



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, February 5, 2015
AGENDA

| | | |
|----------------|------------------|------------|
| BREFINGS: | 5ES | 11:00 a.m. |
| PUBLIC HEARING | Council Chambers | 1:30 p.m. |

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

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

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S145-071**
(CC District 13)

An application to create one 1.822-acre lot from a tract of land containing part of City Block 5601 on property located at 5202 Walnut Hill Lane, southeast quadrant of Inwood Road and Walnut Hill Lane.

Applicant/Owner: Peter Minkoff/JF Lux Homes, LLC

Surveyor: CBG Surveying, Inc.

Application Filed: January 07, 2015

Zoning: R-1ac(A)(FP)

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

- (2) **S145-073**
(CC District 2)
- An application to replat all of Lots 1 through 9 in City Block 2/2320 and an existing 15 foot wide alley right-of-way to be abandoned, into one 1.424-acre lot on property bounded by Amelia Street, Maple Avenue, and Maple Springs Boulevard.
Applicant/Owner: CVS Pharmacy, Inc.
Surveyor: Winkelman and Associates, Inc.
Application Filed: January 08, 2015
Zoning: PD 193 (LC), (MF-2)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S145-074**
(CC District 2)
- An application to create a twenty-two lot development with one common area as a Shared Access Development from a 0.892-acre tract of land containing all of Lot 1A in City Block 11/733 on property located on Live Oak Street between Grigsby Avenue and Prairie Avenue.
Applicant/Owner: Intervest Land Investments 1, Ltd.
Surveyor: Kadlek & Associates.
Application Filed: January 08, 2015
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S145-075**
(CC District 2)
- An application to replat a 0.222-acre tract of land containing part of Lots 4 and 5 in City Block 10/732 into four lots ranging in size from 1,849 square feet to 2,909 square feet lots on property located at the east corner of Prairie Avenue and Live Oak Street.
Applicant/Owner: Intervest Land Investments 1, LTD.
Surveyor: Kadlek & Associates
Application Filed: January 8, 2015
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S145-076**
(CC District 3)
- An application to create one 15.10-acre lot from a tract of land in City Block 211/6113 on property located on Mountain Creek Parkway, north of Interstate 20.
Applicant/Owner: PIHV Mountain Creek, LLC
Surveyor: Halff and Associates, Inc.
Application Filed: January 08, 2015
Zoning: PD 521 (Subdistrict B, north zone)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S145-078**
(CC District 14)
- An application to replat a 2.298 acre tract of land containing all of Lot 1 in City Block I/1625, and all of Lots 9 through 16, all of abandoned Mabry Street, and all of an abandoned alley in City Block H/1625 into 1 lot on property located at 4719 Cole Avenue.
Owner: Provident Realty Advisors
Surveyor: Pacheco Koch Consulting Engineers.
Application Filed: January 9, 2015
Zoning: PD 193 (PD Subdistrict 106)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (7) **S145-077**
(CC District 4)
- An application to replat a 4.732-acre tract of land containing part of Lots 3 and 4 in City Block 16/3760 into one lot on property located on S. Ewing Avenue at Korgan Court, southwest corner.
Applicant/Owner: TACSFF REIT/ Dallas County
Surveyor: Halff and Associates, Inc.
Application Filed: January 09, 2015
Zoning: R-7.5(A), CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- M145-005**
Richard Brown
(CC District 7)
- An application for a minor amendment to the site plan for Specific Use Permit No. 1715 for an Industrial (outside) potentially incompatible use for an asphalt batching plant on property zoned an IM Industrial Manufacturing District on the east line of South Central Expressway, north of Linfield Road.
Staff Recommendation: **Approval**
Applicant: Austin Bridge & Road, LP
Representative: Gladys Bowens

- W145-003**
Charles Enchill
(CC District 13)
- An application for a waiver of the two-year waiting period to submit a landscape plan and increase floor area requirements in Planned Development District No. 463, on the southwest corner of West Northwest Highway and North Central Expressway.
Staff Recommendation: **Denial**
Applicant: Buckner Senior Living
Representative: Tommy Mann and Brad Williams, Winstead PC

- W145-004**
Charles Enchill
(CC District 2)
- An application for a waiver of the two-year waiting period to submit a request to amend or remove the Shopfront Overlay on property on the west corner of Inwood Road and Denton Drive.
Staff Recommendation: **Denial**
Applicant: FF Realty II LLC
Representative: Suzan Kedron, Jackson Walker L.L.P

W145-005

Sarah May
(CC District 11)

An application for a waiver of the two-year waiting period to amend and create a new subdistrict in Planned Development District No. 887 generally east of the Dallas North Tollway, south of Southern Boulevard, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway).

Staff Recommendation: **Denial**

Applicant/Representative: Jeffrey Beck

Certificates of Appropriateness for Signs:

1412041021

Carrie Gordon
(CC District 14)

An application for a Certificate of Appropriateness, by Russell Byrum of Russell Byrum Signs, for a 371-square foot attached special purpose premise sign at 1910 Pacific Avenue. (Elm Street, east elevation).

Staff Recommendation: **Approval**

Special Sign District Advisory Committee Recommendation:

Approval

Applicant: Russell Byrum

Zoning Cases – Under Advisement:

1. **Z112-316(CE)**

Charles Enchill
(CC District 8)

An application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District on the northwest corner of Cleveland Road and Bonnie View Road.

Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Applicant/Representative: Andre Mitchell

U/A From: January 22, 2015

2. **Z134-188(LHS)**

L Holmes Stringfellow
(CC District 8)

An application for a Specific Use Permit for a vehicle display, sales, and service use on property zoned Tract 1, Subdistrict 2 in Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3 on the southwest corner of C.F. Hawn Freeway and Thelma Street.

Staff Recommendation: **Approval** for a five-year period, subject to a site/landscape plan and conditions.

Applicant: Regio Motors Auto Sales

Representative: Judy and Gary McMeekan

U/A From: October 2, 2014, November 20, 2014, December 18, 2014 and January 22, 2015

3. **Z134-323(RB)**
Richard Brown
(CC District 14)
- An application for an amendment to Planned Development District No. 183 for certain MU-3 Mixed Use District uses on the east line of North Central Expressway, south of Haskell Avenue.
Staff Recommendation: **Approval**, subject to a development plan and staff's revised conditions.
Applicant: Uptown Cityplace, LLC
Representative: Suzan Kedron
U/A From: December 4, 2014, January 8, 2015 and January 22, 2015
4. **Z134-333(RB)**
Richard Brown
(CC District 14)
- An application for a Planned Development Subdistrict for LC Light Commercial Subdistrict Uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast line of Bowen Street, between McKinney Avenue and Oak Grove Avenue.
Staff Recommendation: **Approval**, subject to a development plan, roof plan, and staff's recommended conditions.
Applicant: TCDFW Development, Inc.
Representative: Jonathan Vinson
U/A From: January 22, 2015

Zoning Cases – Individual:

5. **Z145-133(OTH)**
Olga Torres Holyoak
(CC District 3)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay on the southwest corner of West Ledbetter Drive and South Hampton Road.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
Applicant: LG Hampton SE, LLC
Representative: Santos Martinez, Masterplan
6. **Z134-337(WE)**
Warren Ellis
(CC District 14)
- An application for a Planned Development Subdistrict for MF-3 Multiple-family Subdistrict uses on property zoned an MF-3 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the southwest line of Fairmount Street at the terminus of Enid Street.
Staff Recommendation: **Approval**, subject to a development plan, landscape plan and conditions
Applicant: GG Dallas Pearl, LP
Representative: Barry Knight & Laura Hoffman Winstead PC

7. **Z145-124(AF)**
Aldo Fritz
(CC District 7)

An application for a Planned Development District for R-5(A) Single Family District and urban farm uses on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, south of Vesper Street, west of Bexar Street and east of Canaan Street.

Staff Recommendation: **Approval**, subject to a development plan, landscape plan, and staff's recommended conditions.

Applicant: Citybuild Community Development Corporation

Representative: Michael Westfall, Kimley Horn

Development Code Amendment:

DCA134-003(VM)
Valerie Miller

Consideration of amending Chapter 51A of the Dallas Development Code, Sections 51A-13.102, 51A-13.201, 51A-13.303, 51A-13.501, and 51A-13.502 of Article XIII, "Form Districts," to amend regulations pertaining to non-conforming structures, artificial lots, planting zones, and new block perimeters.

Staff Recommendation: **Approval**

Zoning Ordinance Committee Recommendation: **Approval**

Other Matters

Minutes: January 22, 2015

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, February 5, 2015

ZONING ORDINANCE COMMITTEE (ZOC) MEETING – Thursday, February 5, 2015, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider **(1) DCA 123-004** - Consideration of amending the Dallas Development Code to develop appropriate standards for urban agriculture and **(2) DCA 145-002** - Consideration of amending the Dallas Development Code to amend Article X, the Landscape and Tree Preservation regulations.

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

EXECUTIVE SESSION NOTICE

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

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

LOCATION: 5202 Walnut Hill Lane southeast quadrant of Inwood Road and Walnut Hill Lane

DATE FILED: January 7, 2015

ZONING: R-1ac(A)(FP)

CITY COUNCIL DISTRICT: 13 **SIZE OF REQUEST:** 1.822-Acre **MAPSCO:** 24R

APPLICANT/OWNER: Peter Minkoff/JF Lux Homes, LLC

REQUEST: An application to create one 1.822-acre lot from a tract of land containing part of City Block 5601 on property located at 5202 Walnut Hill Lane, southeast quadrant of Inwood Road and Walnut Hill Lane.

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

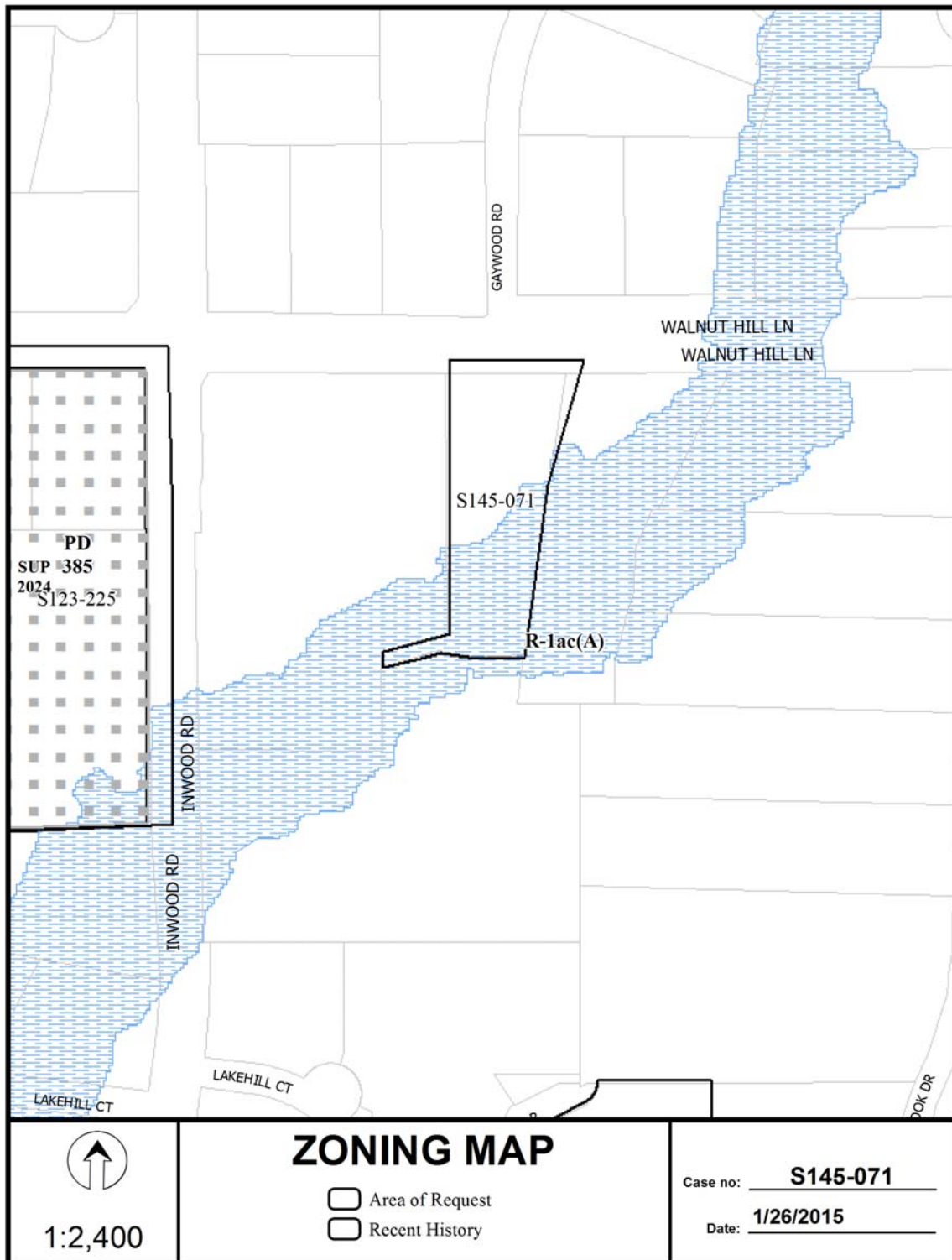
STAFF RECOMMENDATION: The proposed lot complies with the R-1ac.(A) requirements although the proposed lot is larger than the minimum lot size requirement of the district. There is a mixture of different size lots and tracts in proximity to the area of the request.

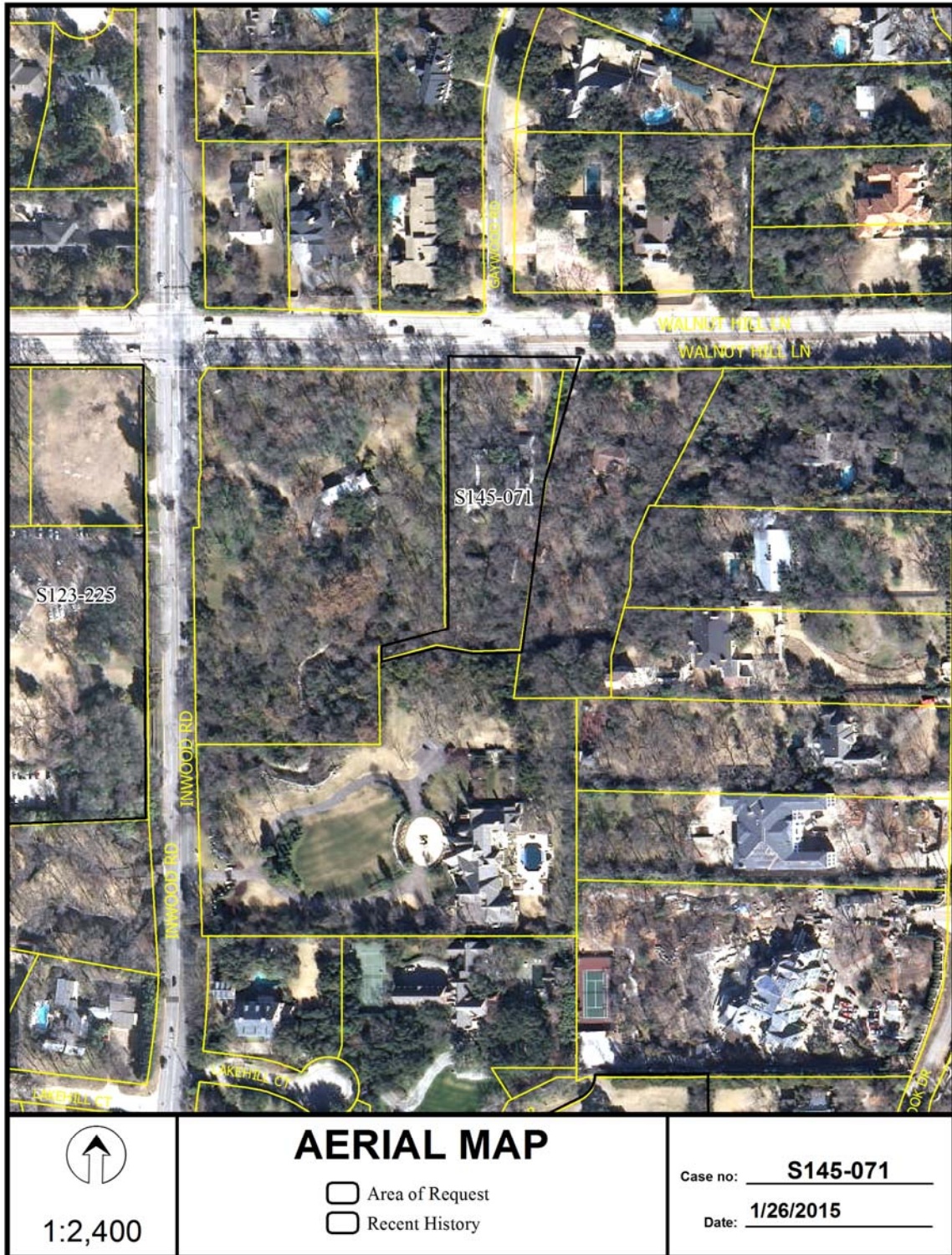
Staff concludes that the request complies with Section 8.503 and the zoning requirements of the R-1ac.(A) zoning district. The proposed plat of the property is similar to other parcels in the vicinity of this request; therefore, staff recommends approval subject to compliance with the following conditions:

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. Section 51A-8.102(a)(b)(c)(d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d).
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. (51A-8.403(6)(G)).
5. Any structure new or existing may not extend across new property lines. Section 51A8.501(b).
6. 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. Section 51A-8.502(a)(b).
7. On the final plat correct the label for the City of Dallas to “dedicated easement” on Walnut Hill Lane. Section 51A-8.403(6)(A)(i) through (vi).
 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.” Section 51A-8.617.
 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. Section 51A-8.617.
 10. The maximum number of lots permitted by this plat is determined by the lot area requirements of the Dallas Development Code. Section 51(A)-4.411(f)(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. Section 51A8.603; Section 51A-8.604.
 12. Place a note on the final plat “Lot-to-lot drainage is not permitted without Engineering Section approval.” Section 51A-8.611(e).
 14. On the final plat dedicate 50 feet of ROW from the established centerline of Walnut Hill Lane. Section 51A-8.602(c), and Section 51A-9.101).
 15. On the final plat determine the 100 year water surface elevation across the plat. Trinity Watershed Management.
 16. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-611(d).
 17. On the final plat include additional paragraph in owner’s certificate (pertaining to floodplain). Section 51A-611(d), Trinity Watershed Management; Drainage Manual, Article V.
 18. On the final plat specify minimum fill and minimum finished floor elevations. Section 51A-611(d), Trinity Watershed Management.
 19. On the final plat show the natural channel set back from the crest of the natural channel. Section 51A-611(d), Trinity Watershed Management
 20. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1),(2), (3), and (4).
 21. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for. 51A-5.105(g).

22. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
26. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49(60)(g)(1).
27. A "Fire Protection Certificate" must be signed and approved by the Building Inspection Chief Plans Examiner (or assigned representative) in Room 105 of the Oak Cliff Municipal Center, 320 E. Jefferson Blvd. and must be submitted to the Manager of Water and Sewer Services, Engineering Division, in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for signature by the Chairperson of the City Plan Commission or the approval of an "Early Release Building Permit" application, whichever occurs first. Chapter 49-61(5)(a) through (d), and the International Fire Code section 508, Appendix C.
28. Water/wastewater main extension may be required by Private Development Contract. Chapter 49-62(f)(1)
29. Fire hydrant(s) required by Private Development Contract. Chapter 49-62(f)(1)
30. On the final plat, change "Gatwood Road" to "Gaywood Road". (Section 51A-8.403(a)(1)(x)(ii))
31. On the final plat identify the property as Lot 1, City Block A/5601. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).





CITY PLAN COMMISSION**THURSDAY, FEBRUARY 05, 2015****FILE NUMBER: S145-073****Subdivision Administrator: Paul Nelson****LOCATION:** Amelia Street, Maple Avenue, and Maple Springs Boulevard**DATE FILED:** January 8, 2015**ZONING:** PD 193(LC)(MF-2)**CITY COUNCIL DISTRICT: 2 SIZE OF REQUEST: 1.424-Acres MAPSCO: 34U****APPLICANT/OWNER:** CVS Pharmacy, Inc.

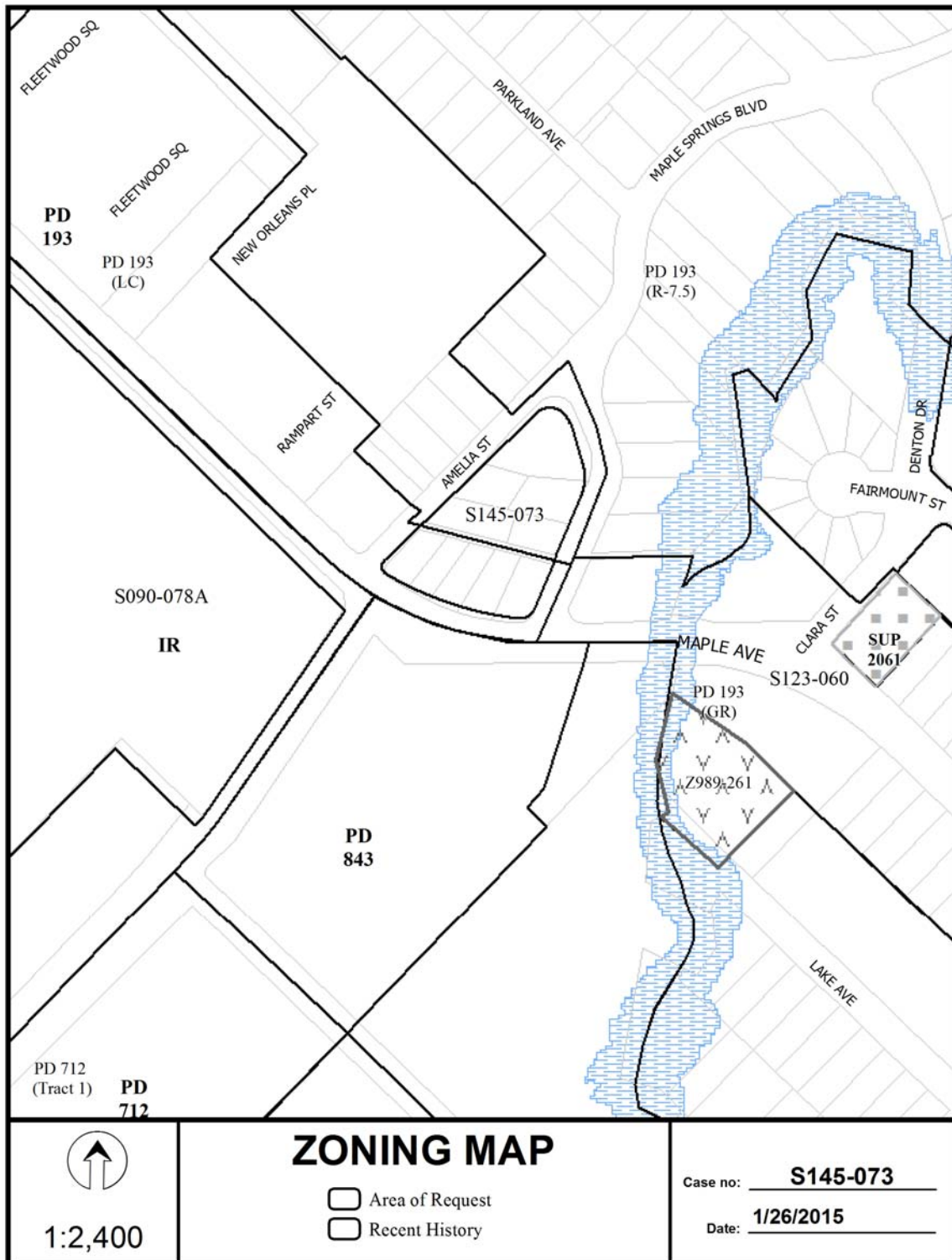
REQUEST: An application to replat all of Lots 1 through 9 in City Block 2/2320 and an existing 15 foot wide alley right-of-way to be abandoned, into one 1.424-acre lot on property bounded by Amelia Street, Maple Avenue, and Maple Springs Boulevard.

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


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

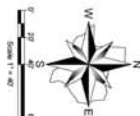
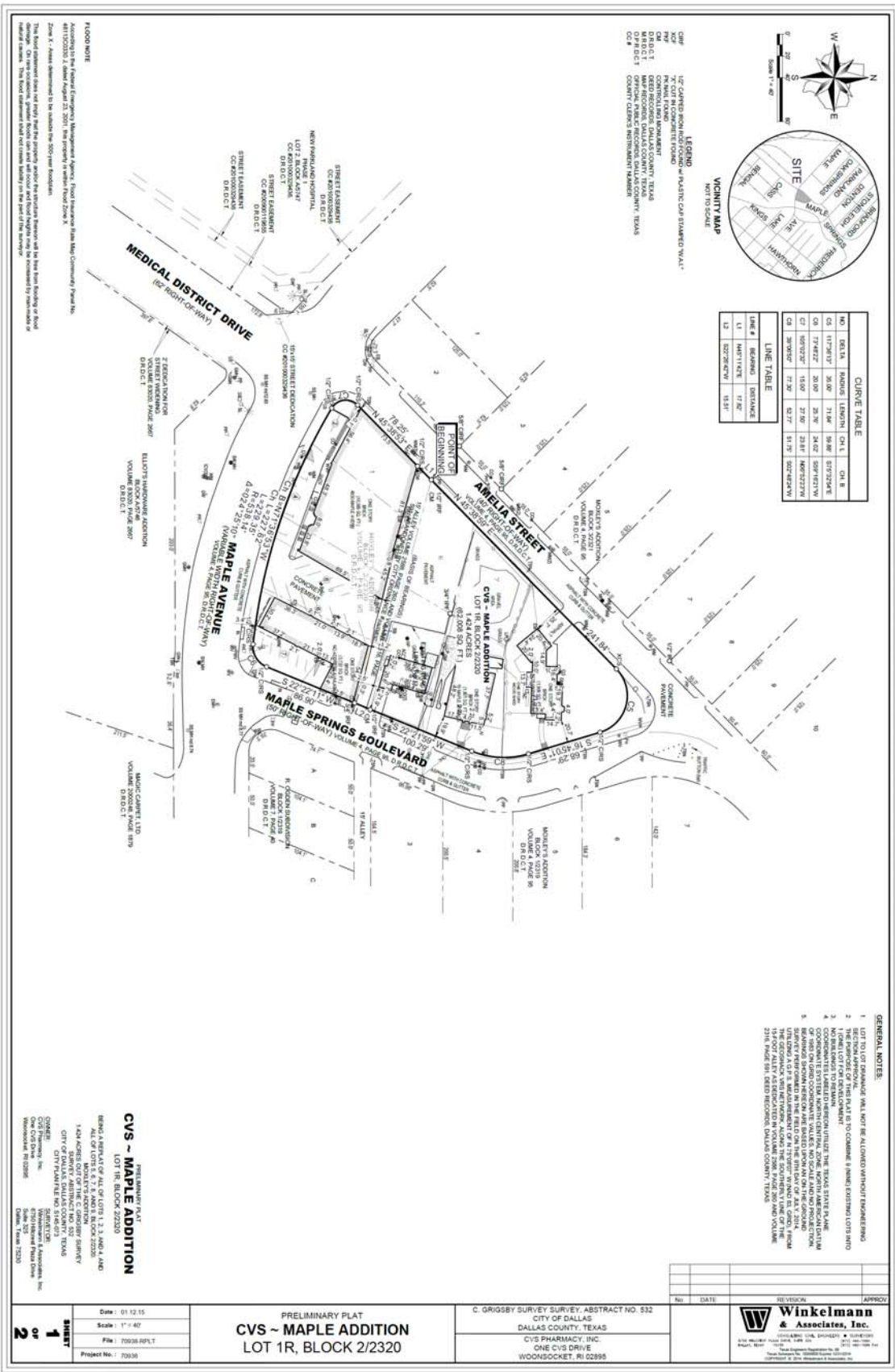
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a)(b)(c)(d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d).
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. (51A-8.403(6)(G)).
6. Any structure new or existing structure may not extend across new property lines. Section 51A8.501(b).
7. On the final plat, all easement abandonments and right-of-way 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. Section 51A-8.502(a)(b).
8. Prior to final plat submittal provide evidence of abandonment for the 15 foot alley shown on the plat. Section 51A-4.403(6)(A)(i) through (vi).

8. The maximum number of lots permitted by this plat is determined by the lot area requirements of the Dallas Development Code. Section 51(A)-4.411(f)(3).
9. 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. Section 51A8.603; Section 51A-8.604.
10. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
11. On the final plat dedicate either 25 feet of right-of-way, street easement, or sidewalk easement from the established center line of Amelia Street and Maple Springs Avenue. Sections 51A-8.602(c), Section 51-9.101.
12. On the final plat dedicate a 15 feet by 15 feet Alley Sight Easement at Amelia Street and Maple Springs Boulevard. Section 51A-8.602(c), Section 51-9.101.
13. On the final plat dedicate a 15 feet by 15 feet Alley Sight Easement at Maple Avenue and Maple Springs Boulevard. Section 51A-8.602(c), Section 51-9.101.
14. On the final plat maintain all existing right-of-way on Maple Avenue. Section 51-9.101
15. On the final plat, include a note that the site is within the 65 Ldn contour of Love Field and that this noise level may require special construction standards for certain uses per the building code. Dallas Building Code, Section 425.
16. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
17. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49(60)(g)(1).
18. Water/wastewater main extension is required by Private Development Contract. Chapter 49-62(f)(1).
19. On the final plat identify the property as Lot 1A, City Block 2/2320. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).





| | | |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
|  1:2,400 | <h2 style="text-align: center;">AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History | Case no: <u> S145-073 </u> Date: <u> 1/26/2015 </u> |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|



| CURVE TABLE | | | | | |
|-------------|------------|--------|--------|--------|----------|
| NO. | DELTA | RADIUS | LENGTH | CH 1 | CH 2 |
| 01 | 117°31'17" | 50.00 | 71.84' | 99.98' | 597.224E |
| 02 | 77°42'27" | 20.00 | 23.39' | 24.62' | 599.727W |
| 03 | 59°02'32" | 15.00 | 27.90' | 23.41' | 400.227W |
| 04 | 30°00'00" | 71.20 | 62.17' | 51.15' | 502.424W |

| LINE TABLE | | |
|------------|-------------|----------|
| LINE # | BEARING | DISTANCE |
| 1 | N45°11'24"E | 17.82' |
| 2 | S22°29'42"W | 15.51' |

- GENERAL NOTES:**
1. LOT TOTAL OF 5.9846 ACRES, 161,140 SQ FT, ALL LOTS ARE TO BE DEVELOPED WITHOUT ENGINEERING.
 2. BEFORE APPROVAL, THE PLAT SHALL BE FILED WITH THE CITY OF DALLAS.
 3. THE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF DALLAS ZONING ORDINANCES.
 4. THE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF DALLAS ZONING ORDINANCES.
 5. THE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF DALLAS ZONING ORDINANCES.
 6. THE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF DALLAS ZONING ORDINANCES.
 7. THE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF DALLAS ZONING ORDINANCES.
 8. THE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF DALLAS ZONING ORDINANCES.
 9. THE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF DALLAS ZONING ORDINANCES.
 10. THE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF DALLAS ZONING ORDINANCES.

CVS ~ MAPLE ADDITION
 PRELIMINARY PLAT
 BEING A SUBDIVISION OF ALL OF LOTS 1, 2, 3, 4 AND 5
 AC OF LOT 1, 6, 7, 8 AND 9, BLOCK 2/2320
 1.424 ACRES, SOUTHWEST CORNER QUARTER
 CITY OF DALLAS, TEXAS
 CITY OF DALLAS, TEXAS
 CIVIL ENGINEER
 WINKELMANN & ASSOCIATES, INC.
 1000 CONGRESS DRIVE, SUITE 1000
 DALLAS, TEXAS 75201

| | | | | |
|-------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SHEET 1 OF 2 | Date: 01/12/15 Scale: 1" = 40' File: 70036.RPLT Project No.: 70036 | PRELIMINARY PLAT CVS ~ MAPLE ADDITION LOT 1R, BLOCK 2/2320 | C. GRIGSBY SURVEY SURVEY, ABSTRACT NO. 532 CITY OF DALLAS DALLAS COUNTY, TEXAS CVS PHARMACY, INC. ONE CVS DRIVE WOONSOCKET, RI 02895 | APPROVED Winkelmänn & Associates, Inc. 1000 CONGRESS DRIVE, SUITE 1000 DALLAS, TEXAS 75201 PHONE: 214.750.1000 FAX: 214.750.1001 WWW.WINKELMANN-AND-ASSOCIATES.COM |
| | No. DATE REVISION | | | APPROVED |

CITY PLAN COMMISSION**THURSDAY, FEBRUARY 05, 2015****FILE NUMBER:** S145-074**Subdivision Administrator:** Paul Nelson**LOCATION:** Live Oak Street between Grigsby Avenue and Prairie Avenue**DATE FILED:** January 8, 2015**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.892-Acre**MAPSCO:** 46A**APPLICANT/OWNER:** Intervest Land Investments 1, Ltd.

REQUEST: An application to create a twenty-two lot development with one common area as a Shared Access Development from a 0.892-acre tract of land containing all of Lot 1A in City Block 11/733 on property located on Live Oak Street between Grigsby Avenue and Prairie Avenue.

SUBDIVISION HISTORY:

1. S145-049 was an application to replat a 0.892-acre tract of land containing all of Lot 1A in City Block 11/733 to create a Shared Access Development with 22 lots ranging in size from 1,410 square feet to 2,569 square feet and one 0.072-acre common area on property located at 4700 Live Oak Street. The request was withdrawn prior to the December 18, 2014 plan commission hearing.
2. S145-075 is an application located northeast of the present request to replat a 0.222-acre tract of land containing part of Lots 4 and 5 in City Block 10/732 into four lots ranging in size from 1,849 square feet to 2,909 square feet lots on property located at the east corner of Prairie Avenue and Live Oak Street. This application is scheduled to be heard on February 5, 2015.

STAFF RECOMMENDATION: The request complies with the requirements of the MF-2(A) zoning district and the requirements of Section 51A-4.411 of the Development Code; therefore, staff recommends approval subject to compliance with the following conditions:

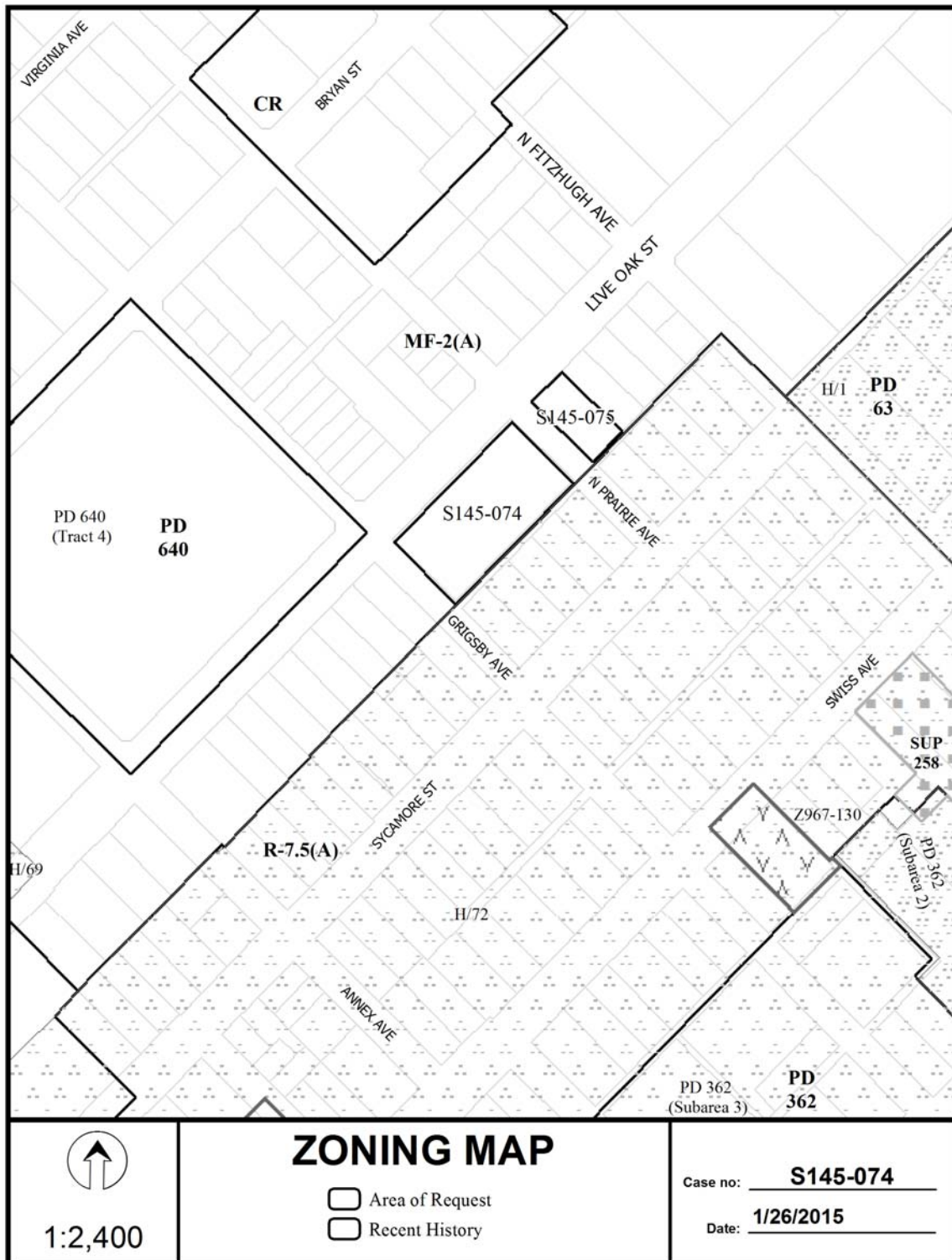
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a)(b)(c)(d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d).
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

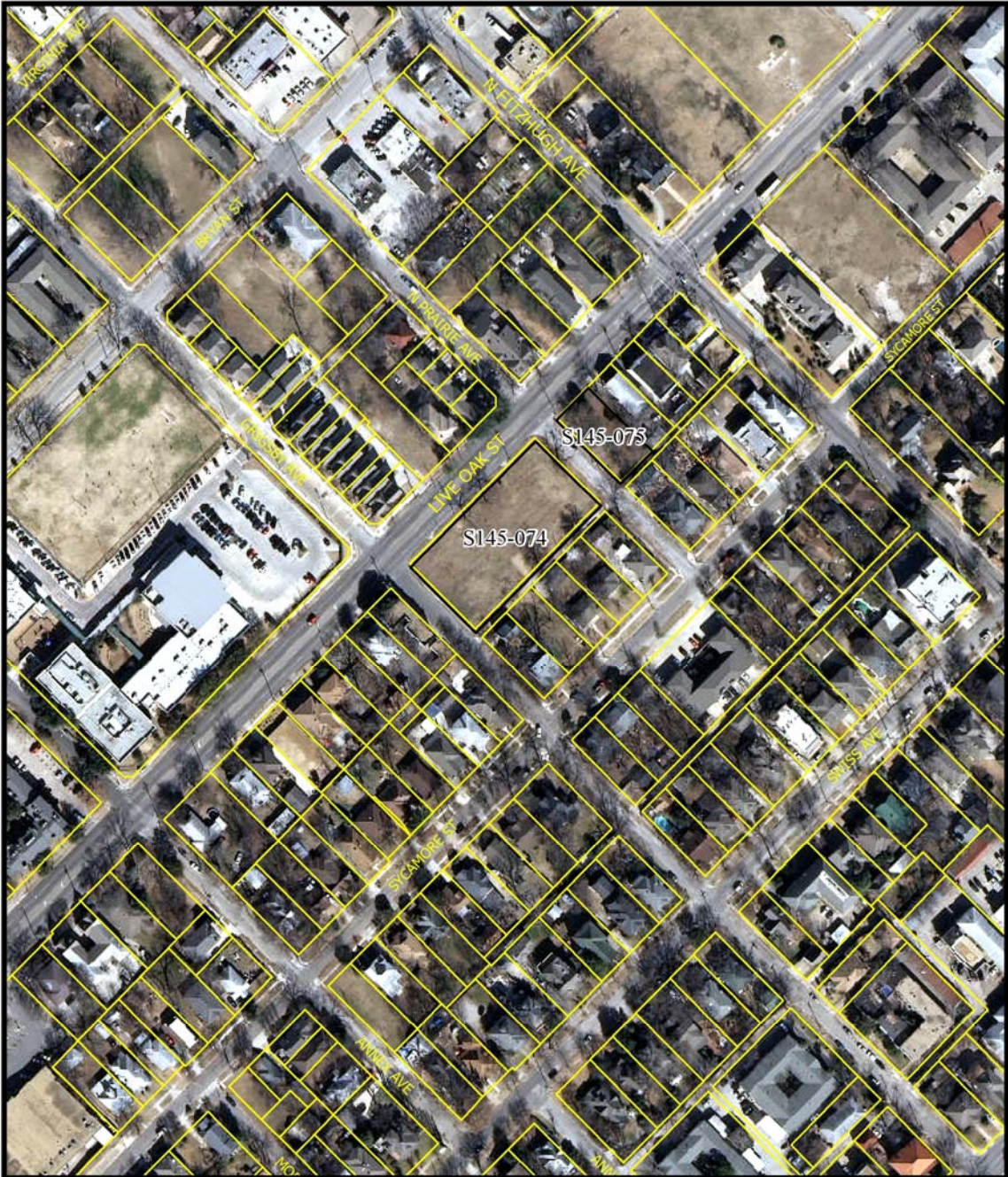
format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. (51A-8.403(6)(G)).

5. 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." Section 51A-8.617.
6. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617.
7. Any structure new or existing may not extend across new property lines. Section 51A8.501(b).
8. 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. Section 51A-8.502(a)(b).
9. On the final plat provide "fee simple" dedication in Owners Dedication for shown streets, alleys and easements. Section 51A-8.403(6)(A)(i) through (vi).
10. The maximum number of lots permitted by this plat is determined by the lot area requirements of the Dallas Development Code. Section 51A-8.403(6)(A)(i through vi).)
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. Section 51A8.603; Section 51A-8.604.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
13. On the final plat maintain the existing right-of-way on Live Oak Street. Section 51A-9.101.
14. On the final plat, dedicate a 15 foot by 15 foot corner clip at Live Oak Street and Grigsby Avenue. Section 51A-8.602(d)(1).
15. On the final plat dedicate a 15 feet by 15 feet Alley Sight Easement at Prairie Avenue and the alley and at Grigsby and the alley. Section 51A-8.602(e), Section 51-9.101.
16. Comply with Peaks Branch drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb. Trinity Watershed Management.
17. On the final plat maintain the existing right-of-way on Live Oak Street. Section 51A-9.101.

18. The Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer. Chapter 51A-8.404(a).
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-60(g)(1).
20. Water/wastewater main extension is required by Private Development Contract. Chapter 49-62(f)(1).
21. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat. Section 51A-4.411(d)(2).
22. There must be no more than 2 access area points, each limited to serve no more than 18 dwelling units. Section 51A-4.411(d)(10).
23. The shared access areas must front a minimum width of 20 feet on Grigsby Street and 20 feet on Prairie Avenue. Section 51A-4.411(d)(7).
24. The Shared Access Area easement must be at least 20 feet wide and contain a minimum paving width of 16 feet. Section 51A-411(d)(7).
25. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met. Section 51A-4.411(c)(3).
26. Prior to submittal of the final plat the Shared Access Development must meet all of the requirements of Section 51A-4.411 of Volume Three of the Dallas City Code, as amended. Section 51A-4.411(c).
27. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include a metes and bounds description of the shared access area as part of an attachment to the document. Section 51A-4.411(d)(2), Section 51A-4.411(e).
28. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot. Section 51A-8.503(b)(2)(B), and Section 51A-4.411(f)(2).
29. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f)(2).
30. Include the words "Shared Access Development" in the title block of the final plat. Survey Manual
31. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area

- except to a public or City Council approved private street.” Section 51A-8.503(d)(7).
32. On the final plat show and label “Sycamore Street”. Section 51A-8.403(a)(1)(xiii).
 33. On the final plat choose a different name for the Shared Access Drive. Chapter 51A-8.403(a)(1)(xiv), Section 51A-8.506(e).
 34. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d)(8).
 35. The Shared Access Area Easement must be terminated a minimum of 3 feet from the adjacent property or right-of-way. Section 51A-8.618(b).
 36. On the final plat provide a City of Dallas approved street name for the Shared Access Area Easement. Contact the Public Works and Transportation Department, GIS Section to obtain an approved street name”. Section 51A-9.300.
 37. On the final plat identify the property as Lots 1 through 22, and CA”A” for the common area in City Block 11A/733. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).





1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S145-074

Date: 1/26/2015

LOCATION: Prairie Avenue and Live Oak Street, east corner**DATE FILED:** January 7, 2015**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT: 2** **SIZE OF REQUEST:** 0.222-Acre**MAPSCO:** 46A**APPLICANT/OWNER:** Intervest Land Investments 1, LTD.

REQUEST: An application to replat a 0.222-acre tract of land containing part of Lots 4 and 5 in City Block 10/732 into four lots ranging in size from 1,849 square feet to 2,909 square feet lots on property located at the east corner of Prairie Avenue and Live Oak Street.

SUBDIVISION HISTORY

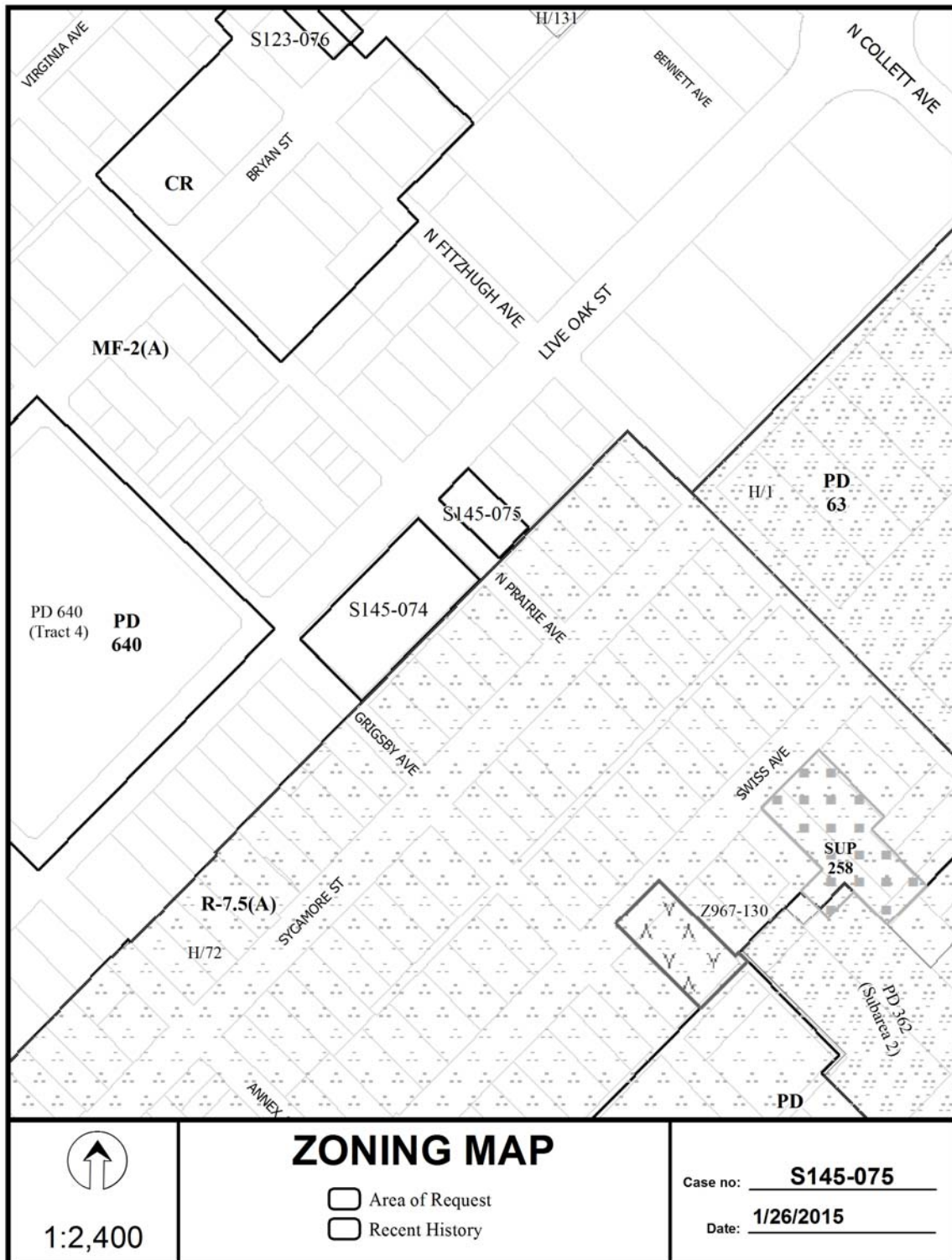
1. S145-050 was an application to replat a 0.222-acre tract of land containing part of Lots 4 and 5 in City Block 10/732 into four lots ranging in size from 1,849 square feet to 2,909 square feet lots on property located at the east corner of Prairie Avenue and Live Oak Street. The request was withdrawn prior to the December 18, 2014 Plan Commission hearing.
2. S145-074 is a request southwest of this request site to create a twenty-two lot and one Common Area Shared Access Development from a 0.892-acre tract of land containing all of Lot 1A in City Block 11/733 on property located on Live Oak Street between Grigsby Avenue and Prairie Avenue. The application will be heard on February 5, 2015.

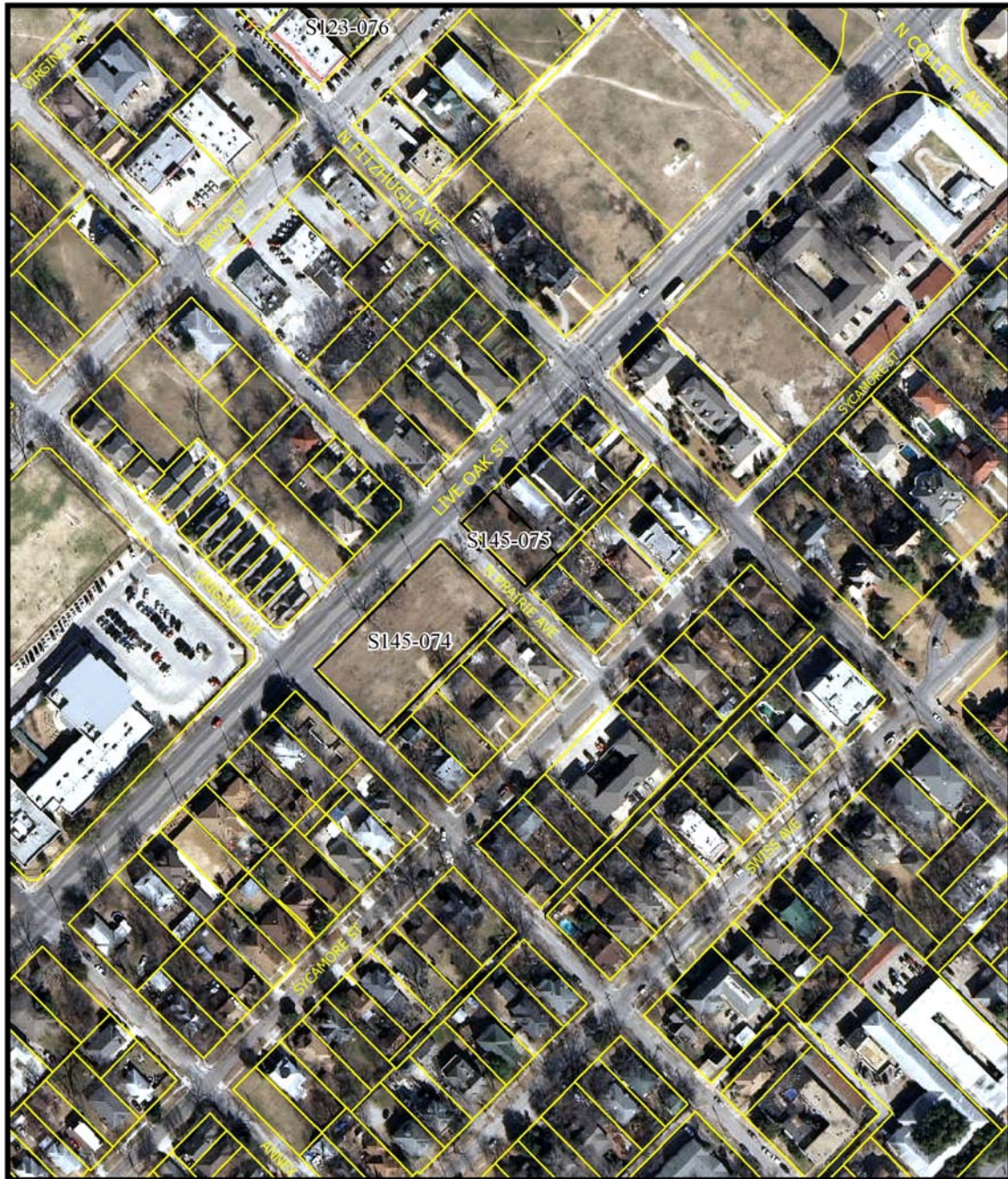
STAFF RECOMMENDATION: The request complies with the requirements of the MF-2(A) zoning district; therefore, staff recommends approval subject to compliance with the following conditions:


1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a)(b)(c)(d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d).
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. (51A-8.403(6)(G)).

6. Any structure new or existing structure may not extend across new property lines. Section 51A8.501(b).
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. Section 51A-8.502(a)(b).
8. The maximum number of lots permitted by this plat is determined by the lot area requirements of the Dallas Development Code. Section 51(A)-4.411(f)(3).
9. On the final plat provide "fee simple" dedication in Owners Dedication for shown streets, alleys and easements. Section 51A-8.403(6)(A)(i) through (vi).
10. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611€.
11. On the final plat dedicate a 15 foot by 15 foot corner clip at Live Oak Street and Prairie Avenue. Section 51A-8.602(d)(1).
12. On the final plat dedicate a 15 feet by 15 feet alley sight easement at Amelia Street and Maple Springs Boulevard. Section 51A-8.602(c) and Section 51-9.101.
13. On the final plat maintain all existing right-of-way on Live Oak Street. Section 51A-9.101.
14. Comply with Peaks Branch drainage requirement. Finish floor elevation must be 3 feet above nearest inlet, top of curb. Trinity Watershed Management.
15. The Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer. Chapter 51A-8.404(a).
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49, Section 49.60(g)1.
17. Water main extension is required by Private Development Contract. Chapter 49(60)(f)1.
18. On the final plat identify the property as Lots 4A, 4B, 4C, and 4D in City Block 10/732. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).





| | | |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|  1:2,400 | <h3 style="text-align: center;">AERIAL MAP</h3> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History | Case no: <u> S145-075 </u> Date: <u> 1/26/2015 </u> |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|

LEGEND

Table with 2 columns: Symbol and Description. Includes symbols for proposed street, existing street, proposed easement, etc.

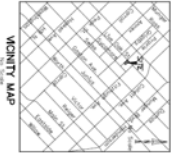
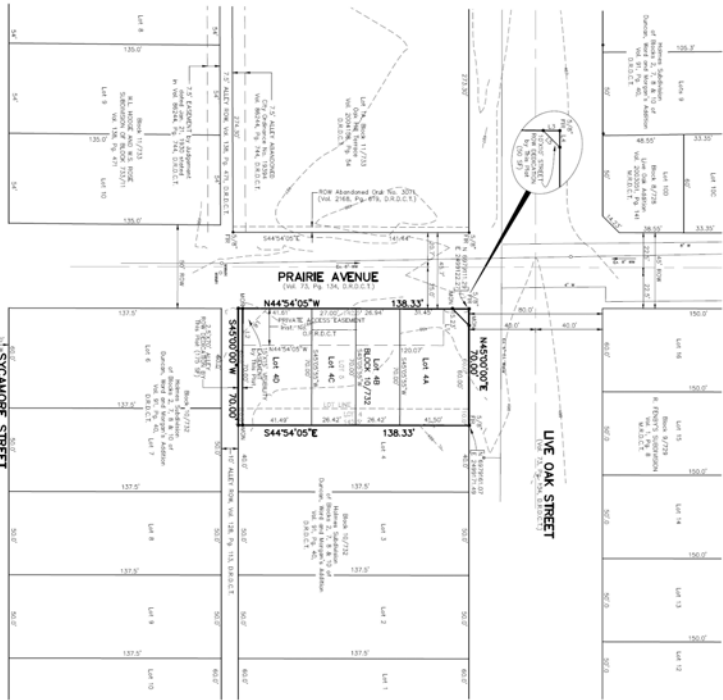


Table with 2 columns: Lot Area and Acres. Lists lot numbers and their corresponding areas in both units.

NOTES

- 1) The bearing shown for this survey is a bearing of N 49°00'00" E for the southeast line of...
2) Lot to Lot Changes is not permitted without Engineering Section approval.
3) Zone, North American Datum of 1983 on GCS coordinates values, No. State and No.
4) All lot corners are set 5/8 inch iron rod with a yellow plastic cap stamped 'HASKELL No.
5) All lots to be shown as owner maintained floor elevation of 495.50 in accordance with Dallas
Branch drainage requirements.



OWNER'S CERTIFICATE

STATE OF TEXAS }

COUNTY OF DALLAS }

WHEREAS, INTEREST LAND INVESTMENTS I, LTD., are the Owners of a tract of land situated in the John Deery Survey, Acreage No. 489, City of Dallas, Dallas County, Texas, containing 10.0 Acres, more or less, and more particularly as shown on a certain plat of land recorded in the Public Records of Dallas County, Texas, in Volume 20811-15, Page 3223, Deed Records of Dallas County, Texas, and being more particularly described as follows: (a) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner.

