



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, September 20, 2012
AGENDA

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

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

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

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S112-193**
(CC District 14)
- An application to replat a 0.43 acre tract of land containing all of Lots 7 and 8 and part of Lots 3 and 4 in City Block 1/1476 into 1 lot on property located at 5809 and 5815 Ross Avenue and 1711 Hubert Street.
Applicant/Owner: Matilda Apartments, LP
Surveyor: Texas Heritage Surveying, LLC
Application Filed: August 22, 2012
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (2) **S112-194**
(CC District 14)
- An application to replat a 0.62 acre tract of land containing part of Lots 1, 2, and 3, and all of Lot 7A in City Block J/1476 into one lot on property located at 5901 Ross Avenue and 1710 Hubert Street.
Applicant/Owner: Matilda Apartments, LP
Surveyor: Texas Heritage Surveying, LLC
Application Filed: August 22, 2012
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (3) **S112-195**
(CC District 2) An application to create one 0.4415 acre lot from a tract of land in City Block 217 on property located at 400 and 406 North Lamar Street, 902 & 908 Ross Avenue, and 900, 905, and 907 San Jacinto Street.
Applicant/Owner: Ung Ly Eav and Kim Chnour
Surveyor: JDJR Engineers
Application Filed: August 23, 2012
Zoning: CA-1(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S112-198**
(CC District 6) An application to create one 2.0777 acre lot and one 7,506 square foot lot from a 2.25 acre tract of land in City Block 8348 on property located on Merrifield Road, south of East Jefferson Boulevard.
Applicant/Owner: Baldomero Gallegos
Surveyor: Carrol Consulting Group, Inc.
Application Filed: August 28, 2012
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S112-199**
(CC District 1) An application to create one 0.703 acre lot from a tract of land containing all of Lots 3, 4A, 4B, and 4C in City Block 126/3110 on property located on South Marsalis Street at Opera Street, southeast corner.
Applicant/Owner: City of Dallas / State of Texas
Surveyor: Pacheco Koch Consulting Engineers, Inc.
Application Filed: August 28, 2012
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats:

- (6) **S112-196**
(CC District 13) An application to replat a 7.905 acre tract of land containing all of Lot 1 in City Block M/6138 and a tract of land from a 151.179 acre tract of land in City Block 6138 to create one lot on property located at 7915 Greenville Avenue.
Applicant/Owner: Royal Oaks Country Club, Inc. / Talley & Associates
Surveyor: Raymond L. Goodson, Jr., Inc.
Application Filed: August 28, 2012
Zoning: PD 790, Area B
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (7) **S112-197**
(CC District 9)
- An application to replat a 0.96 acre tract of land containing all of Lots 1, 2, and 3 in City Block A/5248 into one 11,905 square foot lot, one 15,551 square foot lot, and one 14,263 square foot lot on property located at 9026, 9030, and 9036 Eustis Avenue at Old Gate Lane, south corner.
Applicant/Owner: Dennis L. Stark, William R. Rogers, Jr.; Jeffrey Dale Ryan, Karen Ryan; Maren D. Reudiger
Surveyor: HD Fetty Land Surveyor
Application Filed: August 28, 2012
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S112-200**
(CC District 7)
- An application to replat a 1.026 acre tract of land containing all of Lots 18 through 30 in City Block 2/2539 into 9 lots ranging in size from 0.04 acre to approximately 7,300 square feet on property located on Bexar Street at Starks Avenue, southwest corner.
Applicant/Owner: East Dallas Community Organization & Habitat for Humanity
Surveyor: Shields & Lee Surveyors
Application Filed: August 28, 2012
Zoning: PD 730, Tract 1A; PD 595 (R-5A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (9) **S112-201**
(CC District 9)
- An application to replat a 0.765 acre tract of land containing all of Lot 9 and part of Lots 7 and 8 in City Block C/2827 into one 0.365 acre lot on property located at 7118 Delrose Drive and one 0.40 acre lot on property located at 7145 Meadowlake Avenue.
Applicant/Owner: Richard & Pamela Karlos & Mary Anne Ingram & James A. Schachterle
Surveyor: Gonzalez & Schneeberg
Application Filed: August 28, 2012
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Item:

- (10) **S012-099R**
(CC District 12)
- A request for the approval of the First Amendment of Declaration of Covenants, Conditions, and Restrictions for the Courtyards at Preston Trails on property located at the northwest corner of Keller Springs Road and Preston Road.
Staff Recommendation: **Approval** of the First Amendment of Declaration of Covenants, Conditions, and Restrictions.

Miscellaneous Docket

- Z112-268(RB)**
Richard Brown
(CC District 6)
- Deed restrictions submitted in conjunction with an application for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant on property zoned an IR Industrial/Research District on the south line of Ryan Road, east of Luna Road.
Staff Recommendation: **Approval**
Applicant: SNOBLA Holdings, LLC
Representative: Dallas Cothrum

Zoning Cases - Consent

1. **Z112-285(JH)**
Jennifer Hiromoto
(CC District 2)
- An application for the renewal of Specific Use Permit No. 1687 for an alcoholic beverage establishment use for a bar, lounge, or tavern and an inside commercial amusement for a Class A dance hall within Tract A within Planned Development District No. 269, the Deep Ellum/Near East Side District on the south side of Commerce Street, west of Henry Street.
Staff Recommendation: **Approval** for a five-year period, subject to conditions.
Applicant: Marty Monroe, Adair's Saloon
2. **Z112-277(MW)**
Megan Wimer
(CC District 11)
- An application for an amendment to deed restrictions on property zoned an MU-1 (SAH) Mixed Use District (Affordable) with Specific Use Permit No. 1454 for a detached non-premise sign on the northeast corner of LBJ Freeway and Meandering Way.
Staff Recommendation: **Approval**
Applicant: Cypress Springs ALZ, LLC
Representative: Roger Albright

3. **Z112-289(MW)**
Megan Wimer
(CC District 14)
- An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a D(A) Duplex District on the south side of Ellsworth Avenue, west of McMillan Avenue.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: MKBW Liberty, LLC
Representative: Mark Weatherford

Zoning Cases - Under Advisement

4. **Z112-283(JH)**
Jennifer Hiromoto
(CC District 2)
- An application for a new subdistrict within Planned Development District No. 621 on property zoned a Subdistrict 1A within Planned Development District No. 621 on the northwest corner of North Riverfront Boulevard and Payne Street.
Staff Recommendation: **Approval**
Applicant/Representative: Brent Thompson, Reunion Brewing Company
U/A From: September 6, 2012
5. **Z112-256(JH)**
Jennifer Hiromoto
(CC District 12)
- An application for a CS Commercial Service District on property zoned a CH Clustered Housing District on the south side of Ronnie Drive and north side of Newt Drive, east of Dickerson Street.
Staff Recommendation: **Denial**
Applicant: Barbara Haynes and Feliz Diaz
U/A From: August 16, 2012 and September 6, 2012

Zoning Cases – Individual

6. **Z112-126(JH)**
Jennifer Hiromoto
(CC District 14)
- An application for an amendment to Tract 1 of Planned Development Subdistrict No. 50 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast corner of Cedar Springs Road and North Harwood Street.
Staff Recommendation: **Approval**, subject to a development plan, landscape plan and conditions.
Applicant: SE 1900 Cedar Springs
Representative: Kirk Williams and Tommy Mann

7. **Z112-292(JH)**
Jennifer Hiromoto
(CC District 8)

An application for a Planned Development District for CR Community Retail District uses on property zoned a CR Community Retail District on the north side of West Camp Wisdom Road, west side of Del Rey Drive with consideration given to a Specific Use Permit for an open-enrollment charter school.

Staff Recommendation: **Approval** of a Specific Use Permit for an open-enrollment charter school for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, traffic management plan, and conditions in lieu of a Planned Development District.

Applicant: CACSFF REIT
Representative: Tommy Mann

8. **Z112-295(MW)**
Megan Wimer
(CC District 5)

An application for an amendment to Specific Use Permit No. 1926 for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned Subarea 5 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, with a D-1 Liquor Control Overlay on the southwest corner C.F. Hawn Freeway and Great Trinity Forest Way.

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

Applicant: DFW Distributor Petroleum, Inc., Sami Ebrahim, President
Representative: Santos Martinez, MASTERPLAN

9. **Z090-243(DM)**
Donna Moorman
(CC District 2)

A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 842 for CR Community Retail District Uses with Modified Delta Overlay District No. 1 with consideration given to zoning to permit Townhouse District uses and standards on the south side of Belmont Avenue, west of Greenville.

Staff Recommendation: **Approval** of a new tract within Planned Development District No. 725, subject to a conceptual plan and conditions.

10. **Z112-233(WE)**
Warren Ellis
(CC District 13)

An application for a Planned Development District for MF-3(A) Multifamily District uses on property zoned a CR Community Retail District on the south side of Bandera Avenue, between Turtle Creek Boulevard and Hillcrest Road.

Staff Recommendation: **Approval**, subject to a conceptual plan and staff conditions.

Applicant: Champion Northwest, LLC
Representative: Maxwell Fisher, MASTERPLAN

Other Matters

Consideration of the 2013 City Plan Commission Calendar

Minutes: September 6, 2012

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, September 18, 2012

ARTS DISTRICT SIGN ADVISORY COMMITTEE MEETING - Tuesday, September 18, 2012, City Hall, 1500 Marilla Street, 5DN, at 10:00 a.m., to consider (1) **1208201097** - An application for a Certificate of Appropriateness by Jerry Bural, Environmental Signage Solutions, for a 180 square foot illuminated monument sign at 2403 Flora Street; and (2) **SPSD 112-002** - An application to amend the Dallas Arts District Extension Area Sign District, Sec. 51A-7.2100 of the Dallas Development Code, to allow for new sign regulations in the Arts District Extension Area generally bounded by Routh Street, Woodall Rogers Freeway, Flora Street, and Forbes Alley

Thursday, September 20, 2012

TRANSPORTATION COMMITTEE MEETING - Thursday, September 20, 2012, City Hall, 1500 Marilla Street, in the Council Chambers, at 8:30 a.m., to brief (1) **Complete Streets Initiative**

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, September 20, 2012, City Hall, 1500 Marilla Street, in 5ES, at 9:30 a.m., to consider (1) **DCA 112-002(a)** Consideration of amending the Dallas Development Code to amend certain parking standards to include bicycle parking provisions.

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, SEPTEMBER 20, 2012****FILE NUMBER:** S112-193**Subdivision Administrator:** Paul Nelson**LOCATION:** 5809 and 5815 Ross Avenue and 1711 Hubert Street**DATE FILED:** August 22, 2012**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.43 Acre **MAPSCO:** 36X**APPLICANT/OWNER:** Matilda Apartments, LP

REQUEST: An application to replat a 0.43 acre tract of land containing all of Lots 7 and 8 and part of Lots 3 and 4 in City Block 1/1476 into 1 lot on property located at 5809 and 5815 Ross Avenue and 1711 Hubert Street.

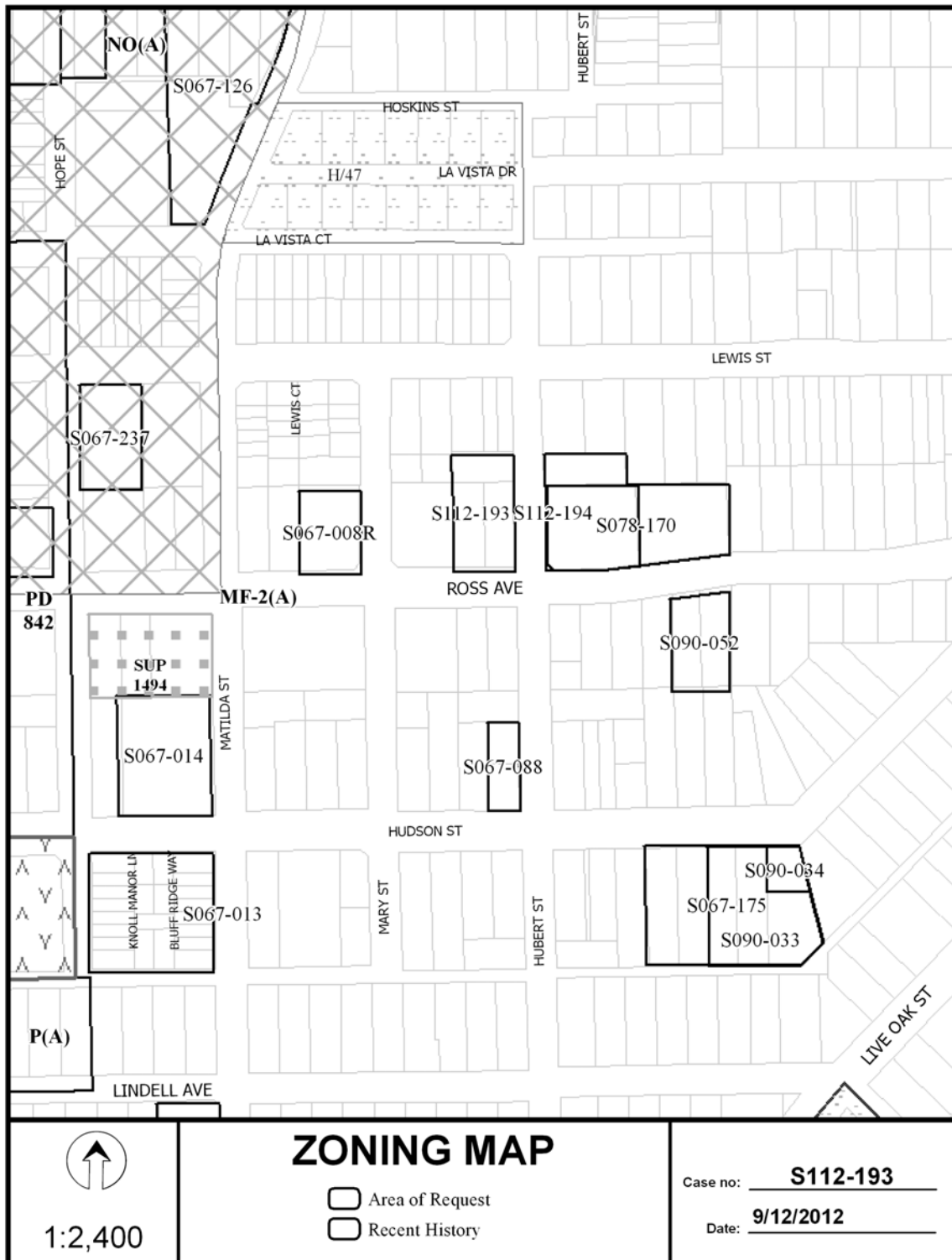
SUBDIVISION HISTORY:

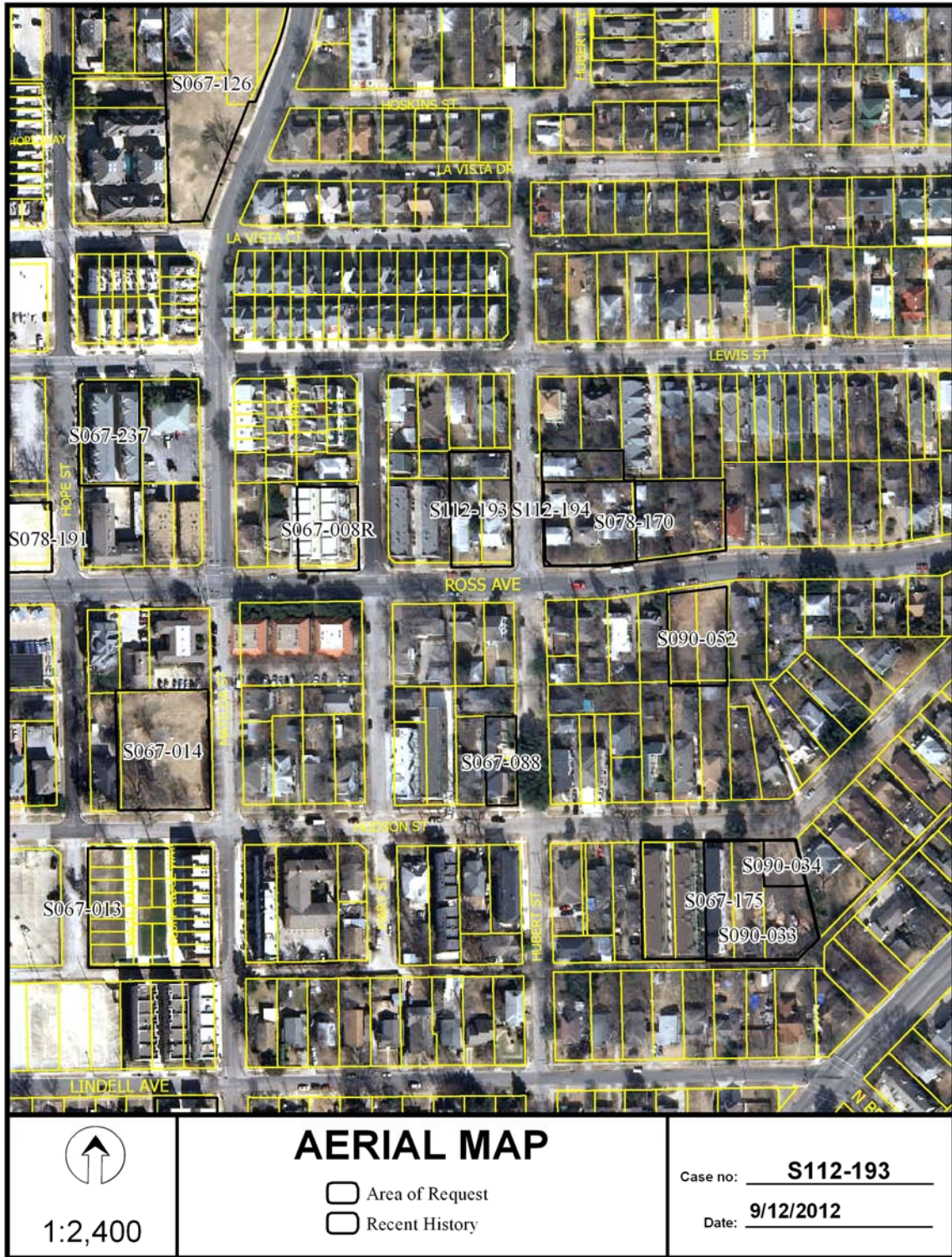
1. S112-194 is an application east of the present request to replat a 0.62 acre tract of land containing part of Lots 1, 2, and 3, and all of Lot 7A in City Block J/1476 into one lot on property located at 5901 Ross Avenue and 1710 Hubert Street. This request is scheduled for a hearing on September 20, 2012.
2. S090-052 was an application southeast of the present request to replat all of Lots 5 and 6 into one 0.34 acre lot in City Block O/1480 located on 5918 and 5922 Ross Avenue east of Hubert Street. The request was approved on January 29, 2010 and recorded on September 16, 2011.

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

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

7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat dedicate 28 feet of ROW from the established center line of Hubert Street.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Ross Avenue and Hubert Street.
15. On the final plat comply with the Peaks Branch drainage requirement. The finish floor elevation is recommended to be 3 feet above the nearest inlet, top of curb.
16. On the final plat monument all set corners per monumentation ordinance.
17. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
19. Existing water and wastewater mains must be shown on plat per Chapter 51A-8.403(A)(1)(a)(xii).
20. New water and/or wastewater easements need to be shown.
31. On the final plat identify the property as Lot 3A, City Block I/1476.





CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 20, 2012****FILE NUMBER:** S112-194**Subdivision Administrator:** Paul Nelson**LOCATION:** 5901 Ross Avenue and 1710 Hubert Street**DATE FILED:** August 22, 2012**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.43 Acre**MAPSCO:** 36X**APPLICANT/OWNER:** Matilda Apartments, LP

REQUEST: An application to replat a 0.62 acre tract of land containing part of Lots 1, 2, and 3 and all of Lot 7A in City Block J/1476 into one lot on property located at 5901 Ross Avenue and 1710 Hubert Street.

SUBDIVISION HISTORY:

1. S112-193 is an application west of the present request to replat a 0.43 acre tract of land containing all of Lots 7 and 8 and part of Lots 3 and 4 in City Block 1/1476 into 1 lot on property located at 5809 and 5815 Ross Avenue and 1711 Hubert Street. This request is also scheduled for a hearing before the Plan Commission on September 20, 2012.
2. S090-052 was an application southeast of the present request to replat all of Lots 5 and 6 into one 0.34 acre lot in City Block O/1480 located on 5918 and 5922 Ross Avenue east of Hubert Street. The request was approved on January 29, 2010 and recorded on September 16, 2011.

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

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

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat dedicate 28 feet of ROW from the established center line of Hubert Street.
14. On the final plat comply with the Peaks Branch drainage requirement. The finish floor elevation is recommended to be 3 feet above the nearest inlet, top of curb.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. On the final plat identify the property as Lot 1A, City Block J/1476.



CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 20, 2012****FILE NUMBER:** S112-195**Subdivision Administrator:** Paul Nelson**LOCATION:** 400 and 406 N. Lamar St., 902 & 908 Ross Ave., and 900, 905, and 907 San Jacinto St.**DATE FILED:** August 23, 2012**ZONING:** CA-1(A)**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.4415 Acre **MAPSCO:** 45K**APPLICANT/OWNER:** Ung Ly Eav and Kim Chnour

REQUEST: An application to create one 0.4415 acre lot from a tract of land in City Block 217 on property located at 400 and 406 N. Lamar Street, 902 & 908 Ross Avenue, and 900, 905, and 907 San Jacinto Street.

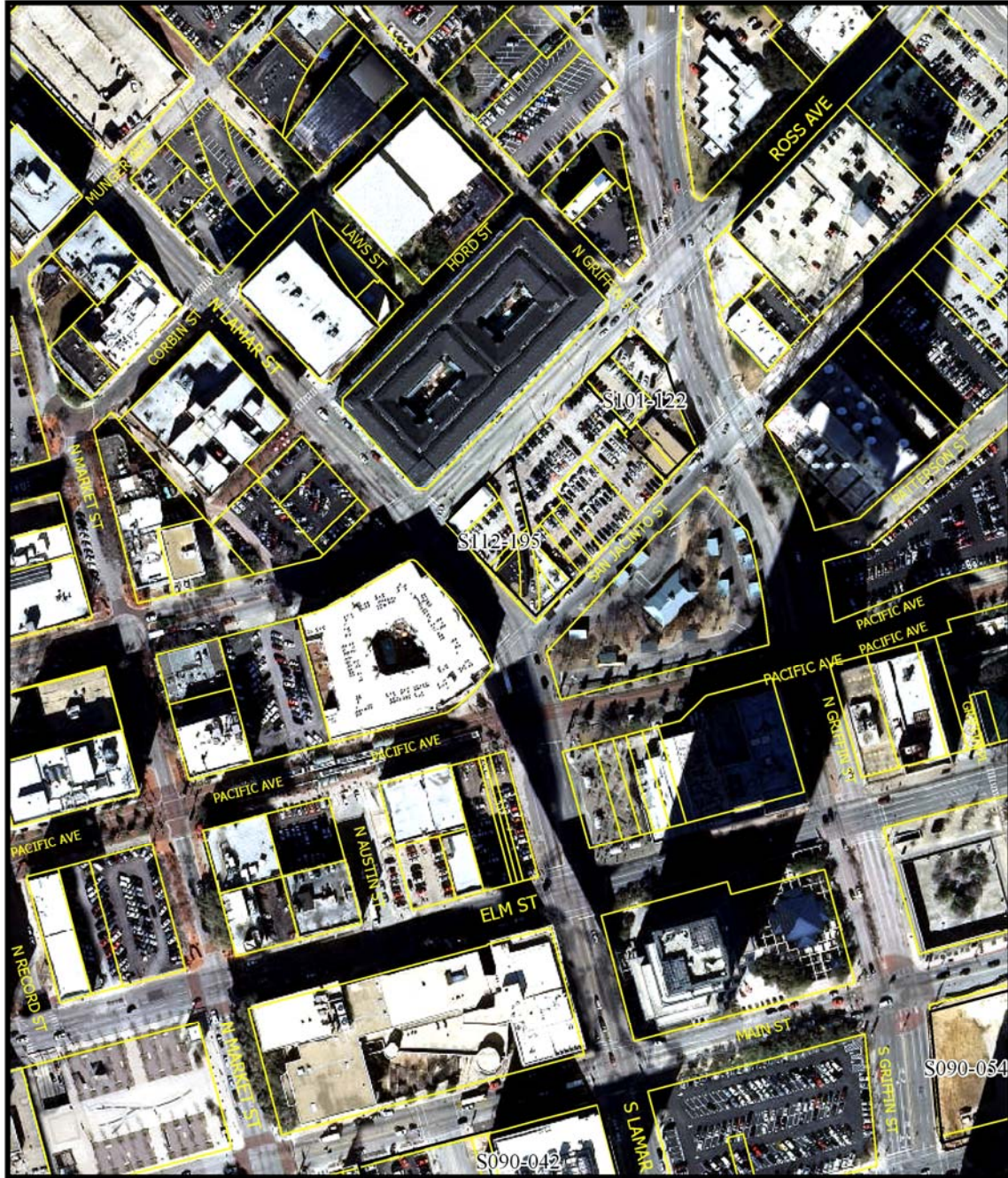
SUBDIVISION HISTORY:

1. S1012-122 is an application east of the present request to create one 0.4426 acre lot from a tract of land in City Block 217 at 505 Griffin Street between Ross Avenue and San Jacinto Street. The request was approved on July 7, 2011 but has not been recorded.

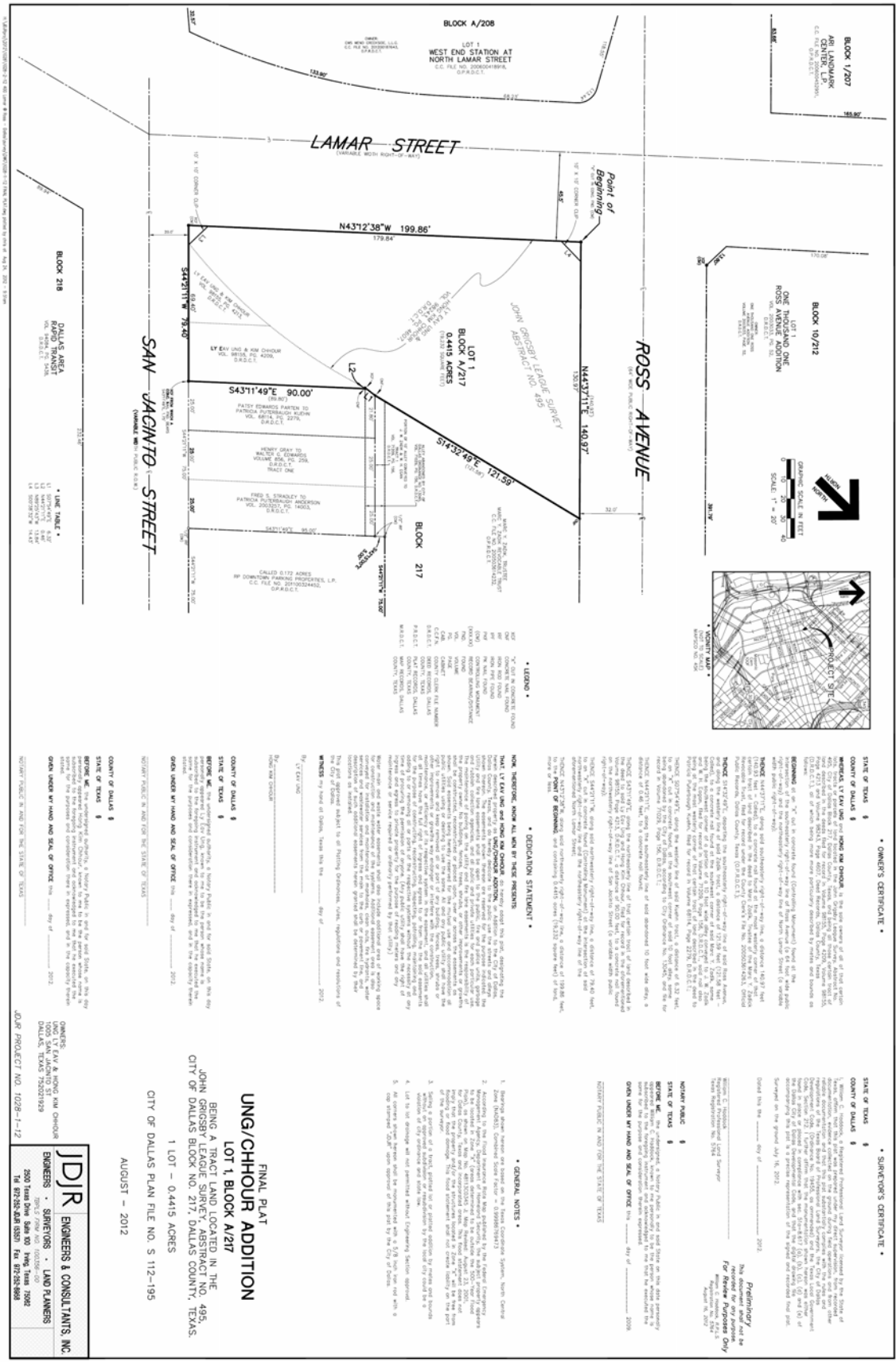
STAFF RECOMMENDATION: The request complies with the requirements of the CA-1(A) District; therefore, staff recommends approval subject to compliance with the following conditions:

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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat dedicate 26.5 feet of ROW from the established center line of San Jacinto Street.
14. Coordinate the ROW requirements for Lamar Street with the Thoroughfare Planning Section of the Sustainable Development & Construction Department.
15. On the final plat show how all adjoining ROW was created.
16. On the final plat show distances/width of ROW across Lamar Street and across San Jacinto Street in a minimum of 2 places on each street.
17. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Existing water and wastewater mains must be shown on plat per Chapter 51A-8.403(A)(1)(a)(xii).
18. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
19. Water/wastewater main extension is required by Private Development Contract.
20. On the final plat identify the property as Lot 1, City Block B/217.



 1:2,400	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S112-195 </u> Date: <u> 9/12/2012 </u>
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CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 20, 2012****FILE NUMBER:** S112-198**Subdivision Administrator:** Paul Nelson**LOCATION:** Merrifield Road, south of E. Jefferson Boulevard**DATE FILED:** August 28, 2012**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 2.25 Acre**MAPSCO:** 51B,H**APPLICANT/OWNER:** Baldomero Gallegos

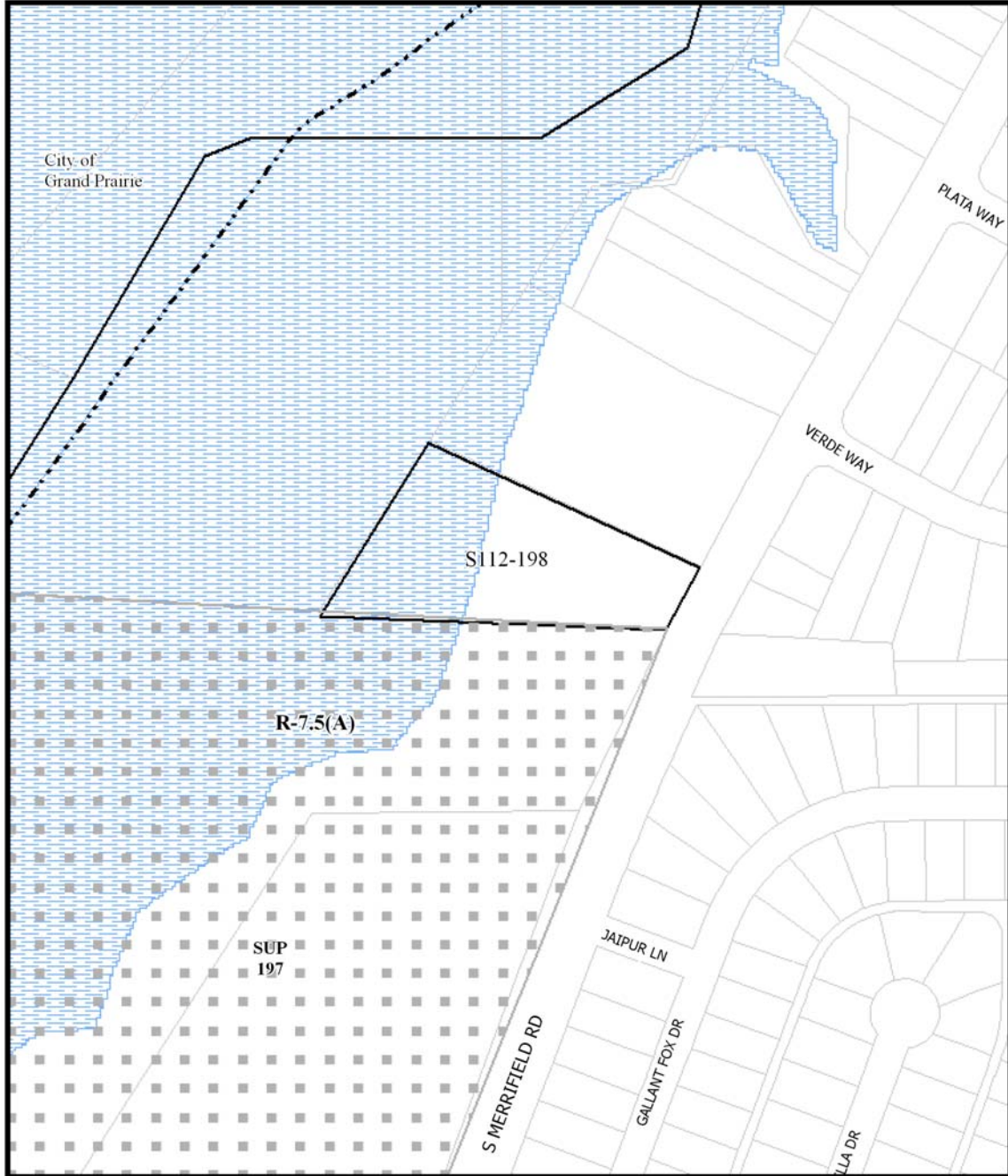
REQUEST: An application to create one 2.0777 acre lot and one 7,506 square foot lot from a 2.25 acre tract of land in City Block 8348 on property located on Merrifield Road, south of E. Jefferson Boulevard.

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

STAFF RECOMMENDATION: The request complies with the requirements of the R-7.5(A) District; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
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8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat determine the 100 year water surface elevation across the plat.
14. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
15. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
16. On the final plat specify minimum fill and minimum finished floor elevations.
17. On the final plat show the natural channel set back from the crest of the natural channel.
18. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
19. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
20. On the final plat show how all adjoining ROW was created.
21. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information.
22. On the final plat show the correct recording information for the subject property.
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. A Wastewater Backflow Agreement is required to be approved by the City of Dallas prior to submitting the final plat for the Chairman's signature.
25. On the final plat identify the property as Lot 1 and Lot 2, City Block B/8348.



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: <u> S112-198 </u> Date: <u> 9/12/2012 </u>
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1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S112-198

Date: 9/12/2012

CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 20, 2012****FILE NUMBER:** S112-199**Subdivision Administrator:** Paul Nelson**LOCATION:** South Marsalis Street at Opera Street, southeast corner**DATE FILED:** August 28, 2012**ZONING:** RR**CITY COUNCIL DISTRICT:** 1**SIZE OF REQUEST:** 0.703 Acre**MAPSCO:** 55E**APPLICANT/OWNER:** City of Dallas / State of Texas

REQUEST: An application to create one 0.703 acre lot from a tract of land containing all of Lots 3, 4A, 4B, and 4C in City Block 126/3110 on property located on South Marsalis Street at Opera Street, southeast corner.

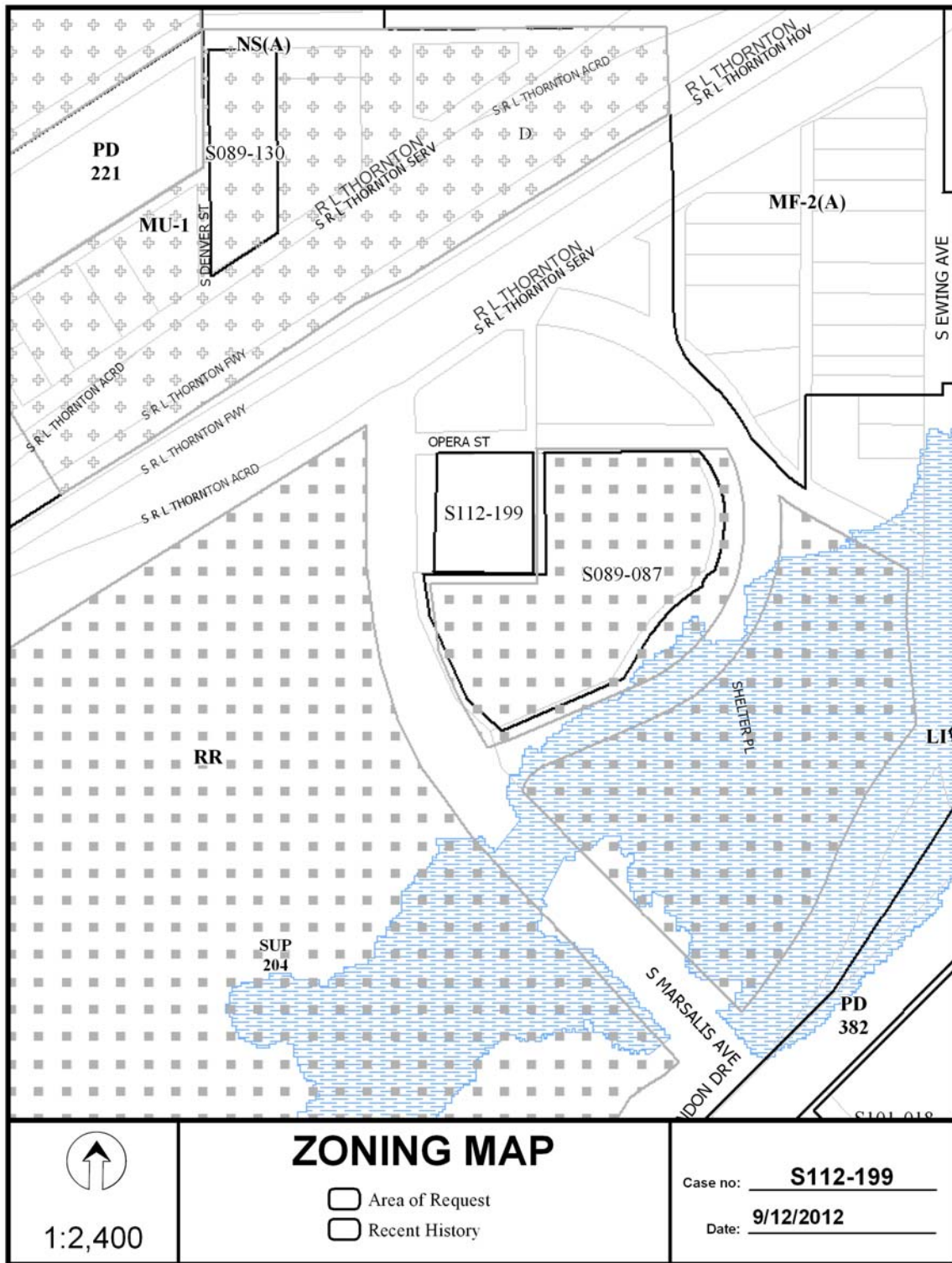
SUBDIVISION HISTORY:

1. S089-087 was an application to replat part of City Block 129/3113 and part of City Block 3427 into a 2.969 acre lot generally located at the intersection of S. Marsalis Ave. and R.L. Thornton Freeway (I.H. 35), southeast corner. The request was approved on May 7, 2009 and recorded on December 23, 2009.

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

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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat show how all adjoining ROW was created.
14. On the final plat show distances/widths of ROW across Marsalis Avenue in a minimum of 2 places.
15. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. A "Fire Protection Certificate" must be signed and approved by the Building Inspection Chief Plans Examiner (or assigned representative) in Room 105 of the Oak Cliff Municipal Center, 320 E. Jefferson Blvd. and must be submitted to the Manager of Water and Sewer Services, Engineering Division, in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for signature by the Chairperson of the City Plan Commission or the approval of an "Early Release Building Permit" application whichever occurs first.
18. Water/wastewater main extension is required by Private Development Contract.
19. On the final plat change "South Marsalis Avenue" to "Marsalis Avenue".
20. On the final plat change "R.L. Thornton Freeway (I.H. 35E)" to "R.L. Thornton Freeway (R.L. Thornton Freeway (Interstate Highway No. 35E)".
21. On the final plat identify the property as Lot 1, City Block 126/3110.





 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: <u> S112-199 </u> Date: <u> 9/12/2012 </u>
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CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 20, 2012****FILE NUMBER:** S112-196**Subdivision Administrator:** Paul Nelson**LOCATION:** 7915 Greenville Avenue**DATE FILED:** August 28, 2012**ZONING:** PD 790, Area B**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 7.905 Acre **MAPSCO:** 26G,L**APPLICANT/OWNER:** Royal Oaks Country Club, Inc. / Talley & Associates

REQUEST: An application to replat a 7.905 acre tract of land containing all of Lot 1 in City Block M/6138 and a tract of land from a 151.179 acre tract of land in City Block 6138 to create one lot on property located at 7915 Greenville Avenue.

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

DATES NOTICES SENT: 20 notices were mailed on September 4, 2012 to property owners within 200 feet of this request with 0 replies received in favor and 0 replies received in opposition to the request as of September 16, 2012.

