



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, January 10, 2013
AGENDA

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

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

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

BRIEFINGS:

EXECUTIVE SESSION: Avalon Residential Care Homes, Inc. et al vs. City of Dallas,
Case No. 3:11-CV-01239-D
Chris Caso, Assistant City Attorney

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S123-044**
(CC District 2)

An application to replat all of Lots 1 through 18 in City Block 4/2060 into one 3.727 acre lot on property bounded by Douglas Avenue, Brown Street, Knight Street and Fairmount Street.

Applicant/Owner: 2624 Douglas Partners, LP; John T. Wharton; Mark E. Jones; Theodore H. & Margaret G. Dahm; Holly 2 Investments, Inc.; Richard Tom Garrison

Surveyor: Pacheco Koch Consulting Engineers

Application Filed: December 12, 2012

Zoning: PD 193 (MF-2)

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

- (2) **S123-047**
(CC District 14)
- An application to replat a 2.720 acre tract of land containing all of Lots 1 through 12 in City Block C/549 and two abandoned alleys within City Block C/549 on property bounded by McKinney Avenue, Routh Street, State Street and Fairmount Street.
Applicant/Owner: Pegasus Uptown, LP
Surveyor: Kimley – Horn and Associates, Inc.
Application Filed: December 17, 2012
Zoning: PD 193 (PDS 73), PD 225 (Historic Transition)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S123-048**
(CC District 4)
- An application to replat a 1.106 acre tract of land containing all of Lot 5 in City Block 1/6203 and two tracts of land in City Block 6203 into one 1.106 acre lot on property located on Buckner Blvd. north of Scyene Road.
Applicant/Owner: Kantilal & Taraben Patel, First Cash, Ltd.
Surveyor: A & W Surveyors, Inc.
Application Filed: December 17, 2012
Zoning: PDD 366, Subarea 6
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S123-049**
(CC District 6)
- An application to replat a 16.5714 acre tract of land containing all of Lot 1A and a 1.085 acre tract of land in City Block L/1536 into one 17.664 acre lot on property bounded by 1330 Regal Row, Empress Row, Titan Drive and Governors Row.
Applicant/Owner: Mary Kay, Inc.
Surveyor: Jacobs, Inc.
Application Filed: December 18, 2012
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S123-050**
(CC District 6)
- An application to replat a 2.39 acre tract of land containing all of Lots 1 through 4 and part of Lots 10 through 13 in City Block D/8343 into one 1.0023 acre lot and one 1.3922 acre lot on property located between South Walton Walker Boulevard and Stillwell Boulevard south of Marine Way.
Applicant/Owner: Guillermo Fonseca and Elva Fonseca
Surveyor: Votex Surveying
Application Filed: December 19, 2012
Zoning: CS
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats and Building Line Removals:

- (6) **S123-045**
(CC District 11) An application to replat a 0.75 acre tract of land containing all of Lot 6 City Block 3/7418 to remove the existing 40 foot building line along the southwest line of Prestondell Court on property located at 6129 Prestondell Drive and Prestondell Court, west corner.
Applicant/Owner: Ronald & Sheila Kostelny
Surveyor: A&W Surveyors, Inc
Application Filed: December 14, 2012
Zoning: R-16(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S123-051**
(CC District 13) An application to replat a 0.9659 acre tract of land containing all of Lots 1A and 1B City Block 6408 into one 0.9659 acre lot; remove a platted 50 foot building line parallel to the east line of Cox Avenue; add a 20 foot building line parallel to the east line of Cox Avenue; and add a 50 foot building line parallel to the north line of Northaven Road ending 20 feet from the east line of Cox Lane on property located at 11314 Cox Lane at Northaven Road, northwest corner.
Applicant/Owner: William and Marla Ferguson
Surveyor: Votex Surveying Company
Application Filed: December 19, 2012
Zoning: R-16(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S123-052**
(CC District 5) An application to replat a 2.1668 acre tract of land containing part of Lots 1 and 2 in City Block B/6289 into one 0.5804 acre lot and one 1.5863 acre lot on property located at 721 and 731 S. Buckner Blvd. between Jacobie Blvd. and Rosemont Road.
Applicant/Owner: Public Autos Ltd.
Surveyor: Votex Surveying Company
Application Filed: December 19, 2012
Zoning: PD 366, Sub Area 2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- D123-003**
Olga Torres Holyoak
(CC District 7) An application for a development/landscape plan for Planned Development No. 730 on the west side of Bexar Street, between Starks Avenue and Hooper Street.
Staff Recommendation: **Approval**
Applicant: Rick Guerrero
Representative: Macatee Engineering, Dayton C. Macatee, P.E.

W123-002

Audrey Butkus
(CC District 2)

An application for a waiver of the two-year waiting period in order to submit an application for a Specific Use Permit for a restaurant with late-hours on the west line of Greenville Avenue, south of Sears Street.

Staff Recommendation: **Denial**

Applicant/Representative: Audra Buckley

M123-003

Richard Brown
(CC District 11)

An application for a minor amendment to the development plan and landscape plan for Planned Development No. 858 on the west line of Noel Road, north of Spring Valley Road.

Staff Recommendation: **Denial**

Applicant: Associated Equities Realty Corporation

Representative: Dallas Cothrum

Thoroughfare Plan Amendments

Harwood Street from Cedar Springs Road to Ross Avenue

Tanya Brooks
(CC District 14)

Amendments to the City of Dallas Thoroughfare Plan and the CBD Streets and Vehicular Circulation Plan to: **(1)** Change the dimensional classification of Harwood Street from Cedar Springs Road to Woodall Rodgers Freeway from an existing couplet to a two-way, four lane undivided (S-4-U) roadway within 60 feet of right-of-way; **(2)** Change the operational characteristics of Harwood Street from Woodall Rodgers Freeway to Flora Street from three lanes southbound to one lane northbound and one lane southbound; and Harwood Street from Flora Street to Ross Avenue from four lanes southbound to two lanes northbound and two lanes southbound.

Staff Recommendation: **Approval**

CPC Transportation Committee Recommendation: **Approval**

Wycliff Avenue from Stemmons Freeway (I-35E) to Market Center Boulevard

Tanya Brooks
(CC District 2)

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Wycliff Avenue from Stemmons Freeway (I-35E) to Market Center Boulevard from a six lane divided (S-6-D) roadway within 107 feet of right-of-way to a four lane undivided (S-4-U) roadway within 60 feet of right-of-way.

Staff Recommendation: **Approval**

CPC Transportation Committee Recommendation: **Approval**

Zoning Cases – Consent

1. **Z112-210(RB)**
Richard Brown
(CC District 8)
An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-10(A) Single Family District on the northwest corner of C. F. Hawn Freeway and Woody Road.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Ammi Investments – Barbara Griffith
Representative: Santos Martinez

2. **Z112-294(RB)**
Richard Brown
(CC District 4)
An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District on property bounded by Illinois Avenue, Alaska Avenue, Montana Avenue and Marsalis Avenue.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Hullonco Development, L.P.
Representative: Frank Youmans

Zoning Cases – Under Advisement

3. **Z112-306(RB)**
Richard Brown
(CC District 14)
An application for a Planned Development Subdistrict for O-2 Office Subdistrict Uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and termination of existing deed restrictions on the northwest line of Travis Street, between Lemmon Avenue East and Lemmon Avenue West.
Staff Recommendation: **Approval**, subject to a development plan, landscape plan, and conditions, and **approval** of the termination of existing restrictions.
Applicant: CFO2 Dallas II, LLC
Representative: Gladys Bowens and Dallas Cothrum
U/A From: November 15, 2012

Zoning Cases – Individual

4. **Z123-114(JH)**
Jennifer Hiromoto
(CC District 14)
An application for a new subarea for commercial uses on property zoned Conservation District No. 9, the M-Streets Conservation District on the southwest corner of Greenville Avenue and Vanderbilt Avenue.
Staff Recommendation: **Approval**, subject to an existing conditions site plan, amendment to the CD No. 9 conceptual plan, and conditions.
Applicant: Thomas Roppolo
Representative: Rob Baldwin

5. **Z123-124(MW)**
Megan Wimer
(CC District 10)
- An application to amend Tracts 1 and 3 of Planned Development District No. 795 and to expand Planned Development District No. 795 to create a new tract on property zoned an R-7.5(A) Single Family District on the southwest corner of Skillman Street and Church Road.
- Staff Recommendation: **Approval**, subject to a conceptual plan and staff's recommended conditions.
- Applicant: Prescott Church Road Land Associates, LP Forest Meadow Baptist Church
- Representative: Stephen Davis, Masterplan Development, LLC
6. **Z123-129(MW)**
Megan Wimer
(CC District 14)
- An application for a new Planned Development District for mixed uses on property zoned Planned Development Subdistrict No. 73 in Planned Development District No. 193, the Oak Lawn Special Purpose District and a Historic Transition Subdistrict within Planned Development District No. 225, the State-Thomas Special Purpose District with Historic Overlay District No. 25, the State Thomas Historic District, with deed restrictions on a portion on the east side of McKinney Avenue, between Routh Street and Fairmont Street.
- Staff Recommendation: **Approval**, subject to a conceptual plan, landscape plan and staff's recommended conditions.
- Applicant: Pegasus Uptown, L.P./LG McKinney Limited Partnership
- Representative: Susan Mead/Jonathan Vinson, Jackson Walker, L.L.P.
7. **Z123-130(MW)**
Megan Wimer
(CC District 14)
- An application to terminate deed restrictions and for a new subdistrict on property zoned a Historic Transition Subdistrict within Planned Development District No. 225, the State-Thomas Special Purpose District with Historic Overlay District No. 25, the State Thomas Historic District, with deed restrictions volunteered by the applicant on the north side of State Street, between Routh Street and Fairmount Street.
- Staff Recommendation: **Approval** of the termination of deed restrictions and **approval** of a new subdistrict; subject to a conceptual plan, landscape plan and conditions.
- Applicant: Pegasus Uptown, L.P./LG McKinney Limited Partnership
- Representative: Susan Mead/Jonathan Vinson, Jackson Walker, L.L.P.

8. **Z123-125(WE)**
Warren Ellis
(CC District 14)
- An application for a Planned Development Subdistrict for multiple family uses on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of Carlisle Street and Routh Street.
- Staff Recommendation: **Denial**
Applicant: Alamo Manhattan Carlisle, LLC
Representative: MASTERPLAN – Karl Crawley
9. **Z123-127(WE)**
Warren Ellis
(CC District 4)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D Commercial Service District with a D Liquor Control Overlay on the north line of Bruton Road between Jim Miller Road and Mack Lane.
- Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Mehdi Rezaeizadeth
Representative: Hisham Awadelkariem
10. **Z123-128(WE)**
Warren Ellis
(CC District 13)
- An application for an MF-1(A) Multifamily District on property zoned a D(A) Duplex District on the north side of Del Norte Lane, west of Hillcrest Road.
- Staff Recommendation: **Denial**
Applicant/Representative: Rob Little

Reconsideration

- Z101-220(JH)**
Z101-221(JH)
Z101-248(JH)
Jennifer Hiromoto
(CC District 6)
1. Reconsideration of actions taken on December 20, 2012, which was to move to recommend **denial without prejudice** of applications for Specific Use Permits for gas drilling and production on properties zoned IR Industrial Research District on the north side of Northwest Highway, west of Luna Road; south of Royal Lane, west of Luna Road; and on the east side of Luna Road, north of Ryan Road.
- If #1 is approved then consideration of 2a, 2b, and 2c.
- 2a. An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, west of Luna Road.
- Staff Recommendation: **Approval** for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site/landscape plan and staff conditions.

Applicant: Trinity East Energy, LLC
Representative: MASTERPLAN

- 2b. An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District south of Royal Lane, west of Luna Road.

Staff Recommendation: **Approval** for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site/ landscape plan and staff conditions.

Applicant: Trinity East Energy, LLC
Representative: MASTERPLAN

- 3b. An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road.

Staff Recommendation: **Approval** for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site/ landscape plan and staff conditions.

Applicant: Trinity East Energy, LLC
Representative: MASTERPLAN

Other Matters

Minutes: December 20, 2012

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, January 10, 2013

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, January 10, 2013, City Hall, 1500 Marilla Street, in 5ES, at 9:30 a.m., to consider (1) **DCA 112-002(c)** – Consideration of amending the Dallas Development Code to amend parking requirements to permit the use of automated/mechanized parking systems for required parking.

EXECUTIVE SESSION NOTICE

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

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

CITY PLAN COMMISSION

THURSDAY, JANUARY 10, 2013

FILE NUMBER: S123-044

Subdivision Administrator: Paul Nelson

LOCATION: Douglas Avenue, Brown Street, Knight Street and Fairmount Street

DATE FILED: December 12, 2012

ZONING: PD 193 (MF-2)

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 3.727 Acres **MAPSCO:** 35W

APPLICANT: 2624 Douglas Partners, LP; John T. Wharton; Mark E. Jones; Theodore H. & Margaret G. Dahm; Holly 2 Investments, Inc.; Richard Tom Garrison

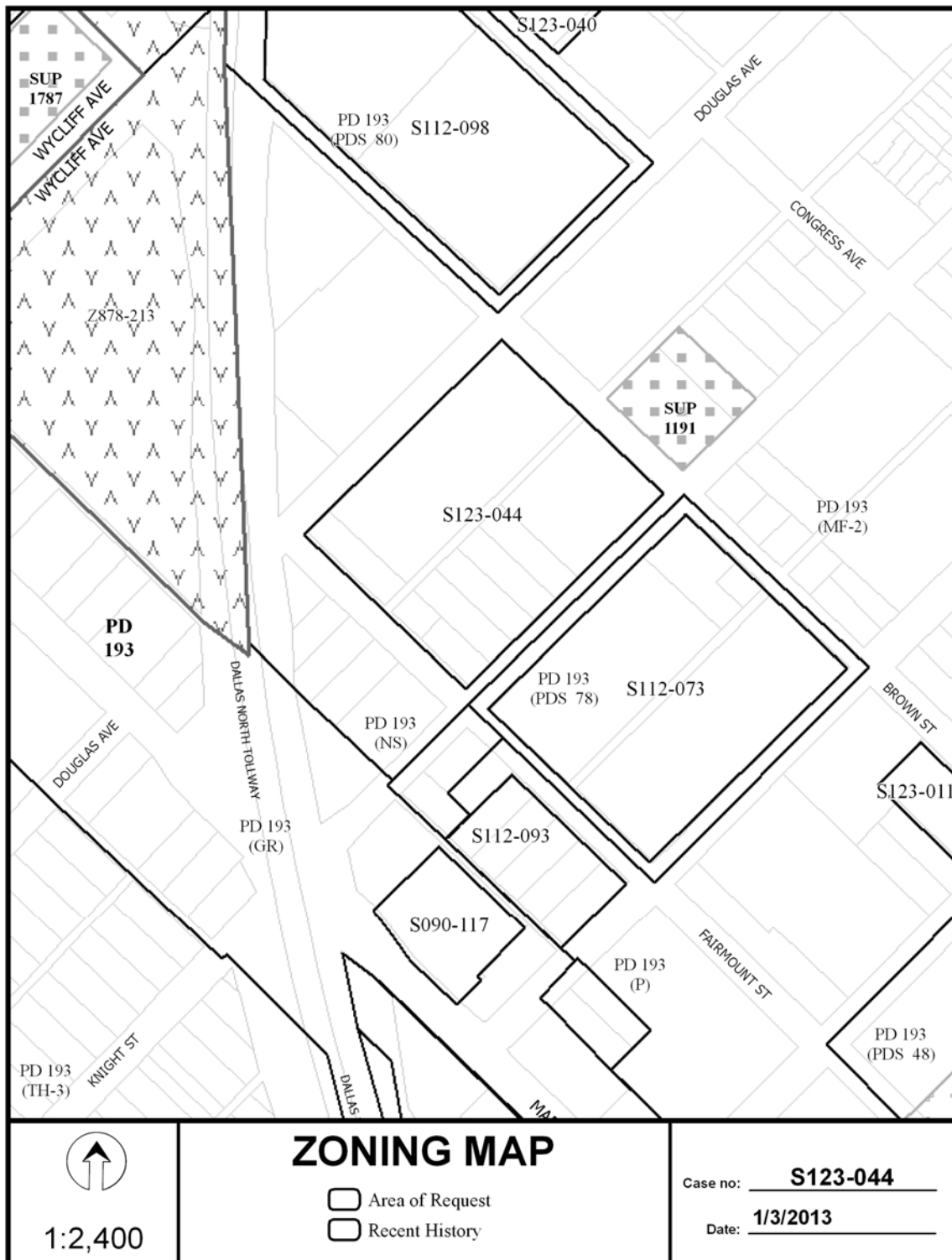
REQUEST: An application to replat all of Lots 1 through 18 in City Block 4/2060 into one 3.727 acre lot on property bounded by Douglas Avenue, Brown Street, Knight Street and Fairmount Street.

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


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

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Douglas Avenue and Fairmount Street.
15. On the final plat dedicate a 10 foot by 10 foot corner clip at Douglas Avenue and Brown Street.
16. On the final plat dedicate a 10 foot by 10 foot corner clip at Knight Street and Fairmount Street.
17. On the final plat dedicate a 10 foot by 10 foot corner clip at Knight Street and Brown Street.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
19. Water main extension is required by Private Development Contract.
20. On the final plat chose a different addition name.
21. On the final plat list the utility easements as retained within alley abandonments when stated in the abandonment ordinance.
22. On final plat show abandonment R.O.W.area on plat as follows: "Abandonment authorized by Ordinance No. and recording instrument no."





 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S123-044 </u> Date: <u> 1/3/2013 </u>
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CITY PLAN COMMISSION**THURSDAY, JANUARY 10, 2013****FILE NUMBER:** S123-047**Subdivision Administrator:** Paul Nelson**LOCATION:** McKinney Avenue, Routh Street, State Street and Fairmount Street**DATE FILED:** December 17, 2012**ZONING:** PD 193 (PDS 73), PD 225**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 2.720 Acres **MAPSCO:** 45F**APPLICANT:** Pegasus Uptown, LP

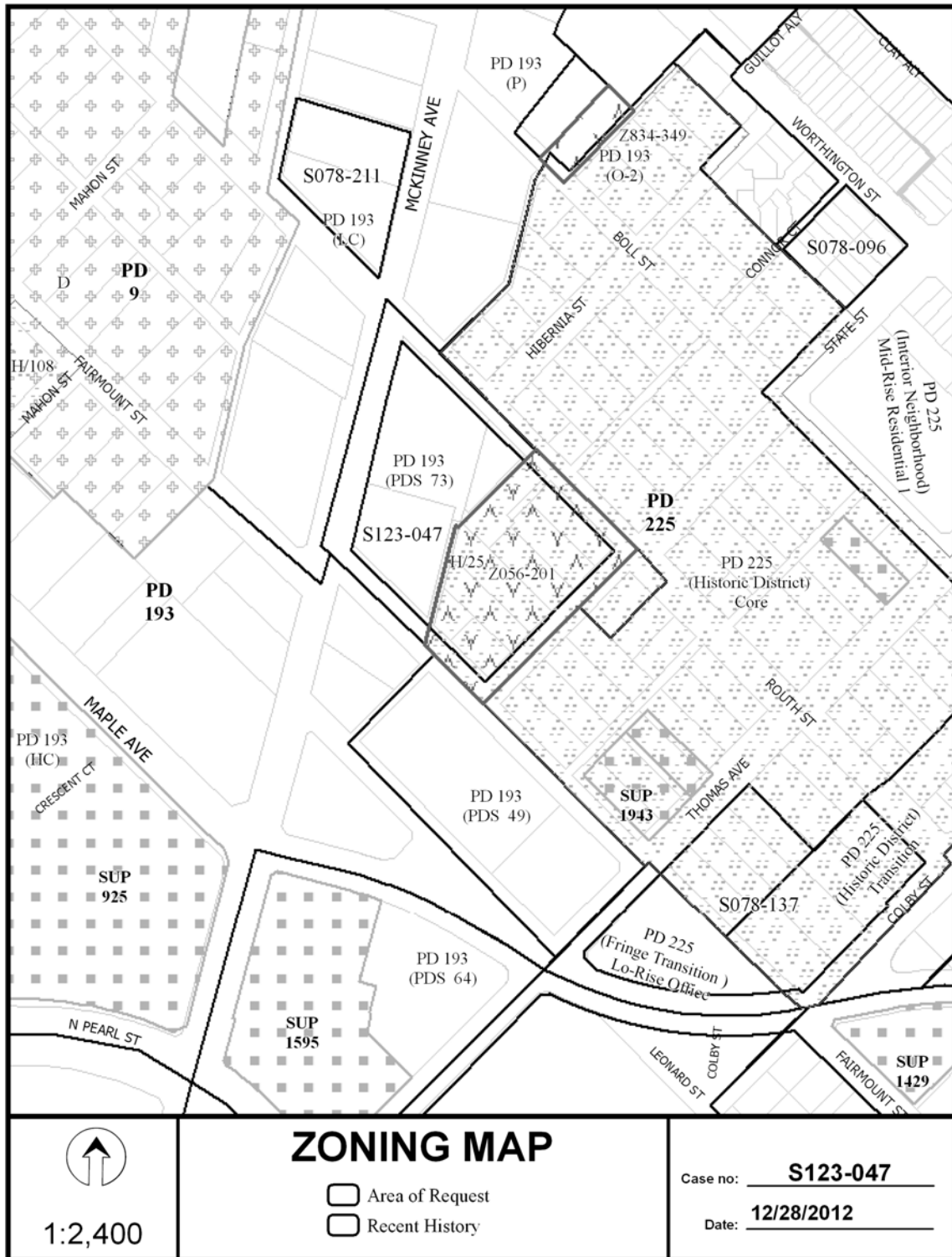
REQUEST: An application to replat a 2.720 acre tract of land containing all of Lots 1 through 12 in City Block C/549 and two abandoned alleys within City Block C/549 on property bounded by McKinney Avenue, Routh Street, State Street and Fairmount Street.

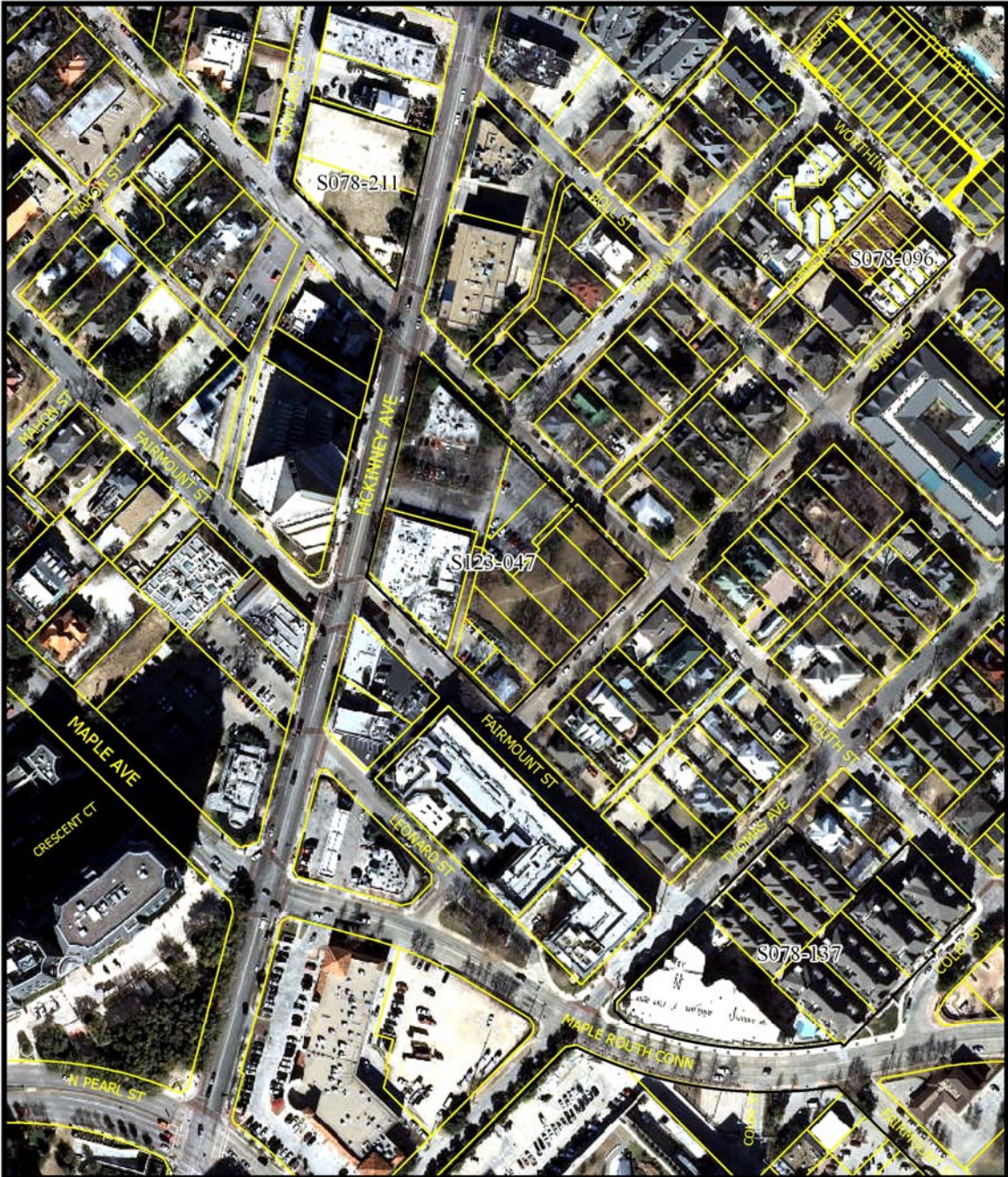
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of PD 193 (PDS 73) PD 225; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. On the final plat dedicate 25 feet of R.O.W from the centerline of Routh Street.
15. On the final plat dedicate a 10 foot by 10 foot corner clip easement at the Routh Street and State Street.
16. On the final plat dedicate a 10 foot by 10 foot corner clip easement at Fairmount Street and State Street.
17. On the final plat dedicate a 15 foot by 15 foot corner clip easement at Routh Street and McKinney Avenue.
18. On the final plat dedicate a 15 foot by 15 foot corner clip easement at McKinney Avenue and Fairmount Street.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development
20. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
21. New water and/or wastewater easements need to be shown.
22. Water main extension is required by Private Development Contract.
23. On the final plat show how all adjoining Right-Of-Way was created.
24. On the final plat chose a different addition name.
25. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.
26. On final plat show recording information for Alley Abandonment Ordinance Number 26423.
27. On the final plat indicate area to be dedicated as "Open Space" to the City of Dallas.





 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S123-047 </u> Date: <u> 12/28/2012 </u>
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CITY PLAN COMMISSION**THURSDAY, JANUARY 10, 2013****FILE NUMBER:** S123-048**Subdivision Administrator:** Paul Nelson**LOCATION:** Buckner Blvd. north of Scyene Road**DATE FILED:** December 17, 2012**ZONING:** PDD 366, Subarea 6**CITY COUNCIL DISTRICT:** 4 **SIZE OF REQUEST:** 1.106 Acres **MAPSCO:** 48U**APPLICANT:** Kantilal & Taraben Patel, First Cash, Ltd.

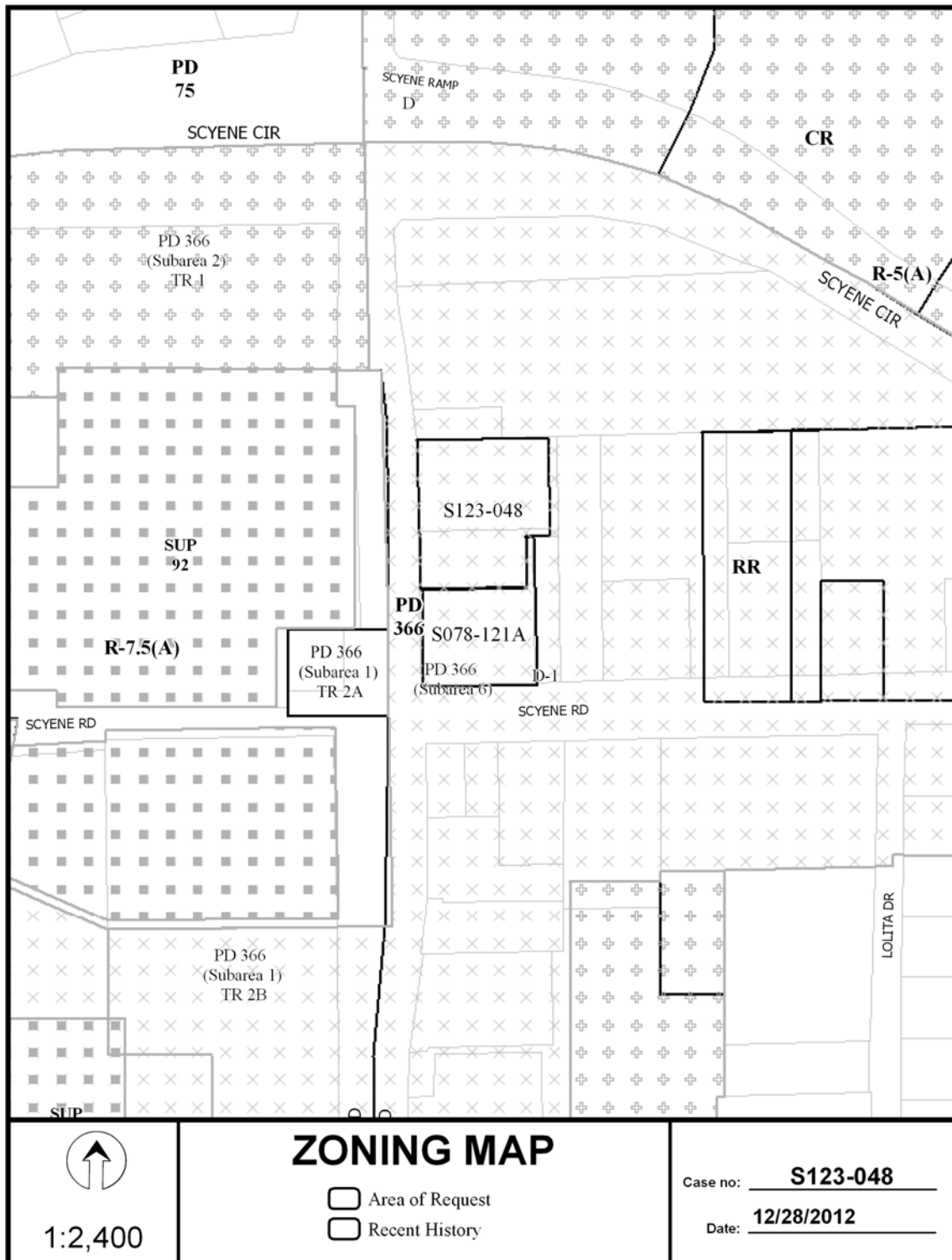
REQUEST: An application to replat a 1.106 acre tract of land containing all of Lot 5 in City Block 1/6203 and two tracts of land in City Block 6203 into one 1.106 acre lot on property located on Buckner Blvd. north of Scyene Road.

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

STAFF RECOMMENDATION: The request complies with the requirements of PDD 366, Subarea 6; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. On the final plat add a note stating: "modification to Buckner Boulevard requires TXDOT approval."
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. On the final plat show how all adjoining Right Of Way was created.
16. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
17. Prior to final plat prove ownership for 10 foot Save and Except as listed in the deed.
18. On the final plat change "Scyene Boulevard" to " Scyene Road".





1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S123-048

Date: 12/28/2012

CITY PLAN COMMISSION**THURSDAY, JANUARY 10, 2013****FILE NUMBER:** S123-049**Subdivision Administrator:** Paul Nelson**LOCATION:** 1330 Regal Row, Empress Row, Titan Drive and Governors Row**DATE FILED:** December 18, 2012**ZONING:** IR**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 17.664Ac. **MAPSCO:** 33K,N,P**APPLICANT:** Mary Kay, Inc.

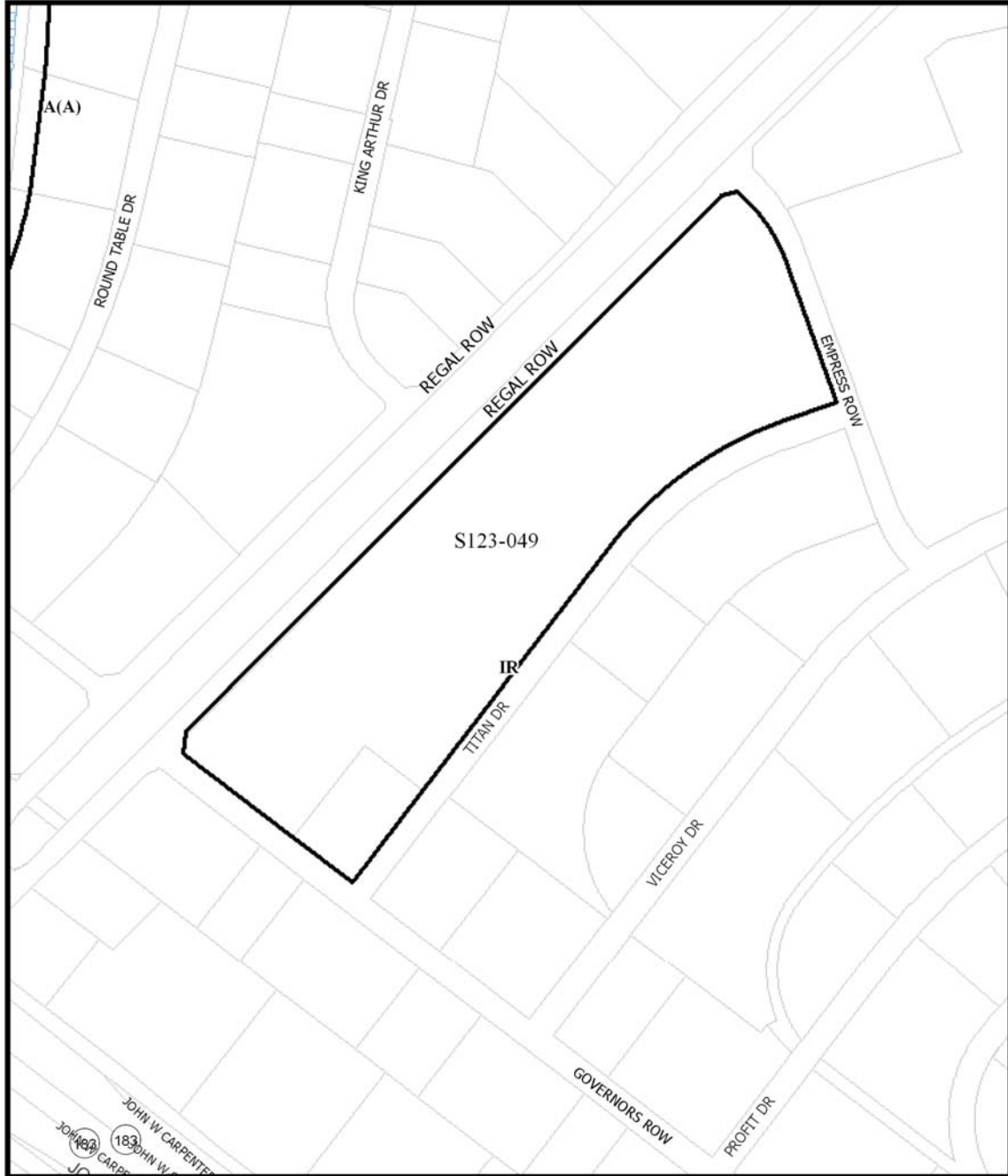
REQUEST: An application to replat a 16.5714 acre tract of land containing all of Lot 1A and a 1.085 acre tract of land in City Block L/1536 into one 17.664 acre lot on property bounded by 1330 Regal Row, Empress Row, Titan Drive and Governors Row.

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

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

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. On the final plat dedicate a 10 foot by 10 foot corner clip at Titan Drive and Governors Row.
13. On the final plat dedicate a 10 foot by 10 foot corner clip at Empress Row and Titan Drive.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
16. On the final plat show the recording information on all existing easements within 150 feet of the property.
17. On the final plat two control monuments must be shown.
18. On the final plat choose a different addition name.
19. On the final plat change 60' Wide Easement to 60' Roadway Easement.



 1:3,600	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: <u> S123-049 </u> Date: <u> 12/28/2012 </u>
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1:3,600

AERIAL MAP

- Area of Request
- Recent History

Case no: S123-049

Date: 12/28/2012

CITY PLAN COMMISSION**THURSDAY, JANUARY 10, 2013****FILE NUMBER:** S123-050**Subdivision Administrator:** Paul Nelson**LOCATION:** South Walton Walker Boulevard and Stillwell Boulevard south of Marine Way**DATE FILED:** December 19, 2012**ZONING:** CS**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 2.39 Acres**MAPSCO:** 52E**APPLICANT:** Guillermo Fonseca and Elva Fonseca

REQUEST: An application to replat a 2.39 acre tract of land containing all of Lots 1 through 4 and part of Lots 10 through 13 in City Block D/8343 into one 1.0023 acre lot and one 1.3922 acre lot on property located between South Walton Walker Boulevard and Stillwell Boulevard south of Marine Way.

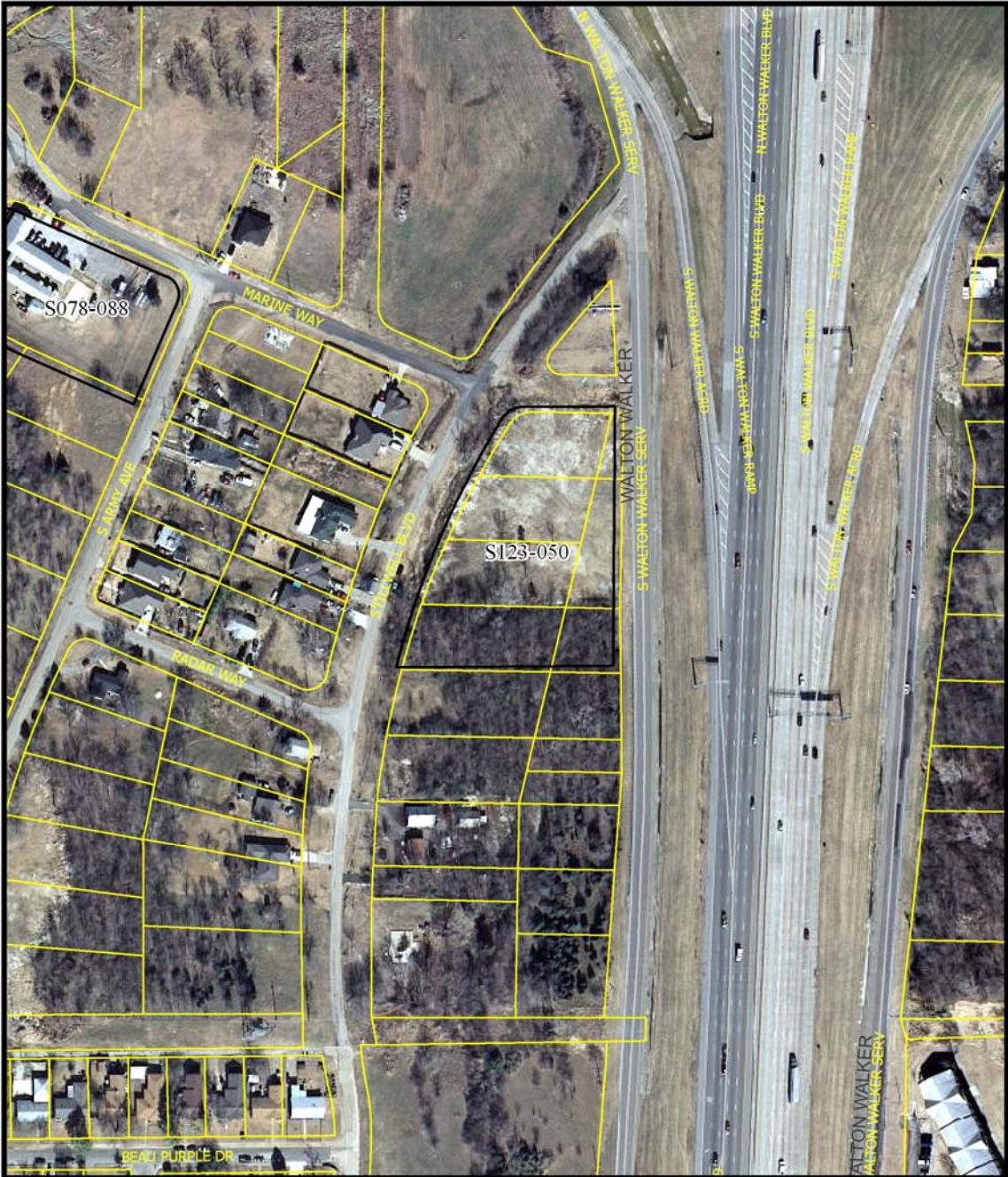
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

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

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
11. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. Dedicate a 15 foot by 15 foot corner clip at Marine Way and Southbound Service Road Loop 12.
14. Any access or modification to South Bound Service Road of South Walton Walker Boulevard (Loop 12) requires TX. Dot approval.
15. Prior to final plat design and construct a minimum 20 foot roadway on Marine Way from Stillwell Boulevard to the South Bound Service Road Loop 12.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Water main extension is required by Private Development Contract.
18. On the final plat show how all adjoining Right-Of-Way was created.
19. Prior to final plat remove encroaching barbed wire fencing from Right Of Way on Stillwell Boulevard and Marine Way.
20. On the final plat change South Walton Walker Boulevard (Loop 12) to Walton Walker Boulevard (State Highway Loop No. 12).





 1:2,400	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S123-050 </u> Date: <u> 12/28/2012 </u>
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CITY PLAN COMMISSION

THURSDAY, JANUARY 10, 2013

FILE NUMBER: S123-045

Subdivision Administrator: Paul Nelson

LOCATION: 6129 Prestondell Drive and Prestondell Court, west corner

DATE FILED: December 14, 2012

ZONING: R-16(A)

CITY COUNCIL DISTRICT: 11

SIZE OF REQUEST: 0.75 Acres

MAPSCO: 15K

APPLICANT/OWNER: Ronald & Sheila Kostelny

REQUEST: An application to replat a 0.75 acre tract of land containing all of Lot 6 IN City Block 3/7418 to remove the existing 40 foot building line along the southwest line of Prestondell Court on property located at 6129 Prestondell Drive and Prestondell Court, west corner.

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

DATE NOTICES SENT: Staff sent 18 notices to 18 property owners within 200 feet of the boundaries of the plat on December 24, 2012.

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

(1) upon the affirmative vote of at least three- fourths of the commission members present; and

(2) if the commission finds that relocation or removal of the platted building line will not:

“(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”

- The removal of the front yard building line along Prestondell Court will allow the property to be developed to the front yard setbacks of the R-16(A) zoning district which is 35 feet and will allow the applicant to apply to the Board of Adjustment for a setback variance if necessary.

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

- Notices were sent to 18 property owners within 200 feet of the boundary of the request with X responses in favor of the request and X responses opposed to the request.

“(iii) adversely affect neighboring properties; and”

- The removal of the building line will not adversely impact the neighboring properties as the adjoining property on the north is located such that the reduction will not be noticeable.

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

- The entire subdivision is governed by the existing building lines. The removal of the building line from this parcel will not impact other properties

within the subdivision and will allow the property to be developed in accordance with the requirements of the zoning district.

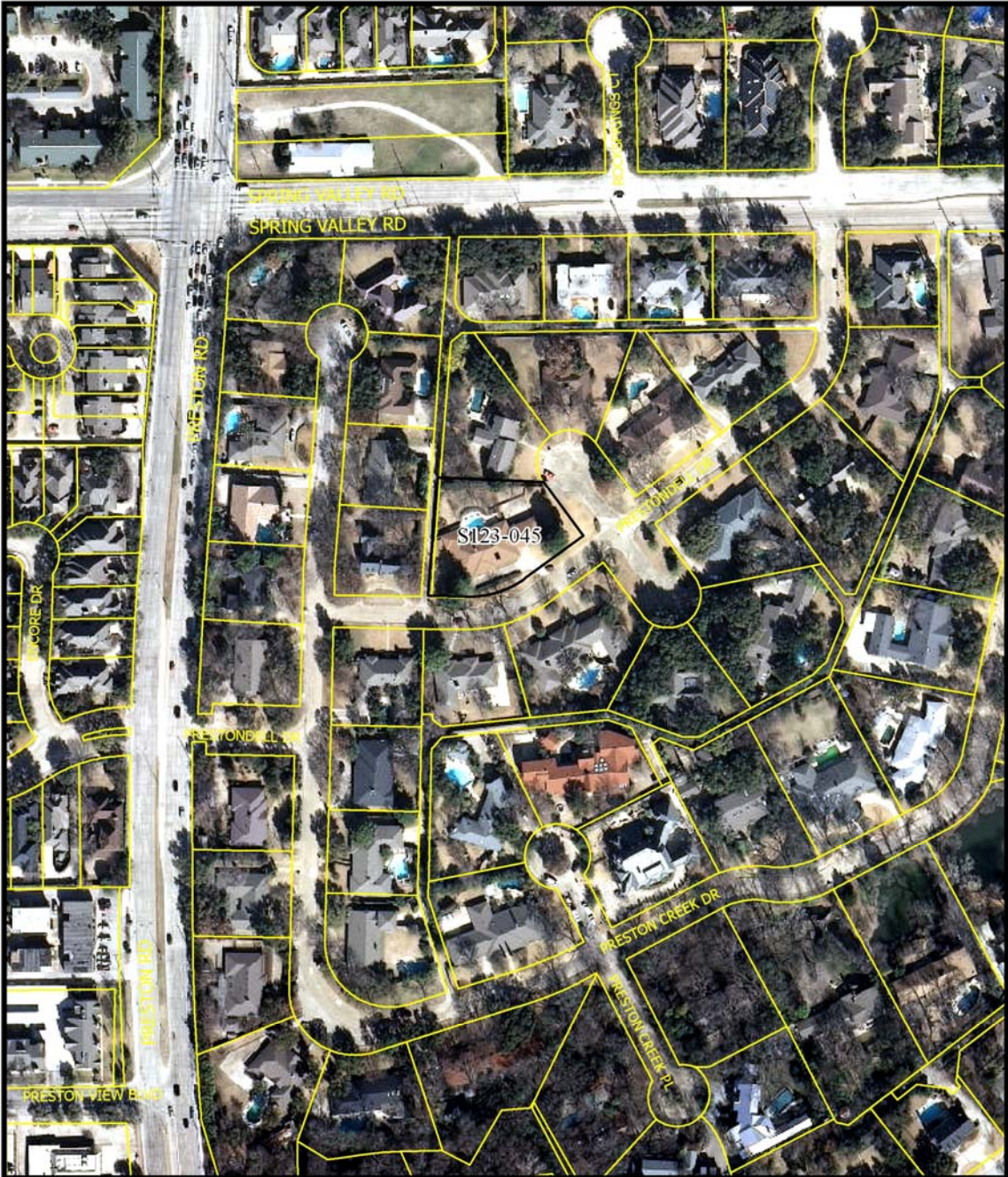
STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The staff supports the removal of the building line.

STAFF RECOMMENDATION PLAT: The request complies with the requirements of the R-16(A) District; therefore, staff recommends approval subject to compliance with the following conditions:

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

13. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Prestondell Drive and Alley.
14. Prior to submittal of the final plat the existing fence that appears to be built within the Right of Way must be either removed or the Right of Way abandoned to remove the encroachment.
15. On the final plat add a note stating that the existing 40 foot building line along the southwest line of Prestondell Court is removed by this plat.





 1:2,400	<h2 style="text-align: center;">AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: <u> S123-045 </u> Date: <u> 1/3/2013 </u>
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 1:2,400	NOTIFICATION		Case no: S123-045
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">18</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 12/28/2012	

Notification List of Property Owners

S123-045

18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6129 PRESTONDELL DR	STEWART DONALD R TR
2	6060 PRESTON CREEK DR	BOEDING MICHAEL A & KATHLEEN A
3	6050 PRESTON CREEK DR	HENGER WILLIAM M JR & GAYNELLE
4	6040 PRESTON CREEK DR	GLENN PROPERTIES INC
5	6030 PRESTON CREEK DR	SMITH RICK E & KATHEY L SMITH
6	6167 PRESTONDELL DR	STUCKEY DAVE W & KIM E
7	6147 PRESTONDELL CT	ROFFINO JOHN & PAMELA C
8	6141 PRESTONDELL CT	SCHILDT TIMOTHY A & SUSAN G
9	6109 PRESTONDELL DR	REYNOLDS ROY S JR
10	6031 PRESTON CREEK DR	SHATZ GUENNADE & LISA # 371
11	6021 PRESTON CREEK DR	RIGGS RUSSELL W & ALICIA
12	6168 PRESTONDELL DR	KEENE ROY J JR
13	6148 PRESTONDELL PL	TSAO RONNIE C C & TERESA I H
14	6142 PRESTONDELL PL	GALBRAITH JAMES C % DEBBIE MARTINEZ
15	6130 PRESTONDELL DR	TATEN MICHAEL & ALLISON C
16	6120 PRESTONDELL DR	JENKINS DAVID & JOANNE
17	6110 PRESTONDELL DR	CARMACK WILLIAM L & LINDA J
18	6109 PRESTON CREEK DR	LAROCCA MITCHELL J

Thursday, January 03, 2013

CITY PLAN COMMISSION

THURSDAY, JANUARY 10, 2013

FILE NUMBER: S123-051

Subdivision Administrator: Paul Nelson

LOCATION: 11314 Cox Lane at Northaven Road, northwest corner

DATE FILED: December 19, 2012

ZONING: R-16(A)

CITY COUNCIL DISTRICT: 13 **SIZE OF REQUEST:** 0.9659 Ac. **MAPSCO:** 24A

APPLICANT: William and Marla Ferguson

REQUEST: An application to replat a 0.9659 acre tract of land containing all of Lots 1A and 1B, City Block 6408 into one 0.9659 acre lot; remove a platted 50 foot building line parallel to the east line of Cox Avenue; add a 20 foot building line parallel to the east line of Cox Avenue; and add a 50 foot building line parallel to the north line of Northaven Road ending 20 feet from the east line of Cox Lane on property located at 11314 Cox Lane at Northaven Road, northwest corner.

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

DATE NOTICES SENT: Staff sent 20 notices to property owners within 200 feet of the boundaries of the plat on December 24, 2012.

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

(1) upon the affirmative vote of at least three- fourths of the commission members present; and

(2) if the commission finds that relocation or removal of the platted building line will not:

“(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”

- The removal of the platted 50 foot building line and addition of a 20 foot platted building line along Cox Lane will allow the property to be developed similar to the adjoining property to the north and the south. Both of those properties have side yards adjacent to Cox Lane. This reduction will allow this property to be developed with a similar setback as the adjacent properties. The R-16(A) zoning district has a 10 foot side yard setback, the 20 foot building line is consistent with the property contiguous on the north.

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

- Notices were sent to 20 property owners within 200 feet of the boundary of the request with X responses in favor of the request and X responses opposed to the request as of January X, 2013.

“(iii) adversely affect neighboring properties; and”

- The removal of the 50 foot building line will on Cox Lane and replaced with the 20 foot building line will be consistent with the side yard of the neighboring.
- “(iv) adversely affect the plan for the orderly development of the subdivision.”
- The removal of the 50 foot building line along Cox Lane and the extension of the 50 foot line on Northaven Road is consistent with the building line of adjacent properties and will not impact other properties and will allow the property to be developed in accordance with the requirements of the zoning district.

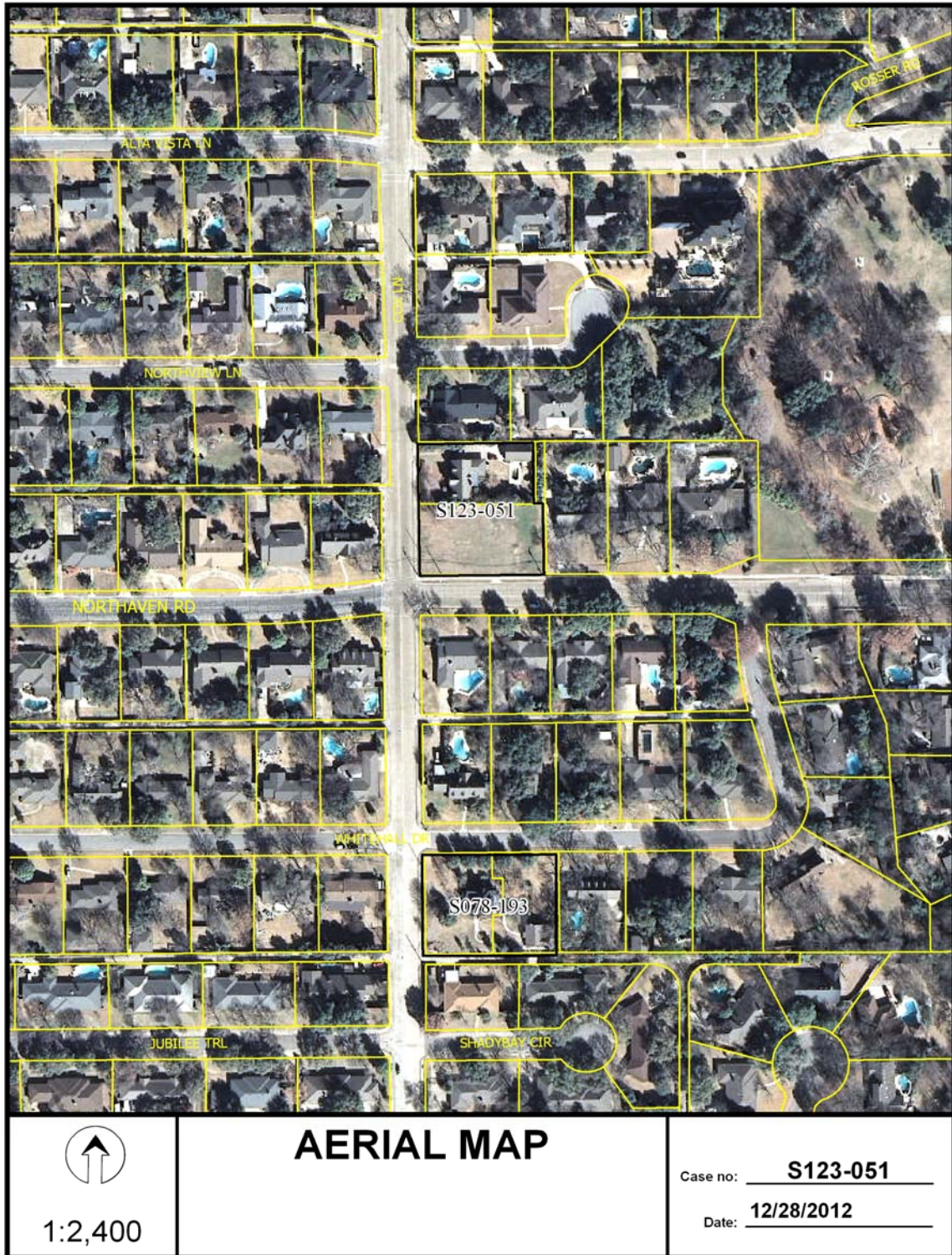
STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The staff supports the removal of the platted 50 foot building line on Cox Lane and the extension of the platted building line along Northaven Road and the creation of the 20 foot building line along Cox Lane to be consistent with the platted 20 foot building line of the contiguous property on the north.

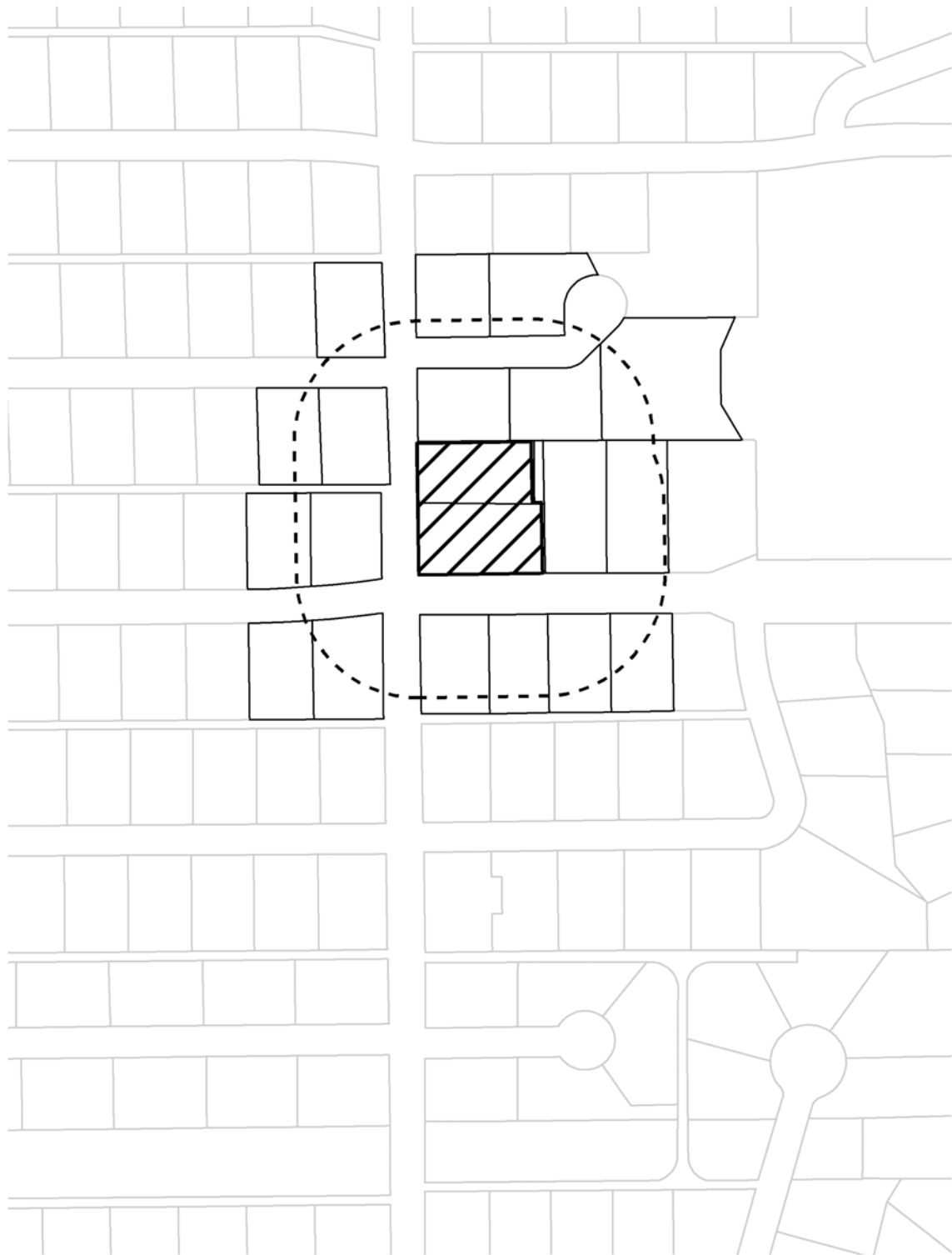
STAFF RECOMMENDATION PLAT: The request complies with the requirements of the R-16(A) District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the “Microstation” format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Northaven Road and Cox Lane.
15. On the final plat show how all adjoining Right-Of-Way was created.
16. Prior to final plat remove fence encroachment enclosing alley or abandon the alley that is landlocked to adjacent properties.
17. On the final plat add a note that the removal of the platted 50 foot building line parallel to Cox Lane and the addition of the platted 20 foot building line along Cox Lane and the extension of the platted 50 foot building line along Northaven Road are by this plat.







Notification List of Property Owners

S123-051

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11314 COX LN	FERGUSON WILLIAM A & FERGUSON MARLA J
2	11310 COX LN	FERGUSON WILLIAM & MARLA
3	3810 NORTHAVEN RD	MCNEAL KEITH & REBECCA J
4	3820 NORTHAVEN RD	SANCHEZ MARGARET
5	3830 NORTHAVEN RD	CRAIN BYRON CAREY
6	3840 NORTHAVEN RD	GROSS GREGORY B
7	3822 NORTHVIEW LN	STUCKEY STEPHEN S & ALLISON
8	3833 NORTHAVEN RD	PAULEY STUART ALAN & SARA BRIGGS
9	3823 NORTHAVEN RD	WOJNAR MARCELLE S
10	3810 NORTHVIEW LN	ROSS CHARLES A & BRENDAN P
11	3816 NORTHVIEW LN	GREEN THADDEUS V
12	3817 NORTHVIEW LN	GREEN DOROTHY P
13	3811 NORTHVIEW LN	AUSTIN JAMES R & PAT B
14	3775 NORTHAVEN RD	HASTY TURNER E
15	3783 NORTHAVEN RD	TRAUTMANN DANIEL & KELLY
16	3776 NORTHAVEN RD	THETFORD LARRY D & LINDA
17	3784 NORTHAVEN RD	LYON LAURA G
18	3785 NORTHVIEW LN	WIESE FRANK W JR
19	3780 NORTHVIEW LN	DANASINGH RAHUL &
20	3786 NORTHVIEW LN	WIRZ JAMES A & KAMME S

Thursday, January 03, 2013

CITY PLAN COMMISSION**THURSDAY, JANUARY 10, 2013****FILE NUMBER:** S123-052**Subdivision Administrator:** Paul Nelson**LOCATION:** 721 and 731 S. Buckner Boulevard between Jacobie Boulevard and Rosemont Road.**DATE FILED:** December 19, 2012**ZONING:** PD 366, Sub Area 2**CITY COUNCIL DISTRICT:** 5 **SIZE OF REQUEST:** 2.1668 Ac. **MAPSCO:** 58Z**APPLICANT:** Public Autos Ltd.

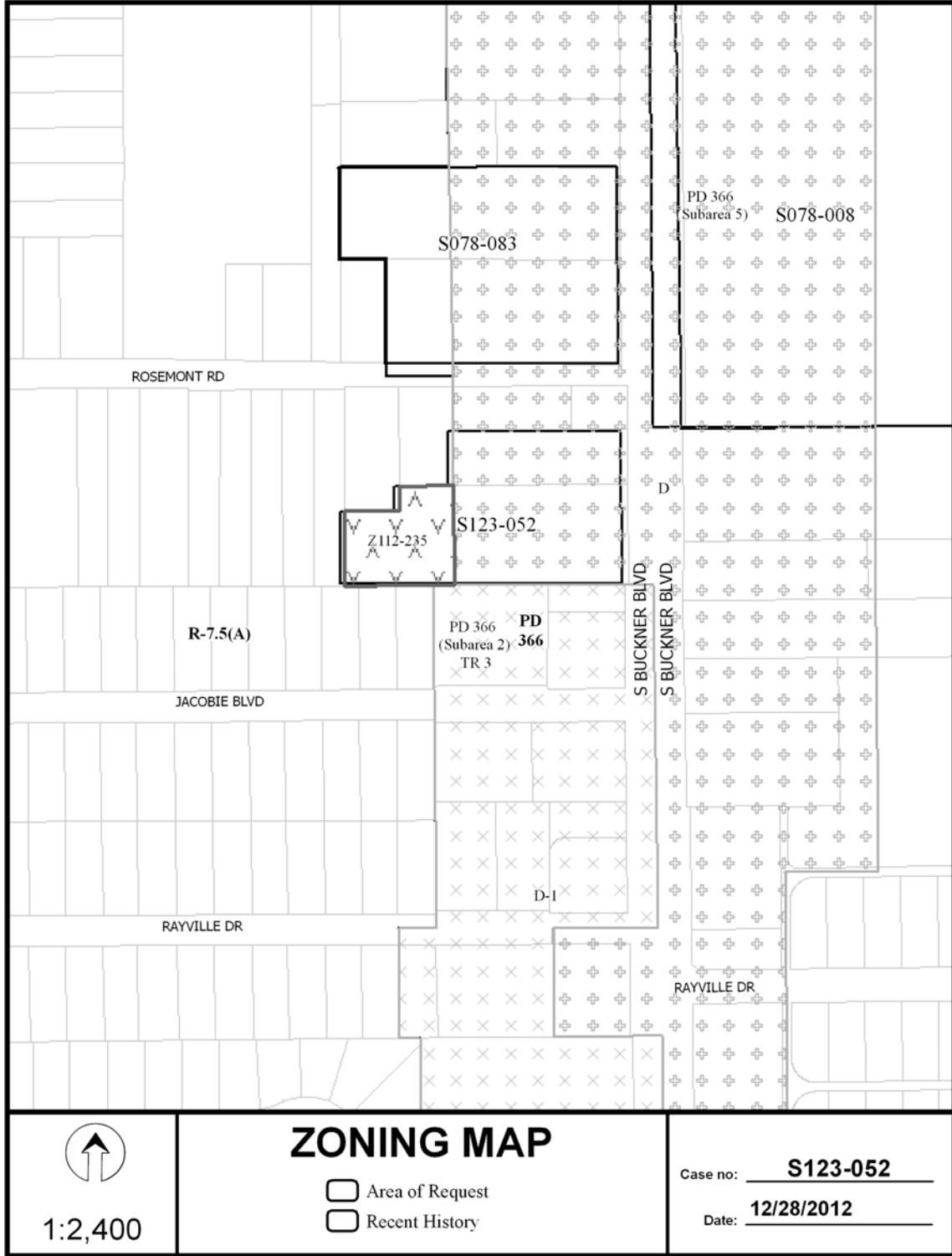
REQUEST: An application to replat a 2.1668 acre tract of land containing part of Lots 1 and 2 in City Block B/6289 into one 0.5804 acre lot and one 1.5863 acre lot on property located at 721 and 731 S. Buckner Blvd. between Jacobie Blvd. and Rosemont Road.

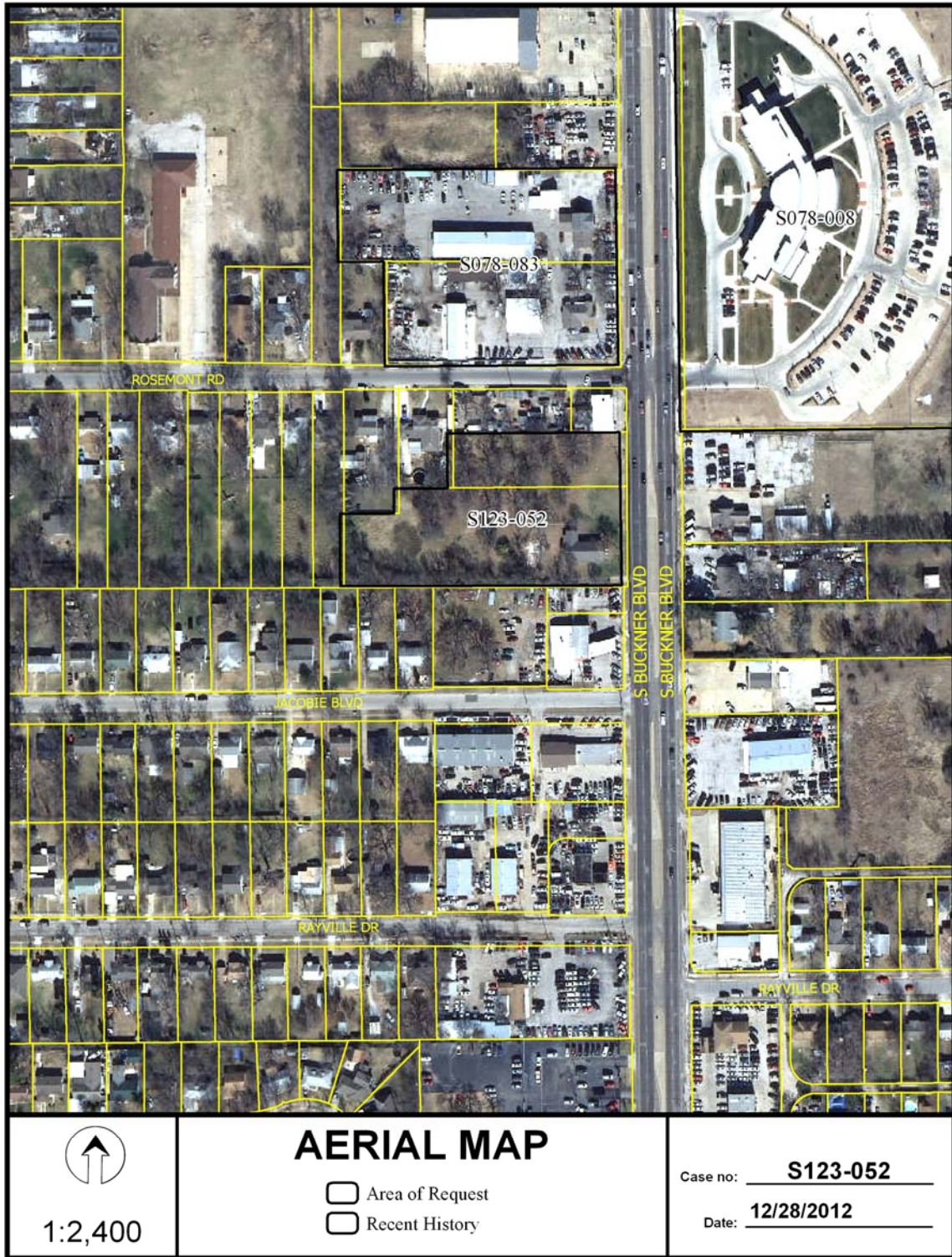
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

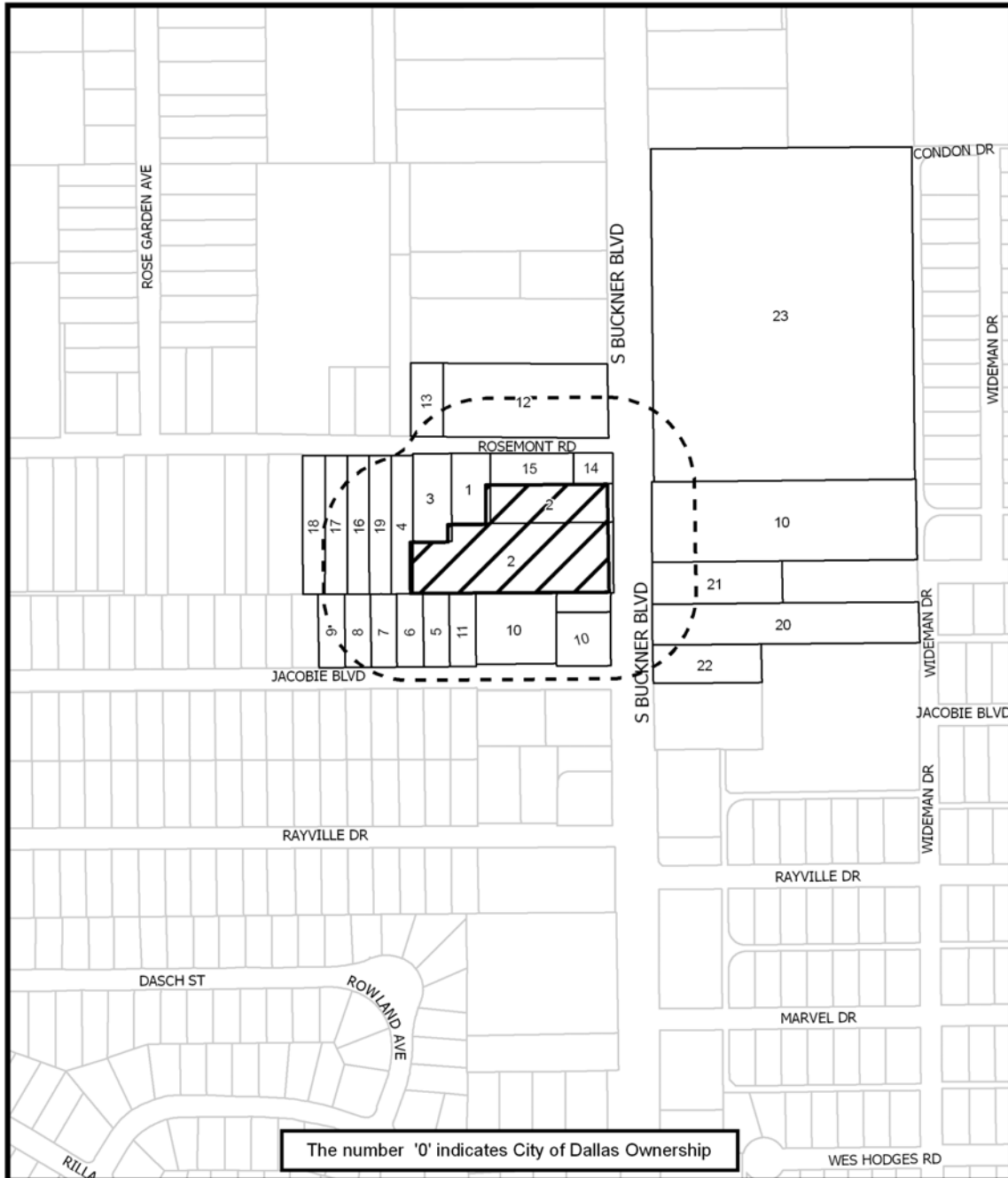
STAFF RECOMMENDATION: The request complies with the requirements of PD 366, Sub Area 2; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. On the final plat dedicate 53.5 feet of ROW from the established centerline of Buckner Boulevard.
14. On the final plat add a note stating: "access or modification to Buckner Boulevard requires TXDOT approval."
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. Water main extension is required by Private Development Contract.
17. On the final plat show how all adjoining Right-Of-Way was created.







