



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, February 2, 2012  
AGENDA

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|                |                  |            |
|----------------|------------------|------------|
| BRIEFINGS:     | 5ES              | 12:00 p.m. |
| PUBLIC HEARING | Council Chambers | 1:30 p.m.  |

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

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

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**BRIEFINGS:**

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S112-059**  
(CC District 7)      An application to create a 2.458 acre lot, an 8.726 acre lot, and an 8.165 acre lot from a 19.421 acre tract of land in City Block 6127 on Buckner Blvd. at Samuell Boulevard.  
Applicant/Owner: Racetrac/Buckner International  
Surveyor: Baird Hampton and Brown, Inc.  
Application Filed: January 4, 2012  
Zoning: PD 605, D-1  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S112-062**  
(CC District 12)      An application to create a 73.004 acre lot from a tract of land in City Block 8735 on Coit Road south of Frankford Road and west of Waterview Parkway.  
Applicant/Owner: Realty Appreciation, Ltd./Texas A&M University System  
Surveyor: Piburn & Carson  
Application Filed: January 10, 2012  
Zoning: PD 850  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S112-064**  
(CC District 2)
- An application to create a 4.409 acre lot from a tract of land in City Block 8/2003 located at Carroll Avenue and U.S. Highway 75, east corner.
- Applicant/Owner: The Residences at Cityplace, LLC  
Surveyor: Kimley-Horn & Associates, Inc.  
Application Filed: January 13, 2012  
Zoning: WMU8  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (4) **S112-065**  
(CC District 5)
- An application to replat part of Lot 1, City Block 10/4893 and a tract of land into one 0.429 acre lot and one 1.883 acre lot on property located at Ledbetter Drive and Lancaster Road, north corner.
- Applicant/Owner: Orange Development/ Stephen L. Martin, Gary L. Martin, DeBusk Foundation  
Surveyor: Winkelmann & Associates, Inc.  
Application Filed: January 13, 2012  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (5) **S112-060**  
(CC District 3)
- An application to replat a 0.858 acre tract of land containing all of Lots 1 and 2 and the remainder of Lots 3, 4, 5, 22, 23 and 24 and alley ROW to be abandoned in City Block 1/3243 on Tyler Street, Tyler Street Connection and Page Street.
- Applicant/Owner: KP Star Investments, Inc.  
Surveyor: Peiser Surveying, LLC  
Application Filed: January 6, 2012  
Notices Mailed: 28 notices mailed on January 11, 2012  
Zoning: TH-3(A), NS(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (6) **S112-061**  
(CC District 3)
- An application to replat a 189.549 acre tract of land containing City Blocks 4152, 4153, 6161, 7212, 7213, 7216 and 7217 to create 12 lots on property generally bounded by Interstate 30 on the north, N. Westmoreland Road on the east, Fort Worth Avenue on the south and Pinnacle Park Blvd. on the west.
- Applicant/Owner: SLF III – The Canyon in Oak Cliff, LP  
Surveyor: Kimley – Horn & Associates, Inc.  
Application Filed: January 9, 2012  
Notices Mailed: 47 notices mailed on January 13, 2012  
Zoning: PD 811 Subareas A through E  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

**W112-004**  
Neva Dean  
(CC District 1)

An application for a waiver of the two-year waiting period in order to submit an application for a new subdistrict to allow an adult day care use by specific use permit on the southeast corner of West 10<sup>th</sup> Street and Vernon Avenue.  
Staff Recommendation: **Denial**

**W112-005**  
Neva Dean  
(CC District 1)

An application for a waiver of the two-year waiting period in order to submit an application for a change to the zoning from Planned Development District No. 830 to Conservation District No. 7 and remove the D Liquor Control Overlay on the southwest corner of Bishop Avenue and Neely Street.  
Staff Recommendation: **Denial**

**D101-024**  
Neva Dean  
(CC District 12)

Development plan for Planned Development District No. 850 on the east line of Coit Road, between DART RR & Campbell Road.  
Staff Recommendation: **Approval**

Certificates of Appropriateness for Signs

**1112121090**  
(CC District 14)

An application for a Certificate of Appropriateness for the installation of an approximately 206 square foot flat attached premise sign at 3232 McKinney Avenue (southeast elevation).  
Applicant: Pam Watson.  
Staff Recommendation: **Approval**  
SSDAC Recommendation: **Approval**

**1112121106**  
(CC District 14)

An application for a Certificate of Appropriateness for the installation of an approximately 206 square foot flat attached premise sign at 3232 McKinney Avenue (northwest elevation).  
Applicant: Pam Watson.  
Staff Recommendation: **Approval**  
SSDAC Recommendation: **Approval**

**1201035004**  
(CC District 14)

An application for a Certificate of Appropriateness for the installation of an approximately 200 square foot upper level projecting attached sign at 1516 Pacific Avenue.  
Applicant: Brad Pilkington  
Staff Recommendation: **Approval** of a 180 square foot Upper Level Projecting sign.  
SSDAC Recommendation: **Approval**, subject to sign complying with city ordinance on maximum area requirements.

Zoning Cases – Consent

1. **Z101-237(OTH)**  
Olga Torres Holyoak  
(CC District 8)  
An application to renew Specific Use Permit No. 1726 for a Vehicle display, sales and service use on property zoned Subdistrict 2 within Planned Development District No. 534, the C. F. Hawn Special Purpose District, with a D-1 Liquor Control Overlay in the southeast quadrant of C. F. Hawn Freeway and Dowdy Ferry Road.  
Staff Recommendation: **Approval** for a three-year period, with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.  
Applicant: Mueller Properties Ltd., owner  
Representative: Karl Crawley
  
2. **Z112-131(WE)**  
Warren Ellis  
(CC District 2)  
An application to create a new tract within Planned Development District No. 269, the Deep Ellum Special Purpose District on the northeast corner of Indiana Street and Malcolm X Boulevard.  
Staff Recommendation: **Approval**, subject to conditions.  
Applicant: Broadstone Ambrose, LP  
Representative: MASTERPLAN - Karl Crawley
  
3. **Z112-134(MW)**  
Megan Wimer  
(CC District 12)  
An application to amend Specific Use Permit No. 1090 for a Public school other than an open-enrollment charter school on property zoned an R-7.5(A) Single Family District on the northeast corner of Briargrove Lane and Voss Road.  
Staff Recommendation: **Approval**, subject to a revised site plan, revised landscape plan, traffic management plan and revised conditions.  
Applicant: Plano Independent School District  
Representative: Karl Crawley, Masterplan

Zoning Cases – Individual

4. **Z101-233(MW)**  
Megan Wimer  
(CC District 1)  
An application for a MU-2 Mixed Use District and a Specific Use Permit for a convenience store with drive-through on property zoned an MU-1 Mixed Use District on the southwest corner of East 8<sup>th</sup> Street and South RL Thornton Freeway.  
Staff Recommendation: **Denial**  
Applicant: Carlos Rios  
Representative: Ralph Martinez

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Other Matters

City Plan Commission FY2010-11 Annual Report

Minutes: January 19, 2012

Adjournment



**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, February 2, 2012**

**TRANSPORTATION COMMITTEE MEETING** - Thursday, February 2, 2012, City Hall, 1500 Marilla Street, in the Council Chambers, at 8:00 a.m., to consider (1) Change dimensional classification of Sylvan Avenue from IH-30 to Fort Worth Avenue from a six lane divided roadway M-6-D(A\*) within 100 feet of right-of-way to a special four lane divided roadway (SPCL 4-D) with bicycle lanes within 90 feet of right-of-way. (2) Change dimensional classification of Sylvan Avenue from Fort Worth Avenue to Singleton Boulevard from a six lane divided roadway M-6-D(A\*) within 100 feet of right-of-way to a special four lane divided roadway (SPCL 4-D) with bicycle lanes within 100 feet of right-of-way. (3) Change the operation of Elm Street from Good Latimer to Exposition from a one-way to a two-way roadway and change the dimensional classification from a four lane undivided roadway (S-4-U) within 60 feet of right-of-way to a two lane undivided roadway (S-2-U) within 60 feet of right-of-way. (4) Change the operation of Commerce Street from Good Latimer to Exposition from a one-way to a two-way roadway and change the dimensional classification from a four lane undivided roadway (S-4-U) within 60 feet of right-of-way to a two lane undivided roadway (S-2-U) within 60 feet of right-of-way. (5) Canada Drive – Delete Canada Drive from Gulden to West Main as a four lane divided roadway (S-4-D) within 80 feet of right-of-way. (6) Beckley Avenue – Add Beckley Avenue from W. Main to Singleton as a four lane divided roadway (S-4-D) with shared bicycle lanes within 80 feet of right-of-way. (7) Continental Viaduct – Delete Continental Viaduct from Beckley Avenue to Riverfront Boulevard as a special eight lane divided roadway (SPCL 8D) within 134 to 150 feet of right-of-way to become a pedestrian promenade/plaza. (8) Change dimensional classification of Riverfront Boulevard from Continental Avenue to Corinth Street from a special eight lane divided (SPCL 8D) roadway within 137 to 150 feet of right-of-way to a special six lane divided roadway (SPCL 6D) with bike lane within 130 feet of right-of-way.

**ZONING ORDINANCE COMMITTEE (ZOC) MEETING** - Thursday, February 2, 2012, City Hall, 1500 Marilla Street, in 5ES, at 10:00 a.m. to consider (1) **DCA 112-001** - Consideration of amending the Dallas Development Code to develop appropriate standards for alternative fueling stations including electrical charging, compressed natural gas and liquefied natural gas (2) **DCA 112-002** - Consideration of amending the Dallas Development Code to amend certain parking standards including parking reductions for providing bicycle parking.

**SUBDIVISION REVIEW COMMITTEE** Thursday, February 2, 2012, City Hall, 1500 Marilla Street, in 5DN, at 11:00 a.m. to consider Institutional Plats.

### EXECUTIVE SESSION NOTICE

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

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

**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 15, 2011**

**FILE NUMBER:** S112-059

**Subdivision Administrator:** Paul Nelson

**LOCATION:** Buckner Blvd. at Samuell Boulevard

**DATE FILED:** January 4, 2012

**ZONING:** PD 605, D-1

**CITY COUNCIL DISTRICT:** 7    **SIZE OF REQUEST:** 19.421 Acres    **MAPSCO:** 69A,K

**APPLICANT/OWNER:** Racetrac/Buckner International

**REQUEST:** An application to create a 2.458 acre lot, an 8.726 acre lot, and an 8.165 acre lot from a 19.421 acre tract of land in City Block 6127 on Buckner Blvd. at Samuell Boulevard.

**SUBDIVISION HISTORY:**

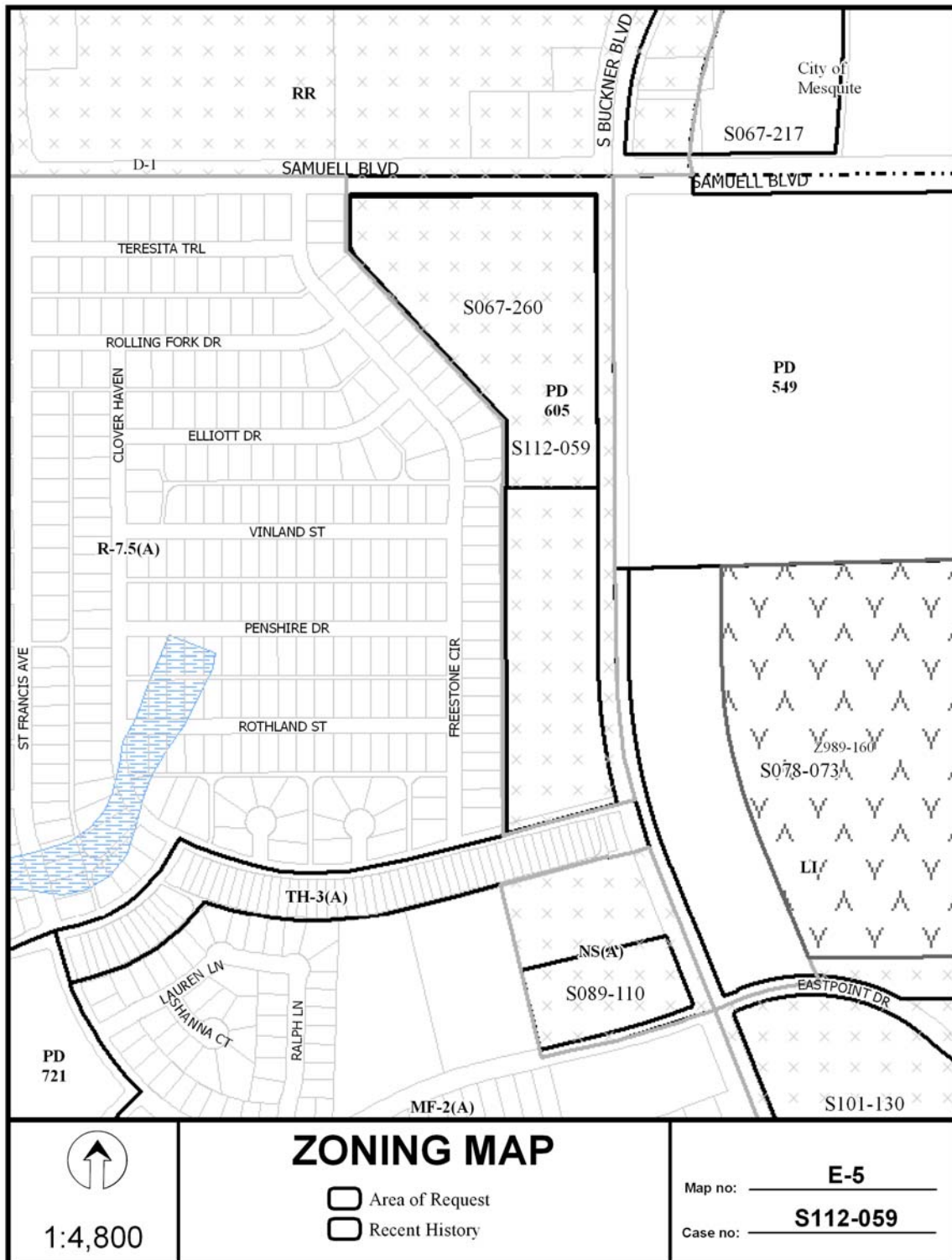
1. S067-260 was an application on the north one-half of the property but has never been completed.

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of PD 605; 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. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 3.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
14. On the final plat dedicate 28 feet of ROW, or a street easement, or Public Utility and Sidewalk Easement equal to 28 feet from the established centerline of Clover Haven.
15. On the final plat dedicate a 20 foot by 20 foot corner clip at Samuel Blvd. and Buckner Blvd.
16. On the final plat dedicate 53.5 feet of ROW from the established centerline of Buckner Blvd. at Samuel Blvd. and Buckner Blvd.
17. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Samuel Blvd. and the alley and at Clover Haven and the alley.
18. On the final plat dedicate 7.5 feet of ROW from the established centerline of the existing alley.
19. On the final plat dedicate a 15 foot by 15 foot corner clip at Clover Haven and Buckner Blvd.
20. On the final plat add the following note: "Access or modification to Buckner Blvd/State Highway Loop 12) requires TXDOT approval."
21. On the final plat show how all adjoining ROW were created.
22. On the final plat show all additions or tracts of land within 150 feet of the property with recording information.
23. On the final plat there needs to be 2 control monuments shown and 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.
24. Access, private drainage, and electric easements must be recorded by separate instrument and the recording information must be placed on the face of the plat.
25. On the final plat show at least 2 distances/width of ROW across Buckner Blvd/Loop12.

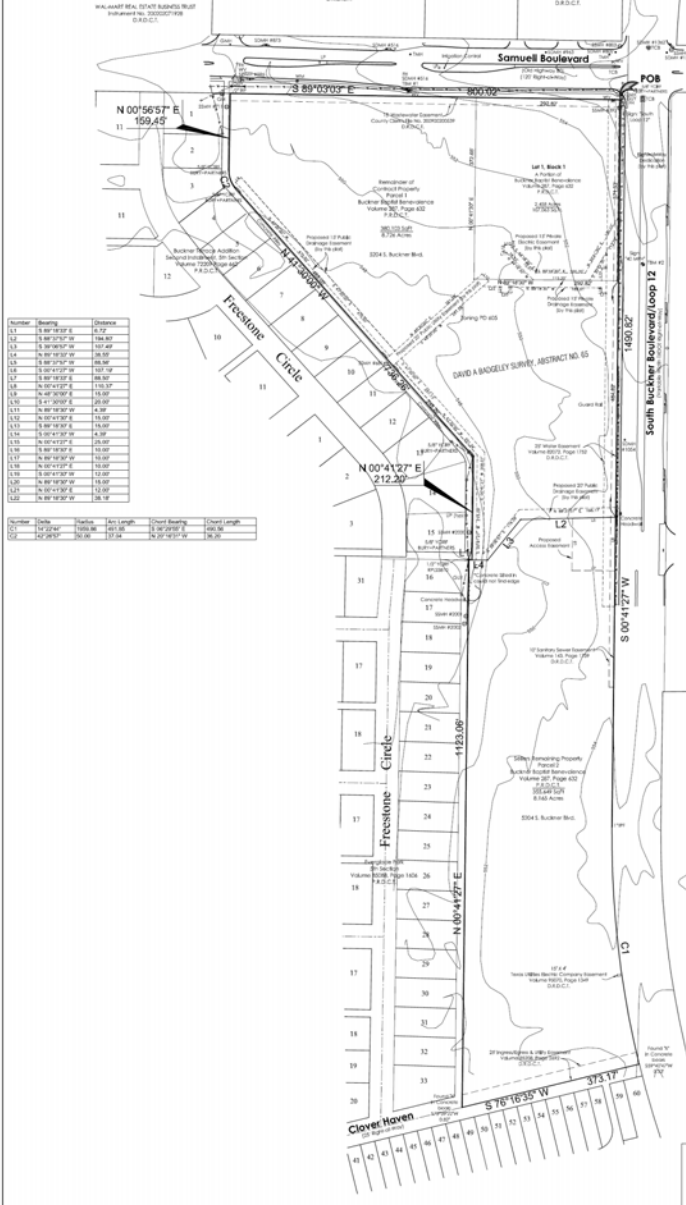
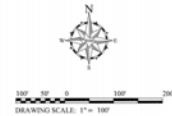
26. On the final plat remove "South" from Buckner Blvd. on the face of the plat and in the legal description.
27. On the final plat use the "Corporate Owner's dedication statement".
28. On the final plat use the "Surveyor's" statement.
29. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
30. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
31. Water/wastewater main extension is required by Private Development Contract.
32. On the final plat change "S. Buckner Boulevard/Loop 12" to Buckner Boulevard (State Highway Loop No. 12)".
33. On the final plat identify the property as City Block 9/6127, Lots 34, 35 and 36.











**METS AND BOUNDS DESCRIPTION**  
**19.421 ACRES**  
**DAVID A. BADGLEY, A-46**  
 BEING 19.421 acres of land situated in the David A. Badgley Survey, Abstract No. 65, City of Dallas, Dallas County, Texas and being a portion of a tract of land described by deed to Buckner Baptist Benevolence as recorded in Volume 287, Page 632, Deed Records, Dallas County, Texas (D.A.C.C.) and being more particularly described by metes and bounds as follows (Bearings referenced to the north line of Buckner Terrace Addition, Second Addition, 5th Section, an addition to the City of Dallas as recorded in Volume 2269, Page 662, Plat Records, Dallas County, Texas (P.A.C.C.):

**BEING** or a 5/8 inch capped iron rod marked "BURY+FAIRBANKS" for the southwest corner of the intersection of South Buckner Boulevard Loop 12 (a variable width 100' Right-of-Way) and Samuel Boulevard/Old S-80 (a 120' foot Right-of-Way):

**THENCE** South 07°41'27" West with the west right-of-way line of said South Buckner Boulevard, a distance of 1495.82 feet to a found 7" iron pipe;

**THENCE** along the arc of a curve to the left, having a central angle of 142°24'44", a radius of 1939.86, an arc length of 481.85 feet and a chord which bears South 52°29'33" East, a distance of 492.36 feet to a point from which a found "X" in concrete bears South 57°42'47" West, a distance of 63.9 feet;

**THENCE** South 74°16'33" West departing the said west line and along the north right-of-way line of Clover Haven (a 23' Right-of-Way) some being the southeastern north line of Everglades Park, 5th Section, an addition to the City of Dallas, as recorded in Volume 8508, Page 186, P.A.C.C.; a distance of 373.17 feet to a point from which a found "X" in concrete bears South 73°29'27" West, a distance of 122 feet;

**THENCE** North 07°41'27" East with the east line of said Everglades Park, a distance of 122.56 feet to a found 3/4 inch capped iron rod marked "RHS 3810" for the northeast corner of said Everglades Park;

**THENCE** South 87°18'23" East, a distance of 4.72 feet to a found 5/8 inch capped iron rod marked "BURY+FAIRBANKS";

**THENCE** North 07°41'27" East, an 13.55 feet distance with the west line of the aforementioned Buckner Terrace Addition, in 88' a distance of 212.22 feet to a found 5/8 inch capped iron rod marked "BURY+FAIRBANKS";

**THENCE** continuing along the west line of said Buckner Terrace Addition the following courses and distances:

North 41°30'00" West, a distance of 736.26 feet to a 5/8 inch capped iron rod marked "BURY+FAIRBANKS";

Along the arc of a curve to the right, having a central angle of 42°26'34", a radius of 503.02 feet, an arc length of 37.24 feet and a chord which bears North 02°13'17" West, a distance of 36.22 feet to a found 5/8 inch capped iron rod marked "BURY+FAIRBANKS";

North 02°56'37" East, a distance of 139.45 feet to a found 1/2 inch iron rod in the south right-of-way line of the aforementioned Samuel Boulevard, some being the northeast corner of the off-record Buckner Terrace Addition;

**THENCE** South 87°02'03" East departing said Buckner Terrace Addition and with the south line of said Samuel Boulevard, a distance of 900.02 feet to the **POINT OF BEGINNING** and containing 19.421 acres of land more or less;

| Number | Bearing       | Distance |
|--------|---------------|----------|
| L1     | N 89°02'03" E | 87.72    |
| L2     | S 89°02'03" W | 198.82   |
| L3     | S 74°16'33" W | 107.49   |
| L4     | S 74°16'33" W | 60.00    |
| L5     | S 74°16'33" W | 80.50    |
| L6     | S 74°16'33" W | 107.72   |
| L7     | S 74°16'33" W | 80.50    |
| L8     | N 74°16'33" E | 113.37   |
| L9     | N 74°16'33" E | 15.00    |
| L10    | N 74°16'33" E | 20.00    |
| L11    | N 74°16'33" E | 4.50     |
| L12    | N 74°16'33" E | 15.00    |
| L13    | N 74°16'33" E | 4.50     |
| L14    | N 74°16'33" E | 15.00    |
| L15    | N 74°16'33" E | 4.50     |
| L16    | N 74°16'33" E | 15.00    |
| L17    | N 74°16'33" E | 4.50     |
| L18    | N 74°16'33" E | 15.00    |
| L19    | N 74°16'33" E | 4.50     |
| L20    | N 74°16'33" E | 15.00    |
| L21    | N 74°16'33" E | 4.50     |
| L22    | N 74°16'33" E | 15.00    |
| L23    | N 74°16'33" E | 4.50     |
| L24    | N 74°16'33" E | 15.00    |
| L25    | N 74°16'33" E | 4.50     |
| L26    | N 74°16'33" E | 15.00    |
| L27    | N 74°16'33" E | 4.50     |
| L28    | N 74°16'33" E | 15.00    |
| L29    | N 74°16'33" E | 4.50     |
| L30    | N 74°16'33" E | 15.00    |
| L31    | N 74°16'33" E | 4.50     |
| L32    | N 74°16'33" E | 15.00    |
| L33    | N 74°16'33" E | 4.50     |
| L34    | N 74°16'33" E | 15.00    |
| L35    | N 74°16'33" E | 4.50     |
| L36    | N 74°16'33" E | 15.00    |
| L37    | N 74°16'33" E | 4.50     |
| L38    | N 74°16'33" E | 15.00    |
| L39    | N 74°16'33" E | 4.50     |
| L40    | N 74°16'33" E | 15.00    |
| L41    | N 74°16'33" E | 4.50     |
| L42    | N 74°16'33" E | 15.00    |
| L43    | N 74°16'33" E | 4.50     |
| L44    | N 74°16'33" E | 15.00    |
| L45    | N 74°16'33" E | 4.50     |
| L46    | N 74°16'33" E | 15.00    |
| L47    | N 74°16'33" E | 4.50     |
| L48    | N 74°16'33" E | 15.00    |

**PRELIMINARY PLAT**  
**RACETRAC-SAMUELL**  
**19.421 ACRES**  
 A PORTION OF  
 BUCKNER BAPTIST BENEVOLENCE  
 VOLUME 287, PAGE 632  
 DEED RECORDS, DALLAS COUNTY, TEXAS  
 DAVID A. BADGLEY SURVEY, ABSTRACT NO. 65  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

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

Purpose of Document: Review  
 Surveyor: John G. Margotta  
 Registered Professional Land Surveyor No. 5956  
 Release Date: 11-30-11

CITY FILE: S112-059

**Legend**

|       |                        |       |                            |      |                                     |
|-------|------------------------|-------|----------------------------|------|-------------------------------------|
| ▲ SIM | Electric Meter         | ▲ GUP | Guy Wire Anchor            | CC#  | County Clerk Number                 |
| ▲ SW  | Water Valve            | ▲ FH  | Fire Hydrant               | DRCT | Deed Records, Tarrant County, Texas |
| ▲ WM  | Water Meter            | ▲ FDC | Fire Department Connection | PRCT | Plat Records, Tarrant County, Texas |
| ▲ GV  | Gas Valve              | ▲ GM  | Gas Meter                  | SB   | Survey Book                         |
| ▲ GM  | Gas Meter              | ▲ TM  | Temporary Benchmark        | IRF  | Iron Rod Found                      |
| ▲ SSM | Sanitary Sewer Manhole | ▲ SBN | Sign                       | CRF  | Capped Iron Rod Found               |
| ▲ LBM | Unknown Manhole        | ▲ TM  | Telephone Manhole          | IRB  | IRB Iron Rod Set Marked "IRB TAG"   |
| ▲ SSM | Sanitary Sewer Manhole | ▲ CBL | Cable Manhole              |      |                                     |
| ▲ EMH | Electric Manhole       | ▲ TYP | Typical                    |      |                                     |
| ▲ UP  | Utility Pole           | ▲ UC  | Utility Casing             |      |                                     |
| ▲ LP  | Light Pole             | ▲ DE  | Drainage Easement          |      |                                     |
| ▲ TR  | Telephone Pole         | ▲ POC | Public Open Space Easement |      |                                     |
| ▲ A/C | A/C Unit               | ▲ ADM | Asphalt                    |      |                                     |
| ▲ CV  | Valve Control Valve    | ▲ HSI | Housing                    |      |                                     |
| ▲ GL  | Generator              |       |                            |      |                                     |
| ▲ TGS | Traffic Control Sign   |       |                            |      |                                     |
| ▲ TSS | Traffic Sign           |       |                            |      |                                     |
| ▲ CD  | Barbed Wire Cleared    |       |                            |      |                                     |
| —●—   | Iron Pipe Fence        | —●—   | Wood Fence                 | —●—  | Electric Line                       |
| —●—   | Wire Fence             | —●—   | Gravel Pad                 | —●—  | Gas Line                            |
| —●—   | Chain-link Fence       | —●—   | Water Line                 | —●—  | Telephone Line                      |



Drawn by: J. Margotta  
 Checked by: J. Margotta  
 Date: 11/30/11



**CITY PLAN COMMISSION****THURSDAY, FEBRUARY 2, 2012****FILE NUMBER:** S112-062**Subdivision Administrator:** Paul Nelson**LOCATION:** Coit Road south of Frankford Road and west of Waterview Parkway**DATE FILED:** January 10, 2012**ZONING:** PDD 850**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 73.004 Ac. **MAPSCO:** 6F,G,K,L**APPLICANT/OWNER:** Realty Appreciation, Ltd./Texas A&M University System**REQUEST:** An application to create a 73.004 acre lot from a tract of land in City Block 8735 on Coit Road south of Frankford Road and west of Waterview Parkway.**SUBDIVISION HISTORY:**

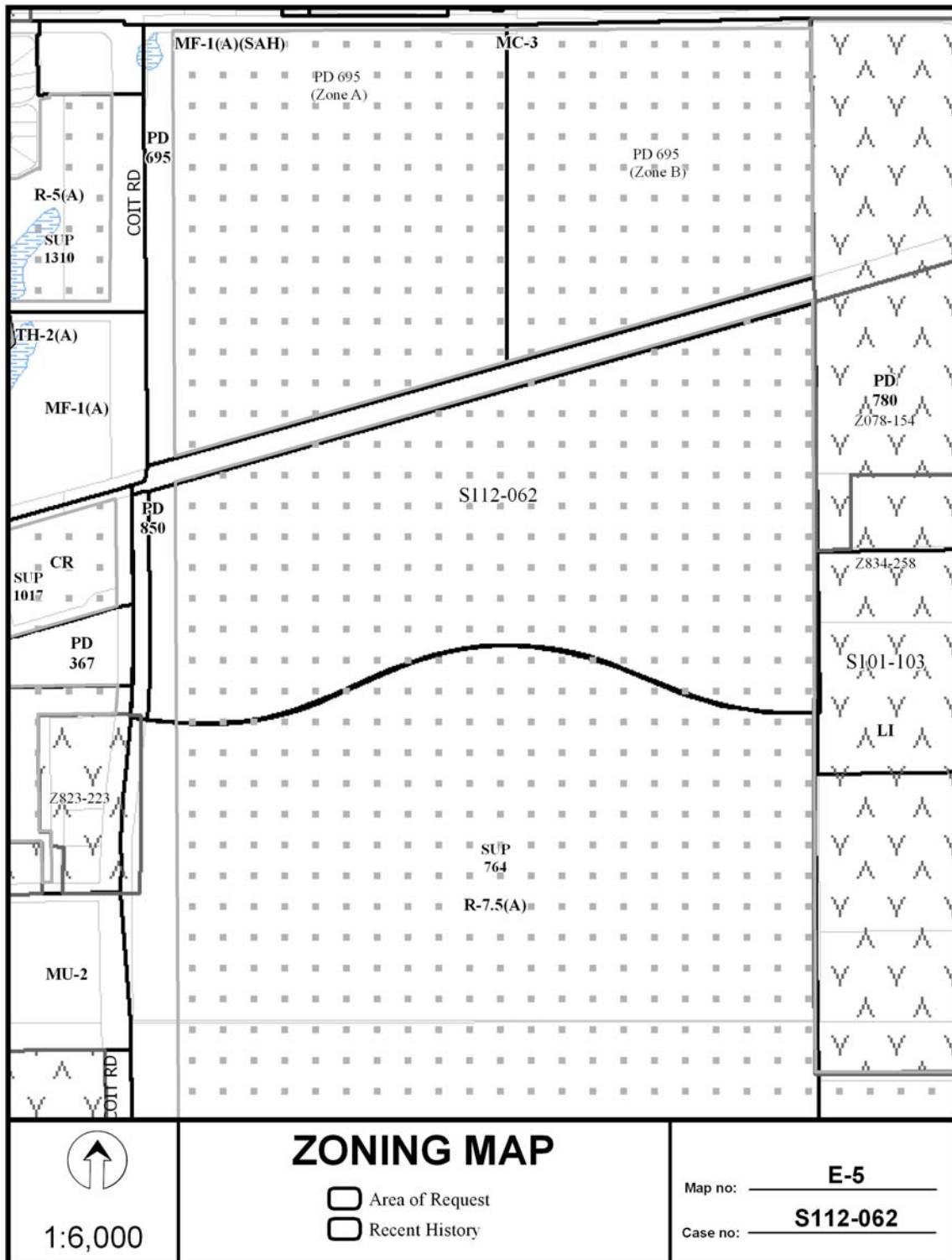
1. S112-007 was an application north of the request on Frankford Road to create a 6.259 acre lot from a tract of land containing part of City Block 8759 on Frankford Road, east of Coit Road. The request was approved on November 3, 2011 but has not been recorded.
2. S101-003 was an application contiguous on the east of the present request to replat a 14.4627 acre tract of land in City Block A/8735 into one 4.7909 acre lot, one 5.0813 acre lot and one 4.5905 acre lot on Waterview Parkway and was approved on June 2, 2011 but has not been recorded.
3. A Development Agreement that addresses sewer service to the property was signed by the City of Dallas on January 4, 2012. The agreement was required to be signed before a preliminary plat application could be submitted.

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of PD 850; therefore, staff recommends approval of the request 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. All water or wastewater utilities on the property shall be considered private plumbing and follow Chapter 54 (the Plumbing Code) of the Dallas City Code, as amended. Offsite water and wastewater will be public and must follow the criteria 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.

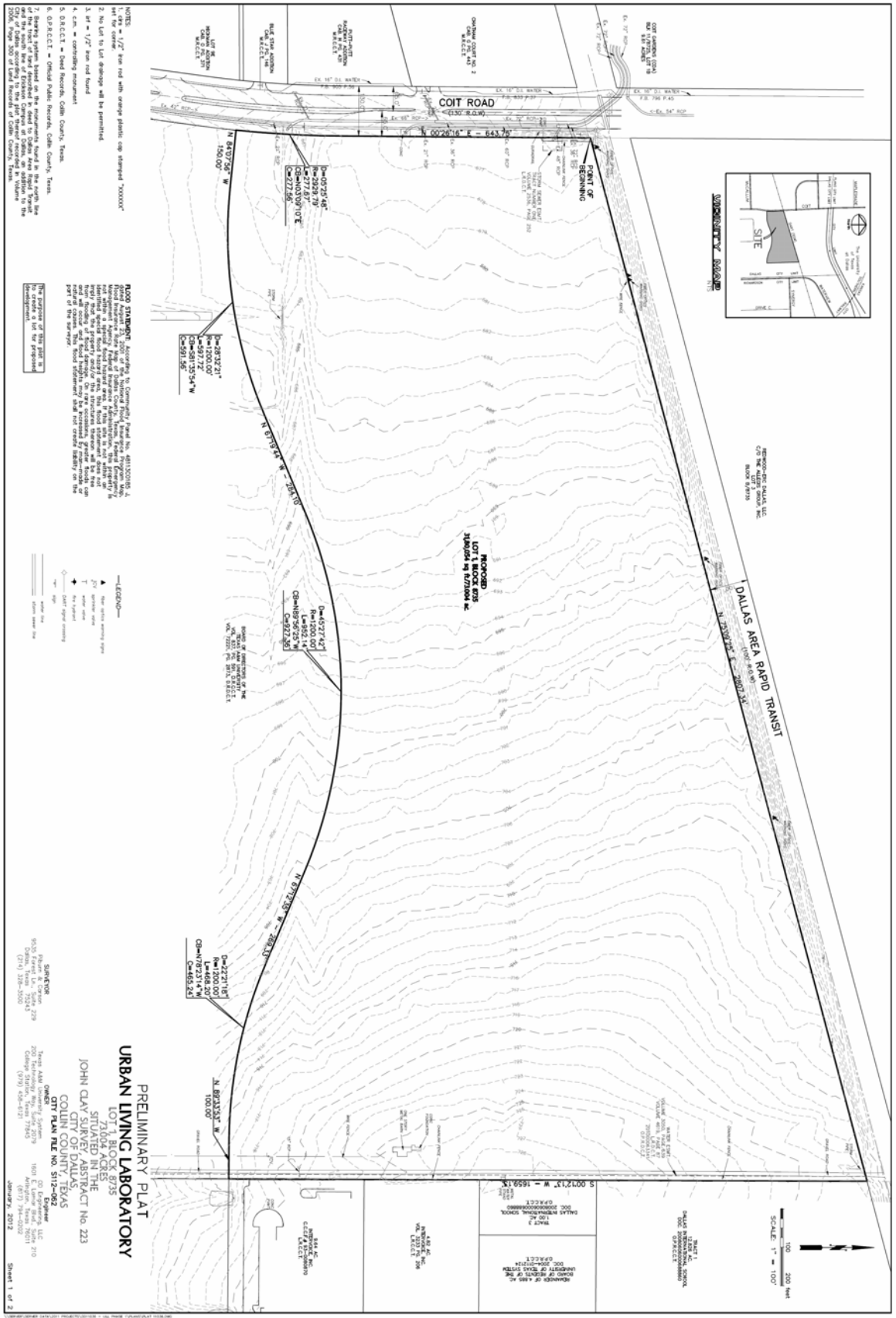
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A 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 show two control monuments and monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
14. On the final plat show how all adjoining ROW was created.
15. On the final plat show recording information on all easements within 150 feet of the property.
16. On the final plat show the correct recording information for the subject property.
17. On the final plat all access and other private easements must be recorded by separate instrument and the recording information placed on the face of the final plat.
18. On the final plat show all public easements to be "dedicated by this plat".
19. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of the development for investigation.
22. Water/wastewater main extension is required by Private Development Contract.
23. The collector street shown on the conceptual plan and required by PD 850 must be shown on the preliminary plat as either a public or private street.

24. On the final plat show the alignment of public and private streets and appropriate dedications.
25. The maintenance of the private streets and roads will be the responsibility of an Association that is to be formed for the purpose of providing maintenance and upkeep of all of the private streets and roads and community spaces within the boundaries of this plat.
26. Contact the City of Dallas Street Name Coordinator at [albert.taylor@dallascityhall.com](mailto:albert.taylor@dallascityhall.com) for assistance with selecting names for the private roads.
27. On the final plat identify the property as Lot 1, City Block C/8735.
28. The final plat must comply with the ordinance for PD No. 850.









**CITY PLAN COMMISSION**

**THURSDAY, FEBRUARY 2, 2012**

**FILE NUMBER:** S112-064

**Subdivision Administrator:** Paul Nelson

**LOCATION:** Carroll Avenue at U.S. Highway 75, east corner

**DATE FILED:** January 13, 2012

**ZONING:** WMU-8

**CITY COUNCIL DISTRICT:** 2

**SIZE OF REQUEST:** 4.409 Ac.

**MAPSCO:** 35Y

**APPLICANT/OWNER:** The Residences at Cityplace, LLC

**REQUEST:** An application to create a 4.409 acre lot from a tract of land in City Block 8/2003 located at Carroll Avenue and U.S. Highway 75, east corner.

