots with single users.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IM - Industrial Manufacturing District	Minimum front yard is: 15 feet where adjacent to an express way or a thorough fare	Minimum rear yard is: 30 feet - adjacent to or across alley from R(A),D(A), TH(A), CH, MF(A)	No maximum dwelling unit density	Maximum structure height is: 110 feet	80% maximum lot coverage	Development Impact Review (DIR) required if estimated trip greater than 6000 trips per day and 500 trips per acre per day	Heavy Industrial Manufacturing Uses with Accompanying Open Storage and Supporting Commercial Uses

Landscaping: The site possesses small stands of trees predominantly located along portions of the site's perimeter. It is anticipated that new construction on the site will trigger compliance with Article X.

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

Z134-312 (AF)

List of Officers
11507 Newberry, LLC

Ugo Picaggli, President

AMENDED DEED RESTRICTIONS

I.

The undersigned, _____ ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the Survey, Abstract No. _____, part of City Block _____, City of Dallas ("City"), _____ County, Texas, and being that same tract of land conveyed to the Owner by _____, by deed dated _____, and recorded in Volume _____, Page _____, in the Deed Records of _____ County, Texas, and being more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.

II.

That the Property was impressed with certain deed restrictions ("Original Restrictions") as shown in an instrument dated _____, signed by _____ and recorded in Volume _____, Page _____, of the Deed Records of _____ County, Texas, a true and correct copy of which is attached to this instrument as Exhibit "B" and made a part of this instrument.

III.

That the Owner does hereby amend the Original Restrictions to read as follows:

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

(a) This Property contains one subdistrict: Subdistrict A. Subdistrict A is described in Exhibit B, which is attached to and made a part of these deed restrictions.

(b) Main uses.

(1) Except as provided in this section, the following main uses are prohibited:

(A) Industrial uses.

- Industrial (outside) potentially incompatible.
- Metal salvage facility.
- Mining.
- Outside salvage or reclamation.

(B) Miscellaneous uses.

- Hazardous waste management facility.

(C) Retail and personal service uses.

- Drive-in theater.

(D) Transportation uses.

- Railroad yard, roundhouse, or shops.

(E) Utility and public service uses.

- Electrical generating plant.

- Refuse transfer station.

- Sanitary landfill.

- Sewage treatment plant.

(F) Wholesale, distribution, and storage uses.

- Auto auction.

- Livestock auction pens or sheds.

- Outside storage (without visual screening).

- Petroleum product storage and wholesale.

- Sand, gravel, or earth sales and storage.

- Vehicle storage lot.

(2) In Subdistrict A the following main use is permitted:

- Sand, gravel, or earth sales and storage.

(c) Screening.

(1) Screening of any outside storage uses and contractor's maintenance yards, as defined by the City of Dallas Development Code, must be provided as follows:

(A) Where the property abuts Newberry Street or Crown Road solid screening is required between the outside storage and the street-rights-of-way.

(B) Solid screening is required between the outside storage and the north line of the property.

(C) Solid screening may be either a solid fence or a building.

(D) Screening provided by a fence must be a minimum of six feet in height and is prohibited in a visibility triangle area.

(E) Access to any portion of the property is permitted through the screening fence.

(F) Outside storage higher than six feet is prohibited within 15 feet of the required screening.

IV.

That the preceding amendment was made following notice and public hearing before the City Plan Commission and City Council of the City as required in the Original Restrictions, and notice of such public hearing was given as would have been required by law for a zoning change on the Property. The Owner must file this instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment becomes effective.

V.

That the Owner certifies and represents that there are no liens or mortgages, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

VI.

That the invalidation of any provision in this instrument by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.

VII.

That it is expressly stipulated and understood that the preceding amendment of restriction number(s) _____ accomplished hereby shall in no manner operate to impair or reduce the enforceability of the Original Restrictions, as originally written, and that all restrictions and provisions contained in the deed restriction instrument dated _____, and recorded in Clerk's File No. _____ of the Deed Records of _____ County, Texas, shall remain in full force and effect except as amended by Paragraph III of this instrument. Furthermore, it is expressly stipulated and understood that all provisions contained in the aforementioned deed restriction instrument apply to this instrument as if recited herein.

EXISTING VOLUNTEERED DEED RESTRICTIONS

Z101-391

THE STATE OF TEXAS)
)
COUNTY OF DALLAS)

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, 11507 Newberry, LLC , a Corporation ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the William M. Cockran Survey, Abstract No. 279 , City Block 6555 , City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Piccagli Associates, Ltd. , by deed dated January 20, 2011 , and recorded in instrument number 201100024335 , in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

11507, 11509, 11511 Newberry Street and 2111 Crown Road

Being a tract of land in the William M. Cochran Survey, Abstract No. 279, Dallas County, Texas and being part of the Dallas City Block No. 6555 and being the same tract described in a deed recorded in Volume 83173, Page 3330, Deed Recorded, Dallas County, Texas and being more particularly described as follows:

Beginning at an "X" set in concrete at the Northeast corner of an easement for vehicular traffic, drainage, and utilities granted to the City of Dallas as recorded in Volume 84110, Page 2230, Deed Records, Dallas County, Texas, said point being in the Old West line of Newberry Street;

THENCE, South 00 degrees, 40 minutes, 42 seconds East a distance of 202.36 feet to an "X" set in concrete on the West right of way line of Newberry Street;

THENCE, South 88 degrees, 05 minutes, 28 seconds West a distance of 147.00 feet to an "X" cut for corner;

THENCE, South 88 degrees, 05 minutes, 18 seconds West a distance of 6.00 feet to an "X" cut for corner;

THENCE, South 00 degrees, 40 minutes, 42 seconds East a distance of 106.51 feet to a 5/8 inch iron rod set for corner;

THENCE, South 88 degrees, 10 minutes, 29 seconds West a distance of 254.50 feet to a 5/8 inch iron rod set for corner;

THENCE, North 33 degrees, 31 minutes, 23 seconds West a distance of 25.10 feet to a 5/8 inch iron rod set for corner;

THENCE, North 04 degrees, 30 minutes, 05 seconds East a distance of 190.56 feet to a 1/2 inch iron rod;

THENCE, North 04 degrees, 30 minutes, 41 seconds East a distance of 27.50 feet to a 1/2 inch iron rod;

THENCE, N 55 degrees, 13 minutes, 19 seconds West a distance of 26.10 feet to a 5/8 inch iron rod set for corner;

THENCE, North 16 degrees, 29 minutes, 14 seconds East a distance of 17.65 feet to and iron rod set for corner;

THENCE, South 89 degrees, 26 minutes, 00 seconds East a distance of 208.77 feet to a 5/8 inch iron rod set for corner;

THENCE, North 04 degrees, 38 minutes, 41 seconds East a distance of 137.00 feet to a 5/8 inch iron rod set for corner;

THENCE, North 89 degrees, 26 minutes, 00 seconds East a distance of 208.77 feet to a 5/8 inch iron rod set for corner;

THENCE, South 04 degree, 38 minutes, 41 seconds West a distance of 84 feet to a 5/8 inch iron rod set for corner

THENCE, North 89 degrees, 33 minutes, 25 seconds East a distance of 412.86 feet to the POINT OF BEGINNING, containing 3.24 acres more or less.

II.

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

- (1) The following uses are prohibited:
 - (A) Industrial uses.
 - Industrial (outside) potentially incompatible.
 - Metal salvage facility.
 - Mining.
 - Outside salvage or reclamation.
 - (B) Miscellaneous uses.
 - Hazardous waste management facility.
 - (C) Retail and personal service uses.
 - Drive-in theater.
 - (D) Transportation uses.
 - Railroad yard, roundhouse, or shops.
 - (E) Utility and public service uses.
 - Electrical generating plant.
 - Refuse transfer station.
 - Sanitary landfill.
 - Sewage treatment plant.
 - (F) Wholesale, distribution, and storage uses.
 - Auto auction.
 - Livestock auction pens or sheds.
 - Outside storage (without visual screening).
 - Petroleum product storage and wholesale.
 - Sand, gravel, or earth sales and storage.

-- Vehicle storage lot.

(2) Screening of any outside storage uses and contractor's maintenance yards, as defined by the City of Dallas Development Code, must be provided as follows:

(A) Where the property abuts Newberry Street or Crown Road solid screening is required between the outside storage and the street-rights-of-way.

(B) Solid screening is required between the outside storage and the north line of the property.

(C) Solid screening may be either a solid fence or a building.

(D) Screening provided by a fence must be a minimum of six feet in height and is prohibited in a visibility triangle area.

(E) Access to any portion of the property is permitted through the screening fence.

(F) Outside storage higher than six feet is prohibited within 15 feet of the required screening.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

VI.

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VII.

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

VIII.

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

IX.

Unless stated otherwise in this document, the definitions and provisions of Chapter 51A of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

X.

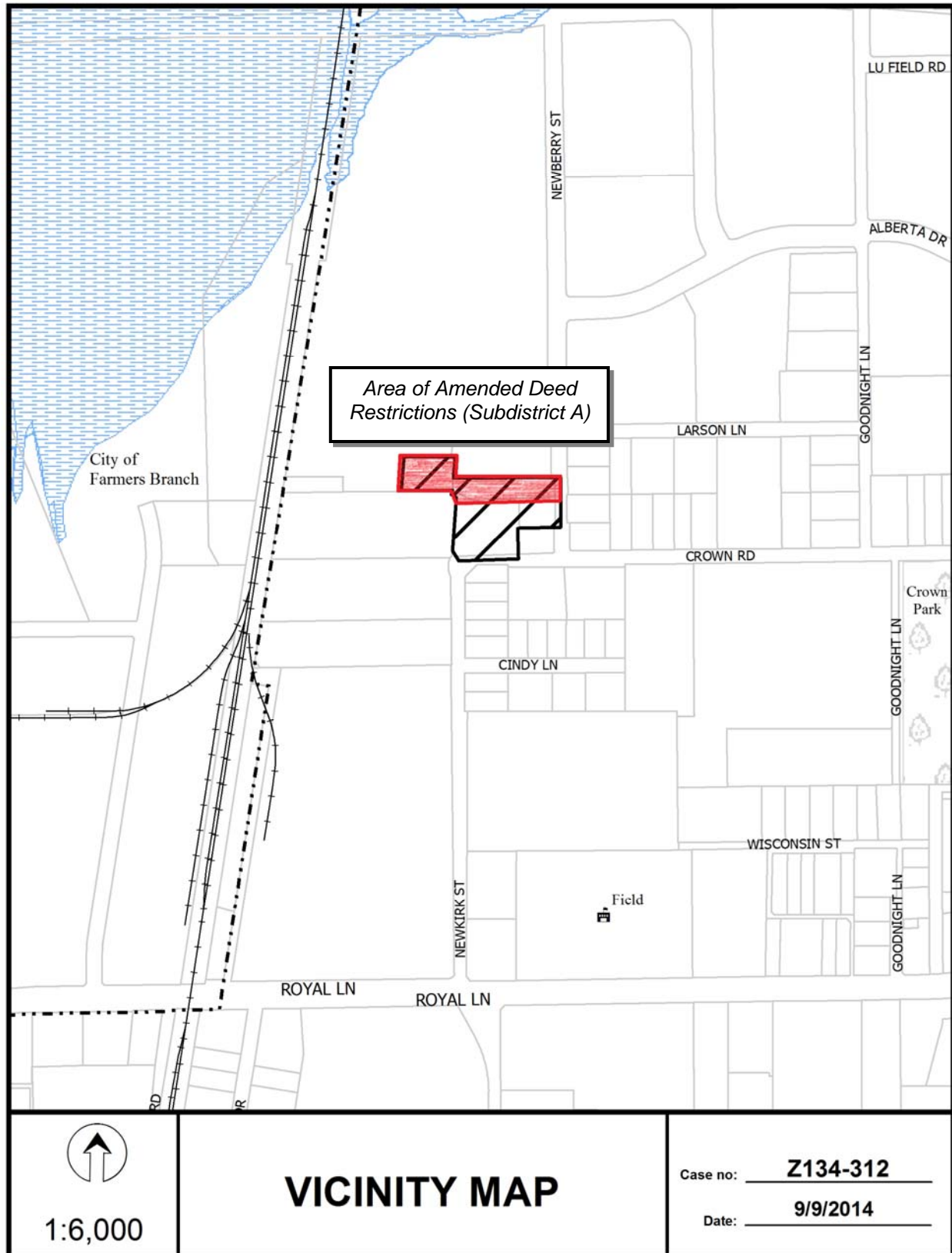
The Owner understands and agrees that this document shall be governed by the laws of the State of Texas.

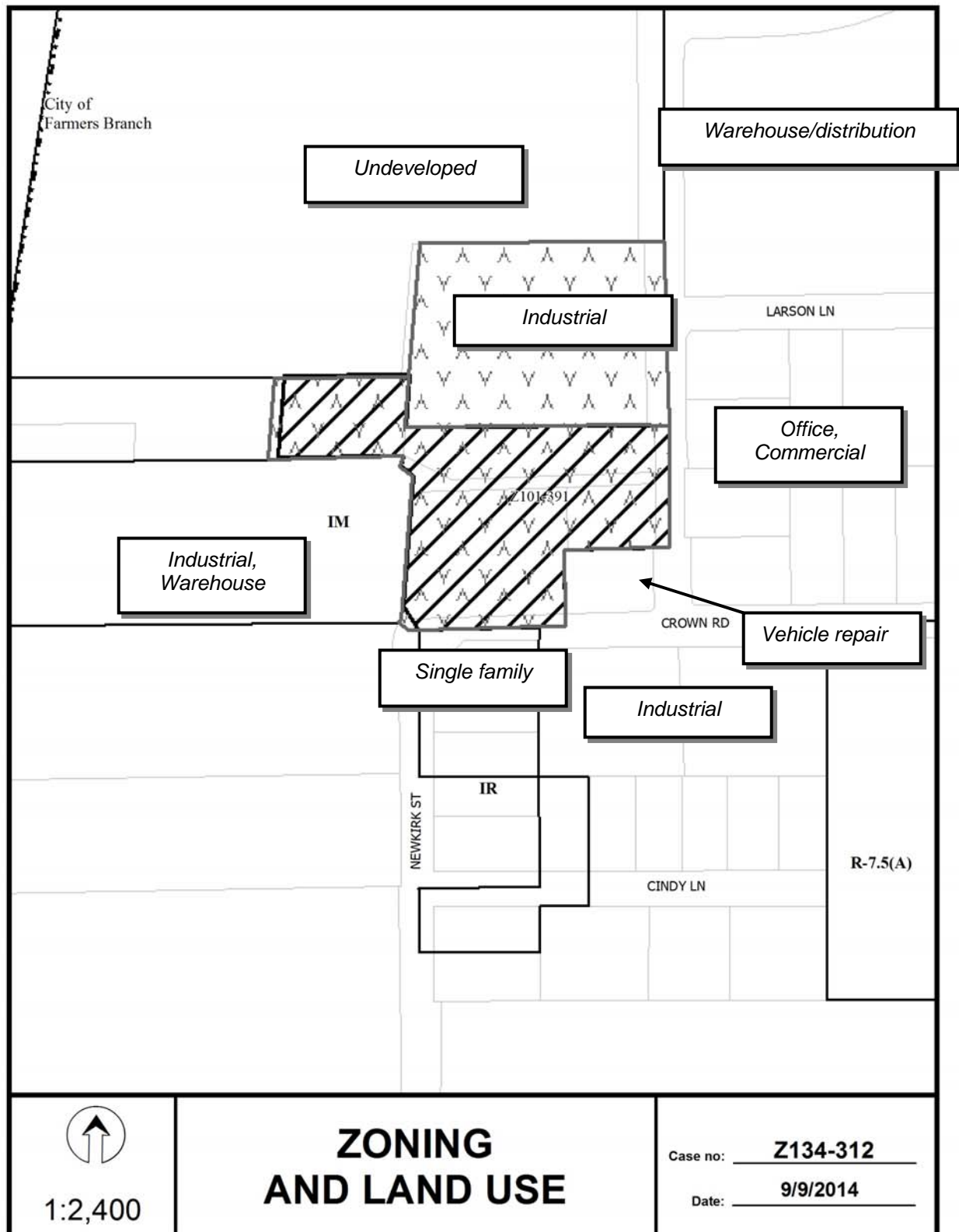
XI.

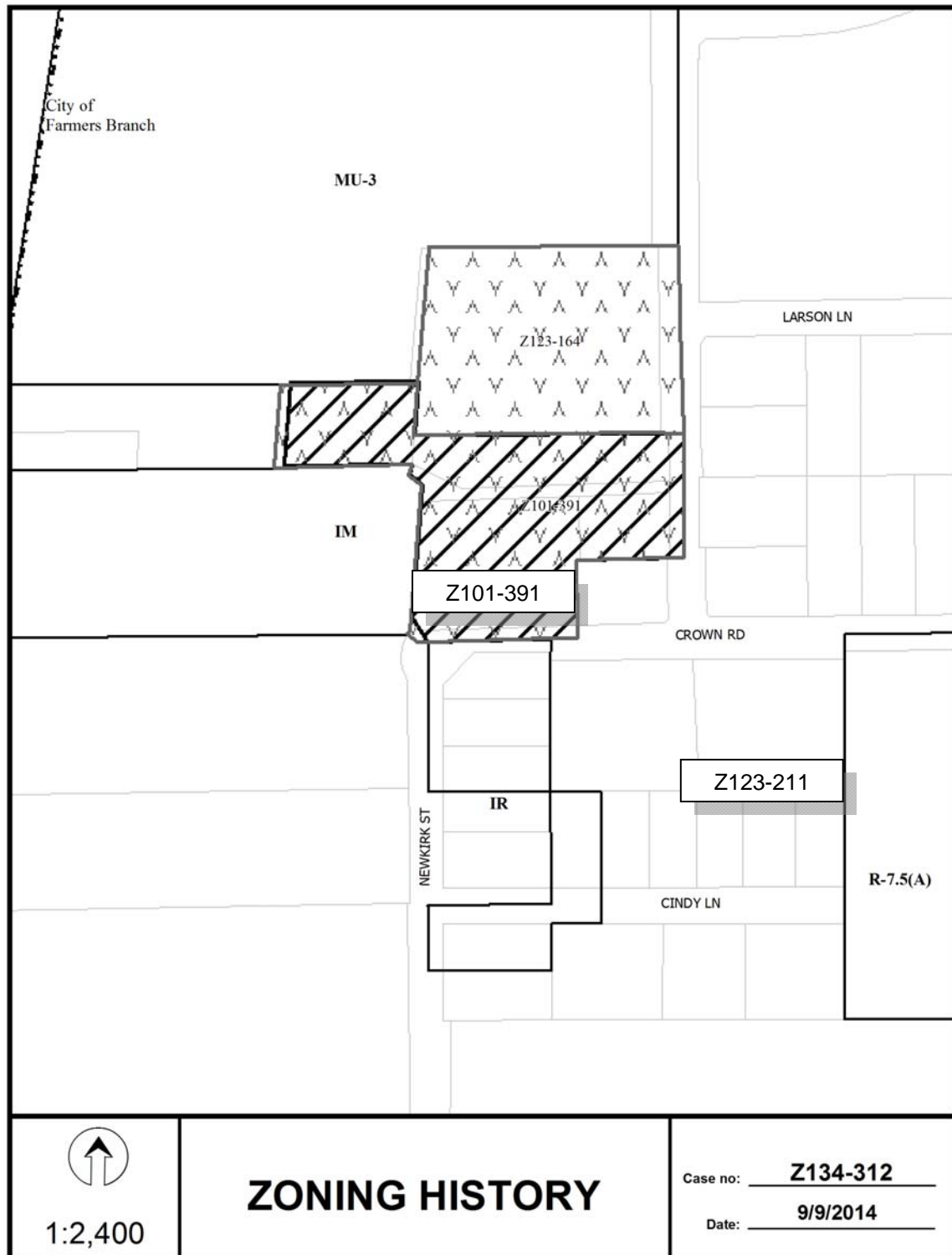
The Owner certifies and represents that there are no mortgages or liens, other than liens for ad valorem taxes, against the Property if there are no signatures of mortgagees or lienholders subscribed below.

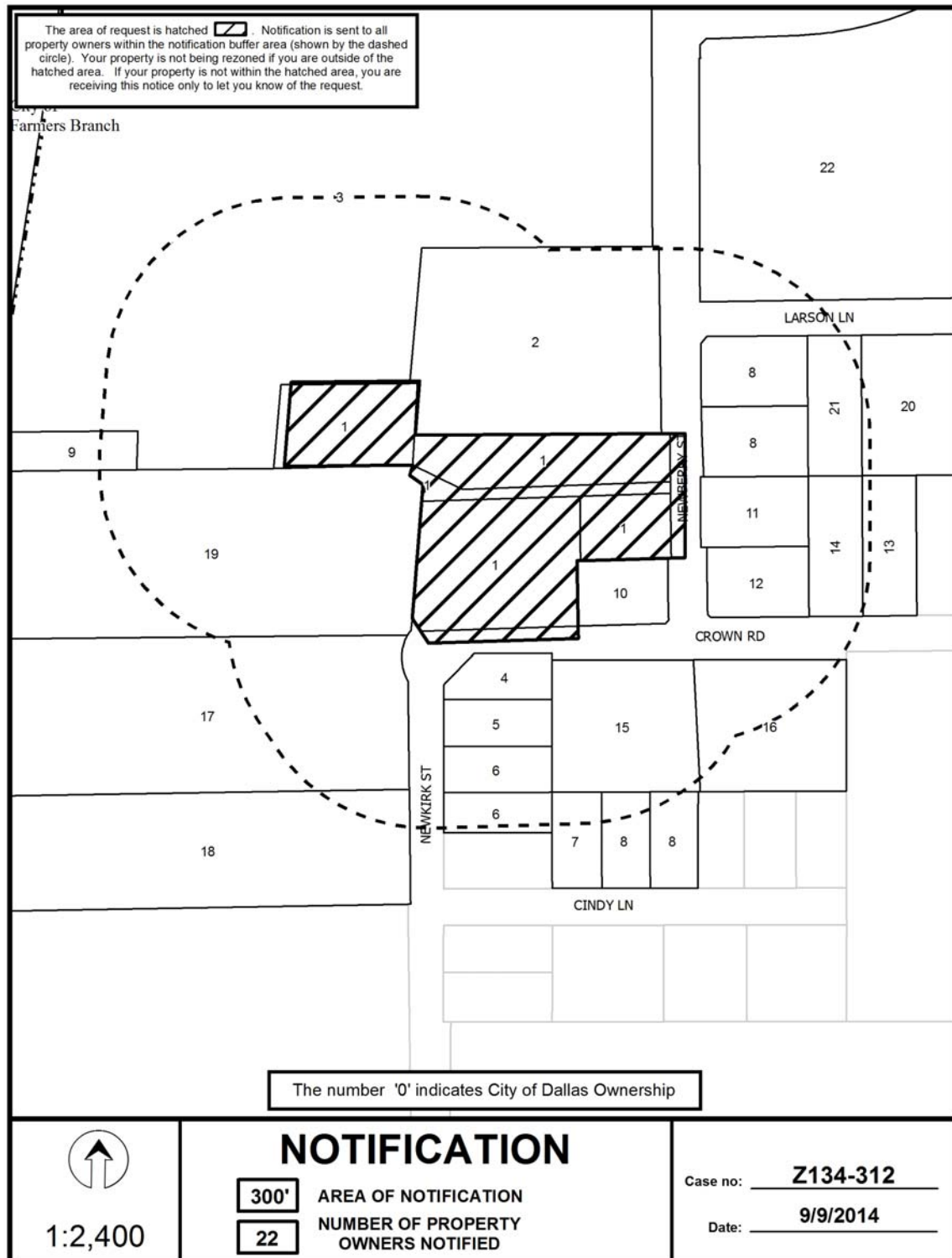
XII.

The invalidation of any provision in this document by any court shall in no way affect any other provision, which shall remain in full force and effect, and to this end the provisions are declared to be severable.









09/09/2014

Notification List of Property Owners***Z134-312******22 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11509 NEWBERRY ST	11507 NEWBERRY LLC
2	11517 NEWBERRY ST	11517 NEWBERRY LP
3	11645 NEWBERRY ST	OCEAN BEACH PARTNERS LP
4	2104 CROWN RD	EVANS EVELYN
5	11462 NEWKIRK ST	MARTIN DORSEY W
6	11460 NEWKIRK ST	ARBOR ASSOCIATES INC
7	2117 CINDY LN	KELLEY JOHN
8	2133 CINDY LN	CAVER FAMILY TRUST
9	11513 NEWBERRY ST	ADRMICH LTD
10	2127 CROWN RD	LANKKENAU KIP & DEBRA
11	11506 NEWBERRY ST	BIGVAND MASTANEH
12	2211 CROWN RD	MARTINEZ ROLAND
13	2223 CROWN RD	STEVENS JACK FAMILY LIMITED PARTNERSHIP
14	2217 CROWN RD	STEVENS JACK G FAMILY LMT PARTNERSHIP
15	2128 CROWN RD	SPADARO HOLDINGS LLC
16	2218 CROWN RD	CROWN ROYAL REAL EST
17	11455 NEWKIRK ST	ML CAPITAL LTD
18	11453 NEWKIRK ST	BCK PROPERTIES JOINT
19	2101 CROWN RD	GATLIN DENTON
20	2232 LARSON LN	LARSON INVESTMENTS INC
21	2224 LARSON LN	STEVENS JACK G FAMILY LIMITED PARTNERSHIP
22	11550 NEWBERRY ST	PROLOGIS MACQUARIE TEXAS

FILE NUMBER: Z123-332(RB)**DATE FILED:** May 23, 2013**LOCATION:** Area generally bounded by Fitzhugh Avenue, Bennett Avenue, and Manett Street**COUNCIL DISTRICT:** 2**MAPSCO:** 35 V, Z**SIZE OF REQUEST:** Approx. 5.36 Acres**CENSUS TRACT:** 9**APPLICANT:** JLB Partners**REPRESENTATIVE:** Britton Church**OWNERS:** See Attached**REQUEST:** An application for an amendment to Planned Development District No. 820.

SUMMARY: The applicant is requesting an amendment to the existing Planned Development District for consideration of revised development standards. On August 13, 2014, the City Council remanded the request back to CPC for consideration of the new developer's vision. The previous applicant requested amendments to provide for revisions to the residential proximity, off-street parking, and criteria for required nonresidential uses. The requested amending conditions submitted by the applicant will address the following: 1) setbacks; 2) structure height; 3) on-street parking; 4) residential proximity slope regulations; and, 5) Mission Avenue improvements. The request site is developed with retail structures, partially occupied. The applicant proposes to redevelop the site with a mix of uses, heavily influenced by multifamily, consistent with the vision when the PDD was initially considered.

STAFF RECOMMENDATION: Approval, subject to a development plan and revised conditions, and termination of the existing conceptual plan.

PRIOR CPC ACTION: On October 23, 2014, the City Plan Commission held this request under advisement until November 6, 2014.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to a development plan and revised conditions based upon:

1. *Performance impacts upon surrounding property* – As a proposed mixed use development, impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – The previously approved traffic impact analysis (September, 2009) submitted with the application that created this PDD is still relative and supported by the city's Engineering Department.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.
4. Subject to staff's recommended amending conditions, the request maintains the vision of the initial rezoning, while maintaining a sense of scale (of development). Furthermore, staff is supporting only those amending conditions that do not lessen compatibility with adjacent residential uses.

BACKGROUND:

- On April 14, 2010, the City Council approved the creation of PDD No. 820.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z056-262	An MF-2(A) District on property zoned an MF-1(A) District. Approved by the City Council on August 23, 2006.
2. Z067-185	A PDD for MF-2(A) District Uses on property zoned an MF-2(A) District and a CR District. Approved by the City Council on August 8, 2007.
3. Z067-318	NSO (Cochran Heights). Approved by the City Council on January 9, 2008.

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Bennett Avenue	Local; 60' ROW
Homer Street	Local; 45' ROW
Mission Avenue	Local; 45' ROW
Mannett Street	Local; 50' ROW
Fitzhugh Avenue	Minor Arterial; 100' ROW

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction reviewed a traffic impact analysis submitted in conjunction with the initial request in September, 2009. That TIA was based on a build out of 350 multifamily dwelling units, 25,000 square feet of floor area for retail uses, and 25,000 square feet of floor area for office uses. As no new development is proposed nor has there been any changes in land use or trip generations throughout the immediate area, engineering staff is comfortable with its relevance at this time. Certain roadway improvements and notes regarding ingress/egress (on the approved conceptual plan) were required. At this time, the applicant has revised its vision for the presence of ground level retail uses within Tracts 1A and 1B, thus the attached roadway improvements are being revised to provide a safer pedestrian accessible area along Mission Avenue. Engineering staff is supportive of this, subject to approval of the Streets Department. Additionally, should the applicant wish to remove existing No Parking signs along various sections of the site's street frontage, a separate application/petition will be required. This process will require engineering staff to ensure sight lines and traffic flow are not impacted by the anticipation of introducing on-street parking.

STAFF ANALYSIS:

Comprehensive Plan: The site is located in an area considered an Urban Neighborhood. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominantly residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-

use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE 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 mix of retail uses. The applicant proposes to redevelop the site with a mix of uses, inclusive of multifamily, along with specific landscape and design criteria requirements. The City Council approved the creation of PDD No. 820 in April, 2010. In May, 2014, the previous applicant received a CPC recommendation of approval of an amendment to the PDD. Due to a change of ownership and development vision, the City Council remanded the request back to CPC in August, 2014. To date, no redevelopment of the property has been provided. As the developer of the property has changed, thus requiring certain revisions to the ordinance regulating the redevelopment, the City Council remanded this request back to CPC so as to provide for an assessment of these revisions.

The new applicant has determined certain revisions to the development standards are necessary to see the property develop, specifically: 1) setbacks; 2) structure height; 3) on-street parking; 4) residential proximity slope regulations; and, 5) Mission Avenue improvements.

As this applicant has approached the surrounding community to discuss their vision, they have agreed to proceed per the attached development plan (in lieu of previously approved conceptual plan) that provides for three tracts, all possessing street frontages. It is anticipated all ingress/egress will occur along both Bennett Avenue and Fitzhugh Avenue, with minimal impact on the local streets that serve adjacent residential uses.

