



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, January 24, 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:

Dallas CityDesign Studio Update

Larry Beasley, Urban Design Special Advisor

Subdivision Docket

Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S123-054**
(CC District 14)

An application to create one 2.103 acre lot from a tract of land in City Block 283 and one 3.898 acre lot from all of City Block A/276 on property located on the east side of North Central Expressway at Bryan Street, north and south corners.

Applicant/Owner: Greystar/Margaux City Lights Ltd; Minerva Partners Ltd.

Surveyor: Kimley-Horn and Associates, Inc.

Application Filed: December 31, 2012

Zoning: PD 298, Subarea 5

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

Residential Replats:

- (2) **S123-055**
(CC District 14) An application to replat a 1.328 acre tract of land containing part of City Block T/2922 into a sixteen lot shared access development at 5470 Ellsworth Street west of McMillan Street.
Applicant/Owner: Mark Weatherford/Ridgecrest Baptist Church
Surveyor: Gonzalez & Schneeberg
Application Filed: December 31, 2012
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S123-056**
(CC District 9) An application to replat all of Lots 11A, 12 and 13 in City Block 1/2981 into one 0.440 acre lot and one 0.174 acre lot located on property at 6451, 6455 and 6459 Westlake Avenue.
Applicant/Owner: Marc and Susan Goldman, Danny Wilson
Surveyor: C.B.G. Surveying, Inc.
Application Filed: December 31, 2012
Zoning: R-7.5(A)
Staff Recommendation: **Denial**

Miscellaneous Items:

- D123-004**
Olga Torres Holyoak
(CC District 11) An application for a development and landscape plan for Planned Development No. 272 on the west side of Preston Road, south of Beltline Road.
Staff Recommendation: **Approval**
Applicant: Preston Sports Center, LTD
Representative: Robert Baldwin

Zoning Cases – Consent

1. **Z123-146(WE)**
Warren Ellis
(CC District 14) An application for an amendment to Zone 1 of Planned Development District No. 184 for office, retail and residential uses on the northeast corner of Carlisle Street and Cedar Springs Road.
Staff Recommendation: **Approval**, subject to a development plan, landscape plan and conditions.
Applicant: JLB 2728 Cedar Springs, L.P.
Representative: Jackson Walker, LLP, - Jonathan Vinson

2. **Z112-312(MW)**
Megan Wimer
(CC District 11)
An application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an MU-1 Mixed Use District on the northeast corner of Arapaho Road and Knoll Trail.
Staff Recommendation: **Approval**, subject to a conceptual plan; development plan, mews street landscape plan and conditions.
Applicant: PV Prestonwood I, Ltd., PV Prestonwood I, GP, LLC PV Prestonwood II, Ltd., PV Prestonwood II, GP, LLC
Representative: Masterplan
3. **Z123-126(MW)**
Megan Wimer
(CC District 2)
An application for an MU-1 Mixed District on property zoned an IR Industrial Research District on the west corner of Crampton Street and Converse Street.
Staff Recommendation: **Approval**
Applicant/Representative: Jacques Lamy
4. **Z123-137(MW)**
Megan Wimer
(CC District 2)
An application for a Specific Use Permit for an alcoholic beverage establishment limited to bar, lounge or tavern use on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Elm Street, east of North Good Latimer Expressway.
Staff Recommendation: **Approval** for a two-year period, subject to a site plan and conditions.
Applicant: Twilite on Elm, LLC
Representative: Jason Marshall

Zoning Cases – Under Advisement

5. **Z123-116(MW)**
Megan Wimer
(CC District 5)
An application for **1)** 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 an RR Regional Retail District with a D Liquor Control Overlay and **2)** an RR Regional Retail District on property zoned a CR Community Retail District on the north side of East Laureland Road, east of South RL Thornton Freeway.
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay, **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 and **approval** of an RR Regional Retail District.
Applicant: Lend Lease, Michael Hampton, AICP
Representative: Verdad Real Estate, Rick Hall
U/A From: December 6, 2012

6. **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
U/A From: January 10, 2013

Zoning Cases – Individual

7. **Z123-131(RB)**
Richard Brown
(CC District 11)
- An application for a Planned Development District for a Nursery, garden shop, or plant sales use, a Landscape contractor's maintenance yard, and certain residential and nonresidential uses on property zoned on property zoned an R-16(A) Single Family District the southwest corner of Northaven Road and Freda Stern Drive.
- Staff Recommendation: **Approval**, subject to a development /landscape plan and conditions.
- Applicant: Jonathan and Lillian Pinkus
Representative: Robert Reeves

Special Provision Sign District

- SPSD112-002**
Carrie Gordon
(CC District 14)
- An application for an amendment to the Arts District Extension Area Special Provision Sign District to allow for new sign types and create the Arts Plazas One, Two & Three, and the Dallas Black Dance Theater subareas in an area generally bounded by Woodall Rogers Freeway, North Central Expressway, Routh Street and Ross Avenue.
- Staff Recommendation: **Approval**, subject to amended conditions.
- SSDAC Recommendation: **Approval**, subject to conditions.
- Applicant: Billingsley #17, Ltd.
Representative: Cheri Donohue

Authorization of Hearings

Galleria Valley View Consideration of a public hearing to decide whether to authorize a public hearing to determine the proper zoning on property zoned Planned Development District No. 22, Planned Development District No. 130, Planned Development District No. 215, Planned Development District No. 250, Planned Development District No. 279, Planned Development District No. 322, Planned Development 423, Planned Development 713, Planned Development District No. 782, a CR Community Retail District with Deed restrictions on a portion, a CS Commercial Service District, a GO(A) General Office District with deed restrictions on a portion, an RR Regional Retail District with deed restrictions on a portion and Specific Use Permit Nos. 1335, 1389, 1390 on a portion, an LO-2 Limited Office District 2 with deed restrictions on a portion, an NO(A) Neighborhood Office District, an MO-2 Mid-range Office District 2, an MF-1(A) Multifamily District, an MF-4(A) Multifamily District, an MU-1 Mixed Use District with deed restrictions on a portion, an MU-2 Mixed Use District with deed restrictions on a portion, an MU-3 Mixed Use District, an MU-3 (SAH) Mixed Use District Affordable, and a P(A) District Parking, with consideration given to appropriate zoning including use, development standards, and other regulations that would allow for and encourage development in appropriate areas on approximately 430 acres generally located east of the Dallas North Tollway, south of Southern Boulevard, south of the northern boundary of (Block E) Monfort Place, south of the northern boundary of Woodchase Apartments, south of the northern boundary of Preston View Estates, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway). This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Other Matters

FY11-2012 City Plan Commission Annual Report

Consideration of appointments to the following CPC Committee:
Urban Design Committee (UDAC)

Minutes: January 10, 2013

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, January 24, 2013

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, January 24, 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 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]

3CITY PLAN COMMISSION**THURSDAY, JANUARY 10, 2013****FILE NUMBER:** S123-054**Subdivision Administrator:** Paul Nelson**LOCATION:** Douglas Avenue, Brown Street, Knight Street and Fairmount Street**DATE FILED:** December 31, 2012**ZONING:** PD 298, Subarea 5**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 6.001 Acres **MAPSCO:** 35W**APPLICANT:** Greystar / Margaux City Lights Ltd; Minerva Partners Ltd.

REQUEST: An application to create one 2.103 acre lot from a tract of land in City Block 283 and one 3.898 acre lot from all of City Block A/276 on property located on the east side of North Central Expressway at Bryan Street, north and south corners.

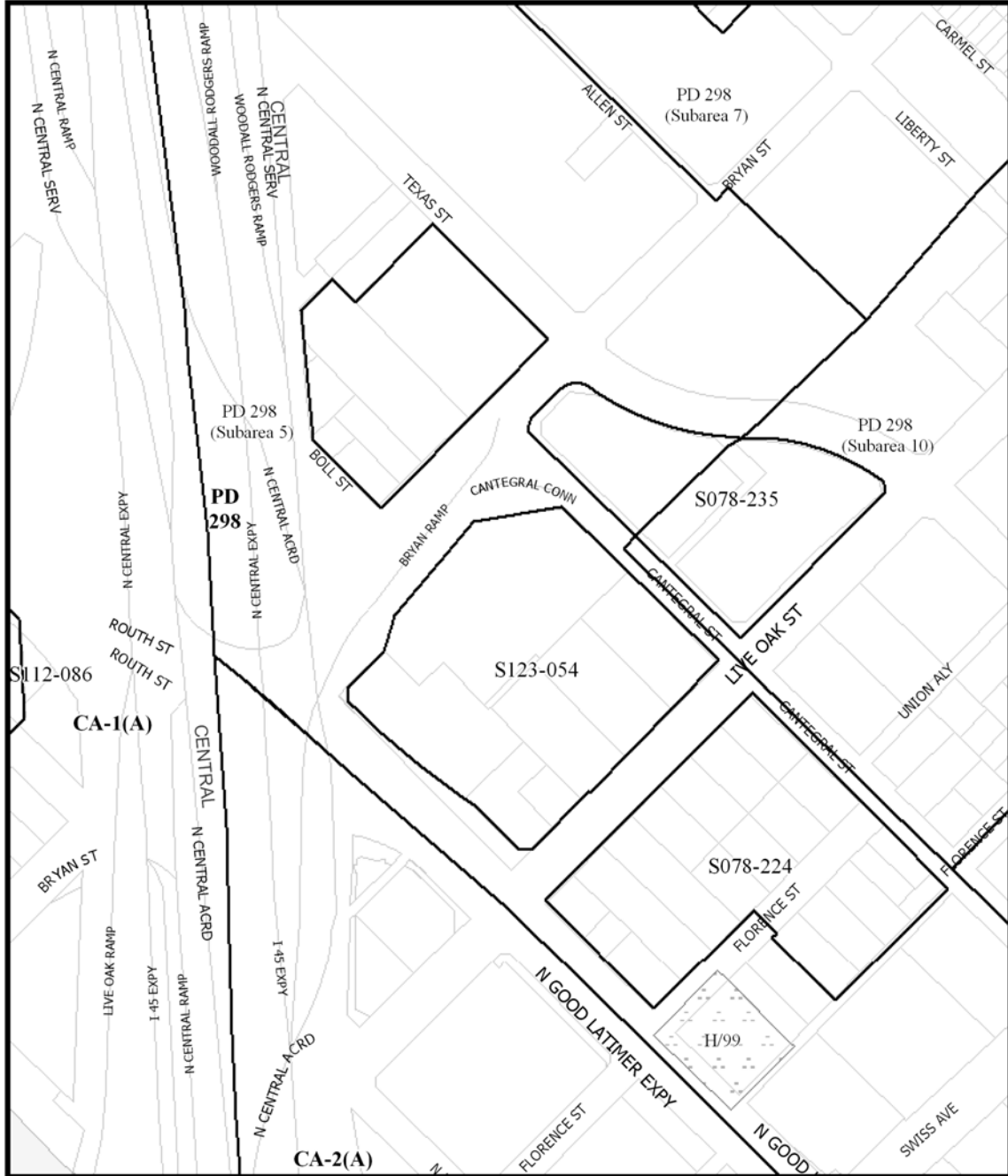
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of PD 298, Subarea 5; therefore, staff recommends approval subject to compliance with the following conditions:

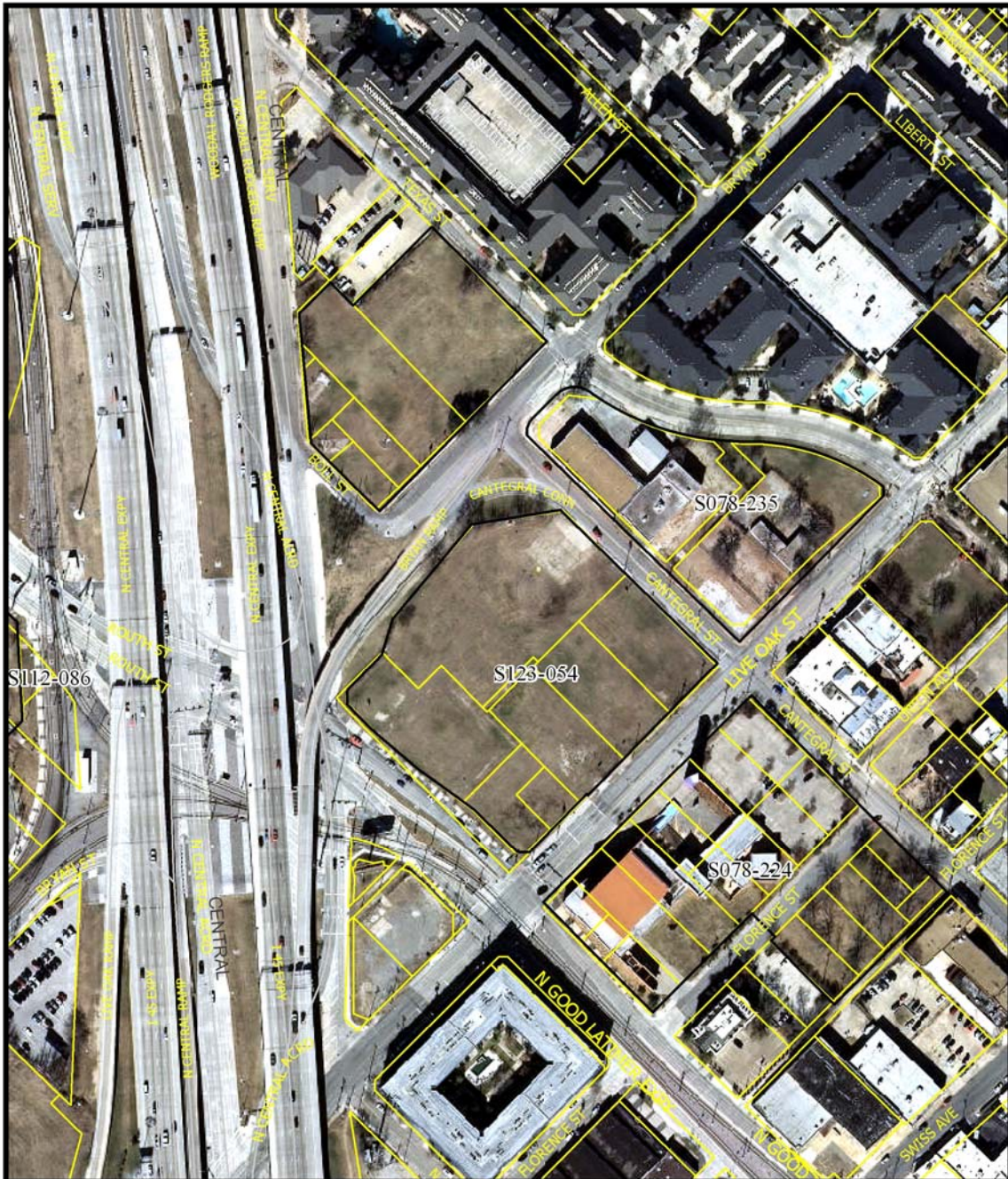
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with 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. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. Any modification to the Good-Latimer Expressway or North Central Expressway requires TxDOT approval.
15. Comply with Mill Creek drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb.
16. On the final plat dedicate 28 feet of right-of-way from the established centerline of Federal Street.
17. On the final plat dedicate 28 feet of right-of-way from the established centerline of Texas Street.
18. On the final plat dedicate 28 feet of right-of-way from the established centerline of Boll Street.
19. On the final plat dedicate 28 feet of right-of-way from the established centerline of Cantegral Street.
20. On the final plat dedicate a 15 foot by 15 foot corner clip at Texas Street and Bryan Street.
21. On the final plat dedicate a 15 foot by 15 foot corner clip at Boll Street and Bryan Street.
22. On the final plat dedicate a 15 foot by 15 foot corner clip at Live Oak Street and Cantegral Street.
23. On the final plat dedicate a 15 foot by 15 foot corner clip at Live Oak Street and Good-Latimer Expressway.
24. On the final plat change Central Expressway (U.S. Highway No. 75) to North Central Expressway (U.S. Highway No. 75).
25. The existing easement to be abandoned must be by separate instrument and on the final plat show "Abandonment authorized by ordinance No. _____ and recorded as Instrument no. _____."

26. The parcel shown as "No Deed" must have the ownership identified prior to submittal of the final plat for the Chairman's signature.
27. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
28. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
29. Water main extension is required by Private Development Contract.
30. On the final plat show how all right-of-way was created.
31. On the final plat show the distances across Federal Street and Boll Street for all right-of-way.
32. Identify the properties as Lot 1A, City Block A/276 and Lot 1 in City Block A/283.



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: S123-054 Date: 1/13/2013
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 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> S123-054 </u> Date: <u> 1/13/2013 </u>
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CITY PLAN COMMISSION**THURSDAY, JANUARY 24, 2013****FILE NUMBER:** S123-055**Subdivision Administrator:** Paul Nelson**LOCATION:** 5470 Ellsworth Avenue, west of McMillan Street**DATE FILED:** December 31, 2012**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 1.328 Acres **MAPSCO:** 36J**APPLICANT:** Mark Weatherford / Ridgecrest Baptist Church

REQUEST: An application to replat a 1.328 acre tract of land containing part of City Block T/2922 into a sixteen lot shared access development at 5470 Ellsworth Street west of McMillan Street.

SUBDIVISION HISTORY:

1. S112-204 was an application contiguous on the south and west of the present request to replat a 3.6952 acre tract of land containing all of Lot 1 in City Block U/2923 and all of Lot 5 in City Block T/2922. The request also includes removing the existing platted 52 foot and 25 foot building lines on Glencoe Street; and to remove the existing 54 foot Building Line along McMillan Street. Both Building Lines are on Lot 1, City Block U/2923 and located at 3736 Glencoe Street and 3737 McMillan Street. The request was approved on October 4, 2012 but has not been recorded.
2. The request area was rezoned from a Duplex zoning District to an MF-2(A) District on November 14, 2012 with an Ordinance and Deed Restrictions to be approved by the City Council on January 16, 2013. Due to the D zoning District this is a residential replat and notices have been sent to all property owners within 200 feet of the boundary of this request.

DATES NOTICES SENT: 20 notices were mailed on January 9, 2013 to property owners within 200 feet of this request with 2 replies received in favor and 0 replies received in opposition to the request as of January 16, 2013.

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

The request is governed by the MF-2(A) requirements and complies with those requirements. The proposed lot configurations are consistent with the lot configurations of a Shared Access Development; therefore, staff recommends approval subject to compliance with the following conditions:

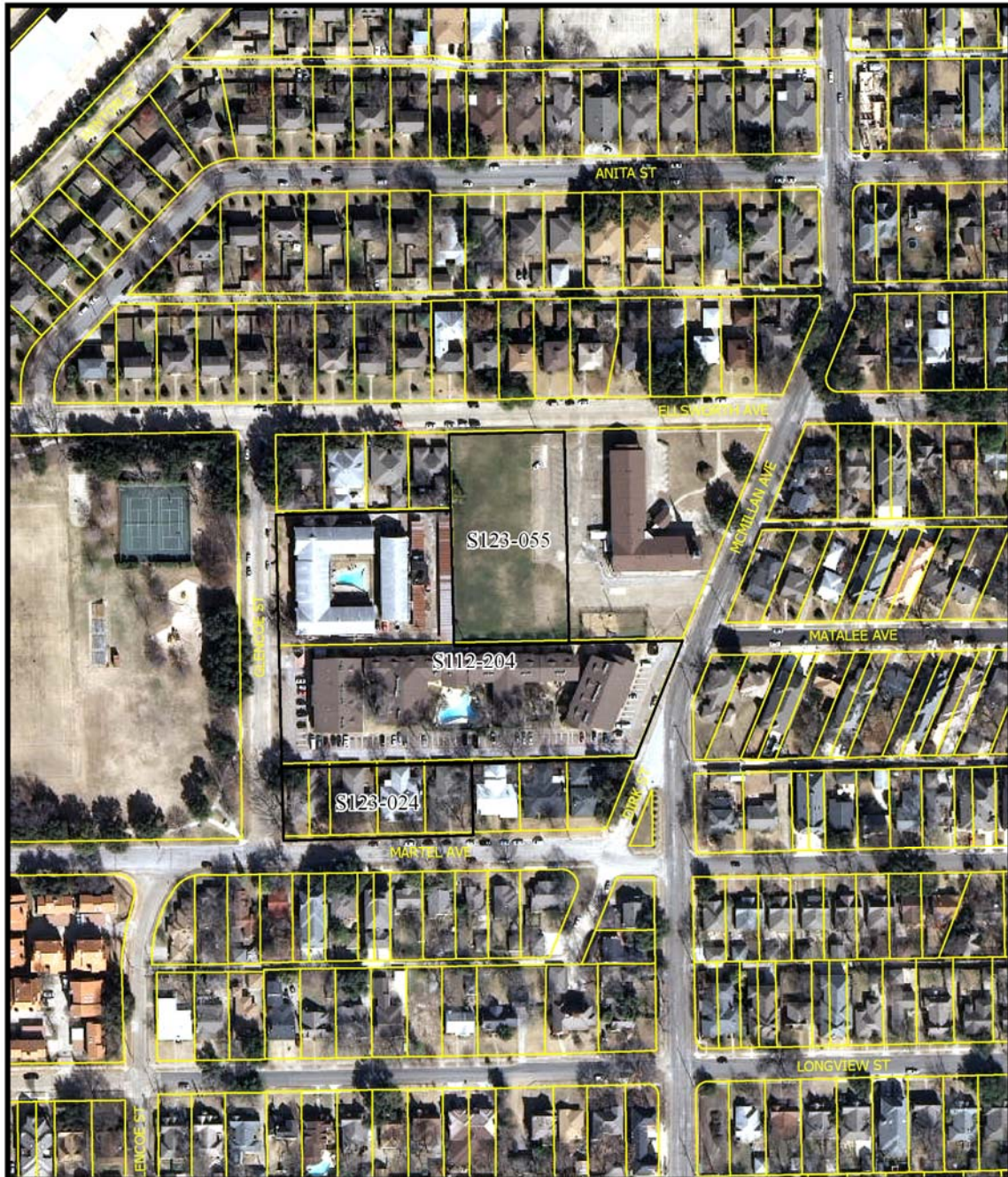
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.


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 shared access area must front a minimum width of 20 feet on Ellsworth Avenue.
11. The Shared Access Area easement must be at least 20 feet wide and contain a minimum paving width of 16 feet.
12. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat.
13. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met.
14. Prior to submittal of the final plat the Shared Access Development must meet all of the requirements of Section 51A-4.411 of Volume Three of the Dallas City Code, as amended.
15. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include a

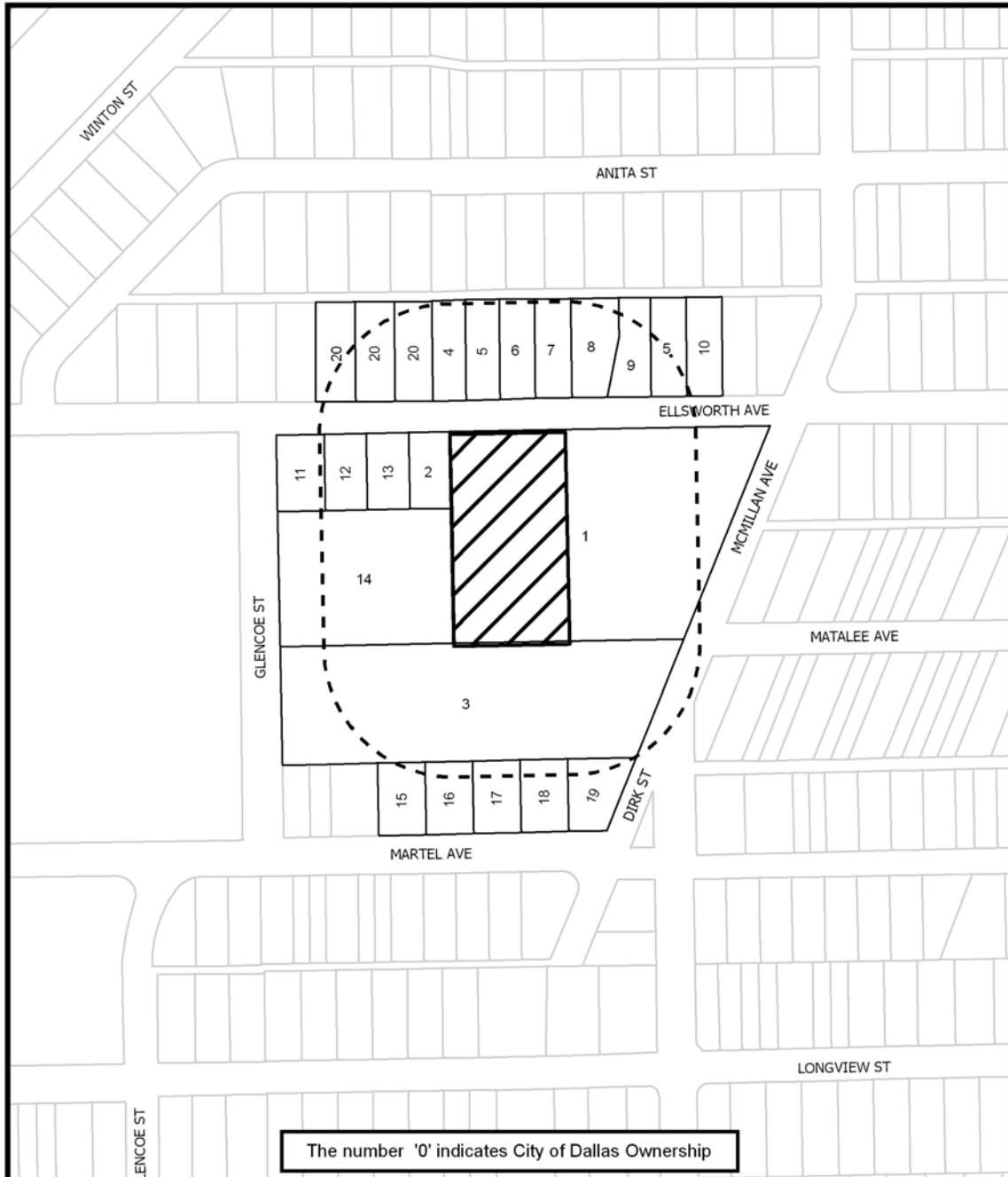
- metes and bounds description of the shared access area as part of an attachment to the document.
16. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot.
 17. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street.
 18. Include the words "Shared Access Development" in the title block of the final plat.
 19. The final plat shall limit the number of lots to a maximum of 16 single family lots.
 20. On the final plat show 0.25 guest parking spaces per lot on the plat. Such spaces may be provided in the Shared Access Area as long as they are not located over a water/wastewater easement.
 21. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area except to a public or City Council approved private street."
 22. If a guard house is provided, it must be at least 30 feet from the shared access point on Ellsworth Avenue.
 23. The Shared Access Area Easement must be terminated a minimum of 3 feet from the contiguous property on the east, west and south.
 24. On the final plat provide a City of Dallas approved street name for the Shared Access Area Easement. Contact the Water Department, GIS Section to obtain an approved street name.
 25. The maximum number of lots permitted by this plat is 16.
 26. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
 27. 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.
 28. On the final plat dedicate 28 feet of Right-Of-Way from the established centerline of Ellsworth Avenue.
 29. On the final plat monument all set corners per the monumentation ordinance.
 30. On the final plat change Ellsworth Street to Ellsworth Avenue.
 31. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
 32. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.

33. Water and wastewater main extension is required by Private Development Contract.
31. On the final plat show the distances across Federal Street and Boll Street for all Right-Of-Way.





 1:2,400	<h2>AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S123-055 </u> Date: <u> 1/13/2013 </u>
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 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">20</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	20	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> S123-055 </u> Date: <u> 1/15/2013 </u>
200'	AREA OF NOTIFICATION					
20	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

S123-055

20 Property Owners Notified

Label #	Address	Owner
1	5470 ELLSWORTH AVE	RIDGECREST BAPTIST CHURCH
2	5418 ELLSWORTH AVE	CHATHAM JOSEPH M & SUZANNE S
3	3737 MCMILLAN AVE	STODDARD J B EST SUITE 101
4	5433 ELLSWORTH AVE	WASKOM ENTERPRISES LLC
5	5461 ELLSWORTH AVE	PERRY ALEXANDER &
6	5441 ELLSWORTH AVE	ANGRY PIRATE PROPERTIES LLC
7	5447 ELLSWORTH AVE	KINCH JANET L
8	5451 ELLSWORTH AVE	SUGHRUE ERIC W
9	5455 ELLSWORTH AVE	MASSMAN EDWARD L PMP909
10	5465 ELLSWORTH AVE	PIROK PAUL
11	5406 ELLSWORTH AVE	CALLICOATTE CONRAD S
12	5408 ELLSWORTH AVE	DOBBINS CHRISTY DAVIS
13	5412 ELLSWORTH AVE	PATEL MANESH
14	3736 GLENCOE ST	MARTEL SHENANDOAH CORP SUITE 101
15	5429 MARTEL AVE	DICKEY & JENKINS LP
16	5433 MARTEL AVE	GOODMAN JAMES A
17	5441 MARTEL AVE	214 RENOVATIONS LLC
18	5449 MARTEL AVE	SPARKMAN SALLY ANN
19	5453 MARTEL AVE	STEWART BRADLEY & KAREN STEWART
20	5423 ELLSWORTH AVE	GLENCOE PARK DUPLEXES LP %THOMAS K MOTLOW

Tuesday, January 15, 2013

CITY PLAN COMMISSION**THURSDAY, JANUARY 24, 2013****FILE NUMBER:** S123-056**Subdivision Administrator:** Paul Nelson**LOCATION:** 6451, 6455 and 6459 Westlake Avenue**DATE FILED:** December 31, 2012**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 9 **SIZE OF REQUEST:** 1.328 Acres**MAPSCO:** 36J**APPLICANT:** Marc and Susan Goldman, Danny Wilson

REQUEST: An application to replat a 0.614 acre tract of land containing all of Lots 11A, 12, and 13 in City Block 1/2981 into one 0.440 acre lot and one 0.174 acre lot located on property at 6451, 6455, and 6459 Westlake Avenue.

SUBDIVISION HISTORY:

1. S023-107 was an application on the western part of the present request to replat all of Lot 11 and part of Lot 10 in City Block 1/2981 into one 0.240 acre lot 78.0 feet wide and was approved on March 6, 2003 and recorded on April 25, 2003.
2. Many of the adjacent properties on this portion of Westlake Avenue are owned as "all of a lot and part of another lot".

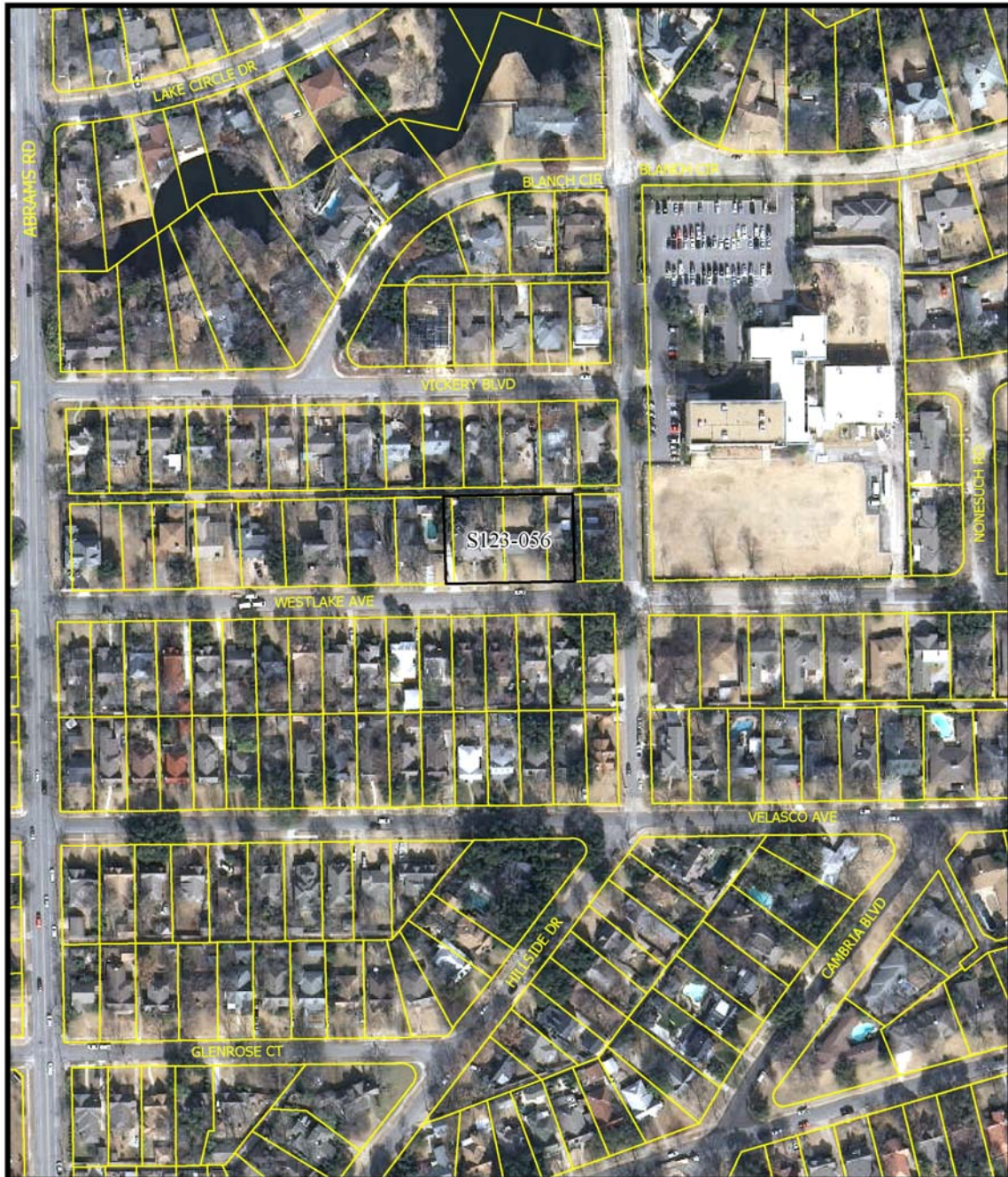
DATES NOTICES SENT: 33 notices were mailed on January 9, 2013 to property owners within 200 feet of this request with 3 replies received in favor and 0 replies received in opposition to the request as of January 16, 2013.


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

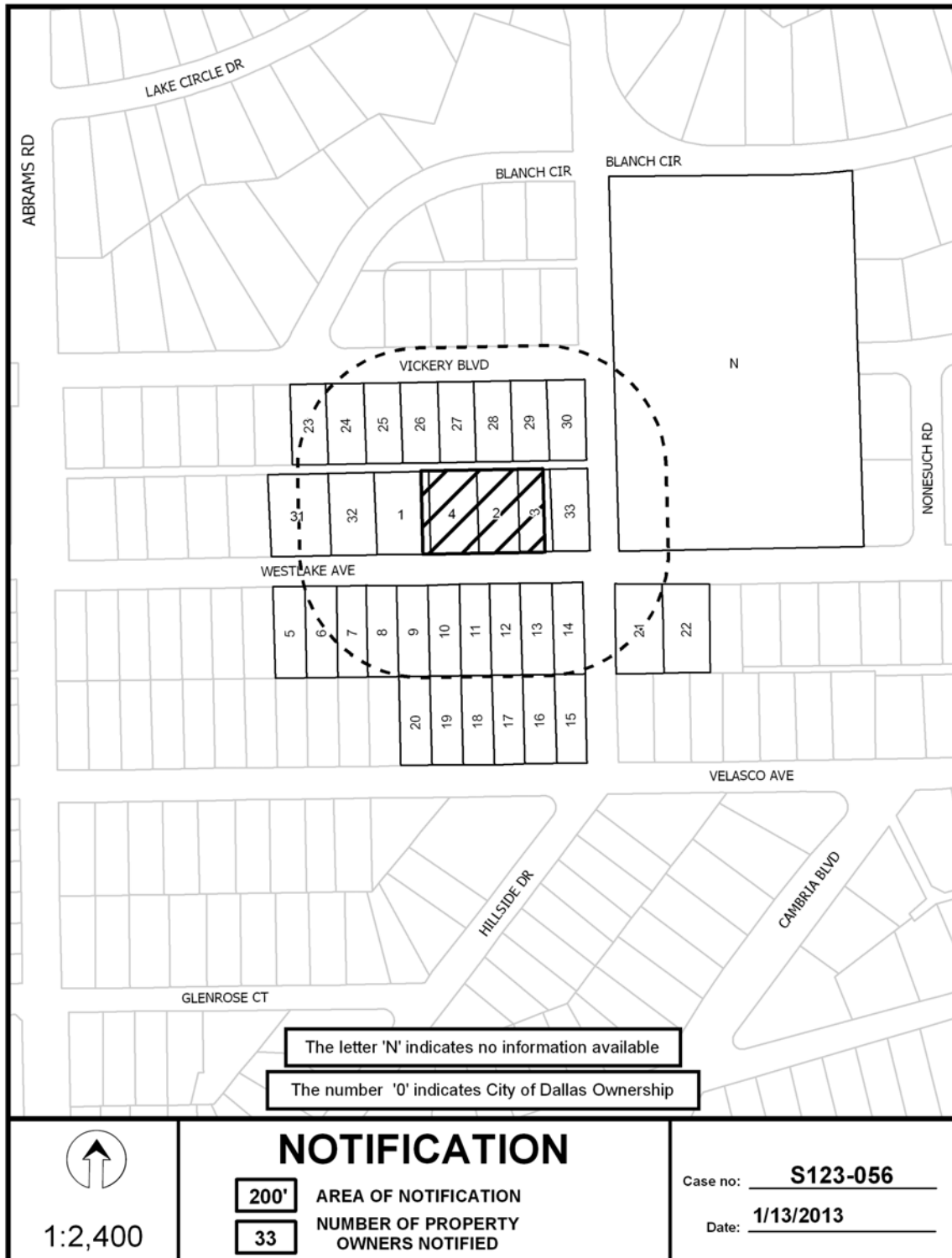
The request is governed by the R-7.5(A) requirements and complies with those requirements. Although the proposed lot configuration is consistent with the ownership of property in the vicinity of this request the proposed lot size of Lot 12A is much larger in width and lot area than the other platted lots in the area. The proposed lot configuration does not comply with the established lot pattern along Westlake Avenue; therefore, staff recommends denial of the request. However, should the Commission approve the request, 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.
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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. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.



 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: <u> S123-056 </u> Date: <u> 1/13/2013 </u>
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Notification List of Property Owners

S123-056

33 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6441 WESTLAKE AVE	SINNOTT ROBERT M & KIMBERLY A FARRAR
2	6455 WESTLAKE AVE	GOLMAN MARC & SUSAN
3	6459 WESTLAKE AVE	WILSON STEVEN
4	6451 WESTLAKE AVE	GOLDMAN MARC & SUSAN
5	6430 WESTLAKE AVE	VALEK RENEE
6	6432 WESTLAKE AVE	BARRETTO R SCOTT
7	6438 WESTLAKE AVE	THOMPSON GREGG F & SUSAN B
8	6442 WESTLAKE AVE	RHODES JACK W
9	6446 WESTLAKE AVE	PAGE JOHN R & REBECCA M
10	6450 WESTLAKE AVE	HARRINGTON NANCY N
11	6454 WESTLAKE AVE	HAYNES BEAUFORD D
12	6458 WESTLAKE AVE	HOWARD BYRON
13	6462 WESTLAKE AVE	RAINS KYLE
14	6466 WESTLAKE AVE	GASCH BETTY H & GASCH KENNETH ALDEN SR
15	6467 VELASCO AVE	SCHILLING DUSTIN & SARAH
16	6463 VELASCO AVE	THEVENET CHRISTOPHER B
17	6459 VELASCO AVE	VANDOLEN MATTHEW & JULIE
18	6455 VELASCO AVE	ARMSTRONG JASON E & KRISTIE M ARMSTRONG
19	6451 VELASCO AVE	HEED CHERYL K
20	6447 VELASCO AVE	SUN YIYANG & MEGAN
21	6500 WESTLAKE AVE	MCMILLAN WESLEY SHANE & TRACY MCMILLAN
22	6508 WESTLAKE AVE	NAPPI DAVID J
23	6426 VICKERY BLVD	PARKMAN RUSSELL S
24	6430 VICKERY BLVD	PARKER MARY CAROLINE TRUSTEE
25	6434 VICKERY BLVD	JACOBS VALERIE UNIT 1513
26	6438 VICKERY BLVD	ROBERTS DAVID TRUETT & CARROLL SWENSON-ROBERTS

Tuesday, January 15, 2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6442 VICKERY BLVD	HUTCHESON TEARLACH D
28	6446 VICKERY BLVD	JONES THURMAN L JR
29	6450 VICKERY BLVD	LEAMING MARILYN
30	6454 VICKERY BLVD	POWELL WINIFRED C ET VIR
31	6431 WESTLAKE AVE	SULLIVAN G DENNIS
32	6439 WESTLAKE AVE	CAHALAN SHANNON P & SHANNON H
33	6467 WESTLAKE AVE	ROBERTSON EDWARD T & ANGELA L

Tuesday, January 15, 2013

Planner: Olga Torres-Holyoak

FILE NUMBER: D123-004

DATE FILED: November 13, 2012

LOCATION: On the west side of Preston Road, south of Beltline Road.

COUNCIL DISTRICT: 11

MAPSCO: 15 B, F

SIZE OF REQUEST: Approx. 13.63 acres

CENSUS TRACT: 136.22, 136.23

MISCELLANEOUS DOCKET ITEM

Owner/Applicant: Preston Sports Center, LTD

Representative: Robert Baldwin

Development Plan and Landscape Plan:

On July 29, 1987, the City Council passed Ordinance No. 19612 which established Planned Development District No. 272, located on at the south of Belt Line Road and Preston Road. The size of PD No. 272 is approximately 58.278 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 plans have been submitted for Commission's consideration. The plan provides for the construction of new athletic fields and relocation of existing ones.

