



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, April 19, 2012
AGENDA

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

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

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

BRIEFINGS:

DCA 112-001-Proposed amendments to the Development Code to develop appropriate standards for alternative fueling stations including electrical charging, compressed natural gas and liquefied natural gas

David Cossum, Assistant Director, Sustainable Development and Construction

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S112-098**
(CC District 2)

An application to replat a 4.0062 acre tract of land containing all of Lots 1 through 11, Lot 13A, 13B and 14 and part of Lot 12 in City Block 6/1616 into one lot on property bordered by Dallas North Tollway, Wycliff Avenue, Congress Street, and Douglas Street.

Applicant/Owner: TRG – Braes Brook LP

Surveyor: Cates Clark & Associates

Application Filed: March 21, 2012

Zoning: PD 193, PDS 80

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

- (2) **S112-103**
(CC District 2)
- An application to replat a 4.4561 acre tract of land containing all of Lots 3 through 23 and a proposed 20 foot wide alley to be abandoned in City Block C/1990 into one lot located on Capitol Avenue between Bennett Avenue and Garrett Avenue.
Applicant/Owner: Belmont Associates, Ltd.
Surveyor: David Petree
Application Filed: March 26, 2012
Zoning: PD 860
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S112-104**
(CC District 14)
- An application to replat a 0.455 acre tract of land containing all of Lots 4 and 5 in City Block 2138 into a 6 lot Shared Access Development located at 6141 and 6145 Oram Street east of Skillman Street.
Applicant/Owner: BAB Oram Ltd.
Surveyor: Gonzalez & Schneeberg
Application Filed: March 27, 2012
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential replats:

- (4) **S112-099**
(CC District 14)
- An application to replat a 10.657 acre tract of land containing all of Lot 2 in City Block G/2868 and abandoned Revere Place into one lot located on Kenwood Avenue between Abrams Road and Alderson Street.
Applicant/Owner: The Roman Catholic Diocese of Dallas
Surveyor: Compass Points Professional Services
Application Filed: March 22, 2012
Date Notices Sent: 85 notices were mailed April 2, 2012.
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (5) **S112-102**
(CC District 6)
- An application to replat Lots 14, 15, and 16 in City Block A/4015 into one 0.202 acre lot on property located at the terminus of Malone Cliff View (Shared Access Drive).
Applicant/Owner: Mary McDermott Cook
Surveyor: Pacheco Koch Consulting Engineers
Application Filed: March 26, 2012
Date Notices Filed: 16 notices were mailed April 2, 2012
Zoning: PD 732, Subdistrict 2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S112-105**
(CC District 13) An application to replat a 1.2368 acre tract of land containing all of Lot C and part of Lot B in City Block R/4987 into one lot located at 4629 Watauga Road.
Applicant/Owner: Patrick and Amy Thompson
Surveyor: C B G Surveying, Inc.
Application Filed: March 27, 2012
Date Notices Filed: 16 notices were mailed April 2, 2012
Zoning: PD 455
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S112-106**
(CC District 13) An application to replat a 0.439 acre tract of land containing all of Lots 15A and Lot 12 in City Block 3/5573 by reducing the size of Lot 15A and increasing the size of Lot 12 located at 8 Bretton Woods Way and 6 Bretton Creek Court.
Applicant/Owner: Platinum Series Development, LLC
Surveyor: C B G Surveying, Inc.
Application Filed: March 27, 2012
Date Notices Sent: 15 notices were mailed April 2, 2012
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Docket

W112-009
Neva Dean
(CC District 9) An application for a waiver of the two-year waiting period in order to submit an application for an amendment to Specific Use Permit No. 975 to allow a child care facility in addition to the private school on the south corner of Lovers Lane and Fisher Road.
Staff Recommendation: **Denial**

W112-010
Neva Dean
(CC District) An application for a waiver of the two-year waiting period in order to submit an application for an amendment to and expansion of Planned Development District No. 486 to add two lots and the area of an abandoned street and to amend the conceptual plan, generally bound by Bank Street, Gurley Avenue, Carroll Avenue, and Parry Avenue.
Staff Recommendation: **Approval**

Zoning Cases – Consent

1. **Z112-186(JH)**
Jennifer Hiramoto
(CC District 6) An application for an IR Industrial Research District on property zoned an A(A) Agricultural District, southwest of Irving Boulevard, northwest of Pump Plant B Road.
Staff Recommendation: **Approval**
Applicant: City of Dallas

2. **Z112-203(RB)**
Richard Brown
(CC District 13)
- An application for an amendment to Phase 1a and 1b portion of Planned Development District No. 121 for TH-4 Townhouse District Uses and GR General Retail District Uses on the southwest corner of Walnut Hill Lane and North Central Expressway.
Staff Recommendation: **Approval**, subject to a Phase 1a and 1b development plan and conditions.
Applicant: Centanni, LLC-Olga Ramirez and Silvia Rivas, Sole Officers
Representative: Mario C. Ramirez

Zoning Cases – Under Advisement

3. **Z112-164(WE)**
Warren Ellis
(CC District 14)
- An application for the creation of a new Subdistrict within Subdistrict A of Planned Development District No. 281, the Lakewood Special Purpose District, on the northeast line of Paulus Avenue, west of Abrams Road.
Staff Recommendation: **Denial**
Applicant: W. W. Willingham III
Representative: Trey Hart
U/A From: March 22, 2012

Zoning Cases – Individual

4. **Z101-363(WE)**
Warren Ellis
(CC District 13)
- An application for an amendment to Planned Development District No. 766 for a CR Community Retail District on the northwest corner of Northwest Highway and Hillcrest Road.
Staff Recommendation: **Hold under advisement until May 3, 2012.**
Applicant: CFO DT, LLC
Representative: Dallas Cothrum - MASTERPLAN
5. **Z112-168(RB)**
Richard Brown
(CC District 6)
- An application for a Planned Development District for a Truck stop and certain MC-1 Multiple Commercial District Uses on property zoned an MC-1 Multiple Commercial District on the northwest corner of Loop 12 and West Davis Street.
Staff Recommendation: **Approval**, subject to a development plan and conditions.
Applicant: QuickTrip Corporation
Representative: James R. Schnurr
6. **Z112-150(MW)**
Megan Wimer
(CC District 14)
- An application to amend Tract I of Planned Development District No. 375 on the west side of North Central Expressway between Lemmon Avenue and Blackburn Street.
Staff Recommendation: **Approval**, subject to a conceptual plan and staff's recommended conditions.
Applicant: Blackburn Central Holdings, L.P.
Representative: Jackson Walker, LLP/Suzan Kedron

Other Matters

Minutes: April 5, 2012

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, April 19, 2012

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, April 19, 2012, City Hall, 1500 Marilla Street, in 5ES, at 10:00 a.m., to consider (1) **DCA 112-002** - Consideration of amending the Dallas Development Code to amend certain parking standards including parking reductions for providing bicycle parking; and (2) **DCA 112-003** - Consideration of amending the Dallas Development Code to develop appropriate standards for alcoholic beverage manufacturing including establishing specific regulations for microbreweries, micro-distilleries and wineries.

EXECUTIVE SESSION NOTICE

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

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

CITY PLAN COMMISSION**THURSDAY, APRIL 19, 2012****FILE NUMBER:** S112-098**Subdivision Administrator:** Paul Nelson**LOCATION:** Dallas North Tollway, Wycliff Avenue, Congress Street, and Douglas Street**DATE FILED:** March 21, 2012**ZONING:** PD 193, PDS 80**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 4.0062 Ac. **MAPSCO:** 34Z, 35W**APPLICANT/OWNER:** TRG – Braes Brook. LP

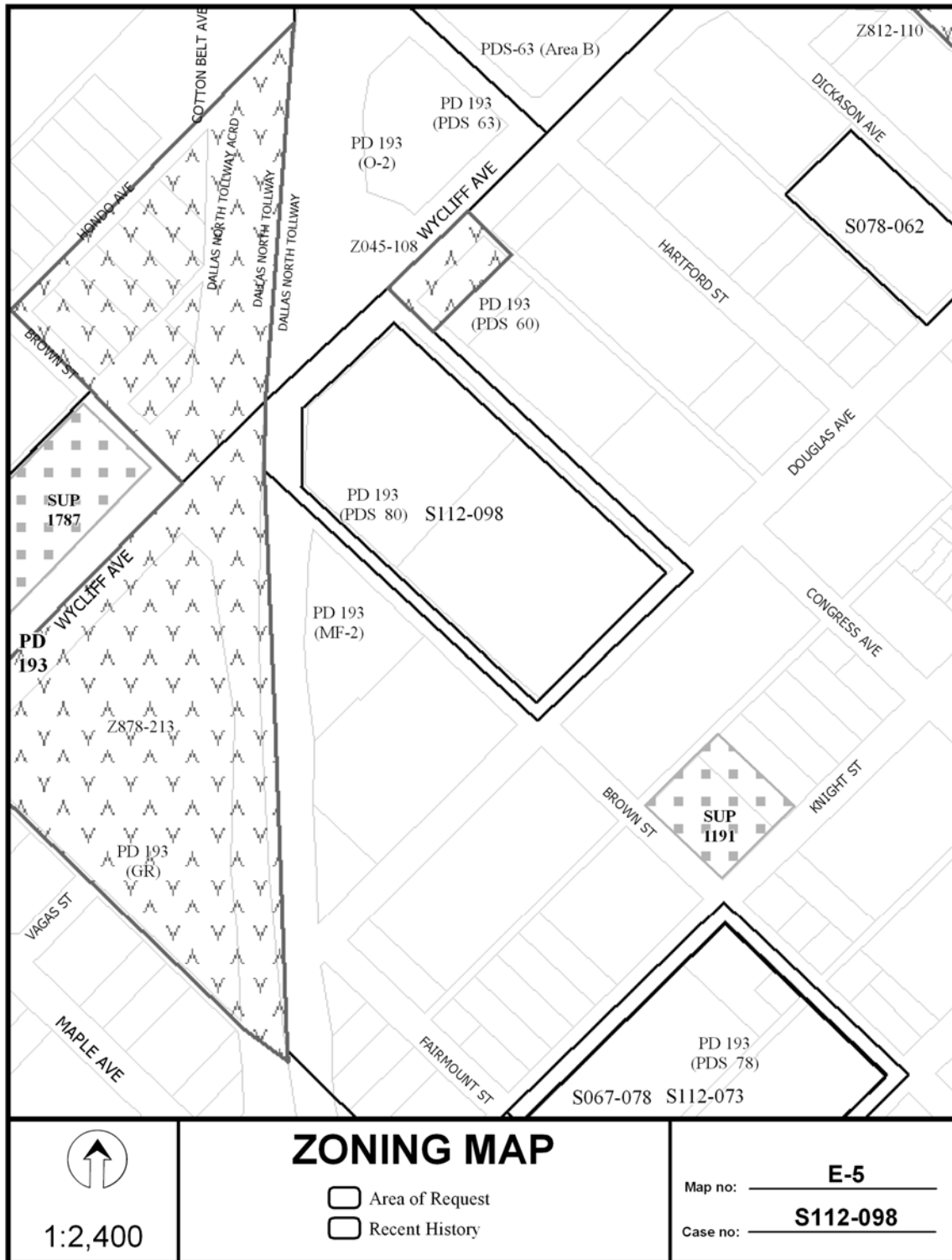
REQUEST: An application to replat a 4.0062 acre tract of land containing all of Lots 1 through 11, Lots 13A, 13B, and 14, and part of Lot 12 in City Block 6/1616 into one lot on property bordered by Dallas North Tollway, Wycliff Avenue, Congress Street, and Douglas Street.

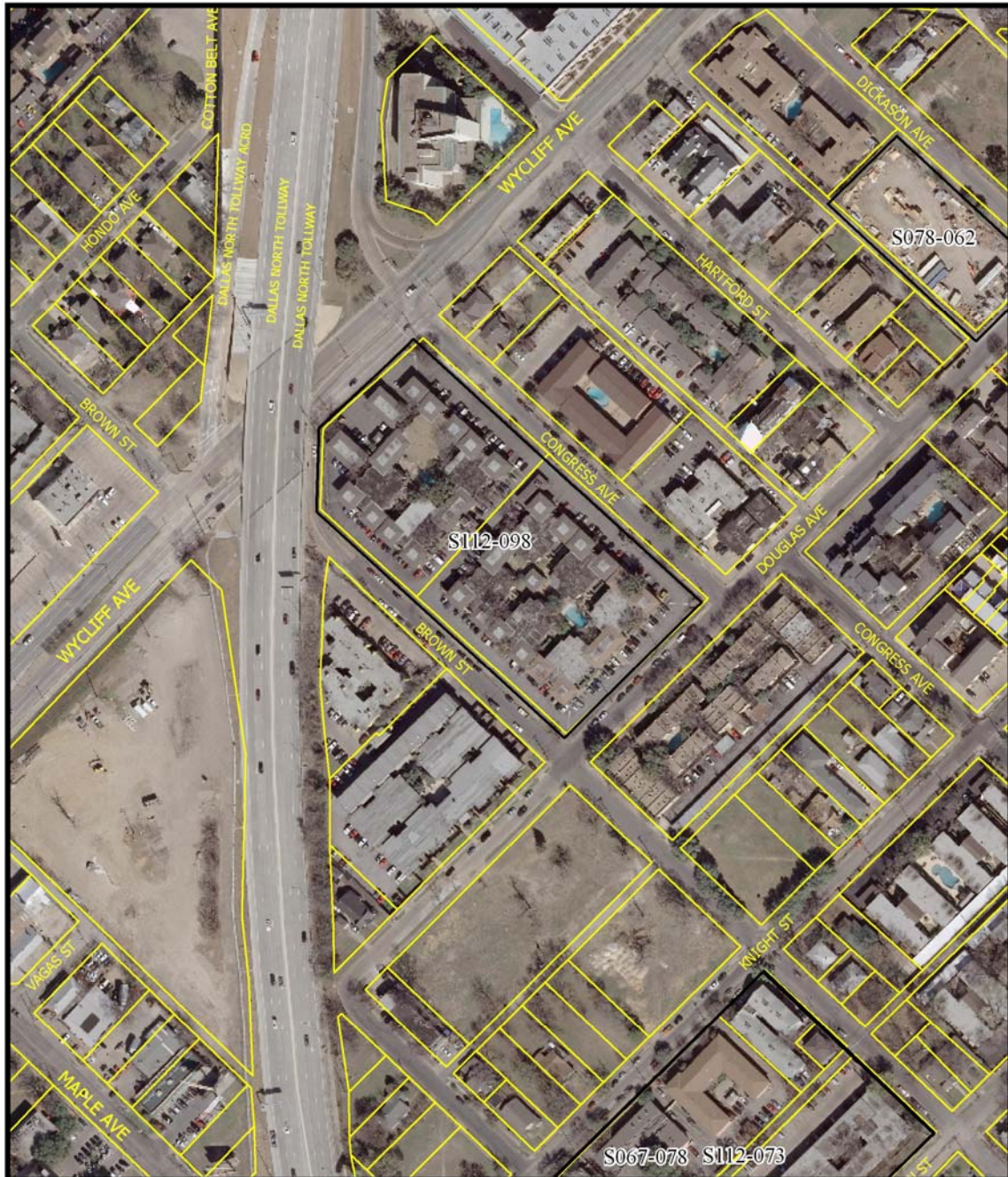
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.




STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of the PD 193, PDS 80 Subdistrict; therefore, staff recommends approval subject to compliance with the following conditions:

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

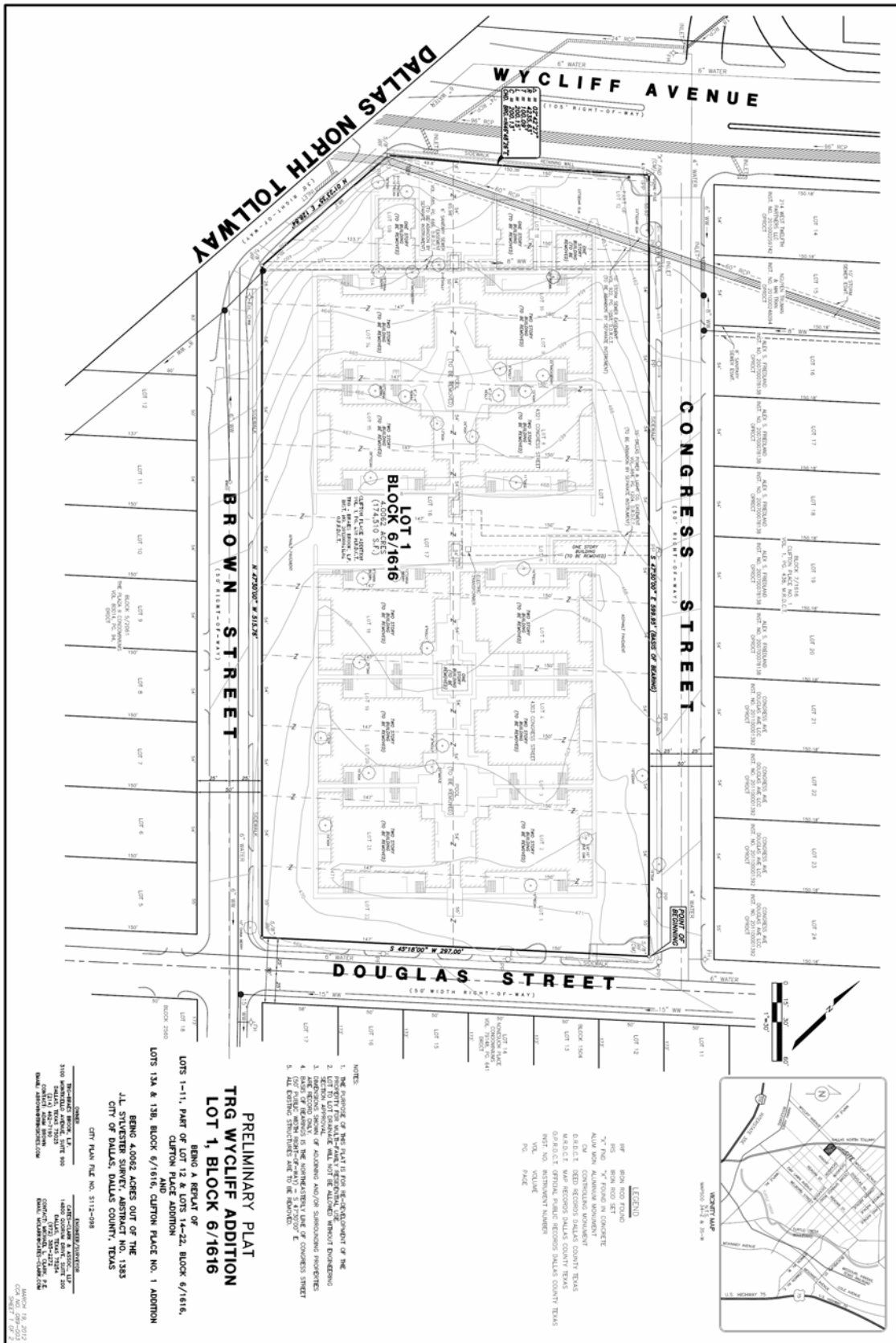
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
14. On the final plat dedicate 10 foot by 10 foot corner clips at Brown Street and Douglas Avenue, Douglas Avenue and Congress Avenue, and at Brown Street and Brown Street.
15. On the final plat dedicate a 15 foot by 15 foot corner clip at Brown Street at Wycliff Avenue and Wycliff Avenue at Congress Avenue.
16. On the final plat show how all adjoining ROW was created.
17. On the final plat show/list prior plat on map, in legal description, and/or in the title block.
18. Comply with the Dallas Love Field Airport Noise Overlay requirements.
19. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Water/wastewater main extension is required by Private Development Contract.
22. On the final plat change Douglas Street to Douglas Avenue; change Congress Street to Congress Avenue.
23. On the final plat identify the property as Lot 1A in City Block 6/1616





 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none">  Area of Request  Recent History 	Map no: <u> E-5 </u> Case no: <u> S112-098 </u>
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4/10/2012



CITY PLAN COMMISSION**THURSDAY, APRIL 19, 2012****FILE NUMBER:** S112-103**Subdivision Administrator:** Paul Nelson**LOCATION:** Capitol Avenue between Bennett Avenue and Garrett Avenue**DATE FILED:** March 26, 2012**ZONING:** PD 860**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 4.4561 Ac. **MAPSCO:** 35Z, 36W**APPLICANT/OWNER:** Belmont Associates , Ltd.

REQUEST: An application to replat a 4.4561 acre tract of land containing all of Lots 3 through 23 and a proposed 20 foot wide alley to be abandoned in City Block C/1990 into one lot located on Capitol Avenue between Bennett Avenue and Garrett Avenue.

SUBDIVISION HISTORY:

1. S112-077 was an application northeast of the present request to create an 18 lot shared access development subdivision from a 0.822 acre tract of land containing part of Lot 11 and all of Lot 12 in City Block C/1993 located at 5119, 5125, and 5129 Capital Avenue. The request was approved on March 22, 2012.
2. S101-061 was an application adjacent on the northwest to replat all of Lot 16 and part of Lot 15 in City Block D/1994 into one 0.610 acre lot on 2407, 2411, and 2415 Garrett Avenue, and 5025 Capitol Avenue. This application was approved as an Administrative Approval on March 16, 2011 and has not yet been recorded.
3. S078-085 was an application to replat a 4.8911 acre tract of land, including an abandoned alley, and all of Lots 5A, 5B, 6, part of 7, all of 13, 14 and part of 15 in City Block D/1994 into one 2.1303 acre Lot on Bennett Avenue between Belmont Avenue and Capitol Avenue. Also being all of Lots 2, 3, 4, part of Lot 9, all of Lots 10, 11 and 12 in City Block D/1994, including an abandoned alley, into one 2.7608 acre Lot on Bennett Avenue between Belmont Avenue and Capitol Avenue. The request was approved on February 7, 2008 and recorded on February 20, 2009.

STAFF RECOMMENDATION: The proposed subdivision complies with the requirements of the PD 860 Sub District; therefore, staff recommends approval subject to compliance with the following conditions:


1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a

format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.

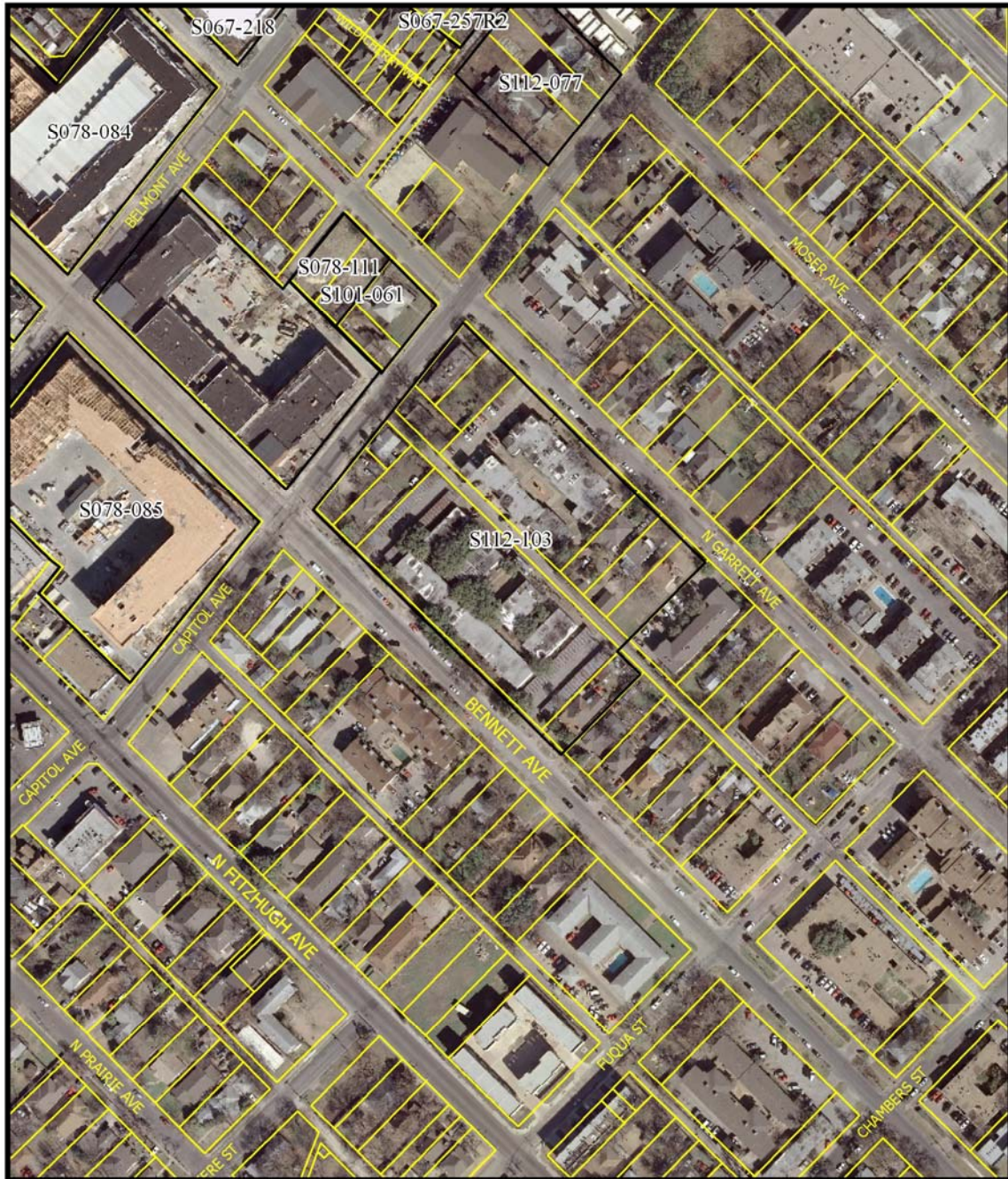
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
14. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Bennett Avenue and both sides of the alley.
15. On the final plat dedicate in fee simple a 15 foot alley ROW with a 40 foot radius transition to the existing alley.
16. Comply with the Mill Creek drainage requirements.
17. On the final plat show how all adjoining ROW was created.
18. On the final plat monument all set corners, and show a minimum of 2 control monuments, per the monumentation ordinance.
19. On the final plat list utility easements as retained within street and/or alley abandonments when stated in the abandonment ordinance.
20. Set corners cannot be controlling monuments.
21. All property owners must sign the final plat.


22. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
23. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
24. Water/wastewater main extension is required by Private Development Contract.



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Map no: <u> E-5 </u> Case no: <u> S112-103 </u>
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4/10/2012



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4/10/2012

CITY PLAN COMMISSION**THURSDAY, APRIL 19, 2012****FILE NUMBER:** S112-104**Subdivision Administrator:** Paul Nelson**LOCATION:** 6141 and 6145 Oram Street east of Skillman Street**DATE FILED:** March 27, 2012**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.455 Ac.**MAPSCO:** 36Y**APPLICANT/OWNER:** BAB Oram Ltd.

REQUEST: An application to replat a 0.455 acre tract of land containing all of Lots 4 and 5 in City Block 2138 into a 6 lot Shared Access Development located at 6141 and 6145 Oram Street east of Skillman Street.

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

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

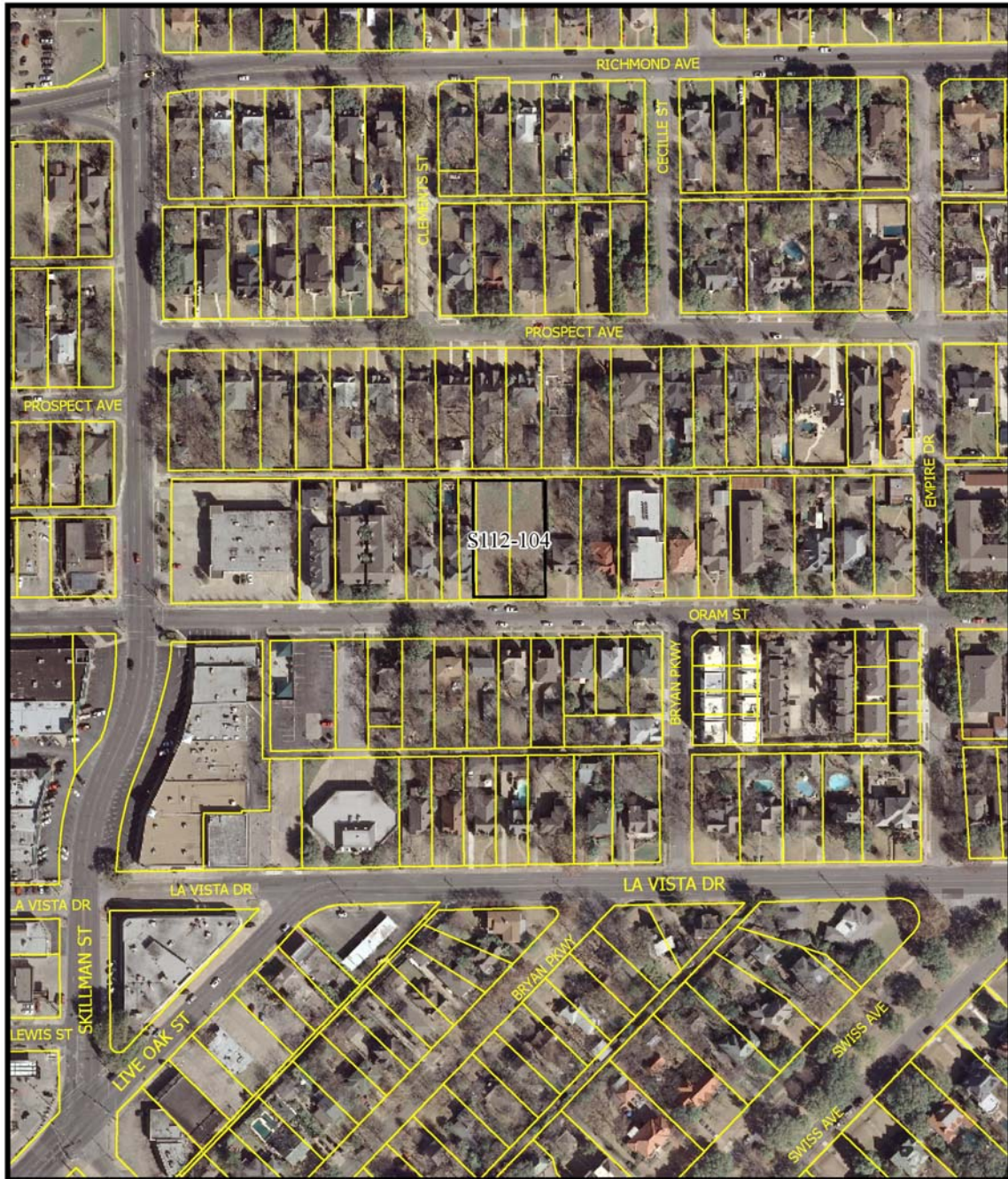
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from


the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.

10. The maximum number of lots permitted by this plat is 6.
11. The shared access area must front a minimum width of 20 feet on Oram Street.
13. All access and utility easements serving as streets must be a minimum width of 20 feet and contain a minimum paving width of 20 feet.
14. An exclusive 12 ft. wide water/wastewater easement must be centered within the Shared Access Area easement.
15. No early release building permit or building permit may be issued to authorize work in a shared access development until the plat and the shared access area agreement have been recorded in the real property records of the appropriate county, all requirements of the shared access area have been met, and the director has corrected the appropriate zoning map in the offices of the city secretary, the building official, and the department to reflect the restriction to single family use as required by Section 51A-4.411(c)(3) of the code.
15. 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.
16. Prior to submittal of the final plat the Shared Access Development must meet all of the requirements of Section 51A-4.411 of the Dallas City Code, as amended.
17. 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.
18. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot.
19. Include the words "Shared Access Development" in the title block of the final plat.
20. Add a note to the final plat stating "This development is restricted to single family dwellings only."
21. On the final plat provide 3 guest parking spaces per lot on the plat. The parking spaces cannot be located within the water or wastewater easement.
22. On the final plat provide a street name for the "Shared Access Area." Contact the street name coordinator at 214-671-9057.
23. 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.
24. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
25. The final plat must comply with 51A-4.411 of the Dallas City Code, as amended.

26. On the final plat dedicate 7.5 feet of ROW from the established center line of the alley.
27. On the final plat dedicate a 10 foot by 10 foot corner clip at Oram Street and Oram Court.
28. Terminate the Shared Access Easement 3 feet from the south line of the new dedicated alley ROW.
29. Comply with the Peaks Branch drainage study.
30. On the final plat show how all adjoining ROW was created.
31. Add the Shared Access Statement to the final plat.
32. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
33. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
34. Dallas Water Utilities guidelines for shared access developments must be followed for all utilities.
35. On the final plat change Bryan Street to Bryan Parkway. Use a different name for Oram Court.
36. On the final plat identify the property as Lots 4A through 4F in City Block 2138.





 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	<p>Map no: <u> E-5 </u></p> <p>Case no: <u> S112-104 </u></p>
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4/10/2012

CITY PLAN COMMISSION**THURSDAY, APRIL 19, 2012****FILE NUMBER:** S112-099**Subdivision Administrator:** Paul Nelson**LOCATION:** Kenwood Avenue between Abrams Road and Alderson Street**DATE FILED:** March 22, 2012**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 10.657 Acre **MAPSCO:** 36L**APPLICANT:** The Roman Catholic Diocese of Dallas

REQUEST: An application to replat a 10.657 acre tract of land containing all of Lot 2 in City Block G/2868 and abandoned Revere Place into one lot located on Kenwood Avenue between Abrams Road and Alderson Street.

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

DATES NOTICES SENT: 85 notices were mailed April 2, 2012.

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

The request complies with the requirements of the R-7.5(A) district. The request area has been utilized for religious and school purposes for many years although all of the property had never been previously platted; therefore any negative impact created by this request would have already occurred and this request is to incorporate all of their ownership at this location into one lot.

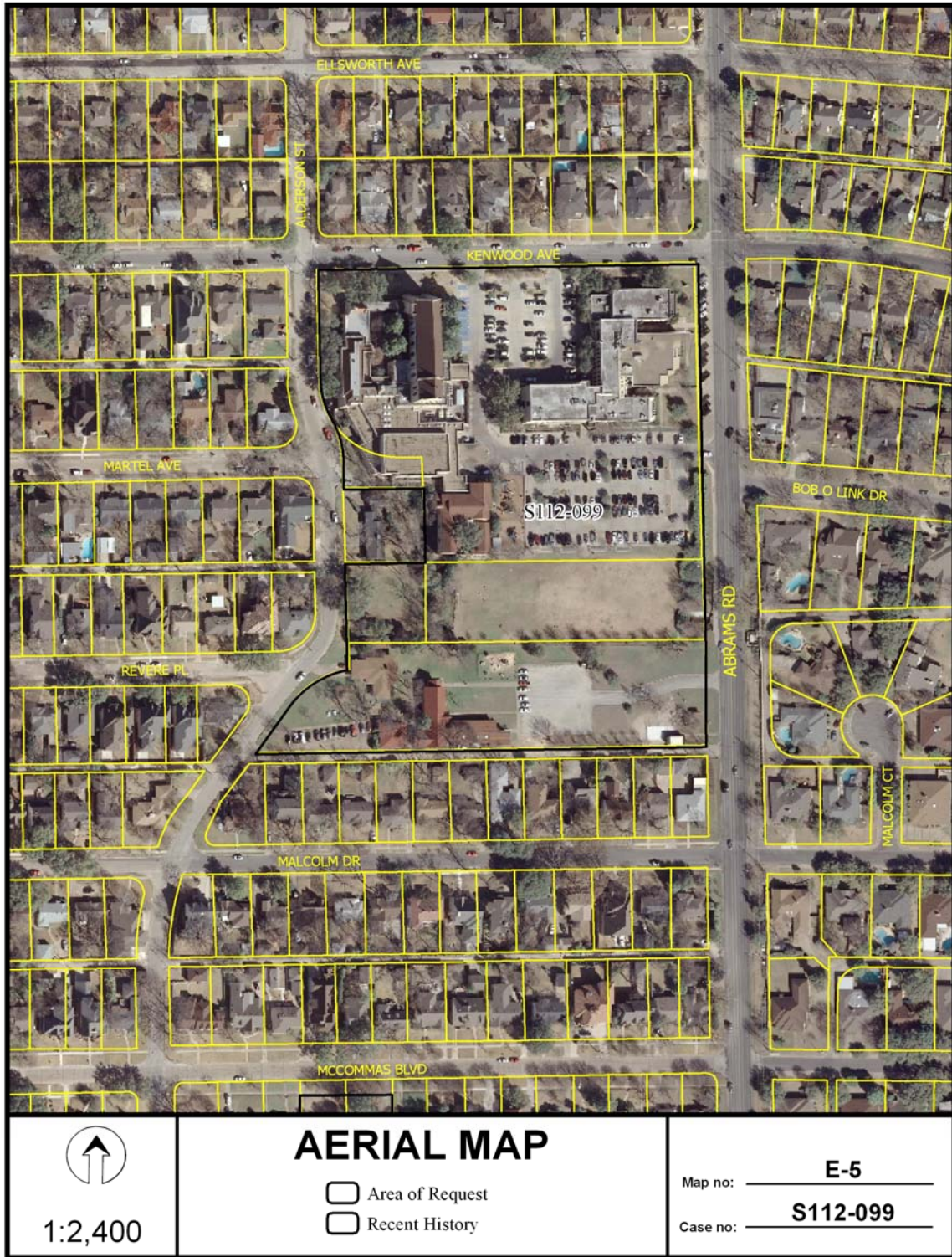
The staff recommends approval subject to compliance with the following conditions:

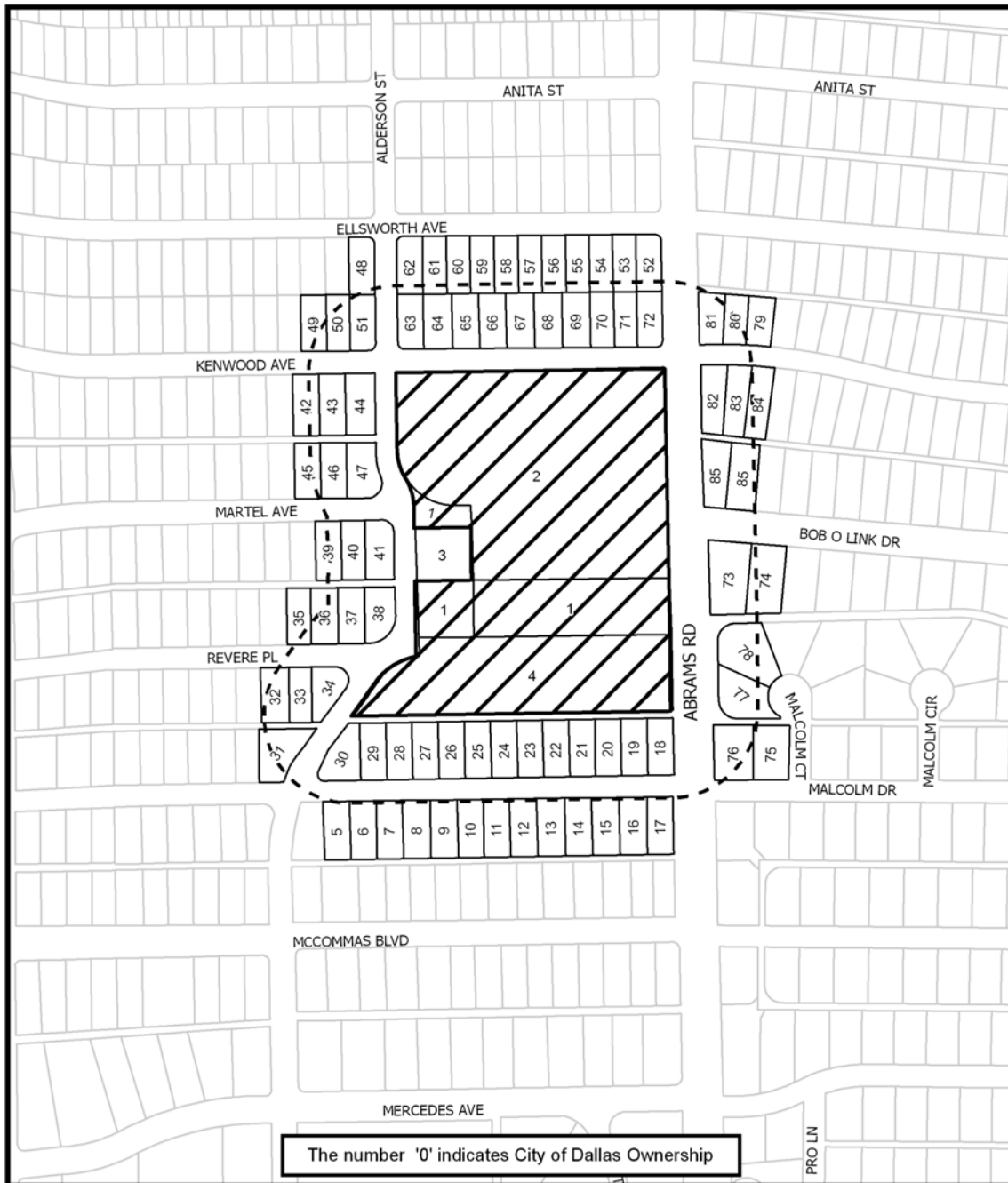
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
13. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
14. On the final plat dedicate 15' x 15' corner clip at Kenwood Avenue and Abrams Road.
15. On the final plat dedicate a 15' x 15' alley sight easement at Abrams Road and the alley; and at Alderson Street and the alley.
16. On the final plat dedicate a 10 foot by 10 foot corner clip at Kenwood Avenue and Alderson Street.
17. On the final plat show how all adjoining right of way was created for Abrams Road.
18. On the final plat show the recording information on all existing easements within 150 feet of the property.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
21. Water/wastewater main extension may be required by Private Development Contract.
22. On the final plat change Bob-O-Link to Bob-O-Link Drive.