 1:3,600	<h2>NOTIFICATION</h2>	Case no: S123-052
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">23</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 12/28/2012

1/3/2013

Notification List of Property Owners

S123-052

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8008 ROSEMONT RD	LOPEZ JESUS EST OF
2	731 BUCKNER BLVD	PUBLIC AUTOS LTD
3	8004 ROSEMONT RD	LOPEZ ROSA E
4	7944 ROSEMONT RD	MARTINEZ ANGEL & RAFIDIN MARTINEZ
5	7945 JACOBIE BLVD	PLANCARTE SONIA
6	7941 JACOBIE BLVD	FLORES EMANUEL & MARITZA
7	7937 JACOBIE BLVD	TORRES JANET GUADALUPE
8	7933 JACOBIE BLVD	ROBLEZ ELVIRA VENTURA
9	7929 JACOBIE BLVD	SCOTT CASEY TERESA NANETT
10	8025 JACOBIE BLVD	BEVRO PROPERTIES LP
11	8003 JACOBIE BLVD	RESENDIZ CATALINO & SANDRA S
12	805 BUCKNER BLVD	SANCHEZ MARTIN R
13	8003 ROSEMONT RD	BENITEZ HELIDIA
14	733 BUCKNER BLVD	JYUN CHANG
15	8016 ROSEMONT RD	LOPEZ ROSA E
16	7934 ROSEMONT RD	MARQUEZ JOSE
17	7930 ROSEMONT RD	NIKRAVAN KAZEM
18	7926 ROSEMONT RD	SALMERON FERNANDO
19	7938 ROSEMONT RD	DEVILL HOMES INC
20	700 BUCKNER BLVD	RICHESON DONALD E
21	712 BUCKNER BLVD	EVANS NICKEY & PATSY
22	630 BUCKNER BLVD	MOFFETT JERRY & NELDA %INWOOD NATL BANK
23	802 BUCKNER BLVD	DALLAS COUNTY COMMUNITY COLLEGE DIST

Thursday, January 03, 2013

Planner: Olga Torres-Holyoak

FILE NUMBER: D123-003

DATE FILED: November 6, 2012

LOCATION: On the west side of Bexar Street, between Starks Avenue and Hooper Street.

COUNCIL DISTRICT: 7

MAPSCO: 56 C

SIZE OF REQUEST: Approx. 0.85 acres

CENSUS TRACT: 39.02

MISCELLANEOUS DOCKET ITEM

Owner: East Dallas Community Organization (EDCO)

Applicant: Rick Guerrero

Representative: Macatee Engineering, Dayton C. Macatee, P.E.

Development/Landscape Plan:

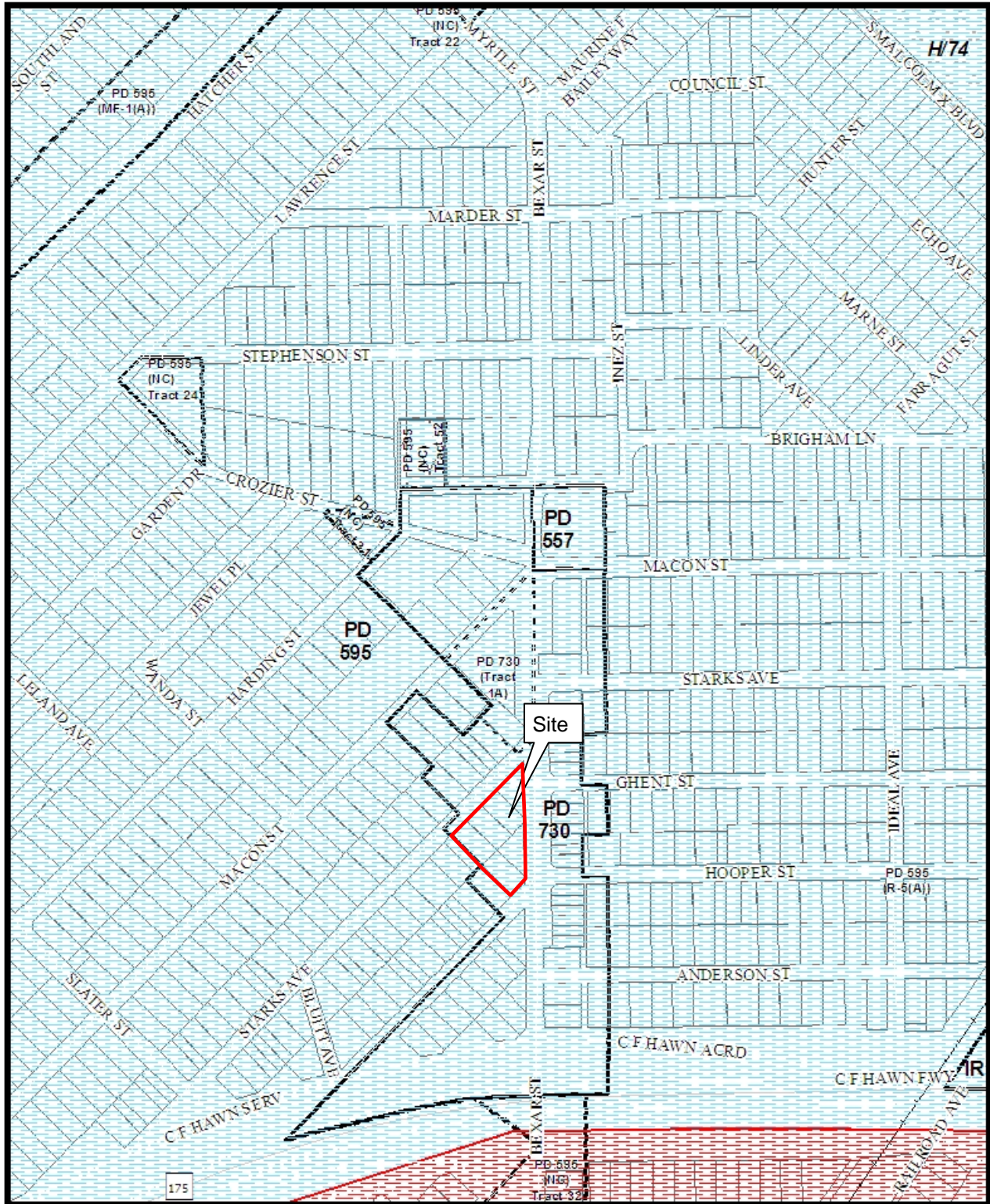
On June 22, 2005, the City Council passed Ordinance No. 26037 which established Planned Development District No. 730, located on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway. The size of the PD is approximately 3.64 acres.

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

In conjunction with the above requirement, the attached development and landscape plan have been submitted for Commission's consideration. The plan provides for the construction of six townhome units.

STAFF RECOMMENDATION: Approval

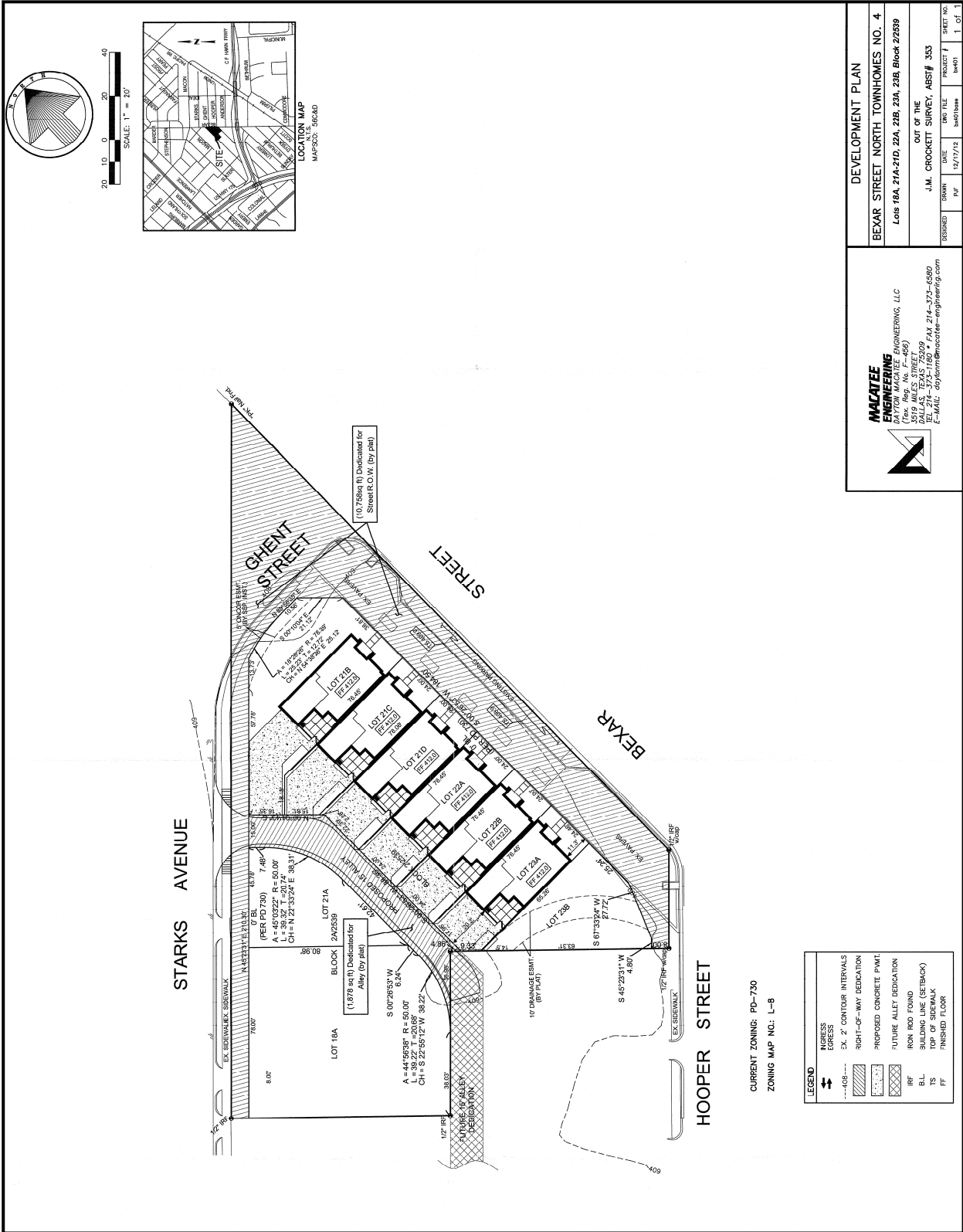
ZONING MAP



175
1:3,420

Case ID No. D123-003

PROPOSED DEVELOPMENT PLAN



PROPOSED LANDSCAPE PLAN

DATE	10/30/12
APP BY	JYZ
CHK BY	JYZ
DATE	01/17/12
SCALE	AS SHOWN

The drawing is the property of VZPR and shall remain confidential. No part of this drawing shall be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the expressed written permission of VZPR or its affiliates.



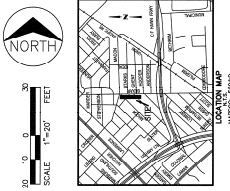
VZPR
 LANDSCAPE ARCHITECTS
 1223 Middleton Road
 Dallas, Texas 75229
 214-657-0169

Van Land Resources
 1223 Middleton Road
 Dallas, Texas 75229

Landscape Plan
 Bexar Street North Tomhoms No. 4
 Lots 20A, 21A-21D, 22A, 23B, 23A, 23B
 Block 24/2539 9/2513

Sheet
 2 of 2

Job No. 1208



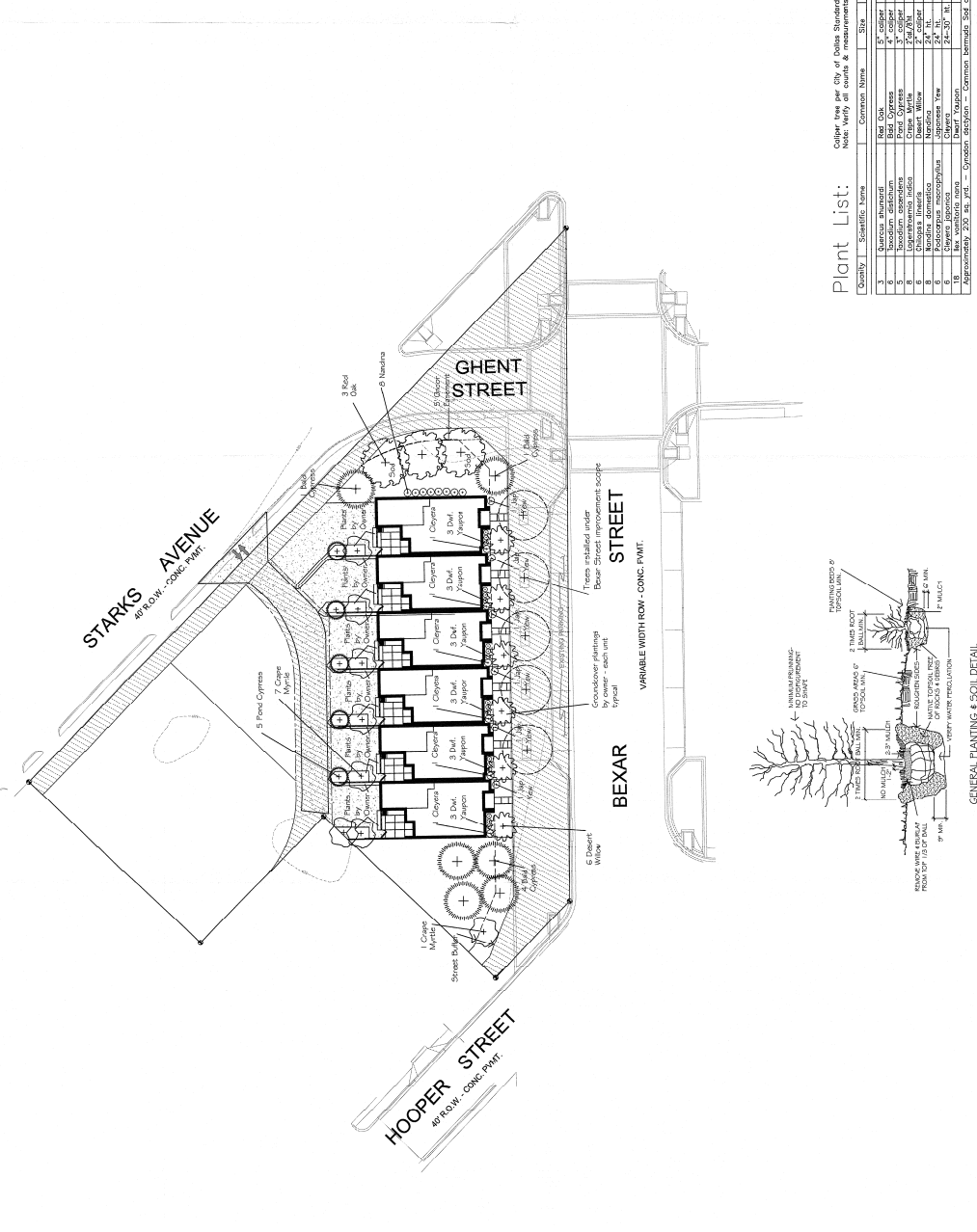
Tree Mitigation:
 See Sheet 1 of 2 for Tree Mitigation

Design Standards:
 Foundation Planting Strip 4 Street Buffer (100% lot depth)

Site Trees:
 Proposed: 15, 19B, 2 s.f., 4000 = 4
 Provided: 26

Street Trees:
 Proposed: 31, 40, 50 = 7
 Provided: 9 (4-5 east)

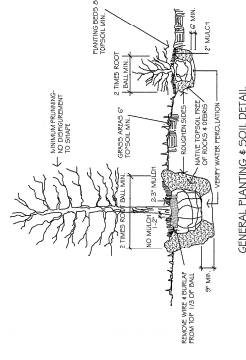
Irrigation Note:
 The landscape is irrigated with subsurface emitters, with the subsurface emitters will be installed by host lot within 100'.



Plant List: *Quantity* *Scientific Name* *Common Name* *Size* *Condition* *Remarks*

3	<i>Quercus alba</i>	White Oak	6" caliper	Container/B&B	Nursery Grown
6	<i>Stenandrium elaeagnum</i>	Black Olive	4" caliper	Container/B&B	Nursery Grown
6	<i>Leguminosae indisa</i>	Crepe Myrtle	2 1/2" DBH	Container/B&B	Nursery Grown
8	<i>Chrysopsis illinoensis</i>	Smart Willow	2" caliper	Container/B&B	Nursery Grown
8	<i>Podocarpus macrocarpus</i>	Agapanthus Yew	24" H.	5" container	Plant 3" o.c.
8	<i>Stenandrium elaeagnum</i>	Black Olive	24" H.	5" container	Plant 3" o.c.
18	<i>Stenandrium elaeagnum</i>	Black Olive	24" x 30" H.	5" container	Plant 3' o.c.

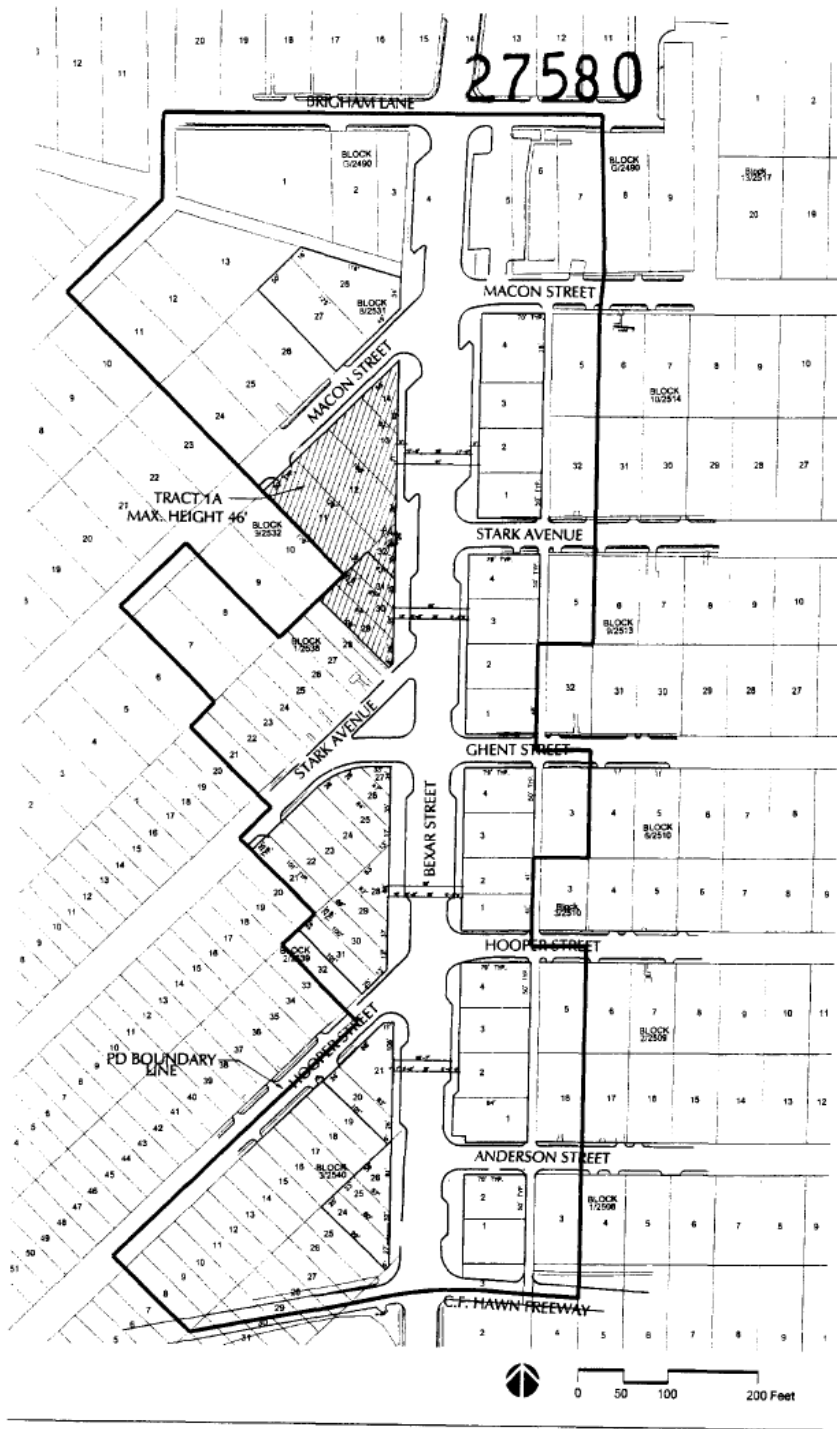
Approximately 20% db. yst. - *Dryden* display - Common Name in italics or *Agapanthus*.



EXISTING CONCEPTUAL PLAN

Exhibit 730A

091663



CONCEPTUAL PLAN
 Lot Lines Reflect Existing Condition
 Bexar Street Neighborhood
 Dallas, Texas

Job #: 03156
 File Name: Site-6_ACDiagram
 Date: 04/29/09
 Drawn by: JLG/DEM



GFF Planning

2008 Vermont Street
 Suite 200
 Dallas, Texas 75201

Planned Development
 District No. 730

Z089-175(WE)

Approved
 City Plan Commission
 May 14, 2009

FILE NUMBER: W123-002

DATE FILED: December 10, 2012

LOCATION: West Line of Greenville Avenue, South of Sears Street

COUNCIL DISTRICT: 2

MAPSCO: 36-X

SIZE OF REQUEST: Approx 15,073 Sq. Ft.

CENSUS TRACT: 10.02

MISCELLANEOUS DOCKET ITEM:

Owner: 1919 27 Greenville, Ltd.

Waiver of Two-Year Waiting Period

On September 28, 2011, the City Council denied an application for a Specific Use Permit for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge or tavern on property zoned Planned Development District No. 842 for CR Community Retail District Uses. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to September 28, 2013, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application for an SUP for a restaurant with late hours. The applicant indicates the reason for changed circumstances is: "New Tenant. The request will be for a new restaurant with late hours. An SUP will be required."

On Wednesday, September 14 2011, the City Council recommended approval of an application for Specific Use Permit 1905 for a late-hours establishment for a restaurant without drive-in or drive-through service for a two-year period, subject to a site plan and conditions, on property located at the above referenced location but within a different suite.

According to the Dallas Development Code, "the commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing."

Staff Recommendation: Denial

W123-002

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. 2101-314(RB)

Location 1919 GREENVILLE AVENUE

Date of last CPC or CC Action Sept. 28, 2011

Applicant's Name, Address & Phone Number Audra Buckley
416 S ERVAY DALLAS 75201 214-686-3635

Property Owner's Name, Address and Phone No., if different from above
1919 27 GREENVILLE, LTD 10815 BRANCH OAKS
Circle, DALLAS 75230 214-217-4306

State briefly change of circumstances since the last hearing on the property that would warrant reconsideration of another request in less than two years.

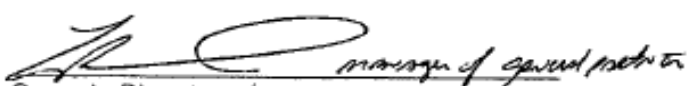
NEW TENANT. The request will be for
a new restaurant with late hours. An SWP
will be required.


Applicant's Signature

RECEIVED BY

DEC 10 2012

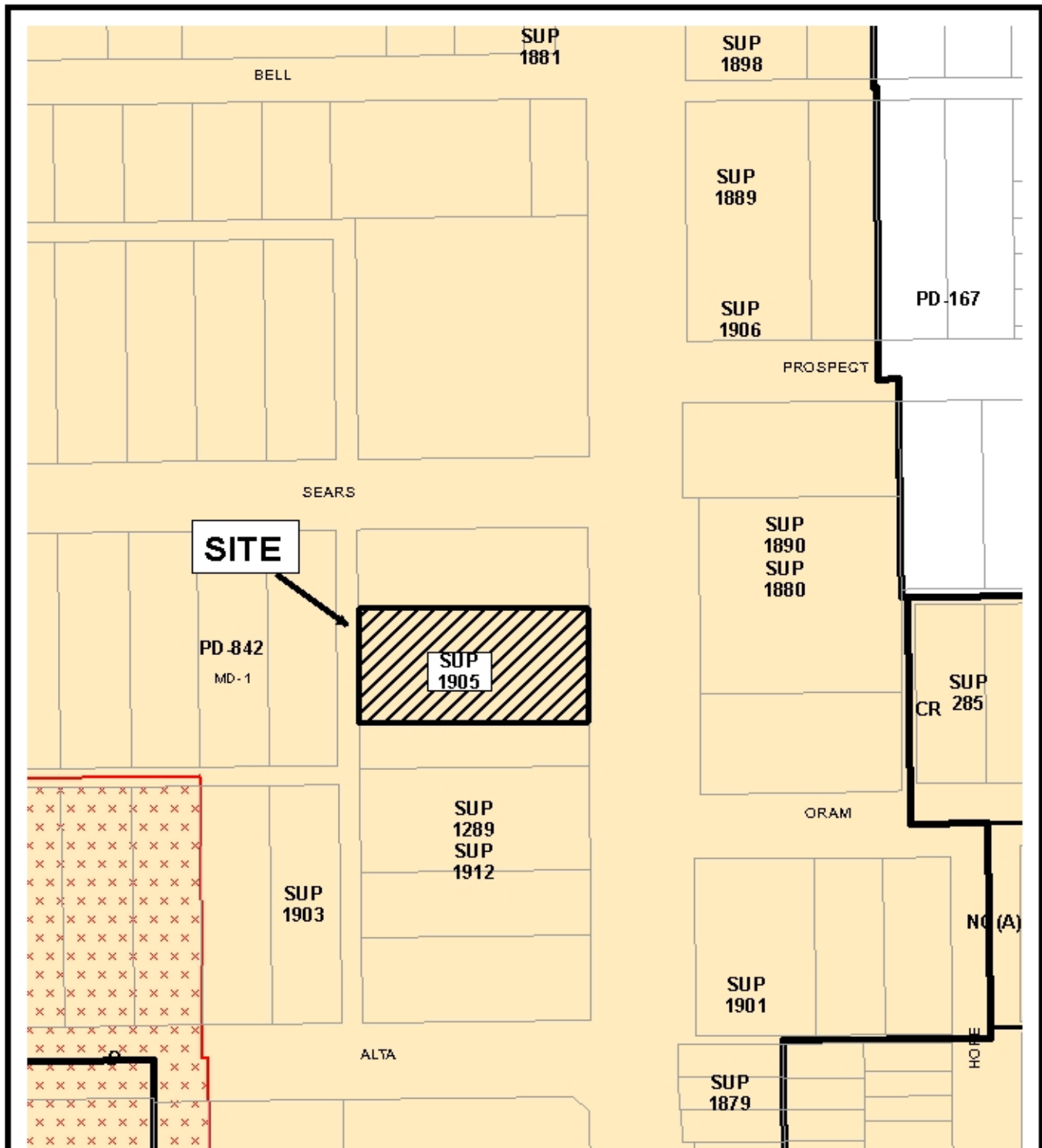
Current Planning


Owner's Signature (if individual) or
Letter of Authorization (from corporation/partnership)

Date Received
Fee: \$300.00

cc 2
mapsco 36x

PD 842
CT 10.02



1:1,250

Case #: **W123-002**

Date: **January 10, 2013**

FILE NUMBER: M123-003 **DATE FILED:** November 26, 2012
LOCATION: West Line of Noel Road, North of Spring Valley Road
COUNCIL DISTRICT: 11 **MAPSCO:** 14 M
SIZE OF REQUEST: Approx. 1.519 Acres **CENSUS TRACT:** 136.25

APPLICANT: Associated Equities Realty Corporation

REPRESENTATIVE: Dallas Cothrum

OWNER: Christian Chapel CME

MISCELLANEOUS DOCKET ITEM

Minor Amendment for Development Plan and Landscape Plan

On August 10, 2011, the City Council passed Ordinance No. 28330 which established Planned Development District No. 858 on property at the above location.

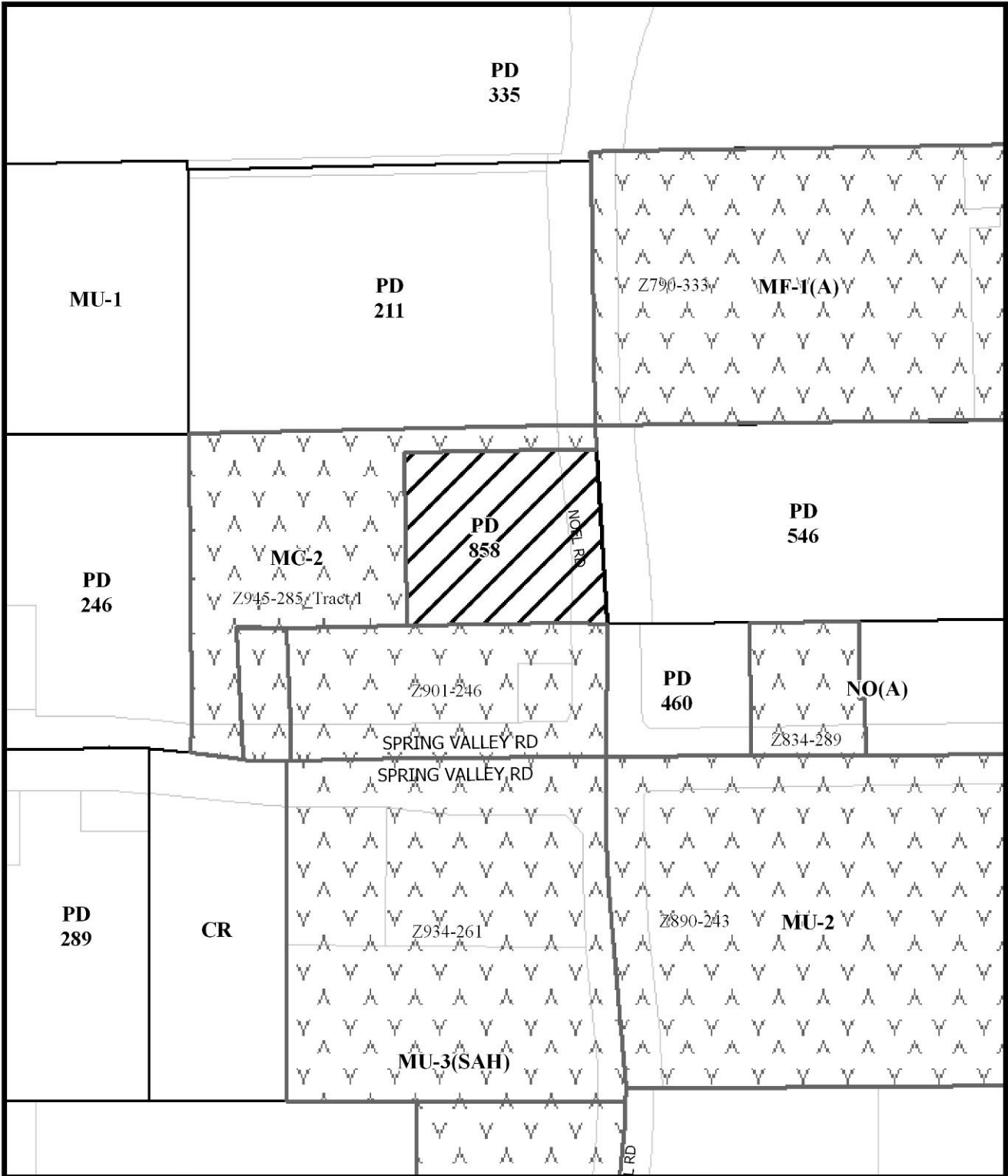
The purpose of this request is to amend the development plan to provide for a reduction of approximately five feet along both the western and southern property lines. The landscape plan is being requested for amendment to revise plant inventory along the perimeter of the site. Generally, the revisions to all these planting areas except those along the southern property line are consistent with the adopted landscape plan.

With respect to this area, required perimeter plantings have been removed. As noted on the landscape plan, 'Existing tree line to remain and to be selectively limbed up and protected during construction'; these plantings no longer exist. Due to constraints created by construction (i.e., requested building setback of five feet along the southern property line), lack of adequate planting areas to recreate the previously approved perimeter buffer.

Lastly, both plans have been revised to delete the off-site access easement area to the north, as this area is not regulated by the PDD, but was initially shown for orientation purposes.

The requested minor amendment to the development plan portion of the request is supported. With respect to the requested minor amendment to the landscape plan, required screening/buffering has been removed and the proposed new plantings are not consistent with the adopted plan.

STAFF RECOMMENDATION: Denial



1:2,400

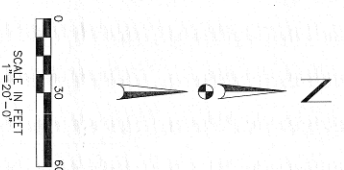
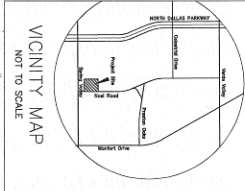
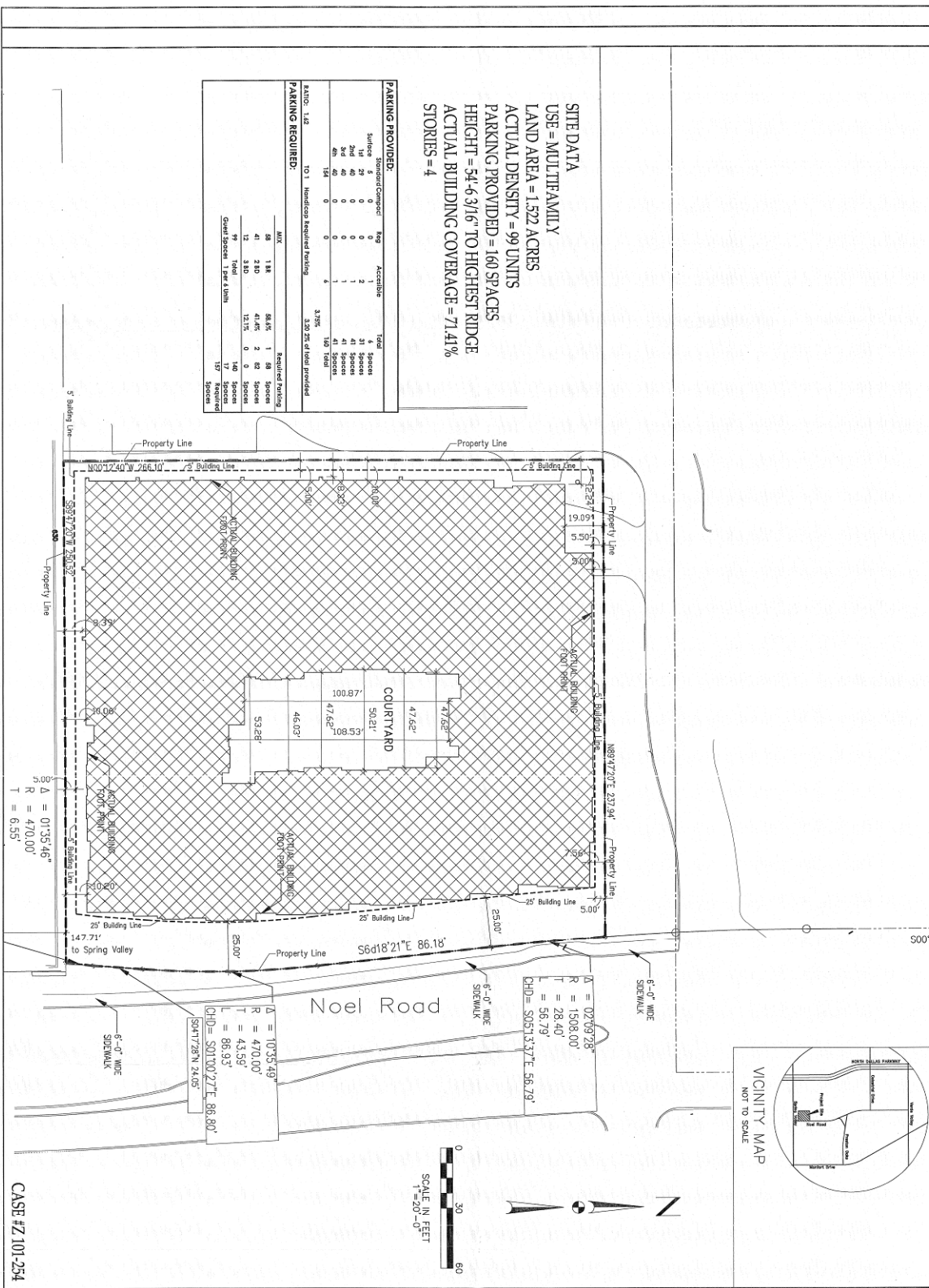
ZONING MAP

Case no: M123-003

Date: 11/29/2012

SITE DATA
 USE = MULTIFAMILY
 LAND AREA = 1.522 ACRES
 ACTUAL DENSITY = 99 UNITS
 PARKING PROVIDED = 160 SPACES
 HEIGHT = 54'-6 3/16" TO HIGHEST RIDGE
 ACTUAL BUILDING COVERAGE = 71.41%
 STORIES = 4

PARKING PROVIDED:			
Surface	Standard/Compac	Req	Acceptable
1st	0	0	4
2nd	0	0	1
3rd	0	0	1
4th	0	0	1
5th	0	0	1
6th	0	0	1
7th	0	0	1
8th	0	0	1
9th	0	0	1
10th	0	0	1
11th	0	0	1
12th	0	0	1
13th	0	0	1
14th	0	0	1
15th	0	0	1
16th	0	0	1
17th	0	0	1
18th	0	0	1
19th	0	0	1
20th	0	0	1
21st	0	0	1
22nd	0	0	1
23rd	0	0	1
24th	0	0	1
25th	0	0	1
26th	0	0	1
27th	0	0	1
28th	0	0	1
29th	0	0	1
30th	0	0	1
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32nd	0	0	1
33rd	0	0	1
34th	0	0	1
35th	0	0	1
36th	0	0	1
37th	0	0	1
38th	0	0	1
39th	0	0	1
40th	0	0	1
41st	0	0	1
42nd	0	0	1
43rd	0	0	1
44th	0	0	1
45th	0	0	1
46th	0	0	1
47th	0	0	1
48th	0	0	1
49th	0	0	1
50th	0	0	1
51st	0	0	1
52nd	0	0	1
53rd	0	0	1
54th	0	0	1
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83rd	0	0	1
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85th	0	0	1
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87th	0	0	1
88th	0	0	1
89th	0	0	1
90th	0	0	1
91st	0	0	1
92nd	0	0	1
93rd	0	0	1
94th	0	0	1
95th	0	0	1
96th	0	0	1
97th	0	0	1
98th	0	0	1
99th	0	0	1
100th	0	0	1

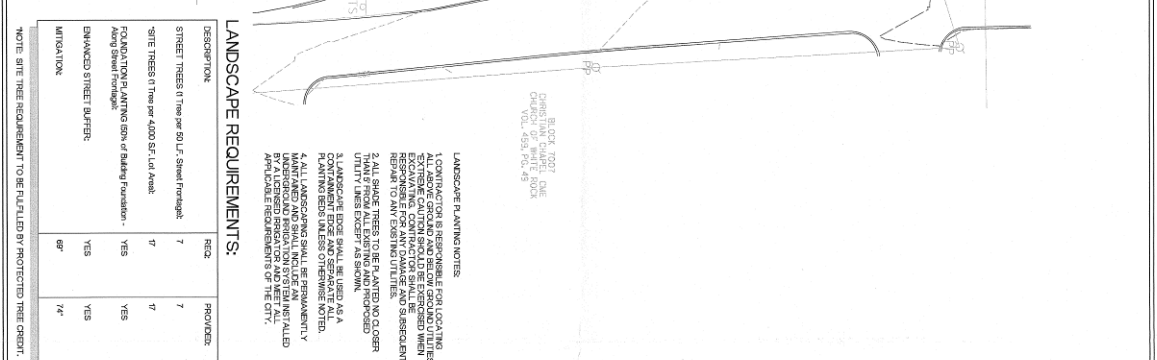
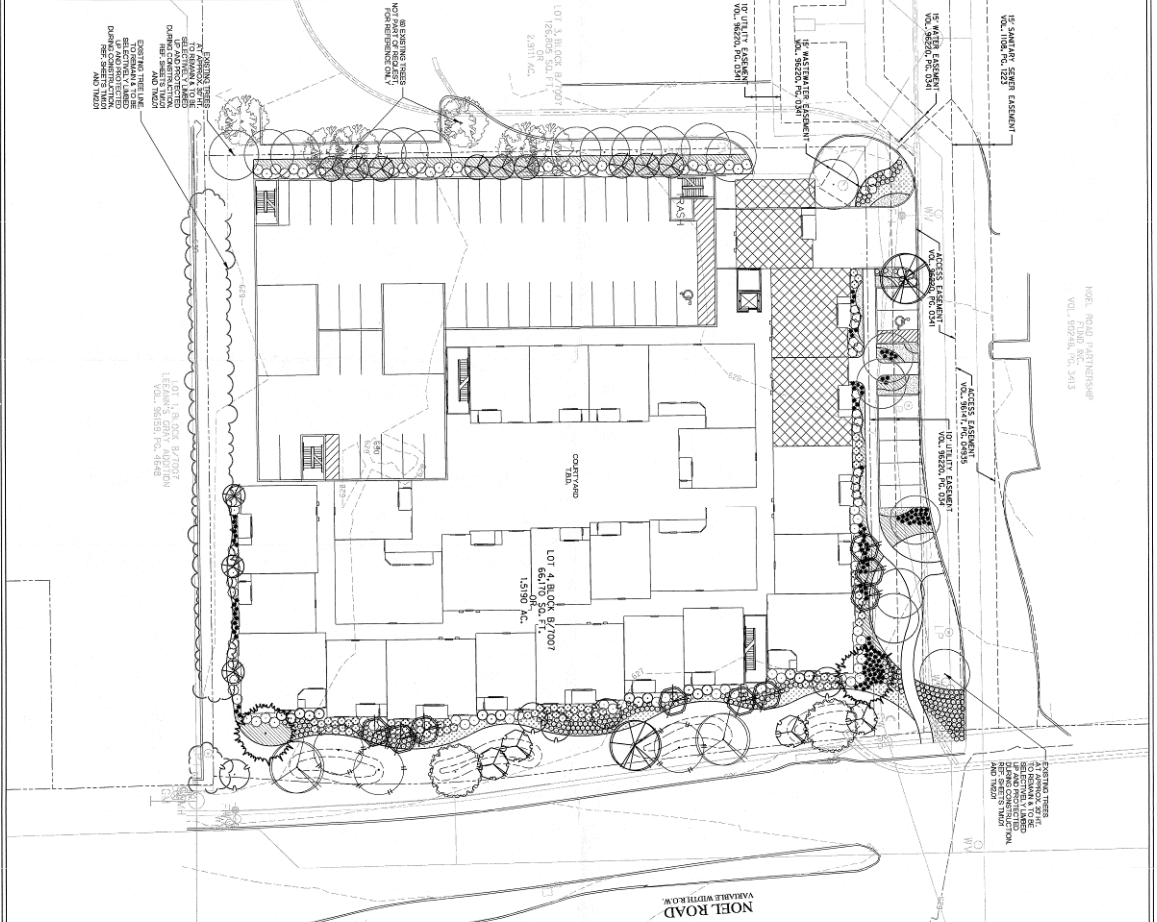


CASE #2101-254

SHEET NO. 20111001 SHEET DESCRIPTION: PLAN DATE: 11/26/2012	Steinberg Design Collaborative LP ARCHITECTS & PLANNERS 1111 Rivington, Suite 300 Houston, Texas 77002 713.532.2277 713.532.2776 Fax www.steinbergdesign.com	SAN RAPHAEL II DALLAS, TX	Sanford F. Steinberg AIA	11-26-2012
---	--	-------------------------------------	-----------------------------	------------

At this time, the applicant has not provided a revised landscape plan as requested.

It is anticipated this will be provided during the January 10, 2013 staff briefing.



LANDSCAPE REQUIREMENTS:

DESCRIPTION	RIGID	PROVIDER
STREET TREES 11' trees per 50' L Street Frontage	7	7
SITE TREES 11' trees per 4,000 SF Lot Area	7	7
PLANTING AT THE SIGN OF Building Foundation - Along Street Frontage	YES	YES
ADVANCED STREET BUFFER:	YES	YES
MITIGATION	8"	14"

NOTE: SITE TREE REQUIREMENT TO BE FILLED BY PROTECTED TREE CREDIT.

DESIGN SELECTION:

SHADE TREES:

- CHINA JASMINE OAK, 8" CAL. Diameter (mature)
- CHINA JASMINE OAK, 7" CAL. Diameter (mature)
- LINE OAK, 8" CAL. Diameter (mature)
- CEBAG ELM, 8" CAL. (later cross-section)
- BURR OAK, 8" CAL. (later cross-section)

ORNAMENTAL TREES:

- EVERS HEDGECOCK, 8" CAL. (later cross-section)
- TEAKS HEDGECOCK, 8" CAL. (later cross-section)
- POSSUM HEDGECOCK, 8" CAL. (later cross-section)
- JAPANESE MAPLE, 8" CAL. (later cross-section)

SHRUBS:

- RED BARBERRY, 7' CAL. (later cross-section)
- CHINA HOLLY, 7' CAL. (later cross-section)
- ROSEMARY, 3' CAL. (later cross-section)
- KNICK-OUT ROSE, 5' CAL. (later cross-section)
- AZALEA, 5' CAL. (later cross-section)

ORNAMENTAL SHRUBS & PERENNIALS:

- HYDRANGEA, 4' CAL. (later cross-section)
- SPIDER PLANT, 4' CAL. (later cross-section)
- THYRSIS, 4' CAL. (later cross-section)

GROUNDCOVER:

- TRIFOLIUM, 4' CAL. (later cross-section)
- MONDO GRASS, 1' CAL. (later cross-section)

APPROVED BY:
 CHY CHONG, AIA
 08/10/2011
 28370

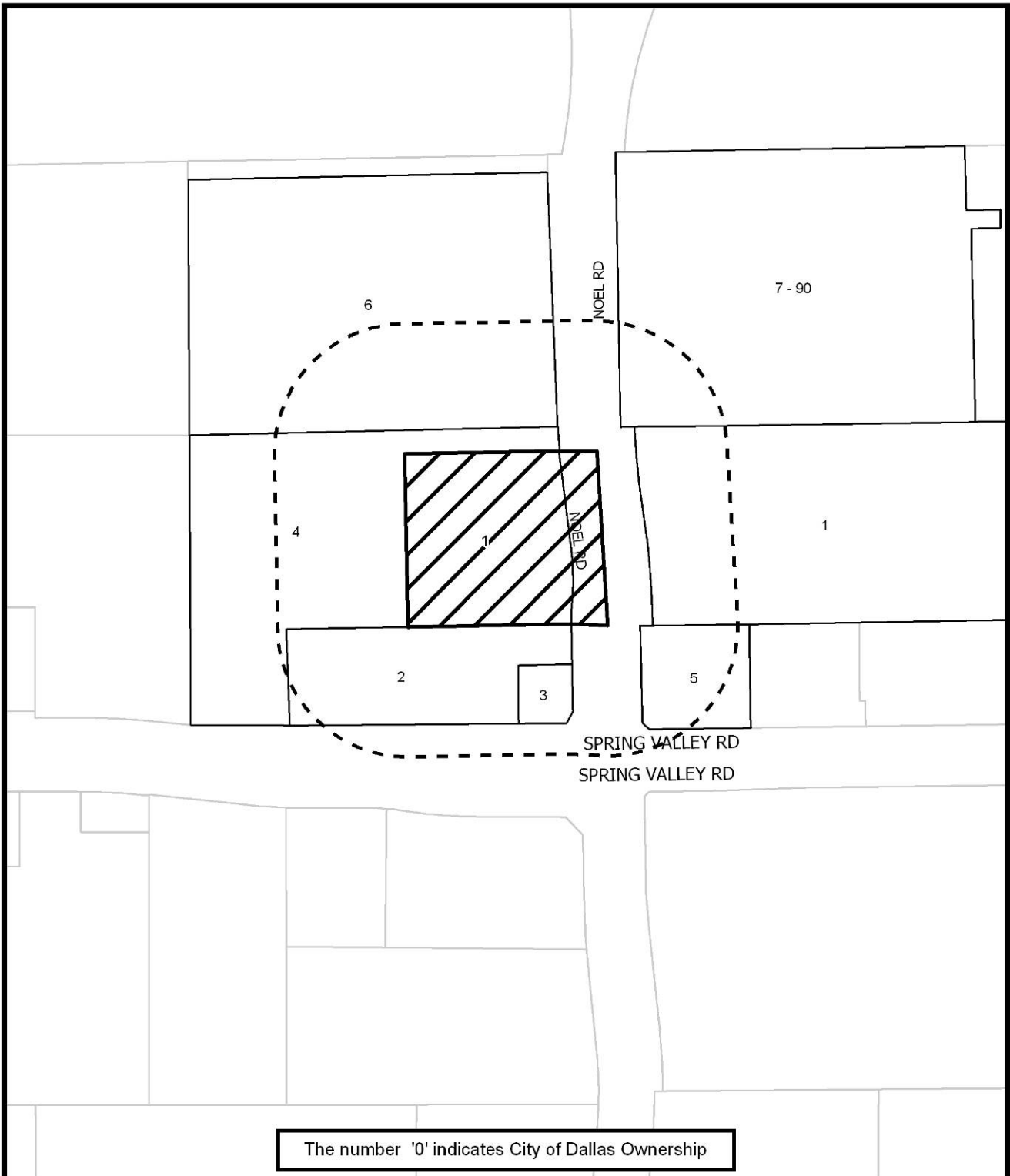
112068
28370

HALFF
 112068
 28370

SAN RAPHAEL PHASE II ASSOCIATED ESTATES
 DALLAS, TEXAS

1:01

Existing Landscape Plan



1:2,400

NOTIFICATION

200'

AREA OF NOTIFICATION

90

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **M123-003**

Date: **11/29/2012**

Notification List of Property Owners

M123-003

90 Property Owners Notified

Label #	Address	Owner
1	14120 NOEL RD	CHRISTIAN CHAPEL C M E
2	5251 SPRING VALLEY RD	DEL FRISCO DALLAS LP
3	5275 SPRING VALLEY RD	KEATING COLLEEN A
4	5229 SPRING VALLEY RD	CHRISTIAN CHAPEL C M E % SELECT HOTELS G
5	5301 SPRING VALLEY RD	TIGR I LTD PS
6	14181 NOEL RD	AERC SAN RAPHAEL LLC % MARTIN FISHMAN ES
7	14151 MONTFORT DR	JONES JULIA R
8	14151 MONTFORT DR	SMITH KELLY A UNIT 277
9	14151 MONTFORT DR	KOPPERUD ADAM T
10	14151 MONTFORT DR	NIAKAN MANOUCHER
11	14151 MONTFORT DR	MOKHTARI MOHAMAD & ASAR J MOKHTARI
12	14151 MONTFORT DR	ECK AMANDA I UNIT 281
13	14151 MONTFORT DR	MAGRO MALO TOMAS UNIT 282
14	14151 MONTFORT DR	NAOUAZILI ADIL UNIT 283
15	14151 MONTFORT DR	RODRIGUEZ ROSA N UNIT 284
16	14151 MONTFORT DR	MCADAMS BRENDA A
17	14151 MONTFORT DR	ONEILL LYNN ANDERSON & JOSEPH MATTHEWS
B		
18	14151 MONTFORT DR	EBAUGH IRVIN A JR
19	14151 MONTFORT DR	STOKES MARY E UNIT 288
20	14151 MONTFORT DR	WEAVER KATHRYN & EDWARD S #289
21	14151 MONTFORT DR	SUH TRACY
22	14151 MONTFORT DR	KAZURA RICHARD J
23	14151 MONTFORT DR	HUDSON LEEANN
24	14151 MONTFORT DR	ABEDIARANI REZA & UNIT 301
25	14151 MONTFORT DR	BRENTEGANI MELANIA
26	14151 MONTFORT DR	ANNUNZIATO GARY

11/29/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	14151 MONTFORT DR	VU KIM
28	14151 MONTFORT DR	ROSENBURG EVELYN REMAR
29	14151 MONTFORT DR	KAVANAGH CHARLOTTE
30	14151 MONTFORT DR	WHITTEN DESIREE D
31	14151 MONTFORT DR	MOKHTARI AZAR
32	14151 MONTFORT DR	JANICKE JOSEPH VICENT #309
33	14151 MONTFORT DR	GABRIEL ROBIN W
34	14151 MONTFORT DR	FINLEY AUSTIN JACOB & SAMANTHA B
35	14151 MONTFORT DR	CASTRO OSCAR E
36	14151 MONTFORT DR	ELMORE RONALD
37	14151 MONTFORT DR	KOHANSION STEVE S #107
38	14151 MONTFORT DR	BARTUSH MARY BETH TRUSTEE M B BARTUSH IN
39	14151 MONTFORT DR	SANEZ CELIA N APT 316
40	14151 MONTFORT DR	FEDERAL HOME LOAN MORTGAGE CORP MS 202
41	14151 MONTFORT DR	HOOD CHAYSE UNIT 318
42	14151 MONTFORT DR	SADHWANI SANDEEP UNIT 319
43	14151 MONTFORT DR	APEX FINANCIAL CORP
44	14151 MONTFORT DR	MOGRAY DAVID UNIT 321
45	14151 MONTFORT DR	DIAZ LUISA
46	14151 MONTFORT DR	FEDERAL NATIONAL MORTGAGE ASN
47	14151 MONTFORT DR	MONTOYA AIMEE K UNIT 324
48	14151 MONTFORT DR	PIZARROCASTANEDA KARINA S
49	14151 MONTFORT DR	ROSE MARCY L
50	14151 MONTFORT DR	SEISER BETTE UNIT 327
51	14151 MONTFORT DR	COOK GEORGE SMITH TR & CORNELIA T. B. CO
52	14151 MONTFORT DR	DEMIRJIAN JACK
53	14151 MONTFORT DR	IVIE SYLVIA H & ETAL
54	14151 MONTFORT DR	ASLAM SHABANA AFSHA
55	14151 MONTFORT DR	MILAGUEMA LLC
56	14151 MONTFORT DR	SANCHEZ RAMIRO
57	14151 MONTFORT DR	BELTRAN SAMARITANA UNIT 104

11/29/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	14151 MONTFORT DR	WELCH KENNETH
59	14151 MONTFORT DR	GAITHER CASEY RIGGS UNIT 336
60	14151 MONTFORT DR	JPMORGAN CHASE BANK % HOMECOMINGS
FINANC		
61	14151 MONTFORT DR	ENNAOUAJI NABIL UNIT 338
62	14151 MONTFORT DR	FAGHIHIFAR SHAHRIAR
63	14151 MONTFORT DR	NGUYEN JULIE UNIT 340
64	14151 MONTFORT DR	JOHNSON WILLIAM L
65	14151 MONTFORT DR	JAHADI MICHAEL R & AMINEH A
66	14151 MONTFORT DR	KING CAROLINE
67	14151 MONTFORT DR	BLALOCK JASON R
68	14151 MONTFORT DR	SMITH HEATHER E APT345
69	14151 MONTFORT DR	DUNN JAMES R
70	14151 MONTFORT DR	TURETSKY MIKHAIL & ANNA KANKAVA
71	14151 MONTFORT DR	ASHMORE DOROTHY R
72	14151 MONTFORT DR	BECK MARLA GITLIN UNIT 349
73	14151 MONTFORT DR	PERDUE STEPHANY L
74	14151 MONTFORT DR	AGUIRRE LANDA Y UNIT 351
75	14151 MONTFORT DR	RYAN MARGARET KEENAN UNIT 352
76	14151 MONTFORT DR	CARDENAS FRANCISCO
77	14151 MONTFORT DR	JUNG SONIA DIANA
78	14151 MONTFORT DR	FIELDER BRANDIS N
79	14151 MONTFORT DR	RIPPEY THOMAS A # 356
80	14151 MONTFORT DR	WALLACE RONALD JR
81	14151 MONTFORT DR	FRANCIS JANE D
82	14151 MONTFORT DR	JAHANI SHAHRZAD
83	14151 MONTFORT DR	CHANG ELBERT UNIT 360
84	14151 MONTFORT DR	LOSE JOHN BLDG SS UNIT 361
85	14151 MONTFORT DR	CAMPBELL BETTY MARIA UNIT 362
86	14151 MONTFORT DR	GOYTIA MARIA
87	14151 MONTFORT DR	JAHADI MICHAEL & AMINEH A
88	14151 MONTFORT DR	SALYERS DELORIS A

11/29/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	14151 MONTFORT DR	BLANKS BRADLEY A & CALLIE R
90	14151 MONTFORT DR	SOBRINHO JOSE P APT 9111

LOCATION: Harwood Street from Cedar Springs Road to Ross Avenue**COUNCIL DISTRICT:** 14**MAPSCO:** 45F, K
PLANNER Tanya Brooks

REQUEST

Amendments to the City of Dallas Thoroughfare Plan and the CBD Streets and Vehicular Circulation Plan to: (1) Change the dimensional classification of Harwood Street from Cedar Springs Road to Woodall Rodgers Freeway from an existing couplet to a two-way, four lane undivided (S-4-U) roadway within 60 feet of right-of-way; (2) Change the operational characteristics of Harwood Street from Woodall Rodgers Freeway to Flora Street from three lanes southbound to one lane northbound and one lane southbound; and Harwood Street from Flora Street to Ross Avenue from four lanes southbound to two lanes northbound and two lanes southbound.

SUMMARY

The Public Works Department is requesting amendments to the Thoroughfare Plan and the CBD Streets and Vehicular Circulation Plan to change the dimensional and operational characteristics of Harwood Street from Cedar Springs Road to Ross Avenue from a one way to a two way roadway conversions.

The objective of these amendments is to facilitate efficient circulation and access to the adjacent businesses. The conversion is expected to calm traffic speeds thereby creating a safer pedestrian experience. With the opening of the Kylda Warren Park, Harwood has been closed to through traffic between Uptown and the Central Business District. The closure has resulted in a significant reduction in demand for these segments of roadway.

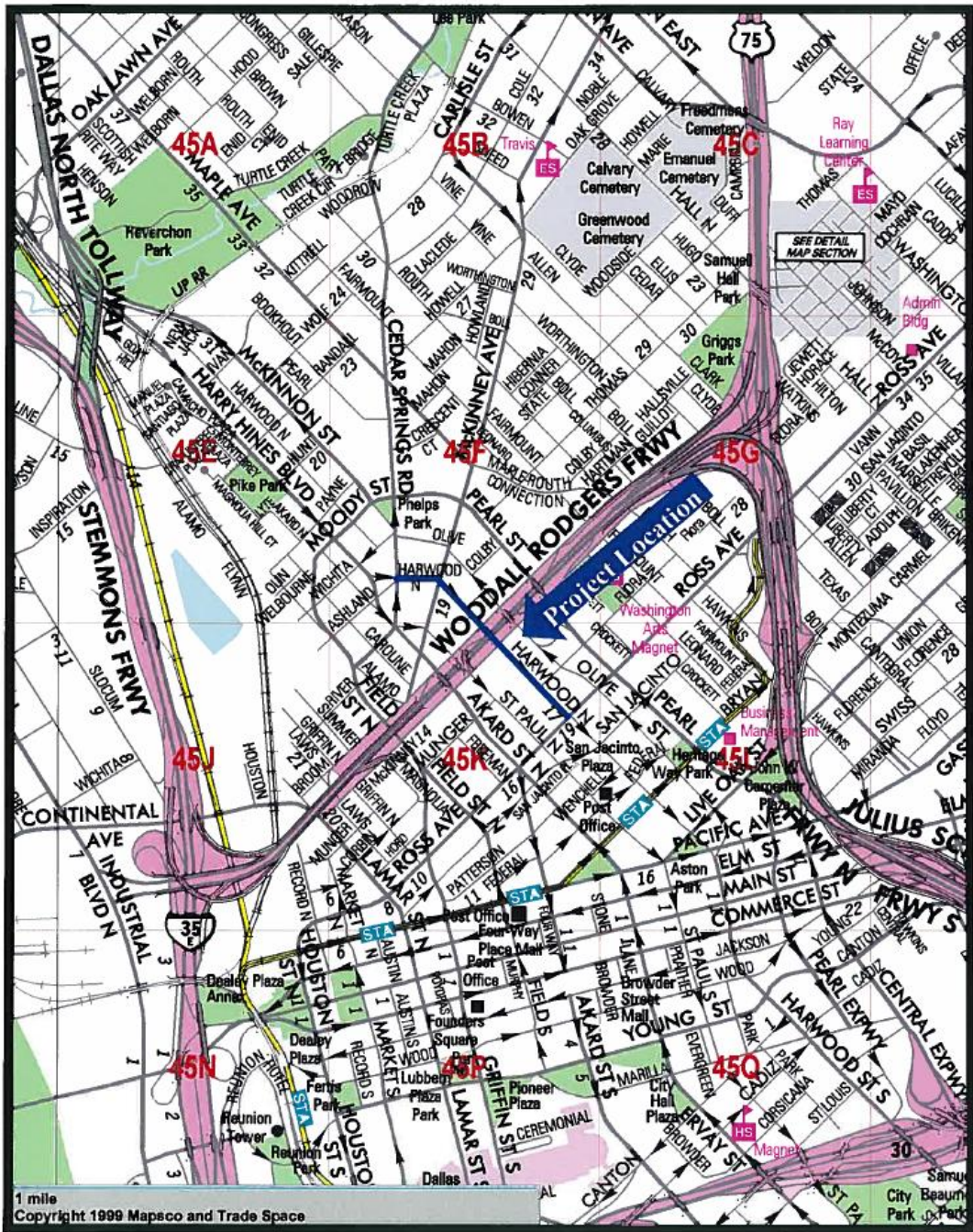
STAFF RECOMMENDATION

Staff recommends approval of the amendments to the City of Dallas Thoroughfare Plan and the CBD Streets and Vehicular Circulation Plan to: (1) Change the dimensional classification of Harwood Street from Cedar Springs Road to Woodall Rodgers Freeway from an existing couplet to a two-way, four lane undivided (S-4-U) roadway within 60 feet of right-of-way; (2) Change the operational characteristics of Harwood Street from Woodall Rodgers Freeway to Flora Street from three lanes southbound to one lane northbound and one lane southbound; and Harwood Street from Flora Street to Ross Avenue from four lanes southbound to two lanes northbound and two lanes southbound.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)City Plan Commission
Transportation CommitteeDecember 20, 2012
Recommendation Approval**MAPS**

Attached

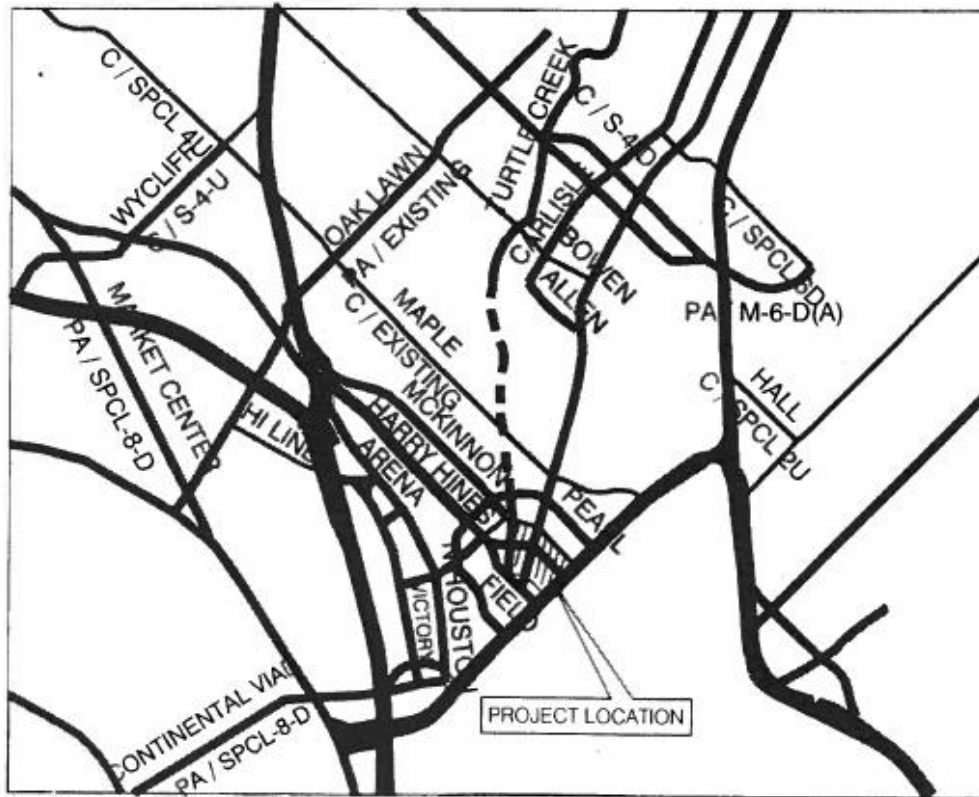
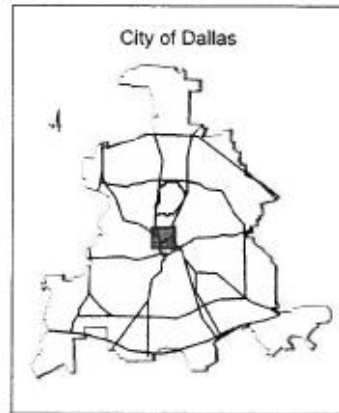
Harwood Street



Mapsco 45F,K

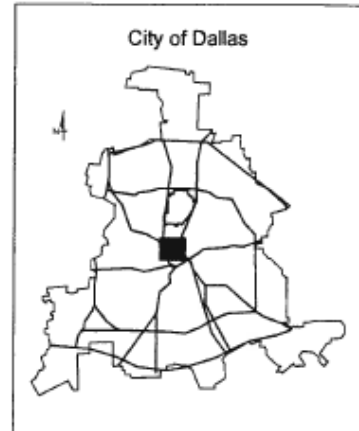
HARWOOD STREET FROM CEDAR SPRINGS RD. TO WOODALL RODGERS FRWY.

Thoroughfare Plan Amendment
Thoroughfare Map

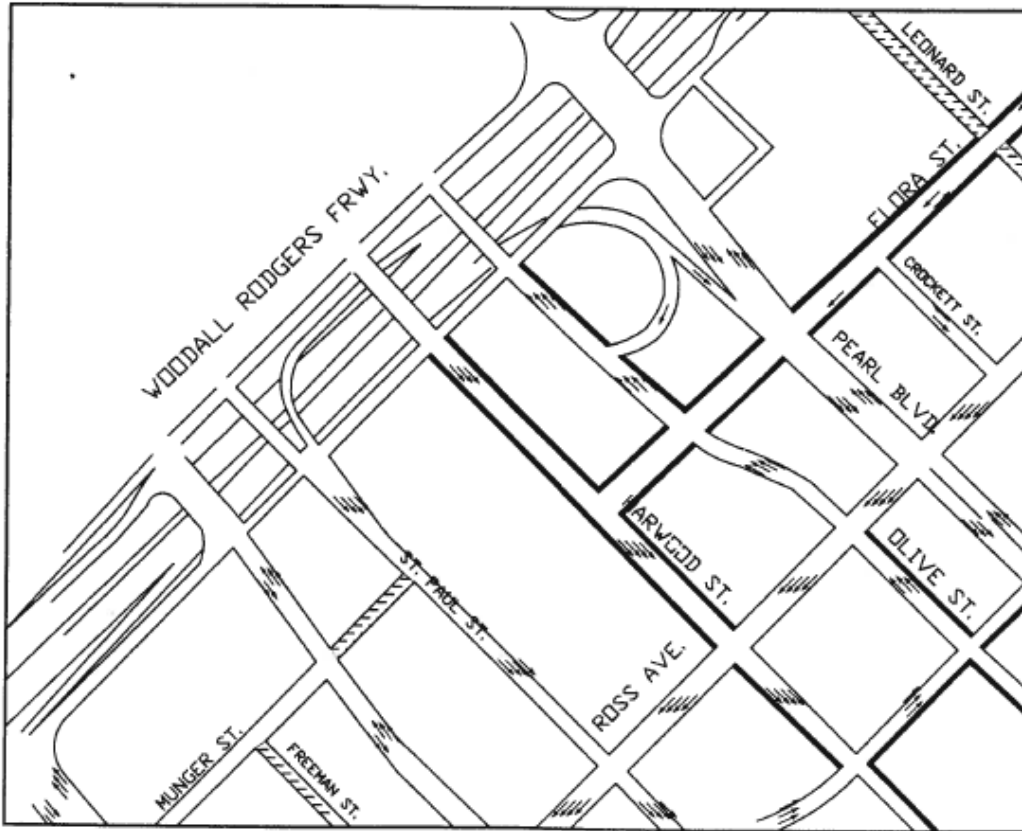


LOCATOR MAP
NOT TO SCALE

HARWOOD STREET FROM WOODALL RODGERS FRWY. TO ROSS AVE.



CBD Streets and Vehicular Circulation Plan



LOCATOR MAP
NOT TO SCALE

LOCATION: Wycliff Avenue from Stemmons Freeway (I-35E) to Market Center Boulevard

COUNCIL DISTRICT: 2

MAPSCO: 44C

PLANNER Tanya Brooks

REQUEST

An amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Wycliff Avenue from Stemmons Freeway (I-35E) to Market Center Boulevard from a six lane divided (S-6-D) roadway within 107 feet of right-of-way to a four lane undivided (S-4-U) roadway within 60 feet of right-of-way.

SUMMARY

The Dallas Market Center Property, LLC is requesting an amendment to the Thoroughfare Plan to decrease the designation of Wycliff Avenue from Stemmons Freeway (I-35E) to Market Center Boulevard from a six lane divided (S-6-D) roadway within 107 feet of right-of-way to a four lane undivided (S-4-U) roadway within 60 feet of right-of-way.

This amendment will facilitate a proposed expansion of the existing Renaissance Hotel and a proposed parking garage that encroaches into the Thoroughfare Plan designation of the future Wycliff Avenue. A connection to Wycliff Avenue from the west currently operates as a sub-standard back road to Children's Hospital Ambulatory Pavilion. Wycliff Avenue through the Market Center property has not been dedicated as a City of Dallas roadway. The designation of this roadway as a four lane undivided roadway will provide adequate capacity to accommodate the current development and potential future demand with additional east-west capacity being accommodated by Market Center Boulevard.