THENCE, S 44°45'00" E, separating the southeast line of Live Oak Street and 11.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, S 10°00'00" E, a distance of 10.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, S 44°45'00" E, a distance of 10.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, N 44°45'00" W, with the north line of Prairie Avenue, a distance of 130.33 feet to a bound 5/8 inch iron rod for a corner; THENCE, S 44°45'00" E, a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, N 49°00'00" E, with the northeast line of the said Alley, a distance of 10.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, N 44°45'00" W, with the northeast line of Prairie Avenue, a distance of 130.33 feet to a bound 5/8 inch iron rod for a corner; THENCE, S 44°45'00" E, a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, N 49°00'00" E, with the northeast line of the said Alley, a distance of 10.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, N 44°45'00" W, with the north line of Prairie Avenue, a distance of 130.33 feet to a bound 5/8 inch iron rod for a corner; THENCE, S 44°45'00" E, a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, N 49°00'00" E, with the northeast line of the said Alley, a distance of 10.00 feet to a bound 5/8 inch iron rod for a corner; THENCE, N 44°45'00" W, with the north line of Prairie Avenue, a distance of 130.33 feet to a bound 5/8 inch iron rod for a corner; THENCE, S 44°45'00" E, a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner.

FOR REVIEW ONLY - NOT FOR RECORDING

STATE OF TEXAS }

COUNTY OF DALLAS }

Witness my hand and seal of office this ____ day of _____, 2015.

L. LYNN KADECKI
Registered Professional Land Surveyor
Land Surveyor No. 2662

REGISTERED PROFESSIONAL LAND SURVEYOR
I, L. LYNN KADECKI, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that the above and foregoing plat of land is a true and correct representation of the land as shown to me by the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Witness my hand and seal of office this ____ day of _____, 2015.

Henry Public, State of Texas

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT INTEREST LAND INVESTMENTS I, LTD. do hereby dedicate to the City of Dallas, Texas, a certain tract of land situated in the John Deery Survey, Acreage No. 489, City of Dallas, Dallas County, Texas, containing 10.0 Acres, more or less, and more particularly as shown on a certain plat of land recorded in the Public Records of Dallas County, Texas, in Volume 20811-15, Page 3223, Deed Records of Dallas County, Texas, and being more particularly described as follows: (a) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (b) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (c) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (d) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (e) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (f) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (g) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (h) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (i) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (j) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (k) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (l) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (m) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (n) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (o) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (p) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (q) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (r) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (s) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (t) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (u) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (v) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (w) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (x) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (y) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner; (z) a tract of 5.00 Acres, more or less, bounded on the north and west by the south and west corners of said Lot 4, containing in all a distance of 72.00 feet to a bound 5/8 inch iron rod for a corner.

WITNESS MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2015.

INTEREST LAND INVESTMENTS I, LTD.
BY: _____, its general partner
BY: _____, its general partner
BY: MICHAEL B. SCHULZ, Surveyor
STATE OF TEXAS }

WHEREAS, the undersigned, a Notary Public, is and for the State of Texas, do hereby personally appear, Michael B. Schulz, Sr., Manager of Interest Land CP, L.L.C. the sole general partner of Interest Land Investments I, LTD., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GREEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ day of _____, 2015.

Henry Public, State of Texas

URBAN PLACE No. 2 ADDITION
LOTS 4A, 4B, 4C & 4D, BLOCK 10,772
BEING A PART OF A PART OF LOT 4 AND LOT 5, BLOCK 10,772
HOLDING THE SAME TO & THROUGH JOHN DEERY & COMPANY, L.P.
BY: J. GINGESBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

INTEREST LAND INVESTMENTS I, LTD.
4131 Cantonway Way
Dallas, Texas 75244
Phone: 972-461-9711
FAX: 972-461-9711
REGISTERED PROFESSIONAL LAND SURVEYOR
L. LYNN KADECKI, No. 2662
4131 Cantonway Way
Dallas, Texas 75244
Phone: 972-461-9711
FAX: 972-461-9711

CITY PLAN COMMISSION**THURSDAY, FEBRUARY 05, 2015****FILE NUMBER: S145-076****Subdivision Administrator: Paul Nelson****LOCATION:** Mountain Creek Parkway, north of Interstate 20**DATE FILED:** January 08, 2015**ZONING:** PD 521 (Subdistrict B, north zone)**CITY COUNCIL DISTRICT: 3 SIZE OF REQUEST: 15.10-Acres MAPSCO: 61A-R****APPLICANT/OWNER:** PIHV Mountain Creek, LLC

REQUEST: An application to create a 15.10-acre lot from a tract of land in City Block 211/6113 on property located on Mountain Creek Parkway, north of Interstate 20.

SUBDIVISION HISTORY:

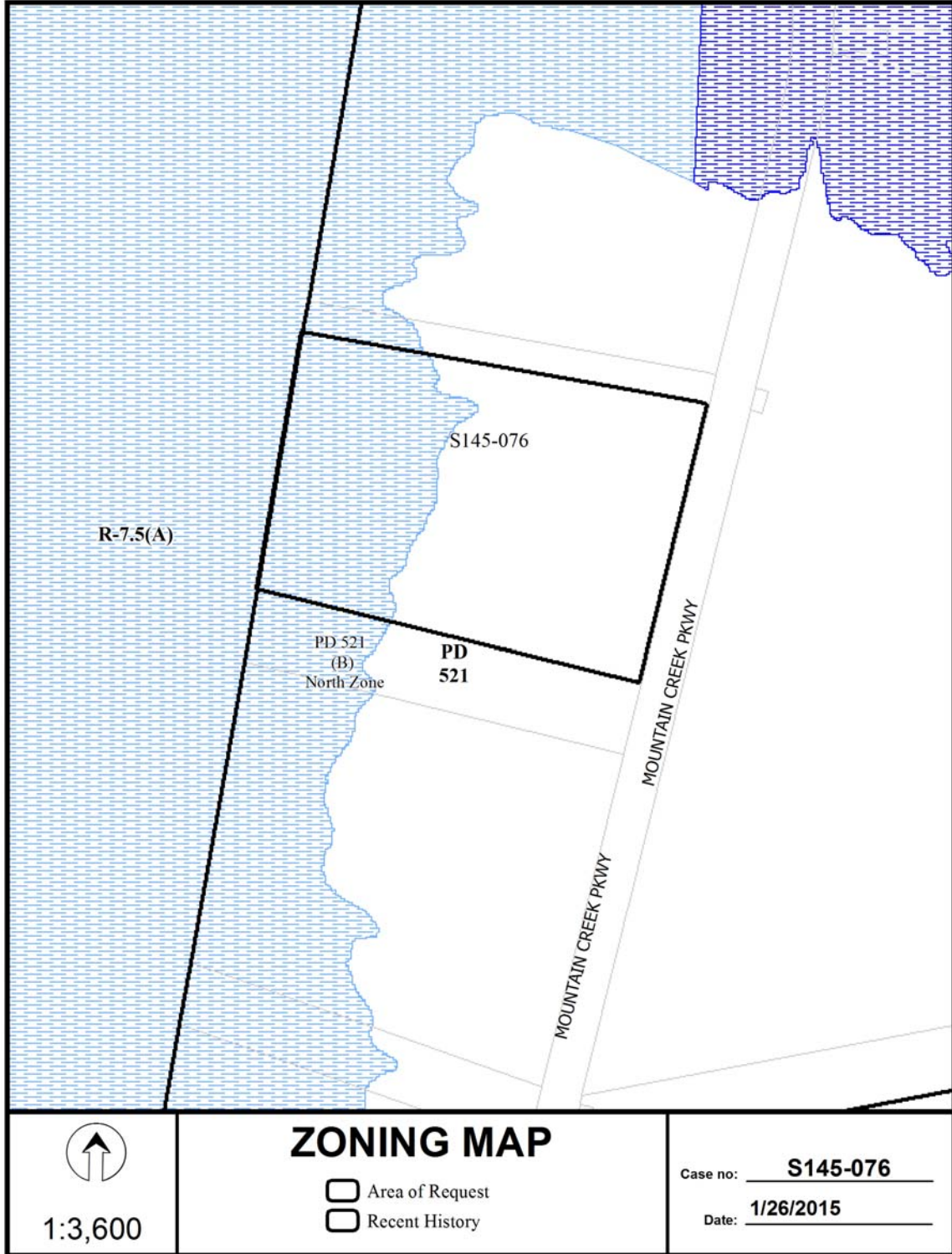
1. S134-167 was an application northeast of the present request to create one 94.072-acre lot from a tract of land in City Block 211/6113 on property located at the northeast corner of Mountain Creek Parkway and Merrifield Road. The plat has not been recorded yet.
2. S134-168 was an application northeast of the present request to create one 84.70-acre lot from a tract of land in City Block 211/6113 on property located at the northeast corner of Mountain Creek Parkway and Merrifield Road. The plat has not been recorded yet.

STAFF RECOMMENDATION: The request complies with the requirements of PD 521 (Sub district B, north zone) zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a)(b)(c)(d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d).
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. (51A-8.403(6)(G)).
5. Any structure new or existing structure may not extend across new property lines. Section 51A8.501(b).

6. 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. Section 51A-8.502(a)(b).
7. The maximum number of lots permitted by this plat is determined by the lot area requirements of the Dallas Development Code. Section 51(A)-4.411(f)(3).
8. Comply with Survey requirements, including monumentation. Survey Manual.
9. 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. Section 51A-8.603; Section 51A-8.604.
10. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.102(c); Section 51A-(4),(5),(6), (7),(8),(9).
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
12. On the final plat maintain 100 feet of right-of-way on Mountain Creek Parkway. Chapter 51A-9.101.
13. On the final plat determine the 100 year water surface elevation across the plat. Trinity Watershed Management.
14. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-611(d).
15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-611(d), Trinity Watershed Management; Drainage Manual, Article V.
16. On the final plat specify minimum fill and minimum finished floor elevations. Section 51A-611(d), Trinity Watershed Management
17. On the final plat show the natural channel set back from the crest of the natural channel. Section 51A-611(d), Trinity Watershed Management
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1),(2), (3), and (4).
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g).
20. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Chapter 51A-8.404(a).

21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49(60)(g)(1).
22. Water/wastewater main extension is required by Private Development Contract. Chapter 49-62(f)(1)
23. On the final plat identify the property as Lot 8, City Block 211/6113. Ordinance 1A, pages 131-148, Section 2 (passed August 13, 1872).





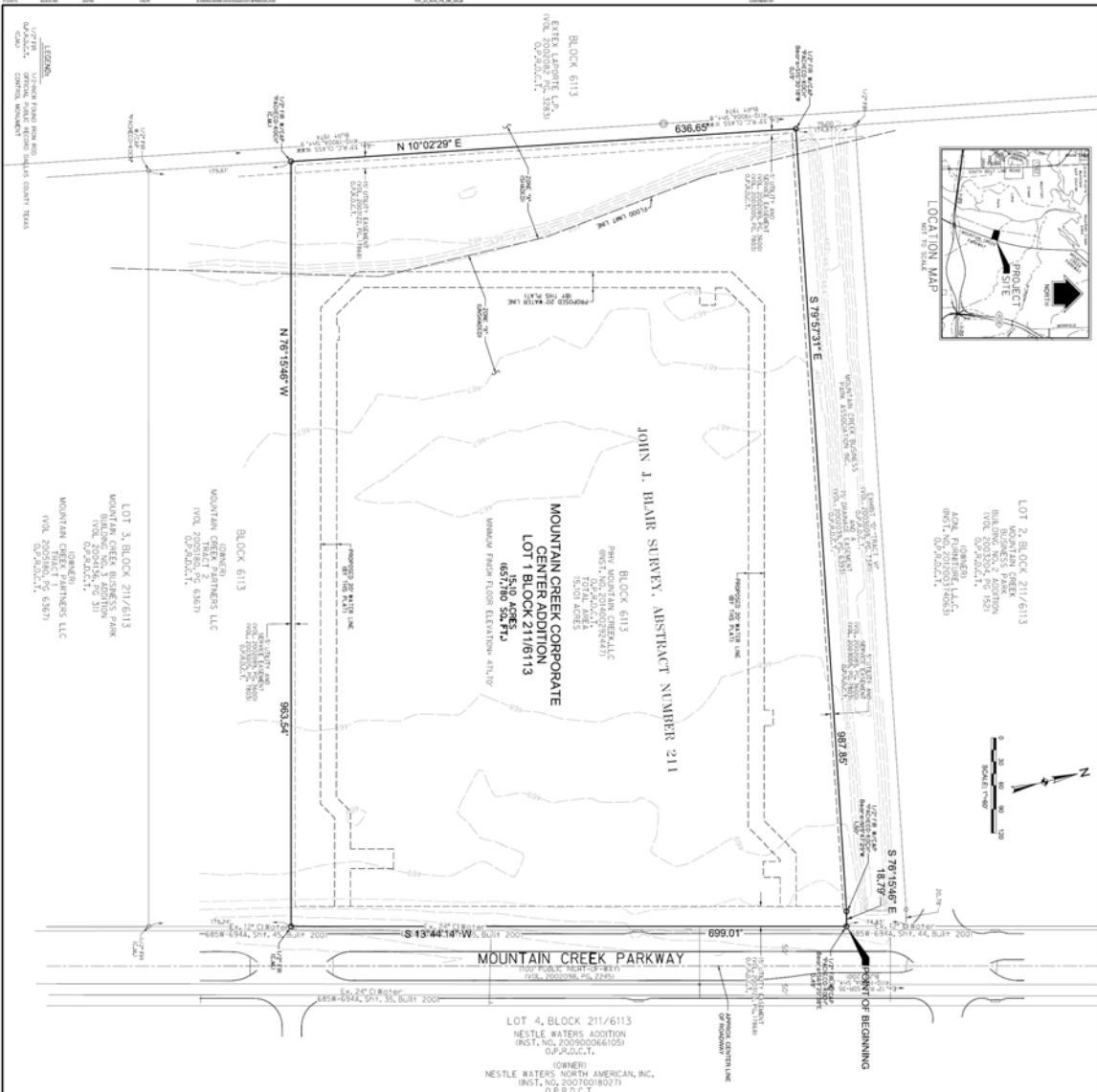
1:3,600

AERIAL MAP

- Area of Request
- Recent History

Case no: S145-076

Date: 1/26/2015



OWNER'S CERTIFICATE

THE UNDERSIGNED, PHV MOUNTAIN CREEK, LLC, AS THE OWNER OF A 15.10 ACRES TRACT OF LAND IN THE CITY AND COUNTY OF DALLAS, TEXAS, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

OWNER'S DECLARATION

I, the undersigned, being duly qualified, do hereby certify that the information contained herein is true and correct to the best of my knowledge and belief.

GENERAL NOTES

1. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

2. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

3. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

4. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

5. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

6. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

7. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

8. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

9. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

10. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

11. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

12. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

13. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

14. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

15. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

16. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

17. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

18. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

19. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

20. The plat is subject to the Texas Condominium System of 1981, Modified by the Texas Condominium Act of 1991, and the Texas Condominium Act of 2007.

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 05, 2015

FILE NUMBER: S145-078

Subdivision Administrator: Paul Nelson

LOCATION: 4719 Cole Avenue between Hester Street and Monticello Street

DATE FILED: January 09, 2015

ZONING: PD 193 (PD Subdistrict 106)

CITY COUNCIL DISTRICT: 14 **SIZE OF REQUEST:** 2.298-Acres **MAPSCO:** 35R

APPLICANT/OWNER: Provident Realty Advisors

REQUEST: An application to replat a 2.298 acre tract of land containing all of Lot 1 in City Block I/1625, and all of Lots 9 through 16, all of abandoned Mabry Street, and all of an abandoned alley in City Block H/1625 into 1 lot on property located at 4719 Cole Avenue.

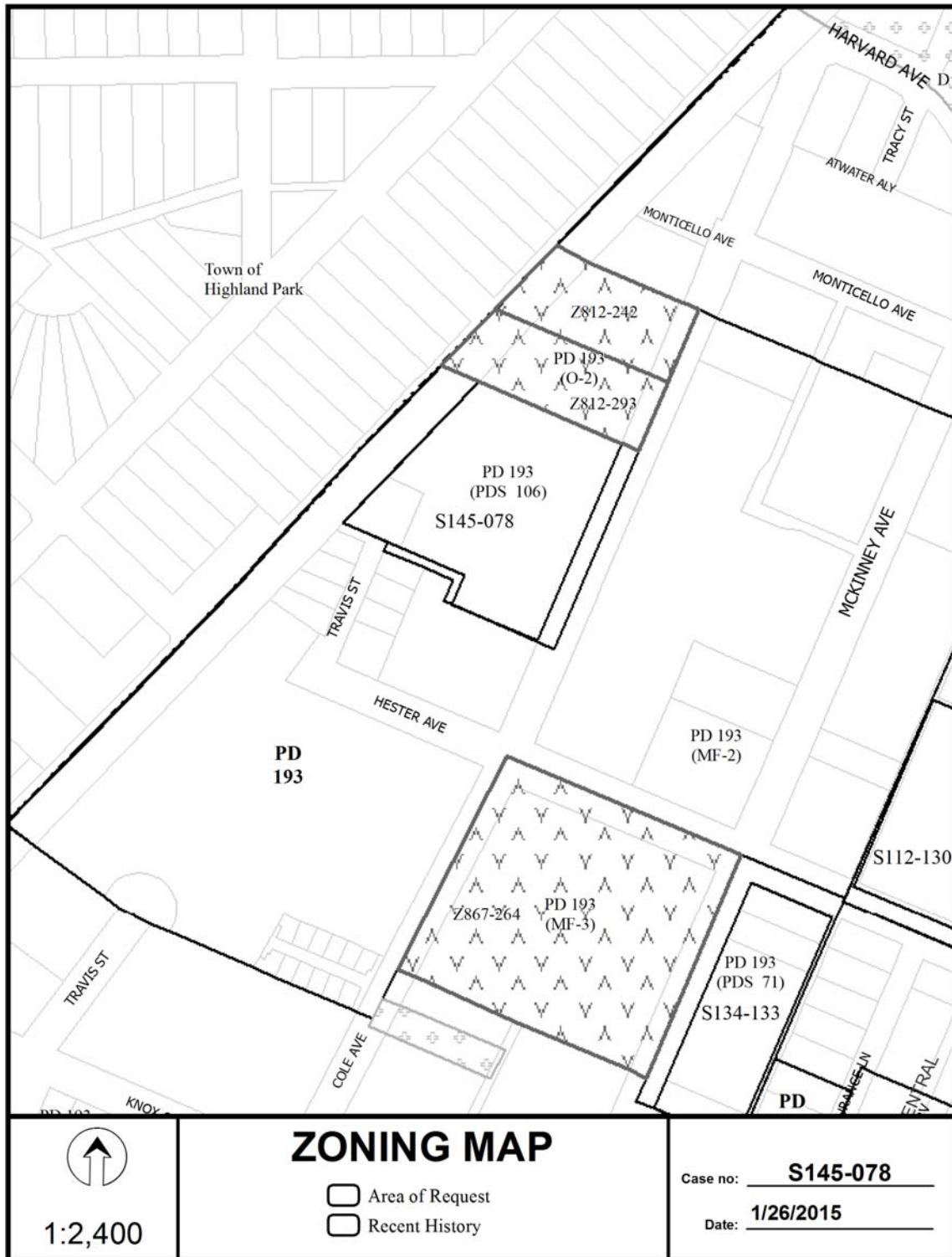
SUBDIVISION HISTORY:

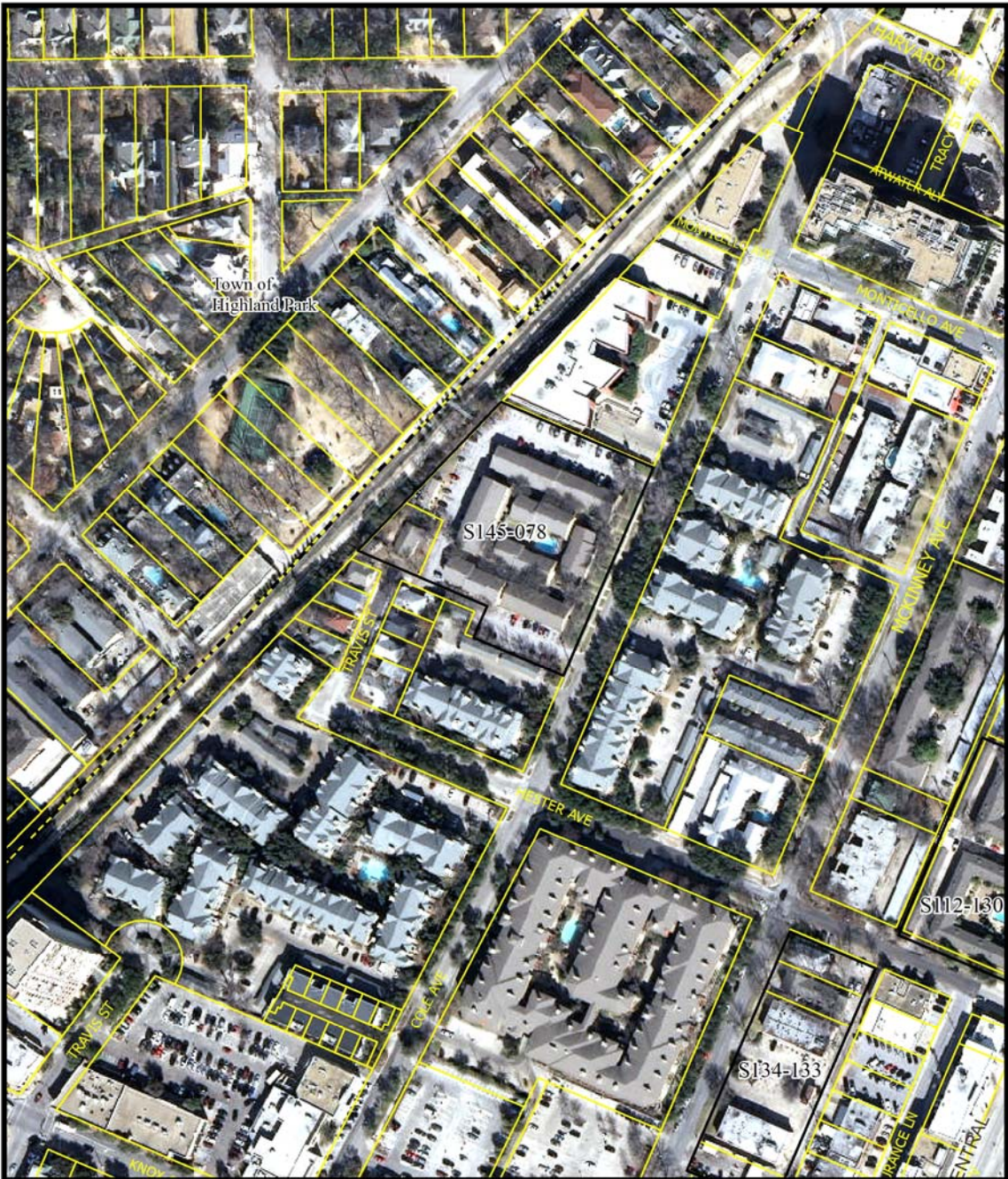
1. S112-130 was a request southeast of the present request to create one 1.571-acre lot from a tract of land located in City Block E/1622; the request was approved on June 21, 2012 but has not been recorded.


STAFF RECOMMENDATION: The request complies with the requirements of PD 193 (PD Sub District 106) zoning district; therefore, staff recommends approval subject to compliance with the following conditions:

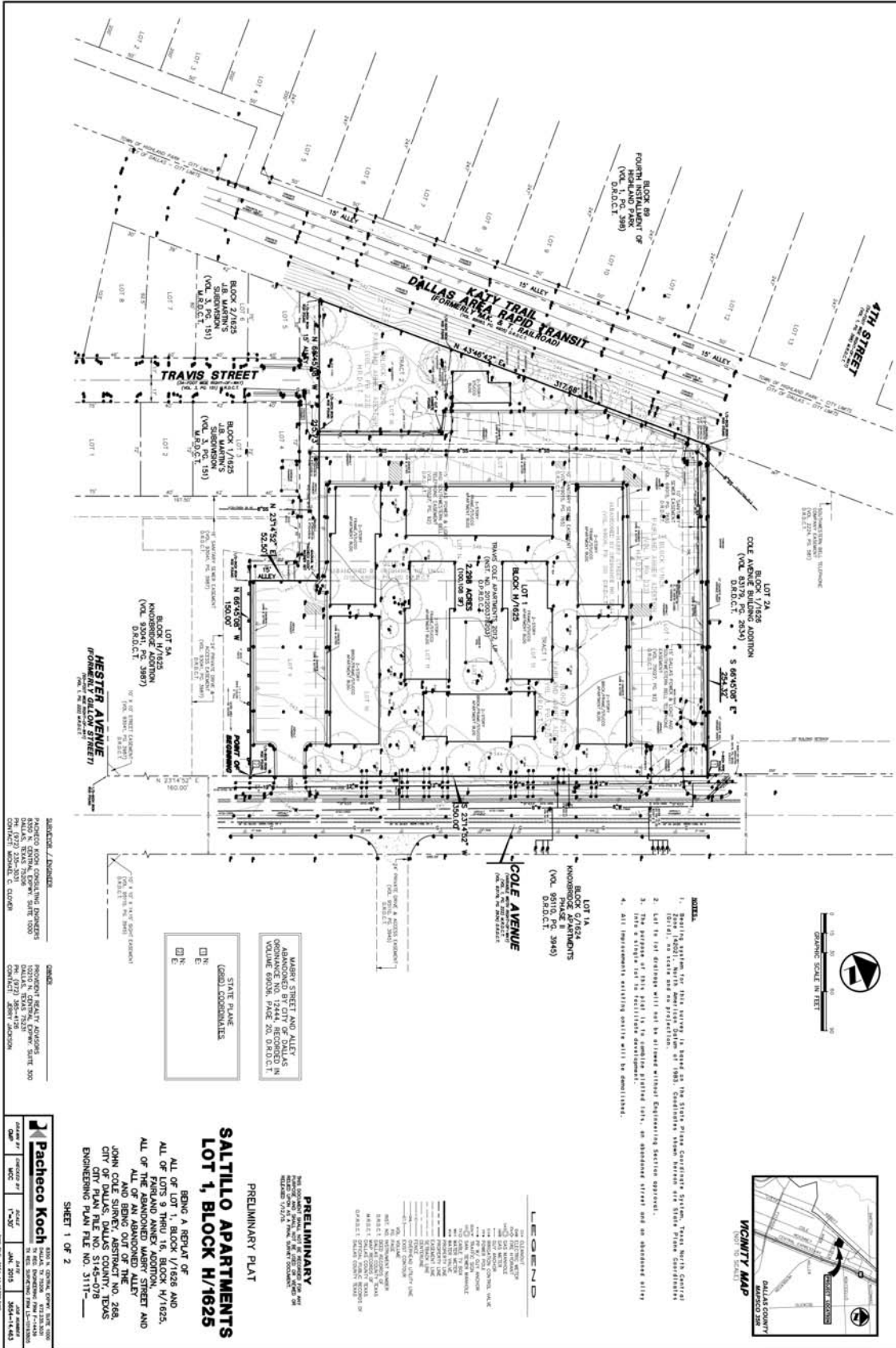
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a)(b)(c)(d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d).
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. (51A-8.403(6)(G).
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. Section 51A8.501(b).

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. Section 51A-8.502(a)(b).
8. On the final plat confirm or explain the encroachment areas along the east side of the property line along Cole Avenue. Section 51A-4.403(6)(a)(i) through (vi).
9. On the final plat show the recording information Volume and Page for the dedication for the alley shown along the south property line. Section 51A-4.403(6)(A)(i) through (vi).
10. On the final plat maintain all existing right-of-way on Cole Avenue. Section 51A-9.101.
11. Prior to submittal of the final plat document and explain the encroachment areas along Cole Avenue. Section 51A-4.403(6)(A)(i) through (vi).
12. 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." Section 51A-8.617.
13. On the final plat monument all set corners. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617.
14. The maximum number of lots permitted by this plat is determined by the lot area requirements of the Dallas Development Code. Section 51(A)-4.411(f)(3).
15. 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. Section 51A8.603; Section 51A-8.604.
16. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
17. On the final plat maintain the existing right-of-way on Cole Avenue. Section 51A-9.101.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-60(g)(1).
19. Water and/or wastewater main extension is required by Private Development contract. Chapter 49-62(f)(1)
20. On the final plat identify the property as Lot 9A in City Block H/1625. Ordinance 1A, pages 131-148, Section 2 (passed August 13, 1872).





| | | |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|  1:2,400 | <h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p> | Case no: <u> S145-078 </u> Date: <u> 1/26/2015 </u> |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|



DESIGNER / ARCHITECT
 JACOBO GARCIA ARCHITECTS
 12017 N. DENNIS, SUITE 300
 DALLAS, TEXAS 75243
 PHONE: 214.358.2000
 CONTACT: JACOBO GARCIA

ENGINEER
 JACOBO GARCIA ARCHITECTS
 12017 N. DENNIS, SUITE 300
 DALLAS, TEXAS 75243
 PHONE: 214.358.2000
 CONTACT: JERRY JOHNSON

Pacheco Koch
 5001 N. TRINITY COURT, SUITE 200
 DALLAS, TEXAS 75243
 PHONE: 214.358.2000
 CONTACT: JERRY JOHNSON

MARKER STREETS AND ALLEYS
 ABANDONED BY CITY OF DALLAS
 ORDINANCE NO. 12444, RECORDED IN
 VOLUME 69038, PAGE 28, D.R.D.C.T. 1

STATE PLANE
 (GRID) COORDINATES
 N
 E
 S
 W

PRELIMINARY
 PRELIMINARY PLAT
SALTILLO APARTMENTS
LOT 1, BLOCK H/1625

BEING A REPLAT OF
 ALL OF LOTS 9 THRU 16, BLOCK H/1628 AND
 ALL OF THE ABANDONED MARY STREET AND
 AN ABANDONED ALLEY
 AND BEING OUT OF THE
 JOHN COLE DALLAS COUNTY, TEXAS
 CITY PLAN FILE NO. 5145-078
 ENGINEERING PLAN FILE NO. 3117-

SHEET 1 OF 2

LEGEND

1. 2" X 4" STUD WALL
 2. 2" X 6" STUD WALL
 3. 2" X 8" STUD WALL
 4. 2" X 10" STUD WALL
 5. 2" X 12" STUD WALL
 6. 2" X 14" STUD WALL
 7. 2" X 16" STUD WALL
 8. 2" X 18" STUD WALL
 9. 2" X 20" STUD WALL
 10. 2" X 22" STUD WALL
 11. 2" X 24" STUD WALL
 12. 2" X 26" STUD WALL
 13. 2" X 28" STUD WALL
 14. 2" X 30" STUD WALL
 15. 2" X 32" STUD WALL
 16. 2" X 34" STUD WALL
 17. 2" X 36" STUD WALL
 18. 2" X 38" STUD WALL
 19. 2" X 40" STUD WALL
 20. 2" X 42" STUD WALL
 21. 2" X 44" STUD WALL
 22. 2" X 46" STUD WALL
 23. 2" X 48" STUD WALL
 24. 2" X 50" STUD WALL
 25. 2" X 52" STUD WALL
 26. 2" X 54" STUD WALL
 27. 2" X 56" STUD WALL
 28. 2" X 58" STUD WALL
 29. 2" X 60" STUD WALL
 30. 2" X 62" STUD WALL
 31. 2" X 64" STUD WALL
 32. 2" X 66" STUD WALL
 33. 2" X 68" STUD WALL
 34. 2" X 70" STUD WALL
 35. 2" X 72" STUD WALL
 36. 2" X 74" STUD WALL
 37. 2" X 76" STUD WALL
 38. 2" X 78" STUD WALL
 39. 2" X 80" STUD WALL
 40. 2" X 82" STUD WALL
 41. 2" X 84" STUD WALL
 42. 2" X 86" STUD WALL
 43. 2" X 88" STUD WALL
 44. 2" X 90" STUD WALL
 45. 2" X 92" STUD WALL
 46. 2" X 94" STUD WALL
 47. 2" X 96" STUD WALL
 48. 2" X 98" STUD WALL
 49. 2" X 100" STUD WALL

NOTES

1. Building system for this project is based on the State Plane Coordinate System, Texas North Central Zone. All elevations are in feet above mean sea level (MSL).
2. Lot to lot distances will not be shown without Engineering Section approval.
3. The purpose of this plat is to enable plotted lots, an abandoned street and an abandoned alley to be a single lot for residential development.
4. All improvements existing within will be demolished.



GRAPHIC SCALE IN FEET

0 10 20 30 40 50 60 70 80 90 100

CITY PLAN COMMISSION**THURSDAY, FEBRUARY 05, 2015****FILE NUMBER: S145-077****Subdivision Administrator: Paul Nelson****LOCATION:** S. Ewing Avenue at Korgan Street, southwest corner**DATE FILED:** January 9, 2015**ZONING:** R-7.5(A), CR**CITY COUNCIL DISTRICT: 4****SIZE OF REQUEST:** 4.732-Acres**MAPSCO: 55N****APPLICANT/OWNER:** TACSFF REIT / Dallas County

REQUEST: An application to replat a 4.732-acre tract of land containing part of Lots 3 and 4 in City Block 16/3760 into one lot on property located on S. Ewing Avenue at Korgan Street, southwest corner.

NOTICES: 57 notices were sent to property owners within 200 feet of the property on January 15, 2015.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request. However, there is a pending zoning case (Z145-149) which is scheduled to be heard by the Plan Commission on February 5, 2015.

STAFF RECOMMENDATION: The request complies with the requirements of the R-7.5(A) and CR districts. However, the proposed lot is not similar in size to other lots in the surrounding area which are predominantly single family residential lots except for along S. Ewing Avenue. Those lots are larger and developed with commercial uses.

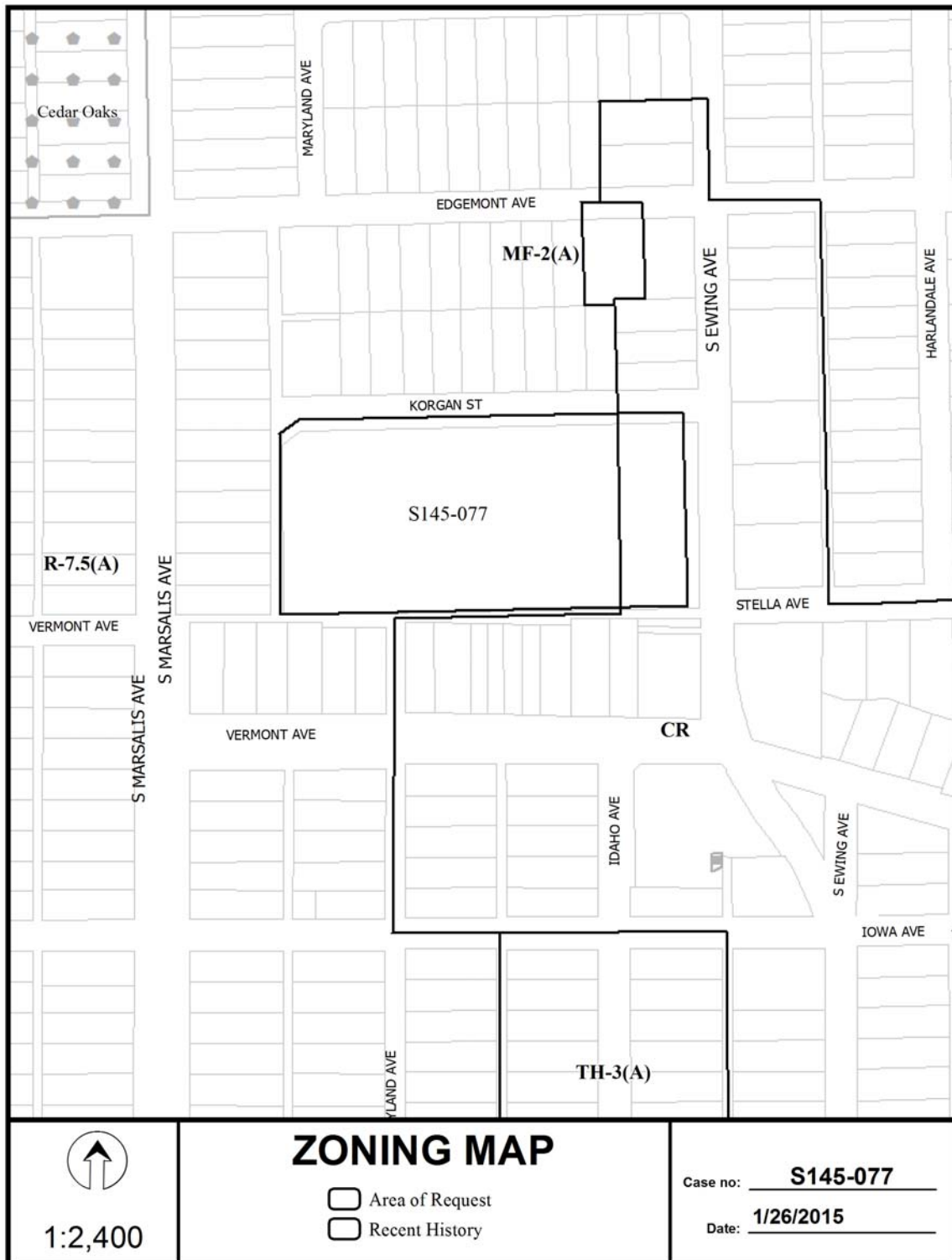
Lots 3 and 4 were created by the "T.J. Olivers Subdivision of 160 Acres of the Thomas McDowell 320 acre Survey". The plat was recorded July 26, 1890 before the property was annexed into the City of Dallas. Lots 3 and 4 have remained in the original configuration since that time. Dallas County has used the property for many years for an institutional use. The staff is of the opinion that the parcels are a legal building site individually or as one parcel.

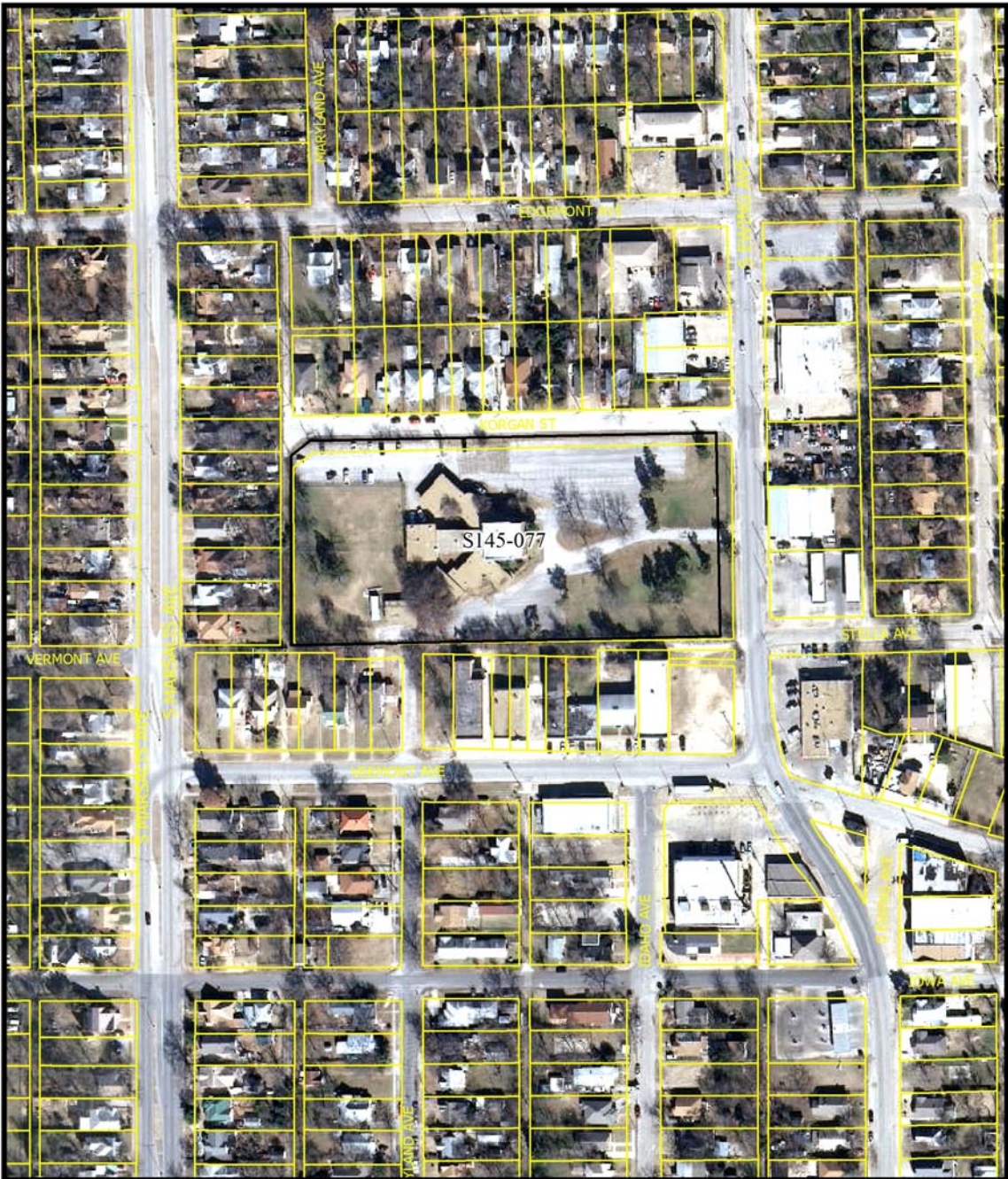
The purpose of the plat is to demolish the existing structures and create a new structure(s). Any impact that has happened occurred with the recording and development of the adjoining addition's. Staff has determined that the request complies with the requirements of Section 51A-8.503, which in part indicates that "lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets". The two lots were created well before the creation of the adjacent residential subdivisions; therefore, concludes that there is compliance with Section 51A-8.503 and 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. Section 51A-8.102(a)(b)(c)(d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement

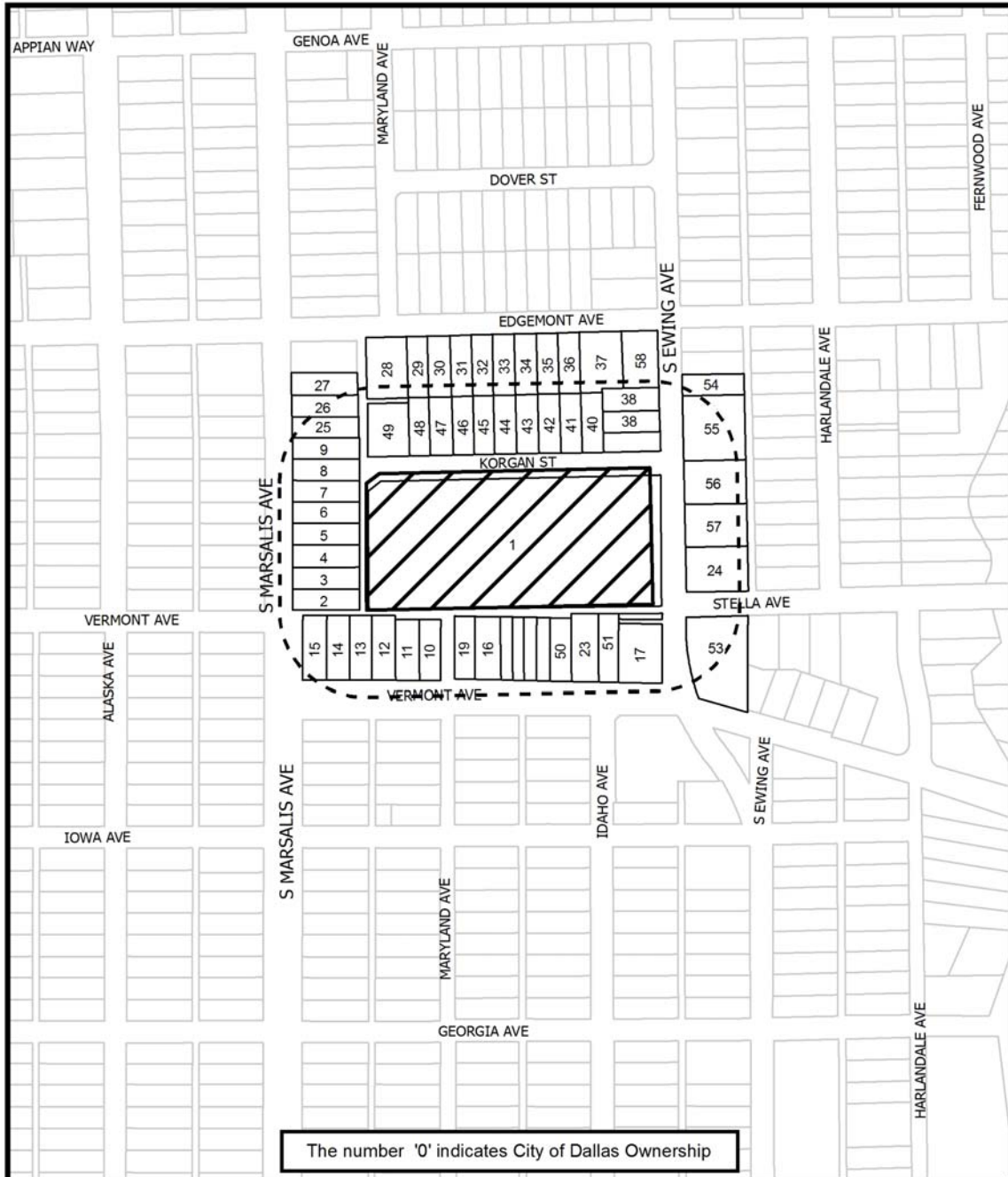
- requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a)(b)(c)(d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a)(b)(c)(d).
 4. Provide a copy of the digital electronic CADD file of the final plat 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. (51A-8.403(6)(G).
 5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
 6. Any structure new or existing may not extend across new property lines. Section 51A8.501(b).
 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. Section 51A-8.502(a)(b).
 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." Section 51A-8.617.
 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. Section 51A-8.617.
 10. The maximum number of lots permitted by this plat is determined by the lot area requirements of the Dallas Development Code. Section 51(A)-4.411(f)(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. Section 51A8.603; Section 51A-8.604.
 12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
 13. On the final plat dedicate either 25 feet of right-of-way, street easement, or sidewalk easement from the established centerline of Korgan Street. Section 51A-8.602(c).
 14. On the final plat dedicate a 15 feet by 15 feet Alley Sight Easement at Ewing Avenue and the alley. Section 51A-8.602(c), Section 51-9.101.
 15. On the final plat dedicate a 15 feet by 15 corner clip at Ewing Avenue and Korgan Street. Section 51A-8.602(d)(1).

16. Prior to submittal of the final plat provide documentation that the existing alley is 15 feet in width. Section 51A-9.101.
17. On the final plat dedicate adequate right-of-way at the alley to alley intersection. Section 51A-8.404(d), Section 51(A)-8.507(8).
19. On the final plat show the recording information for dedication of the alley that is shown at the southeast corner of Marsalis Avenue.
20. On the final plat maintain 56 feet of right-of-way on Ewing Avenue. Section 51A-9.101.
21. On the final plat show “fee simple” dedication language for streets and alleys shown in the Owners dedication statement. Section 51A-4.403(6)(A)(i) through (vi).
22. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49, Section 49.60(g)1
23. Water and wastewater main extensions may be required by Private Development Contract. Chapter 49(60)(f)1.
24. On the final plat, change “Korgan Court” to “Korgan Street”. Section 51A-9.304 and Section 51A-8.506(e).
25. On the final plat identify the property as Lot 1 in City Block 16A/3760. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872).
26. The final plat must comply with the zoning requirements of the property at the time of submission of the final plat for the Chairpersons signature.





| | | |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
|  1:2,400 | <h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p> | <p>Case no: <u>S145-077</u></p> <p>Date: <u>1/26/2015</u></p> |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|



| | | | |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------|
|  1:3,600 | NOTIFICATION | | Case no: S145-077 |
| | <div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">58</div> NUMBER OF PROPERTY OWNERS NOTIFIED | Date: 1/26/2015 | |

Notification List of Property Owners

S145-077

58 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|--------------------------------------|
| 1 | 1545 EWING AVE | County of Dallas |
| 2 | 1628 MARSALIS AVE | MORGAN HORACE RAY |
| 3 | 1622 MARSALIS AVE | ARIAS ESTEBAN LOPEZ |
| 4 | 1620 MARSALIS AVE | MITCHELL ROSA LEE |
| 5 | 1618 MARSALIS AVE | PENA GERMAN & ALEJANDRA |
| 6 | 1614 MARSALIS AVE | PENA LUIS C & RAMONA |
| 7 | 1610 MARSALIS AVE | ARREOLA RAUL & |
| 8 | 1606 MARSALIS AVE | ROBERTSON RICK E |
| 9 | 1602 MARSALIS AVE | IGBOKWE OBI I |
| 10 | 723 VERMONT AVE | NICKELBERRY NORMAN |
| 11 | 719 VERMONT AVE | RUVALCABA ENRIQUE |
| 12 | 715 VERMONT AVE | HOLLOMAN EUGEN C & VERA ANGELA BROWN |
| 13 | 711 VERMONT AVE | DOUGLAS JOHNNIE LEE |
| 14 | 707 VERMONT AVE | BRIGHTMAN PAUL JR |
| 15 | 701 VERMONT AVE | HENDERSON MINNIE |
| 16 | 807 VERMONT AVE | MCNEELY RODNEY D |
| 17 | 1637 EWING AVE | RUEDA JUAN & CAMILA |
| 18 | 809 VERMONT AVE | MECCA TEMPLE #98 |
| 19 | 801 VERMONT AVE | THOMAS KENNETH |
| 20 | 1631 EWING AVE | HEIDEN NADINE |
| 21 | 813 VERMONT AVE | YANKELEWITZ SARA W |
| 22 | 815 VERMONT AVE | HAMMOND RONNIE |
| 23 | 825 VERMONT AVE | STRINGER ALLEN WAYNE & |
| 24 | 1538 EWING AVE | OREO HOLDINIGS LLC |
| 25 | 1516 MARSALIS AVE | THOMPSON CHARLES |
| 26 | 1512 MARSALIS AVE | MUNOZ MARIANA |

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|---------------------------|
| 27 | 1508 MARSALIS AVE | FRENCH PATRICIA |
| 28 | 702 EDGEMONT AVE | HOLLOWAY DORIS P |
| 29 | 706 EDGEMONT AVE | ZUNIGA JOSE |
| 30 | 710 EDGEMONT AVE | VILLARREAL GUADALUPE |
| 31 | 714 EDGEMONT AVE | MORALES ARELI & FRANCISCA |
| 32 | 718 EDGEMONT AVE | PEREZ CARLOS COLMENERO & |
| 33 | 722 EDGEMONT AVE | ARREZ MAGDALENA |
| 34 | 726 EDGEMONT AVE | RECORD BESSIE MAE CROSBY |
| 35 | 730 EDGEMONT AVE | GARCIA GUADALUPE & |
| 36 | 734 EDGEMONT AVE | VILLEGAS AUGUSTINA |
| 37 | 740 EDGEMONT AVE | JOSEPH GEORGE K |
| 38 | 1511 EWING AVE | BROOKS VELMA |
| 39 | 1523 EWING AVE | GOMEZ GUADALUPE |
| 40 | 739 KORGAN ST | VERDIN JOAQUIN JR & |
| 41 | 735 KORGAN ST | VERDIN JOSE RAMON & |
| 42 | 731 KORGAN ST | ROBERTS ANDREW JR |
| 43 | 727 KORGAN ST | TREVINO ANDRES G |
| 44 | 723 KORGAN ST | TREVINO GUILLERMINA |
| 45 | 719 KORGAN ST | TREVINO ENRIQUE G & |
| 46 | 715 KORGAN ST | TREVINO ANTONIO D |
| 47 | 711 KORGAN ST | TREVINO TONY D |
| 48 | 707 KORGAN ST | HILL CURTIS L |
| 49 | 703 KORGAN ST | ADAMES SANTOS P |
| 50 | 819 VERMONT AVE | ALIA INC |
| 51 | 901 VERMONT AVE | RUEDA JUAN ROMAN |
| 52 | 811 VERMONT AVE | HOSANA FULL GOSPEL |
| 53 | 1005 VERMONT AVE | BALLAS VICTOR |
| 54 | 1510 EWING AVE | HAMPTON QUINCY C |
| 55 | 1514 EWING AVE | MCNEELY RODNEY N |
| 56 | 1526 EWING AVE | MCNEELY RODNEY D |
| 57 | 1536 EWING AVE | REYES ROGELIO & |

58

1505 EWING AVE

MONEY DOUGLAS L

FILE NUMBER: M145-005

DATE FILED: October 31, 2014

LOCATION: East Line of South Central Expressway, North of Linfield Road

COUNCIL DISTRICT: 7

MAPSCO: 56 U

SIZE OF REQUEST: Approx. 12.17 Acres

CENSUS TRACT: 86.03

APPLICANT/OWNER: Austin Bridge & Road, LP

REPRESENTATIVE: Gladys Bowens

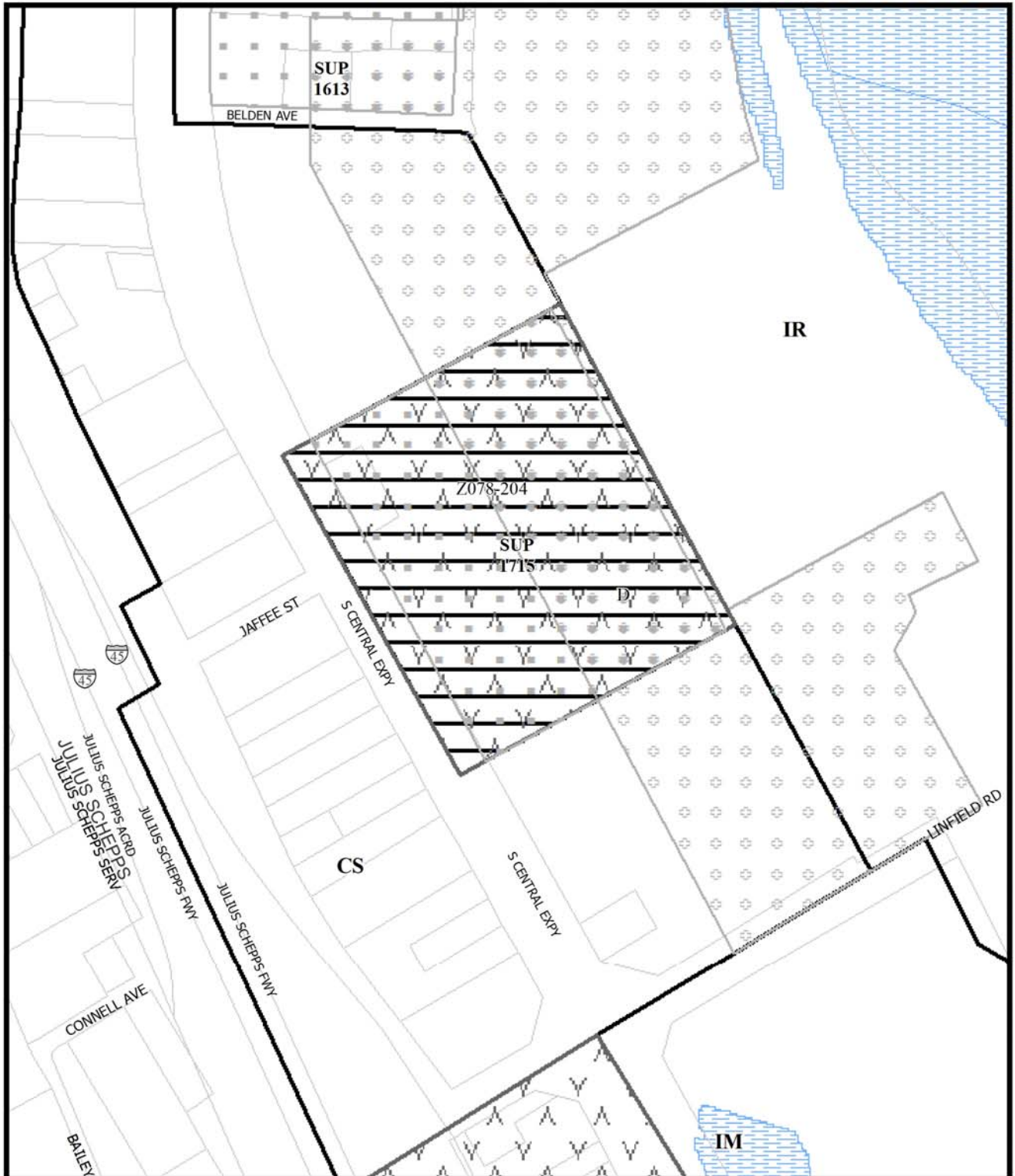
REQUEST: An application for a minor amendment to the site plan for Specific Use Permit No. 1715 for an Industrial (outside) potentially incompatible use for an asphalt batching plant on property zoned an IM Industrial Manufacturing District, located on the east line of South Central Expressway, north of Linfield Road.

On June 25, 2008, the City Council passed Ordinance No. 27239 which established Specific Use Permit No. 1715 for an Industrial (outside) potentially incompatible use for an asphalt batching plant on property at the above location. The SUP was subsequently amended by Ordinance No. 29060 providing for an amended site plan and conditions (time period).

At this time, the property owner has submitted an application for consideration of a minor amendment to the site plan to provide for the location of natural gas and vaporization tanks to facilitate the process for the batching plant operations. Both Environmental and Health Services and Dallas Fire Department have reviewed plans and have determined no health or safety issues will be created, subject to normal installation/licensing requirements.

The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use.