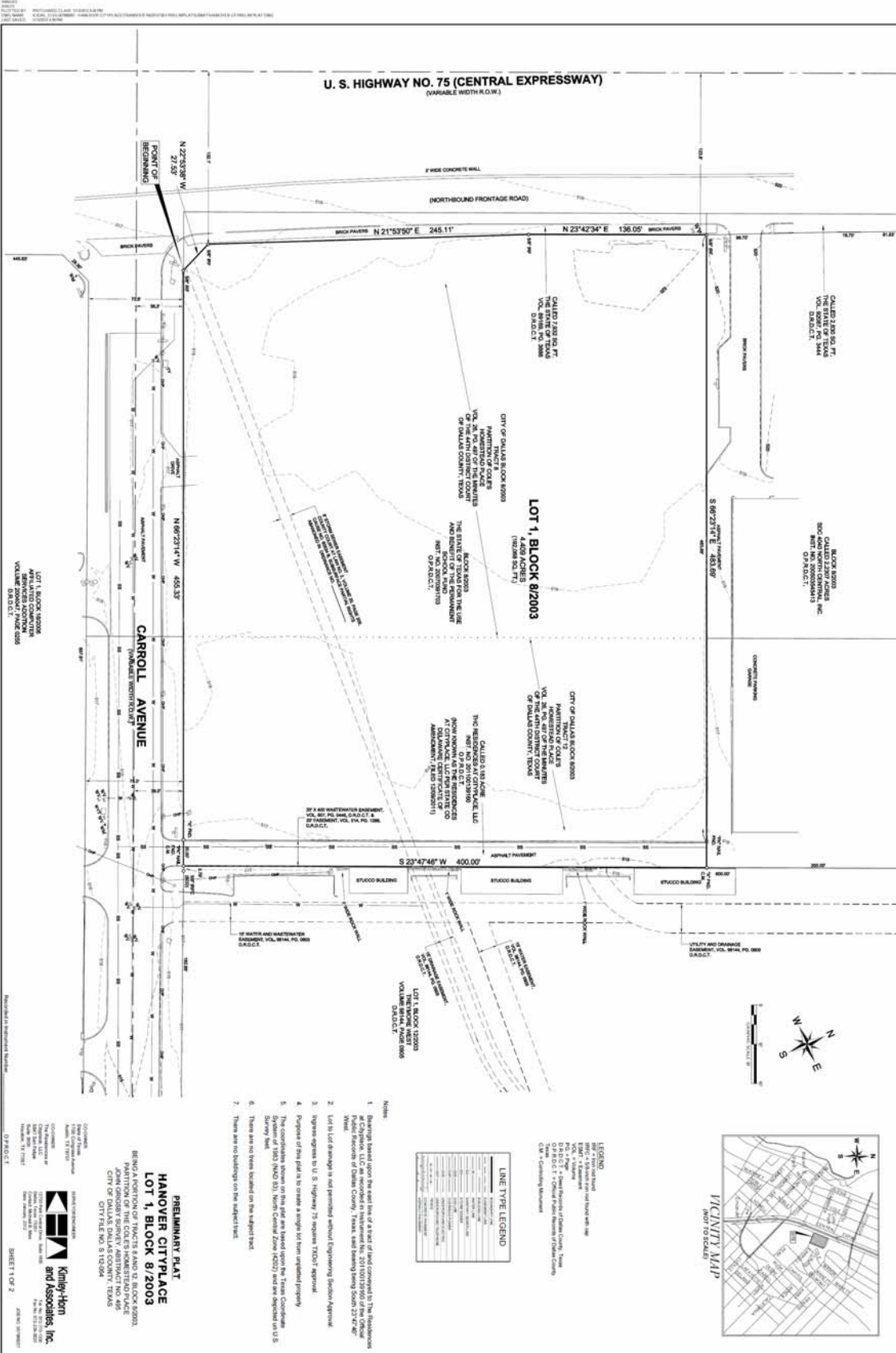
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of the WMU-8 zoning district; therefore, staff recommends approval of the request subject to compliance with the following conditions:

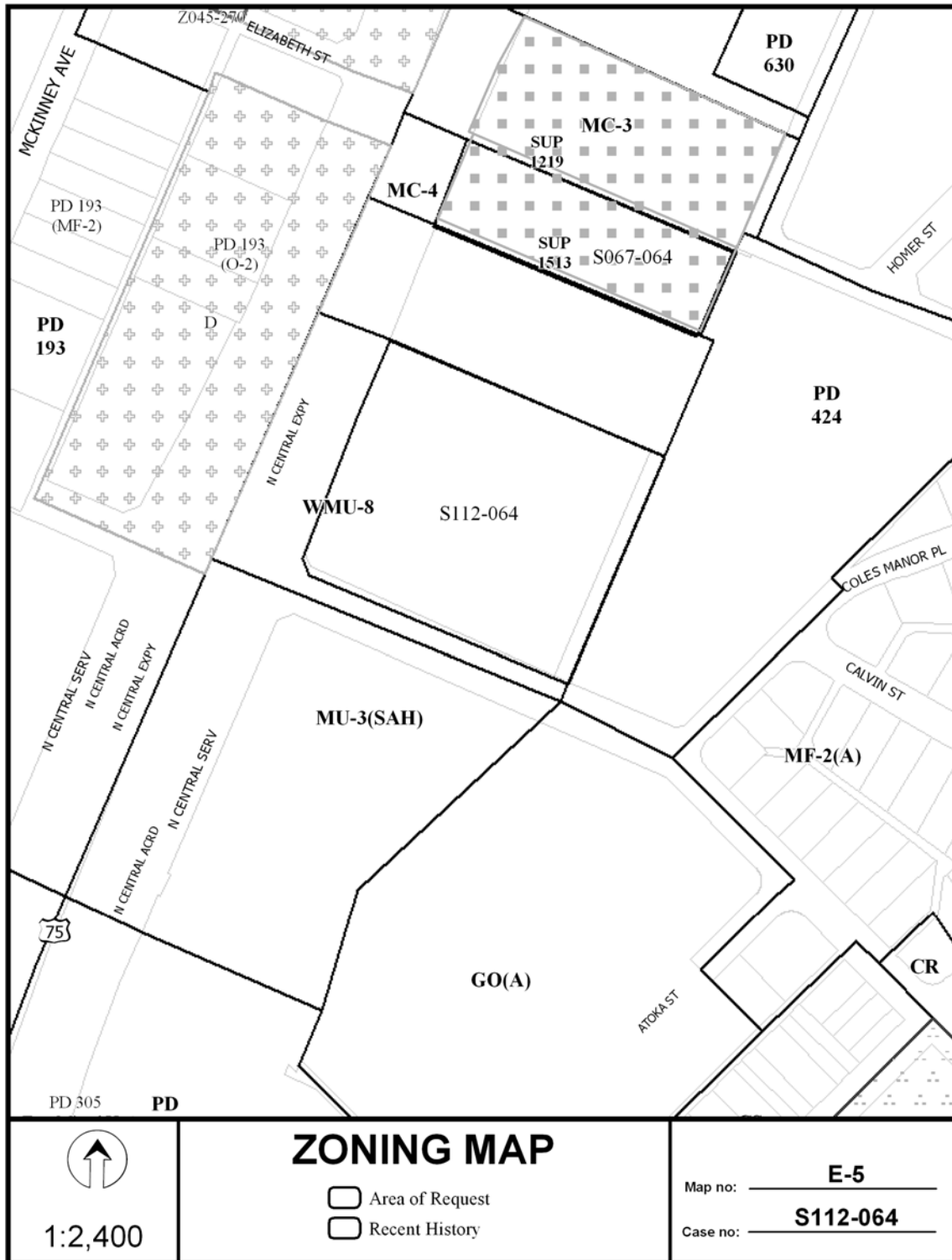
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

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

10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
14. Add a note to the final plat stating: "Access or modification to North Central Expressway (US Highway No. 75) requires TXDOT approval."
15. On the final plat show how all adjoining ROW was created.
16. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
17. On the final plat show all utility easement abandonments with their recording information.
18. Prior to submitting the final plat for recording verify that the 3 stucco buildings on the east side of the plat do or do not extend across the boundary line. If they cross the boundary line, the boundary of the plat will have to be revised by a revised plat and approved by the commission before the final plat can be recorded.
19. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of the development for investigation.
22. Water/wastewater main extension is required by Private Development Contract.
23. Real Estate completed 2 area tracts abandoned by Ordinance No. 28509 passed by City Council on December 14, 2011. Show the same 2 area tracts on the plat and reword abandonment language on plat for both abandonment areas to show as follows: "Subsurface storm sewer easement partial rights above 409 feet Mean Sea Level abandonment authorized by Ordinance No. 28509 and recorded as **Instrument No. \_\_\_\_\_**. Real Estate release required prior to the Chairman's signature.
24. On the final plat change U.S. Highway No. 75 (Central Expressway) to North Central Expressway (U.S. Highway No. 75).
25. On the final plat identify the property as Lot 3, City Block 12/8003.

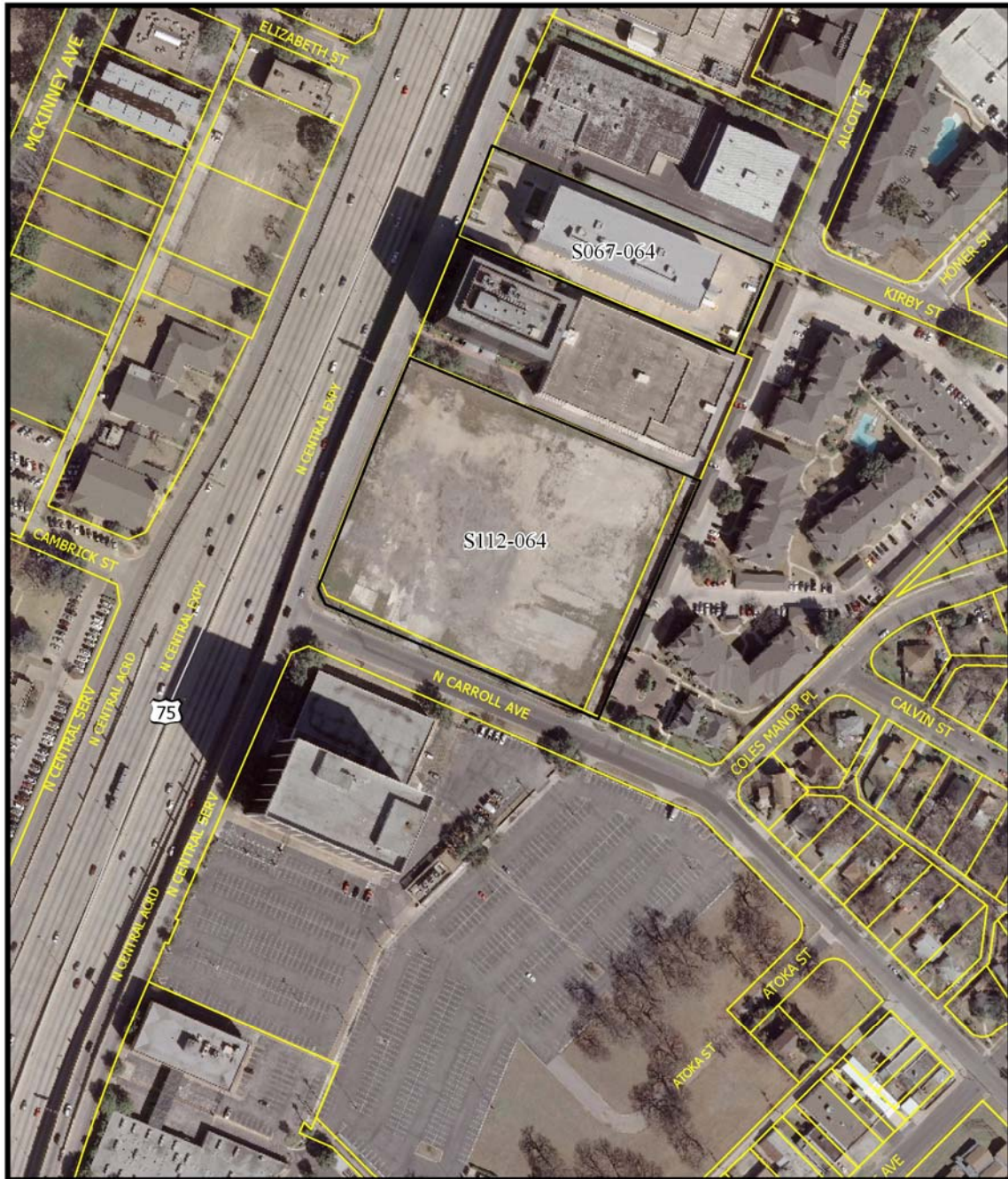






1/24/2012





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|--|--|---|
| <br>1:2,400 | <h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request<br/> <input type="checkbox"/> Recent History         </p> | <p>Map no: <u>          E-5          </u></p> <p>Case no: <u>          S112-064          </u></p> |
|--|--|---|

1/24/2012



**CITY PLAN COMMISSION****THURSDAY, FEBRUARY 2, 2012****FILE NUMBER:** S112-065**Subdivision Administrator:** Paul Nelson**LOCATION:** Ledbetter Drive and Lancaster Road, northeast corner**DATE FILED:** January 13, 2012**ZONING:** CR**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 2.312 Ac.**MAPSCO:** 65H**APPLICANT/OWNER:** Orange Development/ Stephen L. Martin, Gary L. Martin, DeBusk Foundation

**REQUEST:** An application to replat a 2.312 acre tract of land containing part of Lot 1 in City Block 10/4893 and a tract of land in City Block 4893 into one 0.429 acre lot and one 1.883 acre lot on property located at Ledbetter Drive and Lancaster Road, northeast corner.

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

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of the CR zoning District; therefore, staff recommends approval of the request 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, add a note on the face "Abandonment authorized by **Ordinance No. \_\_\_\_\_**. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat add the following note: "Any modification to Ledbetter Drive requires TXDOT approval."
14. On the final plat show recording information on all existing easements within 150 feet of the property.
15. On the final plat list the utility easements as retained within street abandonments when stated in ordinance.
16. On the final plat verify that the called 30 foot utility easement along Ledbetter Drive is a public utility and street easement or a street easement.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
19. On the final plat identify the property as Lots 2 and 3 in City Block 10/4893.







1:2,400

# AERIAL MAP

- Area of Request
- Recent History

Map no:       E-5      

Case no:       S112-065      

1/24/2012





**CITY PLAN COMMISSION****THURSDAY, FEBRUARY 2, 2011****FILE NUMBER:** S112-060**Subdivision Administrator:** Paul Nelson**LOCATION:** Tyler Street, Tyler Street Connection and Page Street**DATE FILED:** January 6, 2012**ZONING:** TH-3(A), NS(A)**CITY COUNCIL DISTRICT:** 3     **SIZE OF REQUEST:** 0.858 Acres     **MAPSCO:** 54F**APPLICANT/OWNER:** KP Star Investments, Inc.

**REQUEST:** An application to replat a 0.858 acre tract of land containing all of Lots 1 and 2 and the remainder of Lots 3, 4, 5, 22, 23 and 24 and alley ROW to be abandoned in City Block 1/3243 on Tyler Street, Tyler Street Connection and Page Street.

**SUBDIVISION HISTORY:**

1. S101-144 was an application to replat a 0.720 acre tract of land containing all of Lots 2 and 3 and part of Lots 1, 4 and 5 in City Block 1/3241 to create one lot on 603 and 607 S. Tyler Street and was approved on August 18, 2011. The application was withdrawn on December 12, 2011.

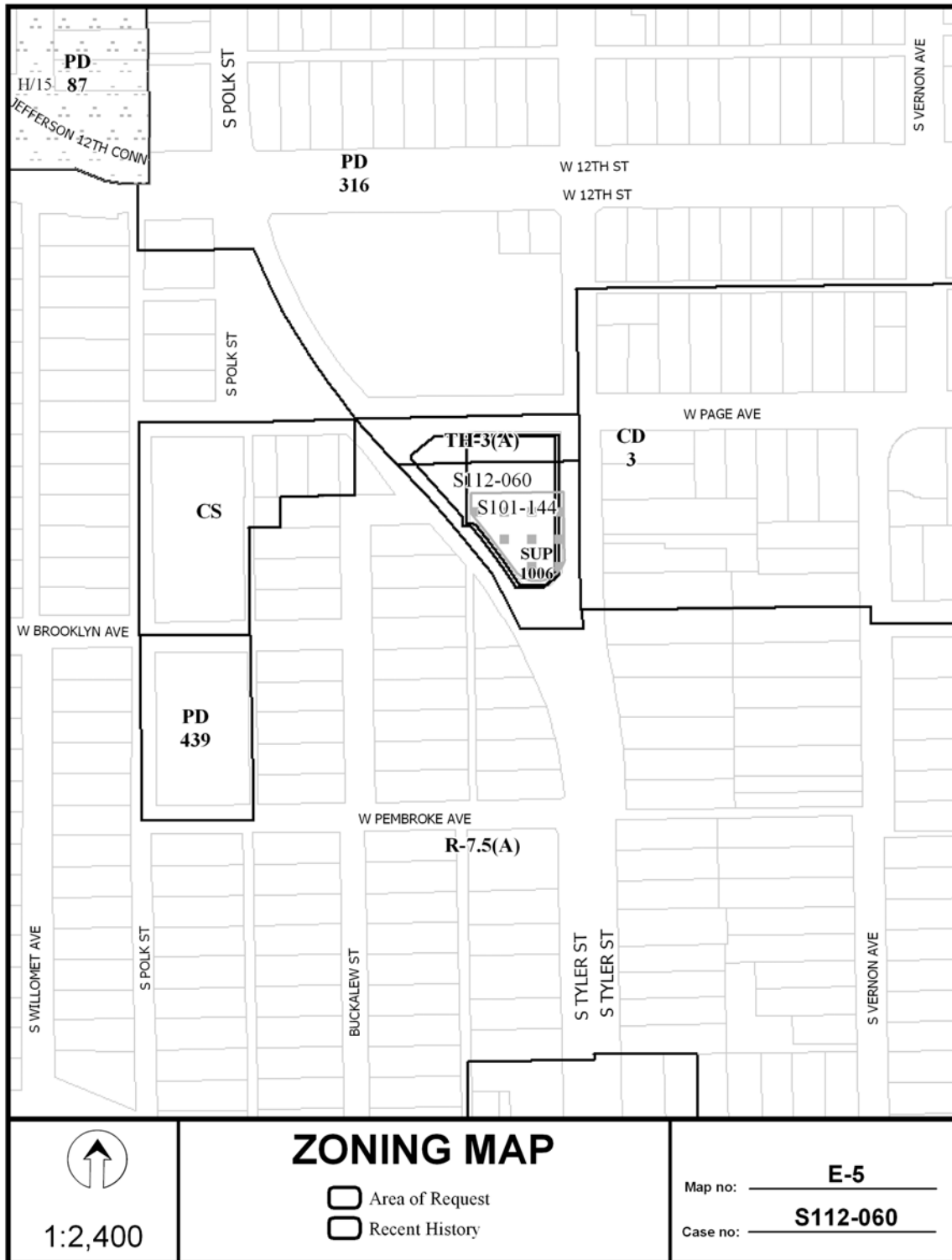
**DATES NOTICES SENT:** 28 notices were mailed January 11, 2012.

**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of the TH-3(A) and NS(A) Districts; therefore, staff recommends approval subject to compliance with the following conditions:

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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. On the final plat dedicate 7.5 feet of ROW from the established centerline of the alley.
14. On the final plat dedicate a 15 feet by 15 feet corner clip at Page Street and Tyler Street.
14. On the final plat monument all set corners, and show a minimum of 2 control monuments, per the monumentation ordinance.
15. The City of Dallas Surplus property must be acquired prior to the release of signed final plat.
16. On the final plat dedicate the existing street easements to the City of Dallas in fee simple and show on the face of the plat as "dedicated by this plat".
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
18. Water/wastewater main extension may be required by Private Development Contract.
19. On the final plat identify the property as City Block B1/3241, Lot 1A.









|  |   |                    |                      |    |                                    |
|--|---|--------------------|----------------------|----|------------------------------------|
| <br>1:2,400 | <h2>NOTIFICATION</h2>   | Map no: <b>E-5</b> |                      |    |                                    |
|  | <table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">28</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table> | 200'               | AREA OF NOTIFICATION | 28 | NUMBER OF PROPERTY OWNERS NOTIFIED |
| 200'   | AREA OF NOTIFICATION  |                    |                      |    |                                    |
| 28   | NUMBER OF PROPERTY OWNERS NOTIFIED  |                    |                      |    |                                    |

1/17/2012

1/10/2012

**Notification List of Property Owners****S112-060****28 Property Owners Notified**

| <b>Label #</b> | <b>Address</b>  | <b>Owner</b>                          |
|----------------|-----------------|---------------------------------------|
| 1              | 603 TYLER ST    | KP STAR INVESTMENTS INC               |
| 2              | 607 TYLER ST    | K P STAR INVESTMENTS INC              |
| 3              | 706 TYLER ST    | HERNANDEZ JAIME                       |
| 4              | 702 TYLER ST    | HERNANDEZ MARTIN                      |
| 5              | 618 TYLER ST    | HERNANDEZ SANTIAGO                    |
| 6              | 624 TYLER ST    | NORTHCUTT LINDY GENE                  |
| 7              | 616 TYLER ST    | ROCKETT JAMES S                       |
| 8              | 612 TYLER ST    | ROCKETT JAMES S & MARTHA A            |
| 9              | 600 TYLER ST    | HERNANDEZ RAFAEL E                    |
| 10             | 606 TYLER ST    | GARCIA MIGUEL C ETAL                  |
| 11             | 516 TYLER ST    | DIAZ LINO & BEATRIZ                   |
| 12             | 837 PAGE AVE    | CASTILLO MAGDALENA & MARTIN HERNANDEZ |
| 13             | 833 PAGE AVE    | DOMINGUEZ JUAN M                      |
| 14             | 831 PAGE AVE    | COUCH KEDRIC % MRS PAT COUCH          |
| 15             | 912 12TH ST     | SAFEWAY % MINYARD S                   |
| 16             | 703 TYLER ST    | BENITEZ MARIA DEL CARMEN              |
| 17             | 626 BUCKALEW ST | MARTINEZ GILBERTO & AMANDA VALENCIA   |
| 18             | 622 BUCKALEW ST | GARZA SOPHIA                          |
| 19             | 618 BUCKALEW ST | GARZA ALFREDO                         |
| 20             | 614 BUCKALEW ST | GARZA SOFIA                           |
| 21             | 707 TYLER ST    | SANCHEZ ASCENCION B & IMELDA          |
| 22             | 711 TYLER ST    | ROMERO JUAN L & ROSA M                |
| 23             | 706 BUCKALEW ST | JAIME JUAN E & JAIME ANGELICA         |
| 24             | 702 BUCKALEW ST | ARMIGO CELESTINO & ENRIQUE ARMIJO     |
| 25             | 930 TYLER ST    | FOUNTAIN VILLA INC % FELIX SANDOVAL   |
| 26             | 934 PAGE AVE    | SOSA JORGE & GUADALUPE                |

Tuesday, January 10, 2012

| <i>Label #</i> | <i>Address</i>  | <i>Owner</i>                    |
|----------------|-----------------|---------------------------------|
| 27             | 611 BUCKALEW ST | TAMEZ JOSE L & ELIZABETH FLORES |
| 28             | 613 BUCKALEW ST | RIOS PEDRO                      |

*Tuesday, January 10, 2012*





**CITY PLAN COMMISSION****THURSDAY, FEBRUARY 2, 2012****FILE NUMBER:** S112-061**Subdivision Administrator:** Paul Nelson**LOCATION:** Interstate 30, Westmoreland Rd., Fort Worth Ave., and Pinnacle Park Blvd.**DATE FILED:** January 9, 2012**ZONING:** PDD 811, Subareas A, B, C, D and E**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 189.549 Ac. **MAPSCO:** 43T, 43X**APPLICANT:** SLF III – The Canyon in Oak Cliff, LP

**REQUEST:** An application to replat a 189.549 acre tract of land containing City Blocks 4152, 4153, 6161, 7212, 7213, 7216 and 7217 to create 12 lots on property generally bounded by Interstate 30 on the north, N. Westmoreland Road on the east, Fort Worth Avenue on the south and Pinnacle Park Blvd. on the west.

**DATES NOTICES SENT:** 47 notices were mailed January 13, 2012.

**SUBDIVISION HISTORY:**

1. S101-056R was an application contiguous on the west to revise a previously approved preliminary plat (S101-056) to create one 3.519 acre lot and one 1.342 acre common area and dedicate ROW for parts of 2 streets in City Block 7212 on Pinnacle Park Boulevard at proposed Falls Bluff Drive, north corner. The request was approved on May 5, 2011 but has not been recorded.
2. S101-056 was an application contiguous on the west to create one 6.626 acre lot in City Block 7212 on Pinnacle Park Drive, west of Westmoreland Road and was approved on March 3, 2011 but has not been recorded.
3. S090-032 was an application contiguous on the west to create one 5.516 acre lot from a tract of land in City Block 7212 located on Pinnacle Park Blvd., north of Fort Worth Avenue and was approved on January 7, 2010 and recorded July 18, 2011.
4. S056-279 was an application contiguous on the west to create one 14.356 acre lot in City Block 7212 on Pinnacle Park Blvd. at Rock Quarry Road, west corner and was approved June 22, 2006 and recorded on February 15, 2007.
5. S056-278 was an application contiguous on the east to create one 21.754 acre tract of land in City Block 7212 on Rock Quarry Road at Stone Mesa Drive, southeast corner (southwest of the current request) was approved on June 22, 2006 and recorded on February 15, 2007.
6. S056-206 was an application southeast of the present request to create one, 15.304 acre lot in City Block 7212 on Stone Mesa Drive north of Rock Quarry Road and was approved on April 20, 2006 but has not been recorded.

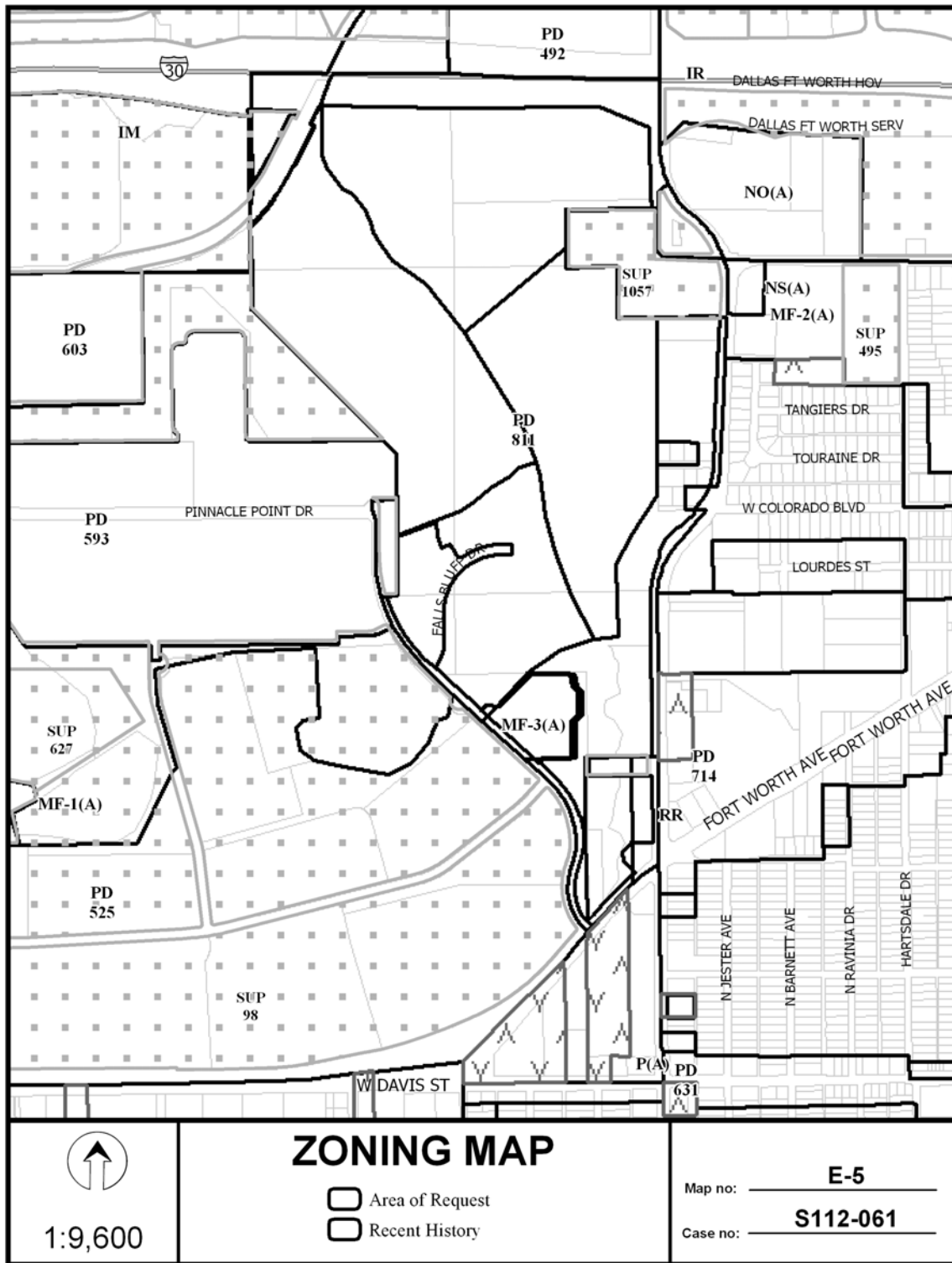
**STAFF RECOMMENDATION:** The proposed subdivision complies with the requirements of PD 811 Subareas A, B, C, D and E; therefore, staff recommends approval of the request subject to compliance with the following conditions:

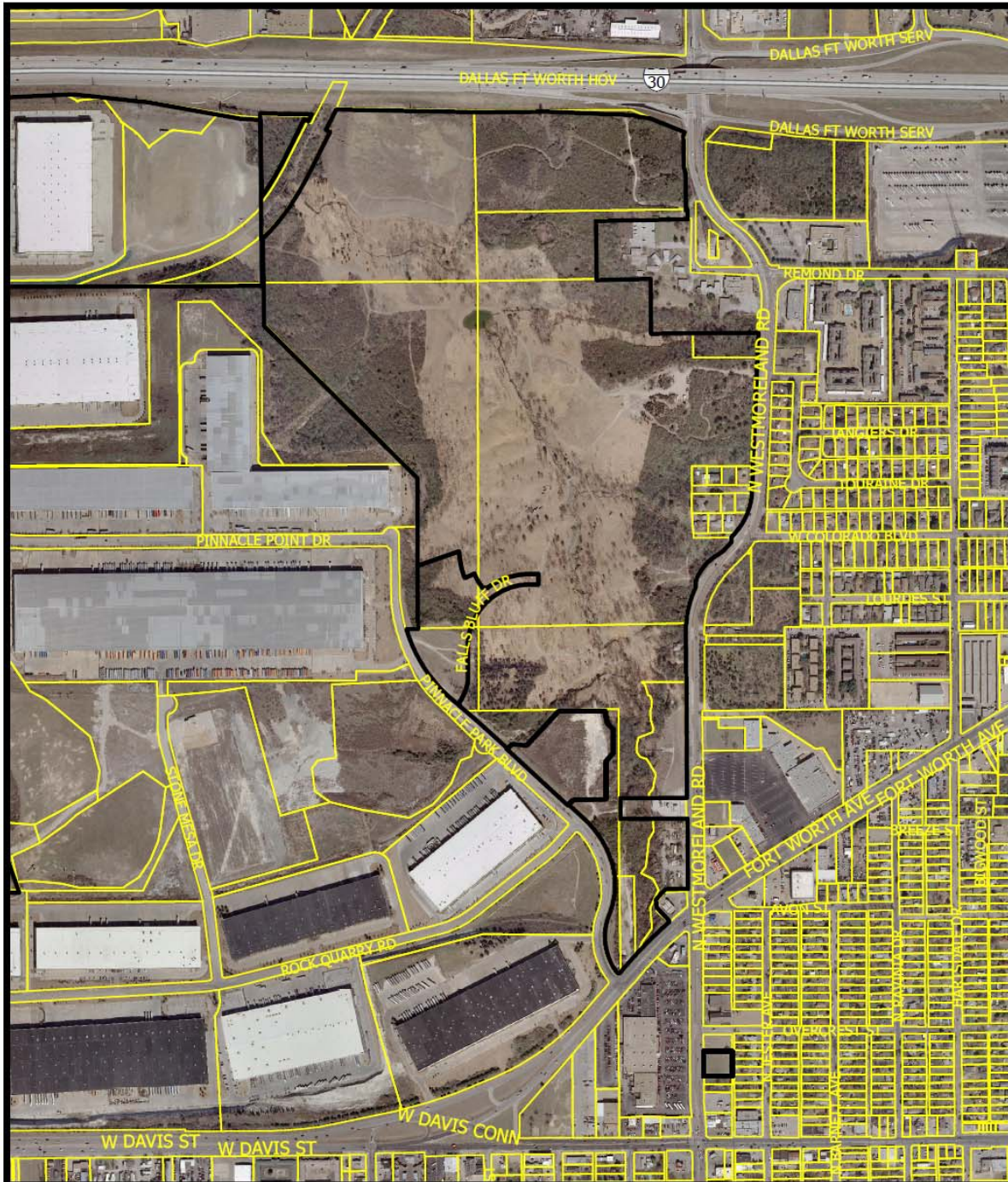
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with 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 12.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
14. On the final plat dedicate 10 foot by 10 foot corner clips at all street to street intersections not on the Thoroughfare Plan.
15. On the final plat dedicate 15 foot by 15 foot corner clips at all major street (thoroughfare plan) to minor street intersections.




16. On the final plat dedicate 20 foot by 20 foot corner clips at all major street (thoroughfare plan) to major street (thoroughfare plan) intersections.
17. On the final plat dedicate 50 feet of ROW from the established center line of Fort Worth Avenue.
18. Comply with the Westmoreland Urban Campus Thoroughfare Plan Amendment. Coordinate the ROW alignment with Public Works and Transportation Department.
19. On the final plat provide ROW dedications, design and construction for all streets and thoroughfares.
20. On the final plat provide adequate easements, design, and construction for all drainage infrastructure improvements.
21. If a final plat is submitted for the chairman's signature prior to 3/18/2012, the terms and conditions of 3/18/2010 letter from AC Gonzalez, ACM, to Mr. Ocie L. Vest P.E. must be complied with in full, unless other escarpment regulations are established by a zoning amendment for the property in which case those requirements must be complied with. The letter is attached as exhibit A. Any final plat submitted for the chairman's signature after 3/18/2012 must comply with applicable escarpment regulations, either established by a zoning amendment for the property or those in Article V of the Development Code, whichever is applicable to the property.
22. On the final plat show how all adjoining ROW was created.
23. On the final plat show the recording information on all existing easements within 150 feet of the property.
24. On the final plat show two control monuments and 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.
25. On the final plat all utility easement abandonments must be shown with the recording information.
26. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.
27. On the final plat show distances of right of way across Pinnacle Park Boulevard and Fort Worth Avenue.
28. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
29. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
30. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of the development for investigation.
31. Water/wastewater main extension is required by Private Development Contract.

32. On the final plat indicate “The abandonment is authorized by **Ordinance No. \_\_\_\_\_ and recorded as Instrument No. \_\_\_\_\_**. Retention of the utility easement as part of the right of way abandonment areas must be noted on the plat also.
33. A release from the Real Estate Division must be obtained prior to release of the plat for the Chairman’s signature.
34. On the final plat sheet 1 create a street name for the east-west alignment between Blocks B and D.
35. On sheets 1 and 2 create and label a new street name for the northwest-southeast alignment beginning with the abandoned part of Colorado Boulevard at Westmoreland Road and extending to Interstate Highway 30.
36. On both sheets 1 and 2 create and label a new street name for the southwest-northeast alignment from the extended Copper Canyon Drive to the new northwest-southeast alignment.
37. On sheet 2 place an additional label for Falls Bluff Drive in its newly platted ROW.
38. On sheet 2 change the east west alignment labeled “Pinnacle Park Boulevard” to “Pinnacle Point Drive”.

