



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, March 1, 2018  
AGENDA

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BRIEFINGS:	5ES	10:00 a.m.
PUBLIC HEARING:	Council Chambers	1:30 p.m.

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

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

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**BRIEFINGS:**

"Dallas Market Value Analysis"

Raquel Favela, Chief of Economic Development and Neighborhood Services  
Peer Chacko, Director of Planning & Urban Design Department

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S156-129R**  
(CC District 6)
- An application to revise a 19.213-acre tract of land containing a previously approved plat (S156-129) to create one 8.406-acre lot, one 9.66-acre lot, and to create 1.541-acres of right-of-way dedication on property located on Olympus Boulevard between Cypress Waters Boulevard and Water Mill Road, to be extended.  
Applicant/Owner: CW08 Land, Ltd.  
Surveyor: Peiser & Mankin Surveying  
Application Filed: January 31, 2018  
Zoning: PD 741  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S178-097**  
(CC District 8)
- An application to create one 4.465-acre lot from a tract of land in City Block H/8820 on property located on property located on Woody Road at C.F.Hawn Freeway (U.S. Highway 175).  
Applicant/Owner: Capeti Properties, LLC  
Surveyor: CBG Surveying, Inc.  
Application Filed: January 31, 2018  
Zoning: R-10(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S178-098**  
(CC District 14)
- An application to replat a 0.721-acre tract of land containing part of Lot 3 and all of Lot 13 in City Block G/1319 to create one lot on property located on Hall Street, northwest of Reagan Street.  
Applicant/Owner: HP13911 Investments, LLC  
Surveyor: A&W Surveyors, Inc.  
Application Filed: January 31, 2018  
Zoning: PD 193 (MF-2)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S178-099**  
(CC District 1)
- An application to replat a 0.653-acre tract of land containing all of Lots 1 and 2 in City Block 3/3459 to create a 13 lot Shared Access Area Development on property located on Tyler Street at Fouraker Street, northwest corner, if extended.  
Applicant/Owner: Green Brick Partners  
Surveyor: Texas Heritage Surveying, LLC  
Application Filed: January 31, 2018  
Zoning: CD-1, Subarea 2  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S178-101**  
(CC District 8)
- An application to replat a 3.370-acre tract of land containing all of Lots 1 and 2 in City Block D/8830 to create one 0.409-acre lot and one 2.961-acre lot on property fronting on Seagoville Road and Rylie Crest Road.  
Applicant/Owners: City of Dallas / Barbara Good and Mathew Smith  
Surveyor: Piburn & Carson, LLC  
Application Filed: February 1, 2018  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.



- (6) **S178-102**  
(CC District 2)
- An application to replat a 1.097 -acre tract of land containing all of Lot 9 and the remainder of Lot 2 in City Block A/2303 to create a 26 lot Shared Access Development on property located on Cedar Springs Road at Hawthorne Street, south corner.  
Applicant/Owner: Urban Lofts XXI, Ltd.  
Surveyor: Gonzalez & Schneeberg  
Application Filed: February 1, 2018  
Zoning: PD 193, PDS 119  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S178-103**  
(CC District 6)
- An application to create one 7.789-acre lot from a tract of land in City Block 6832 on property located on Riverfront Boulevard at Parkhouse Street.  
Applicant/Owner: Oncor Electric Delivery Company, LLC  
Surveyor: Halff & Associates, Inc.  
Application Filed: February 1, 2018  
Zoning: PD 621, Subdistrict 1A  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S178-104**  
(CC District 3)
- An application to create one 1.035-acre lot, 1.252-acre lot, and one 2.009-acre lot from a 4.296-acre tract of land in City Block 6045 on property located on Westmoreland Road at Red Bird Lane, southwest corner.  
Applicant/Owner: KPP Treasure, LLC  
Surveyor: CBG Surveying, Inc.  
Application Filed: February 1, 2018  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (9) **S178-105**  
(CC District 4)
- An application to create one 0.351-acre lot and one 0.419-acre lot from a 0.770-acre tract of land in City Block 6006 on property located on Idaho Avenue, north of Ann Arbor Avenue.  
Applicant/Owner: King Home Builders, LLC  
Surveyor: 360 Surveying.  
Application Filed: February 1, 2018  
Zoning: R-7.5(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (10) **S178-106**  
(CC District 6) An application to replat a 1.7100-acre tract of land containing all of Lot 1 in City Block 7193 to create a new floodway easement, establish a Natural Channel Setback, and to create an offsite drainage easement on a 1.7100-acre tract of land located on Irving Boulevard at Inwood Road.  
Applicant/Owner: Quiktrip Corporation / Adelphi Group, Ltd.  
Surveyor: Survey Consultants, Inc.  
Application Filed: February 1, 2018  
Zoning: CS  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (11) **S178-107**  
(CC District 8) An application to replat a 2.695-acre tract of land containing part of Lot 4, City Block C/8806 to create one lot from property located on C.F. Hawn Freeway southeast of S. Belt Line Road.  
Applicant/Owner: RIM Investments, LLC  
Surveyor: CBG Surveying, Inc.  
Application Filed: February 2, 2018  
Zoning: CS  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (12) **S178-108**  
(CC District 2) An application to replat a 1.391-acre tract of land containing all of Lots 14, 15, 16, 17, and 18 in City Block 7/708 to create one lot on property located on Fitzhugh Avenue at San Jacinto Street, east corner.  
Applicant/Owner: PGH Bennett Land, LLC  
Surveyor: O'Neal Surveying Co.  
Application Filed: February 2, 2018  
Zoning: MF-2(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (13) **S178-109**  
(CC District 10) An application to create one 2.766-acre lot and one 2.800-acre lot from a tract of land containing one 5.566-acre tract of land on property located on North Central Expressway (U.S. Highway 75) between Forest Lane and Interstate Highway 635.  
Applicant/Owner: Central Landmark, Ltd.  
Surveyor: Kadleck & Associates  
Application Filed: February 2, 2018  
Zoning: MU-3  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (14) **S178-110**  
(CC District 6) An application to create one 2.203-acre lot from a 2.393-acre tract of land located in City Block 3960 on property located on Vilbig Road at Seale Street, southeast corner.  
Applicant/Owner: Juan Z. Davila  
Surveyor: Peiser & Mankin Surveying, LLC  
Application Filed: February 2, 2018  
Zoning: IR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (15) **S178-111**  
(CC District 6) An application to create one 1.656-acre lot from a tract of land in City Block E-3/7940 on property located on John Carpenter Freeway, northwest of I-35E.  
Applicant/Owner: Mockingbird Hotels, LLC / Miguel Angel Martinez  
Surveyor: Peiser & Mankin Surveying, LLC.  
Application Filed: February 2, 2018  
Zoning: MU-3  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (16) **S178-112**  
(CC District 7) An application to replat a 6.523-acre tract of land containing all of Lot 7 in City Block D/8474 to create one 2.369-acre lot, one 2.224-acre lot, and one 1.930-acre lot on property located on the R.L. Thornton Freeway/Interstate Highway 30/St. Frances Avenue ramp southwest corner.  
Applicant/Owner: Corinth Realty I-30 & St. Francis, LLC / Shiv Hospitality Group  
Surveyor: Mike Churchwell  
Application Filed: February 2, 2018  
Zoning: RR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (17) **S178-113**  
(CC District 11) An application to replat a 5.682-acre tract of land containing all of Lot 3 in City Block A/7410 to create one 1.479-acre lot, one 1.546-acre lot, and one 2.501-acre lot on property located on Preston Road at Alpha Road, northwest corner.  
Applicant/Owner: Hellen Byrd/Valk Properties One, LLC  
Surveyor: ARS Engineers, Inc.  
Application Filed: February 2, 2018  
Zoning: PD 887, Subdistrict 1, Tract 2  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (18) **S178-114**  
(CC District 8)      An application to create one 9.993-acre lot from a tract of land in City Block 8780 on property located at 3811 Jordan Valley Road.  
Applicant/Owner: Daniel Hernandez  
Surveyor: Charles Starnes  
Application Filed: February 2, 2018  
Zoning: A(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Public Hearing: Street Name Change:

- (19) **NC178-001**  
(District 12)      An application to consider changing the name of Unnamed FN3, approximately 1500 feet east of Coit Road, between President George Bush Turnpike and Frankford Road, to "Highland Springs Way".  
Applicant/Owner: City of Dallas  
Application Filed: October 26, 2018  
Notices Sent: 2 notices sent January 23, 2018  
SRC recommendation: **Approval**

Miscellaneous Items:

- M178-007**  
Abraham Martinez  
(CC District 13)      An application for a minor amendment to the existing development plan on property zoned a Planned Development District No. 315, on the south corner of Highdale Drive and Forest Lane.  
Staff Recommendation: **Approval**  
Applicant: Biff McGuire, UDC Global  
Representative: Tyler Adams, Greenlight

Zoning Cases – Consent:

1. **Z167-270(LC)**  
Liz Casso  
(CC District 2)      An application to expand Historic Overlay No. 46, the Knights of Pythias Building (2551 Elm Street), and amendments to the preservation criteria on property zoned Tract B within Planned Development District No. 269, the Deep Ellum/Near East Side District, on the northwest corner of Elm Street and North Good Latimer Expressway.  
Staff Recommendation: **Approval**, subject to preservation criteria.  
Landmark Commission Recommendation: **Approval**, subject to preservation criteria.  
Applicant: Epic Dallas Hotel, LP  
Representative: Tommy Mann & Laura Hoffmann, Winstead PC

2. **Z167-309(LC)**  
Liz Casso  
(CC District 10)

An application for an Historic Overlay for McCree Cemetery (9930, 9934 and 9938 Audelia Road) on property zoned an R-7.5(A) Single Family District, south of Estate Lane, between Audelia Road and Queenswood Lane.  
Staff Recommendation: **Approval**, subject to preservation criteria.  
Landmark Commission Recommendation: **Approval**, subject to preservation criteria.  
Applicant: Fanning Family & McCree Cemetery Association
3. **Z178-105(SM)**  
Sarah May  
(CC District 6)

An application for a Specific Use Permit for a tattoo studio on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the southeast line of Parkhouse Street, west of North Riverfront Boulevard.  
Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.  
Applicant: Jason Call, Pristine Ink, LLC  
Representative: Elsie Thurman, Land Use Planning & Zoning Services.
4. **Z178-135(SM)**  
Sarah May  
(CC District 8)

An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the south line of East Ledbetter Drive, east of South Lancaster Road.  
Staff Recommendation: **Approval**  
Applicant: Rusty Kasmiersky, Prestige Texas Properties, LLC  
Representative: Santos Martinez, Masterplan
5. **Z178-149(SM)**  
Sarah May  
(CC District 1)

An application for a Specific Use Permit for a pedestrian skybridge on property zoned Subdistrict 3B within Planned Development District No. 830, on public right-of-way operating as an alley, between 9th Street and 10th Street.  
Staff Recommendation: **Approval** for a 34-year period [September 12, 2052], subject to a site plan and conditions.  
Applicant: UG Melba, LLC  
Representative: Rob Baldwin
6. **Z178-155(SM)**  
Sarah May  
(CC District 8)

An application for a Specific Use Permit for a radio, television, or microwave tower on property zoned an NS(A) Neighborhood Service District and an R-5(A) Single Family District with Specific Use Permit No. 2113 for a transit passenger station or transfer center use, on the southeast corner of East Kirnwood Drive and University Hills Boulevard.  
Staff Recommendation: **Approval** for a permanent period, subject to a site plan and conditions.  
Applicant: Cleo Grounds, Dallas Area Rapid Transit  
Representative: Stuart Johnson

Zoning Cases – Under Advisement:

7. **Z178-115(WE)**  
Sarah May  
(CC District 1)  
An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the northeast corner of West Illinois Avenue and Andrew Street.  
Staff Recommendation: **Hold under advisement until March 22, 2018.**  
Applicant: Steven Rich of Brite Shine, LLC  
Representative: Perren Gase and Travis Lawrie  
U/A From: February 15, 2018
8. **Z167-221(SM)**  
Sarah May  
(CC District 8)  
An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 with a D-1 Liquor Control Overlay, on the northwest corner of C.F. Hawn Freeway and Great Trinity Forest Way.  
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site/landscape plan and conditions.  
Applicant: DFW Distributor Petroleum, Inc., Sami Ebrahim, President  
Representative: Santos Martinez, Masterplan  
U/A From: February 15, 2018
9. **Z178-145(JM)**  
Jennifer Muñoz  
(CC District 14)  
An application for a Planned Development Subdistrict for LC Light Commercial uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the southeast corner of Travis Street and Knox Street.  
Staff Recommendation: **Approval**, subject to a development plan, landscape plan, and conditions.  
Applicant: Weir's Plaza Partnership, LLC/ Weir Family Investments  
Representative: William S. Dahlstrom, Jackson Walker LLP  
U/A From: February 15, 2018
10. **Z167-388(PD)**  
Pamela Daniel  
(CC District 7)  
An application for a Specific Use Permit for a community service center on property zoned an R-7.5(A) Single Family District, on the southeast corner of Oates Drive and Marimont Lane.  
Staff Recommendation: **Approval** for a three-year period, subject to a site plan and conditions.  
Applicant: Dallas Christian Women's Job Corp, Inc.  
Representative: Peter Kavanagh  
U/A From: February 15, 2018

11. **Z178-152(PD)**  
Pamela Daniel  
(CC District 5)
- An application for the renewal of Specific Use Permit No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and Guard Drive.  
Staff Recommendation: **Approval** for a two-year period, subject to a revised site plan and revised conditions.  
Applicant: 6343 Lake June, LLC  
Representative: Roger Albright  
U/A From: February 15, 2018

Zoning Cases – Individual:

12. **Z156-281(OTH)**  
Pamela Daniel  
(CC District 9)
- An application for: **1)** a CR Community Retail District with deed restrictions volunteered by the applicant; **2)** a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road; and **3)** a Specific Use Permit for the sale and service of alcoholic beverages in conjunction with a restaurant without drive-through windows for the lot on the southwest corner of Beachview Street and Garland Road, on property zoned an LO-1-D Light Office District with a D Liquor Control Overlay, on the northwest side of Garland Road, southwest of Buckner Boulevard.  
Staff Recommendation: **Approval** of the CR Community Retail District with deed restrictions volunteered by the applicant; **approval** of the D-1 Liquor Control Overlay; and **approval** of a Specific Use Permit for a two-year period, subject to a site plan and staff's recommended conditions.  
Applicant: Onyx Holdings, LLC  
Representative: Robert Reeves & Associates, Inc.
13. **Z167-336(PD)**  
Pamela Daniel  
(CC District 14)
- An application for a Planned Development Subdistrict for LC Light Commercial Subdistrict, restaurant and personal service uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay, on the east line of McKinney Avenue, north of Knox Street.  
Staff Recommendation: **Denial**  
Applicant: Weitzman Management Corp.  
Representative: Jack Fiedler, MasterPlan Consultants

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Other Matters:

Minutes: February 15, 2018

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Tuesday, March 13, 2018**

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING** – Tuesday, March 13, 2018, City Hall, 1500 Marilla Street, in Conference Room 5CN, at 9:00 a.m.

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



### **EXECUTIVE SESSION NOTICE**

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex. Govt. Code §551.086]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]

**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S156-129R**SUBDIVISION ADMINISTRATOR:** Paul Nelson

**LOCATION:** Olympus Boulevard between Cypress Waters Boulevard and Water Mill Road, to be extended.

**DATE FILED:** January 31, 2018**ZONING:** PD 741

<http://www.dallascityattorney.com/51P/Articles%20Supp%2045/ARTICLE%20741.pdf>

**CITY COUNCIL DISTRICT:** 6    **SIZE OF REQUEST:** 19.213-acres    **MAPSCO:** 11A-1**APPLICANT/OWNER:** CW08 Land, Ltd.

**REQUEST:** An application to revise a 19.213-acre tract of land containing a previously approved plat (S156-129) to create one 8.406-acre lot, one 9.66-acre lot, and to create 1.541-acres of right-of-way dedication on property located on Olympus Boulevard between Cypress Waters Boulevard and Water Mill Road, to be extended.

**SUBDIVISION HISTORY:**

1. S156-129 was an application to create one 8.410-acre lot and one 9.266-acre lot from a 17.676-acre tract of land located in City Block 8466 on property located on Cypress Waters Boulevard at Olympus Boulevard. The request was approved April 7, 2016 and has not been recorded.
2. S156-137 is a request adjacent on the north of the present request to create one 8.1623-acre lot, one 3.3407-acre lot, one 3.3197-acre lot, and one 1.3475-acre lot from a tract of land in City Block 8466 on property located north of Hackberry Road and east of Belt Line Road. This request is also scheduled for a hearing on April 7, 2016.
3. S145-272 was a request east of the present request to create a 1.154-acre lot in City Blocks 8466 and 8467 for a lift station on property located north and east of the intersection of Cypress Waters Boulevard and Olympus Boulevard. The request was approved October 1, 2015 but has not been recorded.
4. S145-032 was a request at Cypress Waters Blvd. and Olympus Blvd. to dedicate an 8.192-acre tract of land in part of City Blocks 8463 and 8466 for right-of-way. The request was approved on December 18, 2014 but has not been recorded.
5. S134-226 was a request west of the present request 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 and recorded March 7, 2016.
6. S134-214 was a request east of the present request to create a 1.154-acre lot in City Blocks 8466 and 8467 for a lift station on property located north and east of the intersection of Cypress Waters Boulevard and Olympus Boulevard. The request was approved October 1, 2015 with Phase A being recorded March 16, 2016.

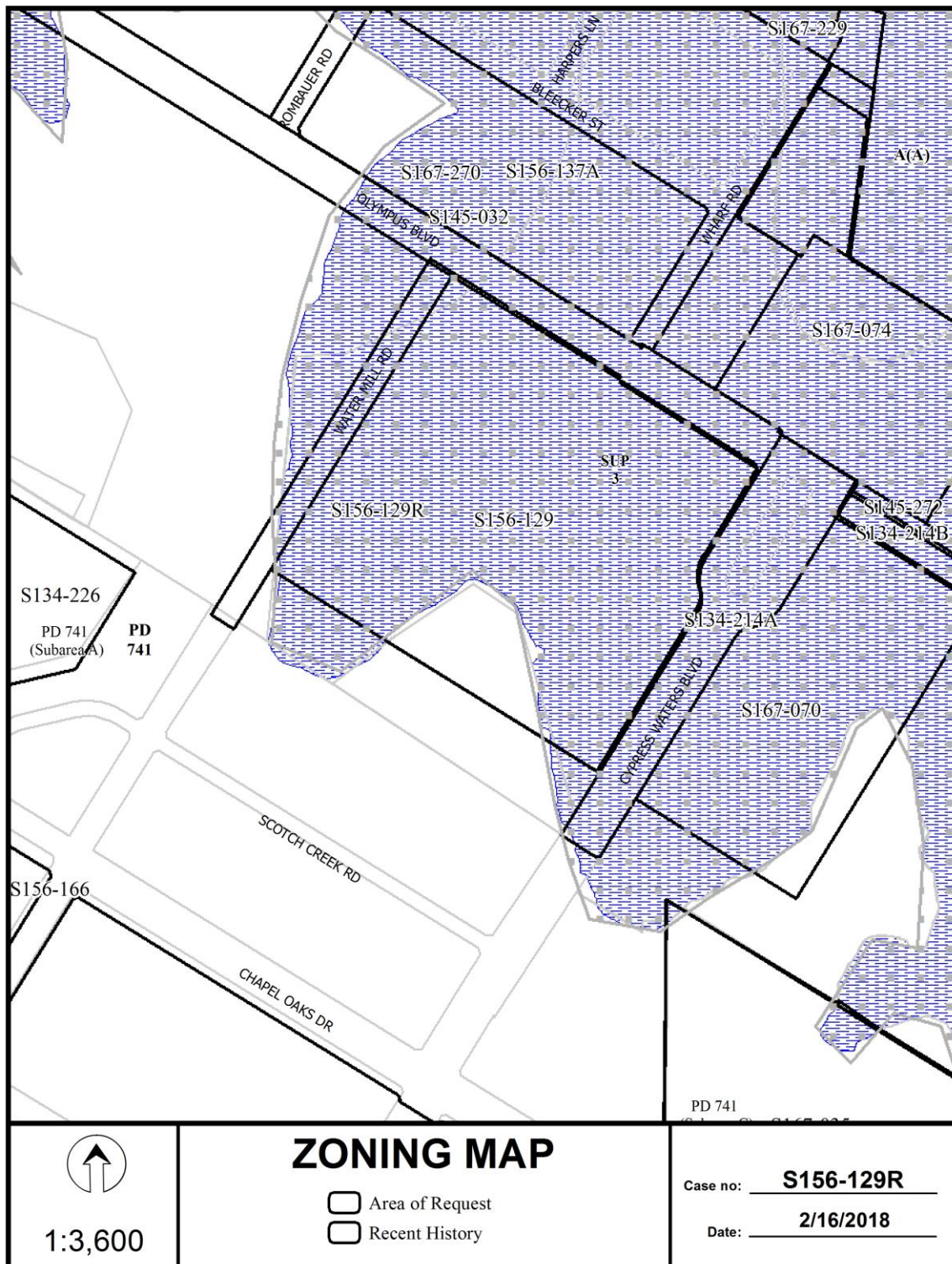
7. S134-214A was the first Phase of S134-214 and created 3.263 acres of right-of-way for the extension of Cypress Waters Boulevard.
8. S101-111R was a request southwest of the present request to create one 2.91-acre lot, one 1.456-acre lot, one 7.146-acre lot, and one 6.229 acre lot from a 34.222 acre 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 request was approved June 16, 2011 and recorded November 20, 2014.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 741; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General 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 the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

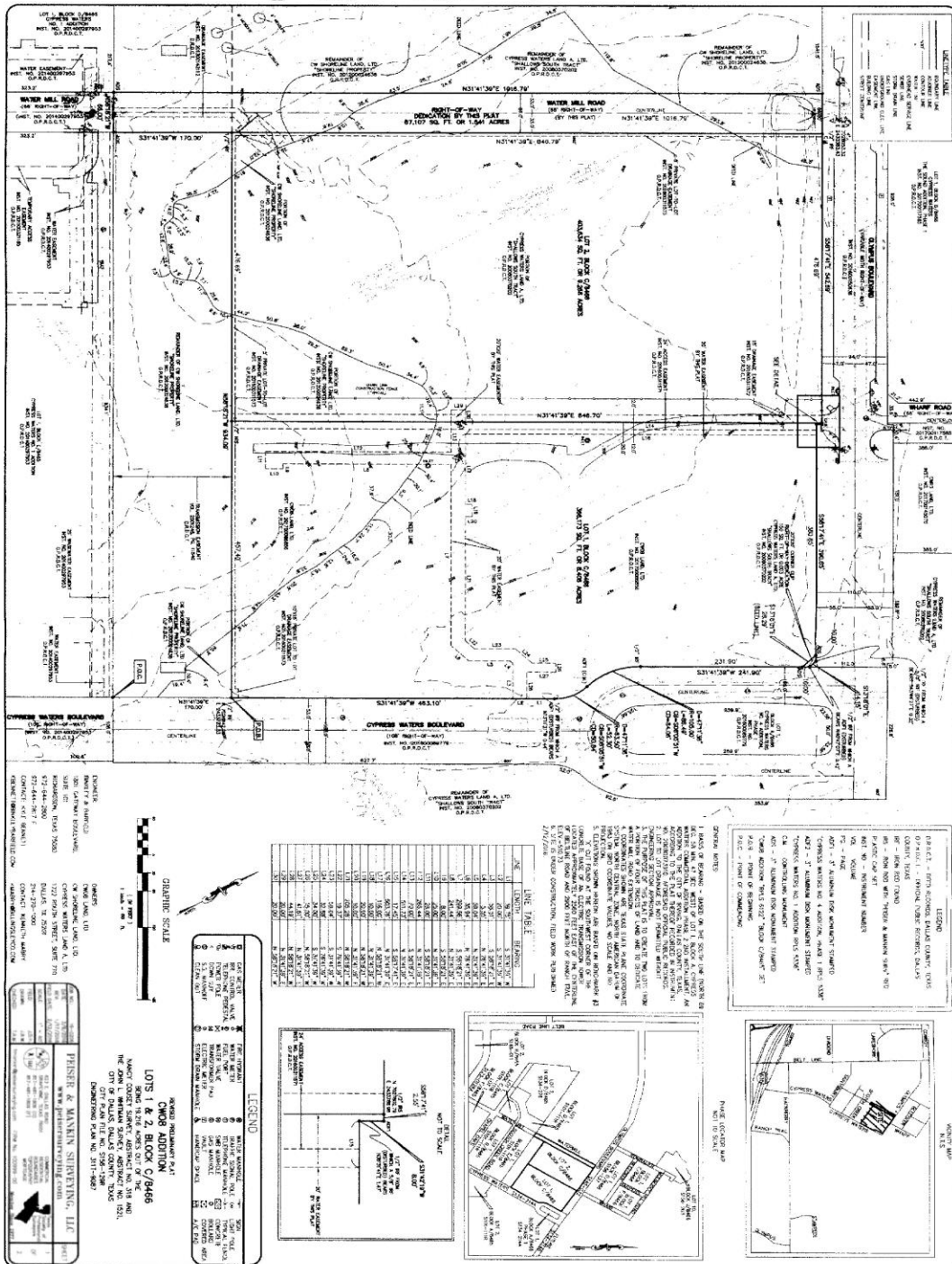
10. The number of lots permitted by this plat is two.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate a 20-foot by 20-foot corner clip at the intersection of Cypress Waters Boulevard & Olympus Boulevard. Section 51A 8.602(d) (1).
15. Dedicate 15-foot by 15-foot corner clip at Olympus Boulevard and Water Mill Road.
16. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
17. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.
18. On the final plat, include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V.
19. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
20. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
21. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d) (1), (2), (3), and (4).
22. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
23. On the final plat, chose a new or different addition name. Platting Guidelines.
24. Submit a letter/email withdrawing plat S156-129 after the Plan Commission approves the preliminary plat for S156-029R.

25. On the final plat, identify the property as Lot 1 and Lot 2 in City Block C/8466. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-097**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Woody Road at C.F. Hawn Freeway (U.S. Highway 175)**DATE FILED:** January 31, 2018**ZONING:** R-10(A)**CITY COUNCIL DISTRICT:** 8    **SIZE OF REQUEST:** 4.465-acres    **MAPSCO:** 69A-R**APPLICANT/OWNER:** Capet Properties, LLC

**REQUEST:** An application to create one 4.465-acre lot from a tract of land in City Block H/8820 on property located on property located on Woody Road at C.F.Hawn Freeway (U.S. Highway 175).

**SUBDIVISION HISTORY:**

1. S167-029 was a request northeast of the present request to create one 12.039-acre lot from a tract of land located in City Block 8820 on property located on South Belt Line Road at C.F. Hawn Freeway, east quadrant. The request was approved December 15, 2016 and was terminated October 12, 2017.
2. S178-006 was a request northwest of the present request to replat a 29.390-acre tract of land containing all of Lot 5 in City Block H/8820 and a tract of land in City Block 8820 to create one lot on property located on South Belt Line Road at C.F. Hawn Freeway, east quadrant. The request was approved November 9, 2017 and has not been recorded.

**STAFF RECOMMENDATION:** The request complies with the requirements of the R-10(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General 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 the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.

7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 30 feet of right-of-way from the established centerline of Woody Road. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
15. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)."
16. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
17. On the final plat, show two control monuments. Section 51A-8.617.
18. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
19. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU

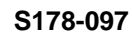
easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.

20. On the final plat, change "Woody Lane" to "Woody Road." Section 51A-8.403(a)(1)(A)(xii)
21. On the final plat, identify the property as Lot 9 in City Block H/8820. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-098**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Hall Street, northwest of Reagan Street**DATE FILED:** January 31, 2018**ZONING:** PD 193 (MF-2)

<http://www.dallascityattorney.com/51P/Articles%20Supp%2021/Article%20193%20Part%20I.pdf>

**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 0.721-acres    **MAPSCO:** 35W**APPLICANT/OWNER:** HP13911 Investments, LLC

**REQUEST:** An application to replat a 0.721-acre tract of land containing part of Lot 3 and all of Lot 13 in City Block G/1319 to create one lot on property located on Hall Street, northwest of Reagan Street.

**SUBDIVISION HISTORY:**

1. S123-215 was an application north of the present request to replat a 0.321-acre tract of land containing part of lots 10 and 11 in City Block B/1323 into a six lot shared access development with lots ranging in size from 1,858 square feet to 2,688 square feet on property located at 3322 Knight Street. The request was approved August 8, 2013 and recorded August 22, 2014.
2. S134-151 was a request south of the present request to replat a 3.444-acre tract of land containing part of Block 1325 and all of Lots 1 through 4 and 10 through 12 in City Block 1326 and an abandoned portion of the 12-foot alley into one lot on property located at 3015 Oak Lawn Avenue. The request was approved June 5, 2014 and has not been recorded.
3. S134-203 was a request northeast of the present request to replat a 0.292-acre tract of land containing part of Lot 10 in City Block I/1321 into one lot on property located at 3903 Lemmon Avenue. The request was approved July 24, 2014 and recorded September 3, 2015.
4. S156-142 was a request on the same property as the present request to replat a 0.721-acre tract of land containing part of Lot 3 and all of Lot 13 in City Block G/1319 to create a Shared Access Area Development with 16 lots ranging from 1,407-square feet to 2,076-square feet in size along with one common area on property located on Hall Street between Throckmorton Street and Reagan Street. The request was approved April 7, 2016 and has not been recorded.

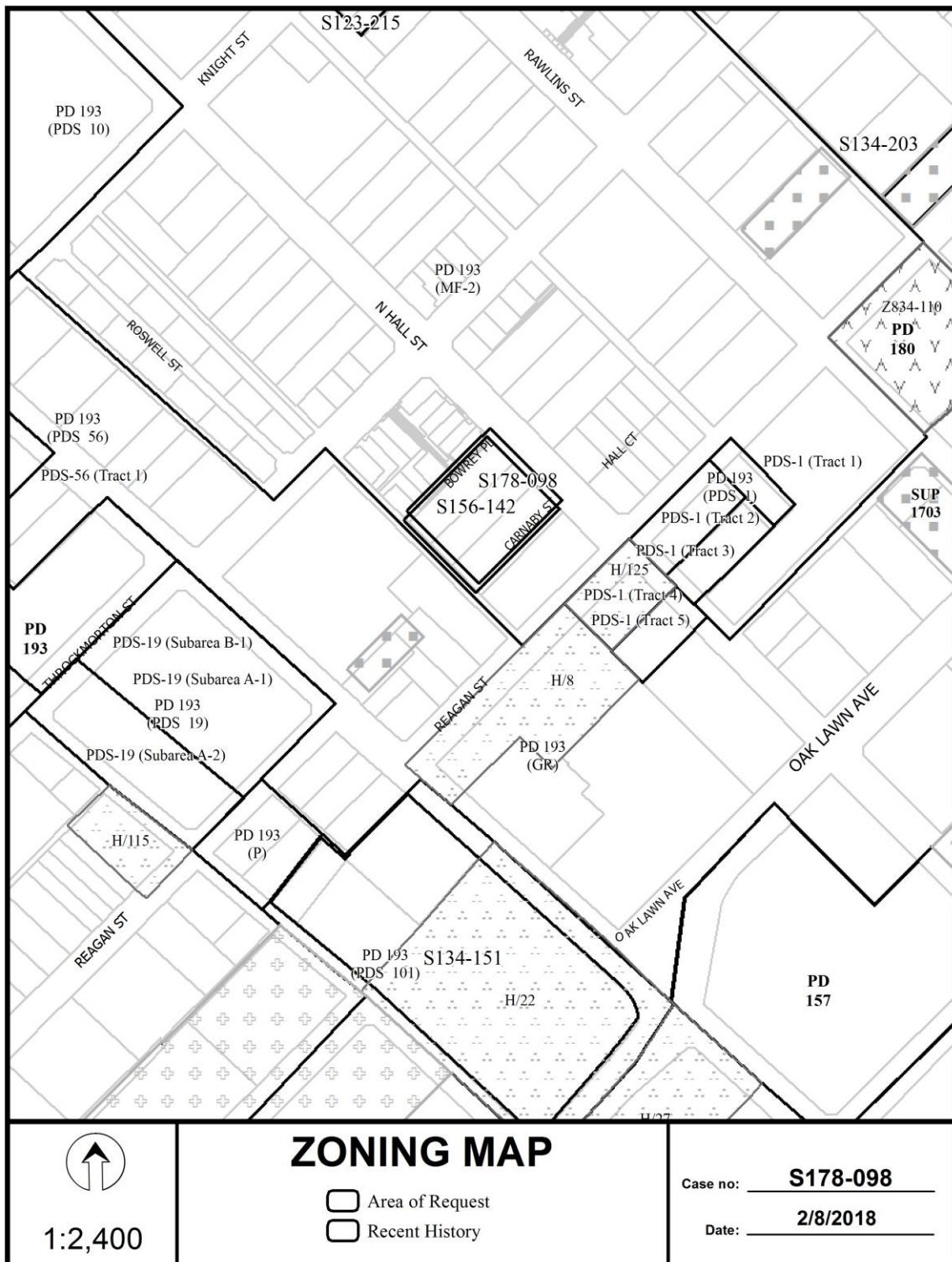
**STAFF RECOMMENDATION:** The request complies with the requirements of PD 193 (MF-2); therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.

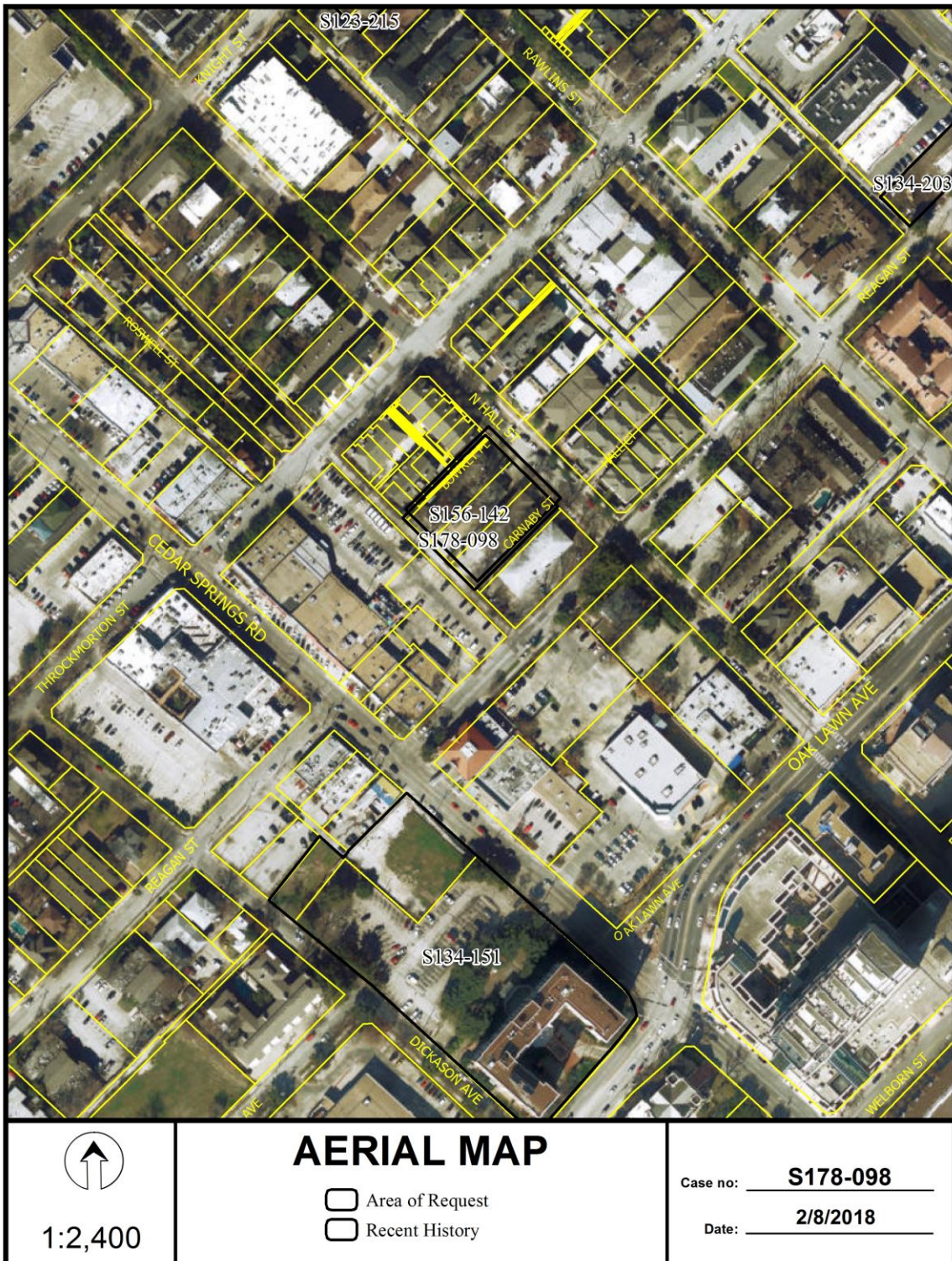
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
13. On the final plat, all utility easement abandonments must be shown with the correct recording information. Platting Guidelines.
14. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
15. On the final plat, show two control monuments. Section 51A-8.617.

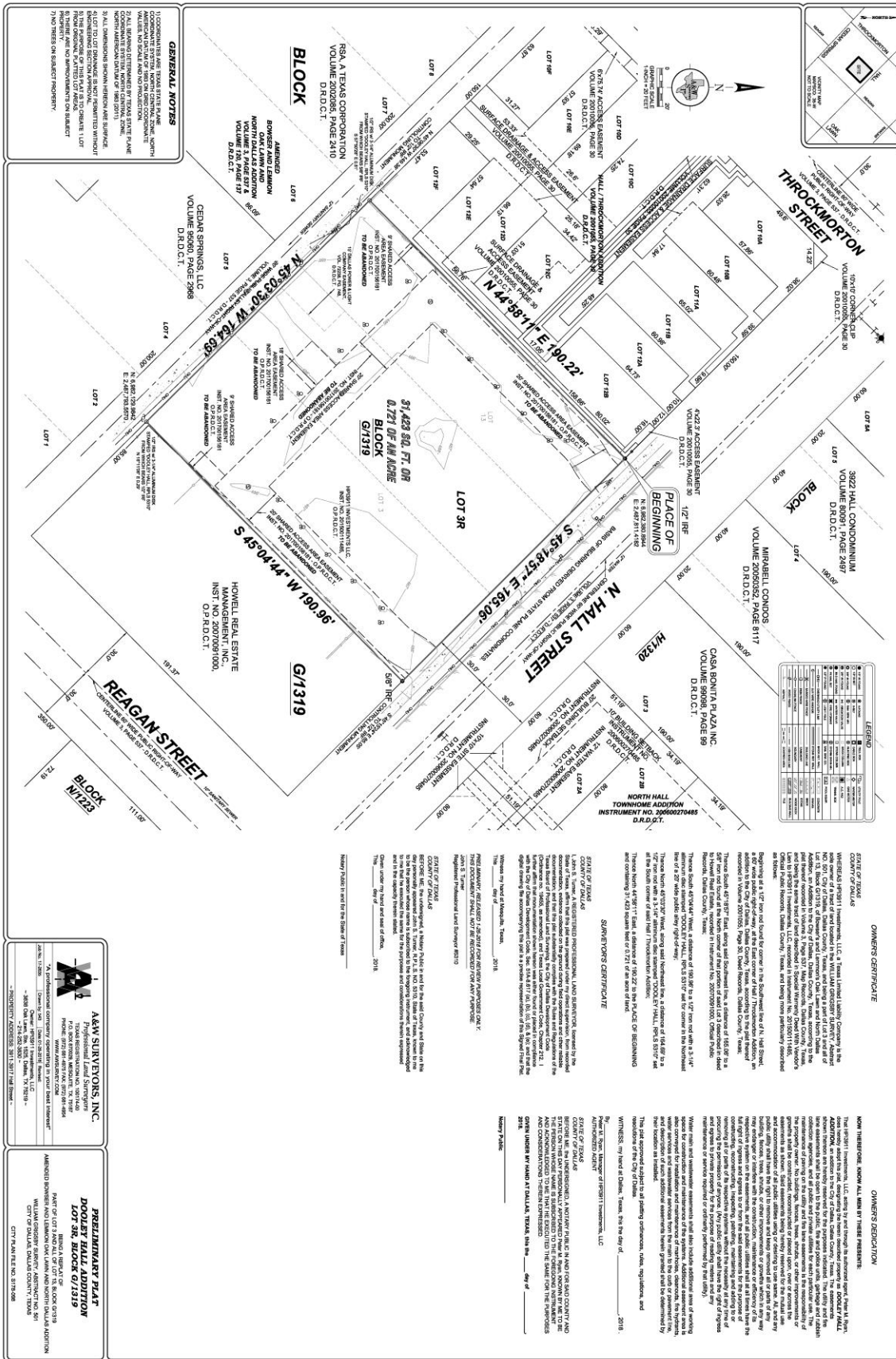


16. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g) (1) and (2) and 49-62(b), (c), and (f).
17. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
18. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
19. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
20. Prior to final plat, process abandonments through Real Estate.
21. On the final plat, identify the property as Lot 3A in City Block G/1319. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-099**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Tyler Street at Fouraker Street, northwest corner, if extended.**DATE FILED:** January 31, 2018**ZONING:** CD-1, Subarea 2

[http://dallascityhall.com/departments/sustainabledevelopment/historicpreservation/DCH%20documents/pdf/27945\\_KingsHighwayConservationDist.pdf](http://dallascityhall.com/departments/sustainabledevelopment/historicpreservation/DCH%20documents/pdf/27945_KingsHighwayConservationDist.pdf)

**CITY COUNCIL DISTRICT:** 1**SIZE OF REQUEST:** 0.653-acres**MAPSCO:** 54B**APPLICANT/OWNER:** Green Brick Partners

**REQUEST:** An application to replat a 0.653-acre tract of land containing all of Lots 1 and 2 in City Block 3/3459 to create a 13-lot Shared Access Area Development on property located on Tyler Street at Fouraker Street, northwest corner, if extended.

**SUBDIVISION HISTORY:**

1. S145-028 was an application southeast of the present request to create one 0.886-acre lot from a tract of land in City Block 3108 on property located at 824 Fouraker Street. The request was approved December 4, 2014 and was recorded January 9, 2017.
2. S156-082 was an application southeast of the present request to create a 0.425-acre lot from a tract of land located in City Block 3108 on property located at 803 and 819 W. Davis Street at Vernon Avenue, northwest corner. The application was withdrawn by owner on November 6, 2017.

**STAFF RECOMMENDATION:** The request complies with the requirements of CD-1, Subarea 2; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General 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 the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the

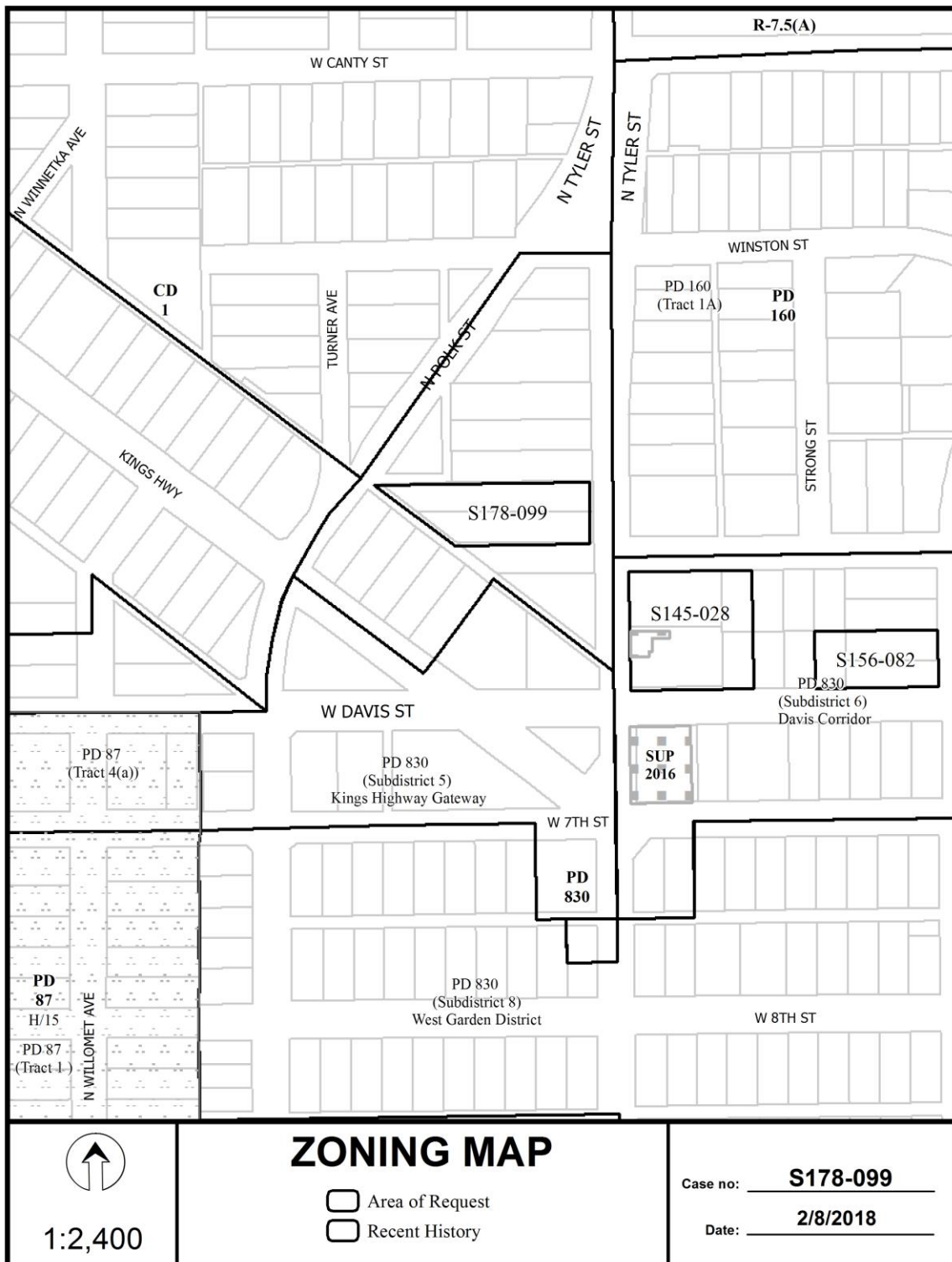
plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is 13.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
13. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Polk Street & the alley. Section 51A-8.602(e),
14. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
15. On the final plat, show recording information on all existing easements within 150 feet of the property.
16. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g) (1) and (2) and 49-62(b), (c), and (f).
17. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

18. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
19. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
20. The Shared Access Area Easement must be a minimum of 20 feet wide and contain a minimum paving width of 16 feet. Section 51A-4.411(d) (7).
21. There must be no more than two access area points, each limited to serve no more than 18 dwelling units. Section 51A-4.411(d)(10)
22. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat. Section 51A-4.411(d) (2) and Sections 49-60(d), 49-61(c) (5) (B), and Development Design Procedure and Policy Manual Section 6.2.
23. The development must comply with Dallas Water Utilities requirements for water/wastewater construction within a Shared Access Development.
24. No building permit may be issued to authorize work in the shared access area development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and the recording information has been placed on the face of the plat, and all other requirements of the shared access area have been met. Section 51A-4.411(c) (3).
25. Prior to submittal of the final plat, the Shared Access Development must meet all of the requirements of Section 51A-4.411. Section 51A-4.411(c).
26. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include metes and bounds description of the shared access area as part of an attachment to the document. Section 51A-4.411(e).
27. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot. Section 51A-4.411(f) (2).
28. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f) (2).

29. Include the words “Shared Access Development” in the title block of the final plat. Platting Guidelines.
30. Place a note on the final plat stating: “No vehicular access is permitted to adjacent property outside the platted property from the shared access area except to a public or City Council approved private street.” Section 51A-4.411(d) (3), and 51A-4.411(d) (10).
31. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d) (8).
32. The Shared Access Area Easement must be terminated a minimum of three feet from the adjacent property or right-of-way. Section 51A-8.618(b).
33. The Shared Access Development must provide 0.25 guest parking spaces per lot. Section 51A-4.411(g).
34. Shared Access Area Developments must comply with DWU standards for water and wastewater construction and design and be accepted by the City of Dallas prior to submittal of the final plat for the Chairperson’s signature. Section 49-61(c) (5) (B) and the Development Design Procedures and Policy Manual, Section 2.
35. On the final plat, label “Turner Avenue.” Section 51A-8.403(a)(1)(A)(xii)
36. Prior to final plat, contact the street name coordinator for help determining acceptable names (what is shown is not acceptable) for the new shared access drive. Section 51A-8.403. (a)(1)(A)(xiv)
37. On the final plat, identify the property as Lots 1A through 1F and Lots 2A through 2F in City Block 3/3459. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).













**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-101**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Seagoville Road and Rylie Crest Road**DATE FILED:** February 1, 2018**ZONING:** CR**CITY COUNCIL DISTRICT:** 8**SIZE OF REQUEST:** 3.370-Acres**MAPSCO:** 69A

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**APPLICANT/OWNER:** City of Dallas / Barbara Good & Mathew Smith

**REQUEST:** An application to replat a 3.370-acre tract of land containing all of Lots 1 and 2 in City Block D/8830 to create one 0.409-acre lot and one 2.961-acre lot on property fronting on Seagoville Road and Rylie Crest Road.

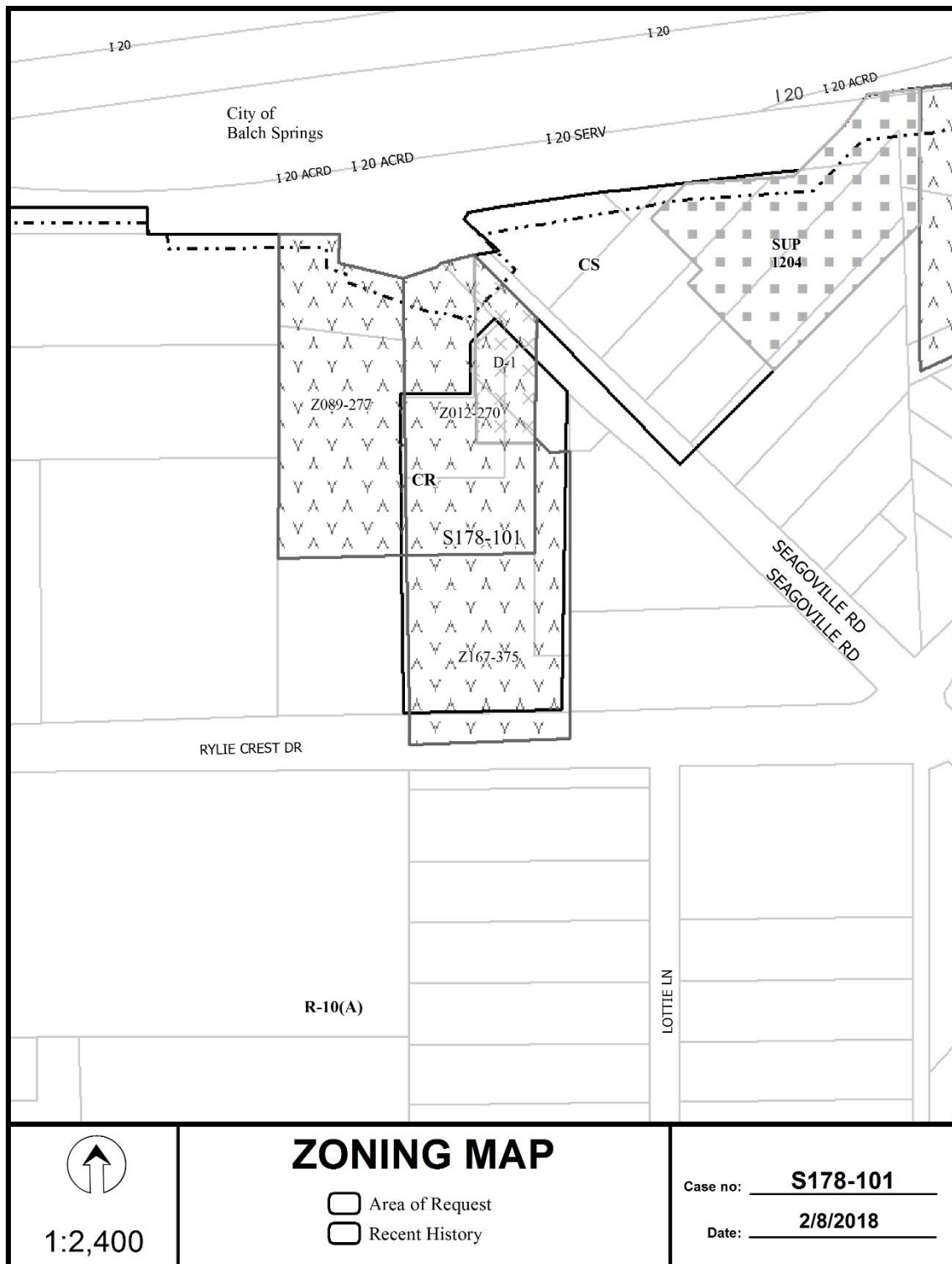
**SUBDIVISION HISTORY:** There has been no recent platting activity within close proximity to this request.

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

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General 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 the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617



9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is two.
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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 40 feet of right-of-way from the established centerline of Seagoville Road. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
15. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
16. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).
17. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
18. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
19. Water main improvements are required by Private Development Contract. Submit water engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
20. On the final plat, show and label the Dallas- Balch Springs corporate limits. Section 51A-8.403(a)(1)(A)(xii).
21. On the final plat, identify the property as Lot1A and Lot 1B in City Block D/8830. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).









**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-102**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Cedar Springs Road at Hawthorne Street, south corner**DATE FILED:** February 1, 2018**ZONING:** PD 193, PDS 119**PD LINK:** <http://www.dallascityattorney.com/51P/Articles%20Supp%2042/Div%20S-119.pdf>**CITY COUNCIL DISTRICT:** 2    **SIZE OF REQUEST:** 1.097 acres    **MAPSCO:** 37J**APPLICANT/OWNER:** Urban Lofts XXI, Ltd

**REQUEST:** An application to replat a 1.097-acre tract of land containing all of Lot 9, and the remainder of Lot 2 in City Block A/2303 to create a 26-lot Shared Access Development on property located on Cedar Springs Road at Hawthorne Street, south corner.

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

**STAFF RECOMMENDATION:** Section 51A-8.503 states 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.”

The City Council approved an amendment to the planned development subdistrict (PDS 119) on January 24, 2018. The proposed plat conforms to the approved development plan; therefore, staff recommends approval subject to compliance with the following conditions:

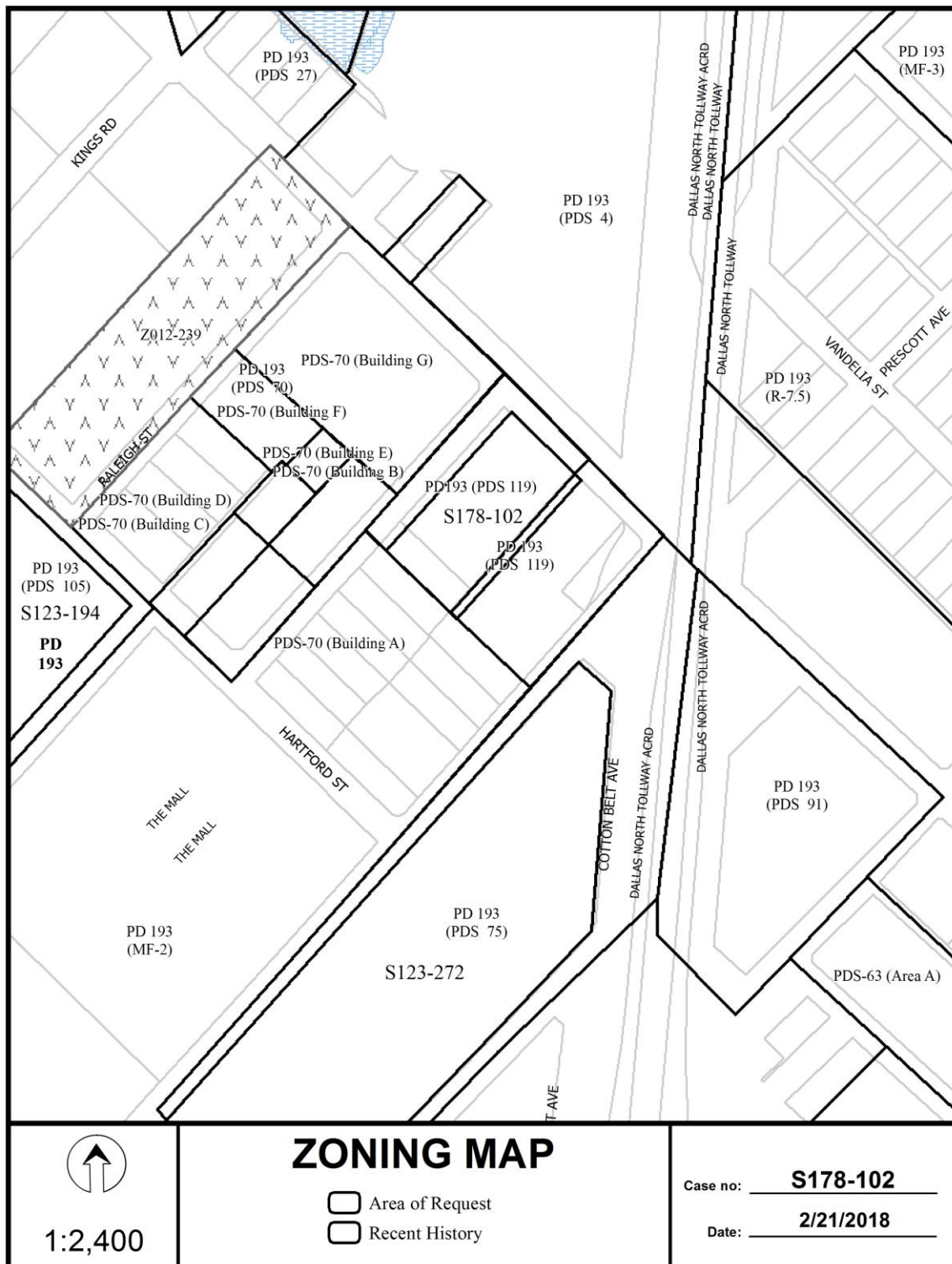
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.



7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is 26.
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. Sections 51A-8.102(c) and Section 51A-8.601(b),
12. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
13. On the final plat, dedicate 28 feet of Right-of-Way / Street Easement / Public Utility/Sidewalk and Utility Easement from the established center line of Hawthorne Street. Section 51A 8.602(c).
14. On the final plat, dedicate a 15-foot by 15-foot corner clip at the intersection of Hawthorne Street and Cedar Springs Road. Section 51A 8.602(d) (1).
15. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g) (1) and (2) and 49-62(b), (c), and (f).
16. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
17. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
18. The Shared Access Area Easement must be a minimum of 20 feet wide and contain a minimum paving width of 16 feet. Section 51A-411(d) (7).

19. There must be no more than two access area points, each limited to serve no more than 18 dwelling units. Section 51A-4.411(d)(10)
20. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat. Section 51A-4.411(d) (2) and Sections 49-60(d), 49-61(c) (5) (B), and Development Design Procedure and Policy Manual Section 6.2.
21. No building permit may be issued to authorize work in the shared access area development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and the recording information has been placed on the face of the plat, and all other requirements of the shared access area have been met. Section 51A-4.411(c) (3).
22. Prior to submittal of the final plat, the Shared Access Development must meet all of the requirements of Section 51A-4.411. Section 51A-4.411(c).
23. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include metes and bounds description of the shared access area as part of an attachment to the document. Section 51A-4.411(e).
24. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot. Section 51A-4.411(f) (2).
25. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f) (2).
26. Include the words "Shared Access Development" in the title block of the final plat. Platting Guidelines.
27. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area except to a public or City Council approved private street." Section 51A-4.411(d) (3), and 51A-4.411(d) (10).
28. If a guard house is provided, it must be at least 30 feet from the shared access entry point. Section 51A-4.411(d) (8).
29. The Shared Access Area Easement must be terminated a minimum of three feet from the adjacent property or right-of-way. Section 51A-8.618(b).

30. The Shared Access Development must provide 0.25 guest parking spaces per lot. Section 51A-4.411(g).
31. Shared Access Area Developments must comply with DWU standards for water and wastewater construction and design and be accepted by the City of Dallas prior to submittal of the final plat for the Chairperson's signature. Section 49-61(c) (5) (B) and the Development Design Procedures and Policy Manual, Section 2.
32. On the final plat, change "Hawthorne Street" to "Hawthorne Avenue" as named by plat of Perry Heights Addition. Section 51A-8.403(a)(1)(A)(xii)
33. Prior to final plat, contact the street name coordinator for help determining acceptable names (what is shown is not acceptable) for the new shared access drive. Section 51A-8.403. (a)(1)(A)(xiv)
34. On the final plat, identify the property as Lots 19A through 19F, and Lots 20 through 39 in City Block A/2303. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-103**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Riverfront Boulevard at Parkhouse Street**DATE FILED:** February 1, 2018**ZONING:** PD 621, Subdistrict 1A<http://www.dallascityattorney.com/51P/Articles%20Supp%2047/ARTICLE%20621.pdf>**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 7.789-acres**MAPSCO:** 44M**APPLICANT/OWNER:** Oncor Electric Delivery Company, LLC

**REQUEST:** An application to create one 7.789-acre lot from a tract of land within City Block 6832 from property located on Riverfront Boulevard at Parkhouse Street.

**SUBDIVISION HISTORY:**

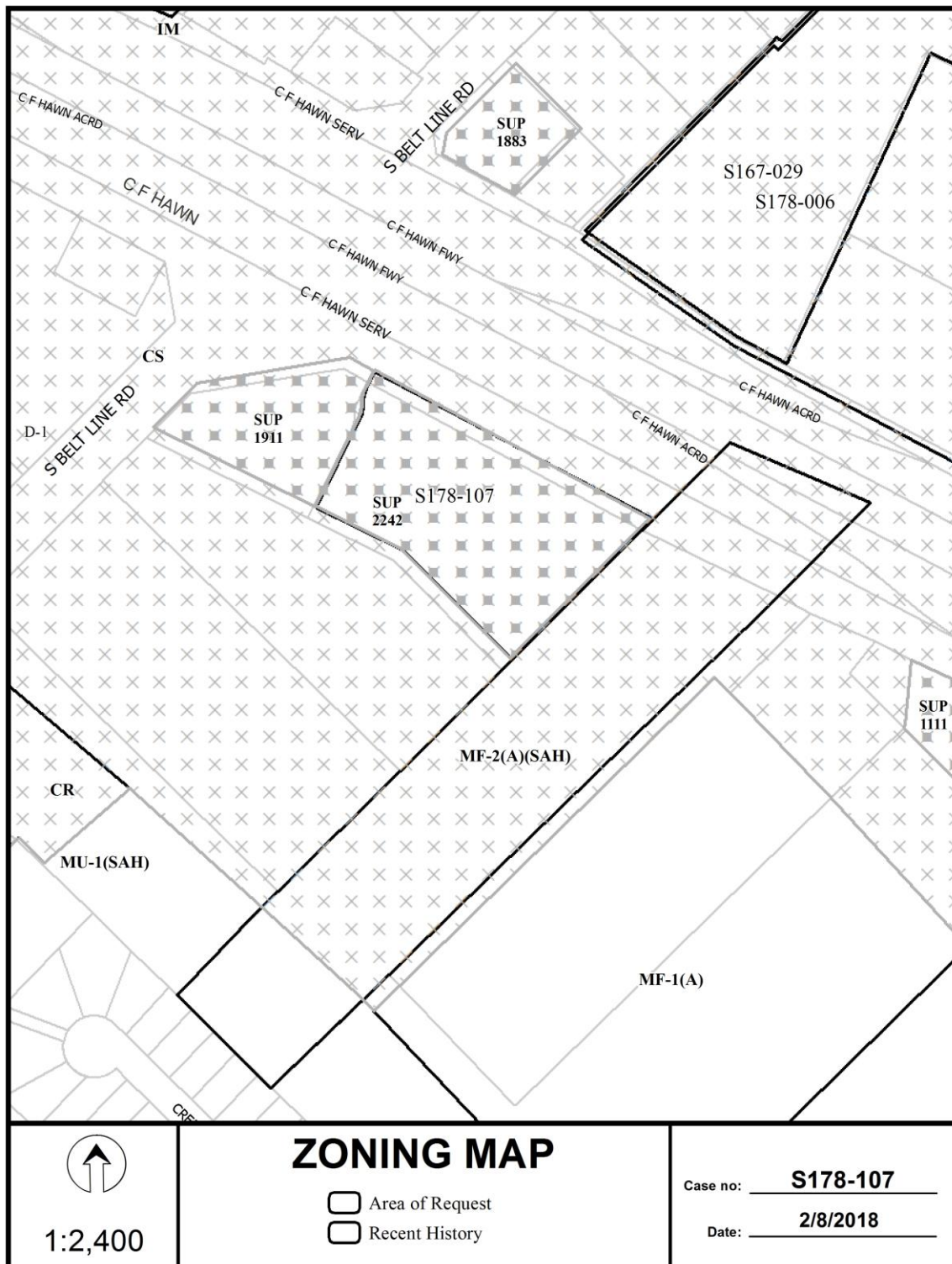
1. S123-013 was a request southwest of the current request to plat 4.863-acres of Right-of-Way Reservation for Continental Avenue. The request was approved December 1, 2012 and has not been recorded.
2. S167-292 was a request north of the current request to replat a 3.607-acre tract of land containing all of Lot 1A in City Block 1/405 to create one lot on property located on Houston Street, South of Continental Avenue. The request was approved December 1, 2016 and has not been recorded.

**STAFF RECOMMENDATION:** Staff concludes that the request complies with the requirements of PD 621, Subdistrict 1A; therefore, staff recommends approval subject to compliance with the following conditions:

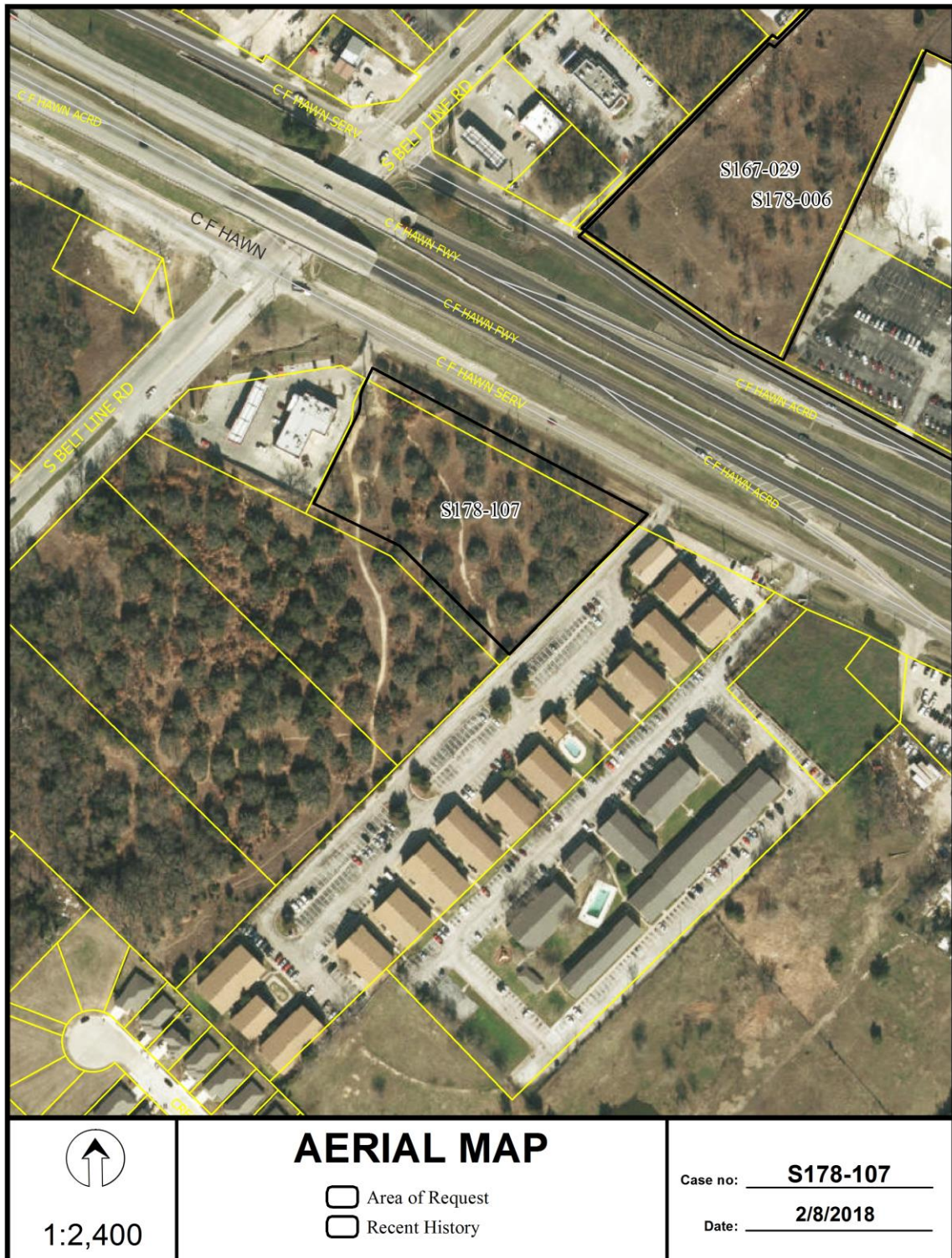
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.

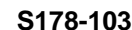
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 75 feet of Right-of-Way / Street Easement / Public Utility/Sidewalk and Utility Easement from the established center line of Riverfront Boulevard. 51A 8.602(c).
15. Location is in the Industrial Boulevard Area Sump (WSE 400.1). All construction for any proposed development must be above the WSE. Any improvement proposed in the areas where the existing elevation is below the WSE requires a fill permit to be applied for and approved by the Public Works and Transportation Department. A Minimum Finish Floor elevation for those areas will have to be established during the process and placed on the face of the final plat. Section 51A-8.611(a), (1) through (8).
16. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a), (1) (A) (xxii).
17. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
18. On the final plat, show recording information on all existing easements within 150 feet of the property.

19. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
20. On the final plat, show two control monuments. Section 51A-8.617.
21. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
22. Water and wastewater main improvements may be required by private development contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: **Water and Wastewater Engineering**.
23. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
24. On the final plat change "N. Riverfront Boulevard" to "Riverfront Boulevard." Section 51A-8.403(a)(1)(A)(xii)
25. On the final plat, indicate the approximate location where "Continental Avenue" changes to "Ronald Kirk Bridge." Section 51A-8.403(a)(1)(A)(xii)
26. On the final plat, identify the property as Lot 1 in City Block A/6832. Ordinance 1A, pages 131-148, Section 2 (passed August 13, 1872).









**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-104**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Westmoreland Road at Red Bird Lane, southwest corner**DATE FILED:** February 1, 2018**ZONING:** CR**CITY COUNCIL DISTRICT:** 3**SIZE OF REQUEST:** 4.296-Acres**MAPSCO:** 63N**APPLICANT/OWNER:** KPP Treasure, LLC

**REQUEST:** An application to create one 1.035-acre lot, 1.252-acre lot, and one 2.009-acre lot from a 4.296-acre tract of land in City Block 6045 on property located on Westmoreland Road at Red Bird Lane, southwest corner.

**SUBDIVISION HISTORY:** There has been no recent platting activity within close proximity to the current application.

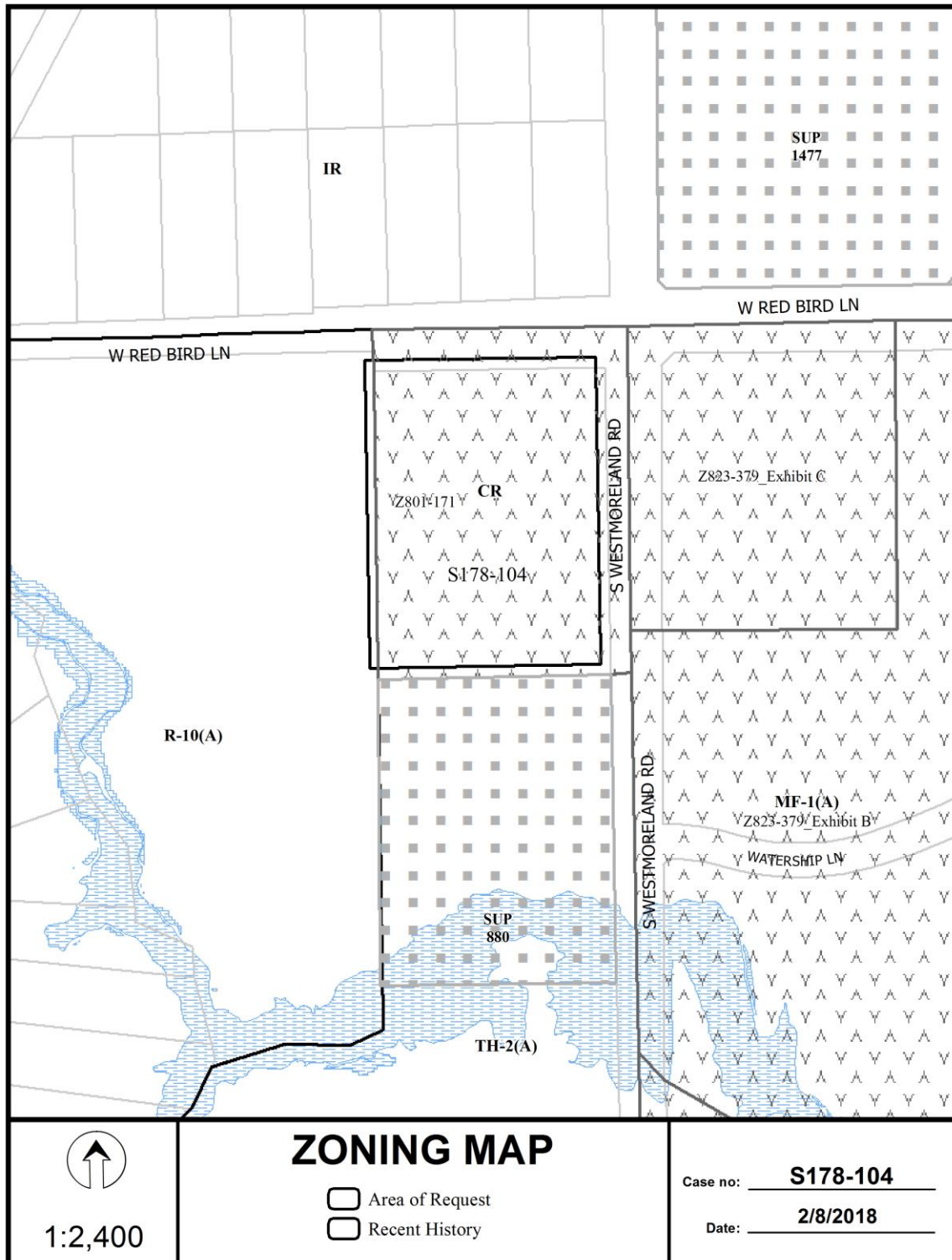
**STAFF RECOMMENDATION:** The request complies with the requirements of the CR Community Retail District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

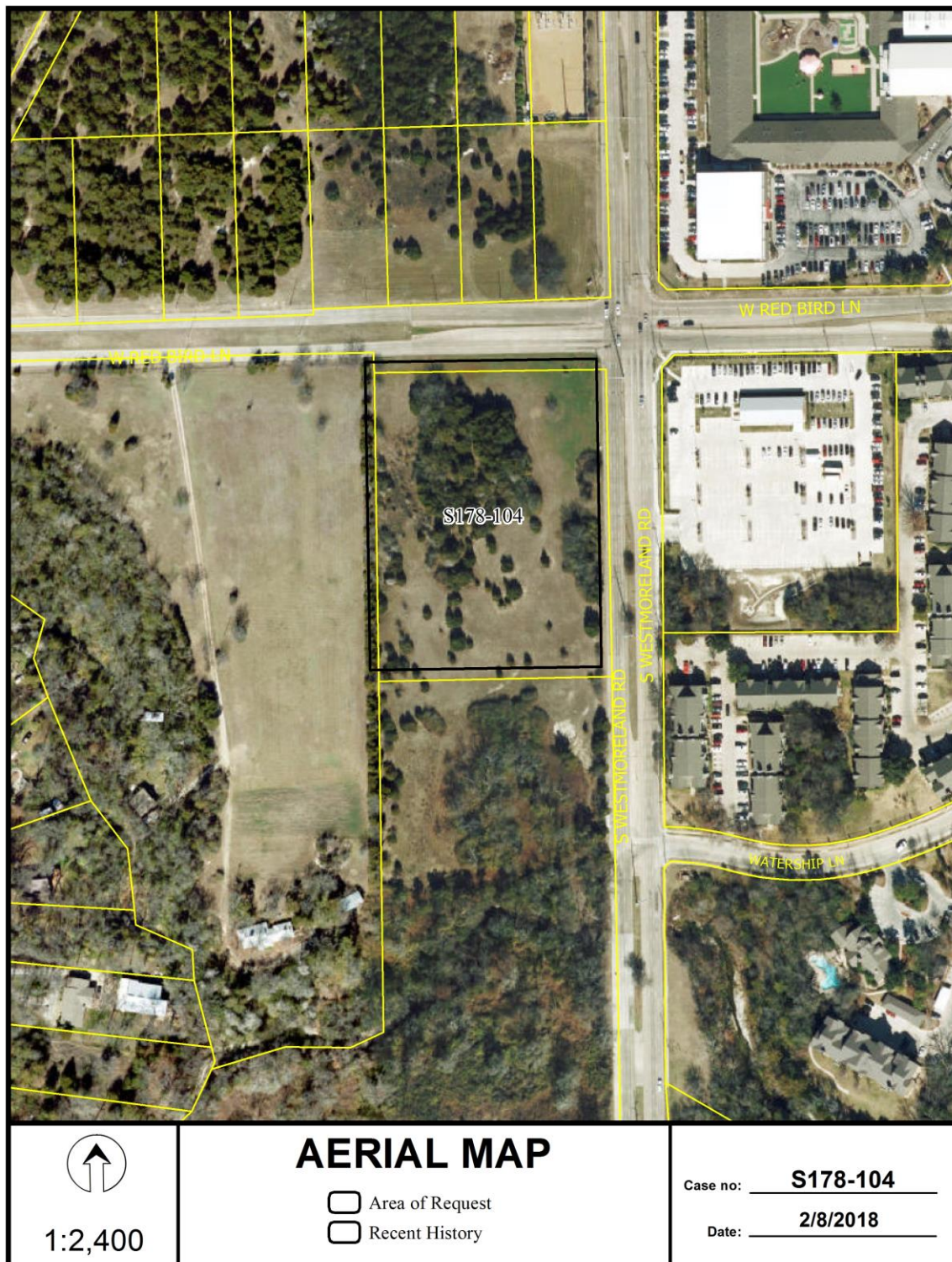
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617

9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is three.
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. Sections 51A-8.102(c) and Section 51A-8.601(b), (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 50 feet of right-of-way from the established centerlines of Red Bird Lane and Westmoreland Road. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
15. On the final plat, dedicate a 20-foot by 20-foot corner clip at the intersection of Red Bird Lane & Westmoreland Road. Section 51A 8.602(d), (1).
16. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
17. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.
18. On the final plat, include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V.
19. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
20. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
21. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d) (1), (2), (3), and (4).

22. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g).
23. On the final plat, show recording information on all existing easements within 150 feet of the property.
24. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
25. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g) (1) and (2) and 49-62(b), (c), and (f).
26. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
27. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
28. On the final plat, identify the property as Lots 1 through 3 in City Block 1/6045. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-105**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Idaho Avenue, north of Ann Arbor Avenue**DATE FILED:** February 1, 2018**ZONING:** R-7.5 (A)**CITY COUNCIL DISTRICT:** 4**SIZE OF REQUEST:** 0.770-Acre**MAPSCO:** 65E

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**APPLICANT/OWNER:** King Home Builders, LLC

**REQUEST:** An application to create one 0.770-acre lot and one 0.419-acre lot from a tract of land in City Block 6006 on property located on Idaho Avenue, north of Ann Arbor Avenue.

**SUBDIVISION HISTORY:**

1. S123-023 is a request southwest of the present request to replat a 1.09 acre tract of land containing all of Lots 14 through 17 in City Block D/6005 into one lot located at 831 Ann Arbor Drive at Idaho Avenue. The request was approved December 6, 2012 and has not been recorded.

**STAFF RECOMMENDATION:** Section 51A-8.503 states 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.”

The property contiguous on the east was part of the property that is the present request and is not owned by the applicant but is owned by the owner of the property at 1111 Ann Arbor Avenue and used for agricultural purposes.

The proposed lots are similar in size, lot width, and shape to other lots in the vicinity; therefore, staff concludes that the request is in compliance with Section 51A-8.503 and the R-7.5(A) Single Family District requirements; therefore, staff recommends approval of the request subject to compliance with the following conditions:

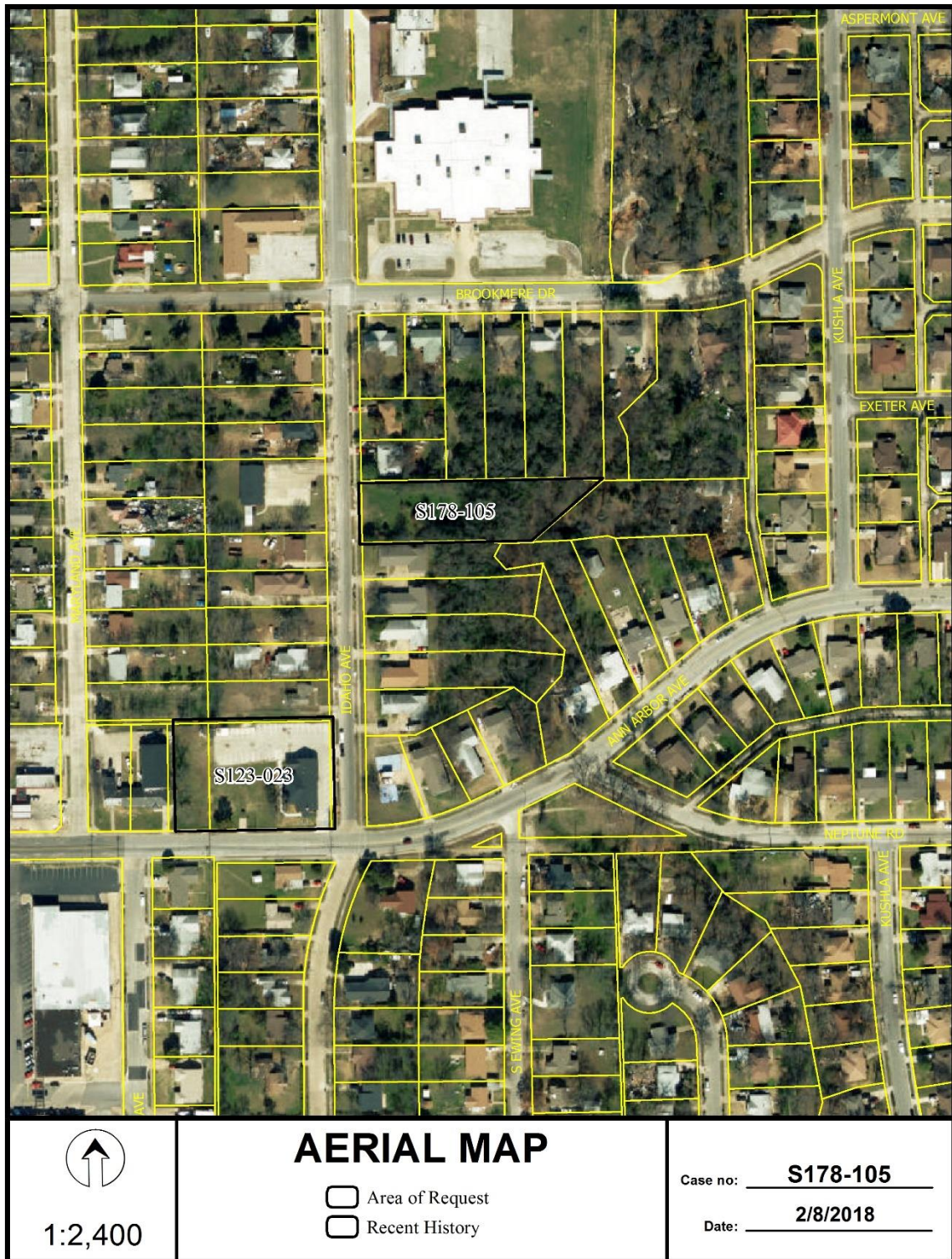
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)

6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is two.
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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
12. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
13. On the final plat, dedicate 26.5-foot Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Idaho Avenue. 51A 8.602(c).
14. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
15. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.
16. On the final plat, include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V.
17. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
18. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
19. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d), (1), (2), (3), and (4).



20. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g).
21. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
22. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
23. On the final plat, show recording information on all existing easements within 150 feet of the property.
24. On the final plat, chose a new or different addition name. Platting Guidelines.
25. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
26. Water and wastewater main improvements may be required by private development contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: **Water and Wastewater Engineering**.
27. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
28. On the vicinity map, change "Fortune Ln" to "Brookmere Drive", and "US Highway 77" to "Interstate Highway 35E". Section 51A-8.403(a)(1)(A)(xii)
29. On the final plat, identify the property as Lots 20 and 21 in City Block 3/6006. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).







**S178-105**

**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-106**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Irving Boulevard at Inwood Road, southwest corner**DATE FILED:** February 1, 2018**ZONING:** CS**CITY COUNCIL DISTRICT:** 6    **SIZE OF REQUEST:** 2.695-Acres**MAPSCO:** 34**APPLICANT/OWNER:** RIM Investments, LLC / Adelphi Group. Ltd.

**REQUEST:** An application to replat a 1.7100-acre tract of land containing all of Lot 1 in City Block 7193 to create a new floodway easement, establish a Natural Channel Setback, and to create an off-site drainage easement on a 1.7100-acre tract of land located on Irving Boulevard at Inwood Road, southwest corner.