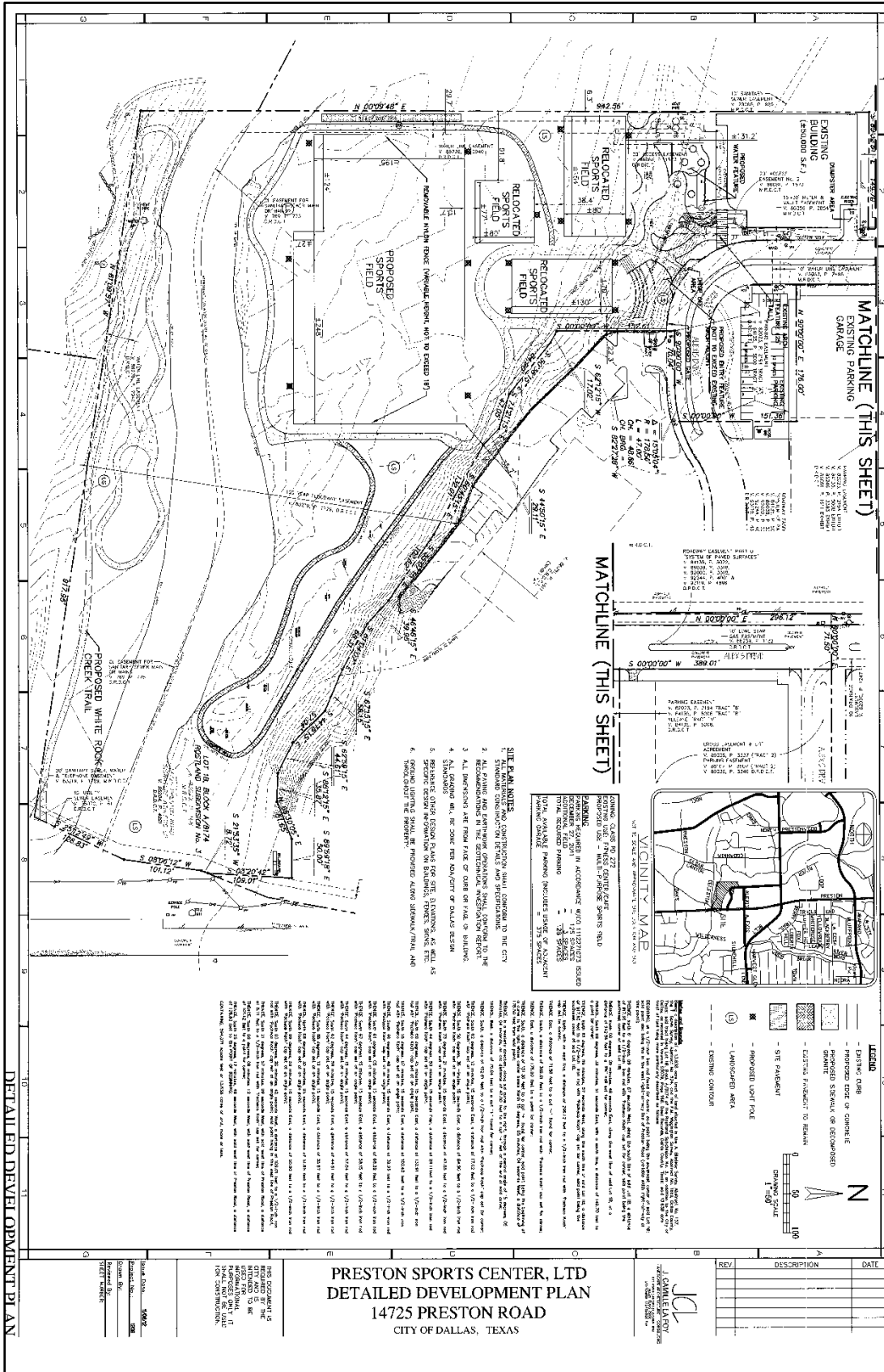
STAFF RECOMMENDATION: Approval

PARTNERS/PRINCIPLES

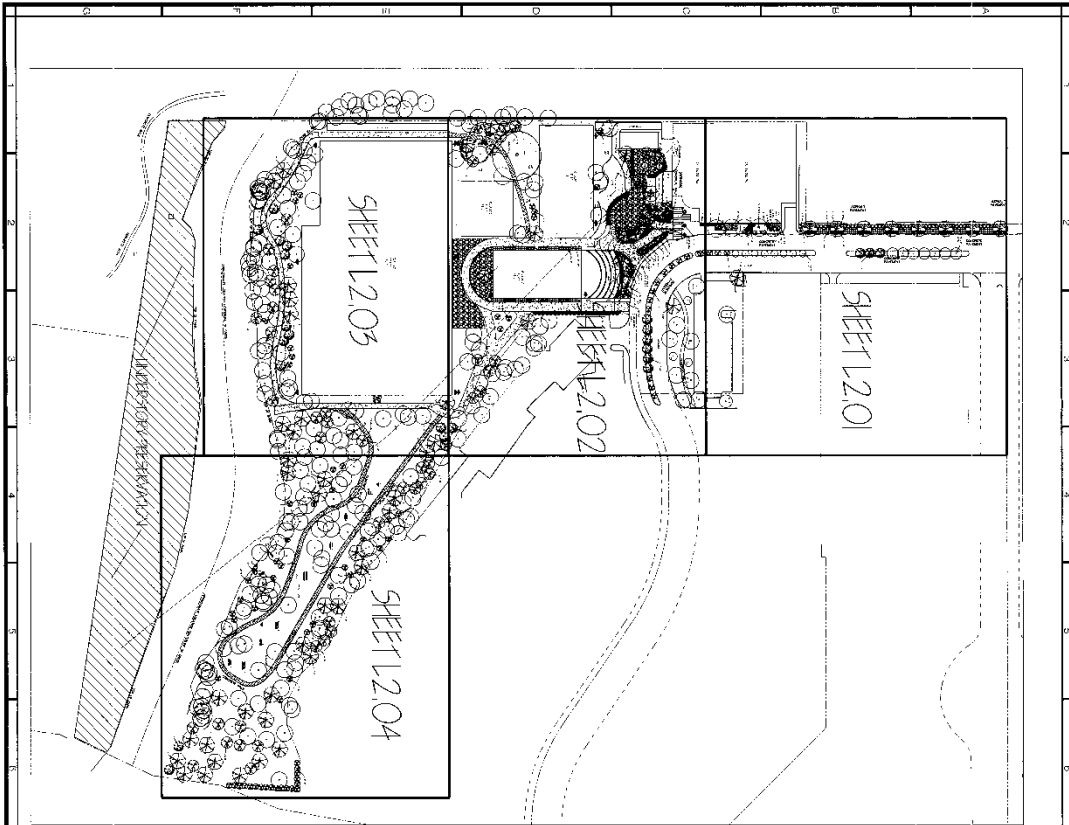
Robert Peinado Jr. President

Robert Peinado Sr. Director of Development

PROPOSED DEVELOPMENT PLAN



PROPOSED LANDSCAPE PLAN KEY MAP



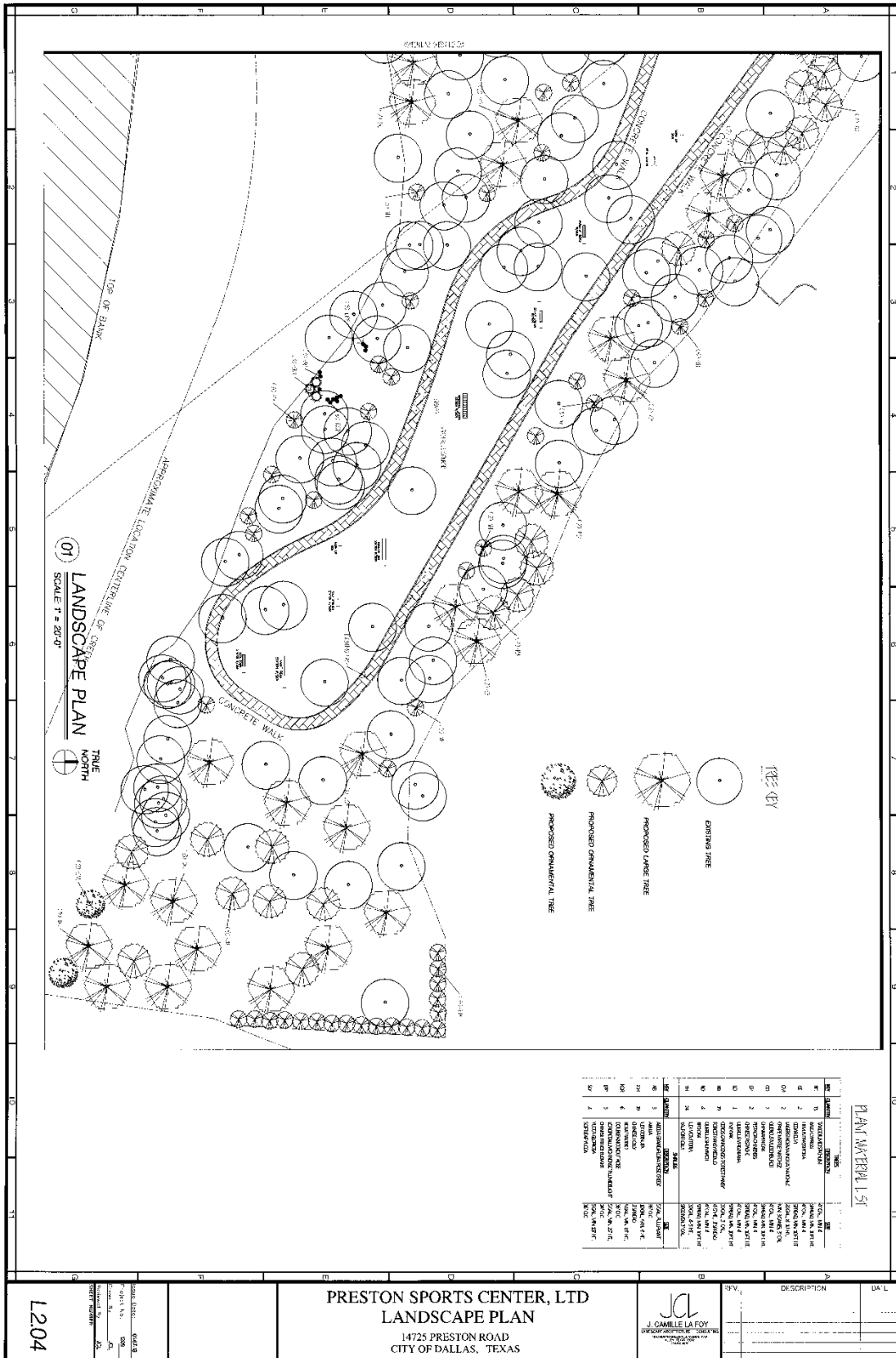
01 LANDSCAPE KEY PLAN
SCALE: 1" = 20'-0"

TRUE NORTH

- CITY OF DALLAS
LANDSCAPE REQUIREMENTS**
- TREES**
 1. 10% OF THE TOTAL AREA OF THE PROJECT SHALL BE DEDICATED TO TREES.
 2. TREES SHALL BE PLANTED AT A DENSITY OF 1 TREE PER 100 SQ. FT. OF LAND AREA.
 3. TREES SHALL BE PLANTED AT A DISTANCE OF 10 FEET FROM THE CURB OR SIDEWALK.
 4. TREES SHALL BE PLANTED AT A DISTANCE OF 10 FEET FROM THE BUILDING FOOTPRINT.
 5. TREES SHALL BE PLANTED AT A DISTANCE OF 10 FEET FROM THE DRIVEWAY.
 6. TREES SHALL BE PLANTED AT A DISTANCE OF 10 FEET FROM THE SIDEWALK.
 7. TREES SHALL BE PLANTED AT A DISTANCE OF 10 FEET FROM THE DRIVEWAY.
 8. TREES SHALL BE PLANTED AT A DISTANCE OF 10 FEET FROM THE SIDEWALK.
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 10. TREES SHALL BE PLANTED AT A DISTANCE OF 10 FEET FROM THE SIDEWALK.
- PLANTING**
 1. PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE REQUIREMENTS.
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- VEGETATION**
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<p>12.00</p>	<p>PRESTON SPORTS CENTER, LTD LANDSCAPE KEY PLAN 14725 PRESTON ROAD CITY OF DALLAS, TEXAS</p>	 J. CAMILLE LA FOY ARCHITECTS & PLANNERS 14725 PRESTON ROAD DALLAS, TEXAS 75244	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">REV.</th> <th style="width: 70%;">DESCRIPTION</th> <th style="width: 20%;">DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REV.	DESCRIPTION	DATE									
REV.	DESCRIPTION	DATE													

PROPOSED LANDSCAPE PLAN (4 OF 4)



Planner: Warren F. Ellis

FILE NUMBER: Z123-146(WE) **DATE FILED:** November 27, 2011

LOCATION: Carlisle Street and Cedar Springs Road, northeast corner

COUNCIL DISTRICT: 14 **MAPSCO:** 45B

SIZE OF REQUEST: Approx. 2.3085 acres **CENSUS TRACT:** 18.00

APPLICANT/ OWNER: JLB 2728 Cedar Springs, L.P.

REPRESENTATIVE: Jackson Walker, LLP,
Jonathan Vinson

REQUEST: An application for an amendment to Zone 1 of Planned Development District No. 184 for office, retail and residential uses.

SUMMARY: The purpose of this request is to amend Zone 1 of Planned Development District No. 184 to allow for a multifamily development and reduction in the off-street parking requirements.

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

BACKGROUND INFORMATION:

- The applicant's request for an amendment to Tract 1 of Planned Development District No. 184 for office, residential and retail uses will allow for the construction of a 320-unit multifamily development.
- In May 2008, the City Council approved an amendment to Tracts 1A and 1B of Planned Development District No. 184 to allow for the construction of a 5-story luxury hotel, an 18-story residential tower, 2 to 3 brownstone units and a restaurant and spa use.
- The applicant wishes to retain the existing development rights, but proposes to only construct a multifamily development, at this time. The only change to the conditions will be a minor modification to the off-street parking requirements.
- The proposed development will have three separate designated ingress and egress locations: 1) the driveway on Cedar Springs Road will be the main entrance/exit for the residence, 2) the motor court access on Carlisle Street will be used for future tenant inquires and drop-off, and 3) the 2nd driveway on Carlisle Street, closet to the existing multiple family development, will be a secondary access point to the parking garage and a service entrance/exit for the development.

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

1. 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.
2. 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.
3. 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)

4. 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.
5. 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.
6. 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.
7. 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.
8. Z112-106 On January 25, 2012, the City Council approved a Planned Development Subdistrict for multiple family uses on property zoned an O-2 Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Carlisle Street, southwest of Bowen Street

9. Z123-125 On January 10, 2013, the City Planned Commission approved 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 RouthStreet.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Cedar Springs Road	Collector	100 ft.	100ft.
Carlisle Street	Minor Arterial	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 184, Zone 1	Undeveloped, staging area for Construction
North	O-2 w/in PDD No. 193	Katy Trail, Undeveloped
South	PDS No. 86 w/in PDD No. 193	Multifamily and restaurant
East	PDD No. 184, Zone 2	Multifamily
West	HC w/in PDD No. 193	Art supply store, Storage facility , Restaurant

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 multifamily 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.

The proposed development will create an urban feel along Cedar Springs Road with an additional 30-foot set back from the streets curb to the proposed residential tower. The multifamily development will be restricted by various height zones that are illustrated on the development plan that shows the maximum heights between 60 feet and 299 feet. The proposed development should become a major focal point that could further define Turtle Creek community.

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 ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WORKABILITY

Policy 5.1.2 Define urban character in Downtown and urban cores

STAFF ANALYSIS:

Land Use Compatibility: The 2.3085 acre site fronts on several street frontages and is undeveloped. The applicant's request for an amendment to Zone 1 of Planned Development District No. 184 for office residential and retail uses will allow for the development of a 320 unit multifamily development that will be connected to the Katy Trail. The only minor change to the existing conditions is to modify the off-street parking requirements to reflect the parking regulations in Planned Development District No. 193, the Oak Lawn Special Purpose District. The applicant's request for a parking reduction from 2 dwelling units per bedroom to 1.5 dwelling units per bedroom will be consistent with the surrounding developments that were developed within Planned Development District No. 193, the Oak Lawn Special Purpose District. The request site is located within Planned Development District No. 193 boundaries.

The proposed multifamily development will retain the existing development rights of the previous development, which limits the maximum allowable structure height by designating several height zones.

The multifamily development will have three height zones. The lower height zone will be constructed with several multifamily units that will face the Katy Trail and will be limited to 60 feet. The mid-level zone will be limited to 95 feet. The final height zone will consist of a residential tower that will not exceed 299 feet. In addition, the

proposed development will have a mix of 1 or 2 bedroom units with an average unit size of approximately 1,000 square feet. The proposed development will also have at least 2 to 3 penthouse units. Moreover, the applicant plans to incorporate the LEED for Homes Green Building design guidelines standards into the development.

The proposed development will have three separate designated ingress and egress locations: 1) the driveway on Cedar Springs Road will be the main entrance/exit for the residence, 2) the motor court access on Carlisle Street will be used for future tenant inquires and drop-off, and 3) the 2nd driveway on Carlisle Street, which is adjacent to the existing multiple family development, will be a secondary access point to the parking garage and will also be used as a service entrance/exit for the development.

The surrounding land uses consist primarily of offices, residential and retail uses. The residential uses are primarily on the east side of Cedar Springs Road, north of the Katy Trail. The request site is contiguous to a 5-story multifamily use that is located within PDD No. 184. On the south side of Carlisle Street, east of Cedar Springs Road is a 7 story, 550-unit multiple family development with restaurant uses. The two multiple family uses are zoned for a maximum structure height of 100 feet and 240 feet, respectively.

On the west side of the request site, across Cedar Springs Road, are various uses that consist of office, mini-storage and restaurant uses. These uses are primarily developed as 2 to 3 stories and are zoned for a maximum height of 240 feet. Over the past 2 to 3 years, there have been several zoning change requests to allow for an increase in the height and density regulations in the Uptown area.

Staff recommends approval of an amendment to Zone 1 of Planned Development District No 184 for office, residential and retail uses, subject to a revised development plan, landscape plan and conditions.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 184, Zone 1	25' Cedar Springs, 22' Carlisle St.	20'/0'/10'	Zone 1 – 441,000 sq. ft.	299'	Zone 1 - 71%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, residential

Note: The maximum FAR permitted in an O-2 District is 4:1. An additional .5:1 FAR is allowed where there is a minimum 1:1 component of residential use

Landscaping: The landscaping requirements in the original conditions stated that a detailed landscape plan using the guidelines of the Oak Lawn Forum plan must be approved by the City Plan Commission on or before the time of approval of each phase of the detailed development plan. The city arborist has reviewed the

approved detailed development plan as well as the Oak Lawn Forum Plan to determine the specific landscape requirements.

In reviewing both documents, staff concluded that the applicant's submitted landscape plan will meet or supersede the landscaping requirements in Part 1 of Planned Development District 193, the Oak Lawn Special Purpose District as well as comply with the landscaping regulations for site and street trees requirements in Article X.

Parking Regulations: The Engineering Section of the Department of Sustainable Development and Construction has reviewed and supports the applicant's request to reduce the off-street parking requirements by 25 percent or 153 spaces. Currently, PDD No. 184, Zone 1 requires a minimum of 2 spaces for each dwelling unit. The applicant is requesting the change in the parking ratio to match the parking regulations for multiple family uses in PDD No. 193, the Oak Lawn Special Purpose District, which requires 1.5 spaces for each dwelling unit.

A parking analysis is provided below. The analysis is based on the applicant's parking study.

Parking Analysis for Multifamily Development

CONDITION	PARKING REQUIREMENT
Existing Zoning Requirement (PD-184)	612 spaces
Proposed Parking Supply (per PD-193)	459 spaces
Requested Parking Reduction	153 spaces
<i>DeShazo's Projected Need</i>	<i>414 spaces</i>
<i>DeShazo's Projected Surplus</i>	<i>+45 spaces</i>

**PROPOSED PLANNED DEVELOPMENT
CONDITIONS**

ARTICLE 184.

PD 184.

SEC. 51P-184.101. LEGISLATIVE HISTORY.

PD 184 was established by Ordinance No. 18445, passed by the Dallas City Council on October 31, 1984. Ordinance No. 18445 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 18445 was amended by Ordinance No. 18643, passed by the Dallas City Council on March 27, 1985; Ordinance No. 22098, passed by the Dallas City Council on June 22, 1994; and Ordinance No. 23975, passed by the Dallas City Council on August 11, 1999. (Ord. Nos. 10962; 18445; 18643; 22098; 23975; 25508; 27195)

SEC. 51P-184.102. PROPERTY LOCATION AND SIZE.

PD 184 is established on property generally located at the northeast corner of Carlisle Street and Cedar Springs Road. The size of PD 184 is approximately 3.9785 acres.

SEC. 51P-184.103. ZONE 1 PURPOSE.

The Zone 1 standards complement the development pattern in the area and recognize the area's unique identity as a bridge between Oak Lawn and the Turtle Creek Corridor. 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 urban in form.
- (3) To promote a pedestrian environment that connects to public open space.
- (4) To encourage development that complements nearby properties.
- (5) To encourage the placement of off-street parking underground.
- (6) To achieve buildings efficient in design and use of space while providing view corridors, light, and air to nearby properties.

(7) To achieve buildings that reduce natural resource consumption, enhance occupant comfort and health, lower utility consumption, minimize strain on local infrastructures, and improve quality of life.

(8) To create development flexibility that promotes active pedestrian use.

SEC. 51P-184.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 apply to this article. In Zone 1 of this district,

(1) GRADE means the average of the finished ground surface elevations measured at the highest and lowest exterior corners of the structure. Finished ground surface elevation does not include landscape features, berms, or other fill material.

(2) HEIGHT means the vertical distance measured from grade to the highest point of the structure.

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

SEC. 51P-184.105. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit 184A). The conceptual plan divides the Property into Zones 1 and 2.

SEC. 51P-184.106. DEVELOPMENT PLAN.

(a) Zone 1. Development and use of Zone 1 must comply with the development plan (Exhibit 184B). If there is a conflict between the text of this article and the development plan, the text of this article controls. If there is a conflict between the conceptual plan and the development plan, the development plan controls.

(b) Zone 2. Within six months of the date of the passage of Ordinance No. 18445, as amended, a detailed development plan for either the entire PD, or a designated first phase of development, must be submitted to the city plan commission for approval prior to the issuance of a building permit for the Property. The detailed development plan must comply with the conceptual plan and this article. If a development plan is submitted for a designated first phase of development only, a subsequent development plan must be submitted for each subsequent phase of development. Each subsequent development plan must comply with the conceptual plan and must be approved by the city plan commission prior to the issuance of a building permit for that phase of development.

SEC. 51P-184.107. PERMITTED USES.

The only permitted uses on the Property are as follows:

(1) Zone 1.

(A) Except as provided in this paragraph, all uses permitted in an O-2 Office District, including “limited uses” and a maximum of 25,000 square feet of floor area of bar and restaurant uses and retail uses (with separate entrances allowed from the motor court only).

(B) The only [~~following~~] main use[s] allowed in [~~are limited to~~] Area A [~~only~~] is:

-- Residential uses other than hotel and motel.

(C) The following main use is prohibited:

-- Office.

(2) Zone 2. Residential uses, including hotel and motel uses, allowed in the MF-3 Multiple-Family District.

SEC. 51P-184.108. MAXIMUM PERMITTED HEIGHTS.

(a) Except as provided in this subsection, maximum permitted height for Zone 1 is:

(1) For parking structures, 15 feet to accommodate the slope of the lot. That portion of a parking structure above ground must be screened in accordance with Section 51P-184.118.

(2) For fences located within the required setback abutting the Katy Trail, eight feet.

(3) For all other structures, as follows:

(A) Area A: 60 feet.

(B) Area B: 95 feet.

(C) Area C: 299 feet.

(b) Maximum permitted height for Zone 2 is 100 feet. (Ord. Nos. 23975; 25508; 27195)

SEC. 51P-184.109. FLOOR AREA.

- (a) Maximum permitted floor area for all buildings in Zone 1 combined is 426,000 square feet.
- (b) Maximum permitted floor area for all buildings in Zone 2 is 138,000 square feet.
- (c) Total maximum floor area for all buildings on the Property is 564,000 square feet.

SEC. 51P-184.110. MAXIMUM LOT COVERAGE.

- (a) Maximum lot coverage in Zone 1 is 71 percent (excluding parking structures).
- (b) Maximum lot coverage in Zone 2 is 60 percent (excluding parking structures).

SEC. 51P-184.111. SETBACKS.

(a) In general. Setbacks are measured from the existing right-of-way lines and are shown on the conceptual plan for all buildings and structures in this PD.

(b) Zone 1.

(1) Minimum front yard is 25 feet on Cedar Springs Road and 22 feet on Carlisle Street.

(2) Minimum rear yard from the Katy Trail right-of-way is 25 feet.

(3) Minimum side yard is 20 feet.

(c) Zone 2.

(1) Minimum front yard is 25 feet.

(2) Minimum rear yard is 10 feet.

(3) Minimum side yard is 10 feet (except that, along the line dividing Zone 2 from Zone 1, the setback is zero).

SEC. 51P-184.112. SIGNS.

(a) Except as provided in this subsection, in Zone 1, all signs must comply with the sign provisions for business zoning districts in the Dallas Development Code.

(1) Attached signs.

(A) Attached signs may not be higher than 125 feet above grade.

(B) Attached signs may not face the Katy Trail.

(C) Maximum effective area for all attached signs is 750 square feet.

(2) Non-premise signs. Non-premise signs are prohibited.

(3) Detached monument signs.

(A) Detached signs must be monument signs.

(B) Detached monument signs may only face Carlisle Street.

(C) The maximum height of a detached monument sign is 15 feet.

(b) In Zone 2, all signs must comply with the sign provisions for non-business zoning districts in the Dallas Development Code.

SEC. 51P-184.113. PARKING.

(a) Zone 1.

(1) For office uses, one off-street parking space per 370 square feet of floor area of office use is required.

(2) For retail uses, one off-street parking space per 200 square feet of floor area of retail use is required.

(3) For residential uses, one off-street parking space per 500 square feet of floor area of residential use is required. (See the following paragraphs for the requirements for hotel and motel and multiple-family uses.)

(4) For hotel and motel uses, one off-street parking space is required for each unit for units one to 250; 3/4 spaces for each unit for units 251 to 500; and 1/2 space for all units over 500. No off-street parking is required for accessory meeting rooms.

(5) For bar and restaurant uses, a bar and restaurant use in conjunction with a hotel/motel use requires one off-street parking space for each 200 square feet of floor area; otherwise, a bar and restaurant use requires one space for each 100 square feet of floor area.

(6) For multiple-family uses, a minimum of ~~two~~ 1.5 off-street parking spaces is required for each dwelling unit, with at least 0.25 of the off-street parking spaces left unassigned for guest parking. Compact parking spaces are prohibited.

(7) Except as provided in this subsection, for all other uses, off-street parking must be provided in accordance with Chapter 51.

(8) Except for 25 parking spaces, all off-street parking spaces must be provided below grade.

(9) Except for multiple-family uses, a property owner may charge a fee on a daily, hourly, or other basis for the use of required off-street parking.

(b) Zone 2.

(1) For office uses, one off-street parking space per 370 square feet of floor area of office use is required.

(2) For retail uses, one off-street parking space per 200 square feet of floor area of retail use is required.

(3) For residential uses, one off-street parking space per 500 square feet of floor area of residential use is required.

SEC. 51P-184.114. OFF-STREET LOADING.

The off-street loading required for Zone 1 is as set forth in Chapter 51, except that all off-street loading may be medium or small size spaces with a minimum of one space being of medium size. Bar and restaurant uses in Zone 1 operated in conjunction with hotel and motel uses will be considered as hotel and motel floor area for off-street loading and will not be considered as a separate use for this purpose.

SEC. 51P-184.115. ACCESS.

(a) Zone 1. Except as provided in Section 51P-184.120, there must be no vehicular access to the Property from Cedar Springs Road, or to Cedar Springs Road from the Property, except by right turn movements.

(b) Zone 2. There must be no vehicular access to the Property from Cedar Springs Road, or to Cedar Springs Road from the Property, except by right turn movements.

SEC. 51P-184.116. RESIDENTIAL REQUIREMENT.

A minimum of 97,393 square feet of floor area of residential uses must be built on the Property before a certificate of occupancy will be issued for any nonresidential use on the Property.

SEC. 51P-184.117. CONSTRUCTION STANDARDS.

(a) The following conditions apply to the construction of the development.

(b) Any glass used in any structure on the Property must not exceed 27 percent reflectivity in accordance with standards of the American Society of Testing Manufacturers.

(c) Any aboveground parking structures must have an exterior material that is consistent, in the opinion of the building official, with the exterior material of the main [~~nonresidential~~] buildings.

SEC. 51P-184.118. LANDSCAPING AND SCREENING.

(a) Zone 1.

(1) In general. Except as provided in this section, landscaping must comply with the approved landscape plan (Exhibit 184C).

(2) Timing. Except as provided in this paragraph, landscaping must be provided in accordance with the landscape plan before the final inspection of any structure in Zone 1. If development is in phases, the landscaping for each phase must be provided in accordance with the landscape plan before the final inspection in that phase.

(3) Tree mitigation. Tree mitigation and preservation must be provided in accordance with Article X.

(4) Minor amendment. A minor amendment to the landscape plan is not required for relocation of up to four trees.

(5) Screening. Except ingress and egress points, parking and loading spaces must be screened from view from the street by walls and landscaping.

(6) Sidewalks. In addition to the Katy Trail access requirement in Section 51P-184.121, a minimum eight-foot-wide unobstructed sidewalk must be provided along Cedar Springs Road as shown on the landscape plan.

(7) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping, the Katy Trail access, and the Katy Trail landscaping requirements of this article. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become

entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installation in the public rights-of-way to the satisfaction of the director of public works and transportation.

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

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

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

(8) Parkway landscape permit.

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

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

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

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

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

(b) Zone 2. Surface parking must be screened from view from the street by walls and/or landscaping. A detailed landscape plan using the guidelines of the Oak Lawn Forum Plan must be approved by the city plan commission on or before the time of approval of each phase of the detailed development plan.

SEC. 51P-184.119. ZONE 1 ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) In general. Except as provided in this section, see Article VI.

(b) LEED certification.

(1) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist~~[, effective May 1, 2004,]~~ must be submitted with an application for a building permit for development of a new structure within Zone 1, indicating how development will comply with a certified designation. ~~[(26 to 32 project points).]~~ The development plans submitted for a building permit must be certified by a LEED accredited professional. A building permit may not be issued unless the building official determines that the project is consistent with the standards and criteria for a LEED certified designation.

(2) If during development within Zone 1, the developer is unable to achieve all of the green building rating system points identified on the checklist set forth in

Paragraph (1), the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

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

(4) ~~[LEED certification is only required for new structures within Zone 1.]~~ If an existing building is being repaired, renovated, or expanded, LEED certification is not required.

SEC. 51P-184.120. TRAFFIC IMPROVEMENTS.

(a) Before a certificate of occupancy is issued for any nonresidential use other than a bar or restaurant, the following conditions must have occurred.

(1) A 10-foot-wide deceleration lane on Cedar Springs Road into the Property must be constructed.

(2) An additional 10-foot-wide lane for right turn movements from Carlisle Street onto Cedar Springs Road must be constructed for a length of at least 100 feet from the corner.

(b) Except as provided in Subsections (c) and (d), there shall be no vehicular access by left turn to the Property from Cedar Springs Road or to Cedar Springs Road from the Property.

(c) Zone 1. If Zone 1 of the Property is developed with a hotel and motel, ~~[and]~~ related uses, ~~[or]~~ bar or restaurant uses, or multiple family uses, vehicular access by left turn onto Zone 1 from Cedar Springs Road is permitted if a lane for left turn movements from southbound Cedar Springs Road onto Zone 1 is constructed. If such a left turn lane is constructed, the curb cut for a driveway from Zone 1 to Cedar Springs Road must be enlarged to at least 14 feet and a median must be constructed in the driveway to prevent left turns from Zone 1 onto southbound Cedar Springs Road.

(d) Zone 2. If the Property is developed with a hotel, motel, and related uses and/or bar or restaurant uses, vehicular access by left turn onto the Property from Cedar Springs Road is permitted if a lane for left turn movements from southbound Cedar Springs Road onto the Property is constructed. If such a left turn lane is constructed, the curb cut for a driveway from the Property to Cedar Springs Road must be

enlarged to at least 30 feet and a median must be constructed in the driveway to prevent left turns from the Property onto southbound Cedar Springs Road.

SEC. 51P-184.121. KATY TRAIL.

Before the issuance of a certificate of occupancy in Zone 1, public access must be provided from Zone 1 to the Katy Trail via sidewalk, bridge, or easement and must have a minimum unobstructed width of 10 feet. Plans and specifications for the connection to the Katy Trail must be approved by the director of parks and recreation before its construction.

SEC. 51P-184.122. GENERAL REQUIREMENTS.

(a) Development of this PD must comply with the requirements of all ordinances and regulations of the city.

(b) 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.

(c) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

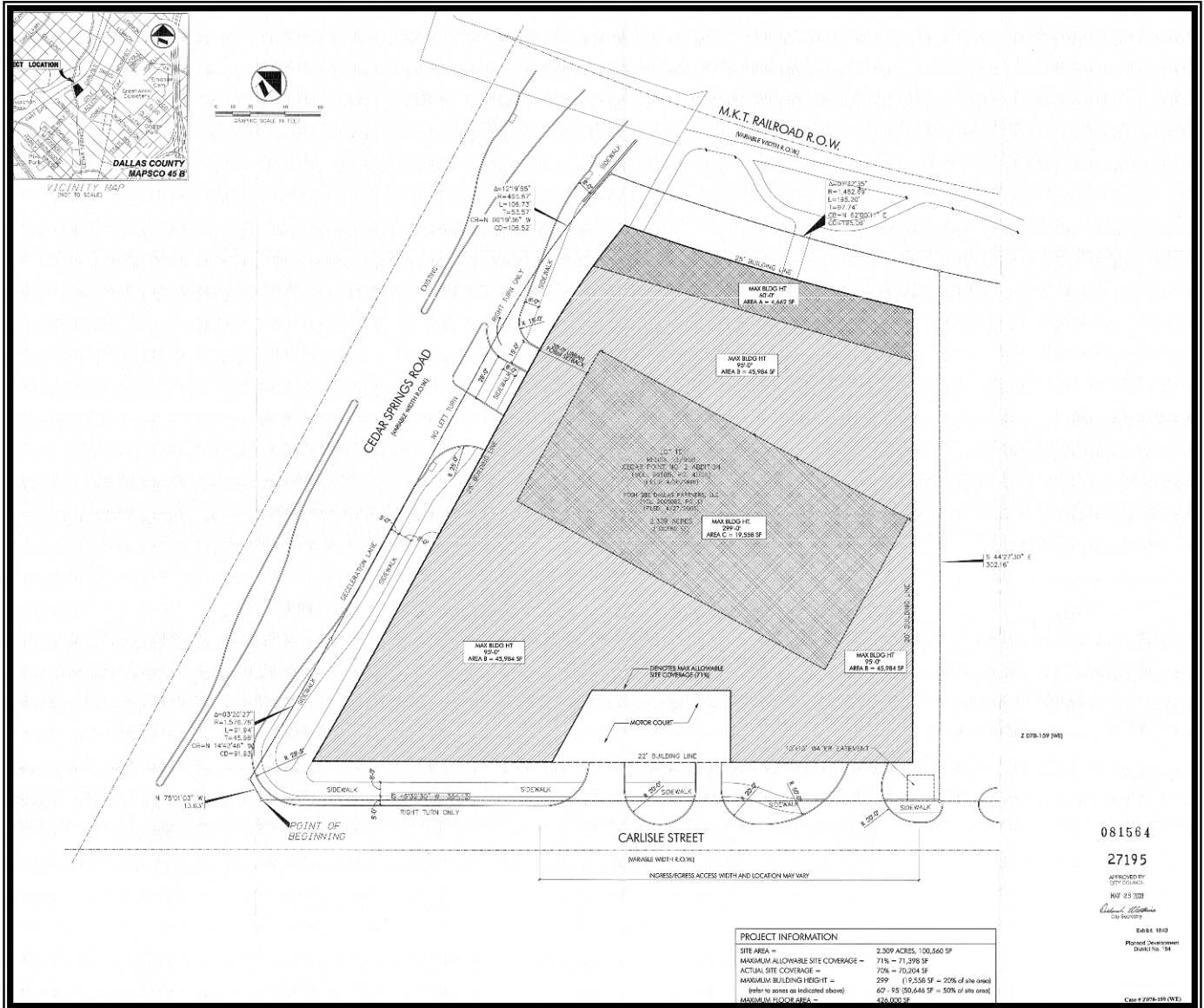
~~(d) [If a building permit is not issued to authorize work within Zone 1 by December 31, 2009, the director shall notify the commission and the commission shall call a public hearing to determine proper zoning.]~~

~~(d)~~(e) A certificate of occupancy or a final inspection for a residential use other than hotel and motel must be issued in Zone 1, Area A before or simultaneously with a certificate of occupancy for hotel and motel uses in Zone 1.

~~**[SEC. 51P-184.123. ZONING MAP.]**~~

~~[PD 184 is located on Zoning Map No. I-7.]~~

EXISTING DEVELOPMENT PLAN

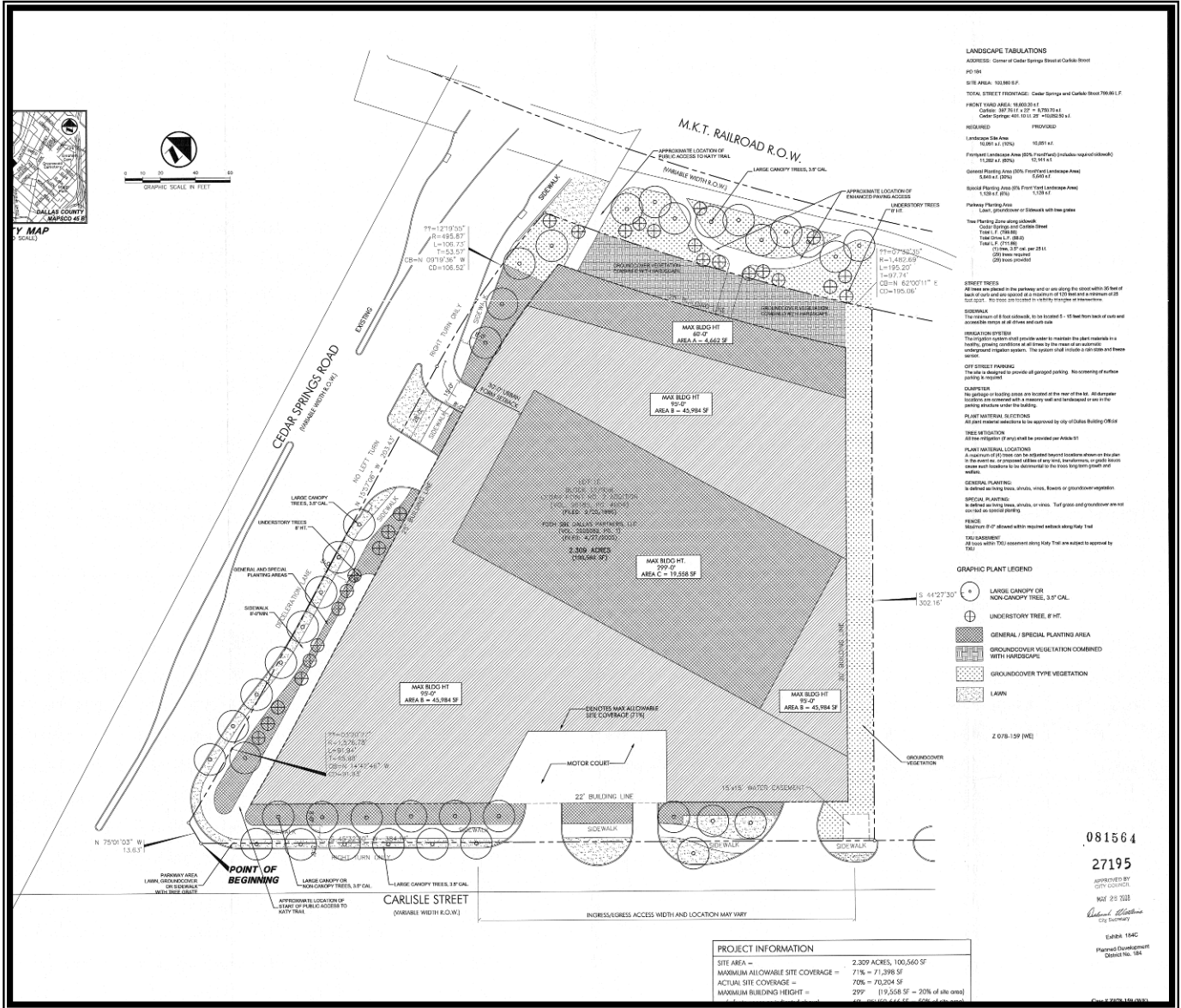


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27195
APPROVED BY
CITY COUNCIL
MAY 23 2018
Richard Williams
CITY CLERK

EXHIBIT 16-03
Planned Development
District No. 16A

Case # Z123-146(WE)

EXISTING LANDSCAPE PLAN



LANDSCAPE TABULATIONS
 ADDRESS: Corner of Cedar Springs Street and Carlisle Street
 PD 194
 SITE AREA: 102,860 S.F.
 TOTAL STREET FRONTAGE: Cedar Springs and Carlisle Street (766'W) / F
 FRONT YARD AREA: 14,282 S.F.
 CARLISLE: 560' W x 11' x 27' = 6,750 S.F.
 CEDAR SPRINGS: 601' W x 11' x 27' = 6,750 S.F.
REQUIRED **PROVIDED**
 Landscape Site Area: 102,860 S.F. (100%) 102,860 S.F.
 Frontyard Landscape Area (25% Frontyard) (Includes required sidewalk): 14,282 S.F. (100%) 14,282 S.F.
 General Planting Area (20% Frontyard Landscape Area): 6,560 S.F. (100%)
 Sidewalk Planting Area (20% Front Yard Landscape Area): 1,350 S.F. (100%)
 Parkway Planting Area: 1,350 S.F. (100%)
 Tree Planting Area along sidewalk: 1,350 S.F. (100%)
 Total: 17,262 S.F. (100%)
 (1) Tree, 10" cal. per 25 S.F.
 (2) Tree required
 (2) Tree provided

STREET TREES
 All trees are placed in the parkway and/or on the sidewalk within 30 feet of back of curb and are spaced at a minimum of 100 feet and a maximum of 125 feet S.O.D. No trees are located in visibility triangles at intersections.

IRRIGATION SYSTEM
 The irrigation system shall provide water to maintain the plant materials in a healthy growing condition at all times by the means of an automatic underground irrigation system. The system shall include a controller and hoses used as directed.

SOIL STREET PAVING
 The site is designed to provide all paved parking. No concrete or surface parking is required.

CLARIFIER
 No artificial lighting shall be located at the rear of the lot. All outdoor lighting is to be recessed with a recessed well and banded or set in the parking structure under the building.

PLANT MATERIAL SELECTIONS
 All plant material selections to be approved by city of Dallas Office of Urban Forestry.

TREE RETENTION
 All tree retention (if any) shall be provided per Article 51.

PLANT MATERIAL LOCATION
 A maximum of 10% of trees can be retained based on locations shown on this plan. In the event of a maximum of 10% of trees, landscape or other trees shall be planted to be distributed to the trees long-term growth and health.

GENERAL PLANTING
 Is defined as being trees, shrubs, vines, flowers or groundcover vegetation as defined on being trees, shrubs, or vines. Tree grass and groundcover are not included in general planting.

SPECIAL PLANTING
 Is defined as being trees, shrubs, or vines. Tree grass and groundcover are not included in special planting.

FENCE
 Maximum 6' if allowed within required setback along side lot.

DISBURSEMENT
 All work shall be 100% completed along side lot that was subject to approval by the City.