An application for the abandonment of the Homer Street section between Bennett Avenue and Fitzhugh Avenue is in process, anticipated for consideration by the City Council in November, 2014. As noted on the development plan, this area will be utilized as a 'view corridor' and improved as a 'specialty paving area' (see ordinance for

definition), possessing an unobstructed width of 24 feet.

Surrounding land uses consist predominantly of low-to-medium residential uses. Various office (inclusive of financial institution) and retail uses are developed west of the site. As noted above, two of the three most recent land use requests involved an increase in development rights for residential development. The remaining request involved the enhanced stability of the Cochran Heights neighborhood via the adoption of a Neighborhood Stabilization Overlay District.

Staff has determined a mixed use development remains appropriate at this location, and is supportive of the request, subject to staff's recommended conditions and the attached development plan. Additionally, the existing conceptual plan will be terminated.

Parking: Required off-street parking is not being amended at this time. What has been presented is an ability to utilize on-street parking for anticipated retail uses. It is anticipated future retail (as is the situation with existing retail uses on the property) will continue to reach area residents outside of the anticipation of the addition of residents that will live on site. As is the situation with mixed use developments, on-street parking for these nonresidential uses will be supported; however, staff is recommending these spaces are not utilized for required parking.

Regarding the City Council's action (February, 2013) adopting the bicycle parking ordinance, existing provisions (reference to the Dallas Development Code) within this PDD will require compliance with required bicycle parking requirements.

Landscaping: The site possesses minimal plantings. The applicant is proposing landscaping to comply with Article X as well as certain pedestrian amenities as referenced in the previously approved conditions. This will provide for a focus of street level improvements not currently existing in the immediate area.

Sidewalks: The applicant will be required to provide eight-foot-wide sidewalks along the perimeter, with requirements for unobstructed widths (six feet) for all street frontages except for Mission Avenue, which will require six-foot-wide sidewalks with an unobstructed width of four feet. As support is being given to support on-street parking, these unobstructed wide sidewalks are critical to ensure safety for tenants, employees, and visitors.

Provision	Existing PDD 820	Applicant revisions	Staff comments (if appl.)
F/S/R YARD SETBACKS	15'/10'/10'	ADDL SETBACK FOR TRACT 2 ABOVE 50' FOR BENNETT FRONTAGE	
ADDITIONAL ENCROACHEMNT INTO A REQUIRED YARD	UNENCL. BALCONIES, PATIOS, AWNINGS, STAIRS, STOOPS IF <12' IN WIDTH AND <50% OF A FAÇADE	ADDITION OF RETAINING WALLS, PATIOS, STEPS, STOOPS PERMITTED TO ENCROACH	N/A
USES	CERTAIN MIXED USES	TRACTS 1A, 1B-ADDITION OF GMFS>3,500 SF	CAP GMFS> 3,500 SF AT 4,500 SF PER TENANT
DENSITY	MINIMUM DENSITY OF 30 DU/ACRE WITH MAXIMUM OF 73 DU/ACRE	N/A	N/A
STRUCTURE HEIGHT/STORIES	60' SUBJECT TO RESIDENTIAL PROXIMITY SLOPE, PLUS 12' FOR CERTAIN ELEMENTS	63' , WITH TRACT 2 ADDL SETBACK FOR 50' STRUCTURE; CERTAIN ELEMENTS MAY PROJECT; TRACT 2-RESIDENTIAL AMENITY AREA AT 75'; 4-6 STORY SECTIONS	RETAIN RPS; RESTRICT TRACT 1B TO 50' W/I 45' OF BENNETT (SAME AS APPL'S TRACT 2)
LOT COVERAGE	80%	N/A	N/A
LANDSCAPING	ARTICLE X PLUS STREET AND SITE TREE REGULATIONS	N/A	N/A
OFF-STREET PARKING	N/A	ON-STREET PARKING, SUBJECT TO STREETS DEPARTMENT APPROVAL; DOES NOT COUNT TOWARDS REQUIRED	N/A
SIDEWALKS	8' WITH 6' UNOBSTRUCTED	MISSION AVENUE-6' WITH 4' UNOBSTRUCTED	N/A
URBAN DESIGN	SEE ORDINANCE	<75% GROUND FLOOR STREET-FACING DU'S MUST POSSESS DIRECT ACCESS TO STREET; SPECIALITY PAVING AREA	N/A

Officers

JLB Partners

Bay Miltenberger
Chuck Carey
Hudson Hooks
Scott Sherwood
Kevin Ransil
Graham Brock
Steve Sockrider

Ownership Information for the Land Bounded by
Fitzhugh, Bennett and Manett

Owner	Entity	Officers
Fitzhugh Investments Attn: Chris Escobedo 1222 N. Winnetka Ave Dallas, TX 75208	Fitzhugh Investments, Inc. 717 Winding Bend Circle Highland Village, TX 75077	Rizwan Sheikh, President 717 Winding Bend Circle Highland Village, TX 75077
John Khoury 2727 Irving Blvd. Dallas, TX 75207	Individual	
Shammy Chowdhury 4912 Mission St. Dallas, TX 75206	Individual	
Joe B. Manzanares ETAL 4722 Belmont Ave. Dallas, TX 75204	Individual	
Luis Enrique Castillo and Paulina Hernandez 4920 Mission St. Dallas, TX 75206	Individual	
Maria Lopez 4926 Mission St. Dallas, TX	Individual	
Esperanza Apartments, LLC 25 Highland Park Village – Suite 100-360 Dallas, Texas 75202	Esperanza Apartments, LLC 25 Highland Park Village – Suite 100-360 Dallas, Texas 75202	The Daniel B. Stuart Trust The Kimberly L. Stuart Trust Daniel Stuart, Jr. 4401 Druid Lane Dallas, TX 75206
Fitzhugh Associates 11825 Highway 10 W. Suite # 100 San Antonio, TX 78230	Fitzhugh GP, LLC, General Partner 11825 IH 10 West - #100 San Antonio, TX 75230	Joel Katz, President Continental Concepts, General Partner of Fitzhugh GP, LLC 11825 IH 10 West - #100 San Antonio, TX 75230
Luis Martinez 2722 N. Fitzhugh Ave. Dallas, TX 75204	Individual	

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS
ARTICLE 820.
PD 820**

SEC. 51P-820.101. LEGISLATIVE HISTORY.

PD 820 was established by Ordinance No. _____, passed by the Dallas City Council on April 14, 2010.

SEC. 51P-820.102. PROPERTY LOCATION AND SIZE.

(a) PD 820 is established on property bounded by Fitzhugh Avenue, Bennett Avenue and Manett Street. The size of PD 820 is approximately ~~4.78~~ 5.36 acres.

(b) This district is divided into ~~two~~ three tracts: Tract 1A, Tract 1B, and Tract 2. ~~, and Tract 2A.~~

SEC 51P-820.103. DEFINITIONS AND INTERPRETATIONS.

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

(1) MIXED USE PROJECT means a development on one building site with a combination of a residential use and one or both of the following: office, ~~residential~~, and retail and personal service uses. For purposes of this definition, the entire Property is considered one building site.

(2) 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.

(3) ORIGINAL BUILDING means a building in existence on April 14, 2010, the date of creation of this district.

(4) PRIVATE OPEN SPACE means an area that is open to all occupants of the building and is unobstructed to the sky except structures that are not fully enclosed such as colonnades, pergolas, and gazebos are allowed.

(5) RESIDENTIAL ROOFTOP AMENITY AREA means a social and recreational area limited to use by residents of the Property, located on the roof of a structure that is principally open to the sky, but provides for a maximum of 3,000 square feet of floor area, and includes landscaping and other amenities.

(6) SPECIALTY PAVING AREA means an area intended for pedestrian or vehicular use consisting of nonpermeable decorative pavement material. Examples

of a specialty paving area include brick or stone pavers, exposed aggregate concrete, and stamped and stained concrete.

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

(c) Tracts 4 1A and 1B are considered to be nonresidential zoning districts. Tract 2A is considered to be a residential zoning district.

SEC. 51P-820.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 820A: ~~conceptual~~ development plan.

~~SEC. 51P-820.105. CONCEPTUAL PLAN.~~

~~Development and use of the Property must comply with the conceptual plan (Exhibit 820A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.~~

SEC. 51P-820.106 5. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

SEC. 51P-820.107 6. MAIN USES PERMITTED.

(a) Tract 4-1A and 1B.

(1) Agricultural uses.

None permitted

(2) Commercial and business service uses.

- Catering service.
- Custom business services.

(3) Industrial uses.

- None permitted.

(4) Institutional and community service uses.

- Adult day care facility. [SUP]
- Child-care facility. [SUP]
- Church.
- Community service center. [SUP]

- Library, art gallery, or museum.

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [SUP]
- Office.

(8) Recreation uses.

None permitted.

(9) Residential uses.

- Duplex. *[Allowed as part of a mixed-use project if the total floor area for nonresidential uses exceeds 20,000 12,000 square feet.]*

- Handicapped group dwelling unit. *[See Section 51A-4.209(3.1). Allowed as part of a mixed-use project if the total floor area for nonresidential uses exceeds 20,000 12,000 square feet.]*

- Multifamily. *[Allowed as part of a mixed-use project if the total floor area for nonresidential uses exceeds 20,000 12,000 square feet.]*

- Single family. *[Allowed as part of a mixed-use project if the total floor area for nonresidential uses exceeds 20,000 12,000 square feet.]*

(10) Retail and personal service uses.

- Alcoholic beverage establishments. *[SUP if greater than 3,000 square feet of floor area.]*

- Commercial amusement (inside). [SUP]

- Commercial parking lot or garage. *[Prohibits any off-site use requiring a shared or remote parking agreement to utilize this use on the Property. RAR]*

- 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

- Nursery, garden shop, or plant sales.

- Personal service uses.

- Restaurant without drive-in or drive-through service.

- Temporary retail use.

(11) Transportation uses.

- None permitted.

(12) Utility and public service uses.

- None permitted.

(13) Wholesale, distribution, and storage uses.

- None permitted.

(b) Auto service center uses and liquor store uses in Tract 1A and 1B. Auto service center uses and liquor store uses in Tract 1A and 1B with a valid certificate of occupancy on April 14, 2010 are nonconforming uses subject to the following regulations:

(1) The floor area may not be expanded to exceed the floor area existing on April 14, 2010.

(2) The right to operate ceases if the use is discontinued for a period of six months or more. The Board of Adjustment may grant a special exception to this provision only if the owner can show that there was a clear intent not to abandon the use even though the use was discontinued for six months or more.

(3) The right to operate ceases when the structure housing the use is destroyed by the intentional act of the owner or his agent.

(c) Tracts 2 and 2A. The following uses are allowed by right:

(1) Residential uses.

- Duplex.
- Handicapped group dwelling unit.
- Multifamily.
- Single family.

(2) Retail and personal service uses.

- Commercial parking lot or garage. [RAR]

~~(2) The following uses are allowed if the nonresidential use occupies at least 10 percent of the total floor area of all uses developed on Tracts 2 and 2A combined:~~

~~(A) Commercial and business service uses.~~

- ~~- Catering service.~~
- ~~- Custom business services.~~

~~(B) Institutional and community service uses.~~

- ~~- Adult day care facility. [SUP]~~
- ~~- Child care facility. [SUP]~~
- ~~- Church.~~

- ~~—Community service center. [SUP]~~
- ~~—Library, art gallery or museum.~~
- (C) ~~—Miscellaneous uses.~~
 - ~~—Temporary construction or sales office.~~
- (D) ~~—Office uses.~~
 - ~~—Financial institution without drive-in window.~~
 - ~~—Office.~~
- (E) ~~—Retail and personal service uses.~~
 - ~~—Alcoholic beverage establishments. [SUP]~~
 - ~~—Commercial amusement (inside). [SUP]~~
 - ~~—Commercial parking lot or garage.~~
 - ~~—Dry cleaning or laundry store.~~
 - ~~—Furniture store.~~
 - ~~—General merchandise or food store 3,500 square feet or less.~~
 - ~~—Personal service uses.~~
 - ~~—Restaurant without drive-in or drive-through service.~~
 - ~~—Temporary retail use.~~

SEC. 51P-820.108 7. ACCESSORY USES.

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

(b) The following accessory use is not permitted:

- Accessory helistop.

(c) The following accessory use is permitted by SUP only:

- Pedestrian skybridge. *[Only allowed between Tracts 1B and 2)*

SEC. 51P-820.109 8. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Front yard. Except as provided in this subsection, ~~M~~ a minimum front yard is 15 feet.

(1) Minimum front yard on Mission Avenue is 10 feet.

(2) Steps, retaining walls, stoops, and patios may encroach five feet into the required front yard.

(3) Balconies affixed to the building or part of the foundation may project up to five feet into required front yards with a minimum of eight feet of clearance above the sidewalk.

(4) Window sills, belt courses, cornices, chimneys, and other architectural features may project three feet into the required front yard.

Applicant requested:

<u>(5) For Tract 2, minimum setback along Bennett Avenue for any portion of a structure exceeding 50 feet is 45 feet.</u>

Staff recommended:

<u>(5) For Tract 1B and Tract 2, minimum setback along Bennett Avenue for any portion of a structure exceeding 50 feet is 45 feet.</u>
--

(b) Side and rear yard.

(1) Except as provided in this subsection, minimum side and rear yard is 10 feet.

(2) No side and rear yard is required for single family uses.

(3) Steps, retaining walls, stoops, and patios may encroach five feet into the required side yard and rear yard.

(c) Density.

(1) Maximum dwelling unit density is 73 units per acre.

(2) Minimum dwelling unit density for multifamily uses is 30 units per acre.

(3) The Property is considered one lot for purposes of calculating density.

(d) Floor area ratio.

(1) Except as provided in this subsection, ~~M~~ maximum floor area ratio for all uses combined is 3.0.

(2) A minimum of 12,000 square feet of non-residential uses must be provided on the Property.

Applicant requested:

<u>(3) For a general merchandise or food store use greater than 3,500 square feet, no single use can exceed 15,000 square feet.</u>

Staff recommended:

(3) For a general merchandise or food store use greater than 3,500 square feet, no single use can exceed 4,500 square feet.

(4) Tract 2. Maximum floor area for the residential rooftop amenity area is 3,000 square feet.

(e) Height.

Applicant requested:

(1) Except as provided in this subsection, maximum structure height is ~~60~~ 63 feet.

(2) The following projections may exceed the maximum structure height as described below:

(A) Elevator penthouse/bulkhead, stair overruns and a residential rooftop amenity area on Tract 2 may exceed the maximum structure height by 12 feet and must be located a minimum of 50 feet from the property line.

(B) Chimney, vent stacks and parapet walls may exceed the maximum structure height limit by three feet.

(3) Tract 2. Maximum structure height for the residential rooftop amenity area is 75 feet in the location as shown on the development plan.

(4) The residential proximity slope does not apply to this district.

Staff recommended:

(1) Except as provided in this subsection, maximum structure height is ~~60~~ 63 feet.

(2) If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through a slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(3) Tract 1A. Maximum structure height is 26 feet.

(f) Lot coverage.

(1) Maximum lot coverage is 80 percent. For purposes of this subsection, the Property is considered one lot.

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

(g) Lot size.

(1) Minimum lot size for handicapped group dwelling unit and single family uses is 2,000 square feet.

(2) Minimum lot size for duplex uses is 4,000 square feet.

(3) No minimum lot size for other uses.

(h) Stories.

(1) Except as provided in this subsection, no maximum number of stories.

(2) Tract 1A. Maximum number of stories is two.

(3) Tract 1B.

(A) Maximum number of stories is five.

(B) Maximum number of stories for a parking structure is six.

(4) Tract 2.

(A) Maximum number of stories for residential uses within 45 feet of Bennett Avenue is four. Maximum number of stories for residential uses for the remaining portion of Tract 2 is five.

(B) Maximum number of stories for a parking structure is six.

(i) Architectural features.

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

(2) Unenclosed balconies, unenclosed patios, awnings, stairs, retaining walls, and stoops may project up to six feet in the required front, side, or rear yard setbacks if the encroachment does not exceed 42 15 feet in width. The total area of these encroachments is limited to 50 percent of the area of any facade.

(3) Roof-mounted mechanical equipment must be set back or screened from the building edge so that they are not visible as measured from six feet above the pavement on the opposite side of any adjacent right-of-way.

SEC. 51P-820.110 ~~9~~. DWELLING UNIT MIX.

The following dwelling unit mix must be achieved across the district:

- (1) One-bedroom units: At least 55% of total units.
- (2) Two-bedroom units: No more than 35% of total units.
- (3) Three or more bedroom units: No more than 15% of total units.

SEC. 51P-820-114 ~~0~~. OFF-STREET PARKING AND LOADING.

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

(b) For residential uses, 1.3 parking spaces are required per dwelling unit.

(c) The Property is considered one lot for off-street parking purposes, except that a minimum of one off-street parking space per dwelling unit must be provided on the building site in which the dwelling unit is located.

(d) Required residential off-street parking that is not located on the building site must be located:

(1) within a structure connected by a pedestrian sky bridge or an above-grade pedestrian-walkway to the building site on which the dwelling unit is located; or

(2) on an abutting building site.

(e) For nonresidential uses, required off-street parking that is not located on the building site must be located within a walking distance of 600 feet from the use served by the parking. The distance may be increased to 800 feet, subject to approval of the building official, unless the extension would:

(1) significantly discourage patrons of the use from using the remote parking;

(2) unreasonably endanger the safety of persons or property; or

(3) not otherwise be in the public interest.

(f) On-street parking must be approved by the director of the streets department and cannot count towards required off-street parking.

(g) No off-street parking is required for any floor area provided as part of a residential rooftop amenity area.

SEC. 51P-820.112 1. ROADWAY IMPROVEMENTS.

~~Prior to approval of a final plat for any portion of Tracts 2 or 2A, the following must be provided, with final design and construction approved by the director of public works and transportation:~~

- ~~(1) A continuous left turn lane on Mission Avenue.~~
- ~~(2) A dedicated left turn lane on northbound Mission Avenue at Bennett Avenue.~~
- ~~(3) A dedicated left turn lane on Southbound Mission Avenue at Bennett Avenue.~~
- ~~(4) A dedicated left turn at Mission Avenue at Fitzhugh Avenue.~~

Before the issuance of a certificate of occupancy on either Tract 1B or Tract 2, Mission Street is to be improved and restricted to two lanes, with two-way traffic. The roadway is to be reduced to 24 feet in width as a means of “calming” the traffic through this area. Parallel parking spaces may be provided on both sides of the street, subject to approval by the streets department.

SEC. 51P-820.113 2. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-820-114 3. LANDSCAPING.

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

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

(c) Parkway trees.

(1) Tree planting zone. Parkway trees must be located within the tree planting zone. The tree planting zone is the area parallel to and between the curb and the sidewalk. Trees planted within the tree planting zone may count toward site tree and street tree requirements. Any tree planted within 18 inches of pavement must have a tree grate.

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

(3) Type. Parkway trees must be a type that is recommended for local area use by the building official. Small trees are required underneath overhead power lines.

(4) Height and caliper. Parkway trees must have a minimum height of 14 feet and a minimum caliper of three-and-one-half inches measured at a point 12 inches above the root ball at the time of planting. If there is a conflict between the height of the trees required at planting and overhead power lines, the building official may approve acceptable trees to be planted under the overhead power lines.

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

(6) Structural soil. Structural soil is required to be used under sidewalks for all large trees.

(7) Planting areas. Planting areas must be a minimum of 25 square feet per tree.

(d) Sidewalks.

(1) A minimum eight-foot-wide sidewalk with at least six feet of unobstructed width must be provided along Bennett Avenue, Manett Street, and Fitzhugh Avenue.

(2) A minimum six-foot-wide sidewalk with at least four feet of unobstructed width must be provided along Mission Avenue.

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

(e) Landscaping features. Decorative landscaping features, including fountains, are permitted in parking lots.

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

(g) ~~Private license granted~~.

~~(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping and pedestrian amenity requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the~~

~~licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right of way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.~~

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

~~(3) Upon the installation of landscaping and related amenities, such as irrigation systems or pedestrian amenities, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, 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.~~

~~(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping pedestrian amenities and related landscape amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, pedestrian amenities, related landscape amenities, or the premises. The granting of a license for landscaping, pedestrian amenities, and related landscape amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, pedestrian amenities, and related landscape amenities in the public right-of-way.~~

~~(h) Parkway landscape permit.~~

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

~~(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed~~

~~will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.~~

~~(3) A property owner is not required to comply with any parkway landscaping or pedestrian amenity requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.~~

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

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

SEC. 51P-820.115 4. URBAN DESIGN GUIDELINES.

(a) Mandatory design requirements. Plans for new construction or a major modification of a structure must incorporate the following mandatory requirements:

(1) Crime prevention through environmental design. Principles of Crime Prevention Through Environmental Design (CPTED) must be integrated to the maximum extent possible for all construction requiring a building permit. A copy of the CPTED manual may be obtained from the Department of Sustainable Development and Construction, or contact the building inspection plans examiner for information on CPTED review standards.

(2) Fluorescent colors. Fluorescent colors are prohibited on the exterior of any structure.

(3) Use of metals on facades. Facades incorporating corrugated and extruded metals are prohibited if the area covered by these materials totals more than 50 percent of the total facade area.

(4) Facade openings. The percentage of a front facade containing openings must be between 10 and 90 percent. For purposes of this paragraph, "front facade" means any facade facing a street.

(5) Reflective glass. The maximum permitted visible reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The visible reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The visible reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent.

(6) Facade materials. Excluding openings, all building facades must be constructed of stone, brick, glass block, tile, cast metal, concrete, stucco, materials giving the appearance of concrete or stucco, or cast stone. Any facade visible from the street utilizing concrete, stucco, or materials giving the appearance of concrete or stucco as a primary facade material must incorporate accent materials such as stone, brick, glass block, tile, or cast metal on a minimum of 10 percent of that facade area, excluding windows and doors.

(7) Parking structures. All aboveground parking structures must be wrapped by a building or have a facade that is similar in materials and appearance to the facade of the main structure the parking serves. Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property to the east and shining into the airspace above neighboring property by a minimum four foot wall. Above the first floor, and on the first floor facing Cochran Heights, all openings in the aboveground parking structure facade must be screened except for vehicle access. Screening may include architectural grill work or other materials that provide ventilation, unless the parking structure is considered "enclosed" with the required ventilation devices in which case the exterior walls can be completely solid.

(8) Lighting. Exterior lighting must be decorative. Lighting must be directed downward and away from adjacent properties. At least two decorative street lamps are required per block.

(c) Design options. Plans for new construction or a major modification of a structure must incorporate at least two of the following design options:

(1) Retail uses. A minimum of one-half of the ground floor area is allocated to retail uses.

(2) Awning or arcade. Provide an awning or arcade which covers a minimum of one-half of the length of the non-residential facade facing a street. To qualify, the arcade or awning must have a minimum depth of three-and-one-half feet.

(3) Public art. Provide public art that is visible from the street at all times.

(4) Seasonal color. Provide a landscape area for seasonal color that is the size of a minimum of one-half of a square foot multiplied by the number of feet of frontage the property has. The plants in the landscape area must be changed at least twice a year with appropriate seasonal colors. 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.

(5) Water features. Provide a water feature such as a fountain, pool, mechanical water jet, or similar water device. The water feature must be visible from a public right-of-way.

(1) Flags and banners. Provide flags and banners with a combined effective area equal to 10 percent of the building first floor facade area. To qualify, the flags or banners may not fall within the definition of "sign" contained in Article VII.

(2) Ground floor light fixtures. Provide decorative light fixtures that frame a ground floor entry or create a repeating motif along the facade of the ground floor.

(8) Pedestrian seating. Provide pedestrian seating in an area that covers one-half of the width of the building.

(9) Paving materials. Cover 50 percent of the outdoor walkway area accessible to the public with decorative pavement. For purposes of this paragraph, "decorative pavement" means pavers of colored concrete, brick, or stone.

(10) Open space. Allocate 100 square feet of the required front yard to open space. For purposes of this paragraph, "open space" means a space containing no structures or pavement at or above grade. Open space must contain, at a minimum, grass or other natural vegetation.

(11) Ground floor street-facing dwelling units. A minimum of 75 percent of the total ground floor street-facing dwelling units must have individual entries that access the street and must have an improved path connecting to the sidewalk. The improved path may be constructed of concrete, decomposed granite, or other similar material.

(12) Before the issuance of a certificate of occupancy for either Tract 1A or 1B, the specialty paving area must be provided with final design and construction approved by the building official.

SEC.51P-820.116 5. SIGNS.

(a) Signs must comply with the provisions for business zoning districts in Article VII.

(b) Blade signs projecting over the sidewalk are permitted if an eight foot clearance above the sidewalk is provided.

SEC 51P-820.117 6. NOTICE OF APPLICATIONS TO PRIVATE ENTITIES.

A copy of any application for a change in zoning; an approval or amendment of a conceptual plan, development plan, or landscape plan; a minor amendment; or a variance or special exception must be submitted by certified mail to the designated representative of the Cochran Heights Homeowner Association at the address on the city's early notification list at least 30 days prior to the submission to the city.

SEC. 51 P-820.118 7. ADDITIONAL PROVISIONS.

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

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

(c) No sidewalk waivers or variances are permitted.

(d) Tracts 1B and 2.

(1) Residential rooftop amenity area are prohibited within 45 of Bennett Avenue.

Applicant requested:

(2) <u>Rooftop patios and seating areas for nonresidential uses are prohibited.</u>

Staff recommended:

(e) <u>Rooftop patios and seating areas for nonresidential uses are prohibited.</u>

(f) Tract 1B Open Space. For any street facing fence section, fences above three feet in height must be a minimum of 60 percent open area.

(g) Tract 2 Residential Rooftop Amenity Area. Outside amplification is prohibited.