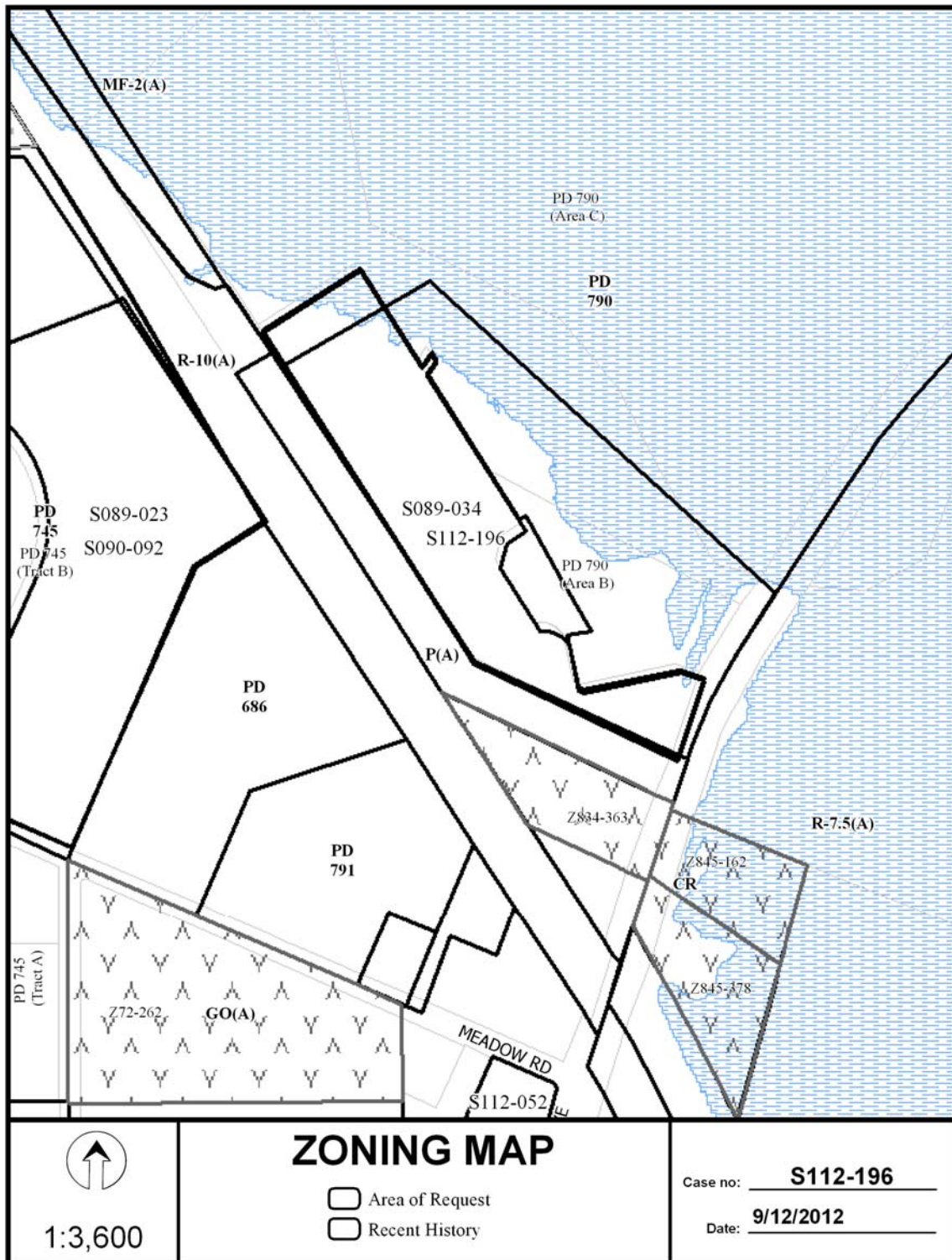
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

The Planned Development District minimum lot area is governed by the R-7.5(A) requirements. The proposed lot complies with the requirements of the R-7.5(A) District and complies with the requirements of PDD No. 790; therefore, staff recommends approval subject to compliance with the following conditions:

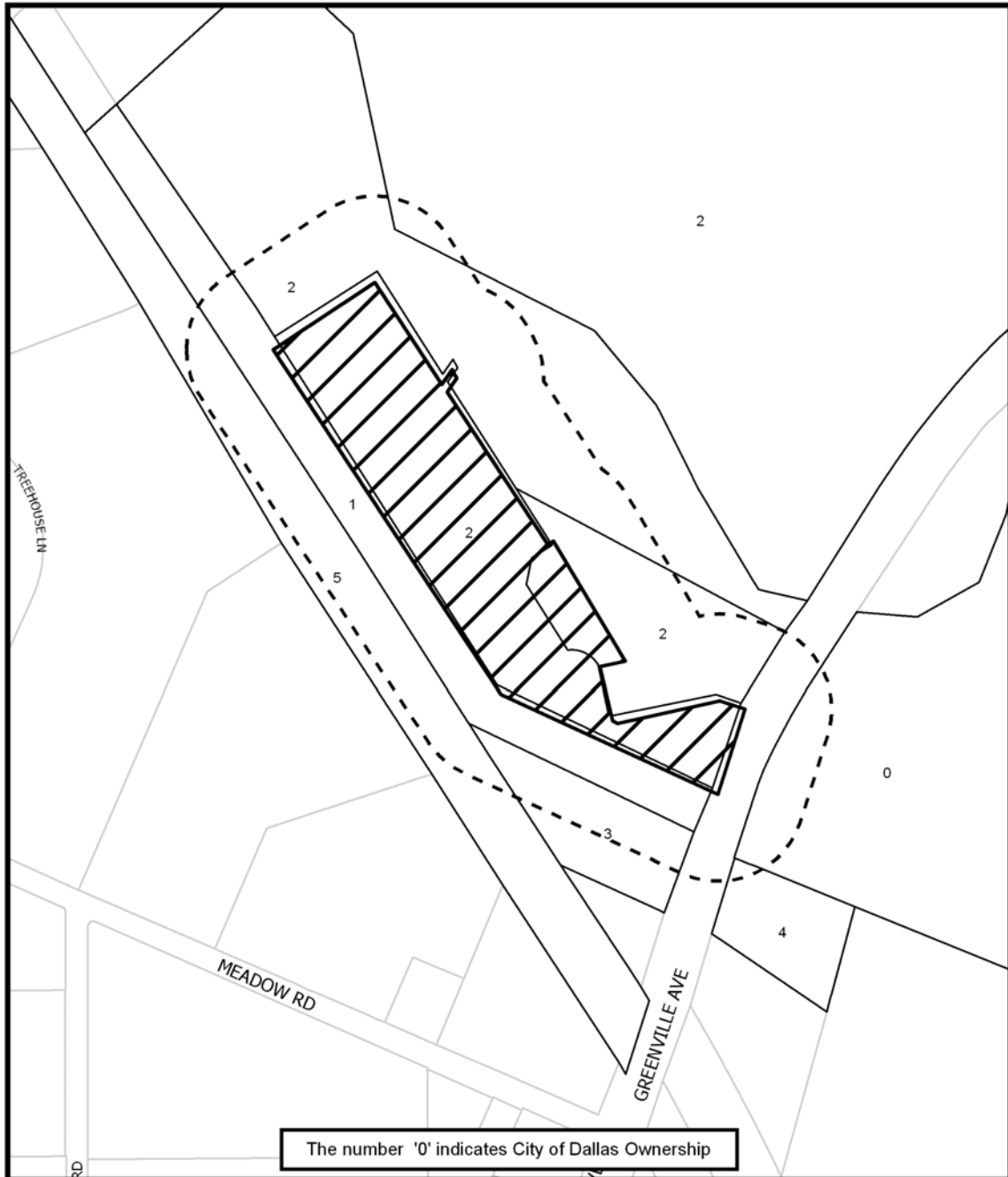
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat dedicate 50 feet of ROW from the established centerline of Greenville Avenue.
14. On the final plat determine the 100 year water surface elevation across the plat.
15. 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.
16. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
17. On the final plat specify minimum fill and minimum finished floor elevations.
18. On the final plat show the natural channel set back from the crest of the natural channel.
19. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
20. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
21. On the final plat show how all adjoining ROW was created,
22. On the final plat chose a different addition name.
23. On the final plat show the distance/width of ROW across Greenville Avenue.

24. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
25. On the final plat identify the property as Lot 1A in City Block M/6138.







 1:3,600	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">5</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	5	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> S112-196 </u> Date: <u> 9/12/2012 </u>
200'	AREA OF NOTIFICATION					
5	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

S112-196

5 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7804 GREENVILLE AVE	TEXAS UTILITIES ELEC CO % STATE & LOCAL TAX DEPT
2	8016 GREENVILLE AVE	ROYAL OAKS COUNTRY CLUB
3	7740 GREENVILLE AVE	ROYAL OAKS DEVELOPMENT CO 7915 GREENVILLE AVE
4	7606 GREENVILLE AVE	VINCE GUY INC
5	401 BUCKNER BLVD	DART

CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 20, 2012****FILE NUMBER:** S112-197**Subdivision Administrator:** Paul Nelson**LOCATION:** 9026, 9030, and 9036 Eustis Avenue at Old Gate Lane, south corner**DATE FILED:** August 28, 2012**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 9**SIZE OF REQUEST:** 0.96 Acre**MAPSCO:** 38S**APPLICANT/OWNER:** Dennis L. Stark, William R. Rogers, Jr.; Jeffrey Dale Ryan, Karen Ryan, Maren D. Reudiger

REQUEST: An application to replat a 0.96 acre tract of land containing all of Lots 1, 2, and 3 in City Block A/5248 into one 11,905 square foot lot, one 15,551 square foot lot, and one 14,263 square foot lot on property located at 9026, 9030, and 9036 Eustis Avenue at Old Gate Lane, south corner.

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

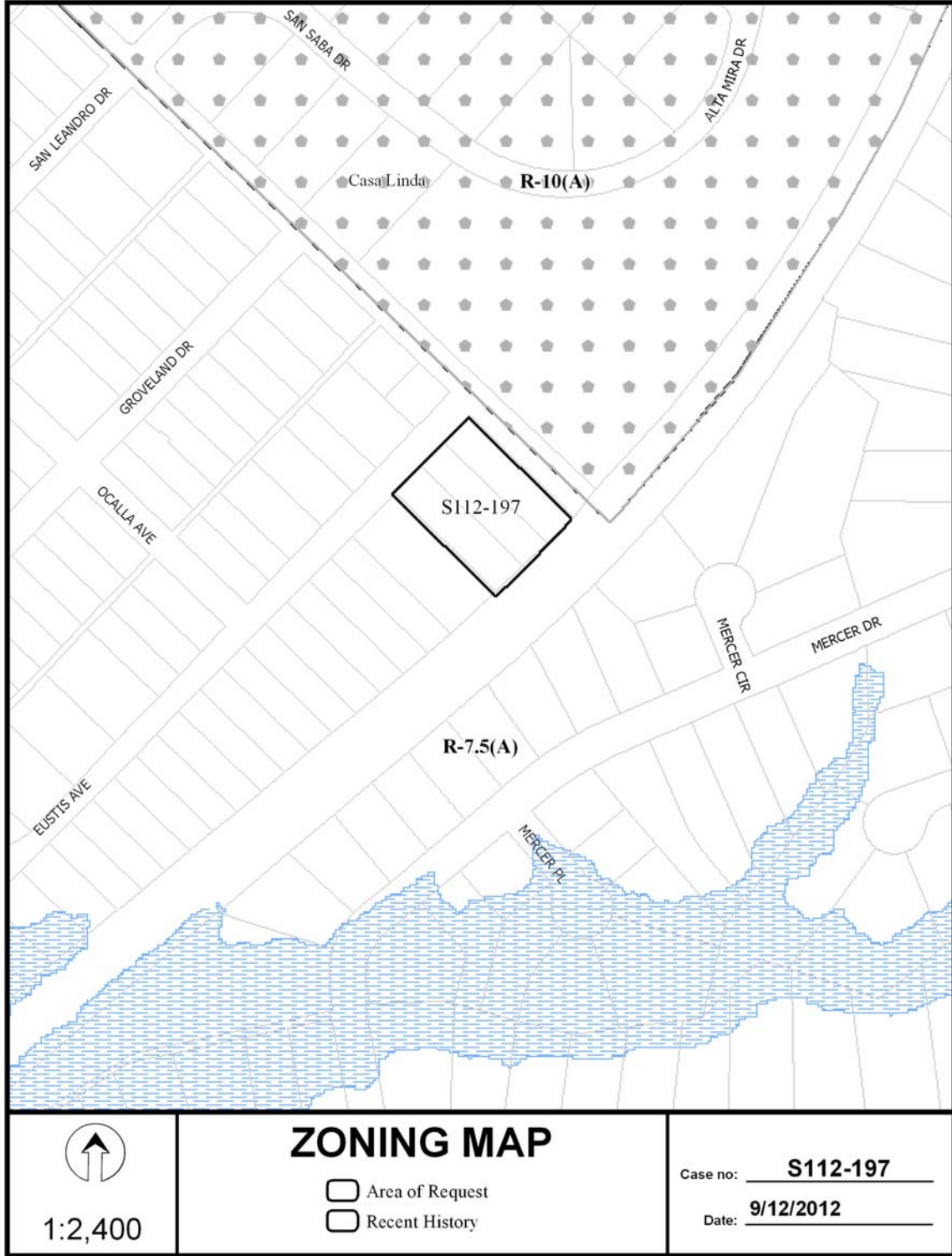
DATES NOTICES SENT: 22 notices were mailed on September 5, 2012 to property owners within 200 feet of this request with 0 replies received in favor and 0 replies received in opposition to the request as of September 12, 2012.

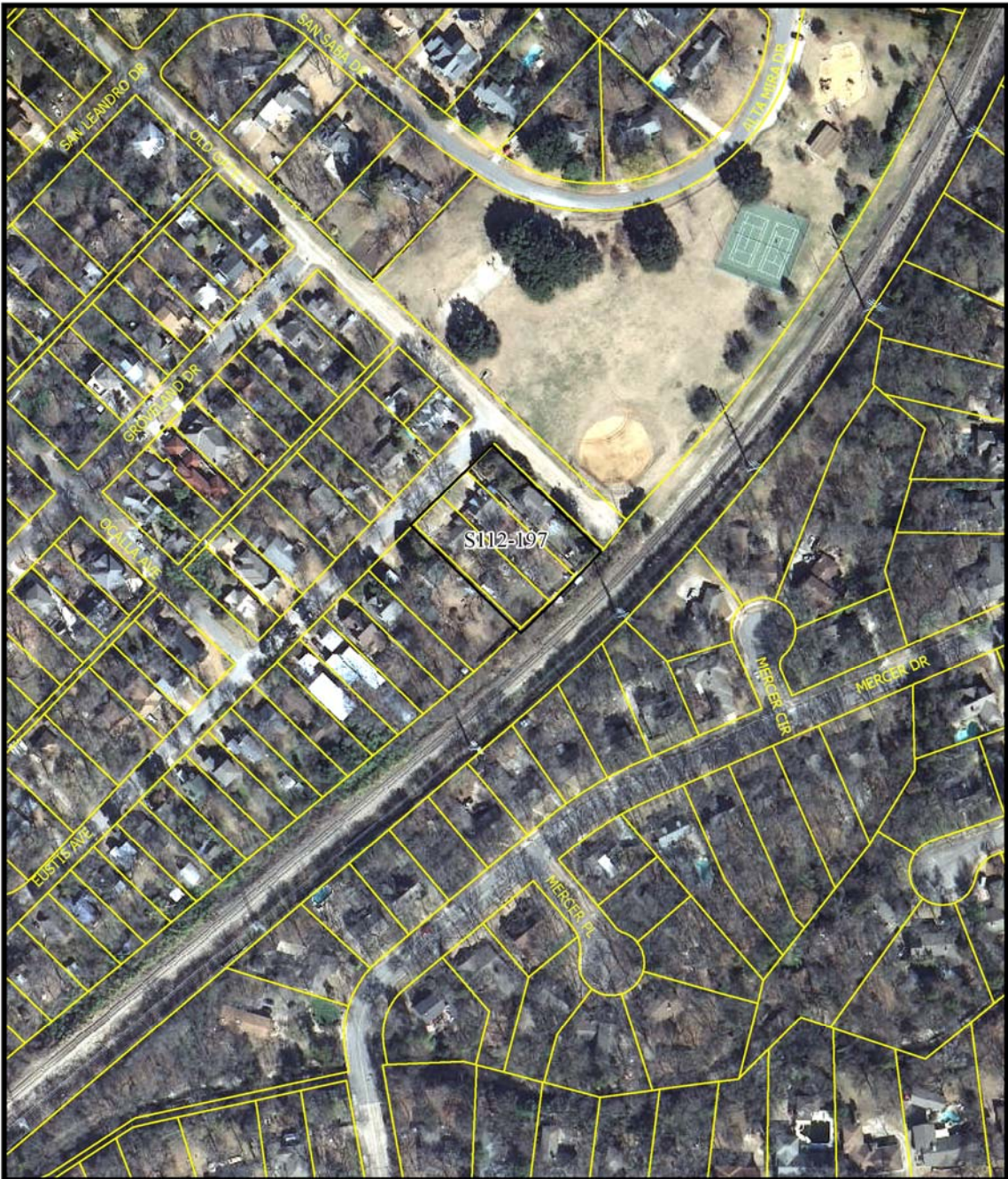
STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

The lots are governed by the R-7.5(A) requirements. The proposed lots will have to comply with the requirements of the R-7.5(A) District. Presently the lot lines between Lots 1 and 2, and Lots 2 and 3 go through the existing structures. The proposed lot lines between the structure on Lots 1 and 2; and Lots 2 and 3 must comply with the side yard setback requirement of 5 feet prior to the final plat being submitted to the Chairman for signature. The request will remove the preexisting nonconforming status of the structures on Lot 2 and Lot 3; therefore, staff recommends approval subject to compliance with the following conditions:

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

4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 3.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat dedicate 10 foot by 10 foot corner clip at Eustis Avenue and Old Gate Lane.
14. On the final plat show how all adjoining ROW was created.
15. On the final plat show how the KCS Railroad was created.
16. On the final plat show all additions or tracts of land within 150 feet of the property.
17. On the final plat show the correct recording information for the subject properties.
18. On the final plat show/list prior plat on map, in the legal description, and/or in the title block.
19. On the final plat label all boundary corners.
20. A wastewater backflow agreement is required to be approved by the City of Dallas prior to submittal of the final plat for the Chairman's signature.
25. On the final plat identify the property as Lots 1A, 2A and 3A in City Block A/5248.





 1:2,400	<h3>AERIAL MAP</h3> <ul style="list-style-type: none"><input type="checkbox"/> Area of Request<input type="checkbox"/> Recent History	Case no: <u>S112-197</u> Date: <u>9/12/2012</u>
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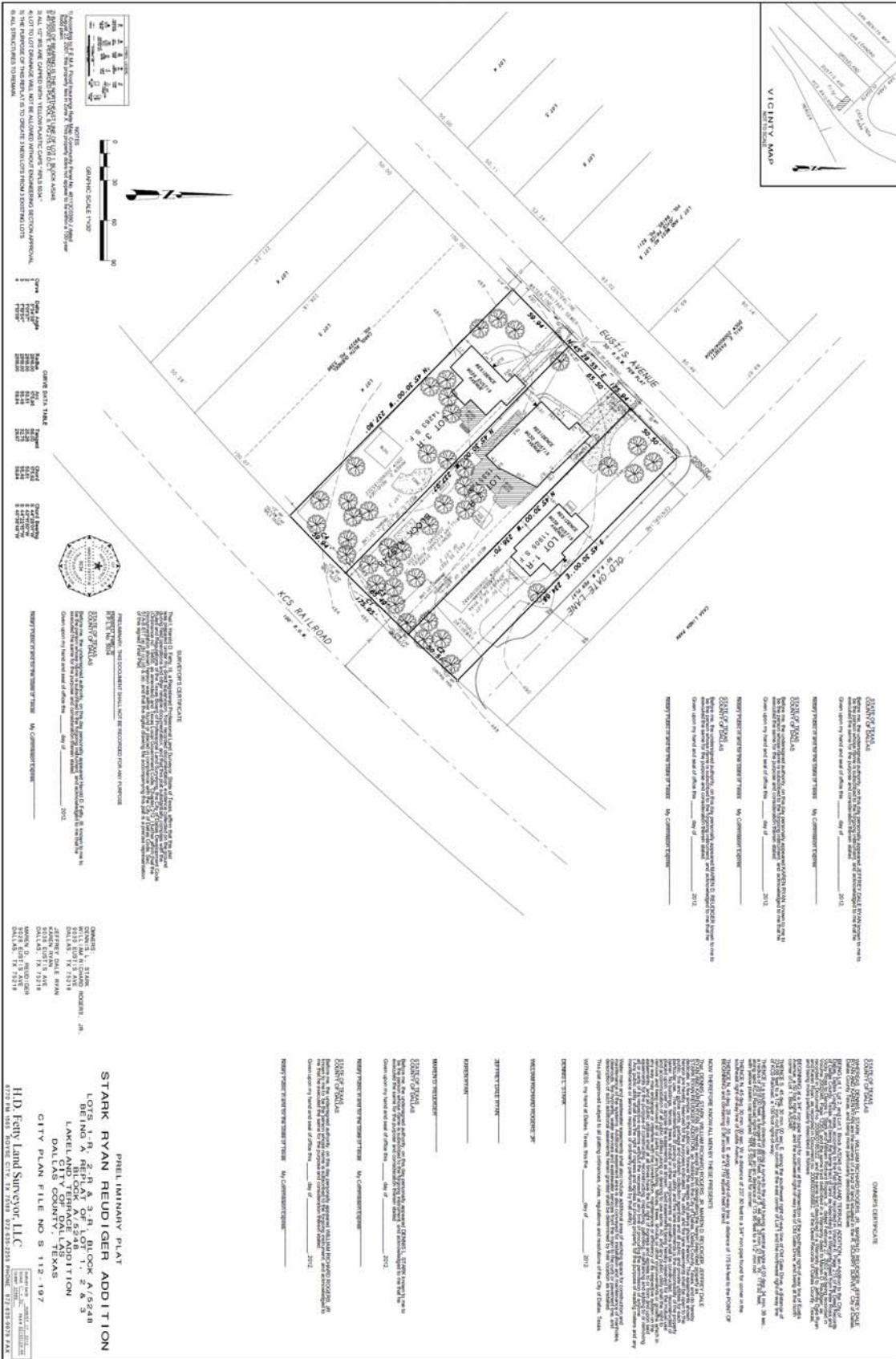
 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">22</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	22	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> S112-197 </u> Date: <u> 9/12/2012 </u>
200'	AREA OF NOTIFICATION					
22	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

S112-197

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9036 EUSTIS AVE	RYAN JEFFREY DALE & KAREN
2	9030 EUSTIS AVE	STARK DENNIS L
3	9026 EUSTIS AVE	REUDIGER MAREN D
4	9022 EUSTIS AVE	GUENDEL CAROL RUTH
5	99999 NO NAME ST	KANSAS CITY SOUTHERN RR
6	9007 EUSTIS AVE	SANDERS GREGORY & SANDERS DEBORAH
7	9011 EUSTIS AVE	PATTERSON MELISSA & GAVIN
8	9019 EUSTIS AVE	EWELL AMY
9	9023 EUSTIS AVE	FASSETT VAIL E
10	9027 EUSTIS AVE	PRICE JOYCE
11	9035 EUSTIS AVE	WHITE WILLA DEE EST OF
12	2013 OLDGATE LN	EMERSON BETTE JUANITA
13	9006 EUSTIS AVE	ANDERSON STEVEN & SUZANNE CHAMPAGNE
14	9107 MERCER DR	KNIGHT JUNE
15	9111 MERCER DR	BEACH BROCK & SHERI LYNN
16	9115 MERCER DR	BEACH BILLY C
17	9119 MERCER DR	BERGMAN PATRICIA ANN
18	9125 MERCER CIR	WEBBER JUANITA RAY GEORGE
19	9129 MERCER CIR	TAYLOR HILLMAN & HELEN
20	9133 MERCER CIR	MCVEY MARGARET TRUSTEE ET AL
21	9014 EUSTIS AVE	BUJA EVAN L & ANGELA E
22	9010 EUSTIS AVE	JONES JACQUELINE S



CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 20, 2012****FILE NUMBER:** S112-200**Subdivision Administrator:** Paul Nelson**LOCATION:** Bexar Street at Starks Avenue, southwest corner**DATE FILED:** August 28, 2012**ZONING:** PD 595 (R-5(A), PD 730, Tr. 1A**CITY COUNCIL DISTRICT:** 7 **SIZE OF REQUEST:** 1.026 Acre. **MAPSCO:** 56C**APPLICANT/OWNER:** East Dallas Community Organization, Inc. / Habitat for Humanity

REQUEST: An application to replat a 1.026 acre tract of land containing all of Lots 18 through 30 in City Block 2/2539 into 9 lots ranging in size from 0.04 acre to approximately 7,300 square feet on property located on Bexar Street at Starks Avenue, southwest corner.

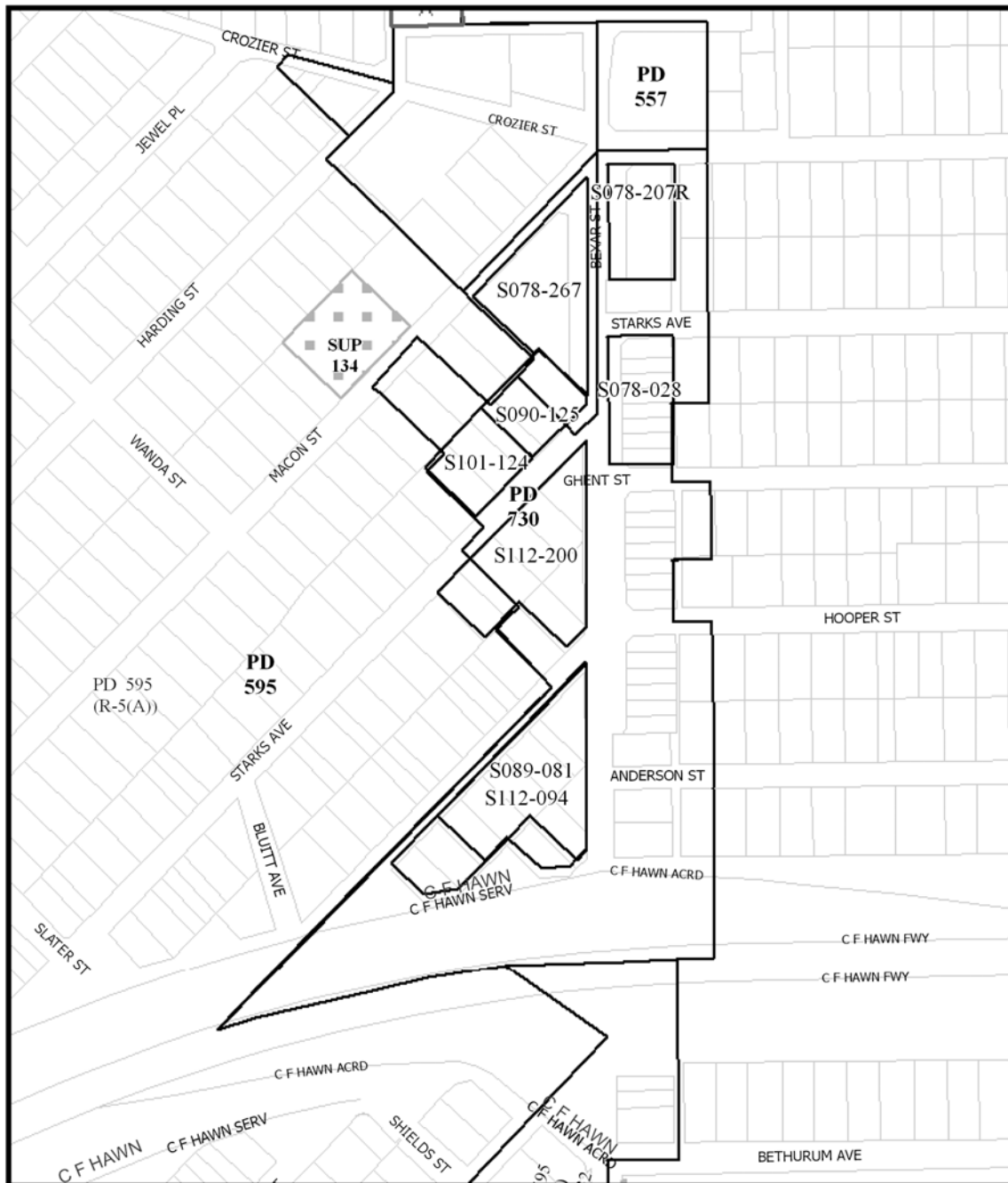
SUBDIVISION HISTORY:


1. S078-188R was an application on the same property as the present request to replat Lots 21 thru 30 in City Block 2/2539 into 7 lots on property located on the west side of Bexar St. at the intersection of Bexar St. and Ghent St. The request was approved on August 16, 2012 but is being replaced by the present request.
2. S078-188 was an application on the same property as the present request to replat Lots 21 thru 30 in City Block 2/2539 into 7 lots on property located on the west side of Bexar St. at the intersection of Bexar St. and Ghent St. The request was approved on June 5, 2008 but has not been recorded.
3. S078-028 was an application to replat a 0.454 acre tract of land containing all of Lots 1, 2, 3, and 4 in City Block 9/2513 to create 8 lots ranging in size from 1,774 square feet in size to 2,294 square feet in size on property at 5302, 5310, and 5314 Bexar Street between Ghent St. and Starks Ave. Approved November 15, 2007, but has not been recorded.
4. S067-181 was an application to replat all of Lots 12, 13, and 14 in City Block 9/2532 and all of Lots 32 and 33 in City Block 1/2538 into one 0.478 acre lot on 2446 thru 2448 Macon St. and 5203 Bexar St. Approved June 14, 2007, but has not been recorded.
5. S056-398 was an application to replat Lots 2, 3 & 4 in City Block 2/2509 into six lots ranging in size from 1,902 sq. ft. to 2,183 sq. ft. on the east side of Bexar Street between Anderson Street and Hooper Avenue south of the present request on Bexar Street and was approved on October 26, 2006 but has not been recorded.
6. S056-397 was an application to replat Lots 1 & 2 in City Block 3/2510 and Lots 1 & 2 in City Block 6/2510 into seven lots ranging in size from 1,908 sq. ft. to 2,450 sq. ft. on the east side of Bexar Street between Ghent Avenue and Hooper Avenue south of the present request on Bexar Street and was approved on October 26, 2006 but has not been recorded.

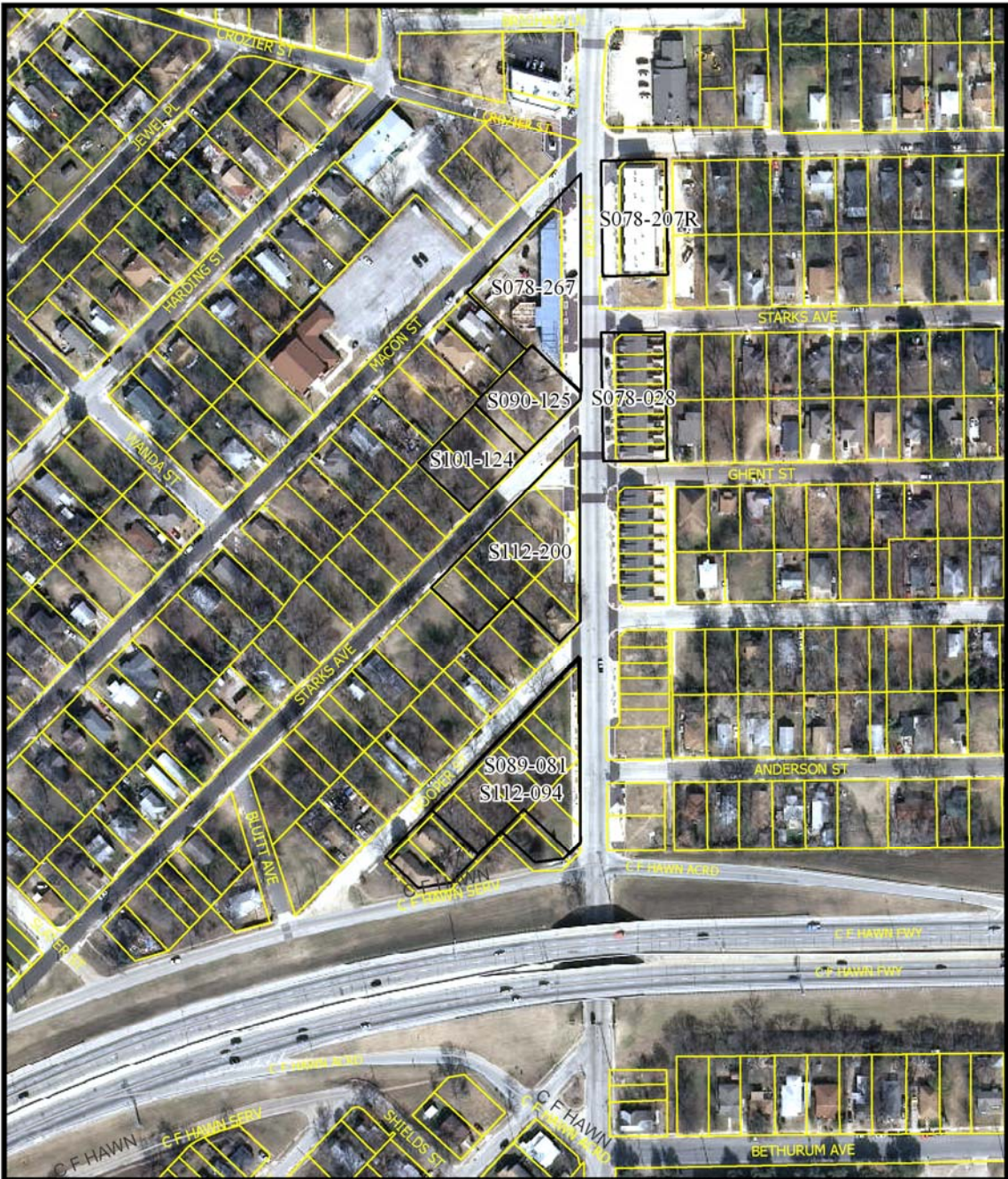
STAFF RECOMMENDATION: The request complies with the requirements of PD 730, Tract 1A, and PD 595 (R-5(A)) regulations; therefore, staff recommends approval subject to compliance with the following conditions:

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 9.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Development Services, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. Dedicate 28' of right-of-way from the center-line of Hooper St.
14. Dedicate 28' of right-of-way from the center-line of Starks Ave.
15. Dedicate a 15' X 15' corner clip at Bexar Street and Starks Avenue.

16. Dedicate a 15' X 15' corner clip at Bexar Street and Hooper Street.
17. Coordinate any ROW requirements for Bexar Street with the Public Works Department.
18. Before submitting the final plat, a development plan that matches the final plat and complies with PD 730 must be approved by the plan commission.
19. The final plat must be drawn to conform to the zoning regulation applicable to the property in accordance with Section 51A-8.501(a) and Planned Development District No. 730, Tract 1A.
20. On the final plat show how all adjoining ROW was created.
21. On the final plat show two control monuments.
22. On the final plat show distances of ROW across Bexar Street in 2 places.
23. On the final plat identify the property as Lots 18A, 21A through 21D, Lots 21A through 21D, Lot 22A, Lot 22B, Lot 23A and Lot 23B in City Block 2/2539.
24. On the final plat add a label for Ghent Street where it is being extended along the northern perimeter of the platted area, and show how it is being created.
25. On the final plat provide for an easement to Oncor for the existing underground facilities on the south side of Ghent Street between Starks Avenue and Bexar Street. The easement must be by separate instrument and the recording information placed on the face of the plat.
26. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
27. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
28. Water/wastewater main extension is required by Private Development Contract.
29. Water and wastewater services must be installed to each platted lot.
30. On the final plat add a label for "Ghent Street" in or with an arrow pointing into where "Ghent Street" is being extended through the northern portion of the platted area.
- 31.



 1:2,400	<h2>ZONING MAP</h2>	Case no: <u> S112-200 </u> Date: <u> 9/12/2012 </u>
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 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: <u> S112-200 </u> Date: <u> 9/12/2012 </u>
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 1:2,400	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">59</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	59	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> S112-200 </u> Date: <u> 9/12/2012 </u>
200'	AREA OF NOTIFICATION					
59	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

S112-200

59 Property Owners Notified

Label #	Address	Owner
1	2430 STARKS AVE	DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT INC &
2	2434 STARKS AVE	DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT &
3	2436 STARKS AVE	AKHAVANZADEH MORTEZA
4	5412 STARKS AVE	EAST DALLAS COMMUNITY ORGANIZATION INC
5	2448 STARKS AVE	EAST DALLAS COMMUNITY ORGANIZATION
6	5305 BEXAR ST	EAST DALLAS COMMUNITY ORG
7	2449 HOOPER ST	ALLEN E L
8	5414 BEXAR ST	BILAL LEE G
9	2510 HOOPER ST	DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT
10	2514 HOOPER ST	4E COMMUNITY DEVELOPMENT ORGANIZATION SUITE 139
11	2509 HOOPER ST	BURTON EMMA LOIS
12	2510 GHENT ST	CHURCH OF GOD
13	2514 GHENT ST	GRIMES BARBARA ANN ET AL
14	2514 STARKS AVE	RAY FLETCHER JR ESTATE OF ET AL
15	2515 GHENT ST	ANDERSON MANDY ET AL % BRENDA SALHANICK
16	2511 GHENT ST	T R HOOVER COMMUNITY DEVELOPMENT CORPORATION
17	5216 BEXAR ST	EPPERSON CYNTHIA EST OF
18	2346 MACON ST	J & K ROACH INVESTMENTS LLC
19	2402 MACON ST	WHITE MATTIE
20	2404 MACON ST	TUDOR LANE APARTMENTS LP
21	2410 MACON ST	RUNNELS RUBY
22	2414 MACON ST	WILSON ROSIE S
23	2418 MACON ST	STEWART SHARON
24	2420 MACON ST	RAMIREZ FRANCISCO JAVIER
25	2426 MACON ST	THOMAS IRENE & CLINTON THOMAS
26	2430 MACON ST	RHOADS TERRANCE BIBLE FELLOWSHIP

Wednesday, September 12, 2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2434 MACON ST	EVANS MARY NELL
28	2440 MACON ST	BURLEY ELLA L
29	2409 STARKS AVE	PINSON BERTHA
30	2415 STARKS AVE	PHILLIPS LEO MORRIS
31	2419 STARKS AVE	DALLAS NEIGHBORHOOD ALLIANCE FOR HABITAT & DALL
32	2425 STARKS AVE	DIRKS GLORIA J PHILLIPS
33	2431 STARKS AVE	MCLEWIS KATHRYN I
34	2435 STARKS AVE	NATL COUNCIL OF NEGRO WMN % NATHAN WALKER
35	2441 STARKS AVE	BARBER CYNTHIA ANN SMITH
36	2439 STARKS AVE	DALLAS HOUSING ACQUISITION & DEV CORP CITY HALL 6D
37	2412 STARKS AVE	PHILLIPS LEO M SR
38	2416 STARKS AVE	PHILLIPS VIOLA JOHNSON
39	2420 STARKS AVE	WHITE S TEMPLE CHURCH
40	2424 STARKS AVE	WHITE JOE B
41	2437 HOOPER ST	WILLIAMS CHARLES & GWENDOLYN
42	2435 HOOPER ST	WILLIAMS JIMMIE T
43	2431 HOOPER ST	DALLAS HOUSING ACQUISITION & DEVELOPMENT CORP CIT
44	2427 HOOPER ST	BISOR ROBERT
45	2423 HOOPER ST	DANNA RICHARD A
46	2421 HOOPER ST	MANNING DAVID
47	2419 HOOPER ST	TAYLOR LILLIE ESTATE % THEMAN R TAYLOR SR
48	5501 HOOPER ST	KAMINSKI HOLDING INC %BRUCE M KAMINSKI
49	5332 BEXAR ST	MOTEN GROVER L &
50	5322 BEXAR ST	JONES PHYLLIS S
51	5316 BEXAR ST	CHAMBLISS MAXINE
52	5314 BEXAR ST	SHEPPARD AARON
53	5312 BEXAR ST	TYNDALL ALICIA
54	5310 BEXAR ST	SHULER SHARAE
55	5308 BEXAR ST	CLAYBORN MOCHELLE
56	5306 BEXAR ST	GRIMES CHICO
57	5304 BEXAR ST	YARRELL LARRY

City of Dallas, Texas - Planning Department - 1200 Ross Avenue, Suite 1000 - Dallas, Texas 75202 - Phone: 214-671-2200 - Fax: 214-671-2201 - Email: planning@cityofdallas.com - Website: www.cityofdallas.com/planning

Wednesday, September 12, 2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5302 BEXAR ST	ASKEW JUDY
59	5203 BEXAR ST	EJIGU HAILU

Wednesday, September 12, 2012

CITY PLAN COMMISSION

THURSDAY, SEPTEMBER 20, 2012

FILE NUMBER: S112-201

Subdivision Administrator: Paul Nelson

LOCATION: 7118 Delrose Drive, 7145 Meadowlake Avenue

DATE FILED: August 28, 2012

ZONING: R-7.5(A)

CITY COUNCIL DISTRICT: 9 **SIZE OF REQUEST:** 0.765 Acre **MAPSCO:** 37N

APPLICANT/OWNER: Richard & Pamela Karlos & Mary Anne Ingram & James A. Schachterle

REQUEST: An application to replat a 0.765 acre tract of land containing all of Lot 9 and part of Lots 7 and 8 in City Block C/2827 into one 0.365 acre lot on property located at 7118 Delrose Drive and one 0.40 acre lot on property located at 7145 Meadowlake Avenue.