STAFF RECOMMENDATION: Approval

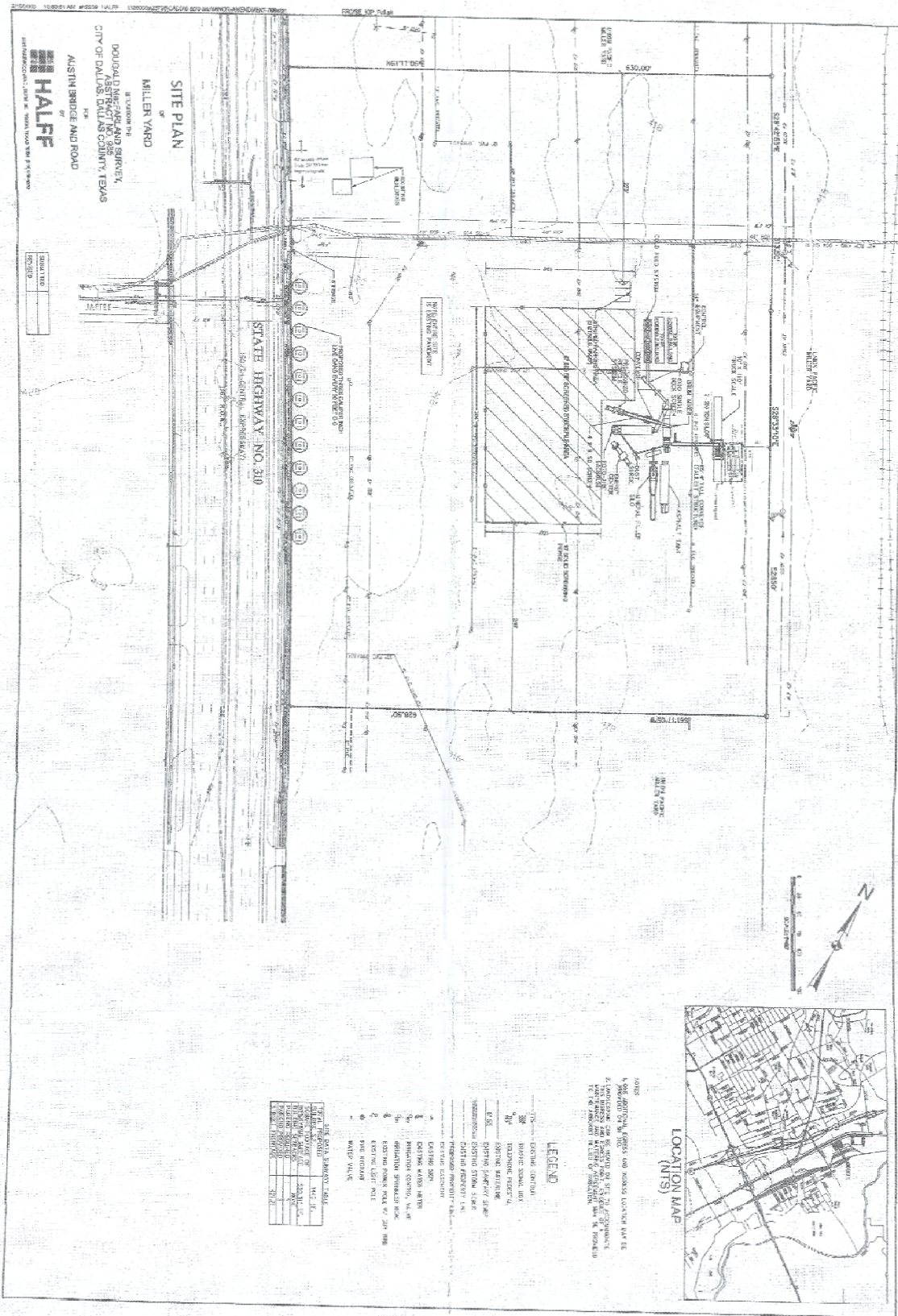


1:3,600

ZONING MAP

Case no: M145-005

Date: 11/19/2014



SITE PLAN
MILLER YARD
 11/10/2010
 DONALD M. HARTMAN AND SURVEY,
 ASPECT NO. 985
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 FOR
AUSTIN BRIDGE AND ROAD
HALFF
 11/10/2010

STATE HIGHWAY NO. 310
 (existing, proposed)

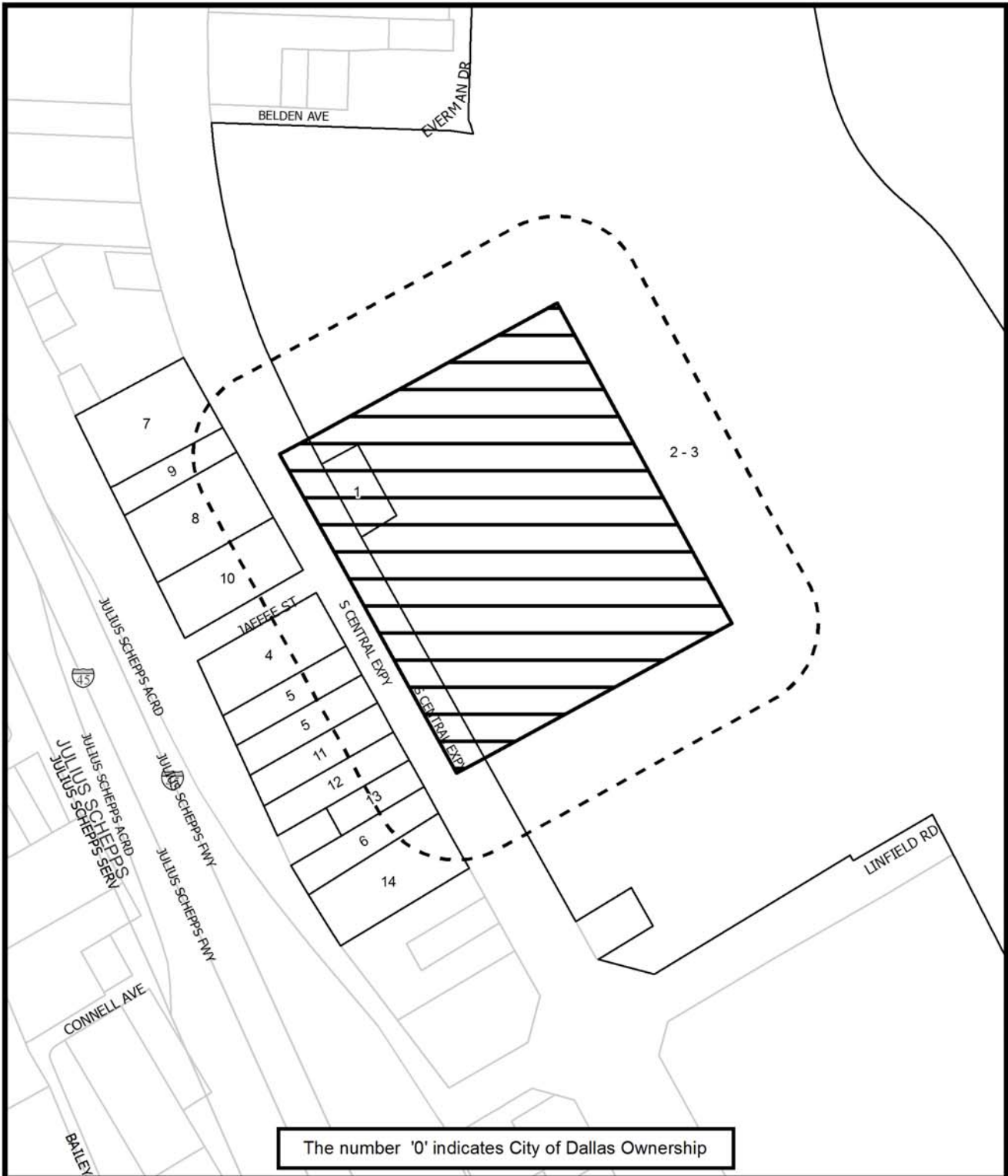


1. SEE ADJACENT SHEETS FOR OTHER LOCATION MAPS.
 2. LOCATIONS CAN BE FOUND ON SITE IN PROPORTION TO THE PROJECT VALUE OF PROVISION.
 TO BE PROVIDED TO THE PROJECT VALUE OF PROVISION.

LEGEND

- 1. EXISTING SITE
- 2. EXISTING WATER MAIN
- 3. EXISTING WATER MAIN
- 4. EXISTING WATER MAIN
- 5. EXISTING WATER MAIN
- 6. EXISTING WATER MAIN
- 7. EXISTING WATER MAIN
- 8. EXISTING WATER MAIN
- 9. EXISTING WATER MAIN
- 10. EXISTING WATER MAIN
- 11. EXISTING WATER MAIN
- 12. EXISTING WATER MAIN
- 13. EXISTING WATER MAIN
- 14. EXISTING WATER MAIN
- 15. EXISTING WATER MAIN
- 16. EXISTING WATER MAIN
- 17. EXISTING WATER MAIN
- 18. EXISTING WATER MAIN
- 19. EXISTING WATER MAIN
- 20. EXISTING WATER MAIN
- 21. EXISTING WATER MAIN
- 22. EXISTING WATER MAIN
- 23. EXISTING WATER MAIN
- 24. EXISTING WATER MAIN
- 25. EXISTING WATER MAIN
- 26. EXISTING WATER MAIN
- 27. EXISTING WATER MAIN
- 28. EXISTING WATER MAIN
- 29. EXISTING WATER MAIN
- 30. EXISTING WATER MAIN
- 31. EXISTING WATER MAIN
- 32. EXISTING WATER MAIN
- 33. EXISTING WATER MAIN
- 34. EXISTING WATER MAIN
- 35. EXISTING WATER MAIN
- 36. EXISTING WATER MAIN
- 37. EXISTING WATER MAIN
- 38. EXISTING WATER MAIN
- 39. EXISTING WATER MAIN
- 40. EXISTING WATER MAIN
- 41. EXISTING WATER MAIN
- 42. EXISTING WATER MAIN
- 43. EXISTING WATER MAIN
- 44. EXISTING WATER MAIN
- 45. EXISTING WATER MAIN
- 46. EXISTING WATER MAIN
- 47. EXISTING WATER MAIN
- 48. EXISTING WATER MAIN
- 49. EXISTING WATER MAIN
- 50. EXISTING WATER MAIN
- 51. EXISTING WATER MAIN
- 52. EXISTING WATER MAIN
- 53. EXISTING WATER MAIN
- 54. EXISTING WATER MAIN
- 55. EXISTING WATER MAIN
- 56. EXISTING WATER MAIN
- 57. EXISTING WATER MAIN
- 58. EXISTING WATER MAIN
- 59. EXISTING WATER MAIN
- 60. EXISTING WATER MAIN
- 61. EXISTING WATER MAIN
- 62. EXISTING WATER MAIN
- 63. EXISTING WATER MAIN
- 64. EXISTING WATER MAIN
- 65. EXISTING WATER MAIN
- 66. EXISTING WATER MAIN
- 67. EXISTING WATER MAIN
- 68. EXISTING WATER MAIN
- 69. EXISTING WATER MAIN
- 70. EXISTING WATER MAIN
- 71. EXISTING WATER MAIN
- 72. EXISTING WATER MAIN
- 73. EXISTING WATER MAIN
- 74. EXISTING WATER MAIN
- 75. EXISTING WATER MAIN
- 76. EXISTING WATER MAIN
- 77. EXISTING WATER MAIN
- 78. EXISTING WATER MAIN
- 79. EXISTING WATER MAIN
- 80. EXISTING WATER MAIN
- 81. EXISTING WATER MAIN
- 82. EXISTING WATER MAIN
- 83. EXISTING WATER MAIN
- 84. EXISTING WATER MAIN
- 85. EXISTING WATER MAIN
- 86. EXISTING WATER MAIN
- 87. EXISTING WATER MAIN
- 88. EXISTING WATER MAIN
- 89. EXISTING WATER MAIN
- 90. EXISTING WATER MAIN
- 91. EXISTING WATER MAIN
- 92. EXISTING WATER MAIN
- 93. EXISTING WATER MAIN
- 94. EXISTING WATER MAIN
- 95. EXISTING WATER MAIN
- 96. EXISTING WATER MAIN
- 97. EXISTING WATER MAIN
- 98. EXISTING WATER MAIN
- 99. EXISTING WATER MAIN
- 100. EXISTING WATER MAIN

| NO. | DESCRIPTION | DATE | BY |
|-----|-------------|------------|--------|
| 1 | PREPARED | 11/10/2010 | D.M.H. |
| 2 | REVISION | 11/10/2010 | D.M.H. |
| 3 | REVISION | 11/10/2010 | D.M.H. |
| 4 | REVISION | 11/10/2010 | D.M.H. |
| 5 | REVISION | 11/10/2010 | D.M.H. |
| 6 | REVISION | 11/10/2010 | D.M.H. |
| 7 | REVISION | 11/10/2010 | D.M.H. |
| 8 | REVISION | 11/10/2010 | D.M.H. |
| 9 | REVISION | 11/10/2010 | D.M.H. |
| 10 | REVISION | 11/10/2010 | D.M.H. |



1:3,600

NOTIFICATION

200'

AREA OF NOTIFICATION

14

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **M145-005**

Date: **11/19/2014**

11/19/2014

Notification List of Property Owners

M145-005

14 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---------------------------|
| 1 | 7410 CENTRAL EXPY | UNION PACIFIC RAILROAD CO |
| 2 | 4401 LINFIELD RD | ST LOUIS S W RAILWAY CO |
| 3 | 9999 NO NAME ST | UNION PACIFIC RR CO |
| 4 | 7501 CENTRAL EXPY | MONTEMAYOR RUBEN GARCIA |
| 5 | 7519 CENTRAL EXPY | LOPEZ ABRAHAM |
| 6 | 7547 CENTRAL EXPY | BARAJAS NICK |
| 7 | 7301 CENTRAL EXPY | MONK JAMES C & AMANDA E |
| 8 | 7403 CENTRAL EXPY | RICH INELL MARIE |
| 9 | 7321 CENTRAL EXPY | SANCHEZ MARTIN R |
| 10 | 7425 CENTRAL EXPY | BARAJAS NICK |
| 11 | 7525 CENTRAL EXPY | LOPEZ ABRAHAM |
| 12 | 7531 CENTRAL EXPY | LOPEZ ABRAHAM |
| 13 | 7537 CENTRAL EXPY | BARAJAS NICOLAS |
| 14 | 7601 CENTRAL EXPY | HURTADO CARLOS & MARIA |

FILE NUMBER: W145-003

DATE FILED: January 22, 2015

LOCATION: Southwest corner of West Northwest Highway and North Central Expressway

COUNCIL DISTRICT: 13

MAPSCO: 26-W

SIZE OF REQUEST: Approx. 27.92 acres

CENSUS TRACT: 79.06

MISCELLANEOUS DOCKET ITEM:

APPLICANT/OWNER: Buckner Senior Living

REPRESENTATIVE: Tommy Mann and Brad Williams, Winstead PC

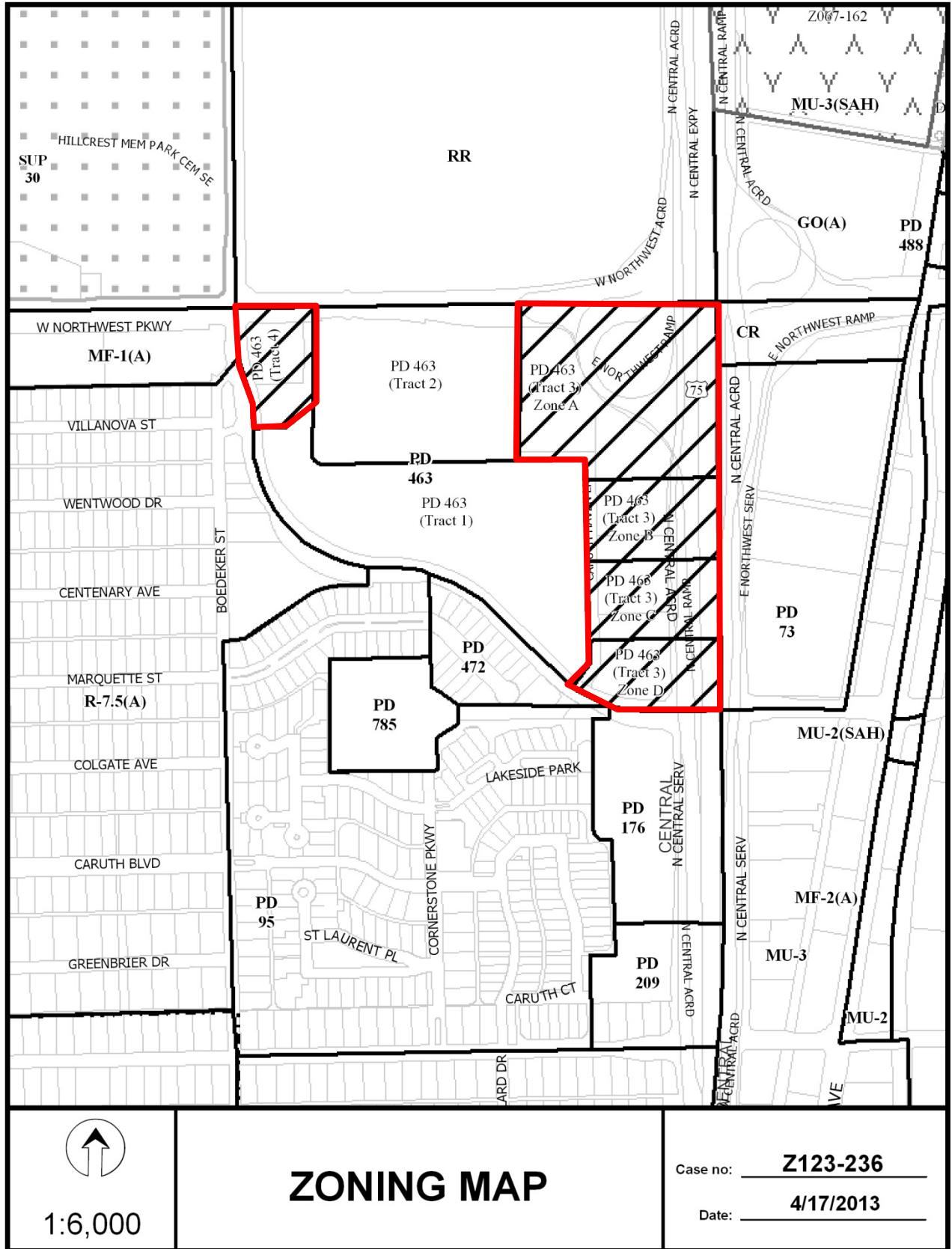
REQUEST: An application for a waiver of the two-year waiting period to submit a landscape plan and increase floor area requirements in Planned Development District No. 463 located on the southwest corner of West Northwest Highway and North Central Expressway.

SUMMARY: On June 20, 2013 a City Plan Commission authorized hearing was approved for Zoning Case Z123-236(RB) to amend the conceptual and development plans, parking requirements, increase maximum floor area for Tracts III and IV, and increase maximum floor area for lodging and similar uses for Planned Development District (PDD) No. 463.

The representative indicates Article X cannot be met due to recently discovered utility and slope easements belonging to TxDOT. An amendment to the landscaping standards is needed to provide a detailed landscape plan. The representative also indicates they would like to increase the permitted floor area.

According to Section 51A-4.701(d) of the Dallas Development Code, a new zoning application on this property cannot be filed prior to June 26, 2015 without a waiver of the two-year waiting period. Per the code, "The commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing." There is no change in circumstances on this property since it was approved in 2013. Therefore, staff recommends denial.

Staff Recommendation: Denial



W145-003

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z123-236

Location 8301 N Central Expressway

Date of last CPC or CC Action June 26, 2013

Applicant's Name, Address & Phone Number Tommy Mann & Brad Williams, Winstead PC
2728 N. Harwood St., Dallas, Texas, 75201, 214.745.5400

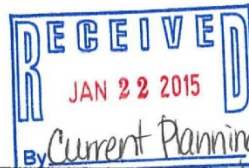
Property Owner's Name, Address and Phone No., if different from above
Buckner Senior Living, Inc.
600 N. Pearl St., Suite 2000, Dallas, Texas 75201, 214.758.8032

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

See attached.


Applicant's Signature

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



Date Received
Fee: \$300.00

Application for Waiver of Two-Year Waiting Period

Brief statement regarding the change in circumstances since the last hearing on the property that would warrant reconsideration of another request in less than two years:

The changes in circumstances warranting consideration of a request on this property within two years of the previous request are two-fold. First, subsequent to the previous request, it was discovered that certain easements (i.e., a TxDOT slope easement and utility easements) located along the eastern portion of the property would prevent strict compliance with the landscaping requirements of Article X, Chapter 51A Dallas City Code. Therefore, it is now necessary to offer a detailed landscape plan as part of an amendment to the PD.

Two, based on a review by the City's building inspection department, certain areas within the planned building (e.g., storage areas, common balconies, and other elements) previously believed to be excluded from the calculation of total floor area have recently been deemed floor area. Thus, it is necessary to increase slightly the caps on floor area within the PD. Prior to filing this waiver application, Owner diligently pursued and acquired the consent and support of a coalition of several HOAs in the area. An email from said coalition evidencing its support is enclosed herein.

FILE NUMBER: W145-004

DATE FILED: January 26, 2015

LOCATION: West corner of Inwood Road and Denton Drive

COUNCIL DISTRICT: 2

MAPSCO: 34-Q

SIZE OF REQUEST: Approx. 5.63 acres

CENSUS TRACT: 4.06

MISCELLANEOUS DOCKET ITEM:

APPLICANT/OWNER: FF Realty II LLC

REPRESENTATIVE: Suzan Kedron, Jackson Walker L.L.P

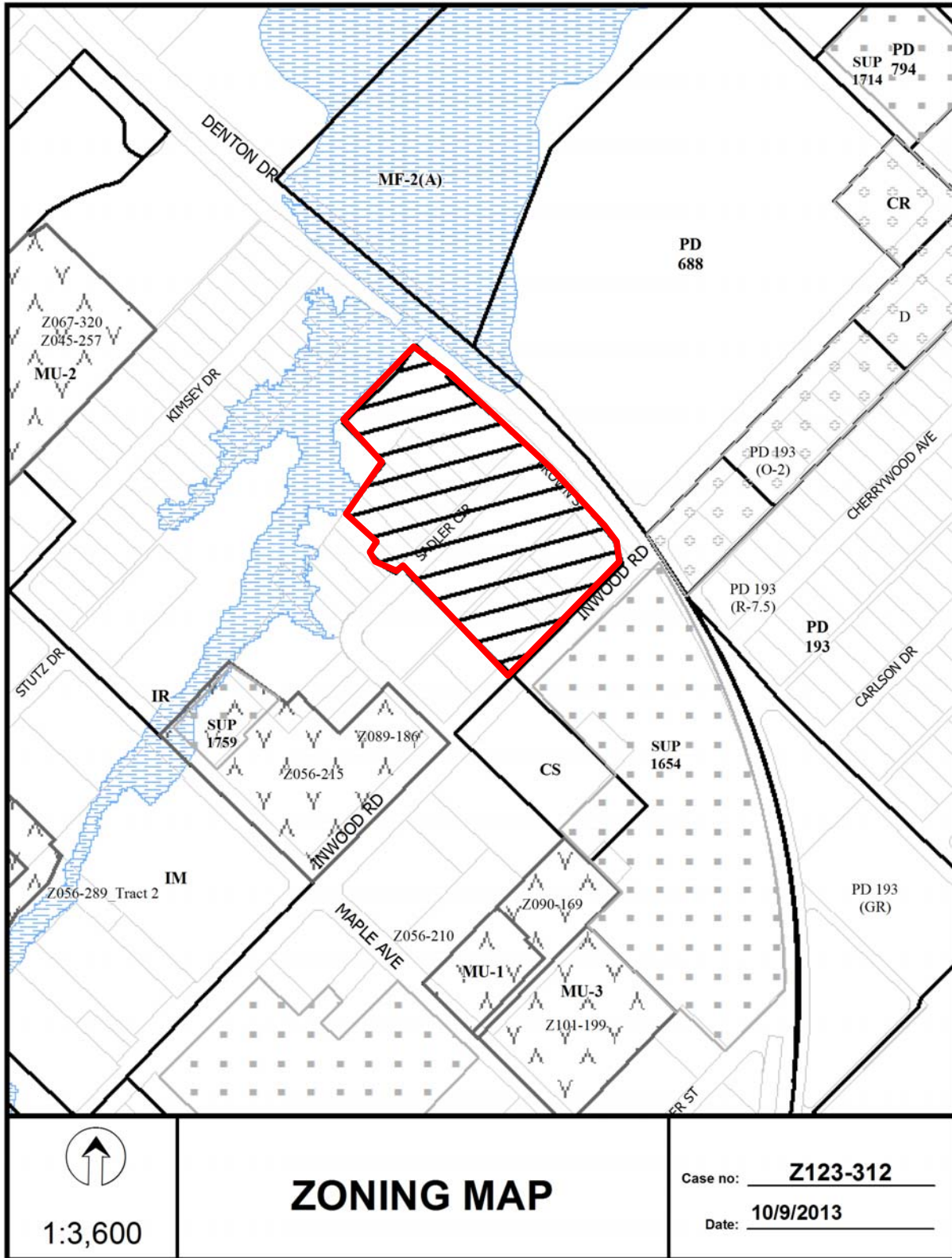
REQUEST: An application for a waiver of the two-year waiting period to submit a request to amend or remove the Shopfront Overlay on property located on the west corner of Inwood Road and Denton Drive.

SUMMARY: Upon the City Plan Commission’s recommendation, City Council approved Zoning Case Z123-312(MW) on December 11, 2013 to rezone an IR Industrial Research District to WMU-8 Walkable Mixed Use District with a Shopfront Overlay.

The representative indicates the future owner seeks to remove, relocate, or propose alternative requirements in lieu of the shopfront overlay.

According to Section 51A-4.701(d) of the Dallas Development Code, a new zoning application on this property cannot be filed prior to December 11, 2015 without a waiver of the two-year waiting period. Per the code, “The commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing.” Other than ownership, there are no circumstances regarding the property that have changed since this zoning case was approved.

Staff Recommendation: Denial



W145-004

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z-123-312 (this was the previous number from 2013)

Location 2711, 2715, 2719, and 2727 Inwood Road. Located at the southwest corner of Inwood Road and Denton Drive.

Date of last CPC or CC Action December 11, 2013

Applicant's Name, Address & Phone Number FF Realty II LLC

7301 N. State Highway 161, Suite 260, Irving, Texas 75039 - 214-574-1755

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

Corrigan Investment Partners, LP

7501 Inwood Road, Dallas, Texas 75209

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

An ordinance was previously approved to change the zoning from IR Industrial Research District to WMU-8 Walkable Mixed Used District with a Shopfront Overlay. The Applicant, the future owner of the property, is seeking to modify, which may include removing, relocating, or proposing alternative requirements in lieu of the shopfront overlay.

(see attached authorization letter)
Applicant's Signature

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

RECEIVED
JAN 26 2015
By Current Planning
Date Received
Fee: \$300.00

FILE NUMBER: W145-005

DATE FILED: January 27, 2015

LOCATION: Generally located east of the Dallas North Tollway, south of Southern Boulevard, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway)

COUNCIL DISTRICT: 11

MAPSCO: 15-K, 15-J, 14-M, 15-N, 15-P, 14-R

SIZE OF REQUEST: Approx. 430 acres

CENSUS TRACTS: 136.15, 136.16 and 136.26

MISCELLANEOUS DOCKET ITEM:

APPLICANT/OWNER: Jeffrey Beck

REPRESENTATIVE: Jeffrey Beck

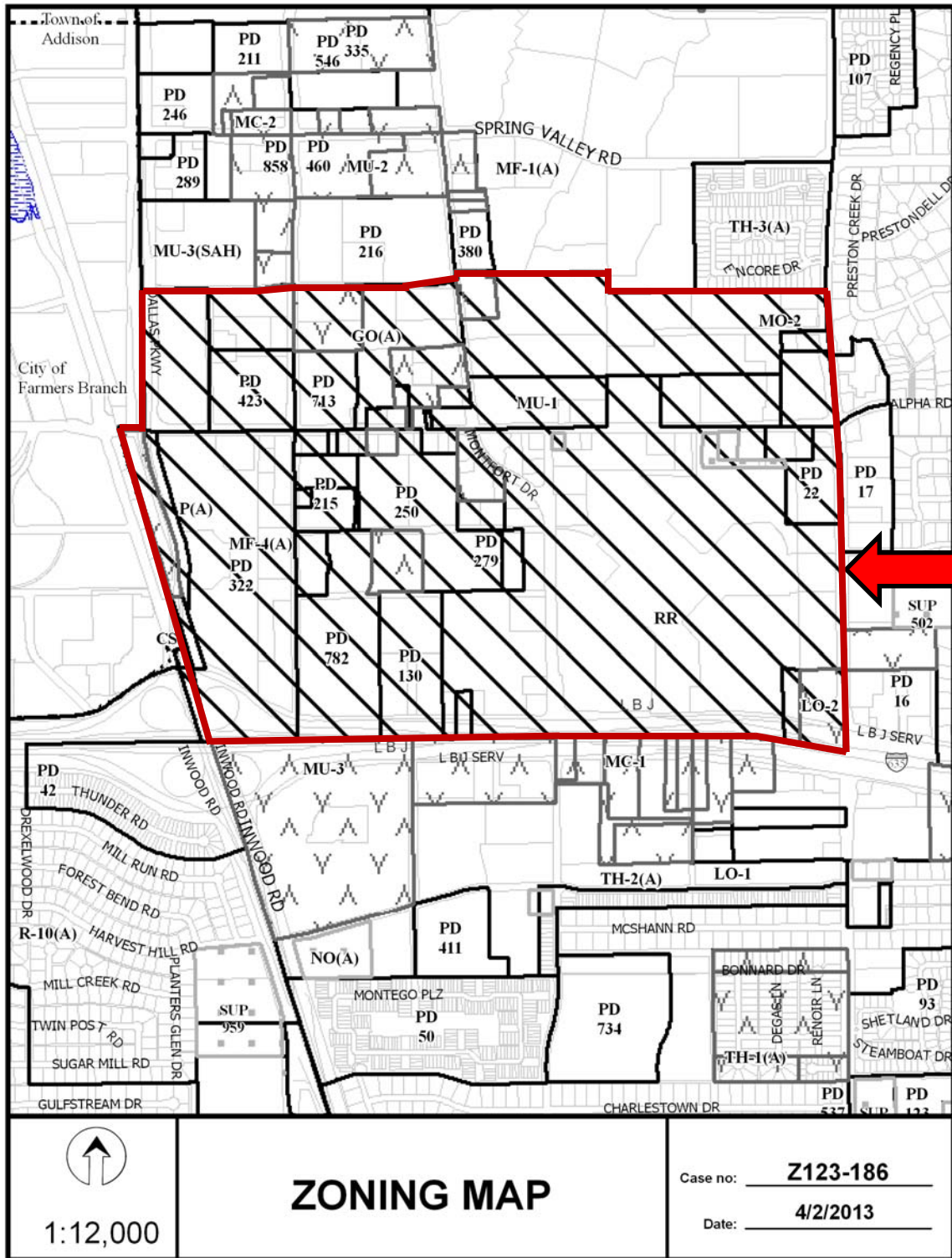
REQUEST: An application for a waiver of the two-year waiting period to amend and create a new subdistrict in Planned Development District No. 887 generally located east of the Dallas North Tollway, south of Southern Boulevard, west of Preston Road, and north of Interstate Highway 635 (LBJ Freeway).

SUMMARY: Upon the City Plan Commission’s recommendation, City Council approved Zoning Case Z123-186(GC) on June 12, 2013 to create Planned Development District (PDD) 887.

The applicant indicated an amendment was needed to create a new subdistrict within the request area to accommodate modifications to the previously adopted street cross sections and setbacks.

According to Section 51A-4.701(d) of the Dallas Development Code, a new zoning application on this property cannot be filed prior to June 12, 2015 without a waiver of the two-year waiting period. Per the code, “The commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing.” There are no changed circumstances since approval in 2013 that would warrant a waiver for a new hearing at this time.

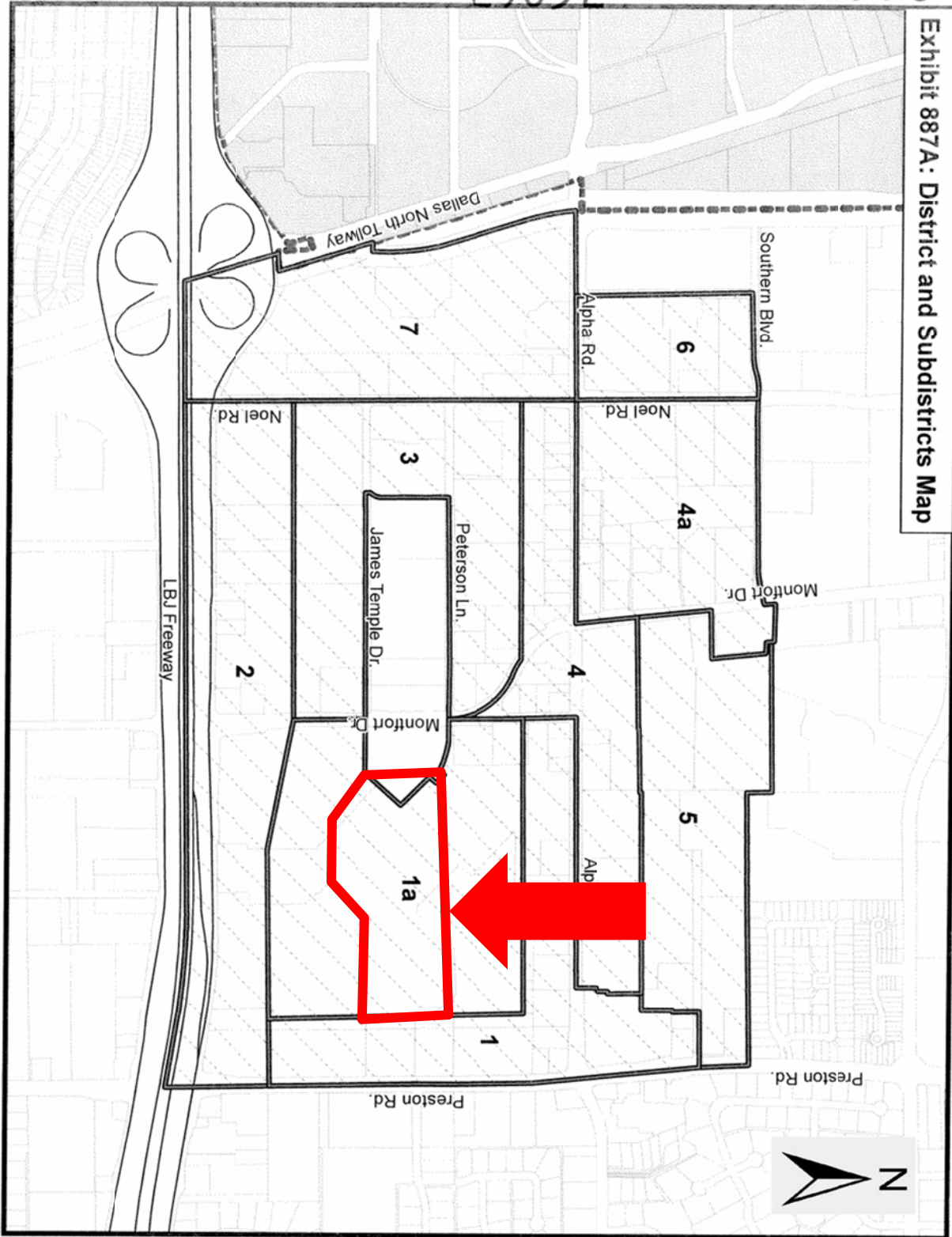
Staff Recommendation: Denial



29032

131003

Exhibit 887A: District and Subdistricts Map



W145-005

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z123-186

Location Area generally bounded by I-635, Preston, Alpha, and Montfort

Date of last CPC or CC Action May 22, 2013

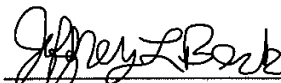
Applicant's Name, Address & Phone Number Jeffrey Beck
12222 Merit Drive, Suite 120, Dallas, Texas 75251, 469-828-4277

Property Owner's Name, Address and Phone No., if different from above
Jeffrey Beck
12222 Merit Drive, Suite 120
Dallas, Texas 75251
469-828-4277

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

Since the zoning has been approved, the applicant is proceeding with the first development that will be a catalyst for future development. The applicant is requesting changes to setbacks and street design standards to better alignment with the proposed development and intent of the zoning.


Applicant's Signature


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

Date Received
Fee: **\$300.00**

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

FILE NUMBER: 1412041021

DATE FILED: December 4, 2014

LOCATION: 1910 Pacific Avenue, East elevation

SIZE OF REQUEST: 371 sq. ft.

COUNCIL DISTRICT: 14

ZONING: Downtown SPSP

MAPSCO: 45-L

APPLICANT: Russell Byrum

CONTRACTOR: Russell Byrum Signs

OWNER/TENANT: Texas A&M University Center

REQUEST: An application for a Certificate of Appropriateness for a 371 square-foot attached middle-level flat attached premise sign.

SUMMARY: The applicant will construct a mid-level attached illuminated sign that will read, "Texas A&M University Commerce – Universities Center at Dallas", east elevation (Elm Street).

SSDAC RECOMMENDATION: Approval

STAFF RECOMMENDATION: Approval

BACKGROUND:

- The applicant proposes to erect a permanent mid-level flat attached sign on the east façade of property located at 1910 Pacific Avenue in the Downtown Special Provision Sign District (PD No. 619 - Subdistricts A, B, C).
- On January 13, 2015, the SSDAC approved the revised request for a 371 sq. ft. mid-level flat attached sign.
- A rigid sign face will be attached to an existing building surrounding window frames by evenly spacing fasteners over the area of the sign face (attach to structural wall material not brick veneer). The flex face cabinet will be illuminated with white LED lighting.
- Construction of the middle level attached sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per **SEC. 51A-7.911. ATTACHED PREMISE SIGNS:**

(2) Middle level flat attached signs.

- (A) Each middle level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches.
- (B) Middle level flat attached signs must be wholly or partially located within the middle level sign area.
- (C) The maximum effective area for a middle level flat attached sign is 500 square feet.
- (D) Middle level flat attached signs may only display the names or symbols or a combination thereof representing tenants occupying one or more full floors or 20,000 square feet or more of leasable building area, whichever is greater.
- (E) Middle level flat attached signs are only permitted on buildings with 10 or more stories.
- (F) One middle level flat attached sign is permitted for every 100 feet of building height or portion thereof, up to a maximum of three signs, per façade.
- (G) Middle level flat attached signs must have a vertical separation of 75 feet from any other flat attached sign on the same facade in the lower, middle, or upper level sign area.

SSDAC Action:
(January 13, 2015)

Motion: It was moved to approval a 371 square foot middle-level flat attached premise sign at 1910 Pacific Avenue, east façade.

Maker: Peadon
Second: Van Dermark
Result: Carried: 5 to 0

For: 5 – Bauer, Gomez, Van Dermark, Peadon, Phiffer

Against: 0
Absent: 0
Conflict: 0

Speaker(s):

1. Jason Pool (Russell Byrum Signs)
2. Lyle Burgin (Brook Partners)
3. Berri O'Neal (TX A&M - Commerce)
4. Russell Byrum (Russell Byrum Signs)

SSDAC Action:
(December 9, 2015)

Motion: It was moved to hold under advisement until January 13, 2015.

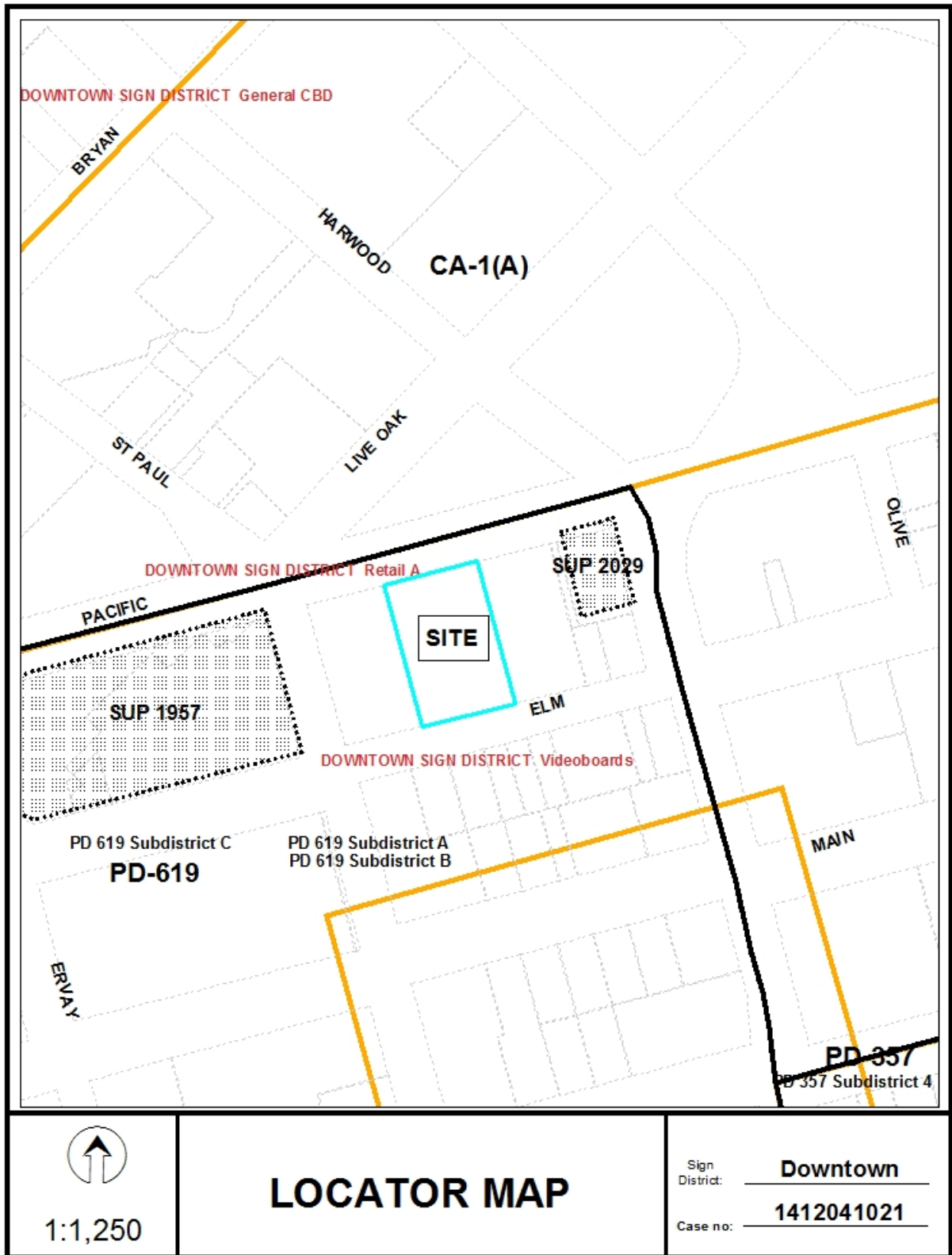
Maker: Peadon
Second: Van Dermark
Result: Carried: 5 to 0

For: 5 – Bauer, Gomez, Van Dermark, Peadon, Phiffer

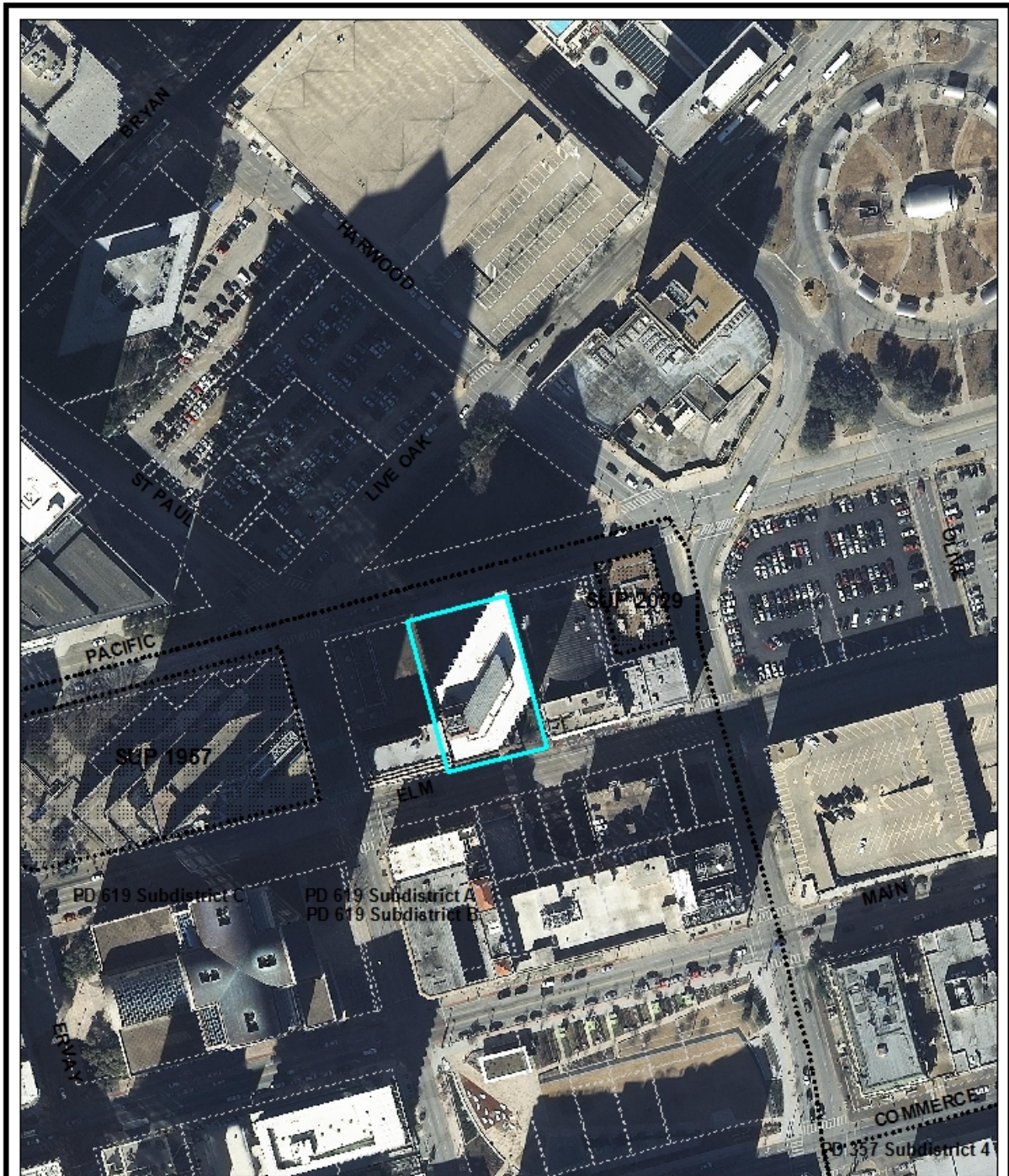
Against: 0
Absent: 0
Conflict: 0


Speaker(s):

1. Jason Pool (Russell Byrum Signs)
2. Russell Byrum (Russell Byrum Signs)
3. Mark Dowdle (Boxer Property)
4. Lyle Burgin (Brook Partners)
5. Berri O'Neal (TX A&M - Commerce)

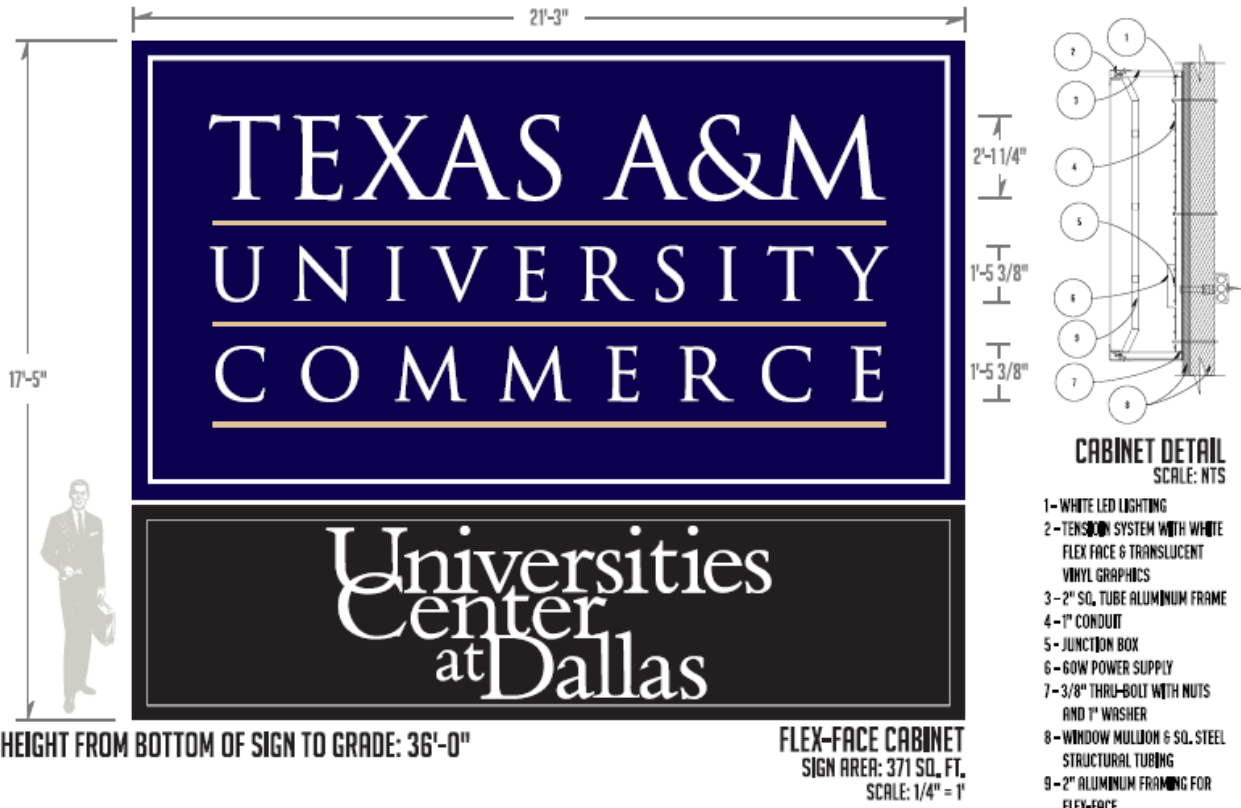


Date: December 4, 2014



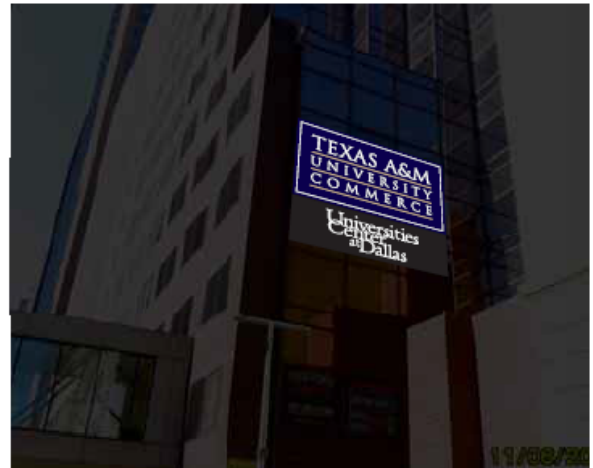
| | | |
|------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------------------------|
|  1:1,250 | <h1>AERIAL MAP</h1> | Sign District: <u>Downtown</u> Case no: <u>1412041021</u> |
|------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------------------------|

Date: December 4, 2014



EAST ELEVATION: 250'-0" X 225'-0"

DAY VIEW



NIGHT VIEW



| | | | |
|------------|-------------------------------|--------------|-----|
| DATE: | 12/22/2014 | PREPARED BY: | JKP |
| CLIENT: | TEXAS A&M COMMERCE | | |
| PROJECT: | WALL SIGN | | |
| LOCATION: | 1910 PACIFIC AVE., DALLAS, TX | | |
| FILE NAME: | TA1910D-COMP-WALLSIGNS05.AI | | |

*REPRODUCTION IN WHOLE OR IN PART IS PROHIBITED WITHOUT PERMISSION FROM RUSSELL BYRUM SIGNS.

1006 JOHNSON LANE, MIDLOTHIAN, TX 76065 • WWW.RBSIGNS.NET

NOTE: IF ELECTRICAL SERVICE IS REQUIRED, IT WILL BE UP TO YOU THE CUSTOMER TO PROVIDE A 120 VOLT PRIMARY, INCLUDING GROUND WIRING DIRECTLY FROM PANEL BOX, WITHIN SIX (6) FEET OF SIGNAGE. ALL INSTALLATION IS TO MEET N.E.C. CODE.

BEFORE APPROVING:

PLEASE VERIFY ALL SIZES & SPECS CONTAINED IN THIS DRAWING, COLORS WILL VARY FROM MONITORS TO PRINTS, EXACT COLOR SAMPLES ARE AVAILABLE ON YOUR REQUEST. THERE MAY BE A FEE INVOLVED. BY APPROVING THIS ARTWORK YOU ARE AGREEING THAT RUSSELL BYRUM SIGNS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MAY BE CONTAINED IN THIS DRAWING OR CHANGES MADE OUTSIDE THIS APPROVAL. IT IS YOUR RESPONSIBILITY TO GET LANDLORD APPROVAL.

- APPROVED AS IS - APPROVED W/ NOTES - DENIED, PLEASE REVISE

CLIENT SIGNATURE _____ CLIENT PRINT _____ DATE _____

LANDLORD SIGNATURE _____ LANDLORD PRINT _____ DATE _____

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>CALC: Minimum Fasteners for [371 sq.ft.] Sign Area</p> <p>IMPORTANT: Use more fasteners if the sign needs it! Shape and strength of sign may require more fasteners. Example: "T" may need 2 fasteners, "J", "3", "H", "4", "W", "5", and 1/8" plastic sign may need more than one fastener per 20 sq ft. Follow sign manufacturer's instructions and code requirements for placement of fasteners. At least put one in each corner top and bottom.</p> | | <p>engineer@mysignengineering.com</p> <p>2012 INTERNATIONAL ref ASCE7-10, local 30psf ASD</p> <p>BUILDING CODE</p> <p>II, Normal hazard to human life, III, Substantial hazard to human life, IV, Essential, emergency, critical</p> <p>115 Wind Speed, mph, from ASCE7-10, Fig.26.5-1A, Risk II; or Fig.26.5-1B, Risk III&IV</p> <p>C Wind Exposure D, Unobstructed area upwind</p> <p>60 Sign Height Sign Height Above Ground, ft, H; Sign cannot be higher than top of wall or 60'</p> <p>371 Sign Area Gross Sign Area, sq.ft., means the overall area surrounding and including all sign letters and logos.</p> <p>WIND LOAD CALC.: ASCE 7-10, Section 29.4.2, "Solid Attached Signs" C & C wind pressure on solid sign attached flat against wall or parallel to wall, <math>C_{pe}</math> from surface and <math>C_{pi}</math> from edge, equals wall wind pressure from ASCE7-10, Section 30.4.</p> <p>11130 lb Wind Suction Force on Sign; $F = P_{sd}$; Gross Sign Area</p> <p>20 psf Wind Pressure; $P_{sd} = 0.0256 \sqrt{Kz} V^2 K_{dir} K_{cf} V_{ref}^2$; ASCE7-10, Eq.30.4-1</p> <p>86 mph Wind Speed; $V_{sd} = \sqrt{1.49 P_{sd} / Kz}$; for allowable stress design</p> <p>1.14 V P Ex Coeff; $Kz = 2.01^{(1+2z/35)} (0.95)^{2.5} E_{top}$; (700&11.5)ExpD, ASCE7-10, Table 30.3-1</p> <p>-1.8 External Pressure Coeff; $GCP = -1.8$, wall Zone 5, flat area, ASCE7-10, Fig.30.4-1</p> <p>0.85 Wind Directionality Factor; $Kd = .85$ for attached signs, ASCE7-10, Table 26.6-1</p> <p>0.0 Internal Pressure Coeff; $Cpi = 0$ solid sign flat against wall, ASCE7-10, Sec.29.4.2</p> <p>1.0 Topographic Factor; $Kt = 1$ for flat ground, no hills, ridges, or escarpment >15' high</p> <p>10 psf Sign Weight, must be less than stated pounds per sq.ft.</p> | |
| <p>Min. Number of Fasteners</p> <p>23 3/8" Thru Bolt</p> <p>Wall Structure</p> <p>Structural Wall</p> <p>Allowable Tension</p> <p>500 lb</p> <p>Drill hole thru structural wall (W10x45). Install nut and washer on back of wall.</p> | | <p>2012 INTERNATIONAL BUILDING CODE</p> <p>II, Normal hazard to human life, III, Substantial hazard to human life, IV, Essential, emergency, critical</p> <p>115 Wind Speed, mph, from ASCE7-10, Fig.26.5-1A, Risk II; or Fig.26.5-1B, Risk III&IV</p> <p>C Wind Exposure D, Unobstructed area upwind</p> <p>60 Sign Height Sign Height Above Ground, ft, H; Sign cannot be higher than top of wall or 60'</p> <p>371 Sign Area Gross Sign Area, sq.ft., means the overall area surrounding and including all sign letters and logos.</p> <p>WIND LOAD CALC.: ASCE 7-10, Section 29.4.2, "Solid Attached Signs" C & C wind pressure on solid sign attached flat against wall or parallel to wall, <math>C_{pe}</math> from surface and <math>C_{pi}</math> from edge, equals wall wind pressure from ASCE7-10, Section 30.4.</p> <p>11130 lb Wind Suction Force on Sign; $F = P_{sd}$; Gross Sign Area</p> <p>20 psf Wind Pressure; $P_{sd} = 0.0256 \sqrt{Kz} V^2 K_{dir} K_{cf} V_{ref}^2$; ASCE7-10, Eq.30.4-1</p> <p>86 mph Wind Speed; $V_{sd} = \sqrt{1.49 P_{sd} / Kz}$; for allowable stress design</p> <p>1.14 V P Ex Coeff; $Kz = 2.01^{(1+2z/35)} (0.95)^{2.5} E_{top}$; (700&11.5)ExpD, ASCE7-10, Table 30.3-1</p> <p>-1.8 External Pressure Coeff; $GCP = -1.8$, wall Zone 5, flat area, ASCE7-10, Fig.30.4-1</p> <p>0.85 Wind Directionality Factor; $Kd = .85$ for attached signs, ASCE7-10, Table 26.6-1</p> <p>0.0 Internal Pressure Coeff; $Cpi = 0$ solid sign flat against wall, ASCE7-10, Sec.29.4.2</p> <p>1.0 Topographic Factor; $Kt = 1$ for flat ground, no hills, ridges, or escarpment >15' high</p> <p>10 psf Sign Weight, must be less than stated pounds per sq.ft.</p> | |
| <p>Attachment Section</p> <p>not to scale</p> | | <p>MARK DISOSWAY, PE 183 SW Midtown Pl, Ste 103 Lake City, Florida 32025 386-764-5418 TXPE102516Firm12568</p> <p>1/8/2015 This seal for structural engineering per scope of work (No. of fasteners only)</p> <p>SCORE OF WORK Engineering sheet is calculation of minimum fasteners required to attach sign to wall and resist stated loads. This seal is for attachment only. Sign and wall structure are not responsibility of this engineer and are not known at time of this seal. Content fasteners may be shown for various wall types. By using engineering sheet sign owner, manufacturer, and installer agree to: Select fastener from table based on wall structure. Locate fasteners per mfg sign mfg, mt. Make sure sign and walls meet building code, sign code, and UL. Verify stated wind speed, risk expo, topol, sign (size, area, location on wall, weight), and wall (materials and construction)</p> <p>RUSSELL BYRUM SIGNS</p> <p>JOB 141050</p> <p>FLUSH WALL SIGN</p> <p>TEXAS A&M University Commerce 1910 Pacific, Dallas, TX Valid for one sign at this location.</p> | |
| <p>371 SQ. FT.</p> | | <p>371 SQ. FT.</p> | |
| <p>Attach [371 sq.ft.] sign to [Structural Wall] with [23] - [3/8" Thru Bolt]. IMPORTANT: Use more fasteners if the sign needs it!</p> | | <p>371 SQ. FT.</p> | |

FILE NUMBER: Z112-316(CE)

DATE FILED: September 5, 2012

LOCATION: Northwest corner of Cleveland Road and Bonnie View Road

COUNCIL DISTRICT: 8

MAPSCO: 76-G

SIZE OF REQUEST: Approx. 2.4 acres

CENSUS TRACT: 167.03

**REPRESENTATIVE /
APPLICANT / OWNER:** Andre Mitchell

REQUEST: An application for a Specific Use Permit for a child-care facility on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to operate a child-care facility on the property. The site is currently developed with two structures and a playground area. These structures are being converted from residential uses. One structure is approximately 5,912 square feet and the other 1,185 square feet. Both structures will be utilized as a child-care facility, which requires a Specific Use Permit.