SEC. 51 P-820.119 8. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

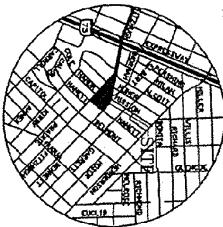
~~SEC. 51P-820.120. ZONING MAP.~~

~~PD 820 is located on Zoning Map Nos. 1-7 and 1-8.~~

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

Development Table	TRACT 1A	TRACT 1B	TRACT 2
Standard	26	63	63
Maximum Height	26	63	63
Maximum Slope	2	5	5
Qualified Structures	2	5	5
Trailing Structures	0	6	6

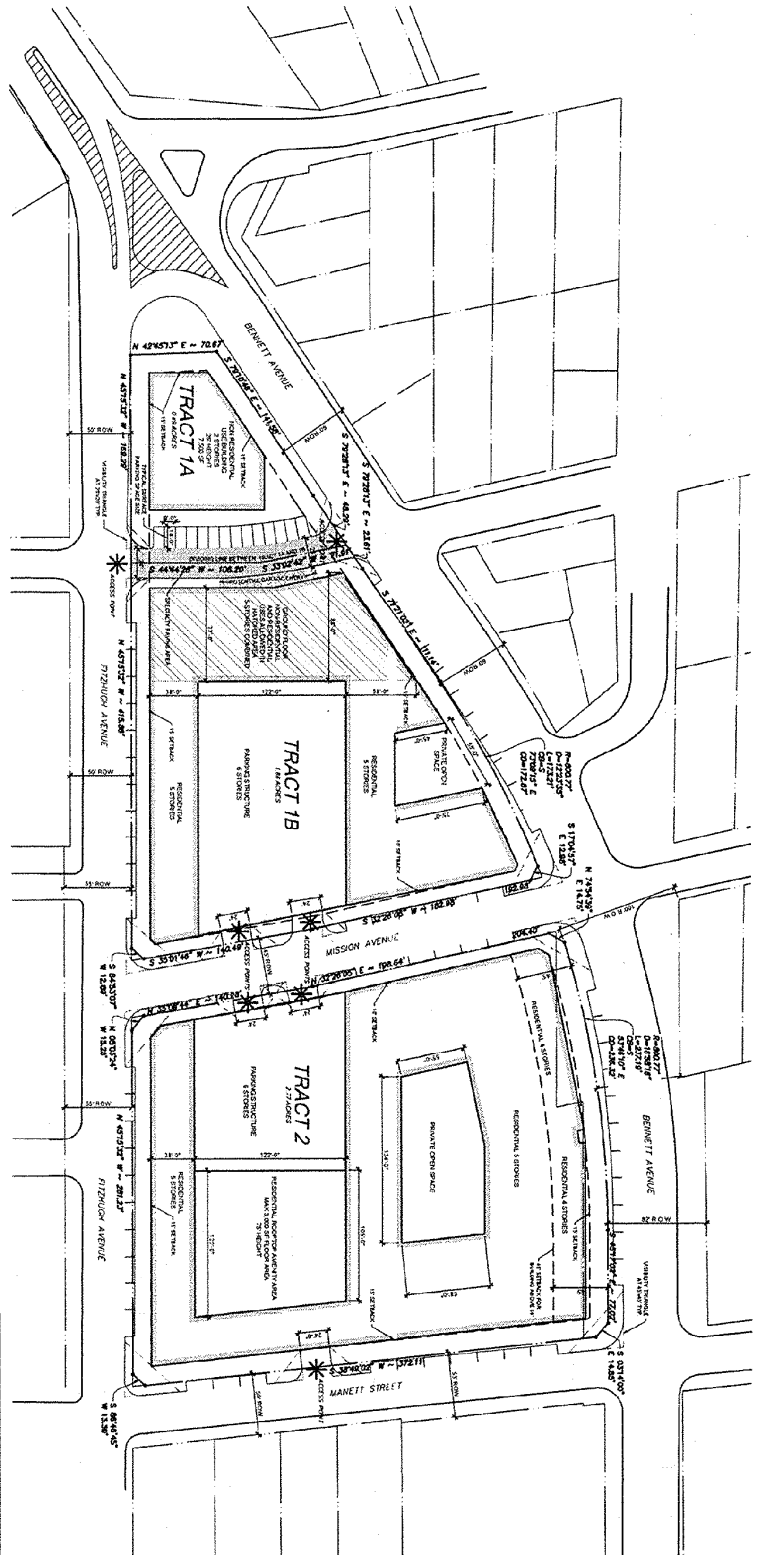
Project Information	TRACT 1A	TRACT 1B	TRACT 2
Site	0.29 AC	3.58 AC	2.77 AC
Density	75%	75%	75%
Lot Coverage	75%	75%	75%
Non-Residential Floor Area	125,000 SF	15,000 SF	1/4
Residential Floor Area	400,000 SF	400,000 SF	400,000 SF
Surface	0	0	0
Grass	0	350	200
Total Parking	9	350	200



LOCATION MAP
(MAY 2010 000 312)

Z123-332 (RB)

NOTE: SUBJECT TO THE
ABANDONMENT OF THE EXISTING
HOMER ST. P.O.W. PARTIAL
EASEMENT, RESERVES, R.O.W.
AND FITZHUGH STREET EASEMENT



FITZHUGH & BENNETT
CITY OF DALLAS, TEXAS

JLB
PARTNERS

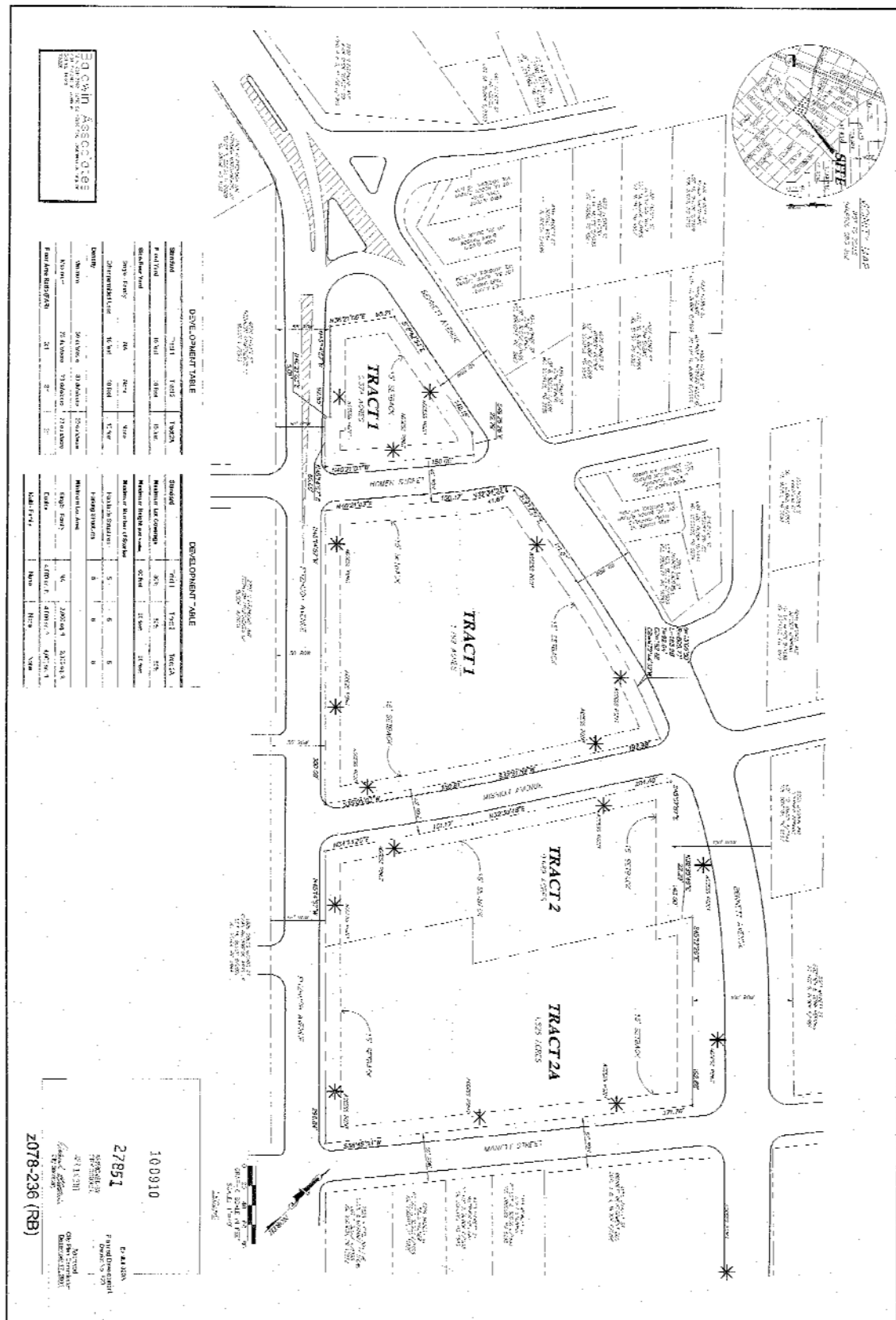


GFF Planning
2800 Holmwood Street
Suite 100
Dallas, Texas 75201

24.303.1500/TW
24.303.1512/FW
www.gff.com

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7040

10/14/14
PROJECT NUMBER
Z123-332 (RB)
CASE NUMBER



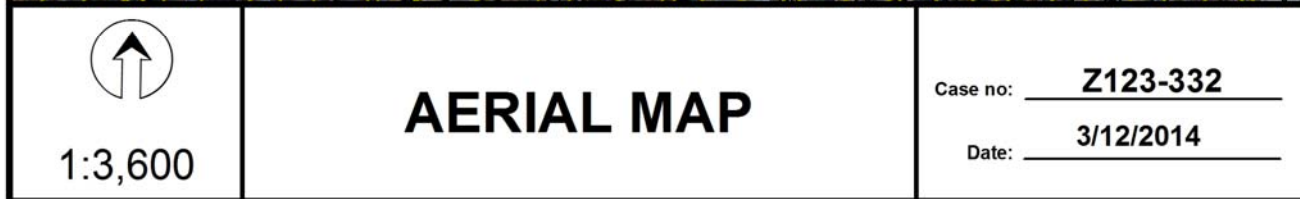


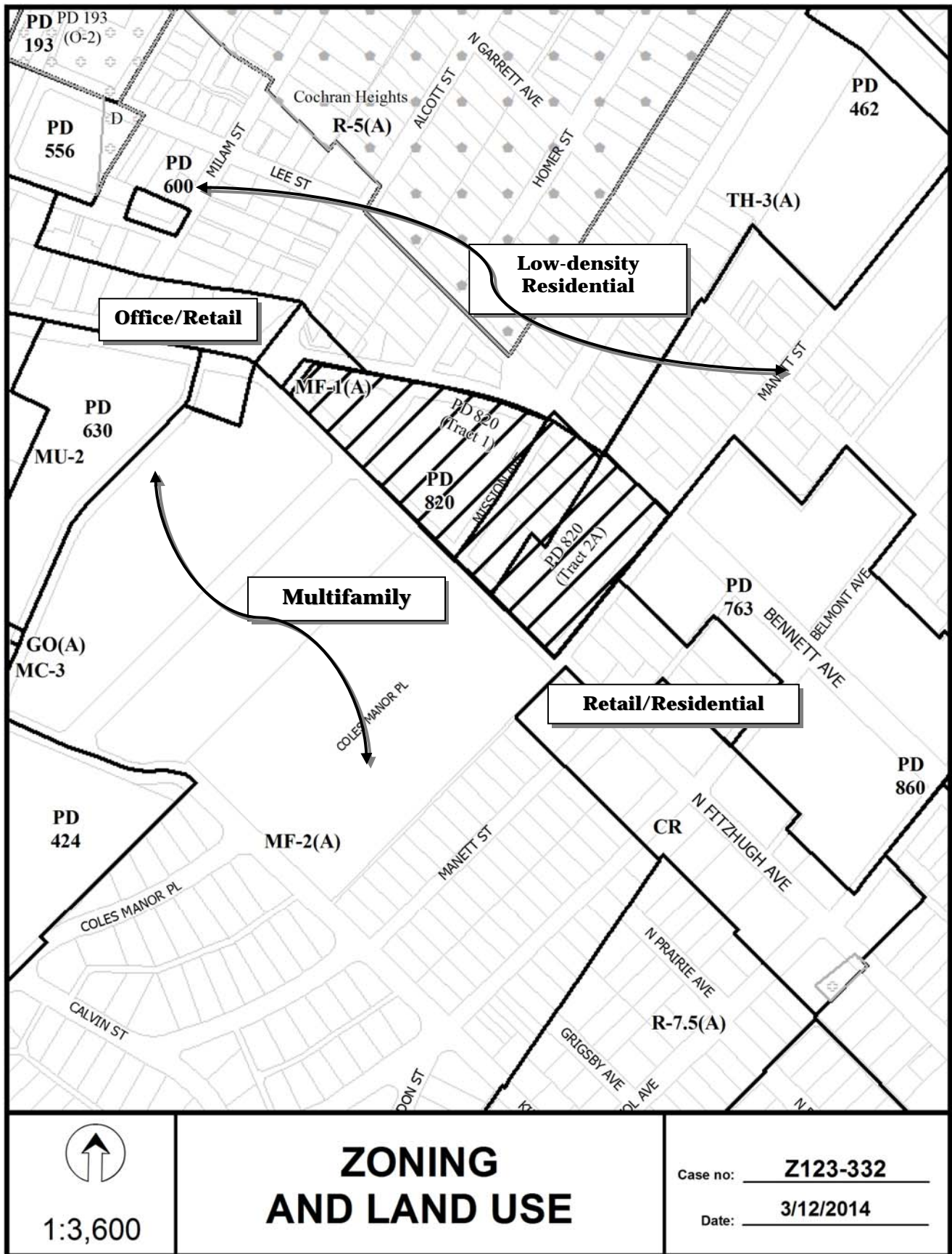
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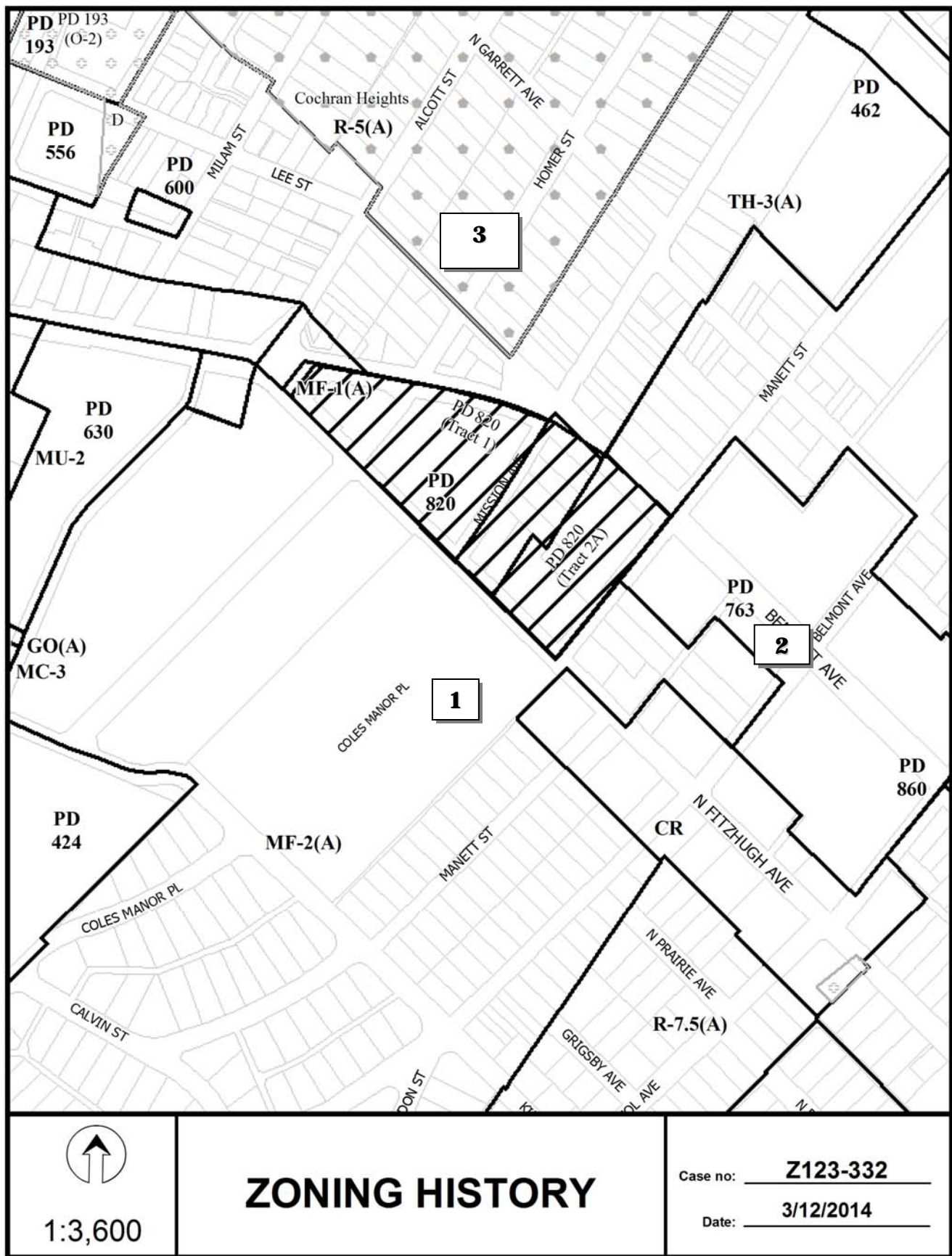
VICINITY MAP


Case no: **Z123-332**

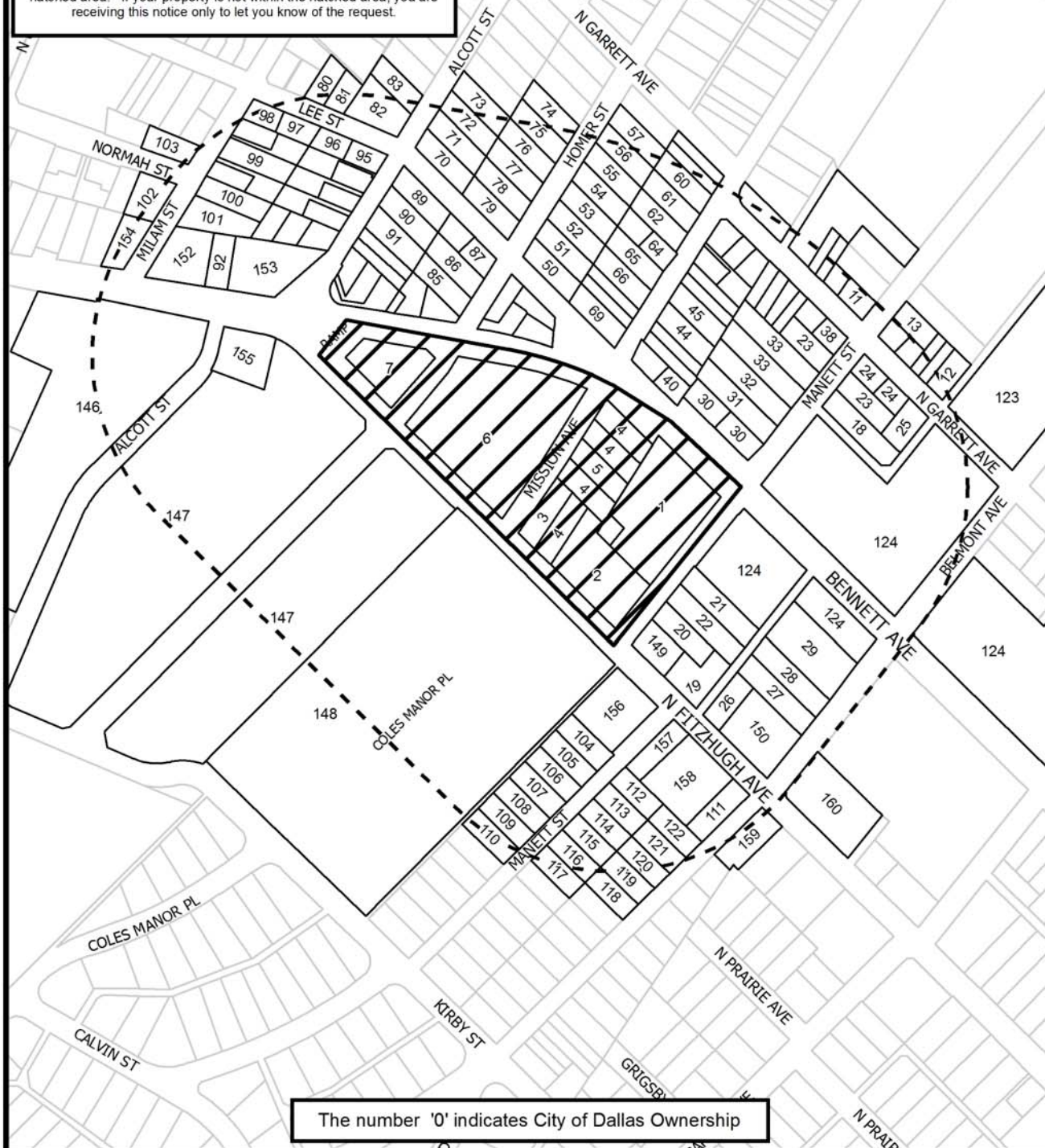
Date: **3/12/2014**







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



The number '0' indicates City of Dallas Ownership



1:3,600

NOTIFICATION

500'

AREA OF NOTIFICATION

177

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-332**

Date: **10/6/2014**

10/06/2014

Notification List of Property Owners**Z123-332****177 Property Owners Notified**

Label #	Address	Owner
1	4919 MANETT ST	THIRD SCORE LLC
2	4909 MANETT ST	FITZHUGH ASSOCIATES LTD
3	2622 FITZHUGH AVE	KHOURY JOHN
4	2618 FITZHUGH AVE	FITZHUGH ASSOCIATES LTD
5	4918 MISSION AVE	FITZHUGH ASSOCIATES LTD
6	2640 FITZHUGH AVE	FITZHUGH ASSOCIATES LTD
7	2722 FITZHUGH AVE	MARTINEZ LUIS
8	2608 GARRETT AVE	KELLY SHANE
9	2608 GARRETT AVE	WELLS NICHOLAS R & JJULIE E
10	2606 GARRETT AVE	VILLEGAS ENRIQUE
11	5103 MANETT ST	FUENTES MANUEL
12	2518 GARRETT AVE	MONTOYA PEDRO
13	5104 MANETT ST	ESCOBELO ANDRES J
14	5100 MANETT ST	TAUTFEST SCOTT
15	5102 MANETT ST	SKY PROFESSIONAL INVESTMENTS INC
16	2524 GARRETT AVE	BUI KIM A
17	2522 GARRETT AVE	ANDREWS JANET DLENE
18	5020 MANETT ST	B AND K PROPERTIES LTD
19	2518 FITZHUGH AVE	LARKSPUR MF PARTNERS I LP
20	4904 MANETT ST	PALMER JULES I &
21	4914 MANETT ST	SIMMONS RYAN
22	4908 MANETT ST	HSU YUAN HONG
23	5026 MANETT ST	GARNICA MARIO
24	5030 MANETT ST	GREEN EARTH INVESTMENTS LLC
25	2519 GARRETT AVE	AZUL PROPERTIES LLC
26	2514 FITZHUGH AVE	SIDERIS GEORGE K

10/06/2014

Label #	Address	Owner
27	4911 BELMONT AVE	WANG ALERN TR &
28	4915 BELMONT AVE	WANG ALERN &
29	4919 BELMONT AVE	HIBBERT MICHEL D TR
30	5001 MANETT ST	SNSC GARRETT COMPANY LLC
31	5009 MANETT ST	AJOONI INVESTMENTS LLC
32	5015 MANETT ST	SUBDIVISIONS REALTY 6 LLC
33	5021 MANETT ST	SNFT 2 LLC
34	2617 GARRETT AVE	MINIX DYKE A II
35	2619 GARRETT AVE	ARMSTRONG LAUREN &
36	2609 GARRETT AVE	WITTIG CRAIG C & KATHRYN D
37	2611 GARRETT AVE	BOSWELL BRADLEY G
38	5029 MANETT ST	WEST DUSTIN A
39	5031 MANETT ST	WEST DUSTIN ALLEN
40	5000 MISSION AVE	JOHNSON HUNTER
41	5002 MISSION AVE	TAPPLY KYLE &
42	5006 MISSION AVE	KENT RYAN & KRISTEN
43	5004 MISSION AVE	PASCUAL MARTIN A &
44	5010 MISSION AVE	SHIPLEY CHARLOTTE IRREVOCABLE TRUST
45	5014 MISSION AVE	GONZALEZ ALBERT
46	5016 MISSION AVE	LOMBARD ANTHONY J
47	5022 MISSION AVE	FIORETTI DONNA
48	5020 MISSION AVE	SUKI WADE A
49	5100 MISSION AVE	PERCENTI DONALD & MAUREEN
50	5000 HOMER ST	NY KHENGLIM
51	5006 HOMER ST	CAMPBELL DANNY C
52	5008 HOMER ST	GOUDEAU JARROD J
53	5014 HOMER ST	WILLIAMS JIMMY
54	5018 HOMER ST	SALON ESTATE LLC
55	5022 HOMER ST	STONE GARY RAY
56	5026 HOMER ST	MOHAN KOKILA
57	5030 HOMER ST	UPHUES CHRISTOPHER

10/06/2014

Label #	Address	Owner
58	5035 MISSION AVE	SHELLY ROBERT L
59	5033 MISSION AVE	JONES JEFFREY A
60	5031 MISSION AVE	SHRESTHA ANUP
61	5027 MISSION AVE	HERSCHEL HAWTHORNE LLC
62	5023 MISSION AVE	PADRON CRUZ M &
63	5019 MISSION AVE	LOMBARD ANTHONY J
64	5017 MISSION AVE	HILL MARILYN K
65	5015 MISSION AVE	MENDES PAUL E & CARLOS
66	5011 MISSION AVE	SELLS TONY E
67	5007 MISSION AVE	NAVARRO JUAN FRANCISCO
68	5009 MISSION AVE	DEARTH BRIAN &
69	5003 MISSION AVE	MORENO HECTOR R
70	5002 ALCOTT ST	NEWELL ROBINSON E
71	5006 ALCOTT ST	BRANCH GREGORY F
72	5008 ALCOTT ST	BRANCH ELIZABETH
73	5014 ALCOTT ST	PADRON CRUZ & ELENA
74	5023 HOMER ST	FLORES RAUL &
75	5019 HOMER ST	DAVIDSON ROBERT &
76	5015 HOMER ST	ROA BRANDI D
77	5011 HOMER ST	VO LIEN THI
78	5007 HOMER ST	CASADEI JOSEPH A &
79	5003 HOMER ST	LEPREMIER INVESTMENTS LLC
80	2816 LEE ST	MORENO ANGEL
81	2810 LEE ST	ANGUIANO CIPRIANO JR
82	5001 ALCOTT ST	HARGROVE DAVID M
83	5005 ALCOTT ST	STRAVA LIZA
84	4919 HOMER ST	STEINER JUNE A
85	4923 HOMER ST	KOSTER ROBERT J
86	4927 HOMER ST	BAZAN JOHN
87	4929 HOMER ST	KINCAID MELINDA J &
88	4931 HOMER ST	FEDERAL NATL MTG ASSN

10/06/2014

Label #	Address	Owner
89	4930 ALCOTT ST	SHANAHAN KAREN
90	4924 ALCOTT ST	GLASCOCK LAURIE
91	4922 ALCOTT ST	GUIDICI RONEY P
92	2818 FITZHUGH AVE	JOHNSON PAGE H &
93	4929 ALCOTT ST	SCHOONOVER DAVID L
94	4927 ALCOTT ST	WINGARD HELEN M &
95	4931 ALCOTT ST	COBB G KENT & MARY CRONIN
96	2807 LEE ST	GRANT NOREEN
97	4936 MILAM ST	WARDROP DIANE M
98	4934 MILAM ST	BOWERS CHARLOTTE
99	4928 MILAM ST	SEDDIGHZADEH CAMERON
100	4920 MILAM ST	GRANT DEIRDRE E
101	4912 MILAM ST	JOHNSON PAGE H &
102	2903 NORMAH ST	SATIRIPS RLTY LLC
103	4927 MILAM ST	SJR MILAM LP
104	4819 MANETT ST	TURTON JAMES R
105	4815 MANETT ST	CHAVEZ GABRIEL RAMOS &
106	4811 MANETT ST	HERNANDEZ CASIMIRA
107	4805 MANETT ST	VASQUEZ MARIA
108	4803 MANETT ST	MENDEZ MOSES S EST OF &
109	4731 MANETT ST	SEDDIGHZADEH HOUSHANG
110	4727 MANETT ST	GUZMAN MARIO & JUANA
111	2503 FITZHUGH AVE	MANZANARES JOE B
112	4818 MANETT ST	MANZANARES JOE B & PILAR
113	4814 MANETT ST	SEDIG PPTIES LP
114	4810 MANETT ST	CHAVEZ BELEN & JUAN
115	4804 MANETT ST	VASQUEZ JOSE ANGEL &
116	4802 MANETT ST	EVANS ANTHONY & FELICIA CHARMINE
117	4730 MANETT ST	PARAMO NOHEMI HERRERA &
118	4803 BELMONT AVE	MIRANDA GERARDO &
119	4807 BELMONT AVE	MARTINEZ THOMAS

10/06/2014

Label #	Address	Owner
120	4811 BELMONT AVE	MARTINEZ RODOLFO SR
121	4815 BELMONT AVE	GARCIA RAUL B &
122	4819 BELMONT AVE	MANZANARES J B
123	5215 BELMONT AVE	GS EASTWOOD HENDERSON LLC
124	2400 BENNETT AVE	BELMONT BENNETT AVE LLC
125	5026 MISSION AVE	ALTY KYLE J & CHRISTINA L
126	2627 GARRETT AVE	TATUM MICHAEL DAVID
127	2623 GARRETT AVE	WALKER ROBERT
128	4928 HOMER ST	FAULKNER JEFFREY C
129	2703 LEE ST	GRAVES GREGORY K
130	4926 HOMER ST	CAPPELLO DAVID
131	2701 LEE ST	CALDWELL NANCY V
132	4910 ALCOTT ST	SHAH VIPUL
133	4906 ALCOTT ST	ZHAO DONNA
134	4902 ALCOTT ST	UNGER SHEI
135	4918 ALCOTT ST	WOLF DONALD SCOTT &
136	4911 ALCOTT ST	KEEFER ANN TIDMORE
137	4913 ALCOTT ST	PATEL NIMIT N
138	4915 ALCOTT ST	DAF REAL ESTATE HOLDING INC
139	4917 ALCOTT ST	HUDNALL DAVID TYSON
140	4919 ALCOTT ST	BOEING CARL D
141	4921 ALCOTT ST	FEGARAS LEONIDAS
142	4923 ALCOTT ST	GROPPEL DONNA J
143	4932 MILAM ST	GREENSPAN MICHAEL
144	4930 MILAM ST	RIST MICHAEL D
145	4926 MILAM ST	RODRIGUES LAUREN MARIE
146	2819 FITZHUGH AVE	WRPV XI VUE FH DALLAS LP
147	4878 ALCOTT ST	BEHRINGER HARVARD FITZHUGH REIT LLC
148	4829 COLES MANOR ST	TEXAS BIRCHWOOD APTS LP
149	2528 FITZHUGH AVE	OSUAGWU EDDIE & UKAMAKA
150	2508 FITZHUGH AVE	SIDERIS GEORGE K

10/06/2014

Label #	Address	Owner
151	5018 MISSION AVE	HIBBS DOUGLAS
152	2818 FITZHUGH AVE	JOHNSON PAGE H &
153	2802 FITZHUGH AVE	KWIK CHEK REALTY CO
154	2900 FITZHUGH AVE	SATIRIPS REALTY LLC
155	2801 FITZHUGH AVE	FITZHUGH INVESTMENTS INC
156	2543 FITZHUGH AVE	TURTON JAMES R
157	2519 FITZHUGH AVE	SHUNAIL CORPORATION
158	2505 FITZHUGH AVE	2505 FITZHUGH LLC
159	4824 BELMONT AVE	ARBELAEZ NODIER &
160	2420 FITZHUGH AVE	ROADE PROPERTIES LTD
161	5111 MANETT ST	BALLEW JOHN W
162	5111 MANETT ST	YAGER RICHARD
163	5111 MANETT ST	ECKMANN DOUGLAS H &
164	5111 MANETT ST	DHANANI RESHMA
165	5111 MANETT ST	DAWS TYLER J
166	5111 MANETT ST	WILCOX JASON A
167	5111 MANETT ST	YATES DAVID
168	5111 MANETT ST	BAYAHIBE PROPERTIES LLC
169	5111 MANETT ST	MENDOZA MELISSA D
170	5111 MANETT ST	CAICEDO SUSIE M
171	5111 MANETT ST	LONG REBECCA & TIMOTHY S
172	5111 MANETT ST	CORONADO ALMA D
173	5111 MANETT ST	ECKMANN DOUGLAS H & COURTNEY S
174	5111 MANETT ST	HUMBLE MELANIE R &
175	5111 MANETT ST	FORTENBERRY ZEKE
176	5111 MANETT ST	KIM MIHW
177	5111 MANETT ST	HALLMAN CHRISTOPHER R

FILE NUMBER: Z134-282(RB)

DATE FILED: June 23, 2014

LOCATION: Property generally bounded by Singleton Boulevard, Obenchain Street, Duluth Street, and Borger Street

COUNCIL DISTRICT: 6

MAPSCO: 44-P

SIZE OF REQUEST: Approx. 24.8 Acres

CENSUS TRACT: 43

APPLICANT/OWNER: Austin International Ventures, Inc.

REPRESENTATIVES: Tommy Mann

REQUEST: An application for a Planned Development District for certain Mixed Uses on property zoned an IR Industrial Research District.

SUMMARY: The applicant proposes to create a Planned Development District providing for an increase in development rights over that currently permitted, while addressing certain design criteria, landscaping, open space requirements, and various pedestrian amenity requirements across the property boundary.

STAFF RECOMMENDATION: Approval, subject to a conceptual plan, Subarea A development plan, and staff's recommended conditions.