23. On the final plat identify the property as Lot 2A in City Block G/2868.







 1:3,600	NOTIFICATION		E-5
	<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;">85</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Map no: _____ S112-099 Case no: _____	

4/10/2012

Notification List of Property Owners

S112-099

85 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3741 ALDERSON ST	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN FARRELL
2	3741 ABRAMS RD	ST THOMAS AQUINAS SCHOOL
3	3714 ALDERSON ST	AIKIN WILLIAM M
4	3617 ABRAMS RD	CORPORATION OF EPISCOPAL DIOCESE OF DALLAS
5	6306 MALCOLM DR	LUSIGNAN MICHELLE M
6	6312 MALCOLM DR	PHANEUF DONALD A
7	6318 MALCOLM DR	WATSON BRITTAIN K
8	6322 MALCOLM DR	JEFFRYES MISTI M
9	6326 MALCOLM DR	PHILLIPS LAUREN T &
10	6330 MALCOLM DR	WINTON ERIC L
11	6336 MALCOLM DR	BURNS WARREN T
12	6342 MALCOLM DR	SIMON JAY A
13	6346 MALCOLM DR	DEAN SONDRAL
14	6350 MALCOLM DR	MENENDEZ CHRISTINA
15	6356 MALCOLM DR	TIMBERLAND REALTY INC SUITE P109
16	6362 MALCOLM DR	CAMPAGNA ANTHONY J
17	6366 MALCOLM DR	CUDE JENNIFER E
18	6365 MALCOLM DR	DUONG TUNG THANH & VALENTIA TRAN
19	6359 MALCOLM DR	COOKE RICHARD JOHN & BARBARA AIMEE
20	6355 MALCOLM DR	BARNARD CHAS G
21	6351 MALCOLM DR	KARLISCH STEPHEN P
22	6347 MALCOLM DR	RODRIGUEZ M JOSHUA &
23	6341 MALCOLM DR	HAYDEN ROBERT H & PAULINE L
24	6335 MALCOLM DR	GEORGE ERIC C & LAUREN E
25	6331 MALCOLM DR	COUCH TIMOTHY BURKE
26	6327 MALCOLM DR	BOETTCHER KARL F SR

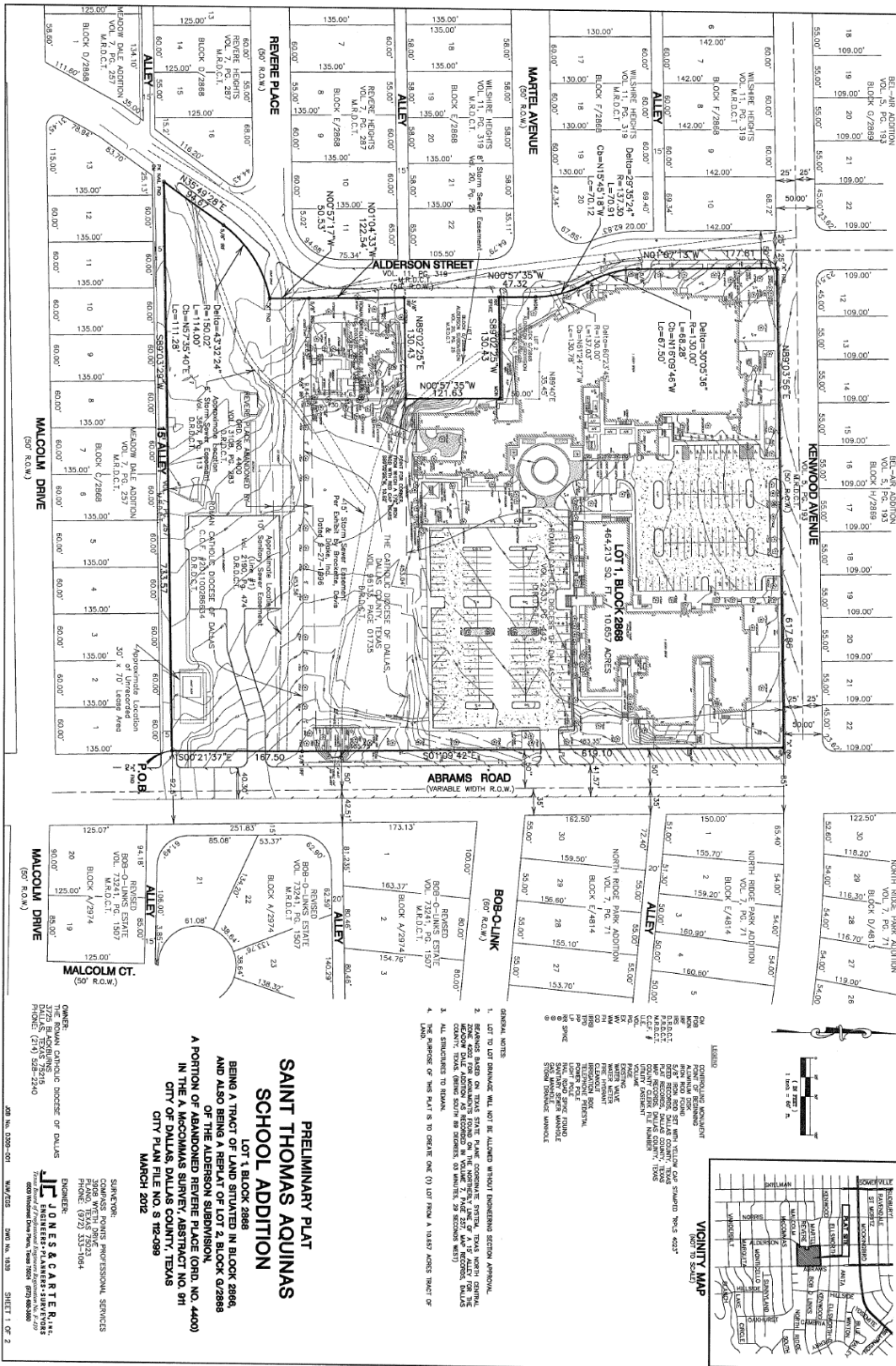
Tuesday, March 27, 2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6323 MALCOLM DR	KEE KATHERINE D
28	6317 MALCOLM DR	ETIENNE PELLETIER & LEIGH A
29	6311 MALCOLM DR	SHAW MONICA HARTMANN & ANTHONY WAYNE SHAW
30	6305 MALCOLM DR	GRUBBS RONALD L ETAL
31	6299 MALCOLM DR	DUNCAN KELLY L
32	6296 REVERE PL	WOODS DAVID & ERIN
33	6302 REVERE PL	PATEL ASHISH S
34	6306 REVERE PL	MCCLESKEY HELEN M
35	6303 REVERE PL	WILLEFORD SARA CHANSLOR
36	6307 REVERE PL	KAMEL JOAN
37	6311 REVERE PL	SCHAR JEFFREY A & JENNIFER
38	6315 REVERE PL	MCCORMICK BYRON SCOTT
39	6306 MARTEL AVE	LANIGAN VASSER J
40	6310 MARTEL AVE	VINCENT RYAN C & PAIGE M
41	6314 MARTEL AVE	HENRY JENNIFER & KYLE
42	6260 KENWOOD AVE	SAMPLE ERICKA & STEVEN T
43	6264 KENWOOD AVE	MCCARTHY RANDY J & MONET M
44	6270 KENWOOD AVE	NICOLETTI KENNETH J & MELISSA C MCCLURE
45	6303 MARTEL AVE	BROWN BRIAN K & ASHLEY T
46	6307 MARTEL AVE	OBRIEN DOROTHY M
47	6311 MARTEL AVE	DOLAN ROSEMARY
48	6270 ELLSWORTH AVE	DEKKER FLYNN K
49	6263 KENWOOD AVE	KETTERER WILLIAM C & CECILY W
50	6267 KENWOOD AVE	KETTERER WILLIAM C & CECILY W
51	6271 KENWOOD AVE	LAWS KATHERINE LEE
52	6346 ELLSWORTH AVE	RITTER DOROTY L
53	6342 ELLSWORTH AVE	HEWISON MATTHEW & ANDREA
54	6338 ELLSWORTH AVE	SWINFORD BRIAN R
55	6334 ELLSWORTH AVE	MEAD JEFFREY B
56	6330 ELLSWORTH AVE	RODGERS JULIE
57	6322 ELLSWORTH AVE	DOHERTY ASHLEY R & COLUNGA JORDAN

Tuesday, March 27, 2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	6318 ELLSWORTH AVE	FRIES CASEY & MALONE JENNIFER E
59	6314 ELLSWORTH AVE	BUCHANAN GEORGE J
60	6310 ELLSWORTH AVE	ST JOHN PAMELA J
61	6306 ELLSWORTH AVE	MESSERSMITH MICHAEL F & QUINLAN LAURA J
62	6302 ELLSWORTH AVE	ALLEGRA FRANCESCA P&
63	6303 KENWOOD AVE	EATON HELEN M % C BARRY EATON
64	6307 KENWOOD AVE	WHITAKER JANE
65	6311 KENWOOD AVE	HORSTMAN ERIC V & SHERRIE
66	6319 KENWOOD AVE	GRAY JEREMY A & ASHLEY C
67	6323 KENWOOD AVE	SYKORA ROBERT
68	6327 KENWOOD AVE	DAVIS COLIN R & REBECCA A
69	6335 KENWOOD AVE	BOGHETICH TRAVIS L & BLAIR E BRAZELTON
70	6339 KENWOOD AVE	JACOB ROY THOMAS JR & LAURA L LEFAVE
71	6343 KENWOOD AVE	MCCOY RICHARD A & JERRY B
72	6347 KENWOOD AVE	STANLEY BENJAMIN F & MEGAN C
73	6404 BOB O LINK DR	MACKAY ROBERT M & DEBRA E
74	6410 BOB O LINK DR	TURNER ROSE MARIE BOSCO EST OF
75	6403 MALCOLM DR	WIEGAND ROBERT C & LYNN J GOLDEN
76	6401 MALCOLM DR	LAFFERE BRENT K & CHRISTINE L
77	6405 MALCOLM CT	DUKE MARY L TR & PATRICIA A FORD TR
78	6407 MALCOLM CT	AVILA LUIS M
79	6411 KENWOOD AVE	GRANTHAM MICHELLE K
80	6407 KENWOOD AVE	MARTINDALE GEOFFREY
81	6403 KENWOOD AVE	CANELLOS CHRISTOPHER S
82	6402 KENWOOD AVE	PHILLIPS ANDRA
83	6406 KENWOOD AVE	STEWART ROBERT DEAN & AMY E
84	6412 KENWOOD AVE	SLABODA KIMBERLY A &
85	6407 BOB O LINK DR	PRIOLO LEO & FRANK LABARBA JR

Tuesday, March 27, 2012



GENERAL NOTES

1. LOT TO BE DEVELOPED WILL NOT BE ALLOWED WITHOUT ENGINEERING SECTION APPROVAL.
2. SEWERAGE AND WATER MAINS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE DALLAS WATER DEPARTMENT AND CITY ENGINEERING DEPARTMENT SPECIFICATIONS.
3. ALL UTILITIES TO REMAIN.
4. THE PURPOSE OF THIS MAP IS TO CREATE ONE (1) LOT FROM A LARGER TRACT OF LAND.

LEGEND

CONTRIBUTING REVENUE

- Area within yellow shaded area 4.00%
- Area within green shaded area 3.00%
- Area within blue shaded area 2.00%
- Area within red shaded area 1.00%

REVENUE

- Area within yellow shaded area 4.00%
- Area within green shaded area 3.00%
- Area within blue shaded area 2.00%
- Area within red shaded area 1.00%

VELOCITY MAP

1.00' 1" = 100' 0"

1.00' 1" = 100' 0"

**PRELIMINARY PLAT
SAINT THOMAS AQUINAS
SCHOOL ADDITION**

LOT 1, BLOCK 2888
BEING A TRACT OF LAND SITUATED IN BLOCK 2888,
AND ALSO BEING A REPLY OF LOT 2, BLOCK 2888
OF THE ABERDEEN SUBDIVISION
IN THE ABERDEEN PLANNED UNIT DEVELOPMENT
IN THE ABERDEEN PLANNED UNIT DEVELOPMENT
CITY OF DALLAS, TEXAS
MARCH 2012

J.P. JONES & CARTER, P.C.
ENGINEERS-PLANNERS-ARCHITECTS
3200 WESTERN PARKWAY, SUITE 1000
DALLAS, TEXAS 75219
PHONE: (214) 382-2240

CITY PLAN COMMISSION**THURSDAY, APRIL 19, 2012****FILE NUMBER:** S112-102**Subdivision Administrator:** Paul Nelson**LOCATION:** Malone Cliff View**DATE FILED:** March 26, 2012**ZONING:** PDD 732 Sub-district 2**CITY COUNCIL DISTRICT:** 6**SIZE OF REQUEST:** 0.202 Acre**MAPSCO:** 44T**APPLICANT:** Mary McDermott Cook

REQUEST: An application to replat Lots 14, 15, and 16 in City Block A/4015 into one 0.202 acre lot on property located at the terminus of Malone Cliff View (Shared Access Drive).

SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request. Sub-district 2 of this PD allows a maximum of 14 dwelling units per acre, no minimum lot size, no minimum side or rear yard requirements and a front yard setback of 10 feet off of the shared access drive. One of the purposes of the PD is to control building heights to preserve downtown views and to be sensitive to the existing single family neighborhood to the north and west. The present request preserves the downtown view.

DATES NOTICES SENT: 16 notices were mailed April 2, 2012.

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

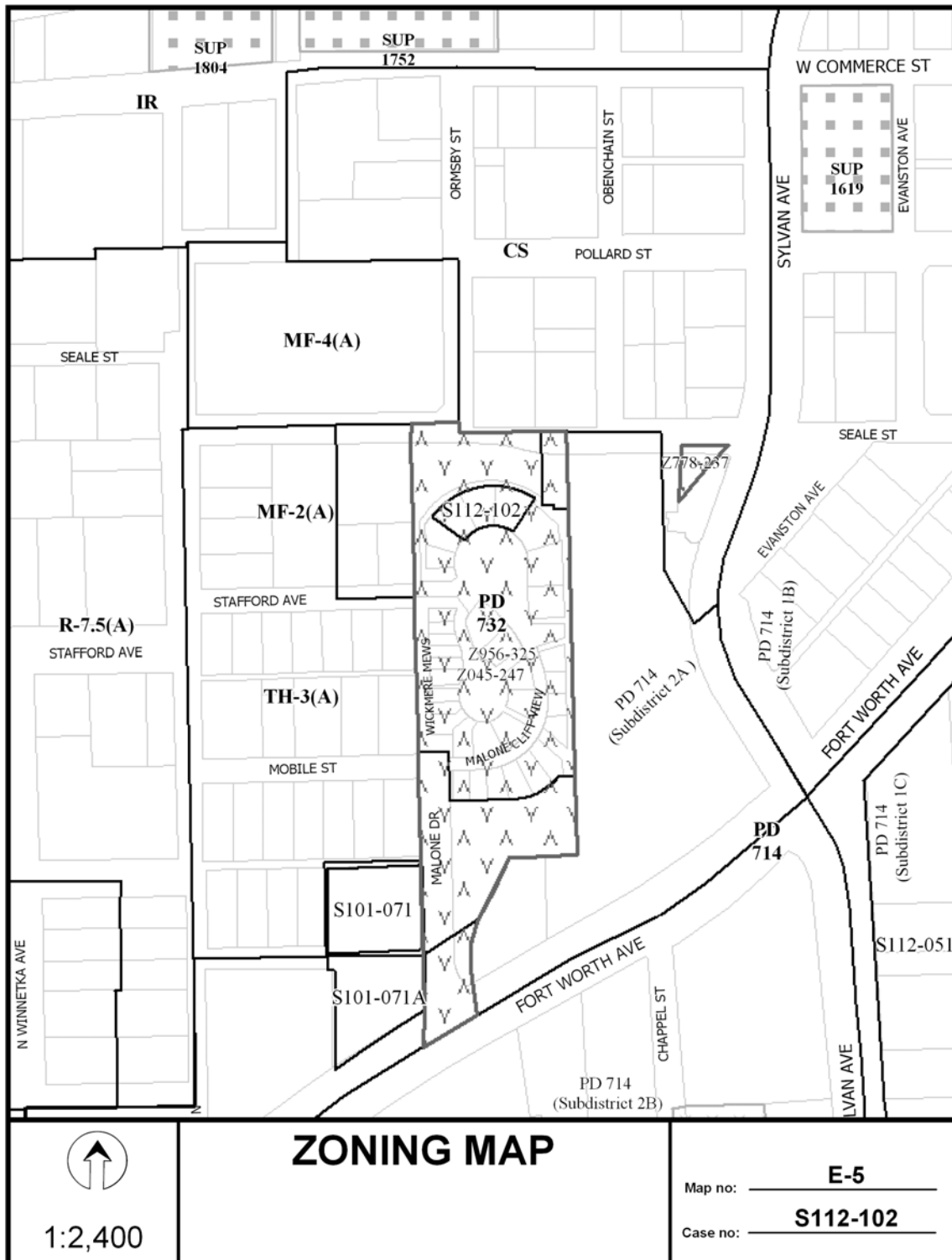
The request complies with the requirements of PD 732, Sub-district 2. The overall lot density of the sub district will be complied with; the request also preserves the view of the downtown.

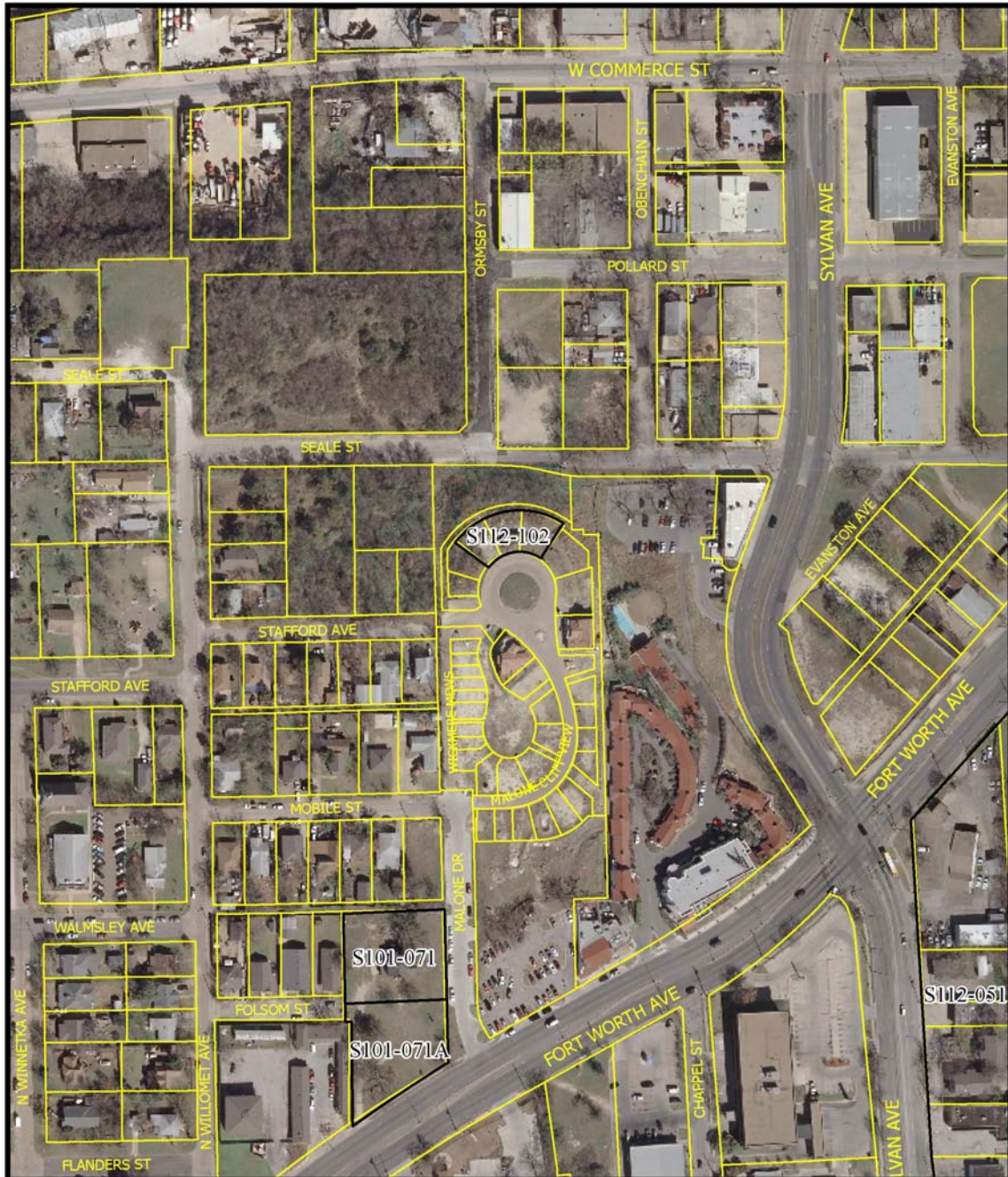
The staff recommends approval subject to compliance with the following conditions:


1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a

format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.

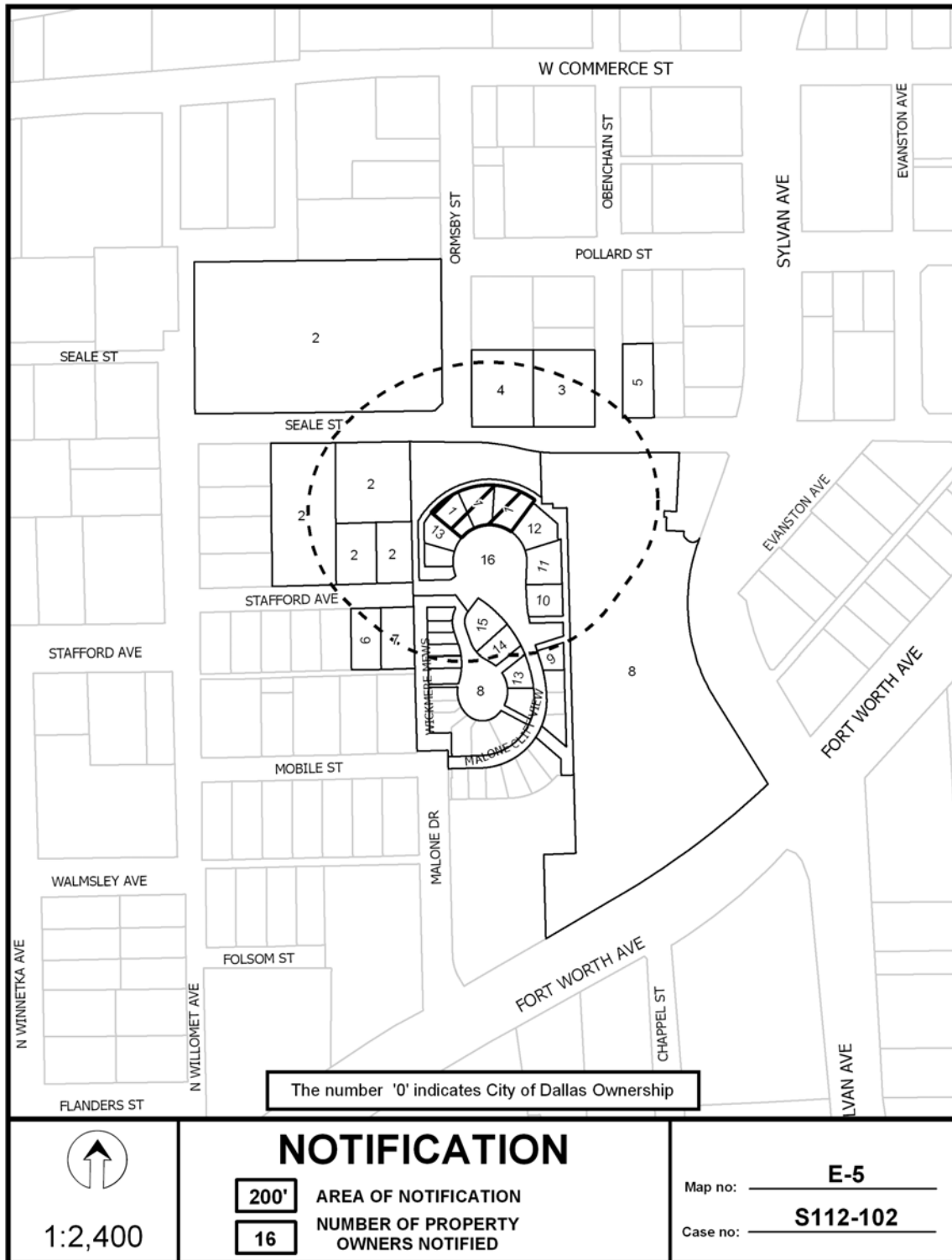
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer.
13. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
14. On the final plat identify the property as Lot 14A in City Block A/4015.





 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Map no: <u> E-5 </u> Case no: <u> S112-102 </u>
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4/10/2012



4/10/2012

Notification List of Property Owners

S112-102

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1942 MALONE CLIFF	COOK MARY MCDERMOTT
2	2120 WILLOMET AVE	DENTON SECURITY INV INC % B A BADIE MD
3	2111 OBENCHAIN ST	MARTINEZ DIONICIO
4	933 SEALE ST	MARTINEZ DIONICIO
5	915 SEALE ST	MARISCAL GERONIMO JR
6	1006 STAFFORD AVE	MORIN JOSE LUIS & MARIE CASTILLO-MORIN
7	1002 STAFFORD AVE	VARA MIGUEL A & MARIA M
8	901 MALONE CLIFF	DILBECK COURT LIMITED
9	1922 MALONE CLIFF	JARAMILLO R & S INVES LLC SUITE 148
10	1930 MALONE CLIFF	LOVE GARY & CANDACE
11	1934 MALONE CLIFF	UNITED STATES OF AMERICA
12	1938 MALONE CLIFF	JONES SHAWN MARIE & A B UNIT 803
13	1937 WICKMERE MEWS	DILBECK COURT LIMITED C/O DILBECK, INC.
14	1923 MALONE CLIFF	FORBUS GARY L & MYRA N
15	1927 MALONE CLIFF	TYNAN FRANCES E
16	1926 MALONE CLIFF	VILLAS AT DILBECK COURT HOMEOWNERS ASSN

Tuesday, March 27, 2012

CITY PLAN COMMISSION**THURSDAY, APRIL 19, 2012****FILE NUMBER:** S112-105**Subdivision Administrator:** Paul Nelson**LOCATION:** 4629 Watauga Road**DATE FILED:** March 27, 2012**ZONING:** PD 455**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 1.2368 Acre **MAPSCO:** 24Y**APPLICANT:** Patrick and Amy Thompson

REQUEST: An application to replat a 1.2368 acre tract of land containing all of Lot C and 16,731 square feet of Lot B in City Block R/4987 into one lot located at 4629 Watauga Road.

SUBDIVISION HISTORY:

1. S112-106 is an application north of the present request to replat a 0.439 acre tract of land containing all of Lots 15A and Lot 12 in City Block 3/5573 into two lots located at 8 Bretton Woods Way and 6 Bretton Creek Court. This request is also scheduled for consideration on April 19, 2012.

DATES NOTICES SENT: 16 notices were mailed April 2, 2012.

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

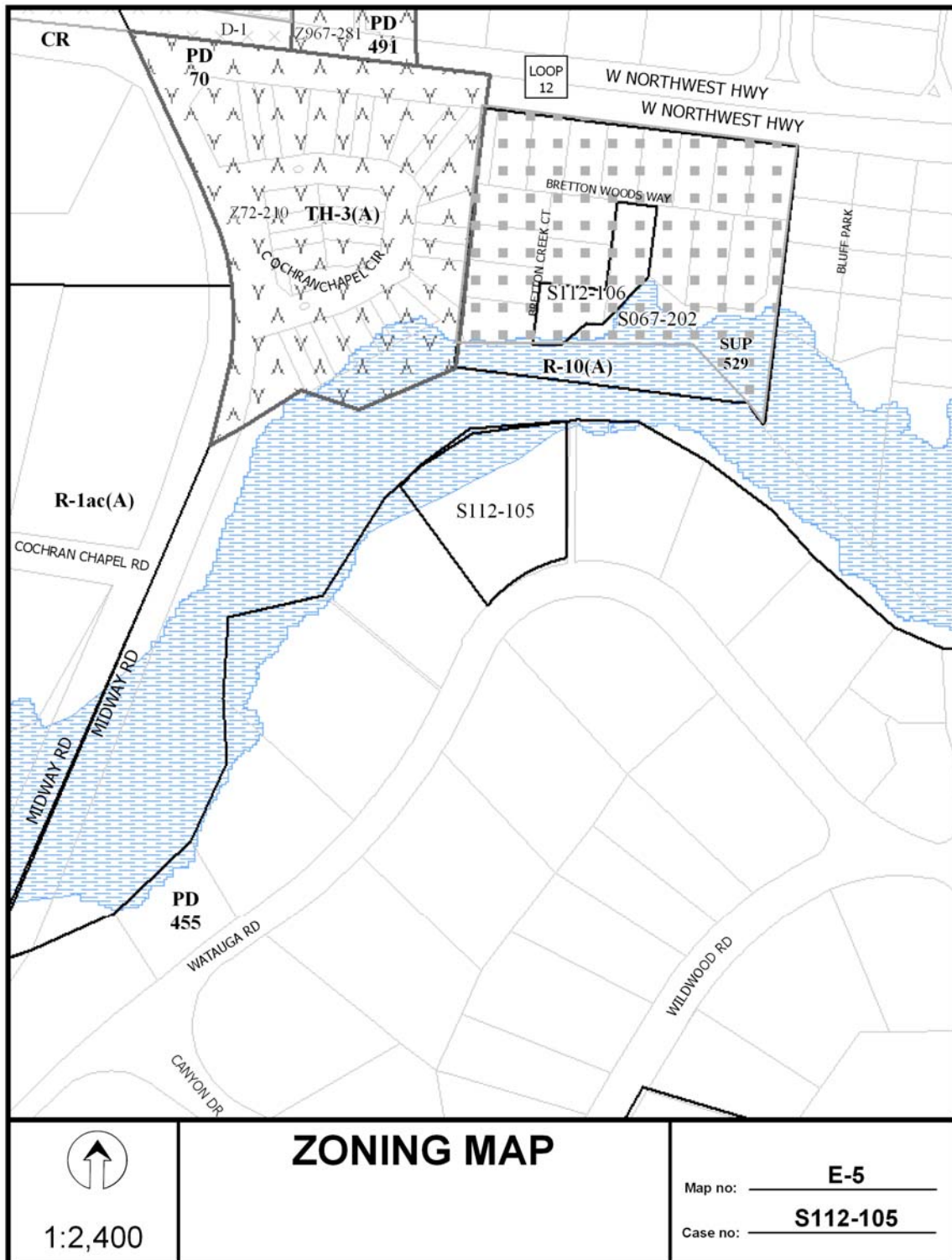
The proposed subdivision complies with the requirements of PDD No. 455. The portion of Lot B being replatted into Lot C was a result of a replat of Lots A and B into one lot in 1986. The new lot will be 53,875 square feet in size which is more than the 32,670 square feet minimum lot size required in Sub district A and similar in size to some of the other lots in the area. Therefore, staff recommends approval subject to compliance with the following conditions:

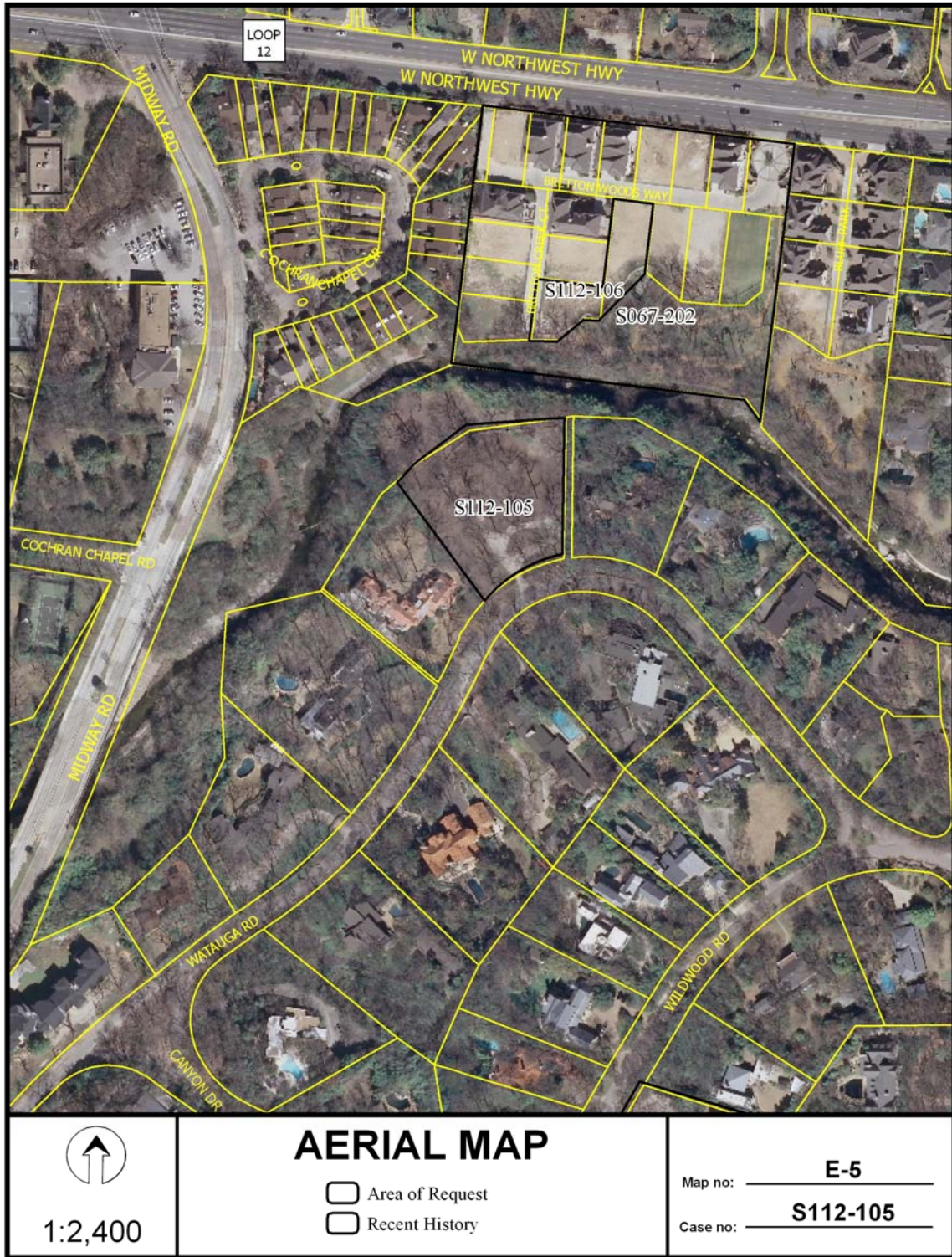
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a

format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.

5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 1.
10. 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.
14. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
15. On the final plat determine the 100 year water surface elevation across the plat.
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.
17. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
18. On the final plat specify minimum fill and minimum finished floor elevations.
19. On the final plat show the natural channel set back from the crest of the natural channel.
20. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
21. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
22. On the final plat show how all adjoining right of way was created.
23. Choose a new/different addition name.
24. 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.

25. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
27. On the final plat identify the property as Lot 6 in City Block R/4987.







The number '0' indicates City of Dallas Ownership

 1:2,400	NOTIFICATION	Map no: <u> E-5 </u>			
	<table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">16</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	16	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
16	NUMBER OF PROPERTY OWNERS NOTIFIED				

4/10/2012

Notification List of Property Owners

S112-105

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4629 WATAUGA RD	HAWES E H TRUST SUITE 410
2	4618 WATAUGA RD	THOMAS BARBARA B
3	4626 WATAUGA RD	CORRIGAN DAVID R & EMILY C CORRIGAN
4	4615 WATAUGA RD	HICKMAN MARY BETH &
5	4709 WATAUGA RD	SUGHRUE JOHN T %BROOK PARTNERS INC (CPA)
6	4711 WATAUGA RD	BRIGGS LIVING TR % WALKER & ASSOCIATES
7	4310 COCHRAN CHAPEL	BARRINGER ELIZABETH C
8	4314 COCHRAN CHAPEL	MANN DON & HELEN C
9	4318 COCHRAN CHAPEL	JEFFERS TOBY
10	4322 COCHRAN CHAPEL	VESSELS BARBARA J
11	4326 COCHRAN CHAPEL	CROUSEN GUINN D
12	4330 COCHRAN CHAPEL	YANDELL CYNTHIA P
13	4334 COCHRAN CHAPEL	CAUDLE MARK P & MOLLY B
14	9001 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR % CRAIG HEADLEE
15	4621 WATAUGA RD	WATAUGA PARTNERS LP
16	8 NORTHWEST HWY	BEHRINGER HARVARD NORTHWEST HIGHWAY LP

Friday, March 30, 2012

CITY PLAN COMMISSION**THURSDAY, APRIL 19, 2012****FILE NUMBER:** S112-106**Subdivision Administrator:** Paul Nelson**LOCATION:** 8 Bretton Woods Way and 6 Bretton Creek Court**DATE FILED:** March 27, 2012**ZONING:** R-10(A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 0.439 Acre **MAPSCO:** 24Y**APPLICANT:** Platinum Series Development, LLC

REQUEST: An application to replat a 0.439 acre tract of land containing all of Lot 15A and Lot 12 in City Block 3/5573 by reducing the size of Lot 15A and increasing the size of Lot 12 located at 8 Bretton Woods Way and 6 Bretton Creek Court.

SUBDIVISION HISTORY:

1. S112-105 is an application south of the present request to replat a 1.2368 acre tract of land containing all of Lot C and part of Lot B in City Block R/4987 into one lot located at 4629 Watauga Road. This application will be heard on April 19, 2012 also.

DATES NOTICES SENT: 15 notices were mailed April 2, 2012.

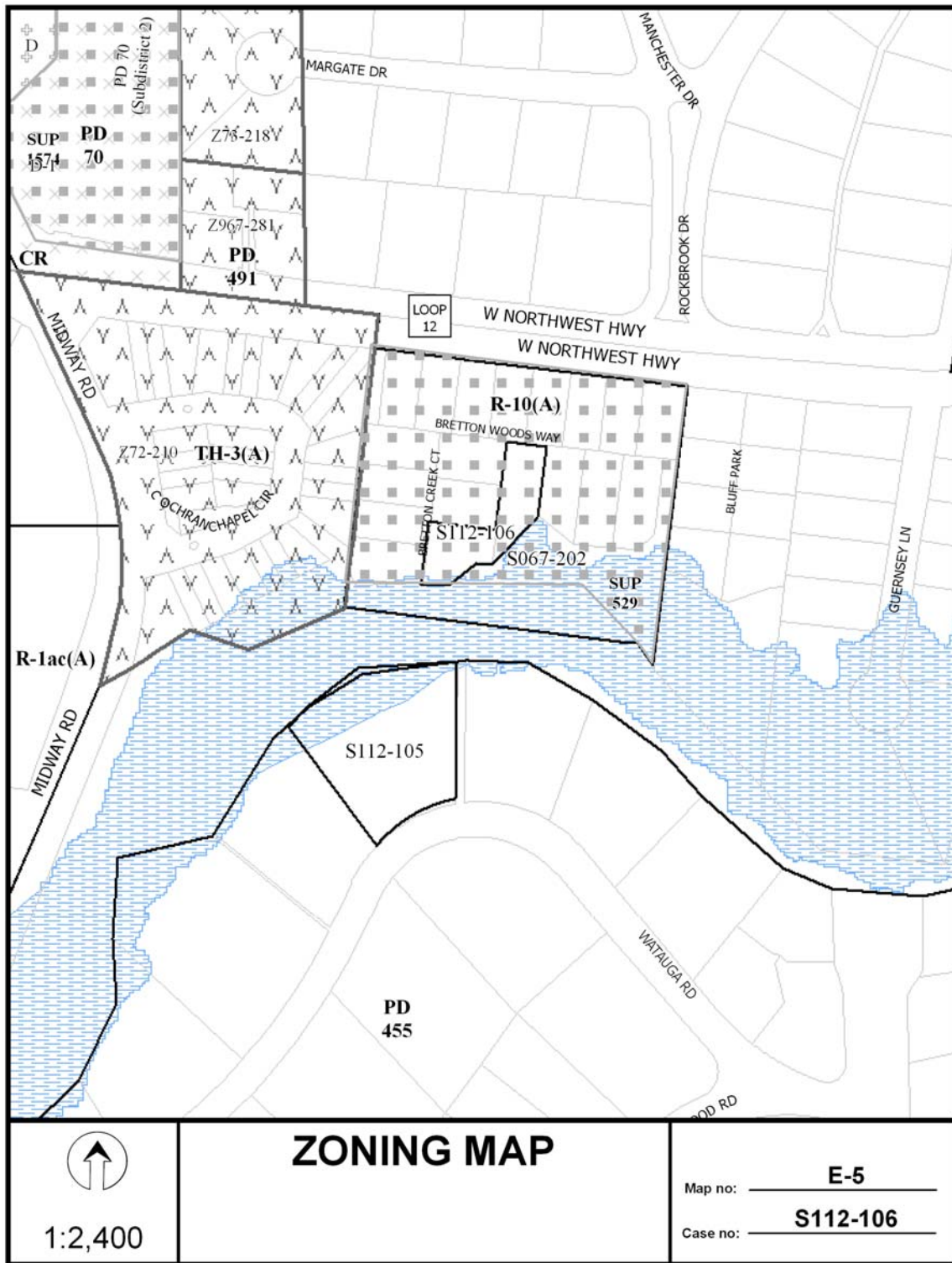
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

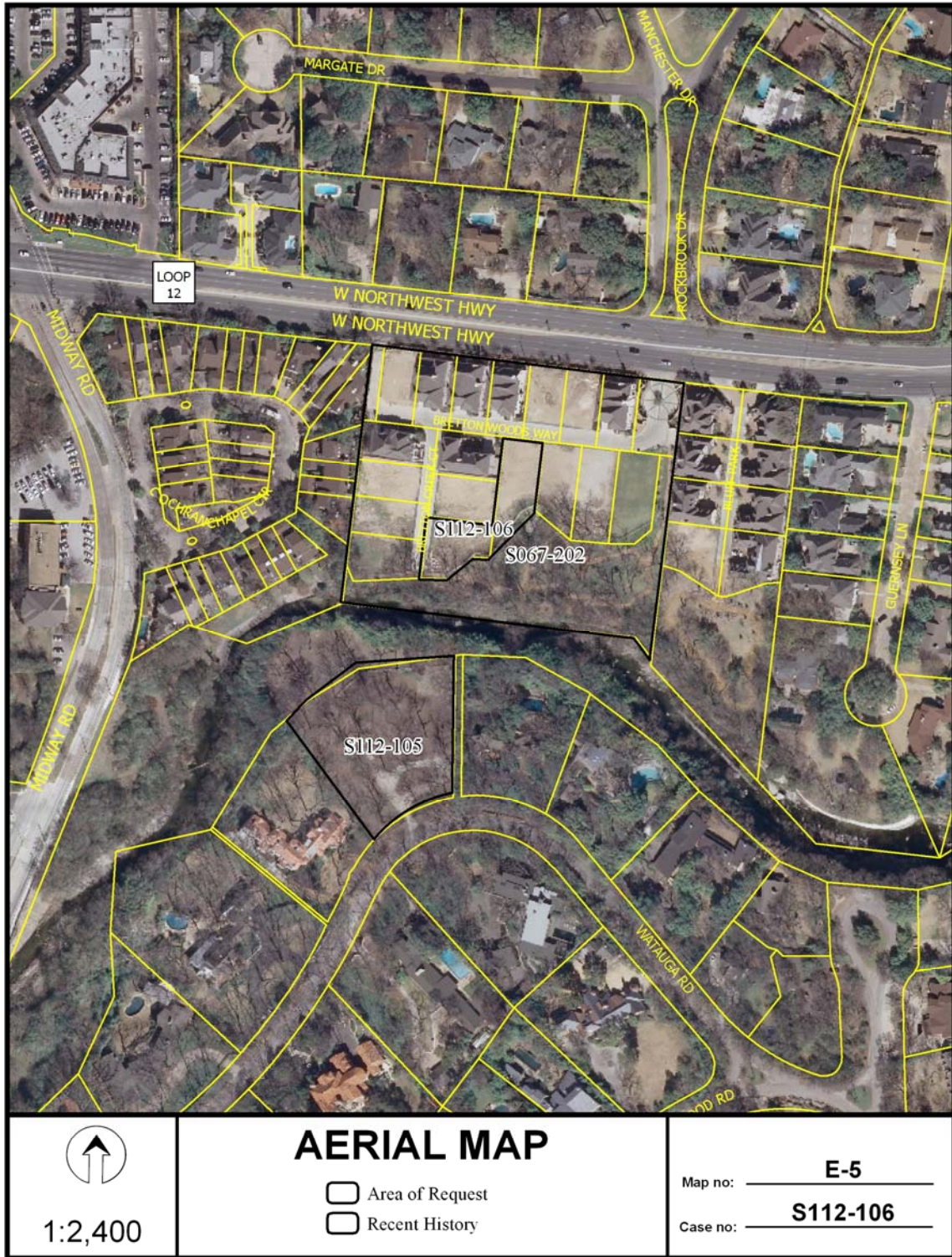
The proposed subdivision complies with the requirements of the Shared Access Development and Community Unit Development regulations. The Community Unit Development regulations allowed for lots to be reduced by a percentage of the required lot size which is why the lot sizes are less than the R-10(A) District allows. The ability to use the Community Unit Development provisions to reduce lot sizes of Shared Access Developments was prohibited by a change in the Development Code some time after this plat was originally recorded. Therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.