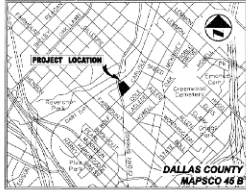
GRAPHIC PLANT LEGEND

- LARGE CANOPY TREE, 3.0" CAL.
- NON-CANOPY TREE, 3.0" CAL.
- ⊕ UNDERSTORY TREE, 8" HT.
- ▨ GENERAL / SPECIAL PLANTING AREA
- ▨ GROUND COVER VEGETATION COMBINED WITH HARDSCAPE
- ▨ GROUND COVER TYPE VEGETATION
- ▨ LAWN

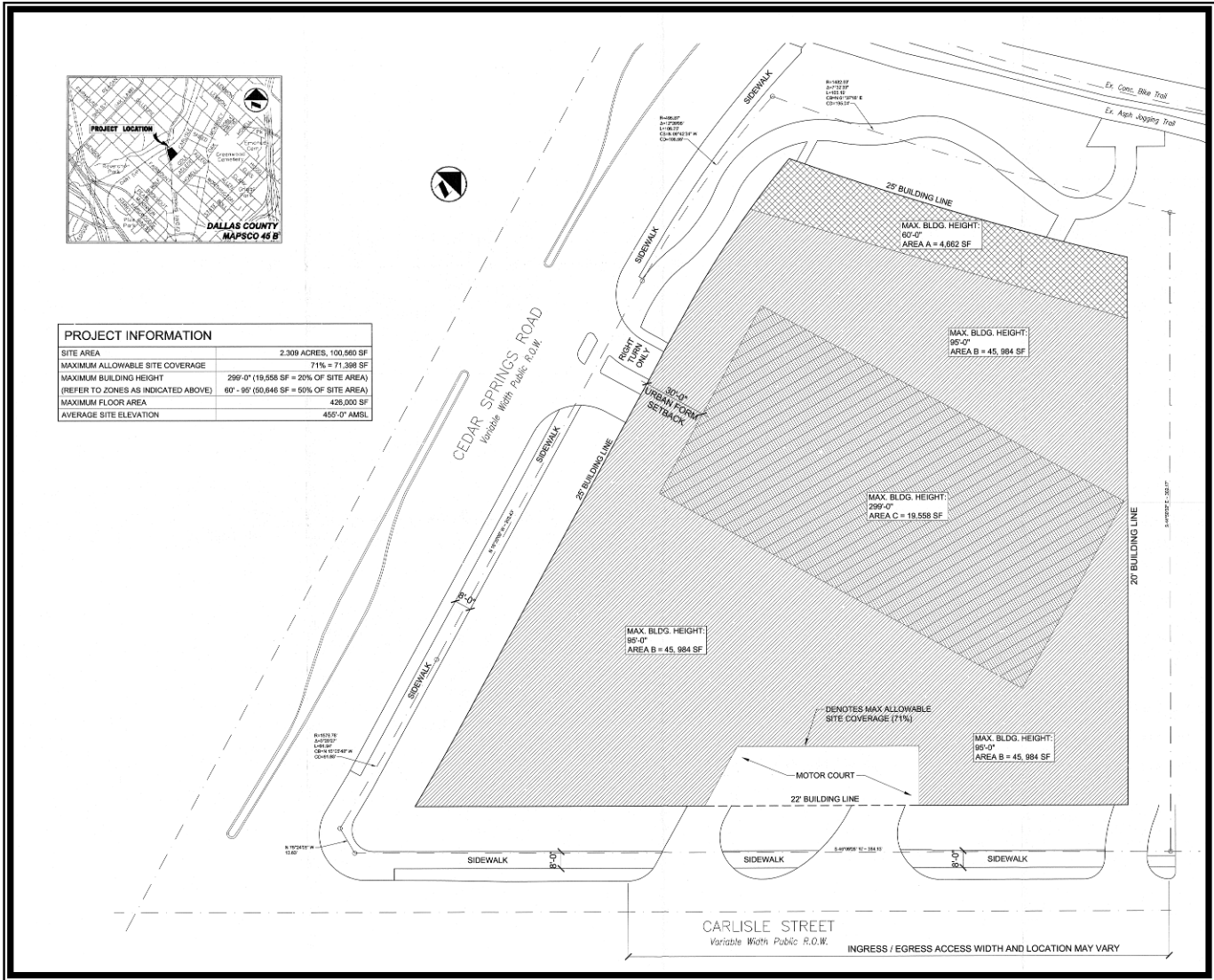
081564
 27195
 MAY 29 2023
 Approved by City Council
 EMBR 154C
 Planning Department
 District No. 10A

PROJECT INFORMATION	
SITE AREA =	2,309 ACRES, 100,560 SF
MAXIMUM ALLOWABLE SITE COVERAGE =	71% = 71,398 SF
ACTUAL SITE COVERAGE =	70% = 70,204 SF
MINIMUM BUILDING HEIGHT =	29' (19,258 SF = 20% of site area)

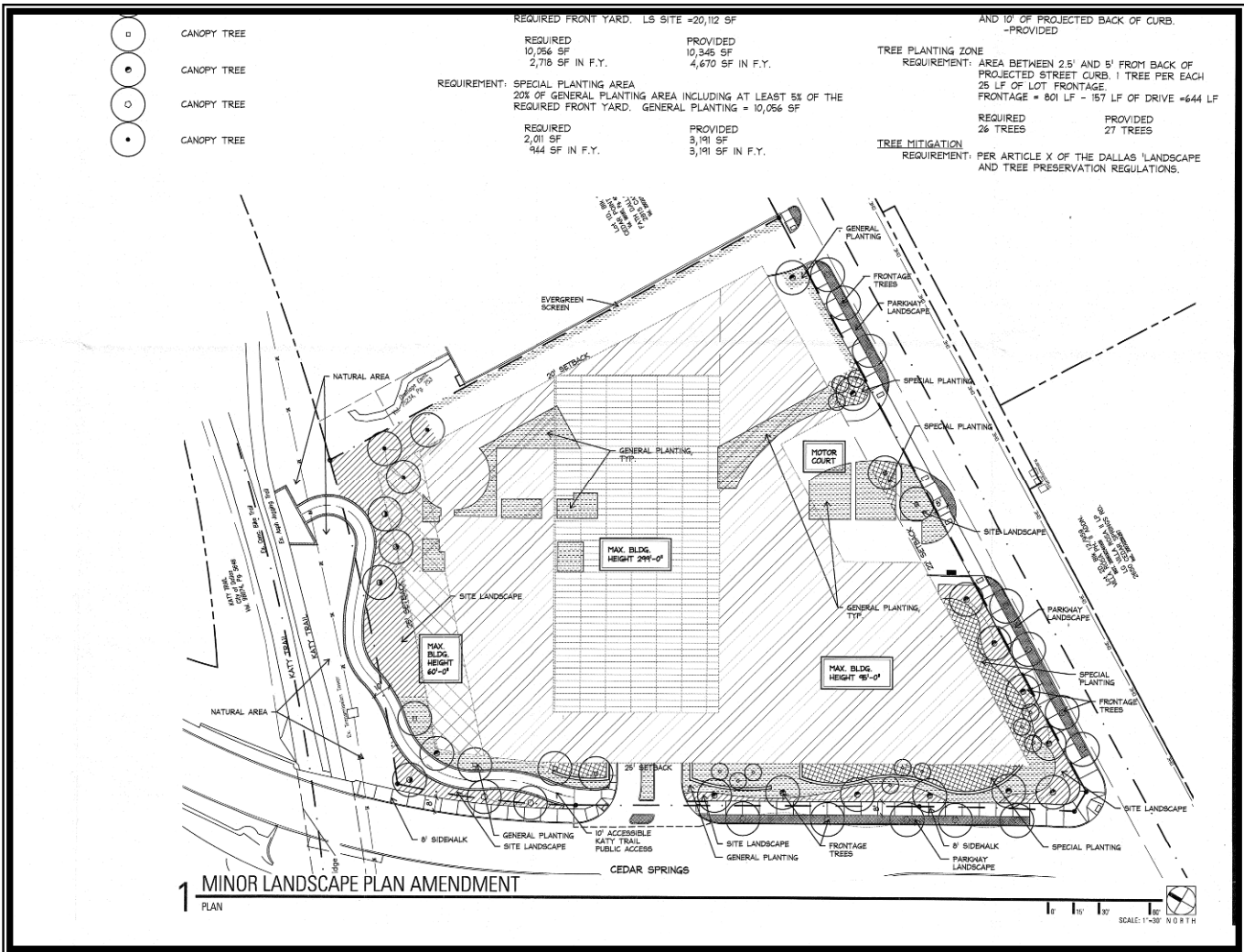
PROPOSED DEVELOPMENT PLAN

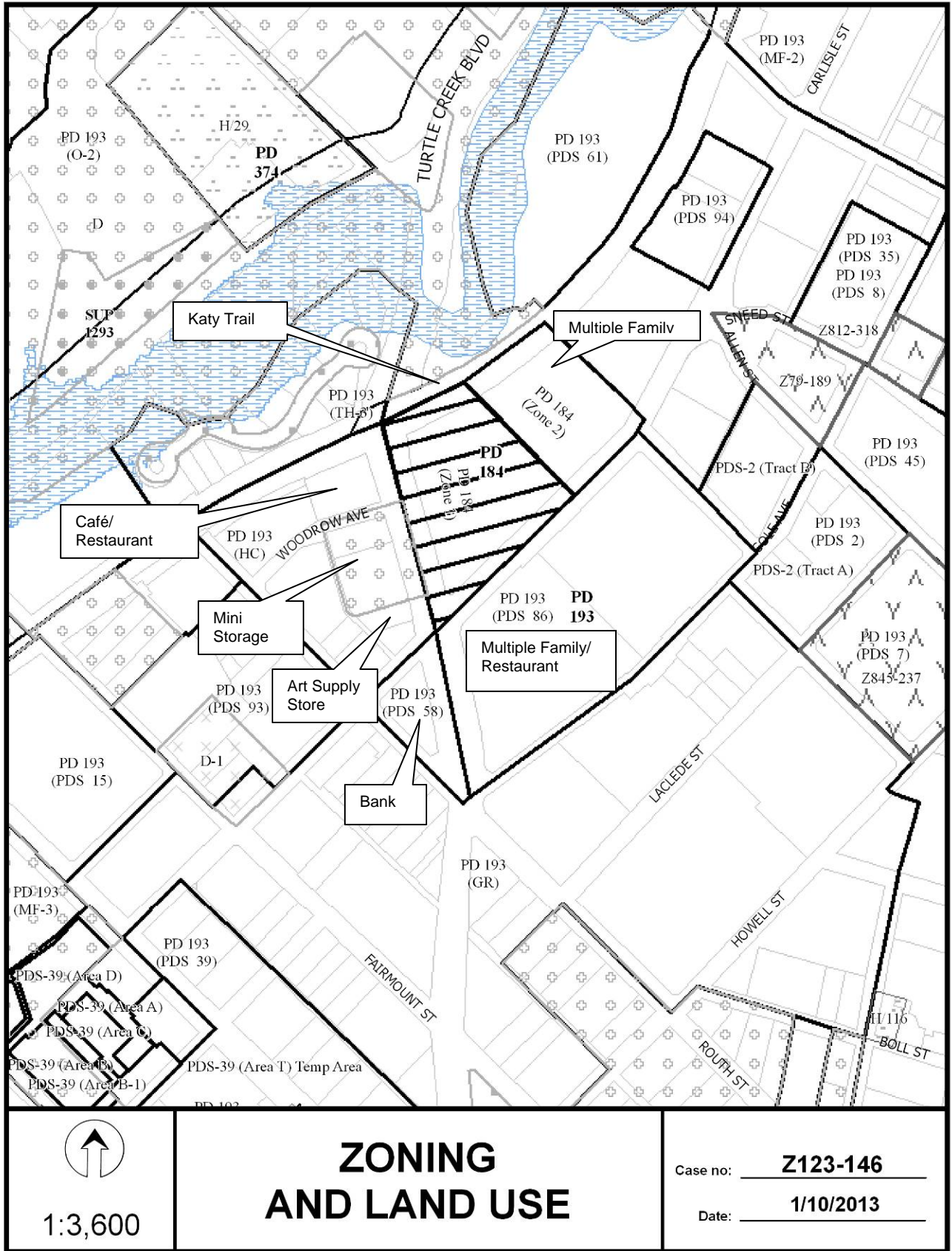


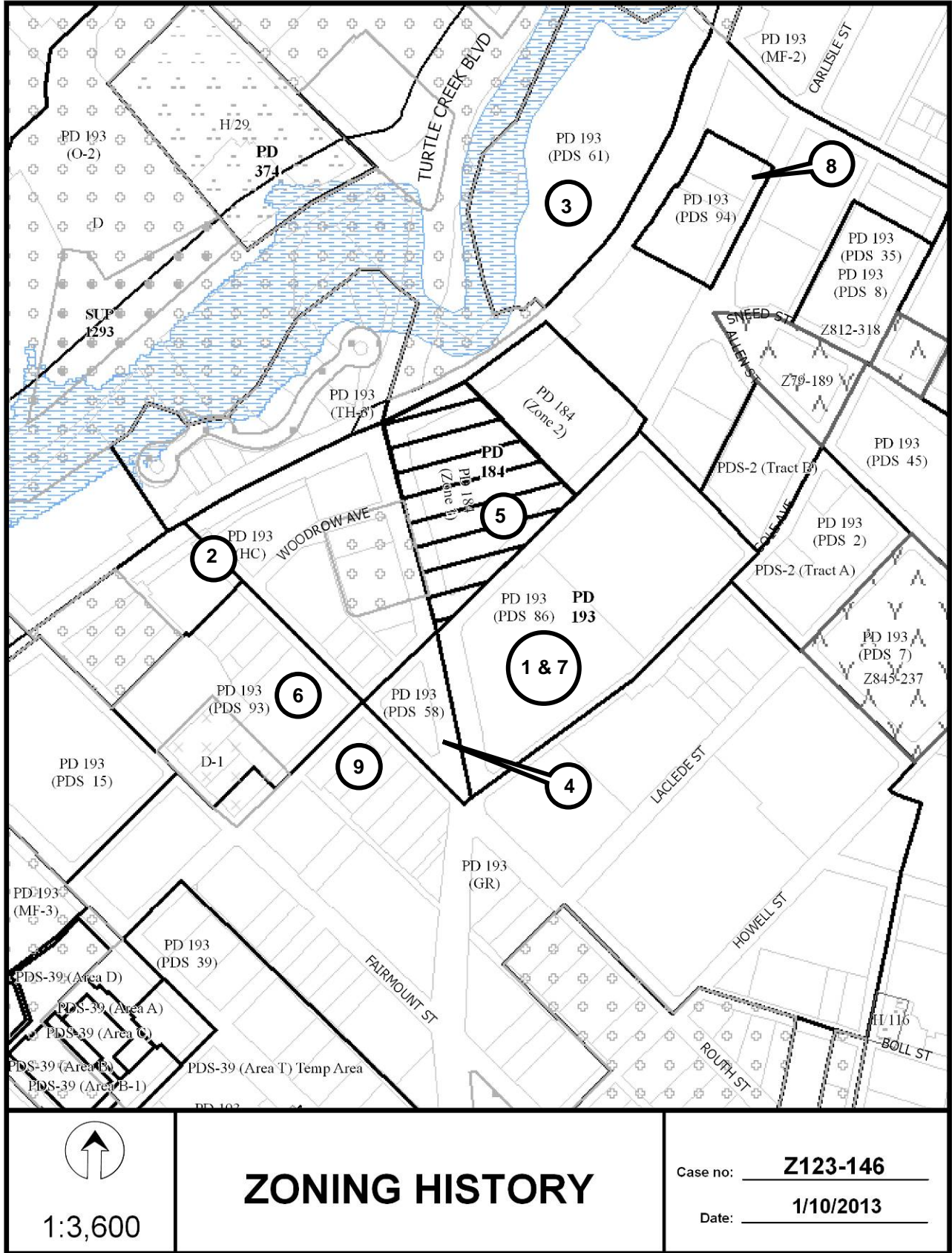
PROJECT INFORMATION	
SITE AREA	2,308 ACRES, 100,560 SF
MAXIMUM ALLOWABLE SITE COVERAGE	71% = 71,398 SF
MAXIMUM BUILDING HEIGHT	299'-0" (19,558 SF = 20% OF SITE AREA) (REFER TO ZONES AS INDICATED ABOVE)
MAXIMUM FLOOR AREA	60" - 99" (60,846 SF = 50% OF SITE AREA)
AVERAGE SITE ELEVATION	426,000 SF 450'-0" AMSL



PROPOSED LANDSCAPE PLAN





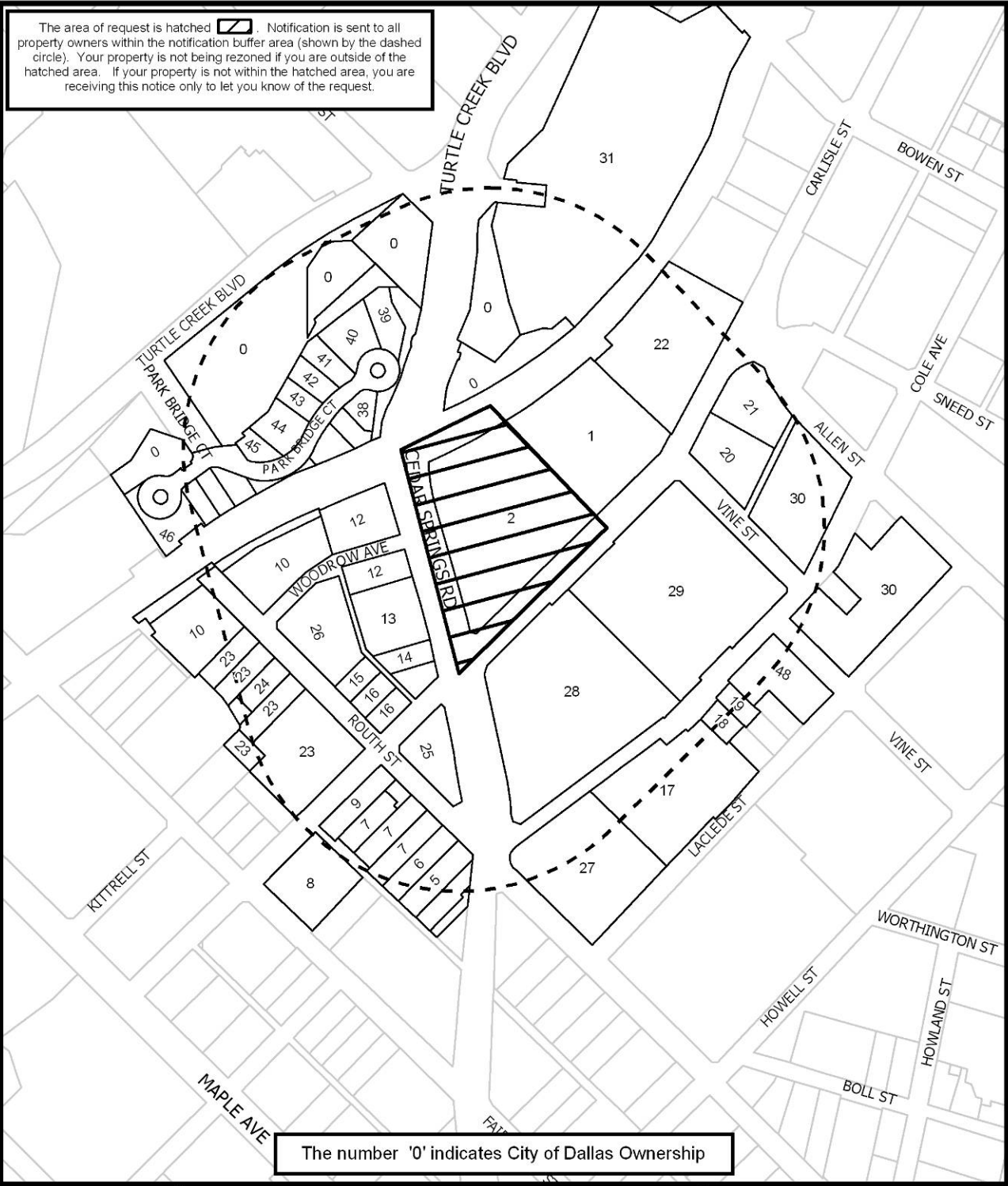



1:3,600

ZONING HISTORY

Case no: **Z123-146**

Date: **1/10/2013**




 1:3,600

NOTIFICATION

500' AREA OF NOTIFICATION
48 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-146**
 Date: **1/10/2013**

Notification List of Property Owners

Z123-125

56 *Property Owners Notified*

Label #	Address	Owner
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

FILE NUMBER: Z112-312(MW)

DATE FILED: September 4, 2012

LOCATION: Northeast corner of Arapaho Road and Knoll Trail

COUNCIL DISTRICT: 11

MAPSCO: 4-Z, 5-W

SIZE OF REQUEST: ±16.1 acres

CENSUS TRACT: 136.20

APPLICANT/OWNER: PV Prestonwood I, Ltd., PV Prestonwood I, GP, LLC
PV Prestonwood II, Ltd., PV Prestonwood II, GP, LLC

REPRESENTATIVE: Masterplan

REQUEST: An application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an MU-1 Mixed Use District

SUMMARY: The applicant proposes a transit-oriented, mixed use development comprised of a maximum of 650 multifamily units, 125 convalescent and nursing home beds or retirement housing units and 65,000 square feet of nonresidential uses.

STAFF RECOMMENDATION: Approval, subject to a conceptual plan; development plan, mews street landscape plan and conditions

BACKGROUND INFORMATION:

- The ±16.1-acre site is comprised of two parcels of land: a ±14.1-acre parcel, developed with a multi-tenant shopping center which is predominantly vacant and a ±1.99-acre parcel developed with a ±16,730-square foot multi-tenant building occupied with retail and personal service uses and a motor vehicle fueling station.
- The applicant intends to retain the ±16,730-square foot multi-tenant building. Proposed PDD provisions require the façade of the building to be made architecturally consistent with the new buildings proposed for the site but also allow for redevelopment with a maximum of 50,000 square feet of floor area.
- The request site is surrounded by DART right-of-way and office uses to the north; multifamily residential to the east; a shopping center and single family residential (townhomes) to the south and a retail strip and bar to the west.

Zoning History:

1. **Z101-249:** On January 11, 2012, the City Council approved a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern for a one-year period. This Specific Use Permit automatically terminated on January 11, 2013.
2. **Z089-153:** On June 10, 2009, the City Council approved an amendment to the conceptual plan, development plan, landscape plan and conditions of Planned Development District No. 711 for RR Regional Retail and Multifamily uses.

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
Arapaho Road	Principal Arterial	110 feet
Knoll Trail	Minor Arterial	64 feet

Land Use:

	Zoning	Land Use
Site	MU-1	Shopping center
North	MU-1; RR	DART ROW; Office
East	PDD No. 114	Multifamily
South	PDD No. 614	Shopping center; single family (townhomes)
West	MU-1; SUP No. 1921*	Retail strip; bar

*Terminated January 11, 2013

STAFF ANALYSIS:

Area Plans

The request site is within the boundary of the Greater Far North Dallas Area Land Use and Transportation Plan (1995 Update). This area is recommended for medium density commercial/retail/office development with FARs not to exceed 2.0:1 and 24 dwelling units per acre.

The proposed Planned Development District allows a maximum of 775 units (or in Subarea D, 125 beds or units) on 13.97 acres. This equates to a maximum of 55 dwelling units per acre which exceeds the density recommended by the referenced land use plan. However, given the site's proximity to a potential DART Station, higher density development is not inappropriate.

Comprehensive Plan:

The subject site is identified as being within an *Urban Neighborhood* on the ***forwardDallas! Vision Illustration***, adopted June 2006. 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. Housing choices should include single family detached dwellings, townhomes and low- to mid-rise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residents.

The applicant's proposal is generally 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.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas

ECONOMIC ELEMENT

Policy 2.2.2 Maximize development opportunities around DART stations

HOUSING ELEMENT

GOAL 3.2. ANSWER THE NEED FOR HOUSING OPTIONS

Policy 3.2.2 Encourage higher density housing within a quarter-mile of DART stations

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:

The ±16.1-acre site is comprised of two parcels of land: a ±14.1-acre parcel, developed with a multi-tenant shopping center which is predominantly vacant and a ±1.99-acre parcel developed with a ±16,730-square foot multi-tenant building occupied with retail and personal service uses and a motor vehicle fueling station.

The applicant intends to retain the ±16,730-square foot multi-tenant building. Proposed PDD provisions require the façade of the building to be made architecturally consistent with the new buildings proposed for the site but also allow for redevelopment with a maximum of 50,000 square feet of floor area.

The site is adjacent to DART right-of-way within the Cotton Belt Corridor, a 26-mile regional rail alignment spanning from DFW Airport to the Red Line in Richardson/Plano. This proposed project was included in the DART 2030 Transit System Plan, with a likely implementation date near year 2030. It is anticipated that a light rail station will be located within the immediate area, if not adjacent to the site.

Given the request site's adjacency to DART right-of-way and potential Cotton Belt Station, it is ideal for higher density, mixed use development. The applicant proposes a mixed use project comprised of four subareas consisting of the following uses:

- Subarea A: a maximum floor area of 50,000 square feet of non residential uses
- Subarea B: a maximum of 350 multifamily units and a maximum floor area of 15,000 square feet of non-residential uses
- Subarea C: a maximum of 350 multifamily units (note for Subareas B and C combined, the maximum number of units is 650)
- Subarea D: A maximum of 125 beds or units associated with a nursing home or retirement housing use

The applicant proposes a mews street, defined as a tree-lined, pedestrian-oriented private drive located between Subareas B and C. The mews street is intended to provide pedestrian access to the proposed DART station. To promote pedestrian activity, the applicant proposes eight-foot-wide sidewalks along Arapaho Road and the mews street; benches, trash receptacles and pedestrian lighting along Arapaho Road, Knoll Trail and the mews street and design standards for façade walls.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
MU-1 Mixed use-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
Proposed							
PDD	15' (Arapaho Road and Knoll Trail)	10' (eastern property line)	650 mf units 125 beds/units 65,000 sf nonres	75 feet	70%	N/A	Multifamily; retail and personal service

Parking:

The applicant proposes off-street parking in accordance with Chapter 51A of the Dallas Development Code, except as provided below:

While the request site is in proximity to a possible Cottonbelt DART Station, staff cannot support an off-street parking reduction at this time. There is no firm timetable for construction of the Cottonbelt line and recent amendments to the parking code should be sufficient to accommodate the proposed development. However, staff supports the inclusion of a condition to allow an off-street parking reduction for certain uses if a DART station is located within 500 feet of the request site. In this scenario, the following parking ratios apply:

- Convalescence and nursing homes, hospice care, and related institution. A minimum 0.25 parking spaces per unit is required. No additional parking for accessory portions of a convalescent and nursing home or hospice use, including private recreation, community center, entertaining areas, dining, or similar common areas is required.
- Dry cleaning or laundry store. One space per 220 square feet of floor area is required.
- Financial institution without drive-in window. One space per 400 square feet of floor area is required.
- General merchandise or food store 3,500 square feet or less. One space per 220 square feet of floor area is required.

- General merchandise or food store greater than 3,500 square feet. One space per 220 square feet of floor area is required.
- Personal services uses. One space per 220 square feet of floor area is required.
- Retirement housing. A minimum 0.56 parking spaces per unit is required. No additional required parking for accessory portions of the multi-family use, including private recreation, community center, entertaining areas, dining, or similar common areas is required.

Landscaping:

The applicant proposes landscaping in accordance with Article X of the Dallas Development Code with exceptions. One proposed exception requires street trees at one tree per 25 feet of street frontage with the ability to be provided in a clustered formation (Article X requires one tree per 50 feet). In addition, the applicant proposes a news street landscape plan for Council approval.

Z112-312(MW)

Partners/Principals/Officers:

Applicant/Owner: PV Prestonwood I and II, Ltd.

Prestonwood II, GP, LLC and PV Equity GP, LLC

PV Prestonwood I, GP, LLC and PV Equity GP, LLC

Denny Holman, Member
Steve Folsom, Member
Haddon Winckler, Member
Robert Kennedy, Member

Proposed PD Conditions

ARTICLE ____.

PD ____.

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

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

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

PD ____ is established on property located on the northeast corner of Arapaho Road and Knoll Trail Drive. The size of PD ____ is approximately 16.1 acres.

SEC. 51P-. 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. In this article:

(1) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds, whether as an accessory use or a main use.

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

(3) MEWS STREET means a tree-lined, pedestrian-oriented private drive located between Subareas B and C.

(4) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(5) OPEN SPACE means an area that is unobstructed to the sky, and contains no structures except for street furniture; pedestrian amenities; city kiosks; and community kiosks.

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

(7) TATTOO OR BODY PIERCING STUDIO means a business in which tattooing or body piercing is performed. Tattooing means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. Body

piercing means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

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

SEC 51P- _____. CREATION OF SUBAREAS.

This district is divided into four Subareas: Subarea A, Subarea B, Subarea C and Subarea D.

SEC 51P- _____. EXHIBITS.

The following exhibits are incorporated in this article:

- (1) Exhibit ____A: conceptual plan.
- (2) ExhibitB: development plan.
- (3) Exhibit ____C: mews street landscape plan.

SEC 51P- _____. CONCEPTUAL PLAN.

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

SEC 51P- _____. DEVELOPMENT PLAN.

(a) Development of Subareas B, C and D must comply with the Development Plan for Subareas B, C and D (Exhibit ____). If there is a conflict between the text of this article and the development plan, the text of this article shall prevail.

(b) A development plan for Subarea A must be approved by the city plan commission before the issuance of any building permit to authorize work in this subarea.

SEC 51P- _____. MAIN USES PERMITTED.

- (a) Subarea A.

(1) Except as provided in this subsection, the only main uses permitted are those main uses permitted in the MU-1 Mixed Use District, subject to the same conditions applicable in the MU-1 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-1 Mixed Use District only by specific use permit (SUP) is permitted only by SUP; a use subject to development impact review (DIR) in the MU-1 Mixed Use District is subject to DIR in Subarea A, etc.,

(2) The following uses are prohibited:

- Alternative financial establishment.
- Auto service center.
- Bail bonds office.
- Commercial amusement (outside).
- Massage establishment.
- Mini-warehouse.
- Nursery, garden shop, or plant sales.
- Swap or buy shop.
- Tattoo or body piercing studio.

(b) Subarea B. The following uses are the only main uses permitted:

- Dry cleaning or laundry store.
- Financial institution without drive-in window.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Local utilities.
- Multi-family.
- Personal service uses.
- Private street or drive.
- Retirement housing.
- Restaurant without drive-through or drive-in service.
- Tower/antenna for cellular communication. *[Must be mounted on the roof or attached to a building or parking structure.]*

(c) Subarea C. The following uses are the only main uses permitted:

- Local utilities.
- Multi-family.
- Private street or drive.
- Retirement housing.
- Tower/antenna for cellular communication. *[Must be mounted on the roof or attached to a building or parking structure.]*

(d) Subarea D. The following uses are the only main uses permitted:

- Convalescence and nursing homes, hospice care, and related institutions.
- Local utilities.
- Multi-family.
- Private street or drive.
- Radio or television tower. *[Must be mounted on the roof or attached to a building or parking structure.]*
- Retirement housing.
- Tower/antenna for cellular communication. *[Must be mounted on the roof or attached to a building or parking structure.]*

SEC. 51P-___. ACCESSORY USES.

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

SEC. 51P-____. YARD, LOT AND SPACE PROVISIONS.

(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) All Subareas.

(1) Setbacks. The setbacks apply to the perimeter of the Property only. Setbacks are not required between subareas or lots.

(2) Urban Form Setback and Tower Spacing. No urban form setback is required. No tower spacing is required.

(3) Lot Coverage. The maximum lot coverage for all subareas combined is 70 percent.

(4) Projections. For residential uses, balconies, bay windows, awnings, patios, signs, and entryways affixed to the building or part of the foundation may project up to five feet into a required yard. Stoops, retaining walls, benches, pots, raised planters, sculptures, cabanas and other decorative landscape items may be located within the required setback.

(b) Subarea A.

(1) Setbacks. Minimum setback from Knoll Trail Drive is 15 feet. Minimum setback from Arapaho Road is 15 feet.

(2) Density. Maximum number of dwelling units is 350.

(3) Floor area. Maximum floor area is 50,000 square feet.

(4) Height. Maximum building height is 32 feet. Roof-mounted mechanical equipment may not exceed a height of eight feet above the roof line.

(5) Lot size. No minimum lot size.

(6) Stories. No maximum number of stories.

(c) Subarea B.

(1) Setbacks. Minimum setback from Knoll Trail Drive is 15 feet. The minimum building setback from Arapaho Road is 15 feet. The minimum building setback from the northern property is 15 feet.

(2) Density. Maximum number of dwelling units is 350. Maximum number of dwelling units for Subareas B and C combined is 650.

(3) Floor area. Maximum floor area is 15,000 square feet.

(4) Height. Maximum structure height is 75 feet. Roof-mounted mechanical equipment may not exceed 12 feet above the roof line.

(5) Lot size. No minimum lot size.

(6) Stories. No maximum number of stories.

(d) Subarea C.

(1) Setbacks. Minimum setback from Arapaho Road is 15 feet. Minimum setback from the northern property line is 15 feet. Minimum setback from the eastern property line is 10 feet.

(2) Density. Maximum number of dwelling units is 350. Maximum number of dwelling units for Subareas B and C combined is 650.

(3) Floor area. No maximum floor area.

(4) Height. Maximum structure height is 75 feet. Roof-mounted mechanical equipment may not exceed 12 feet above the roofline.

(5) Lot size. No minimum lot size.

(4) Stories. No maximum number of stories. Architectural features, mechanical equipment and screening, and rooftop access may project a maximum of 12 feet above the roof-line.

(e) Subarea D.

(1) Setbacks. Minimum setback from Arapaho Road is 15 feet. Minimum setback from the eastern property line is 10 feet.

(2) Density. Maximum number of beds of a convalescence and nursing home, hospice care or related institution beds or multi family or retirement housing units is 125.

(3) Floor area. No maximum floor area.

(4) Height. Maximum structure height is 62 feet. Roof-mounted mechanical equipment may not exceed 10 feet above the roof line.

(5) Lot size. No minimum lot size.

(6) Stories. No maximum number of stories.

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

Unless otherwise stated, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(a) For the purposes of calculating required parking, required parking for any use in the district may be provided in any subarea.

(b) The use of tandem parking is permitted for residential uses only in Subareas B and C.

(c) If a DART station is located within 500 feet of the request site, the following parking ratios apply:

(1) Convalescence and nursing homes, hospice care, and related institution. A minimum 0.25 parking spaces per unit is required. No additional parking for accessory portions of a convalescent and nursing home or hospice use, including private recreation, community center, entertaining areas, dining, or similar common areas is required.

(2) Dry cleaning or laundry store. One space per 220 square feet of floor area is required.

(3) Financial institution without drive-in window. One space per 400 square feet of floor area is required.

(4) General merchandise or food store 3,500 square feet or less. One space per 220 square feet of floor area is required.

(5) General merchandise or food store greater than 3,500 square feet. One space per 220 square feet of floor area is required.

(6) Personal services uses. One space per 220 square feet of floor area is required.

(7) Retirement housing. A minimum 0.56 parking spaces per unit is required. No additional required parking for accessory portions of the multi-family use, including private recreation, community center, entertaining areas, dining, or similar common areas is required.

SEC. 51P-____. DESIGN STANDARDS.

(a) Purpose. Continuous facades along pedestrian-oriented streets often have negative impacts on community aesthetics, pedestrian circulation, and the scale and rhythm of streetscapes. These design standards are intended to ensure that continuous facades that are located along well-traveled pedestrian ways are compatible with the surrounding area and mitigate the negative impact of continuous facades, while allowing creativity, flexibility, and variety in design.

(b) Facade walls. Facade walls facing a public right-of-way, including DART right-of-way, or the mews street must incorporate at least three of the following design elements. The remaining 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.

(1) A repeating pattern of wall recesses and projections, such as bays, offsets, reveals, or projecting ribs, that has a relief of at least eight inches.

(2) Trim, molding, or accent elements using decorative contrasting colors of at least five percent of the area of the facade wall.

(3) 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 arches, friezes, tile work, murals, or moldings.

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

(C) Enhanced exterior light fixtures 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 belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.

(E) Awnings, lintels, or other features.

(4) A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural or decorative columns.

(5) Display windows, faux windows, or decorative windows.

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

(7) Any other comparable design elements approved by the building official.

(c) Facade wall changes. Facade walls must have one or more of the following:

(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.

(d) Materials.

(1) The exterior façade walls must be comprised of at least 80 percent masonry. Masonry includes stone, brick, concrete, stucco, hollow clay tile, cementitious fiber siding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, Exterior Finish Insulations System (EFIS) materials are not considered masonry. Textured painted tilt wall may be used on no more than 20 percent of the area of the facade walls.

(2) When adjacent to or visible from a public right-of-way, exterior parking structure facades must be constructed in a way that is similar in materials, architecture, and appearance to the facade of the main structure or the adjacent structure, except that breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in the exterior parking structure facade may not exceed 50 percent of the total parking structure facade area. Except garage entrances and exits, openings in parking structure facades that are visible from an adjacent public right-of-way may not exceed 45 percent of the total parking structure.

(3) Within five years from passage of this ordinance or within 12 months of a final certificate of occupancy for a use in Subarea B, whichever comes first, the exterior materials of the building elevations of the existing retail building in Subarea A must be changed to be architecturally consistent with the buildings in Subareas B, C, and D.

(e) Roofs.

(1) Roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so they are not visible from a point 5.5 feet above grade at the property line. Screening materials must match the materials and colors used on the main building. Chainlink fences may not be used as a screening material.

(2) Roofs must have at least one of the following design elements:

(A) Parapets having a rhythmic pattern and detailing such as cornices, moldings, trim, or variations in brick coursing.

(B) Sloping roofs with the following design elements:

(i) Slope of at least 5:12.

(ii) Two or more slope planes.

(3) Sloping roofs must be either asphalt composition shingles, metal standing seam, clay tiles, concrete tiles, or similar materials.

(4) Overhanging eaves extending at least two feet beyond the supporting wall.

SEC. 51P-____. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P. LANDSCAPING.

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

(2) For the purposes of this section, this district shall be considered one lot.

(3) Article X requirements shall not be triggered by paving improvements necessary to build the mews street.

(4) Street trees count toward the minimum requirement for site trees.

(5) The minimum number of trees required on Arapaho Road and Knoll Trail is determined by dividing the number of feet of street frontage, excluding visibility triangles and ingress and egress points, by 25 for each frontage. These trees may be provided in a clustered formation. Trees selected must meet the planting criteria of the Public Utility Commission and the local utility provider with regard to maturity, height, and tree canopy.

(6) Enhanced paving as shown on the development plan satisfies one of the two design standards required in Section 51A-10.126.

SEC. 51P.____. LICENSES GRANTED.

(a) Private License Granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. "Parkway" means the portion of a street right of way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolutions passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving

any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the city.

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

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

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

(b) Parkway Landscape Permit.

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

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

of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

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

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

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

SEC. 51P. SIDEWALKS AND PEDESTRIAN AMENITIES.

(a) Sidewalks.

(1) A minimum eight-foot-wide sidewalk with at least four feet of unobstructed width must be provided along Arapaho Road and the mews street in the locations shown on the Development Plan for Subareas A, B and C.

(2) ADA approved tree well grates may be provided in sidewalks and are not considered an obstruction.

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

(b) Pedestrian amenities.

(1) The following pedestrian amenities are required along the mews street:

(A) a minimum of 20 benches;

(B) a minimum of six trash receptacles; and

(C) pedestrian lighting placed at a minimum of one per 75 feet of private drive .

(2) The following pedestrian amenities are required along Arapaho Road:

- (A) a minimum of six benches;
- (B) a minimum of three trash receptacles; and
- (C) pedestrian lighting placed at a minimum of one per 75 feet of street frontage.

(3) The following pedestrian amenities are required along Knoll Trail:

- (A) a minimum of two benches;
- (B) a minimum of two trash receptacles; and

(C) pedestrian lighting placed at a minimum of one per 150 feet of frontage in Subarea A. The existing parking lot lights located along the east side of Knoll Trail count toward meeting the minimum pedestrian lighting requirement. If Subarea A redevelops, pedestrian lighting must be provided at a maximum of one per 75 feet at a maximum height of 16 feet.

(D) Pedestrian lighting placed at a minimum of one per 75 feet of frontage in Subarea B.

(4) All pedestrian amenities must be maintained by the owner of the lot; if there is more than one owner, all owners are jointly and severally responsible for maintenance.

(5) Except as provided in Section 51P-____(b)(3)(C) above, pedestrian lighting may include pole, bollard style, or other structure mounted lighting provided the maximum height of the lighting source is no greater than 16 feet from the ground.

(6) A minimum of ten percent of the site must be designated as open space.

SEC. 51P-____. CONFORMING – STRUCTURES.

(a) Buildings existing as of _____ (date of passage) are considered conforming with respect to building setbacks.

SEC. 51P-____. SIGNS.

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

(b) For multi-family uses in Subareas B and C, three blade signs are permitted, subject to the following regulations:

- (1) Maximum effective area for each blade sign is 72 square feet per side.
- (2) Blade signs must be attached to a main structure.
- (3) Blade signs may project a maximum of 2.5 feet into required setbacks.

SEC. 51P- __. ADDITIONAL PROVISIONS.

(a) One temporary leasing office may be erected for up to 180 days from the date of permit without the requirement of a development plan. The temporary leasing office is permitted within the building setbacks. The building official may approve additional 30-day extensions.

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

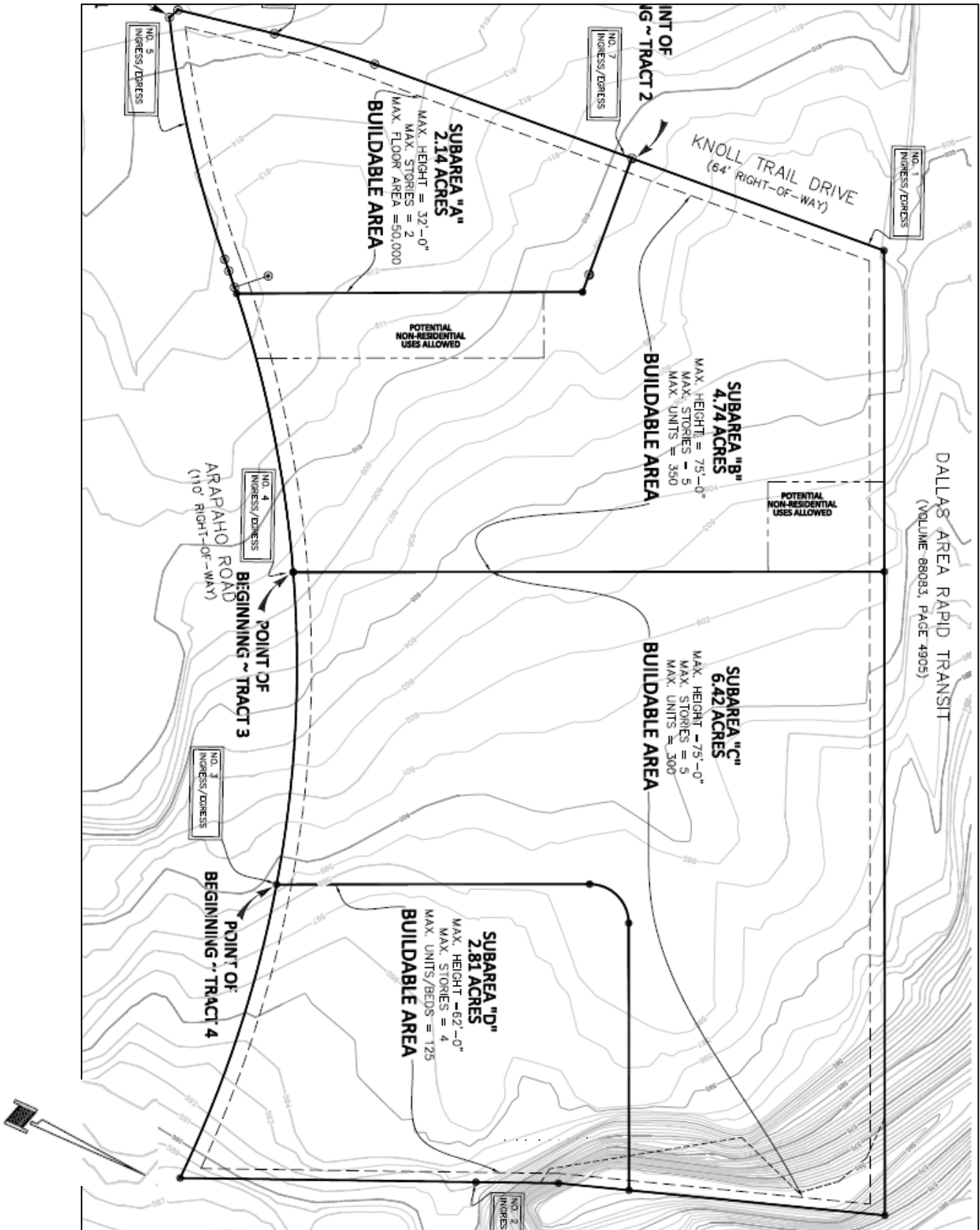
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P- _____. COMPLIANCE WITH CONDITIONS.