Guiding Criteria for Recommendation:

Staff recommends approval of the request, subject to a conceptual plan, Subarea A development plan, and conditions, based upon:

1. *Compatibility with surrounding uses and community facilities* – The site will be developed with a mix of uses that will be compatible, subject to staff's recommended conditions, with the commercial nature of properties along Singleton Boulevard, while maintaining certain sensitivities to the residential character along the Duluth Street frontage.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The anticipated mixed use project will provide for removal of the existing improvements that previously served various commercial/industrial uses.
3. *Not a detriment to the public health, safety, or general welfare* – Staff and the applicant has worked to ensure the development is pedestrian friendly, addressing massing, an active streetscape, and a focus on publicly accessible open areas.

BACKGROUND INFORMATION:

- The site is partially developed with certain uses permitted by the underlying IR District zoning.
- The applicant proposes to remove all improvements and provide for a Planned Development District that creates a high density, pedestrian friendly mixed use development with the introduction and emphasis on a multifamily component to anchor the applicant's vision.

Zoning History:

File Number

Request, Disposition, and Date

1. Z112-319

PDD for Mixed Uses. On June 19, 2013, the City Council approved the request, subject to an area regulating plan and conditions.

Thoroughfare/Street

Existing & Proposed ROW

Singleton Boulevard

Principal Arterial; 88' & 88' ROW

Obenchain Street

Local; 40' ROW

Duluth Street

Local; 25' ROW

Borger Street

Local; 30' ROW

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested development vision in conjunction with the required Traffic Impact Analysis and determined that the proposed development will not significantly impact the street system.

STAFF ANALYSIS:

Comprehensive Plan: The site is located in an area considered 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.

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The site consists of a mix of commercial/industrial structures (majority of which are vacant) along with undeveloped parcels. All improvements will be removed, providing for the applicant's vision for high-density (approx. 60 du's/acre) residential, along with a mix of office, retail, and possibly a lodging use. With respect to the residential component, the attached Subarea A development plan provides for 355 dwelling units (6.24 acres) along the site's western boundary between Singleton Boulevard and Duluth Street. Additionally, a five-acre/130 dwelling unit single family/shared access product is planned along the Duluth Street frontage (see conceptual plan for subarea's orientation on the site). The applicant has committed to an aggregate of one acre of publicly accessible open space (see ordinance for phasing) as well as certain design criteria that will ensure a seamless and visually interesting

mixed use development.

The predominant development in the surrounding area is typical of many established areas served by linear thoroughfares; nonresidential uses fronting both sides of Singleton Boulevard transitioning to low density residential uses with various institutional uses (churches, parks, schools) traversing through these residential areas. In close proximity to this site (approx. 1,530 feet east), the recently approved Trinity Groves mixed use development is situated along the south line of Singleton Boulevard, between Parvia Avenue, Amonnette Street, and the Union Pacific Railroad.

The site is situated just west of the western boundary (Sylvan Avenue) of the West Dallas Urban Structure and Guidelines [the Structure], adopted by City Council in March 2011. The three primary objectives of the Structure are to: enhance and protect La Bajada (northeast of the site, north of the nonresidential uses fronting the north line of Singleton Boulevard), encourage incremental development, and foster new development that complies with the vision. The key to achieving these objectives successfully lies in the concept of reorienting development pressure away from adjacent residential areas.

While not directly serving this site, certain infrastructure improvements will benefit the proposed development as connectivity to planned and future developments come to this part of the community. A focus of these improvements will be a newly-established Herbert Street spine that runs from Singleton Boulevard to West Commerce Street. As an investment in this key move to reformat the built environment in the immediate area, the City of Dallas included \$34 million in the 2012 Bond Program to design and construct three underpasses under the existing Union Pacific Railroad. At this time, community meetings are being scheduled to receive input as to the focus of these roadway improvements, with specific focus on the Herbert Street project.

DART currently serves the immediate area along Singleton Boulevard via two designated bus routes. Future plans call for a station to serve the area as well although at this time, specifics (location, opening date) are not known at this time.

The applicant and staff have addressed typical areas of consideration when assessing a high-density mixed use development. Typical of these projects is a focus on the public realm and regulations to ensure they are publicly accessible and sensitive to the built environment. Landscape requirements will focus improving the perimeter as well as providing for certain internal requirements related to the anticipated uses for each subarea (i.e., specific requirements for the shared access Subarea B). There remain a few items that lacked a consensus, thus the attached conditions reflect areas of difference. Specifically:

- Development plan requirement for high density single family subarea
- Certain encroachments into a required yard
- Residential proximity slope affecting low density residential development south of the site
- Off-street parking provisions for certain residential uses
- Sidewalk provisions
- Additional provisions recommended by staff

In summary, staff is supportive of the applicant's intended development, as it is seen as an extension of the type of mixed use investment occurring in this part of the city. While there are subtle differences related to certain regulations as noted herein, the attached has been reviewed by the city attorney and being presented as a platform for consideration by the City Plan Commission.

Miscellaneous-Plans: The applicant and staff have been working to finalize revisions to both the conceptual plan and conditions. A final version of each will be provided at the November 6, 2014 staff briefing.

OFFICERS AND DIRECTORS

Owner:

AUSTIN INTERNATIONAL VENTURES, INC.

President:	Jeffrey T. Fisher
Secretary:	Charles E. Hardy
Treasurer:	Brenda W. Schertz
Assistant Secretary:	Alan P. Stakem
Director:	Jeffrey T. Fisher
Director:	David B. Walls
Director:	Alan P. Stakem

**APPLICANT REQUESTED/STAFF RECOMMENDED CONDITIONS
ARTICLE ____.**

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

PD ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2014.

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

PD ____ is established on property generally bounded by Singleton Boulevard, Obenchain Street, Duluth Street, and Borger Street. The size of PD ____ is approximately 24.782 acres.

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

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

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

Staff recommended:

(c) MAJOR RETAIL USE means a single-occupant retail or personal service use with a floor area of more than 30,000 square feet but equal to or less than 50,000 square feet.

(d) OPEN SPACE means an area that is accessible to all occupants of the Property and principally open to the sky but allows for architectural elements such as colonnades, pergolas, and gazebos and may include paved areas.

(e) SMALL SHRUB means a shrub that normally reaches a height of 18 to 30 inches upon maturity. Small shrubs may exceed 30 inches.

(f) Subareas A and B are considered to be a residential zoning districts.

(g) Subareas C, D, and E are considered to be nonresidential zoning districts.

SEC. 51P-____.104. EXHIBITS.

(a) The following exhibits are incorporated into this article:

(1) Exhibit ____A: conceptual plan.

(2) Exhibit ____B: Subarea A development plan.

SEC. 51P-____.105. CONCEPTUAL PLAN.

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

SEC. 51P-____.106 DEVELOPMENT PLAN

(a) Except as provided in this section, a development plan must be approved by the city plan commission before issuance of any building permit to authorize work in this district. Development plans may be processed in phases and include any portion of the Property. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) Subarea A. Use and development must comply with the attached development plan (Exhibit ____B).

Applicant requested:

(c) For single family uses, a preliminary plat shall satisfy the requirement for a development plan under this section.

Staff recommended:

Require normal development plan approval as required in paragraph (a).
--

SEC. 51P-____.107. MAIN USES PERMITTED.

(a) Except as otherwise provided in this section, the only main uses permitted are those main uses permitted in the MU-2 Mixed Use District, subject to the same conditions applicable in the MU-2 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-2 Mixed Use District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MU-2 Mixed Use District is subject to DIR in this district, etc.

(b) The following additional main uses are permitted:

-- Single family.

Staff recommended:

-- Handicapped group dwelling unit.

-- Community garden.

-- Lodging use. *[Rooms may only be accessed through an internal corridor.]*

-- Alcoholic beverage establishments.

(c) In Subarea A, the following uses are the only main uses permitted:

- Multifamily.
- Duplex.

Staff recommended:

- | |
|----------------------------------|
| Handicapped group dwelling unit. |
|----------------------------------|
- Retirement housing.
- Single family.

- (g) In Subarea B, the following uses are the only main uses permitted:

Staff recommended:

- | |
|----------------------------------|
| Handicapped group dwelling unit. |
|----------------------------------|
- Single family.

- (h) The following uses are not permitted::

- General merchandise or food store greater than 100,000 square feet.
- Attached non-premise signs.
- Mini-warehouse.

SEC. 51P-____.108. ACCESSORY USES.

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

SEC. 51P-____.109. YARD, LOT, AND SPACE REGULATIONS

- (a) In general.

(1) Except as provided in this section, the yard, lot, and space regulations for the MU-2 Mixed Use District apply.

(2) Single family uses located on the Property do not trigger additional requirements (such as, but not limited to, regulations affecting structure height, screening, front yards, side yards, rear yards, or setbacks) designed to protect or buffer single family uses from other uses located on the Property.

- (b) Front yard.

(1) Except as provided herein, in Subareas A, C, and E, maximum front yard is 20 feet, and no urban form setback is required. A minimum of 70 percent of the façade must be located within this maximum setback. There is no minimum front yard.

Applicant requested:

(2) For single family uses in all Subareas and for any allowed use in Subarea D, minimum front yard is 10 feet. Balconies, stoops, awnings, cantilevered roof eaves, stairs, steps and other architectural features may encroach into the front yard. There is no maximum front yard.

Staff recommended:

(2) For single family uses in all Subareas and for any allowed use in Subarea D, minimum front yard is 10 feet. Stoops, awnings, cantilevered roof stairs, and steps may encroach into the front yard. There is no maximum front yard.

Applicant requested:

(3) Balconies, awnings, cantilevered roof eaves and other architectural features encroaching into the front yard and above paved areas intended for pedestrian or vehicular movement with a minimum of 10 feet of clearance above grade.

Staff recommended;

(3) Balconies, awnings, cantilevered roof eaves and other architectural features encroaching into the front yard with a minimum of 10 feet of clearance above grade.

(c) Side and rear yard. No minimum side or rear yard, and no tower spacing is required.

(d) Density.

(1) Maximum number of dwelling units is 1,500 with no maximum number of dwelling units per acre.

(2) Maximum number of dwelling units in Subarea B is 130.

(e) Floor area.

(1) No maximum floor area for residential uses.

(2) Except as provided in this subsection, maximum floor area for nonresidential uses 2,159,000 square feet.

(A) For an alcoholic beverage establishment, maximum floor area for all uses on the Property is 15,000 square feet, with a maximum floor area of 5,000 square feet for any single use.

Staff recommended:

(B) A maximum of one major retail use is permitted on the Property.

(i) A single-occupant retail or personal service use with a floor area of more than 50,000 square feet is prohibited.

(f) Height.

(1) Except as otherwise indicated on the conceptual plan, maximum structure height is 90 feet.

Applicant requested:

(2) Residential proximity slope doesn't apply to the Property.

Staff recommended:

(2) Residential proximity slope applies to the Property.

(3) The following structures may project a maximum of 12 feet above the maximum height:

- (i) Elevator penthouse, bulkhead or stair bulkhead.
- (ii) Mechanical equipment room.
- (iii) Cooling tower.
- (iv) Tank designed to hold liquids.
- (v) Ornamental cupola or dome.
- (vi) Skylights.
- (vii) Clerestory.
- (viii) Visual screens which surround roof mounted equipment.
- (ix) Chimney and vent stacks.
- (x) Amateur communications tower.
- (xi) Parapet wall limited to a height of four feet.

Applicant requested:

(g) Lot size. For single family uses, minimum lot size is 1,000 square feet.

Staff recommended:

(g) Lot size.

(1) For single family uses, the average lot size is 2,000 square feet, with a minimum lot size of 1,500 square feet.

(2) For other permitted residential uses, no minimum lot size.

(h) Maximum vehicle trip generation. Cumulative development on the Property may not exceed the amounts provided in Tables (h)(1) and (h)(2).

Table (h)(1)

Land Use	Amount	Unit
Residential Uses	1,500	Dwelling Units

The following equivalency table can be utilized, by exchanging land use totals up to the limits defined in this paragraph. The equivalency table can be used to convert between any of the land uses listed.

Table (h)(2)

One (1.0) Residential Dwelling Unit (ITE Land Use 220)	Is Considered Equivalent To:	Quantity	Use (ITE Land Use)
		1.0 Guest Room	Lodging Uses (310)
		165 SF	Retail and Personal Service Uses (820)
		420 SF	Office Uses (710)

Example: 100 residential dwelling units can be exchanged for 16,500 SF of retail uses, or 42,000 SF of office uses.

Example: 1,000 SF of office floor area can be exchanged for 393 SF of retail floor area, or 2.4 residential dwelling units.

The above table was developed by comparing the average PM peak hour trip generation for each use, using data from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition. Equivalencies for other land uses not reflected in the table may be made by citing the data in the *Trip Generation Manual*, 9th or newer Edition.

SEC. 51P-____.110. OFF-STREET PARKING AND LOADING.

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

(b) Except as otherwise provided in this section, required parking for residential uses must be located on the same lot as the main use.

(c) Multifamily uses.

Applicant requested:

- (1) Required parking located on a driveway may be counted toward the required off-street parking of the building site it abuts.
- (2) Up to 5 percent of required parking may be located on a street abutting the building site.

Staff recommended:

- (c) Multifamily uses. Required off-street parking must be located on the same lot as the main use or within a structure connected by a pedestrian sky bridge or

an above-grade pedestrian-walkway to the building site on which the dwelling unit is located.

(d) Single family uses. Required visitor parking is 0.25 spaces per dwelling unit and may be located on a driveway or street abutting the building site. A shared access development is considered to be one lot for purposes of this subsection.

SEC. 51P-____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.112. URBAN DESIGN STANDARDS.

(a) Except as otherwise provided in this section, regulations in this section governing building facade and materials shall be required of any new buildings constructed after the adoption of this article. Regulations in this section governing landscaping, signs, screening, sidewalks, pedestrian amenities, pedestrian lighting, and utilities shall be applied upon application for a building permit for a new building or for application for a building permit that would add more than 5,000 square feet of floor area to an existing building.

(b) Street-facing facades.

(1) For each ground level office or retail use, facades must be composed of clear glazing that covers a minimum of 70 percent of the facade for a retail use or a minimum of 40 percent of the facade for an office use.

(2) For multifamily and nonresidential uses, street-facing building facades must incorporate a minimum of three of the following building elements: raised parapet, canopies, deep-set windows, varied roof forms design to create visual interest, pilasters, cornices, string courses, window sills, awnings, lintels, or rustication. Except for awnings, building elements must be constructed of brick, cast stone, stone, ornamental metal, concrete, cellular pvc, cementitious panels or trim, and cement plaster stucco.

(3) No more than one service entrance for every 300 feet of street frontage may be located on Singleton Boulevard.

(4) Continuous street-facing facades must step back a minimum depth of two feet for a minimum distance of ten feet for every 75 feet of length. Projected balconies, wall headers, canopies, awnings, cornices, window sills, and roof eaves are allowed to project into required façade step backs.

(c) Building materials.

(1) For ground level office or retail uses, windows must be constructed of clear glass.

(2) For multifamily and nonresidential uses, the following building materials may not exceed 25 percent of the total area of a building facade:

- (i) wood;
- (ii) corrugated sheet metal; and
- (iii) galvanized metal.

(3) In addition to glass, exterior cladding must use two facade materials on each street-facing facade.

(d) Entrances.

(1) Primary entrances to a building may not be located off surface parking lots.

(2) Awnings, canopies, attached towers, or turrets must be provided over pedestrian building entrances. Single family and multifamily uses may use stairs, stoops, and unenclosed porches at pedestrian building entrances.

(3) For residential ground floor uses, at least 65 percent of individual unit entries must provide direct access via improved pedestrian way to the sidewalk along abutting streets and abutting, privately owned, publicly accessible driveways. No dwelling unit is required to provide more than one such point of access. The Property is considered one lot for purposes of complying with the requirements of this subsection.

(4) For separate retail uses with street-level frontage, individual entryways must be provided with the main entrances located off Singleton Boulevard when retail touches Singleton Boulevard.

(e) Screening.

(1) Trash, storage, and loading areas must be screened in one of the following manners:

(A) Fencing or opaque plantings at least 6 feet in height at maturity

(B) Be located inside the building, away from the street edge, and behind a facade treated architecturally in a manner similar to the building.

(2) Service areas must be enclosed with gates a minimum six feet in height.

(3) Service elements on roofs must be screened so that they are not visible from any public right-of-way.

(f) Pedestrian amenities.

(1) Along Singleton Boulevard, a minimum of one bench, one trash receptacle, and one five- bicycle parking rack must be provided for every 300 feet of street frontage, with any fraction of frontage rounding up. For example, a street frontage with 350 feet would require a minimum of two of each of the pedestrian amenities.

(g) Pedestrian lighting.

(1) Lights must be pedestrian-scaled with a maximum height of 16 feet to the top of the fixture.

(2) Lights must be located within a public right-of-way or public access easement or as near thereto as practicable in order to illuminate sidewalks.

(3) Light standards must be spaced between 60 feet and 120 feet apart, alternate with tree spacing, and with the center of the foundation of the light standard approximately two feet from back of the curb.

(h) Location of surface parking.

(1) In Subareas A, C, and E, surface parking may not be located between a building and a street. This requirement does not apply to single family uses.

Applicant requested:

(2) In Subarea D, surface parking may not be located between a building and Singleton Boulevard. This requirement does not apply to single family uses.

Staff recommended:

(2) In Subarea D, for all permitted uses, surface parking may not be located between a building and Singleton Boulevard.
--

SEC. 51P-____.113. LANDSCAPING.

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

(b) Shared access development.

(1) A minimum of 10 percent of the shared access development must be designated as landscape area. Permeable pavement does not count as landscape area.

(2) Site trees.

(A) One tree with a caliper equal to or exceeding two inches is required for each individual lot in the shared access development. The tree can be located on the individual lot, in the front yard, or in the parkway with a license approved by the city council. Street trees shall count toward the required number of site trees.

(3) Street trees.

(A) A large tree having a caliper of at least three inches must be provided for each 60 feet of street frontage.

(B) Street trees should be spaced a minimum of 20 feet apart, with spacing no greater than 60 feet maximum, exclusive of driveways and visibility triangles.

(C) Street trees must have an eight foot-high clearance over the sidewalk.

(D) The building official may approve alternative locations for street trees within 30 feet of the property line if the building official determines utility obstructions prevent planting within the required planting distance.

(c) Other uses.

(1) Perimeter landscape buffer strip.

(A) A landscape buffer strip must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists, exclusive of driveways and accessways at point of ingress and egress to and from the lot. The buffer strip must be at least 10 feet wide except that a minimum width of 8 feet is allowable for horizontal distances less than 100 feet.

(B) The landscape buffer strip can include pedestrian and unit amenities such as sidewalks, retaining walls, stoops, patios, and patio fences at a ratio that is no greater than 60% impervious surfacing area maintained within the buffer.

(C) The landscape buffer strip can be comprised of privately fenced patios and yards.

(2) Site trees.

(A) One site tree with a caliper equal to or exceeding two inches must be provided for every 4,000 square feet of street frontage. Street trees shall count toward the required number of site trees provided that all applicable private licensing requirements of the city code and charter are met.

(3) Street trees.

(A) A large tree having a caliper of at least three inches must be provided for each 60 feet of street frontage.

(B) Street trees should be spaced a minimum of 20 feet apart, with spacing no greater than 60 feet maximum, exclusive of driveways and visibility triangles.

(C) Street trees must have an 8 foot high clearance over the sidewalk.

(4) Landscape buffer plant materials.

(A) A landscape buffer provided to comply with this section must contain one of the following groups of plant material at an average density of one group for each 50 linear feet of the buffer strip:

- (i) One large canopy tree and one large non-canopy tree.
- (ii) One large canopy tree and three small trees.
- (iii) One large canopy tree and three large evergreen shrubs.
- (iv) One large canopy tree, two small trees, and one large evergreen shrub.
- (v) One large canopy tree, one small tree, and two large evergreen shrubs.
- (vi) Two large non-canopy trees.
- (vi) Two small trees and one large evergreen shrub.
- (vii) Three small evergreen shrubs.
- (viii) One large evergreen shrub and three small shrubs.

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

SEC. 51P-____.114. SIDEWALKS.

(a) Sidewalks must be installed along all street-facing facades and be buffered from a street by a minimum four-foot-wide planting strip.

Applicant requested:

(b) Along Singleton Avenue, sidewalks must be a minimum of six feet in width. Along all other frontages, sidewalks must be a minimum of five feet in width. The building official may approve minor deviations in width or location of required sidewalks as necessary to accommodate grade, utility locations, or similar site constraints.

(c) ADA approved tree well grates are not considered an obstruction.

Staff recommended:

(b) Except as provided in this section, a minimum unobstructed five-foot-wide sidewalk must be provided on all street frontages.

(c) Singleton Avenue. A minimum unobstructed six-foot-wide sidewalk must be provided.

(d) ADA-approved tree well grates are not considered an obstruction.

SEC.51P-____.115. OPEN SPACE

- (a) Minimum open space on the Property is 43,560 square feet.
- (b) A minimum of 75 percent of required open space must be publicly accessible.
- (c) Open space may be provided incrementally in phases as indicated on a development plan or preliminary plat. Prior to issuing a final certificate of occupancy or conducting a final inspection within a subarea, a minimum amount of the open space must be provided as follows:
 - (1) One subarea: 8,700 square feet
 - (2) Two subareas: 17,400 square feet
 - (3) Three subareas: 26,100 square feet
 - (4) Four subareas: 34,800 square feet
 - (5) Five subareas: 43,560 square feet

SEC.51P-____.116. SIGNS.

- (a) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.
- (b) For retail uses, a minimum of two types of ground level signs are required for each 600 feet of frontage along Singleton Boulevard. Types of ground level signs include awning signage, projecting signage, window signs, or blade signs.
- (c) Rooftop and flashing motion signage is expressly prohibited.
- (d) For temporary signage for single family uses, the Property is considered one lot.
- (e) Projecting attached signage must provide a minimum of eight feet of clearance above the ground.

SEC. 51P-____.117. INGRESS/EGRESS.

Ingress and egress must be provided as shown on the conceptual plan. Final location of the driveways and drive approaches may vary from the location shown with no increase in number of drive approaches. Final design and location must be shown on an approved development plan. For a shared access development, the location of ingress/egress points must be shown on the preliminary plat. Ingress/egress for individual dwelling units or single family lots need not be shown on the preliminary plat.

SEC. 51P-____.118. SHARED ACCESS DEVELOPMENT

(a) A maximum of 130 lots are permitted within a shared access development with a minimum of four access points.

(b) Access points may be located on a private driveway within the district if at least one access point on a public or private street is provided.

(c) Two adjacent shared access developments may have shared access areas (driveways) that connect and utilities that connect.

SEC. 51P-__119. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

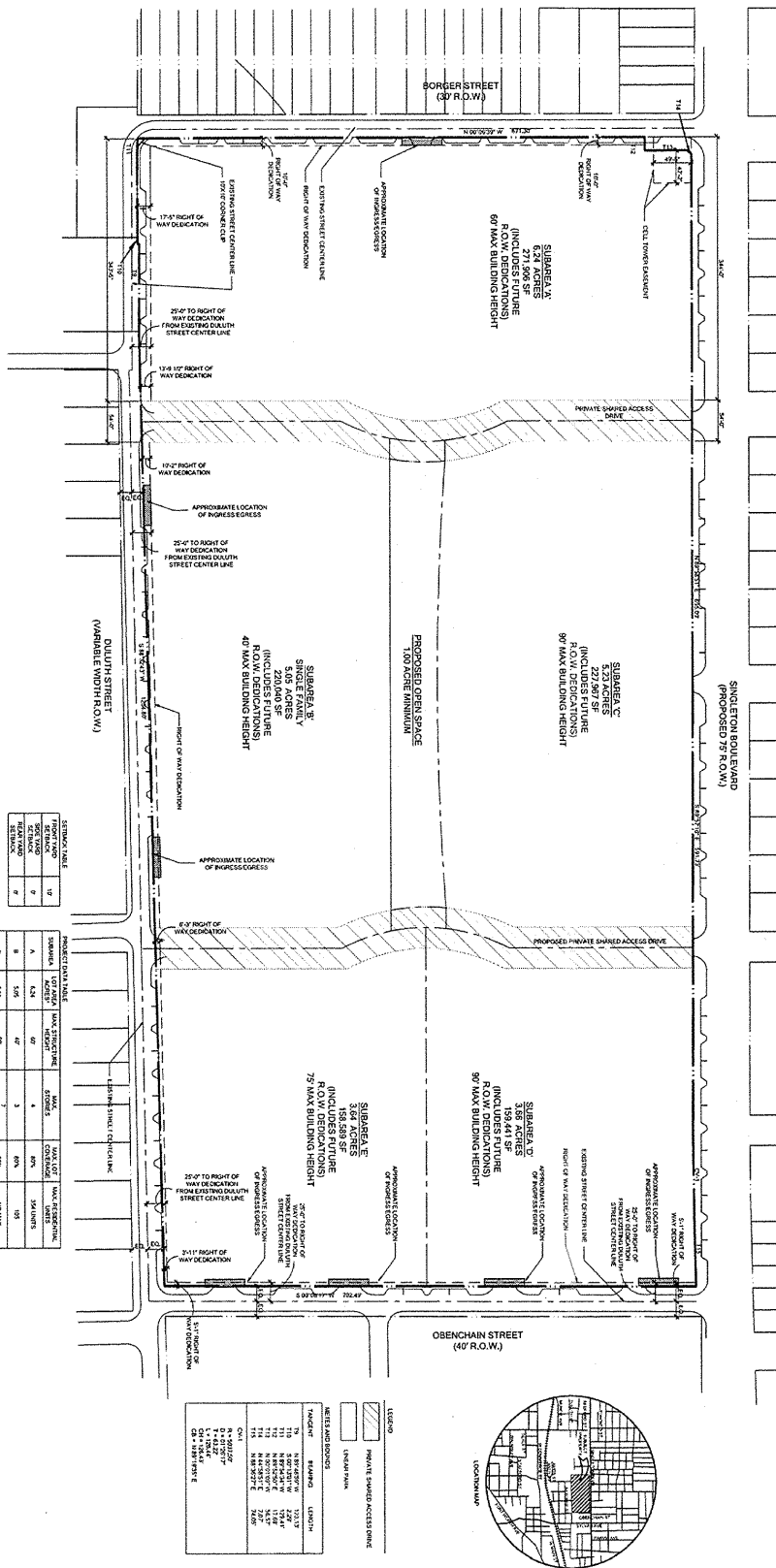
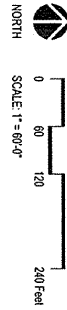


GFF Planning

CONCEPTUAL PLAN

Case: Z-

September 12, 2014



STREET NAME	RIGHT-OF-WAY	EXISTING	PROPOSED
BORDER STREET	30'	30'	30'
SINGLETON BOULEVARD	75'	75'	75'
OBENCHAIN STREET	40'	40'	40'
DRAINAGE STREET	VARIABLE	VARIABLE	VARIABLE
CELL TOWER EASEMENT	150'	150'	150'

STREET NAME	RIGHT-OF-WAY	EXISTING	PROPOSED
BORDER STREET	30'	30'	30'
SINGLETON BOULEVARD	75'	75'	75'
OBENCHAIN STREET	40'	40'	40'
DRAINAGE STREET	VARIABLE	VARIABLE	VARIABLE
CELL TOWER EASEMENT	150'	150'	150'

STREET NAME	RIGHT-OF-WAY	EXISTING	PROPOSED
BORDER STREET	30'	30'	30'
SINGLETON BOULEVARD	75'	75'	75'
OBENCHAIN STREET	40'	40'	40'
DRAINAGE STREET	VARIABLE	VARIABLE	VARIABLE
CELL TOWER EASEMENT	150'	150'	150'

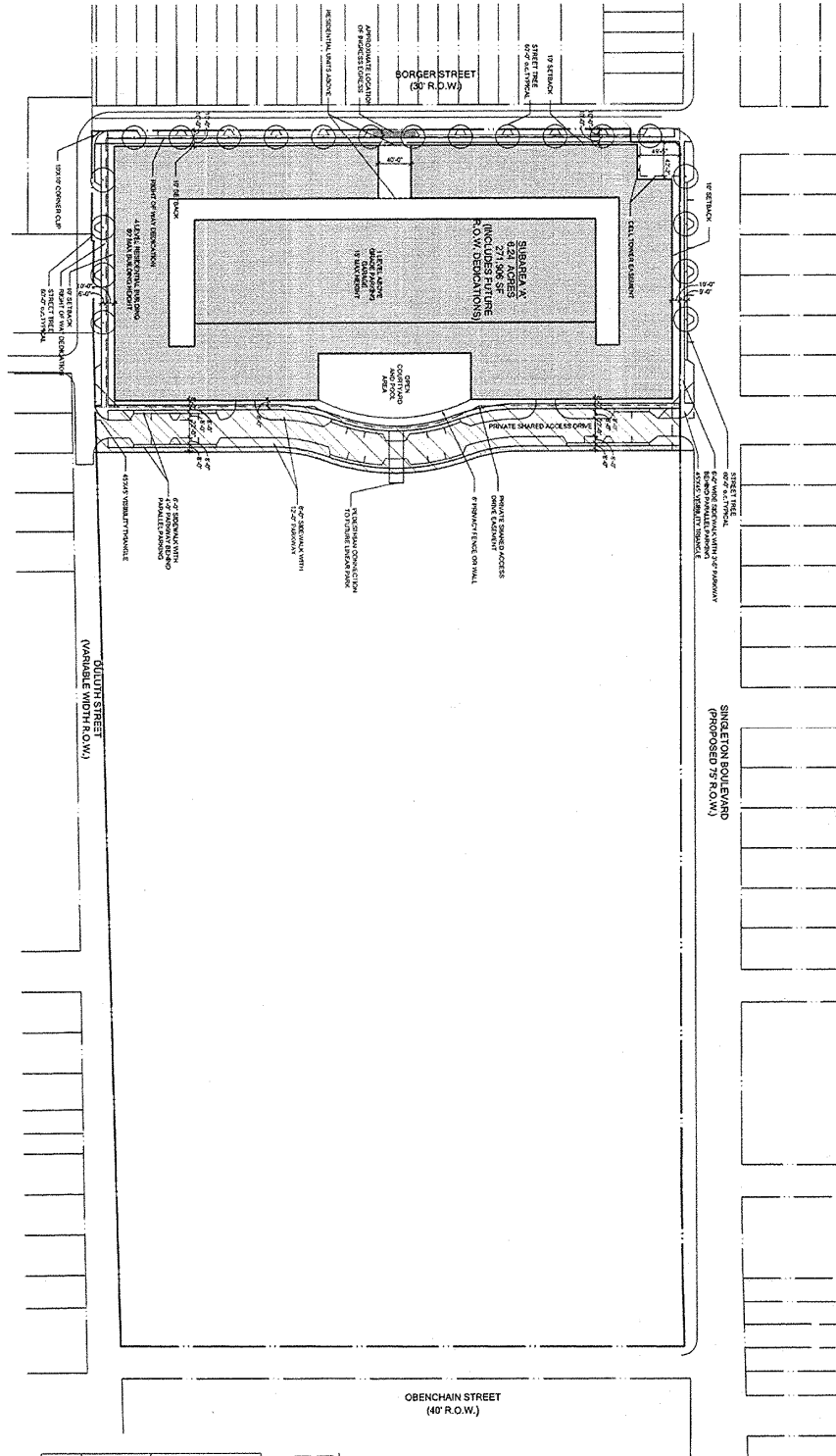
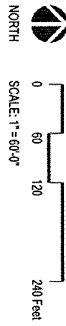
Proposed Conceptual Plan