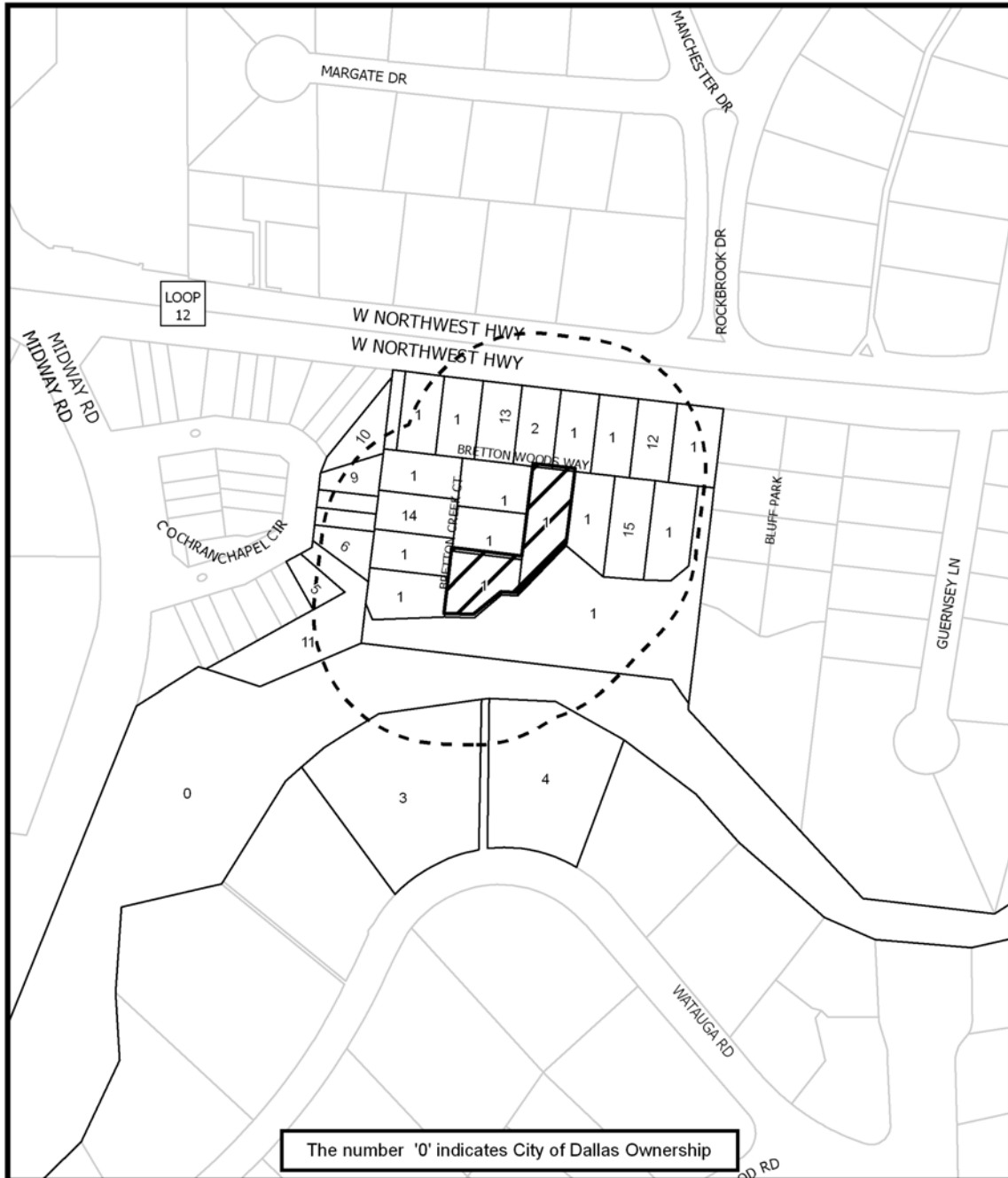
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. The maximum number of lots permitted by this plat is 2.
10. 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.
14. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
15. On the final plat determine the 100 year water surface elevation across the plat.
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.
17. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
18. On the final plat specify minimum fill and minimum finished floor elevations.
19. On the final plat show the natural channel set back from the crest of the natural channel.
20. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
21. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
22. 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.

23. On the final plat change West Northwest Highway (Loop 12) to Northwest Highway (State Highway Loop No. 12).
24. On the final plat identify the property as Lots 12A, and 15B in City Block 3/5573.





4/10/2012



 1:2,400	NOTIFICATION		Map no: <u> E-5 </u>
	<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;">15</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> S112-106 </u>	

4/10/2012

Notification List of Property Owners

S112-106

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8 NORTHWEST HWY	BEHRINGER HARVARD NORTHWEST HIGHWAY LP
2	7 BRETTON WOODS	MCLENNAN JAY C & COOK SCOTT D
3	4629 WATAUGA RD	HAWES E H TRUST SUITE 410
4	4709 WATAUGA RD	SUGHRUE JOHN T %BROOK PARTNERS INC (CPA)
5	4330 COCHRAN CHAPEL	YANDELL CYNTHIA P
6	4334 COCHRAN CHAPEL	CAUDLE MARK P & MOLLY B
7	4338 COCHRAN CHAPEL	YONACK CAROL MINNETTE
8	4342 COCHRAN CHAPEL	ROBERTS CLAY H
9	4346 COCHRAN CHAPEL	BOVERIE ROBERT L JR
10	4350 COCHRAN CHAPEL	STAFFORD JOHN MATTHEW
11	9001 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR % CRAIG HEADLEE
12	1 BRETTON WOODS	MOLTHAM & BYNHAM PPTIES LLC DBA STEPHENSON
13	9 BRETTON WOODS	JONES J & P
14	3 BRETTON CREEK CT	STRONG JAMES M & LESLIE KAY
15	4 BRETTON WOODS	TORR DOUGLAS F & DONNA K

Friday, March 30, 2012

FILE NUMBER: W112-009

DATE FILED: March 28, 2012

LOCATION: South corner of Lovers Lane and Fisher Road

COUNCIL DISTRICT: 9

MAPSCO: 36D

SIZE OF REQUEST: Approx 3.12 acres

CENSUS TRACT: 79.02

MISCELLANEOUS DOCKET ITEM:

Owner: St. Paul's Evangelical and Reformed Church (United Church of Christ)

Waiver of Two-Year Waiting Period

On August 10, 2011, the City Council approved a renewal of Specific Use Permit No. 975 for a private school on property zoned an R-7.5(A) Single Family District at the above location. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to August 10, 2013, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application for an amendment to Specific Use Permit No. 975 to allow a child care facility in addition to the private school on the site.

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

Staff Recommendation: Denial

W112-009

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. 2-101-23-f (SUP No. 975)

Location 6464 E. Lovers Lane, Dallas, TX 75214

Date of last CPC or CC Action _____

Applicant's Name, Address & Phone Number St. Paul's Evangelical and Reformed Church (United Church of Christ), 6464 E. Lovers Lane, Dallas, TX 75214
214-368-7788

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

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

Owner wishes to amend to include additional use as child care facility.

Marilyn Gredor Blume, President
Applicant's Signature

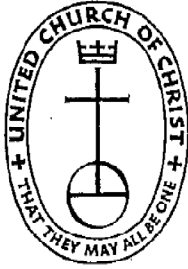
RECEIVED BY

MAR 28 2012

Current Planning

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

Date Received
Fee: \$300.00



Dr. Dan Busdiecker,
Minister

ST. PAUL'S
EVANGELICAL AND REFORMED CHURCH
United Church
of Christ
6464 E. Lovers Lane
Dallas, TX 75214
(214) 368-7788

March 25, 2012

Mr. Josh Northam
Blume, Faulkner, Skeen & Northam, PLLC
111 W. Spring Valley Rd., Suite 250
Richardson, TX 75081

Dear Mr. Northam:

On behalf of the Consistory and membership of St. Paul's Evangelical and Reformed Church (United Church of Christ), in my capacity as President of same, I am authorizing you and your law firm to represent us in the pursuit of a Special Use Permit for a childcare facility, amending our current Special Use Permit, and/or securing a waiver of the two-year waiting period for same. This authorization extends to any related matter which may affect us.

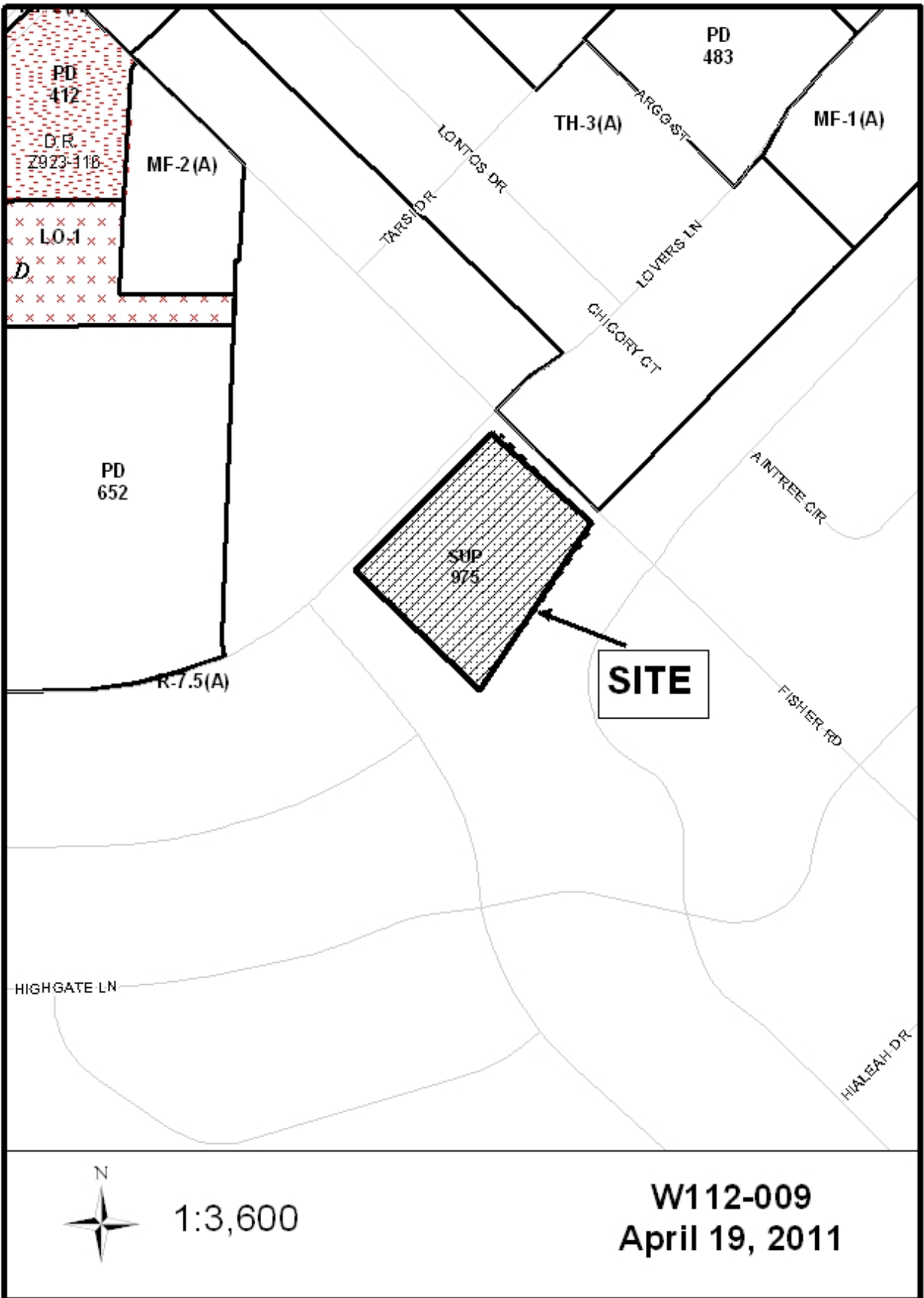
We appreciate your endeavors on our behalf in aiding us in these matters.

Sincerely,

Marilyn R. Ender Blume
Consistory President

E-mail: stpaulsucc@sbcglobal.net

Fax: (214) 346-0448



FILE NUMBER: W112-010

DATE FILED: April 2, 2012

LOCATION: Generally bound by Bank Street, Gurley Avenue, Carroll Avenue, and Parry Avenue

COUNCIL DISTRICT: 2

MAPSCO: 46 K, L

SIZE OF REQUEST: Approx 7.16 acres

CENSUS TRACT: 25

MISCELLANEOUS DOCKET ITEM:

Owner: Jubilee Park and Community Center

Waiver of Two-Year Waiting Period

On February 9, 2011, the City Council approved amendment to and expansion of the Tract 1c portion of Planned Development District No. 486 on property zoned Planned Development District No. 486 and a CH Clustered Housing District at the above location. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to February 9, 2013, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application for an amendment to and expansion of Planned Development District No. 486 to add two lots and the area of an abandoned street and to amend the conceptual plan.

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

Staff Recommendation: Approval

W112-010

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z112-215 2090-207

Location S. CARROLL AVE + PARRY AVE.

Date of last CPC or CC Action FEBRUARY 9, 2011

Applicant's Name, Address & Phone Number T. HOWARD + ASSOCIATES

1506 GRIFFIN ST. WEST DALLAS, TX 75215 214 522 1100


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

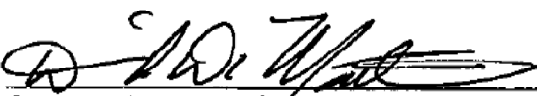
JUBILEE PARK + COMMUNITY CENTER 214 887 1364

907 BANK ST. DALLAS, TX 75223

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

THE TWO PARCELS BEING CONSIDERED FOR REZONING
WERE RECENTLY ACQUIRED BY THE OWNER. THE LOTS ARE
NOW BEING ADDED TO THE PD TO MAINTAIN ZONING
CONSISTENCY OF ALL OF THE OWNER'S PROPERTY.


Applicant's Signature


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

RECEIVED BY

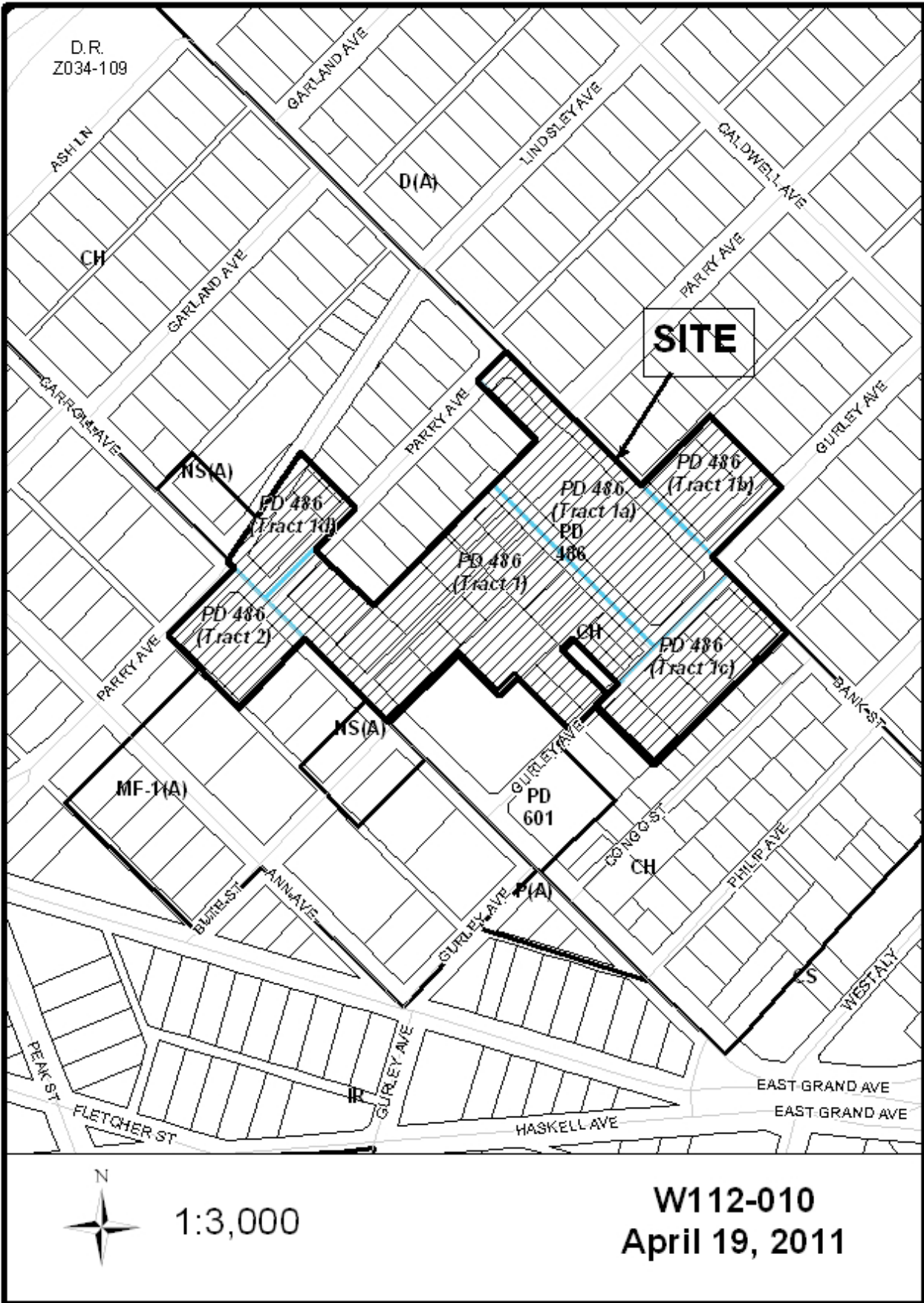
APR 02 2012

Current Planning

4/2/12

Date Received

Fee: \$300.00



FILE NUMBER: Z112-186 (JH)

DATE FILED: February 17, 2012

LOCATION: Southwest of Irving Boulevard, northwest of Pump Plant B Road

COUNCIL DISTRICT: 6

MAPSCO: 44-F

SIZE OF REQUEST: Approx. 5.75 acres

CENSUS TRACT: 100

APPLICANT/OWNER: City of Dallas

REQUEST: An application for an IR Industrial Research District on property zoned an A(A) Agricultural District.

SUMMARY: The purpose of the request is to allow for the construction of a storm water pump station.

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- The proposed use is a storm water pump station. The request site is adjacent to an existing pump station. The proposed pump station will work in addition with the existing pump station.

Zoning History: There have been no recent zoning requests in the area.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Irving Boulevard	Principle Arterial	130 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goal and policy of the Comprehensive Plan because the additional pump station will further improve the storm water management objectives around the Trinity River.

ENVIRONMENT ELEMENT

GOAL 6.1 PROTECT DALLAS WATER QUALITY AND WATERSHEDS

Policy 6.1.1 Develop and implement storm water management practices.

Land Use Compatibility:

The approximately 5.75-acre request site is zoned an A(A) Agricultural District and is currently undeveloped. The applicant is proposing to construct a storm water pump station on the property, which requires a Specific Use Permit for a government installation other than listed. Instead of requesting a Specific Use Permit, the applicant is requesting the same zoning as the adjacent pump station that the new pump station with complement.

The surrounding land uses are office, showroom, warehouse uses to the north along Irving Boulevard. The request site is located between the levee and a City of Dallas storm water management facility.

Staff has reviewed the request and found that the IR Industrial Research District will not impact surrounding properties. Staff supports the request.

Development Standards:

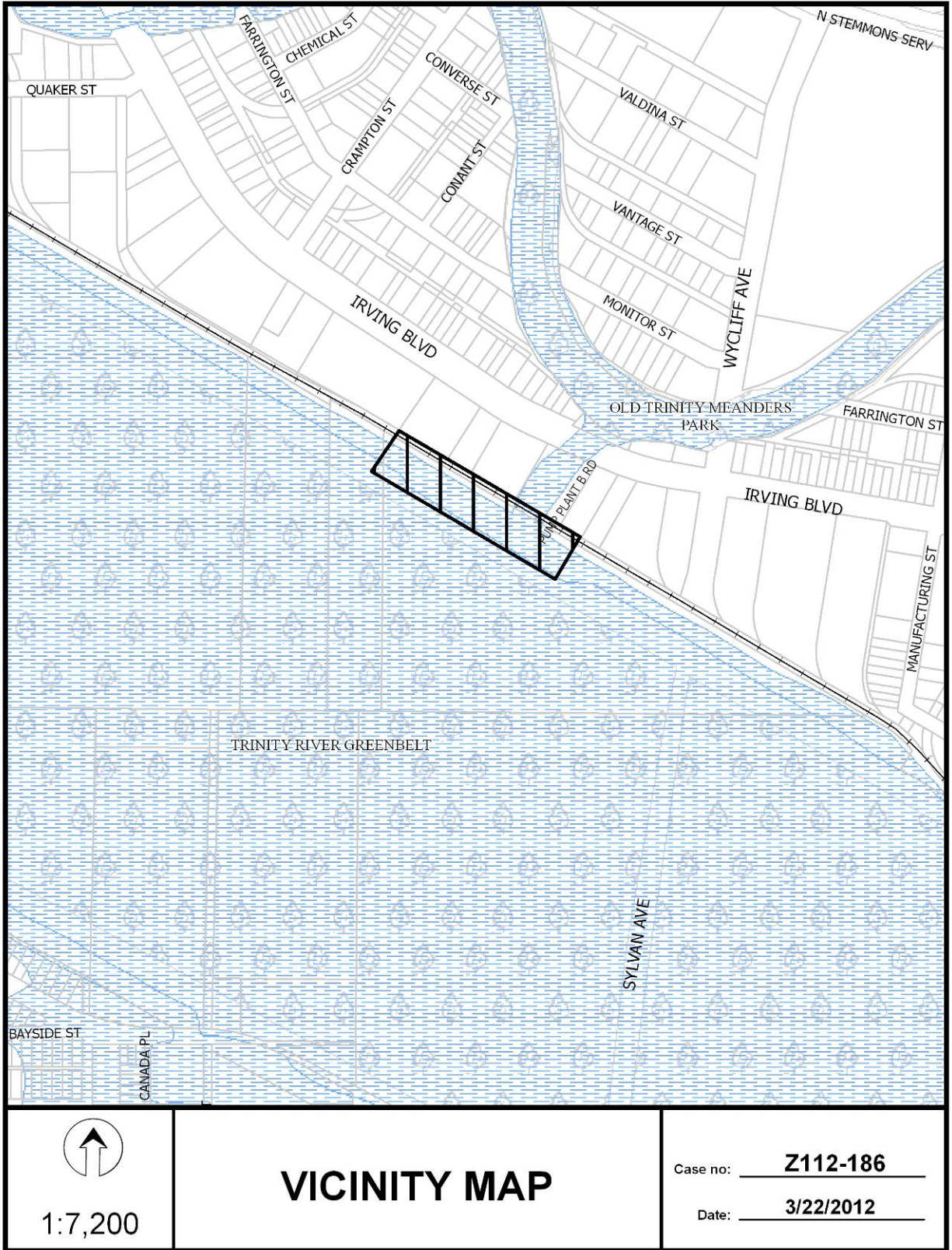
DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Existing							
A(A) Agricultural	50'	20'/50'	1 Dwelling Unit/3 Acres	24'	10%		Agricultural & single family

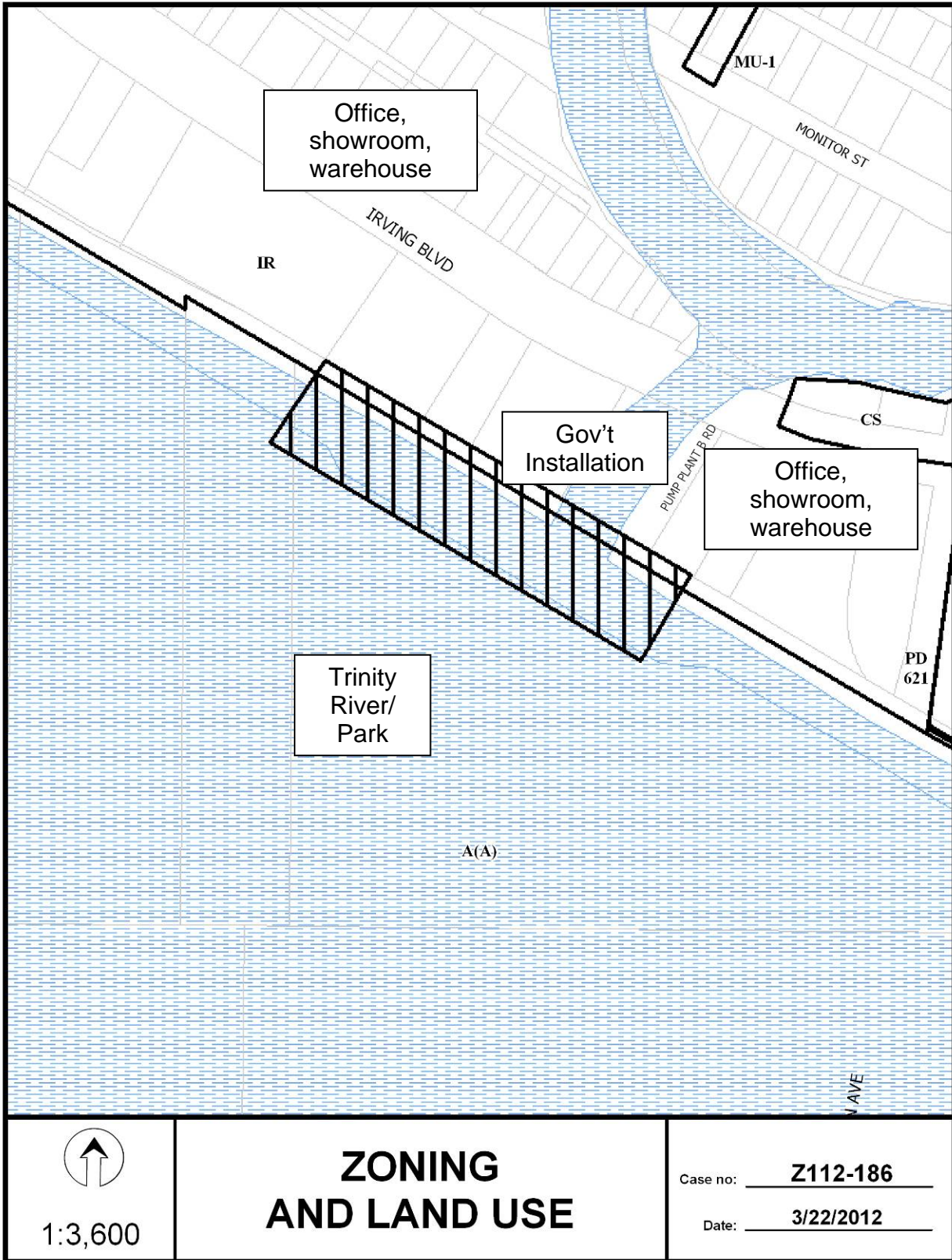
Parking/Traffic:

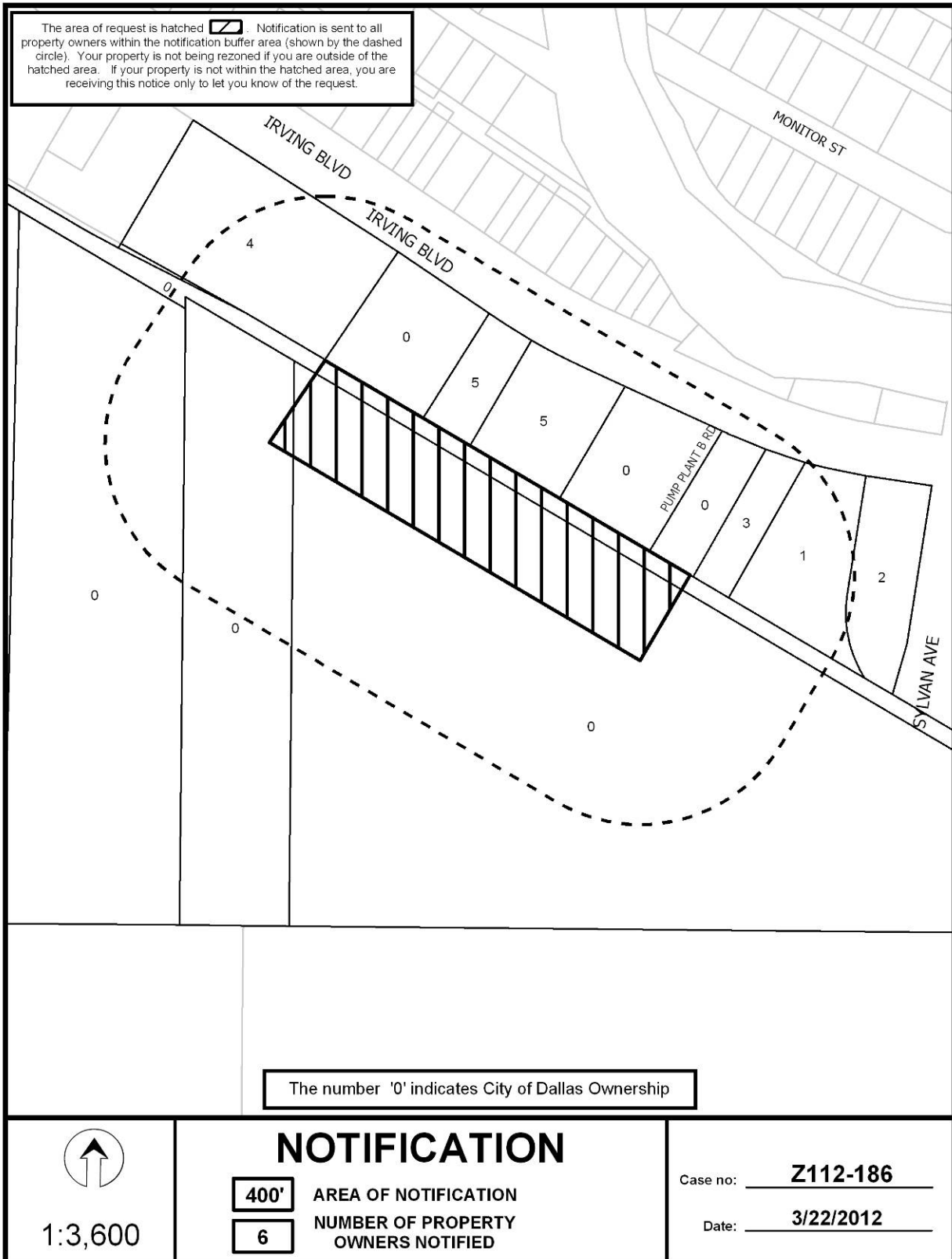
The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

Landscaping:

No landscape regulations apply to this use by ordinance.







Z112-186(JH)

3/22/2012

Notification List of Property Owners

Z112-186

6 Property Owners Notified

Label #	Address	Owner
1	2233 IRVING BLVD	FEIZY PROPERTIES LTD
2	2227 IRVING BLVD	SUPERIOR COOLING SVCS INC
3	2241 IRVING BLVD	DALLAS COUNTY EMPLOYEES CREDIT UNION
4	2425 IRVING BLVD	WILEMON ENTERPRISES LTD % S JAY WILEMON
5	2327 IRVING BLVD	CMC CONCRETE ACCESSOR INC DBA SHEPLERS
6	2425 IRVING BLVD	WILEMON ENTERPRISES LTD

FILE NUMBER: Z112-203(RB)

DATE FILED: March 26, 2012

LOCATION: Walnut Hill Lane and North Central Expressway, Southwest Corner

COUNCIL DISTRICT: 13

MAPSCO: 26 N, P

SIZE OF REQUEST: Approx. 4.2 Acres

CENSUS TRACT: 78.01

APPLICANT: Centanni, LLC-Olga Ramirez and Silvia Rivas, Sole Officers

REPRESENTATIVE: Mario C. Ramirez

OWNER: RPI Lakeside S. C., Ltd.

REQUEST: An application for an amendment to Phase 1a and 1b portion of Planned Development District No. 121 for TH-4 Townhouse District Uses and GR General Retail District Uses.

SUMMARY: The applicant proposes to permit a second restaurant on the property.

STAFF RECOMMENDATION: Approval, subject to a Phase 1a and 1b development plan and conditions.

BACKGROUND INFORMATION:

- The request site (Phase 1a and 1b) is developed with retail uses. The balance of PDD No. 121 (Phases 2, 3, and 4) is developed with residential uses. See attached conceptual plan for delineation of the respective phases.
- On November 5, 1980, the City Council approved the creation of PDD No. 121. City Council passed resolutions on October 24, 1984 and July 17, 1985. On November 12, 1997, the City Council approved an amendment providing for revisions to various development standards for permitted retail uses as well as accepting a development plan for the request area (Phase 1a and 1b).
- On June 12, 2006, a minor amendment was approved by the City Plan Commission providing for a restaurant with drive-through service, consisting of 890 square feet of floor area.
- Staff erred in accepting the above referenced minor amendment application, thus is assisting the applicant with consideration to permit this use within the PDD.

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

Thoroughfare/Street	Designation; Existing & Proposed ROW
Walnut Hill Road	Principal Arterial; 100' & 100' ROW
North Central Expressway	Minor Arterial; Variable ROW
Glen America Drive	Local; 60' ROW

STAFF ANALYSIS:

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

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site (Phase 1a and 1b) is developed with retail uses. The balance of PDD No. 121 (Phases 2, 3, and 4) is developed with residential uses. The PDD was approved with a conceptual plan, thus requiring CPC approved development plans for each phase. A City Council Resolution (July 17, 1985) provided for a development plan for Phases 2, 3, and 4. On November 12, 1997, a Phase 1a and 1b development plan was approved by the City Council in conjunction with an amendment to the PDD providing for revised development standards.

The applicant is requesting an amendment to the conditions to provide for the existing restaurant with drive-through service. As noted above, city staff erred in accepting an application for a minor amendment providing for this use (CPC approved on June 12, 2006). Background pertinent to the submission of this application:

- 1) PDD No. 121 permits a maximum of one restaurant not to exceed 10,000 square feet of floor area;
- 2) A restaurant with drive-through service is not permitted in a GR District;
- 3) An existing restaurant (900 square feet) exists within the northern portion of the request site;
- 4) Building permits were issued in 2008 for a shell building with notes for a Starbucks, but no certificate of occupancy requested;
- 5) Interior remodel permit and certificate of occupancy was issued in 2009 to Cappa Café, but applicant never passed inspections;
- 6) Since 2010, a certificate of occupancy is pending two inspections this applicant; and,
- 7) Existing provisions would permit a restaurant with take-out, classified as a convenience store with drive-thru window, an option discussed with but not acceptable to this applicant.

Surrounding land use is heavily influenced with residential uses of mixed densities (single family and multifamily structures) to the west, undeveloped property zoned for mixed uses (PDD No. 750) to the north, and various office and retail uses to the east, across the elevated portion of North Central Expressway. PDD No. 260, most closely developed with church and residential uses abuts the property to the south and southwest. Residential uses developed on the balance of PDD No. 121 extend westward from the request site.

Staff has determined the requested amendment will not impact the immediate area. It should be noted that access to this portion of PDD No. 121 is provided from all frontages, Walnut Hill Lane, the northbound service road of North Central Expressway, and Glen America Drive with no impact on the residential uses to the west. This use is

consistent in terms of existence as those found throughout this portion of the PDD. As a result of this analysis, staff supports the request, subject to a Phase 1a and 1b development plan and conditions.

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the applicant's requested amendment and determined it will not significantly impact the surrounding street system.

Off-Street Parking: PDD No. 121 requires parking per city code. No revisions are requested nor recommended.

Landscaping: PDD No. 121 provides for landscaping per Article X with certain requirements along the western boundary line of the area in close proximity to Building A (southernmost structure on the attached development plan). No additional landscaping is required nor being recommended. No revisions are requested nor recommended.

RPI Lakeside S.C., Ltd.
2929 Carlisle Street, Suite 170
Dallas, Texas 75204
Phone: 972.250.1486 FAX: 972.931.0956

March 9, 2012

Richard Brown
Dept. Of Development Services
1500 Marilla St., Room 5B North
Dallas, TX 75201

RE: 9669 N Central Expressway, Building 1, Dallas, TX
La Paloma

Dear Mr. Brown;

RPI Lakeside S.C., Ltd. purchased the Lakeside Village Shopping Center in September 2011. It has since come to our attention that La Paloma has been open for approximately two years at the above reference location in our center without first obtaining a Certificate of Occupancy and that, for various reasons, they have been allowed to operate in a manner that does not comply with Planned Development District #121 requirements.

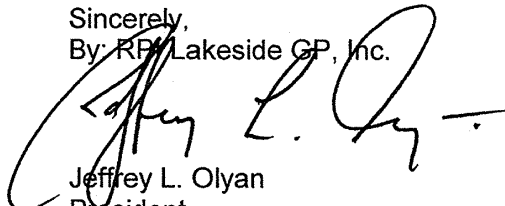
Please accept this letter as our notice to you that we have agreed to allow and assist La Paloma's owner, Mr. Mario Ramirez, in obtaining a zoning change to allow his use at our shopping center.

Pursuant to your request, a list of officers for RPI Lakeside S.C., Ltd., is as follows:

RPI Lakeside GP, Inc., general partner
Jeffrey L. Olyan, President, RPI Lakeside GP, Inc.
Kay Mead, Secretary, RPI Lakeside GP, Inc.

Feel free to contact Ms. Mead at 972.250.1486 x 5 or at kmead@retailplazas.com if you need additional information regarding this request.

Sincerely,
By: RPI Lakeside GP, Inc.



Jeffrey L. Olyan
President

**AMENDING CONDITIONS
ARTICLE 121
PD 121.**

SEC. 51P-121.101. LEGISLATIVE HISTORY.

PD 121 was established by Ordinance No. 16743, passed by the Dallas City Council on November 5, 1980. Ordinance No. 16743 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Subsequently, Ordinance No. 16743 was amended by Resolution No. 84-3430, passed by the Dallas City Council on October 24, 1984; Resolution No. 85-2304, passed by the Dallas City Council on July 17, 1985; and Ordinance No. 23330, passed by the Dallas City Council on November 12, 1997. (Ord. Nos. 10962; 16743; 23330; 25508; Res. Nos. 84-3430; 85-2304)

SEC. 51P-121.102. PROPERTY LOCATION AND SIZE.

PD 121 is established on property generally located at the southwest corner of Walnut Hill Lane and Central Expressway. The size of PD 121 is approximately 16.3246 acres. (Ord. Nos. 16743; 25508)

SEC. 51P-121.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51 apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51. (Ord. 25508)

SEC. 51P-121.104. CONCEPTUAL PLAN.

A conceptual plan indicating use districts by tracts, as approved by the city plan commission, is labeled Exhibit 121A. (Ord. Nos. 16743; 23330; 25508)

SEC. 51P-121.105. DEVELOPMENT PLAN.

- (a) A detailed development plan for the areas designated as Phase 1a and/or Phase 1b on the conceptual plan must be submitted to the city plan commission within six months of November 5, 1980. A Phase 1 plan must be approved by the city plan commission, signed by the director of development services, and attested by the chair of the city plan commission prior to issuance of a building permit within the boundaries of the designated phase. *[Editor's note: A Phase 1a and Phase 1b development plan (Exhibit 121B) was approved by the Dallas City Council on November 12, 1997. A development plan for Phases 2, 3, and 4 (Exhibit 121C) was approved by the Dallas City Council on July 17, 1985.]*
- (b) A detailed development plan must also be submitted and approved by the city plan commission, signed by the director of development services, and attested by the chair of the city plan commission on each subsequent phase of development prior to the issuance of a building permit within that phase.

(c) Each approved development plan must be attached to and made a part of the ordinance through resolution of the city council. Development within this PD must be in accordance with the approved development plan. (Ord. Nos. 16743; 23330; 25508; Res. 85-2304)

SEC. 51P-121.106. SUBDIVISION PLAT.

Prior to the issuance of any building permit, a subdivision plat approved by the city plan commission must be filed for record with the county clerk. In conjunction with the submission of the subdivision plat, a legal instrument establishing a plan for permanent care and maintenance of any common area or communally-owned facility must be submitted to and approved by the city attorney as to legal form and by the city plan commission as to suitability for the proposed use of the common area. (Ord. Nos. 16743; 25508)

SEC. 51P-121.107. USES AND DEVELOPMENT STANDARDS.

Uses permitted within and development of this PD must be in accordance with the following provisions.

(1) Residential tracts.

(A) Uses platted on individual lots. Uses permitted within these tracts may not exceed the standards of the Townhouse-4 District as specified in the comprehensive zoning ordinance of the city with the following exceptions if units are platted on individual lots:

(i) Minimum lot width is 35 feet.

(ii) Minimum lot area is 4,000 square feet.

(iii) Minimum lot depth is 100 feet.

(iv) Maximum building height is as follows:

(aa) Thirty-six feet within Zone 1 defined as extending from the south line of Walnut Hill Lane south a distance of 60 feet.

(bb) Forty-eight feet within Zone 2 defined as extending from a line 60 feet south of the south line of Walnut Hill Lane south a distance of 60 feet.

(cc) Sixty-five feet within Zone 3 defined as extending from a line 120 feet south of the south line of Walnut Hill Lane to the southernmost line of Phase 3.

(dd) Thirty-six feet within Zone 4 defined as extending from the south line of Phase 4 north a distance of 60 feet.

(ee) Forty-eight feet within Zone 5 defined as extending from a line 60 feet north of the south line of Phase 4 north a distance of 60 feet.

(ff) Sixty-five feet within Zone 6 defined as extending from a line 120 feet north of the south line of Phase 4 to the north line of Phase 4.

Z112-203(RB)

(B) Units not on legally platted lots. If residential units are not on legally platted lots, the standards of the MF-3 district apply with the following exceptions:

(i) Maximum density is 25 dwelling units per acre in Phase 2 and 30 dwelling units per acre in Phase 3 and 4.

(ii) A 25-foot setback is required along the south line of Walnut Hill Lane for a distance of 320 feet from the west property line. All other setbacks must comply with the standards specified in the Comprehensive General Zoning Ordinance.

(iii) A six to nine-foot perimeter screening fence located at or near the property line and similar to the one along Boedeker and Walnut Hill Lane to the west must be erected in the area designated as Phase 2.

(iv) Maximum building height is as follows:

(aa) Thirty-six feet within Zone 1 defined as extending from the south line of Walnut Hill Lane south a distance of 60 feet.

(bb) Forty-eight feet within Zone 2 defined as extending from a line 60 feet south of the south line of Walnut Hill Lane south a distance of 60 feet.

(cc) Sixty-five feet within Zone 3 defined as extending from a line 120 feet south of the south line of Walnut Hill Lane to the southernmost line of Phase 3.

(dd) Thirty-six feet within Zone 4 defined as extending from the south line of Phase 4 north a distance of 60 feet.

(ee) Forty-eight feet within Zone 5 defined as extending from a line 60 feet north of the south line of Phase 4 north a distance of 60 feet.

(ff) Sixty-five feet within Zone 6 defined as extending from a line 120 feet north of the south line of Phase 4 to the north line of Phase 4.

(2) Retail tracts. Uses permitted within and development of these tracts must be in accordance with the standards of the General Retail zoning district with the following exceptions:

(A) A maximum of two restaurants are permitted with an aggregate maximum floor area of 10,000 square feet of floor area. Only one restaurant not to exceed 10,000 square feet of gross floor area is permitted.

(B) Of the two permitted restaurants, a maximum of one may be a restaurant with drive-through service.

(C B) All other retail uses are limited to a maximum of 10,000 square feet of gross floor area per tenant.

(D E) Except as provided in Subparagraph (G) below, maximum height is 45 feet.

(E D) Maximum gross floor area is 50,600 square feet.

(F E) One clock tower is permitted, not to exceed a height of 100 feet above finished grade.

Z112-203(RB)

(G ~~F~~) Minimum front yard setback for Building A, as shown on the development plan for Phase 1a and Phase 1b, is 15 feet.

(H ~~G~~) Maximum height for Building A is 17 feet. (Ord. Nos. 16743; 23330; 25508; 26102)

SEC. 51P-121.108. INGRESS AND EGRESS.

All means of ingress and egress to property within the boundaries of this PD must be approved by the Traffic Design Section of the department of public works and transportation. (Ord. Nos. 16743; 25508)

SEC. 51P-121.109. OFF-STREET PARKING.

Off-street parking must be provided for each use in accordance with the requirements of Chapter 51. (Ord. Nos. 23330; 25508)

SEC. 51P-121.110. SIGNS.

All signs in residential areas must comply with the non-business regulations in Article VII. All signs in retail areas must comply with the business regulations in Article VII, except that non-premise signs are not permitted. (Ord. Nos. 23330; 25508)

SEC. 51P-121.111. OPEN SPACE.

The open space area as delineated on the conceptual plan will be a communally-owned, improved open space. No building will be permitted in this area except for walls, dams, bridges, clock tower, streets, and bike trails. (Ord. Nos. 16743; 25508)

SEC. 51P-121.112. DRAINAGE REQUIREMENTS.

Development of this property must be in compliance with the drainage requirements of the department of public works and transportation prior to approval of any detailed site plan within this PD. (Ord. Nos. 16743; 25508)

SEC. 51P-121.113. LANDSCAPE FOR BUILDING A.

(a) General landscaping. Prior to issuance of a building permit for Building A, a landscape plan must be approved by the building official that complies with Section 51A-10.125(b) of Chapter 51A. This landscaping must be completed in accordance with Article X of Chapter 51A. An artificial lot may be created for Building A in order to comply with this section.

(b) Buffer strip. In addition to the landscaping required in the preceding subsection, two landscape buffer strips are required as follows:

(1) Prior to the issuance of a certificate of occupancy for Building A, a solid evergreen hedge must be planted along the southern property line adjacent to Building A. The hedge must achieve a minimum height of six feet within three years of planting.

Z112-203(RB)

(2) Prior to the issuance of a certificate of occupancy for Building A, a minimum five-foot perimeter landscape buffer strip must be planted along the west boundary line of the artificial lot for Building A, as shown on the development plan for Phase 1a and Phase 1b. (Ord. Nos. 23330; 25508)

SEC. 51P-121.114. SIDEWALKS AND PAVING.