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

**STAFF RECOMMENDATION:** The request complies with the requirements of the CS Commercial Service District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

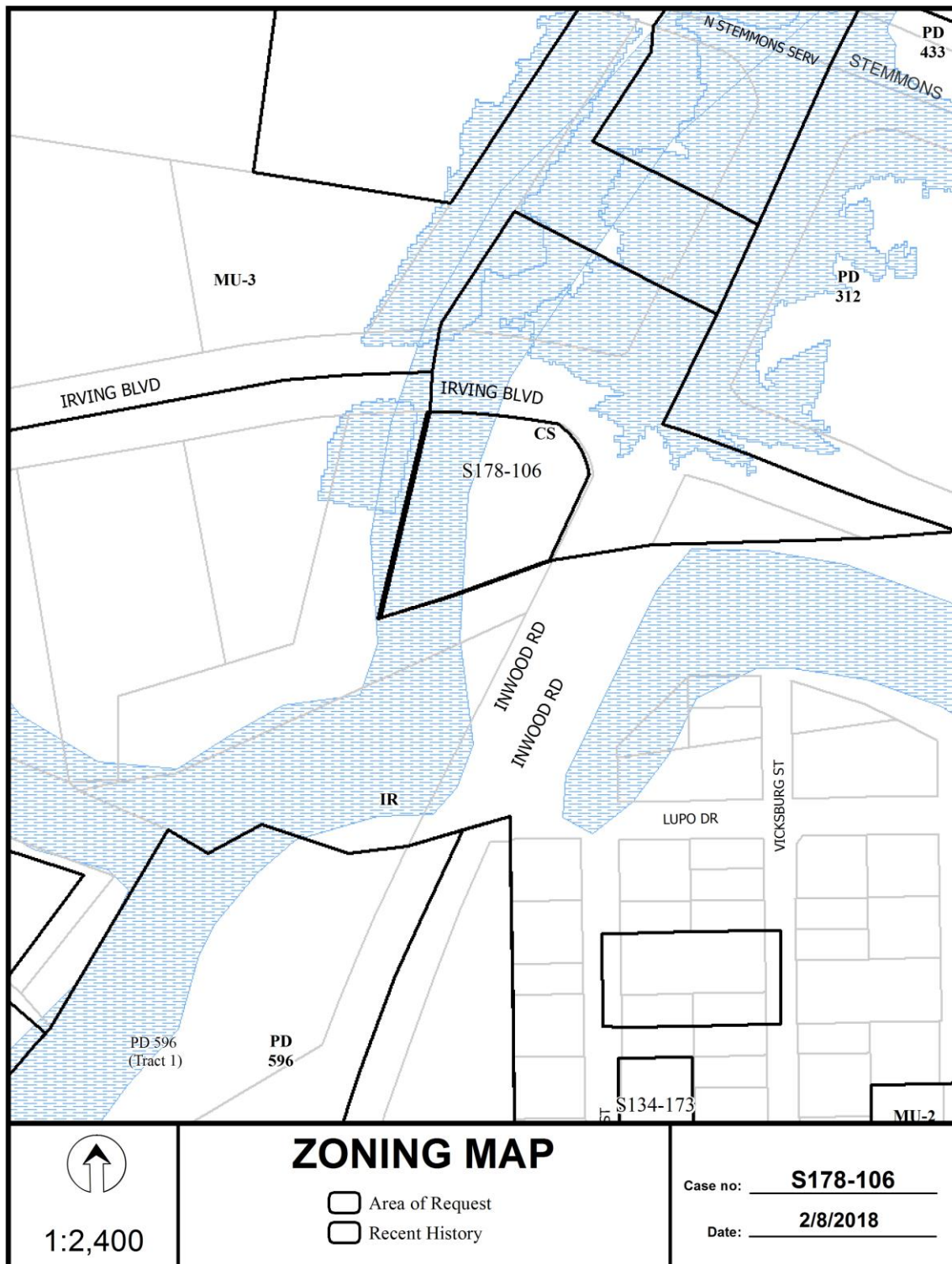
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617



9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
15. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.
16. On the final plat, include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V.
17. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
18. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
19. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d) (1), (2), (3), and (4).
20. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g).
21. On the final plat, remove building line(s). Platting Guidelines.
22. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed

water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

23. Water and wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
24. On the final plat, move the citation "City Ord. No. 11404, dtd 3/28/1966", next to the reference "FKA N. Hampton Road". Section 51A-8.403(a)(1)(A)(xii)
25. On the final plat, identify the property as Lot 1 in City Block 7913. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-107**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** C.F. Hawn Freeway southeast of S. Belt Line Road**DATE FILED:** February 2, 2018**ZONING:** CS**CITY COUNCIL DISTRICT:** 8    **SIZE OF REQUEST:** 2.695-Acres    **MAPSCO:** 69AR**APPLICANT/OWNER:** RIM Investments, LLC

**REQUEST:** An application to replat a 2.695-acre tract of land containing part of Lot 4, City Block C/8806 to create one lot from property located on C.F. Hawn Freeway southeast of S. Belt Line Road

**SUBDIVISION HISTORY:**

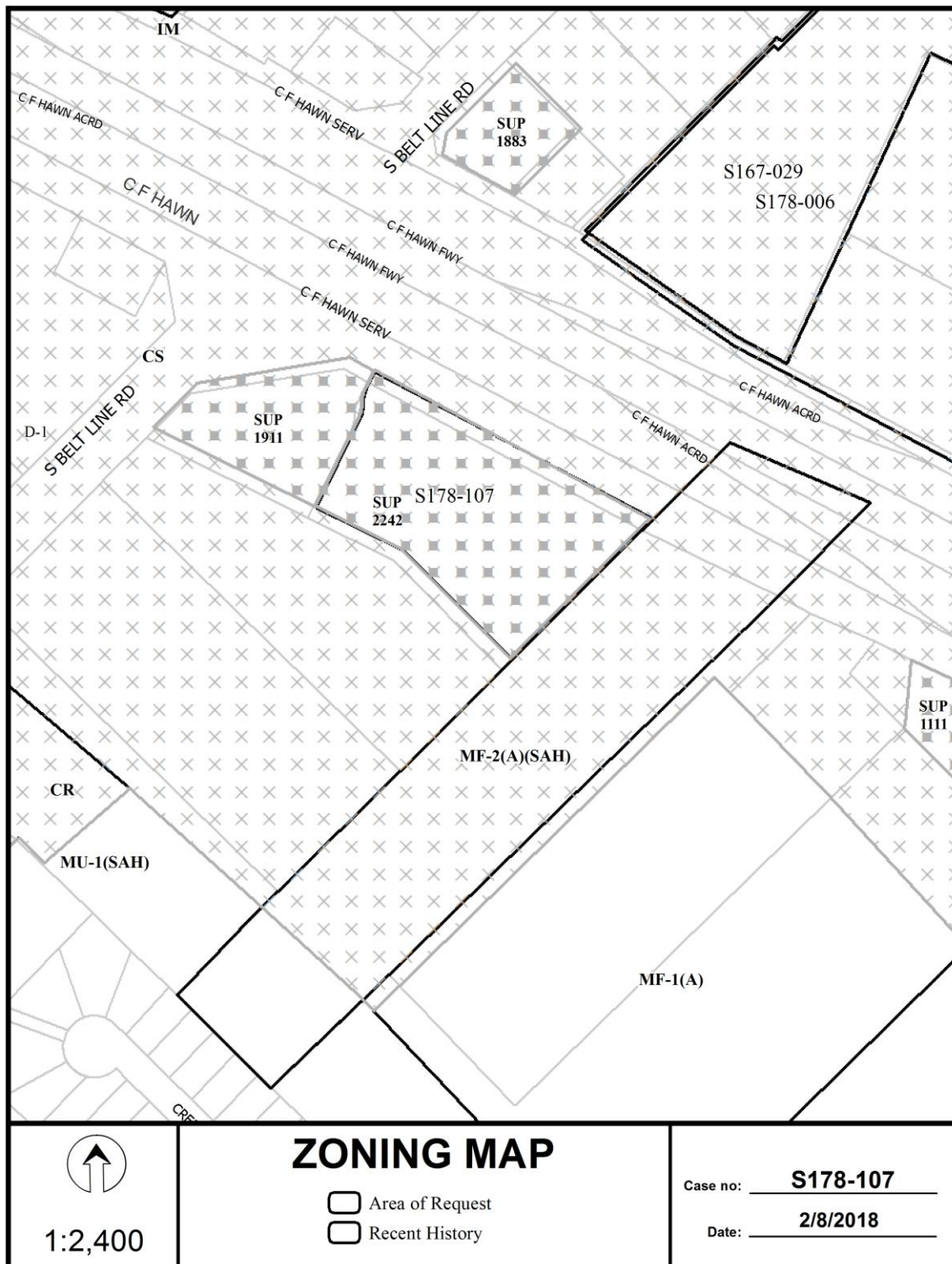
1. S123-139 was a request east of the present request to create one 9.1458-acre lot from a tract of land in City Block 8820 on property located on C.F. Hawn Freeway (US Highway 175) between South Belt Line Road and Woody Road. The request was approved October 1, 2015 but has not been recorded.
2. S167-029 was a request northeast of the present request to create one 12.039-acre lot from a tract of land located in City Block 8820 on property located on South Belt Line Road at C.F. Hawn Freeway, east quadrant. The request has been terminated due to age.
3. S178-006 was a request adjacent on the north of the present request to replat a 29.390-acre tract of land containing all of Lot 5 in City Block H/8820 and a tract of land in City Block 8820 to create one lot on property located on South Belt Line Road at C.F. Hawn Freeway, east quadrant. The request was approved November 9, 2017 and has not been recorded.

**STAFF RECOMMENDATION:** The request complies with the requirements of the CS Commercial Service District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General 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 the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)

6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.
15. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
16. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g) (1) and (2) and 49-62(b), (c), and (f).
17. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

18. Water and wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
19. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
20. On the final plat, identify the property as Lot 4A in City Block C/8806. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-108**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Fitzhugh Avenue at San Jacinto Street, east corner**DATE FILED:** February 2, 2018**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 2     **SIZE OF REQUEST:** 1.391-acres     **MAPSCO:** 46A**APPLICANT/OWNER:** PGH Bennett Land, LLC

**REQUEST:** An application to replat a 1.391-acre tract of land containing all of Lots 14, 15, 16, 17, and 18 in City Block 7/708 to create one lot on property located on Fitzhugh Avenue at San Jacinto Street, east corner.

**SUBDIVISION HISTORY:**

1. S167-237 was an application northeast of the present request to replat a 0.545-acre tract of land containing all of Lots 10 and 11 in City Block 7/708 to create a 15-lot shared access development on property located on Bennett Avenue, southwest of San Jacinto Street. The request was approved and has not been recorded.
2. S167-200 was a request south of the present request to replat a 0.353-acre tract of land containing all of Lots 1 and 2 in City Block B/709 to create one 0.145-acre lot and one 0.208-acre lot on property located on Fitzhugh Avenue at Virginia Avenue, south corner. The request was approved June 22, 2017 and has not been recorded.
3. S167-199 was a request northeast of the present request to replat a 0.458-acre tract of land containing all of Lots 15 and 16 in City Block 6/707 to create one lot on property located on San Jacinto Street at Bennett Avenue, east corner. The request was approved June 22, 2016 and has not been recorded.
4. S156-276 was a request southeast of the present request to replat a 3.6297-acre tract of land containing all of Lots 14 through 22 in City Block 9/730, part of Lots 9 through 11 in City Block 9/730, all of Lots 13 and 14 in City Block 10/730, part of Lots 9 through 12 in City Block 10/730, and Lots 14 through 16 in City Block 10/730, and a portion of abandoned Bennett Avenue to create three lots ranging in size from 0.0394-acre to 2.4036-acres on property located on Live Oak Street between Collett Avenue and Fitzhugh Avenue. The request was approved September 15, 2016 and has not been recorded.

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

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.

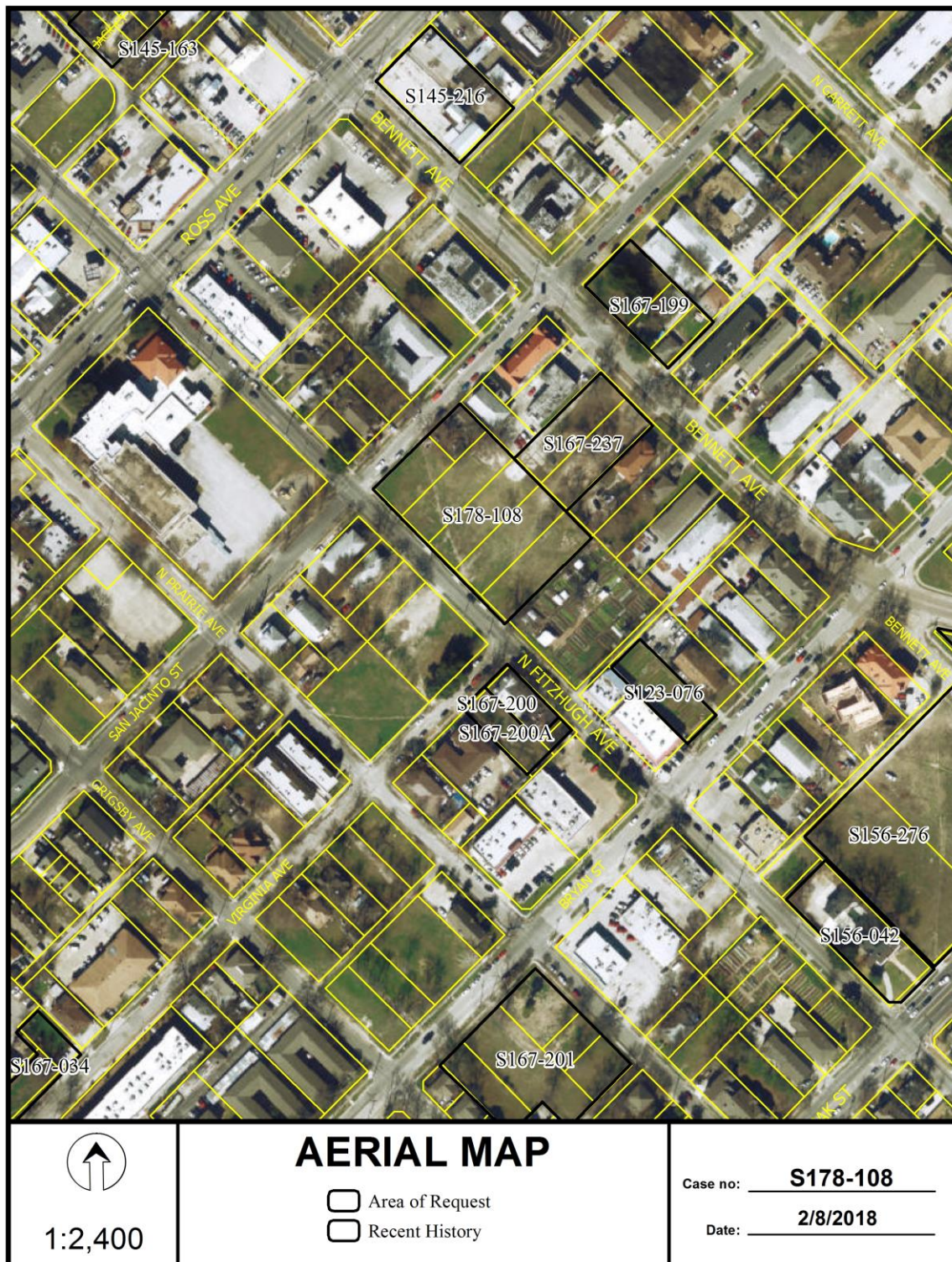
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 28 feet of Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Fitzhugh Avenue. Section 51A 8.602(c).

15. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection of Fitzhugh Avenue & San Jacinto Street. Section 51A 8.602(d) (1).
16. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
17. On the final plat, show recording information on all existing easements within 150 feet of the property.
18. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
19. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
20. Water and wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
21. Capacity of existing wastewater system is questionable. Submit proposed wastewater demand (gpm) and pressure (psi) of development for further assessment.
22. On the final plat, identify the property as Lot 14A in City Block 7/708. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).

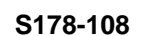












OWNER'S CERTIFICATE

STATE OF TEXAS §  
COUNTY OF DALLAS §

WHEREAS, POH BENNETT LAND, LLC is the OWNER of a TRACT OF LAND SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 498, CITY BLOCK 7/708, CITY OF DALLAS, DALLAS COUNTY, TEXAS, BEING ALL OF LOTS 14 THROUGH 18, BLOCK 7/708, HAZARD'S PLAT OF SUBDIVISION OF COLLEGE HILL ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 56, MAP RECORDS, DALLAS COUNTY, TEXAS (N.R.D.C.T.) AS CONVEYED TO POH BENNETT LAND, LLC BY SPECIAL WARRANTY DEED WITH ENDORSEMENT, DALLAS COUNTY, TEXAS (N.R.D.C.T.), BEING MORE PARTICULARLY DESCRIBED BY NOTES AND SOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND AT THE INTERSECTION OF THE SOUTHEAST LINE OF SAN JACINTO STREET, A CALLED 60 FOOT WIDE RIGHT-OF-WAY AS DEICATED BY VOLUME 1, PAGE 56, (N.R.D.C.T.) AND THE NORTHEAST LINE OF FITZHUGH AVENUE, A CALLED 50 FOOT WIDE RIGHT-OF-WAY AS DEICATED BY VOLUME 1, PAGE 54, (N.R.D.C.T.), AND BEING AT THE WEST CORNER OF THE ABOVE MENTIONED LOT 14;

THENCE NORTH 44 DEGREES 45 MINUTES 14 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAN JACINTO STREET, A DISTANCE OF 189.02 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MAC 10087" FOUND AT THE NORTH CORNER OF SAID LOT 14 AND THE WEST CORNER OF LOT 9 IN THE ABOVE MENTIONED HAZARD'S PLAT OF SUBDIVISION;

THENCE SOUTH 45 DEGREES 15 MINUTES 20 SECONDS EAST, ALONG NORTHEAST LINE OF LOTS 14 THROUGH 18 OF SAID HAZARD'S PLAT OF SUBDIVISION, SAME BEING THE COMMON SOUTHWEST LINE OF LOTS 9 THROUGH 12 OF SAID HAZARD'S PLAT OF SUBDIVISION, AT A DISTANCE OF 105.62 FEET PRESS A 1/2" IRON ROD FOUND AND CONTINUING FOR A TOTAL DISTANCE OF 355.02 FEET TO A 1/2" IRON ROD WITH RED CAP STAMPED "MENA 8672" FOUND PREVIOUSLY SETT AT THE EAST CORNER OF SAID LOT 18, THE SOUTH CORNER OF LOT 12 AND WEST CORNER OF LOT 13, ALL OF SAID HAZARD'S PLAT OF SUBDIVISION, AND BEING AT THE NORTH CORNER OF LOT 18A, BLOCK 7/708, EAST DALLAS COMMUNITY GARDEN, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 1004021, PAGE 56, (N.R.D.C.T.), FROM WHICH A 1/2" IRON ROD WITH CAP STAMPED "MAC 10087" FOUND BEARS SOUTH 55 DEGREES 12 MINUTES 15 SECONDS WEST, A DISTANCE OF 0.58 FEET;

THENCE SOUTH 44 DEGREES 28 MINUTES 38 SECONDS WEST, A DISTANCE OF 198.85 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "MAC 10087" FOUND IN THE NORTHEAST LINE OF FITZHUGH AVENUE AT THE SOUTH CORNER OF SAID LOT 18 AND THE WEST CORNER OF THE ABOVE MENTIONED LOT 18A;

THENCE NORTH 45 DEGREES 08 MINUTES 30 SECONDS WEST, ALONG THE NORTHEAST LINE OF FITZHUGH AVENUE AND THE COMMON SOUTHWEST LINE OF SAID LOTS 14 THROUGH 18, AT 58.84 FEET PRESS A 1/2" IRON ROD FOUND, AT 178.84 FEET PRESS A 1/2" IRON ROD FOUND, AT 240.11 FEET PRESS A 1/2" IRON ROD FOUND, AND CONTINUING FOR A TOTAL DISTANCE OF 558.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.391 ACRES (59,872 SQUARE FEET) OF LAND, MORE OR LESS.

OWNER'S DEDICATION

NOW THEREFORE, KNOWN ALL BY THESE PRESENTS:

THAT POH BENNETT LAND, LLC BY AND THROUGH THE UNDERSIGNED, THEIR DULY AUTHORIZED AGENT, RICHIE SOLIVAN, PRESIDENT, DO HEREBY ADOPT THIS PLAT, DEDICATING THE HEREIN DESCRIBED PROPERTY AS **FITZHUGH FLATS ADDITION**, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND DO HEREBY DEDICATE, IN THE CAPACITY OF THE PUBLIC, USE FOREVER ANY STREETS, ALLEYS, AND FLOODWAY MANAGEMENT AREAS SHOWN THEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHAUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES (USING OR DESIRING TO USE SAME, ALL AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHAUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM AND UPON THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, MAINTAINING AND ADDING TO OR REMOVING ALL OF OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF ACCESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OR SERVICE REQUIRED OR ORDINARILY PERFORMED BY THE UTILITY).

WATER MAIN AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF THE SYSTEMS. ADDITIONAL EASEMENT AREA IS ALSO CONVEYED FOR INSTALLATION AND MAINTENANCE OF MANHOLES, CLEANSING, FIRE HYDRANTS, WATER SERVICES AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE, AND DESCRIPTION OF SUCH ADDITIONAL EASEMENTS HEREIN GRANTED SHALL BE DETERMINED BY THEIR LOCATION AS INSTALLED.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF DALLAS, TEXAS.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

POH BENNETT LAND, LLC

BY: NAME  
TITLE

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_

SURVEYOR'S STATEMENT

I, DANIEL CHASE O'NEAL, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DEDICATIONATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THIS PLAT SUBSTANTIALLY COMPLES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, THE CITY OF DALLAS DEVELOPMENT CODE (ORDINANCE NO. 19455, AS AMENDED), AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212. I FURTHER AFFIRM THAT THE MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF DALLAS DEVELOPMENT CODE, SEC. 21A-8A(7) (a)(i)(a)(ii) & (a); AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

**"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE."**

DANIEL CHASE O'NEAL  
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6570

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DANIEL CHASE O'NEAL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_

LEIN HOLDER'S SUBORDINATION AGREEMENT

THE LEIN HOLDER OR MORTGAGEE CONCLUDES WITH THE OWNER'S CERTIFICATE AND AGREES TO SUBORDINATE ITS INTERESTS TO THE PROVISIONS OF THE OWNER'S DEDICATION.

LEIN HOLDER:

BY: VISTA BANK  
NAME: LANDON WILLES  
TITLE: TRUSTEE

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

OWNER  
POH BENNETT LAND, LLC  
2517 THOMAS AVENUE  
DALLAS, TX 75201

SURVEYOR  
O'NEAL SURVEYING CO.  
3111 COLE AVE, STE 103  
DALLAS, TX 75204  
TBR'S FIRM NO. 10194132

ENGINEER  
URBAN STRUCTURE  
8140 WALNUT HILL LANE, STE 905  
DALLAS, TX 75204

APPLICANT:  
SLATE PROPERTIES  
6060 N. CENTRAL EXPRESS, STE. 125  
DALLAS, TX 75206

PRELIMINARY PLAT  
**FITZHUGH FLATS ADDITION**  
**LOT 14A, BLOCK 7/708**

OF A

**1.391 ACRE TRACT**

**BEING ALL OF LOTS 14-18, BLOCK 7/708**

**HAZARD'S PLAT OF SUBDIVISION OF**

**COLLEGE HILL ADDITION**

as recorded in Volume 1, Page 56

Map Records, Dallas County, Texas

**JOHN GRIGSBY SURVEY - ABSTRACT NUMBER 495**

**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**CITY PLAN FILE NUMBER S178-108**

SCALE: 1"=30' JANUARY, 2018 SHEET 2 OF 2



**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-109**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** North Central Expressway (U.S. Highway 75) between Forest Lane and Interstate Highway 635**DATE FILED:** February 2, 2018**ZONING:** MU-3**CITY COUNCIL DISTRICT:** 10    **SIZE OF REQUEST:** 5.566-Acres    **MAPSCO:** 16X**APPLICANT/OWNER:** Central Landmark, Ltd.

**REQUEST:** An application to create one 2.766-acre lot and one 2.800-acre lot from a tract of land containing one 5.566-acre tract of land on property located on North Central Expressway (U.S. Highway 75) between Forest Lane and Interstate Highway 635.

**SUBDIVISION HISTORY:**

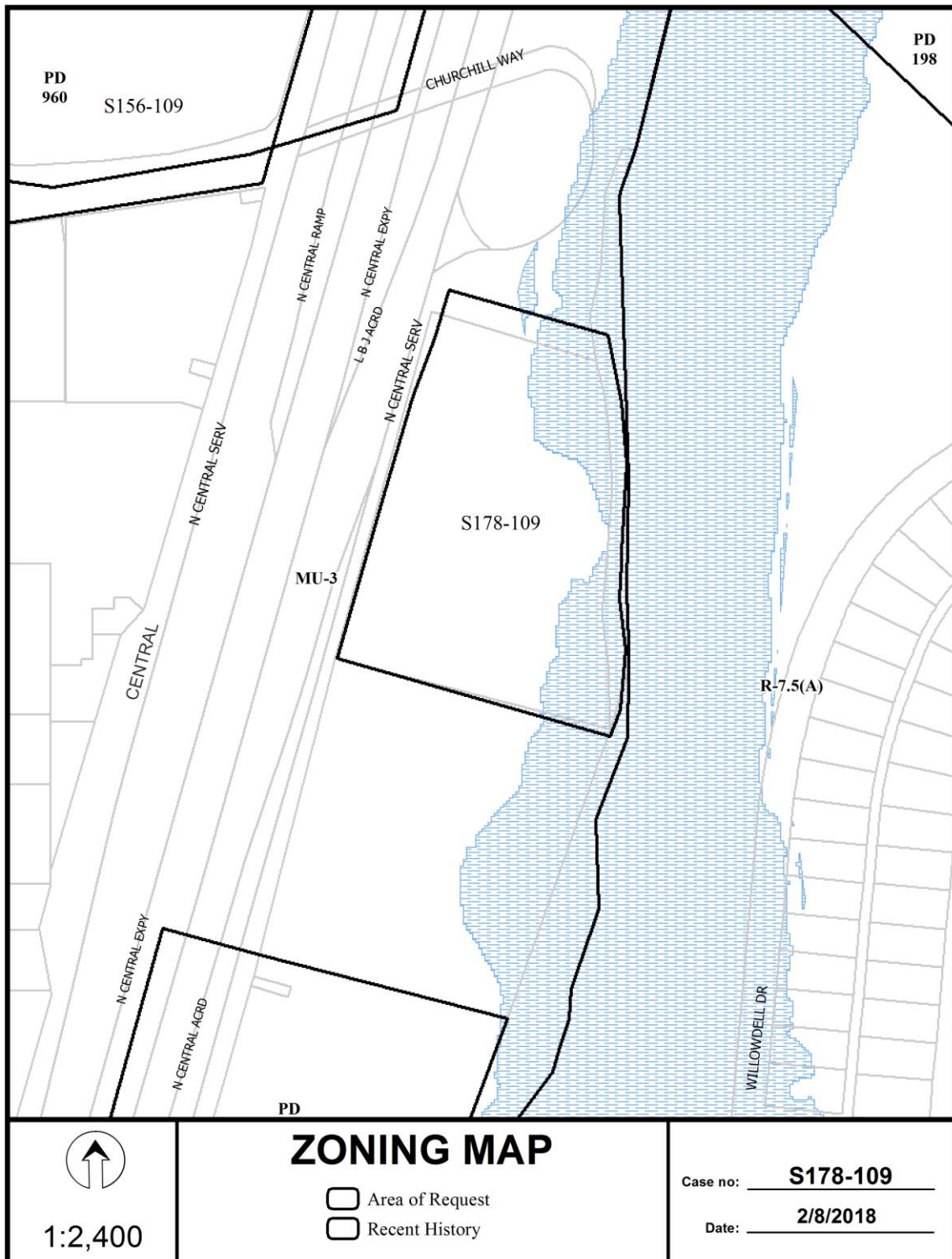
1. S156-109 was an application northwest of the present request to create one 13.289-acre lot from a tract of land in City Block 7754 on Churchill Way between Coit Road and North Central Expressway (US Highway 75). The request was approved March 3, 2016 and has not been recorded.

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

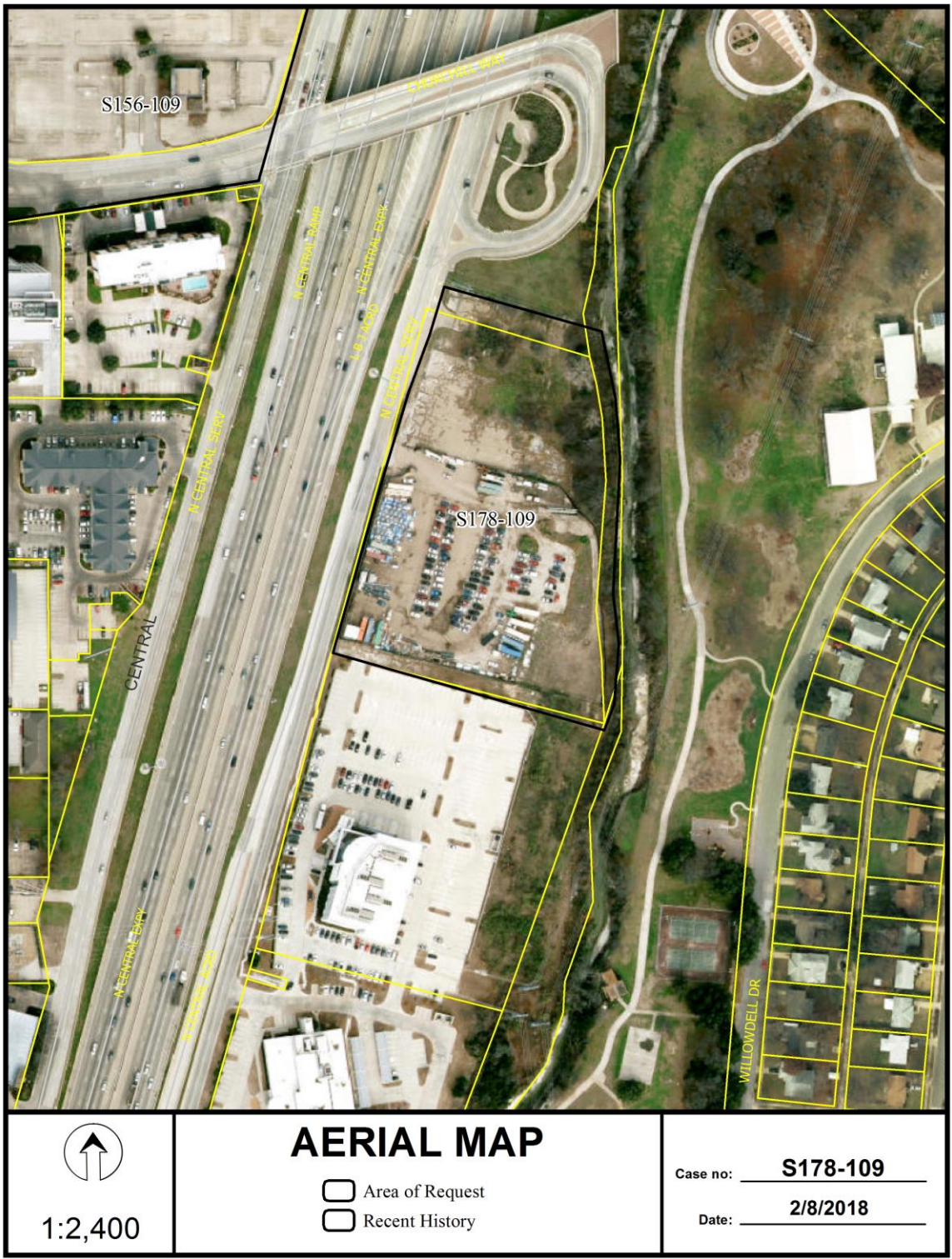
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is two.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.
15. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
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. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.
17. On the final plat, include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V.
18. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
19. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
20. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d) (1), (2), (3), and (4).

21. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g).
22. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
23. On the final plat, show recording information on all existing easements within 150 feet of the property.
24. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g) (1) and (2) and 49-62(b), (c), and (f).
25. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
26. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
27. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
28. On the final plat, identify the property as Lots 2 and 3 in City Block B/7749. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).









**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-110**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Vilbig Road at Seale Street, southeast corner**DATE FILED:** February 2, 2018**ZONING:** IR**CITY COUNCIL DISTRICT:** 6    **SIZE OF REQUEST:** 2.393-Acres    **MAPSCO:** 44S**APPLICANT/OWNER:** Juan Z. Davila

**REQUEST:** An application to create one 2.203-acre lot from a 2.393-acre tract of land located in City Block 3960 on property located on Vilbig Road at Seale Street, southeast corner.

**SUBDIVISION HISTORY:**

1. S156-008 was an application north of the present request to replat a 0.699-acre tract of land containing all of Lots 17, 18, and 19 in City Block C/7248, into one lot on property located on Pollard Street at Vilbig Road, northwest corner. The request was approved November 5, 2015 and has not been recorded.

**STAFF RECOMMENDATION:** The request complies with the requirements of the IR Industrial Research District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

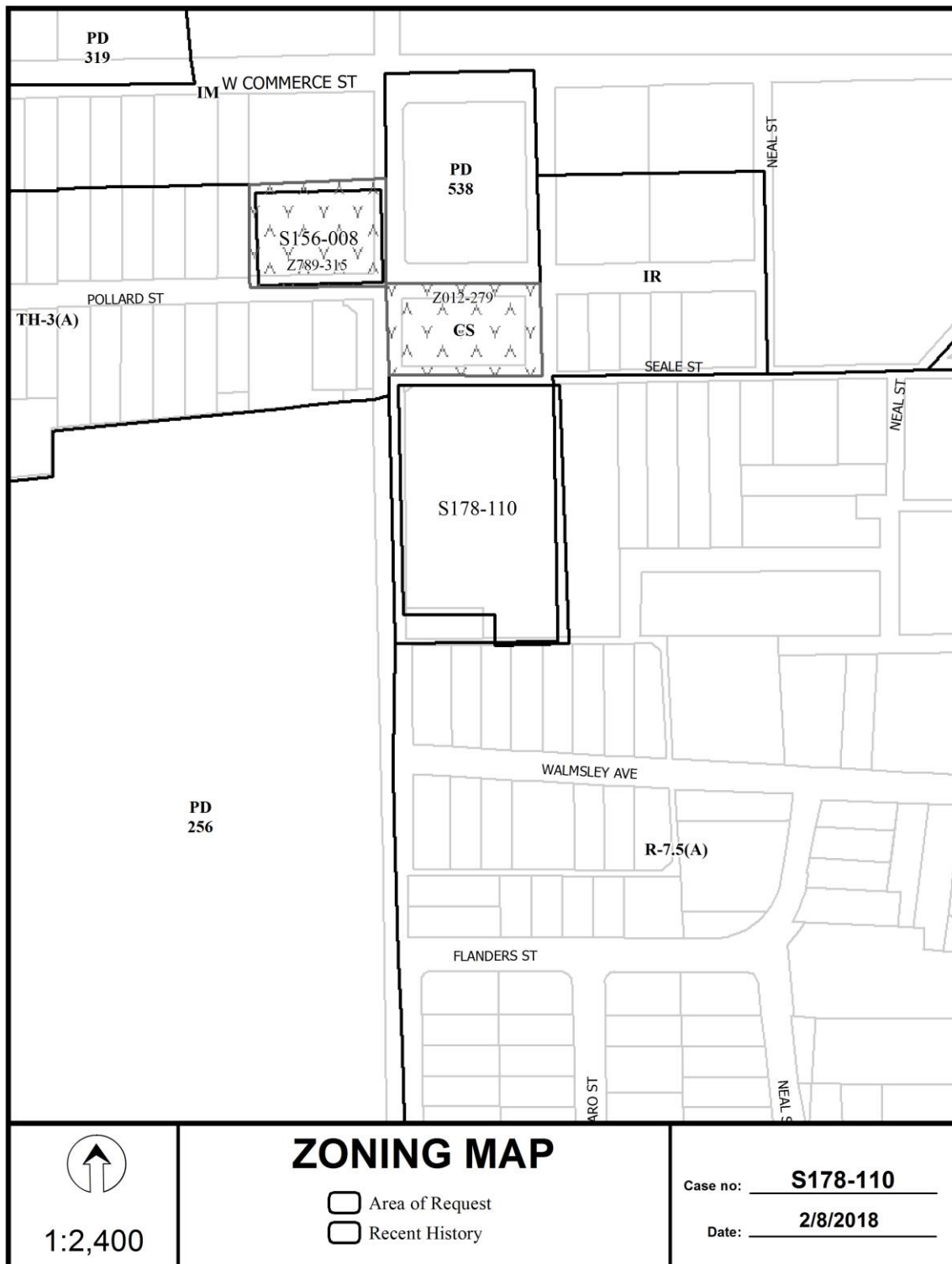
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."

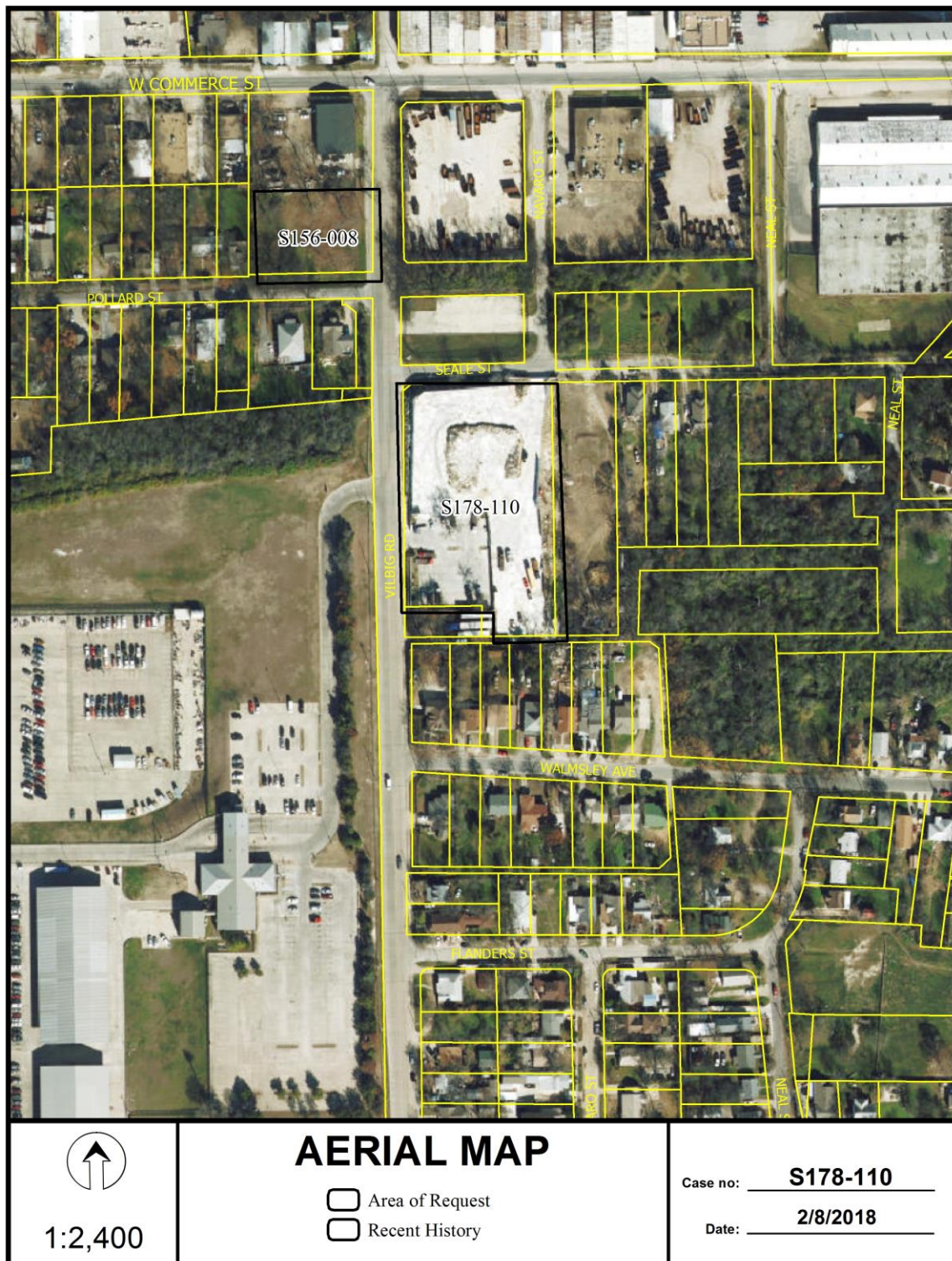
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. On the final plat, dedicate 28 feet of Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Seale Street. Section 51A 8.602(c).
14. On the final plat, dedicate 30 feet of right-of-way from the established centerline of Vilbig Road. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
15. On the final plat, dedicate a 15-foot by 15-foot corner clip at the intersection of Vilbig Road & Seale Street. Section 51A 8.602(d), (1).
16. On the final plat, dedicate 7.5 feet right-of-way from centerline of the alley.
17. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a), (1), (A), (xxii).
18. On the final plat, show recording information on all existing easements within 150 feet of the property.
19. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
20. On the final plat, correct original survey name, show and label approximate line location.
21. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering



plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

22. Water and wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
23. On the final plat, identify the property as Lot 1 in City Block A/3960. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).









**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-111**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** John Carpenter Freeway, northwest of I-35E**DATE FILED:** February 2, 2018**ZONING:** MU-3**CITY COUNCIL DISTRICT:** 6    **SIZE OF REQUEST:** 1.656-Acres    **MAPSCO:** 33T**APPLICANT/OWNER:** Mockingbird Hotels, LLC / Miguel Angel Martinez

**REQUEST:** An application to create one 1.656-acre lot from a tract of land in City Block E-3/7940 on property located on John Carpenter Freeway, northwest of I-35E.

**SUBDIVISION HISTORY:**

1. S123-205 was an application east of the present request to replat a 5.691 acre tract of land containing part of a tract of land in City Block E-1/7940 and part of a tract of land in City Block E-3/7940 located between Stemmons Freeway and SH-183 north of Mockingbird Lane. The request was approved July 25, 2013 and has not been recorded.
2. S167-155 was a request contiguous on the west of the present request to create one 1.741-acre lot and one 1.481-acre lot from a tract of land in City Block E-3/7940 on property located on John Carpenter, northwest of Empire Central. The request was approved April 27, 2017 and has not been recorded.

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

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General 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 the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.

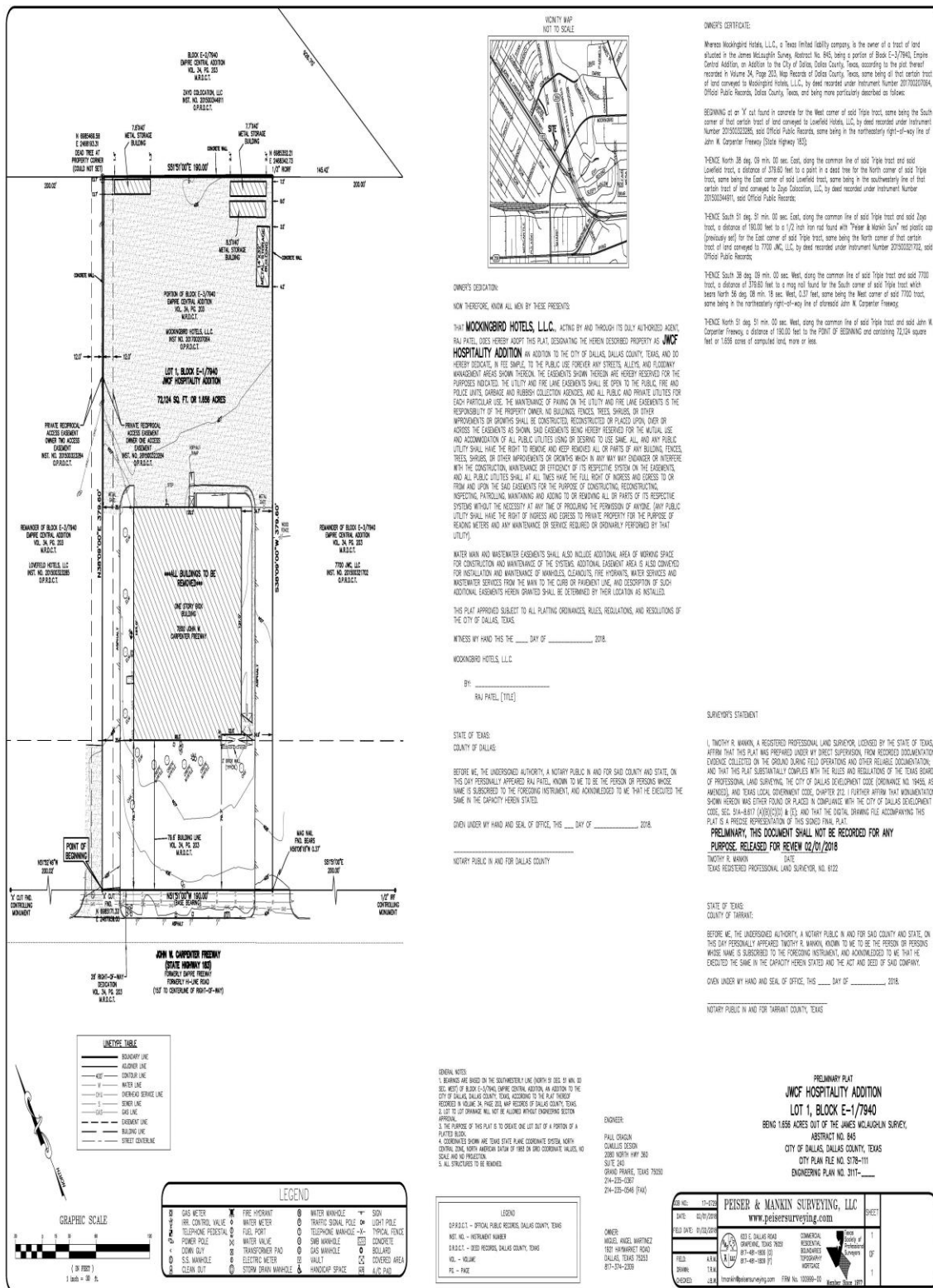
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)."
15. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
16. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
17. On the final plat, show recording information on all existing easements within 150 feet of the property.
18. On the final plat, show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines.
19. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

20. Water and wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
21. Capacity of existing water is questionable. Prior to final plat, submit proposed wastewater discharge (gpm) of development for further assessment.
22. If water meter size will be the same size as the public main, submit proposed water demand (gpm) and pressure (psi) of development for further assessment.
23. On the final plat, identify the property as Lot 5 in City Block E3/7940. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).









**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-112**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** R.L. Thornton Freeway/Interstate Highway No. 30 at the I-30/St. Frances ramp, southwest corner**DATE FILED:** February 2, 2018**ZONING:** RR**CITY COUNCIL DISTRICT:** 7    **SIZE OF REQUEST:** 6.523-acres**MAPSCO:** 48F**APPLICANT/OWNER:** Corinth Realty I-30 & St. Francis, LLC / Shiv Hospitality Group

**REQUEST:** An application to replat a 6.523-acre tract of land containing all of Lot 7 in City Block D/8474 to create one 2.369-acre lot, one 2.224-acre lot, and one 1.930-acre lot on property located at the R.L. Thornton Freeway/Interstate Highway No. 30 at the I-30/St. Frances ramp, southwest corner.

**SUBDIVISION HISTORY:**

1. S167-042 was an application northwest of the present request to create one 1.9976-acre lot from a tract of land in City Block 8474 on property located on Highland Road, between Jim Miller Road and St. Francis Avenue. The request was approved January 5, 2016 and has not been recorded.

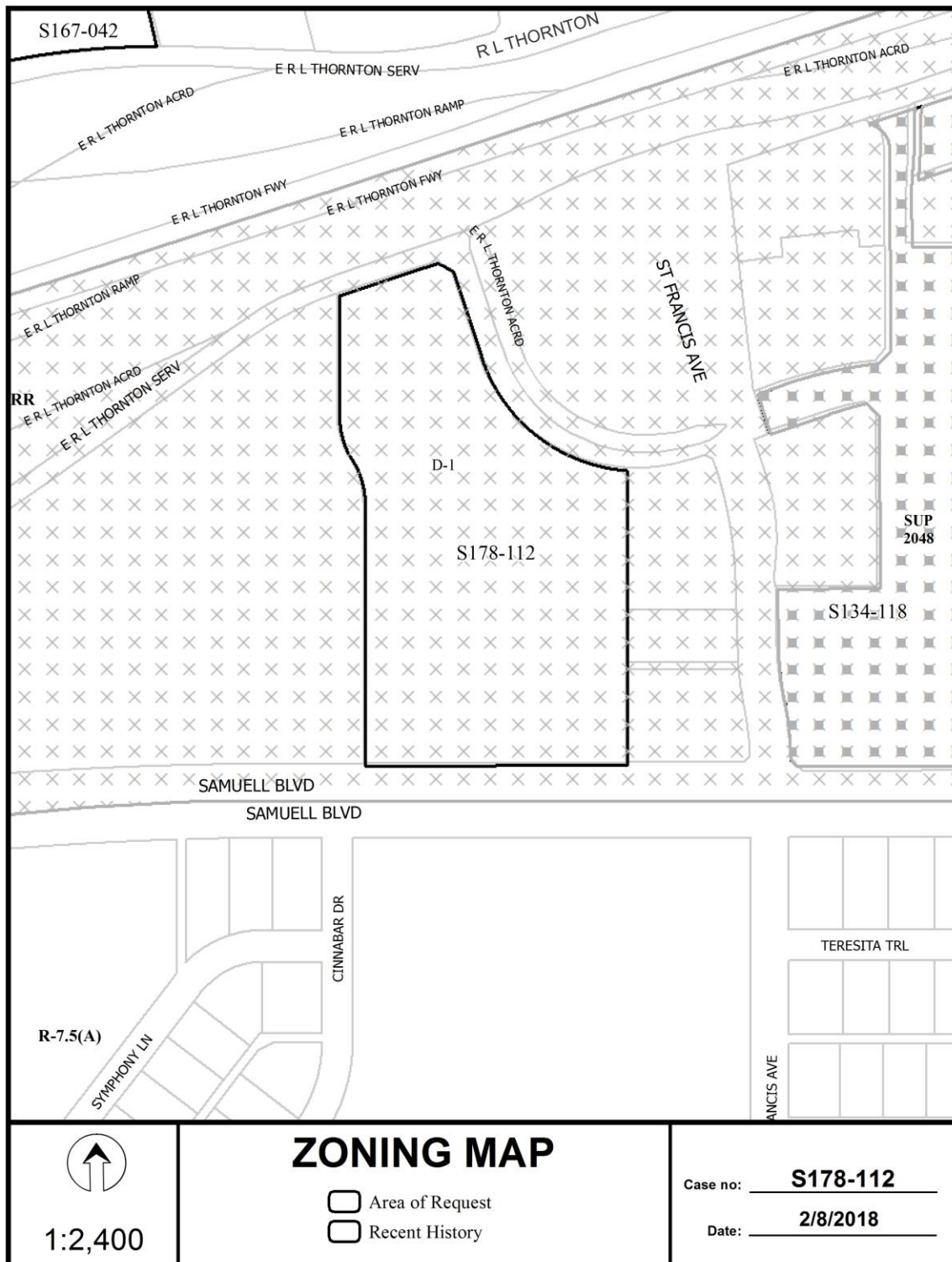
**STAFF RECOMMENDATION:** The request complies with the requirements of the RR Regional Retail District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

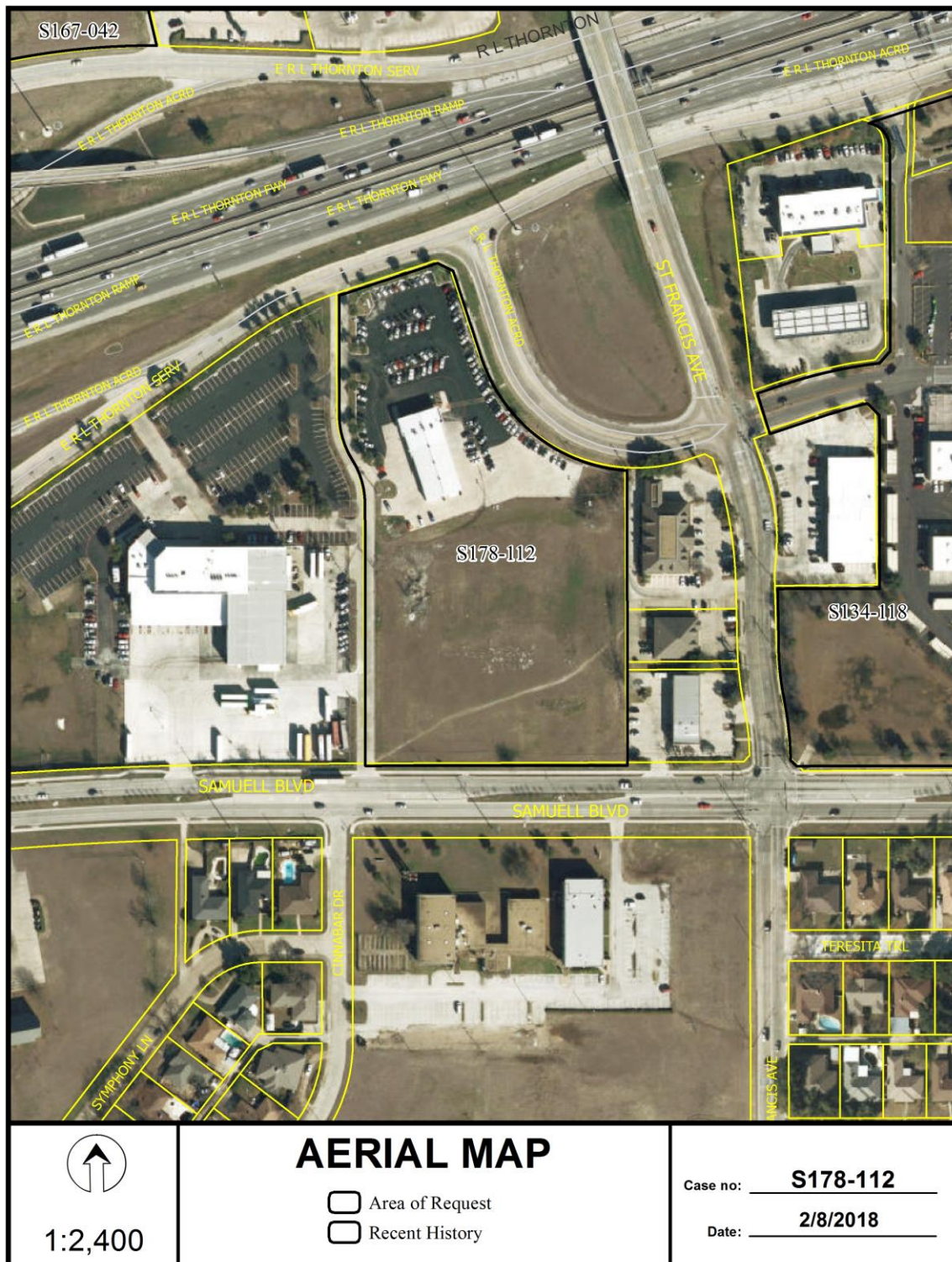
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is three.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 40 feet of Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Samuell Boulevard. Section 51A 8.602(c).
15. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)."
16. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
17. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
18. On the final plat, all access easement(s) must be recorded by separate instrument(s) and the recording information must be shown on the final plat. Platting Guidelines.
19. On the final plat, show recording information on all existing easements within 150 feet of the property.
20. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
21. On the final plat, chose a new or different addition name. Platting Guidelines.

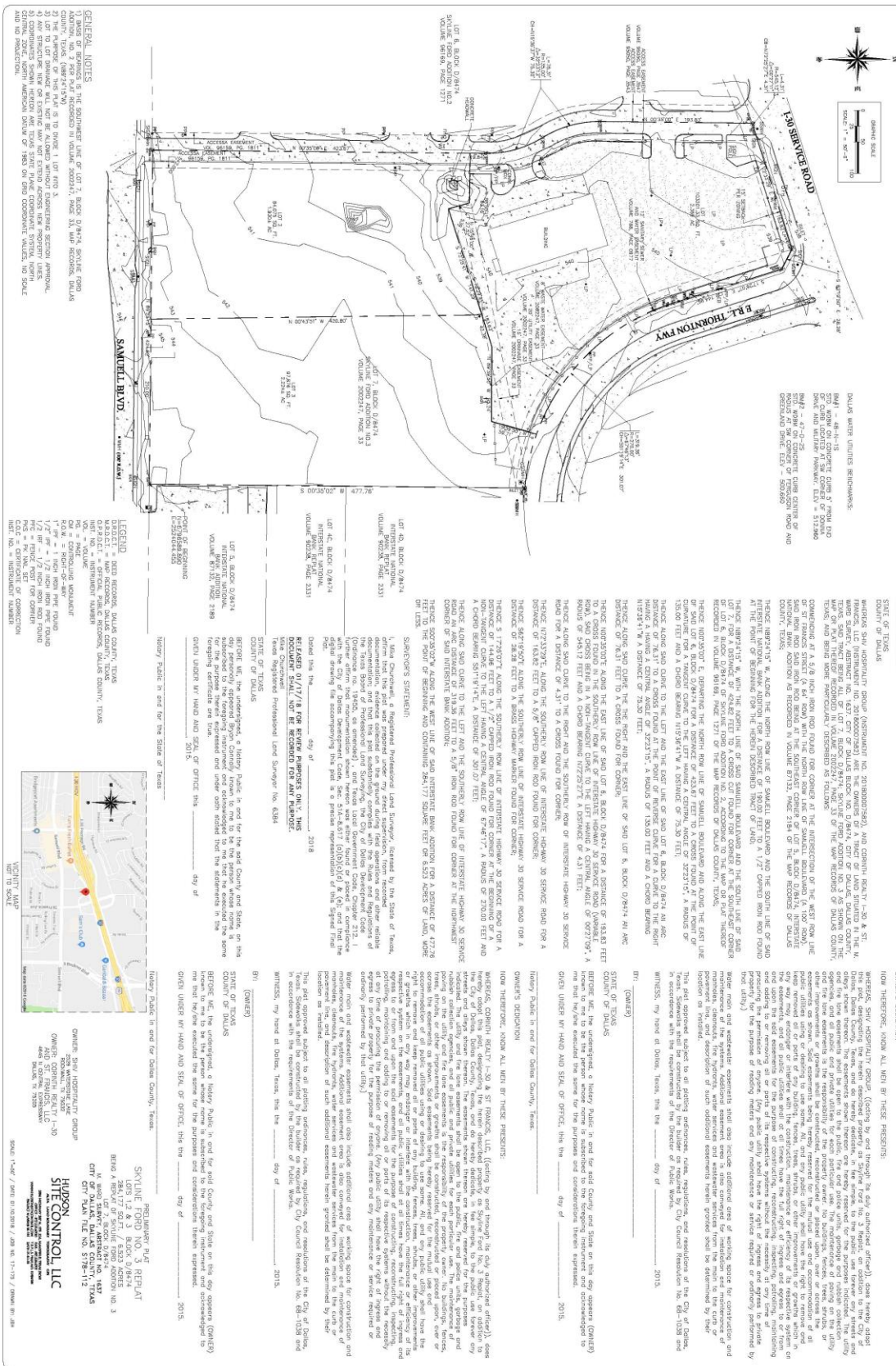


22. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g) (1) and (2) and 49-62(b), (c), and (f).
23. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
24. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
25. On the final plat, change “I-30 service Road” to “R. L. Thornton Freeway/ Interstate Highway No. 30”. Section 51A-8.403(a)(1)(A)(xii)
26. On the final plat, identify the property as Lots 7A, 7B, and 7C in City Block D/8474. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).











**LOCATION:** Preston Road at Alpha Road, northwest corner**DATE FILED:** February 2, 2018**ZONING:** PD 887, Subdistrict 1, Tract 2<http://www.dallascityattorney.com/51P/Articles%20Supp%2050/ARTICLE%20887.pdf>**CITY COUNCIL DISTRICT:** 11    **SIZE OF REQUEST:** 5.682-Acres    **MAPSCO:** 15K**APPLICANT/OWNER:** Hellen Byrd / Valk Properties One, LLC

**REQUEST:** An application to replat a 5.682-acre tract of land containing all of Lot 3 in City Block A/7410 to create one 1.479-acre lot, one 1.546-acre lot, and one 2.501-acre lot on property located on Preston Road at Alpha Road, northwest corner.

**SUBDIVISION HISTORY:**

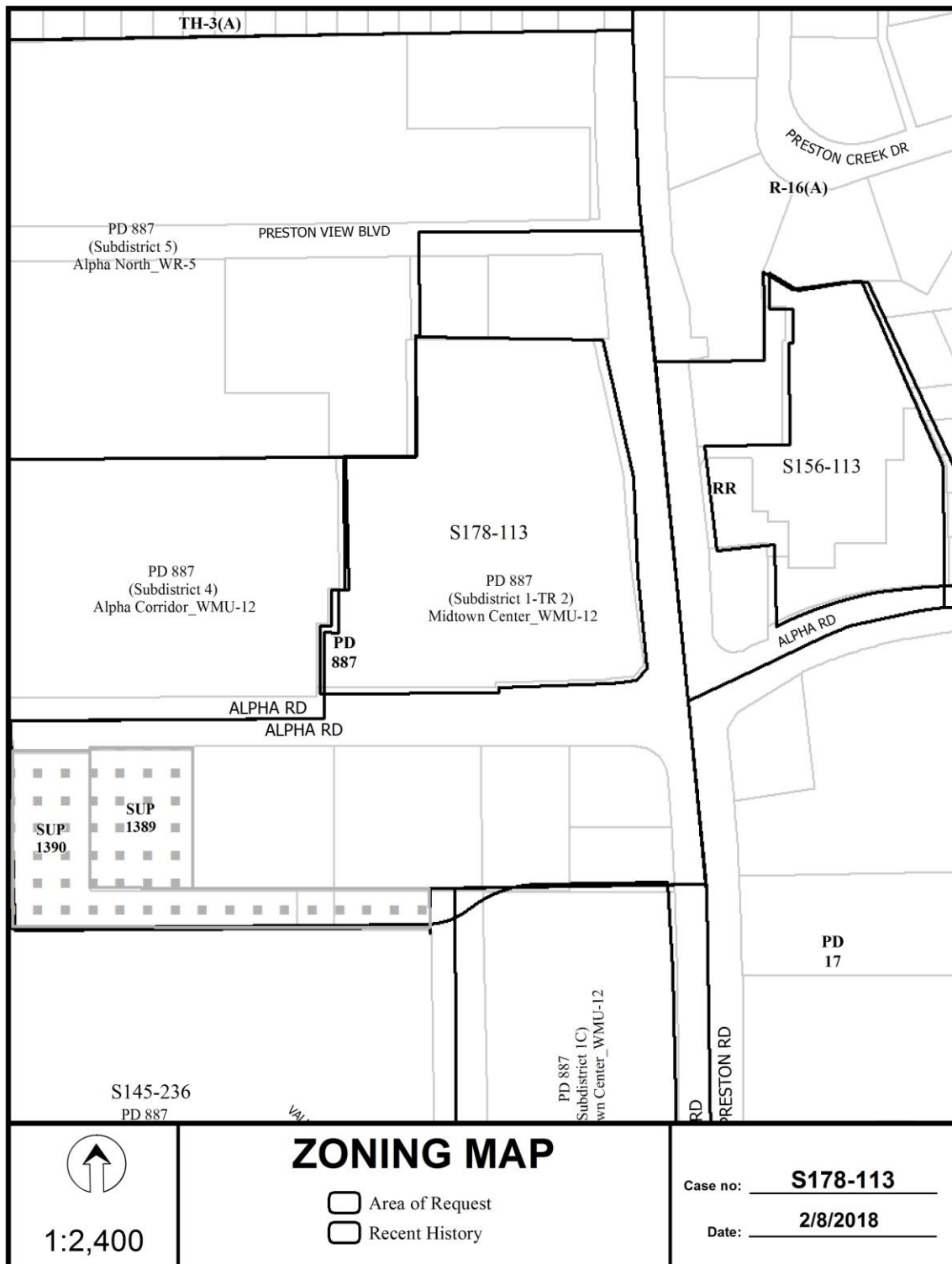
1. S145-236 was an application southwest of the present request to replat a 53.176-acre tract of land containing part of an unplatted tract of land in City Block 7014; part of City Block 7409; part of Lot 3 and all of Lots 1A, 7A and 8 in City Block A/7409, to create a multi-phase, mixed-use development on property generally bounded by Alpha Road on the north, Preston Road on the east, Montfort Drive on the west and Interstate Highway 635 on the south. The request was approved August 6, 2015 and has not been recorded.
2. S156-113 was a request east of the present request to replat a 3.2178-acre tract of land containing all of Lots 1, 2, and 4 in City Block D/1998 to create one lot on property located on Alpha Road at Preston Road, northeast corner. The request was approved March 3, 2016 and has not been recorded.

**STAFF RECOMMENDATION:** Per PD 887 and the Thoroughfare Plan, Alpha Road requires 117 feet of right-of-way; the plat is providing 58.5 feet of right-of-way from the established centerline of Alpha Road. Preston Road requires 112 feet of right-of-way and the plat is providing 56 feet of right-of-way from the established centerline of Preston Road. The staff determines the request complies with the requirements of PD 887, Subdistrict 1, Tract 2; therefore, staff recommends approval of the request subject to compliance with the following conditions:

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

4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is three.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 58.5 feet of Right-of-Way from the established center line of Alpha Road. Section 51A 8.602(c).
15. On the final plat, dedicate 56 feet of right-of-way from the established centerline of Preston Road. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
16. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)."
17. On the final plat, add/show Lien Holders Subordination Agreement. Platting Guidelines.

18. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
19. On the final plat, show distances/width across all adjoining of right-of-way. Platting Guidelines.
20. On the final plat, show recording information on all existing easements within 150 feet of the property.
21. On the final plat, chose a new or different addition name. Platting Guidelines.
22. On the final plat, label new easements "By this plat" or "By separate Instrument".
23. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g) (1) and (2) and 49-62(b), (c), and (f).
24. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
25. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
26. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
27. No private water/ wastewater services may cross proposed lot lines.
28. Prior to final plat, abandonments must be processed through Real Estate to be labelled "\_\_\_abandonments authorized by Ord. No. \_\_\_\_\_ and recorded as Instrument No. \_\_\_\_\_".
29. On the final plat, identify the property as Lots 3A, 3B, and 3C in City Block A/7410. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).









**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** S178-114**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** 3811 Jordan Valley Road**DATE FILED:** February 2, 2018**ZONING:** A (A)**CITY COUNCIL DISTRICT:** 8**SIZE OF REQUEST:** 9.993-Acres**MAPSCO:** 69Y**APPLICANT/OWNER:** Daniel Hernandez

**REQUEST:** An application to create one 9.993-acre lot from a tract of land in City Block 8780 on property located at 3811 Jordan Valley Road.

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

**STAFF RECOMMENDATION:**

Section 51A-8.503 states 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."

The proposed parcel is very similar in size, shape, and street frontage with the property contiguous on the east. A review of properties in the area are of various sizes and shapes. Staff has determined that there is no established lot pattern in the area, the request complies with the requirements of 51A-8.503 and with the A(A) Agricultural District requirements; therefore, staff recommends approval of the request subject to compliance with the following conditions:

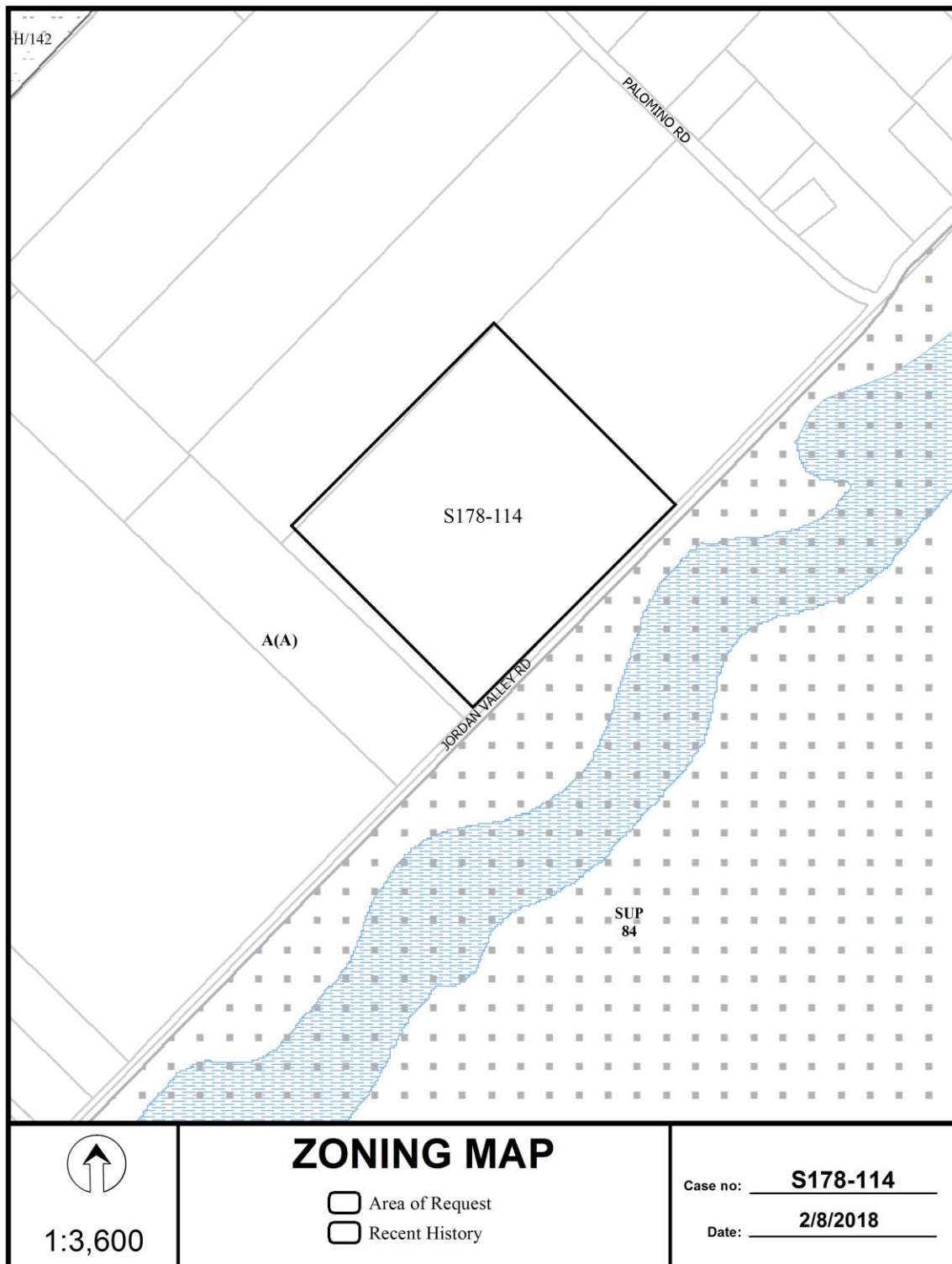
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.

7. 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."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b) (4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
14. On the final plat, dedicate 30 feet of Right-of-Way /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Jordan Valley Road. Section 51A 8.602(c).
15. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a) (1) (A) (xxii).
16. On the final plat, show distances/width across all adjoining of right-of-way. Platting Guidelines.
17. On the final plat, show recording information on all existing easements within 150 feet of the property.
18. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
19. On the final plat, chose a new or different addition name. Platting Guidelines.
20. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering



plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

21. On the final plat, identify the property as Lot 27A in City Block 8780. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).









OWNERS CERTIFICATE

State of Texas -  
County of Dallas -

Whereas Daniel Hernandez is the sole owner of a tract of land recorded in Instrument Number 20170204033 of the Official Public Records of Dallas County, Texas, said tract of land being in the Artemus Baker Survey, Abstract Number 81 and in the Walter Anderson Survey, Abstract Number 42, being part of the City Block 178, being Tract 1 in a Platted Land Survey, Inc. Boundary Survey composed by Robert T. Paul, J., Registered Professional Land Surveyor Number 4325, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner of the east corner of said Tract 1, said portion being of the south corner of a tract of land conveyed to Daniel Eliza Cox and Marjory Cox, said portion being at the south corner of Tract 1 of said Platted Survey, said portion being South 45°00'00" West a distance of 866.81' from the intersection of Palmetto Road and Jordan Valley Road;

THENCE South 45°00'00" West a distance of 861.81' measured 866.81' north along said Jordan Valley Road and along said Tract 1 to a 1/2" iron rod set with cap stamped "Cox No 2006" for corner of said Tract 1, said corner being at the east corner of a tract of land conveyed to Randy Selley and Janice Selley described in a Warranty Deed recorded as Volume 2005251, Page 1985, Deed Records, Dallas County, Texas;

THENCE North 45°00'00" West a distance of 864.01' along the northeast line of said Selley tract and the southeast line of said Tract 1 to a 1/2" iron rod found (Control Monument) at the west corner of said Tract 1, said corner being at the south corner of a tract of land conveyed to Eliza Guzman and Mark Del Los Angeles Guzman described in a Warranty Deed recorded as Volume 2004137, Page 1985, Deed Records, Dallas County, Texas, said portion being on the northeast line of said Selley tract;

THENCE North 45°00'00" East (bearing details in distance of 860.81' measured 866.81' north along the northeast line of said Tract 1 and the southeast line of said Guzman tract to a 1/2" iron rod found (Control Monument) for corner of the north corner of said Tract 1, said portion being at the west corner of said Tract 1 and in the southeast line of said Guzman tract;

THENCE South 45°00'00" East a distance of 864.01' along the northeast line of said Tract 1 and the southeast line of said Tract 1 to the POINT OF BEGINNING and containing 452,338 square feet or 8.930 acres of land.

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Daniel Hernandez does hereby adopt the plat designed by the format described property as HERNANDEZ PLACE, as shown in the City of Dallas, Dallas County, Texas, and does hereby dedicate in fee simple, to the public and forever any streets, alleys and roadway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire line easements shall be open to the public, fire and police units, garbage and refuse collection agencies, and all public and private utilities for such particular use. The maintenance of paving on the utility and fire line easements is the responsibility of the property owner. No buildings, houses, trees, shrubs, or other improvements or growth shall be constructed, reconstructed, or placed upon, over or across the easements as shown. Said easements being hereby reserved for the public use and the accommodation of all public utilities using or leading to use same. All and any public utility that have the right to remove and keep removed or in part of any buildings, houses, trees, shrubs, or other improvements or growth which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities that at all times have the full right of access and egress to or from the said easements for the purposes of constructing, reconstructing, inspecting, repairing, maintaining and adding to or renewing all or part of its respective system without the necessity of any time of procuring the permission of anyone. Any public utility that have the right of access and egress to private property for the purpose of making repairs and any maintenance or service required or voluntarily performed by that utility.)

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, laterals, fire hydrants, water main lines and wastewater services that the main to be laid or preserved, the and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all plating ordinances, rules, regulations and resolutions of the City of Dallas.

WITNESS my hand and \_\_\_\_\_, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

By \_\_\_\_\_  
Daniel Hernandez

BEFORE ME, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE. This the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

NOTARY PUBLIC IN AND FOR  
DALLAS COUNTY, TEXAS

SURVEYORS STATEMENT

I, Charles G. Barnes, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared from a Platted Land Surveying Inc. Boundary Survey prepared by Robert T. Paul, J., Registered Public Land Surveyor Number 4325, and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, the City of Dallas Development Code (Ordinance no. 1983, as amended), and Texas Local Government Code, Chapter 212. I further affirm that representation shown hereon was either based on actual or aerial or compliance with the City of Dallas Development Code, Sec. 21A-071 (a)(3)(5)(6) & (4) and that the digital drawing accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

PRELIMINARY THIS DOCUMENT SHALL  
NOT BE RECORDED FOR ANY PURPOSE

Charles G. Barnes  
Texas Registered Professional Land Surveyor No. 2469  
Texas Licensed Surveying Firm Registration Number 10194149

THE STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, a Notary Public in and for Tarrant County, Texas, on this day personally appeared Charles G. Barnes, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE. This the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

NOTARY PUBLIC IN AND FOR  
TARRANT COUNTY, TEXAS

NOTES:

1. The purpose of this plat is to create one lot from a 8.930 acre tract of land.
2. The basis of bearing is the southeast line of the Guzman tract being 867°00'00"E as recorded in Volume 2004137, Page 1985, Deed Records of Dallas County, Texas.
3. Lot-level drainage is as permitted without Engineering Section approval.
4. There are no proposed easements or covenants shown.
5. There are no existing structures on the Hernandez tract.

PRELIMINARY PLAT  
HERNANDEZ PLACE  
LOT 1, BLOCK 8780  
ARTEMUS BAKER SURVEY, ABSTRACT NO. 81  
AND WALTER ANDERSON SURVEY, ABSTRACT NO. 42  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
FEBRUARY 7, 2018  
CITY PLAN FILE NUMBER SH178-114

Daniel Hernandez  
4220 Cole Avenue  
Dallas  
Texas 75205

OWNER/DEVELOPER  
(214) 343-5553

THE CIVIL ENGINEERING COMPANY OF TEXAS  
Surveying Firm Registration No. 10194149  
204 West Nash Street  
Grapevine  
Texas 76051

SURVEYOR  
(817) 366-8665

Sheet 2 of 2

City Plan Commission Date: 3/1/18

18(g)

S178-114

**CITY PLAN COMMISSION****THURSDAY, MARCH 1, 2018****FILE NUMBER:** NC178-001**PLANNER:** Sharmila Shrestha

**LOCATION:** Unnamed FN3, approximately 1500 feet east of Coit Road, between President George Bush Turnpike and Frankford Road, to "Highland Springs Way".

**DATE FILED:** October 26, 2017

**COUNCIL DISTRICT:** 12**MAPSCO:** 6-F**APPLICANT:** City of Dallas

**REQUEST:** Consider changing the name of Unnamed FN3, approximately 1500 feet east of Coit Road, between President George Bush Turnpike and Frankford Road, to "Highland Springs Way".

**SUBDIVISION REVIEW COMMITTEE:** The Subdivision Review Committee voted unanimously to recommend approval of the proposed street name of Unnamed FN3, approximately 1500 feet east of Coit Road, between President George Bush Turnpike and Frankford Road, to "Highland Springs Way" on January 18, 2018.

**STAFF RECOMMENDATION:** Staff recommends **approval** of naming of Unnamed FN3, approximately 1500 feet east of Coit Road, between President George Bush Turnpike and Frankford Road, to "Highland Springs Way".

**SUMMARY:**

- Notices were sent on January 23, 2018 to 2 property owners notifying them of the proposed street name change. Notification signs were put up on December 21, 2017 and newspaper notice published on January 29, 2018.
- In terms of compliance of the request with Section 51A- 9.304(a)(5) of the Dallas Development Code, staff notes the following: The change of Unnamed FN3 to "Highland Springs Way" needs waiver because it does not comply with Section 51A- 9.304(a)(5). The name contains 18 characters.

**BACKGROUND INFORMATION:****Thoroughfare/Street**

Unnamed FN3

**Roadway Status**

Local Street

**STAFF ANALYSIS:**

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

- In terms of compliance of the request with Section 51A- 9.304(a)(5) of the Dallas Development Code, staff notes the following: The change of Unnamed FN3 to "Highland Springs Way" needs waiver because it does not comply with Section 51A- 9.304(a)(5). The name contains 18 characters.

- **51A-9.305 (c) Notices were** sent on January 23, 2018 to 2 property owners notifying them of the proposed street name change. Notification signs were put up on December 21, 2017 and newspaper notice published on January 29, 2018.
- **51A-9.304(g) Waiver**, the city council, by a three-fourths vote of its members may waive any of the standards contained in this section when waiver would be in the public interest and would not impair the public health, safety, or welfare.

**Departmental Response:** Information on this case was routed to the following entities on December 8, 2017.

Department/Entity	Date of response	Department/Entity	Date of response
AT&T	N/R	Property Management	12/27/17
Atmos Energy	N/R	Police	NR
Building Inspection	12/16/17	Mobility planning	12/11/17
City Archivist	N/R	Public Works	12/22/17
City Attorney	N/R	Sanitation Services	N/R
Comprehensive Planning	N/R	School District	N/R
Dallas County Historical Commission	N/R	Texas DOT	N/R
DART	N/R	SD&C_ENG.	12/11/17
Fire Department	N/R	TXU Electric	N/R
Long Range Planning	NR	US Post Office	12/13/17
Park and Recreation	12/12/17	Street Name Coordinator	12/19/17

N/R= No written Response

**Bordbar, Mohammad**

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**From:** Dean, Neva  
**Sent:** Thursday, October 26, 2017 10:20 AM  
**To:** Nelson, Paul M.; Bordbar, Mohammad  
**Cc:** O'Brien, Christopher  
**Subject:** District 12 Street Name change

Paul and Mohammad,

This is a street name change initiated by the Director for safety reasons – street construction was part of Council action but Public Works left it as an unnamed street in the ordinance. We now need to name the newly constructed street which will require the street name change process.

Council Member Greyson is proposing "Highland Springs Way." Can you check to see if that name is viable? If it is, then you can begin the process. If not, let me know and I will get back with Mrs. Greyson.

I will forward you the background I have on the street name. If you want to meet to discuss further, let me know.

Thanks  
Neva

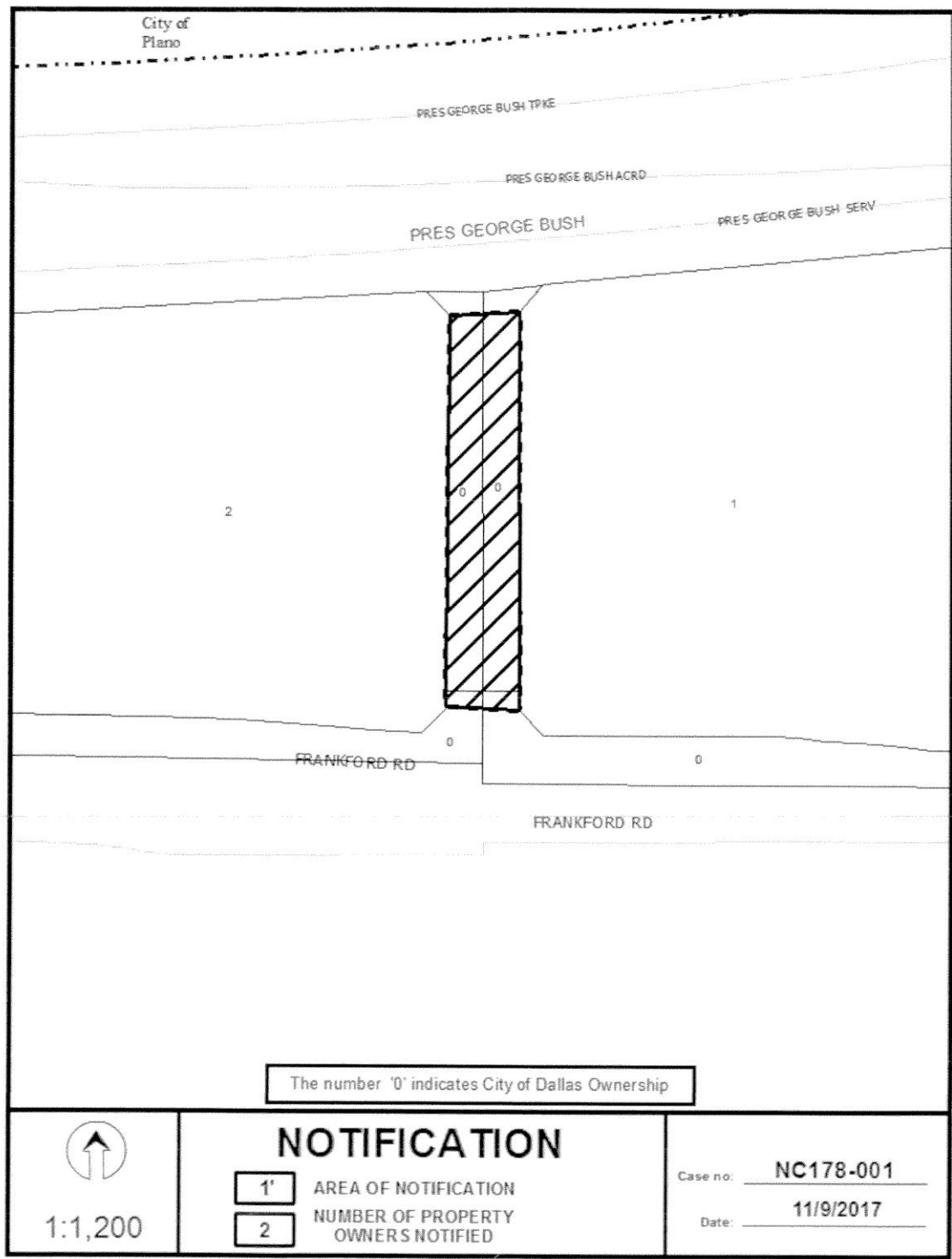


Neva Dean  
Assistant Director, Current Planning  
City of Dallas | [www.dallascityhall.com](http://www.dallascityhall.com)  
1500 Marilla Street, 5BN  
Sustainable Development & Construction  
O: 214-670-5803 | [neva.dean@dallascityhall.com](mailto:neva.dean@dallascityhall.com)



*\*\*OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.\*\**





11/09/2017

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

***NC178-001***

### ***2 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	FRANKFORD ROAD	I-190/FRANKFORD PARTNERS LTD
2	8080 PRESIDENT GEORGE BUSH TPKE	HARMONY PUBLIC SCHOOLS

**FILE NUMBER:** M178-007**DATE FILED:** December 04, 2017**LOCATION:** South corner of Highdale Drive and Forest Lane**COUNCIL DISTRICT:** 13**MAPSCO:** 13-Z**SIZE OF REQUEST:** ± 4 acres**CENSUS TRACT:** 0096.07

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**MISCELLANEOUS DOCKET ITEM****OWNER:** BOP Park Forest LLC**APPLICANT:** Biff McGuire, UDC Global**REPRESENTATIVE:** Tyler Adams, Greenlight

**REQUEST:** An application for a minor amendment to the existing development plan on property zoned a Planned Development District No. 315.

**SUMMARY:** On July 26, 1989, the Dallas City Council established Planned Development District No. 315 by Ordinance No. 20399.

At this time, the property owner has submitted an application for a minor amendment to the development plan for the addition of two stories on a portion of the structure in conjunction with an extension of the building. In total, the request seeks to increase the floor area from 94,509 square feet to 140,065 (+45,556 square feet, or 32.52%). The proposed building extension and additional floors will comply with the existing conditions set forth by the PD and do not impact any other provisions of the ordinance permitting this use. Parking requirement standards continue to be satisfied with the existing parking available on-site. Amendments to the existing development plan require City Plan Commission approval.