STAFF RECOMMENDATION

Staff recommends approval of the amendment to the Thoroughfare Plan to change the dimensional classification of Wycliff Avenue from Stemmons Freeway (I-35E) to Market Center Boulevard from a six lane divided (S-6-D) roadway within 107 feet of right-of-way to a four lane undivided (S-4-U) roadway within 60 feet of right-of-way.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

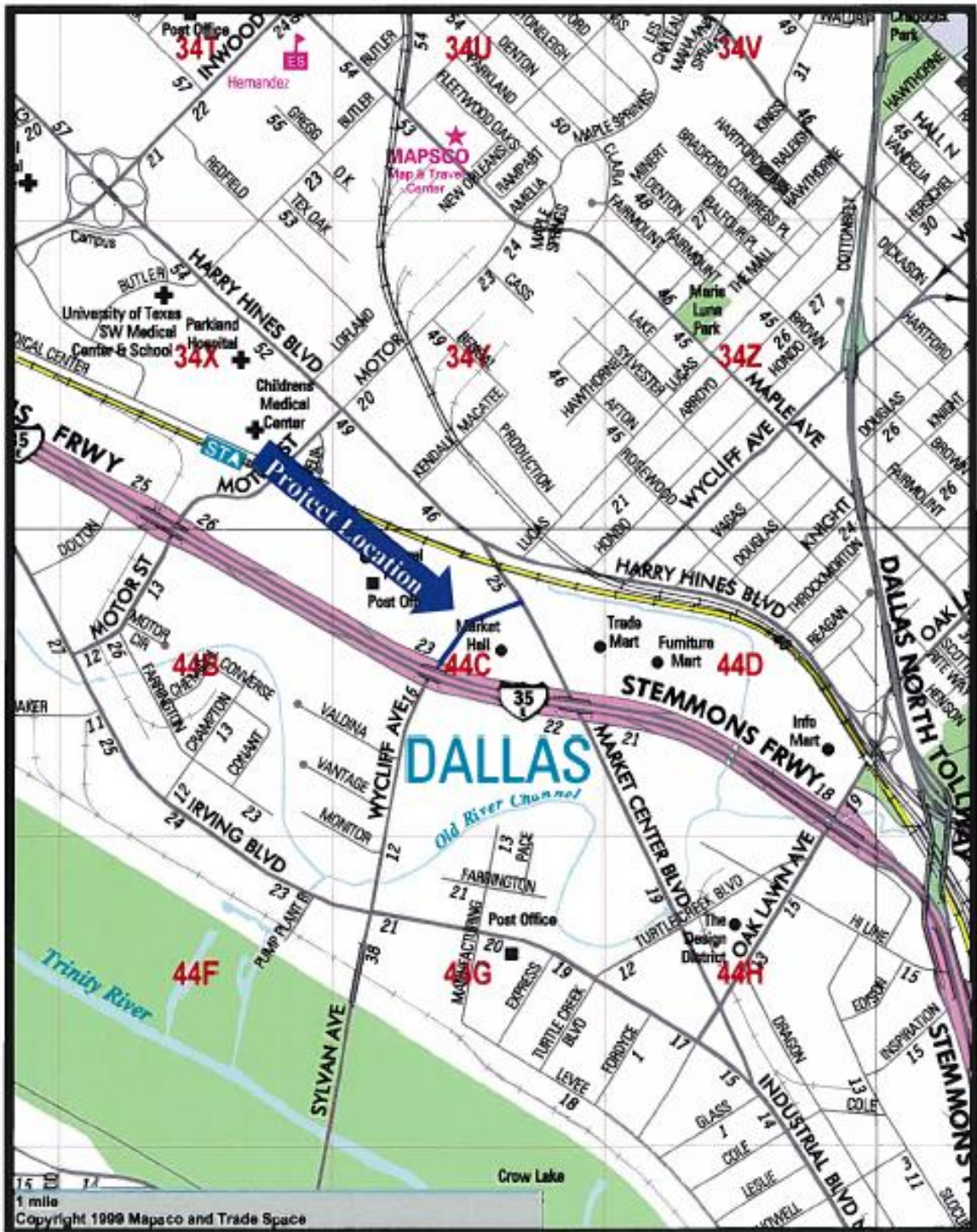
City Plan Commission
Transportation Committee

December 20, 2012
Recommendation Approval

MAPS

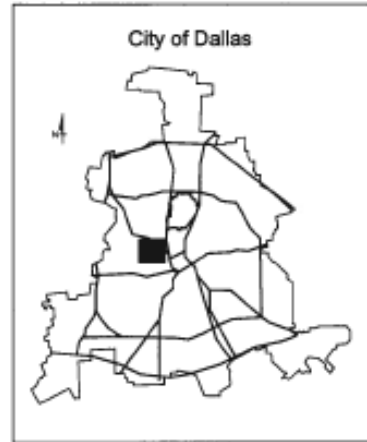
Attached

Wycliff Avenue

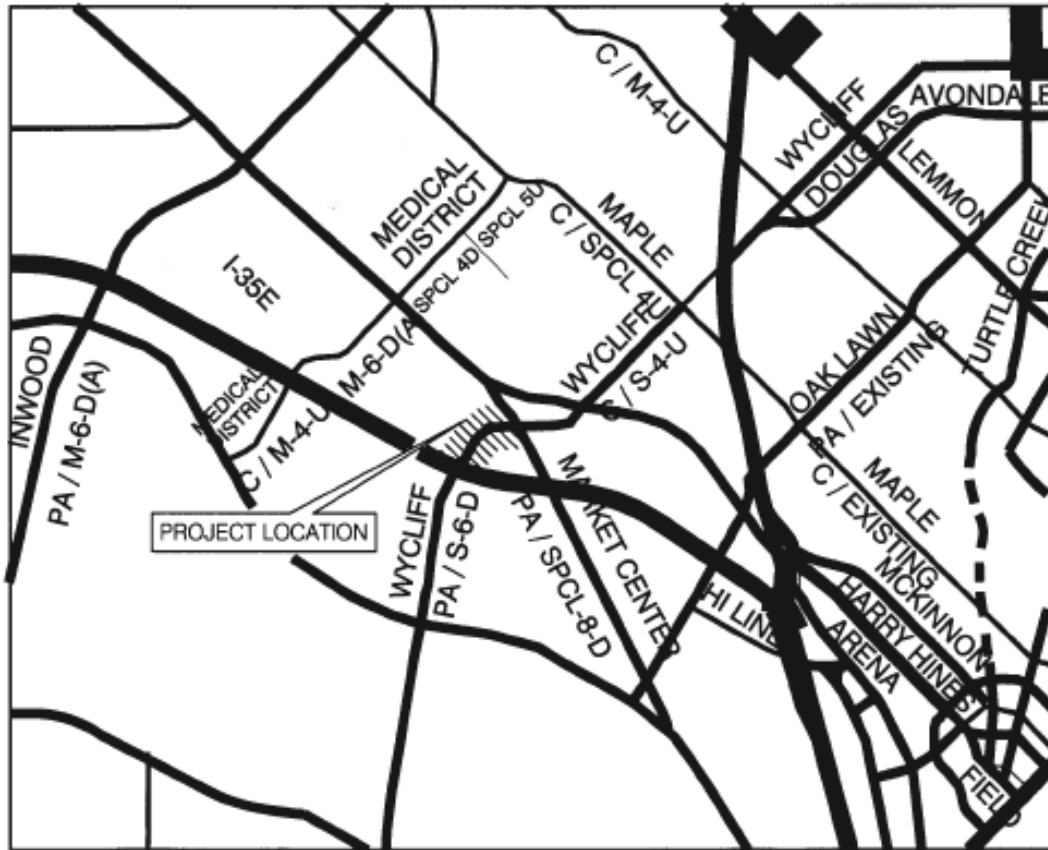


Mapsco 44C

WYCLIFF AVENUE FROM I-35E TO MARKET CENTER BLVD.



Thoroughfare Plan Amendment
Thoroughfare Map



LOCATOR MAP
NOT TO SCALE

FILE NUMBER: Z112-210(RB)

DATE FILED: March 28, 2012

LOCATION: C. F. Hawn Freeway and Woody Road, Northwest Corner

COUNCIL DISTRICT: 8

MAPSCO: 69A R, 70 N

SIZE OF REQUEST: Approx. 4.46 Acres

CENSUS TRACT: 170.04

APPLICANT/OWNER: Ammi Investments-Barbara Griffith, Managing Partner

REPRESENTATIVE: Santos Martinez

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-10(A) Single Family District.

SUMMARY: The applicant is requesting a CR District in order to permit development of retail and office uses. The volunteered deed restrictions will prohibit certain uses as well as provide for certain landscaping and operational regulations.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

BACKGROUND:

- The request site is undeveloped.
- The applicant is requesting a nonresidential zoning district for future development; no specific development plans are proposed at this time.
- In conjunction with the requested CR District, the applicant has volunteered deed restrictions that will: 1) prohibit certain uses; 2) address the orientation of any use possessing a drive-thru window; and, 3) provide for additional screening materials adjacent to existing residential uses.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z034-332	CR District on property zoned an R-7.5(A) District. On February 23, 2005, the City Council approved the request, subject to volunteered deed restrictions prohibiting certain uses as well as providing for enhanced setbacks and access requirements.
2. Z089-205	CS District on property zoned an R-7.5(A) District. On December 14, 2009, due to lack of applicant activity for a period of six months, staff returned the application as not complete.

<u>Thoroughfare</u>	<u>Designation; Existing & Proposed ROW</u>
C. F. Hawn Freeway	Local; Variable ROW
Woody Road	Collector; 90' & 90' ROW

STAFF ANALYSIS:

Land Use Compatibility: The request site is undeveloped. The applicant proposes rezoning to a nonresidential district in anticipation of development of the property; no specific plans for uses are known at this time.

Surrounding land use consists of residential uses to the north/northwest and undeveloped property zoned for CR District Uses (with deed restrictions-see Zoning History, above). Property to the south across C. F. Hawn Freeway (City of Dallas and Seagoville city limits) is developed with various commercial uses to the southwest and residential uses to the southeast. A commercial amusement (inside) use for a skating rink abuts the site's western property line.

With respect to the existing residential adjacency to the north and northwest, the applicant has volunteered deed restrictions that will: 1) prohibit certain uses; 2) address the orientation of any use possessing a drive-thru window; and, 3) provide for additional screening materials adjacent to existing residential uses.

With the site fronting a thoroughfare and freeway, trip generations to and from the proposed development will not have to utilize travel through the residential streets. As a result of these issues as well as assessing the impact of the applicant's volunteered deed restrictions, staff supports the applicant's request.

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

Landscaping: The site consists of significant stands of mature trees, predominately along the site's perimeter. A tree survey will be required prior to the issuance of a building permit. All mitigation and landscaping will comply with the provisions of Article X. As noted above, additional tree plantings will be provided along the site's residential adjacency.

DEED RESTRICTIONS

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

I.

The undersigned, _____, a _____ ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the _____ Survey, Abstract No. _____, City Block _____, City of Dallas ("City"), County, Texas, and being that same tract of land conveyed to the Owner by _____, by deed dated _____, and recorded in Volume _____, Page _____, in the Deed Records of _____ County, Texas, and being more particularly described as follows:

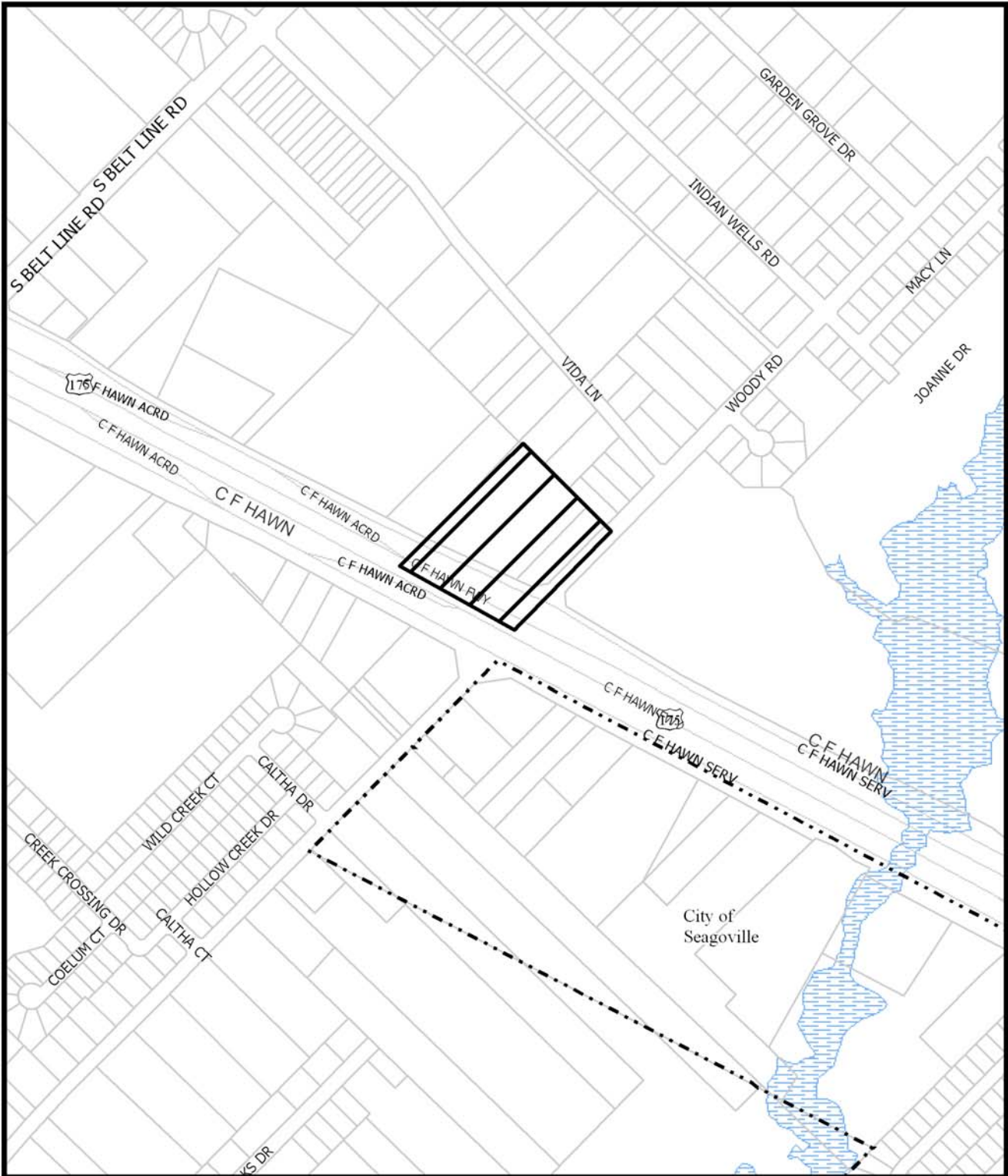
See Exhibit A

II.

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

1. The following main uses are prohibited:
 - a. Pawn shop.
 - b. Swap or buy shop.
2. Car washes are restricted to tunnel unit type.
3. For an auto service center, all work performed on a vehicle must be within an enclosed structure.
4. Design standards as required by Article X of the Dallas Development Code are limited to the following:
 - a. Enhanced perimeter buffer along the northern Property line.
 - b. Foundation planting strip.
5. Prior to the issuance of a certificate of occupancy, a minimum six (6) foot solid screening fence must be provided along the northern Property line.

6. Prior to the issuance of a certificate of occupancy, an enhanced perimeter buffer must be provided along the western Property line for a distance of 30 feet, beginning at a point at the northwest corner of the Property, and must contain a minimum of one large tree having a caliper of at least three inches.

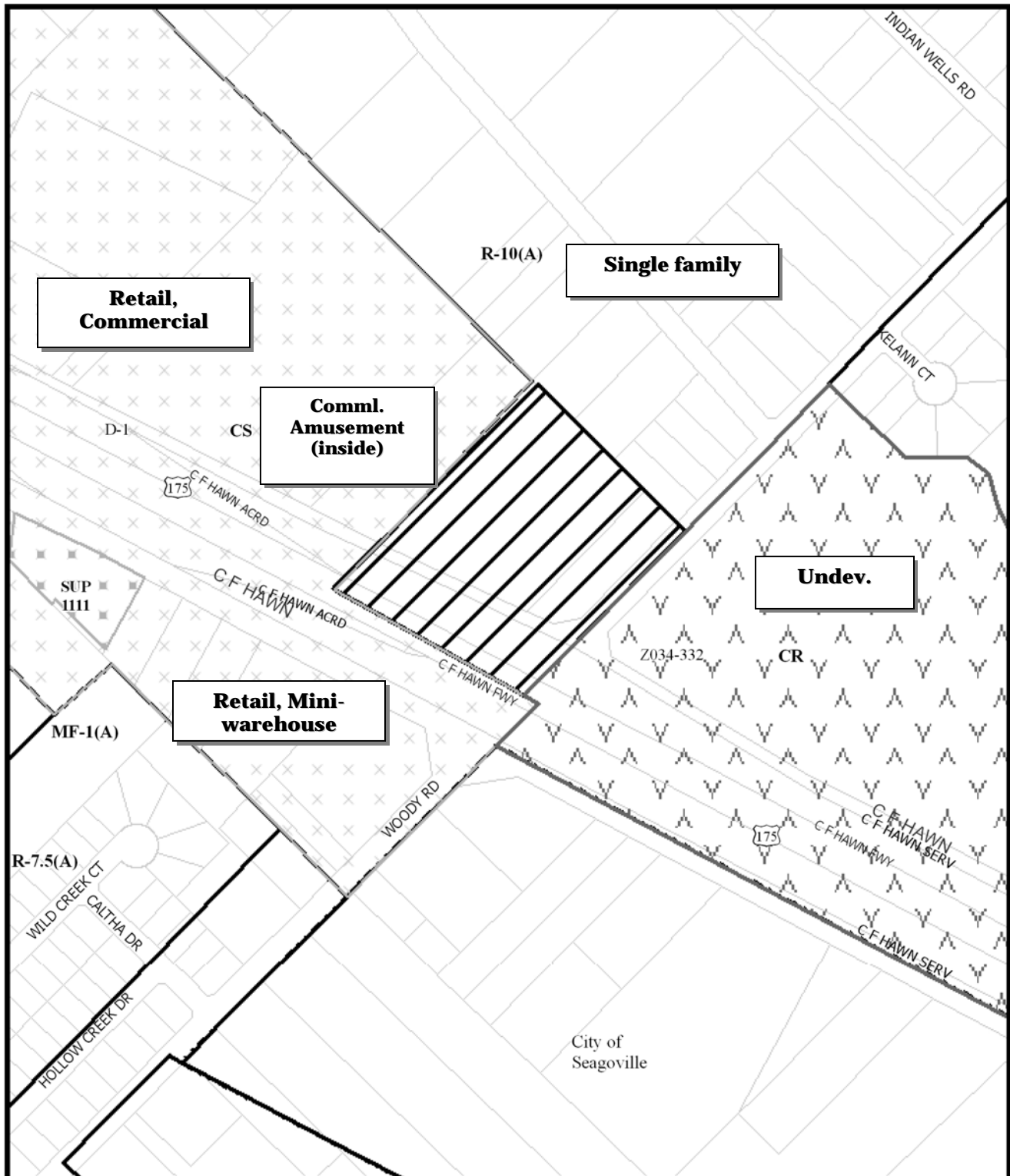


1:6,000

VICINITY MAP

Case no: Z112-210

Date: 11/9/2012

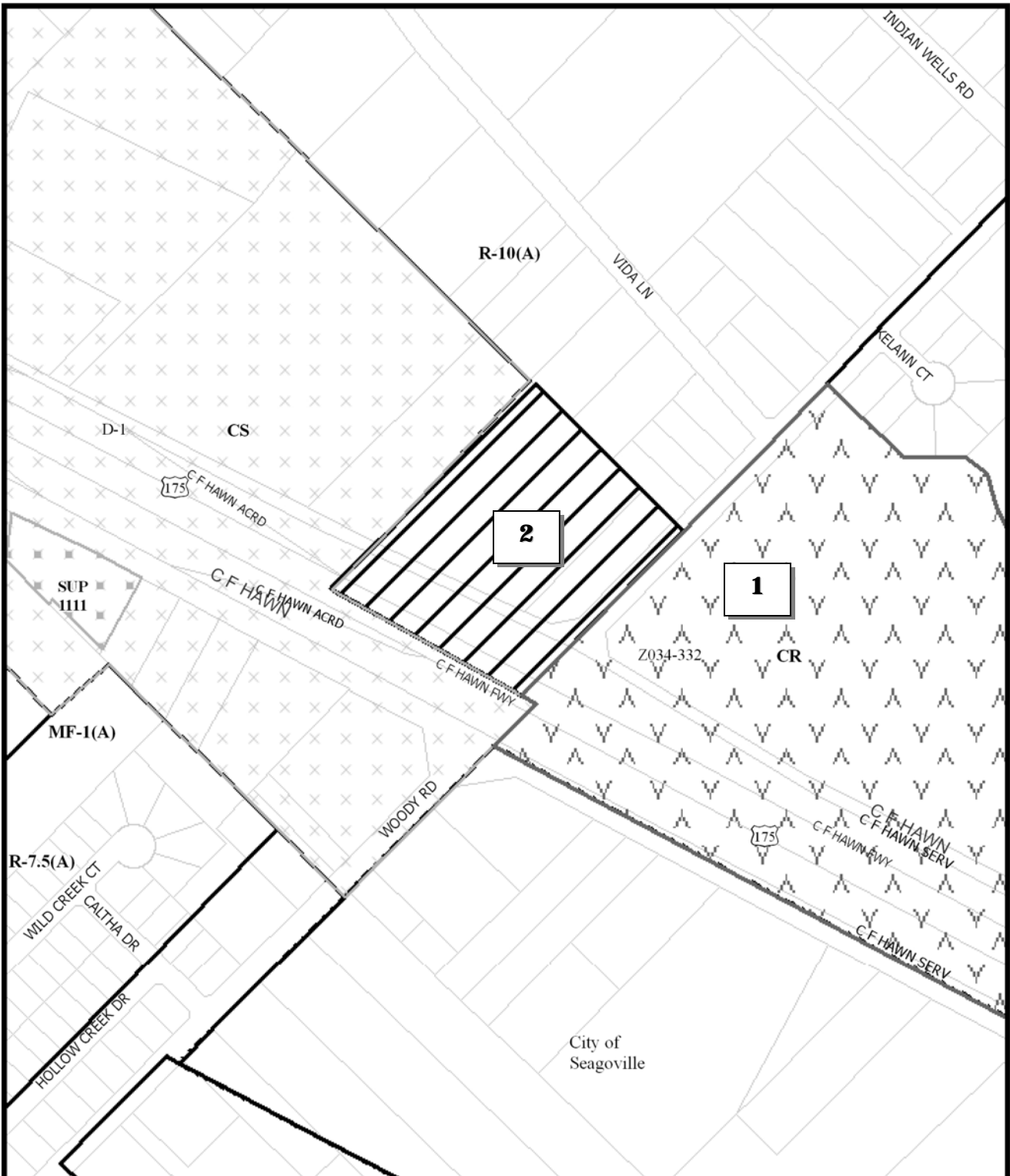


1:3,600

ZONING AND LAND USE

Case no: Z112-210

Date: 11/9/2012




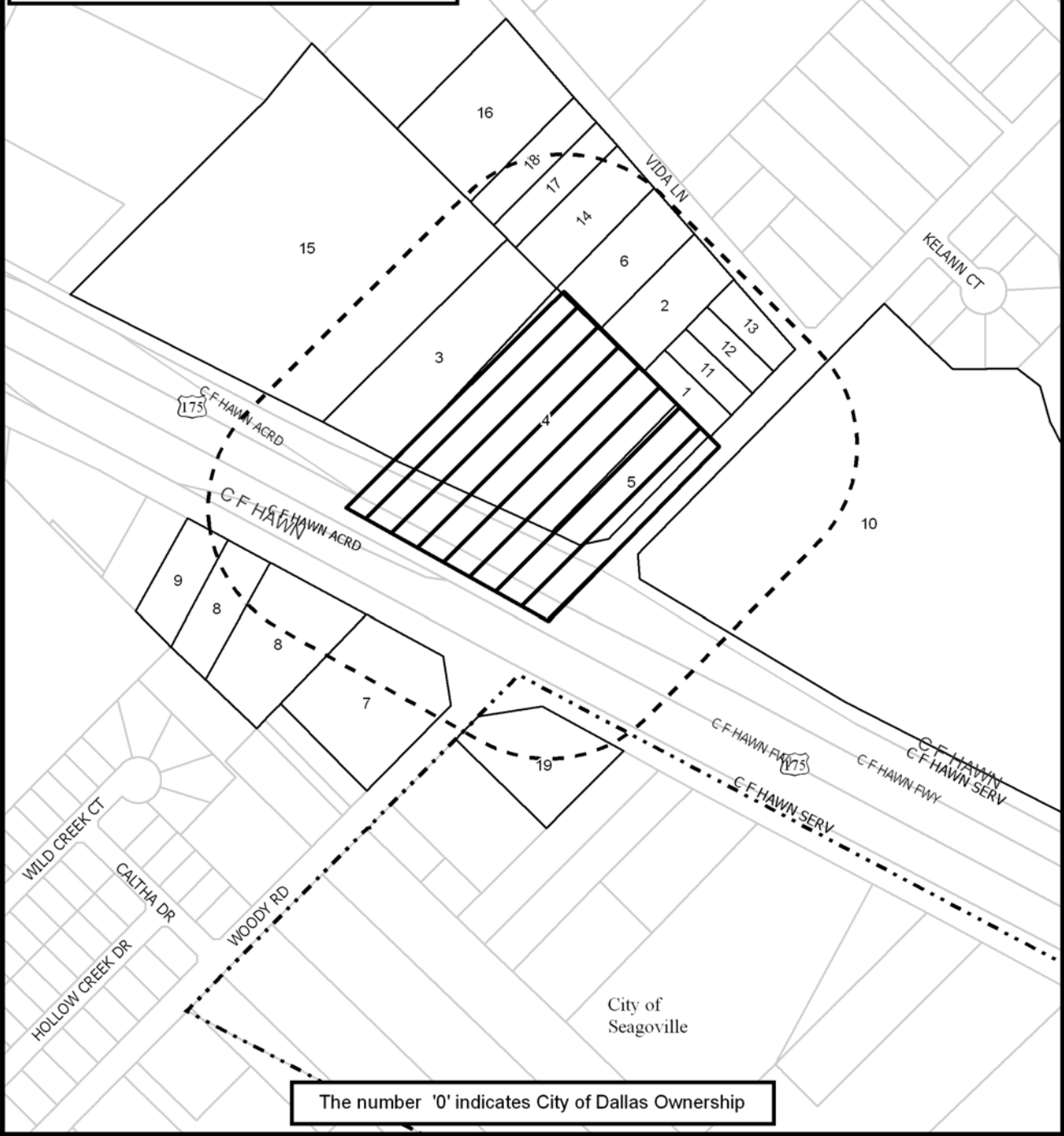
1:3,600

ZONING HISTORY


Case no: Z112-210

Date: 11/9/2012

The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.



The number '0' indicates City of Dallas Ownership


1:3,600

NOTIFICATION

300'	AREA OF NOTIFICATION
19	NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-210**
Date: **11/9/2012**

11/9/2012

Notification List of Property Owners

Z112-210

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1639 WOODY RD	MORALES ROBERTO &
2	14034 VIDA LN	ANDRESS JOHNNY E & ELISA
3	13953 C F HAWN FWY	MINI ROLL INC
4	1 C F HAWN FWY	R&B LLC
5	1 C F HAWN FWY	AMMI INVESTMENTS LLC %R & B LLC
6	14010 VIDA LN	VALLES ANASTACIA
7	14020 C F HAWN FWY	MCNABB ALEXANDER D III
8	14010 C F HAWN FWY	HALL ANNA VIRGINIA & HALL FAM TR
9	13936 C F HAWN FWY	WELCH THOMAS
10	3100 U S HWY 175	UDF ASH CREEK LP
11	1633 WOODY RD	MERCADO EVERISTO J & SANDRA MERCADO
12	1627 WOODY RD	THOMPSON ROBBIE & BRENDA
13	1621 WOODY RD	BECKHAM JOHNNIE L & LANA G
14	13920 VIDA LN	SOTO HERIBERTO
15	13943 C F HAWN FWY	BARNES RACHEL
16	13906 VIDA LN	PELAYO MARIA
17	13912 VIDA LN	EWALT JOY
18	13908 VIDA LN	GEORGE CLARENCE E
19	1814 WOODY RD	HOLLOWAY DONALD R

FILE NUMBER: Z112-294(RB)

DATE FILED: March 28, 2012

LOCATION: Property bounded by Illinois Avenue, Alaska Avenue, Montana Avenue, and Marsalis Avenue

COUNCIL DISTRICT: 4

MAPSCO: 55 N, S

SIZE OF REQUEST: Approx. 2.45 Acres

CENSUS TRACT: 54

APPLICANT: Huttonco Development, L.P.

REPRESENTATIVE: Frank Youmans

OWNER: Rainier Sun West 2012, LLC; J. Kenneth Dunn-President, Sean Cross-Senior Vice President

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an NS(A) Neighborhood Service District.

SUMMARY: The applicant is requesting a CR District in order to permit additional development of a 7,000 square foot general merchandise or food store (auto parts store) as well as permitting additional nonresidential uses. In conjunction with the request, the applicant has volunteered deed restrictions that will: 1) prohibit certain uses; 2) address certain operational characteristics; and, 3) provide for additional landscape materials along portions of the perimeter of the site.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by the applicant.

BACKGROUND:

- The request site is developed with a legally nonconforming general merchandise or food store greater than 3,500 square feet, which consists of 21,980 square feet of floor area.
- Prior to the city-wide zoning transition in the late 1980's, the property was zoned an NS Neighborhood Service District, which permitted the existing improvements (use classified as a Retail Food Store); it has remained a legally nonconforming use during this time. No additional development has been provided on the property since that time.
- The applicant is requesting a CR District in order to provide for a 7,000 square foot auto parts store (classified as a general merchandise or food store greater than 3,500 square feet use designation). As a parallel benefit, the above referenced use would become a legal use, which would permit various improvements and renovations (per the requested CR District development standards) should the property owner wish to pursue such improvements.
- In conjunction with the requested CR District, the applicant has volunteered deed restrictions that will: 1) prohibit certain uses; 2) address certain operational characteristics; and, 3) provide for additional landscape materials along portions of the perimeter of the site.

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

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Illinois Avenue	Principal Arterial; 100' & 100' ROW
Marsalis Avenue	Minor Arterial; 100' & 100' ROW
Alaska Avenue	Local; 50' ROW
Montana Avenue	Local; 50' ROW

STAFF ANALYSIS:

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is developed with a legally nonconforming general merchandise or food store greater than 3,500 square feet, which consists of 21,980 square feet of floor area. The applicant is requesting a CR District in order to provide for a 7,000 square foot auto parts store (classified as a general merchandise or food store greater than 3,500 square feet use designation). As a parallel benefit, the above referenced use would become a legal use, which would permit various improvements and renovations (per the requested CR District development standards) should the property owner wish to pursue such improvements

Surrounding land use consists of low density residential served by various institutional uses: 1) Harrell Budd Elementary School and teacher/visitor surface parking/outside play areas to the north and northeast, and 2) church uses to the west and east.

With respect to the residentially-influenced built environment, the applicant has worked with staff to address a myriad of issues, the vast majority of them addressed in the applicant's volunteered deed restrictions. In summary, 1) certain uses have been prohibited; 2) location of speaker boxes for uses providing drive-through service are prohibited along the Alaska Avenue frontage; 3) restricted hours of delivery; and, 4) perimeter planting areas along portions of all street frontages with the exception of Montana Avenue and Alaska Avenue.

As a result of these issues as well as assessing the impact of the applicant's volunteered deed restrictions, staff supports the applicant's request.

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

Landscaping: With the exception of one large tree and a short row of small trees along Alaska Avenue, the site is void of landscaping. While it is anticipated the applicant's request to provide for the above referenced auto parts store will not trigger landscaping, staff has remained concerned that such a highly visible site (i.e., four street frontages) lacks areas of landscaping typically found on developed property of this size. Lastly, it should be noted the entire site is paved, thus infrastructure normally provided to maintain landscaping does not exist.

As a result of these concerns, the applicant has worked with staff to address the possibility of softening existing and future improvements at the site's perimeter. The applicant's volunteered deed restrictions will require planting areas along the site's Illinois Avenue and Marsalis Avenue frontages, consisting of small trees and a three foot-tall hedgerow for certain lengths along these perimeter streets. For illustrative purposes only, staff has provided the attached streetscape exhibit; reference the attached volunteered deed restrictions for specific enabling language.

423.756.9267 Phone
423.756.7927 Fax

736 Cherry Street
Chattanooga, Tennessee 37402

the **Hutton** *Company*

D E V E L O P M E N T
C O N S T R U C T I O N

List of Partners/Principals/Officers

HuttonCo Development, L.P., a Texas limited partnership
By: Hutton Real Property Texas, LLC, a Texas limited liability company as its general
property.

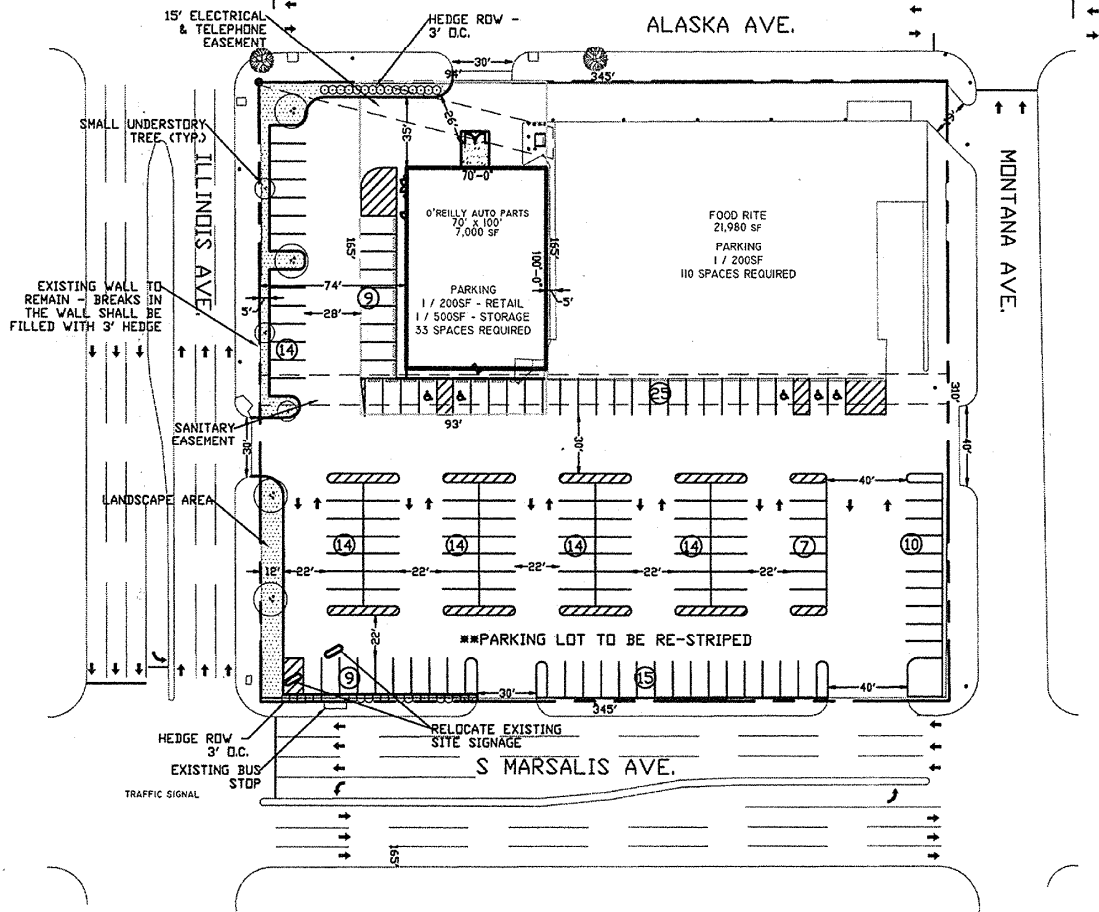
Federal ID #13-4208165

Sole Owner: Karen J. Hutton, Chief Manager/CEO

Officers: Geoffrey W. Smith, President
Oliver F. Perdomo, Executive Vice President
George G. Hixson, Secretary

Z112-294

PRELIMINARY SITE SKETCH



AREA SUMMARY		
	SQUARE FOOTAGE	ACREAGE
GROSS AREA	106,722 SF	2.45
PAVING AREA	57,520 SF	1.32

PARKING SUMMARY			
	TOTAL BLDG SF	REQ-D SPACES	PROV-D
PROPOSED	28,630 SF	143	145

BUILDING SETBACKS		
	REQ-D	PROV-D
FRONT	15 FT	170 FT
REAR	15 FT	44 FT
SIDE (NORTH)	15 FT	249
SIDE (SOUTH)	15 FT	25

the Hutton Company
DEVELOPMENT CONSTRUCTION REAL ESTATE

LOCATION **Dallas, TX**
SCALE **1"=80'**

DRAWN BY **Miller-McCoy - ML**
DATE **November 16, 2012**

Streetscape Exhibit
(for illustrative purposes only)

DEED RESTRICTIONS

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

I.

The undersigned, _____, a _____ ("the Owner"), is the owner of the following described property ("the Property");

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN DALLAS COUNTY, TEXAS, BEING ALL OF LOTS 2, 3, 4, 5, 6 AND 7 AND PART OF LOTS 1, 8, 9, 10, 11, 12, 13, AND 14, AND THE ABANDONED ALLEY BY ORDINANCE NUMBER 11767 AND RECORDED IN VOLUME 67068, PAGE 0284, DEED RECORDS, DALLAS COUNTY, TEXAS, BEING IN BLOCK 29/3651 OF TRINITY HEIGHTS ADDITION No. 2, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 385, MAP RECORDS, DALLAS COUNTY, TEXAS, BEING THE SAME TRACT AS DESCRIBED IN A DEED FROM SUNWEST N.C. TRUST TO RAINIER SUNWEST PORTFOLIO I, L.P., RECORDED UNDER INSTRUMENT NUMBER 2004246/0372, OF THE OFFICIAL PUBLIC RECORD OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN DALLAS COUNTY, TEXAS, BEING ALL OF LOTS 2, 3, 4, 5, 6 AND 7 AND PART OF LOTS 1, 8, 9, 10, 11, 12, 13, AND 14, AND THE ABANDONED ALLEY BY ORDINANCE NUMBER 11767 AND RECORDED IN VOLUME 67068, PAGE 0284, DEED RECORDS, DALLAS COUNTY, TEXAS, BEING IN BLOCK 29/3651 OF TRINITY HEIGHTS ADDITION No. 2, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 385, MAP RECORDS, DALLAS COUNTY, TEXAS, BEING THE SAME TRACT AS DESCRIBED IN A DEED FROM SUNWEST N.C. TRUST TO RAINIER SUNWEST PORTFOLIO I, L.P., RECORDED UNDER INSTRUMENT NUMBER 2004246/0372, OF THE OFFICIAL PUBLIC RECORD OF DALLAS COUNTY, TEXAS

BEGINNING AT AN "X" FOUND IN CONCRETE AT THE SOUTHWEST CORNER OF SAID RAINIER SUNWEST PORTFOLIO I, L.P. TRACT, AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF EAST ILLINOIS

AVENUE (100' RIGHT-OF-WAY) AND THE EAST RIGHT-OF-WAY LINE OF ALASKA AVENUE (55' RIGHT-OF-WAY);
THENCE NORTH 00 DEGREES 15 MINUTES 56 SECONDS WEST, WITH THE WEST LINE OF SAID RAINIER SUNWEST PORTFOLIO I, L.P. TRACT, AND THE EAST RIGHT-OF-WAY LINE OF ALASKA AVENUE, A DISTANCE OF 345.07 FEET TO AN "X" FOUND IN CONCRETE AT THE NORTHWEST CORNER OF SAID RAINIER SUNWEST PORTFOLIO I, L.P. TRACT, AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF ALASKA AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF MONTANA AVENUE (55' RIGHT-OF-WAY);

THENCE NORTH 89 DEGREES 41 MINUTES 23 SECONDS EAST, WITH THE NORTH LINE OF SAID RAINIER SUNWEST PORTFOLIO I, L.P. TRACT, AND THE SOUTH RIGHT-OF-WAY LINE OF MONTANA AVENUE, A DISTANCE OF 309.82 FEET TO AN "X" FOUND IN CONCRETE AT THE NORTHEAST CORNER OF SAID RAINIER SUNWEST PORTFOLIO I, L.P. TRACT, AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF MONTANA AVENUE AND THE WEST RIGHT-OF-WAY LINE OF SOUTH MARSALIS AVENUE (90' RIGHT-OF-WAY);

THENCE SOUTH 00 DEGREES 15 MINUTES 56 SECONDS EAST, WITH THE EAST LINE OF SAID RAINIER SUNWEST PORTFOLIO I, L.P. TRACT, AND THE WEST RIGHT-OF-WAY LINE OF SOUTH MARSALIS AVENUE, A DISTANCE OF 345.07 FEET TO AN "X" SET IN CONCRETE AT THE SOUTHEAST CORNER OF SAID RAINIER SUNWEST PORTFOLIO I, L.P. TRACT, AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH MARSALIS AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF EAST ILLINOIS AVENUE;

THENCE SOUTH 89 DEGREES 41 MINUTES 23 SECONDS WEST, WITH THE SOUTH LINE OF SAID RAINIER SUNWEST PORTFOLIO I, L.P. TRACT, AND THE NORTH RIGHT-OF-WAY LINE OF EAST ILLINOIS AVENUE, A DISTANCE OF 309.82 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 2.454 ACRES OF LAND.

II.

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

1. Deliveries are prohibited between the hours of 9:00 p.m. and 6:00 a.m., Monday through Sunday.
2. Any use that incorporates a drive-through must have the speaker box and drive-through window oriented away from Alaska Avenue.
3. The following uses are prohibited:

(A) Lodging uses.

- Hotel or motel.
- Lodging or boarding house.
- Overnight general purpose shelter.

(B) Retail uses.

- Alcoholic beverage establishment.
- Car wash.
- Commercial amusement (inside).
- Commercial amusement (outside).
- Liquor store.

(C) Wholesale, distribution, and storage uses.

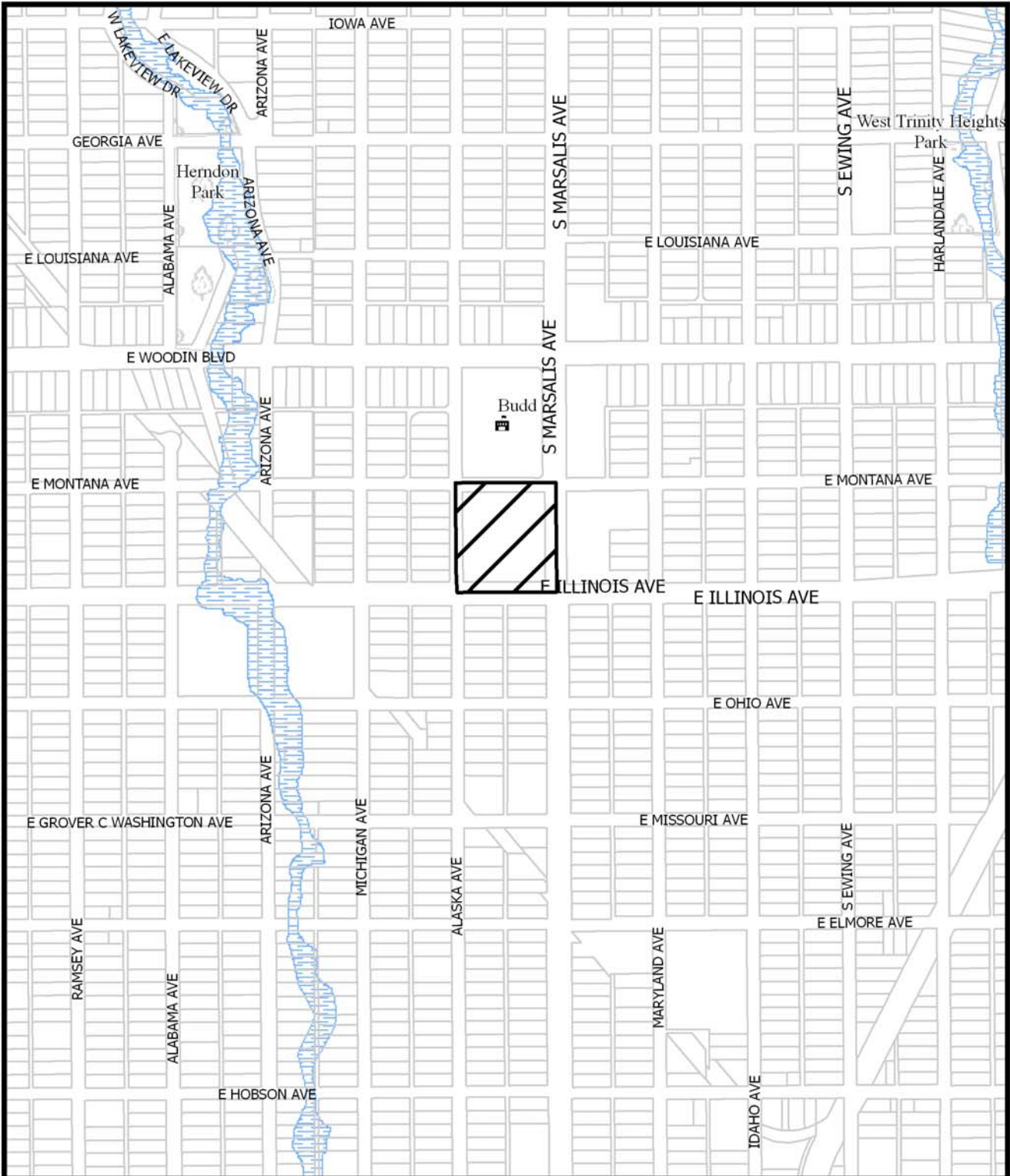
- Mini-warehouse.
- Petroleum product storage and wholesale.
- Sand, gravel, or earth sales and storage.

4. Prior to the issuance of a certificate of occupancy, the following must be provided:

(A) A minimum five-foot-wide perimeter landscape area along Illinois Avenue with a minimum of seven small trees;

(B) A 75-foot-long hedgerow to screen off-street parking along the west line of Marsalis Avenue, beginning at its intersection with Illinois Avenue, consisting of evergreen plant materials capable of obtaining a solid appearance within three years;

5. A 75-foot-long, three-foot-high solid parking lot screening along the east line of Alaska Avenue, beginning at the intersection of Alaska Avenue and Illinois Avenue, exclusive of points of ingress and egress.

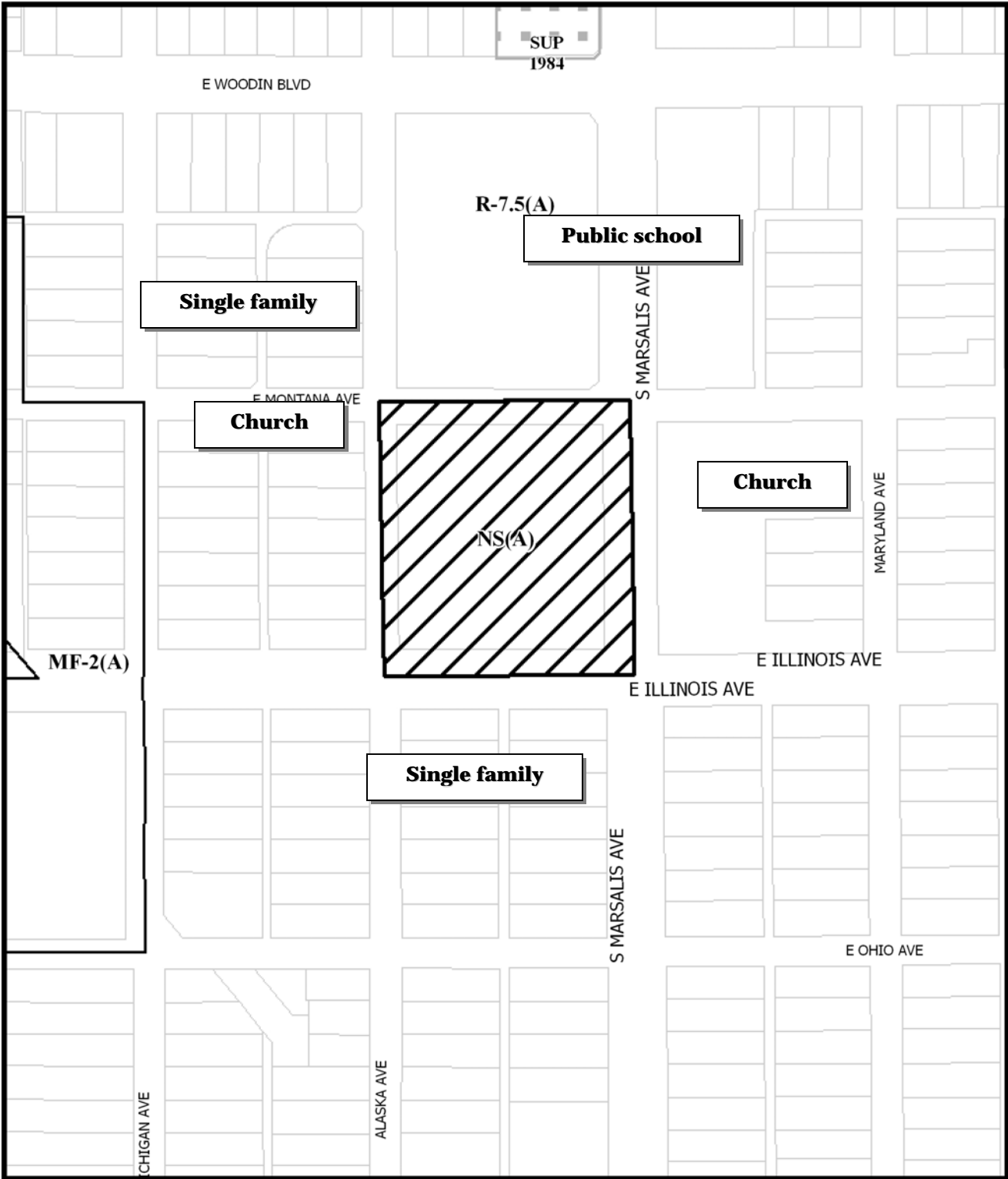


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VICINITY MAP

Case no: Z112-294

Date: 12/27/2012




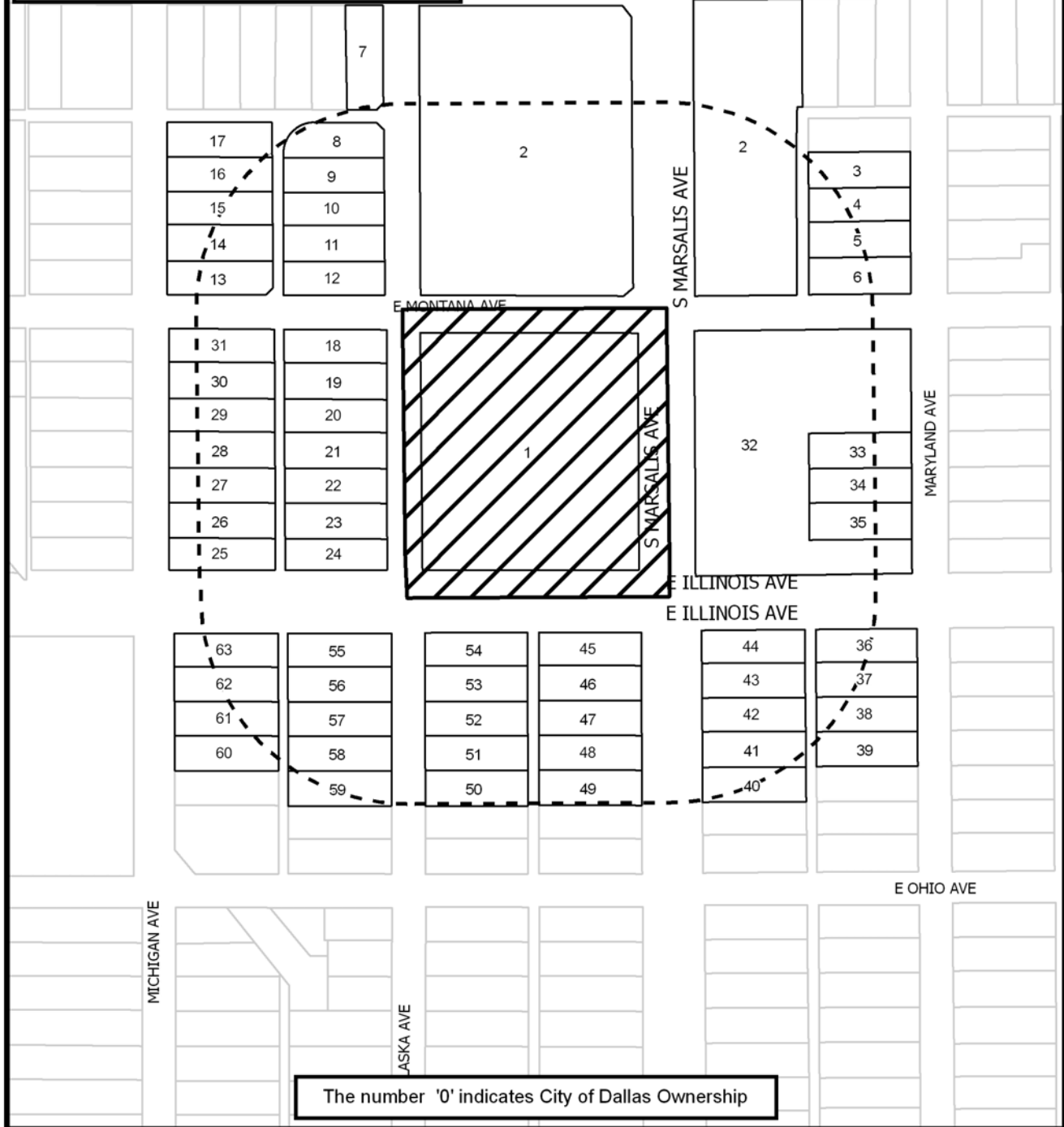
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ZONING AND LAND USE

Case no: Z112-294

Date: 12/27/2012

The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.



The number '0' indicates City of Dallas Ownership

 1:2,400	<h1>NOTIFICATION</h1> <p>300' AREA OF NOTIFICATION</p> <p>63 NUMBER OF PROPERTY OWNERS NOTIFIED</p>	Case no: Z112-294 Date: 12/27/2012
--	---	---

12/27/2012

Notification List of Property Owners***Z112-294******63 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2215 MARSALIS AVE	RAINIER SUNWEST 2012 LLC
2	2100 MARSALIS AVE	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
3	2119 MARYLAND AVE	GUEL FELIPE TORRES & RODOLFO M GUEL
4	2123 MARYLAND AVE	TINOCO REFUGIO T & MARIA
5	2127 MARYLAND AVE	EGUILUZ PATRICIO
6	2131 MARYLAND AVE	TEXAS NORTHEAST CHURCH OF GOD IN CHRIST
7	522 WOODIN BLVD	GARCIA JULIAN R
8	2115 ALASKA AVE	WILLIAMS PATRICIA B
9	2119 ALASKA AVE	GONZALEZ ALVARO & MARIA E
10	2123 ALASKA AVE	MIRANDA RITA
11	2127 ALASKA AVE	RIOS CAMILO R
12	2131 ALASKA AVE	BAKER BERL EST OF
13	2130 MICHIGAN AVE	CHATMAN RUFUS
14	2126 MICHIGAN AVE	CHATMAN VADA JOE
15	2122 MICHIGAN AVE	BERNAL JESUS & LUDIVINA
16	2118 MICHIGAN AVE	ANDERSON DOROTHY
17	2112 MICHIGAN AVE	MOORE BETTY
18	2203 ALASKA AVE	CANAAN BAPTIST CHURCH
19	2207 ALASKA AVE	CANNAN BAPTIST CHURCH TRUSTEES OF
20	2211 ALASKA AVE	VARGAS PRUDENCIO ESTATE OF
21	2215 ALASKA AVE	SHEPHERD ERMIE JEAN
22	2221 ALASKA AVE	KROUT ELLIS
23	2223 ALASKA AVE	SMITH SHERRIL A
24	2227 ALASKA AVE	ARREDONDO JOSE &
25	2224 MICHIGAN AVE	ORTIZ BENITO
26	2222 MICHIGAN AVE	PHILLIPS RUSSIAN

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2218 MICHIGAN AVE	CORTINAS OSCAR C & JUANA ELIA CORTINAS
28	2214 MICHIGAN AVE	PEREIRA AIRAN &
29	2210 MICHIGAN AVE	VAZQUEZ HONORIO
30	2206 MICHIGAN AVE	GUERRERO MARGARITA
31	2202 MICHIGAN AVE	RODRIGUEZ FERNANDO & MARY
32	2200 MARSALIS AVE	CHURCH OF GOD IN CHRIST TEXAS NORTHEAST
33	2215 MARYLAND AVE	CH OF GOD IN CHRIST TNE REV J NEAUL HAYN
34	2219 MARYLAND AVE	SAINTSVILLE C O G I E
35	2223 MARYLAND AVE	CHURCH OF GOD IN CHRIST TEXAS NORTHEAST
36	2307 MARYLAND AVE	JASSO ANTONIO SABAS
37	2311 MARYLAND AVE	ROCHA JOSE LUIS &
38	2315 MARYLAND AVE	MEDINA JOSE ANTONIO
39	2319 MARYLAND AVE	MEDINA JOSE A
40	2322 MARSALIS AVE	DKW ENTERPRISES
41	2318 MARSALIS AVE	BEJARANO ITANIO & BEJARANO ELLEN
42	2314 MARSALIS AVE	HERRERA JUAN F
43	2310 MARSALIS AVE	WALKER PATRICIA K
44	2306 MARSALIS AVE	STRATFORD TERACE NICOLE &
45	2305 MARSALIS AVE	GUERRERO CASTILLO MELITON
46	2309 MARSALIS AVE	MOTEN EUGENE & STELLA
47	2315 MARSALIS AVE	WILSON GUSSIE L
48	2319 MARSALIS AVE	SHIELDS MARVIN
49	2323 MARSALIS AVE	ELLIOTT DEBRA ANN
50	2322 ALASKA AVE	WATSON DIMPLE
51	2318 ALASKA AVE	NECH VICENTE
52	2314 ALASKA AVE	SIMMONS MYRTLE
53	2310 ALASKA AVE	HOLMES LARRY & DOROTHY
54	2306 ALASKA AVE	2841 BEASLEY LLC
55	2307 ALASKA AVE	KELLEY PATRICIA & KENNETH
56	2311 ALASKA AVE	LUSK PHILIP W
57	2315 ALASKA AVE	BANDA ALEJANDRO & SOFIA

Z112-294(RB)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2319 ALASKA AVE	SANTANA RAFAEL L & MARIA
59	2323 ALASKA AVE	HERNANDEZ DORA
60	2320 MICHIGAN AVE	SCOTT JERRY D
61	2316 MICHIGAN AVE	RAYNER RUTH
62	2310 MICHIGAN AVE	WOODS LOTTIE J
63	2306 MICHIGAN AVE	GURRUSQUIETA ARMANDO & MARIA DEL S

RODRI

FILE NUMBER: Z112-306(RB)

DATE FILED: August 20, 2012

LOCATION: Northwest Line of Travis Street, between Lemmon Avenue East and Lemmon Avenue West

COUNCIL DISTRICT: 14

MAPSCO: 35 X

SIZE OF REQUEST: Approx. 2.33 Acres

CENSUS TRACT: 7.01

APPLICANT/OWNER: CFO2 Dallas II, LLC

REPRESENTATIVES: Gladys Bowens and Dallas Cothrum

REQUEST: An application for a Planned Development Subdistrict for O-2 Office Subdistrict Uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and termination of existing deed restrictions.

SUMMARY: The applicant is requesting a zoning change in order to permit a restaurant without drive-through service. Additionally, deed restrictions that require certain development standards are being terminated, however, some of the provisions are being provided for in the requested PDS.

STAFF RECOMMENDATION: Approval, subject to a development plan, landscape plan, and conditions, and approval of the termination of existing restrictions.

PRIOR CPC ACTION: On November 15, 2012, the City Plan Commission held this request under advisement until January 10, 2012.

BACKGROUND INFORMATION:

- The request site is developed with a multi-tenant office building with covered parking as part of the building’s design. .
- The applicant is proposing to provide for a restaurant and outdoor patio area within the southwest corner of the existing building footprint.
- As part of the request, existing deed restrictions are being terminated, however, the provisions of the deed restrictions are incorporated into the proposed PDS conditions.
- The existing uses and development standards provided by the underlying O-2 Subdistrict are being retained.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z034-120	On May 12, 2004, CPC approved an application for an amendment to the conceptual plan and conditions for PDD No. 174. Applicant withdrew the request.
2. Z045-296	On March 8, 2006, the City Council approved an amendment to PDD No. 174, subject to a conceptual plan and conditions.

<u>Thoroughfare/Street</u>	<u>Existing & Proposed ROW</u>
Lemmon Avenue	Principal Arterial; 60’ & 60’ ROW
Travis Street	Local; 50’ ROW

STAFF ANALYSIS:

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

- (1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

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

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

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

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

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

The applicant's request will not require any new construction, other than in the southwest corner of the existing parking garage. The existing improvements comply with objective numbers 1, 3, 4, 6, and 7. Objective numbers 2 and 5 are not applicable to the request.

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is developed with a multi-tenant office building with covered parking as part of the building's design. The applicant is requesting a zoning change to provide for a restaurant without drive-through service (existing O-2 Subdistrict prohibits this use). It is the intent of the applicant to provide for a 3,800 square foot restaurant with an accompanying 2,300 square foot patio. These improvements will be located within the southwest corner of the building, with the patio exposed to the Katy Trail.

The second part of the request is to terminate existing deed restrictions. Generally, they require certain design/construction standards (see attached existing deed restriction instrument). The applicant has included these within their requested conditions, so the integrity of what was volunteered during the July, 1981 rezoning (from MF-2 to O-2) will be continued in the PDS ordinance regulating the property.

The predominate land use in the immediate area consists of medium density residential uses, much of which is developed within three PDD's; the West Village Special Purpose District and City Place PDD to the north and northeast, and PDD No. 174, specifically the Phase 2 portion southeast of the site. The Phase 1 portion of PDD No. 174 is developed with an electrical substation and is situated south, across Lemmon Avenue West. The Katy Trail abuts the site's western boundary (no physical connection) and traverses north to south with various pedestrian connection points along its alignment. The Dallas Theater Center occupies property to the northwest, across the trail from the request site.

In consideration of the 'notching' of this use within a portion of the parking structure will not negatively impact the built environment and the inclusion of a patio area with unobstructed views afforded by its location on the property will visually connect the use to the Katy Trail.

As a result of this analysis, staff supports the request subject to the following specific recommendations related to the restaurant that will ensure that certain characteristics associated with the use do not impact the residentially influenced built environment: 1) limit the number of restaurants on the property to one; 2) restricted hours of operation for the uncovered outdoor patio; and, 3) prohibit outside amplification and live performances.

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

impact the surrounding street system.

Landscaping: The site is blessed with a significant tree canopy and certain planting areas along the Travis Street frontage. Existing sidewalks are located at the back of curb along the property's three street frontages.

In working with the chief arborist, staff has determined the above represents landscaping and sidewalk placements that meet the spirit of Part 1 of PDD No. 193. Staff is requesting that trees located within the Street Tree Zone (20 foot-deep area around the site's perimeter as shown on the attached development plan) be retained and any mitigation be provided within this area.

LIST OF PARTNERS/PRINCIPALS/OFFICERS

CFO2 Dallas II, LLC

Thomas G. Bacon, Manager

Daniel R. Dubrowski, Manager

Glenn L. Lowenstein, Manager

Z112-306

APPLICANT REQUESTED/STAFF RECOMMENDED 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 generally located on the northwest line of Travis Street between Lemmon Avenue East and Lemmon Avenue West. The size of the PD Subdistrict ____ is approximately 2.3325 acres.

SEC. S-____. 103 DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part 1 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 1 of this article, Part 1 of this article controls. In this division: SUBDISTRICT means a subdistrict of PD 193.

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

(c) This Subdistrict is considered to be a non-residential 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.

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, the text of this division controls.

SEC. S-____.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 O-2 Office Subdistrict, subject to the same conditions applicable in the O-2 Office Subdistrict, as set out in Part I of this article. For example, a use permitted in the O-2 Office 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 O-2 Office Subdistrict is subject to DIR in this Subdistrict; etc.

(b) The following additional main use is permitted in this subdistrict: restaurant without drive-through service. [*outdoor patios must be uncovered*]

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 types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

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 1 of this article. If there is a conflict between this section and Part 1 of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot and space regulations of the O-2 Office Subdistrict apply.

(b) Height. Maximum structure height is 120 feet.

(c) Multiple Family Uses. For a building containing multiple family uses:

(1) The first, second, and third floors may house either multiple family dwelling units, or office units, or a combination of both.

(2) The remaining floors may only house multiple family dwelling units.

(d) Restaurant without drive-through service.

(1) Maximum floor area is 3,800 square feet in the location shown on the development plan.

(2) Maximum uncovered patio area is 2,300 square feet in the location shown on the development plan.

SEC. S-____.109. OFF-STREET PARKING AND LOADING.

Consult Part 1 of this article for the specific off-street parking and loading requirements for each use.

SEC. S-____.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-____.111. LANDSCAPING.

(a) Landscaping must be provided as shown on the landscape plan (Exhibit S-__B).

(b) Any tree removed from the Street Tree Zone as located on the attached landscape plan must be replaced per the tree mitigation regulations within Article X of the Dallas Development Code, as amended.

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

SEC. S-____.112. SIGNS.

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

SEC. S-____.113. RESTAURANT WITHOUT DRIVE-THROUGH SERVICE.

(a) Hours of operation for the area of the uncovered patio are limited to the hours of 7:00 a.m. to 10:00 p.m., Monday through Sunday.

(b) Outside amplification and live performances are prohibited.

SEC. S-____.114. ADDITIONAL PROVISIONS.

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

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

(c) Development and use of the property must comply with Part I of this article.

SEC. S-____.115. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit or a certificate of occupancy for 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.

Existing Deed Restrictions

7/988

DEED RECORD

8 12175

DEED RESTRICTIONS

STATE OF TEXAS)
COUNTY OF DALLAS)

KNOW ALL MEN BY THESE PRESENTS:

5.00 DEED
8/16/81

That the undersigned, TURTLE CREEK PLACE ASSOCIATES, a Partnership, is the owner of the following described property situated in Dallas County, Texas, and being located in City of Dallas Block 7/988, out of the Bowser and Lemmon's Oak Lawn North Dallas Addition to the City of Dallas, Dallas County, Texas, and being more particularly described as follows:

BEING all of Lots 1, 2, 3, 4, 5, and 6 in City Block 7/988 out of the Bowser and Lemmon's Oak Lawn North Dallas Addition, to the City of Dallas, according to the map or plat recorded in the Map and Plat Records of Dallas County, Texas.