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

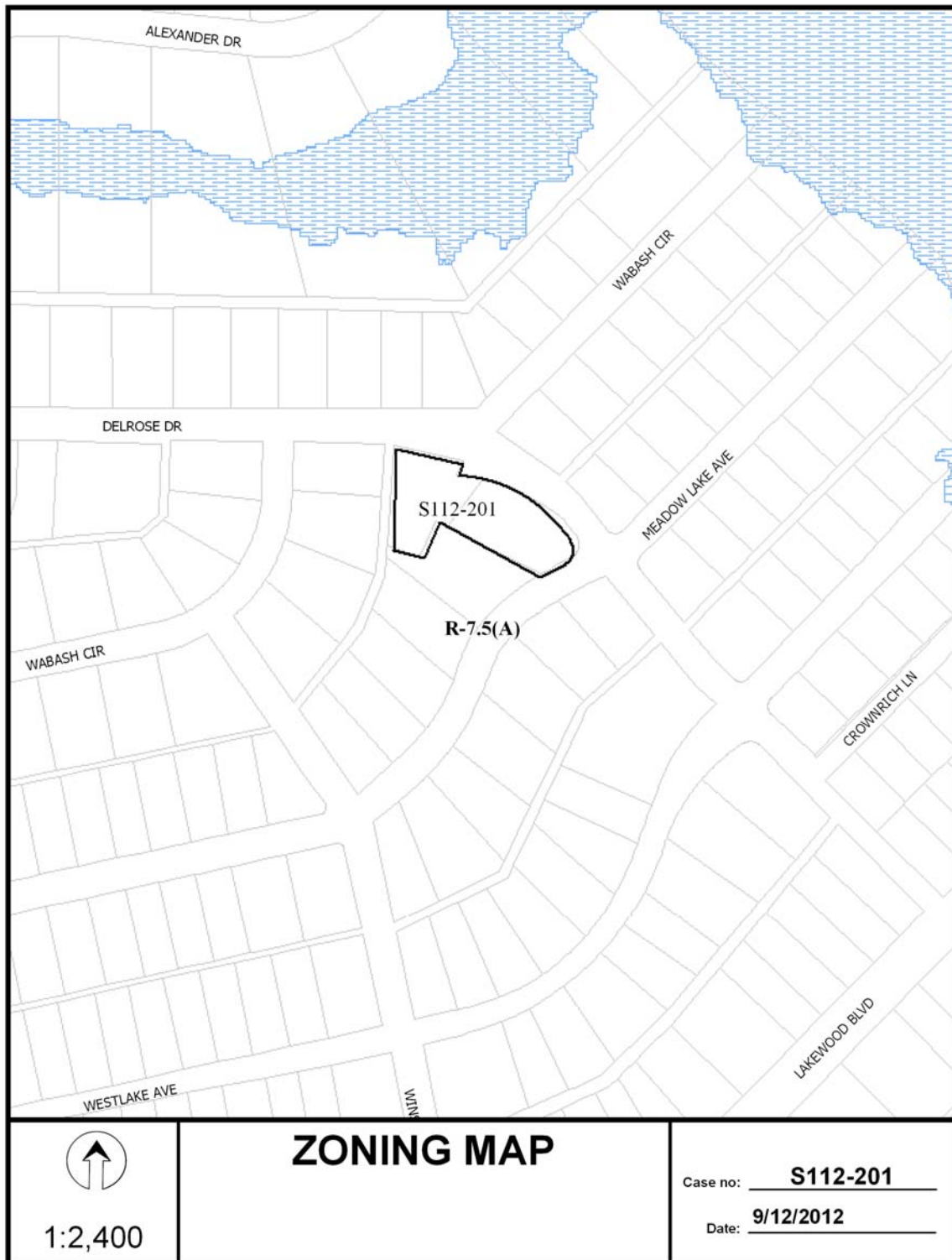
DATES NOTICES SENT: 26 notices were mailed on September 5, 2012 to property owners within 200 feet of this request with 3 replies received in favor and 1 reply received in opposition to the request as of September 12, 2012.

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 lots are governed by the R-7.5(A) requirements. The proposed lots comply with the R-7.5(A) requirements and are the existing ownership lines of the two properties. Both proposed lots comply with the requirements of the R-7.5(A) District; therefore, staff recommends approval subject to compliance with the following conditions:

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

5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Delrose Avenue and the alley.
14. On the final plat show how all adjoining ROW was created,
15. On the final plat show the recording information on all existing easements within 150 feet of the property.
16. On the final plat chose a different addition name.
17. On the final plat show the distances/width across Delrose Avenue.
18. On the final plat change "Wabash Avenue" to "Wabash Circle".
19. On the final plat change "Delrose Avenue" to "Delrose Drive".
20. Prior to submittal of the final plat the existing wood fence on proposed Lot 8A must be removed from the Right Of Way or a license must be obtained from the Real Estate Division.
25. On the final plat identify the property as Lots 7A and 8A in City Block C/2827.

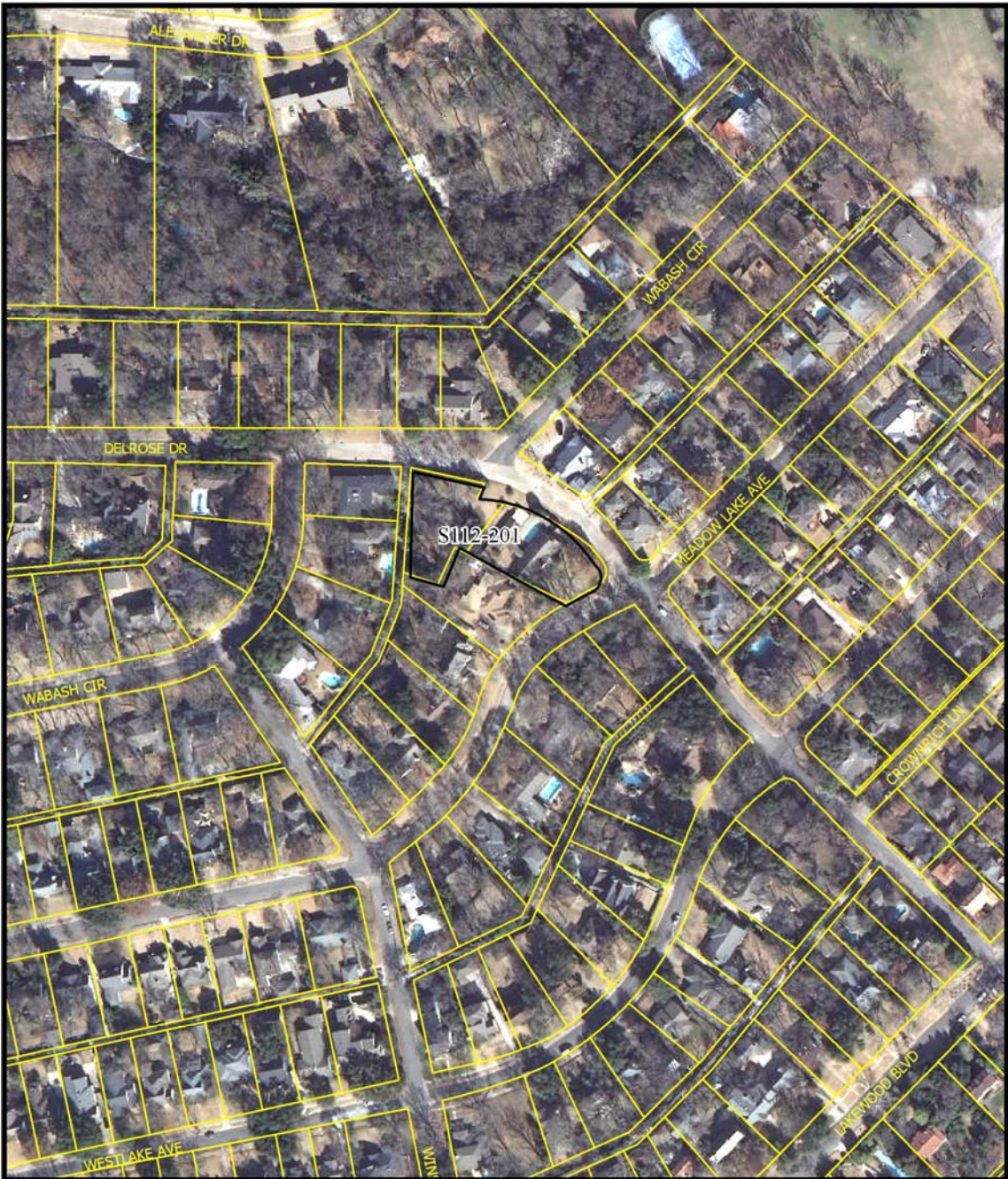



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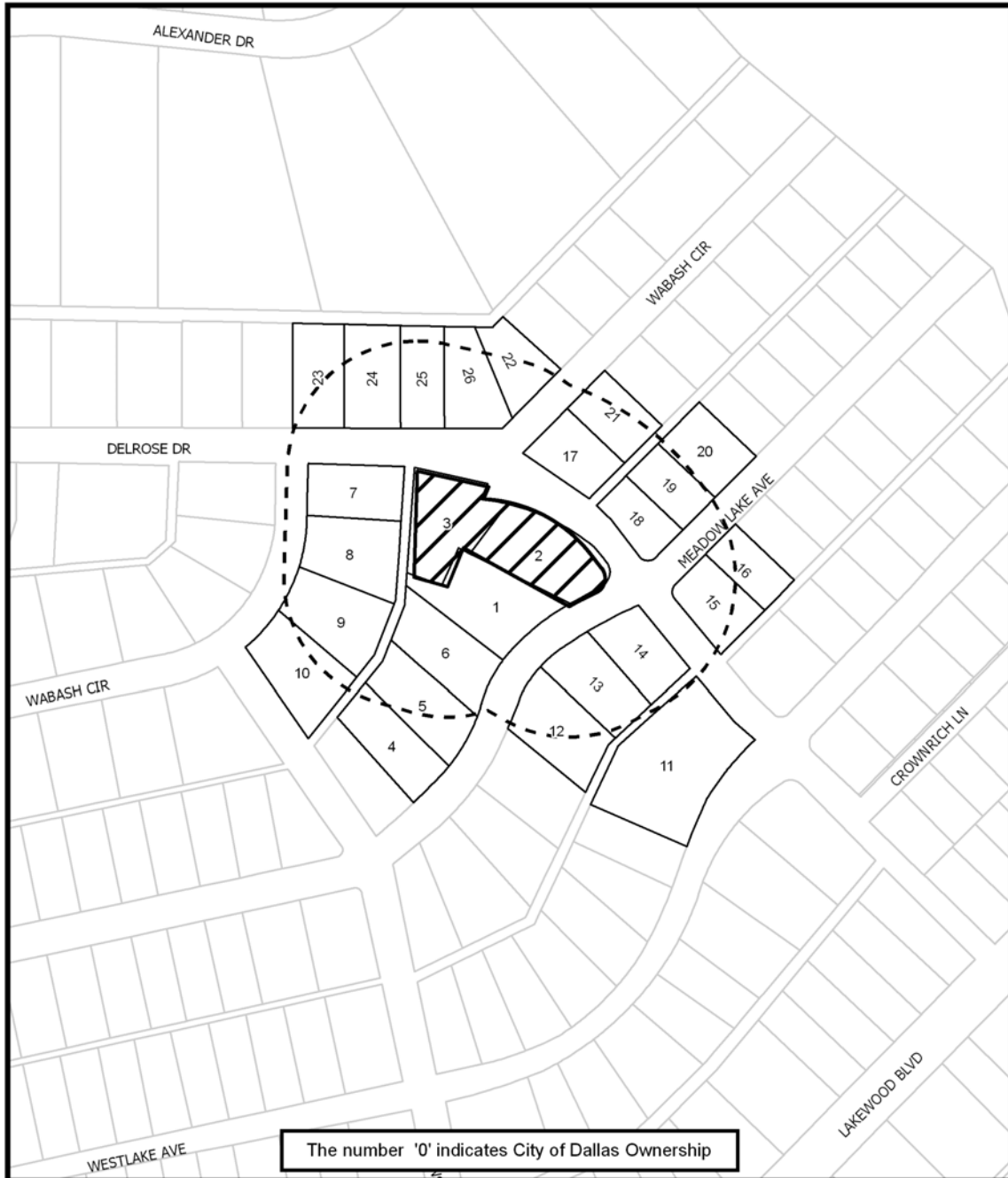
ZONING MAP

Case no: S112-201

Date: 9/12/2012



 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S112-201 </u> Date: <u> 9/12/2012 </u>
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 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">26</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	26	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> S112-201 </u> Date: <u> 9/12/2012 </u>
200'	AREA OF NOTIFICATION					
26	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

S112-201

26 Property Owners Notified

Label #	Address	Owner
1	7137 MEADOW LAKE AVE	MERIDITH JANET D
2	7145 MEADOW LAKE AVE	INGRAM MARY ANNE & JAMES A SCHACHTERLE
3	7118 DELROSE DR	WHITING CARRIE B
4	7111 MEADOW LAKE AVE	CASE JACK & ELIZABETH ANN REVOCABLE TRUST
5	7119 MEADOW LAKE AVE	MANGUM CHARLES E & KAREN T
6	7125 MEADOW LAKE AVE	DANN JOE TODD &
7	7122 WABASH CIR	COLLIER DAVID G
8	7114 WABASH CIR	SUMMERS CHRISTOPHER L TR
9	7106 WABASH CIR	DUMON DENISE MARIE
10	7102 WABASH CIR	DOZIER DAVID C JR
11	7147 WESTLAKE AVE	EWERT CARL F & TRISHA R TRUSTEES
12	7128 MEADOW LAKE AVE	TANKERSLEY SCOTT C & REBECCA E G
13	7136 MEADOW LAKE AVE	THE HOLT FAMILY TRUST % DOROTHY L HOLT TRUSTEE
14	7144 MEADOW LAKE AVE	LAND XIAO S
15	7204 MEADOW LAKE AVE	RUTLEDGE MARJORIE J TR THE RUTLEDGE LIVING TRUST
16	7208 MEADOW LAKE AVE	THOMPSON JERRY W & ANNA E
17	7204 WABASH CIR	OHANLON MICHAEL A
18	7203 MEADOW LAKE AVE	SELLETT LAURA A
19	7209 MEADOW LAKE AVE	ANDREWS PRENTISS EUGENE LIFE ESTATE REM:
20	7215 MEADOW LAKE AVE	DUBOSE BEN K & ALLISA N
21	7208 WABASH CIR	VERMANDEL LISA A
22	7203 WABASH CIR	NESS NORMAN O SR EST OF
23	7103 DELROSE DR	JANSSEN JOHN W
24	7109 DELROSE DR	ASHBURN ALICE SCHOEBEL
25	7115 DELROSE DR	LACKER PETER W & MICKI G
26	7123 DELROSE DR	OROURKE EVELYN BETTY

Thursday, August 30, 2012

CITY PLAN COMMISSION**THURSDAY, SEPTEMBER 20, 2012****FILE NUMBER:** S012-099R**Subdivision Administrator:** Paul Nelson**LOCATION:** Koi Pond Court (Private Street) at the northwest corner of Keller Springs Road and Preston Road**DATE FILED:** September 6, 2012**ZONING:** TH-1(A)**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 1.31 Acre**MAPSCO:** 5T**APPLICANT/OWNER:** Terry Letteer, Esquire**REQUEST:** A request for the approval of the First Amendment of Declaration of Covenants, Conditions, and Restrictions for the Courtyards at Preston Trails on property located at the northwest corner of Keller Springs Road and Preston Road.**SUBDIVISION HISTORY:**

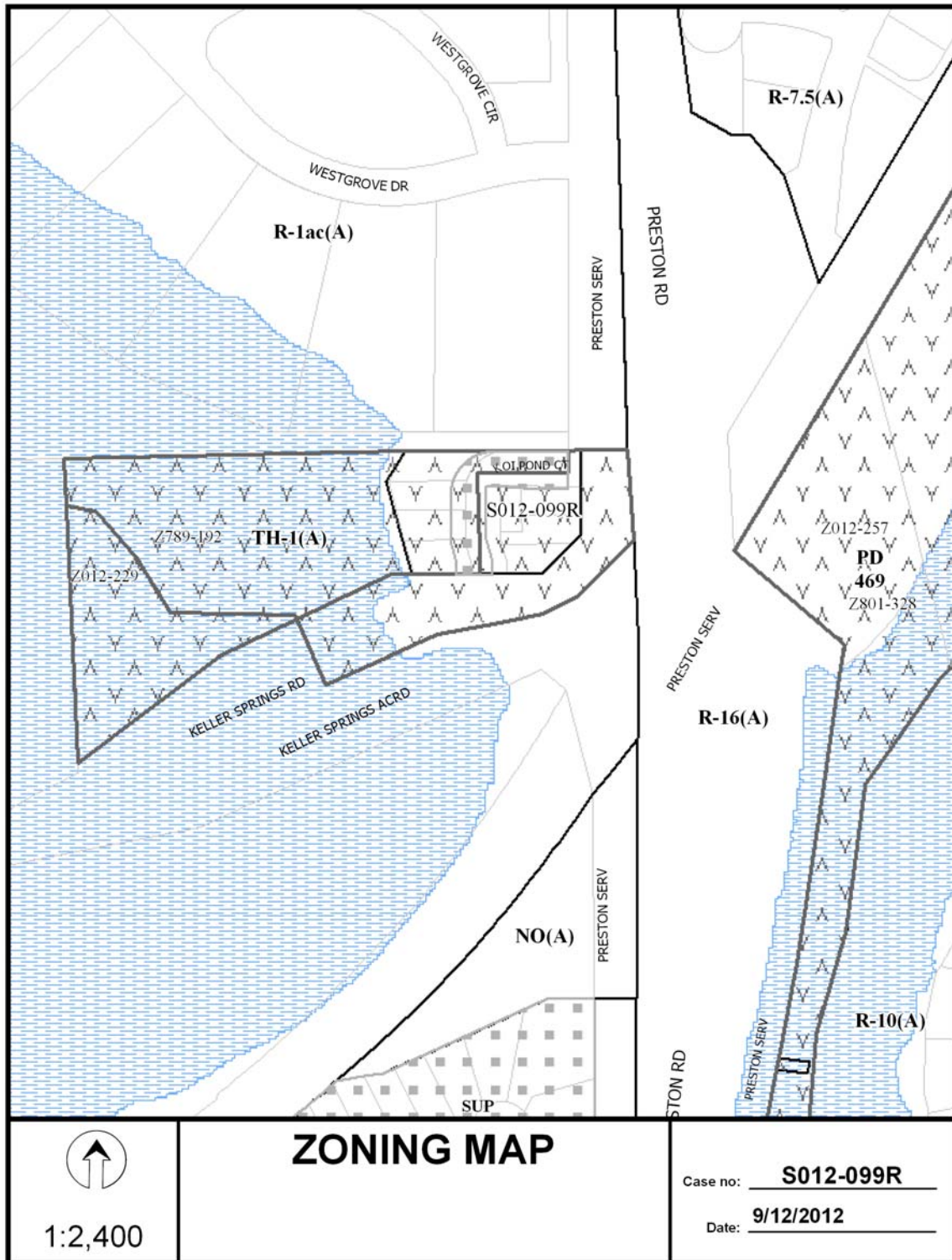
1. S012-099R was an application to create a 7 lot single family subdivision with a common area which was approved in March 2004 and recorded October 21, 2004.

A declaration with no legal description was recorded for the property for "Koi Pond Court" in July, 2003. The above plat was submitted in early 2004 with the addition name being "Courtyards at Preston Trails". A second declaration was filed on the property in January, 2006.

This request is for approval of the "First Amendment of Declaration of Covenants, Conditions, and Restrictions for Courtyards at Preston Trails".

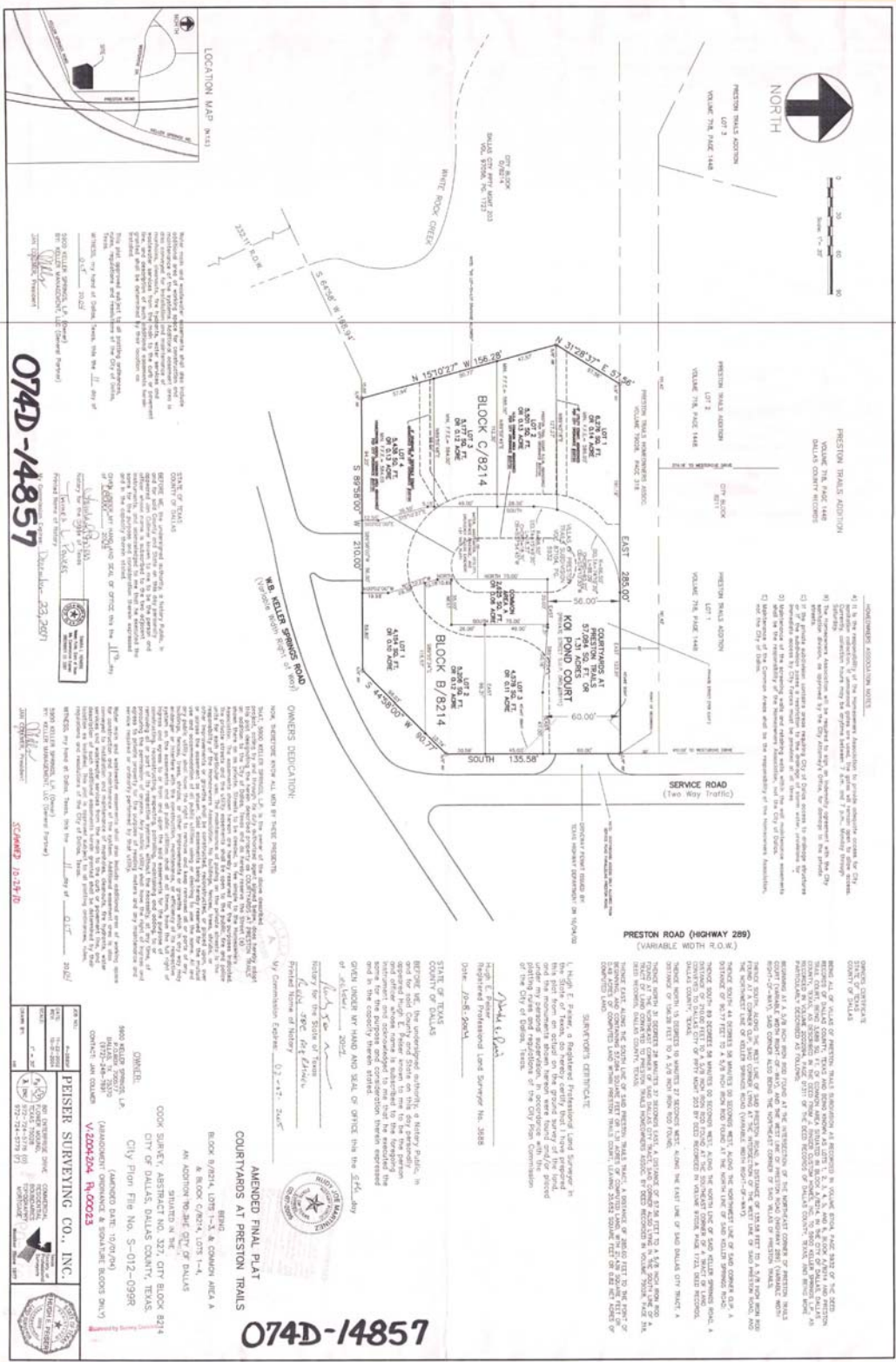
Section 51A-8.604(d)(2) states: "The legal instruments establishing the responsibility for a private street or alley must be submitted to the commission for approval, be approved as to legal form by the city attorney, and recorded in the appropriate county."

STAFF RECOMMENDATION: The City Attorney's Office has reviewed the document (attached) and have approved the wording; therefore, staff recommends approval of the document as submitted.





 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S012-099R </u> Date: <u> 9/12/2012 </u>
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OWNERS ASSOCIATION NOTICE

1. It is the responsibility of the undersigned Association for public notice to cause the following information to appear in a newspaper of general circulation in Dallas County, Texas, on or before the date of the recording of this plat:

- (1) The name of the Association;
- (2) The name of the plat;
- (3) The name of the subdivision;
- (4) The name of the plat;
- (5) The name of the plat;
- (6) The name of the plat;
- (7) The name of the plat;
- (8) The name of the plat;
- (9) The name of the plat;
- (10) The name of the plat;

OWNERS DECLARATION

AB KELLIS SPRINGS, L.P., is the owner of the land described in this plat and is the owner of the land described in the plat recorded in Dallas County, Texas, on or before the date of the recording of this plat. The undersigned hereby certifies that the information contained in this plat is true and correct and that the undersigned is the owner of the land described in this plat. The undersigned hereby certifies that the information contained in this plat is true and correct and that the undersigned is the owner of the land described in this plat.

SPLITTING CERTIFICATE

I, Michael E. Davis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the land described in this plat is the same as the land described in the plat recorded in Dallas County, Texas, on or before the date of the recording of this plat. The undersigned hereby certifies that the information contained in this plat is true and correct and that the undersigned is the owner of the land described in this plat.

AMENDED FINAL PLAT

COURTYARDS AT PRESTON TRAILS

Block B/8214, Lots 1, 2, & Courtyard Area A
 Block C/8214, Lots 1, 2, & Courtyard Area A
 Block D/8214, Lots 1, 2, & Courtyard Area A

OWNER:
 COOK SURVEY, ABSTRACT NO. 371, CITY BLOCK 8214
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 City Plan File No. S-012-0998

PREPARED BY:
 PEISER SURVEYING CO., INC.
 2500 WEST END AVENUE, SUITE 100
 DALLAS, TEXAS 75201
 PHONE: 214-241-2100
 FAX: 214-241-2101
 EMAIL: info@peiser.com

DATE: 09/20/2012

SCALE: AS SHOWN

Whaley, Letteer & Mock

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

TERRY J. LETTEER

BOARD CERTIFIED • COMMERCIAL AND
RESIDENTIAL REAL ESTATE LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

DIRECT DIAL
(972) 488-9899

13760 NOEL ROAD
SUITE 840
DALLAS, TEXAS 75240

TELEPHONE (972) 488-3883
FACSIMILE (972) 488-2899

E-MAIL: TLETTEER@WLMATTYS.COM

September 5, 2012

**VIA HAND DELIVERY and
ELECTRONIC MAIL: paul.nelson@dallascityhall.com**

Mr. Paul Nelson
Subdivision Administrator
City of Dallas
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203-2632

Re: First Amendment of Declaration of Covenants, Conditions and Restrictions for Courtyards at Preston Trails (the "First Amendment") in regards to the Amended Final Plat, Courtyards at Preston Trails, City Plan File No. S-012-099R (the "Plat").

Dear Mr. Nelson:

Thank you for meeting with me today regarding the situation with Courtyards at Preston Trails subdivision in Dallas.

By way of background, the subdivision is a gated community in North Dallas composed of seven lots, located at the northwest corner of Preston Road and Keller Springs Road. The original developer, Mr. Jurgen Ringer, operating through 5900 Keller Springs, L.P., mismanaged the development process and it fell to Mr. Jan Collmer, who was a limited partner, to attempt to pick up the pieces.

All seven lots are now owned by individual homeowners.

The principal problem is that there are two Declarations of public record in the Dallas County real estate records. Unknown to subsequent property owners, Mr. Ringer filed a Declaration in July of 2003, copy attached ("1st Declaration"). The 1st Declaration did not have a legal description attached and referenced "Koi Pond Court" and "Koi Pond Court Homeowner's Association." The subdivision name, per the Plat, was "Courtyards at Preston Trails" and so arguably the 1st Declaration fell outside of the chain of title.

Unaware of the existence of the 1st Declaration, on the sale of the first lot to a third-party purchaser a second Declaration was filed in January of 2006, copy attached ("2nd Declaration").

After a lengthy negotiation process, all the homeowners have now unanimously agreed to abolish the 1st Declaration and amend the 2nd Declaration, per the terms of the First Amendment.

Whaley, Letteer & Mock
A PROFESSIONAL CORPORATION

Mr. Paul Nelson
Subdivision Administrator
City of Dallas
September 5, 2012
Page 2

Mr. Casey Burgess of the Dallas City Attorney's Office has been instrumental in resolving the problem and reviewing the First Amendment.

On behalf of the homeowners and per our discussion, please schedule for review and approval at the earliest possible City Plan Commission meeting the First Amendment. Please contact me at any time for further information or if my presence would be helpful in facilitating this process.

I am grateful for your kind assistance to date.

Sincerely,



Terry J. Letteer

TJL/ams

Enclosures: Copy of the 1st Declaration
Copy of the 2nd Declaration
Copy of the First Amendment
Certified copy of the Plat

cc: Casey D. Burgess, Esq., [Via Electronic Mail: casey.burgess@dallascityhall.com](mailto:casey.burgess@dallascityhall.com)
Laura Morrison, Esq., [Via Electronic Mail: laura.morrison@dallascityhall.com](mailto:laura.morrison@dallascityhall.com)
Mr. Jan J. Collmer, [Via Electronic Mail: jan@collmer.com](mailto:jan@collmer.com)
Mr. Garry Merrill, [Via Electronic Mail: gm@merrillweb.com](mailto:gm@merrillweb.com)

**FIRST AMENDMENT
OF
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
COURTYARDS AT PRESTON TRAILS**

This First Amendment of Declaration of Covenants, Conditions, and Restrictions ("Amendment") is made on April 15, 2012, at Dallas, Texas, by 5900 Keller Springs, L.P. ("Developer"), Scott A. Stratton, Erin L. Hannigan-Stratton, Curtis N. Floyd, Donna D. Floyd, Martin Kent, Jr., Garry Merrill, Anahit Virabyan, Lan N. Do, Vinh Q. Chu, Jeffrey T. Kurth, and Victoria Thompson Kurth.

Recitals

1. 5900 Keller Springs, L.P. is the Developer of all that certain real property (the "Property") located in Dallas County, Texas, described as follows:

All of the COURTYARDS AT PRESTON TRAILS, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, of the Map Records of Dallas County, Texas ("Plat").
2. By those certain Deed Restrictions/Maintenance Agreement for Proposed Private Street ("Restrictions"), dated September 26, 2002, recorded December 9, 2002, in Volume 2002238, Page 13173, Real Property Records, Dallas County, Texas, Developer impressed the Property with certain deed restrictions.
3. By that certain Declaration of Covenants, Conditions, and Restrictions for Koi Pond Court ("First Declaration"), dated July 16, 2003, recorded July 28, 2003, in Volume 2003145, Page 193, Real Property Records, Dallas County, Texas, Developer intended to create a common scheme of development for the Property for the benefit of the Property in general, the parcels and lots that constitute the Property, the Developer, and each successive owner of an interest in the Property.
4. As described in Article II, Section 1 of the First Declaration, the real property which was to be held, transferred, sold, conveyed and occupied subject to the First Declaration was to be described on an Exhibit "A" to be attached, however no Exhibit "A" was attached to the recorded document.
5. The undersigned, being all of the Owners of the Property, desire to abolish the First Declaration pursuant to the terms of Article XI, Section 3 of the First Declaration.
6. By that certain Declaration of Covenants, Conditions, and Restrictions for Courtyards at Preston Trails ("Second Declaration"), dated January 4, 2006, recorded January 30, 2006, under Dallas County Clerk's File Number 200600033252, Real Property Records, Dallas County, Texas, Developer created a common scheme of development for the Property for the benefit of the Property in general, the parcels and lots that constitute the Property, the Developer, and each successive owner of an interest in the Property.
7. The undersigned, being all of the Owners of the Property, desire to amend and ratify the Second Declaration as set forth herein.

NOW, THEREFORE, the undersigned Owners of the Property hereby covenant and agree as follows:

**ARTICLE 1
First Declaration Abolished**

- 1.1 The First Declaration is abolished.

**ARTICLE 2
Second Declaration Amended**

- 2.1 The Second Declaration is amended as follows, which Amendment shall be effective upon recordation in the Real Property Records of Dallas County, Texas:

2.1.1 Private Street. The "Common Area," as defined in Section 1.5 of the Second Declaration, means the entire Property, including all fixtures and equipment located thereon and the "Private Street," as defined below, except the Lots, subject to all easements and rights described in this Declaration and on the Plat. The "Private Street" means and refers to that area of land designated on the Plat, as "Private Street S.U.P. ORD.#25111," plus the driveway and all other improvements in the right-of-way, created pursuant to Specific Use Permit No. 1497 for a private street as described in City of Dallas Ordinance No. 25111, passed November 13, 2002. The Association shall be responsible for street lighting, street maintenance and cleaning, and the installation and maintenance of interior traffic control devices.

2.1.2 The Association. The "Association," as defined in Section 1.6 of the Second Declaration, means Courtyards at Preston Trails Homeowners Association, Inc., a Texas nonprofit corporation, Texas Secretary of State Filing Number 800731749, consisting of all Owners, which shall have the duties provided in this Declaration including, without limitation, the duty of maintaining, operating, and managing the Common Area. Each Owner shall become a member of the Association contemporaneously with acquiring a Lot, without any further documentation of any kind.

2.1.3 Restrictions. The Restrictions are ratified; and the Owners acknowledge that the Property is impressed with the deed restrictions recited therein and they covenant and agree to be bound by the obligations therein contained.

2.1.3.1 Information to be Provided to the City of Dallas. In accordance with Article II of the Restrictions, upon request of the City of Dallas, the Association shall provide a copy of its annual financial report and the names of the Owners within the Association.

2.1.3.2 Maintenance of the Private Street. The City of Dallas has no obligation to maintain the Private Streets. If a Private Street is not maintained in compliance with the requirements of the Dallas City Code, the City of Dallas shall have the right, but not the obligation, to take those actions necessary to put the Private Street in compliance ("Compliance Work"). The Association must pay the City of Dallas for the Compliance Work performed within a period of 180 days from the date of presentation of the bill for the Compliance Work ("Bill") to the Association. Owner hereby covenants and agrees, and each owner of any lot in the Property, by acceptance of a deed therefor, whether or not reference to the

covenant shall be so expressed in any such deed or other conveyance, shall be deemed to have covenanted and agreed to pay to the City of Dallas within 30 days of presentment, a proportional amount of the Bill not paid within the required time by the Association, based on the number of square feet of owner's lot divided by the number of square feet of all lots in the Property, excluding common areas if such common areas are platted as lots ("Individual Bill"). Effective as of, and from and after, the recordation of these private land use restrictions, there shall exist a self-executing and continuing contract payment and performance lien and equitable charge on each lot to secure the full and timely payment of each and all Individual Bills, and all other charges due hereunder with respect to the lot. If any Individual Bill is not paid by the owner of a lot on the date when due, then the unpaid amount of the Individual Bill shall be considered delinquent and shall, together with interest thereon at the maximum lawful rate and costs of collection thereof, become a continuing debt secured by the self-executing payment and performance lien on the lot of the non-paying owner which shall bind such lot in the hands of the owner and owner's heirs, executors, administrators, devisees, personal representatives, successors and assigns. The City may at its discretion, but subject to all applicable debt collection statutes, prepare and file a lien affidavit in the records which specifically identifies the unpaid Individual Bills until the delinquency has been cured. If the City substantially prevails in a legal proceeding to enforce these provisions, the Association agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. The right of the City to enforce these provisions shall not be waived, expressly or otherwise.

2.1.3.3 Indemnity. The Association and all owners of lots in the Property agree to defend, indemnify and hold City, its officers, agents and employees, harmless against any claims, lawsuits, judgments, costs and expenses for damage to the private streets or personal injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may result from, arise out of or be in connection with the Private Streets or these private land use restrictions.

2.1.3.4 Names of Association Officers. In accordance with Article X of the Restrictions, the Association shall provide to the City of Dallas director of public works and transportation a list of names of its current officers once per year.

2.1.3.5 Dallas Development Code. In accordance with Article XI of the Restrictions and unless stated otherwise in the Restrictions, the definitions and provisions of Chapter 51A, Dallas Development Code, Ordinance No. 19455, as amended, of the Dallas City Code, as amended, apply and are incorporated into this document as if recited in this document.

- 2.2 The private land use restrictions contained in this article may not be altered, amended, or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas.
- 2.3 If Association ever ceases to exist, or is unable to fulfill its obligations under this article, Association shall mean all owners of one or more lots in the Property.
- 2.4 The Second Declaration is amended as follows:

2.4.1 The second sentence of Section 2.1 of the Second Declaration is deleted in its entirety and the following is substituted in its place:

"After the Developer no longer owns more than one (1) Lot, the Association shall designate and appoint the Committee consisting of not less than three (3) qualified persons, which shall serve at the pleasure of the Board."

2.4.2 Section 2.2.3 of the Second Declaration is deleted in its entirety and the following is substituted in its place:

"Any landscaping based upon a dollar value specified in the Association's By-laws or grading of any Lot or Lots."

2.4.3 The second sentence of Section 4.1 of the Second Declaration is deleted in its entirety and the following is substituted in its place:

"Single family use consists of use as a dwelling by one or more natural persons who are related by marriage or kinship or by not more than three (3) natural persons who are not related by marriage or kinship."

2.4.4 The fifth and sixth sentences of Section 4.2 of the Second Declaration are deleted in their entirety and the following is substituted in their place:

"All garage doors shall be closed when not in use for more than twenty-four (24) consecutive hours."

2.4.5 Section 4.6 of the Second Declaration is deleted in its entirety and the following is substituted in its place:

"No noxious or offensive activity shall be conducted on any Lot that may be or may become an annoyance or nuisance to the neighborhood, including but not limited to, exterior speakers, horns, whistles, bells, or other sound devices (except security devices such as entry door and patio intercoms used exclusively to protect the Lot and improvements situated thereon)."

2.4.6 The first sentence of Section 4.13 of the Second Declaration is deleted in its entirety and the following is substituted in its place:

"No animals, livestock, poultry, exotic or dangerous pets of any type shall be raised, bred or kept on any Lot except for cats, dogs, or other generally recognized household pets of a reasonable number provided that they are not kept, bred, or maintained for any commercial purpose."

2.4.7 The first and second sentences of Section 4.15 of the Second Declaration are deleted in their entirety and the following is substituted in their place:

"Each Owner shall refrain from performing repairs or maintenance to any vehicle outside of the garage or visible from the street for more than twenty-four (24) hours. No non-working cars or commercial vehicles shall be parked in the driveway for more than twenty-four (24) hours."

2.4.8 The first sentence of Section 4.16 of the Second Declaration is deleted in its entirety and the following is substituted in its place:

"No professional, business, or commercial activity may be conducted or operated on any Lot, whether for profit or nonprofit, that may be or may become an annoyance or nuisance to the neighborhood."

2.4.9 Section 6.2.2 of the Second Declaration is deleted in its entirety and the following is substituted in its place:

"The Class B member shall be Developer who shall be entitled to one (1) vote for each Lot owned."

2.4.10 Section 6.6.8 of the Second Declaration is deleted in its entirety and the following is substituted in its place:

"To file liens against Lots and to undertake collection actions against Owners because of nonpayment of assessments and other amounts duly levied by the Association, and to foreclose those liens."

2.4.11 New Section 7.7 is added to the Second Declaration as follows:

"Subordination of Association's Lien to Mortgages. The lien upon each Lot reserved to the Association by the Second Declaration is subordinate to any lien granted by an Owner against a Lot which is not prohibited by the Texas Constitution. The foreclosure of a superior lien extinguishes the Association's lien as to any amounts accrued and assessments due before the foreclosure of the superior lien."

Except as otherwise expressly modified by this Amendment, all terms, covenants, and conditions of the Second Declaration shall be and shall remain in full force and effect, enforceable in accordance with their terms.

ARTICLE 3 Second Declaration Ratified

3.1 The Second Declaration is ratified, as amended above, by the undersigned Owners.

ARTICLE 4 General Provisions

4.1 Invalidation of any of the foregoing by judgment or court order shall in no way affect any other provision, and all other provisions shall remain in full force and effect.

4.2 This Amendment is for the purpose of protecting the value and desirability of the Property. Consequently, this Amendment shall run with the real property and shall be binding on the undersigned and all parties having any right, title, or interest in the Property in whole or in part, and their heirs, successors, and assigns.

4.3 This Amendment shall be liberally construed to effectuate its purpose of creating a uniform plan for the Property.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed on the day and year first written above.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., Dallas City Attorney

By: _____
Assistant City Attorney

APPROVED BY CITY BUILDING OFFICIAL

By: _____
Paul Nelson, Subdivision Administrator

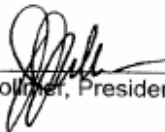
THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

This Amendment is executed this 15th day of April, 2012, at Dallas, Texas.

As to the Common Area; and Lot 1, Block C/8214 of The Courtyards at Preston Trails, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, Map Records, Dallas County, Texas:

5900 KELLER SPRINGS, L.P.,
a Texas limited partnership

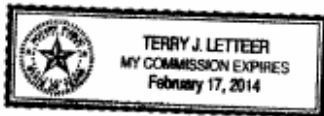
By: KELLER MANAGEMENT, LLC,
a Texas limited liability company




Jan Collmer, President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

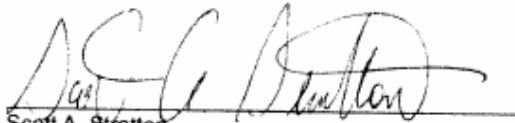
This instrument was acknowledged before me on June 1st, 2012 by Jan Collmer, President of Keller Management, LLC, a Texas limited liability company, on behalf of said limited liability company, on behalf of 5900 Keller Springs, L.P., a Texas limited partnership.



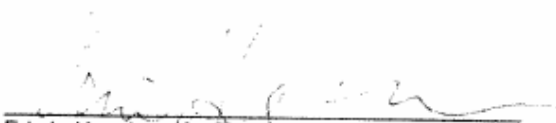


Notary Public, State of Texas

As to Lot 1, Block B/8214 of The Courtyards at Preston Trails, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, Map Records, Dallas County, Texas:



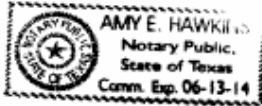
Scott A. Stratton

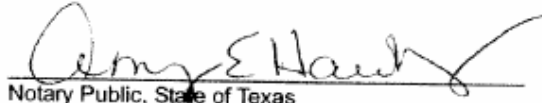


Erin L. Hannigan-Stratton

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on May 3, 2012 by Scott A. Stratton.