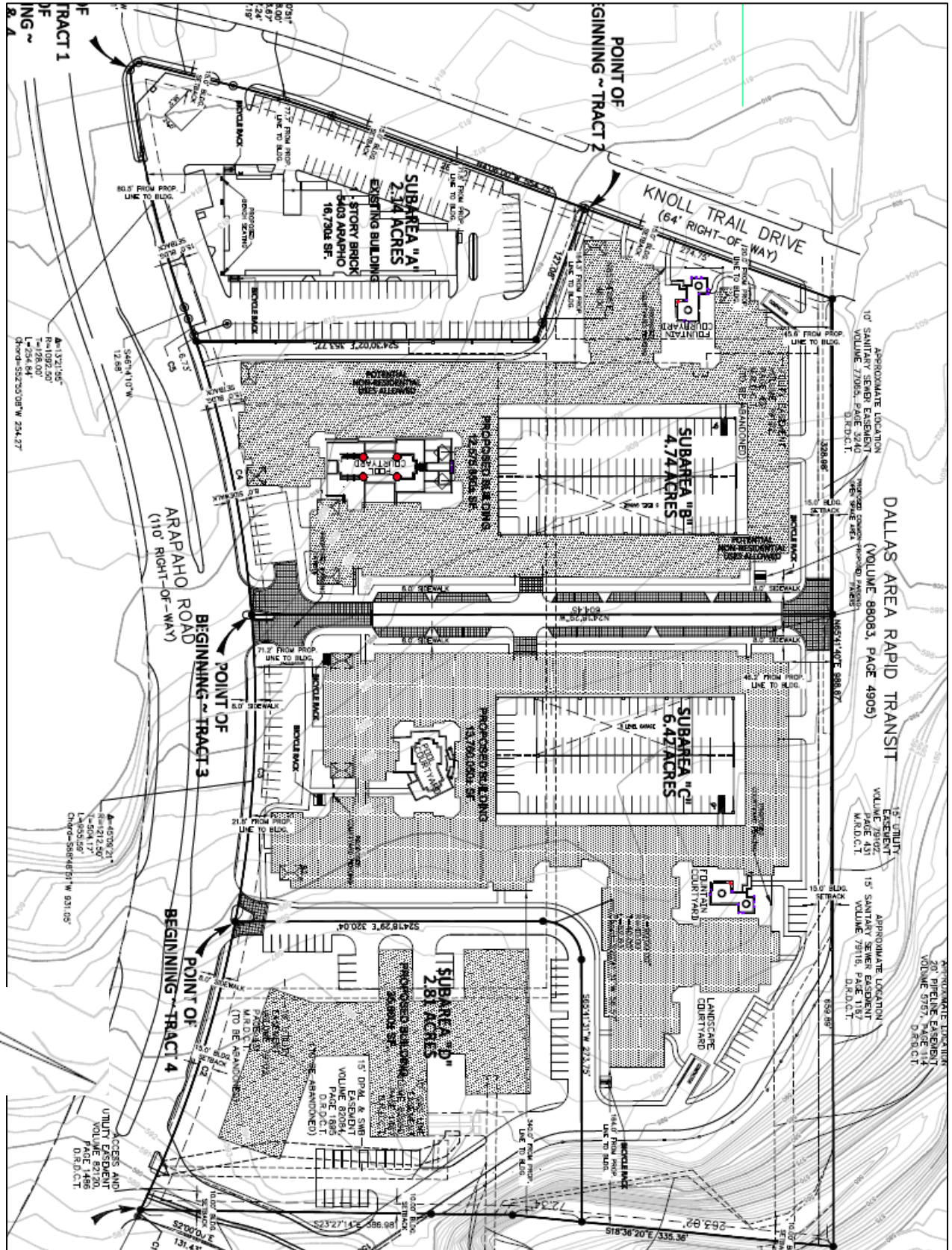
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

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

Proposed Conceptual Plan



Proposed Development Plan

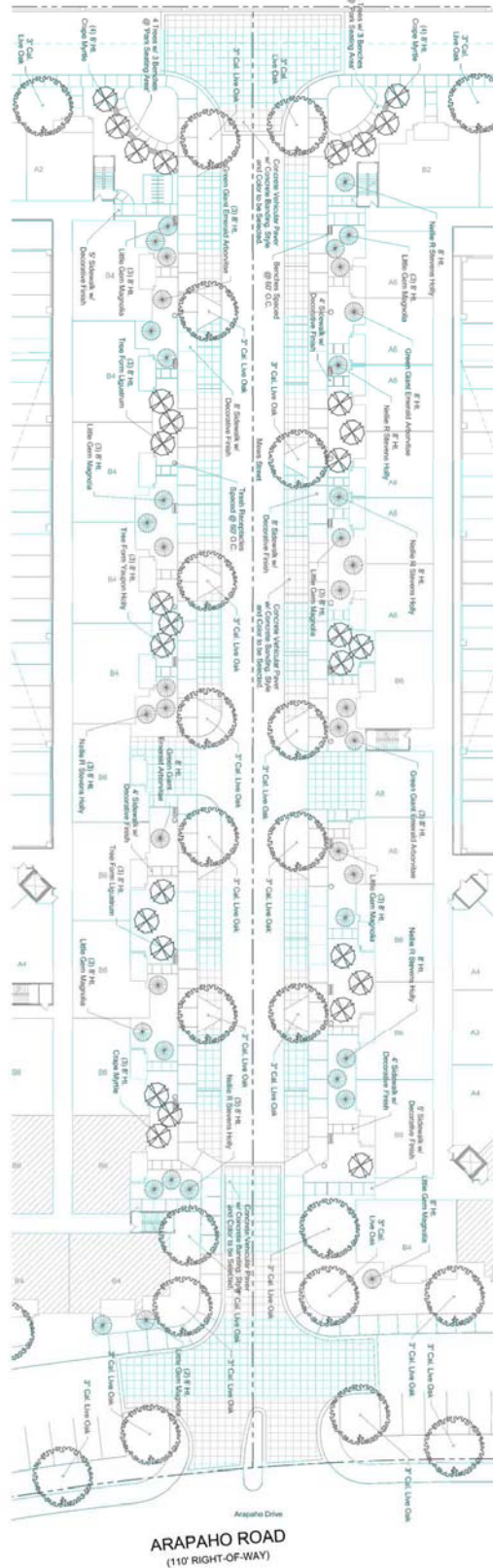


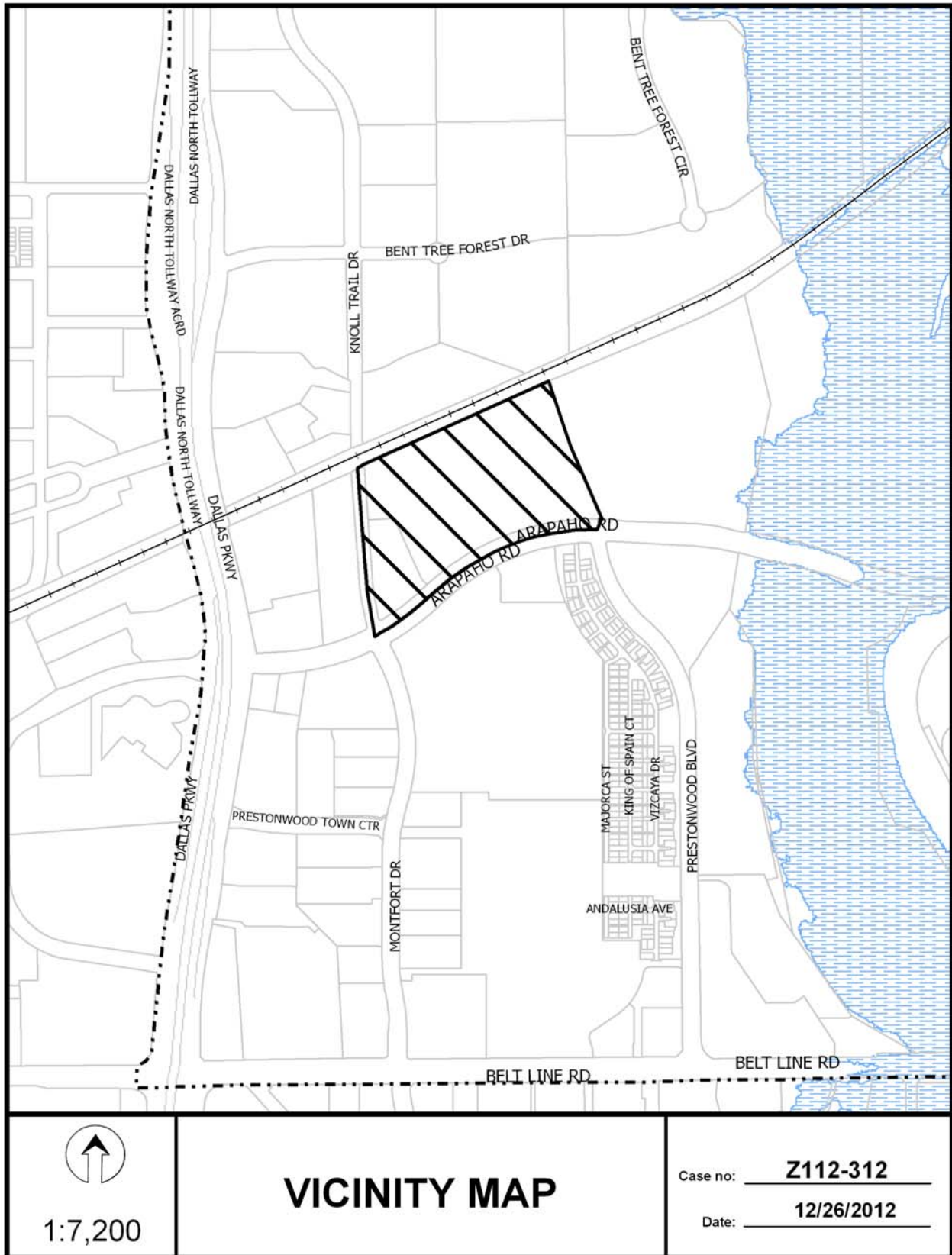
Mews Street Landscape Plan

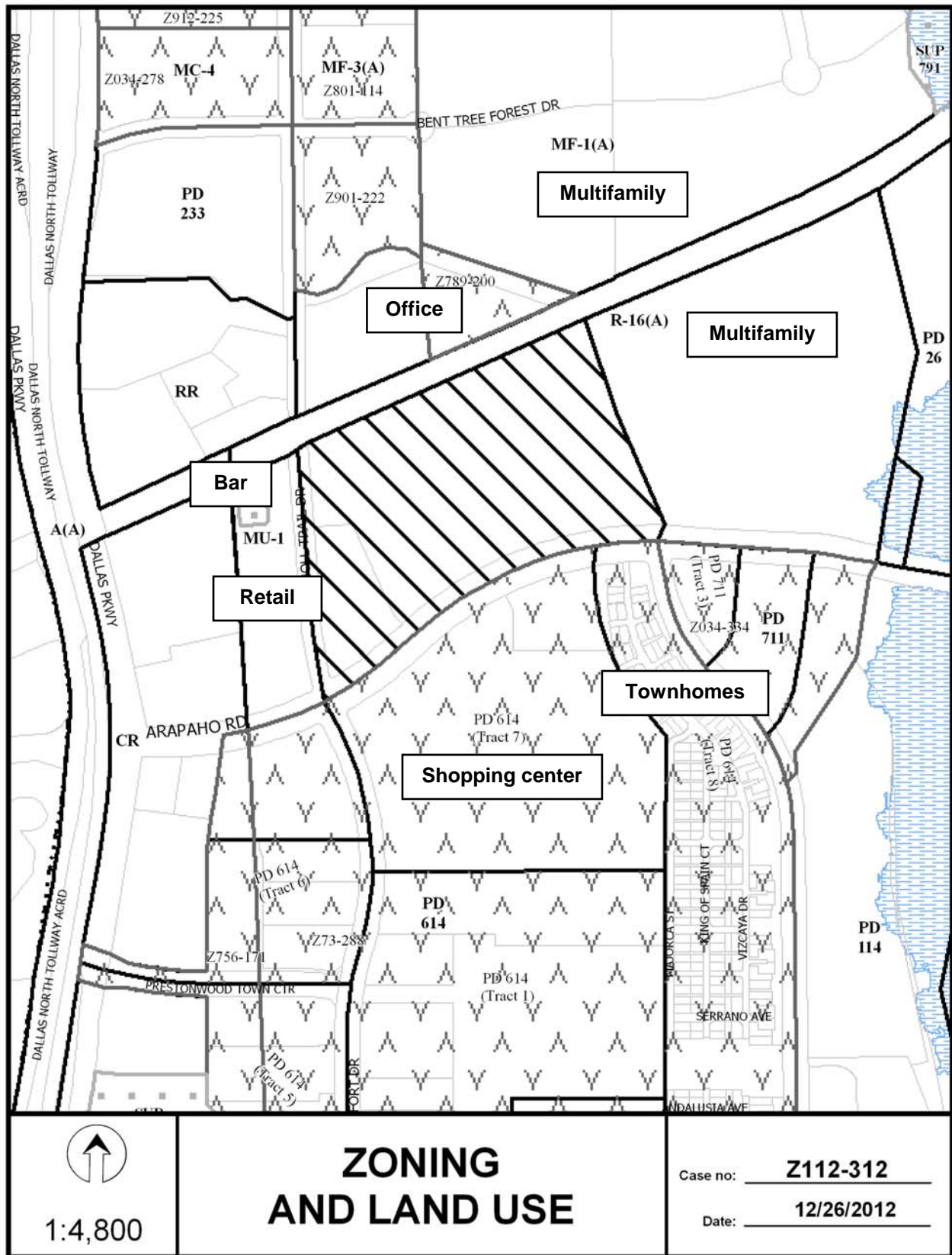
DALLAS AREA RAPID TRANSIT
(VOLUME 88083, PAGE 4905)

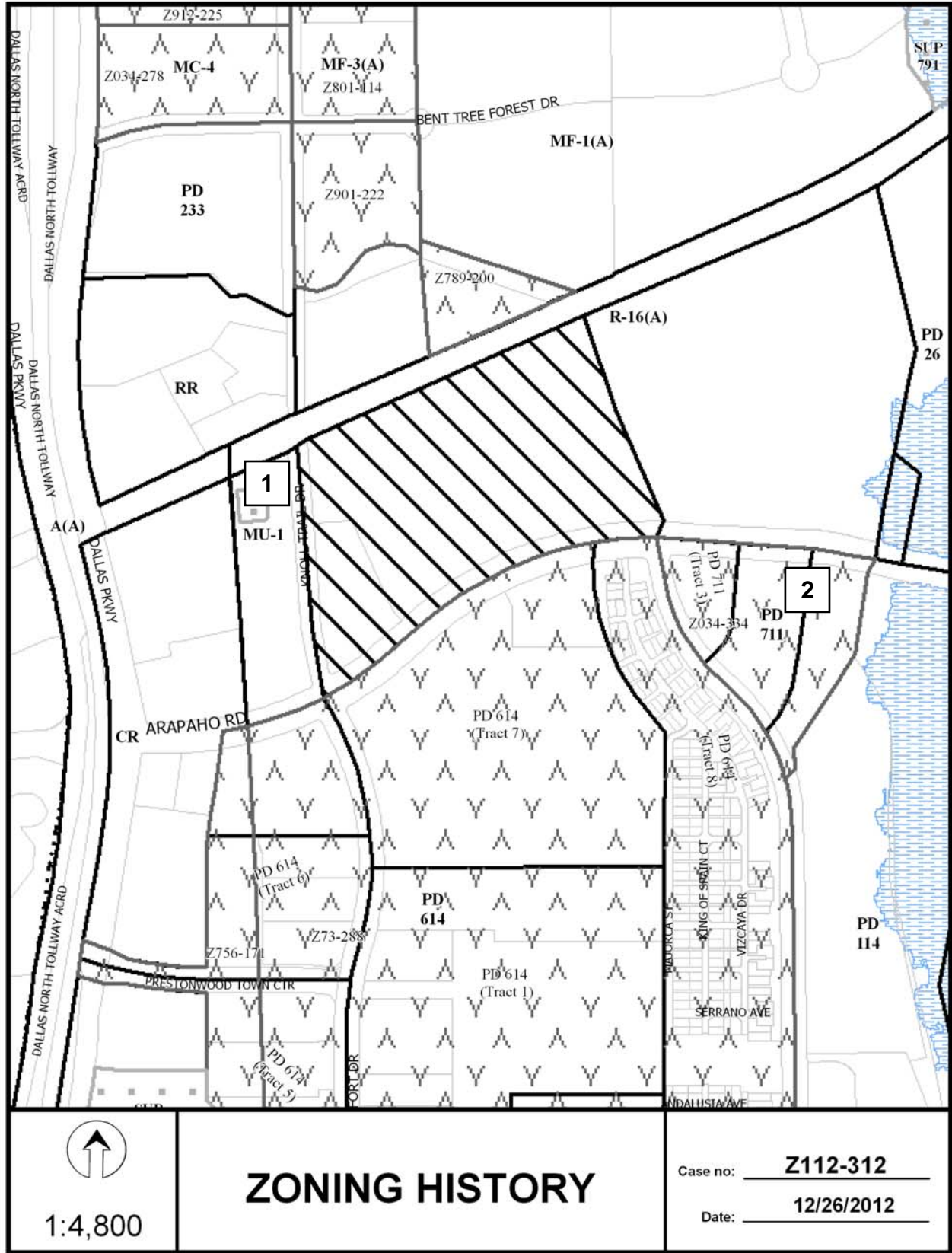
SUBAREA "B"

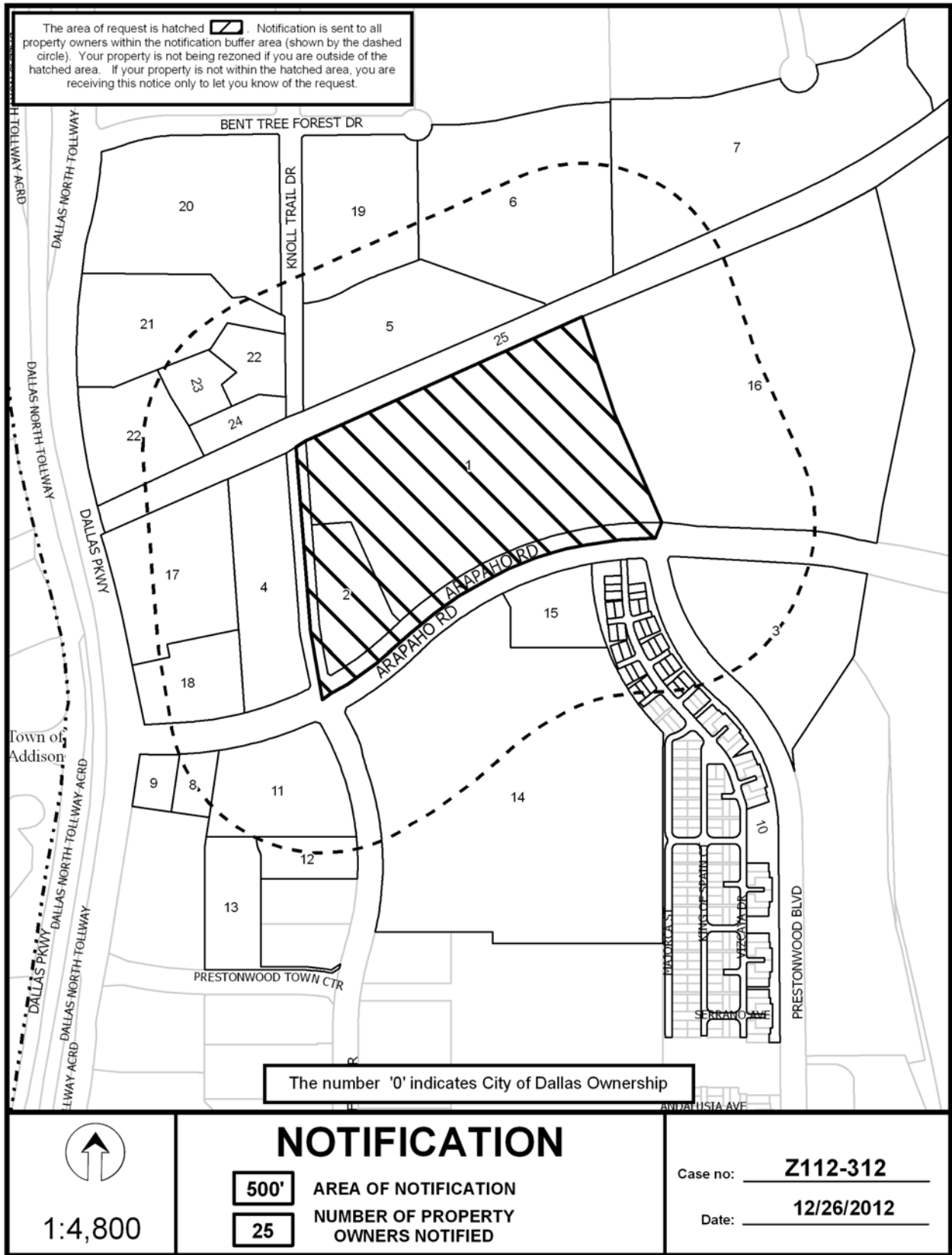
SUBAREA "C"











12/26/2012

Notification List of Property Owners***Z112-312******25 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5519 ARAPAHO RD	PV PRESTONWOOD I LTD
2	5519 ARAPAHO RD	PV PRESTONWOOD II LTD
3	15250 PRESTONWOOD BLVD	PRESTONWOOD TRADITION LP STE 101A
4	15203 KNOLL TRAIL DR	PRESTONWOOD PARTNERS LTD
5	15400 KNOLL TRAIL DR	PRESTONWOOD REALTY LTD
6	5330 BENT TREE FOREST DR	SPP COVINGTON POINTE LTD STE 140
7	15905 BENT TREE FOREST DR	APT CO BENT TREE LP % BERKSHIRE PPTY ADVI
8	5314 ARAPAHO RD	SANDS JULIA ELIZABETH TRUST
9	5304 ARAPAHO RD	SANDS JULIA ELIZABETH TRUST %ROSEWOOD
MG		
10	200 VIZCAYA DR	BIR ESTANCIA LIMITED PS %BERKSHIRE PROPE
11	15402 PRESTONWOOD BLVD	JEWISH FAMILY SERVICE OF DALLAS INC
12	15313 MONTFORT DR	BLUE WAVE MONFORT
13	15237 MONTFORT DR	GENIUSCHILD II LLC
14	15220 MONTFORT RD	WAL-MART REAL ESTATE BUSI % WAL-MART PPT
15	5540 ARAPAHO RD	HALLE PROPERTIES LLC
16	5665 ARAPAHO RD	BERKELY INDUSTRIES LTD % JON HAMILTON
17	15490 DALLAS PKWY	SA OMAX 2007 LP
18	15440 DALLAS PKWY	SA OMAX 2007
19	15550 KNOLL TRAIL	HOWSEA USA INC APT OFFICE
20	15850 DALLAS PKWY	15850 HOLDINGS LLC
21	15770 DALLAS PKWY	ONE WEST LTD
22	15660 DALLAS PKWY	GRANITE ONE WEST LTD
23	15443 KNOLL TRAIL DR	BRO CO LLC
24	15401 KNOLL TRAIL DR	TEXAS UTILITIES ELEC CO % STATE & LOCAL
25	401 BUCKNER BLVD	DART

FILE NUMBER: Z123-126 (MW)

DATE FILED: October 30, 2012

LOCATION: West corner of Crampton Street and Converse Street

COUNCIL DISTRICT: 2

MAPSCO: 44-B

SIZE OF REQUEST: ±13,635 sf

CENSUS TRACT: 100

APPLICANT/REPRESENTATIVE/OWNER: Jacques Lamy

REQUEST: An application for an MU-1 Mixed District on property zoned an IR Industrial Research District.

SUMMARY: The applicant would like the ability to redevelop the site with a maximum of three live/work spaces. However, no new construction is proposed at this time.

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- The ±13,635-square foot request site is developed with a ±7,650 square-foot warehouse building currently occupied by a moving company and a construction company.
- The request site is surrounded by warehouse and multifamily residential to the north and warehouses which accommodate a variety of businesses and light industrial uses to the northeast; southeast; southwest and northwest.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Crampton Street	Local	80 feet
Converse Street	Local	80 feet

Land Use:

	Zoning	Land Use
Site	IR	Warehouse
North	MU-1	Multifamily; warehouse
Northeast	IM	Warehouse
Southeast	IR	Warehouse
Southwest	IR	Warehouse
Northwest	IR	Warehouse

STAFF ANALYSIS:

Area Plan:

The request site is within an area recommended for Mixed Use/Adaptive reuse on the Trinity River Corridor Comprehensive Land Use Plan. However, the subject property is not included within a specific Study Area at this time.

Comprehensive Plan:

The subject site is identified as being within an *Urban Mixed Use Building Block* on the **forwardDallas! Vision Illustration**, adopted June 2006. This building block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. Urban mixed use districts are intended to incorporate housing, jobs and commercial activity in strategic locations throughout the city which are linked by means of the transit system and are designed to encourage pedestrian mobility.

The applicant's proposal to create a live-work space in this area of the city 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.

GOAL 1.1: ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.1 Implement the Trinity River Corridor Plan.

ECONOMIC ELEMENT

GOAL 2.2: ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

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

ENVIRONMENT ELEMENT

GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

Policy 6.3.3 Limit vehicle miles traveled.

Land Use Compatibility:

The ±13,635-square foot request site is developed with a ±7,650 square-foot warehouse building currently occupied by a moving company and a construction company.

The applicant would like the ability to redevelop the site with a maximum of three live/work spaces. However, no new construction is proposed at this time.

The request site is surrounded by warehouse and multifamily residential to the north and warehouses which accommodate a variety of businesses and light industrial uses to the northeast; southeast; southwest and northwest.

The proposed MU-1 District allows for the development of moderate density retail, office, and residential uses. The MU-1 District is designed to encourage a mixture of these uses on single or continuous building sites. Staff recognizes the transitional nature of the area and supports the applicant’s request.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: IR	15'	30' adj. to residential Other: no min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	RPS Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed: MU-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

Traffic:

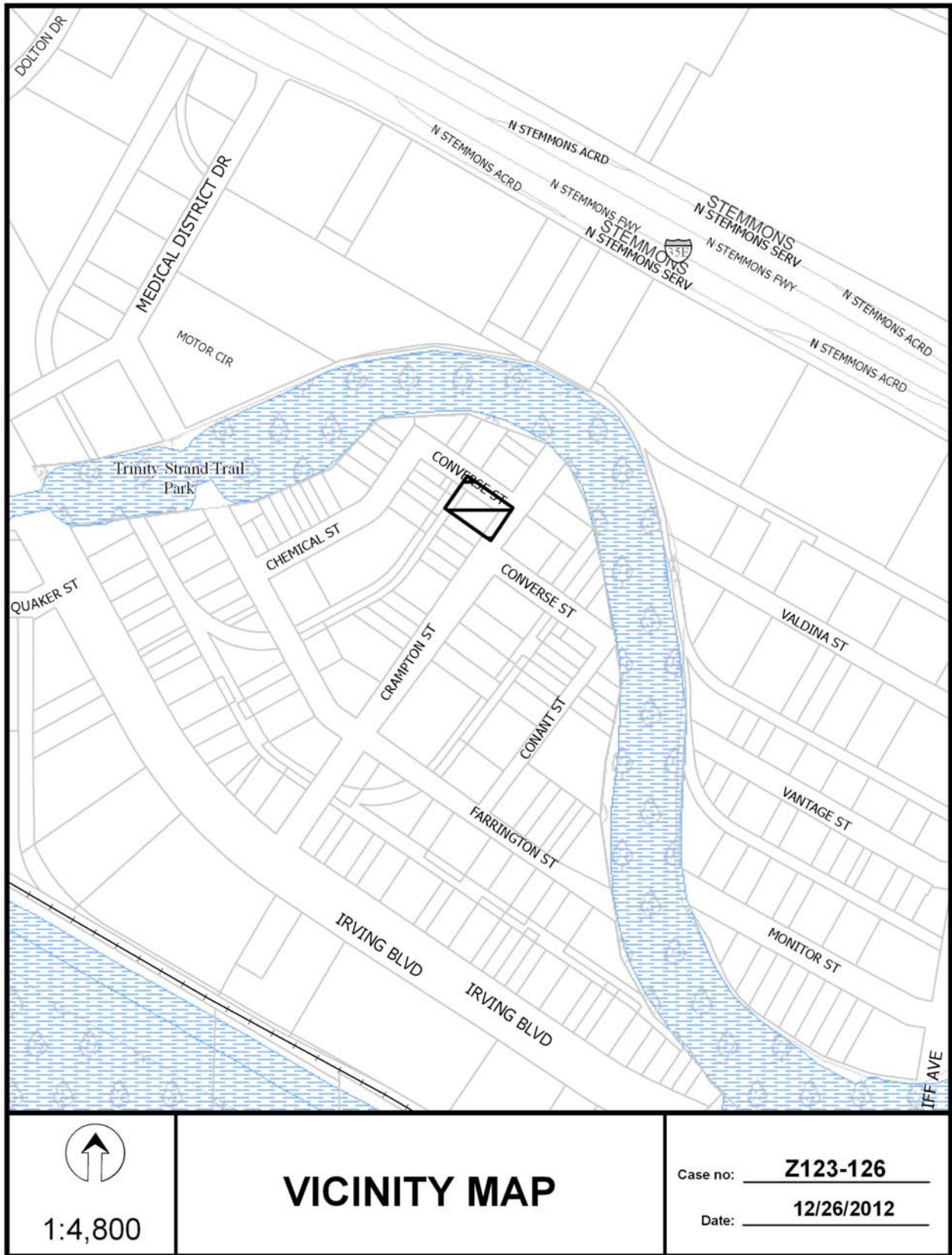
The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Constructions has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system.

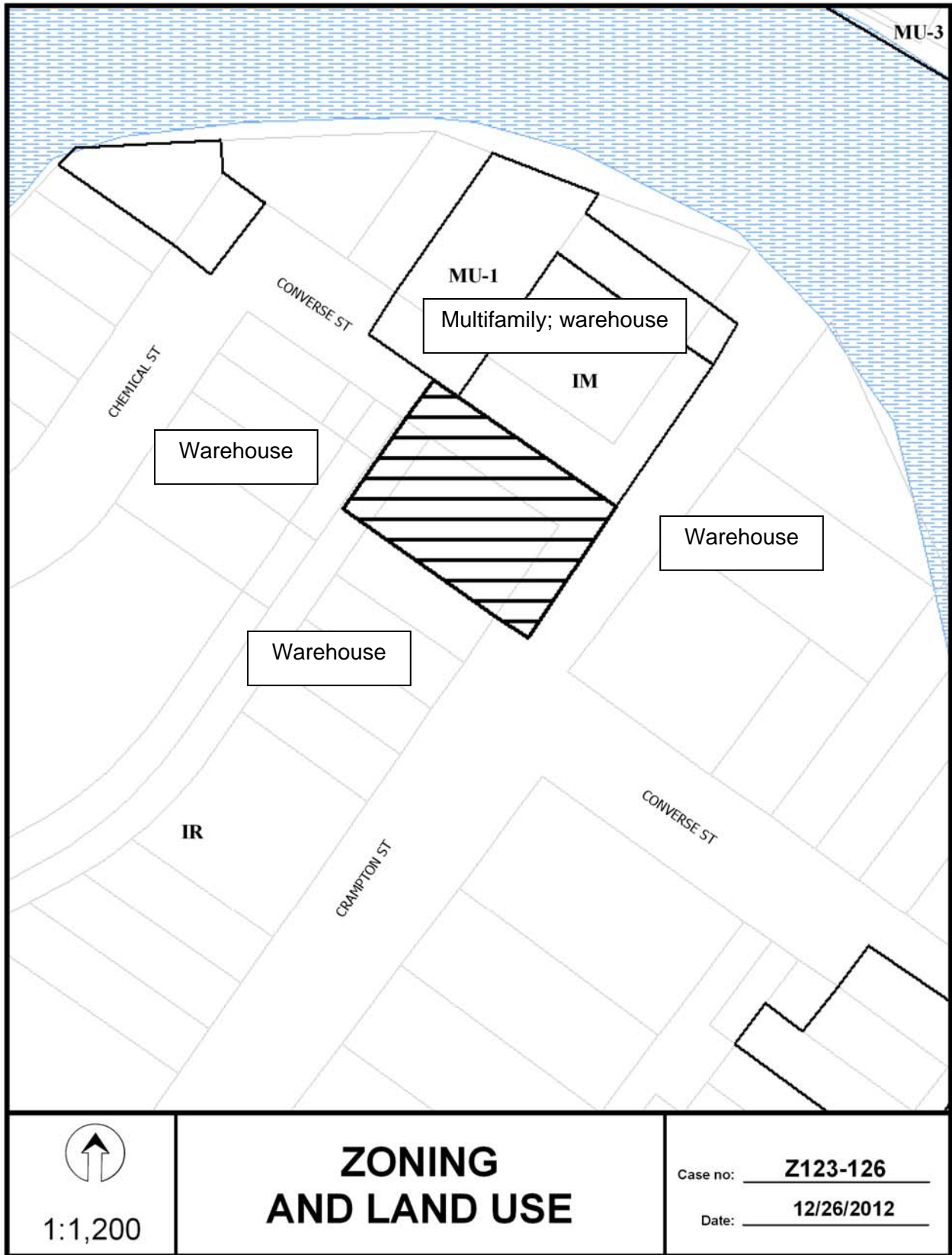
Parking:


Parking must be provided pursuant to §51A-4.200 of the Dallas Development Code.

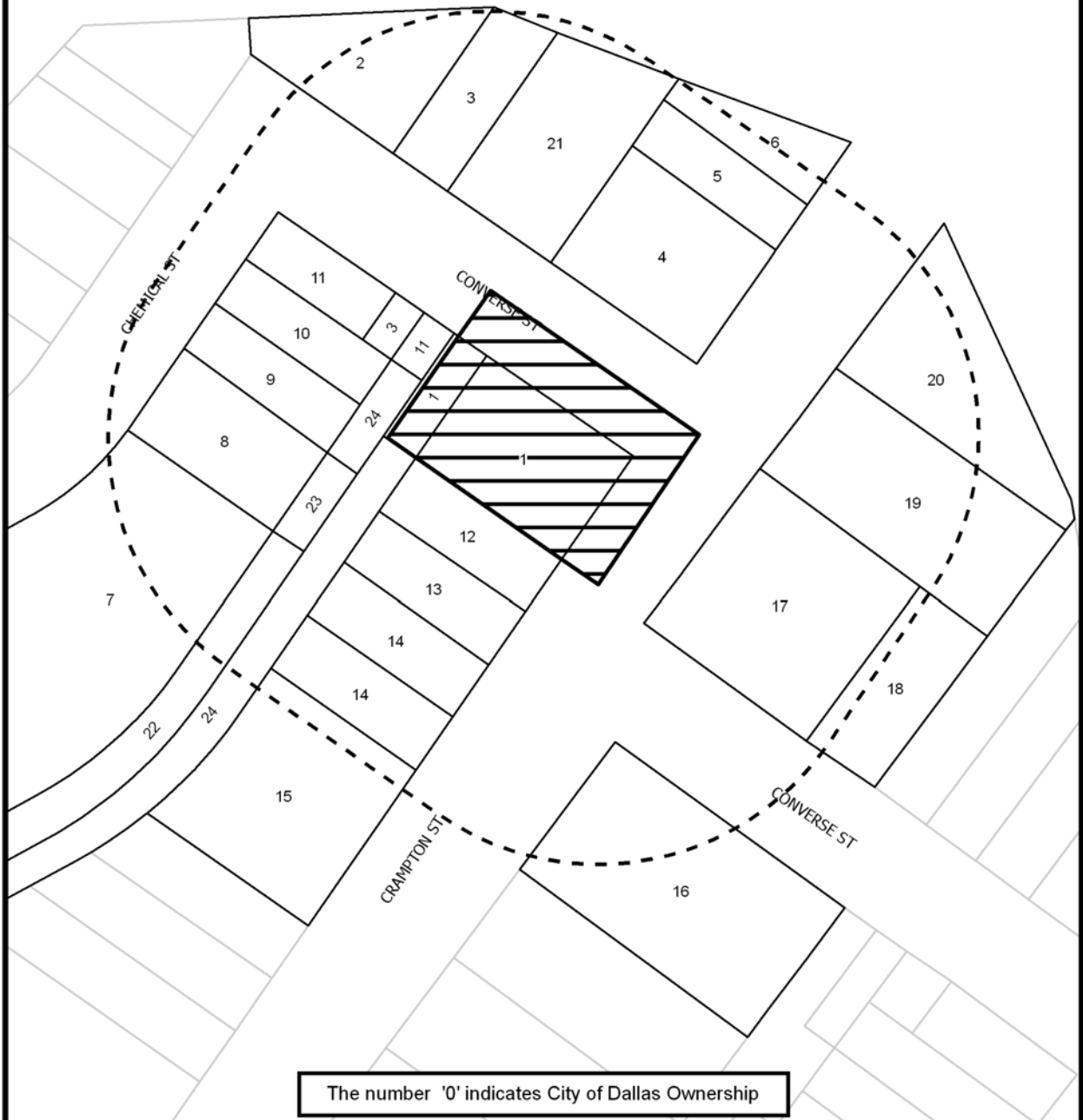
Landscaping:

Since no increase in floor area is proposed by this application, landscaping is not required. However, if additional floor area is proposed in the future, landscaping will be required pursuant to Article X of the Dallas Development Code.





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



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
24 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-126**

Date: **12/26/2012**

12/26/2012

Notification List of Property Owners

Z123-126

24 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1371 CRAMPTON ST	LAMY JACQUES & ODILE LAMY
2	2532 CONVERSE ST	KNUTSON INVESTMENT CO LLC
3	2524 CONVERSE ST	HART TIM D
4	1381 CRAMPTON ST	WTHW LTD
5	1389 CRAMPTON ST	MAYO D MICHAEL & MAYO SYLVIA OLSON
6	1393 CRAMPTON ST	HAY G R
7	1320 CHEMICAL ST	KEYLAND INV LP
8	1346 CHEMICAL ST	SEELCCO PARTNERS LTD
9	1350 CHEMICAL ST	DORCO REALTY CO % ROBERT COUSINS JR
10	1352 CHEMICAL ST	TWIN CEDARS RANCH LLC
11	1356 CHEMICAL ST	SENGBUSH STUDIO INC
12	1363 CRAMPTON ST	LANG 1363 CRAMPTON LLC
13	1359 CRAMPTON ST	COLE RICHARD N
14	1341 CRAMPTON ST	CHEN ROCKY
15	1337 CRAMPTON ST	AMITA TRADING INC
16	1352 CRAMPTON ST	CRAMPTON 1352 LLC
17	2430 CONVERSE ST	AMERICAN WHOLESALE FLORISTS OF DALLAS IN
18	2424 CONVERSE ST	BUCK ROBERT T SUITE 101
19	1378 CRAMPTON ST	BATES & MYERS JOINT VENTURE # 7
20	1388 CRAMPTON ST	ORKIN INC
21	2514 CONVERSE ST	HAVERFIELD PAT & MARY
22	1320 CHEMICAL ST	LIN YEN HUNG LINCOLN
23	1346 CHEMICAL ST	SEELCCO PARTNERS LTD
24	1304 CHEMICAL ST	KNOBLER DONALD G

FILE NUMBER: Z123-137(MW)

DATE FILED: October 2, 2012

LOCATION: South side of Elm Street, east of North Good Latimer Expressway

COUNCIL DISTRICT: 2

MAPSCO: 45-M

SIZE OF REQUEST: ±2,500 square feet

CENSUS TRACT: 204

APPLICANT: Twilite on Elm, LLC

REPRESENTATIVE: Jason Marshall

OWNER: 42 Deep Ellum, LP

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment limited to bar, lounge or tavern use on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The applicant proposes to operate a bar, lounge or tavern within an existing building.

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

BACKGROUND INFORMATION:

- The ±2,500-square foot request site is developed with a ±1,500-square foot building, which is currently vacant, and includes a ±1,000-square foot uncovered patio.
- The request site is surrounded by a charter school and retail to the north; retail to the east and south and a bar lounge or tavern to the west.

Zoning History:

1. **Z112-206:** On August 22, 2012, the City Council approved SUP No. 1982 for a bar, lounge, or tavern and an inside commercial amusement limited to a dance hall for a one-year period.
2. **Z101-242:** On October 26, 2011, the City Council approved SUP No. 1913 for a bar, lounge or tavern for a two-year period.
3. **Z089-271:** On December 9, 2009, the City Council approved SUP No. 1783 for bar, lounge or tavern for a two-year period.
4. **Z101-257:** On August 10, 2011, the City Council approved renewal of SUP No. 1767 for a three-year period.
5. **Z101-187:** On May 25, 2011, the City Council approved renewal of SUP No. 1757 for a bar, lounge, or tavern and an inside commercial amusement use for a live music venue on property for a three-year period.
6. **Z056-271:** On January 10, 2007, the City Council approved a specific use permit for a body piercing studio and a tattoo studio for a ten-year period.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Elm Street	Collector	70 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 269	Vacant
North	PDD No. 269; H/51	Charter school; retail
East	PDD No. 269	Retail
South	PDD No. 269	Retail
West	PDD No. 269; SUP 1913	Bar

STAFF ANALYSIS:

Comprehensive Plan:

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

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

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

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

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:

The ±2,500-square foot request site is developed with a ±1,500-square foot building, which is currently vacant, and includes a ±1,000-square foot uncovered patio. The applicant proposes to operate a bar, lounge or tavern within the existing building and to utilize the patio in conjunction with the main use. The applicant intends to operate between 11:00 am and 2:00 am (the next day), Monday through Sunday, consistent with other bar, lounge or tavern uses in the area.

The request site is surrounded by a charter school and retail to the north; retail to the east and south and a bar lounge or tavern to the west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of

the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

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

Traffic:

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

Parking:

PDD No. 269 gives a credit for the first 2,500 square feet of bar, lounge, or tavern uses when located on the first floor in an original building. Therefore, the proposed bar, lounge or tavern, which does not exceed 2,500 square feet, will not require any off-street parking. It has historically been recognized that Deep Ellum serves as an entertainment and retail destination that often finds patrons traversing the area on foot. As a result, the area's surface parking lots and on-street meters provide for parking options.