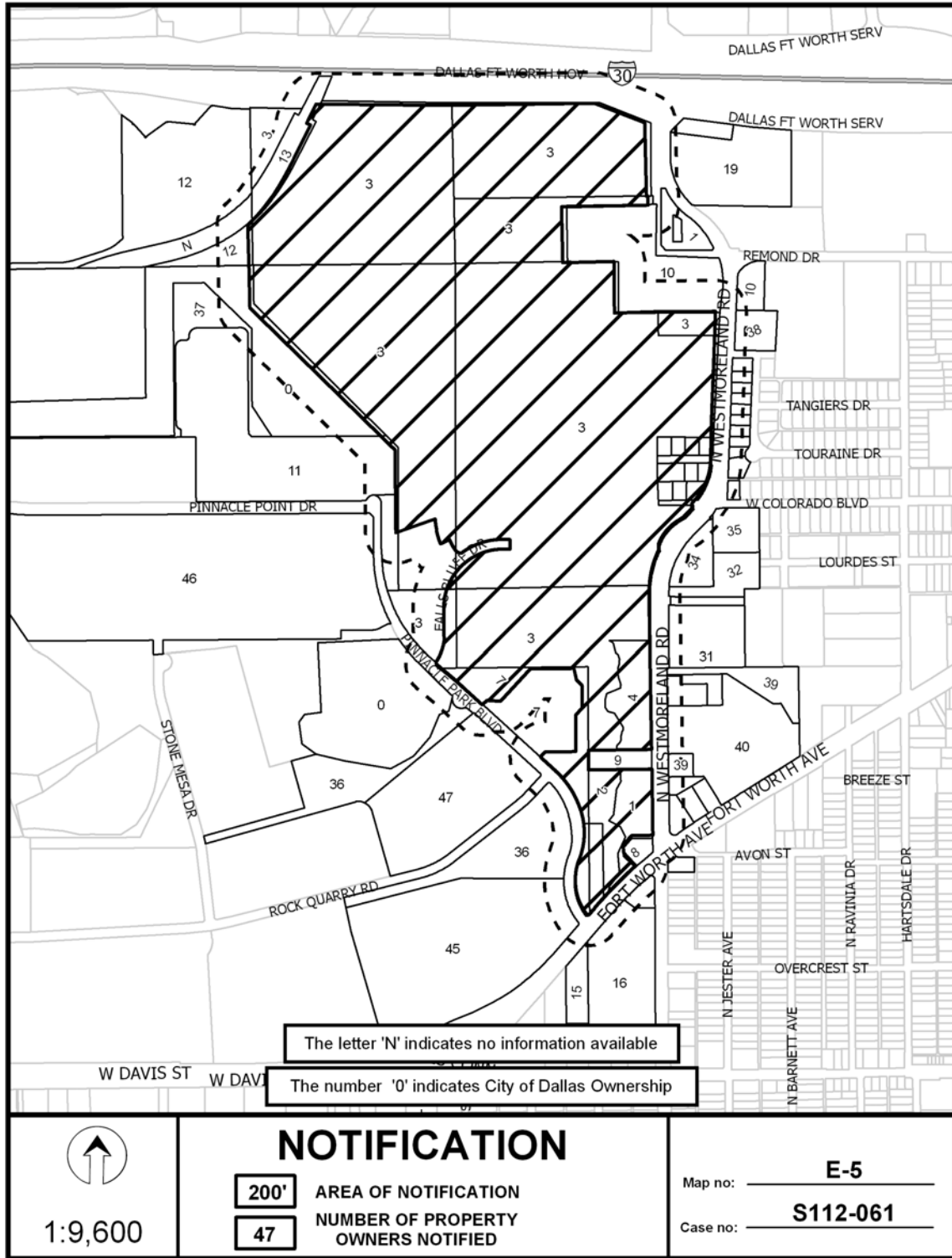






|  |  |   |
|--|--|---|
| <br>1:9,600 | <h2>AERIAL MAP</h2> <p>  Area of Request<br/>  Recent History         </p> | Map no: <u>          L-5, K-5          </u><br>Case no: <u>          S112-021          </u> |
|--|--|---|

DATE: November 03, 2011



## Notification List of Property Owners

S112-061

47 Property Owners Notified

| <b>Label #</b> | <b>Address</b>         | <b>Owner</b>                                     |
|----------------|------------------------|--|
| 1              | 3319 WESTMORELAND R    | SLF III INCAP LP                                 |
| 2              | 3321 FORT WORTH AVE    | SLF III/INCAP                                    |
| 3              | 4512 WESTMORELAND R    | SLF III/INCAP LP                                 |
| 4              | 1135 WESTMORELAND R    | ADBRTAIN REALTY LLC                              |
| 5              | 3217 COLORADO BLVD     | SLF III/ INCAP LP                                |
| 6              | 3807 DAVIS ST          | SLF III / INCAP LP                               |
| 7              | 1150 PINNACLE PARK BL  | TF DEVELOPMENT LP % BRANDON BOLIN                |
| 8              | 3301 FORT WORTH AVE    | ASHITA LLC                                       |
| 9              | 1600 WESTMORELAND R    | TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT |
| 10             | 1353 WESTMORELAND R    | DALLAS CO MENTAL HEALTH & MENTAL RETARDATION     |
| 11             | 3601 PINNACLE POINT DR | LIT HW1 LP % ING CLARION PTNR                    |
| 12             | 4200 IH 30             | I30 DISTRIBUTION LP % SCOTT KRIKORIAN            |
| 13             | 2300 GRAND AVE         | BNSF RAILWAY % PROPERTY TAX DEPT                 |
| 14             | 3308 FORT WORTH AVE    | TEXAS ARRM INVESTMENT INC                        |
| 15             | 3400 FORT WORTH AVE    | BRYANT BRADY W                                   |
| 16             | 627 WESTMORELAND R     | WESTMORELAND PLAZA JV                            |
| 17             | 920 WESTMORELAND R     | CHHOR NGOUN KAY & MEANG MUY CHHIENG              |
| 18             | 1433 WESTMORELAND R    | CROWN COMMUNICATION INC PMB 353                  |
| 19             | 1400 WESTMORELAND R    | DALLAS COUNTY HOSPITAL DISTRICT DBA PARKLAND HE  |
| 20             | 3131 COLORADO BLVD     | ESPINOSA EPIFANIO T                              |
| 21             | 3104 TOURAINE DR       | VAN ZANDT DOROTHY                                |
| 22             | 3108 TOURAINE DR       | ESPINOZA ADAN                                    |
| 23             | 3112 TOURAINE DR       | KEEHN DONOVAN L JR                               |
| 24             | 3118 TOURAINE DR       | MARTINEZ VIRGINIA                                |
| 25             | 3124 TOURAINE DR       | DEKAS STEPHANOS                                  |
| 26             | 3128 TOURAINE DR       | BECK WILLA                                       |

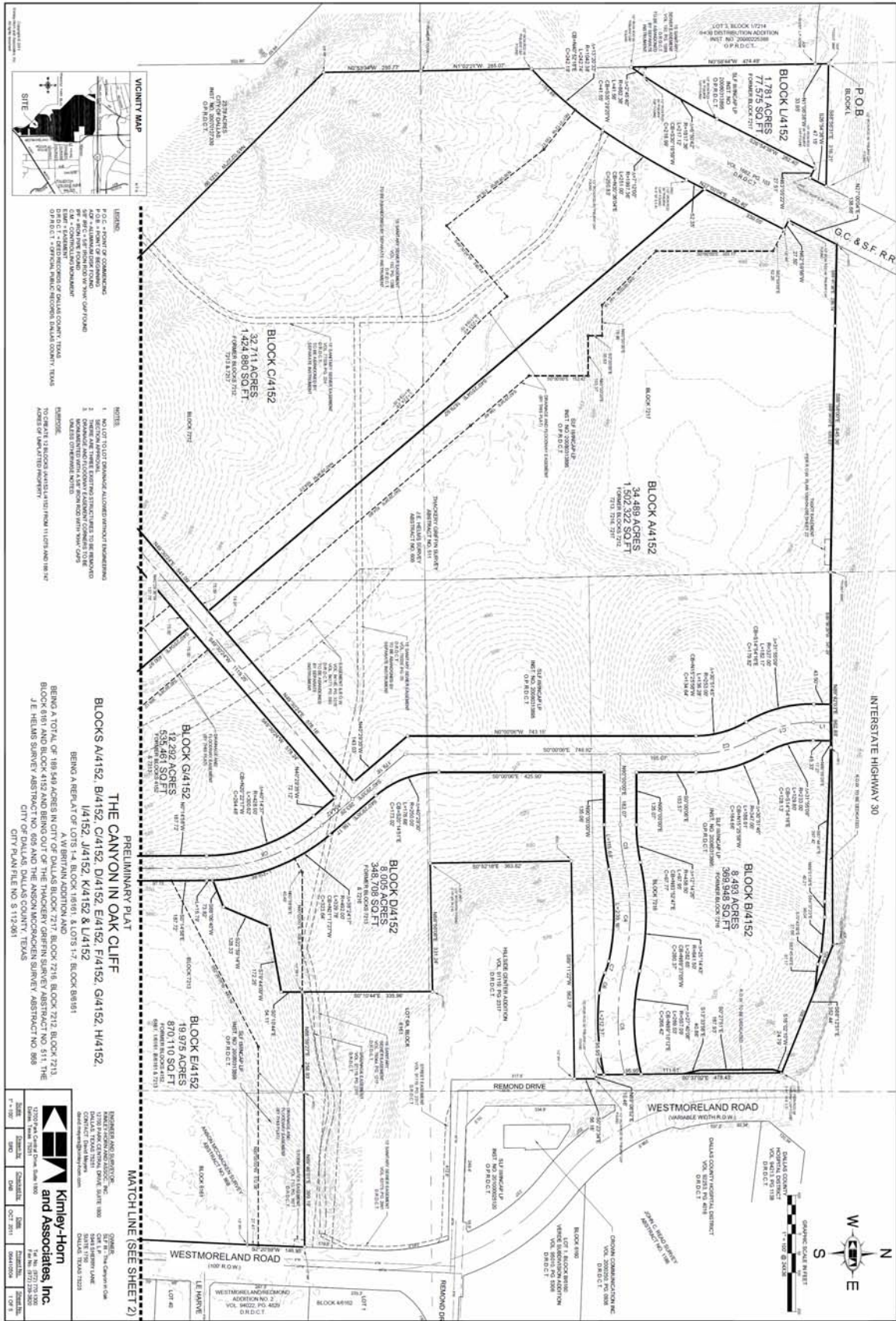
Friday, January 13, 2012

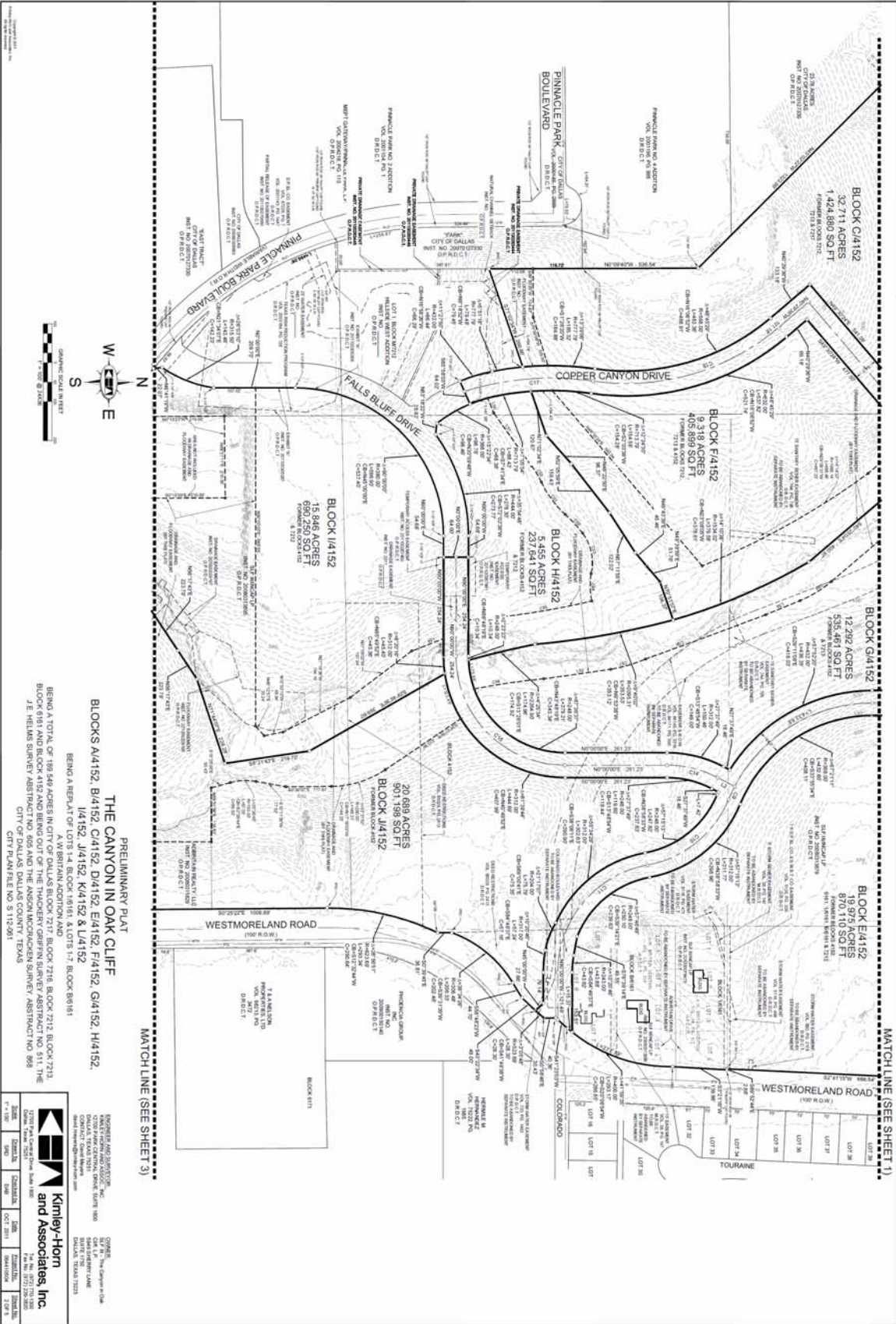
| <i>Label #</i> | <i>Address</i>        | <i>Owner</i>                                     |
|----------------|-----------------------|--|
| 27             | 3134 TOURAIN DR       | MORSMAN H J                                      |
| 28             | 3138 TOURAIN DR       | ACOSTA MINERVA                                   |
| 29             | 3144 TOURAIN DR       | HAMBY LARRY WAYNE                                |
| 30             | 3148 TOURAIN DR       | KIESCHNICK NOBLE LEE                             |
| 31             | 1000 WESTMORELAND R   | T & A NELSON PPTIES LTD                          |
| 32             | 1140 WESTMORELAND R   | GONZALES JOHNNY JR EST OF ETAL                   |
| 33             | 1136 WESTMORELAND R   | ACOSTA ELIGIO G                                  |
| 34             | 1156 WESTMORELAND R   | SOLORZANO MARIA EUGENIA SUITE 105                |
| 35             | 3120 COLORADO BLVD    | HERNANDEZ HERMILE M & JUAN                       |
| 36             | 62 STONE MESA DR      | PINNACLE INDUSTRIAL CENTER OWNERS % INDUSTRIAL   |
| 37             | 4524 DAVIS ST         | MORNING PARK INC                                 |
| 38             | 3111 LE HAVRE DR      | RF HOLDING LLC                                   |
| 39             | 3225 WESTMORELAND R   | KHSC LTD   |
| 40             | 1050 WESTMORELAND R   | LIAM LTD   |
| 41             | 1070 WESTMORELAND A   | KHSC LTD   |
| 42             | 1070 WESTMORELAND A   | DK HOLDINGS LLC                                  |
| 43             | 1020 WESTMORELAND R   | PRO QUICK LUBE WESTMORELA                        |
| 44             | 3233 FORT WORTH AVE   | PIZZA HUT LTD C/O TRICON GLOBAL                  |
| 45             | 3631 DAVIS ST         | PINNACLE A LLC % INDUSTRIAL DEV INTL INC         |
| 46             | 3700 PINNACLE PARK BL | MEPT GATEWAY PINNACLE PK % MULTI EMPLOYER PPTY T |
| 47             | 3737 ROCK QUARRY RD   | IIT DALLAS ATTN: SCOTT RECKNOR ASST MGRS         |

Friday, January 13, 2012









**Kimley-Horn and Associates, Inc.**  
 ENGINEERS AND ARCHITECTS  
 2270 PARK CENTER DRIVE, SUITE 1000  
 DALLAS, TEXAS 75201  
 PHONE: (214) 762-2000  
 FAX: (214) 762-2001  
 WWW.KIMLEY-HORN.COM

**OWNER:**  
 THE CANYON IN OAK CLIFF  
 11111 WESTMORELAND ROAD  
 DALLAS, TEXAS 75241

**DATE:** OCT 2011

**SCALE:** AS SHOWN

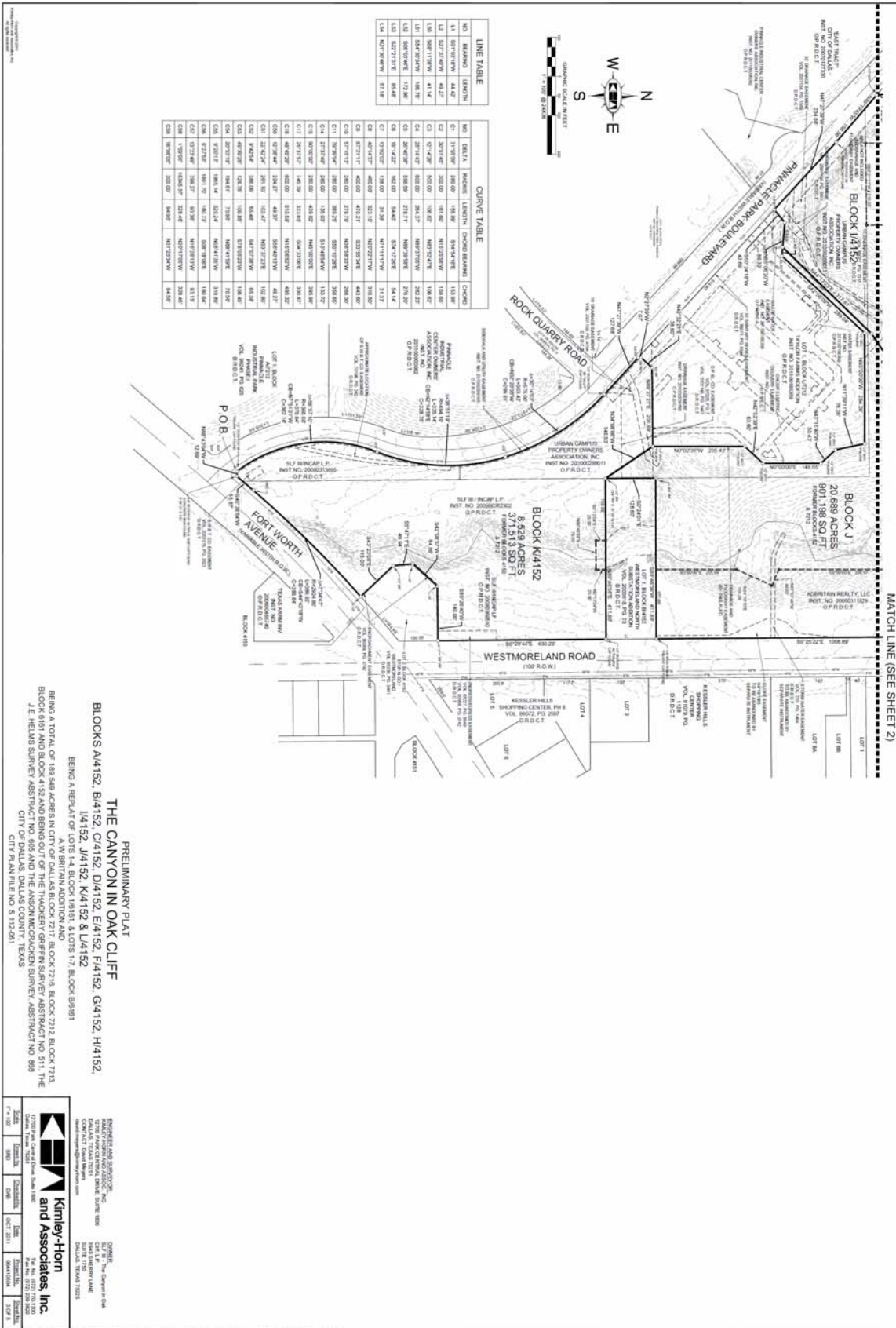
**PROJECT:** PRELIMINARY PLAT

**DATE:** OCT 2011

**SCALE:** AS SHOWN

**PROJECT:** PRELIMINARY PLAT





**FILE NUMBER:** W112-004

**DATE FILED:** January 23, 2012

**LOCATION:** Southeast corner of West 10<sup>th</sup> Street and Vernon Avenue

**COUNCIL DISTRICT:** 1

**MAPSCO:** 54F

**SIZE OF REQUEST:** Approx. 10,248.85 sq ft

**CENSUS TRACT:** 47.00

**MISCELLANEOUS DOCKET ITEM:**

Owner: David Bryant

Waiver of Two-Year Waiting Period

On August 11, 2010, the City Council approved Planned Development District No. 830, the Davis Street Special Purpose District, located generally along the Davis Street corridor between Plymouth Road to the west and Zang Boulevard to the east. The waiver request is located within Subdistrict 3. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to August 11, 2012, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application for a new subdistrict to allow an adult day care use by SUP and an application for the SUP. The applicant indicated that the use has been in existence approximately 5 years. PD No. 830 does not allow the use.

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

**Staff Recommendation:** Denial

W 112-004

PD 830

**APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD**

Zoning File No. Z089-219

Location 738 10th Street

Date of last CPC or CC Action \_\_\_\_\_

Applicant's Name, Address & Phone Number Rob Baldwin

3904 Elm St.#B Dallas, TX 75226 214-824-7949

Property Owner's Name, Address and Phone No., if different from above

David Bryant - 738 W. 10th St Dallas TX 75208

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

The ordinance was approved without this use being addressed

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Applicant's Signature

**RECEIVED BY**

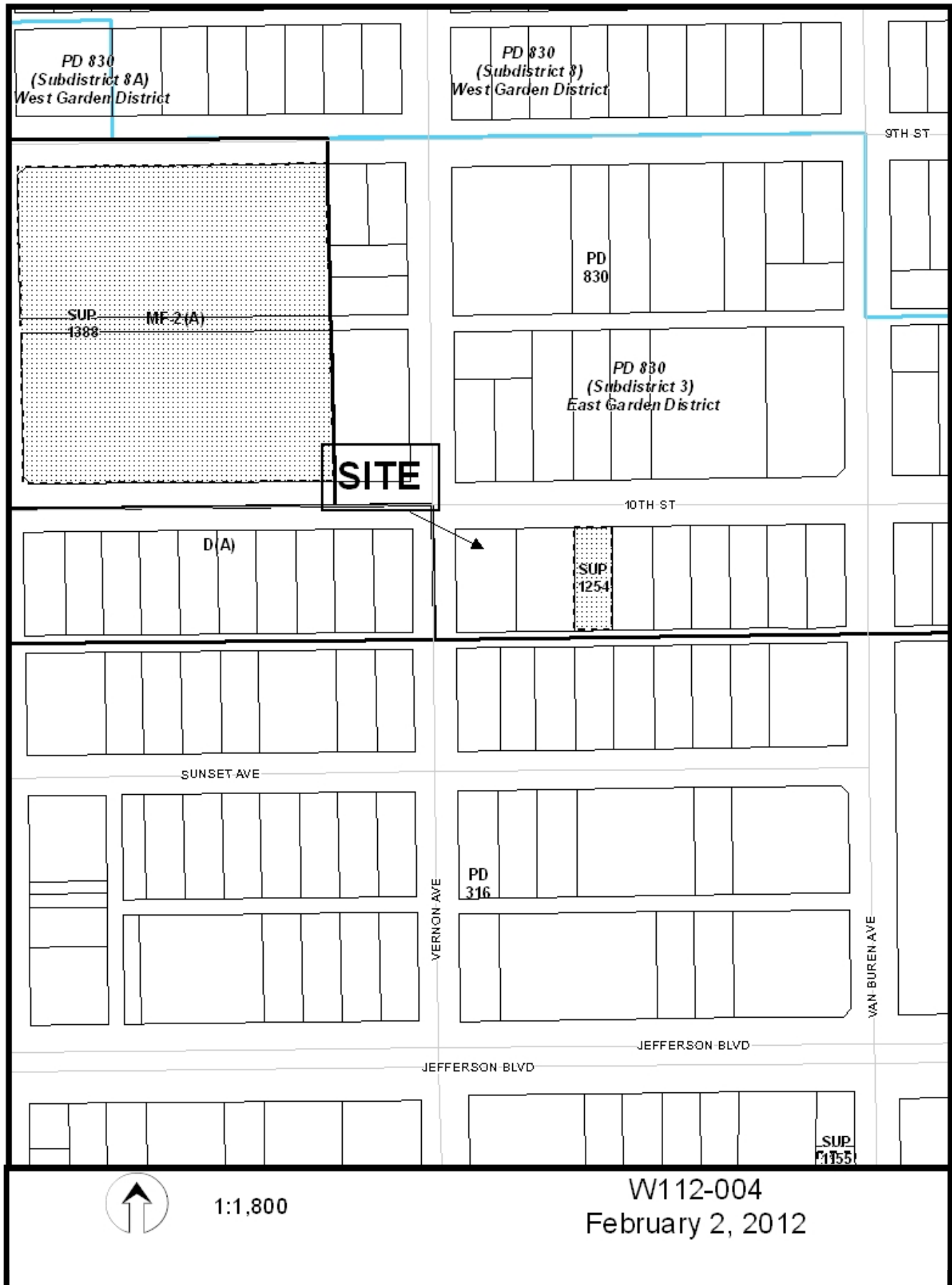
**JAN 23 2012**

**Current/Planning**

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

\_\_\_\_\_  
Date Received  
Fee: **\$300.00**





1:1,800

W112-004  
 February 2, 2012

**FILE NUMBER:** W112-005

**DATE FILED:** January 23, 2012

**LOCATION:** Southwest corner of Bishop Avenue and Neely Street

**COUNCIL DISTRICT:** 1

**MAPSCO:** 54C

**SIZE OF REQUEST:** Approx. 30,600 sq ft

**CENSUS TRACT:** 42.01

**MISCELLANEOUS DOCKET ITEM:**

Owner: 2444, LLC

Waiver of Two-Year Waiting Period

On August 11, 2010, the City Council approved Planned Development District No. 830, the Davis Street Special Purpose District, and Conservation District No. 7 with a D Liquor Control Overlay on two lots located generally along the Davis Street corridor between Plymouth Road to the west and Zang Boulevard to the east. The waiver request is located within Subdistrict 1 of PD No. 830 and CD No. 7. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to August 11, 2012, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application for a change the zoning from PD 830 to CD No. 7 and remove the D Liquor Control Overlay. The applicant indicated the change in circumstance is “the owner acquired additional property and desires consistent zoning for all its properties.

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

**Staff Recommendation:** Denial

W112-005

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. ~~2112-100~~ <sup>009</sup> 210-219

Location SOUTHWEST CORNER OF BISHOP NEELY

Date of last CPC or CC Action N/A

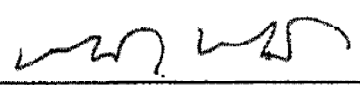
Applicant's Name, Address & Phone Number 2444, . LLC

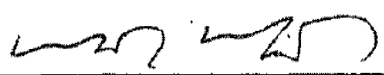
614 N. BISHOP AVE., SUITE 3, DALLAS, TEXAS. 75208 (214) 739-6662

Property Owner's Name, Address and Phone No., if different from above

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

OWNER ACQUIRED ADDITIONAL PROPERTY AND DESIRES CONSISTENT ZONING FOR ALL IT'S PROPERTIES.

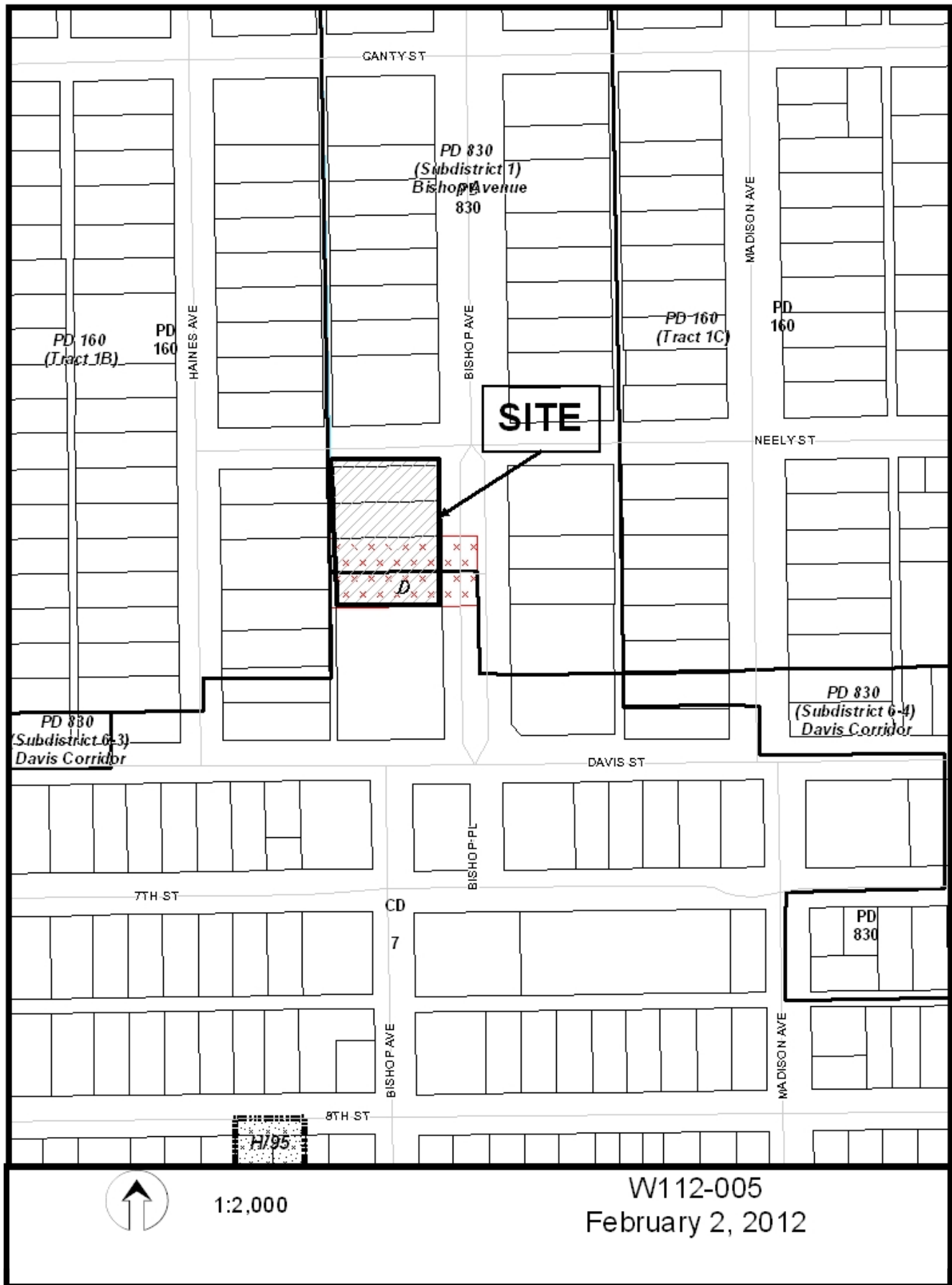
Applicant's Signature  MARIE MIRANDA  
2444 LLC  
PRESIDENT

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

RECEIVED BY  
JAN 23 2012

Current Planning

Date Received  
Fee: \$300.00  
receipt # 3713



W112-005  
February 2, 2012

**FILE NUMBER:** D101-024

**DATE FILED:** September 16, 2011

**LOCATION:** On the east side of Coit Road, between DART RR & Campbell Road.

**COUNCIL DISTRICT:** 12

**MAPSCO:** 6-F, G-K

**SIZE OF REQUEST:** 73 acres

**CENSUS TRACT:** 318.04

---

**MISCELLANEOUS DOCKET ITEM**

**Owner:** Texas A&M University System

**Applicant:** Realty Appreciation, LTD

**Representative:** Merriam Associates Architects

**Development Plan**

On June 22, 2011, the City Council passed Ordinance No. 28246 which established Planned Development District No. 850 on property located along the east line of Coit Road, along the south line of the Cotton Belt Rail Line; and containing approximately 73 acres of land.

The zoning was granted as a conceptual planned development district. A development plan for each phase of development must be approved by the City Plan Commission prior to the issuance of a building permit for each phase.

In conjunction with the above requirement, the attached development plan is submitted for Commission's consideration. The plan provides for the development of phase I of the Urban Living Laboratory - an urban mixed-use research and urban lifestyle community that will be built with green and sustainable technologies. This phase of the project allows for the construction of multifamily apartments.

**STAFF RECOMMENDATION:** Approval

## List of Owners/Partnerships

### **Realty Appreciation, LTD.**

Stewart L. Hoffman of Arlington, Texas – 100% Owner

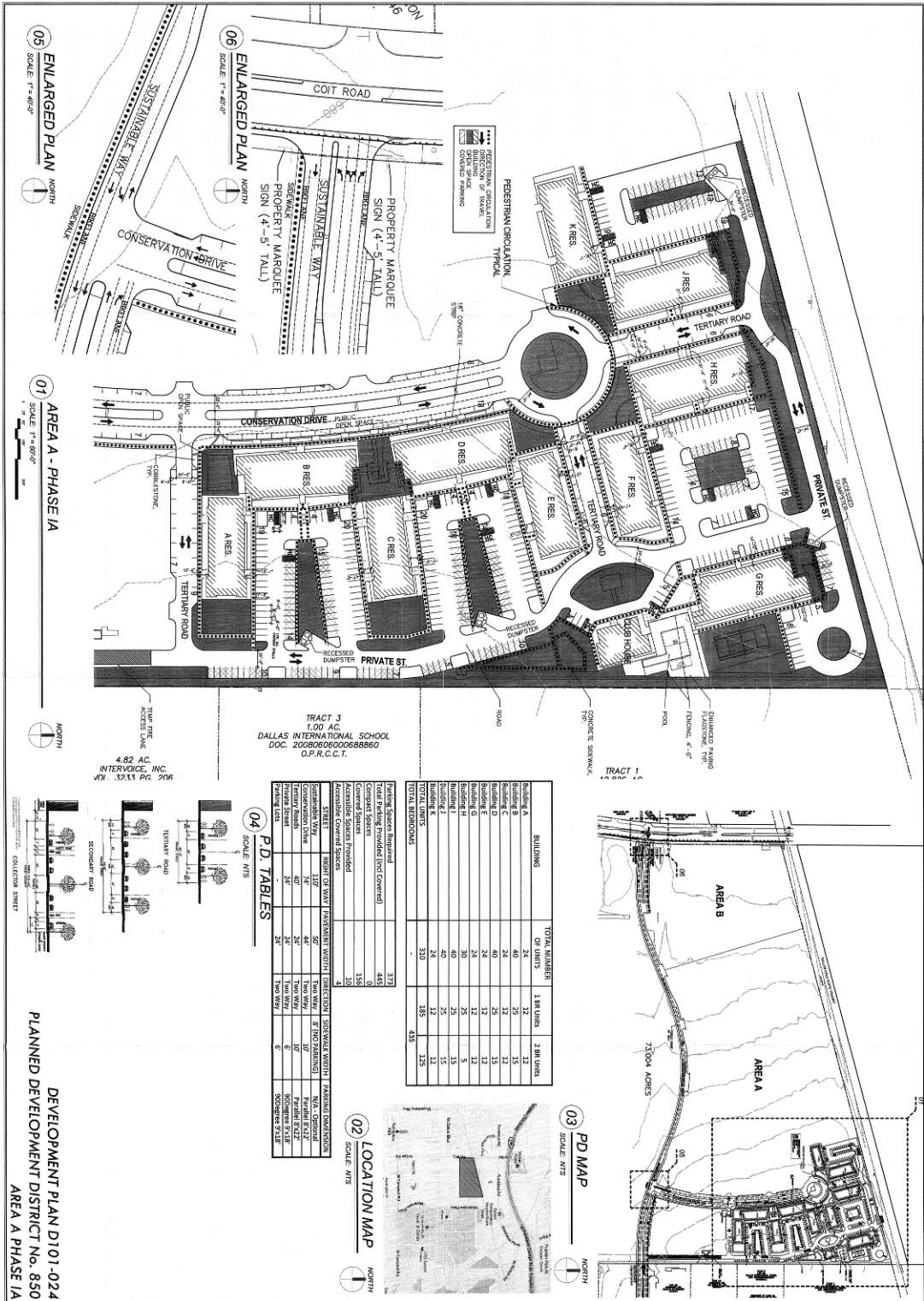
### **Texas A&M University System – Board of Regents:**

Richard A. Box, Austin, TX  
Phil Adams, College Station, TX  
Morris E. Foster, Houston, TX  
Elaine Mendoza, San Antonio, TX  
Judy Morgan, Texarkana, TX

Jim Schwertner, Austin, TX  
Cliff Thomas, Victoria, TX  
John D. White, Houston, TX  
James P. Wilson, Sugar Land, TX  
Fernando Treviño, Jr., Del Rio, TX  
(Student Regent)



# PROPOSED DEVELOPMENT PLAN



05 ENLARGED PLAN  
SCALE: 1" = 40'-0"

06 ENLARGED PLAN  
SCALE: 1" = 40'-0"

01 AREA A - PHASE 1A  
SCALE: 1" = 60'-0"

TRACT 3  
1.00 AC.  
DALLAS INTERNATIONAL SCHOOL  
DOC. 20080606000688860  
O.P.R.C.C.T.