(a) Sidewalks must be provided in compliance with the Comprehensive Zoning Ordinance of the city.

(b) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 16743; 25508; 26102)

SEC. 51P-121.115. GENERAL REQUIREMENTS.

Development of this property must comply with the requirements of all departments of the city. (Ord. Nos. 16743; 25508; 26102)

SEC. 51P-121.116. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a certificate of occupancy for a use in this PD until there is full compliance with this article and with all applicable provisions of the Dallas City Code, as amended. (Ord. Nos. 16743; 25508)

SEC. 51P-121.117. ZONING MAP.

PD 121 is located on Zoning Map No. F-8. (Ord. Nos. 16743; 25508)

**Phase 1a & 1b
Development Plan
Planned Development District
No. 121**

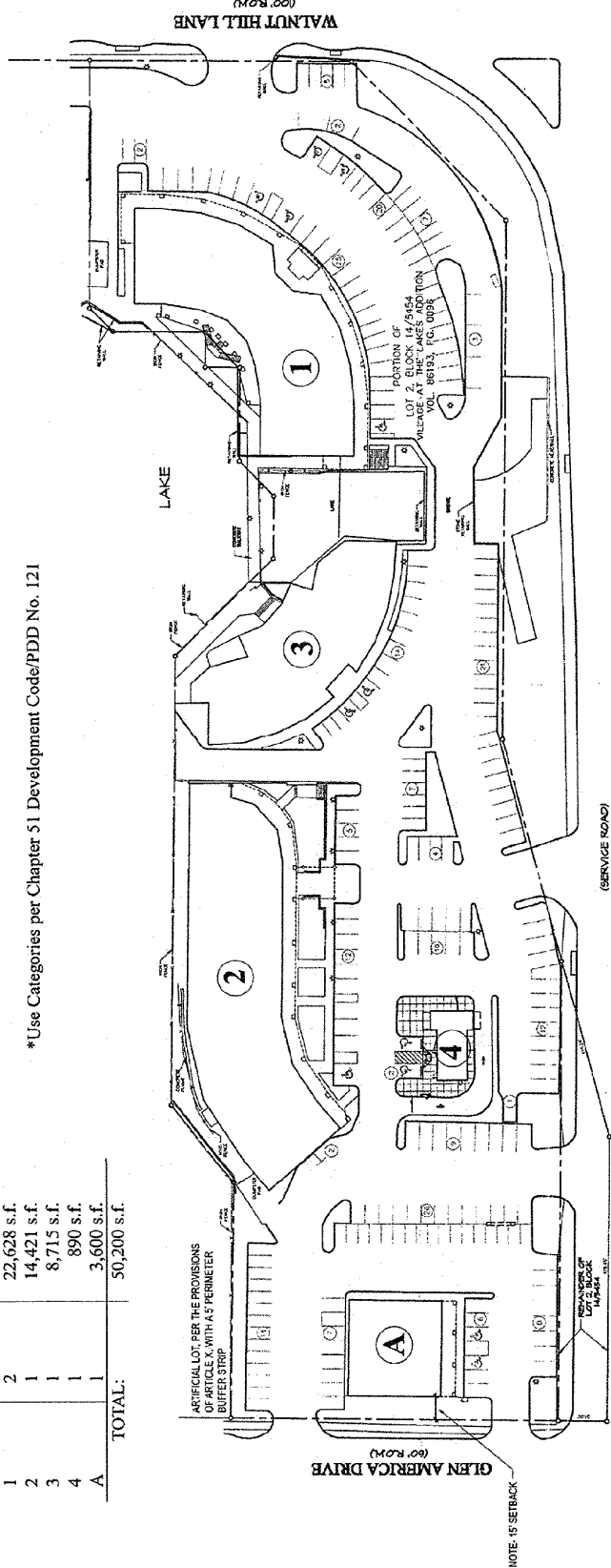
USE CATEGORIES*	AGGREGATE FLOOR AREA
Restaurants	1,790 sf
Medical Clinic	5,143 sf
Paint & Wallpaper Store	3,600 sf
Retail Store (Other than Listed)	10,400 sf
Bank or Savings and Loan Office	8,715 sf
Clothing Store	2,000 sf
Liquor Store	4,449 sf
Office	840 sf
Custom Cleaning Shop	2,021 sf
Barber or Beauty Shop	3,785 sf
TOTAL	42,743 sf

PARKING PROVISIONS	
Parking Provided =	224 spaces
Delta Credits =	26 spaces
Total =	250 spaces
Parking Required = (based on current tenant use, as of April 1, 2012)	204 spaces

SITE: 4.2235 ACRES

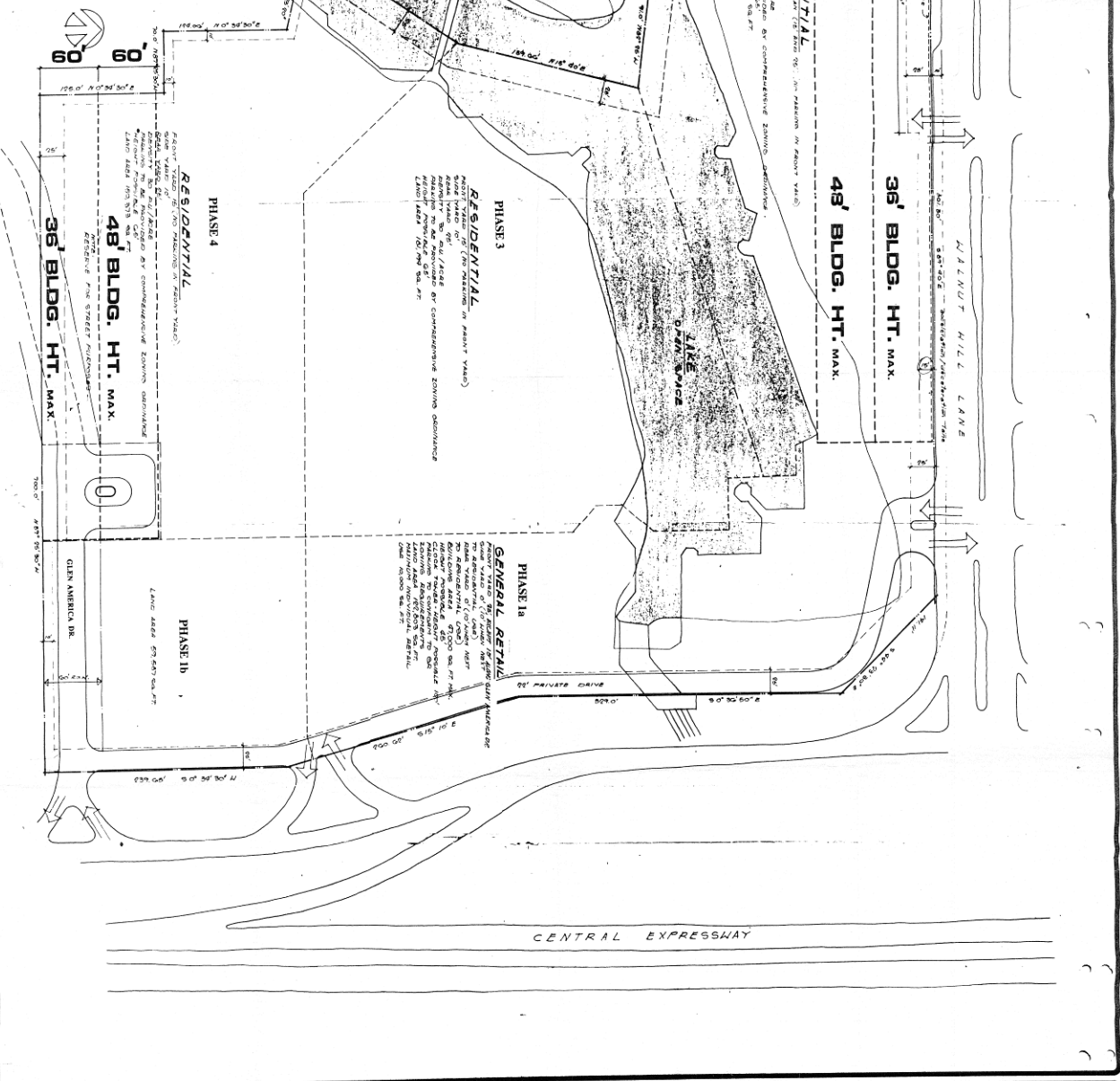
BUILDING	STORIES	FLOOR AREA
1	2	22,628 s.f.
2	1	14,421 s.f.
3	1	8,715 s.f.
4	1	890 s.f.
A	1	3,600 s.f.
TOTAL:		50,200 s.f.

*Use Categories per Chapter 51 Development Code/PDD No. 121



STB ARCHITECTS · DALLAS
 973682
 CONCEPTUAL PLAN 23330
 CITY COUNCIL
 APR 12 1991
 REVISED 10/10/97 PHASE 1a

GEN LAKES



Sheet number:	
Job no.	
Date:	



STB
 architects-planners, inc.
 Dallas, Texas

**Phase 1a & 1b
Development Plan
Planned Development District
No. 121**

REVISED SITE PLAN - 05/12/2008

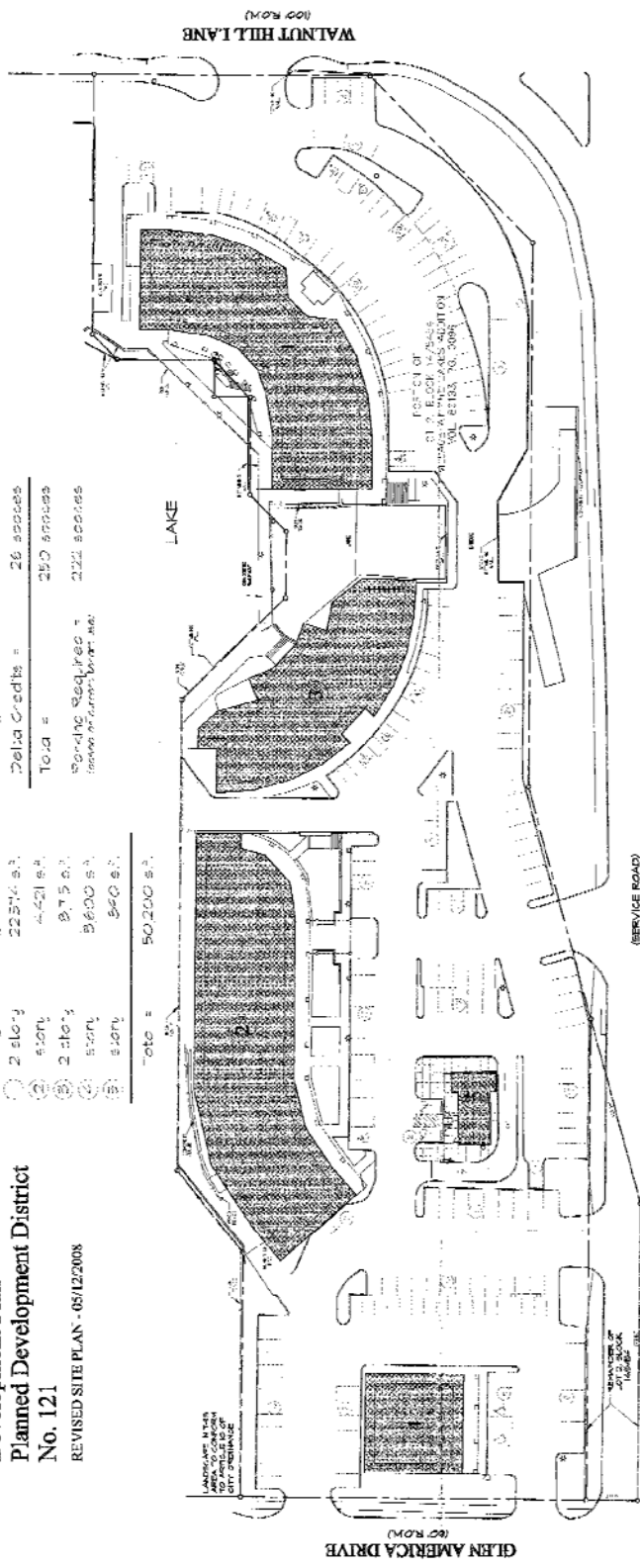
Building Areas

- 1. 2 story 24,574 sq. ft.
- 2. 2 story 4,421 sq. ft.
- 3. 2 story 8,750 sq. ft.
- 4. 5 story 9,600 sq. ft.
- 5. 5 story 5,600 sq. ft.

Total = 50,200 sq. ft.

Parking Provisions

- Parking Provided = 214 spaces
- Pedal Credits = 26 spaces
- Total = 240 spaces
- Parking Required = 212 spaces
- (based on current zoning code)



NORTH CENTRAL EXPRESSWAY

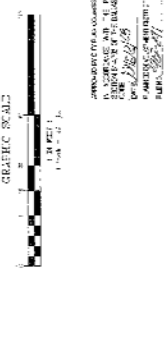
BLDG No.	Tenant	Size	Park
100	regional center	24,574	2
101	Kroger Grocery	8,750	4
102	regional center	4,421	4
103	regional center	4,421	4
104	regional center	4,421	4
105	regional center	4,421	4
106	regional center	4,421	4
107	regional center	4,421	4
108	regional center	4,421	4
109	regional center	4,421	4
110	regional center	4,421	4
111	regional center	4,421	4
112	regional center	4,421	4
113	regional center	4,421	4
114	regional center	4,421	4
115	regional center	4,421	4
116	regional center	4,421	4
117	regional center	4,421	4
118	regional center	4,421	4
119	regional center	4,421	4
120	regional center	4,421	4
121	regional center	4,421	4
122	regional center	4,421	4
123	regional center	4,421	4
124	regional center	4,421	4
125	regional center	4,421	4
126	regional center	4,421	4
127	regional center	4,421	4
128	regional center	4,421	4
129	regional center	4,421	4
130	regional center	4,421	4
131	regional center	4,421	4
132	regional center	4,421	4
133	regional center	4,421	4
134	regional center	4,421	4
135	regional center	4,421	4
136	regional center	4,421	4
137	regional center	4,421	4
138	regional center	4,421	4
139	regional center	4,421	4
140	regional center	4,421	4
141	regional center	4,421	4
142	regional center	4,421	4
143	regional center	4,421	4
144	regional center	4,421	4
145	regional center	4,421	4
146	regional center	4,421	4
147	regional center	4,421	4
148	regional center	4,421	4
149	regional center	4,421	4
150	regional center	4,421	4

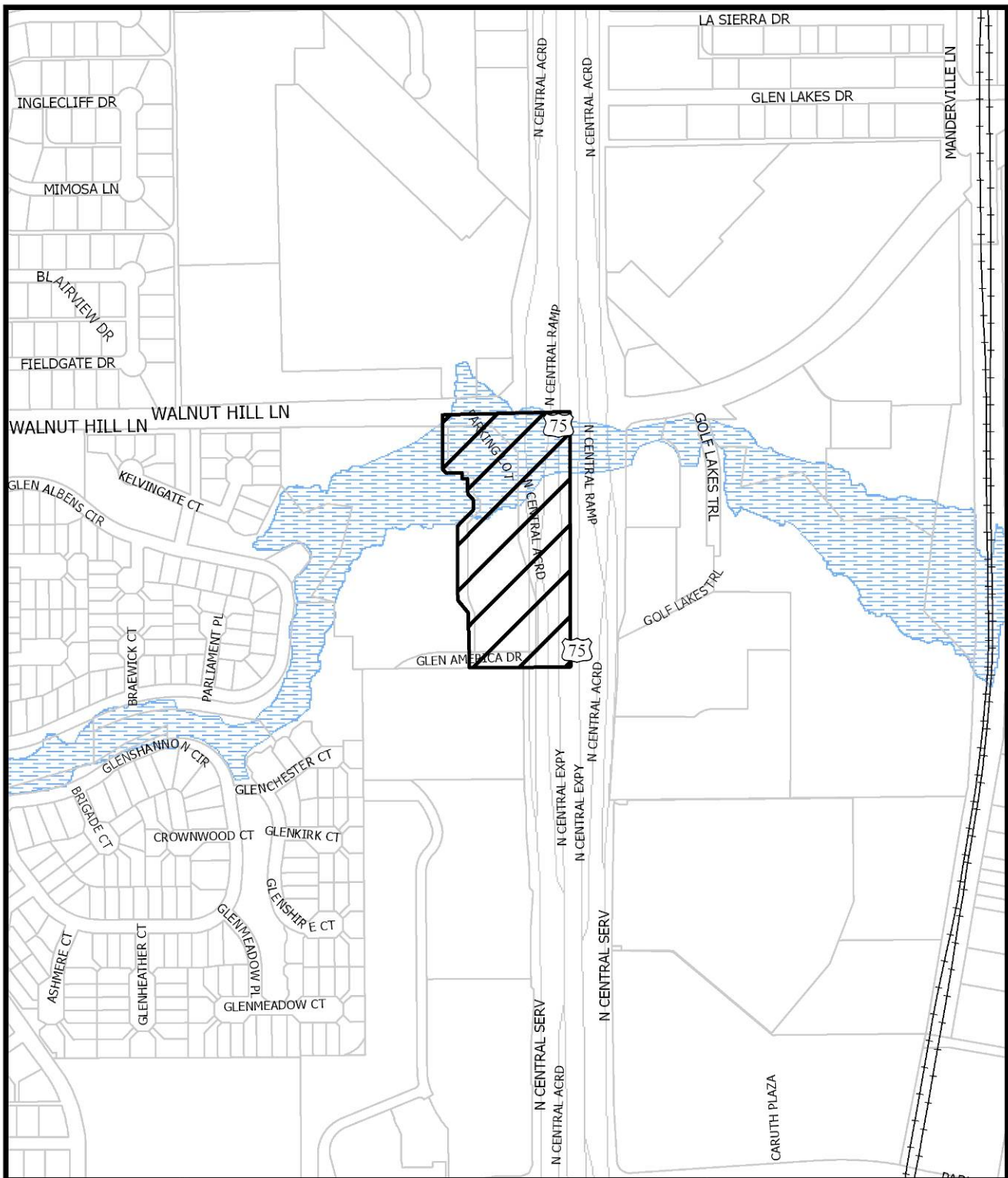
BLDG No.	Tenant	Size	Park
151	regional center	4,421	4
152	regional center	4,421	4
153	regional center	4,421	4
154	regional center	4,421	4
155	regional center	4,421	4
156	regional center	4,421	4
157	regional center	4,421	4
158	regional center	4,421	4
159	regional center	4,421	4
160	regional center	4,421	4
161	regional center	4,421	4
162	regional center	4,421	4
163	regional center	4,421	4
164	regional center	4,421	4
165	regional center	4,421	4
166	regional center	4,421	4
167	regional center	4,421	4
168	regional center	4,421	4
169	regional center	4,421	4
170	regional center	4,421	4

BLDG No.	Tenant	Size	Park
171	regional center	4,421	4
172	regional center	4,421	4
173	regional center	4,421	4
174	regional center	4,421	4
175	regional center	4,421	4
176	regional center	4,421	4
177	regional center	4,421	4
178	regional center	4,421	4
179	regional center	4,421	4
180	regional center	4,421	4
181	regional center	4,421	4
182	regional center	4,421	4
183	regional center	4,421	4
184	regional center	4,421	4
185	regional center	4,421	4
186	regional center	4,421	4
187	regional center	4,421	4
188	regional center	4,421	4
189	regional center	4,421	4
190	regional center	4,421	4

BLDG No.	Tenant	Size	Park
191	regional center	4,421	4
192	regional center	4,421	4
193	regional center	4,421	4
194	regional center	4,421	4
195	regional center	4,421	4
196	regional center	4,421	4
197	regional center	4,421	4
198	regional center	4,421	4
199	regional center	4,421	4
200	regional center	4,421	4
201	regional center	4,421	4
202	regional center	4,421	4
203	regional center	4,421	4
204	regional center	4,421	4
205	regional center	4,421	4
206	regional center	4,421	4
207	regional center	4,421	4
208	regional center	4,421	4
209	regional center	4,421	4
210	regional center	4,421	4

BLDG No.	Tenant	Size	Park
211	regional center	4,421	4
212	regional center	4,421	4
213	regional center	4,421	4
214	regional center	4,421	4
215	regional center	4,421	4
216	regional center	4,421	4
217	regional center	4,421	4
218	regional center	4,421	4
219	regional center	4,421	4
220	regional center	4,421	4
221	regional center	4,421	4
222	regional center	4,421	4
223	regional center	4,421	4
224	regional center	4,421	4
225	regional center	4,421	4
226	regional center	4,421	4
227	regional center	4,421	4
228	regional center	4,421	4
229	regional center	4,421	4
230	regional center	4,421	4



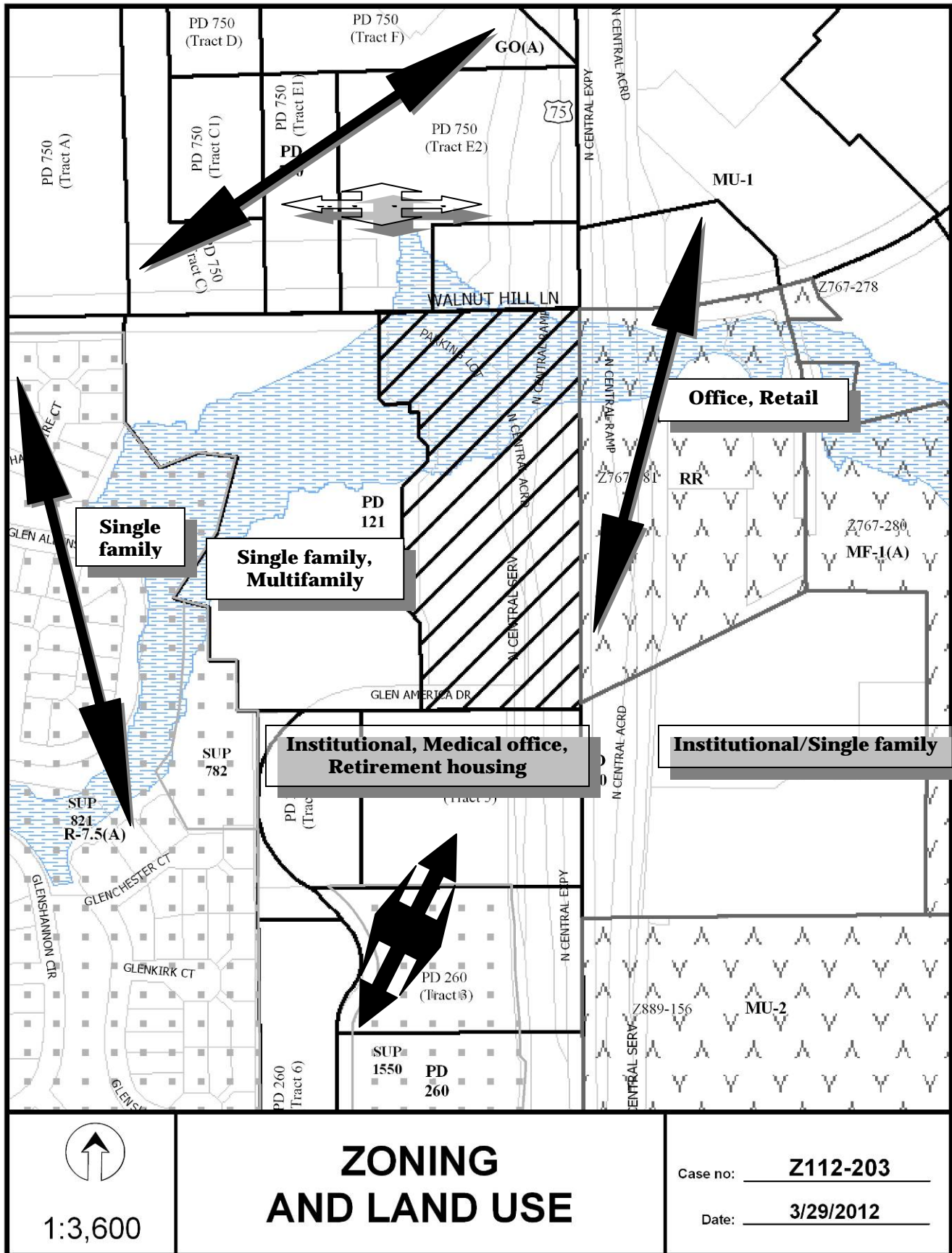



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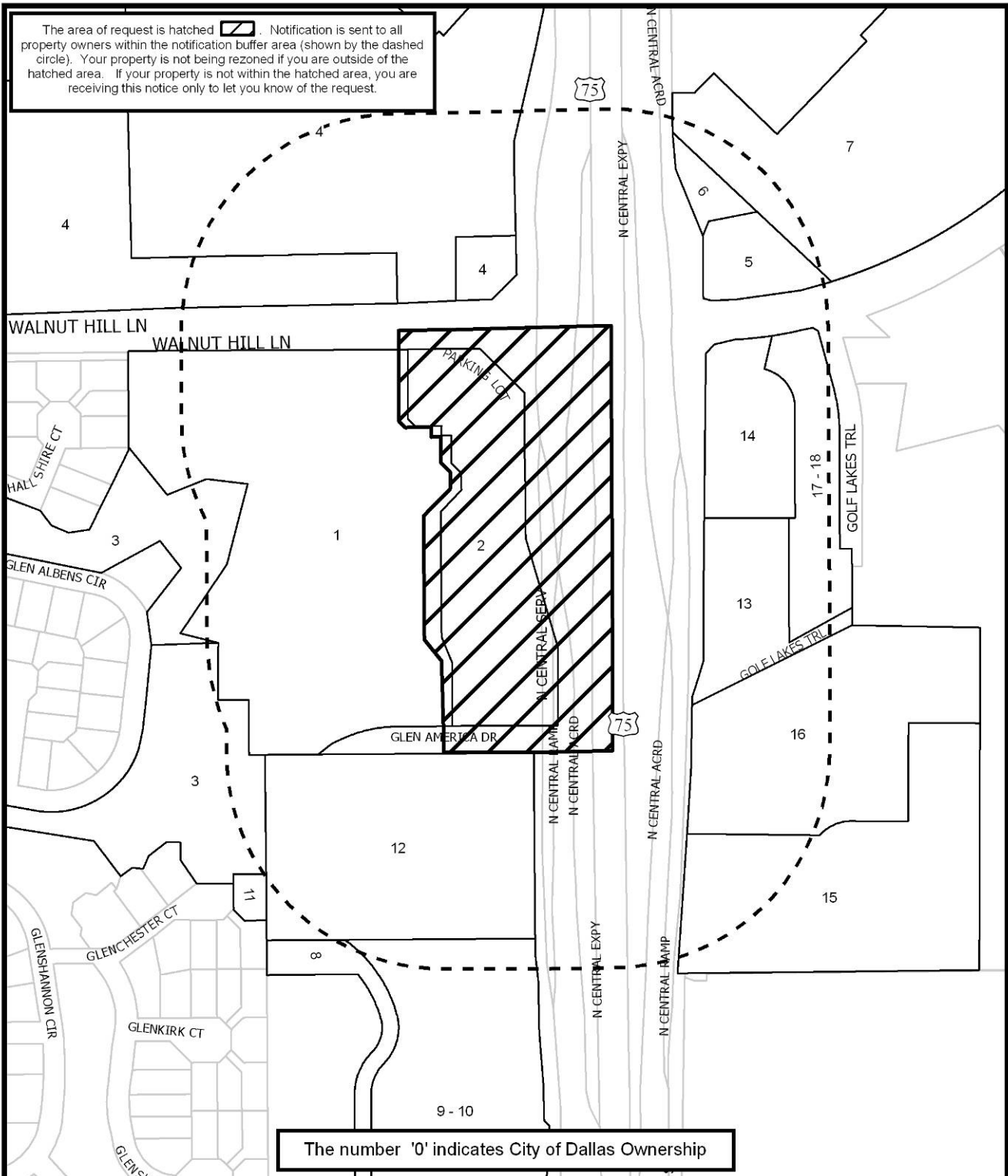
VICINITY MAP

Case no: **Z112-203**


Date: **3/29/2012**



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



The number '0' indicates City of Dallas Ownership


 1:3,600

NOTIFICATION

500' AREA OF NOTIFICATION
18 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: Z112-203
 Date: 3/29/2012

3/29/2012

Notification List of Property Owners***Z112-203******18 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7750 WALNUT HILL LN	CREEKWOOD LAKESIDE LTD PS STE 100
2	9669 CENTRAL EXPY	LAKESIDE SC PARTNERS LTD 1100 PROVIDENCE
3	7600 GLEN ALBENS CIR	GLEN LAKES HOMEONRS ASSOC
4	9707 CENTRAL EXPY	75 AND WALNUT HILL LLC
5	8007 WALNUT HILL LN	INTERFIRST BANK DALLAS
6	9730 CENTRAL EXPY	WALNUT CENTRAL JV
7	8021 WALNUT HILL LN	CORNER SHOPPING HOLDING STE 214
8	7901 PARK LN	GLEN AMERICA CORPORATION
9	9301 CENTRAL EXPY	HCP CRS1 NORTH CENTRAL DALLAS TX LP
10	9301 CENTRAL EXPY	HCP CRSII NORTH CENTRAL PHASE II TX, LLC
11	6 GLENCHESTER CT	FINN DONALD F & CATHERINE S
12	9555 CENTRAL EXPY	NORTH PARK PRESBYTERIAN CH
13	9500 CENTRAL EXPY	GLEN LAKES PTNRS LP
14	9600 CENTRAL EXPY	TEXAS HEALTH RESOURCES SYSTEM
15	9400 CENTRAL EXPY	YPI CENTRAL EXPY PPTIES %YOUNAN PPTIES L
16	9450 CENTRAL EXPY	YPI CENTRAL EXPY LP %YOUNAN PPTIES LP
17	9500 CENTRAL EXPY	WALNUT BOBOS LTD
18	9500 CENTRAL EXPY	WALNUT BOBOS II LTD

Planner: Warren F. Ellis

FILE NUMBER: Z112-164(WE) **DATE FILED:** January 13, 2012

LOCATION: Northeast line of Paulus Avenue, west of Abrams Road

COUNCIL DISTRICT: 14 **MAPSCO:** 36-Y

SIZE OF REQUEST: Approx. 16,000 sq. ft. **CENSUS TRACT:** 14

APPLICANT: W. W. Willingham III

OWNERS: See attachment

REPRESENTATIVE: Trey Hart

REQUEST: An application for the creation of a new Subdistrict within Subdistrict A of Planned Development District No. 281, the Lakewood Special Purpose District.

SUMMARY: The purpose of this request is to create a new subdistrict within Subdistrict A of PDD No. 281 that will allow for the development of a 2-story parking structure above grade.

STAFF RECOMMENDATION: Denial.

PREVIOUS ACTION: On March 22, 2012, the City Plan Commission held this under advisement to allow the representative to meet and discuss the proposed case at a neighborhood meeting.

BACKGROUND INFORMATION:

- The applicant’s request to create a new Subdistrict within PDD No. 281 is threefold; 1) to construct a two-story parking structure above grade on two lots, 2) modify the Development Code’s definition of “Grade” for the new subdistrict, and 3) increase the maximum lot area from 8,500 square feet to 17,000 square feet. There are no additional changes proposed for the yard, space and lot regulations.
- The request site is located within Subdistrict A of Planned Development District No. 281 which is known as the “Paulus Avenue area.” The Paulus Avenue area is divided into two Subdistricts; Subdistrict A and Subdistrict B. Subdistrict A limits the maximum lot area to 8,500 square feet, whereas the entire PDD No. 281 prohibits parking structures (above-grade).
- The request site is contiguous to two Subdistricts; Subdistrict B, the Paulus Avenue Area, and Subdistrict J, the Center Core Area. Subdistrict B is southwest of the site, across N. Paulus Avenue and is developed with a 2-story office building and a large surface parking lot. Subdistrict J is northeast of the site, which is separated by a 15-foot alley, and is adjacent to a theater, which is located within a retail center.

Zoning History: There has not been any recent zoning changes requested in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
N. Paulus Avenue	Local	50 ft.	50 ft.

Land Use:

	Zoning w/in PDD No. 281	Land Use
Site	Subdistrict A	Undeveloped
Northeast	Subdistrict J	Retail, Office, Theater
Southeast	Subdistrict B	Office
Northwest	Subdistrict A	Office
Southwest	Subdistrict B	Surface parking, Office

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

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

Land Use

Policy 1.2.1 Use Vision building blocks as a general guide for desired development patterns

STAFF ANALYSIS:

Land Use Compatibility: The approximate 16,000 square foot site is comprised of two vacant lots that are adjacent to office uses and a theater. The applicant's request to create a new Subdistrict within PDD No. 281 is threefold; 1) to construct a two-story parking structure above grade on 2 lots, 2) modify the Development Code's definition of "Grade", and 3) increase the maximum lot area from 8,500 square feet to 17,000 square feet. There are no additional changes proposed for the yard, space and lot regulations.

The applicant is proposing to create a new Subdistrict to permit the development of a two-story parking structure that is above grade. Planned Development District No. 281 prohibits above grade parking structures. However, surface parking lots and underground parking structures are permitted within PDD No. 281. The proposed parking structure will meet a majority of the development standards and regulations that are set forth in the PDD, except for the maximum lot area and the Code's definition of "Grade." The proposed site will have two driveway approaches into the parking structure; one from Paulus Street and the other from the 15-alley, which is northeast of the site. The number of parking spaces proposed is 61 spaces.

The Development Code defines "Grade" as the "average of the finished ground surface elevations measured at the highest and lowest exterior corners of a structure." The applicant's proposed development does not comply with the definition due to the elevation change on the property. As a result of this elevation change, the proposed parking structure is approximately one-foot above the Paulus Street elevation. The applicant proposes to modify the definition within the new Subdistrict to read as follows: a set height at 559.5 feet above sea level. At this height, the proposed parking structure will meet the necessary height to develop the parking structure above grade. The parking structure will be used primarily for the adjoining retail uses that include,

Starbuck, MiCocina, Centennial and the theatre. In addition, the above grade parking structure will be secured with a perimeter fence, ranging from 5 feet to 8 feet. The structure will be lit with lights being installed on ten foot poles.

The Paulus Area Subdistrict also restricts the maximum lot area to 8,500 square feet. The applicant is requesting to increase the maximum lot area within the new Subdistrict to 17,000 square feet. The increase in the lot area proposed by the applicant is not consistent nor is it compatible with the development pattern within the Paulus Area Subdistrict. The Paulus Area Subdistrict consists of seven platted lots on the block and by increasing the maximum lot area to 17,000 square feet, the blocks development pattern could be impacted negatively.

Staff recommendation of denial of the applicant’s request to create a new Subdistrict and modify the Code’s definition of Grade will impact the over character and compatibility of uses in Subdistrict A, the Paulus Area Subdistrict.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 281 -existing Subdistrict A	40'	5'/10'	6,000 sq. ft. -min. 8,500 sq. ft. -max	36'	40%		Office Residential
PDD No. 281 -proposed Subdistrict A	40'	5'/10'	17,000 sq. ft.	36'	40%		Office Surface parking structure, Residential

Landscaping: Landscape in this district must comply with all landscaping requirements within PDD No. 281.

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

Miscellaneous – Conditions: Staff has reviewed and cannot support the applicant’s conditions. The proposed use could negatively impact the Subdistrict by the changing the block’s character. Even though there is a lack of parking in the area, the proposed above parking structure is not a compatible use to the adjacent uses.

However, if the City Plan Commission recommends approval of the applicant’s, the proposed conditions have been reviewed by our attorney.

LIST OF OWNERS/OFFICERS


708 N. PAULUS

W.W. WILLINGHAM III, TRUSTEE


W. W. Willingham III, Trustee


714 N. PAULUS

W.W. WILLINGHAM III, TRUSTEE


W. W. Willingham III, Trustee

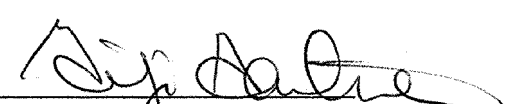
GARTNER 720, LTD.,
a Texas limited partnership

By: Gartner 720 GP, LLC,
a Texas limited liability company,
its General Partner

By 
Gale "Gigi" Gartner, Manager


GARTNER 720, LTD.,
a Texas limited partnership

By: Gartner 720 GP, LLC,
a Texas limited liability company,
its General Partner

By 
Gale "Gigi" Gartner, Manager


K & B COLLINS TEXAS, LTD.,
a Texas limited partnership

By: Kinney Property, Inc.

By 
H. Craig Kinney, President

K & B LA VISTA TEXAS, LTD.,
a Texas limited partnership

By: Kinney Management, LLC,
a Texas limited liability company,
its General Partner

By 
H. Craig Kinney, Manager

**APPLICANT'S PROPOSED
CONDITIONS**

PD 281.

Lakewood Special Purpose District

SEC. 51P-281.101. LEGISLATIVE HISTORY.

PD 281 was established by Ordinance No. 20062, passed by the Dallas City Council on September 14, 1988. Ordinance No. 20062 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 20062 was amended by Ordinance No. 23498, passed by the Dallas City Council on April 22, 1998, and Ordinance No. 24381, passed by the Dallas City Council on September 13, 2000.

SEC. 51P-281.102. PROPERTY LOCATION AND SIZE.

PD 281 is established on property generally located on both sides of Abrams Parkway, between Junius Street and Goliad Avenue. The size of PD 281 is approximately 44.17 acres.

SEC. 51P-281.103. PURPOSE.

State law authorizes the city to regulate and restrict the construction, reconstruction, alteration, or razing of buildings and other structures in "places and areas of historic, cultural, or architectural importance and significance." These provisions are established for the Lakewood Special Purpose District for the purpose of providing a means of conserving the area's distinctive atmosphere or character by protecting or enhancing its significant architectural or cultural attributes.

SEC. 51P-281.104. CREATION OF AREA AND SUBDISTRICTS.

(a) In general. The following areas and subdistricts are hereby established within the Lakewood Center SPD. A map showing the boundaries of the four areas and the ~~2~~⁷ subdistricts of the Lakewood Center SPD is labelled Exhibit 281A.

(b) The Center Core area. The Center Core area consists of Subdistricts A, B, C, D, E-F, G, H, I, J, K, L, M/a, M/b, N, O, P, Q, R, S, and T on properties more particularly described in Exhibit B of Ordinance No. 20062, as amended.

(c) The North Abrams area. The North Abrams area consists of Subdistricts A, A-1, and B on properties more particularly described in Exhibit C of Ordinance No. 20062, as amended.

(d) The Abrams/Richmond/Gaston area. The Abrams/Richmond/Gaston area consists of Subdistricts A and B on properties more particularly described in Exhibit D of Ordinance No. 20062, as amended.

(e) The Paulus Avenue area. The Paulus Avenue area consists of Subdistricts A, A-1 and B on properties more particularly described in Exhibit E of Ordinance No. 20062, as amended.

SEC. 51P-281.105. RECONCILIATION WITH OTHER ORDINANCES.

(a) The definitions and other provisions of Chapter 51A apply to the Lakewood Center SPD unless expressly modified by this article or unless a specific reference is made in this article to Chapter 51.

(b) The provisions of Section 51A-4.702, "Planned Development (PD) District Regulations," do not apply to the Lakewood Center SPD.

SEC. 51P-281.106. INTERPRETATIONS.

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

SEC. 51P-281.107. GENERAL PROVISIONS APPLICABLE TO THE LAKEWOOD CENTER SPD.

(a) Definitions. Unless the context clearly indicates otherwise, the following definitions apply in the Lakewood Center SPD:

(1) ABRAMS PARKWAY (OLD ABRAMS ROAD) means the right-of-way between Prospect Avenue and Junius Street previously known as Abrams Road before the construction of the bypass roadway to the east.

(2) ABRAMS PARKWAY PARKING MALL means the parking areas and circulation aisles within the Abrams Parkway right-of-way between Prospect Avenue and Abrams Road.

(3) ABRAMS ROAD (BYPASS) means the roadway constructed to the east of the Old Abrams Road right-of-way between Richmond Avenue and a point in Abrams Road south of Junius Street.

(4) ART GALLERY USE means a privately-owned facility for the display or retail sale of art.

(5) AVERAGE SIDEWALK WIDTH means the total sidewalk area divided by the length of its lot frontage.

(6) BLOCKFACE means all of the lots on one side of a block.

(7) BUFFER ZONE means a setback corridor along street frontages providing a landscaped separation between uses in the SPD and adjacent residential uses.

(8) BUSINESS SUPPLY STORE USE means a facility for the sale of supplies used in business, including desk, computer, and mailing supplies.

(9) CALIPER means the diameter of a tree trunk measured 12 inches above the root ball. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

(10) COMMERCIAL PARKING LOT OR GARAGE means a surface or below-grade vehicle parking facility that is operated as a business enterprise by charging a fee for parking.

(11) COURT OR PLAZA means a pedestrian area covered with a permeable or nonpermeable surface paving material.

(12) COVERED WALKWAY means a pedestrian passageway with a paved surface and a roof structure.

(13) CUSTOM FURNITURE REPAIR OR UPHOLSTERY USE means a facility for repairing or reupholstering furniture on a single-item basis.

(14) DESIGNATED RETAIL STREET means the portion of a street which has been designated for restaurant, food, and drink service uses, and retail and service uses, and where special landscape improvements are required.

(15) DEVELOPMENT IMPACT REVIEW ("DIR") means "development impact review" as provided in the Dallas Development Code.

(16) DEVELOPMENT RIGHTS mean the maximum permissible floor area of structures permitted on a building site, expressed as maximum floor area ratio for the site.

(17) FENCE means a structure or hedgerow that provides a physical barrier.

(18) FLOOR AREA means the total square feet of floor space in a building measured to the outside faces of exterior walls or to the omitted wall lines, whichever produces the larger area. Parking structures are not included in the calculation of floor area.

(19) FLOOR AREA RATIO means the ratio of floor area of a structure, other than a parking structure, to lot area.

(20) FRONT FACADE means the wall of a building that faces an adjoining street.

(21) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and the main building and lines parallel to and extending outward from the front facade of the main building.

(22) GAME COURT CENTER (INDOOR) USE means an indoor facility that contains a court for engaging in tennis, handball, racquetball, or similar physical activities.

Staff's Recommendation – no changes to the Development Code's definition

~~(23) GRADE means a set height at 559.5 feet above sea level.~~

Applicant's proposal

(23) GRADE means a set height at 559.5 feet above sea level.

~~(24)~~ (23) GROUND COVER means natural plants, of species which normally reach a height of less than three feet upon maturity, that form a continuous cover over the ground.

~~(25)~~ (24) JEWELRY STORE OR GIFT SHOP USE means a facility for the retail sale of jewelry, novelties, or other small manufactured articles intended mainly for personal or household adornment.

~~(26)~~ (25) LARGE SHRUB means a shrub that normally reaches a height of six feet or more upon maturity.

~~(27)~~ (26) LARGE TREE means a tree of a species that normally reaches a height of 30 feet or more upon maturity.

~~(28)~~ (27) LOBBY means an enclosed hall or foyer connected with a series of rooms and used as a passageway or waiting room.

~~(29)~~ (28) MAILING CENTER USE means a facility for handling bulk mailings of small parcels such as letters, advertisements, newspapers, and magazines, including public or private delivery services.

~~(30)~~ (29) MASONRY PAVER means a solid brick or block of masonry material used as a paving material.

~~(31)~~ (30) MEDICAL CLINIC USE means a facility for examination, testing, analyzing, and treatment of medical, dental, or optical patients.

(32)~~(34)~~ MEDIUM TREE means a tree of a species which normally reaches a height of 20 feet or more upon maturity.

(33)~~(32)~~ MINIMUM FRONT YARD means that portion of a lot that abuts a street and extends across the width of the lot between the street and the setback line.

(34)~~(33)~~ MOTORCYCLE DISPLAY, SALES, AND SERVICE (INSIDE DISPLAY) USE means a facility for the display, service, and retail sale of new or used motorcycles and motor scooters.

(35)~~(34)~~ MOUNTED CELLULAR ANTENNA means a cellular antenna that is attached to an existing structure, that does not exceed 12 feet above the structure to which it is attached (whip antennas are excluded from this calculation), that has a cross sectional area less than or equal to 25 square inches, and that is part of a cellular system authorized by the Federal Communications Commission. An auxiliary building housing electronic and communication equipment is permitted as part of this use.

(36)~~(35)~~ NONPERMEABLE COVERAGE means coverage with nonpermeable pavement.

(37)~~(36)~~ OFF-STREET PARKING means code-required parking, parking in excess of code requirements, and related circulation areas other than access to and from the adjoining street.