That the undersigned, TURTLE CREEK PLACE ASSOCIATES, a Partnership, does hereby impress all of the above described property with the following deed restrictions, to-wit:

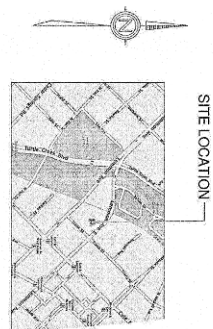
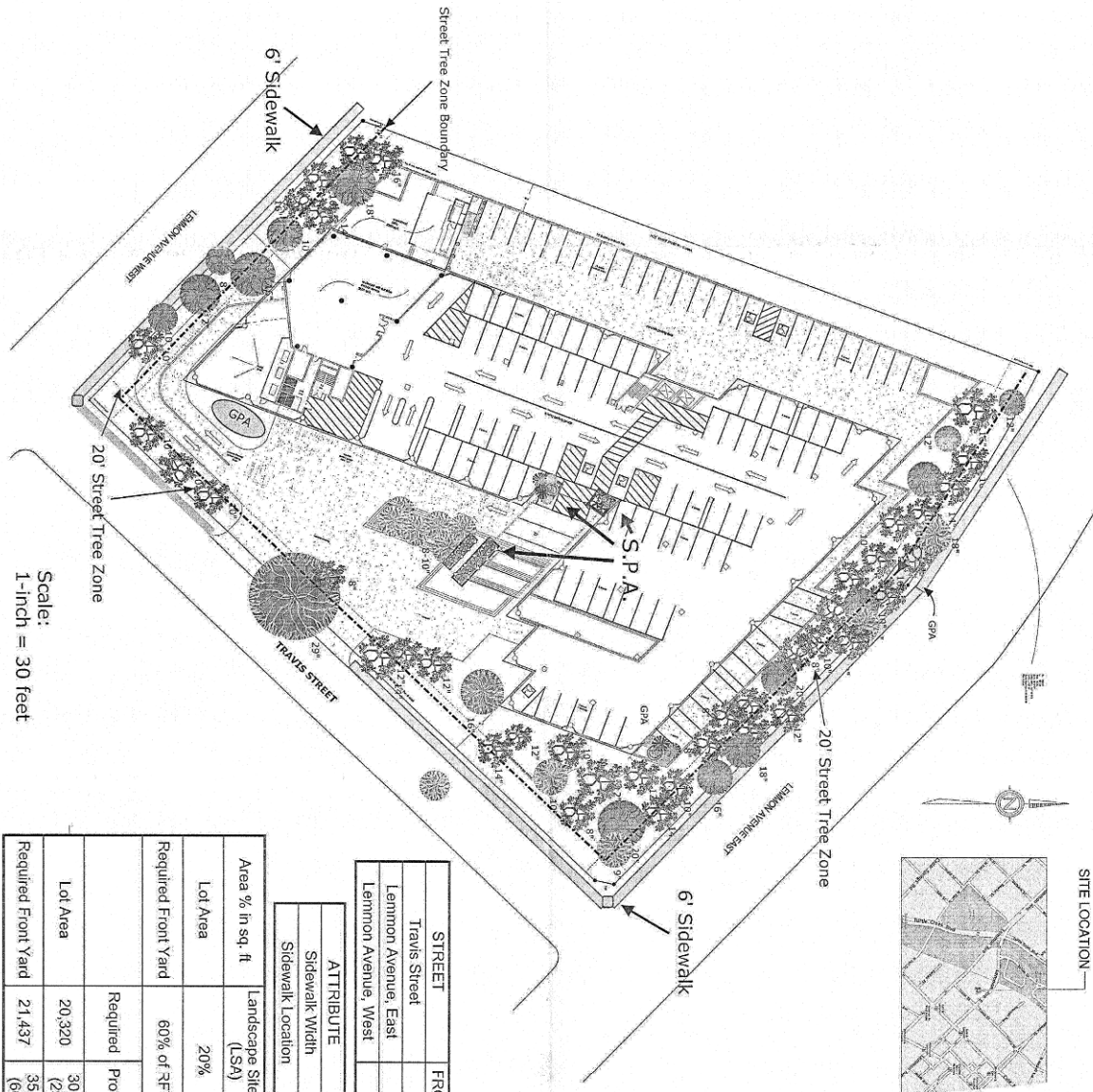
1. That no building may be constructed upon such property with a height in excess of one hundred twenty (120) feet.
2. That the first, second and third floor may be used for either multi-family dwellings or for office purposes only, and the remaining floors may be used for multi-family dwelling purposes only.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein. These restrictions may be altered, amended or terminated only upon a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

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

PAGE
81189 1433

2801-191/5049-N



SYM	NUMBER	TYPE
(Tree symbol)	14	LIVE OAK
(Tree symbol)	39	CEDAR ELM
(Tree symbol)	13	MAGNOLIA
(Tree symbol)	1	ASH
GPA	-	General Planting Area
SPA	-	Special Planting Area

STREET	FRONTAGE	RATIO	REQUIRED	PROVIDED
Travis Street	380	1/25 FT	14	7
Lemmon Avenue, East	348	1/25 FT	14	19
Lemmon Avenue, West	202	1/25 FT	8	6

ATTRIBUTE	REQUIRED	PROVIDED
Sidewalk Width	6'	6'
Sidewalk Location	5' to 12' from curb	Against curb

Area % in sq. ft.	Landscape Site Area (LSA)	General Planting Area (GPA)	Special Planting Area (SPA)
Lot Area	20%	50% of 20% LSA	20% (of GPA) w/ Pl./6 s.f.
Required Front Yard	60% of RFY	30% of RFY	6% of RFY w/ 1 Pl./6 s.f.
Lot Area	Required	Provided	Required
Required Front Yard	Required	Provided	Provided
Lot Area	20,320	30,211 (29%)	10,166 (14%)
Required Front Yard	21,437 (60%)	35,717 (60%)	10,718 (13%)
		1,456 (14%)	2,032/339
		1,456 (13%)	2,143/358
			26

DATE: _____
 SCALE: _____
 TITLE: _____
 DESIGNED BY: _____

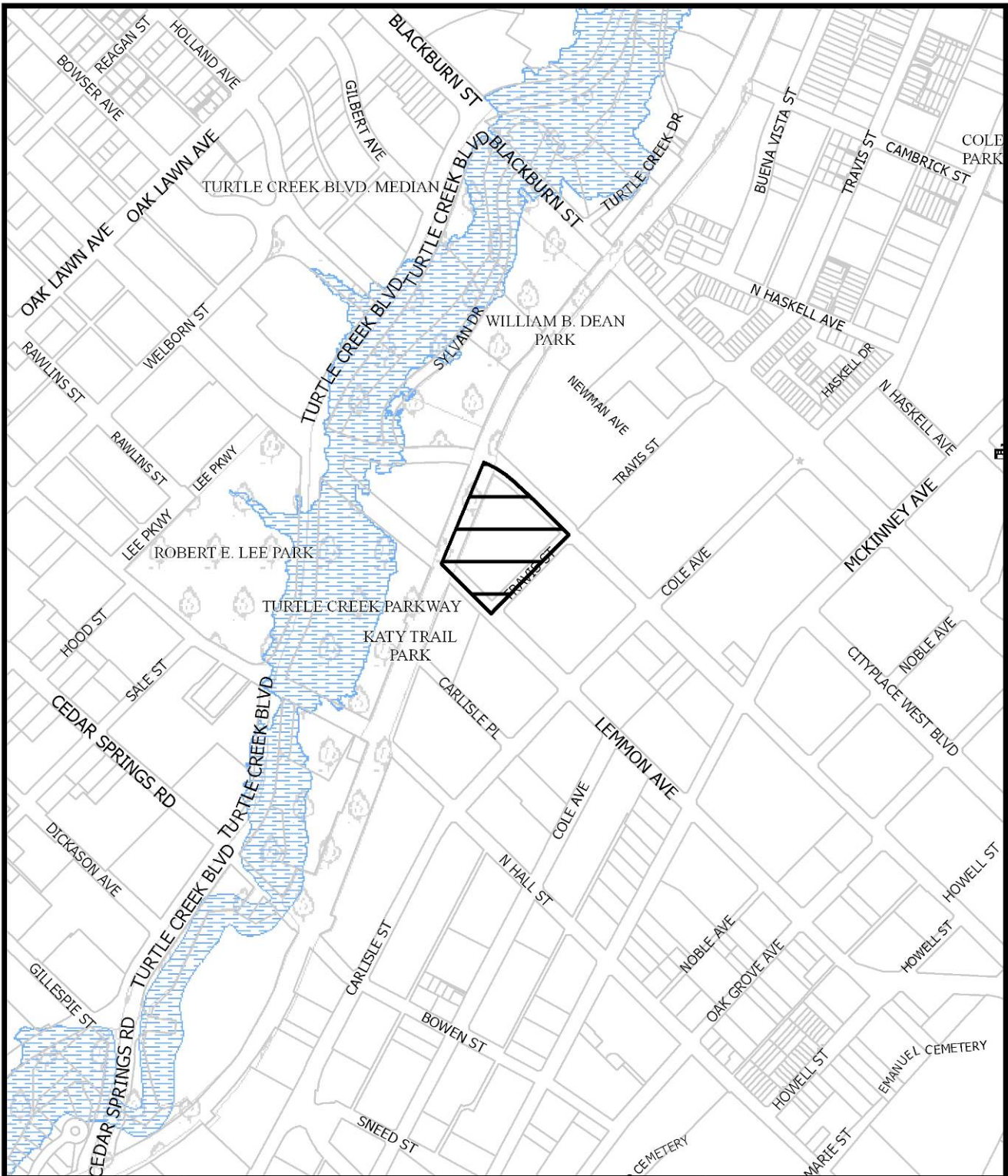
**LANDSCAPE PLAN
 3535 TRAVIS STREET**



900 Jackson Street, Suite 640
 Dallas, Texas 75202
 Phone: 214.761.9197

Land Use & Development Consultants

Proposed Landscape Plan

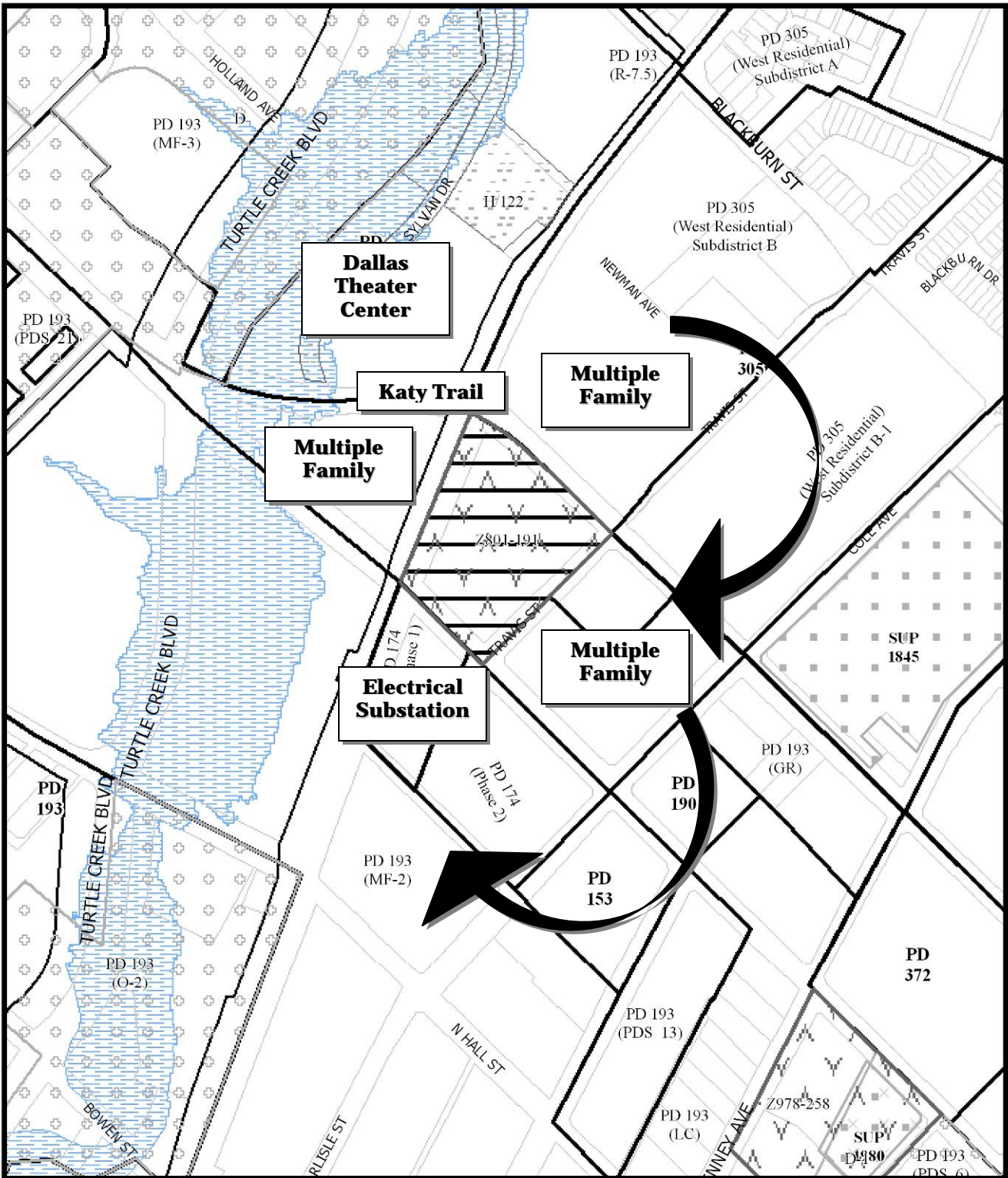


1:6,000

VICINITY MAP

Case no: **Z112-306**

Date: **9/7/2012**

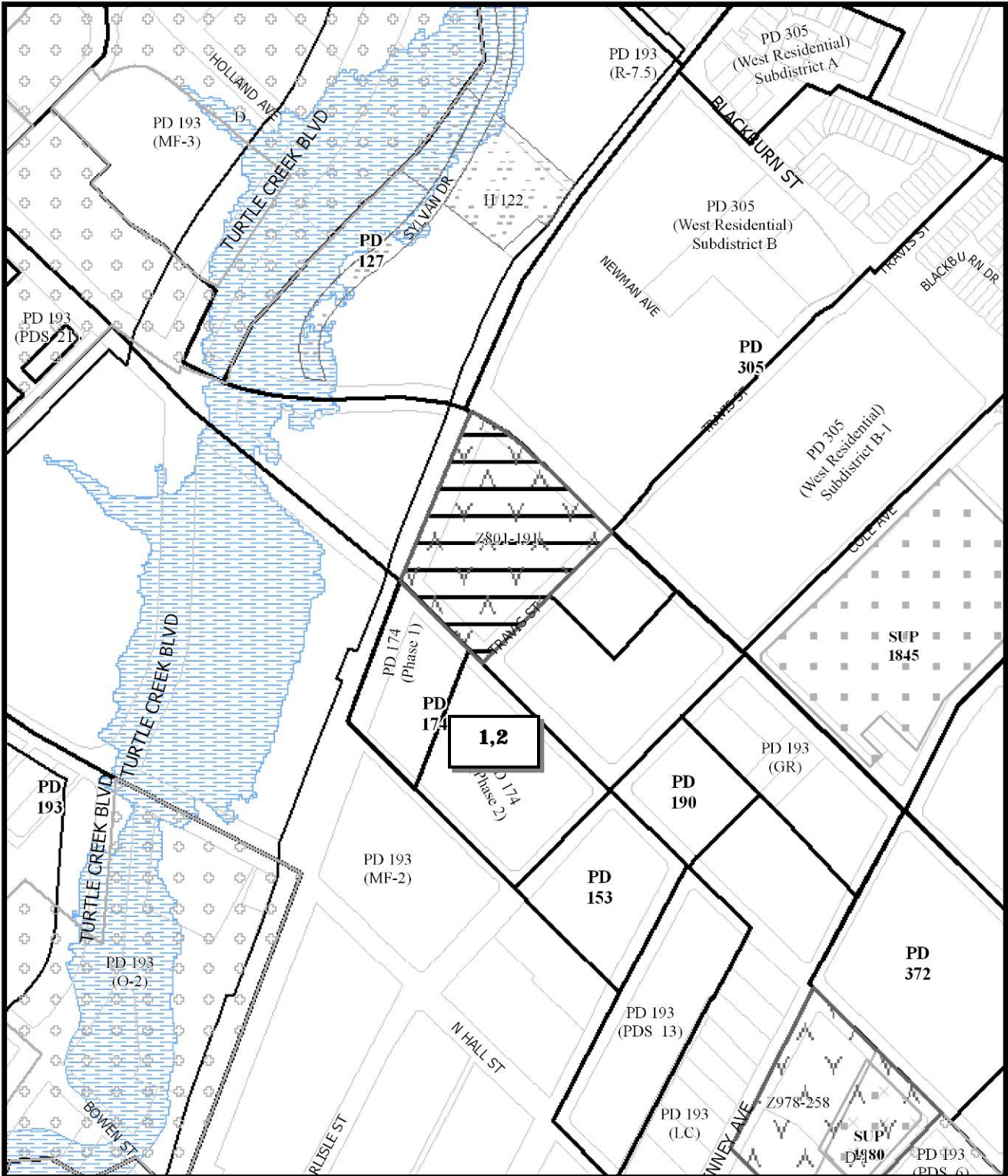


1:3,600

ZONING AND LAND USE

Case no: **Z112-306**

Date: **9/7/2012**




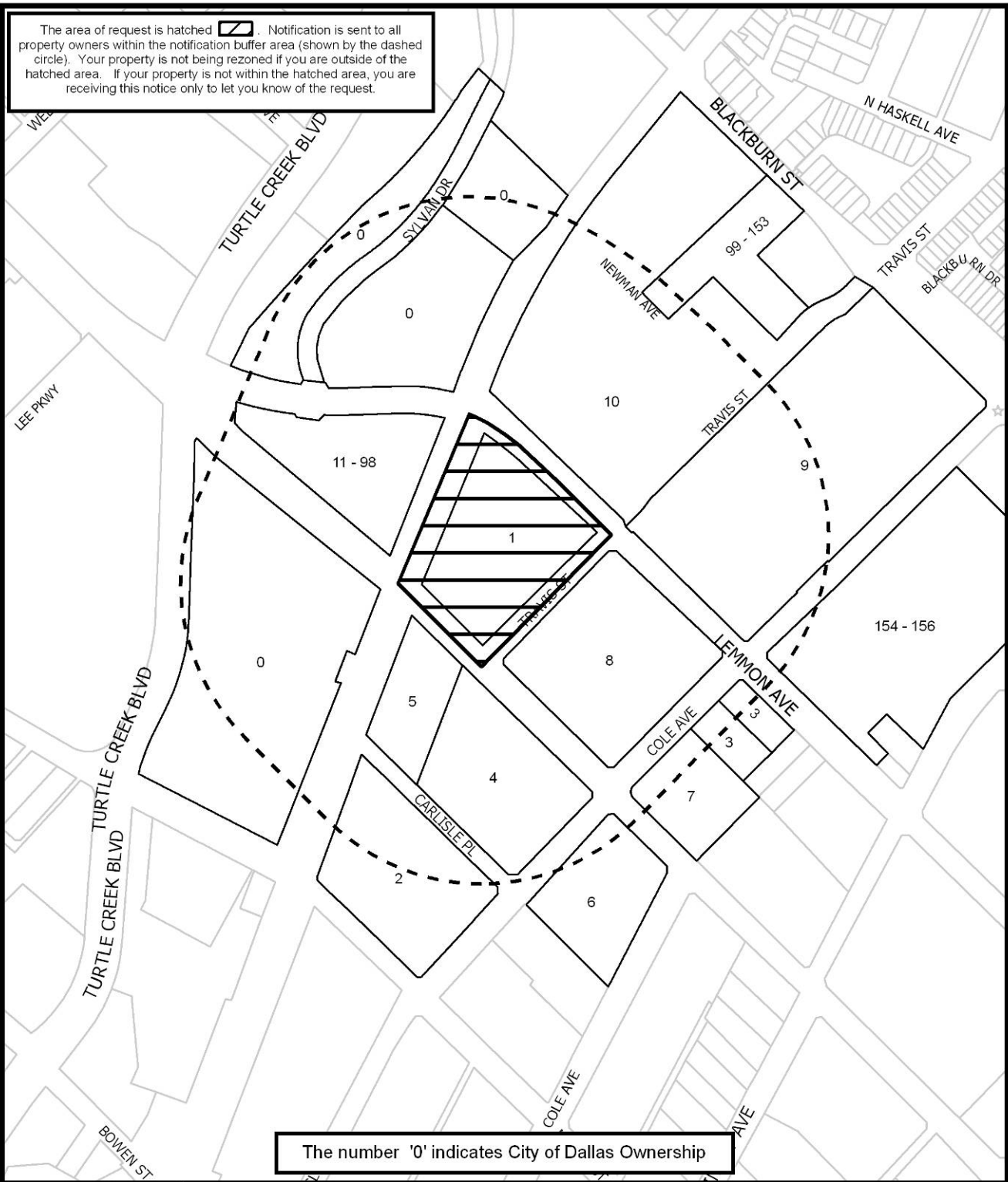
1:3,600

ZONING HISTORY

Case no: Z112-306

Date: 9/7/2012

The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.



The number '0' indicates City of Dallas Ownership



1:3,600

NOTIFICATION

500'

AREA OF NOTIFICATION

156

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-306**

Date: **9/7/2012**

9/7/2012

Notification List of Property Owners***Z112-306******156 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3535 TRAVIS ST	CFO2 DALLAS II LLC
2	3230 HALL ST	KENSINGTON CARLISLE LLC
3	3522 COLE AVE	RP TOWN & COUNTRY SC
4	3223 LEMMON AVE	CITYVILLE CARLISLE LIMITED PS LTD PS
5	9 LEMMON AVE	TEXAS UTILITY ELECTRIC CO DBA TXU ELECTR
6	3400 CARLISLE ST	TURTLE CREEK LIMON LP ATTN GRAHAM
MCFARL		
7	3130 LEMMON AVE	LEMMON & COLE PARTNERS LP STE 100
8	3530 TRAVIS ST	3530 TRAVIS ST APARTMENTS
9	3711 COLE AVE	LG CITYPLACE LP
10	3377 BLACKBURN ST	TC BLACKBURN %B&D EQUITY PROPERTY TAX
GR		
11	3510 TURTLE CREEK BLVD	KEMP MAURY PAGE & JEAN J UNIT 2A
12	3510 TURTLE CREEK BLVD	PITTMAN JUDY GOFF & WILLIAM THOMAS PH 23
13	3510 TURTLE CREEK BLVD	JULIAN RUTH GRAY BLDG 2 UNIT C
14	3510 TURTLE CREEK BLVD	CHEN LIN R & JEFFERY UNIT 2D
15	3510 TURTLE CREEK BLVD	MCKINLEY JOHN K 1994 TR UNIT 2E
16	3510 TURTLE CREEK BLVD	HANKINSON DEBORAH G BLDG 2 UNIT 2F
17	3510 TURTLE CREEK BLVD	HOGLUND FORREST E & SALLY R
18	3510 TURTLE CREEK BLVD	GRINNAN SUSANNA MARITAL TRUST
19	3510 TURTLE CREEK BLVD	MARIANI JANET #3C
20	3510 TURTLE CREEK BLVD	ALLISON CHRISTOPHER & APT 3E
21	3510 TURTLE CREEK BLVD	BALLEW GREGORY E & LISA H UNIT 3F
22	3510 TURTLE CREEK BLVD	PARKER TOM F III & JOANNE E UNIT 4A
23	3510 TURTLE CREEK BLVD	SENISE JAIRO & ELAINE
24	3510 TURTLE CREEK BLVD	SHAUGHNESSY ROBERT M & DENISE T APT
25	3510 TURTLE CREEK BLVD	STOCK DAVID V & GLENDA F
26	3510 TURTLE CREEK BLVD	PHILLIPS CATHERINE COOK & CECIL B

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3510 TURTLE CREEK BLVD	MIDDLEBERG IRA J
28	3510 TURTLE CREEK BLVD	BAKER ANDREW & VERA BAKER
29	3510 TURTLE CREEK BLVD	JAROBEE WALLACE & ANN UNIT 5B
30	3510 TURTLE CREEK BLVD	ROBERTS DAVID M & LAURIE UNIT 5C
31	3510 TURTLE CREEK BLVD	CLARK JOHN J & LESLIE L CLARK APT 5D
32	3510 TURTLE CREEK BLVD	IRWIN ROBERT B & MARY M UNIT 5E
33	3510 TURTLE CREEK BLVD	SMITH KEVIN L UNIT 5F
34	3510 TURTLE CREEK BLVD	GOLDFARB ABRAHAM TR & BARBARA TR
35	3510 TURTLE CREEK BLVD	VAUGHAN SUSAN S
36	3510 TURTLE CREEK BLVD	DONSKY CAL L UNIT 6C
37	3510 TURTLE CREEK BLVD	ABERLY ANSEL & SUZANNE
38	3510 TURTLE CREEK BLVD	AGATHER V NEILS & ELAINE B APT 6E
39	3510 TURTLE CREEK BLVD	SATURN REALTY CORP % C/O HANS HOLTERBOSC
40	3510 TURTLE CREEK BLVD	MAIA LUIS F & VALERIE R UNIT 7-B
41	3510 TURTLE CREEK BLVD	ELLMAN FAMILY PARTNERSHIP BLDG 7 STE C
42	3510 TURTLE CREEK BLVD	FUNK CAROL O
43	3510 TURTLE CREEK BLVD	CRAIG JOY UNIT 7E
44	3510 TURTLE CREEK BLVD	GOLD LINDA
45	3510 TURTLE CREEK BLVD	MCINERNEY MICHAEL P & KATHLEEN
46	3510 TURTLE CREEK BLVD	OVERCASH CHRISTA A # 8B
47	3510 TURTLE CREEK BLVD	ROTHSTEIN MARION & LORETTA SOFIA ROTHSTE
48	3510 TURTLE CREEK BLVD	DONSKY ANDREA & CAL DONSKY
49	3510 TURTLE CREEK BLVD	JOINT HUSSEINI TR
50	3510 TURTLE CREEK BLVD	ROWAN MARCUS R APT 8F
51	3510 TURTLE CREEK BLVD	SPITZBERG JACK & MARIAN
52	3510 TURTLE CREEK BLVD	HEMBREE H L & JANELLE Y UNIT9B
53	3510 TURTLE CREEK BLVD	ROSS ADAM UNIT 9C
54	3510 TURTLE CREEK BLVD	PEARSON ROBERT L & NORMA D
55	3510 TURTLE CREEK BLVD	WALLACH STEVEN J & SAMRA E
56	3510 TURTLE CREEK BLVD	WALKER THOMAS C & CAROLYN UNIT 10A
57	3510 TURTLE CREEK BLVD	BOBER JOANNE #10B

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3510 TURTLE CREEK BLVD	GRACE OLIVER R JR
59	3510 TURTLE CREEK BLVD	LEWIS JOHN P & ANN L APT 10D
60	3510 TURTLE CREEK BLVD	MILHOUS M DOLORES UNIT 10E0
61	3510 TURTLE CREEK BLVD	HART MILLEDGE A III SUITE 900
62	3510 TURTLE CREEK BLVD	MCDERMETT DONALD J UNIT 11B
63	3510 TURTLE CREEK BLVD	RICHEY H L
64	3510 TURTLE CREEK BLVD	KNORR KATHARINE H REV TR UNIT 11F
65	3510 TURTLE CREEK BLVD	LEE HARRY & SOPHIE WU LEE UNIT 12A
66	3510 TURTLE CREEK BLVD	SCHENKEL STEPHEN UNIT 12-B
67	3510 TURTLE CREEK BLVD	SAMUEL MESFIN
68	3510 TURTLE CREEK BLVD	ZOLLARS ROBERT L ETAL # 12D
69	3510 TURTLE CREEK BLVD	SCHOLZ NANCY S APT 12E
70	3510 TURTLE CREEK BLVD	CHRISTENSEN JOHN G UNIT12F
71	3510 TURTLE CREEK BLVD	MCADAMS HERBERT HALL III& LETTY CASTLEBE
72	3510 TURTLE CREEK BLVD	FELDMAN HELGA A UNIT 14B
73	3510 TURTLE CREEK BLVD	TURNER FRED E & PATRICIA NO 14C
74	3510 TURTLE CREEK BLVD	QUERBES C R & DIANNE # 14D
75	3510 TURTLE CREEK BLVD	PRATT EDWARD T JR & MARIA A PRATT APT 15
76	3510 TURTLE CREEK BLVD	WHITMAN MARIE CAROLINE UNIT 15B
77	3510 TURTLE CREEK BLVD	STANLEY GAINES & VICKIE #15C
78	3510 TURTLE CREEK BLVD	BANK OF NEW YORK ET AL CHURCH STREET STA
79	3510 TURTLE CREEK BLVD	STANLEY GAINES B JR & VICKIE C #15E
80	3510 TURTLE CREEK BLVD	LEHNER PAUL M & LINDA S UNIT 16A
81	3510 TURTLE CREEK BLVD	UPTON JOHN A
82	3510 TURTLE CREEK BLVD	DITTMAN WILLIAM & PAULETTE APT
83	3510 TURTLE CREEK BLVD	GEORGE WILLIAM W UNIT 16D
84	3510 TURTLE CREEK BLVD	MOORE JAMES H & BEVERLY J
85	3510 TURTLE CREEK BLVD	BAACK LYLE A & SHERILL A
86	3510 TURTLE CREEK BLVD	ENGLES CYNTHIA K UNIT 17B
87	3510 TURTLE CREEK BLVD	KEW CLARIDGE LLC
88	3510 TURTLE CREEK BLVD	STRAUSS ROBERT S %RICHARD C STRAUSS STE3

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	3510 TURTLE CREEK BLVD	OPPENHEIMER MILDRED M TR UNIT 17E
90	3510 TURTLE CREEK BLVD	MACCO PROPERTIES INC
91	3510 TURTLE CREEK BLVD	THOMA CARL & THOMA MARILYNN UNIT 18E
92	3510 TURTLE CREEK BLVD	THOMA CARL & THOMA MARILYNN UNIT 18-E
93	3510 TURTLE CREEK BLVD	MILHOUS M DOLORES NO 10E
94	3510 TURTLE CREEK BLVD	HART MILIEDGE A III ET AL SUITE 900
95	3510 TURTLE CREEK BLVD	STRAUSS ROBERT S % JERRY A CANDY CPA
96	3510 TURTLE CREEK BLVD	SMITH POMEROY & BETTY SUITE 19A PHA
97	3510 TURTLE CREEK BLVD	BUFORD ROBERT & LINDA
98	3510 TURTLE CREEK BLVD	MILHOUS M DOLORES UNIT 10 E
99	3311 BLACKBURN ST	SUERO LILIANA
100	3311 BLACKBURN ST	BICHLER BRANDON CLARK
101	3311 BLACKBURN ST	SMITH WILLIAM
102	3311 BLACKBURN ST	MCCARTNEY ALISHA M
103	3311 BLACKBURN ST	SULIT MARIO A
104	3311 BLACKBURN ST	KATEB MEDHI &
105	3311 BLACKBURN ST	TRAN JOHN
106	3311 BLACKBURN ST	JOHNSON CHANELLE L #108
107	3311 BLACKBURN ST	PRICE LINDSEY C
108	3311 BLACKBURN ST	MAK NANCY MAN FONG
109	3311 BLACKBURN ST	VAUGHN PATRICIA
110	3311 BLACKBURN ST	BANCROFT CHRISTOPHER JR
111	3311 BLACKBURN ST	DANE EUGENE
112	3311 BLACKBURN ST	LEHENBAUER DAVID G UNIT 116
113	3311 BLACKBURN ST	RUCHLIN KEVIN
114	3311 BLACKBURN ST	NUNEZ CARLOS A UNIT 118
115	3311 BLACKBURN ST	GERMANY MEREDITH PAIGE
116	3311 BLACKBURN ST	WEBB RONALD J # 120
117	3311 BLACKBURN ST	CALHOUN BRENDA OATES
118	3311 BLACKBURN ST	CASH ERIN TIFFANY
119	3311 BLACKBURN ST	GONZAGA CHRISTINE

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	3311 BLACKBURN ST	RICCARDI ALYSON L UNIT 125
121	3311 BLACKBURN ST	MEADOR KIRSTEN M
122	3311 BLACKBURN ST	RAMSEY BRIDGETTE S
123	3311 BLACKBURN ST	BORNE MATTHEW UNIT 128
124	3311 BLACKBURN ST	LONG KRISTINA A UNIT 129
125	3311 BLACKBURN ST	ARSIANTO JANESA UNIT 201
126	3311 BLACKBURN ST	SNYDER ANA
127	3311 BLACKBURN ST	WRIGHT LARRY J & WRIGHT PATRICIA D
128	3311 BLACKBURN ST	MOTLAGH AL
129	3311 BLACKBURN ST	ROBERTS DIANA
130	3311 BLACKBURN ST	MCCARTNEY BRIAN SCOTT UNIT 206
131	3311 BLACKBURN ST	TORRES DULCE
132	3311 BLACKBURN ST	NGO HONGVIEN # 208
133	3311 BLACKBURN ST	NORWICH MANAGMENT LLC
134	3311 BLACKBURN ST	GREEN PHILLIP WISTER
135	3311 BLACKBURN ST	TORRES DULCE M
136	3311 BLACKBURN ST	HERNANDEZ DANIELLE
137	3311 BLACKBURN ST	SHADE PARKER H UNIT 213
138	3311 BLACKBURN ST	SWIFT MICHAEL UNIT 214
139	3311 BLACKBURN ST	KRIVACIC ROBYN UNIT 215
140	3311 BLACKBURN ST	NH EXEMPT TRUST U/A MARIA R
141	3311 BLACKBURN ST	BISHOP THOMAS D
142	3311 BLACKBURN ST	GOVITVIWAT PRINYA & MANANYA
143	3311 BLACKBURN ST	LAROCCA ASHLEY
144	3311 BLACKBURN ST	E S INTERESTS LLC
145	3311 BLACKBURN ST	MICIOTTO ELLETT J UNIT 221
146	3311 BLACKBURN ST	CAMPANARO JENNIFER L
147	3311 BLACKBURN ST	KNOPIK NICOLE A
148	3311 BLACKBURN ST	KEARNEY KATHLEEN
149	3311 BLACKBURN ST	DECKER WILLIAM M
150	3311 BLACKBURN ST	CORONA GARY L & DETTA D

Z112-306(RB)

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	3311 BLACKBURN ST	HINES MATHEW B TRUST
152	3311 BLACKBURN ST	RUGGIERO ROSECELLE M
153	3311 BLACKBURN ST	GOLDBERG ERIC #229
154	3699 MCKINNEY AVE	CWS VILLAGE RESIDENTIAL LP SUITE 210
155	3699 MCKINNEY AVE	SOUTH ALLEY LOFT LLC BLDG A UNIT 221
156	3699 MCKINNEY AVE	MILLER HENRY S III & ANGELA AHMADI

FILE NUMBER: Z123-114 (JH)

DATE FILED: October 17, 2012

LOCATION: Southwest corner of Greenville Avenue and Vanderbilt Avenue

COUNCIL DISTRICT: 14

MAPSCO: 36-P

SIZE OF REQUEST: Approx. 0.33 acres

CENSUS TRACT: 3

REPRESENTATIVE: Rob Baldwin

APPLICANT/OWNER: Thomas Roppolo

REQUEST: An application for a new subarea for commercial uses on property zoned Conservation District No. 9, the M-Streets Conservation District.

SUMMARY: The applicant proposes to continue the operation of the existing liquor store. The purpose of the request is also to allow limited retail uses, provide for the existing structure to remodel the exterior facade, and provide for development standards and increased architectural standards if the request site is redeveloped.

STAFF RECOMMENDATION: Approval, subject to an existing conditions site plan, amendment to the CD No. 9 conceptual plan, and conditions

BACKGROUND INFORMATION:

- The request site is currently developed with a liquor store, which became a non-conforming use when the property was included in the creation of Conservation District No. 9 in 2002. CD No. 9 only permits single family uses.
- The applicant proposes to make the liquor store a conforming use and to allow for a compatible exterior remodel of the commercial structure.

Zoning History:

1. BDA 101-039 On May 25, 2011, the Board of Adjustment approved a height variance of 7 feet to allow a portion of the structure to be constructed at a height of 33 feet.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Greenville Avenue	Local	60 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because the new subarea maintains the commercial use of the property while allowing for the exterior to be remodeled in a more compatible way with the residential neighborhood. Conditions are proposed to facilitate redevelopment of the site in a way that would be even more compatible with the early 20th century building siting and façade treatments. It is important to maintain this property for commercial use because the other commercial properties in this neighborhood benefit from the others as the formation of a commercial node on Greenville Avenue and provide walk-to-retail options for the residential neighborhood.

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.

ECONOMIC ELEMENT

- GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS**
- Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

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

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.

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.2 Promote neighborhood-development compatibility.

NEIGHBORHOOD ELEMENT

GOAL 7.2 PRESERVATION OF HISTORIC AND CULTURAL ASSETS

Policy 7.2.2 Create a sense of place through the built environment while maintaining the existing historic fabric.

Land Use Compatibility:

The surrounding land uses are single family residential to the north, west, and east. Commercial uses to the south include restaurant and bar, personal service, office, and general retail. The request site represents the northern-most commercial property in this middle node of non-residential uses along Greenville Avenue between Mockingbird Lane and Live Oak Street. The non-residentially zoned area in this node is approximately 3.6 acres and either a CR Community Retail District or a P(A) Parking District.

The request site is developed with a commercial building constructed in 1966 that is approximately 4,800 square feet. Prior to that, the request site appears to have been two single family lots. The 1966 building appears to have contained three suites, which included a grocery and laundry store. The general merchandise use changed to a liquor store in 1968 and in the mid-1970s, the entire building converted to the liquor store.

The development style of the request site is auto-oriented with the building set back from the street with its parking in front, typical of commercial development since the

1950s as the automobile became more and more common. This is the only commercial property within this node that has off-street parking in front of the building; all other parking along Greenville Avenue in this area has its maneuvering within the right-of-way.

Conservation District No. 9, the M-Streets/Greenland Hills CD, was established on November 13, 2002 and is approximately 176 acres of land. The only permitted land use is single family. CD No. 9 establishes development standards, architectural standards for new construction, and architectural standards for remodeling; there is no demolition standard except for high tudor homes, nor is there any regulation for commercial structures or uses. The conceptual plan for CD No. 9 includes the request site within the boundaries of the CD, but ignores the request site's commercial use and development. One property is mentioned in the conceptual plan of CD No. 9 as being a residential structure with an office use, located at the northwest corner of Greenville Avenue and Mercedes Avenue. This land use is also non-conforming, but is not located adjacent to another non-residential use.

The primary purpose of the applicant's request is to make the liquor store a conforming use. If this request is denied, the liquor store will still be a non-conforming use within a non-conforming structure. The applicant is intending to sell the property to another party who wishes to remodel the existing structure and have a conforming land use. The applicant has applied for a subarea within CD No. 9 to limit non-residential land uses and provide for development standards to make the current structure conforming. The list of proposed permitted uses includes uses that are mostly active retail uses, yet have a potentially lesser impact on parking demand than some Community Retail District uses such as restaurant. The list of permitted uses is much shorter than the CR District uses, but will give some flexibility in the occupancy potential for the request site.

Staff is supportive of a subarea with CD No. 9 because of the opportunity to address architectural standards for remodeling and new construction, which will help the request site become more compatible with the development styles and architecture of the other commercial properties in this node. The current siting is out of character with the other commercial properties here. The CD Subarea conditions capture the existing conditions of the structure placement as conforming to meet the applicant's short term objective and outline standards for redevelopment and redevelopment standards are intended to reflect the existing conditions within the commercial node, where the front of the building addresses Greenville Avenue, height is proposed at 1 ½ stories, and reduced landscaping standards that fit an urban development type.

It is important to note that the other properties with the CR Community Retail zoning have no architectural standards or conservation requirements. Redevelopment and alteration of those sites will be constrained by the ability to fully meet the parking requirements due to the Modified Delta Overlay and the non-conformity of the front yard setback for most properties.

Architectural standards in the proposed conditions address minimal standards for remodeling and increased standards for new construction. The remodeling architectural standards are intended to require that changes to exterior façade be more compatible

with the residential and commercial building styles. The architectural style for new construction is Early 20th Century Commercial, which is a style described in other conservation and historic districts such as CD No. 7/Bishop/Eighth Street and Historic Overlay District No. 72/Peak Suburban Addition. In addition to the architectural requirements listed for new construction, the style characteristics of Early 20th Century Commercial buildings will be considered when reviewing a CD work review form for permitting new construction.

It is important to note that while the proposed conditions address remodeling and new construction, redevelopment of the request site is unlikely in the short term without a parking reduction.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses	
	Front	Side/Rear						
Existing								
CD 9 Single Family	Average of adjacent houses	5' on west; 10' on east 20' rear	1 Dwelling Unit/ 7,500 sq. ft.	30' with line of sight; 1 ½ stories	45%	Architectural standards	Single family	
Proposed								
CD 9 Subarea A Commercial	Remodel	48' Greenville/ 24' Vanderbilt Min 5'	9.9' interior side 0' rear/alley side	4,800 square feet	14.1'	34%	Architectural standards	Retail/personal service, office
	New construction	Max 15' 80% frontage on Greenville; min 5' Vanderbilt	15' interior side yard 0' rear /alley side	1	30'; 1 ½ stories	60%	Architectural standards	Retail/personal service, office

Parking/Traffic:

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

Greenville Avenue is designated for future study on the Bike Plan.

The request site is currently developed with a 4,800 square foot liquor store and providing 12 off-street parking spaces. Parking requirements for a liquor store are 1 per 200 square feet of floor area today and at the time the structure was constructed in the mid-1960s. While the request site was constructed as a three-suite structure, it was converted to be entirely a liquor store in the mid-1970s. Therefore, the request site appears to be deficient in parking by 12 spaces from the information available in permitting records.

The request site is located in Tract 2 of the MD-1 Modified Delta Overlay. Modified Delta is an overlay that specifically constrains occupancy and additions for sites that have delta credits (non-conforming parking rights). If the request site has any delta

credits, the property owner and tenants must be very careful to not trigger a complete loss of delta credits. Vacancy for more than six months, any addition, and changing to a land use that requires more parking are examples of triggers within a Modified Delta Overlay that would eliminate all delta credits for that suite or building site. Any delta credits the request site has will be a hindrance to redeveloping the request site unless parking for the site is reduced by amending the zoning or Board of Adjustment approval.

Landscaping:

The proposed CD Subarea conditions contain landscaping requirements if the site is redeveloped. The landscaping requirements are slightly reduced, but specifically guide landscaping requirements for the site.

CONSERVATION DISTRICT NO. 9
PROPOSED CONDITIONS

EXHIBIT A

M STREETS CONSERVATION DISTRICT REGULATIONS

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(a) Interpretations and definitions.

- (1) Unless otherwise stated, all references to articles, divisions, or sections in this ordinance are to articles, divisions, or sections in Chapter 51A.
- (2) Unless otherwise stated, the definitions in Chapter 51A apply to this ordinance. In this ordinance:
 - (A) ARCHITECTURAL DESIGN FEATURES include chimneys; roof style, slope, and overhang; materials; window style; vent style; balconies; towers; wing walls; eave overhangs; window sashes; front porches; crowns; pilasters; and other exterior architectural features.
 - (B) CIRCULAR DRIVEWAY means a non-permeable surface located in a front yard or cornerside yard, used to access off-street parking or for off-street parking, and that has two curb cuts onto the same street or perpendicular streets.
 - (C) COMPATIBLE means consistent with the architectural design features found within the district, including architectural style, scale, massing, setbacks, colors, and materials.
 - (D) CONTEMPORARY means contemporary architectural style as shown in Exhibit B.
 - (E) CORNER LOT means a lot that has frontage on two different streets.
 - (F) CORNERSIDE FACADE means a main building facade facing a side street.
 - (G) CORNERSIDE LOT LINE means the lot line on a side street.
 - (H) CORNERSIDE YARD means a side yard that abuts a street. A NON-CORNERSIDE YARD means a side yard that is not a cornerside yard.
 - (I) CRAFTSMAN means craftsman architectural style as shown in Exhibit B.
 - (J) DEMOLITION means the razing of the entire building or structure.
 - (K) DIRECTOR means the director of the department of development services or the director's representative.

- (L) DISTRICT means the M Streets Conservation District.
- (M) FENCE means a structure or hedgerow that provides a physical barrier.
- (N) FRONT FACADE means the building elevation facing the front street.
- (O) FRONT STREET means Homer Street for houses with Homer Street addresses, McCommas Boulevard, Mercedes Avenue, Merrimac Avenue, Monticello Avenue, Morningside Avenue, Ridgedale Avenue, and Vanderbilt Avenue.
- (P) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and a main building and lines parallel to and extending outward from the front facade of a main building. REQUIRED FRONT YARD means the portion of the front yard between the street and the setback line.
- (Q) HARDSCAPE means any non-plant landscape materials such as boulders, cobbles, decorative concrete, gravel, mulch, pavers, or stones.
- (R) HEIGHT means the vertical distance measured from grade to the highest point of the structure as shown in Exhibit B.
- (S) HIGH TUDOR means high tudor architectural style as shown in Exhibit B.
- (T) LARGE CANOPY TREES means those varieties of Maple, Oak, Elm, and Pecan designated as large canopy trees by the city arborist.
- (U) LINE-OF-SIGHT refers to an imaginary line extending from the viewpoint of a six-foot-tall person standing in the middle of the street to the apex of the roof of the main structure's side gable. (See Exhibit B.)
- (V) MAIN STRUCTURE means the building on a lot intended for occupancy by the main use.
- (W) MINIMAL TRADITIONAL means minimal traditional architectural style as shown in Exhibit B.
- (X) NEO-COLONIAL means neo-colonial architectural style as shown in Exhibit B.
- (Y) ONE-AND-ONE-HALF STORY STRUCTURE means a main structure in which the space within the roof structure has been converted to livable space.
- (Z) ORIGINAL HOUSE means a house constructed between 1920 and 1940 in the High Tudor style.
- (AA) PARKWAY means that area between the sidewalk and the curb, or that area between the sidewalk and the street pavement if there is no curb.

- (BB) RANCH means ranch architectural style as shown in Exhibit B.
 - (CC) REAR YARD means:
 - (i) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lines parallel to and extending outward from the rear facade of a main building and the rear lot line; and
 - (ii) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the cornerside facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.
 - (DD) REMODEL means improvements or repairs that change the appearance of the main structure or replace original materials of the main structure with another material.
 - (EE) RETAINING WALL means a wall used to prevent the erosion of land.
 - (FF) ROOF RIDGE means the apex of any roof structure, regardless of its style or form.
 - (GG) SIDE-STREET means Central Expressway, Glencoe Street, Greenville Avenue, Homer Street for houses with non-Homer addresses, Laneri Avenue, McMillan Avenue, and Worcola Street.
 - (HH) SIDE YARD means any portion of a lot not occupied by a main building that is not a front yard or rear yard. "Side yard" includes "cornerside yard."
 - (II) SPANISH REVIVAL means spanish revival architectural style as shown in Exhibit B.
 - (JJ) STREET FACADE means any part of a building that faces a public street.
 - (KK) TUDOR COTTAGE means tudor cottage architectural style as shown in Exhibit B.
 - (LL) WRAP-AROUND means that portion of a side facade of a main structure 25 feet behind the corner of the front facade.
- (b) Conceptual plan. The M Streets Conservation District Conceptual Plan is attached to and made a part of this ordinance as Exhibit B. In the event of a conflict between Exhibit A, the M Streets Conservation District Regulations, and Exhibit B, the conceptual plan, Exhibit A controls.
- (c) Nonconforming structures. Section 51A-4.704(c), "Nonconforming Structures," applies, except that if the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.

- (d) Development standards for single family uses. Except as otherwise provided, the development standards of the R-7.5(A) Single Family District apply.
- (1) Use. The only use allowed is single-family.
 - (2) Conversions or additions. The number of dwelling units on a lot may not be increased.
 - (3) Lot size. Lots must have a minimum area of 7,500 square feet.
 - (4) Lot width. Lots must have a minimum width of 50 feet. Lots may not exceed 60 feet in width.
 - (5) Lot coverage. The maximum lot coverage is 45 percent.
 - (6) Height. The maximum height for all structures is 30 feet, except that no part of the main structure may exceed the line-of-sight. Height must be calculated by a licensed architect or engineer. (See Exhibit B.)
 - (7) Front yard setback for main structures. The minimum front yard setback for main structures is the average of the front yard setback of the two adjacent houses. The maximum front yard setback for main structures is the greater setback of the two adjacent houses. Setback calculations must be prepared by a licensed architect or engineer.
 - (8) Side yard setback for main structures. Except for houses located on Homer Street, the minimum side yard setback for main structures is five feet on the west side and 10 feet on the east side. For houses on Homer Street, the minimum side yard setback for main structures is five feet on the north side and 10 feet on the south side.
 - (9) Rear yard setback for main structures. The minimum rear yard setback for main structures is 20 feet.
 - (10) Stories. The front facade of main structures must have the appearance of a one-and one-half story structure as shown in Exhibit B.
 - (11) Accessory structures, garages, and carports.
 - (A) Location. Garages and carports must be located in the rear 30 percent of the lot. On corner lots, accessory structures may not be located closer to the cornerside lot line than the main structure.
 - (B) Access. Garages must have at least one vehicle entrance from the street.
 - (C) Style and materials. The color, style, design, and materials of garages that are visible from the street must be compatible with the main structure.

- (D) Roof slope. If a garage is visible from the street, the slope of the roof must match either the roof slope of the main structure or the roof slope of original garages.
 - (E) Side yard setback. There is no required side yard setback for garages, except that no part of the garage may overhang adjacent property.
 - (F) Rear yard setback for garages.
 - (i) Garages over 15 feet in height must have a minimum five-foot rear yard setback.
 - (ii) Garages 15 feet or less in height must have a three-foot rear yard setback unless the property owner can document the original footprint, in which case the garage may be built on the original footprint.
 - (iii) The minimum rear yard setback for all rear-entry garages is 20 feet.
 - (G) Existing garages. Existing garages that are not located to the rear of the main structure may be repaired or maintained, but may not be enlarged or replaced.
- (12) Roofing materials. No corrugated plastic, standing-seam metal, rolled, or tar-and-gravel roofing is allowed on the front facade, the wrap-around, or any part of a garage that is visible from a street. Copper roofing accents are allowed on dormers and eyebrows.
- (13) Fences and walls.
- (A) Fences are not allowed in the front yard.
 - (B) Fences and walls that can be seen from a street must be constructed of brick that matches the main structure, stone, wood, or wrought iron.
 - (C) Fences in cornerside yards must be located behind the mid-point of the main structure.
 - (D) Fences in non-cornerside yards must be located at least five feet behind the front corner of the house.
- (14) Driveways and curbing.
- (A) All houses must have a straight driveway located along the east side (south side for Homer lots) of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
 - (B) Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.

- (C) All driveways and curbing located in a front yard or cornerside yard must be constructed of brushed concrete.
 - (D) The driveway entry must be between eight and ten feet wide. On corner lots, a driveway on the side street may be 24 feet wide if it is located behind the rearmost corner of the main structure or provides access to a garage.
 - (E) Existing driveways on cornerside lot lines may be removed if the entire driveway is removed, the curb and parkway is restored, and the driveway is relocated.
- (15) Front yards and parkways.
- (A) No more than 30 percent of the front yard may be paved or hardscaped. The parkway may not be paved or hardscaped except for curb cuts and sidewalk extensions.
 - (B) Mailboxes, pylons, satellite dishes, and other accessory structures are not allowed in the front yard or parkway.
- (16) Retaining walls.
- (A) Existing retaining walls may be repaired and maintained.
 - (B) New retaining walls must be made of stone and may not exceed 30 inches in height as measured from the sidewalk or four inches above the yard it is retaining, whichever is less; and must match the materials and color of the main structure.
- (17) Parkway trees. Prior to final inspection on any new construction or additions over 100 square feet, at least two, two-caliper-inch large canopy trees must be planted in or adjacent to the parkway. This requirement does not apply if there are already two or more large canopy trees located in or adjacent to the parkway. A large canopy tree is considered adjacent to the parkway when the tree, fully grown, will provide a 10-foot-wide shaded area over the parkway and a portion of the street at midday. If trees are planted in the public right-of way, all applicable licensing requirements must be met.
- (18) Windows and doors.
- (A) The following applies to windows and doors on the front facade and the wrap-around:
 - (i) Only transparent, stained, or leaded glass is allowed in windows and doors.
 - (ii) Window height must be greater than the window width.
 - (iii) All windows must fit the wall opening. Infill surrounding the window is not allowed.

- (iv) Metal window frames must have a finish that is indistinguishable from the finish on original wood windows.
- (v) Window air conditioner units are not allowed.
- (vi) Window muntins and mullions must be expressed by a minimum of one-fourth inch. Window assemblies must have a profile depth of at least three inches.

[Architectural requirement sections for single family uses omitted for brevity.]

(o) Development standards for commercial uses in Subarea 1.

(1) Uses.

(A) Agricultural uses.

-- None

(B) Commercial and business service uses.

-- Catering service. (No on-premise consumption of food or beverage.)

--Custom business services.

(C) Industrial uses.

--None

(D) Institutional and community service uses.

--None

(E) Lodging uses.

--None

(F) Miscellaneous uses.

--None

(G) Office uses. (No office use may exceed 2,400 square feet combined.)

--Financial institution without drive-in window.

--Office.

(H) Recreation uses.

-- None

(I) Residential uses.

--None

(J) Retail and personal service uses.

--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

--Liquor store.

--Nursery, garden shop, or plant sales. [Limited to inside a building only

with accessory outside display.]

--Personal service uses.

--Temporary retail use.

(K) Transportation uses.

--Transit passenger shelter.

(L) Utility and public service uses.

-- None

(M) Wholesale, distribution, and storage uses.

--None

(2) Prohibited uses.

(A) Drive-in and drive through lanes, windows, or services are prohibited.

(B) Rooftop occupancy is prohibited.

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

(4) Existing structure development standards.

(A) Yard, lot, and space regulations.

(i) The existing structure must comply with the dimensional conditions shown on the site plan attached in Exhibit C. The existing structure is a conforming structure, but may not be enlarged except:

(aa) awnings may encroach up to five feet from the Greenville Avenue-facing façade shown in Exhibit C.

(bb) the building height may be raised to improve the architectural compatibility of the structure.

(ii) Enlargement of the structure's awnings or height must comply with the architectural requirement for remodeling in this subarea for awnings, equipment screening, height, and roofs.

(B) For all other regulations, treat as a CR Community Retail District.

(C) Off-street parking and loading. Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(5) Development standards for new construction.

(A) Yard, lot, and space regulations.

(i) Front yard.

(aa) Greenville Avenue. Minimum front yard is five feet. Maximum front yard is 15 feet. The minimum frontage requirement between the minimum and maximum front yard is a minimum of 80 percent of the lot length.

(bb) Vanderbilt Avenue. Minimum front yard is five feet.

(cc) Encroachments. Awnings may encroach up to five feet into the required front yard.

(ii) Interior side yard. Minimum interior side yard is 15 feet.

(iii) Alley side yard. No minimum side yard along the alley is required.

(iv) Lot coverage. Maximum lot coverage is 60 percent.

(v) Height. Minimum height is 14 feet of floor-to-floor story dimension for the first floor. Maximum height is 30 feet.

(vi) Stories. Maximum number of stories is one and one-half.

(vii) Lot size. No minimum lot size.

(viii) Floor area ratio. Maximum FAR is 1.

(B) Off-street parking and loading. Consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(C) Environmental performance standards. See Article VI.

(D) Landscaping.

(i) In general. Except as provided, landscaping must be provided in accordance with Article X.

(ii) Site trees. Site trees must be provided within the interior side yard landscape buffer or within the Vanderbilt Avenue required front yard.

(iii) Interior side yard and Vanderbilt Avenue landscape buffer. A minimum of 5 feet of landscape buffer is required. The buffer plant materials in the interior side yard must be provided in accordance with 51A-10.125(b)(7)(B) at a density of one group per 40 linear feet.

(iv) Perimeter landscape buffer strip. No perimeter landscape buffer strip is required.

(v) Parking lot trees. Trees within the interior side yard landscape buffer may satisfy the parking lot tree requirement.

(vi) Design standards. The following are mandatory design standards.

(aa) Greenville Avenue façade planting area. Foundation planting area or planters (containers for plants) containing a mixture of small shrubs or seasonal

plantings and large shrubs or small trees must be provided, or a combination of foundation planting area and planters. If small trees are provided, the minimum planting area must be recommended for small trees. Foundation planting areas must be a minimum of three feet in width and extend for 50 percent of the length of the foundation that faces Greenville Avenue. The large shrubs or small trees must be provided at one plant per every six feet of foundation planting length. If planters are used alone or in combination with foundation planting areas, the density of required large shrubs or small trees must be maintained.

(i) Enhanced pedestrian walkways. Enhanced pedestrian walkways must be provided along both street frontages and across driveways.

(vii) All plant materials must be maintained in a healthy, growing condition.

(E) Screening and visibility obstruction.

(i) A solid screening fence must be provided on the western property line, exclusive of the area for visibility triangles, no less than six feet in height. The solid screening fence must be wood or brick.

(ii) Except as provided in this section, the visual obstruction regulations in Section 51A-4.602(d) apply.

(iii) In this subarea, the visibility triangle is the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the street curb lines) and points on each of the street curb lines 30 feet from the intersection.

(F) Signs.

(i) Except as provided, the provisions for non-business zoning districts apply.

(ii) Except for A-frame signs and movement control signs for parking, detached signs are prohibited.

(iii) A-frame signs. The following regulations apply for new construction only. A-frame signs are prohibited with the existing structure.

(aa) Only one A-frame sign is permitted for each business use.

(bb) A-frame signs may identify a business use.

(cc) The maximum size of an A-frame sign is 32 inches wide and 36 inches tall.

(dd) An A-frame sign may only be displayed when the business it identifies is open.

(ee) A-frame signs may be located on the sidewalk if a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.

(ff) A-frame signs may not be located within 25 feet of an intersection or within a visibility triangle.

(p) Architectural standards for remodeling the existing structure in Subarea 1.

(1) In general. Remodeling of the existing structure in Subarea 1 must be in accordance with this section.

(2) Doors. Each front door must be composed of wood or other material deemed appropriate and have at least one large full-view window. Primary customer entrances must face Greenville Avenue or be corner-facing. Automatic sliding doors are prohibited.

(3) Equipment screening. All rooftop mechanical equipment must be screened with a parapet in order to not be visible from the street.

(4) Façade material. All structures must have brick facades. Decorative accent materials are limited to cast stone and tile and may not exceed 5% of the façade area per building face.

(5) Roofs. All roofs must be flat or hidden by parapets. A minimum three foot tall parapet is required.

(6) Street-facing facades.

(A) Greenville Avenue-facing facades and the wrap-around façade must be visually divided into a main facade and top. The main facade is the façade and fenestration (window and door) requirements of this section. The top must be distinguished from the middle by cornice treatments, stepped parapets, corbelling, textured materials, or differently colored materials.

(B) Awnings are limited to covering window and door areas only.

(7) Story setbacks. No story may be setback from another story. (The wall facing the street must be vertical.)

(8) Windows and panels.

(A) At least 50 percent of the area of the first floor facade facing Greenville Avenue must consist of window or door area. Mirrored, opaque, and translucent glasses are not permitted in any window or door opening. Windows must have a minimum internal transparency depth of three feet.

(B) Paneling is not required for remodeling the existing structure.

(q) Architectural standards for new construction in Subarea 1.

(1) In general. In addition to the architectural requirements for a remodel in Subarea 1, the following architectural standards apply for new construction to model the early 20th century commercial style for non-residential structures. In the event of a conflict between (p) and (q), this section controls.

(2) Doors. In addition to the remodeling door requirements, primary customer entrances must be recessed a minimum of one foot.

(3) Façade material. All structures must have brick facades. Painted brick is prohibited.

(4) Panels. Panels less than three feet in height must be placed below all first floor windows. Panels must be made of wood, brick, tile, or other material deemed appropriate.

(5) Street-facing facades.

(A) First floor store fronts must be divided into two, three, or four bays.

(B) Greenville Avenue-facing facades and the wrap-around façade must be visually divided into a base, middle, and top. The base is the panel requirement of this section. The middle is the fenestration (window and door) requirement of this section. The top must be distinguished from the middle by cornice treatments, stepped parapets, corbelling, textured materials, or differently colored materials.

(C) Façade tops must have a decorative cornice along the top of the façade of each bay.

(D) Each bay must be distinguished by decorative finials or an architecturally detailed stepped parapet.

(E) Signage, lighting, and awnings should be integrated into the storefront design.

(6) Windows.

(A) At least 60 percent of the area of the first floor facade facing Greenville Avenue must consist of window or door area.

(B) Transom windows must be above all first floor windows and doors.

(C) Mirrored, opaque, and translucent glasses are not permitted in any window or door opening. First floor windows must have a minimum internal transparency depth of three feet.

(D) Window frames must be wood or appropriately colored aluminum or vinyl clad.

(e r) Procedures.

(1) Review form applications. A review form application must be submitted to the Director for any work covered by the standards contained in this ordinance.

(2) Posting of architectural plans.

(A) Upon filing a review form application for new construction, the applicant must post a laminated minimum 11-inch-by-17-inch sign in the front yard

with the following information, and provide a copy of the sign to the neighborhood association(s) for the area where the property is located.

- (i) A scaled color rendering of the front facade of the completed new construction or remodeling and the two adjacent houses, indicating the dimensions of all structures.
- (ii) A scaled site plan showing the front yards, driveways, and footprints of the completed new construction or remodeling and the two adjacent structures. The site plan must be sealed by a licensed architect or engineer.

(3) Work requiring a building permit.

- (A) Upon receipt of a review form application for work requiring a building permit, the building official shall refer the review form application to the Director to determine whether the new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 30 days after submission of a complete review form application.
- (B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application, and forward it to the building official, who shall issue the building permit if all requirements of the construction codes and other applicable ordinances have been met.
- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before issuance of a building permit, deny the review form application, and forward it to the building official, who shall deny the building permit. The Director shall give written notice to the applicant stating the reasons for denial of the review form application. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice to the applicant must be sent to the address shown on the review form application.

(4) Work not requiring a building permit.

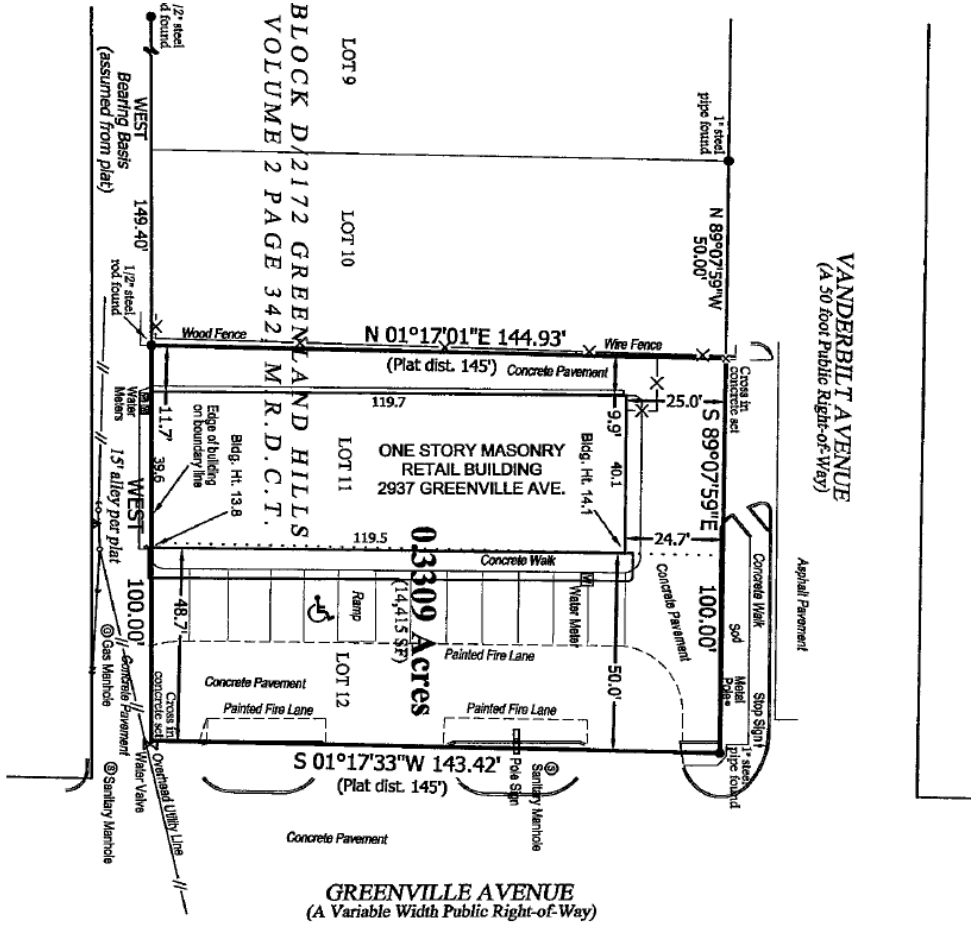
- (A) For work not requiring a building permit, the applicant must submit a review form application. The Director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 10 days after submission of the review form application.
- (B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application and give written notice to the applicant.
- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in

writing the specific requirements to be met before an approval can be granted. The Director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. Notice to the applicant must be sent to the address shown on the review form application.

(5) Appeals.

- (A) An applicant may appeal any decision made by the Director to the board of adjustment. See Section 51A-4.703, "Board of Adjustment Hearing Procedures," as amended.
- (B) In considering the appeal, the sole issue before the board of adjustment is whether the Director erred in the decision. The board of adjustment shall consider the same standards that were required to be considered by the Director.
- (C) Appeal to the board of adjustment is the final administrative remedy.

EXHIBIT C- EXISTING CONDITIONS SITE PLAN



A Land Title Survey of
GREENLAND HILLS
 Lots 11 and 12, Block D/2172,
 An addition to the City of Dallas, Dallas County, Texas

MILLER SURVEYING
 EST. 1985

NORTH

PROPOSED CD NO 9 CONCEPTUAL PLAN AMENDMENT

10.0 Conceptual plan appendage for the creation of Subarea 1

BACKGROUND:

The creation of Conservation District No. 9, M-Streets / Greenland Hills, included over 900 single family homes and two non-residential properties. One property is mentioned in the original conceptual plan as an office in a converted single family structure but does not receive any special treatment in the use, development standards or architectural requirements of CD No. 9. The other property is not mentioned within the conceptual plan or regulating ordinance. That property consists of Lots 11 and 12 of Block D/2172 and has been occupied with a liquor store use in part or all of the 4,800 square foot structure since 1966.

Review of some historical aerial photographs available onlineⁱ showed the property within Subarea 1 was developed as two single family lots, containing single family structures in 1930 and again visible in 1956. In 1956, commercial development existed to the south and southeast along Greenville Avenue. According to available building permit records, the property was redeveloped for commercial uses in 1966.

On October 17, 2012, the property owner filed an application to change the zoning of this property in order to make the land use and structure conforming. Staff supported the amendment to CD No. 9 because of the opportunity to enhance the architectural style and improve upon the building siting in the event of remodeling or redevelopment.

PURPOSE FOR SUBAREA 1 REGULATIONS:

The development of the property was typical for building siting in 1966 where the building is set back away from the street with off-street parking between the building and the street. The commonality of the automobile made it desirable to have parking as



the prominent feature of a development, in addition to the City having minimum parking requirements. This development pattern is unique in this commercial node along Greenville Avenue. Even new construction of a bank in 2006 at the southern end of the commercial node placed the building closer to the street than the parking.

Z123-114(JH)

Remodeling conditions are drafted to be a reasonable improvement in the building's façade and maintain some favorable characteristics of the existing building.

- Flat roof or hidden by parapet
- Brick façade with limited accent materials
- No automatic sliding doors
- Awnings are limited to cover entryways and windows
- Minimum 50% of Greenville Avenue-facing façade be window or door area

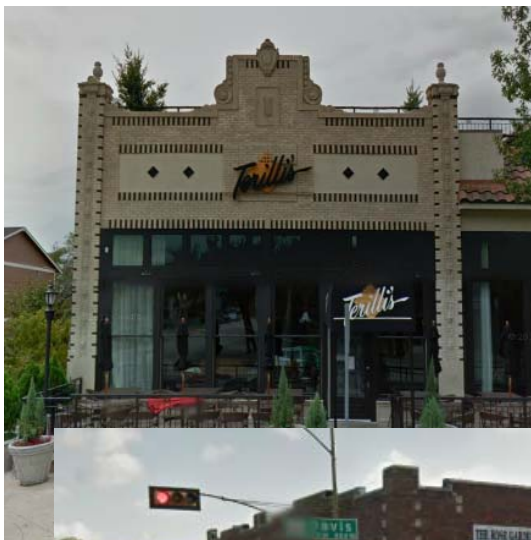


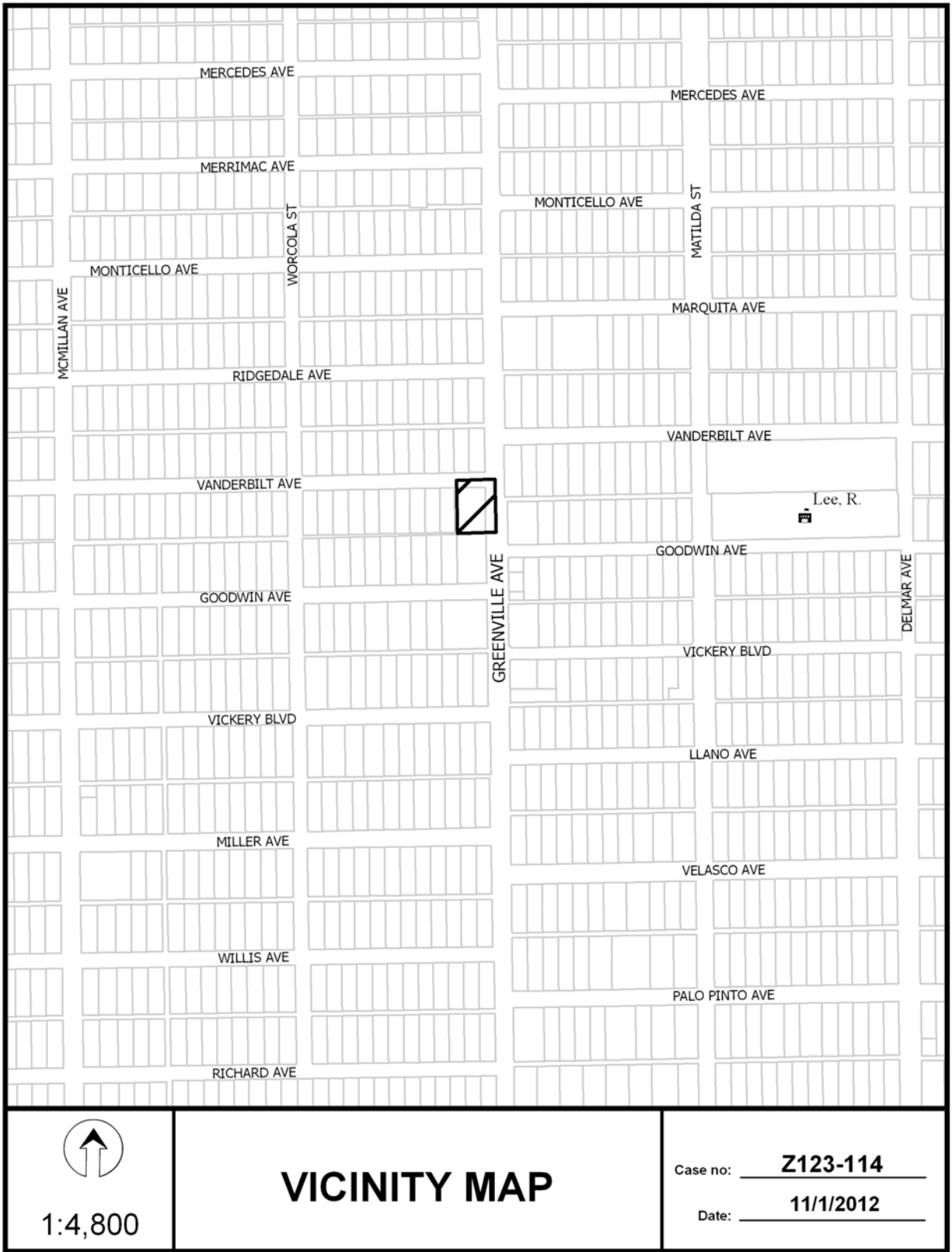
The Greenville-Avenue facing facades of Café Brazil and Stan's Blue Note to the southeast of the property are ideal representations of remodeling regulations. Many of the older buildings in Deep Ellum fit the remodeling regulations as well.

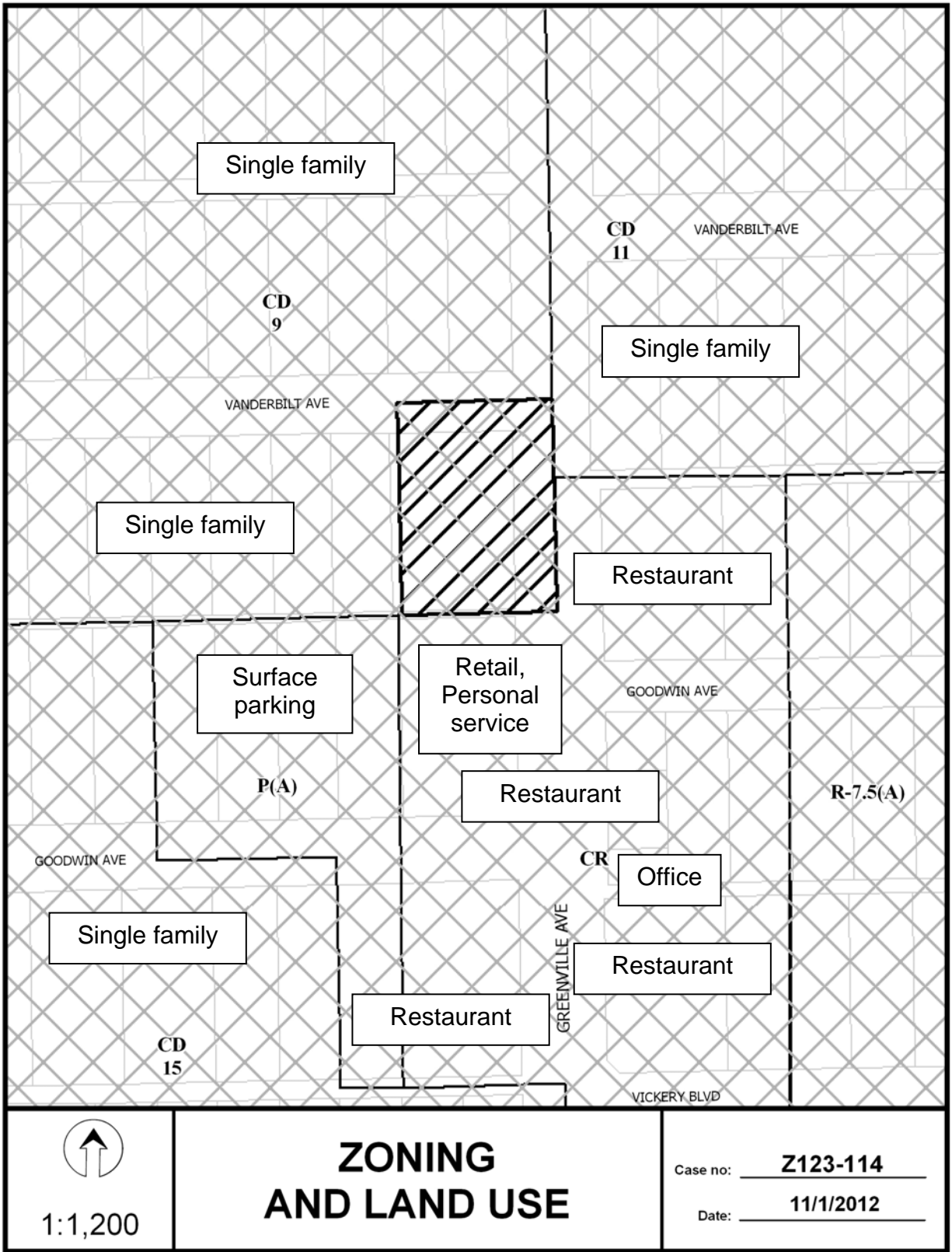
The redevelopment regulations for Subarea 1 are intended to allow the property to become a compatible commercial development, matching the architectural detail and siting as other properties in the commercial node as well as the single family neighborhood. By bringing the building up to the street, redevelopment will be pedestrian-friendly and walkable. Increased architectural detail will enhance the sense of place while maintaining the scale and character of the area.

- Recessed customer entrances
- Painted brick is prohibited
- Paneling required under windows
- Building must contain two to four bays
- Greenville Avenue-facing façade and wrap around to have base, middle, and top with decorative cornices on each bay
- Minimum 60% windows or doors on Greenville Avenue-facing façade

Guidance on the Early 20th Century Commercial style include Terillii's (both before and after reconstruction from fire damage in 2009) and retail buildings found along Davis Street in Oak Cliff and Haskell Avenue near Baylor Hospital.