4.82 AC.  
INTERVOICE, INC.  
V.B.I. - 3233 P.C. 2996

TRACT 1  
1.00 AC.

| BUILDING           | TOTAL NUMBER OF UNITS | 1 BR UNITS | 2 BR UNITS |
|--------------------|-----------------------|------------|------------|
| Building A         | 24                    | 12         | 12         |
| Building B         | 40                    | 25         | 15         |
| Building C         | 40                    | 25         | 15         |
| Building D         | 40                    | 25         | 15         |
| Building E         | 24                    | 12         | 12         |
| Building F         | 24                    | 12         | 12         |
| Building G         | 40                    | 25         | 15         |
| Building H         | 40                    | 25         | 15         |
| Building I         | 40                    | 25         | 15         |
| Building J         | 24                    | 12         | 12         |
| Building K         | 24                    | 12         | 12         |
| <b>TOTAL UNITS</b> | <b>310</b>            | <b>188</b> | <b>120</b> |

| STREET             | RIGHT OF WAY (PAVEMENT WIDTH) | DIRECTION | SEWER/WATER | TRAVELER DIMENSION |
|--------------------|-------------------------------|-----------|-------------|--------------------|
| CONSERVATION DRIVE | 40'                           | TWO WAY   | UP          | Parallel 8'x22'    |
| PRIVATE ST         | 24'                           | TWO WAY   | UP          | Parallel 8'x22'    |
| TERTIARY ROAD      | 24'                           | TWO WAY   | UP          | Parallel 8'x22'    |
| SUSTAINABLE WAY    | 24'                           | TWO WAY   | UP          | Parallel 8'x22'    |
| COIT ROAD          | 24'                           | TWO WAY   | UP          | Parallel 8'x22'    |

| Item                                   | Quantity |
|--|----------|
| Total Spaces Required                  | 370      |
| Total Parking Provided (incl. Covered) | 445      |
| Covered Spaces                         | 150      |
| Accessible Spaces Provided             | 30       |
| Additional Spaces Provided             | 4        |

04 PD TABLES  
SCALE: NTS

03 PD MAP  
SCALE: NTS

02 LOCATION MAP  
SCALE: NTS

DEVELOPMENT PLAN D101-024  
PLANNED DEVELOPMENT DISTRICT No. 850  
AREA A PHASE 1A

DATE: 03/14/2011  
PROJECT: PHASE 1A  
SCALE: 1" = 60'-0"  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 03/14/2011

REALTY APPRECIATION  
URBAN LIVING LABORATORY  
PHASE 1A  
DALLAS, TEXAS

NOT FOR CONSTRUCTION

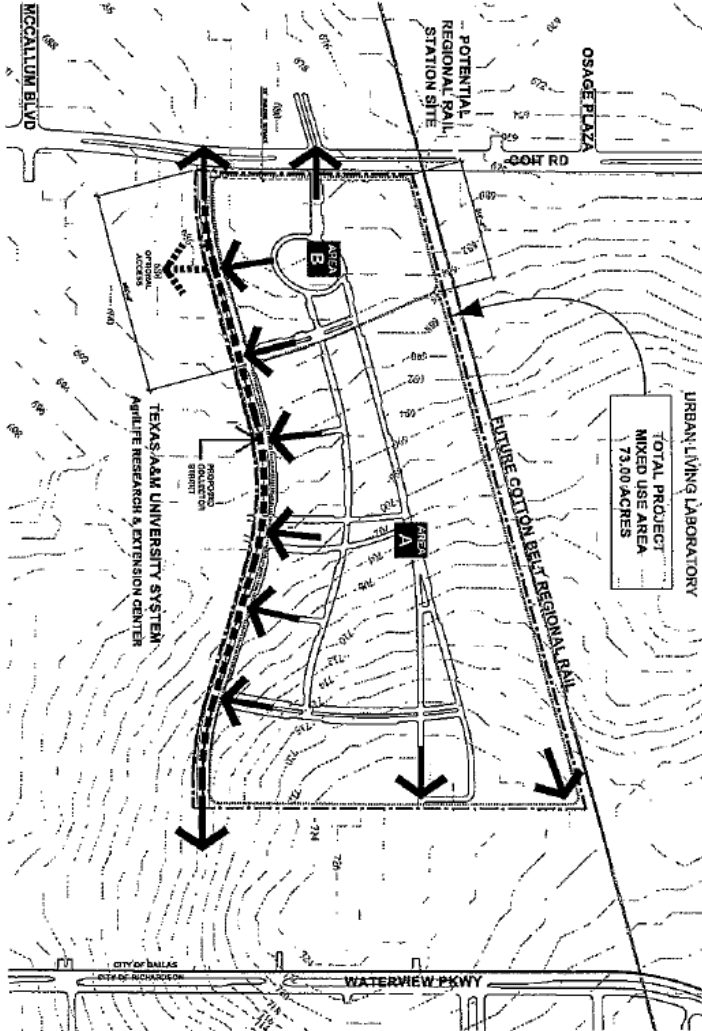
architect **ma** MERRIFMAN ASSOCIATES  
1400 N. GORMAN ST. SUITE 2000 DALLAS, TEXAS 75204  
714.243.2200

# EXISTING CONCEPTUAL PLAN

Exhibit 850A

111742

28246



URBAN LIVING LABORATORY  
TOTAL PROJECT MIXED USE AREA  
17,300 ACRES

TEXAS A&M UNIVERSITY SYSTEM  
AGRI LIFE RESEARCH & EXTENSION CENTER



UTD

| PROPERTY INFORMATION |                         | PROPOSER INFORMATION   |                                |
|----------------------|-------------------------|------------------------|--------------------------------|
| PROJECT NAME         | URBAN LIVING LABORATORY | PROPOSER NAME          | URBAN LIVING LABORATORY        |
| PROJECT ADDRESS      | 28246                   | PROPOSER ADDRESS       | 28246                          |
| OWNER                | URBAN LIVING LABORATORY | PROPOSER PHONE         | 214-343-1145                   |
| DEVELOPER            | URBAN LIVING LABORATORY | PROPOSER FAX           | 214-343-1145                   |
| DESIGNER             | URBAN LIVING LABORATORY | PROPOSER EMAIL         | info@urbanlivinglaboratory.com |
| DATE                 | 04/21/2011              | PROPOSER WEBSITE       | www.urbanlivinglaboratory.com  |
| SCALE                | AS SHOWN                | PROPOSER LICENSE NO.   | 0000000000                     |
| DATE                 | 04/21/2011              | PROPOSER LICENSE STATE | TX                             |
| SCALE                | AS SHOWN                | PROPOSER LICENSE TYPE  | PROFESSIONAL ENGINEER          |
| DATE                 | 04/21/2011              | PROPOSER LICENSE NO.   | 0000000000                     |
| SCALE                | AS SHOWN                | PROPOSER LICENSE STATE | TX                             |
| DATE                 | 04/21/2011              | PROPOSER LICENSE TYPE  | PROFESSIONAL ENGINEER          |
| SCALE                | AS SHOWN                | PROPOSER LICENSE NO.   | 0000000000                     |
| DATE                 | 04/21/2011              | PROPOSER LICENSE STATE | TX                             |
| SCALE                | AS SHOWN                | PROPOSER LICENSE TYPE  | PROFESSIONAL ENGINEER          |



Note: The arrows point from the original location of the access to the new location. The arrows point to the new location of the access. The arrows point to the new location of the access. The arrows point to the new location of the access.

ZONING CASE 2101-145

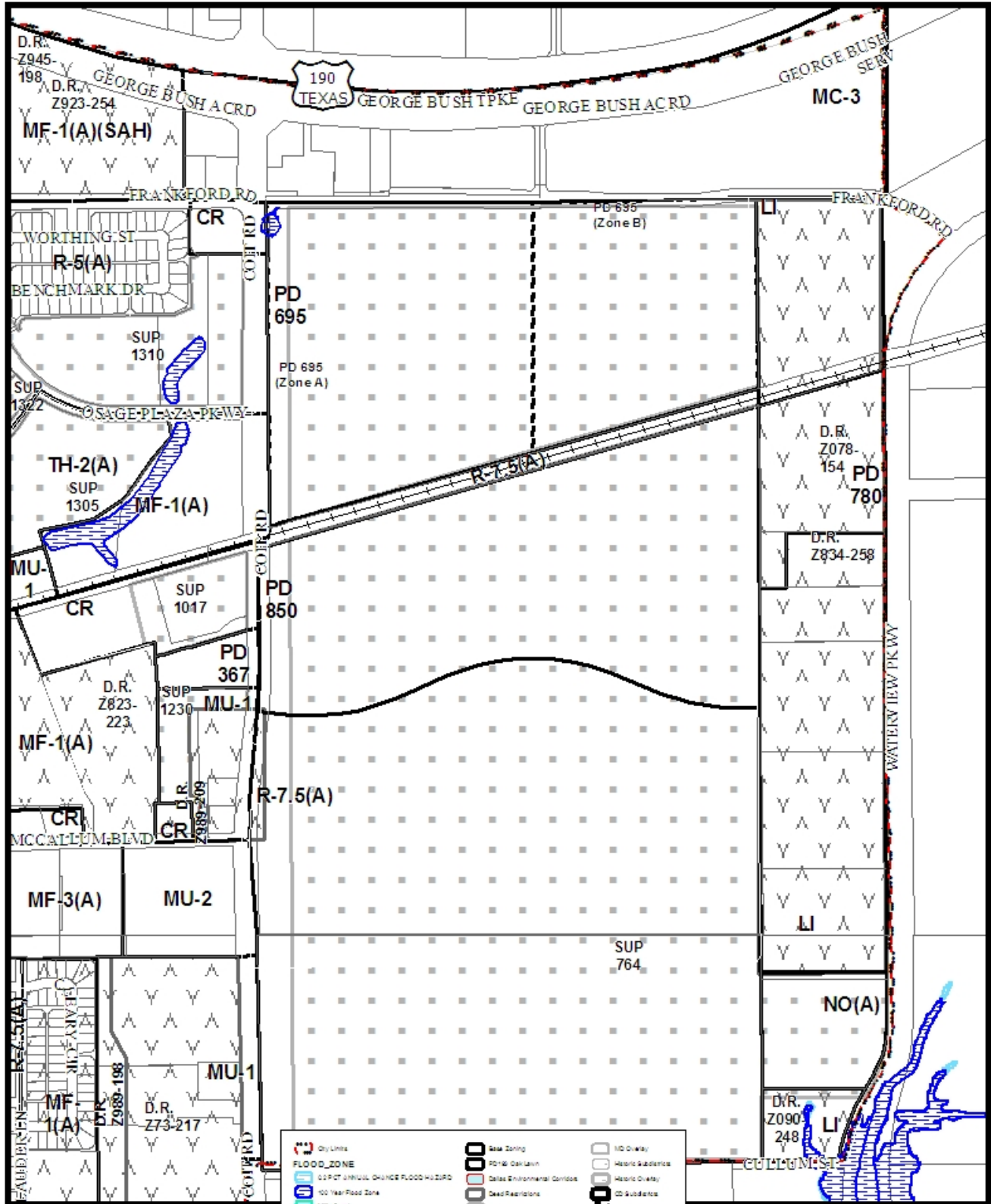
Planned Development  
District No. 850

Approved  
City Plan Commission  
April 21, 2011

URBAN LIVING LABORATORY  
MIXED USE DEVELOPMENT  
REALTY APPRECIATION, LTD.  
DALLAS, TEXAS



DATE: 04/21/2011  
SCALE: AS SHOWN  
PROJECT NAME: URBAN LIVING LABORATORY  
PROJECT ADDRESS: 28246  
PROPOSER NAME: URBAN LIVING LABORATORY  
PROPOSER ADDRESS: 28246  
PROPOSER PHONE: 214-343-1145  
PROPOSER FAX: 214-343-1145  
PROPOSER EMAIL: info@urbanlivinglaboratory.com  
PROPOSER WEBSITE: www.urbanlivinglaboratory.com  
PROPOSER LICENSE NO.: 0000000000  
PROPOSER LICENSE STATE: TX  
PROPOSER LICENSE TYPE: PROFESSIONAL ENGINEER



1:8,000

Case ID: D112-024  
Printed: 11-23-11

---

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT  
MCKINNEY AVENUE SIGN DISTRICT**

---

**FILE NUMBER:** 1112121090

**DATE FILED:** December 9, 2011

**LOCATION:** 3232 McKinney Ave (SE Elevation) **SIZE OF REQUEST:** 206 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** PD-193(LC)

**MAPSCO:** 45B

---

**APPLICANT:** Pam Watson, Signs Manufacturing and Maintenance Corp.

**CONTRACTOR:** Signs Manufacturing and Maintenance Corp.

**OWNER/TENANT:** Source Corp.

**REQUEST:** Install an attached premise sign.

**SUMMARY:** Applicant request is for an approximately 206 square foot flat attached premise sign consisting of channel letters and cabinet with logo.

- The subject site is located within the McKinney Avenue Spine Subdistrict
- Flat attached signs in an upper façade may not exceed five percent of the total area of the lower façade (first 36 feet above grade).
- The proposed sign meets the requirements of the Dallas City Code.

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval

**STAFF RECOMMENDATION:** Approval

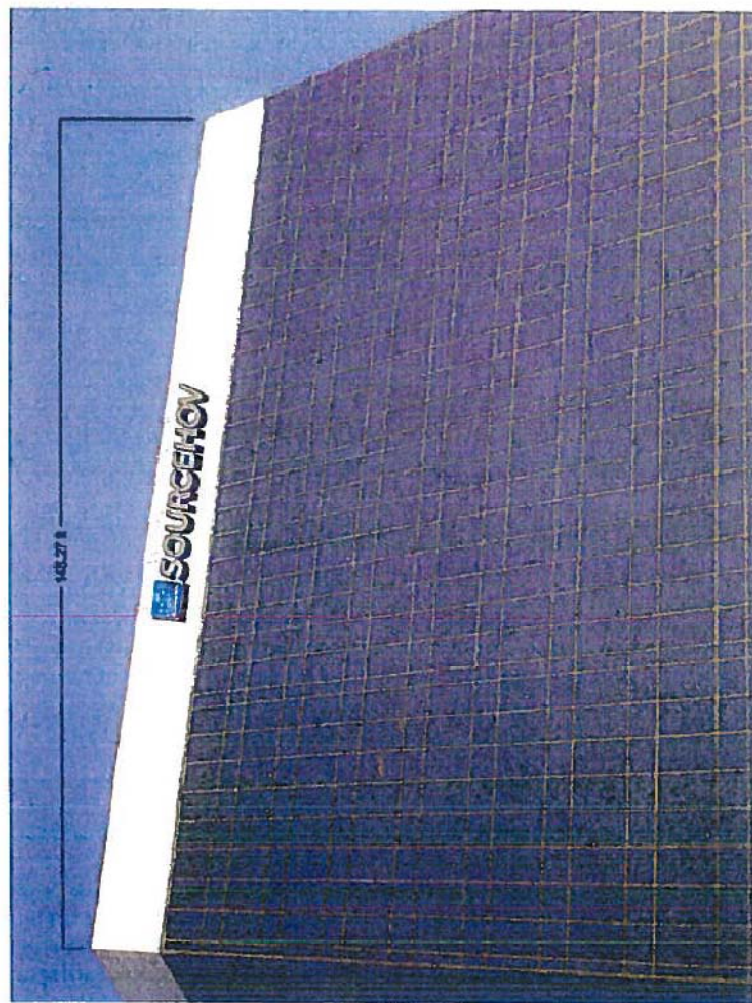
41'2" 4044 in

# SOURCEHOV



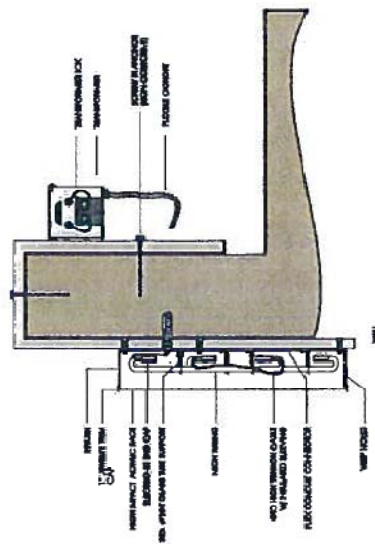
80.18 in

25.5 27.5 29.5



145.27 ft

EAST ELEVATION







1:728

Permit 1112121090  
3232 McKinney Ave  
East Elevation (South)

# Aerial Map



**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT**

**MCKINNEY AVENUE SIGN DISTRICT**

---

**FILE NUMBER:** 1112121106

**DATE FILED:** December 9, 2011

**LOCATION:** 3232 McKinney Ave (NW Elevation) **SIZE OF REQUEST:** 206 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** PD-193(LC)

**MAPSCO:** 45B

---

**APPLICANT:** Pam Watson, Signs Manufacturing and Maintenance Corp.

**CONTRACTOR:** Signs Manufacturing and Maintenance Corp.

**OWNER/TENANT:** Source Corp.

**REQUEST:** Install an attached premise sign.

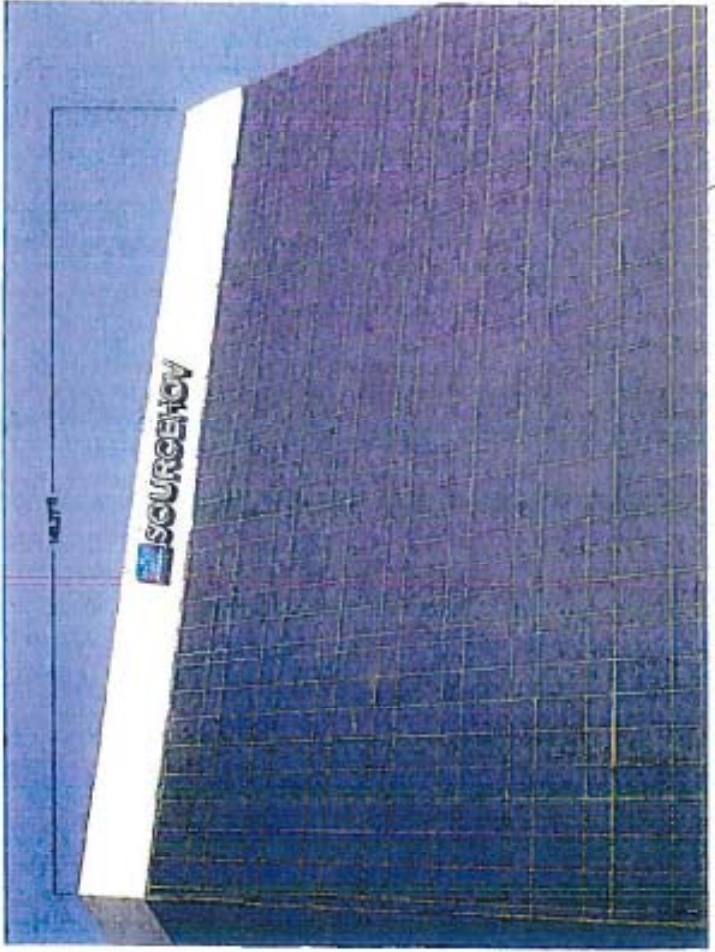
**SUMMARY:** Applicant request is for an approximately 206 square foot flat attached premise sign consisting of channel letters and cabinet with logo.

- The subject site is located within the McKinney Avenue Spine Subdistrict
- Flat attached signs in an upper façade may not exceed five percent of the total area of the lower façade (first 36 feet above grade).
- The proposed sign meets the requirements of the Dallas City Code.

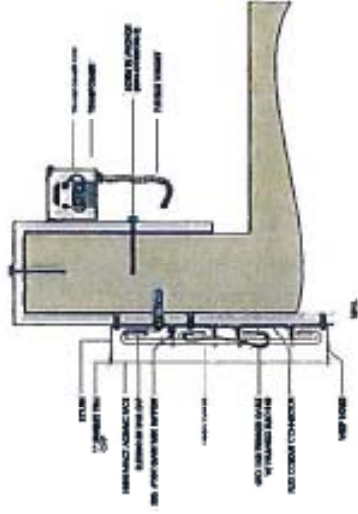
**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval

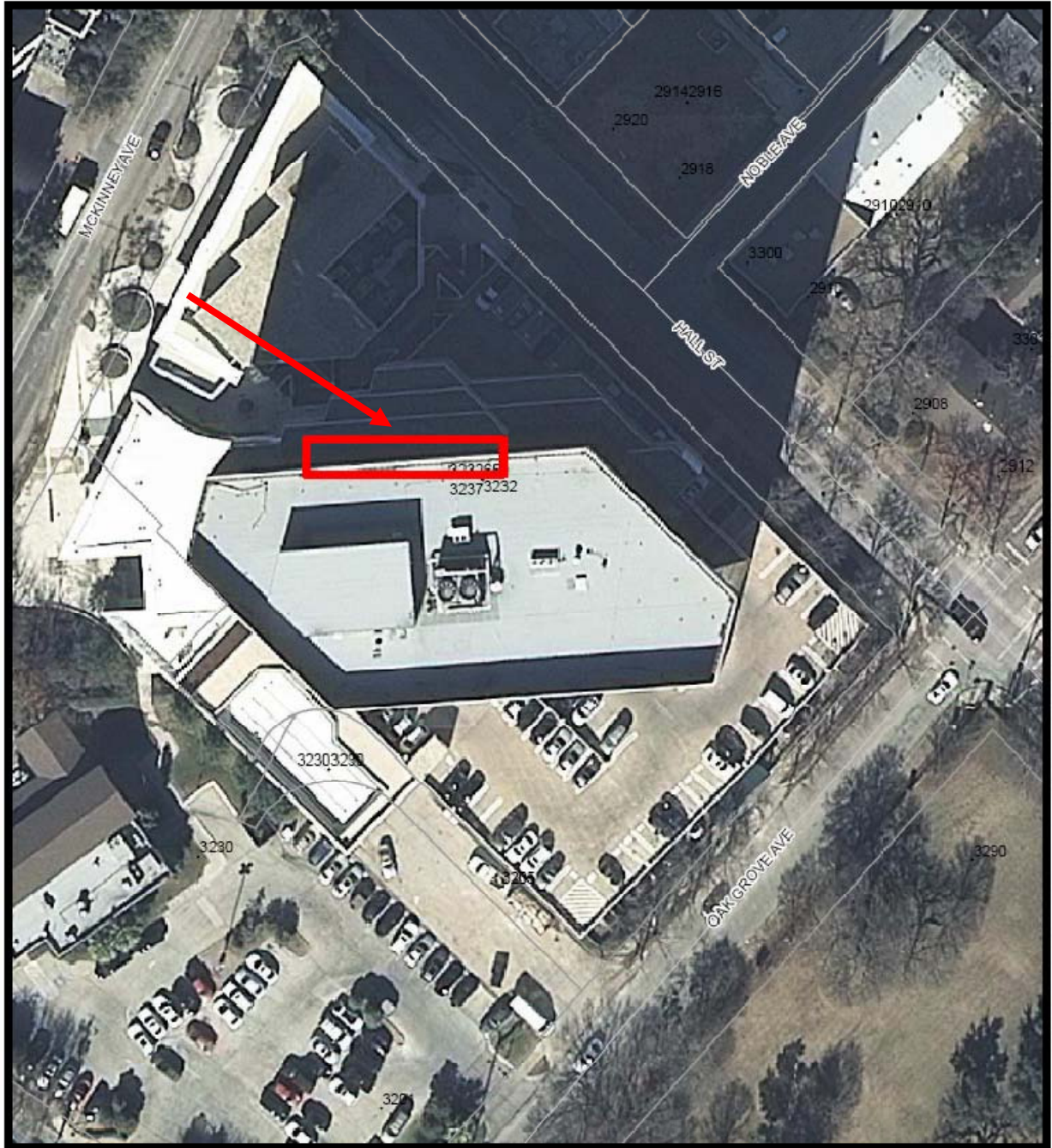
**STAFF RECOMMENDATION:** Approval

41'2"



WEST ELEVATION





1:728

Permit 1112121106  
3232 McKinney Ave  
West Elevation (North)

# Aerial Map

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT  
DOWNTOWN SIGN DISTRICT

FILE NUMBER: 1201035004

DATE FILED: December 22, 2011

LOCATION: 1516 Pacific Ave

SIZE OF REQUEST: 200 sq. ft.

COUNCIL DISTRICT: 14

ZONING: PD-619

MAPSCO: 45K

APPLICANT: Brad Pilkington, Reynolds Indoor Inc.

CONTRACTOR: Reynolds Indoor Inc.

OWNER/TENANT: Tower Garage

REQUEST: Install a 200 sq. ft. Upper Level Projecting sign

SUMMARY: Applicant request is for an approximately 200 square projecting attached sign adding illuminated channel letters.

- The subject site is located within the Retail subdistrict of the Downtown Special Provision Sign District.
- Regulations for upper level projecting signs
  - (A) No premise may have more than one upper projecting attached sign.
  - (B) No upper projecting attached sign may project more than five feet into the public right-of-way.
  - (C) An upper projecting attached sign:
    - (i) may be located outside the upper level sign area; and
    - (ii) may not be lower than 12 feet above grade.
  - (D) The lowest point of an upper projecting attached sign must be located within 36 feet above grade.
  - (E) No upper projecting attached sign may exceed 180 square feet in effective area.
- The current sign has an effective area of 200 square feet. If the applicant was refurbishing the sign, the sign could remain at 200 square feet. However, since the applicant is replacing the sign, he either needs an exception from the Board of Adjustment or needs to meet the current regulations. After the SSDAC meeting, the applicant submitted plans for a 180 square foot sign.

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval, subject to sign complying with city ordinances on maximum area requirements

**STAFF RECOMMENDATION:** Approval of a 180 square foot Upper Level Projecting sign





**BEFORE SCALE: N.T.S.**



**AFTER SCALE: N.T.S.**

**REYNOLDS**  
 License number  
 15796 issued by  
 the Texas department  
 of Licensing &  
 regulations  
 P 972.870.1594  
 F 972.870.1593  
 G HEIGHTS DR.  
 S 75090  
 REYNOLDDSIGN.COM



The Designer is the author, creator of  
 Reynolds and/or the author of the original work of the Engineer.  
 The Designer is not responsible for the construction of the  
 building or any other structure shown on the Drawing.  
 The Designer is not responsible for the construction of the  
 building or any other structure shown on the Drawing.  
 The Designer is not responsible for the construction of the  
 building or any other structure shown on the Drawing.

CUSTOMER APPROVAL \_\_\_\_\_  
 DATE \_\_\_\_\_  
 SALES APPROVAL \_\_\_\_\_  
 DATE \_\_\_\_\_

**UL** MANUFACTURED TO UL SPECIFICATIONS AND WILL BEAR THE UL LABEL. INSTALL IN ACCORDANCE WITH NATIONAL ELECTRIC CODES.

**PUBLIC PARKING**

| DATE     | REVISIONS                             |
|----------|---------------------------------------|
| 12/07/11 | RMGC NEW OPTION 'B'                   |
| 12/09/11 | R24E- Removed option A                |
| 01/23/12 | R3AS REDUCE OAH FROM 40'-1" to 36'-0" |

DESIGN NUMBER 110744R3  
 ADDRESS 1516 PACIFIC  
 CITY - STATE DALLAS, TX  
 DATE 11/30/2011  
 SALES PERSON TOMMY REYNOLDS  
 DESIGNER DAVID G.  
 Sheet: 1

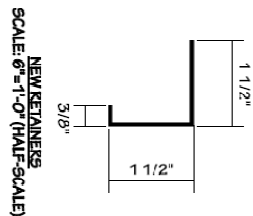


REMOVE & DISCARD EXISTING FACES, FILLERS AND RETAINERS AND REPLACE WITH NEW (A) 1.25 ALUMINUM FACES - PAINTED PMG RED # 201; (B) 0.80 ALUMINUM FILLERS - PAINTED PMG RED # 201; (C) 0.80 ALUMINUM RETAINERS - PAINTED PMG RED # 201.

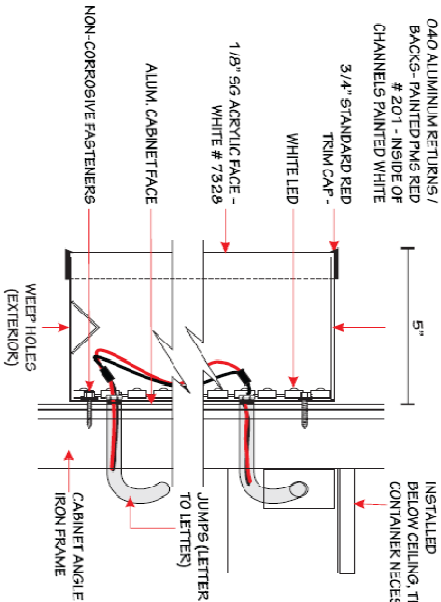
REPAINT EXISTING SUPPORT STRUCTURE - PAINTED PMG RED # 201.

MANUFACTURE & INSTALL NEW CHANNEL LETTERS AS INDICATED ON CHANNEL LETTER SECTION.

180 SQUARE FEET



POWER PACK INSIDE TRANSFORMER BOX. EXCEPTION: IF PACK IS INSTALLED BELOW CEILING, THEN NO CONTAINER NECESSARY



- 1 NEW FACES / NEW CHANNEL LETTERS / NEW FILLERS
- 2 FACES REQUIRED FOR EXISTING D/F CABINET

**REYNOLDS** License number 18255, registered by the State of Texas Department of Licensing & Regulation.

13, IRVING HEIGHTS DR  
MCKINNEY, TEXAS 75060  
WWW.REYNOLDSIGN.COM

P 972.870.1594  
F 972.870.1598

**PUBLIC PARKING**

CUSTOMER APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_

SALES APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_

MANUFACTURED TO U.L. SPECIFICATIONS AND WILL BEAR THE U.L. LABEL. INSTALL IN ACCORDANCE WITH NATIONAL ELECTRIC CODES.

| DATE     | REVISIONS                               | DESIGN NUMBER | 110744R3       |
|----------|---|---------------|----------------|
| 12/07/11 | ISSUE NEW OPTION 'B'                    | ADDRESS       | 1516 PACIFIC   |
| 12/09/11 | ISSUE - Removed option A                | CITY - STATE  | DALLAS, TX     |
| 08/23/12 | ISSUE - REDUCE OVER FROM 40-1" TO 38-0" | DATE          | 11/30/2011     |
|          |   | SALES PERSON  | TOMMY REYNOLDS |
|          |   | DESIGNER      | DAVID G.       |

Sheet: 2 of 2





1:840

Permit 1201035004  
1516 Pacific Ave  
North Elevation

# Aerial Map

**FILE NUMBER:** Z101-237(OTH)

**DATE FILED:** March 29, 2011

**LOCATION:** C. F. Hawn Freeway and Dowdy Ferry Road, Southeast Quadrant

**COUNCIL DISTRICT:** 8

**MAPSCO:** 58 Y, Z

**SIZE OF REQUEST:** Approx. 2.41 Acres

**CENSUS TRACT:** 116.02

**APPLICANT:** Mueller Properties Ltd., Owner

**REPRESENTATIVE:** Karl Crawley

**REQUEST:** An application to renew Specific Use Permit No. 1726 for a Vehicle display, sales, and service use within the Subdistrict 2 portion of Planned Development District No. 534, the C. F. Hawn Special Purposed District with D-1 Liquor Control Overlay.

**SUMMARY:** The applicant is requesting to renew the SUP to redevelop the site with a vehicle sales lot. The applicant has not redeveloped the property for the proposed use.

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

**BACKGROUND:**

- The request site is developed with a vacant structure. Specific Use Permit No. 1726 was originally approved on September 10, 2008 for a period of three years with eligibility for automatic renewals for additional five-year periods.
- The applicant submitted the application on March 29, 2011. The request was made within the appropriate time required by Code for the automatic renewal. However, the site does not comply with the site plan as approved by City Council. Therefore, the request must be brought for approval to City Plan Commission and City Council.
- The applicant will utilize the existing structure and provide necessary improvements to facilitate the operation of a vehicle sales lot. Due to economic circumstances, the applicant has not been able to develop the property as planned. However, the applicant believes he will be able to do so within the next three years.
- Properties located in Subdistrict 2 within PDD No. 534, require an SUP for a vehicle display sales and service use.
- The existing conditions and site plan were reviewed again for compliance. The existing conditions ensure that the request is compatible with adjacent residential uses.

**Zoning History:** There has been one recent zoning case in the area.

1. On September 10, 2008, the City Council approved a Specific Use Permit for a vehicle display, sales, and service use, for a period of 3 years with eligibility for automatic renewal for automatic renewals for additional five year periods.

**Thoroughfares/Streets:**

| <b>Thoroughfares/Street</b> | <b>Type</b> | <b>Existing ROW</b> |
|-----------------------------|-------------|---------------------|
| C. F. Hawn Freeway          | Freeway     | Variable ROW        |
| Dowdy Ferry Road            | Local       | 60' ROW             |

**Land Use:**

|              | <b>Zoning</b>                                 | <b>Land Use</b>                     |
|--------------|---|-------------------------------------|
| <b>Site</b>  | PD No. 534 Subdistrict 2<br>D-1, SUP No. 1726 | Vacant                              |
| <b>North</b> | PD No. 534 Subdistrict 2,<br>D                | Undeveloped, Lodging, Single Family |
| <b>West</b>  | CR-D & R-7.5(A)                               | Undeveloped & Single Family         |
| <b>East</b>  | PD No. 534 Subdistrict 2,<br>D-1              | Commercial & Industrial             |
| <b>South</b> | R 7.5(A) & PD No. 534<br>Subdistrict 2        | Auto Salvage Yard & Single Family   |

**Comprehensive Plan:**

The applicant is proposing to utilize the site with a vehicle sales lot. The applicant’s representative has worked with staff to ensure the site plan and conditions reflect sensitivity to the adjacent residential community, inclusive of maintaining the existing tree line along the southern property line. As a result, the request is in compliance with the Trinity River Corridor Comprehensive Land Use as outlined in *forwardDallas!* The Plan identifies the request site being within an Urban Mixed-Use corridor.

**Urban Mixed-Use**

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

Z101-237(OTH)

## **Land Use Element**

Goal 1.1 Align land use strategies with economic development priorities.

Policy 1.1.1 Implement the Trinity River Corridor Plan.

## **Trinity River Corridor Comprehensive Land Use Plan**

The property is located in the Regional Corridor module of the Trinity River Corridor Land Use Plan. The recommended primary land use for the corridor is regional serving retail.

### **STAFF ANALYSIS:**

**Land Use Compatibility:** The request site is developed with a vacant building. The site is located in Subdistrict 2 within PDD No. 534. The Subdistrict is considered a commercial and retail subdistrict and has development standards similar to those of the CR Community Retail District.

The adjacent land uses are undeveloped to the north and an auto salvage yard to the south. The surrounding uses are undeveloped, lodging and single family to the north; single family to the west and southwest; and commercial and industrial across the C. F. Hawn Freeway.

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.

Subject to the attached conditions and site plan, staff believes that the request is compatible with the surrounding residential and existing development in the area.

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

### **Landscaping/Screening:**

PDD No. 534 requires landscaping consisting of a combination of a ten foot-wide front yard landscape strip, Article X, and certain screening requirements. These elements are shown on the plan for spatial orientation purposes.

The applicant will provide landscaping that complies with the PDD requirements. This will enhance screening/buffering capabilities from the adjacent residential uses.

**Sidewalks:** PDD No. 534 requires a minimum six foot-wide sidewalk for all parkway areas. The applicant is providing the sidewalks as shown on the site plan.

For those parcels fronting a freeway, Texas Department of Transportation approval is required, and if not granted, then that portion of the frontage is exempt from this requirement.

**Access to the property:** The applicant is responsible for contacting Texas Department of Transportation for issues related to accessing the property from the CF Hawn access road. If TXDOT does not grant permission to access the property as shown on the site plan, the applicant will have to come back and amend the site plan.

**Changes to the Site Plan:** The proposed use does not trigger landscaping requirements. Therefore, staff and the applicant's representative decided that for practical purposes the landscaping of the property is not included on the site plan for the SUP. The applicant's representative informed staff that the applicant will be able to comply landscaping requirements when required. Other minor changes were made to the existing site plan, such as parking location and parking calculations.



Z101-237(OTH)

**Officers/Partners**

**Mueller Properties, Ltd.**

George Mueller, Sole Partner

**Horizon Acceptance, Inc.,**

General partner for Mueller Properties, Ltd.  
George Mueller, President and sole officer

**PROPOSED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A VEHICLE  
DISPLAY, SALES, AND SERVICE USE**

TIME LIMIT: This specific use permit is approved for a time period that expires on (three years from the date of approval), and is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. In order 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.)

**EXISTING CONDITIONS FOR A SPECIFIC USE PERMIT FOR A VEHICLE DISPLAY,  
SALES, AND SERVICE USE**

082465

**27311**

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance (“the Property”), which is presently zoned as Subdistrict 2 within Planned Development District No. 534 (the C.F. Hawn Special Purpose District No. 2), to be used under Specific Use Permit No. 1726 for a vehicle display, sales, and service use.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is a vehicle display, sales, and service use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on September 10, 2011, but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. AIR QUALITY: This use must register with the Air Pollution Control office of the City of Dallas.
5. HOURS OF OPERATION: The vehicle display, sales, and service use may only operate between 8:00 a.m. and 8:00 p.m., Monday through Saturday.

27311

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6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted. Ingress and egress to or from Dowdy Ferry Road is prohibited.
7. PARKING: Parking must be located as shown on the attached site plan.
8. VEHICLE DISPLAY: The maximum number of vehicles displayed at any one time is 50, in the location shown on the attached site plan.
9. VEHICLE SERVICING: Maintenance of vehicles or engines is permitted but must be conducted within an enclosed structure in the location shown on the attached site plan.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
11. GENERAL REQUIREMENT: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

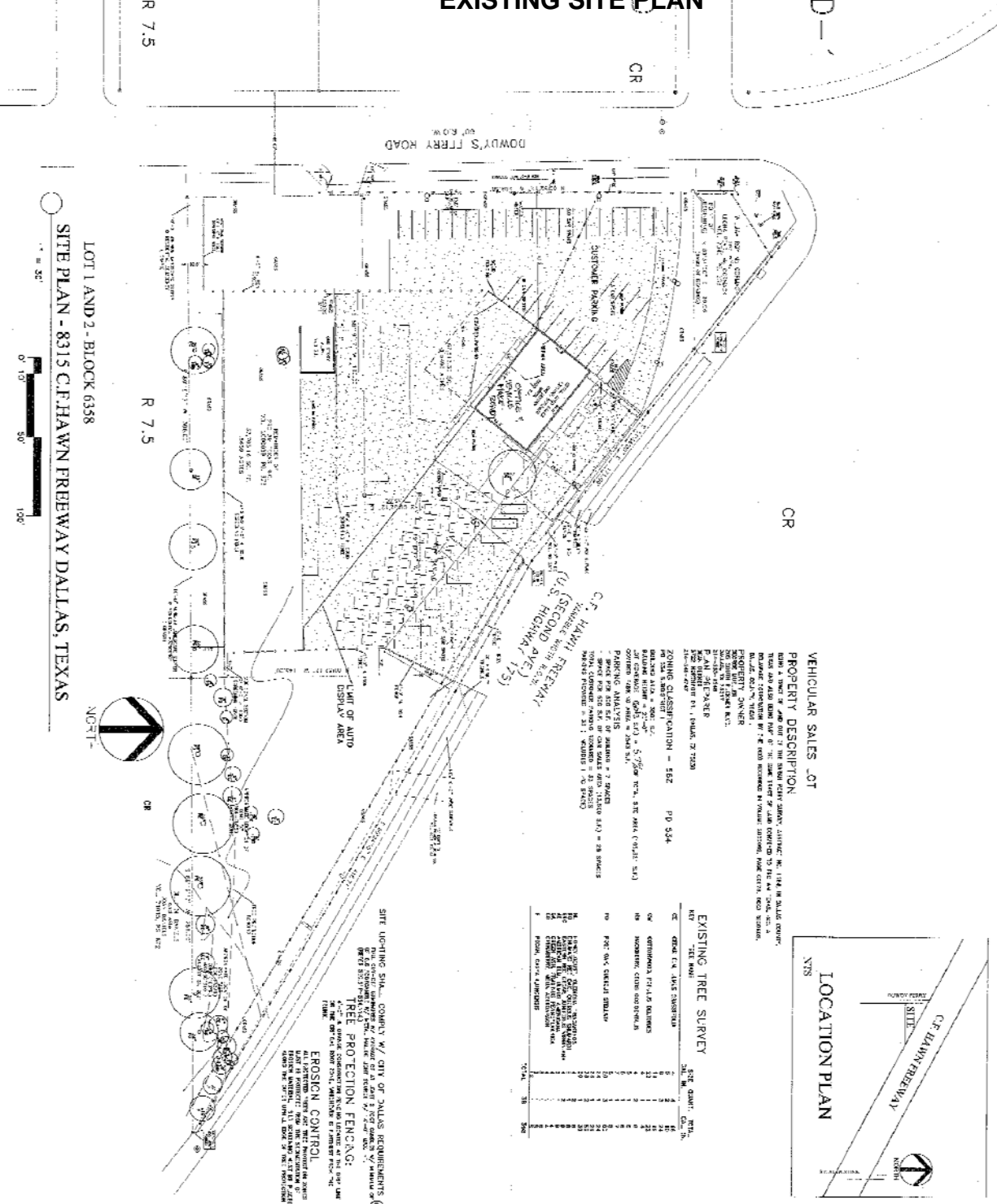
SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

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

SECTION 5. That the director of development services shall correct Zoning District Map No. M-10 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

**EXISTING SITE PLAN**



LOT 1 AND 2 - BLOCK 6338  
 SITE PLAN - 8315 C.F. HAWN FREEWAY DALLAS, TEXAS



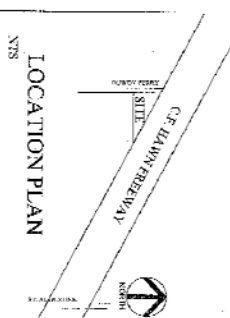
**VEHICULAR SALES LOT**  
**PROPERTY DESCRIPTION:**  
 THIS IS A VEHICULAR SALES LOT. THE LOT IS TO BE USED FOR THE SALE OF NEW AND USED CARS AND TRUCKS. THE LOT IS TO BE USED FOR THE SALE OF NEW AND USED CARS AND TRUCKS. THE LOT IS TO BE USED FOR THE SALE OF NEW AND USED CARS AND TRUCKS.