The ordinance is accessible at the following link:

<http://www.dallascityattorney.com/51P/Articles%20Supp%2026/ARTICLE%20315.pdf>

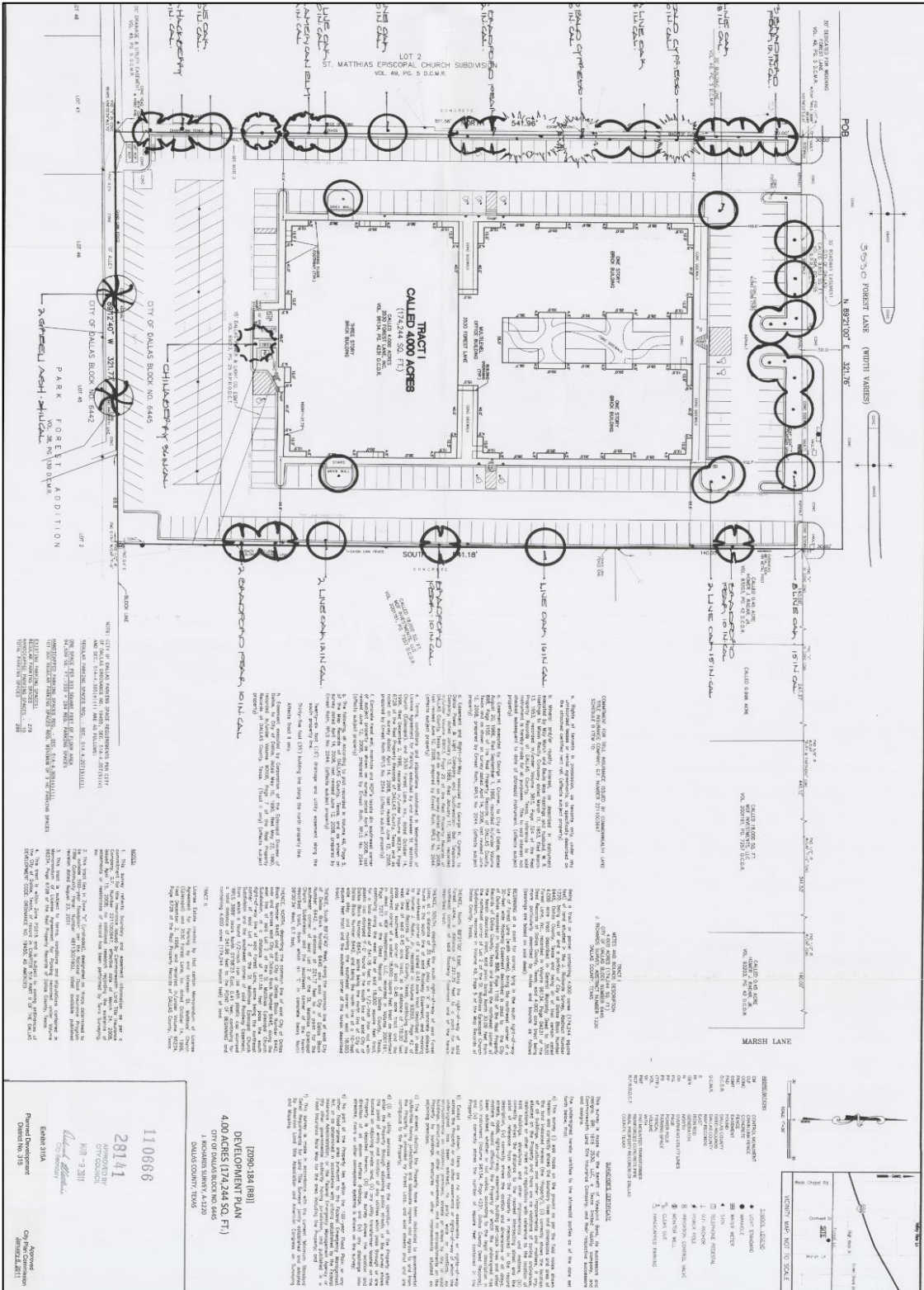
**STAFF RECOMMENDATION:** Approval

### **List of Officers of BOP Park Forest LLC**

William W. McGuire – President

Jeffrey B. Berg, Patrick Reilly, Timothy Hughes – Vice Presidents

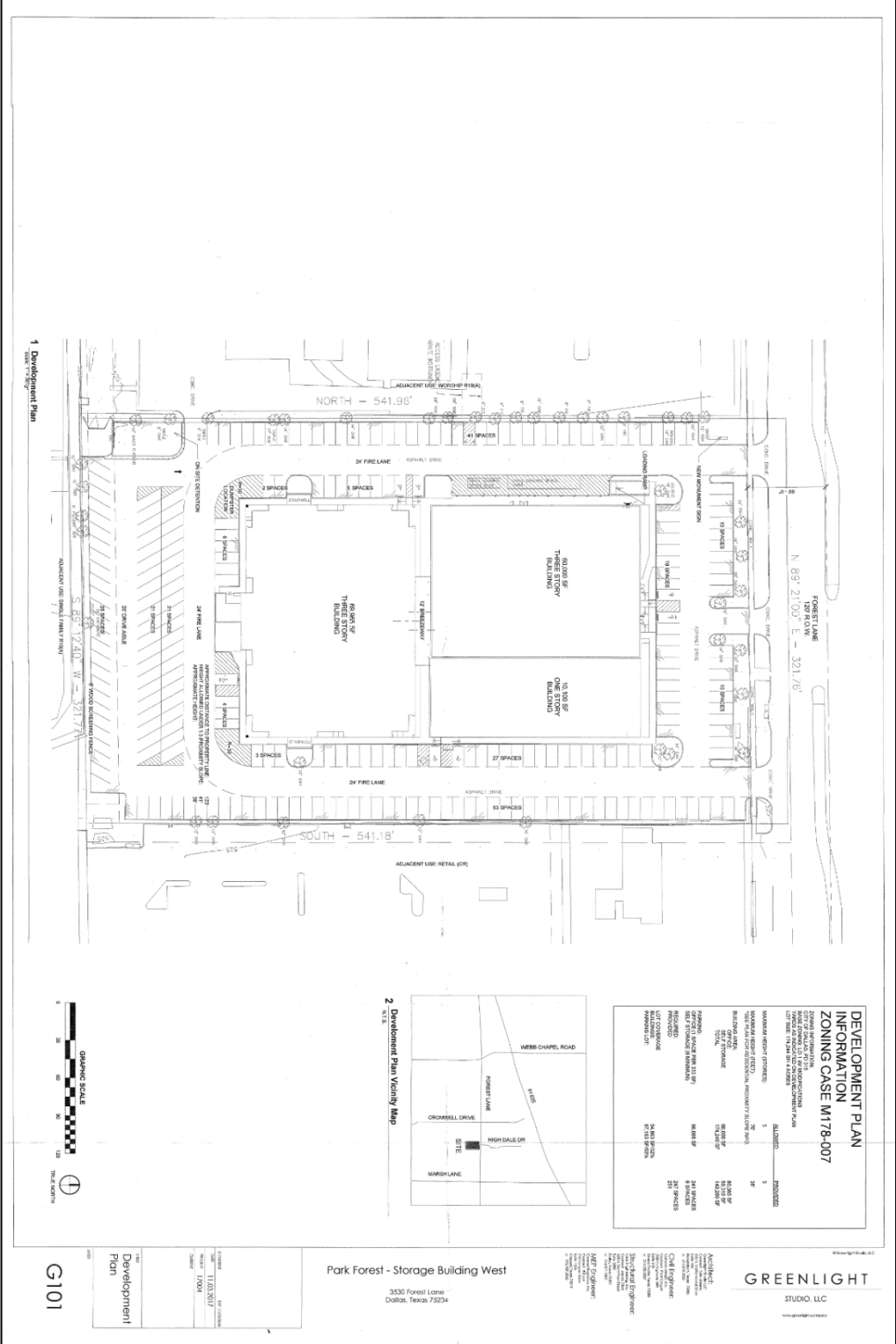
# Existing Development Plan



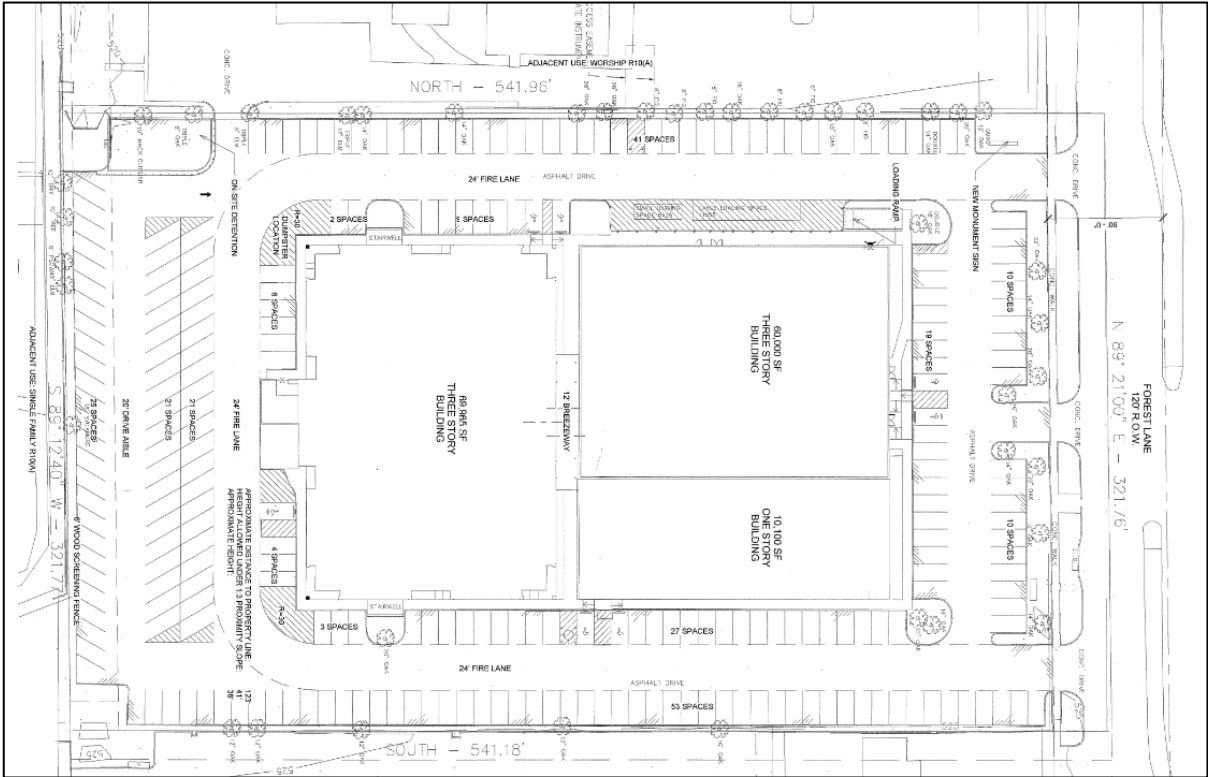


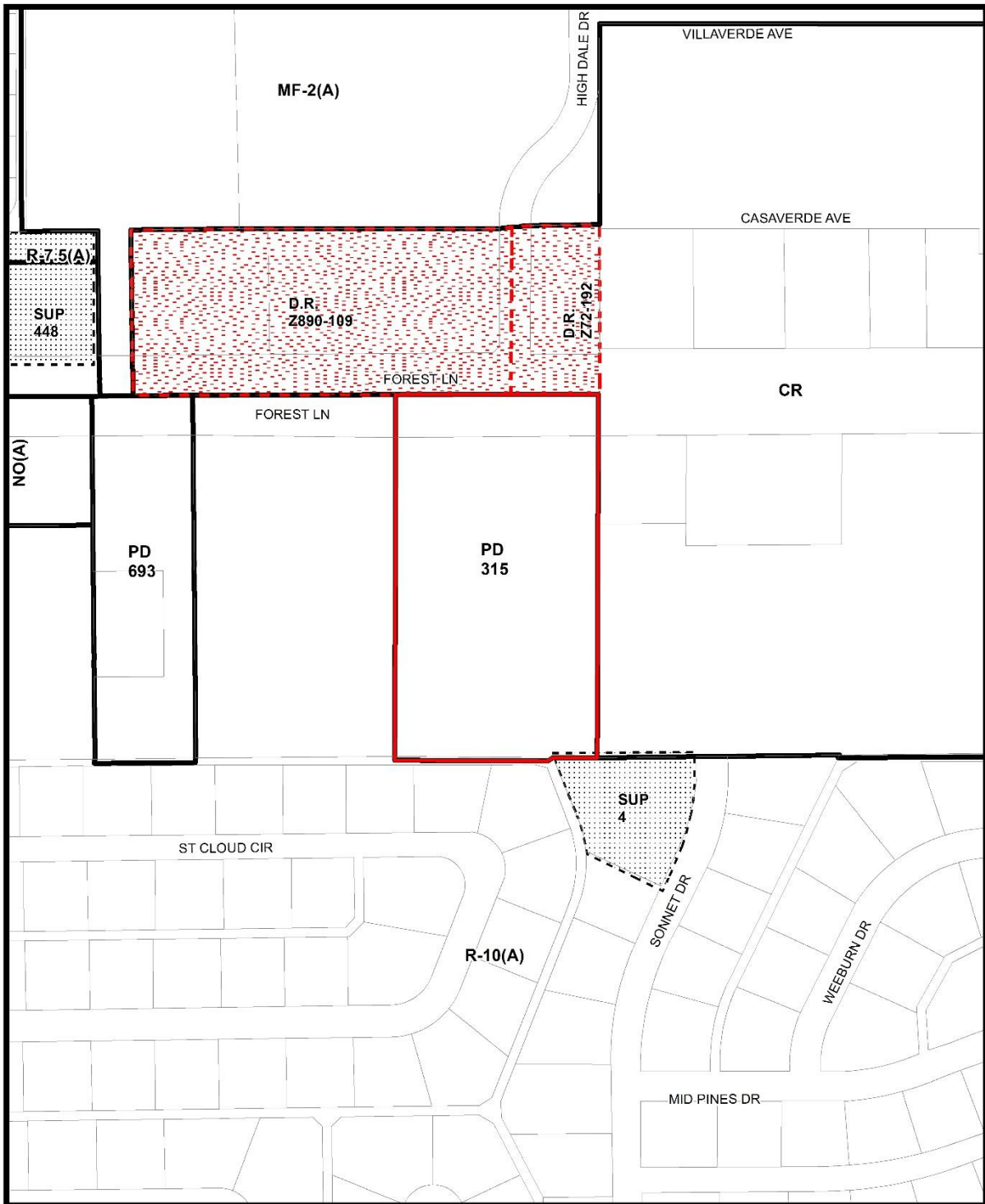
[illegible]

### Proposed Development Plan



Proposed Development Plan - Enlarged





1:2,300

# Zoning Map

Printed Date: 1/4/2018





## Aerial Map

Printed Date: 1/4/2018



**FILE NUMBER:** Z167-270(LC)

**DATE FILED:** May 17, 2017

**LOCATION:** Northwest corner of Elm Street and North Good Latimer Expressway.

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45-M

**SIZE OF REQUEST:** 0.96 acres

**CENSUS TRACT:** 204.00

**APPLICANT/OWNER:** Epic Dallas Hotel, LP

**REPRESENTATIVE:** Tommy Mann & Laura Hoffmann, Winstead PC

**REQUEST:** An application to expand Historic Overlay No. 46, the Knights of Pythias (2551 Elm Street), and amendments to the preservation criteria on property zoned Tract B within Planned Development District No. 269, the Deep Ellum/Near East Side District.

**SUMMARY:** 2551 Elm Street (Knights of Pythias Building) was designated a City of Dallas Landmark (Historic Overlay No. 46) in 1989. The property owner has requested to expand the overlay boundary and create new preservation criteria to support the redevelopment of this site into a hotel.

**STAFF RECOMMENDATION:** Approval, subject to preservation criteria.

**LMC RECOMMENDATION:** Approval, subject to preservation criteria.

**PLANNED DEVELOPMENT NO. 269:**

<http://www.dallascityattorney.com/51P/Articles%20Supp%2031/ARTICLE%20262.pdf>

## **BACKGROUND INFORMATION:**

- The Knights of Pythias building was constructed in 1915-1916. It was designed by William Sidney Pittman, the first African-American architect to practice in the City of Dallas. Pittman was also the son of civil rights leader, Booker T. Washington.
- The building was constructed as the state headquarters of the Black Knights of Pythias, and was a center for social services and activities for the organization. The Knights rented space to a variety of African-American businesses and professionals, including the state's first African-American dentist, Dr. Marcellus C. Cooper, and surgeon, Dr. Benjamin R. Bluiitt.
- The property owner is currently restoring the historic Knights of Pythias building and redeveloping the site into a hotel. This redevelopment will include construction of a seven-story hotel addition.
- This project is a federal and state historic tax credit project and is under review with the Texas Historical Commission and National Park Service.
- After the zoning application was submitted on April 13, 2017, the Designation Committee of the Landmark Commission met two times with the applicant to work on the amendments to the historic overlay boundary and new preservation criteria.
- Initially the owner sought to amend the historic overlay boundary by reducing it so that it would not include the new hotel addition. However, the Designation Committee was not in support of reducing the boundary.
- On June 21, 2017, the Designation Committee approved the retention of the existing historic overlay boundary and the amended preservation criteria.
- After the June Designation Committee meeting, the property owner changed the request to expansion of the boundary so that the entire hotel addition would be included within the historic overlay boundary.
- The Landmark Commission approved the expanded historic overlay boundary and amended preservation criteria on January 8, 2018.
- A Certificate of Appropriateness application for alterations to the Knights of Pythias building and construction of additions will be reviewed by the Landmark Commission on March 5, 2018.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The historic overlay is consistent with the Urban Design, and Neighborhoods Elements of the Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation of open spaces that are historically and environmentally significant creates a direct, visual link to the past, contributing to a "sense of place."

**URBAN DESIGN ELEMENT**

GOAL 5.1 Promote a Sense of Place and Walkability

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

**NEIGHBORHOODS ELEMENT**

GOAL 7.2 Preservation of Historic and Cultural Assets

Policy 7.2.4 Protect historic and cultural assets.

**LANDMARK COMMISSION ACTION:** (January 8, 2018)

This item appeared on the Commission's discussion agenda.

Motion: Approval, subject to preservation criteria.

Maker: Flabiano  
Second: Montgomery  
Results: 12/0

Ayes: Amonett, Bumpas, Flabiano, De La  
Harpe, Hinojosa, McGill, Montgomery,  
Richter, Seale, \*Sherman, Spellicy,  
Swann  
Against: None  
Absent: Payton, Williams, Allender  
Vacancies: 3 and 14

**OFFICERS AND DIRECTORS**

Applicant:    **EPIC DALLAS HOTEL, LP**  
                         **EPIC DALLAS HOTEL GP, INC.**    **GENERAL PARTNER**  
                            Joseph G. Beard                    Director



2-2-18

ORDINANCE NO. \_\_\_\_\_

An ordinance expanding Historic Overlay District No. 46 (Knights of Pythias) by changing the zoning classification on the following property:

BEING a acre tract of land situated in the John Grisby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas; and containing approximately 0.96 acres;

amending Ordinance No. 20492, passed by the Dallas City Council on October 23, 1989 by providing new preservation criteria for Historic Overlay District No. 46; 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 expansion and amendment to Historic Overlay District No. 46; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to amend Historic Overlay District No. 46 as specified herein; Now, Therefore,

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

SECTION 1. That the zoning classification is changed by expanding Historic Overlay District No. 46 to include the property described in Exhibit A ("the Property"), which is attached to and made a part of this ordinance.

SECTION 2. That the Exhibit A attached to Ordinance No. 20492, as amended, is replaced by Exhibit B attached to this ordinance.

SECTION 3. That the site plan included in Exhibit A attached to Ordinance No. 20492, as amended, is replaced by Exhibit C attached to this ordinance.

SECTION 4. That the expansion of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 5. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit B.

SECTION 6. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection,

construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 8. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. 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 10. 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:

LARRY E. CASTO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

GIS\_Approved

**EXHIBIT A  
LEGAL DESCRIPTION**

**Expansion Area**

BEING a 6,200 square foot or 0.14 acre tract of land situated in the John Grisby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas; and being part of City of Dallas Block Nos. 280 & G3/280; and being part of Lot 11 shown on Goods Addition found unrecorded in Block Book 280 of the Murphy & Bolanz Block and Addition Book Records of Dallas County, Texas; and being part of a tract of land described in Special Warranty Deed to Epic Hotel Dallas, LP, recorded in Instrument No. 201700027379 of the Official Public Records of Dallas County, Texas and part of a tract of land described in Corrected Quitclaim Deed to Epic Hotel Dallas, LP, recorded in Instrument No. 201700321863 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found at the east end of a right-of-way corner clip located at the intersection of the west right-of-way line of Good-Latimer Expressway (a variable width right-of-way) described in Volume 2523, Page 516 of the Deed Records of Dallas County, Texas, and the north right-of-way line of Elm Street (a 60-foot wide right-of-way) described in Ordinance Volume 1A, Page 133 of said Deed Records at the beginning of a curve to the left having a central angle of 23°46'46", a radius of 337.04 feet, a chord bearing and distance of North 32°57'40" West, 138.88 feet;

THENCE with said west right-of-way line, the following courses and distances:

In a northwesterly direction, with said curve to the right, an arc distance of 139.88 feet to a 1" iron pipe found;  
North 44°51'03" West, a distance of 125.50 feet to the POINT OF BEGINNING;

THENCE departing said west right-of-way line of Good-Latimer Expressway, the following courses and distances:

South 59°24'25" West, a distance of 67.36 feet to a point for corner;  
South 14°35'35" East, a distance of 42.00 feet to a point for corner;  
North 45°01'48" West, a distance of 22.74 feet to a point for corner;  
North 31°24'30" West, a distance of 108.25 feet to a point for corner;  
North 75°24'25" East, a distance of 60.53 feet to a point for corner in said west right-of-way line of Good-Latimer Expressway;

THENCE with said west right-of-way line of Good-Latimer Expressway, the following courses and distances:

South 53°38'33" East, a distance of 59.34 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 44°51'03" East, a distance of 19.18 feet to the POINT OF BEGINNING and containing 6,200 square feet or 0.14 acres of land.

Bearing system based on the State Plane Coordinate System of 1983, Texas North Central Zone (4202), North American Datum of 1983(2011).



GIS\_Approved

#### OVERALL LEGAL DESCRIPTION

BEING a 41,708 square foot or 0.96 acre tract of land situated in the John Grisby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas; and being part of City of Dallas Block No. G3/280; and being all of Lot 12 and part of Lot 13 shown on Goods Addition found unrecorded in Block Book 280 of the Murphy & Bolanz Block and Addition Book Records of Dallas County, Texas; and being part of a tract of land described in Special Warranty Deed to Epic Hotel Dallas, LP, recorded in Instrument No. 201700027379 of the Official Public Records of Dallas County, Texas and part of a tract of land described in Corrected Quitclaim Deed to Epic Hotel Dallas, LP, recorded in Instrument No. 201700321863 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the east end of a right-of-way corner clip located at the intersection of the west right-of-way line of Good-Latimer Expressway (a variable width right-of-way) described in Volume 2523, Page 516 of the Deed Records of Dallas County, Texas, and the north right-of-way line of Elm Street (a 60-foot wide right-of-way) described in Ordinance Volume 1A, Page 133 of said Deed Records;

THENCE with said right-of-way corner clip, South 43°24'55" West, a distance of 69.50 feet to a "X" cut in concrete found for corner at the west end of said right-of-way corner clip;

THENCE with said north right-of-way line of Elm Street, South 75°24'25" West, a distance of 112.81 feet to the southwest corner of said Lot 12;

THENCE departing said north right-of-way line of Elm Street and with the west line of said Lot 12, North 14°35'35" West, a distance of 216.46 feet to a point for corner;

THENCE North 45°01'48" West, a distance of 22.74 feet to a point for corner;

THENCE North 31 °24'30" West, a distance of 108.25 feet to a point for corner;

THENCE North 75°24'25" East, a distance of 60.53 feet to a point for corner in the west right-of-way line of said Good-Latimer Expressway;

THENCE with said west right-of-way line of Good-Latimer Expressway, the following courses and distances:

South 53°38'33" East, a distance of 59.34 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 44°51'03" East, a distance of 144.68 feet to a 1-inch iron pipe found at the beginning of a tangent curve to the right having a central angle of 23°46'46", a radius of 337.04 feet, a chord bearing and distance of South 32°57'40" East, 138.88 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 139.88 feet to the POINT OF BEGINNING and containing 41,708 square feet or 0.96 acres of land.

Bearing system based on the State Plane Coordinate System of 1983, Texas North Central Zone (4202), North American Datum of 1983(2011).

**EXHIBIT B  
PRESERVATION CRITERIA  
KNIGHTS OF PYTHIAS BUILDING  
2551 ELM STREET**

**1. GENERAL**

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. If there is a conflict, these preservation criteria control.
- 1.3 Certificate of appropriateness.
  - a. A person may not alter a site within this district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
  - b. The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
  - c. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.
  - d. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.
- 1.4 A person may not demolish or remove any structure in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.
- 1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs

published by the United States Department of the Interior, copies of which are available at the Dallas Public Library or on the National Park Service website.

- 1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.
- 1.7 Consult Article XI, "Development Incentives," of the Dallas Development Code, as amended, for tax incentives that may be available in this district.
- 1.8 The period of historic significance for this district is 1915-1916.

## **2. DEFINITIONS**

- 2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.
- 2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.4 DIRECTOR means the Director of the Department of Sustainable Development and Construction or the Director's representative.
- 2.5 DISTRICT means Historic Overlay District No. 46, the Knights of Pythias Building Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibit B.
- 2.6 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.7 MAIN BUILDING means the resource building, as shown on Exhibit B.
- 2.8 NO-BUILD ZONE means that part of this district in which no new construction may take place.

- 2.9 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.10 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

**3. BUILDING SITE AND LANDSCAPING**

- 3.1 No development on the site may adversely affect any historical or architectural feature of the main building.
- 3.2 New construction is prohibited in the no-build zone shown on Exhibit B, except as allowed in Section 3.3.
- 3.3 The following are permitted in the no-build area shown on Exhibit B: landscaping, fire pits, swimming pool, portable cabana changing room, deck areas, paving, seating, tables, fencing, retaining and screen walls, temporary tents, trellises, cable lights, light poles, utilities, and similar improvements.
- 3.4 Lighting and Landscaping
  - a. Exterior lighting and the placement and removal of trees or other landscaping may be reviewed and approved under the routine maintenance procedure in the Certificate of Appropriateness process prior to commencement of work; such site features must enhance the structure and surroundings without obscuring significant views of the main building.
  - b. Light poles located in the no-build area may not exceed 12 feet in height.
- 3.5 Fences.
  - a. Fencing may be constructed in the no-build zone to meet pool safety requirements.
  - b. Fences may not exceed eight feet in height and must be at least 30 percent transparent.
- 3.6 Public Improvements
  - a. All proposed public improvements of curbs, sidewalks, and associated right-of-way abutting the main building must be approved in the Certificate of Appropriateness process prior to commencement of work.



- b. Public improvements may include, but are not limited to, the following: trees, landscaping, water features, benches, bike racks, bollards, sidewalks, and pedestrian furniture.

#### **4. FACADES**

##### **4.1 Protected Facades**

- a. The south and east facades (elevations A & B as shown on Exhibit B) of the existing main building are the critical facades which are the most visually sensitive portions of the building, and are protected. These elevations must be preserved and protected by no-build areas as shown, to protect sightlines to the main building and preserve the significant elevations from additional construction.
- b. The west and north facades (elevations C & D as shown on Exhibit B) are not protected, but all work on these facades is subject to the Certificate of Appropriateness process.

- 4.2 Renovation or reconstruction of protected elevations A & B, or portions of elevations C & D remaining unobscured by new construction, must employ a brick similar in color, module size and texture to the existing brick. Any renovations or reconstructions of existing trim and detailing must employ materials (cast stone, concrete, etc.) similar in color, module size, and texture to the existing trim and detailing.

- 4.3 Alterations to retail storefronts are allowed, and may be reviewed and approved under the routine maintenance procedure in the Certificate of Appropriateness process prior to commencement of work.

##### **4.4 Color**

- a. Any renovation or rehabilitation project should include investigation of removal of paint from original brick and cast stone surfaces to restore the building to its historic and original unpainted form. If brick and mortar joints have deteriorated to a point where they must be replaced and the original brick color cannot reasonably match the old color, the building may be painted to match the original brick color; repainting to match the original brick color must be reviewed and approved by the Landmark Commission through the Certificate of Appropriateness process.
- b. All originally painted features, including windows, doors, frames, and trim, may be repainted the existing color under the routine maintenance

procedures. It is recommended that original paint colors be determined and used where practicable, following review and approval in the Certificate of Appropriateness process.

**5. FENESTRATION AND OPENINGS**

- 5.1 Any renovation or reconstruction of exposed elevations should restore all original window and door openings to their original configuration where possible. Such renovation should include removal of the one story addition on the southeast corner, restoration of original openings the addition covered, and construction of an appropriate entrance feature reflecting the original configuration.
- 5.2 The opaque elements in all altered, arched windows should be removed and replaced with clear glass.
- 5.3 New openings or alterations to existing openings will only be permitted on elevations B, C & D if they are a result of abutting new construction, including construction of patio or outdoor dining space, or in order to comply with health or safety code provisions.
- 5.4 Window sills on levels one and two on elevation C may be raised up to a maximum of 3 feet if such change is a result of new construction.
- 5.5 Except as provided in 5.4, if the elevator shaft on elevation C is removed, and if the elevation remains exposed, the original window configuration must be restored.

**6. EMBELLISHMENTS AND DETAILING**

- 6.1 All ornamental detailing enumerated below must remain intact. Any reconstruction, renovation, or replacement of these items must employ materials as identical in color, composition, size, and texture as practicable.
  - a. Cornices and mouldings
  - b. Architrave & frieze
  - c. Fraternal order name inscribed on south elevation.

**7. ROOF**

- 7.1 Except for mechanical equipment associated with a renovation of the existing building, and vertical additions as allowed in Section 8, the slope and configuration of the existing roof must be maintained.

- 7.2 Any mechanical equipment, including skylights, solar panels, and cell antennae equipment on the roof must be set back or screened with materials compatible with the main building so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.
- 7.3 The existing parapet must be retained, or restored to its original profile, as much as practical.
- 7.4 Metal flashing, required for waterproofing, may be installed to cap parapet, but must follow the original parapet profile. The color of metal flashing must match the historic cast stone coping on the parapet.

**8. NEW CONSTRUCTION AND ADDITIONS**

- 8.1 Horizontal additions to the existing main building are limited to areas adjacent to elevations C & D.
- 8.2 Additions within the historic overlay to the existing main building on elevation D must be reviewed and approved for compatibility in the Certificate of Appropriateness process prior to issuance of a building permit, and must be in harmony with the basic configuration created by the façade rhythm of fenestrations on the existing building.
- 8.3 New construction physically attached to the area shown as elevation D may use masonry or a metal panel exterior wall system that is compatible with the existing building as a building material. Additions on elevation D are limited to one story.
- 8.4 An addition within the historic overlay on elevation C, as part of a larger addition outside of the historic overlay, may be constructed of glass material, masonry, or a metal panel exterior wall system that is compatible with the existing building, and must be reviewed and approved for compatibility through the Certificate of Appropriateness process. Any other new construction on the site outside of the historic overlay, including the construction connected to the addition on elevation C does not require a Certificate of Appropriateness.
- 8.5 Elevation C may be connected to an addition with a ground-floor lobby constructed primarily of glass material that is compatible with the existing building.
- 8.6 Any new construction on the site must be complimentary to the significant architectural features of the main building, including masonry and windows that complement the historic windows and cornice lines of the existing building.

- 8.7 Any new construction or vertical additions that are taller than the existing cornice must be set back at least one foot from the cornice line.

**9. SIGNS**

- 9.1 All new signs must be designed to be compatible with the architectural qualities of the original main building, and must be approved in the Certificate of Appropriateness process prior to issuance of a sign permit.
- 9.2 Alterations to retail storefront signage may be reviewed under the routine maintenance procedure in the Certificate of Appropriateness process prior to issuance of a sign permit.
- 9.3 All signs must comply with the provisions of the Dallas City Code, as amended.
- 9.4 Temporary political campaign signs and temporary real estate signs may be erected without a certificate of appropriateness.

**10. DEVELOPMENT RIGHTS**

- 10.1 The floor area equivalent to that limited on Lots 12-13 by the no-build zone and main building preservation criteria (approximately 381,000 square feet) will be transferred to the remainder of the site in order to allow for full development rights on the property.

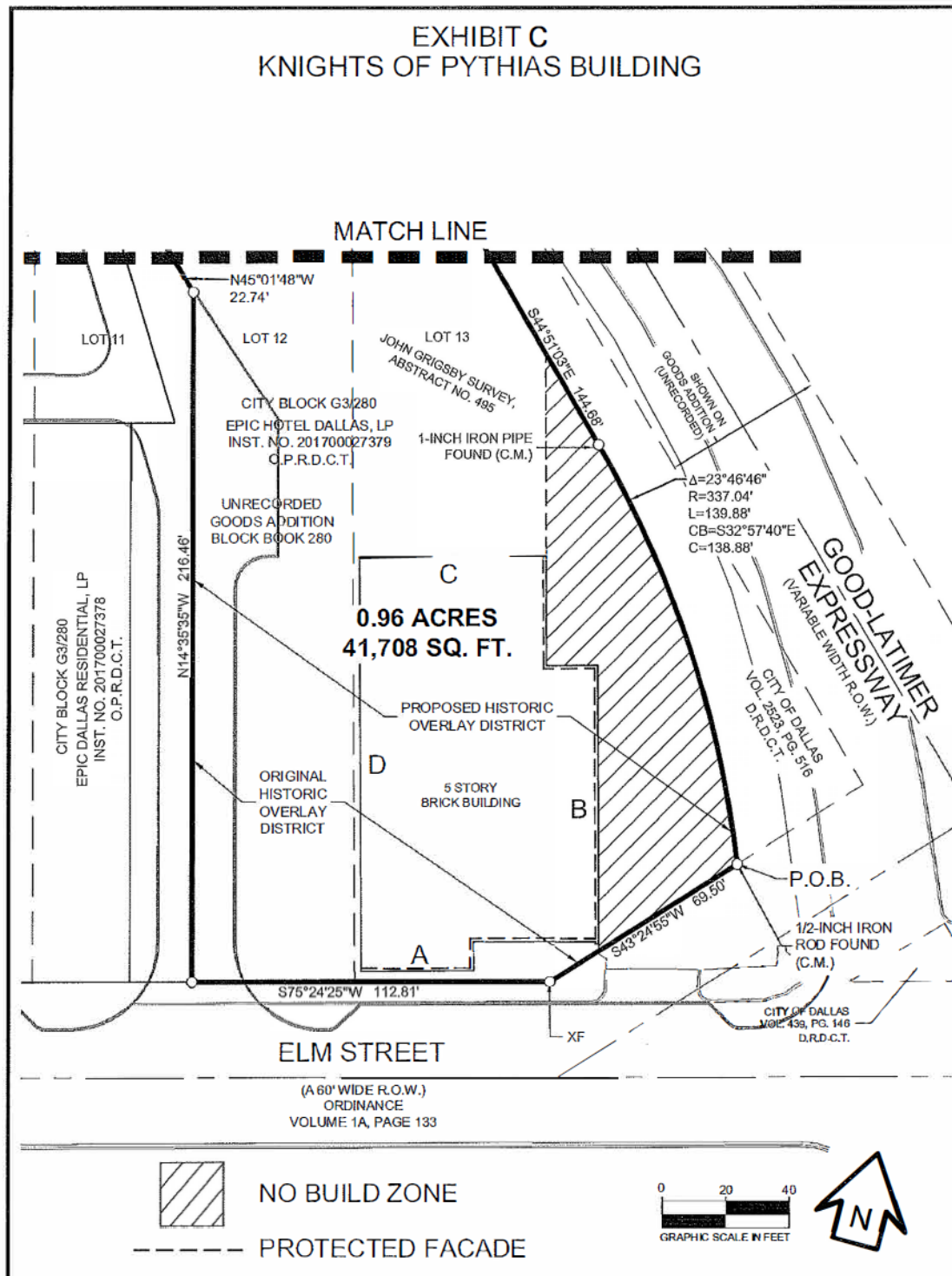
**11. ENFORCEMENT**

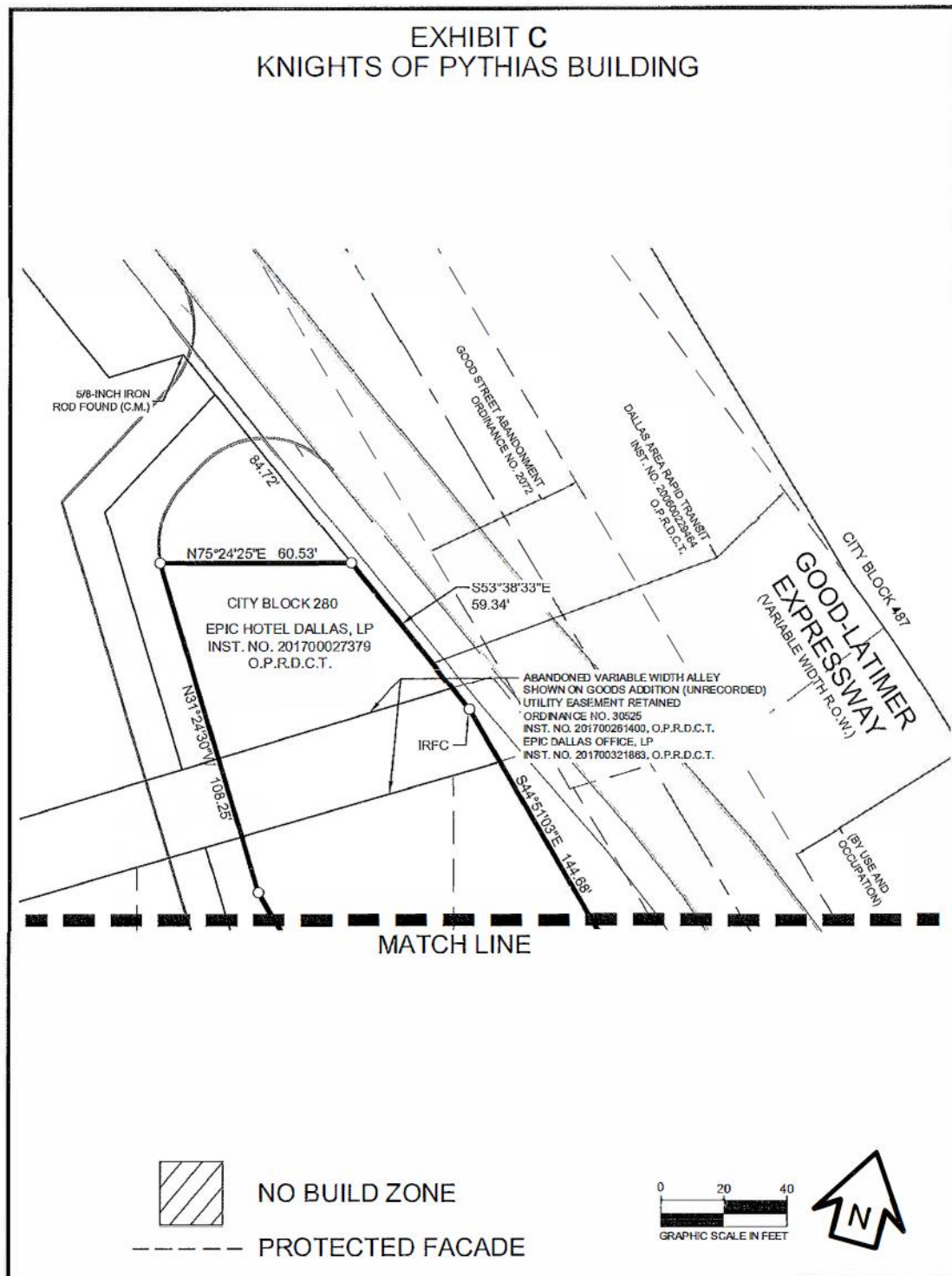
- 11.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.
- 11.2 A person is criminally responsible for a violation of these preservation criteria if:
  - a. the person knowingly commits the violation or assists in the commission of the violation;
  - b. the person owns part or all of the property and knowingly allows the violation to exist;
  - c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly

allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or

- d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.
- 11.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.
- 11.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

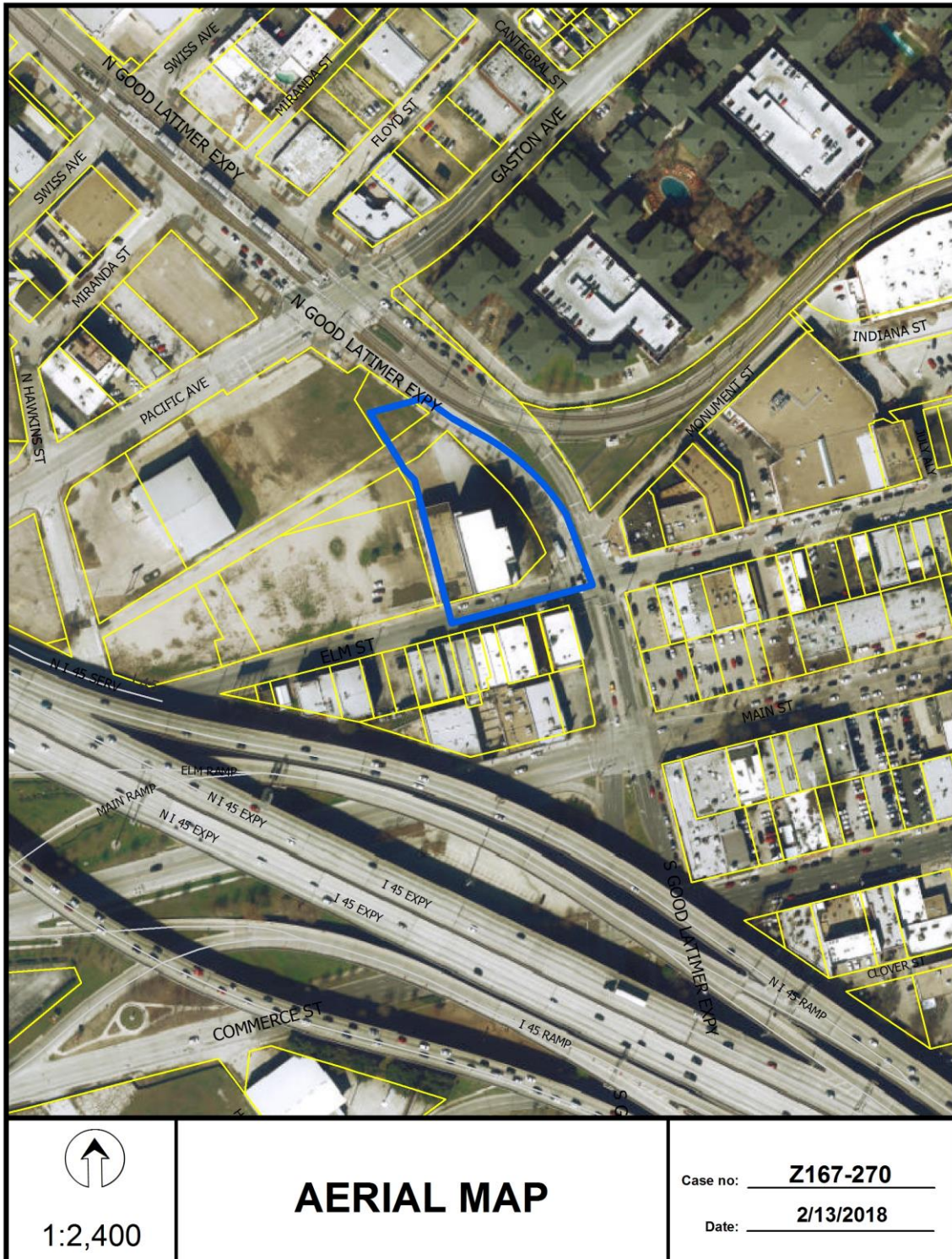




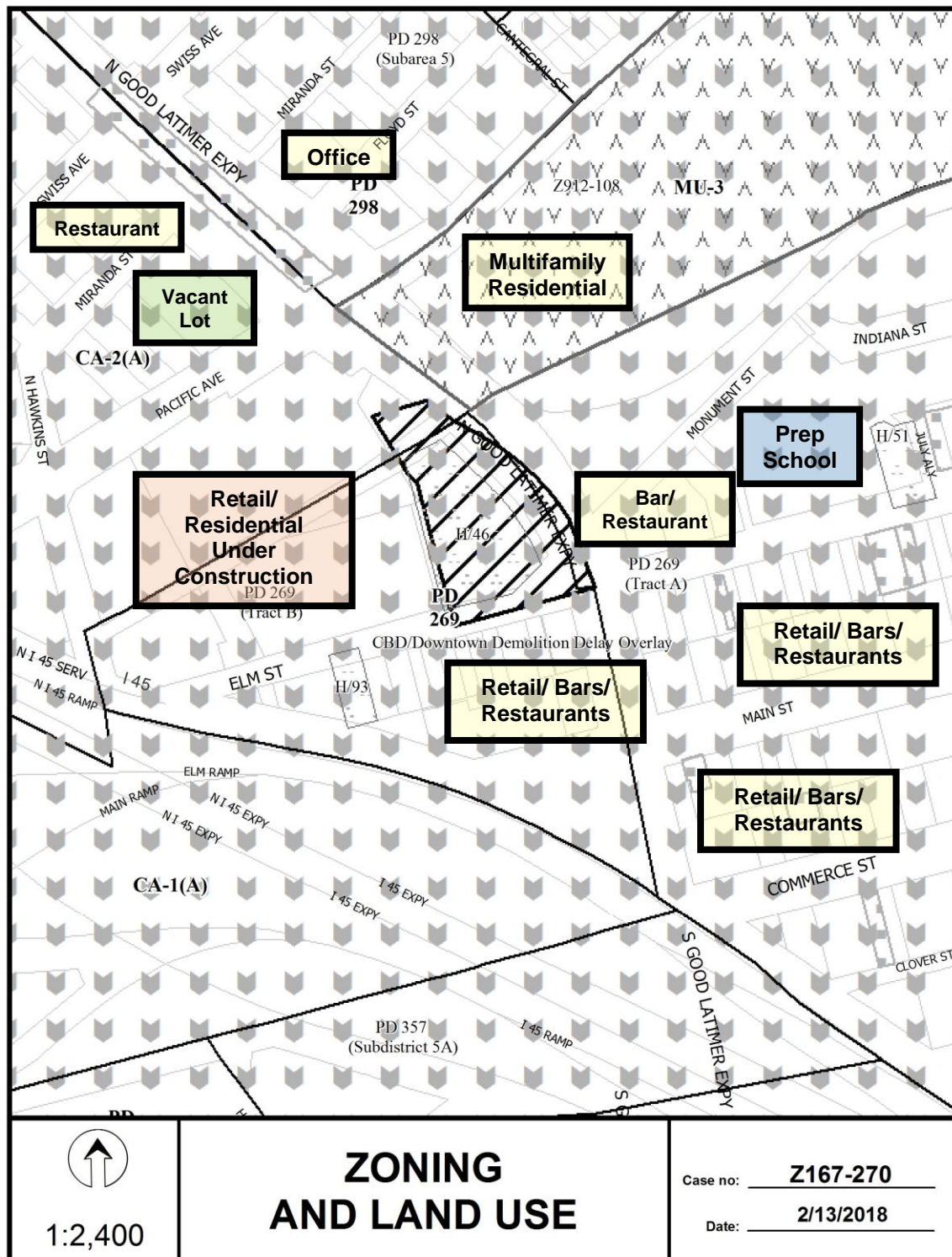




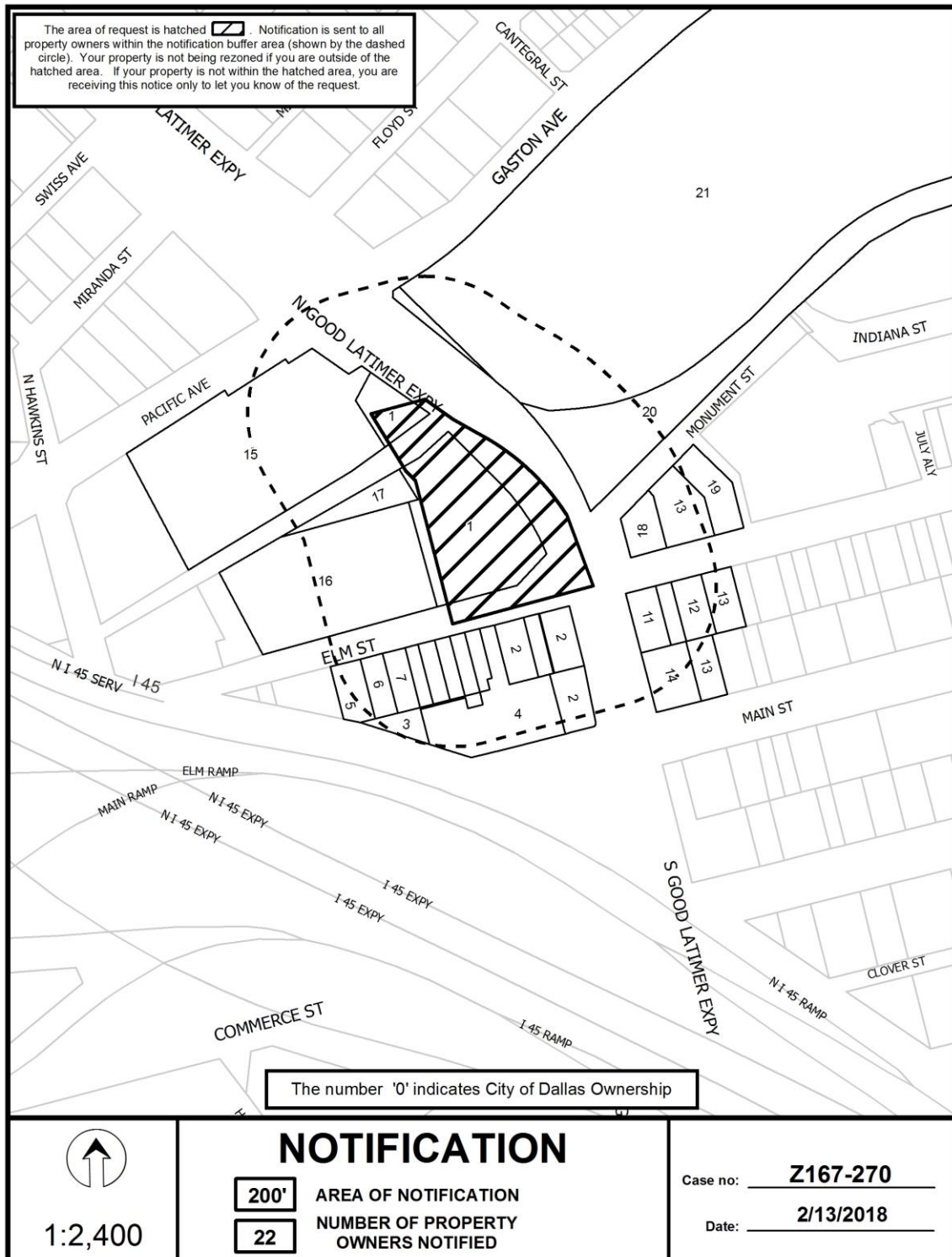












02/13/2018

***Notification List of Property Owners******Z167-270******22 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2598 PACIFIC AVE	EPIC DALLAS HOTEL LP
2	2511 MAIN ST	ELM STREET LOFTS LTD
3	2429 MAIN ST	ELLER MEDIA COMPANY
4	2509 MAIN ST	WESTDALE MAIN LTD
5	2528 ELM ST	CITY HOTEL LTD
6	2532 ELM ST	CTC TEXAS ASSOCIATES LLC
7	2536 ELM ST	JEANETTE INV II LTD
8	2542 ELM ST	FRIEDMAN LAWRENCE J TR
9	2540 ELM ST	SCHWARTZ HYMIE TRUST
10	2544 ELM ST	BEVERLY ANN FONBERG TRUST
11	2604 ELM ST	SEJ ASSET MGMT & INVESTMENT CO
12	2610 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
13	2614 ELM ST	42 DEEP ELLUM LP
14	2603 MAIN ST	PARKIN ART JOINT VENTURE
15	2524 PACIFIC AVE	EPIC DALLAS OFFICE LP
16	2551 ELM ST	EPIC DALLAS RESIDENTIAL LP
17	2511 ELM ST	EPIC DALLAS OFFICE LP
18	2605 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
19	2615 ELM ST	WESTDALE PPTIES AMERICA I LTD
20	2600 MONUMENT ST	DALLAS AREA RAPID TRANSIT
21	2752 GASTON AVE	DEEP ELLUM MARQUIS LP
22	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT

**FILE NUMBER:** Z167-309(LC)

**DATE FILED:** July 6, 2015

**LOCATION:** South of Estate Lane, between Audelia Road and Queenswood Lane.

**COUNCIL DISTRICT:** 10

**MAPSCO:** 27-L, 27-Q

**SIZE OF REQUEST:** 3.04 acres

**CENSUS TRACT:** 130.09

**APPLICANT/OWNER:** Fanning Family & McCree Cemetery Association

**REPRESENTATIVE:** None

**REQUEST:** An application for an Historic Overlay for McCree Cemetery (9930, 9934 and 9938 Audelia Road) on property zoned R-7.5(A) Single Family District.

**SUMMARY:** McCree Cemetery is comprised of 9934, 9938, and part of 9930 Audelia Road. The Landmark Commission initiated the historic designation of this cemetery as a City of Dallas Landmark at the request of Preservation Dallas, and with the support of the Fanning family estate, who owns the property. A City of Dallas Landmark property must meet 3 of 10 designation criteria. This property has been determined to meet 7.

**STAFF RECOMMENDATION:** Approval, subject to preservation criteria.

**LANDMARK COMMISSION RECOMMENDATION:** Approval, subject to preservation criteria.

## **BACKGROUND INFORMATION:**

- McCree Cemetery was officially deeded in 1866 and contains the graves of Peters Colonists, pioneer settlers, war veterans, freedmen from the surrounding hamlets of Audelia, Rodgers, and Egypt (a.k.a. Little Egypt), and members of the early area Methodist and Baptist churches.
- The original owners were E. H. McCree and Mahulda Bonner McCree, who had purchased several acres of land from the Hustead Survey. Mahulda granted 1 ½ acres to William McCullough and James E. Jackson in June 1866 for a public graveyard.
- In June 1896, J. E. Griffin sold one acre of land, adjacent to the cemetery on the east, to three African-American men (Jeff Hill, George John, and Monroe Parker) for the establishment of an African-American cemetery.
- The cemetery was used by decedents of the original settlers up until the 1980s. The last burial was from 1982. McCree Cemetery is no longer active or in use. Future burials are not allowed.
- A Texas State Historical Marker was installed at the cemetery in 1986.
- After the Landmark Commission authorized the public hearing on June 6, 2015, the Designation Committee of the Landmark Commission met two times to work on the landmark nomination form and preservation criteria.
- The Designation Committee approved the designation report, comprised of the landmark nomination form and preservation criteria, on March 15, 2017.
- The Landmark Commission approved the designation on June 5, 2017.
- There are no proposed changes to the cemetery, or its use, at this time.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The historic overlay is consistent with the Land Use Element of the Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation of open spaces that are historically and environmentally significant creates a direct, visual link to the past, contributing to a "sense of place."

**LAND USE ELEMENT**

**GOAL 1.1    Align Land Use Strategies with Economic Development Priorities**

Policy 1.1.5    Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

**GOAL 1.2    Promote Desired Development**

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



**LANDMARK COMMISSION ACTION:** (June 5, 2017)

This item appeared on the Commission's discussion agenda.

Motion: Approval, subject to preservation criteria.

Maker: Tapscott  
Second: Montgomery  
Results: 14/0

Ayes: \*Allender, Amonett, Birrer, Bumpas,  
\*Childers, Jordan, McGill, Montgomery,  
Seale, \*Sherman, Swann, Tapscott,  
Tate, Williams  
Against: None  
Absent: Bowers, Flabiano  
Vacancies: 3, and 12

**Dallas Landmark Commission**  
**Landmark Nomination Form**

**1. Name**

*Historic:* McCree Cemetery  
*and/or common:*  
*Date:* 1866

**2. Location**

*Address:* 9934, 9938, part of 9930 Audelia Road  
*Location/neighborhood:* Lake Highlands  
*Block and lot:* 8080      *land survey:* n/a  
*tract size:* 2.625

**3. Current Zoning**

*current zoning:* residential

**4. Classification**

<i>Category</i>	<i>Ownership</i>	<i>Status</i>	<i>Present Use</i>	<i>_____ museum</i>
<i>_____ district</i>	<i>_____ public</i>	<i><u>x</u> _____ occupied</i>	<i>_____ agricultural</i>	<i>_____ park</i>
<i>_____ building(s)</i>	<i><u>x</u> _____ private</i>	<i>_____ unoccupied</i>	<i>_____ commercial</i>	<i>_____ residence</i>
<i>_____ structure</i>	<i>_____ both</i>	<i>_____ work in progress</i>	<i>_____ educational</i>	<i>_____ religious</i>
<i><u>X</u> _____ site</i>	<i>Public</i>	<i>Accessibility</i>	<i>_____ entertainment</i>	<i>_____ scientific</i>
<i>_____ object</i>	<i>Acquisition</i>	<i><u>x</u> _____ yes: restricted</i>	<i>_____ government</i>	<i>_____ transportation</i>
	<i>_____ in progress</i>	<i>_____ yes: unrestricted</i>	<i>_____ industrial</i>	<i><u>x</u> _____ other, specify</i>
	<i>_____ being consider'd</i>	<i>_____ no</i>	<i>_____ military</i>	<i>_____ Vacant</i>

**5. Ownership**

*Current Owner:* Fanning Family      and      McCree Cemetery Association  
*Contact:* Ross Powell 214-762-8306      Robin Norcross 214-662-9133  
*Address:* 9820 Church Drive, Dallas, TX 75238      10000 Linkwood Drive, Dallas, TX 75238

**6. Form Preparation**

*Date:* May 2, 2017  
*Name & Title:* Michelle Wurtz Penton, PhD, RPA, Project Manager  
*Organization:* Versar, Inc.      *Contact:* 972-423-5480

**7. Representation on Existing Surveys**

Alexander Survey (citywide): local      state      national  
 National Register  
 H.P.L. Survey (CBD)      A      B      C      D      Recorded TX Historic Ldmk  
 Oak Cliff      TX Archaeological Ldmk  
 Victorian Survey  
 Dallas Historic Resources Survey, Phase \_\_\_\_\_ high \_\_\_\_\_ medium \_\_\_\_\_ low

*For Office Use Only*

*Date Rec'd:* \_\_\_\_\_ *Survey Verified:* Y N *by:* \_\_\_\_\_ *Field Check by:* \_\_\_\_\_ *Petitions Needed:* Y N  
*Nomination:* Archaeological      Site      Structure(s)      Structure & Site      District

**8. Historic Ownership**

*Original owner:* Mahulda Bonner McCree granted 1.5 acres to William McCullough and James E. Jackson (June 19, 1866); J. E. Griffin sold one acre of land adjacent to the east side of McCree Cemetery to Jeff Hill, George John, and Monroe Parker (June 25, 1896); B. J. Prigmore tract 5/8 acres (1896)

*Significant later owner(s):*

**9. Construction Dates**

*Original:* 1866

*Alterations/additions:* 1896 (establishment of adjacent African American portion)

**10. Architect**

*Original construction:* N/A

*Alterations/additions:* N/A

**11. Site Features**

The site is a cemetery with a segregated burial population; the African American cemetery to the east and the European American burials to the west.

**12. Physical Description**

*Condition, check one:*

☐ excellent

☐ deteriorated

☒ unaltered

*Check one:*

☒ original site

☒ good

☐ ruins

☐ altered

☐ Moved (date \_\_\_\_\_)

☐ fair

☐ unexposed

McCree Cemetery is located southeast of the intersection of Estate Lane and Audelia Road in Dallas, Texas. The cemetery is located at the intersection of the alleys for the homes along Estate Lane and Queenswood Lane. The current cemetery measures approximately 2.6 acres with a segregated burial population; the African American Cemetery to the east and the European American burials to the west (Figure 1). A modern fence delineates the two cemeteries with separate, gated access to the north. In 2015, Mr. James "Rusty" Brenner of Texas Cemetery Restorations conducted an inventory of the existing markers. One hundred fifty-eight (158) markers were recorded during the inventory, and locations were used to develop a site map of McCree Cemetery (Figure 2 and Appendix A).

Subdistrict A includes the 2.6 acres which consists of the African American Cemetery to the east and the European American cemetery to the west. Subdistrict B is the small strip of land located between Subdistrict A and the alley drive to the north (see Figure 1). Subdistrict A has a chain link fence around the perimeter.

The cemetery was officially deeded in 1866 and for nearly one hundred years, it served as a landmark within a sparsely settled, rural community populated by Peters colonists, pioneer settlers and freedmen from the surrounding hamlets of Audelia, Rodgers, and Egypt (also known as Little Egypt). Development in the last fifty years has encapsulated the once prairie cemetery on the hill. Immediately surrounding the cemetery is a mix of modern residential homes and commercial properties (an apartment complex and AT&T Building) with associated asphalt, cement and grassed areas bordering.

The cemetery occupies an upland location along an unnamed tributary of Jackson Branch, located approximately 0.2 miles (mi) southeast of the cemetery boundary. Historically, the cemetery was perched within a site typified by native prairie grasses with sparse trees. Today, two plant species broomsedge bluestem and sideoats grama grasses, native to the Blackland Prairie environment, remain. A number of

different tree and other plant species are found within the cemetery including the eastern red cedar and bois d'arc are more commonly found along riparian corridors in the Texan biotic province. Some of the trees are volunteers and are located intermittently within the field of grave markers and around the fence lines. The presence of ornamental species suggest a more 'managed' introduction of plant species including iris, glossy privet, crepe myrtle and moonglow juniper.

With the exception of the fencing, gravestones, also known as grave markers, headstones, and tombstones, are the only built site features within McCree Cemetery. The west side of the cemetery has a larger number of marked graves. As depicted in Figure 2, the markers extend from the north end to the south end of the fence with a greater concentration towards the center of this section of the cemetery. The east side of the cemetery has three to four sporadically defined rows. Both sides of the cemetery have a number of vacant sections where unmarked graves are likely present.

There are a variety of grave markers within McCree Cemetery. It was common practice to use sculptured designs or symbols on limestone, marble, and granite. Symbols typically denoted religious beliefs, fraternal organization association, and other aspects of the life of the deceased. Common sculpted reliefs include flowers, heaven's gates with a star, garden gates, Christian cross, lamb, grapevines, ivy, leaves, finger pointing upwards, clasped hands, dove, wreaths, open bibles, angels, ferns, decorative bands, columns, and draped fabric. Many of these symbols are found in the professionally made gravestones at McCree.



Figure 1. Location of McCree Cemetery with cemetery divisions.



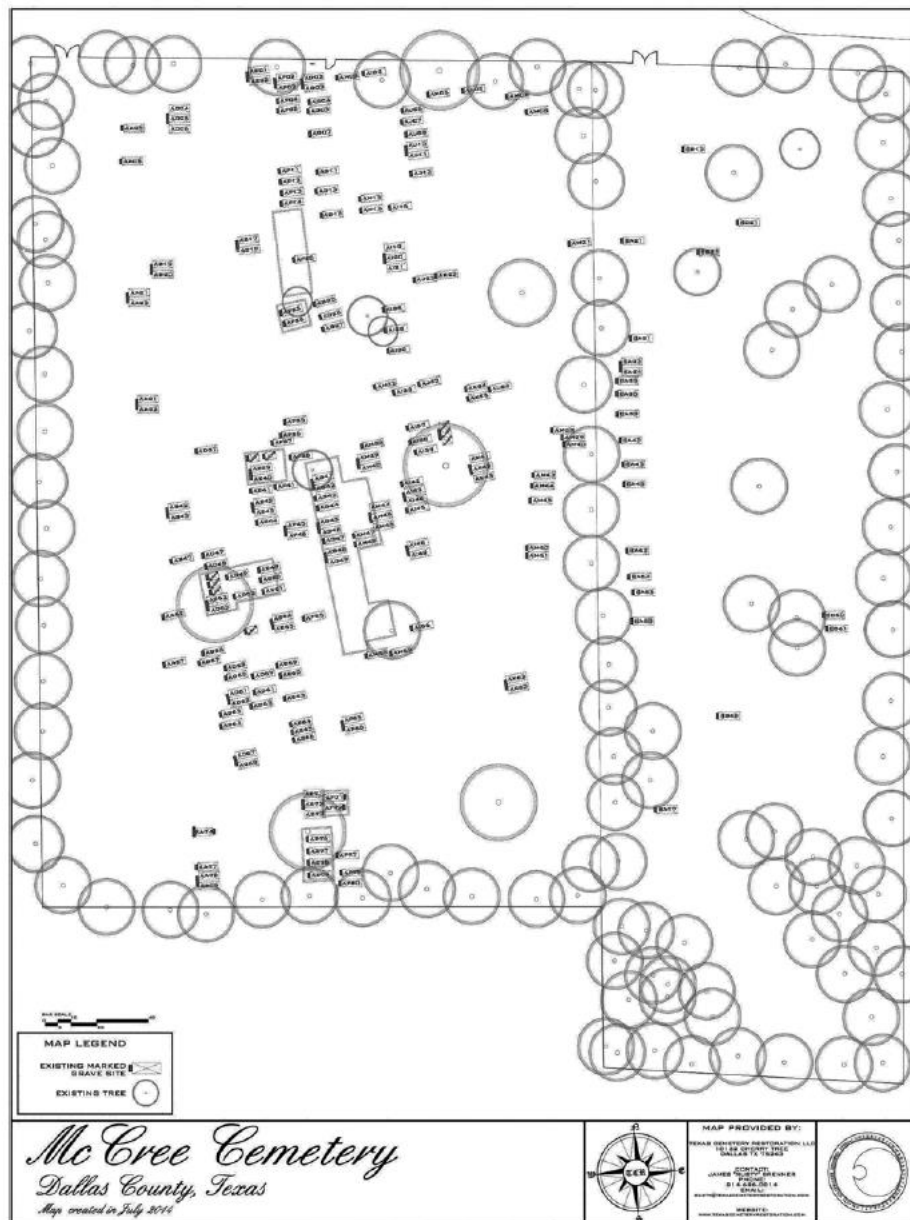


Figure 2. 2015 inventory of McCree Cemetery by James “Rusty” Brenner. Please see the report entitled *Cultural Resources Survey for the McCree Cemetery Restoration Project, Dallas County, Texas*, on file at the Dallas Public Library for a more detailed version of the figure.

### ***13. Historical Significance***

#### **Early Settlers and the Establishment of McCree Cemetery**

The colonization of North Central Texas began in earnest in the 1840s. European Americans, primarily from southern and eastern states found offers from land granting companies too tantalizing to ignore. One of the most prominent land agencies, the Peters Colony, promised family men six hundred forty acres and single men three hundred twenty acres. The families that settled here helped establish communities now gone (Audelia, Jackson, Breckenridge, and Rodgers) and those that remain, including Richardson and Garland. The first to arrive here in the 1840s and 1850s, found wide stretches of prairie with high grasses, buffalo, deer, creeks, numerous springs, and the rich, Blackland Prairie soil. As one pioneer noted, in reference to the North Central Texas landscape:

You see, the whole of this fine prairie country was before us to select from, and we wanted to take a good look before finally making choice of a section of land. It all looked so rich and green and beautiful that it rather bewildered the heads of families to make a selection [B.J. Prigmore 1891].

That certain families made the White Rock Creek area in present-day northern Dallas their home, says much about its promise and beauty. In turn, these pioneering families worked hard to make a living off the land. They established farmsteads, prospered, and formed small communities to provide needed services. It appears that they relied on one another for social and economic needs. Families such as the Jacksons, Prigmores, McCulloughs, McCrees, Goforths, and many others shared similar pasts in coming from afar to seek opportunities and establish new lives. In a number of cases, children, grandchildren, and even descendants generations later remained in the area and contributed to the development of twentieth century towns, cities, businesses, and institutions. On the surface, one has to look hard to see the legacy that these pioneers left behind. Street names, McCree Cemetery, and the names of creeks seem to be all that is left, but without these families, Richardson and Garland might not have developed as they did, and Richland College exists in great part due to the Jackson family. Nearby African American families also built churches that remain to this day, serving the spiritual needs of their founders' descendants. Research into the archival records left behind, provides a glimpse into the backgrounds and immediate experience of the Anglo settlers who made this part of Texas their home in the mid nineteenth century.

#### **The Jackson Family**

John Jackson (son of a Revolutionary War veteran) and Eliza Brown Jackson left Missouri to arrive in Dallas County in 1845. As a Peters Colonist, he received a 640-acre certificate for land dated November 15, 1850. He died in 1875. The headright became known as the "Jackson home" where the large family often gathered.

A son of John and Eliza, Thomas J. Jackson was two years old when he arrived in Dallas County with his parents. Thomas J. went on to serve in the Civil War as a member of Captain W. W. Peak's Thirty-First Cavalry, Company A. He married Mollie Nash (sister of Judge Thomas F. Nash) and died in 1910 (The Dallas Morning News 1910-a, 1910-b; FJF-f). Other Jackson children included Jeff, Cape, Jimmie, and Ella (Richardson Echo 1933).

#### **The Prigmore Family**

In 1844, Benjamin J. Prigmore, age fourteen years, arrived in Dallas County with his father, Joseph Prigmore, his mother, Mahala Dixon, and his siblings. The Prigmores built a log cabin and went about planting wheat with only a yoke of oxen to plow the ground. They then built a worm fence, plowed up more land and sowed nearly 16 acres of corn. Joseph Prigmore established a corn mill and served on the first Dallas County Grand

Jury, but in 1849, he left for California. Upon his return in 1855, he sold his headright and gathered up his family, with the exception of Benjamin, to go back to California. He returned to Texas again in 1860 and died in 1862 (DPL-a).

While his family was in California, Benjamin Prigmore farmed until he joined the Army just prior to his seventeenth birthday and fought in the Mexican War. In 1853, he married Nancy J. Jackson, daughter of John and Eliza Jackson (Figure 3). Benjamin and Nancy Prigmore continued to work on the farm until 1862 when Benjamin enlisted in the Confederate Army. He returned home after the war, at which time he took up farming again on a land grant he received for his service in the war.

Tragedy struck the Prigmore family on May 26, 1867, when a tornado descended upon their farm, destroying several buildings and killing their oldest daughter, Eliza (buried in McCree Cemetery). As time went on, the Prigmores were able to re-establish their farm and re-build their home. Benjamin and Nancy Prigmore were successful enough to provide farms for their remaining children, who in the 1890s, all lived within the same general vicinity as their parents (Figures 3 and 4). A comment in a biographical sketch, published in 1892, attests not only to the personality of this early couple, but also hints at the importance of social relationships to the overall survival of the burgeoning community. In reference to B. J. and Nancy Prigmore, it was noted:

At the home of this worthy couple, the stranger as well as the friend received a cordial welcome, and is entertained in true Southern style. Mrs. Prigmore is an adept in [sic] the culinary arts, and knows full well how to spread before her guests a tempting board and preside thereat in a most graceful manner [Lewis Publishing 1892].

Benjamin Prigmore died in 1901; Nancy Prigmore died in 1904 (DPL-a).



Figure 3. Nancy Lucinda Jackson Prigmore and Benjamin Prigmore, ca. 1870. Image courtesy of M'Layne Murphy.



Figure 4. Nancy Lucinda Jackson Prigmore, ca. 1855. Image courtesy of M'Layne Murphy.



### Additional Families

In addition to the Jacksons and Prigmores, a number of families settled in this area of White Rock Creek between the 1840s and 1870s. These families included the McCulloughs, Crosbys, Bechtols, Brites, Goforths, Dixons, Ethridges, McGaughys, Sloans, Griffins, and McCrees, to name a few. James Willeford Crosby and his wife, Mary Texana Hollingsworth, came to Texas in 1876 from Mississippi. They joined James' father who had arrived two years earlier. Their farm was located near Church Road where they raised seven children—Eva Green, James Duke, Tildon Barnes, John Willeford, Vertie Vera, Ira Virgil, and Alvin Lionel (DPL-a).

The McCulloughs included four brothers and two sisters who traveled by wagon train from Kentucky, arriving in Texas in 1845. The siblings were: William (and his wife Eleanor Elizabeth and their children), Thomas, John, Daniel, Hannah (with husband James Newsome) and Fereby (with husband John Henry Jones and their children). Within a few years, most of the McCullough siblings, if not all, had established farms near one another in the McCree Cemetery area, near White Rock and Jackson Creeks (FJF-d, e). Daniel Bechtol and his first wife came to the area in 1874. His wife, Mahala Biser Bechtol, died that same year (Lewis Publishing 1892). Many families lost infants and children. One can assume they were often the result of illness, though the loss of Eliza Prigmore in the 1867 tornado and a hunting accident that caused the death of twelve-year-old Tommie Shepherd (also spelled Shepard) (Figure 5) in 1905 reminds us that children were also victim to tragic events (The Dallas Morning News 1905).



Figure 5. Shepherd family portrait, ca. 1903, with young Tommie in the back, two years before his death. Image courtesy of Lauren Madeley.

### The Establishment of McCree Cemetery

The land on which McCree Cemetery is located is part of the Harrison Hustead Survey No. 587. Hustead, his wife Prudence Bartlett, and their children arrived in Texas to claim land as Peters Colonists. As a family man, Hustead was granted six hundred forty acres in 1850 (Connor 1959:291). The 1850 census lists him as a farmer living with his wife, Prudence, and their eight children ranging in age from sixteen to two. Hustead and his family did not stay in the area long, however. He died in 1852 in Lisbon (six and a half miles south of Dallas) (FJF-a, c).

E. H. McCree and Mahulda Bonner McCree acquired several acres from the Hustead Survey, including that portion that would become McCree Cemetery. Little is known of the McCree family. E. H. and Mahulda came from Tennessee and were married in Dallas County in 1859. McCree Cemetery was established June 19, 1866, when Mahulda Bonner McCree granted one and a half acres to William McCullough and James E. Jackson for a public graveyard. It is assumed that E. H. McCree was deceased by then as Mahulda Bonner was the only grantor to sign the deed. The lot was described in the deed as:

“... on the waters of White Rock Creek and being out of the H. Houstead [sic] tract on which I am now living and meted and bounded as follows, to wit. Beginning at a stake on high prairie, Wm McCullough's East chimney ... being the same land now used as a public graveyard” [Deed Records J:485].

That the area had already served as a place of interment was not unusual. During settlement periods throughout the nation, the necessity of performing a burial often occurred prior to any concerted effort to formally establish a cemetery. Several burials might occur before land was officially deeded for that purpose. The first burial associated with McCree Cemetery was that of John Henry Jones (brother-in-law of William McCullough), though the location of his burial plot is unknown. Jones, who had left to fight in the Civil War, returned home in 1862. Soon after, he succumbed to wounds received in the war. Two years later, Eleanor Elizabeth McCullough, born in 1815, was buried nearby. As is inferred in the deed (i.e., reference to McCullough's chimney as a point of reference, and the relationship between William McCullough as husband of Eleanor Elizabeth and brother-in-law to John Henry Jones), relatives of the deceased were making this area of Dallas County their permanent home and were intent on formally establishing a burial ground for loved ones (FJF-a, b).

It is through deed records that we also learn of a nearby settlement of African Americans--the community of Egypt also known as Little Egypt. On June 25, 1896, J. E. Griffin sold one acre of land adjacent to the east side of McCree Cemetery to three African American men--Jeff Hill, George John, and Monroe Parker for the sum of twenty-five dollars (Deed Records 204:649). The one-acre tract was designated for, “... grave yard purposes for the interment of the colored people of this community.”

Less than a month after the Griffins conveyed land for an African American burial ground, they sold one and 5/8 acres to B. J. Prigmore for the sum of one dollar (Deed Records 247:444). The land was deeded for “a public burying ground, exclusively.” Thus, just before the turn of the twentieth century, McCree Cemetery came to exist in size and boundary as we know it today.

The landscape of McCree Cemetery remains unchanged over the years. While the surrounding area has transformed from agricultural to residential. In a rare photograph from 1938 at the funeral of Arthur Reese Bryant the surrounding agricultural landscape is apparent (Figure 6). Mr. Bryant was killed in an automobile accident while driving a truck for the gas company.





Figure 6. Burial of Arthur Bryant at McCree Cemetery in October of 1938. His wife (Minnie Abney Bryant) and daughters (Joyce Pauline Bryant and Patsy Maxine Bryant) stand next to the grave with a view of the prairie leading to White Rock Lake behind them. This grave, and several from his family, are located in the southwest end of the cemetery.

#### Growth and Development of the Audelia Community

The area surrounding McCree Cemetery remained agricultural for the next one hundred years and the built environment that developed reflected the needs of a farming community that grew slowly, but steadily. Beginning with the early settlers and first-generation descendants, homes, roads, bridges, mills, stores, schools, post offices, and churches began to appear. Natural landmarks took on the family names of early settlers and defined the community. To the west lay Jackson Creek and to the east was Dixon Branch—both feeding into White Rock Creek. From the mid-1800s and well into the twentieth century, farms were established throughout the White Rock Creek area. Many, if not most, were established by the sons and daughters of the first settlers—their children intermarrying. Joseph E. Prigmore, son of Benjamin and Nancy Prigmore, was a successful farmer with land just west of McCree Cemetery. He married Margaret A. White in 1885 and they had two daughters, Maude Ella and Ollie (Figures 7 and 8). Joseph was active in local and county politics, and served as an elder in his Presbyterian church. He died in 1940, but was buried at Restland Cemetery (Richardson Echo 1926, 1940). Joseph's sister, Texanna Prigmore, married Sam Lane. They too remained in the area and raised their family (Figure 9). Sam's sister, Dora Lane, married Jeff Jackson and they built a house on Audelia Road. Sam's sister, Sophia also married a Jackson—John T (The Dallas Morning News 1916; Figure 10).

Farming was the occupation of choice for the original settlers and many first generation offspring. Nevertheless, both first and second generation descendants began to diversify and some played important roles in the development of nearby Richardson. Tom Jackson Sr., born in 1869, moved into real estate and established Tom Jackson and Sons Realtors. He was also director of the Citizens State Bank, charter member of the Richardson Rotary Club, member of the Dallas Real Estate Board, and finally, served as mayor of Richardson from 1937 to 1947. So beloved was he, that his obituary included this final tribute:

The Echo editor as well as every man, woman and child in this community has lost a friend who was never too tired or too busy to stop and counsel with you and help solve your problems [Richardson Echo 1955].



Figure 7. Joseph and Margaret Prigmore with Ollie, 1895. Image courtesy of M'Layne Murphy.



Figure 8. Maude Ella and Ollie Prigmore, daughters of Joseph and Margaret, 1896. Image courtesy of M'Layne Murphy.



Figure 9. Texanna Prigmore Lane holding Anna Viola, Frank, Elsie May, John, and her husband, Sam Lane, 1895. Image courtesy of M'Layne Murphy.





Figure 10. Lane siblings, Sophia, Dora, Eva, and Sam, ca. 1890s. Image courtesy of M' Layne Murphy.

#### **Audelia**

The name "Ardelia" began to take hold as the name of the growing nineteenth century community lying near White Rock Creek. James E. and Diana Jackson had several children, one of them being Ardelia Ellen (Figure 11). Born in 1853, Ardelia married John Frederick West in 1877. John West and his father-in-law built a general store at the southeast corner of today's Forest Lane and Audelia Road and called it "Ardelia." In the back of the store was a post office run by a man named Sarver. The mail was brought in and placed on a wooden barrel. There was also a grist mill in the back of the store. Not far from the store, at what would be the northeast corner of Forest and Audelia today, Box Whitfield operated a gin. On the northwest corner, Benjamin Prigmore donated land for the Jackson School. Ardelia Jackson West, along with Sophia Jackson, Dora Jackson, Lena Hoskins, Flo Bank, Minnie Thorp, Sallie Harris, Ben Davis, and a man named Dunlap all taught at the school for fifty dollars a month. Trustees of the school were Will Sharp and Ardelia's brother, C. W. Jackson (The Dallas Morning News 1986).

Ardelia died in 1899 and her husband sold the store to George Mercer who owned a farm nearby. In 1904, the post office was discontinued and area residents began receiving mail via rural delivery. At some point, the name 'Ardelia' was corrupted to 'Audelia.' A 1924 postal delivery map shows the name Audelia and a 1933 obituary refers to the deceased as having been from the community of Audelia (The Dallas Morning News 1904; Richardson Echo 1933; Figure 12).



Figure 11. Ardelia Ellen Jackson West, ca. 1872. Image courtesy of M'Layne Murphy.



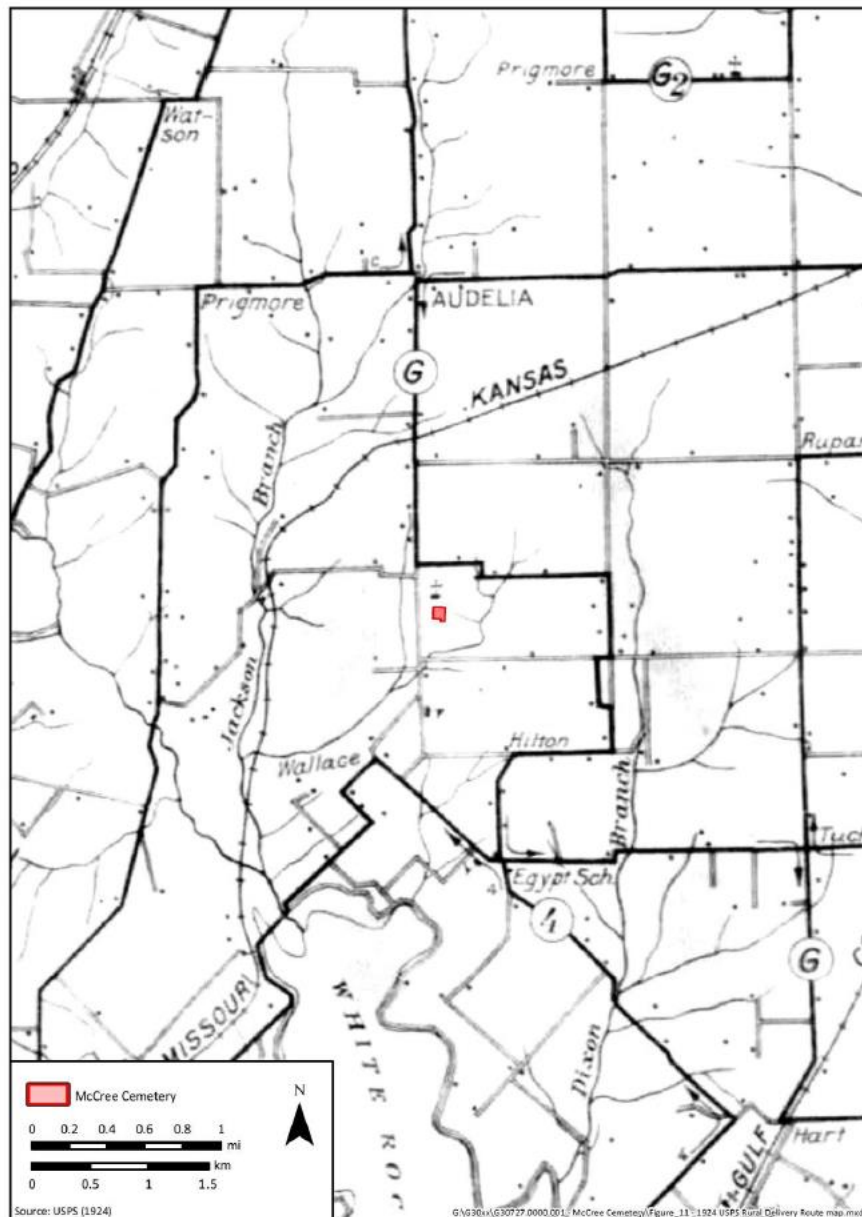


Figure 12. 1924 USPS delivery map, showing the location of McCree Cemetery, Audelia Community, and Egypt School.

The Jackson family also lent its name to a small community that existed just north of Audelia, closer to Richardson. Although the Jackson Community was well known, it does not appear to have gained the same prominence as did Audelia. The name does appear, however, in several obituaries which note the deceased was from 'the Jackson community' (Richardson Echo 1933, 1954).

The 1900 Sam Street's Map identifies the McCree Cemetery and houses belonging to or lived in by several pioneering families and their descendants (e.g., the Prigmores, Jacksons, Crosbys, Griffins, and Wallaces) (Figure 13). The map suggests a rather dense built environment with rectangles being the houses of owners and triangles representing rental properties. The dotted lines are wagon roads; the line with hashmarks is a railroad. Though it cannot be certain that the home of Dora Lane and Jeff Jackson on Audelia Road is typical of the others, a photograph prior to 1908 shows a stately two-story wooden home with a large wrap-around porch and chimney (Figure 14). A later photograph, based on the apparent age of Dora Lane and Jeff Jackson, shows the same house (Figure 15).

Although it is not clear when the Jackson School closed, a 1918 USACE map and 1918 USGS map show the Audelia School located within the same area (Figures 16 and 17). Thus, it is possible that the Jackson School was renamed. At least by 1890, however, there was need for another school. The Rodgers School building was established at present-day Audelia and Parkford on land donated by Campbell Goforth (FJF-h). In 1918, a new building was constructed to accommodate state laws (see Figures 16 and 17). The 1918 schoolhouse was described as a one-room, wooden building with windows on the sides. Children sat at desks designed for two students; the room was heated by a pot-bellied stove (DPL-a). The Rodgers School district became a part of the Richardson Independent School District (ISD) in 1929. The building remained in its location, however, until the 1950s. At that time, the school house was moved to Vickery, received new siding, and became the Vickery Masonic Lodge Hall (DPL-a).

Another addition to the Audelia built environment is referenced October 8, 1929, the date upon which C. W. Jackson, T. B. Crosby, and John Dixon paid two hundred fifty dollars to J. D. Robertson for a one and a half acre lease with a frame church building just north of the cemetery lot. By the terms of the lease, said lessees were to maintain the building and it was to be,

... used as place of public worship, by any and all denominations that desire to use said [building], and for services conducted by ministers and others at the burial of the dead in said cemetery. ... Neighborhood meetings may also be held at said building [FJF-j].

It was also through this lease agreement that ingress and egress from Audelia Road to the church and cemetery were established. This, later came into play when Southwestern Bell Telephone wished to purchase the land for a parking lot.

Although open to all denominations, it is reported that the church first served, primarily, the Methodists, but on August 23, 1931, the Reverend Charlie Dorman and wife, Mr. J. Dabney and wife, Ms. Francis Dorman, Ms. W. E. Schmitt, and Ms. Gertrude Schmitt organized the Rodgers Baptist Church and used the frame building next to McCree Cemetery for services (FJF-a). Because of its proximity to McCree Cemetery, the name Rodgers (or Rogers) was sometimes applied to both the church and cemetery; thus causing confusion over the names of both the cemetery and the community of Audelia. Rodgers Baptist parishioners used the church until 1939 when they established a new building on Jupiter Road (FJF-a). The church remained in use, but it was heavily vandalized and intentionally burned in the mid-1940s.