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

PRIOR CPC ACTION: On January 22, 2015, the City Plan Commission held this item under advisement to give the applicant additional time to meet with the commissioner.

GUIDING CRITERIA FOR RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The proposed use will be compatible with surrounding agricultural and residential uses. The applicant intends to use the site as a business and not a residence.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed child-care facility provides a service to the southernmost area of Dallas.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed request to allow a child-care facility will not be a detriment to the public health, safety, or welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request complies with all applicable zoning regulations and standards. No variances or special exceptions have been requested.

Zoning History:

Z134-329 A request for a zoning change from Agricultural A(A) District to Light Industrial (LI) District located a quarter-mile south of the request site at Bonnie View Road and Telephone Road. On October 23, 2014, the City Plan Commission held this item under advisement indefinitely to give the applicant additional time to discuss his proposed land uses with staff.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|----------------------------|----------------|---------------------|
| Bonnie View Road | Major Arterial | 100 feet |
| Cleveland Road | Minor Arterial | 50 feet |

Traffic:

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

The expected number of trips generated by the proposed use is 563 trips per day according to the trip rate for a day care use at the proposed floor area. A Traffic Impact Study is only required for proposals that generate more than 1,000 trips per day unless a waiver is issued.

Infrastructure improvements along Bonnie View Road, south of Interstate 20, include water transmission lines, median addition, and upgrading of asphalt road to concrete. The water transmission lines, approximately eight feet in diameter, will carry treated water from east Dallas out of the city to Lancaster, Cedar Hill, and Grand Prairie. The current two-lane Bonnie View Road is being converted to a four-lane, divided with potential for six-lane divided if capacity requires it in the future. The improvements have a planned completion date of summer 2015.

Surrounding Land Use:

| | Zoning | Land Use |
|--------------|---------------|-----------------------------------------------|
| Site | R-7.5(A) | Single family |
| North | R-7.5(A) | Single family |
| East | R-7.5(A), LI | Single family, Animal production, Undeveloped |
| South | A(A) | Undeveloped, single family |
| West | A(A) | Animal production |

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 Industrial Area.

Industrial Area Building Blocks are important employment centers for Dallas. They occupy large areas of land and are usually situated near significant roads and heavy rail lines. Technological changes in this employment sector and the need to move goods nationwide from a central location have combined to offer a significant number of jobs within these Industrial Areas. Dallas examples include Agile Port, parts of West Dallas along Interstate 30 and the Stemmons industrial area around Irving Boulevard.

Area Plan:

The site is located within the Agile Port Industrial Area Plan. Transportation infrastructure is in place near the Agile Port Industrial Area with I-45 and I-20, two of the state's most traveled truck routes, intersecting within the Agile Port boundaries. These roads are well-equipped to handle or could be easily modified to handle heavy truck traffic. The four components that impact the flow of truck traffic – pavement conditions, physical features of the roads, quality of rail crossings and traffic features (such as height of underpasses)—all favor efficient operations at the Agile Port.

A critical advantage for the Agile Port area is that more than 2,400 acres of industrial-zoned land is available within the site and another 3,200 acres of vacant land is within a one-mile radius. Much of the land has railroad frontage. While some want this Southern Sector area reserved for residential and commercial uses, doing so would limit the Agile Port Industrial Area's economic benefits to Dallas and the region and would curb the city's ability to accommodate a range of industrial development. Land also needs to be reserved to transition between industrial, commercial and residential uses.

The Agile Port area will be primarily a mix of low- and medium-density industrial buildings, including logistics and warehousing operations. Since these are not places for shopping, living or entertainment, urban design will not play a critical role. These industrial yards and campuses typically have a large amount of surface parking and are reached mostly by car or truck. Supporting services should be available nearby. Because the Agile Port would handle international shipments, some administrative offices will be necessary for customs, legal affairs and other handling requirements.

The applicant's request to operate a child-care facility use is not a primary function of the Agile Port Industrial Area Plan, but does serve as a supporting service for jobs and skilled labor anticipated to increase in the area. The proximity of the request site to these areas makes the request in conformance with the area plan. However, it should be noted that as the surrounding area transitions in the future, this Specific Use Permit may need to be revisited to ensure continued compatibility.

Land Use Compatibility:

The approximately 2.4-acre request site is zoned an R-7.5(A) Single Family District and is currently developed with two structures. The applicant is proposing to operate a child-care facility on the property, which requires a Specific Use Permit under the existing zoning. The surrounding land use to the north is single family; to the east is animal production, single family and undeveloped, to the south is single family and undeveloped, to the west is animal production.

Development Standards:

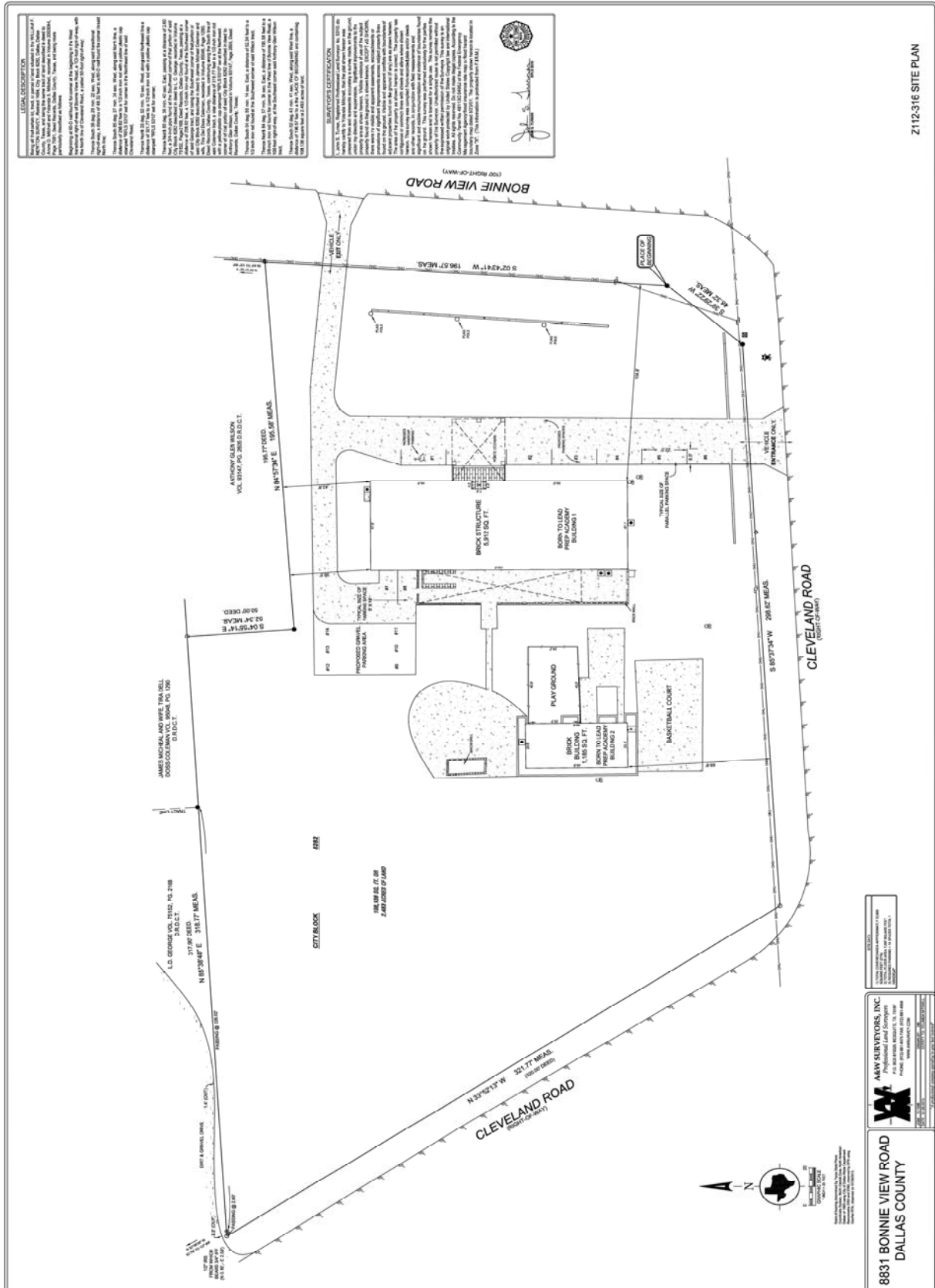
| DISTRICT | SETBACKS | | Density FAR | Height | Lot Coverage | Special Standards | Primary Uses |
|---------------------------------------|----------|-----------|-------------|--------|--------------|-------------------|-----------------------------|
| | Front | Side/Rear | | | | | |
| R-7.5(A) Single Family | 25' | 5' | N/A | 30' | 45% | None | |
| R-7.5(A) Nonresidential structures | 25' | 10/15' | N/A | 30' | 25% | | Uses other than residential |

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.

Draft SUP conditions
Z112-316

1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a three-year period and is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A, "Part II of the Dallas Development Code," 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.)
4. MAXIMUM FLOOR AREA: The maximum floor area is 7,097 square feet.
5. HOURS OF OPERATION: The hours of operation are limited to the hours between 6:00 a.m. and 6:00 p.m., Monday through Friday.
6. INGRESS AND EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress and egress is permitted.
- .
8. OFF-STREET PARKING: Fourteen off-street parking spaces must be provided in the location shown on the attached site plan.
9. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



LOCAL DESCRIPTION
 The site is located in the City of Dallas, Texas, within the City of Dallas ISD. The site is bounded by Bonnie View Road to the north, Cleveland Road to the east, and a city block to the west. The site is currently vacant and is being prepared for the construction of a brick to lead prep academy building. The site is located in the City of Dallas, Texas, within the City of Dallas ISD. The site is bounded by Bonnie View Road to the north, Cleveland Road to the east, and a city block to the west. The site is currently vacant and is being prepared for the construction of a brick to lead prep academy building.

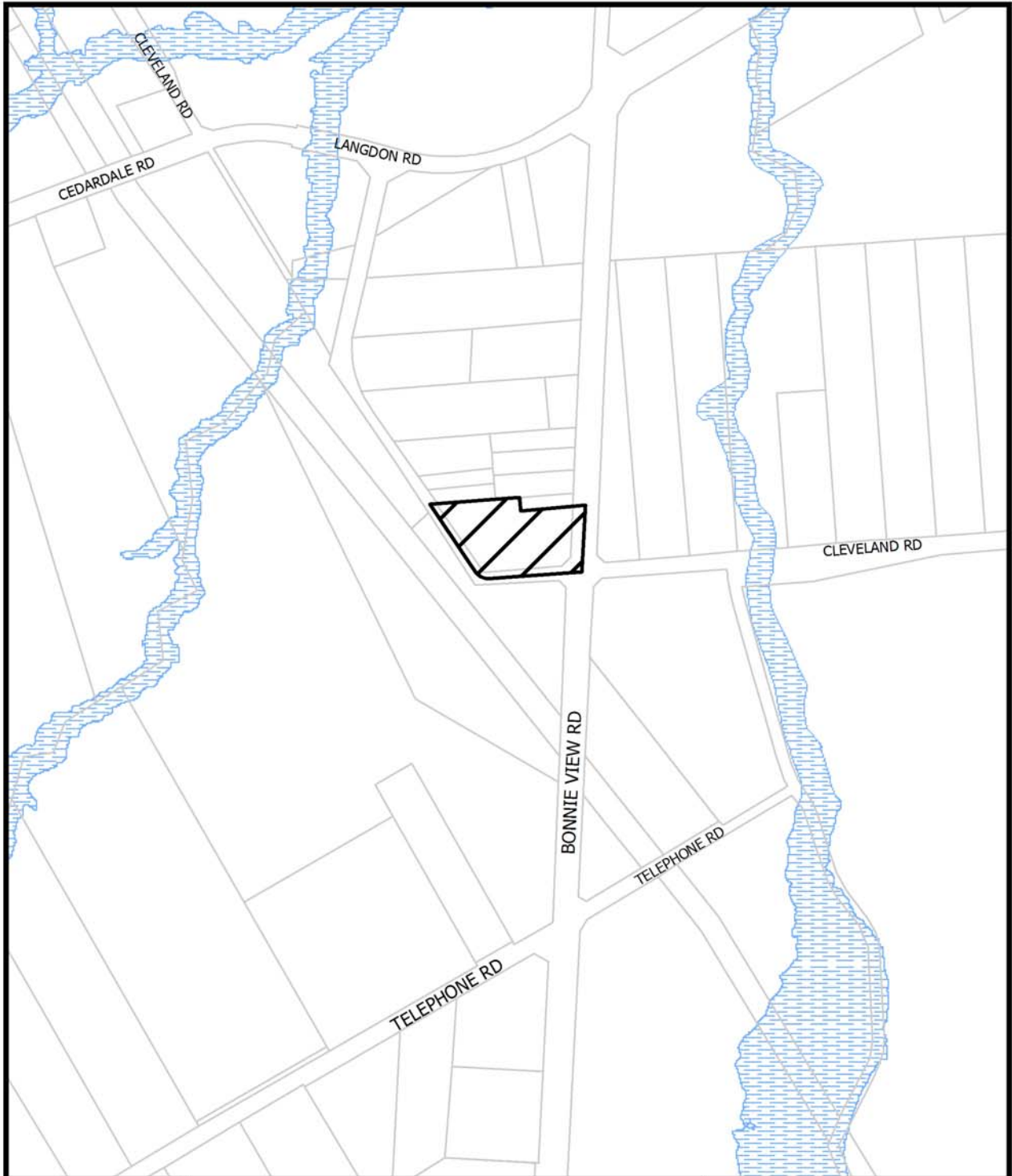
SUBJECT'S CERTIFICATION
 I, the undersigned, being a duly licensed Professional Land Surveyor in the State of Texas, do hereby certify that I am the author of the foregoing plat and that it is a true and correct copy of the original as the same appears in my files. My commission expires on 08/31/2024. My office is located at 1111 North Stemmons Freeway, Suite 1000, Dallas, Texas 75207. My registration number is 11111. My signature is on file with the State of Texas. My seal is on file with the State of Texas. My office is located at 1111 North Stemmons Freeway, Suite 1000, Dallas, Texas 75207. My registration number is 11111. My signature is on file with the State of Texas. My seal is on file with the State of Texas.

8831 BONNIE VIEW ROAD
DALLAS COUNTY

AAW SURVEYORS, INC.
 Professional Land Surveyors
 1111 North Stemmons Freeway, Suite 1000
 Dallas, Texas 75207
 Phone: (214) 343-1111
 Fax: (214) 343-1112
 www.aaw-surveyors.com

DATE: 08/15/2024
PROJECT: 8831 BONNIE VIEW ROAD
SCALE: AS SHOWN
BY: J. D. [Signature]

Z112-316 SITE PLAN



1:6,000

VICINITY MAP

Case no: Z112-316

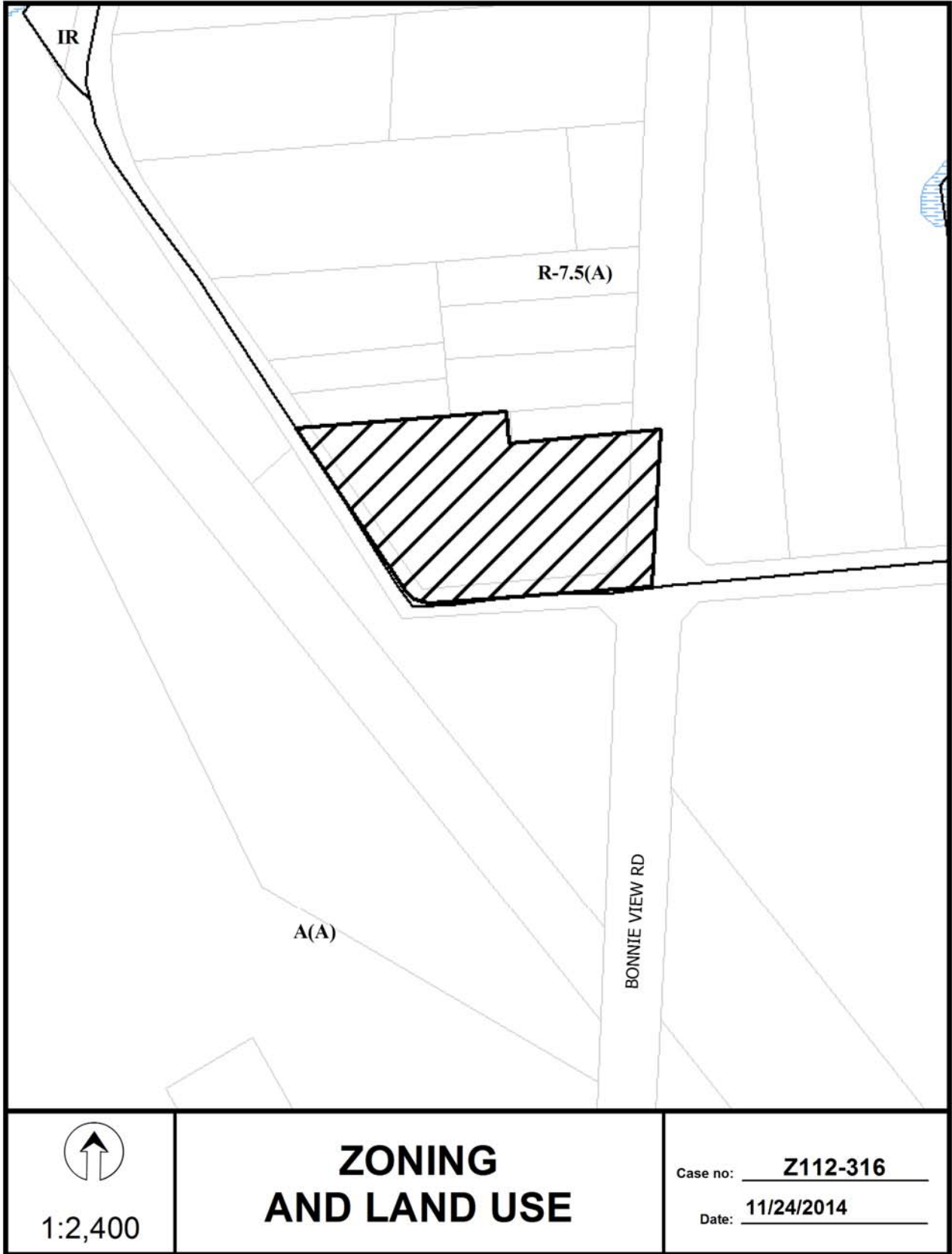
Date: 11/24/2014

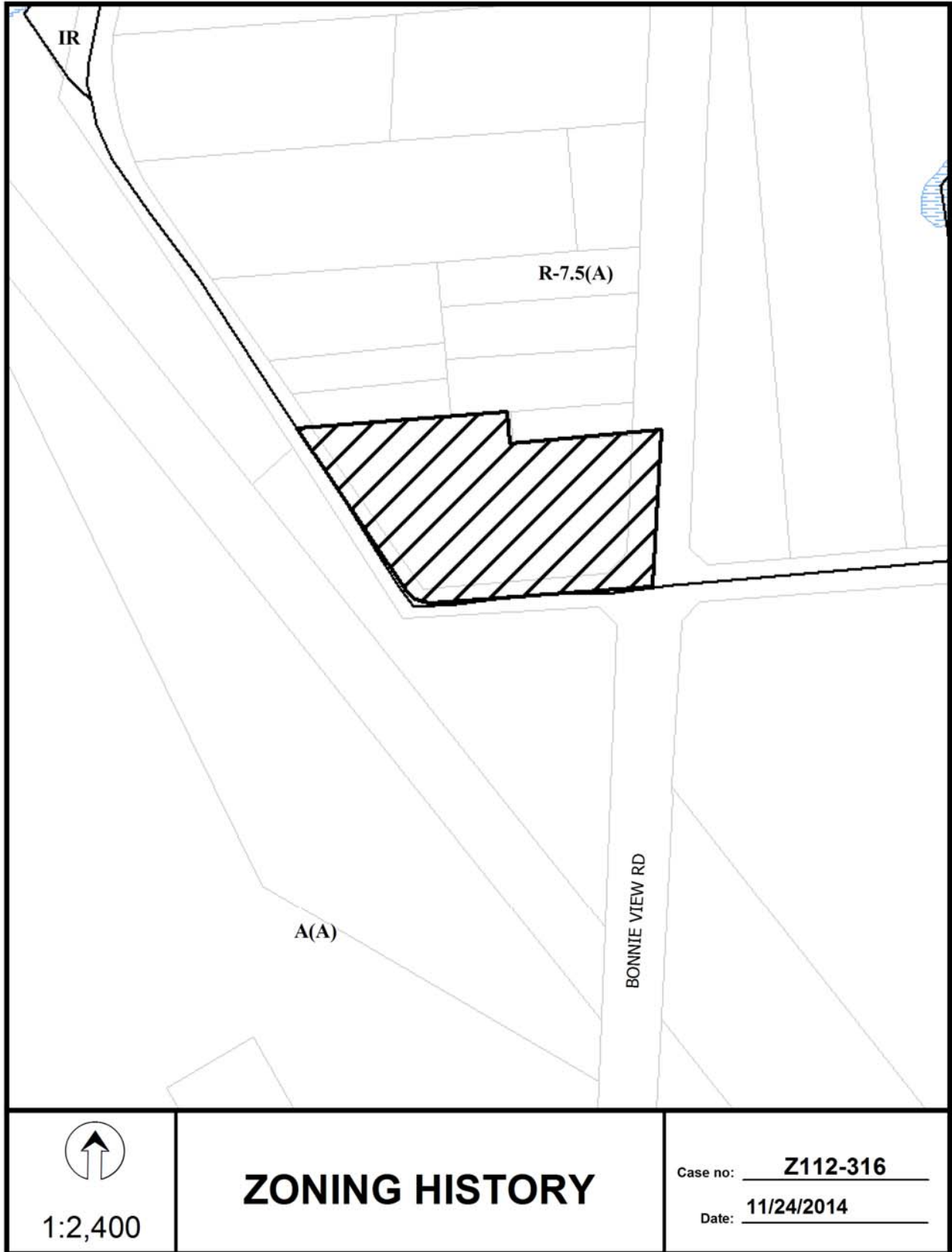


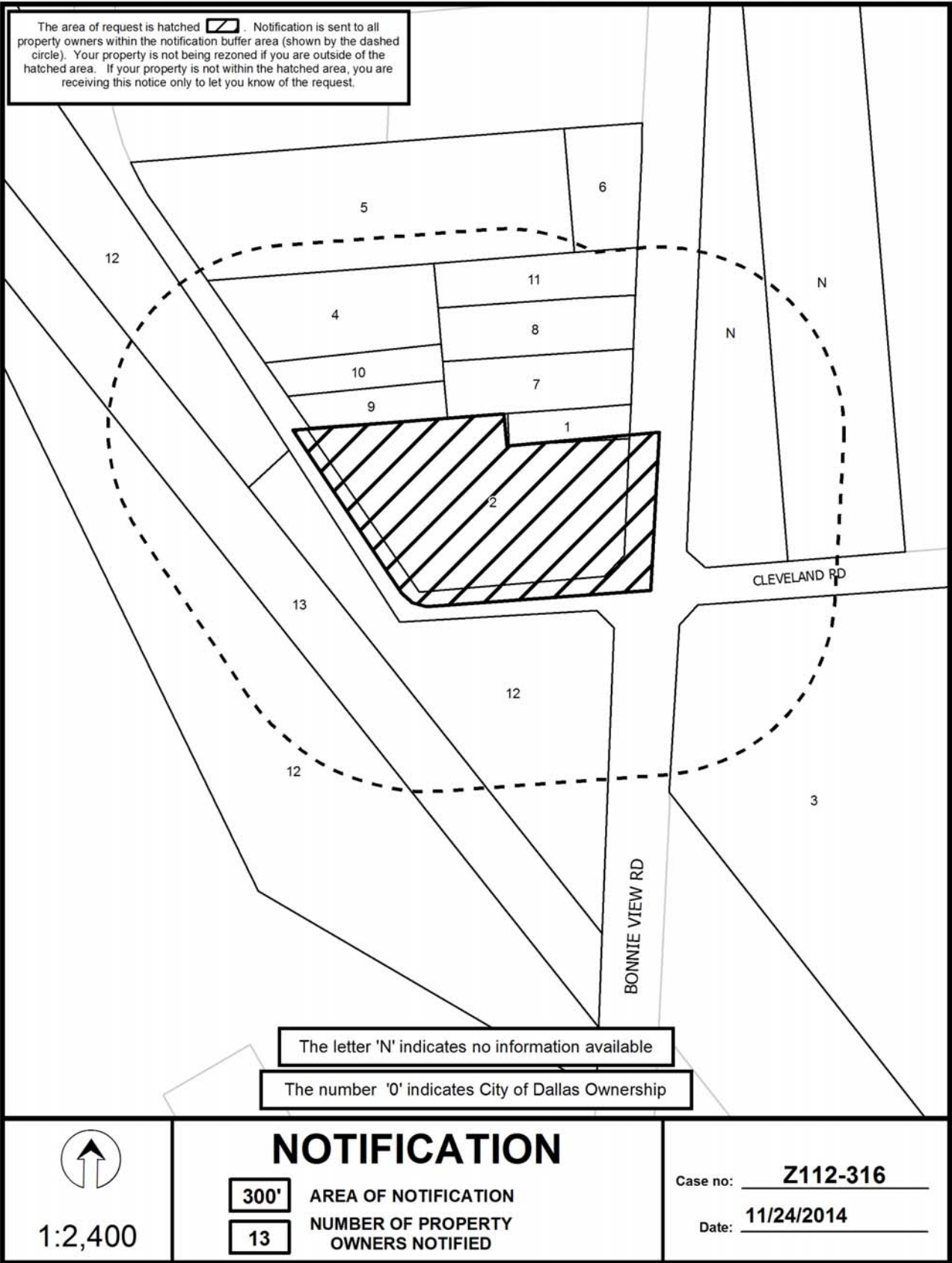

1:2,400

AERIAL MAP

Case no: Z112-316
Date: 11/24/2014







11/24/2014

Notification List of Property Owners

Z112-316

13 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|---------------------------|
| 1 | 8829 BONNIE VIEW RD | GUEVARA FIDEL |
| 2 | 8831 BONNIE VIEW RD | MITCHELL ANDRE D & |
| 3 | 8900 BONNIE VIEW RD | LINICOMN VERNON |
| 4 | 4200 CLEVELAND RD | SADEGHIAN KHOSROW |
| 5 | 4101 CLEVELAND RD | ARNOLD RODNEY B |
| 6 | 8741 BONNIE VIEW RD | MARTINEZ DANIEL ARGUETA & |
| 7 | 8825 BONNIE VIEW RD | COLEMAN JAMES MICHEAL & |
| 8 | 8821 BONNIE VIEW RD | SALAZAR SAQUEO & PATRICIA |
| 9 | 4243 CLEVELAND RD | GEORGE L D |
| 10 | 4241 CLEVELAND RD | HARDMON ADDYS |
| 11 | 8817 BONNIE VIEW RD | BREWER STANLEY & |
| 12 | 4200 CLEVELAND RD | SKIEF CLEMMIE |
| 13 | 8901 BONNIE VIEW RD | TEXAS UTILITIES ELEC CO |

FILE NUMBER: Z134-188(LHS)

DATE FILED: March 3, 2014

LOCATION: Southwest corner of C.F. Hawn Freeway and Thelma Street

COUNCIL DISTRICT: 8

MAPSCO: 69-C

SIZE OF REQUEST: ±0.61 acre

CENSUS TRACT: 117.02

REPRESENTATIVE: Judy and Gary McMeekan

APPLICANT/OWNER: Regio Motors Auto Sales

REQUEST: An application for a Specific Use Permit for a vehicle display, sales, and service use on property zoned Tract 1, Subdistrict 2 in Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3.

SUMMARY: The applicant proposes to utilize the site, including the existing structure, for vehicle display, sales, and service. Additional floor area is not proposed by this application. The site is developed with a vacant ±1,700-square-foot structure. According to the certificate of occupancy issued on March 14, 2007, it was most recently utilized as a recording studio. When the initial application was submitted, there were no plans to improve the site. Since December, the applicant has is proposing improvements by bringing the site up to code with landscaping requirements and paving the vehicle display area. Staff believed this was necessary to help mitigate concerns with residential compatibility and the streetscape. Certain land uses may be acceptable during neighborhood transitions even though they may not fit the long-term vision for the area. Specific use permits are a valuable tool in these instances due to the ability to add conditions and time periods. Consequently, staff's recommendation has changed from denial to approval with a specified time period.

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

PRIOR CPC ACTION: On October 2, 2014, November 20, 2014, December 18, 2014, and January 22, 2015, the City Plan Commission held this item under advisement.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities:* The proposed vehicle display, sales, and service use is not typically a compatible use adjacent residential uses. However, a 10-foot landscape buffer with canopy trees and a 6-foot tall wood fence will help mitigate some of the concerns. In addition, the vehicle display area is along the frontage road.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties:* The Engineering Section has reviewed the requested amendment and determined that the surrounding roadway system can accommodate the additional number of trips that could be expected from this use. However, from a land use perspective, the addition of the proposed use could increase traffic on Thelma Street, the residential street from which the request site is accessed.
3. *Not a detriment to the public health, safety, or general welfare:* While perhaps not a detriment, the proposed vehicle display, sales, and service use will not enhance public health, safety, or general welfare. If approved, the vehicle display, sales, and service use must register with the Air Pollution Control Office of the City of Dallas.
4. *Conforms in all other respects to all applicable zoning regulations and standards:* Based on information depicted on the site plan, it complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

Surrounding Zoning History:

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

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|----------------------------|-------------|---------------------|
| CF Hawn Freeway | US Highway | Variable |
| Thelma Street | Local | 60 feet |

Traffic:

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

Surrounding Land Uses:

| | Zoning | Land Use |
|--------------|-----------------------|------------------------|
| North | PDD No. 535 | Undeveloped |
| East | PDD No. 535; R-7.5(A) | Auto repair |
| South | R-7.5(A) | Single family |
| West | R-7.5(A) | Manufactured home park |

STAFF ANALYSIS:

Comprehensive Plan:

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

The Plan identifies the request site as being within a *Commercial Center or Corridor* Building Block. These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor’s experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other “town center” features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

NEIGHBORHOOD ELEMENT

Goal 7.1: PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.2: Promote neighborhood-development compatibility.

The proposed use is not considered compatible with the surrounding residential neighborhood.

Land Use Compatibility:

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

The above factors were used as guidance for staff's recommendation. Furthermore, while the vehicle display, sales, and service use is plentiful along C.F. Hawn Freeway, many of these businesses appear to have existed prior to the creation of Planned Development District No. 535. The specific use permit requirement in PDD No. 535 allows for consideration of appropriateness on a site-by-site basis.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for the vehicle sales, display, and service use is one space per 500 square feet of floor area. Therefore, the ±1,700-square-foot building and ±4,300-square feet of display area require space 12 spaces, as depicted on the site plan.

Landscaping:

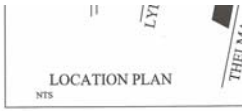
Due to the paving for the vehicle display area, the sidewalk and landscaping requirements in PDD 535 and Article X are triggered and included in the site/landscape plan.

Z134-188
Specific Use Permit Conditions

Note: Staff recommends denial of the requested Specific Use Permit for a vehicle display, sales, and service use. However, if the City Plan Commission does not follow staff's recommendation, the following conditions, which have been reviewed by the City Attorney's Office, are suggested.

1. USE: The only use authorized by this specific use permit is a vehicle display, sales, and service use.
2. SITE/LANDSCAPE PLAN: Use and development of the Property must comply with the attached site/landscape plan. Landscaping must comply with the attached site/landscape plan.
3. TIME LIMIT: This specific use permit expires_____ (five years).
4. AIR QUALITY: The vehicle display, sales, and service 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 9:00 a.m. and 9:00p.m., Monday through Saturday.
6. SIGNS: Signs must comply with Planned Development District No. 535. Except that no flags or pennants are permitted on the Property.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
11. 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



being a part of conveyed by Alfred ..., 1933, and ..., County, Texas,

in of the South- with the

g the Northwest 3 1/2 inch steel

stance of 99.69

stance of 249.16 the Southwest line a curve to the cond, a radius of 1th 60 degrees 58

C.F. Hawn INNING and

NG AN S.U.P. (16% INCREASE) DRIVEWAY

± (min. 2")

TREE

JB

5 SPACES

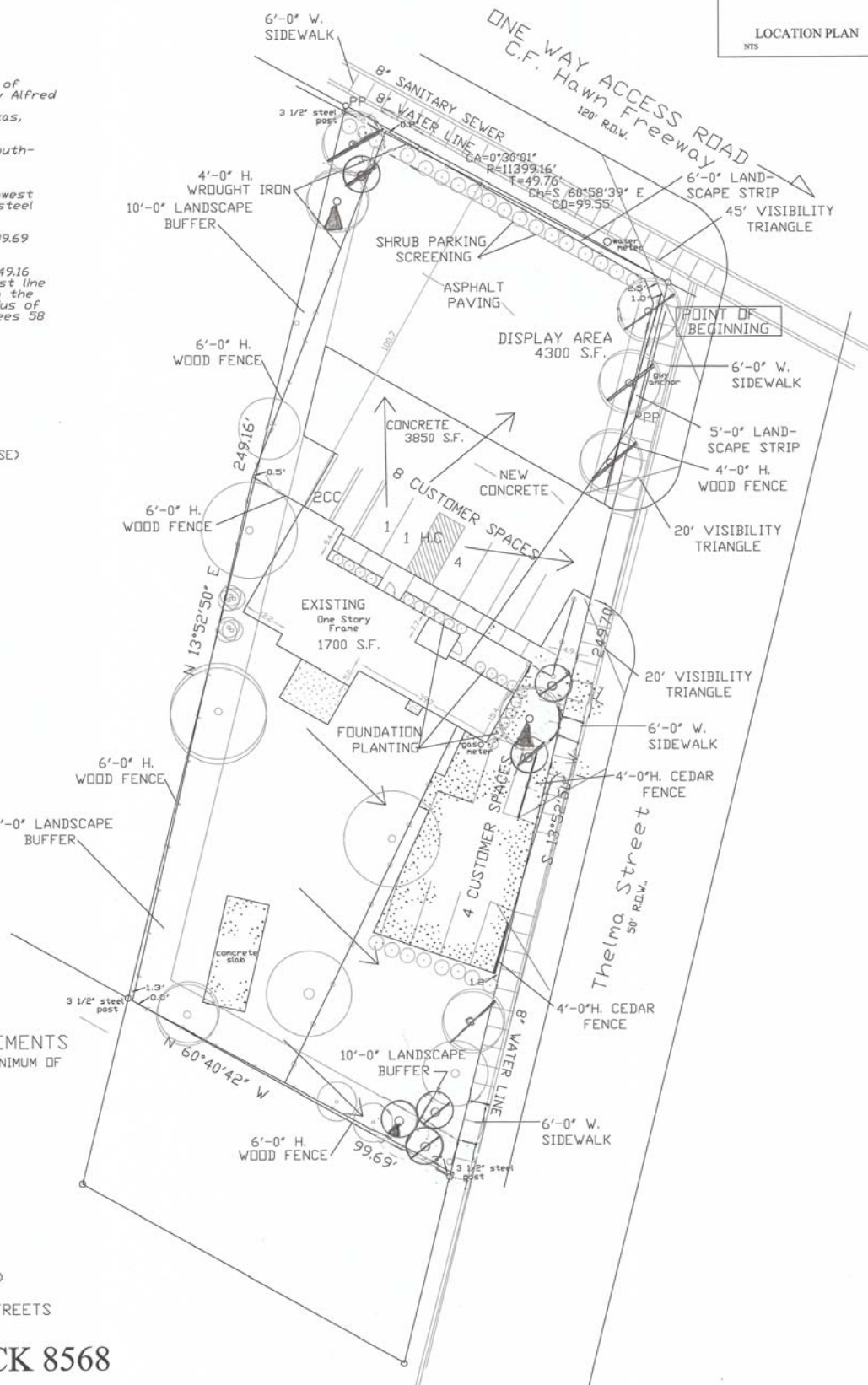
REQUIREMENTS W/ MINIMUM OF IX. HT.

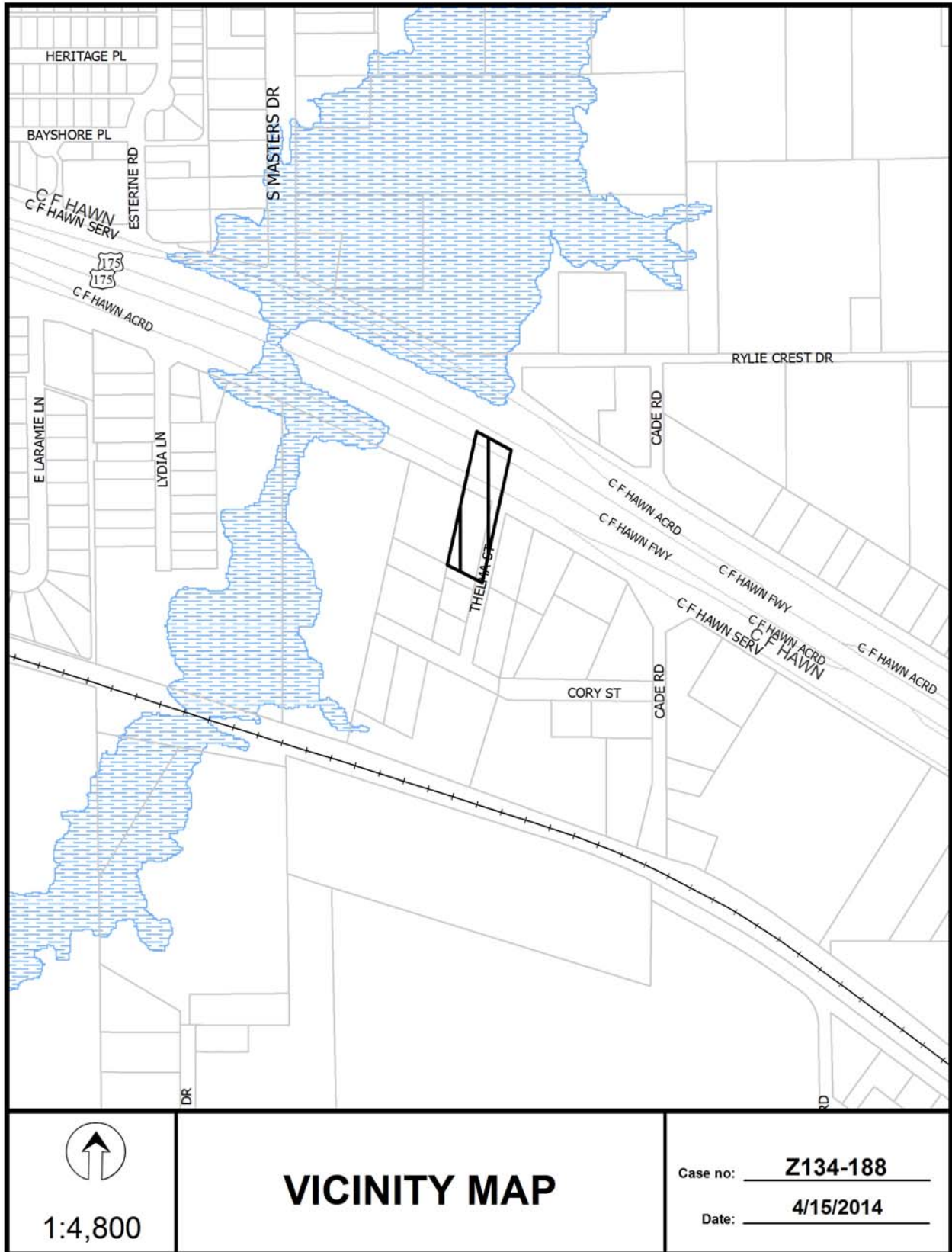
3 STREETS)

OPEN TO STREETS

BLOCK 8568

LAWN FREEWAY DALLAS TEXAS



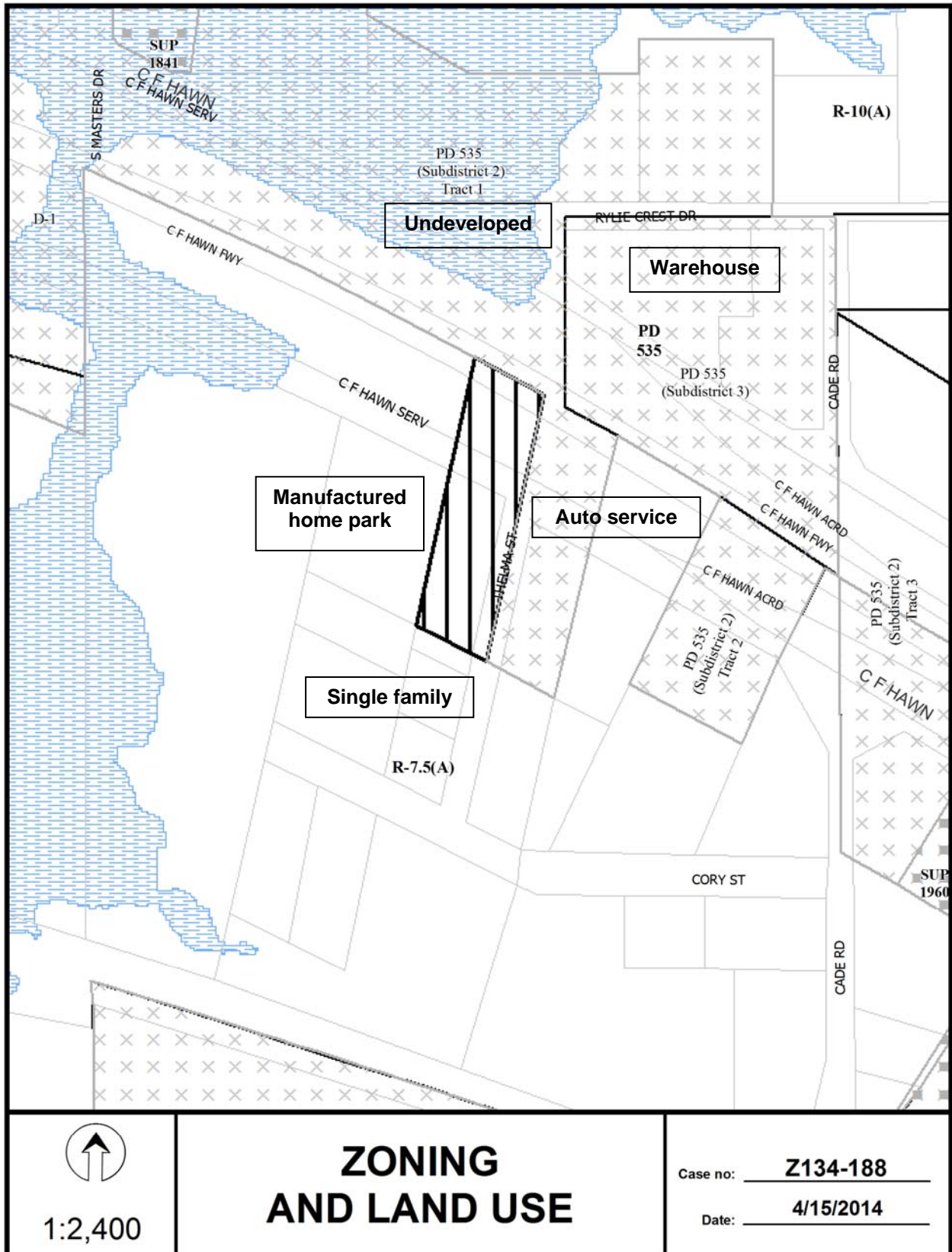


↑
1:4,800

VICINITY MAP

Case no: Z134-188
Date: 4/15/2014






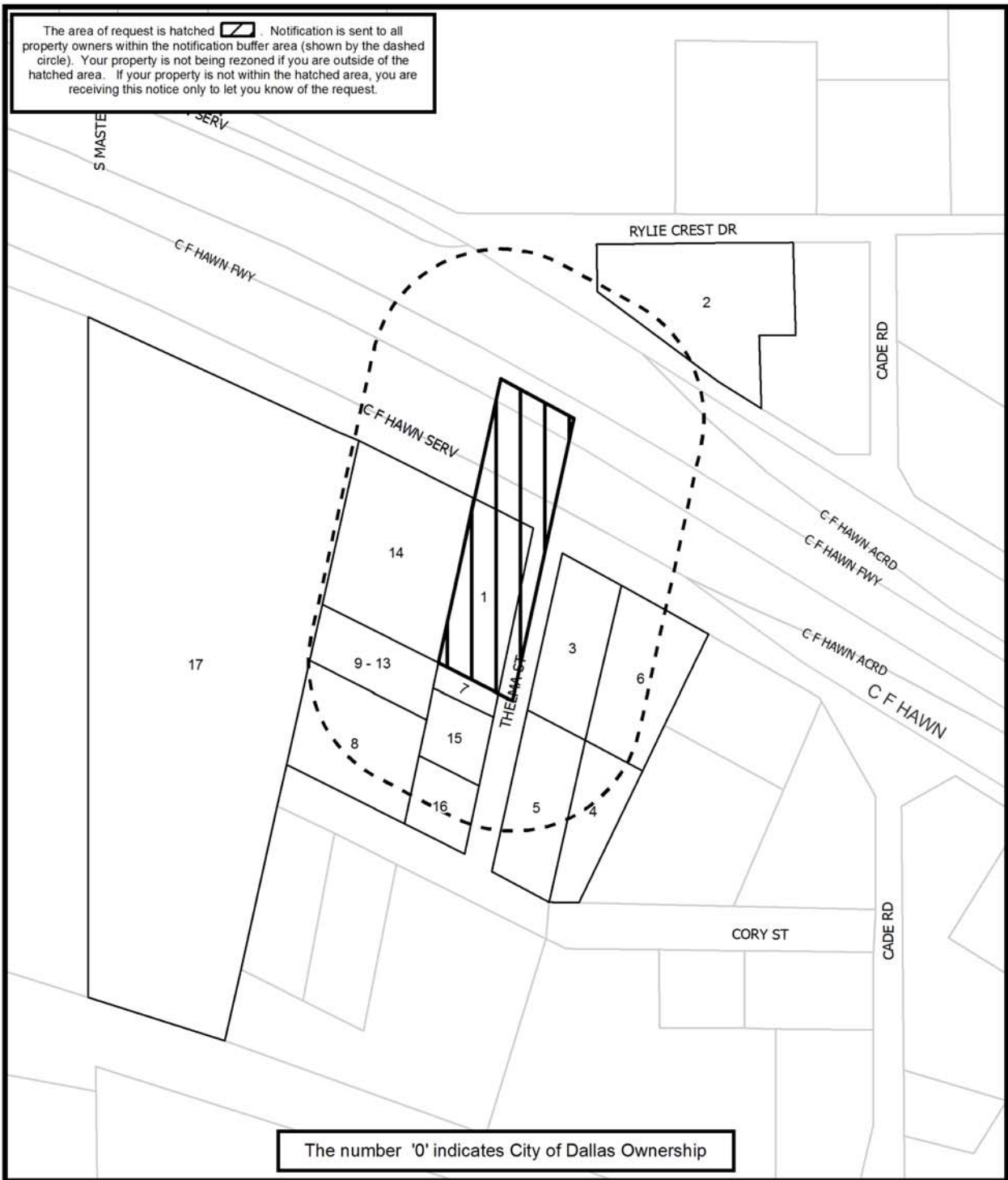
1:2,400

ZONING AND LAND USE

Case no: Z134-188

Date: 4/15/2014

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



| | | |
|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
|  1:2,400 | <h2 style="text-align: center;">NOTIFICATION</h2> <p>  AREA OF NOTIFICATION  NUMBER OF PROPERTY OWNERS NOTIFIED </p> | Case no: <u> Z134-188 </u> Date: <u> 4/15/2014 </u> |
|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|

4/15/2014

Notification List of Property Owners

Z134-188

17 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|------------------------------------------|
| 1 | 10312 C F HAWN FWY | REGIO MOTORS AUTO SALES LLC |
| 2 | 10414 RYLIE CREST DR | CORDER MFG CO |
| 3 | 10418 C F HAWN FWY | MOJICA CARLOS |
| 4 | 10407 CORY ST | WHALEY VONDA |
| 5 | 928 THELMA ST | LINDAMOOD JOHNNIE A EST OF % MARIAN LIND |
| 6 | 10420 C F HAWN FWY | CHANDLER BILLY EARL JR & |
| 7 | 909 THELMA ST | ALLEN CHARLES B |
| 8 | 10301 CORY ST | WILLSON GREG V |
| 9 | 10300 C F HAWN FWY | CORDER PATRICIA Y & |
| 10 | 10300 C F HAWN FWY | CONCHE MARIE SPACE 17 |
| 11 | 10300 C F HAWN FWY | MOON MYMA C/O JO M HOLLAND |
| 12 | 10300 C F HAWN FWY | CARERCO ARACELA SPACE 20 |
| 13 | 10300 C F HAWN FWY | CONERLY MARGRET M |
| 14 | 10300 C F HAWN FWY | CORDER PATRICIA Y |
| 15 | 913 THELMA ST | DIAZ MARCELO |
| 16 | 917 THELMA ST | WILSON DENIESE L |
| 17 | 10300 C F HAWN FWY | SHIREY GEORGE L & CAROL E |

FILE NUMBER: Z134-323(RB)

DATE FILED: August 28, 2014

LOCATION: East line of North Central Expressway, south of Haskell Avenue

COUNCIL DISTRICT: 14

MAPSCO: 45-C

SIZE OF REQUEST: Approx. 8.68 Acres

CENSUS TRACT: 16

APPLICANT/OWNER: Uptown Cityplace, LLC

REPRESENTATIVE: Suzan Kedron

REQUEST: An application for an amendment to Planned Development District No. 183 for certain MU-3 Mixed Use District Uses.

SUMMARY: The applicant is proposing to revise certain development standards (remove number of permitted stories, allow for new structures on the north and south sides of the main tower), revise off-street parking provisions, and add two permitted uses.

STAFF RECOMMENDATION: Approval, subject to a development plan and staff's revised conditions.

PRIOR CPC ACTION: On December 4, 2014, the City Plan Commission held this request under advisement until January 8, 2015. On January 8, 2015, the City Plan Commission held this request under advisement until January 22, 2015. On January 22, 2015, the City Plan Commission held this request under advisement until February 5, 2015 to permit the applicant and staff to continue addressing requested revisions to required off-street parking.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval subject to revised conditions based upon:

1. *Performance impacts upon surrounding property* – The proposed amendments will not significantly alter permitted uses on the property; thus, will remain consistent in scale with the high-density, mixed use environment of recent development projects in the immediate area.
2. *Traffic impact* – Trip generations will be consistent with existing demands of adjacent projects with no impact on the surrounding street system, while providing for close proximity to mass transit options.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.

Zoning History:

| File No. | Request, Disposition, and Date |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Z112-265 | On May 22, 2013, the City Council approved a PDD for MU-3 District Uses, and approved a new subdistrict within PDD No. 305. |
| 2. Z112-150 | On May 23, 2012, the City Council approved an amendment to Tract I of Planned Development District No. 375 for mixed uses. |
| 3. Z101-319 | On December 14, 2012, the City Council approved a WMU-8 Walkable Urban Mixed Use District. |
| 4. Z089-135 | On October 14, 2009, the City Council approved the creation of two tracts within Planned Development District No. 183 for MU-3 Mixed Use District uses. |
| 5. Z134-162 | On October 23, 2014, the CPC recommended approval of a Planned Development District for MU-3 District Uses. Pending a December 10, 2002 City Council public hearing. |

| <u>Thoroughfare/Street</u> | <u>Designation; Existing & Proposed ROW</u> |
|-----------------------------------|--------------------------------------------------------|
| North Central Expressway | Freeway; Variable Width ROW |
| Haskell Avenue | Principal Arterial; 150' and 160' ROW |

Weldon Street

Local; 50' ROW

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

STAFF ANALYSIS:

Comprehensive Plan: The site is located in an area considered an Urban Neighborhood. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are 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.

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility:

On February 6, 1985, the City Council approved the creation of PDD No. 183 for MU-3 Mixed Use District Uses. Two amendments have been adopted by City Council (November 11, 1992 and October 14, 2009). The site is developed with an office tower, expansive landscaping and an adjacent parcel, across Weldon Street at its terminus with the northbound service road of North Central Expressway which is improved with a utility structure that serves the development.

The applicant is proposing revisions to capture the following: 1) a 'restrictive' mini-warehouse use; 2) extended stay hotel or motel use that requires access to individual rooms or suites from an inside corridor; 3) revise off-street parking provisions; 4) remove the maximum number of stories; and, 5) remove requirements for certain amendments to the development plan (i.e., minor amendment), revised off-street parking provisions are requested to be considered.

Surrounding land use consists of a mix of uses, with an emphasis of high density residential (multifamily) served by area retail/restaurant/entertainment uses all within close proximity to DART's Cityplace/Uptown station and the McKinney Avenue Transit Authority's (M Line) Cityplace Station (access to both via underground connection below the existing office tower. It should be noted the M Line possesses 15 minute headways during peak hours to facilitate crosstown options within the trolley's service area. Consideration of high density developments are generally encouraged and supported when located with one-quarter mile of mass transit options with compressed headways during peak hours, those times normally utilized as tenants/employees commute to and from home to their professional destinations. Additionally, local bus routes have designated stops along the site's two main frontages.

The applicant has worked with staff to address anticipated development across the site, inclusive of two additions to be oriented along the northbound service road of North Central Expressway, on both sides of the existing office tower. At this time, all requested revisions, exclusive of requested off-street parking reductions (see Parking, below) have been addressed. Additionally, the applicant has continued interaction with surrounding property owners and the commissioner for the district to further define the relationship between existing improvements and remaining development rights. As such, the applicant has agreed to submit a development plan (along with agreeing with the minor amendment process) as a requirement of the PDD, going forward. As this has been a 'late addition' to the application, staff will finalize review of the submitted plan and provide at the February 5, 2015 staff briefing.

Parking: As a matter of history, the creation of the 24.51 acre (at the time) PDD required parking at one space for each 500 square feet, with a minimum of 8,009 spaces; 4,603 spaces on the west side of North Central Expressway and 3,406 spaces on the east side of the freeway, all of which to be provided below grade. This initial parking requirement was part of a collaborative effort between the property owner and city, with consideration of various required updates to the initial parking study, along with expectation of certain infrastructure improvements and remedies for addressing future parking needs. It should be noted that anticipation of a DART station would serve the immediate area, with convenient access from both sides of North Central Expressway.