Landscaping:

No new construction is proposed by this application. New construction would require landscaping in accordance with the provisions of Planned Development District No. 269.

Partners/Principals/Officers:

The Twilight Lounge
List of Partners/Principles/Officers

Applicant/Tenant: Twilite on Elm, LLC a Texas Limited Liability Company
Corporate Address: 2640 Elm St., Dallas, Texas 75226

Members:

Daniel A. Balis
5932 Llano
Dallas, TX 75206

William J. Barr
9353 Highedge Circle
Dallas, TX 75238

Benjamin Scott Meek
3919 Gilbert Ave. #4
Dallas, TX 75219

Jason C. Marshall
1312 Adair St.
Dallas, TX 75204

Barnett D. Hammond, Jr.
5602 Ridgedale
Dallas, TX 75206

Applicant's Manager:

Lone Sparrow, LLC, 5932 Llano, Dallas TX 75206
Members: Daniel A. Balis and William J. Barr (addresses listed above)

Property Owner: 42 Deep Ellum, LP, 8333 Douglas Ave, Suite 342, Dallas, TX 75225

Partners:

Scott Rohrman
8333 Douglas Ave
Suite 342
Dallas, TX 75225

Mike Geisler
8235 Douglas Ave
Suite 720
Dallas, TX 75225

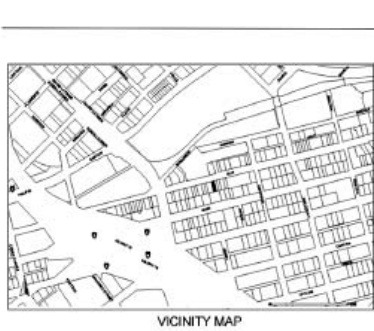
Z123-137

Z123-137
Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge or tavern.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on (two years).
4. FLOOR AREA:
 - A. Maximum floor area for a bar, lounge or tavern is 1,500 square feet in the location as shown on the attached site plan.
 - B. Maximum land area for the uncovered patio is 1,000 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The alcoholic beverage establishment limited to a bar, lounge or tavern may only operate between 11:00 a.m. and 2:00 a.m. (the next day), Monday through Sunday.
6. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269, the Deep Ellum/Near East Side District. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan

SITE PLAN

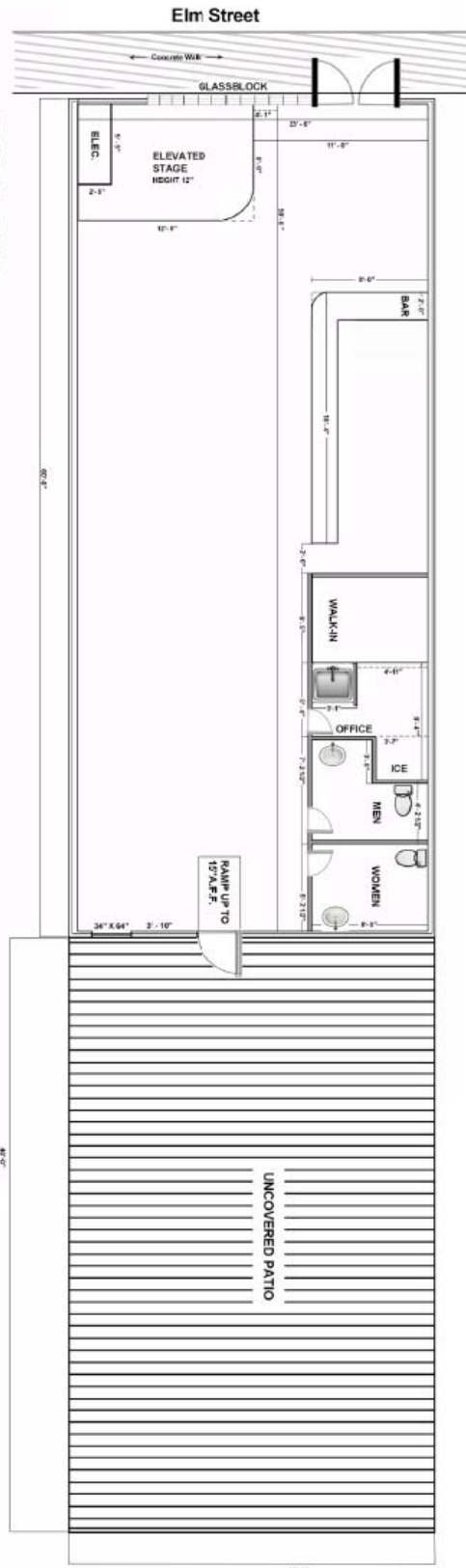


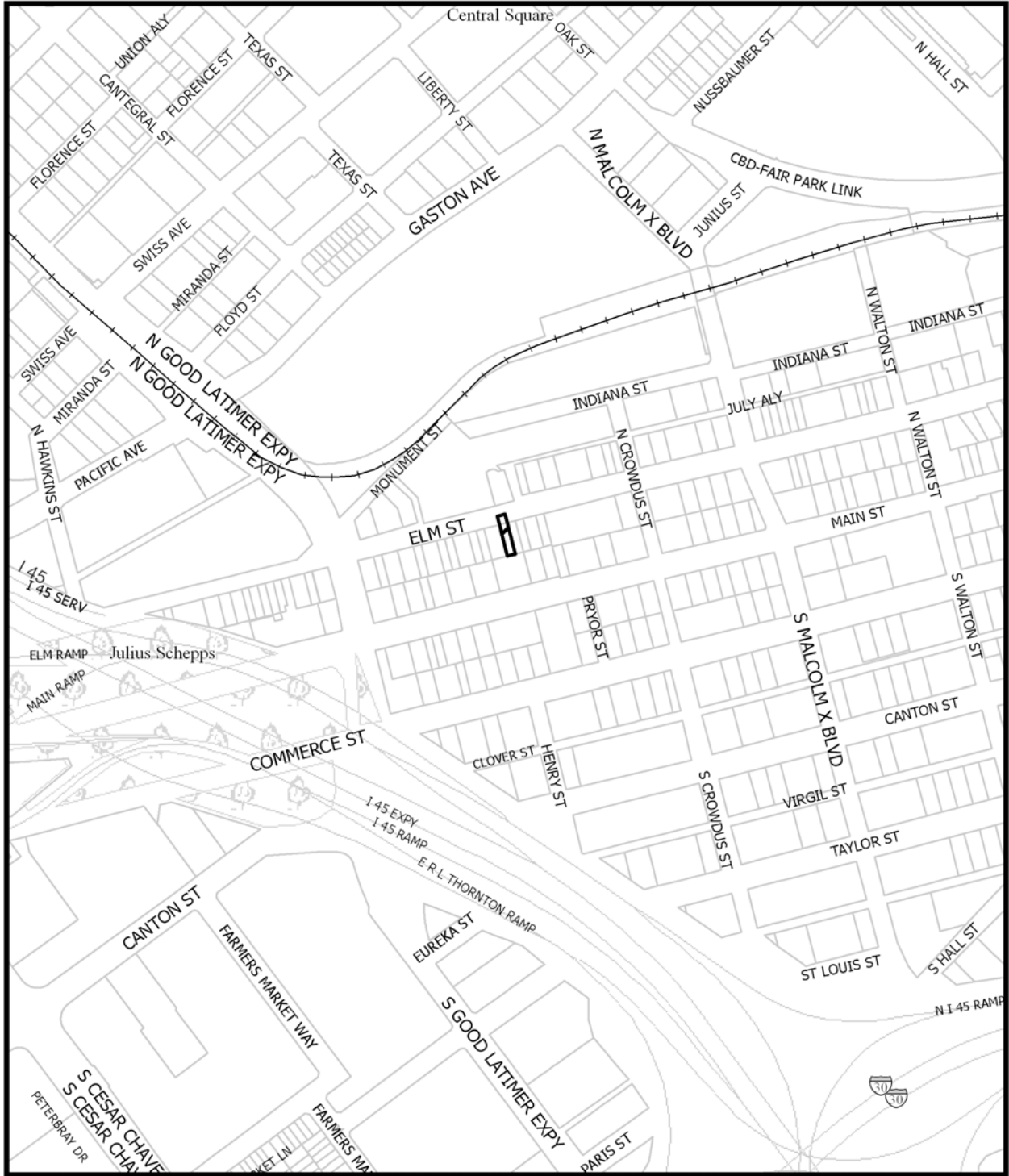
TWILITE LOUNGE
2640 ELM ST
DALLAS, TX 75226

INDOOR SQ. FT.: 1500
PATIO SQ. FT.: 1000
TOTAL SQ. FT.: 2500

SUP# _____

LEGAL DESCRIPTION
 BLK 182
 TR 13 25X100 ELM FR393.5 CRODUS
 INT210200313969 DD10192012 CO-DC
 0182 000 01300 1000182 000

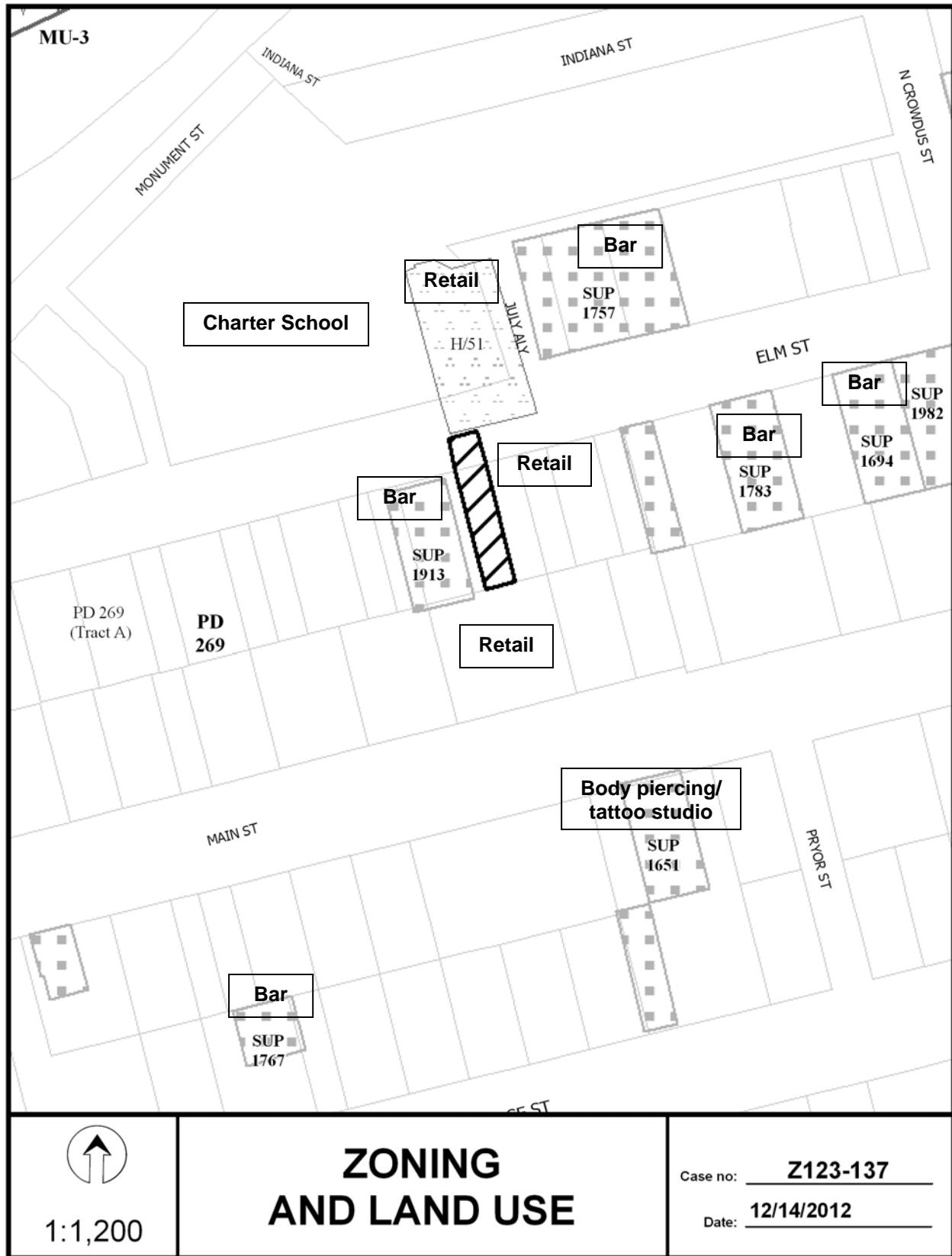




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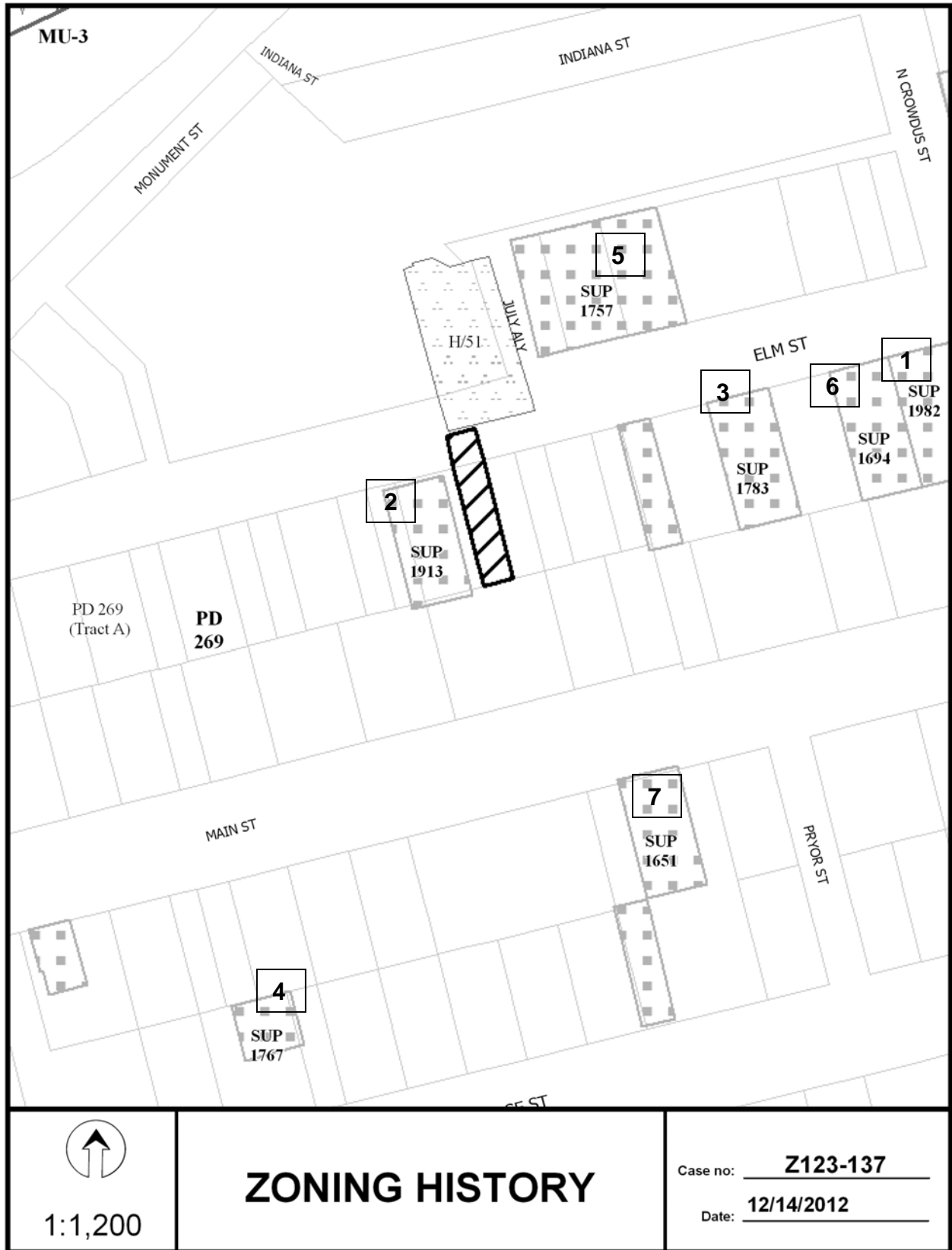
VICINITY MAP

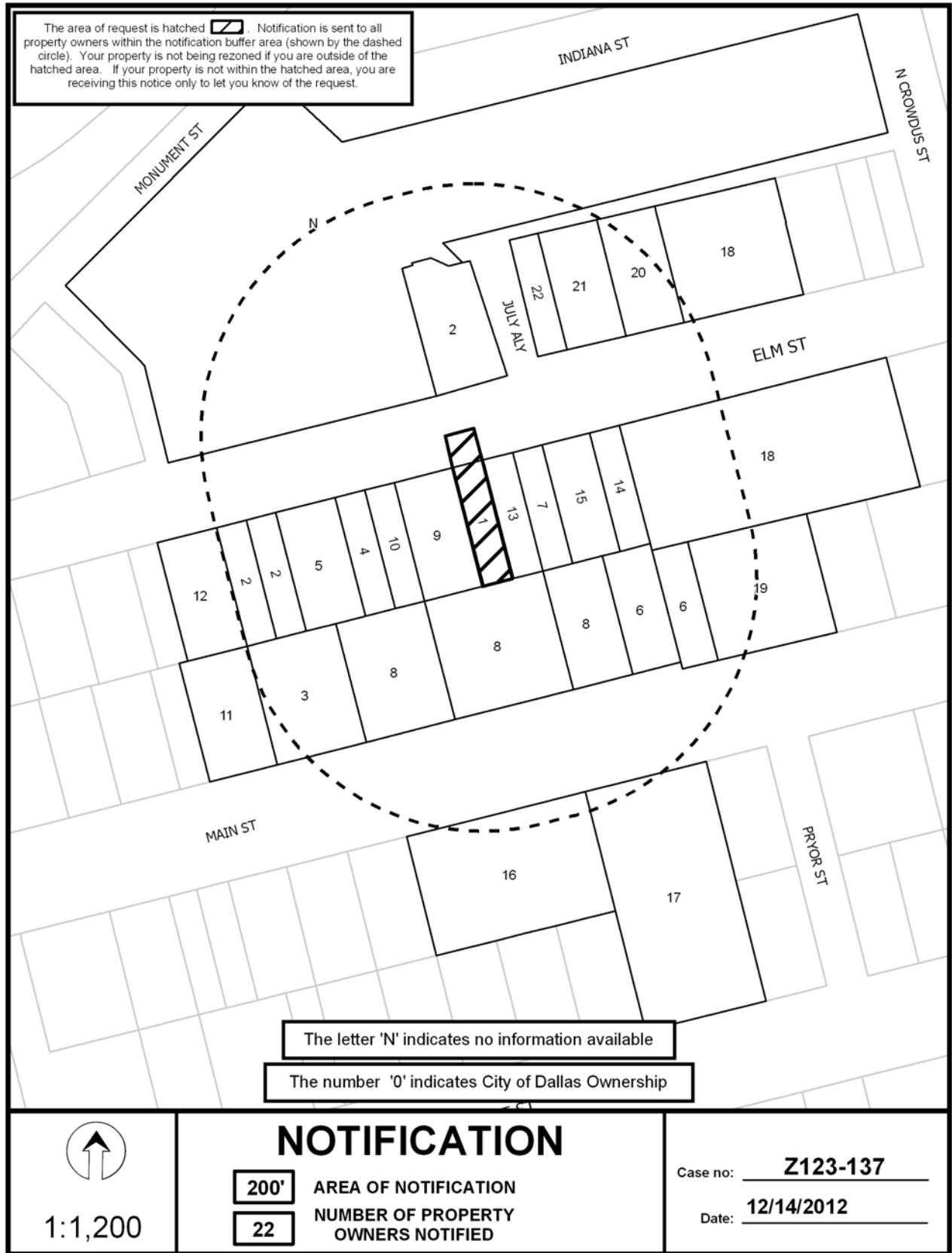
Case no: Z123-137
Date: 12/14/2012



ZONING AND LAND USE

Case no: Z123-137
Date: 12/14/2012





12/13/2012

Notification List of Property Owners***Z123-137******22 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2640 ELM ST	AMERITRUST TEXAS NA AGENT FOR CAROLYN F
2	2626 ELM ST	ELM STREET LOFTS LTD
3	2625 MAIN ST	EVANS HENRY J
4	2634 ELM ST	ROSE BARSHOP RESIDUARY TR % STEVEN
SCHWA		
5	2628 ELM ST	ROSE BARSHOP RESIDUARY TR % STEVE SCHWAR
6	2649 MAIN ST	PETERS WILSON G APT A
7	2644 ELM ST	CAMERON PAUL DARREN
8	2635 MAIN ST	MERRILL ROBERT
9	2638 ELM ST	MGP HOLDINGS LLC
10	2634 ELM ST	BAZZLE S WAYNE & CHERYL C BAZZLE
11	2623 MAIN ST	PARK A LOT LP
12	2620 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
13	2642 ELM ST	LALCO INC
14	2650 ELM ST	ELM ELM LLC
15	2646 ELM ST	TEXAS AUTO RADIATOR CO
16	2642 MAIN ST	MERRILL ROBERT L & KAREN L MERRILL
17	2650 MAIN ST	JERNIGAN REALTY PTNR LP
18	2720 ELM ST	ELM STREET REALTY LTD
19	2701 MAIN ST	42 2701 MAIN LP % SCOTT ROHRMAN
20	2707 ELM ST	BELMOR CORP % CARL SKIBELL
21	2703 ELM ST	BELMOR CORP % CARL SKIBELL
22	2701 ELM ST	BELMOR CORP

FILE NUMBER: Z123-116(MW)

DATE FILED: October 19, 2012

LOCATION: North side of East Laureland Road, east of South RL Thornton Freeway

COUNCIL DISTRICT: 5

MAPSCO: 64-R

SIZE OF REQUEST: ±1.53 acres

CENSUS TRACT: 112.00

REPRESENTATIVE: Verdad Real Estate, Rick Hall

APPLICANT: Lend Lease, Michael Hampton, AICP

OWNER: SE Cemeteries of Texas (aka Laurel Land Memorial Park, Inc.)

REQUEST: An application for 1) 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 an RR Regional Retail District with a D Liquor Control Overlay and 2) an RR Regional Retail District on property zoned a CR Community Retail District.

SUMMARY: The applicant intends to develop the request site, in conjunction with an adjacent property, with a general merchandise or food store 3,500 square feet or less (convenience store) and a motor vehicle fueling station. The specific permit will allow the sale of alcohol at the convenience store. The request for an RR Regional Retail District will provide consistent zoning on the development site.

STAFF RECOMMENDATION: Approval of a D-1 Liquor Control Overlay, 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 and approval of an RR Regional Retail District.

PREVIOUS ACTION: Under advisement from December 20, 2012

BACKGROUND INFORMATION:

- The ±1.53-acre request site consists of two parcels of land: 1) a ±0.93-acre lot zoned an RR Regional Retail District with a D Liquor Control Overlay and 2) a ±0.60 acre lot zoned a CR Community Retail District.
- The request site is predominately undeveloped but includes a ±2,100-square foot vacant storage warehouse which will be demolished.
- The applicant intends to replat the request site with the property adjacent to the west, zoned an RR Regional Retail District, to create a ±2.5-acre building site.
- The ±2.5-acre building site will be developed with a with a ±3,010 square foot convenience store and a motor vehicle fueling station both of which are currently permitted by right in the CR Community Retail and RR Regional Retail Districts.
- The sale of alcoholic beverages is allowed by right on the portion of the request site not covered by the D Liquor Control Overlay. However, the proposed convenience store will be located on the portion of the property covered by the D overlay, which prohibits the sale of alcoholic beverages.
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store and, therefore, requests a D-1 Liquor Control Overlay and a Specific Use Permit.
- The request site is surrounded by a motel and single family residential to the north; undeveloped property to the east; a cemetery to the south and undeveloped property to the west.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
RL Thornton Freeway	Interstate Highway	Varies
Laureland Road	Collector	67 feet

Land Use:

	Zoning	Land Use
Site	RR-D; CR	Undeveloped; vacant warehouse
North	RR-D; R-7.5(A)	Motel; single family
East	R-7.5(A)	Undeveloped
South	CR with SUP No. 187	Cemetery
West	RR	Undeveloped

STAFF ANALYSIS:

Comprehensive Plan:

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

The Vision Illustration depicts the request site as within a *Residential Neighborhood*; however, the portion of the development site not subject to this zoning case has frontage on a *Commercial Corridor*. While single family dwellings are the dominant land use in the *Residential Neighborhood* Building Block, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections. *Commercial Corridors*, commonly at the intersection of major streets, are easily accessed via automobiles. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums.

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

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

Land Use Compatibility:

The ±1.53-acre request site consists of two parcels of land: 1) a ±0.93-acre lot zoned an RR Regional Retail District with a D Liquor Control Overlay and 2) a ±0.60 acre lot zoned a CR Community Retail District. The request site is predominately undeveloped but includes a ±2,100-square foot vacant storage warehouse which will be demolished.

The applicant intends to replat the request site with the property adjacent to the west, zoned an RR Regional Retail District, to create a ±2.5-acre building site. The ±2.5-acre building site will be developed with a with a ±3,010 square foot convenience store and a motor vehicle fueling station, both of which are currently permitted by right. However, the convenience store will be located on the portion of the property covered by the D overlay, which prohibits the sale of alcoholic beverages. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the proposed convenience store and, therefore, requests a D-1 Liquor Control Overlay and a Specific Use Permit.

The request site is surrounded by a motel and single family residential to the north; undeveloped property to the east; a cemetery to the south and undeveloped property to the west. Pursuant to the Dallas Development Code, screening is required on the rear or service side of a building adjacent to residential uses and for parking adjacent to residential uses. As depicted on the site plan, a six-foot solid screen fence and a ten-foot residential adjacency buffer will be provided where adjacent to the R-7.5(A) Single Family District. This will ensure compatibility with the existing single family, as well as with any future residential development.

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

The applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions. Staff also recommends approval of the RR Regional Retail District.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
RR Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

Traffic:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area; a motor vehicle or fueling station requires two spaces. Therefore, the ±3,010-square foot convenience store with fuel pumps requires 17 parking spaces; 28 spaces will be provided as depicted on the site plan.

Landscaping:

Landscaping will be required pursuant to Article X of the Dallas Development Code. In accordance with Article X, a ten-foot landscape buffer strip is required adjacent to the R-7.5(A) Single Family District to the north and east of the request site and is depicted on the proposed site plan.

**Z123-116
Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Staff Recommended:

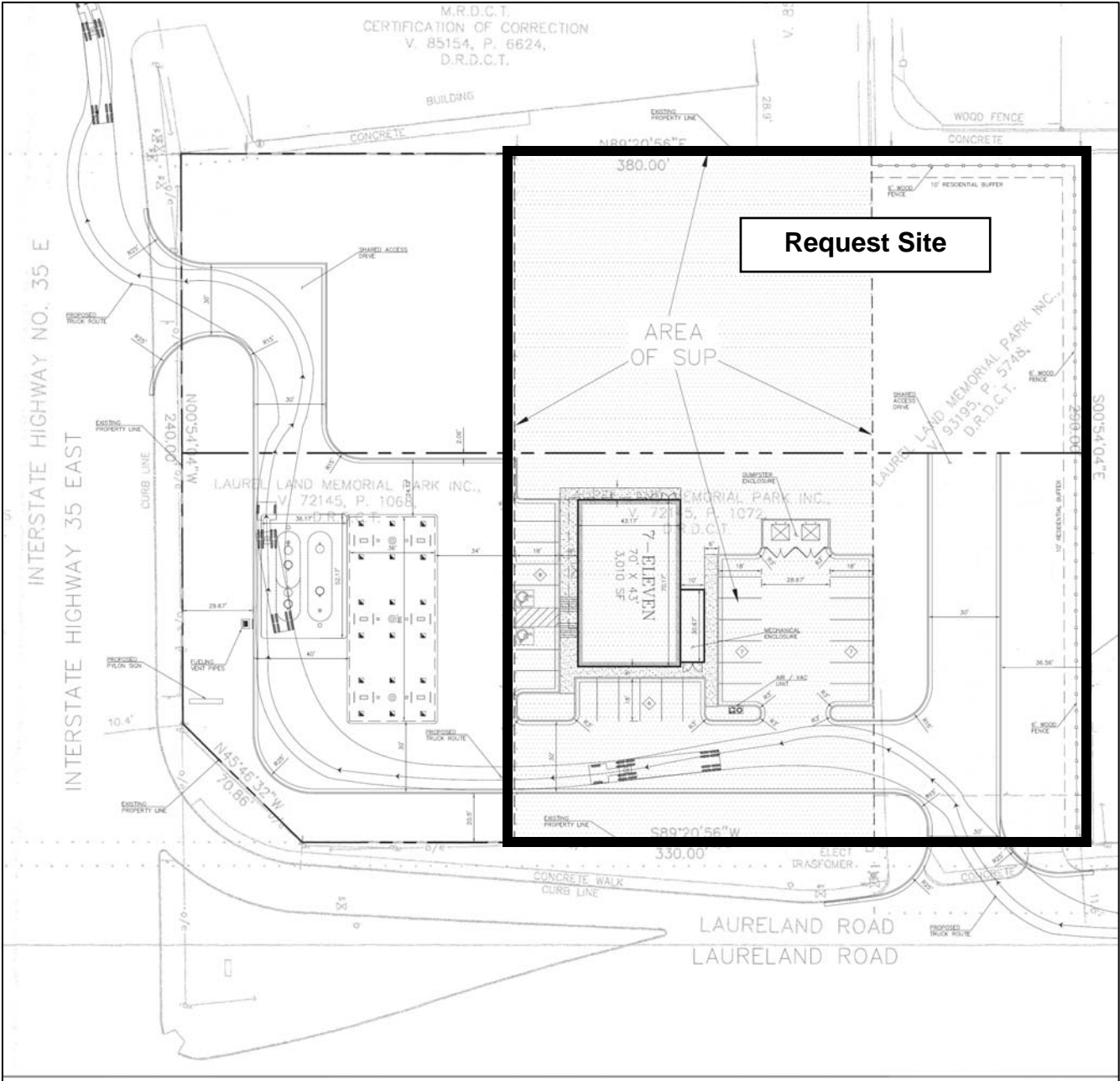
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

Applicant Proposed:

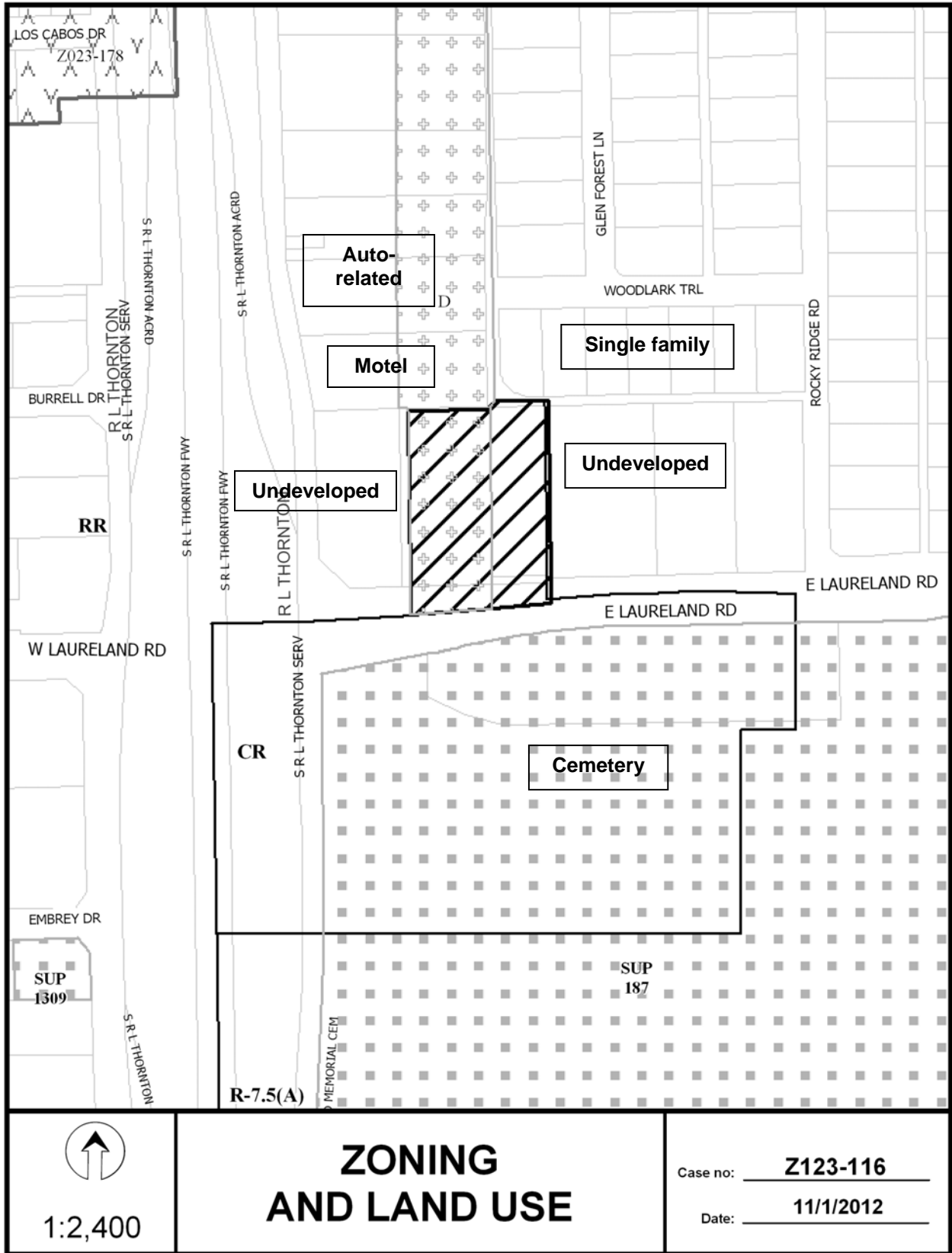
3. TIME LIMIT: This specific use permit expires on (fifteen years), but is eligible for automatic renewal for additional fifteen-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application 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. FLOOR AREA: Maximum floor area is 3,010 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

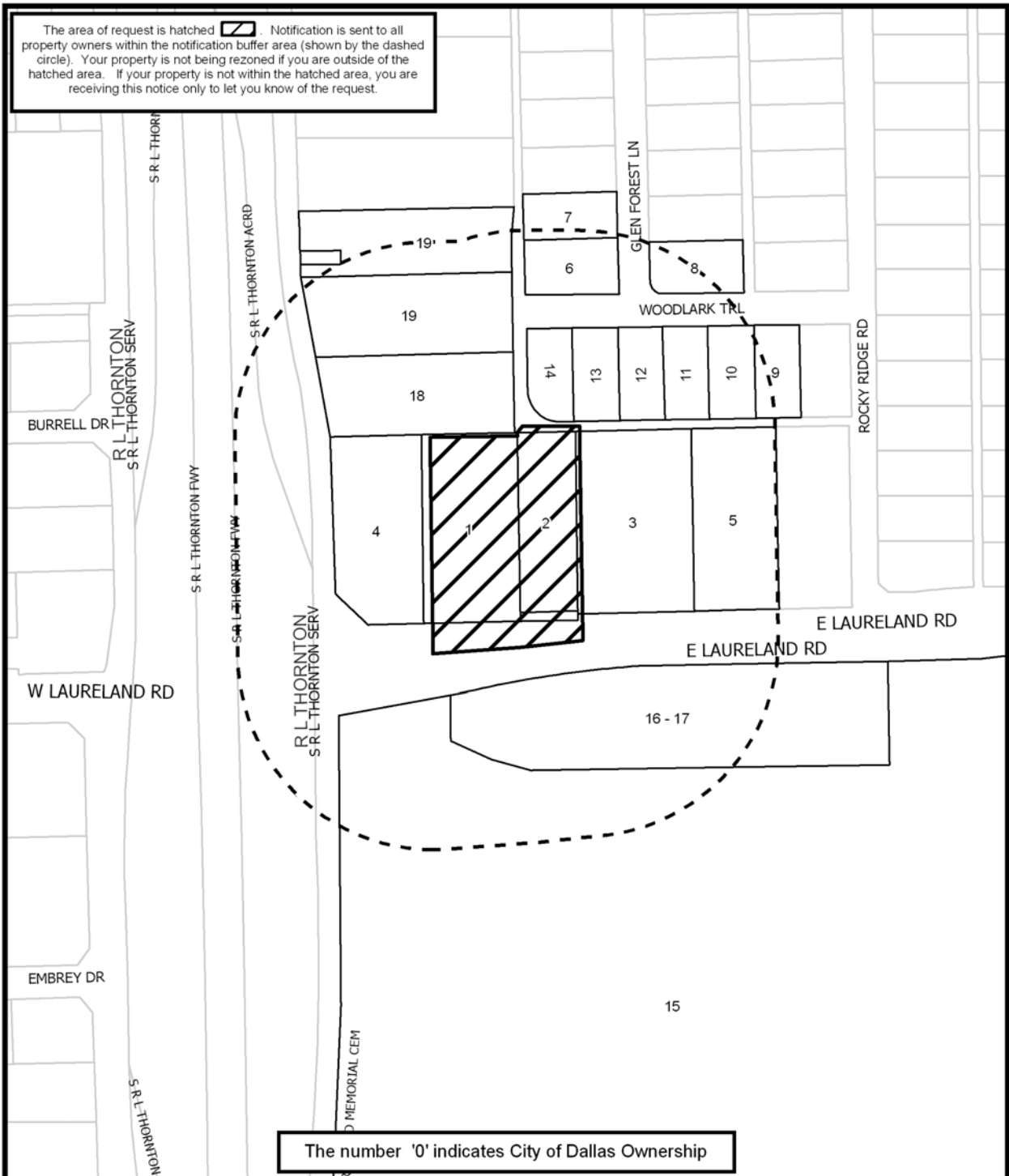
Proposed Site Plan







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



1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
20 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: Z123-116

Date: 11/1/2012

10/31/2012

Notification List of Property Owners***Z123-116******20 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	201 LAURELAND RD	LAUREL LAND MEMORIAL PARK INC
2	219 LAURELAND RD	LAUREL LAND MEMORIAL PARK INC
3	225 LAURELAND RD	BRICKLEY DOUGLASSJ TRUSTEE LIQUIDATING T
4	5918 R L THORNTON FWY	LAUREL LAND MEM PARK
5	309 LAURELAND RD	JONES SHEILA
6	5725 GLEN FOREST LN	WHISNANT J CLIFTON STE 100
7	5721 GLEN FOREST LN	HODGE GOLDIE
8	5726 GLEN FOREST LN	BENSON JUANITA
9	316 WOODLARK TRL	ARCENEUX PHYLLIS G
10	310 WOODLARK TRL	DANIELS LINDSEY E
11	306 WOODLARK TRL	DORSEY JIMMIE
12	226 WOODLARK TRL	REVEST PROP INVEST LLC
13	220 WOODLARK TRL	REVEST PROPERTIES INVESTMENTS LLC
14	216 WOODLARK TRL	BROOKS BETTY LAVERNE J
15	6306 R L THORNTON FWY	LAUREL LAND MEMORIAL PA
16	6000 R L THORNTON FWY	LAUREL LAND FUNERAL HOME INC
17	6000 R L THORNTON FWY	LAUREL LAND MEM PARK
18	5860 R L THORNTON FWY	TEJAL CORPORATION
19	5830 R L THORNTON FWY	SOUTH THORNTON ASSOCIATES
20	5802 R L THORNTON FWY	TLC PPTIES INC

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

PREVIOUS ACTION: On January 10, 2013, the City Plan Commission held this case under advisement with the public hearing left open.

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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- EXHIBIT C: Subarea 1 Existing Conditions Site Plan

(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.

-- Local utilities.

(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.

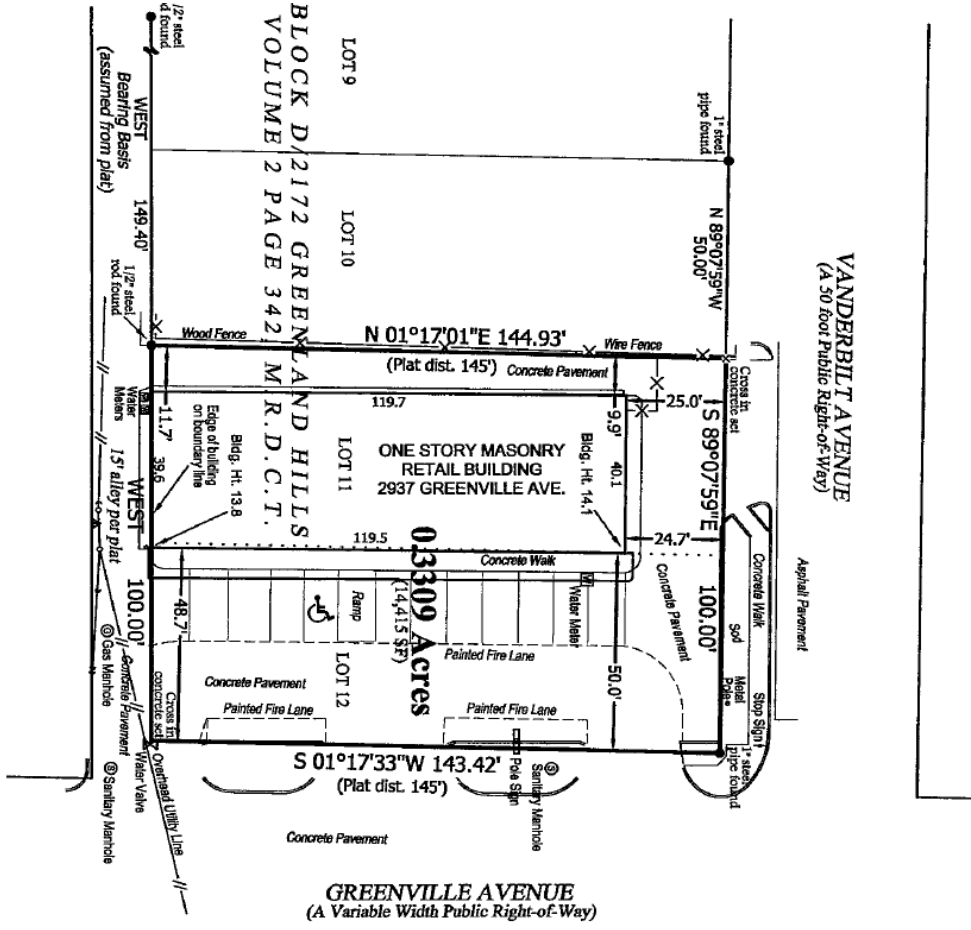
- (A) For work not requiring a building permit, the applicant must submit a review form application. The Director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 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
 Lots 11 and 12, Block D/2172,
GREENLAND HILLS
 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 online¹ 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

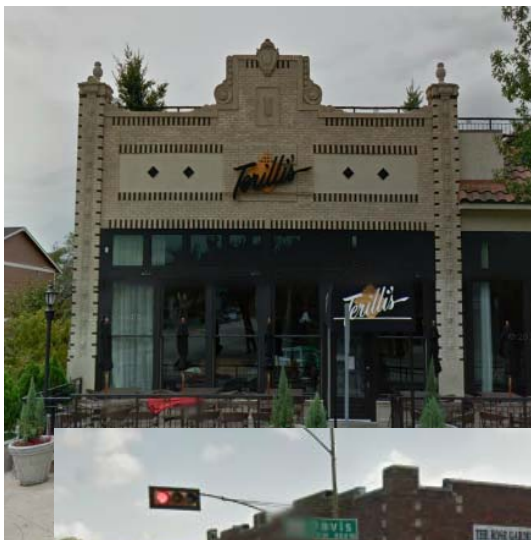


The Greenville-Avenue facing facades of Café Brazil and Stan's Blue Note to the southeast of the property are ideal representations of remodeling regulations. Many of the older buildings in Deep Ellum fit the remodeling regulations as well.