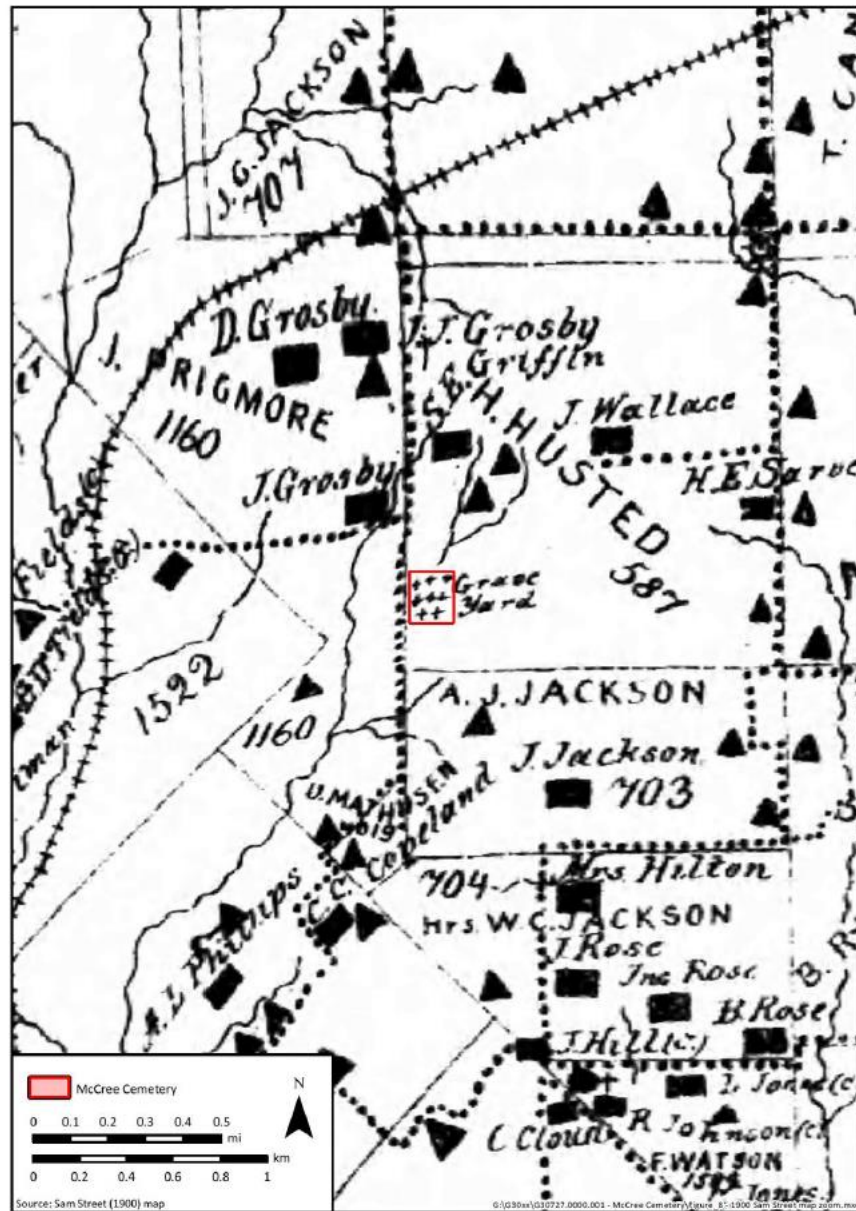


Figure 13. Location of McCree Cemetery on the 1900 Sam Street map.



Figure 14. Home of Dora Lane and Jeff Jackson on Audelia Road, ca. 1900. Image courtesy of M'Layne Murphy.



Figure 15. Dora Lane and Jeff Jackson sitting in front of their Audelia Road home. Image courtesy of M'Layne Murphy.



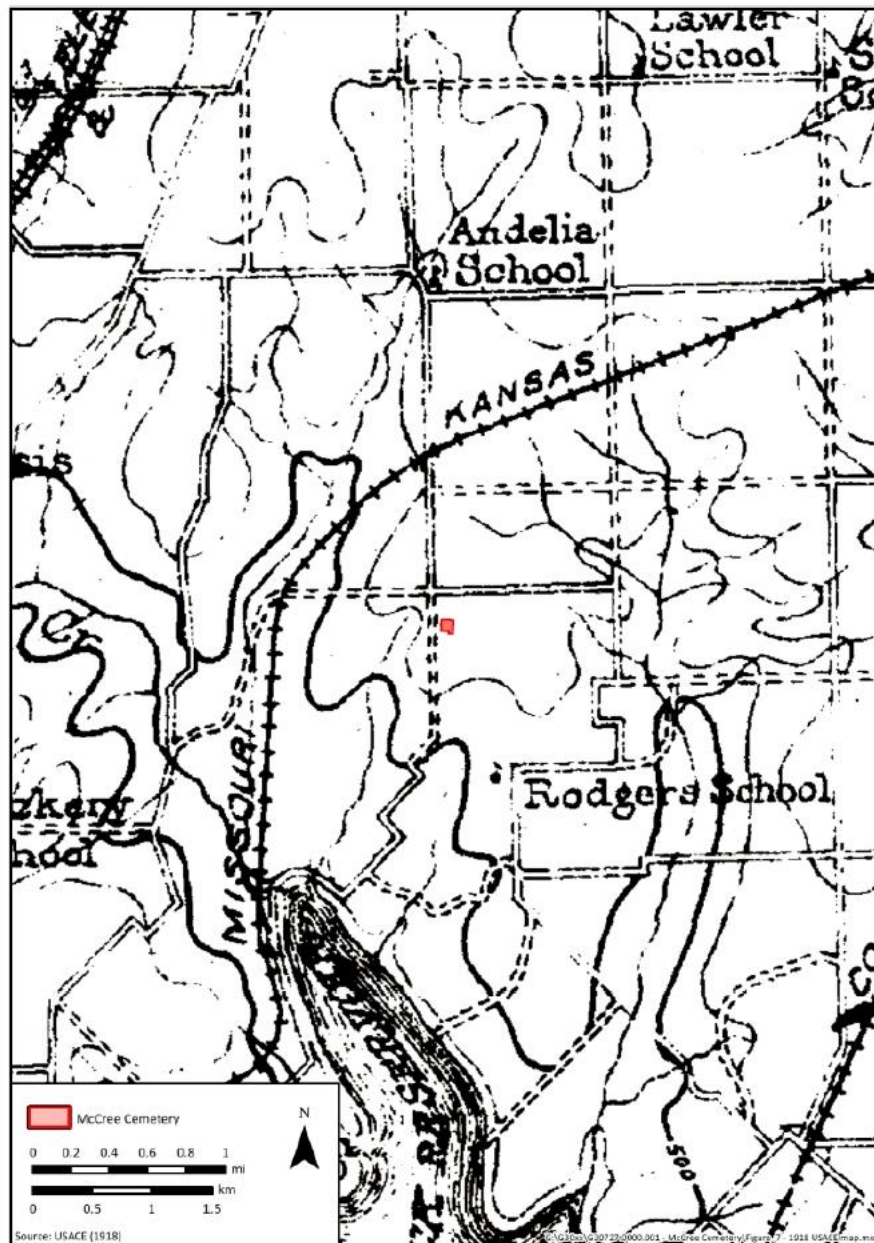


Figure 16. Location of McCree Cemetery on the 1918 USACE map.



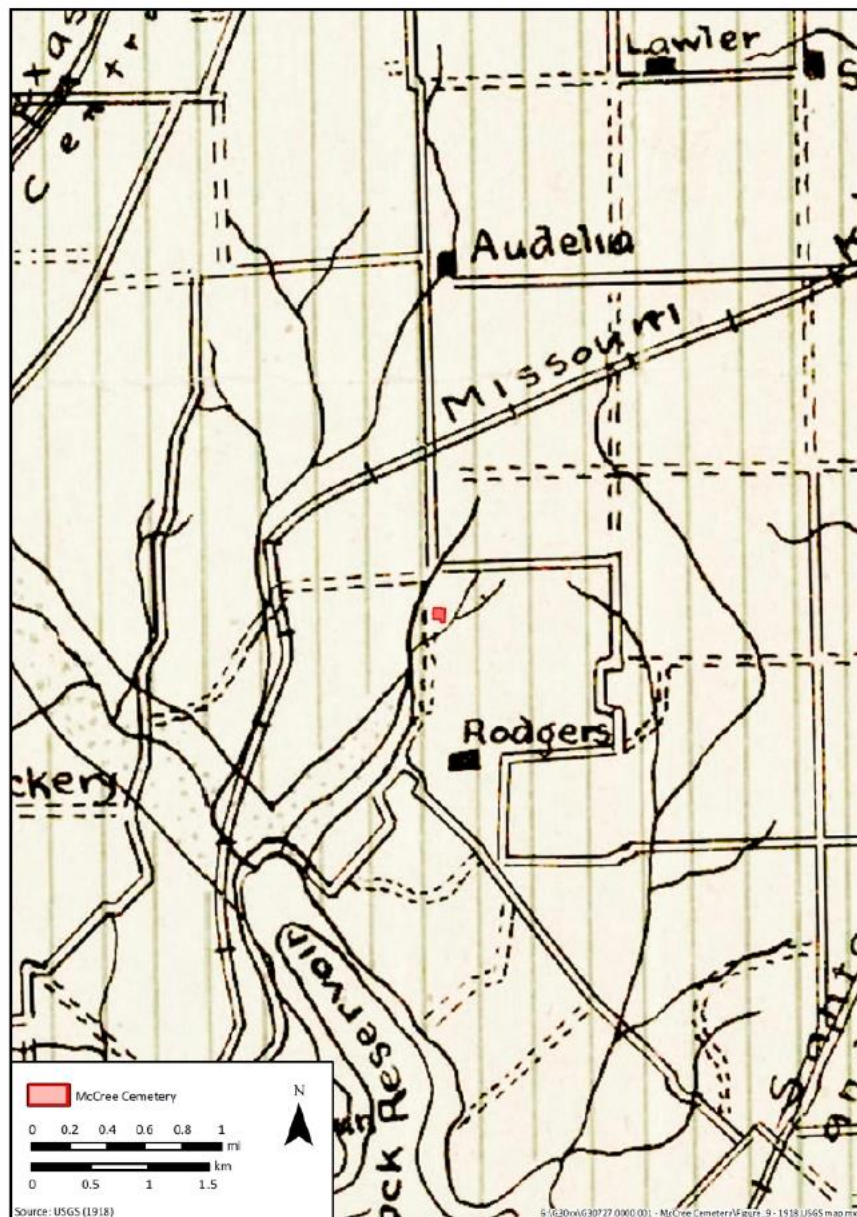


Figure 17. Location of McCree Cemetery on the 1918 USGS geological map.

The Works Progress Administration's guide and history to Dallas, noted the population of Audelia as being thirty-five and that it was "a tiny crossroads village with one store and one church" (Holmes and Saxon 1992:406). This would have been recorded in the mid- to late 1930s. The community was, of course, surrounded by farmsteads as is seen in a 1936 highway map that shows a typical rural built environment separated by wide open spaces (Figure 18).

The reminiscences of a Dallas city resident who visited his grandparents' farm in the 1930s paint a picture of farm life as it existed during this decade. Robert N. Jones, grandson of Jeff and Dora Jackson, often spent Sundays at their house (the same house shown in Figures 14 and 15). As a child, Jones played in the hayloft, climbed on farm machinery, chased chickens, and waded in the creek among other things. He also recalled visiting John Jackson's farm which stood on higher ground near today's Restland Cemetery and Richland College. There, the flying neon Pegasus atop the Magnolia building in downtown Dallas was visible (Jones 1983).

Jeff and Dora Jackson grew cotton as a money crop, but over the years had also sold oats, wheat, corn, and onions. It was said that Jeff Jackson had a way of knowing what crops would be profitable ahead of time. As was common among rural families, Jeff and Dora Jackson were fairly self-sufficient when it came to food. They had pecan trees; a vegetable garden for peas, green beans, and corn; dined on fresh farm eggs; and had a milk cow and fruit trees. They butchered their own hogs on the farm and made a "peppery country sausage" and smoked hams. Although Jeff Jackson's brother, John, had invested in a plow tractor, Jeff had laborers plow his fields with mules (Jeff Jackson was in his seventies at this time). Jones recalls his grandparents speaking of early trips into "Dallis" to go to the farmers market. They would hitch up a wagon and cross a wide, flat valley that would become White Rock Lake in 1911 (Jones 1983).

In February 1930, Dora Jackson threw a surprise sixty-eighth birthday party for her husband. The event was recorded in a Richardson newspaper, noting that the whole family attended, along with Mr. and Ms. Joe Prigmore, and a host of friends who stopped by to wish him well. For Jeff and Dora Jackson, the fruits of their labor came to an end in 1942 when their house burned to the ground. The elderly couple moved to Richardson where Jeff Jackson died in 1944. Dora Jackson died a few years later (Jones 1983; Richardson Echo 1930).

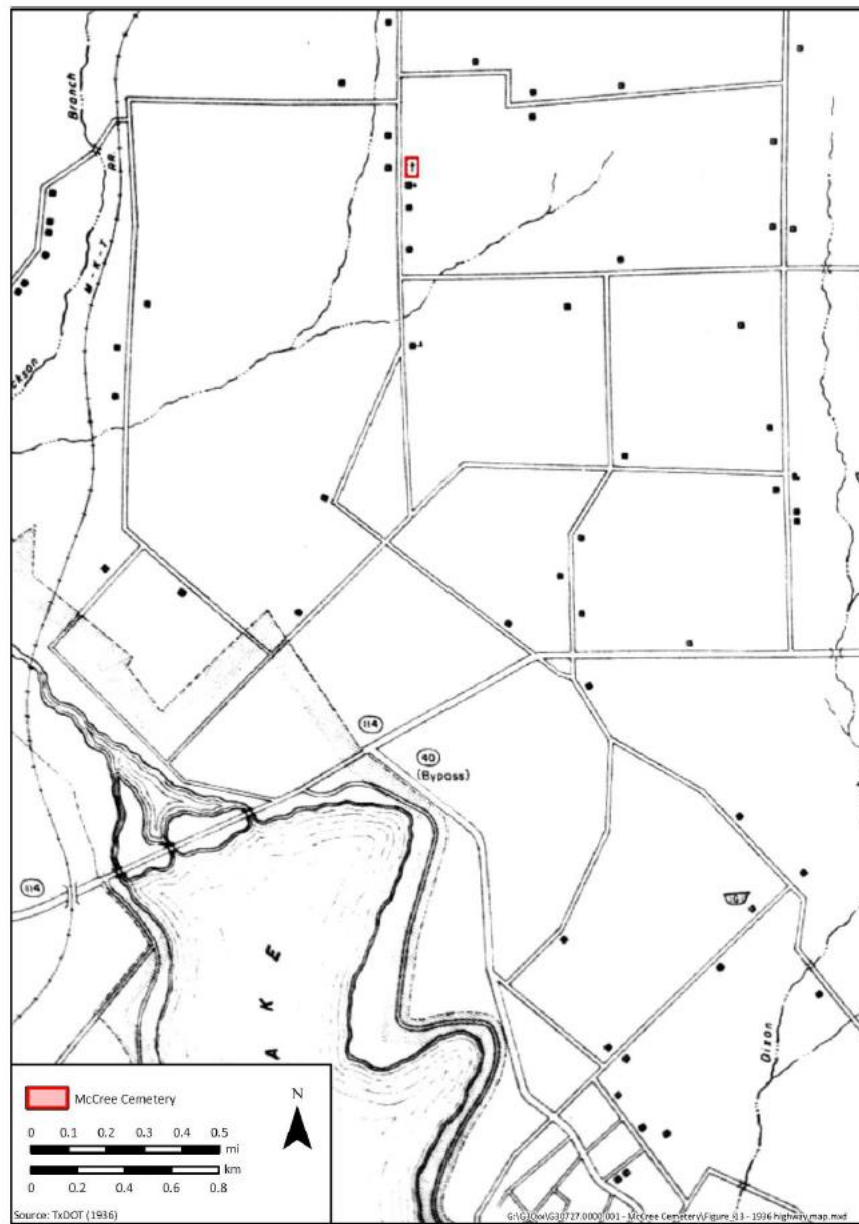


Figure 18. 1936 highway map of the Audelia area.

### Growth and Development of the Egypt Community

While Anglo settlers were establishing farmsteads in the White Rock Creek area and forming the Audelia community, African Americans were also establishing a community just south of McCree Cemetery where Northwest Highway and Ferndale Road intersect today. After the Civil War, former slaves John (also known as Jeff) and Hanna Hill, and Ephriham and Amanda Floyd established a freedmantown on land that the Hill's former owner had granted to them. One of several freedmantowns established in Dallas County, this one was christened "Egypt--" a symbolic reference to their exit out of bondage. It is also commonly referred to as "Little Egypt," though former residents prefer the original name of Egypt (The Dallas Morning News 2002; DPL-b).

One of the earliest known organizations established in Egypt was the Egypt Chapel Baptist Church. Dr. A. R. Griggs, a prominent minister well known in the North Dallas freedman community near today's Central Expressway and Lemmon Avenue, organized the church on April 10, 1880. The church itself stood for over eighty years, and it was the only church in Egypt. Photos from 1961 show a one-story frame building three-bays wide with what looks to be two, two-over-two double-hung windows on each side of the double-wide wood doors. The front of the building has triple, parallel gables. The one side elevation that is visible in the photograph shows at least three windows. According to some former residents, the building was patched and repaired throughout the years; thus, it is unlikely that in 1961 the church looked as it did originally, but nevertheless, it provides a frame of reference for understanding what the community's single-most important building may have looked like. The building, on the north side of Northwest Highway, faced Ferndale. In addition to the church, there was a one-room school house with blackboards, homemade benches, and a coal stove. The school taught grades one through six (and at times up to the eighth grade). Not only did it serve the children of Egypt, but African American children from miles around attended. The last day of school was fondly remembered. Parents from the country would load up their wagons and bring lots of food to celebrate with speeches, programs, and games. The school was originally located on what would today be the southwest corner of Northwest Highway and Ferndale, but when Northwest Highway was constructed, cutting into the southern edge of Egypt, the school was moved to the north side next to the church. According to former residents, there was also a dance hall in Egypt. Jeff Hill owned a candy store and the area was surrounded by peach and plum orchards (Black Churches Network 2015; The Dallas Morning News 2002; DPL-b).

Life in Egypt was a struggle, but it was home and in the words of Jerry McCoy, former resident:

"Life was hard there, but I'll tell you what, it was one of the blessed things that happened to me. It taught me how to be a man because we didn't have all the luxuries, but whatever we had, we appreciated. And whatever I get now, I still appreciate" [The Dallas Morning News 2002].

Jeff and Hanna Hill had a son, also named Jeff, born August 20, 1893. Upon reaching twenty-three years of age, he registered for the Army and served in World War I. His registration card lists him as a farm hand. He was of medium height, medium build, had blue eyes and black hair. It was also noted that at some point, his right arm had been broken and that it "causes trouble." Hill enlisted on July 16, 1918, and was discharged August 2, 1919, with the rank of private. Upon his death of stomach cancer on November 5, 1947, he had been holding odd jobs for a living. His wife, Lenora, applied for and was granted a military veterans headstone. Jeff Hill's headstone is one of the few that remain in the black portion of McCree Cemetery (Jeff Hill 2014).

### Vandalism and the McCree Cemetery Association

McCree Cemetery was over fifty years old when a group of descendants formed the McCree Cemetery Association with the intent of preserving and maintaining the burial ground. J. E. Jackson, J. R. Dixon, T. B.



Crosby, R. E. Dixon, and A. S. Jackson officially formed the association through the Secretary of State on October 17, 1940. Under the terms of agreement, the corporation was formed to:

... promote, maintain, manage, improve, operate and care for the McCree Cemetery, a public cemetery located on the H. Hustead Survey about two miles East of the town of Vickery in Dallas County, Texas, and for the purpose of conducting any one or more or all of the businesses of said cemetery, including the selling of lots therein for burial purposes.

All owners of lots in said cemetery shall be members of this corporation and each owner of a lot or lots embraced in said cemetery shall be a share-holder in this corporation and shall be entitled to all the rights and privileges of a share-holder . . . [McCree Cemetery Association Charter 1940].

The association was chartered for a fifty-year existence and was to maintain five directors. The addresses of the five original directors, as noted in the charter, are of interest for the information they provide on the shifting settlement patterns of these Audelia descendants. Some retained rural addresses while others appear to have moved into more developed areas of Dallas. J. E. Jackson and R. E. Dixon both lived on Route 5 of Dallas, Texas. J. R. Dixon lived in Vickery, Texas (a community west of Audelia near present-day Greenville Avenue and Park Lane). A. S. Jackson's address was listed as 4909 Drexel Drive in Dallas. For some reason, the address of T. B. Crosby was not listed.

For at least the first several years, the McCree Cemetery Association sponsored "Decoration Day," encouraging descendants of those buried there to attend. A 1941 newspaper article announced that the Rev. E. B. Jackson of Prosper would be preaching at a morning service. "Everyone is invited to come and bring a basket lunch" (Richardson Echo 1941). In 1943, two meetings were held; one on November 6 "to discuss maintenance and preservation of the grounds and church." Another announcement appeared shortly later, for a December 4 meeting when directors for the following year were to be elected. It was further noted that, "This is the day to put out shrubbery, trees and other flowers in the cemetery, and we urge a full attendance" (Richardson Echo 1943a and 1943b). In 1945, a newspaper announcement noted that members of the cemetery association were holding memorial services at McCree "on Audelia Road, a mile north of White Rock Lake" (The Dallas Morning News 1945).

An association dedicated to the care of McCree Cemetery could not have come soon enough, though the organization's control over vandalism was almost non-existent--members seemed powerless to prevent it. Instead, they could only express dismay and concern, but they at least, let others know that there were people in Dallas who cared about the cemetery. For some reason, McCree Cemetery began to attract the attention of young people who liked to party, drink, and vandalize the tombstones and church. It may have simply been that the cemetery was close enough to Dallas, but still isolated. One of the earliest occurrences noted in a newspaper was dated April 28, 1940, when the interior of the church was desecrated and the cemetery was vandalized.

Men and women whose kin are buried in the old Rodgers Cemetery [i.e., McCree] on Audelia Road north of White Rock Lake decided to try to repair the old church near the graveyard at a meeting Saturday in the wrecked interior, despoiled by vandals within the last year. The eighty-nine boys and girls whose names were taken by a deputy sheriff one night last March when they were caught at the church and cemetery will first be called on to pay the cost of repairs [FJF-i].

The 1950s brought no relief. On October 30, 1950, it was announced that sheriff's deputies had tried to catch some McCree vandals after people living nearby complained of honking horns and loud voices. It was reported that nearly seventy percent of the tombstones had been knocked over and broken. An article the following day noted that young people threw parties there on Saturday nights, strewing broken beer bottles across the cemetery. The article also noted that five years prior to this, vandals had burned down the frame church and that two years ago, a group of young people congregating at the cemetery had been apprehended. By the early 1950s, the area surrounding McCree Cemetery was owned by J. N. Fannin who reported that the



cemetery was still in use and that McCree Cemetery family members were “pretty angry” with the vandals (The Dallas Morning News 1950-a and 1950-b).

### **The Demise of Audelia and Little Egypt**

The vandalism that McCree Cemetery endured in the 1940s and 1950s was deplorable, but the 1960s ushered in changes that had enormous physical and social repercussions on this once-rural cemetery and the surrounding landscape. As the city of Dallas continued to spread northward, the farmland that once surrounded McCree Cemetery gave way to a fashionable, upper middle-class neighborhood, Lake Highlands. A January 1961 plat map shows a cement alley winding its way north and east of McCree Cemetery to provide access to rear-garage-entry homes on Estate and Queenswood lanes. The planned addition that was enclosing McCree Cemetery was called Lake North Estates No. 1. Houses quickly went up with the Lake Highlands neighborhood well established by the mid-1960s. By 1968, McCree Cemetery was completely surrounded with apartments to the south and a telephone office to the west. In 1977, the Southwestern Bell Telephone Company sought to purchase the entry way into McCree Cemetery from the City of Dallas for additional parking. The company was informed that the land was reserved for ingress and egress to the cemetery and the matter was dropped (Dallas City Archives).

Egypt was dealt a very swift blow, though perhaps one that was welcome, to some extent, by its residents. Even in the 1960s, the approximate thirty-five-acre community was still served by dirt roads. The houses were dilapidated and most were without electricity; none had running water, indoor plumbing, or gas. The death knell for this freedmantown began when one of the city’s most prominent commercial real estate agencies, Majors and Majors, began eyeing the Northwest Highway/Ferndale intersection for a commercial venture, that they christened Northlake Shopping Center. The firm was already the leasing agent for thirteen large retail centers, including Wynnewood Village and Ferguson Village (The Dallas Morning News 1960). Like Northlake Shopping Center, these two centers remain even today.

On October 31, 1961, developers met at City Hall to seek rezoning (from residential to retail) of the approximate thirty-five-acre tract north of Northwest Highway between Ferndale and Easton. The acreage included Egypt and property owned by few other individuals. It was reported that a number of Egypt residents attended the meeting in support of the rezoning (The Dallas Morning News 1961). While it is almost certain that residents held mixed feelings about leaving a community that their ancestors had proudly established, the condition of the neighborhood and their individual homes made the developer’s offer to buy up Egypt to be viewed as a step in the right direction. The patriarch of the community, eighty-nine-year-old William Hill, was instrumental in sealing the deal. At least one trustee of the Baptist church believed it was time to leave Egypt “before the entire area faced condemnation proceedings that residents could ill afford” (The Dallas Morning News 1962-a; 2002).

Households received a minimum of \$6,500, enabling them to purchase a modest home with amenities elsewhere. One newspaper article noted that William Hill received \$22,000 in cash, though it is difficult to discern if that was more than what most received or if it was an average amount. The developers also paid for the trucks to move the families. For the most part, Egypt residents desired to relocate as a group, though they did ultimately move to one of three areas—Oak Cliff, Garland, or Elm Thicket (an African American enclave near Love Field). The night before the move, Egypt residents gathered at their beloved Baptist Church to pray that there would be no rain on moving day, which would make the dirt roads impassable. On the morning of the move, thirty-seven trucks were lined up to assist two hundred families. Following those moving to Oak Cliff was Egypt Chapel Baptist Church, which relocated to Hutchins Road where it exists today. Within a few hours, Egypt was virtually a ghost town. There was no rain that day (Black Churches Network 2014; The Dallas Morning News 1962-a and 1962-b; 2002).

### McCree Cemetery Today

With Audelia and Egypt gone, McCree Cemetery was virtually the only physical reminder that either community once existed (Figures 19 through 26). Yet, it lay hidden amongst the trappings of a mid-to late-twentieth century landscape. It was not forgotten, however—not by vandals, nor by descendants and others who cared about the final resting place of those before them. In the 1960s and 1970s, those who lived on Estate and Queenswood lanes, remember a cemetery in disarray with broken tombstones, beer bottles, and trash. The cemetery was still active, however, with burials occurring in both the white and black sections. Descendants, and others, could no longer tolerate the neglect that this cemetery had received for the past forty years. In 1985, Shirley Caldwell, Chairman of the Dallas County Historical Commission, received a letter from the Texas Historical Commission (THC) in reference to her application for a McCree Cemetery marker.

Information collected by Mary Sutherland (niece of Ardelia Jackson West and member of the McCree Cemetery Association), Jimmie D. McSween (a McCullough-Jones descendant), Frances James (local historian and expert on Dallas County cemeteries), and most likely others, contributed to the information on the marker that graces the entrance to McCree Cemetery today. A program to dedicate the marker was held on April 6, 1986. Accepting the marker were Dr. Mable Maxey, a professor at Texas Women's University and descendant of William McCullough, and Everts Earl Jackson of Richardson, a descendant of James E. Jackson. Jackson and Dixon descendants--Shannon Cammuck, Jennifer Cammuck, Ginney Derryberry, and Delisa Carney--had the honor of unveiling the marker. Glenda Cammuck provided a history of McCree Cemetery. Fittingly, Rev. Charles Thomas of Rodgers Baptist Church gave the invocation and dedication. The Lake Highlands Women's League and the Lake Highlands Republican Club sponsored a reception following the dedication (FJF-k).

The assimilation of McCree Cemetery descendants and Lake Highlands' organizations for the marker dedication demonstrates a connection between past and present that is still acknowledged today. Those whose ancestors once farmed the fields and those who represent the residential urban wave that followed recognize a shared sense of place that is symbolized by this small, prairie cemetery. Today, McCree Cemetery is owned by a private individual who maintains the cemetery, but has left the original landscape in place. Lake Highlands neighbors still keep an eye on it and Lake Highlands organizations and businesses are involved in its future. Preservation Dallas, with funds from the B. B. Owen Foundation, has undertaken efforts to secure city landmark status. Sadly, the havoc wreaked by vandals remains and can never be rectified, but knowing the cemetery's history and maintaining this small parcel of prairie land is a way of giving thanks to those before us. In the 1800s, Benjamin Prigmore explained that this small rise of land was chosen as a burial ground because it was the prettiest spot in the area. He was right then, and he is right now.



Figure 19. McCree Cemetery entrance to the European American portion in 2015.



Figure 20. Overview of McCree Cemetery, the European American portion in 2015.





Figure 21. McCree Cemetery, the European American burials in 2015.



Figure 22. McCree Cemetery, the European American burials in 2015.



Figure 23. McCree Cemetery, the European American portion in 2015. Photograph shows damage to headstones.



Figure 24. Overview of McCree Cemetery, the African American portion in 2015. Note: Photograph looking towards the treeline which lines the chain link fence that separates to two cemetery portions.





Figure 25. Overview of McCree Cemetery, the African American portion in 2015.



Figure 26. McCree Cemetery, the African American portion in 2015. Photograph shows damage to headstones.

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1910b "Died in Dallas Thursday." March 6.

1916 "Deaths in Dallas." March 16.

1945 "Cemetery Meeting." May 19.

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1960 "Majors Specializes In Shopping Centers." January 17.

1961 "Little Egypt May Fade With Times." November 1.

1962a "200 Little Egypt Residents To Leave 'Bondage' Today." May 15.

1962b "Exodus to a New Life." May 16.

1986 "Ardelia, a name to remember." January 20.

2002 "Journey to Egypt and back." February 8.

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- 1930 "Personals." February 28.
- 1933 "Pioneer Settler of This Section Passes." November 17.
- 1940 "Joe E. Prigmore Passes Away." February 16.
- 1941 "Decoration Day." May 16.
- 1943a "Cemetery Association." October 27.
- 1943b "Decoration Day." November 26.
- 1954 "Henson Jackson Passes On." April 16.

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<b>15. Attachments</b>
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*District or Site Map*

*Additional descriptive material*

*Site Plan*

*Footnotes*

*Photos (historic & current)*

X *Other:* Appendix A



<b>16. Designation Criteria</b>
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**X** **History, heritage and culture:** Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.

\_\_\_\_ **Historic event:** Location of or association with the site of a significant historic event.

**X** **Significant persons:** Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.

\_\_\_\_ **Architecture:** Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.

\_\_\_\_ **Architect or master builder:** Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country.

**X** **Historic context:** Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.

**X** **Unique visual feature:** Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.

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

**X** **National and state recognition:** Eligible of or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.

**X** **Historic education:** Represents as era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.

<b><i>Recommendation</i></b>
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*The Designation Committee requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.*

*Further, the Designation Committee endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Sustainable Development and Construction Department.*

*Date: March 15, 2017*



*Daron Tapscott - Chair  
Designation Committee*



*Liz Casso  
Historic Preservation Planner*

*APPENDIX A*  
*2015 INVENTORY OF BURLALS AT MCCREE CEMETERY*

## McCree Cemetery database sorted by Surname

Sur Name	First Name	Middle Name	Birth Month	Birth Day	Birth Year	Death Month	Death Day	Death Year	Section	Row	Grave
ABNER	EMMA	J	0	0	1873	0	0	1960	A	F	65
ABNER	JAMES	D	0	0	1871	0	0	1942	A	F	66
BAKER	LORA		0	0	1867	0	0	1923	A	F	80
BAKER	S	L	3	14	1865	7	1	1934	A	F	77
BAKER	SCOTT	L	0	0	1864		0	1935	A	F	79
BECHTOL	DANIEL		1	12	1824	12	8	1905	A	K	42
BECHTOL	ELIZABETH		2	1	1831	5	25	1921	A	K	43
BECHTOL	MAHALA		12	16	1824	10	6	1876	A	K	41
BRITE	GEORGIE	B	0	0	1862	0	0	1920	A	C	5
BRITE	HILLIARD	C	0	0	1858	0	0	1930	A	C	4
BRITE	WILLIAM	REX	0	0	1889	0	0	1913	A	C	6
BROWN	SARAH		5	1	1846	1	5	1912	B	A	45
BROWNING	M	A	0	0	1824	7	24	1878	A	K	34
BRUCE	S	T	1	9	1872	2	20	1897	A	L	5
BRYANT	ARTHUR	R	6	14	1910	10	1	1938	A	A	74
BRYANT	FAMILY		0	0		0	0		A	A	74
BRYANT	JOHN		0	0	1874	0	0	1937	A	A	78
BRYANT	MOLLIE		0	0	1871	0	0	1936	A	A	79
BULLOCK	BETTIE	E		0	1852	0	0	1872	A	I	30
BULLOCK	JAMES	W	0	0	1877	0	0	1878	A	I	26
BULLOCK	L	W			1821	6	8	1870	A	I	28
CERTAIN	DELIA	F	0	0	1870	0	0		A	F	2
CERTAIN	J	M	0	0	1860	0	0	1924	A	F	3
CERTAIN	WARD	H	10	10	1901	11	20	1906	A	F	4
CHAMBERS	LULA	M	8	21	1886	4	12	1922	A	H	58
CHURCH	A	J	0	0	1868	0	0	1927	A	C	62
CHURCH	G	M	0	0	1894	0	0	1895	A	C	58
CHURCH	MARY	E	0	0	1872	0	0	1922	A	C	61

Sur Name	First Name	Middle Name	Birth Month	Birth Day	Birth Year	Death Month	Death Day	Death Year	Section	Row	Grave
CHURCH	T	A	0	0	1896	0	0	1912	A	C	59
CLOUD	B	F	5	27	1827	10	15	1889	A	F	45
CLOUD	COLUMBIA		6	3	1840	11	27	1878	A	F	46
CLOUD	NILA	LOUISE	1	28	1886	12	28	1888	A	F	41
COLLINS	ROBERT		6	1	1859	10	13	1913	B	A	38
COLWELL	MOLLIE		0	0	1852	0	0	1940	B	C	60
COX	EDWARD		10	24	1921	11	13	1921	A	A	8
CROSBY	ELIZA	CATHERINE	0	0	1880	0	0	1944	A	G	7
CROSBY	J	W	9	15	1853	5	28	1917	A	G	3
CROSBY	J	F	12	16	1880	12	4	1909	A	G	4
CROSBY	JIM		2	19	1902	6	28	1902	A	G	5
CROSBY	M	T	5	28	1853	6	27	1936	A	G	2
CROSBY	T	J	9	29	1846	8	22	1911	A	H	16
CROSBY	TILDON	BARNES	0	0	1876	0	0	1948	A	H	2
DAVIDSON	EARL	C	7	2	1898	5	20	1903	A	I	56
DAVIS	HENSON	COLE	5	21	1802	10	0	1877	A	I	44
DAVIS	SARAH		3	2	1801	6	4	1867	A	I	43
DE MOSS	FRANK	A	0	0	1890	0	0	1947	A	E	73
DE MOSS	MATTIE	BELL	0	0	1893	0	0	1938	A	E	72
DE MOSS	UNKNOWN		0	0	1917	0	0	1919	A	E	71
DIXON	FLORA	E	8	18	1867	3	11	1946	A	E	18
DIXON	JOHN	R	2	11	1868	1	1	1945	A	E	17
DIXON	MABLE		0	0	1902		0	1904	A	I	2
DOCKINS	HENRY	G	5	6	1888	9	5	1936	A	B	19
DOCKINS	MAGGIE	E	12	5	1892	6	26	1982	A	B	20
DOUGHERTY	ROBERT	H	8	16	1874	6	15	1894	A	F	35
DOUGHERTY	ROBT	H	0	0	1843	12	19	1873	A	F	37
DOUGHERTY	UNKNOWN		10	4	1867	10	12	1884	A	F	36
DRAKE	O	ROBERT	8	29	1905	12	11	1925	B	A	40
DRAKE	PETER		0	0	1862	0	0	1946	B	A	52



Sur Name	First Name	Middle Name	Birth Month	Birth Day	Birth Year	Death Month	Death Day	Death Year	Section	Row	Grave
ECHOLS	SARAH	ELIZABETH	3	17	1863	11	21	1914	A	J	11
ECHOLS	SELMA	B	9	8	1903	1	24	1915	A	J	13
ECHOLS	WILLIAM	MARRION	7	26	1861	7	10	1927	A	J	10
ETHRIDGE	ETHEL		0	0	1897	0	0	1902	A	E	50
ETHRIDGE	JAMES		0	0		0	0		A	C	49
ETHRIDGE	JENNIE		0	0	1887	0	0	1887	A	E	49
ETHRIDGE	LEE		0	0	1885	0	0	1896	A	E	51
ETHRIDGE	LILLY	F	6	5	1890	8	31	1905	A	D	63
ETHRIDGE	M	A	9	13	1856	1	9	1929	A	C	52
ETHRIDGE	STELLA		0	6	1905	4	10	1907	A	C	51
ETHRIDGE	SUSAN		12	9	1824	11	28	1906	A	D	49
ETHRIDGE	W	D	10	26	1861	6	1	1945	A	C	53
FLOYD	AMANDA		1	1	1846	8	4	1941	B	A	34
FLOYD	EPHRAM		0	0	1848	11	30	1920	B	A	33
FOSTER	CARDA		3	23	1873	2	24	1912	A	B	57
GALLAGHER	NANNIE	MALINDA	8	14	1875	2	17	1950	A	F	20
GAULT	CALLIE		11	4	1187	6	10	1914	A	E	59
GAULT	HUGH	C	3	6	1829	2	10	1889	A	E	54
GAULT	JOHN	CALVIN	11	2	1874	5	29	1928	A	E	60
GAULT	NANNIE	M	10	18	1858	3	25	1897	A	E	55
GAULT	VIOLA	C	6	24	1900	1	29	1937	A	E	63
GEREN	MARTHA	LEE	2	2	1926	12	19	1928	A	D	55
GIDDINGS	UNKNOWN		0	0		0	0		B	A	31
GOFORTH	CHURCH	S		0	1899	0	0	1935	A	B	47
GOFORTH	J	T	0	0		0	0		A	C	48
GOFORTH	MARVIN	LEE		0	1922	0	0	1923	A	C	47
GOSSELIN	ABNER	JOSEPH	2	28	1859	2	13	1875	A	M	50
GOSSELIN	UNKNOWN		3	0	1851	5	11	1879	A	M	51
GUTHRIE	INFANT		0	0		0	0		A	I	20
GUTHRIE	INFANT								A	I	21

Sur Name	First Name	Middle Name	Birth Month	Birth Day	Birth Year	Death Month	Death Day	Death Year	Section	Row	Grave
GUTHRIE	VIRGINNIA	I	3	18	1846	6	21	1883	A	I	19
HAWKINS	MARTHA	JANE	0	0	1834	7	22	1896	A	B	63
HAWKINS	w	w	4	0	1822	3	10	1894	A	B	64
HICKS	ELIZABETH	C	0	0	1869	0	0		A	A	21
HICKS	ROBERT	N	0	0	1862	0	0	1937	A	A	22
HILL	JEFF		8	20	1893	11	5	1947	B	A	36
HILL	JEFF		2	9	1839	3	18	1925	B	A	54
HOWARD	Wm	W	3	10	1808	2	8	1872	A	K	35
HUDGINS	LUCY	CALDONIA	8	22	1868	3	18	1901	A	J	6
HUNTER	BENJAMIN	J	0	0	1853	0	0	1916	A	F	26
HUNTER	LOUISA	j	0	0	1860		0	1899	A	F	25
JACKSON	A	S	8	1	1823	7	4	1897	A	G	49
JACKSON	A	C	11	30	1850	6	9	1865	A	H	46
JACKSON	BETTIE		9	5	1856	4	6	1914	A	E	40
JACKSON	DIANAH	J	2	14	1831	11	20	1908	A	H	44
JACKSON	ELIZA		7	26	1802	4	25	1871	A	G	46
JACKSON	ELIZABETH		11	11	1835	4	3	1921	A	G	48
JACKSON	INFANT		9	13	1888	10	11	1888	A	E	38
JACKSON	J	E	4	1	1826	12	16	1903	A	H	45
JACKSON	JACK		9	7	1897	5	28	1898	A	E	37
JACKSON	JACK		8	21	1854	2	17	1909	A	E	39
JACKSON	JOHN		4	17	1798	9	5	1875	A	G	45
JACKSON	JOHN	T	3	15	1857	5	29	1936	A	H	40
JACKSON	JOHNIE	TL	8	10	1879	3	6	1896	A	G	43
JACKSON	MARY	E	1	3	1848	2	14	1902	A	G	41
JACKSON	MARY	LOU	0	0	1860	0	0	1941	A	K	63
JACKSON	MATTIE	L	3	22	1878	7	16	1887	A	G	44
JACKSON	P	M	2	24	1885	11	15	1887	A	F	5
JACKSON	SOPHIA		4	22	1865	3	15	1916	A	H	39
JACKSON	THOMAS	J	9	18	1842	3	3	1910	A	G	42

Sur Name	First Name	Middle Name	Birth Month	Birth Day	Birth Year	Death Month	Death Day	Death Year	Section	Row	Grave
JACKSON	WILLIAM	T	0	0	1856	0	0	1938	A	K	62
JOHNSON	EASTER		3	6	1871	0	0	1909	B	A	35
JOPLIN	DORIS	INEZ	7	12	1933	8	30	1933	A	E	65
KYLE	HENRY		0	0		9	4	1861	A	F	38
LAIN	ANNIE		12	26	1866	7	1	1897	A	H	59
LAMAR	EARL	WESLEY	10	2	1913	7	8	1944	A	E	76
LAMAR	HELEN	RUTH	12	1	1912	7	11	1931	A	E	79
LAMAR	LEONA		11	2	1889	6	30	1938	A	E	77
LAMAR	WILLIAM	DOUGLAS	2	11	1909	7	26	1936	A	E	78
LANGSTON	MANLEY		10	6	1882	7	0	1926	A	E	64
LANGSTON	MARY	M	11	17	1852	5	28	1931	A	E	66
MARSHALL	ANNA	BELL	0	0		0	0		A	A	31
MARSHALL	JOHN	R	0	0		0	0		A	A	32
MARTIN	BABY		6	30	1041	6	30	1941	A	A	77
McCULLOUGH	ALLY	E	5	26	1815	9	28		A	H	32
McCULLOUGH	DANIEL		0	0	1808	8	5	1875	A	M	44
McCULLOUGH	ELENOR	E	5	14	1838	3	25	1883	A	M	45
McCULLOUGH	JOHN		9	30	1805	3	22	1878	A	M	43
McGAUGHY	JASON		7	3	1875	7	4	1875	A	J	39
McGAUGHY	NELLEY		1	16	1873	1	17	1873	A	J	37
McGAUGHY	W	C	12	1	1879	5	18	1880	A	J	38
MILLER	CORA	A	7	22	1880	1	9	1904	A	D	52
MOORE	DONIE	NEE	12	19	1886	10	28	1906	A	G	16
MOORE	LUCY		9	17	1853	2	21	1912	A	G	13
MORRIS	ALVIN	H	7	11	1923	7	11	1923	A	E	41
MORRIS	ELIZABETH		0	0	1914	0	0	1943	A	E	44
MOUSER	W	P	8	0	1859	9	14	1882	A	I	16
MURPHREE	OLLIE		0	0	1877	0	0	1953	A	B	42
MURPHREE	TAYLOR	B	0	0	1866	0	0	1934	A	B	43
NEWTON	KENTUCKY	A	6	9	1844	11	12	1869	A	K	5

Sur Name	First Name	Middle Name	Birth Month	Birth Day	Birth Year	Death Month	Death Day	Death Year	Section	Row	Grave
PASS	CLARA	AGNESS	9	29	1880	3	20	1941	A	E	2
PASS	WILLIAM	BENJAMIN	12	12	1871	7	12	1944	A	E	1
PEOPLES	ALLEN		3	6	1872	7	18	1947	A	E	43
PEOPLES	ELIZABETH	BELLE	3	22	1881	10	20	1932	A	E	42
PERDUE	LANE		0	0	1869	0	0	1956	A	C	68
PERDUE	MARY	L	0	0	1876	0	0	1953	A	C	67
PRIGMORE	B	J	8	1	1830	10	3	1901	A	H	48
PRIGMORE	LUCY		9	12	1833	10	28	1904	A	H	47
RADER	H	W	1	23	1881	11	20	1909	A	M	6
RADER	MARY	J	11	3	1827	12	12	1902	A	G	47
RAINEY	ETTA		0	0		0	0		A	F	13
SHEPARD	TOMMIE		1	26	1892	1	14	1905	A	C	37
SIMPSON	HARRIET		5	13	1828	5	4	1888	A	G	25
STANDEFER	TRAVIS	W	9	29	1890	10	6	1915	A	A	57
THOMAS	BOB		0	0		0	0		A	F	12
THOMAS	DOHN		0	0		0	0		A	F	11
THOMAS	W	S	0	0		0	0		A	F	14
TOMAS	JAMES		5	29	1839	10	29	1872	A	J	33
UNKNOWN	SARAH		0	0		2	23	1872	A	L	34
UNKNOWN	UNKNOWN		0	0		0	0		A	A	5
UNKNOWN	UNKNOWN		0	0		0	0		A	A	52
UNKNOWN	UNKNOWN		0	0		0	0		A	B	56
UNKNOWN	UNKNOWN		0	0		0	0		A	C	50
UNKNOWN	UNKNOWN		0	0		0	0		A	D	59
UNKNOWN	UNKNOWN		0	0		0	0		A	D	61
UNKNOWN	UNKNOWN		0	0		0	0		A	F	55
UNKNOWN	UNKNOWN		0	0	1869	0	0	1946	A	F	71
UNKNOWN	UNKNOWN		0	0	1869		0	1938	A	F	72
UNKNOWN	UNKNOWN		0	0		1	24	1879	A	G	26
UNKNOWN	UNKNOWN		0	0		0	0		A	G	27

Sur Name	First Name	Middle Name	Birth Month	Birth Day	Birth Year	Death Month	Death Day	Death Year	Section	Row	Grave
UNKNOWN	UNKNOWN		0	0		0	0		A	H	15
UNKNOWN	UNKNOWN		0	0		0	0		A	H	38
UNKNOWN	UNKNOWN		0	0		0	0		A	I	33
UNKNOWN	UNKNOWN		0	0		0	0		A	I	42
UNKNOWN	UNKNOWN		0	0		0	0		A	I	45
UNKNOWN	UNKNOWN		0	0		0	0		A	J	7
UNKNOWN	UNKNOWN		0	0		0	0		A	J	9
UNKNOWN	UNKNOWN		0	0		0	0		A	J	23
UNKNOWN	UNKNOWN		0	0		0	0		A	K	23
UNKNOWN	UNKNOWN		4	4	1855	0	26	1867	A	M	8
UNKNOWN	UNKNOWN		0	0		0	0		A	M	21
UNKNOWN	UNKNOWN		0	0		0	0		B	A	21
UNKNOWN	UNKNOWN		0	0		0	0		B	A	43
UNKNOWN	UNKNOWN		0	0		0	0		B	A	55
UNKNOWN	UNKNOWN		0	0		0	0		B	A	58
UNKNOWN	UNKNOWN		0	0		0	0		B	A	77
UNKNOWN	UNKNOWN		0	0		0	0		B	B	13
UNKNOWN	UNKNOWN		0	0		0	0		B	B	23
UNKNOWN	UNKNOWN		0	0		0	0		B	B	68
UNKNOWN	UNKNOWN		0	0		0	0		B	C	21
UNKNOWN	UNKNOWN		0	0		0	0		B	C	61
WALTON	EDWIN	D	7	25	1815	12	10	1887	A	I	38
WALTON	ELVIRAH	R	11	3	1821	8	4	1901	A	I	39
WALTON	WILLIAM	R	7	14	1841	8	6	1871	A	I	37
WARFIELD	LEANNA		10	10	1874	1	1	1896	A	M	39
WARFIELD	NELLIE	C	3	14	1877	6	23	1877	A	M	38
WARFIELD	R		0	0		0	0		A	M	40
WEST	ELLEN	A	4	17	1853	2	24	1899	A	I	48
WEST	LUCY	N	12	13	1887	12	21	1887	A	I	49
WHITWORTH	UNKNOWN		0	0		0	0		A	G	11



2-15-18

ORDINANCE NO. \_\_\_\_\_

An ordinance changing the zoning classification on the following property:

BEING a lot, tract or parcel of land situated in the H. Hustead Survey, Abstract No. 587, being a part of City Block 8080, City of Dallas, Dallas County, Texas; and containing 3.04 acres;

by establishing Historic Overlay District No. \_\_\_\_\_ (McCree Cemetery); providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property described in this ordinance; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

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

SECTION 1. That the zoning classification is changed by establishing Historic Overlay District No. \_\_\_\_\_ on the property described in Exhibit A ("the Property"), which is attached to and made a part of this ordinance.

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit B.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

GIS\_Approved

**EXHIBIT A**  
**McCree Cemetery**

**Overall**

Being a lot, tract or parcel of land situated in the H. Hustead Survey, Abstract No. 587, being a part of City Block 8080, City of Dallas, Dallas County, Texas, and same being a tract of land conveyed to B.J. Prigmore (Known as McCree Cemetery) by deed recorded in Volume 247, Page 444, Deed Records, Dallas County, Texas, and same being a tract of land conveyed to Jeff Hill, George John and Monroe Park (known as McCree Cemetery) by deed recorded in Volume 204, Page 649, Deed Records, Dallas County, Texas, and being a portion of a tract of land conveyed to Priscilla Robertson Fanning and Husband, Jack N. Fanning, Hazel Robertson Silvus and Husband, Walter Silvus, Jessie H. Robertson Connolly and Husband, A.C. Connolly, Thelma Robertson Silberberger and Husband, Lloyd Silberberger, Clifton Robertson, Bessie Robertson, Widow, Doris Jane Robertson Pickett and Husband, Edward Pickett by deed recorded in Volume 67164, Page 1814, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set with yellow plastic cap stamped "CBG Surveying" for corner along the South right of way line of a 25 foot alley dedicated by Lake North Estates, First Installment, an addition to the City of Dallas, according to the Plat recorded in Volume 44, Page 161, Plat Records, Dallas County, Texas, and along the West right of way line of a 25 foot alley dedicated by said Lake North Estates, First Installment;

THENCE South 02 degrees 58 minutes 38 seconds West along the West line of said 25 foot alley, a distance of 396.67 feet to a 1/2 inch iron rod found for corner, and said corner being along the Southern most North line of Lot 4, Block A/8081 of Revised Audelia Heights Apartment Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 93160, Page 3928, Plat Records, Dallas County, Texas;

THENCE North 84 degrees 37 minutes 55 seconds West along the Southern most North line of said Revised Audelia Heights Apartment Addition, a distance of 114.58 feet to a point for corner;

THENCE North 02 degrees 59 minutes 55 seconds East, a distance of 62.85 feet to a point for corner, and said corner being an ell corner;

THENCE North 86 degrees 35 minutes 55 seconds West, a distance of 217.51 feet to a point for corner, and said corner being an ell corner, and said corner also being the most Westerly East line of said Revised Audelia Heights Apartment Addition;

THENCE North 02 degrees 18 minutes 15 seconds East along the most Westerly East line of said Revised Audelia Heights Apartment Addition, and passing a point for corner at a distance of 129.93 feet the most Northern Northeast of said Revised Audelia Heights Apartment Addition,

for which a Brass Monument stamped "SWB TEL. CO." found, bears South 63 degrees 28 minutes 05 seconds East, 1.36 feet, and continuing a total distance of 396.89 feet to a point for corner, and said corner being the Northeast corner of said Priscilla Robertson Fanning and Husband, Jack N. Fanning, Hazel Robertson Silvas and Husband, Walter Silvas, Jessie H. Robertson Connolly and Husband, A.C. Connolly, Thelma Robertson Silberberger and Husband, Lloyd Silberberger, Clifton Robertson, Bessie Robertson, Widow, Doris Jane Robertson Pickett and Husband, Edward Pickett tract, and said corner being the South right of way line of a 16 foot alley dedicated by said Lake North Estates, First Installment;

THENCE South 86 degrees 34 minutes 49 seconds East along the South right of way line of said 16 foot alley, a distance of 180.95 feet to a point for corner;

THENCE South 60 degrees 00 minutes 49 seconds East continuing along the Southwest right of way line of said 16 foot alley, a distance of 55.90 feet to a point for corner;

THENCE South 03 degrees 25 minutes 11 seconds West along the West right of way line of said alley, a distance of 41.87 feet to a point for corner;

THENCE South 86 degrees 36 minutes 14 seconds East along the North line of said Jeff Hill, George John and Monroe Park (known as McCree Cemetery), a distance of 106.20 feet to the

POINT OF BEGINNING and containing 192,350 square feet or 3.04 acres of land.

#### **Subdistrict A**

Being a lot, tract or parcel of land situated in the H. Hustead Survey, Abstract No. 587, being a part of City Block 8080, City of Dallas, Dallas County, Texas, and same being a tract of land conveyed to B.J. Prigmore (Known as McCree Cemetery) by deed recorded in Volume 247, Page 444, Deed Records, Dallas County, Texas, and same being a tract of land conveyed to Jeff Hill, George John and Monroe Park (known as McCree Cemetery) by deed recorded in Volume 204, Page 649, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set with yellow plastic cap stamped "CBG Surveying" for corner along the South right of way line of a 25 foot alley dedicated by Lake North Estates, First Installment, an addition to the City of Dallas, according to the Plat recorded in Volume 44, Page 161, Plat Records, Dallas County, Texas, and along the West right of way line of a 25 foot alley dedicated by said Lake North Estates, First Installment;

THENCE South 02 degrees 58 minutes 38 seconds West along the West line of said 25 foot alley, a distance of 396.67 feet to a 1/2 inch iron rod found for corner, and said corner being along the Southern most North line of Lot 4, Block A/8081 of Revised Audelia Heights Apartment Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 93160, Page 3928, Plat Records, Dallas County, Texas;



THENCE North 84 degrees 37 minutes 55 seconds West along the Southern most North line of said Revised Audelia Heights Apartment Addition, a distance of 114.58 feet to a point for corner;

THENCE North 02 degrees 59 minutes 55 seconds East, a distance of 62.85 feet to a point for corner, and said corner being an ell corner;

THENCE North 86 degrees 35 minutes 55 seconds West, a distance of 217.51 feet to a point for corner, and said corner being an ell corner, and said corner also being the most Westerly East line of said Revised Audelia Heights Apartment Addition;

THENCE North 02 degrees 18 minutes 15 seconds East along the most Westerly East line of said Revised Audelia Heights Apartment Addition, and passing a point for corner at a distance of 129.93 feet the most Northern Northeast corner of said Revised Audelia Heights Apartment Addition, for which a Brass Monument stamped "SWB TEL. CO." found, bears South 63 degrees 28 minutes 05 seconds East, 1.36 feet, and continuing a total distance of 329.91 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG Surveying" for corner, and said corner being the Northeast corner of a tract of land conveyed to Southwestern Bell Telephone Company by deed recorded in Volume 4479, page 535, Deed Records, Dallas County, Texas, and said corner being along the South line of a tract of land conveyed Priscilla Robertson Fanning and Husband, Jack N. Fanning, Hazel Robertson Silvas and Husband, Walter Silvas, Jessie H. Robertson Connolly and Husband, A.C. Connolly, Thelma Robertson Silberberger and Husband, Lloyd Silberberger, Clifton Robertson, Bessie Robertson, Widow, Doris Jane Robertson Pickett and Husband, Edward Pickett by deed recorded in Volume 67164, Page 1814, Deed Records, Dallas County, Texas;

THENCE South 86 degrees 36 minutes 14 seconds East along the South line of said Priscilla Robertson Fanning tract, a distance of 335.85 feet to the POINT OF BEGINNING and containing 117,563 square feet or 2.70 Acres of land.

#### **Subdistrict B**

Being a lot, tract or parcel of land situated in the H. Hustead Survey, Abstract No. 587, being a part of City Block 8080, City of Dallas, Dallas County, Texas, and being a portion of a tract of land conveyed to Priscilla Robertson Fanning and Husband, Jack N. Fanning, Hazel Robertson Silvas and Husband, Walter Silvas, Jessie H. Robertson Connolly and Husband, A.C. Connolly, Thelma Robertson Silberberger and Husband, Lloyd Silberberger, Clifton Robertson, Bessie Robertson, Widow, Doris Jane Robertson Pickett and Husband, Edward Pickett by deed recorded in Volume 67164, Page 1814, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod set with yellow plastic cap stamped "CBG Surveying" for corner along the South right of way line of a 25 foot alley dedicated by Lake North Estates, First Installment, an addition to the City of Dallas, according to the Plat recorded in Volume 44, Page 161, Plat Records, Dallas County, Texas, and along the West right of way line of a 25 foot alley dedicated by said Lake North Estates, First Installment;

THENCE North 86 degrees 36 minutes 14 seconds West along the North line of a tract of land conveyed to Jeff Hill, George John and Monroe Park (known as McCree Cemetery) by deed recorded in Volume 204, Page 649, Deed Records, Dallas County, Texas, a distance of 106.20 feet to the POINT OF BEGINNING;

THENCE North 86 degrees 36 minutes 14 seconds West along the North line of said McCree Cemetery tract, a distance of 229.65 feet to a point for corner;

THENCE North 02 degrees 18 minutes 15 seconds East, a distance of 66.98 feet to a point for corner, said corner being along the South right of way line of a 16 foot alley;

THENCE South 86 degrees 34 minutes 49 seconds East along the South right of way line of said 16 foot alley, a distance of 180.95 feet to a point for corner;

THENCE South 60 degrees 00 minutes 49 seconds East continuing along the Southwest right of way line of said 16 foot alley, a distance of 55.90 feet to a point for corner;

THENCE South 03 degrees 25 minutes 11 seconds West along the West right of way line of said alley, a distance of 41.87 feet to the POINT OF BEGINNING and containing 14,787 square feet or 0.34 acres of land.

**EXHIBIT B**  
**PRESERVATION CRITERIA**  
**McCree Cemetery**  
**9934, 9938 and part of 9930 Audelia Road**

**1. GENERAL.**

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. If there is a conflict, these preservation criteria control.
- 1.3 Certificate of appropriateness.
  - a. A person may not alter a site within this district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
  - b. The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
  - c. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.
  - d. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.
- 1.4 A person may not demolish or remove any structure in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.
- 1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library or on the National Park Service website.

- 1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.
- 1.7 The period of historic significance for this district is the period from 1866 to 1982.

**2. DEFINITIONS.**

- 2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.
- 2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.4 DIRECTOR means the Director of the Department of Sustainable Development and Construction or the Director's representative.
- 2.5 DISTRICT means Historic Overlay District No. \_\_\_\_\_, the McCree Cemetery Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibit B.
- 2.6 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.
- 2.7 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.8 GRADE means the existing ground surface elevation.
- 2.9 GRAVE means the space of ground used or intended to be used for the permanent interment of human remains.
- 2.10 GRAVE MARKER means a permanent marker that identifies the locations of one or more graves. Grave markers may be stone or metal and typically are inscribed with the name and dates of birth and death. Grave markers can be located at the head or foot of a single grave, or located to mark a collection of graves (family gravesites).

- 2.11 MEMORIAL MONUMENT means a commemorative marker, pylon, or sculpture that memorializes a person, place, or historic event.
- 2.12 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.13 REINTERMENT means the reburial of human remains.
- 2.14 REMAINS means the body, or parts of the body, of a deceased person.
- 2.15 SUBDISTRICTS A AND B means the portions of the Property described in Exhibit C.

**3. SITE AND LANDSCAPING.**

- 3.1 Subdistricts A and B are protected.
- 3.2 Activities that require the disturbance of more than six inches (depth) of surface soil in the district require a certificate of appropriateness in advance of the activities. Archeological studies should be considered as part of the certificate of appropriateness to prevent the inadvertent disturbance of unmarked graves.
- 3.3 New sidewalks, walkways, paths, and steps must be constructed of pavers, brick, broom finished concrete, or other appropriate material. Artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted. Crushed gravel, stone, or stone chips may be used at new or replacement sidewalks and paths only when used within a concrete containment or edge band on all sides.
- 3.4 Driveways and parking areas must be constructed with an appropriate material. Crushed gravel and decomposed granite are permitted only when used within a concrete containment or edge band on all sides. Concrete, asphalt, artificially colored concrete, pavers, exposed aggregate, artificial grass, and outdoor carpet are not permitted. Driveways and parking areas are not allowed in Subdistrict A.
- 3.5 Other than sidewalks, walkways, paths, and steps, no structures, driveways, parking areas, service areas, or other hard paving areas are allowed in Subdistricts A and B.
- 3.6 No path or walkway may be extended over a grave.
- 3.7 Outdoor lighting must be appropriate. Light poles may not exceed 16 feet in height.



- 3.8 Except for reinterments, the grade of any area in Subdistricts A and B should not be changed. After a reinterment is completed, the grade of that area must be restored.
- 3.9 Landscaping.
  - a. Landscaping must be appropriate, enhance the district and surroundings, and may not obscure significant views of protected memorial monuments and fences.
  - b. A routine certificate of appropriateness is required to remove any trees or shrubs, or to install any landscaping material. Dead trees must be cut as low to the ground as possible. The tree stump and roots should not be removed from the ground.
  - c. No new or replacement shrubs or trees may be planted on a grave.
  - d. No new destructive or invasive ground cover, such as Boston Ivy or Asian Jasmine, may be planted on or allowed to extend over a grave.
- 3.10 Fencing.
  - a. Perimeter fencing of the Property is allowed. Fences must be appropriately located for a cemetery setting, 70 percent open, and may not exceed six feet in height. Decorative metal is preferred.
  - b. Replacement fences at individual gravesites or at a collection of graves (family gravesites) may be allowed only if evidence exists that there was a fence at the location, and adequate documentation exists that may be used as a guide for reconstruction. Replacement fences must match the material, design, style, and height of the original fence as near as possible.

#### **4. GRAVE MARKERS AND MEMORIAL MONUMENTS**

- 4.1 Existing grave markers and memorial monuments are protected in Subdistrict A.
- 4.2 It is recommended that existing, or relocated, grave markers and memorial monuments be preserved and restored and that damaged grave markers and memorial monuments be repaired.
- 4.3 The identification of unidentified graves is encouraged. Following research to determine the deceased or other pertinent information, marking of unidentified graves is encouraged.
- 4.4 It is encouraged that grave markers that are no longer in place, missing, or irreplaceably damaged be replaced with grave markers that are similar in design,

material, color, and size to the original grave markers at that location. Granite grave markers are not permitted.

- 4.5 If the design of the original grave marker is not known, new flat grave markers may be used, similar to the veteran replacement grave markers already installed.
- 4.6 Texas Historical Commission grave markers may be placed at graves.
- 4.7 New replacement family grave markers may be used.
- 4.8 No new vertical memorial monuments may be erected in Subdistrict A, but new historic markers that provide details of the history of McCree Cemetery or the individuals buried there are permitted in Subdistrict B.

**5. BURIALS AND REINTERMENTS.**

- 5.1 In the event that human remains, or artifacts suggestive of the presence of a grave, are encountered during any activity, the site of the discovery must be secured, the city historic preservation staff must be notified, and all ground-disturbing activities in the immediate area must cease. A certificate of appropriateness to restore the site or relocate the grave must be obtained before any activities can resume.
- 5.2 Any future relocation of marked or unmarked graves must be conducted according to the Texas Historical Commission guidelines for preserving historic cemeteries, coordinated with the state archeologist, and if required, done pursuant to a Texas Antiquities Permit.
- 5.3 Reinterment within the district is allowed in Subdistrict A. Locations of proposed reinterments must be reviewed through the certificate of appropriateness process.

**6. PROTECTED ELEMENTS.**

- 6.1 The following elements are considered important features and are protected.
  - a. Grave markers.
  - b. Memorial monuments.
  - c. Historic gravesite fences.
  - d. Historic gravesite curbing.
  - e. Fieldstone or vernacular grave markers.

**7. CONSERVATION, REPAIR, AND MAINTENANCE OF EXISTING GRAVE MARKERS AND MEMORIAL MONUMENTS.**

- 7.1 It is encouraged that existing grave markers and memorial monuments be cleaned on a regular basis, but not more than once every 18 months.
- 7.2 Routine cleaning of grave markers and memorial monuments that are in good condition must be done by washing with water, then softly brushing with mild detergent, then thoroughly rinsing with water.
- 7.3 Grave markers that have a friable or surgery surface; a grainy surface that readily falls away; or other indications that the stone is delicate, brittle, or otherwise vulnerable should not be cleaned.
- 7.4 Removal of lichen and algae from grave markers or memorial monuments that are in good condition must be done by thoroughly soaking the stone with water and then using a wood scraper to gently remove the biological growth. It may be necessary to repeat this process several times to fully remove lichen or algae.
- 7.5 If a grave marker falls or is otherwise damaged, a temporary grave marker must be installed at the grave marker location before the damaged grave marker is removed for repair.
- 7.6 Grave markers that have broken into two or more pieces must be repaired using standards accepted by the Association for Grave Stone Studies (278 Main Street, Suite 207, Greenfield, MA 01301, ph. 413-772-0836 or <http://www.gravestonestudies.org>) or in "A Graveyard Preservation Primer" by Lynette Stranstad.
- 7.7 Fallen or broken grave markers may not be repaired by embedding them (typically face up) in concrete or using metal splints because both methods are detrimental to the integrity of the stone.
- 7.8 Lawnmowers without bumpers and weed whackers with metal wire may not be used directly around grave markers and memorial monuments as these cause irreversible damage to the stone when they strike or touch the stone. Lawnmower bumpers, fabricated from rubber tires or inner tubes, may be attached to lawnmowers to provide a buffer between the machine and the grave markers and memorial monuments. Weed whackers with soft nylon whips may be used around grave markers and memorial monuments.

**8. NEW CONSTRUCTION.**

- 8.1 New construction is prohibited in Subdistrict A.
- 8.2 New construction in Subdistrict B is limited to 200 square feet.

**9. SIGNS.**

- 9.1 Only premise signs, park signs, cemetery identification signs, street signs, interpretive signs, movement control signs, and historic markers may be erected, and only if the sign is sensitive and compatible with the district.
- 9.2 All signs must comply with the provisions of the Dallas City Code, as amended.

**10. ARCHEOLOGICAL STUDIES.**

- 10.1 Any archeological studies must have a certificate of appropriateness prior to any ground-disturbing activities. A registered professional archeologist or a physical anthropologist must conduct any archeological studies in accordance with the Texas Historical Commission guidelines for preserving historic cemeteries.
- 10.2 An archeological study is required before any alterations may be made in Subdistrict B.

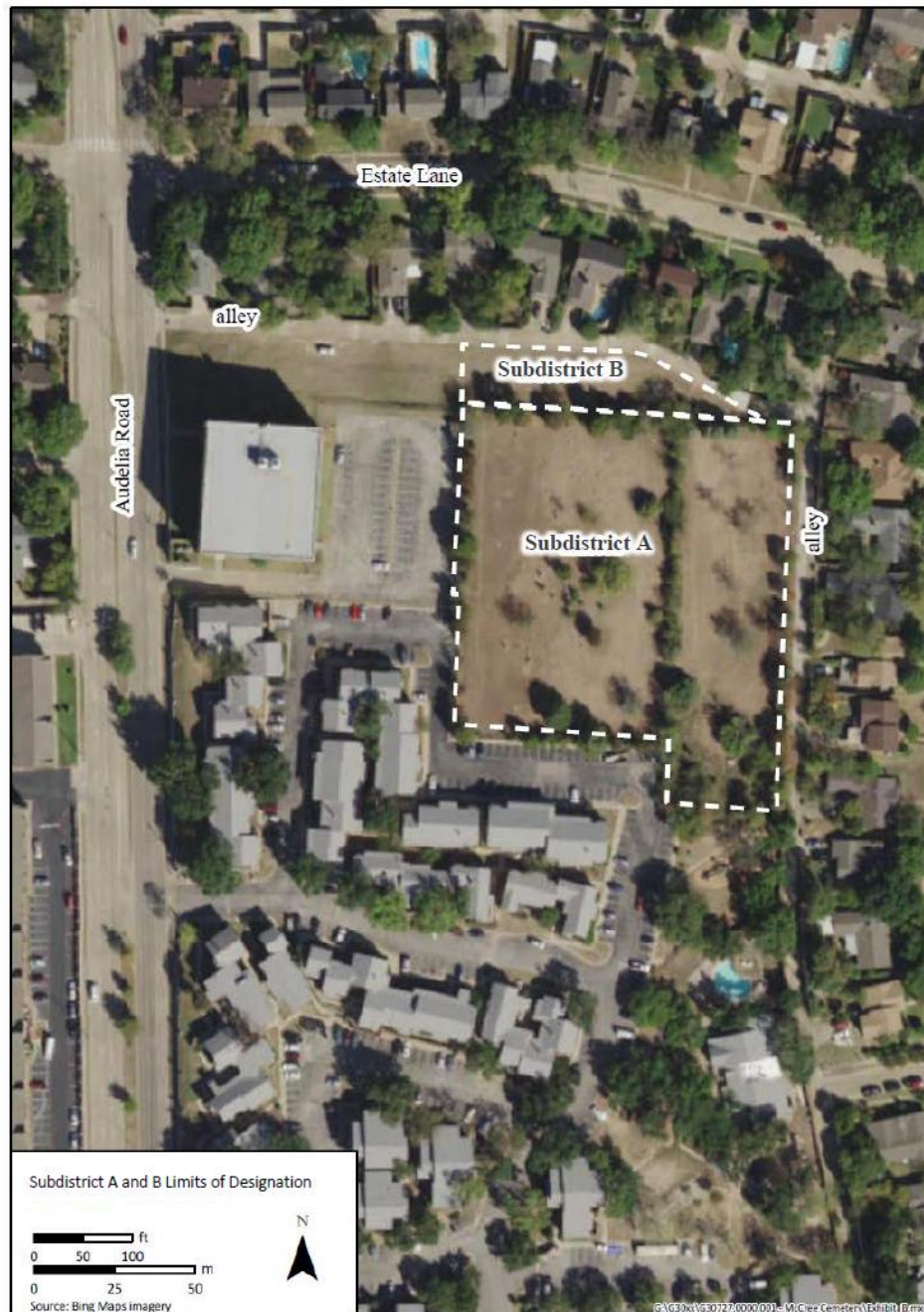
**11. ENFORCEMENT.**

- 11.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.
- 11.2 A person is criminally responsible for a violation of these preservation criteria if:
  - a. the person knowingly commits the violation or assists in the commission of the violation;
  - b. the person owns part or all of the property and knowingly allows the violation to exist;
  - c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or
  - d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.

- 11.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.
- 11.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.



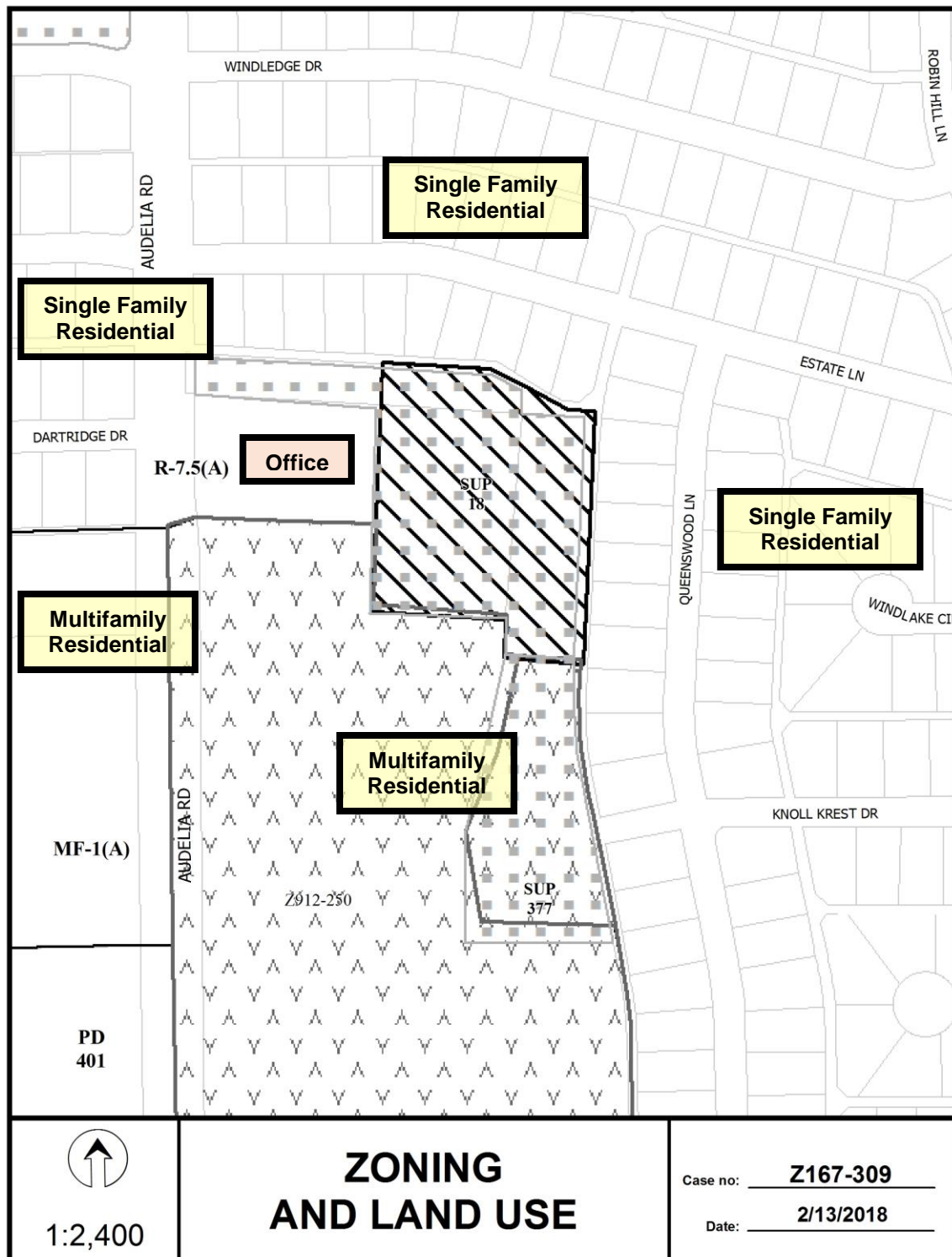
Exhibit C  
McCree Cemetery  
9934, 9938, and part of 9930 Audelia Road, Dallas, Texas



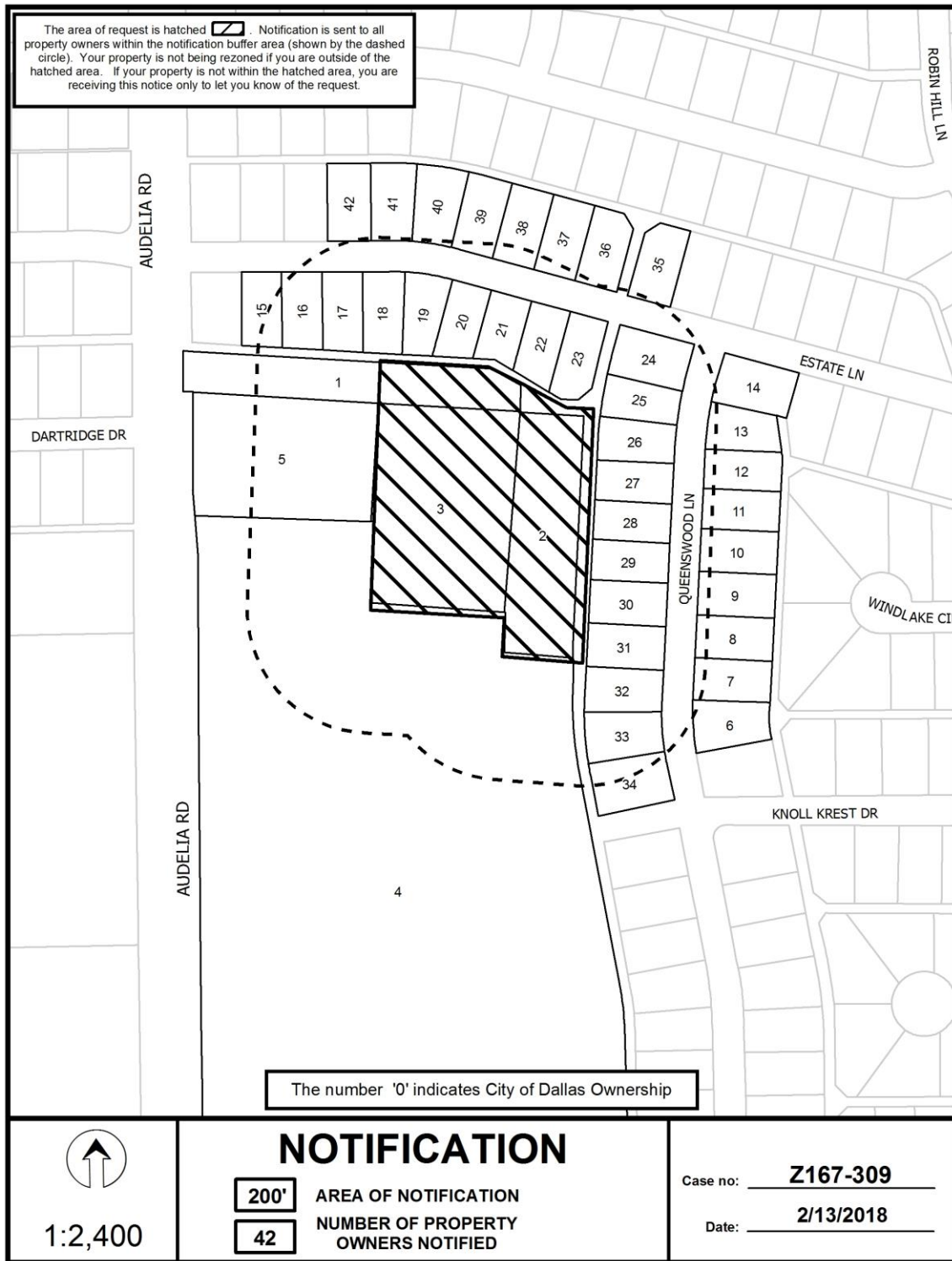














02/13/2018

***Notification List of Property Owners******Z167-309******42 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	9930 AUDELIA RD	MCREE CEMETERY
2	9938 AUDELIA RD	CEMETERY
3	9934 AUDELIA RD	MCCREE CEMETERY
4	9842 AUDELIA RD	LAKE HIGHLANDS AUDELIA
5	9920 AUDELIA RD	SOUTHWESTERN BELL
6	9814 QUEENSWOOD LN	HAWKINS JAMES E &
7	9820 QUEENSWOOD LN	JOINER ALLEN PAUL &
8	9826 QUEENSWOOD LN	SENDERLING ADAM
9	9832 QUEENSWOOD LN	SCHUMANN STEPHANIE
10	9838 QUEENSWOOD LN	BOSSART PHILIP
11	9844 QUEENSWOOD LN	MCEVOY WILLIAM F
12	9850 QUEENSWOOD LN	STANDARD DAVID A
13	9856 QUEENSWOOD LN	FARIS KAREN M & SCOTT A
14	9862 QUEENSWOOD LN	HATCH JOHN D & MARY C
15	9812 ESTATE LN	PENN RICHARD & ALEXIS
16	9818 ESTATE LN	MAOKOSY DAVID
17	9824 ESTATE LN	POLDRUGACH FRED & LINDA
18	9830 ESTATE LN	OWENS PAM S
19	9836 ESTATE LN	EVERT RONALD JOHN
20	9842 ESTATE LN	LINDLEY RICHARD B
21	9848 ESTATE LN	NELSON KORTNEY & JAMES
22	9854 ESTATE LN	WALKER MEGAN &
23	9860 ESTATE LN	PORST JAMES R
24	9863 QUEENSWOOD LN	PHILLIPS JASON E
25	9859 QUEENSWOOD LN	BRIDGES THOMAS COLBY &
26	9855 QUEENSWOOD LN	GOSS STEPHEN D & ALICIA

02/13/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	9851 QUEENSWOOD LN	WATSON KARA PLATT & JOHN T
28	9843 QUEENSWOOD LN	PURCELL WILLIAM KYLE & ANNE MARIE
29	9837 QUEENSWOOD LN	EDERER MICHELLE &
30	9831 QUEENSWOOD LN	INTERIAL MARINA ISABEL
31	9825 QUEENSWOOD LN	VESTER KAREN E
32	9821 QUEENSWOOD LN	WETZELTARAN LINDSAY
33	9815 QUEENSWOOD LN	AUSTIN MICHAEL E &
34	9805 QUEENSWOOD LN	BOWDRY WILLIAM P
35	9867 ESTATE LN	REED MEREDITH L &
36	9859 ESTATE LN	WEAVER WAYNE & ELISABETH
37	9853 ESTATE LN	PARRIS CHERRIE ANN
38	9847 ESTATE LN	NUR MAHJABIN A
39	9841 ESTATE LN	LOPEZ ALYSSA ROSA & ERIC ANTHONY
40	9835 ESTATE LN	HUNT CHARLES K & ANNE S
41	9829 ESTATE LN	READING MARGAURITE S ESTATE OF
42	9823 ESTATE LN	ELAM LEWIS E JR

**Planner: Sarah May**

**FILE NUMBER:** Z178-105(SM)

**DATE FILED:** October 9, 2017

**LOCATION:** Southeast line of Parkhouse Street, west of North Riverfront Boulevard

**COUNCIL DISTRICT:** 6

**MAPSCO:** 44-M

**SIZE OF REQUEST:** Approx. 3,450 sq. ft.

**CENSUS TRACT:** 100.00

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**APPLICANT:** Jason Call, Pristine Ink, LLC

**OWNER:** Jane Halebian, Halebian Investments, Ltd.

**REPRESENTATIVE:** Elsie Thurman, Land Use Planning & Zoning Services

**REQUEST:** An application for a Specific Use Permit for a tattoo studio on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District.

**SUMMARY:** The applicant requests to operate a tattoo studio [Pristine Ink] within the existing building.

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

**PLANNED DEVELOPMENT DISTRICT NO. 621:**

<http://www.dallascityattorney.com/51P/Articles%20Supp%2047/ARTICLE%20621.pdf>

## BACKGROUND INFORMATION:

- The site contains a 3,450-square-foot suite that was constructed in 1954, according to Dallas Central Appraisal District records. The suite is proposed to contain a 2,493-square-foot art studio in the front and a 957-square-foot tattoo studio in the rear.
- Subdistrict 1A within Planned Development District No. 621 requires a specific use permit to operate a tattoo studio.

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

Thoroughfare/Street	Type	ROW
Parkhouse Street	Local	80 ft.
Continental Avenue	Local	100 ft.

## **Traffic:**

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

## 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 request does not support or obstruct the Plan's goals or policies.

## Economic Element

### GOAL 2.1 PROMOTE BALANCED GROWTH

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

### GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

**Land Use Plan:** The Comprehensive Plan was also amended by the *Trinity River Corridor Comprehensive Land Use Plan* in 2005. The request area is located within the Trinity River Corridor. “The Trinity River Corridor is a unified collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water and green spaces that is the Trinity River”. A future land use plan for the corridor region provides preferred redevelopment scenarios. The site is located in a Residential Riverside land use module within the Downtown-Lakes District (p. 45).

## STAFF ANALYSIS:

### Surrounding Land Uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 621, Subdistrict 1A	Vacant office/showroom/warehouse
<b>Northeast</b>	PDD No. 621, Subdistrict 1A	Vacant office/showroom/warehouse
<b>Southeast</b>	PDD No. 774	Ronald Kirk Pedestrian Bridge
<b>Southwest</b>	PDD No. 621, Subdistrict 1A	Vacant office/showroom/warehouse
<b>Northwest</b>	PDD No. 621, Subdistrict 1A	Local Utilities

**Land Use Compatibility:** Surrounding land uses to the northeast, southwest, and northwest are primarily commercial/industrial in nature. The area of request is near the terminus of Parkhouse Street and the closest properties to the northeast and southwest are vacant commercial buildings, with a local utilities use located to the northwest. As one progresses further east on Parkhouse Street, the mix of uses becomes more diverse, with a variety of retail, personal service, and residential uses before reaching the intersection of North Riverfront Boulevard. The Ronald Kirk Pedestrian Bridge, formerly Continental Avenue, abuts the site to the southeast.

PDD No. 621 was adopted by the City Council on August 28, 2002. The PDD states that development in this subdistrict should:

Encourage residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light-rail stations; conserve energy; provide for efficient traffic circulation; conserve land; minimize vehicular travel; encourage both day-time and night-time activity; encourage use of mass transit; increase pedestrian activity; and encourage bicycle usage.

As the area further northeast has shifted into mixed use, as allowed by the PD, new uses have entered the region, including retail and personal service uses. The proposed tattoo studio, in conjunction with an art studio, supports that mix by providing a new retail and personal service use that can help to develop the character of the neighborhood.



PDD No. 621 specifically defines a tattoo studio as an establishment in which tattooing is performed. Further, the PDD defines tattooing as, the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. Since the use *tattoo studio* is separately defined in the PDD, it can have special provisions, such as a requirement to obtain a specific use permit, apart from the typical land use that includes these activities, *personal service uses*, which is allowed by right at this location. Subdistrict 1A requires a specific use permit to operate a tattoo studio.

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

Staff supports the request for a two-year period because the request is not foreseen to be detrimental to surrounding properties and a two-year period would require it to be re-evaluated in a short period of time.

**Parking:** PDD No. 621 requires one parking space for every 275 square feet of floor area of a tattoo studio and one space for every 600 square feet of an art gallery. The applicant proposes to have 957 square feet of a tattoo studio and 2,493 square feet of an art gallery. Therefore, PDD No. 621 would require seven parking spaces. The applicant will satisfy the parking requirements by providing five on-street parking spaces and one handicapped space within the interior of the property. The last required parking space will be provided either by the filing of a parking agreement, obtaining a special exception by the Board of Adjustment, or paying cash in lieu as prescribed by PDD No. 621<sup>1</sup> prior to the issuance to a certificate of occupancy.