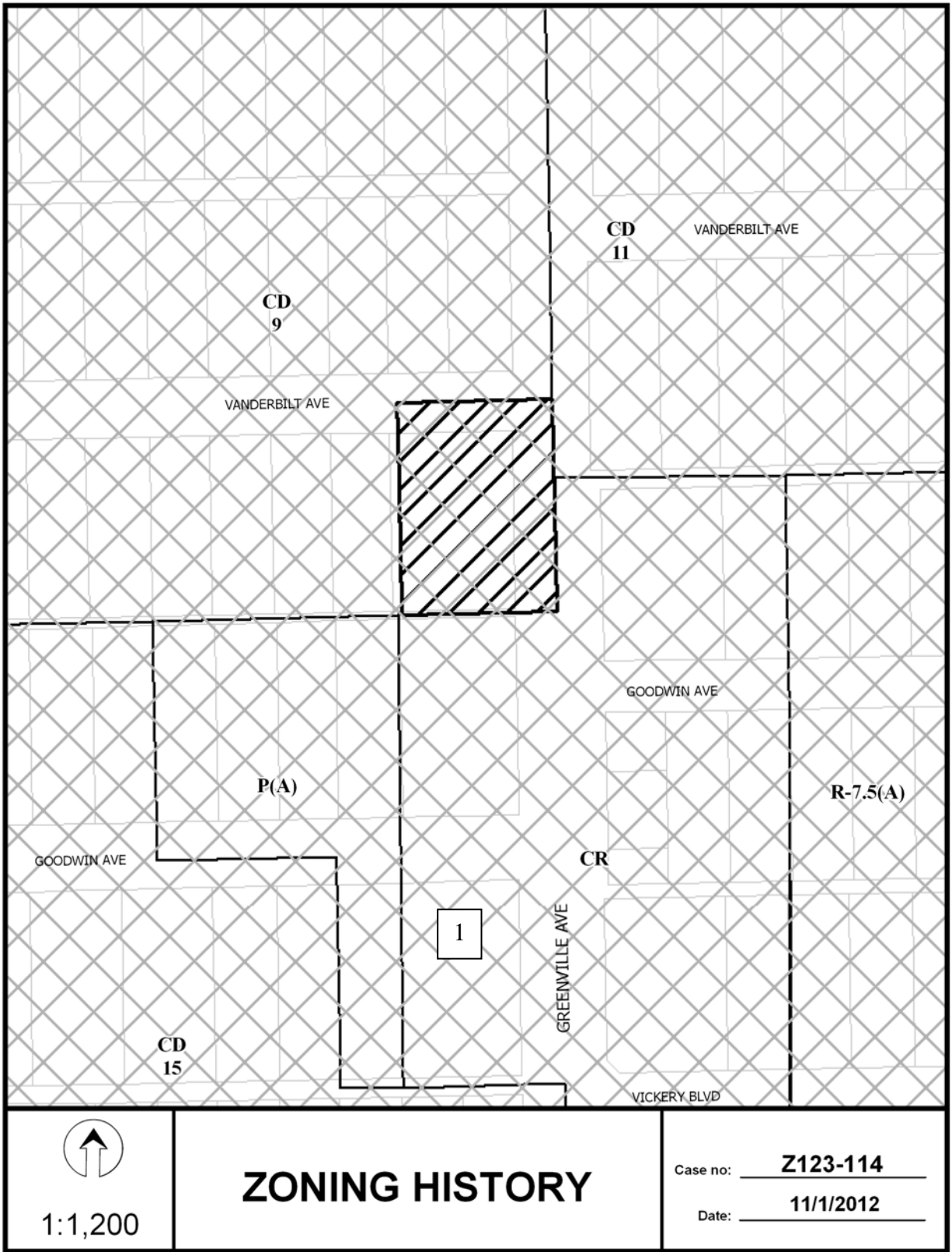


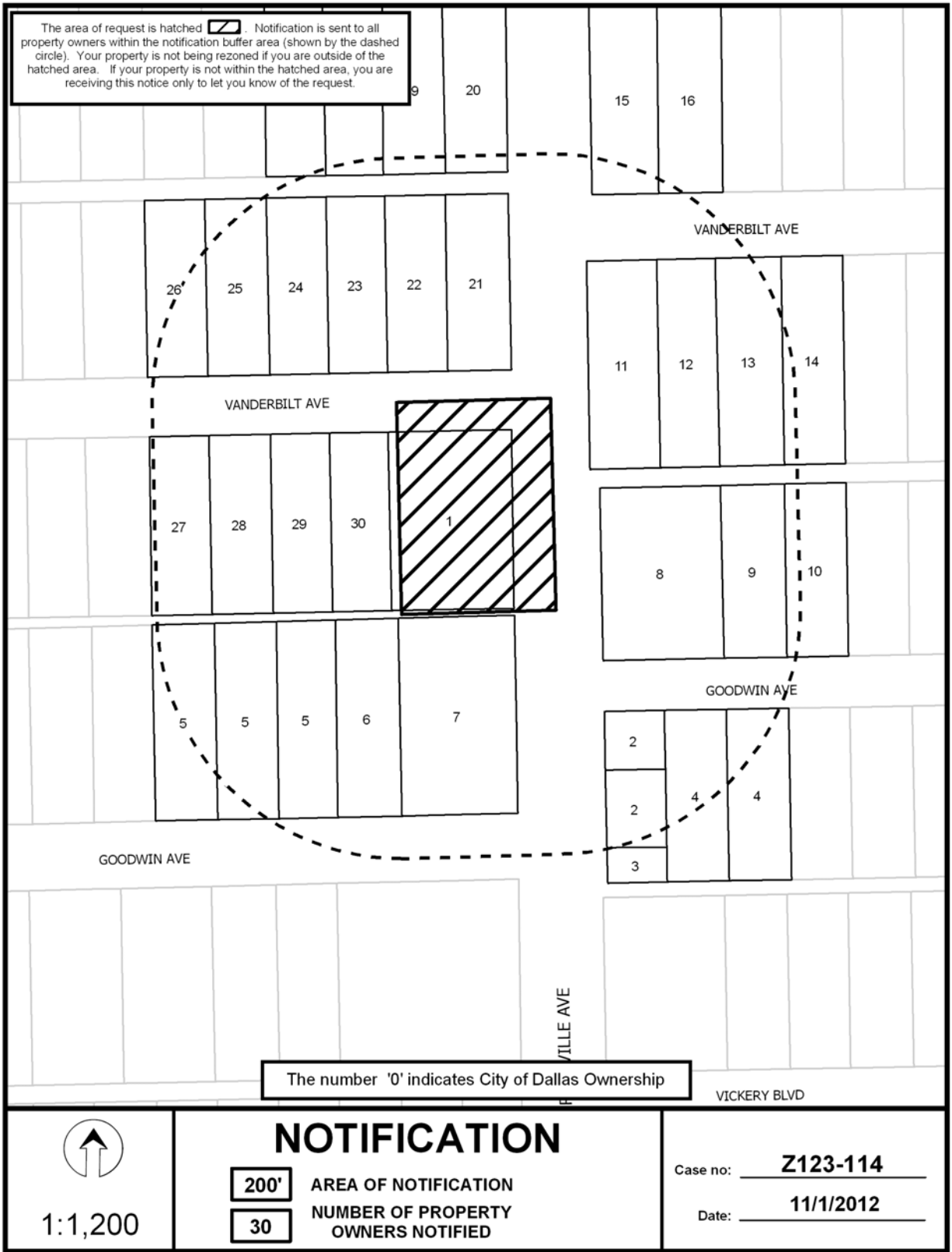


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ZONING AND LAND USE

Case no: Z123-114
Date: 11/1/2012





10/31/2012

Notification List of Property Owners

Z123-114

30 Property Owners Notified

Label #	Address	Owner
1	2937 GREENVILLE AVE	ROPOLO THOMAS J ET AL % GOODY GOODY LIQ
2	2820 GREENVILLE AVE	RUBIN MARTIN J
3	2810 GREENVILLE AVE	GRAPE BLDG JT VTR % KATHLEEN MCDANIEL
4	5706 GOODWIN AVE	2900 GREENVILLE TRUST % MADISON PACIFIC
5	5627 GOODWIN AVE	GREENVILLE LANDMARK VENT LTD
6	5639 GOODWIN AVE	REISBERG FRED
7	2901 GREENVILLE AVE	REISBERG FRED INV LTD
8	2900 GREENVILLE AVE	MADISON PACIFIC DEVELOPMENT CO #300
9	5711 GOODWIN AVE	CASS DON TRUSTEE
10	5715 GOODWIN AVE	RESENDIZ CONSTANTINO I & ANA M
11	5702 VANDERBILT AVE	MCPHERSON DAVID W
12	5706 VANDERBILT AVE	BARDOFF RALPH D
13	5710 VANDERBILT AVE	RICCO JIMMY J
14	5714 VANDERBILT AVE	HILL MATTHEW F
15	5703 VANDERBILT AVE	COBB KRISTY S
16	5707 VANDERBILT AVE	OROZCO RICHARD & RUFINA
17	5634 RIDGEDALE AVE	LEVENE STEPHEN
18	5640 RIDGEDALE AVE	BARNETT JAMES C
19	5642 RIDGEDALE AVE	LOPEZ VIRGINIA RAMIREZ
20	5644 RIDGEDALE AVE	SCHUCK CORD BRITTON
21	5647 VANDERBILT AVE	SU STUART
22	5643 VANDERBILT AVE	CHERRY GLAYDS H
23	5639 VANDERBILT AVE	PUMPHREY PENNY
24	5635 VANDERBILT AVE	GREEN BARBARA J
25	5631 VANDERBILT AVE	RAMIREZ CHRISTOPHER M &
26	5627 VANDERBILT AVE	BROOKS BRAD
27	5626 VANDERBILT AVE	STANISZEWSKI STEPHEN & SARA
28	5630 VANDERBILT AVE	SIEGEL ANDREW
29	5634 VANDERBILT AVE	ADAMS CLINT
30	5640 VANDERBILT AVE	STEWART WILLIAM JOHN

FILE NUMBER: Z123-124(MW)

DATE FILED: October 22, 2012

LOCATION: Southwest corner of Skillman Street and Church Road

COUNCIL DISTRICT: 10

MAPSCO: 27-J, K

SIZE OF REQUEST: ±10.09 acres

CENSUS TRACT: 78.24

REPRESENTATIVE: Stephen Davis, Masterplan Development, LLC

APPLICANT/OWNER: Prescott Church Road Land Associates, LP
Forest Meadow Baptist Church

REQUEST: An application to amend Tracts 1 and 3 of Planned Development District No. 795 and to expand Planned Development District No. 795 to create a new tract on property zoned an R-7.5(A) Single Family District

SUMMARY: The applicant proposes a single family residential development consisting of 37 detached homes.

STAFF RECOMMENDATION: Approval; subject to a conceptual plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- The ±10.09-acre request site is predominately undeveloped except for one structure, which will be demolished.
- Planned Development District No. 795 was established by Ordinance No.27236, passed by the Dallas City Council on June 25, 2008.
- Planned Development District No. 795, a conceptual PD, was created to accommodate retirement housing uses on Tracts 1 and 3 and to retain the existing office uses on Tract 2.
- The applicant proposes to expand Planned Development District No. 795 on 3.22 acres of land zoned an R-7.5(A); this will become Tract 4 of the PDD and, as proposed, will be subject to the conditions of the R-7.5(A) District with the exception of the front yard setback, height and lot coverage.
- The applicant proposes to amend the conditions and conceptual plan to accommodate a single family residential project on Tracts 1, 3 and 4; however, the applicant proposes to retain all existing development rights. No changes are proposed for Tract 2 of the PDD.
- On November 1, 2012, the City Plan Commission approved a preliminary plat on the request site.
- On November 2, 2012, the applicant submitted a request for the abandonment of alley right-of-way. The right-of-way was established by plat in 1973 but the alley was not constructed.
- The request site is within the Skillman Corridor Tax Increment Financing (TIF) District. The applicant has applied for TIF funding and is working with the City of Dallas Office of Economic Development on the details of an agreement.
- The request site is surrounded by single family residential to the north; multifamily residential to the east; office (Tract 2 of PDD 795) and undeveloped land to the south and church and undeveloped land and single family residential to the west.

Zoning History:

There have been recent zoning requests within the immediate vicinity of the request site.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Church Road	Collector	60 feet
Skillman Street	Principal Arterial	130 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 795, Tracts 1 and 3; R-7.5(A)	Undeveloped
North	R-7.5(A)	Single family
East	MF-1(A)	Multifamily
South	PDD No. 795, Tract 2	Office
West	R-7.5(A)	Undeveloped; single family

STAFF ANALYSIS:

Comprehensive Plan:

The request site is identified as being with both a *Residential Neighborhood* and an *Urban Neighborhood* building block on the forwardDallas! Vision Illustration, adopted June 2006.

While single family dwellings are the dominant land use in residential neighborhoods, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections. Urban neighborhoods are predominantly residential, but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residents.

The applicant's request is consistent with the forwardDallas! Vision and further complies with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

- Policy 1.3.1 Create housing opportunities throughout Dallas.

Area Plans:

The area of request is with the boundaries of two land uses studies and a Tax Increment Financing (TIF) District.

Northeast Dallas Neighborhood Improvement Study

This study was adopted by the City Council on November 8, 1995. While the study makes no specific recommendations on land use, various categories of “issues” are identified. The general theme revolves around neighborhood groups and property owners to address the impact of development on city services and schools. The study also suggests the coordination of private interests and public agencies.

District 10 Strategic Plan

This study was adopted by the City Council on June 14, 2006. Specifically, the site is located within an area identified as the Skillman Street Corridor. The corridor is identified as an area for a mix of uses within an urban neighborhood. Existing infrastructure includes two existing DART stations: the LBJ/Skillman Station and the Lake Highlands Station. The mix of residential uses envisioned for the area (single family t multifamily) should have convenient access to retail and employment centers. Densities are encouraged to be higher than traditional residential neighborhoods.

Skillman Corridor Tax Increment Financing (TIF) District

The Skillman Corridor TIF District was established in October 2005 to assist in creating a more sustainable mix of rental and for-sale residential property in the Skillman Corridor. This shift will help encourage the creation of more owner-occupied residential units, the removal and redevelopment of structurally obsolete apartment complexes and retail centers, better trail and recreational connections, development of the Skillman/Walnut Hill DART light rail station, and redevelopment of the property near the Skillman/LBJ DART light rail station.

Land Use Compatibility:

The ±10.09-acre request site is predominately undeveloped except for one structure, which will be demolished. The applicant proposes to develop the request site with 37 detached homes. The preliminary plat, approved by the City Plan Commission on November 1, 2012, depicts the lot configuration.

To accomplish this development, the applicant proposes to expand Planned Development District No. 795 on 3.22 acres of land zoned an R-7.5(A). This will become Tract 4 of the PDD and, as proposed, will be subject to the conditions of the R-7.5(A) District with the exception of a minimum 15-foot front yard setback, maximum height of 36 feet and maximum 50 percent lot coverage.

The applicant proposes to retain all existing development rights but also to amend the conditions for Tracts 1 and 3 to accommodate the proposed single family development.

Proposed revisions will allow for a 15-foot front yard setback on Tract 3, as well as the way height is measured on Tracts 1 and 3.

The applicant proposes a 10-foot landscape buffer, measured from the edge of right-of-way, along Church Road. Other than fences or screening walls, structures will not be permitted within 15-feet of Church Road or Skillman Street.

The applicant proposes that, for a single family residential use, the preliminary plat approved by the City Plan Commission on November 1, 2012 serve as the development plan. However, staff recommends a provision to require City Plan Commission approval of a development plan.

The request site is surrounded by single family residential to the north; multifamily residential to the east; office (Tract 2 of PDD 795) and undeveloped land to the south and church and undeveloped land and single family residential to the west. The applicant's request is compatible with the surrounding land uses. Staff recommends approval subject to a conceptual plan and staff's recommended conditions.

Traffic:

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

Parking:

Parking must be provided in accordance with §51A-4.200 of the Dallas Development Code except that for retirement housing and office uses, Tracts 1, 2 and 3 are considered one lot for off-street parking purposes and for retirement housing uses and one and one-tenth parking spaces are required for each dwelling unit or suite and must be provided in an enclosed structure.

The applicant proposes to develop Tracts 1, 3 and 4 with approximately 37 detached homes. Pursuant to §51A-4.200 of the Dallas Development Code, a single family home requires one space in the R-7.5(A), R-5(A) and TH Districts and two spaces in all other districts.

Landscaping and sidewalks:

Landscaping must be provided in accordance with the provisions of PDD No. 795. Per the proposed conditions, trees with a caliper of six inches or greater located in the tree preservation zone as shown on the conceptual plan must be preserved. The qualifying trees within the preservation zone must be placed in a Tree Preservation Easement when platted. If the use is single family, one eight-inch pecan tree may be removed if the nearby 24 inch pecan tree is preserved and placed in the Tree Preservation Easement.

Sidewalks must be provided along Church Road and Skillman Street with a minimum unobstructed width of six feet.

Z123-124 (MW)

List of Partners/Principals/Officers:

October 22, 2012

Mr. David Cossum
Assistant Director
Department of Development Services
Pre-Development Division
City of Dallas
1400 Marilla Street, 5DN
Dallas, Texas 75201-4127

Re: Officers for MasterPlan Development LLC, Case #123-124

Dear Mr. Cossum:

The following is a list of the officers of MasterPlan Development LLC, the applicant for the above referenced zoning case.

STEPHEN M DAVIS

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Davis", written over a horizontal line.

Stephen Davis
President, CEO

Forest Meadow Baptist Church

9150 Church Rd. • Dallas, TX 75231
Phone: 214-341-9555 • Fax: 214-341-9556 • E-Mail: tim@fmbcdallas.org
Web: www.fmbcdallas.org

Date: 10/25/2012

Mr. David Cossum
Assistant Director
Department of Development Services
Pre-Development Division
City of Dallas
1500 Marilla Street, 5DN
Dallas, Texas 75201-4127

Re: Officers for Forest Meadow Baptist Church

Dear Mr. Cossum:

The following is a list of the officers of Forest Meadow Baptist Church, located at 9150 Church Rd., Dallas TX 75231. Forest Meadow Baptist Church is a non-profit corporation recognized by the Texas Secretary of State and a 501(c) 3 non-profit corporation, recognized by the Internal Revenue Service.

Trustees

Mr. Charles Paramore
Mr. Ronald McAfee
Mr. Sidney Morrison
Mr. Mike Thomas

Sincerely,



Rev. Timothy Ahlen
Pastor

PRESCOTT CHURCH ROAD LAND ASSOCIATES, LP

October 22, 2012

Mr. David Cossum
Assistant Director
Department of Development Services
Pre-Development Division
City of Dallas
1500 Marilla Street, 5DN
Dallas, Texas 75201-4127

Re: Officers for Prescott Church Road Land Associates, LP/OWNER

Dear Mr. Cossum:

The following is a list of the officers of Prescott Church Road Land Associates GP LLC, the general partner of Prescott Church Road Land Associates LP, owner of the land that is governed under PD 795 at 7505 Skillman, 9178 and 9168 Church Rd in Dallas TX, 75231.

President and Manager - Judson L. Pankey
Vice President and Manager - Vance Detwiler

Sincerely,



Brian Leslie
Managing Director

Proposed Conditions

ARTICLE 795.

PD 795.

SEC. 51P-795.101. LEGISLATIVE HISTORY.

PD 795 was established by Ordinance No. 27236, passed by the Dallas City Council on June 25, 2008. (Ord. 27236)

SEC. 51P-795.102. PROPERTY LOCATION AND SIZE.

PD 795 is established on property located at the southwest corner of Church Road and Skillman Street. The size of PD 795 is approximately ~~8.7529 acres. (Ord. 27236)~~ 11.9729 acres.

SEC. 51P-795.103. DEFINITIONS AND INTERPRETATIONS.

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

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

(c) Tracts ~~1, and 3, and 4~~ are considered to be residential zoning districts.

(d) Tract 2 is considered to be a nonresidential zoning district for any portion of the tract that is developed with an office use.

(e) Tract 2 is considered to be a residential zoning district for any portion of the tract that is developed with retirement housing, handicapped group dwelling unit, or single family uses. (Ord. 27236)

SEC 51P-795.104. CREATION OF TRACTS.

This district is divided into Tracts 1,2, ~~and 3~~ and 4 as depicted on the conceptual plan (Exhibit 795A). (Ord. 27236)

SEC. 51P-795.105. EXHIBIT.

The following exhibit is incorporated into this article:

Exhibit 795A: conceptual plan. (Ord. 27236)

SEC. 51P-795.106. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 795A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. 27236).

SEC. 51P-795.107. DEVELOPMENT PLAN.

Staff recommended:

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and a development plan, the text of this article controls. (Ord. 27236)

Applicant proposed:

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and a development plan, the text of this article controls. (Ord. 27236) If the use is single family residential, then the preliminary plat will serve as the development plan and no additional submittal will be required.

SEC. 51P-795.108. MAIN USES PERMITTED.

(a) Tract 1. The following uses are the only main uses permitted:

- Financial institution without drive-in window. *[Limited use.*
- Handicapped group dwelling unit. *[SUP required if spacing component Section 51A-4.209.(3.1) is not met.]*
- Local utilities.
- Retirement housing.
- Single family.

(b) Tract 2. The following uses are the only main uses permitted:

- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209.(3.1) is not met.]*
- Local utilities.
- Office.
- Retirement housing.
- Single family.

(c) Tract 3. The only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R- 7.S(A) Single Family District is subject to DIR in this district; etc. (Ord. 27236)

(d) Tract 4. The only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R- 7.S(A) Single Family District is subject to DIR in this district; etc.

SEC. 51P-795.109. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 27236)

SEC. 51P-795.110. YARD, LOT, AND SPACE REGULATIONS.

In Tracts 3 and 4, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply except as provided. (Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Setbacks are not required between tracts.

(b) Perimeter buffer. A 10-foot landscape buffer, measured from the edge of right-of-way, must be provided along the Church Road. Other than fences or screening walls, structures are not permitted within 15-feet of Church Road. For Tract 1, other than fences or screening walls, structures are not permitted within 15-feet of Skillman Street.

(c) Front yard.

(1) Tract 1.

(A) For handicapped group dwelling unit, single family, and local utility uses, minimum front yard is 15 feet.

(B) For all other uses, minimum front yard is 25 feet.

(2) Tract 2.

(A) For handicapped group dwelling unit and single family uses, minimum front yard is 15 feet.

(B) For local utility uses, minimum front yard is 20 feet.

(C) For all other uses, minimum front yard is 25 feet.

(3) Tract 3. ~~The yard, lot, and space regulations for the R-7.5(A) Single Family District apply except the~~ Minimum front yard is 15 feet

(4) Tract 4. Minimum front yard is 15 feet.

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(d) Side yard.

(1) Tract 1.

(A) For local utility uses, minimum side yard is five feet.

(B) For retirement housing and financial institution uses, minimum side yard is 10 feet.

(C) For handicapped group dwelling unit and single family uses, no side yard is required; however, if a side yard is provided, minimum side yard is five feet.

(2) Tract 2.

(A) For local utility uses, minimum side yard is five feet.

(B) For office use on a lot abutting a residential district, minimum side yard is 20 feet. For all other office uses, minimum side yard is 10 feet.

(C) For retirement housing uses, minimum side yard is 10 feet.

(D) For handicapped group dwelling unit and single family uses, no side yard is required; however, if a side yard is provided, minimum yard is five feet.

~~(3) Tract 3. The yard, lot, and space regulations for the R-7.5(A) Single Family District apply.~~

(e) Rear yard.

(1) Tract 1.

(A) For handicapped group dwelling unit, single family, and local utility uses, minimum rear yard is five feet.

(B) For retirement housing and financial institution uses, minimum rear yard is 20 feet.

(2) Tract 2.

(A) For handicapped group dwelling unit, single family, and local utility uses, minimum rear yard is five feet.

(B) For office uses on a lot abutting a residential district, minimum rear yard is 20 feet. For all other office uses, minimum rear yard is 10 feet.

(C) For retirement housing uses, minimum rear yard is 10 feet.

~~(3) Tract 3. The yard, lot, and space regulations for the R-7.5(A) Single Family District apply.~~

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(f) Density.

(1) Tract 1.

(A) For handicapped group dwelling unit and single family uses, maximum dwelling unit density is nine units per acre.

(B) For retirement housing uses, maximum number of dwelling units or suites is 250.

(2) Tract 2.

(A) For handicapped group dwelling unit and single family uses, maximum dwelling unit density is nine units per acre.

(B) For retirement housing uses, maximum density is 20 dwelling unit or suites per acre.

~~(3) Tract 3. The yard, lot, and space regulations for the R-7.5(A) Single Family District apply.~~

(g) Floor area ratio.

(1) For office uses, maximum floor area ratio is 0.5: 1.

(2) For all other uses, no maximum floor area ratio.

(h) Height.

(1) Tract 1.

(A) For handicapped group dwelling unit, single family, and local utility uses, maximum structure height is 36 feet in height or 570 feet above sea level to the highest eave, whichever is less.

(B) For retirement housing and financial institution uses, maximum structure height is 60 feet when measured from the lowest finished floor to the highest roof eave, or 570 feet above sea level to the highest roof eave, whichever is less. The highest ridge of the roof may not exceed 28 feet above the highest eave.

(2) Tract 2.

(A) For handicapped group dwelling unit, single family, and local utility uses, maximum structure height is 36 feet in height or 570 feet above sea level, whichever is less.

(B) For office uses, maximum structure height is 24 feet in height or 565 feet above sea level, whichever is less.

(C) For retirement housing uses, maximum structure height is 36 feet

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in height or 570 feet above sea level, whichever is less, in the location shown on the conceptual plan.

(3) Tract 3. ~~The yard, lot, and space regulations for the R-7.5(A) Single Family District apply.~~ The maximum height is as follows:

(A) 24 feet within 50 foot of the west property line, not to exceed 570 feet above sea level to the highest eve.

(B) 36 feet beyond 50 foot from the west property line, not to exceed 575 feet above sea level to the highest eve.

(4) Tract 4. Maximum height is 36 feet.

(i) Lot coverage.

(1) Tract 1. Maximum lot coverage is 50 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(2) Tract 2. Maximum lot coverage is 65 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(3) Tract 3. ~~The yard, lot, and space regulations for the R-7.5(A) Single Family District apply except the m~~Maximum lot coverage is 50 percent.

(4) Tract 4. Maximum lot coverage is 50 percent.

(j) Lot size.

(1) For handicapped group dwelling unit and single family uses with no side yard, minimum lot size is 2,000 square feet.

(2) For handicapped group dwelling unit and single family uses with a minimum side yard of five feet, minimum lot size is 5,000 square feet.

(3) For retirement housing, local utility, financial institution, and office uses, no minimum lot size.

(k) Stories.

(1) For handicapped group dwelling units and single family uses in Tract 1, maximum number of stories above grade is two.

(2) For local utility uses in Tract 1, maximum number of stories above grade is one.

(3) For retirement housing uses in Tract 1, maximum number of stories above grade is five.

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- (4) For all other uses, no maximum number of stories. (Ord. 27236)

SEC. 51P-795.111. OFF-STREET PARKING AND LOADING.

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

(b) For retirement housing and office uses, Tracts 1,2, and 3 are considered one lot for off-street parking purposes.

(c) For retirement housing uses, one and one-tenth parking spaces are required for each dwelling unit or suite and must be provided in an enclosed structure.

(d) Off-street loading areas must be at least 30 feet from the perimeter Property line, must be screened by a solid masonry wall with a minimum height of 12 feet, and must be shown on the development plan. (Ord. 27236)

SEC. 51P-795.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 27236)

SEC. 51P-795.113. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Section 51A-1 0.125(b)(5)(A) does not apply to underground or structured parking spaces.

(c) Trees with a caliper of six inches or greater located in the tree preservation zone as shown on the conceptual plan must be preserved. The qualifying trees within the preservation zone must be placed in a Tree Preservation Easement when platted. If the use is single family, one eight-inch pecan tree may be removed if the nearby 24 inch pecan tree is preserved and placed in the Tree Preservation Easement.

(d) Sidewalks must be provided along Church Road and Skillman Street with a minimum unobstructed width of six feet.

(e) Plant materials must be maintained in a healthy, growing condition. (Ord. 27236)

SEC. 51P-795.114. SIGNS.

(a) Tract I.

(1) Except as provided in this subsection, signs must comply with the provisions for a non-business zoning district in Article VII.

(2) For retirement housing, handicapped group dwelling unit, and single family uses, one monument or wall sign is permitted for each street frontage.

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(A) The maximum sign height is eight feet.

(B) The sign must be set back at least five feet from the Property line along Church Road. No setback is required along Skillman Street.

(C) Signs must comply with visibility obstruction regulations.

(D) The maximum effective area of a sign is 60 square feet.

(E) The location of the signs must be shown on the development plan.

(b) Tract 2.

(1) Except as provided in this subsection, signs must comply with the provisions for a non-business zoning district in Article VII.

(2) For office uses, signs must comply with the provisions for a business zoning district in Article VII.

(3) For retirement housing uses, one monument sign is permitted for each street frontage.

(A) The maximum sign height is eight feet.

(B) No setback is required for the sign.

(C) Signs must comply with visibility obstruction regulations.

(D) The maximum effective area of a sign is 60 square feet.

(E) The location of the signs must be shown on the development plan.

(c) Tract 3. ~~No signs are permitted except directional or street signs. (Ord. 27236)~~ Signs must comply with the provisions for a non-business zoning district in Article VII.

(d) Tract 4. Signs must comply with the provisions for a non-business zoning district in Article VII.

SEC. 51P-795.115. INGRESS AND EGRESS.

Ingress to and egress from ~~the Eastern Access point on~~ Church Road is limited to right turn only as depicted on Exhibit 795A. Signs must be posted on the Property to prohibit left turns. (Ord. 27236)

SEC. 51P-795.116. ADDITIONAL PROVISIONS.

- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
- (c) No delivery vehicles are permitted on the Property between 8:00 p.m. and 8:00 a.m. (the next day), Monday through Saturday, and 7:00 p.m. and 9:00 a.m. (the next day) on Sundays.
- (d) Dumpsters must be at least 30 feet from the perimeter Property line, must be screened by a solid masonry wall with a minimum height of 12 feet, and must be shown on the development plan. (Ord. 27236)

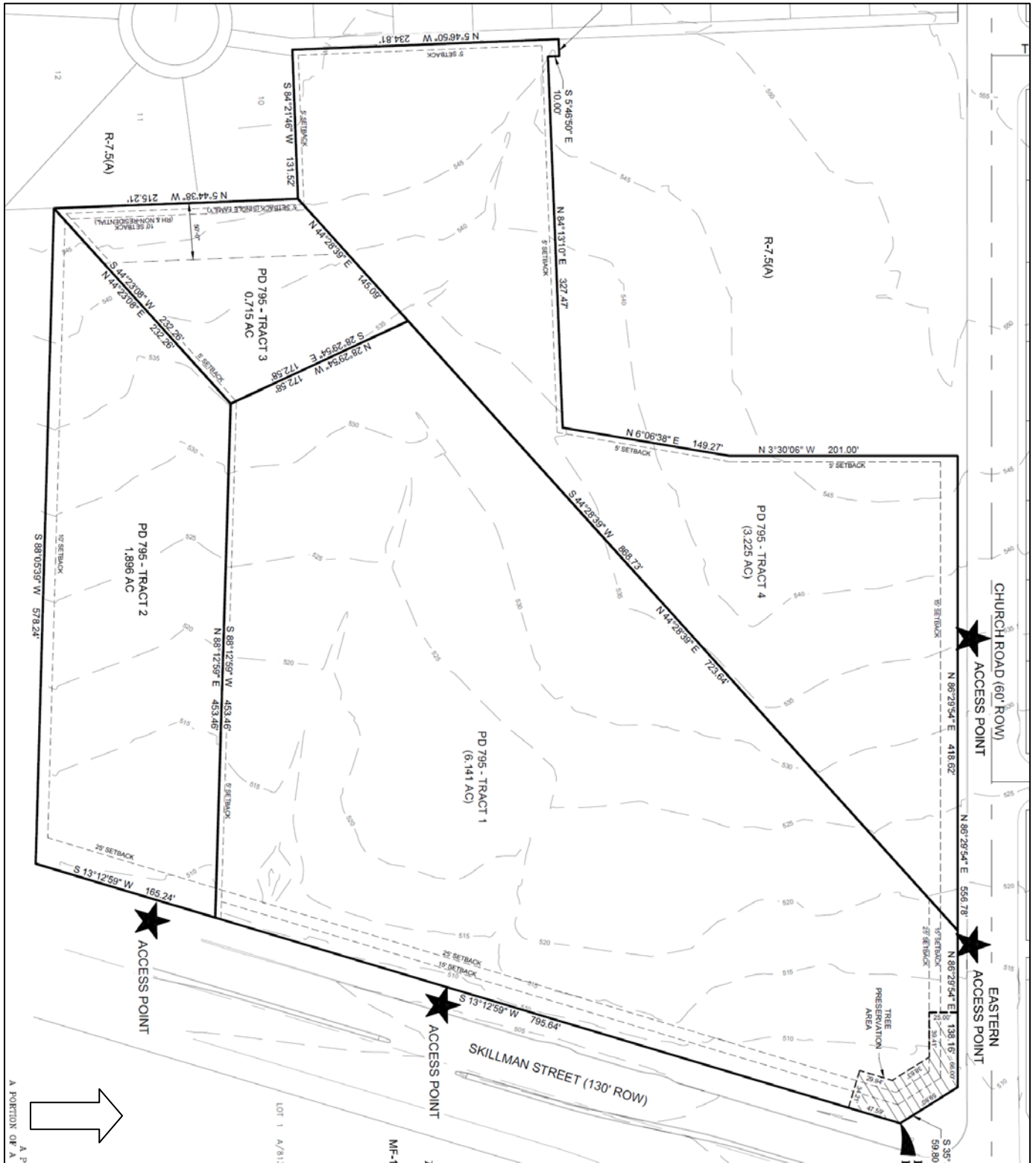
SEC. 51P-795.117. COMPLIANCE WITH CONDITIONS.

- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 27236)

~~**SEC. 51P-795.118. ZONING MAP.**~~

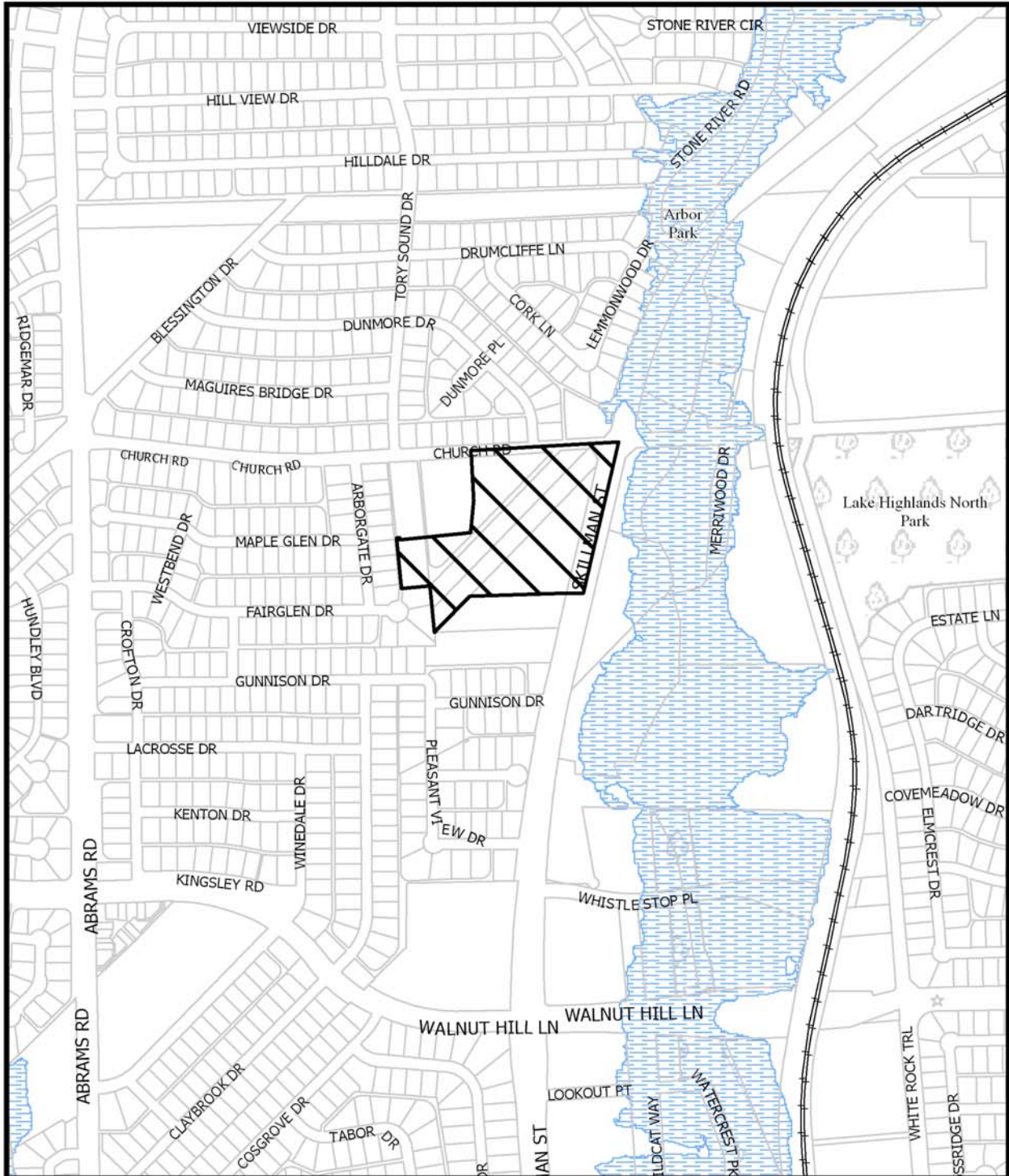
~~PD 795 is located on Zoning Map Nos. E-9 and F-9. (Ord. 27236)~~

Proposed Conceptual Plan



Existing Conceptual Plan



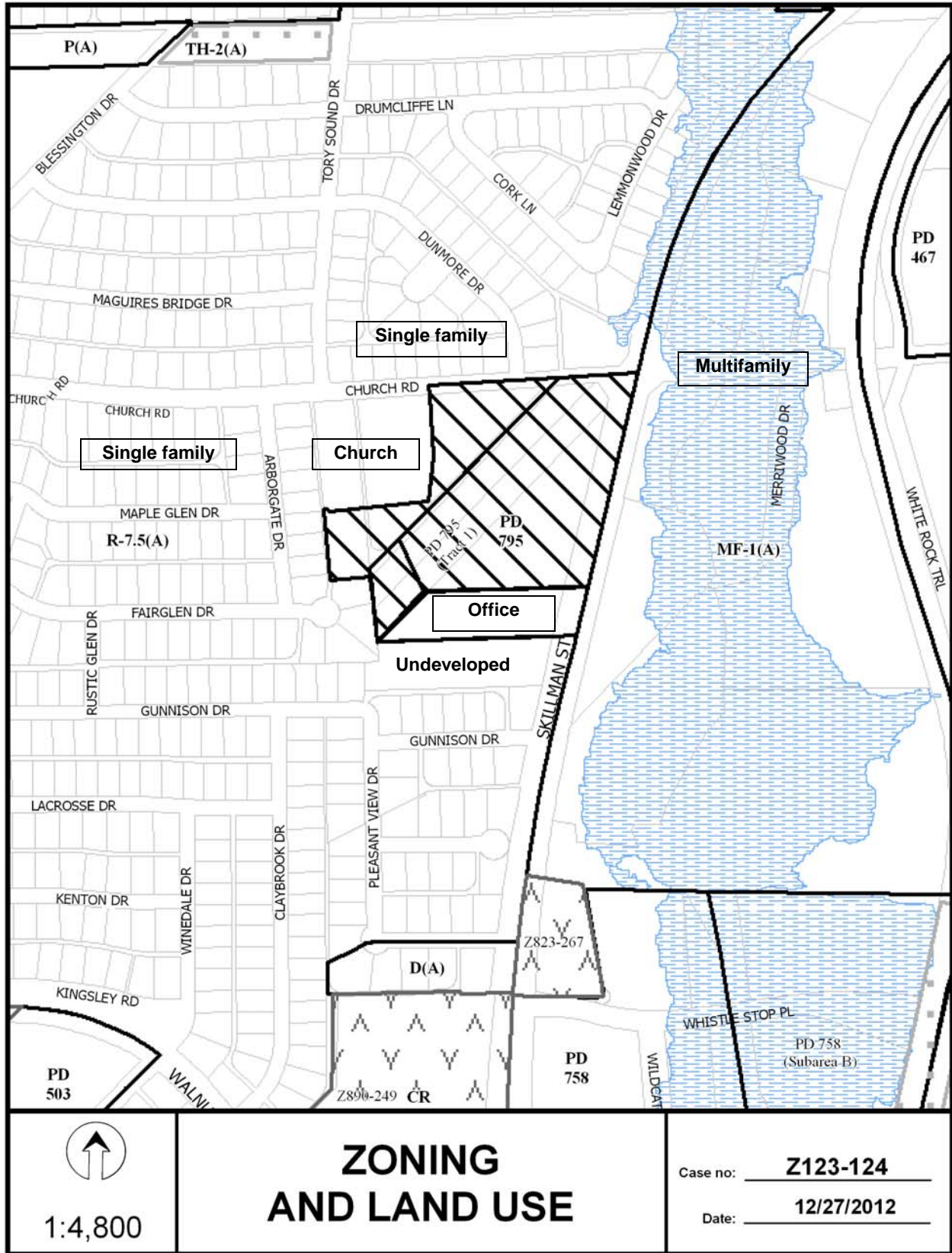


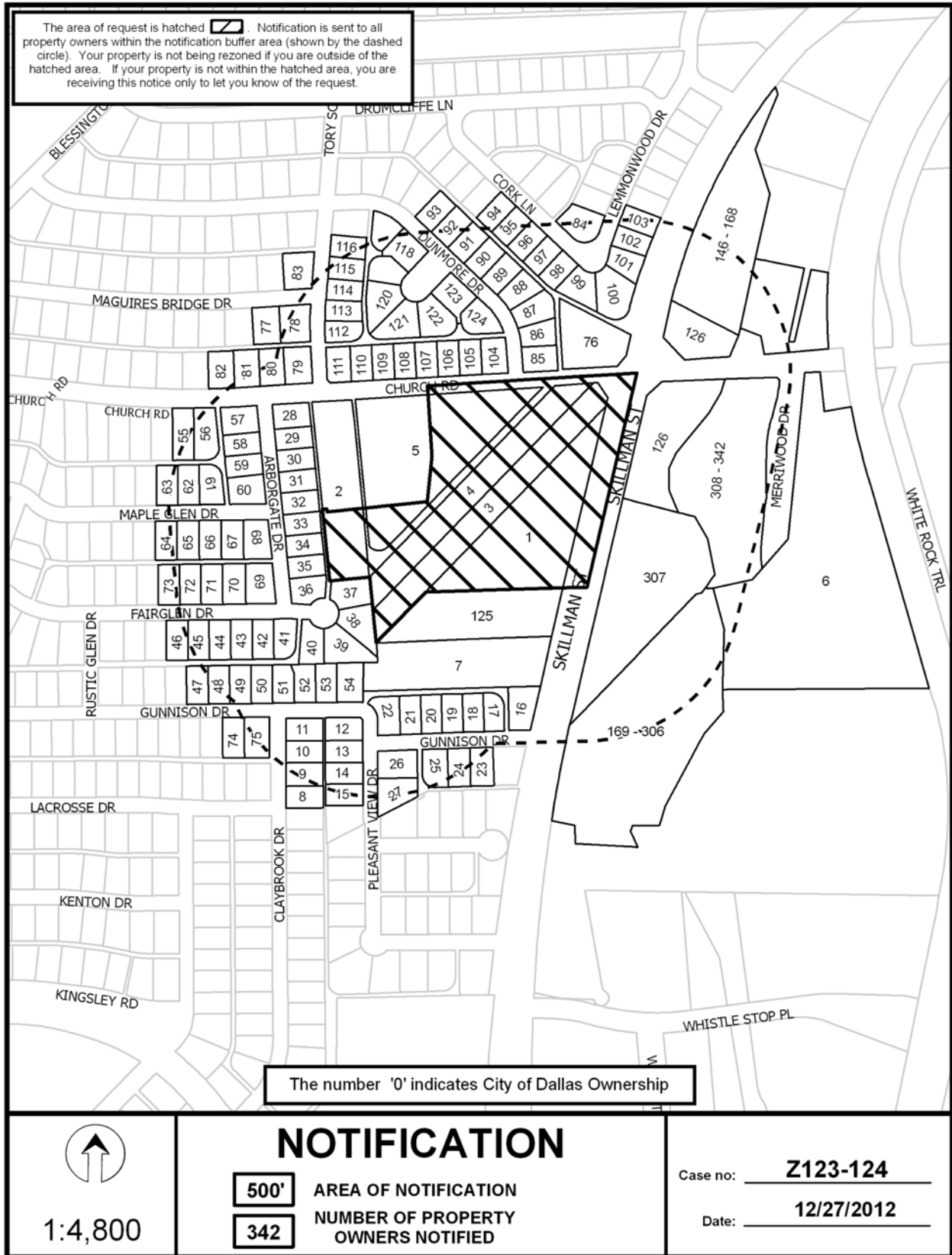
1:7,200

VICINITY MAP

Case no: **Z123-124**

Date: **12/27/2012**





12/27/2012

Notification List of Property Owners***Z123-124******342 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7505 SKILLMAN ST	PRESCOTT CHURCH ROAD LAND ASSOCIATES LP
2	9101 CHURCH RD	FOREST MEADOWS BAPTIST CHURCH
3	9178 CHURCH RD	PRESCOTT CHURCH ROAD LAND ASSN
4	9168 CHURCH RD	PRESCOTT CHURCH ROAD LAND ASSOC
5	9150 CHURCH RD	FOREST MEADOW BAPTIST CHRUCH
6	9236 CHURCH RD	DCP HIDDEN OAKS LLC
7	7455 SKILLMAN ST	CEMETERY
8	7302 CLAYBROOK DR	HALSTEAD DONNA D & FREDERICK A HALSTEAD
9	7304 CLAYBROOK DR	GILBERT JEREMY & ANNE
10	7306 CLAYBROOK DR	WEGREN BARBARA S
11	7312 CLAYBROOK DR	FORTE DONATO C & LAURA A LINCOLN
12	7339 PLEASANT VIEW DR	DUFILHO MARK & ALYSON
13	7333 PLEASANT VIEW DR	HAMILTON EDWARD C
14	7327 PLEASANT VIEW DR	STALTER IRA A
15	7323 PLEASANT VIEW DR	HENDERSON ERIC T & LORENNA GONZALES
16	9137 GUNNISON DR	BROOKS MARK
17	9131 GUNNISON DR	US BANK NA
18	9125 GUNNISON DR	HANEBECK HANNS CHRISTIAN L
19	9119 GUNNISON DR	JACOBS RICHARD W & LYNN ROMEJKO
20	9115 GUNNISON DR	FORSTMAN VALERIE M
21	9107 GUNNISON DR	DIAMOND THEODORA W & ETAL
22	9101 GUNNISON DR	HAM OLIVER T JR
23	9126 GUNNISON DR	BISHKIN JANE E &
24	9120 GUNNISON DR	BELSKY EUGENIA
25	9116 GUNNISON DR	CAPPS NORMAN & MARY CO CAPPS
26	7326 PLEASANT VIEW DR	ODWYER WILLIAM J & ELISABETH B

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7322 PLEASANT VIEW DR	WEST THOMAS A
28	7619 ARBORGATE DR	LOVVORN HOLLY ANN
29	7617 ARBORGATE DR	STURDIVANT TRACY C
30	7615 ARBORGATE DR	HOOD BRADEN & EMILY
31	7611 ARBORGATE DR	MOGK JOHN A
32	7609 ARBORGATE DR	SANTI FREDERICKA
33	7607 ARBORGATE DR	WENTZEL DAVID S & LISA
34	7605 ARBORGATE DR	LUEKEN JENNIFER S
35	7603 ARBORGATE DR	HARRISON THOMAS V TRUSTEE OF LIVING TRUS
36	7601 ARBORGATE DR	SEARS LARRY L & MARCIA
37	9077 FAIRGLEN DR	BRUNKENHOEFER KENNETH W & CAROLYN J
38	9079 FAIRGLEN DR	LILLY STEVEN M & ROBYN M
39	9078 FAIRGLEN DR	WEDEBERG DAVID N & ALLISON M
40	9074 FAIRGLEN DR	TUBBS ROBERT A & SUSAN M
41	9068 FAIRGLEN DR	BEAUCHAMP WILLIAM
42	9064 FAIRGLEN DR	MATTHIESEN DAVID B & JANE B
43	9058 FAIRGLEN DR	MARX RANDY P & LINDA S
44	9054 FAIRGLEN DR	WHITMIRE YUKI P & RUSSELL T
45	9048 FAIRGLEN DR	KOVAR RUSSELL A
46	9044 FAIRGLEN DR	CATES DENNIS P & DEBORAH R
47	9027 GUNNISON DR	HELDENBRAND CAROLYN J
48	9033 GUNNISON DR	NIEMAN PIET N
49	9039 GUNNISON DR	CAVANAGH THOMAS M & ANDREA L
50	9045 GUNNISON DR	BRUCE ROBERT C & AIMEE C
51	9051 GUNNISON DR	SPENCER NATHAN L & STEFANIE N
52	9057 GUNNISON DR	CUMMINGS LINDSEY C & SUSAN A
53	9063 GUNNISON DR	CHANEY JIMMY R
54	9069 GUNNISON DR	HITZGES VICKI ROBINSON
55	9048 CHURCH RD	WATERFIELD JOSEPH & BECKY
56	9054 CHURCH RD	MABRY THERON W JR
57	7618 ARBORGATE DR	VERNON WILLIAM B

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7616 ARBORGATE DR	JOHNSON JULIA CHRISTINE
59	7614 ARBORGATE DR	VILLAMAR FRANCISCO J & EMILY K VILLAMAR-
60	7612 ARBORGATE DR	HALPIN CHRISTOPHER J & COURTNEY R J
61	9055 MAPLE GLEN DR	ATKINS JAMES M
62	9049 MAPLE GLEN DR	JOE FAY G
63	9045 MAPLE GLEN DR	SUMMERLIN LARRY P & DEBORAH S
64	9044 MAPLE GLEN DR	GIBBS MIKE D
65	9048 MAPLE GLEN DR	HAYES JO ANN
66	9054 MAPLE GLEN DR	CROW JOHN W
67	9058 MAPLE GLEN DR	THOMAS STEPHEN M
68	9064 MAPLE GLEN DR	FENDLEY BETTY
69	9065 FAIRGLEN DR	HARGROVE GENE ALAN & SHERRY LYNNE
70	9059 FAIRGLEN DR	WHATLEY JAN T & CYNTHIA A COOK
71	9055 FAIRGLEN DR	BURNS ROBERT JOHN & KAY FRANCES
72	9049 FAIRGLEN DR	MILLER ROBERT E & CAROLYN A
73	9045 FAIRGLEN DR	LACROIX BRIAN L & HARRIS YVETTE M
74	9040 GUNNISON DR	COMBS REGINALD D & MELONY A
75	9046 GUNNISON DR	KLEIN GEORGE D & ANGELA R
76	9181 CHURCH RD	RICHARDSON PHILLIP &
77	9060 MAGUIRES BRIDGE DR	MINA WILLIAM H
78	9066 MAGUIRES BRIDGE DR	KEEPPER GENE
79	9069 CHURCH RD	HARBAUGH FAMILY TRUST
80	9065 CHURCH RD	MUREEN JONATHAN R & APRIL
81	9059 CHURCH RD	CHANG ANDREW T
82	9055 CHURCH RD	JANK HEATHER
83	9065 MAGUIRES BRIDGE DR	BARRETT MARY JANE
84	7705 LEMMONWOOD DR	MUNAL HAROLD DEANE IV
85	9165 DUNMORE DR	KNEE JOHN C & BRENDA A TRUSTEES JOHN & B
86	9159 DUNMORE DR	DEATS GERALD EDWARD
87	9155 DUNMORE DR	MATTHEWS STEPHEN CHARLES
88	9149 DUNMORE DR	KNIGHT WALTER MILLER

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	9145 DUNMORE DR	HERRING ANN C TR
90	9139 DUNMORE DR	MCGILVRAY JOHN SCOTT
91	9135 DUNMORE DR	GALL BRETT & MARY
92	9129 DUNMORE DR	STACIOKAS EUGENE E
93	9125 DUNMORE DR	RUTHERFORD KRISTIN S & RUTHERFORD ANDREW
94	9120 CORK LN	THOMAS ROBERT W & SHEILA J
95	9126 CORK LN	MARTIN JAMES K
96	9130 CORK LN	BRAND DAVID G
97	9136 CORK LN	KERSTING MATTHEW W & VICKIE S
98	9140 CORK LN	THORNTON DON SCOTT
99	9146 CORK LN	RICHARDSON PHILLIP N
100	7702 LEMMONWOOD DR	COWART T DAVID
101	7704 LEMMONWOOD DR	LUCAS BRIDGET A
102	7706 LEMMONWOOD DR	GRAY RODNEY B
103	7708 LEMMONWOOD DR	FREEMAN LLOYD D TR
104	9129 CHURCH RD	ROWELL WILLIAM
105	9125 CHURCH RD	HENRICKSON JAMES V JR & PATTI A
106	9121 CHURCH RD	BEARD CRAVEN WRIGHT
107	9117 CHURCH RD	SMITH DAVID H & MARGARET LYNELL SMITH
108	9113 CHURCH RD	SMITH ROBERT E & BETTY W
109	9111 CHURCH RD	JENNEMAN TOM & LISA M
110	9107 CHURCH RD	BILLINGHURST J CRAIG
111	9103 CHURCH RD	PISTOR CATHERINE L & MATTHEW
112	7606 TORY SOUND DR	TODARO NICKOLAS
113	7610 TORY SOUND DR	BROWNFIELD BRANDON G & SHELLY J TURNER
114	7616 TORY SOUND DR	HANNEL STEPHEN J & ALLISON HOLDER
115	7620 TORY SOUND DR	HUNTER GORDON & MONICA REEVES
116	7626 TORY SOUND DR	ROSSITER JOHN RANDOLPH
117	9110 DUNMORE DR	BUCHANNAN BARRY H & JOYCE W
118	9120 DUNMORE DR	BARSTOW WILLIAM F SR & LAURIE C SHULMAN
119	9124 DUNMORE PL	FERRANTELO VICKI

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	9128 DUNMORE PL	MINA ADIL
121	9132 DUNMORE PL	SCHRADER LISA RACHELLE
122	9136 DUNMORE PL	GASAL DOUGLAS L & BARBARA C GASAL
123	9140 DUNMORE PL	HUTCHINSON JASON & MEGHAN
124	9150 DUNMORE DR	MCPEAK MARC D & MELISSA L CHESNUT
125	7475 SKILLMAN ST	LH SKILLMAN PARTNERS LTD SUITE 101A
126	7570 SKILLMAN ST	SKILLMAN CHURCH RD PARTNERS LTD
127	9233 CHURCH RD	BATCH NANCY BLDG A UNIT 101
128	9233 CHURCH RD	CANON LETICIA B
129	9233 CHURCH RD	BRANNIGAN YVONNE MARY
130	9233 CHURCH RD	JONES RICHARD V ETAL BLDG B UNIT 107
131	9233 CHURCH RD	ALVAREZ ALEJANDRO
132	9233 CHURCH RD	VILLALON MARIA O
133	9233 CHURCH RD	LEIGH ANABEL M
134	9233 CHURCH RD	MOON YASUKO S UNIT 110
135	9233 CHURCH RD	TEMESVARY GERO A
136	9233 CHURCH RD	TUCKER ANN MARIE
137	9233 CHURCH RD	COUSER LINDA L
138	9233 CHURCH RD	DEWALD GEORGE
139	9251 CHURCH RD	MUELLER SUSAN L
140	9251 CHURCH RD	LIPSON LAURETTE F
141	9251 CHURCH RD	CARNEAL CHARLES L JR # 207-H
142	9251 CHURCH RD	SWEENEY CHRISTOPHER
143	9251 CHURCH RD	JAMISON LEISA S
144	9251 CHURCH RD	GAMEZ MARCIA K BLDG K UNIT 204
145	9251 CHURCH RD	AFSHAR FATEMEH PARI
146	7660 SKILLMAN ST	WILLIAMS RON UNIT 101
147	7660 SKILLMAN ST	R & S INVESTMENTS INC
148	7660 SKILLMAN ST	DISANTI NEAL ET AL PMB 1170
149	7660 SKILLMAN ST	PITCOCK ELIZABETH & WILLIAM KEFFER
150	7660 SKILLMAN ST	FEELER MICHAEL

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	7660 SKILLMAN ST	HOPE HILL INV INC
152	7660 SKILLMAN ST	KATZ ROBERT
153	7660 SKILLMAN ST	DIAMOND MARCIA GAIL
154	7660 SKILLMAN ST	ZIMMER CRAIG L BLDG C UNIT 304
155	7660 SKILLMAN ST	TORRES R SUE
156	7660 SKILLMAN ST	KATZ ROBERT D
157	7660 SKILLMAN ST	BRISCOE RAMONA A
158	7660 SKILLMAN ST	BUI NGOCANH THERESA
159	7660 SKILLMAN ST	KRASNIQI HYSNI & NURADIJE
160	7660 SKILLMAN ST	MORROW LARRY MAC SR ESTATE OF
161	7660 SKILLMAN ST	RYAN WILLIAM H ETAL
162	7660 SKILLMAN ST	TESSON GERALD E & MARCIA D
163	7660 SKILLMAN ST	WILSON LEWIS
164	7660 SKILLMAN ST	DISANTI NEAL & JERRY CLAYBURG
165	7660 SKILLMAN ST	LEE YING L
166	7660 SKILLMAN ST	PIKE JAMES L & HARMON M KASLOW
167	7660 SKILLMAN ST	SMALL LEE REVOCABLE TRUST
168	7660 SKILLMAN ST	PAROC SASHA ALI
169	7340 SKILLMAN ST	LIPCHITZ MITCHELL J
170	7340 SKILLMAN ST	PRYDE TIM UNIT 102
171	7340 SKILLMAN ST	HERRERA JUANA UNIT 103
172	7340 SKILLMAN ST	GRZYWINSKI VALERIE
173	7340 SKILLMAN ST	BLANDING CATHRYN S
174	7340 SKILLMAN ST	DICKASON 106 SERIES OLIVER AVE REALTY LL
175	7340 SKILLMAN ST	RIEDEL BRENT
176	7340 SKILLMAN ST	MILLER MARY
177	7340 SKILLMAN ST	SIRMAN GARY & WILLIE SIRMAN
178	7340 SKILLMAN ST	LUONG RONNY
179	7340 SKILLMAN ST	TAYLOR SAM
180	7340 SKILLMAN ST	GRAY JAMES DAVID
181	7340 SKILLMAN ST	DAVIS TAMARA

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	7340 SKILLMAN ST	CARPENTER KATHLEEN T
183	7340 SKILLMAN ST	OLIVARES SANDRA M BLDG C UNIT 301
184	7340 SKILLMAN ST	MENSAH KOFI K BLDG C UNIT 302
185	7340 SKILLMAN ST	LAMBERT ARETES ANN BLDG C UNIT 303
186	7340 SKILLMAN ST	KEARN KEENAN UNIT 304 BULD C
187	7340 SKILLMAN ST	KOK TRACY Z
188	7340 SKILLMAN ST	AIKENS ESTER T 160
189	7340 SKILLMAN ST	SMITH JILL M
190	7340 SKILLMAN ST	MCGEE WENDY K BLDG D UNIT 401
191	7340 SKILLMAN ST	PARK SUNG MAN & DAI
192	7340 SKILLMAN ST	JUSTIZ JOANNE #403
193	7340 SKILLMAN ST	ETHRIDGE BRANDY &
194	7340 SKILLMAN ST	KYLINS I INC
195	7340 SKILLMAN ST	LINZ & ASSOC INC %M ZOLTON
196	7340 SKILLMAN ST	ARRINGTON ANGIE
197	7340 SKILLMAN ST	AGUILAR ANDREW D
198	7340 SKILLMAN ST	ZOLTON MICHAEL J & KATHRYN J
199	7340 SKILLMAN ST	KLASSEN KAREN L
200	7340 SKILLMAN ST	E S INTERESTS LLC
201	7340 SKILLMAN ST	BREED REBECCA
202	7340 SKILLMAN ST	JORDAN CONDOMINIUM HOLDING LLC
203	7340 SKILLMAN ST	JORDAN CONDOMINIUM HOLDING CO LLC
204	7340 SKILLMAN ST	DUBOIS PATRICIA ANN BLDG E UNIT 506
205	7340 SKILLMAN ST	HENSON JOSEPH C
206	7340 SKILLMAN ST	BLACKBURN JANA D BLDG E UNIT 509
207	7340 SKILLMAN ST	JOHNSON SARAH
208	7340 SKILLMAN ST	FOWLER SHEILA
209	7340 SKILLMAN ST	TOBIAS CORRINE
210	7340 SKILLMAN ST	MAHER STEPHEN JOSEPH
211	7340 SKILLMAN ST	REDD JUDY A BLDG F UNIT 601
212	7340 SKILLMAN ST	NGUYEN MICHAEL

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	7340 SKILLMAN ST	SPERA GREGORY BLDG F UNIT 604
214	7340 SKILLMAN ST	NGUYEN BLAKE V BLDG F UNIT 605
215	7340 SKILLMAN ST	PRUIETT BOBBY J & SHERRY N
216	7340 SKILLMAN ST	RUTLEDGE JAY
217	7340 SKILLMAN ST	ESPINAL RAFAEL A
218	7340 SKILLMAN ST	RHETT RESIDENTIAL LLC
219	7340 SKILLMAN ST	ATKINSON BRAD C BLDG G UNIT 702
220	7340 SKILLMAN ST	STANGAS DENNIS C BLDG G UNIT 703
221	7340 SKILLMAN ST	YOUNG MARY PAULETTE
222	7340 SKILLMAN ST	GONZALES YANETH S
223	7340 SKILLMAN ST	SKILLMAN 706 SERIES OF TRAVIS ROAD REALT
224	7340 SKILLMAN ST	LEGG GERALD J
225	7340 SKILLMAN ST	ZOLTON FAMILY REV LIV TRU
226	7340 SKILLMAN ST	SALSBERY BRANDY ALLISON
227	7340 SKILLMAN ST	FENLAW RICK
228	7340 SKILLMAN ST	KYLINS LTD
229	7340 SKILLMAN ST	SIGNATURE LEASING & MGMT INC % RICHARD S
230	7340 SKILLMAN ST	KLASSEN KYLE % TOP OF THE ROOST
231	7340 SKILLMAN ST	DROIP LTD
232	7340 SKILLMAN ST	GARY KIM L BLDG H UNIT #804
233	7340 SKILLMAN ST	ANDERSON KENNETH A
234	7340 SKILLMAN ST	WHITLEY LOU A
235	7340 SKILLMAN ST	DAVIS SHIRLEY A UNIT 807H
236	7340 SKILLMAN ST	EUBANKS MARTHA
237	7340 SKILLMAN ST	SEWELL MAUREEN E
238	7340 SKILLMAN ST	ABRAHAM SUE B
239	7340 SKILLMAN ST	WATSON JACK D JR
240	7340 SKILLMAN ST	ARRINGTON ANGIE K
241	7340 SKILLMAN ST	MOORE DENNIS
242	7340 SKILLMAN ST	FLIES LARRY G BLDG J UNIT 906
243	7340 SKILLMAN ST	KELSO KAREN S

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	7340 SKILLMAN ST	SHELTON BRIAN E
245	7340 SKILLMAN ST	FLEISCHER TERRI
246	7340 SKILLMAN ST	SHELTON BRIAN E
247	7340 SKILLMAN ST	FLIES LARRY G # 911
248	7340 SKILLMAN ST	SINGER ARTURO &
249	7340 SKILLMAN ST	PAPA ANTHONY UNIT 1002 BLDG K
250	7340 SKILLMAN ST	SHEARER MARK STE 110-129
251	7340 SKILLMAN ST	MORENO RICARDO
252	7340 SKILLMAN ST	BOUZHAC ALAXANDR BLDG K UNIT 1005
253	7340 SKILLMAN ST	CHERRYHOLMES STEVEN D BLDG K UNIT 1006
254	7340 SKILLMAN ST	AYALA JUAN JOSE BLDG K UNIT 1007
255	7340 SKILLMAN ST	SKILLMAN 1008 SERIES OLIVER AVENUE REALT
256	7340 SKILLMAN ST	TAYLOR CHRISTOPHER LEE
257	7340 SKILLMAN ST	BOOTS JASWINDER & DANIEL BLDG K UNIT 101
258	7340 SKILLMAN ST	CHIU ROBERT J
259	7340 SKILLMAN ST	BEST TOLA P
260	7340 SKILLMAN ST	BRAINERD STEPHEN S
261	7340 SKILLMAN ST	EMFK HOLDINGS LLC SERIES A SUITE 140 523
262	7340 SKILLMAN ST	EMFK HOLDINGS LLC SERIES B
263	7340 SKILLMAN ST	CARPENTER MITZI LYNN #1103
264	7340 SKILLMAN ST	NOLAN PATRICK ROGER
265	7340 SKILLMAN ST	OVERSTREET CRAIG BLDG L UNIT 1105
266	7340 SKILLMAN ST	COLLINS CHARI L
267	7340 SKILLMAN ST	DORMAN HUBERT MONROE JR & JO ANN
268	7340 SKILLMAN ST	DUGGER PAUL KENNETH
269	7340 SKILLMAN ST	HINTON ROBERT C JR STE 810
270	7340 SKILLMAN ST	BARTH BRENDA NAN
271	7340 SKILLMAN ST	GOODWIN BARRETT A BLDG L UNIT 1111
272	7340 SKILLMAN ST	HERNANDEZ ANTHONY
273	7340 SKILLMAN ST	LEHMBERG LAURIE A BLDG L UNIT 1113
274	7340 SKILLMAN ST	MELGOZA DANIEL W UNIT 1114

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	7340 SKILLMAN ST	PICKERT BEVERLY
276	7340 SKILLMAN ST	BELL LISA E UNIT 1116
277	7340 SKILLMAN ST	HT SOLUTIONS INC
278	7340 SKILLMAN ST	ACHKAR VICTOR
279	7340 SKILLMAN ST	VICTORIO ROSA UNIT 1119
280	7340 SKILLMAN ST	THIEN THAO
281	7340 SKILLMAN ST	GONZALES YANETH
282	7340 SKILLMAN ST	BOOTH ROBERT & LINDA JANSS BLDG M UNIT
283	7340 SKILLMAN ST	WILLIAMS BRUCE UNIT 1202
284	7340 SKILLMAN ST	FIRST UNION NATIONAL BANK STE 400
285	7340 SKILLMAN ST	ISAWYER PROPERTIES LLC
286	7340 SKILLMAN ST	SKEEN CARRIE BLDG M UNIT 1205
287	7340 SKILLMAN ST	COHEN DROR &
288	7340 SKILLMAN ST	GUILLORY CAROLYN APT 1207M
289	7340 SKILLMAN ST	DARROW LISA
290	7340 SKILLMAN ST	INTERBAY FUNDING LLC STE 400
291	7340 SKILLMAN ST	HEADLEY STEVEN & ZSALETTA BLDG M UNIT
292	7340 SKILLMAN ST	TOLEDO TEX LLC
293	7340 SKILLMAN ST	TOBIAS CORRINE HELLMAN
294	7340 SKILLMAN ST	ZOLTON MARTY A & LINDA A
295	7340 SKILLMAN ST	HEADLEY STEVEN & ZSALETTA
296	7340 SKILLMAN ST	GLEASON GLENN H BLDG M UNIT 1215
297	7340 SKILLMAN ST	FEDERAL NATIONAL MTG ASSOC SUITE 11201
298	7340 SKILLMAN ST	GUNTER DONALD E
299	7340 SKILLMAN ST	QUIGLEY JOHN BLDG M UNIT 1218
300	7340 SKILLMAN ST	RODRIGUEZ RAUL LEANDRO BLDG M UNIT 1219
301	7340 SKILLMAN ST	TRAN STEVE
302	7340 SKILLMAN ST	JOHNSON ELTON & MICHELLE JACKSON
303	7340 SKILLMAN ST	GUILLORY TRINISE
304	7340 SKILLMAN ST	DESCHLER WILLIAM
305	7340 SKILLMAN ST	WILSON SHARON

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
306	7340 SKILLMAN ST	GREER RAIVON BLDG M UNIT 1228
307	7474 SKILLMAN ST	BPI INVESTMENTS LLC
308	9222 CHURCH RD	LOZANO GILBERT JR
309	9222 CHURCH RD	MOBLEY MARK R APT 8A
310	9222 CHURCH RD	JOHNSON WILLIAM M BLDG 2 UNIT 202
311	9222 CHURCH RD	KIM KEVIN
312	9222 CHURCH RD	VERHOEF RACHEL
313	9222 CHURCH RD	MCNEELY MARTHA E
314	9222 CHURCH RD	KOK VEASNA SIM
315	9222 CHURCH RD	PATTERSON DIANE BLDG 4 UNIT 207
316	9222 CHURCH RD	CARTER JONATHAN A BLDG 5 UNIT 208
317	9222 CHURCH RD	LEACH ANNE S UNIT 209
318	9222 CHURCH RD	CARONNA JOSEPHINE A
319	9222 CHURCH RD	FORNERO SUSAN BLDG 6 UNIT 211
320	9222 CHURCH RD	STORY ROSALYN
321	9222 CHURCH RD	HARVEY MARY G
322	9222 CHURCH RD	DWYER MICHAEL R #120
323	9222 CHURCH RD	PATTON CHRIS UNIT 121
324	9222 CHURCH RD	GONZALES DELLA L
325	9222 CHURCH RD	FRITZ JANICE L
326	9222 CHURCH RD	WALKER SHEILA A
327	9222 CHURCH RD	FOWLER RAMONA L #117
328	9222 CHURCH RD	SUTTON MARK A UNIT 113
329	9222 CHURCH RD	PATTERSON RUSSELL
330	9222 CHURCH RD	KACKLEY MARY A BLDG 11 UNIT 115
331	9222 CHURCH RD	DUBOIS GERALD R BLDG 12 UNIT 111
332	9222 CHURCH RD	CLARY VICTORIA
333	9222 CHURCH RD	BADRE ABOUELKHEIR BLDG 13 UNIT 109
334	9222 CHURCH RD	SCHRADER JOHN M UNIT 110
335	9222 CHURCH RD	MASSOUND REBECCA DIANE
336	9222 CHURCH RD	TUCKER LINDA UNIT 108

Z123-124 (MW)

12/27/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
337	9222 CHURCH RD	MEISENBACH KARL BLDG 15 UNIT 105
338	9222 CHURCH RD	RITZKY SYLVIA ANITA
339	9222 CHURCH RD	KRANTZ ROBERT P & HOLLIE A
340	9222 CHURCH RD	DELEON ROEL
341	9222 CHURCH RD	CRUM WILLIAM R & SUSAN C CRUM
342	9222 CHURCH RD	MOBLEY MARK R

FILE NUMBER: Z123-129(MW)

DATE FILED: November 2, 2012

LOCATION: East side of McKinney Avenue, between Routh Street and Fairmont Street

COUNCIL DISTRICT: 14

MAPSCO: 45-F

SIZE OF REQUEST: ±1.704 acres

CENSUS TRACT: 17.04

REPRESENTATIVE: Susan Mead/Jonathan Vinson, Jackson Walker, L.L.P.

APPLICANT: Pegasus Uptown, L.P./LG McKinney Limited Partnership

OWNER: Pegasus Uptown, L.P.

REQUEST: An application for a new Planned Development District for mixed uses on property zoned Planned Development Subdistrict No. 73 in Planned Development District No. 193, the Oak Lawn Special Purpose District and a Historic Transition Subdistrict within Planned Development District No. 225, the State-Thomas Special Purpose District with Historic Overlay District No. 25, the State Thomas Historic District, with deed restrictions on a portion

SUMMARY: The applicant proposes to develop the request site with a mixed use project consisting of a 50,000 square-foot grocery store with 225 multifamily units above it. Parking will be provided below grade with separate areas for retail and multifamily residential uses.