**ZONING CLASSIFICATION - 152 PD 534**  
**PLANNING ANALYSIS:**  
 THE SITE IS LOCATED IN AN AREA OF HIGH TRAFFIC VOLUME. THE SITE IS LOCATED IN AN AREA OF HIGH TRAFFIC VOLUME. THE SITE IS LOCATED IN AN AREA OF HIGH TRAFFIC VOLUME.

**EXISTING TREE SURVEY**

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**SITE LIGHTING SHALL COMPLY W/ CITY OF DALLAS REQUIREMENTS (C)**  
**PROTECTION FENCING:**  
 THE SITE SHALL BE PROTECTED BY A PERMANENT FENCING SYSTEM. THE FENCING SHALL BE A MINIMUM OF 6 FEET HIGH AND SHALL BE MAINTAINED AT ALL TIMES.

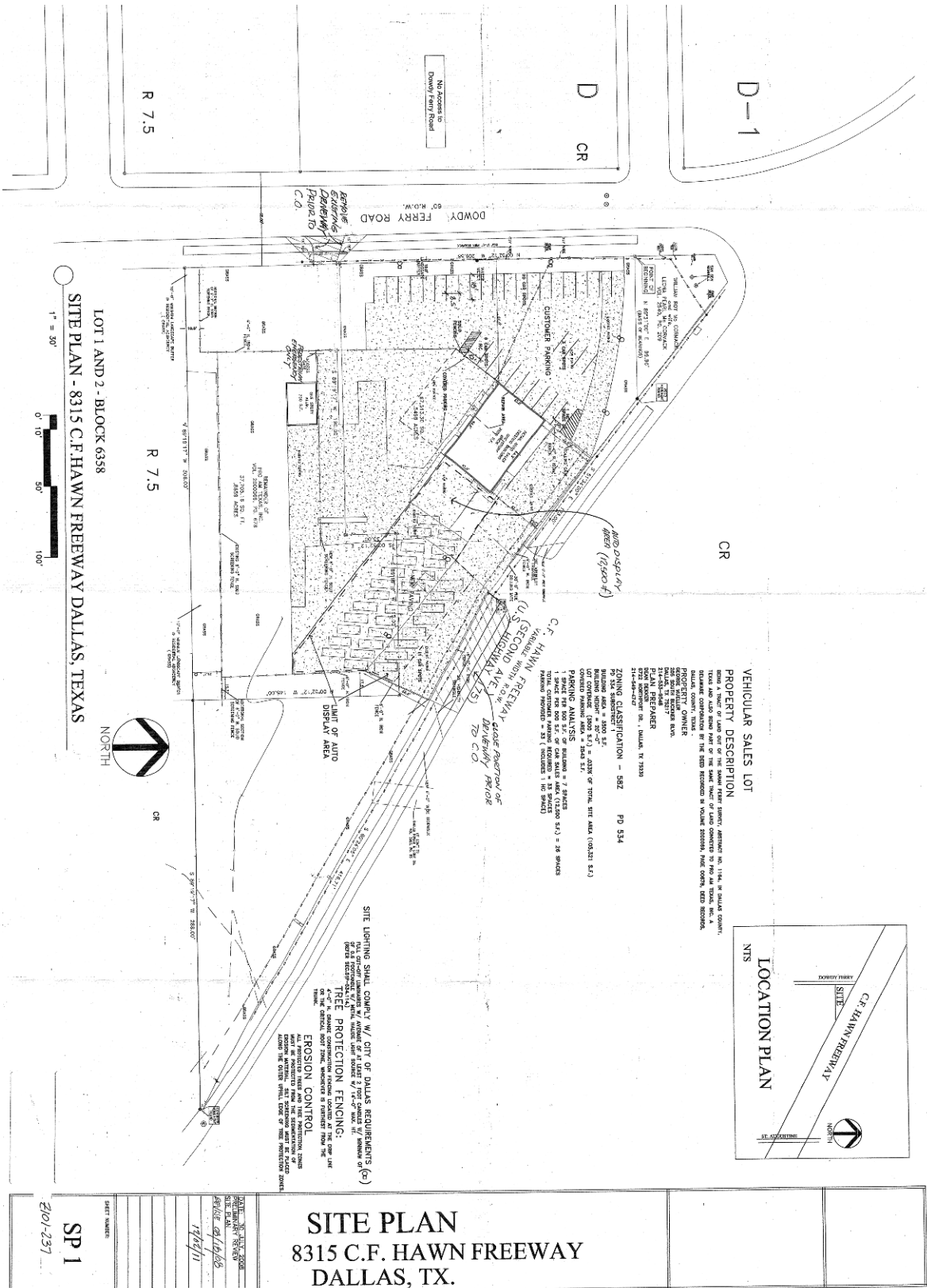


**SITE PLAN**  
**8315 C.F. HAWN FREEWAY**  
**DALLAS, TX.**

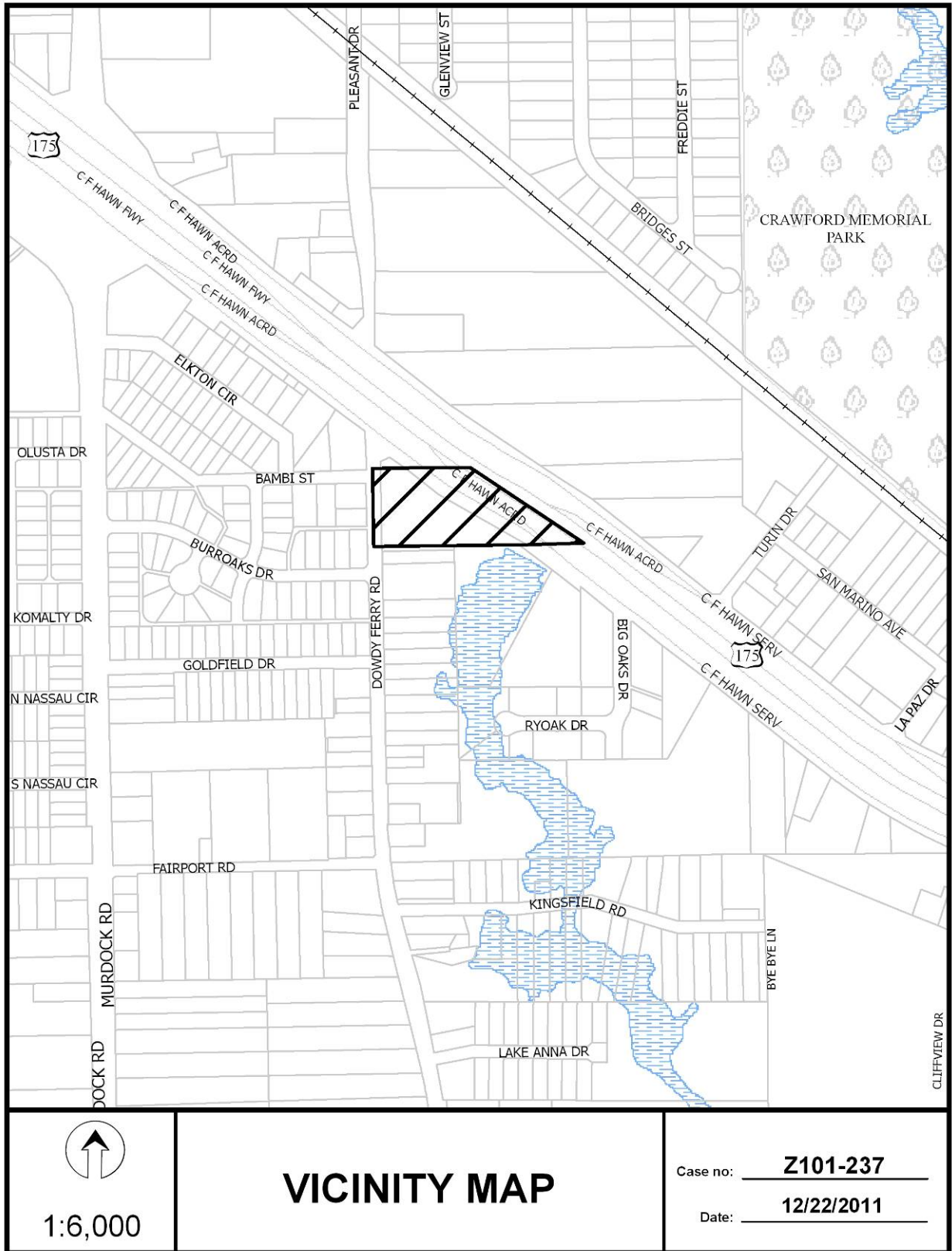
**DCD**  
 DALLAS COUNTY DEVELOPMENT  
 DALLAS, TEXAS

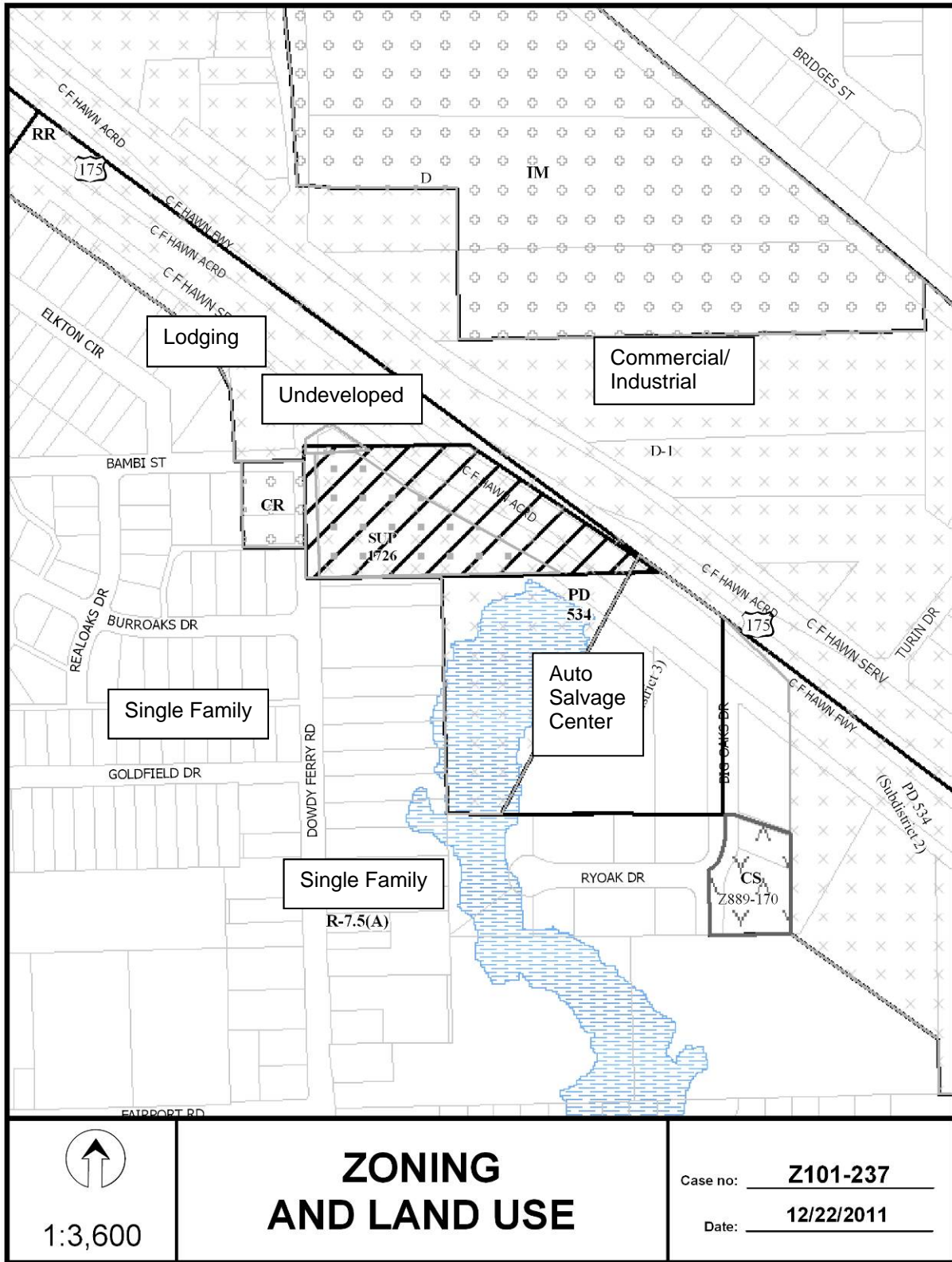
**SP 1**  
 2013-255 (09)

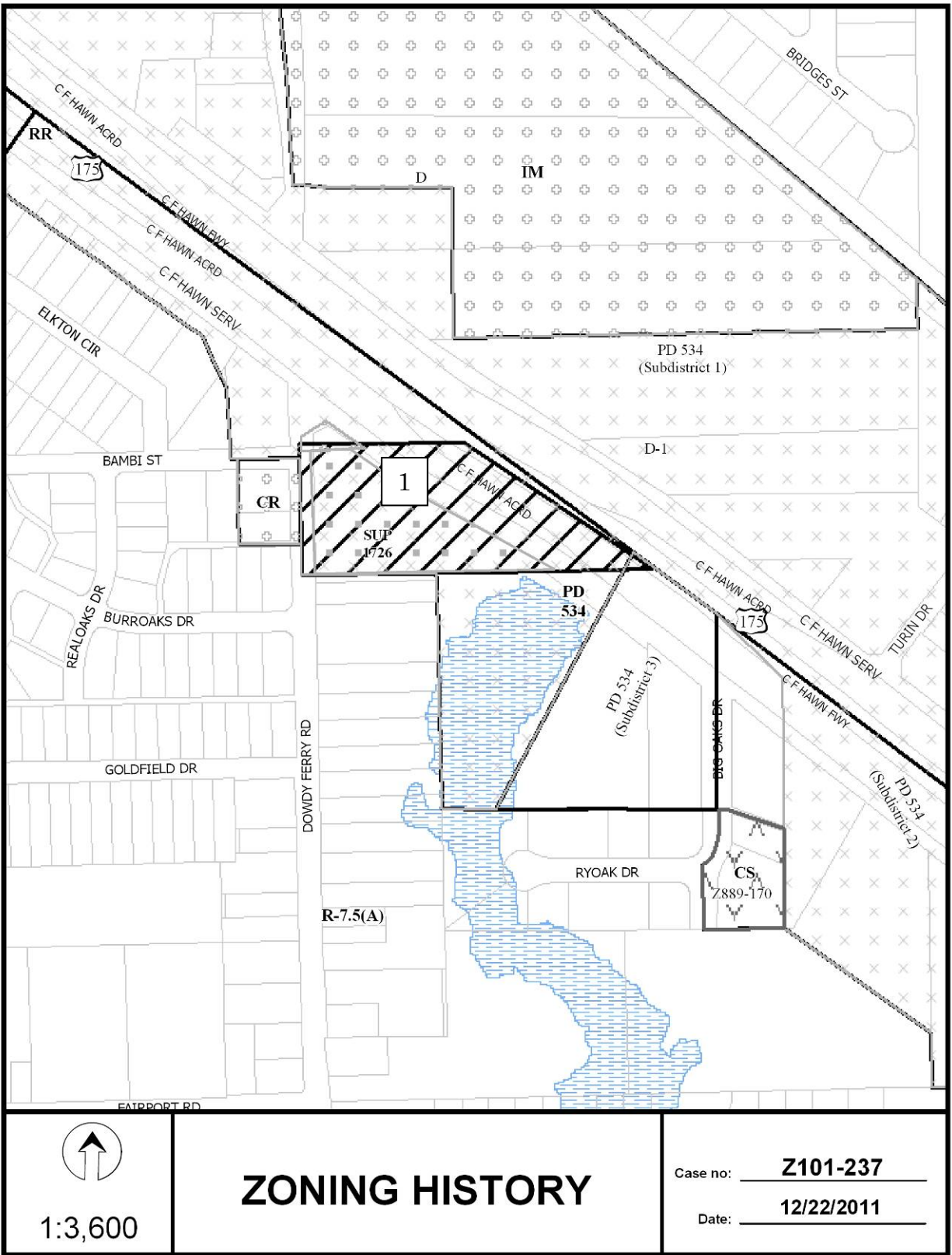
PROPOSED SITE PLAN




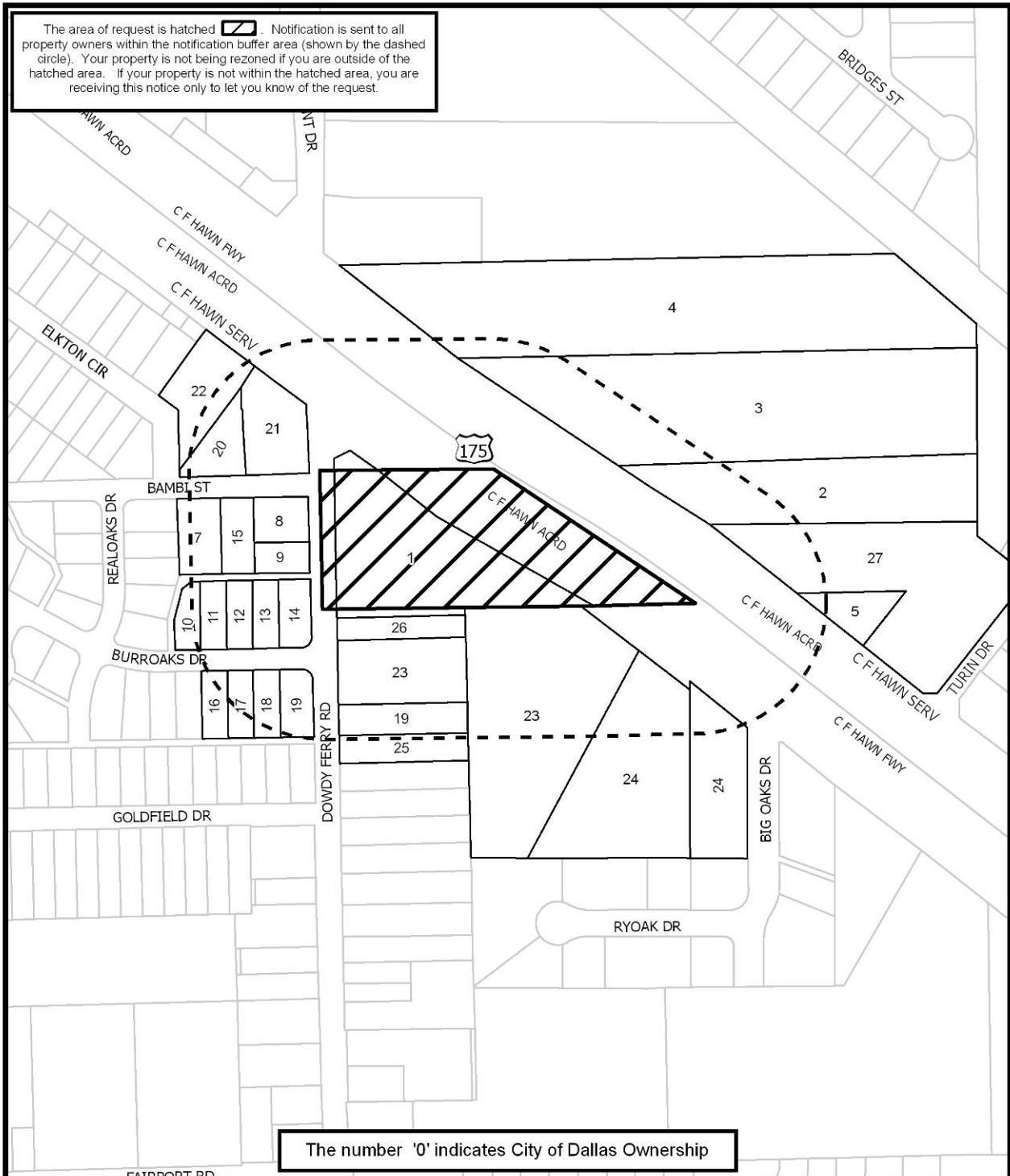








The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only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



The number '0' indicates City of Dallas Ownership

|  |   |             |                      |           |                                    |   |
|--|---|-------------|----------------------|-----------|------------------------------------|---|
| <br>1:3,600 | <h2>NOTIFICATION</h2> <table border="1"> <tr> <td><b>300'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td><b>27</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table> | <b>300'</b> | AREA OF NOTIFICATION | <b>27</b> | NUMBER OF PROPERTY OWNERS NOTIFIED | Map no: <b>M-10</b><br>Case no: <b>Z101-237</b> |
| <b>300'</b>  | AREA OF NOTIFICATION  |             |                      |           |                                    |   |
| <b>27</b>  | NUMBER OF PROPERTY OWNERS NOTIFIED  |             |                      |           |                                    |   |

DATE: June 07, 2011

12/22/2011

***Notification List of Property Owners******Z101-237******27 Property Owners Notified***

| <b><i>Label #</i></b> | <b><i>Address</i></b> | <b><i>Owner</i></b>                      |
|-----------------------|-----------------------|--|
| 1                     | 8315 C F HAWN FWY     | MUELLER PROPERTIES LT                    |
| 2                     | 8360 C F HAWN FWY     | HOPKINS STANLEY                          |
| 3                     | 8340 C F HAWN FWY     | MASSOUDI MOHAMMAD                        |
| 4                     | 8300 C F HAWN FWY     | NINO MARTIN &                            |
| 5                     | 8428 C F HAWN FWY     | FORD STEPHEN D                           |
| 6                     | 8309 C F HAWN FWY     | MCCORMACK WILLIAM R                      |
| 7                     | 8204 BAMBI ST         | ACOSTA YOLANDA &                         |
| 8                     | 201 DOWDY FERRY RD    | MATA ELENA                               |
| 9                     | 211 DOWDY FERRY RD    | MATA MARIA LAURA                         |
| 10                    | 8215 BURROAKS DR      | TAYLOR THOMAS EARL                       |
| 11                    | 8219 BURROAKS DR      | ZARATE ANDRES & NORMA BAHENA             |
| 12                    | 8225 BURROAKS DR      | SALAZAR MANUEL I & MARTHA                |
| 13                    | 8229 BURROAKS DR      | SALAZAR J GUADALUPE                      |
| 14                    | 8233 BURROAKS DR      | GARDEA JUANA AZA LIFE EST REM: JUAN GARD |
| 15                    | 8214 BAMBI ST         | SEGOVIA GILDARDO & ANGELICA              |
| 16                    | 8220 BURROAKS DR      | SIMMONS MICHAEL & MELINDA                |
| 17                    | 8226 BURROAKS DR      | RENTERIA ELIAS MARIA ESPINO              |
| 18                    | 8230 BURROAKS DR      | RODRIGUEZ ERMELINDA                      |
| 19                    | 8234 BURROAKS DR      | GUZMAN JOSE E                            |
| 20                    | 8211 BAMBI ST         | VASQUEZ ANTONIO RAMIREZ                  |
| 21                    | 121 DOWDY FERRY RD    | PATEL NAGINBHAI M & LAXMIBEN N           |
| 22                    | 8241 C F HAWN FWY     | PATEL NAGINBHAI M & LAXMIBEN N           |
| 23                    | 8365 C F HAWN FWY     | ELLIS DANIEL C JR                        |
| 24                    | 8371 C F HAWN FWY     | HUBBARD ROBERT NEAL                      |
| 25                    | 312 DOWDY FERRY RD    | ASENCIO JUAN ANGEL                       |
| 26                    | 220 DOWDY FERRY RD    | KAUF TEX REALTY CO                       |
| 27                    | 8388 C F HAWN FWY     | PITZER FAMILY LP                         |

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z112-131(WE)                      **DATE FILED:** November 15, 2011

**LOCATION:** Indiana Street and Malcolm X Boulevard, northeast corner

**COUNCIL DISTRICT:** 2                                      **MAPSCO:** 45-M

**SIZE OF REQUEST:** Approx. 2.561 acres              **CENSUS TRACT:** 33.00

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**APPLICANT / OWNER:** Broadstone Ambrose, LP

**REPRESENTATIVE:** MASTERPLAN  
Karl Crawley

**REQUEST:** An application to create a new tract within Planned Development District No. 269, the Deep Ellum Special Purpose District.

**SUMMARY:** The purpose of this request is to create a new tract within Planned Development No. 269 that will allow the developer the flexibility to convert existing ground level retail space into multifamily units.

**STAFF RECOMMENDATION:** Approval, subject to conditions.



**BACKGROUND INFORMATION:**

- The applicant’s request to create a new Tract within PDD No. 269 will allow modifications to the conditions that pertain to the points a development may receive for retail-related uses. The modification to the design points for retail-related uses will allow the developer the flexibility to convert vacant retail space into multifamily units.
- The applicant’s intent is to convert 13,913 square feet of retail space into 13 multifamily units. The request site is currently developed with approximately 325 multifamily units and ground floor retail space that face the DART light rail station.
- The request site is in close proximity to the Baylor Hospital and is adjacent to the DART light rail station to the north. Properties surrounding the site consist of a mix of warehouse, office, bar, lounge or taverns and multifamily uses.

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

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type      | Existing ROW | Proposed ROW |
|---------------------|-----------|--------------|--------------|
| Indiana Street      | Local     | 40 ft.       | 40 ft.       |
| Malcolm X Boulevard | Collector | 60 ft.       | 60 ft.       |
| North Walton Street | Local     | 45 ft.       | 45 ft.       |

**Land Use:**

|              | Zoning             | Land Use                           |
|--------------|--------------------|------------------------------------|
| <b>Site</b>  | PDD No. 269        | Mixed Use Development              |
| <b>North</b> | MU-3, SUP No. 1607 | Undeveloped, DART transfer station |
| <b>South</b> | PDD No. 269        | Surface parking lot, Office        |
| <b>East</b>  | PDD No. 269        | Warehouse                          |
| <b>West</b>  | PDD No. 269        | Surface parking lot, Office        |

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

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas

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

## **LAND USE**

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

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

#### **STAFF ANALYSIS:**

**Land Use Compatibility:** The 2.561 acre site is developed with approximately 325 multifamily units and 13,913 square feet of ground floor retail space. The applicant's request to create a new Tract within Planned Development District No. 269 will allow for modifications to the conditions that will permit the conversion of ground floor retail space into multifamily units.

The Planned Development District conditions require new or original construction to receive a minimum of 65 points for the primary side and 50 points for the secondary side of a building's development. The request site's primary side is oriented towards the DART light rail station. Points are awarded for a project that meets certain criteria under the Design Standards Test and Prohibition Section of the Planned Development District conditions. The applicant's request is to modify the provision in the Planned Development District conditions that affects the "Retail-related uses." A maximum of 25 points is awarded for a development that meets the criteria that provides first floor retail-related uses on the primary street facade. Staff has provided a copy of the applicant's design standard test below that shows the accumulation of points that was awarded towards the development. The Building Official reviewed the initial development based on the design criteria and awarded the project 65.5 points. A minimum of 65 points is required to proceed with new or original construction within the Planned Development District.

The mixed use development was constructed with approximately 13,913 square feet of retail-related uses that had a floor to ceiling height of 15 feet. The amended language in the Planned Development District conditions will state the following:"

“In Tract A-1 points are awarded .... if the first story is constructed to a minimum height of fifteen feet. The height of the story is measured from the top of the finished floor to the top of the finished floor above or, if there is no floor above, to the midpoint of the vertical dimension of the roof. Points are awarded regardless if the floor area is used for retail related uses.”

The additional language to this provision will permit the applicant the flexibility to convert the vacant retail-related space from retail uses to multifamily uses or back to retail-related uses, as warranted. In addition, the applicant has indicated that the retail space has been difficult to lease or to maintain tenants due the location of the development.

Staff has reviewed the applicant’s request and recommends approval, subject to the attached conditions. The proposed new Tract and modifications to the Planned Development District conditions should not have a negative impact on the surrounding area.

**Development Standards:**

| <b><u>DISTRICT</u></b> | <b><u>SETBACKS</u></b> |                         | <b><u>Density</u></b>                      | <b><u>Height</u></b> | <b><u>Lot Coverage</u></b> | <b><u>Special Standards</u></b> | <b><u>PRIMARY Uses</u></b>                 |
|------------------------|------------------------|-------------------------|--|----------------------|----------------------------|---------------------------------|--|
|                        | <b><u>Front</u></b>    | <b><u>Side/Rear</u></b> |  |                      |                            |                                 |  |
| PDD No. 269<br>Tract A | 0'                     | No Min.                 | 4.0 FAR maximum<br>+ bonus for residential | 150'<br>20 stories   |                            | Proximity Slope                 | Office, retail, commercial,<br>residential |
|                        |                        |                         |  |                      |                            |                                 |  |

**Landscaping:** Landscaping of any development will be in accordance with PDD No. 269 landscaping requirements.

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

**APPLICANT'S APPLICATION  
Development's Design Standard's Test**

|   |  |
|---|--|
| <br>CITY OF DALLAS | <h2>Deep Ellum Building Design Standards Test</h2> |
|---|--|

|  |  |
|--|--|
| Subject property address:  | <b>2901 Indiana</b>  |
| Subject property name:   | <b>(The Ambrose)</b>   |
| Proposed use(s): [NOTE: Indicate use associated with its square footage separated by a slash (/)]: | <b>Retail / 13,913 s.f.<br/>Office / 3,011 s.f.<br/>Apartments / 325</b> |

Please indicate whether this test is to be applied to **NEW** or ORIGINAL construction with either a **PRIMARY** street façade and/or a **SECONDARY** street façade. [NOTE: A primary street façade requires a minimum of **65 points**. A secondary street façade requires a minimum of 50 points]

| CRITERIA (Points possible)  | POINTS EARNED |
|---|---------------|
| 1. Public Art / Streetscape (5)   | 5             |
| 2. Property line development (20)   | 20            |
| 3. Tree planting (points unearned from "property line development" above) | 0             |
| 4. Awnings and arcades (10)   | 0             |
| 5. Building materials (20)  | 20            |
| 6. Front façade openings (20)   | 0             |
| 7. Retail related uses: First floor (25)                                  | 20.5          |
| 8. Basement / Second floor retail (5)                                     | 0             |
| <b>TOTAL POINTS EARNED</b>  | <b>65.5</b>   |

| CHECKLIST:  |                |     |
|---|----------------|-----|
| 9. Off-street parking screened as required        | <del>YES</del> | N/A |
| 10. Service areas screened as required            | <del>YES</del> | N/A |
| 11. Façade materials <u>not prohibited</u>        | YES            | N/A |
| 12. Special lighting requirements met             | YES            | N/A |
| 13. Reflective glass <u>not used</u>              | YES            | N/A |
| 14. Good Latimer Expressway setbacks incorporated | <del>YES</del> | N/A |
| 15. Transfer of development rights employed       | <del>YES</del> | N/A |
| 16. Historic designation applied for or achieved  | <del>YES</del> | N/A |
| 17. Tax freeze application pending                | <del>YES</del> | N/A |

**LIST OF OFFICIERS  
Broadstone Ambrose LP**

BROADSTONE AMBROSE, LP, a Texas limited partnership

PA Ambrose GP, LLC, a Delaware limited liability company, the general partner of Broadstone Ambrose, LP

PRISA-Alliance (Wycliff-Ambrose), LLC, member

Broadstone Wycliff-Alliance, LLC, member

Robert M. Hutt, member

John T Rippel, member

Nicholas J. Chapman, member

V. Jay Hiemenz, member

James M. Krohn, member

Patrick W. Dukes, member

Sheri Thomas, member

Brian Tusa, member

**PROPOSED PDD CONDITIONS**

**ARTICLE 269.**

**PD 269.**

**SEC. 51P-269.101. LEGISLATIVE HISTORY.**

PD 269 was established by Ordinance No. 19532, passed by the Dallas City Council on April 29, 1987. Ordinance No. 19532 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 19532 was amended by Ordinance Nos. 20409, passed by the Dallas City Council on August 9, 1989; Ordinance No. 21195, passed by the Dallas City Council on February 12, 1992; and Ordinance No. 22752, passed by the Dallas City Council on May 8, 1996.

**SEC. 51P-269.102. PROPERTY LOCATION AND SIZE.**

PD 269 is established on property generally bounded by the T. & P. Railroad right-of-way on the north, Parry Avenue on the East, R.L.Thornton Freeway on the south, and North Central Expressway on the west. The size of PD 269 is approximately 273.64 acres.

**SEC. 51P-269.103. ESTABLISHMENT OF TRACTS.**

The Deep Ellum/Near East Side District is divided into [~~two~~] three tracts: Tract A, A-1, and Tract B. The boundaries of these [~~two~~] three tracts are described in the Exhibit B attached to and made a part of Ordinance No. 19532.

**SEC. 51P-269.104. DEFINITIONS AND INTERPRETATIONS.**

(a) Interpretations. Unless otherwise stated, all references to code sections in this article refer to sections in Chapter 51.

(b) Measurement of distances between body piercing studios and tattoo studios.

(1) The distance between body piercing studios and tattoo studios is measured in a straight line on either side of the street where the uses are located, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the uses are located (this means that body piercing studios and tattoo studios on the same side or opposite sides of a street must be spaced from each other, but the spacing requirement does not apply to body piercing studios and tattoo studios that are on different streets).



(2) If two uses are in a permissible location except for the spacing between the two uses, the use that was first established and continually operated at a particular location is the conforming use and the later-established use is the nonconforming use for purposes of the spacing requirement.

(c) Definitions. Except as otherwise provided in this section, the definitions contained in Chapter 51, apply to this article. In this article:

(1) BOARD means the board of adjustment.

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

(3) CALIPER means the diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured 12 inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

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

(5) COMMERCIAL PARKING GARAGE means a multi-story facility for vehicle parking that is operated as a business enterprise by charging a fee for parking.

(6) COMMERCIAL PARKING LOT means an at-grade parking lot that is operated as a business enterprise by charging a fee for parking.

(7) CONSTRUCTED means that a certificate of occupancy has been issued by the city signifying completion of the building, or that the building has otherwise been approved by the building official as completed and in compliance with all applicable codes and ordinances of the city.

(8) DANCE HALL means a dance hall as defined in Chapter 14 of the Dallas City Code, as amended.

(9) DEEP ELLUM/NEAR EAST SIDE CONCEPTUAL PLAN means Exhibit 269A.

(10) DIRECTOR means the director of development services or the director's representative.

(11) ECONOMICALLY INFEASIBLE means that:

(A) the property owner certifies that preservation of the building will require an unreasonable expenditure of funds; and

(B) the director agrees with the certification.

(12) FAR means floor area ratio.

(13) FACING A STREET means parallel to or within 45 degrees of being parallel (excluding ornamental features) to a street, and marking the extent of a front yard.

(14) FLUORESCENT COLOR means any color defined by the Munsell Book of Color as having a minimum value of eight and a minimum chroma of ten.

(15) FLOOR AREA RATIO means the ratio of building floor area to lot area. (Note: A 1:1 FAR is stated as "1.0," 2:1 is stated as "2.0," 2.5:1 is stated as "2.5," etc.)

(16) FRONT LOT LINE means any lot between a front yard and the primary street.

(17) LARGE TREE means a tree of a species which normally reaches a height of 30 feet or more upon maturity.

(18) LIVE MUSIC VENUE means an inside commercial amusement use primarily for the performance of live (not recorded) music for an audience. A use having a dance hall license pursuant to Chapter 14 of the Dallas City Code, as amended, is not a live music venue.

(19) NEWLY CONSTRUCTED BUILDING means a building that is not an original building.

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

(21) ORIGINAL BUILDING means a building constructed on or before June 27, 1984, the floor area of which has not since June 27, 1984, been increased by more than:

(A) 75 percent if the increase is 5,000 square feet or less; or

(B) 50 percent if the increase is more than 5,000 square feet. An original building damaged or destroyed on or before June 27, 1984, other than by the intentional act of the owner or his agent, may be restored after that date without losing its original building status.

(22) PRIMARY SIDE means the side of a building facing the primary street.

(23) PRIMARY STREET means the public street that is adjacent to the lot. If there is more than one street adjacent to the lot, the property owner shall designate the primary street.

(24) REFRIGERATED means normally kept at a temperature of 45 degrees or less.

(25) RESTORED means the act of putting back substantially into a former or original state of appearance, as determined by the director.

(26) RETAIL-RELATED USES means any of the following:

(A) Any permitted use listed in Section 51-4.211, "Retail Uses," or in Section 51-4.209, "Bar and Restaurant Uses."

(B) Barber and beauty shop.

(C) Health studio.

(D) Custom cleaning shop.

(E) Commercial cleaning shop.

(F) Commercial laundry or dry cleaning.

(G) Laundry or dry cleaning pickup and receiving station.

(H) Key shop.

(I) Shoe repair.

(J) Tailor, custom sewing, and millinery.

(K) Taxidermist.

(L) Travel bureau.

(M) Handcraft bookbinding.

(N) Photography studio.

(O) Handcrafted art work studio.

(P) Art gallery.

(Q) Instructional art studio.

(R) Drive-through restaurant with sound system.

(S) Drive-through restaurant without sound system.

(27) SCREENING means a visual barrier provided by using one or more of the following three methods to separately or collectively attain a minimum height of two feet above the parking surface:

(A) Brick, stone, or concrete masonry, stucco, concrete, or wood wall or fence.

(B) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height for each three feet of width. The earthen berm may be used in combination with a wall or fence as described in Subparagraph A.

(C) Evergreen plant materials recommended for local area use by the director of parks and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that a landscape authority certifies as being capable of providing a solid appearance within three years.

(28) SECONDARY SIDE means the side of a building facing the secondary street, if any.

(29) SECONDARY STREET means a public street that is adjacent to a lot, but not a primary street. There is no secondary street unless the lot has frontage on more than one street. If the lot has frontage on three or more streets, the property owner shall designate the secondary street.

(30) SERVICE AREA means the area for all off-street occupancy support services, including but not limited to areas for delivery, loading, and trash removal.

(31) STREETSCAPE IMPROVEMENTS means plant materials recommended for local area use by the director of parks and recreation, tree grates, and pedestrian furniture.

(32) STRUCTURALLY UNSOUND means that:

(A) a structural engineer has provided a written opinion to the city certifying that the building cannot support or withstand a major renovation; and

(B) the building official agrees with the written opinion.

(33) SUP means specific use permit. See Section 51-4.219.

(34) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human

body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(35) THIS DISTRICT means the Deep Ellum/Near East Side District.

(36) TREESCAPE AREA means the portion of the lot between the front lot line and the vertical plane parallel to the front lot line containing the point or points in the front building wall that are closest to the front lot line. (Ord. Nos. 19532; 21195; 25423; 26369; 26408)

**SEC. 51P-269.105. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACTS A and A-1.**

(a) Use regulations. The uses listed in this section are the only uses permitted. Except for current and traditional uses and special uses, the definitions of uses contained in Chapter 51 apply to the uses listed in this section.