At this time, the applicant has requested a reduction of required off-street parking (from 3,406 to 3,200 spaces) as well as its location. As this PDD was somewhat visionary in the anticipated build out, measures were in place to address future needs. As certain language was removed from the PDD through prior amendments (i.e., one space/500 sf of floor area), a sensitivity remains to reducing the required parking, and to a certain degree, allowing for some of the required parking to be relocated (from underground to surface and/or parking structure). On a parallel line, staff has recommended and the applicant has agreed to address the design of any above grade parking structures to: 1) provide for a façade that is consistent in visual appeal as the main structure, and 2) ensure headlights are contained within the parking structure (see attached amending conditions).

With regard to the component of required parking (3,406 spaces), the applicant has provided staff current occupancy levels within the office tower (Tract 2): 937,900 square feet occupied and 412,100 square feet vacant. As this tract caps floor area (1,371,477 sf), Tract 1 has no overall cap (only limited by lot coverage and structure height as well as a maximum of 100,000 sf of retail uses).

As staff continues to digest the requested parking analysis, time to finalize a recommendation to include in this material does not exist. It is anticipated to present this part of the recommendation at the February 5, 2015 staff briefing.

Landscaping: The site is heavily landscaped and is in compliance with the attached landscape plans. No revisions are being requested at this time; however staff is recommending the deletion of the granting of a private license for landscape purposes. As has been the policy of the department, this revision does not prohibit granting of requested licensing, however it does permit the building official documentation of such improvements being located in the public right-of-way, which is critical for monitoring and compliance purposes.

It should be noted that as the site pursues additional development, landscaping (along with development plan) will require CPC approval prior to issuance of any building permits.

Z134-323(RB)

Applicant/Owner
Officers

Darryl Parmenter
Andrew Weiss
Stephen Bronner
John Davidson
Michael Loftis
Christopher McGrew
Jeffrey Granoff

STAFF RECOMMENDED CONDITIONS

ARTICLE 183.

PD 183.

SEC. 51P-183.101. LEGISLATIVE HISTORY.

PD 183 was established by Ordinance No. 18578, passed by the Dallas City Council on February 6, 1985. Ordinance No. 18578 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 18578 was amended by Ordinance No. 21478, passed by the Dallas City Council on November 11, 1992. (Ord. Nos. 10962; 18578; 21478; 24826; 27703)

SEC. 51P-183.102. PROPERTY LOCATION AND SIZE.

PD 183 is established on property generally located on the east side of North Central Expressway, south of Haskell Avenue. The size of PD 183 is approximately 12.6008 acres. (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.103. CREATION OF TRACTS

This district is divided into Tracts 1 and 2 as shown on the Tract 1 conceptual plan/Tract 2 development plan (Exhibit 183A). (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.104. DEFINITIONS AND INTERPRETATIONS.

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

(1) **COOLING TOWER** means an open-topped structure in which a heat removal devise is used to transfer, process, and release into the atmosphere heat from the mechanical equipment used to run a building.

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

(3) **EXECUTIVE STORAGE** means a climate controlled storage area for the inside storage of goods or wares with access to the storage area limited to an internal corridor or from within a main structure located on the Property.

(~~3~~ **4**) **HEALTH CLUB** means a facility operated to promote physical fitness and where manipulated massage or exercises are practiced on the human body with or without the use of mechanical, therapeutic, or bathing devises.

(4 5) MECHANICAL PLANT means a facility that houses the mechanical equipment necessary to support and maintain a building, including HVAC, plumbing, lighting, and other similar equipment.

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

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.105. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 183A: Tract 1 conceptual plan/Tract 2 development plan.

(2) Exhibit 183B: Tract 2 landscape plan.

(3) Exhibit 183C: Existing streetscape tree plan. (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.106. CONCEPTUAL PLAN AND DEVELOPMENT PLAN.

(a) In general. Development and use of the Property must comply with the Tract 1 conceptual plan/Tract 2 development plan. If there is a conflict between the text of this article and the Tract 1 conceptual plan/Tract 2 development plan, the text of this article controls.

(b) Tract 1. The Tract 1 portion of the Tract 1 conceptual plan/Tract 2 development plan is the conceptual plan for Tract 1. A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in Tract 1. Tract 1 may be developed in phases. If there is a conflict between the text of this article and an approved development plan, the text of this article controls.

(c) Tract 2. The Tract 2 portion of the Tract 1 conceptual plan/Tract 2 development plan is the development plan for Tract 2. (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in this district; etc.

(b) The following additional main uses are permitted by right:

Z134-323(RB)

- Cooling tower.
- Data center.
- Executive storage.
- Extended stay hotel or motel [Rooms must be accessed from an internal corridor or elevator].
- Financial institution with drive-in window.
- Health club.
- Mechanical plant.
- Radio, television, or microwave tower.
- Restaurant with drive-in or drive-through service.
- Restaurant without drive-in or drive-through service.
- Transit passenger shelter.
- Transit passenger station or transfer center.

(c) The following main uses are prohibited:

- Auto service center.
- Car wash.
- Cemetery or mausoleum.
- College dormitory, fraternity, or sorority house.
- Crop production.
- Duplex.
- Extended stay hotel or motel.
- Foster home.
- Gas drilling and production.
- General merchandise food store 100,000 square feet or more.
- Halfway house.
- Heliport.
- Helistop.
- Labor hall.
- Medical/infectious waste incinerator.
- Mortuary, funeral home, or commercial wedding chapel.
- Open-enrollment charter school or private school.
- Overnight general purpose shelter.
- Public school other than open-enrollment charter school.
- Recycling buy-back center.
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection. (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.108. ACCESSORY USES.

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

(b) The following accessory use is not permitted:

-- Accessory medical/infectious waste incinerator. (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.109. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Front yard. No minimum front yard is required.

(b) Side and rear yard. No minimum side or rear yard is required.

(c) Density. No maximum dwelling unit density.

(d) Floor area.

(1) Tract 1.

(A) Except as provided in this paragraph, no maximum floor area.

(B) For retail uses, maximum floor area is 100,000 square feet.

(2) Tract 2.

(A) Except as provided in this paragraph, maximum floor area is 1,371,477 square feet, excluding mechanical plant and cooling tower uses.

(B) For retail uses, maximum floor area is 60,000 square feet.

(C) For a health club use, maximum floor area is 50,000 square feet.

(e) Height.

(1) Tract 1. Maximum structure height is 175 feet.

(2) Tract 2 ~~(A)~~ Maximum structure height is 556 feet, except that habitable space is not permitted above 546 feet in height.

~~(B) Any additions to the tower that exists on October 14, 2009 must have the same facade materials as the existing tower.~~

(f) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking and underground parking structures are not.

(g) Lot size. No minimum lot size.

(h) Stories.

(1) Tract 1. ~~M~~ No maximum number of stories. ~~above grade is 10.~~

(2) Tract 2. Maximum number of stories above grade is 42. (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.110. FACADE TREATMENT.

No exterior facade of any building may contain highly reflective glass. For purposes of this section, "highly reflective glass" means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.) (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.111. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific loading requirements for each use.

Applicant requested:

(b) A minimum of ~~3,406~~ 3,200 off-street parking spaces must be provided below grade.

Staff recommended:

Retain: (b) A minimum of 3,406 off-street parking spaces must be provided below grade.

(c) A maximum of 110 off-street parking spaces are permitted ~~above~~ at grade, except that off-street parking spaces may not be located between a building facade and Haskell Avenue or between a building facade and Weldon Street. At grade parking spaces wholly enclosed within a parking structure are not considered at grade. (Ord. Nos. 21478; 24826; 26102; 27703)

(d) All aboveground parking structures must be wrapped by a building or have a facade that is similar in materials and appearance to the facade of the main structure the parking serves. Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property.

SEC. 51P-183.112. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 18578; 24826; 26102)

SEC. 51P-183.113. LANDSCAPING.

(a) In general.

(1) Open space.

Z134-323(RB)

(A) A minimum of 10 percent of a lot or building site must be open space meeting the following requirements:

(i) Open space must be a contiguous area that is a minimum of 150 square feet. Parkways may not be counted toward the required open space.

(ii) Open space must be unobstructed to the sky and contain no structures.

(iii) Open spaces must be landscape areas that may include turf, ground cover, shrubs, trees, seasonal plantings, or a combination of these materials.

(B) The Tract 1 development plan and the Tract 2 landscape plan must include:

(i) the location of the open space on each lot or building site and

(ii) a table showing the square footage of each lot or building site and the open space square footage provided for that lot.

(2) Existing streetscape tree plan.

(A) Trees shown on the existing streetscape tree plan (Exhibit 183C) may only be removed or replaced in accordance with the tree preservation, removal, and replacement provisions in Division 51A-10.130.

(B) Replacement trees provided for mitigation purposes may be located in the right-of-way.

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

(b) Tract 1.

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

(2) For each landscape plan submitted with the application for a building permit, an artificial lot may be created to satisfy the requirements of Article X.

(3) Trees shown in Tract 1 on the existing streetscape tree plan may count toward Article X requirements.

(c) Tract 2.

(1) Landscaping must be provided as shown on the landscape plan. If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

~~(d) Private license granted.~~

~~(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.~~

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

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

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

~~(e) Parkway landscape permit.~~

~~(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating new trees, landscaping, or related amenities in the parkway. An application for a parkway landscape 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 parkway affected and the planting or other amenities proposed.~~

~~(2) 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 construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right of way, the director shall issue a parkway landscape permit to the property owner; otherwise, the director shall deny the permit.~~

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

~~(4) A parkway landscape 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 parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right of way. The property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director's revocation of a parkway landscape permit.~~

~~(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right of way. (Ord. Nos. 21478; 24826; 27703)~~

SEC. 51P-183.114. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII. (Ord. Nos. 21478; 24826; 27703)

SEC. 51P-183.115. ADDITIONAL PROVISIONS.

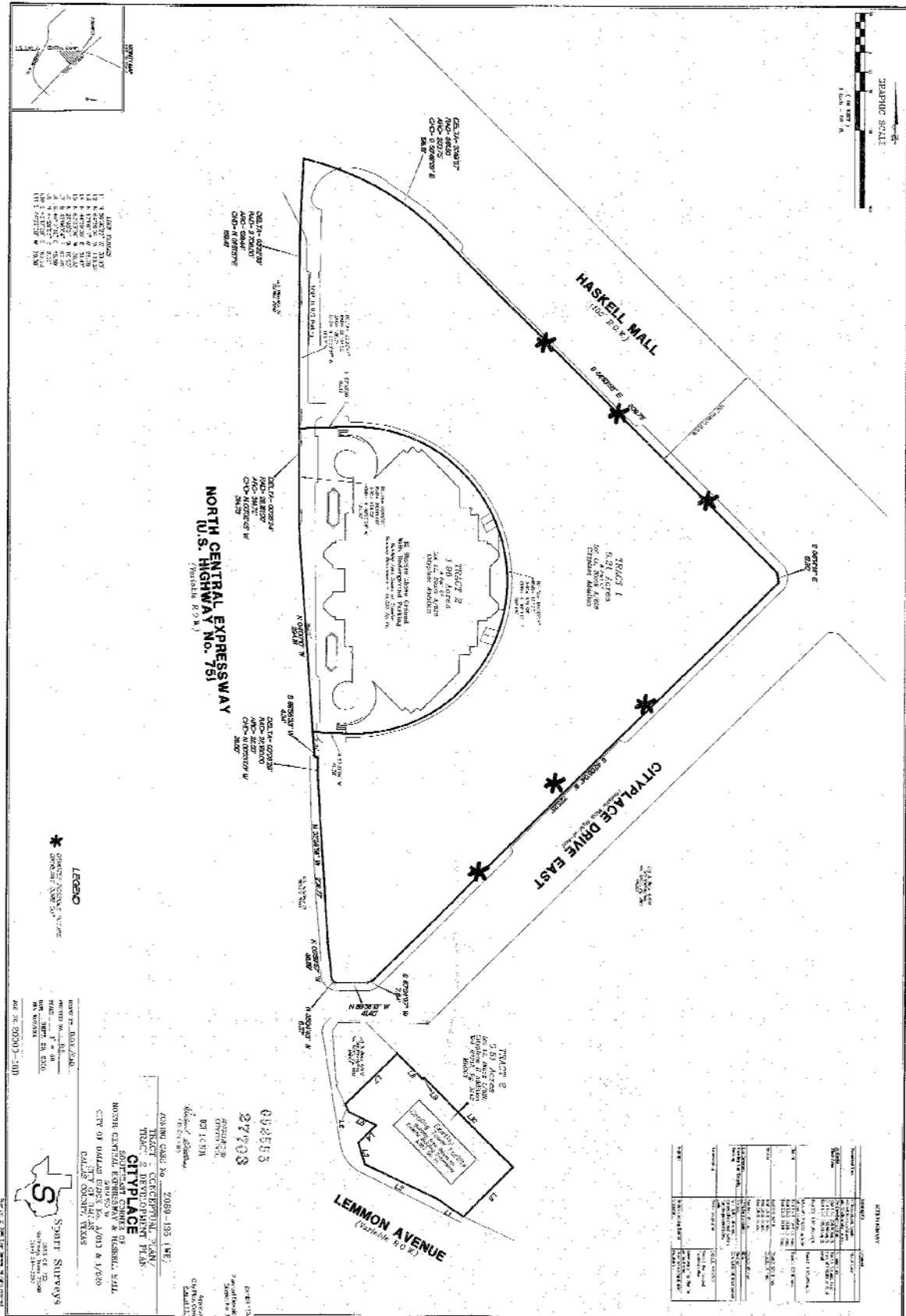
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. 27703)

SEC. 51P-183.116. COMPLIANCE WITH CONDITIONS.

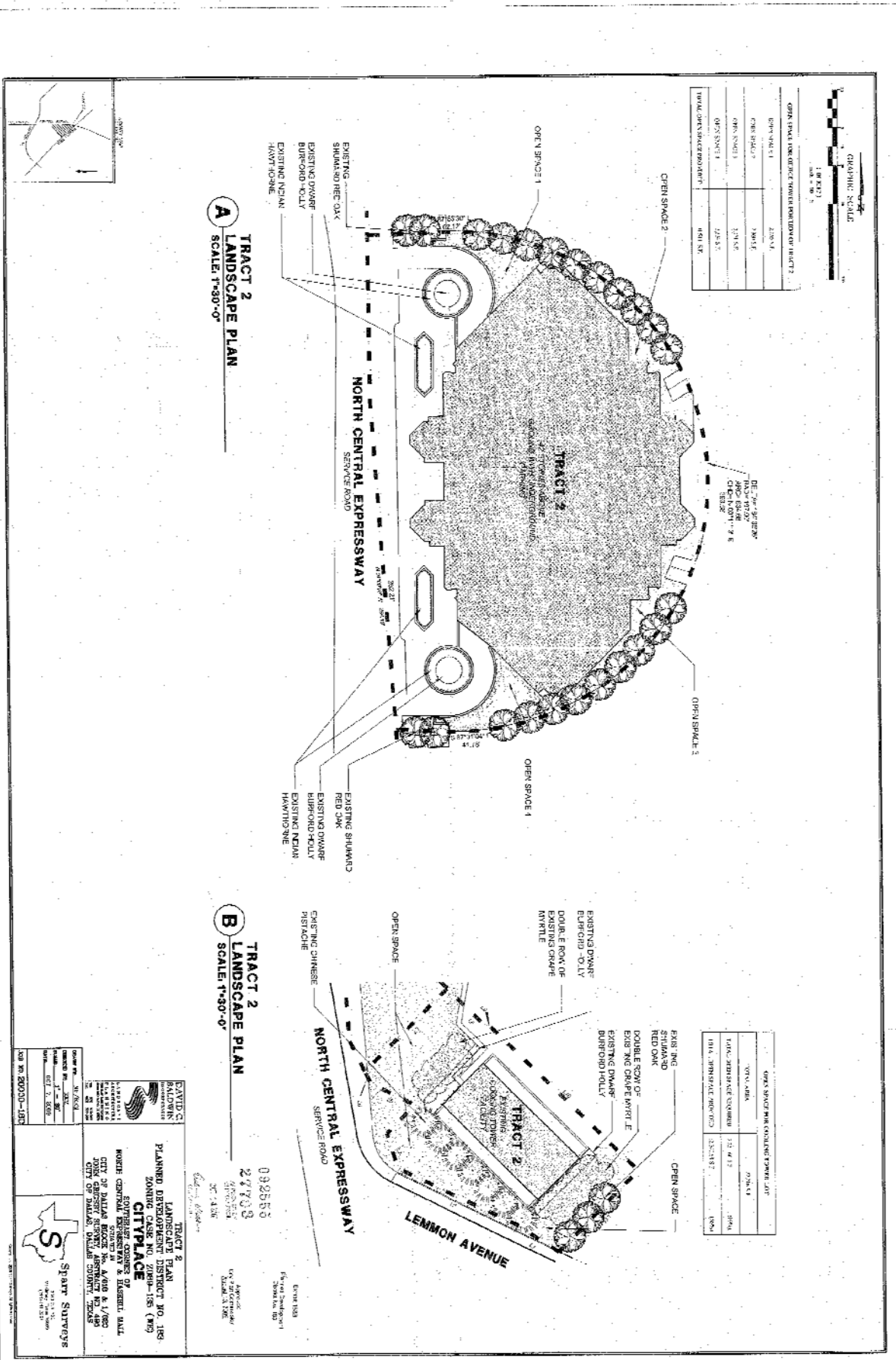
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to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

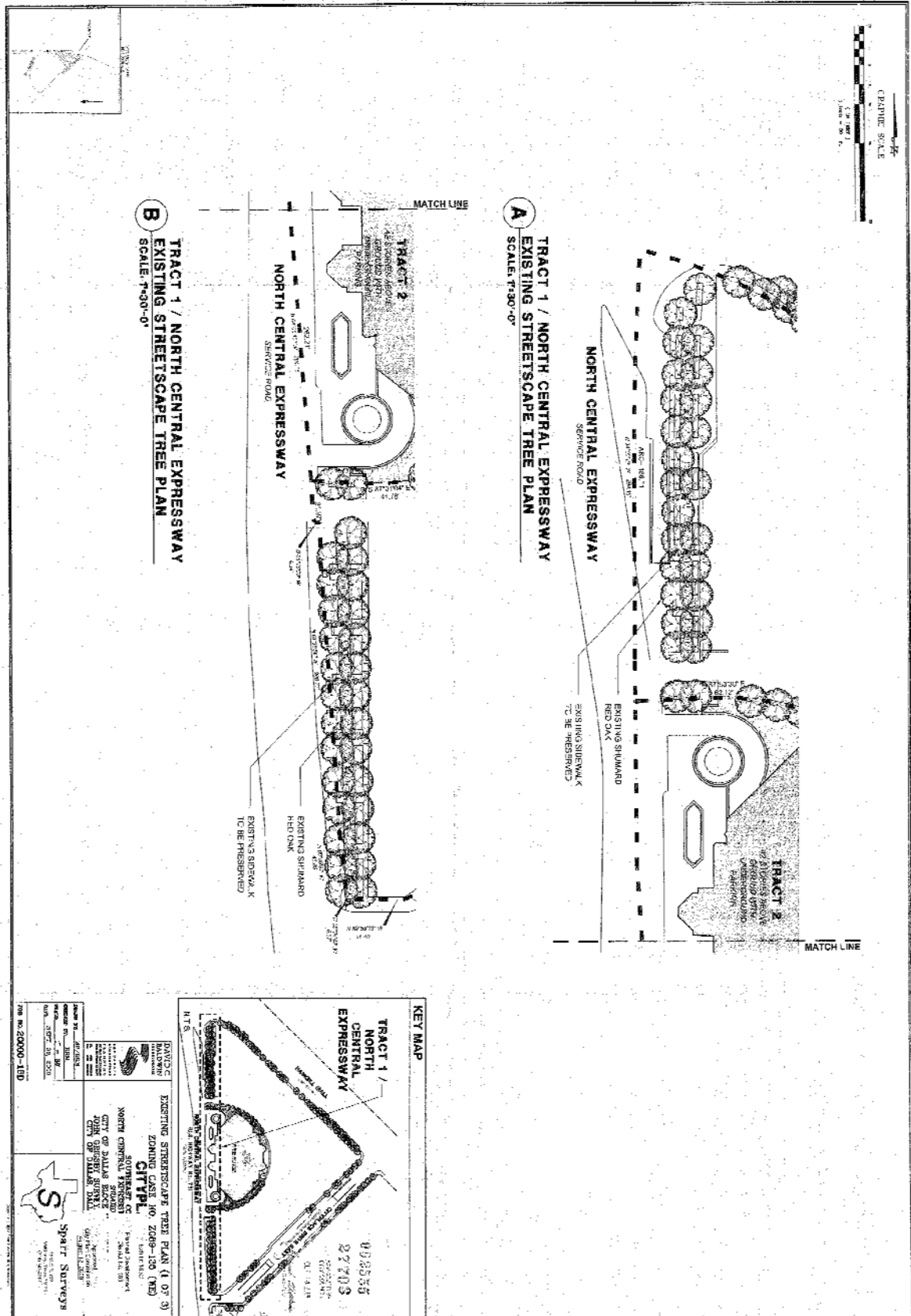
Z134-323(RB)

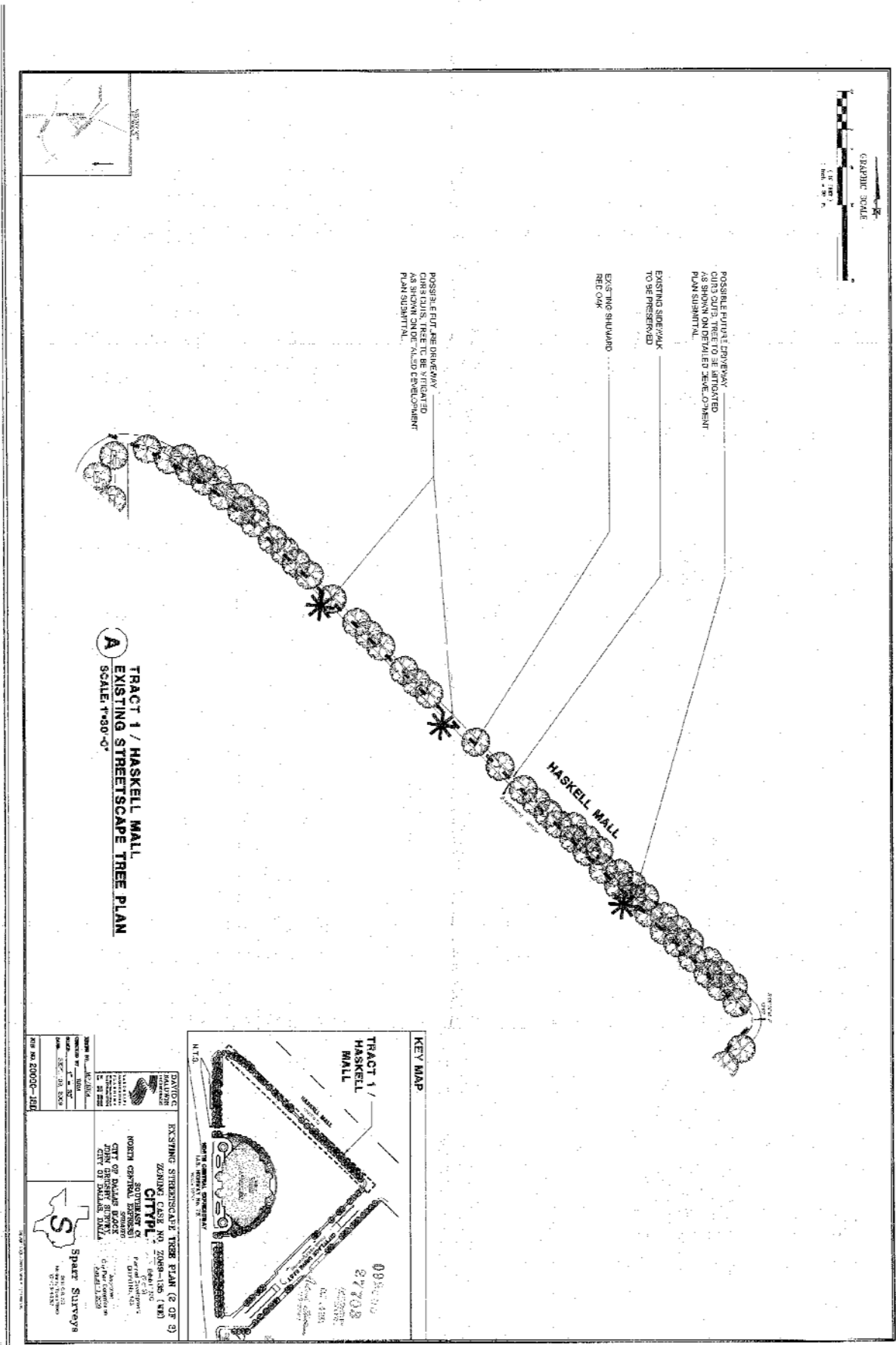
article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 27703)



Existing Tract 1 Conceptual Plan/Tract 2 Development Plan

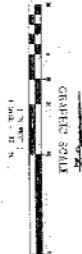
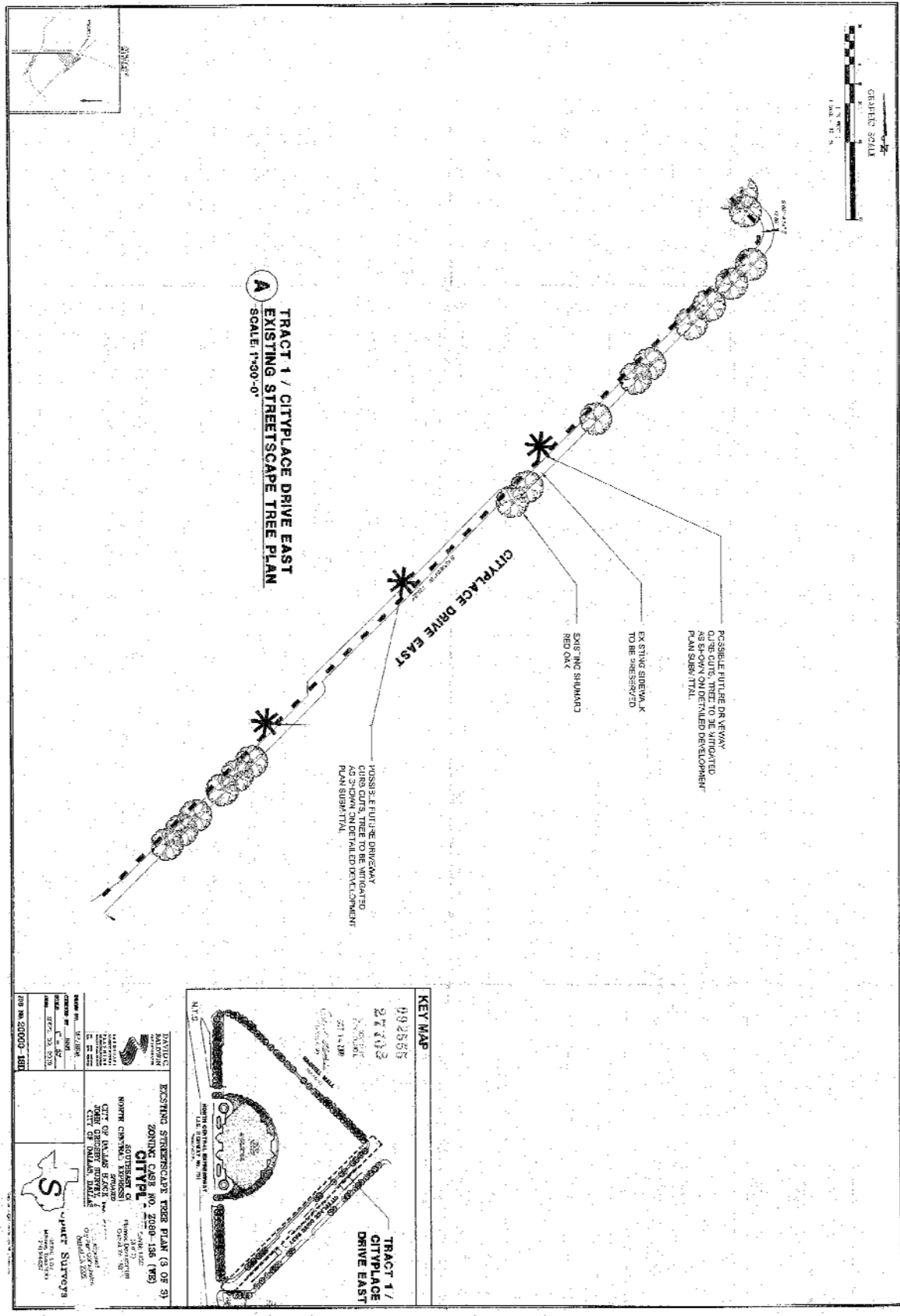






A
TRACT 1 / HASKELL MALL
EXISTING STREETSCAPE TREE PLAN
 SCALE: 1"=50'-0"

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| KEY MAP | |
| <p>DAVID G. SUTEGGER ARCHITECT 2708 S. RICHMOND ST. DALLAS, TEXAS 75219 TEL: 214.742.1111</p> | <p>EXISTING STREETSCAPE TREE PLAN (2 OF 3) ZONING CASE NO. Z089-136 (LWS) CITY/PL: SOUTHWEST CITY/PLANNING DEPARTMENT CITY OF DALLAS, TEXAS CITY OF DALLAS DATA</p> |
| <p>DATE: 08/11/10 SCALE: 1"=50'-0" SHEET NO. 2008-136</p> | <p>SPARTAN SUTEGGER ARCHITECTS 2708 S. RICHMOND ST. DALLAS, TEXAS 75219 TEL: 214.742.1111</p> |



**TRACT 1 / CITYPLACE DRIVE EAST
EXISTING STREETScape TREE PLAN**
SCALE: 1"=30'-0"

POSSIBLE FUTURE PARKWAY
CROSSING TRACT TO BE MITIGATED
AS SHOWN ON DETAILED DEVELOPMENT
PLAN SUBMITTAL

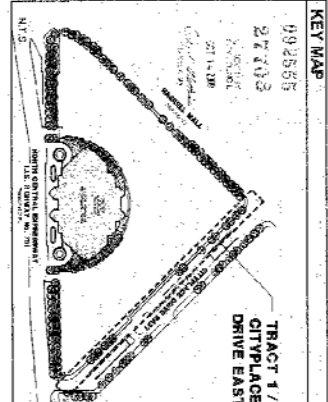
EXISTING SIDEWALK
TO BE PRESERVED

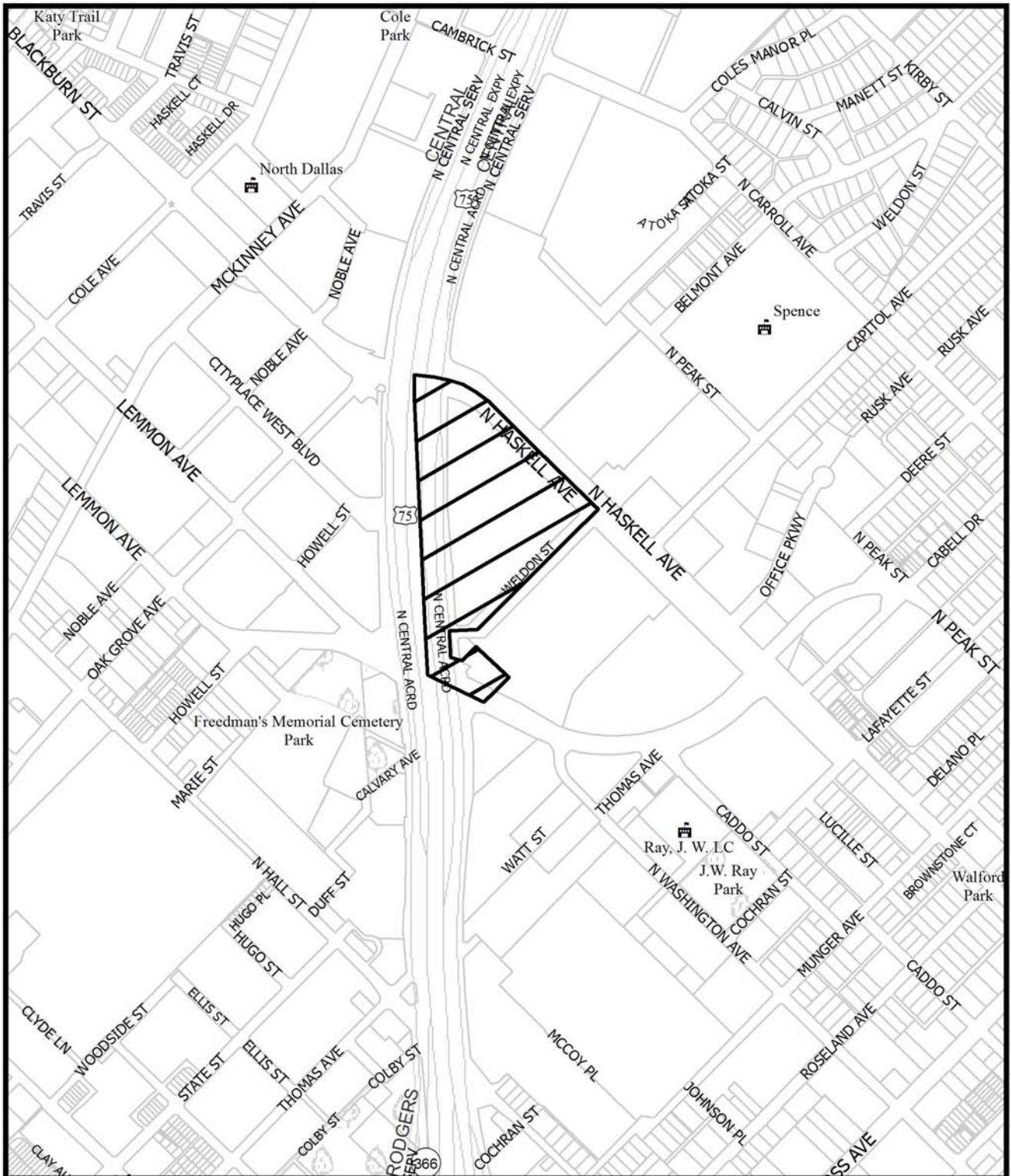
EXISTING SIDEWALK
TO BE PRESERVED

EXISTING SIDEWALK
TO BE PRESERVED

POSSIBLE FUTURE DRIVEWAY
CROSSING TRACT TO BE MITIGATED
AS SHOWN ON DETAILED DEVELOPMENT
PLAN SUBMITTAL

| | | |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <p>DATE: 10/15/2013 DRAWN BY: JMM CHECKED BY: JMM SCALE: 1"=30'-0"</p> | <p>PROJECT: EXISTING STREETScape TREE PLAN (3 OF 3) ZONE: CITYPL ADDRESS: 2500-2540 (705) CITY OF DALLAS NORTH CENTRAL DIVISION CITY OF DALLAS CITY OF DALLAS</p> | <p>DATE: 10/15/2013 DRAWN BY: JMM CHECKED BY: JMM SCALE: 1"=30'-0"</p> |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|



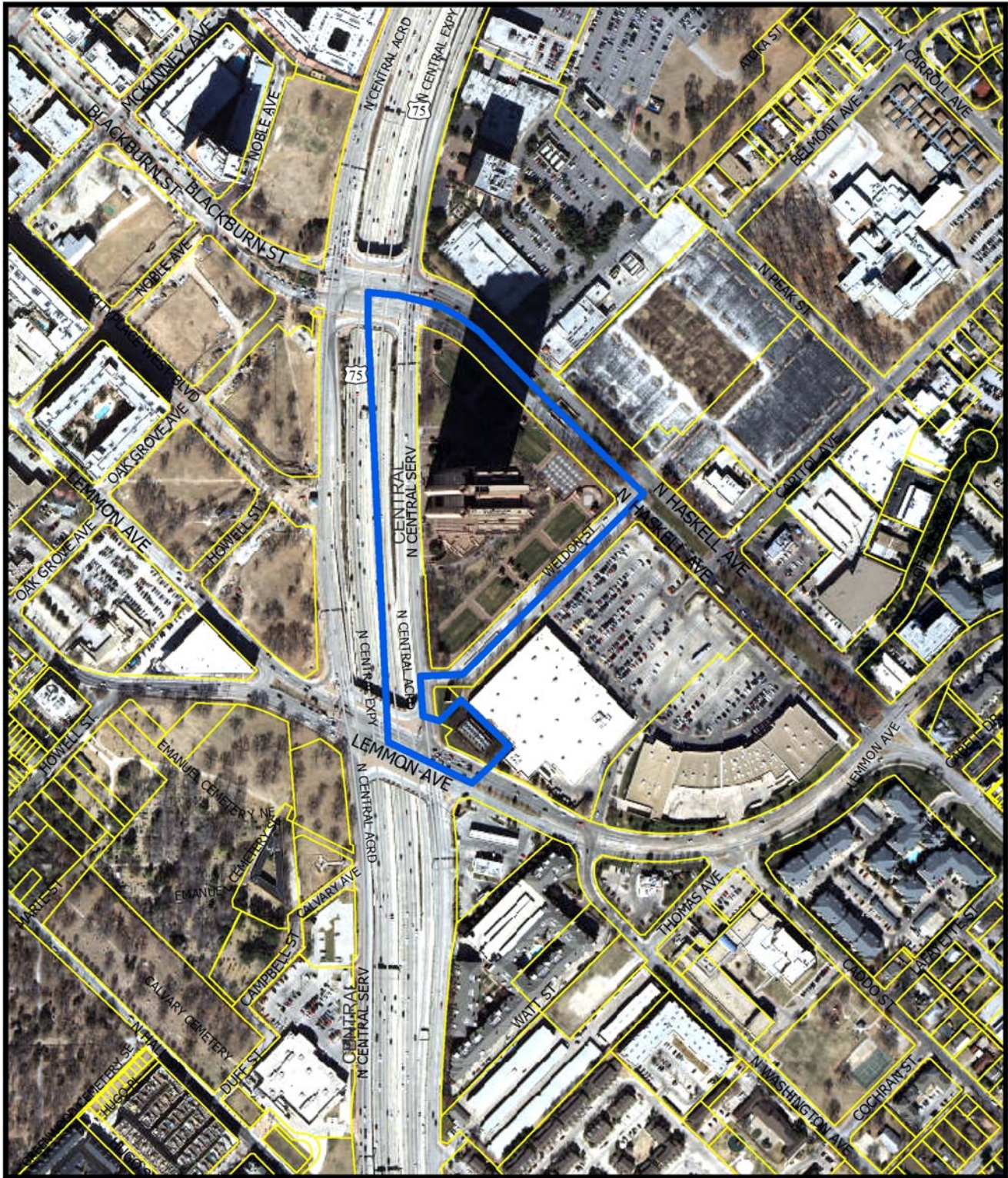


1:7,200

VICINITY MAP

Case no: Z134-323

Date: 10/14/2014

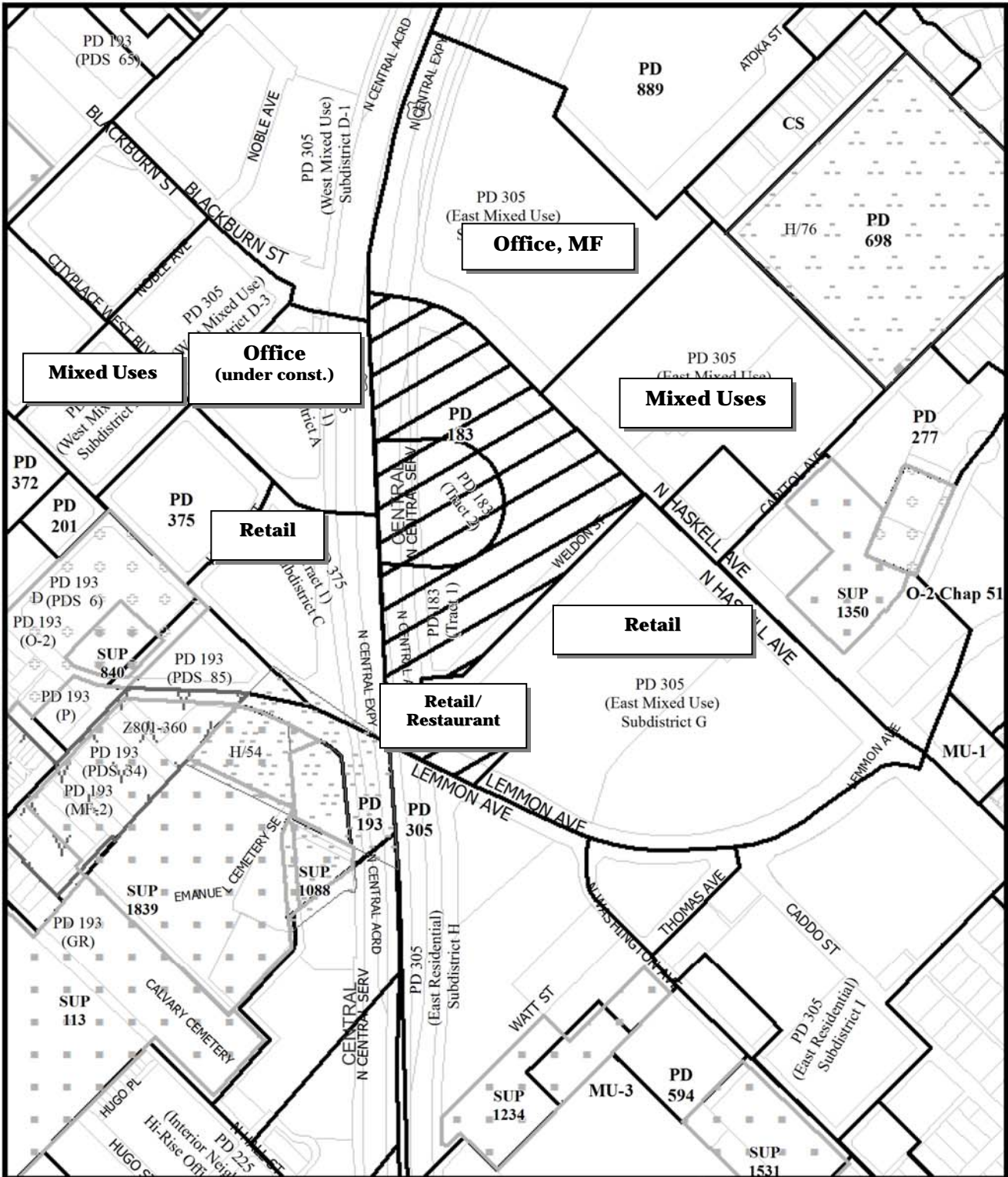


1:4,800

AERIAL MAP

Case no: Z134-323

Date: 10/14/2014




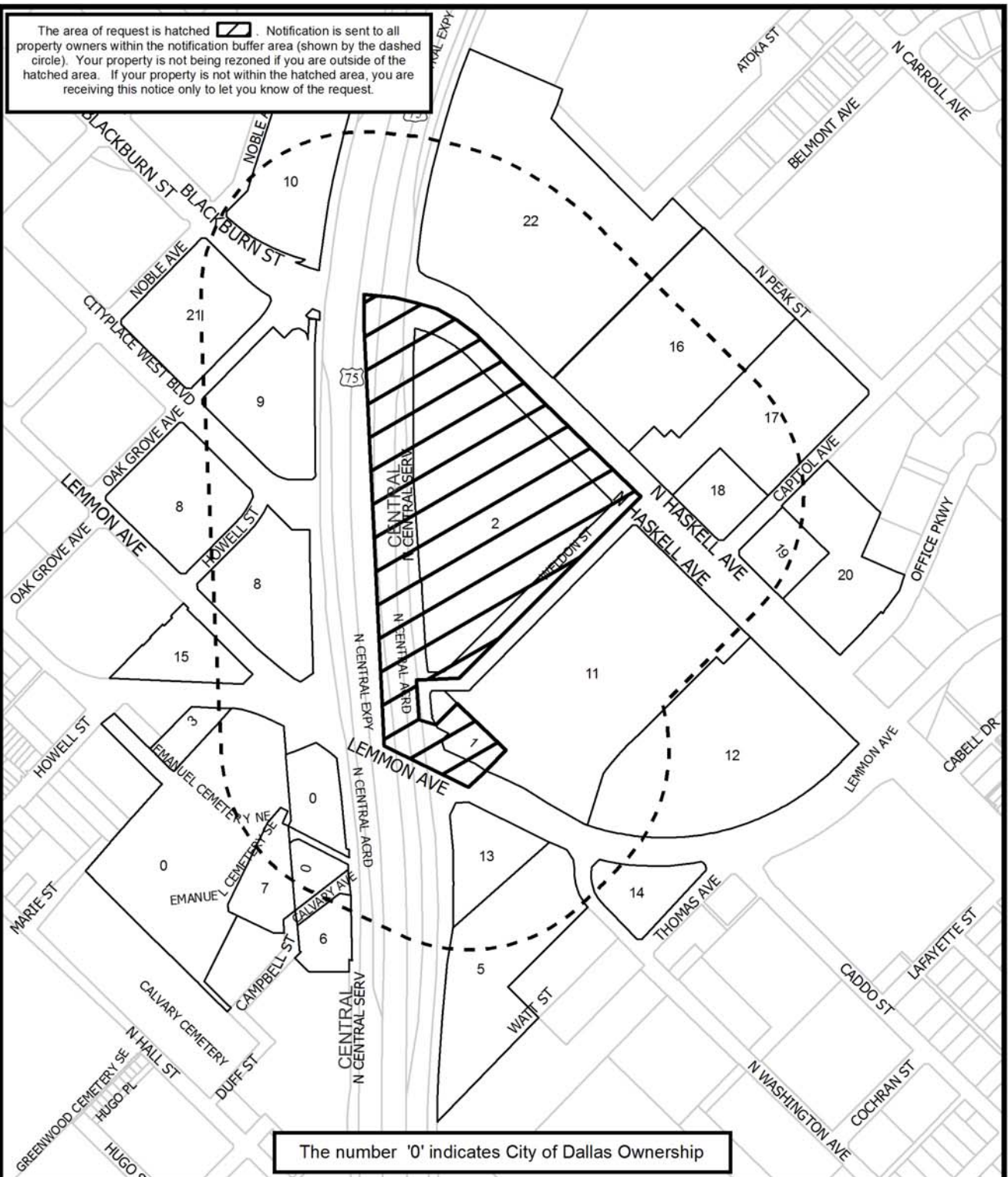
1:4,800

ZONING AND LAND USE

Case no: Z134-323

Date: 10/14/2014

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



The number '0' indicates City of Dallas Ownership



1:4,800

NOTIFICATION

500'

AREA OF NOTIFICATION

22

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z134-323**

Date: **10/14/2014**

10/14/2014

Notification List of Property Owners***Z134-323******22 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|-------------------------------------|
| 1 | 2602 CENTRAL EXPY | UPTOWN CITYPLACE LLC |
| 2 | 2711 HASKELL AVE | UPTOWN CITYPLACE LLC |
| 3 | 2700 LEMMON AVE | TEMPLE EMANU EL |
| 4 | 2703 CENTRAL EXPY | KIR CITYPLACE MARKET L P |
| 5 | 2403 WASHINGTON AVE | MFREVF CITYPLACE LLC |
| 6 | 2400 CENTRAL EXPY | WALMART REAL ESTATE BUSINESS TRUST |
| 7 | 3491 CAMPBELL ST | TEMPLE EMANUEL CONGREGATION |
| 8 | 2889 CITYPLACE BLVD | BLACKBURN CENTRAL |
| 9 | 2801 CENTRAL EXPY | SBR REAL ESTATE HOLDINGS LP |
| 10 | 2990 BLACKBURN ST | SVF BLACKBURN DALLAS CORP |
| 11 | 2417 HASKELL AVE | DAYTON HUDSON CORP |
| 12 | 2415 HASKELL AVE | KIR CITYPLACE MARKET L P |
| 13 | 2503 LEMMON AVE | SEJ ASSET MGMT & INVESTMENT COMPANY |
| 14 | 2404 WASHINGTON AVE | TACO BELL OF AMERICA INC |
| 15 | 2727 LEMMON AVE | HC 2727 E LEMMON AVENUE LLC |
| 16 | 2660 HASKELL AVE | GATEWAY CITYVILLE INC |
| 17 | 2600 HASKELL AVE | KROGER TEXAS LP |
| 18 | 2500 HASKELL AVE | SCHMIDT 1980 DECEDENTS TRUST |
| 19 | 2428 HASKELL AVE | WHATABURGER INC |
| 20 | 2420 HASKELL AVE | SHURGARD FREMONT PTNR II |
| 21 | 2901 BLACKBURN | BLACKBURN CENTRAL |
| 22 | 3972 CENTRAL EXPY | AFFILIATED COMPUTER SVC |

FILE NUMBER: Z134-333(RB)

DATE FILED: December 20, 2013

LOCATION: Northeast Line of Bowen Street, between McKinney Avenue and Oak Grove Avenue

COUNCIL DISTRICT: 14

MAPSCO: 45 B

SIZE OF REQUEST: Approx. 1.2633 Acres

CENSUS TRACT: 17.03

APPLICANT: TCDFW Development, Inc.

REPRESENTATIVE: Jonathan Vinson

OWNER: Lisar, Inc.

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

SUMMARY: The purpose of the request is to provide a mixed use development with consideration of the following: 1) establish new use to capture certain operations for the McKinney Avenue Transit Authority; 2) increase in permitted floor area; 3) increase lot coverage; and, 4) a reduction of setbacks for portions of structure exceeding 36 feet.

STAFF RECOMMENDATION: Approval, subject to a development plan, roof plan, and staff's recommended conditions.

PRIOR CPC ACTION: On January 22, 2015, the City Plan Commission held this request under advisement to permit the applicant time to finalize materials requested of staff.

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

| <u>Thoroughfare/Street</u> | <u>Existing & Proposed ROW</u> |
|-----------------------------------|-------------------------------------------|
| McKinney Avenue | Minor Arterial; 80' & 80' ROW |
| Bowen Street | Local; 40' ROW |
| Oak Grove Avenue | Local; 50' ROW |

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction reviewed a traffic impact analysis submitted in conjunction with the request and has determined the proposed development will not significantly impact the level of service of adjacent streets.

STAFF ANALYSIS:

Area Plans:

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

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.
- (5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.
- (6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.
- (7) To promote landscape/streetscape quality and appearance.

The applicant has worked with staff to achieve closure on the above stated objectives. Nos. 1, 2, 3, and 4 are provided for in the applicant's redevelopment of the property. As the applicant's proposed residential density (275 dwelling units) is permitted by existing zoning (even as part of a mixed use project), Objective No. 5 does not apply. While the applicant has requested an increase in floor area and lot coverage, it will be absorbed

within the development,s vertical presence, which is permitted by existing zoning rights. While the additional setback for portions of structures greater than 36 feet does cause some concern, the site possesses benefit from adjacent right-of-way separation while being sensitive to a more urban form of pushing development to the street. Additionally, limits of vertical footprints will provide for protection of certain view corridors and increased air space throughout the development.

Lastly, with respect to No. 7, staff has encouraged providing for enhanced perimeter plantings within the northwest corner of the property as well as making a strong visual presence to the proposed McKinney Avenue Transit Authority's museum. Based on the attached recommended conditions, this too, is in line with the stated objective.

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility:

The site is developed with a restaurant and surface parking. The applicant proposes to remove the existing structure and redevelop the property with a mixed use development, with a focused commitment to a museum and trolley barn for the McKinney Avenue Transit Authority.

The applicant is proposing to remove all improvements and redevelop the site with a mix of multiple family uses and ground level retail uses. The request for a new PDS focuses on consideration of the following: 1) establish new use to capture certain operations for the McKinney Avenue Transit Authority; 2) increase in permitted floor area; 3) increase in lot coverage; and, 4) a reduction of setbacks for portions of structure exceeding 36 feet.

Surrounding land use predominately consists of a mix of nonresidential uses along the McKinney Avenue frontage, inclusive of a presence of multiple family uses. The

Z134-333(RB)

Greenwood Cemetery occupies the land area along the east line of Oak Grove Avenue, between McKinney Avenue and Hall Street.

The applicant's team has worked with staff to address the relaxed impact of revisions to existing development standards, while ensuring the unique opportunity to embrace the historical significance of trolley's presence in this city is a visible and inviting amenity to area residents and the corporate presence in the immediate area.

With respect to building mass, the applicant has requested relief from additional required setbacks for structure heights exceeding 36 feet. Staff is generally hesitant to support relief from what is generally known as a residential proximity slope (RPS) within all areas of the city governed by Chapter 51A of the Dallas Development Code. PDD No. 193 is a Chapter 51 code, thus the additional setbacks noted in this paragraph function like an RPS across the 2,620 acres regulated by PDD No. 193.

The applicant has worked with staff to ensure that building floor plates lessen as the structures increase in height. The result is a mix of structures that provide for air space and various view corridors into and out of the site, thus relief from the above additional setbacks is supported.

In summary, the anticipated development is envisioned to be in scale with existing developments in the immediate area. As such, staff supports the request subject to the attached plans and recommended conditions.

Landscaping: The applicant is proposing to comply with the existing landscape requirements required of PDD No. 193, subject to a few deviations: 1) reduced landscape area (from ≤ 10 percent to ≤ 5 percent of site); 2) alternate placement of street trees along McKinney Avenue; and 3) reduced landscape buffer for street-facing parking structures. Additionally, staff has asked the applicant to address the northwest corner of the site so as to provide for a seamless connection with the remaining development along the blockface as well as supporting the applicant's request to encroach into the required front yard to accommodate a proposed covered outside seating area for the to-be relocated restaurant that currently exists on the property. As a result, the attached conditions will address this area (see development plan for physical presence on the property).

Oak Grove Avenue: At this time, Public Works and Transportation is upgrading public infrastructure, inclusive of new sidewalk sections along the street, from McKinney Avenue to Hall Street and turning westward on Hall Street, to McKinney Avenue.

Sidewalks: In conjunction with the above referenced improvements along Oak Grove Avenue, the sidewalks along the east line were reconstructed to include a two foot-wide section of brick pavers. As part of staff's efforts to ensure the proposed mixed use development creates interest at street level, the attached plans capture similar two foot-wide sections (from back of curb) along both McKinney Avenue and Oak Grove Avenue that will utilize similar brick applications.

| ZONING/ MAP NO. | LC Subdistrict (existing) | Applicant's request | Staff comments (where applicable) |
|----------------------------|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| LAND AREA | 1.2633 ACRES | N/A | |
| USES | MIX OF USES WITH RESIDENTIAL | RETAIN LC AND PROVIDE FOR NEW USE TO CAPTURE TROLLEY PRESENCE | |
| F/S/R SETBACKS | 10'/10'/25' (RES) PLUS ADDL. SETBACK >36' OF STR. HT. | 10'-ALL STREET FRONTAGES; NO MIN. ALONG NORTHERN P/L | |
| DENSITY | ~403 DWELLING UNITS (ASSUMES 50%/50% 1 BR/2 BR UNITS) | 275 DU'S | |
| FLOOR AREA | 247,630 SF (ASSUMES 1:1 RESIDENTIAL COMPONENT) | 318,000 SF; CAP NONRESIDENTIAL AT 15,000 SF | 318,000 SF; MINIMUM REQ. FOR TROLLEY OPERATIONS |
| HEIGHT | 240' | NO ADDL. SETBACK FOR STRUCTURES >36' | |
| LOT COVERAGE | 80% | 80%, REDUCING FOOTPRINT AS STRUCTURES GO VERTICAL | |
| LANDSCAPE | PDD 193 | PDD 193 W/REDUCED ≤ LANDSCAPE SITE AREA, REVISED TREE PLNTG. ZONE ON MCKINNEY; REV. GARAGE BUFFER ON OAK GROVE | |
| OFF-STREET PARKING | PER USE-PDD 193 | N/A | ESTABLISHED MINIMUM PARKING FOR TROLLEY OPERATIONS |
| SIDEWALKS | 6' | MCKINNEY AVE-8' UNOBSTRUCTED; BOWEN, OAK GROVE-6' UNOBSTRUCTED; ENHANCED ALONG MCKINNEY AND OAK GROVE | |
| DESIGN CRITERIA | N/A | SITE SPECIFIC PER ORD. | ENSURE TROLLEY MUSEUM HAS PROMINENT STREET APPEAL; PROHIBIT ROW USED FOR ROUTINE ACCESS TO TRASH AREA |

TCDFW DEVELOPMENT, INC. (APPLICANT)

OFFICERS AND DIRECTORS

Board of Directors

Name:

Title:

Michael S. Duffy
Scott A. Dyche

Director
Director

Officers

Name:

Title:

Scott A. Krikorian
Scott A. Krikorian
Adam Saphier
Matthew J. Nickels, III
Michael S. Duffy
Mark C. Allyn
John A. Stirek
T. Christopher Roth
James H. Matoushek
Scott A. Dyche
Joel Behrens
Valarie Gonzales
S. Denton Walker, III
Rebecca M. Savino
Scott A. Dyche
James H. Matoushek

Chief Executive Officer
President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Executive Vice President
Senior Vice President
Vice President
Vice President
Secretary
Assistant Secretary
Treasurer

APPLICANT REQUESTED/STAFF RECOMMENDED CONDITIONS

Division S-_____ Subdistrict _____.

SEC. S-____.101. LEGISLATIVE HISTORY.

PD Subdistrict _____ was established by Ordinance No. _____, passed by the Dallas City Council on _____, 2015.

SEC. S-____.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict _____ is established on property located on the northeast line of Bowen Street between McKinney Avenue and Oak Grove Avenue. The size of PD Subdistrict _____ is approximately 1.2633 acres.

SEC. S-____.103. DEFINITIONS AND INTERPRETATIONS.

Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

In this division:

(1) SUBDISTRICT means a subdistrict of PD 193.

(2) PRIVATE OPEN SPACE means an area that is open to all occupants of the building and is unobstructed to the sky but structures that are not fully enclosed such as colonnades, pergolas, and gazebos are allowed

(3) TROLLEY OPERATIONS means a facility owned and operated by McKinney Avenue Transit Authority (MATA) that provides for some or all of the following: 1) storage and maintenance of trolley cars and related equipment; 2) administrative offices; and, 3) museum space displaying artifacts of past and current MATA operations.