STAFF RECOMMENDATION: Approval; subject to a conceptual plan, landscape plan and staff's recommended conditions

BACKGROUND INFORMATION:

- With the exception of surface parking, the ±1.704-acre request site is unimproved.
- This request proposes removing approximately 5,180 square feet from the Historic District Transition Subdistrict within Planned Development District No. 225 and from the State Thomas Historic District (H/25). On December 3, 2012, the Landmark Commission approved the removal of this portion from the historic district.
- This request was submitted in conjunction with case Z123-130, which proposes a new subdistrict within Planned Development District No. 225, the State Thomas Special Purpose District. The new subdistrict will be developed with 24 townhouse-style multifamily units. The proposed conditions associated with Z123-130 allow the multifamily residential units on this request site to be parked below grade in the new PDD No. 225 subdistrict.
- In conjunction with case Z123-130, the applicant proposes to terminate the deed restrictions which cover the portion of this request site currently zoned Planned Development District No. 225 and Historic Overlay District No. 25. The deed restrictions ensure open space; alternate deed restrictions are being volunteered in conjunction with Z123-130.
- The request site is surrounded by undeveloped land to the north; office uses to the northeast; predominately undeveloped land with a vacant structure to the southeast (Z123-130); retail to the southwest and office and restaurant uses to the northwest.

Zoning History:

- 1. Z112-135:** On Wednesday, February 22, 2012, the City Council approved a Specific Use Permit for a Hotel or Motel use on property zoned Core Subdistrict within the Historic District within Planned Development District No. 225, the State-Thomas Special Purpose District

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Fairmount Street	Local	50 feet
McKinney Avenue	Minor arterial	58 feet
Routh Street	Local	48.5 feet

Land Use:

	Zoning	Land Use
Site	PDS 73 in PDD No. 193; PDD No. 225 (Historic Transition) with H/25	Undeveloped; surface parking
North	PDD No. 193 (LC)	Undeveloped
Northeast	PDD No. 225 (Historic Core) with H/25	Office
Southeast	PDD No. 225 (Historic Transition) with H/25	Undeveloped; vacant structure
Southwest	PDD No. 193 (HC)	Retail
Northwest	PDD No. 193 (LC)	Office; restaurant

STAFF ANALYSIS:

Comprehensive Plan:

The Vision Illustration depicts the request site as within an *Urban Neighborhood Building Block* on the **forwardDallas! Vision Illustration**, adopted June 2006. This building block should be predominantly residential, but are distinguished from other neighborhoods by a wide variety of housing options available. These neighborhoods will have concentrations of shops or offices along key corridors or at key intersections, which provide important services and job opportunities. These areas may have mixed-use buildings with ground floor shops.

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

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

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.

Land Use Compatibility:

With the exception of surface parking, the ±1.704-acre request site is unimproved. The applicant proposes to develop the request site with a mixed use project consisting of a 50,000 square-foot grocery store with 225 multifamily units above it. Parking will be provided below grade with separate areas for retail and multifamily residential uses. Residential uses on the request site and on the adjacent site (Z123-130) will be accessed from Routh Street. Parking for the grocery store will be accessed from Fairmount Street.

The proposed project will have a maximum height of 120 feet. Design standards will help ensure that the ground level retail (grocery store) is compatible with the surrounding area and will not negatively impact the rhythm of the streetscape and the pedestrian environment. The proposed design standards, which are similar to the design standards for big box development provided in Section 51A-4.605 of the Dallas Development Code, are intended to mitigate the impact of a large retail use while allowing creativity, flexibility, and variety in design.

To address the public realm and promote walkability, the applicant proposes a pedestrian zone, defined as the area between the back-of-curb and the building façade, which is intended for sidewalks, planting areas, outdoor eating areas, patio/outdoor retail display areas with canopies and pedestrian amenities. As proposed, sidewalks on McKinney Avenue must have a minimum unobstructed width of 10 feet; sidewalks on Fairmount Street and Routh Street must have a minimum unobstructed width of six (6) feet.

As proposed, operation of the loading dock associated with the grocery store is limited to the hours between 5:00 a.m. and 10:00 p.m. The loading area must be gated, with the gate remaining closed except for deliveries. An intercom and remote opening system must be installed and must be operated so that delivery drivers must contact building security for admittance through the gate. The primary vehicular access for residential uses must be from Routh Street; the primary vehicular access for retail uses must be from Fairmount Street.

The request site is surrounded by undeveloped land to the north; office uses to the northeast; predominately undeveloped land with a vacant structure to the southeast (Z123-130); retail to the southwest and office and restaurant uses to the northwest.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
PDS 73 in PDD 193	23' Fairmount 23' McKinney 20' Routh*	No. min	22,000 sf nonres 300 units 7.8:1	285'	80%	N/A	Residential; ground floor retail
PDD 225 Transition Subdistrict	Min 8' Max 18'	No min/5'	2:1	48'	70% (res) 60% (nonres)	N/A	Residential
Proposed							
New PDD	23' Fairmount 23' McKinney 20' Routh*	No. min	50,000 sf retail 200 units 4:1 FAR	120'	90%	N/A	Retail and multifamily

*Minimum front yard facing Routh Street for portions of a structure above 36 feet in height is 35 feet, only as to that portion of a structure above 36 feet in height.

Traffic:

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

Parking:

Parking must be provided in accordance with §51A-4.200 of the Dallas Development Code with the following exceptions:

- The required off-street parking for any retail or personal service use other than a restaurant without drive-in or drive-through service use is one space for each 220 square feet of floor area.
- The required off-street parking for the multifamily use is a minimum of one space and a maximum of one and one-half spaces for each dwelling unit in a multifamily structure. For each dwelling unit, 0.25 unassigned space must be available for use by guests. Unassigned guest spaces are a portion of, and not in addition to, the required off-street parking.

Parking reserved for specific dwelling units may be tandem; guest parking may not be tandem. Head-in spaces on the McKinney Avenue frontage may count towards required off-street parking, even if partially or completely located within public right-of-way, so long as they are designated with signage or other markings as being parking for the leasing office for the multifamily use.

Landscaping:

The applicant proposes a landscape plan for Council approval.

Staff recommends that mitigation and replacement for protected trees removed from the property be provided in accordance with Article X, which requires the total caliper of replacement trees be equal to or exceed the total caliper of the protected trees removed (or seriously injured). The applicant proposes that mitigation and replacement for protected trees removed from the property be provided at a ratio of one new caliper inch planted for every two caliper inches of protected trees removed.

Z123-129 (MW)

Partners/Principals/Officers: Pegasus Uptown, L.P.

Pegasus Uptown, L.P.

Cox Pegasus GP, LLC

Justin Cox—CEO

Todd Kesterson—President and Treasurer

Cindy Wolf—Secretary

Partners/Principals/Officers: LG McKinney Limited Partnership

LG MCKINNEY LIMITED PARTNERSHIP,
a Texas limited partnership

By: Gables NW LLC,
a Delaware limited liability company,
its general partner

By: Lion Gables Realty Limited Partnership,
a Delaware limited partnership,
its member

By: Gables GP, Inc.,
a Texas corporation,
its general partner

By: Katherine C. Slate
Name: Katherine C. Slate
Title: Development Director

Lion Gables Realty Limited Partnership is owned by the following:

1% General Partner – Gables GP, Inc., a Texas corporation

98.96% Limited Partner – Lion Gables Residential Trust, a Maryland real estate investment trust

0.04% Limited Partner – Markan Villas, Inc., a Georgia corporation

Gables GP, Inc.
Officers

<u>Name</u>	<u>Title</u>	<u>Address</u>
Susan M. Ansel	President and Chief Executive Officer	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Dawn H. Severt	Executive Vice President, Chief Financial Officer, Secretary and Treasurer	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Benjamin C. Pisklak	Executive Vice President and Chief Investment Officer	2925 Briarpark Suite 1220 Houston, TX 77042
Cristina F. Sullivan	Executive Vice President – Operations and Assistant Secretary	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Dennis E. Rainosek	Senior Vice President, Assistant Secretary, and Assistant Treasurer	2925 Briarpark Suite 1220 Houston, TX 77042
Philip E. Altschuler	Senior Vice President	8280 Greensboro Drive Suite 605 McLean, VA 22102
David K. Reece	Senior Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Joseph G. Wilber	Senior Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Jennifer B. Antos	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
P. Darin Botelho	Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Lynette R. Hegeman	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Heidi Kormann	Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Robert D. Lamb	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Rosemary LaPrete	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432

<u>Name</u>	<u>Title</u>	<u>Address</u>
Robert K. Presley	Vice President	2925 Briarpark Suite 1220 Houston, TX 77042
Gail Ruggles	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
David L. Skelton	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Christopher R. Smurda	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Donna Summers	Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Ashley I. Tewell	Vice President and Assistant Secretary	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Pamela A. Wade	Vice President	7025 West Tidwell Suite 104 Houston, TX 77092
Julie S. Wilsey	Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Matthew C. Bearden	Regional Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
F. Gregory Gasior	Regional Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Jorgen Punda	Regional Vice President	8280 Greensboro Drive Suite 605 McLean, VA 22102
Thomas R. Ryan	Regional Vice President	2925 Briarpark Suite 1220 Houston, TX 77042
Tiffany B. Wharton	Regional Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201

Gables GP, Inc.
Directors

<u>Name</u>	<u>Title</u>
Susan M. Ansel	Director
C. Stephen Cordes	Director
Brad S. Lebovitz	Director
Frank L. Sullivan, Jr.	Director
Mark A. Walsh	Director

Proposed Conditions (Subject to attorney review)

SEC. 51p-____.101 LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2013.

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

PD _____ is established on property generally fronting on the east line of McKinney Avenue, the south line of Routh Street, the west side of the zoning district boundary with Planned Development District No. 225, and the north line of Fairmount Street. The size of PD _____ is approximately 1.704 acres.

SEC. 51p-____.103. PURPOSE.

(a) The standards of this division complement the development pattern in the area and recognize the area's unique identity as a bridge between the State Thomas Historic District, Uptown, Oak Lawn, and Downtown. The objectives of these standards are as follows:

- (1) To promote the health, safety, welfare, convenience, and enjoyment of the public.
- (2) To achieve buildings more in urban form.
- (3) To promote a pedestrian environment and provide public open space.
- (4) To enhance historic areas and the city's cultural heritage.
- (5) To encourage development that complements nearby properties.
- (6) To encourage efficient design and utilization of space while providing adequate view corridors, light, and air to nearby properties.
- (7) To encourage reduced natural resource consumption, enhanced occupant comfort and health, lower utility consumption, minimized strain on local infrastructures, and improved quality of life.
- (8) To achieve a more unified and urban pedestrian-oriented development for this district and the adjacent Historic Transition Zone 1d of Planned Development District 225 by a reduction in density and height in this District.

SEC. 51p-____.104. DEFINITIONS AND INTERPRETATIONS.

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

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

(1) PATIO/OUTDOOR RETAIL DISPLAY AREA WITH CANOPY is an area of open, unenclosed and unconditioned area outside of a structure, covered only by a canopy, for outside display of merchandise and outside seating at patio- or café-type tables.

(2) PEDESTRIAN ZONE means the area between the back-of-curb and the building façade, which is intended for sidewalks, planting areas, outdoor eating areas, Patio/Outdoor Retail Display Areas with Canopies as defined herein, and pedestrian amenities.

(3) SUBDISTRICT 1A means that area shown as “Subdistrict 1A” on the conceptual plan.

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

SEC. 51p-____.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit ____A). In the event of a conflict between the text of this article and conceptual plan, the text of this article controls.

Staff recommended:

SEC. 51P-795.106. DEVELOPMENT PLAN.

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

SEC. 51p-____.107. MAIN USES PERMITTED.

(a) Except as provided in this section, and except as provided in Subsection 51P-____.106(d) below, the only main uses permitted in this district are those main uses permitted in the MU-3 Mixed Use district, subject to the same conditions applicable in the MU-3 Mixed Use district. For example, a use permitted in the MU-3 Mixed Use district only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use district is subject to DIR in this district, etc.

(b) Except as further provided below, all Residential Uses are permitted in this district.

(c) The following main uses are prohibited in this district:

(1) Agricultural uses.

- Animal production
- Commercial stable
- Crop production
- Private stable

(2) Commercial and business service uses.

- Building repair and maintenance shop.
- Mining.
- Labor hall.
- Vehicle or engine repair or maintenance.

(3) Institutional and community services uses.

- Adult day care facility.
- Community service center.
- Foster home.
- Halfway house.

(4) Lodging uses.

- Lodging or boarding house.
- Overnight general purpose shelter.

(5) Recreation uses.

- Country club with private membership.

(6) Residential uses.

- College dormitory, fraternity or sorority house.

(7) Retail and personal service uses.

- Alcoholic beverage establishment.
- Ambulance service.
- Auto service center.
- Car wash.
- Commercial amusement (inside).
- Liquor store.
- Motor vehicle fueling station.
- Pawn shop.
- Restaurant with drive-in or drive-through service.
- Vehicle display, sales, and service (*outside display*).

(8) Transportation uses.

- Airport or landing field.
- STOL (short takeoff or landing) port.
- Commercial bus station and terminal.
- Heliport.
- Helistop.
- Railroad passenger station.

(9) Utility and public service uses.

- Utility or government installation other than listed.
- Electrical substation.
- Commercial radio or television transmitting station.
- Sewage treatment plant.
- Water treatment plant.

(10) Wholesale, distribution and storage uses.

- Auto auction.
- Warehouse.
- Open storage (*except as may be accessory to a permitted main use.*)
- Recycling buy-back center.
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection.
- Sand, gravel, or earth sales and storage.

(d) The following main use is subject to additional restrictions:

- Dance hall as defined in Sec. 51A-4.210(b)(7)(vi)[*Dance floor is limited to no more than 25 percent of the floor area.*]

(e) The following main use is the only main use permitted in Subdistrict 1A:

- Multifamily

SEC. 51p-____.108. ACCESSORY USES.

(a) Except as provided in this section, 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 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are prohibited in this subdistrict:

- Private stable.
- Amateur communication tower.

SEC. 51p-____.109. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Except as provided in this section, the yard, lot, and space regulations of the MU-3 Mixed Use district apply.

(b) Except as to minimum front yard, minimum side yard, minimum rear yard, and maximum structure height in Subdistrict 1A, the following yard, lot, and space regulations apply:

(1) Front yard.

(A) Minimum front yard and minimum pedestrian zone on McKinney Avenue is 23 feet.

(B) Minimum front yard and minimum pedestrian zone on Routh Street is 20 feet; minimum front yard facing Routh Street for portions of a structure above 36 feet in height is 35 feet, only as to that portion of a structure above 36 feet in height.

(C) Minimum front yard and minimum pedestrian zone on Fairmount Street is 23 feet. Two off-street parking spaces are permitted in the required front yard facing Fairmount Street in the location shown on the conceptual plan.

(D) Front yard setbacks shall not be measured from any visibility triangle easements or corner clip easements.

(E) Patio/Outdoor Retail Display Areas with Canopies may extend up to 15 feet into required front yards in the locations specified on the conceptual plan.

(F) Minimum front yard setback and minimum pedestrian zone in Subdistrict 1A are as shown on the conceptual plan.

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

(3) Floor area ratio. Maximum floor area ratio is 4.0:1; provided, however, that if the total floor area of residential uses in this district is equal to or greater than the total area of this district, the maximum floor area ratio is 4.5:1.

(4) Height.

(A) Except as provided in this subsection, maximum structure height is 42 feet.

(B) Maximum structure height of the mid-rise residential structure, as shown on the conceptual plan, is 120 feet.

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

(6) Lot size. No minimum lot size.

(7) Stories.

(A) Except as provided in this subsection, maximum number of stories is three.

(B) For the mid-rise residential structure, as shown on the conceptual plan, maximum number of stories is nine.

(c) In Subdistrict 1A, maximum structure height and required minimum front yard, minimum side yard, minimum rear yard are as follows:

(1) Maximum structure height. Maximum permitted height for all buildings and structures is determined by the slope beginning at a line parallel to and 36 feet above the boundary line of the Historic Core Subdistrict and extending perpendicularly from that line over the transition subdistricts two feet horizontally for every one floor of vertical rise, to a maximum height of 48 feet.

(2) Minimum front yard, side yard, and rear yard.

(A) Front yard. All structures must have a minimum front yard setback of eight feet and a maximum front yard setback of 18 feet

(B) Rear yard. All structures must have a minimum rear yard setback of five feet.

(C) Side yard. No minimum side yard requirement.

SEC. 51p-____.110. OFF STREET PARKING AND LOADING.

(a) Except as provided herein, consult Part I of this article for the specific off-street parking and loading requirements for each use. Consult the off street parking and loading regulations of Chapter 51A for information about off street parking and loading generally.

(b) Required off-street parking for the “General merchandise or food store greater than 3,500 square feet” use, or for any other Retail or Personal Service Use other than the “Restaurant without drive-in or drive-through service” use, shall be one space for each 220 square feet of floor area.

(c) Required off-street parking for the “Multifamily” use shall be as follows:

(1) Required off-street parking: A minimum of one space and a maximum of one and one-half spaces are required for each dwelling unit in a multifamily structure.

(2) Guest parking: 0.25 unassigned spaces available for use by visitors and residents are required for each dwelling unit. These unassigned guest spaces are a portion of, and not in addition to, the required off-street parking to be provided pursuant to Sec. 51P-____.109(c)(1) above. Spaces adjacent to the lot and on a public street may be counted toward this guest parking requirement if one additional two-inch caliper tree is planted on the lot for each on-street guest space. (These on-street spaces remain subject to the city’s authority to regulate public streets.) The parking surface for guest parking within the lot (not on-street) may be permeable pavement for motor vehicles.

(3) If more than ten off-street parking spaces are required for this use, handicapped parking must be provided pursuant to Section 51A-4.305.

(4) Private parking (parking reserved for specific dwelling units) may be tandem (one parking space in front of another parking space); guest parking may not be tandem.

(d) Operation of the loading dock is limited to the hours between 5:00 a.m. and 10:00 p.m. The loading area must be gated, with the gate remaining closed except for deliveries. An intercom and remote opening system must be installed and must be operated so that delivery drivers must contact building security for admittance through the gate.

(e) The primary vehicular access for residential uses must be from Routh Street.

(f) The primary vehicular access for retail uses must be from Fairmount Street.

(g) Screening of the two parking spaces permitted within the required front yard facing Fairmount Street is not required.

(h) Head-in spaces on the McKinney Avenue frontage may count towards required off-street parking, even if partially or completely located within public right-of-way, so long as they are designated with signage or other markings as being parking for the leasing office for the multifamily use.

SEC. 51p-____.111. DESIGN STANDARDS FOR LARGE RETAIL USES.

(a) Purpose. These design standards are intended to ensure that large retail uses are compatible with the surrounding area and mitigate the impact of large retail uses while allowing creativity, flexibility, and variety in design.

(b) Applicability.

(1) These design standards apply to the ground level of general merchandise or food stores of 30,000 square feet or more.

(2) In the event that these design standards conflict with other requirements of this chapter, the more stringent requirement applies.

(c) Definitions. The following definitions apply to these design standards:

(1) FACADE WALL means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building that encloses usable space. Where separate faces are oriented in the same direction, or in the directions within 45 degrees of one another, they are considered as part of a single facade wall.

(2) PRIMARY FACADE WALL means the facade wall containing the primary entrance. If two or more facades walls have entrances of equal significance, each facade wall will be considered a primary facade wall.

(3) REAR FACADE WALL means the facade wall containing service areas.

(4) SIDE FACADE WALL means any facade wall that is not a primary facade wall or a rear facade wall.

(5) SERVICE AREA means any area for loading docks, outdoor storage (other than an outdoor display, sales, and storage area), trash collection or compaction, truck parking, or other similar functions.

(d) Facade walls. Primary facade walls and side facade walls must incorporate at least three of the following design elements. Rear facade walls must incorporate at least two of the following design elements. The cumulative length of

these design elements must extend for at least 60 percent of the facade wall's horizontal length, excluding any service areas.

(1) A repeating pattern of wall recesses and projections, such as bays, offsets, reveals, or projecting ribs, that have a relief of at least eight inches along the façade walls for the ground level retail use.

(2) At least three of the following design elements at the primary entrance, so that the primary entrance is architecturally prominent and clearly visible from the abutting street:

(A) Architectural details such as enhanced materials, arches, friezes, tile work, murals, or moldings for the ground level.

(B) Integral planters or wing walls that incorporate landscaping or seating.

(C) Enhanced exterior light fixtures at ground level such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.

(D) Prominent three-dimensional features, such as canopies, belfries, chimneys, clock towers, domes, spires, steeples, louvers, signage, towers, or turrets for the ground level retail use.

(E) A repeating pattern of pilasters or wall panels projecting from the facade wall by a minimum of four inches or architectural or decorative columns for the ground level retail use.

(3) Arcades, awnings, canopies, covered walkways, or porticos.

(4) Display space, faux windows, or decorative windows.

(e) Facade wall changes. Facade walls must have a one or more of the following changes on the entire building façade from ground floor to roof structure:

(1) Changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(2) Changes in plane with a depth of at least 24 inches, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet.

(f) Materials and colors.

(1) No more than 75 percent of the area of a facade wall, exclusive of fenestration, may have a single material or color.

(2) The following materials may only be used on rear facade walls:

(A) Smooth-faced concrete block that is non-tinted or non-burnished.

(B) Tilt-up concrete panels that are unadorned or untextured.

(C) Prefabricated steel panels.

(g) Roofs: Roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so that they not visible from a point five feet, six inches above grade at the property line. Screening materials must match the materials and colors used on the main building. Chain link fence may not be used as a screening material.

(h) Miscellaneous design standards.

(1) Service areas must be oriented so that they are not visible from abutting public rights-of-way or residential zoning districts, or must be screened from abutting public rights-of-way or residential zoning districts by screening, including rolling doors and gates.

(2) Mechanical equipment on the ground must be screened using materials matching the materials and colors used on the main building, including masonry or louvers. Chain link fence may not be used as a screening material.

(3) Merchandise may not be displayed or stored in parking areas or on sidewalks adjacent to facade walls, except in outdoor display, sales, patio, and storage areas, including, but not limited to, Patio/Outdoor Retail Display Areas With Canopies, as defined herein.

(4) Shopping cart storage areas adjacent to facade walls (not in parking lots) must be screened with landscaping or materials matching the materials of the primary facade wall. No more than two shopping cart storage areas (one on each side of an entrance) may be provided on any facade wall. Shopping cart storage areas may not exceed 20 feet in length.

(5) If the use is within 300 feet of a residential zoning district or a zoning district that allows residential uses, the following restrictions apply. For purposes of this provision, measurements are made in a straight line, without regard to intervening structures or objects, from the nearest boundary of the lot where the use is conducted to the nearest boundary of the zoning district in issue.

(A) External speakers are prohibited between the hours of 10:00 p.m. and 8:00 a.m.

(B) Staging, loading, or idling of commercial vehicles in a service area is prohibited between the hours of 10:00 p.m. and 7:00 a.m. Signs prohibiting

staging, loading, or idling of commercial vehicles between the hours of 10:00 p.m. and 7:00 a.m. must be posted every 100 feet adjacent to the service area.

(6) Fencing is permitted around all or part of Patio/Outdoor Retail Display Areas With Canopies up to a maximum height of four feet.

(i) Variations and exceptions. The city plan commission, whether or not a specific use permit is required, may approve a site plan that does not comply with the requirements of these design standards provided that:

(1) strict compliance with these design standards is impractical due to site constraints or would result in substantial hardship;

(2) the site plan complies with the spirit and intent of these design standards;

(3) the site plan furthers the stated purpose of these design standards; and

(4) the variation or exception from these design standards will not adversely affect surrounding properties.

(5) The city plan commission shall follow the same procedure used for approval of minor amendments to development plans and the fee for a minor plan amendment shall apply.

SEC. 51p-____.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI of Chapter 51A.

SEC. 51p-____.113. LANDSCAPING AND TREE MITIGATION.

(a) Landscaping must be provided as shown on the landscape plan (Exhibit _

Staff recommended:

(b) Mitigation and replacement for protected trees removed from the Property must be provided pursuant to Article X of the Dallas Development Code.

Applicant proposed:

(c) Mitigation and replacement for protected trees removed from the Property must be provided at a ratio of one new caliper inch planted for every two caliper inches of protected trees removed.

(d) A minimum of 25 percent of the McKinney Avenue, Routh Street, and Fairmount Street front yards combined must be landscaped.

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

SEC. 51p-____.114. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII of Chapter 51A.

SEC. 51p-____.115. SIDEWALKS AND PARKWAYS; VISUAL OBSTRUCTION REGULATIONS.

(a) Sidewalks.

(1) Sidewalks on McKinney Avenue must have a minimum unobstructed width of 10 feet, except where immediately adjacent to head-in parking spaces in existence at the date of the establishment of this district, where a minimum unobstructed width of 8.5 feet is required.

(2) Sidewalks on Fairmount Street and Routh Street must have a minimum unobstructed width of 6 feet.

(b) Visual obstruction regulations.

(1) A person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is:

(A) in a visibility triangle, as defined in Paragraph (2); and

(B) between two-and-one-half feet and eight feet in height measured from the top of the adjacent street curb. If there is no adjacent street curb, the measurement is taken from the grade of the portion of the street adjacent to the visibility triangle.

(2) For purposes of Subsection (1), the term "visibility triangle" means:

(A) the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection; and

(B) the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and an adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on the driveway or alley edge and the street curb line 20 feet from the intersection.

(3) The board shall grant a special exception to the requirements of this section when, in the opinion of the board, the item will not constitute a traffic hazard.

(4) It is a defense to prosecution under this subsection that a structure becomes nonconforming with respect to the visibility triangle unless the nonconforming rights attendant to the structure have been lost or terminated under Section 51A-4.704.

SEC. 51p-____.116. ADDITIONAL PROVISIONS.

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

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

(c) Except as provided in this division or shown on the conceptual plan, development and use of the Property must comply with Part I of this article.

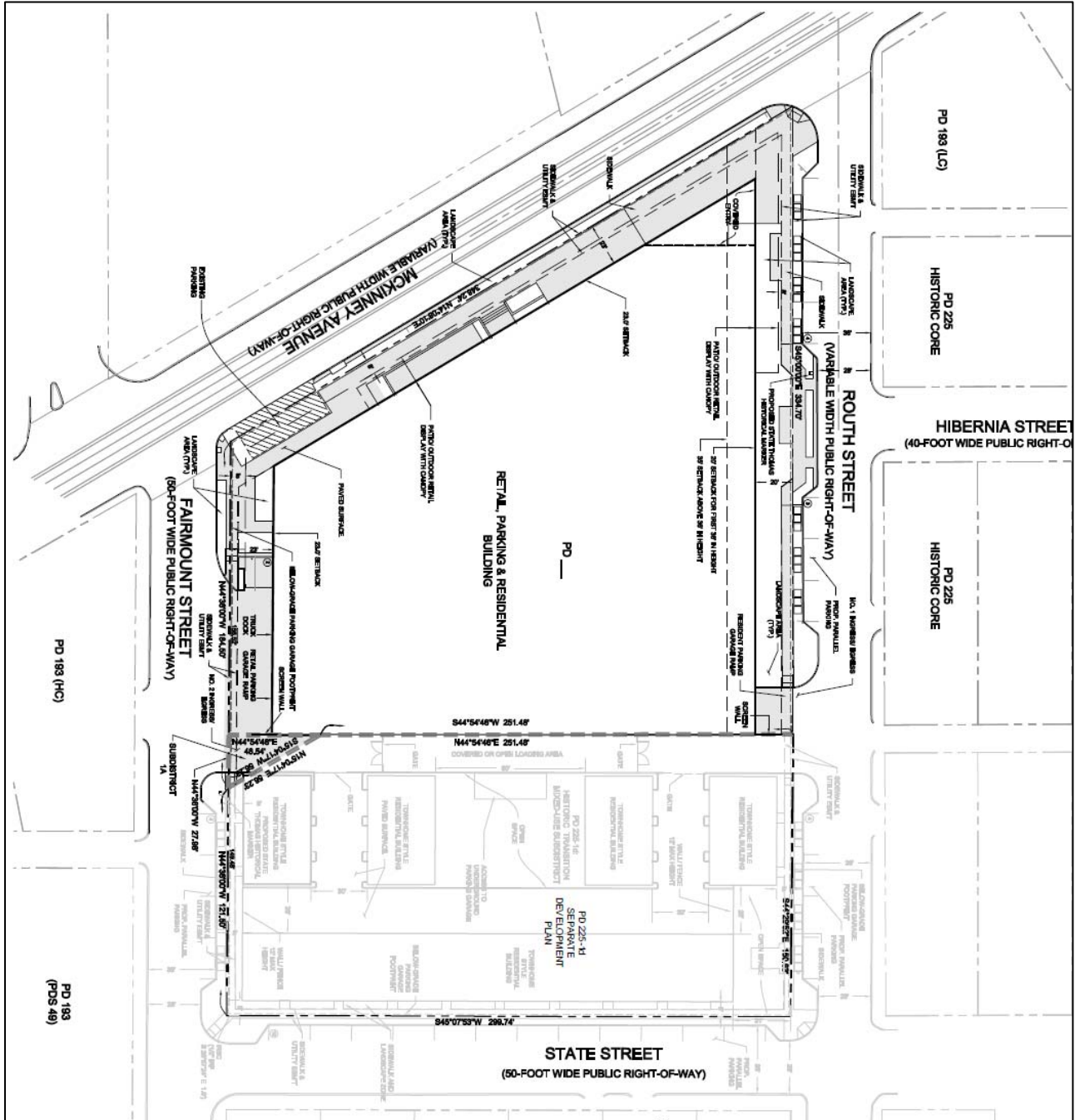
(d) No additional dedication of right-of-way from the Property for McKinney Avenue, Fairmount Street, or Routh Street shall be required.

SEC. 51p-____.117. COMPLIANCE WITH CONDITIONS.

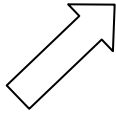
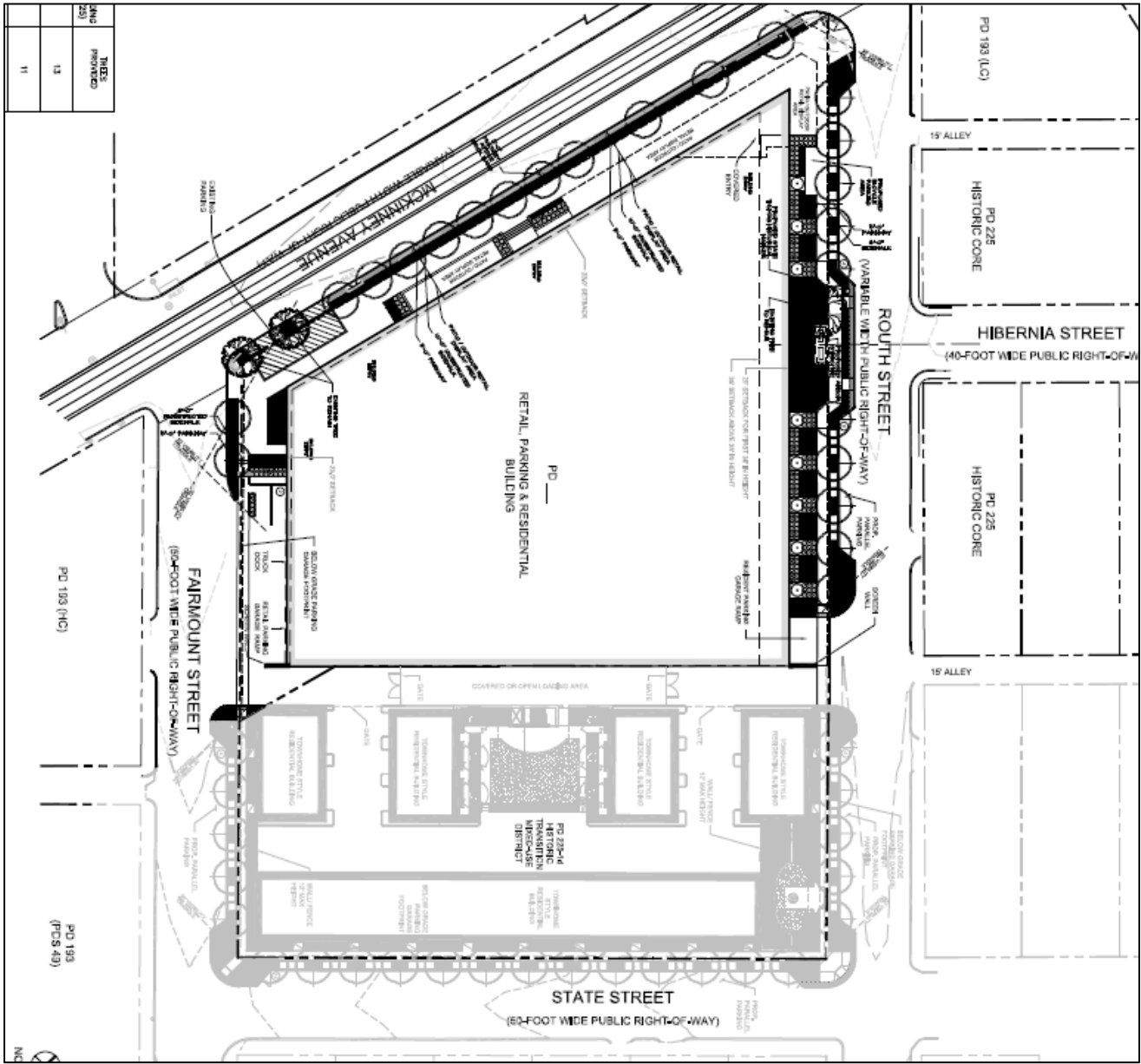
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

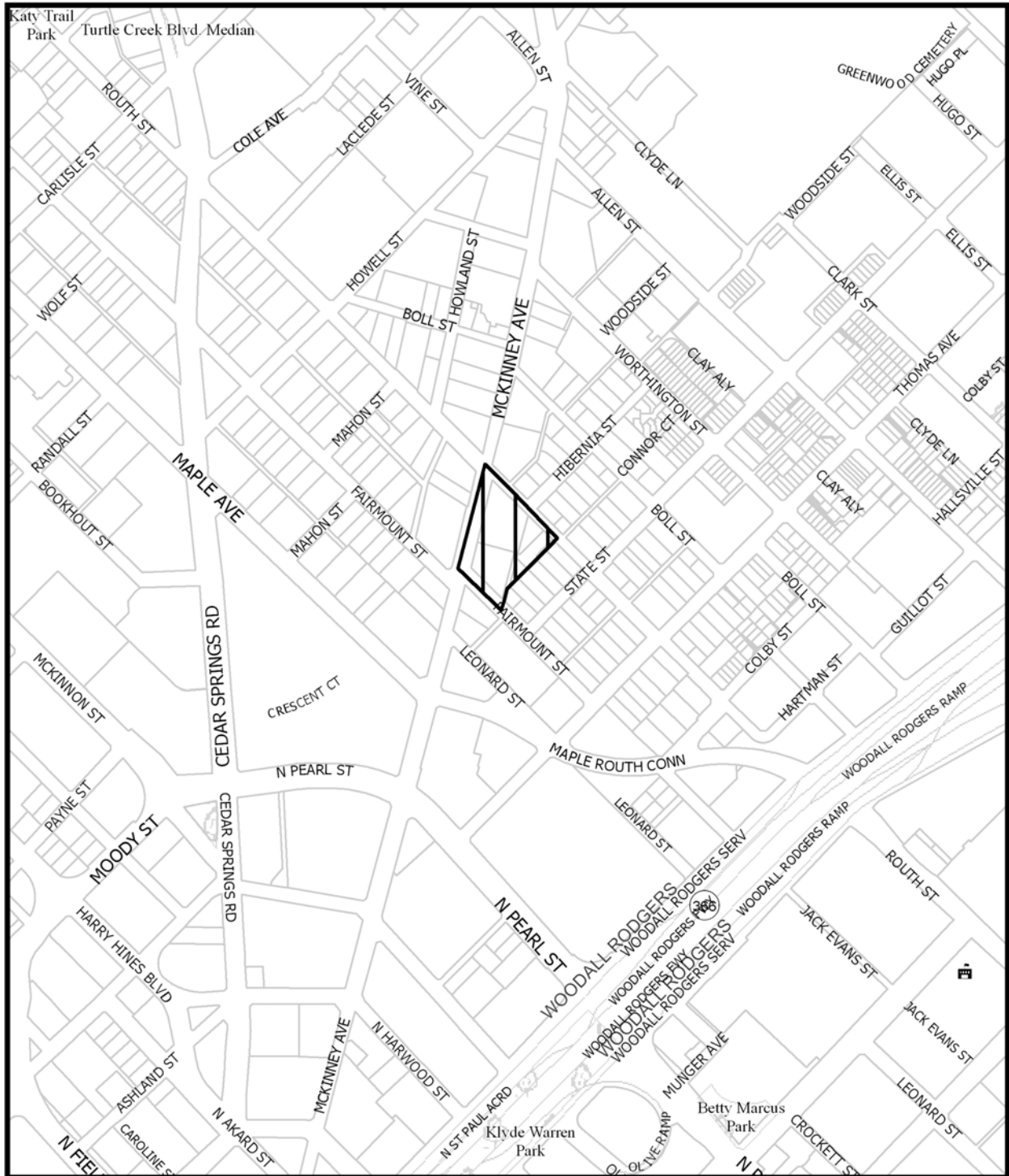
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances,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

Proposed Conceptual Plan



Proposed Landscape Plan



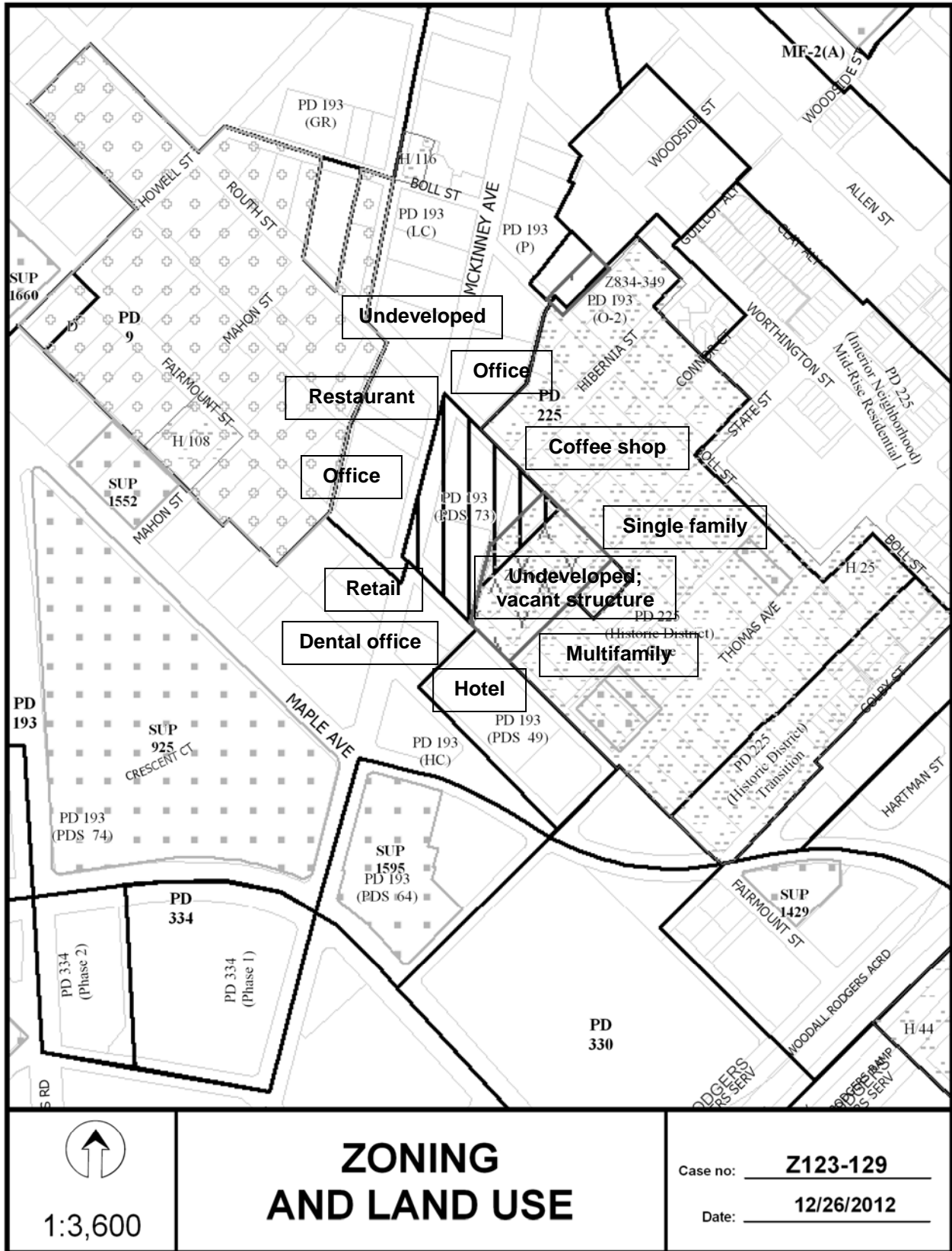


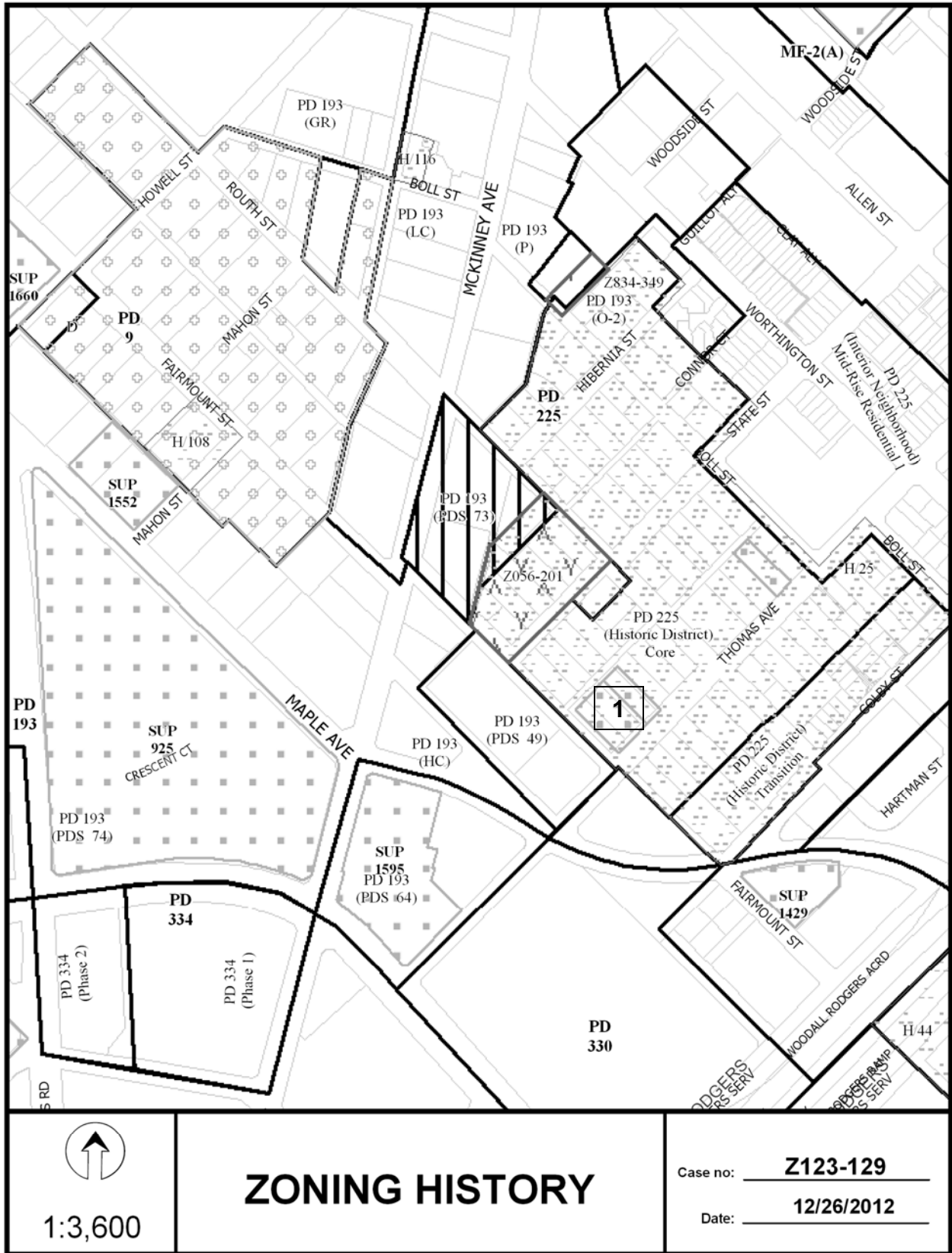
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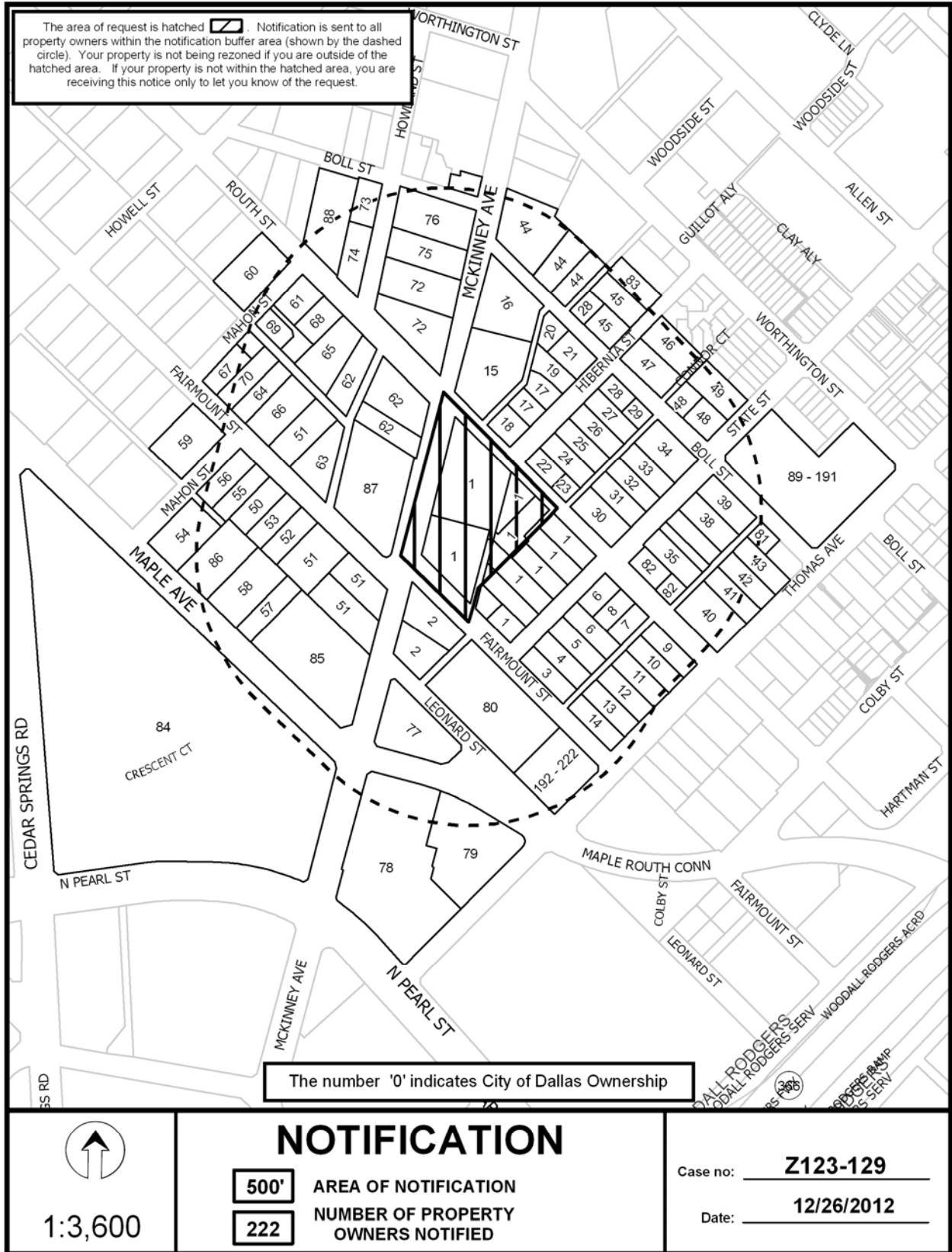
VICINITY MAP

Case no: **Z123-129**

Date: **12/26/2012**







12/26/2012

Notification List of Property Owners***Z123-129******222 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2500 MCKINNEY AVE	PEGASUS UPTOWN LP
2	2400 MCKINNEY AVE	PEASE RALPH W & DOROTHY M
3	2500 STATE ST	MCBRIDE THOMAS R
4	2504 STATE ST	NEMEC EDWARD C & PAULA R
5	2508 STATE ST	PELLETIER GEORGE TRUSTEE
6	2512 STATE ST	PELLETIER GEORGE A
7	2315 ROUTH ST	ROUTH STREET PARTNERS LLC
8	2317 ROUTH ST	PELLETIER GEORGE ET AL
9	2519 THOMAS AVE	WALKER JOHN NEWTON
10	2517 THOMAS ST	BAYLESS ALVIN KENT & CHARMAYNE
11	2515 THOMAS AVE	TIMELESS COLLECTABLES INC
12	2509 THOMAS AVE	YLAW LLC
13	2505 THOMAS AVE	5701 MAIN ST LLC
14	2501 THOMAS AVE	5701 MAIN STREET LLC
15	2602 MCKINNEY AVE	UPTOWN ENERGY PARTNERS LP
16	2614 MCKINNEY AVE	J&K REAL ESTATE INV LTD
17	2605 HIBERNIA ST	HUMPHRIES JOHN JR
18	2500 ROUTH ST	GARZA PPTIES L L C #200
19	2615 HIBERNIA ST	SWIFT DALE MATTHEW
20	2511 BOLL ST	FEFERMAN R JOSH
21	2619 HIBERNIA ST	EHM PROPERTIES HIBERNIA LLC
22	2600 HIBERNIA ST	DOWNTOWN PREGNANCY CENTER DBA THE
UPTOWN		
23	2414 ROUTH ST	ROUTH COFFEE HOUSE LLC
24	2604 HIBERNIA ST	NICHOLS DOUGLAS R & KARRISON S NICHOLS
25	2608 HIBERNIA ST	HARTMAN PRINCELLA
26	2614 HIBERNIA ST	SMITH STEPHEN S & MARLA F

Z123-129 (MW)

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2616 HIBERNIA ST	STAR B PROPERTIES LLC
28	2620 HIBERNIA ST	HUMPHRIES JOHN F JR
29	2415 BOLL ST	SIMS LEON
30	2601 STATE ST	KIRVEN JOE
31	2607 STATE ST	ARMSTRONG BERGER PARTNERS
32	2611 STATE ST	ARMSTRONG BERGER PARTNERS
33	2615 STATE ST	PETERS PAULINE & JOHN H ARMSTRONG
34	2621 STATE ST	PASCAL ENTERPRISES INC
35	2606 STATE ST	ALLMILAND LTD
36	2610 STATE ST	GRAGERT AMY
37	2608 STATE ST	PRAEGER LAURENCE J & JESSICA
38	2616 STATE ST	SIMS ELLA M
39	2620 STATE ST	MCKNIGHT MARY D
40	2605 THOMAS AVE	BLACK DALLAS REMEMBERED INC
41	2609 THOMAS AVE	WEST OLIN
42	2613 THOMAS AVE	THOMAS ST PARTNERSHIP
43	2617 THOMAS AVE	BARNEY & DAVID LTD
44	2516 BOLL ST	AJP PROPERTIES
45	2707 HIBERNIA ST	FINCH MARK M
46	2706 HIBERNIA ST	MYSLIWY ALLIE RAYMOND & DEBORAH ANN
47	2700 HIBERNIA ST	HUMPHRIES JOHN F
48	2701 STATE ST	ADA CAPITAL LTD
49	2707 STATE ST	MEADOWS CURTIS W JR & PATRICIA B
50	2521 FAIRMOUNT ST	BLL LP % LANDES INVESTMENTS
51	2507 FAIRMOUNT ST	MURPHY PLAZA LLC ATTN: MARTIN ADLER
52	2515 FAIRMOUNT ST	MURPHY PLAZA LLC ATTN:MARTIN ADLER
53	2517 FAIRMOUNT ST	COLLIE GRIFFIN W & SUZANNE C COLLIE
54	2516 MAPLE AVE	HEYMANN CLAIRE L
55	2525 FAIRMOUNT ST	BLL LP % LANDES INVESTMENT
56	2527 FAIRMOUNT ST	UNDERWOOD PPTIES LLC
57	2504 MAPLE AVE	PASHA & SINA INC % MOHSEN HEIDARI

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2508 MAPLE AVE	RESTAURANT & BAR ARTHUR S C/O SAN FRANCI
59	2603 FAIRMOUNT ST	2603 FAIRMOUNT INVESTORS
60	2711 ROUTH ST	PEGASUS FOUNDATION THE DBA DALLAS INST O
61	2707 ROUTH ST	TURTLE CREEK MANOR INC
62	2609 ROUTH ST	OR ASSET HOLDINGS LP
63	2520 FAIRMOUNT ST	W J FAIRMOUNT LP STE 650 L B 149
64	2600 FAIRMOUNT ST	STARK JERRY COMPANIES INC
65	2615 ROUTH ST	VILLANUEVA MARIA & MARCELINO
66	2530 FAIRMOUNT ST	KORNYE GEORGE W & MARY ANN
67	2512 MAHON ST	GINSBURG BROOKE MINORS TRUST ET AL
68	2703 ROUTH ST	BABY ROUTH INC
69	2518 MAHON ST	CHARTER 2700 FAIRMOUNT LP
70	2604 FAIRMOUNT ST	SMITH SHARON HAYSLIP & COLE SMITH SR
71	2701 MCKINNEY AVE	STORY HERBERT B JR
72	2619 MCKINNEY AVE	XL CAPITAL LLC
73	2703 BOLL ST	OGLE LINDA K ET AL
74	2704 ROUTH ST	MARTIN INV LP % JAMES B MARTIN
75	2621 MCKINNEY AVE	BLACKFRIAR PROPERTY LLC
76	2633 MCKINNEY AVE	2633 MCKINNEY AVE LLC
77	2324 MCKINNEY AVE	MAPLE AND MCKINNEY L P % ONE STOP FOOD S
78	2222 MCKINNEY AVE	AMREIT UPTOWN DALLAS LP
79	2212 MCKINNEY AVE	ALH PPTIES NO EIGHTEEN LP
80	2332 LEONARD ST	GIVENS RECORDS DEV LP
81	2309 BOLL ST	ALLMILAND LTD
82	2600 STATE ST	2600 STATE INVESTORS
83	2711 HIBERNIA ST	DUNAWAY DIANE
84	100 CRESCENT CT	CRESCENT TC INVESTORS LP ATTN: PROPERTY
85	2401 MCKINNEY AVE	ELK FINANCIAL INC STE 450 LB 314
86	2512 MAPLE AVE	HEIDARI ALI
87	2515 MCKINNEY AVE	CHATEAU PLAZA HOLDINGS LP
88	2708 ROUTH ST	JTS ROUTH ST PARTNERS LLC ATTN: JOHN T S

Z123-129 (MW)

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2305 WORTHINGTON ST	GALKE BRIAN R UNIT 101
90	2305 WORTHINGTON ST	BUSTOS RANDOLPH
91	2305 WORTHINGTON ST	MAHDI SYED J & NAGEEN FATIMA
92	2305 WORTHINGTON ST	COBLE ROBERT MCLEAN III
93	2305 WORTHINGTON ST	BRANT ELIZABETH JUNE & CHARLES ERNEST BR
94	2305 WORTHINGTON ST	EISELT D BRYAN APT 106
95	2305 WORTHINGTON ST	KAILER ALAN & RENEE A KAILER
96	2305 WORTHINGTON ST	WHITE NATALIA APT 108
97	2305 WORTHINGTON ST	KOHL FLORIAN BLDG A UNIT 109
98	2305 WORTHINGTON ST	LEE DAVID A APT 110
99	2305 WORTHINGTON ST	COLLINGWOOD DEANNA L BLDG A UNIT 111
100	2305 WORTHINGTON ST	CONLEY RANDALL W
101	2305 WORTHINGTON ST	MCCULLOUGH ROBERT L & JULIA
102	2305 WORTHINGTON ST	HOLACKA JAMES A APT 205
103	2305 WORTHINGTON ST	ROGERS ROBERT J & ELLEN H
104	2305 WORTHINGTON ST	HERBST GRANT M APT 116
105	2305 WORTHINGTON ST	HERSH NANCY
106	2305 WORTHINGTON ST	WATTERS WILLIAM C III & MARY J N
107	2305 WORTHINGTON ST	NUNLEY DIANE K UNIT 119
108	2305 WORTHINGTON ST	MOLL MEGAHN E
109	2305 WORTHINGTON ST	SOLIS MICHAEL RYAN & UNIT 121
110	2305 WORTHINGTON ST	REDINGTON ZACHARY R #122
111	2305 WORTHINGTON ST	GATES JESSE J UNIT 123
112	2305 WORTHINGTON ST	POLTORAK SABINA BLDG A UNIT 124
113	2305 WORTHINGTON ST	TAFT EDMUND APT 125
114	2305 WORTHINGTON ST	LEE MANJA UNIT 143
115	2305 WORTHINGTON ST	MORVAY LEON C & GAIL R APT 127
116	2305 WORTHINGTON ST	BAILEY BRIAN J BLDG A UNIT 128
117	2305 WORTHINGTON ST	NOVORR MARTHA C APT 129
118	2305 WORTHINGTON ST	TRACY JACQUELINE UNIT 130
119	2305 WORTHINGTON ST	THOMPSON MORGAN

Z123-129 (MW)

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2305 WORTHINGTON ST	JORDAN TOMMY S UNIT 132
121	2305 WORTHINGTON ST	GALLMAN ROBERT & LAURA
122	2305 WORTHINGTON ST	ENGELMANN HOLLY BLDG UNIT 134
123	2305 WORTHINGTON ST	MOLINAS FAMILY IRREVOCABLE TRUST
124	2305 WORTHINGTON ST	MCGARRY JOHN
125	2305 WORTHINGTON ST	DUGGINS JAMES L
126	2305 WORTHINGTON ST	HAMMER STEVEN # 201
127	2305 WORTHINGTON ST	STROHBEHN THOMAS M
128	2305 WORTHINGTON ST	CORONADO NATASHA M &
129	2305 WORTHINGTON ST	PHILPOT RICHARD THOMAS III
130	2305 WORTHINGTON ST	ESTES STEVEN & ESTES KAREN
131	2305 WORTHINGTON ST	NITTIES JAMES E UNIT 206A
132	2305 WORTHINGTON ST	NEHLS CAROLINE E
133	2305 WORTHINGTON ST	DYMOTT JEAN ANN BLDG A UNIT 208
134	2305 WORTHINGTON ST	SMITH R BARCLAY
135	2305 WORTHINGTON ST	KNOX JAMES D UNIT 210
136	2305 WORTHINGTON ST	MCKEE AMY APT 211
137	2305 WORTHINGTON ST	GURMENDI LEXA
138	2305 WORTHINGTON ST	DHARAMSI FARID & JENNIFER APT 213
139	2305 WORTHINGTON ST	NARULA MONICA & RAJ APT #214
140	2305 WORTHINGTON ST	MARTIN MARSHA F UNIT 215
141	2305 WORTHINGTON ST	BERTHOUD CLAUDE M BLDG A UNIT 216
142	2305 WORTHINGTON ST	HAAG BETTY J
143	2305 WORTHINGTON ST	STENZLER ZACHARY R
144	2305 WORTHINGTON ST	THIBODEAU JENNIFER A BLDG A UNIT 219
145	2305 WORTHINGTON ST	REESE CLARK D BLDG A UNIT 220
146	2305 WORTHINGTON ST	PETERS KORT J JR APT 221
147	2305 WORTHINGTON ST	ROBERTSON TOM M & DARLENE
148	2305 WORTHINGTON ST	NGUYEN NGA BLDG A UNIT 223
149	2305 WORTHINGTON ST	RAMAN SWAMINATHAN V & VASANTHI
150	2305 WORTHINGTON ST	MACDONALD HEATHER M

Z123-129 (MW)

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	2305 WORTHINGTON ST	DECKER MARK BLDG A UNIT 226
152	2305 WORTHINGTON ST	HAYS AMARYLLIS #227
153	2305 WORTHINGTON ST	DURAN LEONARD & LYNDA L
154	2305 WORTHINGTON ST	NORTHROP KARL S APT 229
155	2305 WORTHINGTON ST	GEORGE MARGARET E STE 230
156	2305 WORTHINGTON ST	MITTAKANTI KRITHIKA APT 231
157	2305 WORTHINGTON ST	WRIGHT TRAVIS UNIT 232
158	2305 WORTHINGTON ST	ARNOLD BRIAN UNIT 233
159	2305 WORTHINGTON ST	SERGIE ASSAD & MICHELE
160	2305 WORTHINGTON ST	LINDLEY MARIE K & STEVEN J LINDLEY
161	2305 WORTHINGTON ST	BRIDSON TRACY DANIELLE UNIT 3030
162	2305 WORTHINGTON ST	GALLOWAY JULIANNE K & ROBERT D
163	2305 WORTHINGTON ST	JONES DAVID
164	2305 WORTHINGTON ST	SCHNYDER TRACY A BLDG A UNIT 307
165	2305 WORTHINGTON ST	LAW STEVE J
166	2305 WORTHINGTON ST	MERRITT PEARL E UNIT 309
167	2305 WORTHINGTON ST	BORDEAUX KAREN R BLDG A UNIT 310
168	2305 WORTHINGTON ST	AVIS PPTIES LLC
169	2305 WORTHINGTON ST	GILLILAND WILLIAM A UNIT 312
170	2305 WORTHINGTON ST	NAGARJAN SUBBIAH
171	2305 WORTHINGTON ST	BELVEDERE CONDOS AT STATE-THOMAS INC
BLD		
172	2305 WORTHINGTON ST	DONNELLY KEVIN J # 317
173	2305 WORTHINGTON ST	SCOTT RAY
174	2305 WORTHINGTON ST	BAXTER ELIZABETH ANNE UNIT 319
175	2305 WORTHINGTON ST	PAYNE ONAY S LIVING TRUST ONAY SAFIYA PA
176	2305 WORTHINGTON ST	SALAME STACY BLDG A UNIT 322
177	2305 WORTHINGTON ST	THOMPSON RYAN UNIT 324
178	2305 WORTHINGTON ST	ROE SUSAN E BLDG A UNIT 326
179	2305 WORTHINGTON ST	SORIANO MARTHA L APT 3904
180	2305 WORTHINGTON ST	JACOBS BONNIE F & LOUIS L BLDG A UNIT 32
181	2305 WORTHINGTON ST	KAJI KENGO &

Z123-129 (MW)

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	2305 WORTHINGTON ST	OLIVER JODIE W
183	2305 WORTHINGTON ST	FRANCIS JOHN W TR & FRANCIS SUSAN E TR
184	2305 WORTHINGTON ST	HERNANDEZ RUBEN M UNIT 332
185	2305 WORTHINGTON ST	SLAVIN CLAUDIA C BLDG A UNIT 333
186	2305 WORTHINGTON ST	SECHRIEST WALTER S BLDG A UNIT 334
187	2305 WORTHINGTON ST	GARDNER WILLIAM UNIT 335
188	2305 WORTHINGTON ST	KIESCHNICK BYPASS TRUST ROBERT KIESCHNIC
189	2305 WORTHINGTON ST	RIGBY AARON BLDG A UNIT 337
190	2305 WORTHINGTON ST	CUPPLES DORIS KATHLEEN UNIT 338
191	2305 WORTHINGTON ST	CHLOES CASTLES LP SUITE 200 LB 407
192	2300 LEONARD ST	GOSTANIAN RAFFI J
193	2300 LEONARD ST	KELLY JOSEPH T & BONNIE L UNIT 101
194	2300 LEONARD ST	RUBDOWN LLC % HOTEL ZAZA ACCOUNTING
195	2300 LEONARD ST	BONNEVILLE LP % HOTEL ZAZA ACCOUNTING
196	2300 LEONARD ST	BOSWELL MARK S
197	2300 LEONARD ST	VERSES SOCRATES & JUDY
198	2300 LEONARD ST	RANDALL PAMELA G
199	2300 LEONARD ST	AIELLO ROBERT
200	2300 LEONARD ST	GLOGAU ALEXANDER I UNIT 305 E
201	2300 LEONARD ST	LABEN GARY S & BAEZA PAMELA A
202	2300 LEONARD ST	EDUCATIONAL DEV GROUP DBA ACCELERATED
IN		
203	2300 LEONARD ST	TAUSCHER JOSEPH W
204	2300 LEONARD ST	WARNER WILLIAM JAMES TRUSTEE WARNER
LIVI		
205	2300 LEONARD ST	VELIZ JOSE G
206	2300 LEONARD ST	BERARDUCCI BRENT A
207	2300 LEONARD ST	DMP DALCON LLC
208	2300 LEONARD ST	HAJDUSIEWICZ NICK STE 102-319
209	2300 LEONARD ST	DON A KARCHMER REVOCABLE TRUST DONA A
KA		
210	2300 LEONARD ST	BUESCHER AMBER R
211	2300 LEONARD ST	KIM DANIEL J UNIT 407
212	2300 LEONARD ST	REMSEN LARRY M APT 408

Z123-129 (MW)

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	2300 LEONARD ST	PK PPTIES LLC
214	2300 LEONARD ST	GREESON JON M JR
215	2300 LEONARD ST	SELL STEPHEN G
216	2300 LEONARD ST	SCIOLI VANCE J JR
217	2300 LEONARD ST	BARWEL PARTNERS LP
218	2300 LEONARD ST	HAAS MARK L TRUSTEE DEBORAH S HAAS REV L
219	2300 LEONARD ST	AREFI GINO R UNIT 506
220	2300 LEONARD ST	POWELL DAVID G
221	2300 LEONARD ST	DALLAS METRO CLUB LLC
222	2300 LEONARD ST	GIVEN CHARLES S

FILE NUMBER: Z123-130(MW)

DATE FILED: November 2, 2012

LOCATION: North side of State Street, between Routh Street and Fairmount Street

COUNCIL DISTRICT: 14

MAPSCO: 45-F

SIZE OF REQUEST: ±1.264 acres

CENSUS TRACT: 17.04

REPRESENTATIVE: Susan Mead/Jonathan Vinson, Jackson Walker, L.L.P.

APPLICANT: Pegasus Uptown, L.P./LG McKinney Limited Partnership

OWNER: Pegasus Uptown, L.P.

REQUEST: An application to terminate deed restrictions and for a new subdistrict on property zoned a Historic Transition Subdistrict within Planned Development District No. 225, the State-Thomas Special Purpose District with Historic Overlay District No. 25, the State Thomas Historic District, with deed restrictions volunteered by the applicant.

SUMMARY: The applicant proposes to develop the request site with 24 townhouse-style multifamily units. The applicant proposes to terminate the existing deed restrictions, which require the request site to remain as open space, but has volunteered new deed restrictions to ensure a ±0.043-acre open space tract on the east corner of the request site. The applicant does not propose to amend the State Thomas Historic District preservation criteria.

STAFF RECOMMENDATION: Approval of the termination of deed restrictions and approval of a new subdistrict; subject to a conceptual plan, landscape plan and conditions.

BACKGROUND INFORMATION:

- With the exception of a vacant ±952-square foot structure, built in 1930, the ±1.264 request site is unimproved.
- Although the applicant does not propose to amend the State Thomas Historic District preservation criteria, the proposal to create a new subdistrict within PDD Planned Development District No. 225, the State-Thomas Special Purpose District with Historic Overlay District No. 25, the State Thomas Historic District, required Landmark Commission approval since the PDD provisions and historic district provisions are included in the same ordinance.
- On December 3, 2012, the Landmark Commission approved the creation of a new subdistrict.
- Demolition of the existing structure will require Landmark Commission approval of a Certificate for Demolition and Removal. The proposed new construction must comply with the State Thomas Historic District preservation criteria and will require Landmark Commission approval of a Certificate of Appropriateness.
- This request was submitted in conjunction with case Z123-129, which proposes a Planned Development District for mixed uses to be developed with a 50,000 square-foot grocery store with 225 multifamily units above it. The proposed subdistrict within PDD No. 225 allows the multifamily residential units on the adjacent site (Z123-129) to be parked below grade in the new PDD No. 225 subdistrict. The existing PDD 225 standards do not permit this parking arrangement.
- The applicant proposes to terminate the existing deed restrictions, which require the request site to remain as open space.
- The applicant has volunteered new deed restrictions to ensure a ±0.043-acre open space tract on the east corner of the request site. However, staff does not view the volunteered deed restrictions as necessary, as the proposed open space is depicted on the conceptual plan.
- The request site is surrounded by single family residential and coffee shop uses to the northeast; multifamily residential uses to the southeast; retail, dental office and hotel uses to the southwest and undeveloped land and surface parking to the northwest (Z123-129).

Zoning History:

- 1. Z112-135:** On Wednesday, February 22, 2012, the City Council approved a Specific Use Permit for a Hotel or Motel use on property zoned Core Subdistrict within the Historic District within Planned Development District No. 225, the State-Thomas Special Purpose District

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Fairmount Street	Local	50 feet
Routh Street	Local	48.5 feet
State Street	Local	50 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 225 (Historic Transition) with H/25	Undeveloped; vacant structure
Northeast	PDD No. 225 (Historic Core) with H/25	Single family; Coffee shop
Southeast	PDD No. 225 (Historic Transition); PDD No. 225 (Neighborhood Service)	Multifamily
Southwest	PDS 49 in PDD No. 193; PDD No. 193 (HC)	Dental office; hotel
Northwest	PDS 73 in PDD No. 193; PDD No. 225 (Historic Transition) with H/25	Undeveloped; surface parking

STAFF ANALYSIS:

Comprehensive Plan:

The Vision Illustration depicts the request site as within an *Urban Neighborhood Building Block* on the **forwardDallas! Vision Illustration**, adopted June 2006. This building block should be predominantly residential, but are distinguished from other neighborhoods by a wide variety of housing options available. These neighborhoods will have concentrations of shops or offices along key corridors or at key intersections, which provide important services and job opportunities. These areas may have mixed-use buildings with ground floor shops.

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

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

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.

Land Use Compatibility:

With the exception of a vacant ±952-square foot structure, built in 1930, the ±1.264 request site is unimproved. Demolition of the existing structure will require Landmark Commission approval of a Certificate for Demolition and Removal.

The applicant proposes to develop the request site with 24 townhouse-style multifamily units. The proposed new construction must comply with the State Thomas Historic District preservation criteria and will require Landmark Commission approval of a Certificate of Appropriateness. The applicant does not propose to amend the State Thomas Historic District preservation criteria.

This request was submitted in conjunction with case Z123-129, which proposes a Planned Development District for mixed use to be developed with a 50,000 square-foot grocery store with 200 multifamily units above it. The proposed subdistrict within PDD No. 225 allows the multifamily residential units on the adjacent site (Z123-129) to be parked below grade in the new PDD No. 225 subdistrict. The existing PDD 225 standards do not permit this parking arrangement.

In addition, the applicant also proposes to terminate the existing deed restrictions, which require the request site to remain as open space, but has volunteered new deed restrictions to ensure a ±0.043-acre open space tract on the east corner of the request site. The applicant has volunteered new deed restrictions to ensure a ±0.043-acre open space tract on the east corner of the request site. However, staff does not view the volunteered deed restrictions as necessary, as the proposed open space provision is depicted on the conceptual plan.

The request site is surrounded by single family residential and coffee shop uses to the northeast; multifamily residential uses to the southeast; retail, dental office and hotel

Z123-130(MW)

uses to the southwest and undeveloped land and surface parking to the northwest (Z123-129).