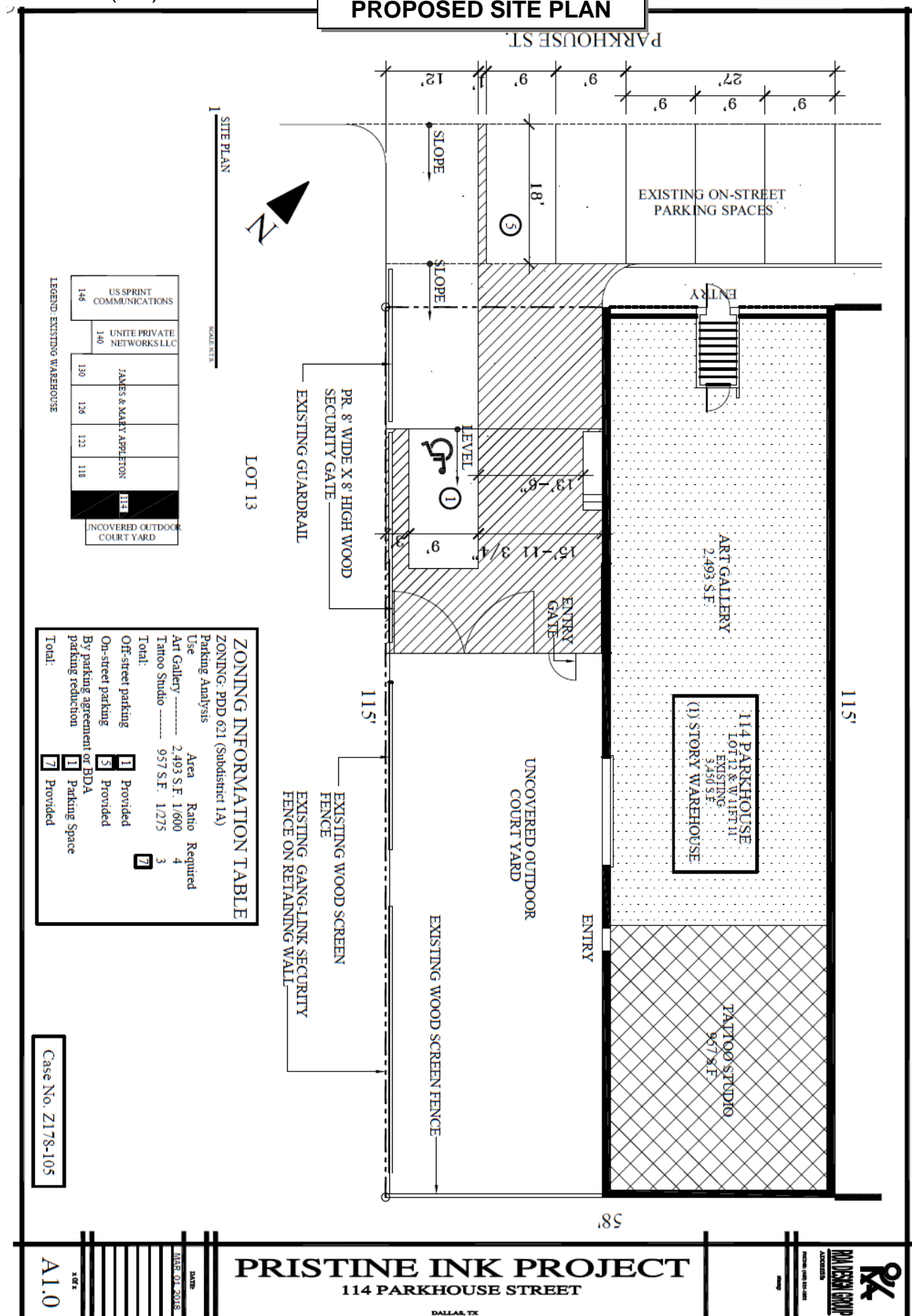
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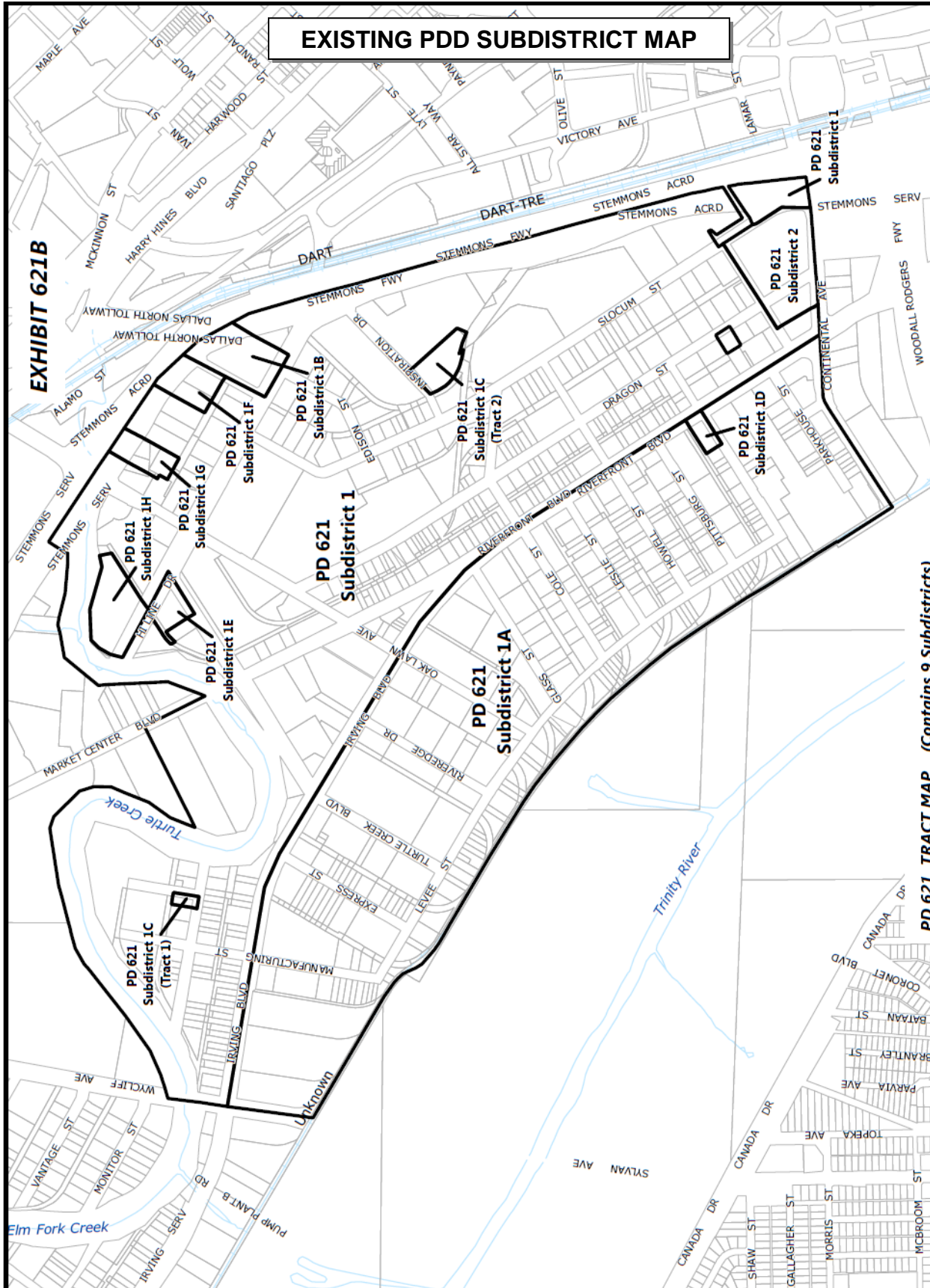
<sup>1</sup> Reference Section 51P-621.110(b)(5) of the Dallas Development Code.

<b>CPC PROPOSED SUP CONDITIONS</b>
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1. USE: The only use authorized by this specific use permit is a tattoo studio.
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 for a tattoo studio is 957 square feet.
5. HOURS OF OPERATION: The tattoo studio may only operate between 11:00 a.m. and 10:00 p.m., Monday through Sunday.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

## PROPOSED SITE PLAN





Z156-228\_new Subdistrict 1H

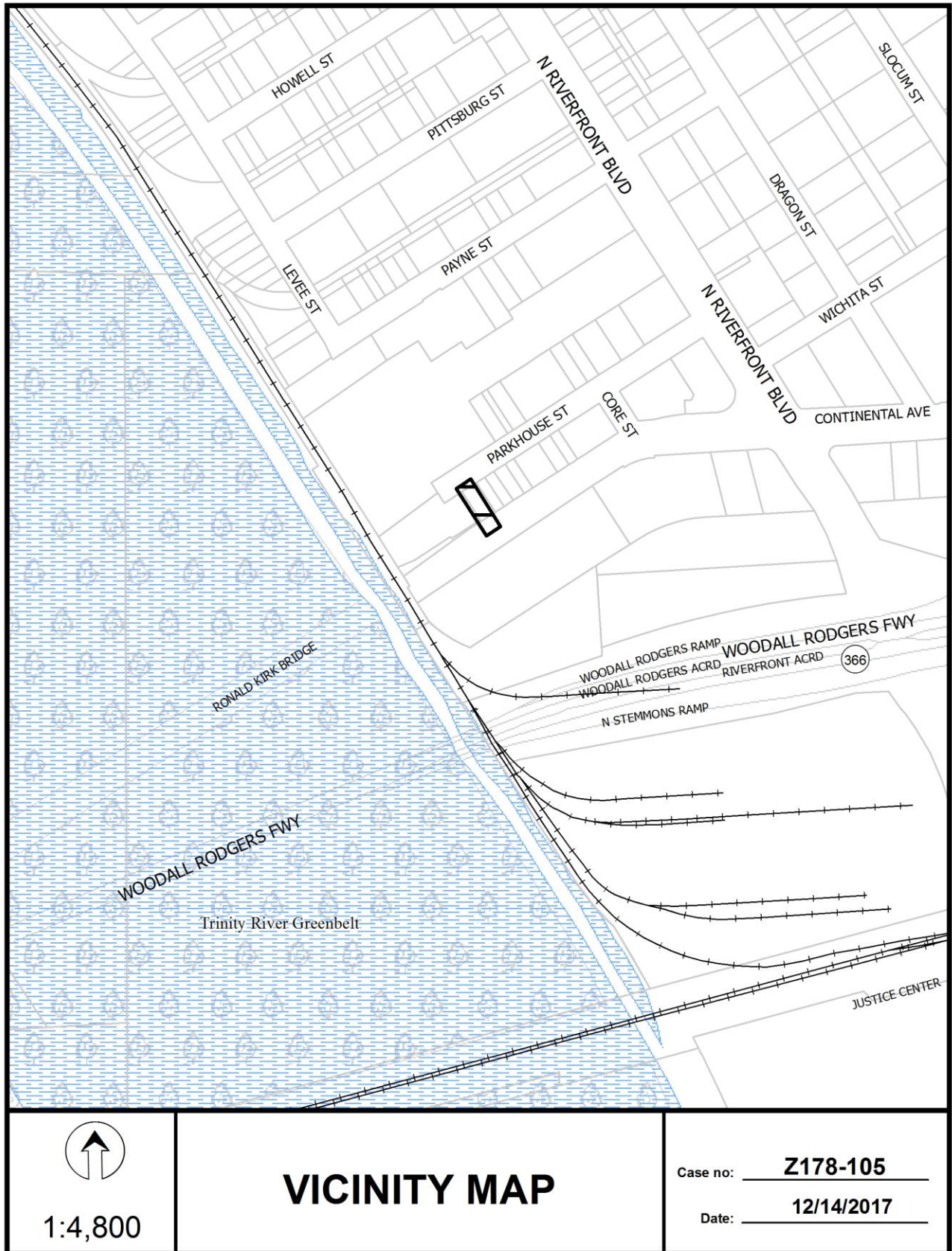
**PD 621 TRACT MAP (Contains 9 Subdistricts)**  
**Subdistricts 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 2**

Subdistrict 1 contains 2 individual areas  
 Subdistrict 1C contains Tract 1 and Tract 2

**1:10,667**

Printed Date: 5/2/2016

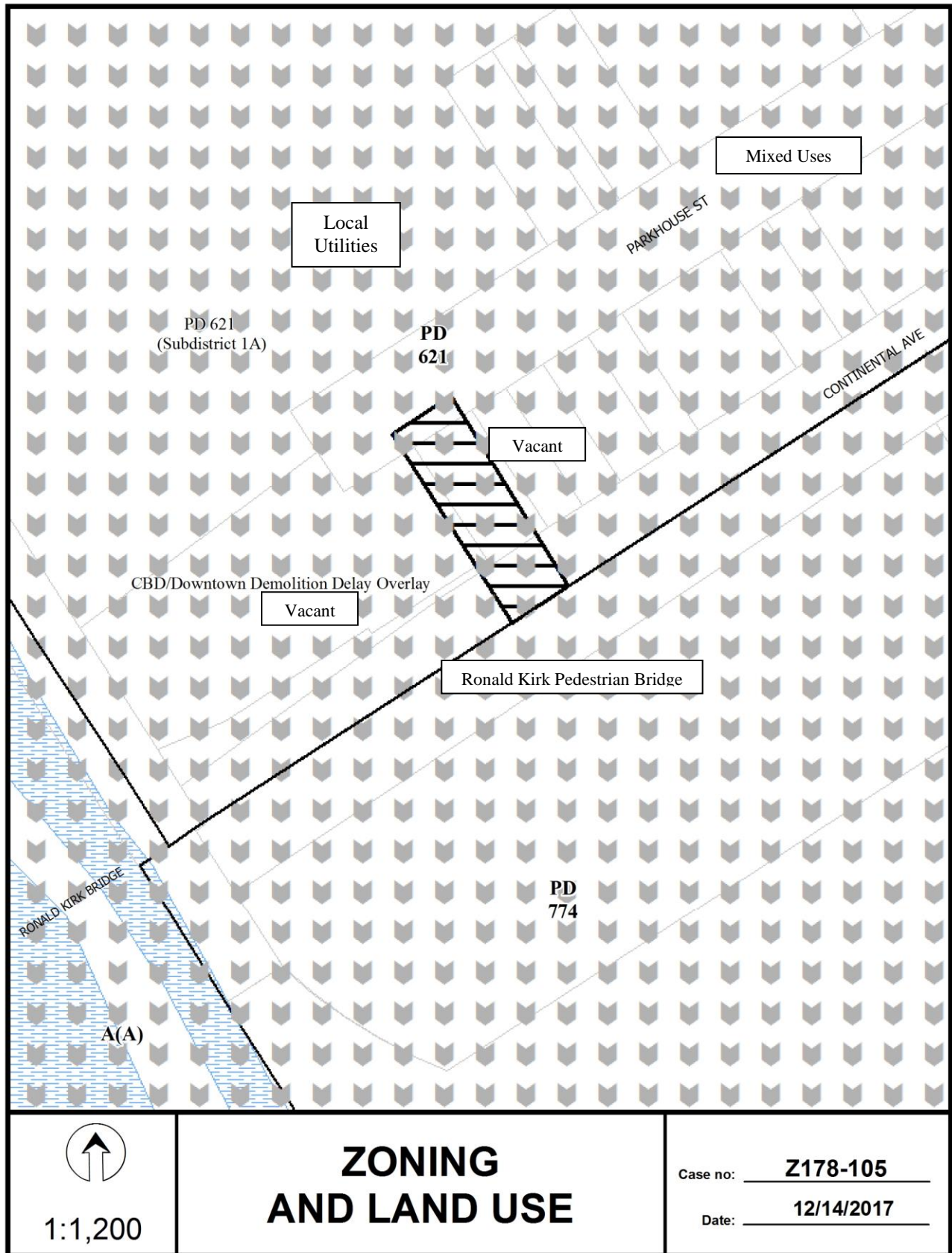


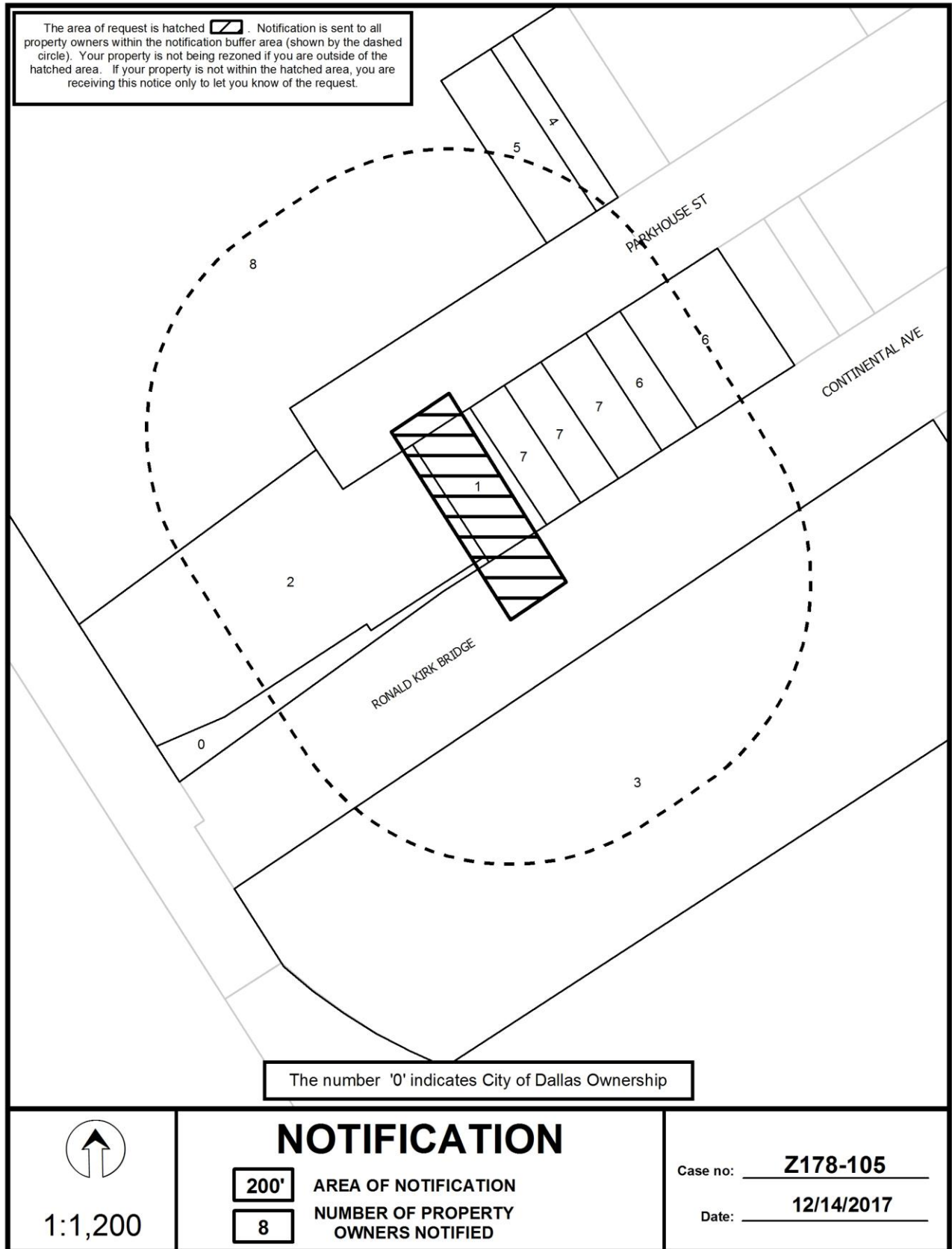












12/14/2017

***Notification List of Property Owners***

***Z178-105***

***8 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	114 PARKHOUSE ST	HALEBIAN INVESTMENTS LLC
2	100 PARKHOUSE ST	ROBBIE DRIVE LTD
3	110 CONTINENTAL AVE	505 RIVERFRONT LTD
4	137 PARKHOUSE ST	GALICHIA ALAN & GINA
5	135 PARKHOUSE ST	SEELCCO STREET PARTNERS LTD
6	140 PARKHOUSE ST	APPLETON MARY W
7	126 PARKHOUSE ST	APPLETON JAMES K & MARY W
8	919 N RIVERFRONT BLVD	TEXAS UTILITIES ELEC CO

**Planner: Sarah May****FILE NUMBER:** Z178-135(SM) **DATE FILED:** November 17, 2017**LOCATION:** South line of East Ledbetter Drive, east of South Lancaster Road**COUNCIL DISTRICT:** 8 **MAPSCO:** 65M**SIZE OF REQUEST:** Approx. 0.81 acre **CENSUS TRACT:** 87.05

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**OWNER/APPLICANT:** Rusty Kasmiersky, Prestige Texas Properties, LLC**REPRESENTATIVE:** Santos Martinez, Masterplan**REQUEST:** An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.**SUMMARY:** The applicant specifically requests to utilize the property as a tunnel car wash use. The applicant also proposes to prohibit certain additional uses and limit hours of operation.**STAFF RECOMMENDATION:** Approval



## BACKGROUND INFORMATION:

- The area of request is currently undeveloped.
- A single family structure was demolished on the site in the Spring of 2014, according to permit records.

**Zoning History:** There have been no zoning changes in the vicinity in the past five years.

## **Thoroughfares/Streets:**

Thoroughfare/Street	Function	Proposed Dimension	ROW
East Ledbetter Drive	Principal Arterial	Minimum-6 lanes-divided	100 feet

## **Traffic:**

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

## 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 request does not support or obstruct the Plan's goals or policies.

## Economic Element

### GOAL 2.1 PROMOTE BALANCED GROWTH

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

### GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

## **STAFF ANALYSIS:**

### **Land Use Compatibility:**

The site is relatively flat and contains a grassy area that is physically connected to a retail structure and surface parking lot to the west. Additional retail uses are located on the north line of East Ledbetter Drive. A child-care facility is located to the east and single family uses abut the property to the south. The site is located on a lot that is 90 feet wide and approximately 396 feet deep, similar in size and shape to the adjacent single-family zoned lots. The applicant requests a CR Community Retail District in lieu of a NS Neighborhood Services District because the NS District prohibits a car wash use.

Staff supports the request because the applicant has volunteered deed restrictions to 1) prohibit certain CR district uses and 2) limit the hours that the car wash may be open to the public from 8:00 a.m. to 8:00 p.m. daily. The list of prohibited uses is as follows:

- Hotel or motel.
- Lodging or boarding house.
- Overnight general purpose shelter.
- Alternative financial establishment.
- Alcoholic beverage establishment.
- Liquor store.
- Pawn shop.
- Swap or buy shop.

The following uses are prohibited in the existing zoning district [R-7.5(A) Single Family District] and are allowed with an SUP in the proposed zoning district [CR Community Retail District]. These uses would require consideration by the City Plan Commission and City Council before they are allowed; therefore, staff supports the applicant's request to not restrict these uses.

- Medical or scientific laboratory.
- Hospital.
- Attached non-premise sign.
- Commercial amusement (outside).
- Convenience store with drive-through.
- General merchandise or food store 100,000 square feet or more.
- Paraphernalia shop.
- Mini-warehouse.
- Recycling buy-back center.
- Recycling collection center.

Because the site abuts a CR District and an established child-care facility on all but one side and because any development on the site will require landscape buffering and screening elements where adjacent to residential properties, staff supports the following two sections of the request. However, staff has also encouraged the applicant to extend the hours of operation to other permitted retail and personal service uses, but the applicant has declined to volunteer these restrictions at this time.

The following uses require an SUP in the existing zoning district [R-7.5(A) Single Family District] and are allowed without an SUP or an RAR<sup>1</sup> in the request.

- Adult day care facility.
- Child-care facility.
- College, university, or seminary.
- Convent or monastery.
- Country club with private membership.
- Private recreation center, club, or area.
- Electrical substation.
- Police or fire station.
- Post office.
- Monopole cellular towers when 65 feet or less tall

The applicant has not volunteered deed restrictions to prohibit the following uses that are prohibited in the existing R-7.5(A) Single Family District. The following uses noted require an RAR or a DIR<sup>2</sup> in the CR District.

- Building repair and maintenance shop. *[RAR]*
- Catering service.
- Custom business services.
- Electronics service center.
- Tool or equipment rental.
- Library, art gallery, or museum.
- Public school other than an open-enrollment charter school. *[RAR required in CR; SUP required in R-5(A)]*
- Financial institution without drive-in window.
- Financial institution with drive-in window. *[DIR]*
- Medical clinic or ambulatory surgical center.
- Office.
- Ambulance service. *[RAR]*
- Animal shelter or clinic without outside runs. *[RAR]*
- Auto service center. *[RAR]*
- Business school.
- Car wash. *[DIR]*
- Commercial amusement (inside). *[SUP required for dance halls in CR, other types by right]*
- Commercial parking lot or garage. *[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.
- Home improvement center, lumber, brick or building materials sales yard. *[DIR]*
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant with drive-in or drive-through service. *[DIR]*
- Restaurant without drive-in or drive-through service. *[RAR]*
- Temporary retail use.
- Theater.
- Commercial radio and television transmitting station.
- Tower/antenna for cellular communication. *[RAR required for monopole towers when 65 feet or less tall]*

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<sup>1</sup> An RAR is an administrative review that could recommend approval with limited conditions with the intention to lessen negative impacts on nearby residential property.

<sup>2</sup> A DIR is a development impact review. This review is an administrative review that evaluates if the traffic patterns of the proposed development would adversely impact the surrounding roadways.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-7.5(A)	Undeveloped
<b>North</b>	CR	Retail
<b>East</b>	R-7.5(A), SUP No. 663	Child-Care Facility
<b>South</b>	R-7.5(A)	Single Family
<b>West</b>	CR	Retail

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
R-7.5(A) Single Family- Existing	25'	Res: 5' Other: 20'	1 Dwelling Unit/ 7,500 sq. ft.	30'	Res: 45% Other: 25%		Single family
CR Community retail - Proposed	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

**Landscaping:**

Landscaping, when triggered, will be in accordance with Article X, as amended.

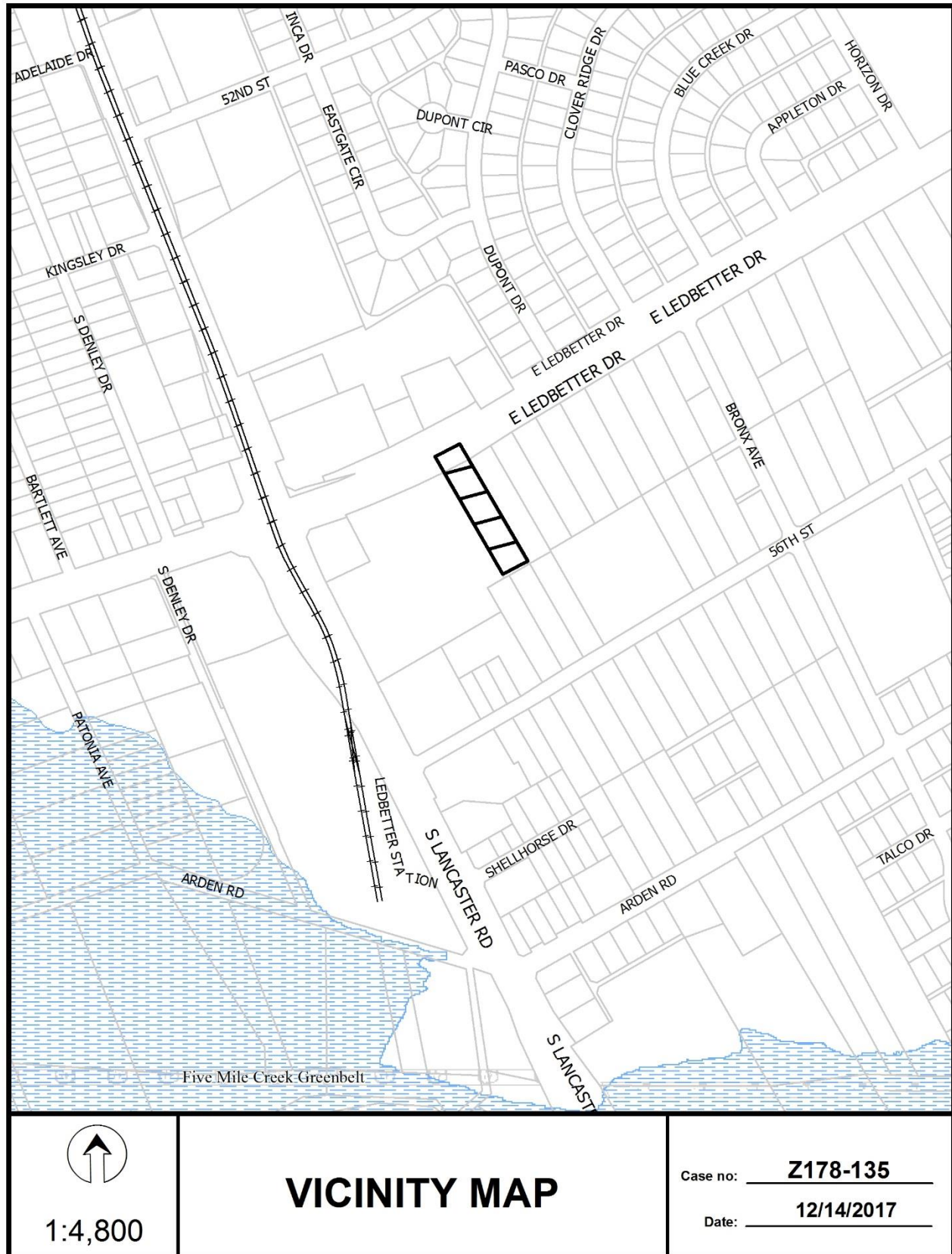
**Proposed Volunteered Deed Restrictions**

II.

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

- (1) The following uses are prohibited on the Property:
  - Hotel or motel.
  - Lodging or boarding house.
  - Overnight general purpose shelter.
  - Alternative financial establishment.
  - Alcoholic beverage establishment.
  - Liquor store.
  - Pawn shop.
  - Swap or buy shop.
- (2) A car wash may only be open to the public between 8:00 a.m. and 8:00 p.m., Monday through Sunday.









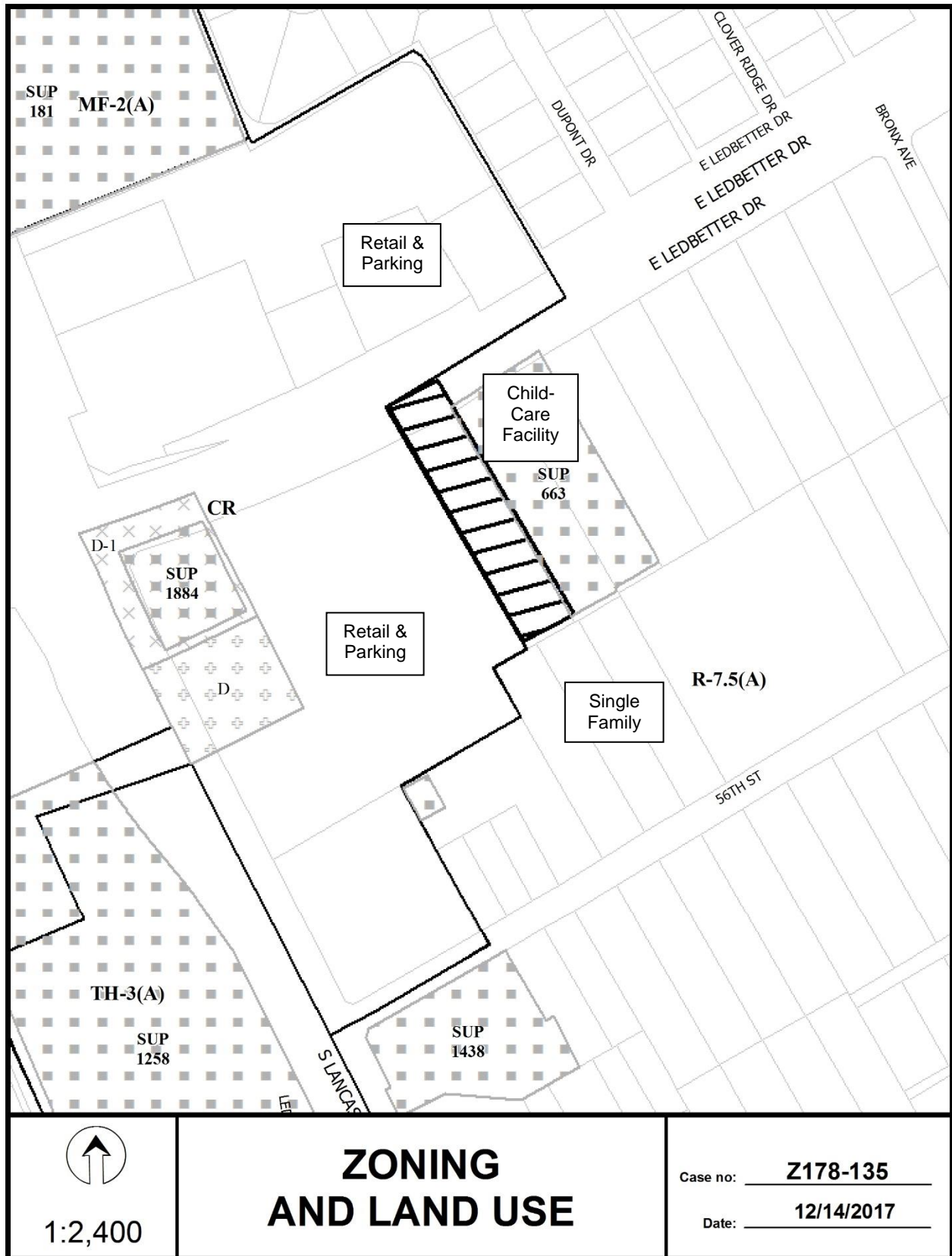
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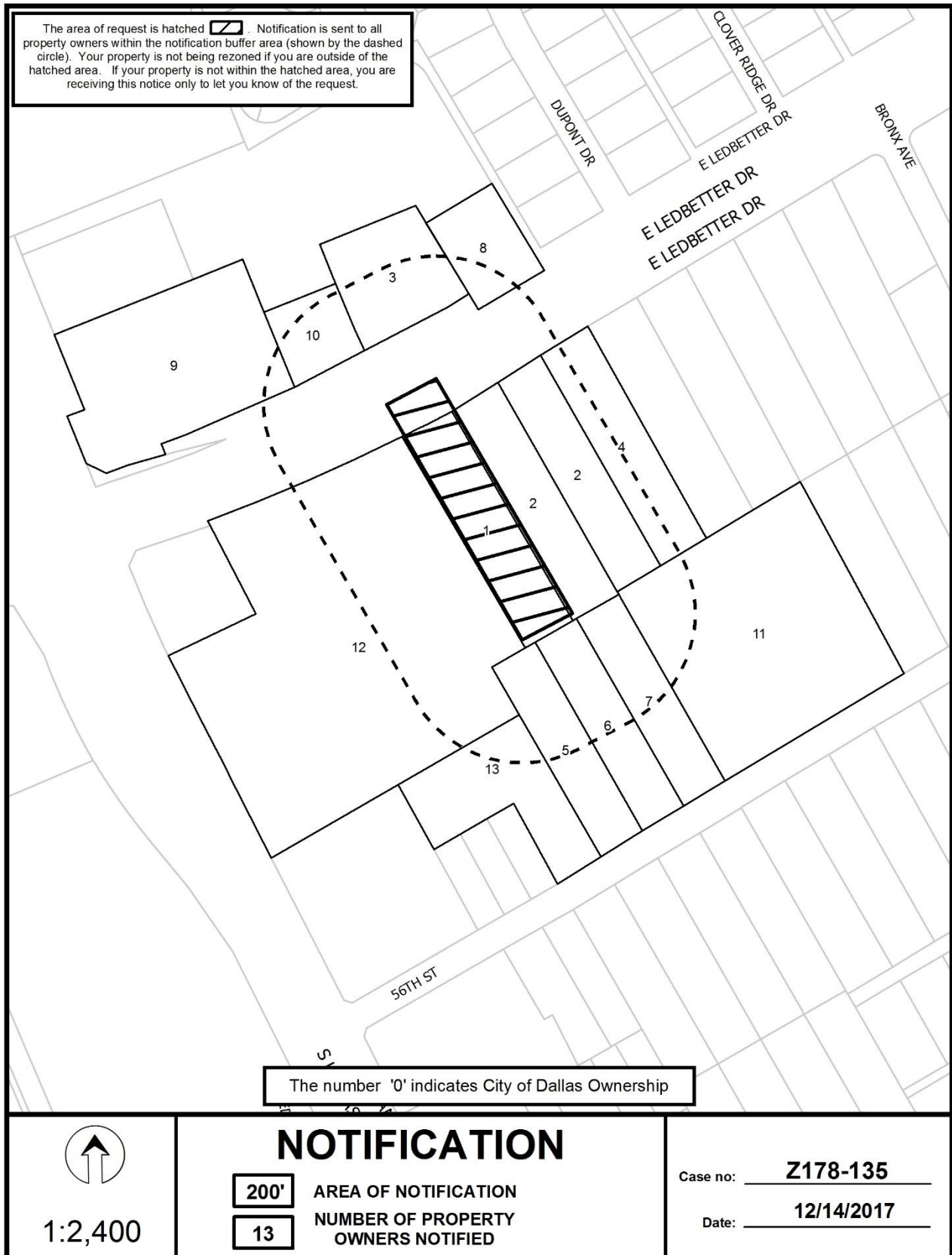
## AERIAL MAP

Case no: **Z178-135**

Date: **12/14/2017**







12/14/2017

***Notification List of Property Owners***

***Z178-135***

***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2148 E LEDBETTER DR	PRESTIGE TEXAS PPTIES LLC
2	2200 E LEDBETTER DR	SHAHN PLACE INC
3	2201 E LEDBETTER DR	FIREBRAND PROPERTIES LP
4	2206 E LEDBETTER DR	NORMAN WILLIAM & RITA
5	2139 56TH	SNEED GAIL ANN &
6	2149 56TH	SNEED GAY &
7	2155 56TH	DANIELS GERTRUDE
8	2207 E LEDBETTER DR	CENTURY LEDBETTER LLC
9	5050 S LANCASTER RD	AIN2013 TX DALLAS LLC
10	2131 E LEDBETTER DR	UPCS DEVELOPMENT LLC
11	2217 56TH ST	UNION HOPE INSTITUTIONAL
12	2130 E LEDBETTER DR	MYDAL LLC
13	2137 56TH ST	METROPOLITAN AME CHURCH



**FILE NUMBER:** Z178-149(SM)

**DATE FILED:** December 12, 2017

**LOCATION:** Public right-of-way operating as an alley, between 9th Street and 10th Street

**COUNCIL DISTRICT:** 1

**MAPSCO:** 54G

**SIZE OF REQUEST:** Approx. 240 square feet **CENSUS TRACT:** 47.00

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**OWNER / APPLICANT:** UG Melba, LLC

**REPRESENTATIVE:** Rob Baldwin

**REQUEST:** An application for a Specific Use Permit for a pedestrian skybridge on property zoned Subdistrict 3B within Planned Development District No. 830.

**SUMMARY:** The applicant proposes to replace the existing one-story pedestrian skybridge with a new two-story pedestrian skybridge. The pedestrian skybridge is proposed to connect a remodeled mixed use building on 9th Street and a redeveloped structure for a multifamily use on 10th Street. The properties connected by the proposed pedestrian skybridge are owned by the applicant.

**STAFF RECOMMENDATION:** Approval for a 34-year period [September 12, 2052], subject to a site plan and conditions.

**PLANNED DEVELOPMENT DISTRICT NO. 830:**

<http://www.dallascityattorney.com/51P/Articles%20Supp%2047/ARTICLE%20830.pdf>

**BACKGROUND INFORMATION:**

- The structure that will support the proposed pedestrian skybridge to the south was constructed in 1953, according to Dallas Central Appraisal District records.
- The structure that will support the proposed pedestrian skybridge to the north was constructed in 1966, according to Dallas Central Appraisal District records.
- On September 12, 2012, the City Council granted the renewal of a private license to Homeward Bound, Inc. to the use of approximately 200 square feet of land to maintain and use the existing overhead corridor in an alley right-of-way for a 40-year period.

**Zoning History:** There have been two recent zoning cases requested in the area in the past five years.

1. **Z167-340:** On October 25, 2017, the City Council approved the renewal of Specific Use Permit No. 1789 for a medical clinic limited to a dental office
2. **Z156-250:** On June 6, 2016, the City Council approved the creation of Subdistrict 3B within Planned Development District No. 830 and the removal of a D Liquor Control Overlay on a portion on property zoned Subdistrict 3 within Planned Development District No. 830.

**Thoroughfare/Street**

**Designation; Existing & Proposed ROW**

Alley ROW

Local; 20' ROW

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

**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.

There are no goals or policies supporting or opposing the request.

## **STAFF ANALYSIS:**

### **Land Use Compatibility:**

The pedestrian skybridge is proposed to connect a remodeled mixed use building on 9th Street to the north and a redeveloped structure for a multifamily use on 10th Street to the south. Beyond the applicant's immediate development, undeveloped property is located to the north, a data center with surface parking is located to the northeast, offices are located to the southeast and south, a library is located to the southwest, and a vacant office and surface parking lot is located to the west.

The pedestrian skybridge is proposed to span the 20-foot wide alley and cover approximately 12 feet in width in the same location as the existing pedestrian skybridge. It is also proposed to be two levels and connect the third and fourth floors of the redeveloped structure to the south to the remodeled structure to the north, whereas the existing pedestrian skybridge is one level and connects the second floors of the existing structures. The proposed pedestrian skybridge will also have a floor-to-ceiling height of nine feet on each level and the exterior will be enclosed, air conditioned, and have a minimum of 70 percent glass transparency. The proposed pedestrian skybridge will have a clearance from the alley surface of at least 18 feet, as noted on the attached site plan.

In granting an SUP for a pedestrian skybridge, consideration of the following is noted, "...promote the health, safety, and general welfare of persons and property within the city by providing for the structural integrity of pedestrian skybridges over public right-of-ways; preventing visual obstruction of public right-of-ways and urban landscapes; facilitating the flow of traffic; encouraging use public skybridges by pedestrians through well designed additions to the existing pedestrian system; minimizing the negative impact of pedestrian skybridges on adjoining properties, communication and utility company facilities, and public street lighting and safety facilities; and, establishing standards for construction and maintenance of pedestrian skybridges."

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.

It is anticipated that this additional infrastructure will facilitate a safe and efficient means of allowing pedestrians to traverse among the various structures situated in the vicinity.

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

**Private License:**

In order to cross a public right-of-way with the proposed skybridge, the applicant is required to submit to the City of Dallas Real Estate Division of the Sustainable Development and Construction Department for an assignment of the previously granted license (approved September 12, 2012, for a 40-year period) to the new owners. Since the private license is set to expire on September 12, 2052, staff recommends the time period of the specific use permit, if granted, expires concurrently.

**Mandatory and Recommended Standards:**

The Dallas Development Code mandates that pedestrian skybridges are constructed and maintained in accordance with the following 19 items:

1. Pedestrian skybridges must be properly maintained at all times. If a pedestrian skybridge connects two buildings which are separately owned, an operating agreement assigning maintenance and liability responsibilities is required.
2. No more than one pedestrian skybridge may be located within any block or 700 feet of frontage, whichever is less.
3. Pedestrian sky-bridges must have clearance above the public right-of-way of at least 18 feet above grade.
4. If the pedestrian skybridge has a length of less than 150 feet, the interior passageway must be no less than 10 feet and no greater than 20 feet in width. If the pedestrian skybridge has a length equal to or greater than 150 feet, the

interior passageway must be no less than 12 feet and no greater than 20 feet in width.

5. The interior height of the passageway must be at least 7 1/2 feet. The interior height at the spring line of vaulted ceilings must be at least 7 1/2 feet.
6. Supports must not be located within the public right-of-way.
7. A sign must be posted within the adjoining structures indicating whether the skybridge is open to the public, the location of the pedestrian skybridge, and where the pedestrian skybridge leads.
8. Pedestrian sky-bridges must meet state and federal standards for accessibility to and usability by individuals with disabilities.
9. Pedestrian sky-bridges connected to structures with air conditioning must be enclosed and air conditioned.
10. Any change in slope of the pedestrian skybridge greater than one percent must be over private property or concealed within the pedestrian skybridge.
11. Pedestrian sky-bridges must not diverge from a perpendicular angle to the right-of-way by more than 30 degrees.
12. At least 70 percent of the side walls must be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than 6 percent. "Light transmission" means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. "Luminous reflectance" means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.
13. Minimum artificial lighting of 15 foot candles must be provided. Lighting must not produce glare of an intensity that creates a nuisance for motor vehicles or pedestrians.
14. No exterior signs, other than government signs, may be applied to or suspended from any pedestrian skybridge.
15. Pedestrian sky-bridges must not be located within 300 feet of an historic overlay district.
16. Pedestrian sky-bridges must be designed to prevent people from jumping or throwing objects from the pedestrian skybridge.



17. Structural materials must be durable and easily maintained. Construction must comply with the City of Dallas Building and Fire Codes.
18. Pedestrian sky-bridges must not interfere with or impair use of the right-of-way by existing or proposed communication and utility facilities.
19. The applicant must post bond for the estimated cost to the city to remove the pedestrian skybridge if it becomes a public nuisance.

The Dallas Development Code recommends that pedestrian skybridges are constructed and maintained in accordance with the following six items:

1. Pedestrian skybridges must be properly maintained at all times. If a pedestrian skybridge connects two buildings which are separately owned, an operating agreement assigning maintenance and liability responsibilities is required.
2. No more than one pedestrian skybridge may be located within any block or 700 feet of frontage, whichever is less.
3. Pedestrian sky-bridges must have clearance above the public right-of-way of at least 18 feet above grade.
4. If the pedestrian skybridge has a length of less than 150 feet, the interior passageway must be no less than 10 feet and no greater than 20 feet in width. If the pedestrian skybridge has a length equal to or greater than 150 feet, the interior passageway must be no less than 12 feet and no greater than 20 feet in width.
5. Primary lighting sources should be recessed and indirect. Accent lighting is encouraged. Natural lighting should be used in addition to artificial lighting.
6. The pedestrian skybridge should be designed so as to coordinate with the adjoining structures to the extent possible. Where coordination is not possible, the pedestrian skybridge should be of a neutral color, such as brown or grey.

**Notification:**

The Dallas Development Code requires that the director send written notice of a public hearing on an application for an SUP for a pedestrian skybridge to all owners of real property lying within 750 feet of the properties on which the skybridge will be located.

**List of Officers**

UG Melba LLC

Matt Shafiezadeh, managing member

Rick Atwood, managing member

Jein Gadson, member

Pouya Feizpour, managing member

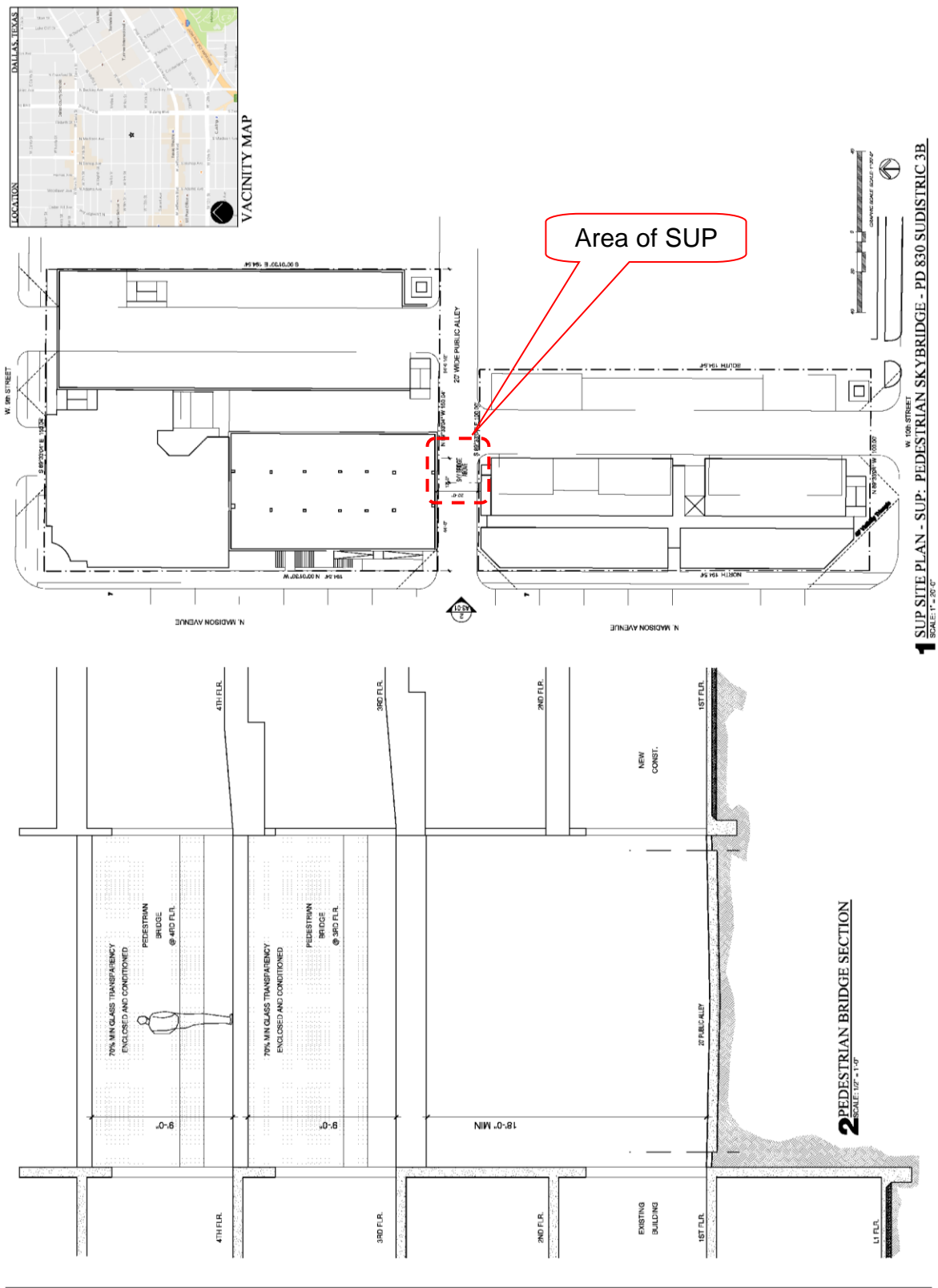
Gahl Shalev, managing member

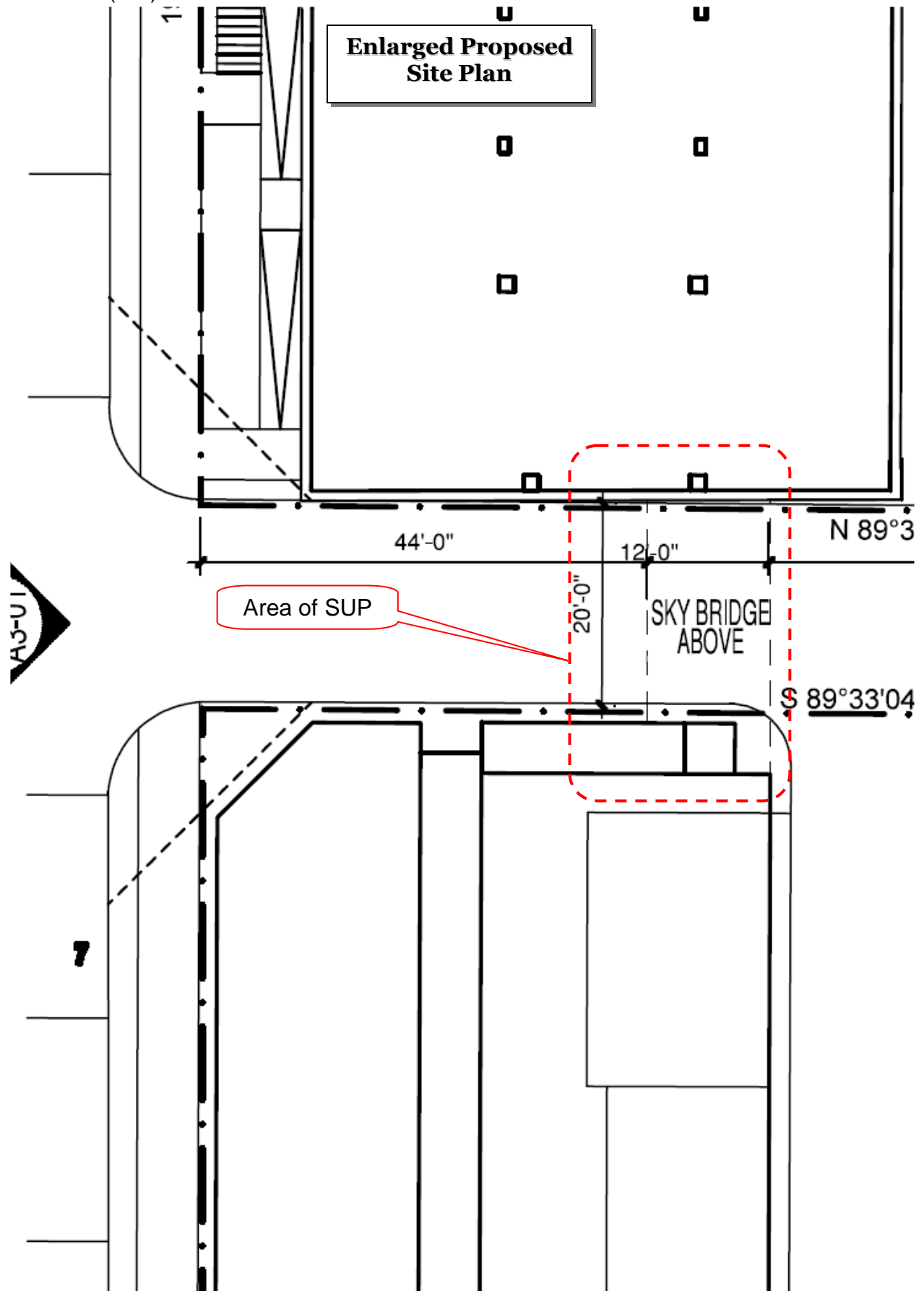
Ivan Curtovic, member

**PROPOSED CONDITIONS FOR SPECIFIC USE PERMIT  
FOR A PEDESTRIAN SKYBRIDGE**

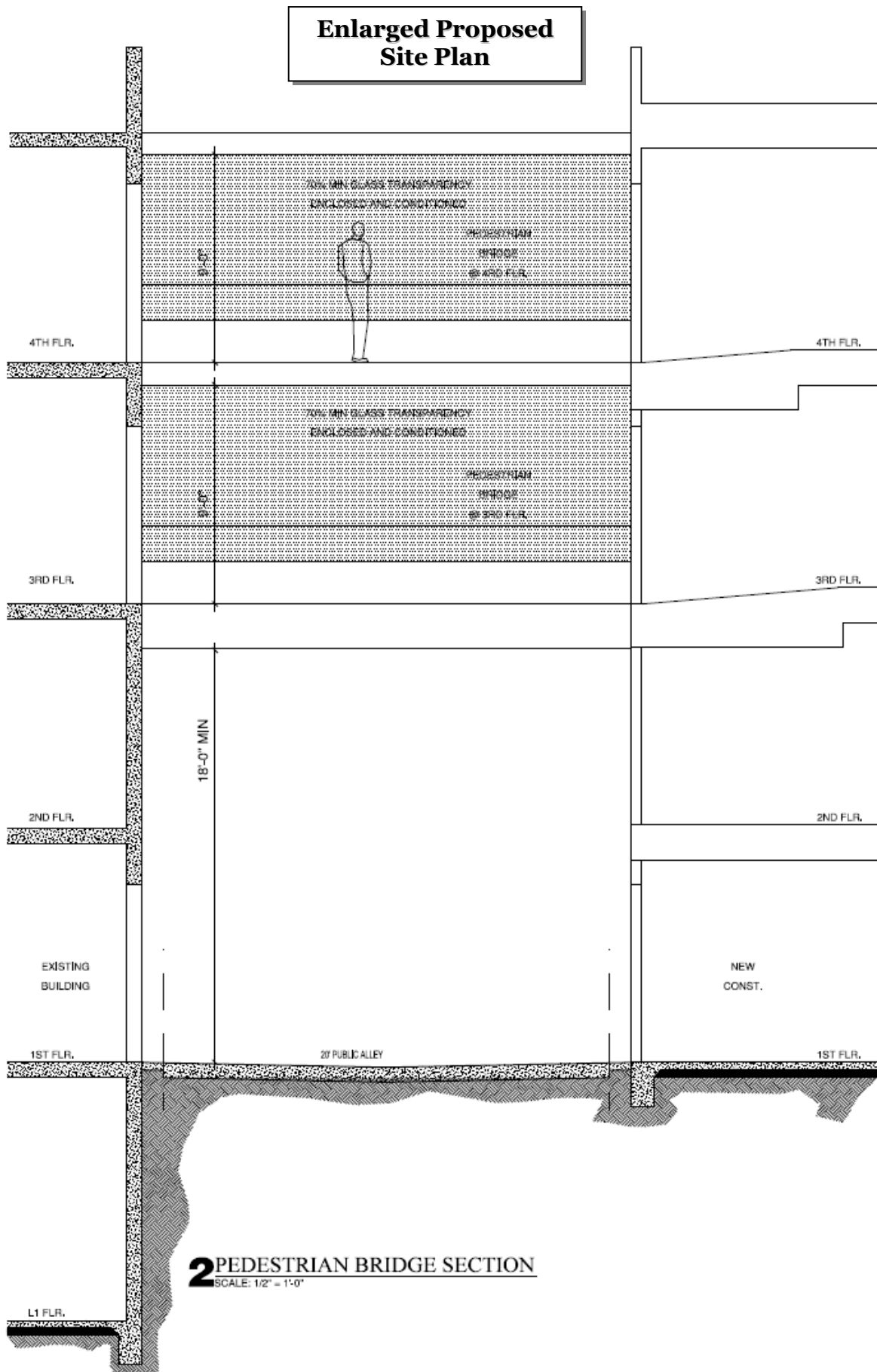
1. USE: The only use authorized by this specific use permit is a pedestrian skybridge.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on September 12, 2052.
4. COMPLIANCE: The pedestrian skybridge must comply with Dallas Development Code Section 51 A-4.2 1 7(b) (12), "Pedestrian Skybridges," as amended.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan



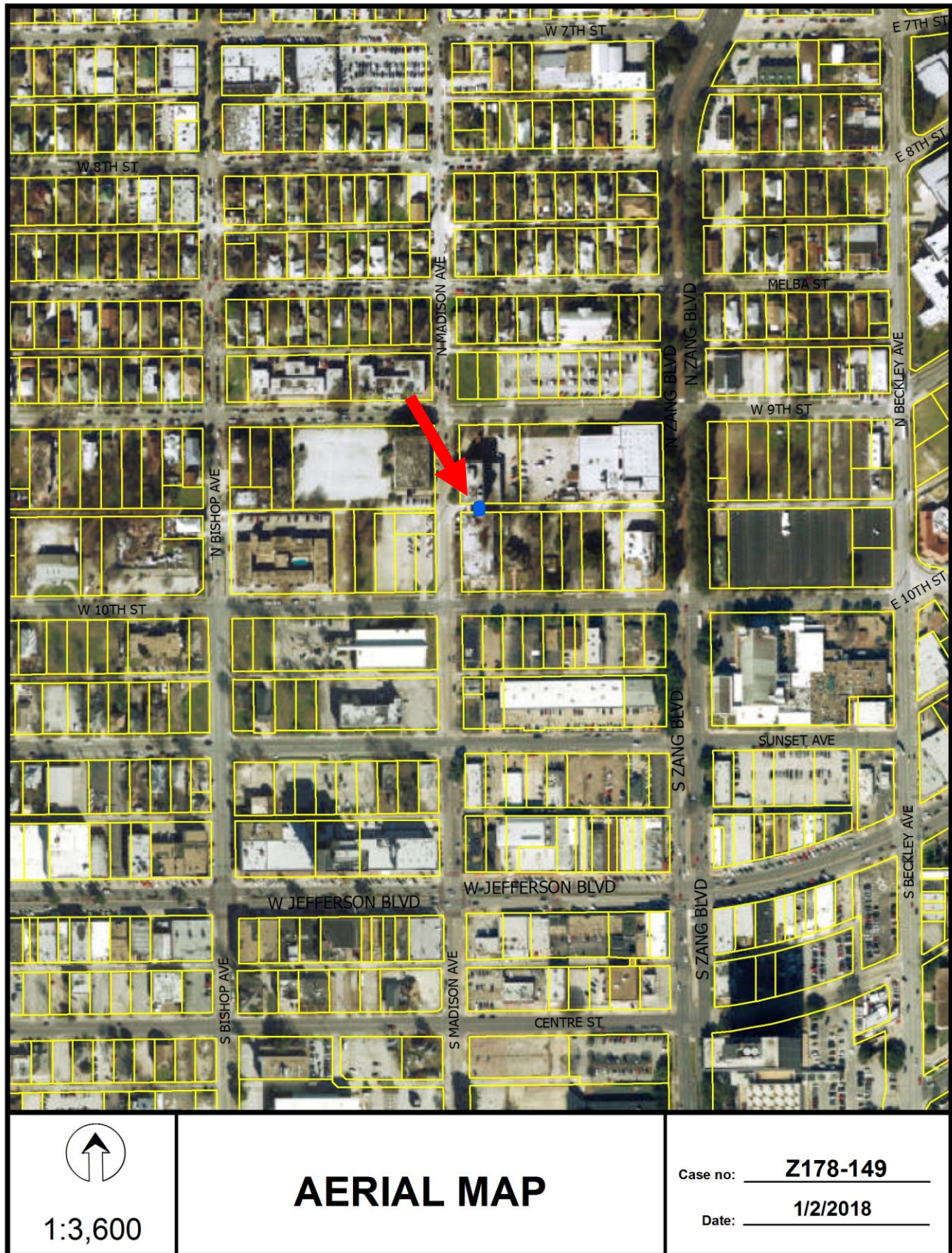


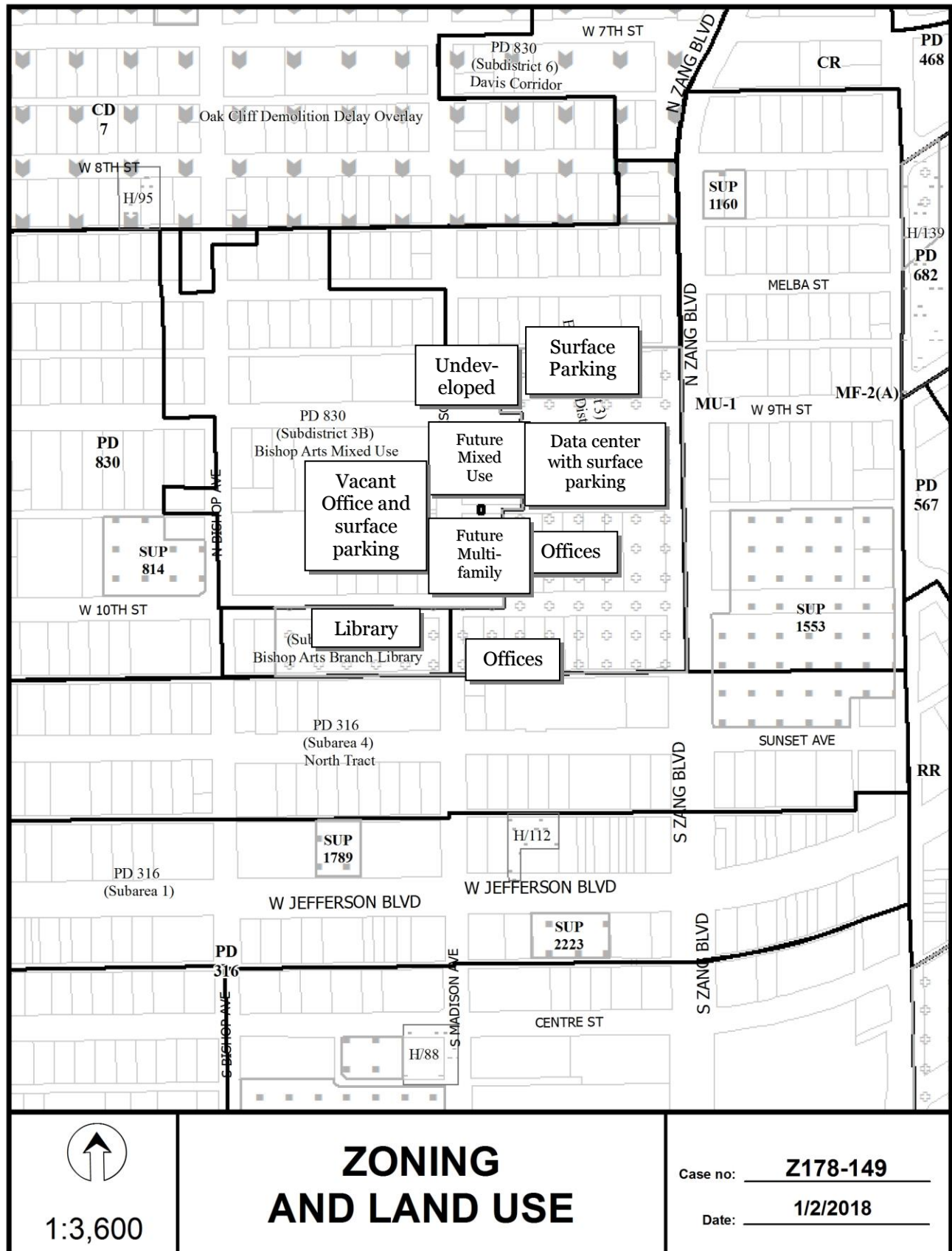




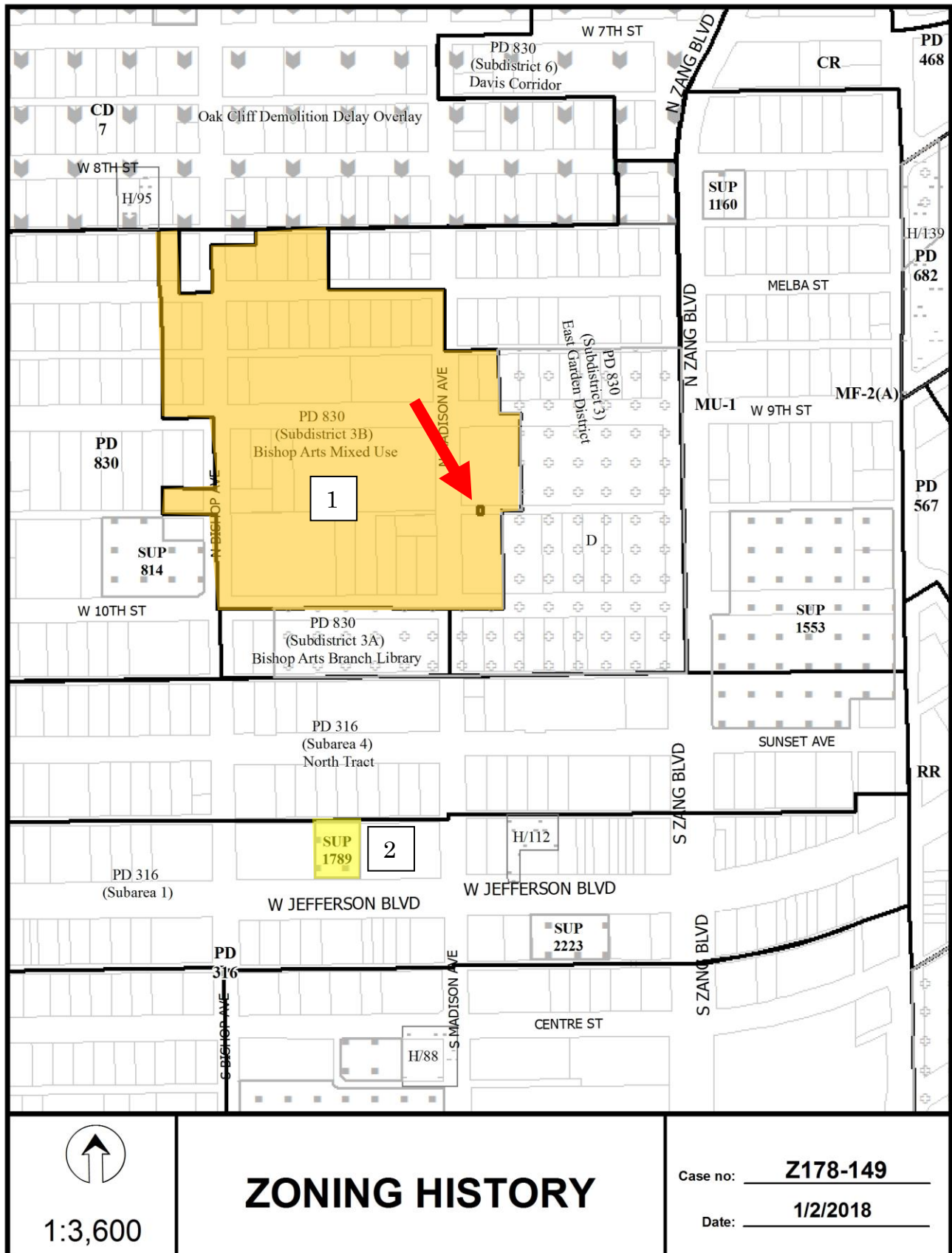




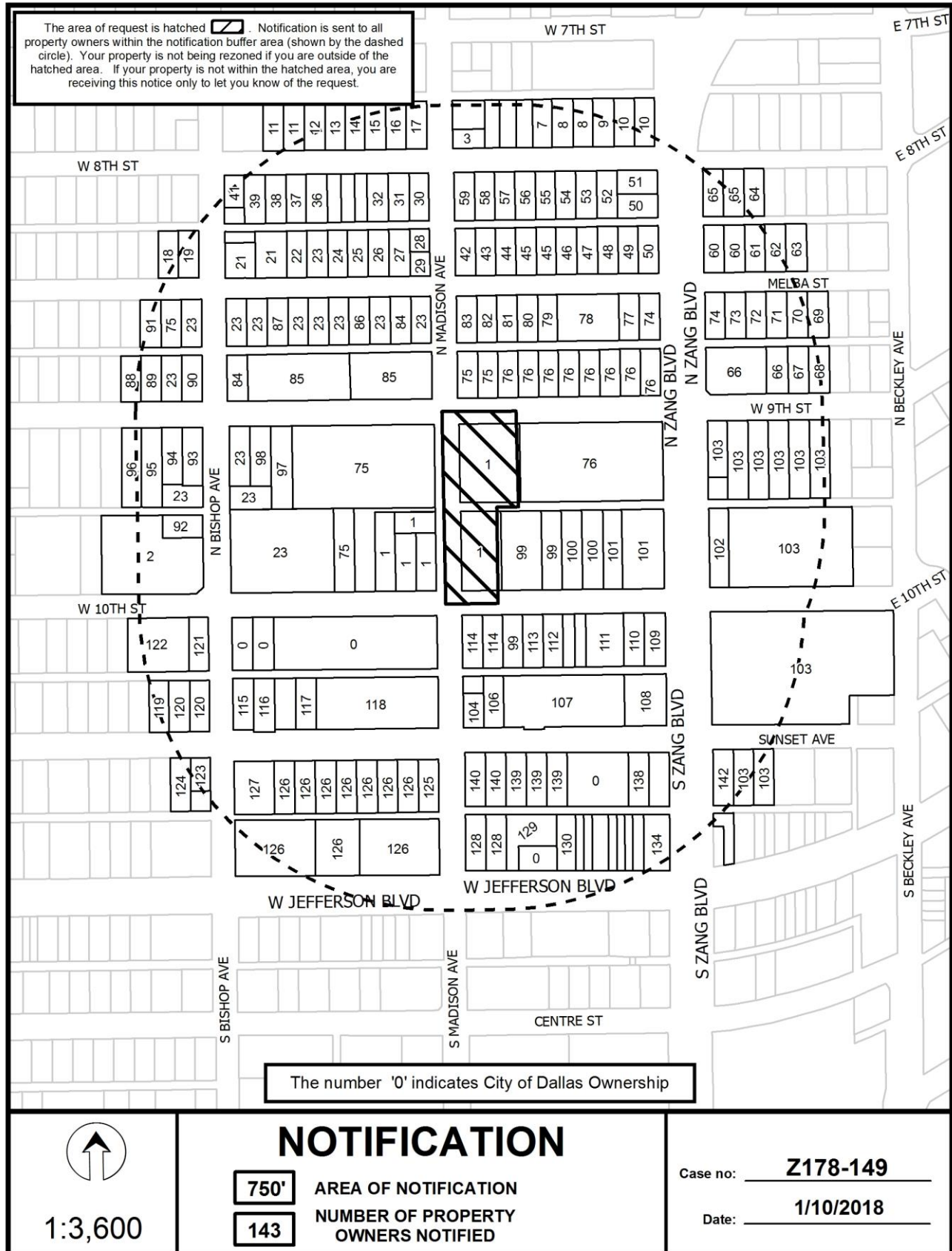












01/10/2018

***Notification List of Property Owners******Z178-149******143 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	311 W 10TH ST	KENSINGTON RIVERFALL LLC
2	407 W 10TH ST	CHILD CARE GROUP THE
3	239 W 8TH ST	SALVAGGIO CHARLES F
4	235 W 8TH ST	DIPPREY GARY EUGENE &
5	233 W 8TH ST	216 W 7TH LLC
6	231 W 8TH ST	MUSICK RONALD
7	223 W 8TH ST	SALINAS ELIDA
8	217 W 8TH ST	ANGEL 1111 LLC
9	213 W 8TH ST	7TH MADISON LLC
10	209 W 8TH ST	216 W 7TH LLC
11	329 W 8TH ST	BISHOP STREET PARTNERS JV
12	323 W 8TH ST	SALAZAR MANUAL & MARIA
13	317 W 8TH ST	VILLALOBOS CELESTINO A &
14	315 W 8TH ST	SANCHEZ MARTIN &
15	309 W 8TH ST	ALVAREZ GERARDO
16	305 W 8TH ST	OAK CLIFF LEASING LLC
17	301 W 8TH ST	SQUARE PEG PROPERTIES LLC
18	405 MELBA ST	MLA RLB LP
19	403 MELBA ST	BISHOP & MELBA LLC
20	308 N BISHOP AVE	BISHOP ARTS LLC
21	337 MELBA ST	BISHOP ARTS PHASE 1A LLC
22	325 MELBA ST	BISHOP ARTS LLC
23	321 MELBA ST	BISHOP ARTS VILLAGE LLC
24	317 MELBA ST	UG MELBA LLC
25	313 MELBA ST	UG MELBA LLC
26	309 MELBA ST	UG MELBA LLC

01/10/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	305 MELBA ST	UG MELBA LLC
28	307 N MADISON AVE	ESMIRNA TEMPLO
29	301 MELBA ST	POPKEN TRACY M
30	300 W 8TH ST	TEMPLO ESMIMA
31	306 W 8TH ST	CDP & LRP 306 LLC
32	310 W 8TH ST	GONZALES EFRAIN JR
33	312 W 8TH ST	GOOD SPACE X LLC
34	318 W 8TH ST	SANDOVAL ANTONIO
35	314 W 8TH ST	LOS DETECTIVES SALVAJES INC
36	320 W 8TH ST	RODRIGUEZ JORGE POSADAS &
37	324 W 8TH ST	BMR JOHNSON INVESTMENTS L
38	328 W 8TH ST	SANCHEZ & SANCHEZ LLC
39	332 W 8TH ST	DUARTE JESUS JR &
40	314 N BISHOP AVE	GOOD SPACE X LLC
41	336 W 8TH ST	WISTERIA HILLS LLC
42	237 MELBA ST	FLORES DAVID & ROSA
43	235 MELBA ST	VARGAS ANTELMA &
44	231 MELBA ST	MANDUJANO J PABLO &
45	225 MELBA ST	PROSUM VENTURES INC
46	217 MELBA ST	SALAS FRANCISCO & TERESA
47	213 MELBA ST	ERIVES PATRICIA
48	211 MELBA ST	DEHOYOS DORA
49	205 MELBA ST	CHAVARRIA MACARIO PAIZ
50	201 MELBA ST	BARREIRO CRISEIDA M &
51	321 N ZANG BLVD	228 POOL LLC
52	212 W 8TH ST	TROLLEY STOP PROPERTIES LLC
53	216 W 8TH ST	MOJICA NICASIO
54	220 W 8TH ST	GUZMAN FRANCISCO
55	224 W 8TH ST	SANCHEZ & SANCHEZ LLC
56	228 W 8TH ST	MONCADA ROSA MARIA &
57	232 W 8TH ST	VASQUEZ AURELIANO &

1/10/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	234 W 8TH ST	COOK LARRY JACK
59	240 W 8TH ST	BKN REALTY LLC
60	135 MELBA ST	BEISER NED E
61	127 MELBA ST	ORTIZ MANUEL &
62	123 MELBA ST	ACEVEDO FELIPE &
63	117 MELBA ST	SOTO CARMEN
64	126 W 8TH ST	GIRLS INCORPORATED OF METROPOLITAN DALLAS
65	130 W 8TH ST	GIRLS INC OF METROPOLITAN
66	121 W 9TH ST	NINTH STREET LTD
67	119 W 9TH ST	DELIRA JOSE R
68	115 W 9TH ST	ADAME FELIPE &
69	114 MELBA ST	QUINONEZ MORENA C
70	118 MELBA ST	VILLARREAL MARIA
71	122 MELBA ST	GARCIA RAFAEL M & JUANA
72	126 MELBA ST	MACIAS VERONICA SALINAS
73	130 MELBA ST	SALINAS VICENTE &
74	134 MELBA ST	EIGHTH ZANG LTD
75	239 W 9TH ST	BISHOP ARTS VILLAGE LLC
76	231 W 9TH ST	SOUTHWESTERN BELL
77	206 MELBA ST	YAWTSAR LLC
78	212 MELBA ST	DRENNAN MARGIE L
79	222 MELBA ST	ESQUIVEL JULIO C &
80	226 MELBA ST	CEJA OCTAVIANO C &
81	230 MELBA ST	CALDERON ANTONIA GAYTAN
82	234 MELBA ST	GONZALEZ MOISES &
83	236 MELBA ST	CRUZ ERWIN
84	337 W 9TH ST	BISHOP ARTS VILLAGE LLC
85	321 W 9TH ST	MAN PARTNERS II LLC
86	312 MELBA ST	BISHOP ARTS VILLAGE LLC
87	328 MELBA ST	BISHOP ART VILLAGE LLC
88	413 W 9TH ST	MUSICANT AARON &

01/10/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	407 W 9TH ST	AVILA LORENZO H
90	403 W 9TH ST	BISHOP ARTS LLC
91	410 MELBA ST	410 MELBA LLC
92	111 N BISHOP AVE	JOSEPH GEORGE KROSAMMA
93	400 W 9TH ST	MOJICA IGNACIO T & MARTHA
94	406 W 9TH ST	ORTIZ ELSIE
95	410 W 9TH ST	HERNANDEZ ERNESTO DANIEL &
96	412 W 9TH ST	HERNANDEZ ERNEST D
97	330 W 9TH ST	BISHOP ARTS HOLDINGS LLC
98	334 W 9TH ST	BISHOP ARTS HOLDINGS LLC
99	227 W 10TH ST	CMWOC PROPERTIES I LLC
100	219 W 10TH ST	JIVE INVESTMENTS LLC
101	209 W 10TH ST	EXC VENTURES LLC
102	135 W 10TH ST	FIRST NORTH TEXAS
103	109 W 10TH ST	CLIFF TEMPLE BAPTIST
104	237 SUNSET AVE	DERASAUGH MARGARET &
105	112 S MADISON AVE	SALA JASON BRANDON
106	233 SUNSET AVE	DERASAUGH MARGARET SUE
107	219 SUNSET AVE	BABAJOON3M PROPERTIES LLC
108	205 SUNSET AVE	PUERTO SERGIO
109	202 W 10TH ST	DUTTON ALLAN M D
110	206 W 10TH ST	MERCADO FRANCISCA M
111	210 W 10TH ST	FIVE NINE SEVEN LP
112	220 W 10TH ST	PERALTA CHIROPRACTIC INC
113	224 W 10TH ST	CMWOC PROPERTIES II LLC
114	232 W 10TH ST	PEREZ ARMINDA
115	110 S BISHOP AVE	CAMPOS JUAN MANUAL &
116	333 SUNSET AVE	SANTOS GERONIMO
117	325 SUNSET AVE	SUNSET I PPTIES LLC
118	315 SUNSET AVE	SUNSET I PPTIES LLC
119	409 SUNSET AVE	DONNA SAVARIEGO HOMES INC



01/10/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	405 SUNSET AVE	JDAL PROPERTIES INC
121	400 W 10TH ST	DEVERS GARY
122	408 W 10TH ST	JOSEPH GEORGE K & ROSAMMA
123	211 S BISHOP AVE	HUERTA SARA R
124	404 SUNSET AVE	SALANA PROPERTIES LTD
125	201 S MADISON AVE	EFFECTIVE TIME MGMT INC
126	304 SUNSET AVE	JEFFERSON MONUMENT LLC
127	334 SUNSET AVE	TEMPLO MONTE CALVARIO
128	239 W JEFFERSON BLVD	BALLAS VICTOR
129	231 W JEFFERSON BLVD	OAK CLIFF FOUNDATION
130	221 W JEFFERSON BLVD	FTL ASSOCIATES LTD
131	219 W JEFFERSON BLVD	GUAQUETA DAVID
132	217 W JEFFERSON BLVD	MACSWINEY IRIS
133	215 W JEFFERSON BLVD	OROZCO MAYRA
134	201 W JEFFERSON BLVD	MSC I LTD
135	211 W JEFFERSON BLVD	JUNG HYUN JIN
136	207 W JEFFERSON BLVD	BIXEL DAVID W &
137	200 SUNSET AVE	NGUYEN TRI THI
138	206 SUNSET AVE	RIVCO ENTERPRISE LLC
139	220 SUNSET AVE	DIXON LIVING TRUST
140	232 SUNSET AVE	TYLER ARTS DISTRICT INV LLC
141	133 W JEFFERSON BLVD	MEYER ABE PARTNERSHIP
142	200 S ZANG BLVD	POLACK WILLIAM C
143	218 W 10TH ST	DDB PROPERTIES LLC

**FILE NUMBER:** Z178-155(SM)**DATE FILED:** December 18, 2017**LOCATION:** Southeast corner of East Kirnwood Drive and University Hills Boulevard**COUNCIL DISTRICT:** 8**MAPSCO:** 7P**SIZE OF REQUEST:** Approx. 15.54 acres**CENSUS TRACT:** 113.00**APPLICANT:** Cleo Grounds, Dallas Area Rapid Transit**OWNER:** Dallas Area Rapid Transit**REPRESENTATIVE:** Stuart Johnson

**REQUEST:** An application for a Specific Use Permit for a radio, television, or microwave tower on property zoned an NS(A) Neighborhood Services District and R-5(A) Single Family District with Specific Use Permit No. 2113 for a transit passenger station or transfer center use.

**SUMMARY:** The applicant [DART] proposes to construct a private radio tower with an approximate overall height of 200 feet upon the existing DART UNT Dallas Station. The area for the tower is on the north line of the existing light rail line and approximately 195 feet west of the nearest platform.

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

**BACKGROUND INFORMATION:**

- On October 22, 2014, the City Council approved Specific Use Permit No. 2113 for a transit passenger station or transfer center use [DART UNT Dallas Station] for a permanent time period.
- On October 24, 2016, the DART UNT Dallas Station opened to the public.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Thoroughfare Dimension	Thoroughfare ROW
University Hills Blvd	Minor Arterial	Standard-6 lanes-divided	107 feet
Kirnwood Drive	Residential Collector	Standard-2 lanes-undivided	57 feet

**Traffic:**

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

**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.

There are no goals or policies supporting or opposing the request.

**Surrounding Land Uses:**

Location	Zoning	Land Use
Site	NS(A), R-5(A)	Transit Passenger Station
North	R-7.5(A), R-5(A)	Local Utilities, Undeveloped
East	R-5(A)	Undeveloped
South	R-7.5(A)	Undeveloped, Private Stables
West	R-7.5(A)	Undeveloped

**Land Use Compatibility:**

The request site is developed with recently opened UNT Dallas Station, which is the southernmost Blue Line, light rail station in the current DART light rail system. The applicant proposes to construct a private radio tower to facilitate communication for DART. The proposed 180-foot tall radio tower will be topped with a 19-foot lightning rod for safety purposes.

While the immediate area to the south and southeast is a mixture of undeveloped property and private stables, Dallas Water Utilities' Southcliff Pump Station and the University of North Texas at Dallas campus wrap the north/northeast portion of the site.

The Dallas Development Code allows structures for utility and public service uses to be erected to any height consistent with the Federal Aviation Administration air space limitations, residential proximity slope height restrictions, and the building code<sup>1</sup>. Additionally, the proposed tower is located within the R-5(A) Single Family District, which specifies the maximum structure height is 30 feet, and does not limit structures in that district to a residential proximity slope<sup>2</sup>. Therefore, structures in the R-5(A) Single Family District for utility and public service uses are only restricted to the height regulations of the Federal Aviation Administration air space limitations and the building code.

However, a one-to-three slope, similar to RPS, can be utilized as a tool to consider height compatibility with surrounding uses and structures. For the proposed 200-foot tall tower to comply with a spacing of one foot in height for every three feet in distance, a minimum spacing of 600 feet is needed. The nearest property line of an existing residential use is estimated approximately 1,000 feet from the location of the proposed tower. Alternately, the nearest residential structure is separated by approximately 1,200 feet.

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

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<sup>1</sup> Reference Section 51A-4.408(a)(1) of the Dallas Development Code.

<sup>2</sup> Reference Section 51A-4.4112(g)(4)(E) of the Dallas Development Code.

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

Staff supports the request because the proposed private radio tower is located beyond the spacing distance that a comparable residential proximity slope would project from the nearest residential use and the private radio tower would facilitate communication needs for DART to create a safer experience for transit users.

**Parking:**

The Dallas Development Code requires two parking spaces for a radio, television, or microwave tower use; 475 spaces are provided on the site.