(38)~~(37)~~ PARKING LOT OR GARAGE USE means a surface or below-grade vehicle parking facility.

(39)~~(38)~~ PARKWAY means the portion of right-of-way located between the street curb and the property line of an adjoining lot.

(40)~~(39)~~ PARKWAY LANDSCAPE PERMIT means a permit issued by the director of public works and transportation that allows landscaping within the parkway, subject to certain conditions.

(41)~~(40)~~ PEDESTRIAN PAVEMENT means pavement for pedestrian foot traffic and not for vehicular traffic.

(42)~~(41)~~ PROJECTED STREET CURB means the future location of the street curb pursuant to the city thoroughfare plan, as determined by the director of public works and transportation. If the existing street curb is indicated on the city thoroughfare plan, the projected street curb means the existing street curb.

(43)~~(42)~~ RESIDENTIAL ADJACENCY REVIEW ("RAR") means "residential adjacency review," as provided in the Dallas Development Code.

(44)~~(43)~~ RESTAURANT WITH ALCOHOLIC BEVERAGE USE means an establishment for the sale and service of food and alcoholic and non-alcoholic beverages on the premises.

(45)~~(44)~~ RESTAURANT WITH ALCOHOLIC BEVERAGES AND ENTERTAINMENT USE means an establishment for the sale and service of food and alcoholic and non-alcoholic beverages and facilities for entertainment and dancing may be provided under this use.

(46)~~(45)~~ RESTAURANT WITH DRIVE-THROUGH SERVICE means an establishment principally for the sale and consumption of food which has direct window service allowing customers in motor vehicles to pick up food for off-premise consumption.

(47)~~(46)~~ ROOF SLOPE means the degree and direction of roof slope in terms of a specified amount of rise in inches for a specified amount of horizontal distance. (Example: A 2:1 roof slope means two inches of rise for each one inch of horizontal distance.)

(48)~~(47)~~ SERVICE AREA means an off-street occupancy support service area, including but not limited to areas for delivery, loading, and trash storage and removal.

(49)~~(48)~~ SIDE YARD means any portion of a lot not occupied by a main building that is not a front or rear yard.

(50)~~(49)~~ SMALL SHRUB means a shrub of a species which normally reaches a height of less than three feet upon maturity.

(51)~~(50)~~ SMALL TREE means a tree of a species which normally reaches a height of less than 20 feet upon maturity.

(52)~~(51)~~ SPD means special purpose district.

(53)~~(52)~~ SPECIAL AMENITIES ZONE means a portion of the parkway, in the form of a corridor area along the street curb, that is designated for landscape improvements and pedestrian facilities.

(54)~~(53)~~ STORY means the portion of a structure between two successive floors or between the floor and the ceiling of a structure.

(55)~~(54)~~ STREET FRONTAGE means the length of the portion of a lot abutting a public street.

(56)~~(55)~~ STREETSCAPE means the landscape improvements and pedestrian amenities located within or adjacent to the parkway.

(57)~~(56)~~ STREET TREE means a tree within the parkway.

(58)~~(57)~~ SUBDISTRICT means a designated tract within the Lakewood Center SPD that is governed by unique use regulations and development standards.

(59)~~(58)~~ "SUP" means "specific use permit" as provided in the Dallas Development Code.

(60)~~(59)~~ TOOL AND EQUIPMENT AND APPLIANCE RENTAL, SALES, AND SERVICE (INSIDE) USE means a facility for renting, selling, and servicing tools, equipment, or appliances.

(61)~~(60)~~ TOY STORE USE means a facility for the sale of items with which a child can play for amusement, entertainment, or education.

(62)~~(61)~~ UNDERGROUND STRUCTURE means a structure with a roof located below-grade. For example, a building basement or an underground parking garage is an underground structure.

(63)~~(62)~~ UNOBSTRUCTED SIDEWALK WIDTH means the portion of a public sidewalk that is maintained without impediments to the free movement of pedestrians.

(64)~~(63)~~ VIDEO AND MOVIE STORE USE means a facility for the rental or sale of video tapes or devices.

(65)~~(64)~~ VOCATIONAL AND TECHNICAL SCHOOL USE means a business enterprise offering instruction and training in a trade such as welding, bricklaying, machinery operation, and other similar trades or crafts.

(66)~~(65)~~ WATER FEATURE means a pool or fountain.

(b) Development impact review. Before making application for a building permit, a site plan must be submitted in accordance with Division 51A-4.800 if:

(1) the work to be permitted will create a floor area ratio equal to or greater than one to one on the lot; or

(2) the work to be permitted will increase the building floor area by more than 20,000 square feet.

(d) Lakewood Center SPD general plan review.

(1) Except as otherwise provided, prior to applying for a building permit, a person desiring to develop property in the Lakewood Center SPD shall consult with the director or his designated representative to discuss whether the project is consistent with the general plan for the area and the requirements of this article. The director shall

determine if the project complies with this article generally, and shall advise the applicant of any landscape review, residential adjacency review, development impact review, or any other review which may be necessary prior to the issuance of a building permit. The director shall forward a written copy of his determination to the building official.

(2) Paragraph (1) of this subsection does not apply in Subdistrict A-1 of the North Abrams area as long as plans submitted for a building permit are in compliance with Exhibits 281C, 281D, and 281E, with minor amendments authorized in accordance with Section 51A-4.702.

(e) Nonconforming uses and structures. Section 51A-4.704, relating to nonconforming uses and structures, applies in the Lakewood Center SPD.

(f) Parking structures (above-grade) prohibited. Above-grade parking structures are prohibited in this district, except in Subdistrict A-1 the Paulus Avenue area.

(g) Use group categories applicable to the Lakewood Center SPD. The uses listed in the following use group categories are the only uses permitted in the Lakewood Center SPD. If "[SUP]" follows a use, a specific use permit is required for that use. If "[RAR]" follows a use, residential adjacency review is required for that use. If "[DIR]" follows a use, development impact review is required for that use. Unless expressly modified by this article, the definitions of uses contained in Chapter 51 apply in this district.

(1) Office uses.

-- Bank or savings and loan office (without drive-in windows).

-- Bank or savings and loan (with drive-in window). *[DIR required except in Subdistrict A-1 of the North Abrams area as long as plans submitted for a building permit are in compliance with Exhibits 281C, 281D, and 281E, with any minor amendments authorized in accordance with Section 51A-4.702.]*

-- Broadcasting or recording studio.

-- Medical clinic.

-- Office.

-- Veterinarian's office.

-- Safe deposit boxes.

-- Travel bureau.

(2) Public service, utility, and institutional uses.

-- Amateur communication tower.

-- Bus passenger shelter.

-- Church.

-- Electrical substation. *[SUP]*

-- Establishments of a religious, charitable, or philanthropic nature. *[SUP]*

- Local utilities.
- Parking lot or garage.
- Public or private school. *[SUP]*
- Public park or playground.
- Radio, television, or microwave tower. *[SUP]*
- Sewage pumping station. *[SUP]*
- Telephone exchange, switching, and transmitting equipment. *[SUP]*
- Temporary construction or sales office.
- Utility or governmental installation other than listed. *[SUP]*
- Water reservoir, well, or pumping station. *[SUP]*

(3) Residential uses.

- Multiple-family.
 - Residence home for the aged.
 - Single-family.
- The following residential accessory uses: game court (private); home occupation; occasional sales (garage sales); open storage; and swimming pool (private).

(4) Restaurant, food, and drink service uses.

- Bakery or confectionery shop.
- Private club. *[SUP]*
- Catering service.
- Restaurant with alcoholic beverages.
- Restaurant with alcoholic beverages and entertainment. *[SUP]*
- Restaurant with drive-through service. *[RAR]*

(5) Restricted Paulus Avenue Subdistrict A uses.

(A) Residential uses.

- Single-family.
- Duplex.

(B) Office-related uses.

- All office uses listed in Paragraph (1).

(C) Retail uses (2,000 square feet or less).

- Art gallery.
- Antique shop.
- Book and stationery store.

- Camera shop.
- Florist store.
- Jewelry store or gift shop.
- Photography studio.
- Travel bureau.

(h) Use restrictions. The following use restrictions apply in the Lakewood Center SPD.

(1) Business supply store use. The sale of heavy equipment is prohibited in this use.

(2) Medical clinic use. This use may only be conducted between 7 a.m. through 7 p.m., Monday through Saturday. This use is limited to office space for no more than three doctors.

(3) Motorcycle display, sales, and service (inside display) use. Only display, sales, and service conducted within a structure are permitted in this use.

(4) Restaurant with alcoholic beverage use. The on-premise sale of alcoholic beverages may comprise no more than 75 percent of this use's gross revenue.

(5) Restaurant with alcoholic beverages and entertainment use. The on-premise sale of alcoholic beverages may comprise no more than 75 percent of this use's gross revenue.

(6) Tool and equipment and appliance rental, sales, and service (inside) use. Only rental, sales, and service conducted within a structure are permitted in this use.

SEC. 51P-281.111. DEVELOPMENT STANDARDS FOR THE PAULUS AVENUE AREA.

(a) Elevations applicable to the Paulus Avenue area. Development of the Paulus Avenue area must comply with the:

- (1) general style and character shown on the elevation drawings (Exhibit 281B);
and
- (2) express requirements noted on the elevation drawings.

(b) Height and story standards in the Paulus Avenue area.

(1) Residential proximity slope applies. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less.

(2) Height and stories. Unless further restricted under Paragraph (1), a maximum of 36 feet in height and two stories are permitted in this area.

(c) Landscaping in the Paulus Avenue area.

(1) Additional regulations. General landscaping regulations in the Lakewood Center SPD are listed in Section 51P-281.107(c) of this article. The following landscaping requirements must be satisfied in addition to the regulations in Section 51P-281.107(c).

(2) Front yard landscape area. At least 50 percent of the required front yard of any building site must be designated as landscape area. Only landscaping and pedestrian surfacing are permitted in a designated landscape area.

(d) Lot coverage in the Paulus Avenue area. Maximum lot coverage of 40 percent is permitted in this area.

(e) Lot size in the Paulus Avenue area.

(1) A minimum lot area of 6,000 square feet is required and a maximum lot area of 8,500 square feet is permitted in Subdistrict A.

(2) A maximum lot area of 17,000 square feet is permitted in Subdistrict A-1.

(3)~~(2)~~ A minimum lot area of 7,000 square feet is required in Subdistrict B. No maximum lot area requirement for Subdistrict B.

(f) Maximum floor area ratio in the Paulus Avenue area. Maximum floor area ratio of .75 is permitted in this area.

(g) Off-street parking in the Paulus Avenue area.

(1) Minimum number of spaces required.

(A) Uses in the public service, utility, and institutional use group must provide off-street parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(B) Restricted Paulus Avenue Subdistrict A and Restricted Paulus Avenue Subdistrict B use groups must provide minimum off-street parking as follows:

(i) Uses in the retail and service use group must provide parking at the ratios indicated in Division 51-4.200 of Chapter 51.

(ii) Uses in the office use group must provide parking at a ratio of one off-street parking space for each 333 square feet of floor area.

(iii) Uses in the residential use group must provide parking at a ratio of one off-street parking space for each dwelling unit.

(2) Location of off-street parking.

(A) Subdistrict A. All required off-street parking must be located a minimum of five feet from the Abrams Road right-of-way, and a minimum of 40 feet from the Paulus Avenue right-of-way except that required off-street parking on Lot 8 and the northwest 10 feet of Lot 7 in the City Block 6/1884-1/2 must be located a minimum of 10 feet from the Paulus Avenue right-of-way. The parking must be provided on the lot occupied by the main use, or in compliance with the special parking regulations of the Dallas Development Code.

(B) Subdistrict B. All required off-street parking must be located a minimum of 25 feet from the Paulus Avenue right-of-way and a minimum of 10 feet from the Junius Street right-of-way. The parking must be provided on the lot occupied by the main use, or in compliance with the special parking regulations of the Dallas Development Code.

(h) Other regulations applicable to the Paulus Avenue area.

(1) Outside speaker and intercom system use restrictions.

(A) The use of an outside public address or paging speaker is prohibited in this area.

(B) The use of an outside speaker as a part of an intercom system in this area is prohibited within 150 feet of a residential zoning district unless its use is approved through the residential adjacency review procedure.

(2) Alley use restriction. If a nonresidential use adjoins an alley that is within or any portion abuts a residential zoning district, truck delivery and garbage or trash pickup is prohibited between the hours of 10 p.m. and 7 a.m. The board of adjustment may grant a special exception to the alley use restriction in accordance with the provisions of Section 51A-4.301(h)(2).

(i) Setbacks in the Paulus Avenue area.

(1) The following setback requirements apply in Subdistrict A:

(A) A 40-foot-minimum front yard setback must be provided on the Paulus Avenue frontage.

(B) A five-foot-minimum side yard setback must be provided, including the Abrams Road frontage in the subdistrict.

(C) There is no rear yard setback requirement.

(2) The following setback requirements apply in Subdistrict B.

(A) A 25-foot-minimum front yard setback must be provided on the Paulus Avenue frontage.

(B) A 10-foot-minimum side yard setback must be provided on the Junius Street frontage.

(C) A 10-foot-minimum rear yard setback must be provided.

(j) Sidewalks in the Paulus Avenue area.

(1) Sidewalk required. Before the issuance of a certificate of occupancy, owners must construct and maintain a minimum average four-foot unobstructed sidewalk width generally parallel to the back curb.

(2) Sidewalk easement required in some cases. If any portion of the sidewalk is to be located in the front yard of the building site, the owner must dedicate a sidewalk easement to the city to assure its availability to the public as a permanent pedestrianway.

(k) Signs in the Paulus Avenue area.

(1) Except as provided in Paragraph (2), attached and detached signs are permitted in the Paulus Avenue area in accordance with the provisions for non-business zoning districts contained in the Dallas Development Code.

(2) The following restrictions apply to building sites in Subdistrict A:

(A) Only one detached sign is permitted in the required yards of any building site. This sign may not exceed a total of nine square feet.

(B) A detached sign may not exceed five feet in height. A minimum setback of five feet must be provided for detached signs.

(l) Uses in the Paulus Avenue area.

(1) The uses allowed in the Restricted Paulus Avenue Subdistrict A use group and the public service, utility, and institutional use group are permitted on Subdistrict A.

(2) The uses allowed in the Restricted Paulus Avenue Subdistrict B use group and the public service, utility, and institutional use group are permitted on Subdistrict B.

(m) Width in the Paulus Avenue area. In Subdistrict A, all structures must have a front building wall that extends through the setback corridor along a line generally parallel to the street for a distance that is at least 70 percent of a number equal to the

length of the minimum front yard setback line minus required setbacks at either end of the minimum front yard setback line. This calculation expressed mathematically is: $.70 \times (\text{length of front yard setback line minus required setback lines at either end})$. The setback corridor is a 10-foot-wide corridor that runs across the width of the lot from the minimum front yard setback line towards the rear of the lot a distance of 10 feet and across the lot from setback line to setback line. The portion of front building wall affected by this subsection extends from grade to nine feet in height.

SEC. 51P-281.112. SPECIAL PENALTY PROVISIONS.

(a) General. A person violating a provision of this article, upon conviction, is punishable by a fine not to exceed \$2,000. A person commits an offense if the person is criminally responsible for a violation of the use regulations or development standards of this article. A person is criminally responsible for a violation if the person:

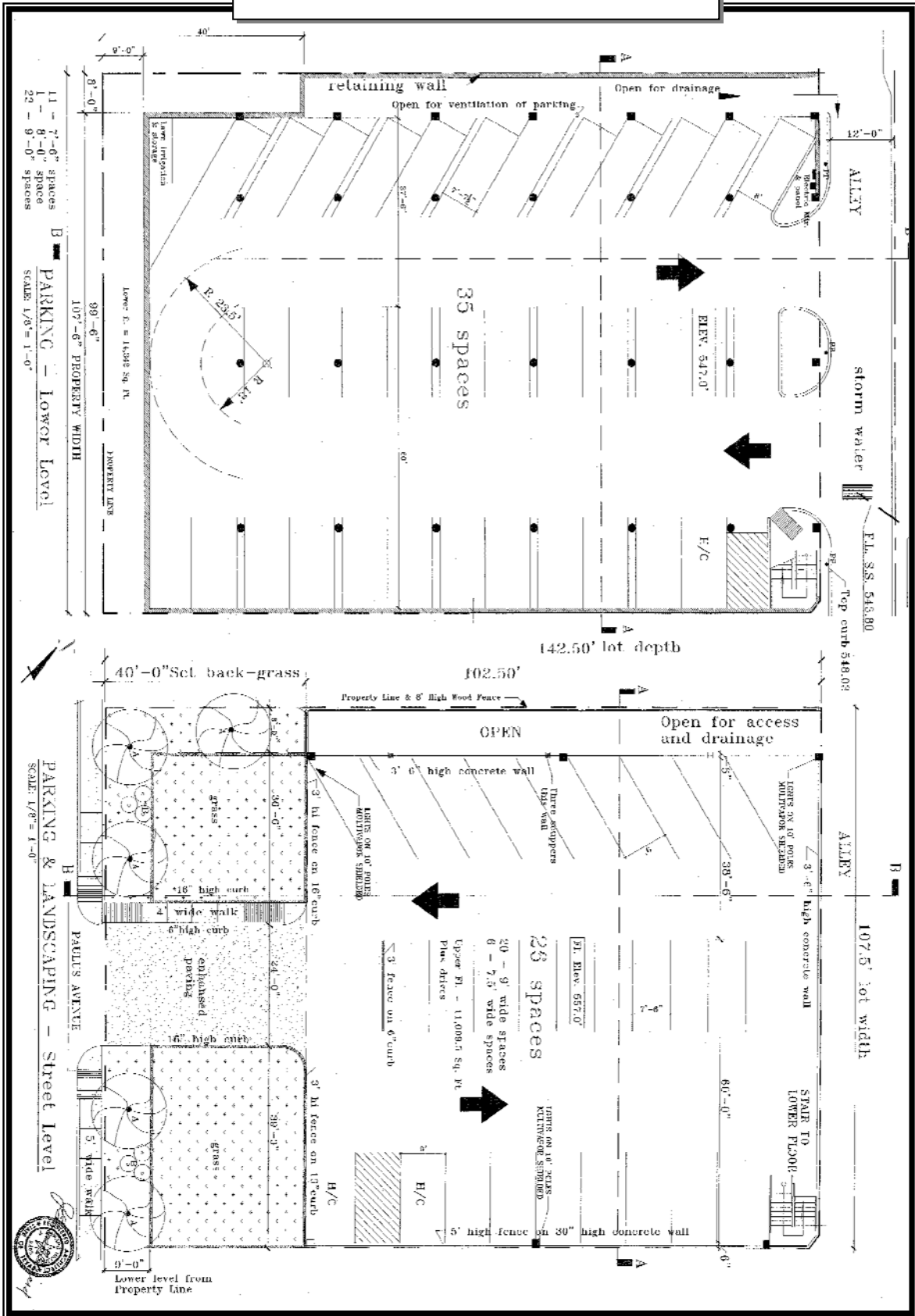
- (1) commits or assists in the commission of an act in violation; or
- (2) owns part or all of the land or a structure on the land where a violation exists.

(b) Additional penalty. In addition to punishment by fine, the city may institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land in the Lakewood Center SPD.

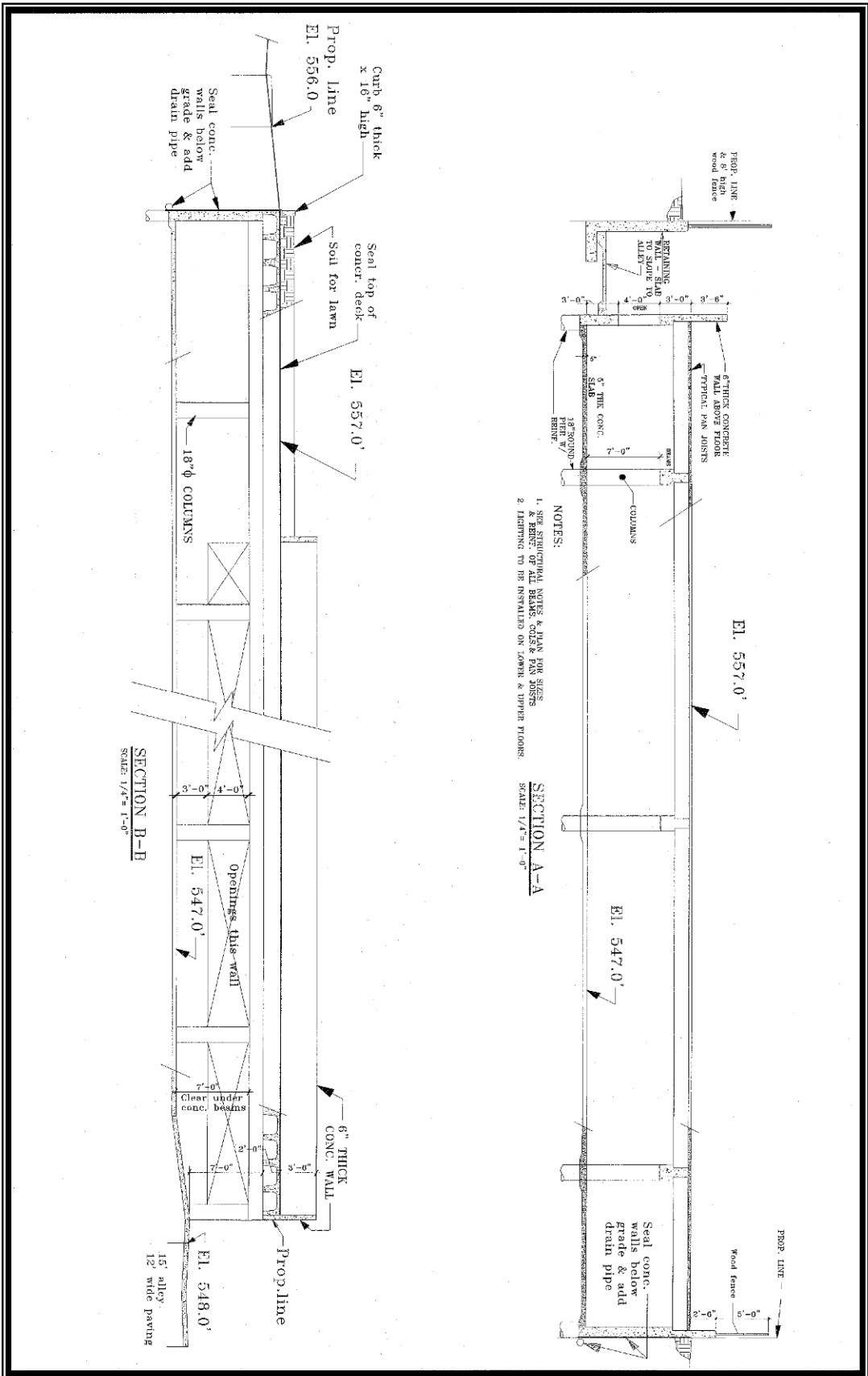
~~[SEC. 51P-281.113. ZONING MAP.]~~

~~[PD 281 is located on Zoning Map No. I-8.]~~

APPLICANT'S PROPOSED DEVELOPMENT PLAN



APPLICANT'S PROPOSED SECTIONS



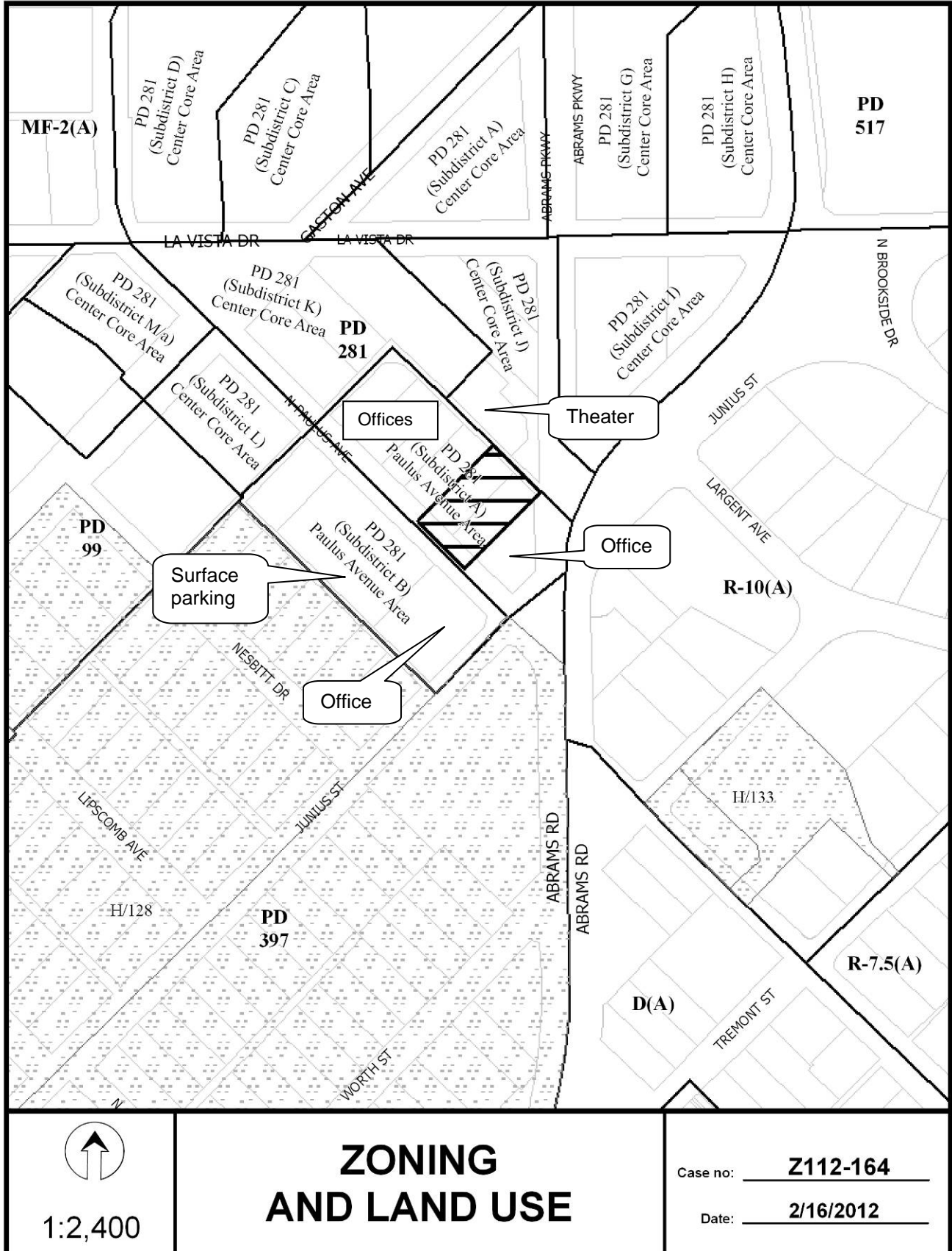


1:6,000

VICINITY MAP

Case no: **Z112-164**

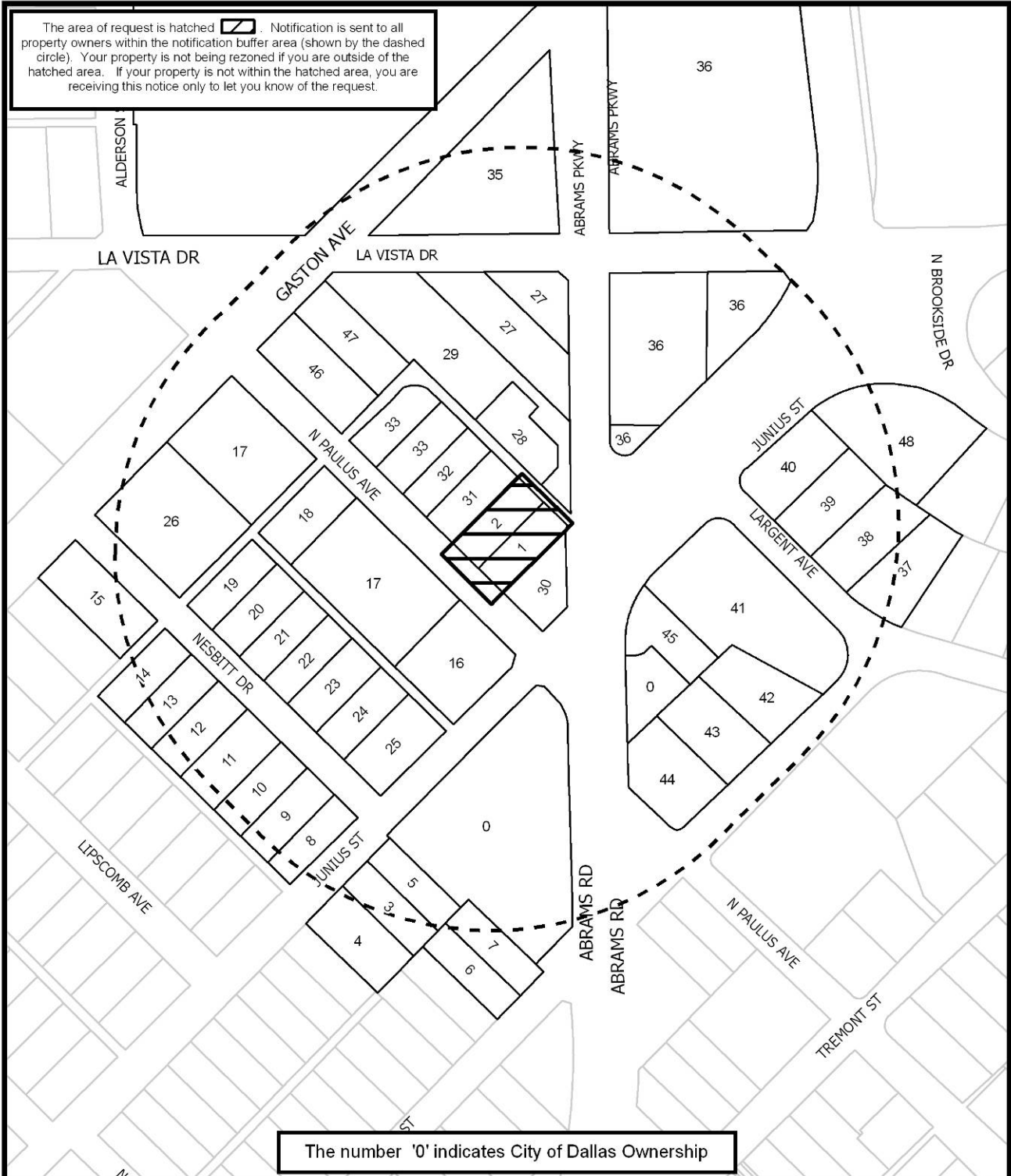
Date: **2/16/2012**



1:2,400

ZONING AND LAND USE

Case no: Z112-164
Date: 2/16/2012



 1:2,400	<h2 style="margin: 0;">NOTIFICATION</h2>	Case no: <u> Z112-164 </u>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">500'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">48</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <u> 2/16/2012 </u>

Notification List of Property Owners

Z112-164

48 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	708 PAULUS AVE	WILLINGHAM WW 3 TRUSTEE & STE 204
2	714 PAULUS AVE	WILLINGHAM W W III TR & STE 204
3	6110 JUNIUS ST	SINGLETON SHIRLEY
4	6104 JUNIUS ST	MCSHANE MATT & JACKIE
5	6114 JUNIUS ST	HALIMAN SHAMALEE & TOMASA HALIMAN
6	6111 WORTH ST	YOUNG ZIFTON H JR
7	6115 WORTH ST	LARSON ERIKA L
8	703 NESBITT DR	MCCARLEY JUSTIN L
9	707 NESBITT DR	FREEMAN JASON B & RICHTER ELIZABETH L
10	715 NESBITT DR	GRAGG ROGER K & LESTER K ORTLEY
11	717 NESBITT DR	HAMILTON SHAWN D TANYA R
12	723 NESBITT DR	HILL MICHAEL J
13	727 NESBITT DR	BURNSIDE ROBERT T & VIRGINIA J
14	731 NESBITT DR	GRAFF DARREN K
15	6120 GASTON AVE	TREPAGNIER PAUL A & DEANDRA L
16	709 PAULUS AVE	PAULUS LTD PS
17	715 PAULUS AVE	LAKE TOWER PROPERTIES LP
18	731 PAULUS AVE	CLEMENTS ROBERT L & KELLY R CLEMENTS
19	730 NESBITT DR	WHEATLEY MICHAEL E & DARLENE B WHEATLEY
20	722 NESBITT DR	WHEATLEY DARLENE & WHEATLEY MICHAEL
21	720 NESBITT DR	BRADDICK KARL
22	718 NESBITT DR	WHITLEY LAURA ANNE & DAVID REID
23	710 NESBITT DR	VANEK ADAM W & SARAH R
24	708 NESBITT DR	BOBADILLA AURORA R TRUSTEE
25	704 NESBITT DR	RODEN STEVEN M & DARLA K STOCKTON
26	6202 GASTON AVE	LWM REALTY INC STE 4001 BOX 272

2/16/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6342 LA VISTA DR	DIENERMILLS LLC SUITE A
28	1825 ABRAMS RD	LAKWOOD INTERESTS LLC
29	6300 LA VISTA DR	WILLINGHAM W W III ET AL
30	700 PAULUS AVE	SLOCUM WILLIAM C III
31	718 PAULUS AVE	MCBEE DAVID
32	722 PAULUS AVE	ASMAR JASON
33	726 PAULUS AVE	CAMPAGNA ANTHONY J
34	6301 GASTON AVE	CADDO LAKEWOOD LP SUITE 748
35	6316 GASTON AVE	GREENWAY LAKEWOOD PTNRS SUITE 100
36	1900 ABRAMS RD	CORRIGAN INVESTMENTS INC
37	614 LARGENT AVE	LINDSEY JAMES D
38	618 LARGENT AVE	CLOUTMAN E B III
39	622 LARGENT AVE	KING HARRELL GILL
40	626 LARGENT AVE	STROH DENA DENOYER & JEFFREY PATRICK
41	611 LARGENT AVE	ALFORD CHARLES E
42	6223 WORTH ST	ADAMS RONALD B II & ANN A
43	6211 WORTH ST	TESFAY SEIFU T & DOROTHY P STRONG
44	6201 WORTH ST	CAMPBELL EUGENE W
45	6216 JUNIUS ST	LAKE DONNA M
46	6308 GASTON AVE	JACK IN THE BOX EASTERN DIVISION LP
47	6308 GASTON AVE	PROBERT WILLETTA %JACK IN THE BOX ESTRN
48	617 BROOKSIDE DR	MARSHALL MARK D

Planner: Warren F. Ellis

FILE NUMBER: Z101-363 (WE) **DATE FILED:** August 30, 2011

LOCATION: Northwest Highway and Hillcrest Road, northwest corner

COUNCIL DISTRICT: 13 **MAPSCO:** 25-V

SIZE OF REQUEST: Approx. 2.14 acres **CENSUS TRACT:** 77.00

APPLICANT / OWNER: CFO DT, LLC

REPRESENTATIVE: Dallas Cothrum
MASTERPLAN

REQUEST: An application for an amendment to Planned Development District No. 766 for a CR Community Retail District.

SUMMARY: The purpose of this request is to allow, by right, additional specific uses to operate within the existing retail development. In addition, the request includes changes to the setback provisions by allowing attached signs and building overhangs and awnings in the required setbacks and the reduction of the off-street parking requirements for the newly defined uses. No changes are proposed for the development plan and landscape plan.

STAFF RECOMMENDATION: Hold under advisement until May 3, 2012

BACKGROUND INFORMATION:

- The applicant proposes to incorporate specific uses from Chapter 51 into a Chapter 51P Ordinance. These newly defined uses consist of a bakery or confectionery shop, a barber and beauty shop, a book and stationery store, a camera shop, clothing store, a computer service center, a dance studio, a design or decorative center and safe deposit boxes and security storage.
- In 2007, the City Council approved Planned Development District No. 766 for CR Community Retail District uses. The applicant requested and received several modifications to the development rights of the initial retail development. These modifications included 1) the elimination of the (RPS) residential proximately slope requirement due to the residential adjacency across Hillcrest Road, 2) permit an alternative landscape plan that reduces the street trees requirements along Hillcrest Road, 3) reduce the off-street parking requirements for a health club use, and 4) increase the office and overall combined floor area ratio.
- The surrounding land uses primarily consist of retail, office and multifamily uses. There is a synagogue across Hillcrest Road. The City of University Park is located south of the site.

Zoning History: There have been a total of six cases that were requested in the area: three Board of Adjustment cases and three zoning case.

1. Z101-222 On June 22, 2011, the City Council approved a Planned Development District for a Mini-warehouse and CR Community Retail District Uses on property zoned a CR Community Retail District.
2. Z067-276 On September 26, 2007, the City Council approved a Planned Development District for CR Community Retail District uses on property zoned an MC Multiple Commercial District and a CR Community Retail District.
3. Z045-135 On April 13, 2005, the City Council approved an MF-3(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the southeast corner of Turtle Creek Boulevard and Bandera Avenue.
4. B056-223 On October 18, 2006, the Board of Adjustment Panel B granted a variance to the front yard

setback regulations of 14 feet at 8616 Turtle Creek Boulevard.

- 5. B067-054 On April 18, 2007, the Board of Adjustment Panel B granted an alternative landscape plan as a special exception to the landscape requirements and denied without prejudice a variance to the floor area ratio and the height regulation of 15 feet, eight inches.
- 6. B067-098 On August 15, 2007, the Board of Adjustment Panel B recommended denial without prejudice of a variance to the height regulations of 15 feet, 8-1/2 inches at 8623 Hillcrest Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Northwest Highway	Principal Arterial	100 ft.	107 ft.
Hillcrest Road	Principal Arterial	90 ft.	100 ft.
Bandera Avenue	Local Street	15 ft.	15 ft.

Land Use:

	Zoning	Land Use
Site	PDD no. 766	Retail and personal services
North	LO-1 w/SUP 307	Office
South	University Park	Park
East	R-7.5(A)	Synagogue
West	PDD No. 854	Undeveloped, Office, Retail

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being located along a Multi-Modal Corridor and within a Residential Neighborhood Building Block.

Transit centers support a compact mix of employment, retail, cultural facilities and housing. 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 stations, these building blocks could also be focused streetcar or enhanced bus corridors such

as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. 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. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

Residential Neighborhoods

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

Economic

Goal 2.2 Engage in strategic economic development

Policy 2.2.6 Restore Dallas as the foremost retail location in the region.

Urban Design

Goal 5.2 Strengthen community and neighborhood identity

Policy 5.2.4 Enhance retail, industrial and business operations

STAFF ANALYSIS:

Land Use Compatibility: The 2.14 acre site is rectangular in shape and is developed with two separate developments; a two story-11,300 square foot financial institution with drive-in window and a three story 44,014 square foot retail development. The overall 93,374 square foot development is contiguous to several offices and retail uses and an undeveloped tract of land. There are some multifamily uses that are located west and northwest of the site and a synagogue located within an R-7.5(A) Single Family District across Hillcrest Road.

The applicant's request for an amendment to Planned Development District No. 766 for CR Community Retail District uses is threefold: 1) allow by right, additional specific uses within the existing retail development, 2) allow for a reduction in the parking regulations and 3) modify the setback provisions to allow attached signs and building overhangs and awnings in the required setbacks.

The applicant is proposing specific uses to be added to the development rights of the existing development. The list of uses are from Chapter 51 Development's Code which include a bakery or confectionery shop, a barber and beauty shop, a book and stationery store, a camera shop, clothing store, a computer service center, a dance studio, a design or decorative center and safe deposit boxes and security storage. Staff cannot support the applicant's request to add specific uses from Chapter 51 into the existing development rights of Planned Development District 766. The current Development Code, Chapter 51A, allows for the uses the applicant is proposing to operate within the existing development.

In addition, the applicant is requesting a reduction in the parking regulations for the specific uses as outlined above. The parking reduction is based on the applicant's analysis of the businesses that currently operate within the development as well as potential businesses. In 1989, the applicant received several modifications to the development rights of the initial retail development. These modifications included 1) the elimination of the (RPS) residential proximately slope requirement due to the residential adjacency across Hillcrest Road, 2) an alternative landscape plan that reduces the street trees requirements along Hillcrest Road, 3) a reduction in the off-street parking requirements for a health club use, and 4) an increase in the office use and overall combined floor area ratio. The floor area ratio for the office use increased from 0.5 to 0.75 and the overall combined floor are ratio increased from 0.75 to 1.0.

Staff has reviewed the applicant's request and recommends holding this case under advisement. There are certain provisions in the applicant's conditions that need clarification.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 766 Community retail	15'	20' adjacent to residential OTHER: No Min.	1.0 FAR overall 0.75 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Parking: Parking will comply with the off-street parking and loading regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. For those uses not listed in Division 51A-4.200, the PDD conditions will establish the off-street parking requirements.

However, the applicant has requested a parking reduction for specific uses within the PDD. Staff has provided a chart below that compares the parking ratios between the applicant's request and the Development Code. Staff has shaded the uses that meet the parking regulations standards.

Parking Reduction Comparison:

Uses	Applicant's Proposal (per sq. ft. of floor area)	Development Code – Chapter 51A (per sq. ft. of floor area)
**Bakery or confectionary shop	One space per 220 sq. ft.	One space per 200 sq. ft.
**Barber and Beauty shop	One space per 220 sq. ft.	One space per 200 sq. ft.
**Book and Stationary shop	One space per 220 sq. ft.	One space per 200 sq. ft.
**Camera Shop	One space per 250 sq. ft.	One space per 200 sq. ft.
**Catering service	One space per 220 sq. ft.	One space per 200 sq. ft.
**Clothing Store	One space per 220 sq. ft.	One space per 200 sq. ft.
**Computer Service Center	One space per 220 sq. ft.	One space per 300 sq. ft.
**Dance Studio	One space per 200 sq. ft.	Meets Code
**Design or Decorative Center	One space per 500 sq. ft.	Building Official to determine ratio
Financial institution with or without drive through	One space per 400 sq. ft.	One space per 330 sq. ft.
Furniture store	One space per 500 sq. ft.	Meets Code
General Merchandise or food store 3,500 square feet or more	One space per 220 sq. ft.	One space per 200 sq. ft.
*Health club	One space per 275 sq. ft.	One space per 200 sq. ft.
Liquor Store	One space per 220 sq. ft.	One space per 200 sq. ft.
Medical Center or ambulatory surgical center	One space per 200 sq. ft.	Meets Code
Medical Office	One space per 367 sq. ft.	One space per 333 sq. ft.
Office	One space per 367 sq. ft.	One space per 333 sq. ft.

Personal Service	One space per 220 sq. ft.	One space per 200 sq. ft.
**Safety deposit box and security storage	One space per 500 sq. ft.	One space per 200 sq. ft.

***Note.** Parking reduction was approved for a health club at one space per 250 square feet of floor area. This ratio was based on 30,000 square feet of floor area.

** Depicts the newly defined uses from Chapter 51 Development Code

The above uses that are defined in Chapter 51 will be considered in Chapter 51A as being a retail and personal service use. However, the catering service use will be considered under the category of commercial and business service uses.

Landscaping: Landscaping must be provided as shown on the landscape plan and all plant materials must be maintained in a healthy, growing condition.

The applicant has incorporated various pedestrian amenities into the landscape requirements. By incorporating these pedestrian amenities, the applicant will receive an additional parking reduction between 5 percent and 20 percent.

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

Miscellaneous- Conditions: Staff has reviewed the applicant's parking analysis regarding the modifications to the parking requirements for the retail development and cannot support the request for an amendment to Planned Development No. 766 for CR Community Retail District uses. The analysis does not justify the reduction in parking that is needed for the retail development and therefore staff cannot support the request. In addition, staff cannot support an additional reduction to the parking requirements by providing pedestrian amenities to the existing retail development. The applicant has not indicated in the conditions the criteria in which to administer percentages to the landscaping amenities when they are provided on the development. The additional reduction in parking could negatively affect the surrounding retail and office uses.

Furthermore, staff cannot support defining specific uses from a previous Development Code (Chapter 51) where those uses are currently defined in the present Development Code (Chapter 51A).

The proposed conditions have been reviewed and has been determined by our attorney that certain provisions in the applicant's conditions needs clarification. Therefore, staff recommendation is to hold this case under advisement until May 3, 2012.

**LIST OF OFFICERS
CFO DT, LLC**

Name	Office(s) Held
Douglas C. McKinnon	Executive Vice President
Alan C. Arnold, Jr.	Senior Vice President
Bryan B. Sanchez	Senior Vice President
John W. Enerson	Vice President
Thomas P. Paterson	Vice President
Richard D. Rowell	Vice President
Jason M. Swatsenbarg	Vice President
Daniel Dubrowski	Manager

**APPLICANT'S PROPOSED
CONDITIONS**

ARTICLE 766.