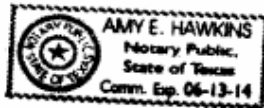


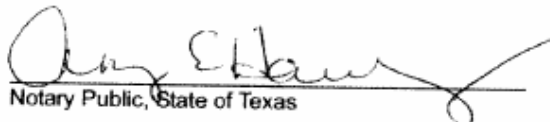


Notary Public, State of Texas

STATE OF TEXAS §
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COUNTY OF DALLAS §

This instrument was acknowledged before me on May 3, 2012 by Erin L. Hannigan-Stratton.





Notary Public, State of Texas

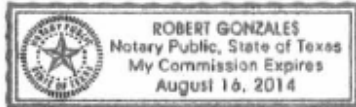
As to Lot 2, Block B/8214 of The Courtyards at Preston Trails, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, Map Records, Dallas County, Texas:

Curtis N. Floyd
Curtis N. Floyd

Donna D. Floyd
Donna D. Floyd

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on 5/9/2012, 2012 by Curtis N. Floyd.

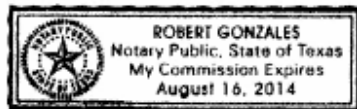


R. Gonzales

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on 5/9/12, 2012 by Donna D. Floyd.



R. Gonzales

Notary Public, State of Texas

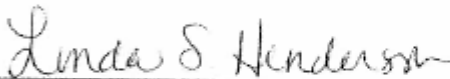
As to Lot 3, Block B/8214 of The Courtyards at Preston Trails, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, Map Records, Dallas County, Texas:



Martin Kent, Jr.

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on May 14th, 2012 by Martin Kent, Jr.



Notary Public, State of Texas



As to Lot 2, Block C/8214 of The Courtyards at Preston Trails, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, Map Records, Dallas County, Texas:

G. A. Merrill

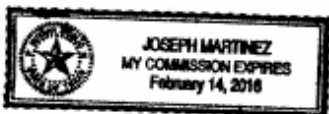
Garry Merrill

Anahit Virabyan

Anahit Virabyan

STATE OF TEXAS §
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COUNTY OF DALLAS §

This instrument was acknowledged before me on May 15th, 2012 by Garry Merrill.

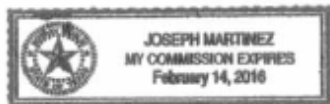


Joseph Martinez

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on MAY 15TH, 2012 by Anahit Virabyan.



Joseph Martinez

Notary Public, State of Texas

As to Lot 3, Block C/8214 of The Courtyards at Preston Trails, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, Map Records, Dallas County, Texas:



Jeffrey T. Kurth




Victoria Thompson Kurth

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on 11th May 2012 by Jeffrey T. Kurth.



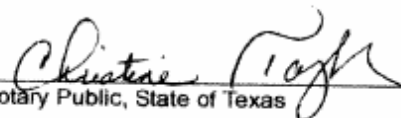


Notary Public, State of Texas

STATE OF TEXAS §
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COUNTY OF DALLAS §

This instrument was acknowledged before me on 11th May 2012 by Victoria Thompson Kurth.



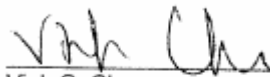


Notary Public, State of Texas

FIRST AMENDMENT - Page 12

As to Lot 4, Block C/8214 of The Courtyards at Preston Trails, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, Map Records, Dallas County, Texas:

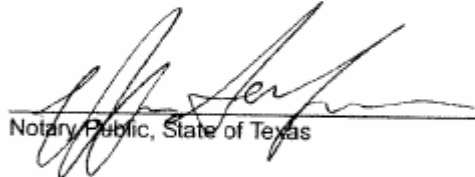

Lan N. Do


Vinh Q. Chu

STATE OF TEXAS §
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COUNTY OF DALLAS §

This instrument was acknowledged before me on May 14th, 2012 by Lan N. Do.

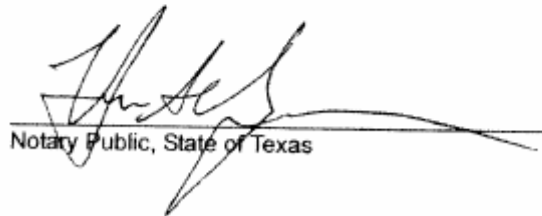



Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on May 14, 2012 by Vinh Q. Chu.




Notary Public, State of Texas

As to Lot 1, Block C/8214 of The Courtyards at Preston Trails, an Addition to the City of Dallas, Dallas County, Texas, according to the Amended Final Plat thereof recorded in Volume 2004204, Page 23, Map Records, Dallas County, Texas, as to equitable title to the foregoing property, pursuant to that certain Unimproved Property Contract, Effective Date April 15, 2012, with 5900 Keller Springs, L.P., a Texas limited partnership, as Seller, and the undersigned, as Buyer:




Jason Scott Ellison



Lindsey MacDowell Ellison

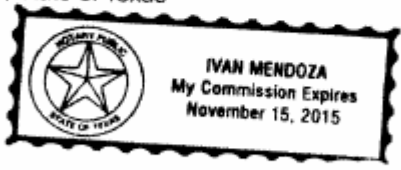
STATE OF TEXAS §
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COUNTY OF DALLAS §

This instrument was acknowledged before me on 6 25 12, 2012 by Jason Scott Ellison.




Notary Public, State of Texas

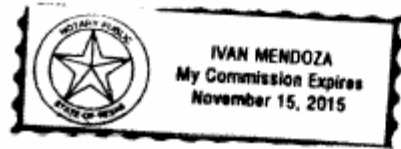
STATE OF TEXAS §
 §
COUNTY OF DALLAS §



This instrument was acknowledged before me on 6 25 12, 2012 by Lindsey MacDowell Ellison.



Notary Public, State of Texas



FILE NUMBER: Z112-268(RB)

DATE FILED: June 18, 2012

LOCATION: South Line of Ryan Road, East of Luna Road

COUNCIL DISTRICT: 6

MAPSCO: 22 P, T

SIZE OF REQUEST: Approx. 13.9 Acres

CENSUS TRACT: 99

MISCELLANEOUS DOCKET ITEM-VOLUNTEERED DEED RESTRICTIONS

APPLICANT: SNOBLA Holdings, LLC

REPRESENTATIVE: Dallas Cothrum

OWNERS: JCR TEAM LLC, Hugh W. and Gale A. Rucker

On September 6, 2012, the City Plan Commission recommended approval of an application for an IM Industrial Manufacturing District, with deed restrictions volunteered by the applicant, on property zoned an IR Industrial/Research District. Furthermore, CPC instructed staff to review the revised deed restriction instrument as presented during the public hearing and return to CPC on this hearing date.

The attached has been reviewed by the City Attorney and is being presented to CPC for its consideration.

Staff Recommendation: Approval

DEED RESTRICTIONS

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

I.

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

[Insert property description]

II.

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

1. The following main uses are prohibited:

(A) Industrial uses.

- Industrial (outside) not potentially incompatible.
- Industrial (outside) potentially incompatible.
- Medical/ infectious waste incinerator.
- Municipal waste incinerator.
- Pathological waste incinerator.

(B) Miscellaneous uses.

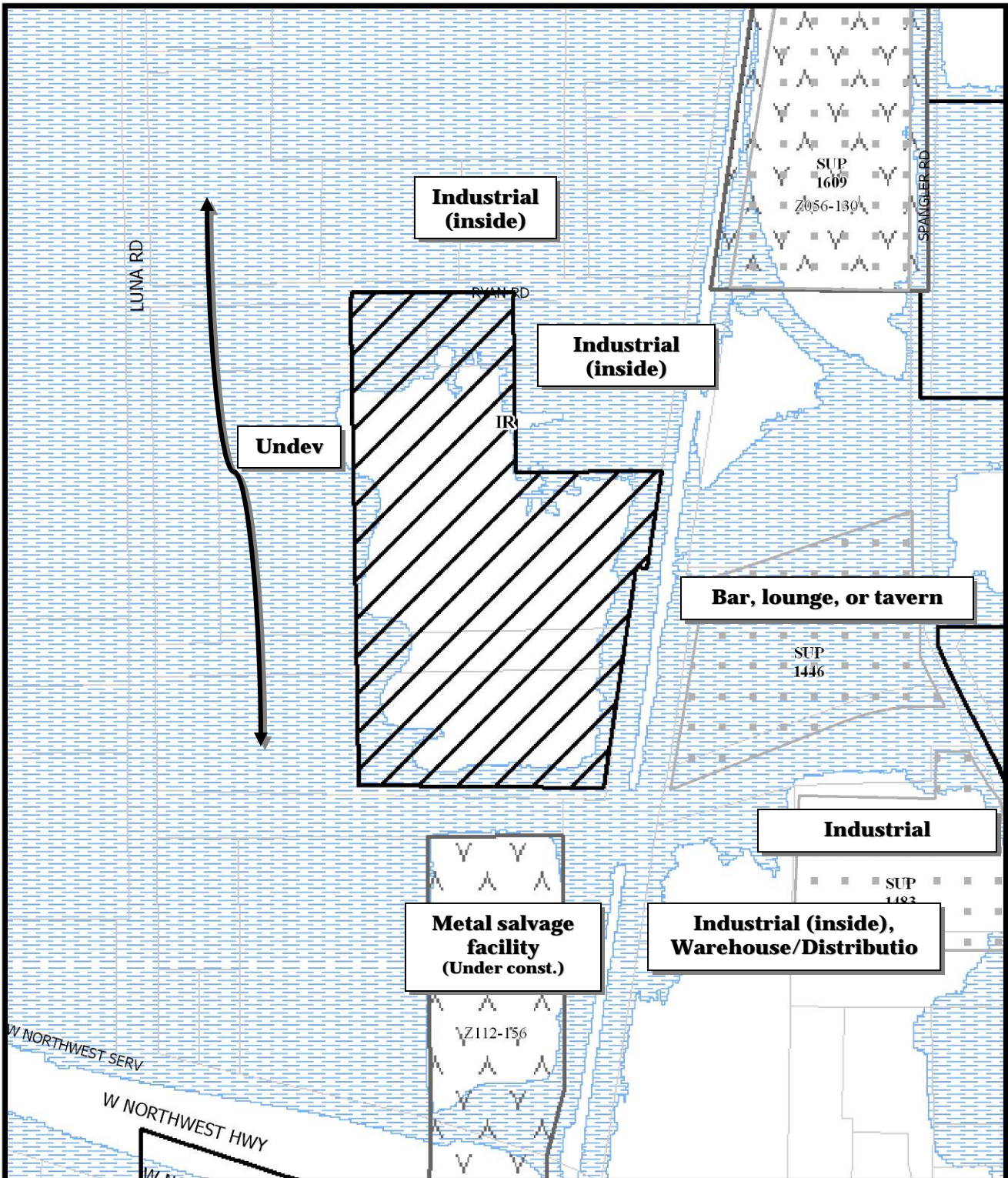
- Hazardous waste management facility.

(C) Utility and public service uses.

- Electrical generating plant.
- Sewage treatment plant.

(D) Wholesale, distribution, and storage uses.

- Outside storage without screening.
 - Petroleum product storage and wholesale.
 - Sand, gravel, or earth sales and storage.
2. Except for ingress and egress, the northern line of the Property must be screened from Ryan Road by a solid fence of at least eight feet in height and constructed of solid masonry, solid concrete, solid vegetation, corrugated sheet metal, or chain link fence with strips of metal through all links or translucent netting materials commonly used on gamecourts or other comparable screening systems approved by the building official.
 3. Maximum height of any stockpiled materials within 100 feet of Ryan Road is 20 feet. Maximum height of stockpiled materials on the remainder of the Property is 35 feet.
 4. Except for private drives, use of the Property may not encroach into any designated floodplain areas. Prior to issuance of building permit, flood plain monuments must be provided and maintained on the Property to delineate all floodplain area.



1:3,600

ZONING AND LAND USE

Case no: Z112-268

Date: 8/9/2012

FILE NUMBER: Z112-285 (JH)

DATE FILED: July 17, 2012

LOCATION: South side of Commerce Street, west of Henry Street

COUNCIL DISTRICT: 2

MAPSCO: 45-M

SIZE OF REQUEST: Approx. 3,125 sq. ft.

CENSUS TRACT: 204.00

APPLICANT: Marty Monroe, Adair's Saloon

OWNER: S.D.L. Partners

REQUEST: An application to renew Specific Use Permit No. 1687 for an alcoholic beverage establishment use for a bar, lounge, or tavern and an inside commercial amusement for a Class A dance hall within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

SUMMARY: The purpose of the request is to allow the continued operation of a bar, lounge, or tavern and a Class A dance hall.

STAFF RECOMMENDATION: Approval, for a five-year period, subject to conditions

BACKGROUND INFORMATION:

- The request site is currently developed with a two-story structure used as a bar, lounge, or tavern and a dance hall. The second floor is used as an office that is a separate use.
- SUP No. 1687 was granted on November 28, 2007 for a five-year period.

Zoning History:

1. Z101-257 On August 10, 2011, the City Council approved the renewal of Specific Use Permit No. 1767 for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District for a three-year period.
2. Z101-219 On Wednesday, June 8, 2011, the City Council approved Specific Use Permit No. 1857 for a bar, lounge, or tavern for a two-year period on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Main Street	Minor Arterial	80 ft.
Commerce Street	Minor Arterial	80 ft.

STAFF ANALYSIS:

Comprehensive Plan:

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

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

Land Use Compatibility:

The approximately 3,125 square foot request site is zoned Tract A Planned Development District No. 269 Tract A and is currently developed with a two-story commercial building used as a bar, lounge, or tavern and a dance hall. The second floor is used as an office that is a separate use.

The site is surrounded by a mix of retail/restaurant uses that are served by various surface parking lots and metered spaces along Elm Street.

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

The use is surrounded by other retail uses and various surface parking lots. As noted below, there has been minimal reported police activity at this location for the past five years. As a result of this analysis, staff has determined the request complies with the general provisions for consideration of an SUP for an additional five-year period.

Staff proposes striking condition number 4 within the SUP conditions because it is no longer relevant or needed. SUP No. 1687 was initially approved for a five-year period. Staff recommends renewing this SUP for another five-year period.

Traffic:

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

Parking:

PDD No. 269 gives a credit for the first 2,500 square feet of bar, lounge, or tavern uses when located within an original building. The 50 square foot dance floor will require 2 off-street parking spaces. The site plan shows two spaces that are at the alley and additionally, one on-street parking space exists adjacent to the request site.

Landscaping:

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

Police Report:

The following police report shows activity at the request site for the past five years.

**Dallas Police Department Reports
Public Offense Search Results**

	SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0617781-T	08/17/2007	THEFT	CAVANEHY,NOAH	02624 COMMERCEST	155	2078
2	0635354-T	08/25/2007	THEFT	MATHEWS,ABIGAIL	02624 COMMERCEST	155	2078
3	0636650-T	08/26/2007	CRIMINAL MISCHIEF/VANDALISM	WALTER, CYNTHIA	02624 COMMERCEST	155	2078
4	0703269-T	10/27/2007	THEFT	SMITH, SAM	02624 COMMERCEST	135	2078
5	0088070-V	03/25/2008	THEFT	MITCHELL,JOHN	02624 COMMERCEST	135	2078
6	0122853-V	04/26/2008	THEFT	SCHULER,TAYLOR	02624 COMMERCEST	135	2078
7	0153288-V	05/24/2008	THEFT	RICHARDSON,JENNIFER	02624 COMMERCEST	135	2078
8	0052839-W	02/23/2009	THEFT	CHESNEY,ABBIE	02624 COMMERCEST	153	2078
9	0022212-X	01/23/2010	THEFT	ALLISON, BROOKE	02624 COMMERCEST	153	2078
10	0268137-X	09/24/2010	THEFT	BARRETT,JANA	02624 COMMERCEST	153	2078
11	0281794-X	10/09/2010	FRAUD	*ADAIRS	02624 COMMERCEST	153	2078
12	0331404-X	12/03/2010	THEFT	VERZOSA, NICK	02624 COMMERCEST	153	2078
13	0099333-Y	04/20/2011	OTHER OFFENSES	*ADAIRS SALOON	02624 COMMERCEST	153	2078
14	0233186-Y	09/02/2011	TRAFFIC MOTOR VEHICLE	@CITY OF DALLAS	02624 COMMERCEST	153	2078
15	0161872-Z	07/01/2012	THEFT	PARKER, JUSTIN	02624 COMMERCEST	153	2078

List of Partners/Principals/Officers

Adair's Saloon, Inc.

William Martin Monroe, President
Joel Sanotos Morales, Vice President

SDL Partners, Ltd.

GP SDL Partners, LLC

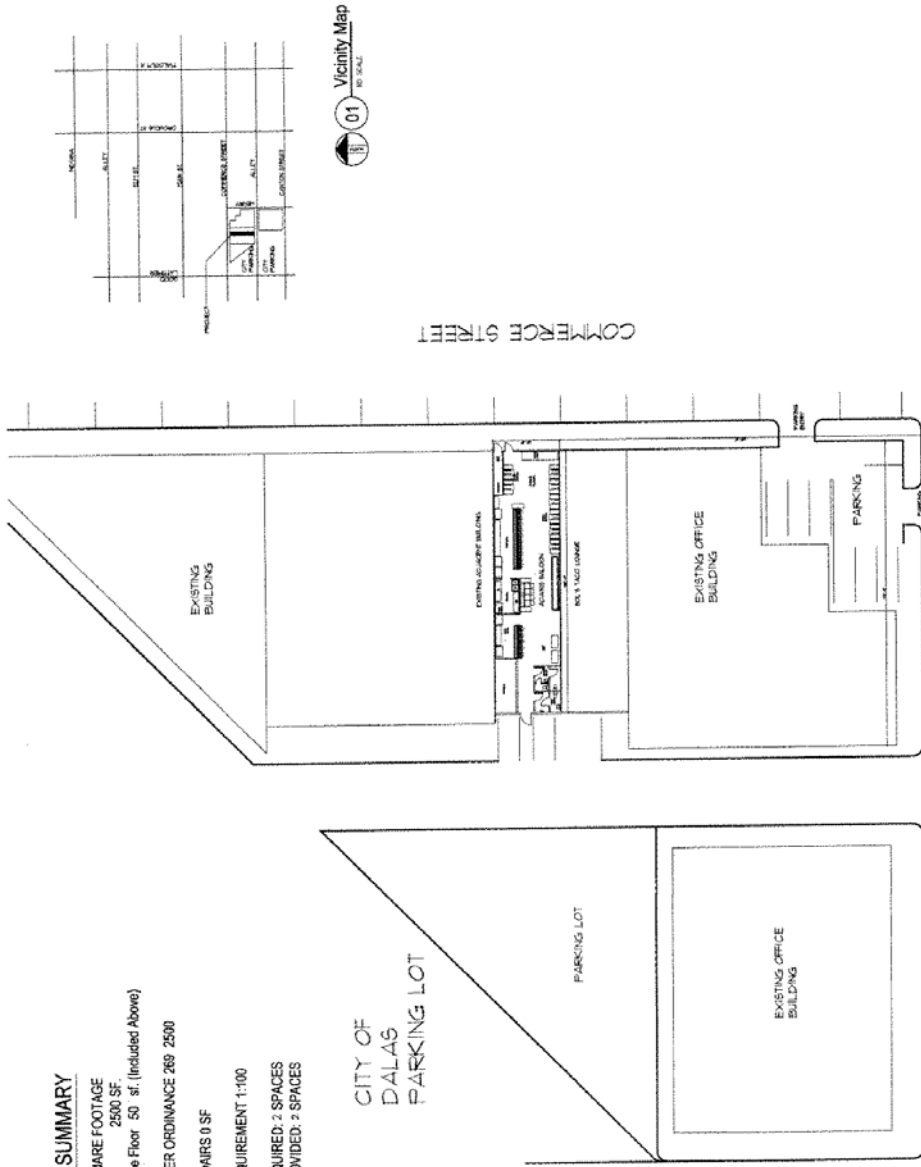
Susan Reese, Manager
Reese Grandchildren's Trust, Limited Partner
Susan B. Reese, Limited Partner
Daisy Ann Reese, Limited Partner

SUP Conditions

1. USE: The only uses authorized by this specific use permit are an alcoholic beverage establishment limited to a bar, lounge or tavern and an inside commercial amusement limited to a Class A dance hall.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on (five years).
- ~~4. CERTIFICATE OF OCCUPANCY: The alcoholic beverage establishment limited to a bar, lounge or tavern and an inside commercial amusement limited to a Class A dance hall must obtain an amended certificate of occupancy from the Building Official by December 28, 2007. All requirements of this specific use permit and Planned Development District No. 269, the Deep Ellum Special Purpose District, must be met before the Building Official may issue the amended certificate of occupancy.~~
4. FLOOR AREA:
 - a. Maximum floor area for a bar, lounge or tavern is 2,500 square feet.
 - b. Maximum floor area for a dance hall is 50 square feet.
5. PARKING: A minimum of two off-street parking spaces must be provided on the Property in the location shown on the attached site plan. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.
6. OUTDOOR SPEAKERS: Outdoor speakers are prohibited.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SUP No. 1687 SITE PLAN

ADAIRS SALOON 2067-335 2624 Commerce Street Dallas, Texas 75226	PLANNED BY HAMILTON WOLF ANDREWS ARCHITECTS / ENGINEERS / PLANNERS / DEVELOPERS 10000 Preston Road, Suite 1000 Dallas, Texas 75240 TEL: 972.382.1100 FAX: 972.382.1101 WWW: HWANDREWS.COM	PLANNED BY HAMILTON WOLF ANDREWS ARCHITECTS / ENGINEERS / PLANNERS / DEVELOPERS 10000 Preston Road, Suite 1000 Dallas, Texas 75240 TEL: 972.382.1100 FAX: 972.382.1101 WWW: HWANDREWS.COM
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PARKING SUMMARY

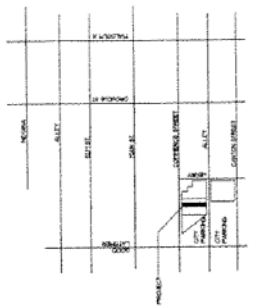
PROJECT SQUARE FOOTAGE
 ADAIRS 2500 SF.
 Dance Floor 50 sf. (Included Above)
 EXEMPT SF PER ORDINANCE 269 2500
 NET SF OF ADAIRS 0 SF
 PARKING REQUIREMENT 1:100
 PARKING REQUIRED: 2 SPACES
 PARKING PROVIDED: 2 SPACES

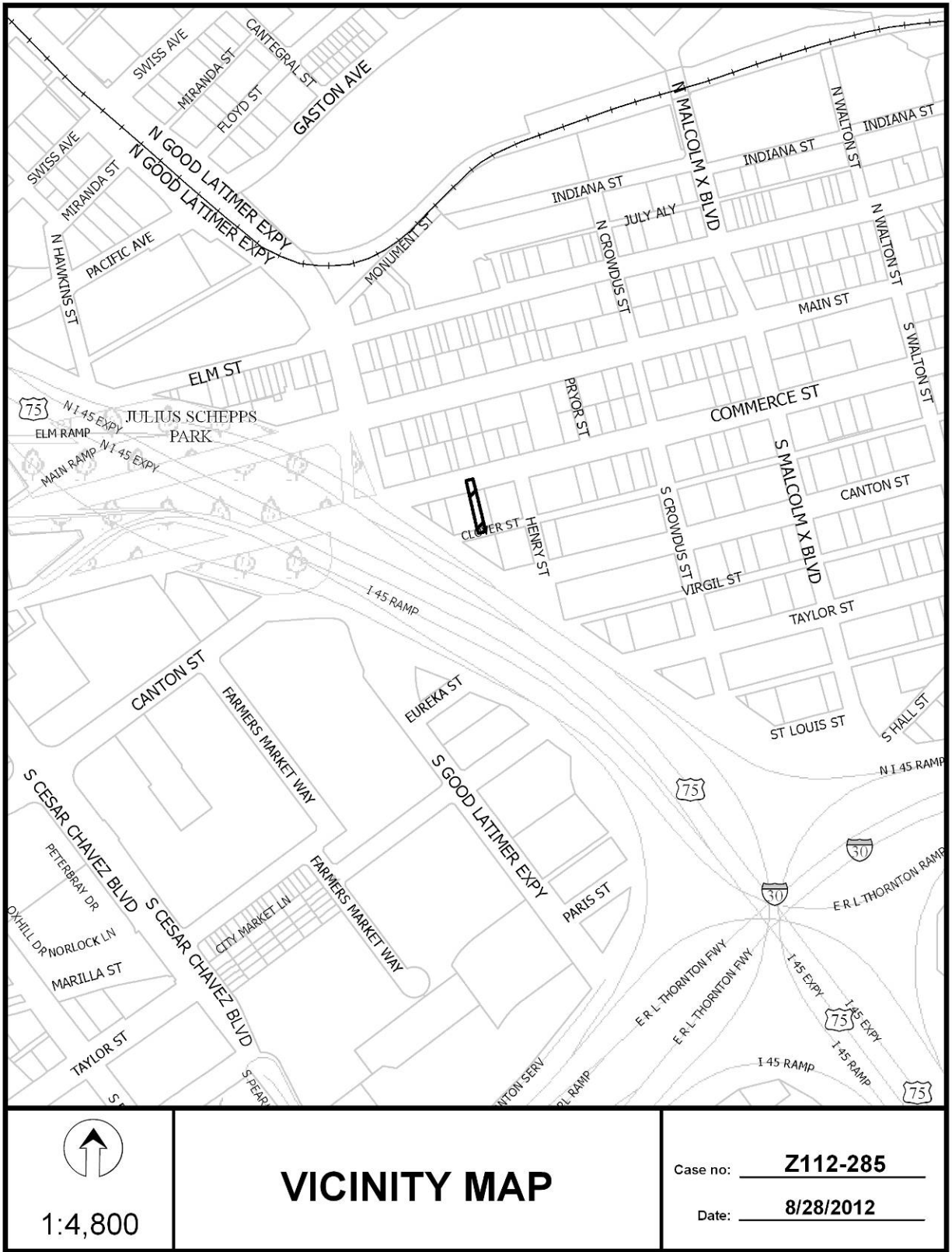
Specific Use Permit
 No. 1687

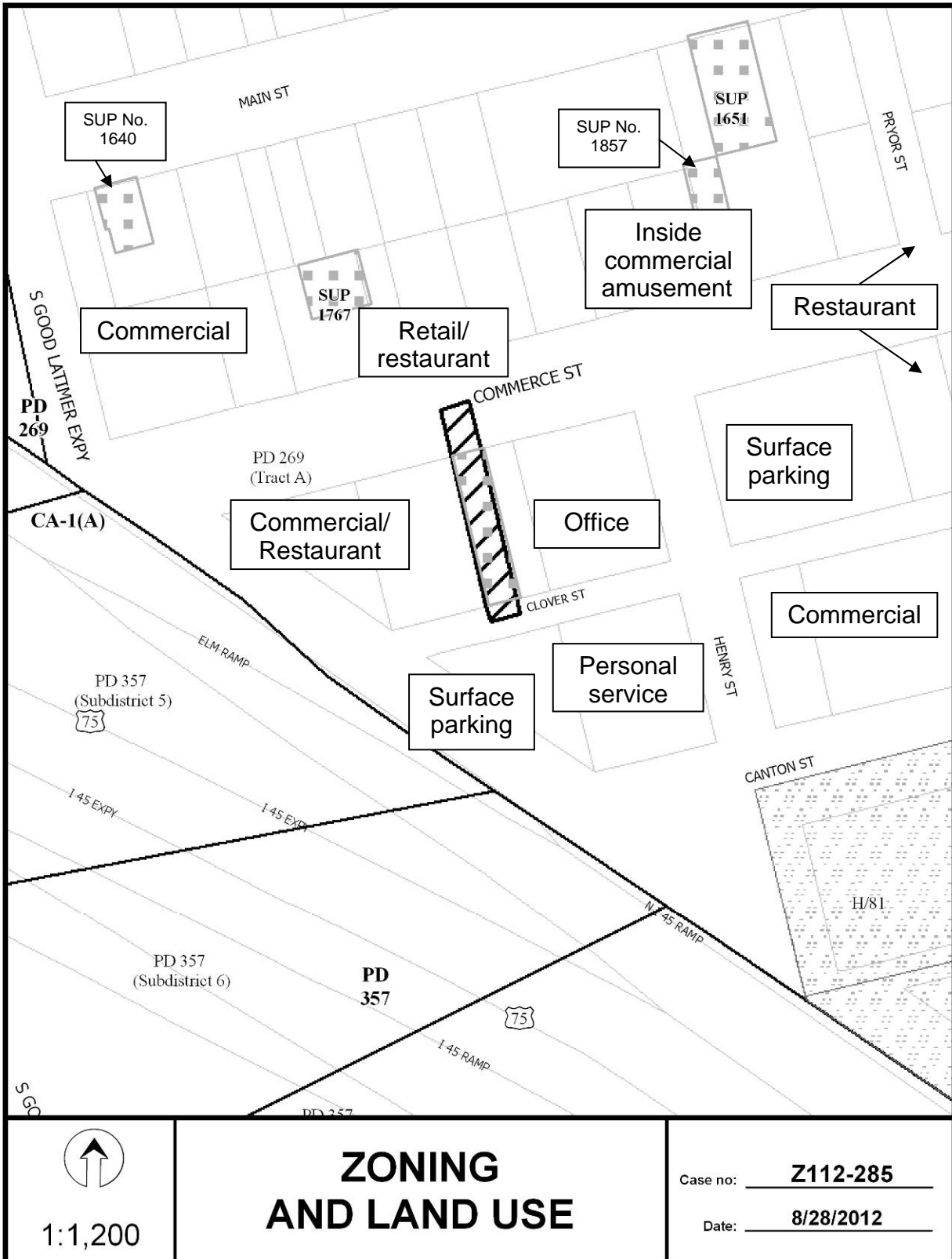
Approved
 City Plan Commission
 November 1, 2007

02 Site Plan Layout Z067-335
 1/16" = 1'-0"

01
 1/8" = 1'-0"
 Vicinity Map





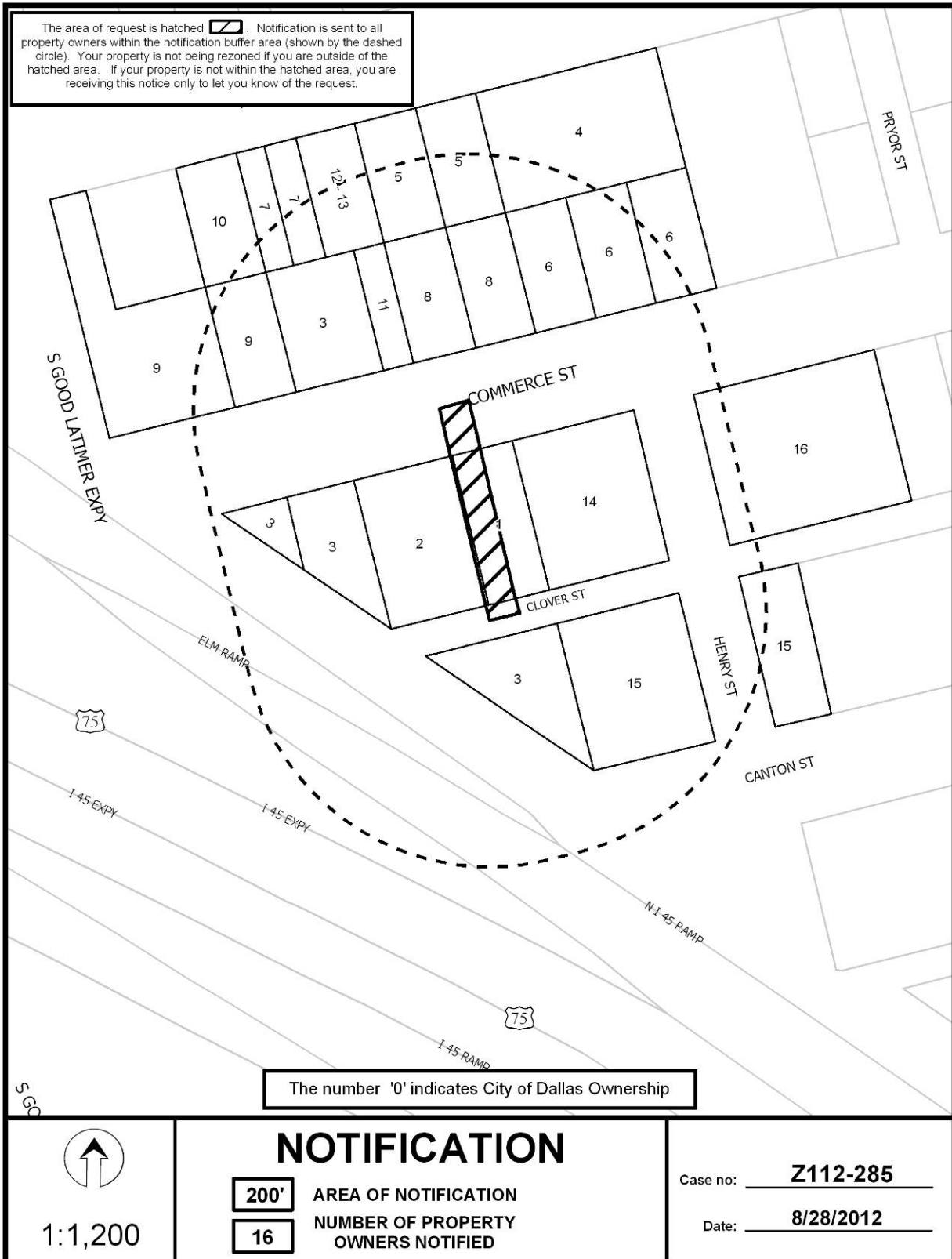


1:1,200

ZONING AND LAND USE

Case no: Z112-285
Date: 8/28/2012





8/28/2012

Notification List of Property Owners

Z112-285

16 Property Owners Notified

Label #	Address	Owner
1	2622 COMMERCE ST	SDL PARTNERS LTD % HCS PROPERTIES
2	2616 COMMERCE ST	NOLA LTD
3	2612 COMMERCE ST	DEEP ELLUM HOLDINGS LLC %MADISON PARTNER
4	2642 MAIN ST	MERRILL ROBERT L & KAREN L MERRILL
5	2626 MAIN ST	COMMERCE STREET PS LTD
6	2629 COMMERCE ST	DEEP ELM II LTD STE B
7	2616 MAIN ST	LEEDS HARLAN
8	2625 COMMERCE ST	PARK A LOT LTD % FRED BAKER
9	2611 COMMERCE ST	MEGGS RICHARD LLC ET AL
10	2612 MAIN ST	2612 MAIN LLC
11	2623 COMMERCE ST	KLUCK LINDA LOU
12	2620 MAIN ST	BLANTON DON
13	2622 MAIN ST	BLANTON DON EST OF % JEANNE BLANTON
14	2630 COMMERCE ST	WESTDALE PPTIES AMERICA I LTD
15	215 HENRY ST	WESTBROOK JAMES P
16	2700 COMMERCE ST	WESTDALE PROPERTIES AMERICA I LTD

FILE NUMBER: Z112-277(MW)

DATE FILED: July 2, 2012

LOCATION: Northeast corner of LBJ Freeway and Meandering Way

COUNCIL DISTRICT: 11

MAPSCO: 16-N, S

SIZE OF REQUEST: ±2.621 acres

CENSUS TRACT: 136.10

REPRESENTATIVE: Roger Albright

APPLICANT: Cypress Springs ALZ, LLC

OWNERS: Roger Lawler

REQUEST: An application to amend the deed restrictions on property zoned an MU-1 (SAH) Mixed Use District (Affordable) with Specific Use Permit No. 1454 for a detached non-premise sign

SUMMARY: The applicant proposes to amend the deed restrictions, which were volunteered in 1994 to 1) reduce the setback from the north alley from 65 feet to 20 feet but with the provision that for a building to exceed 26 feet in height/one story, it must be at least 65 feet from the north property line; 2) to allow access from Meandering Way and 3) to prohibit additional uses.

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- The ±2.621-acre request site is undeveloped with the exception of a detached non-premise sign.
- Renewal of Specific Use Permit No. 1454, which allows the detached non-premise sign (billboard), was approved for an eight (8)-year period on October 10, 2011 (Z101-322). Therefore, a waiver of the two-year waiting period was required for applicant to apply for an amendment the deed restrictions.
- A waiver of the two-year waiting period was approved on September 6, 2012 (W112-019).
- The deed restrictions, which are the subject of this request, were volunteered in conjunction with a request for an MU-1 (SAH) Mixed Use District which was approved by City Council on September 14, 1994.
- The request site is surrounded by duplex and single family residential to the north; a church to the east; LBJ Freeway right-of-way to the south and multifamily residential to the west.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
LBJ Freeway	Interstate Highway	Varies
Meandering Way	Collector	60 feet

Land Use:

	Zoning	Land Use
Site	MU-1(SAH); SUP No. 1454	Undeveloped; billboard
North	D(A); R-7.5(A)	Duplex; single family
East	R-7.5(A); SUP No. 67	Church
South	MU-3	LBJ Freeway right-of-way
West	MF-2(A)	Multifamily

STAFF ANALYSIS:

Comprehensive Plan:

The request site is identified as being located along a *Commercial Center or Corridor* on the **forwardDallas! Vision Illustration**, adopted June 2006. Commercial Centers or Corridors primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor's experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other "town center" features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

The applicant's request is consistent with the following goal and policy of the comprehensive plan.

LAND USE

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 ±2.621-acre request site is undeveloped with the exception of a detached non-premise sign. Deed restrictions on the property were volunteered in conjunction with a request for an MU-1 (SAH) Mixed Use District (Affordable) which was approved by City Council on September 14, 1994. In general, the deed restrictions address the rear setback, property access, screening, prohibited uses and signage.

The applicant intends to develop the property with a convalescent and nursing home consisting of approximately 66 beds. The proposed amendments to the deed restrictions include reducing the setback from the north alley from 65 feet to 20 feet with the provision that for a building to exceed 26 feet in height/one story, it must be at least 65 feet from the north property line. The MU-1 Mixed Use District requires a 20-foot setback when adjacent to or directly across an alley from a residential zoning district. The subject property is across an alley from a D(A) Duplex District. It is likely that the 65-foot setback was volunteered to address the 120-foot maximum height permitted in an MU-1 Mixed Use District. It is noted that residential proximity slope (RPS) will originate from the D(A) Duplex District at a one to three (1:3) slope. Therefore, to comply with RPS, a building would need to be set back 78 feet from the adjacent D(A) Duplex District, or 63 feet from the property line of the request site, before it could exceed 26 feet in height.

In addition, the applicant proposes to allow access to the request site from Meandering Way. The request site has approximately 315 feet of frontage on the westbound LBJ Freeway service road, which is one-way with a design speed of 40 miles per hour. Per information provided by the applicant, TXDOT will only allow a curb cut every 305 feet. Since there is an existing curb cut approximately 60 feet from the request site’s eastern property line, which serves the adjacent property, the request site does not meet the distance requirement for an additional curb cut on the frontage road. The deed restrictions prohibit access from Meandering Way and the north alley; however, the request site has no other potential points of access. Without an amendment to the deed restrictions to allow access to Meandering Way, the request site is essentially landlocked.

Based on input from the Valley View Homeowners Association, the applicant is volunteering to prohibit five additional uses: *College dormitory, fraternity or sorority house and Residential hotel.*

The request site is surrounded by duplex and single family residential to the north; a church to the east; LBJ Freeway right-of-way to the south and multifamily residential to the west. The deed restrictions, even with the proposed amendments, will ensure compatibility with the adjacent land uses. Therefore, staff supports the request.

Development Standards:

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

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:

Pursuant to §51A-4.200 of the Dallas Development Code, the off-street parking requirement for convalescent and nursing homes, hospice care and related institutions is 0.3 spaces per bed. Therefore, the proposed 66-bed facility will require 20 off-street parking spaces.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code.

Z112-277(MW)

Partners/Principals/Officers:

Cypress Springs ALZ, LLC

Rob Garrett, Principal
J. Philip Brosseau, Member
Randall S. Box, Member

DEED RESTRICTIONS

THE STATE OF TEXAS)
COUNTY OF DALLAS)

KNOW ALL PERSONS BY THESE PRESENTS:

The undersigned, H. Roger Lawler, (the "OWNER"), the owner of the following described property (the "PROPERTY") being in particular a portion of Block 7497 containing 2.621 acres of land out of the R. Wilburn Survey, Abstract No. 1568, and the J. Young Survey Abstract No. 1614, additions to the City of Dallas" ("CITY"), and being that same property conveyed to H. Roger Lawler by Spring Valley Park, Inc. by deed dated July 7, 1964, and recorded in Volume 351, page 248-252, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the north line of Interstate Highway No. 635 with the east line of Meandering Way;

Thence north 0° 09' 10" west along the east line of Meandering Way (60-foot street) 325.0 feet to Corner;

Thence north 75° 40' 50 " east along the proposed southeast line of a 15-foot alley, 324.87 feet to Corner;

Thence south 0° 09' 10" east along the west line of the Park Cities Baptist Church, Inc., tract, 400.0 feet to corner;

Thence south 89° 01' 50" west along the north line in Interstate Highway No. 635, a distance of 315.04 feet to the place of beginning, containing 2.621 acres of land.

II.

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

1. No buildings are permitted within ~~65~~ 20 feet of the north property line of the PROPERTY. In the portion of the PROPERTY more than 20 feet from the north PROPERTY line, but less than 65 feet from the north PROPERTY line, no portion of a building may exceed 26 feet in height or more than one story above existing grade as measured at the north PROPERTY line.

2. No vehicular ingress to or egress from the PROPERTY is permitted from ~~Meandering Way or~~ the alley on the north side of the PROPERTY.

3. Solid screening of a minimum of three (3) feet in height must be provided and maintained along the Meandering Way property line. For purposes of this restriction, solid screening must be constructed of:

(A) brick, stone, or concrete masonry, stucco, concrete, or wood;

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

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

(D) any combination of the above.