GFF Planning

DEVELOPMENT PLAN SUBAREA A

Case: Z-
SEPTEMBER 11, 2014



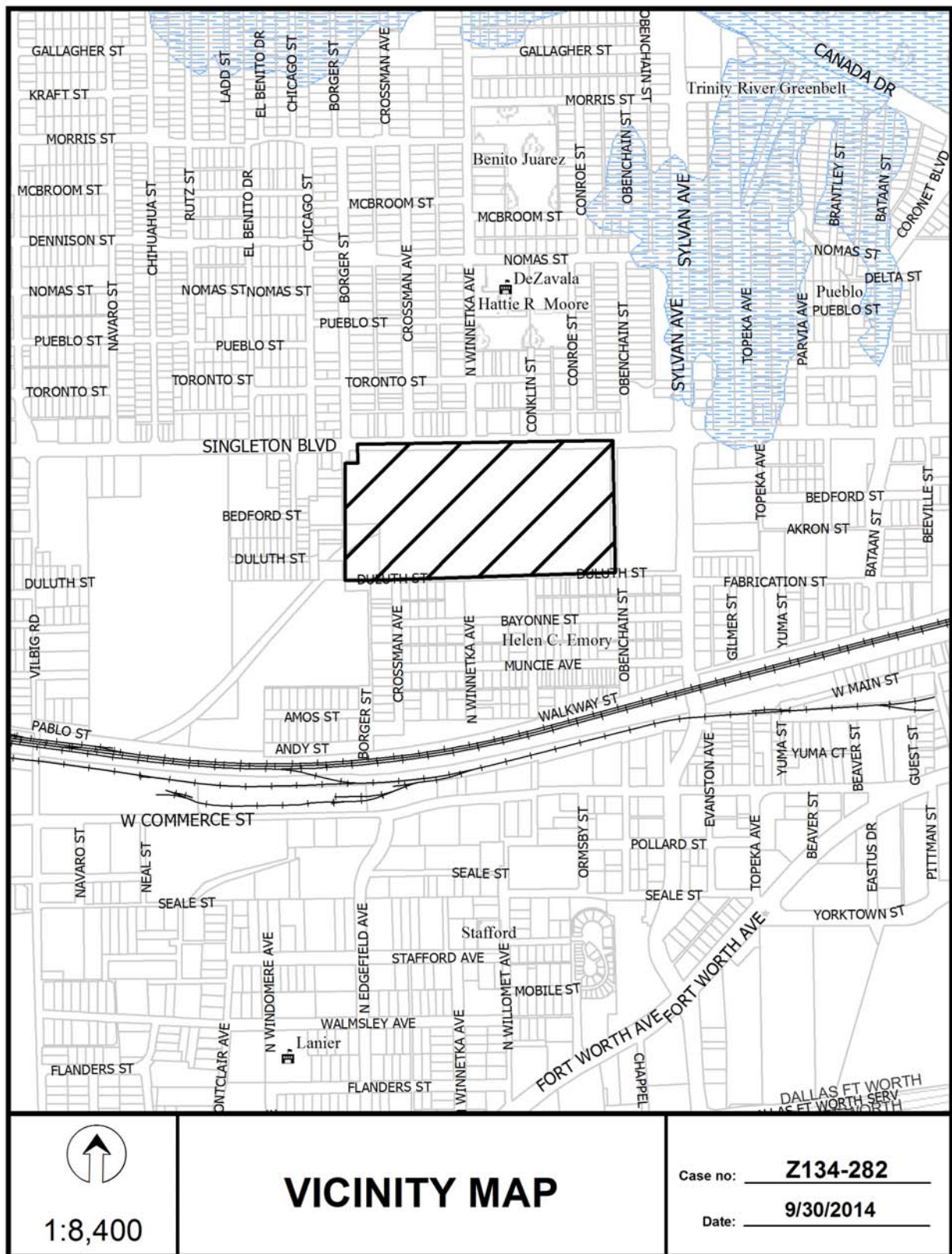
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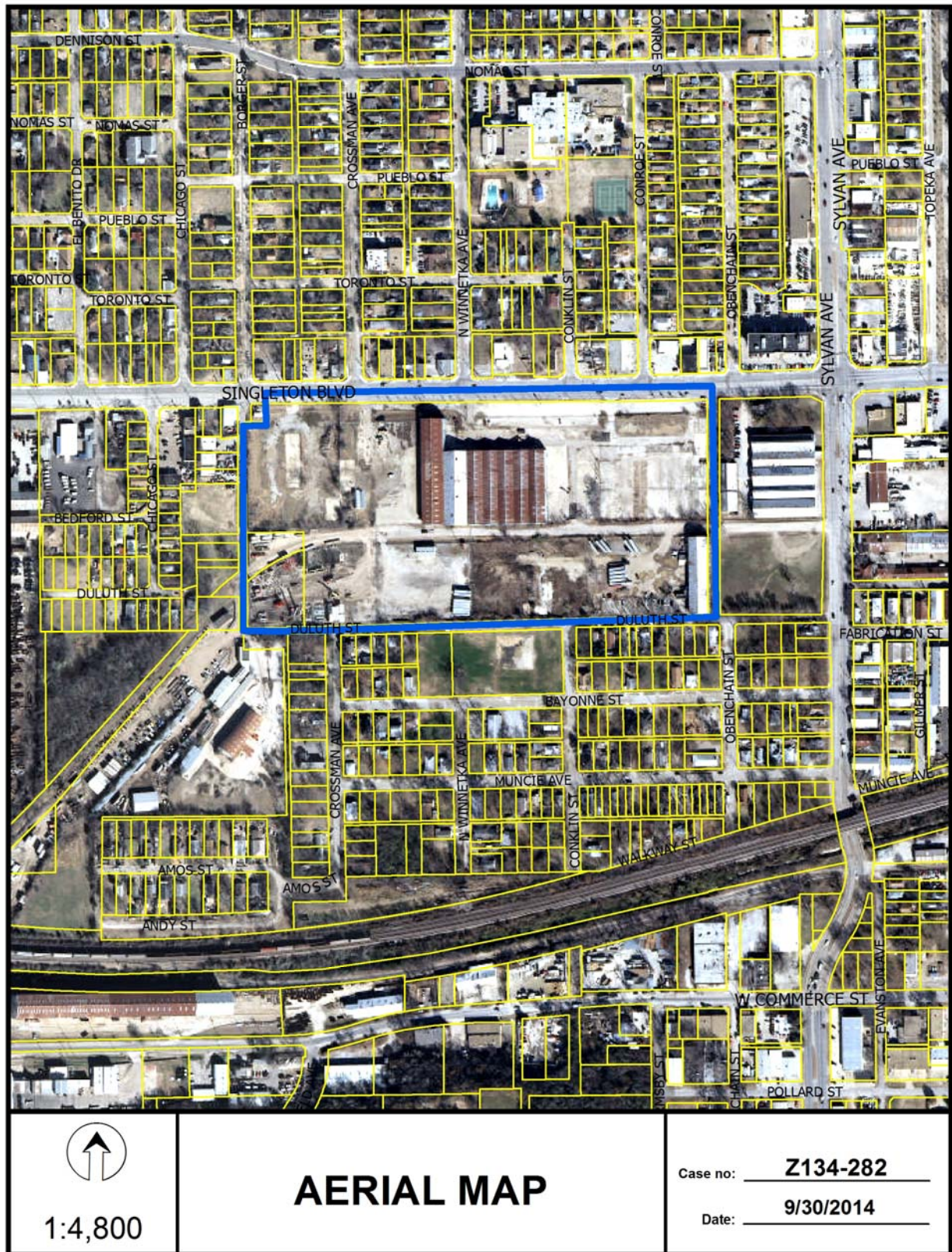
- PRIVATE SHARED ACCESS
- 1/4" = 1' (NOT TO SCALE)

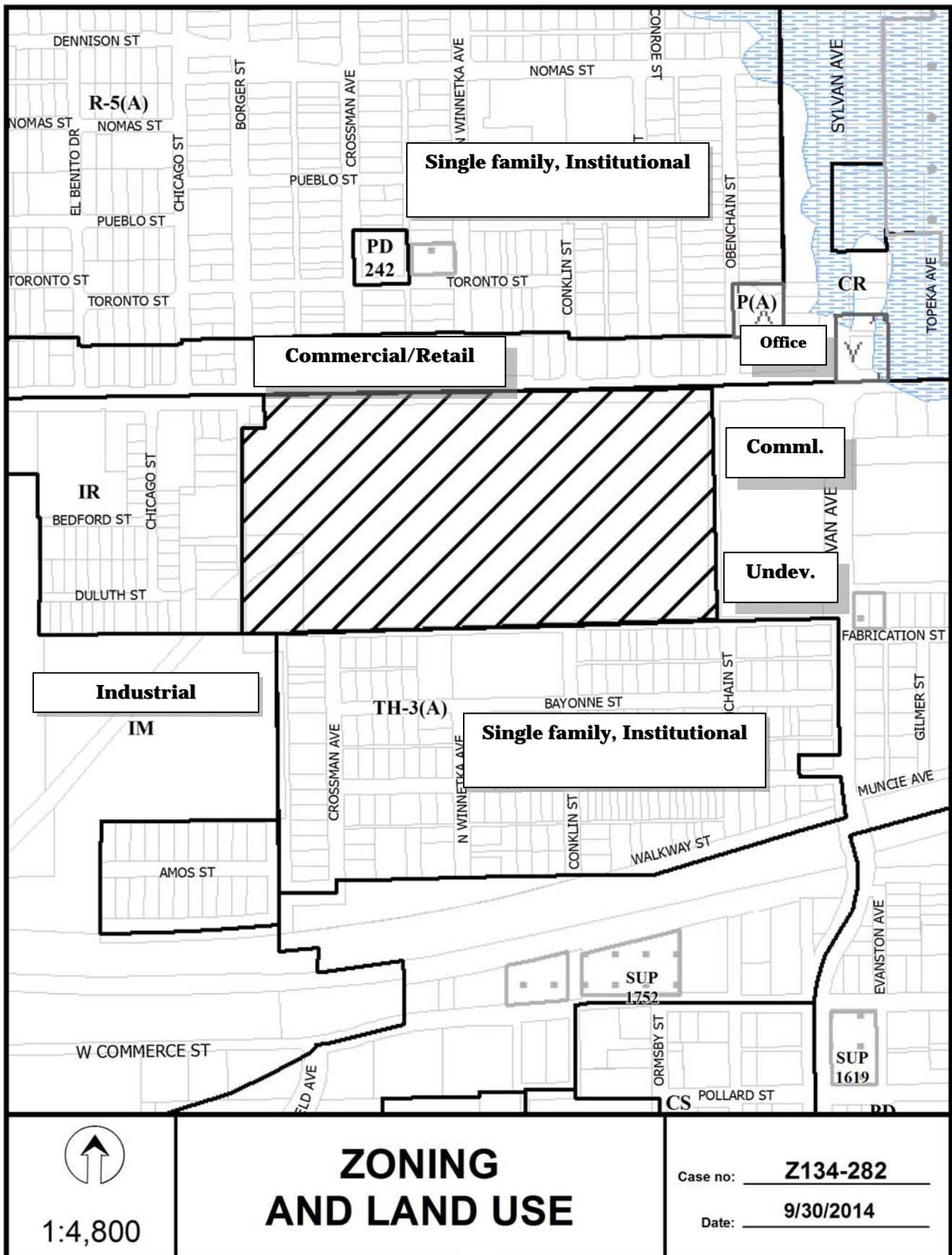
PROJECT DATA

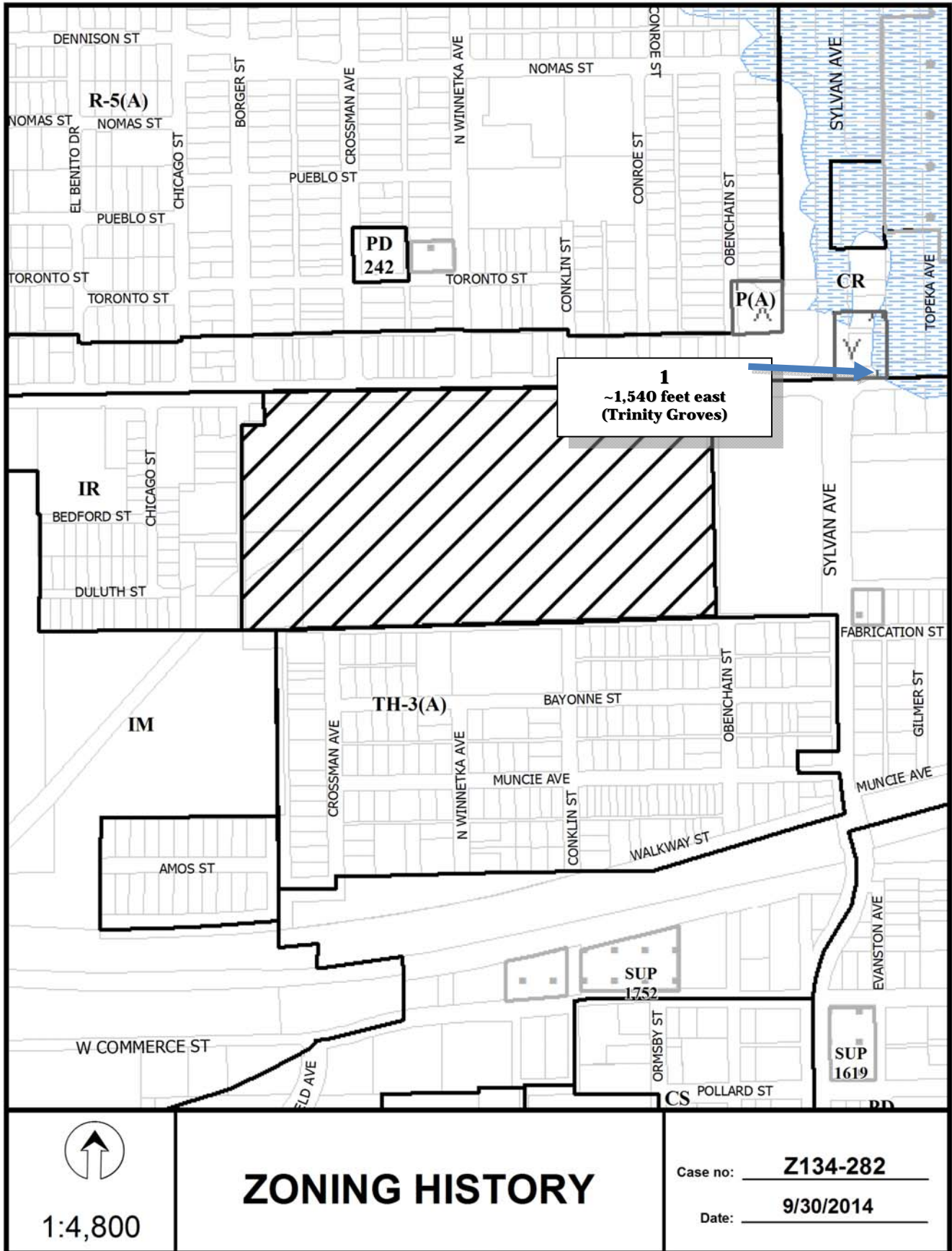
TOTAL LOT AREA	6.27 ACRES
TOTAL SUBAREA A	2.11 ACRES
TOTAL SUBAREA B	4.16 ACRES
QUAD: 282	282
SECTION: 14	14
TOWNSHIP: 14N	14N
COUNTY: 14N	14N
RESIDENTIAL DENSITY	300 UNITS PER ACRE
USE: COUSAD PROPOSED	300 UNITS PER ACRE
TOTAL LOT AREA ALLOWED	300 UNITS PER ACRE
TOTAL SUBAREA A	2.11 ACRES
TOTAL SUBAREA B	4.16 ACRES
TOTAL SUBAREA C	4.00 ACRES
TOTAL SUBAREA D	4.00 ACRES
TOTAL SUBAREA E	4.00 ACRES
TOTAL SUBAREA F	4.00 ACRES
TOTAL SUBAREA G	4.00 ACRES
TOTAL SUBAREA H	4.00 ACRES
TOTAL SUBAREA I	4.00 ACRES
TOTAL SUBAREA J	4.00 ACRES
TOTAL SUBAREA K	4.00 ACRES
TOTAL SUBAREA L	4.00 ACRES
TOTAL SUBAREA M	4.00 ACRES
TOTAL SUBAREA N	4.00 ACRES
TOTAL SUBAREA O	4.00 ACRES
TOTAL SUBAREA P	4.00 ACRES
TOTAL SUBAREA Q	4.00 ACRES
TOTAL SUBAREA R	4.00 ACRES
TOTAL SUBAREA S	4.00 ACRES
TOTAL SUBAREA T	4.00 ACRES
TOTAL SUBAREA U	4.00 ACRES
TOTAL SUBAREA V	4.00 ACRES
TOTAL SUBAREA W	4.00 ACRES
TOTAL SUBAREA X	4.00 ACRES
TOTAL SUBAREA Y	4.00 ACRES
TOTAL SUBAREA Z	4.00 ACRES

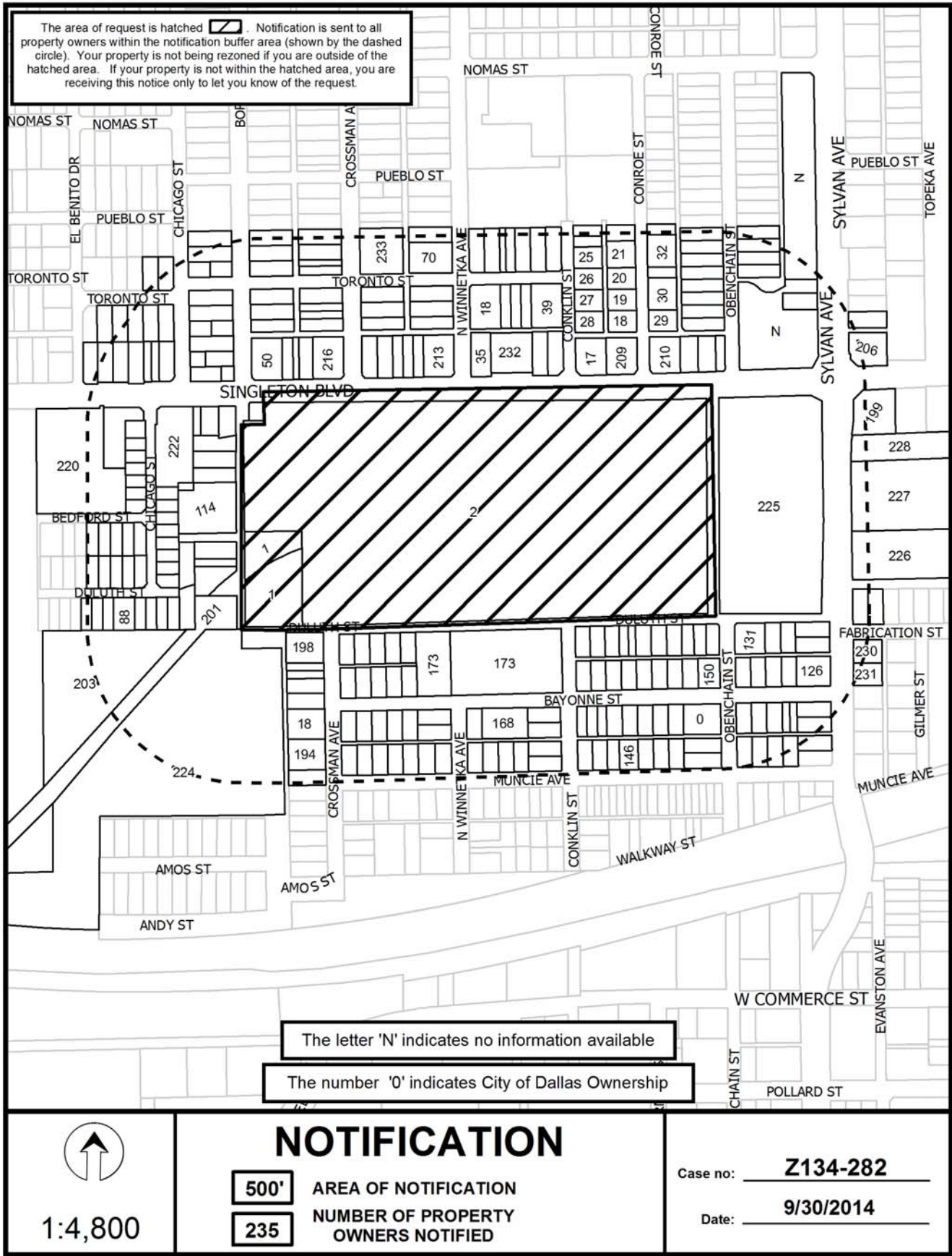
Proposed Subarea A Development Plan











09/30/2014

Notification List of Property Owners***Z134-282******235 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2800 BORGER ST	AUSTIN INTL VENTURES INC
2	900 SINGLETON BLVD	AUSTIN INTL VENTURES INC
3	3012 SYLVAN AVE	YAWEZ LLC
4	3109 OBENCHAIN ST	ALONZO ROBERT G
5	3105 OBENCHAIN ST	NEVAREZ MARIO
6	3103 OBENCHAIN ST	TORRES JUANITA
7	3025 OBENCHAIN ST	WEST DALLAS INVESTMENTS
8	3021 OBENCHAIN ST	RODRIGUEZ JUANITA
9	3019 OBENCHAIN ST	BARRON CORONADO F &
10	3015 OBENCHAIN ST	SACHIN INVESTMENT LLC SERIES C
11	3011 OBENCHAIN ST	SACHIN INVESTMENTS LLC SERIES I
12	833 SINGLETON BLVD	RUIZ RAYMOND JR
13	3108 OBENCHAIN ST	SILVA JOSE A & SONIA V
14	3104 OBENCHAIN ST	BARRON RAFEL & VIRGINIA
15	3100 OBENCHAIN ST	VILLAGOMEZ VALENTE & AIXA
16	3024 OBENCHAIN ST	VILLAGOMEZ JUAN & CARMEN
17	915 SINGLETON BLVD	LOPEZ HECTOR DEJESUS
18	3013 CONROE ST	HMK LTD
19	3021 CONROE ST	BAUTISTA ARTURO SR &
20	3023 CONROE ST	TORRES JESUS & SYLIVA
21	3103 CONROE ST	PINONES JESSE TRUSTEE
22	3109 CONROE ST	PACHECO JOSE LUIS
23	3106 CONKLIN ST	TORRES ANA MARIA
24	3110 CONKLIN ST	RODRIGUEZ RUDY A
25	3104 CONKLIN ST	BARRAGAN MARIA M
26	3024 CONKLIN ST	TEMPLO NUEVA SION

09/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3020 CONKLIN ST	SHANKS BILLIE DURRETT
28	3014 CONKLIN ST	VILLEGAS EVARISTA
29	3012 CONROE ST	TORRES FERNANDO EST OF &
30	3020 CONROE ST	ARELLANO ASUNCION &
31	3026 CONROE ST	RAZO JOSE LUIS & ABELINE
32	3102 CONROE ST	GARCIA ROSALIO
33	3106 CONROE ST	SAVALA JULIA &
34	1001 SINGLETON BLVD	CANALES ALEXANDER J
35	1023 SINGLETON BLVD	TORRES JESUS J &
36	1014 TORONTO ST	RAMIREZ SANJUANA G
37	1010 TORONTO ST	VASQUEZ JESUS &
38	1008 TORONTO ST	POMPA FRANCISCA
39	1002 TORONTO ST	IPINA AGUSTIN &
40	1007 TORONTO ST	REYES CYNTHIA CANTU & JOE ARTHUR
41	1011 TORONTO ST	ROGERS STEPHANIE
42	1013 TORONTO ST	HERNANDEZ RUDOLFO
43	1015 TORONTO ST	RAMIREZ ROBERTO &
44	1019 TORONTO ST	HUERTA MARIA CARMEN
45	1023 TORONTO ST	REYES RAFAEL JR
46	3018 CROSSMAN AVE	JUAREZ CATHEY
47	3022 CROSSMAN AVE	BILLA FRANCISCO & REBECCA
48	3023 WINNETKA AVE	GARDUNO MANUELA & ALBERTO
49	1211 SINGLETON BLVD	TEXICANA INC
50	1221 SINGLETON BLVD	TEXICANA INC
51	3022 BORGER ST	CANALES ALEXANDER
52	3015 CROSSMAN AVE	MUNOZ NATIVIDAD
53	1307 SINGLETON BLVD	CASTILLO URSULA G
54	3006 CHICAGO ST	CASTILLO CHRISTINA C REVOCABLE LIVING TRUST
55	3011 BORGER ST	BECERRA JOSE A ET AL
56	3014 CHICAGO ST	VILLAGOMEZ MARY &
57	3015 BORGER ST	MOYA ELI

09/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3019 BORGER ST	BATES LOUISA PEREZ
59	3023 BORGER ST	DEAVILA MARIA C
60	3103 BORGER ST	CRUZ ARNULFO
61	3102 CHICAGO ST	SOSA MUSIO
62	3107 BORGER ST	GONZALEZ ARMANDO & MARIA
63	3111 BORGER ST	GUZMAN PEDRO
64	3103 CROSSMAN AVE	FLORES GUADALUPE
65	3101 CROSSMAN AVE	GUZMAN J TIBURCIO &
66	3111 CROSSMAN AVE	MARTINEZ EDELMIRA C EST O
67	3110 BORGER ST	MONROY AMANDO
68	3106 BORGER ST	SALTER MARIA D & RON
69	3102 BORGER ST	OCON LUCIA
70	3107 WINNETKA AVE	WESLEY RANKIN COMMUNITY CENTER
71	3111 WINNETKA AVE	WESLEY RANKIN COMMUNITY
72	3101 CHICAGO ST	ROSALES JUAN &
73	1407 TORONTO ST	ROSALES JUAN &
74	1420 TORONTO ST	RODRIGUEZ BLANCA PALOMA
75	1414 TORONTO ST	ESPARZA RAMON & ANTONIA
76	1410 TORONTO ST	MONTEMAYOR JOSEFINA G
77	1406 TORONTO ST	CASTILLO RAYMOND J
78	3019 CHICAGO ST	ALONZO MARY G
79	1405 SINGLETON BLVD	COSS LUCIA
80	1407 SINGLETON BLVD	DESANTIAGO MARIA
81	1409 SINGLETON BLVD	FLORIDO ELIAS
82	1413 SINGLETON BLVD	RUELAS JOHN
83	1419 SINGLETON BLVD	BONILLA ORALIA PEREZ
84	1423 SINGLETON BLVD	VILLANUEVA JUAN
85	1314 DULUTH ST	SUAREZ SILVERIA M
86	1320 DULUTH ST	MACIAS JULIA SUAREZ
87	1400 DULUTH ST	LOPEZ FLORENTINO
88	1404 DULUTH ST	TEMPLO PENA DE HOREB

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	1401 DULUTH ST	SAENZ RODRIGO S & IRMA
90	1403 DULUTH ST	SAENZ IRMA HERNANDEZ
91	1407 DULUTH ST	SAENZ IRMA
92	1411 DULUTH ST	RODRIGO SAUCEDO SAENZ
93	2819 CHICAGO ST	LOPEZ FLORENTINO ET AL
94	1404 BEDFORD ST	HERNANDEZ JENNIFER N
95	1406 BEDFORD ST	ESCAMILLA JIMMY R
96	1412 BEDFORD ST	RODRIGUEZ ALFREDO S
97	2802 CHICAGO ST	LOZADA MANUEL
98	2806 CHICAGO ST	LOZADA MANUEL JR &
99	2810 CHICAGO ST	ESPERANZA LOZADA VENTURA
100	2814 CHICAGO ST	BANDA ELIDIO
101	2818 CHICAGO ST	WILLIAMS W A ESTATE OF
102	2820 CHICAGO ST	ROBLES MARY M
103	2902 CHICAGO ST	DILLARD CHARLES E JR &
104	2904 CHICAGO ST	ROBLES ROBERTO & MARY M
105	2903 CHICAGO ST	LOPEZ SEFERINA
106	2907 CHICAGO ST	WILCHES MARCELEN A
107	2919 CHICAGO ST	YANEZ JORGE & MARIELA
108	2923 CHICAGO ST	WILONSKY DOROTHY &
109	2927 CHICAGO ST	LUNA GETRUDIS
110	900 SINGLETON BLVD	DALLAS SMSA TOWER HOLDINGS
111	2823 BORGER ST	TERRY R H
112	2819 BORGER ST	BUILDERS OF HOPE CDC
113	1310 DULUTH ST	SALAZAR RICHARD EST OF
114	1311 DULUTH ST	HERSHMAN ABE I
115	1300 SINGLETON BLVD	ORDAZ RASALIO
116	2511 SYLVAN AVE	HURD REGINALD VAUGHN
117	2513 SYLVAN AVE	HURD REGINALD VAUGHN
118	2515 SYLVAN AVE	MCDANIEL JEARLDINE
119	810 BAYONNE ST	MARTINEZ LILIAN &