(1) Current and traditional uses.

(A) Current uses. This use is defined as a use not listed in this article as a permitted use or a prohibited use which, in the opinion of the director, legally existed on Tract A on June 27, 1984. This use is permitted by right on Tract A.

(B) Traditional use. This use is defined as a use not listed in this article as a permitted use or a prohibited use which, in the opinion of the director, did not legally exist on Tract A on June 27, 1984, but which did legally exist on Tract A during the 10-year period between June 27, 1974 and June 27, 1984. A traditional use is permitted by right on the same building sites where it legally existed during the 10-year period, but requires an SUP to locate on any other building site on Tract A.

(C) Definitions required. If the director determines that a use is a current or traditional use, he shall define the use as specifically as possible in writing and send a copy of the written definition to both the building official and the city secretary. The city secretary shall keep copies of all definitions received pursuant to this paragraph in the same file with Ordinance No. 19532, as amended.

(2) Special uses. Unless otherwise indicated, the following special uses are permitted by right on Tracts A and A-1:

(A) Auto body rebuilding shop (outside/with screening). This use is defined as a facility for restoring or refinishing auto bodies, with outside display and repair permitted. This use must have a visual screen of at least six feet in height which consists of solid masonry or concrete.

(B) Cold storage, freezer storage, and ice manufacturing establishment.

This use is defined as an establishment for the refrigerated storage of ice, dairy products, or foodstuffs and the manufacture of ice, and includes all indoor processes required for or related to the manufacture of ice, dairy products, or foodstuffs.

(C) Commercial mailboxes.

This use is defined as an establishment offering mailboxes for rent and private postal services.

(D) Commercial parking garage.

Commercial parking garages must comply with the additional requirements in Section 51P-269.110.

(E) Commercial parking lot [SUP].

(i) An original building that meets the design standards test set out in Subsection (l)(3) of this section may not be destroyed or removed to make room for this use unless:

(aa) the building is structurally unsound; or

(bb) preservation of the building is economically infeasible.

(ii) Commercial parking lots must comply with the additional requirements in Section 51P-269.110.

(F) Drive-in restaurant with sound system [SUP].

This use is defined as an establishment offering food service to customers in automobiles for consumption on the premises, and which uses an outdoor public address or paging system between the hours of 6:30 p.m. and 8:00 a.m.

(G) Drive-in restaurant without sound system.

This use is defined as an establishment offering food service to customers in automobiles for consumption on the premises, and which does not use an outdoor public address or paging system between the hours of 6:30 p.m. and 8:00 a.m. This use is permitted by right.

(H) Drive-through restaurant with sound system [SUP].

This use is defined as any restaurant with direct window service allowing customers in motor vehicles to pick up food for off-premise consumption, and which uses an outdoor public address or paging system between the hours of 6:30 p.m. and 8:00 a.m.

(I) Drive-through restaurant without sound system.

This use is defined as any restaurant with direct window service allowing customers in motor vehicles to pick up food for off-premise consumption and which does not use an outdoor public address or paging system between the hours of 6:30 p.m. and 8:00 a.m.

(J) Exhibits or decoration manufacturing, design, sales, or rental establishment.

This use is defined as an establishment for the manufacture, design,



sales, or rental of exhibits or decorations and includes any indoor processes required for or related to the manufacture of exhibits or decorations.

(K) Food processing, manufacturing, or packaging establishment. This use is defined as an establishment for the manufacture, processing, or packaging of foodstuffs from raw materials.

(L) Municipal service center. This use is defined as a local government center or development complex for the storage of local government equipment and the distribution and delivery of local government services, and includes any indoor processes required for or related to the delivery of those services.

(M) Rag or paper recycling establishment. This use is defined as an establishment for the recycling of paper or rags, and includes any indoor processes required for or related to the recycling of paper or rags.

(N) Sign manufacturing establishment. This use is defined as an establishment for the manufacturing of signs and includes any indoor processes required for or related to the manufacture of signs.

(O) Soap manufacturing establishment. This use is defined as an establishment for the manufacturing of soap products and includes any indoor processes required for or related to the manufacture of soap.

(P) Sound equipment manufacturing and assembly establishment. This use is defined as an establishment for the manufacturing, fabrication, assembling, and testing of sound equipment and includes any indoor processes required for or related to the manufacture of sound products.

(Q) Tool or machinery manufacturing establishment. This use is defined as an establishment for the manufacturing of tools or machinery, and includes indoor processes required for or related to the manufacture of tools or machinery.

(3) Animal related uses.

(A) Animal clinic without outside run.

(B) Kennel without outside run.

(C) Veterinarian's office.

(4) Bar and restaurant uses.

(A) Bar, lounge, or tavern. [SUP]

(B) Catering service.

(C) Private club. *[SUP]*

(D) Restaurant with alcoholic beverages and/or entertainment.

(E) Restaurant without drive-in service.

(5) Commercial uses.

(A) Appliance fix-it shop.

(B) Building repair and maintenance shop.

(C) Computer service center.

(D) Custom commercial engraving.

(E) Custom furniture construction, repair, or upholstery shop.

(F) Custom print shop.

(G) Design or decorative center.

(H) Diamond and precious stone sales. *[Wholesale only]*

(I) Duplication shop.

(J) Flea market.

(K) Garden shop, plant sales, or greenhouse.

(L) Gummed label printing.

(M) Job printing, lithographer, printing, or blue-printing plant.

(N) Machine or welding shop *[Includes sheet metal fabrication]*.

(O) Machinery sales and services.

(P) Plumbing, electrical, air conditioning, and heating shops.

(Q) Tool and equipment rental *[Inside display only]*.

(R) Venetian blind or window shade repair, assembly, and sales.

(6) Community service uses.

- (A) Community, welfare, or health center.
- (B) Day care center.
- (C) Foster home.
- (D) Post office.

(7) Educational uses.

- (A) Business school.
- (B) College, university, or seminary.
- (C) College, fraternity, or sorority house.
- (D) College dormitory.
- (E) Institution for special education.
- (F) Library, art gallery, or museum.
- (G) Public, denominational, or private school.
- (H) Technical school.

(8) Industrial and manufacturing uses.

- (A) Bedspread, drapes, and headboard manufacturing.
- (B) Clothing manufacturing.
- (C) Corrugated cardboard box fabrication.
- (D) Light fabrication and assembly.
- (E) Manufacturing laboratory. [SUP]

(9) Medical uses.

- (A) Ambulance service.
- (B) Establishment for care of alcoholic, narcotic, or psychiatric patients.

[SUP]

- (C) Hospital.
- (D) Medical appliance fitting and sales.
- (E) Medical clinic.
- (F) Medical or scientific laboratory.
- (G) Nursing home.
- (H) Optical shop.
- (I) Residence home for the aged.

(10) Motor vehicle related uses.

- (A) Auto glass, muffler, or seat cover shop.
- (B) Auto parts sales (inside).
- (C) Auto repair garage (inside).
- (D) Auto painting or body rebuilding shop (inside).
- (E) Automobile or motorcycle display, sales, and service (inside).
- (F) Bus or truck repair/parking garage.
- (G) Car wash.
- (H) Engine or motor repair shop.
- (I) Service station.
- (J) Steam cleaning of vehicles and machinery.

(11) Professional, personal service, and custom crafts uses.

- (A) Bank or savings and loan office (with drive-in windows).
- (B) Bank or savings and loan office (without drive-in windows).
- (C) Barber and beauty shop.

(D) Body piercing studio. *[SUP. Must be located at least 300 feet from all other tattoo studios or body piercing studios. A body piercing studio must be treated as a separate main use, and cannot be an accessory use.]*

(E) Broadcast or recording studio.

(F) Commercial cleaning shop.

(G) Commercial laundry or dry cleaning.

(H) Custom cleaning shop.

(I) Handcraft bookbinding.

(J) Handcrafted art work studio.

(K) Health studio.

(L) Instructional art studio.

(M) Key shop.

(N) Laundry or dry cleaning pickup and receiving station.

(O) Office.

(P) Photography studio.

(Q) Safe deposit boxes.

(R) Self service laundry or dry cleaning.

(S) Shop repair.

(T) Tailor, custom sewing, and millinery.

(U) Tattoo studio. *[SUP. Must be located at least 300 feet from all other tattoo studios or body piercing studios. A tattoo studio must be treated as a separate main use, and cannot be an accessory use.]*

(V) Taxidermist.

(W) Temporary construction or sales office.

(X) Trade center.

(Y) Travel bureau.

(12) Recreation and entertainment uses.

(A) Country club with private membership.

(B) Game court center.

(C) Inside commercial amusement. *[SUP required for dance halls. SUP required for live music venues. Dance halls and live music venues must be treated as a separate main use, and cannot be an accessory use.]*

(D) Private recreation club or area.

(E) Public park or playground.

(F) Theatre.

(G) Wax museum.

(13) Religious uses.

(A) Church.

(B) Convent or monastery.

(C) Establishment of a religious, charitable, or philanthropic nature. *[SUP]*

(D) Rectory.

(14) Residential uses.

(A) Duplex.

(B) Hotel and motel.

(C) Lodging or boarding house. *[SUP]*

(D) Multiple-family.

(E) Single-family.

(15) Retail uses.

(A) Antique shop.



- (B) Bakery or confectionery store.
- (C) Beverage store.
- (D) Book and stationery store.
- (E) Camera shop.
- (F) Cigar, tobacco, and candy store.
- (G) Clothing store.
- (H) Drug store.
- (I) Feed store.
- (J) Florist store.
- (K) Furniture store.
- (L) Hardware or sporting goods store.
- (M) Home improvement center.
- (N) Hobby and art supplies store.
- (O) Liquor store.
- (P) Paint and wallpaper store.
- (Q) Pet shop.
- (R) Retail food store.
- (S) Retail stores other than listed.
- (T) Secondhand store.
- (U) Swimming pool sales and supply.

(16) Storage and waste disposal uses.

- (A) Aluminum collection center.
- (B) Mini-warehouse.

(C) Warehouse.

(17) Transportation uses.

(A) Bus passenger shelter.

(B) Passenger bus station and terminal.

(C) Railroad passenger station.

(D) Helistop. [SUP]

(18) Utility and service uses.

(A) Electrical energy generating plant.

(B) Electrical substation.

(C) Local utilities.

(D) Telephone exchange, switching, and transmitting equipment.

(19) Accessory uses.

(A) Amateur communication tower.

(B) Community center (private).

(C) Game court (private).

(D) Home occupation.

(E) Occasional sales (garage sales).

(F) Open storage.

(G) Private street or alley.

(H) Swimming pool (private).

(I) Any other use that is customarily incidental to a permitted main use.

(b) Prohibited uses. The following main uses are specifically prohibited on Tracts A and A-1. In the event of a conflict between this subsection and Subsection (a) above, this subsection controls.

- (1) Airport or landing field.
- (2) Animal pound.
- (3) Auto painting or body rebuilding shop (outside/without screening).
- (4) Bail bonding service.
- (5) Carnival or circus.
- (6) Cemetery or mausoleum.
- (7) Class E dance hall, as defined in Chapter 14 of the Dallas City Code,  
as amended.
- (8) Commercial stable.
- (9) Contractor's maintenance yard.
- (10) Drag strip, go-cart track, or commercial racing.
- (11) Drive-in theatre.
- (12) Fairgrounds.
- (13) Farm or ranch.
- (14) Halfway house.
- (15) Hatchery and breeding operations.
- (16) Helicopter base.
- (17) Inside salvage and reclamation.
- (18) Kennel with outside run.
- (19) Labor hall.
- (20) Livestock auction pens or sheds.
- (21) Motor freight hauling and storage.
- (22) Open storage with visual screening.
- (23) Open storage without visual screening.

(24) Outside commercial amusement.

(25) Outside salvage or reclamation.

(26) Overnight general purpose shelter.

(27) Pawn shop. *[Certain pawn shops may be allowed to relocate. See Section 51A-4.210(22) of the Dallas City Code, as amended.]*

(28) Permanent concrete or asphalt batching or recycling plant.

(29) Petroleum products storage and wholesale.

(30) Private stable.

(31) Public golf course.

(32) Radio, television, or microwave tower.

(33) Railroad freight terminal.

(34) Railroad team track.

(35) Railroad yard, roundhouse, or shops.

(36) Refuse transfer station.

(37) Rendering plant.

(38) Retail use deriving 10 percent or more of its gross revenue from the sale of firearms. *[A person owning or operating a use selling firearms shall, upon request, supply the building official with any records needed to document the percentage of gross revenue on an annual basis derived from the sale of firearms.]*

(39) Rodeo.

(40) Sand, gravel, or earth sales, and storage.

(41) Sanitary landfill.

(42) Sewage pumping station.

(43) Sewage treatment plant.

(44) Sexually-oriented business, as defined in Chapter 41A of the Dallas City Code, as amended.

- (45) Slaughterhouse.
- (46) STOL aircraft port.
- (47) Stone, sand, or gravel mining.
- (48) Temporary concrete or asphalt batching plant.
- (49) U-cart concrete system.
- (50) Water reservoir, well, or pumping station.
- (51) Water treatment plant.
- (52) Zoo.

(c) Maximum building heights. Maximum permitted heights for buildings are:

- (1) 150 feet for buildings having an FAR for residential uses of 1.0 or more; and
- (2) 130 feet for all other buildings.

(d) Special height provision. The following structures located on top of a building may project a maximum of 18 feet above the height specified in Subsection (c):

- (1) A mechanical room that covers no more than one-third of the roof.
- (2) An elevator penthouse that covers no more than one-third of the roof.

(e) Building setback requirements. There are no front, side, or rear yard setback requirements except as may be required under the building and fire codes and other applicable ordinances.

(f) Lot coverage. There are no lot coverage requirements.

(g) Maximum floor area ratio.

(1) Generally. Maximum permitted FAR is 4.0.

(2) Bonus provisions. FAR on a building site may be increased from 4.0 to a maximum of 6.0 if:

(A) one additional square foot of floor area for nonresidential use is added for each additional square foot of floor area for residential use; or

(B) the FAR for residential uses on the building site is equal to or greater than 2.0; or

(C) development rights are transferred to the building site pursuant to Section 51P-269.108 of this article.

(3) In no event may FAR exceed 6.0 regardless of the use mix or transfer of development rights.

(4) For purposes of this article, the floor space of a refrigerated closed storage area in a building is excluded in the calculation of floor area ratio.

(h) Reflective glass. The maximum permitted daylight reflectance of glass used as an exterior building material varies depending on where the glass is used on the building. The daylight reflectance of glass used on the exterior of the first two stories of a building may not exceed 15 percent. The daylight reflectance of exterior glass used above the first two stories of the building may not exceed 27 percent. The above restrictions do not apply to exterior glass that, in the opinion of the director, continues the architectural integrity of an original building.

(i) Off-street loading requirements. Off-street loading for all uses in newly constructed buildings must be provided as required by Section 51-4.303.

(j) Off-street parking requirements.

(1) Number of spaces required. Except as otherwise indicated in this subsection, the number of off-street parking spaces required for uses on Tracts A and A-1 are those required under Chapter 51. The following off-street parking requirements apply to uses as indicated below:

(A) Single-family and duplex uses. None required.

(B) Multiple-family uses. One space per each dwelling unit.

(C) Office uses. No off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an original building. Otherwise, one space for each 385 square feet of floor area.

(D) Retail uses. No off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an original building. Otherwise, one space for each 275 square feet of floor area.

(E) Bar, lounge, or tavern and private club uses. No off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an original building.

Otherwise, one space for each 100 square feet of floor area. No parking is required for outside seating. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.

(F) Restaurant uses. No off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level use that has a separate certificate of occupancy if the use is located in an original building. Otherwise, one space for each 100 square feet of floor area. No parking is required for outside seating.

(G) Dance hall. One space per 25 square feet of dance floor and one space per 100 square feet of floor area for the remainder of the use. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.

(H) Library, art gallery, or museum uses. None required.

(I) Handcrafted art work studio uses. None required.

(J) Special uses.

(i) Generally. One space for each 500 square feet of floor area.

(ii) Drive-in restaurant and drive-through restaurant uses. One space for each 50 square feet of floor area; a minimum of 12 spaces is required.

(iii) Commercial parking garage and commercial parking lot uses. No parking spaces are required.

(J) Limited exemption for certain retail-related uses. No off-street parking spaces are required for the first 2,500 square feet of floor area in a ground level retail-related use that has a separate certificate of occupancy if the use is located in an original building (See Section 51P-269.104(b), "Definitions," of this article).

(2) Location of off-street parking.

(A) Definitions. In this subsection:

(i) SPECIAL PARKING includes packed parking, remote parking, and shared parking as those terms are defined in Section 51-4.321.

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

(B) In general. Except as specifically provided in this subsection, required off-street parking must be provided on the lot occupied by the main use.



(C) Remote parking.

(i) Remote parking may be located on a separate lot that is within the following walking distances of the use served by the remote parking:

(aa) 800 feet if the use served is located in a newly constructed building.

(bb) 1,200 feet if the use served is located in an original building.

(ii) The walking distance for remote parking may be extended by license as set out in Division 51-4.320.

(D) Special parking. Except as expressly modified in this article, the special parking regulations in Division 51-4.320 apply to all uses in Tracts A and A-1. If special parking is used to satisfy off-street parking requirements, an agreement must be signed and filed in accordance with Section 51-4.328. In the event of a conflict between this article and the special parking regulations, this article controls.

(3) Cash in lieu of required parking.

(A) A property owner may make a one-time cash payment in lieu of providing required off-street parking spaces for a use in an original building in accordance with this section. The amount of the payment required is calculated by taking three-fourths of the cost of constructing a parking garage space and multiplying that cost by the number of parking spaces that will not be required by reason of the cash payment.

(B) The cost of a parking garage space is calculated by using the following formula:

National Median Cost/Sq. Ft. x 350 square feet x Dallas Cost Index

where National Median Cost/Sq. Ft. is the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq. Ft. and the Dallas Cost Index must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another comparable publication is designated by the director.

(4) Parking subdistricts.

(A) Tracts A and A-1 are [is] subdivided into four parking subdistricts as shown on the map titled "Parking Subdistricts" (Exhibit 269B).

(B) Payments in lieu of required parking shall be paid to special parking subdistrict accounts and used to finance the construction of parking garages or other parking improvements to serve uses in the parking subdistrict which contains the

property for which the payment in lieu of required parking is located, pursuant to the requirements of all applicable rules, regulations, and ordinances of the city.

(5) Parking reduction for proximity to DART stations. The off-street parking requirement for uses located within one-fourth mile of a DART light-rail station may be reduced by 10 percent.

(6) Parking reduction for on-street parking. Except as provided in this subsection, any on-street parking spaces may be counted toward the parking requirement of the use adjacent to the on-street parking space.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use project.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ( $8 \div 24 =$  one-third). The total of the limited availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(7) Uses may charge for required parking. Section 51A-4.301(a)(8), which requires that required off-street parking must be available as free parking or contract parking on other than an hourly or daily fee basis, does not apply in this district.

(K) Nonconforming uses and structures.

(1) Generally. Except as provided in this subsection, nonconforming uses are not subject to the compliance regulations for nonconforming uses contained in Dallas Development Code Section 51A-4.704(a).

(2) Rebuilding or renovating damaged or destroyed nonconforming structures. A person may repair, renovate, rebuild, or enlarge a nonconforming structure without board of adjustment approval if the work does not increase the degree of nonconformity.

(3) Automatic termination of nonconforming rights for certain uses.

(A) The city council finds that certain nonconforming uses have an adverse effect on nearby properties. The purpose of this subsection is to eliminate these nonconforming uses and to make them comply with the regulations of the Dallas Development Code, having due regard for the property rights of the persons affected, the public welfare, and the character of the surrounding area.

(B) The right to operate a nonconforming bar, lounge, or tavern use; nonconforming private club use; nonconforming tattoo studio use; nonconforming body

piercing studio use; or nonconforming dance hall shall automatically terminate on December 14, 2007 or one year after the use became nonconforming, whichever is later.

(C) An owner of a nonconforming bar, lounge, or tavern use; nonconforming private club use; nonconforming tattoo studio use; nonconforming body piercing studio use; or nonconforming dance hall may request an extension of the compliance deadline in Subparagraph (B) by filing an application with the director on a form provided by the city for that purpose. The application must be filed at least 30 days before the deadline in Subparagraph (B). If a fee is required, the application shall not be considered filed until the fee is paid. Failure to timely file a complete application for extension shall constitute a waiver of the right to contest the reasonableness of the deadline in Subparagraph (B).

(D) Upon the filing of a complete application for extension, the board of adjustment shall, in accordance with the law, determine whether it is necessary to extend the compliance deadline for the nonconforming use. The board shall consider the factors listed in Section 51A-4.704(a)(1)(D) in determining whether to grant the request for extension.

(E) If, based on evidence presented at the public hearing, the board of adjustment finds that additional time is needed to recoup the owner's actual investment in the use before the use became nonconforming, the board of adjustment shall grant the request for extension and establish a new compliance deadline consistent with its determination of a reasonable amortization period; otherwise, the board of adjustment shall deny the request. If the board of adjustment denies the request, the right to operate the nonconforming use shall automatically terminate on the deadline in Subparagraph (B), or 30 days after the date of the board of adjustment's decision to deny, whichever is later.

(I) Development plan review. The following development plan review procedure applies to Tracts A and A-1:

(1) Preapplication conference. A person desiring to develop property on Tracts A and A-1 should consult with the director to discuss whether the project is consistent with the Deep Ellum/Near Eastside Conceptual Plan and the requirements of this article.

(2) Review of project by director.

(A) General procedure. Upon receipt of an application for a permit for the construction or exterior modification of any building or structure on Tract A and/or A-1, the building official shall refer the application and plans to the director for review to determine whether the project involves an original building, new construction, or renovation, and whether it is residential or nonresidential in character. The director shall also determine the parking requirements for the project and the project's eligibility for incentive programs. The director shall evaluate the project in accordance with the

design standards test and prohibitions set forth below. The director shall complete his review within 30 days from the date of submission of the completed application to the building official, or the application shall be deemed to be approved.

(B) Demolition review. Upon receipt of an application for a permit for the demolition of any building or structure on Tracts A or A-1, the building official shall refer the application and plans to the director. All demolition permit requests referred to the director for review in accordance with this subsection must be accompanied by a statement expressing the need for demolition and describing what, if anything, is planned to replace the demolished building. The director shall encourage alternatives to demolition and careful consideration of adaptive reuse of the property. The director shall complete his review within 30 days from the date of submission of the completed application to the building official. After completion of the review by the director, this subsection does not act to delay or prohibit any demolition.

(3) Design standards test and prohibitions. All projects referred to the director for review in accordance with Paragraph (2)(A) above must be evaluated against the test set forth in this subsection. Plans for newly constructed buildings must score at least 65 points for the primary side and at least 50 points for the secondary side. Plans for original buildings must score at least 65 points for the primary side and at least 50 points for the secondary side, or the same score for those sides that the original building scored on the date the completed permit application was submitted, whichever is less. If a building was constructed prior to June 27, 1984, and the remodeling, reconstruction, renovation, or expansion of the building constitutes a continuation of an architectural theme already established for the building, the primary and secondary side will not be required to score more than the same score those sides scored on the date the completed building permit was submitted.

(A) Design points. Design points are awarded to projects in accordance with the following criteria:

(i) Public art or streetscape improvements. (Total possible points = 5) One point is awarded for each one-tenth of a percent of the value of improvements stated in the building permit application that is allocated to public art or to streetscape improvements, but not both, up to a maximum of five points. In order to qualify for public art points, the public art must be visible from a public right-of-way at all times, or located in the first floor lobby of a structure and accessible to the public during normal business hours.

(ii) Elimination of front yard setback. (Total possible points = 20) One point is awarded for each two and one-half percent increment greater than 50 percent of total building facade area that is contained between the following vertical planes:

(aa) The vertical plane passing through the front lot line.

(bb) The vertical plane set back 15 feet from the front lot line and parallel to the plane described in Subparagraph (ii)(aa).

(iii) Tree plantings. If any of the points available for elimination of the front yard setback are not awarded to a project, these unused points may be awarded for planting a large tree of at least a three-inch caliper in the treescape area, according to the following scale:

| <b><u>No. of square feet of treescape area per tree</u></b> | <b><u>Points</u></b> |
|---|----------------------|
| <b>400 or less</b>  | <b>10</b>            |
| <b>484</b>  | <b>8</b>             |
| <b>576</b>  | <b>6</b>             |
| <b>676</b>  | <b>4</b>             |
| <b>784</b>  | <b>2</b>             |

(iv) Awnings and arcades. To qualify for points under this paragraph, an arcade must have a minimum depth of six feet, a minimum height of seven feet, and a maximum height of 20 feet. An awning must have a minimum height of seven feet, and a maximum height of 14 feet. For the purpose of this subparagraph, awning and arcade height is the vertical distance between the ground or pavement directly beneath the awning or arcade and the lowest point of the awning or arcade.

(aa) For newly constructed buildings, one point is awarded for each 10 percent of front lot line linear footage of awning or arcade width. (Total possible points = 10)

(bb) When renovating or remodeling an original building, one point is awarded for each ten percent of front lot line linear footage of awning width. No points are awarded for arcades. (Total possible points = 10)

(cc) When arcades extend over public rights-of-way, the minimum depth requirement of the arcade may be reduced from six feet to the maximum depth permitted under the necessary agreement with the city.

(dd) Sections 43-29, "Awning Posts," and 43-30 "Extending Over Public Property," of the Dallas City Code, as amended, apply in this district. It is the intent of this subparagraph to encourage awnings supported solely by the building to which they are attached, provided the requirements of all applicable ordinances, rules, and regulations are satisfied.

(v) Building materials. (Total possible points = 20) One point is awarded for each three percent increment greater than 40 percent of total building front facade area, excluding openings, incorporating stone, brick, glass block, tile, cast metal,

cast stone, concrete masonry (split or polished face only; no unfinished units or cinder block), or a combination of those materials as facade materials.

(vi) Front facade openings. (Total possible points = 20) For purposes of this subparagraph, "front facade" means any facade facing a primary or secondary street. For purposes of awarding design points to a multi-story building under this subparagraph, the percentage of front facade area occupied by doors and windows is determined by averaging the percentages of the first and second stories. Points are awarded for the percentage of front facade occupied by doors and windows in accordance with the following scale:

| <u>Percent</u> | <u>Points</u> | <u>Percent</u> | <u>Points</u> |
|----------------|---------------|----------------|---------------|
| 21 or 79       | 1             | 31 or 69       | 11            |
| 22 or 78       | 2             | 32 or 68       | 12            |
| 23 or 77       | 3             | 33 or 67       | 13            |
| 24 or 76       | 4             | 34 or 66       | 14            |
| 25 or 75       | 5             | 35 or 65       | 15            |
| 26 or 74       | 6             | 36 or 64       | 16            |
| 27 or 73       | 7             | 37 or 63       | 17            |
| 28 or 72       | 8             | 38 or 62       | 18            |
| 29 or 71       | 9             | 30 or 61       | 19            |
| 30 or 70       | 10            | 40-60          | 20            |

(vii) Retail-related uses.

(aa) One point is awarded to both the primary side and the secondary side (if any) of the building for each four percent of first story floor area excluding halls, restrooms, utilities, and other public spaces, allocated to retail-related uses. (Total possible points = 25 for each side) In Tract A-1 points are awarded, per the criteria in the front façade opening, if the first story is constructed to a minimum height of fifteen feet. The height of the story is measured from the top of the finished floor to the top of the finished floor above or, if there is no floor above, to the midpoint of the vertical dimension of the roof. Points are awarded regardless if the floor area is used for retail related uses.

(bb) One point is awarded to both the primary side and the secondary side (if any) of the building for each 20 percent of basement or second story floor area, excluding halls, restrooms, utilities, and other public spaces, allocated to retail-related uses. (Total possible points = 5 for each side)

(viii) Sidewalk cafes. To qualify for points under this subparagraph, a sidewalk café must have a minimum depth of four feet. Sidewalk cafes must have a minimum three-foot-high railing at the perimeter. A minimum of six feet of open sidewalk must be maintained between the sidewalk café to the curb. For the purpose of this subparagraph, sidewalk café depth is the horizontal distance between the railing and

the façade of the adjacent building. One point is awarded for each 20 square feet of sidewalk café. (Total possible points = 10)

(ix) Private license granted.

(aa) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this district for the exclusive purpose of authorizing use of the public right-of-way for public art, landscaping, awnings, arcades, and sidewalk cafes and other streetscape improvements. An owner or tenant is not required to pay an initial or annual fee for a license for landscaping, although a fee may be charged for issuance of a streetscape improvement permit. An owner or tenant is required to pay an initial and annual fee of \$25 a license for public art, awnings, arcades, and other streetscape improvements, in addition to any fee for issuance of a streetscape improvement permit. An owner or tenant is required to pay an initial and annual fee of \$150 a license for sidewalk cafes, in addition to any fee for issuance of a streetscape improvement permit. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the licensed is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(bb) A property owner or tenant is not required to comply with any streetscape improvement requirement to the extent that compliance is made impossible due to the city council's revocation of a streetscape improvement permit or the revocation of the private license granted under this subsection.

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



rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

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

(x) Permit required.

(aa) It is the responsibility of the property owner to apply for and obtain a streetscape improvement permit ("permit") before locating streetscape improvements in the public right-of-way. An application for a permit must be made to the director. The application must be in writing on a form approved by the director and accompanied by plans or drawings showing the area of the public right-of-way affected and the construction and planting proposed.

(bb) Upon receipt of the application and any required fees, the director 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 director determines that the streetscape improvements proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the director shall issue the permit to the property owner; otherwise, the director shall deny the permit.

(cc) A permit issued by the director is subject to immediate revocation upon written notice if at any time the director determines that the use of the right-of-way authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way.

(dd) the issuance of a permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of streetscape improvements in the public right-of-way.

(xi) Work in the public right-of-way. Except as otherwise provided for public art and streetscape improvements, all use of the public right-of-way must be approved in accordance with the requirements of Article VI, "License for the Use of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended.

(B) Special screening requirements. Except for driveways and accessways at points of ingress and egress, off-street parking for newly constructed buildings that is adjacent to sidewalks, public rights-of-way, or other public areas must be screened. Service areas for newly constructed buildings that are adjacent to

sidewalks or open areas intended for pedestrians must be screened, except where the director determines that such screening would:

- (i) not reasonably accomplish any useful purpose; or
- (ii) create a safety hazard.

(C) Facade prohibitions.

(i) Fluorescent exterior colors are prohibited.

(ii) Facades incorporating wooden siding, wooden sheets, or extruded metal with openings less than one inch square are prohibited if the area covered by those materials totals more than 50 percent of the total facade area. This restriction does not apply to materials that, in the opinion of the director, would continue the architectural integrity of an original building.

(iii) Buildings with total facade opening areas of less than 10 percent or more than 90 percent are prohibited.

(iv) Facades made of more than 80 percent glass, excluding glassblock, are prohibited.

(D) Special lighting requirement. Sodium, mercury vapor, and exposed fluorescent lighting sources must be oriented onto the property they light and generally away from adjacent residential properties.

(E) Sidewalks. Except as otherwise provided in this subparagraph, sidewalks must be a minimum of eight feet wide. All sidewalks must be clear and unobstructed by any structure or planting within the area of the required eight-foot-width. The requirement of a sidewalk only becomes applicable to a lot when an application is made for a building permit for construction work that results in any increase in street level floor area. In the event the proposed construction increases the street level floor area of an existing main building, the sidewalk width requirement for the portion of the building site that provides street frontage for the existing building is the width available, up to eight feet, between the back of the street curb and the face of the existing main building. In no event should the sidewalk width provisions of this subparagraph be construed to require the relocation of the facade of an existing main building.

(4) Return of application to the building official. Once the director makes his determination and evaluation, he shall refer the permit application, plans, all other relevant information, and his recommendation to the building official. If the director determines that sufficient points have been accumulated under the design standards test and all mandatory provisions of this article have been met, he shall recommend approval. Otherwise, he shall recommend denial. If the recommendation is for denial,

the director shall state the grounds for denial in writing to the applicant, and the building official shall not issue the permit unless the director's recommendation is overturned upon appeal. If the recommendation is for approval and the building official determines that all requirements of the construction codes and all other applicable ordinances have been met, the building official shall issue the permit.

**SEC. 51P-269.107. WAIVER OF CERTAIN REQUIREMENTS.**

The provisions of Section 51-4.702, "Planned Development (PD) District Regulations," relating to the PD pre-application conference, site plan procedure, site analysis, conceptual plan, development plan, development schedule, and amendments to the development plan do not apply to this district.

**SEC. 51P-269.108. TRANSFER OF DEVELOPMENT RIGHTS.**

(a) Generally. The transfer of development rights in this district is governed by this section. For purposes of this section, "development rights" eligible for transfer means the difference between the actual floor area of structures on a building site and the maximum permissible floor area as determined by the floor area ratio of the building site. The minimum amount of development rights that may be transferred under this section is:

- (1) 1,000 square feet if the building site contains a city landmark building; and
- (2) 10,000 square feet in all other cases.

(b) Eligibility for transfer.

(1) Tracts A and A-1. Development rights in a building site on Tracts A and A-1 may only be transferred to another building site on Tracts A and A-1.

(2) Tract B.

(A) Generally. Development rights may not be transferred from a building site on Tract B unless:

- (i) the building site contains a city landmark building;
- (ii) the building has been restored within the five-year period immediately preceding the date of the application for transfer; and
- (iii) the total cost of the restoration exceeded 50 percent of the assessed value of the building immediately prior to the restoration.

(B) Special provision. Only that restoration for which a building, electrical, plumbing, or other permit was issued by the city may be counted in determining whether the cost exceeded 50 percent of the assessed value.

(c) Transfer process.

(1) An owner who wishes to transfer development rights shall submit to the director the following information in a form approved by the director and suitable for filing in the county deed records:

(A) Names and addresses of the owners of the development rights.

(B) Street address, lot and block number, and legal description of the property from which the development rights are to be transferred.

(C) Street address, lot and block number, and legal description of the property to which the development rights are to be transferred.

(D) The floor areas of the buildings and the lot areas of the building sites to be affected by the transfer.

(E) The amount of development rights to be transferred.

(2) Within 30 days from the date of submission of the form, the director shall check the information supplied on the form and sign the form if the applicant has complied with the requirements of this section.

(3) When the director has signed the form, the applicant shall file the form in the county deed records and supply the director and the building official with a copy of the filed document.

(4) The recipient of transferred development rights may transfer those rights to another building site in the tract by following the procedure outlined in this section.

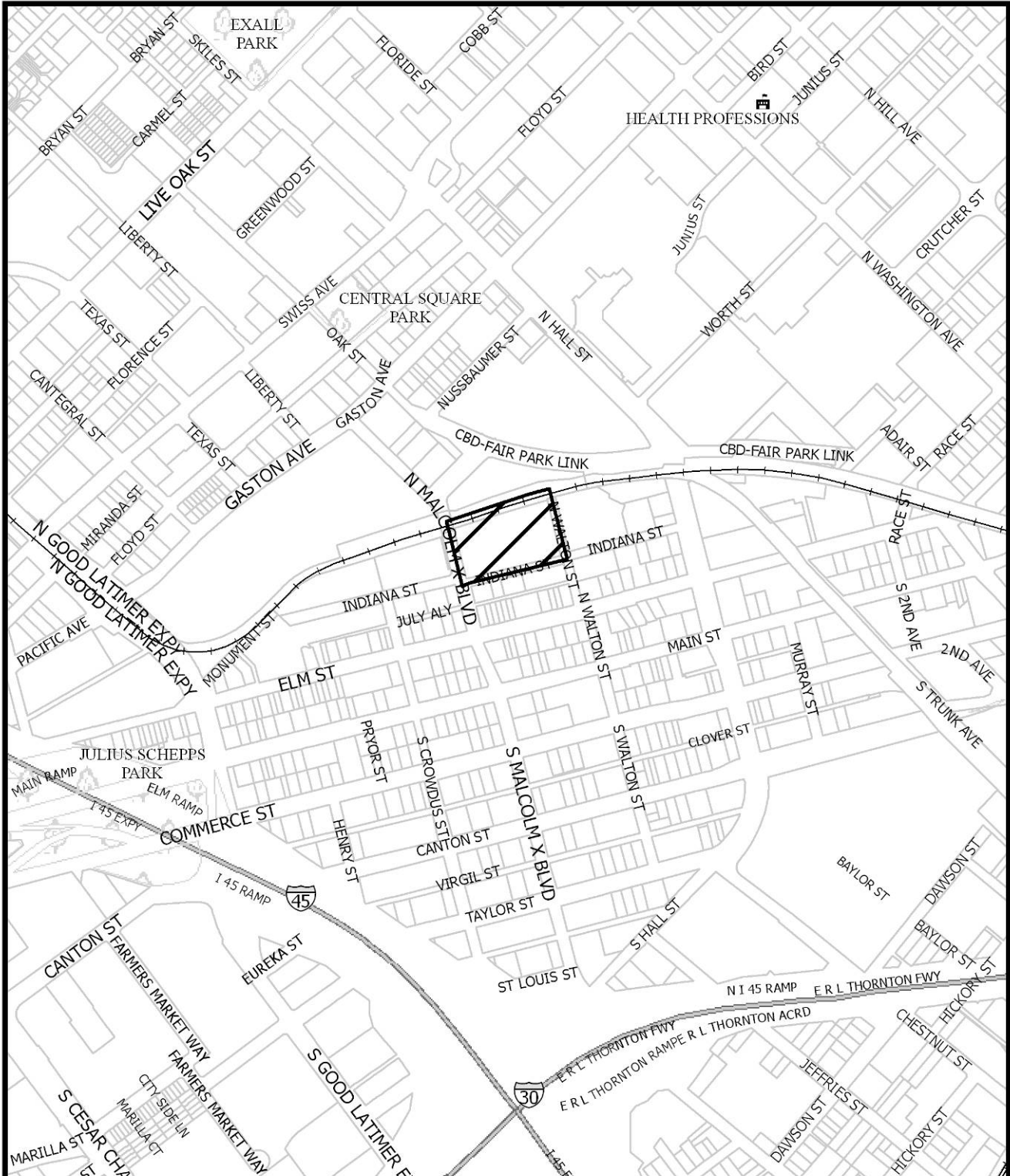
(d) Transfer limitations.

(1) The maximum amount of development rights that may be transferred from a building site is three times the area of that building site. No development rights may be transferred from a building site if such a transfer would have the practical effect of reducing the maximum FAR on that site to less than 1.0.