PD 766.

SEC. 51P-766.101. LEGISLATIVE HISTORY.

PD 766 was established by Ordinance No. 26943 passed by the Dallas City Council on September 26, 2007.

SEC. 51P-766.102. PROPERTY LOCATION AND SIZE.

PD 766 is established on property located at the northwest corner of Hillcrest Road and Northwest Highway. The size of PD 766 is approximately 2.2 acres.

SEC. 51P-766.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, HEALTH CLUB means a facility for physical fitness, personal recreation, and exercise such as swimming, basketball, racquetball, squash, weightlifting, stationary bikes, and exercise classes.

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

Staff's Recommendation

The newly defined uses are a permitted use in Chapter 51A. These uses will be classified as a retail and personal service use except for a catering service. The catering service is considered as a commercial and business service use.

Applicant's Proposal

BAKERY OR CONFECTIONERY SHOP means a facility for preparing, cooking, baking, and the retail sale of candy, baked goods, or other sweets.

BARBER AND BEAUTY SHOP means a facility licensed by the state where haircutting, hairdressing, shaving, trimming beards, facials, manicures, or related services are performed.

BOOK AND STATIONERY STORE means a facility for the retail sale of books, pamphlets, papers, pens, ink, and associated items.

CAMERA SHOP means a facility for the retail sale of cameras, film, photographic paper, auxiliary lenses, photofinishing, photofinishing material, projection equipment, and other photography related items.

CATERING SERVICE means an establishment that serves and supplies food to be consumed off premises.

CLOTHING STORE means a facility for the retail sale of apparel.

COMPUTER SERVICE CENTER. Means a facility for the service and repair of computers.

DESIGN OR DECORATIVE CENTER. Means a facility for the display of furniture and relative decorator items.

SAFE DEPOSIT BOXES means an establishment offering storage areas which may be used for the keeping of personal items, including but not limited to jewelry, silverware, valuable metals, and stones.

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

SEC. 51P-766.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 766A: development plan.
- (2) Exhibit 766B: landscape plan.

SEC. 51P-766.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 766A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-766.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. For example, a use permitted in the CR Community Retail 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 CR Community Retail District is subject to DIR in this district; etc.

Staff's Recommendation: These uses are permitted in a CR Community Retail District

~~(b) In this district, the following main uses are permitted.~~

- ~~- Bakery or confectionery shop.~~
- ~~- Barber and beauty shop~~
- ~~- Book and stationery store~~
- ~~- Camera shop~~
- ~~- Catering service~~
- ~~- Clothing store~~
- ~~- Computer service center.~~
- ~~- Design or decorative center.~~
- ~~- Safe deposit boxes~~

Applicant's Proposal

(b) In this district, the following main uses are permitted.

- Bakery or confectionery shop.
- Barber and beauty shop
- Book and stationery store
- Camera shop
- Catering service
- Clothing store
- Computer service center.
- Design or decorative center.
- Safe deposit boxes

(c)~~(b)~~ The following main uses are not permitted:

- Building repair and maintenance shop.
- Tool or equipment rental.
- Carnival or circus (temporary).
- Auto service center.
- Car wash.
- Commercial amusement (inside).
- Pawn shop.
- Swap or buy shop.
- Mini-warehouse.
- Recycling buy-back center.
- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection.
- Ambulance service.

SEC. 51P-766.107. ACCESSORY USES.

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

(b) The following accessory uses are not permitted:

- Accessory community center (private).
- Accessory medical/infectious waste incinerator.
- Home occupation.
- Private stable.

(c) The following accessory use is permitted by SUP only:

- Accessory helistop.

SEC. 51P-766.108. 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 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 CR Community Retail District apply.

(b) Floor area ratio. Maximum floor area ratio is:

- (1) 0.75 for office uses; and
- (2) 1.0 for all uses combined.

(c) Residential proximity slope. The residential proximity slope does not apply in this district.

SEC. 51P-766.109. 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.

Staff's Recommendation

Staff recommends the uses be parked per Chapter 51A parking regulations

Applicant's Proposal

(1) Bakery or confectionary shop. One space per 220 square feet of floor area is required

(2) Camera Shop. One space per 250 square feet of floor area is required.

(3) Catering service. One space per 220 square feet of floor area is required.

(4) Decorative Center. One space per 500 square feet of floor area is required.

(5) Financial institution with or without drive through. One space per 400 square feet of floor area is required.

(6) Furniture store. One space per 500 square feet of floor area is required. For warehouse or storage areas, one space per 1,000 square feet of floor area is required.

(7) General Merchandise or food store 3,500 square feet of more. One space per 220 square feet of floor area is required.

(8) Health club. One space per [250] 275 square feet of floor area is required.

(9) Liquor Store. One space per 220 square feet of floor area is required.

(10) Medical Office. One space per 367 square feet of floor area is required.

(11). Office. One space per 367 square feet of floor area is required.

(12) Personal Service. One space per 220 square feet of floor area is required.

(13) Safety deposit box and security storage. One space per 500 square feet of floor area is required.

(b) Packed parking or auto lifts are permitted. For packed parking, an attendant must be available at all times to maneuver, park, and deliver vehicles. Auto lift parking is only allowed in the garage and the overhead parking counts towards required parking.

(c) Parking reduction.

(1) If more than three pedestrian amenities listed in Subparagraph (c) are provided in this subarea, a use within this subarea may be granted a five percent reduction in required off-street parking. An additional five percent reduction of required off-street parking reduction may be granted for each additional amenity provided up to a maximum of 20 percent.

(2) Bicycle parking is a required amenity if a use is seeking a parking reduction.

(3) Pedestrian amenities must be provided within the curb-to building area, within a plaza, or along private streets, drives, or pedestrian ways, or common areas open to all visitors, and must be placed far enough from the street curb to not create a

physical barrier or obstruction. Where appropriate amenities may be placed inside a garage, so long as access is available to all patrons.

(4) The following pedestrian amenities may count toward a parking reduction.

(i) Bicycle parking at one five-bicycle unit per 500 feet of frontage.

(ii) Awning, building overhangs, or canopies with a minimum overhang of four feet and a minimum length of 25 feet per 100 feet of building façade along the frontage; or a combination of street trees and evergreen shrubs with a minimum of one small tree per 25 feet of frontage and a minimum of one shrub per five feet of frontage.

(iii) Benches at one per 200 feet of frontage.

(iv) Trash receptacles at one per 200 feet of frontage.

(v) Free-standing or wall-mounted pedestrian street lamps at one per 200 feet of frontage.

(vi) Enhanced sidewalk with stamped concrete or brick pavers for the full width of the sidewalk along the entire frontage.

(vii) Public art or water features costing no less than \$2,500.

(viii) Drinking fountains at one per 800 feet of sidewalk.

(ix) Electric car recharging location.

(x) Public access to wireless internet service at no cost.

SEC. 51P-766.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-766.111. LANDSCAPING.

(a) Landscape plan. Landscaping must be provided as shown on the landscape plan (Exhibit 766B).

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

(c) 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. 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 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 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 section 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.

SEC. 51P-766.112. SIGNS.

(a) Except as provided below, s[§]igns must comply with the provisions for business zoning districts in Article VII.

(1) One unified sign of a maximum effective area of 144 square feet on each side is permitted in the location shown on the Development Plan is allowed in addition to standard business sign rules. This sign may not exceed 18 feet in height.

SEC. 51P-766.113. ADDITIONAL PROVISIONS.

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

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

SEC. 51P-766.114. COMPLIANCE WITH CONDITIONS.

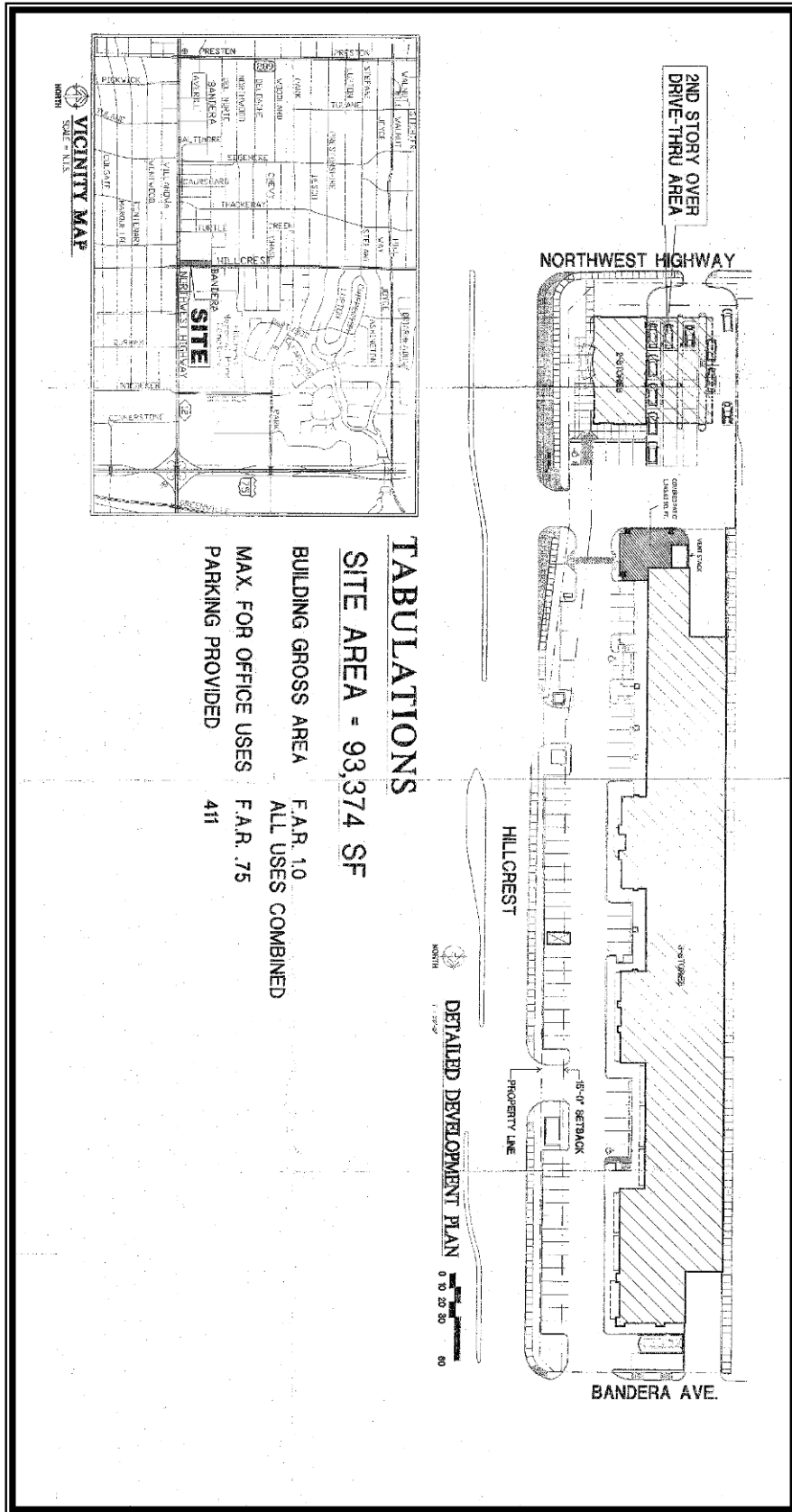
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

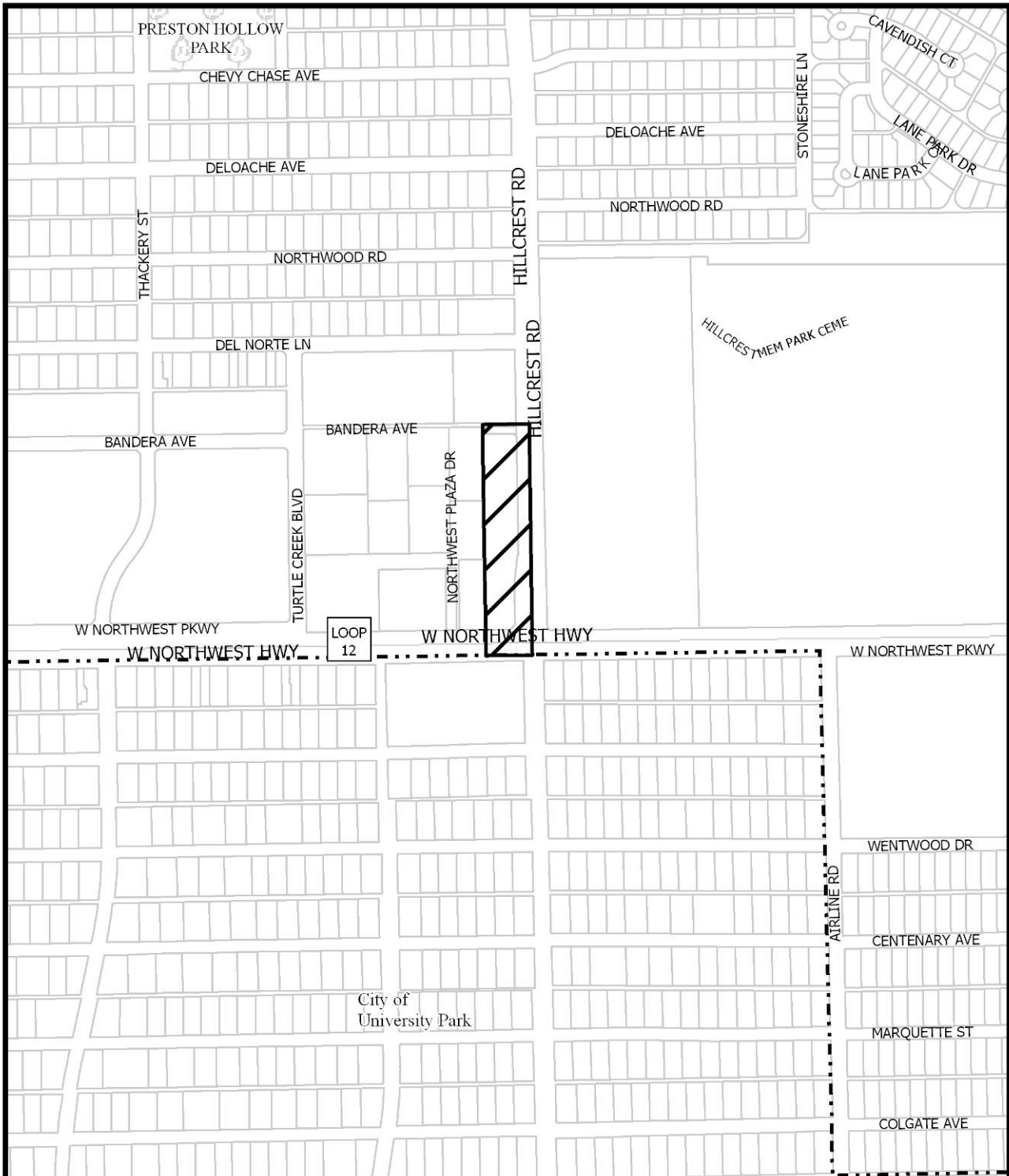
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules,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

~~[SEC. 51P-766.115. ZONING MAP.~~

~~PD 766 is located on Zoning Map No. F-7.]~~

PROPOSED DEVELOPMENT PLAN





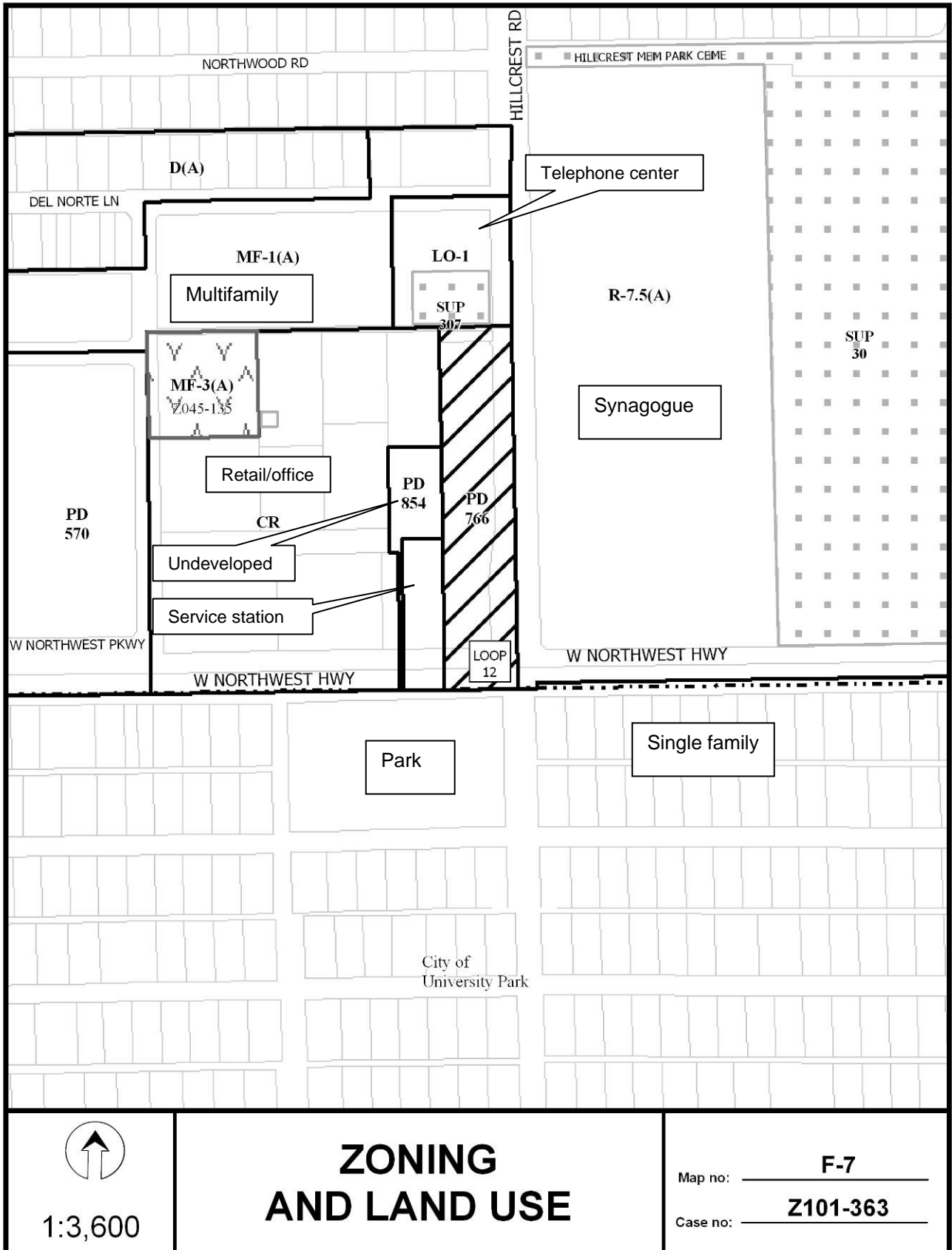
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VICINITY MAP

Map no: F-7

Case no: Z101-363

DATE: October 04, 2011



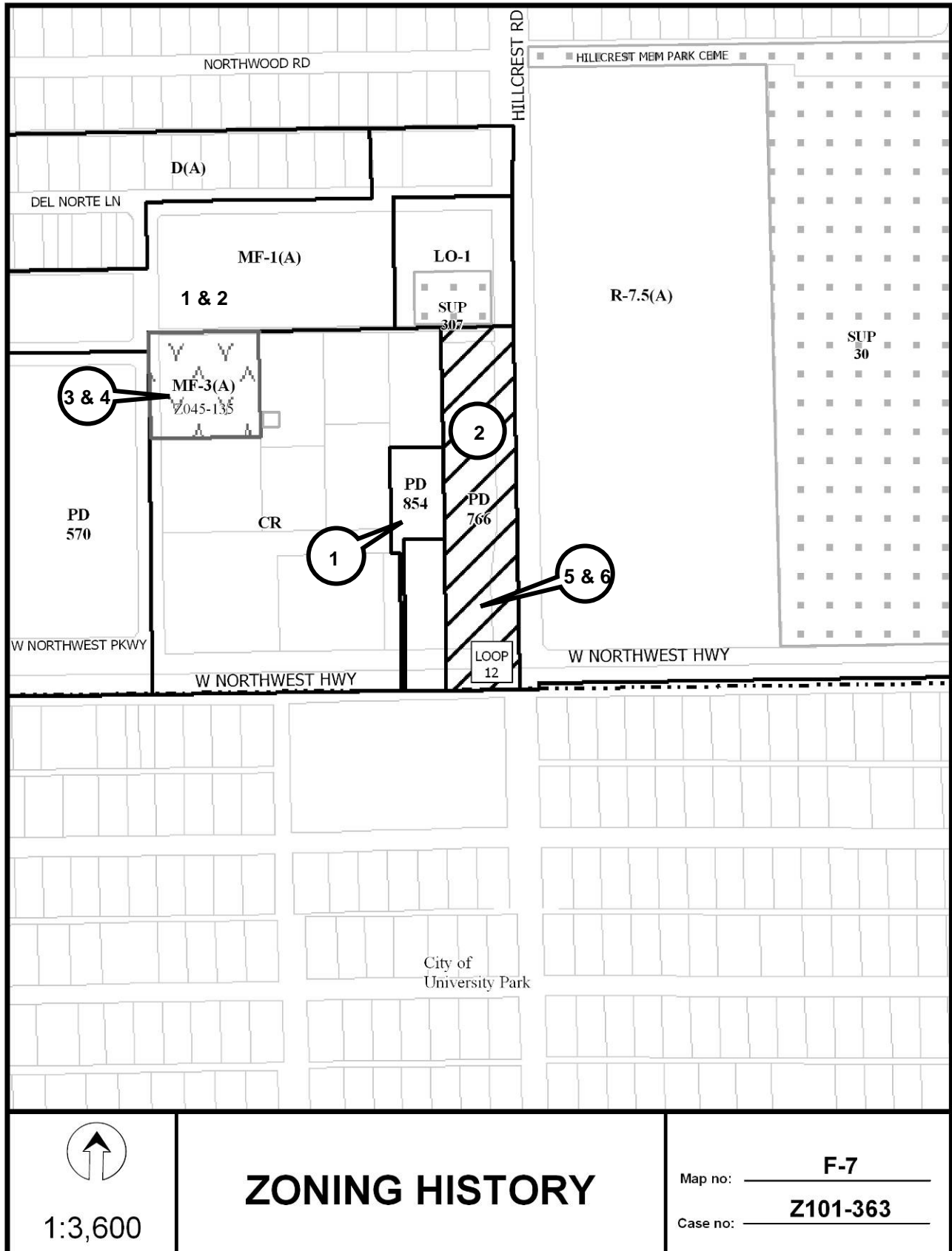
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ZONING AND LAND USE

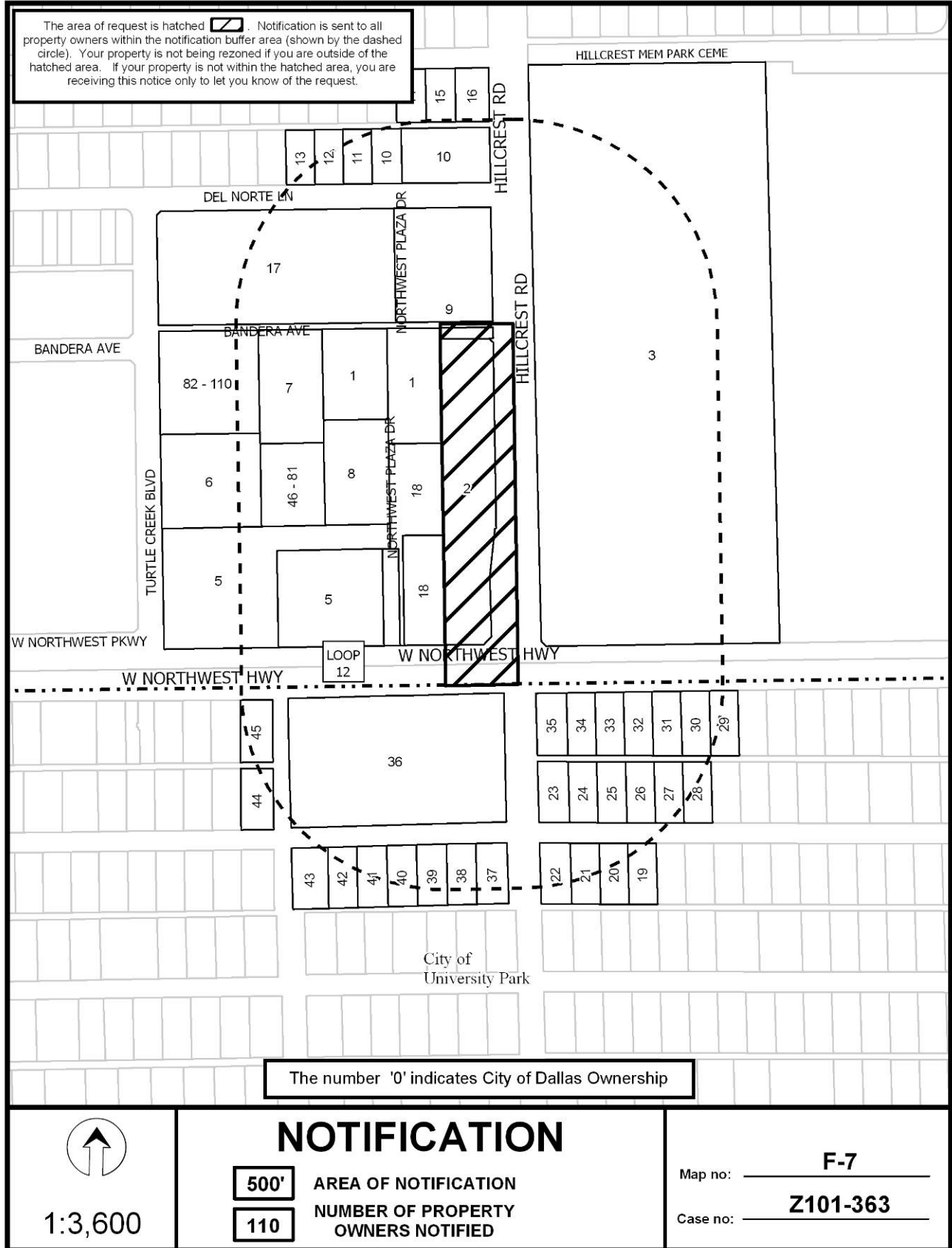
Map no: F-7

Case no: Z101-363

DATE: October 04, 2011



DATE: October 04, 2011



Notification List of Property

Z101-363

110 *Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8617 NORTHWEST PLAZA DR	CHAMPION NORTHWEST LLC STE 410
2	8501 HILLCREST RD	CFO DT LLC % LIONSTONE US LAND ONE LP
3	7323 NORTHWEST	CONGREGATION EMANUEL
4	6831 NORTHWEST HWY	PRESTON CENTER EAST JV ONE BROOKRIVER CE
5	6823 NORTHWEST HWY	FAIRWAY CAPITAL % CRESTVIEW REAL ESTATE
6	8604 TURTLE CREEK BLVD	U S POSTAL SERVICE FACILITIES
7	8611 TURTLE CREEK BLVD	TEXAS UTILITIES ELEC CO % STATE & LOCAL
8	8609 NORTHWEST PLAZA DR	CHAMPION NW LLC STE 410
9	8643 HILLCREST RD	SOUTHWESTERN BELL SBC COMM INC PPTY TAX
10	6819 DEL NORTE LN	CORRIGAN HOLDINGS INC % INTERCITY INV PP
11	6809 DEL NORTE LN	MARSHALL JOHN H &
12	6801 DEL NORTE LN	280 PRESTON LLC
13	6729 DEL NORTE LN	CUTCHER JOSEPH W
14	6822 NORTHWOOD RD	THOMAS PAUL L
15	6826 NORTHWOOD RD	RAMSEY SANDRA
16	6832 NORTHWOOD RD	FEDERAL HOME LOAN MORTGAGE CORP
17	6800 DEL NORTE LN	INTERCITY INVESTMENTS PROPERTIES INC
18	6833 NORTHWEST HWY	FAIRWAY CAPITAL PARTNERS LTD % CRESTVIEW
19	3309 VILLANOVA ST	KALE JEFFERY T & DANA L
20	3313 VILLANOVA ST	HALEY PAUL D & MERRI C
21	3317 VILLANOVA ST	HRB GLOBAL
22	3321 VILLANOVA ST	HARRAL CLELL G & KATHLEEN B
23	3320 VILLANOVA ST	CRISSEY EDGAR R
24	3316 VILLANOVA ST	KEY JAMES R & LORI
25	3312 VILLANOVA ST	THOMPSON MADELEINE C
26	3308 VILLANOVA ST	BROWN ROGER S & SHERRY ANN VIDAL

10/4/2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3304 VILLANOVA ST	GALVAN HILDA C & MIKE A
28	3300 VILLANOVA ST	WARREN JEFFREY L & STACY S
29	3233 NORTHWEST PKWY	SHIPES JOHN K & CINDY Y
30	3301 NORTHWEST PKWY	HARPER MAX III & EL LEN DEANE
31	3305 NORTHWEST PKWY	BLAIR KATHERINE L
32	3309 NORTHWEST PKWY	SUMNER JUSTIN & KATHRYN
33	3313 NORTHWEST PKWY	PUCKETT JONATHAN A & SARAH J
34	3317 NORTHWEST PKWY	STAFFORD AMY M & JAMES B
35	3321 NORTHWEST PKWY	UNIVERSITY PARK CITY OF
36	3400 VILLANOVA DR	UNIVERSITY PARK CITY OF
37	3401 VILLANOVA ST	SUMMERHILL EDWARD B
38	3405 VILLANOVA ST	PITCHER ERIC R
39	3409 VILLANOVA ST	HOLLENSHEAD ANDY & CALLIE M
40	3413 VILLANOVA ST	PERDUE MARK DOUGLAS TRUSTEE OF TRUST A
41	3417 VILLANOVA ST	XL CAPITAL LLC
42	3421 VILLANOVA ST	VALENTA STEPHEN O & KELLY B
43	3425 VILLANOVA ST	MAILANDT CARY HANSPETER &
44	8401 TURTLE CREEK BLVD	BLACKBURN HOWARD M
45	8415 TURTLE CREEK BLVD	JOHNSTON RANDOLPH G JR & CARY L
46	8610 TURTLE CREEK BLVD	AGUILLON BRENDA S
47	8610 TURTLE CREEK BLVD	KING RACHEL L # 102
48	8610 TURTLE CREEK BLVD	ECHOLS THOMAS M & ANNA C # 103
49	8610 TURTLE CREEK BLVD	RUTLEDGE NANCY OLDS
50	8610 TURTLE CREEK BLVD	GRIPPY FRANK EUGENE # 306
51	8610 TURTLE CREEK BLVD	FENTON ALBERT B & JANEY B FENTON
52	8610 TURTLE CREEK BLVD	HAYNES JOAN E # 107
53	8610 TURTLE CREEK BLVD	SMITH SUSAN H UNIT 108
54	8610 TURTLE CREEK BLVD	HERMANN KELLY UNIT 109
55	8610 TURTLE CREEK BLVD	JOLLEY REBECCA RENEE
56	8610 TURTLE CREEK BLVD	HUMPHRIES BARBARA JO UNIT 111
57	8610 TURTLE CREEK BLVD	GILLET MARILYN M TR #112

10/4/2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	8610 TURTLE CREEK BLVD	SMITH MITCHELL P & SANDRA JEAN SMITH #2
59	8610 TURTLE CREEK BLVD	BROWN CONNIE J
60	8610 TURTLE CREEK BLVD	COLLIE GRIFFIN W
61	8610 TURTLE CREEK BLVD	BALDWIN SANDRA DILLMAN # 204
62	8610 TURTLE CREEK BLVD	RENFRO SHERRILL A UNIT 205
63	8610 TURTLE CREEK BLVD	WATTS SUE ELLEN
64	8610 TURTLE CREEK BLVD	BOBO ROBERT UNIT 201
65	8610 TURTLE CREEK BLVD	MEYER LINDA W UNIT 208
66	8610 TURTLE CREEK BLVD	MCCASLIN RAMONA R
67	8610 TURTLE CREEK BLVD	LEHMAN ASHLEY REID UNIT 210 BLDG A
68	8610 TURTLE CREEK BLVD	WHEATLEY PAMELA H
69	8610 TURTLE CREEK BLVD	SMITH C DOUGLAS UNIT 212
70	8610 TURTLE CREEK BLVD	PHILPOT R JURHEE # 301
71	8610 TURTLE CREEK BLVD	FLOYD LINDA S UNIT 302
72	8610 TURTLE CREEK BLVD	RUSSELL GEORGE & HEATHER UNIT 303
73	8610 TURTLE CREEK BLVD	JUSTISS LAURA K
74	8610 TURTLE CREEK BLVD	AUGUSTIN MARY BETH
75	8610 TURTLE CREEK BLVD	OVERBAY JAMES D & FRANK GRIPPY # 30
76	8610 TURTLE CREEK BLVD	LANPHER KATHLEEN
77	8610 TURTLE CREEK BLVD	BOYD CHARLES O #308
78	8610 TURTLE CREEK BLVD	TALIAFERRO SHANNON M # 309
79	8610 TURTLE CREEK BLVD	MONTGOMERY CHARLA UNIT 310
80	8610 TURTLE CREEK BLVD	SMITH C DOUGLAS APT 212
81	8610 TURTLE CREEK BLVD	ROBINSON JOHN M # 312
82	8616 TURTLE CREEK BLVD	ONEAL DON M & MARY ANN M UNIT 100
83	8616 TURTLE CREEK BLVD	PRESTON HOLLOW PTRS LP %GRI PRESTON HOLL
84	8616 TURTLE CREEK BLVD	CHURCH OMA #102
85	8616 TURTLE CREEK BLVD	GIROIR FREIDA T & GIROIR BRETT P
86	8616 TURTLE CREEK BLVD	MACKAY OLENE M #201
87	8616 TURTLE CREEK BLVD	EVANS G RANDALL & DOLORES J
88	8616 TURTLE CREEK BLVD	FACTOR DENNIS J & FREDYE UNIT 209

10/4/2011

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	8616 TURTLE CREEK BLVD	ROGERS CHARLES 211
90	8616 TURTLE CREEK BLVD	CASAZZA JEAN K # 215
91	8616 TURTLE CREEK BLVD	DEAN DIANA DANIELLE IRREVOCABLE TRUST DE
92	8616 TURTLE CREEK BLVD	HUNGERFORD BEVERLY ANN UNIT 224
93	8616 TURTLE CREEK BLVD	NGUYEN NICOLE N UNIT 300
94	8616 TURTLE CREEK BLVD	COVENEY JACQUELINE A #301
95	8616 TURTLE CREEK BLVD	WRIGHT RICHARD H & SHERRY
96	8616 TURTLE CREEK BLVD	LANIER JOHN A & JUDITH C UNIT 319
97	8616 TURTLE CREEK BLVD	CARRABBA JOSEPH JR #401
98	8616 TURTLE CREEK BLVD	ZADINA RICHARD E & UNIT 403
99	8616 TURTLE CREEK BLVD	DENECHAUD CHARLES & PATRICIA UNI
100	8616 TURTLE CREEK BLVD	JANAK DONALD R & JOAN E #411
101	8616 TURTLE CREEK BLVD	JENKINS MICHAEL #412
102	8616 TURTLE CREEK BLVD	SULLIVAN BARBARA B # 423
103	8616 TURTLE CREEK BLVD	BREEDLOVE CHARLES &
104	8616 TURTLE CREEK BLVD	SANDERS STEPHEN L & MARY J UNIT 501
105	8616 TURTLE CREEK BLVD	ELLINGTON SHARON L
106	8616 TURTLE CREEK BLVD	PRESTON HOLLOW PARTNERS LP
107	8616 TURTLE CREEK BLVD	LOVETT ALICE R UNIT 510
108	8616 TURTLE CREEK BLVD	LAW ACIE IV
109	8616 TURTLE CREEK BLVD	BRADLEY DEBRA APT #524
110	8616 TURTLE CREEK BLVD	HERMANN HENRY & MARGARET TRUST

FILE NUMBER: Z112-168(RB)

DATE FILED: January 18, 2012

LOCATION: Loop 12 and West Davis Street, Northwest Corner

COUNCIL DISTRICT: 6

MAPSCO: 52 A

SIZE OF REQUEST: Approx. 9.663 Acres

CENSUS TRACT: 107.01

APPLICANT: QuikTrip Corporation

REPRESENTATIVE: James R. Schnurr

OWNER: Mike Miller

REQUEST: An application for a Planned Development District for a Truck stop and certain MC-1 Multiple Commercial District Uses on property zoned an MC-1 Multiple Commercial District

SUMMARY: The applicant is proposing to develop the site with a truck stop.

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

BACKGROUND INFORMATION:

- The request site is undeveloped.
- The applicant has requested a PDD for consideration of the following: 1) permit the truck stop use (by right) 2) provide for alternate landscape requirements; and, 3) permit alternate sign provisions.
- With respect to the existing MC-1 District (which will be retained), the applicant has worked with staff to prohibit certain uses that could provide to be incompatible within the immediate area.

Zoning History: There have been no recent zoning requests in the area.

<u>Thoroughfare</u>	<u>Designation; Existing & Proposed ROW</u>
Loop 12	Freeway; Variable ROW
West Davis Street	Principal Arterial; 100' & 100' ROW

STAFF ANALYSIS:

Comprehensive Plan: The request site is located in an area considered to be an Industrial Area.

Industrial Areas offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site undeveloped. The applicant has requested a PDD for consideration of the following: 1) permit the truck stop use (by right) 2) provide for alternate landscape requirements; and, 3) permit alternate sign provisions. In conjunction with the request, the applicant has agreed to prohibit certain uses, while retaining the balance of uses and development standards of the existing MC-1 District.

Loop 12 provides for a dividing line separating commercial/industrial uses (west of Loop 12) from established pockets of low density residential uses (east of Loop 12), found in areas north and south of the commercial/retail fronting properties along both sides of West Davis Street.

Staff has determined due to a lack of residential uses in the immediate area, a proliferation of similar auto-related and commercial uses, and ease of access, the introduction of the truck stop use does not create any adverse impact. It should be noted that truck stops are generally permitted in commercial and industrial districts subject to a specific use permit (SUP). In this situation, staff has addressed many of the operational characteristics normally proven to be problematic with the introduction of this use. As a result, permitting the use by right, subject to the attached development plan and respective conditions (those regulating the truck stop use) is supported by staff.

Traffic: The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the request in conjunction with the required Traffic Impact Analysis and determined that the proposed development will not significantly impact the street system, subject to the following improvements to be completed prior to the issuance of a certificate of occupancy for the proposed truck stop:

(1) At Driveway 3, provide a deceleration lane along the southbound access road for Loop 12, with design and construction subject to approval from the Texas Department of Transportation.

(2) At Driveway 2, provide a median opening on West Davis Street to provide for full access for in-bound and out-bound vehicular movements, with design and construction approved by the Director of Public Works/Transportation.

(3) At Driveway 1, provide for a right-turn in only, with design and construction approved by the Department of Sustainable Development and Construction.

Landscaping: The site possesses minimal landscape materials. As a result of existing utilities along the Davis Street frontage, consideration of alternate locations for required street trees will be required. Additionally, planning staff envisions 'pockets' of landscaped areas to help soften the impact of development and nonpermeable surface areas often associated with such uses. As a result, the applicant worked with the chief arborist to define the issues affecting street plantings as well as determine the placement and landscape inventory required for the specific planting areas, as noted on the development plan. These ten 'pockets' encompass approximately 51,000 square feet of site area and provide for a unique approach to area-specific landscaping.

All other uses will require landscaping per Article X, which is consistent with the existing zoning.

Signage: The applicant has determined alternate signage is required for development of the site. Currently, the site is afforded signage per the business zoning district classification. While the applicant is generally comfortable with these provisions, consideration for an alternate expressway sign has been submitted.

The applicant is requesting a maximum 464 square foot/60 foot-tall expressway sign. The development plan provides for its location approximately, 140 feet from the western property line.

If the sign were located within 100 feet of the right-of-way of an expressway and its message is visible from the main traveled way, it would be considered an expressway sign. This designation would provide for a maximum 400 square foot effective area constructed to a maximum height of 40 feet (provisions exist to extend to 50 feet), with a minimum setback of 25 feet.

A similar sign located outside of the 100 foot criteria would permit a maximum effective area of 200 square feet constructed to a maximum height of 35 feet.

Staff has determined adequate expressway sign rights are provided for by the existing business zoning district regulations (assuming the applicant would locate the sign within 100 feet of the Loop 12 right-of-way), thus is not supportive of this portion of the request.

QuikTrip Corporation List of Officers/Directors

QuikTrip Corporation

Chester Edouard Cadieux III	President & Director
Michael Perkins Johnson	Director
Terry Lane Carter	Director
Stephen Lee Cropper	Director
Mary Virginia McClure	Director
Richard Charles May	Director
Marvin Charles O'Dell III	VP Sales
Thomas Christopher Gehrke	Assistant Secretary
Chad Michael Stanford	Assistant Secretary
Kelly Paul Vaughan	Assistant Secretary
Earnest Michael Stanford	Operation Officer

APPLICANT REQUESTED/STAFF RECOMMENDED CONDITIONS

ARTICLE __.

PD ____.

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

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

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

PD ____ is established on property located at the northwest corner of Loop 12 and W. Davis Street. The size of PD _____ is approximately 9.6663 acres.

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

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

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

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

SEC. 51P-___.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit ___A: property description.
- (2) Exhibit ___B: development plan.

SEC. 51P-___.105. DEVELOPMENT PLAN.

For a truck stop, development and use of the property must comply with the development plan (Exhibit _____B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-_____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the MC-1 Multiple Commercial District, subject to the same conditions applicable in the MC-1 Multiple Commercial District, as set out in Chapter 51A. For example, a use permitted in the MC-1 Multiple Commercial 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 MC-1 Multiple Commercial District is subject to DIR in this district.

(b) The following use is also permitted:

-- Truck stop.

(c) The following uses are prohibited:

-- Cemetery or mausoleum.

-- Extended stay hotel or motel.

-- Overnight general purpose shelter.

SEC. 51P-___.107. ACCESSORY USES.

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

SEC. 51P-___.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 Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

The yard, lot, and space regulations for the MC-1 Multiple Commercial District apply.

SEC. 51P-___.109. OFF STREET PARKING AND LOADING.

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

(b) Consult the off-street parking and loading regulations in Division 51A-4.300 for information regarding off-street parking and loading generally.

SEC. 51P-___.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-___.111. LANDSCAPING.

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

(b) For a truck stop, required trees planted along Loop 12 and W. Davis Street must be planted between 35 feet and 100 feet from the back of curb. In addition, the required trees and shrubs as shown on the landscape table on the development plan must be planted in the corresponding enhanced landscape areas identified on the development plan. Trees and shrubs

may be clustered within the enhanced landscape areas in order to provide a more natural look to the enhanced landscape areas.

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

SEC. 51P-____.112. SIGNS.

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

Applicant requested:

(b) For a truck stop, Detached Premise Sign No. 1 located as shown on the attached development plan, may not to exceed 60 feet in height and 464 feet in effective area, may be located along Loop 12 and must comply with the sign elevation (Exhibit ____C).

Staff does not support the detached premise sign provision as noted above.

SEC. 51P-____.113. ROADWAY IMPROVEMENTS.

- (a) Before the issuance of a certificate of occupancy for a truck stop, the following improvements must be completed:

- (1) At Driveway 1, provide for a right-turn in only, with design and construction approved by the Department of Sustainable Development and Construction.

- (2) At Driveway 2, provide a median opening on West Davis Street to provide for full access for in-bound and out-bound vehicular movements, with design and construction approved by the Director of Public Works/Transportation.

- (3) At Driveway 3, provide a deceleration lane along the southbound access road for Loop 12, with design and construction subject to approval from the Texas Department of Transportation.

SEC. 51P-____.114. ADDITIONAL PROVISIONS.

- (a) For a truck stop, the following provisions apply:

- (1) No showers are permitted.

- (2) Commercial vehicles may not remain on the Property for more than one hour.

- (3) Prior to the issuance of a certificate of occupancy, a minimum of three monitored video surveillance cameras directed toward the diesel pump area and a minimum of three signs in highly visible locations on the Property instructing commercial vehicles that they are not permitted on the property for more than one hour must be provided.

(4) Parking lot lights must be fitted with a shield type directional fixture to direct light onto the Property and away from adjacent properties.