09/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	810 BAYONNE ST	POLO HOMES OPERATIONS LTD
121	818 BAYONNE ST	TILLMAN RUBEN JR
122	823 MUNCIE AVE	SMITH JOHN HENRY
123	819 MUNCIE AVE	ARMSTRONG MARIE PEOPLES
124	815 MUNCIE AVE	COLEMAN TONY LYNN SR
125	811 MUNCIE AVE	COLEMAN EMORY L &
126	805 BAYONNE ST	CARROLL JOHN W
127	2611 SYLVAN AVE	MATHEWS DAVID Q &
128	2615 SYLVAN AVE	CERVANTES RICHARD FLORES &
129	810 DULUTH ST	HURD CHARLIE B
130	814 DULUTH ST	HURD WILLIAM SAMUEL
131	818 DULUTH ST	COLEMAN TONY L
132	825 BAYONNE ST	FUENTES RUBEN
133	819 BAYONNE ST	MARTINEZ CARLOS H
134	815 BAYONNE ST	WEST DALLAS INVESTS LP
135	811 BAYONNE ST	DALLAS HOUIING ACQUISITION & DEV CORP
136	2503 OBENCHAIN ST	PEACEFUL REST BAPT CH
137	2507 OBENCHAIN ST	PEACEFUL REST BAPTIST CHURCH
138	916 BAYONNE ST	SMITH ALBERTA & IRENE
139	918 BAYONNE ST	DAVIS LENA
140	922 BAYONNE ST	MACHUCA CRISTINA
141	928 BAYONNE ST	HOLMAN FRED
142	934 BAYONNE ST	MATHEWS DAVID Q &
143	936 BAYONNE ST	MATHEWS DAVID Q &
144	941 MUNCIE AVE	ALVARADO PORFRIO &
145	931 MUNCIE AVE	KOLOBOTOS ANGELOS
146	927 MUNCIE AVE	AUCTION PROPERTIES FUND I LLC
147	915 MUNCIE AVE	HERNANDEZ GELACIO
148	913 MUNCIE AVE	MATTHEWS OZELLA B
149	932 BAYONNE ST	HENRY COLQUITT
150	905 BAYONNE ST	CABALLERO MARIA

09/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	2617 OBENCHAIN ST	MCKNIGHT JEWELL EST OF
152	912 DULUTH ST	PORTAL 7 LLC
153	914 DULUTH ST	HOUSTON DOROTHY
154	918 DULUTH ST	CASTRO DANIEL
155	922 DULUTH ST	ROGERS GUADALUPE
156	924 DULUTH ST	MALDONADO ANTONIO & MARIA
157	926 DULUTH ST	YBARRA CARLOS &
158	934 DULUTH ST	JULIAN GONZALES JR
159	2614 CONKLIN ST	JACKSON CARLOS
160	939 BAYONNE ST	SILPAVIVAT CHAVALIT
161	921 BAYONNE ST	WOODARD RECTOR A ET AL
162	917 BAYONNE ST	WOODARD RECTOR A ETAL
163	911 BAYONNE ST	CHAVEZ CRESENCIO
164	2503 CONKLIN ST	GILBERT ALAN
165	2507 CONKLIN ST	PIERCE MARY
166	2511 CONKLIN ST	ALVARADO PORFIRIO & ESMERALDA
167	1002 BAYONNE ST	ADVISORY PARTNERS LP
168	1010 BAYONNE ST	GREATER MOUNT PILGRIM
169	1027 MUNCIE AVE	TOLBERT GLORIA J
170	1025 MUNCIE AVE	MUNOZ ADOLFO ALVAREZ &
171	1017 MUNCIE AVE	MEDINA PANTALEON
172	1011 MUNCIE AVE	HERNANDEZ JUAN ANTONIO &
173	1000 BAYONNE ST	Dallas ISD
174	2509 WINNETKA AVE	JACKSON CARLOS
175	2513 WINNETKA AVE	MT GILEAD BAPTIST CH
176	1110 BAYONNE ST	ANDERSON CAROL RUTH
177	1114 BAYONNE ST	ARELLANO GERARDO &
178	1118 BAYONNE ST	VASQUEZ FRANCESCA &
179	1120 BAYONNE ST	RODRIGUEZ MONICA
180	1124 BAYONNE ST	VASQUEZ ERICK
181	1127 MUNCIE AVE	HARRIS ROSA LEE

09/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	1121 MUNCIE AVE	LEE LULA MAE ESTATE OF
183	1119 MUNCIE AVE	ENRIQUE MARQUEZ
184	1115 MUNCIE AVE	BARKWELL CATHERINE L
185	1110 DULUTH ST	WILLIAMS DELBERT &
186	1114 DULUTH ST	TOPLETZ DENNIS D
187	1118 DULUTH ST	RODRIGUEZ EVERARDO
188	1122 DULUTH ST	RODRIGUEZ ARTURO P &
189	1126 DULUTH ST	COVARRUBIAS RAPHAEL
190	1123 BAYONNE ST	ALVARADO RUBEN &
191	1121 BAYONNE ST	JONES CHIQUITA ETAL
192	1119 BAYONNE ST	RAMIREZ VICTORIA G
193	2427 CROSSMAN AVE	CARTER TEMPLE CME CH
194	2503 CROSSMAN AVE	CARTERS TEMPLE CME CHURCH
195	2603 CROSSMAN AVE	MITCHELL A C MRS
196	2607 CROSSMAN AVE	MENDOZA MIGUEL S
197	2607 CROSSMAN AVE	MENDOZA MIGUEL S &
198	2615 CROSSMAN AVE	MAYES MRS E L
199	740 SINGLETON BLVD	DURBIN PAMELA LYNN TR OF
200	727 FABRICATION ST	BONNILLA JOSE S &
201	2800 BORGER ST	AUSTIN CORP SERVICES INC
202	2911 CHICAGO ST	QUINTERO MARIA EULALIA
203	2800 LADD ST	AUSTIN INTL VENTURES INC
204	919 MUNCIE AVE	WILSON BERETTA &
205	3017 SYLVAN AVE	ALVARADO DAVID
206	717 SINGLETON BLVD	WEST DALLAS INVESTS LP
207	839 SINGLETON BLVD	RUIZ MARIA E
208	829 SINGLETON BLVD	RUIZ MARIA E
209	901 SINGLETON BLVD	HMK LTD
210	847 SINGLETON BLVD	RUIZ MARIA
211	1001 TORONTO ST	REYES CYNTHIA C & JOE A
212	3111 CONKLIN ST	REYES CYNTHIA CANTU & JOE ARTHUR

09/30/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	1101 SINGLETON BLVD	HMK LTD
214	1111 SINGLETON BLVD	HMK LTD
215	1119 SINGLETON BLVD	HMK LTD
216	1201 SINGLETON BLVD	HMK LTD
217	1213 SINGLETON BLVD	GONZALEZ ALEJANDRO
218	3023 CROSSMAN AVE	HMK LTD
219	1301 SINGLETON BLVD	HMK LTD
220	1500 SINGLETON BLVD	DALLAS ISD
221	1404 SINGLETON BLVD	WILONSKY DOROTHY
222	1318 SINGLETON BLVD	ZARATE ANTONIO
223	2915 BORGER ST	HERSHMAN ABE I
224	1300 DULUTH ST	AUSTIN INTERNATIONAL
225	818 SINGLETON BLVD	ATLAS METAL WORKS
226	2720 SYLVAN AVE	WEST DALLAS INVESTS LP
227	2816 SYLVAN AVE	BIG D TRUCK & TRAILER
228	2920 SYLVAN AVE	SALIBA SHUBERT & MCCLURE
229	2700 SYLVAN AVE	BONNILLA JOSE S &
230	2610 SYLVAN AVE	TAHERKHARSANDI ALI
231	2600 SYLVAN AVE	TAHERKHARSANDI ALI
232	1013 SINGLETON BLVD	LUNA JOHN & GENOVEVA
233	3100 CROSSMAN AVE	WESLEY RANKIN COMM CTR
234	2919 BORGER ST	HERSHAMAN ABE I
235	2921 BORGER ST	HERSHMAN ABE I

Planner: Olga Torres-Holyoak**FILE NUMBER:** Z134-296(OTH) **DATE FILED:** July 23, 2014**LOCATION:** South corner of Regal Row and Harry Hines Boulevard**COUNCIL DISTRICT:** 2 **MAPSCO:** 33-L**SIZE OF REQUEST:** Approx. 12.9 acres **CENSUS TRACT:** 100.00

OWNER/APPLICANT: UPLIFT Education**REPRESENTATIVE:** Brain Nelson, HKS Architects, Inc.**REQUEST:** An application for an amendment to Specific Use Permit No. 1655 for an open-enrollment charter school on property zoned an MU-3 Mixed Use District and an IR Industrial Research District.**SUMMARY:** The purpose of request is to allow for the construction of 4,000 additional square feet and to add a total of 14 classrooms to the existing charter school. Three classrooms will be located in the proposed addition. The school is reconfiguring the layout of the existing structures to accommodate the remaining 11 classrooms. The students attending the school will range between kindergarten and twelfth grade. The school will continue to serve as an elementary, middle and high school. The new number of classrooms will be 66, distributed as follows: 24 elementary school, 30 for middle school, and 12 for high school. No other conditions are changing for the SUP.**STAFF RECOMMENDATION:** Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan, traffic management plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The existing building and proposed expansion are compatible in scale and character with the surrounding retail, office, showroom and warehouse, recreational, parking lot and auto related uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing open-enrollment charter school has not negatively impacted the adjacent properties and provides a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The existing open-enrollment charter school has not been a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The proposed use and site plan as proposed comply with all the zoning regulations and standards.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Regal Row	Principal Arterial	150 ft.
Viceroy Drive	Local	60 ft.
Burbank Street	Local	33.76 ft.
Harry Hines Boulevard	Principal Arterial	164 ft.

Land Use:

	Zoning	Land Use
Site	MU-3, IR	Open-Enrollment Charter School
North	PD No. 351, IR	Office, showroom, warehouses & undeveloped; Auto Service Center
South	IR	Golf club
East	CS, IR	Retail
West	MU-3	Office, showroom, warehouses

Comprehensive Plan:

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

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

STAFF ANALYSIS:

Land Use Compatibility: The original SUP was approved in February 28, 2007 for a ten-year period with eligibility for automatic renewals for additional ten-year periods. The request site is contiguous to several office/showroom/warehouse buildings, the Brook Hollow Golf Club and an auto related uses. The surrounding land uses, across Harry Hines Boulevard, consist of several restaurants and retail; to the north and west office, showroom and warehouse, and parking, lot and auto related uses; and to the south, a golf course.

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

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

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
MU-3 Mixed use-3	15'	20' adjacent to residential OTHER: No Min.	3.2 FAR base 4.0 FAR maximum + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential, trade center

Parking: The requirement for off-street parking for the school is derived by two criterions: 1) the number of classrooms; and 2) the type of institution that serves the students (e.g., elementary, middle or high school). The Dallas Development Code requirement for off-street parking for a school is as follows:

- one and one half space for each kindergarten/elementary school classroom;
- three and one-half spaces for each junior high/middle school classroom; and
- nine and one-half spaces for each senior high classroom.

The number of off-street parking spaces required for the open-enrollment charter school is 255 spaces. The applicant is providing approximately 256 spaces as shown on the attached site plan.

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

Traffic: The Engineering Section of the Department of Development Services has reviewed the request and has determined that the proposed development will not have a negative impact on the surrounding street system. The applicant has submitted a revised Traffic Management Plan for the school. Typical SUP conditions for a school include that the Traffic Management Plan be periodically revised to make sure that the proposed traffic circulation is appropriate for the school and does not create any traffic issues for the neighborhood.

**PROPOSED CONDTIONS SUP 1655
Z134-296(OTH)**

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a period that expires on ten years from the day of approval ~~February 28, 2017~~, and is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. 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. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.
5. CLASSROOMS: The maximum number of classrooms is 66 ~~52~~. Only classrooms for kindergarten through twelfth grade are allowed.
6. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 10:00 p.m., Monday through Friday.
7. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted
8. PARKING: Parking must be located as shown on the attached site plan.
9. PICK-UP/DROP-OFF: The student pick-up and drop-off area must be provided as shown on the attached site plan.
10. TRAFFIC MANAGEMENT PLAN: The open-enrollment charter school must comply with the attached traffic management plan.

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

PROPOSED TMP

Traffic Management Plan

Uplift Education – Williams Preparatory
Zoning Case Z134-296_OTH
Dallas, Texas



Walter P. Moore and Associates, Inc.
TBPE Firm Registration No. 1856

Prepared for
Uplift Education

Prepared by
WALTER P MOORE

Walter P. Moore and Associates, Inc.
1845 Woodall Rodgers Freeway, Suite 1650
Dallas, Texas 75201

October 2014

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INTRODUCTION

Williams Preparatory is an Uplift Education school serving scholars in grades Kindergarten through 12. The school is located on the south west corner of Harry Hines Boulevard and Regal Row with a western boundary of Viceroy Drive. Uplift Education acquired the services of Walter P Moore (WPM) to provide a Traffic Management Plan (TMP) to accompany campus expansion plans.

William Preparatory has been in operation since 2007 and maintains a very efficient carpool circulation and operations plan. The Traffic Management Plan was designed to create a vehicular circulation route for parents to drop-off and pick-up their children during the critical morning and afternoon times associated with the beginning and dismissal of school. It is designed to maintain all queued vehicles within the school property during both the AM and PM peak periods and not impede the flow of traffic on adjacent streets. Elements of the proposed Traffic Management Plan are provided.

TRAFFIC MANAGEMENT PLAN

Family Identification Numbers

As currently is the practice at Williams Preparatory, it is recommended to provide a carpool identification card for each family. The parents should be instructed to have the identification card visible for the administrator(s) located on campus. This system allows administrators to relay the specific parent's arrival information to the staff inside the building to alert the scholars.

Ingress & Egress

Two driveways provide access to the Middle and High School from Viceroy Drive. During Drop-off/Pick-up operations, all vehicles will enter the site via the south driveway and exit via the north driveway. The elementary school has access to and from Harry Hines Boulevard during Drop-off/Pick-up operations as illustrated on the **TMP Exhibit 1**.

Drop-off/Pick-up Locations

Student Drop-off/Pick-up locations are illustrated on **TMP Exhibit 1** for the Elementary School, the Middle School and the High School. Students are not permitted to walk through the carline to get into their vehicle.

Administrative Officials

The TMP Exhibit 1 illustrates approximate locations where school staff are located to assist with the Drop-off/Pick-up operations. There are also Police officers stationed near Viceroy Drive and Harry Hines Boulevard. Each school campus has unique carpool operation conditions with its number of staff, students and parents. Monitoring of the current Traffic Management Plan should be performed to ensure that it is operating as planned. The school should be prepared to provide additional staff and adjust based on the demand both in the morning and in the afternoon.

Queuing Analysis

The Traffic Operations and Safety at School Study prepared by the Texas A&M Transportation Institute (TTI) recommends parent Drop-off/Pick-up zone on-site stacking length for schools in Texas. Table 1 provides the TTI summary. For a Middle School with a population of 600 or more, the recommended length is between 800 and 1,600 linear feet. No information is provided for a High School with less than 400 students, however the lower end of the range for 400 – 800 students is 800 feet. As the TTI recommendations are based on individual campuses, the application of the recommended stacking lengths to the Williams Preparatory campus may not be a direct correlation since the parents can pick up both a Middle School student and a High School student at the same location.

Table 1 Recommended Parent Drop-off/Pick-up Zone On-Site Stacking Length Uplift Education – Williams Preparatory Dallas, Texas				
School Type	Student Population	Loop Drive Stacking Length (linear feet)	Williams Student Population	TTI Recommended
Middle School	Less than 600	500 - 800	840	1,120 LF
	600 or more	800 - 1600		
High School	400 - 800	800 - 1200	336	672 LF
	800 - 2500	1200 - 1500		
Source: Texas A&M Transportation Institute (TTI)			1,176	1,792 LF

Based on a ratio of the guidance in Table 1 and the number of students at Williams Preparatory, a minimum on-site stacking length of 1,120 linear feet is recommended for the Middle School and 672 linear feet is recommended for the High School. As illustrated on Figure 1, the stacking length provided for the Middle School is 865 linear feet and 664 linear feet is provided for the High School on-site queuing for a total of 1,529 linear feet. Observations during the pick-up operations in September

2014 indicated that the vehicular queue did utilize the on-site storage areas as well as some of the curb side queueing space available on Viceroy Drive. The street has ample width and capacity to accommodate the general traffic in both directions without being impeded with queued vehicles.

Circulation

Elementary School

Motorists destined for the Elementary School enter the site from southeast-bound Harry Hines Boulevard with a right turn. After entering the parking lot, they follow a counterclockwise path. The circulation is illustrated on **TMP Exhibit 1** for motorists to form a line along the soccer field. The scholars are escorted by staff members through the awning that connects the Drop-off/Pick-up area and the Elementary School. Motorists stop adjacent to the new gym building, and staff direct motorists to proceed through the exit area via a right-turn at the driveway on Harry Hines Boulevard.

Middle/High School

The left-turn entry movements from Viceroy Drive are not permitted after 7:30 AM and 3:15 PM. The motorists travelling on Regal Row desiring to enter the upper school campus proceed to King George Drive and travel southbound until a left turn onto Viceroy Drive is possible. They may now enter the campus with a right turn from Viceroy Drive. The traffic entering the upper level school splits into two lanes– one for Middle School Drop-off/Pick-up and the other for High School Drop-off/Pick-up. The circulation paths for the Drop-off/Pick-up operations of the upper level school are shown in **TMP Exhibit 1**. Motorists who are picking up both elementary scholars as well as Middle School and/or High School scholars, are directed to pick-up at the High School area. Advanced planning with the scholars is recommended. The traffic paths for the High School and Middle School Drop-off/Pick-up operations merge into a single line to exit the school on to Viceroy Drive.

ADDITIONAL INFORMATION

- Williams Preparatory is a closed campus and the gates will not open for dismissal until after 3:15 PM (1:45 PM on Wednesday).
- All students must be dropped off or picked up inside the gates. No parking is allowed in the lots across the street and walking over to pick up or drop off your students.
- No left turns into the campus can be made from Viceroy after 7:30 AM for drop off and after 3:15 PM for pick up. After these times, from Regal Row, turn onto King George Drive then take a left on Viceroy Drive to enter the campus with a right turn.

- If you have Elementary and Secondary scholars to pick up, please pick them both up on the Secondary side of the school. The Elementary scholars will be met by their older sibling and walk over to be picked up on the Secondary school side. All secondary scholars should be in line for their sibling no later than 4:10 PM (2:40 PM on Wednesday).
- Students may not walk through the carline to get into their vehicle.
- Please be courteous and respectful to everyone.

SUMMARY

Williams Preparatory opened in 2007 and has reached its ultimate student enrollment. Through the last several years, the school has revised the drop-off and pick-up operations and the Traffic Management Plan is illustrated on TMP Exhibit 1. While at times, vehicles are queued onto northbound Viceroy Drive waiting to enter the campus, the street has ample width and capacity to accommodate the general traffic in both directions without being impeded with queued vehicles. Observations in September 2014 provided that all driveways remained free of waiting vehicles. The motorists who had lined up to enter the campus exhibited orderly behavior and through traffic on Viceroy Drive was not impeded.

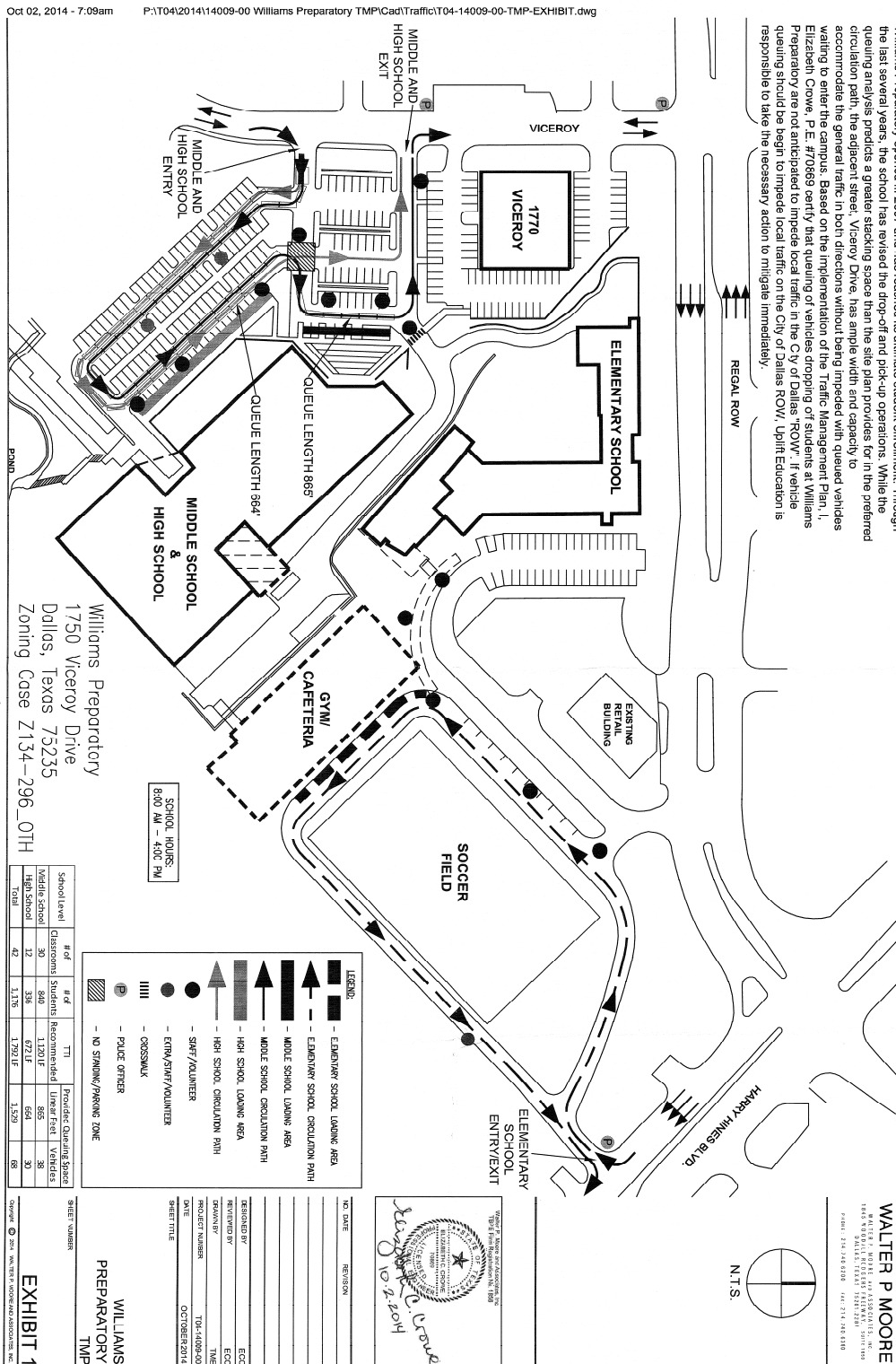
Based on the implementation of the Traffic Management Plan, queuing of vehicles dropping off or picking up students at Williams Preparatory Secondary campus are not anticipated to impede local traffic in the City of Dallas "ROW". If vehicle queuing should begin to impede local traffic on the City of Dallas ROW, Uplift Education is responsible to take the necessary action to mitigate immediately.

Strategies to minimize peak queuing conditions on school campuses include:

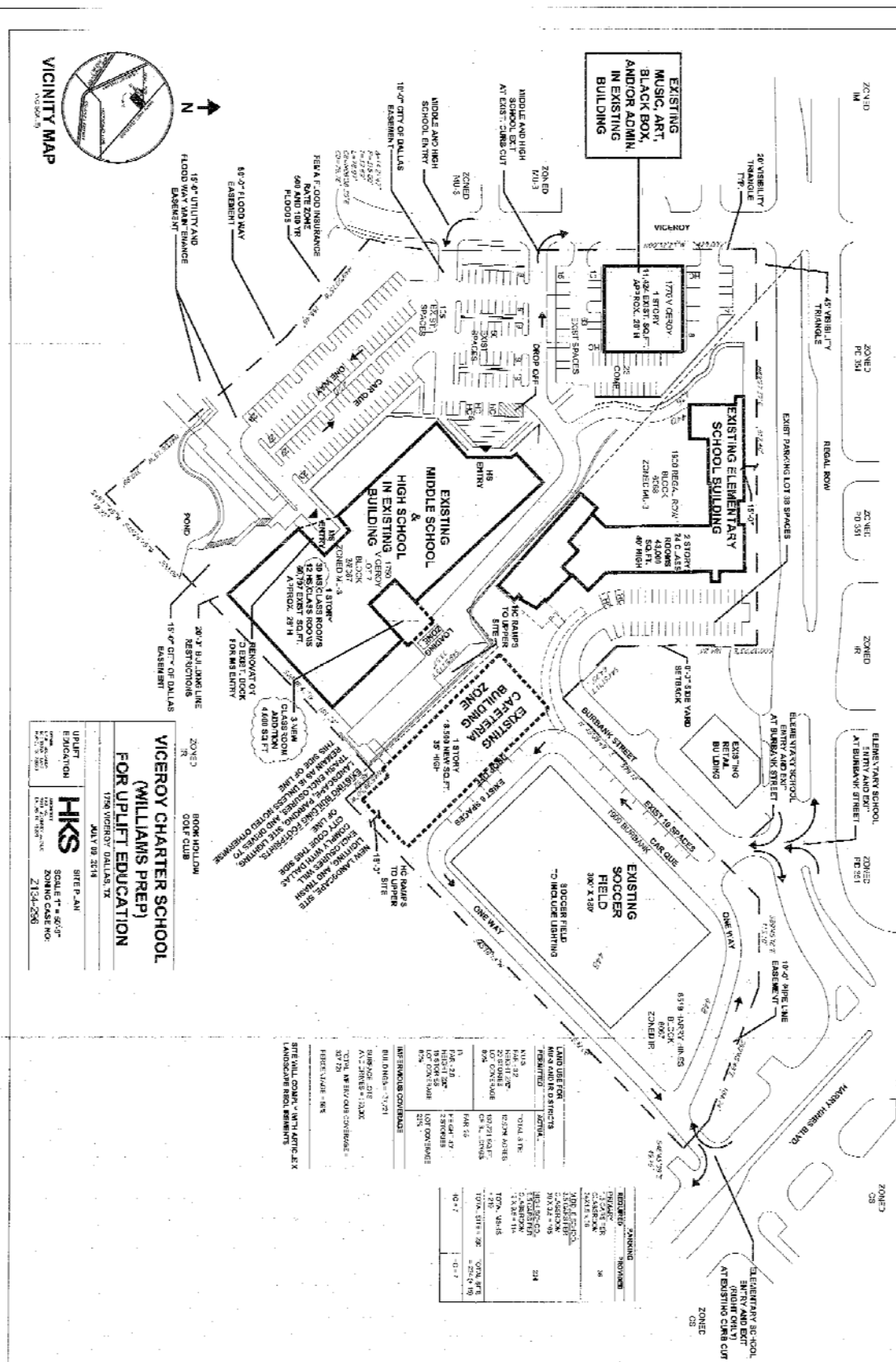
- Provide several opportunities for the parents, students and staff to learn any new carpool circulation plan; meetings, e-mails, posting on the school website, etc.
- Instruct parents not to arrive at the school too early,
- Encourage carpooling among families,
- Have parents visibly display their family name or carpool number to be easily identified by school staff,
- Encourage the parents to queue up closely to the vehicle in front of them to provide more vehicular space on campus,
- Provide additional staff members to assist with unloading/loading the students, and/or
- Stagger release times for different grade levels if needed.

PROPOSED TMP

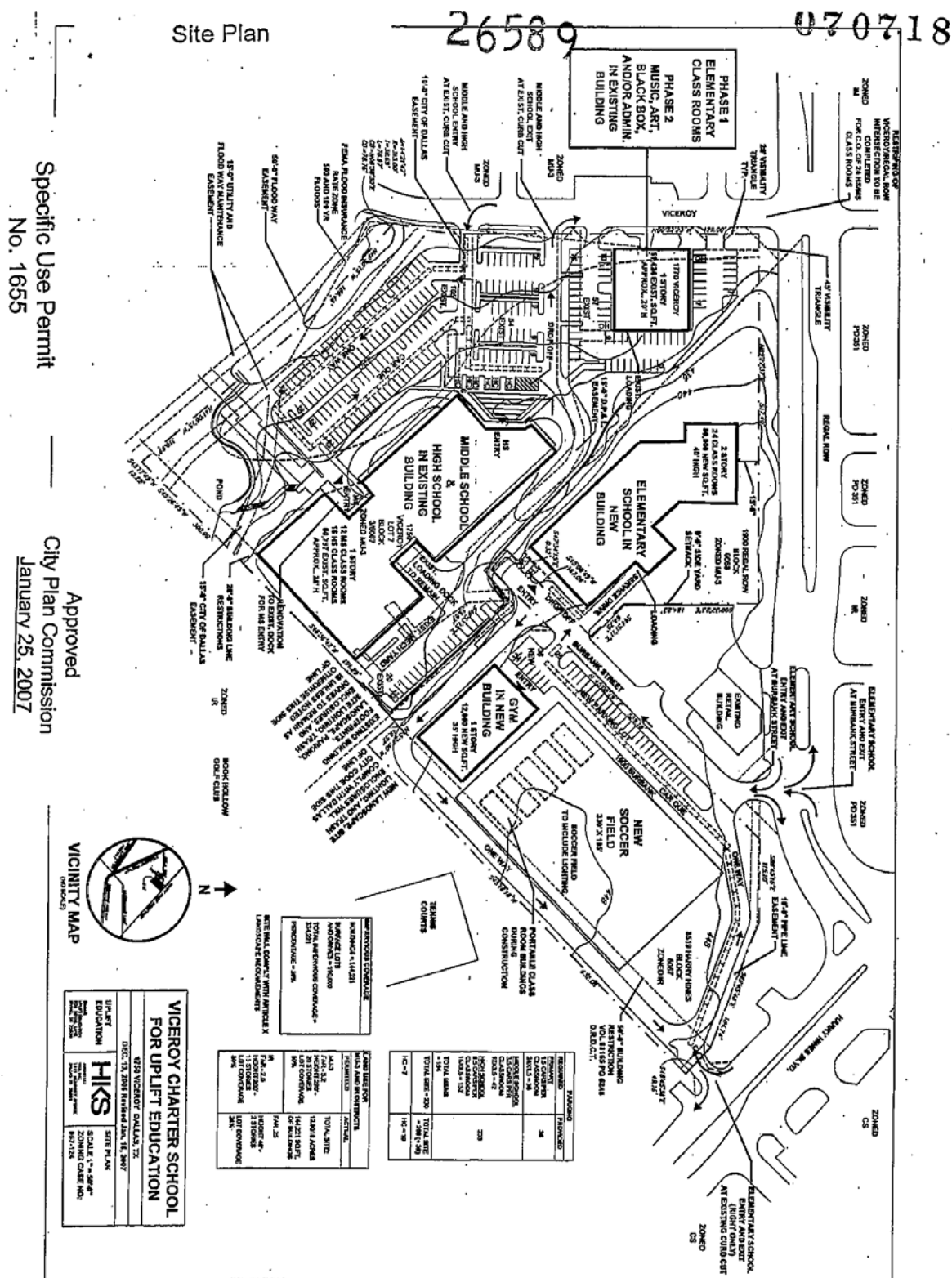
Williams Preparatory, opened in 2017, and has received its ultimate student enrollment. Through the last several years, the school has waived the drop-off and pick-up operations. While the queuing analysis predicts a greater stacking space than the site plan provides for in the preference for circulation path, the adjacent street, Vasey Drive, has ample width and capacity to accommodate the general traffic in both directions without being impeded with queuing vehicles waiting to enter the campus. Based on the implementation of the Traffic Management Plan, I, Elizabeth Grove, P.E. #70869 certify that queuing of vehicles dropping of students at Williams Preparatory are not anticipated to impede local traffic in the City of Dallas ROW. I, vehicle operator, Elizabeth Grove, P.E. #70869, certify that Williams Preparatory, I, Elizabeth Grove, P.E. #70869, is responsible to take the necessary action to mitigate immediately.