All solid screening must be provided prior to submission of an application for a certificate of occupancy.

4. A solid fence a minimum of six (6) feet in height must be erected along the north PROPERTY line prior to the submission of an application for a certificate of occupancy.

5. The following uses are not permitted on the PROPERTY:

- a. Auto service center
- b. Car wash
- c. Commercial amusement (inside)
- d. Commercial amusement (outside)
- e. Motor vehicle fueling station
- f. Food store 3,500 square feet or less
- g. Pawn shop
- h. Restaurant with drive-in or drive-through service
- i. Swap or buy shop
- j. Theater
- k. Post office
- l. Radio, television, or microwave tower
- m. College dormitory, fraternity or sorority house
- n. Residential hotel

6. No detached signs are permitted except within 65 feet of the right-of-way line of LBJ Freeway and shall not exceed 36 feet in height.

7. No attached illuminated signs are permitted on the north facade of any building.

8. No attached illuminated signs are permitted on the west facade of any building at a height greater than 15 feet.
9. No attached signs shall extend above the top or the facade on which it is attached.

III.

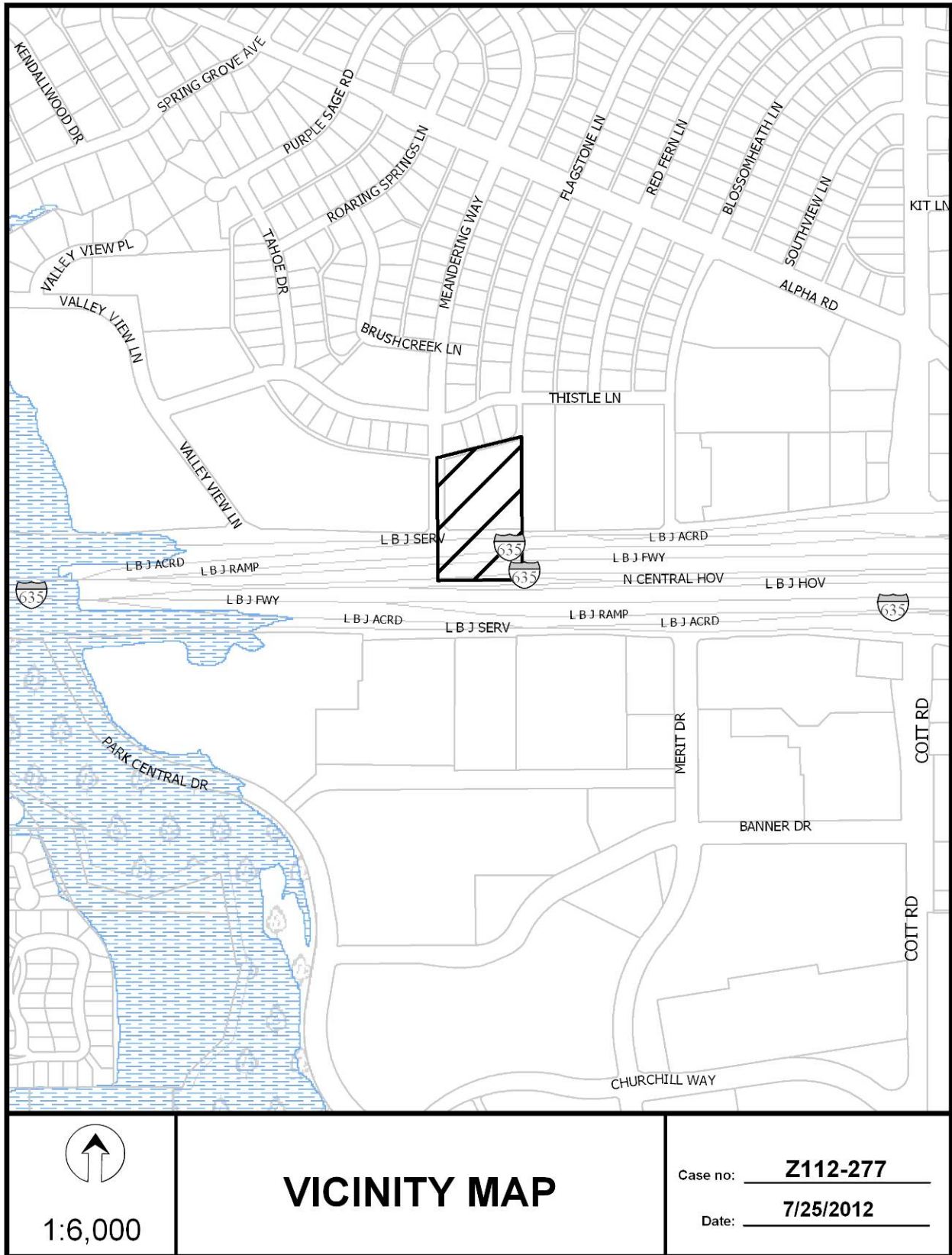
These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional period of ten (10) years unless amended or terminated in the manner specified in this document.

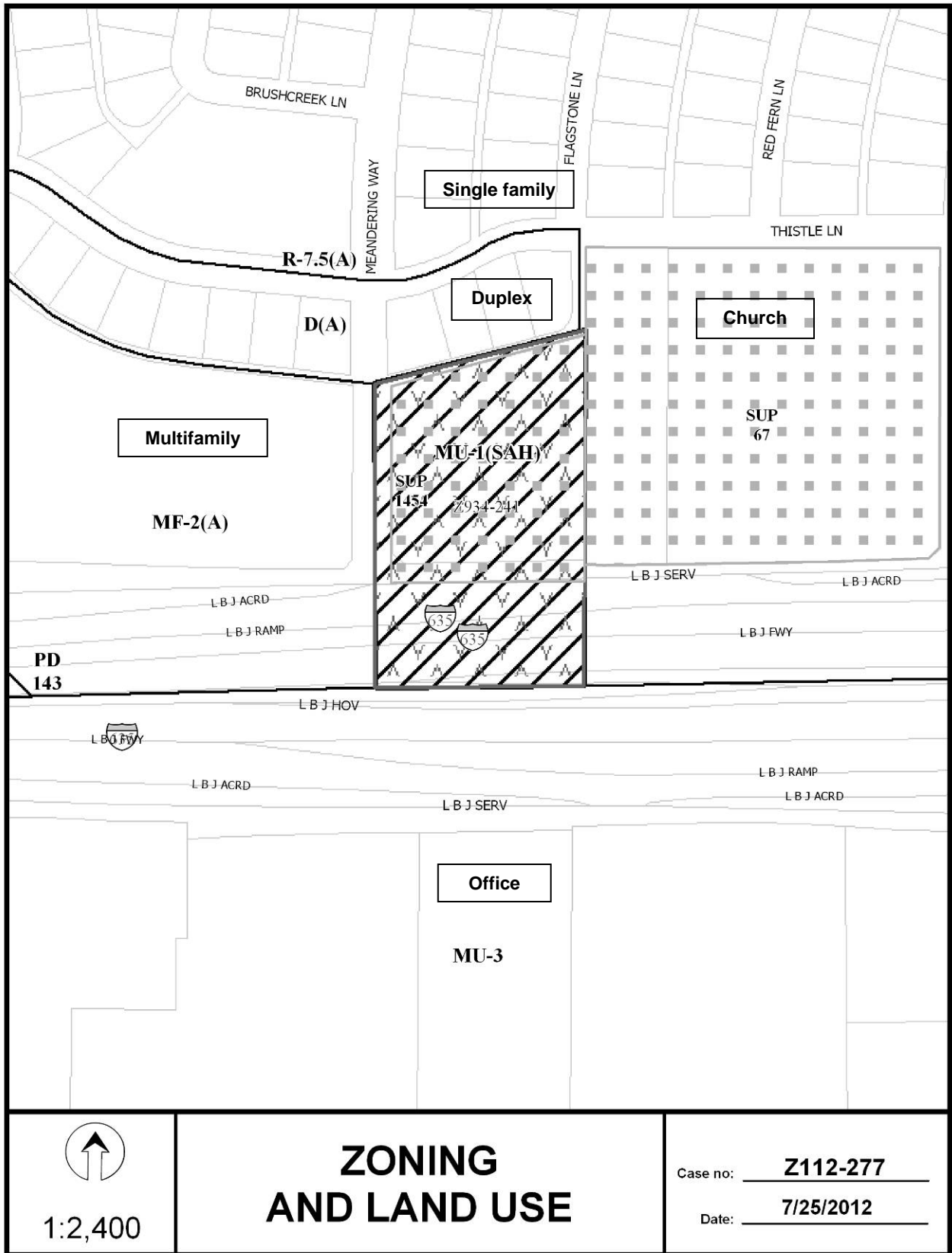
IV.

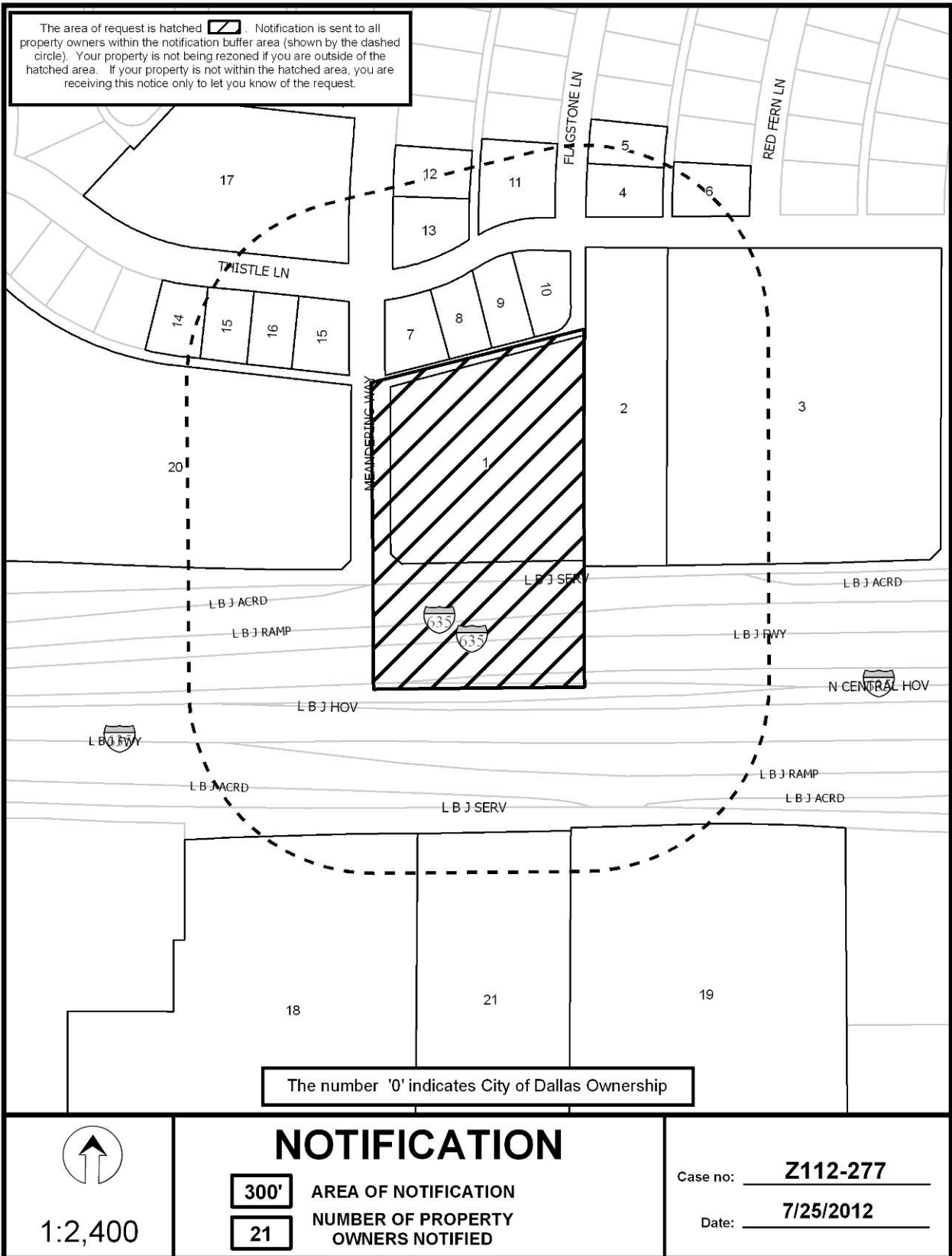
These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the CITY. Notice of the public hearings must be given as would be required by law for a zoning change on the PROPERTY. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the OWNER must then file the amending or terminating instrument in the Deed Records of the county or counties where the PROPERTY is located at his or her sole cost and expense before the amendment or termination becomes effective.

V.

These restrictions are not intended to restrict the right of the City Council of the CITY to exercise its legislative duties and powers insofar as zoning of the PROPERTY is concerned.







7/25/2012

Notification List of Property Owners***Z112-277******21 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7701 LBJ FWY	LAWLER H ROGER
2	7775 LBJ FWY	SPRING VALLEY BAPTIST CH EXEMPT
3	7777 LBJ FWY	SPRING VALLEY BAPTIST CH
4	13106 FLAGSTONE LN	DIAZ JUAN P
5	13112 FLAGSTONE LN	AGUILERA MAURICIO
6	13105 RED FERN LN	MORGULOFF KAREN &
7	7606 THISTLE LN	FRAZIN LORRAINE
8	7612 THISTLE LN	ZAFAR SHADMAN
9	7616 THISTLE LN	HAQUE NAYEEM & KELCEY
10	7622 THISTLE LN	GANNON JEFFREY
11	13111 FLAGSTONE LN	TESSEMMA TADESSE & KAFALE YALEMDESTA
12	13090 MEANDERING WAY	DOWL SOPHIA
13	13084 MEANDERING WAY	MURY MOHAMMAD R
14	7552 THISTLE LN	BAJ LAND & TITLE CO INC
15	7560 THISTLE LN	GONSKY SHARON
16	7570 THISTLE LN	HELLER DOROTHY C
17	13093 MEANDERING WAY	CHURCH IN DALLAS THE
18	7616 LBJ FWY	HARTMAN INCOME REIT PPTY HOLDINGS LLC ST
19	7750 LBJ FWY	PALACE AT PARK CENTRAL LLC
20	7373 VALLEY VIEW LN	7373 VALLEY VIEW APTS LP SUITE 3700
21	7642 LBJ FWY	IA ORCHARD HOTELS DALLAS LTD PS

FILE NUMBER: Z112-289(MW)

DATE FILED: July 23, 2012

LOCATION: South side of Ellsworth Avenue, west of McMillan Avenue

COUNCIL DISTRICT: 14

MAPSCO: 36-J

SIZE OF REQUEST: ±1.328 acre

CENSUS TRACT: 3.00

REPRESENTATIVE: Mark Weatherford

APPLICANT: MKBW Liberty, LLC

OWNER: Ridgecrest Baptist Church

REQUEST: An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a D(A) Duplex District

SUMMARY: The applicant proposes a shared access development consisting of approximately 16 single family units. Deed restrictions volunteered by the applicant prohibit multifamily uses and limit the density of single family development.

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

BACKGROUND INFORMATION:

- The ±1.328-acre request site is undeveloped and is surrounded by duplexes to the north; a church to the east; multifamily to the south and duplexes and multifamily to the west.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
Ellsworth Avenue	Local	50 feet

Land Use:

	Zoning	Land Use
Site	D(A)	Undeveloped
North	D(A)	Duplexes
East	D(A)	Church
South	MF-2(A)	Multifamily
West	MF-2(A)	Duplexes; multifamily

STAFF ANALYSIS:

Comprehensive Plan:

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

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

LAND USE ELEMENT

GOAL 1.2 Promote desired development

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

GOAL 1.3 Provide equitable opportunities for Dallas residents

Policy 1.3.1 Create housing opportunities throughout Dallas

HOUSING ELEMENT

GOAL 3.2 Answer the need for housing options

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

It is noted that the request site is less than a quarter mile (approximately 1,200 feet) from Mockingbird Station.

URBAN DESIGN ELEMENT

GOAL 5.2 Strengthen community and neighborhood identity

Policy 5.2.1 Maintain neighborhood scale and character

NEIGHBORHOOD ELEMENT

GOAL 7.1 Promote vibrant and viable neighborhoods

Policy 7.1.2 Promote neighborhood-development compatibility.

Land Use Compatibility:

The ±1.328-acre request site is undeveloped and is surrounded by duplexes to the north; a church to the east; multifamily to the south and duplexes and multifamily to the west.

The applicant requests an MF-2(A) Multifamily District with volunteered deed restrictions to prohibit multifamily uses and limit the density of single family development. Pursuant to the Dallas Development Code, there is no maximum dwelling unit density for an MF-2(A) Multifamily District. While the applicant intends to develop the request site with 16 single family units with shared access, the volunteered deed restrictions reference a maximum of 18 units to allow for some flexibility. Pursuant to Section 51A-4.411, shared access development must be restricted by plat to single family use.

The proposed MF-2(A) Multifamily District is consistent with the existing zoning to the north and west of the request site and will provide an appropriate transition to the D(A) Duplex District and duplex development north and east.

Development Standards:

Pursuant to Section 51A-4.411 of the Dallas Development Code, a shared access development is considered one lot for the purposes of compliance with front, side and rear yard setbacks but each individual lot within the shared access development must meet the minimum lot size for the zoning district. The DA(A) Duplex District requires a minimum lot size of 6,000 square feet; the applicant’s intended shared access development will consist of 16 ±3,000-square foot lots, which is permitted in the MF-2(A) Multifamily District.

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: D(A) Duplex	25'	5'	1 Dwelling Unit/ 3,000 sq. ft.	36'	60%	Min. Lot: 6,000 sq. ft	Duplex & single family
Proposed: MF-2(A) Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

Traffic:

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

Parking:

Pursuant to Section 51A-4.200 of the Dallas Development Code, a single family home in a MF-2(A) Multifamily District requires two off-street parking spaces. In addition to the parking spaces required for each dwelling unit, shared access developments must provide 0.25 unassigned spaces available for use by visitors and residents for each dwelling unit.

Landscaping:

Landscaping will be required in accordance with Article X of the Dallas Development Code. Specifically, street trees and a 20% landscape area will be required for the shared access development proposed by this application.

Deed restrictions volunteered by the applicant:

DEED RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF _____)

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, __, a _____ ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the _John W. Smith_____ Survey, Abstract No. 1334_____, City Block T/2922, City of Dallas ("City"), _____ Dallas County, Texas, and being that same tract of land conveyed to the Owner by , by deed dated _____, and recorded in Volume _____, Page _____, in the Deed Records of _____ County, Texas, and being more particularly described as follows:

See attached Exhibit A

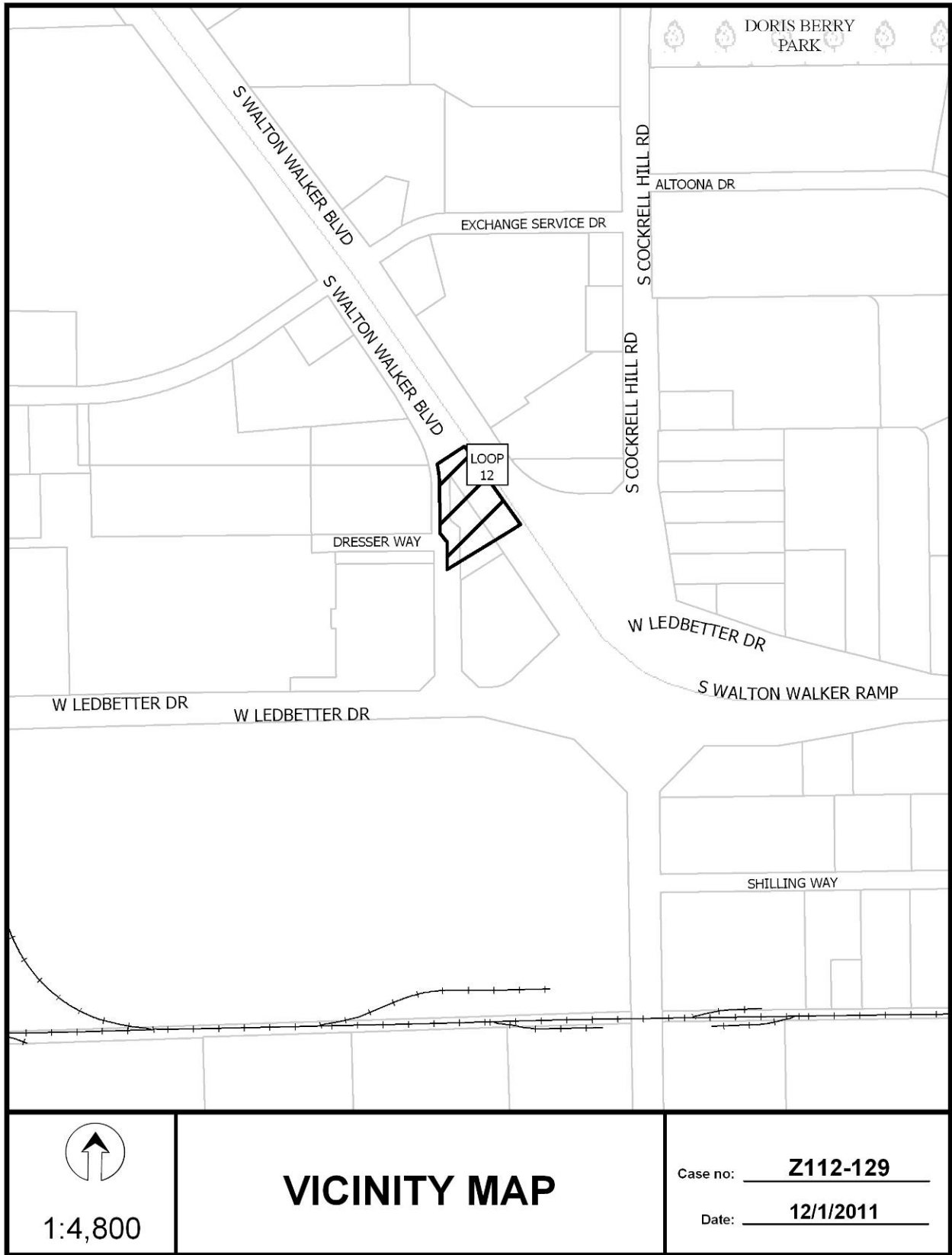
II.

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

- (1) Single family uses are restricted to a maximum density of 18 dwelling units.
- (2) Multifamily uses are prohibited.

III.

These restrictions shall continue in full force and effect for a period of 20 years from the date of execution, and shall automatically be extended for additional periods of 10 years unless amended or terminated in the manner specified in this document.



1:4,800

VICINITY MAP


Case no: Z112-129

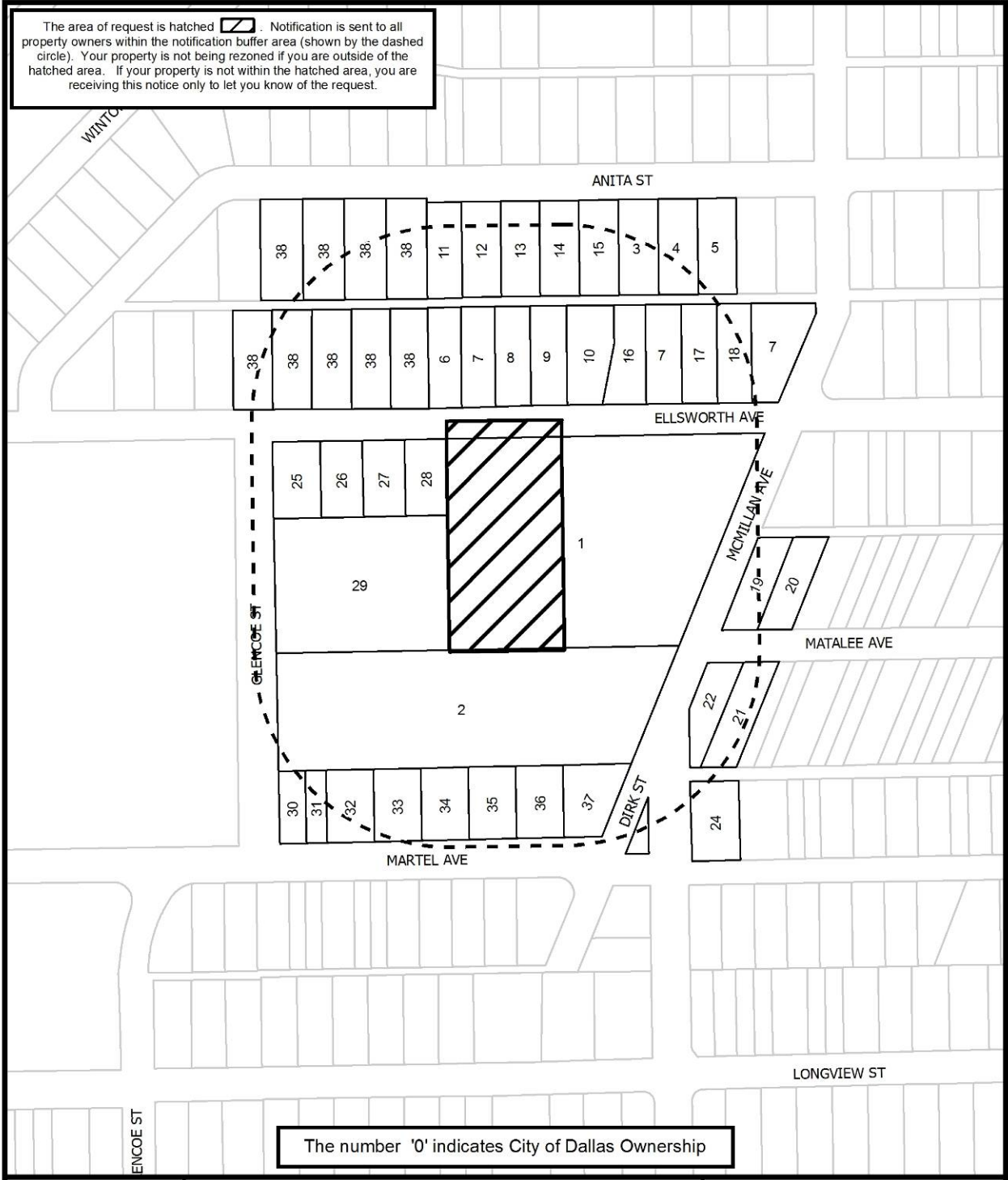
Date: 12/1/2011




ZONING AND LAND USE

Case no: Z112-289
Date: 8/2/2012

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



The number '0' indicates City of Dallas Ownership


1:2,400

NOTIFICATION

300' AREA OF NOTIFICATION
38 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-289**
 Date: **8/2/2012**

Notification List of Property Owners

Z112-289

38 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5470 ELLSWORTH AVE	RIDGECREST BAPTIST CHURCH
2	3737 MCMILLAN AVE	STODDARD J B EST SUITE 101
3	5452 ANITA ST	SIDERIS KATERINA
4	5460 ANITA ST	WAGSTAFF DANIEL R & HALEY
5	5464 ANITA ST	MUELLER RICHARD A & SANDRA KANE JOINT TE
6	5433 ELLSWORTH AVE	JUBENVILLE STEPHEN G
7	5439 ELLSWORTH AVE	PERRY ALEXANDER &
8	5441 ELLSWORTH AVE	ANGRY PIRATE PROPERTIES LLC
9	5445 ELLSWORTH AVE	KINCH JANET L
10	5451 ELLSWORTH AVE	SUGHRUE ERIC W
11	5428 ANITA ST	FULBRIGHT MARTHA A TR & TOM M FULBRIGHT
12	5432 ANITA ST	PERRY ALEXANDER
13	5438 ANITA ST	TAUSCHER JOSEPH W
14	5444 ANITA ST	SAVAGE ELIZABETH FRIDAY & MICHAEL T SAVA
15	5448 ANITA ST	VANDERMARK JOYCE LIFE EST % JOYCE ANN VA
16	5455 ELLSWORTH AVE	MASSMAN EDWARD L
17	5465 ELLSWORTH AVE	PIROK PAUL
18	5469 ELLSWORTH AVE	PIROK PAUL & ANGIE
19	5503 MATALEE AVE	YEH ROBERT Y & SUE W
20	5507 MATALEE AVE	BURGESS JUSTIN D
21	5506 MATALEE AVE	CARLSON EDWIN E
22	5502 MATALEE AVE	POHLI LAURA A
23	3700 MCMILLAN AVE	FALCON CORP % PAT SIMS
24	5503 MARTEL AVE	BROOKS RICK &
25	5404 ELLSWORTH AVE	CALLICOATTE CONRAD S
26	5408 ELLSWORTH AVE	DOBBINS CHRISTY DAVIS

Z112-289(MW)

8/2/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5412 ELLSWORTH AVE	PATEL MANESH
28	5418 ELLSWORTH AVE	CHATHAM JOSEPH M & SUZANNE S
29	3736 GLENCOE ST	MARTEL SHENANDOAH CORP SUITE 101
30	5415 MARTEL AVE	KEAY RHONDA S
31	5417 MARTEL AVE	ANDRADE AMY
32	5421 MARTEL AVE	GENIO, LP
33	5429 MARTEL AVE	DICKEY & JENKINS LP
34	5433 MARTEL AVE	GOODMAN JAMES A
35	5441 MARTEL AVE	214 RENOVATIONS LLC
36	5449 MARTEL AVE	SPARKMAN SALLY ANN
37	5453 MARTEL AVE	STEWART BRADLEY & KAREN STEWART
38	5347 ELLSWORTH AVE	GLENCOE PARK DUPLEXES LP %THOMAS K

MOTLO

FILE NUMBER: Z112-283 (JH)

DATE FILED: July 11, 2012

LOCATION: Northwest corner of N. Riverfront Boulevard and Payne Street

COUNCIL DISTRICT: 2

MAPSCO: M-44

SIZE OF REQUEST: Approx. 0.52 acres

CENSUS TRACT: 100.00

APPLICANT: Brent Thompson, Reunion Brewing Company

OWNER: Johnson Realty Company

REQUEST: An application for a new subdistrict on property zoned a Subdistrict 1A within Planned Development District No. 621.

SUMMARY: The applicant proposes to operate a brewery within an existing commercial building. The purpose of the subdistrict is to retain all of the current regulations of Subdistrict 1A but allow also allow a brewery or winery use within the new subdistrict.

STAFF RECOMMENDATION: Approval

PREVIOUS ACTION: On September 6, 2012, the City Plan Commission held this case under advisement in order to readvertise for a new subdistrict within PDD No. 621.

BACKGROUND INFORMATION:

- The request site is currently developed with a commercial structure containing a boat sales use.
- The proposed use is a brewery, which is only currently permitted in Subdistrict 1C of PDD No. 621. The purpose of the subdistrict is to retain all of the current regulations of Subdistrict 1A but allow also allow a brewery or winery use within the new subdistrict.
- On June 8, 2011, PDD No. 621 was amended to create the land use “beer and wine manufacturing” allowed by right in Subdistrict 1C. This is the only difference between Subdistrict 1 and 1C. It was intended to allow consideration of beer and wine manufacturing on a case by case basis within Subdistrict 1. The proposed PD conditions for Subdistrict 1D follow the same regulations as Subdistrict 1A but allow the additional use of “beer and wine manufacturing”.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Riverfront Boulevard	Principle Arterial	107 ft.
Payne Street	Local	75 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because it is retaining the existing zoning regulations while allowing an additional use that is compatible with the industrial/warehouse nature of the Design District.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

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

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

Land Use Compatibility:

The approximately 0.52-acre request site is zoned Subdistrict 1A within PDD No. 621 and is currently developed with a commercial structure containing a boat sales use. The applicant is proposing to operate a brewery for the manufacturing of beer on the property, which is not allowed by the existing zoning.

The surrounding land uses are undeveloped to the north, warehouse and retail uses to the north, south, east and west, restaurant to the south and east, and office to the south.

Due to the concern regarding the differences between Subdistricts 1A and 1C, the City Plan Commission instructed staff to advertise to consider creating a new subdistrict for this case. The proposed PD conditions provide for a new Subdistrict 1D which maintain the current Subdistrict 1A regulations but only add the “beer and wine manufacturer” use. Just as with the creation of Subdistrict 1C, this will allow for the consideration of a brewery or winery on the west side of N. Riverfront and maintain all the other the current development standards.

The request site is developed with a commercial building approximately 6,500 square feet in size and the remaining portion of the property is paved. There is also a 260 square foot building on the Riverfront Boulevard side of the property. The applicant’s proposed brewery use is consistent with the warehouse land uses nearby. No incompatible uses were apparent in the immediate area. Staff supports the applicant’s request.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
PDD 621 Subdistrict 1D	0'	0'	4.0 FAR	130'	100%	Height bonus, tower orientation & size	Retail, multifamily, industrial, warehouse
Existing							
PDD 621 Subdistrict 1A	0'	0'	4.0 FAR	130'	100%	Height bonus, tower orientation & size	Retail, multifamily, industrial, warehouse

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.

PDD No. 621 requires a minimum of 1 space per 600 square feet of floor area for a beer or wine manufacturing use. The request site has approximately 14 surface parking on-site in the front of the property.

Landscaping:

Landscaping required per PDD No. 621.

List of Partners/Principals/Officers

Johnson Realty Company

Deimo Johnson, sole owner

Reunion Brewing Company

Katherine Stevens, CEO
David Stevens, President
Brent Thompson, Vice President

Proposed PD Conditions

ARTICLE 621.

PD 621.

Old Trinity and Design District Special Purpose District

SEC. 51P-621.101. LEGISLATIVE HISTORY.

PD 621 was established by Ordinance No. 25013, passed by the Dallas City Council on August 28, 2002.

SEC. 51P-621.102. PROPERTY LOCATION AND SIZE.

PD 621 is established on property generally bounded by Sylvan Avenue/Wycliff Avenue on the northwest, the meanders of the old channel of the Trinity River on the north, Interstate 35 on the east, Continental Avenue on the south, and the Trinity River Floodway on the west. The size of PD 621 is approximately 415.13 acres.

SEC. 51P-621.102.1. CREATION OF SUBDISTRICTS.

(a) Name. This special purpose district is to be known as the Old Trinity and Design District Special Purpose District.

(b) Creation of subdistricts.

(1) This special purpose district is divided into ~~five~~ six subdistricts. Exhibit 621A describes the boundaries of each subdistrict. The map labelled Exhibit 621B shows the boundaries of each subdistrict. In case of a conflict, the verbal description in Exhibit 621A controls over the map in Exhibit 621B.

(2) Subdistricts 1, 1A, 1B, ~~and 1C~~ and 1D are transit-oriented, mixed-use zoning districts for the development of combinations of medium-density residential, retail, and office uses. Development should encourage residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light-rail stations; conserve energy; provide for efficient traffic circulation; conserve land; minimize vehicular travel; encourage both day-time and night-time activity; encourage use of mass transit; increase pedestrian activity; and encourage bicycle usage. Subdistricts 1, 1A, 1B, ~~and 1C~~ and 1D retain the potential for limited industrial and warehouse uses.

(3) Subdistrict 2 is for MU-3 Mixed Use District uses, bus or rail transit vehicle maintenance or storage facility uses, and commercial bus station and terminal uses.

SEC. 51P-621.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. The following definitions apply to this special purpose district:

(1) ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.

(2) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

(3) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.

(3.1) BEER OR WINE MANUFACTURING means an enclosed facility that processes and manufactures alcoholic beverages. This use does not include the processing or manufacturing of distilled spirits.

(4) BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY means a facility for the maintenance, repair, or storage of bus, rail, or other transit vehicles, including the following accessory uses: sleeping facilities for bus, rail or transit vehicle drivers, vehicle paint and body shop, vehicle washing, vehicle fueling facilities, sanitary hoppers, oil storage, package express services, bus charter sales, offices, training facilities, vehicle storage, vehicle sales, and communication antennas.

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

(6) DUMPSTER means a movable container holding two cubic yards or more of garbage.

(7) FACADE means any separate face of a building that is visible from a street, alley, or railbed.

(8) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in the floor area of an original building if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, and over 75 percent for residential projects.

(9) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(10) MEANDERS OF THE OLD TRINITY RIVER CHANNEL means the old Trinity River channel within this special purpose district, as shown on the map labelled Exhibit 621C.

(11) MIXED USE PROJECT means a development, on a single building site, that contains more than one use.

(12) NEW CONSTRUCTION means construction of a main structure that is not an original building.

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

(14) ORIGINAL BUILDING means a structure existing on the date of the establishment of this special purpose district, but does not include a structure that has undergone a major modification.

(15) OUTSIDE SEATING means the area between an omitted wall line and the structural wall when the area is used solely for seating of patrons.

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

(17) RAILBEDS means the areas shown on the map labelled Exhibit 621D.

(18) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

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

(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 special purpose district is considered to be a mixed use zoning district.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol [L] appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, "Limited Uses.")

(3) The symbol [SUP] appearing after a listed use means that the use is permitted by specific use permit only.

(4) The symbol [DIR] appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, "Site Plan Review." ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800, "Development Impact Review.")

(5) The symbol [RAR] appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, "Site Plan Review," a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800, "Development Impact Review.")

SEC. 51P-621.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 621A: property and subdistrict descriptions.
- (2) Exhibit 621B: subdistrict map.
- (3) Exhibit 621C: meanders of the Old Trinity River channel.
- (4) Exhibit 621D: existing railbeds.
- (5) Exhibit 621E: list of native plants.
- (6) Exhibit 621F: the Old Trinity and Design District woonerf—living streets conceptual plan.
- (7) Exhibit 621G: tower diagrams for Subdistrict 1A.
- (8) Exhibit 621H: tower orientation.

SEC. 51P-621.104. CONCEPTUAL PLAN.

There is no conceptual plan for this special purpose district.

SEC. 51P-621.105. DEVELOPMENT PLAN.

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

(b) Development of the railbeds as woonerf, as described in Exhibit 621F, is encouraged. The provisions of Exhibit 621F are not required.

SEC. 51P-621.106. MAIN USES PERMITTED.

- (a) Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D.
 - (1) Agricultural uses.

None permitted.

(2) Commercial and business service uses.

- Building repair and maintenance shop. [RAR]
- Catering service.
- Commercial cleaning or laundry plant. [SUP]
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing. [RAR]
- Labor hall. [SUP]
- Machine or welding shop. [RAR]
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

(3) Industrial uses.

- Beer or wine manufacturing. [Limited to Subdistrict 1C and 1D]
- Industrial (inside) for light manufacturing.
- Industrial (inside). [RAR]
- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convent or monastery.
- Halfway house. [SUP]
- Hospital. [RAR]
- Library, art gallery, or museum.
- Open-enrollment charter school. [SUP]
- Private school other than open-enrollment charter school. [SUP]
- Public school other than open-enrollment charter school. [SUP]

(5) Lodging uses.

- Hotel or motel. [RAR]
- Lodging or boarding house. [SUP]

(6) Miscellaneous uses.

- Carnival or circus (temporary). [By special authorization of the building official.]
- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. [SUP, except with RAR only for lots adjacent to Oak Lawn Avenue, Market Center Boulevard, or Turtle Creek Boulevard.]
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house. [SUP]
- Duplex.
- Group residential facility. [SUP required if the spacing component of Section 51A-4.209(3) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District.]
- Handicapped group dwelling unit. [SUP required if the spacing component of Section 51A-4.209(3.1) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District.]
- Multifamily.
- Retirement housing. [SUP]
- Single family.

(10) Retail and personal service uses.

- Alcoholic beverage establishments. [SUP. See Section 51A-4.210(b)(4).]
- Ambulance service. [RAR]
- Animal shelter or clinic without outside run. [RAR]
- Animal shelter or clinic with outside run. [SUP]
- Antique shop.
- Art gallery.
- Art or craft production facility. [Limited to 5,000 square feet or less of floor area.]
- Auto service center. [SUP]
- Billiard hall. [SUP]
- Bingo parlor. [SUP]
- Business school.
- Car wash. [SUP]
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Except as otherwise provided, permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District. Class E dance halls, as defined in Chapter 14 of the Dallas City Code, are not permitted. Billiard hall by SUP only. Bingo parlor by SUP only.]
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard.
- Household equipment and appliance repair.

- Liquor store.
- Massage establishment. [SUP]
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station. [SUP]
- Nursery, garden shop, or plant sales.
- Outside sales. [SUP]
- Personal service uses.
- Piercing salon. [SUP]
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [SUP]
- Swap or buy shop. [SUP]
- Taxidermist.
- Tattoo studio. [SUP]
- Temporary retail use.
- Theater. [Limited to 1,000 seats or fewer.]
- Truck stop. [SUP]
- Vehicle display, sales, and service. [SUP]

(11) Transportation uses.

- Heliport. [SUP]
- Helistop. [SUP]
- Railroad passenger station. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [By SUP or city council

resolution.]

(12) Utility and public service uses.

- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [RAR]
- Tower/antenna for cellular communication.
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Contractor's maintenance yard. [RAR]
- Mini-warehouse. [SUP, except with RAR only if all on-site circulation is internal to the structure.]
- Office showroom/warehouse.
- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]
- Trade center.
- Warehouse.

(b) Subdistrict 2.

(1) Except as otherwise provided in this subsection, the uses permitted in this subdistrict are the same as those uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in this special purpose district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in this special purpose district; etc.

(2) The following use is permitted in this subdistrict subject to residential adjacency review:

-- Bus or rail transit vehicle maintenance or storage facility. [RAR]

(3) The following use is permitted in this subdistrict by specific use permit only:

-- Commercial bus station and terminal. [SUP]

SEC. 51P-621.107. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific 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, see Section 51A-4.217.

(b) The following accessory uses are not permitted in Subdistricts 1, 1A, 1B, ~~and 1C~~, and 1D:

- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Amateur communications tower.
- Day home.
- General waste incinerator.
- Private stable.

(c) Except as otherwise provided in this section, accessory uses in Subdistrict 2 must comply with the accessory use regulations applicable to the MU-3 Mixed Use District.