(2) An increase in FAR acquired through the residential bonus provisions of Sections 51P-269.105(g)(2)(A) and (B) of this article may not be transferred.

**~~[SEC. 51P-269.111. ZONING MAP.]~~**

~~[PD 269 is located on Zoning Map Nos. J-7 and J-8.]~~

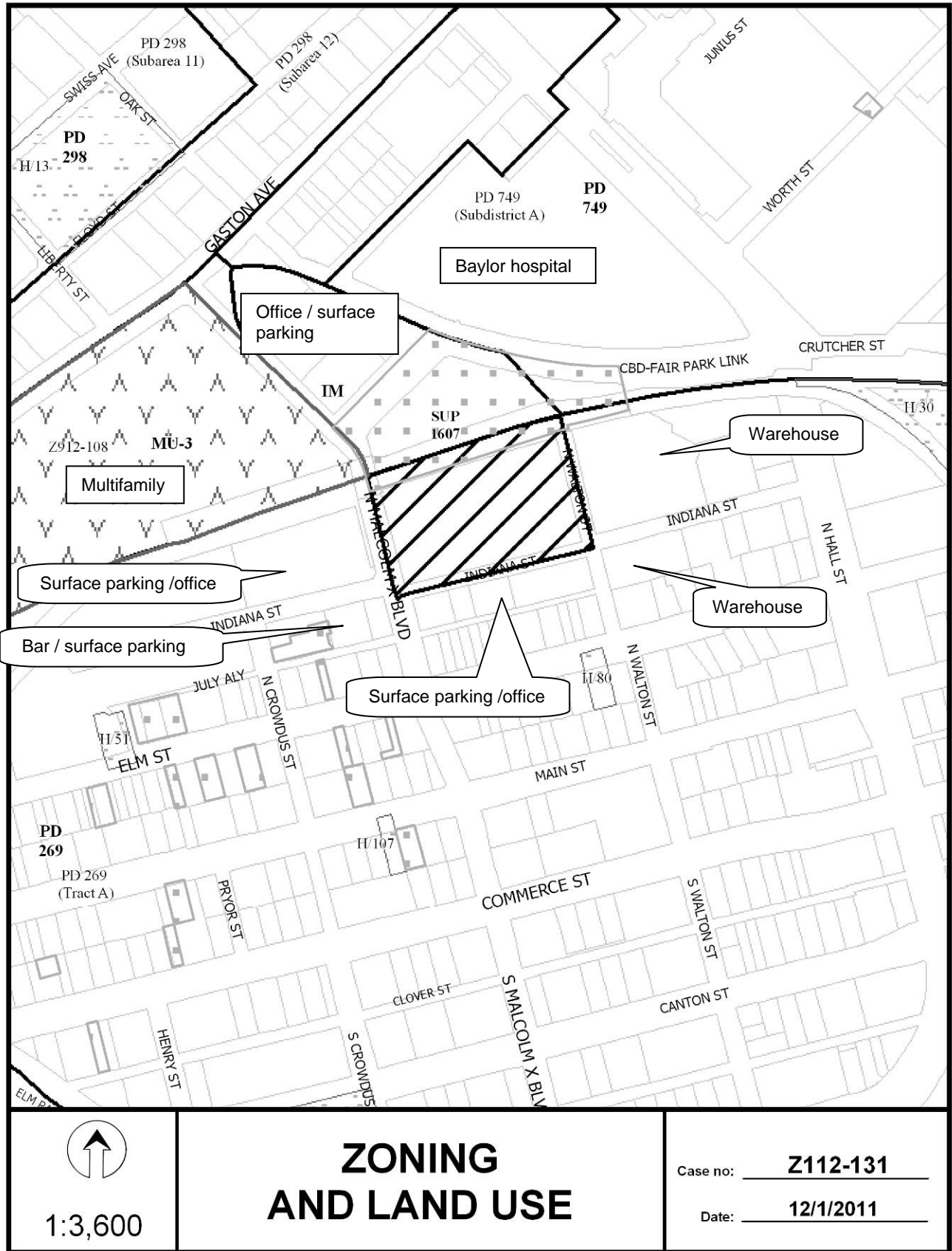


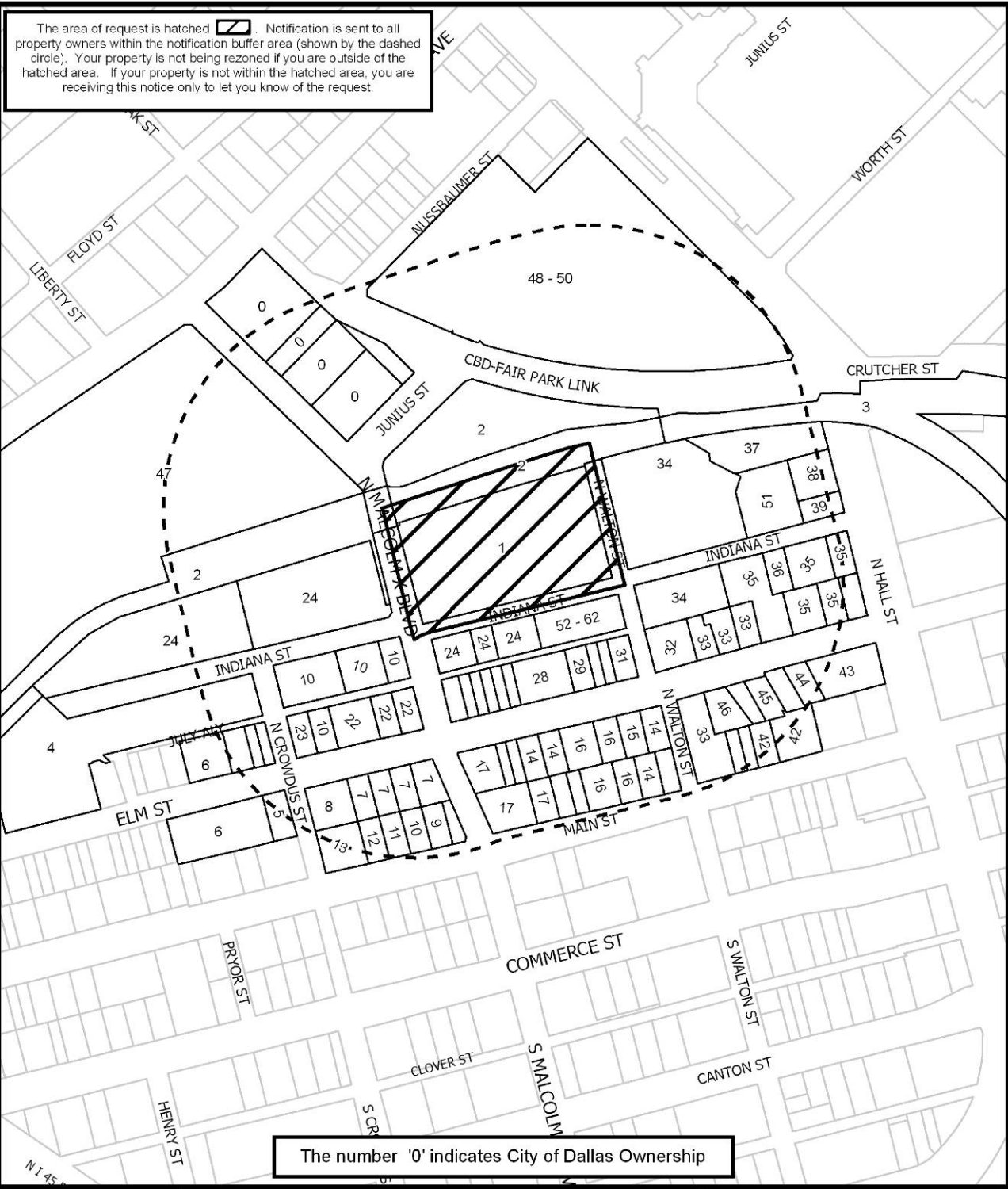
1:7,200

# VICINITY MAP

Case no:           Z112-131          

Date:           12/1/2011





The number '0' indicates City of Dallas Ownership

|   |   |   |
|---|---|---|
| <br><p>1:3,600</p> | <h1>NOTIFICATION</h1> <p><b>500'</b> AREA OF NOTIFICATION</p> <p><b>62</b> NUMBER OF PROPERTY OWNERS NOTIFIED</p> | <p>Case no: <u>    <b>Z112-131</b>    </u></p> <p>Date: <u>    <b>12/1/2011</b>    </u></p> |
|---|---|---|



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

### ***Z112-131***

| <b><i>Label #</i></b> | <b><i>Address</i></b> | <b><i>62</i></b> | <b><i>Property Owners Notified</i></b>      |
|-----------------------|-----------------------|------------------|---|
| <b><i>Label #</i></b> | <b><i>Address</i></b> |                  | <b><i>Owner</i></b>                         |
| 1                     | 2901 INDIANA BLVD     |                  | BROADSTONE AMBROSE LP % ALLIANCE COMMUNI    |
| 2                     | 2900 JUNIUS ST        |                  | DALLAS AREA RAPID TRANSIT                   |
| 3                     | 555 2ND AVE           |                  | DART  |
| 4                     | 2625 ELM ST           |                  | HRT PROPERTIES OF TX LTD                    |
| 5                     | 2724 ELM ST           |                  | WESTDALE PROPERTIES AMERICA I LTD           |
| 6                     | 2720 ELM ST           |                  | ELM STREET REALTY LTD                       |
| 7                     | 2818 ELM ST           |                  | BLANTON DONNY G                             |
| 8                     | 2806 ELM ST           |                  | DEEP ELM I LTD % DON E CASS                 |
| 9                     | 2825 MAIN ST          |                  | SMITH PACIFIC INC                           |
| 10                    | 2820 INDIANA BLVD     |                  | BLANTON DON                                 |
| 11                    | 2815 MAIN ST          |                  | CASS DON E TR STE B                         |
| 12                    | 2809 MAIN ST          |                  | BLANTON DON G                               |
| 13                    | 2803 MAIN ST          |                  | DEEP ELM JV 1 % DON E CASS                  |
| 14                    | 2918 ELM ST           |                  | ANDREASON JUSTINE POKLADNIK                 |
| 15                    | 2936 ELM ST           |                  | EISCHINGER FURTULA BUDD WATTS LTD           |
| 16                    | 2931 MAIN ST          |                  | POKLADNIK CYRILL J                          |
| 17                    | 2906 ELM ST           |                  | SDL PARTNERS LTD                            |
| 18                    | 2913 MAIN ST          |                  | POKLADNIK CYRILL J ESTATE % JUSTINE M PO    |
| 19                    | 2721 ELM ST           |                  | 2723 ELM STREET JV ATTN JOHN BROUDE         |
| 20                    | 2717 ELM ST           |                  | WESTDALE PPTIES AMERICA LTD                 |
| 21                    | 2717 ELM ST           |                  | DANIELL JAMES PARKER                        |
| 22                    | 2811 ELM ST           |                  | MCCORMICK ARTHUR SR LFEST REM: A<br>MCCORMI |
| 23                    | 2801 ELM ST           |                  | MAGERS SCOTT E & DOUGLAS E ALDRIDGE         |
| 24                    | 2711 INDIANA BLVD     |                  | BCS DALLAS LLC SUITE 101                    |
| 25                    | 2901 ELM ST           |                  | R & F INVESTMENTS LTD                       |
| 26                    | 2905 ELM ST           |                  | 2905 ELM STREET PTNR LTD                    |

12/1/2011

| <i>Label #</i> | <i>Address</i>    | <i>Owner</i>                                |
|----------------|-------------------|---|
| 27             | 2907 ELM ST       | 2905 ELM STREET PTNRS LTD                   |
| 28             | 2917 ELM ST       | CTC TEXAS ASSOCIATES LLC                    |
| 29             | 2927 ELM ST       | MADISON PACIFIC DEV CO DEVELOPMENT CO #3    |
| 30             | 2931 ELM ST       | RADICAL COMPUTING INC                       |
| 31             | 2935 ELM ST       | MANZANARES JOE B                            |
| 32             | 3001 ELM ST       | PARK A LOT LP                               |
| 33             | 3012 ELM ST       | MCMURRAY JOHN D III                         |
| 34             | 3004 INDIANA BLVD | BAYLOR HEALTH CARE SYSTEM SUITE 300         |
| 35             | 3300 INDIANA ST   | OWEN EARL R SR TR & SHIRLEY A TR            |
| 36             | 3026 INDIANA BLVD | OWEN EARL R SR TR & SHIRLEY A TR            |
| 37             | 315 HALL ST       | BAYLOR HEALTH CARE SYSTEM                   |
| 38             | 309 HALL ST       | OWEN EARL R                                 |
| 39             | 301 HALL ST       | OWEN EARL CO                                |
| 40             | 3011 MAIN ST      | MADDRAN RONALD W & ROBIN                    |
| 41             | 3013 MAIN ST      | PRICE HAROLD BRANDON                        |
| 42             | 3015 MAIN ST      | HUDSPETH HUDSPETH & STRUBLE                 |
| 43             | 3036 ELM ST       | UNITED PARTS EXCHANGE                       |
| 44             | 3026 ELM ST       | UNICORP SERVICES INC                        |
| 45             | 3016 ELM ST       | MCMURRAY JOHN DENNISON IV                   |
| 46             | 3008 ELM ST       | MCMURRAY JOHN DENNISON IV & ROBERT<br>BERNA |
| 47             | 2752 GASTON AVE   | DEEP ELLUM MARQUIS LP                       |
| 48             | 705 HALL ST       | BAYLOR HEALTH CARE SYSTEM                   |
| 49             | 621 HALL ST       | BAYLOR UNIVERSITY MED CTR                   |
| 50             | 621 HALL ST       | BAYLOR UNIVERSITY MED CTR                   |
| 51             | 3027 INDIANA ST   | OWENS EARL R SR TR & SHIRLEY A TR           |
| 52             | 215 WALTON ST     | HALVERSON JEFFREY R                         |
| 53             | 215 WALTON ST     | MALY ALLAN                                  |
| 54             | 215 WALTON ST     | DUBOSE BRUCE KEVIN                          |
| 55             | 215 WALTON ST     | CONNOLLY GAIL                               |
| 56             | 215 WALTON ST     | SANDERS JOHN D UNIT #5                      |
| 57             | 215 WALTON ST     | SALINAS GERRIT & LEAH UNIT 6                |

Z112-131(WE)

12/1/2011

| <i>Label #</i> | <i>Address</i> | <i>Owner</i>                          |
|----------------|----------------|---------------------------------------|
| 58             | 215 WALTON ST  | ANNINO BARRY DEBORA REED ANNINO       |
| 59             | 215 WALTON ST  | WALTON LOFT LLC                       |
| 60             | 215 WALTON ST  | ARTIGLIERE ORLANDO JR                 |
| 61             | 215 WALTON ST  | MOON THOMAS J                         |
| 62             | 215 WALTON ST  | YUMA PROPERTIES LP % CHRISTIAN BRIGGS |

**FILE NUMBER:** Z112-134(MW)

**DATE FILED:** November 21, 2011

**LOCATION:** Northeast corner of Briargrove Lane and Voss Road

**COUNCIL DISTRICT:** 12

**MAPSCO:** 4-F

**SIZE OF REQUEST:** ±10 acres

**CENSUS TRACT:** 317.04

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**APPLICANT/OWNER:** Plano Independent School District

**REPRESENTATIVE:** Karl Crawley, Masterplan

**REQUEST:** An application to amend Specific Use Permit No. 1090 for a public school other than an open enrollment charter school on property zoned an R-7.5(A) Single Family District

**SUMMARY:** The applicant proposes to expand the existing school facility by approximately 34,375 square feet. The proposed expansion will include the addition of eight (8) classrooms totaling 26,125 square feet and administrative and stage/art areas totaling 8,250 square feet.

**STAFF RECOMMENDATION:** Approval subject to a revised site plan, revised landscape plan, traffic management plan and revised conditions.

**BACKGROUND INFORMATION:**

- The ±10-acre request site is developed with a Plano Independent School District Elementary School (Mitchell Elementary).
- SUP No. 1090 was approved on the site on November 13, 1991 for a permanent time period; an amendment was approved on March 27, 2002.
- The maximum number of classrooms will be 40, comprised of seven (7) classrooms per grade for grades K through three (3) and six (6) classrooms per grade for grades four (4) and (five 5).
- The request site is surrounded by a private recreation center and public park to the north and single family residential to the east, south and west.

**Zoning History:**

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

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type               | Existing ROW |
|---------------------|--------------------|--------------|
| Frankford Road      | Principal Arterial | 100 feet     |
| Marsh Road          | Principal Arterial | 100 feet     |

**Land Use:**

|              | Zoning            | Land Use                        |
|--------------|-------------------|---------------------------------|
| <b>Site</b>  | R-7.5(A)          | Elementary school               |
| <b>North</b> | R-7.5(A); SUP 911 | Private recreation center; park |
| <b>East</b>  | R-7.5(A)          | Single family                   |
| <b>South</b> | R-7.5(A)          | Single family                   |
| <b>West</b>  | R-7.5(A)          | Single family                   |

**STAFF ANALYSIS:**

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

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

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

**LAND USE ELEMENT**

Goal 1.1: Promote desired development

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

**URBAN DESIGN ELEMENT**

**GOAL 5.1** Promote a sense of place, safety and walkability

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

**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 ±10-acre request site is developed with a Plano Independent School District Elementary School (Mitchell Elementary). SUP No. 1090 was approved on the site on November 13, 1991 for a permanent time period; an amendment was approved on March 27, 2002.

The proposed amendment will expand the existing school facility by approximately 34,375 square feet and will include the addition of eight (8) classrooms totaling 26,125 square feet and administrative and stage/art areas totaling 8,250 square feet. The maximum number of classrooms will be 40, comprised of seven (7) classrooms per grade for grades K through three (3) and six (6) classrooms per grade for grades four (4) and five (5).

Z112-134 (MW)

The request site is surrounded by a private recreation center and public park to the north and single family residential to the east, south and west.

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

The applicant's proposed amendment to Specific Use Permit No. 1090 complies with the general provisions for consideration of a specific use permit.

**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.

The applicant proposes a traffic management plan for CPC approval.

**Landscaping:**

The applicant proposes a revised landscape plan, which complies with Article X, for CPC approval.



Z112-134 (MW)

**Partners/Principals/Officers:**

**Plano Independent School District Board of Trustees**

Tammy Richards, President - Place 1

Nancy Humphrey, Vice President - Place 3

Marilyn Hinton, Secretary - Place 6

Missy Bender - Place 7

Michael Friedman - Place 4

Carrolyn Moebius - Place 2

David Stolle - Place 5

Dr. Douglas Otto - Superintendent of Schools

**Z112-134  
SPECIFIC USE PERMIT NO. 1090**

1. USE: The only use authorized by this specific use permit is a public school, other than an enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. LANDSCAPING: Landscaping must be provided in accordance with the attached site/landscape plan. ~~All landscaping must be installed in accordance with the provisions contained in Article X of the Dallas Development Code.~~
5. MODULAR BUILDINGS: Modular buildings placed on the Property during construction must be removed within six months after completion of construction.
6. TRAFFIC MANAGEMENT PLAN:
  - A. In general. Operation of the public school, other than an enrollment charter school must comply with the attached traffic management plan.
  - B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
  - C. Traffic study.
    - i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by November 1, 2013. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by November 1st every two years.
    - ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:
      - a. ingress and egress points;
      - b. queue lengths;
      - c. number and location of personnel assisting with loading and unloading of students;
      - d. drop-off and pick-up locations;
      - e. drop-off and pick-up hours for each grade level;

f.      hours for each grade level; and

                    g.      circulation.

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

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

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

          D.     Amendment process.

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

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

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

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

**Proposed Site Plan**

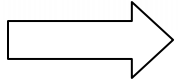


Block 18/B705  
Bert Tree West No. 4

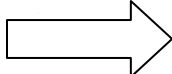
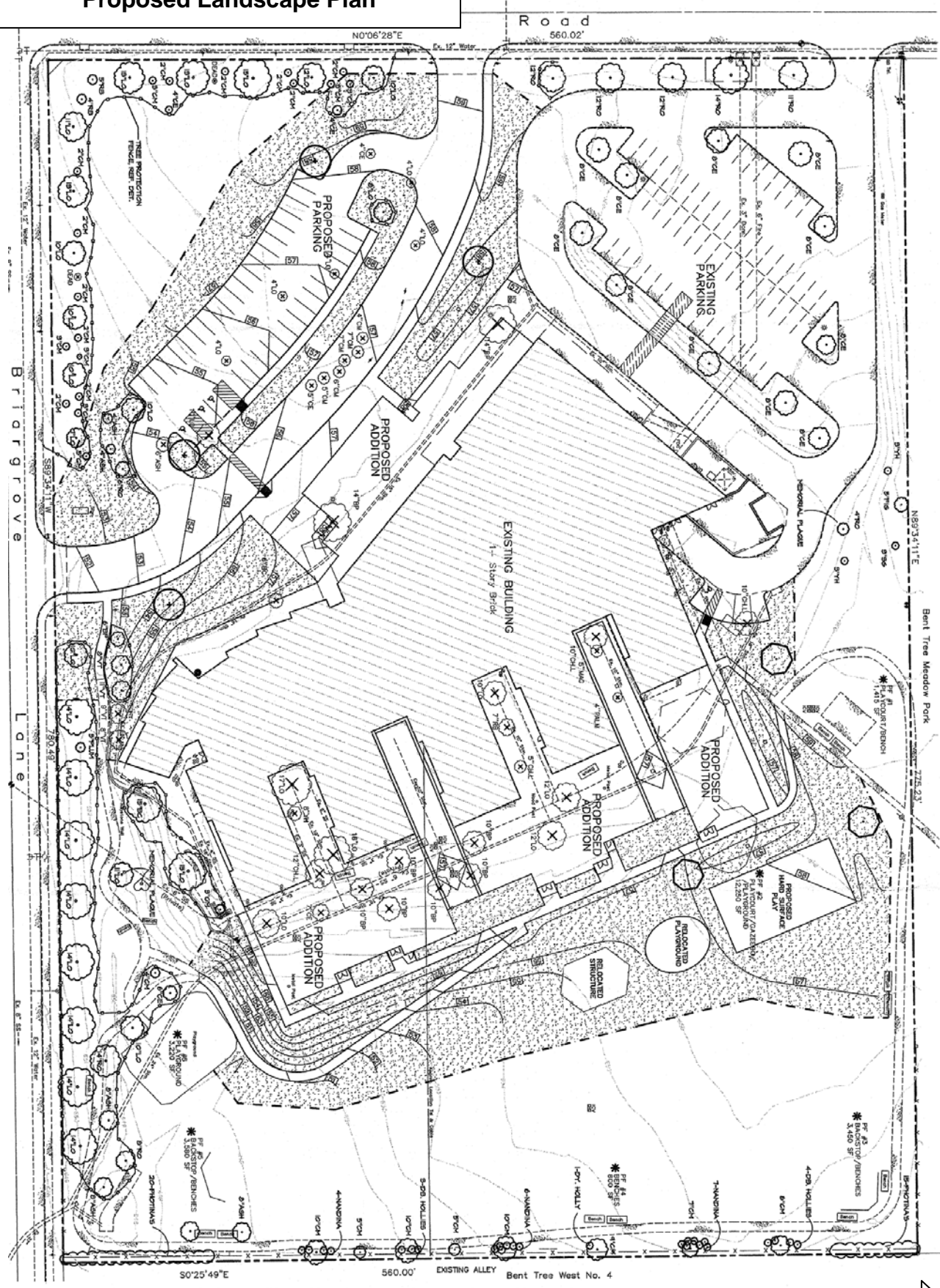
**Proposed Traffic Circulation Plan**



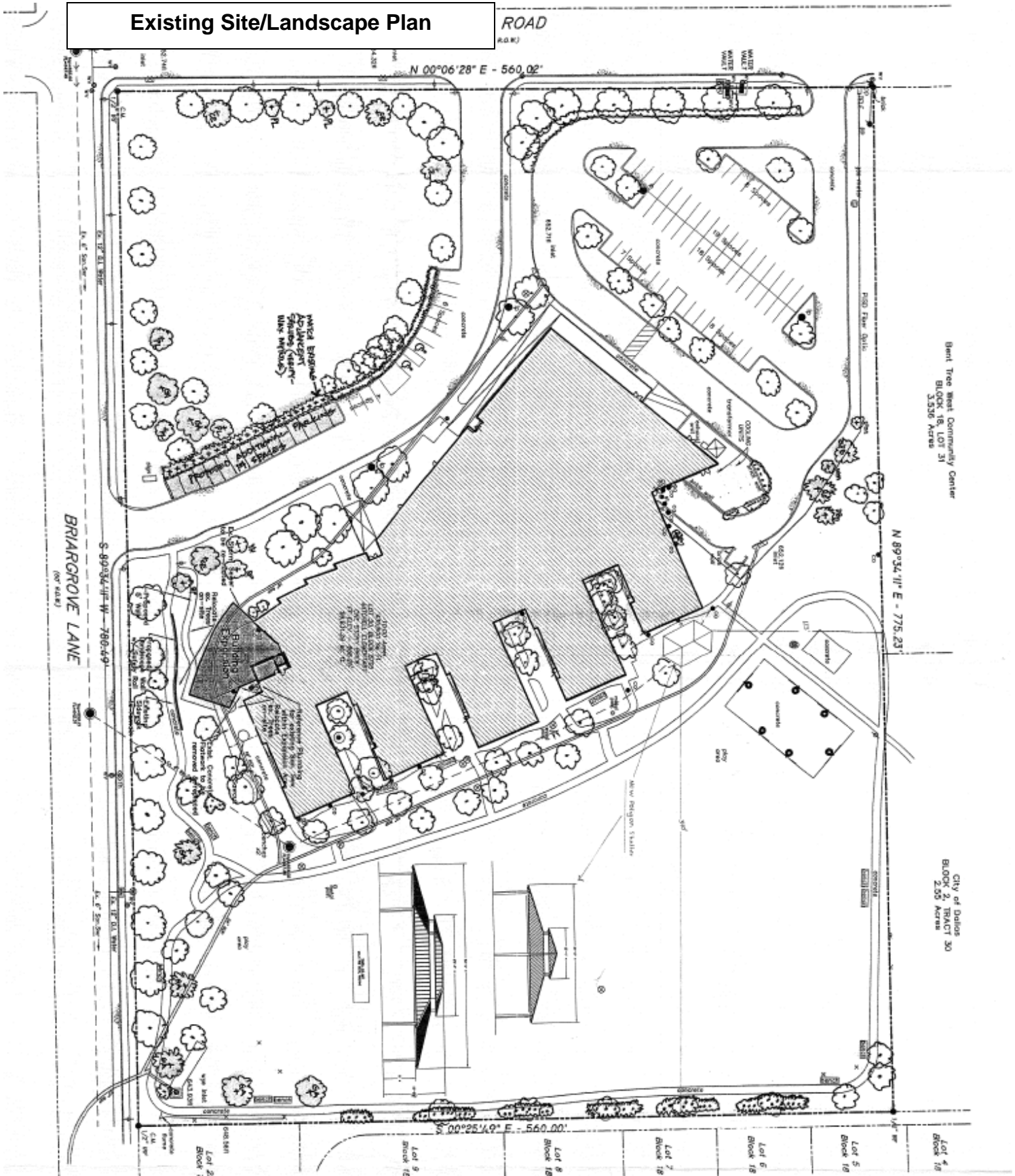
Block 18/8705  
East Tree West No. 4



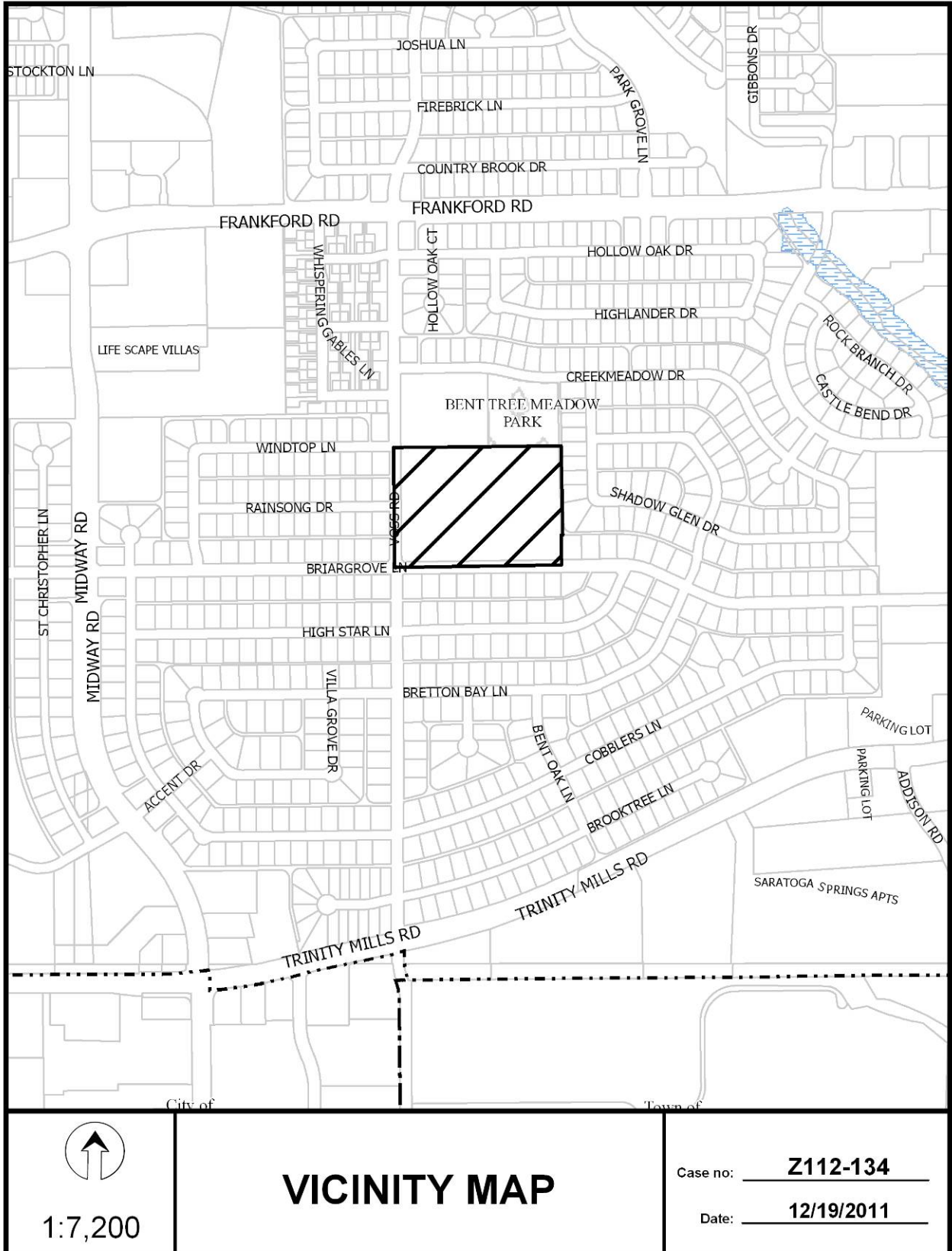
**Proposed Landscape Plan**



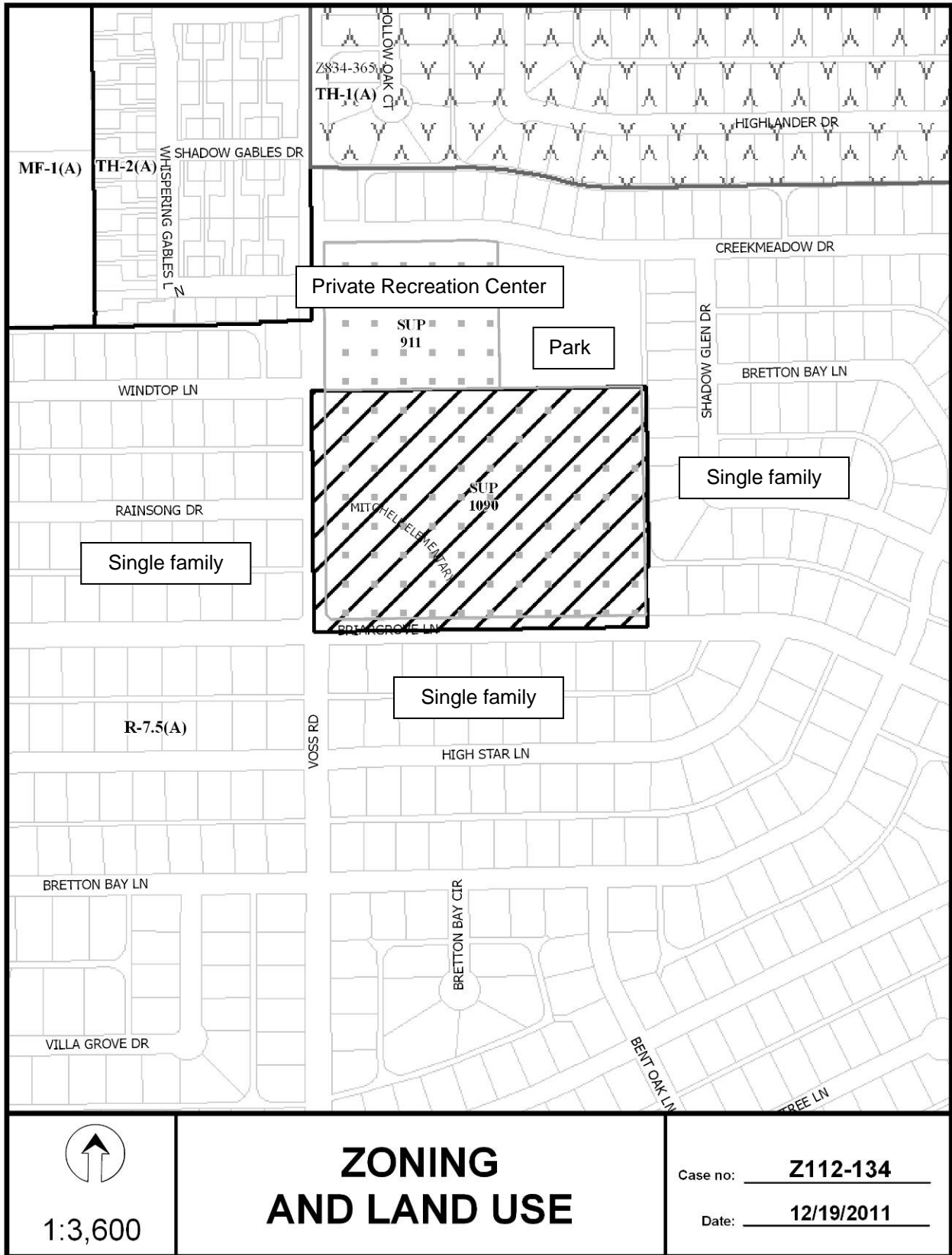
# Existing Site/Landscape Plan




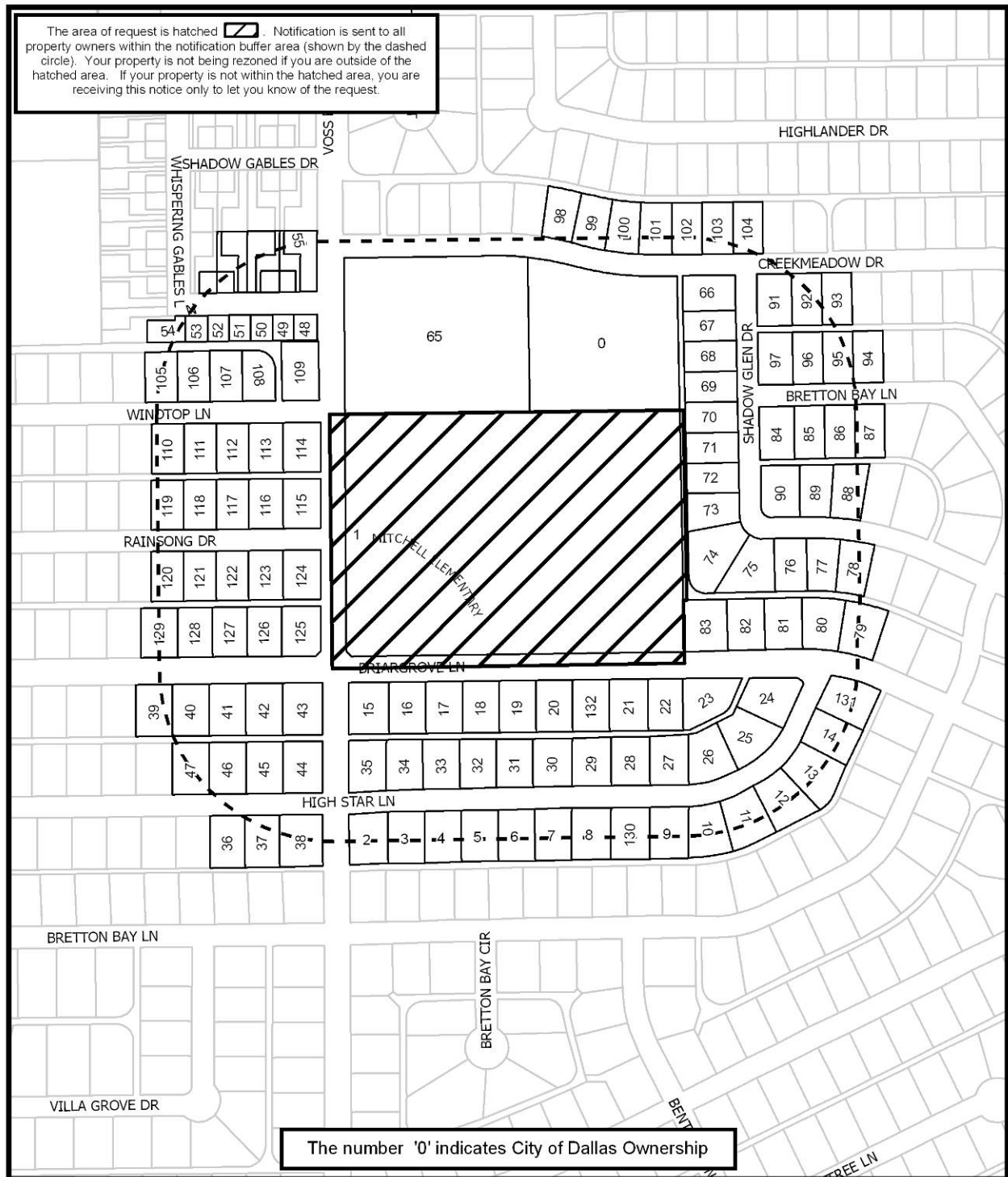








The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only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