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

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

SEC. S-____.104 EXHIBITS.

(a) The following exhibit is incorporated into this division:

(b) Exhibit S-__A: development plan.

(c) Exhibit S-__B: roof plan.

SEC. S-____.105. DEVELOPMENT PLAN.

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

SEC. S-____.106. MAIN USES PERMITTED.

(a) Except as those provided in this section, the main uses permitted in this subdistrict are those main uses permitted in the LC Light Commercial Subdistrict, subject to the same conditions applicable in the LC Light Commercial Subdistrict, as set out in PD 193. For example, a use permitted in the LC Light Commercial Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the LC Light Commercial Subdistrict is subject to DIR in this subdistrict; etc.

(b) The following use is permitted.

--Trolley operations.

SEC. S-____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-____.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. In the event of a conflict between this section and Part I of this article, this section controls)

(a) Except as provided in this section, the yard lot and space regulations of the LC Light Commercial Subdistrict apply.

(b) Front yard.

(1) Minimum front yard on McKinney Avenue is 10 feet.

(2) Minimum front yard on Bowen Street is 10 feet from the street right-of-way as of the date of establishment of this subdistrict.

(3) Minimum front yard on Oak Grove Avenue is 10 feet.

Z134-333(RB)

(4) No additional setback is required for any portion of a building over 36 feet in height.

Applicant requested:

(5) Canopies and awnings may project to the property line on McKinney Avenue.

Staff recommended:

(5) Canopies and awnings may project to the property line on McKinney Avenue at a height no less than ten feet above grade, exclusive of supports.

(6) Balconies may project up to five feet into required front yard with a minimum of 16 feet of clearance above the sidewalk.

(7) Stoops, steps, planters, retaining walls, patios, transformers and other utility equipment, benches, pots, raised planters, sculptures, and other decorative landscape items may be located within the required setback with no projection limitation.

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

(d) Floor Area. Except as provided in this subsection, maximum floor area is 318,000 square feet.

(1) Maximum floor area for all nonresidential uses, exclusive of trolley operations, is 15,000 square feet.

(2) Minimum floor area for all nonresidential uses, exclusive of trolley operations, is 11,200 square feet.

(3) Minimum floor area for trolley operations is 1,500 square feet.

(4) Minimum floor area for private amenity area is 1,250 square feet.

(e) Density. Maximum number of dwelling units is 275.

(f) Lot Coverage. Except as provided in this subsection, maximum lot coverage is 82 percent.

(1) For any portion of a building that is above 24 feet but less than 85 feet in height may not have a floor plate greater than 65 percent of the lot area.

(2) For any portion of a building that is equal to or greater than 85 feet in height may not have a floor plate greater than 25 percent of the lot area.

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

(a) Except as provided in this section, consult Part I of this article for the specific off-street parking and loading requirements for each use.

(b) Trolley Operations: A minimum of two off-street parking spaces must be provided.

(c) Loading areas must be provided as shown on the Development Plan (Exhibit S- ___A).

Staff recommended:

| |
|-----------------------------------------------------------------------------------------------------------------|
| (d) Access into the loading area from the public right-of-way for the routine placement of trash is prohibited. |
|-----------------------------------------------------------------------------------------------------------------|

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

See Article VI of Chapter 51A.

SEC. S-___.111. LANDSCAPING.

(a) Except as provided in this subsection, landscaping will be provided in accordance with the requirements applicable to the P.D. 193/LC subdistrict.

(b) A minimum of five percent of the general landscape area must be landscape site area.

(c) A minimum of 50 percent of the required front yard within the landscape area must be provided.

(d) A minimum landscape buffer of eight feet between a street facing parking structure and Oak Grove Avenue must be provided.

(e) Sidewalks.

(1) McKinney Avenue. A minimum unobstructed width of eight feet must be provided, located between six and one-half feet and 14 feet from back-of-curb.

(2) Bowen Street and Oak Grove Avenue. A minimum unobstructed width of six feet must be provided.

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

SEC. S-___.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII, and with the provisions of the McKinney Avenue Special Provision Sign District.

SEC. S-___.113. URBAN DESIGN REQUIREMENTS.

(a) A minimum of two of each of the following pedestrian amenities must be provided along the McKinney Avenue street frontage and one each on the Bowen Street and Oak Grove Street frontage:

Z134-333(RB)

- (1) Benches,
- (2) Trash receptacles, and
- (3) Bicycle racks.

(b) Tree wells are allowed within the sidewalk at a maximum spacing of 30 feet on-center with pedestrian street lamps spaced at 45 feet to 60 feet spacing with the exception of visibility triangles and vehicular drives.

(c) A minimum of two different facade materials must be provided on each street-facing facade.

(d) Architectural elements, such as the following, must be provided at all public entry points:

- (1) Architecturally prominent public entrances,
- (2) Canopies,
- (3) Awnings, or
- (4) Attached towers.

(e) Trolley Operations.

(1) Must be located as shown on the development plan.

(2) A minimum of 18 feet finished floor to ceiling must be provided.

(3) Bowen Street. The facade must be a minimum of 70 percent open as measured for that portion of the façade below 16 feet in height fronting on Bowen Street.

(4) Oak Grove Avenue. The facade must be a minimum of 50 percent open as measured for that portion of the façade below 16 feet fronting on Oak Grove Avenue.

(f) Minimum private open space. For a development on the Property containing a minimum of 140 dwelling units, a minimum of 8,000 square feet of private open space must be provided in the location as shown on the development plan.

SEC. S-____.114. ADDITIONAL PROVISIONS.

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

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

(c) Development and use of the Property much comply with Part I of this article.

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

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

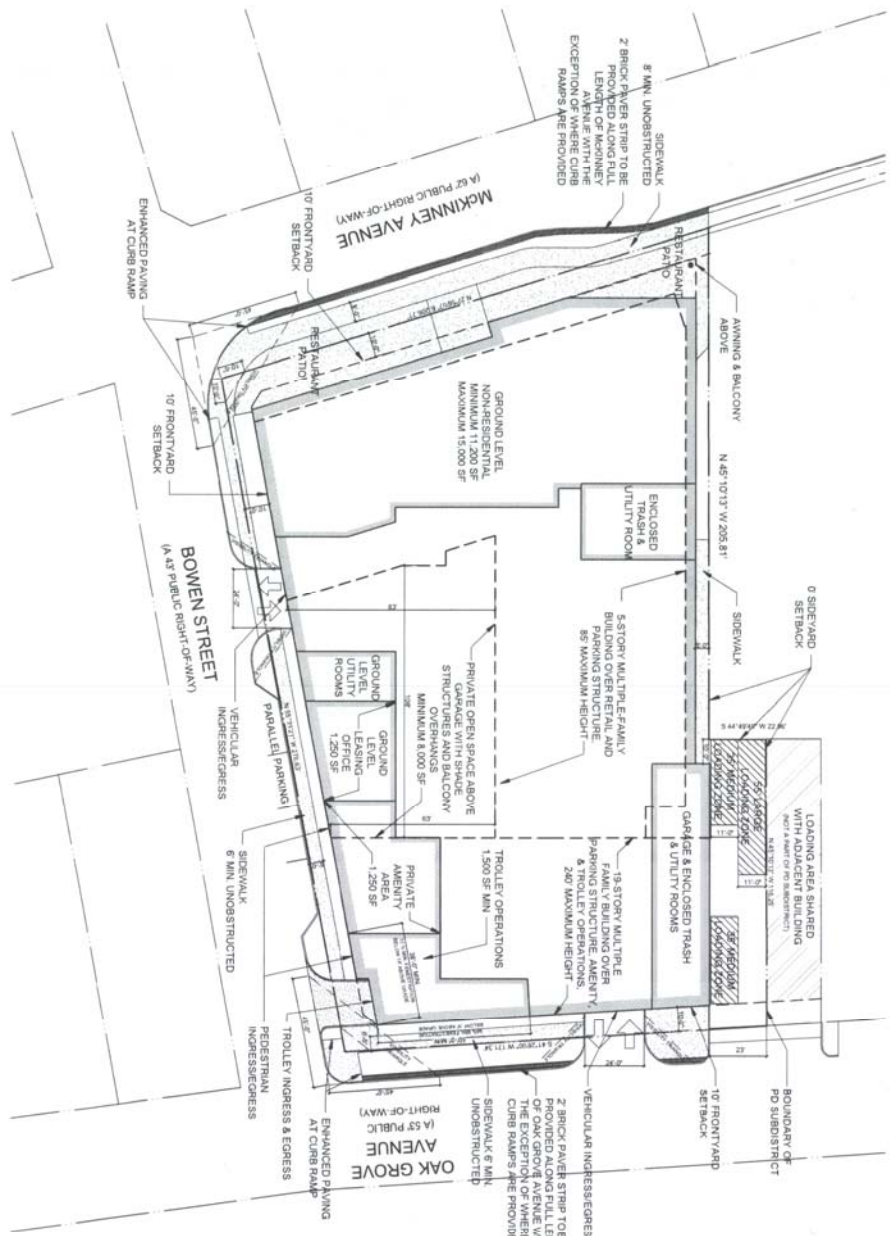
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances,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

DEVELOPMENT PLAN
 3230 McKinney Mixed Use Tower
 Dallas, Texas

Job # 14121
 File Name: Development Plan-V4.dwg
 Date: 01/26/2015
 Drawn by: EB, RB



Good Fulton & Farnell Architects
 2002 Foremost Blvd
 Dallas, Texas 75201
 214.420.3333
 info@gff.com



PROJECT DATA TABLE

| | |
|-------------------------------------|--------------------------------------------------------|
| USE | 54,000 SF, 1.263 ACRES |
| TYPE | MULTI-FAMILY RESIDENTIAL WITHOUT DRIVE THROUGH SERVICE |
| OTHER | TROLLEY OPERATIONS |
| FLOOR AREA | 304,200 SF |
| RESIDENTIAL | 1,500 UNITS |
| COMMERCIAL | 1,500 SF |
| OFFICE | 312,000 SF |
| RETAIL | 11,200 SF |
| OPERATIONS | 275 DWELLING UNITS |
| DENSITY | 82% |
| 24 HOUR OPERATIONS ABOVE GRADE | 82% |
| STRUCTURE HEIGHT | 206'-0" |
| MINIMUM PRIVATE OPEN SPACE | 8,000 SF* |
| * EXCLUDING TROLLEY OPERATIONS AREA | |

Percentage of Total of Required Parking

| Use Category | Area (Sq. Feet) | Req'd Parking | Provided Parking |
|--------------|-----------------|---------------|------------------|
| Residential | 1,200 | 112 | 410 |
| Commercial | 11,200 | 112 | 0 |
| Office | 312,000 | 112 | 112 |
| Operations | 1,500 | 0 | 2 |
| TOTAL | | 436 | 524 |

Percentage of Total of Required Parking

| Use Category | Area (Sq. Feet) | Req'd Parking | Provided Parking |
|--------------|-----------------|---------------|------------------|
| Residential | 1,200 | 112 | 410 |
| Commercial | 11,200 | 112 | 0 |
| Office | 312,000 | 112 | 112 |
| Operations | 1,500 | 0 | 2 |
| TOTAL | | 436 | 524 |

PARKING CREDIT TO BE AWARDED AT TIME OF APPROVAL. FINAL CREDITABLE PERCENTAGE OF OCCUPANCY SHOULD NOT EXCEED REDUCED NUMBER OF REQUIRED PARKING SPACES WILL BE CALCULATED AT TIME OF APPLICATION FOR BUILDING PERMITS.

Proposed Development Plan

ROOF PLAN
 3230 McKinney Mixed Use Tower
 Dallas, Texas

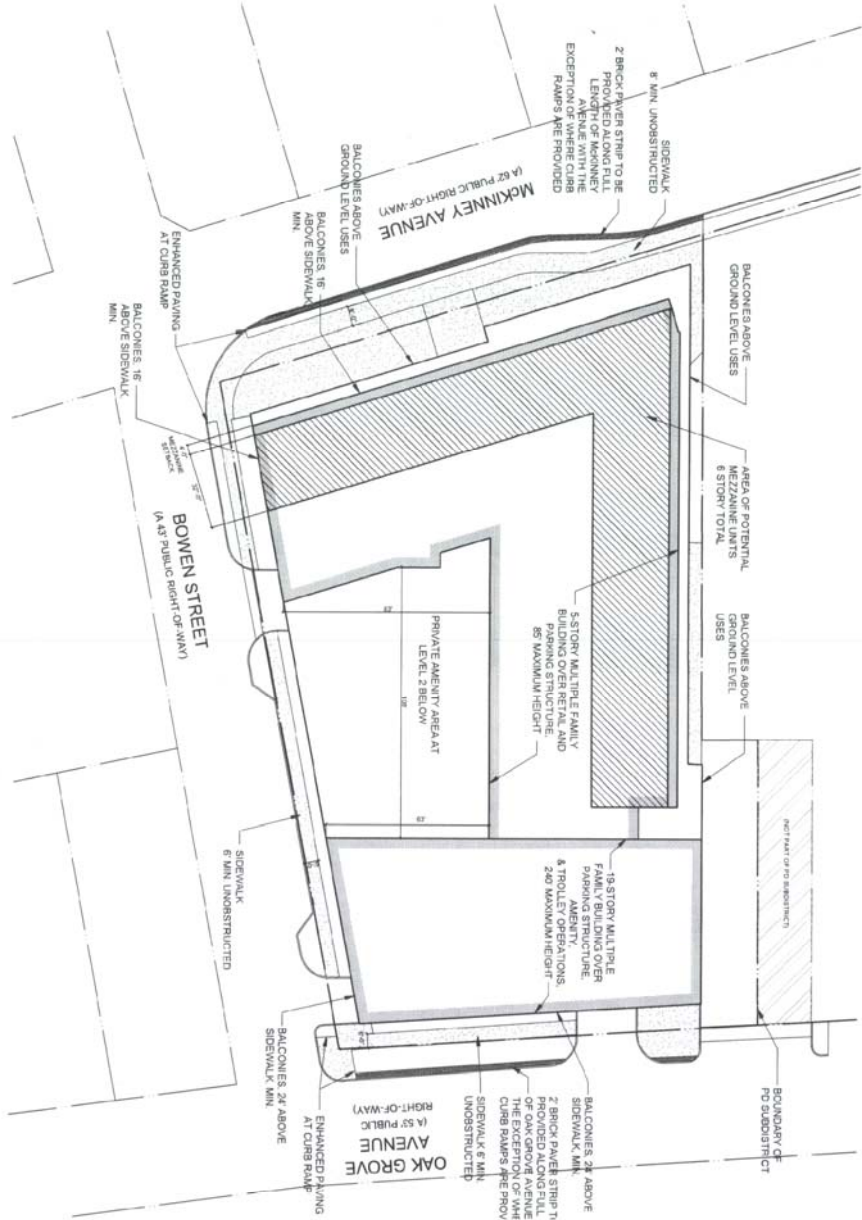
Job #: 14121
 File Name: Development Plan V4.dwg
 Date: 01/26/2015
 Drawn by: EB, PR

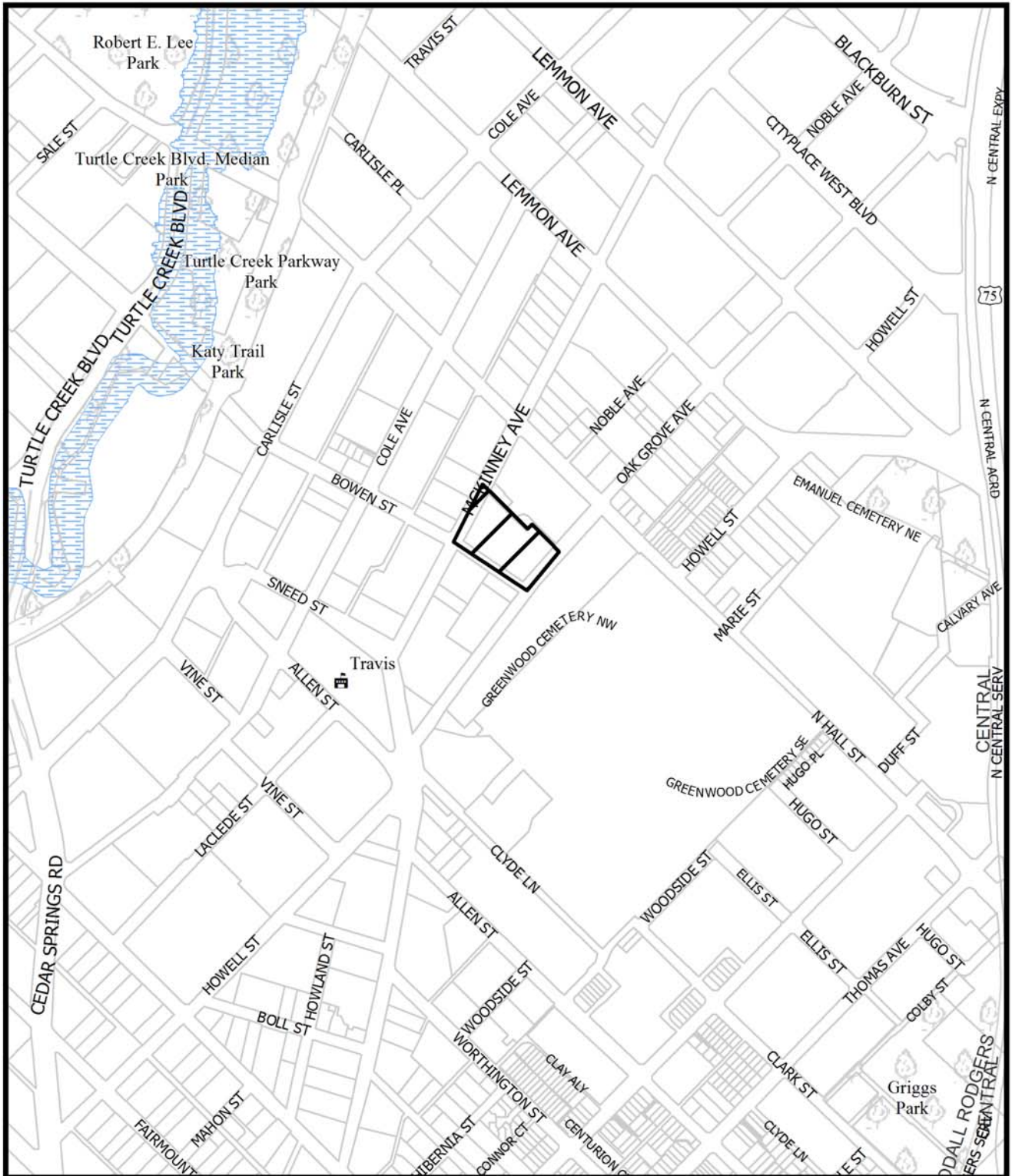


gfi

Good Fulton & Farnell Architects
 2008 Main Street
 Dallas, Texas 75201
 214.353.0278
 www.gfi.com

Z134-333



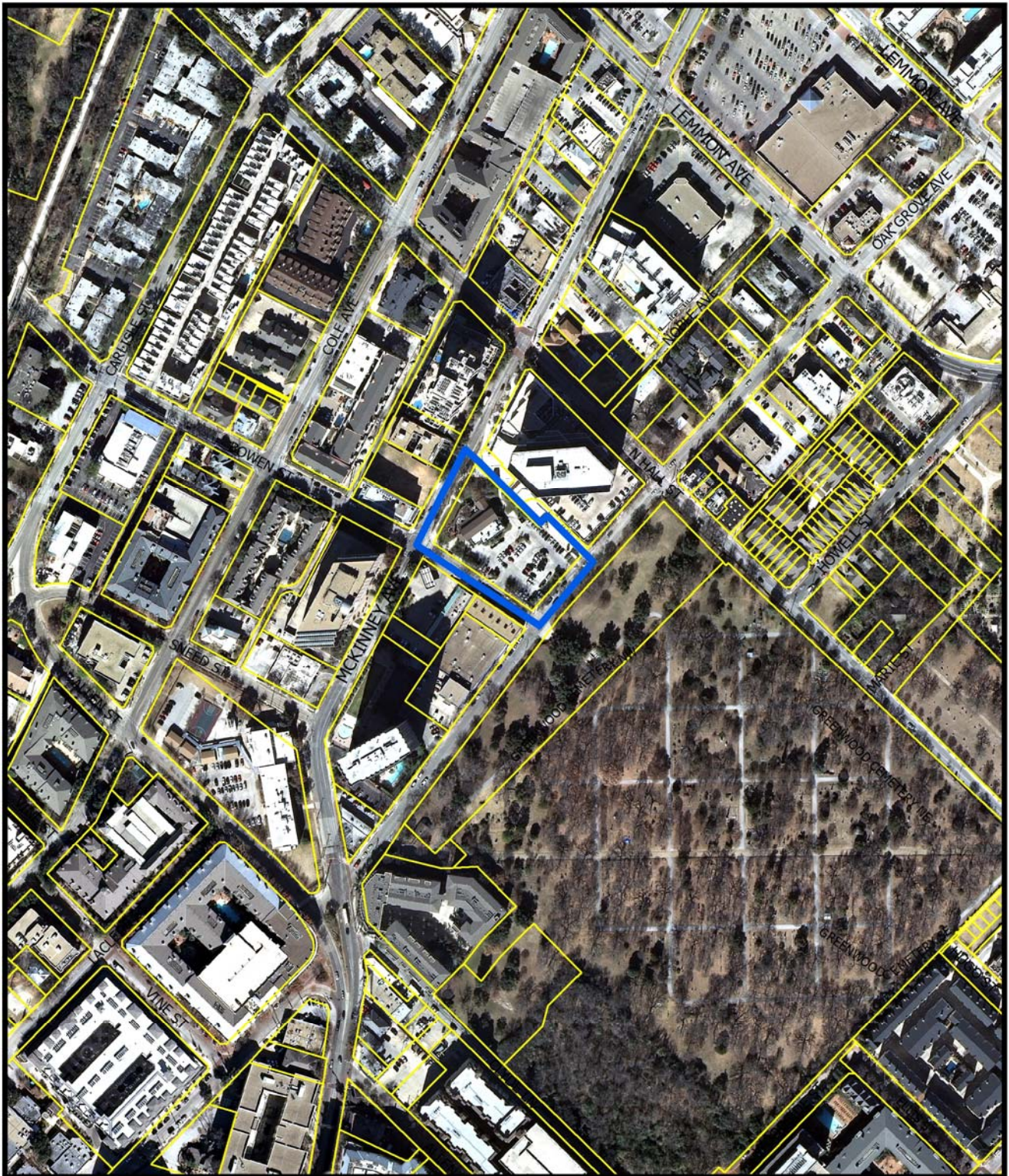


1:6,000

VICINITY MAP

Case no: **Z134-333**

Date: **10/29/2014**




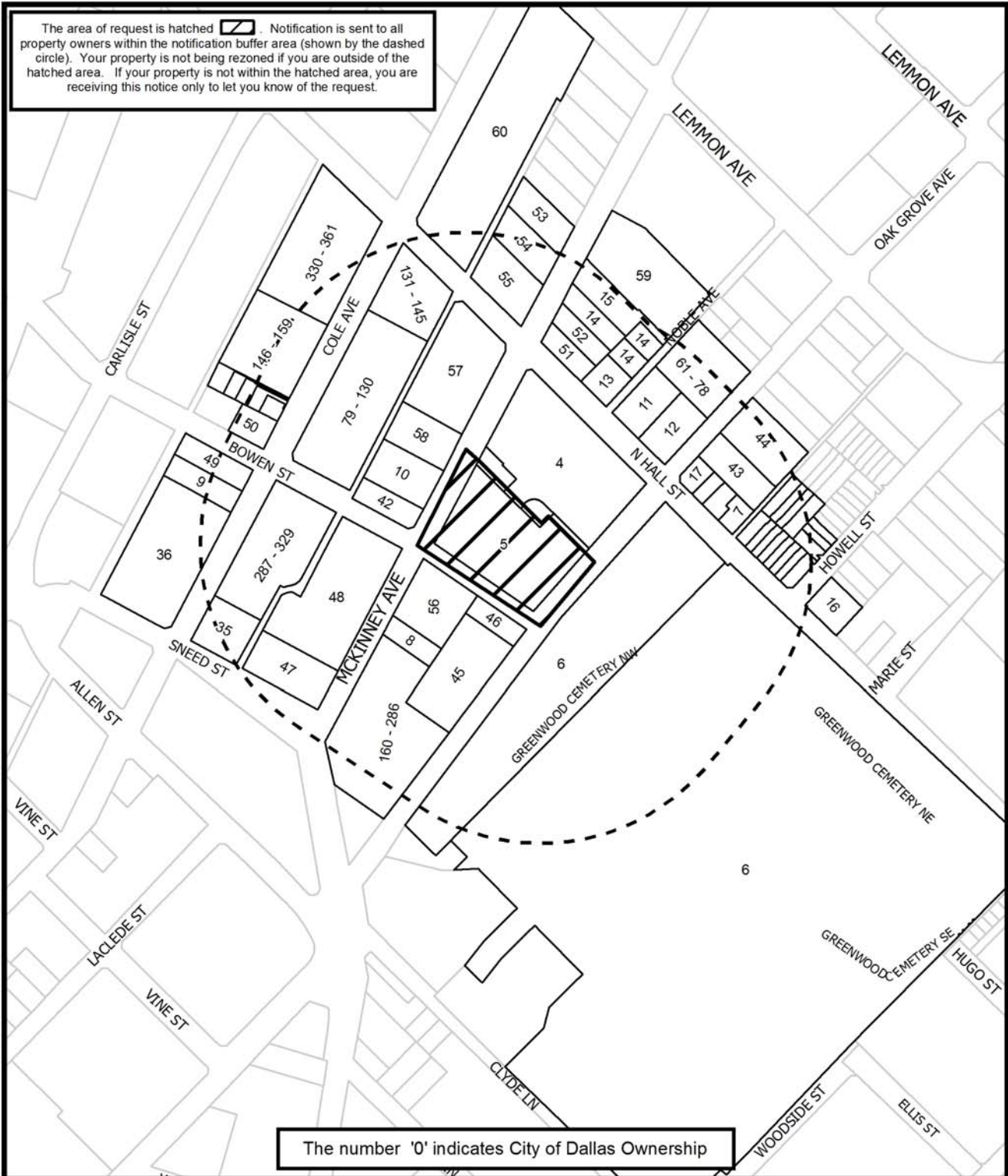
1:3,600

AERIAL MAP

Case no: Z134-333

Date: 10/29/2014

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



The number '0' indicates City of Dallas Ownership



1:3,600

NOTIFICATION

500'

AREA OF NOTIFICATION

361

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z134-333**

Date: **10/29/2014**

10/29/2014

Notification List of Property Owners***Z134-333******361 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|--------------------------------|
| 1 | 3230 MCKINNEY AVE | LISAR INC |
| 2 | 3230 MCKINNEY AVE | LISAR INC |
| 3 | 3205 OAK GROVE AVE | GAEDEKE HOLDINGS II LTD |
| 4 | 3232 MCKINNEY AVE | GAEDEKE HOLDINGS II LTD |
| 5 | 3230 MCKINNEY AVE | LISAR INC |
| 6 | 2501 HALL ST | GREENWOOD CEMETERY ASSN |
| 7 | 2816 HALL ST | MCKINNEY AVENUE |
| 8 | 3124 MCKINNEY AVE | MCKINNEY AVENUE |
| 9 | 3107 COLE AVE | BOUCHER DANIEL D |
| 10 | 3207 MCKINNEY AVE | GIBON MCCROREY HOLDINGS LLC |
| 11 | 2910 HALL ST | MCCROREY GIBON HOLDINGS LLC |
| 12 | 3301 OAK GROVE AVE | GIBON MCCROREY HOLDINGS LLC |
| 13 | 2916 HALL ST | GIBON MCCROREY HOLDINGS LLC |
| 14 | 3307 NOBLE AVE | PORTOLANI FAMILY LP |
| 15 | 3312 MCKINNEY AVE | HUGHES HULL HOLDINGS LLC |
| 16 | 3402 HOWELL ST | LAMBERT PAULA S |
| 17 | 2828 HALL ST | DENNING JEREMY & DEANNA |
| 18 | 2824 HALL ST | HENDERSON ROBERT J & |
| 19 | 2820 HALL ST | NELSON WILLIAM & LINDA E |
| 20 | 2800 HALL ST | MCMINN WOODROW T & MARINDA J |
| 21 | 2800 HALL ST | MCNEW KIRK E & |
| 22 | 2800 HALL ST | RIVERA FRANK |
| 23 | 2800 HALL ST | GOETZ GEOFFREY & MARILYN |
| 24 | 2800 HALL ST | RICHIE CHRISTOPHER R & JULIE K |
| 25 | 2800 HALL ST | LAGERSTEDT STIG R & DENISE C |
| 26 | 2800 HALL ST | WEAVER LINDSAY D |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|--------------------|------------------------------------|
| 27 | 2800 HALL ST | ANTIL JERRY & PAMELA B |
| 28 | 3405 HOWELL ST | KO JASON B |
| 29 | 3405 HOWELL ST | CHASE BOBBY J & |
| 30 | 3405 HOWELL ST | DAIGLE CHASE H |
| 31 | 3405 HOWELL ST | SMIALEK KYLE |
| 32 | 3405 HOWELL ST | SANDERS JULIA E & JOSEPH M SANDERS |
| 33 | 3405 HOWELL ST | MARTINEZ ALEXIS |
| 34 | 3405 HOWELL ST | REAM ROBERT J TR |
| 35 | 3006 COLE AVE | ROCKLAND LP |
| 36 | 3015 COLE AVE | POST APARTMENT HOMES LP |
| 37 | 3207 COLE AVE | WARNICK HAROLD B |
| 38 | 3207 COLE AVE | STANIS GRANT |
| 39 | 3207 COLE AVE | HANSEN SARAH M |
| 40 | 3207 COLE AVE | FELDMAN JULIE & MATTHEW |
| 41 | 3207 COLE AVE | LOUKAIDES ALEXANDER |
| 42 | 3203 MCKINNEY AVE | DFW MAPLE LEAF PTNRS LLC |
| 43 | 3308 OAK GROVE AVE | PRIDE & JOY CAPITAL LP |
| 44 | 3316 OAK GROVE AVE | OAK GROVE PARTNERS LTD |
| 45 | 3120 MCKINNEY AVE | MCKINNEY AVENUE |
| 46 | 3153 OAK GROVE AVE | MCKINNEY AVENUE TRANSIT |
| 47 | 3101 MCKINNEY AVE | YOUNG CANNON PROPERTIES LP |
| 48 | 3131 MCKINNEY AVE | VELOCIS MCKINNEY LP |
| 49 | 3111 COLE AVE | ANDERSON MICHAEL J |
| 50 | 3205 COLE AVE | KASNETZ ANDREW B |
| 51 | 3300 MCKINNEY AVE | REGISTER CHARLES |
| 52 | 3306 MCKINNEY AVE | REGISTER CHARLES |
| 53 | 3317 MCKINNEY AVE | PDC INTERESTS LLC |
| 54 | 3309 MCKINNEY AVE | RACHOFKY M J TRUST ETAL |
| 55 | 3301 MCKINNEY AVE | HUGHES HULL HOLDINGS LLC |
| 56 | 3128 MCKINNEY AVE | AZIZA INVESTMENTS INC |
| 57 | 3227 MCKINNEY AVE | FATH DALLAS RESIDENCES LP |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|--------------------|---------------------------------------|
| 58 | 3219 MCKINNEY AVE | W&K REAL ESTATE PTNRS INC |
| 59 | 3324 MCKINNEY AVE | 3324 MCKINNEY AVE APTS INV LLC |
| 60 | 3402 COLE AVE | POST APARTMENT HOMES LP |
| 61 | 3321 OAK GROVE AVE | DEARING GEORGE C |
| 62 | 3321 OAK GROVE AVE | GAY DONNA BERNARD |
| 63 | 3321 OAK GROVE AVE | LAMB MICHAEL D |
| 64 | 3321 OAK GROVE AVE | MANRIQUE RAUL E CUBILLAS |
| 65 | 3321 OAK GROVE AVE | GODFREY DANIEL E |
| 66 | 3321 OAK GROVE AVE | HUTCHINSON JEFFREY KEITH |
| 67 | 3321 OAK GROVE AVE | MAHMALJI DAVID |
| 68 | 3321 OAK GROVE AVE | CONNER CRAIG |
| 69 | 3321 OAK GROVE AVE | SHACKLETT SUZY |
| 70 | 3321 OAK GROVE AVE | PERRY BRIAN |
| 71 | 3321 OAK GROVE AVE | NOBLE JEFFREY S |
| 72 | 3321 OAK GROVE AVE | REDINGER SARA J |
| 73 | 3321 OAK GROVE AVE | MAHMALKIS REAL ESTATE INVESTMENTS LLC |
| 74 | 3321 OAK GROVE AVE | JERNIGAN BRUCE ALLEN |
| 75 | 3321 OAK GROVE AVE | MCMAHON NENA L |
| 76 | 3321 OAK GROVE AVE | BORG STEPHEN W |
| 77 | 3321 OAK GROVE AVE | MINTER STEVEN S |
| 78 | 3321 OAK GROVE AVE | GOODING BRAD E |
| 79 | 3208 COLE AVE | DILLING CAITLIN C |
| 80 | 3208 COLE AVE | PINKER MARC |
| 81 | 3208 COLE AVE | JAMES KIM |
| 82 | 3208 COLE AVE | WOODALL MARK E & |
| 83 | 3208 COLE AVE | PLESNARSKI WILLIAM |
| 84 | 3208 COLE AVE | SAMUEL ANN LINDA |
| 85 | 3208 COLE AVE | CROSBIE PETER J |
| 86 | 3208 COLE AVE | PAK CHRISTOPHER |
| 87 | 3208 COLE AVE | DYNAN THOMAS & CAROLINE M |
| 88 | 3208 COLE AVE | WICKER MALLORIE |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|----------------------------|
| 89 | 3208 COLE AVE | CAHILL HEATHER |
| 90 | 3208 COLE AVE | ARNOLD NANCY G |
| 91 | 3208 COLE AVE | HANNA MARY C |
| 92 | 3208 COLE AVE | WIDENER MICHAEL LEE & INNA |
| 93 | 3208 COLE AVE | DUELKS BRADFORD B |
| 94 | 3208 COLE AVE | GONZALEZ RAY L |
| 95 | 3208 COLE AVE | SAKHAI MARYAM |
| 96 | 3208 COLE AVE | PATEL CHIRAG |
| 97 | 3208 COLE AVE | VARGHESE THOMAS |
| 98 | 3208 COLE AVE | STEPHENS CHARLES |
| 99 | 3208 COLE AVE | KOJDER JESSICA |
| 100 | 3208 COLE AVE | MITTEN JENNIFER |
| 101 | 3208 COLE AVE | THAKRAR ANISH |
| 102 | 3208 COLE AVE | HAYES JILL BETH |
| 103 | 3208 COLE AVE | PAPE AUTUMN R |
| 104 | 3208 COLE AVE | DEMIRKOL HANDE |
| 105 | 3208 COLE AVE | WEDEBERG BRADLEY A & LEE B |
| 106 | 3208 COLE AVE | KRACKE KIM B |
| 107 | 3208 COLE AVE | MINGLE DANIEL |
| 108 | 3208 COLE AVE | BELL THERESA MARIE |
| 109 | 3208 COLE AVE | KNOTT LAURA G |
| 110 | 3208 COLE AVE | CURRA CHRISTOPHER J |
| 111 | 3208 COLE AVE | DYKEMAN ALICE MGMT TR THE |
| 112 | 3208 COLE AVE | HOUCK TROY |
| 113 | 3208 COLE AVE | WOODS JOSEPH D |
| 114 | 3208 COLE AVE | NEUNERT CINDY E |
| 115 | 3208 COLE AVE | PIERCE ROGER A |
| 116 | 3208 COLE AVE | HARE JAMIE |
| 117 | 3208 COLE AVE | LATHAM KATHLEEN |
| 118 | 3208 COLE AVE | HERNANDEZ CARDENAS ANN V |
| 119 | 3208 COLE AVE | EGGBRECHT DARREN W |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|---------------------------------------|
| 120 | 3208 COLE AVE | CALEGARI MAUD B |
| 121 | 3208 COLE AVE | PFITZINGER BRIAN S |
| 122 | 3208 COLE AVE | CHARUWORN NART |
| 123 | 3208 COLE AVE | FEDERAL NATIONAL MORTGAGE ASSOCIATION |
| 124 | 3208 COLE AVE | HARLOW CHARLES J |
| 125 | 3208 COLE AVE | DAVIS JENNIFER |
| 126 | 3208 COLE AVE | KNIGHT ALLISON M |
| 127 | 3208 COLE AVE | GREEN MARY POLK |
| 128 | 3208 COLE AVE | FINKEL FAMILY TRUST |
| 129 | 3208 COLE AVE | LAU HOWARD |
| 130 | 3208 COLE AVE | HURTADO ANDREA |
| 131 | 3230 COLE AVE | BHAMIDIPATI PRABHAKAR |
| 132 | 3230 COLE AVE | GARLICK RYAN M |
| 133 | 3230 COLE AVE | WOODWARD LOIS N |
| 134 | 3230 COLE AVE | WEBER KARIN |
| 135 | 3230 COLE AVE | WILLIAMS STEVE F |
| 136 | 3230 COLE AVE | LUNA JOHN B |
| 137 | 3230 COLE AVE | SHAW BRITTANY |
| 138 | 3230 COLE AVE | WILLIAMS CURTIS A |
| 139 | 3230 COLE AVE | |
| 140 | 3230 COLE AVE | COSTA FRANCESCO |
| 141 | 3230 COLE AVE | KLUGE DENNIS L & |
| 142 | 3230 COLE AVE | TOLLESON CHAD M & JESSICA |
| 143 | 3230 COLE AVE | PETERSON DAVID J & |
| 144 | 3230 COLE AVE | HESS DOUGLAS ALLEN |
| 145 | 3230 COLE AVE | RIVERA FRANK |
| 146 | 3215 COLE AVE | L1 PROPERTIES LLC |
| 147 | 3215 COLE AVE | HARRISON SUZANNE & JAMES M |
| 148 | 3209 COLE AVE | LOPEZ ROLAND V |
| 149 | 3209 COLE AVE | GONZALEZ DEVIN |
| 150 | 3215 COLE AVE | OLIVERI CHARLES |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|----------------------------------|
| 151 | 3215 COLE RD | OLIVERI CHARLES W SR |
| 152 | 3215 COLE AVE | MCBEE DAVID H |
| 153 | 3209 COLE AVE | BRIDGE TOWER DALLAS ONE LLC |
| 154 | 3215 COLE AVE | FOLDESY SHAWN E |
| 155 | 3209 COLE AVE | HERNANDEZ GUILLERMO A & GABRIELA |
| 156 | 3209 COLE RD | J & O BLAKE FAMILY LLC |
| 157 | 3215 COLE AVE | VIOLI MICHAEL & |
| 158 | 3209 COLE AVE | MORROW SAMUEL S |
| 159 | 3215 COLE AVE | MURPHY CYRUS |
| 160 | 3030 MCKINNEY AVE | ROBINSON INDUSTRIES, INC |
| 161 | 3030 MCKINNEY AVE | BRINKMAN JEANNIE & |
| 162 | 3030 MCKINNEY AVE | AMMON SUSAN |
| 163 | 3030 MCKINNEY AVE | DOTY YVONNE D |
| 164 | 3030 MCKINNEY AVE | KAY DANA L |
| 165 | 3030 MCKINNEY AVE | HAYS RAYMOND R & DINAH D |
| 166 | 3030 MCKINNEY AVE | BAILEY LIVING TRUST |
| 167 | 3030 MCKINNEY AVE | LAWSON LILLIAN I |
| 168 | 3030 MCKINNEY AVE | KLEINE WILLIAMS D & ANN |
| 169 | 3030 MCKINNEY AVE | BROSI SCOTT C & |
| 170 | 3030 MCKINNEY AVE | NAPPI DAVID J |
| 171 | 3030 MCKINNEY AVE | GARCIA RICARDO LUIS & VERONICA M |
| 172 | 3030 MCKINNEY AVE | SIMPSON ANN |
| 173 | 3030 MCKINNEY AVE | HAIRE SCOTT L |
| 174 | 3030 MCKINNEY AVE | PHILLIPS WAYNE D |
| 175 | 3030 MCKINNEY AVE | STEELE JOHN RODMAN EST OF & |
| 176 | 3030 MCKINNEY AVE | SAHWANI DIANA |
| 177 | 3030 MCKINNEY AVE | BERTHOLD ROMBERG & |
| 178 | 3030 MCKINNEY AVE | WAGMAN FELICIA A MD |
| 179 | 3030 MCKINNEY AVE | MULLICAN MARY A |
| 180 | 3030 MCKINNEY AVE | VU CHI T |
| 181 | 3030 MCKINNEY AVE | NEAL BARBARA H |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|--------------------------------|
| 182 | 3030 MCKINNEY AVE | STERN FAMILY LIVING TRUST |
| 183 | 3030 MCKINNEY AVE | OLKKOLA EDWARD E |
| 184 | 3030 MCKINNEY AVE | KLEIN HANNE |
| 185 | 3030 MCKINNEY AVE | DYKES DONALD E |
| 186 | 3030 MCKINNEY AVE | GOLDFARB FAMILY TRUST U A |
| 187 | 3030 MCKINNEY AVE | PEPMILLER DELMAR D & |
| 188 | 3030 MCKINNEY AVE | CARTER HALEY MARCUS JR & |
| 189 | 3030 MCKINNEY AVE | SAMARA KENNETH J |
| 190 | 3030 MCKINNEY AVE | BAILEY KATHLEEN C LIVING TRUST |
| 191 | 3030 MCKINNEY AVE | BATCHELOR JAMES F & |
| 192 | 3030 MCKINNEY AVE | BRANTLEY GLADYS |
| 193 | 3030 MCKINNEY AVE | GRIFFIN ELIZABETH R |
| 194 | 3030 MCKINNEY AVE | ESTELLHANCOCK MARITA |
| 195 | 3030 MCKINNEY AVE | BAKER DONNA LYNN |
| 196 | 3030 MCKINNEY AVE | PETTIT MICHAEL B & |
| 197 | 3030 MCKINNEY AVE | ISMAIL SALIM & SHIREEN SALIM |
| 198 | 3030 MCKINNEY AVE | WALKER DAVID G |
| 199 | 3030 MCKINNEY AVE | CAMPEAU CORP TEXAS |
| 200 | 3030 MCKINNEY AVE | GWYN JAMES W & V MARIE |
| 201 | 3030 MCKINNEY AVE | SEAMAN GARY L & CAROLYN K |
| 202 | 3030 MCKINNEY AVE | HELVEY KENT |
| 203 | 3030 MCKINNEY AVE | SPIEGELMAN WILLARD |
| 204 | 3030 MCKINNEY AVE | MALKA MICHAEL A |
| 205 | 3030 MCKINNEY AVE | CARPENTER SUSAN |
| 206 | 3030 MCKINNEY AVE | DONALDSON NIGEL A |
| 207 | 3030 MCKINNEY AVE | STREIDL LISA ANN |
| 208 | 3030 MCKINNEY AVE | SANDKNOP RYAN |
| 209 | 3030 MCKINNEY AVE | LAMB SHELLY S |
| 210 | 3030 MCKINNEY AVE | MOSSER ROBERT E |
| 211 | 3030 MCKINNEY AVE | MCKEE JOHN |
| 212 | 3030 MCKINNEY AVE | BALL JEANNIE C |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|--------------------------------|
| 213 | 3030 MCKINNEY AVE | KHOSHNOUDI AHMAD & |
| 214 | 3030 MCKINNEY AVE | WOOD ELLEN |
| 215 | 3030 MCKINNEY AVE | MCDONALD MARLA |
| 216 | 3030 MCKINNEY AVE | HALLIDAY EDWIN JAY & LYNN MARY |
| 217 | 3030 MCKINNEY AVE | WANSTRATH LAURA |
| 218 | 3030 MCKINNEY AVE | BRITTINGHAM GUILLERMO M & |
| 219 | 3030 MCKINNEY AVE | DUFFIELD ANNE E |
| 220 | 3030 MCKINNEY AVE | TOUMANI RAFIK & SEDI |
| 221 | 3030 MCKINNEY AVE | DIPASQUA ALPHONSO & |
| 222 | 3030 MCKINNEY AVE | MILES JANIS C |
| 223 | 3030 MCKINNEY AVE | CARUSO RONALD |
| 224 | 3030 MCKINNEY AVE | THOMAS JOHN C & DEBRA |
| 225 | 3030 MCKINNEY AVE | FRANKEL DOUGLAS & |
| 226 | 3030 MCKINNEY AVE | GILHOOLY STEPHEN |
| 227 | 3030 MCKINNEY AVE | FREEMAN JOE E & CHERYL W |
| 228 | 3030 MCKINNEY AVE | WAUGH JOHN MARK TR & |
| 229 | 3030 MCKINNEY AVE | SELLARS JOHN P |
| 230 | 3030 MCKINNEY AVE | HARRIS CURTIS D & |
| 231 | 3030 MCKINNEY AVE | BROOKSHIER FAMILY TRUST |
| 232 | 3030 MCKINNEY AVE | BERNSTEIN BASIL |
| 233 | 3030 MCKINNEY AVE | MUIR J DUNCAN |
| 234 | 3030 MCKINNEY AVE | PRICE SANDRA NELSON |
| 235 | 3030 MCKINNEY AVE | PETERKIN NELL & LAWRENCE |
| 236 | 3030 MCKINNEY AVE | GREEN RAY E & VICKIE |
| 237 | 3030 MCKINNEY AVE | NORRIS PAUL |
| 238 | 3030 MCKINNEY AVE | CUNNINGHAM GENE M |
| 239 | 3030 MCKINNEY AVE | BRYAN BARRY |
| 240 | 3030 MCKINNEY AVE | KHOSHNOUDI BAHAR |
| 241 | 3030 MCKINNEY AVE | BROWN WILLIAM T II |
| 242 | 3030 MCKINNEY AVE | BARRY ELLEN M & |
| 243 | 3030 MCKINNEY AVE | HARRIS ELIZABETH K |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|------------------------------------------------|
| 244 | 3030 MCKINNEY AVE | FISCHER REVOCABLE TRUST |
| 245 | 3030 MCKINNEY AVE | LADD DENNIS |
| 246 | 3030 MCKINNEY AVE | JORDAN STEVEN C |
| 247 | 3030 MCKINNEY AVE | LADD DENNIS & |
| 248 | 3030 MCKINNEY AVE | AHNERT EDWARD F & |
| 249 | 3030 MCKINNEY AVE | TRIMBLE RODNEY B |
| 250 | 3030 MCKINNEY AVE | TARPLEY KRISTA J |
| 251 | 3030 MCKINNEY AVE | WHITWELL STEPHEN |
| 252 | 3030 MCKINNEY AVE | SCHMIDT KEITH A |
| 253 | 3030 MCKINNEY AVE | BARNES MITZI T |
| 254 | 3030 MCKINNEY AVE | CCR FAMILY TRUST |
| 255 | 3030 MCKINNEY AVE | KELLY MICHAEL J |
| 256 | 3030 MCKINNEY AVE | HAKIM CAMILLE A & |
| 257 | 3030 MCKINNEY AVE | SCHROEDER PATRICIA C REVOCABLE TRUST |
| 258 | 3030 MCKINNEY AVE | FELSTED KAREN E |
| 259 | 3030 MCKINNEY AVE | FARROWGILLIESPIE ALAN C |
| 260 | 3030 MCKINNEY AVE | FRANKS ROBERT C & |
| 261 | 3030 MCKINNEY AVE | HARGROVE T GEDDIE |
| 262 | 3030 MCKINNEY AVE | BARTON STANLEY & LINDA |
| 263 | 3030 MCKINNEY AVE | PUTNAM DONOVAN & |
| 264 | 3030 MCKINNEY AVE | APPERSON MARK W |
| 265 | 3030 MCKINNEY AVE | COLLINS FLOYD W |
| 266 | 3030 MCKINNEY AVE | ROGERS CULLEN A & |
| 267 | 3030 MCKINNEY AVE | CORTEZ CARLOS R |
| 268 | 3030 MCKINNEY AVE | MCLAUGHLIN KATHLEEN |
| 269 | 3030 MCKINNEY AVE | BIRKNER JOHN H |
| 270 | 3030 MCKINNEY AVE | SHELMIRE SUSAN |
| 271 | 3030 MCKINNEY AVE | WEATHERBY LESTER C JR & MORGAN TRUST CO- TR |
| 272 | 3030 MCKINNEY AVE | HAKIM CAMILLE & HAIFA TR |
| 273 | 3030 MCKINNEY AVE | BERG ALAN G |
| 274 | 3030 MCKINNEY AVE | BUTTS KELEM B & |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|-------------------|----------------------------------|
| 275 | 3030 MCKINNEY AVE | HEPFNER JAMES P |
| 276 | 3030 MCKINNEY AVE | ROBERTSON REBEL LEA LEGACY TRUST |
| 277 | 3030 MCKINNEY AVE | LA TOUR 2302 LLC |
| 278 | 3030 MCKINNEY AVE | MILDEBRATH MARK E & DANA |
| 279 | 3030 MCKINNEY AVE | NELSON RANDALL & KIMBERLY |
| 280 | 3030 MCKINNEY AVE | BERGNER JOHN F & |
| 281 | 3030 MCKINNEY AVE | STEWART JEFFREY G |
| 282 | 3030 MCKINNEY AVE | SKYLINE TRUST |
| 283 | 3030 MCKINNEY AVE | HAWLEY JOHN R & MARCIA H |
| 284 | 3030 MCKINNEY AVE | SKYLINE TRUST |
| 285 | 3030 MCKINNEY AVE | SKYLINE TRUST |
| 286 | 3030 MCKINNEY AVE | SKYLINE TRUST |
| 287 | 3100 COLE AVE | AFTABROUSHADR KAMBIZ |
| 288 | 3100 COLE AVE | ALLSION CHRIS |
| 289 | 3100 COLE AVE | RAFFEL SCOTT J & KATHY E |
| 290 | 3100 COLE AVE | ZHANG HELEN X Y |
| 291 | 3100 COLE AVE | BRANT SARAH M |
| 292 | 3100 COLE AVE | KOJIMA SHIHOKO |
| 293 | 3100 COLE AVE | PALETTI SONIA |
| 294 | 3100 COLE AVE | NICOLLE BRYCE DAUVERGNE |
| 295 | 3100 COLE AVE | CHESNUT JOHN |
| 296 | 3100 COLE AVE | SMITH HOLLY F |
| 297 | 3100 COLE AVE | REYES ROBERT M |
| 298 | 3100 COLE AVE | TEJURA SEEMA V |
| 299 | 3100 COLE AVE | RAFEA VEEDA |
| 300 | 3100 COLE AVE | ZERR JOSEPH |
| 301 | 3100 COLE AVE | KJELDGAARD DAVID |
| 302 | 3100 COLE AVE | MATAMOROS JOSEPH A |
| 303 | 3100 COLE AVE | DRAPER DUANE D |
| 304 | 3100 COLE AVE | ZENTNER DANIEL J |
| 305 | 3100 COLE AVE | HAUCK HANS G & |

Z134-333(RB)

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|----------------------------------------------|
| 306 | 3100 COLE AVE | WHEAT DAVID G |
| 307 | 3100 COLE AVE | MURRAY ESTATE LLC |
| 308 | 3100 COLE AVE | FLEMING STEPHEN M |
| 309 | 3100 COLE AVE | BENAVIDES MICHAEL L |
| 310 | 3100 COLE AVE | YU MIMI |
| 311 | 3100 COLE AVE | GAMINI MORTEZA & BORTAY |
| 312 | 3100 COLE AVE | SKAINES JONATHAN B |
| 313 | 3100 COLE AVE | LOZANO JAVIER ALBERTO NEYRA & YEAL JOSEPH |
| 314 | 3100 COLE AVE | THELEN TODD M |
| 315 | 3100 COLE AVE | OREILLEY KATHLEEN |
| 316 | 3100 COLE AVE | SALANON EMANUEL JOEL |
| 317 | 3100 COLE AVE | GARCIA EDWARD I |
| 318 | 3100 COLE AVE | AHN SAM |
| 319 | 3100 COLE AVE | MILLIET MARK JOSEPH |
| 320 | 3100 COLE AVE | MAYES EVAN Z |
| 321 | 3100 COLE AVE | REISMAN MARK L |
| 322 | 3100 COLE AVE | PHILLIPS THOMAS L |
| 323 | 3100 COLE AVE | ROSENBAUM RICO |
| 324 | 3100 COLE AVE | YOUNG LINDSAY & |
| 325 | 3100 COLE AVE | WARMAN DAVID |
| 326 | 3100 COLE AVE | VONBORSIG MICHAEL A |
| 327 | 3100 COLE AVE | LIN CONSTANCE LEECHEN |
| 328 | 3100 COLE AVE | YORK ROBERT A & |
| 329 | 3100 COLE AVE | DEMEIS DANIEL G |
| 330 | 3235 COLE AVE | COOKE AMY M |
| 331 | 3235 COLE AVE | NGUYEN THONG |
| 332 | 3235 COLE AVE | FREDERICK KYLE |
| 333 | 3235 COLE AVE | |
| 334 | 3235 COLE AVE | HALL DOUGLAS K |
| 335 | 3235 COLE AVE | SHEINBERG DARREN |
| 336 | 3235 COLE AVE | BURKE ASHLEE ESTELLE & AARON |

10/29/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|-----------------------------|
| 337 | 3235 COLE AVE | CHAPMAN ALBERT J III |
| 338 | 3235 COLE AVE | WELLS ALEX L |
| 339 | 3235 COLE AVE | HALLOCK KEITH R JR |
| 340 | 3235 COLE AVE | KNOWLTON KELLY |
| 341 | 3235 COLE AVE | MAJOR DAVID P |
| 342 | 3235 COLE AVE | MALLOY BETHANY E |
| 343 | 3235 COLE AVE | THOMPSON SCOTT JAY |
| 344 | 3235 COLE AVE | DEERING CHRISTOPHER |
| 345 | 3235 COLE AVE | WILCOX AUSTIN J |
| 346 | 3235 COLE AVE | HUMPHRIES MATTHEW SHAWN |
| 347 | 3235 COLE AVE | MILES BRANDON |
| 348 | 3235 COLE AVE | WHITE STEVEN M & TERESA J |
| 349 | 3235 COLE AVE | GOLDMAN DAVID |
| 350 | 3235 COLE AVE | LITOFF AUSTIN |
| 351 | 3235 COLE AVE | LECOVER MATTHEW L |
| 352 | 3235 COLE AVE | KUO ANDY |
| 353 | 3235 COLE AVE | FICKE GEOFFREY E |
| 354 | 3235 COLE AVE | AN JADHAVJI INVESTMENTS LLC |
| 355 | 3235 COLE AVE | BARNEY JOHN DAVID |
| 356 | 3235 COLE AVE | PAINTER KENNETH R |
| 357 | 3235 COLE AVE | MEHTA EMILY BALCH & GAURAV |
| 358 | 3235 COLE AVE | VANN RHONDA H |
| 359 | 3235 COLE AVE | ELKINS LARRY G |
| 360 | 3235 COLE AVE | FIORE ANGELA M |
| 361 | 3235 COLE AVE | MAIONE MICHAEL |

FILE NUMBER: Z145-133(OTH)

DATE FILED: December 1, 2014

LOCATION: Southwest corner of West Ledbetter Drive and South Hampton Road

COUNCIL DISTRICT: 3

MAPSCO: 63-H

SIZE OF REQUEST: ± 0.69 acres

CENSUS TRACT: 109.04

APPLICANT/OWNER: LG Hampton SE, LLC

REPRESENTATIVE: Santos Martinez, Masterplan

REQUEST: An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay.

SUMMARY: The applicant proposes to build a structure to operate a motor vehicle fueling station and to sale beer and wine in conjunction with a general merchandise or food. The property is currently undeveloped.

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

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less will not impact compatibility with the surrounding land uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale alcoholic beverages in conjunction with the proposed general merchandise or food store will not deter or contribute to the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The sale of alcoholic beverages is not anticipated to be a detriment. The proposed general merchandise or food store will be required to comply with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. In addition, conditions and time periods for the sale of alcohol provide opportunities for continued evaluation of the site.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed development complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

Surrounding Zoning History:

There have been zoning changes in the area within the last five years.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|----------------------------|--------------------|---------------------|
| West Ledbetter Drive | Principal Arterial | 100 feet |
| South Hampton Road | Principal Arterial | 100 feet |

STAFF ANALYSIS:

Comprehensive Plan:

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

The property is located in the “Transit Centers or Multi-Modal Corridors” Building Block. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail lines, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Of all the building blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences.

Surrounding Land Uses:

| | Zoning | Land Use |
|--------------|---------------------------------|-----------------------------------------------------------------|
| Site | RR-D | Undeveloped |
| North | LO-3, RR, R-7.5(A), SUP No. 892 | Retail, and residential uses, private school |
| East | RR, D | Retail |
| South | RR, SUP No. 1522, LO-3, IR | OE Charter school, Clinic, offices, auto service center, retail |
| West | RR, SUP No. 1522 | Retail, OE charter school , offices |

Land Use Compatibility:

The request site is in close proximity to an open-enrollment charter school located west and southwest of the request site. However, the site meets the 300-foot distance requirement from the lot where the school buildings are located. While an Alcohol Measurement Survey has been submitted, it does not accurately reflect the replatted lot lines. A new survey will be provided at the City Plan Commission briefing. Other surrounding uses are retail, clinic, offices, and auto service center.

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.

Development Standards:

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

Traffic:

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

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area. Therefore, the ± 3,029-square-foot convenience store requires 17 parking spaces, which are provided on the proposed site plan. Off-street parking and loading must be provided in accordance with Division 51A-4.200.