(d) The following accessory uses are permitted by SUP only:

- Accessory outside storage. [SUP]
- Pedestrian skybridges. [SUP]

SEC. 51P-621.108. CREATION OF A BUILDING SITE.

(a) The building official shall not issue a certificate of occupancy or a building permit until:

(1) a building site has been established under Section 51A-4.601, "Creation of a Building Site"; or

(2) the yard, lot, and space requirements of a lot or parcel can be determined from property lines described in deed records. (Ord. 25013)

SEC. 51P-621.109. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D.

- (1) Front yard. No minimum front yard.
- (2) Side and rear yard. No minimum side or rear yard.
- (3) Density. No maximum density.
- (4) Floor area.

4.0. (A) For Subdistricts 1, 1A, ~~and 1C,~~ and 1D, maximum floor area ratio is

(B) For Subdistrict 1B, maximum floor area is 449,316 square feet.

(5) Height. Except as provided in this subsection, maximum height is:

(A) 150 feet for buildings having an FAR for residential uses of 0.5 or more; and

(B) 130 feet for all other buildings and structures.

(5.1) Height bonuses for Subdistricts 1A ~~and 1B,~~ and 1D. One or more of the following height bonuses may be combined to achieve a maximum building height of 270 feet:

(A) Tower size and orientation. Building height may be increased a maximum of 60 feet if (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B.):

(i) in Subdistrict 1A and 1D:

(aa) the portion of the building above 75 feet in height has a floor plate of 12,500 square feet or less; and

(bb) the tower dimension perpendicular to the east Trinity River levee is at least three times longer than the tower dimension parallel to the east Trinity River levee (tower dimension is measured at the widest point of the building facade).

(ii) in Subdistrict 1B:

(aa) the portion of the building above 75 feet has a floor plate of 25,000 square feet or less;

(bb) the tower is oriented as indicated on Exhibit 621H;
and

(cc) the longer tower dimension is at least three times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(B) Street-level parking structure concealment. Building height may be increased a maximum of 36 feet if:

(i) the building has street-level office showroom/warehouse, office, restaurant, or residential uses that conceal 100 percent of the street-level parking structure facade; and

(ii) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(C) LEED rating.

(i) Building height may be increased a maximum of 12 feet if the building is eligible for silver, gold, or platinum designation under the United States Green Building Leadership in Energy and Environmental Design (LEED) rating system.

(ii) Determination of eligibility.

(aa) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation. The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of development services.

(bb) Before the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(cc) If the developer is unable to achieve all of the green building rating system points identified on the checklist, 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.

(dd) The checklist, certified development plans, and any supporting documents and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified designation.

(D) Pedestrian amenities. Building height may be increased a maximum of 12 feet if the building achieves 25 points under Paragraph 51P-621.113(c)(3).

(6) Building site coverage.

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(A) Except as provided in this paragraph, maximum building site coverage is 100 percent.

(B) For Subdistricts 1A and 1B, any portion of a building that is above 75 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less (See Exhibit 621G for Subdiistrict 1A. See Exhibit 621H for Subdistrict 1B.).

(7) Building site size. No minimum building site size.

(8) Stories. No maximum number of stories.

(b) Subdistrict 2.

(1) Except for a bus or rail transit vehicle maintenance or storage facility, the yard, lot, and space regulations applicable to the MU-3 Mixed Use District, as amended, apply to this subdistrict.

(2) The following yard, lot, and space regulations apply to bus or rail transit vehicle maintenance or storage facility uses:

(A) Front yard. No minimum front yard.

(B) Side and rear yard. No minimum side or rear yard.

(C) Density. No maximum density.

(D) Floor area. Maximum floor area ratio (FAR) is 4.0.

(E) Height. Maximum structure height is 200 feet.

(F) Building site coverage. Maximum building site coverage is 100 percent.

(G) Building site size. No minimum building site size.

(H) Stories. No maximum number of stories.

SEC. 51P-621.110. OFF-STREET PARKING AND LOADING.

(a) General requirements applicable to all subdistricts.

(1) Except as otherwise provided in this section, off-street parking and loading must be provided in compliance with Division 51A-4.300, "Off-Street Parking and Loading Regulations." In the event of a conflict between this section and Division 51A-4.300, this section controls.

(2) If several uses are located on a single building site, the off-street parking requirement is the sum of the requirements for each use, and off-street parking spaces for one use may not be counted toward the off-street parking requirement of another use, except as otherwise provided in this section.

(3) If more than 10 off-street parking spaces are required, handicapped parking must be provided pursuant to Section 51A-4.305, "Handicapped Parking Regulations."

(b) Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D.

(1) Except for the uses listed below, consult the use regulations in Division 51A-4.200, "Use Regulations," for the specific off-street parking requirements for each use.

(A) Alcoholic beverage establishment. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the alcoholic beverage establishment. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(B) Antique shop. One space per 600 square feet of floor area.

(C) Art gallery. One space per 600 square feet of floor area.

(D) Art or craft production facility. One space per 1,000 square feet of floor area.

(E) Beer or wine manufacturing. One space per 600 square feet of floor area.

(F) Dance hall. One space per 25 square feet of floor area.

(G) Duplex.

(i) One space per dwelling unit with one or fewer bedrooms.

(ii) Two spaces per dwelling unit with more than one bedroom.

(iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(H) Furniture store. One space per 1,000 square feet of floor area.

(I) General merchandise or food store 3,500 square feet or less. One space per 275 square feet of floor area.

(J) General merchandise or food store greater than 3,500 square feet. One space per 275 square feet of floor area.

(K) Multifamily.

(i) One-and-one-half spaces per dwelling unit.

(ii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(L) Office. One space per 358 square feet of floor area.

(M) Office showroom/warehouse. One space per 1,100 square feet of floor area up to 20,000 square feet, and one space per 4,100 square feet of floor area over 20,000 square feet.

(N) Personal service uses. One space per 275 square feet of floor area.

(O) Restaurant. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the restaurant. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(P) Single family.

(i) One space per dwelling unit with one or fewer bedrooms.

(ii) Two spaces per dwelling unit with more than one bedroom.

(iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(2) Parking reductions.

(A) Bicycle parking. The off-street parking requirement for nonresidential uses located within 600 feet of the centerpoint of the intersection of Slocum Street and Cole Street may be reduced by 10 percent if:

(i) one five-bicycle parking stand for each 100 feet of street frontage is provided in the front yard of the building site; and

(ii) a minimum 12-foot-wide pedestrian and bicycle path is provided to link the building site with a DART light rail station.

(B) Employment centers adjacent to shuttle or bus stops. The following uses may provide off-street parking as specified if the use is within 1,000 feet of a shuttle stop or bus stop that provides a direct link to the Victory rail transit station or the Market Center rail transit station and if the use has 75,000 or more square feet of floor area:

(i) Industrial (inside). One space per 750 square feet of floor area.

(ii) Office. One space per 450 square feet of floor area.

(C) On-street parking. On-street parking spaces adjacent to a building site may be credited toward the off-street parking requirement of uses on the building site, even if the parking, backing, or maneuvering must be performed in the public right-of-way. On-street parking must be striped in accordance with standard city specifications.

(i) Head-in parking. One head-in parking space may be credited for each nine feet of frontage of the building site. Angled head-in parking must be angled more than 60 degrees but less than 90 degrees to the curb. The closest point of any angled head-in parking space may not be located closer than 10 feet to any perpendicular (90 degree) head-in parking space.

(ii) Parallel parking. One parallel parking space may be credited for each 22 feet of frontage of the building site.

(D) Special exception. The board of adjustment may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in Section 51A-4.311. The board of adjustment may impose conditions on the special exception.

(3) Delta theory.

(A) Except as otherwise provided in this paragraph, see Section 51A-4.704(b)(4). In the event of a conflict between this paragraph and Section 51A-4.704(b)(4), this section controls.

(B) The right to carry forward nonconforming parking and loading spaces does not terminate.

(4) Special parking.

(A) In general. Except as otherwise provided in this paragraph, see Division 51A-4.320, "Special Parking Regulations."

(B) Special parking allowed. Except as specifically modified in this section, required off-street parking may be special parking.

(C) Remote parking for nonresidential uses.

(i) Required off-street parking for nonresidential uses may be remote parking.

(ii) Remote parking for nonresidential uses must be located within 1,000 feet of the use served by the remote parking. The building official may extend the distance for remote parking to no more than 1,500 feet if a shuttle from the remote parking is provided. A license is required to authorize an extension of distance beyond 1,500 feet.

(iii) Remote parking lots must meet on-site parking landscape requirements.

(iv) Parking located in a railbed may be used as remote parking.

(D) Shared parking. Except for residential uses in Subdistrict 1B, if more than one type of use is located on a building site, all uses on the building site must share parking. Table 1 must be used to calculate the required off-street parking spaces when parking is shared. The number of off-street parking spaces that must be provided for the development is the largest number of spaces required under any of the five time-of-day columns. For example, in the morning, a development with residential and office uses must provide 80 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. Likewise, in the afternoon, that development must provide 60 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. A similar calculation must be performed for each time of day. If the

number of spaces required in the morning is greater than the number of spaces required during any other time of day, then the number of spaces required in the morning must be provided. Likewise, if the number of spaces required in the late afternoon is greater than the number of spaces required during any other time of day, then the number of spaces required in the late afternoon must be provided.

Table 1: Shared Parking Table

(For calculating the parking requirement for shared parking)

Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
Residential	80	60	60	70	100
Office-related	100	80	100	85	35
Retail-related	60	75	70	65	70
Bar and Restaurant	20	100	30	30	100
Warehouse/ Showroom	100	75	100	65	35
All other	100	100	100	100	100

(5) Cash in lieu of required parking. A property owner may make a one-time cash payment to the Old Trinity and Design District Parking Fund in lieu of providing required parking for a use in an original building. The amount of the payment is calculated by using the following formula:

$$\text{National median cost per square foot} \times 350 \times \text{Dallas cost index} \times \text{Number of required spaces not provided} \times .75 = \text{Payment required}$$

where “national median cost per square foot” is the national median cost per square foot of a parking space in a parking garage. Both the “national median cost per square foot” and the “Dallas cost index” must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another comparable publication is designated by the director. The department shall administer a city account to be known as the Old Trinity and Design District Parking Fund. Funds from the Old Trinity and Design District Parking Fund must be used only for the acquisition or construction of parking garages or other parking improvements within Subdistricts 1, 1A, 1B, and 1C, and 1D. The payment into the Old Trinity and Design District Parking Fund is due at the time of application for a building permit.

(6) Fees for required parking. Fees may be charged for use of required parking.

(c) Subdistrict 2. The off-street parking requirement for a bus or rail transit vehicle maintenance or storage facility is one space per 1,500 square feet of floor area. For all other uses, consult the use regulations contained in Division 51A-4.200, “Use Regulations,” for the specific off-street parking/loading requirements for each use.

SEC. 51P-621.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-621.112. LANDSCAPING.

(a) General requirements applicable to all subdistricts.

(1) Required tree species. All required trees must be from the following list of Texas native species:

Scientific name	Common name	
Aesculus glaba v. arguta	Texas buckeye	Quercus macrocarpa Bur oak
Aesculus pavia	Red buckeye	Quercus marilandica Blackjack oak
Bumelia lanuginosa	Woolly-bucket bumelia	Quercus shumardii Shumard red oak
Carya illinoensis	Pecan	Quercus stellata Post oak
Carya texana	Black hickory	Quercus virginiana Live Oak
Cercis canadensis v. Canadensis	Eastern redbud	Rhamnus caroliniana Carolina buckthorn
Diospyros virginiana	Common persimmon	Rhus copallina Flameleaf sumac
Ilex decidua	Deciduous holly	Rhus virens Evergreen sumac
Ilex vomitoria	Yaupon holly	Sapindus drummondii Western soapberry
Juglans nigra	Black walnut	Sophora affinis Eve's necklace
Juniperus virginiana	Eastern red cedar	Taxodium distichum Bald cypress
Morus rubra	Red mulberry	Ulmus americana American elm
Myrica cerifera	Wax myrtle	Ulmus crassifolia Cedar elm
Prunus mexicana	Mexican plum	Viburnum rufidulum Rusty blackhaw viburnum
		Zanthoxylum clavaherulis Hercules' club

(2) Prohibited trees.

(A) The following trees may not be planted within this special purpose district:

Scientific name	Common name
Populus deltoides	Cottonwood
Albizia julbrissen	Mimosa

(B) Bradford pears (pyrus calleryana) may be planted as site trees. Bradford pears may not be used as street trees, used as landscape buffer trees, or planted in the public right-of-way.

(3) Street trees.

(A) In Subdistricts 1, 1A, 1B, and 1C, and 1D, one street tree must be provided per 25 feet of street frontage, with a minimum of one street tree per building site. In Subdistrict 2, one street tree must be provided per 50 feet of street frontage, with a minimum of one street tree per building site.

(B) Street trees must be located on the building site within 50 feet of the projected street curb, except that street trees may be located in the public right-of-way if all private licensing requirements of the city code and charter are met and a right-of-way landscape permit is obtained from the city. For purposes of this subparagraph, "projected street curb" means the future location of the street curb consistent with the City of Dallas Thoroughfare Plan as determined by the director of public works and transportation.

(C) Street trees must be provided for all new construction.

(4) Landscaping in the public right-of-way.

(A) Landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.

(B) Plants in the public right-of-way may not obstruct visibility or create a traffic hazard. See Section 51A-4.602(d), "Visual Obstruction Regulations."

(C) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the landscaping requirements of this special purpose district. 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 right-of-way landscape permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the 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 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.

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

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

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

(5) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that compliance is made

impossible by Subsection (d), "Visual Obstruction Regulations," of Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

(b) Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D.

(1) General requirement. Except as otherwise provided in this section, landscaping must be provided as required by Article X.

(2) Landscaping in railbeds.

(A) Any landscaping planted in the area to the centerline of a railbed may be used to satisfy required landscaping for the adjacent property. Landscaping planted in a railbed may not be located in an access easement.

(B) The requirements of Section 51A-10.125(b)(5), "Parking Lot Trees," do not apply to parking located within a railbed.

(3) Parking lot buffer. A five-foot-wide landscaped strip must be located along any edge of a parking lot or parking structure that is visible at grade level from a street. A minimum three inch-caliper tree must be located every 15 feet, or fraction thereof, or clustered every 30 feet within the landscaped strip.

(4) Plant requirements. Plants used to satisfy the landscape requirements must comply with the following requirements:

(A) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.

(B) Solid sod or hydro-mulch grass may be used.

(C) Artificial plant materials may not be used.

(D) Any required landscaping that dies must be replaced.

(5) Landscape plan. A landscape plan must accompany any application for a building permit to expand floor area if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, or over 75 percent for residential projects. A landscape plan must earn at least 50 points (out of a total of 155 possible points.) The points awarded for providing these features are provided in parentheses. Existing landscaping qualifies for points.

(A) Lighting. (Total possible points = 20) Ten points each are awarded for providing tree lighting, light bollards, light poles, building facade lighting, or landscaped area lighting, up to a maximum of 20 points. The lighting provided must be at least 1.5 foot-candles in intensity over adjacent pedestrian areas.

(B) Landscaping on rooftops and facades. (Total possible points = 30) Ten points each are awarded for large planters, hanging planters, exterior embedded or extended planters, and vine supports on rooftops or along front facades up to a maximum of 30 points. Vines within ground-based planters must be able to extend above one-half the total height of the ground story of the main structure.

(C) Landscape buffer. (Total possible points = 25) The landscape buffer must be a minimum of 80 square feet. A mix of plant materials may be used.

(D) Tree canopy at the street frontage. (Total possible points = 20) Points may be obtained for planting canopy trees along the entire street frontage, exclusive of vehicular and pedestrian entrances and exits. The trees may be planted in the right-of-way if a right-of-way landscape permit is obtained. Ten points are awarded for planting these trees at a density of one tree per 30 linear feet of street frontage and 20 points are awarded for planting these trees at a density of one tree per 15 linear feet of street frontage. Note: Power lines may affect the types of trees used.

(E) Seasonal color landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. The plants in the landscape area must be changed at least twice per year with the appropriate seasonal color plants. This area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.

(F) Native plant landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area containing native plants. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. Native plants listed in Exhibit 621E must be used.

(G) Creation of open space. (Total possible points = 20) Five points are awarded per 200 square feet of open space if the open space is a minimum of 500 feet from the building site but within this special purpose district. For purposes of this subparagraph, "open space" means a space containing no structures or pavement at or above grade, and containing only grass or other vegetation. Open space must be available for use by the public. The open space must be maintained in a state of good repair and neat appearance at all times by the owner of the property for which the building permit was issued.

(6) Open space fund. If a property owner in Subdistricts 1, 1A, 1B, ~~and~~ 1C and 1D cannot plant all of the required trees on the building site, the property owner shall comply with the following requirements for no more than 50 percent of the required trees:

(A) Make a payment into the Old Trinity and Design District Open Space Fund. The department shall administer a city account to be known as the Old Trinity and Design District Open Space Fund. Funds from the Old Trinity and Design District Open Space Fund must be used only for acquiring and maintaining property for parks and open-space within this special purpose district. The amount of the payment required per tree not planted is calculated by using the formula for appraising the value of a two-inch-caliper tree, as derived from the most recent edition of the Guide for Establishing Values of Trees and Other Plants published by the Council of Tree and Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining a two-inch tree for two years.

(B) Plant trees within:

(i) portals to the Trinity River (as identified in the Trinity River Corridor Comprehensive Land Use Plan) within this special purpose district,

(ii) along that portion of the Old Trinity Trail within this special purpose district, or

(iii) along the meanders of the Old Trinity River channel, as shown on Exhibit 621C.

(7) Parking/landscaping zone. Where there is at least a 70-foot space between buildings, a parking/landscaping zone meeting the following requirements is allowed in the space between the two buildings, but is not required. The composition of the parking/landscaping zone, moving from one building façade across to the other building façade, is as follows:

(A) First, a minimum six-foot-wide sidewalk parallel to the façade of the first building.

(B) Second, a parking area between six feet from the first building façade to 16 feet from the first building façade. This parking area must have angled head-in parking at an angle of 60 degrees to 90 degrees. A landscaped area containing one tree must be located between every fifth parking stall. Trees in the parking area must be spaced 46 to 50 feet on center, and must be 12 to 16 feet away from the first building façade. One parking stall may be omitted to allow for a loading dock to remain functional.

(C) Third, a minimum of 26 feet of right-of-way for the two-way traffic in the middle.

(D) Fourth, a matching parking area from between 16 feet from the second building façade to six feet from the second building façade.

(E) Fifth, a matching six-foot-wide sidewalk parallel to the façade of the second building.

(c) Subdistrict 2. Except as otherwise provided in this section, all properties in Subdistrict 2 must comply with Article X.

SEC. 51P-621.113. ARCHITECTURAL DESIGN GUIDELINES.

(a) Purpose. The architectural design guidelines of this section are intended to preserve the historical, cultural, and architectural importance and significance of Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D. These architectural design guidelines are intended to encourage adaptive reuse of existing buildings; new contemporary and creative construction and major modifications that will enhance the architectural character of the district; and sustainable, green, energy efficient design and construction.

(b) Facade requirements for new construction and major modifications in Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D.

(1) Facades must be brick, concrete masonry, glass, hollow tile, stone, or other fireproof materials, except that wooden siding, wooden sheets, and metal may not be used on more than 50 percent of any facade.

(2) Facades consisting of more than 80 percent glass, excluding glass block, are prohibited.

(3) The maximum permitted reflectance of glass used as a facade material varies depending on where the glass is used. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used above the first two stories may not exceed 27 percent. 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 glass will appear.

(c) Design test requirements in Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D. New construction or a major modification must earn at least 50 points for properties with a floor area ratio of 2.0 or less, and at least 70 points for properties with floor area ratios greater than 2.0 (out of 205 possible points). The total possible points in any category are provided in parentheses.

(1) Maintenance of original facades. (Total possible points = 10) Ten points are awarded for the adaptive reuse of an original building if its original facade design elements are not altered.

(2) Ground floor uses, building facades, and roofs. (Total possible points = 20) Points may be earned as follows:

(A) Retail and showroom uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) is allocated to retail and personal service uses or office showroom/warehouse uses.

(B) Restaurant uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) includes restaurant uses.

(C) Facade treatments. Ten points are awarded if the building's front facade is given texture and complexity by the inclusion of ground level entries more than 14 feet in height, porticos, indented entries, belt coursing or other horizontal banding, grid coursing, articulation of window openings, corner pilasters, rustication of the first floor, changes of color, or ornamental iron.

(3) Pedestrian amenities. (Total possible points = 25) Five points each are awarded for benches, trash receptacles, awnings/canopies, bicycle parking racks, and pedestrian street lamps. These items should be creative and contemporary. Pedestrian amenities must be located within the curb-to-building area of the building site, but, if a hardship prohibits locating these in the curb-to-building area of the building site, the amenities may be placed within the public right-of-way as long as they meet city standards and licensing requirements and do not block free movement of pedestrians. Pedestrian amenities must be maintained and operated by the owner of the building site. If there is more than one owner, all owners are jointly responsible for maintenance. Such amenities include:

(A) Benches or exterior seating areas (maximum of one every 50 feet).

(B) Trash receptacles (maximum of five points).

(C) Awnings/canopies along the front facade.

(D) One five-bicycle stand per 100 feet of street frontage.

(E) At least one pedestrian street lamp (freestanding or wall mounted) per 50 feet of street frontage.

(4) Public art or water features. (Total possible points = 15) Fifteen points are awarded for public art or water features costing at least \$2,500, limited to one per building site. In order to qualify for public art points, the public art must be visible from a public right-of-way at all times. Examples of public art could include art in an atrium or lobby that is visible from a public right-of-way, art incorporated into the sidewalk or building facade, or freestanding art. For purposes of this paragraph, "water features" means: fountains, pools, mechanical water jets, or similar water devices.

(5) Paving material. (Total possible points = 15) Five points are awarded per one third increment of an outdoor private walkway area accessible to the public that is covered by decorative pavement. For purposes of this paragraph, "decorative pavement" means: colored concrete pavers; brick; stone; stamped, textured, or colored concrete; and exterior grade tile.

(6) Pedestrian orientation of building facade. (Total possible points = 20) Twenty points are awarded if a minimum of 25 percent of the front facade has transparent display windows or windows affording views into retail, office, or lobby space. The transparency requirement applies to the first 16 feet of height of the facade.

(7) Structured parking facilities. (Total possible points = 50) Fifty points are awarded for a structured parking facility if the design matches the facade of a new building or architecturally complements the facade of an original building.

(8) Energy conservation. (Total possible points = 15) Ten points are awarded for using solar, geothermal, or other non-petroleum, non-coal energy sources. Five points are awarded for planting twice the number of canopy trees required by Section 51P-621.112, "Landscaping."

(9) Permeable surface. (Total possible points = 15) Five points are awarded each third of an outdoor walkway or driveway with a permeable surface.

(10) LEED's credit. (Total possible points = 20) Twenty points are awarded for a project with a floor area ratio of more than 2.0 when the project complies with the following:

(A) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) Checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation (26 to 32 project points). The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of development services. Prior to the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(B) If the developer is unable to achieve all of the green building rating system points identified on the checklist, 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.

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

(d) Approval by development plan. The city plan commission may approve new construction or a major modification that does not meet the requirements of Subsections (b) and (c) of this section if the development plan and elevations show that the new construction or major modification is consistent with the spirit and intent of this section.

(e) Fences and walls in Subdistricts 1, 1A, 1B, ~~and 1C,~~ and 1D. Fences and walls longer than 200 feet adjacent to any public street must be designed to prevent visual monotony through use of offsets, changes of materials and textures, gates or openings, or landscaping.

SEC. 51P-621.114. SITE DESIGN REQUIREMENTS.

(a) Above-grade off-street parking. Parking is permitted on any level of a building.

(b) Median and curb cuts along Industrial Boulevard. Median and curb cuts to access railbeds for off-street parking from Industrial Boulevard, between Continental Avenue and Sylvan/Wycliff Avenue, must be approved by the director of public works and transportation. Traffic must be one-way from Industrial Boulevard westbound to Levee Street.

(c) Sidewalk standards for new construction.

(1) In general.

(A) Sidewalks complying with the standards of this subsection must be provided for all new construction.

(B) If a sidewalk is to be located in a front yard, a sidewalk easement must be dedicated to the city to assure its availability to the public for pedestrian access.

(C) Except as otherwise provided in this subsection, the requirements of Chapter 43, "Streets and Sidewalks," apply to all sidewalks.

(2) Location.

(A) Sidewalks must be located along the entire length of the street frontage.

(B) On state highways, sidewalks must be provided in the parkway, subject to Texas Department of Transportation approval. If Texas Department of Transportation approval cannot be obtained, the property is exempt from this requirement.

(C) Sidewalks must be located between five feet and 10 feet from the back of the projected street curb, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must be located between five feet and 12 feet from the back of the projected street curb. Sidewalks may be located farther from the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(3) Width.

(A) Sidewalk widths must match the width of existing sidewalks in front of adjacent properties at the point of convergence. Where there are different sidewalk widths on each side of the street frontage, the new sidewalk must taper or expand to meet the incongruous sidewalks.

(B) Sidewalks must have an unobstructed minimum width of four feet, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must have an unobstructed minimum width of six feet. For purposes of this provision, "unobstructed" means by structures or landscaping, excluding utility poles and service boxes.

(d) License to allow compliance with ADA requirements.

(1) If there is no other way to install ramps required by the Americans with Disabilities Act or similar state laws other than to install the ramps in the public right-of-way, the city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the Americans with Disabilities Act or similar state laws. 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 building permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the 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 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) Upon the installation of ramp in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or

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

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

(e) Exemption for Subdistrict 2. The site design requirements of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2.

SEC. 51P-621.115. SCREENING REGULATIONS.

(a) Parking lot screening.

(1) Except as otherwise provided in this section, Section 51A-4.301(f), "Screening Provisions for Off-Street Parking," applies to all parking lots and parking structures.

(2) Fences may complement but not substitute for parking lot trees and shrubbery screening.

(3) The provision of screening for surface parking only applies to new construction. All surface parking must be screened from a street or access easement by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:

(A) Earthen berm planted with turf grass or groundcover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height per three feet of width.

(B) A fence constructed of one or more of the following: brick, stone, concrete masonry, stucco, concrete, wood, or other durable material. Wrought iron fences are allowed.

(C) Hedge-like evergreen plant materials recommended for local area use by the city arborist. 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 36 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.

(b) Screening of off-street loading spaces, dumpsters, and garbage storage areas.

(1) Except as otherwise provided in this subsection, screening of off-street loading spaces, dumpsters, and garbage storage areas must be provided in compliance with Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

(2) All off-street loading spaces, dumpsters, and garbage storage areas must be screened from all public streets adjacent to the building site. Screening is not required on sides that are not visible from a public street.

(3) Screening of all off-street loading spaces, dumpsters, and garbage storage areas must be at least six feet in height.

(4) Screening is not required in the railbeds.

(c) Outdoor storage areas. Except for vehicle display, sales, and service uses and nursery, garden shop, and plant sales uses, all outdoor storage areas for commercial and business services uses and industrial uses must be entirely screened by an eight-foot solid screening fence, vegetative materials, or other alternative deemed appropriate by the building official.

(d) Exemption for Subdistrict 2. The screening regulations of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2.

SEC. 51P-621.116. SIGNS.

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

(b) In Subdistrict 2, detached premise signs existing on the date of establishment of this special purpose district may remain, provided the sign and sign supports are maintained in a state of good repair and neat appearance at all times. See Section 51A-7.210, "General Maintenance."

(c) Projecting attached premise signs for retail and personal service uses are allowed, provided they do not project more than five feet from the building façade and are between nine and 15 feet above the sidewalk. For purposes of this provision, a "projecting attached premise sign" means an attached premise sign projecting more than 12 inches from a building at an angle other than parallel to the façade.

SEC. 51P-621.117. ADDITIONAL PROVISIONS.

(a) The entire Property and any improvements in the public right-of-way must be properly maintained in a state of good repair and neat appearance. The city may remove any improvements in the public right-of-way that are not maintained in a state of good repair and neat appearance at the sole expense of the property owner, and may use any available legal remedy to recover the cost of removal from the property owner.

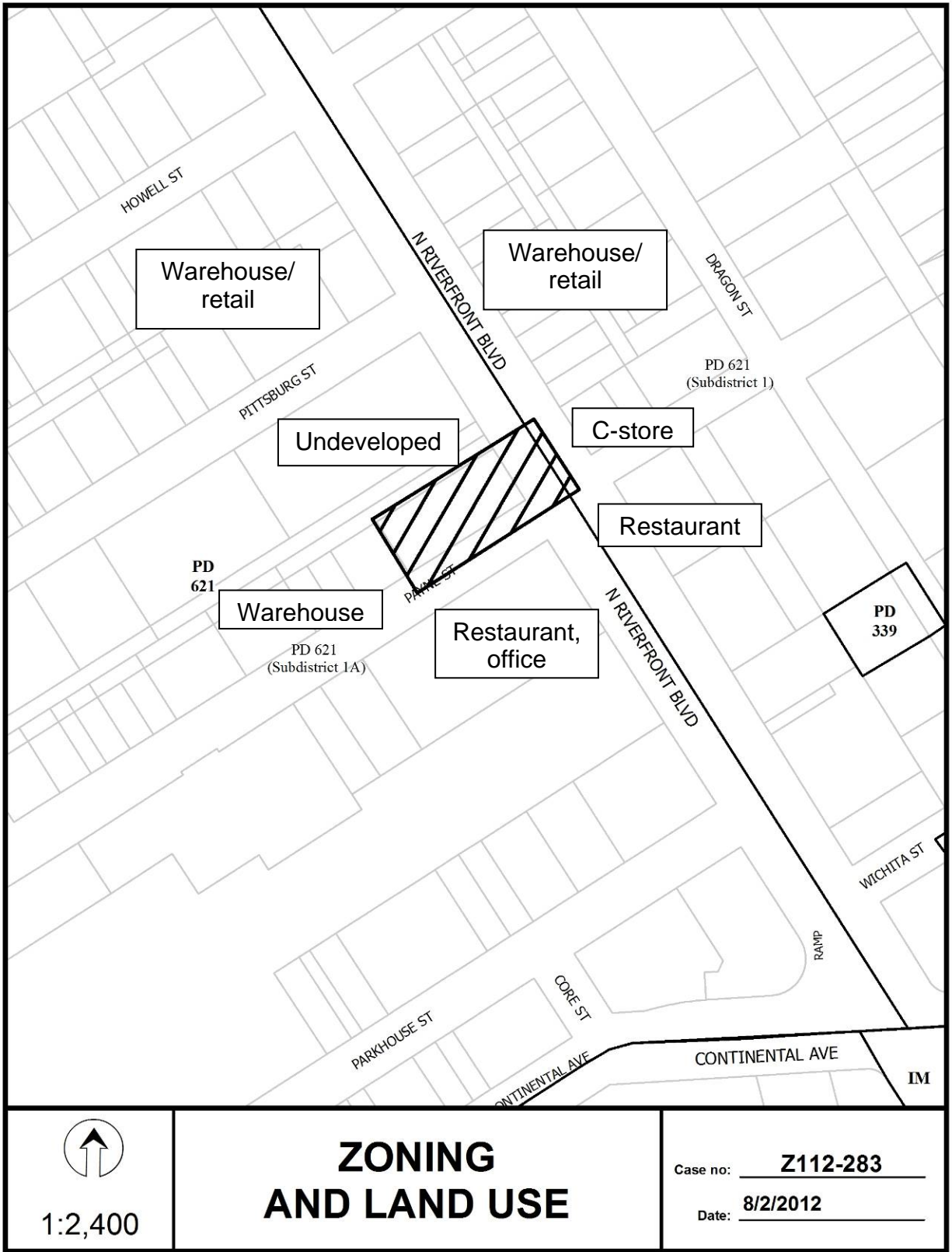
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-621.118. 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 special purpose 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.



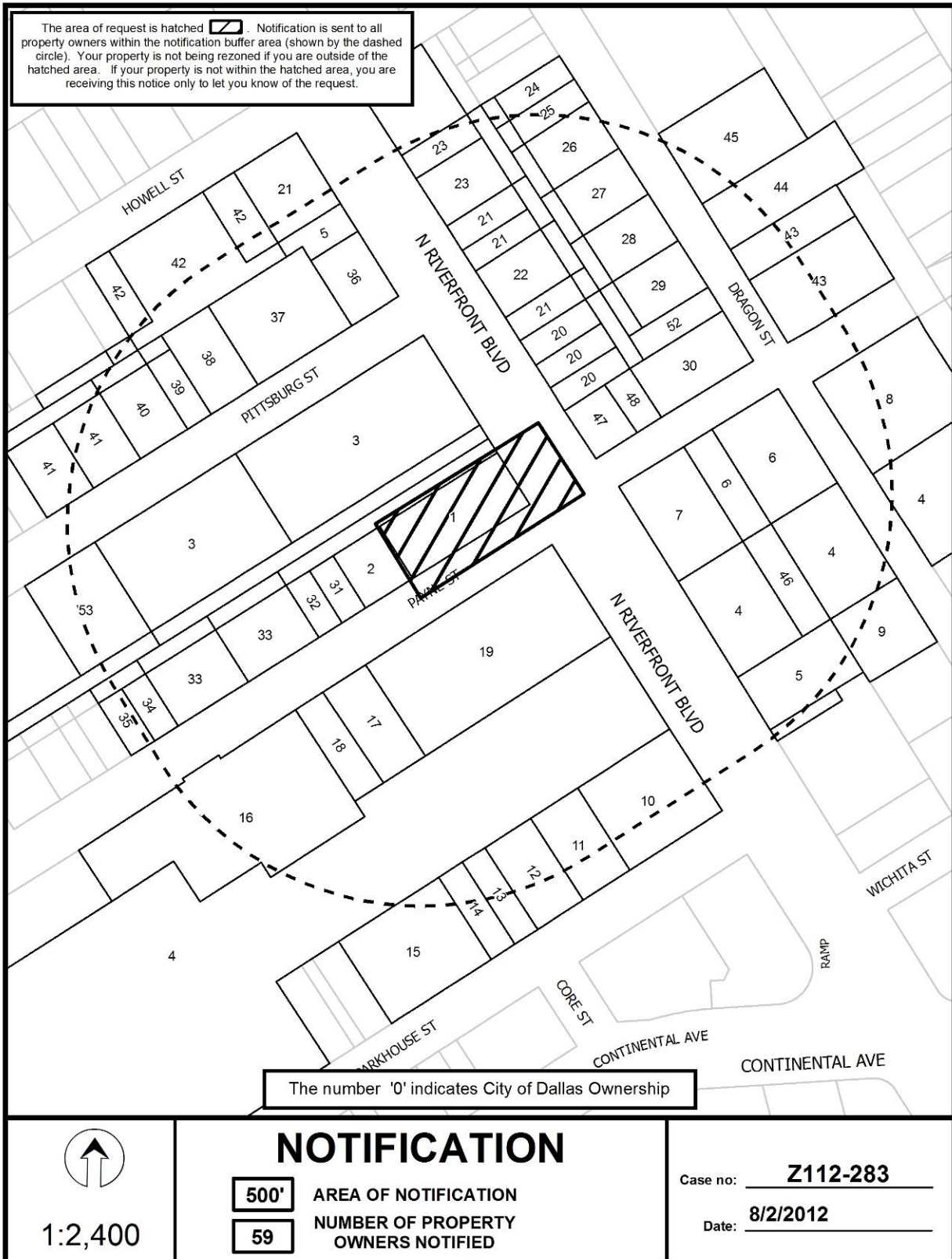


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ZONING AND LAND USE

Case no: Z112-283

Date: 8/2/2012



8/2/2012

Notification List of Property Owners

Z112-283

59 Property Owners Notified

Label #	Address	Owner
1	1001 RIVERFRONT BLVD	JOHNSON REALTY CO
2	167 PAYNE ST	MADDOX WILLIAM P JR & BARBARA G MADDOX
3	134 PITTSBURG ST	AZIMI ENTERPRISES
4	1025 STEMMONS FWY	TEXAS UTILITIES ELEC CO % STATE & LOCAL
5	920 RIVERFRONT BLVD	CCFP LIMITED
6	959 DRAGON ST	CRC INVESTMENTS LP
7	940 RIVERFRONT BLVD	SMCRC INVESTMENTS
8	960 DRAGON ST	JLC EQUITIES LTD % JIM LAKE CO STE 1
9	919 DRAGON ST	RASORROSS ENTERPRISES LLC
10	909 RIVERFRONT BLVD	INVESTMENT PROPERTIES INC SUITE 525
11	179 PARKHOUSE ST	STEVENS DAVID & SHELLEY
12	171 PARKHOUSE ST	STEVENS DAVID &
13	167 PARKHOUSE ST	SHARIFF & SONS PTRS LTD
14	163 PARKHOUSE ST	SHARIFF & SONS PTRS LTD
15	155 PARKHOUSE ST	MATHIS LAND PARTNERSHIP LTD THE
16	146 PAYNE ST	HURD DONNA C
17	154 PAYNE ST	HARGROVE ELECTRIC CO
18	150 PAYNE ST	PIRATE LOOKS AT FIFTY LP
19	921 RIVERFRONT BLVD	TRICON COIT LP
20	1010 RIVERFRONT BLVD	MOODY HERMAN B III & JANET PIKE MOODY
21	1022 RIVERFRONT BLVD	CCFP LTD
22	1026 RIVERFRONT BLVD	CHRIST GEORGE C TRUST
23	1114 RIVERFRONT BLVD	XFP LTD PS
24	1113 DRAGON ST	MUZEION PROPERTY LLC
25	1111 DRAGON ST	LEE COLLECTIONS LLC THE 25 HIGHLAND PARK
26	1107 DRAGON ST	NGUYEN SEAN & NANCY H NGUYEN

8/2/2012

Label #	Address	Owner
27	1105 DRAGON ST	ROMANO PHILIP J
28	1027 DRAGON ST	1027 DRAGON LLC
29	1019 DRAGON ST	PETERS REAL ESTATE HOLDINGS LTD
30	1003 DRAGON ST	STEVENS DAVID & SHELLEY
31	159 PAYNE ST	LMMP INC % ROUND UP SALOON
32	155 PAYNE ST	MADDOX WILLIAM PATRICK JR & BARBARA WEST
33	149 PAYNE ST	SD DALLAS PAYNE VENTURE LLC
34	127 PAYNE ST	EMECO EXPORT IMPORT #140
35	123 PAYNE ST	CAVAZOS ARNOLDO N #140
36	1101 RIVERFRONT BLVD	ALL PRO BLDG PRODUCTS INC
37	161 PITTSBURG ST	THE 3 B S IMPORTS LLC
38	157 PITTSBURG ST	L & M PIONEER TRADING CO ATTN JIM LAKE J
39	155 PITTSBURG ST	155 PITTSBURG LLC
40	147 PITTSBURG ST	JOHN L LOWERY & ASSOCIATES INC
41	137 PITTSBURG ST	PITTSBURGH ST ASSOC LP STE D
42	154 HOWELL ST	COYOTE TRADING CO LTD STE 58
43	1006 DRAGON ST	MORRIS MARTHA A
44	1018 DRAGON ST	MCSHANE RAYMOND D
45	1030 DRAGON ST	DALAL PANKAJ & JAYSHREE DALAL
46	200 WICHITA ST	TXU ELECTRIC COMPANY
47	1000 RIVERFRONT BLVD	CANO TECH INC
48	209 PAYNE ST	LINARES HERMANOS AUTO REPAIR
49	1026 RIVERFRONT BLVD	CHRIST GEORGE CHARLES TRUST
50	1012 RIVERFRONT BLVD	MOODY JANET PIKE & HERMAN B MOODY III
51	1109 DRAGON ST	NGUYEN NANCY
52	1011 DRAGON ST	CG INTERESTS LLC
53	122 PITTSBURG ST	COLE RICHARD N
54	127 PAYNE ST	CAVAZOS ILA MAE % EMECO EXPORT/IMPORT
55	1020 LEVEE ST	KAM SIU TSANG
56	1100 RIVERFRONT BLVD	KNOBLER DONALD G
57	150 HOWELL ST	AW LEGACY INVESTMENTS LLC
58	1100 RIVERFRONT BLVD	HOWELL STREET PPTY LLC
59	1104 RIVERFRONT BLVD	COOMER LOWERY LLC

FILE NUMBER: Z112-256 (JH)

DATE FILED: June 8, 2012

LOCATION: South side of Ronnie Drive and north side of Newt Drive, east of Dickerson Street

COUNCIL DISTRICT: 12

MAPSCO: 6-J

SIZE OF REQUEST: Approx. 0.84 acres

CENSUS TRACT: 317.20

APPLICANT/OWNER: Barbara Haynes and Feliz Diaz

REQUEST: An application for a CS Commercial Service District on property zoned an CH Clustered Housing District.

SUMMARY: The purpose of the request is to allow for a commercial redevelopment of the currently residential property.

STAFF RECOMMENDATION: Denial

PREVIOUS ACTION: On September 6, 2012, the City Plan Commission held this case under advisement.

BACKGROUND INFORMATION:

- The request site is currently developed with two single family structures.
- The applicant is proposing to change the zoning to allow for future reuse or redevelopment of the property for commercial uses similar to those properties zoned a CS Commercial Service District to the north and west.

Zoning History:

1. Z1078-104 On January 10, 2008, the City Plan Commission denied an application for a CS Commercial Service District on property zoned a CH Clustered Housing District.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Ronnie Drive	Local	60 ft.
Newt Drive	Local	60 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The requested zoning change does not comply with the Comprehensive Plan. Even though there are some commercial uses in the area, the area is approximately half developed with residential uses zoned a CH Clustered Housing District. The request conflicts with the following goals and policies of the Comprehensive Plan because the commercial district would be a further encroachment into a residential area.

HOUSING ELEMENT

GOAL 3.1 ENSURE A SUSTAINABLE AND EFFICIENT LONG-RANGE HOUSING SUPPLY

Policy 3.1.3 Encourage stabilization of existing neighborhoods.