The applicant's request is consistent and compatible with the established development pattern of the area. Therefore, staff supports the request.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
PDD 225 Transition Subdistrict	Min 8' Max 18'	No min/5'	2:1	48'	70% (res) 60% (nonres)	N/A	Residential
Proposed							
PDD 225 Transition Mixed Use Subdistrict	Min 8' Max 18'	No min/5'	2:1	48'	70% (res) 60% (nonres)	N/A	Residential

Traffic:

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

Parking:

Parking must be provided in accordance with the provisions of Planned Development District No. 225 which require one off-street parking space for each dwelling unit. Each dwelling unit will have an attached garage, accessed via a gated courtyard.

Landscaping:

The applicant proposes a landscape plan for Council approval.

Z123-130(MW)

Partners/Principals/Officers: Pegasus Uptown, L.P.

Pegasus Uptown, L.P.

Cox Pegasus GP, LLC

Justin Cox—CEO

Todd Kesterson—President and Treasurer

Cindy Wolf—Secretary

Partners/Principals/Officers: LG McKinney Limited Partnership

LG MCKINNEY LIMITED PARTNERSHIP,
a Texas limited partnership

By: Gables NW LLC,
a Delaware limited liability company,
its general partner

By: Lion Gables Realty Limited Partnership,
a Delaware limited partnership,
its member

By: Gables GP, Inc.,
a Texas corporation,
its general partner

By: Katherine C. Slate
Name: Katherine C. Slate
Title: Development Director

Lion Gables Realty Limited Partnership is owned by the following:

1% General Partner – Gables GP, Inc., a Texas corporation

98.96% Limited Partner – Lion Gables Residential Trust, a Maryland real estate investment trust

0.04% Limited Partner – Markan Villas, Inc., a Georgia corporation

Gables GP, Inc.
Officers

<u>Name</u>	<u>Title</u>	<u>Address</u>
Susan M. Ansel	President and Chief Executive Officer	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Dawn H. Severt	Executive Vice President, Chief Financial Officer, Secretary and Treasurer	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Benjamin C. Pisklak	Executive Vice President and Chief Investment Officer	2925 Briarpark Suite 1220 Houston, TX 77042
Cristina F. Sullivan	Executive Vice President – Operations and Assistant Secretary	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Dennis E. Rainosek	Senior Vice President, Assistant Secretary, and Assistant Treasurer	2925 Briarpark Suite 1220 Houston, TX 77042
Philip E. Altschuler	Senior Vice President	8280 Greensboro Drive Suite 605 McLean, VA 22102
David K. Reece	Senior Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Joseph G. Wilber	Senior Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Jennifer B. Antos	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
P. Darin Botelho	Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Lynette R. Hegeman	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Heidi Kormann	Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Robert D. Lamb	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Rosemary LaPrete	Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432

<u>Name</u>	<u>Title</u>	<u>Address</u>
Robert K. Presley	Vice President	2925 Briarpark Suite 1220 Houston, TX 77042
Gail Ruggles	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
David L. Skelton	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Christopher R. Smurda	Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Donna Summers	Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Ashley I. Tewell	Vice President and Assistant Secretary	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
Pamela A. Wade	Vice President	7025 West Tidwell Suite 104 Houston, TX 77092
Julie S. Wilsey	Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201
Matthew C. Bearden	Regional Vice President	3399 Peachtree Rd., NE Suite 600 Atlanta, GA 30326
F. Gregory Gasior	Regional Vice President	225 N.E. Mizner Blvd. Suite 400 Boca Raton, FL 33432
Jorgen Punda	Regional Vice President	8280 Greensboro Drive Suite 605 McLean, VA 22102
Thomas R. Ryan	Regional Vice President	2925 Briarpark Suite 1220 Houston, TX 77042
Tiffany B. Wharton	Regional Vice President	2650 Cedar Springs Road Suite 800 Dallas, TX 75201

Gables GP, Inc.
Directors

<u>Name</u>	<u>Title</u>
Susan M. Ansel	Director
C. Stephen Cordes	Director
Brad S. Lebovitz	Director
Frank L. Sullivan, Jr.	Director
Mark A. Walsh	Director

Deed Restrictions to be terminated:

061771

DEED RESTRICTIONS

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

I.

The undersigned, SNK DALLAS UPTOWN LP, a Texas limited partnership (the "Owner"), is the owner of the following described property (the "Property"), being in particular the southwest portion of Lot 6 and Lots 7, 8, 9, 10, 11, and 12, out of Block C/549 of the City of Dallas, Dallas County, Texas (the "City"), and being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

II.

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

- 1) The surface of and air rights over the Property shall be at all times reserved as open space accessible to the general public. The term "open space" means grass-covered permeable surface, ground cover, shrubs, seasonal planting, trees and other landscaping; sidewalks; lighting; outdoor furniture; and other features customarily associated with publicly-accessible open space, and the existing structure on the Property; provided, however, that the Owner may use the Property until 60 days after the date of issuance of the final Certificate of Occupancy for the structure to be constructed on the adjacent property more particularly described as Lots 1, 2, 3, 4, 5, and the northwest portion of Lot 6 in City Block C/549, being more particularly described in Exhibits "B-1" and "B-2" attached hereto and incorporated herein for all purposes, for a sales and marketing office, construction trailers, and other construction-related purposes.
- 2) The Owner shall develop the Property with landscaping, lighting, benches, minimum ten foot wide pedestrian ways, and other open space features as described in (1) above, and shall be responsible for the maintenance of the Property once so developed.
- 3) The attached conceptual site plan, attached hereto as Exhibit "C", shall be considered the starting point for the design of the open space.
- 4) The park and recreation department shall work with the landscape architect consultant provided by the Owner to develop the final plans for the open space.
- 5) The final site development plans and specifications for the open space shall be subject to the review and approval of the Director of the Park and Recreation Department prior to the issuance of the building permit for the open space.

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061771

6) The Owner shall be responsible for all development costs, inclusive of surveys, consultant fees, construction, materials testing, project contingencies, etc., associated with the design and construction of the open space.

7) Tree mitigation shall be closely coordinated with the Park and Recreation Department and the City Arborist. Trees over four inches in caliper shall not be removed without the permission of the Park and Recreation Department.

8) Adequate security lighting and irrigation shall be provided in the open space.

9) The Owner shall be responsible for all costs associated with the regularly scheduled maintenance and periodic major maintenance of the open space.

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

III.

These restrictions may be amended or terminated only after public bearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the City Attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of Dallas County at its sole cost and expense before the amendment or termination becomes effective.

IV.

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

V.

The Owner agrees that these restrictions inure to the benefit of the City. The City hereby is granted the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate this restriction, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

VI.

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

2500 McKinney Ave.

Diagram to be used for Schematic design of Park Only.
Modifications have been made to the Development Plan in PD-
193. Refer to Development Plan submittal 6.28.06

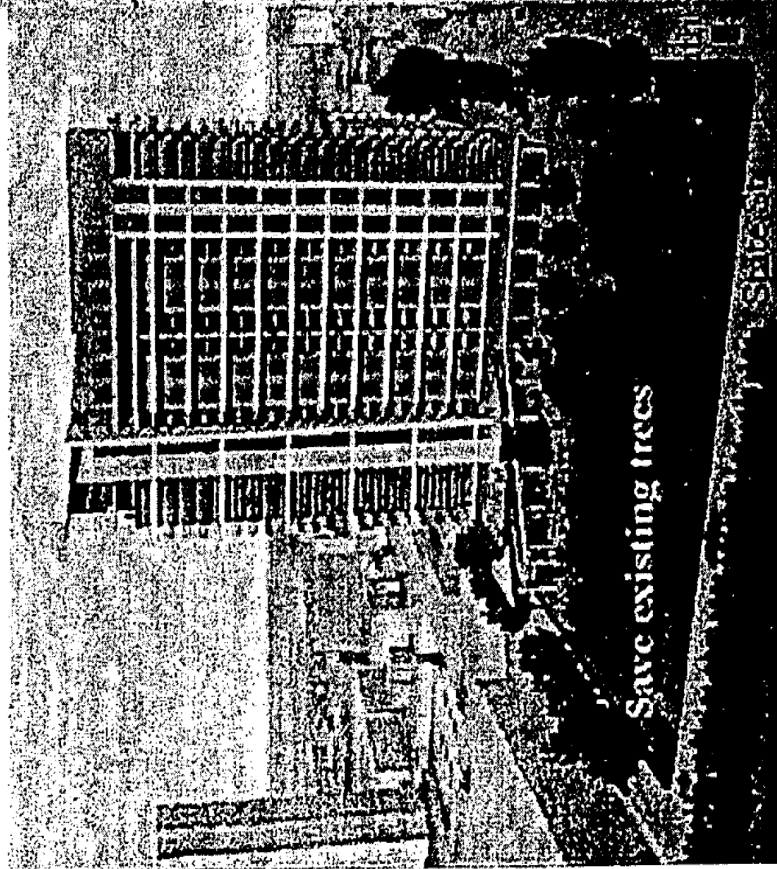
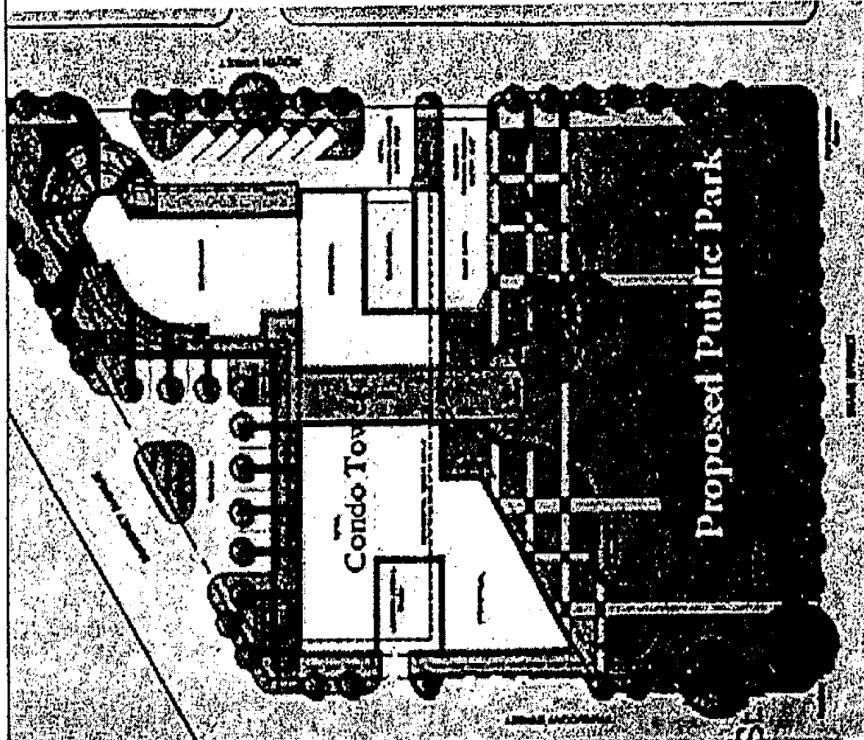


Exhibit "C"

061771

Z123-130

Deed Restrictions volunteered by the applicant:

DEED RESTRICTIONS

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

I.

The undersigned, _____, a Texas
_____ (the "Owner"), is the owner of the following described property
(the "Property"), being in particular a portion of Lot 7 out of Block C/549 of the City of
Dallas, Dallas County, Texas (the "City"), and being more particularly described in
Exhibit "A" attached hereto and incorporated herein for all purposes.

II.

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

- 1) The surface of and air rights over the Property shall be at all times reserved as open space accessible to the general public. The term "open space" shall include one or more of the following: grass-covered permeable surface, ground cover, shrubs, seasonal planting, trees and other landscaping; sidewalks; lighting; outdoor furniture; and other features customarily associated with publicly-accessible open space.
- 2) The Owner shall develop the Property with open space features as described in (1) above, and shall be responsible for the maintenance of the Property once so developed.
- 3) The Owner shall be responsible for all development costs, inclusive of surveys, consultant fees, construction, materials testing, project contingencies, etc., associated with the design and construction of the open space.
- 4) Adequate security lighting and irrigation shall be provided in the open space.
- 5) The Owner shall be responsible for all costs associated with the regularly scheduled maintenance and periodic major maintenance of the open space.

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

Proposed Conditions

Note: The applicant only proposes to amend Sections 51P-225.103 and 51P-225.107 to create the a new subdistrict and to allow the multifamily residential units on the adjacent site (Z123-129) to be parked below grade in the new PDD No. 225 subdistrict.

SEC. 51P-225.103. DISTRICTS AND SUBDISTRICTS IN PD 225.

(a) Historic District. The Historic District consists of three subdistricts. The following districts and subdistricts are located within the State-Thomas Special Purpose District:

(1) the Core Subdistrict on property more particularly described in Exhibit B of Ordinance No. 19084;

(2) the Neighborhood Service Subdistrict on property more particularly described in Exhibit C of Ordinance No. 19084; ~~and~~

(3) the Transition Subdistricts on property more particularly described in Exhibits D and E of Ordinance No. ~~19084.~~ 19084, except for the Historic Transition Mixed-Use Subdistrict referred to in Sec. 51P-225.103(a)(4), below; and

(4) the Historic Transition Mixed-Use Subdistrict, also referred to as Zone 1d, on property more particularly described in Exhibit ___ of Ordinance No. _____.

(b) Interior Neighborhood District. The Interior Neighborhood District consists of six subdistricts:

(1) the Mid-Rise Residential Subdistrict on property more particularly described in Exhibit F of Ordinance No. 19084;

(2) the Hi-Rise Office/Residential Subdistrict on property more particularly described in Exhibit G of Ordinance No. 19084;

(3) the Mid-Rise Office/Residential Subdistrict on property more particularly described in Exhibit H of Ordinance No. 19084;

(4) the Mid-Rise Mix Subdistrict on property more particularly described in Exhibit I of Ordinance No. 19084;

(5) the Transition Subdistrict on property more particularly described in Exhibit J of Ordinance No. 19084; and

(6) the Allen Street Special Retail Subdistrict on property more particularly described in Exhibit K of Ordinance No. 19084.

(c) Freeway Frontage District. The Freeway Frontage District consists of six subdistricts:

(1) the Woodall/Guillet Hi-Rise Subdistrict on property more particularly described in Exhibit L of Ordinance No. 19084;

(2) the Woodall Hi-Rise Subdistrict on property more particularly described in Exhibit M of Ordinance No. 19084;

(3) the Woodall Mid-Rise Mix Subdistrict on property more particularly described in Exhibit N of Ordinance No. 19084;

(4) the Woodall Transition Subdistrict on property more particularly described in Exhibit O of Ordinance No. 19084;

(5) the Central Hi-Rise Office Subdistrict on property more particularly described in Exhibit P of Ordinance No. 19084; and

(6) the Central Hi-Rise Mix Subdistrict on property more particularly described in Exhibit Q of Ordinance No. 19084.

(d) Fringe Transition District. The Fringe Transition District consists of one subdistrict, the Lo-Rise Office Subdistrict on property more particularly described in Exhibit R of Ordinance No. 19084. (Ord. Nos. 19084; 25711)

SEC. 51P-225.107. DEVELOPMENT STANDARDS FOR THE HISTORIC DISTRICT.

(a) Density.

(1) Limitation on dwelling units.

(A) Core and Neighborhood Service Subdistricts. Residential buildings in these subdistricts are limited to three dwelling units per story and six dwelling units overall. Nonresidential buildings are limited to two dwelling units per story and four dwelling units overall. Residential uses are limited to six dwelling units per lot.

(B) Transition Subdistricts. No dwelling unit limitations in the Transition Subdistricts.

(2) Floor area ratio ("FAR").

(A) Core and Neighborhood Service Subdistricts.

(i) Nonresidential buildings that contain no residential uses are limited to a maximum FAR of 1.25:1.

(ii) All other buildings and structures are limited to a maximum FAR of 1.5:1.

(B) Transition Subdistricts. All buildings and structures are limited to a maximum FAR of 2:1.

(b) Lot coverage.

(1) Core and Neighborhood Service Subdistricts. Maximum permitted lot coverages are:

(A) 60 percent for a structure containing a residential use;
and

(B) 50 percent for a structure that does not contain a residential use.

(2) Transition Subdistricts. Maximum permitted lot coverages are:

(A) 70 percent for a structure containing a residential use;
and

(B) 60 percent for a structure that does not contain a residential use.

(c) Height.

(1) Core and Neighborhood Service Subdistricts. Maximum permitted heights for all buildings and structures are:

(A) 36 feet for a main building or structure; and

(B) 14 feet for an accessory building or structure.

(2) Transition Subdistrict. Maximum permitted height for all buildings and structures is determined by the slope beginning at a line parallel to and 36 feet above the boundary line of the Historic Core Subdistrict and extending perpendicularly from that line over the transition subdistricts two feet horizontally for every one floor of vertical rise, to a maximum height of 48 feet.

(d) Story limitation. For purposes of this subsection, story is not a term of measurement, and one-half of a story means the interior floor level that is at or above the eave line of the primary roof structure.

(1) Core and Neighborhood Service Subdistricts. Maximum permitted number of stores is two and one-half.

(2) Transition Subdistricts. Maximum permitted number of stories is three and one-half.

(e) Lot size.

(1) Core and Neighborhood Service Subdistricts. Lots must conform to the following standards:

(A) Each lot must have an area no less than 3,000 and no more than 9,000 square feet.

(B) Each corner lot must have a width no less than 40 feet and no more than 65 feet.

(C) Each interior lot must have a width:

(i) no less than 35 and no more than 55 feet; or

(ii) that is within five percent of the average width of all interior lots on the same blockface.

(D) Special exception. Lots platted on or before March 19, 1986 are legal building sites even though they may not conform to the requirements of this section.

(2) Transition Subdistricts. No lot size requirements.

(f) Setbacks.

(1) Core and Neighborhood Service Subdistricts.

(A) Minimum front yard. A main building on an interior or corner lot must have a front yard setback that is within five percent of the average setback of all main buildings in the same blockface.

(B) Minimum side and rear yards. Minimum permitted rear and side yard setback for any building or structure is five feet.

(2) Transition Subdistricts.

(A) Front yard.

(i) All structures except as provided in Subparagraph (A)(ii) below must have a minimum front yard setback of eight feet and a maximum front yard setback of 18 feet.

(ii) All structures on a corner lot in a blockface that includes lots in the Core Subdistrict must have a front yard (or where applicable, a corner side yard) setback that is within five percent of the average setback of all main buildings on the same blockface.

(B) Rear yard. All structures must have a minimum rear yard setback of five feet.

(C) Side yard. No minimum side yard requirement, unless a corner side yard occurs on a blockface that includes lots in the Core Subdistrict, when a corner side yard setback is required in accordance with Subparagraph (A)(ii) above.

(g) Off-street parking.

(1) Minimum number of spaces required.

(A) Residential uses. Residential uses must provide one off-street parking space for each dwelling unit.

(B) Nonresidential uses.

(i) In general. Nonresidential uses must provide one off-street parking space for each 500 square feet of floor area.

(ii) Special exception. Any nonresidential use in a contributing structure must provide a minimum of one off-street parking space for each 1,000 square feet of floor area.

(2) Location of off-street parking.

(A) In general. All off-street parking, whether used to fulfill minimum parking requirements or as excess parking, must be set back no less than the required front yard. Required off-street parking must be provided on the lot occupied by the main use, or on the rear 50 percent of a separate lot that is:

(i) dedicated to parking use by an instrument approved by the city attorney, filed with the building official and in the deed records of the county in which the property is located, and consolidated with the main use under one certificate of occupancy with the main use;

(ii) located in the same subdistrict as the main use or in another district that allows a commercial parking lot or garage as a main use; and

(iii) located within 600 feet of the lot occupied by the main use. The distance measured includes streets and alleys and is the shortest distance between the lots.

(B) Parking on vacant lots.

(i) On vacant lots, no off-street surface parking may be located within 75 feet of Hibernia Street, State Street, Thomas Avenue, or Colby Street.

(ii) In City Block 564, the only setback requirement for off-street surface parking on vacant lots is that it may not be located within 75 feet of Boll Street.

(C) Parking in the State-Thomas Historic District. Off-street parking (whether required or not) for a use outside the State-Thomas Historic District may not be located in that district; provided, however, that in the Historic Transition Mixed-Use Subdistrict, Zone 1d, below grade parking is permitted within such Subdistrict for residential uses located on property designated as P.D. _____ immediately adjacent to such Subdistrict; and provided further, that the top level of the structure containing such below grade parking may partially protrude above grade.

(3) Access to off-street parking.

(A) Generally. A public alley, access easement, or private driveway may be used for two-way access to and from off-street parking, and for maneuvering space, without the approval of the director of public works and transportation. Driveways providing access to off-street parking must be at least eight feet wide.

(B) Structured parking. In all Historic Subdistricts, vehicular access to parking structures is not permitted to or from the street on which the main building fronts, unless the lot abuts no other street or alley.

(4) Screening. All off-street parking must be screened from the street and from adjacent lots containing residential uses. Screening from the street must be at least three and one-half feet in height. Screening from adjacent lots containing residential uses must be at least six feet in height. Screening on vacant lots must be located within three feet of the parking spaces screened. A landscape hedge may be used to screen off-street parking. No screening must be solid, however, it may not have more than 70 square inches of open area for each square foot of surface area.

(5) Surface materials. The only permitted off-street parking surface materials are brushed or aggregate concrete, hot mix asphalt, masonry pavers, and gravel that is at least three inches thick.

(h) Signs.

(1) In general. Except as otherwise provided in this article, signs are governed by the provisions for non-business zoning districts contained in Article VII, "Sign Regulations."

(2) Detached signs.

(A) Core and Neighborhood Service Subdistricts. Only one detached sign is permitted on each lot. The sign must:

- (i) be located at least 15 feet from the public right-of-way, or at the building line if this requires a lesser setback;
- (ii) be five feet or less in height;
- (iii) not be illuminated; and
- (iv) not exceed four square feet in effective area.

(B) Transition Subdistricts. Only one detached sign is permitted for each 50 lineal feet of street frontage. Each sign must:

- (i) be located at least eight feet from the public right-of-way, or at the building line if this requires a lesser setback;
- (ii) be five feet or less in height;
- (iii) not be illuminated; and
- (iv) not exceed four square feet in effective area.

(3) Attached signs.

(A) Core and Neighborhood Service Subdistricts. No more than two attached signs are permitted on each building. Each sign must:

- (i) not be illuminated, except by one external spotlight not to exceed 75 watts in power; and
- (ii) not exceed one square foot in effective area.

(B) Transitions Subdistricts. No more than two attached signs are permitted for each 50 lineal feet of street frontage. Each sign must:

- (i) not be illuminated except by one external spotlight not to exceed 75 watts in power; and
- (ii) not exceed one square foot in effective area.

(1) Special landscaping requirements. All lots with nonresidential uses on the ground floor must have at least two trees planted in parkway areas that are over two feet in width. The trees must be:

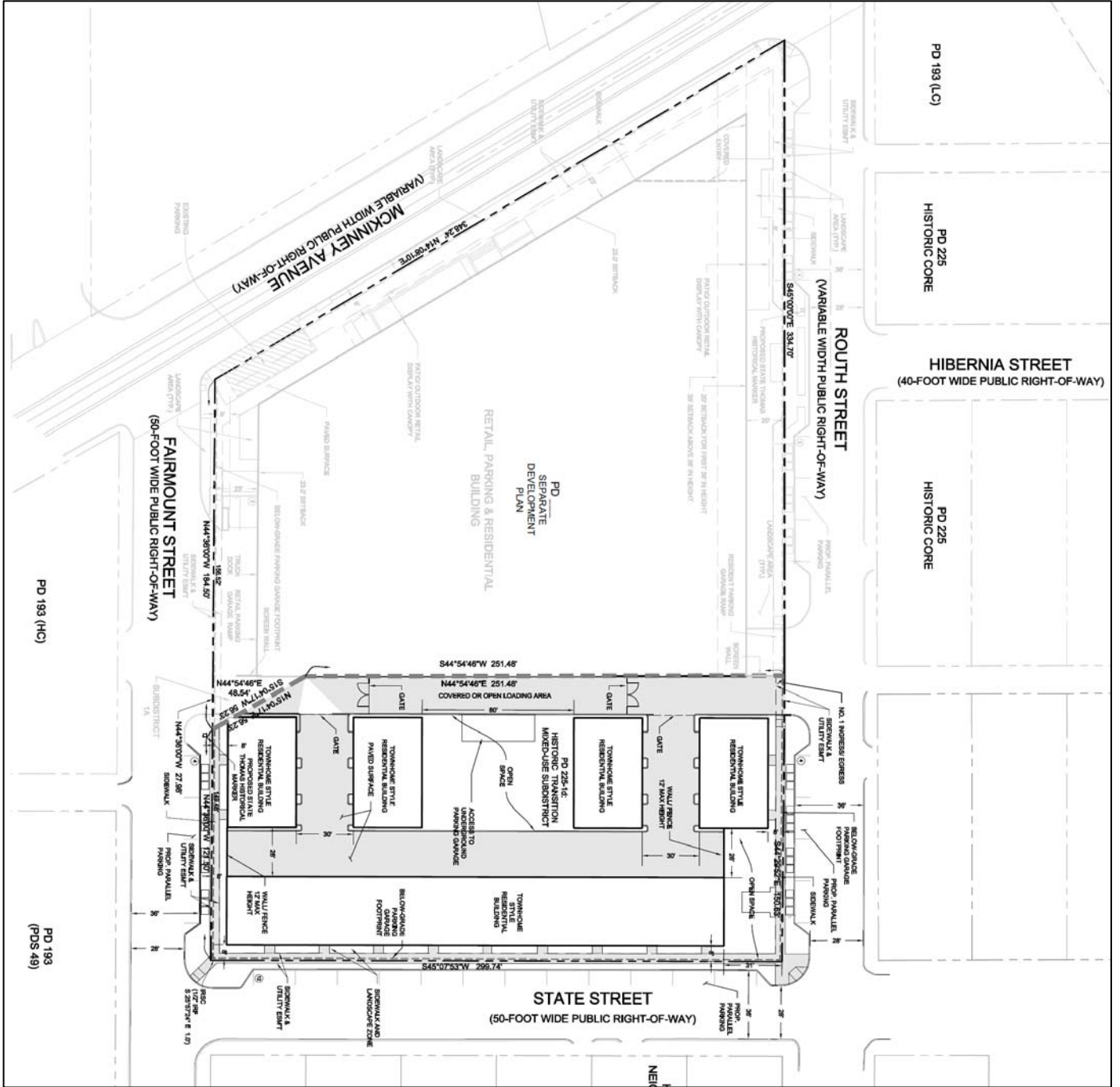
- (A) of at least three-inch caliper;

Z123-130(MW)

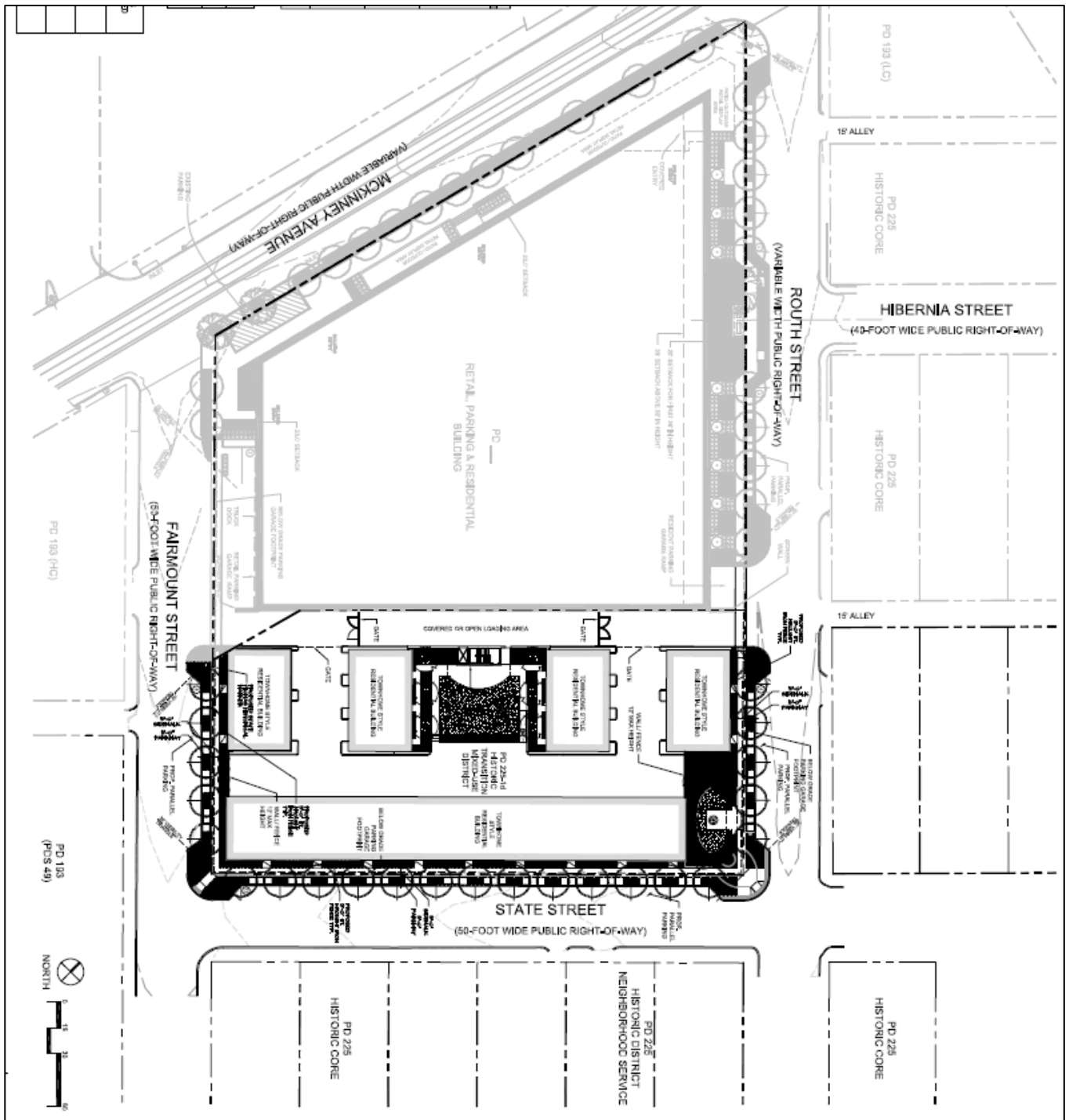
(B) placed a uniform distance apart; and

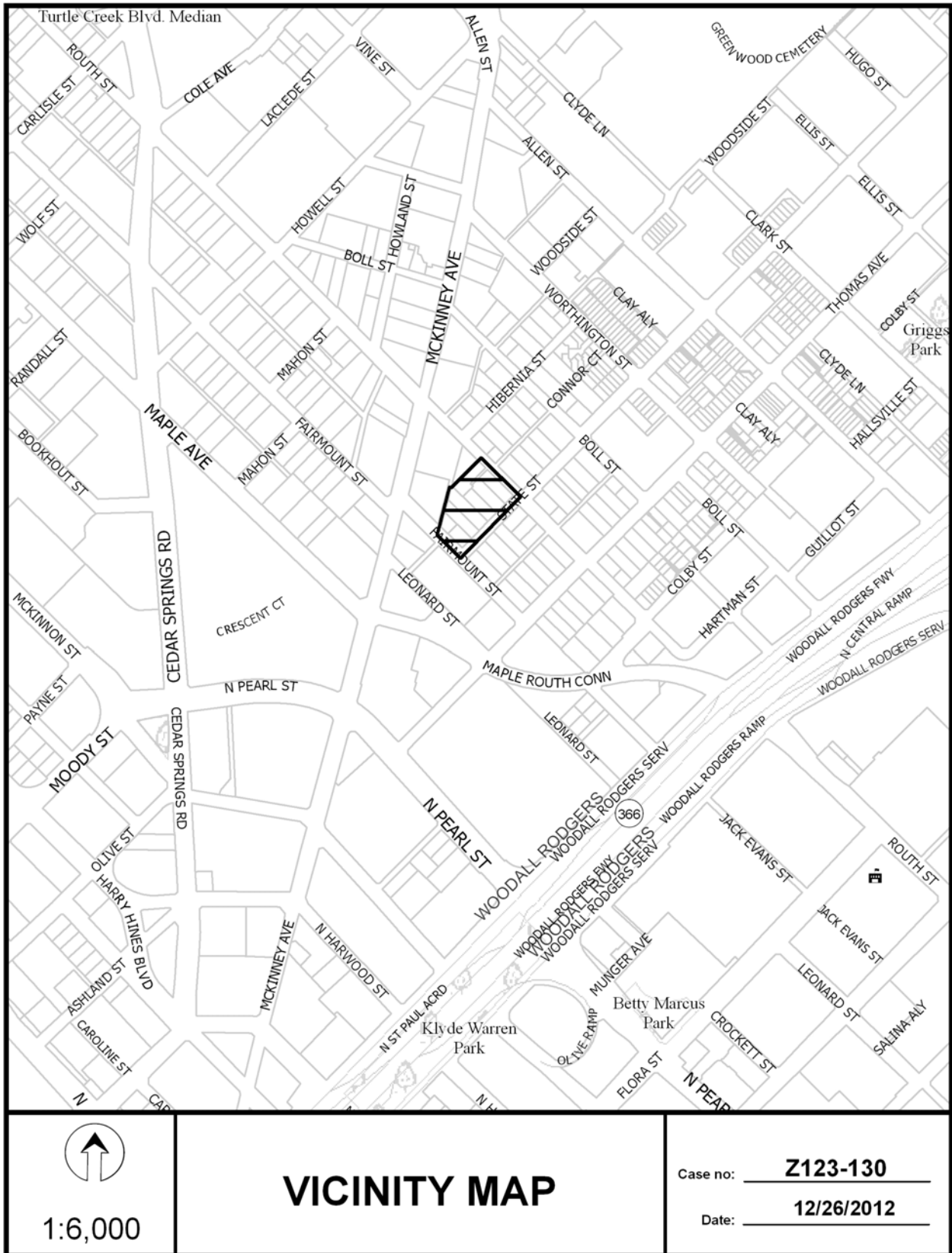
25711) (C) planted along a line parallel to the street. (Ord. Nos. 19084; 21018;

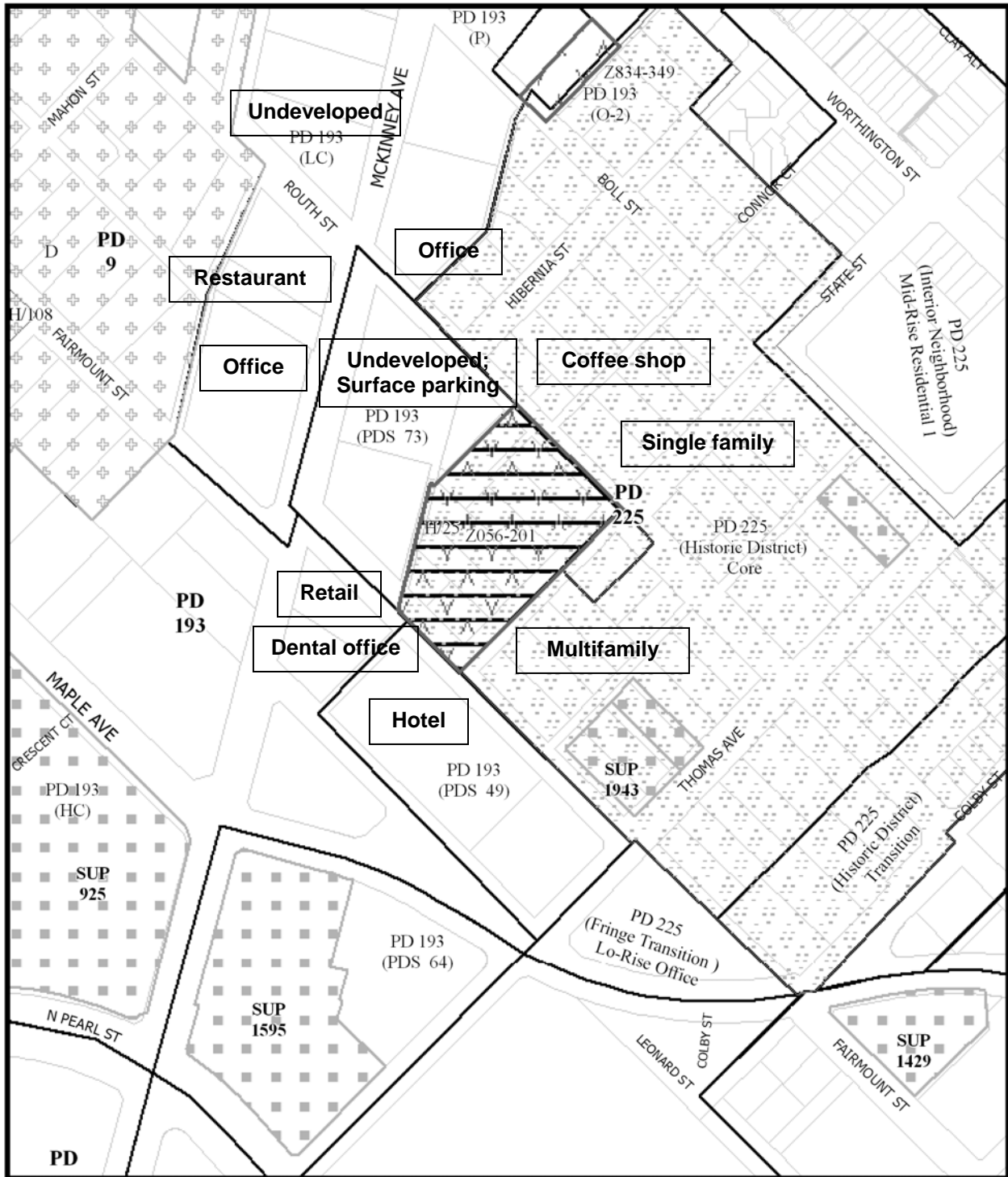
Proposed Conceptual Plan



Proposed Landscape Plan



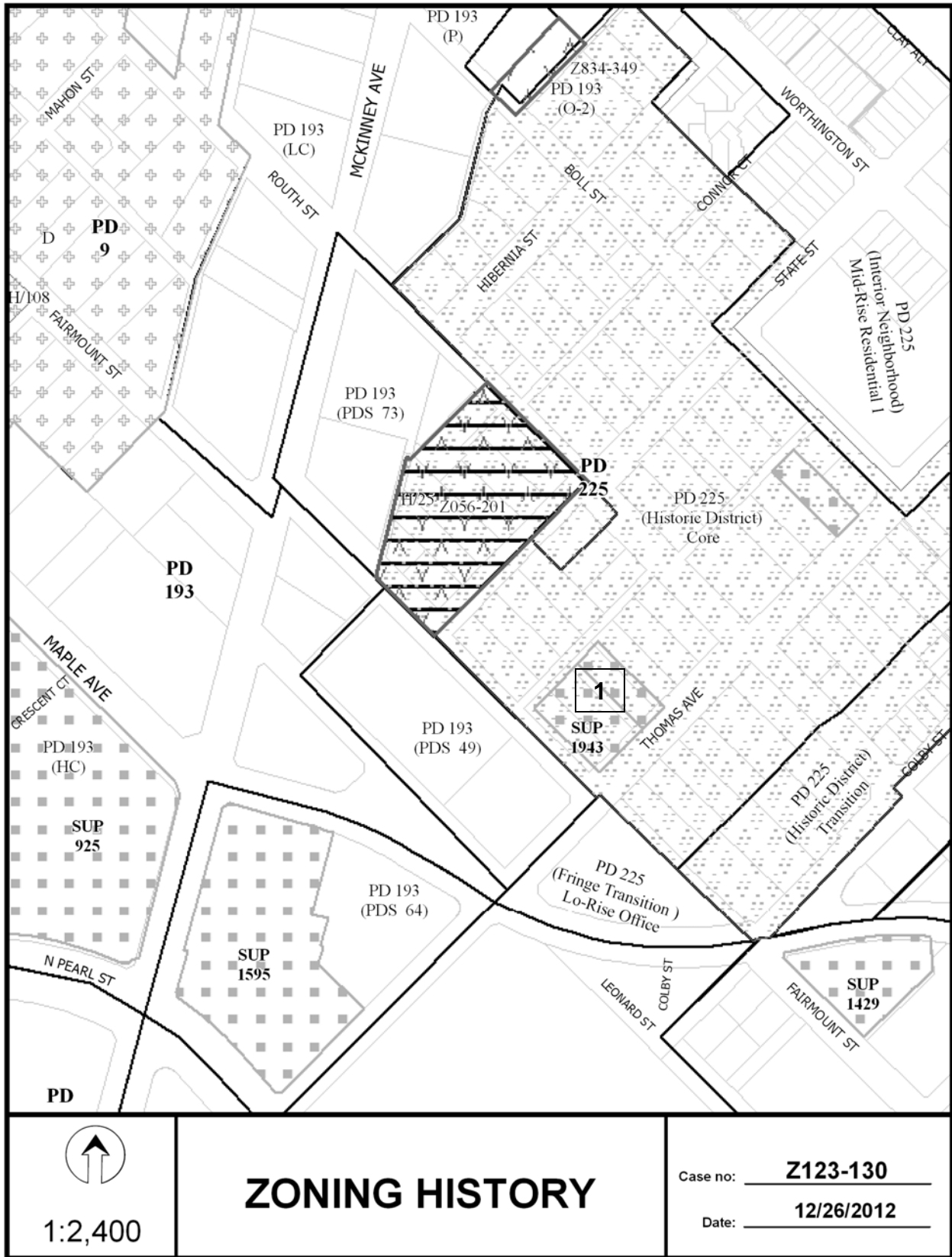


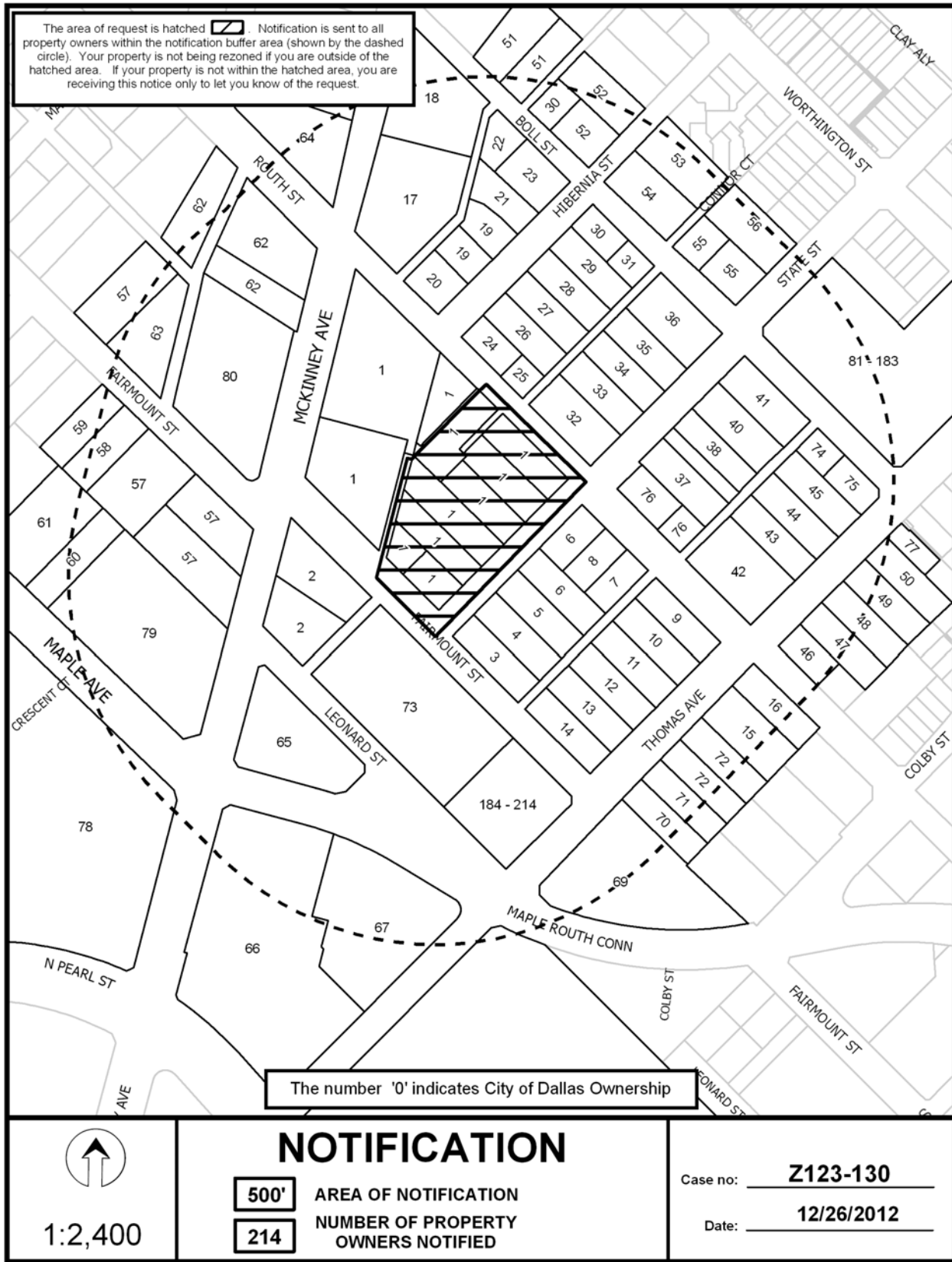



 1:2,400

ZONING AND LAND USE

Case no: **Z123-130**
 Date: **12/26/2012**





12/26/2012

Notification List of Property Owners***Z123-130******214 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2500 MCKINNEY AVE	PEGASUS UPTOWN LP
2	2400 MCKINNEY AVE	PEASE RALPH W & DOROTHY M
3	2500 STATE ST	MCBRIDE THOMAS R
4	2504 STATE ST	NEMEC EDWARD C & PAULA R
5	2508 STATE ST	PELLETIER GEORGE TRUSTEE
6	2512 STATE ST	PELLETIER GEORGE A
7	2315 ROUTH ST	ROUTH STREET PARTNERS LLC
8	2317 ROUTH ST	PELLETIER GEORGE ET AL
9	2519 THOMAS AVE	WALKER JOHN NEWTON
10	2517 THOMAS ST	BAYLESS ALVIN KENT & CHARMAYNE
11	2515 THOMAS AVE	TIMELESS COLLECTABLES INC
12	2509 THOMAS AVE	YLAW LLC
13	2505 THOMAS AVE	5701 MAIN ST LLC
14	2501 THOMAS AVE	5701 MAIN STREET LLC
15	2512 THOMAS AVE	HEARST JUDITH SMITH
16	2516 THOMAS ST	OTTO PHYLLIS ELAINE
17	2602 MCKINNEY AVE	UPTOWN ENERGY PARTNERS LP
18	2614 MCKINNEY AVE	J&K REAL ESTATE INV LTD
19	2605 HIBERNIA ST	HUMPHRIES JOHN JR
20	2500 ROUTH ST	GARZA PPTIES L L C #200
21	2615 HIBERNIA ST	SWIFT DALE MATTHEW
22	2511 BOLL ST	FEFERMAN R JOSH
23	2619 HIBERNIA ST	EHM PROPERTIES HIBERNIA LLC
24	2600 HIBERNIA ST	DOWNTOWN PREGNANCY CENTER DBA THE
UPTOWN		
25	2414 ROUTH ST	ROUTH COFFEE HOUSE LLC
26	2604 HIBERNIA ST	NICHOLS DOUGLAS R & KARRISON S NICHOLS

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2608 HIBERNIA ST	HARTMAN PRINCELLA
28	2614 HIBERNIA ST	SMITH STEPHEN S & MARLA F
29	2616 HIBERNIA ST	STAR B PROPERTIES LLC
30	2620 HIBERNIA ST	HUMPHRIES JOHN F JR
31	2415 BOLL ST	SIMS LEON
32	2601 STATE ST	KIRVEN JOE
33	2607 STATE ST	ARMSTRONG BERGER PARTNERS
34	2611 STATE ST	ARMSTRONG BERGER PARTNERS
35	2615 STATE ST	PETERS PAULINE & JOHN H ARMSTRONG
36	2621 STATE ST	PASCAL ENTERPRISES INC
37	2606 STATE ST	ALLMILAND LTD
38	2610 STATE ST	GRAGERT AMY
39	2608 STATE ST	PRAEGER LAURENCE J & JESSICA
40	2616 STATE ST	SIMS ELLA M
41	2620 STATE ST	MCKNIGHT MARY D
42	2605 THOMAS AVE	BLACK DALLAS REMEMBERED INC
43	2609 THOMAS AVE	WEST OLIN
44	2613 THOMAS AVE	THOMAS ST PARTNERSHIP
45	2617 THOMAS AVE	BARNEY & DAVID LTD
46	2600 THOMAS AVE	LAWSON YOLANDA R
47	2604 THOMAS AVE	THOMAS AVENUE TOWNHOMES
48	2608 THOMAS AVE	THOMAS AVE TOWNHOMES LTD
49	2612 THOMAS AVE	IONA PROPERTIES
50	2616 THOMAS AVE	2616 THOMAS PARTNERS LP
51	2516 BOLL ST	AJP PROPERTIES
52	2707 HIBERNIA ST	FINCH MARK M
53	2706 HIBERNIA ST	MYSLIWY ALLIE RAYMOND & DEBORAH ANN
54	2700 HIBERNIA ST	HUMPHRIES JOHN F
55	2701 STATE ST	ADA CAPITAL LTD
56	2707 STATE ST	MEADOWS CURTIS W JR & PATRICIA B
57	2507 FAIRMOUNT ST	MURPHY PLAZA LLC ATTN: MARTIN ADLER

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2515 FAIRMOUNT ST	MURPHY PLAZA LLC ATTN:MARTIN ADLER
59	2517 FAIRMOUNT ST	COLLIE GRIFFIN W & SUZANNE C COLLIE
60	2504 MAPLE AVE	PASHA & SINA INC % MOHSEN HEIDARI
61	2508 MAPLE AVE	RESTAURANT & BAR ARTHUR S C/O SAN FRANCI
62	2609 ROUTH ST	OR ASSET HOLDINGS LP
63	2520 FAIRMOUNT ST	W J FAIRMOUNT LP STE 650 L B 149
64	2619 MCKINNEY AVE	XL CAPITAL LLC
65	2324 MCKINNEY AVE	MAPLE AND MCKINNEY L P % ONE STOP FOOD S
66	2222 MCKINNEY AVE	AMREIT UPTOWN DALLAS LP
67	2212 MCKINNEY AVE	ALH PPTIES NO EIGHTEEN LP
68	2200 PEARL ST	FED RESERVE BK OF DALLAS % FACILITY MGMT
69	2400 THOMAS AVE	STATE THOMAS APT LP & SUITE 400
70	2502 THOMAS AVE	STATE THOMAS APARTMENTS 7 SUITE 400
71	2504 THOMAS AVE	STATE THOMAS APARTMENTS & SUITE 400
72	2508 THOMAS AVE	STATE THOMAS APARTMENTS SUITE 400
73	2332 LEONARD ST	GIVENS RECORDS DEV LP
74	2309 BOLL ST	ALLMILAND LTD
75	2625 THOMAS ST	GUM ROY & TERRI
76	2600 STATE ST	2600 STATE INVESTORS
77	2618 THOMAS AVE	ADAMS THOMAS P
78	100 CRESCENT CT	CRESCENT TC INVESTORS LP ATTN: PROPERTY
79	2401 MCKINNEY AVE	ELK FINANCIAL INC STE 450 LB 314
80	2515 MCKINNEY AVE	CHATEAU PLAZA HOLDINGS LP
81	2305 WORTHINGTON ST	GALKE BRIAN R UNIT 101
82	2305 WORTHINGTON ST	BUSTOS RANDOLPH
83	2305 WORTHINGTON ST	MAHDI SYED J & NAGEEN FATIMA
84	2305 WORTHINGTON ST	COBLE ROBERT MCLEAN III
85	2305 WORTHINGTON ST	BRANT ELIZABETH JUNE & CHARLES ERNEST BR
86	2305 WORTHINGTON ST	EISELT D BRYAN APT 106
87	2305 WORTHINGTON ST	KAILER ALAN & RENEE A KAILER
88	2305 WORTHINGTON ST	WHITE NATALIA APT 108

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2305 WORTHINGTON ST	KOHL FLORIAN BLDG A UNIT 109
90	2305 WORTHINGTON ST	LEE DAVID A APT 110
91	2305 WORTHINGTON ST	COLLINGWOOD DEANNA L BLDG A UNIT 111
92	2305 WORTHINGTON ST	CONLEY RANDALL W
93	2305 WORTHINGTON ST	MCCULLOUGH ROBERT L & JULIA
94	2305 WORTHINGTON ST	HOLACKA JAMES A APT 205
95	2305 WORTHINGTON ST	ROGERS ROBERT J & ELLEN H
96	2305 WORTHINGTON ST	HERBST GRANT M APT 116
97	2305 WORTHINGTON ST	HERSH NANCY
98	2305 WORTHINGTON ST	WATTERS WILLIAM C III & MARY J N
99	2305 WORTHINGTON ST	NUNLEY DIANE K UNIT 119
100	2305 WORTHINGTON ST	MOLL MEGAHN E
101	2305 WORTHINGTON ST	SOLIS MICHAEL RYAN & UNIT 121
102	2305 WORTHINGTON ST	REDINGTON ZACHARY R #122
103	2305 WORTHINGTON ST	GATES JESSE J UNIT 123
104	2305 WORTHINGTON ST	POLTORAK SABINA BLDG A UNIT 124
105	2305 WORTHINGTON ST	TAFT EDMUND APT 125
106	2305 WORTHINGTON ST	LEE MANJA UNIT 143
107	2305 WORTHINGTON ST	MORVAY LEON C & GAIL R APT 127
108	2305 WORTHINGTON ST	BAILEY BRIAN J BLDG A UNIT 128
109	2305 WORTHINGTON ST	NOVORR MARTHA C APT 129
110	2305 WORTHINGTON ST	TRACY JACQUELINE UNIT 130
111	2305 WORTHINGTON ST	THOMPSON MORGAN
112	2305 WORTHINGTON ST	JORDAN TOMMY S UNIT 132
113	2305 WORTHINGTON ST	GALLMAN ROBERT & LAURA
114	2305 WORTHINGTON ST	ENGELMANN HOLLY BLDG UNIT 134
115	2305 WORTHINGTON ST	MOLINAS FAMILY IRREVOCABLE TRUST
116	2305 WORTHINGTON ST	MCGARRY JOHN
117	2305 WORTHINGTON ST	DUGGINS JAMES L
118	2305 WORTHINGTON ST	HAMMER STEVEN # 201
119	2305 WORTHINGTON ST	STROHBEHN THOMAS M

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2305 WORTHINGTON ST	CORONADO NATASHA M &
121	2305 WORTHINGTON ST	PHILPOT RICHARD THOMAS III
122	2305 WORTHINGTON ST	ESTES STEVEN & ESTES KAREN
123	2305 WORTHINGTON ST	NITTIES JAMES E UNIT 206A
124	2305 WORTHINGTON ST	NEHLS CAROLINE E
125	2305 WORTHINGTON ST	DYMOTT JEAN ANN BLDG A UNIT 208
126	2305 WORTHINGTON ST	SMITH R BARCLAY
127	2305 WORTHINGTON ST	KNOX JAMES D UNIT 210
128	2305 WORTHINGTON ST	MCKEE AMY APT 211
129	2305 WORTHINGTON ST	GURMENDI LEXA
130	2305 WORTHINGTON ST	DHARAMSI FARID & JENNIFER APT 213
131	2305 WORTHINGTON ST	NARULA MONICA & RAJ APT #214
132	2305 WORTHINGTON ST	MARTIN MARSHA F UNIT 215
133	2305 WORTHINGTON ST	BERTHOUD CLAUDE M BLDG A UNIT 216
134	2305 WORTHINGTON ST	HAAG BETTY J
135	2305 WORTHINGTON ST	STENZLER ZACHARY R
136	2305 WORTHINGTON ST	THIBODEAU JENNIFER A BLDG A UNIT 219
137	2305 WORTHINGTON ST	REESE CLARK D BLDG A UNIT 220
138	2305 WORTHINGTON ST	PETERS KORT J JR APT 221
139	2305 WORTHINGTON ST	ROBERTSON TOM M & DARLENE
140	2305 WORTHINGTON ST	NGUYEN NGA BLDG A UNIT 223
141	2305 WORTHINGTON ST	RAMAN SWAMINATHAN V & VASANTHI
142	2305 WORTHINGTON ST	MACDONALD HEATHER M
143	2305 WORTHINGTON ST	DECKER MARK BLDG A UNIT 226
144	2305 WORTHINGTON ST	HAYS AMARYLLIS #227
145	2305 WORTHINGTON ST	DURAN LEONARD & LYNDA L
146	2305 WORTHINGTON ST	NORTHROP KARL S APT 229
147	2305 WORTHINGTON ST	GEORGE MARGARET E STE 230
148	2305 WORTHINGTON ST	MITTAKANTI KRITHIKA APT 231
149	2305 WORTHINGTON ST	WRIGHT TRAVIS UNIT 232
150	2305 WORTHINGTON ST	ARNOLD BRIAN UNIT 233

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	2305 WORTHINGTON ST	SERGIE ASSAD & MICHELE
152	2305 WORTHINGTON ST	LINDLEY MARIE K & STEVEN J LINDLEY
153	2305 WORTHINGTON ST	BRIDSON TRACY DANIELLE UNIT 3030
154	2305 WORTHINGTON ST	GALLOWAY JULIANNE K & ROBERT D
155	2305 WORTHINGTON ST	JONES DAVID
156	2305 WORTHINGTON ST	SCHNYDER TRACY A BLDG A UNIT 307
157	2305 WORTHINGTON ST	LAW STEVE J
158	2305 WORTHINGTON ST	MERRITT PEARL E UNIT 309
159	2305 WORTHINGTON ST	BORDEAUX KAREN R BLDG A UNIT 310
160	2305 WORTHINGTON ST	AVIS PPTIES LLC
161	2305 WORTHINGTON ST	GILLILAND WILLIAM A UNIT 312
162	2305 WORTHINGTON ST	NAGARJAN SUBBIAH
163	2305 WORTHINGTON ST	BELVEDERE CONDOS AT STATE-THOMAS INC
BLD		
164	2305 WORTHINGTON ST	DONNELLY KEVIN J # 317
165	2305 WORTHINGTON ST	SCOTT RAY
166	2305 WORTHINGTON ST	BAXTER ELIZABETH ANNE UNIT 319
167	2305 WORTHINGTON ST	PAYNE ONAY S LIVING TRUST ONAY SAFIYA PA
168	2305 WORTHINGTON ST	SALAME STACY BLDG A UNIT 322
169	2305 WORTHINGTON ST	THOMPSON RYAN UNIT 324
170	2305 WORTHINGTON ST	ROE SUSAN E BLDG A UNIT 326
171	2305 WORTHINGTON ST	SORIANO MARTHA L APT 3904
172	2305 WORTHINGTON ST	JACOBS BONNIE F & LOUIS L BLDG A UNIT 32
173	2305 WORTHINGTON ST	KAJI KENGO &
174	2305 WORTHINGTON ST	OLIVER JODIE W
175	2305 WORTHINGTON ST	FRANCIS JOHN W TR & FRANCIS SUSAN E TR
176	2305 WORTHINGTON ST	HERNANDEZ RUBEN M UNIT 332
177	2305 WORTHINGTON ST	SLAVIN CLAUDIA C BLDG A UNIT 333
178	2305 WORTHINGTON ST	SECHRIEST WALTER S BLDG A UNIT 334
179	2305 WORTHINGTON ST	GARDNER WILLIAM UNIT 335
180	2305 WORTHINGTON ST	KIESCHNICK BYPASS TRUST ROBERT KIESCHNIC
181	2305 WORTHINGTON ST	RIGBY AARON BLDG A UNIT 337

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	2305 WORTHINGTON ST	CUPPLES DORIS KATHLEEN UNIT 338
183	2305 WORTHINGTON ST	CHLOES CASTLES LP SUITE 200 LB 407
184	2300 LEONARD ST	GOSTANIAN RAFFI J
185	2300 LEONARD ST	KELLY JOSEPH T & BONNIE L UNIT 101
186	2300 LEONARD ST	RUBDOWN LLC % HOTEL ZAZA ACCOUNTING
187	2300 LEONARD ST	BONNEVILLE LP % HOTEL ZAZA ACCOUNTING
188	2300 LEONARD ST	BOSWELL MARK S
189	2300 LEONARD ST	VERSES SOCRATES & JUDY
190	2300 LEONARD ST	RANDALL PAMELA G
191	2300 LEONARD ST	AIELLO ROBERT
192	2300 LEONARD ST	GLOGAU ALEXANDER I UNIT 305 E
193	2300 LEONARD ST	LABEN GARY S & BAEZA PAMELA A
194	2300 LEONARD ST	EDUCATIONAL DEV GROUP DBA ACCELERATED
IN		
195	2300 LEONARD ST	TAUSCHER JOSEPH W
196	2300 LEONARD ST	WARNER WILLIAM JAMES TRUSTEE WARNER
LIVI		
197	2300 LEONARD ST	VELIZ JOSE G
198	2300 LEONARD ST	BERARDUCCI BRENT A
199	2300 LEONARD ST	DMP DALCON LLC
200	2300 LEONARD ST	HAJDUSIEWICZ NICK STE 102-319
201	2300 LEONARD ST	DON A KARCHMER REVOCABLE TRUST DONA A
KA		
202	2300 LEONARD ST	BUESCHER AMBER R
203	2300 LEONARD ST	KIM DANIEL J UNIT 407
204	2300 LEONARD ST	REMSSEN LARRY M APT 408
205	2300 LEONARD ST	PK PPTIES LLC
206	2300 LEONARD ST	GREESON JON M JR
207	2300 LEONARD ST	SELL STEPHEN G
208	2300 LEONARD ST	SCIOLI VANCE J JR
209	2300 LEONARD ST	BARWEL PARTNERS LP
210	2300 LEONARD ST	HAAS MARK L TRUSTEE DEBORAH S HAAS REV L
211	2300 LEONARD ST	AREFI GINO R UNIT 506
212	2300 LEONARD ST	POWELL DAVID G

Z123-130(MW)

12/26/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	2300 LEONARD ST	DALLAS METRO CLUB LLC
214	2300 LEONARD ST	GIVEN CHARLES S

Planner: Warren F. Ellis

FILE NUMBER: Z123-125(WE) **DATE FILED:** October 26, 2012

LOCATION: Carlisle Street and Routh Street, south corner

COUNCIL DISTRICT: 14 **MAPSCO:** 45-B

SIZE OF REQUEST: Approx. 1.135 acres **CENSUS TRACT:** 18.00

APPLICANT / OWNER: Alamo Manhattan Carlisle, LLC

REPRESENTATIVE: MASTERPLAN
Karl Crawley

REQUEST: An application for a Planned Development Subdistrict for multiple family uses on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of this request is to allow for the construction of a multiple family development. The proposed development will have approximately 210 multifamily units.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The applicant's request for a Planned Development Subdistrict for multiple family uses will allow for the construction of a 210-unit multifamily development. The applicant is requesting modifications to the floor are ratio (FAR), lot coverage, and rear yard setbacks.
- Presently, the GR General Retail Subdistrict permits multifamily uses and limits the structure height to 120 feet; however, the applicant is proposing to develop multiple family uses and limit the maximum height to 87 feet.

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

1. Z101-343 On October 26, 2011, the City Council approved an amendment to the conditions to Planned Development Subdistrict No. 86 for O-2 Office Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District in the area generally bounded by Carlisle Street, Cedar Springs Road, Vine Street and Cole Avenue.
2. Z089-125 On February 25, 2009, the City Council approved a Planned Development Subdistrict for O-2 Office Subdistrict uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District in the area generally bounded by Carlisle Street, Cedar Springs Road, Vine Street and Cole Avenue.
3. Z067-275 On February 25, 2008, the City Council denied a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses within Planned Development District No. 193, on property zoned a GR General Retail Subdistricts and an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District in the area generally located on both sides of Routh Street at the terminus of Katy Trail.
4. Z045-138 On April 27, 2005, the City Council approved a Planned Development Subdistrict for O-2 Office Subdistrict uses and a Retirement Housing Community within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an O-2 Office Subdistrict within Planned Development District No. 193 in the area generally located south of the intersection of Cedar Springs/Bowen Street and Turtle Creek Blvd. (not shown on map)

5. Z034-284 On October 13, 2004, the City Council approved a Planned Development Subdistrict for GR General Retail Subdistrict uses and a bank with a drive-in window service, subject to a development plan, landscape plan and conditions on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District in the general area bounded by Cedar Springs Road, Carlisle Road and Routh Street.

6. Z078-159 On May 28, 2008, the City Council approved an amendment to Zones 1A and 1B of Planned Development District No. 184 for office, retail and residential uses on the northeast corner of Cedar Spring Road and Carlisle Street.

7. Z101-265 On December 14, 2011, the City Council approved a Planned Development District for GR General Retail Subdistrict Uses on property zoned a GR General Retail Subdistrict with a D-1 Liquor Control Overlay on a portion of the site within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest line of Carlisle Street between Fairmont Street and Routh Street.

8. Z123-146 On January 24, 2013, the City Planned Commission will consider an amendment to Zone 1 of Planned Development District No. 184 for office, retail and residential uses on the northeast corner of Cedar Spring Road and Carlisle Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Carlisle Street	Minor Arterial	50 ft.	50 ft.
Routh Street	Local	50 ft.	50 ft.

Land Use:

	Zoning with/in PDD No. 193	Land Use
Site	GR	Restaurant, Office
Northeast	PDS No. 58	Bank
Southwest	GR	Offices, Parking structure
Southeast	GR	Restaurants
Northwest	PDS No. 93	Multiple Family

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

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

LAND USE

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 WORKABILITY

Policy 5.1.2 Define urban character in Downtown and urban cores

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 for multiple family uses meets objectives 1, 3, 4, and 7. The remaining objectives, 2, 5, and 6 does not meet the abovementioned objectives. The proposed development does not meet the statement that relates to the continuous street frontage activities in retail areas. The proposed residential development will not have any retail uses that are associated with this development.

As it relates to objective No. 5, the applicant is proposing a greater floor area ratio than what was allowed in the GR General Retail Subdistrict. The applicant proposes that the residential development can only be developed on the request site when a multiple family use occupies at least 90 percent of the building floor area and the floor area is greater than 2.5. if a residential development does not meet the criteria, the site will be governed by the GR General Retail Subdistrict development regulations and standards.

In addition, the proposed development does not comply with the surrounding densities in the area. The proposed residential development will be developed with 210 units and have a density of 185.02 units per acre. Planned Development Subdistrict No. 93, which is north of the request site, across Carlisle Street, permits a maximum density of 97.86 units per acre and Planned Development Subdistrict No. 15, which is northwest of the proposed development permits approximately 77.90 units per acre.

STAFF ANALYSIS:

Land Use Compatibility: The 1.135 acre site is developed with a mixed of retail and office uses. The applicant is proposing to redevelop the site to construct a 210-unit multiple family complex. The applicant's request for a Planned Development Subdistrict will limit the site's development to only multiple family uses. The applicant has identified this development as a "Special Residential Project." The Special Residential Project will permit a residential development on the request site when specific criteria are met. The requirements are twofold; 1) a multiple family use must occupy at least 90 percent of the building floor area and 2) a floor area ratio greater than 2.5.

The GR General Retail Subdistrict currently permits multiple family uses; however, the applicant's request will allow for a reduction in the front and rear yard setbacks as well as an increase in the lot coverage from 80 percent to 90 percent. In addition, the proposed development will be governed by the GR General Retail Subdistrict regulations when the proposed development does not comply with the Special Residential Project criteria. The changes proposed to the yard setbacks and lot coverage will allow for the development to maximize its development rights to develop a multiple family development. The applicant has restricted the structure height to 87 feet, but will allow for an additional 12 feet for mechanical equipment. The GR Subdistrict permits a structure height of 120 feet.

To maximize the development rights of the proposed development, the applicant will build an underground parking structure. Access to the development is from Routh Street and from an existing 16 foot alley. The alley also serves as an entrance/exit to an existing office use, which fronts on Fairmount Street.

Staff is concerned with the proposed development's density and has met with the applicant and their representative to discuss the possibility of lowering the number of proposed units. After several discussions, the applicant indicated that they will need to build at least 205 units to make the project viable. Staff can support a residential development at this location but not at the density level proposed by the applicant. Staff will allow for an additional density for placing the parking underground. However, the additional units proposed by staff will fall short in meeting the applicant's request to make the development a viable project. Staff is proposing a maximum of 137 units.

The area has several multiple family developments (PDS No. 93 and PDS No. 15) that are developed with 97.86 du/acre and 77.90 du/acre respectively. With respect to the adjacent developments, staff can support a higher density, with the bonus included, of 120 du/acre.

Staff's recommendation is for denial of the applicant's request for a Planned Development Subdistrict for Multiple Family 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>					
GR General Retail Subdistrict - existing	25'	10'/25'	2:1* FAR	120'	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
Proposed PDS	15'/10'	10'/10'	2.5:1 FAR	87'	90%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Multiple Family

Note: An additional .5:1 FAR is allowed where there is a minimum 1:1 component of residential uses.

Landscaping: Landscaping of any development will be in accordance with Part I landscaping requirements in PDD No. 193.

Miscellaneous – Conditions: Staff has reviewed and can support the applicant’s conditions, except for the provisions relating to the maximum floor area and dwelling units. Staff can support a maximum of 137 units for the proposed development. In respect to the maximum floor area, staff could not determine the maximum allowable floor area because the unit mix and unit sizes were not provided.

The city attorney has reviewed the attached conditions if the City Plan Commission recommends approval of the applicant’s request.

LIST OF OFFICERS
Alamo Manhattan Carlisle, LLC

- Jeffrey B. Brawner – Sole Owner

PROPOSED PDS CONDITIONS

“ARTICLE

PD

“Division S-___. PD Subdistrict ___.

SEC. S-___.101. LEGISLATIVE HISTORY.

PD Subdistrict ___ was established by Ordinance No. _____, passed by the Dallas City Council on _____. Ordinance No. _____ amended Ordinance No. 21859, PD 193 (the Oak Lawn Special Purpose District), as amended, and Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended.

SEC. S-___.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict ___ is established on property generally located at south corner of Carlisle Street and Routh Street. The size of PD Subdistrict ___ is approximately 1.31 acres.

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. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division:

(b) In this division:

(1) SPECIAL RESIDENTIAL PROJECT means a development having:

(A) multifamily uses occupying at least 90 percent of the building floor area;

(B) a floor area ratio greater than 2.5; and

(2) Subdistrict means a subdistrict of PD No. 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 non-residential zoning district.

SEC. S-____.104. DEVELOPMENT PLAN.

(a) For Special Residential Projects, development and use of the Property must comply with the development plan (Exhibit S- A). The development and use of the Property must comply with the floor area ratios and percentages for each use shown on the development plan that allows the development to qualify as a Special Residential Project. If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For all uses, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

SEC. S-___.105. MAIN USES PERMITTED.

(a) The only main uses permitted in this Subdistrict are those main uses permitted in the GR General Retail Subdistrict, subject to the same conditions applicable in the GR Subdistrict, as set out in Part I of this article. For example, a use permitted in the GR 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 GR Subdistrict is subject to DIR in this Subdistrict; etc.

(b) The only main uses allowed in a Special Residential Project are multifamily and those uses accessory to a multifamily use, including but not limited to an accessory community center use.

SEC. S-___.106 ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Part I of this article. For more information regarding accessory uses, consult PD 193.

(b) In this district, the following accessory uses are not permitted:

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

SEC. S-___.107. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the GR General Retail Subdistrict apply.

(b) For a Special Residential Project minimum front yard setbacks are:
i) 15 feet on Carlisle Street;
ii) 10 feet on Routh Street
iii) balconies are permitted to project no more than 5 feet into the front yard.

(c) For a Special Residential Project minimum side and rear yard setbacks are:
i) Minimum rear yard setback is 0 feet;
ii) Minimum side yard setback is 10 feet.

(d) Height:
(1) Except as provided in this subsection, maximum structure height is 120 feet.

(2) For a Special Residential Project, maximum structure height is 87 feet. The following structures may project up to 12 feet above the maximum structure height:

- (A) chimneys;
- (B) clerestories;
- (C) communication towers;
- (D) cooling towers;
- (E) elevator penthouses or bulkheads;
- (F) mechanical equipment rooms;
- (G) skylights;
- (H) vent stacks; and
- (I) visual screens that surround mechanical equipment.
- (J) parapet wall limited to 5 feet in height.