PROPOSED SITE PLAN



EXISTING SITE PLAN



BOARD OF DIRECTORS

Board

Uplift Education Board of Directors

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Board Chairman
RTD Consulting
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Hilliard Street Capital

Abigail Williams

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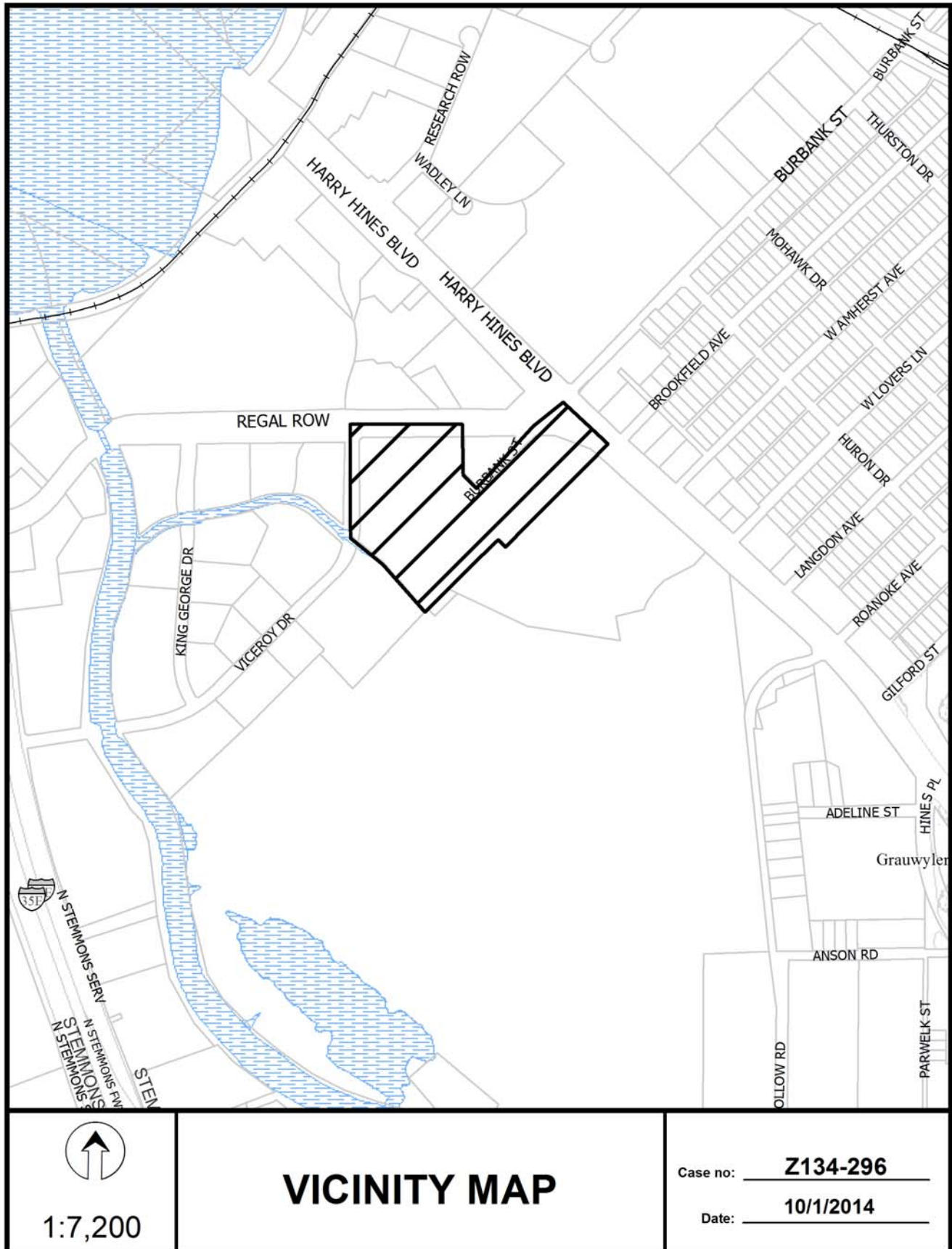
Esmeralda Ortiz

Stuart Ravnik

UT Southwestern
Christ Foundry
Sidley Austin LLP

Owen Ross

Mark Dodd



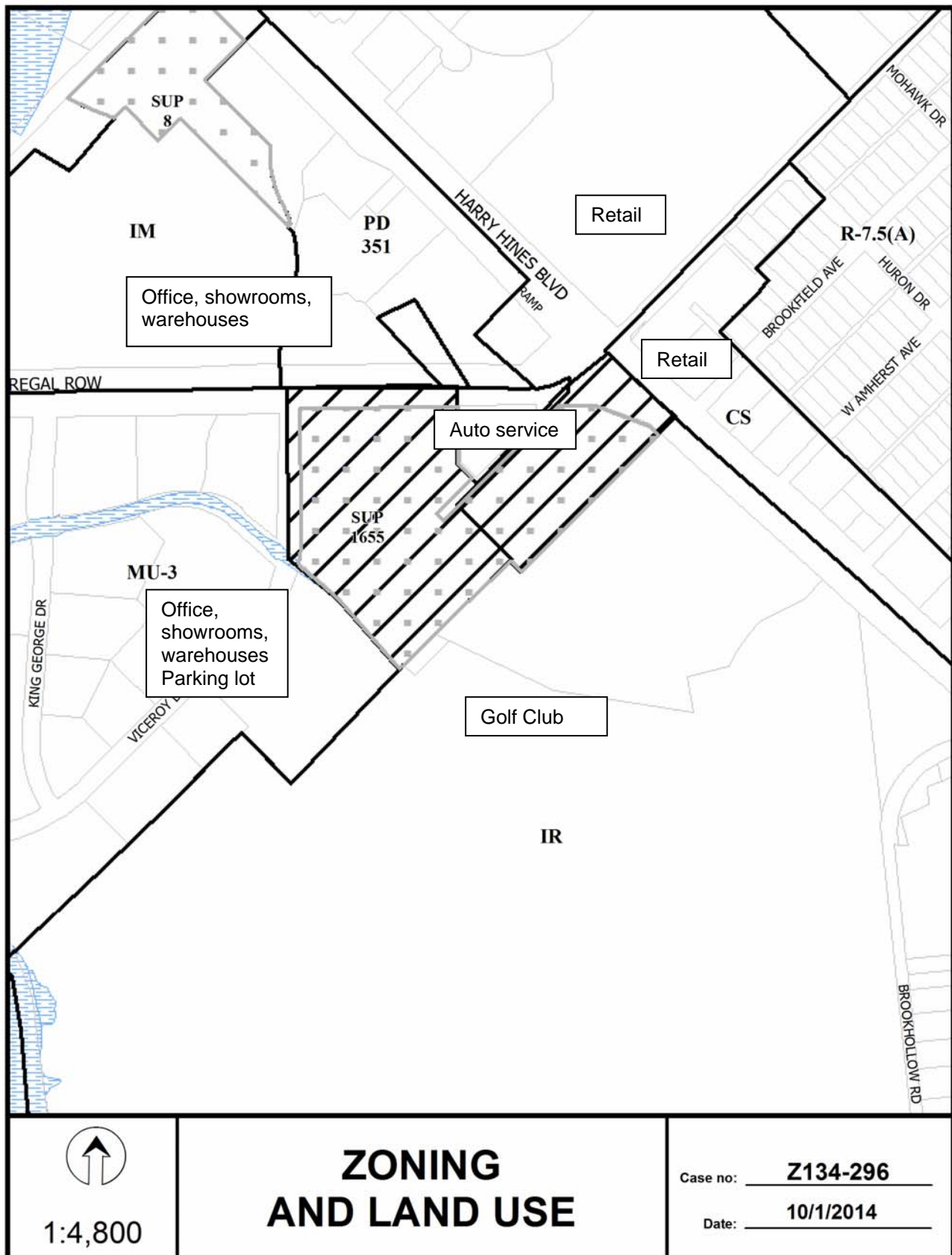


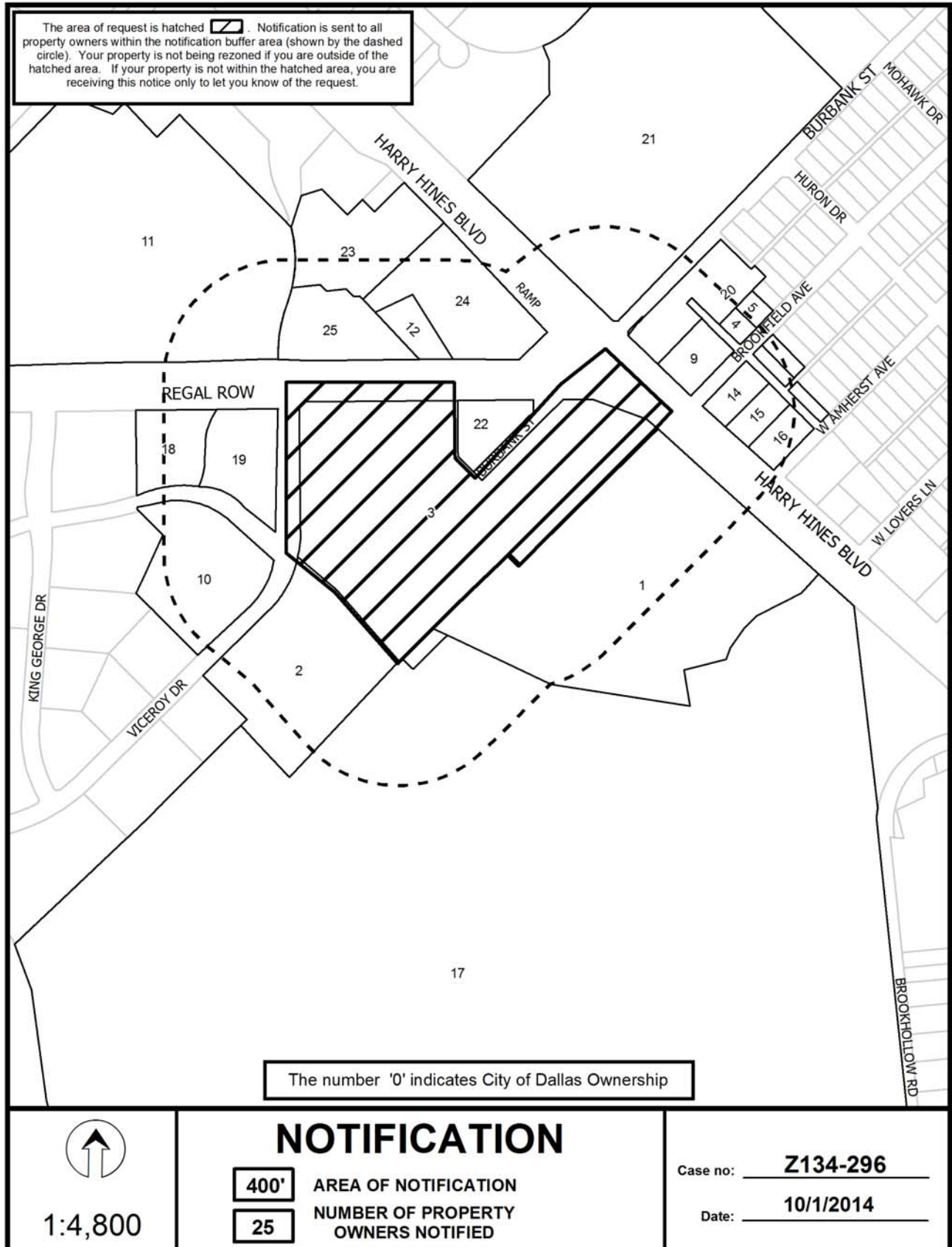
1:4,800

AERIAL MAP

Case no: Z134-296

Date: 10/1/2014





10/01/2014

Notification List of Property Owners***Z134-296******25 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8301 HARRY HINES BLVD	BROOK HOLLOW GOLF CLUB
2	1600 VICEROY DR	RE VICEROY INVESTMENTS LP
3	1919 BURBANK ST	UPLIFT EDUCATION
4	2121 BROOKFIELD AVE	TORRES JOHN & JUANITA
5	2125 BROOKFIELD AVE	LOPEZ ROGER & NORMA
6	2124 BROOKFIELD AVE	OU BAOXI
7	2120 BROOKFIELD AVE	DIAZ ENOCH & OLGA
8	2119 AMHERST AVE	HERNANDEZ ALFREDO &
9	8524 HARRY HINES BLVD	DUNSTON GENE
10	1519 VICEROY DR	RE VICEROY INVESTMENTS LP
11	1811 REGAL ROW	DALLAS CO PARK CITIES
12	1933 REGAL ROW	REGAL ROW BUILDING PARTNERSHIP LTD
13	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT
14	8424 HARRY HINES BLVD	ADMIRAL REALTY INC
15	8410 HARRY HINES BLVD	ADMIRAL REALTY INC
16	8402 HARRY HINES BLVD	ADMIRAL REALTY INC
17	8301 HARRY HINES BLVD	BROOK HOLLOW GOLF CLUB
18	1820 REGAL ROW	CP & Y REAL ESTATE HOLDINGS LLC
19	1880 REGAL ROW	1880 REGAL ROW LP
20	8526 HARRY HINES BLVD	DUNSTON GENE
21	8600 HARRY HINES BLVD	VICEROY PARTNERS II LP
22	1964 REGAL ROW	TROWELL MARVIN W
23	8915 HARRY HINES BLVD	CHILD & FAMILY GUIDANCE
24	8605 HARRY HINES BLVD	CIRCLE TEN COUNCIL BOY
25	1901 REGAL ROW	REGAL ROW BUILDING PS LTD

FILE NUMBER: Z134-311(OTH)**DATE FILED:** August 12, 2014**LOCATION:** On the east corner of North Stemmons Freeway and Inwood Road**COUNCIL DISTRICT:** 2**MAPSCO:** 34-W**SIZE OF REQUEST:** ±14.1 acres**CENSUS TRACT:** 100.00**OWNER:** Mark Eddins**APPLICANT:** Friendly Chevrolet**REPRESENTATIVE:** Philip Graham, P.E., Wier Associates**REQUEST:** An application for an amendment to Planned Development District No. 433.

SUMMARY: The applicant proposes to add a parking garage to expand the display area in the existing vehicle display, sales and service use. The proposed parking garage will have a 36,500 square foot print and will contain 219,000 square feet for display area. As a result of this proposed development, additional amendments will be made to the Plan Development District in order to appropriately accommodate the proposed development [Friendly Chevrolet].

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

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* –The proposed conditions will guarantee that the proposed structure is compatible with the design of the existing structures in the property. The proposed structure is expected to blend in with the existing structures and it is not expected to be detrimental to the area.
2. *Traffic impact* – The proposed development has direct access to two major thoroughfares; however, it is not expected to have a significant impact on the existing street system.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* states that the request site is within the Business Center or Corridor. The requested amendment and proposed development are consistent with the Business Center of Corridor Block of the comprehensive plan.
4. *Deviation from base zoning* – The proposed development will mix well with the existing development in the area. The PD is being amended to appropriately accommodate the proposed development.

Thoroughfares/Streets:

Thoroughfare/Street	Type	ROW
Inwood Road	Principal Arterial	100 feet
Stemmons Freeway	Freeway	Variable

Surrounding Land Uses:

	Zoning	Land Use
Site	PD 433	Vehicle Display sales and service
North	MU-3	Southwestern Medical District, Woman's Texas University
East	MU-3	Senior Living Facility, office uses
South	PD 312 & MU-3	Office and Retail Uses
West	MU-3	Multifamily & undeveloped

STAFF ANALYSIS:

Comprehensive Plan:

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

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

The requested amendments and proposed development are consistent with the Business Center or Corridor Building. Staff is comfortable supporting the request.

Land Use Compatibility:

The 14.1 acre property is currently developed with a vehicle, display and service use. The existing buildings are 89,919 square feet and encompass offices, body & service shop, parts storage, and a car.

The property is adjacent to the Woman's Texas University and Southwestern Medical District to the north east; and senior living and offices to the east and southeast. Surrounding land uses are retail and offices to the south, west and north. The proposed development will not be a detriment to the surrounding area. Staff supports the applicant's request.

Parking:

The parking requirements are being amended to accommodate the additional display. No off-street parking is required for the vehicle display use if the use is in an above ground parking structure dedicated solely to the use of vehicle display. For the vehicle, display, sales and service, and auto parts distribution/warehouse uses parking must be provided as shown in the development plan. Staff considers that the provided parking is sufficient for the existing and proposed use.

Z134-311(OTH)

Landscaping:

Landscaping of the property must be provided in accordance with Article X of the Dallas Development Code.

PROPOSED CONDITIONS

Z134-311(OTH)

ARTICLE 433.

PD 433.

SEC. 51P-433.101. LEGISLATIVE HISTORY.

PD 433 was established by Ordinance No. 22685, passed by the Dallas City Council on February 28, 1996. Ordinance No. 22685 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 22685)

SEC. 51P-433.102. PROPERTY LOCATION AND SIZE.

PD 433 is established on property generally located at the east corner of Stemmons Freeway and Inwood Road. The size of PD 433 is approximately 14.1249 acres. (Ord. 22685)

SEC. 51P-433.103. DEFINITIONS AND INTERPRETATIONS.

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

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

(c) This district is considered to be a residential zoning district. (Ord. 22685)

SEC. 51P-433.103.1 EXHIBITS.

(a) The following exhibits are incorporated into this division:

(1) Exhibit A: conceptual plan.

(2) Exhibit B: development plan.

(3) Exhibit C: elevations plan

SEC. 51P-433.104. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 433A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. 22685)

SEC. 51P-433.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit ____). If there is a conflict between the text of this article and the development plan, the text of this article controls.~~A development plan must be approved by the city plan commission before issuance of any building permit. Development and use of the Property must comply with the approved development plan. The development plan and any amendments must comply with the conceptual plan and this article. (Ord. 22685)~~

SEC. 51P-433.105.1 ELEVATION PLAN

For a parking structure, development and use of the Property must comply with the building elevations (Exhibit ____ C). If there is a conflict between the text of this article and the building elevations, the text of this article controls.

SEC. 51P-433.106. MAIN USES PERMITTED.

(a) Vehicle display, sales, and service uses are permitted by right. For purposes of this PD, this use is considered a retail and personal service use and is limited to the floor area ratio outlined in Section 51P-433.108(d).

(b) Auto parts distribution/warehouse uses are permitted by right. For purposes of this PD, an auto parts distribution/warehouse use means a facility that warehouses and distributes auto parts primarily on a wholesale basis. Retail sales are permitted as an accessory use.

(c) All 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. For example, a use permitted in the MU-3 Mixed Use District by specific use permit (SUP) only is permitted in this PD by SUP. A use subject to development impact review (DIR) in the Mixed Use District is subject to DIR in this PD, etc. (Ord. 22685)

SEC. 51P-433.107. 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 contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

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

- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.

- Accessory outside sales.
- Accessory pathological waste incinerator. (Ord. 22685)

SEC. 51P-433.108. YARD, LOT, AND SPACE REGULATIONS.

(a) Front yard.

- (1) General provision. Minimum front yard is 15 feet.
- (2) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(b) Side and rear yard.

- (1) General provision. Minimum side and rear yard is:
 - (A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and
 - (B) no minimum in all other cases.
- (2) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This paragraph does not require a total side or rear yard setback greater than 30 feet.

(c) Density. No maximum dwelling unit density.

(d) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a “mixed use project” “MUP” as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is “residential.” The third column (MUP=2/with Res) is the FAR for an MUP with a mix of “residential” plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is “residential.” The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of “residential” plus two or more other use categories.]

Maximum Floor Area Ratio

Use Categories	Base (no MUP)	MUP-2 (no res)	MUP-2 (w/res)	MUP-3 (no res)	MUP-3 (w/res)
Lodging	3.2	3.4	3.6	3.6	3.8

Z134-311(OTH)

Office	3.2	3.4	3.6	3.6	3.8
Residential	3.2	--	3.8	--	3.8
Retail and personal service	0.25	0.25	0.25	0.25	0.25
<hr/>					
Total Develop- ment	3.2	3.6	4.0	4.0	4.5

(e) Height.

(1) General provision. Unless further restricted under Paragraph (2), maximum structure height is 270 feet.

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

(f) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is 20. Parking garages are exempt from this requirement, but must comply with the height regulations of Subsection (e). (Ord. 22685)

SEC.51P-433.109 OFF-STREET PARKING AND LOADING.

(a) Except as provided in this section, cConsult the use regulations contained in Division 51A-4.200 for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq) for information regarding off-street parking and loading generally.

(b) Except as provided in this subsection, for vehicle, display, sales and service, and auto parts distribution/warehouse uses, parking must be provided as shown on the development plan. No off-street parking is required for the vehicle display use if the use is in an above ground parking structure dedicated solely to the use of vehicle display.

SEC.51P-433.109.1 STRUCTURE FACADE STANDARDS.

(a) Off-street parking structures.

(1) Except as provided in this subsection, an aboveground parking structure must have a facade that is similar in materials, architecture, and appearance to the facade of the

main structure or the closest main structure. Breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in a parking structure facade may not exceed 50 percent of the total parking structure facade area.

(2) Parking structure facades abutting a railroad right-of-way are not required to have matching facade appearance.

(b) Highly reflective glass prohibited. Highly reflective glass may not be used as an exterior building material on any building or structure. For purposes of this subsection, highly reflective glass means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear).

SEC. 51P-433.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 22685)

SEC. 51P-433.111. LANDSCAPING.

(a) Landscaping on the Property must be provided in accordance with Article X.

(b) Prior to the application of any building permits on the Property, a tree survey must be completed and submitted to the building official. (Ord. 22685)

SEC. 51P-433.112. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. 22685)

SEC. 51P-433.113. ADDITIONAL PROVISIONS.

(a) See Section 51A-4.121(d)(8).

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

(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 22685)

SEC. 51P-433.114. PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. 22685)

SEC. 51P-433.115. COMPLIANCE WITH CONDITIONS.

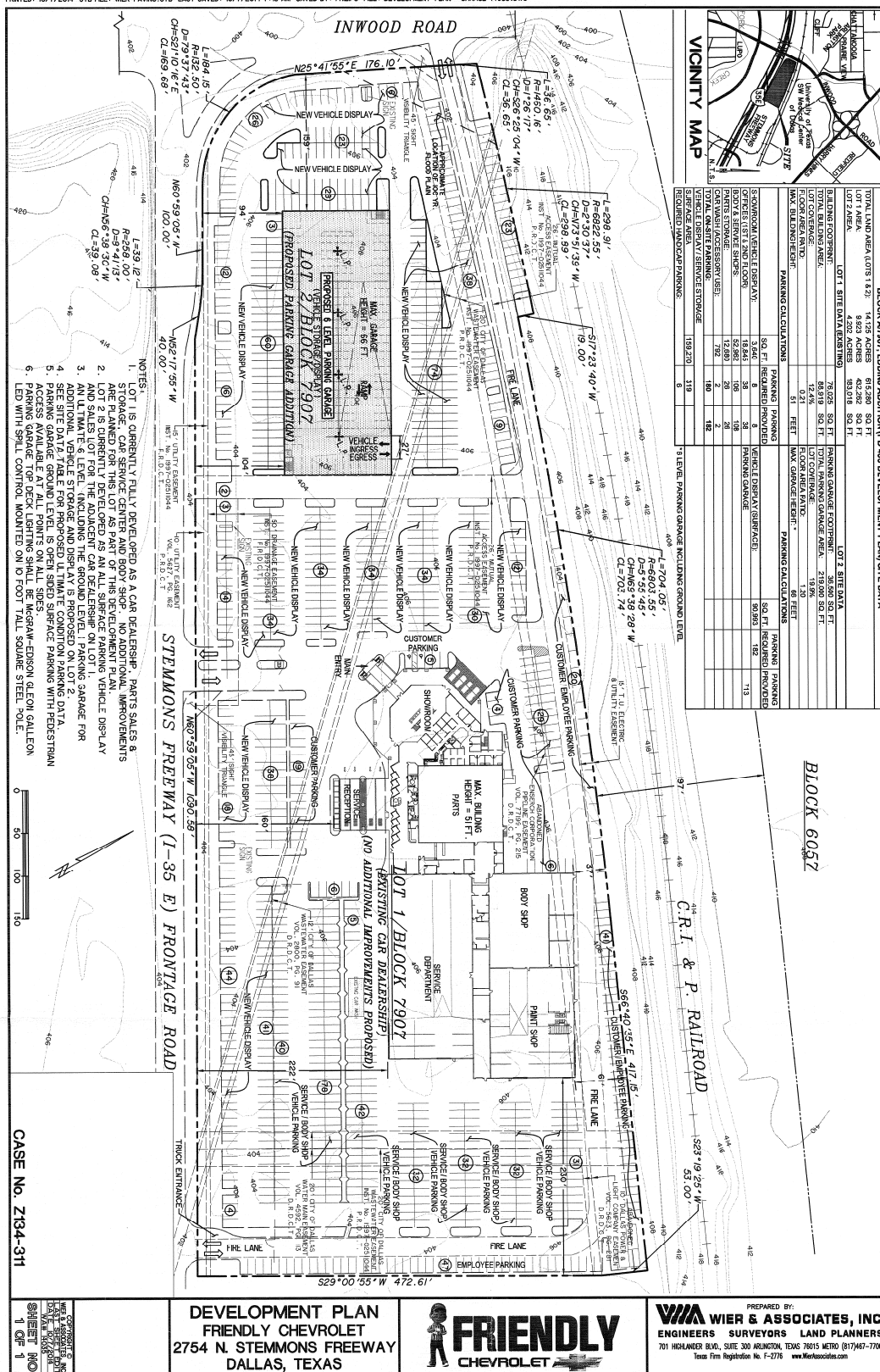
The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 22685)

~~SEC. 51P-433.116. ZONING MAP.~~

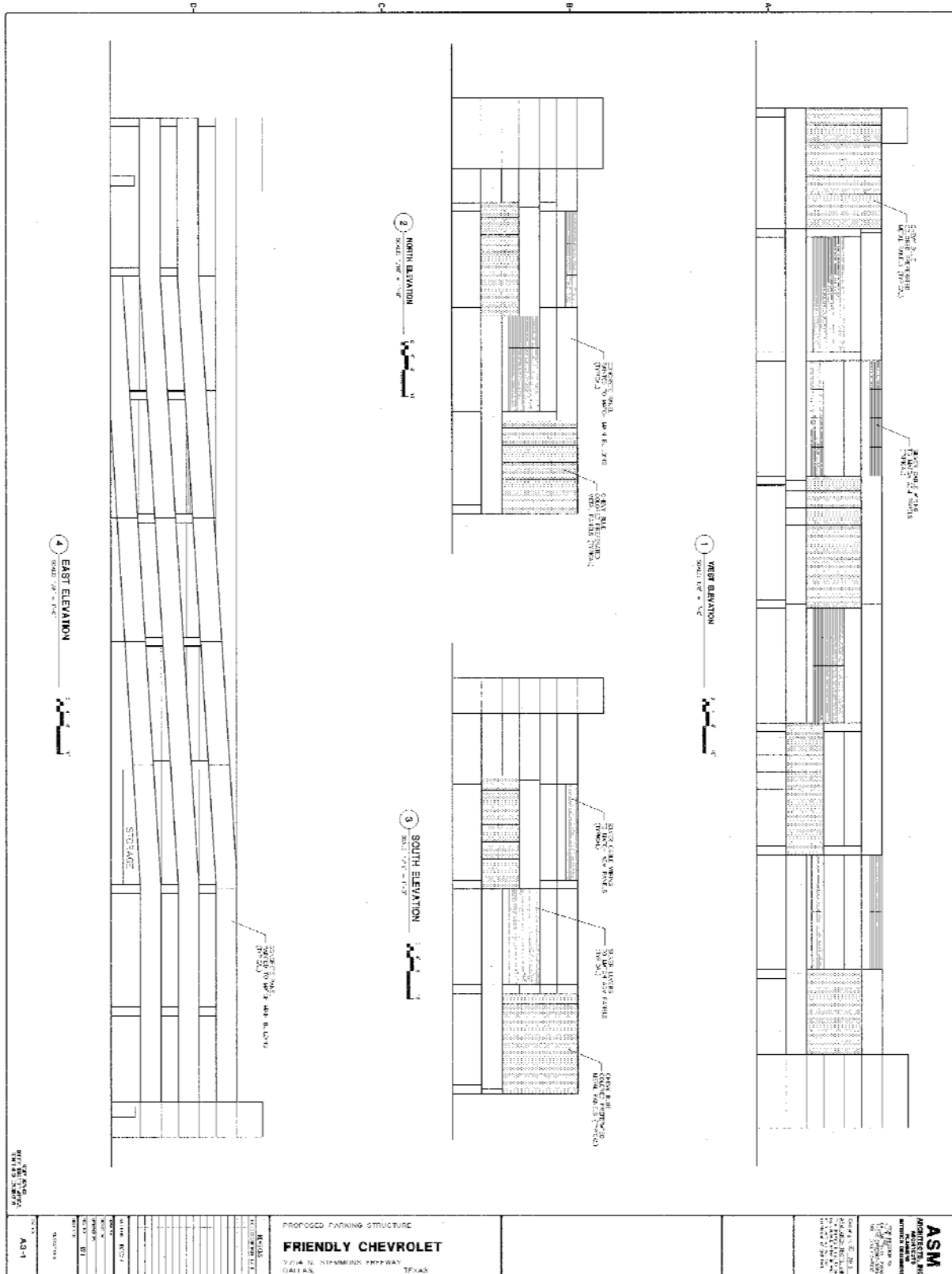
~~PD 433 is located on Zoning Map No. I-6. (Ord. 22685)~~