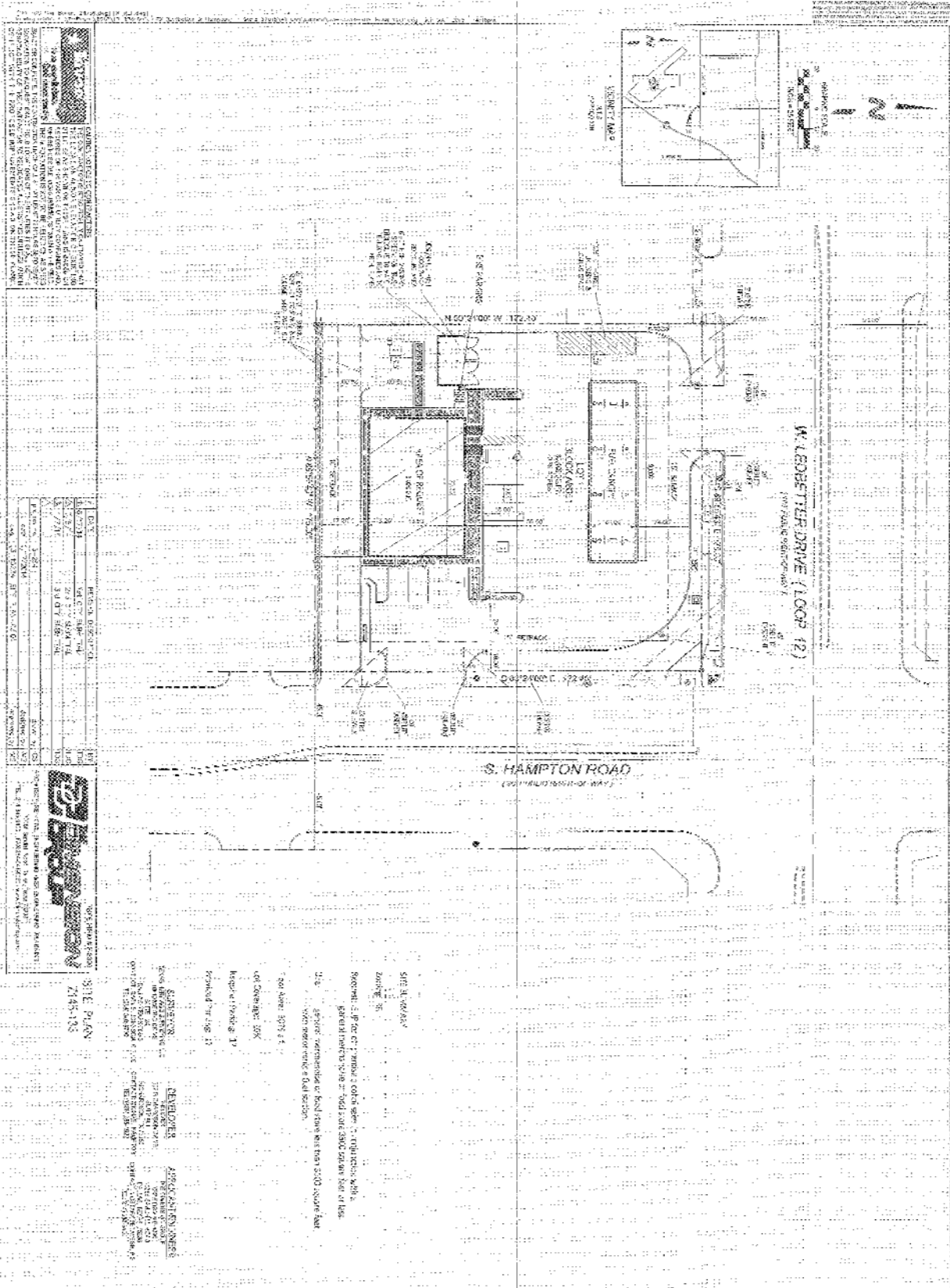
Landscaping:

The proposed development will provide landscaping per Article X of the Dallas Development Code.

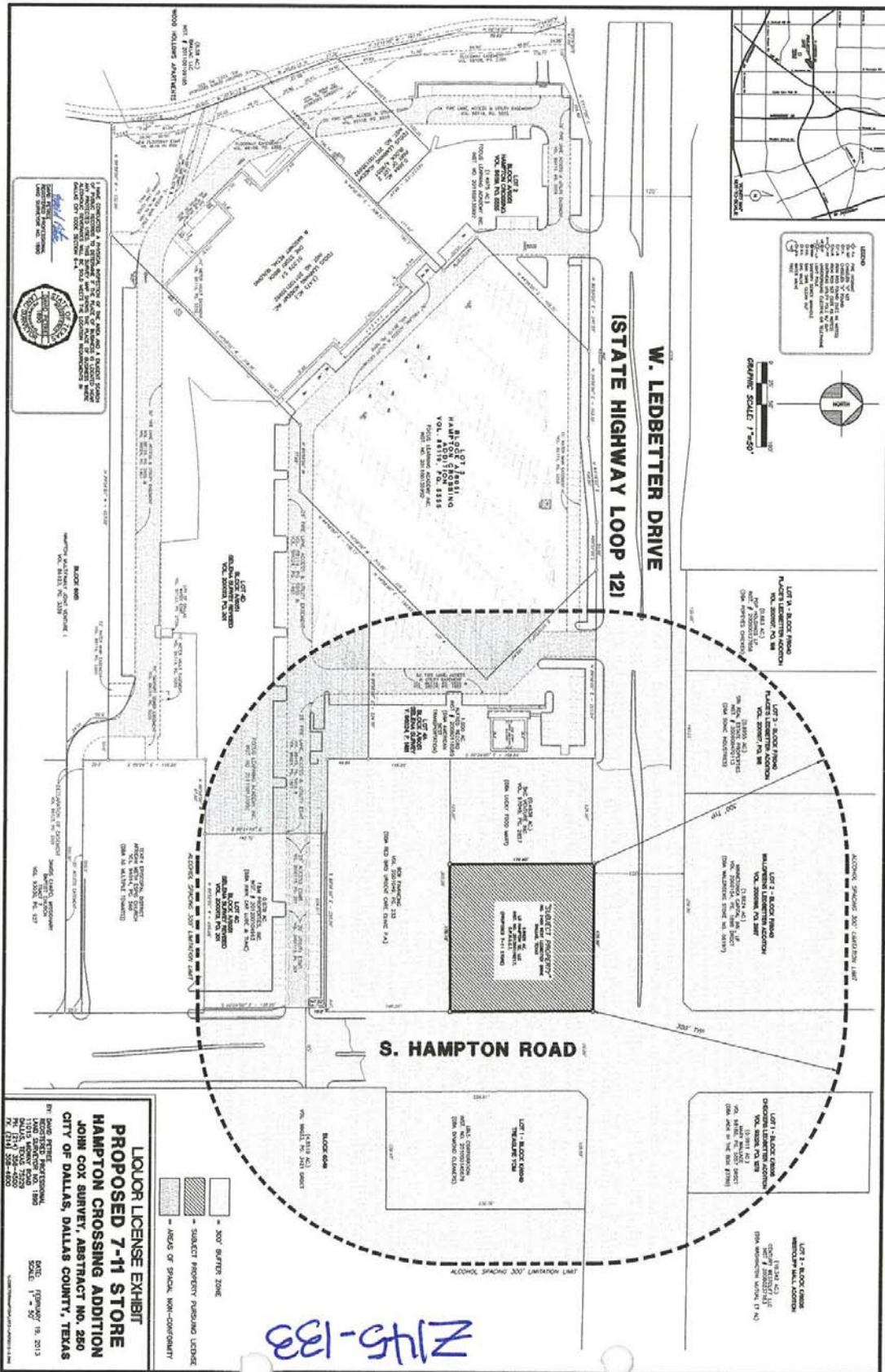
**PROPOSED CONDITIONS
Z145-133 (OTH)**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. FLOOR AREA: The maximum floor area for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less is 3,029.
4. TIME LIMIT: This specific use permit expires on two years from the day 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. 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.)
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

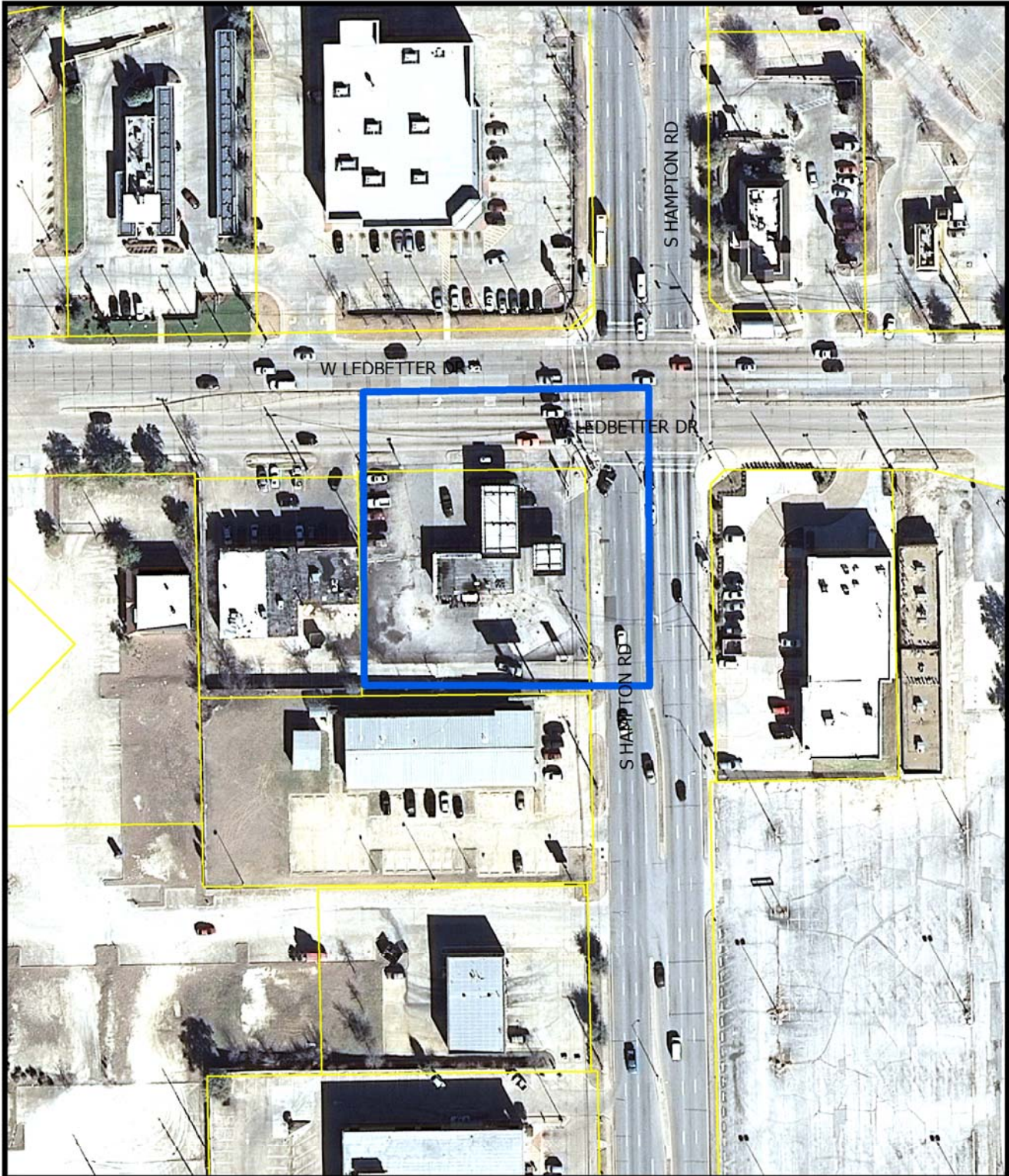
Proposed Site Plan



Alcohol Measurement Survey (Being Revised)



Z145-133

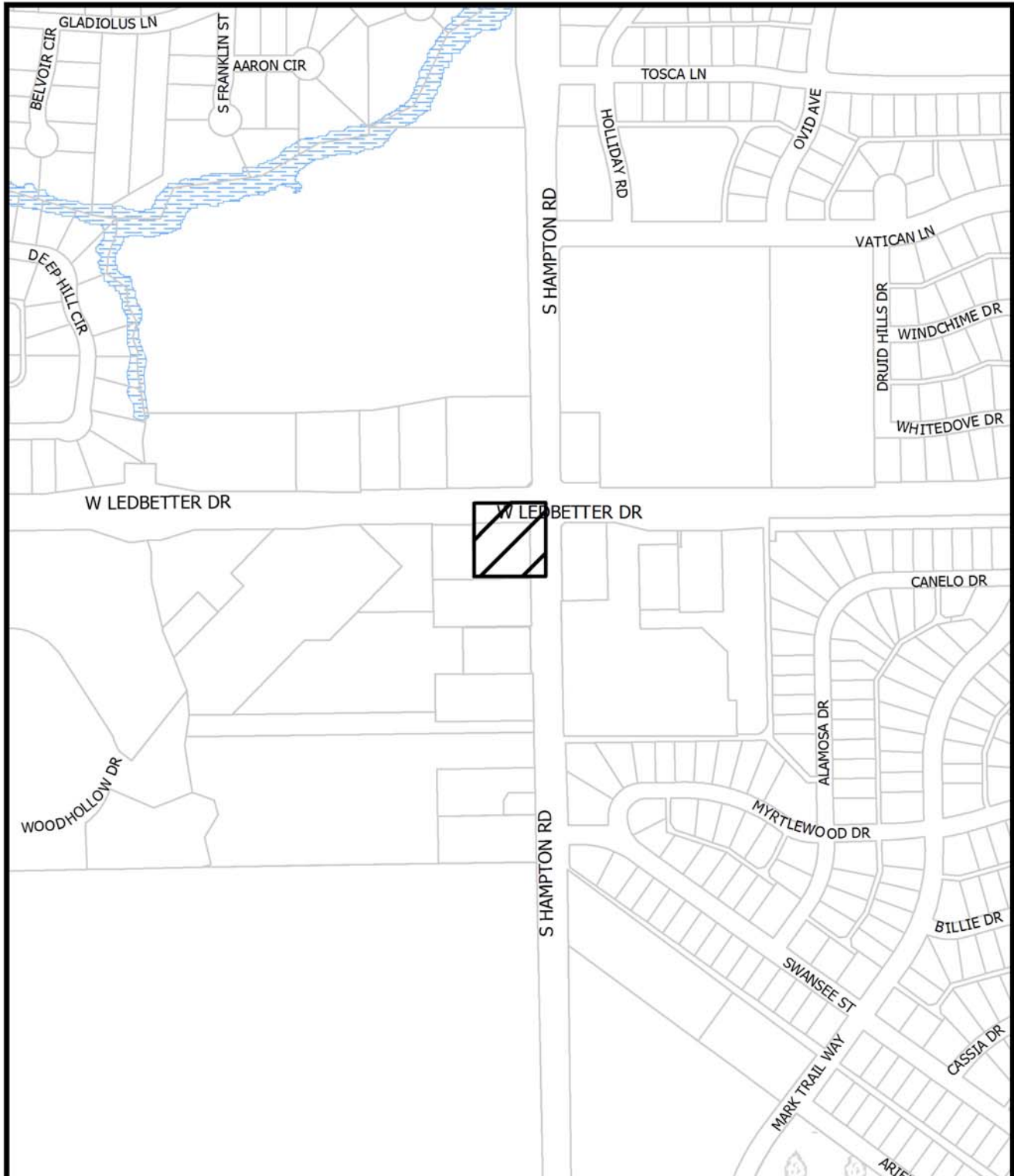


1:1,200

AERIAL MAP

Case no: Z145-133

Date: 12/23/2014

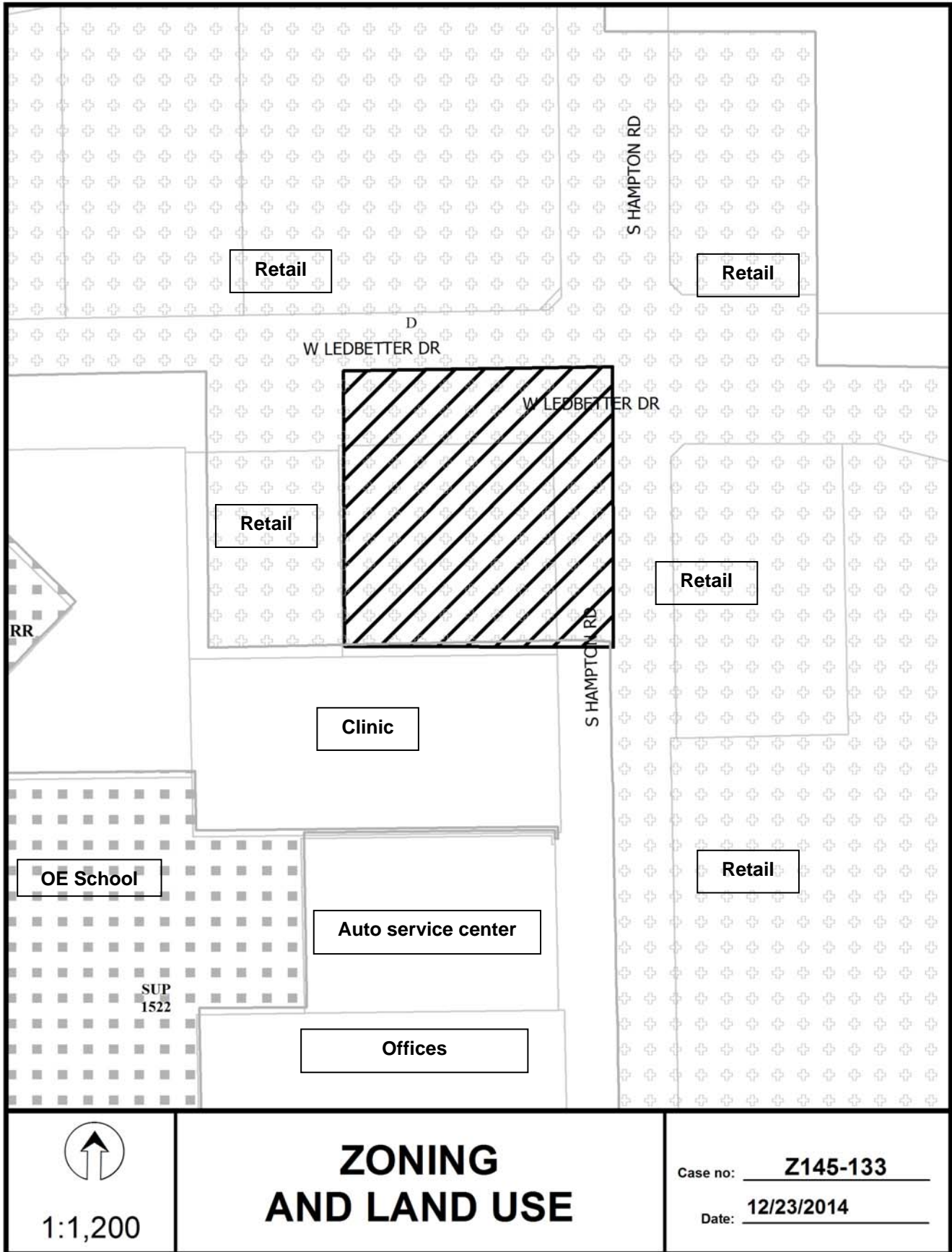


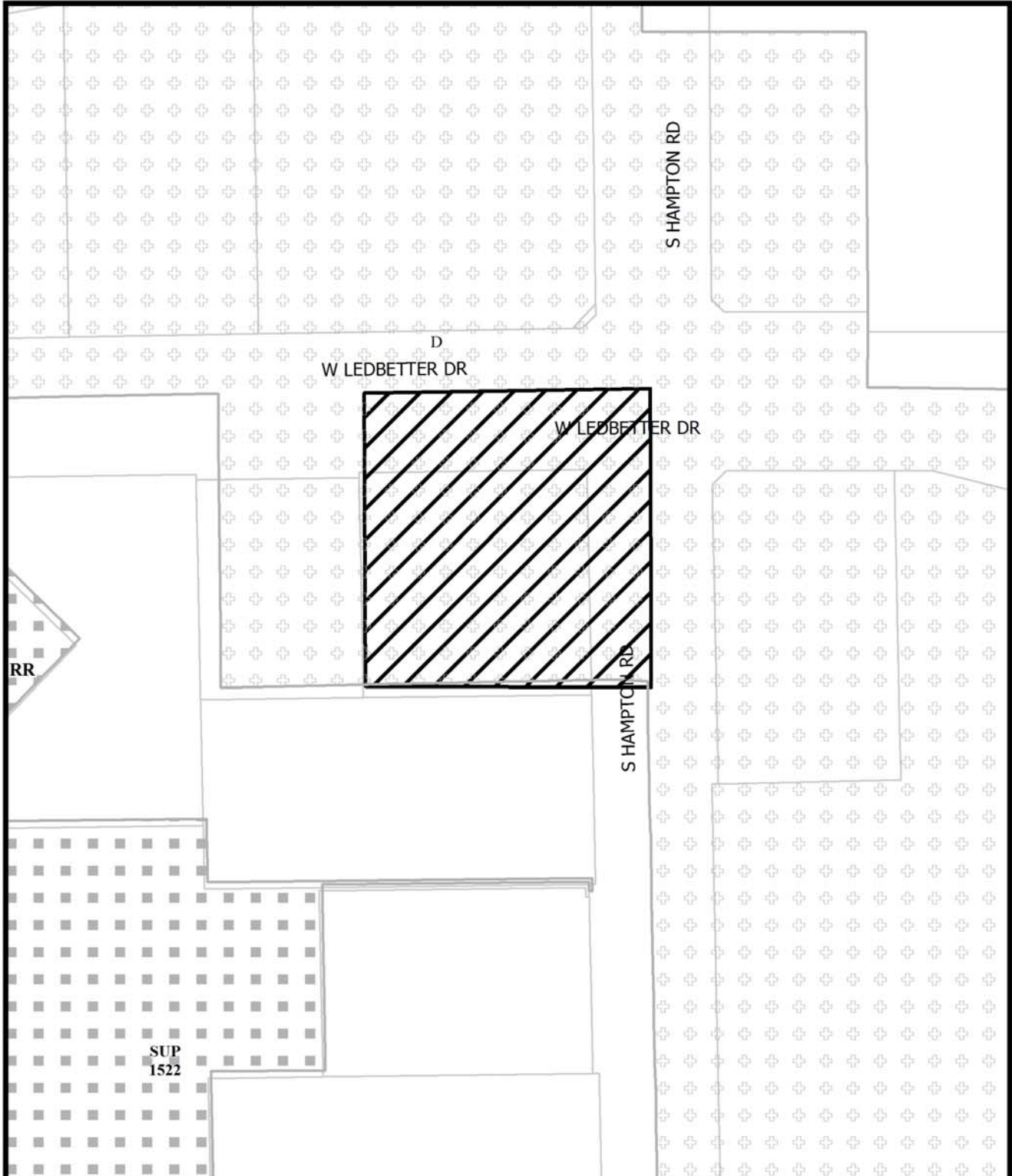
1:4,800

VICINITY MAP

Case no: Z145-133

Date: 12/23/2014






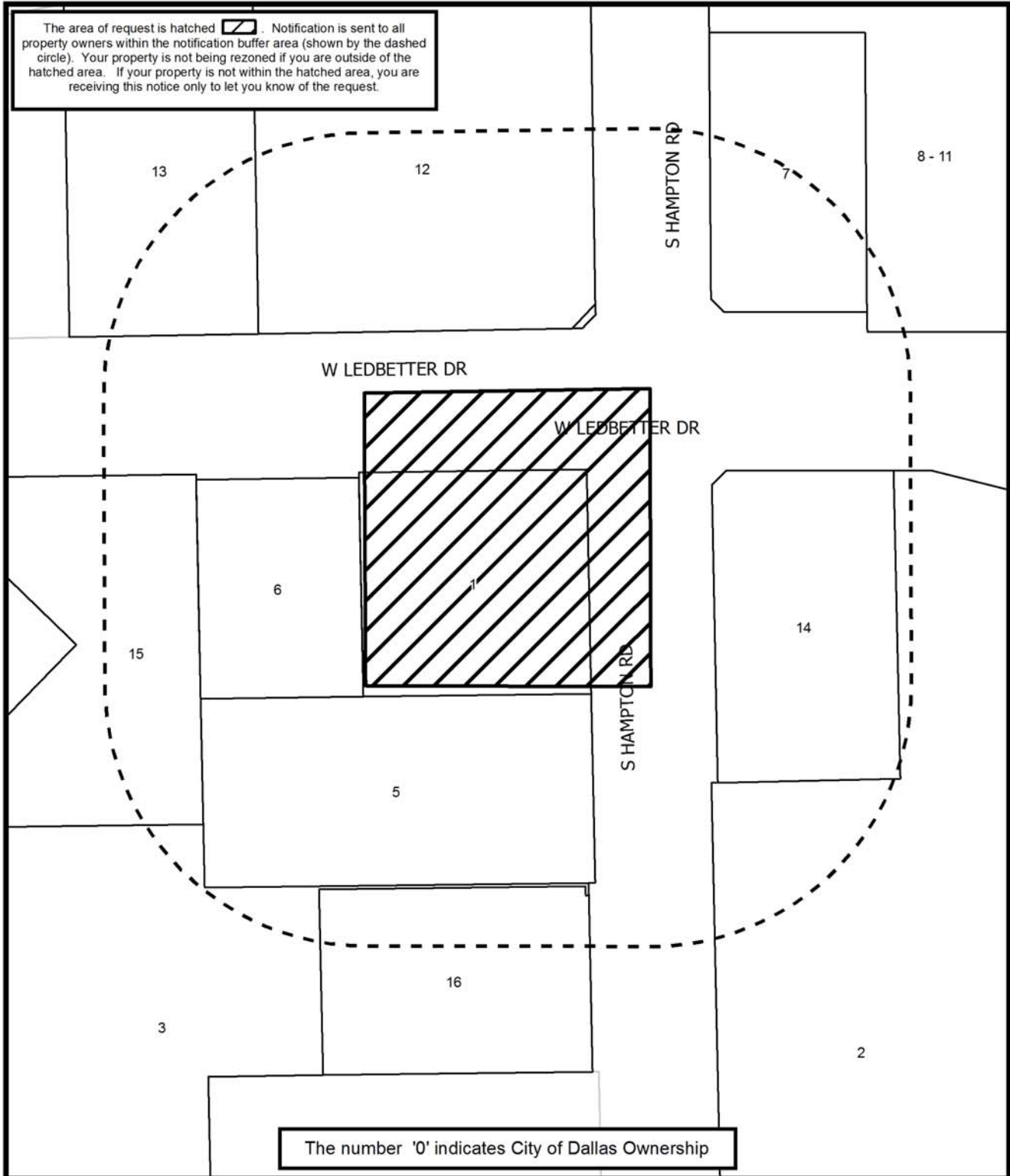
1:1,200

ZONING HISTORY

Case no: Z145-133

Date: 12/23/2014

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



The number '0' indicates City of Dallas Ownership

| | | | | | | |
|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------------------|----|------------------------------------|---------------------------------------------------------------------------------------------|
|  1:1,200 | <h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"> <tr> <td style="border: 1px solid black; padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">16</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table> | 200' | AREA OF NOTIFICATION | 16 | NUMBER OF PROPERTY OWNERS NOTIFIED | Case no: <u> Z145-133 </u> Date: <u> 12/23/2014 </u> |
| 200' | AREA OF NOTIFICATION | | | | | |
| 16 | NUMBER OF PROPERTY OWNERS NOTIFIED | | | | | |

12/23/2014

Notification List of Property Owners

Z145-133

16 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|----------------------------|
| 1 | 2400 LEDBETTER DR | LG HAMPTON SE LLC |
| 2 | 4444 HAMPTON RD | FIRST NATIONWIDE POSTAL |
| 3 | 2524 LEDBETTER DR | FOCUS LEARNING ACADEMY INC |
| 4 | 403 REUNION BLVD | DALLAS AREA RAPID TRANSIT |
| 5 | 4323 HAMPTON RD | BEW FINANCING |
| 6 | 2412 LEDBETTER DR | SKC VENTURE INC |
| 7 | 2323 LEDBETTER DR | WALLACE MARY GRIFFITH |
| 8 | 2225 LEDBETTER DR | CENTURY WESTCLIFF LLC |
| 9 | 2311 LEDBETTER DR | BAIG MIKE |
| 10 | 2311 LEDBETTER DR | WASHINGTON MUTUAL |
| 11 | 2315 LEDBETTER DR | THE GROCERS SUPPLY CO INC |
| 12 | 2401 LEDBETTER DR | MINNETONKA CAPITAL INV LP |
| 13 | 2429 LEDBETTER DR | SRI REAL ESTATE PROPERTIES |
| 14 | 4344 HAMPTON RD | LBLS CORPORATION |
| 15 | 2426 LEDBETTER DR | RECORD ALFRED E |
| 16 | 4331 HAMPTON RD | F & M PROP INC |

Planner: Warren F. Ellis

FILE NUMBER: Z134-337(WE) **DATE FILED:** September 9, 2014

LOCATION: Southwest line of Fairmount Street at the terminus of Enid Street

COUNCIL DISTRICT: 14 **MAPSCO:** I-7

SIZE OF REQUEST: Approx. 0.35 acres **CENSUS TRACT:** 5.00

APPLICANT / OWNER: GG Dallas Pearl, LP

REPRESENTATIVES: Barry Knight and Laura Hoffman, Winstead PC

REQUEST: An application for a Planned Development Subdistrict for MF-3 Multiple-family Subdistrict uses on property zoned an MF-3 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of this request is to permit the construction of a 55-unit, 91-500-square-foot multiple family development on site with a height not to exceed 165 feet. The proposed conditions will allow for an additional 10 feet of height various mechanical overruns. The applicant proposes several modifications to the MF-3 Planned Development Subdistrict, which governs the proposed development. These modifications are fourfold: 1) reduce the rear yard setback from 25 feet to 19 feet , 2) increase the floor area ratio from 4:1 to 5.96:1, 3) reduce the street tree requirements on Fairmount Street from 3 trees to 2 trees, and 4) eliminate the additional setback requirements for residential structures over 36 feet in height.

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

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval the Planned Development Subdistrict based upon:

1. *Performance impacts upon surrounding property* – The proposed Planned Development Subdistrict is not anticipated to have a negative impact on the surrounding areas because of the adjacent uses. A 4-story parking structure is developed to the northwest and the remaining undeveloped land surrounding the site is a flood plain and a city park. The PDS conditions should mitigate any impact the proposed development will have on the adjacent properties.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request for the PDS may not have a negative impact on the street system. The applicant will have to show that the building footprint is away from the channel setback.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in an Urban Mixed Use Building Block and is consistent with the building block and surrounding area.
4. *Justification for PDS Planned Development Subdistrict Zoning as opposed to a straight zoning district* – The applicant’s request for a Planned Development Subdistrict is appropriate at this location because the site’s buildable area is reduced as a result of a portion of the property being located within a flood plain.

Zoning History: There has not been any zoning change requested in the area within the last five years.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW | Proposed ROW |
|---------------------|-------|--------------|--------------|
| Fairmount Street | Local | 60 ft. | 60 ft. |
| Enid Street | Local | 50 ft. | 50 ft. |

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

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

Surrounding Land Uses:

| | Zoning | Land Use |
|------------------|-------------------------|------------------------|
| Site | MF-3-D w/in PDD No. 193 | Undeveloped |
| Northeast | PDD No 148, PD No. 82 | Multiple-family |
| Southeast | MF-3-D w/in PDD No. 193 | Flood plain, City Park |
| Northwest | O-2 w/in PDD No. 193 | Parking structure |
| Southwest | MF-3-D w/in PDD No. 193 | Flood plain, City Park |

Land Use Compatibility:

The request site is currently undeveloped and is adjacent to floodplain. The surrounding land uses consist of several undeveloped tracts of land. The property to the west is developed with a parking structure. North of the request site, across Fairmount Street, is developed with a multiple-family development (PDD No. 148).

The applicant’s request to reduce the rear setback from 25 feet to 19 feet on the southern property line and increase the floor-area-ratio from 2:1 to 5.96:1 will allow for a larger building footprint on site to accommodate the proposed multiple-family development. The site’s configuration is linear in shape, excluding the portion of the site that is located within the floodplain. PDD 193 requires an additional setback be provided that is equal to one-half the height of that portion of the building that exceeds 36 feet in height, up to a maximum total setback of 50 feet. The development plan shows a stair enclosure on the southwest portion of the site, near the flood plain. The stair enclosure is required to permit emergency egress from the below-grade parking garage. It will provide access from the garage to the ground level. The positioning of the stair enclosure is a function of the below-grade parking stall arrangement. It will be

built of materials of similar quality and texture as those proposed for the proposed development.

In addition, the PDS conditions will allow for the applicant to install several retaining walls in the required yards due to the grading on site. The retaining walls will be required to reconcile any changes in the site topography. The retaining walls are not shown on the development plan because the applicant does not know the exact location of the walls until their engineers perform the necessary site analysis. If the retaining walls are outside of the building footprint shown on the development plan, a minor amendment to the development plan will be required. The retaining walls will not encroach into the floodplain.

The applicant's intent is to create a multiple-family development that achieves buildings efficient in design and use of space while providing view corridors, light, and air to nearby properties. Even though the site has limitations with the size of the lot, the request to reduce the rear yard will create a design that will have a variety of architectural features as opposed to a development that conforms to a square design. In addition, the applicant has agreed to incorporate architectural design standards into the PDS conditions that will feature an open design and incorporate specific building materials that will be used in the construction of the multiple-family development. The proposed multiple-family development will have at least 60 percent of the ground level transparent for the portion of a building between grade and 15 feet.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Area Plans:

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

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.
- (3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.
- (4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

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

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

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

The applicant's request for a PDS for a multiple-family development meets only objectives 1, 2, 3, 4, 6 and 7. The remaining objective 5 is not applicable because the applicant is not changing the underlying MF-3 zoning. The surrounding area is developed or is proposed to be developed with multiple-family uses. The modifications in the development standards will allow for the applicant to construct the multiple-family development that is consistent with standards in PDS No. 82 as it relates to the front and side yard setbacks. PD No. 148 provides for a larger setback on Fairmount Street, which is 40 feet.

In addition, the proposed development will be constructed with a density that is below PDS No. 82 and PD No. 148. PD No. 148 permits a maximum of 154-units and PDS No. 82 allows for a maximum of 100-units. The maximum structure height in PD No. 148 and PDS No. 82 varies between 80 feet and 285 feet, respectively. In addition, a landscape plan was approved for PD No. 148 and PDS No. 82.

The City's Design Group has reviewed the Urban Design requirements to determine if the proposed regulations will comply with a development that is urban, walkable and conforms with the surrounding developments.

Landscaping: Landscaping the proposed site will be in accordance with the attached landscape plan. The applicant will not be able to meet the street tree requirements to provide 3-trees on Fairmount Street. Due to the proposed design layout to include 2-driveway approaches, the driveway approach for the loading will eliminate one of the three required street trees. The applicant will however, meet all other landscaping requirements in Part 1 of PDD no. 193.

LIST OF OFFICERS

General Partner: GG Dallas Pearl LLC

- Michael Kirchmair Manager
- Scott Fischer Manager

PROPOSED PDS CONDITIONS

“ARTICLE”

PD

SEC. S-__.101. LEGISLATIVE HISTORY.

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

SEC. S-__.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict ___is established on property located on the southwest line of Fairmount Street at Enid Street. The size of PD Subdistrict ___is approximately 0.35 acres.

SEC. S-__.103. PURPOSE.

The multiple-family residential project regulations in this division complement the development pattern in the area and recognize the area's unique identity as a bridge between Oak Lawn and the Turtle Creek Corridor. The objectives of these regulations are as follows:

- (1) To promote the health, safety, welfare, convenience, and enjoyment of the public.
- (2) To achieve buildings more urban in form.
- (3) To promote a pedestrian environment.
- (4) To encourage underground off-street parking.
- (5) To encourage development that complements nearby properties.
- (6) To achieve buildings efficient in design and use of space while providing view corridors, light, and air to nearby properties.
- (7) To achieve buildings that reduce natural resource consumption, enhance occupant comfort and health, lower utility consumption, minimize strain on local infrastructures, and improve quality of life.
- (8) To encourage land uses that minimizes traffic impacts on the Turtle Creek Environmental Corridor.

SEC. S-__.104. DEFINITIONS AND INTERPRETATIONS.

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

(b) In this division, SUBDISTRICT means a subdistrict of PD No. 193.

(c) MULTIPLE FAMILY RESIDENTIAL PROJECT means a multiple-family development with a height greater than 36 feet

(d) TRANSPARENCY means the total area of window and door openings filled with glass, expressed as a percentage of the total façade area.

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

(f) This subdistrict is considered to be a residential zoning district.

SEC. S- __.105. EXHIBITS.

The following exhibits are incorporated into this division:

(1) Exhibit __A: . development plan

(2) Exhibit __B: . landscape plan

SEC. S- __.106. DEVELOPMENT PLAN

(a) For multiple family uses, development and use of the Property must comply with the development plan (Exhibit S-__) before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved development plan, the text of this section controls.

(b) For a temporary construction or sales office use related to a multiple-family residential project, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. S- __.107. LANDSCAPE PLAN

(a) For multiple family uses, development and use of the Property must comply with the landscape plan (Exhibit S-__) before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved landscape plan, the text of this section controls.

SEC. S-__108. MAIN USES PERMITTED.

(a) The only main uses permitted in this district are the same as those uses permitted in the MF-3 Subdistrict, subject to the same conditions applicable in the MF-3 Subdistrict, as set out in the Dallas Development Code, as amended. For example, a use permitted in the MF-3 Subdistrict only by specific use permit (SUP) is permitted in this planned development district only by SUP; a use subject to development impact review (DIR) in the MF-3 Subdistrict is subject to DIR in this planned development district; etc.

SEC. S-__109. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-__110. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part I of this article. In the event of a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot and space regulations for the MF-3 Multiple Family Subdistrict apply in this subdistrict.

(b) Front yard.

(1) For a multiple-family residential project, the minimum front yard is 10 feet as shown on the development plan.

(2) For a multiple-family residential project, retaining walls are permitted in the side and rear yards.

(c) Rear yard setbacks. Minimum rear yard setback is 19 feet.

(1) Additional setbacks required. Additional setbacks for structures over 36 feet in height are not required.

(d) Density. Maximum number of dwelling units is 55.

(e) Floor Area. Maximum floor area is 91,500 square feet.

(f) Height.

(1) Maximum structure height is 165 feet.

(2) For a multiple-family residential project, maximum structure height is 165 feet. The following structures may project up to ten (10) feet above the maximum structure height:

- (A) chimneys;
- (B) clerestories;
- (C) communication towers;
- (D) cooling towers;
- (E) elevator penthouses or bulkheads;
- (F) mechanical equipment rooms;
- (G) plaza or terrace structures;
- (H) pool structures;
- (I) skylights;
- (J) vent stacks; and
- (K) visual screens that surround mechanical equipment.

(g) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

SEC S-___.111. URBAN DESIGN REQUIREMENTS.

(a) For a multiple-family residential project, the following regulations apply.

(b) Façade materials. A minimum of two different façade materials must be provided on each building façade. The façade materials must contain some combination of the following primary materials: glass, metal, masonry, stone, simulated stone, or concrete.

(c) Ground level transparency. Any façade facing Fairmount Street must have a minimum transparency of 60 percent for the portion of a building on the ground level measured between grade and 15 feet. Windows on the ground level must be clear or unpainted, or, if treated, must be transparent or translucent. This provision does not apply to fences or gates for loading areas, service areas, parking areas, or entrances to underground parking structures.

- (d) Balconies. All residential units must contain balconies or outdoor patios.
- (e) Screening.

- (i) Except for access thereto, trash, storage, loading, and service areas must be screened from public view from Fairmount Street and the adjacent park with a wall, fence, or opaque plantings at least 6 feet in height.

- (ii) All mechanical and related equipment located on the rooftop of any building must be screened so as not to be visible from any public right-of-way.

SEC. S-__ .112. OFF-STREET PARKING AND LOADING.

- (a) In general. Except as provided in this section, consult the off-street parking and loading regulations of PD 193 for information regarding off-street parking and loading.

- (b) Underground parking. Required off-street parking must be located in an underground parking structure.

SEC. S-__ .113. ENVIRONMENTAL PERFORMANCE STANDARDS.

- In general. Except as provided in this section, see Article VI, "Environmental Performance Standards."

SEC. S-__ .114. LANDSCAPING.

- (a) In general. Except as provided, landscaping and screening must be provided in accordance with Part I of this article.

- (b) For a multiple-family residential project, landscaping must be provided as shown on the landscape plan.

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

SEC. S-__ .115. SIGNS.

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

SEC. S-__ .116. ADDITIONAL PROVISIONS.

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

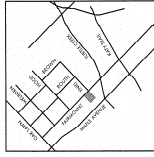
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SEC. S-__117. COMPLIANCE WITH CONDITIONS.

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

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

PROPOSED DEVELOPMENT PLAN



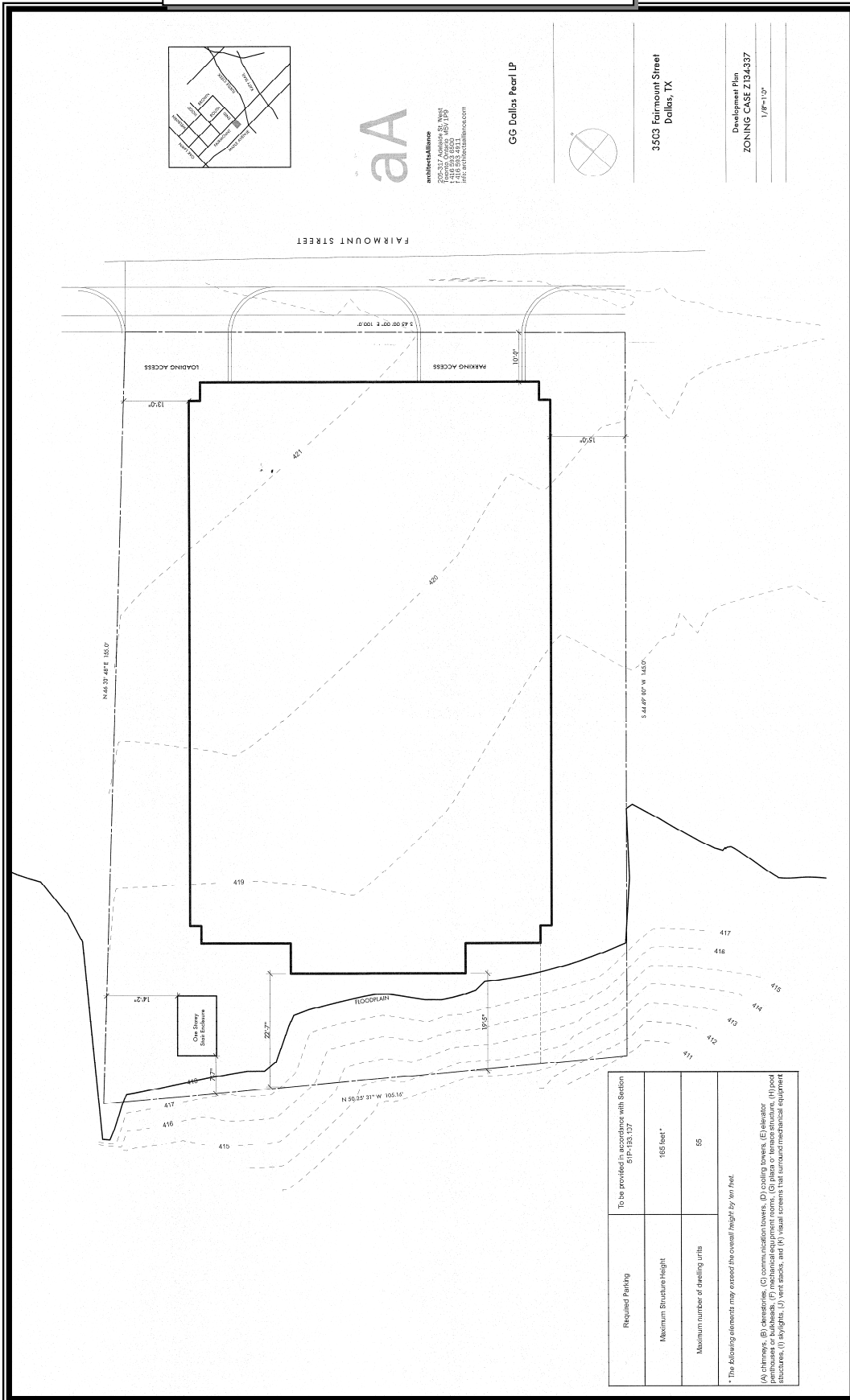
AA
 architect+interior
 205-517-4666
 205-517-4666
 1410 9th Street, MSB, LPB
 Dallas, TX 75201
 info@architect+interior.com

GG Dallas Pearl LP



3503 Fairmount Street
 Dallas, TX

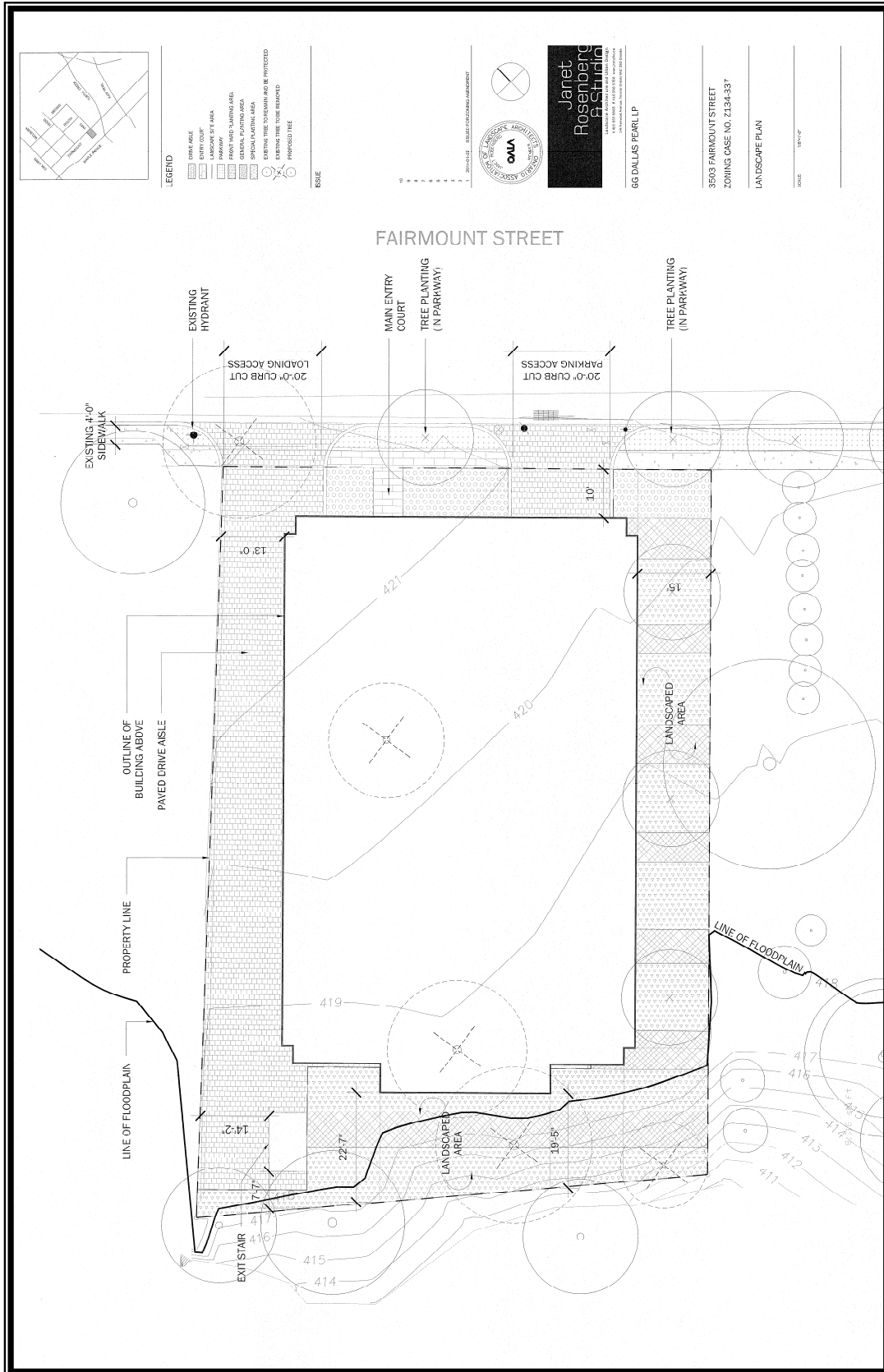
Development Plan
 ZONING CASE Z134-337
 1/8"=1'-0"

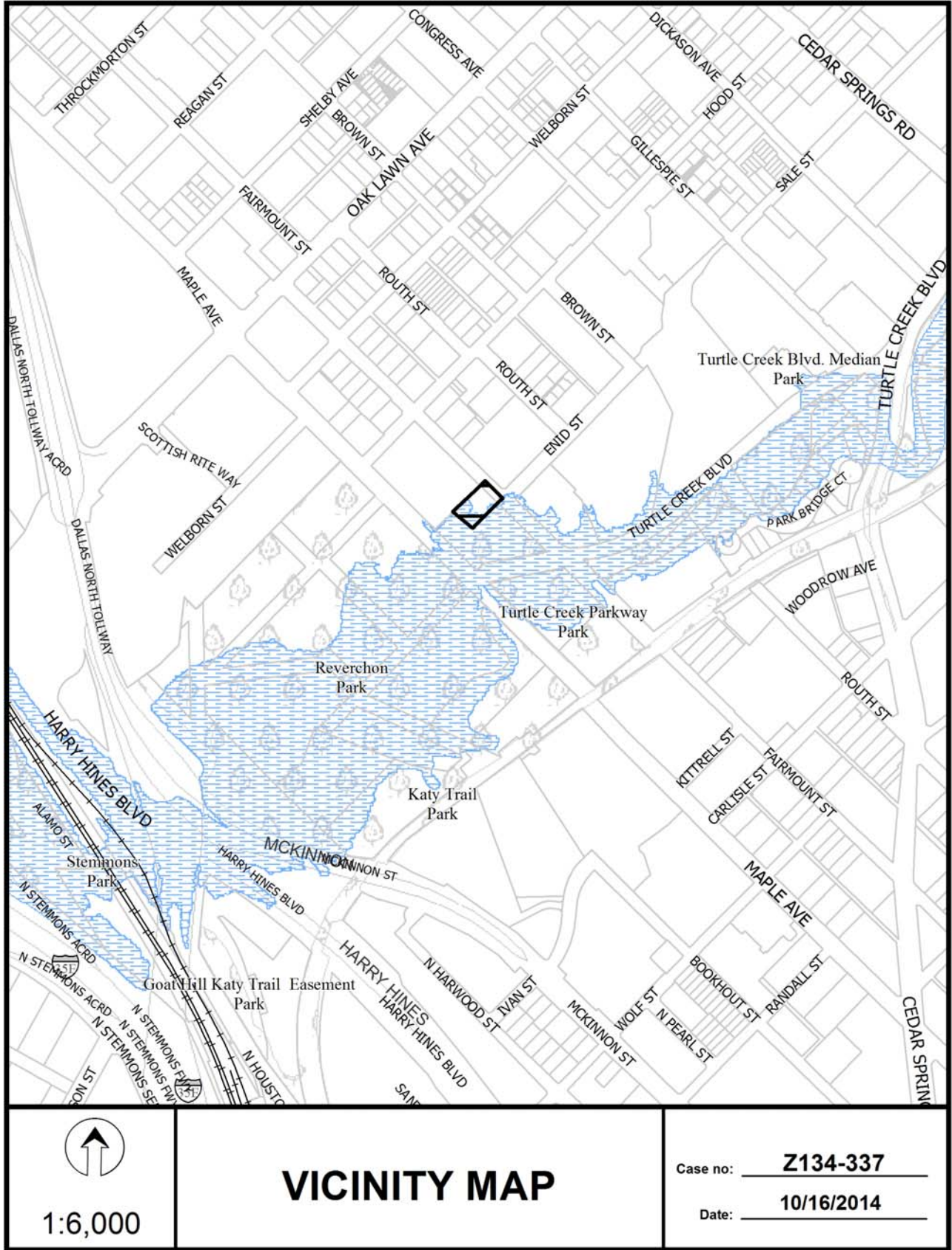


| | |
|----------------------------------|-------------------------------------------------------|
| Required Parking | To be provided in accordance with Section 51P-133.137 |
| Maximum Structure Height | 165 feet* |
| Maximum number of stacking units | 65 |

* The following elements may exceed the overall height by 50 feet:
 (A) chimneys, (B) towers, (C) communication towers, (D) cooling towers, (E) elevator penthouses or bulkheads, (F) mechanical equipment rooms, (G) plaza or terrace structure, (H) pool structures, (I) skylights, (J) vent stacks, and (K) visual screens that surround mechanical equipment