(e) Maximum floor area: For a Special Residential Project, maximum floor area is 200,000 square feet.

Staff's Recommendation

(f) Maximum dwelling units: For a Special Residential Project, the maximum number of multiple family units is 137 units.

Applicant's Proposal

(f) Maximum dwelling units: For a Special Residential Project, the maximum number of multiple family units is 210 units.

(g) Maximum lot coverage:

(1) Except as provided in this subsection, maximum lot coverage is 80 percent.

(2) For a Special Residential Project, maximum lot coverage is 90 percent.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(h) Courtyards: For a Special Residential Project, Section 51P-193.107(a)(3)(E)(ii), (iii) and (iv) do not apply.

SEC. S-___.108. OFF-STREET PARKING AND LOADING.

(a) Consult Part I of this article for the specific off-street parking/loading requirements for each use. Consult the off-street parking and loading regulations of PD 193 for information regarding off-street parking and loading generally with the following exceptions: Parking for an accessory community center (private) use in conjunction with a multiple-family use must provide parking at a ratio of one space per 1000 square feet of floor area.

(b) For a Special Residential Project, all parking must be located either underground or within a structure.

SEC S-___.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI

SEC. S-___.110. LANDSCAPING.

(a) Landscaping must be accordance with Part 1 of PDD 193.

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

SEC. S-___.111. SIGNS

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

SEC. S-___.112. ADDITIONAL PROVISIONS.

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

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

(c) Compliance with Part I. Except as otherwise provided in this division, development and use of the Property must comply with Part I of this article.

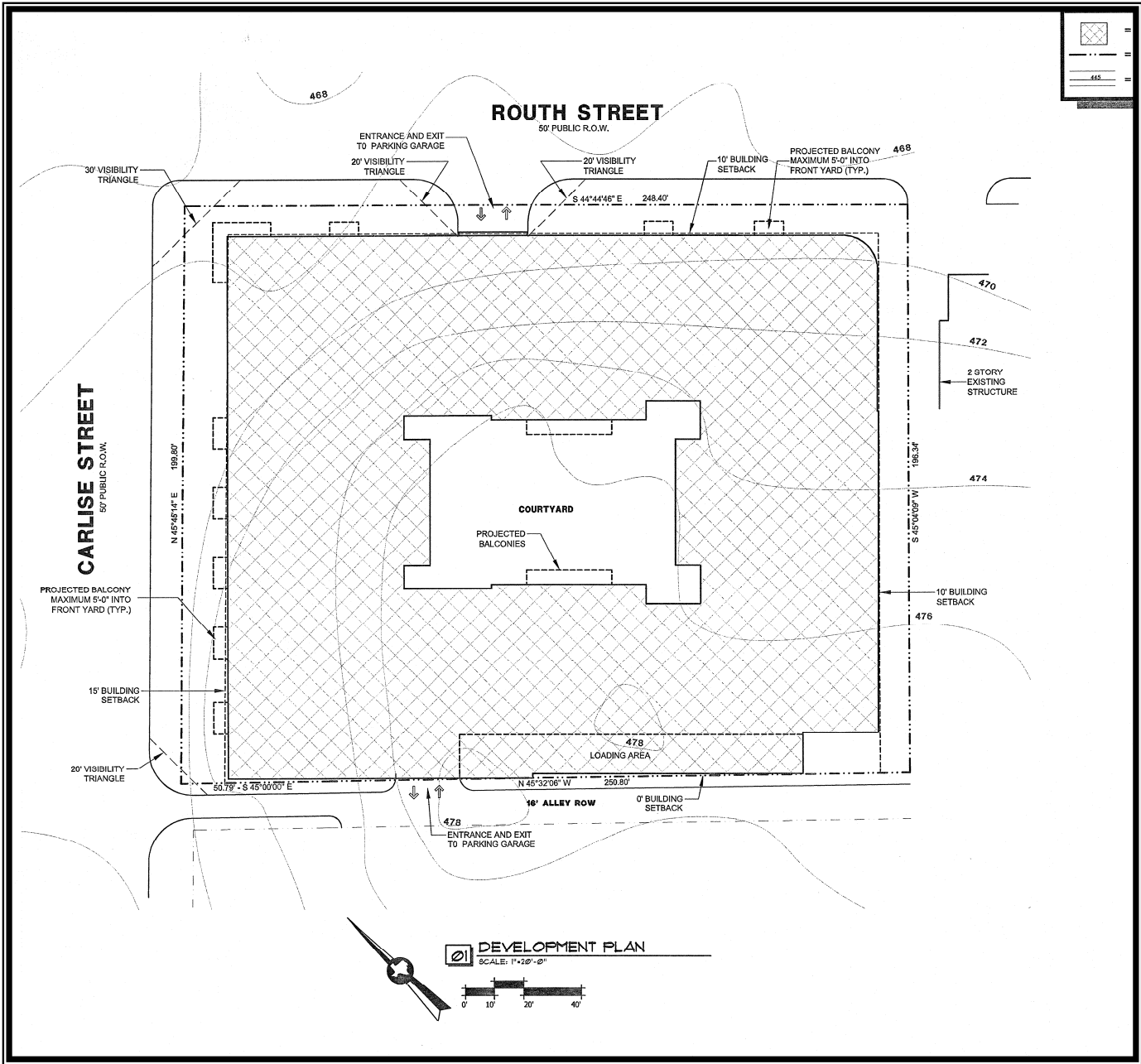
SEC. S-___.113. PAVING.

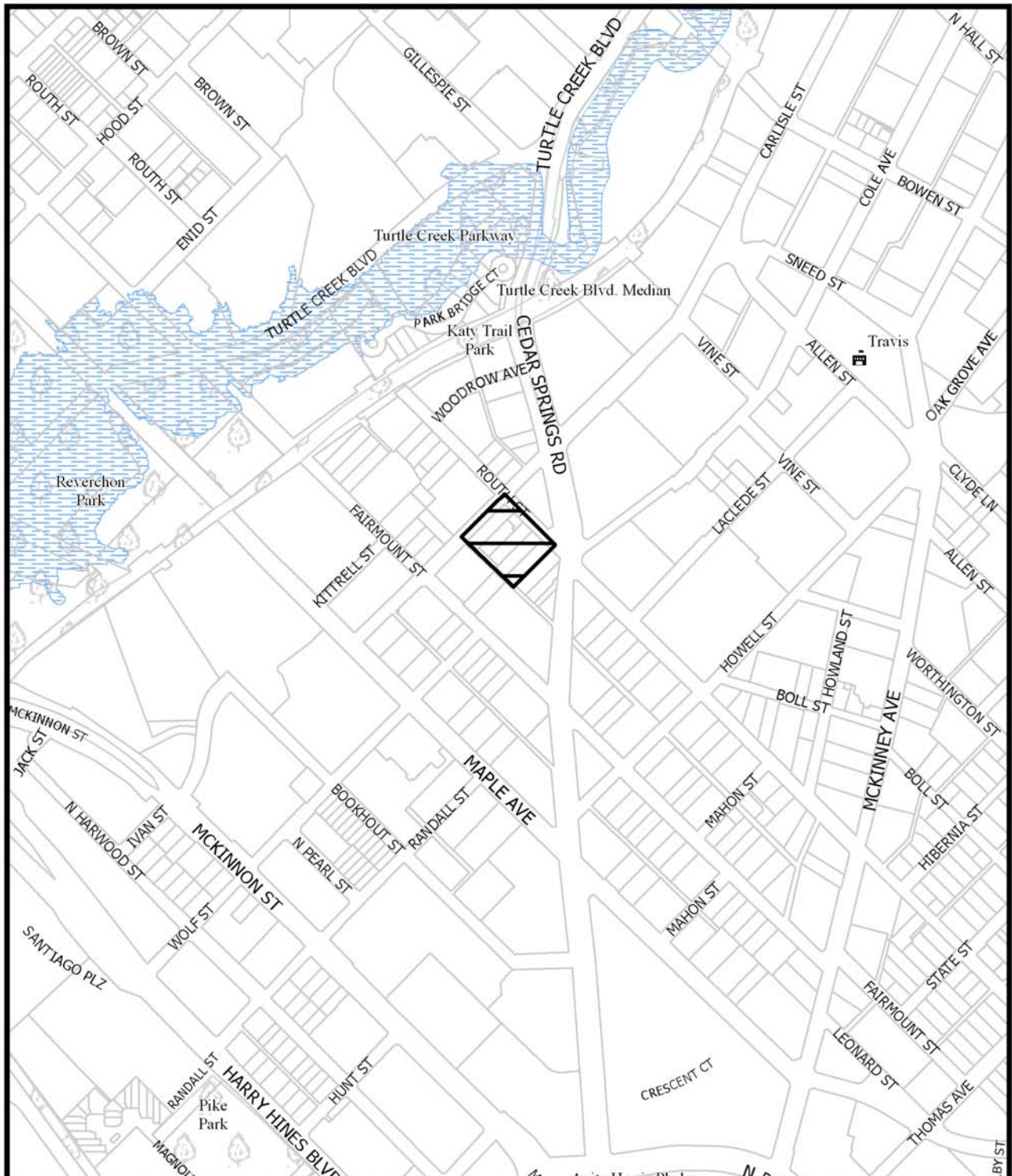
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

SEC. S-___.114. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or a certificate of occupancy for 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



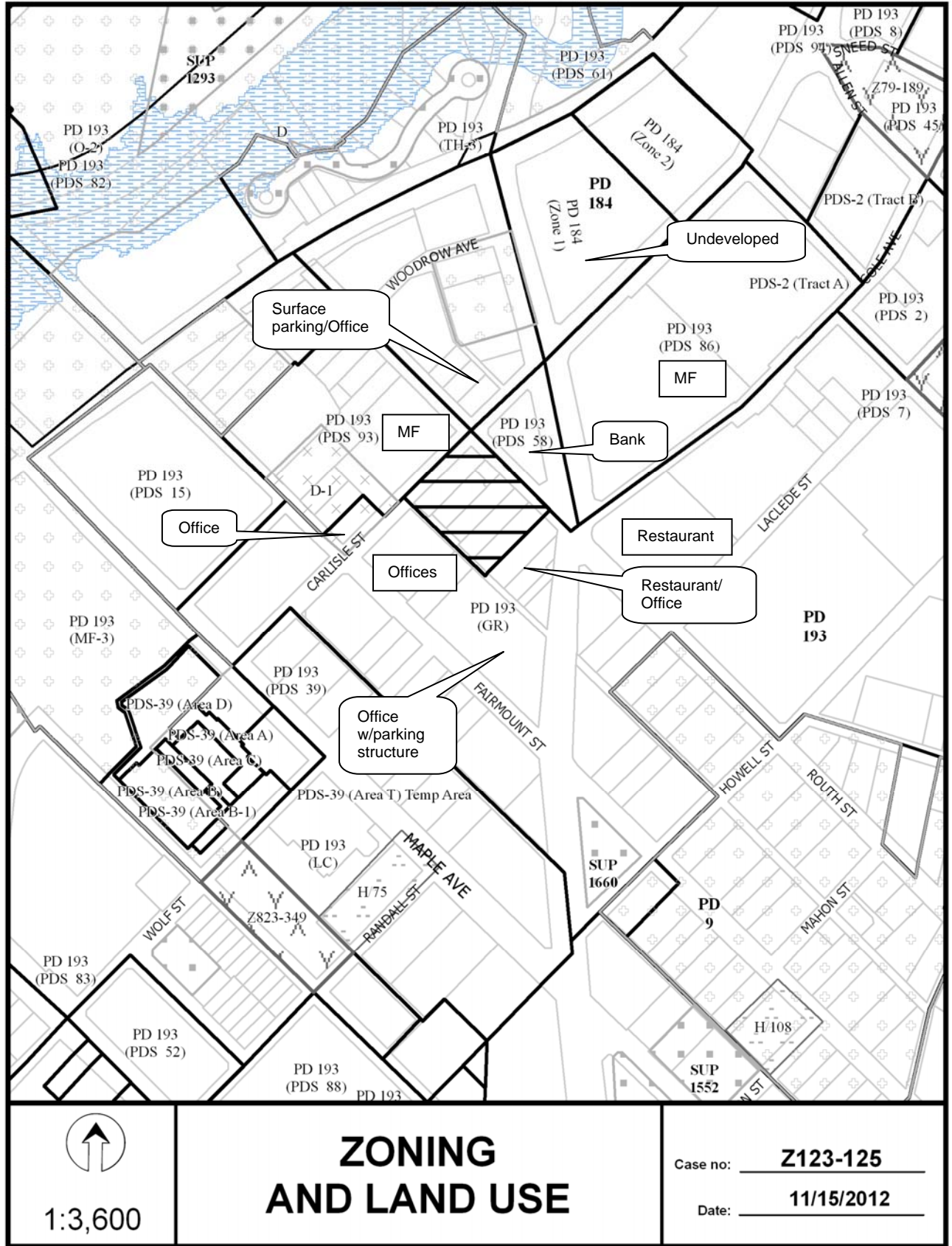


1:6,000

VICINITY MAP

Case no: Z123-125

Date: 11/15/2012

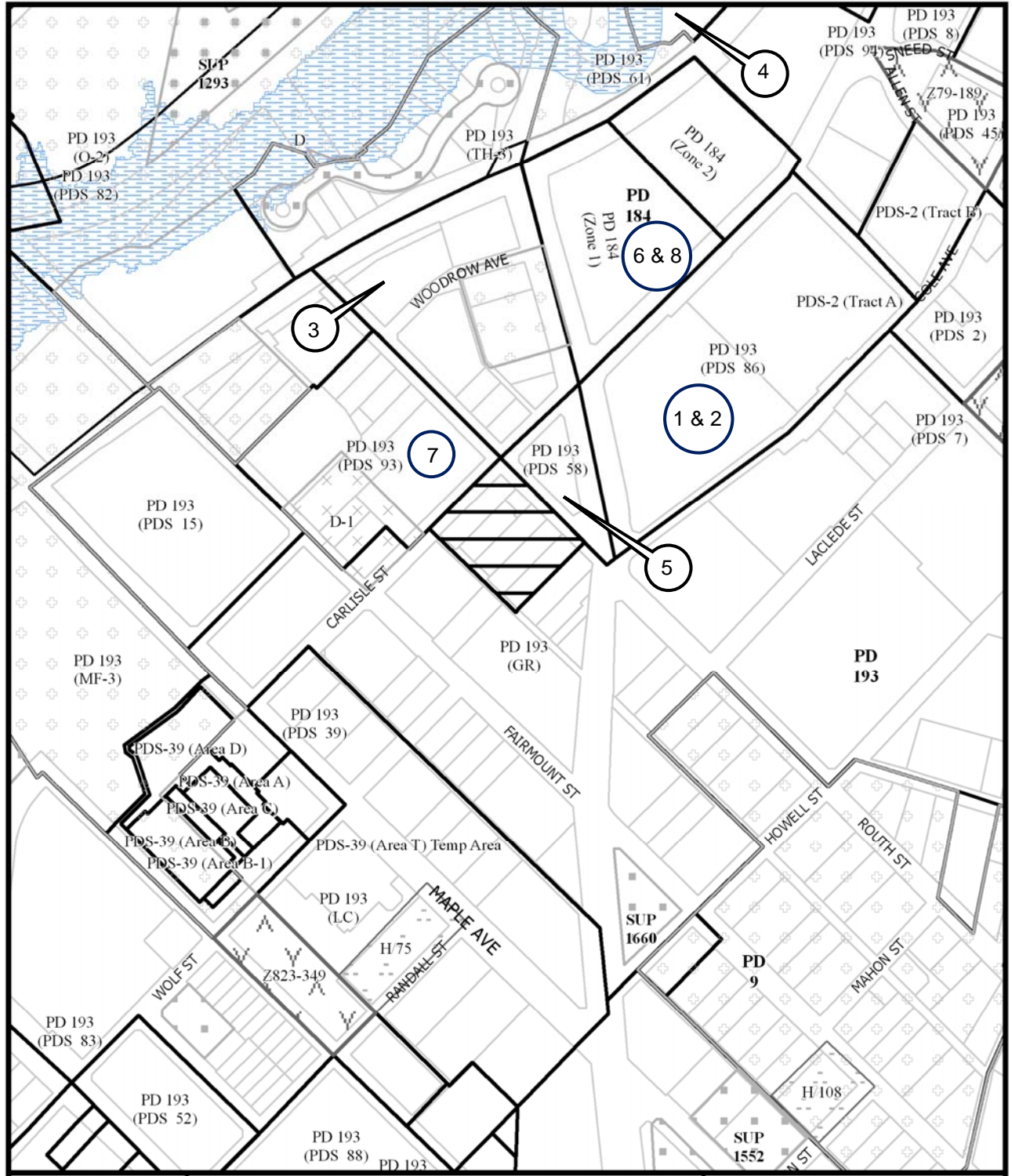


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ZONING AND LAND USE

Case no: **Z123-125**

Date: **11/15/2012**

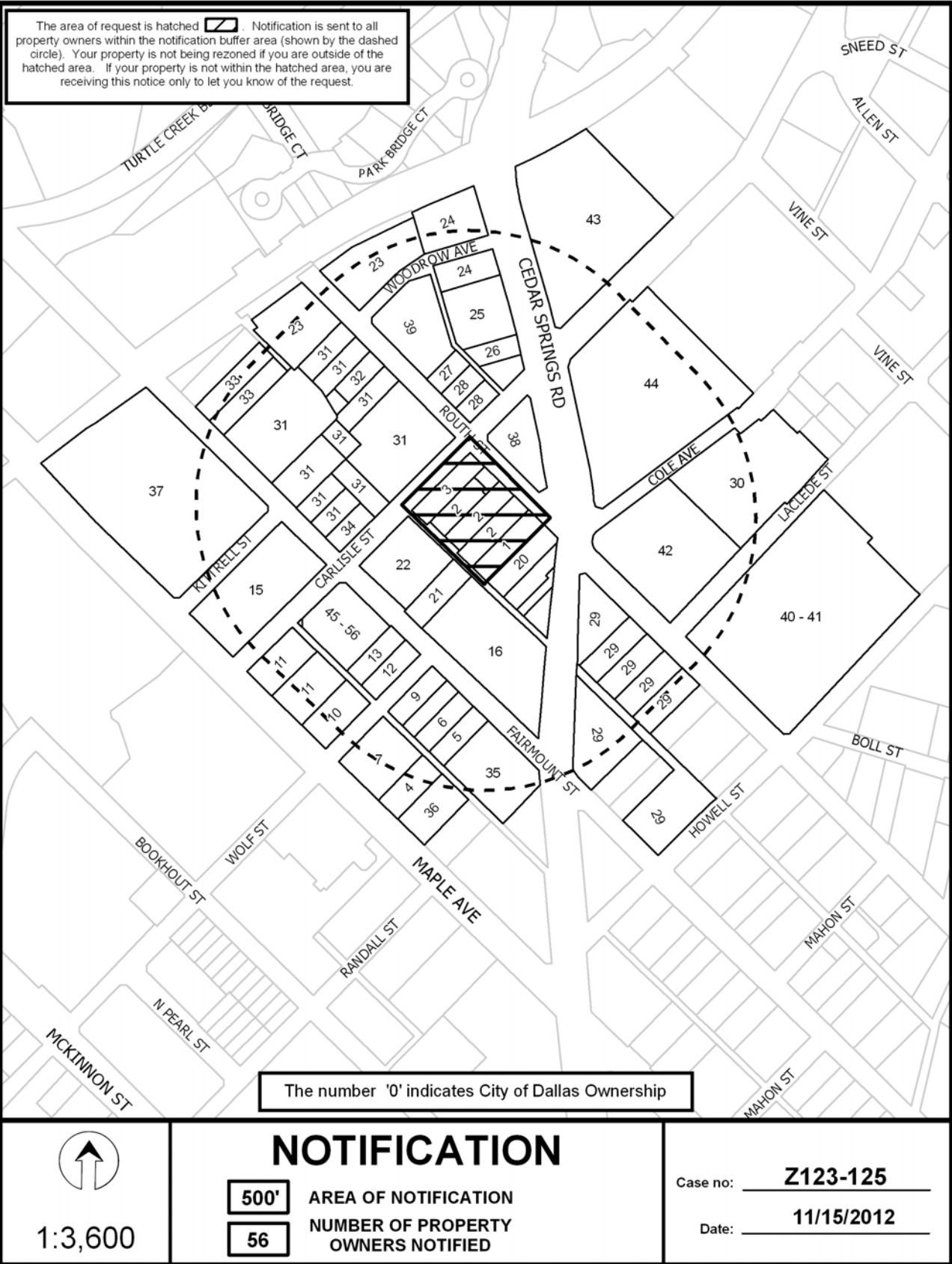


1:3,600

ZONING HISTORY

Case no: Z123-125

Date: 11/15/2012



Notification List of Property Owners

Z123-125

56 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3011 ROUTH ST	BROWN REALTY COMPANY
2	3015 ROUTH ST	BROWN REALTY COMPANY
3	3027 ROUTH ST	BAYLESS ALVIN
4	2912 MAPLE AVE	FIRST DALLAS HOLDINGS INC
5	2917 FAIRMOUNT ST	CALABAZA HOLDINGS LLC
6	2921 FAIRMOUNT ST	CALABAZA HOLDINGS LLC
7	2926 MAPLE AVE	SHIELDS LTD PS
8	2923 FAIRMOUNT ST	PERKINS JAMES M JR & MARY RUTH
9	2925 FAIRMOUNT ST	REILLY PARKWAY LTD PTNS % REILLY BROTHER
10	3000 MAPLE AVE	GREENWAY 3000 MAPLE LTD
11	3008 MAPLE AVE	MAPLE TREE PARTNERS LTD ATTN JANET BUSCH
12	3001 FAIRMOUNT ST	FRENCH JAMES F & LAURA B FRENCH
13	3005 FAIRMOUNT ST	COVINGTON TERRIE I
14	3000 FAIRMOUNT ST	SLOCUM PROPERTIES INC
15	3102 MAPLE AVE	MAPLE COUNTRY LTD
16	2501 CEDAR SPRINGS RD	CADDO UPTOWN LP
17	2521 CEDAR SPRINGS RD	THORNTON LAURIE L & LOUISE SPURGEON FAMI
18	2537 CEDAR SPRINGS RD	SPURGIN ROBERT B & SALLY THORNTON LAURIE
19	2535 CEDAR SPRINGS RD	SPURGIN ROBERT B
20	3005 ROUTH ST	JEH FAMILY TRUST
21	3004 FAIRMOUNT ST	3004 FAIRMOUNT LP
22	3012 FAIRMOUNT ST	3012 FAIRMONT LP SUITE 1400
23	3136 ROUTH ST	KATY VENTURE LTD
24	2727 CEDAR SPRINGS RD	2727 CEDAR SPRINGS RD LLC ATTN: ED RIFKI
25	2711 CEDAR SPRINGS RD	STORAGE HOLDINGS CEDAR SPRINGS PTA - USI
26	2705 CEDAR SPRINGS RD	CARLISLE JOINT VENTURE

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3108 ROUTH ST	KTIH 2 LP
28	3104 ROUTH ST	ASEL ART SUPPLY INC
29	2816 FAIRMOUNT ST	GREENWAY CEDAR SPRINGS LP SUITE 100
30	2626 COLE AVE	VRS TA COLE WOODVIEW LP SUITE 1310
31	3115 ROUTH ST	FAIRMOUNT G/ U LLC SUITE 600
32	3117 ROUTH ST	L G FAIRMOUNT LP
33	3210 FAIRMOUNT ST	TEXAS UTILITIES ELEC CO % STATE & LOCAL
34	3104 FAIRMOUNT ST	RIDDELL ROYD L & CONNIE J
35	2913 FAIRMOUNT ST	GATEGREEN PARTNERS
36	2906 MAPLE AVE	2906 MAPLE AVE LLC
37	3200 MAPLE AVE	VILLAS AT KATY TRAIL GRANTOR TRUST
38	2605 CEDAR SPRINGS RD	GREENWAY-CARLISLE LP
39	3120 ROUTH ST	STORAGE HOLDINGS CEDAR SPRINGS
40	2800 ROUTH ST	CLOVER QUADRANGLE CORP % AMERICAN REALTY
41	2800 ROUTH ST	THEATRE THREE INC %CARY NORMAN
42	2600 COLE AVE	GABLES REALTY LTD PS
43	2728 CEDAR SPRINGS RD	JLB 2728 CEDAR SPRINGS LP
44	2650 CEDAR SPRINGS RD	LG VILLA ROSA II LP STE #1220
45	3033 FAIRMOUNT ST	GIANCASPERO WALDEMAR N
46	3011 FAIRMOUNT ST	KAMINER MARC
47	3013 FAIRMOUNT ST	NAGESH KONANUR
48	3015 FAIRMOUNT ST	BURNELL JEREMY
49	3017 FAIRMOUNT ST	PARRISH ROLAND G
50	3019 FAIRMOUNT ST	BAKER JENNIFER ANNE
51	3021 FAIRMOUNT ST	MEDINA LANA
52	3023 FAIRMOUNT ST	HIRZEL JEFF L & CAROL A
53	3025 FAIRMOUNT ST	VAUGHN ROBERTA R
54	3027 FAIRMOUNT ST	SIMPSON THOMAS A & GEOFFREY A STANLEY
55	3029 FAIRMOUNT ST	LEUNG KEVIN
56	3031 FAIRMOUNT ST	MOORE CAROL A UNIT A

Planner: Warren F. Ellis

FILE NUMBER: Z123-127(WE) **DATE FILED:** October 30, 2012
LOCATION: North line of Bruton Road between Jim Miller Road and Mack Lane
COUNCIL DISTRICT: 4 **MAPSCO:** 58-A
SIZE OF REQUEST: Approx. 14,810.4 sq. ft. **CENSUS TRACT:** 91.01

APPLICANT: Mehdi Rezaeizadeh

OWNER: Zadeh Rezael

REPRESENTATIVE: Hisham Awadelkariem

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

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

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

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store 3,500 square feet or less use, and a motor vehicle fueling station.
- The proposed request is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.
- The surrounding land uses consist primarily of office/personal service uses, general merchandise store and several auto related uses on the northeast and southeast intersection of Bruton Road and Jim Miller Road. Properties, east of the request site, are single family uses.
- On March 24, 2011, the City Plan Commission denied the applicant's request for a D-1 Liquor Control Overlay and denial of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D Commercial Service District with a D Liquor Control Overlay. The applicant did not appeal the case to City Council.
- In February 2012, the City Plan Commission approved a waiver of the two year waiting period. The approved wavier allowed the applicant to submit an application for the Specific Use Permit.

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

1. Z101-162 On March 24, 2011, the City Plan Commission recommended denial of a D-1 Liquor Control Overlay and denial of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D Commercial Service District with a D Liquor Control Overlay (Applicant did not appeal to City Council - Request site).
2. Z101-367 On March 28, 2012, the City Council approved a Planned Development District for a public school other than an open-enrollment charter school and R-7.5(A) Single Family District uses and the termination of Specific Use Permit No. 142 for radio towers on property zoned an R-7.5(A) Single

Family District and Specific Use Permit No. 142 for radio towers on the North side of Bruton Road between Mack Lane and Hillburn Drive. (not shown on map)

3. Z112-103 On April 11, 2012, the City Council approved an amendment to Specific Use Permit No. 1411 for an open enrollment charter school on property zoned an R-7.5(A) Single Family District on the South side of Bruton Road between Las Cruces Lane and Alhambra Street. (not shown on map)

4. Z112-197 On May 17, 2012, the City Plan Commission denied without prejudice a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with general merchandise or food store 3,500 square feet or less on property zoned a CS-D Commercial Service District with a D Liquor Control Overlay. (Applicant did not appeal to City Council - Request site)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bruton Road	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	CS-D	Service Station & general Merchandise store
North	CS-D	Single Family
South	CS-D	Auto related uses, General merchandise store, Church
East	R-7.5(A)	Undeveloped, Single Family
West	CS-D	Office, Auto related uses

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The approximately 14,810.4 square foot site is zoned a CS-D Commercial Service District with a D Liquor Control Overlay and is currently developed with a general merchandise or food store 3,500 square feet or less use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay but requires a specific use permit in the D-1 Liquor Control Overlay.

The applicant on two previous occasions (March 2011 & May 12, 2012) has requested an Specific Use Permit for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less at the request site. The City Plan Commission recommended denial without prejudice on the two cases, and as a result, the applicant did not appeal the cases to the City Council. Staff's review of the applicant's request, from a land use perspective, has determined that the applicant's requests (previously and presently) are compatible with the adjacent uses. The proposed use and its adjacency to the residential uses should not adversely impact the surrounding area. The proposed use is located on a major arterial.

The surrounding land uses consist primarily of office/personal service uses, general merchandise store and several auto related uses on the northeast and southeast intersection of Bruton Road and Jim Miller Road. Properties east of the request site are single family uses. A church use is located southeast, across Bruton Road, of the site and is located beyond the 300 foot distance of the general merchandise or food store. The distance is measured from the front door of the store to the front door of the church, along the right-of-way lines.

The "D" Overlay District is a Liquor Control Overlay District which prohibits an individual from selling or serving alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

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

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

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

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

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

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

Development Standards:

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

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

Parking: The Dallas Development Code requires off-street parking to be provided for general merchandise or food store 3,500 square feet or less use at one space for each 200 square feet of floor area and 2 spaces for a motor vehicle fueling station. The development requires 11 spaces with 11 being provided per the attached site plan.

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

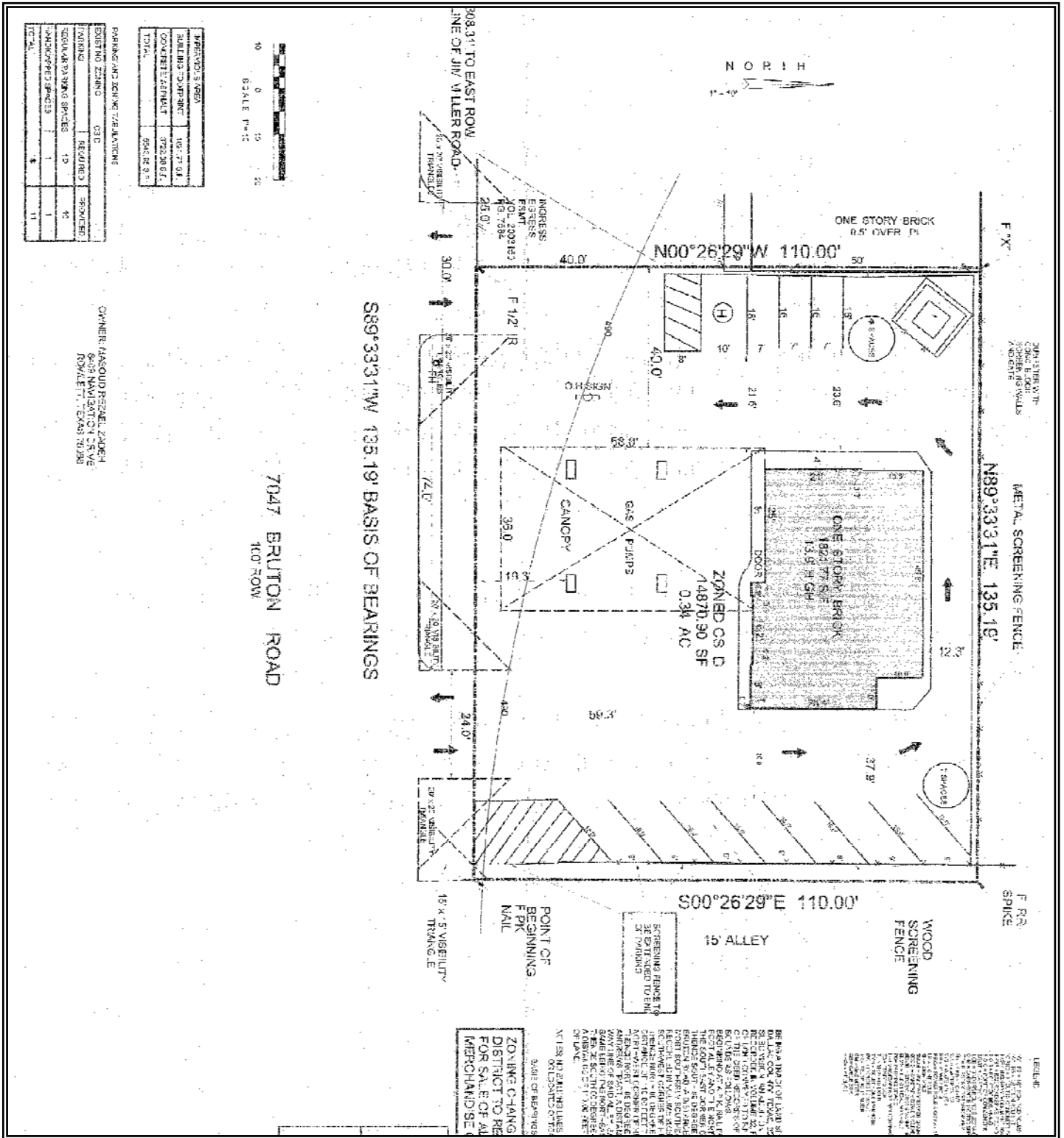
Dallas Police Department: A copy of a police report of the past 5 years of offenses is provided below.

DALLAS POLICE DEPARTMENT		UCR Codes Year Codes Property Class Code								
Virtual Viewer - Public Access										Welcom
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0021289...	01/22/2009	*BURTON TOP MART	AGGRAVATED ASSAULT	07047		BRUTO...	315	1239	04162	06935
0031978-Z	02/08/2012	*TOP MART	BURGLARY	07047		BRUTO...	315	1239	05128	
0033805-Y	02/07/2011	MARTINEZ, RAMON ABAD	THEFT	07047		BRUTO...	315	1239	06901	42020
0073661-Z	03/27/2012	PUENTE, VICTOR	CRIMINAL MISCHIEF/V...	07047		BRUTO...	315	1239	14082	
0085766-Z	04/09/2012	IBARRA-RAMIREZ, ELIS...	LOST PROPERTY	07047		BRUTO...	315	1239	42020	
0097366-Z	04/22/2012	WARD,TERRY	AUTO THEFT-UUMV	07047		BRUTO...	315	1239	07291	
0147350-X	05/27/2010	GARCIA, JOSE	THEFT	07047		BRUTO...	315	1239	06901	
0173608...	06/15/2009	*BRUTON FOOD MART	THEFT	07047		BRUTO...	315	1239	06934	
0183192...	06/24/2009	AZIZ,AMGAD	ASSAULT	07047		BRUTO...	315	1239	08112	
0217257...	07/24/2009	*BRUTON FOOD MART	ROBBERY	07047		BRUTO...	315	1239	03711	
0221154-Z	09/04/2012	LAYMAN, TOMMY	OTHER OFFENSES	07047		BRUTO...	315	1239	26000	
0253947-X	09/09/2010	*TOP FOOD MART	BURGLARY	07047		BRUTO...	315	1239	05328	

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with 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-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



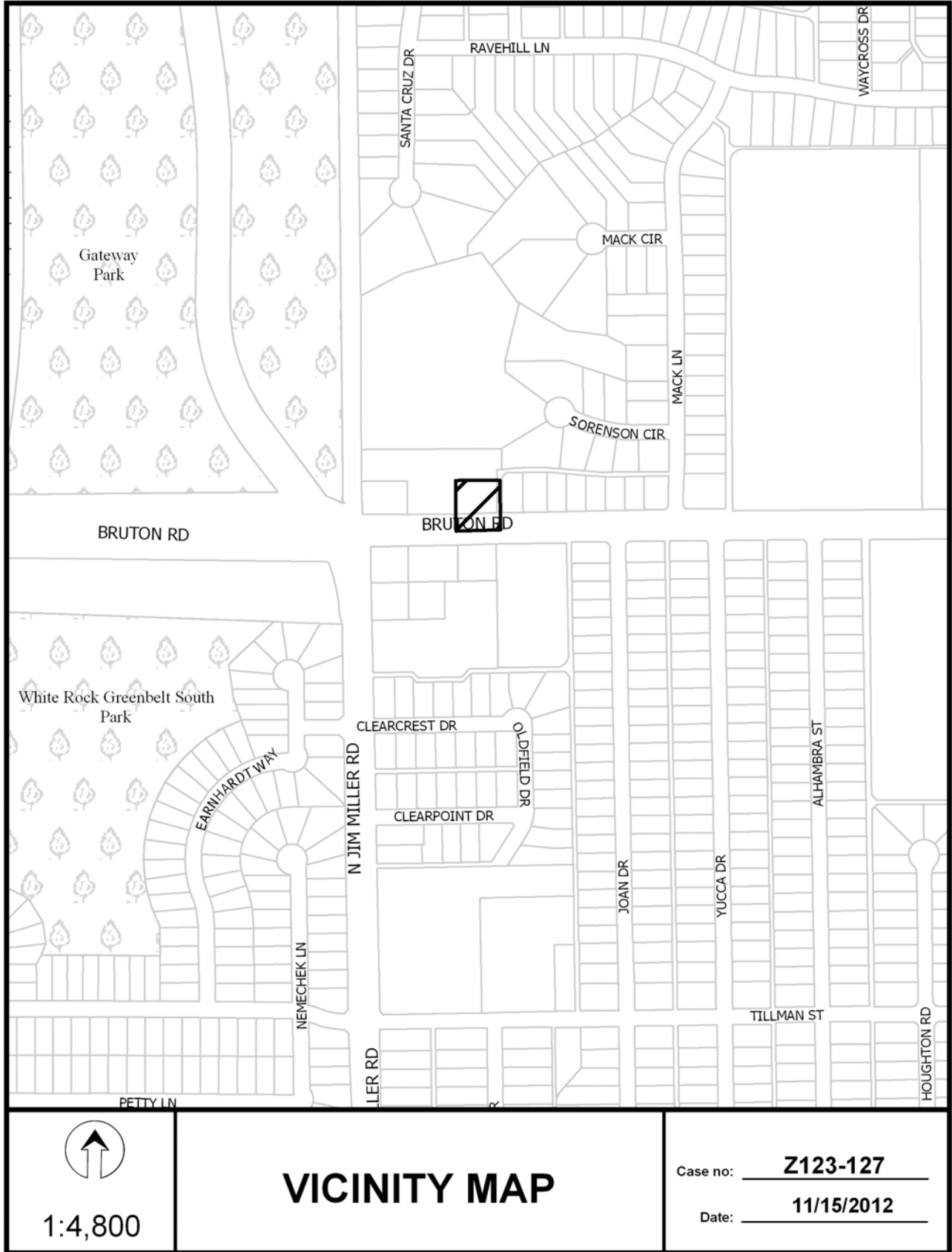
PARKING AND ZONING REQUIREMENTS	
EXISTING ZONING	REQ'D
7047 BRUTON ROAD	CS D
REQUIREMENTS	REQUIRED
REQUIREMENTS	RESERVED
TOTAL	12
	2
	10

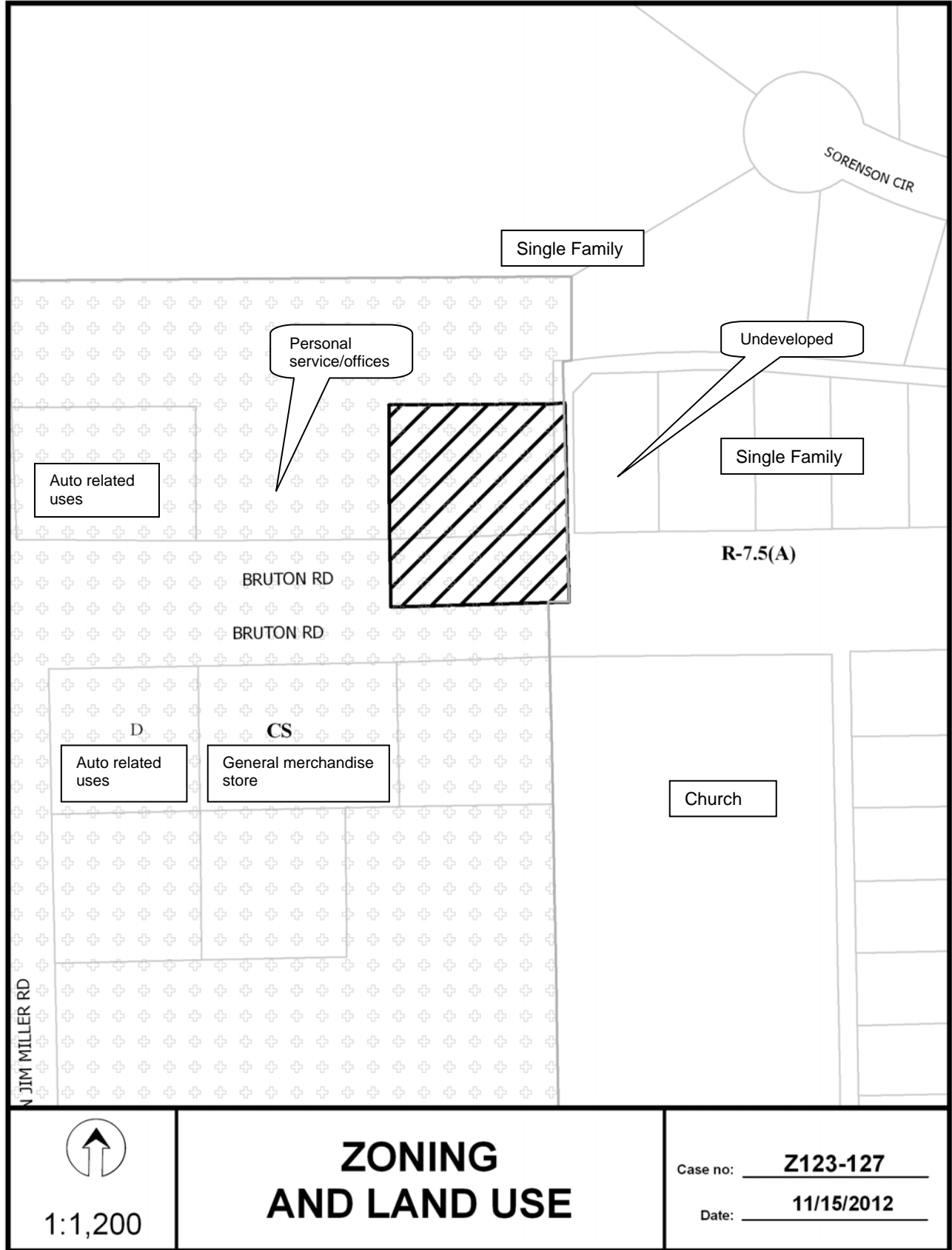
BUILDING CHARACTERISTICS	
ITEM	VALUE
BUILDING TYPE	192178 SF
FOOTPRINT	3920.00 SF
TOTAL	5840.00 SF

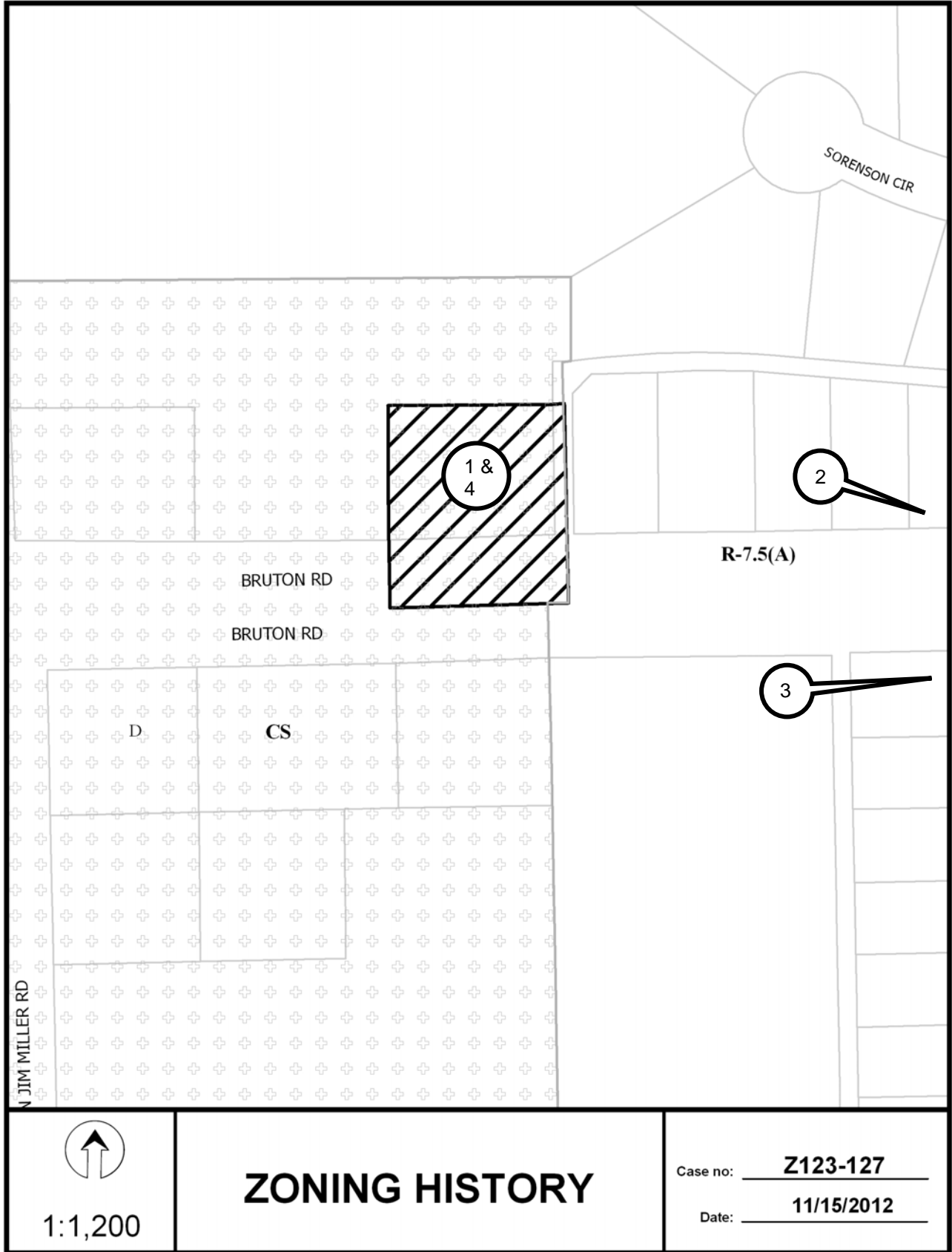
OWNER: MASOUD REZAKI ZADEH
 6-08 NAVIGATION DRIVE
 ROULETTE, TEXAS 75088

7047 BRUTON ROAD
 100' ROW

NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. THE DISTRICT OF BEARINGS IS THE BASIS FOR ALL DIMENSIONS.
 3. THE DISTRICT OF BEARINGS IS THE BASIS FOR ALL DIMENSIONS.
 4. THE DISTRICT OF BEARINGS IS THE BASIS FOR ALL DIMENSIONS.
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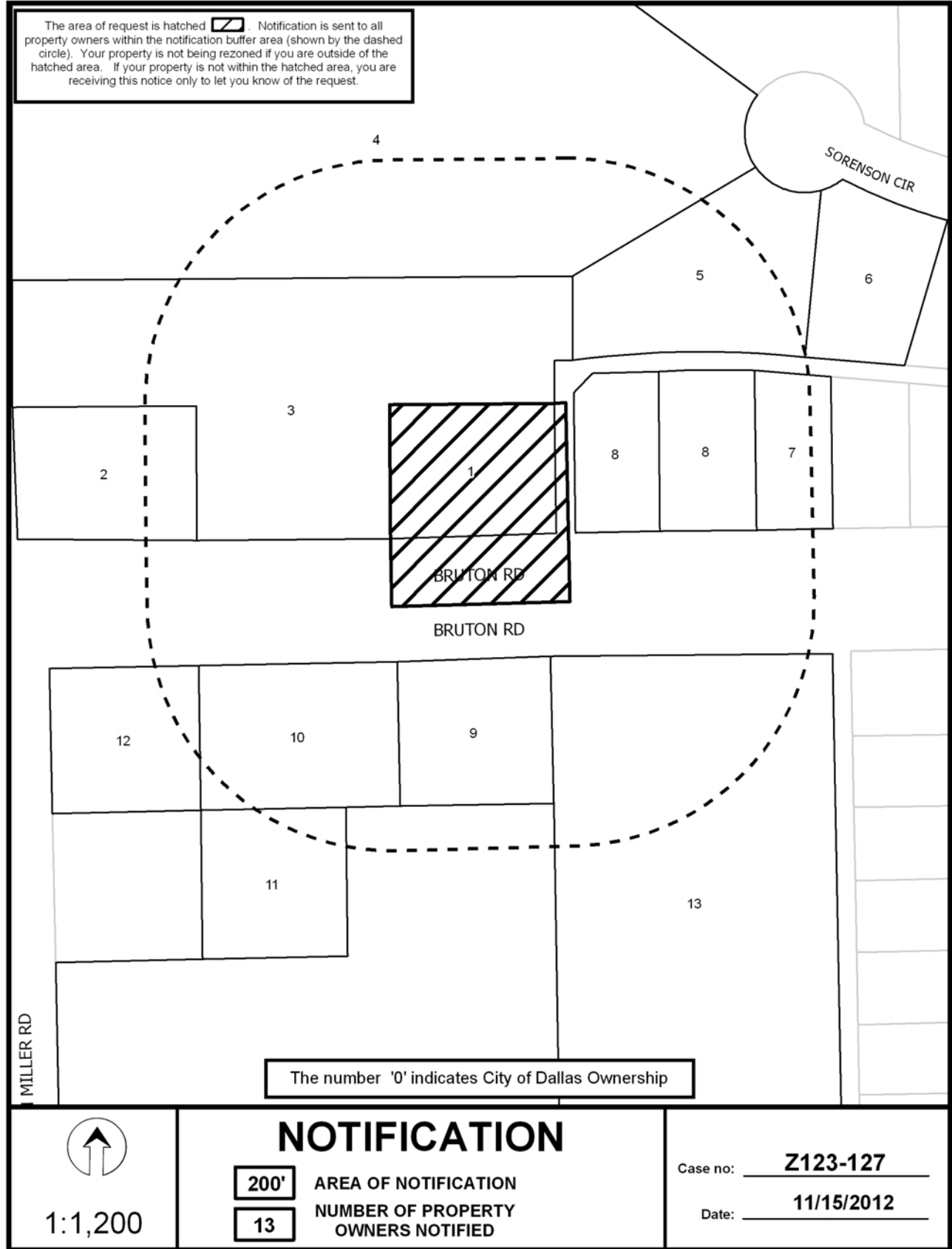


1:1,200

ZONING HISTORY

Case no: Z123-127

Date: 11/15/2012



Notification List of Property Owners

Z123-127

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7047 BRUTON RD	ZADEH MASOUD REZAEL
2	7007 BRUTON RD	REALEINS PROPERTIES LTD %HARPOL INVESTME
3	7023 BRUTON RD	ANDREWS HERSHEL V & LADY ALICE
4	7102 SORENSON CIR	PEET MARK CHARLES
5	7106 SORENSON CIR	JENKINS LEE ROY
6	7114 SORENSON CIR	SANCHES ANTONIO S
7	7115 BRUTON RD	CHRISTIAN LIZZIE FAYE
8	7109 BRUTON RD	HERNANDEZ RICARDO & EVA
9	7022 BRUTON RD	BLAKE CHARLES & JANET L
10	7010 BRUTON RD	MOSER PROPERTIES INC
11	2090 JIM MILLER RD	MOSER PROPERTIES INC
12	7000 BRUTON RD	SANTOS JUAN J
13	7110 BRUTON RD	CENTRO EVANGELISTICO JERUSALEN INC

FILE NUMBER: Z123-128(WE) **DATE FILED:** May 7, 2012

LOCATION: North side of Del Norte Lane, west of Hillcrest Road

COUNCIL DISTRICT: 13 **MAPSCO:** 25-V

SIZE OF REQUEST: Approx. 9,147.6 sq. ft. **CENSUS TRACT:** 77.00

APPLICANT: Rob Little

OWNER: Joseph Cutcher

REPRESENTATIVE: Rob Little

REQUEST: An application for an MF-1(A) Multifamily District on property zoned a D(A) Duplex District.

SUMMARY: The purpose of this request is to permit the conversion of a duplex use into a multifamily use.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The applicant's request for MF-1(A) Multifamily District uses will allow for the conversion of a duplex use into four multifamily units.
- The surrounding land uses consist of a mix of multifamily, duplex and single family uses.

Zoning History: There have been a total of eight cases that were requested in the area: five zoning cases and three Board of Adjustment cases.

1. Z101-363 On May 23, 2012, the City Council approved an amendment to Planned Development District No. 766 for a CR Community Retail District on the northwest corner of Northwest Highway and Hillcrest Road.
2. Z101-222 On June 22, 2011, the City Council approved a Planned Development District for a Mini-warehouse and CR Community Retail District Uses on property zoned a CR Community Retail District on the south side of Bandera Avenue, west of Hillcrest Road. (not shown on map)
3. Z067-276 On September 26, 2007, the City Council approved a Planned Development District for CR Community Retail District uses on property zoned an MC Multiple Commercial District and a CR Community Retail District on the northwest corner of Northwest Highway and Hillcrest Road.
4. Z045-135 On April 13, 2005, the City Council approved an MF-3(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the southeast corner of Turtle Creek Boulevard and Bandera Avenue. (not shown on map)
5. B056-223 On October 18, 2006, the Board of Adjustment Panel B granted a variance to the front yard setback regulations of 14 feet at 8616 Turtle Creek Boulevard. (not shown on map)

- 6. B067-054 On April 18, 2007, the Board of Adjustment Panel B granted an alternative landscape plan as a special exception to the landscape requirements and denied without prejudice a variance to the floor area ratio and the height regulation of 15 feet, eight inches on the northwest corner of Northwest Highway and Hillcrest Road.

- 7. B067-098 On August 15, 2007, the Board of Adjustment Panel B recommended denial without prejudice of a variance to the height regulations of 15 feet, 8-1/2 inches at 8623 Hillcrest Road on the northwest corner of Northwest Highway and Hillcrest Road.

- 8. Z112-233 On October 24, 2012, the City Council approved a Planned Development District for MF-3(A) Multifamily District uses on property zoned a CR Community Retail District on the south side of Bandera Avenue, between Turtle Creek Boulevard and Hillcrest Road.

Thoroughfares/Streets:

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

Land Use:

	Zoning	Land Use
Site	D(A)	Duplex
North	R-7.5(A)	Single Family
South	MF-1(A)	Multifamily
East	D(A)	Duplex
West	D(A)	Duplex

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

Residential Neighborhoods

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 9,147.6 square foot site is adjacent to a mixed of residential uses; multifamily use to the south, across Del Norte Lane, duplexes to the east and west and single family uses to the north. The applicant’s request for MF-1(A) Multifamily District will allow for the existing duplex to be converted into four multifamily units.

The zoning change from a D(A) Duplex District to an MF-1(A) Multifamily District will make it difficult for the applicant to meet certain code requirements, such as the side and rear yard setbacks, the off-street parking requirements and screening the parking from the adjacent single family uses. In addition, the proposed use will cause encroachment of an intensive use into a low intensive residential area.

Staff’s recommendation is denial of the applicant’s request for a MF-1(A) Multifamily District.

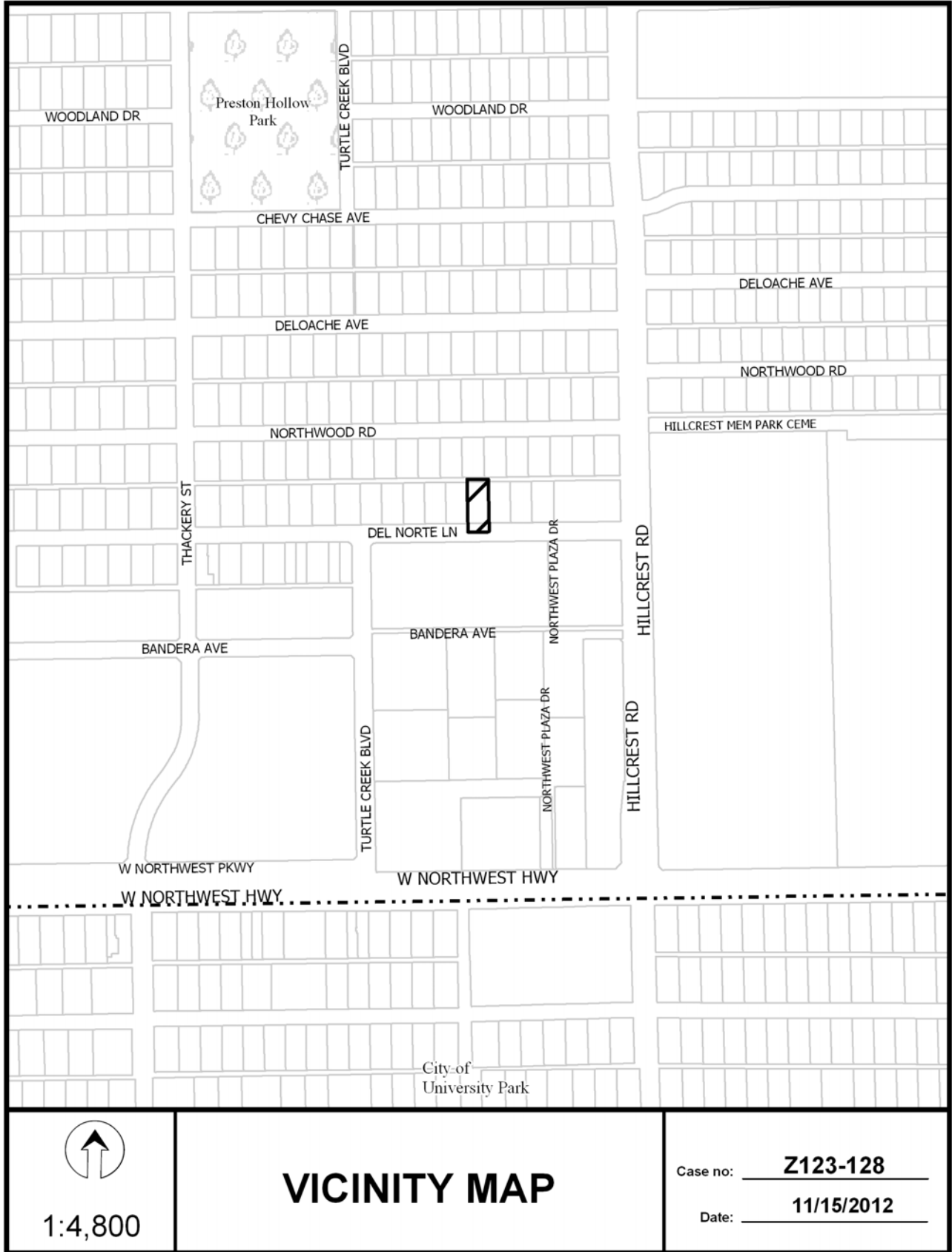
Development Standards:

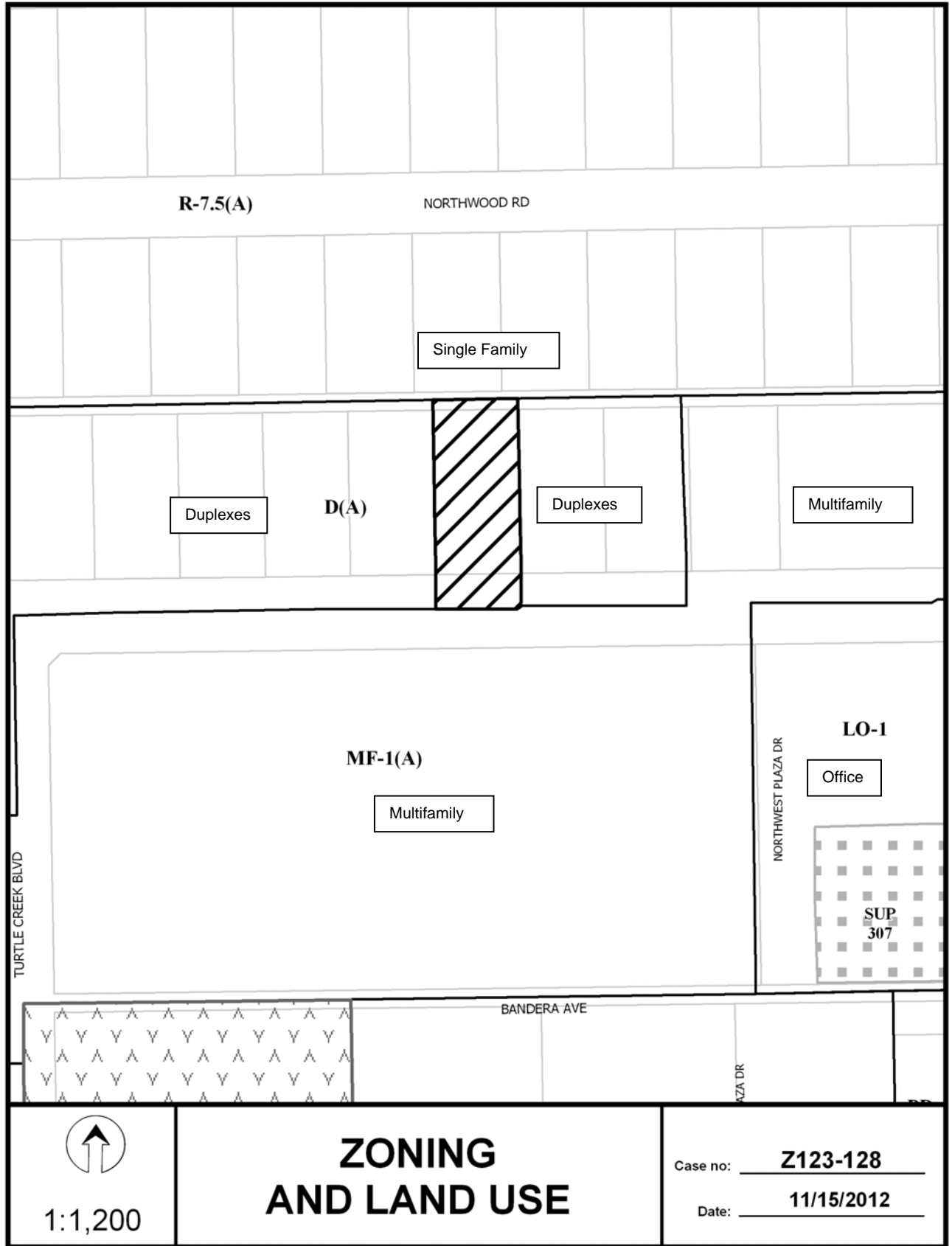
DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
D(A) - existing Duplex	25'	5'	1 Dwelling Unit/ 3,000 sq. ft.	36'	60%	Min. Lot: 6,000 sq. ft	Duplex & single family
MF-1(A) - proposed Multifamily	15'	15'	Min lot 3,000 sq. ft. 1,000 sq ft – E 1,400 sq. ft – 1 BR 1,800 sq ft – 2 BR +200 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

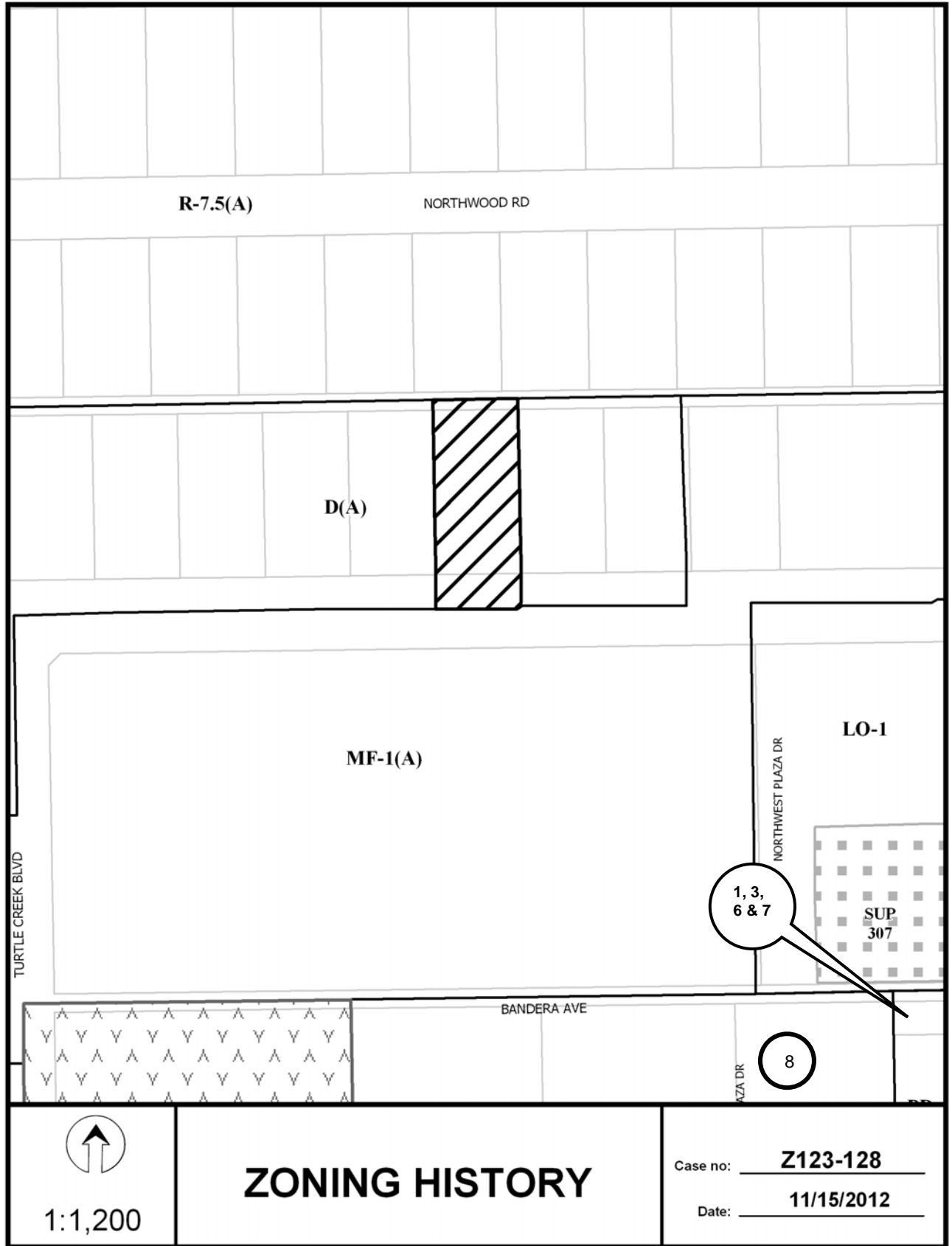
Landscaping: Landscaping of any development will be in accordance with landscaping requirements in Article X, as amended.

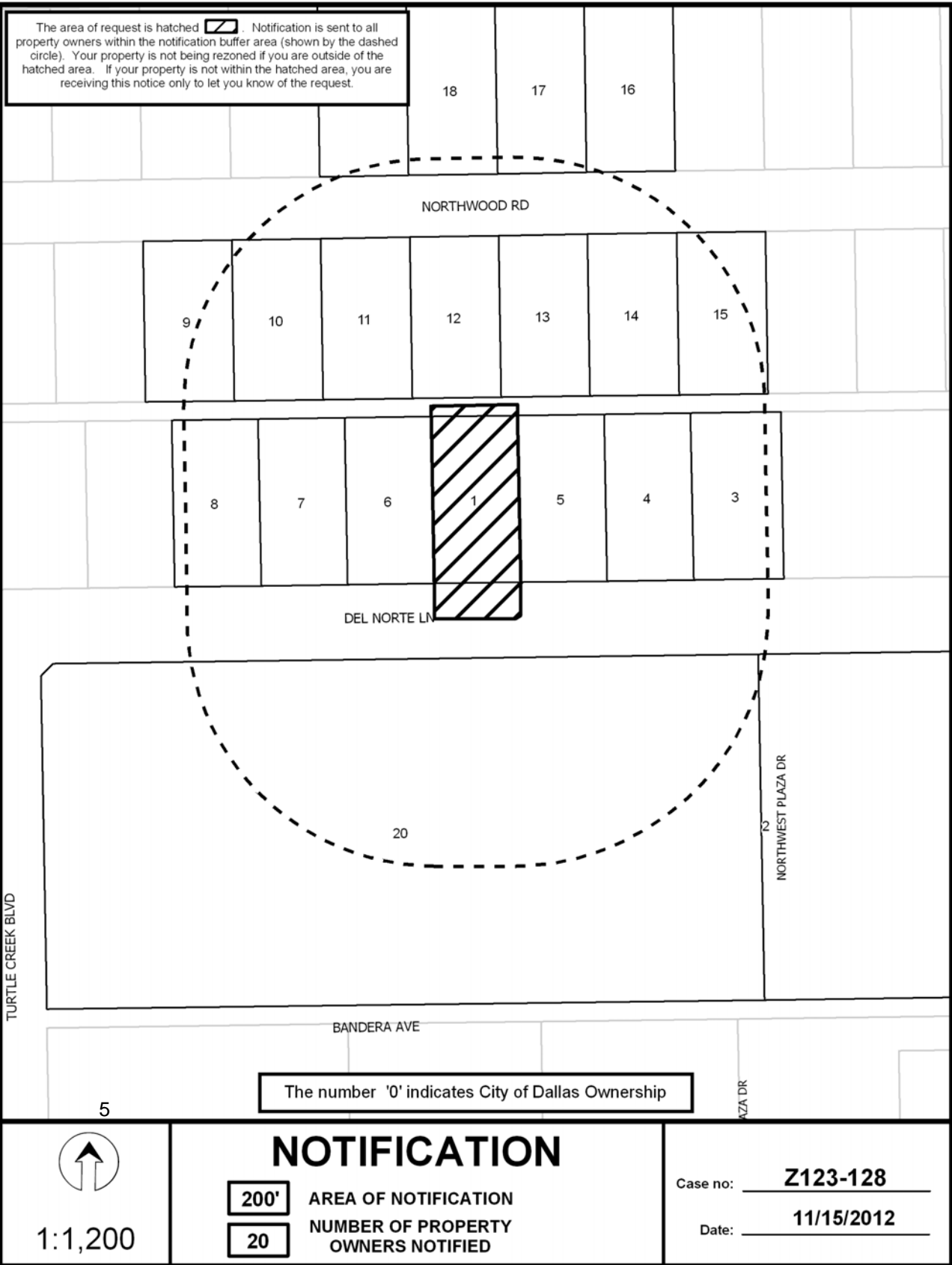
LIST OF OFFICERS
RCL Design

- Rob Little – Sole Owner









Notification List of Property Owners

Z123-128

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6729 DEL NORTE LN	CUTCHER JOSEPH W
2	8643 HILLCREST RD	SOUTHWESTERN BELL SBC COMM INC PPTY TAX
3	6819 DEL NORTE LN	CORRIGAN HOLDINGS INC % INTERCITY INV PP
4	6809 DEL NORTE LN	MARSHALL JOHN H &
5	6801 DEL NORTE LN	280 PRESTON LLC
6	6723 DEL NORTE LN	SNIDER MARIANNE
7	6719 DEL NORTE LN	MAY MELINDA J & JOYCE E MAY
8	6715 DEL NORTE LN	BLAYLOCK SUZANNE
9	6714 NORTHWOOD RD	SCHMACHER SHARRON M
10	6720 NORTHWOOD RD	URIE KAREN E
11	6726 NORTHWOOD RD	GREENE PATRICK N
12	6732 NORTHWOOD RD	JACOBSEN ALLISON F
13	6804 NORTHWOOD RD	MAST HEIDI C & JOERG MAST
14	6810 NORTHWOOD RD	JOHNSON BRAD G & STEPHANIE A
15	6816 NORTHWOOD RD	CARTER NANCY A
16	6811 NORTHWOOD RD	MOON WILLIAM D & BETSY E
17	6805 NORTHWOOD RD	DRAPER THOMAS K
18	6731 NORTHWOOD RD	HOBAR PAUL C & ROBIN
19	6725 NORTHWOOD RD	MOORE MICHAEL
20	6800 DEL NORTE LN	INTERCITY INVESTMENTS PROPERTIES INC