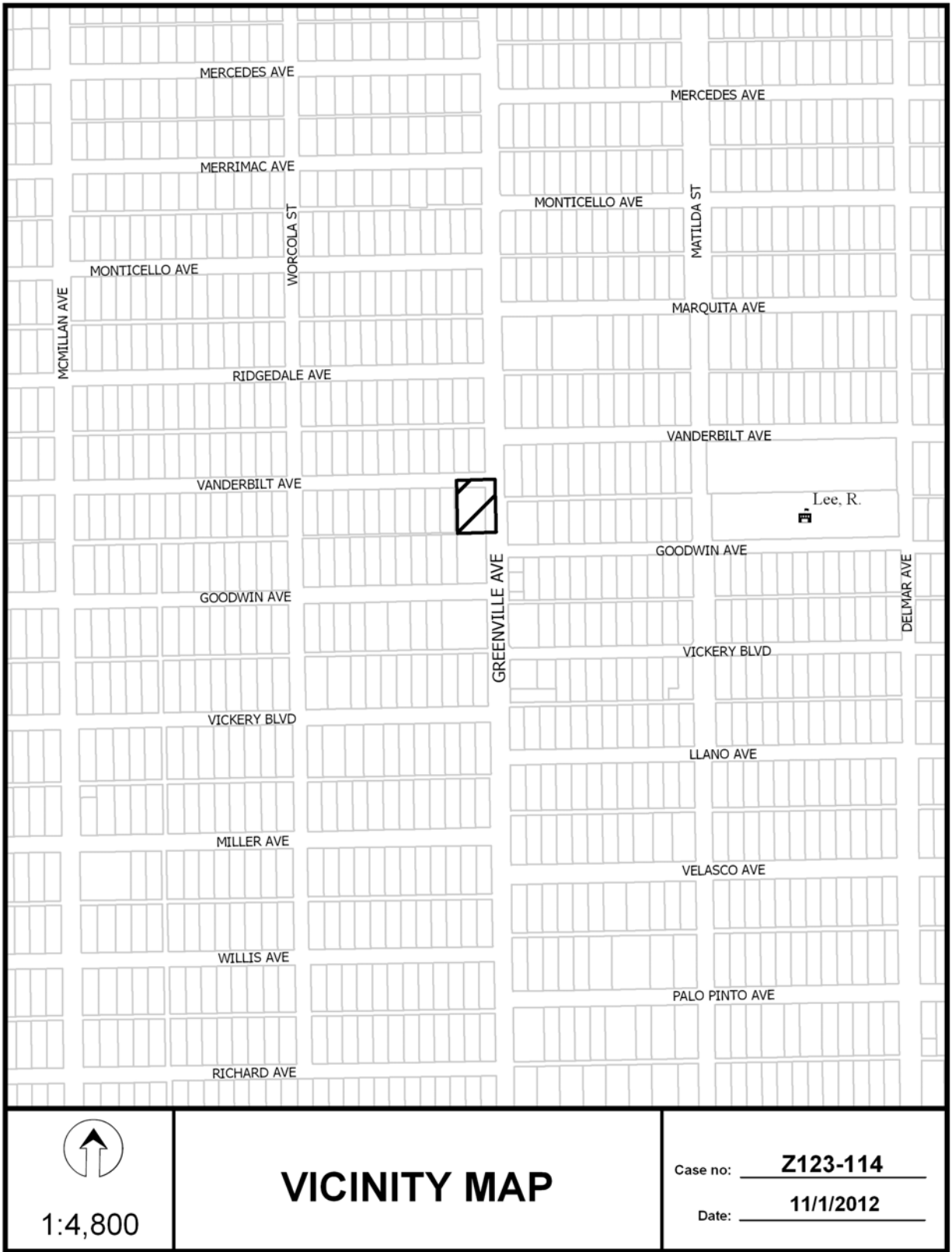
The redevelopment regulations for Subarea 1 are intended to allow the property to become a compatible commercial development, matching the architectural detail and siting as other properties in the commercial node as well as the single family neighborhood. By bringing the building up to the street, redevelopment 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.



¹ <http://digitalcollections.smu.edu/all/cul/dmp/> and <http://www.historicaerials.com/> visited as recently as December 31, 2012.

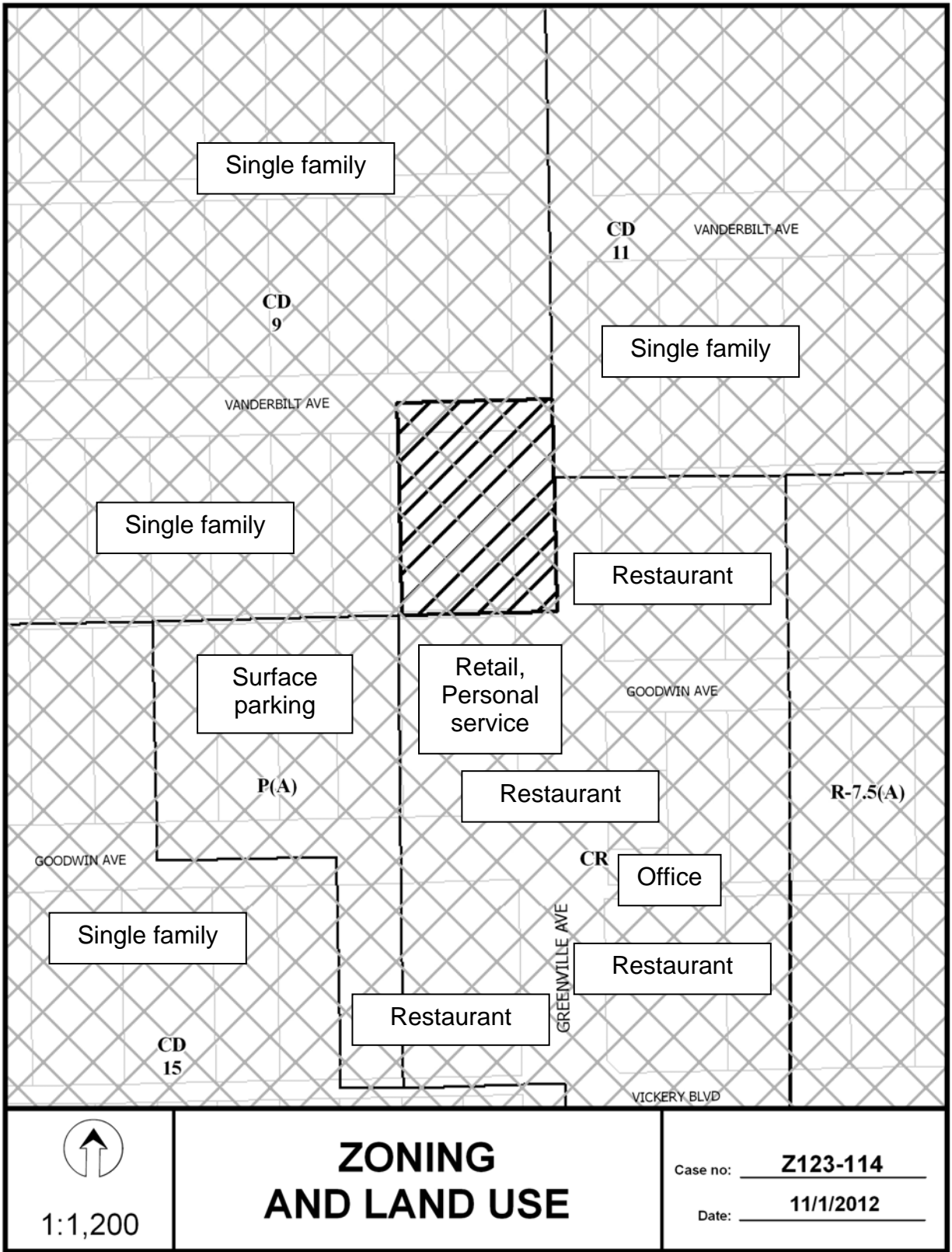


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VICINITY MAP

Case no: Z123-114

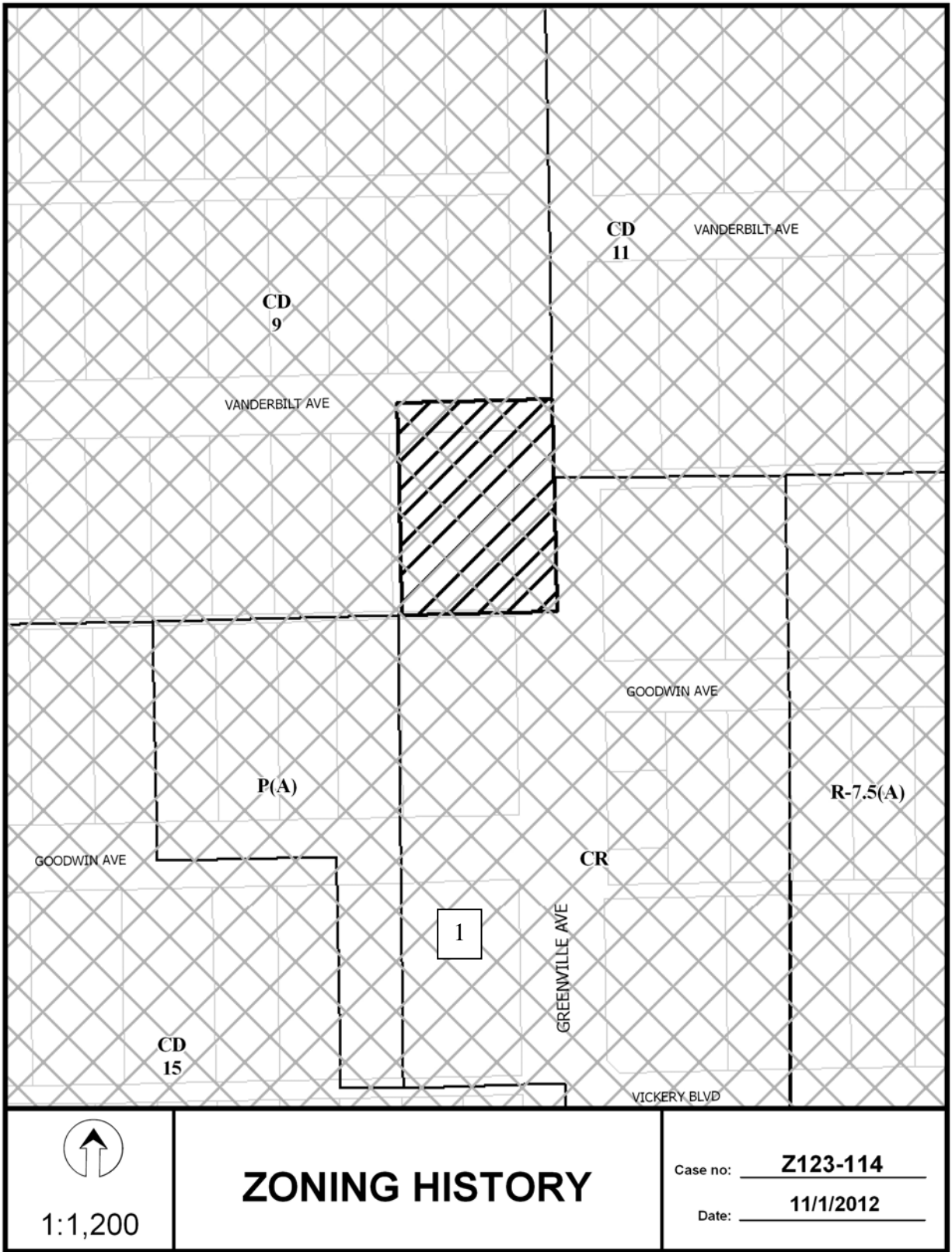
Date: 11/1/2012



ZONING AND LAND USE

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

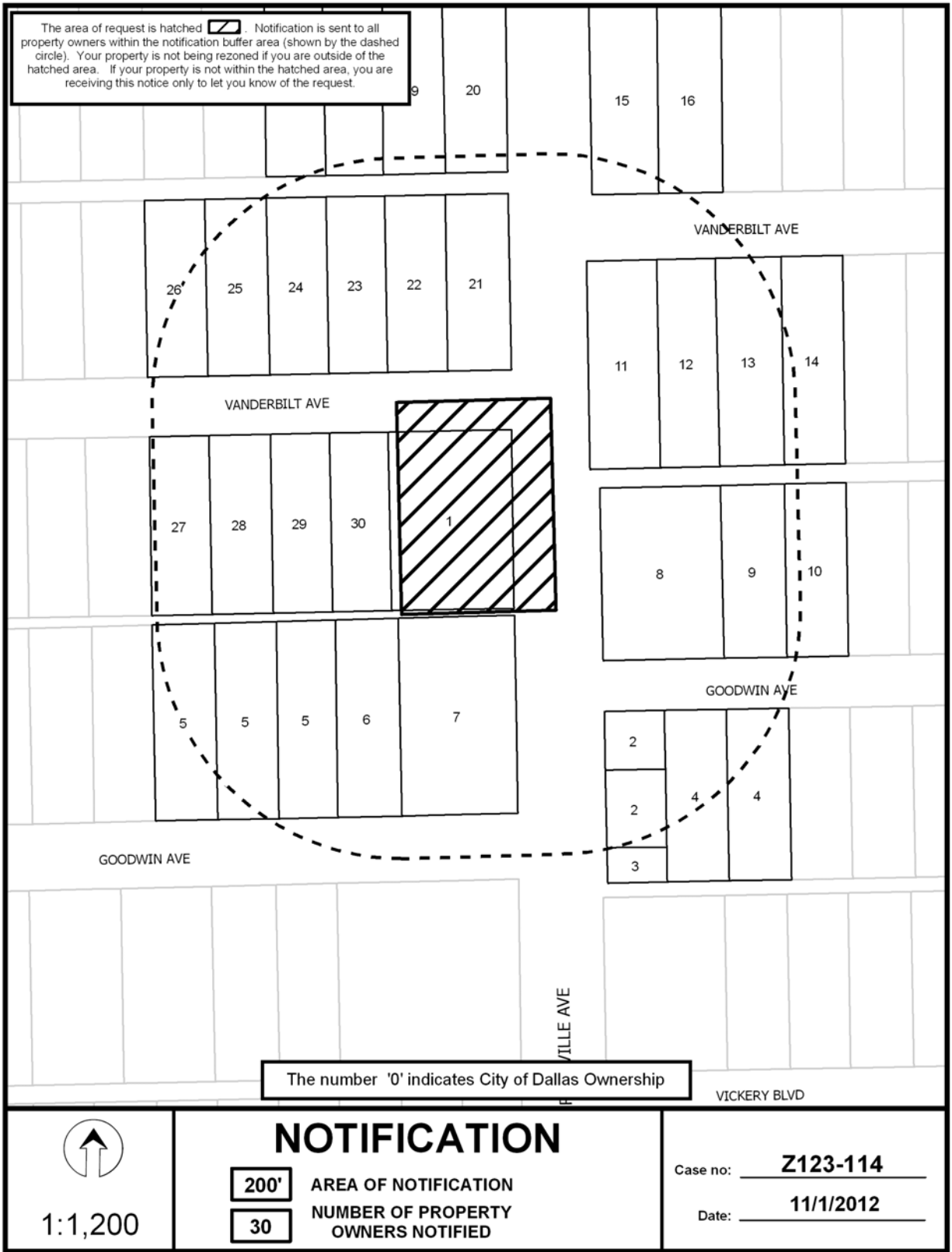
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ZONING HISTORY

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: Z123-131(RB)

DATE FILED: November 5, 2012

LOCATION: Northaven Road and Freda Stern Drive, Southwest Corner

COUNCIL DISTRICT: 11

MAPSCO: 26 A, E

SIZE OF REQUEST: Approx. 9.5 Acres

CENSUS TRACT: 131.01

APPLICANT/OWNER: Jonathan and Lillian Pinkus

REPRESENTATIVE: Robert Reeves

REQUEST: An application for a Planned Development District for a Nursery, garden shop, or plant sales use, a Landscape contractor's maintenance yard, and certain residential and nonresidential uses on property zoned an R-16(A) Single Family District.

SUMMARY: The applicant is requesting a Planned Development District in order to providing a conforming status for the existing nursery and landscape contractor's maintenance yard, as well as providing for certain residential and nonresidential uses and development standards.

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

BACKGROUND INFORMATION:

- The request site is developed with two distinct uses; 1) a nursery, garden shop, or plant sales use within the northern half of the property; and, 2) a contractor's maintenance yard (landscape contractor) in the southern half.
- The applicant is requesting to continue operation of both uses as well as provide for additional certain residential and nonresidential uses and development standards for the property by creating a planned development district.
- The existing nursery, garden shop, or plant sales use was initially considered a legally nonconforming use, however due to past expansions/improvements, the use lost its nonconforming status. The contractor's maintenance yard is considered an illegal use.
- The requested PDD will consider the following: 1) permit both existing uses as legally conforming uses; 2) provide for alternate development standards (building setbacks, structure height, lot coverage); 3) provide alternate landscape regulations; and, 4) create alternate sign regulations.

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

<u>Street</u>	<u>Designation; Existing & Proposed ROW</u>
Northaven Road	Local; 60' ROW
Freda Stern Drive	Local; 56' 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 dominant 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 two uses; an existing nursery, garden shop, or plant sales use (northern half of the property) was initially considered a legally nonconforming use, however due to past expansions/improvements, the use lost its nonconforming status, and 2) a contractor's maintenance yard (southern half) which is classified as an illegal use.

The predominate land use in the immediate area consists of low-density single family residential uses with a couple of exceptions; 1) PDD No. 569 for a Community center abuts Freda Stern Drive to the east, and 2) a variable-width utility right-of-way and a section of trail improvements for the Northaven Trail to the south.

It should be noted that the nursery, garden shop, or plant sales use has been at this location in excess of 60 years. As a result, it is much a part of the fabric that represents this stable residential area. However, the use has expanded over the years, thus losing its nonconforming status. Additionally, the contractor's maintenance yard, utilized by a landscape contractor, was established within the southern portion of the property without proper zoning, thus is considered an illegal use.

The applicant has had ongoing discussions with area property owners as well as an established homeowner's association. The director of Sustainable Development and Construction established a team of staff members to make an on-site visit to make recommendations to the property owner as well as address certain issues that would ensure compliance with various building code requirements. With respect to the continued operation of these two uses, staff is recommending certain provisions that will ensure these nonresidential uses are compatible with the built environment. The attached conditions reflect those areas where agreement has not been reached.

As a result of this analysis, staff supports the request, subject to a revision of the attached development plan/landscape plan and staff's recommended conditions.

With respect to the conditions, the following table highlights certain provisions, the applicant's request, and staff's recommendation:

<u>PROVISION</u>	<u>REQUESTED (APPLICANT)</u>	<u>RECOMMENDED (STAFF)</u>
RES. ADJ./DIR/RAR	consider as non-residential district	if partially or fully developed with res.; consider as a residential district
BUILDING SITE/PLATTING	recognize as a building site 'until time platted'	comply with provisions for creation of a building site
MINOR AMENDMENT	permit revisions to dp by right	require minor amendment process
SOUTHERN P/L SETBACK	none	30' (structures and equipment)
DENSITY	retirement housing-130 du's	base density on land area/acreage (13 du/acre)
OFF-STREET PARKING	a) tract 1 and 2 considered one lot; b) residential guest parking anywhere; c) alternate surface materials	a) only those areas where developed with nonresidential; b) require approval of engineering; c) subject to approval of the building official
SCREENING OF LANDSCAPE CONTR. MAINT. YARD	southern p/l-none	minimum 8' solid, matching solid screening that wraps the southeast corner
TIMING OF CERTAIN PROVISIONS	sept 30, 2013	30 days after passage of the ordinance
EQUIPMENT MAINTENANCE/REPAIR	none	limited to within an enclosed structure with no door or window opening along southern and western façade during use

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

Off-Street Parking: The applicant will provide off-street parking for any permitted use as required by the Dallas Development Code. Various parking and maneuvering areas within the southern portion of the site (landscape contractor's maintenance yard) will utilize alternative construction materials, subject to the approval of the building official. materials while the retail component within the northern half will utilize nonpermeable surface materials for all parking and maneuvering.

Trail Improvements: As noted above, Northaven Trail traverses through this area along the site's southern boundary. This portion of the trail system is improved between Preston Road to the west and Valleydale Drive to the east. The trail will extend

westward from Preston Road to its ultimate connection with the Elm Fork Trail at Luna Road and eastward across North Central Expressway to the White Rock Creek Trail.

The nursery has long been considered part of this community. With respect to the above referenced investment in improvements in the trail system and consideration that access to the nursery from area residents along the Freda Stern right-of-way, there exists an opportunity to create a seamless relationship between the nursery and adjacent residential areas. One option would be a pedestrian connection in the extreme northeast corner of Freda Stern Drive and Northaven Road.

At this time, the applicant is not providing such a connection.

Landscaping: The site possesses various areas of landscaping, with concentrations of landscape materials along the northern property line and a stand of trees along the western property line.

With respect to the southern portion of the property, staff wants to ensure that a softening of the outside components of the landscape contractor's maintenance yard are provided with respect to trail users' experience as well as that of the single family uses on the south side of the trail and the residential uses that abut the site's western property line.

APPLICANT REQUESTED/STAFF RECOMMENDED CONDITIONS

ORDINANCE NO.

**ARTICLE
PD**

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

PD__ was established by Ordinance No. _____, and passed by the Dallas City Council on _____.

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

PD__ is established on property generally located at the southwest corner of Northaven Road and Freda Stern Drive. The size of PD_____ is approximately 9.5 acres.

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

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this district, LANDSCAPE CONTRACTOR'S MAINTENANCE YARD means a facility for the storage and maintenance of contractor's supplies, vehicles, and operational equipment to be used in the installation and maintenance of landscaping.

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

Staff Recommendation:

(c) If the property is developed or partially developed with a residential use, this district is considered to be residential district. Otherwise, this district is considered to be a nonresidential district.

Applicant requested:

(e) For purposes of determining the applicability of regulations in this ordinance and in CHAPTER 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district.

SEC. 51P-____.104. EXHIBITS.

The following exhibit is incorporated into this article:

Exhibit __A: development plan/landscape plan.

SEC. 51P-___.105. CREATION OF A BUILDING SITE.

Applicant requested:

(a) For purposes of this Article, until such time that the Property is platted, any unplatted portion of the Property shall be considered a single building site in accordance with the provisions contained in Chapter 51A-4.601 of the Dallas Development Code, as amended, and the building official may issue new building permits on the Property.

(b) Subject to the provisions of this Article, the provisions of Section 51A-4.601(a)(6), CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, do not apply to the Property.

Staff recommended:

Compliance with the creation of a building site contained in Section 51A-4.601 will apply to the Property.

SEC. 51P-___.106. DEVELOPMENT PLAN/LANDSCAPE PLAN.

Applicant requested:

(a) Except as provided in this Article, development and use of the Property for a nursery, garden shop, or plant sales, office, and a landscape contractor's maintenance yard must comply with the development plan/landscape plan (Exhibit ____ A). Exhibit A reflects the improvements in existence on the Property on the date of passage of this ordinance (hereafter called the "existing improvements"). If there is a conflict between the text of this Article and the development/landscape plan, the text of this Article controls.

(b) Except as provided for in Section 51A-4.702 concerning amendments to development and landscape plans and as provided for in this ordinance, an amendment to a development plan or landscape plan is a change in zoning district classification and must follow the same procedures set out in Section 51A-4.702, as amended.

(c) Use of the Property for a retirement housing use qualifies as a minor amendment and must comply with the provisions of Section 51A-4.702. A copy of the minor amendment shall be mailed to the President or designee of the Hillcrest Forest Homeowners Association no later than the initial filing date with the City of Dallas.

(d) An amendment to an approved development plan/landscape plan for a nursery, garden shop, or plant sales, office, and a landscape contractor's maintenance yard is not required for:

(1) any expansion, modifications, or alterations of an existing improvement or construction of new improvements located in the area shown as future building area for nursery, garden shop/plant sales, office and landscape contractor's maintenance yard on the approved development/landscape plan;

- (3) relocating or adding utilities, including lighting and electrical service;
- (4) changes to site preparation and drainage work;

(5) changes to landscaping not required by this Article;

(6) parking space reconfigurations, additions, and relocation that do not reduce the number of required off-street parking spaces;

(e) For all allowed uses, except for a nursery, garden shop/plant sales, office, landscape contractor's maintenance yard, no development plan or landscape plan is required and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development scheduled, and landscape plan do not apply, except for retirement housing.

(f) Expansion or alterations of an existing improvement or construction of new improvements located in the area shown as "future building area for nursery, garden shop, or plant sales, office, and landscape contractor's maintenance yard" on the approved development plan/landscape plan are allowed.

Staff recommended:

Use and development of the Property must comply with the development plan/landscape plan (Exhibit __A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

With respect to the balance of the applicant's recommended language, staff is recommending compliance with existing standards for an amendment to a development plan/landscape plan and compliance with the existing standards for a minor amendment to a development or landscape plan.

At this point, it is not clear of the intent of subparagraph (c), however if the intent is advance notification to the stated entity for any amendment to this PDD, staff would recommend the following provision:

(a) Notice.

(1) At least _ days prior to filing any of the following applications, the applicant must provide a copy of the application and any plan to the entity listed in Paragraph (2):

(A) Change in zoning district classification or boundary.

(B) Development plan/landscape plan.

(C) Amendment, including minor amendment, to an approved development plan/landscape plan.

(D) Variance or special exception.

(2) The following entity must be notified of the applications listed in Paragraph (1):

(A) The President or designee of the Hillcrest Forest Homeowners Association (applicant to provide existing mailing address)

(3) An address for the preceding entity may be revised by written notice to the director from that entity.

SEC. 51P-___.107. MAIN USES PERMITTED.

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

(1) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(2) Institutional and community service uses.

-- Adult day care facility. *[SUP]*

-- Child-care facility. *[SUP]*

-- Church.

-- Private school. *[SUP]*

(3) Miscellaneous uses.

- Temporary construction or sales office .

(4) Office uses.

-- Office *[Allowed only in conjunction with a nursery, garden shop, or plant sales and landscape contractor's maintenance yard.]*

(5) Recreation uses.

Applicant requested:

-- Private recreation center, club, or area, *[Allowed only as an accessory use in a subdivision with a minimum of ten single-family lots.]*

Staff recommended:

Based on previous discussions with the applicant, staff does not support this use classification; see SEC. 51P-____.109.ACCESSORY USES. below.

-- Public park, playground, or golf course

-- Community service center. [SUP]

(6) Residential uses.

-- Handicapped group dwelling unit. [SUP required is spacing component of Section 51A-4.209(b)(3.1) is not met.]

-- Retirement housing.

-- Single family.

(7) Retail uses.

-- Nursery, garden shop, or plant sales.

-- Restaurant without drive-in or drive-through service. [as a limited use only, except that Internet and print advertising is allowed.]

(8) Transportation uses.

Applicant requested:

-- Private street or alley.

Staff recommended:

-- Private street or alley. [SUP]

(9) Utility and Public Service Uses

--Electrical substation. [SUP]

Applicant requested:

-- Local Utilities. [SUP or RAR may be required, See Section 51A-4.212 (4).]

Staff recommended:

-- Local Utilities. *[Communications exchange facility prohibited, otherwise, see Section 51A-4.212 (4).]*

-- Police or fire station. *[SUP]*

-- Utility or government installation other than listed. *[SUP]*

(10) Wholesale, Distribution, and Storage Uses

-- Landscape contractor's maintenance yard. *(Limited to Tract II)*

SEC. 51P-___.108. ACCESSORY USES.

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

(b) The following accessory uses are permitted:

Staff recommended:

-- Accessory community center (private).

-- Accessory game court (private).

-- Accessory outside storage.

-- Home occupation.

-- Occasional sales (garage sales).

-- Swimming pool (private).

(c) The following accessory uses are not permitted on the Property:

-- Accessory helistop.

-- Accessory medical/infectious waste incinerator.

-- Accessory pathological waste incinerator.

-- Amateur communication tower.

-- Day home.

-- General waste incinerator.

-- Private stable.

-- Pedestrian sky bridges.

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. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(1) Except as provided in this subsection, minimum front yard is five feet.

(2) Minimum front yard along Northaven Road is 55 feet, except that if the main use is single family, minimum front yard along Northaven Road is 35 feet.

(3) For a nursery, garden shop, or plant sales, no minimum front yard.

(c) Side and rear yard for single-family uses.

(1) Except as provided in this subsection, minimum side and rear yard along the west Property line is ten feet.

(2) A minimum side yard for a platted lot is one foot along one side yard and five feet along the other side yard.

(d) Side and rear yard for all other permitted uses.

(1) Except as provided in this subsection, minimum side and rear yard is ten feet.

(2) For structure height less than or equal to 20 feet, minimum side and rear yard along the west line of the Property is 25 feet.

(3) For structure height greater than 20 feet, minimum side and rear yard along the west line of the Property is 90 feet.

(4) For a nursery, garden shop, or plant sales use, no minimum side or rear yard along the western Property line.

(5) For a retirement housing use within 90 feet of the western Property line, a minimum side yard of 15 feet must be provided between each group of eight dwelling units or suites.

(e) Floor area and land area.

(1) Nursery, garden shop, or plant sales use.

(A) Maximum floor area is 34,784 square feet.

- (B) Maximum outside sales land area is 57,418 square feet.
- (C) Maximum floor area for greenhouses is 7,920 square feet.

Applicant requested:

(2) The inside and outside sales areas for a nursery, garden shop, or plant sales use may increase up to 12,500 square feet.

Staff comment:

Need clarification as to how the additional floor area is allocated

(3) Landscape contractor's maintenance yard.

(A) Maximum inside floor area is 5,467 square feet.

(B) Maximum floor area for greenhouses is 2,300 square feet.

(4) Restaurant without drive-in or drive-through service. Maximum floor area is 2,000 square feet.

Applicant requested:

(f) Density.
(1) For retirement housing, maximum density is 130 dwelling units or suites.
(2) For single family uses, no maximum dwelling unit density.

Staff recommended:

(f) Density.
(1) For retirement housing, maximum density is 13 dwelling units or suites per acre.
(2) For single family uses, no maximum dwelling unit density.

(g) Height.

(1) Except as provided in this subsection, maximum structure height is:

(A) 30 feet for single family uses.

(B) 36 feet for all other permitted uses.

(2) If any portion of a structure is over 26 feet in height, that portion of a structure may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the residential proximity slope to a height not to exceed the maximum structure height.

(3) The following structures may project a maximum of eight feet above the maximum structure height for any structure which is setback a minimum of 100 feet from the western boundary of the Property and provided they do not exceed 15% of the roof area:

- (A) Elevator penthouse or bulkhead.
- (B) Mechanical equipment room.
- (C) Cooling tower.
- (D) Tank designed to hold liquids.
- (E) Ornamental cupola or dome.
- (F) Skylights.
- (G) Clearstory.
- (H) Visual screens which surround roof mounted mechanical equipment.
- (I) Chimney and vent stacks.

(4) Residential proximity slope.

(A) If any part of Tract 1 is developed with a residential use, the residential proximity slope does not apply to Tract 2.

(B) If any part of Tract 2 is developed with a residential use, the residential proximity slope does not apply to Tract 1.

(5) Parapet walls may not exceed four feet above the maximum structure height.

(h) Lot coverage. Maximum lot coverage is 80 percent for residential uses and 65 percent for all other permitted uses. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(i) Lot size.

(1) Minimum lot for single family uses is 3,250 square feet.

(2) For all other uses, no minimum lot size.

SEC. 51P-___.110. OFF STREET PARKING AND LOADING

Applicant requested:

(a) Except as modified in this section, required parking and loading for existing a nursery, garden shop, or plant sales, office, and a landscape contractor's

maintenance yard use are shown on the development/landscape plan, which may be modified if the existing floor area for these uses are modified.

(1) For new construction, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Staff recommended:

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations in Divisions 51A-4.300 et seq. for information regarding off-street parking and loading generally

Applicant requested:

(b) For the purpose of complying with the parking regulations for a nursery, garden shop, or plant sales, office, and a landscape contractor's maintenance yard use, the Property is considered one building site.

Staff recommended:

(b) The Property is considered one lot for a nursery, garden shop, or plant sales use and a landscape contractor's maintenance yard except for that portion of the Property developed with a residential use.

Applicant requested:

(c) Guest parking for single family uses may be located in parking islands or other areas within the street right-of-way.

Staff recommended:

(c) Subject to approval of the Engineering Section of the Department of Sustainable Development and Construction, guest parking for single family uses may be located in parking islands or other areas within the street right-of-way.

(d) The minimum required parking for single-family uses is two spaces per single family unit and the minimum required guest parking is 0.25 spaces per single-family unit.

SEC. 51P-___.111. PAVING.

Applicant requested:

(a) Consistent with the provisions of this Section, the surfacing of all aisles, maneuvering areas, parking spaces, and emergency access ways must, at a minimum, consist of an all-weather and drainable material, which is approved by the director of public works and transportation.

(b) In addition to the provisions of Section 51A-4.301(d)(4) of the Dallas Development Code, the surface material for parking areas, maneuvering areas, emergency access ways, and driveways for a nursery, garden shop, or plant sales, office, and a landscape contractor's maintenance yard use, may be constructed of materials, such as grass/manufactured block combinations, other type of ground cover/manufactured block combinations, gravel, asphalt, or crushed stone.

Staff recommendation:

Existing construction and maintenance regulations relating to off-street parking and maneuvering areas provide for alternate surface materials.

(c) Alleys and sidewalks are not required within the Property.

Applicant requested:

(d) When the Property is platted, a circular turnaround or other type of turnaround located on the Property is not required for Currin Drive, Azalea Drive, and Lavendale Avenue.

(e) When the Property is platted, an alley turnaround or extension of the existing alleys intersecting the west boundary of the site is not required on the Property.

Staff comment:

Plat regulations should apply to the property.

SEC.51P___.112. ACCESS.

Except for single-family uses, vehicular access for any use is prohibited off of Currin Drive, Azalea Drive, and Lavendale Avenue.

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

See Article VI.

SEC. 51P-___.114. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X. Plant materials must be maintained in a healthy, growing condition.

(1) For a nursery, garden shop, or plant sales, use and a landscape contractor's maintenance yard use, landscaping must be provided in accordance with the development plan/landscape plan.

-of-way.

SEC. 51P-___.115. SCREENING AND DESIGN CONSTRUCTION.

(a) Except for an nursery, garden shop, or plant sales use or a single family use on a platted lot containing at least 16,000 square feet of land area, an eight foot-tall solid masonry wall is required along the west boundary of the Property.

Staff recommended:

(b) Within 30 days after passage of this ordinance (date), solid screening constructed to a minimum height of eight feet must be provided along the southern Property line and must be constructed of materials of similar design as the existing solid screening located at the southeast corner of the Property.

(c) For a single family use located within 30 feet of the western Property line or any other permitted use located within 80 feet of the western Property line, any windows located on a western façade must be constructed at a minimum height of six feet above the finished floor, measured to the bottom of the window, or constructed using a non-transparent material, such as glass blocks or frosted glass which allows only light into interior spaces.

(d) For all permitted uses, balconies are prohibited on western-facing exterior walls on single family structures located within 30 feet of the west property line of the Property and for all other uses located within 80 feet of the west property line of the Property.

(e) Dumpsters are prohibited within 90 feet of the west and north boundary of the Property.

SEC. 51P-___.116. ADDITION PROVISIONS FOR LANDSCAPE CONTRACTORS MAINTENANCE YARD.

Applicant requested:

(a) By September 30, 2013, the landscape contractor's maintenance yard must provide a 100 foot-wide buffer as shown on the development plan/landscape plan.

(1) Improvements located within the buffer are limited to the storage and maintenance of plant materials.

(2) Maximum stacking height is six feet.

Staff recommended:

(a) Within thirty days after passage of this ordinance (date), the landscape contractor's maintenance yard must provide a 100 foot-wide buffer as shown on the development plan/landscape plan.

(1) Improvements located within the buffer are limited to the storage and maintenance of plant materials.

(2) Maximum stacking height is six feet.

Applicant requested:

(b) By September 30, 2013, the operation and maintenance of equipment for a landscape contractor's maintenance yard is limited to the area shown on the development plan/landscape plan.

Staff recommended:

(b) Within thirty days after passage of this ordinance (date), the operation and maintenance of equipment for a landscape contractor's maintenance yard is limited to the area shown on the development plan/landscape plan.

Applicant requested:

(c) By September 30, 2013, the landscape contractor's maintenance yard may only operate between 9:00 a.m. and 6:00 p.m., Monday through Friday.

Staff recommended:

(c) The landscape contractor's maintenance yard may only operate between 9:00 a.m. and 6:00 p.m., Monday through Friday.

Staff recommended:

(d) Maintenance of equipment may only be performed inside a structure with no access to doors or windows on the western-facing or southern-facing façade.

Applicant requested:

Applicant has not commented on staff-generated provision.

SEC. 51P-___.117. SIGNS.

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

(b) For a nursery, garden shop, or plant sales use:

(1) Four detached premise signs are permitted, with each sign limited to a maximum effective area of 25 square feet per side; a maximum height of eight feet; and a minimum setback of five feet.

(2) Two attached premise signs are permitted with one sign with a maximum effective area of 50 square feet, and one sign with an effective area of ten square feet.

SEC. 51P-___.118. 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.

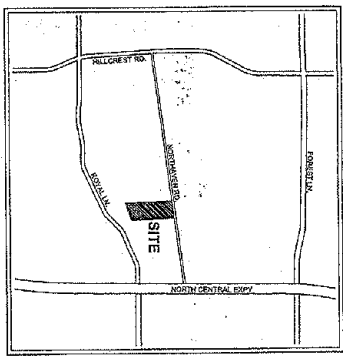
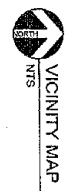
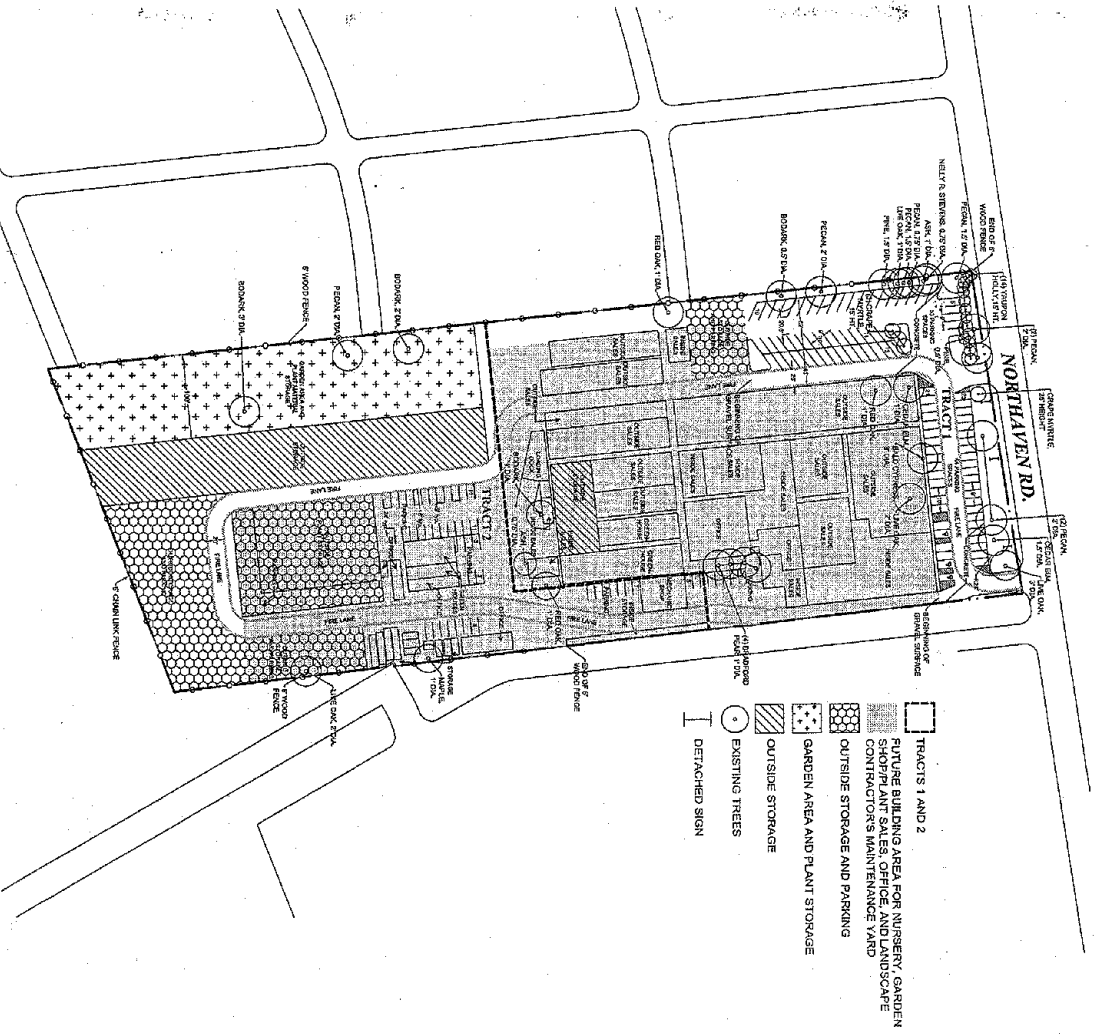
SEC. 51P-___.119. COMPLIANCE WITH CONDITIONS.

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

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



DEVELOPMENT PLAN/LANDSCAPE PLAN



Site Area: 9.5 acres

Existing Floor Area:
 Nursery, Garden Shop or Plant Sales: Inside Sales: 24,868 sf
 Outside Sales: 57,418 sf
 Greenhouse: 7,501 sq ft of
 Greenhouse: 1,000 sq ft of
 Garden Area and Plant Storage: 48,760 sf
 Support Office: 9,916 sf
 Landscape Contractor Maintenance Yard: Inside Storage: 60,728 sf
 Greenhouses: 2,300 sf

1) This area can be used by the landscape contractor maintenance yard use.

Proposed Floor Area:
 Same as existing floor area, except the nursery, garden shop, or plant sales use may increase by 12,500 sf for inside and outside sales.

Parking:
 Existing Uses:
 Nursery, Garden Shop or Plant Sales: 78 spaces
 Nursery, Garden Shop or Plant Sales: 30 spaces
 Landscape Contractor Maintenance Yard: 34 spaces
 Total Required Parking: 142 spaces
 Total Provided Parking: 142 spaces

Requires parking may be modified if the floor area for existing use is modified.