PROPOSED REVISED DEVELOPMENT PLAN

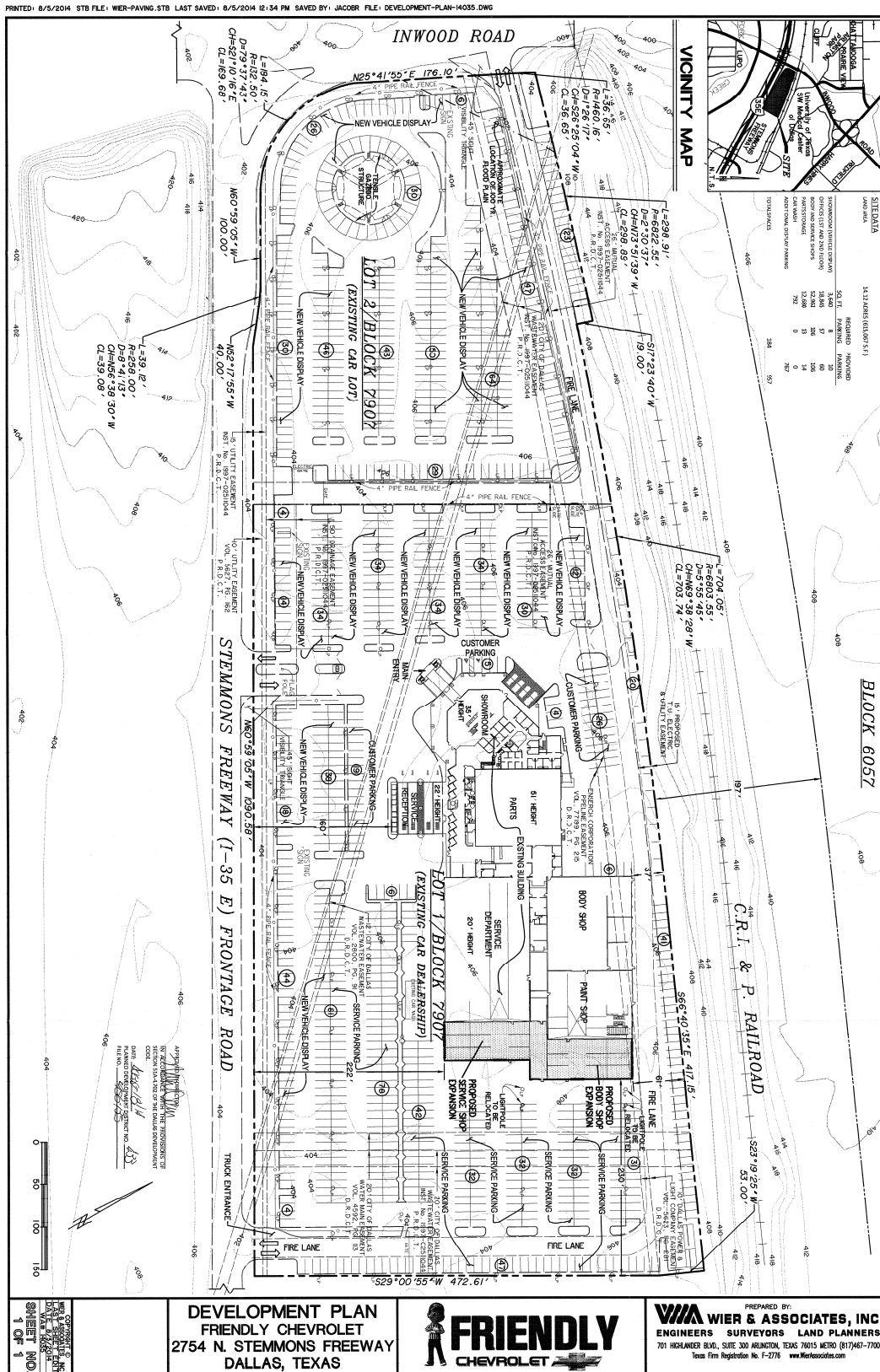
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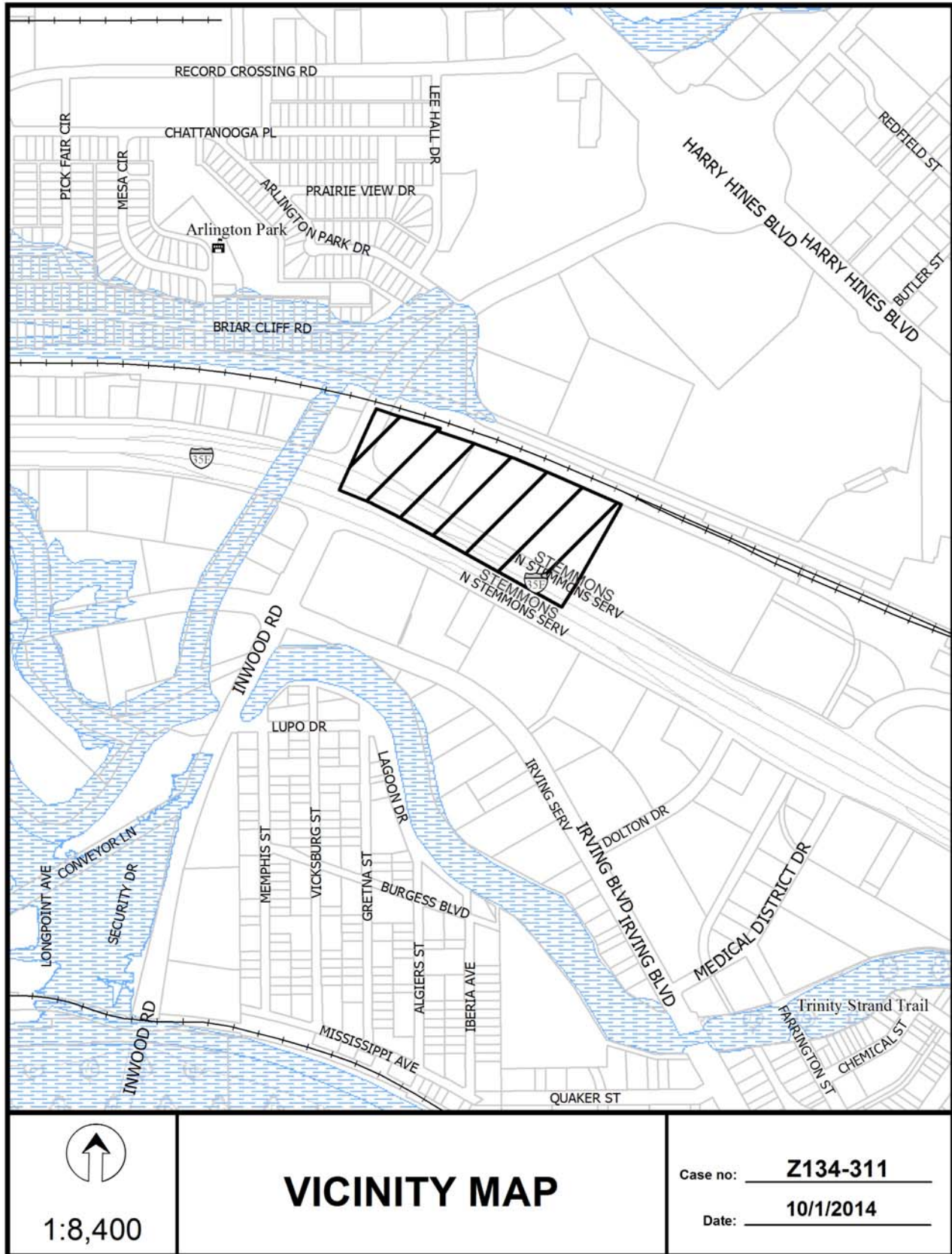
PROPOSED ELEVATIONS



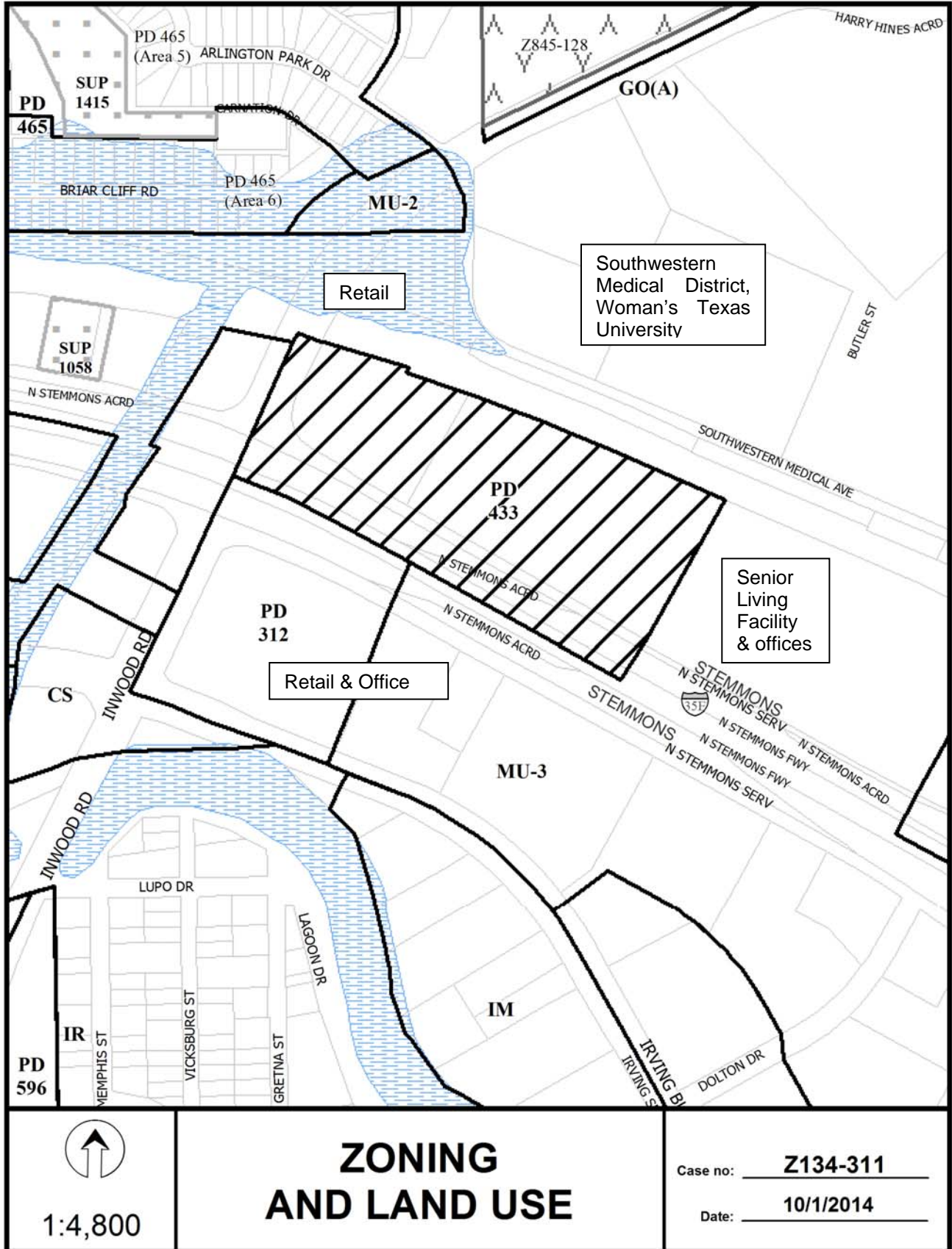
EXISTING DEVELOPMENT PLAN



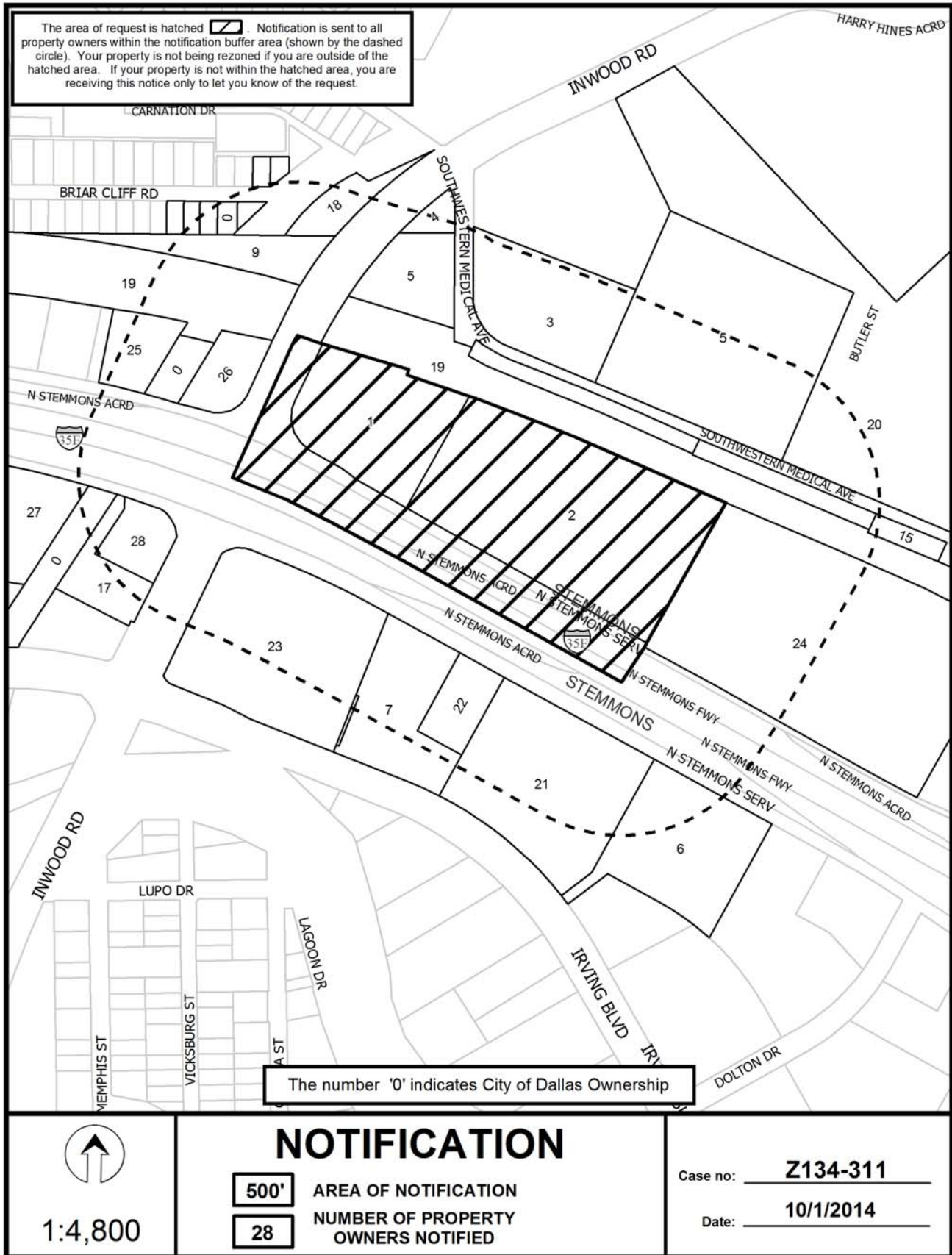
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Z134-311(OTH)



Z134-311(OTH)



10/01/2014

Notification List of Property Owners***Z134-311******28 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2760 STEMMONS FWY	EEI CAPITAL LTD
2	2754 STEMMONS FWY	EDDINS ENTERPRISES INC
3	5500 SOUTHWESTERN MEDICAL AVE	DALLAS COUNTY HOSPITAL DISTRICT
4	1800 INWOOD RD	UNIVERSITY OF TEXAS
5	5601 SOUTHWESTERN MEDICAL AVE	BOARD OF REGENTS OF UNIV
6	2727 STEMMONS FWY	LA FS ESD LLC ET AL
7	2747 STEMMONS FWY	CHATHAM DALLAS HS LLC
8	2800 IRVING BLVD	KENWOOD INVESTMENTS INC
9	1703 INWOOD RD	BOARD OF REGENTS OF THE
10	1715 BRIAR CLIFF RD	BECKER LEWIS E
11	1642 BRIAR CLIFF RD	BERMUDEZ ROBERTO &
12	1646 BRIAR CLIFF RD	NEWTON NORCELL & ELMER
13	1702 BRIAR CLIFF RD	GNG PROPERTIES INC
14	5500 SOUTHWESTERN MEDICAL AVE	TEXAS STATE OF
15	5301 SOUTHWESTERN MEDICAL AVE	County of Dallas
16	5305 SOUTHWESTERN MEDICAL AVE	BOARD OF REGENTS OF THE
17	1521 INWOOD RD	PRITY INVESTMENTS INC
18	1715 INWOOD RD	BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYS
19	1900 OAK LAWN AVE	DART & FT WORTH TRANSP AUTH
20	5401 HARRY HINES BLVD	TEXAS STATE OF
21	2735 STEMMONS FWY	ADP INC
22	2741 STEMMONS FWY	LARHESA PROPERTIES # 1 LP
23	2777 STEMMONS FWY	GENERAL ELECTRIC CREDIT EQUITIES INC
24	2730 STEMMONS FWY	2700 STEMMONS LP ETAL
25	2910 STEMMONS FWY	DAVIS BURNS LP
26	1607 INWOOD RD	1607 INWOOD RD LLC

Z134-311(OTH)

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2929 STEMMONS FWY	2929 STEMMONS REALTY GROUP LP
28	1525 INWOOD RD	PNYX LIMITED PS

FILE NUMBER: DCA 134-005 (ND)

DATE INITIATED: 2-20-14

TOPIC: Alternative Financial Establishments

COUNCIL DISTRICT: All

CENSUS TRACT: All

PROPOSAL: Consideration of amending Chapters 51 and 51A of the Dallas Development Code, Sections 51-4-210, 51A-4.207, 51A-13.201, and 51A-13.306 to amend Alternative Financial Establishment regulations and clarifying definitions for Bank or Savings and Loan Office, with or without Drive-In Window and Financial Institution without Drive-In Window and Financial Institution with Drive-In Window and Check Cashing use.

SUMMARY: The proposal would clarify the Alternative Financial Establishment definition, limit financial services that can be accessory to another main use to money transfer and check cashing, rename check cashing business use, add Chapter 342 businesses to Financial Institute use and Bank or Savings and Loan Office use, and remove the requirement that an AFE may not be located within 500 feet of an expressway.

STAFF RECOMMENDATION: Approval

ZONING ORDINANCE COMMITTEE RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- On May 25, 2011, City Council adopted a new use and regulations for an Alternative Financial Establishment (AFE).
- The objectives for the creation of the AFE use were to
 - Provide appropriate standards and regulations for AFEs, requiring a specific use permit, spacing requirements, and other regulations for the use;
 - Reduce clustering of AFEs as this can have a detrimental effect on neighborhoods and create the appearance of an area in decline;
 - Limit a proliferation of AFEs at particular locations so as to not overwhelm a neighborhood and be a disincentive for other businesses to locate in these neighborhoods.
- In working with City Attorney's Office and Building Inspections, Staff identified several issues that warranted a review after three years of working with the ordinance.
- The Zoning Ordinance Committee (ZOC) was briefed on the issues on February 20, 2014.
- Council's Budget, Finance and Audit Committee was briefed on the item on August 15, 2014, and gave staff direction to return to ZOC.
- ZOC was again briefed on August 15, 2014, and recommended approval of all of the recommendations except removing the requirement that an AFE only operate within a freestanding building.

Staff Analysis:

Consumer loans are made primarily for personal, family, or household use. Businesses that directly or indirectly make loans to consumers under Chapter 342 of the Texas Finance Code must be licensed by the State, which regulates and caps the interest rates and fees that may be charged through such loans.

Credit Access Businesses, often referred to as payday or auto title lenders, typically do not lend directly to consumers. Instead, they charge fees for helping consumers obtain credit or loans. They are also known as "Credit Service Organizations," under Chapter 393 of Texas Finance Code. They must register with City and the State and are subject to inspections by the City and the State; however, the fees they charge for their services are not regulated or capped.

Clarifying the AFE definition ensures that any businesses engaged in “Credit Access” or “Credit Service” activities under Chapter 393 of the Texas Finance Code are distinguished from other businesses licensed to make regulated loans under Chapter 342 of the Texas Finance Code.

The proposed change to what can be accessory to another main use and the renaming of check cashing business is to allow grocery stores and other general merchandise or food stores to have check cashing and money transfer functions within the store.

AFEs are allowed by Specific Use Permit only in LO(A), MO(A), GO(A), CR, RR, CS, Industrial, Central Area, MU-2, MU-3, Multiple Commercial, UC-2 and UC-3 districts. Currently, the locational requirements include a distance of 1,500 feet between AFEs, at least 300 feet from a residential lot, at least 500 feet from an expressway or new expressway, and located within a freestanding building and not in the same structure as any other use.

The requirement that AFEs not be located within 500 feet of an expressway may drive the locations of these uses further into neighborhoods. By deleting this requirement, AFEs can locate on expressways that would be on the perimeter of neighborhoods. Staff also proposed removing the requirement that AFEs locate in a freestanding building. The remaining locational requirements would remain in place and provide assurance that the AFEs would not congregate in one location.

ZOC recommended deleting the restriction of locating within 500 feet of an expressway but recommended retaining the requirement of locating in a freestanding building.

ZOC Action (August 15, 2014)

Motion to retain the requirement for AFE to be in a freestanding building.

Motion: Brown
2nd: Shidid

Result: Passed: 7 to 0
For: Shellene, Murphy, Brown, Gomez, Enzler, Shidid and Wilkes
Against: None
Absent: Jones

Motion to approve the remaining proposed amendments.

Motion: Wilkes
2nd: Brown

Result: Passed: 7 to 0
For: Shellene, Murphy, Brown, Gomez, Enzler, Shidid and Wilkes
Against: None
Absent: Jones

Proposed Amendments

10-29-14

ORDINANCE NO. _____

An ordinance amending Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Sections 51-4.210 and 51A-4.207; providing amended definitions; providing that all alternative financial establishments must be a main use only; deleting the spacing requirement from expressways; deleting the requirement that all alternative financial establishments operate in freestanding buildings; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subparagraph (A) of Paragraph (3), "Bank or Savings and Loan Office, with or without Drive-In Window," of Section 51-4.210, "Professional, Personal Service, and Custom Crafts Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is to read as follows:

"(A) Definition: A facility for the extension of credit and the custody, loan, or exchange of money. A bank or savings and loan office, with or without drive-in window includes regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code, but does not include such lenders that also offer services as a credit access business under Chapter 393 of the Texas Finance Code."

SECTION 2. That Item (i) of Subparagraph (A) of Paragraph (25), “Alternative Financial Establishment,” of Section 51-4.210, “Professional, Personal Service, and Custom Crafts Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is to read as follows:

“(i) ALTERNATIVE FINANCIAL ESTABLISHMENT means a car title loan business~~[-check-cashing business,]~~ or money services ~~[transfer]~~ business. An alternative financial establishment does not include state or federally chartered banks, community development financial institutions, savings and loans, ~~[and]~~ credit unions, and regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code. If a regulated lender licensed in accordance with Chapter 342 of the Texas Finance Code also offers services as a credit access business under Chapter 393 of the Texas Finance Code, that business is an alternative financial establishment. ~~[An alternative financial establishment does not include an establishment that provides financial services that are accessory to another main use.]~~”

SECTION 3. That Item (iii) of Subparagraph (A) of Paragraph (25), “Alternative Financial Establishment,” of Section 51-4.210, “Professional, Personal Service, and Custom Crafts Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is to read as follows:

“(iii) MONEY SERVICES ~~[CHECK-CASHING]~~ BUSINESS means a business that provides ~~[check-cashing,]~~ payday cash advance, payroll advance, short-term cash loan, short term cash advance, instant payday cash advance, short-term money loan services, or similar services to individuals for a specified fee.”

SECTION 4. That Item (iv) of Subparagraph (A) of Paragraph (25), “Alternative Financial Establishment,” of Section 51-4.210, “Professional, Personal Service, and Custom Crafts Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is deleted as follows:

~~“(iv) MONEY TRANSFER BUSINESS means an establishment that transmits funds for a fee.]”~~

SECTION 5. That Item (iii) of Subparagraph (E) of Paragraph (25), “Alternative Financial Establishment,” of Section 51-4.210, “Professional, Personal Service, and Custom Crafts Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is to read as follows:

~~“(iii) An alternative financial establishment shall at all times be considered a separate main use that requires a certificate of occupancy. An alternative financial establishment may not be an accessory use within the meaning of Section 51A-4.217. [No alternative financial establishment may be located within 500 feet of an expressway or new expressway as defined in Section 51A-7.102, measured from the property line of the alternative financial establishment to the nearest expressway or new expressway travel lane.]”~~

Staff recommendation:

SECTION 6. That Item (iv) of Subparagraph (E) of Paragraph (25), “Alternative Financial Establishment,” of Section 51-4.210, “Professional, Personal Service, and Custom Crafts Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is deleted as follows:

~~“(iv) An alternative financial establishment may only operate within a freestanding building and may not operate in the same structure as any other use.]”~~

Zoning Ordinance Committee recommendation:

Do not delete Item 51-4.210(25)(E)(iv).

SECTION 7. That Item (i) of Subparagraph (A) of Paragraph (1), “Alternative Financial Establishment,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(i) ALTERNATIVE FINANCIAL ESTABLISHMENT means a car title loan business[, ~~check-cashing business,~~] or money services [~~transfer~~] business. An alternative financial establishment does not include state or federally chartered banks, community development financial institutions, savings and loans, [~~and~~] credit unions, and regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code. If a regulated lender licensed in accordance with Chapter 342 of the Texas Finance Code also offers services as a credit access business under Chapter 393 of the Texas Finance Code, that business is an alternative financial establishment. [~~An alternative financial establishment does not include an establishment that provides financial services that are accessory to another main use.~~]”

SECTION 8. That Item (iii) of Subparagraph (A) of Paragraph (1), “Alternative Financial Establishment,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(iii) MONEY SERVICES [~~CHECK CASHING~~] BUSINESS means a business that provides [~~check-cashing,~~] payday cash advance, payroll advance, short-term cash loan, short term cash advance, instant payday cash advance, short-term money loan services, or similar services to individuals for a specified fee.”

SECTION 9. That Item (iv) of Subparagraph (A) of Paragraph (1), “Alternative Financial Establishment,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“~~[(iv) MONEY TRANSFER BUSINESS means an establishment that transmits funds for a fee.]”~~

SECTION 10. That Item (iii) of Subparagraph (E) of Paragraph (1), “Alternative Financial Establishment,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(iii) An alternative financial establishment at all times be considered a separate main use that requires a certificate of occupancy. An alternative financial establishment may not be an accessory use within the meaning of Section 51A-4.217. [No alternative financial establishment may be located within 500 feet of an expressway or new expressway as defined in Section 51A-7.102, measured from the property line of the alternative financial establishment to the nearest expressway or new expressway travel lane.]”

Staff recommendation:

SECTION 11. That Item (iv) of Subparagraph (E) of Paragraph (1), “Alternative Financial Establishment,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is deleted as follows:

“~~[(iv) An alternative financial establishment may only operate within a freestanding building and may not operate in the same structure as any other use.]~~”

Zoning Ordinance Committee recommendation:

Do not delete Item 51-4.210(25)(E)(iv).

SECTION 12. That Subparagraph (A) of Paragraph (2), “Financial Institution without Drive-In Window,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(A) Definition: A facility for the extension of credit and the custody, loan, or exchange of money which does not provide drive-in window service for customers. A financial institution without drive-in window includes regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code, but does not include lenders that also offer any services as credit access businesses under Chapter 393 of the Texas Finance Code.”

SECTION 13. That Subparagraph (A) of Paragraph (3), “Financial Institution with Drive-In Window,” of Section 51A-4.207, “Office Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(A) Definition: A facility for the extension of credit and the custody, loan, or exchange of money which provides drive-in window service for customers in motor vehicles. A financial institution with drive-in window includes regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code, but does not include lenders that also offer any services as credit access businesses under Chapter 393 of the Texas Finance Code.”

SECTION 14. That Paragraph (6), “Check Cashing,” of Section 51A-13.201, “Defined Terms,” of Division 51A-13.200, “Definitions,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(6) MONEY SERVICES BUSINESS [~~CHECK CASHING~~] means a business that provides [~~check-cashing~~] payday cash advance, payroll advance, short-term cash loan, instant payday cash advance, and short-term money loan services to individuals for a specified fee.”

SECTION 15. That Item (iii), “Examples of Prohibited Uses,” of Subparagraph (C), “Retail Sales,” of Paragraph (5), “Retail Use Categories,” of Subsection (d), “Use Categories,” of Section 51A-13.306, “Uses,” of Division 51A-13.300, “District Regulations,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(iii) **Examples of Prohibited Uses.**
Money Services Business [~~Check-cashing~~].
 Pawnshop.”

SECTION 16. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 17. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 18. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 19. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By_____ Assistant City Attorney

Passed_____