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Land Use Compatibility:

The approximately 0.84-acre request site is zoned a CH Clustered Housing District and is currently developed with single family uses.

The surrounding land uses are a church use to the west, auto-related uses to the north and west, single family to the east, and multifamily to the east and south. There are several undeveloped lots in the immediate area.

Although some commercial uses already exist in the surrounding area, staff is concerned about the further encroachment of commercial uses into the residential areas. Specifically, the property to the east on Newt Drive would be an isolated CH Clustered Housing District if the applicant's request is approved. The residential neighborhood is unstable and is adversely impacted by the spillover effects of the auto-related uses and other commercial uses in the area. A CS Commercial Service District is not intended to be located in areas of low to medium density residential areas. Staff may have supported the request if the application was for a larger area that did not isolate any residential properties.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office
Existing							
CH Clustered Housing	0'	0'	18 Dwelling Units/ Acre	36'	60%	Proximity Slope	Multifamily, single family

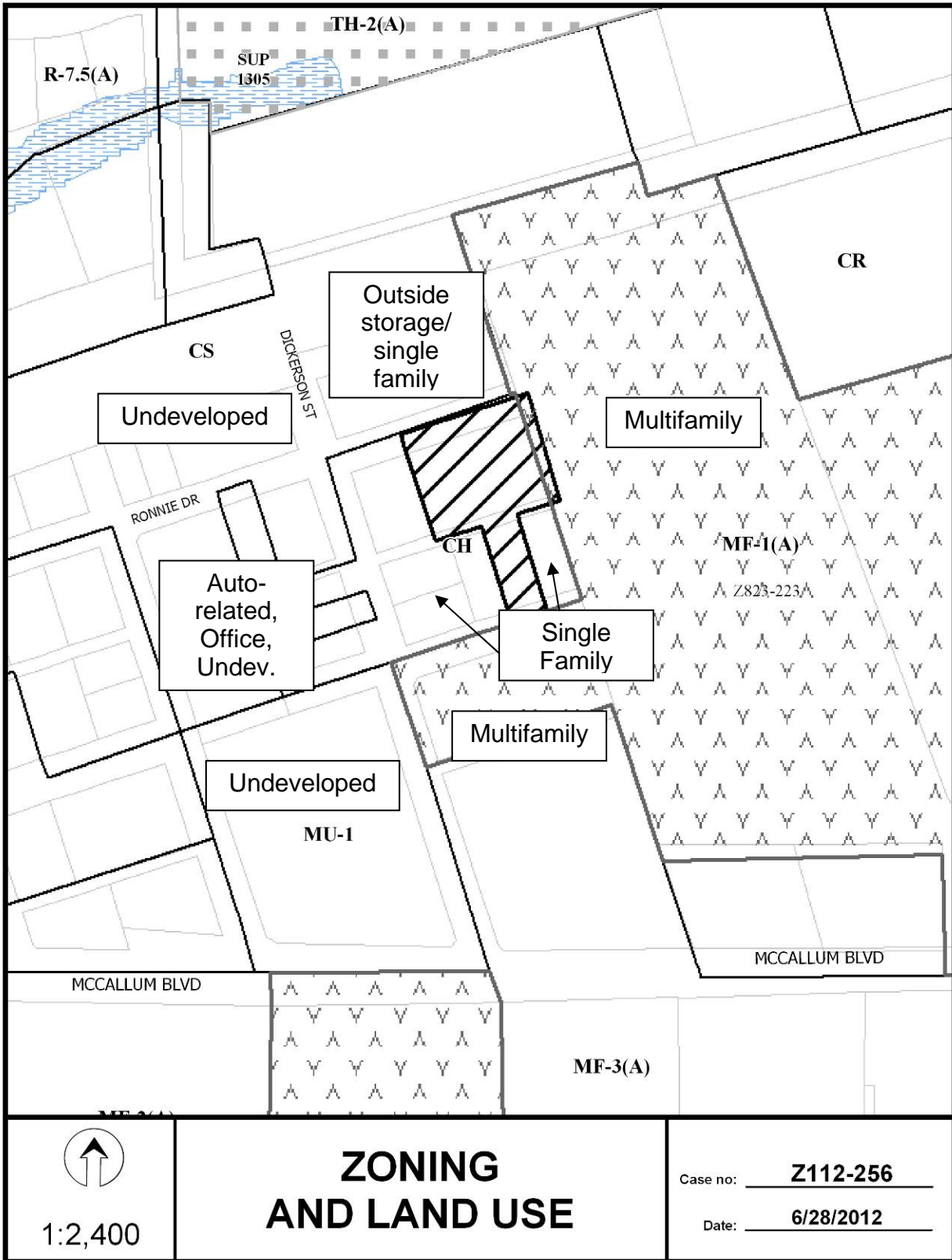
Traffic:

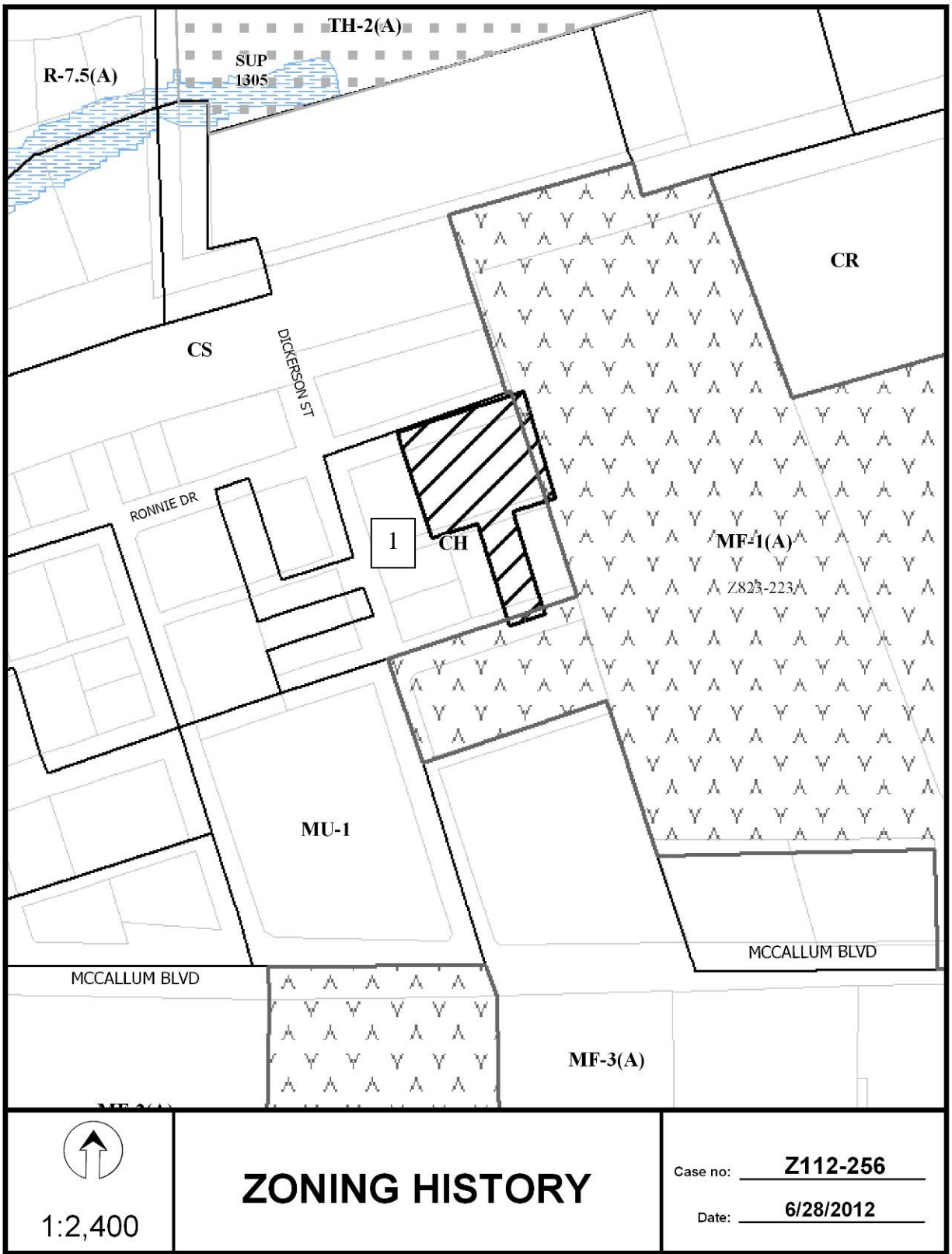
The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the surrounding street system for the proposed development.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code.



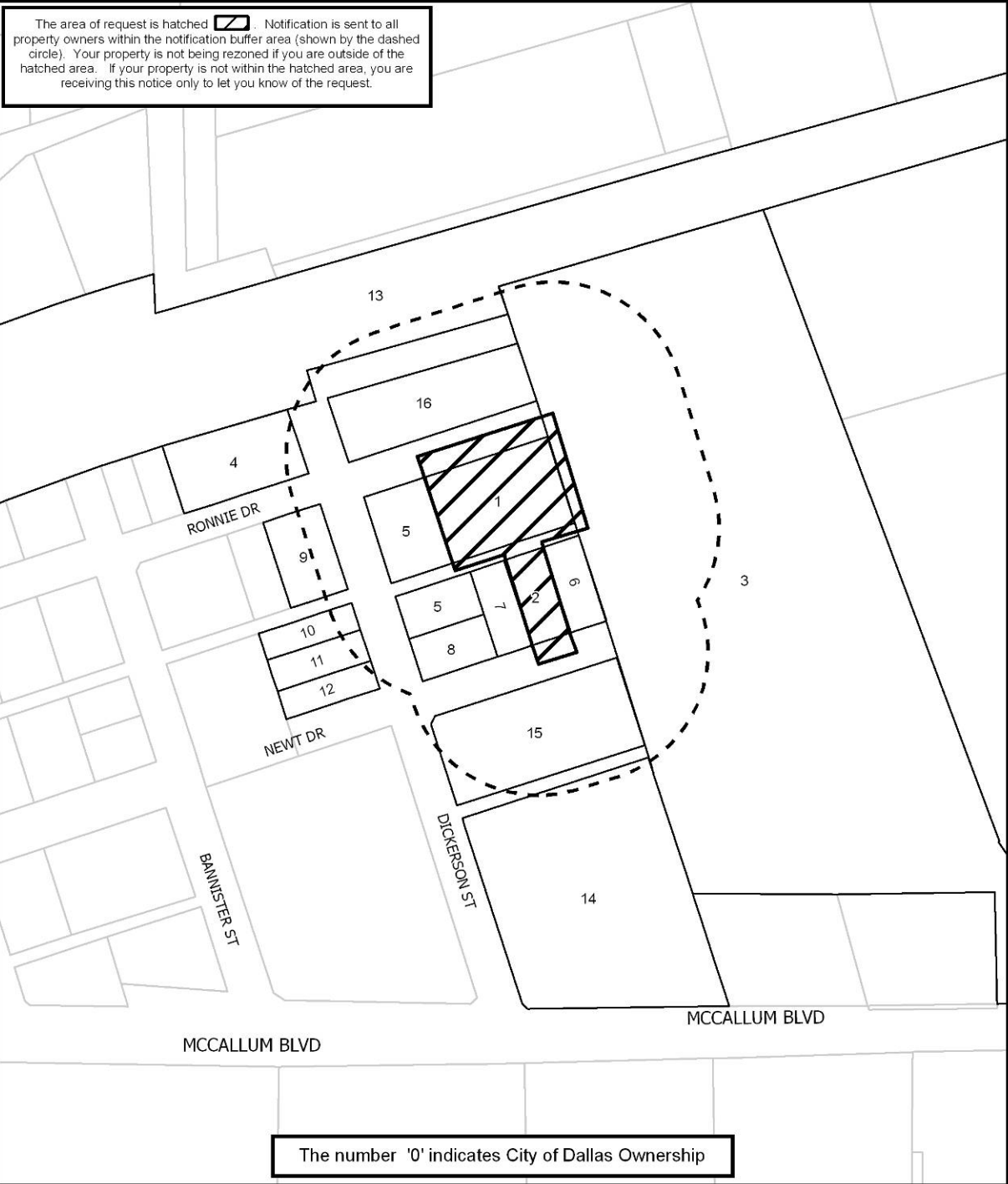




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ZONING HISTORY

Case no: Z112-256
Date: 6/28/2012



 1:2,400	<h2>NOTIFICATION</h2>	Case no: <u> Z112-256 </u>
	200' AREA OF NOTIFICATION 16 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <u> 6/28/2012 </u>

6/28/2012

Notification List of Property Owners

Z112-256

16 Property Owners Notified

Label #	Address	Owner
1	7758 RONNIE DR	HAYNES WILLIAM H & BARBARA J
2	7767 NEWT DR	DIAZ FELIX
3	7815 MCCALLUM	REFLECTIONS ASSOCIATES LP ETAL C/O BENJ
4	17727 DICKERSON	Taxpayer at
5	17720 DICKERSON	V E INVESTMENT PROPERTIES INC
6	7771 NEWT	NEWT LIVING TRUST
7	7763 NEWT DR	AUSTIN FAMILY TRUST LYNN O SURLS TRUSTEE
8	17714 DICKERSON	EITEL RUBY-LE EITEL LIVING TRUST
9	17721 DICKERSON	Taxpayer at
10	17719 DICKERSON	Taxpayer at
11	17715 DICKERSON	Taxpayer at
12	17717 DICKERSON	Taxpayer at
13		DALLAS AREA RAPID TRANSIT
14	7777 MCCALLUM	COURTS OF MCCALLUM PARTNERS
15	17708 DICKERSON	CITY NATIONAL BANK
16	7759 RONNIE	LINDQUIST OSCAR H

FILE NUMBER: Z112-126 (JH)

DATE FILED: 11-4-11

LOCATION: Southeast corner of Cedar Springs Road and N. Harwood Street

COUNCIL DISTRICT: 14

MAPSCO: 45-F

SIZE OF REQUEST: Approx. 0.86 acres

CENSUS TRACT: 19.00

REPRESENTATIVE: Kirk Williams and Tommy Mann

APPLICANT/OWNER: SE 1900 Cedar Springs

REQUEST: An application to amend Tract 1 of Planned Development Subdistrict No. 50 within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of the request is to allow additional floor area limited to multifamily use. The applicant proposes to construct multifamily uses above the existing parking garage structure.

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

BACKGROUND INFORMATION:

- The request site is currently developed with a commercial structure containing an office use and parking structure.
- The applicant is proposing to remodel the existing structure and add additional floor area. The proposed land uses after the remodel and addition would be an active retail or restaurant use on the ground floor, structured parking, and multifamily uses.
- PDS No. 50 within PDD No. 193 was established on January 9, 2002. It was last amended in 2005 to adjust the maximum lot coverage for Tract 2.

Zoning History:

1. BDA112-009 On January 24, 2012, the Board of Adjustment granted a variance to the height regulations of 95 feet to allow the construction of a maximum height of 335 feet.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Cedar Springs Road	Collector	80 ft.
N. Harwood Street	Local	60 ft.
McKinney Avenue	Minor Arterial	50 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goals and policies of the Comprehensive Plan because the proposed development will add residential units to an area just outside of downtown, will enhance the streetscape and pedestrian environment adjacent to the building, and improves the urban character of the property by requiring active street level uses.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.3 Build a dynamic and expanded Downtown.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

HOUSING ELEMENT

GOAL 3.1 ENSURE A SUSTAINABLE AND EFFICIENT LONG-RANGE HOUSING SUPPLY

Policy 3.1.2 Encourage alternatives to single-family housing developments for homeownership.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.2 Define urban character in Downtown and urban cores.

Area Plans:

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

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

The applicant's request complies with all of the above objectives. The proposed PD conditions will enhance the pedestrian environment from its current state and require

active street level uses. The proposed PD conditions attempt to satisfy scale and adjacency issues with the property adjacent to the east by providing a tower setback to provide for light and air. The applicant is requesting an increase in floor area, but the increase in floor area is limited to multiple family uses.

Downtown 360. The Downtown Dallas 360 plan identifies Uptown as a “supporting district” to the focus of this implementation plan, which is the Central Business District bounded by Woodall Rodgers Freeway, Central Expressway, I-30 and I-35. The supporting districts are included as the recommended new definition of “Downtown Dallas.”

Uptown is largely successful in balancing jobs, housing and services. As Dallas’s most dense neighborhood, Uptown consists of a wide mix of apartments, condominiums, townhouses, residential towers and historic homes. Despite these assets, large blocks and inward-oriented building architecture present challenges to pedestrian activity in many parts of the district. In the future, developments are expected to fill in gaps to assist in creating a truly walkable, transit-oriented urban neighborhood.

The applicant’s proposal complies with the following recommendations of the Downtown 360 plan:

- Create a transit-oriented, walkable neighborhood by developing new projects and redeveloping existing buildings with small setbacks, ground floors with high transparency, and retail/restaurant uses; address parking needs while envisioning no surface parking in front of buildings.
- Improve walkability on key streets such as Field/Moody/Pearl, Cedar Springs and Maple by calming traffic, introducing on-street parking, making sidewalk widths consistent, and planting street trees.

Land Use Compatibility:

The approximately 0.86-acre request site is zoned Tract 1 within Planned Development Subdistrict No. 50 within PDD No. 193, the Oak Lawn Special Purpose District. PDS No. 50 is divided into two tracts and maximum floor area is specified for each tract. The applicant is requesting to increase the floor area allowed if it is for multiple-family uses in Tract 1 but will bring the property closer to compliance with PDD No. 193 landscaping requirements, require active retail uses on the ground floor, and provide a tower separation from the eastern property line to provide for light and air.

The surrounding land uses are a mix of commercial and multiple-family uses. The property to the north is undeveloped.

The history of PDS No. 50 is that it was created to facilitate the development of Tract 2 as it is developed today. This part of the block was zoned an HC Heavy Commercial subdistrict like properties to the north, west, and south. PDS No. 50 took the floor area rights between the two tracts and reallocated additional floor area to Tract 2. This is

similar to a “transfer of development rights”, but it was not specifically presented this way or accomplished in the strict definition of transfer of development rights (TDR). TDR usually has specific language indicating such and an agreement is recorded on the deed records.

Since PDS No. 50 was created in 2002, much of the surrounding area has redeveloped. Floor area rights have increased in this area and an informational exhibit is provided to show where these increases have occurred, expressed as floor area ratio (FAR). In viewing this exhibit, the applicant’s request is to increase FAR on Tract 1 from 2.8 to 5.16, which would have a combined increase in FAR for PDS No. 50 from 4.5 to 5.83.

The applicant is requesting to increase their floor area rights to address the demand for additional residential dwelling units on the periphery of downtown. The increase in FAR that the applicant is requesting is not out of character from what has been approved in the immediate area. Staff does not object to the increase in floor area because the proposed PD conditions are meeting the objectives of the Oak Lawn Plan and Downtown 360 Plan and is improving the street level conditions, while trying to be sensitive to Tract 2.

Parking/Traffic:

The number of multifamily units proposed will generate slightly over 1,000 trips a day, 1,087 trips per day. 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 and granted a waiver to the traffic study requirement.

Landscaping:

The request site currently has minimal landscaping and does not fully comply with PD 193 landscaping requirements. The landscaping that is provided is located within the parkway, which is appropriate in PD 193. The attached development/landscape plan does provide for additional landscaping in the parkway. The PD conditions require a minimum of 7,500 square feet of private open space, which will likely contain additional landscaping areas. In the event that the request site is fully demolished and redeveloped, the PD conditions require full compliance with PD 193 landscaping requirements.

Z112-126(JH)

List of Partners/Principals/Officers

SE 1900 Cedar Springs, LP

SE-DC Management Group, LLC, General Partner

Spyglass Development, GP, Inc., Manager

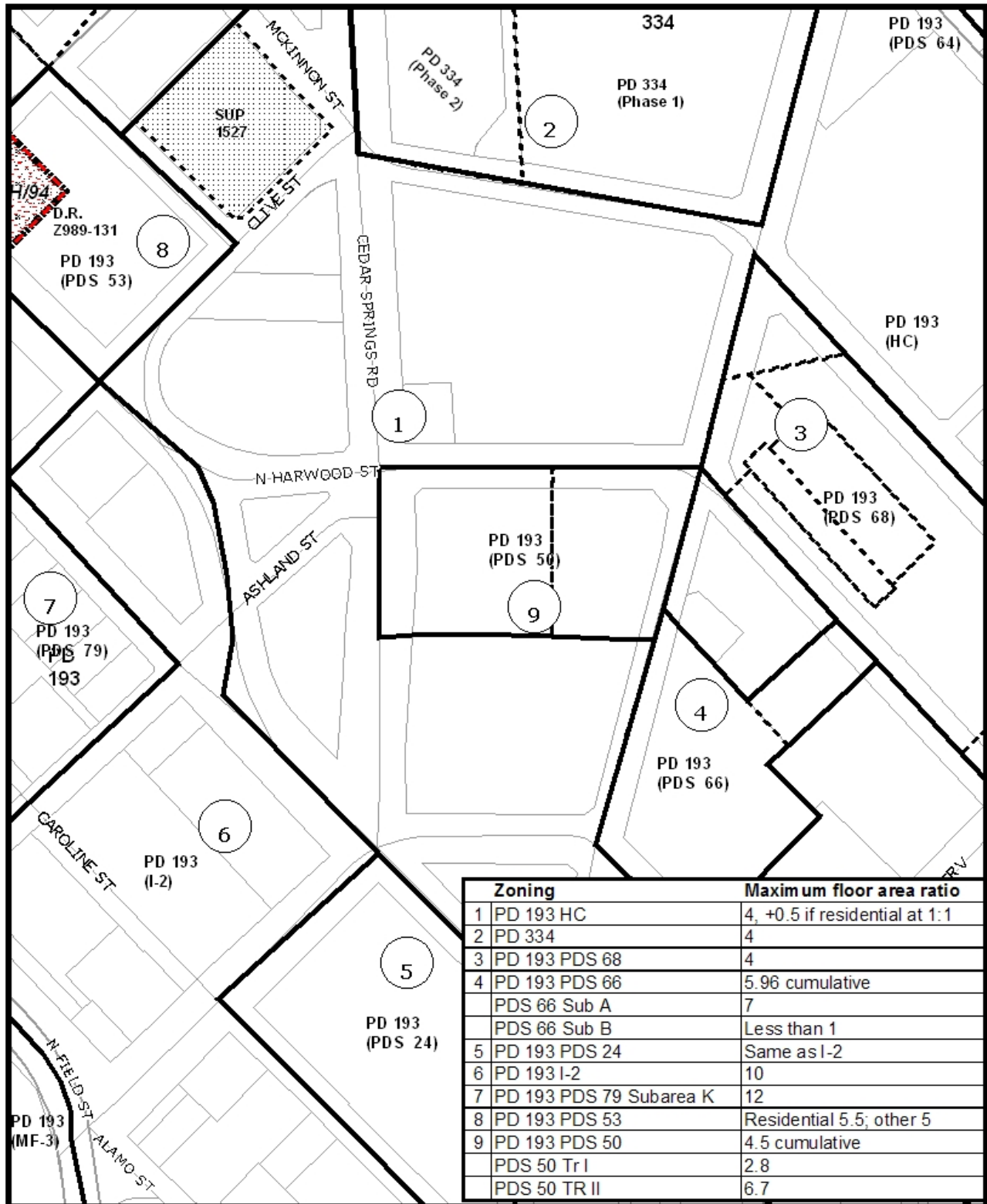
Paul Jackson, Executive Vice President

David Cardenas, member

Richard Morgan, member

Stephen A. Scott, member

ADDITIONAL INFORMATION: SURROUNDING FLOOR AREA RIGHTS



1:2,000

Maximum Floor Area Ratios in Proximity to PDS 50

PD CONDITIONS

Division S-50. PD Subdistrict 50.

SEC. S-50.101. LEGISLATIVE HISTORY.

PD Subdistrict 50 was established by Ordinance No. 24809, passed by the Dallas City Council on January 9, 2002. Ordinance No. 24809 amended Ordinance No. 21859, PD 193 (the Oak Lawn Special Purpose District), as amended, and Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. (Ord. Nos. 10962; 21859; 24809; 25267)

SEC. S-50.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict 50 is established on property generally fronting on the south line of Harwood Street, on the west line of McKinney Avenue, and on the east line of Cedar Springs Road. The size of PD Subdistrict 50 is approximately 1.5356 acres. (Ord. Nos. 24809; 25267)

SEC. S-50.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions contained in Chapter 51 and in Part I of this article apply to this division. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls. In this division, SUBDISTRICT means a subdistrict of PD 193.

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

(c) This subdistrict is considered to be nonresidential zoning district. (Ord. Nos. 24809; 25267)

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

SEC. S-50.104. DEVELOPMENT PLAN.

Development and use of Tract II of the Property must comply with the development plan for Tract II (Exhibit S-50A). Development and use of Tract I of the Property must comply with the development plan for Tract I (Exhibit S-50A-1). In the event of a conflict between this division and the development plans, this division controls (Ord. Nos. 24809; 25267; 25940)

SEC. S-50.105. MAIN USES PERMITTED.

The only uses permitted in this subdistrict are those uses permitted in the HC

Heavy Commercial Subdistrict, subject to the same conditions applicable in the HC Heavy Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted only by specific use permit (SUP) in the HC Heavy Commercial Subdistrict in PD 193 is permitted only by SUP in this subdistrict, and a use subject to development impact review (DIR) in the HC Heavy Commercial Subdistrict is subject to DIR in this subdistrict. (Ord. Nos. 24809; 25267)

SEC. S-50.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any PD subdistrict in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Part I of this article. For more information regarding accessory uses, consult PD 193. (Ord. Nos. 24809; 25267)

SEC. S-50.107. YARD, LOT, AND SPACE REGULATIONS.

- (a) Front yard. No minimum front yard.
- (b) Side and rear yard. No minimum side and rear yard.
- (c) Minimum lot area per dwelling unit. Minimum lot area per dwelling unit is the same as in the HC Heavy Commercial Subdistrict in PD 193.
- (d) Height. Maximum structure height is 240 feet.
- (e) Lot coverage.
 - (1) Maximum lot coverage on Tract I is 94 percent.
 - (2) Maximum lot coverage on Tract II is 84 percent.
 - (3) Maximum lot coverage on Tract I and Tract II combined is 90 percent.
 - (4) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (f) Maximum floor area.
 - (1) Except provided, maximum floor area for all uses in Tract I is 106,000 square feet.
 - (2) Maximum floor area for all uses in Tract II is 195,000 square feet. (Ord. Nos. 24809; 25267; 25940)
 - (3) If Tract I contains multiple-family uses, maximum floor area for all uses in Tract I is 195,000 square feet.

SEC. S-50.107.1. TRACT I FLOOR AREA BONUS.

(a) For a development on Tract I to qualify for greater than 106,000 square feet of floor area, the following additional regulations apply:

(1) Residential tower setback. Other than an above ground parking structure, any portion of a structure containing multiple family dwelling units must be a minimum of 40 feet from the eastern boundary of Tract I.

(2) Street level activating uses. A minimum of 6,000 square feet of floor area on the ground level of any building must contain some combination of the following uses:

(A) bar and restaurant uses,

(B) retail uses,

(C) professional, personal service and custom craft uses, except office use.

(3) Balconies. A minimum of 80 percent of the residential dwelling units must contain balconies.

(4) Façade materials. A minimum of 60 percent of the exterior façade of any building must contain some combination of the following primary materials: glass, metal, masonry, stone, or concrete.

(5) Ground level transparency. Street facing facades on the ground level of any building must have a minimum transparency of 50 percent. A minimum of 60 percent of the required minimum transparency area must allow views into the ground-story use for a depth of at least four feet. Windows must be clear or unpainted, or, if treated, must be transparent or translucent. Spandrel glass or backpainted glass does not comply with this provision.

(6) Minimum private open space. A minimum of 7,500 square feet of private open space must be located on the building site. The private open space may be located on top of a parking structure.

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

SEC. S-50.108. OFF-STREET PARKING AND LOADING.

(a) Consult Part I of this article for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations of PD 193 for information about off-street parking and loading generally. (Ord. Nos. 24809; 25267)

(b) For off-street loading spaces located on Tract I, maneuvering may occur

within the right-of-way.

SEC. S-50.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 24809; 25267)

SEC. S-50.110. LANDSCAPING.

(a) Except as otherwise provided in this section, landscaping must be provided for as required in Part I of this article. Plant materials must be maintained in a healthy, growing condition at all times. (Ord. Nos. 24809; 25267)

(b) Except as provided, for a development greater than 106,000 square feet of floor area on Tract I, landscaping must be provided as shown on the landscape plan. (Exhibit S-50B).

(c) If the building existing as of _____ (Date) is fully demolished, landscaping for any new construction must comply with Part I of this article.

SEC. S-50.111. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII. (Ord. Nos. 24809; 25267)

SEC. S-50.112. ADDITIONAL PROVISIONS.

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

(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.

(c) Except as otherwise specified in this division or shown on the development plan, development and use of the Property must comply with Part I of this article. (Ord. Nos. 24809; 25267; 26102)

SEC. S-50.113. PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 24809; 25267; 26102)

SEC. S-50.114. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or a certificate of occupancy for a use in this PD subdistrict until there has been full compliance with this division, the

Z112-126(JH)

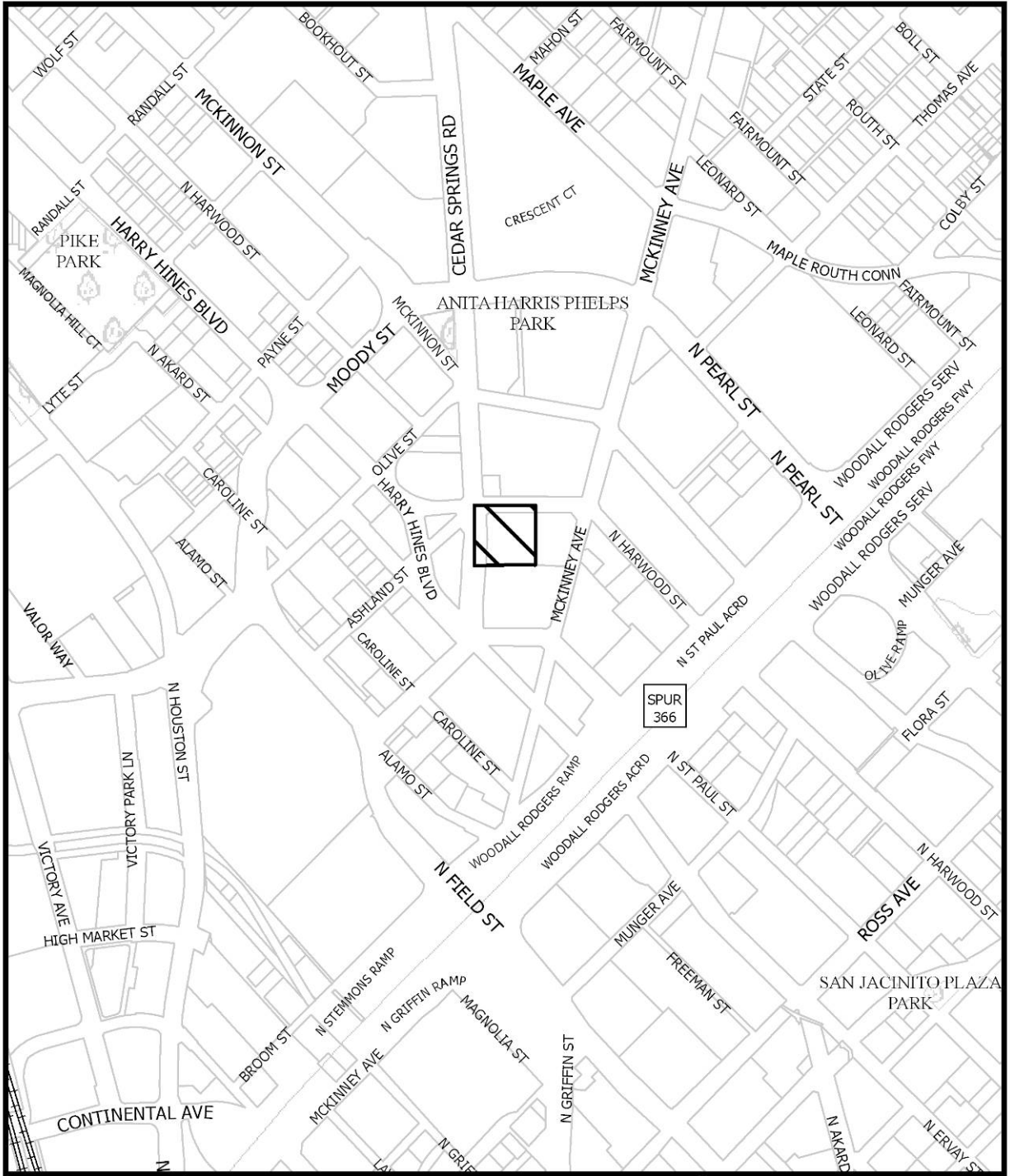
Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24809; 25267; 26102)

SEC. S-50.115. ZONING MAP.

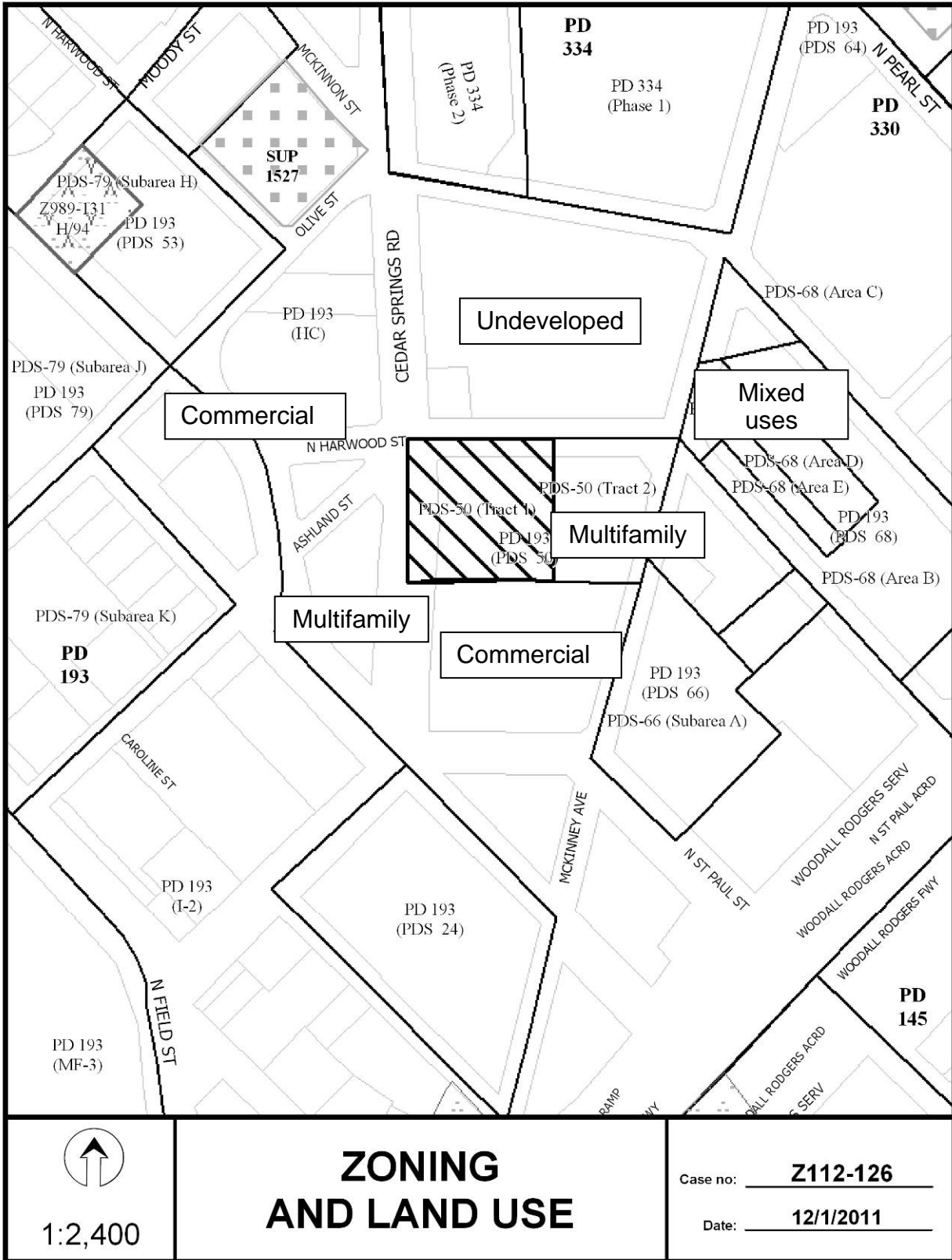
PD Subdistrict 50 is located on Zoning Map No. J-7. (Ord. Nos. 24809; 25267)

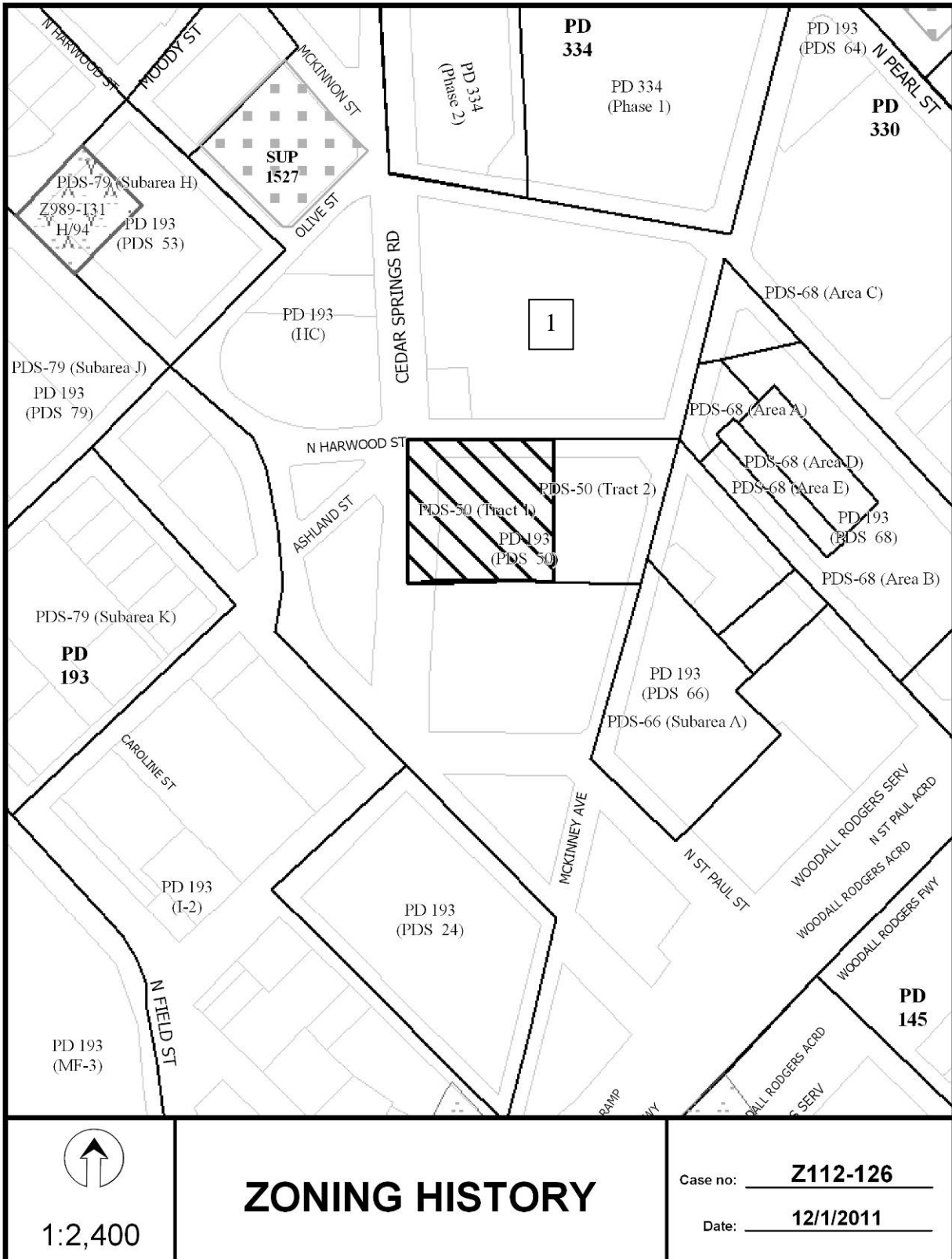
DEVELOPMENT PLAN

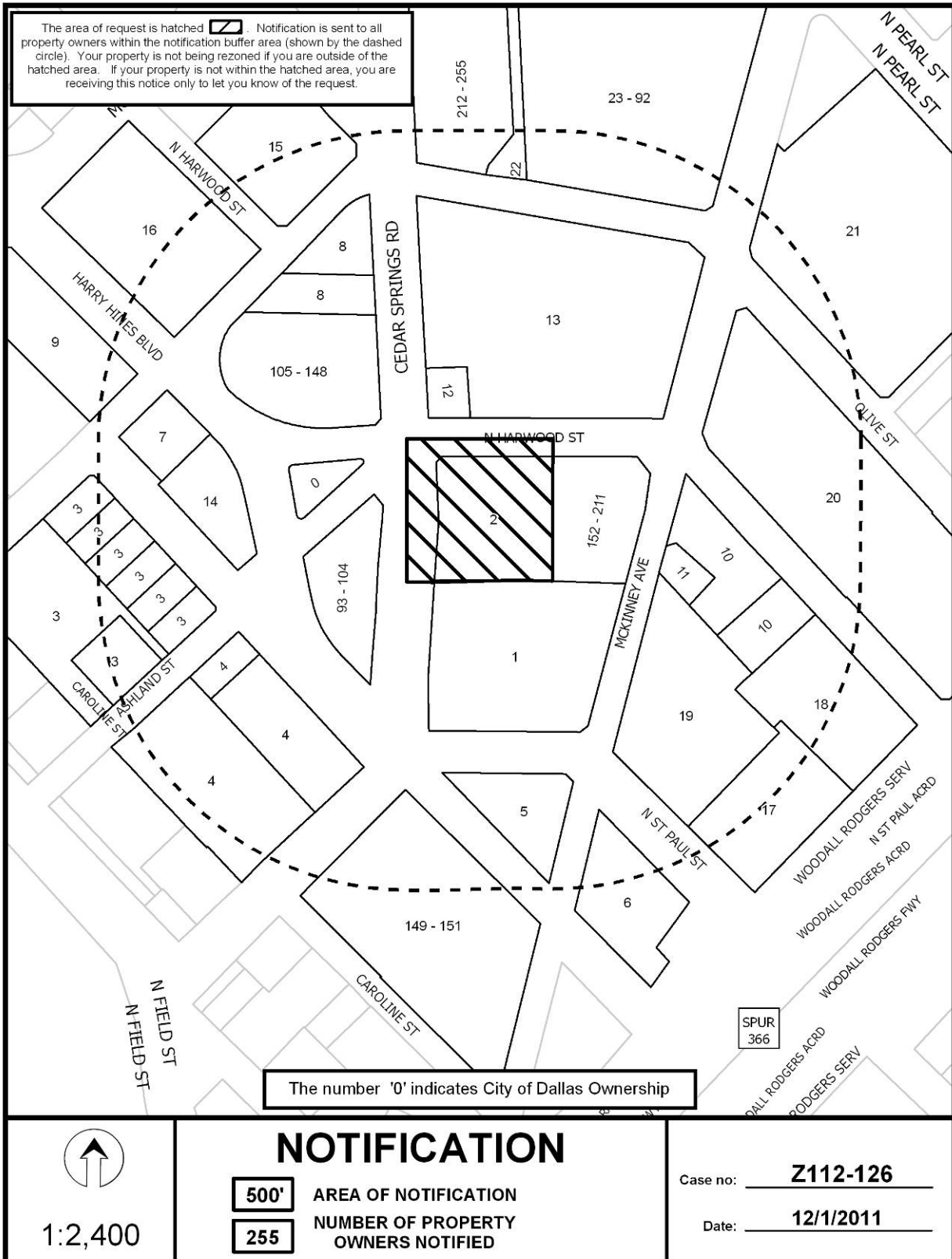




 1:6,000	<h2>VICINITY MAP</h2>	Case no: <u> Z112-126 </u> Date: <u> 12/1/2011 </u>
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Notification List of Property Owners