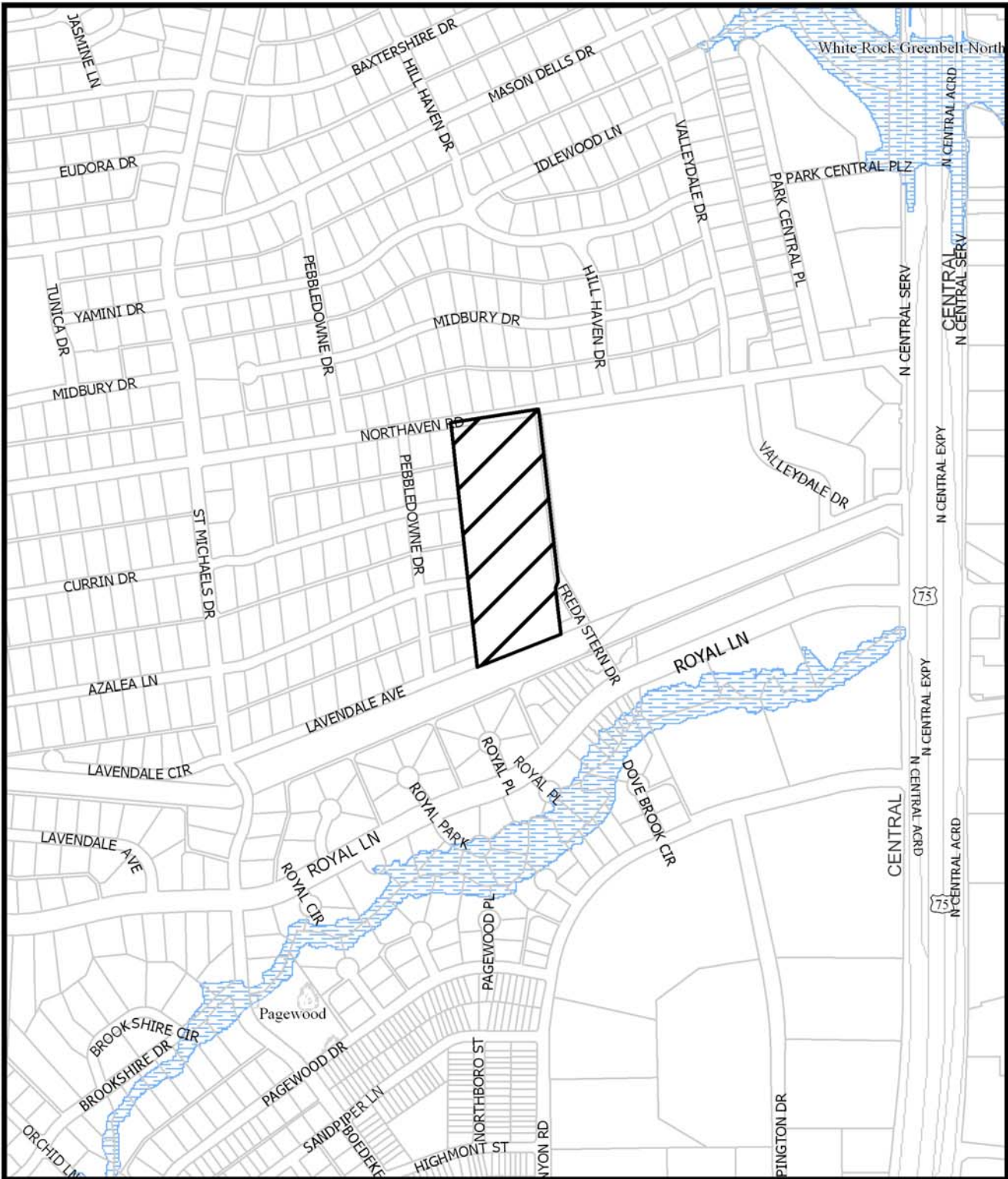
Unless otherwise noted on the development/landscape plan, all parking spaces shall be provided on-site and shall be composed of compacted gravel surfaces.

NORTHAVEN GARDENS
 CITY OF DALLAS, TEXAS

Baldwin Associates

BALDWIN ASSOCIATES
 3904 Elm Street, Suite B
 Dallas, Texas 75226
 MOBILE: 214.729.7949
 OFFICE: 214.824.7949
 rob@baldwinplanning.com

01/02/13
 PROJECT NUMBER
 CASE NUMBER

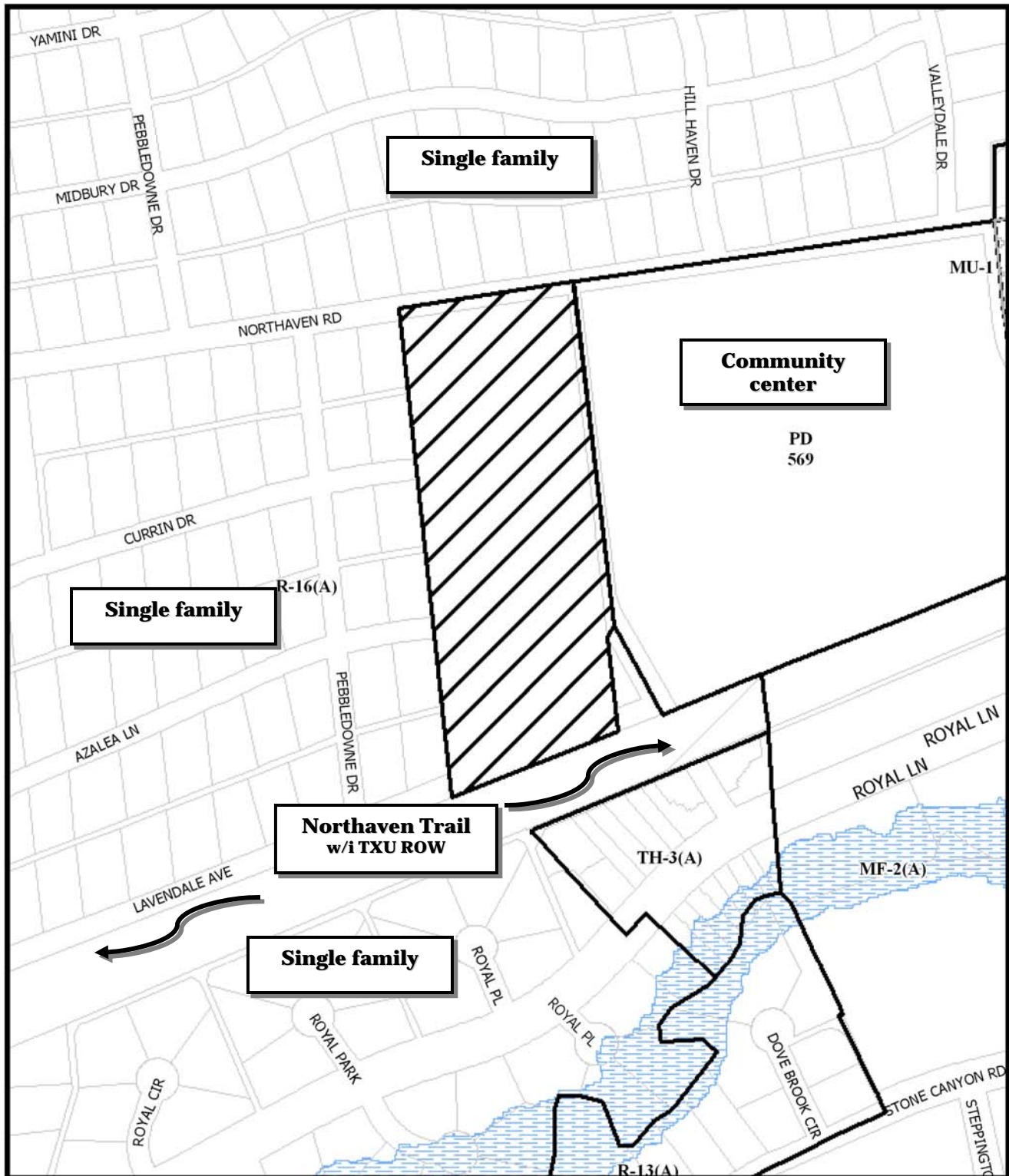


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VICINITY MAP

Case no: Z123-131

Date: 11/19/2012




1:3,600


ZONING AND LAND USE

Case no: Z123-131

Date: 11/19/2012

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




 1:3,600

NOTIFICATION

 **500'** AREA OF NOTIFICATION
 **188** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-131**
 Date: **11/19/2012**

11/19/2012

Notification List of Property Owners***Z123-131******188 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7700 NORTHAVEN RD	PINKUS LILLIAN ET AL
2	7547 MIDBURY DR	SCHWABER JEFFREY S & REBECCA J C
3	7539 MIDBURY DR	JACOBS PATRICK E & ANNIE
4	7531 MIDBURY DR	POLASKY CAROL A
5	7523 MIDBURY DR	WANG YANAN & ALICE CHEN
6	7506 MIDBURY DR	KAMINSKI BRUCE M
7	7514 MIDBURY DR	ROD MAR INC
8	7522 MIDBURY DR	SCHNABEL DAVID A & PAIGE F SCHNABEL
9	7530 MIDBURY DR	MUNTZ DAVID STEPHEN & BARBARA ANN HUNT
10	7538 MIDBURY DR	KLEIN GREGORY & BECKY
11	7546 MIDBURY DR	KAGAY JEROME A
12	7623 NORTHAVEN RD	T2 CONSTRUCTION LLC
13	7615 NORTHAVEN RD	BLATT ROWAN WARREN LIFE ESTATE REM: DEBR
14	7607 NORTHAVEN RD	BOGICEVIC MILENA
15	7523 NORTHAVEN RD	GONZALEZ SHARRON R
16	7515 NORTHAVEN RD	MUNZZO HILLMAN
17	7507 NORTHAVEN RD	PETERS MICHAEL D & PERRY J JOHNSON
18	7606 MIDBURY DR	DEMBSKI KURT VAUGHN
19	7614 MIDBURY DR	SUTHERLAND ELEANOR
20	7622 MIDBURY DR	TOOMAY SETH
21	7706 MIDBURY DR	WHITTENBURG DONALD N
22	7714 MIDBURY DR	BRENNER ROBERT J
23	7722 MIDBURY DR	ZIMMER ELLIOT
24	7739 NORTHAVEN RD	JACOBSON JEANNIE R
25	7731 NORTHAVEN RD	BERGER ISRAEL R SEPARATE PPTY TRUS AGREE
26	7723 NORTHAVEN RD	NAXON ADAM J

Z123-131(RB)

11/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7715 NORTHAVEN RD	BERNBAUM BRUCE & CINDY
28	7707 NORTHAVEN RD	WORD GREG
29	7631 NORTHAVEN RD	TOPLTZ CASEY C
30	7723 MIDBURY DR	LAMAN SCOTT M
31	7715 MIDBURY DR	HUFFT CLAYTON T & CORINNE
32	7707 MIDBURY DR	ROSEN JUSTIN KYLE & RACHEL P
33	7623 MIDBURY DR	HOYT ROBERT E JR
34	7615 MIDBURY DR	SCHWARTZ WILLIAM F & JANET ELLEN SWAIN
35	7607 MIDBURY DR	KAGAY KEVIN J
36	7806 MIDBURY DR	LINDSEY MARY
37	7817 NORTHAVEN RD	ALLEN NATIONAL PPTIES
38	7807 NORTHAVEN RD	CHUN BAILEY WAH
39	11102 CENTRAL EXPY	TEXAS UTILITIES ELEC CO % STATE & LOCAL
40	7900 NORTHAVEN RD	NORTHAVEN CAMPUS FACILITIES CORP
41	7506 NORTHAVEN RD	NEMTZEANU MONICA
42	7514 NORTHAVEN RD	LEVINE NATHAN OSCAR
43	7522 NORTHAVEN RD	GOLMAN DAVID A & MANDY A
44	7507 CURRIN DR	BERGEN JOHN M & KATHLEEN S
45	7515 CURRIN DR	SWISHER CHARLES K & MARIE G
46	7523 CURRIN DR	LONDON RICHARD H & STEPHANIE KIM
47	7606 NORTHAVEN RD	BRAY ROBERT W II & ELIZABETH M
48	7614 NORTHAVEN RD	ENGLISH PATSY TRUSTEE
49	7607 CURRIN DR	TABAK JENNIFER L
50	7615 CURRIN DR	CORETZ ALAN M & HEIDI B
51	7506 CURRIN DR	ROSELUND M L LIFE EST
52	7514 CURRIN DR	BATSON DELAINA WALKER
53	7522 CURRIN DR	RUDICK CARL
54	7507 AZALEA LN	LOPEZ MATTHEW
55	7515 AZALEA LN	GAMBLE BRADFORD A & GAMBLE MARY C
56	7523 AZALEA LN	FERNANDEZ KENNETH C & LAURI A
57	7606 CURRIN DR	WEINER PATRICIA ANN

11/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7614 CURRIN DR	SANDS MICHAEL LEE
59	7607 AZALEA LN	ROWDEN BRUCE EDWARD & DIANA DEE
60	7615 AZALEA LN	BELL HAROLD
61	7506 AZALEA LN	STALNAKER WALTER D & EVA O
62	7514 AZALEA LN	BENYO PETER & MARY C
63	7522 AZALEA LN	SCOTT JAMES ANDREW & KRISTEN DARCEY SCOT
64	7507 LAVENDALE AVE	PARKS SUZANNE E & JOE CUEVAS
65	7515 LAVENDALE AVE	COLE JOSEPH ROBERT &
66	7523 LAVENDALE AVE	ROGERS CHARLES C LF EST & DOROTHY B LF E
67	7606 AZALEA LN	HOPPESS GRAHAM & DENISE
68	7614 AZALEA LN	COLLETI DAVID J JR & LAURA ELENA
69	7607 LAVENDALE AVE	AARON FRANK
70	7615 LAVENDALE AVE	HARRIS WILLIAM T & MARY C
71	10816 ROYAL PARK	WERNER CLAUDIA L
72	10812 ROYAL PARK	RUBENSTEIN STANLEY Z
73	10808 ROYAL PARK	LEVIN MARVIN L
74	7525 ROYAL PL	HUSBANDS HARMON G
75	7529 ROYAL PL	HUNTER VINCENT M & JANET L
76	7533 ROYAL PL	OLSCHWANGER DAVID I
77	7537 ROYAL PL	MCDONALD JULIE
78	7541 ROYAL PL	DESRUISSEAU NOELLE
79	7547 ROYAL PL	AGUILAR JULIUS
80	7626 ROYAL LN	BRAMNIK MOISES
81	7632 ROYAL LN	HORAN DANIEL
82	7630 ROYAL LN	GEESLIN KELLY
83	7638 ROYAL LN	SALAS RODOLFO E TR
84	7636 ROYAL LN	GARNER BARBARA J
85	7644 ROYAL LN	STEPHEN TERRY A
86	7646 ROYAL LN	GREEN JANICE RUSSELL
87	7652 ROYAL LN	LEAVELL WINONA ROSS
88	7654 ROYAL LN	BISCHOFF BRIAN M & KASEY E

Z123-131(RB)

11/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	7705 ROYAL LN	HERRERA WILLIAM L
90	7707 ROYAL LN	GOODNIGHT SUE
91	7621 ROYAL LN	MOON ADAM J & MARCI
92	7625 ROYAL LN	SNIDER JOHNNY T
93	7627 ROYAL LN	LONG REBECCA BAILEY & MICHAEL LONG
94	7631 ROYAL LN	MOHLE TIMOTHY K
95	7635 ROYAL LN	ANTEBI ANDREA L
96	7637 ROYAL LN	COTTEN LARRY
97	7639 ROYAL LN	COTTEN LARRY W
98	7645 ROYAL LN	DEMAREE JOHN & MISTY
99	7647 ROYAL LN	GNADE ANDREW G LINDA B
100	7711 ROYAL LN	ROGERS ELISE C UNIT A
101	7713 ROYAL LN	ZOURNAS HELEN
102	7715 ROYAL LN	WARNE DILLON
103	7717 ROYAL LN	LINCOLN TRUST COMPANY FBO JAY FOSTER
104	7719 ROYAL LN	KENNEDY DALE & ANTOINETTE
105	7721 ROYAL LN	WIENECKE LILLIAN I UNIT A
106	7723 ROYAL LN	MARTIN KATHERINE G BLDG A
107	7725 ROYAL LN	PATAJ FRANCOISE M
108	7727 ROYAL LN	RANSOM CURTIS R
109	7729 ROYAL LN	ADDINGTON MOSHELLE
110	7731 ROYAL LN	ERBACK LINDA ELAINE
111	7733 ROYAL LN	JOHNSTON ELIZABETH A
112	7735 ROYAL LN	BARNETT BRIAN
113	7737 ROYAL LN	ANDEWEG PATRICIA
114	7739 ROYAL LN	JOHNSON JOHNNY
115	7741 ROYAL LN	WILKINSON JANICE G
116	7743 ROYAL LN	ANDERSON FLOYD & CAROLYN
117	7745 ROYAL LN	LEWIS KAREN L
118	7747 ROYAL LN	THOMPSON KEITH F ETUX
119	7749 ROYAL LN	PUIG CESAR

Z123-131(RB)

11/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	7751 ROYAL LN	DEQUESADA ANDREW M
121	7753 ROYAL LN	KATZ STANLEY & BARBARA BLDG A APT 7753
122	7757 ROYAL LN	KATZ STANLEY G & BARBARA F
123	7759 ROYAL LN	SOSBEE GLENN A UNIT B
124	7761 ROYAL LN	FLANAGAN BILLY
125	7763 ROYAL LN	SILVESTRI PAMELA S
126	7765 ROYAL LN	FLANAGAN BILLY
127	7767 ROYAL LN	JOHNSON BILL & EVANS PATTY
128	7769 ROYAL LN	PARDUE BRITTNEY D
129	7771 ROYAL LN	DICKENS INGEBORG E
130	7773 ROYAL LN	MAEZ DAVID F II
131	7775 ROYAL LN	HYMAN REGINA C
132	7777 ROYAL LN	FOSTER LIVING TRUST HENRY S FOSTER JR TR
133	7779 ROYAL LN	FERRELL DONNIE G
134	7781 ROYAL LN	POWERS NICOLE
135	7783 ROYAL LN	FARROW CAROL L UNIT 7783A
136	7785 ROYAL LN	ZEIGLER MARK D
137	7787 ROYAL LN	HARGREAVES BONITA
138	7789 ROYAL LN	HERNANDEZ ISMAEL & MARIA DEL CARMEN
139	7791 ROYAL LN	CLARKE MARY F BLDG A SEC C UNIT 7791
140	7793 ROYAL LN	SNOW DIANE M.
141	7795 ROYAL LN	PIERRE ASHLEY
142	7797 ROYAL LN	MOSELEMI MOSTAFA UNIT 7797 BLDG A SEC C
143	7799 ROYAL LN	DUNN NATHAN SCOTT
144	7801 ROYAL LN	GLUZMAN SEBASTIAN M
145	7803 ROYAL LN	KAGAN SUSAN
146	7805 ROYAL LN	COOPER JENNIFER BLDG A SEC C
147	7807 ROYAL LN	DAVIS S JEFF
148	7809 ROYAL LN	BELL THOMAS W UNIT 7809
149	7811 ROYAL LN	TIRADOR CARL N
150	7813 ROYAL LN	RANKIN THOMAS S BLDG A SEC C

Z123-131(RB)

11/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	7815 ROYAL LN	ZWILLENBERG JOAN S EST OF
152	7817 ROYAL LN	ODZAKOVIC IBRISHA
153	7819 ROYAL LN	HARRIS SHELIA BLDG A
154	7821 ROYAL LN	RAMOS EDITH & HORTENCIA CASTRO
155	7823 ROYAL LN	MCCOY CHARLA DEAN
156	7825 ROYAL LN	ADAMS JOSEPH B
157	7827 ROYAL LN	FABER CHASE
158	7829 ROYAL LN	COOK W CLARKE
159	7704 ROYAL LN	KRANTZ ROBERT P & HOLLIE A
160	7704 ROYAL LN	EASLEY PATRICIA
161	7706 ROYAL LN	DEMPSEY CLARE D
162	7704 ROYAL LN	WALKER CONSTANCE BLDG A UNIT 201
163	7708 ROYAL LN	7708 ROYAL LP
164	7708 ROYAL LN	PRESBY ELLEN A
165	7710 ROYAL LN	KOURY KERRI K BLDG B UNIT 106
166	7710 ROYAL LN	PAMPHILE MARTHA
167	7712 ROYAL LN	HALDEMAN MARK J
168	7712 ROYAL LN	HOPPER MICHAEL E
169	7714 ROYAL LN	BURNS HEATHER M BLDG B UNIT 110
170	7714 ROYAL LN	REEVES MILDRED JEAN BLDG B UNIT 111
171	7708 ROYAL LN	PEREZ MICHAEL ANTHONY UNIT #204C
172	7708 ROYAL LN	YAM PROPERTIES LP BLDG B UNIT 205
173	7712 ROYAL LN	GUZMAN ROMAN
174	7712 ROYAL LN	ARGUETA ALEXANDRA MARIA
175	7714 ROYAL LN	IVANISEVIC PATRICIA & RICHARD A NOBLITT
176	7714 ROYAL LN	SUTTON STEPHANIE M
177	7716 ROYAL LN	JOHNSON JOHN B
178	7716 ROYAL LN	RUDOFF SANFORD I & BARBARA R
179	7718 ROYAL LN	LEVIN SHIRLEY
180	7718 ROYAL LN	BERKHIMER JUNE ANN UNIT 115
181	7716 ROYAL LN	BERKHIMER CHARLES WILLIAM

Z123-131(RB)

11/19/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	7716 ROYAL LN	BROWN TOMMY
183	7718 ROYAL LN	HANSFORD DUSTIN BLDG C UNIT 214
184	7718 ROYAL LN	BOENING STEVEN R
185	7720 ROYAL LN	GREGG WILLIAM & ELIZABETH
186	7720 ROYAL LN	BUSBY MINNIE E
187	7720 ROYAL LN	VENCEVICH NANCY J NO 216
188	7720 ROYAL LN	FOUSE TOMMY WAYNE

FILE NUMBER: SPSD112-002

DATE FILED: September 7, 2012

LOCATION: Area generally bounded by Woodall Rogers Freeway, North Central Expressway, Routh Street, and Ross Avenue.

COUNCIL DISTRICT: 14

MAPSCO: 45-G

SIZE OF REQUEST: ±10.502 acres

CENSUS TRACT: 17.01

OWNER: Billingsley #17, Ltd.

APPLICANT: Billingsley #17, Ltd.

REPRESENTATIVE: Cheri Donohue

PROPOSAL: An application to amend Section 51A-7.2100 Arts District Extension Area Sign District Special Provision Sign District (SPSD) to allow for new sign types and create the Arts Plazas One, Two & Three, and the Dallas Black Dance Theater subareas.

SUMMARY: The purpose of this request is to complement sign types in the adjacent Arts District Sign District SPSD to identify and promote various uses within the district.

SSDAC RECOMMENDATION: Approval, subject to conditions.

STAFF RECOMMENDATION: Approval, subject to amended conditions.

BACKGROUND INFORMATION:

- Proposed amendments would be applicable to Arts Plazas (AP) I, II & III, and the Dallas Black Dance Theater in the Arts District Extension area.
- The intent of the request is to complement the adjacent signage that was recently approved for subdistrict A of the Arts District SPSP which allows for tenant identity signs at the top of a building and larger monument and integrated signs than otherwise would be permitted.
- The site is currently developed with restaurants, banks, retail and personal service and residential uses.
- The Arts District Sign Advisory Committee (ADSAC) considered the request on September 18, 2012, and recommended approval of the request subject to the conditions.

STAFF ANALYSIS:

- During review of the legal descriptions there were problems with closure of the proposed subdistrict boundaries. The conditions, and subarea boundary legal descriptions were revised by the applicant's representative to address proposed signage on undeveloped parcels in Arts Plaza II & III subdistricts. The revisions resulted in three (3) rather than four (4) subdistricts with additional restrictions on signage in the Arts Plaza II & III (refer to page 14 of the draft ordinance). The changes did not result in any additional signs being permitted.
- Proposed signage regulations would be consistent with district-wide design distinctive visual image standards of the "Sasaki Plan", which serves as a guide for the Art's District Extension Area Planned Development District No. 708. While signage is not covered in detail in the "Sasaki Plan", the plan does set out consistent design guidelines for the District as a whole.
- The proposed language for monument, attached tenant identity signs and retaining wall signs is similar to the signage that was recently approved for Subdistrict A in the adjacent Arts Sign District Special Provision Sign District west of the subject site.

ADSAC (September 18, 2012)

Motion: It was moved to approve the application presented subject to the following amendments: 1) strike the last sentence of Sec. 7.3(b)(1) (which were regulations for Three Arts Plaza at the time it was considered by the SSDAC) which read, “If the building is 17 stories or more, the sign on the south side will have a screening device to mitigate visibility from the west.” and 2) staff will propose conditions to treat the Dallas Black Dance Theater as one building site for purposes of the ordinance.

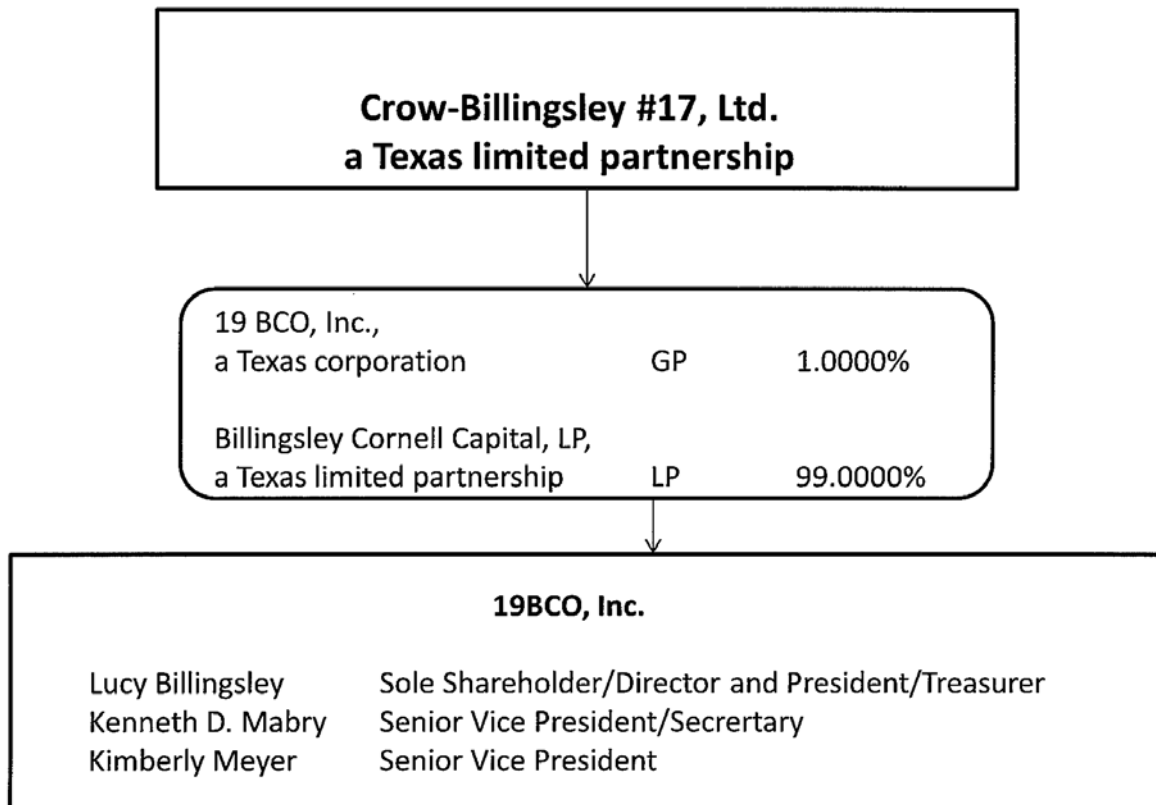
Maker: Tarpley
Second: Wootton
Result: Carried: 4 to 0

For: 4 – Potter, Tarpley, Van Dermark and
Wootton-Bonner

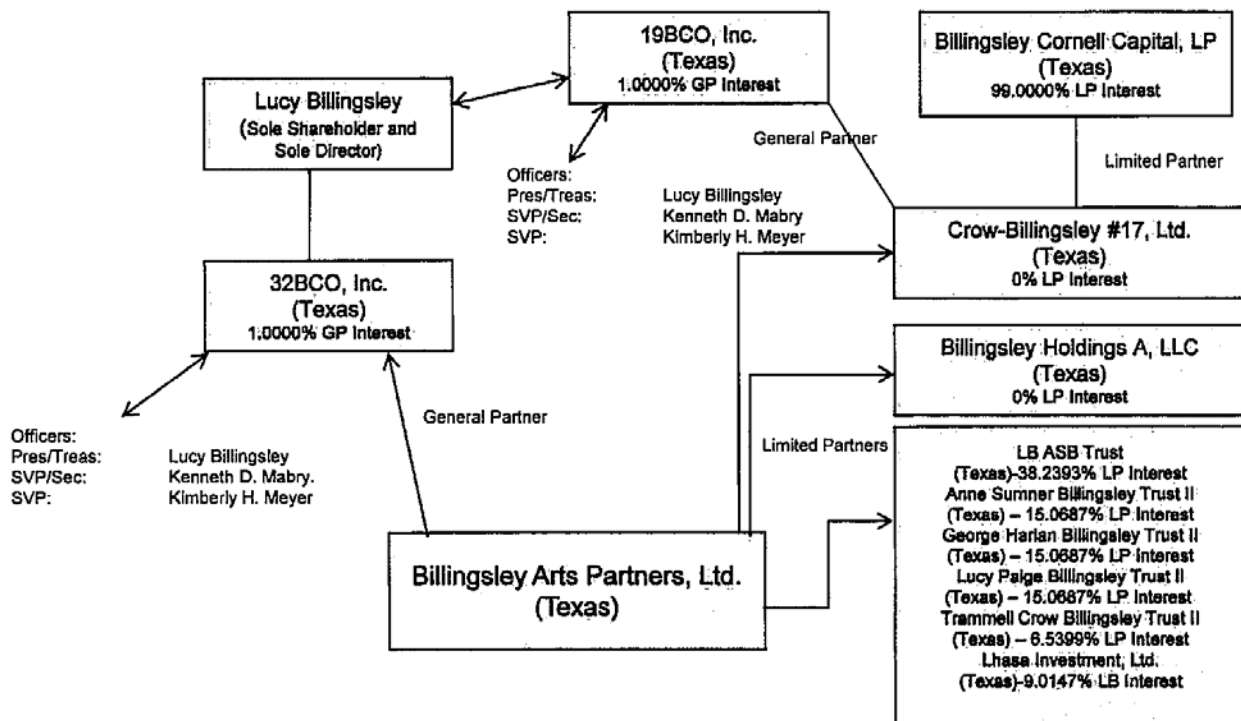
Against: 0

Absent: 1 – Gomez

Conflict: 0



BILLINGSLEY ARTS PARTNERS, LTD.



10-23-12

ORDINANCE NO. _____

An ordinance amending Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Sections 51A-7.2101, 51A-7.2103, 51A-7.2107, and 51A-7.2108; providing for the designation of subdistricts, definitions, and regulations for the new subdistricts; adding new Sections 51A-7.2110, 51A-7.2111, 51A-7.2112, and 51A-7.2113; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Section 51A-7.2101, "Designation of the Arts District Extension Area Sign District," of Division 51A-7.2100, "Provisions for the Arts District Extension Area Sign District," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"SEC. 51A-7.2101. DESIGNATION OF THE ARTS DISTRICT EXTENSION AREA SIGN DISTRICT.

(a) A sign district is hereby created to be known as the Arts District Extension Area Sign District. The boundaries of the Arts District Extension Area Sign District are the same as those of the Dallas Arts District Extension Area (Planned Development District No. 708).

(b) Four ~~Three~~ subdistricts are hereby created within the Arts District Extension Area Sign District.

(1) For the purposes of this division, the One Arts Plaza Subdistrict is the area bounded by

SSDAC Recommendation

(2) For the purposes of this division, the Two Arts Plaza Subdistrict is the area bounded by

(3) For the purposes of this division, the Three Arts Plaza Subdistrict is the area bounded by

Applicant's Modified Request

(2) For the purposes of this division, the Two Arts and Three Arts Plaza Subdistrict is the area bounded by

(4) For the purposes of this division, the Dallas Black Dance Subdistrict is the area bounded by

(c) The property described in Subsection (a), which was formerly part of the Downtown Special Provision Sign District, is no longer considered to be part of that district. This division completely supersedes Division 51A-7.900 with respect to the property described in Subsection (a).”

SECTION 2. That Subsection (a) of Section 51A-7.2103, “Definitions,” of Division 51A-7.2100, “Provisions for the Arts District Extension Area Sign District,” of Article VII, “Signs,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding an new Paragraph (24.1) to read as follows:

“(24.1) RETAINING WALL SIGN means a premise sign within the One Arts Plaza, Two Arts Plaza, or Three Arts Plaza Subdistricts that is integrated into a retaining wall.”

SECTION 3. That Subsection (a) of Section 51A-7.2103, “Definitions,” of Division 51A-7.2100, “Provisions for the Arts District Extension Area Sign District,” of Article VII, “Signs,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455,

as amended,” of the Dallas City Code is amended by adding an new Paragraph (26.1) to read as follows:

“(26.1) TENANT IDENTITY SIGN means an attached premise sign within the Two Arts Plaza and Three Arts Plaza Subdistricts located on a building that is primarily used for office uses and that identifies a specific office tenant.”

SECTION 4. That Paragraph (1) of Subsection (a), “In General,” of Section 51A-7.2107, “Attached Private Signs,” of Division 51A-7.2100, “Provisions for the Arts District Extension Area Sign District,” of Article VII, “Signs,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(1) This section applies to all attached private signs, except retaining wall signs in the One Arts Plaza, Two Arts Plaza, and Three Arts Plaza Subdistricts, tenant identity signs within the Two Arts Plaza and Three Arts Plaza Subdistricts, and [that] the only provision of this section that applies to building identification signs is Paragraph (5) of this subsection. For the regulations governing building identification signs, see Section 51A-7.2109. For the regulations governing retaining wall signs in the One Arts Plaza Subdistrict, see Section 51A-7.2110. For the regulations governing retaining wall signs and tenant identity signs in the Two Arts Plaza Subdistrict, see Section 51A-7.2111. For the regulations governing retaining wall signs and tenant identity signs in the Three Arts Plaza Subdistrict, see Section 51A-7.2112.”

SECTION 5. That Paragraph (2) of Subsection (b), “Detached Premise Signs,” of Section 51A-7.2108, “Detached Private Signs,” of Division 51A-7.2100, “Provisions for the Arts District Extension Area Sign District,” of Article VII, “Signs,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(2) Except in the One Arts Plaza, Two Arts Plaza, Three Arts Plaza, and Dallas Black Dance Subdistricts, n[~~N~~]o detached premise sign may exceed 20 square feet in effective area.”

SECTION 6. That Paragraph (5) of Subsection (b), “Detached Premise Signs,” of Section 51A-7.2108, “Detached Private Signs,” of Division 51A-7.2100, “Provisions for the Arts District Extension Area Sign District,” of Article VII, “Signs,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(5) Except in the One Arts Plaza, Two Arts Plaza, Three Arts Plaza, and Dallas Black Dance Subdistricts, n[N]o sign may exceed 13 feet, 6 inches in height.”

SECTION 7. That Division 51A-7.2100, “Provisions for the Arts District Extension Area Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Section 51A-7.2110, “One Arts Plaza Subdistrict,” to read as follows:

“SEC. 51A-7.2110. ONE ARTS PLAZA SUBDISTRICT.

(a) In general. Except as provided in this division, the provisions of the Arts District Extension Area Sign District apply in this subdistrict.

(b) Monument signs.

- (1) Only two monument signs are permitted.
- (2) Monument signs must be freestanding.
- (3) Monument signs may be two sided, but must be located in the building plaza area.
- (4) Monument signs may identify a building’s owner or developer and multiple tenants.
- (5) Monument signs may be located at the building line.
- (6) Monument signs may be located within five feet of the public right-of-way.

(7) The maximum height for a monument sign is eight feet measured from the top of the sign face.

(8) The maximum effective area for a monument sign is 50 square feet.

(9) All elements of a monument sign must be consistent in color and material.

(c) Retaining wall signs.

(1) Only two retaining wall signs are permitted.

(2) Retaining wall signs must be mounted on a perimeter retaining wall facing a right-of-way.

(3) Retaining wall signs may identify the building's owner or developer and multiple tenants.

(4) Retaining wall signs may be located within five feet of the public right-of-way.

(5) The maximum height for a retaining wall sign is eight feet measured from the top of the sign face.

(6) The maximum effective area for a retaining wall sign is 20 square feet.

(7) All elements of a retaining wall sign must be consistent in color and material.”

SECTION 8. That Division 51A-7.2100, “Provisions for the Arts District Extension Area Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Section 51A-7.2111, “Two Arts PlazaSubdistrict,” to read as follows:

Note: Section 51A-7.211 (Two Arts Plaza) and 51A-7.212 (Three Arts Plaza) are shown as recommended by the SSDAC. The applicant is now proposing that these two subdistricts be combined. That language is provided following these two sections.

“SEC. 51A-7.2111. TWO ARTS PLAZA SUBDISTRICT.

(a) In general. Except as provided in this division, the provisions of the Arts District Extension Area Sign District apply in this subdistrict.

(b) Tenant identity signs and building identification signs.

(1) Except as provided in this subsection, only one tenant identity sign or building identification sign is permitted per facade.

(2) Tenant identity signs and building identification signs are prohibited on the southern facade of a structure.

(3) Tenant identity signs must be located above the highest leasable floor.

(4) Tenant identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(5) All tenant identity signs and building identity signs must be the same color.

(c) Monument signs.

(1) Only two monument signs are permitted.

(2) Monument signs must be freestanding.

(3) Monument signs may be two sided, but must be located in the building plaza area.

(4) Monument signs may identify a building’s owner or developer and multiple tenants.

(5) Monument signs may be located at the building line.

(6) Monument signs may be located within five feet of the public right-of-way.

(7) The maximum height for a monument sign is eight feet measured from the top of the sign face.

- (8) The maximum effective area for a monument sign is 50 square feet.
- (9) All elements of a monument sign must be consistent in color and material.
- (d) Retaining wall signs.
 - (1) Only two retaining wall signs are permitted.
 - (2) Retaining wall signs must be mounted on a perimeter retaining wall facing a right-of-way.
 - (3) Retaining wall signs may identify the building's owner or developer and multiple tenants.
 - (4) Retaining wall signs may be located within five feet of the public right-of-way.
 - (5) The maximum height for a retaining wall sign is eight feet measured from the top of the sign face.
 - (6) The maximum effective area for a retaining wall sign is 20 square feet.
 - (7) All elements of a retaining wall sign must be consistent in color and material."

SECTION 9. That Division 51A-7.2100, "Provisions for the Arts District Extension Area Sign District," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended by adding a new Section 51A-7.2112, "Three Arts Plaza Subdistrict," to read as follows:

"SEC. 51A-7.2112. THREE ARTS PLAZA SUBDISTRICT.

- (a) In general. Except as provided in this division, the provisions of the Arts District Extension Area Sign District apply in this subdistrict.
- (b) Tenant identity signs and building identification signs.

(1) Except as provided in this subsection, only one tenant identity sign or building identification sign is permitted per facade.

(2) Tenant identity signs and building identification signs are prohibited on the western facade of a structure.

(3) Tenant identity signs must be located above the highest leasable floor.

(4) Tenant identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(5) All tenant identity signs and building identity signs must be the same color.

(c) Monument signs.

(1) Only two monument signs are permitted.

(2) Monument signs must be freestanding.

(3) Monument signs may be two sided, but must be located in the building plaza area.

(4) Monument signs may identify a building's owner or developer and multiple tenants.

(5) Monument signs may be located at the building line.

(6) Monument signs may be located within five feet of the public right-of-way.

(7) The maximum height for a monument sign is eight feet measured from the top of the sign face.

(8) The maximum effective area for a monument sign is 50 square feet.

(9) All elements of a monument sign must be consistent in color and material.

(d) Retaining wall signs.

(1) Only two retaining wall signs are permitted.

(2) Retaining wall signs must be mounted on a perimeter retaining wall facing a right-of-way.

(3) Retaining wall signs may identify the building's owner or developer and multiple tenants.

(4) Retaining wall signs may be located within five feet of the public right-of-way.

(5) The maximum height for a retaining wall sign is eight feet measured from the top of the sign face.

(6) The maximum effective area for a retaining wall sign is 20 square feet.

(7) All elements of a retaining wall sign must be consistent in color and material."

Note: The applicant now proposes to combine the two previous sections, Section 51A-7.211 (Two Arts Plaza) and 51A-7.212 (Three Arts Plaza) and combine them into a single subdistrict. The language below would represent this change.

“SEC. 51A-7.2112. TWO & THREE ARTS PLAZA SUBDISTRICT.

(c) In general. Except as provided in this division, the provisions of the Arts District Extension Area Sign District apply in this subdistrict.

(d) Tenant identity signs and building identification signs.

(1) Except as provided below only one tenant identity sign or building identification sign is permitted per facade.

(2) For buildings north of One Arts Plaza tenant identity signs and building identification signs are prohibited on the south facade of a structure.

(3) For buildings east of One Arts Plaza tenant identity signs and building identification signs are prohibited on west façade of a structure

(4) Tenant identity signs must be located above the highest leasable floor.

(5) Tenant identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(6) All tenant identity signs and building identity signs must be the same color.

(c) Monument signs.

(1) A maximum of four monument signs are permitted in this subdistrict.

(2) Only two monument signs are permitted per building site.

(3) Monument signs must be freestanding.

(4) Monument signs may be two sided, but must be located in the building plaza area.

(5) Monument signs may identify a building’s owner or developer and multiple tenants.

- (6) Monument signs may be located at the building line.
 - (7) Monument signs may be located within five feet of the public right-of-way.
 - (8) The maximum height for a monument sign is eight feet measured from the top of the sign face.
 - (9) The maximum effective area for a monument sign is 50 square feet.
 - (10) All elements of a monument sign must be consistent in color and material.
- (d) Retaining wall signs.
- (1) A maximum of four retaining wall signs are permitted in this subdistrict.
 - (2) Only two retaining wall signs are permitted per building site.
 - (3) Retaining wall signs must be mounted on a perimeter retaining wall facing a right-of-way.
 - (4) Retaining wall signs may identify the building's owner or developer and multiple tenants.
 - (5) Retaining wall signs may be located within five feet of the public right-of-way.
 - (6) The maximum height for a retaining wall sign is eight feet measured from the top of the sign face.
 - (7) The maximum effective area for a retaining wall sign is 20 square feet.
 - (8) All elements of a retaining wall sign must be consistent in color and material."

SECTION 10. That Division 51A-7.2100, "Provisions for the Arts District Extension Area Sign District," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended by adding a new Section 51A-7.2113, "Dallas Black Dance Subdistrict," to read as follows:

"SEC. 51A-7.2113. DALLAS BLACK DANCE SUBDISTRICT.

(a) In general.

(1) Except as provided in this division, the provisions of the Arts District Extension Area Sign District apply in this subdistrict.

(2) For the purposes of this section, the entire subdistrict is considered one building site.

(3) Monument signs.

(1) Only two monument signs are permitted.

(2) Monument signs must be freestanding.

(3) Monument signs may be two sided, but must be located in the building plaza area.

(4) Monument signs may identify a building's owner or developer and multiple tenants.

(5) Monument signs may be located at the building line.

(6) Monument signs may be located within five feet of the public right-of-way.

(7) The maximum height for a monument sign is eight feet measured from the top of the sign face.

(8) The maximum effective area for a monument sign is 50 square feet.