## List of Officers

---



Dallas Area Rapid Transit  
P.O. Box 660163  
Dallas, TX 75266-0163  
214/749-3278

November 27, 2017

The DART Board Members are:

Addison, Highland Park, Richardson, & University Park  
Gary Slagel

Carrollton & Irving  
Tim Hayden

Farmers Branch & Plano  
Faye Moses Wilkins

Garland  
Jonathan R. Kelly - Assistant Secretary

Garland, Rowlett & Glenn Heights  
Mark C. Enoch

Irving  
Rick Stopfer

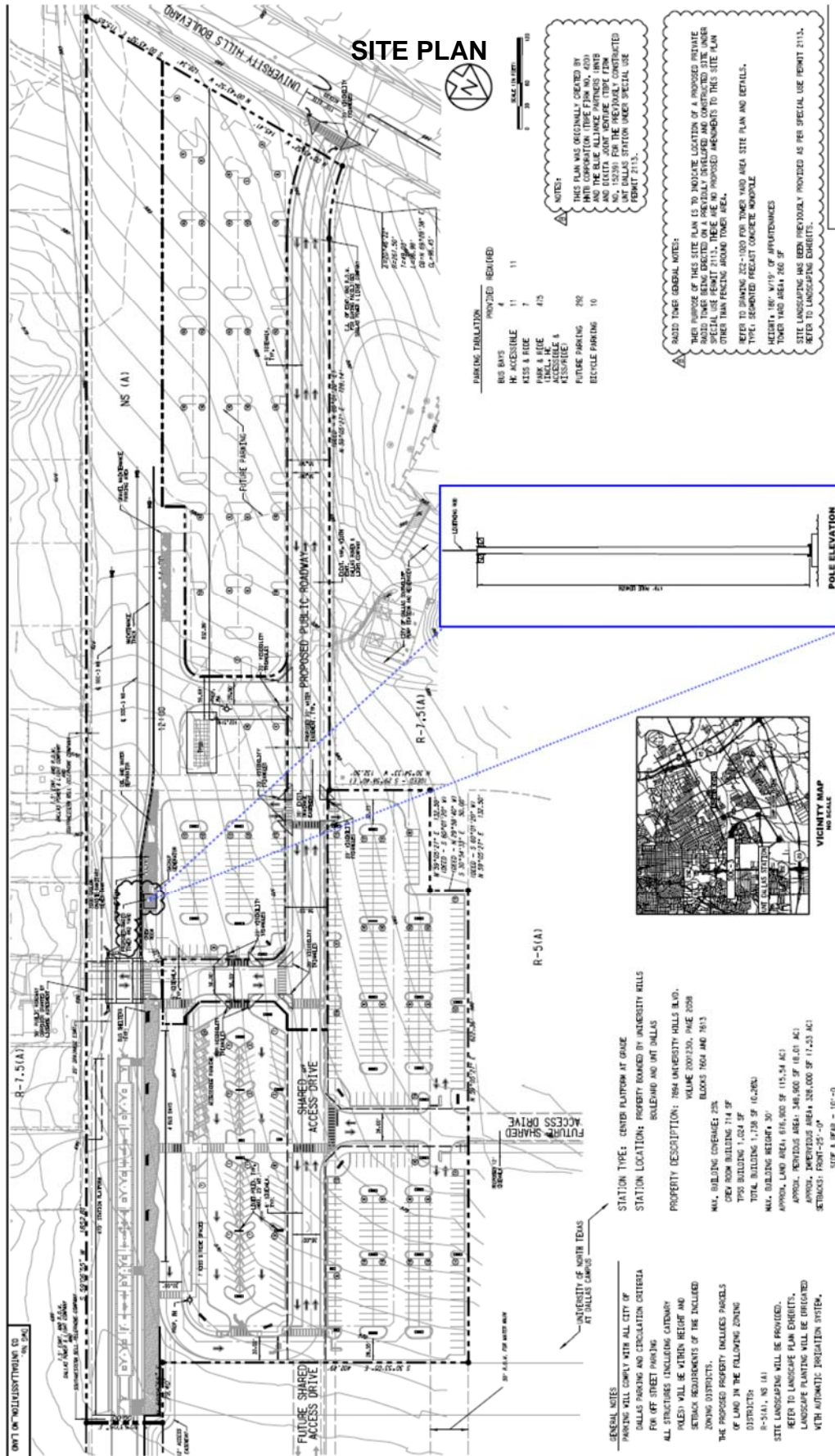
Plano  
Paul N. Wageman - Vice Chair

Dallas & Cockrell Hill  
Catherine S. Cuellar

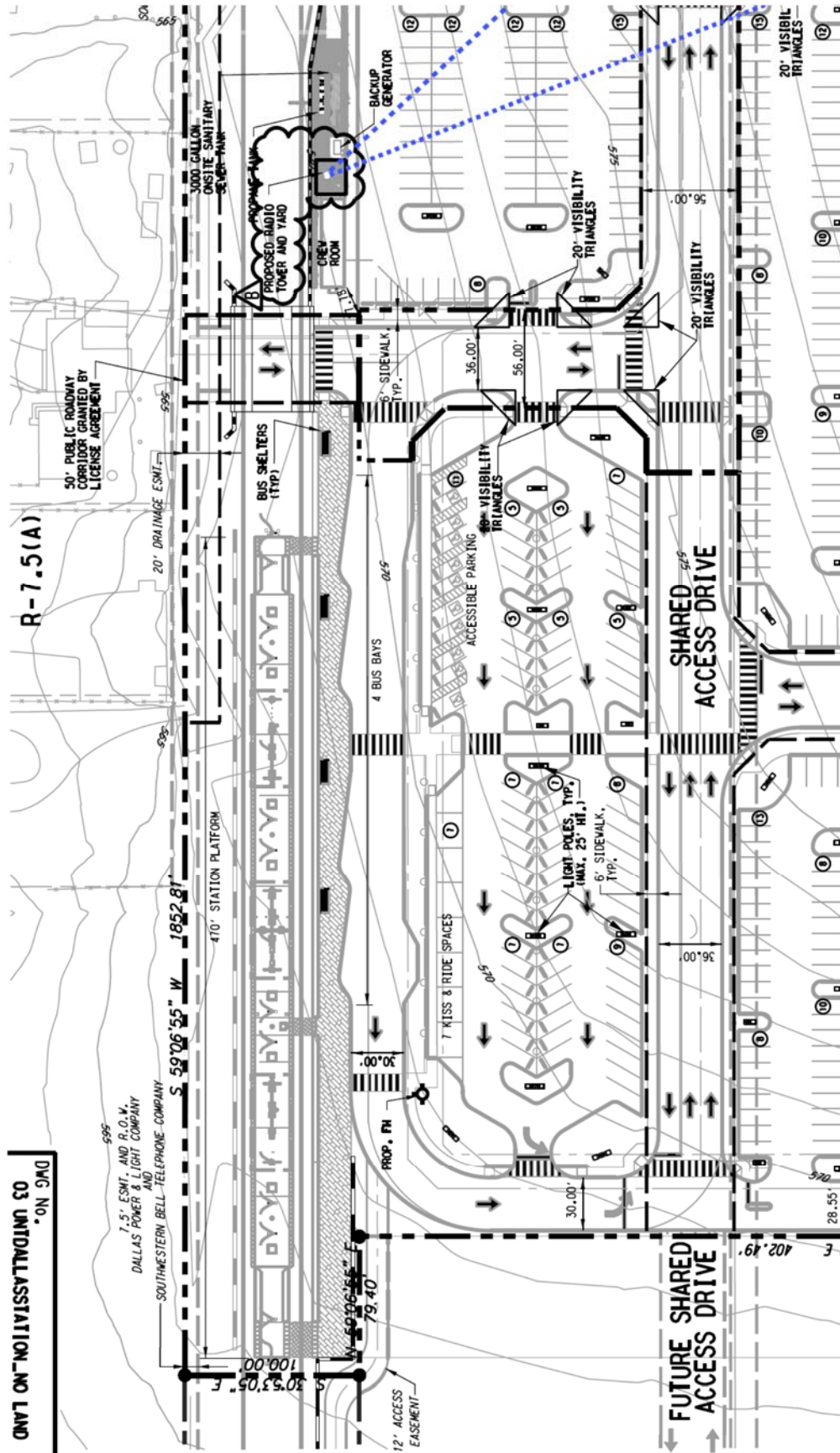
Dallas  
Sue S. Bauman – Chair  
Ray Jackson  
Patrick J. Kennedy  
Jon-Bertrell Killen  
Michele Wong Krause – Secretary  
Amanda Moreno  
Dominique P. Torres

### **Proposed SUP Conditions**

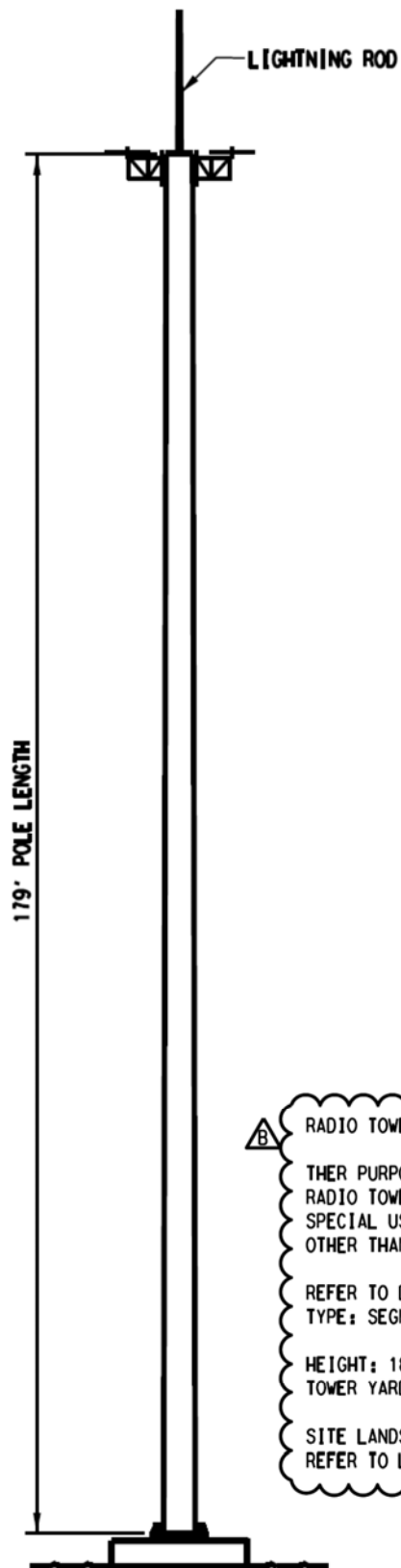
1. USE: The only use authorized by this specific use permit is a radio, television, or microwave tower.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. HEIGHT: Maximum height for the radio, television, or microwave tower is 200 feet.
5. ILLUMINATION: The radio, television, or microwave tower may not be illuminated, except as required by the Federal Aviation Administration.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



# ENLARGED SITE PLAN



## ENLARGED POLE ELEVATION DETAIL ON SITE PLAN



### RADIO TOWER GENERAL NOTES:

THE PURPOSE OF THIS SITE PLAN IS TO INDICATE LOCATION OF A PROPOSED PRIVATE RADIO TOWER BEING ERECTED ON A PREVIOUSLY DEVELOPED AND CONSTRUCTED SITE UNDER SPECIAL USE PERMIT 2113. THERE ARE NO PROPOSED AMENDMENTS TO THIS SITE PLAN OTHER THAN FENCING AROUND TOWER AREA.

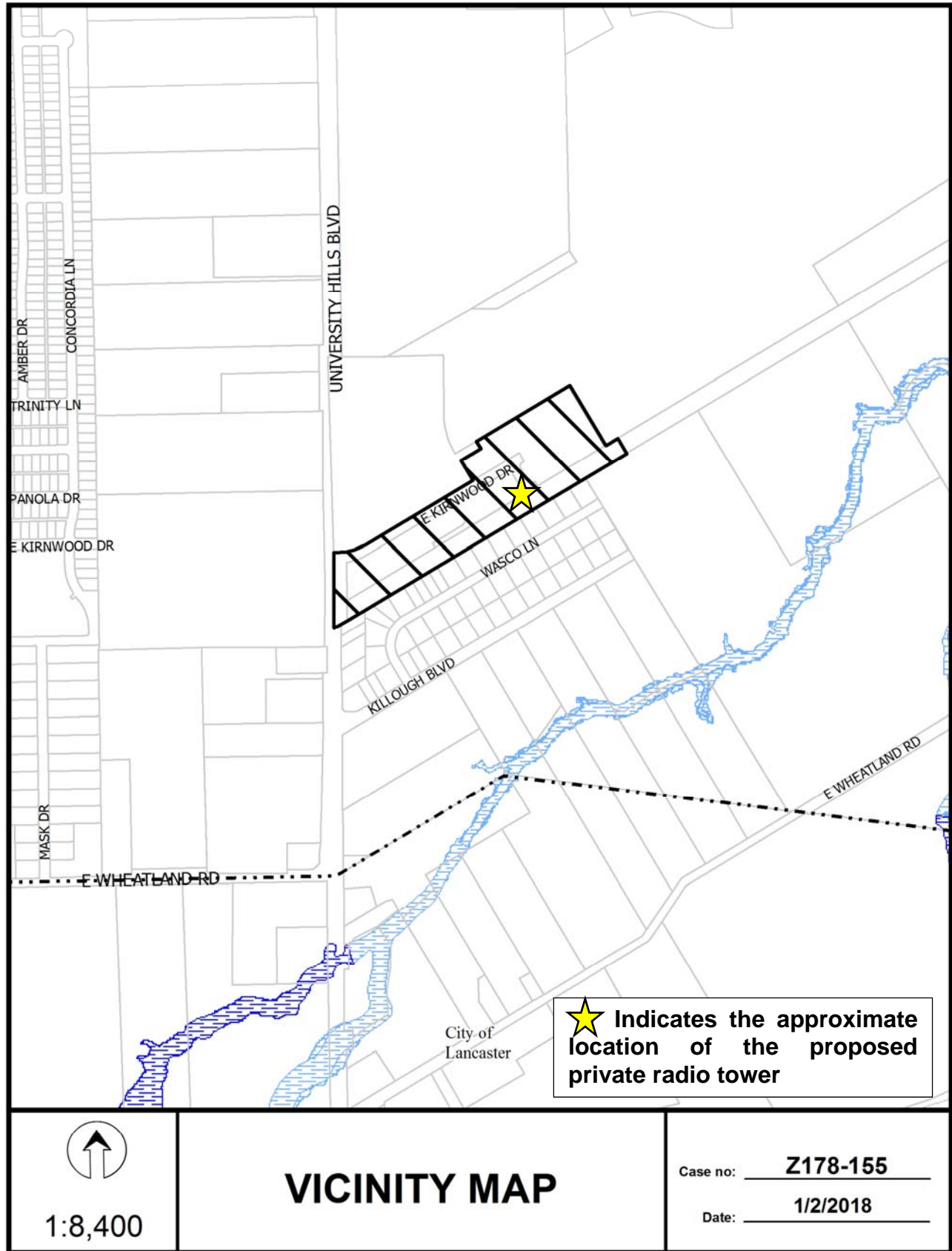
REFER TO DRAWING ZC2-1020 FOR TOWER YARD AREA SITE PLAN AND DETAILS.  
TYPE: SEGMENTED PRECAST CONCRETE MONOPOLE

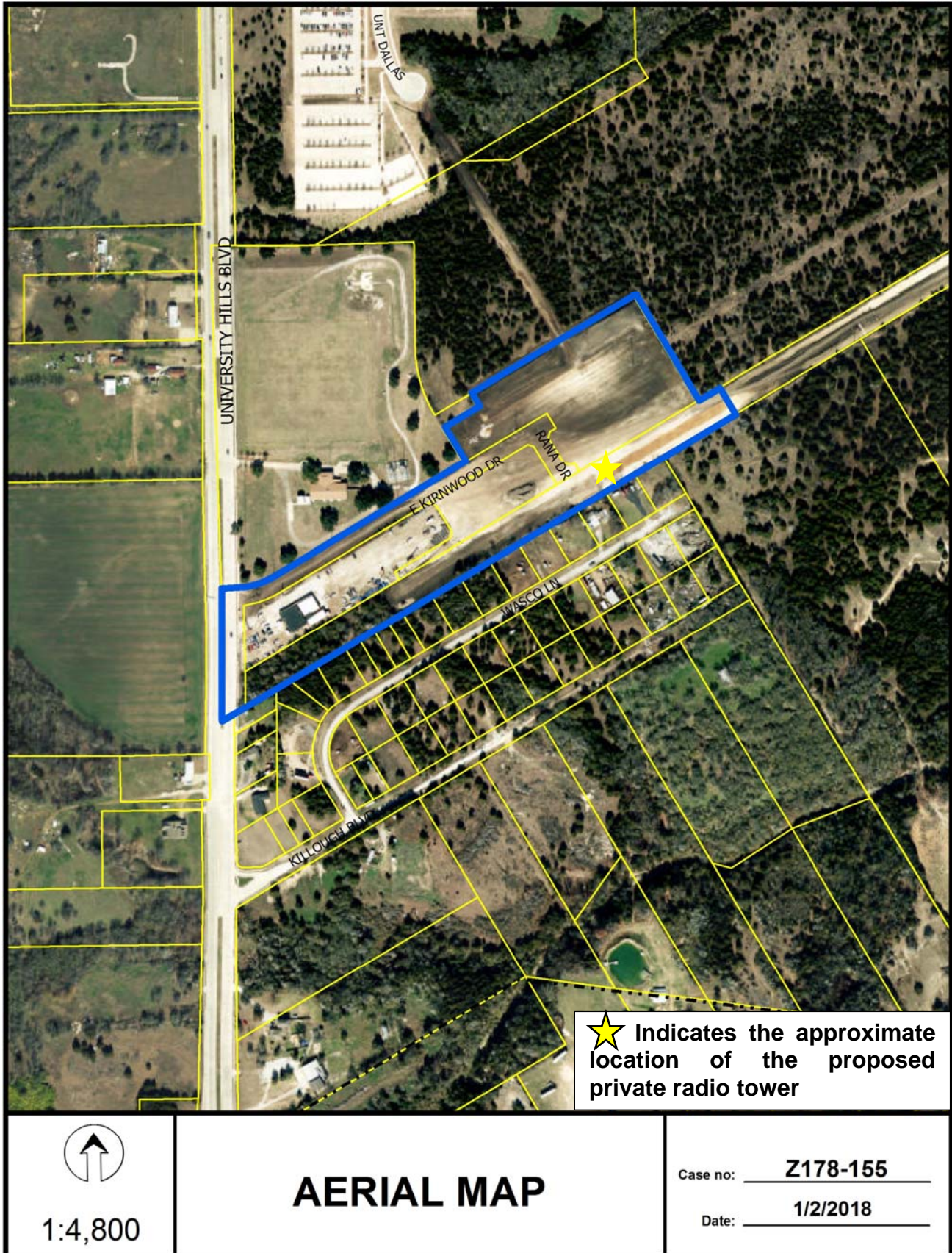
HEIGHT: 180' W/19' OF APPURTENANCES  
TOWER YARD AREA: 260 SF

SITE LANDSCAPING HAS BEEN PREVIOUSLY PROVIDED AS PER SPECIAL USE PERMIT 2113.  
REFER TO LANDSCAPING EXHIBITS.

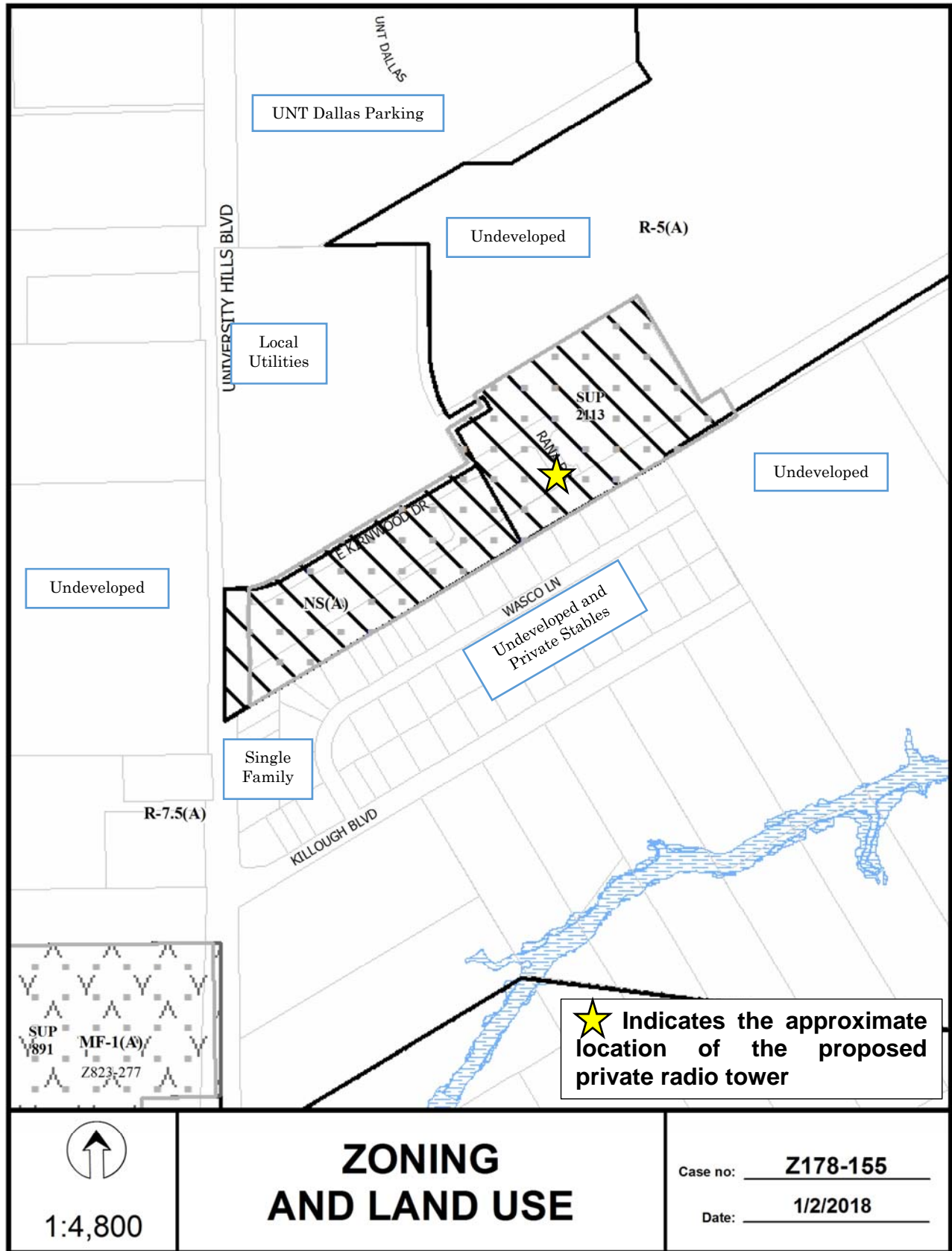
## POLE ELEVATION

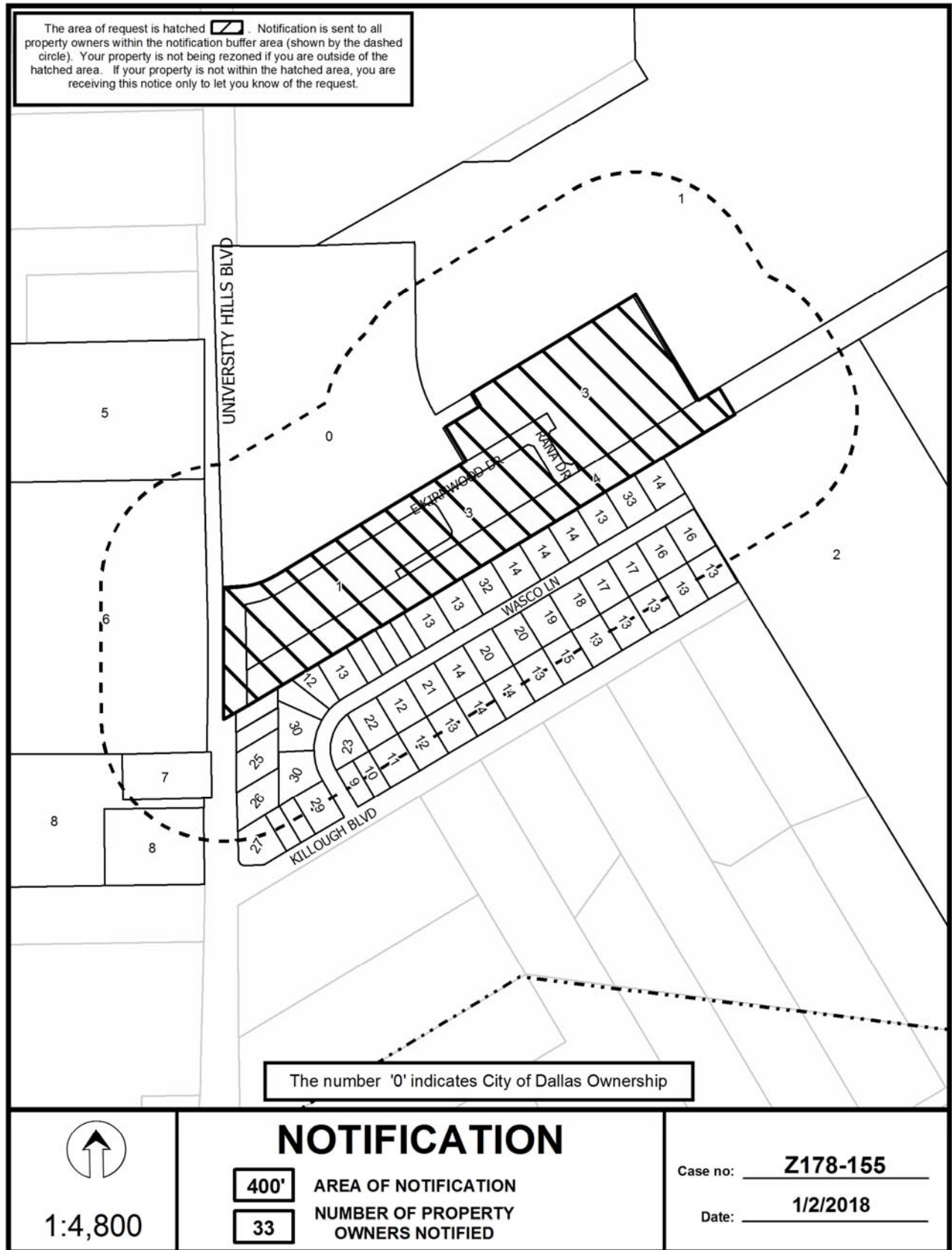












01/02/2018

***Notification List of Property Owners******Z178-155******33 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7894 UNIVERSITY HILLS BLVD	TEXAS STATE OF
2	1801 E WHEATLAND RD	RKCJ LLC
3	1400 E KIRNWOOD DR	DALLAS AREA RAPID TRANSIT
4	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT
5	7711 UNIVERSITY HILLS BLVD	SMITH ALVIN
6	7811 UNIVERSITY HILLS BLVD	BAYCO PROPERTIES LTD
7	8023 UNIVERSITY HILLS BLVD	HARRIS JACQUELINE A ETAL
8	8011 UNIVERSITY HILLS BLVD	SNEED REBECCA P
9	1305 KILLOUGH BLVD	HORSELY IVAN C &
10	1 KILLOUGH BLVD	JONES CARL WAYNE
11	1319 KILLOUGH BLVD	ELMORE RUTH EVELYN ETAL
12	1329 KILLOUGH BLVD	DART
13	1339 KILLOUGH BLVD	DART
14	1407 KILLOUGH BLVD	BARBER GREGORY S
15	1437 KILLOUGH BLVD	HAIRSTON JAMES L
16	1536 WASCO LN	JACKSON LEON
17	1516 WASCO LN	BARBER OPHERS
18	1438 WASCO LN	CURRY VIOLA B
19	1428 WASCO LN	SMITH CEDERICK
20	1418 WASCO LN	TEXAS TEAMSTERS
21	1356 WASCO LN	BARBER GERALD & OLIVIA
22	1336 WASCO LN	PATRICK OLIVER & CARLA
23	1322 WASCO LN	HORSLEY IVAN C
24	8010 UNIVERSITY HILLS BLVD	FRIAS ROLANDO & MARIA
25	8020 UNIVERSITY HILLS BLVD	MENDEZ CARMEN
26	8030 UNIVERSITY HILLS BLVD	WILSON SUSAN Y



Z178-155(SM)

01/02/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1211 KILLOUGH BLVD	REYES GENEVIEVE G
28	1217 KILLOUGH BLVD	ANIMA JESUS J &
29	1231 KILLOUGH BLVD	R K C J LLC
30	1315 WASCO LN	YOUNG JOHN W &
31	1327 WASCO LN	BROWN JOHN F
32	1417 WASCO LN	SILVA MARISELA
33	1525 WASCO LN	CARSON FLETA

**Planner: Sarah May****FILE NUMBER:** Z178-115(WE) **DATE FILED:** October 30, 2017**LOCATION:** West Illinois Avenue and Andrew Street, northeast corner**COUNCIL DISTRICT:** 1 **MAPSCO:** 53-S**SIZE OF REQUEST:** Approx. 3.0 acres **CENSUS TRACT:** 65.02

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**APPLICANT:** Steven Rich of Brite Shine, LLC**OWNER:** Mountain View Church of Christ**REPRESENTATIVES:** Perren Gase and Travis Lawrie**REQUEST:** An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the northeast corner of West Illinois Avenue and Andrew Street.**SUMMARY:** The applicant proposes to construct a multi-tenant retail development that will consist of a general merchandise or food store, and a restaurant without drive-in or drive through service. The proposed deed restrictions prohibit certain uses that are allowed in the CR Community Retail District.**STAFF RECOMMENDATION:** **Hold under advisement to March 22, 2018.****PRIOR CPC ACTION:** On February 15, 2018, the City Plan Commission held this item under advisement to allow the applicant to conduct a neighborhood meeting and to offer additional restrictions. Although the applicant offered some additional restrictions at the previous hearing, those revisions were not received by staff in time to include in this report.

## BACKGROUND INFORMATION:

- The request site is developed with a church and surface parking lot. Motor vehicle ingress/egress points exist to all three adjacent roadways.
- The applicant proposes to demolish one or more of the existing structures to redevelop the site with a one-story, multi-tenant retail development. The proposed development is proposed to consist of a general merchandise or food store and a restaurant without drive-in or drive through service.

**Zoning History:** There have been two zoning changes requested in the area during the past five years.

1. **Z145-239:** On August 12, 2015, the City Council approved a CR Community Retail District on property zoned an LI Light Industrial District.
2. **Z145-287:** On October 14, 2015, the City Council approved an RR Regional Retail District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District, an MF-2(A) Multifamily District, and an LI Light Industrial District.

## **Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West Illinois Ave	Principal Arterial	80 ft.	100 ft.
Andrew Street	Local	50 ft.	50 ft.
Rockford Drive	Local	45 ft.	45 ft.

## **Traffic:**

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

## 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 request does not support or obstruct the Plan's goals or policies.

## **Economic Element**

### **GOAL 2.1 PROMOTE BALANCED GROWTH**

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

### **GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS**

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

## **Urban Design**

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

## **STAFF ANALYSIS:**

### **Land Use Compatibility:**

The request site is developed with a church and surface parking lot. Motor vehicle ingress/egress points exist to all three adjacent roadways. The applicant proposes to demolish the existing church, in part or in whole, and redevelop the site with a multi-tenant shopping center that will include retail and restaurant uses. The applicant has proposed to restrict motor vehicle access to West Illinois Avenue and Andrews Drive, when located within 130 feet of the north right-of-way line of Illinois Avenue. Although staff considers the applicant's proposal to restrict vehicular access appropriate because of the adjacency to residential, staff recommends denial because the volunteered deed restrictions allow uses that are incompatible with surrounding properties.

The applicant requests a CR Community Retail District in lieu of a NS Neighborhood Services District because the NS District limits general merchandise or food stores to 3,500 square feet of floor area or less. The applicant has volunteered limited deed restrictions to omit the following uses and restrict vehicular access to residential streets. Of the following volunteered prohibited uses, a *college dormitory, fraternity, or sorority house* use is the only land use currently prohibited in the R-5(A) Single Family District. Therefore, it is staff's position that the list of prohibited uses volunteered to be restricted by the applicant does not address the potential incompatibility between the existing land uses and the multitude of newly allowed uses.

- Crop production. *[Limited to a community garden in both R-5(A) and CR]*
- Gas drilling and production. *[SUP required in both R-5(A) and CR]*
- Temporary concrete or asphalt batching plant. *[Special authorization from the building official is required in both R-5(A) and CR]*
- College dormitory, fraternity, or sorority house.

The following uses are prohibited in the existing zoning district [R-5(A) Single Family District] and are allowed with an SUP in the proposed zoning district [CR Community Retail District]. Staff supports this portion of the applicant's request because these uses would require consideration by the City Plan Commission and City Council before they are allowed, and therefore these uses need not be included in the volunteered deed restrictions.

- |  |  |
|--|--|
| • Medical or scientific laboratory.    | • Convenience store with drive-through.                          |
| • Hospital.                            | • General merchandise or food store 100,000 square feet or more. |
| • Hotel and motel.                     | • Swap or buy shop.  |
| • Lodging or boarding house.           | • Paraphernalia shop.  |
| • Overnight general purpose shelter.   | • Mini-warehouse.  |
| • Attached non-premise sign.           | • Recycling buy-back center.                                     |
| • Alternative financial establishment. | • Recycling collection center.                                   |
| • Alcoholic beverage establishments.   |  |
| • Commercial amusement (outside).      |  |

The following uses require an SUP in the existing zoning district [R-5(A) Single Family District] and are allowed without an SUP or an RAR<sup>1</sup> in the proposed zoning district [CR Community Retail District]. However, because the applicant proposes to restrict vehicular access, staff supports this portion of the applicant's request as these uses are not foreseen to be detrimental to the surrounding properties.

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<sup>1</sup> An RAR is an administrative review that could recommend approval with limited conditions with the intention to lessen negative impacts on nearby residential property.



- Adult day care facility.
- Child-care facility.
- College, university, or seminary.
- Convent or monastery.
- Country club with private membership.
- Private recreation center, club, or area.
- Electrical substation.
- Police or fire station.
- Post office.
- Monopole cellular towers taller than 65'

The applicant has not volunteered deed restrictions to prohibit the following uses that are prohibited in the existing R-5(A) Single Family District. Some of the following uses require an RAR or a DIR<sup>2</sup> in the CR District. Because some of these uses have a potential for late operating hours, creating additional noise, and could cause other potential nuisances to surrounding properties, staff recommends denial of the request. Staff would support the request if the applicant offered to restrict additional uses or volunteer other restrictions to protect surrounding properties.

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<sup>2</sup> A DIR is a development impact review. This review is an administrative review that evaluates if the traffic patterns of the proposed development would adversely impact the surrounding roadways.

- Building repair and maintenance shop. *[RAR]*
- Catering service.
- Custom business services.
- Electronics service center.
- Tool or equipment rental.
- Library, art gallery, or museum.
- Public school other than an open-enrollment charter school. *[RAR required in CR; SUP required in R-5(A)]*
- Financial institution without drive-in window.
- Financial institution with drive-in window. *[DIR]*
- Medical clinic or ambulatory surgical center.
- Office.
- Ambulance service. *[RAR]*
- Animal shelter or clinic without outside runs. *[RAR]*
- Auto service center. *[RAR]*
- Business school.
- Car wash. *[DIR]*
- Commercial amusement (inside). *[SUP required for dance halls in CR, other types by right]*
- Commercial parking lot or garage. *[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.
- Home improvement center, lumber, brick or building materials sales yard. *[DIR]*
- Household equipment and appliance repair.
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Pawn shop.
- Personal service uses.
- Restaurant with drive-in or drive-through service. *[DIR]*
- Restaurant without drive-in or drive-through service. *[RAR]*
- Temporary retail use.
- Theater.
- Commercial radio and television transmitting station.
- Monopole cellular towers 65 feet or taller. *[RAR]*

**Surrounding Land Uses:**

Location	Zoning	Land Use
Site	R-5(A)	Church
North	R-5(A)	Single Family
East	R-5(A)	Single Family
South	LI, R-5(A)	Police Station and Park Service Center
West	R-5(A)	Single Family, Personal service uses

**Development Standards:**

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
R-5(A) - existing Single Family	20'	5'	1 Dwelling Unit/ 5,000 sq. ft.	30'	45%		Single family
CR - proposed Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

**Landscaping:**

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

<b>LIST OF OFFICERS</b>
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**List of Partners/Principles/Officers - Brite Shine, LLC**

RE: Proposed rezoning of 4111 W Illinois, Dallas, TX 75211

The names listed below represent all Partners/Principles/Officers of Brite Shine, LLC:

1. Steven Rich
2. Tracey Rich

**List of Partners/Principles/Officers – Mountain View Church of Christ**

RE: Proposed rezoning of 4111 W Illinois, Dallas, TX 75211

The names listed below represent all Trustees of Mountain View Church of Christ:

1. Tameka Deshena Flemming
2. Elkie Brewer Bigham
3. Valerie Ann Evans
4. Annie Rine Knight
5. Andrea N. Newman
6. Carole Marquitta Hamilton
7. Phillip Alford Powers
8. Veronica Teresa Gibbons
9. Colin R. O'Garro
10. Nora O'Garro
11. Darwin Brown
12. Anthony Flemming
13. Roy Montgomery, Jr.

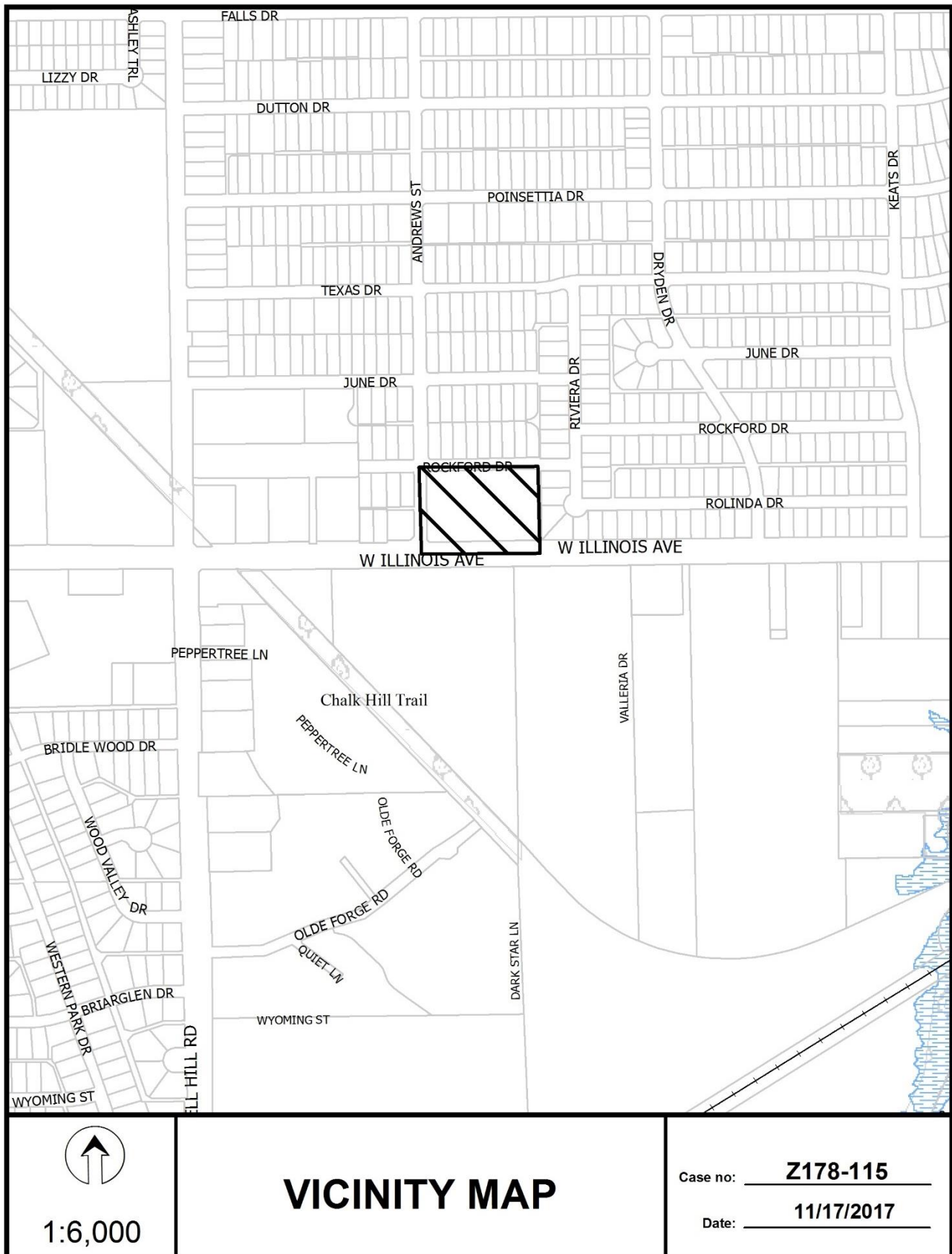
**PROPOSED DEED RESTRICTIONS**

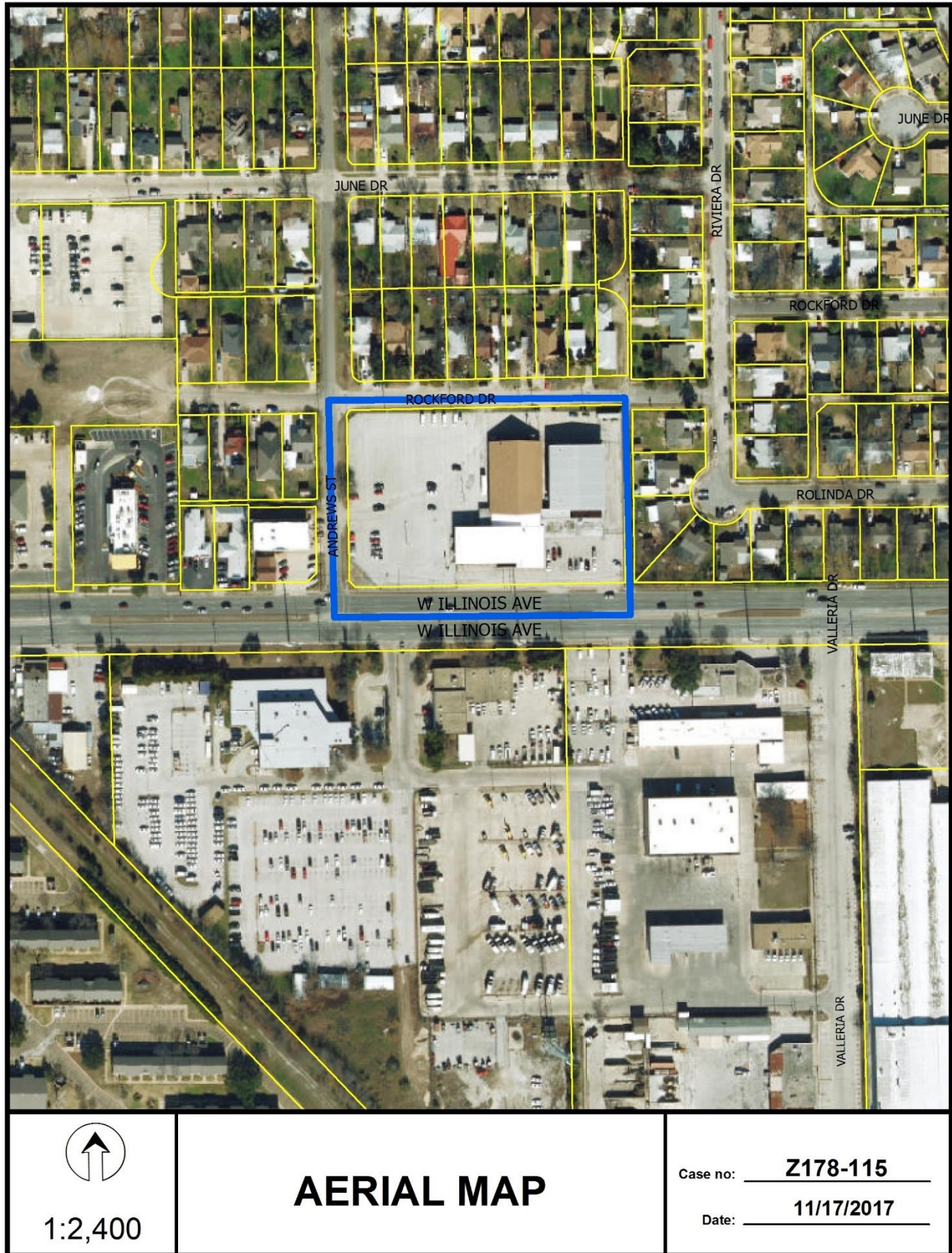
II.

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

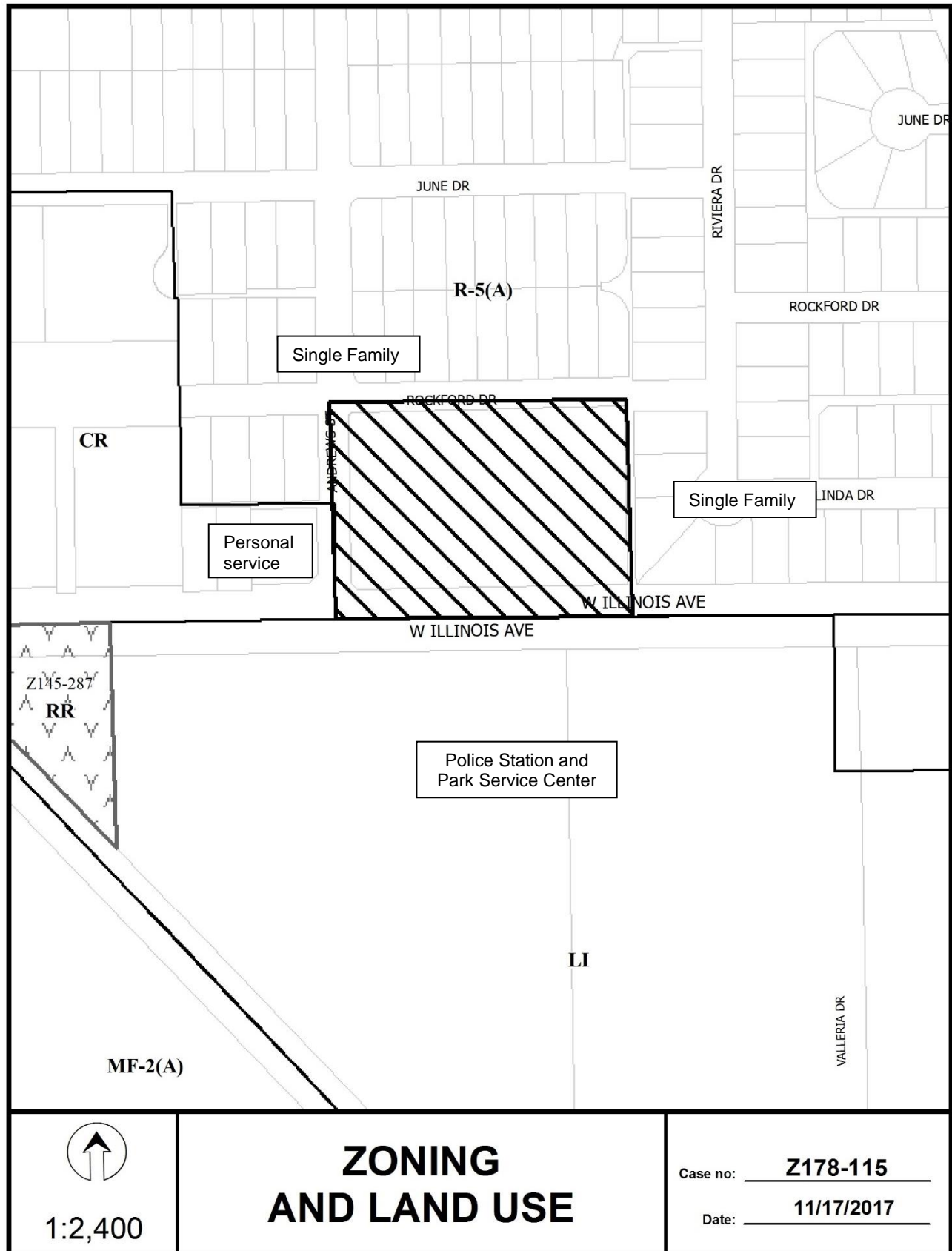
- (1) The following uses are prohibited:
  - Crop production.
  - Gas drilling and production.
  - Temporary concrete or asphalt batching plant.
  - College dormitory, fraternity, or sorority house.
- (2) Motor vehicle ingress-egress point to the Property is limited to:
  - Andrews Drive, when located within 130 feet of the north right-of-way line of Illinois Avenue, and
  - Illinois Avenue.

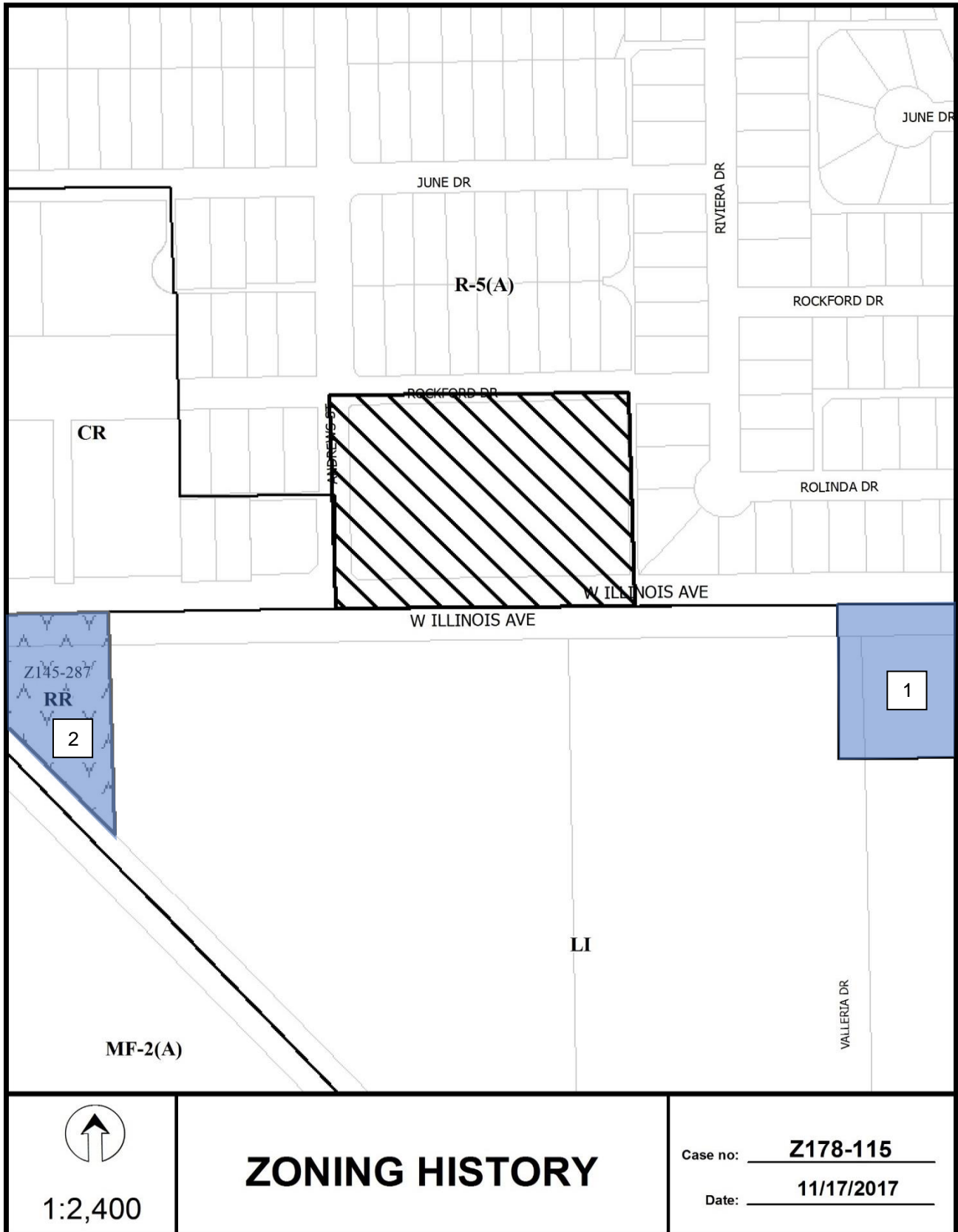


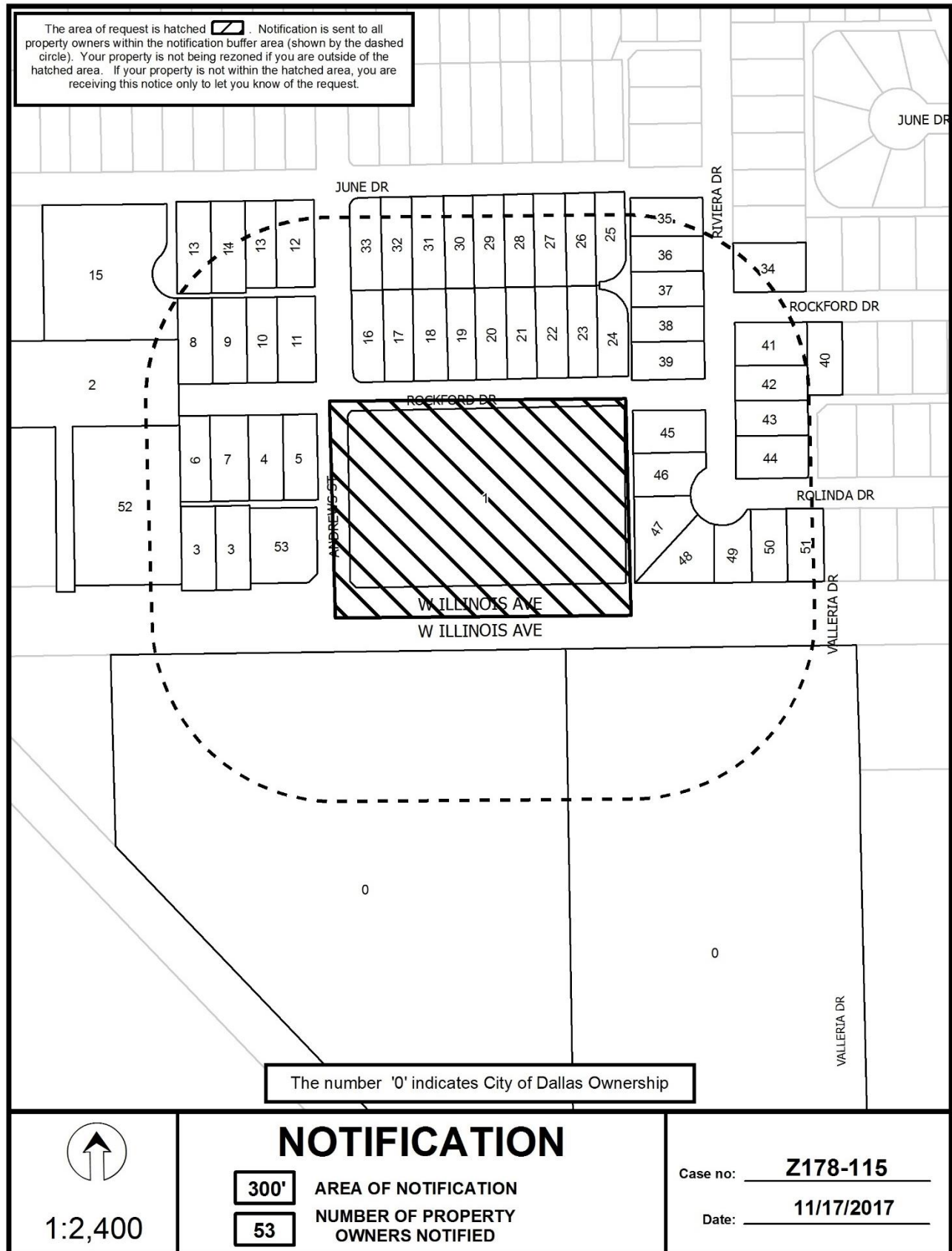














## ***Notification List of Property Owners***

***Z178-115***

***53 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4111 W ILLINOIS AVE	MOUNTAINVIEW CHURCH OF CHRIST
2	4303 W ILLINOIS AVE	EMERALD DENTON PROPERTIES LTD
3	4217 W ILLINOIS AVE	LISEMBY THOMAS A III
4	4208 ROCKFORD DR	SALAZAR ANTONIO &
5	4202 ROCKFORD DR	OZUNA IGNACIO JR & CARMEN
6	4216 ROCKFORD DR	MCCORD ALMA
7	4212 ROCKFORD DR	SALAZAR J REYES
8	4215 ROCKFORD DR	CARRANZA TOMAS CALLADO
9	4211 ROCKFORD DR	BONILLA JOAQUIN
10	4207 ROCKFORD DR	RAMIREZ EFRAIN
11	4203 ROCKFORD DR	MORENO JOSE & MARIA LEOVIJILDA DIAZ
12	4202 JUNE DR	MOYA NANCY
13	4206 JUNE DR	VARGAS NAVOR &
14	4214 JUNE DR	ZAPATA SERGIO
15	4210 JUNE DR	U S POSTAL SERVICE
16	4135 ROCKFORD DR	CRUZ ANGEL A & ANA M
17	4131 ROCKFORD DR	MATEO WILTON NOEL CASTILLO & FABIOLA TAMAYO CEJUDO
18	4127 ROCKFORD DR	ALONSO JULIAN &
19	4121 ROCKFORD DR	REAL ESTATE NEST LLC
20	4119 ROCKFORD DR	CANTU RUBEN CARDONA
21	4115 ROCKFORD DR	ZUBIRI GERARDO
22	4111 ROCKFORD DR	PEREZ DELFINO
23	4107 ROCKFORD DR	S & R SMART INVESTMENT LLC
24	4103 ROCKFORD DR	TRIGG KENNETH M
25	4102 JUNE DR	VANEGAS FRANK D & JULIA L
26	4106 JUNE DR	VAQUERA CONSEPCION &

11/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4110 JUNE DR	MASIAS MATTHEW
28	4114 JUNE DR	QUALLS JERRY LYNN
29	4118 JUNE DR	SALAIZ SOFIA
30	4122 JUNE DR	HERNANDEZ JOSE M
31	4126 JUNE DR	MOYA CIPRIANA
32	4130 JUNE DR	RODRIGUEZ SIXTO A
33	4134 JUNE DR	GONZALEZ GERARDO
34	2212 RIVIERA DR	FLORES GUADALUPE A & OLGA
35	2205 RIVIERA DR	HIRACHETA J REYNALDO &
36	2211 RIVIERA DR	HERRERA HUMBERTO R
37	2215 RIVIERA DR	GALLEGOS J GUADALUPE
38	2221 RIVIERA DR	AGUILAR JESUS S & REVECA
39	2225 RIVIERA DR	SERRANO BEATRIZ
40	4014 ROCKFORD DR	REYES RUBEN &
41	2222 RIVIERA DR	VALDEZ ANA M & RUBEN VALEZ
42	2226 RIVIERA DR	ZAMORA EDUARDO
43	2230 RIVIERA DR	REYES JAVIER
44	2234 RIVIERA DR	ACOSTA ANGEL
45	2233 RIVIERA DR	POPOCA NEREYDA
46	2237 RIVIERA DR	MEDELLIN FLORENTINO &
47	2241 RIVIERA DR	RIVERA DORA I &
48	4030 ROLINDA DR	CHAVEZ GRACIELA
49	4026 ROLINDA DR	MUNOZ JUSTINO
50	4022 ROLINDA DR	ACOSTA ANGEL M &
51	4018 ROLINDA DR	ARECHAR ANTONIO
52	4223 W ILLINOIS AVE	MCDONALDS CORP
53	4207 W ILLINOIS AVE	LILIANS SALON DE BELLEZA LLC

**FILE NUMBER:** Z167-221(SM)

**DATE FILED:** February 22, 2017

**LOCATION:** Northwest corner C.F. Hawn Freeway and Great Trinity Forest Way

**COUNCIL DISTRICT:** 8

**MAPSCO:** 58-U, Y

**SIZE OF REQUEST:** Approx. 0.71 acre

**CENSUS TRACT:** 93.04

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**REPRESENTATIVE:** Santos Martinez, Masterplan

**APPLICANT/OWNER:** DFW Distributor Petroleum, Inc., Sami Ebrahim, President

**REQUEST:** An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned Subdistrict 5 within Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 with a D-1 Liquor Control Overlay.

**SUMMARY:** The applicant proposes to continue to sell beer and wine for off-premise consumption in conjunction with the existing convenience store [Shell].

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

**PRIOR CPC ACTION:** On February 15, 2018, the City Plan Commission recommended to hold this item under advisement to allow the applicant time to provide additional landscaping information at the next meeting. No changes were made to this report.

**PLANNED DEVELOPMENT DISTRICT NO. 533:**

<http://www.dallascityattorney.com/51P/Articles%20Supp%2015/Article%20533.pdf>

**BACKGROUND INFORMATION:**

- The request site is developed with a 2,721-square foot general merchandise or food store (convenience store), a 1,774-square foot drive through restaurant, and motor vehicle fueling station.
- On December 14, 2011, Specific Use Permit No. 1926 was approved by City Council for a two-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions.
- On November 14, 2012, the City Council approved a renewal for an amendment to Specific Use Permit No. 1926 for a two-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions. The amendment included the addition of the drive-through restaurant and an approximately 877 square foot expansion of the convenience store. The applicant did not apply for an automatic renewal; therefore, the specific use permit expired on November 14, 2014.

**Zoning History:**

1. **Z156-309:** On January 25, 2017, the City Council approved Specific Use Permit No. 2228 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. **Z134-159:** On April 23, 2014, the City Council renewed Specific Use Permit No. 1966 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
CF Hawn Freeway	US Highway	Variable Width
Great Trinity Forest Way (Loop 12)	State Highway	Variable Width

**Land Use:**

	Zoning	Land Use
<b>Site</b>	PDD No. 533-D-1; SUP No. 1926	General merchandise store with fueling station and restaurant with drive-through
<b>North</b>	PDD No. 533-D-1	C.F. Hawn Freeway ROW
<b>East</b>	RR; SUP No. 1844; SUP No. 1858	C.F. Hawn Freeway ROW; Loop 12 ROW
<b>South</b>	RR	General merchandise or food stores w/fueling stations
<b>West</b>	PDD No. 533-D-1	Restaurant with drive-through; retail

## **STAFF ANALYSIS:**

### **Comprehensive Plan:**

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

There are no goals or policies supporting or opposing the request.

### **Land Use Compatibility:**

The request site is developed with a 2,721-square foot general merchandise or food store (convenience store), a 1,774-square foot drive through restaurant, and motor vehicle fueling station. The applicant proposes to continue to sell beer and wine for off-premise consumption in conjunction with the convenience store.

The request site is surrounded by C.F. Hawn Freeway ROW to the north; C.F. Hawn Freeway ROW and Loop 12 ROW to the east; general merchandise or food stores with motor vehicle fueling stations to the south; and a restaurant with drive through service and retail the west. The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

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

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or



both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

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

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

In general, the applicant's request is consistent with the general provisions for a Specific Use Permit. Therefore, staff recommends approval for a two-year period with eligibility for automatic renewal for additional five-year periods.

### **Development Standards:**

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD No. 533 - D-1 Subdistrict 5	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

### **Traffic:**

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

### **Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one space per 200 square feet of floor area, the requirement for a restaurant with drive-through service is one space per 100 square feet of floor area. In addition, a motor vehicle fueling station requires two spaces.

Therefore, the proposed  $\pm 2,721$ -square foot convenience store;  $\pm 1,774$ -square foot restaurant with drive-through service and motor vehicle fueling station will require 33 spaces. As depicted on the site plan, 33 spaces are provided.

**Landscaping:**

Landscaping is required in accordance with Planned Development District No. 533. However, the applicant is seeking the approval of an alternative landscape plan to address the constraints of landscaping on a fully developed property and underground utilities that limit available landscape areas, as well as to address conflicts with PDD requirements for sidewalk and parkway planting needs.

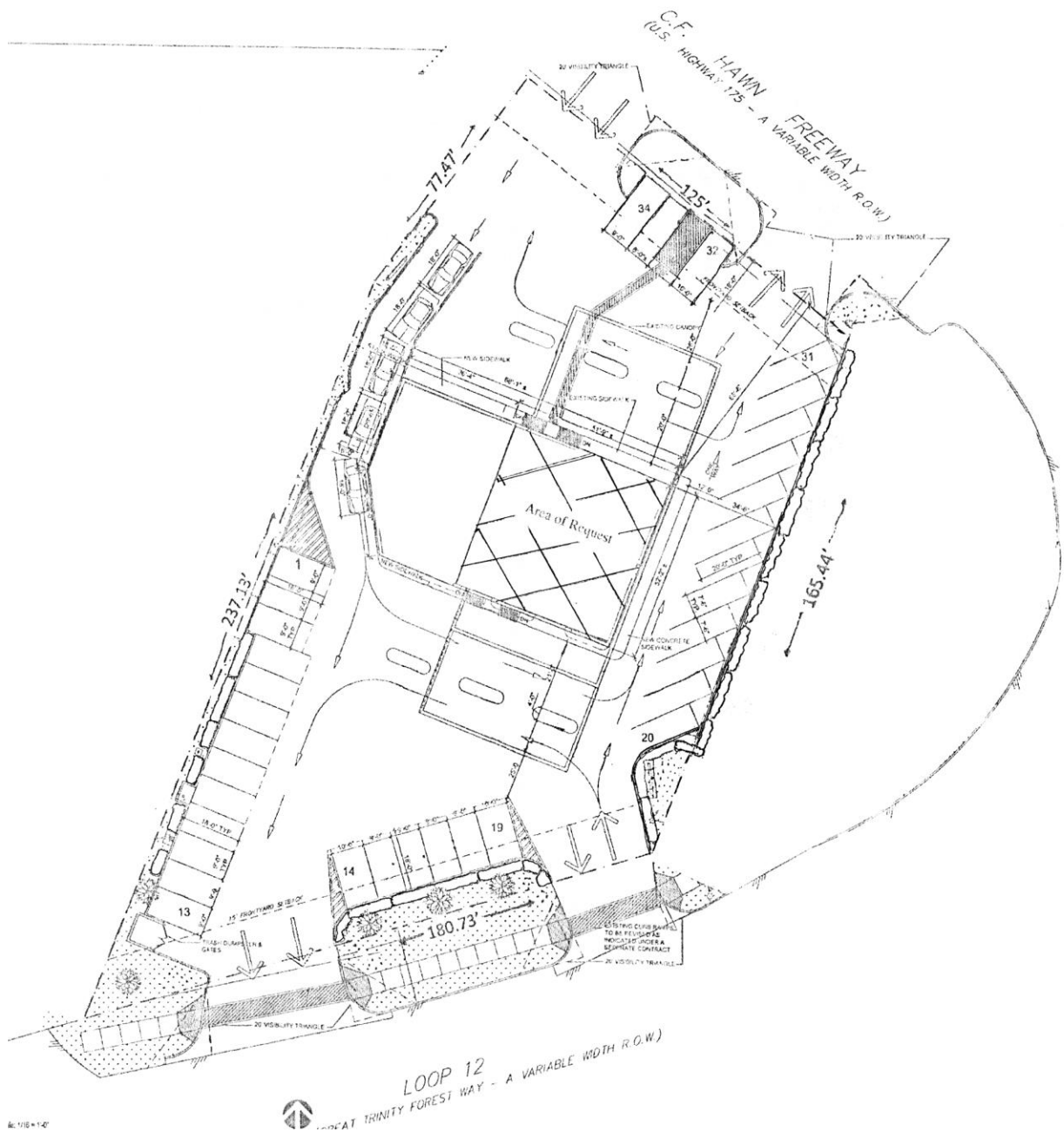
It is noted that the proposed alternative landscape plan is based on the presumption of TXDOT's rejection of sidewalks and/or parkway tree plantings in the required locations. TXDOT has also introduced and maintains trees and other landscape improvements on the parkway area adjacent to the property. Specifically, the proposed alternative landscape plan would exempt the applicant from the following requirements:

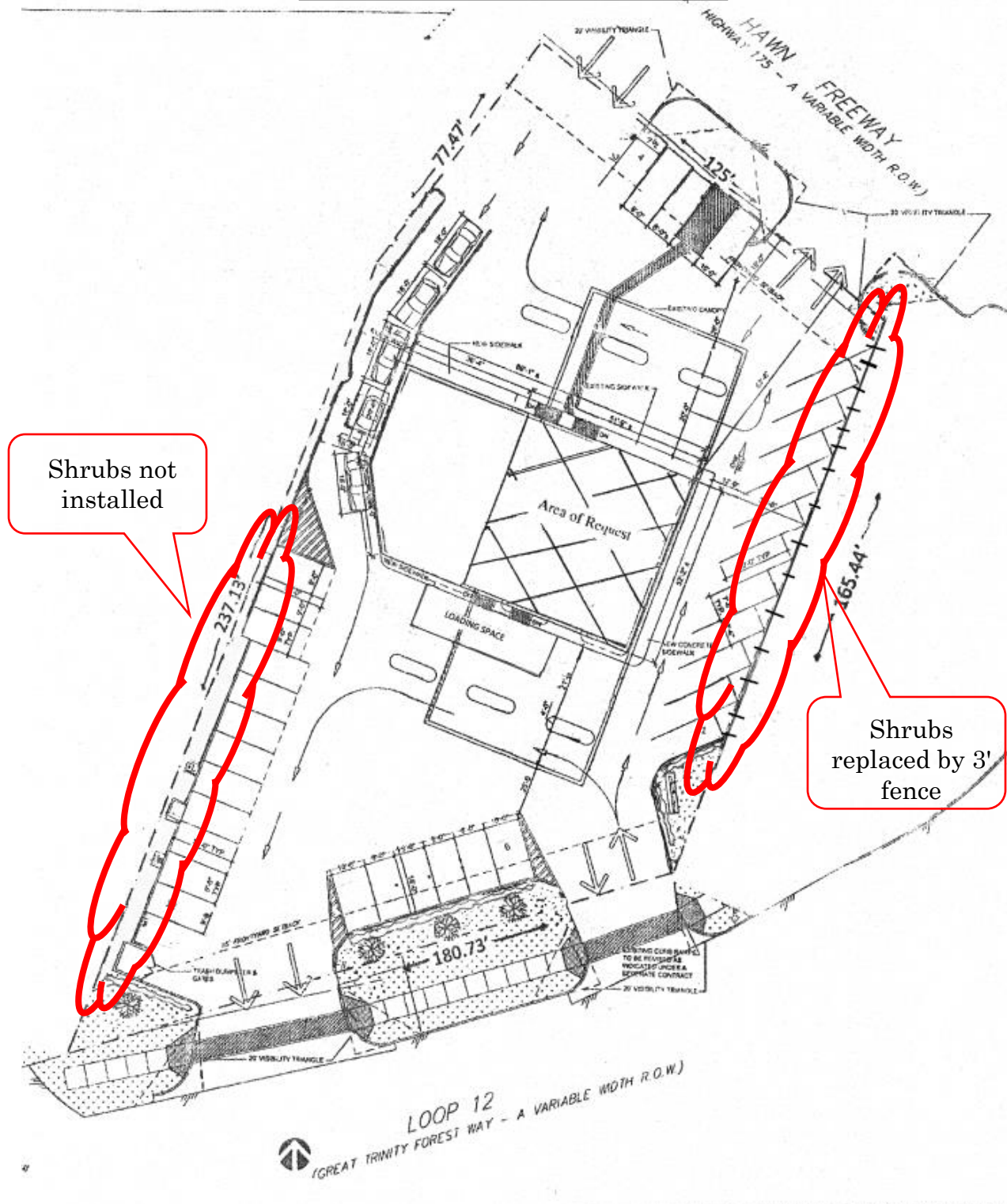
- Parkway trees (between sidewalk and street) are required for all street frontages at 1: 30 feet (minus driveways and visibility triangles)
- Screening of parking along CF Hawn Freeway both street frontages (3-foot tall shrub row or solid wall).
- Site trees at 1:4000 square feet
- Two design standards

### **Proposed SUP Conditions**

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

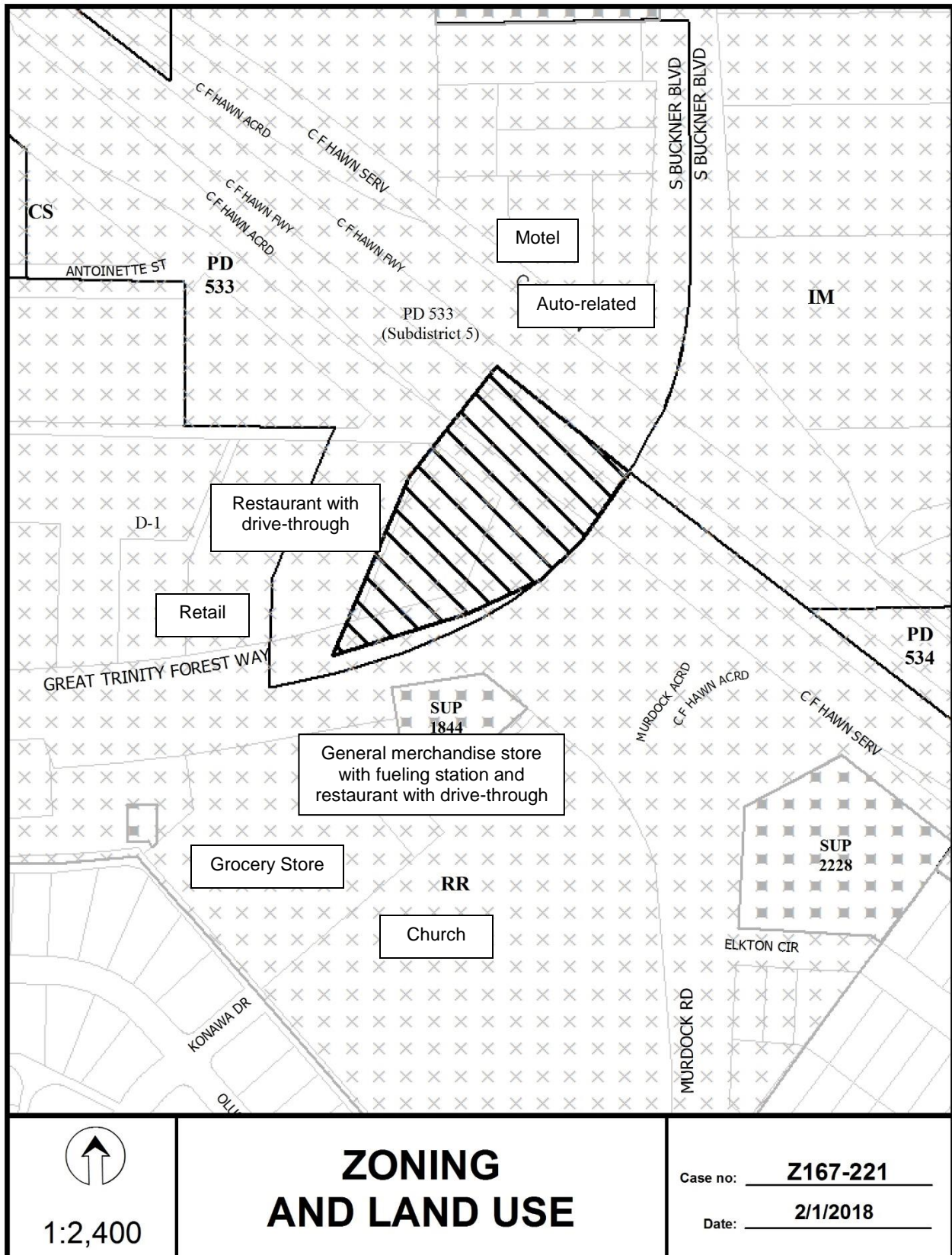
**Previously Approved  
Site/Landscape Plan**



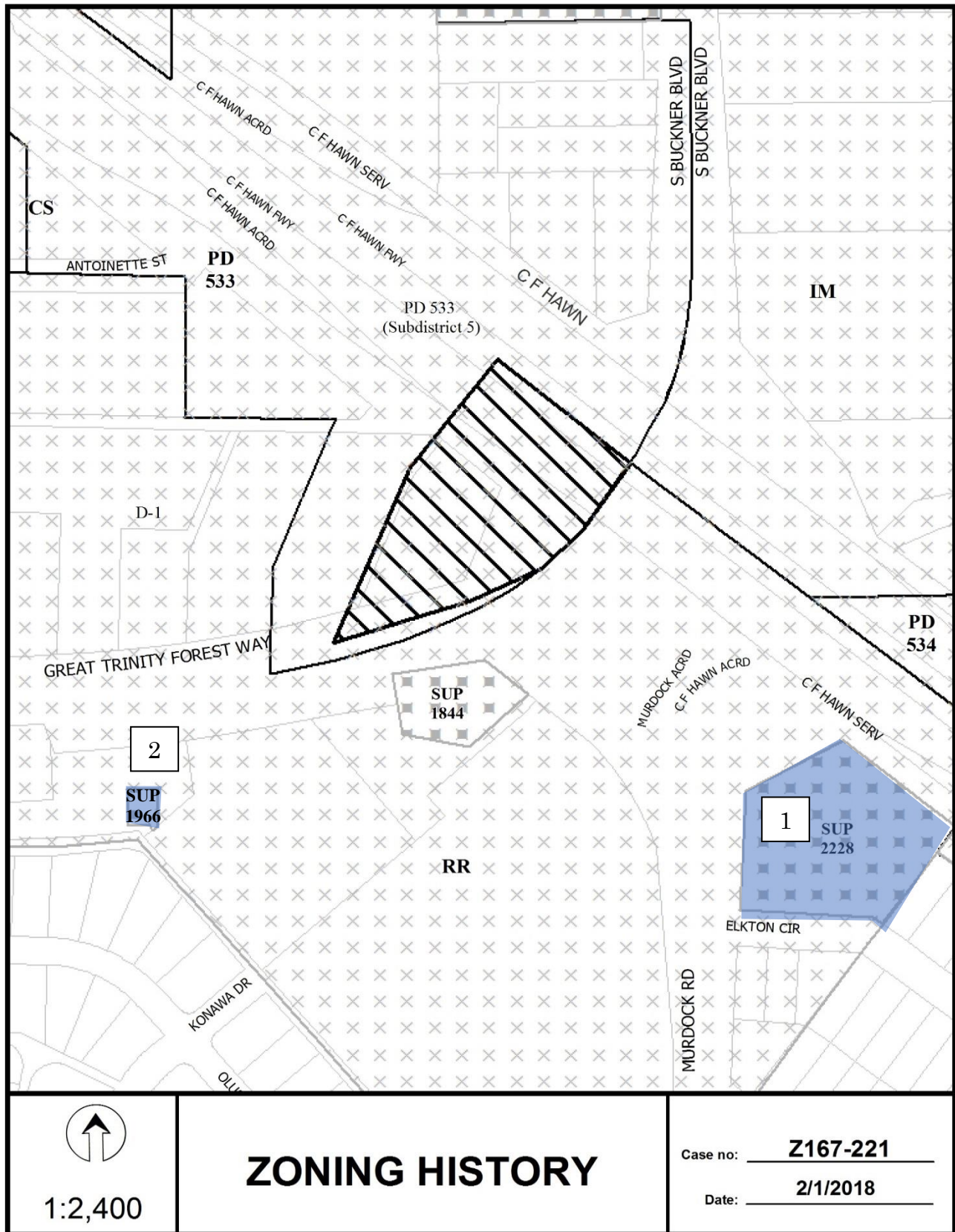


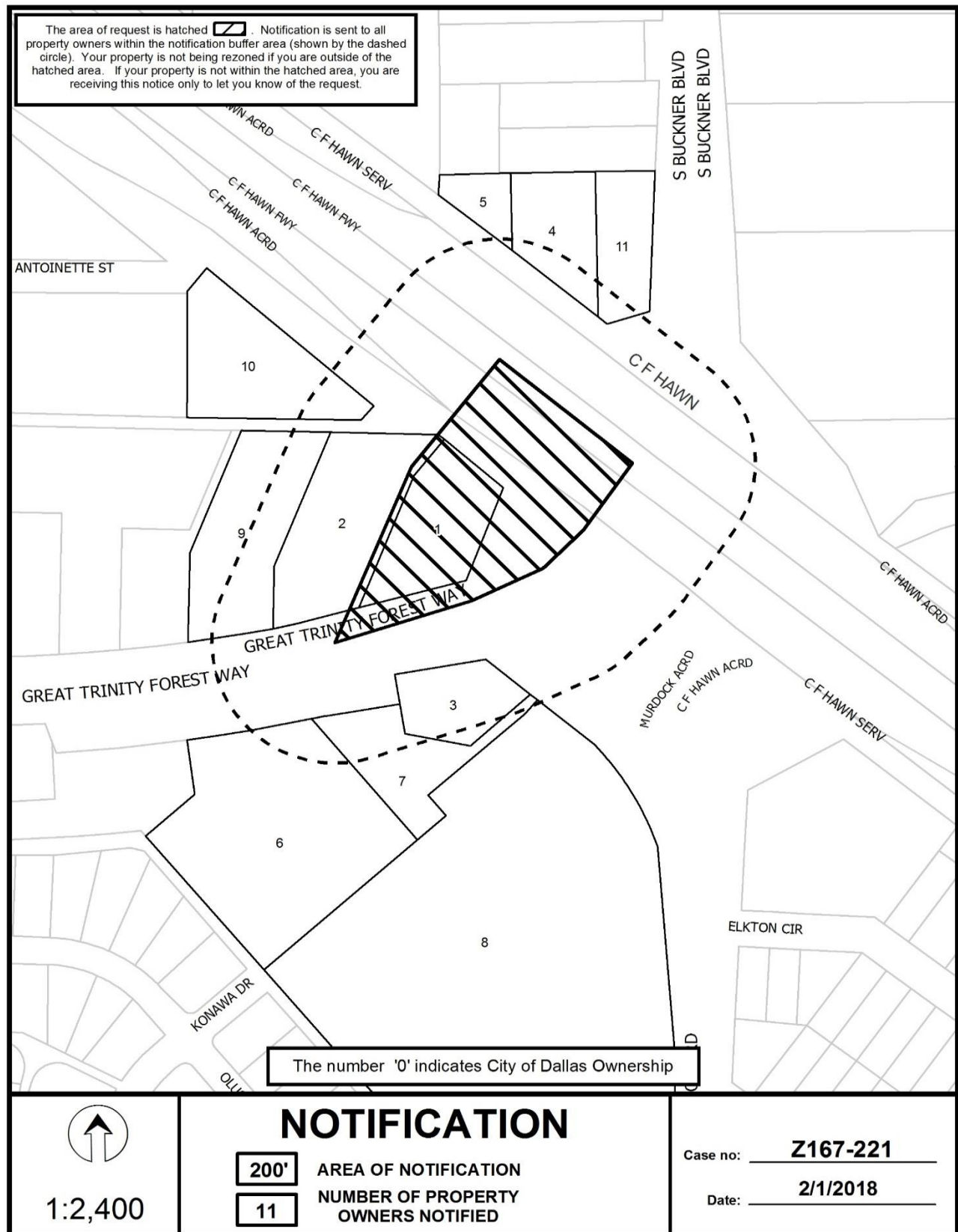












02/01/2018

***Notification List of Property Owners***

***Z167-221***

***11 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8015 C F HAWN FWY	DFW DISTRIBUTOR PETROLEUM INC
2	8055 GREAT TRINITY FOREST WAY	BENJAMIN FRANKLIN FEDERAL
3	8098 GREAT TRINITY FOREST WAY	ENIGMA ENTERPRISES INC
4	8020 C F HAWN FWY	STARDUST MOTELS INC
5	8010 C F HAWN FWY	DAL TILE CORPORATION
6	7932 GREAT TRINITY FOREST WAY	KIMODALE INC
7	8000 GREAT TRINITY FOREST WAY	R & R SULEIMAN LLC
8	121 MURDOCK RD	UNITED HOUSE OF PRAYER
9	7900 GREAT TRINITY FOREST WAY	COLE FD PORTFOLIO IV LLC
10	2950 ANTOINETTE ST	KELLER R JACK
11	129 S BUCKNER BLVD	BWINGRAM INVESTMENTS LTD



**FILE NUMBER:** Z178-145(JM)

**DATE FILED:** December 6, 2017

**LOCATION:** Southeast corner of Travis Street and Knox Street.

**COUNCIL DISTRICT:** 14

**MAPSCO:** 35-Q, U

**SIZE OF REQUEST:** ±1.2 acres

**CENSUS TRACT:** 7.02

**APPLICANT/OWNER:** Weir's Plaza Partnership, LLC/ Weir Family Investments

**REPRESENTATIVE:** William S. Dahlstrom, Jackson Walker LLP

**REQUEST:** An application for a Planned Development Subdistrict for LC Light Commercial uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The applicant is proposing to redevelop a portion of the site to construct parking below grade and a 12-story mixed-use commercial and office structure.

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

**PRIOR CPC ACTION:** On February 15, 2018, this case was held under advisement to allow more time to refine the proposed PDS conditions including adding an Architectural Design Standards section. Changes are detailed throughout the report.

**PLANNED DEVELOPMENT NO. 193:**

<http://www.dallascityattorney.com/51P/Articles%20Supp%2021/Article%20193%20Part%20I.pdf>

## **BACKGROUND INFORMATION:**

- On February 8, 1985, Planned Development District No. 193, the Oak Lawn Special Purpose District, was approved by the City Council. The PD is comprised of approximately 2,593 acres, and provides standards to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the objectives outlined in the PD.
- The applicant is proposing to redevelop a portion of the site to construct a 12-story mixed-use commercial and office structure with parking below grade. The proposed PDS deviates from the existing PD 193 LC Subdistrict standards in the following manners:
  - By allowing encroachments into the required front yard for raised planters, benches, bicycle racks, and an existing clock.
  - An increase in FAR from 4.0 to 5.5. For an office use, restaurant and bar use, or a furniture store use, the area of patios and building terraces, either uncovered or periodically covered by retractable shade features, are not included in the floor area calculation.
  - By removing the front yard setback requirement along Travis Street in the area occupied by the existing building at the corner of Knox Street and Travis Street as identified on the development plan (Highland Park Soda Fountain building).
  - By modifying the sign provisions to allow projecting signs as detailed in the proposed conditions.
  - By modifying the parking provisions to require parking underground, allow shared parking throughout the subdistrict, and to allow off-street loading maneuverability to occur in the abutting alley to the north.
  - By requiring an additional setback after reaching a height of 48 feet.
  - Adding architectural design standards to control façade elements, building articulation, and transparency.
  - Requiring landscape planters for second and third floor terraces.
  - Ensuring that before the issuance of a certificate of occupancy, traffic signals at the intersection of Armstrong Street and Cole Avenue, and Armstrong Street and McKinney Avenue must be installed.

**Zoning History:** There has been one zoning case in the area in the past five years.

1. **Z145-323:** On November 10, 2015, the City Council approved SUP No. 2163 for a Class A Dance hall on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District located on the northwest line of Travis Street, south of Knox Street.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Travis Street	Community Collector	80 feet	80 feet
Knox Street	Community Collector	60 feet	60 feet

**Traffic:**

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

**Surrounding Land Uses:**

	Zoning	Land Use
<b>Site</b>	LC Light Commercial Subdistrict, PD No. 193	Furniture Store and Restaurant
<b>North</b>	LC Light Commercial Subdistrict, PD No. 193	Retail, Restaurant, and Multifamily
<b>East</b>	LC Light Commercial Subdistrict, PD No. 193	Retail, Restaurant, and Multifamily
<b>South</b>	PD No. 196	Retail, Restaurant, Health Studio, and Office
<b>West</b>	LC Light Commercial Subdistrict, PD No. 193	Retail, Dance Hall, and Surface Parking

**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.

The applicant's request generally complies with the following goals and policies of the Comprehensive Plan.

## **LAND USE**

### **GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

## **URBAN DESIGN**

### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Implementation Measure 5.1.1.3 Apply urban design tools in pedestrian or transit oriented districts when approving zoning cases and when developing Area Plans.

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

Designing pedestrian-friendly streetscapes with pedestrian-oriented amenities and enhancements encourages people to walk. The proposed development offers a variety of street furniture, pedestrian scale signage, and a lively street-level atmosphere. Benches, bike racks, and trash receptacles are also planned within the pedestrian realm. New development should be appropriate to the context of its location in density, intensity and size, particularly when adjacent to existing residential areas, historic or conservation districts.

The proposed development maintains the uses currently allowed in the LC District, while adding more neighborhood serving mixed-use floor area.

#### **Area Plans:**

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

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

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

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

The applicant's request for a PDS meets objectives 1, 2, 3, 4, 6 and 7. The remaining objective 5 is not applicable since there is no proposed residential units within the proposed development; however, an increase in floor area ratio FAR is sought. The proposed development is being constructed largely within the existing development rights and standards for the LC Subdistrict which is the base zoning. Residential uses are not being proposed within this development and as a result, objective 5 is not applicable. The proposed changes to the existing PDS should encourage a more walkable, pedestrian environment.