Staff recommended:

(b) For a hotel or motel, access to rooms must be provided by internal corridor or hallway only.
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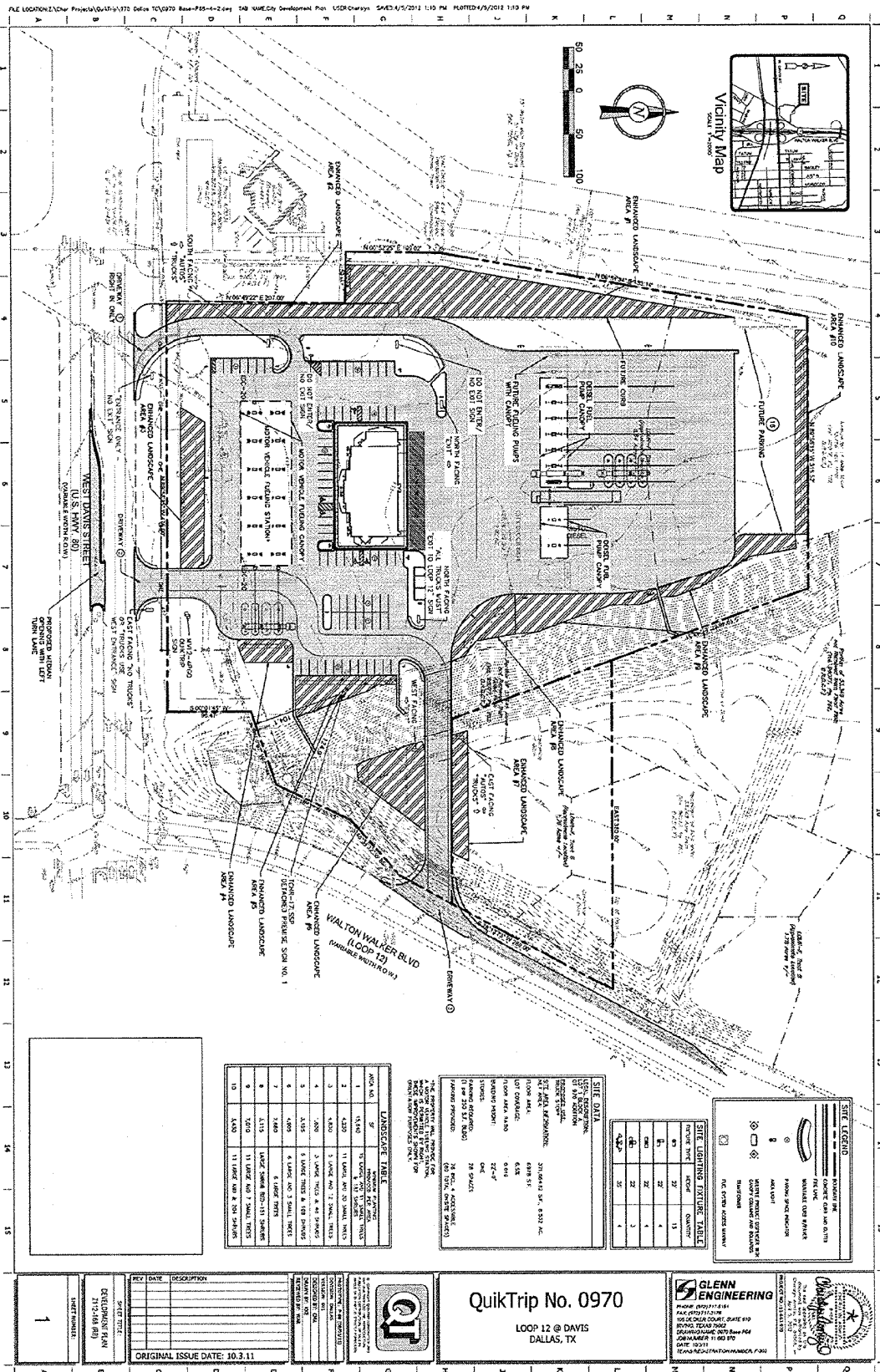
(c) The Property must be properly maintained in a state of good repair and neat appearance.

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

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

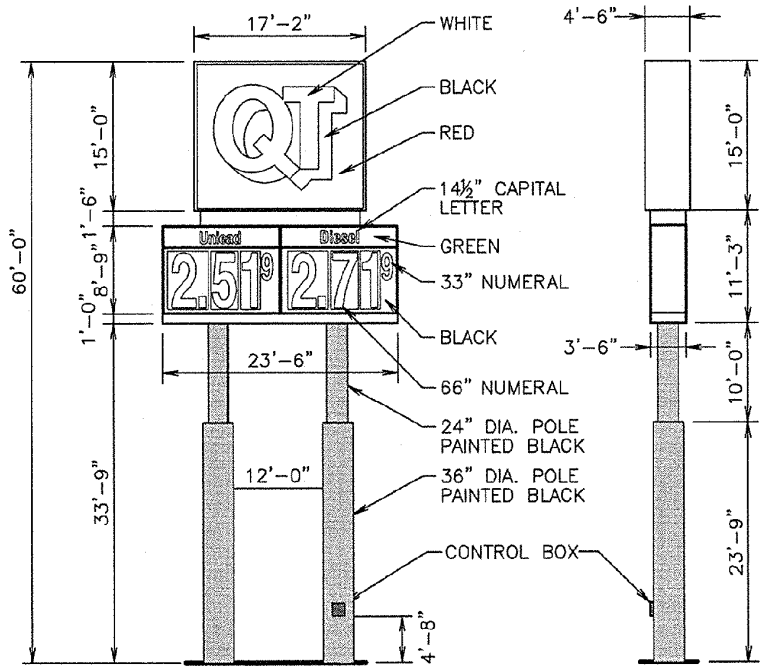
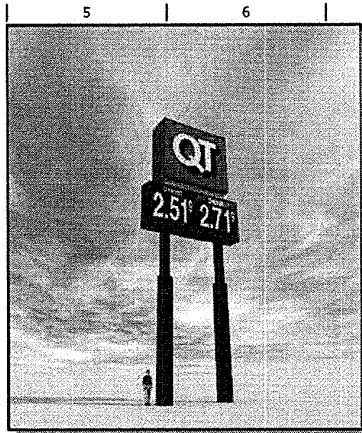
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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 district until there has been full compliance for that use with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.



Proposed Development Plan

N
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A
 K:\Projects\Div 08 Dallas\0970\Signage\0970 - TCHR-17LSSP-60ft.dwg - L_#00 Mar 27, 2012 - 2:22pm - conley



High Rise Pole Sign
TCHR-17LSSP
 12/19/11

SQUARE FOOTAGE	
TYPEFACE	287
INSIDE CAN	438
ENTIRE SIGN	464

SPECIFICATIONS:

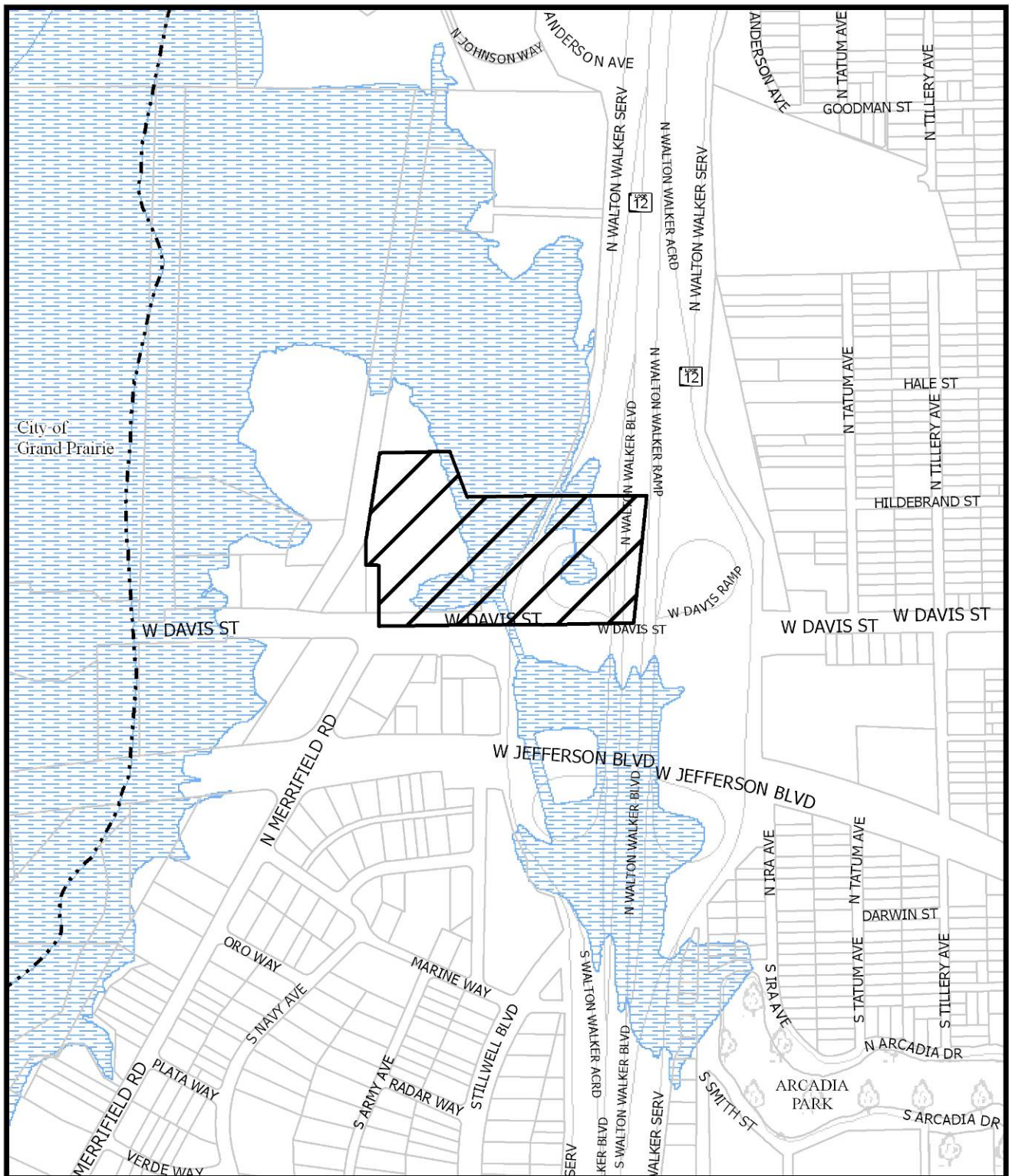
LOGO
3M Translucent Vinyl Face, 3M Cardinal Red Translucent #3632-53, surface applied graphics.

Pricer
Flat Solar grade, Clear Lexan Face, .177 thickness, painted on 2nd surface, Akzo Noble Black, Scrolling Price Numerals, White Helvetica Condensed font, Unlead Product Panels, White text area, painted 2nd surface Akzo Nobel Opaque Black, Auto Diesel Product Panels, White text area, painted 2nd surface to match PMS 7481C Translucent Green, Akzo Noble.

LOGO Cabinet/Pricer Cabinet/Base
Aluminum Construction, Internally illuminated with A130 LED Lamp Fixture BXC9002, A130 Power Supplies BXC9003. LOGO Cabinet painted Akzo Noble, QT Red SIGN9141 Low Gloss. Pricer Cabinet painted Akzo Noble Black Low Gloss. Accent Trim section painted 1st surface Akzo Noble Silver-Low Gloss.

SCALE:	
1/16" = 1'-0"	
SERIAL NUMBER:	
TCHR-17LSSP	
STORE NUMBER:	
970 TC	

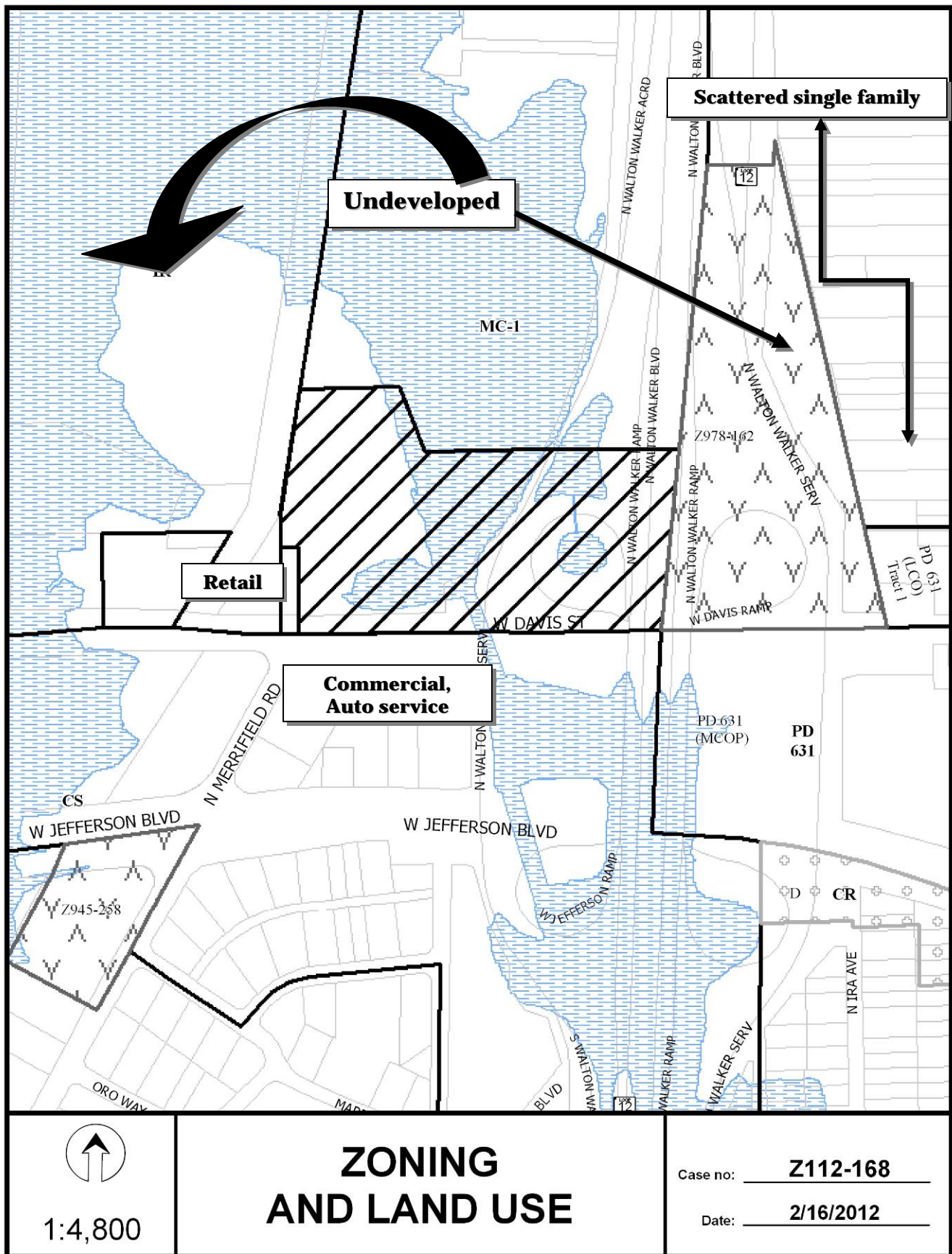
Detached Sign Exhibit




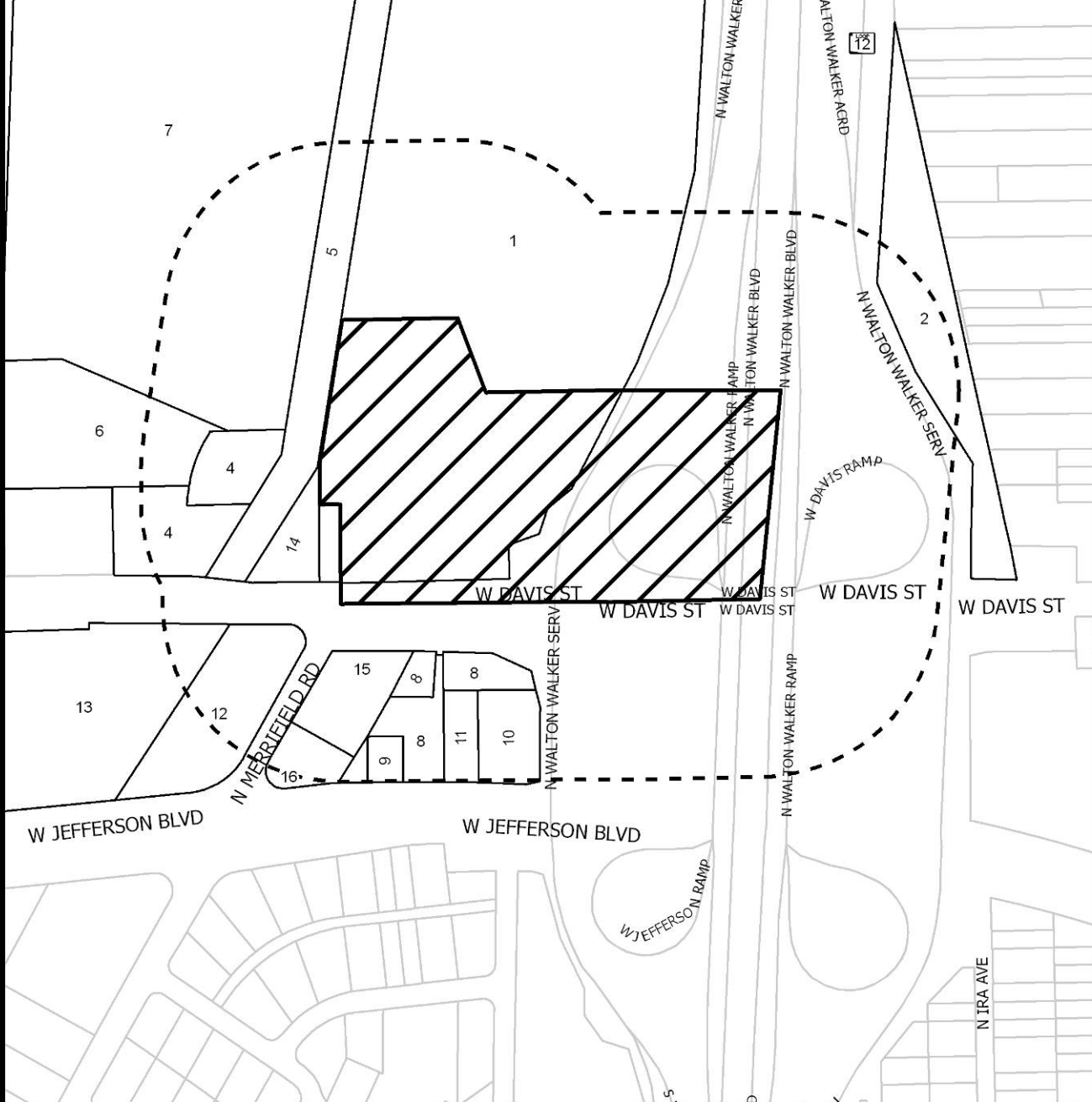

 1:7,200

VICINITY MAP

Case no: **Z112-168**
 Date: **2/16/2012**



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



The number '0' indicates City of Dallas Ownership



1:4,800

NOTIFICATION

- 500'** AREA OF NOTIFICATION
- 16** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: Z112-168

Date: 2/16/2012

2/16/2012

Notification List of Property Owners***Z112-168******16 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5850 DAVIS ST	MILLER MIKE
2	1200 WALTON WALKER BLVD	DALLAS LEGACY INVESTMENTS LP
3	5800 DAVIS ST	RACETRAC PETROLEUM INC
4	5900 DAVIS ST	SADEGHIAN KHOSROW
5 LOCAL	1000 WALTON WALKER BLVD	TEXAS UTILITIES ELEC CO % STATE &
6	5900 DAVIS ST	ES SU CASA NUEVA INV & MG
7 SOUTHWES	1000 WALTON WALKER BLVD	TRINITY DEVELOPMENT JV % UNITED
8	5900 DAVIS ST	NASRALLAH ANTIONETTE
9	5921 JEFFERSON BLVD	PICKERING DANNY A
10	5801 JEFFERSON BLVD	DEANDA GERARDO
11	5815 JEFFERSON BLVD	DE LA ROCHA JOSE E & ARMANDINA DE LA ROC
12	6010 DAVIS ST	ANDERSON TRUCKING SERVICE
13	6001 JEFFERSON BLVD	EXTEX LAPORTE L P ATTN: FRED SCHWER
14	6011 DAVIS ST	RACETRAC PETROLEUM INC STE 100
15	450 MERRIFIELD RD	MCDONALDS CORP 28042 % JERRY SMITH
16	5959 JEFFERSON BLVD	NEIMAN LUISA

FILE NUMBER: Z112-150(MW)

DATE FILED: December 22, 2011

LOCATION: West side of North Central Expressway between Lemmon Avenue and Blackburn Street.

COUNCIL DISTRICT: 14

MAPSCO: 35-Y, 45-C

SIZE OF REQUEST: ±8 acres

CENSUS TRACT: 7.01

REPRESENTATIVE: Jackson Walker, LLP/Suzan Kedron

APPLICANT/OWNER: Blackburn Central Holdings, L.P.

REQUEST: An application to amend Tract I of Planned Development District No. 375 for mixed uses

SUMMARY: The applicant proposes to amend the PDD conditions to accommodate low intensity/interim uses on Tract 1 and to amend the Tract 1 Conceptual Plan to depict 1) Howell Street, which now bisects Subdistrict B and 2) the new trolley turntable at the terminus of Cityplace West Boulevard.

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

BACKGROUND INFORMATION:

- The ±8-acre request site is currently undeveloped except for the new McKinney Avenue Trolley turntable and the recently renovated west entrance of Cityplace (Uptown) DART Station. The proposed low intensity/interim uses are intended to activate the site until such time that it is developed at the scale and intensity ultimately envisioned for PDD No. 375.
- PDD No. 375 for mixed uses was established by Ordinance No. 21480, passed by City Council on November 11, 1992.
- The zoning was approved as a conceptual planned development district, which requires CPC approval of a development plan and landscape plan for each phase of development prior to the issuance of a building permit.
- PDD No. 375 consists of two tracts: Tract 1, which is the subject of this amendment, and Tract II. On November 19, 2009, CPC approved a development plan/landscape plan for Tract II.
- The request site is surrounded by mixed use development to the north and east; a hospital to the south (Tract 2 of PDD no. 375) and mixed use development to the west (across North Central Expressway)

Zoning History:

- 1) Z089-151:** On August 12, 2009, the City Council approved a PDS for O-2 Subdistrict Uses and Surface parking.
- 1) Z089-150:** On August 12, 2009, City Council approved an amendment to PDD No. 375 to provide for redevelopment of an existing hospital on Tract II. Note: On November 19, 2009, CPC approved a development plan/landscape plan for Tract II.
- 3) Z078-112:** On February 13, 2008, the City Council approved an amendment to PDD No. 305 to create a new subdistrict.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Central Expressway	US Highway	260 feet
Blackburn Street	Collector	80 feet

Land Use:

	Zoning	Land Use
Site	PDD No. 375, Tract I	Undeveloped
North	PDD No. 305	Mixed Use
East	PDD No. 183	Mixed Use
South	PDD No. 375, Tract II	Hospital
West	PDD No. 305; PDD No. 201	Mixed Use

STAFF ANALYSIS:

Comprehensive Plan:

The request site is identified as being within an *Urban Mixed Use* Building Block on the **forwardDallas! Vision Illustration**, adopted June 2006. 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 midrise 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.

Policy 1.1.4 Capitalize on transit oriented development opportunities.

Policy 1.4.2 Develop a multi-modal transportation network.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Policy 2.2.2 Maximize development opportunities around DART stations.

Land Use Compatibility:

The ±8-acre request site is currently undeveloped except for the new McKinney Avenue Trolley turntable and the recently renovated west entrance of Cityplace (Uptown) DART Station. The proposed low intensity/interim uses are intended to activate the site until such time that it is developed at the scale and intensity ultimately envisioned for PDD No. 375.

The applicant proposes to amend the PDD conditions to accommodate low intensity/interim uses on Tract 1. As proposed by the applicant, this includes the creation of “entertainment/recreation” use and associated parking provisions; provisions to allow director’s approval of a site plan and landscape site plan for any use that does not exceed 50 feet in height and 20,000 square feet of floor area; and provisions addressing the use of a conveyance as a building. It is noted that the applicant presented this amendment as a means to accomplish interim development on the site, but is not proposing an associated time limit for the proposed uses.

Staff recognizes the request site as a significant gateway into West Village/Uptown and City Place. While staff supports the concepts the applicant has presented for interim development on the site, we want to ensure that such development is sensitive to potential impacts to stakeholders in the area. Therefore, staff recommends a definition for “interim use development” (development made up of permitted uses not to exceed 20,000 square feet of floor area, 0.5:1 FAR and 50 feet in height) and provisions to provide for adequate staff review as this area continues to evolve. Specifically, staff recommends a time limit of 18 months, by director’s approval, or by specific use permit for a maximum of five years.

The applicant also proposes to amend the Tract 1 Conceptual Plan to depict 1) Howell Street, which now bisects Subdistrict B and 2) the trolley turntable. Due to the bisection of Subdistrict B, the applicant proposed to re-label this portion of the site as “Subdistrict B” and Subdistrict C”.

The trolley turntable and renovations to the Cityplace (Uptown) Station’s west entrance were completed in late 2011. These improvements were paid for with Cityplace Area Tax Increment Financing (TIF) District funds.

Traffic:

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

Parking:

Parking must be provided in accordance with the provisions of PDD No. 375.

The applicant proposes a parking requirement of one (1) space per 500 square feet of floor area for an entertainment/recreation use. As proposed by the applicant, the off-street parking requirements for this use may be satisfied by 1) using on-street or off-street parking spaces for other uses located within 1,000 feet of the entertainment/recreation use, or 2) by providing, at the Building Official's discretion, temporary parking spaces that do not strictly comply with the construction and maintenance provisions for off-street parking.

Staff is comfortable with a parking ratio of one (1) space per 500 square feet of site area, rather than floor area, for interim use development. However, we recommend a condition that would allow for a more restrictive parking requirement to be established by specific use permit for an interim use development.

Furthermore, staff is concerned with the 1,000-foot remote parking distance proposed by the applicant, which could interfere with parking intended for uses in West Village, and recommends a 600-foot distance to satisfy the parking requirement for interim use development.

Landscaping:

Landscaping must be provided in accordance with the provisions of PDD No. 375. As proposed by the applicant, development that does not require a development plan will require submittal of a landscape site plan to the Director for review for conformity with the landscape standards of this Article except for the provisions pertaining to the screening of surface parking and planting area designations.

Staff recommends that for an interim use development, the submittal of a landscape plan for director's review. The director may waive certain the landscape requirements if determined that the landscape plan is consistent with the intent of the PDD Landscaping Requirements.

List of Partners/Principals/Officers:

Blackburn Central Holding, L.P.

Blackburn Central Holding, L.P. is a Texas limited partnership, whose general partner is Ross Venture Land Investments L.P., a Texas limited partnership, whose general partner is Hampstead Associates, Inc., a Texas corporation. The officers of Hampstead Associates, Inc. are:

- David McNamara, President
- Neal Sleeper, Vice President (Texas registered agent for Blackburn Central Holdings, L.P.)
- Dan Decker, Vice President

Proposed Conditions

PD 375.

SEC. 51P-375.101. LEGISLATIVE HISTORY.

PD 375 was established by Ordinance No. 21480, passed by the Dallas City Council on November 11, 1992. Ordinance No. 21480 amended Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 21480 was amended by Ordinance No. 23906, passed by the Dallas City Council on June 9, 1999 (Ord. Nos. 10962; 19455; 21480; 23906; 24826; 27611)

SEC. 51P-375.102. PROPERTY LOCATION AND SIZE.

PD 375 is established on property generally located on the west side of North Central Expressway, north of Lemmon Avenue. The size of PD 375 is approximately 11.4114 acres. (Ord. Nos. 23906; 24826)

SEC. 51P-375.103. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions. In this article:

(1) FLOOR AREA means “floor area” as defined in the Dallas Development Code, as amended.

~~BLACKBURN MEDIAN means the median dividing Blackburn Street, as shown on the conceptual plan (Exhibit 375A).~~

Staff Recommended:

(2) ~~ENTERTAINMENT/RECREATION USE means a restaurant or other facility offering food and beverages, retail, entertainment, and recreational activities to the general public. This use may be located inside or outside and includes, but is not limited to, the following: mobile food establishments, food and beverage kiosks, food and alcohol sale venues, farmers markets, retail kiosks or shipping container retail, performance stages, outdoor movie screens, dog parks, and recreational courts and playing fields. This use may use a conveyance as a building and may also include temporary or permanent restroom facilities.~~

Applicant Proposed:

(2) ENTERTAINMENT/RECREATION USE means a restaurant or other facility offering food and beverages, retail, entertainment, and recreational activities to the general public. This use may be located inside or outside and includes, but is not limited to, the following: mobile food establishments, food and beverage kiosks, food and alcohol sale venues, farmers markets, retail kiosks or shipping container retail, performance stages, outdoor movie screens, dog parks, and recreational courts and playing fields. This use may use a conveyance as a building and may also include temporary or permanent restroom facilities.

Staff Recommended:

(3) INTERIM USE DEVELOPMENT means a development made up of permitted uses that does not exceed 20,000 square feet in floor area, an FAR of 0.5:1 and has no structures greater than 50 feet in height. Interim use developments are only permitted in Tract 1.

(4) MOBILE FOOD ESTABLISHMENT means a vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes, but is not limited to, mobile food preparation vehicles and trailers.

(5) ~~(3)~~ PDD means PD 375.

(6) ~~(4)~~ RETAIL-RELATED USES means any of the following uses as they are defined in Chapter 51:

- A. Any retail or bar and restaurant use.
- B. Barber and beauty shop.
- C. Health studio.
- D. Custom cleaning shop.
- E. Commercial cleaning shop.
- F. Commercial laundry or dry cleaning.
- G. Laundry or dry cleaning pickup and receiving station.
- H. Key shop.
- I. Mobile food establishment [Tract I only]
- J. Shoe repair.
- K. Tailor, custom sewing, and millinery.
- L. Taxidermist.
- M. Travel bureau.
- N. Handcraft bookbinding.
- O. Photography studio.
- P. Handcrafted art work studio.
- Q. Inside and outside commercial amusement.

- R. Commercial parking lot or garage.
- S. Public or private school.
- T. Job printing, lithographer, printing, or blueprinting plant.
- U. Public park or playground.
- V. Public golf course.
- W. Drive-in theatre (Limited to Tract I).
- X. Theatre (Limited to Tract I).

(7) ~~(5)~~ OFFICE-RELATED USES means the following uses as they are defined in Chapter 51:

- A. Radio, television, or microwave tower.
- B. Commercial radio or television transmitting station.
- C. Telephone exchange, switching, and transmitting equipment.
- D. Bus passenger shelter.
- E. Game court center.
- F. Office.
- G. Temporary construction or sales office.
- H. Bank or savings and loan office (with or without drive-in windows).
- I. Medical clinic.

(8) HOTEL USE means the hotel and motel use as defined in Chapter 51.

(9) TRAFFIC IMPACT STUDY means the traffic impact study for the PDD kept on file in the office of the city's department of public works and transportation.

(10) TRANSPORTATION SYSTEMS MANAGEMENT ACTION PROGRAM means the transportation system management action program kept on file in the office of the city's department of public works and transportation.

(11) HOSPITAL USE means an institution where sick or injured patients are given medical treatment.

(b) Interpretations. Except as otherwise provided in this section, the definitions and interpretations in Chapter 51A apply to this article. Unless otherwise stated, all references to uses, articles, divisions, or sections in this article are to uses, articles, divisions, or sections in Chapter 51A.

(c) Conditions to development in the PDD. The following conditions apply to development in the PDD. (Ord. Nos. 23906; 24826)

SEC. 51P-375.104. CONCEPTUAL PLAN.

(a) Development of the PDD must comply with the conceptual plan. In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. Nos. 23906; 24826)

SEC. 51P-375.105. DEVELOPMENT PLAN.

(a) Except as provided in this section, a development plan that complies with the conceptual plan and this article must be submitted for city plan commission approval for each building site prior to the issuance of a building permit on that site. A development plan approved by the city plan commission subject to conditions shall not be considered as finally approved. Until a revised development plan is finally approved by the commission, the development plan approved subject to conditions shall be deemed denied. (Ord. Nos. 23906; 24826)

Staff Recommended:

(1) For interim use developments, no development plan is required. A site plan approved pursuant to interim use development regulations shall not be considered a development plan and shall not preclude the submission of an original development plan for the property encompassed by the site plan.

Applicant Proposed:

(1) In Tract I, for a use that does not exceed 50 feet in height and 20,000 square feet of floor area:

(a) No development plan is required.

(b) The applicant must submit a site plan, which complies with the site plan requisites for a Residential Adjacency Review, to the director for evaluation of conformity with the standards of Section 51A-4.803. The Applicant may appeal the director's determination as to conformity to the City Plan Commission.

(c) No site plan approved pursuant to this subsection shall be considered a development plan and shall not preclude the submission of an original development plan for the property encompassed by the site plan.

SEC. 51P-375.106. LANDSCAPE REQUIREMENTS.

Staff Recommended:

(a) Generally. Except for interim use developments, a landscape plan for each building site must be submitted to and approved by the city plan commission. The landscape plan must be submitted to the commission with the development plan for that building site.

(b) Interim use developments. For an interim use development, the applicant must submit a landscape plan to the director for review for conformity with the landscape standards of this Article. The director may waive the landscape requirements of Section 51P-375.106(c)(3)(A), (c)(3)(B), (c)(4)(F), (e)(1), (e)(2), (e)(3) if it is determined that the landscape plan is consistent with the intent of this Section. The applicant may appeal the director's determination as to conformity to the city plan commission. A landscape plan for an interim use development approved pursuant to this subsection shall not preclude the submission of landscape plan to the City Plan Commission for other than an interim use development.

(a) Application of section

(1) Except as provided, this section does not apply to single family and duplex uses in detached structures. This section shall become applicable to all other uses on an individual lot when work on the lot is performed that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot, unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.

Applicant Proposed:

(a) Generally. A landscape plan for each building site must be submitted to and approved by the city plan commission. ~~The~~If a development plan is required, the landscape plan must be submitted to the commission with the development plan for that building site.

(b) Application of section.

(1) Except as provided, this section does not apply to single family and duplex uses in detached structures and a use in Tract I for which a development plan is not required. This section shall become applicable to all other uses on an individual lot when work on the lot is performed that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot, unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.

(2) In Tract I, for a use that does not exceed 50 feet in height and 20,000 square feet of floor area:

(A) The applicant must submit a landscape site plan to the

director for review for conformity with the landscape standards of this Article except Section 51P-375.106(c)(3)(A), (c)(3)(B), (c)(4)(F), (e)(1), (e)(2), (e)(3) does not apply . The Applicant may appeal the director's determination as to conformity to the city plan commission.

(B) No landscape site plan approved pursuant to this subsection shall be considered a landscape plan and shall not preclude the submission of an original landscape plan for the property encompassed by the landscape site plan.

(3) The board may grant a special exception to the landscaping requirements of this section if, in the opinion of the board, the special exception will not compromise the spirit and intent of this section. When feasible, the board shall require that the applicant submit and that the property comply with a landscape plan as a condition to granting a special exception under this section.

(c) Landscaping requirements in general.

(1) Designated landscape areas.

(A) In general. Each property owner is required to designate portions of the lot in the front, side, or rear yard for landscaping purposes. These designations must be shown on the landscape plan required by this section.

(B) Landscape site area. The first required designation is that of the "landscape site area." The landscape site area may consist of one large contiguous area or several smaller non-contiguous areas.

(C) General planting area. The second required designation is that of the "general planting area." The general planting area is a subarea of the landscape site area. Like the landscape site area, it may consist of one large contiguous area or several smaller non-contiguous areas.

(D) Special planting area. The third required designation is that of the "special planting area." The special planting area is a subarea of the general planting area. Again, the special planting area may consist of one contiguous area or several non-contiguous areas.

(E) Pavement restrictions. No pavement other than pavement for pedestrians and non-motorized vehicles is permitted in the designated landscape site area, except that permeable pavement for motor vehicles is allowed in multifamily subdistricts only. No pavement of any kind is allowed in the designated general planting area and special planting area.

(F) Soil depth requirements. There are no minimum soil depth requirements for portions of the landscape site area that are outside of the general planting area. The minimum soil depth requirements for portions of the general planting area that are outside of the special planting area is 18 inches. The minimum soil depth requirement for the special planting area is 24 inches.

(G) Minimum planting requirements. The minimum requirements for designated landscape areas are as follows:

(i) Landscape site area. There are no minimum planting requirements for portions of the landscape site area that are outside of the general planting area.

(ii) General planting area. The general planting area must contain living trees, shrubs, vines, flowers, or ground cover vegetation. All plants in this area must be recommended for local area use by the city arborist.

(iii) Special planting area. The special planting area must contain living trees, shrubs, or vines that are recommended for local area use by the director of park and recreation. Turf grass and ground cover are not counted toward meeting these minimum planting requirements. Initial plantings must be calculated to cover a minimum of 75 percent of this area at a minimum height of 24 inches within a three year period. There must be at least one plant for each four square feet of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for this area.

(3) Irrigation and drainage systems. All landscaping required under this section must be irrigated and drained by automatic irrigation and permanent drainage systems installed to comply with industry standards.

(4) Off-street parking and screening requirements.

(A) Surface parking screening in general. All surface parking (excluding on-street parking) must be screened from the street and residentially zoned property by using one or more of the following three methods to separately or collectively attain a minimum height of three and one-half feet above the parking surface:

(i) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot of height for each three feet of width.

(ii) Solid wood or masonry fence or wall.

(iii) Hedge-like evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. This subparagraph supplements any other applicable screening provisions for off-street parking.

(B) Surface parking screening with single family or duplex adjacency. The three methods of providing screening listed above in Subparagraph (A) of this paragraph may be used to provide screening to separate a surface parking area from an adjacent single family or duplex district, tract of this PDD, or subdistrict of PDD No. 305, if the screening barrier is at least six feet in height. This subparagraph supplements any other applicable screening provisions for off-street parking.

(C) Off-street loading and garbage storage area screening.

(i) All off-street loading spaces and garbage storage areas must be screened from:

(aa) a public street that is adjacent to the lot; and

(bb) property in a residential district that is adjacent to or directly across an alley from the lot.

(ii) Screening required by this subparagraph must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space or garbage storage area.

(iii) Required screening must be constructed of:

(aa) for off-street loading spaces, any of the materials described in Subparagraph (A) to separately or collectively attain the minimum height of six feet; and

(bb) for garbage storage areas, a solid wood or masonry fence or wall.

(iv) Access through required screening may be provided only by a solid gate that equals the height of the screening. The gate must remain closed at all times except when in actual use.

(5) Trees.

(A) Tree planting zone A and B For purposes of this section, “tree planting zone A” is that area parallel to and between two and one-half and five feet from the back of the projected street curb. “Tree planting zone B” is that area parallel to and within forty feet from the back of the projected street curb. [If the tree planting zone is in the parkway, the property owner must apply for a landscape permit before any required trees may be planted in the parkway. If a tree cannot be located in the tree planting zone due to a conflict with underground or aboveground utility lines, the tree must be located outside, but as near as practicable to, the designated tree planting zone.]

(B) Number, location, and type of trees required. Each lot must have one or more trees whose trunks are located wholly within tree planting zones A or B. The number of required trees for tree planting zone A is determined by dividing the

number of feet of lot frontage by 25. The number of required trees for tree planting zone B is determined by dividing the number of feet of lot frontage by 40. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. All required trees must be recommended for local area use by the director of park and recreation. If a property owner cannot obtain a landscape permit to locate a required tree in the parkway, the owner shall locate the tree in the required front yard as near as practicable to the front lot line. If a lot has no front yard requirement and the property owner cannot obtain a landscape permit to locate a required tree in the parkway, the owner need not provide that required tree.

(C) Minimum tree height and trunk caliper. Required trees must have a minimum height of 14 feet, and a minimum trunk caliper of three and one-half inches measured at a point 12 inches above the root ball.

(D) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within 60 feet of another required tree.

(E) Minimum clearance above pavement. The property owner shall maintain all trees to comply with the following minimum vertical height clearances over street and sidewalk pavements:

(i) Thirteen and one-half feet above street pavement.

(ii) Eight feet above a public sidewalk or the sidewalk required under Subsection (h) of this section.

(F) Tree grates required near sidewalks. Tree grates conforming to state standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees whose trunks are within 18 inches of the sidewalk required under Subsection (h) of this section.

(6) Landscape permit required. Unless an exemption in Subsection (b) of this section applies, an application for a landscape permit must be submitted to and approved by the building official before performing any work that will increase the existing building height, floor area ratio, or nonpermeable coverage of the lot. To obtain a landscape permit, a landscape plan must be submitted. Landscape plans required under this paragraph must contain the following information:

(A) The date, scale, north point, and the names and addresses of both the property owner and the person preparing the plan.

(B) The location of existing boundary lines and dimensions of the lot, and the zoning classification of the property.

(C) The approximate center line of existing water courses; the approximate location of significant drainage features; and the location and size of

existing and proposed streets and alleys, utility easements, and sidewalks in the parkway and on or adjacent to the lot.

(D) The location and size of landscape and planting areas required to be designated under this section and the location, size, and species (common or botanical name) of proposed landscaping in these areas.

(E) Information necessary for verifying whether the required minimum percentages of landscape and planting areas have been designated pursuant to this section.

(F) An indication of how the property owner plans to protect existing trees, which are proposed to be retained, from damage during construction.

(G) The location of the required irrigation system.

(H) The location of all existing and proposed loading and garbage storage areas.

(7) When landscaping must be completed. If a landscape plan is required under this section, all landscaping must be completed in accordance with the approved landscape plan before the final inspection of the last structure on the lot, or within six months of the approval of final inspection if the property owner provides the building official with documented assurance as defined in Article X.

(8) General maintenance.

(A) All required landscaping must be maintained in a healthy, growing condition. The property owner is responsible for the regular weeding, mowing of grass, irrigating, fertilizing, pruning, or other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within six months after notification by the city. A required tree that dies after its original planting must be replaced by another living tree having a minimum height of 14 feet and a minimum trunk caliper of four inches measured at a point 12 inches above the root ball.

(B) Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in the public right-of-way is the responsibility of the property owner. If a public utility disturbs a landscaped area in the public right-of-way and some plant materials die, it is the obligation of the property owner to replace the plant materials.

(c) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that they conflict with the visual obstruction regulations in Section 51A-4.602(d), as amended. In the event of a conflict between this section and the visual obstruction regulations, the visual obstruction regulations control.

(d) Area designation and privacy fencing requirements. The following specific requirements apply to all building sites in this district:

(1) Landscape site area designation. At least 10 percent of a lot, including at least 60 percent of the required front yard, must be designated by the property owner as landscape site area.

(2) General planting area designation. At least 12 percent of the required front yard must be designated by the property owner as general planting area.

(3) Special planting area designation. At least six percent of the required front yard must be designated by the property owner as special planting area.

(4) Front yard privacy fencing. A fence or wall with an average height of seven feet and a maximum height of nine feet above the top of the nearest street curb may be located in the required front yard if:

(A) the main building does not exceed 36 feet in height;

(B) there are no front street curb cuts, front yard driveways, or front entryways to garages or parking;

(C) a minimum setback of 12 feet is provided between the fence and the projected street curb; and

(D) all portions of the fence exceeding four feet in height are set back at least two feet from the lot line.

(5) Privacy fencing planting area designation. If a front yard privacy fence or wall is constructed or maintained in accordance with Paragraph (4) of this subsection, at least 80 percent of the required two-foot setback area from the lot line must be designated by the property owner as privacy fencing planting area. This area may consist of one contiguous area or several smaller noncontiguous areas. No pavement of any kind is allowed in this area. The minimum soil depth requirement for this area is 24 inches. This area must contain living evergreen shrubs or vines that are recommended for local area use by the director of park and recreation. Initial plantings must be calculated to cover a minimum of 30 percent of the total fence or wall area facing the street within a three-year period. Shrubs or vines must be planted 24 inches on center over the entire length of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for the fence or wall. (See Exhibit D-13 attached to PD 193.)

(e) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with the Dallas Building Code.

(d) Area designation and privacy fencing requirements. The following specific requirements apply to all building sites in this district:

(1) Landscape site area designation. At least 10 percent of a lot, including at least 60 percent of the required front yard, must be designated by the property owner as landscape site area.