PROPOSED LANDSCAPE PLAN





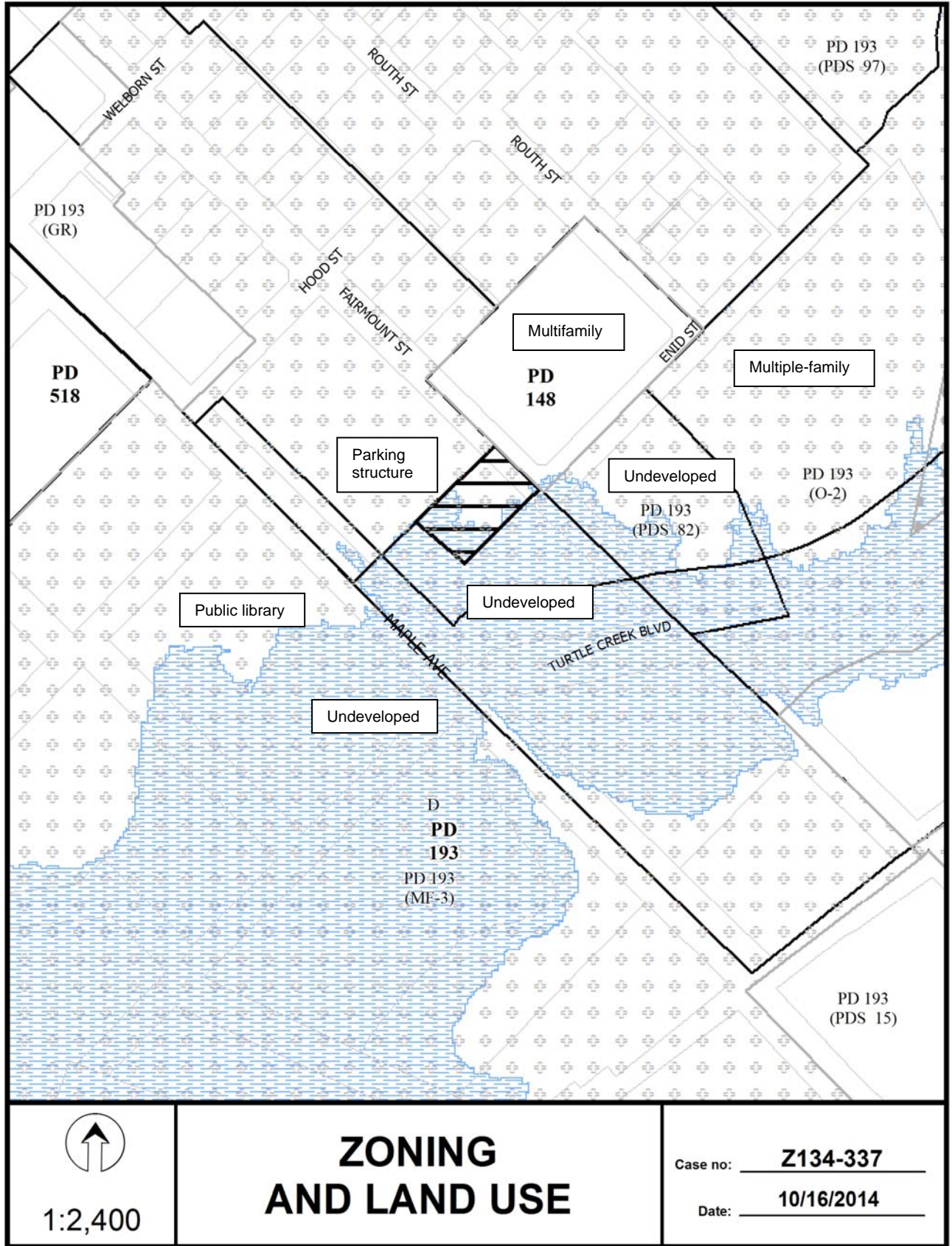


1:2,400

AERIAL MAP

Case no: Z134-337

Date: 10/16/2014

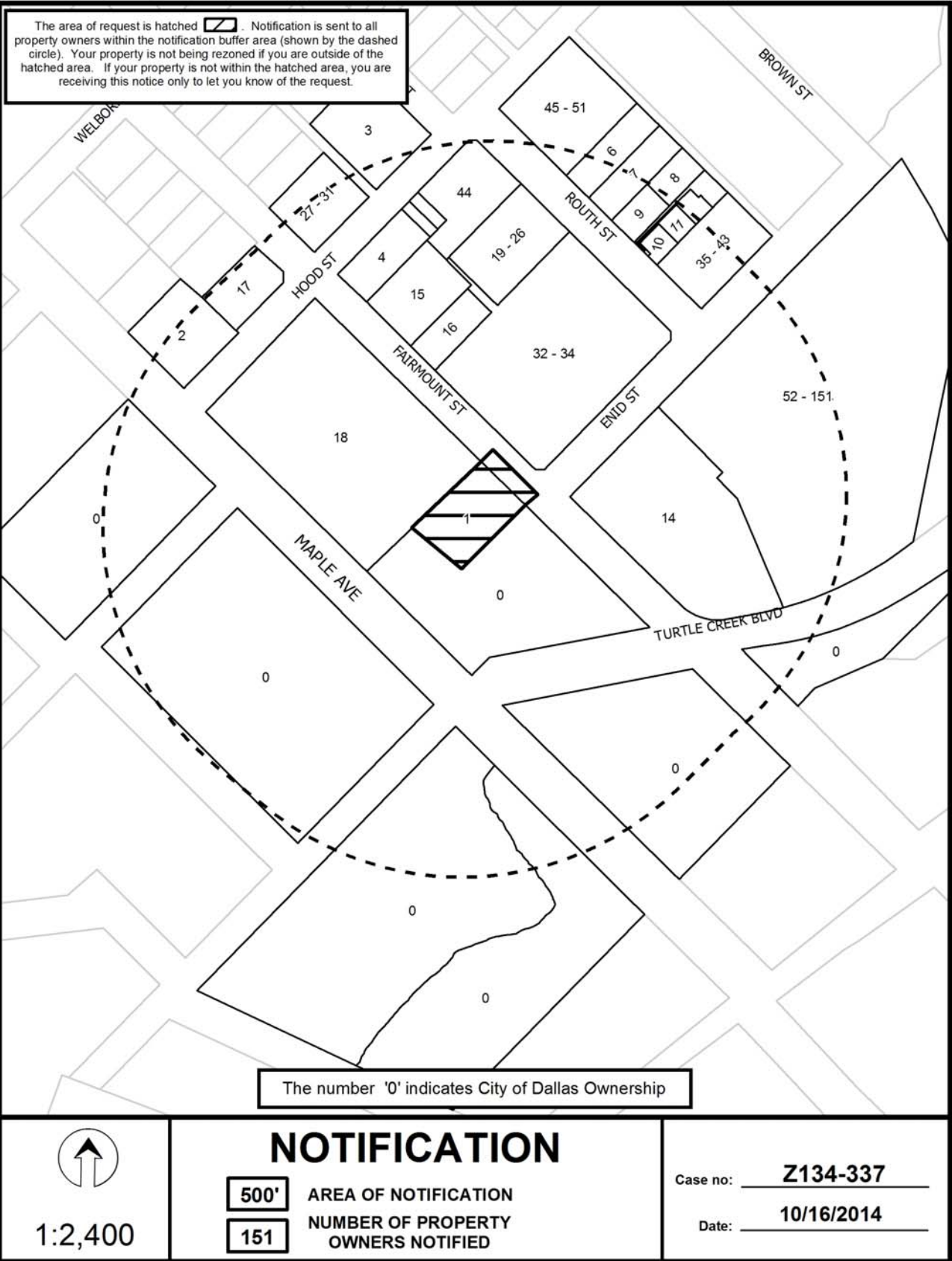


1:2,400

ZONING AND LAND USE

Case no: Z134-337

Date: 10/16/2014



Notification List of Property Owners

Z134-337

151 Property Owners Notified

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|------------------------|--------------------------|
| 1 | 3503 FAIRMOUNT ST | GG DALLAS PEARL LP |
| 2 | 3606 MAPLE AVE | TEXAS SCOTTISH RITE HOSP |
| 3 | 3601 ROUTH ST | WEISFELD HERSCHEL A |
| 4 | 3534 FAIRMOUNT ST | TEXAS LAND & REALTY LLC |
| 5 | 3535 ROUTH ST | TEXAS LAND & REALTY LLC |
| 6 | 3520 ROUTH ST | WESTLAKE TRAVIS LTD |
| 7 | 3518 ROUTH ST | KOTHARI AJAY |
| 8 | 3514 ROUTH ST | BARNES H DOUG |
| 9 | 3516 ROUTH ST | PATON PAULA J & |
| 10 | 3506 ROUTH ST | ZHAO DI |
| 11 | 3508 ROUTH ST | GATES DAVID L |
| 12 | 3510 ROUTH ST | SCHIFFMAN LISA A |
| 13 | 3512 ROUTH ST | SCHROER BRENDA R |
| 14 | 2505 TURTLE CREEK BLVD | GGH DEVELOPMENT LLC |
| 15 | 3524 FAIRMOUNT ST | G L F PARTNERS LLP |
| 16 | 3520 FAIRMOUNT ST | ROYAL NONESUCH LP |
| 17 | 3607 FAIRMOUNT ST | SIEGEL MARK J |
| 18 | 3500 MAPLE AVE | 3500 MAPLE DALLAS LP |
| 19 | 3525 ROUTH ST | DUFFIE CHARLES F |
| 20 | 3525 ROUTH ST | DUFFIE JAMES M |
| 21 | 3525 ROUTH ST | BEREN CARLA WIMAN |
| 22 | 3525 ROUTH ST | BOAST JASON S |
| 23 | 3525 ROUTH ST | ESTLE BETTY J |
| 24 | 3525 ROUTH ST | LITTELL CHRISTOPHER B |
| 25 | 3525 ROUTH ST | WRIGHT COLTON & |
| 26 | 3525 ROUTH ST | FACEMYER DOUGLAS |

10/13/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|------------------------|------------------------------|
| 27 | 3606 FAIRMOUNT ST | GOLDMAN WENDY |
| 28 | 2507 HOOD ST | CABALLERO ELIZABETH |
| 29 | 2503 HOOD ST | FISHMAN EDWARD M & TRACY |
| 30 | 2505 HOOD ST | LIU JEAN |
| 31 | 2711 HOOD ST | CORNWELL GREGORY CLARK |
| 32 | 3500 FAIRMOUNT ST | AERC RIENZI LLC |
| 33 | 3500 FAIRMOUNT ST | AERC RIENZI LLC |
| 34 | 3500 FAIRMOUNT ST | CROWE ANGELA |
| 35 | 3500 ROUTH ST | HARRISON CONNIE |
| 36 | 3500 ROUTH ST | WELBORN STREET PARTNERS LLC |
| 37 | 3500 ROUTH ST | BILODEAU TONYA M |
| 38 | 3500 ROUTH ST | WELBORN STREET PTNRS |
| 39 | 3500 ROUTH ST | MARGOLIS MICHAEL |
| 40 | 3500 ROUTH ST | NORRELL STEVE DBA |
| 41 | 3500 ROUTH ST | WASHBURN TYLER |
| 42 | 3500 ROUTH ST | NORRELL STEPHEN |
| 43 | 3500 ROUTH ST | MARTIN ANDREA |
| 44 | 3535 ROUTH ST | LAKES OF AUBREY LP |
| 45 | 2614 HOOD ST | AHMED RUBANA & MUSTAQUE |
| 46 | 2612 HOOD ST | SADACCA STEPHEN |
| 47 | 2610 HOOD ST | CALHOUN REBEL |
| 48 | 3534 ROUTH ST | AINSWORTH GEORGE M |
| 49 | 3532 ROUTH ST | MOORE JAMES K |
| 50 | 3530 ROUTH ST | KRAMER PAMELA A |
| 51 | 3526 ROUTH ST | JOBE TERRANCE |
| 52 | 2525 TURTLE CREEK BLVD | MATHEWS CARLY J |
| 53 | 2525 TURTLE CREEK BLVD | DOWNING ASHLEY & MICHAEL |
| 54 | 2525 TURTLE CREEK BLVD | RICHARDS GLENITA DENAE |
| 55 | 2525 TURTLE CREEK BLVD | LUCAS H KARIN |
| 56 | 2525 TURTLE CREEK BLVD | CARTER GARY LEE & DENA LEIGH |
| 57 | 2525 TURTLE CREEK BLVD | WAGNER STEPHANIE |

10/13/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|------------------------|------------------------------------|
| 58 | 2525 TURTLE CREEK BLVD | GIBSON LEE B |
| 59 | 2525 TURTLE CREEK BLVD | SEARS RICHARD D |
| 60 | 2525 TURTLE CREEK BLVD | YK 2525 TURTLE CREEK #319 LLC |
| 61 | 2525 TURTLE CREEK BLVD | HUNTLEY ERIC K & JANE A |
| 62 | 2525 TURTLE CREEK BLVD | TISDALE CHARLES E |
| 63 | 2525 TURTLE CREEK BLVD | ANGLIN DEBORAH |
| 64 | 2525 TURTLE CREEK BLVD | ALVARADO PABLO |
| 65 | 2525 TURTLE CREEK BLVD | BOWMAN HARRY D |
| 66 | 2525 TURTLE CREEK BLVD | ECHOLS DANNY D SR LIFE ESTATE |
| 67 | 2525 TURTLE CREEK BLVD | RAMAGE CASSIDY L |
| 68 | 2525 TURTLE CREEK BLVD | KEMP DONALD |
| 69 | 2525 TURTLE CREEK BLVD | WEAVER WESLEY R |
| 70 | 2525 TURTLE CREEK BLVD | KREUZIGER FREDERICK & |
| 71 | 2525 TURTLE CREEK BLVD | WATTS B C & JO E |
| 72 | 2525 TURTLE CREEK BLVD | BEUSCHEL GLENN |
| 73 | 2525 TURTLE CREEK BLVD | BURNS LINDA |
| 74 | 2525 TURTLE CREEK BLVD | MCALESTER VIRGINIA |
| 75 | 2525 TURTLE CREEK BLVD | CLAUNCH STEPHEN A |
| 76 | 2525 TURTLE CREEK BLVD | DELOZIER THOMAS & |
| 77 | 2525 TURTLE CREEK BLVD | DONOVAN KATHLEEN T |
| 78 | 2525 TURTLE CREEK BLVD | MUSSLER BENJAMIN & |
| 79 | 2525 TURTLE CREEK BLVD | RODERICK ROBERT G |
| 80 | 2525 TURTLE CREEK BLVD | WELLS GEORGE W JR & |
| 81 | 2525 TURTLE CREEK BLVD | GALLIGAN REGINA MARIE |
| 82 | 2525 TURTLE CREEK BLVD | SALIBA DANIEL P |
| 83 | 2525 TURTLE CREEK BLVD | KATTNER LARRY WAYNE & LINDA JARVIS |
| 84 | 2525 TURTLE CREEK BLVD | CRANFILL CHAD |
| 85 | 2525 TURTLE CREEK BLVD | HARRIS REALTY LLC |
| 86 | 2525 TURTLE CREEK BLVD | ADAMS ROBERT L |
| 87 | 2525 TURTLE CREEK BLVD | SPRING KEITH |
| 88 | 2525 TURTLE CREEK BLVD | SHELLINCK FAMILY 1992 TR |

10/13/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|-----------------------------------------------------------|
| 89 | 2525 | TURTLE CREEK BLVD XAVIER LOUISA C |
| 90 | 2525 | TURTLE CREEK BLVD MUNROE ANNE C TR |
| 91 | 2525 | TURTLE CREEK BLVD FULLER RANDALL H & JANE D |
| 92 | 2525 | TURTLE CREEK BLVD RUBIN ALLEN & HARRIET REVOCABLE TR |
| 93 | 2525 | TURTLE CREEK BLVD KUN STEVE |
| 94 | 2525 | TURTLE CREEK BLVD ANDERSON AMANDA B |
| 95 | 2525 | TURTLE CREEK BLVD HARTSELL BRANDON L & |
| 96 | 2525 | TURTLE CREEK BLVD GARCIA JESSICA D & |
| 97 | 2525 | TURTLE CREEK BLVD SINGH SUKHVINDER |
| 98 | 2525 | TURTLE CREEK BLVD GALAMBUSH MARILYN |
| 99 | 2525 | TURTLE CREEK BLVD EATON DAVID W |
| 100 | 2525 | TURTLE CREEK BLVD CASADY CHRISTINE & FREDERICK BORGERS JR |
| 101 | 2525 | TURTLE CREEK BLVD ELLIOTT FRIEDRICH |
| 102 | 2525 | TURTLE CREEK BLVD ASHLEY DONNA SUE |
| 103 | 2525 | TURTLE CREEK BLVD WALES VICTOR R |
| 104 | 2525 | TURTLE CREEK BLVD BEAHAN SARAH G |
| 105 | 2525 | TURTLE CREEK BLVD IDZIAK PETER B |
| 106 | 2525 | TURTLE CREEK BLVD SWICK DAVID E & PAULA H |
| 107 | 2525 | TURTLE CREEK BLVD HUNT C DALE SR & SHIRLEY |
| 108 | 2525 | TURTLE CREEK BLVD ISHEE JAMES ALFRED |
| 109 | 2525 | TURTLE CREEK BLVD FENNELL PETE & CYNTHIA |
| 110 | 2525 | TURTLE CREEK BLVD NELSON RON & |
| 111 | 2525 | TURTLE CREEK BLVD JUDGE WALTER E & RUTH |
| 112 | 2525 | TURTLE CREEK BLVD CHAVEZ HERMAN & |
| 113 | 2525 | TURTLE CREEK BLVD HEJL BRADLEY & |
| 114 | 2525 | TURTLE CREEK BLVD MAYOTTE RICHARD V |
| 115 | 2525 | TURTLE CREEK BLVD RODERICK ROBERT G |
| 116 | 2525 | TURTLE CREEK BLVD FREEMAN WHITNEY |
| 117 | 2525 | TURTLE CREEK BLVD PEUGH JIMMY E |
| 118 | 2525 | TURTLE CREEK BLVD BURKHARDT KATHRYN C |
| 119 | 2525 | TURTLE CREEK BLVD SUSSMAN PRODUCTS CO |

10/13/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|----------------|------------------------------------------------------|
| 120 | 2525 | TURTLE CREEK BLVD DEITZ SHARON |
| 121 | 2525 | TURTLE CREEK BLVD SALCZYNSKI MARIA M & DONALD E |
| 122 | 2525 | TURTLE CREEK BLVD SHAH ANGELA KIRAN |
| 123 | 2525 | TURTLE CREEK BLVD JAMES WILLIAM AARON |
| 124 | 2525 | TURTLE CREEK BLVD SIMONE ALPHONSE F |
| 125 | 2525 | TURTLE CREEK BLVD KERR CHRISTINE M |
| 126 | 2525 | TURTLE CREEK BLVD WHITLOCK LESLIE |
| 127 | 2525 | TURTLE CREEK BLVD WOODHOUSE DOUGLAS H |
| 128 | 2525 | TURTLE CREEK BLVD HULL LEROY W & JOYCE B |
| 129 | 2525 | TURTLE CREEK BLVD LUCAS H K |
| 130 | 2525 | TURTLE CREEK BLVD MOORE DOROTHY SUE |
| 131 | 2525 | TURTLE CREEK BLVD TISDALE CHARLES E |
| 132 | 2525 | TURTLE CREEK BLVD FETTERICK NICHOLAS J III |
| 133 | 2525 | TURTLE CREEK BLVD JONES KATHERINE J |
| 134 | 2525 | TURTLE CREEK BLVD CARNES JOHN W |
| 135 | 2525 | TURTLE CREEK BLVD DYTECH SOLUTIONS |
| 136 | 2525 | TURTLE CREEK BLVD CREE MARY ANNE |
| 137 | 2525 | TURTLE CREEK BLVD ANDERSON JUERGEN |
| 138 | 2525 | TURTLE CREEK BLVD STEELE JOHN A |
| 139 | 2525 | TURTLE CREEK BLVD HUNLEY LAMAR ETAL |
| 140 | 2525 | TURTLE CREEK BLVD PORTER STEVE & JEANNE |
| 141 | 2525 | TURTLE CREEK BLVD FRANKE BONNY S |
| 142 | 2525 | TURTLE CREEK BLVD ROSAS CHRISTOPHER J |
| 143 | 2525 | TURTLE CREEK BLVD MICHAELS KAREN J |
| 144 | 2525 | TURTLE CREEK BLVD MONTGOMERYGERCKEN LIVING TRUST THE |
| 145 | 2525 | TURTLE CREEK BLVD BOSSBACH JERRY & |
| 146 | 2525 | TURTLE CREEK BLVD HARTSELL BRANDON L & |
| 147 | 2525 | TURTLE CREEK BLVD WELLS GEORGE W |
| 148 | 2525 | TURTLE CREEK BLVD JOLLY STEVEN R |
| 149 | 2525 | TURTLE CREEK BLVD SCOTT PHILIP & MARILYN |
| 150 | 2525 | TURTLE CREEK BLVD SIFFORD ANDY L |

Z134-271 (WE)

10/13/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|------------------------|---------------------|
| 151 | 2525 TURTLE CREEK BLVD | BURKMAN VANESSA M & |

FILE NUMBER: Z145-124(AF)

DATE FILED: February 5, 2015

LOCATION: South of Vesper Street, west of Bexar Street and east of Canaan Street

COUNCIL DISTRICT: 7

MAPSCO: 56-L

SIZE OF REQUEST: Approx. 1.15 acres

CENSUS TRACT: 115.00

REPRESENTATIVE: Michael Westfall, Kimley Horn

APPLICANT: Citybuild Community Development Corporation

OWNER: Citybuild Community Development Corporation and City of Dallas

REQUEST: An application for a Planned Development District for R-5(A) Single Family District and urban farm uses on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District located.

SUMMARY: It is the intention of the applicant to add agricultural uses that allow the applicant to build a community based urban farm that focuses on small animal production, growing of fruits, herbs, vegetables, along with on-site educational services and general merchandise sales. Small animal production for consumption would include the raising of rabbits, chickens, fish, and goats. The request for a Planned Development District offers to comingle animal and crop production, a community service center, a retail store, and live-work units on one lot that is approximately 1.15 acres.

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

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The site is located within a cul-de-sac at the end of the Bexar Street Corridor at the foothills of the Trinity River Levy behind multi-family residences. PD conditions were created to specifically focus on minimizing any potential impact on the surrounding neighborhood. Staff proposes 20-foot setbacks for the east portion of the property that falls on Bexar Street to be consistent with the front yard setbacks of the residences fronting Bexar Street and the a 10-foot setback for the northern portion that falls on Vesper St. In addition, the PD limits any structures to be no higher than 30 feet (the same as R-5(A)), the types of animals (rabbits, goats, chicken, and fish) and the location of the animals to be pushed to the rear of the property. It is because of these conditions, that the addition of agricultural uses is not anticipated to negatively impact surrounding properties.
2. *Traffic impact* – Staff has reviewed the request and has determined that the surrounding roadway system can accommodate the additional trips. In addition, the city of Dallas has committed over \$5.8M in infrastructure improvements to the Bexar Street Corridor. Construction is underway.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Comprehensive Plan and the South Dallas Ideal/Rochester Park Neighborhood Investment Program (NIP) Community Revitalization Plan (CRP). The CRP lays the groundwork for future and more detailed planning for the Bonton Neighborhood, which falls within the Ideal/Rochester Park NIP target area.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The current R-5(A) district standards allow either by right or through Specific Use Permit uses that the applicant is requesting like community service center, single family residential, and crop production. The objective of the Planned Development District is to allow for all these uses to be located on one lot, with the addition of animal production. It is the intent of the applicant and the belief of staff that this unique concept will serve the community and the surrounding neighborhood and continue to assist in the expansive community development efforts that are occurring in the area.

BACKGROUND INFORMATION:

- Spearheaded through the non-profit organization A Good-Works Company, this new PD is to be the catalyst for an urban commercial farming enterprise that produces organic produce in south Dallas using innovative urban farming techniques. The applicant plans to have crops intended to feed the community of Bonton. Additionally, the company seeks to manufacture and sell urban farming components such as urban chicken coops and wicking beds, as well as offer consultation services and farming/cooking courses for the neighboring residents.

- The Bonton neighborhood is located within a food desert, which is defined as urban neighborhoods without ready access to fresh, healthy, and affordable food. Instead of supermarkets and grocery stores, communities within Food Deserts may have no food access or are served only by fast food restaurants and convenience stores that offer few healthy, affordable food options. The lack of access contributes to a poor diet and can lead to higher levels of obesity and other diet-related diseases, such as diabetes and heart disease. The applicant feels that introduction of a community/neighborhood focused urban farm could help provide healthy alternatives.

Zoning History:

There have been no zoning requests within the immediate vicinity area within the last five years.

Thoroughfares/Streets:

| Thoroughfare/Street | Type | Existing ROW |
|---------------------|--------------------|--------------|
| Vesper Street | Minor Arterial | 40 feet |
| Bexar Street | Principal Arterial | 60 feet |

Land Use:

| | Zoning | Land Use |
|-------|------------------|---------------|
| Site | PD 595, R-5(A) | Single family |
| North | PD 856 | Multi family |
| East | PD 595, R-5(A) | Single family |
| South | PD 595, R-5(A) | Trinity Levy |
| West | PD 595, R-S I(A) | Trinity Levy |

STAFF ANALYSIS:

Comprehensive Plan:

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

The request site is located in an area considered a Residential Neighborhood in *forward Dallas*. This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. While single family dwellings are the dominant land use in such areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections. The PD is located at a cul-de-sac that serves to be a prominent location for the Bexar Street corridor. It is the end of the Dart Bus line 11, serves as an entrance for the community into the Trinity River Levy, and only blocks away are the Dallas Housing Authority's Buckeye Trail Commons Multi-Family Residential Housing Site and the City of Dallas' Southeast Service Center. The Urban Farm can serve to be an integral part for the corridor that joins the major elements located on the South Side of Bexar Street. In general, the applicant's proposal is consistent with the following goals and policies of the Comprehensive Plan.

NEIGHBORHOOD ELEMENT

GOAL 7.1 Promote vibrant and viable neighborhoods

Policy 7.1.3 Encourage a sense of community and identity

Policy 7.1.4 Promote clean and safe neighborhoods.

Policy 7.1.5 Provide public infrastructure to support neighborhoods.

Policy 7.1.6 Follow a consistent neighborhood planning framework.

Policy 7.1.5.2 Encourage neighborhood-serving office, retail, or other nonresidential uses to locate primarily on significant roads or at key intersections.

Area Plans:

Over the past decade, South Dallas has seen development spearheaded by the City of Dallas concentrating in a variety of different locations. One major example is the Bexar Street Corridor, where the subject site is located, and is also the primary focus of the City of Dallas' Community Revitalization Plan which calls for over \$5.8 million in infrastructure improvements to be implemented and are currently underway. For the area the city of Dallas has embraced a multi-faceted redevelopment approach that calls for community development, partnerships with major stakeholders, and the streamlining of public investment and city resources.

Depicted in the South Dallas Ideal/Rochester Park Neighborhood Investment Program (NIP) Community Revitalization Plan (CRP) is the vision for Bexar Street Corridor which lays the groundwork for future and more detailed planning within what is considered as the Ideal/Rochester Park NIP target area. The CRP lists 10 major goals that are intended to be addressed by the city's efforts. These goals are:

Goal 1: Improve the quality of housing

Goal 2: Improve the quality of public infrastructure and public facilities

Goal 3: Facilitate and promote economic development opportunities for existing residents and businesses

Goal 4: Strengthen linkages between land use and transportation

Goal 5: Improve public safety

Goal 6: Leverage resources for strategic neighborhood investments

Goal 7: Assemble vacant tax delinquent land for redevelopment

Goal 8: Stimulate and attract neighborhood investments

Goal 9: Address neighborhood blight through coordinated code compliance and enforcement

Goal 10: Foster community-wide participation in redevelopment processes

By allowing for this Planned Development District, the project will serve as an economic catalyst for redevelopment that addresses goals 1 through 8 and 10.

Land Use Compatibility:

The request site is primarily surrounded by multi-family residential to the north and west while single-family residential is located to the east. The Trinity River Levy is located to the south. The request site includes 10 lots totaling approximately 1.15 acres. All the lots are currently made up of vacant land.

Currently, there are two single family residences and two developable vacant lots that abut the property. Staff worked with the applicant in order to create conditions that would minimize the impact on these neighbors and any potential neighbors that may want to move into the developable lots in the future. The presence of the “caretaker” onsite will allow for somebody to address any concerns or unique situations that may occur on site late during late night hours.

Development Standards:

| District | Setbacks | | Density | Height | Lot Coverage | Special Standards | Primary Uses |
|-------------------------|----------|----------------------------------------------|------------|--------|--------------|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Front | Side/Rear | | | | | |
| R-5(A) Single Family | 20' | 5' (single Fam structures) 10'(all other) | No Maximum | 30' | 40% | Minimum lot area for residential use is: 5,000 square feet | <ul style="list-style-type: none"> - Single Family Residential - Handicapped Group dwelling unit only - Allows for Crop Production - SUP for Community Service Center |

| District | Setbacks | | Density | Height | Lot Coverage | Special Standards | Primary Uses |
|----------|-----------------|-----------|---------|--------|--------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Front | Side/Rear | | | | | |
| PD | 10' on Bexar St | 5' | | 30' | 35' | Minimum lot size is 5,000 | <ul style="list-style-type: none"> - Live/Work Units - Crop Production - Animal Production - Community Service Center - Retail store |

Traffic:

Z145-124(AF)

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

Parking:

Current R-5 (A) Single Family parking standards regulate the site. For this particular project, the development plan will dictate the need for five (5) parking spaces. The site is envisioned to be pedestrian oriented as it serves primarily the surrounding neighborhood.

Landscaping:

The landscape plan calls for the location of trees along all the frontages of the property, which will reduce any potential visual and noise impact caused by the development. In addition the trees will serve to beautify the corner of Bexar Street.

Proposed PD Conditions

“ARTICLE _____.

PD _____.

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

PD _____ was established as a Planned Development District by Ordinance No. _____, passed by the Dallas City Council on _____, 2015. PD _____ was formerly a part of PD 595 - South Dallas/Fair Park Special Purpose District [SEC 51P-595.101 et seq.], which was established by Ordinance No. 24726, passed by the Dallas City Council on September 26, 2001. (Ord. 24726), and amended by Ordinance No. 29052 passed by the Dallas City Council on June 26, 2013.

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

PD _____ is established on property located on Lots 5, 6, 10, 11, 13, 14, 15, 16, 17, and 18 in Block 5, City Block 7077. PD _____ is generally bounded by Canaan Street on the west, Vesper Street on the north, Bexar Street on the east, and the south levee of the Trinity River on the south. The size of PD _____ consists of approximately 1.15 acres.

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

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

URBAN GARDEN means an area managed and maintained to grow and harvest food crops and/or ornamental crops for personal or group use, consumption, sale or donation. Urban gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

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

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

SEC. 51P- _____.104. EXHIBITS.

The following Exhibits are incorporated into this article:

- (1) Exhibit “A”: Development Plan.
- (2) Exhibit “B”: Landscape Plan.

SEC. 51P- ____ .106. DEVELOPMENT PLAN.

(a) Except as provided in this section, no development plan is required, and the provisions of Section 51-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, and landscape plan do not apply.

(b) For animal production, community service center, farm and urban garden uses, development and use of the Property must comply with the Development Plan (Exhibit “A”). If there is a conflict between the text of this division and the Development Plan, the text of this division controls.

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

Except as provided in this section, the only main uses permitted are those main uses permitted in the R-5 (A) Single Family District, subject to the same conditions applicable in the R-5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-5(A) Single Family District is subject to the DIR in this district; etc. In addition, the following main uses are also permitted by right:

- (1) Animal production excluding beef or sheep ranching, dairy farming, and piggeries.
- (2) Community service center.
- (3) Farm.
- (4) Urban garden.

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

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

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

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-5 (A) Residential District apply.

| |
|--------------------------------------------------------------------------|
| Applicant's Recommendation |
| (b) <u>Front yard along Bexar Street.</u> Minimum front yard is 10 feet. |

| |
|--------------------------------------------------------------------------|
| Staff's Recommendation |
| (b) <u>Front yard along Bexar Street.</u> Minimum front yard is 20 feet. |

(c) Side and rear yard. Minimum side yard is five feet. Minimum rear yard is five feet.

(d) Corner side yard along Vesper Street. Minimum side yard is 10 feet.

(e) Floor area.

(1) Except as provided in this section, the maximum floor area is limited to those structures shown on the development plan attached hereto as Exhibit "A".

(2) The maximum floor area for a community service center is 2,500 square feet.

(3) The maximum floor area for a dwelling unit is 2,000 square feet whether contained in a single structure or part of a structure with other uses.

(4) Structures that assist in the growing of vegetation, such as bed covers, and raised planting beds, are not included when calculating the maximum square footage.

(5) Floor area ratio. Maximum floor area ratio for the combined uses of animal production, community service center, farm and urban garden is 0.35.

(6) Lot coverage. Maximum lot coverage is 35 percent for nonresidential structures.

(7) Stories. Maximum number of stories above grade is two.

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

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

(b) Off-street parking and loading requirements for animal production, a community service center, farm and urban garden must be provided as shown on the development plan attached hereto as Exhibit “A”.

SEC. 51P- _____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-_____.112. LANDSCAPING.

(a) Landscaping. The minimum landscaping and screening requirements must be provided in accordance with the Landscape Plan attached hereto as Exhibit “B”.

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

SEC. 51P- _____.113. SIGNS.

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

SEC. 51P-_____.114. ADDITIONAL PROVISIONS

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

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

(c) Animal production and farm.

(1) There is no minimum acreage requirement upon which this use may be operated.

(2) The only animals included are chickens, fish, rabbits, and goats. Each shall require a minimum area as provided in this paragraph.

(i) Chickens. Nine cubic feet per chicken in each animal enclosure. Five square feet per chicken for areas designated as animal runs.

(ii) Goats. A minimum of nine square feet per goat.

(iii) Rabbits. A minimum of four cubic feet per rabbit.

(iv) Fish. A minimum of three gallons of water per one pound of fish.

(3) Structures may be erected for a pen, barn, shed, or silo for raising, treating, and storing of products raised on the premises as shown on the development plan attached hereto as Exhibit "A".

(4) Fences for animal enclosures must be of sufficient height and strength to retain the animals. Enclosures are only permitted in the areas shown on the development plan attached hereto as Exhibit "A".

(5) Small animal runs and pasturage may overlap to allow for comingling of animal uses.

(d) Urban garden.

(1) A bed cover may only cover one single growing bed.

(2) Except as provided in this subparagraph, maximum height of a bed cover is four feet from the growing surface or eight feet from grade, whichever is less. Within the required front yard, maximum height of a bed cover is four feet from grade.

(3) The on-site sale of food crops, ornamental crops, and eggs produced on the property is allowed. No other items may be sold on the property.

(4) Organic composting areas shall not exceed a total 15,000 square feet.

(e) Storage. Outside storage with visual screening not to exceed 3,000 square feet as shown on the development plan attached hereto as Exhibit "A".

SEC. 51P-____.115. COMPLIANCE WITH CONDITIONS.

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

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

List of Officers

OWNER

Citybuild Community Development Corporation

Board of Directors

Bill Dawkins, President

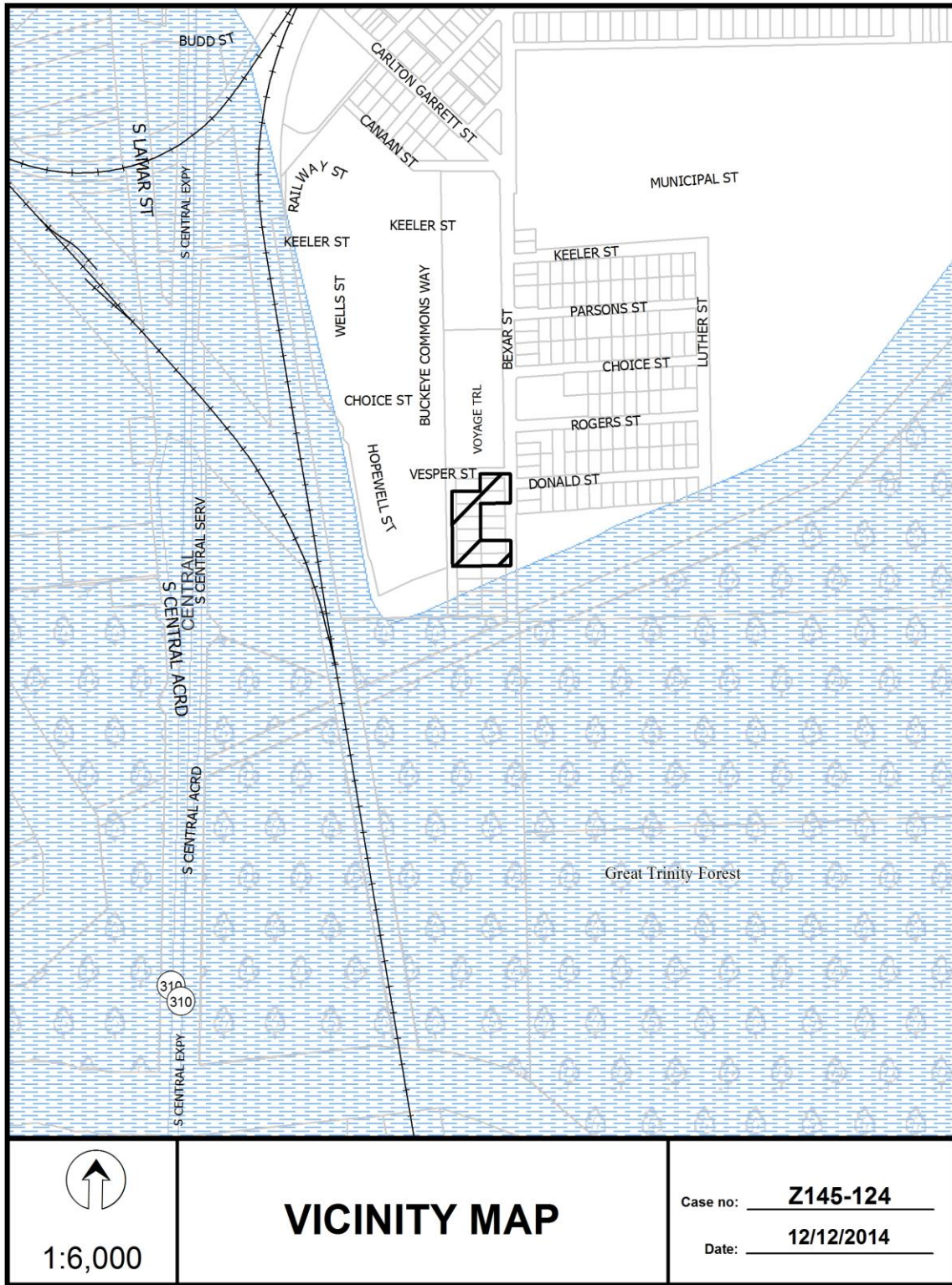
Mary Anderwald, Secretary

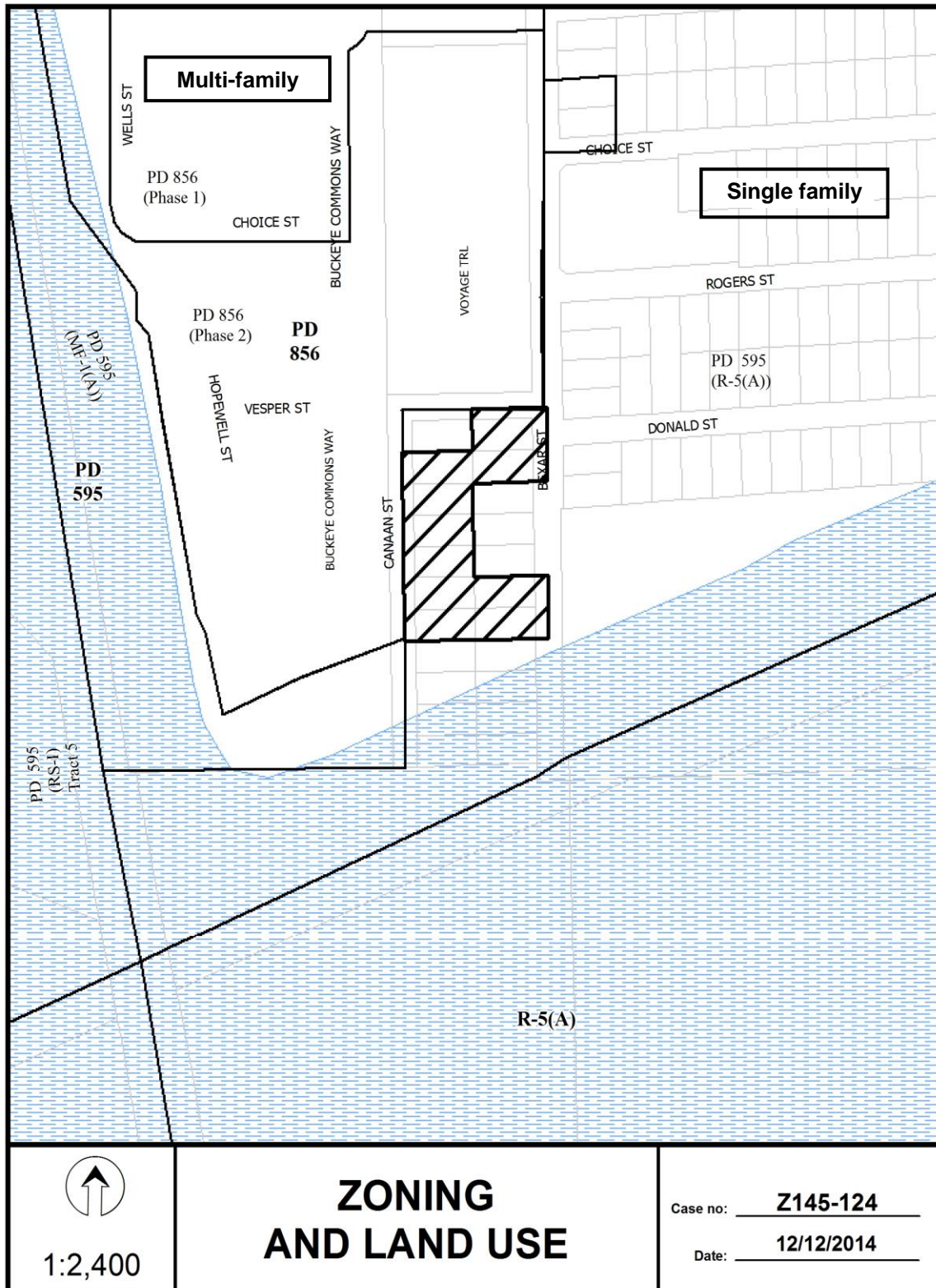
Daron Babcock

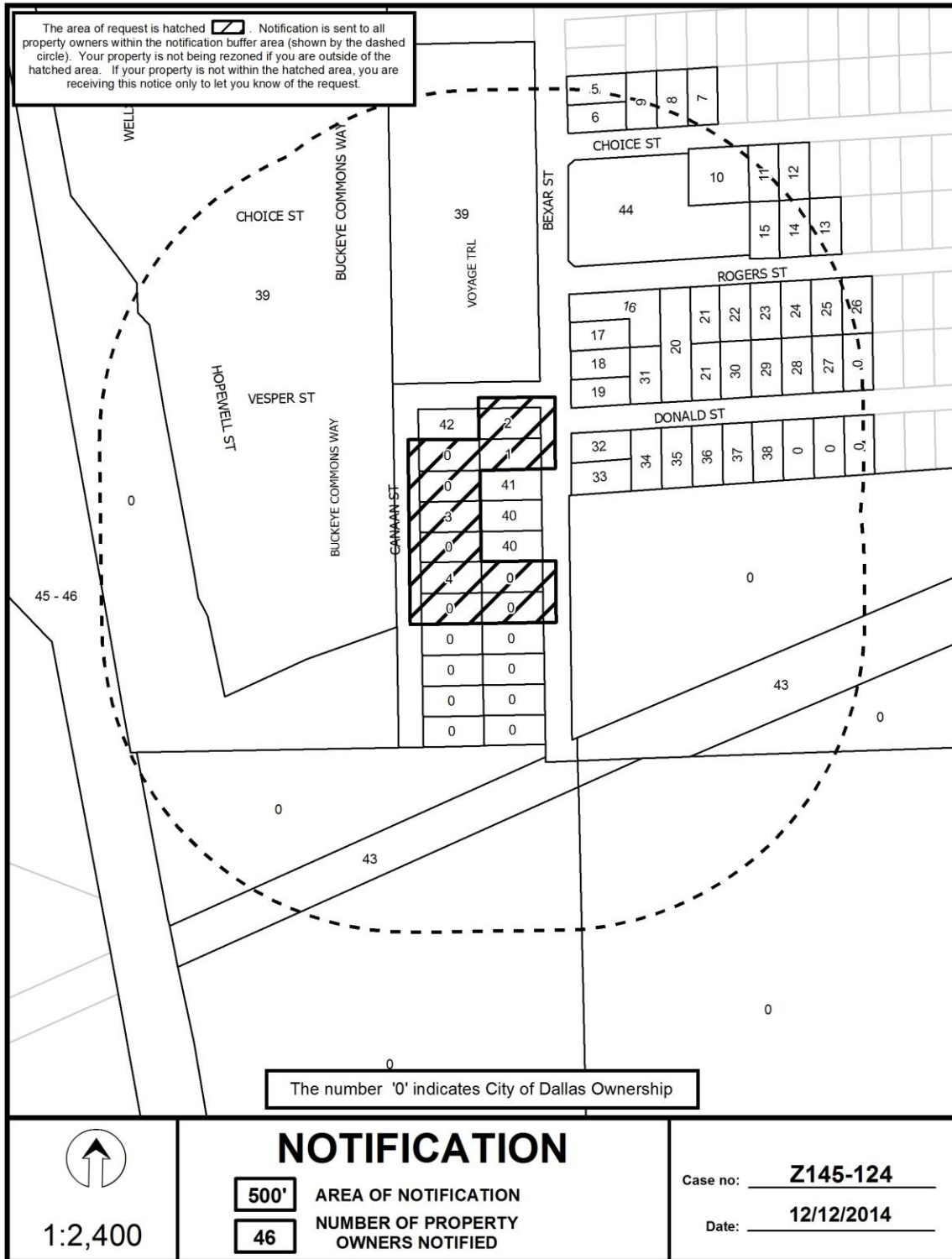
Gary Jackson

Allen Hobbs

Michael Craven







12/12/2014

Notification List of Property Owners***Z145-124******46 Property Owners Notified***

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|-----------------------|-----------------------|----------------------------------|
| 1 | 6907 BEXAR ST | CITYBUILD COMMUNITY DEVELOPMENT |
| 2 | 6905 BEXAR ST | CITYBUILD COMMUNITY DEVELOPMENT |
| 3 | 6914 CANAAN ST | CITY BUILD COMMUNITY DEVELOPMENT |
| 4 | 7002 CANAAN ST | GOLDEN GATE BAPT CHURCH |
| 5 | 6710 BEXAR ST | EJIGO ENANO |
| 6 | 6714 BEXAR ST | EJIGU ENANU |
| 7 | 2621 CHOICE ST | MOORE SEQUINA |
| 8 | 2617 CHOICE ST | JONES ANNITRA |
| 9 | 2613 CHOICE ST | ELINSKI TIMOTHY |
| 10 | 2624 CHOICE ST | ROGERS BETTY L |
| 11 | 2628 CHOICE ST | ROMERO RODOLFO & MARIA |
| 12 | 2704 CHOICE ST | DANIELS LISA K |
| 13 | 2707 ROGERS ST | PINA JOSE & |
| 14 | 2703 ROGERS ST | FLORES GERMAN & JULIA |
| 15 | 2627 ROGERS ST | RAMIREZ HUMBERTO & |
| 16 | 6800 BEXAR ST | INDEPENDENT MISSIONARY |
| 17 | 6804 BEXAR ST | GABRIEL CORDELIA |
| 18 | 6808 BEXAR ST | PEREZ PABLO M |
| 19 | 6812 BEXAR ST | SPIRITUAL LIFE C O G I C |
| 20 | 2616 ROGERS ST | LANGLEY LUCILLE JONES |
| 21 | 2620 ROGERS ST | JONES WAYNE HAROLD & |
| 22 | 2624 ROGERS ST | HIS BRIDGEBUILDERS INC |
| 23 | 2628 ROGERS ST | ATTAWAY KATRINA |
| 24 | 2704 ROGERS ST | NARVAEZ DAVIS G |
| 25 | 2708 ROGERS ST | DEHARO BENJAMIN & |
| 26 | 2712 ROGERS ST | NARVAEZ GERARDO & MARIA |

12/12/2014

| <i>Label #</i> | <i>Address</i> | <i>Owner</i> |
|----------------|------------------|---------------------------------------------|
| 27 | 2707 DONALD ST | MURILLO LIBRADO & |
| 28 | 2703 DONALD ST | TREJO CIRILA & JUAN CARLOS HERNANDEZ |
| 29 | 2627 DONALD ST | DALLAS HOUSING ACQUISITION & DEV CORP |
| 30 | 2623 DONALD ST | DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT |
| 31 | 2611 DONALD ST | BALL ROBERT N |
| 32 | 6900 BEXAR ST | SPIRITUAL LIFE COGIC |
| 33 | 6906 BEXAR ST | SPIRITUAL LIFE CHURCH OF |
| 34 | 2612 DONALD ST | SPIRITUAL LIFE CHURCH OF GOD IN CHRIST |
| 35 | 2614 DONALD ST | MENDOZA INOCENCIO & MARIA |
| 36 | 2620 DONALD ST | ESPINOZA VICTOR & LOURDES |
| 37 | 2624 DONALD ST | BISCO VANCE & |
| 38 | 2628 DONALD ST | PORRAGAS SANDRA |
| 39 | 6601 BEXAR ST | DALLAS HOUSING AUTHORITY |
| 40 | 6919 BEXAR ST | APEX FINANCIAL CORP |
| 41 | 6911 BEXAR ST | ORSA MINORE PROPERTIES LLC |
| 42 | 6902 CANAAN ST | NELSON JOSHUA |
| 43 | 7000 BEXAR ST | TEXAS UTILITIES ELEC CO |
| 44 | 6722 BEXAR ST | LORDS MISSIONARY BAPTIST |
| 45 | 4401 LINFIELD RD | ST LOUIS S W RAILWAY CO |
| 46 | 9999 NO NAME ST | UNION PACIFIC RR CO |

FILE NUMBER: DCA 134-003

DATE INITATED: October 2, 2014

TOPIC: Revisions to Article XIII

COUNCIL DISTRICT: All

CENSUS TRACT: All

PROPOSAL: Consideration of amending Chapter 51A of the Dallas Development Code, Sections 51A-13.102, 51A-13.201, 51A-13.303, 51A-13.501, and 51A-13.502 of Article XIII, "Form Districts," to amend regulations pertaining to non-conforming structures, artificial lots, planting zones, and new block perimeters.

SUMMARY: This proposal is for amendments to Article XIII, Form-based code regulations. The Zoning Ordinance Committee considered the amendments over six meetings, with input from the public. Current regulations have prevented some developments from using straight Article XIII due to restrictions of block lengths, and lack of clarification for non-conforming structures, restrictions for pedestrian passage dimensions, revision to allow for planting zones for both above and below ground utilities, and the allowance for artificial lot provisions used in Chapter 51A were introduced from staff.

ZOC RECOMMENDATION: Approval

STAFF PROPOSAL: Approval

BACKGROUND

City of Dallas Form-based Code (Article XIII) was approved on February 10, 2008, to establish standard zoning to encourage walkable, mixed use development consistent with the *forwardDallas!* Vision. Article XIII provides a tool kit of zoning options to allow for a range of densities and a variety of locations, and create a balance between flexibility and predictability to reduce the need for planned development districts.

Staff presented several issues for discussion at the ZOC meetings. Current regulations have prevented some developments from using straight Article XIII due to restrictions of block lengths, and lack of clarification for non-conforming structures, restrictions for pedestrian passage dimensions, revision to allow for planting zones for both above and below ground utilities, and the allowance for artificial lot provisions used in Chapter 51A were introduced from staff.

Non-conforming structures. Many districts that are rezoned to form-based zoning, have structures built under Chapter 51 and 51A standards, with different yard, lot, space regulations. The public reached out to staff after the rezoning of the Galleria/Valley View project, explaining the existing non-conforming definition is not clear on how an existing structure becomes more or less nonconforming based on new development standards of form-based zoning:

(S) Division 51A-4.700, "Zoning Procedures," except that Paragraph (1) of Section 51A-4.704(c), "Nonconforming Structures," is replaced by the following text: "Except as provided in Subsection 51A-4.704(c)(2), a person may renovate, remodel, repair, rebuild, or enlarge a nonconforming structure if the work does not cause the structure to become more nonconforming as to building placement, building height, building facade, garage placement, open space, or landscaping regulations."

To improve clarification, staff proposed expanding the non-conforming structures definition to allow for some expansion to an existing non-conforming structure without having to come into complete compliance of Article XIII, until more than 35% expansion has occurred.

Artificial Lots. Recently, there were a few open space and parks within a rezoning study changing zoning to Article XIII. Currently, artificial lot provisions are allowed under Chapter 51A, but were not included in Article XIII. By not allowing artificial lots within Article XIII, any open space or park over two acres must bring the entire site into compliance with zoning regulations, instead of just the portion of the project with new development.

Planting Zones. Staff was asked to look at expanding the planting zone in reference to utility regulations. The proposed changes would remove the word "overhead" when referencing utilities, therefore all utilities whether overhead or below grade would be considered utilities. Further, when utilities and required tree plantings are in conflict, the proposed revisions allow for two small trees to be planted instead of a single large tree, as is currently required. These proposed revisions give an alternative when planting zone landscaping requirements and utility lines are in conflict.

Blocks. Since the implementation of Article XIII, applicants that would like to rezone to Article XIII were unable to due to block definition requirements. The current definition of a block length requires the entire block to be considered, even if the proposed development is limited to only a portion of the entire block. A proposed infill development would be unable to meet current block length requirements if the entire block was greater than 2,400 perimeter feet. The proposed change will allow for properties within a block, which do not take up the entire block, to redevelop by requiring the infill project to introduce pedestrian passages to promote circulation through the block.

Pedestrian Passage. The revisions to the pedestrian passage were proposed to further promote and support the proposed revisions to Blocks. Current regulations require an 8 foot minimum Pedestrian Passage width, staff has proposed increasing the Pedestrian Passage width to an average of 18 feet, with a minimum allowed width of 12 feet, to allow for variation throughout the site. The proposed increase from 8 feet to 18 feet would prevent narrow passages between buildings, giving greater security to the pedestrian while promoting more usable space for outdoor uses, such as, patios or gathering spaces. The proposed revision to the Pedestrian Passage requires an overall average of an 18 feet wide passage; if a portion of the passage must be reduced to 12 feet wide due to site limitations, another section of the passage would need to be increased to 24 feet wide, to create an average width of 18 feet.

Zoning Ordinance Committee (ZOC) Meeting Minutes

November 6, 2014

Motion to approve the revised definition for SEC 51A-13.501(a)(4) Utilities, to remove “overhead” and expand the definition to allow vegetation options, not just trees, and to allow planting within the tree planting zone and door yard. without a required offset.

Motion: Matt Enzler
2nd: Garry Brown

Result: Passed: 7 to 0
For: Shellene, Murphy, Brown, Gomez, Enzler, Shidid and Jones
Against: None
Absent: Wilkes

Allow SEC 51A-13.303(c) Open Space to include SEC 51A-10.122 Artificial Lots.

Motion: Garry Brown
2nd: Maria Gomez

Result: Passed: 7 to 0
For: Shellene, Murphy, Brown, Gomez, Enzler, Shidid and Jones
Against: None
Absent: Wilkes

Zoning Ordinance Committee (ZOC) Meeting Minutes

November 20, 2014

Motion to follow staff recommendation of no change to SEC 51A-13.401 parking garage facades.

Motion: Margot Murphy
2nd: Matt Enzler

Result: Passed: 6 to 0
For: Shellene, Murphy, Brown, Enzler, Shidid, and Emmons
Against: None
Absent: Wilkes, Jones, and Gomez

Motion to approve staff recommendations for SEC 51A-13.502 to expand the definition, with the change to pedestrian passage to an 18' average width, with a 12' minimum width.

Motion: Matt Enzler
2nd: Margot Murphy

Result: Passed: 6 to 0
For: Shellene, Murphy, Brown, Enzler, Shidid, and Emmons
Against: None
Absent: Wilkes, Jones, and Gomez

| |
|------------------------------------------------------------------------------|
| Zoning Ordinance Committee (ZOC) Meeting Minutes December 18, 2014 |
|------------------------------------------------------------------------------|

Motion to approve staff recommendations for Article XIII revisions.

Motion: Tony Shidid
2nd: Maria Gomez

Result: Passed: 6 to 0
For: Shellene, Murphy, Shidid, Brown, Gomez, and Bagley
Against: None
Absent: Enzler, Jones, Wilkes

ORDINANCE NO. _____

An ordinance Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Sections 51A-13.102, 51A-13.303, 51A-13.501, and 51A-13.502; providing additional definition of nonconforming structure; allowing for artificial lots in open space requirements; amending planting zone requirements; amending block perimeter requirements; amending pedestrian passage widths; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

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

SECTION 1. That Section 51A-13.102, "Applicability," of Division 51A-13.100, "General Provisions," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended by adding new Romanettes (i), (ii), and (iii) to read as follows:

"(i) Except as provided in this Subparagraph, total additions to existing non-conforming structures less than or equal to 35 percent of the original floor area existing as of [date of passage] must comply with the use and placement requirements and the height and elements requirements in Section 51A-13.304 for each development type.

(aa) Additions are not required to comply with maximum setback requirements and minimum story requirements.

(bb) An addition that is attached to the original structure is not required to comply with minimum story height and is not required to have an entrance on a primary street.

(cc) Additions must be constructed within the buildable envelope but are not required to fill the entire buildable envelope.

(ii) An addition that exceeds 35 percent of the floor area existing as of [date of passage] must comply with Article XIII regulations.”

SECTION 2. That Section 51A-13.201, “Defined Terms,” of Division 51A-13.200, “Definitions,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is renumbered and amended by adding new definitions, “Block Face” and “Buildable Envelope,” to read as follows:

“(6) BLOCK FACE means one side of a street between two consecutive intersections. Measurement of a block face is measured along the inner edges of each street right-of-way or pedestrian passage.

“(7) BUILDABLE ENVELOPE means the three dimensional form within which the horizontal and vertical elements of a structure must be built to comply with the use and placement requirements and with the height and elements requirements in Section 51A-13.304 for each development type.”

SECTION 3. That Section 51A-13.303, “Open Space,” of Division 51A-13.300, “District Regulations,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Subsection (d), “Artificial Lot,” to read as follows:

“(d) Artificial Lot. For building sites over two acres in size, the artificial lot provisions in Section 51A-10.122 may apply.”

SECTION 4. That Paragraph (4), of Subsection (a), “Planting Zone,” of Section 51A-13.501, “General Provisions,” of Division 51A-13.500, “Minor Streets and Streetscapes,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(4) Where [~~overhead~~] utilities exist or are proposed, two small trees may replace a required large canopy tree except where a mixed-use shopfront or single-story shopfront is proposed or required. The replacement small tree must be planted [~~every 20 feet on center, on average~~] between the tree planting zone and the building setback, but no closer than 10’ from the building front to avoid utility lines.”

SECTION 5. That Section 51A-13.502, "New Minor Streets," of Division 51A-13.500, "Minor Streets and Streetscapes," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

“(a) [New] Block[s] and Street Standards.

(1) Except as otherwise provided in this subsection, in WR and WMU districts, no block face may be greater than 500 feet in length without an alley, street, or pedestrian passage providing through-access to another alley, street, or pedestrian passage.

(2) Individual lots with less than 100 feet of street frontage are exempt from the requirement in Paragraph (1).

(3) Total additions less than 35 percent of the original floor area existing as of [date of passage] do not trigger compliance with Paragraph (1).

(4) The building official may issue a waiver to the requirement in Paragraph (1) if building official finds that the spirit and intent of this subsection has been met and:

(A) the property shares a property line with a cemetery, Dallas Area Rapid Transit right-of-way, a railroad, or a levee; or

(B) the location and size of the existing structure on the property prevents the property from being developed in accordance with Paragraph (1).

~~[(1) The following block length standards apply during the subdivision process when the existing parcel of land or block is greater than the block perimeters described in this section:~~

~~(2) Block perimeters may not exceed 1,600 linear feet as measured along the inner edges of each street right-of-way. The block may be broken by a civic building in accordance with Section 51A-13.304(j), "Civic Building," and an open space lot in accordance with Section 51A-13.304(k), "Open Space Lot," provided the lot containing the civic building or open space lot is at least 50 feet wide and provides perpetual pedestrian access through the block.~~

~~(3) Block perimeters may exceed this limit, up to a maximum of 2,400 linear feet, only if one or more of the following conditions apply:~~

~~(A) the block has at least one block face on a street not considered a minor street;~~

~~(B) the block has a mid-block alley constructed in accordance with Section 51A-13.502(b)(5), "Alley," that connects to another street;~~

~~(C) the block has a pedestrian passage available at all times to the general public, constructed in accordance with Section 51A-13.502(b)(7), "Pedestrian Passage," that connects to another street; or~~

~~(D) the block contains valuable natural features or significant historic resources that should not be crossed by a street.~~

~~(4) Any single blockface longer than 500 feet must include a pedestrian passage interrupts the block perimeter at a minimum of every 500 linear feet. The pedestrian passage must be constructed in accordance with Section 51A-13.502(b)(7), "Pedestrian Passage," and be accessible to the general public at all times.]"~~

SECTION 6. That the text in Paragraph (7), "Pedestrian Passage," of Subsection (b), "Street Cross-Sections," of Section 51A-13.502, "New Minor Streets," of Division 51A-13.500, "Minor Streets and Streetscapes," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(7) Pedestrian Passage.

The following requirements apply to the construction of a ~~[mid-block]~~ pedestrian passage. The passage must connect from a ~~[one]~~ street to another street or from a street to another pedestrian passage. Required building side setbacks may be used to accommodate the pedestrian passage. A pedestrian passage must be accessible to the public.

SECTION 7. That the graphic in Paragraph (7), "Pedestrian Passage," of Subsection (b), "Street Cross-Sections," of Section 51A-13.502, "New Minor Streets," of Division 51A-13.500, "Minor Streets and Streetscapes," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is replaced with the following graphic:



SECTION 8. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 9. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 10. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____