### **Land Use Compatibility:**

Surrounding uses include retail, restaurant, and multifamily to the north and east; retail, restaurant, health studio, and office to the south; and retail, a dance hall (SUP No. 2163), and surface parking to the west.

The applicant is proposing to redevelop a portion of a parcel containing 1.2 acres of developed area. The existing structures house a furniture store (Weir's) and a restaurant (Highland Park Soda Fountain). The proposed project would raze the existing Weir's building to construct a 12-story mixed-use commercial and office structure with parking below grade. The Highland Park Soda Fountain building was constructed in 1910. While the proposed PDS language does not preserve the structure, the PDS is controlled by the development plan, which identifies that the façade of the structure will remain.

The proposed PDS deviates from the existing PD 193 LC Subdistrict standards in the following manners:

- By allowing encroachments into the required front yard for raised planters, benches, bicycle racks, and an existing clock.

Many of the items allowed to encroach into the required front yard help to activate the streetscape and provide for an enhanced pedestrian experience. The existing clock



relocated from the southeast corner of the property, adjacent to the alleyway, will perpetuate the character of the area. The existing Highland Park Soda Fountain building was erected in 1910. The clock is planned to be moved along the frontage of the remaining structure. This enlivens the overall experience when visiting the area.

- By removing the front yard setback requirement along Travis Street in the area occupied by the existing building at the corner of Knox Street and Travis Street as identified on the development plan (Highland Park Soda Fountain building).

This request serves to make the existing structure compliant with code.

- An increase in FAR from 4.0 to 5.5. For an office use, restaurant and bar use, or a furniture store use, the area of patios and building terraces, either uncovered or periodically covered by retractable shade features, are not included in the floor area calculation.

The proposed development includes 297,000 square feet of mixed use floor area. The lot contains approximately 54,000 square feet of total area. The existing FAR of 4.0 would allow approximately 216,000 square feet of floor area. The proposed FAR of 5.5 allows an increase in floor area of 81,000 square feet. The structure will have a maximum height of 215 feet, well within the allowable height for the LC District (maximum 240 feet). The 77 percent lot coverage meets the maximum of 80 percent. The additional floor area will provide for features such as balconies for the offices, patios at the ground level, and more retail and office space to serve the surrounding neighborhood.

A provision excluding patios and building terraces, either uncovered or periodically covered, from the floor area ratio, specifically for an office use, would allow the developer to provide an architecturally interesting design while not impacting the overall demands of the development. If these areas are accessible by people already present for a different use (to work in an office), then there are no additional cars travelling or parking at the site.

- By modifying the sign provisions to allow projecting signs as detailed in the proposed conditions.

According to existing sign regulations the proposed structure would be allowed one projecting sign, no matter the size of the building.

The proposed modification includes two attached double-sided projecting signs with a sign face on each side not exceeding 38 square feet in effective area located above the first level at a height not greater than 48 feet above grade, and not closer than 50 feet apart. These two signs are only allowed for a furniture store use occupying more than 25,000 square feet of floor area.

Eight attached double-sided projecting signs with a sign face on each side not exceeding six square feet in effective area, and not closer than 10 feet apart, are permitted for ground floor doorways. This provision allows the signs to create a unique look for the subdistrict, while ensuring that visual clutter does not abound. The number of signs is limited to the number of potential ground-floor tenants. The spacing requirement will prevent a visually overwhelming experience. Up to three additional

projecting signs may identify elevator, parking or similar locations. Projecting signs must provide a clearance of at least ten feet above grade. A license is required for a projecting sign to extend over public right of way.

- By modifying the parking provisions to require parking underground, allow shared parking throughout the subdistrict, and to allow off-street loading maneuverability to occur in the abutting alley to the north.

The surrounding area is highly developed with limited parking. The proposed underground parking would be allowed to satisfy the required parking for any use within the subject site. This alleviates issues with shared parking agreements when there are multiple lots and property owners sharing parking. Additionally, all parking is required to be provided underground, thus accentuating the streetscape by keeping active uses throughout all street-fronts.

The Engineering Division has reviewed the request to allow maneuverability in the right-of-way for the loading beside the alley abutting the property to the north and has stated that the request will not cause a traffic safety issue.

**New conditions added after 2/15/18 CPC hearing:**

- This request has been removed: By allowing encroachment of structures into the visibility triangles as shown on the development plan (seat walls up to four feet in height or one-and-a-half feet into the visibility triangle at the northeast corner of Knox Street and Travis Street).

This provision was stricken from the request since the seat walls have a proposed height of one-and-a-half feet and according to Section 51A-4.602 of the Dallas Development Code, a visibility triangle is the area between two-and-one-half feet and eight feet in height measured from the top of the adjacent street curb.

- Additional setback required after reaching a height of 48 feet. The setback applicable to the portion of a building exceeding 48 feet shall be a minimum of 30 feet from the lot line shared in common with private property, and 25 feet from a lot line shared with a public right of way. For an office use, restaurant and bar use, or a furniture store use, patios and building terraces, either uncovered or periodically covered by retractable shade features, are exempt from the additional setback requirement.

The additional setback was added considering the existing character and scale of development in the area. While the surrounding properties are largely zoned an LC Light Commercial Subdistrict with a maximum height of 240 feet and no additional setback unless adjacent or perpendicular to residential uses, the existing commercial developments are mostly one-to-two stories in height. This provision will alleviate the possible canyon effect that could occur as the area redevelops and makes the utilization of the allowable height less imposing upon the existing structures.

- Clearer provisions on the floor area of patios and building terraces, either uncovered or periodically covered by retractable shade features, for office, restaurant and bar use, or a furniture store uses, and when parking will occur.

Typically, uncovered patios are not parked or counted in the overall floor area ratio. Patios which are covered with a structure are usually parked and count in the overall floor area ratio. Outside display areas are typically parked and count in the overall floor area ratio. The proposal includes exempting these items from the overall floor area ratio, but parking the uses at new ratios. More information on this is provided in the parking section of this report.

- Architectural design standards have been added to control façade elements, building articulation, and transparency.

The role of the first floor of the building is to define public space, city identity, create interesting pedestrian spaces, articulate entrances, and assist in the creation of an attractive and animated public realm providing a safe, interesting, and comfortable pedestrian experience. These standards have been added to ensure the character of the proposed structure.

- Second and third floor terraces, either uncovered or periodically covered by retractable shade features, must provide landscape planters with a planting area equal to at least five percent of the terrace area.

This provision will ensure that dynamic landscaping proposed on terraces and balconies will be included in the overall site design and maintenance. Adding landscaping to the upper stories which are set back and may contain terraces helps to soften the effect of the building while adding vital green space.

- Before the issuance of a certificate of occupancy, traffic signals at the intersection of Armstrong Street and Cole Avenue, and Armstrong Street and McKinney Avenue must be installed.

A traffic impact analysis was reviewed by the Engineering Division. The proposed development, with the increase in floor area ratio, is found to warrant traffic signals at the two aforementioned intersections. These signals will have to be installed prior to the issuance of a certificate of occupancy for the subject site.

### **Development Standards:**

District	Setbacks		FAR	Height	Lot Coverage	Primary Uses
	Front	Side/Rear				
<b>Existing:</b> LC Subdistrict	10'	5'—duplex 10'—multifamily 0' all others  10'—duplex 10' to 25'—multifamily 0' all others	4.0	240'	80%	Moderate density residential and limited office/retail/personal service.
<b>Proposed:</b> PDS for LC uses	10' Encroachments permitted  No front yard setback along southeast corner of Travis Street and Knox Street.	5'—duplex 10'—multifamily 0' all others  10'—duplex 10' to 25'—multifamily 0' all others	5.5	240'	80%	Moderate density residential and limited office/retail/personal service.

**Parking:**

Parking for the development will be largely based on the requirements of PD No. 193, the Oak Lawn Special Purpose District. Provisions of the proposed PDS which modify the standard parking include:

1. *For a patio or terrace section of a restaurant and bar use, 80 percent of the seating area periodically covered with a retractable shade feature shall be treated as floor area for the purpose of calculating required off street parking.* This constitutes a 20 percent reduction since any patio area with a shade feature would typically require parking to the standard for the use.
2. *In addition, if the outdoor seating area of an uncovered patio or terrace associated with a restaurant or bar use exceeds the interior floor area for that use, 80 percent of such outdoor seating area shall be treated as floor area for the calculation of off street parking.* This is an increase in required parking since uncovered patios are not required to be parked for this use, regardless of the size.
3. *For a furniture store use, a second floor terrace not exceeding 1,200 square feet used for the display and sale of patio furniture shall be considered part of the furniture store main use and shall be treated as floor area for the calculation of off-street parking requirements.* This provides no net change since an outside display area for this use would require parking whether or not it is covered.

**Landscaping:**

The new development on the property will require landscaping per the proposed landscape plan. The proposed landscape plan provides a reduction in the overall landscape site area required in Section 51P-193.126.(h)(1) where in GR and LC subdistricts, at least 10 percent of a lot, including at least 60 percent of the required front yard, must be designated by the property owner as landscape site area. The lot contains 54,000 square feet of site area and, according to the landscape plan provided, offers 3,047 square feet of landscape site area of which 740 square feet are in a front yard. This is not in compliance with the 10 percent of the lot (5,400 square feet) with 60 percent in the front yard (3,240 square feet). The City Arborist has reviewed the proposed landscape plan and found it acceptable.

**List of Officers**

**OFFICERS AND DIRECTORS**

APPLICANT:

Partners:

Tyler Morris

James Mason

Justin Schoelkopf

Robert Clark

Ryan Swell

Will Hardy

OWNER:

General Partner:

Patsy S. Moore

Z178-145



**Proposed PDS Conditions**

**Division S-\_\_\_\_. PD Subdistrict \_\_\_\_.**

**SEC. S-\_\_\_\_.101. LEGISLATIVE HISTORY.**

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

**SEC. S-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict \_\_\_\_ is established on property located south of Knox Street, east of Travis Street. The size of PD Subdistrict \_\_\_\_ is acre.

**SEC. S-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

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

(b) In this division:

(1) PROJECTING SIGN means an attached sign oriented perpendicular to a building face.

(2) SUBDISTRICT means a subdistrict of PD 193.

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

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

**SEC. S-\_\_\_\_.104. EXHIBITS.**

The following exhibits are incorporated into this division:

(1) Exhibit S-\_\_\_\_A: development plan.

(2) Exhibit S-\_\_\_\_B: landscape plan.

(3) Exhibit S:\_\_\_\_C: existing detached clock.

**SEC. S-\_\_\_\_.105. DEVELOPMENT PLAN.**

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

**SEC. S-\_\_\_106. MAIN USES PERMITTED.**

Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the LC Light Commercial Subdistrict, subject to the same conditions applicable in the LC Light Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted in the LC Light Commercial Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the LC Subdistrict is subject to DIR in this subdistrict; etc.

**SEC. S-\_\_\_107. ACCESSORY USES.**

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

**SEC. S-\_\_\_108. YARD, LOT, AND SPACE REGULATIONS.**

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

(a) Except as provided in this section, the yard, lot, and space regulations for the LC Light Commercial Subdistrict apply.

(b) If a building is erected or altered to exceed 48 feet in height, an additional setback shall be provided for the portion of the building exceeding 48 feet in height. The setback applicable to the portion of a building exceeding 48 feet shall be a minimum of 30 feet from the lot line shared in common with private property, and 25 feet from a lot line shared with a public right of way. For an office use, restaurant and bar use, or a furniture store use, patios and building terraces, either uncovered or periodically covered by retractable shade features, are exempt from the additional setback requirement.

(c) Fixed raised planters, benches, and seat walls are permitted within the front yard setback as identified on the development plan.

(d) Awnings and canopies may extend beyond the building outlines shown on the development plan up to ten feet into a required front, side, or rear yard.

(e) No front yard setback is required along Travis Street in the area occupied by the existing building at the corner of Knox Street and Travis Street as identified on the development plan.

(f) The existing detached clock may be relocated and is permitted within the front yard along Travis Street.

(g) Attached signs permitted under Section S\_\_\_\_.110 may extend into the front yard setback.

(h) Retaining walls, steps, ramps, handrails, and safety railings not exceeding four feet in height, bicycle racks, patio furniture, utility equipment, landscape planters, tree planters, sculptures and other decorative landscape features are permitted in the required front, side or rear yard.

(i) Maximum floor area ratio is 5.5:1. For an office use, restaurant and bar use, or a furniture store use, the area of patios and building terraces, either uncovered or periodically covered by retractable shade features, are not included in the floor area calculation. Notwithstanding the foregoing:

(1) For restaurant and bar use patio or terrace 80% of the seating area periodically covered with a retractable shade feature shall be treated as floor area for the purpose of calculating required off street parking. In addition, if the outdoor seating area of an uncovered patio or terrace associated with a restaurant or bar use exceeds the interior floor area for that use, 80% of such outdoor seating area shall be treated as floor area for the calculation of off street parking.

(2) For a furniture store use, a second floor terrace not exceeding 1,200 square feet used for the display and sale of patio furniture shall be considered part of the furniture store main use and shall be treated as floor area for the calculation of off-street parking requirements.

#### **SEC. S-\_\_\_\_.109. PARKING AND LOADING.**

Consult Part I of this article for the specific off-street parking and loading requirements for each use.

- (a) All required off-street parking spaces must be located underground.
- (b) Off-street parking spaces located in this subdistrict may not be used to satisfy the required off-street parking requirements for any use not located in this subdistrict.
- (c) Off-street loading spaces within this subdistrict may be shared by uses located anywhere within the subdistrict.
- (d) Off-street loading spaces and trash removal access may be provided at grade, and may be entered with a back-in maneuver from the abutting alley.

#### **SEC. S-\_\_\_\_.110. SIGNS.**

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

(b) Eight attached double-sided projecting signs with a sign face on each side not exceeding six square feet in effective area are permitted not closer than 10 feet apart. Up to three additional projecting signs may identify elevator, parking or similar locations, without a limit in word height. Projecting signs must provide a clearance of at least ten feet above grade. A license is required for a projecting sign to extend over public right of way.

(c) Two attached double-sided projecting signs with a sign face on each side not exceeding 38 square feet of effective area, are permitted on the façade of a furniture store use occupying more than 25,000 square feet of floor area. Such signs must be installed above the first floor level at a height not greater than 48 feet, and not closer than 50 feet apart. No more than two such signs are permitted in this subdistrict.

(d) The existing detached clock (Exhibit S:\_\_\_C) shall not be considered a sign.

**SEC. S-\_\_\_\_.112. ARCHITECTURAL DESIGN STANDARDS.**

(a) Facades.

(1) Other than the facades of the existing Highland Park Soda Fountain building at the corner of Knox Street and Travis Street as identified on the development plan, street-facing facades exceeding 30 feet in length must have two of the following elements. Street facing facades exceeding 100 feet in length must have four of the following elements:

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches and may include columns, planters, arches and niches.

(B) Architectural details such as raised bands and cornices.

(C) Architecturally prominent public entrance.

(D) Awnings.

(E) Change in color.

(F) Change in material.

(G) Change in texture.

(2) Other than the facades of the existing Highland Park Soda Fountain building at the corner of Knox Street and Travis Street as identified on the development plan, the street level of the primary facade for nonresidential uses or mixed use projects with retail uses on the street level must have at least two of the following elements for at least 60 percent of the width of the facade:

- (A) Arcades, canopies, secondary roofs or trees within 15 feet of the façade spaced at maximum 30' spacing to provide shade.
  - (B) Awnings canopies or other coverings associated with windows or doors.
  - (C) 70 percent transparency within the lower ten feet of the façade.
  - (D) Individual, distinctive storefront treatment for each separate business in the lower ten feet of the façade to avoid a uniform façade appearance.
- (3) The street level of the primary facade of nonresidential uses or mixed use projects with nonresidential uses on the street level must have a minimum transparency of 60 percent for the first 15 feet above grade. The existing facade walls of the Highland Park Soda Fountain identified on the development plan, and the façade wall behind the parking garage entrance and exit driveways shall not be included in the calculation of transparency required by this paragraph.

**SEC. S-\_\_\_\_.112. LANDSCAPING.**

- (a) Landscaping must be provided as shown on the landscape plan (Exhibit S-\_\_\_\_B).
- (b) Second and third floor terraces, either uncovered or periodically covered by retractable shade features must provide landscape planters with a planting area equal to at least five percent terrace area.
- (b) Plant materials must be maintained in a healthy, growing condition.

**SEC. S-\_\_\_\_.113. ADDITIONAL PROVISIONS.**

- (a) Traffic improvements. Before the issuance of a certificate of occupancy on this Property, the following must occur:
  - (1) Traffic signal upgrades for the intersection of Armstrong Street and Cole Avenue.
  - (2) Traffic signal upgrades for the intersection of Armstrong Street and McKinney Avenue.
- (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.



**SEC. S-\_\_\_\_.114. COMPLIANCE WITH CONDITIONS.**

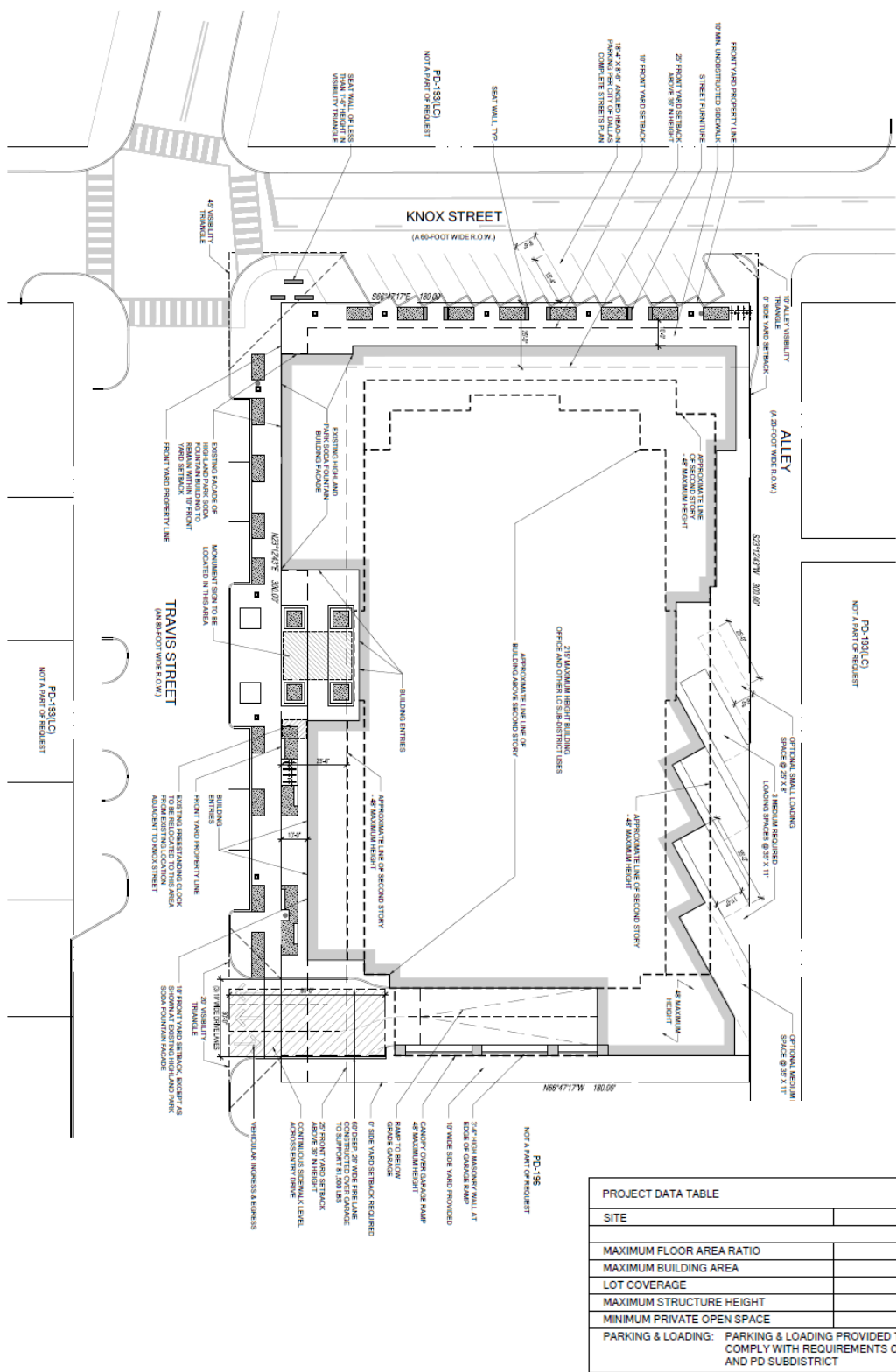
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

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

Exhibit S:\_\_\_C: Existing Detached Clock



Proposed Development Plan



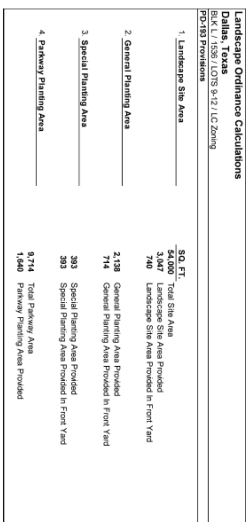
DEVELOPMENT PLAN

Job # 17139.00

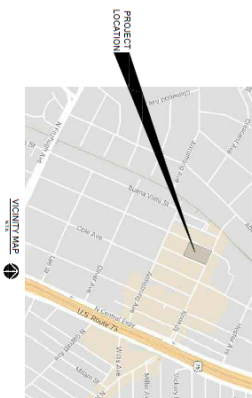
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Rev: 01 20 2018

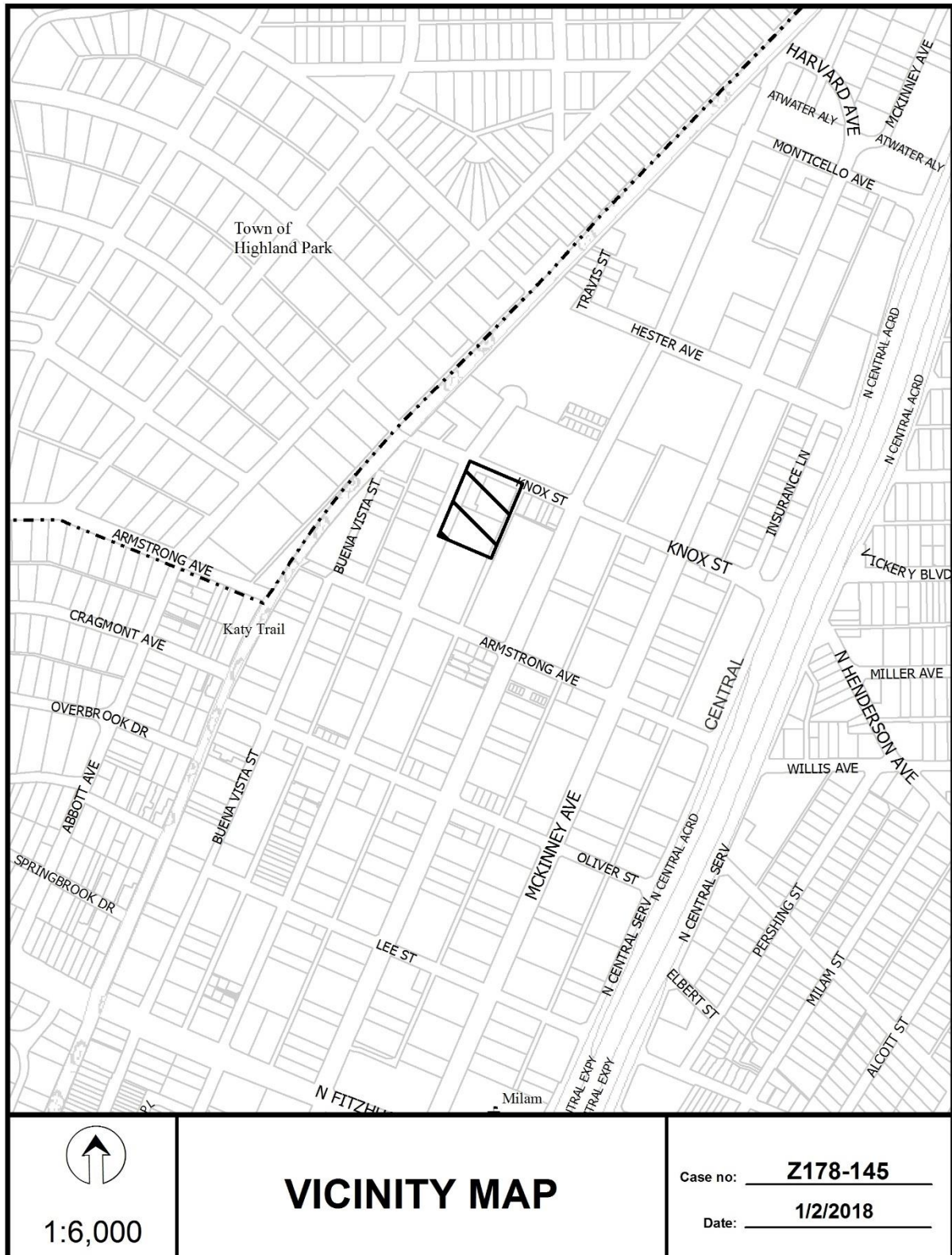


## Job #: 17139.00



	SURFACE AREA (m <sup>2</sup> )	VOLUME (m <sup>3</sup> )	DENSITY (kg/m <sup>3</sup> )	WATER UPTAKE (%)	WATER UPTAKE (g/g)
MNC-ET/ET/ET	100	6	34.6	*	32
MNC-ET/ET	200	6	42	*	44

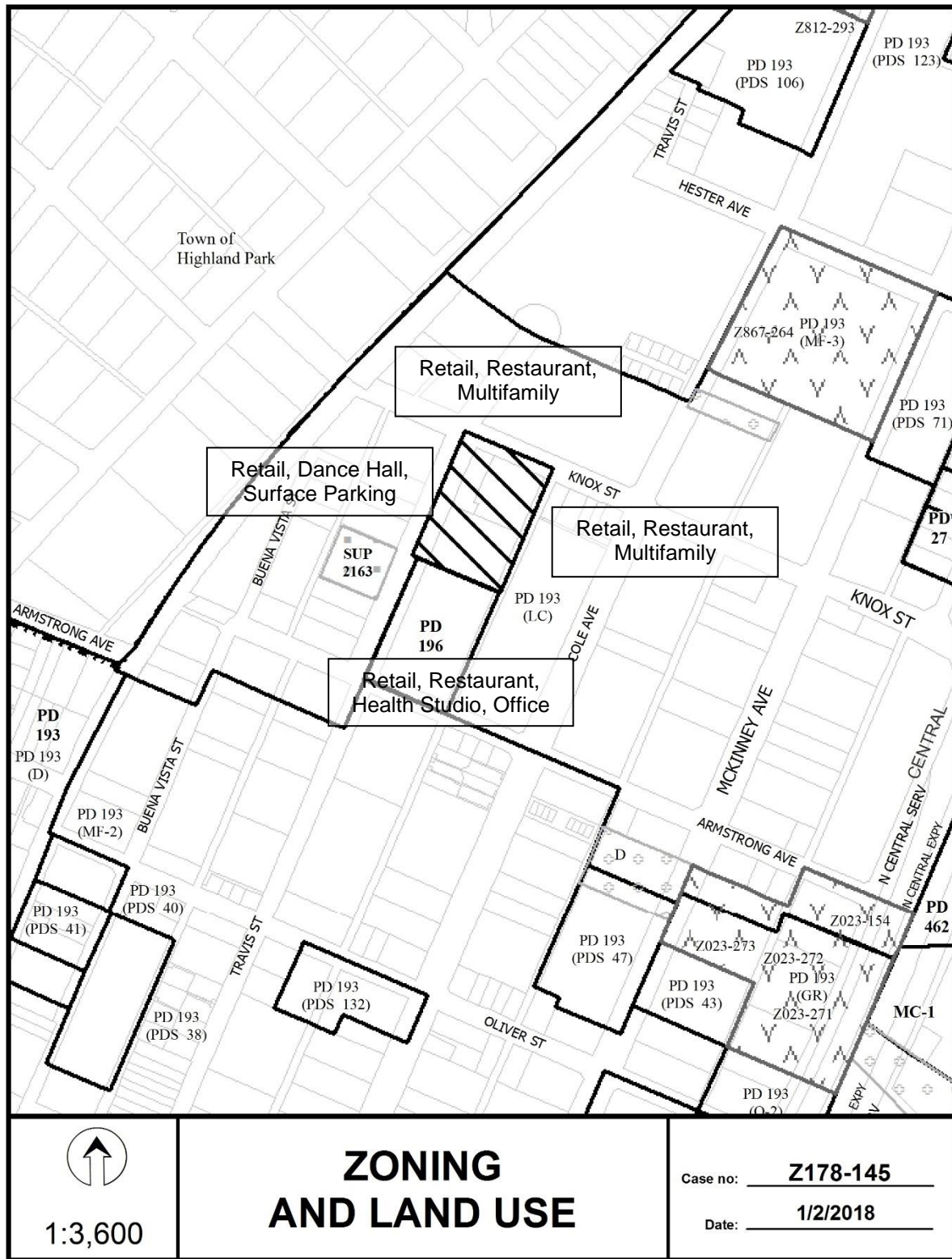


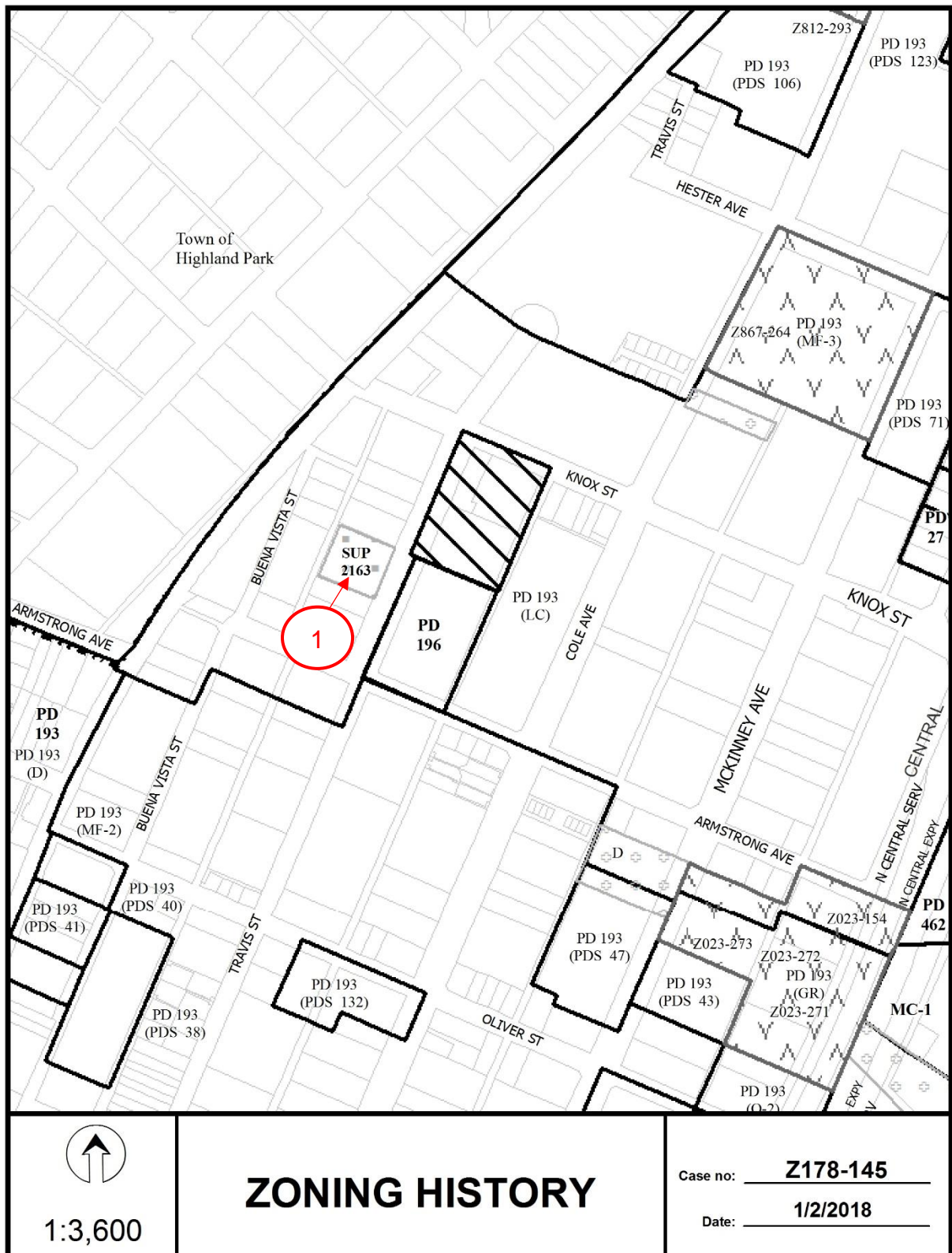


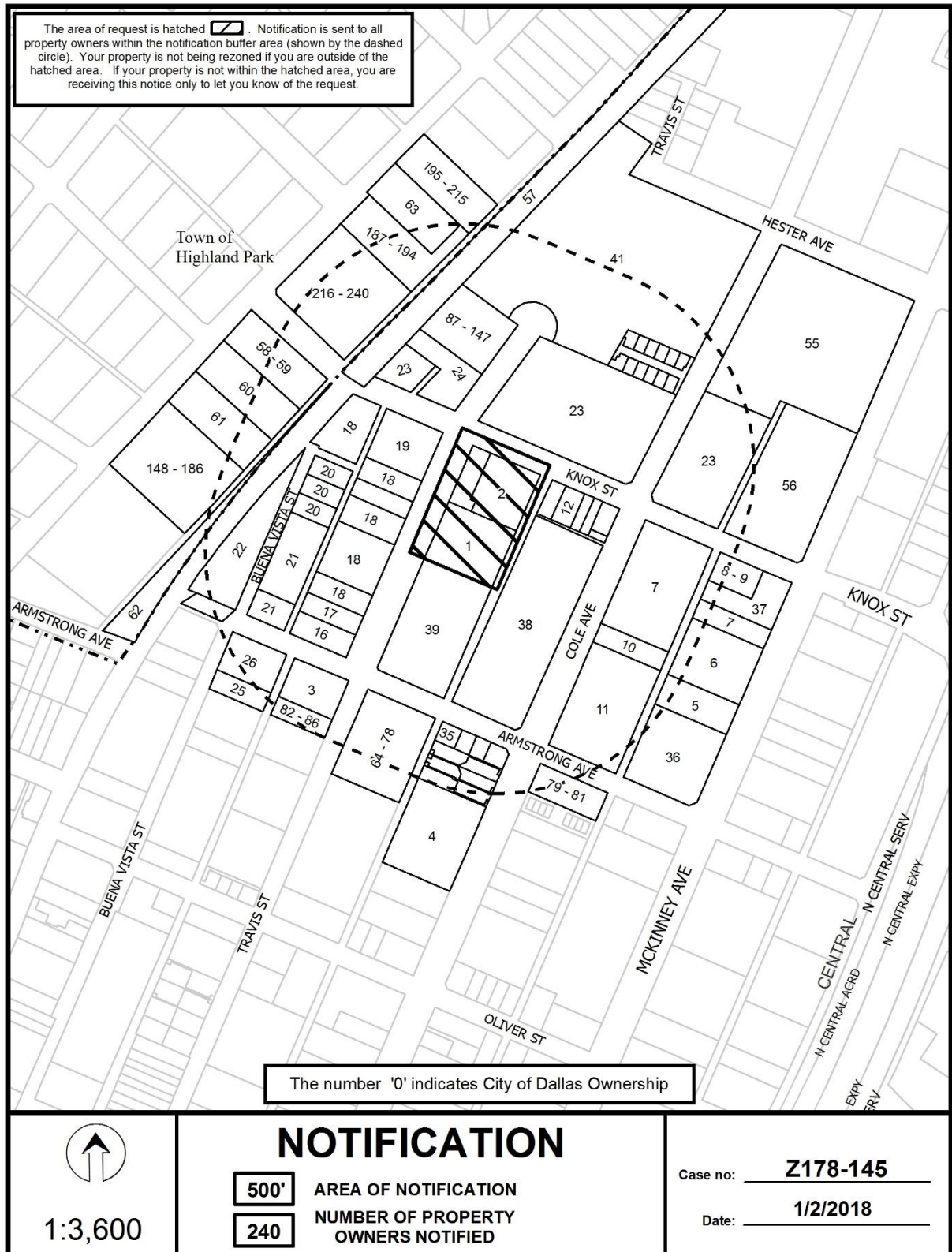














01/02/2018

***Notification List of Property Owners******Z178-145******240 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3213 KNOX ST	WEIR J RAY TRUST &
2	3219 KNOX ST	WEIR J RAY TRUST
3	4441 TRAVIS ST	KNOX STREET VILLAGE INC
4	4423 COLE AVE	BERRYSET II UPTOWN
5	4519 MCKINNEY AVE	GILLILAND PROPERTIES II LTD
6	4525 MCKINNEY AVE	GILLILAND PPTIES III LTD
7	4531 MCKINNEY AVE	GILLILAND PPTIES II LTD
8	3107 KNOX ST	TABESH FAMILY TRUST
9	3113 KNOX ST	TABESH FAMILY TRUST THE
10	4524 COLE AVE	GILLILAND PPTIES II LTD
11	4514 COLE AVE	EOSII AT HIGHLAND PARK PLACE LLC
12	3209 KNOX ST	WEIR DAN R
13	3207 KNOX ST	3207 KNOX STREET JV
14	3205 KNOX ST	KNOX COLE HOLDING CO LLC
15	4537 COLE AVE	KNOX COLE HOLDING LLC
16	4501 TRAVIS ST	CAFE MADRID REAL ESTATE HOLDINGS INC
17	4507 TRAVIS ST	TRAVIS BLOCK HOLDING COMPANY LLC
18	4511 TRAVIS ST	TRAVIS BLOCK HOLDING CO LLC
19	3311 KNOX ST	TRAVIS BLOCK HOLDING COMPANY LLC
20	4530 BUENA VISTA ST	WEIR DANIEL R
21	4510 BUENA VISTA ST	WEIR DAN R
22	3410 ARMSTRONG AVE	TEXAS UTILITIES ELEC CO
23	3310 KNOX ST	KNOX STREET VILLAGE I INC
24	3300 KNOX ST	KEATING CLONARD HOLDINGS LLC
25	4436 BUENA VISTA ST	MEYERSON MORTON H
26	3321 ARMSTRONG AVE	MEYERSON MORTON



01/02/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4431 COLE AVE	LINDSTROM SOREN
28	4435 COLE AVE	GILLS JOHN C & BARBARA A
29	4437 COLE AVE	POTTER JEFFERY T &
30	4429 COLE AVE	ST EDOUARDO LLC
31	4433 COLE AVE	SCHEBLE KRISTEN M
32	4439 COLE AVE	RESTREPO WILLIAM JR &
33	3171 ARMSTRONG AVE	SMITHGUIEL REVOCABLE LIVING TR
34	3175 ARMSTRONG AVE	NATVICK STEVEN J
35	3183 ARMSTRONG AVE	TIMON NEREO
36	4511 MCKINNEY AVE	MAJAHUAL LP
37	3101 KNOX ST	GILLILAND PROPERTIES LTD
38	4525 COLE AVE	COLE ARMSTRONG HOLDING COMPANY LLC
39	4514 TRAVIS ST	INTERCITY INVESTMENT
40	4441 BUENA VISTA ST	4441 BV LTD
41	4647 COLE AVE	CIM/4649 COLE AVENUE LP
42	4625 COLE AVE	MODY PRASHANT
43	4625 COLE AVE	LINSCOTT WHITNEY K
44	4625 COLE AVE	BLOOM KARYN
45	4625 COLE AVE	HARRAMAN BRAD
46	4625 COLE AVE	CURETON NICHOLAS & LAUREN
47	4625 COLE AVE	ODUM SHARON
48	4625 COLE AVE	MADDEN KRISTI P
49	4625 COLE AVE	MARSH VALERIE FAYE & HAIDEN TURNER
50	4625 COLE AVE	BAUER SIBYLLE
51	4625 COLE AVE	WYLIE ALLISON
52	4625 COLE AVE	DIENEMANN MEEAE ANNIE
53	4625 COLE AVE	NAGAI MAZAKO
54	4625 COLE AVE	4625 COLE TOWNHOMES OWNER
55	4650 COLE AVE	MIRAMAR KNOX LP
56	3104 KNOX ST	KNOX STREET VILLAGE INC
57	401 S BUCKNER BLVD	DART

01/02/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4522 ABBOTT AVE	PORTH DONALD RICHARD &
59	4522 ABBOTT AVE	PORTH DONALD RICHARD
60	4514 ABBOTT AVE	LUCY I LLC
61	4512 ABBOTT AVE	ANDREWS PARK HAVEN APTS
62	3300 ARMSTRONG AVE	SNOOTS WYNNE M &
63	4700 ABBOTT AVE	JACOBS APARTMENTS LLC
64	4432 TRAVIS ST	VAN DE VYVER PAUL LUC
65	4434 TRAVIS ST	MCMAHON NENA L
66	4436 TRAVIS ST	THOMAS MICHAEL E
67	4438 TRAVIS ST	MCCARTHY JOSIE ROBERTS TR
68	4440 TRAVIS ST	BLOOM MARY W
69	3221 ARMSTRONG AVE	JORANA ENTERPRISES LLC
70	3219 ARMSTRONG AVE	HARDING WILLIAM E JR
71	3217 ARMSTRONG AVE	MALCOLMSON KEN & STACEY P
72	3215 ARMSTRONG AVE	GERBER ROBERT
73	3211 ARMSTRONG AVE	OLESEN JESPER & BONNIE
74	3209 ARMSTRONG AVE	FITZGERALD CHARLES &
75	3207 ARMSTRONG AVE	CASEDY TIMOTHY & HANNAH FORMAN
76	3205 ARMSTRONG AVE	WAGLEY JAMES ROBERT &
77	3203 ARMSTRONG AVE	GORHAM ANDREW THOMPSON
78	3201 ARMSTRONG AVE	WILSON COLLIN J
79	3131 ARMSTRONG AVE	IPENEMA INVESTMENTS LTD
80	3131 ARMSTRONG AVE	IPENEMA INVESTMENTS LTD
81	3131 ARMSTRONG AVE	INVESTMENTS IPENEMA LTD
82	4439 TRAVIS ST	MOORE BRADY S
83	4439 TRAVIS ST	WINFREY SIOBHAN
84	4439 TRAVIS ST	SMART PHILIP W &
85	4439 TRAVIS ST	SLOMOWITZ ALLISON
86	4439 TRAVIS ST	SHEETS NANCY HATHORN
87	4611 TRAVIS ST	WARREN ANN MARIE
88	4611 TRAVIS ST	HAMMOND HARLEY S & KIMBERLY D

01/02/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4611 TRAVIS ST	HARRIS SANDS WILLIAM
90	4611 TRAVIS ST	RICHARDSON MICHAEL D &
91	4611 TRAVIS ST	KUTNER MICHAEL B
92	4611 TRAVIS ST	MEYER CHRISTIAN LOGAN
93	4611 TRAVIS ST	OLIVER JAMES L
94	4611 TRAVIS ST	FARMAR MICHAEL & JILL
95	4611 TRAVIS ST	SMITH KAREN
96	4611 TRAVIS ST	WILSON DAVID L & REBECCA S
97	4611 TRAVIS ST	ANGEL BRENT &
98	4611 TRAVIS ST	SHABABI ALI & ROSHANAK
99	4611 TRAVIS ST	HORTON VINCENT L & JEANETTE M
100	4611 TRAVIS ST	BRAUN DONALD L & DEBORAH A
101	4611 TRAVIS ST	RALSTON BRIAN
102	4611 TRAVIS ST	BRAUN DONALD L & DEBORAH A
103	4611 TRAVIS ST	CAILLIER HANNAH E
104	4611 TRAVIS ST	KWEIK NORA C
105	4611 TRAVIS ST	ALHAZIM DINA
106	4611 TRAVIS ST	OGLESBY TIM
107	4611 TRAVIS ST	YIN RAY CHENGCHI &
108	4611 TRAVIS ST	HAMMOOR KELSEY LEIGH
109	4611 TRAVIS ST	GLDA INC
110	4611 TRAVIS ST	SAUS PROPERTIES LLC
111	4611 TRAVIS ST	LILLY NICHOLAS S &
112	4611 TRAVIS ST	POLGREEN THOMAS LEE
113	4611 TRAVIS ST	BERGMAN LINDSEY MCKAY
114	4611 TRAVIS ST	SERIES 12 OF SAUS
115	4611 TRAVIS ST	ROBERTS RANDELL C & NEYSA J
116	4611 TRAVIS ST	MOONEY DIANE C &
117	4611 TRAVIS ST	NISSANOV GIL-AD &
118	4611 TRAVIS ST	STONE KENNETH DAVID &
119	4611 TRAVIS ST	GREGORY ANGELA

01/02/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	4611 TRAVIS ST	TOUCHY JAMES QUENTON & JENNIFER MARIE RUFF
121	4611 TRAVIS ST	BROWN SHANNON &
122	4611 TRAVIS ST	SMITH WILLIAM L
123	4611 TRAVIS ST	GARTON VANESSA
124	4611 TRAVIS ST	ASQUINI MICHAEL A
125	4611 TRAVIS ST	FULLERTON CLIFFORD T & ELIZABETH B
126	4611 TRAVIS ST	YOUNG EUGENE & FAYE
127	4611 TRAVIS ST	10R MVS INVESTORS LLC
128	4611 TRAVIS ST	HAYDEN LANE & MARY JEAN
129	4611 TRAVIS ST	ROSS WORTH W
130	4611 TRAVIS ST	MEDIEVAL TIMES USA INC
131	4611 TRAVIS ST	WHELAN PALMINA MARIA &
132	4611 TRAVIS ST	HERPICH MATTHEW CHARLES &
133	4611 TRAVIS ST	SERIES 11 OF SAUS
134	4611 TRAVIS ST	LATIMER CHRISTIE
135	4611 TRAVIS ST	SCHMELTEKOPF JAMES &
136	4611 TRAVIS ST	SNODGRASS LAURA VIRGINIA
137	4611 TRAVIS ST	WOLF BRUCE D & CYNTHIA KAY
138	4611 TRAVIS ST	COUCH CONNIE L
139	4611 TRAVIS ST	PREWITT MARYANN E
140	4611 TRAVIS ST	JONES AMANDA
141	4611 TRAVIS ST	YOMA LLC
142	4611 TRAVIS ST	ROGERS RYAN RUSSELL &
143	4611 TRAVIS ST	RODRIGUEZ EDUARDO
144	4611 TRAVIS ST	DEULOFEUT RICHARD A & ZARIFE
145	4611 TRAVIS ST	SEAL LARRY ELIOT TRUST
146	4611 TRAVIS ST	SEAY STEPHEN M FOUNDATION
147	4611 TRAVIS ST	GLASGOW ROBERT & LOIS
148	4508 ABBOTT AVE	MAHMALKIS REAL ESTATE & INVESTMENTS LLC
149	4508 ABBOTT AVE	ZOLTAR PROPERTY GROUP LLC
150	4508 ABBOTT AVE	MAHMALKIS REAL ESTATE & INV LLC

01/02/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	4508 ABBOTT AVE	CRAMER ROBERT W
152	4508 ABBOTT AVE	BENTLEY FAMILY REV LIV TR
153	4508 ABBOTT AVE	REES MARY LANETTE
154	4508 ABBOTT AVE	DENNIS FAMILY TRUST
155	4508 ABBOTT AVE	BENTLEY FAM REV LIV TR
156	4508 ABBOTT AVE	BENTLEY FAM REV LIV TRUST
157	4508 ABBOTT AVE	ROBERTSON PAT A
158	4508 ABBOTT AVE	MAHMALKIS REAL ESTATE & INV LLC
159	4508 ABBOTT AVE	BERKENKOTTER STEPHEN
160	4508 ABBOTT AVE	RAMACHANDRAN SENTHILVEL &
161	4508 ABBOTT AVE	CATES MARK L
162	4508 ABBOTT AVE	CALDWELL GENEVIEVE ANN
163	4508 ABBOTT AVE	DUGAN ROBIN M
164	4508 ABBOTT AVE	HOWE ELLEN C
165	4508 ABBOTT AVE	STEWART DEBORAH L
166	4508 ABBOTT AVE	MASON EDGAR A
167	4508 ABBOTT AVE	SARAKATSANNIS WILLIAM C
168	4508 ABBOTT AVE	TOLIKA REAL ESTATE LLC
169	4510 ABBOTT AVE	MORONEY MICHAEL WILHOIT
170	4510 ABBOTT AVE	SHREVEPORT GROUP LLC THE
171	4510 ABBOTT AVE	MAHMALKIS REAL ESTATE & INVESTMENT LLC
172	4510 ABBOTT AVE	GOOD GREGORY &
173	4510 ABBOTT AVE	IPENEMA INVESTMENTS LTF
174	4510 ABBOTT AVE	SNYDER MARC
175	4510 ABBOTT AVE	GORDILLO DIEGO M
176	4510 ABBOTT AVE	MASON EDGAR A &
177	4510 ABBOTT AVE	PASTOR ALBERTO &
178	4510 ABBOTT AVE	WICKLUND KAARI MOLSEN
179	4510 ABBOTT AVE	4510 ABBOTT AVE LLC
180	4510 ABBOTT AVE	MADISON AVE LLC
181	4510 ABBOTT AVE	ABBOTT PROPERTIES LTD



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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	4510 ABBOTT AVE	BROUSSARD LISA H
183	4510 ABBOTT AVE	FISHMAN KIMBERLY R &
184	4510 ABBOTT AVE	BROWN ROS H & SUSAN S
185	4510 ABBOTT AVE	ROBERTSON PEGGY E
186	4510 ABBOTT AVE	LEWIS DEBORAH BATE
187	4614 ABBOTT AVE	4614 ABBOTT LLC
188	4616 ABBOTT AVE	SHEPHERD PHILLIP
189	4618 ABBOTT AVE	HOCHBERG CLAUDIA MERLE TR
190	4612 ABBOTT AVE	OLDHAM BRADLEY D &
191	4622 ABBOTT AVE	WILLIS WILLIAM P
192	4624 ABBOTT AVE	BEIS MELANIE K
193	4626 ABBOTT AVE	GIBBONS MOLLY JANE
194	4620 ABBOTT AVE	PIKE WILLIAM R
195	4704 ABBOTT AVE	ZELLMER ROSEMARY R
196	4704 ABBOTT AVE	AVERETT DEANA BERNDT
197	4704 ABBOTT AVE	BLACK NANCY
198	4704 ABBOTT AVE	PLOOF SCOTT A
199	4704 ABBOTT AVE	KAP TRUST THE
200	4704 ABBOTT AVE	BLACK WARREN M JR
201	4704 ABBOTT AVE	BLACK LESLIE SUZANNE
202	4704 ABBOTT AVE	KELIHER LESTER J N & MARGARET S C
203	4704 ABBOTT AVE	GUARDIAN ASSOCIATES LLC
204	4704 ABBOTT AVE	MERTZ JOHN & KAHTY REVOCABLE TRUST
205	4704 ABBOTT AVE	BENAC WILLIAM P SR
206	4704 ABBOTT AVE	MAGIC ABBOTT LLC
207	4704 ABBOTT AVE	ZOLTAR PROPERTY GROUP LLC
208	4704 ABBOTT AVE	SHEDLOSKY MICHAEL F &
209	4704 ABBOTT AVE	MABEN CAROLYN ELAINE
210	4704 ABBOTT AVE	SPITZER IRYNA A
211	4704 ABBOTT AVE	SHAW PATRICK
212	4704 ABBOTT AVE	BRIGHT BENJAMIN W &

01/02/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	4704 ABBOTT AVE	MADISON AVENUE LLC
214	4704 ABBOTT AVE	SHEDLOSKEY MICHAEL F & LIZABETTE D R
215	4704 ABBOTT AVE	GONZALES KRISTINA
216	4608 ABBOTT AVE	STREBEL DOUGLAS W
217	4608 ABBOTT AVE	SBLC MASTER FAMILY LTD PS
218	4608 ABBOTT AVE	FISHER JAMES M II
219	4608 ABBOTT AVE	SCHROEPFER GERARD F & MARY
220	4608 ABBOTT AVE	HAGER KRISTIN LYNN
221	4608 ABBOTT AVE	DALEHITE JESSE J III
222	4608 ABBOTT AVE	AVREA DARREN &
223	4608 ABBOTT AVE	GORMAN SHARON R
224	4608 ABBOTT AVE	ELLERT SALLY ANN
225	4608 ABBOTT AVE	TERRY JEFFREY &
226	4608 ABBOTT AVE	WILLIAMS TARA D
227	4608 ABBOTT AVE	YAMAZAKI SHIN & NOBUKO
228	4608 ABBOTT AVE	VICKERS FRED CHARLES JR &
229	4608 ABBOTT AVE	MOORE DOUG & ELLEN
230	4608 ABBOTT AVE	CLINE MITCHELL R & MARGARET A
231	4608 ABBOTT AVE	MARCHANT DOUGLAS
232	4608 ABBOTT AVE	KAESKE MICHAEL L JR
233	4608 ABBOTT AVE	FESTERVAN JULIE S
234	4608 ABBOTT AVE	PEDIGO K LAWSON
235	4608 ABBOTT AVE	CERESINO JESSICA LAUREN IRREVOCABLE TRUST
236	4608 ABBOTT AVE	MONSALVE MIGUEL A
237	4608 ABBOTT AVE	CARTER COLIN MARK
238	4608 ABBOTT AVE	CASTELLI KIM
239	4608 ABBOTT AVE	LBKGST PROPERTIES LLC
240	4608 ABBOTT AVE	CARTER COLIN M

**FILE NUMBER:** Z167-388(PD)

**DATE FILED:** August 8, 2017

**LOCATION:** Southeast corner of Oates Drive and Marimont Lane

**COUNCIL DISTRICT:** 7

**MAPSCO:** 39-S

**SIZE OF REQUEST:** ±0.49 acres

**CENSUS TRACT:** 123.01

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**REPRESENTATIVE:** Peter Kavanagh

**APPLICANT/OWNER:** Dallas Christian Women's Job Corp, Inc.

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

**SUMMARY:** The purpose of this request is to allow the construction of a one-story building for a new community service center [Dallas Christian Women's Job Corps].

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

**PRIOR CPC ACTION:** On February 15, 2018, the City Plan Commission held this request under advisement until their meeting on March 1, 2018, to allow time for the applicant to host a community meeting.

**BACKGROUND INFORMATION:**

- The ±0.49-acre request site is currently undeveloped.
- The applicant proposes to build a one-story brick building which will operate as a community service center for the Dallas Christian Women's Job Corps.
- The Dallas Christian Women's Job Corp was established in 2000 with a mission offer a supportive environment in which women in need are equipped for life and employment, while providing a context in which women help women.
- The request site is surrounded by residential to the north, south, and west with SUP No. 2201 on the east allowing a community service use on an undeveloped lot.

**Zoning History:** There has been one recent zoning case in the area within the past five years.

1. **Z156-206** On May 25, 2016, the City Council approved Specific Use Permit No. 2201 for a community service center use.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Oates Drive	Principal Arterial	90-ft.

**Traffic:**

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

**Land Use:**

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Church, Surface Parking Lot
South	R-7.5(A)	Single-family
East	R-7.5(A), SUP No. 2201	Undeveloped
West	R-7.5(A)	Single-family

## **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.

## **LAND USE ELEMENT**

### **URBAN DESIGN**

#### **GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

#### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

### **Land Use Compatibility:**

The ±0.49-acre request site is currently undeveloped. The applicant is proposing to construct a one-story, 3,834-square-foot structure that will house a community service use which will provide general support underserved and disadvantaged women in the East Dallas area.

The general services offered by the Dallas Christian Women's Job Corps will be tutoring, mentoring, and training in life skills, nutrition, interview skills, resume writing, time management, and computer skills.

The request site is surrounded by residential to the north, south, and west with SUP No. 2201 on the east allowing a community service use on an undeveloped lot.

The existing R-7.5(A) zoning allows a community service use by SUP and staff recommends approval of the proposed use for a three-year period due to compatibility with surrounding land uses.

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



surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

**Parking:**

Pursuant to the Dallas Development Code, at a ratio of 1:200, the off-street parking requirement for a community service center use with a development of this size is a minimum of 19 spaces. The applicant is proposing to provide 19 parking spaces, which is in compliance with the code.

**Landscaping:**

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

**Partners/Principals/Officers:**

**DCWJ Board of Directors Officers 2017-2018**

**Candace Winslow, Chair**

Community Volunteer

**Lindsay Sloan, Vice-Chair**

Commercial Metals Company

**Vernessa Green, Secretary**

Bureau of Engraving and Printing

**Danielle Stone, Treasurer**

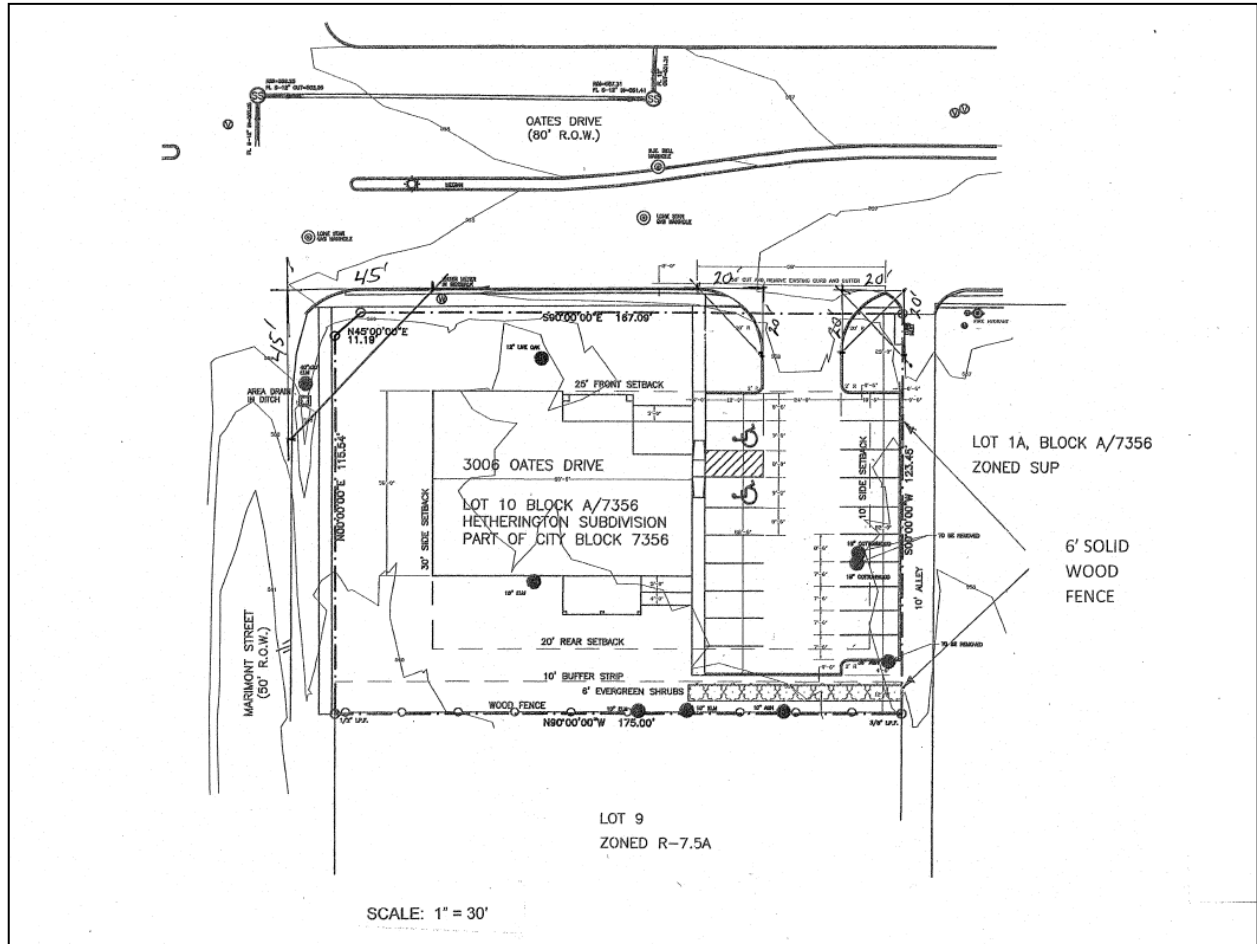
Deloitte & Touche, LLP

**Z167-388**  
**Proposed SUP Conditions**

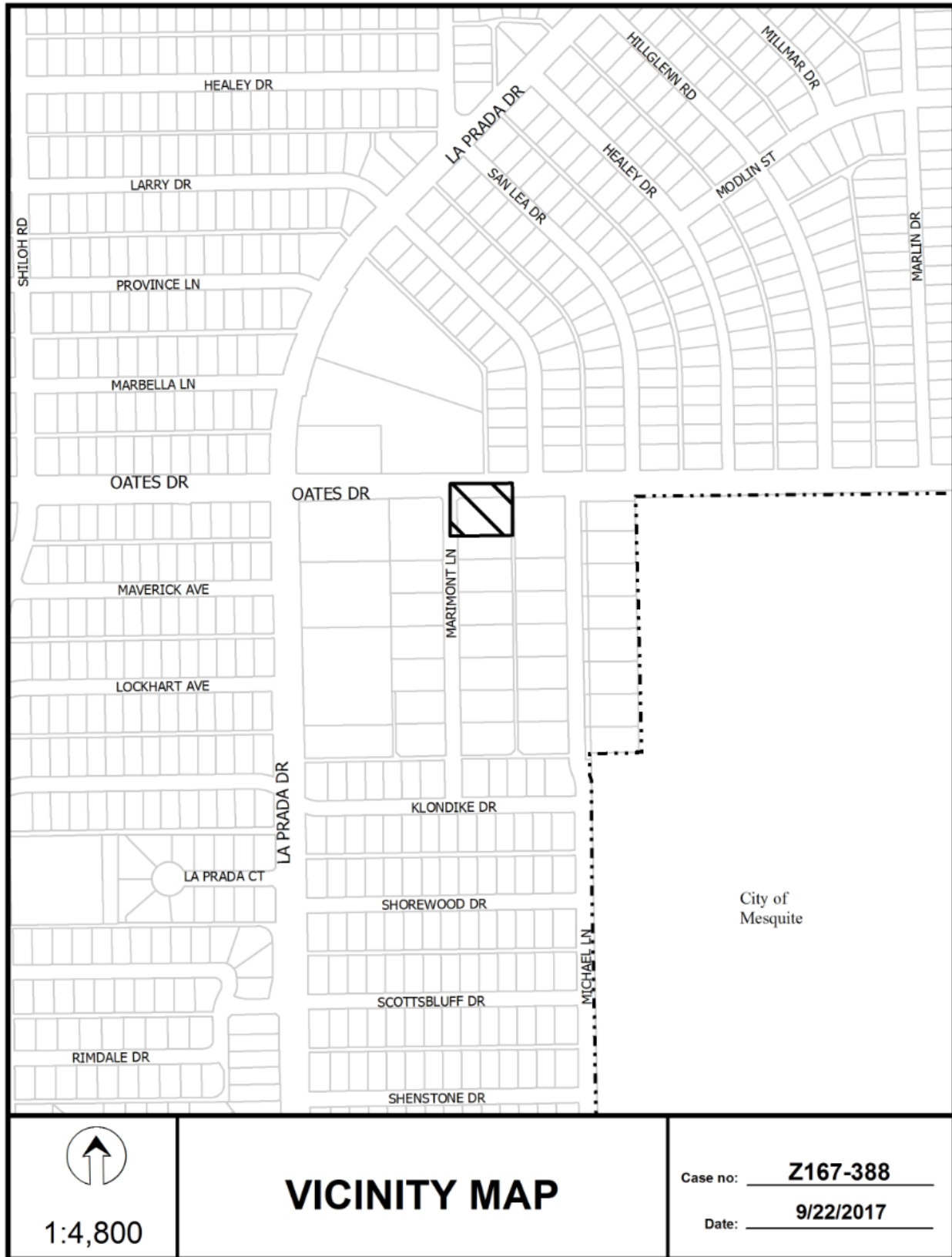
1. USE: The only use authorized by this specific use permit is a community service center.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on \_\_\_\_\_ (three year period from passage of this ordinance).
4. FLOOR AREA: The maximum floor area is 3,834 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The community service use may only operate between 8:00 a.m. and 7:00 p.m., Monday through Friday.
6. LIGHTING: Exterior security lighting will be directed away from residential properties.
7. SCREENING: Screening of off-street parking must be provided as shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



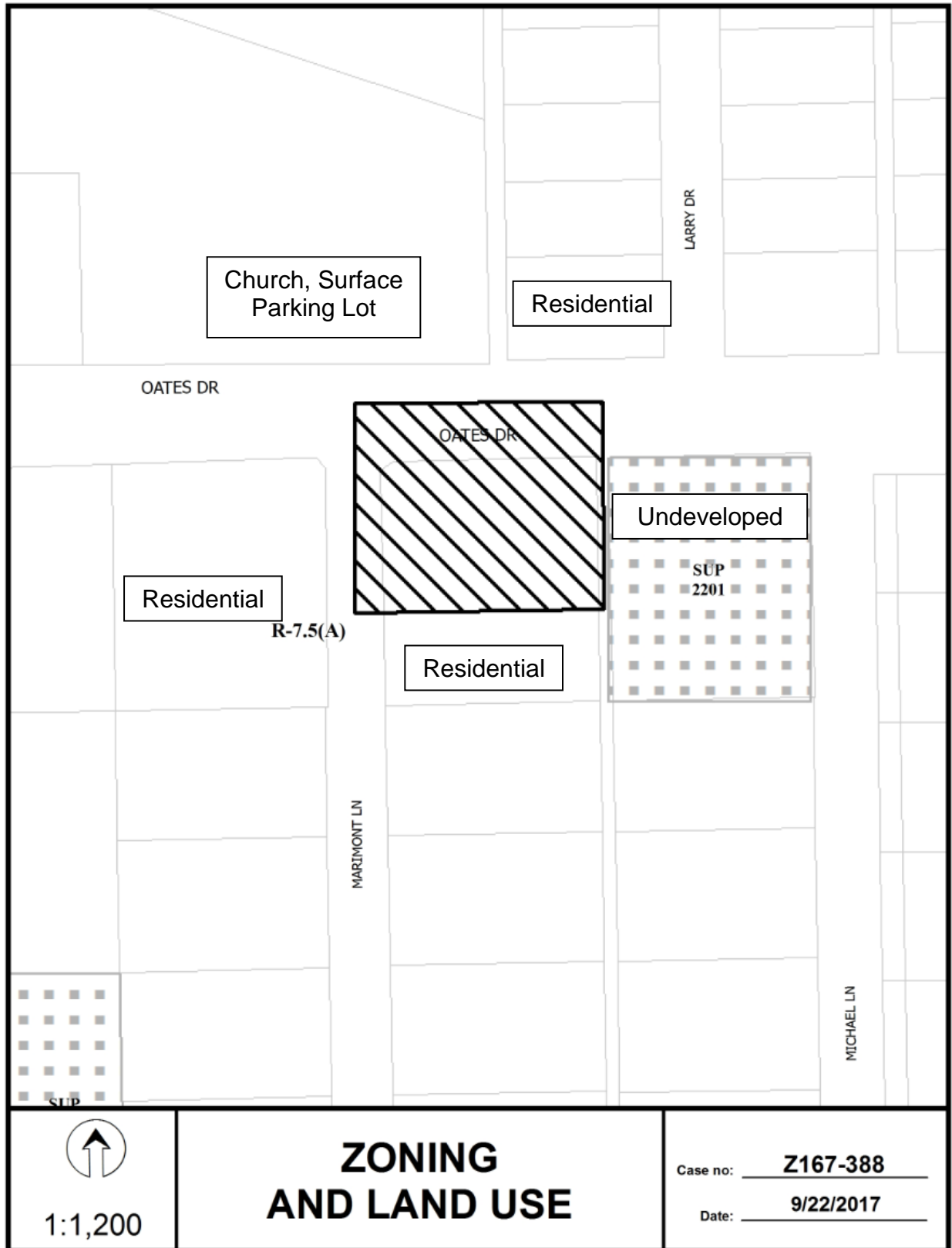
Enlarged Proposed Site

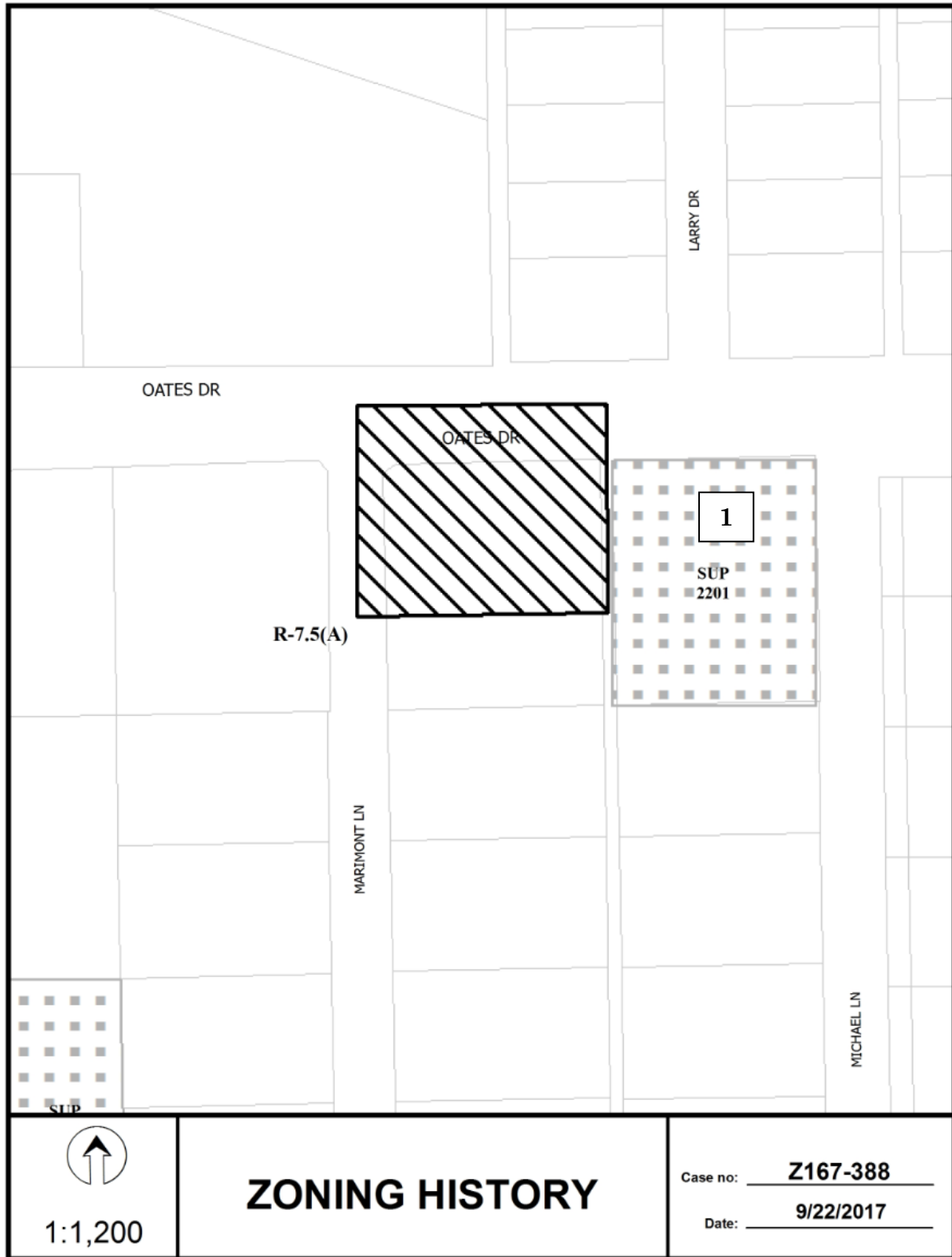


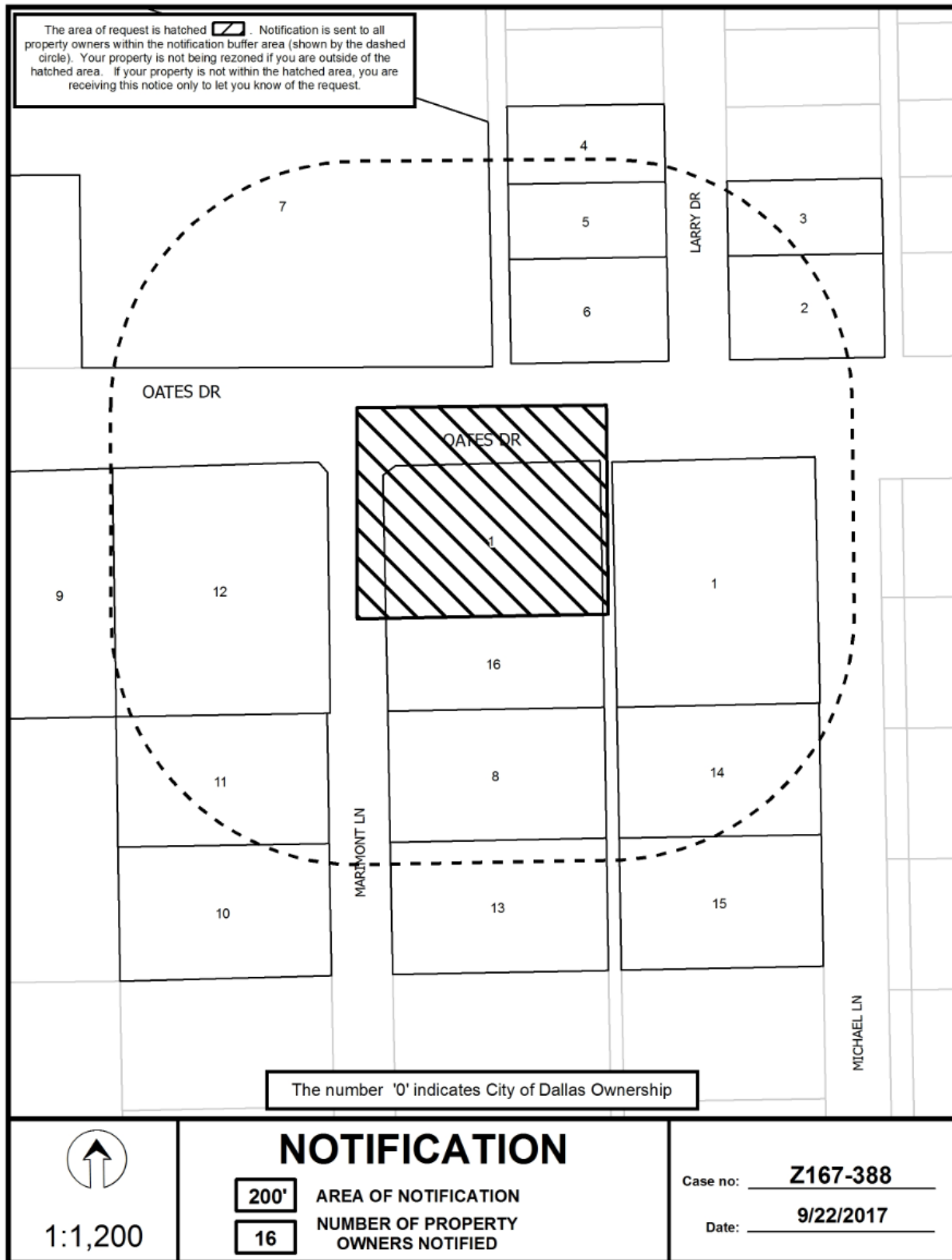














09/22/2017

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

### ***Z167-388***

#### ***16 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3006 OATES DR	MISSION EAST DALLAS &
2	3071 LARRY DR	GUTIERREZ CHRIS
3	3065 LARRY DR	HAYNES CHARLES R II &
4	3060 LARRY DR	WHITE DAVID
5	3064 LARRY DR	PEREZ JOHNNY & ISABELL
6	3070 LARRY DR	SHILOH TERRACE BAPTIST
7	9810 LA PRADA DR	SHILOH TERRACE BAPT CH
8	9708 MARIMONT LN	KEELE CATHERINE V
9	2914 OATES DR	SHILOH TERRACE BAP CHURCH
10	9623 MARIMONT LN	CARRARA JOHN NORMAN EST OF
11	9707 MARIMONT LN	WILLIAMSON MELVIN C &
12	2930 OATES DR	STRANGE WILLIE & DOROTHY
13	9624 MARIMONT LN	WADDLE DAVID EARL
14	9707 MICHAEL LN	SIMS GILBERT
15	9623 MICHAEL LN	ORDONEZ EDITH
16	9716 MARIMONT LN	JAYTON LIMITED PARTNERSHIP

**Planner: Pamela Daniel**

**FILE NUMBER:** Z178-152(PD)

**DATE FILED:** December 13, 2017

**LOCATION:** Northeast corner of Lake June Road and Guard Drive

**COUNCIL DISTRICT:** 5

**MAPSCO:** 57-M

**SIZE OF REQUEST:** Approx. 3.7 acres

**CENSUS TRACT:** 115.00

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**REPRESENTATIVE:** Roger Albright

**APPLICANT/OWNER:** 6343 Lake June, LLC

**REQUEST:** An application for the renewal of Specific Use Permit No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay.

**SUMMARY:** The applicant proposes to continue the sale of alcoholic beverages for off-premise consumption in conjunction with the existing convenience store. [Kwik Mart #5].

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

**PRIOR CPC ACTION:** On February 15, 2018, the City Plan Commission held this request under advisement until their meeting on March 1, 2018.

## BACKGROUND INFORMATION

- At the time of this report, pending revisions for the site plan was unavailable. Staff recommends the case be held under advisement to March 1<sup>st</sup> to ensure compliance with the off-street parking, loading and screening requirements.
- On December 10, 2008, the City Council approved the application. 42 property owners were notified; 2 property owners were in favor (one was the area of request's property owner) and three property owners were opposed.
- On July 30, 2008, an application was submitted for an MU-1 Mixed Use District with deed restrictions and a D-1 Liquor Control Overlay on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay (Z078-272).
- On April 27, 2016, the City Council approved Specific Use Permit No. 2191 for a two- year period.
- A Certificate of Occupancy for a Kwik Mart was submitted on September 1, 2017, and is pending.
- The approximately 9,240-square-foot structure will house a 3,500-square-foot suite for the general merchandise or food store 3,500 square or less use requesting renewal of SUP No. 2191.

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

1. **Z156-163** On April 27, 2016, the City Council approved SUP No 2190 for a mini-warehouse and SUP No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned MU-1 Mixed Use District located on the north side of Lake June Road and Guard Drive.
2. **Z145-322** On January 13, 2016, the City Council approved an application for a Specific Use Permit for a utility or government installation other than listed on property zoned an LI Light Industrial District located on the east line of Guard Drive, north of Lake June Road.

## **Thoroughfares/Streets:**

Thoroughfare/Street	Type	ROW
Lake June Road	Principal Arterial	Minimum-6 lanes-Divided; 100' ROW
Guard Drive	Minor Arterial	60 ft.

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

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	MU-1-D-1	Undeveloped
<b>North</b>	LI	Future park maintenance facility
<b>East</b>	R-7.5(A)	Single Family
<b>West</b>	R7.5(A)-D-1	Single Family
<b>South</b>	PD 533 (Subdistrict 2)	Auto repair use

**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 request is consistent with the following goals and policies of the Comprehensive Plan.

**ECONOMIC ELEMENT**

**GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS**

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

**URBAN DESIGN ELEMENT**

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

Policy 5.3.1. Encourage a balance of land uses within walking distance of each other.

**STAFF ANALYSIS:**

**Land Use Compatibility:**

The approximately 9,240-square-foot structure is currently under construction and will be comprised of multiple suites. One suite will be occupied with the 3,500-square-foot general merchandise or food store (convenience store). The applicant proposes the

continued sale of alcoholic beverages for off-premise consumption in conjunction with the proposed convenience store.

The request site is surrounded by a park that will also house a future park maintenance facility to the north, auto repair uses to the south, and single family uses to the east and west (immediately west of the site is a DART light railway).

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

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

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

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



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

The applicant's request is consistent with the intent of the Dallas Development Code, therefore staff recommends approval.

**Parking:**

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Parking will be provided as shown in the revised site plan. The off-street parking requirements for a general merchandise or food store 3,500 square foot or less is one space for each 200 square feet of floor area. The building's floor area totals approximately 9,240 square feet, but only one suite is included in the SUP request. The suite that is requesting this specific use permit to sell alcohol for off-premise consumption will not exceed 3,500 square feet.

**Landscaping:**

Landscaping must be provided in accordance with Article X, as amended.

Z178-152(PD)

<b>LIST OF OFFICERS</b>
-------------------------

6343 Lake June, LLC

Noorallah Jooma, Manager

<b>PROPOSED SUP CONDITIONS</b>
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1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires (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.) [April 27, 2018]
4. FLOOR AREA: The maximum floor area is 9,240 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED REVISED SITE PLAN

ROYAL BERGAL  
CONSTRUCTION INC.  
2915 KENAMUTH-HAYES DR.  
MCKINNEY, TX 75146  
PHONE: 972.566.8888

6343 LAKE JUNE RD., DALLAS, TX 75217

**KWIK MART #5**

REVISIONS	
No.	Date

Drawn

Checked

Approved

Project No.