(2) General planting area designation. At least 12 percent of the required front yard must be designated by the property owner as general planting area.

(3) Special planting area designation. At least six percent of the required front yard must be designated by the property owner as special planting area.

(4) Front yard privacy fencing. A fence or wall with an average height of seven feet and a maximum height of nine feet above the top of the nearest street curb may be located in the required front yard if:

(A) the main building does not exceed 36 feet in height;

(B) there are no front street curb cuts, front yard driveways, or front entryways to garages or parking;

(C) a minimum setback of 12 feet is provided between the fence and the projected street curb; and

(D) all portions of the fence exceeding four feet in height are set back at least two feet from the lot line.

(5) Privacy fencing planting area designation. If a front yard privacy fence or wall is constructed or maintained in accordance with Paragraph (4) of this subsection, at least 80 percent of the required two-foot setback area from the lot line must be designated by the property owner as privacy fencing planting area. This area may consist of one contiguous area or several smaller noncontiguous areas. No pavement of any kind is allowed in this area. The minimum soil depth requirement for this area is 24 inches. This area must contain living evergreen shrubs or vines that are recommended for local area use by the director of park and recreation. Initial plantings must be calculated to cover a minimum of 30 percent of the total fence or wall area facing the street within a three-year period. Shrubs or vines must be planted 24 inches on center over the entire length of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for the fence or wall. (See Exhibit D-13 attached to PD 193.)

(e) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with the Dallas Building Code.

This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(f) Parkway landscaping permit.

(1) Upon receipt of an application to locate trees, landscaping, or pavement (other than for the sidewalk required under Subsection (h) of this section) in the parkway and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, that official shall issue a landscape permit to the property owner; otherwise, that official shall deny the permit.

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

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

(4) The issuance of a landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way.

(g) Sidewalks required.

(1) Sidewalk construction is required along all public and private streets. All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the construction requirements contained in the Paving Design Manual and the Standard Construction Details of the City of Dallas.

(2) No certificate of occupancy may be issued for new construction until hard surface sidewalks are provided in accordance with the following specifications:

(A) Except as provided in Subparagraphs (B) ~~and (C)~~ and (D) below, a minimum unobstructed width of eight feet.

(B) Along Oak Grove Avenue, as shown on the conceptual plan, and all future streets to be located within the district, a minimum unobstructed width of seven feet.

(C) Along Lemmon Avenue East, a minimum unobstructed width of five feet.

Staff Recommended:

(D) Along any street for an interim development use, a minimum unobstructed width of five feet.

Applicant Proposed:

(D) Along any street for a use that does not require a development plan, a minimum unobstructed width of five feet.

(3) Sidewalks provided to comply with this subsection may be located in the public right-of-way. An existing sidewalk may not be used to comply with this subsection unless it meets the construction standards and minimum unobstructed widths specified above. New sidewalks provided to comply with this subsection must meet the unobstructed width standards specified above. (Ord. Nos. 23906; 24826)

(4) Sidewalks in Tract II must be constructed with enhanced paving, which includes stained, sandblasted, colored concrete, pavers, or similar treatment per approval by the City of Dallas.

(i) Foundation plantings. In Tract II, a solid foundation hedge must be planted along at least fifty percent of the length of any façade of the main structure having street frontage.

(j) Streetscape. In Tract II benches, lighting not to exceed twelve feet in height, and trash receptacles must be provided along all street frontages. A minimum of two benches and one trash receptacle must be placed along each street frontage and must be available for public use. The maximum spacing between benches along each street frontage is 100 feet.

SEC. 51P-375.107. USES.

(a) The only uses permitted in the PDD are:

(1) office-related uses;

(2) hotel uses;

(3) residential uses;

(4) retail-related uses [except that the following retail-related uses are limited to Tract 1 only: mobile food establishment, drive-in theatre, theatre];

(5) institution for special education; ~~and~~

(6) surface parking, limited to required off-street parking for Planned Development District No. 305 or a main use within this Planned Development District;
and

(7) Hospital [Limited to Tract II].

~~(b) — A minimum of 30,000 square feet of floor area of retail-related uses must be provided on Tract I. No certificate of occupancy may be issued for any permitted use on Subdistrict A of Tract I until the building official has approved the final inspection of the structures to contain a minimum of 10,000 square feet of floor area of retail-related uses. No certificate of occupancy may be issued for any permitted use on Subdistrict B of Tract I until the building official has approved the final inspection of the structures to contain a minimum of 20,000 square feet of floor area of retail-related uses. (Ord. Nos. 23906; 24826)~~

(8) Electric vehicle charging station (*Limited to Tract I*);

(9) community gardens (*Limited to Tract I*);

Staff Recommended:

(10) entertainment/recreation use (*Limited to Tract I*).

Applicant Proposed:

(10) entertainment/recreation use (*Limited to Tract I*).

Staff Recommended:

SEC. 51P-375.107.1. INTERIM USE DEVELOPMENT REGULATIONS.

(a) In general. An interim use development is allowed on Tract 1 only. An interim use development may be approved by the director for a maximum of 18 months pursuant to the regulations in subsection (b) or approved by SUP for a maximum of five years pursuant to the regulations in subsection (c).

(b) Special provisions for interim use development.

(1) Required parking: A minimum of one space per 500 square feet of site area for each use within an interim use development. The applicant has the burden of demonstrating that the proposed parking:

(A) is adequate to accommodate the parking needs of the proposed use with due consideration given to the availability of mass transit and parking inventory in the area; and

(B) the proposed minimum parking provided will not adversely affect surrounding uses.

(2) Required off-street loading: One space.

(3) Additional provisions:

(A) Off-street parking and loading requirements for uses in an interim use development may be satisfied by using existing parking and loading spaces for other uses located within 600 feet of the interim use development, or by providing temporary parking and loading spaces that do not strictly comply with the construction and maintenance provisions for off-street parking and loading in this chapter. The applicant has the burden of demonstrating that temporary off-street parking or loading spaces:

(aa) are adequately designed to accommodate the parking and loading needs of use; and

(bb) will not adversely affect surrounding uses.

(c) Director approval procedure for interim use development.

(1) The applicant must submit a site plan that complies with the development plan submittal requirements of Section 51A-4.702(e)(1) and (e)2. The director may approve the site plan upon a determination that the proposed development has adequate availability of parking, will not have an adverse impact on surrounding development and not adversely impact the surrounding street system. The director may approve amendments to site plans for interim use developments following this same procedure. An applicant may appeal the decision of the director to the City Plan Commission

(2) The building official shall issue temporary certificates of occupancy for uses in an interim use development not to exceed 360 days from the issuance of the first temporary certificate of occupancy in the interim use development. The building official may grant one extension of temporary certificates of occupancy not to exceed 540 days from the first temporary certificate of occupancy if the use has fully complied with all applicable city ordinances.

(d) Specific use permit procedure for interim use development.

(1) An applicant may apply for a specific use permit for an interim use development. A specific use permit may not be granted for a period that exceeds 5 years. An applicant may amend the specific use permit through the public hearing process to extend the time period but for additional periods not to exceed 5 years.

(2) A specific use permit site plan for an interim use development may identify areas for structures and areas for open space without identifying specific building locations provided structures on the site comply with maximum area requirements of this section and any maximums established by a specific use permit.

(3) The building official shall issue certificates of occupancy for uses in an interim use development but shall note on the certificates of occupancy the expiration date of the specific use permit authorizing the interim use development.

SEC. 51P-375.108. BUILDING SIZE.

(a) Tract I. Buildings on Tract I may not exceed the following height, story, and floor area ratio limitations:

<u>Subdistrict</u>	<u>Height</u>	<u>Stories</u>	<u>Floor Area Ratio*</u>
A	270 ft.	20	5.00
B	546 ft.	43	5.00
C	546 ft.	43	5.00

[Note: Subdistricts A, B, and C of Tract I are shown on the conceptual plan.]
 *Any area of Tract I dedicated for street right-of-way shall be included as lot area in order to calculate the maximum floor area ratio of Tract I.

(b) Tract II. (Ord. Nos. 23906; 24826)

(1) Except as provided in this paragraph, no structure may exceed 48 feet in height.

(A) An architectural feature as shown in Exhibit 375B may be located in the area shown on the conceptual plan and project up to 17 feet above the maximum structure height. Exhibit 375B is for illustration purposes.

(B) Vent stacks, exhaust fans, and boiler stacks may project up to four feet above the maximum structure height.

(C) Structure such as chimneys, clerestories, communication towers, cooling towers, and mechanical equipment are prohibited on the roof.

(2) Maximum number of stories is three.

(3) Maximum floor area is 63,000 square feet.

SEC. 51P-375.109. LOT COVERAGE.

Maximum permitted lot coverage for lots in Tract I is 90 percent and for lots in Tract II is 34 percent. (Ord. Nos. 23906; 24826)

SEC. 51P-375.110. PAVING.

(a) Paving of all streets, driveways, parking spaces, and maneuvering areas for parking must comply with the requirements of the Dallas Development Code, as amended, and all other applicable ordinances and laws. (Ord. Nos. 23906; 24826)

(b) For Tract II, prior to the issuance of a certificate of occupancy for a hospital, the proposed ingress-only drive approach off Lemon Avenue West shown on the conceptual plan must meet the following minimum standards:

(1) The Intersection Sight Distance (ISD) for Howell Street, at its intersection on the south line of Lemmon Avenue West, must comply with the City of Dallas Paving Manual and compliance must be noted on the development plan.

(2) A flashing light must be attached to the top of the existing stop sign on the southeast corner of Howell Street and Lemmon Avenue West west of the entrance along Lemmon Avenue West must be provided.

(3) Two “No Exit” signs just be located on the Property at the ingress-only drive approach.

(4) Other necessary related improvements required by the City of Dallas must be provided.

SEC. 51P-375.111. PARKING.

(a) Off-street parking requirements. Off-street parking must be provided as follows:

(1) For office-related uses, one off-street parking space must be provided for every 366 square feet of floor area.

(2) For retail-related uses, one off-street parking space must be provided for every 200 square feet of floor area.

(3) For multifamily uses, one off-street parking space must be provided for each dwelling unit.

Staff Recommended:

(4) For interim use development, refer to Section 51P-375.107.1.
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Applicant Requested:

(4) For entertainment/recreation uses.
(A) One space per 500 square feet of floor area is required.
(B) Off-street parking requirements for this use may be satisfied by using on-street or existing parking spaces for other uses located within 1,000 feet of the entertainment/recreation use, or by providing temporary parking spaces that do not strictly comply with the construction and maintenance provisions for off-street parking in this chapter. The operator of this use has the burden of demonstrating to the satisfaction of the building official that temporary off-street parking spaces:
(i) are adequately designed to accommodate the parking needs of the entertainment/recreation use; and
(ii) will not adversely affect surrounding uses.

(5) For all other permitted uses, one off-street parking space must be provided for every 500 square feet of floor area.

(b) Board of Adjustment. The board of adjustment may grant a special exception to reduce the number of off-street parking spaces required in accordance with Sec. 51A-4.311.

(c) Off-street loading location and design standards. Each off-street loading space must be designed with a reasonable means of access to and from the street or alley in a manner that least interferes with traffic movement. Each off-street loading space must be independently accessible so that no loading space obstructs another loading space. No trash removal facility or other structure may obstruct a loading space. The design of the ingress and egress to the loading space, and the maneuvering area for the loading space must be approved by the director of public works and transportation in accordance with the provisions of this subsection. (Ord. Nos. 23906; 24826)

SEC. 51P-375.112. SETBACKS.

(a) For Tract I,

(1) Except as provided, minimum front, side, and rear yard setbacks are 10 feet.

Staff Recommended:

(2) For community gardens and interim use development, no minimum setback is required.

Applicant Proposed:

(2) For community gardens, entertainment/recreation uses, and a use that does not exceed 50 feet in height and 20,000 square feet of floor area no minimum setback is required.

(3) In addition, minimum structure setbacks from any portion of a corner clip are six feet. In no event may a structure be located in a visibility triangle. See Section 51A-4.602(d) of Chapter 51A.

(b) For Tract II, except as provided in this subsection and shown on the conceptual plan, minimum front, side, and rear yard setbacks are 10 feet. Beginning at a height 14 feet above grade, the minimum front yard along Lemmon Avenue East is eight feet for an architectural feature covering no more than 15 percent of the building façade along Lemmon Avenue East. (Ord. Nos. 23906; 24826)

SEC. 51P-375.113. CORNER CLIP REQUIREMENTS.

(a) Except as provided in this section, the provisions of Section 51A-8.602(d) of Chapter 51A apply.

(b) In Tract I, the maximum size for a corner clip is that of a triangle with the legs along the edges of the street rights-of-way equaling 10 feet. A smaller corner clip may be required where conditions exist that permit the city to provide an adequate turning radius, or to maintain public appurtenances, within that reduced area. (Ord. Nos. 23906; 24826)

SEC. 51P-375.114. SIGNS.

(a) ~~All~~Except as provided in this section, all signs must comply with the provisions for business zoning districts contained in Article VII, "Sign Regulations," of Chapter 51A. (Ord. Nos. 23906; 24826)

(b) In Tract 1, a maximum of three detached premise signs located on a fence are allowed. Maximum effective area for each sign is 300 square feet.

SEC. 51P-375.115. PHASING OF DEVELOPMENT.

(a) **Without waiving or releasing any requirement provided in Ordinance No. 18943, as amended by Ordinance No. 21107, or any covenants or agreements resulting therefrom, the Cityplace Tax Increment Financing ("TIF") Reinvestment Zone No. 2 (known as the "Cityplace TIF District"), approved by the Dallas City Council on November 11, 1992, will be the funding source for the infrastructure that is the subject of the phasing requirement in this section, to the extent provided in the reinvestment zone project plan and financing plan for the Cityplace TIF. Both plans, and the terms and conditions thereof, and any development agreement with the city related thereto, shall be subject to city council approval in accordance with state law. In the event the Cityplace TIF ceases to exist, or funds from the TIF are insufficient to pay for the total cost of the improvements provided in the TIF plans and subject to these phasing regulations, funding for the improvements may be provided from another source.**

(b) No building permit for new construction may be issued to authorize work that would cause the total floor area in this district to exceed 40 percent of the maximum floor area permitted by this article until a Haskell Avenue/Blackburn Street bridge over Central Expressway is constructed or a minimum of 50 percent of the funding required for completion of the bridge is in place. The amount of the funding required for construction of the bridge shall be determined by the director of public works and transportation, based upon the estimated cost of constructing the bridge in accordance with the Texas Department of Transportation design criteria and specifications. The decision of the director of public works and transportation may be appealed to and will be heard by the city council. The final design of the bridge must comply with Texas Department of Transportation design criteria and specifications.

(c) No building permit for new construction may be issued to authorize work that would cause the total floor area in this district to exceed 40 percent of the maximum floor area permitted by this article until a Lemmon Avenue bridge over Central Expressway is completed or a minimum of 50 percent of the funding required for construction of the bridge is in place. The amount of funding required for completion of

the bridge shall be determined by the director of public works and transportation, based upon the estimated cost of constructing the bridge in accordance with the Texas Department of Transportation design criteria and specifications. The decision of the director of public works and transportation may be appealed to and will be heard by the city council. The final design of the bridge must comply with Texas Department of Transportation design criteria and specifications.

(d) The portion of Blackburn Street shown on the conceptual plan must be designated as a community collector (four-lane) before the issuance of a certificate of occupancy for 50,000 square feet of floor area.

(e) No building permit for new construction may be issued to authorize work that would exceed 40 percent of the maximum floor area permitted by this article until the following are constructed or a minimum of 50 percent of the funding for construction of the improvements is in place. The amount of funding required for completion of the improvements shall be determined by the director of public works and transportation. The decision of the director of public works and transportation may be appealed to and will be heard by the city council.

(1) One additional lane on the Central Expressway frontage road to serve as an acceleration/deceleration lane for the garage entrance shown on the conceptual plan.

1. A minimum of nine feet of additional land width on the portion of the Central Expressway western frontage road abutting this district in order to accommodate bus operations, to the extent required by Texas Department of Transportation plans for widening Central Expressway. For purposes of this section, new floor area means floor area exceeding that in existence on the date of passage of Ordinance No. 21480. (Ord. Nos. 23906; 24826)

SEC. 51P-375.116. TRANSIT STATION(S).

Location(s) of sufficient area to incorporate Dallas Area Rapid Transit (“DART”) station(s) within the PDD and within the right-of-way of Central Expressway shall be provided on the Property pursuant to a mutually acceptable cost sharing agreement between the DART Authority and the owner. (Ord. Nos. 23906; 24826)

SEC. 51P-375.115. ~~SEC. 51P-375.117.~~ FACADE TREATMENT.

No exterior facade of any building in the PDD 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. 23906; 24826)

SEC. 51P-375.116. ENVIRONMENTAL PERFORMANCE STANDARDS FOR TRACT II

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

(b) LEED certification

(1) A United State Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective April 27, 2009, shall be submitted with an application for a building permit for development of the Property, indicating how development of the Property will comply with a certified designation (40 to 49 project points). The development plans submitted for a building permit must be certified by a LEED accredited professional. A building permit may not be issued unless the building official determines that the project is consistent with the standards and criteria for a LEED certified designation.

(2) If during development within the subdistrict, the developer is unable to achieve all of the green building rating system points identified on the checklist set forth in Paragraph (1), the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(3) All supporting documentation and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified credit amount set forth in Paragraph (1).

(4) LEED certification is only required for new structures within the subdistrict. If an existing building is being repaired, renovated, or expanded, LEED certification is not required.

SEC. 51P-375.117. SEC. 51P-375.116 ADDITIONAL PROVISIONS.

(a) Except as provided in this section, Section 51A-4.603 applies to use of conveyance as a building.

(b) Use of conveyance as a building is allowed in Tract I, subject to the following:

(1) Use of conveyance may be a main use and is not required to be associated with another use on the property.

(2) Electrical service is not limited to temporary pole service.

(3) Signs are limited to an aggregate of 120 square feet of effective area, per façade, per conveyance.

SEC. 51P-375.118. ~~SEC. 51P-375.118.~~ GENERAL REQUIREMENTS.

Development of the Property must comply with all applicable federal and state laws and regulations and with all applicable ordinances, rules, and regulations of the City of Dallas. (Ord. Nos. 23906; 24826)

SEC. 51P-375.119. ~~SEC. 51P-375.119.~~ COMPLIANCE WITH CONDITIONS.

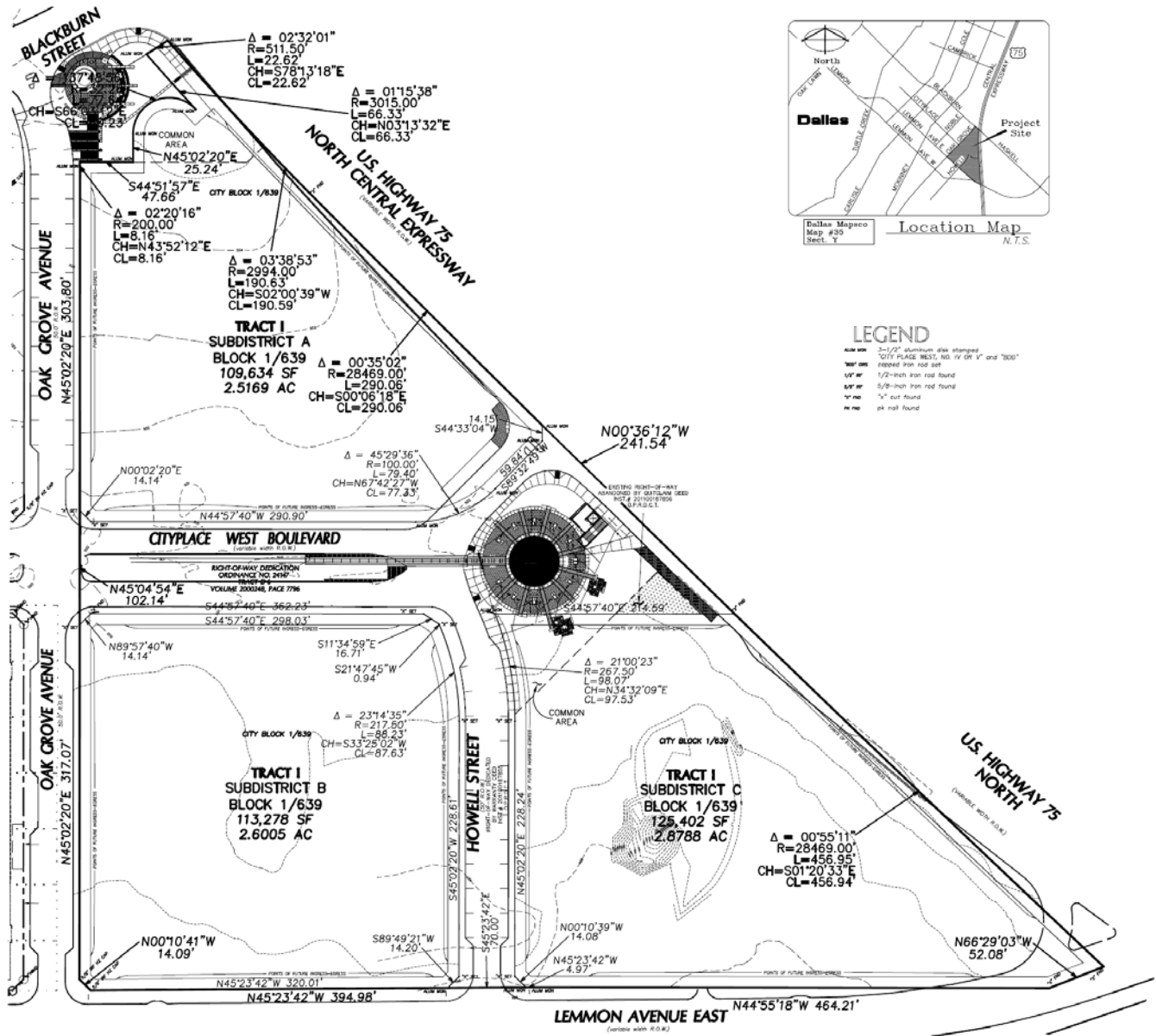
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the City of Dallas. (Ord. Nos. 21480; 24826)

SEC. 51P-375.120. ~~SEC. 51P-375.120.~~ PRIOR OBLIGATIONS NOT CHANGED.

Nothing in Ordinance No. 21480, as amended, modifies, alters, or diminishes the owner's obligations and responsibilities contained in Ordinance No. 18943, as amended by Ordinance No. 21107, or any covenants or agreements resulting therefrom. (Ord. Nos. 21480; 24826)

Proposed Tract 1 Conceptual Plan



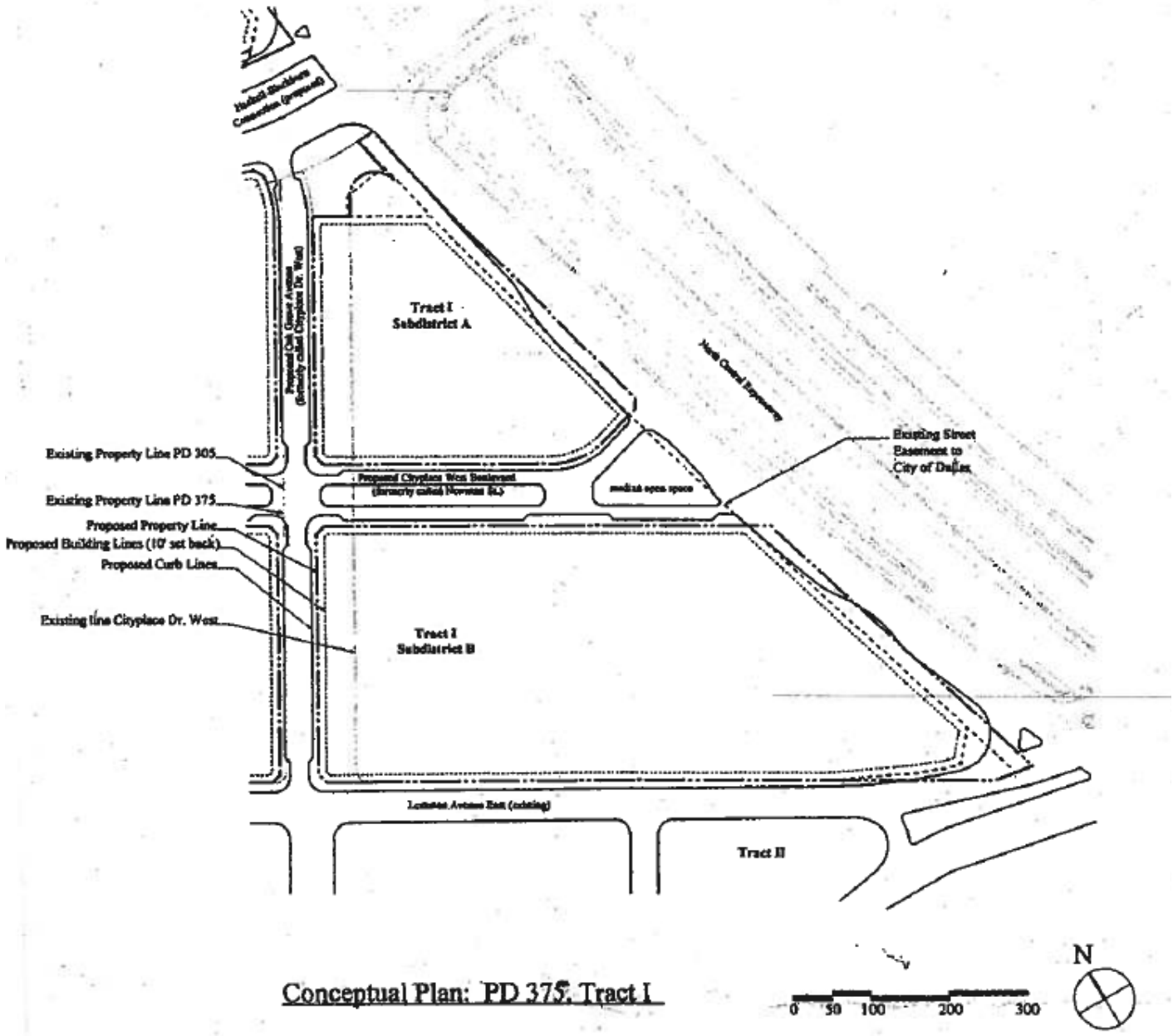
CITYPLACE: PD375, Tract I

Subdistrict	Max Stories	Max Height	Max fAR	Land Area	Max Lot Coverage
A	20	270	5.00	109,636 SF(2.517 AC)	90%
B	43	546	5.00	113,278 SF(2.601 AC)	90%
C	43	546	5.00	125,402 SF(2.879 AC)	90%

CITYPLACE: PD375, Tract II

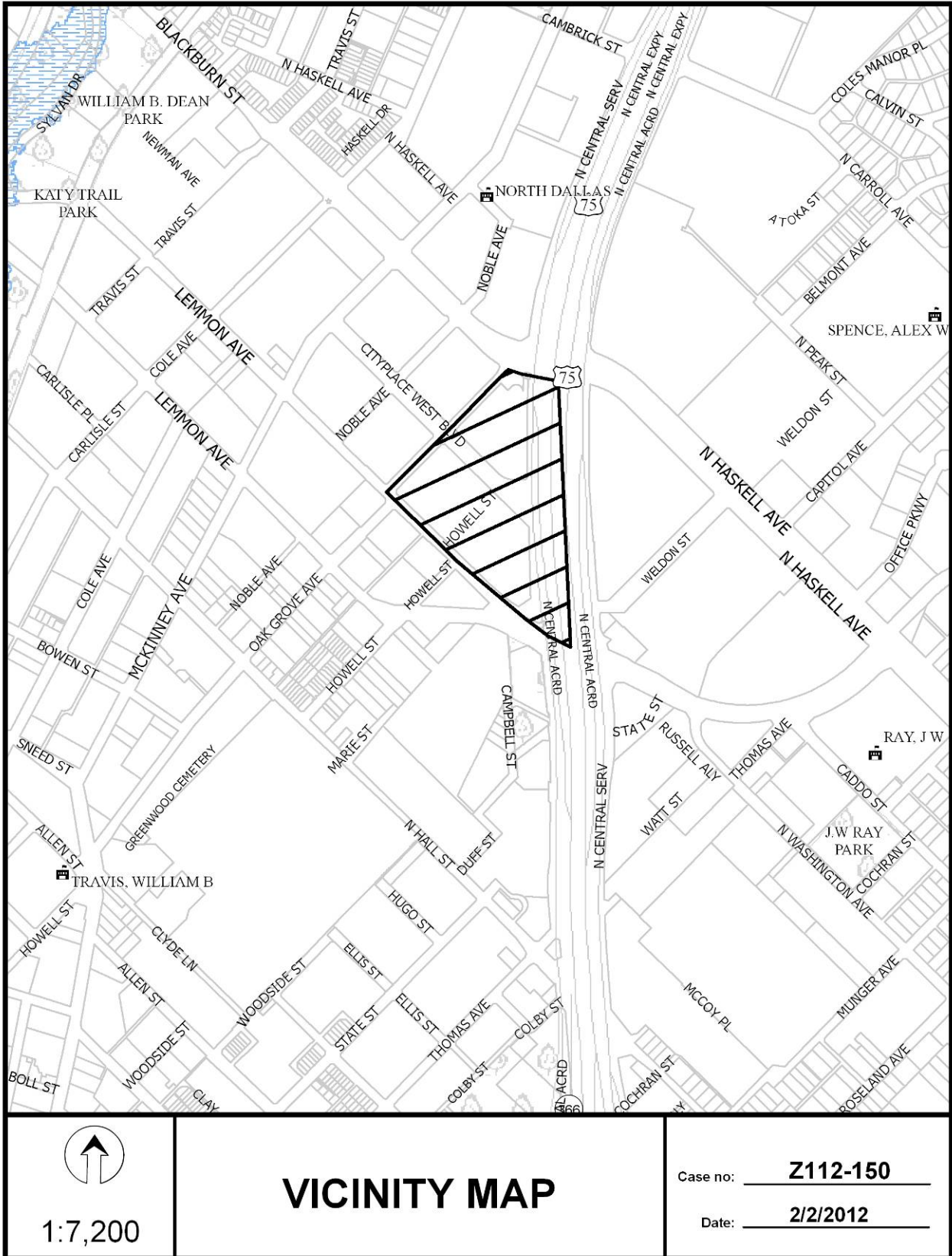
	Max Stories	Max Height	Square Footage	Land Area	Max Lot Coverage
Tract II	3	36'	23,305 SF	36,871 SF(0.8464 AC)	34%

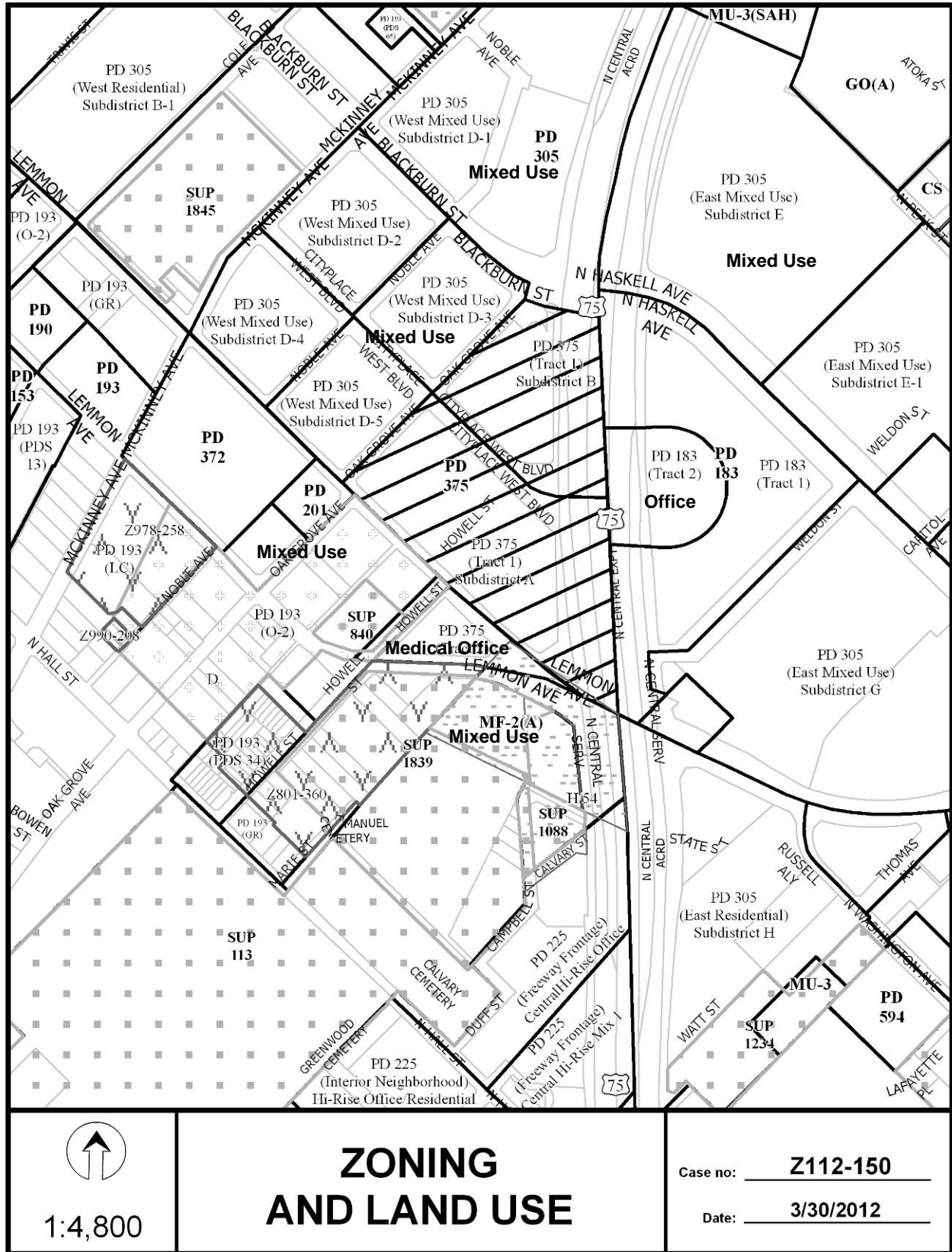
Existing Tract 1 Conceptual Plan



CITYPLACE: PD 375, Tract I

Subdistrict	Max. Stories	Max. Height	Max. FAR	Land Area	Max. Lot Coverage
A	20	270'	5.00	109,636 SF (2.517 AC)	90%
B	43	546'	5.00	254,224 SF (5.836 AC)	90%



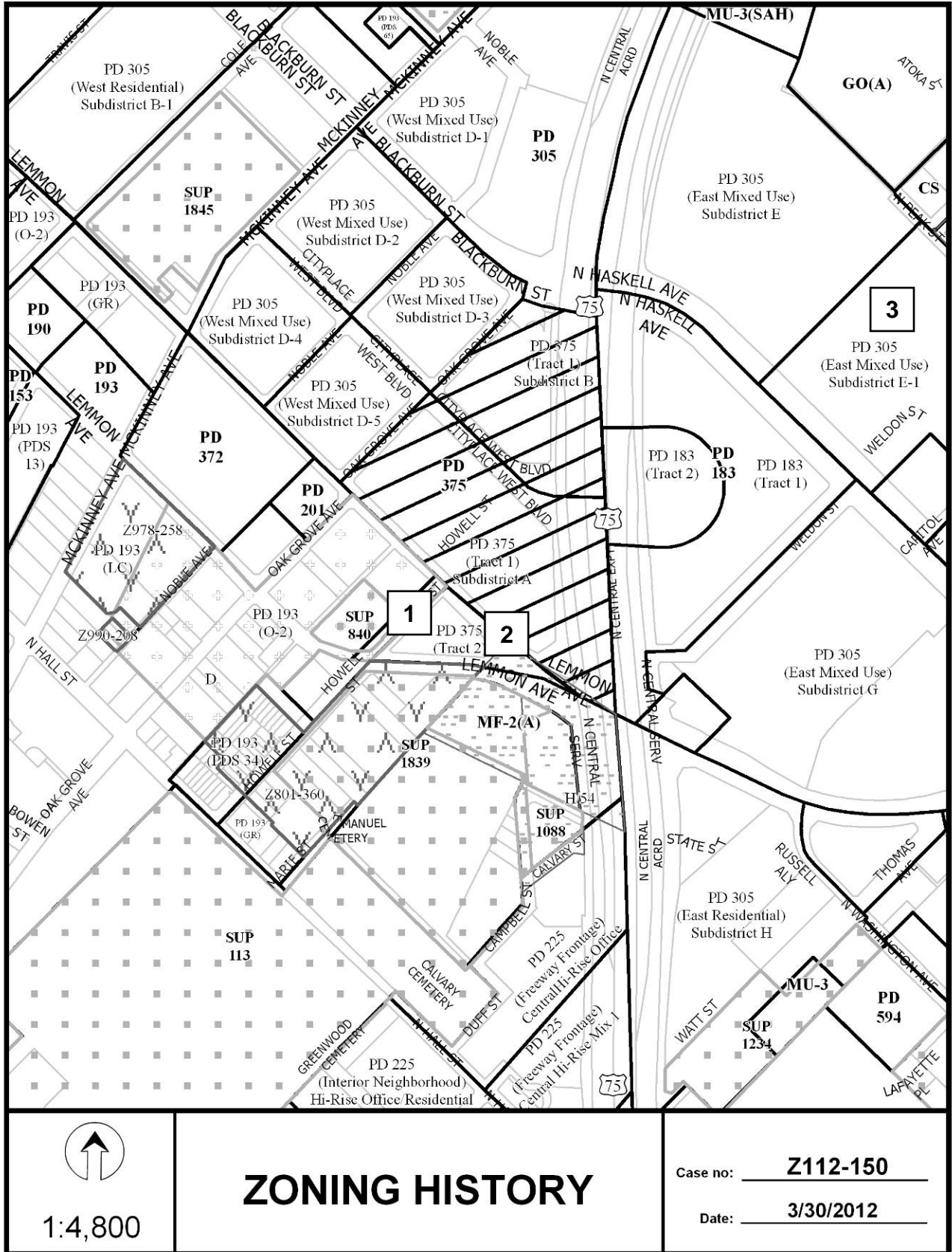



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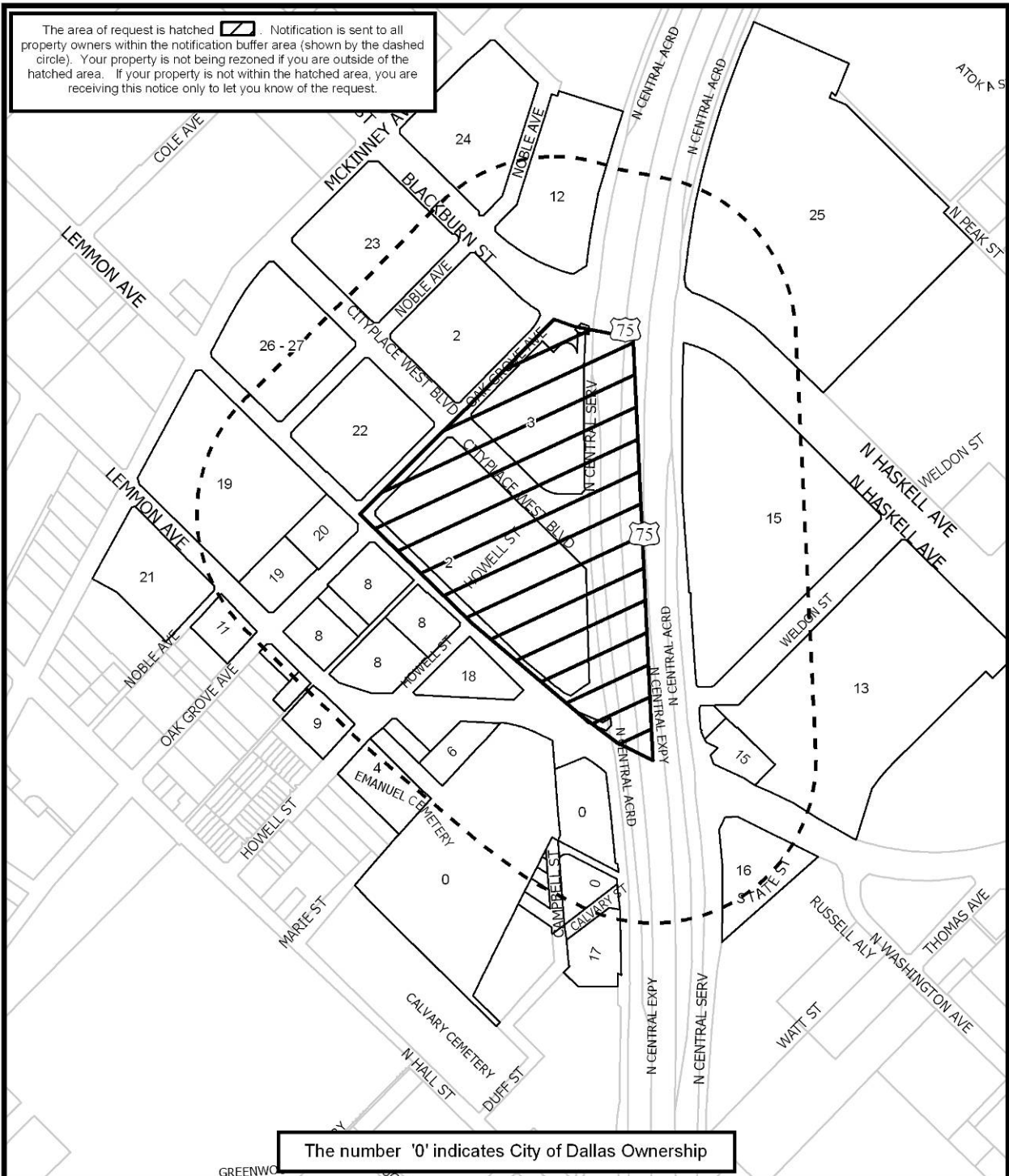
ZONING AND LAND USE

Case no: Z112-150


Date: 3/30/2012



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



The number '0' indicates City of Dallas Ownership


 1:4,800

NOTIFICATION

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

Case no: **Z112-150**
 Date: **2/2/2012**

Notification List of Property Owners

Z112-150

27 Property Owners Notified

Label #	Address	Owner
1	2700 LEMMON AVE EAST AVE	BLACKBURN CENTRAL HOLDINGS LP # 890
2	2921 LEMMON AVE	BLACKBURN CENTRAL HOLDINGS LP LB 12
3	3504 CENTRAL EXPY	BLACKBURN CENTRAL HOLDINGS LP
4	3527 CAMPBELL ST	CONGREGATION EMANU EL
5	3511 CAMPBELL ST	TEMPLE EMANU EL CONGREGATION
6	2700 LEMMON AVE	TEMPLE EMANU EL
7	3514 OAK GROVE AVE	CWS LEMMON LP SUITE 400
8	2828 LEMMON AVE EAST AVE	CWS LEMMON LP
9	2817 LEMMON AVE	2801 INVESTMENTS LTD STE A306
10	3420 OAK GROVE AVE	ANTONETTI & VEGA LTD LP
11	2909 LEMMON AVE	UPTOWN OFFICE BUILDING LLC
12	3925 CENTRAL EXPY	JLB CITYPLACE LP SUITE 960
13	2417 HASKELL AVE	DAYTON HUDSON CORP % RUTH LOWENTHAL
14	2703 CENTRAL EXPY	KIR CITYPLACE MARKET L P STE 100
15	2711 HASKELL AVE	DALLAS CPT FEE OWNER LP
16	2503 LEMMON AVE	EXXON MOBIL CORP
17	2400 CENTRAL EXPY	WALMART REAL ESTATE BUSINESS TRUST
18	2727 LEMMON AVE	BREMNERDUKE MARY SHIELDS DEVELOPMENT LP
19	3524 MCKINNEY AVE	PAN COASTAL LIMITED PS % SOUTHSTATE MGMT
20	3521 OAK GROVE AVE	MESSINA MARIO L STE 180
21	3418 MCKINNEY AVE	WALGREEN CO
22	2901 CITY PLACE BLVD	BRYSON AT CITY PLACE LP
23	3700 MCKINNEY AVE	BLACKBURN CENTRAL HOLDINGS LP LB 12
24	3000 BLACKBURN ST	LOADSTAR INC
25	2828 HASKELL AVE	AFFILIATED COMPUTER SVC
26	3636 MCKINNEY AVE	CIM/3636 MCKINNEY AVE LP STE 900
27	3600 MCKINNEY AVE	3600 MCKINNEY LTD PS STE 890