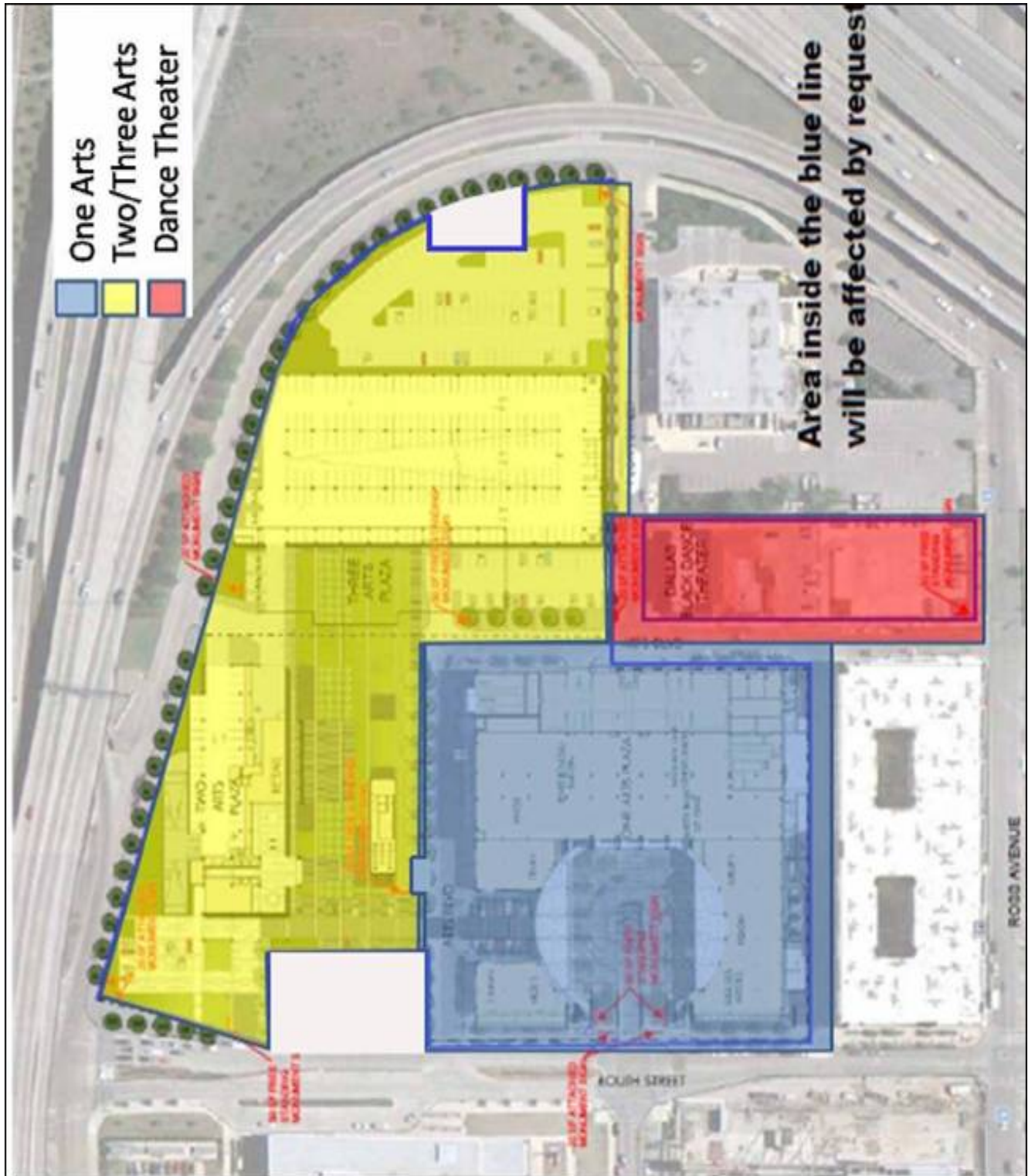
(9) All elements of a monument sign must be consistent in color and material."

SECTION 11. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 12. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 13. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.



Building Elevation



BUILDING ELEVATIONS
REV. 2017

Tenant Identity Sign



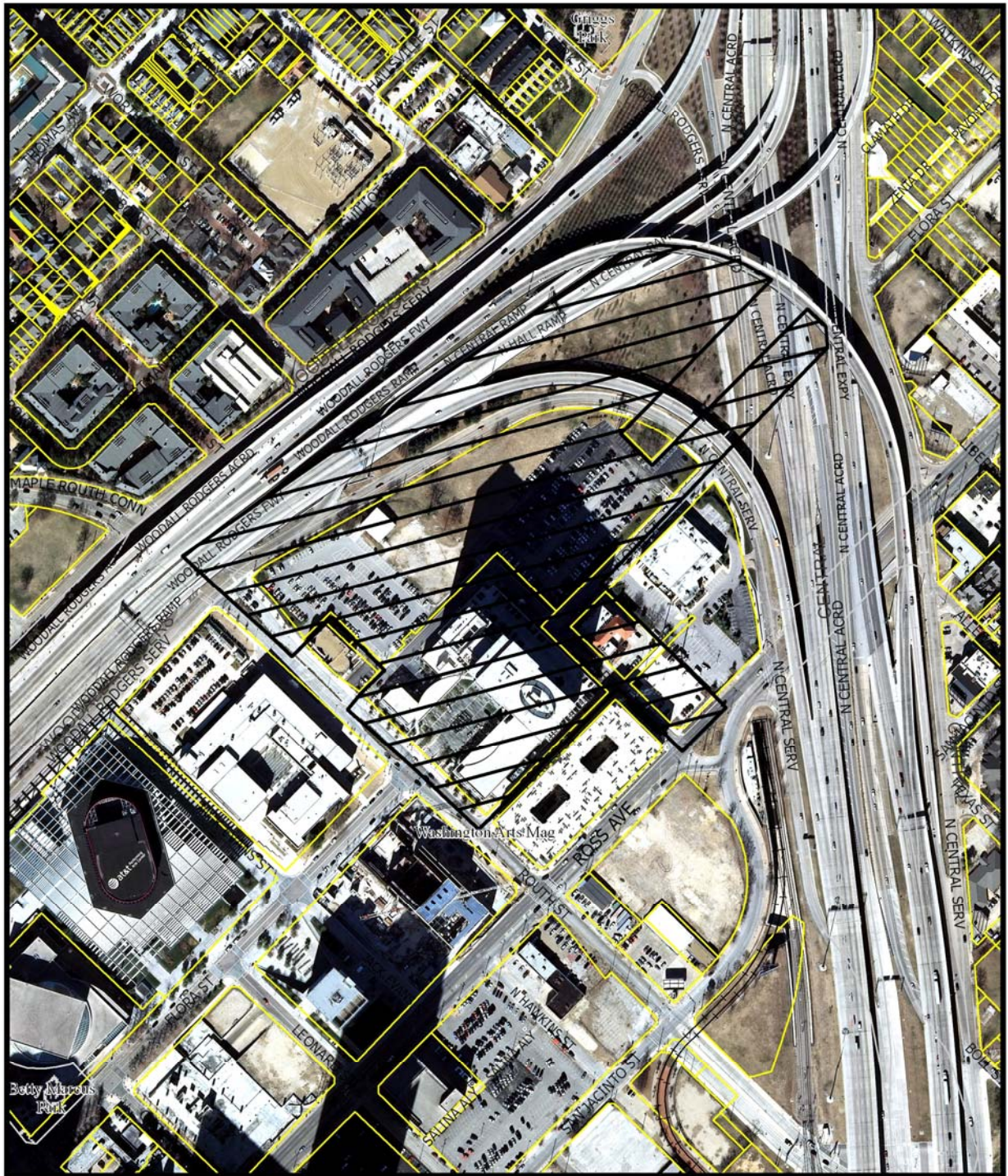
EAST ELEVATION

WEST ELEVATION

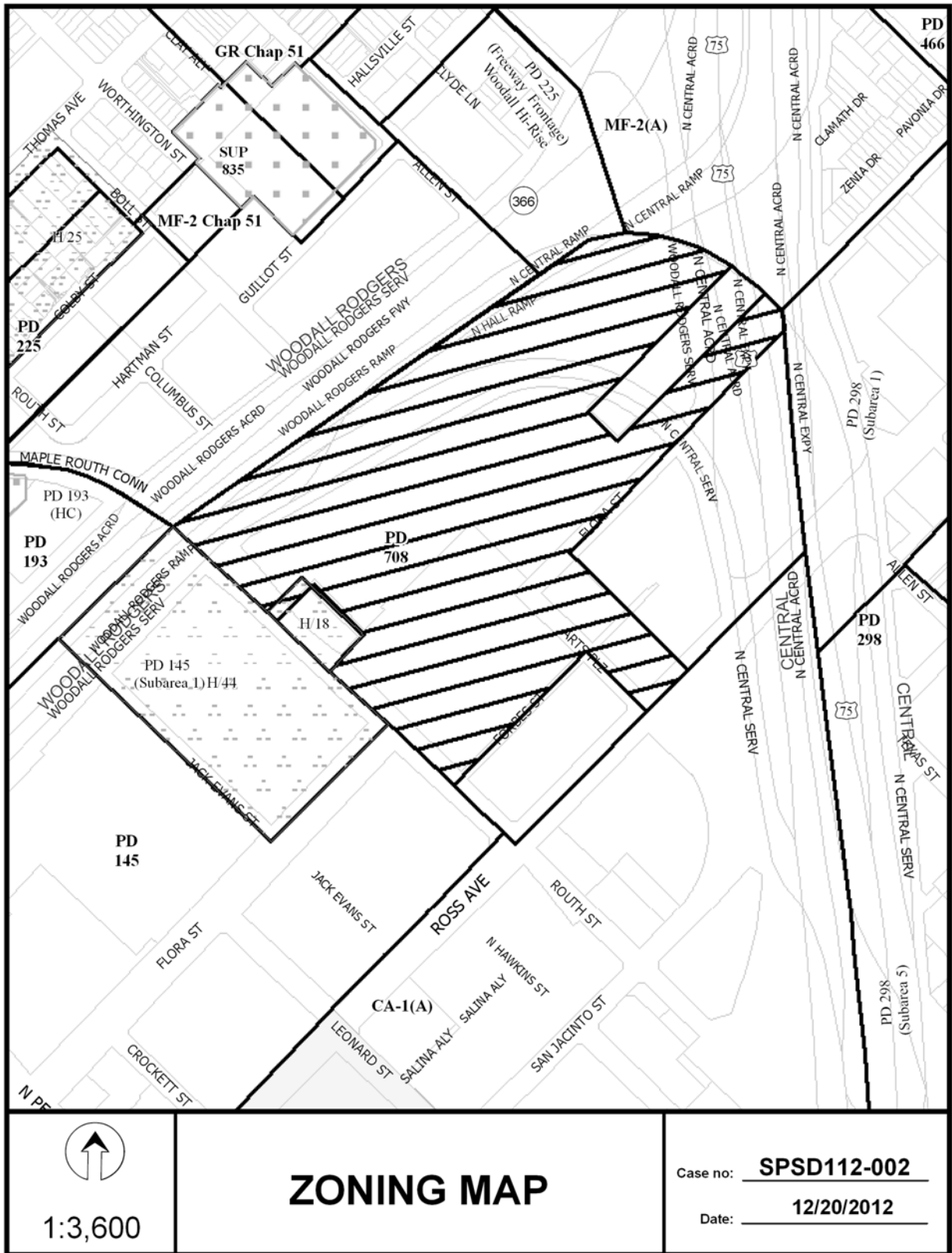
BUILDING ELEVATIONS - WEST & EAST

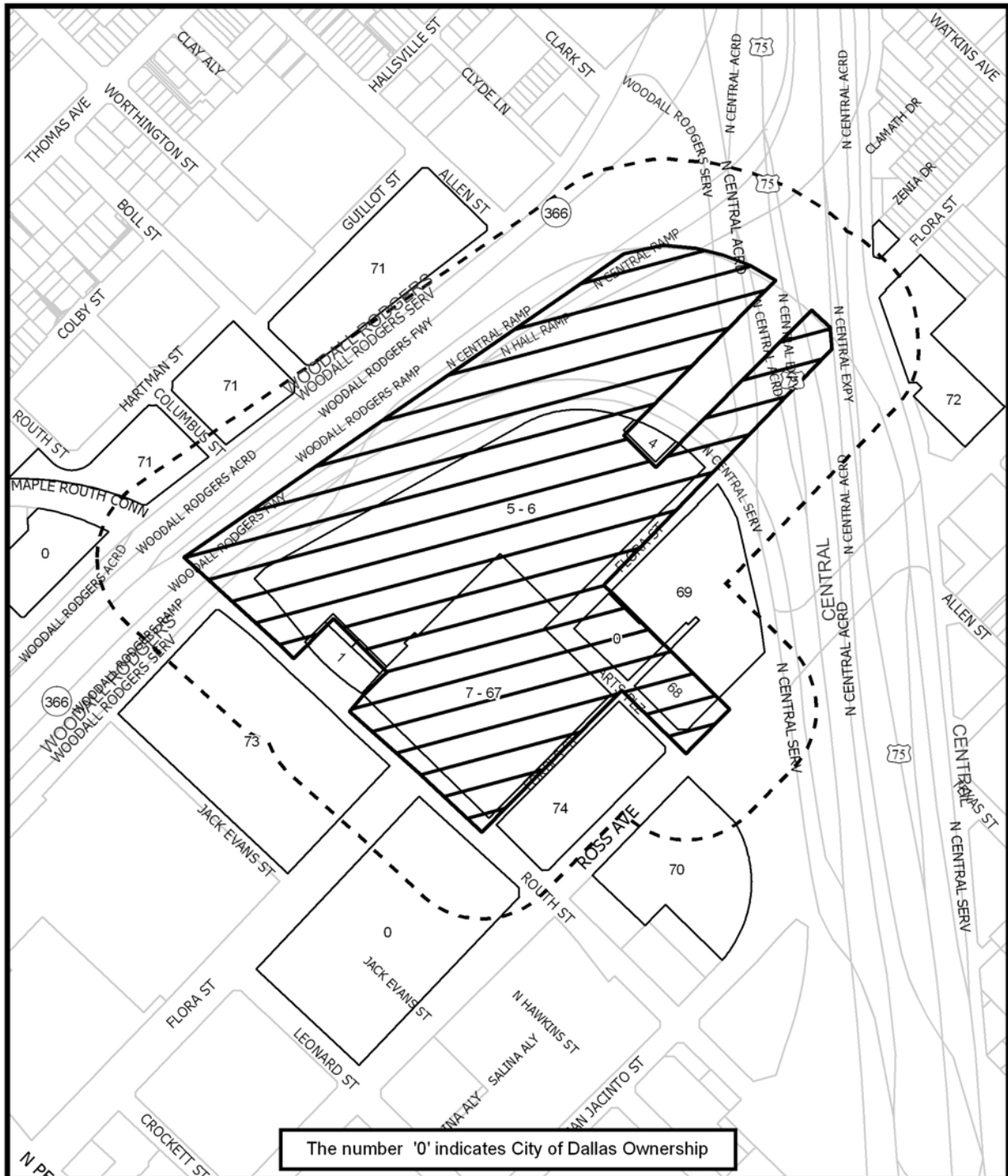
AUG 2017





 1:3,600	<h1>AERIAL MAP</h1>	Case no: <u>SPSD112-002</u> Date: <u>12/20/2012</u>
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 1:3,600	<h2 style="margin: 0;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px; font-weight: bold;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px 5px; font-weight: bold;">75</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Case no: SPSD112-002 Date: 12/20/2012
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12/20/2012

Notification List of Property Owners

SPSD112-002

75 Property Owners Notified

Label #	Address	Owner
1	2600 MUNGER AVE	ST PAULS M E CHURCH
2	2606 MUNGER AVE	ST PAUL METHODIST CHURCH EXEMPT 1964
3	2605 WADE RD	ST PAUL METHODIST CHURCH EXEMPT 1972
4	2880 WOODALL RODGERS FWY	CROW BILLINGSLEY #17 LTD
5	2702 WOODALL ROGERS FWY	CROW BILLINGSLEY 17 SUITE 1100
6	1035 YOUNG ST	DALLAS TERM RY & UN DEPOT % UNION PACIFI
7	1722 ROUTH ST	BILLINGSLEY ARTS PARTNERS LTD STE 1100
8	1722 ROUTH ST	BILLINGSLEY ARTS PARTNERS LTD STE 11
9	1717 ARTS PLAZA DR	HENRY BARRY & LENORE M SULLIVAN
10	1717 ARTS PLAZA DR	BAIO JAMES R & PATRICIA E
11	1717 ARTS PLAZA DR	FALGOUT KIMBERLY
12	1717 ARTS PLAZA DR	BUCK STEPHEN
13	1717 ARTS PLAZA DR	BOWLES JOHN R & PATRICIA C
14	1717 ARTS PLAZA DR	DANGEL RICHARD
15	1717 ARTS PLAZA DR	SHINN GRESHAM J UNIT 1807
16	1717 ARTS PLAZA DR	ARTS RESIDENTIAL PARTNERS INC
17	1717 ARTS PLAZA DR	MULFORD ROSS CLAYTON
18	1717 ARTS PLAZA DR	BILLINGSLEY ARTS SUITE 133
19	1717 ARTS PLAZA DR	JEFFERS HARRIET H REVOCABLE TRUST
20	1717 ARTS PLAZA DR	ABEL RIC E & KIM V
21	1717 ARTS PLAZA DR	FASULLO GREG & ASHLEY BERGER SUITE 1903
22	1717 ARTS PLAZA DR	HOFFMAN BARBARA WILLARD J STEVEN
23	1717 ARTS PLAZA DR	HEU OLIVIER NORBERT
24	1717 ARTS PLAZA DR	STRAUSS SUSAN WAYNE
25	1717 ARTS PLAZA DR	FITE JAMES R & PATRICIA J PARKER
26	1717 ARTS PLAZA DR	NEWELL SUSAN CAROL

12/20/2012

Label #	Address	Owner
27	1717 ARTS PLAZA DR	LEGE LEONARD M JR & LYNDA L
28	1717 ARTS PLAZA DR	LPB 2008 CAPITAL INVESTMENT INC % BILLIN
29	1717 ARTS PLAZA DR	ARTS RES PARTNERS INC #1100
30	1717 ARTS PLAZA DR	BILLINGSLEY ARTS STE 1100
31	1717 ARTS PLAZA DR	TCB 2008 INVESTMENT INC STE 1100
32	1717 ARTS PLAZA DR	LPB 2008 INVESTMENT INC STE 1100
33	1717 ARTS PLAZA DR	KILGUST RICHARD R & MARY L TRUST
34	1717 ARTS PLAZA DR	TRIEB MARK A & SHAUNA J
35	1717 ARTS PLAZA DR	CAYTON EVANGELINE T MD
36	1717 ARTS PLAZA DR	TEAGUE THOMAS RICHARD SUITE 11076
37	1717 ARTS PLAZA DR	MASCARENHAS WINSTON L
38	1717 ARTS PLAZA DR	KIM DO HYUNG
39	1717 ARTS PLAZA DR	CASH HARVEY B & JOBETH M TRUSTEES HARVEY
40	1717 ARTS PLAZA DR	CABRERA MARCO
41	1717 ARTS PLAZA DR	BERGREN SCOTT ETAL % PIZZA HUT
42	1717 ARTS PLAZA DR	LARSEN KAREN L
43	1717 ARTS PLAZA DR	SANKARAPANDIAN BALAMURUGA
44	1717 ARTS PLAZA DR	LAFREDO STEVE &
45	1717 ARTS PLAZA DR	FORMAN JAMES TR & ADELE C TR
46	1717 ARTS PLAZA DR	SAVAGE AUDREY ANTOINETTE
47	1717 ARTS PLAZA DR	WILK DAVID I
48	1717 ARTS PLAZA DR	WAYNE JONATHAN M & DEVON
49	1717 ARTS PLAZA DR	WILKINSON ROBERT G & WILKINSON PEGGY P
50	1717 ARTS PLAZA DR	CHAMBERS JAMES H & CHAMBERS JOLEEN P
51	1717 ARTS PLAZA DR	WOLFE DAVID STE 2112
52	1717 ARTS PLAZA DR	SIMMONS ELIZABETH A
53	1717 ARTS PLAZA DR	ALAVI REZA & MONA
54	1717 ARTS PLAZA DR	KALETA HOLDINGS LLC
55	1717 ARTS PLAZA DR	WILLIAMS MELISSA & RYAN
56	1717 ARTS PLAZA DR	KENNEDY THOMAS M &
57	1717 ARTS PLAZA DR	VEALE MICHAEL R FAMILY TR

12/20/2012

Label #	Address	Owner
58	1717 ARTS PLAZA DR	HARRIS JOHN R III & JODI
59	1717 ARTS PLAZA DR	PAPALIA ROCCO
60	1717 ARTS PLAZA DR	BRAME RONALD M
61	1717 ARTS PLAZA DR	WELLS FARGO BANK
62	1717 ARTS PLAZA DR	DERMAN ANDREW B & LYNN E
63	1717 ARTS PLAZA DR	LASKO MATTHEW E & EMILY O
64	1717 ARTS PLAZA DR	BYRNE MOLLY L
65	1717 ARTS PLAZA DR	DERMAN ANDREW B & LYNN E
66	1717 ARTS PLAZA DR	COBB BONNIE UNIT 2309
67	1717 ARTS PLAZA DR	PENA LUCILO &
68	1704 ARTS PLAZA	DALLAS BLACK DANCE THEATE
69	2809 ROSS AVE	FELLOWSHIP CHURCH
70	2632 ROSS AVE	DART
71	2121 ROUTH ST	POST APARTMENT HOMES LP POST PPTYS INC
72	3101 ROSS AVE	DUCKINS PARTNERS LTD A TX LIMITED PARTNE
73	2501 FLORA ST	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
74	2611 ROSS AVE	BVF II ARTS LTD PS % BERKSHIRE PROPERTY
75	3002 ZENIA DR	TWIN LAKES PLAZA LP

Memorandum



CITY OF DALLAS

DATE January 9, 2013

TO Joe Alcantar, Chair and
City Plan Commissioners

SUBJECT City Plan Commission Authorized Hearing
Approximately 430 acres generally located east of the Dallas North Tollway, south of Southern Boulevard, south of the northern boundary of (Block E) Monfort place, south of the northern boundary of Woodchase Apartments, south of the northern boundary of Preston View Estates, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway).

Commissioners Bernbaum, Wolfish and Schwartz are requesting that the City Plan Commission authorize a public hearing to determine the proper zoning on property zoned Planned Development District No. 22, Planned Development District No. 130, Planned Development District No. 215, Planned Development District No. 250, Planned Development District No. 279, Planned Development District No. 322, Planned Development 423, Planned Development 713, Planned Development District No. 782, a CR Community Retail District with Deed restrictions on a portion, a CS Commercial Service District, a GO(A) General Office District with deed restrictions on a portion, an RR Regional Retail District with deed restrictions on a portion and Specific Use Permit Nos. 1335, 1389, 1390 on a portion, an LO-2 Limited Office District 2 with deed restrictions on a portion, an NO(A) Neighborhood Office District, an MO-2 Mid-range Office District 2, an MF-1(A) Multifamily District, an MF-4(A) Multifamily District, an MU-1 Mixed Use District with deed restrictions on a portion, an MU-2 Mixed Use District with deed restrictions on a portion, an MU-3 Mixed Use District, an MU-3 (SAH) Mixed Use District Affordable, and a P(A) District Parking, with consideration given to appropriate zoning including use, development standards, and other regulations that would allow for and encourage development in appropriate areas at the above location. Attached is a location map for your review.

This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Neva Dean, Planner Manager
Current Planning Division
Sustainable Development and Construction Department



RECEIVED BY
JAN 10 2013
Current Planning

MEMORANDUM

DATE January 9, 2013

TO David Cossum, Assistant Director
Department of Sustainable Development and Construction

SUBJECT Request for Agenda Item for Authorized Hearing;
Approximately 430 acres generally located east of the Dallas North Tollway, south of Southern Boulevard, south of the northern boundary of (Block E) Monfort place, south of the northern boundary of Woodchase Apartments, south of the northern boundary of Preston View Estates, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway).

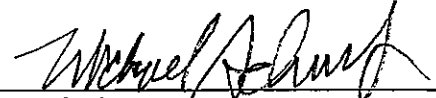
We respectfully request that the following item be placed on the City Plan Commission agenda and advertised as required by Section 51A-7.701(a)(1) of the City of Dallas Development Code.

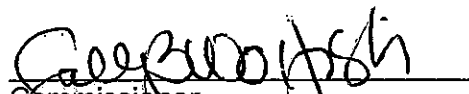
Consideration of a hearing to authorize a public hearing to determine the proper zoning on property zoned Planned Development District No. 22, Planned Development District No. 130, Planned Development District No. 215, Planned Development District No. 250, Planned Development District No. 279, Planned Development District No. 322, Planned Development District No. 423, Planned Development District No. 713, Planned Development District No. 782, a CR Community Retail District with Deed restrictions on a portion, a CS Commercial Service District, a GO(A) General Office District with deed restrictions on a portion, an RR Regional Retail District with deed restrictions on a portion and Specific Use Permit Nos. 1335, 1389, 1390 on a portion, an LO-2 Limited Office District 2 with deed restrictions on a portion, an NO(A) Neighborhood Office District, an MO-2 Mid-range Office District 2, an MF-1(A) Multifamily District, an MF-4(A) Multifamily District, an MU-1 Mixed Use District with deed restrictions on a portion, an MU-2 Mixed Use District with deed restrictions on a portion, an MU-3 Mixed Use District, an MU-3 (SAH) Mixed Use District Affordable, and a P(A) District Parking. A map of the area to be considered is attached.

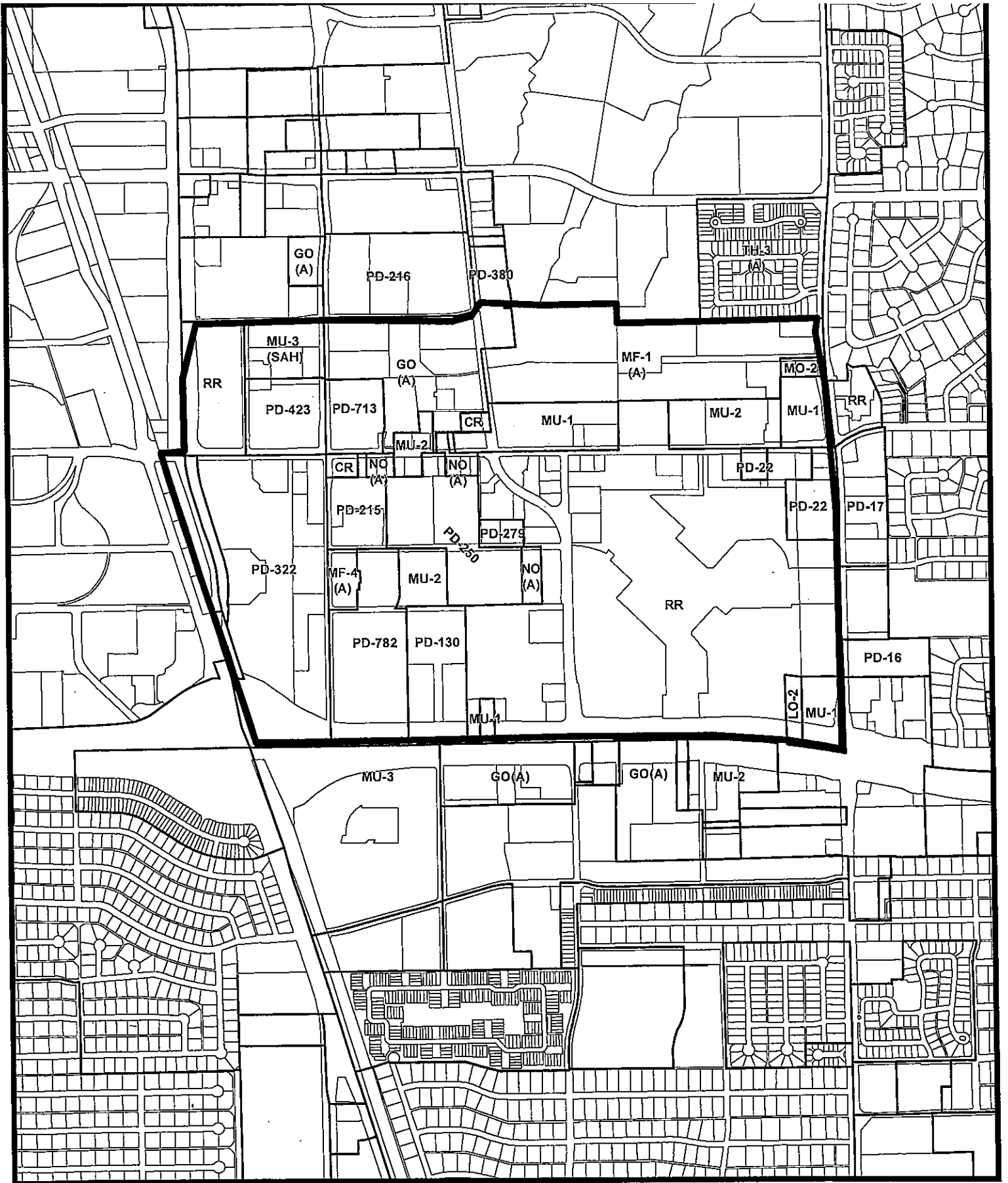
Consideration is to be given to appropriate zoning including use, development standards, and other regulations that would allow for and encourage development in appropriate areas at the above location.

Thank you for your attention to this matter.

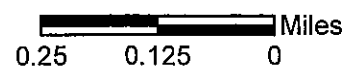

Bruce Bernbaum, Commissioner


Commissioner


Commissioner



Galleria-Valley View





CITY OF DALLAS

**City Plan Commission
Annual Report
Fiscal Year 2011-2012**

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**ANNUAL REPORT
PLANNING AND DEVELOPMENT
FISCAL YEAR 2011-2012**

COMMISSION MEMBERS

Joe Alcantar, Chair

Richard Davis (Dist. 1)

Liz Wally (2)

Michael Anglin (Dist. 3)

Michael Davis (Dist. 4)

Robert Abtahi Dist. 4)

Emma Rodgers (Dist. 5)

Tony Hinojosa (Dist. 6)

Ann Bagley (Dist. 7)

Myrtl M. Lavallaisaa (Dist. 8)

Gloria Tarpley (Dist. 9)

John Shellene (Dist. 10)

Bruce Bernbaum (Dist. 11)

Sally Wolfish (Dist. 12)

Michael Schwartz (Dist. 13)

Julian Peterson (Dist. 14)

Paul E. Ridley (Dist. 14)

SUBCOMMITTEES OF THE CITY PLAN COMMISSION

Background

The City Plan Commission revised the Rules of Procedure to govern their deliberations on August 20, 2009. City Council approved the revisions on November 9, 2009.

Section 12 of the Rules of Procedure establishes the following standing committees:

- (1) Arts District Sign Review Committee
- (2) Rules Committee
- (3) Special Sign District Advisory Committee
- (4) Subdivision Review Committee
- (5) Thoroughfare Committee
- (6) Trinity River Committee
- (7) Urban Design Committee (UDC)
- (8) Zoning Ordinance Committee (ZOC)

Members of the standing committees and the chair of each are appointed by the Chair of the Commission, subject to approval by the Commission. Members of the committees are voted on as a group and not individually.

ARTS DISTRICT SIGN ADVISORY COMMITTEE

The Arts District Sign Advisory Committee is governed by Section 51A-7.1204 of the Dallas Development Code. This committee shall review and make recommendations to the Director of Sustainable Development and Construction regarding Certificate of Appropriateness for any sign to be placed in the Arts District. This Committee met once during FY 2011-2012.

RULES COMMITTEE

The Rules Committee shall make recommendations to the Commission on proposed amendments to the Commission's rules of procedure. This Committee did not meet during FY2011-2012.

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC)

The Special Sign District Advisory Committee is a five-member advisory body specified by City Code and appointed by and responsible to the City Plan Commission. The committee members must include one architect, one graphic designer and one businessman associated with the sign industry. The committee has jurisdiction for the Special Provision Sign Districts (Downtown, Deep Ellum, Farmers Market, West End, McKinney Avenue, Uptown, Cedar's, West Village, Jefferson Boulevard, Victory and West Commerce/Fort Worth Avenue) and deals with related issues, such as Certificates of Appropriateness, and amendments to the sign ordinance itself, including Landmark Sign applications. Amendments may be initiated by the committee or from other

sources. Following their review, the committee sends their recommendations to the City Plan Commission for action. The committee met seven times during FY 2011-2012.

SUBDIVISION REVIEW COMMITTEE (SRC)

The Subdivision Review Committee is a five-member advisory body appointed by and responsible to the City Plan Commission. There are no specific criteria for the number of members or qualifications of members of the committee. The Subdivision Review Committee has responsibility for reviewing street name changes and appeals of staff recommended conditions. Following its review, the Subdivision Review Committee forwards its recommendations to the City Plan Commission for action. The Committee also has responsibility for reformatting the existing subdivision regulations. The Subdivision Review Committee did not meet during the FY2011-2012 to consider residential replat issues and met once to consider and make recommendation concerning a street name change.

THOROUGHFARE (TRANSPORTATION) COMMITTEE

The Thoroughfare Committee is a seven-member advisory body appointed by and responsible to the City Plan Commission. This committee is established by the CPC rules and there are no criteria for qualifications of members of the committee. The Thoroughfare Committee is responsible for reviewing potential amendments to the Thoroughfare Plan and to the Central Business District Streets and Vehicular Circulation Plan. Changes to the plan may be initiated by the committee itself, the City Plan Commission, the City Council, staff or by citizens through one of the foregoing bodies. Recommendations are forwarded to the City Plan Commission and City Council for final action. The committee met five times during the fiscal year and acted on 16 thoroughfare plan amendments.

TRINITY RIVER COMMITTEE

Trinity River Committee is comprised of nine member advisory body appointed and responsible to the City Plan Commission. The Trinity River Committee shall provide recommendations on planning and design of the Trinity River Corridor, including the area in the Trinity River Corridor Comprehensive Land Use Plan. The Committee must be composed of four members and five citizens. The five citizens must include a representative of the cultural or arts community, a representative of residential neighborhoods, a representative of the central business district, an architect or urban planner, and a landscape architect. The chair and vice-chair of the committee must be members. The Committee did not meet during FY 2011-2012.

URBAN DESIGN COMMITTEE (UDC)

The Urban Design Committee shall provide recommendations for improving urban design; provide recommendations on planning and design of the central business district; and provide recommendations on land use studies. The Committee must be composed of two Commission members and five citizens. The five citizens must include a representative of the cultural or arts community, a representative of residential neighborhoods, a representative of the Central Business District, an architect or urban planner, and a landscape architect. UDC did not meet during FY2011-2012.

ZONING ORDINANCE COMMITTEE (ZOC)

The Zoning Ordinance Committee (ZOC) is an advisory body appointed by and responsible to the City Plan Commission. The chair and vice-chair of the committee must be members and the committee must be composed of two or three members and five citizens. The Zoning Ordinance Committee is responsible for reviewing proposed amendments to the City's Development Code, both those initiated by the Committee and those originating from other sources. Recommendations for action are made to the City Plan Commission. The committee met 18 times during FY2011- 2012.

STRATEGIC PLANNING DIVISION

The Strategic Planning Division is responsible for comprehensive planning within the City of Dallas and closely integrates long range land use and transportation planning. The Division focuses on three main functions - Strategic Land Use Planning, Transportation Planning and Geographic Information Systems (GIS).

Strategic Land Use Planning is concerned with advancing the goals of major land use and economic policy initiatives such as the *forwardDallas!* Plan and the Strategic Engagement Plan. This is done by developing strategic land use, infrastructure and economic development plans aimed at positioning the City to improve key redevelopment or infill areas to build the tax base and leverage significant public investment and economic opportunity. These plans provide a policy basis for day-to-day decisions affecting land use in the City. Strategic Land Use Planning activities include developing and implementing city-initiated area plans for key areas identified by City Council, staff support for community-led planning efforts, and advancing long-term, strategic goals established by the City Council through specific actions such as code amendments, community visioning/outreach, analysis of land use, zoning and demographic trends, and coordination with other departments and agencies on infrastructure planning.

Transportation Planning is concerned with providing planning and technical analysis for transportation projects related to transit, bicycle and pedestrian facilities, freeway/tollway and arterial thoroughfare corridors. This includes updating the Thoroughfare Plan as needed. Transportation Planning also focuses on identification of transportation-related infrastructure needed to support economic development and collaborates with other City departments, cities/counties, and regional/state agencies to plan and fund projects of mutual interest.

GIS is concerned with developing and maintaining datasets and applications that allow the rest of the department to do their business in a more efficient and effective manner. The GIS group performs property owner notifications for many different divisions within the department, maintains the base data for the Posse permitting system, assigns lot and block for all plats, and coordinates the update of the GIS Zoning website. Datasets maintained include Plats, Zoning, Real Estate, and Building Inspection specific data.

FY 2010-2011 Accomplishments.

- ❖ Substantial work was completed in collaboration with the Economic Development department and hired consultants through a HUD-Challenge planning grant award to develop strategic area plans for five economically challenged DART station areas including Vickery Meadow, Lancaster Corridor, MLK Station, Hatcher Station and Buckner Station.
- ❖ The Complete Streets Initiative funded through a TCSP grant was further advanced through community workshops and demonstration projects, development of a draft design manual (currently under staff review) and conceptual designs for 15 pilot project candidates.

- ❖ Collaborated with other departments for development of the 2012 Bond Program package, including funding for several citywide complete street projects and infrastructure funding for implementation of the UNT-Dallas Area Plan.
- ❖ Building permits reports were provided to North Central Texas Council of Governments (NCTCOG) and U.S. Census Bureau for annual household and population estimates
- ❖ Planning for a TIGER funded starter streetcar line linking Union Station in Downtown to Methodist Hospital in Oak Cliff was substantially advanced through award of a design-build contract in collaboration with DART and NCTCOG,.
- ❖ Collaborated with DART and consultants to develop preliminary alternatives for future expansion of the TIGER funded starter streetcar line and linkage to the McKinney Avenue trolley line.
- ❖ Collaborated with DART and consultants to define additional alternatives for ongoing analyses to enable selection of a preferred alternative for a second downtown light rail line.
- ❖ Completed implementation of the Central Core connector on-street bike linkage between the Santa Fe Trail and the Katy Trail through downtown Dallas and developed detailed plans for additional early implementation bike plan projects.
- ❖ Consultants were hired and work initiated on the LBJ-Skillman Area through funding from the NCTCOG Sustainable Development Grant program.
- ❖ Provided staff support and technical assistance for the community-initiated White Rock East area plan.
- ❖ Provided staffing for the City Council Transportation and Environment Committee, the City Plan Commission Transportation Committee, the Regional Transportation Council and the Surface Transportation Technical Committee of the North Central Texas Council of Governments
- ❖ Completed 16 Thoroughfare Plan amendments
- ❖ Worked with Census Bureau to improve City's Addressing
- ❖ Significant improvements made to GIS database to prepare for POSSE permitting system update
- ❖ Added 14,300 platted parcels to the GIS database
- ❖ Verified 2,361 areas of request for notification, including Zoning, Board of Adjustment, Subdivision, etc.

CURRENT PLANNING DIVISION

Development Services is responsible for the review and processing of zoning requests, development code amendments, street name changes, and review and processing of subdivision plats through the City Plan Commission and City Council, and zoning variances, special exceptions and nonconforming use compliance cases through the Board of Adjustment.

The division during the fiscal year 2011-2012 provided staff support to the Zoning Ordinance Committee, the Special Sign District Advisory Committee, the Arts District Sign Advisory Committee, the Subdivision Review Committee, the City Plan Commission, and City Council. Staff reviewed and processed 604 items for action by the City Plan Commission. This included 228 Zoning cases, 177 Preliminary Plats, 39 Residential Replats, 55 Final Plats, 2 Street Name Change, 17 Sign Certificates of Appropriateness, 80 Miscellaneous items of various kinds, 2 CPC Authorized Hearings and 4 Development Code Amendments.

ZONING ORDINANCE COMMITTEE (ZOC)

The Current Planning Division was actively involved in the implementation of and amendments to Chapter 51A of the Dallas Development Code, and has continued work on monitoring and refining the Code. ZOC reviewed and recommended amendments for significant cases that addressed grave issues of concern by many residents, business, and property owners and industries across the city. New regulations that address these complex problems frequently become national models since other cities are requesting copies of these newly established regulations.

There were six (6) amendments considered by or acted upon by ZOC that included:

- 1) Miscellaneous Parking Regulations
- 2) Alternative Fueling Stations
- 3) Micro Breweries and Wineries
- 4) Bicycle Parking Requirements
- 5) Downtown Ground Level Retail Parking Exemptions
- 6) Automated/Mechanized Parking

Of the six (6) amendments considered miscellaneous parking regulations and downtown ground level retail parking exemptions continued to be difficult, with feedback from an array of interested parties. Micro breweries and wineries was initiated by an application from private industry and it enabled staff to create code amendments allowing for these uses city wide as opposed to only being allowed in Industrial Manufacturing districts. Working through bicycle parking requirements was a little more arduous and time consuming. A new type of parking standard, other than automobile, was being addressed and it was affected by and would affect numerous city plans and codes. Some of those plans that the bicycle parking requirements affect and must work in conjunction with are the City of Dallas Green Building Plan, the Dallas Bike Plan Addendum, Dallas Complete Streets Design Manual, Chapter 9 and Chapter 43 of the Dallas Development Code. Automated/Mechanized parking is currently under

consideration and is another type of parking standard that has not heretofore been addressed. As ZOC works through this code amendment, a lot of research and time will be spent understanding the magnitude and ever changing technology associated with this type of parking in order to develop standards that are applicable now as well as in the future.

SUMMARY OF ACTIVITIES

2011-2012

CPC ZONING CASES FILED:

PD Zoning Changes	63
Specific Use Permit	102
General Zoning Changes	31
General Zoning Changes/Specific Use Permit	6
Historic Overlays	4
Conservation District	0
Deed Restrictions	4
Neighborhood Stabilization Overlay	1
Specific Use Permit – auto renewal	<u>17</u>
Total	228

MISCELLANEOUS ITEMS FILED:

Development/Landscape Plans	14
Minor Site Plan Amendments	45
Two-year waiver applications	21

SUBDIVISION PLATS FILED:

Preliminary Plats	177
Final Plats	55

CPC ACTION:

Zoning Cases	228
Preliminary Plats	138
Residential Replats/Individual	51
Historic Landmark Designations	3
Conservation District	0
Special Provision Sign District Cases	1
Sign Certificate of Appropriateness	17
Thoroughfare Plan Amendments	9
All-Way Stop/Road Hump Appeals	2
Street Name Changes	2
Remove Dry Overlay	2
Deed Restrictions	16
Miscellaneous Docket Items	57
Land Use/Economic Development Plans	0
Landmark Appeal	2
Amendments to Development Code	4
Authorized Hearings	<u>2</u>
Total	534

Type of Action Taken (not including Subdivisions)	
Items approved, adopted, authorized	294
Items denied	11
Items denied without prejudice	7
Remanded to subcommittee	<u>0</u>
Total	312

Commission & Committee Meetings

City Plan Commission	24
City Plan Commission Training Session	0
Zoning Ordinance Committee	18
Special Sign District Advisory Committee	7
Subdivision Review Committee	1
Thoroughfare (Transportation) Committee	5
Arts District Sign Advisory Committee	1
Rules Committee	0
Urban Design Committee	0
Trinity River Committee	0