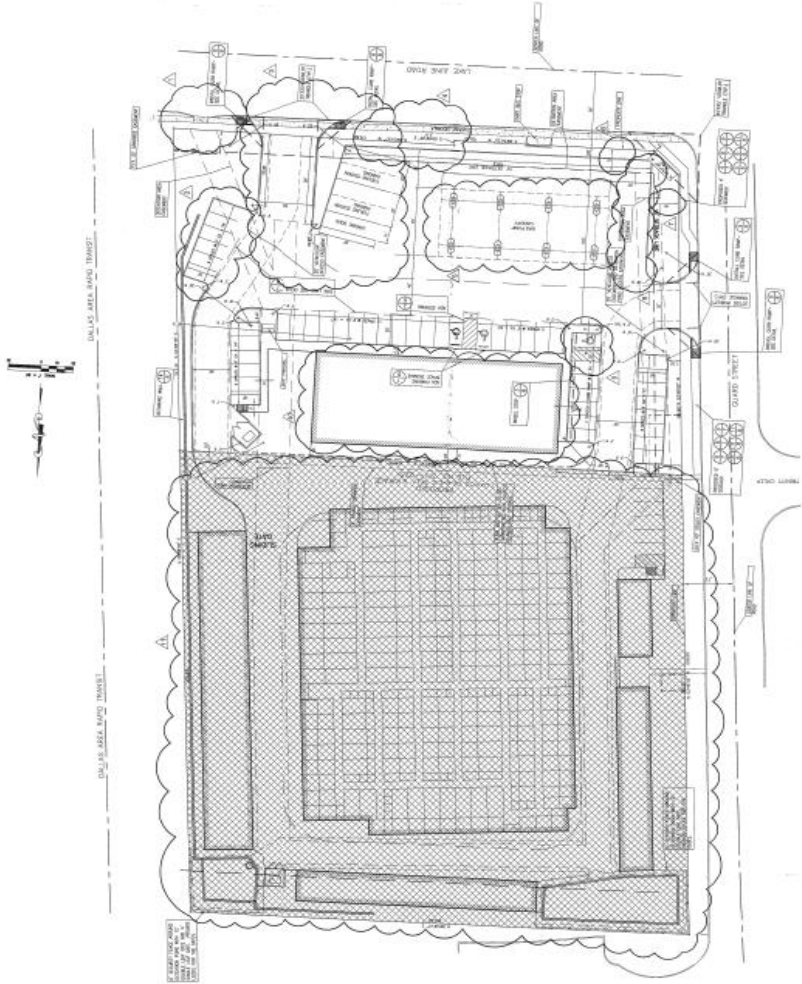
Date

Last Revision

A100

- CHANGES FROM ORIGINAL SITE PLAN**
- 1. CLOSE THE DRIVE ENTRANCE
  - 2. ADD NEW PARKING AREA
  - 3. OPEN NEW DRIVE ENTRANCE
  - 4. CLOSE THE DRIVE ENTRANCE
  - 5. THE SHADE PORTAGE OF THE AREA UNDER GAS CANOPY CHANGED TO 4,725 (sq)
  - 6. 15' SETBACK FROM PROPERTY LINE
  - 7. REMOVE DRIVE AREA
  - 8. NEW WINDROW SPACE
  - 9. THE SHADE PORTAGE OF THE BUILDING CHANGED TO 8,240 (sq)
  - 10. THE SHADE PORTAGE IS NOT PART OF THIS SUP

- NOTES**
1. GAS PUMP CANOPY AREA = 4,725 (sq)
  2. EXISTING AREA = 8,240 (sq)
  3. EXISTING REQUIRED = 46
  4. EXISTING REQUIRED = 2
  5. EXISTING REQUIRED = 2
  6. EXISTING REQUIRED = 1
  7. EXISTING REQUIRED = 1
  8. EXISTING REQUIRED = 1
  9. EXISTING REQUIRED = 1
  10. EXISTING REQUIRED = 1



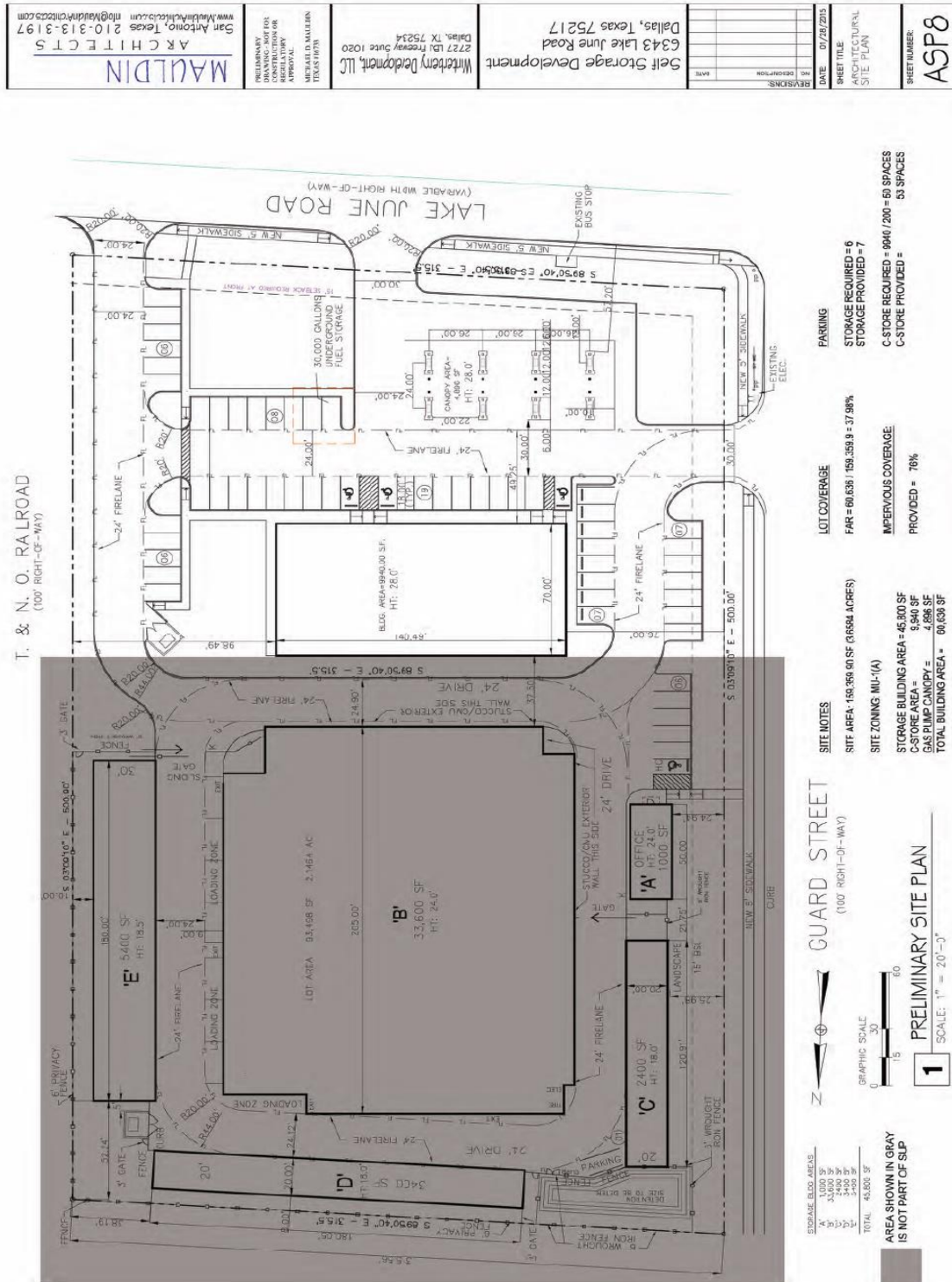
**SITE PLAN**  
1/32"=1'-0"

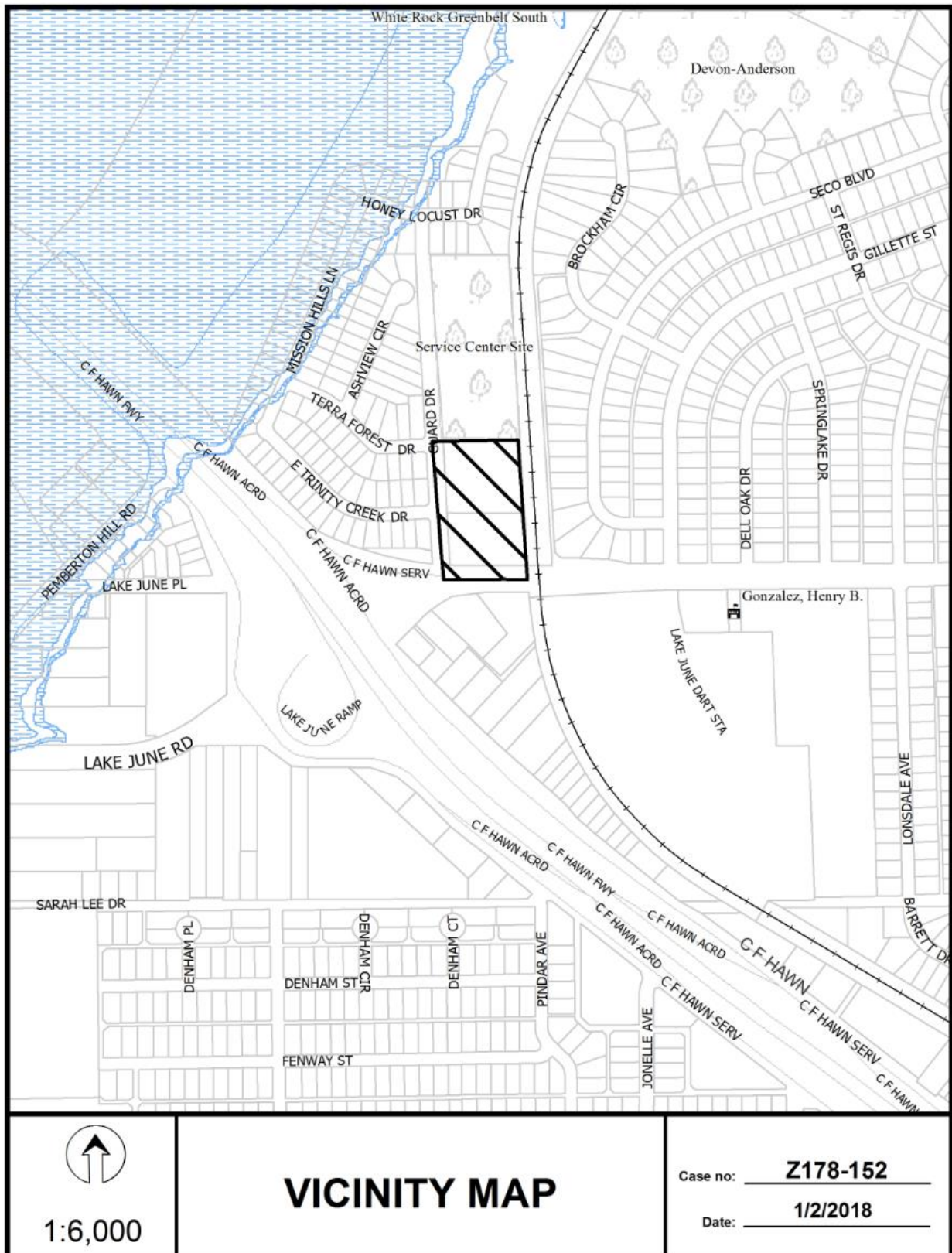
Z178-152



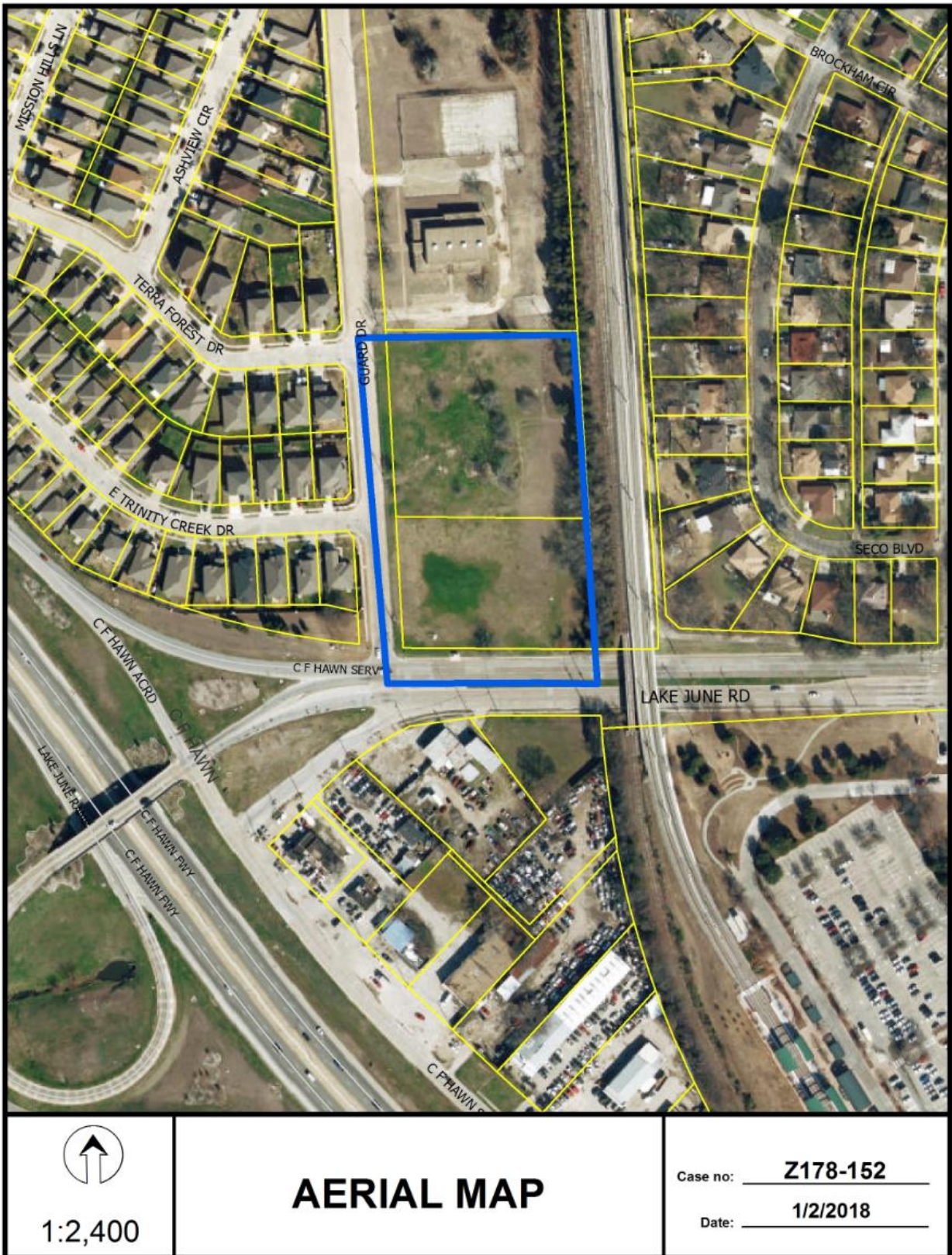


## EXISTING SITE PLAN

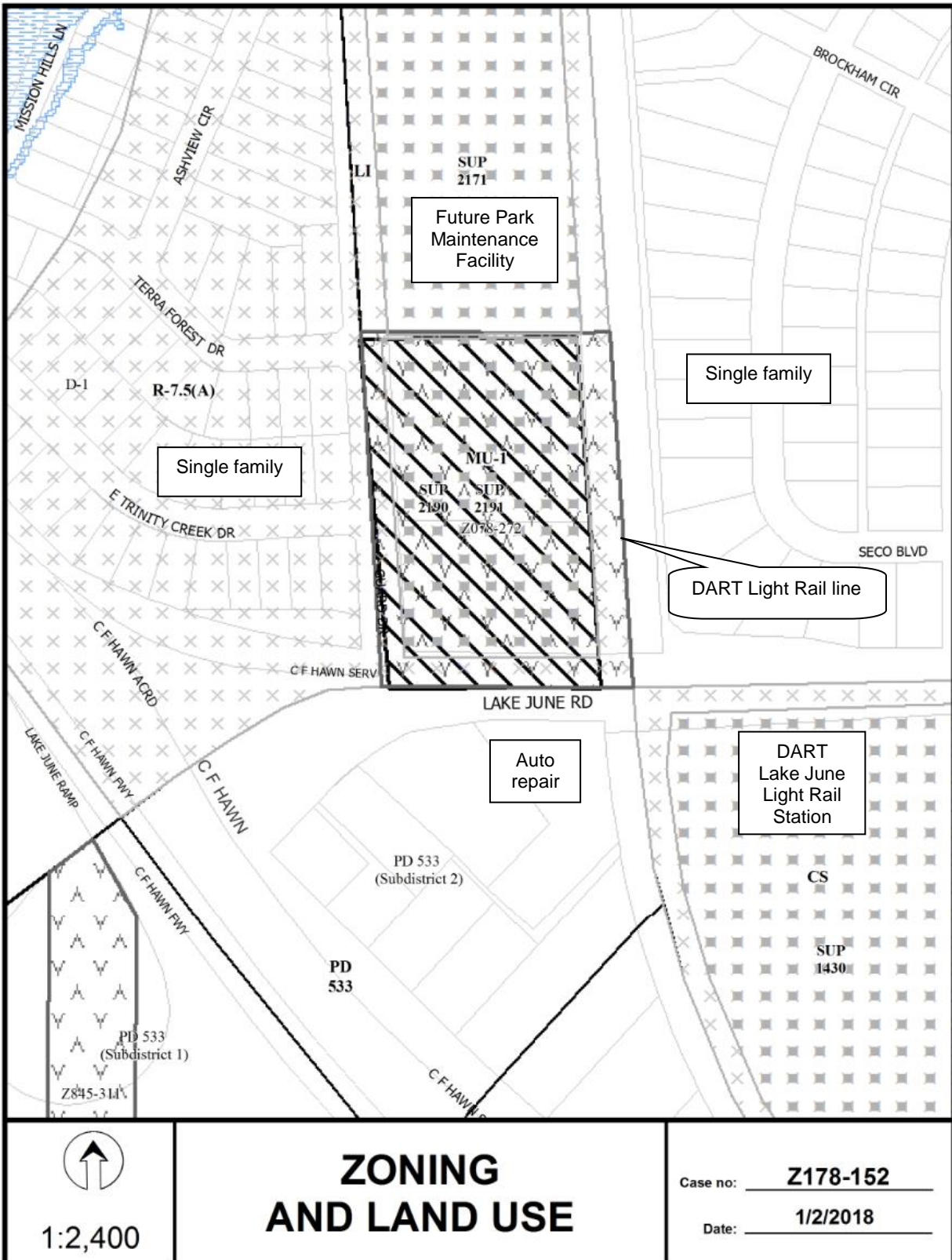


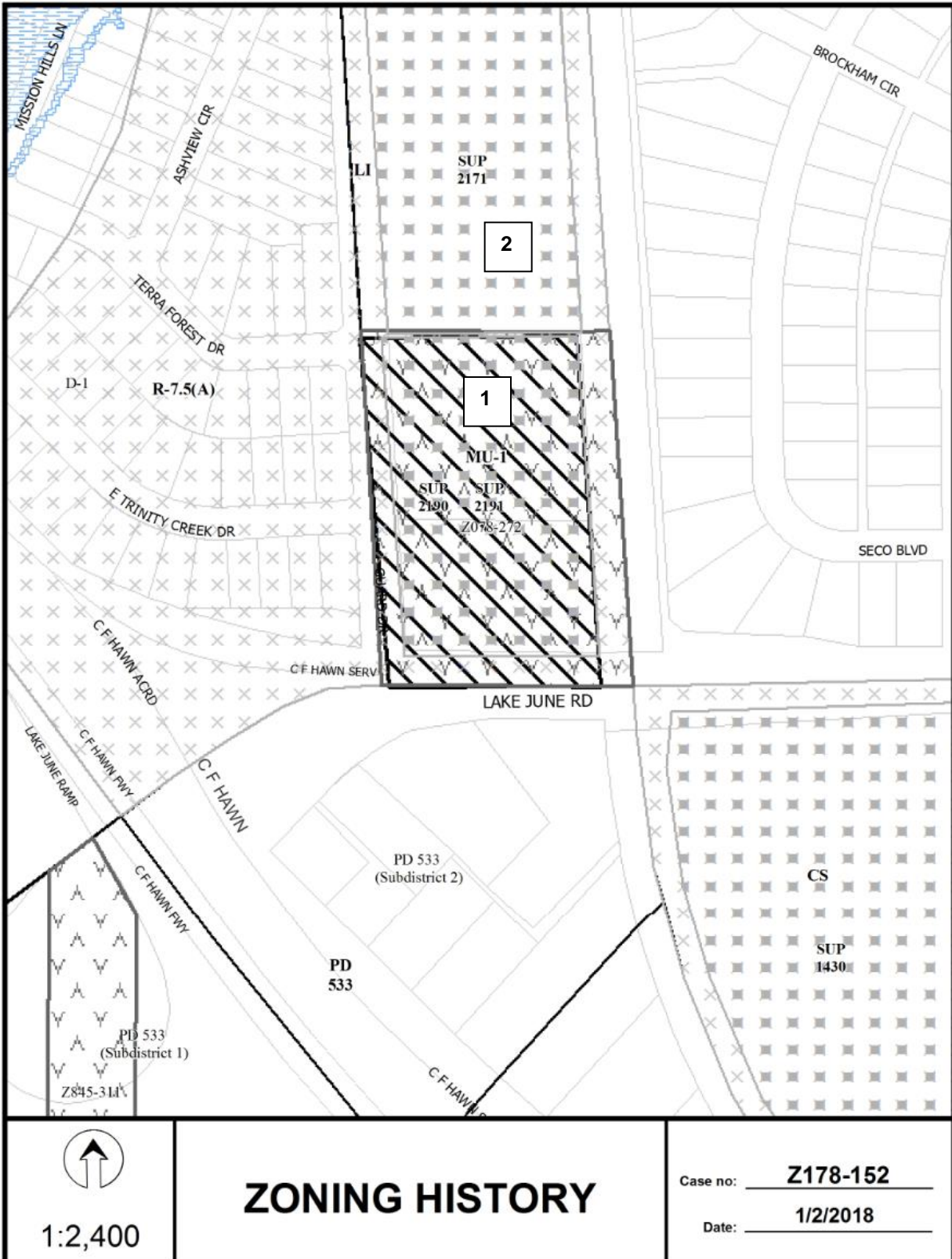




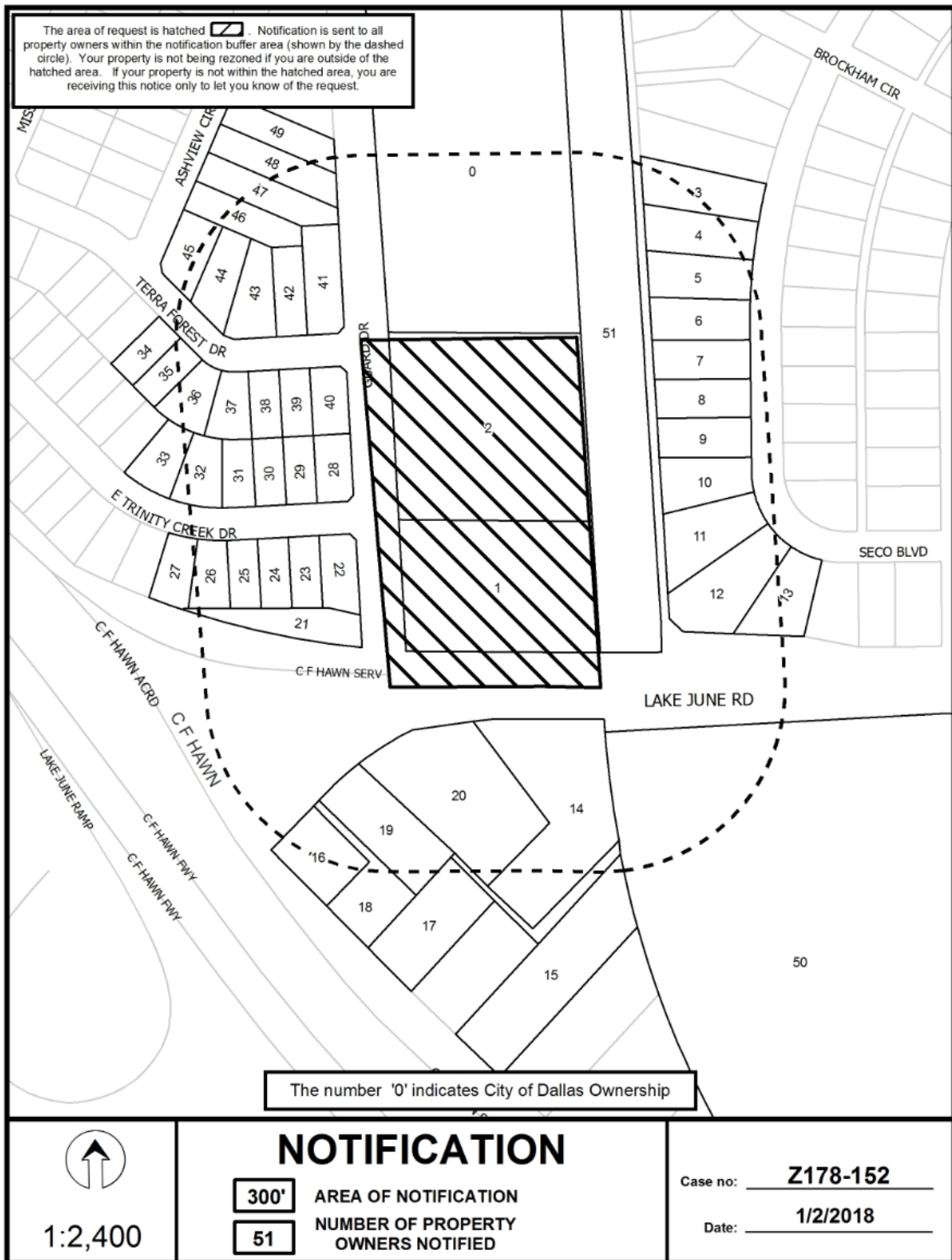












01/02/2018

***Notification List of Property Owners******Z178-152******51 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6343 LAKE JUNE RD	6343 LAKE JUNE LLC
2	6343 LAKE JUNE RD	786 CHARCO BLANCO LLC
3	6469 SECO BLVD	VILLEGAS MARIA
4	6465 SECO BLVD	RODRIGUEZ CRESCENCIO
5	6459 SECO BLVD	PATTERSON CAROLYN J
6	6453 SECO BLVD	WARREN MARY R
7	6449 SECO BLVD	BOCANEGRA ROSENDO ALMANZA & OLGA EQUIA
8	6443 SECO BLVD	BUTLER ANNETTA AVERY
9	6439 SECO BLVD	YATES ANITA
10	6435 SECO BLVD	GONZALEZ VINCENTE &
11	6429 SECO BLVD	PRICE CAMERON & KRISTEN J
12	6425 SECO BLVD	BROGDON WALLACE E
13	6419 SECO BLVD	VEGA ROGELIO L
14	6312 LAKE JUNE RD	REYES GERARDO
15	6406 C F HAWN FWY	HENDERSON BILLY J
16	6310 C F HAWN FWY	BROWN RICHARD
17	6334 C F HAWN FWY	BROWN RICHARD E
18	6326 C F HAWN FWY	BROWN RICHARD E
19	6326 LAKE JUNE RD	MELENDEZ SONIA E
20	6320 LAKE JUNE RD	REBOLLOSO RODOLFO
21	6010 C F HAWN FWY	WHITEROCK HOLDING LTD
22	6266 TRINITY CREEK DR	RESIDENTIAL RESERVICES LLC
23	6262 TRINITY CREEK DR	HOLLAND KELVIN
24	6258 TRINITY CREEK DR	GUTIERREZ RODRIGO S &
25	6254 TRINITY CREEK DR	MARTINEZ VALENTIN
26	6250 TRINITY CREEK DR	IVY GERALD & LUELLA

01/02/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6246 TRINITY CREEK DR	GONZALEZ IVAN & ROSEMARY
28	6255 TRINITY CREEK DR	GUADALUPE JOSE &
29	6251 TRINITY CREEK DR	ROBINSON KEN
30	6247 TRINITY CREEK DR	GUTIERREZ RODRIGO & MARIA A
31	6243 TRINITY CREEK DR	ADAMS GODFREY A
32	6239 TRINITY CREEK DR	MOLINA ARMANDO &
33	6235 TRINITY CREEK DR	MOIBI MOJISOLA O
34	6222 TERRA FOREST DR	RUNNELS GLENN
35	6226 TERRA FOREST DR	HOUGH AVA GWENETTE
36	6230 TERRA FOREST DR	WOODS KENETRA & KERRY
37	6234 TERRA FOREST DR	MYERS LETRECIA
38	6238 TERRA FOREST DR	ESCOBAR EDWIN
39	6242 TERRA FOREST DR	PERETTE ERICK G & FABIOLA
40	6246 TERRA FOREST DR	ZUNIGA BONIFACIO &
41	6241 TERRA FOREST DR	IBARRA JOSE G &
42	6237 TERRA FOREST DR	RETIREMENT HOLDINGS LP
43	6233 TERRA FOREST DR	SAUCEDO URBANO &
44	6229 TERRA FOREST DR	CANELO SERAFIN & M CONSUELO
45	6225 TERRA FOREST DR	RODRIGUEZ IGNACIO & CONSUELO
46	1406 ASHVIEW CIR	HERNANDEZ FELIX J
47	1410 ASHVIEW CIR	HERNANDEZ MARIA A
48	1414 ASHVIEW CIR	PRECIADO CARLOS &
49	1418 ASHVIEW CIR	HERNANDEZ TERESA
50	6414 LAKE JUNE RD	DALLAS AREA RAPID TRANSIT
51	401 S BUCKNER BLVD	DART

**FILE NUMBER:** Z156-281(OTH)

**DATE FILED:** January 13, 2015

**LOCATION:** Northwest side of Garland Road, southwest of Buckner Boulevard.

**COUNCIL DISTRICT:** 9

**MAPSCO:** 38-J, N

**SIZE OF REQUEST:** Approx. 1.74 acres

**CENSUS TRACT:** 81.00

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**OWNER:** Tenet Hospitals Limited

**APPLICANT:** Onyx Holdings, LLC

**REPRESENTATIVE:** Robert Reeves & Associates, Inc.

**REQUEST:** An application for: 1) a CR Community Retail District with deed restrictions volunteered by the applicant; 2) a D-1 Liquor Control Overlay for the lot on the southwest corner of Beachview Street and Garland Road; and 3) a Specific Use Permit for the sale and service of alcoholic beverages in conjunction with a restaurant without drive-through windows for the lot on the southwest corner of Beachview Street and Garland Road, on property zoned an LO-1-D Light Office District with a D Liquor Control Overlay.

**SUMMARY:** The applicant is proposing to utilize the property for restaurant and retail uses. The applicant has also volunteered deed restrictions to prohibit certain CR uses from being developed on the property.

**STAFF RECOMMENDATION:** Approval of the CR Community Retail District with deed restrictions volunteered by the applicant; approval of the D-1 Liquor Control Overlay, and approval of a Specific Use Permit for a two-year period, subject to a site plan and staff's recommended conditions.

**BACKGROUND:**

- The request site is currently developed with a surface parking lot and a vacant office building.
- The applicant proposes to construct a 4,300-square-foot structure for restaurant and retail uses.
- The request was originally heard at the City Plan Commission's August 4, 2016, meeting.
- The request was remanded back to CPC by City Council on August 9, 2017, in order for the applicant to add a request for a SUP to allow the sale and service of alcohol.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Garland Road	Principal Arterial	100 feet

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the requested and determined that the proposed development will not significantly 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.

**Urban Design Element**

GOAL 5.3      Establishing Walk-to Convenience

Policy 5.3.1   Encourage a balance of land uses within walking distance of each other.



**Garland Road Vision Plan:**

The Garland Road Vision Plan was adopted in November 2010. The plan is intended to be a Small Area Action Plan in support of the *forwardDallas* Comprehensive Plan. The plan's Future Land Development Visions depicts the area as commercial.

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	LO-1-D	Surface parking & Vacant office building
Northeast	LO-1-D, CR-D	Medical offices, fire station, retail
Northwest	LO-1 & MF-2(A)	Retail uses, multifamily, medical offices
Southeast	D(A)	Single family
Southwest	MU-2(SAH) with deed restrictions	Residential and retail uses

**Land Use Compatibility:**

The request site is approximately 1.74 acres of land and is currently developed with a surface parking use and a vacant medical office structure. The properties are surrounded by medical offices, fire station, and retail to the northeast; single family to the southeast; retail uses, multifamily, and medical offices to the northwest; and multifamily and retail to the southwest. The applicant proposes to develop the property with retail and restaurant uses.

The applicant is requesting to change the D Liquor Control Overlay to a D-1 Liquor Control Overlay on the property on the west corner of Beachview Street and Garland Road as well as a Specific Use Permit for the sale and service of alcoholic beverages in conjunction with a restaurant without drive-through windows on this portion. The applicant has confirmed that the restaurant proposed for this use will be "Chipotle". Staff is recommending approval of the CR Community Retail District, approval of the Specific Use Permit for the sale and service of alcoholic beverages in conjunction with a restaurant without drive-through windows and approval of the D-1 Liquor Control Overlay on the southwest corner of Beachview Street and Garland Road.

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

The CR Community Retail District proposed development will have to comply with the residential proximity slope (RPS) because it is located directly across from D(A) Duplex District, across from Garland Road, to the south of the subject property. The maximum height allowed in CR is 54 feet. Additionally, the applicant has offered deed restrictions removing 29 of the uses allowed by the new district to support land use compatibility.

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

Staff is recommending approval of the SUP for a two-year period, in lieu of the applicant's request for a 35-year period, with eligibility for automatic renewals for additional ten-year periods because this will require that the use be re-evaluated within a shorter period of time.

### **Development Standards:**

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
Existing							
	Front	Side/Rear					
LO-1 Limited office – 1	15'	20' adjacent to residential OTHER: No Min.	1.0 FAR	70' 5 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office – limited retail & personal service uses
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.

### **Landscaping:**

The proposed development must comply with Article X of the Development Code.

**List of Partners**

**Tenet Hospitals Limited  
Tenet Healthcare**

**Senior Corporate and Business Officers**

**Trevor Fetter**

*Chairman & Chief Executive Officer  
Tenet Healthcare*

**Dian Adams**

*VP, Patient Care Services and Chief Nursing Officer*

**Audrey Andrews**

*SVP and General Counsel*

**Paul Browne**

*Chief Information Officer and SVP, Applied Informatics*

**Daniel Cancelmi**

*Chief Financial Officer*

**Eric Evans**

*President of Hospital Operations*

**Howard Hacker**

*SVP, Chief Compliance Officer*

**Clint Hailey**

*SVP, Chief Managed Care Officer*

**Mark Kopser**

*Executive Chairman, Aspen Healthcare*

**Michael Maloney**

*SVP, Acquisitions & Development*

**Mark R. Montoney, M.D.**

*Chief Medical Officer*

**Stephen Mooney**

*President and CEO, Conifer Health Solutions*

Tenet Hospital Limited  
Tenet Healthcare (continued)

**Trip Pilgrim**

*SVP, Development*

**Keith Pitts**

*Vice Chairman*

**Brendan Strong**

*VP, Investor Relations*

**Douglas Rabe**

*VP, Taxation*

**Gary Ruff**

*SVP, Physician Resources*

**Daniel Waldmann**

*SVP, Public Affairs*

**Kristy Waters**

*SVP, Performance Management and Innovation*

**Robert W.K. Webb**

*SVP, Chief Human Resources Officer*

**Bill Wilcox**

*CEO, United Surgical Partners International*

**Onyx Holdings, LLC**

Members:

Chris Franklin

Rhone Bird

Eagle Bahn LLC

Jennifer Wood

<b>VOLUNTEERED DEED RESTRICTIONS</b>
--------------------------------------

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

- (1) The following uses are prohibited:
  - (A) Agricultural uses.
    - Crop production.
  - (B) Commercial and business service.
    - Building repair and maintenance shop.
  - (C) Industrial uses.
    - Gas drilling and production.
    - Temporary concrete or asphalt batching plant.
  - (D) Institutional and community services uses.
    - Cemetery or mausoleum.
    - College, university, or seminary.
    - Community service center.
    - Convent or monastery.
  - (E) Lodging uses.
    - Lodging or boarding house.
    - Overnight general purpose shelter.
  - (F) Miscellaneous uses.
    - Attached non-premises sign.
    - Carnival or circus (temporary).
  - (O) Office.
    - Alternative financial establishment.
  - (G) Recreation uses.
    - Country club with private membership.



(H) Residential uses.

- College, dormitory, fraternity, or sorority house.

(I) Retail and personal service uses.

- Ambulance service.
- Auto service center.
- Car wash.
- Commercial amusement (outside).
- Convenience store with drive-through.
- General merchandise or food store 100,000 square feet or more.
- Home improvement center, lumber, brick, or building materials sales yard.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Pawn shop.
- Restaurant with drive-in or drive-through service.
- Swap or buy shop.
- Temporary retail use.

(J) Wholesale, distribution, and storage uses.

- Mini-warehouse.

**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by the specific use permit is for sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

*Staff's Recommendation*

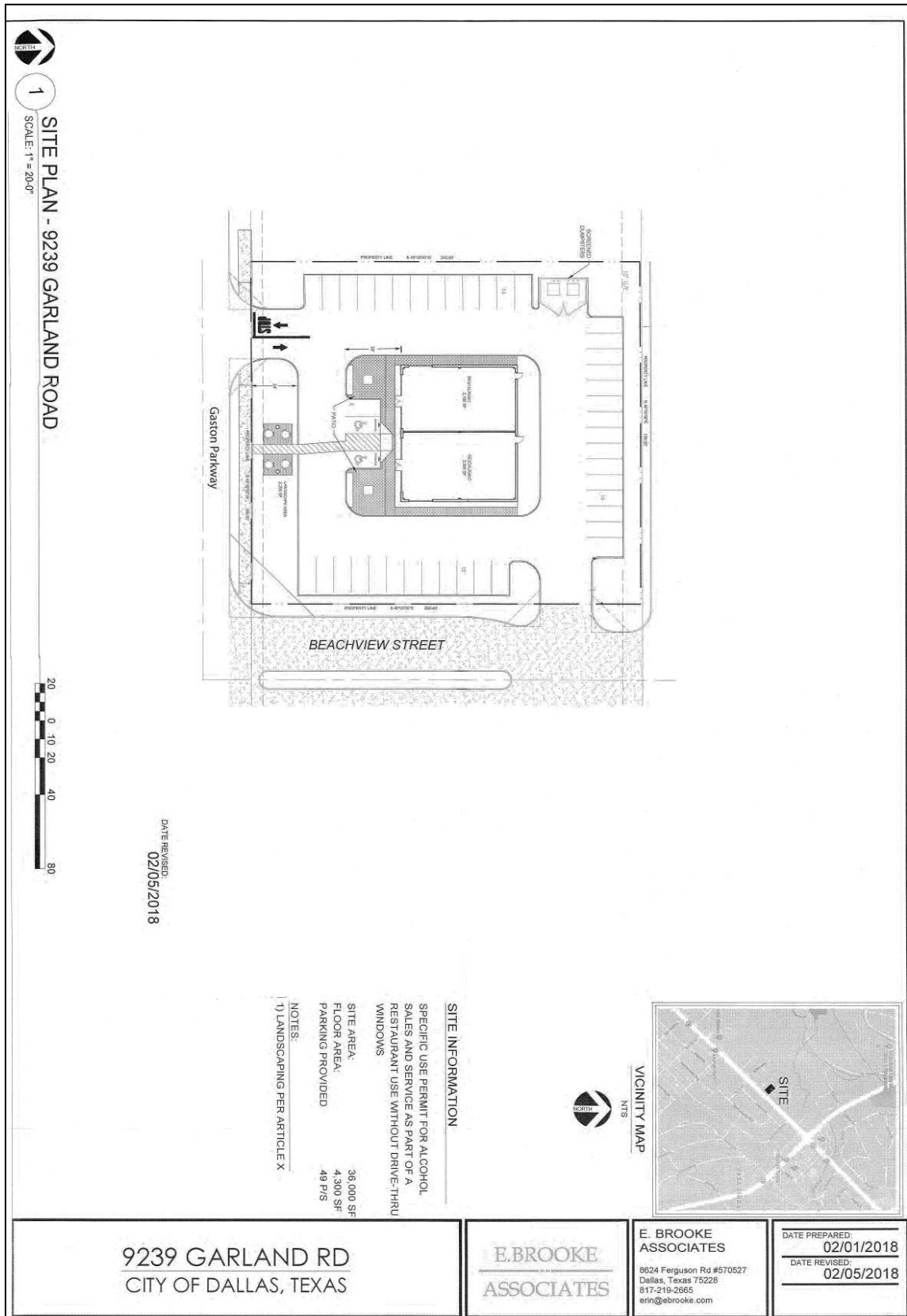
3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_(two-year period from the passage of this ordinance.

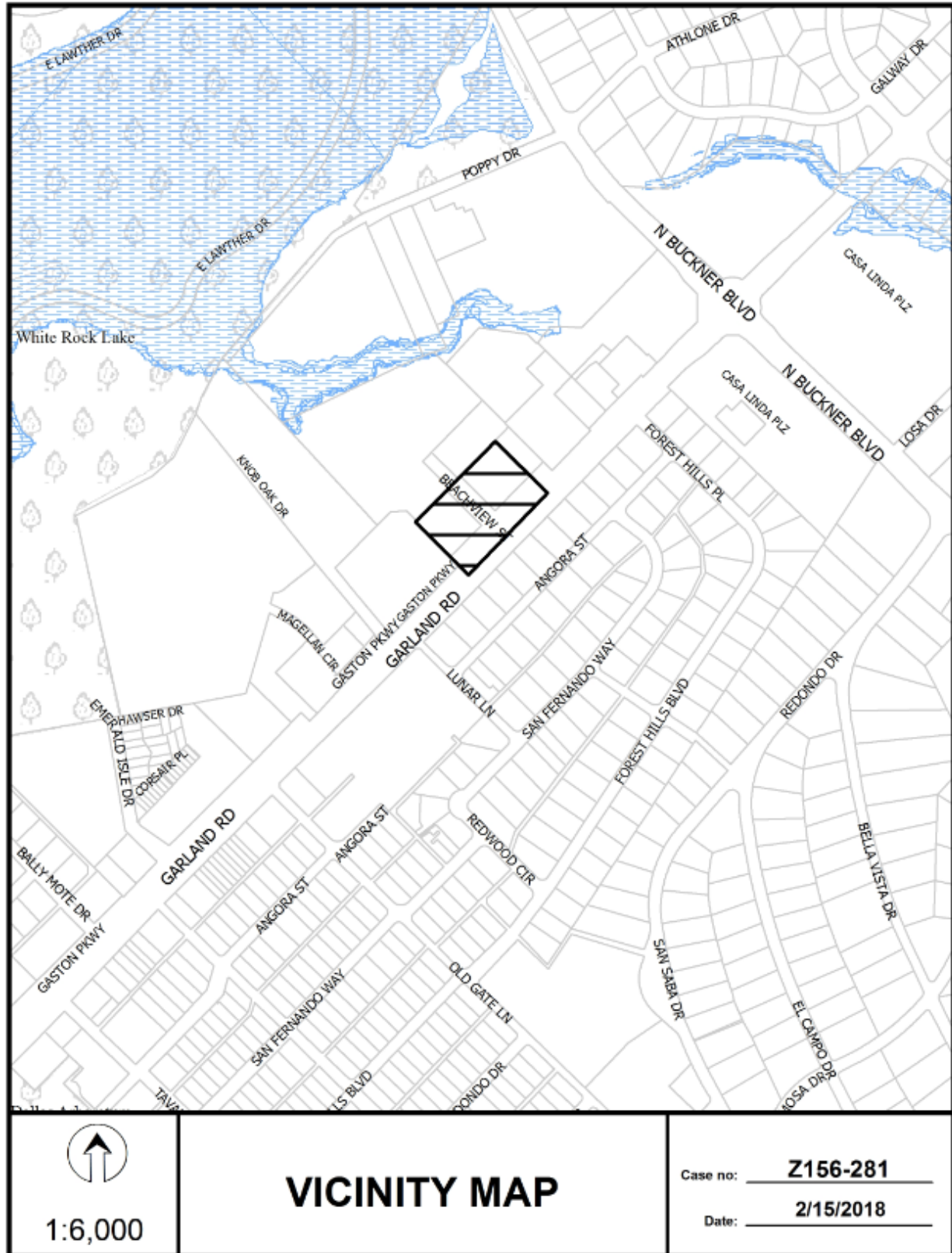
*Applicant's Request*

3. TIME LIMIT: This specific use permit expires on \_\_\_\_\_(Thirty-five year period from the passage of this ordinance), but is eligible for automatic renewal for additional ten-year periods, pursuant to Section 51A-4.219 of Chapter 51A for the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. INGRESS AND EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

# PROPOSED SUP SITE PLAN

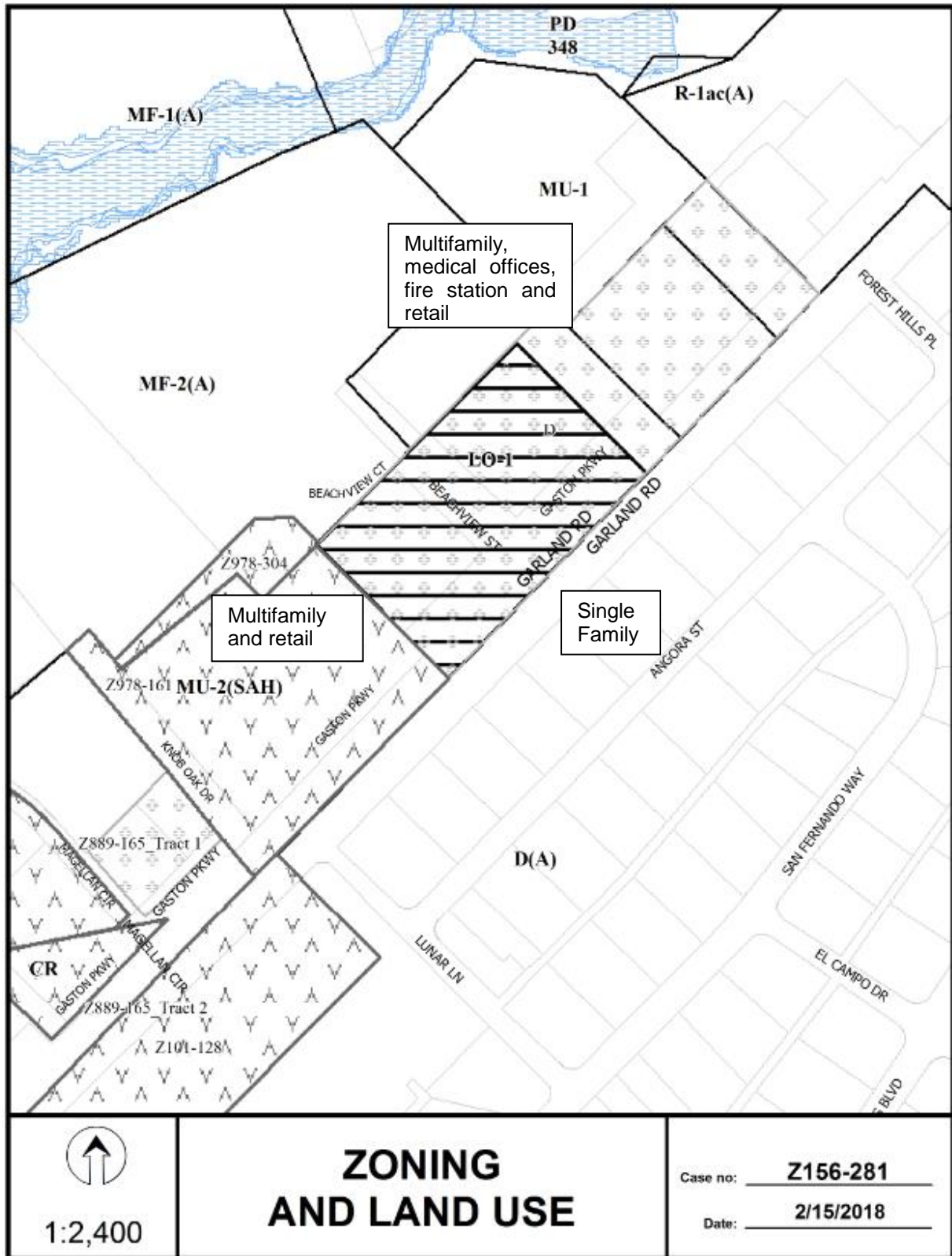


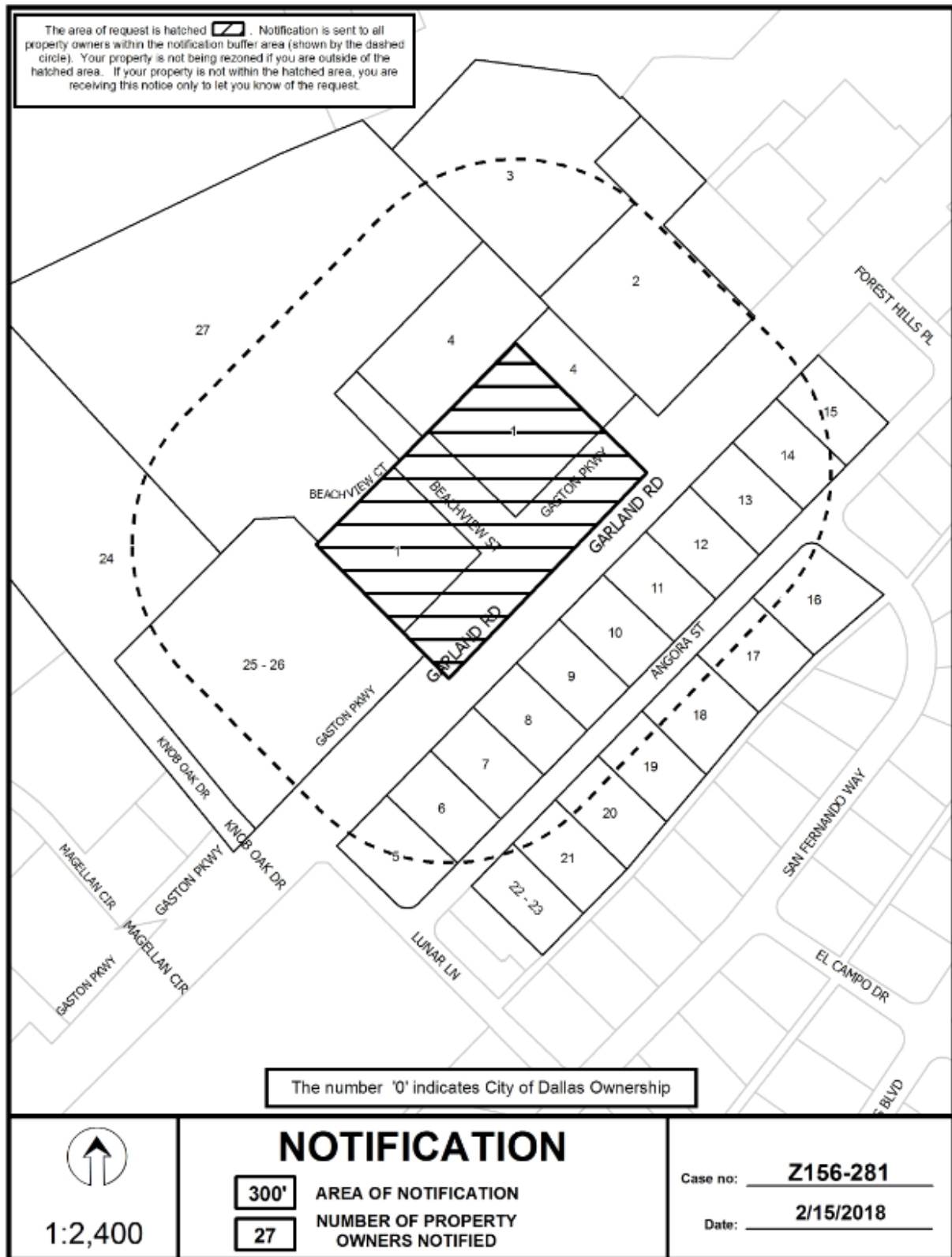












02/15/2018

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

### ***Z156-281***

#### ***27 Property Owners Notified***

<i><b>Label #</b></i>	<i><b>Address</b></i>	<i><b>Owner</b></i>
1	9239 GARLAND RD	ONYX HOLDINGS LLC
2	9353 GARLAND RD	WHITE ROCK COMMUNITY
3	9353 GARLAND RD	DOCTOR BROTHERS LTD
4	9335 GASTON PKWY	BROOMFIELD J V
5	9207 ANGORA ST	NESTER J CLAYTON &
6	9215 ANGORA ST	GATLIN ROSS
7	9223 ANGORA ST	MONTOYA JESSE ANTHONY SR &
8	9231 ANGORA ST	STEWART NAOMI E
9	9309 ANGORA ST	LESLIE CRAIG B & ANNETTE A
10	9315 ANGORA ST	LOUDERMILK HUBERT LEE II
11	9321 ANGORA ST	EMMETT ROSS A
12	9331 ANGORA ST	LANE GEOFFREY A
13	9337 ANGORA ST	CASEY MARY TRUSTEE
14	9347 ANGORA ST	DENTON JAMES MASON III & BRIANNE
15	9353 ANGORA ST	TUCKER RICHARD A
16	9345 SAN FERNANDO WAY	BRIDGES JAMES ERVIN &
17	9326 ANGORA ST	VASEK ROBERT G & JULIE
18	9314 ANGORA ST	PAGE JOHN W JR &
19	9304 ANGORA ST	CLEVINGER BRENDA K
20	9228 ANGORA ST	TGHM PROPERTIES LP
21	9222 ANGORA ST	MATTER DONALD MOSS &
22	9214 ANGORA ST	MATTER MELINDA FUGITT & DONALD MOSS
23	9216 ANGORA ST	MATTER MELINDA FUGITT & DONALD M
24	9201 GARLAND RD	UNIFIED HOUSING OF HARVEST HILL I LLC
25	9219 GARLAND RD	UNIFIED HOUSING OF HARVEST HILL LLC
26	9219 GARLAND RD	UNIFIED HOUSING OF
27	1111 BEACHVIEW ST	UNIFIED HOUSING OF HARVE

**FILE NUMBER:** Z167-336(PD) **DATE FILED:** June 26, 2017

**LOCATION:** East line of McKinney Avenue, north of Knox Street

**COUNCIL DISTRICT:** 14 **MAPSCO:** 35-R

**SIZE OF REQUEST:** ±13,300 square feet **CENSUS TRACT:** 7.02

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**APPLICANT/OWNER:** Weitzman Management Corp

**REPRESENTATIVE:** Jack Fiedler, MasterPlan Consultants

**REQUEST:** An application for a Planned Development Subdistrict for LC Light Commercial Subdistrict, restaurant, and personal service uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay.

**SUMMARY:** The purpose of the request is to reduce the parking requirements for a restaurant without drive-in or drive-through service. [La Duni]

**STAFF RECOMMENDATION:** Denial.

**PLANNED DEVELOPMENT NO. 193:**

<http://www.dallascityattorney.com/51P/Articles%20Supp%2021/Article%20193%20Part%20I.pdf>

**BACKGROUND INFORMATION:**

- On February 8, 1985, Planned Development District No. 193 was approved by the City Council. According to Dallas Central Appraisal District, the subject site was developed with a retail use at the time of adoption of the Ordinance.
- The PDD is now comprised of approximately 2,593 acres, and provides standards to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following objectives outlined in the Oak Lawn Area Plan.
- The 13,300-square-foot site is developed with a 5,160-square foot structure housing a restaurant, personal service, and vacant use.
- In 1963, the 5,160-square-foot structure was constructed providing 13 off-street parking spaces.
- On December 5, 2000, a Certificate of Occupancy was issued, remiss of the total square footage and number of required off-street parking spaces.
- During review of the proposed request, the Building Inspection Division has not been able to determine whether delta credits were ever established at this site. ,.
- PDD No. 193 requires a parking ratio of 1:100 for a restaurant without drive-in use, and 1:220 for a personal service use. The 3,993-square-foot restaurant [La Duni] requires 40 off-street parking spaces, the 1,396-square personal service use [Uptown Cleaner], combined with the vacant tenant space, requires 6 off-street parking spaces, for a total parking requirement of 46 off-street spaces. Currently the site provides 13 off-street parking spaces.
- La Duni has since constructed an 888-square-foot addition without permits, requiring 9 additional off-street parking spaces, bringing the total number of required parking spaces to 55.

**Zoning History:** There have not been any zoning cases in the surrounding area within the last five years.



Thoroughfares/Street	Type	Existing ROW
McKinney Avenue	Minor Arterial	60 ft.
Knox Street	Collector	60 ft.

**Traffic:**

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

**Land Use:**

	Zoning within PDD No. 193	Land Use
<b>Site</b>	LC	Restaurant, Personal Service & Vacant
<b>West</b>	LC	Retail, Surface Parking Lot
<b>North</b>	PDS 71	Mixed Use Development, Multifamily, Personal Service & Underground parking garage
<b>East</b>	PDS 27	Private Recreation Center, Club or Area
<b>South</b>	LC	Surface Parking & Retail

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

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

The Comprehensive Plan does not make a specific land use recommendation related to the request.

**LAND USE ELEMENT****GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

Policy 1.2. Review and improve regulatory strategies and tools to achieve the Vision.

Implementation Measure 1.2.3.3 Revise off-street parking standards to reflect actual market demand. Promote targeted development by appropriately reducing parking requirements through the use of innovative parking management tools in designated areas.

**Area Plans:**

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

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

The applicant's request for a new PDS does not meet the above listed objectives as the development is existing and the applicant only seeks to reduce the parking ratio for the site.

**Land Use Compatibility:**

Surrounding uses include a mixed-use development consisting of multifamily, personal service and an underground parking garage to the north, a private recreation center, club or area to the east, surface parking and retail uses to the south and west.

The applicant is proposing to reduce the parking ratio from 1:100 to 1:185 for a bar and restaurant use and from 1:220 to 1:465 for a personal service use. With this reduction, the existing 3,705-square-foot restaurant use (exclusive of the 288-square-foot storage area) would require 20 off-street parking spaces, and the 1,396-square-foot personal service use would require 3 off-street parking spaces for a total of 23 off-street parking

spaces. The six bicycle parking spaces that the applicant is proposing allows a reduction of one required parking space. Hence, the total number of parking spaces would be 22, as depicted on the proposed development plan.

Although the site was already deficient by 42 required off-street parking spaces, additions totaling 888 square feet were constructed without permits, requiring the site to provide 9 additional off-street spaces. Consequently, the site would require 55 off-street parking spaces, while only 13 exist.

The proposed request will also allow reconfiguration of the parking lot to provide 22 of the required 55 off-street parking spaces. The request also seeks to prohibit parking requirements for the 288-square-foot storage that was constructed without permits. Lastly, the applicant is requesting to allow parking spaces located on an alley to be included in the calculation of off-street parking requirements, while the ordinance prohibits such use.

In an effort to justify a reduction in parking, a parking demand analysis was provided. The analysis observed parking demands during peak hours for both on-site and off-site accommodations. During peak hours, the findings specified that “as many as half of the site’s patrons were observed parking off-site due at or near full occupancy of the on-site parking lot for an estimated peak parking demand of approximately 26 vehicles.”

The parking demand analysis, which fails to justify such a reduction in the off-street parking requirement, concludes by stating that, “to compensate for the lack of parking spaces on site, patrons and employees utilize public, on-street parking spaces as well as private retail parking on adjacent and nearby properties.” Staff from our Engineering Division also observed that patrons park across the street and proceed to walk directly across McKinney Avenue, where there is no pedestrian cross walk available.

In summary, while the existing parking supply does not suffice to meet the parking demand, there are other parking facilities on adjacent properties. However, staff cannot assume that these spaces are available for restaurant patrons or allow the adjacent sites to provide required off-street parking for the request site unless a formal parking agreement is filed. Staff has requested that a parking agreement be executed but was informed that the adjacent uses will not provide such an agreement. Furthermore, while it is assumed that the adjacent property to the west, Crate & Barrel, has an excess of parking which can be provided, there has been speculation that this tenant may discontinue operation at this site. As such, staff cannot determine whether a use which requires a greater parking demand will later occupy the structure and utilize all of the off-street parking spaces.

Finally, should the Commission vote to approve the request, the applicant will be required to revise the conditions, development plan, and parking analysis to allow accuracy and consistency of the total square footage of the structure, the proposed parking ratio, and the maximum floor area of the restaurant use.

**Landscaping:**

Landscaping must be provided in accordance with Part I of PDD No. 193, the Oak Lawn Special Purpose District.

**Parking:**

Parking for the existing development will be based on the requirements of the new Planned Development Subdistrict, which stipulates a ratio of 1:185 for restaurant uses and 1:465 for personal service uses.

<b>LIST OF OFFICERS</b>
-------------------------

Herbert Weitzman – Executive Chairman

Marshall Mills – President

Weldon Simons – Chief Executive Officer

Russell King – Chief Information Officer

Margo Evans – Property Controller

Carla Sebro – Corporation Controller

David Palmer – Executive Vice President

Greg Cochin – Senior Vice President

James Greenfield – Senior Vice President

Katherine Ratliff - Officer



<b>PROPOSED CONDITIONS</b>
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**SEC. S-XXX.101. LEGISLATIVE HISTORY.**

PD Subdistrict XXX was established by Ordinance No. \_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_. (Ord. )

**SEC. S-XXX.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict XXX is established on property generally located on the east side of McKinney Avenue, north of its intersection with Knox Street. The size of PD Subdistrict 121 is approximately 0.305 acre. (Ord. )

**SEC. S-XXX.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

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

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

**SEC. S-XXX.104. EXHIBIT.**

The following exhibit is incorporated into this division: Exhibit S-XXXXA: development plan.

**SEC. S-XXX.105. DEVELOPMENT PLAN.**

Development and use of the Property must comply with the development plan (Exhibit S-XXXXA). If there is a conflict between the text of this division and the development plan, the text of this division controls.

**SEC. S-XXX.106. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the LC Light Commercial Subdistrict, subject to the same conditions applicable in the LC Light Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted in the LC Light Commercial Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the LC Light Commercial Subdistrict is subject to DIR in this subdistrict; etc.

**SEC. S-XXX.107. ACCESSORY USES.**

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

**SEC. S-XXX.108. YARD, LOT, AND SPACE REGULATIONS.**

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

(b) Except as provided in this section, the yard, lot, and space regulations for the LC Light Commercial Subdistrict apply.

(c) For a restaurant use, the maximum floor area is 3,200 square feet.

**SEC. S-XXX.109. OFF-STREET PARKING AND LOADING.**

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

(b) For a personal service use, one space per 279 square feet of floor area is required. For a restaurant use, one space per 156 square feet of floor area is required. A covered patio is not counted in restaurant square footage.

(c) The parking reduction for bicycle specified in Section 51A-4.314, apply to this Subdistrict.

(d) Spaces that use the alley for maneuvering shall be counted toward the off-street parking total under this PDS.

**SEC. S-XXX.110. ENVIRONMENTAL PERFORMANCE**

**STANDARDS.** See Article VI.

**SEC. S-XXX.111. LANDSCAPING.**

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

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

**SEC. S-XXX.112. SIGNS.**

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

**SEC. S-XXX.113. ADDITIONAL PROVISIONS.**

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

(g) 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.

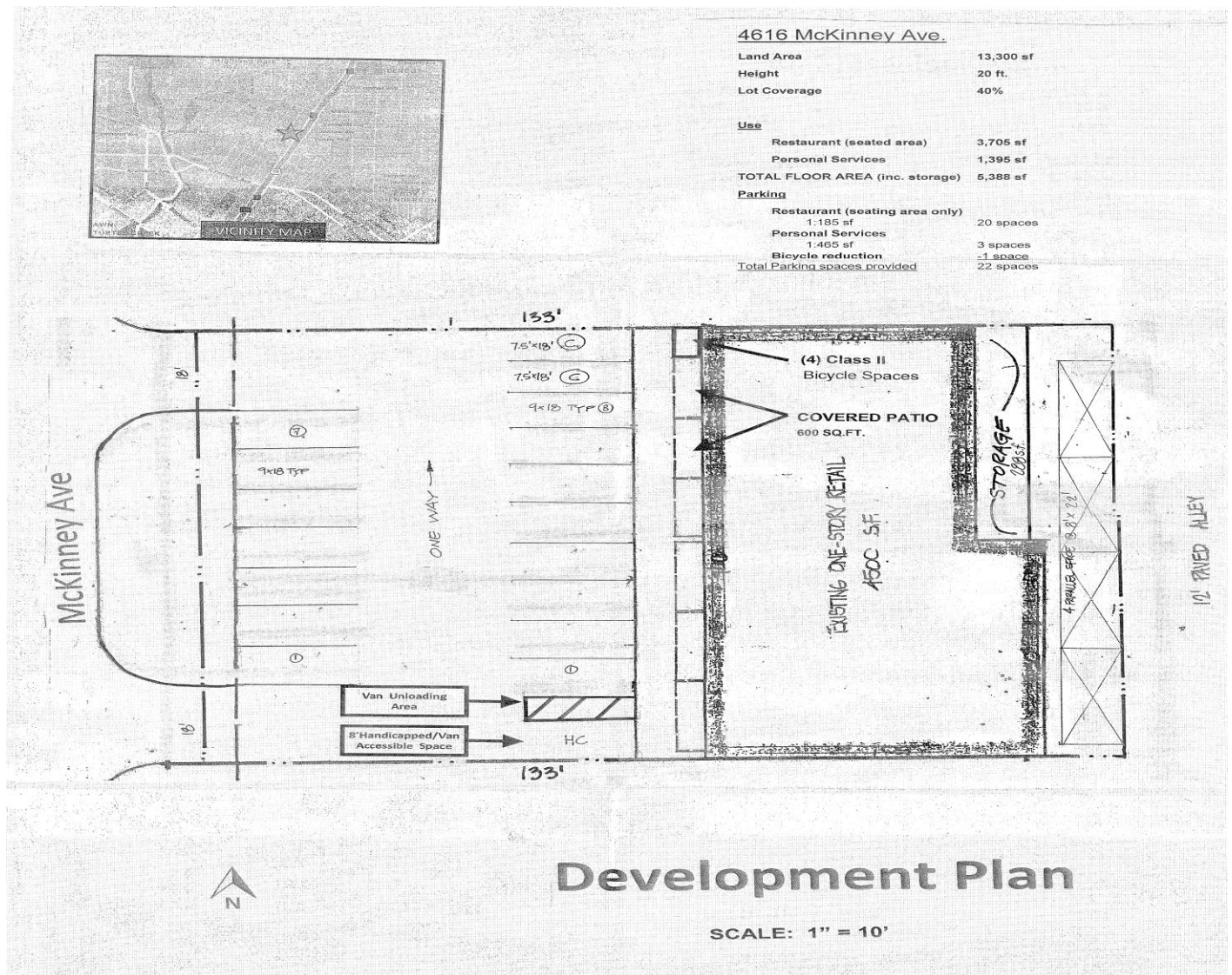
(h) Development and use of the Property must comply with Part I of this article.

**SEC. S-XXX.114. COMPLIANCE WITH CONDITIONS.**

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

(j) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

# PROPOSED DEVELOPMENT PLAN



**PARKING DEMAND ANALYSIS**

**October 11, 2017**

PK# 3156-17.348

# PARKING DEMAND ANALYSIS

*Project:*

**McKinney-Knox Shopping Center**  
*In Dallas, Texas*

*Prepared for:*

**City of Dallas**

*On behalf of:*

**McKinney-Knox Joint Venture**

*Prepared by:*

*Steve E. Stoner*

Steve E. Stoner, P.E., PTOE



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TX. REG: ENGINEERING FIRM F-14439  
TX. REG. SURVEYING FIRM LS-10193805-00

October 11, 2017



**PARKING DEMAND ANALYSIS**  
**McKinney-Knox Shopping Center**  
Dallas, Texas

**TABLE OF CONTENTS**

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APPENDIX: ON-SITE PARKING ACCUMULATION DATA

LIST OF EXHIBITS:

Exhibit 1. Site Location Map

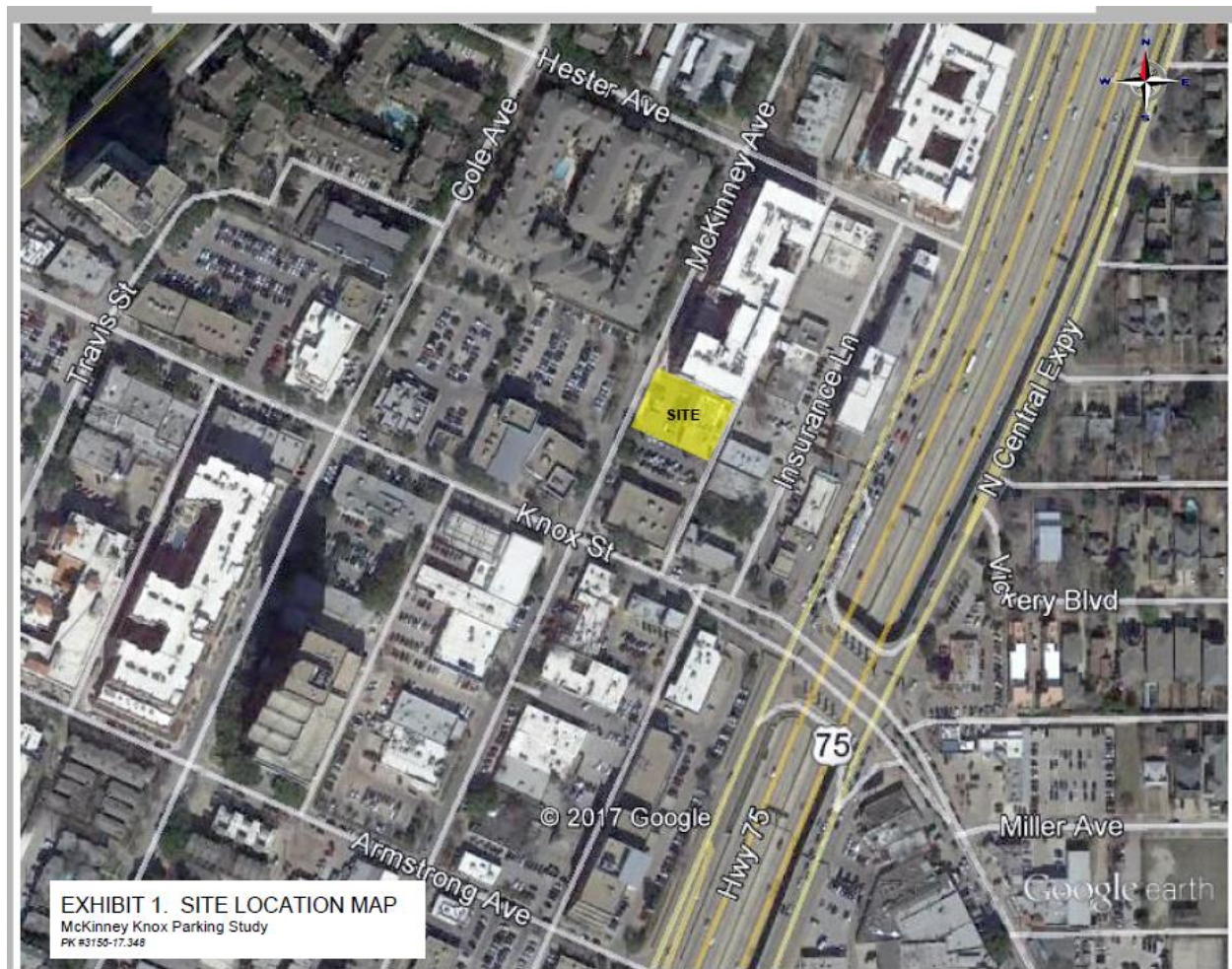
Exhibit 2. On-Site Parking Utilization Graph

LIST OF TABLES:

Table 1. Development Program Summary

Table 2. Base Code Parking Requirement





## INTRODUCTION

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The services of Pacheco Koch (PK) were retained by McKinney-Knox Joint Venture to conduct a Parking Demand Analysis (PDA) for McKinney-Knox Shopping Center (the "Project") located at 4616-4620 McKinney Avenue in Dallas, Texas. A site location map (Exhibit 1) and an existing site plan provided by Weitzman (Exhibit 2) are provided at the end of this report.

McKinney-Knox Joint Venture is seeking to establish a new PD Subdistrict to facilitate code compliance of the Project. Submittal of a PDA, prepared by a skilled professional is one of the requirements of City's process. This PDA was prepared in accordance with industry and local standards by registered professional engineers employed by Pacheco Koch. Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional services in traffic engineering, transportation planning, parking analysis, and related fields.

### *Purpose*

A PDA is an investigation of actual and/or published parking demand characteristics for a specific site with specific land use(s). The analysis is designed to take into consideration any site-specific factors that may affect parking demand. Therefore, the results presented in this analysis may not apply to other examples of the same land use.

The purpose of this PDA is to document the current parking conditions that occur on site. Findings of this study will be considered to assist in the proposed zoning change request for the property.

### *Project Description*

The approximately 5,400-square foot commercial building was constructed in the mid-1980's and consists of one restaurant use and one-two retail/personal service tenants. A summary of the current tenants and occupancies is provided in Table 1.

Table 1. Development Program Summary

USE	AMOUNT/USE*
Uptown Cleaners (4616 McKinney Ave.) <i>Hours of Operation: M-F – 7:00 AM-7:00 PM; Sat. – 8:00 AM-5:00 PM</i>	596 SF/Personal Service
Vacant** (4618 McKinney Ave.) <i>Hours of Operation: TBD</i>	800 SF/Personal Service
La Duni Latin Café (4620 McKinney Ave.) <i>Hours of Operation: M-Th – 7:00 AM-8:30 PM; Fri – 7:00 AM-9:30 PM; Sat. – 9:00 AM-9:30 PM; Sun. – 9:00 AM-8:30 PM</i>	3,705 SF/Restaurant – (not including 288 SF of Storage)

\* Information provided by Client.

\*\* Prospective Tenant: Session Dry Bar Salon; prior use: nail salon.

NOTE: The development program provided above is based upon the most current and complete information available at the time of this study publication.

The property provides 13 vehicular parking spaces and no bicycle parking spaces.

## PARKING CODE REVIEW

The study site is part of the Oak Lawn Special Purpose District and is currently zoned PD 193 (LC). Parking requirements for specific land uses and authorized reductions are outlined in Section 107 of the PD. A summary of the resulting net parking requirement is summarized in Table 2.

Table 2. Base Code Parking Requirement (Vehicular)

LAND USE	EXISTING CONDITIONS	
	Amount and Ratio	Spaces Required
<b>Personal Service Uses</b> , inc.: 'Laundry cleaning pickup and receiving station', 'Barber and beauty shop', and similar S1P-193.107(j)(5,12)	1,396 SF @ 1 per 220 SF	6.3
<b>Bar and Restaurant Uses</b> , inc.: 'Bar, lounge, or tavern', 'Restaurant w/o drive-in or drive-through service' S1P-193.107(j)(1,4)	3,993 SF @ 1 per 100 SF	40.0
SUBTOTAL PARKING SPACES REQUIRED	--	46
TOTAL PARKING SPACES PROVIDED	--	22*
CODE SURPLUS/(DEFICIT)	--	(24)

\*Requires restriping (striping plan prepared by others).

## PARKING DEMAND ANALYSIS

Submittal of a Parking Demand Analysis is required as part of the review process for the establishing a new PD Subdistrict. The Staff review of the analysis are provided to the City Council for consideration.

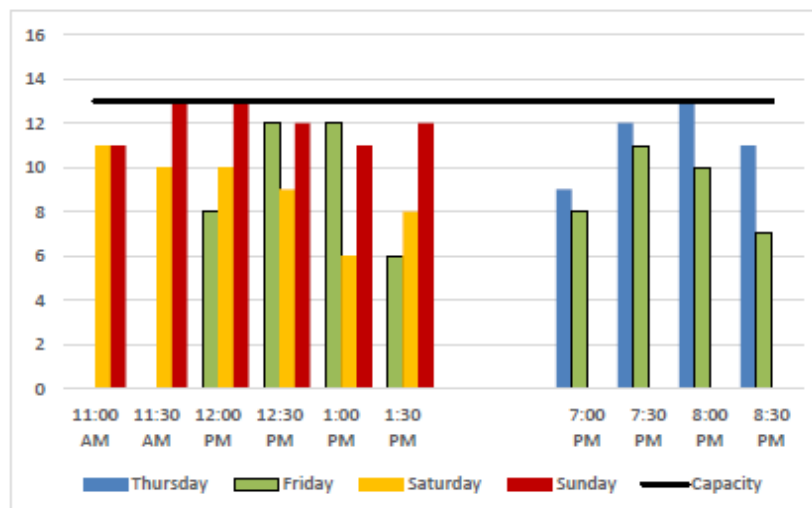
### Approach

To validate the parking demand for the subject site, actual parking demand data and observations were collected on site between Thursday, September 7, and Sunday, September 10, 2017.

### Observed Parking Demand

Actual, observed parking utilization counts are considered to be the best representation of site-specific parking demand characteristics. Factors affecting parking demand such as travel mode, tenant occupancy, etc. can be accounted for in this approach. A summary of the on-site parking utilization data are summarized graphically in Exhibit 2.

Exhibit 2. On-Site Parking Utilization Graph: 4616-4620 McKinney Avenue  
(Data Collected September 7-10, 2017)





In addition to the parking demand occurring on site, the parking demand accommodated off site was also observed. Patrons were observed parking in public, on-street spaces and in private, retail parking lots adjacent to and near the subject site. At peak parking demand periods, which generally coincide with weekday lunch and dinner periods and weekend brunch restaurant, as many as half of the site's patrons were observed parking off-site due at or near full occupancy of the on-site parking lot for an estimated peak parking demand of approximately 26 vehicles during the brunch period on Sunday.

An estimated 3-5 additional vehicles may be added to the total parking demand once the currently-vacant lease space is occupied.

## SUMMARY OF FINDINGS

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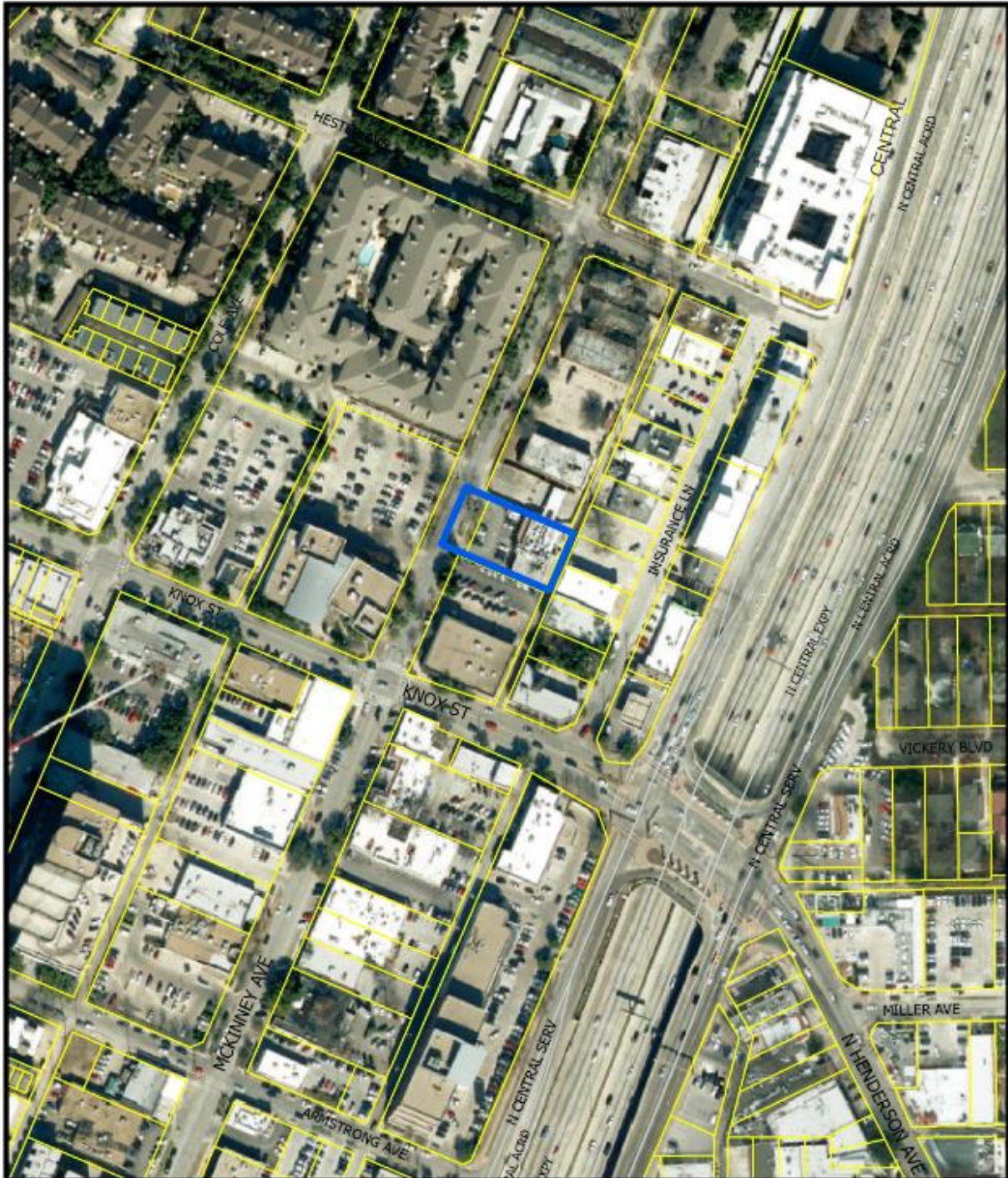
The subject site is a neighborhood retail building containing one restaurant and one-to-two personal service use tenants. The code parking requirement for the property in accordance with existing zoning is 46 parking spaces; however, the site provides only 13 parking spaces – a condition that has existed since the building was originally constructed in the mid 1980's. According to the Owner, the existing parking area can be reconfigured to accommodate 22 parking spaces. To compensate for the lack of parking spaces on site, patrons and employees utilize public, on-street parking spaces as well as private retail parking on adjacent and nearby properties.

A proposed PD Subdistrict zoning classification is being proposed to amend the current PD conditions and legitimize the existing parking conditions that occur on site.

END OF MEMO





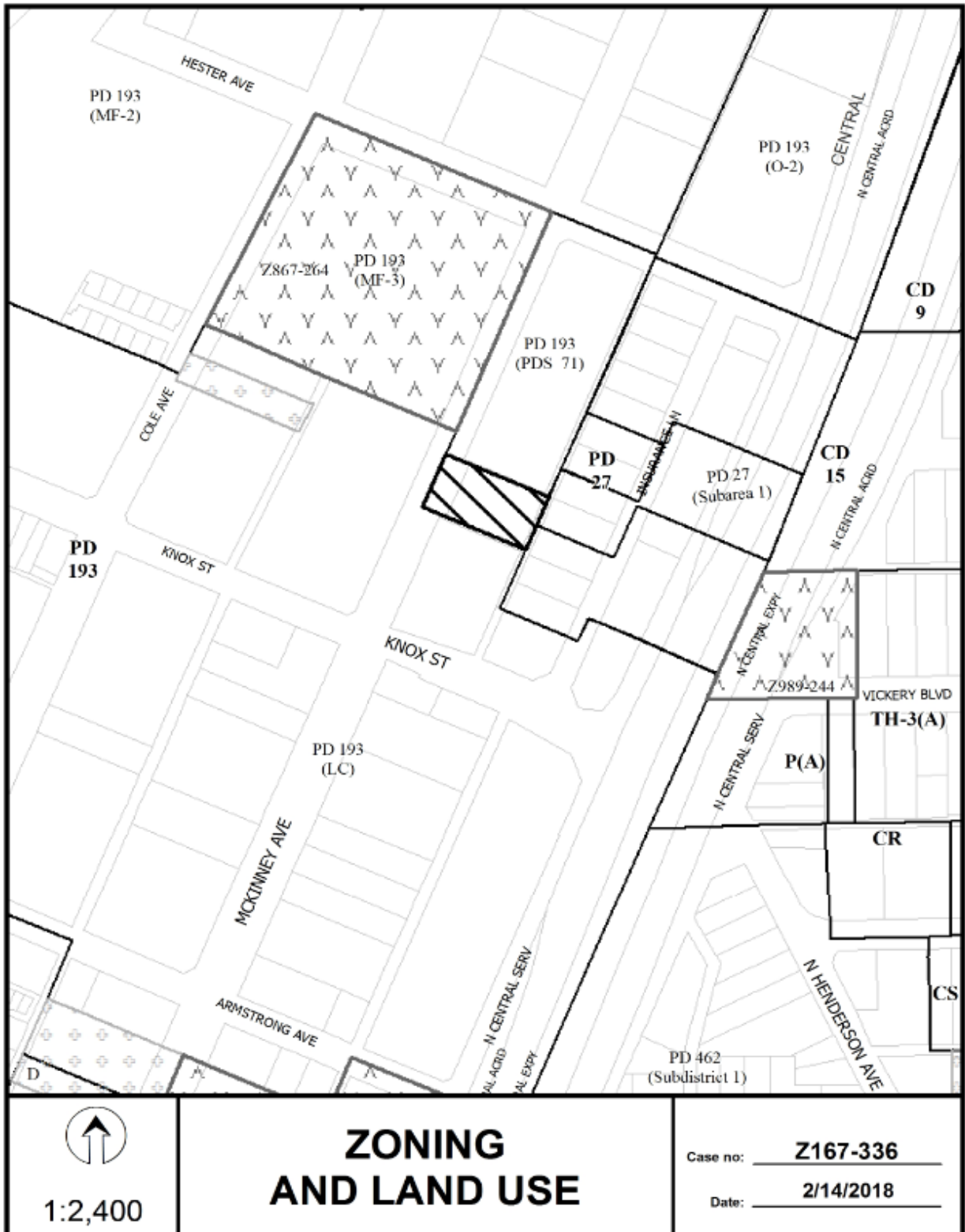


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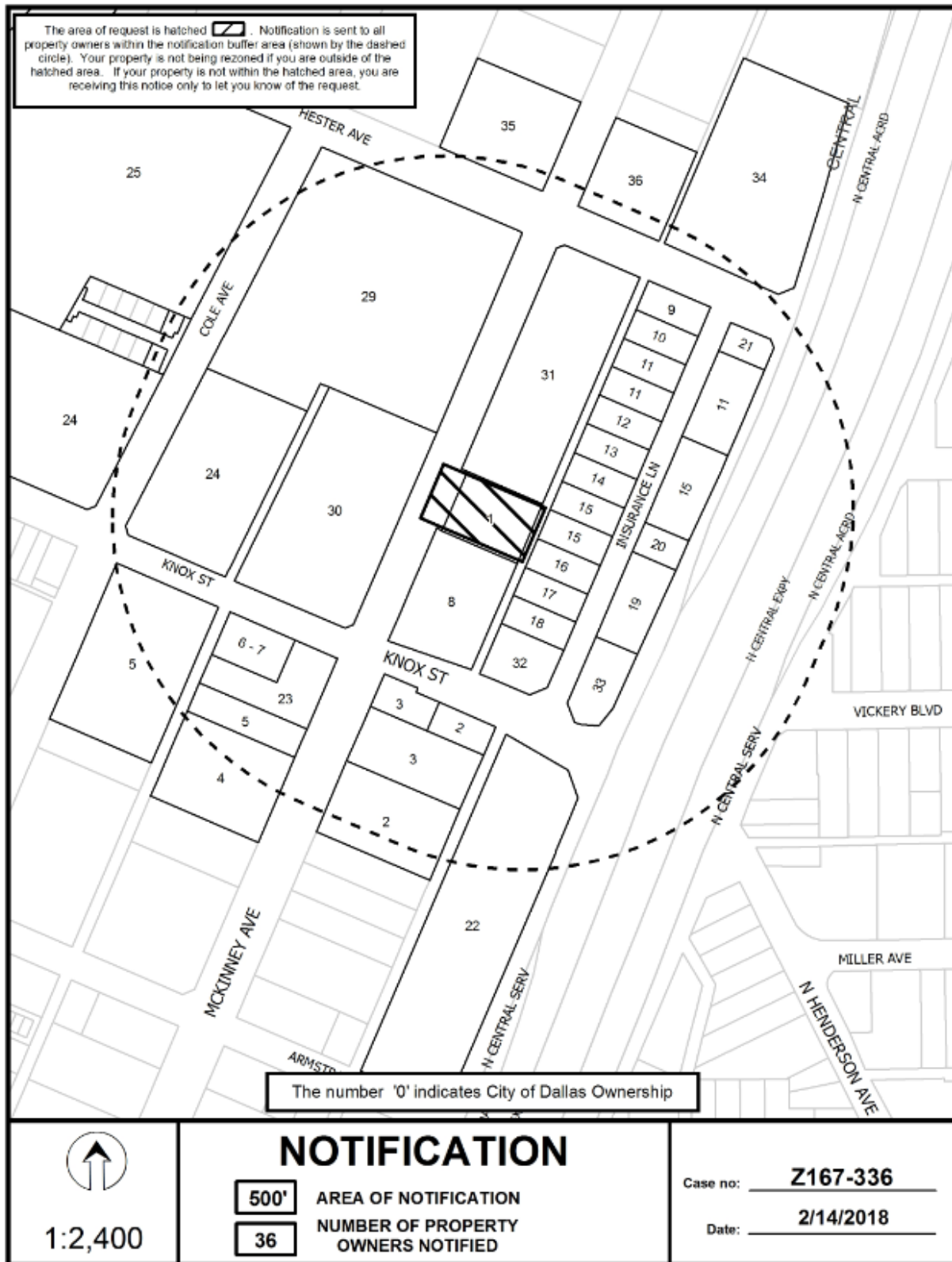
## AERIAL MAP

Case no: Z167-336

Date: 2/14/2018







02/14/2018

***Notification List of Property Owners******Z167-336******36 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4616 MCKINNEY AVE	MCKINNEY KNOX JOINT
2	3015 KNOX ST	NABHOLTZ KMCK PARTNERS LP
3	3025 KNOX ST	NABHOLTZ KMCK PARTNERS LP
4	4525 MCKINNEY AVE	GILLILAND PPTIES III LTD
5	4531 MCKINNEY AVE	GILLILAND PPTIES II LTD
6	3107 KNOX ST	TABESH FAMILY TRUST
7	3113 KNOX ST	TABESH FAMILY TRUST THE
8	4600 MCKINNEY AVE	KNOX STREET VILLAGE
9	4655 INSURANCE LN	4655 INSURANCE LANE LLC
10	4649 INSURANCE LN	ROBERT E LUNA FAMILY
11	4647 INSURANCE LN	4645 NORTH CENTRAL LLC
12	4639 INSURANCE LN	SUMMERS STEPHEN J ET AL
13	4633 INSURANCE LN	BEAIRD DAN INC
14	4631 INSURANCE LN	BEAIRD DAN L
15	4625 INSURANCE LN	MIHALOPOULOS FRANK
16	4619 INSURANCE LN	4619 ARMSTRONG LLC
17	4617 INSURANCE LN	TRIANGLE CHAPTER AMORC
18	4611 INSURANCE LN	TRIANGLE LODGE AMORC
19	4617 N CENTRAL EXPY	730 WEST SPRING VALLEY
20	4627 N CENTRAL EXPY	KNOX CENTRAL CORP
21	4655 N CENTRAL EXPY	ZANDER JAMES P
22	3001 KNOX ST	KNOX PARK VILLAGE DALLAS LLC
23	3101 KNOX ST	GILLILAND PROPERTIES LTD
24	3230 KNOX ST	KNOX STREET VILLAGE I INC
25	4647 COLE AVE	CIM/4649 COLE AVENUE LP
26	4625 COLE AVE	MODY PRASHANT

02/14/2018

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4625 COLE AVE	BLOOM KARYN
28	4625 COLE AVE	4625 COLE TOWNHOMES OWNER
29	4650 COLE AVE	MIRAMAR KNOX LP
30	3104 KNOX ST	KNOX STREET VILLAGE INC
31	4646 MCKINNEY AVE	TC KNOX HEIGHTS LP
32	3010 KNOX ST	VALLEY OAK KNOX LLC
33	4611 N CENTRAL EXPY	ORR VENTURE LTD
34	3030 HESTER AVE	BELL FUND V KNOX HENDERSON LLC
35	4701 MCKINNEY AVE	4701 MCKINNEY AVE LLC
36	4708 MCKINNEY AVE	4704 MCKINNEY LLC