The number '0' indicates City of Dallas Ownership

|   |  |  |
|---|--|--|
| <br><p>1:3,600</p> | <h2 style="text-align: center;">NOTIFICATION</h2> <p><b>400'</b> AREA OF NOTIFICATION</p> <p><b>132</b> NUMBER OF PROPERTY OWNERS NOTIFIED</p> | <p>Case no: <b>Z112-134</b></p> <p>Date: <b>12/19/2011</b></p> |
|---|--|--|

12/19/2011

***Notification List of Property Owners******Z112-134******132 Property Owners Notified***

| <b><i>Label #</i></b> | <b><i>Address</i></b> | <b><i>Owner</i></b>                      |
|-----------------------|-----------------------|--|
| 1                     | VOSS                  | PLANO ISD                                |
| 2                     | 4202 HIGH STAR        | HASELL DENNIS R ETUX                     |
| 3                     | 4204 HIGH STAR        | TOBY LEONA ANN                           |
| 4                     | 4206 HIGH STAR        | PEABODY RICHARD A & TERI L               |
| 5                     | 4208 HIGH STAR        | MARTINEZ JENNY LANELL                    |
| 6                     | 4210 HIGH STAR        | CLARK IRENE TERESA ET AL                 |
| 7                     | 4212 HIGH STAR        | SUTTON WALTER L & SUTTON BEVERLY A DEJEA |
| 8                     | 4214 HIGH STAR        | HINCKLE MEGHAN                           |
| 9                     | 4218 HIGH STAR        | MCCOY LEONARD D                          |
| 10                    | 4220 HIGH STAR        | WARNER ROY D & TERESA WARNER             |
| 11                    | 4222 HIGH STAR        | MOODY BENJAMIN E JR                      |
| 12                    | 4224 HIGH STAR        | MONTGOMERY J MICHAEL & DEBORAH           |
| 13                    | 4226 HIGH STAR        | PALMER STEPHEN J                         |
| 14                    | 4228 HIGH STAR        | RICHARDSON ANDREW J                      |
| 15                    | 4202 BRIARGROVE       | PAK NASTASSIJA S                         |
| 16                    | 4204 BRIARGROVE       | HENNELLY LORETTA W                       |
| 17                    | 4206 BRIARGROVE       | WILLIAMSON BRIAN DUFF                    |
| 18                    | 4208 BRIARGROVE       | WEBBER JAMES L ETUX DIANE                |
| 19                    | 4210 BRIARGROVE       | TIPTON LESLIE J II ETUX DIANA            |
| 20                    | 4212 BRIARGROVE       | HEBARD MARK & KAREN                      |
| 21                    | 4216 BRIARGROVE       | CHERRY WILLIAM J & ERIKA WOOD            |
| 22                    | 4218 BRIARGROVE       | COOK MICHAEL E & TRACY L                 |
| 23                    | 4220 BRIARGROVE       | DURCANSKY PETER & MARIA                  |
| 24                    | 4304 BRIARGROVE       | ERIKSON LAWRENCE W & SHARON              |
| 25                    | 4223 HIGH STAR        | DRAUGHN REX E & SUSAN V                  |
| 26                    | 4221 HIGH STAR        | COLE CURTIS MARTIN                       |

## Z112-134 (MW)

12/19/2011

| <i>Label #</i> | <i>Address</i>             | <i>Owner</i>                                |
|----------------|----------------------------|---|
| 27             | 4219 HIGH STAR             | BELSON MAYNARD J                            |
| 28             | 4217 HIGH STAR             | POORMAN HELEN L                             |
| 29             | 4215 HIGH STAR             | LINDQUIST PHILIP M ETUX                     |
| 30             | 4211 HIGH STAR             | LACHMAN BARRY LACHMAN JANE                  |
| 31             | 4209 HIGH STAR             | GREEN GARY W                                |
| 32             | 4207 HIGH STAR             | STEVENSON KENT D & JANICE C                 |
| 33             | 4205 HIGH STAR             | LAMP MICHAEL C ETUX VICKI                   |
| 34             | 4203 HIGH STAR             | HARTMANN CINDY & ESTATE OF DANIEL W<br>HART |
| 35             | 4201 HIGH STAR             | FOWLER WM C & BETTY                         |
| 36             | 4150 HIGH STAR             | MARLEY EILEEN M                             |
| 37             | 4154 HIGH STAR             | LERMAN ELIZABETH ANN                        |
| 38             | 4158 HIGH STAR             | LEE JOHN                                    |
| 39             | 4142 BRIARGROVE            | THOMPSON RICHARD D & THOMPSON CHERYL<br>ANN |
| 40             | 4146 BRIARGROVE            | DEMAREST ELIZABETH SUE                      |
| 41             | 4150 BRIARGROVE            | KUMP DENNIS A ETUX YVONNE                   |
| 42             | 4154 BRIARGROVE            | KYLES BRADLEY J & GABRIELLA M               |
| 43             | 4158 BRIARGROVE            | WILLIS SHALONDA K                           |
| 44             | 4159 HIGH STAR             | RICH DAVID & ADINA M                        |
| 45             | 4155 HIGH STAR             | HUDSON JAMES K                              |
| 46             | 4151 HIGH STAR             | NIFONG CHARLES MICHAEL SR                   |
| 47             | 4147 HIGH STAR             | HSU CHIA JUNG & SHUMIN                      |
| 48             | 18003 WHISPERING GABLES    | LOWRY KAREN K                               |
| 49             | 18007 WHISPERING GABLES    | CANDLER JONI M                              |
| 50             | 18011 WHISPERING GABLES    | FURNEY MICHAEL GLENN                        |
| 51             | 18015 WHISPERING GABLES    | SEEMAN CAROLYN L REVOCABLE TRUST THE<br>SEE |
| 52             | 18019 WHISPERING GABLES    | SPURLOCK JO                                 |
| 53             | 18023 WHISPERING GABLES    | FLESHER DAVID R                             |
| 54             | 18027 WHISPERING GABLES LN | SCHUYLER CYNTHIA                            |
| 55             | 18004 WHISPERING GABLES    | DODSON KATHY A                              |
| 56             | 18008 WHISPERING GABLES    | STARR KRISTYN R & BOTOND LASZLO             |

## Z112-134 (MW)

12/19/2011

| <i>Label #</i> | <i>Address</i>             | <i>Owner</i>                               |
|----------------|----------------------------|--|
| 57             | 18012 WHISPERING GABLES LN | RICH TRACY D                               |
| 58             | 18016 WHISPERING GABLES LN | BAKER RANDALL & BENTON JEFF                |
| 59             | 18020 WHISPERING GABLES LN | MCCALL MAHLON W & SHERRIE H                |
| 60             | 18024 WHISPERING GABLES LN | CARLTON KAREN A                            |
| 61             | 18028 WHISPERING GABLES LN | COLE JILL CHRISTINE                        |
| 62             | 18032 WHISPERING GABLES LN | CAMACHO MARIA DEL CARMEN                   |
| 63             | 18036 WHISPERING GABLES LN | DODGEN DAVID E & GAIL M                    |
| 64             | 18040 WHISPERING GABLES LN | BISHOP MICHAEL A & RIEGER-BISHOP<br>BONITA |
| 65             | 18018 VOSS                 | BENT TREE WEST SWIM CLUB                   |
| 66             | 4203 SHADOW GLEN           | DOBY WILLIAM J & DEVON S                   |
| 67             | 4207 SHADOW GLEN           | REDICK SARAH FRAZIER & CHARLES             |
| 68             | 4211 SHADOW GLEN           | EWING BARBARA                              |
| 69             | 4215 SHADOW GLEN           | ANBAR HEDAYAT                              |
| 70             | 4219 SHADOW GLEN           | SHANKS REID N & NANCY T                    |
| 71             | 4223 SHADOW GLEN           | REGO CHARLES A ETUX JENNIFER               |
| 72             | 4227 SHADOW GLEN           | MILLER HARRY S JR & MARSHA L               |
| 73             | 4231 SHADOW GLEN           | REIHSEN JULIE L                            |
| 74             | 4303 SHADOW GLEN           | PRUZZO JUDITH J                            |
| 75             | 4307 SHADOW GLEN           | VANSTORY CHARLES ALVIN                     |
| 76             | 4311 SHADOW GLEN           | PENG YAN & JIANG ZHONG YUE                 |
| 77             | 4315 SHADOW GLEN           | WRIGHT MICHAEL G ETUX                      |
| 78             | 4319 SHADOW GLEN           | BASS GEORGE JR ETUX PAULA                  |
| 79             | 4315 BRIARGROVE            | LAWRENCE ALAN H                            |
| 80             | 4311 BRIARGROVE            | MARTIN DALE M & DEANNA J                   |
| 81             | 4307 BRIARGROVE            | ZETO NIGEL K ETUX LYNN A                   |
| 82             | 4303 BRIARGROVE            | KENNEDY MARC J & KAREN L                   |
| 83             | 4239 BRIARGROVE            | PIERRET MARCIA F                           |
| 84             | 4619 BRETTON BAY           | FLORES MIGUEL I & BARBARA B                |
| 85             | 4615 BRETTON BAY           | PRULLAGE STEPHEN J ETUX E                  |
| 86             | 4611 BRETTON BAY           | STOCKTON E ALLAN ETUX C/O 99 PINES<br>LLC  |
| 87             | 4607 BRETTON BAY           | YARBOROUGH DANA C & TIMOTHY L              |

Z112-134 (MW)

12/19/2011

| <i>Label #</i> | <i>Address</i>   | <i>Owner</i>                                |
|----------------|------------------|---|
| 88             | 4312 SHADOW GLEN | LEWIS MITCHELL I JR & CYNTHIA               |
| 89             | 4308 SHADOW GLEN | CHIU HSIN-YEH ETUX GIN-PH                   |
| 90             | 4304 SHADOW GLEN | DEWAR STEPHEN CAMERON & ALICIA EUBANK       |
| 91             | 4324 CREEKMEADOW | JIMENEZ ROBERT G & ERIN N                   |
| 92             | 4328 CREEKMEADOW | MARTINEAU CHRISTOPHER J & LAURA T           |
| 93             | 4404 CREEKMEADOW | GONZALEZ TERESA SLYE                        |
| 94             | 4616 BRETTON BAY | ESSIG KARL E & KAREN C                      |
| 95             | 4620 BRETTON BAY | COOLEY FAMILY LIVING TRUST COOLEY<br>TRUMAN |
| 96             | 4624 BRETTON BAY | HARLOW TODD J & LISA ANN                    |
| 97             | 4628 BRETTON BAY | BURKHOLDER JOHN E ETUX                      |
| 98             | 4227 CREEKMEADOW | RIORDAN EUGENE ETUX NANCY                   |
| 99             | 4303 CREEKMEADOW | DILLINGER KAREN LYNN                        |
| 100            | 4307 CREEKMEADOW | STOUFFER DOUGLAS & SHARON                   |
| 101            | 4311 CREEKMEADOW | STEELE LEE J ETUX TANYA T                   |
| 102            | 4315 CREEKMEADOW | WILKES JAMES III & KATHLEEN                 |
| 103            | 4319 CREEKMEADOW | ALLEN DAVID & PUCKETT JANE                  |
| 104            | 4323 CREEKMEADOW | PARKHURST JEFFREY & JENNIFER M              |
| 105            | 18031 WINDTOP    | LAROSA ROBERT H & BRENDA M                  |
| 106            | 18035 WINDTOP    | ADKINS DARRELL WAYNE & MARY<br>CHAMBERLAIN  |
| 107            | 18039 WINDTOP    | BEAIRD PAT C ETUX                           |
| 108            | 18043 WINDTOP    | HOFFMAN LEANN E                             |
| 109            | 18047 WINDTOP    | GREEN PATRICK & ASHLEY                      |
| 110            | 18032 WINDTOP    | NETTO PETER & DYMPHNA-LE NETTO FAMILY LI    |
| 111            | 18036 WINDTOP    | RACHAL THOMAS J & DENISE H                  |
| 112            | 18040 WINDTOP    | MARXER FRED G & FINNECY MARY BETH           |
| 113            | 18044 WINDTOP    | WALKER BRIAN L ETUX                         |
| 114            | 18048 WINDTOP    | MILLER MICHAEL & DAVINA M                   |
| 115            | 4147 RAINSONG    | ANDO SATORU                                 |
| 116            | 4143 RAINSONG    | KIM JACOB J & HELEN Y                       |
| 117            | 4139 RAINSONG    | REYNOLDS PETER ETUX TERRI                   |

Z112-134 (MW)

118 4135 RAINSONG ALI HUVISHKA & LISA J

12/19/2011

| <i>Label #</i> | <i>Address</i>  | <i>Owner</i>                   |
|----------------|-----------------|--------------------------------|
| 119            | 4131 RAINSONG   | AYRES JEFFREY A ETUX DAWN      |
| 120            | 4132 RAINSONG   | THOMPSON MARK L                |
| 121            | 4136 RAINSONG   | THOELE JERRY R                 |
| 122            | 4140 RAINSONG   | ARBETTER JAY ETUX FONDA        |
| 123            | 4144 RAINSONG   | DAVIS WALTER C ETUX JUDY       |
| 124            | 4148 RAINSONG   | NOAKES JAMES H & LADEAN S      |
| 125            | 4159 BRIARGROVE | HAMPTON DANA & THOMAS          |
| 126            | 4155 BRIARGROVE | BELLAN JOHN G & JANE           |
| 127            | 4151 BRIARGROVE | BRAEMER DAVID & TIMINY         |
| 128            | 4147 BRIARGROVE | LENAMOND CHRIS & OLGA          |
| 129            | 4143 BRIARGROVE | SMITH DAVID L ETUX             |
| 130            | 4216 HIGH STAR  | WIMBERLY GAYLE BERRY           |
| 131            | 4230 HIGH STAR  | WILSON RALPH & BETH S          |
| 132            | 4214 BRIARGROVE | GODINEZ AUSTIN & JACOB GODINEZ |

**FILE NUMBER:** Z101-233(MW)

**DATE FILED:** March 28, 2011

**LOCATION:** Southwest corner of East 8<sup>th</sup> Street and South RL Thornton Freeway.

**COUNCIL DISTRICT:** 1

**MAPSCO:** 55-A

**SIZE OF REQUEST:** ±0.54 acre

**CENSUS TRACT:** 48

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**REPRESENTATIVE:** Ralph Martinez

**APPLICANT:** Carlos Rios, sole officer of Rios Properties, LLC.

**OWNER:** Rios Properties, LLC

**REQUEST:** An application for an MU-2 Mixed Use District and a Specific Use Permit for a convenience store with drive-through on property zoned an MU-1 Mixed Use-1 District on the southwest corner of East 8<sup>th</sup> Street and South RL Thornton Freeway.

**SUMMARY:** The applicant intends to convert an existing carwash into a drive-through convenience store. An existing drive-through restaurant and restroom/storage building will remain on the site.

**STAFF RECOMMENDATION:** Denial



**BACKGROUND INFORMATION:**

- The ±0.54-acre request site is developed with two main uses: 1) a drive-through restaurant which includes a covered outdoor seating area and 2) a drive-through carwash and associated restroom/storage building.
- The applicant intends to convert the carwash into a drive-through convenience store from which convenience goods, beer and wine will be sold. The proposed improvements will consist of beverage coolers, merchandise displays and drive-through window; no expansion of the existing floor area is proposed.
- The MU-1 Mixed Use Zoning District does not allow for a convenience store with drive-through; this use is permitted by SUP only in the CR Community Retail, RR Regional Retail, CS Commercial Service IR Industrial Research, IM Industrial Manufacturing, MU-2 Mixed Use, MU-3 Mixed Use and Multiple Commercial Districts.
- The request site is surrounded by a motel and auto-related uses to the north; RL Thornton Freeway to the east; single family and office to the south; and single family to the east.

**Zoning History:**

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

**Thoroughfares/Streets:**

| Thoroughfare/Street | Type               | Existing ROW |
|---------------------|--------------------|--------------|
| RL Thornton Freeway | Interstate Highway | Variable     |
| 8th Street          | Principal arterial | 60 feet      |

**Land Use:**

|       | Zoning   | Land Use   |
|-------|----------|--|
| Site  | MU-1     | Drive-through restaurant, restroom/storage building; carwash |
| North | MU-1; RR | Motel; auto-related use                                      |
| East  | MU-1     | Right-of-way   |
| South | MU-1     | Single family; office  |
| West  | MU-1     | Single family  |

**STAFF ANALYSIS:**

**Area Plans:**

The request site is within the North Oak Cliff Land Use and Development Plan, dated April 1986. The plan recommends rehab/redevelopment with low-rise office and commercial uses for the area in which the request site is located. The study recognizes that, while north Oak Cliff is a generally a community of neighborhoods, the area may be bounded by a neighborhood or community retail area, or “mom-and-pop” retail uses within neighborhoods at a pedestrian scale and within walking distance from the residences.

**Comprehensive Plan:**

The subject site is identified as being within an Urban Neighborhood Building Block on the *forwardDallas!* Vision Illustration, adopted June 2006.

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

The applicant’s request is not consistent with the following goals and policies of the Comprehensive Plan.

**LAND USE ELEMENT**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

The applicant’s proposal to develop the site with an auto-oriented use is not consistent with the Urban Neighborhood Building Block which is intended to accommodate a pedestrian-oriented, but predominately residential, mix of uses.

**URBAN DESIGN ELEMENT**

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

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

The applicant’s proposal for an MU-2 Mixed Use District is not consistent with the MU-1 Mixed Use District prevalent in this area. The proposed MU-2 Mixed Use District would allow for twice the height and intensity as currently allowed. Specifically, the maximum height allowed for buildings in the MU-2 Mixed Use District is 180 feet; the maximum permitted floor area ratio is 2.25 square feet of building area to 1 square foot of land. The maximum height allowed for buildings in the MU-1 Mixed Use is 90 feet; the maximum permitted floor area ratio is 1.1 square feet of building area to 1 square foot of land.

**NEIGHBORHOOD ELEMENT**

**7.1: PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS**

7.1.2: Promote neighborhood-development compatibility.

The proposed auto-oriented use is not considered compatible with the adjacent residential development. However, it is noted that the applicant revised the initial site plan to reflect a drive-through window that is oriented away from the single family homes adjacent to the south of the request site.

**Development Standards:**

| DISTRICT            | SETBACKS |  | Density FAR  | Height   | Lot Coverage | Special Standards  | PRIMARY Uses  |
|---------------------|----------|--|--|--|--------------|--|---|
|                     | Front    | Side/Rear  |  |  |              |  |   |
| MU-1<br>Mixed use-1 | 15'      | 20' adjacent to residential<br>OTHER:<br>No Min. | 0.8 FAR base<br>1.0 FAR maximum<br>+ bonus for residential | 90'<br>7 stories<br>120'<br>9 stories with retail    | 80%          | Proximity Slope<br>U-form setback<br>Tower spacing<br>Visual Intrusion | Office, retail & personal service, lodging, residential |
| MU-2<br>Mixed use-2 | 15'      | 20' adjacent to residential<br>OTHER:<br>No Min. | 1.6 FAR base<br>2.0 FAR maximum<br>+ bonus for residential | 135'<br>10 stories<br>180'<br>14 stories with retail | 80%          | Proximity Slope<br>U-form setback<br>Tower spacing<br>Visual Intrusion | Office, retail & personal service, lodging, residential |

**Land Use Compatibility:**

The ±0.54-acre request site is developed with two main uses: 1) a drive-through restaurant which includes a covered outdoor seating area and 2) a drive-through carwash and associated restroom/storage building. The applicant intends to convert the carwash into a drive-through convenience store from which convenience goods, beer and wine will be sold. The proposed improvements will consist of beverage coolers, merchandise displays and drive-through window; no expansion of the existing floor area is proposed.

The request site is surrounded by a motel and auto-related uses to the north; RL Thornton Freeway to the east; single family and office to the south; and single family to the east.

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.

A convenience store with drive-through service requires a minimum of two (2) off-street stacking spaces. As depicted on the proposed site plan, six (6) off-street stacking spaces will be provided, consistent with the requirements for a restaurant with drive-through service. The site plan complies with the development code requirement for stacking, but given the site's frontage on an interstate highway and a principal arterial and short distance between driveway approaches, planning staff does not believe the site is configured to safely or efficiently accommodate two drive-through uses.

While staff encourages the adaptive reuse of existing buildings, both the proposed MU-2 Mixed Use District and the auto-oriented use are considered incompatible with the existing development pattern, as well as with the potential for redevelopment in this area. Therefore, staff does not support this request.

**Traffic:**

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

**Parking:**

Parking must be provided pursuant to §51A-4.200 of the Dallas Development Code. The restaurant with drive-in or drive-through service requires one (1) space per 100 square feet of floor area; the drive-through convenience store requires one (1) space per 200 square feet of floor area. Therefore, the ±1,016-square foot restaurant (which includes the covered outdoor seating area) and the ±696-square-foot drive-through convenience store (which includes the restroom/storage area) will require 14 spaces. Parking will be provided as shown on the site plan.

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**Landscaping:**

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

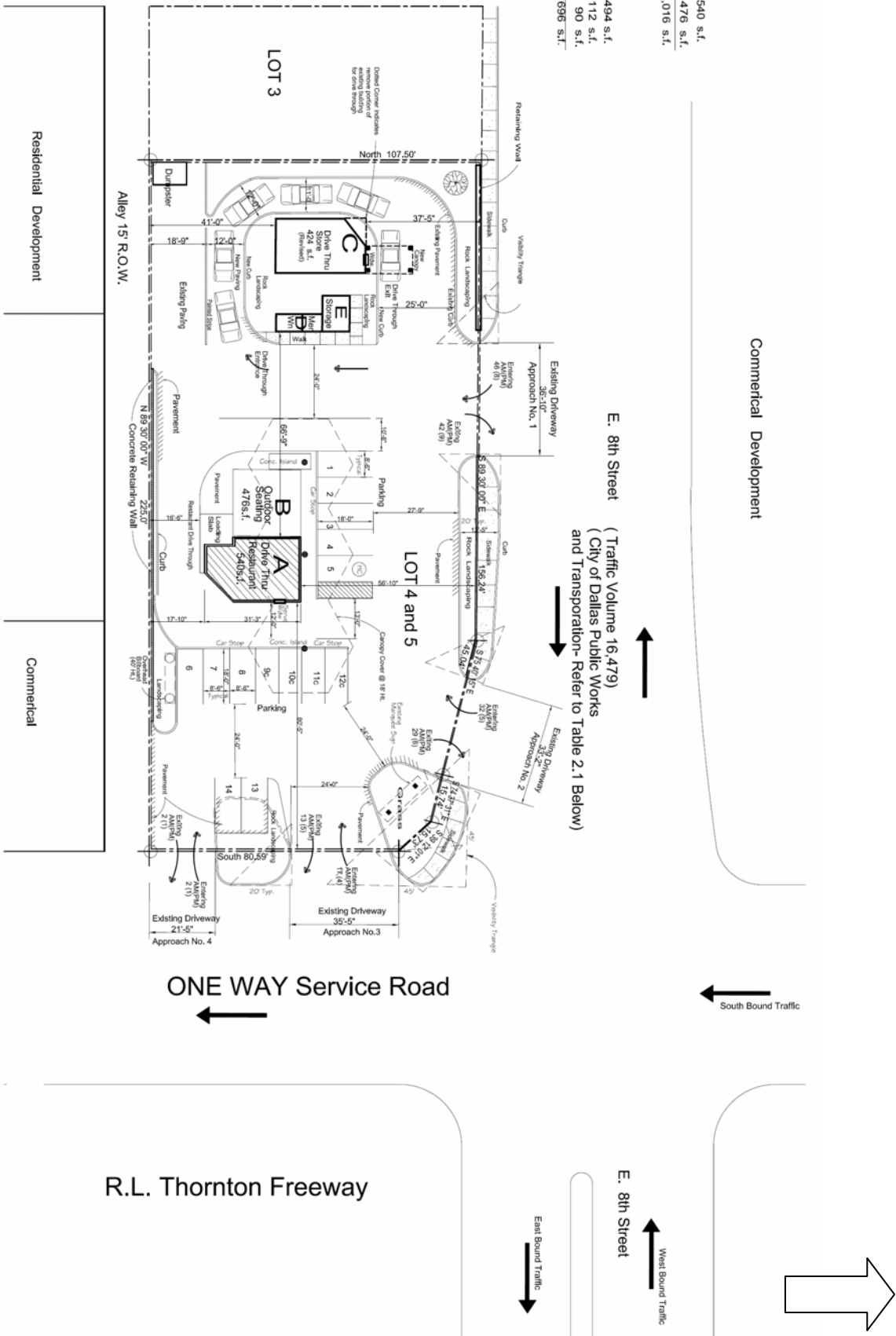
**Proposed Conditions:**

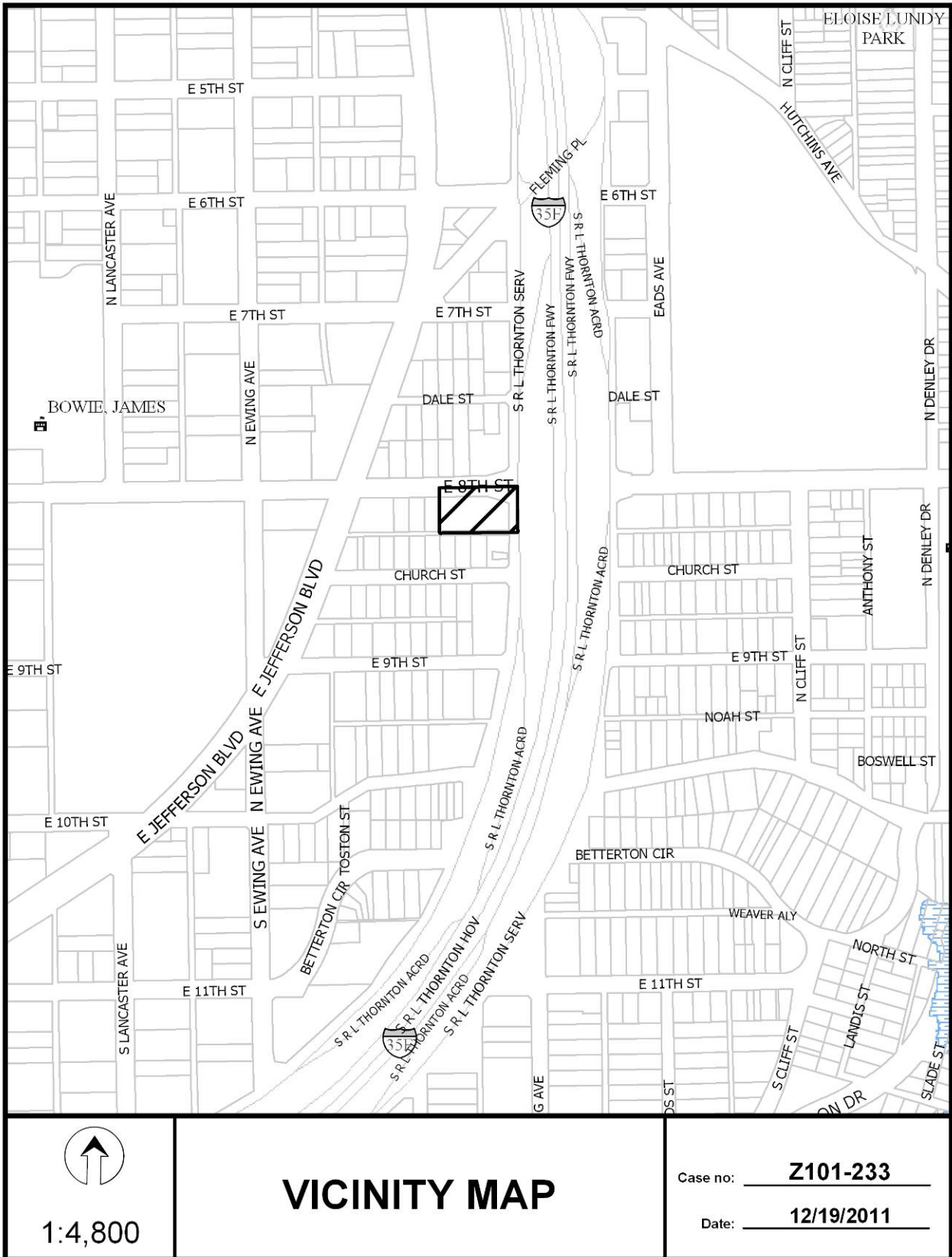
Staff does not support the request; however, we have worked with the applicant to provide conditions for the City Plan Commission's consideration in the event that the Commission opts not to follow staff's recommendation but to recommend approval of the SUP for a convenience store with drive-through.

**Z101-233**  
**Applicant Proposed SUP Conditions**

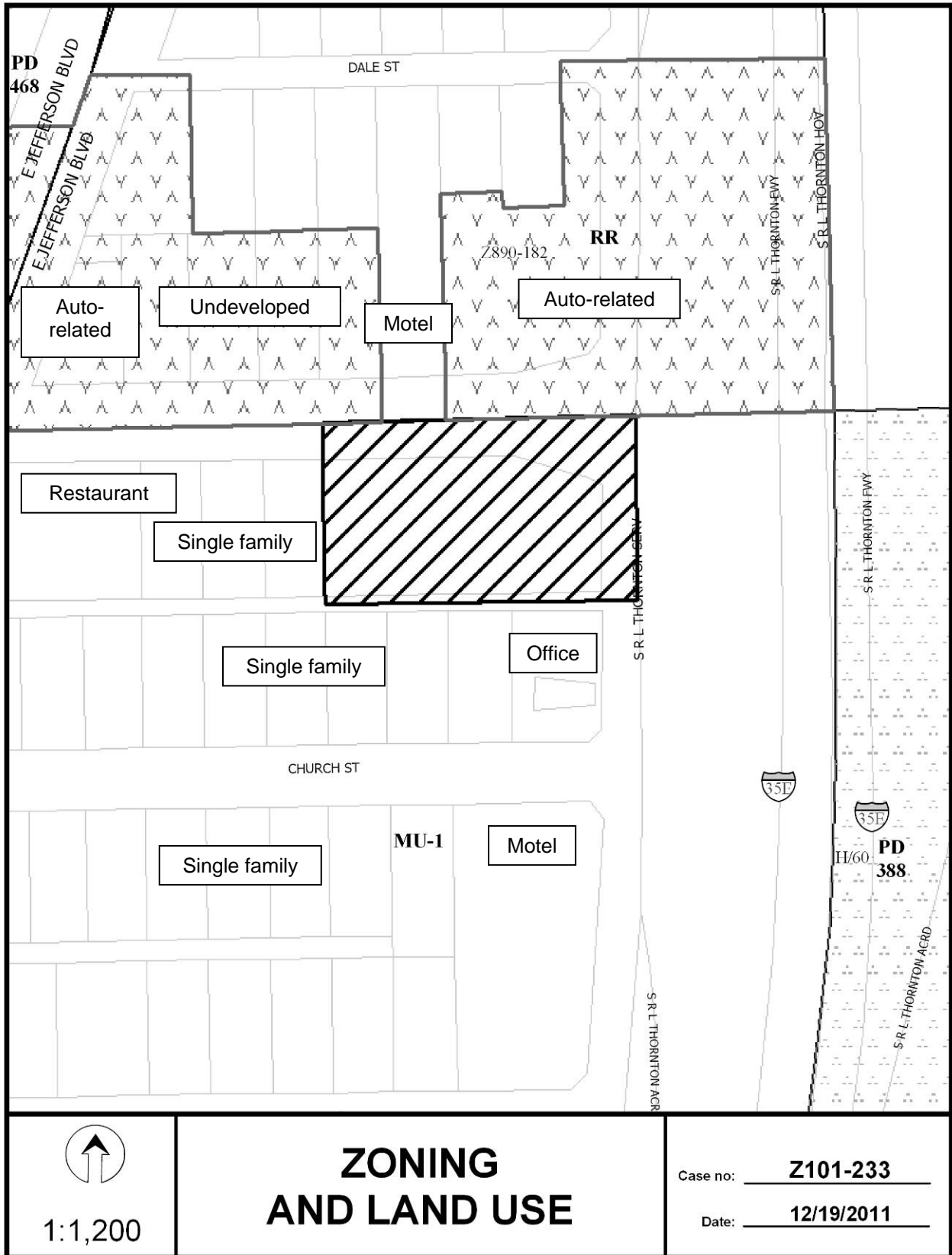
1. USE: The only use authorized by this specific use permit is a convenience store with drive-through.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on\_\_\_\_\_.
4. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. HOURS OF OPERATION: The convenience store with drive-through service may only operate between 7:00 a.m. and 12:00 a.m. (the next day), Monday through Friday, between 7:00 a.m. and 1:00 a.m. (the next day) on Saturday and between 12:00 pm and 12:00 am (the next day) on Sunday.
7. PARKING: Parking must be located as shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

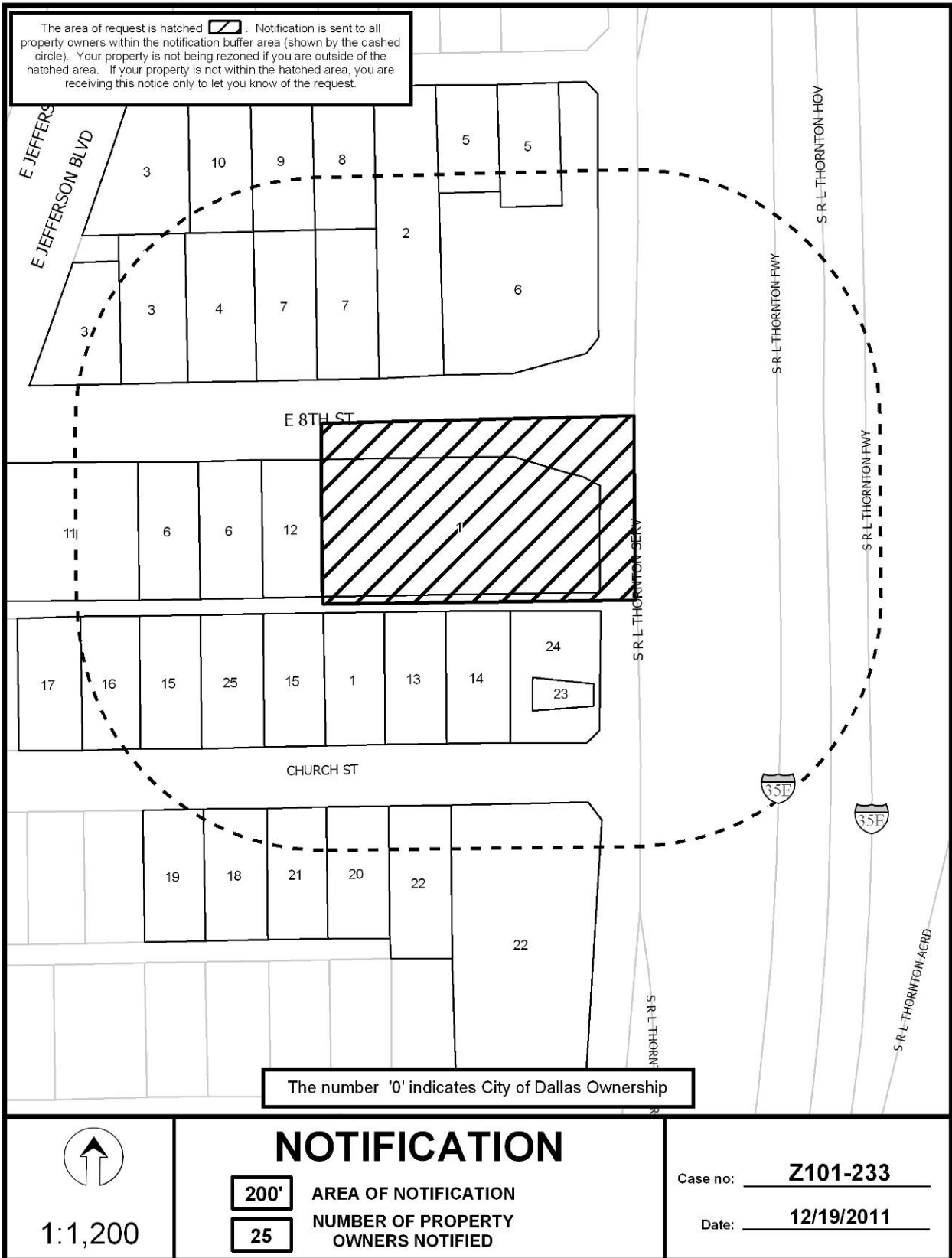
**Proposed Site Plan**











12/19/2011

***Notification List of Property Owners******Z101-233******25 Property Owners Notified***

| <b><i>Label #</i></b> | <b><i>Address</i></b> | <b><i>Owner</i></b>                         |
|-----------------------|-----------------------|---|
| 1                     | 930 8TH ST            | RIOS PROPERTIES LLC                         |
| 2                     | 921 8TH ST            | PATEL RAJNIKANT L                           |
| 3                     | 910 JEFFERSON BLVD    | MORRISON JAY II                             |
| 4                     | 909 8TH ST            | MARTINEZ FERNANDO                           |
| 5                     | 924 DALE ST           | LACKEY HARRY T JR & DONNA J                 |
| 6                     | 929 8TH ST            | MARTINEZ RAUL & LETICIA                     |
| 7                     | 911 8TH ST            | ABDOLLAHIDEMENEH MORTAZA & PARI<br>VAKILBAH |
| 8                     | 912 DALE ST           | ABDOLLANIDEMENEH MORTAZA                    |
| 9                     | 908 DALE ST           | QUEME EASTER MARISELVA                      |
| 10                    | 904 DALE ST           | MORRISON JAY R                              |
| 11                    | 842 JEFFERSON BLVD    | LACKEY JOHN                                 |
| 12                    | 920 8TH ST            | RATH MARY L % ANTONIA LOZANO                |
| 13                    | 935 CHURCH ST         | RIOS PPTIES LLC                             |
| 14                    | 939 CHURCH ST         | MORA & ASSOCIATES                           |
| 15                    | 927 CHURCH ST         | RIOS CARLOS & EFIGENIA                      |
| 16                    | 915 CHURCH ST         | BRAVO ALFREDO & BERTHA                      |
| 17                    | 911 CHURCH ST         | CEDILLO MARIA                               |
| 18                    | 916 CHURCH ST         | CHAVARRIA CRUZ T &                          |
| 19                    | 912 CHURCH ST         | GRIMES DAVID & RHONDA                       |
| 20                    | 926 CHURCH ST         | CALIXTO ARACELY                             |
| 21                    | 920 CHURCH ST         | MACIAS JUAN I & PATRICIA                    |
| 22                    | 930 CHURCH ST         | MASTERS KETAN & KUSUM                       |
| 23                    | 457 R L THORNTON FWY  | PRESCOTT INTEREST LTD                       |
| 24                    | 457 R L THORNTON FWY  | MORA GUADALUPE                              |
| 25                    | 923 CHURCH ST         | YANGTZE RIVER REALTY LLC                    |