255 Property Owners Notified

Label #	Address	Owner
1	1919 MCKINNEY AVE	HKS BUILDINGS LP % ECOM REAL ESTATE MGMT
2	1900 CEDAR SPRINGS RD	SE 1900 CEDAR SPRINGS LP STE 950
3	2421 AKARD ST	FSR LP STE 1600
4	2301 AKARD ST	PFP AKARD PLACE INC
5	1899 MCKINNEY AVE	PEARL REALTY HOLDINGS LLC
6	1845 WOODALL RODGERS	CHARTER WOODALL PARTNERS SUITE 1700
7	2422 AKARD ST	W & K AKARD PLAZA LP
8	2025 CEDAR SPRINGS RD	CRESCENT POINT LTD
9	2515 HARRY HINES BLVD	ROLEX TEXAS REALTY DELAWARE CORP
10	2125 HARWOOD ST	MCKINNEY HARWOOD LLC
11	1920 MCKINNEY AVE	FULTON HAROLD R 1997 REVOCABLE TRUST
12	2222 HARWOOD ST	CRESCENT REAL ESTATE EQUITIES LTD PARTNE
13	2001 MCKINNEY AVE	CRESCENT REAL ESTATE EQUITIES LTD PS
14	2414 AKARD ST	W & K AKARD PLAZA LTD PS SUITE 3000
15	2525 MCKINNON ST	2525 MCKINNON LLC STE 175
16	2501 HARWOOD ST	INTERNATIONAL CENTER DEV IX LTD
17	1909 WOODALL RODGERS	L & W REAL ESTATE LLC DANNA OFFICE LP
18	2121 HARWOOD ST	L & W REAL ESTATE LLC DANNA OFFICE, LP
19	1900 MCKINNEY AVE	1900 MCKINNEY PROPERTIES ATTN: B&D EQUIT
20	2000 MCKINNEY AVE	2000 MCKINNEY INVESTMENT 3300 LINCOLN PL
21	2100 MCKINNEY AVE	METROPOLITAN LIFE INC CO SUITE 1310
22	2510 CEDAR SPRINGS RD	CRESCENT REAL ESTATE EQUITIES LIMITED PS
23	2121 MCKINNEY AVE	CRESCENT PLZ HOTEL OWNER SUITE 2100
24	2525 PEARL ST	HOWE KEVIN & CONSTANCE HOWE
25	2525 PEARL ST	ADELGLASS JEFFREY & BARBARA
26	2525 PEARL ST	MARCHESSEAU OWEN UNIT 903
27	2525 PEARL ST	HIXSON PROPERTIES LLC
28	2525 PEARL ST	BASS H NEIL & BARBARA D
29	2525 PEARL ST	PASTORE WILLIAM & L FALLON
30	2525 PEARL ST	DONDERO ROBERT C & MARIAN T
31	2525 PEARL ST	COTTEL WILLIS I
32	2525 PEARL ST	SHINN LLOYD & SHINN BARBARA
33	2525 PEARL ST	LOVE GREGORY M TR &
34	2525 PEARL ST	QUIST SHARON S

Label #	Address	Owner
35	2525 PEARL ST	MCKENZIE ARETA B
36	2525 PEARL ST	MCLAREN JEFFREY
37	2525 PEARL ST	STERN MATT D
38	2525 PEARL ST	ZWEDEN JAAP VAN &
39	2525 PEARL ST	OHRE DAVID E
40	2525 PEARL ST	ZISMAN AVI
41	2525 PEARL ST	SHUMRAK H MICHAEL & SARAH C
42	2525 PEARL ST	TOELLER GARY RICHARD & ANNE S TRUSTEES T
43	2525 PEARL ST	SONNENSCHNEID INVESTMENTS LTD
44	2525 PEARL ST	MORENO ROBERTO JAVIER GONZALEZ
45	2525 PEARL ST	MILLER ROBERT H & DEBRA J
46	2525 PEARL ST	CARLOW CORP
47	2525 PEARL ST	GINSBURG SCOTT K
48	2525 PEARL ST	CONNOLLY ROBERT G & JOANN APT 1205
49	2525 PEARL ST	CUMMINGS KEVIN L & GUINEVERE A
50	2525 PEARL ST	PIMENTEL EMILIO & MONICA STE 100-179
51	2525 PEARL ST	GALLETTA NANCY J #1301
52	2525 PEARL ST	BAILEY CHARLES R & VIRGINIA H
53	2525 PEARL ST	EAGLE ROBERT M
54	2525 PEARL ST	WESTDALE PPTIES AMERICA I
55	2525 PEARL ST	MINOR DANE & MICHELLE
56	2525 PEARL ST	WOOD DAVID M STE 1306
57	2525 PEARL ST	YOUNAN FAMILY TRUST
58	2525 PEARL ST	SANDLIN MARK R
59	2525 PEARL ST	RICHARDSON ANDREW C & ERIN
60	2525 PEARL ST	CORNELL BRIAN TR & MARTHA G CORNELL TR
61	2525 PEARL ST	BROWER SHANNON
62	2525 PEARL ST	KIM TAESEUNG BEN & CHUNG TAMMY K
63	2525 PEARL ST	RAPHAEL AUDREY LIVING TR THE PHOENICIAN
64	2525 PEARL ST	PLAMONDON MARK & PEGGY
65	2525 PEARL ST	1013 NW LOOP 410 VENTURE 1 FORUM 16TH FL
66	2525 PEARL ST	BULARD FAMILY TRUST UTA 10-13-99
67	2525 PEARL ST	MITCHELL G KEITH JR & LOIS D
68	2525 PEARL ST	ALVARADO JOSEPH & DORIS A UNIT #1504
69	2525 PEARL ST	HAUSLEIN FERDINAND A JR SUITE 1505
70	2525 PEARL ST	WALKER ROBERT M & GUDRUN S
71	2525 PEARL ST	CASTO DAVID & LUANN UNIT 1507

Label #	Address	Owner
72	2525 PEARL ST	TAYLOR BERNARD &
73	2525 PEARL ST	ALBERTS DENNY & CYNTHIA COMPARIN STE 160
74	2525 PEARL ST	DOUGLASS GREGORY
75	2525 PEARL ST	NURENBERG PAMELA & DAVID EWALT
76	2525 PEARL ST	PARKS JAMES LEE
77	2525 PEARL ST	ROMAN FRANK
78	2525 PEARL ST	CROWDER KEVIN & KAREN
79	2525 PEARL ST	HEADINGTON TIMOTHY
80	2525 PEARL ST	ROSS STEPHANIE REVOCABLE TRUST
81	2525 PEARL ST	BORICUA ENTERPRISES LP
82	2525 PEARL ST	TEL REAL ESTATE LLC JML REAL ESTATE LLC
83	2525 PEARL ST	JENSEN JANET J
84	2525 PEARL ST	MAYER TOM & SUSAN
85	2525 PEARL ST	KARKOUTLY AMAN & KARKOUTLY SUSAN
86	2525 PEARL ST	HAMMOND GABRIEL
87	2525 PEARL ST	TWOMEY KEVIN M & TWOMEY DANNEHL M
88	2525 PEARL ST	WAGNER DUER III
89	2525 PEARL ST	HADDOCK RON W & HADDOCK SANDI
90	2525 PEARL ST	SOLOMON WILLIAM T & GAY F
91	2525 PEARL ST	DISNEY RONALD W & KATHLEEN
92	2525 PEARL ST	HEADINGTON REALTY & CAPITAL LLC
93	1925 CEDAR SPRINGS RD	KIRK JAMES R UNIT 101
94	1925 CEDAR SPRINGS RD	MARTIN CHRISTOPHERH &
95	1925 CEDAR SPRINGS RD	DEBORAH WALKER & ASSOC UNIT 103
96	1925 CEDAR SPRINGS RD	DEBORAH WALKER & ASSO INC STE 103
97	1925 CEDAR SPRINGS RD	ROMANO PHILIP J
98	1925 CEDAR SPRINGS RD	THREE BRIDS PROPERTY LP
99	1925 CEDAR SPRINGS RD	ROLLINS PROPERTIES LP % JAMES KIRK
100	1925 CEDAR SPRINGS RD	ROLLIN PROPERTIES LP % JAMES KIRK
101	1925 CEDAR SPRINGS RD	DAWSON WILLIAM B & PATRICIA A STE
102	1925 CEDAR SPRINGS RD	SMITH THOMAS L UNIT #301
103	1925 CEDAR SPRINGS RD	REEDER JAMES B LOFT 302
104	1925 CEDAR SPRINGS RD	BALDRIDGE JERALD TR ETAL SUITE 303
105	2011 CEDAR SPRINGS RD	HUFFMAN HENRY T UNIT 101
106	2011 CEDAR SPRINGS RD	POLLAK MICHAEL & KAREN UNIT 102
107	2011 CEDAR SPRINGS RD	HERMAN JOHN H & SUSAN
108	2011 CEDAR SPRINGS RD	HOME BRIAN LEE STE 104

Label #	Address	Owner
109	2011 CEDAR SPRINGS RD	TOLER KATHY A APT 105
110	2011 CEDAR SPRINGS RD	DICKER NATHAN UNIT 106
111	2011 CEDAR SPRINGS RD	SBORLINI DIANE M APT 107
112	2011 CEDAR SPRINGS RD	KELLY FINN E TRUSTEE THE FINN E KELLY LI
113	2011 CEDAR SPRINGS RD	RODINE RICHARD LEE & SHARON JOYCE TR
114	2011 CEDAR SPRINGS RD	RAHHAL STEVEN UNIT 203
115	2011 CEDAR SPRINGS RD	BRIGGS CHARLES A & BECKY B
116	2011 CEDAR SPRINGS RD	BHARDWAJ ANTONIO VERSACE UNIT 205
117	2011 CEDAR SPRINGS RD	YURKIN THOMAS E # 206
118	2011 CEDAR SPRINGS RD	GONZALEZ JOSE F
119	2011 CEDAR SPRINGS RD	ROBERTS RANDY C & JACKIE
120	2011 CEDAR SPRINGS RD	SKAGGS ELIZABETH PATRICE & UNIT 302
121	2011 CEDAR SPRINGS RD	CADWALLADER PAUL DAVID #303
122	2011 CEDAR SPRINGS RD	OXFORD RANDALL G & MITCHELL LEE
123	2011 CEDAR SPRINGS RD	DAVIDOW JOAN C UNIT 305
124	2011 CEDAR SPRINGS RD	BRAME TANDI
125	2011 CEDAR SPRINGS RD	NILSEN CHRISTOPHER CARL
126	2011 CEDAR SPRINGS RD	SMALL NEAL
127	2011 CEDAR SPRINGS RD	RAILSBACK PAUL
128	2011 CEDAR SPRINGS RD	SWORDS JOHN H
129	2011 CEDAR SPRINGS RD	COIL JOHN A #405
130	2011 CEDAR SPRINGS RD	LEVITAN DANIEL S #406
131	2011 CEDAR SPRINGS RD	HELLER ALAN W & SHIRLEY UNIT 407
132	2011 CEDAR SPRINGS RD	SHAH MONAL B UNIT 501
133	2011 CEDAR SPRINGS RD	HOPPER KIRK #502
134	2011 CEDAR SPRINGS RD	SOLENDER JEFFERSON R APT 503
135	2011 CEDAR SPRINGS RD	SMITH JAMES B TRUSTEE OF JAMES B SMITH R
136	2011 CEDAR SPRINGS RD	TAYLOR LARRY W UNIT 505
137	2011 CEDAR SPRINGS RD	SHOWS JAMES P & HELEN F # 506
138	2011 CEDAR SPRINGS RD	LONTOS DEAN J APT 507
139	2011 CEDAR SPRINGS RD	SOLOMON GERALD APT 601
140	2011 CEDAR SPRINGS RD	MOORE ROBERT C & D KAYE
141	2011 CEDAR SPRINGS RD	ULLRICH PETER D
142	2011 CEDAR SPRINGS RD	JOHNSTON ZACHARY & NICOLE 604
143	2011 CEDAR SPRINGS RD	NESS LARRY E
144	2011 CEDAR SPRINGS RD	NESS LARRY E APT 606
145	2011 CEDAR SPRINGS RD	CRUZ PONCIANO D JR UNIT 607

Label #	Address	Owner
146	2011 CEDAR SPRINGS RD	ULLRICH PETER D &
147	2011 CEDAR SPRINGS RD	PAREL S SCOTT
148	2011 CEDAR SPRINGS RD	WESTCOTT CHART H TRUSTEE
149	1717 MCKINNEY AVE	GPI-M UPTOWN LP
150	1700 CEDAR SPRINGS RD	LG CEDAR SPRINGS LP SUITE 800
151	1717 MCKINNEY AVE	GIP-M UPTOWN LP
152	1999 MCKINNEY AVE	ARZOLA FERNANDEO L
153	1999 MCKINNEY AVE	MOORE F DAVID
154	1999 MCKINNEY AVE	POHL CRAIG R & JOCELYN POHL
155	1999 MCKINNEY AVE	FEDERAL HOME LOAN MTG CORP
156	1999 MCKINNEY AVE	SMITH WALTER G & CAMPBELL KEVIN F
157	1999 MCKINNEY AVE	KALIL STEPHEN A & GAIL A PEISACH
158	1999 MCKINNEY AVE	GARRETT MICHAEL L & ANTOINETTE I
159	1999 MCKINNEY AVE	GANTI RISHI UNIT 601
160	1999 MCKINNEY AVE	KAIDER MICHAEL APT 1202
161	1999 MCKINNEY AVE	HENDRICKSON DWIGHT ETAL UNIT 603
162	1999 MCKINNEY AVE	ANDERSON MELISA ANN D
163	1999 MCKINNEY AVE	CURTIS AUDREY A
164	1999 MCKINNEY AVE	STALEY MARY
165	1999 MCKINNEY AVE	REID ROBERT & DAHLIA REID UNIT 607
166	1999 MCKINNEY AVE	CLEGG THOMAS A & DEBORAH J
167	1999 MCKINNEY AVE	SHARP THOMAS L
168	1999 MCKINNEY AVE	DEANE BELINDA
169	1999 MCKINNEY AVE	BUGG ROBERT C #803
170	1999 MCKINNEY AVE	SALES SUSAN CAROLINE
171	1999 MCKINNEY AVE	MEDINA MICHAEL A
172	1999 MCKINNEY AVE	KAYE JONATHAN D
173	1999 MCKINNEY AVE	GREENWOOD KENNETH R
174	1999 MCKINNEY AVE	STUVE OLAF & CHERYL WHITE
175	1999 MCKINNEY AVE	WERBNER MARK
176	1999 MCKINNEY AVE	RUVALCABA RICK & MICHELLE SUITE 1002
177	1999 MCKINNEY AVE	ARNOLD VANCE M ETAL
178	1999 MCKINNEY AVE	MYERSCOUGH PATRICK J APT 305
179	1999 MCKINNEY AVE	CAIRE JACQUELINE #1005
180	1999 MCKINNEY AVE	HOLLOCK MARY # 1006
181	1999 MCKINNEY AVE	MOORE LARRY H & DORRINE B MOORE
182	1999 MCKINNEY AVE	SKILLING JEFFREY K

Label #	Address	Owner
183	1999 MCKINNEY AVE	NADLER ERIC
184	1999 MCKINNEY AVE	JONES RUSSELL T & LAUREN B MONTI-JONES
185	1999 MCKINNEY AVE	UDASHEN ROBERT & KAREN S # 1203
186	1999 MCKINNEY AVE	HAINES CAPITAL GROUP LLC WM B HAINES
187	1999 MCKINNEY AVE	OREILLY MATTHEW
188	1999 MCKINNEY AVE	DALE BRUCE APT 1206
189	1999 MCKINNEY AVE	BRINK RICHARD R & GAYLE H BRINK
190	1999 MCKINNEY AVE	OBERING MIHOKO K UNIT 1208
191	1999 MCKINNEY AVE	BRADFORD TED R
192	1999 MCKINNEY AVE	BRUNT WILLIAM B
193	1999 MCKINNEY AVE	WOMACK STEVEN W
194	1999 MCKINNEY AVE	CAIRE MARY UNIT 1405
195	1999 MCKINNEY AVE	HOWREY DANIEL L
196	1999 MCKINNEY AVE	EDMISTON ANGIE L UNIT 1407
197	1999 MCKINNEY AVE	CLB PARTNERS, LTD.
198	1999 MCKINNEY AVE	ABINGTON TOM E & GLYNDA C APT 1603
199	1999 MCKINNEY AVE	WHITE JIM
200	1999 MCKINNEY AVE	MYERSCOUGH DAVID TRUSTEE %PATRICK J MYER
201	1999 MCKINNEY AVE	WINTER F DAVID JR & RENEE
202	1999 MCKINNEY AVE	ETTER THEODORE F JR # 1608
203	1999 MCKINNEY AVE	LOMAT INVESTMENTS INC
204	1999 MCKINNEY AVE	MYERSCOUGH DAVID TRUSTEE %PATRICK J MYER
205	1999 MCKINNEY AVE	TABBAL GEORGES
206	1999 MCKINNEY AVE	HORTON EMILY UNIT 1807
207	1999 MCKINNEY AVE	PRITCHARD JOHNNY G & MARY DIANE
208	1999 MCKINNEY AVE	ASHMORE GLEN A
209	1999 MCKINNEY AVE	EISENSTEIN ABRAM & UNIT 2006
210	1999 MCKINNEY AVE	MEIS NED J UNIT 2007
211	1999 MCKINNEY AVE	LEDBETTER FINLEY & JONI APT 2008
212	2555 PEARL ST	CRESCENT TOWER RESIDENCES LP STE 2100
213	2555 PEARL ST	LARRAC INV LLC
214	2555 PEARL ST	MAKKER VISHAL JAMES
215	2555 PEARL ST	JIMCO SALES AND MFG
216	2555 PEARL ST	ALEXANDER GREG
217	2555 PEARL ST	AMENDED AND RESTATED DAGNON REV TRUST
218	2555 PEARL ST	DIXON GENE JR & VICTORIA

Label #	Address	Owner
219	2555 PEARL ST	STEPHANIAN EDIC
220	2555 PEARL ST	TRANSATLANTIC TRUST
221	2555 PEARL ST	THELIN THOMAS
222	2555 PEARL ST	ZOYS GEORGE N
223	2555 PEARL ST	VEERARAGHAVAN UMA & KRISHNA
224	2555 PEARL ST	WEIMER BRETT & AUDREA WEIMER
225	2555 PEARL ST	RITZ TOWER 405 LLC
226	2555 PEARL ST	CLARKE DIEN S & FRED E III
227	2555 PEARL ST	HENRY JAMES J & PATRICIA M
228	2555 PEARL ST	DECAMILLIS ANTHONY J & DANA R
229	2555 PEARL ST	HASHEM OMAR & MIASSAR
230	2555 PEARL ST	FABER CAREY E
231	2555 PEARL ST	WILKINS LINDA A TR THE PINK DIAMOND TRUS
232	2555 PEARL ST	WORTLEY MICHAEL D & PATRICIA
233	2555 PEARL ST	WORTLEY MICHAEL D & PATRICIA
234	2555 PEARL ST	LEVY MARLON & LEVY JENNIFER
235	2555 PEARL ST	WILKINS LINDA A TR
236	2555 PEARL ST	MUSSULMAN DANIEL G #701
237	2555 PEARL ST	CLAUSE CARL & ROSALIE
238	2555 PEARL ST	WHITENER CHARLES N III & REIKO
239	2555 PEARL ST	WILLIAMS KEVIN
240	2555 PEARL ST	CHALMERS DONALD L & DIANNE M
241	2555 PEARL ST	CLARK PHILIP L & PATRICIA G
242	2555 PEARL ST	HEEBE ADREA D
243	2555 PEARL ST	HASTINGS JULIANA & HUNTER
244	2555 PEARL ST	SITE HARVEST LLC
245	2555 PEARL ST	THE KEN CARLILE 2004 TRUST
246	2555 PEARL ST	DELACRUZ JOSE M
247	2555 PEARL ST	SNEAD RICHARD & MARILYN UNIT 1402
248	2555 PEARL ST	LAM SAMUEL M MD STE 101
249	2555 PEARL ST	LAZOF FAMILY TRUST
250	2555 PEARL ST	SIKKEL MARK
251	2555 PEARL ST	FULTON FRED W TRUSTEE THE RC TRUST
252	2555 PEARL ST	SHINN LLOYD & BARBARA SHINN
253	2555 PEARL ST	KAPLAN GABRIEL TR GABRIEL KAPLAN REV TR
254	2555 PEARL ST	REESJONES TREVOR
255	2555 PEARL ST	VAN WOLFSWINKEL RANDALL

FILE NUMBER: Z112-292 (JH)

DATE FILED: July 30, 2012

LOCATION: North side of W. Camp Wisdom Road, west side of Del Rey Drive

COUNCIL DISTRICT: 8

MAPSCO: 63-T

SIZE OF REQUEST: Approx. 6.12 acres

CENSUS TRACT: 109.04

REPRESENTATIVE: Tommy Mann

APPLICANT: CACSFF REIT

OWNER: Plazzio Event, Inc.

REQUEST: An application for a Planned Development District for CR Community Retail District uses on property zoned a CR Community Retail District with consideration given to a Specific Use Permit for an open-enrollment charter school.

SUMMARY: The applicant proposes to use the existing commercial building for an open-enrollment charter school.

STAFF RECOMMENDATION: Approval of a Specific Use Permit for an open-enrollment charter school for a five-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan, and conditions in lieu of a Planned Development District

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

Land Use Compatibility:

The approximately 6.1-acre request site is zoned a CR Community Retail District and is currently developed with a vacant retail building. The applicant is proposing to use the existing building for an open-enrollment charter school on the property, which requires a Specific Use Permit. However, the applicant is requesting a Planned Development District to allow the open-enrollment charter school by right. The request site contains an approximately 75,000 square foot commercial building set back from the street approximately 450 feet and a surface parking lot containing 240 off-street parking spaces. The site/development plan shows new outside play areas are proposed on both the east and west sides of the building.

The surrounding land uses are retail and personal services along Camp Wisdom Road, as would be expected on the perimeter of a regional mall. The regional mall itself is south of the request site. Undeveloped land is to the north of the request site, and further north begins residential neighborhoods. Another open-enrollment charter school is nearby on the west side of Westmoreland Road.

Staff supports the request site for an open-enrollment charter school, but does not support a Planned Development District that has one purpose: to allow an open-enrollment charter school by right (essentially for a permanent time period). A Planned Development District is a zoning tool that should be used to allow for unique development types that cannot be addressed within existing zoning districts or to address or preserve unique natural features of a property. Staff is recommending a Specific Use Permit in lieu of a Planned Development District.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant’s traffic management plan and supports as an acceptable analysis.

Landscaping:

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

Z112-292(JH)

List of Partners/Principals/Officers

CACSFF REIT

K. Robert Turner, President
Bari Cooper Sherman, Secretary
Glenn Pierce, Chief Executive Secretary

Plazzio Event, Inc.

Ricardo Garza, President and director
Rebecca Garza, Secretary and director

APPLICANT'S PROPOSED PD CONDITIONS

ARTICLE ____.

PD ____.

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

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

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

PD ____ is established on property on the north line of Camp Wisdom Road between Del Rey and Westmoreland. The size of PD ____ is approximately 6.1184 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: development plan.
- (2) Exhibit ____B: traffic management plan.

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

(a) For an open-enrollment charter school or private school, development and use of the Property must comply with the development plan (Exhibit ____A). In the event of a conflict between this article and the development plan, this article controls.

(b) For all other permitted uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

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

(a) Except as provided below, the only uses permitted in this district are those uses permitted in the CR community retail district, subject to the same conditions applicable in the CR community retail district. For example, a use permitted only by specific use permit (SUP) in the CR community retail district is permitted only by SUP in this district, and a use subject to development impact review (DIR) in the CR community retail district is subject to DIR in this district.

(b) Open-enrollment charter school or private school.

SEC. 51P-____.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 types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-____.108. YARD, LOT, AND SPACE REGULATIONS.

The development standards contained in Section 51A-4.122(b), "CR Community Retail District" apply to this planned development district.

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

For all permitted uses, consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

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

See Article VI.

SEC. 51P-578.111. LANDSCAPING.

See Article X.

SEC. 51P-____.112. SIGNS.

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

SEC. 51P-____.113. TRAFFIC MANAGEMENT PLAN

(a) In general. The operation of an open-enrollment charter school or private school must comply with the traffic management plan (Exhibit __B).

(b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2016. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level;
- (G) circulation;

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

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

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

(d) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) In order to amend a traffic management plan, the Property owner or operator must provide data showing the number of students who live within walking

distance of the school, how many students actually walk to school, and how many students use public transportation.

(3) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

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

(a) Maximum number of classrooms is 45.

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

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

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

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

(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development 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.

STAFF RECOMMENDED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. CLASSROOMS: The maximum number of classrooms is 45.
5. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 6:00 p.m., Monday through Friday.
6. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
7. OFF-STREET PARKING: Parking must be located as shown on the attached site plan.
8. TRAFFIC MANAGEMENT PLAN:
 - A. In general. Operation of the open-enrollment charter school must comply with the attached traffic management plan.
 - B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
 - C. Traffic study.
 - i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2016. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each even-numbered year.

ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- a. ingress and egress points;
- b. queue lengths;
- c. number and location of personnel assisting with loading and unloading of students;
- d. drop-off and pick-up locations;
- e. drop-off and pick-up hours for each grade level;
- f. hours for each grade level; and
- g. circulation.

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

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

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

D. Amendment process.

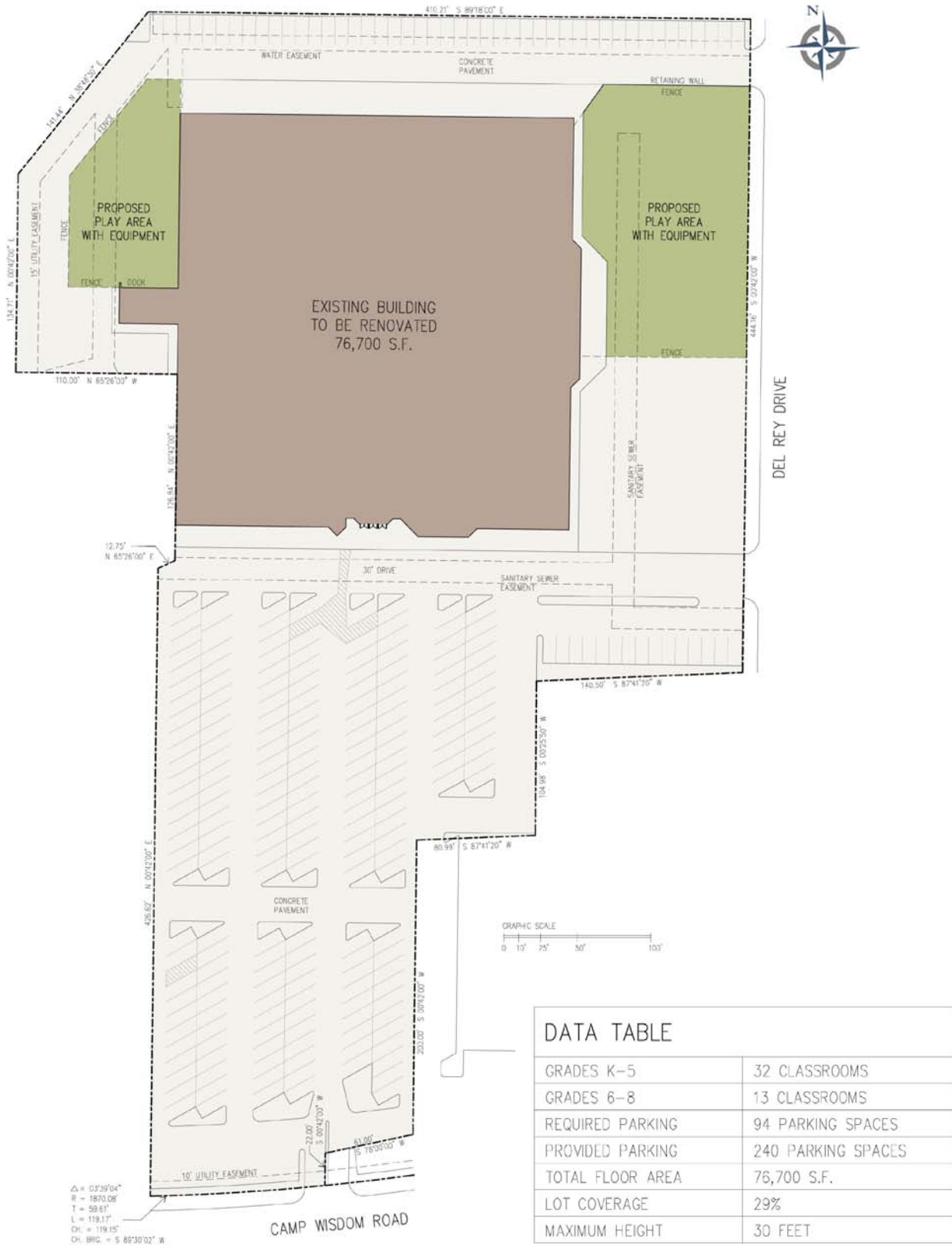
(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

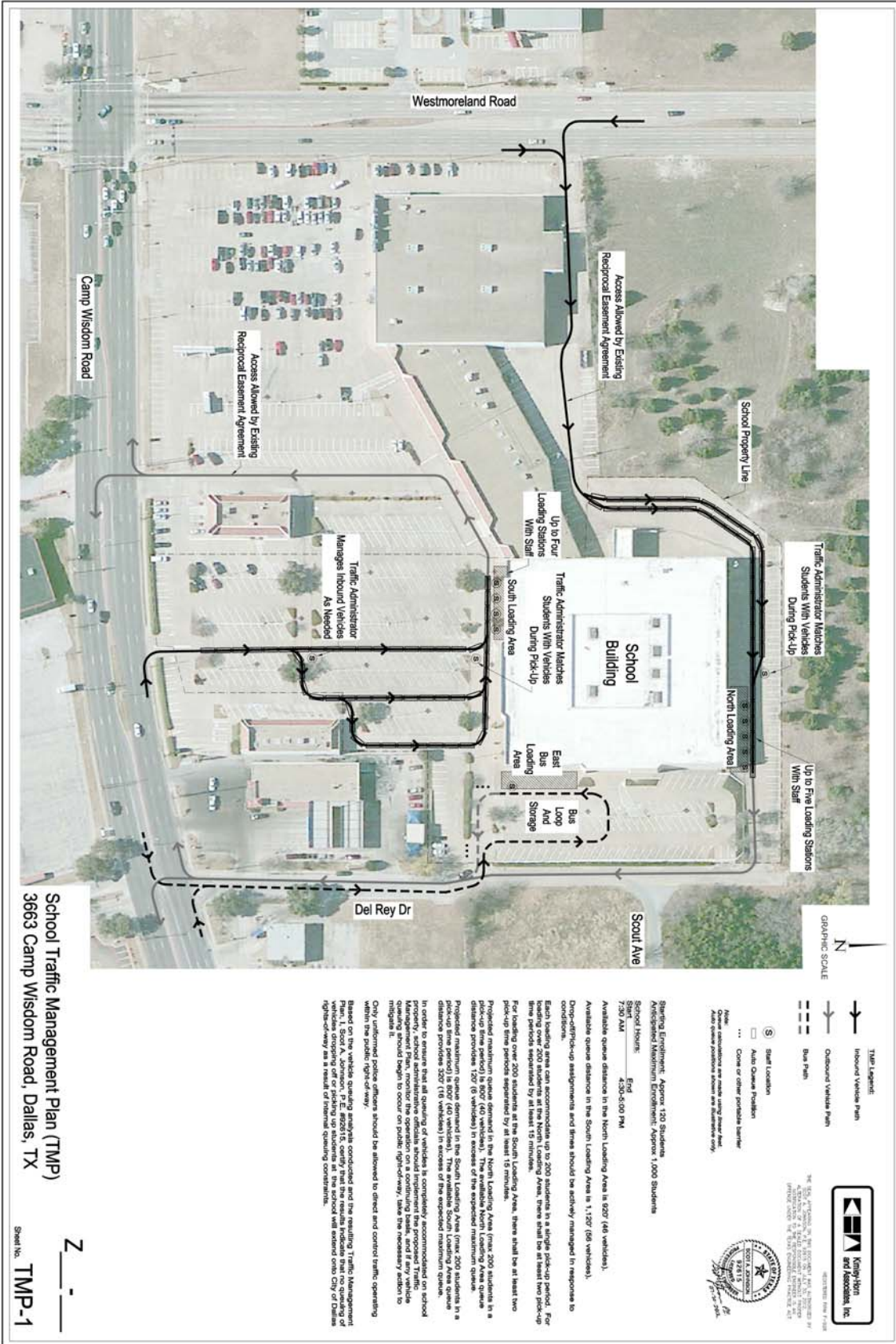
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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

DEVELOPMENT PLAN / SITE PLAN



TRAFFIC MANAGEMENT PLAN



Traffic Management Plan and Queuing Analysis
Proposed School Z___ - ___
3663 Camp Wisdom Road, Dallas, TX
July 30, 2012

Introduction:

The proposed public charter school campus is an adaptive reuse of an unused department store located in a commercial center on the northeast corner of Camp Wisdom Road and Westmoreland Road. The school operation is an expansion of an existing public charter school already in operation in the Dallas area.

The school will start with approximately 120 students for the 2013-2014 school year, and may ultimately grow to up to 1,000 students within 5-8 years. The school will start with approximately 13 staff members which will grow to approximately 80 when the student numbers reach 1,000. The building has a total of 44 classrooms. The following table shows the approximate distribution of classrooms, actual student distribution will vary by year:

Grade	Classrooms	Drop-Off Time	Dismissal Time
Kindergarten	6	7:00-7:30 AM	4:30-5:00 PM
1 st Grade	6	7:00-7:30 AM	4:30-5:00 PM
2 nd Grade	6	7:00-7:30 AM	4:30-5:00 PM
3 rd Grade	5	7:00-7:30 AM	4:30-5:00 PM
4 th Grade	5	7:00-7:30 AM	4:30-5:00 PM
5 th Grade	4	7:00-7:30 AM	4:30-5:00 PM
6 th Grade	4	7:00-7:30 AM	4:30-5:00 PM
7 th Grade	4	7:00-7:30 AM	4:30-5:00 PM
8 th Grade	5	7:00-7:30 AM	4:30-5:00 PM
Total	45		

Morning drop-off is from 7:00-7:30 AM for all students, with school starting at 7:30 AM. Afternoon pick-up is between 4:30 and 5:00 PM. The drop-off time can be modified to match the school operations. When the student population using the pick-up loading areas grows beyond a certain point, separate dismissals will be required. The pick-up time periods can be modified as long as pick-ups are divided into groups that are separated by at least 15 minutes.

Public charter schools can achieve bus usage of around 50%. While a similar percentage is likely at this campus, a bus usage of 30% is assumed for this campus in order to ensure a conservative analysis of the queuing demand. The TMP is expandable to handle all 1,000 students in the unlikely event that buses are not used.

Proposed TMP Operation:

The proposed TMP has three loading areas which will operate the same in both the drop-off and pick-up time periods.

The North Loading Area is entered from Westmoreland Road at an existing median opening. The vehicle path passes behind the shopping center to a loading area on the north side of the school building, using the existing access easements. Once onto the school's property, vehicles will queue until reaching the loading area, where staff members will assist with loading and unloading. The queue can be double-stacked if necessary. Once loaded or unloaded, the vehicles exit to southbound Del Rey Drive, which leads to Camp Wisdom Road. The North Loading Area has approximately 920' (46 vehicles) of queuing distance available.

The South Loading Area is entered from westbound Camp Wisdom Road at an existing right-in/right-out driveway. The vehicle path proceeds towards the school building, then turns west to a loading area on the south side of the school building. Due to the width of the angled parking aisles, the queue cannot be easily double stacked. To increase queue distance on the property, when necessary the inbound vehicle path is directed by a staff member to use additional northbound parking aisles before rejoining the main queue as it reaches the loading area. Once loaded or unloaded, the vehicles exit through the parking lot to Camp Wisdom Road, using the driveway and median opening between Westmoreland Road and Del Rey Drive. The South Loading Area has approximately 1,120' (56 vehicles) of queuing distance available.

The East Bus Loading Area is accessed from Del Rey Drive. The buses circulate through the parking lot east of the building, loading from an area adjacent to the building. Space is available for temporary bus stacking if necessary, but no buses will be stored on the site overnight. The bus circulation area is completely separated from the parent vehicle circulation areas, although the buses exit along Del Rey Drive which overlaps with the exit from the North Loading Area. The East Bus Loading Area can accommodate two buses loading or unloading at the same time, and up to seven buses can be queued in the loop circulation path, with more stacked in the center of the loop when needed.

At all locations loading is performed on the passenger side, and no students have to cross vehicle paths. For the afternoon pick-up time period, arriving vehicles will display a sticker or placard indicating which student(s) they are picking up. The traffic administrator posted in advance of the loading stations looks for this information and calls ahead to the loading station so that the appropriate students are waiting at the correct loading station when the vehicle arrives. When the vehicles have come to a stop at the loading station, the students are loaded into the vehicles with the assistance of the staff member at each loading station.

The school will use multiple pick-up groups depending on the number of students. When the student population using a loading area grows above 200, the students will be split into two groups with dismissals separated by at least 15 minutes. With the North and South Loading Areas active and balanced in numbers, the school can accommodate up to 400 students with a single dismissal time, and 800 students with two dismissal times. Since busing is expected to transport at least 30% of the student population, two dismissal times are all that should be required for the school. Even if there is no busing from the school, the full 1,000 students can be accommodated with two dismissal times at one loading area and three at the other.

Queuing Analysis:

Based on observations of queuing at other public charter schools in the DFW area, KHA uses a design standard for projecting queue demands at similar sites. The expected maximum queue in vehicles is equal to 20% of the largest number of students dismissed at one time. Students using buses or walking/biking are deducted from the student number since they do not attract personal vehicles to the campus. This method accounts for the differences in how schools divide up the pick-up time period, as some dismiss all students in one group and therefore have higher vehicle demands in a short time period, while some spread out the dismissals over two or more groups. The projected queue formula can be stated as:

$$(\text{Students dismissed in time period} - \text{Students using other modes}) * 0.20 = \text{Number of vehicle in queue}$$

By design of the TMP, for each loading area the largest number of students dismissed at one time is 200, with no further deductions for busing. Therefore, the projected maximum queue length is:

$$(200 \text{ students dismissed} - 0 \text{ Students using buses}) * 0.20 = 40 \text{ vehicles in queue}$$

The projected queue of 40 vehicles translates to 800' of queuing distance. This distance is well in excess of the recommended values for equivalent Texas schools found in the Texas Transportation Institute (TTI) research report 0-4286 *Operations and Safety Around Schools* published in January 2004. The more conservative (longer queues) KHA method reflects the nature of charter schools which draw from a large area and tend to have fewer students arriving as pedestrians or by bicycle than traditional public schools.

The projected maximum queue demand of 800' can easily be accommodated within the queue distances available in both the North and South Loading Areas. The North Loading Area has 920' of distance available in the TMP, which is approximately 120' of queuing distance available in excess of the demand.

Projected Queue Demand:	800'	40 Vehicles
Available Queuing Distance:	920'	46 Vehicles
Surplus (Deficiency):	120'	6 Vehicles

The South Loading Area has 1,120' of distance available in the TMP, which is approximately 320' of queuing distance available in excess of the demand.

Projected Queue Demand:	800'	40 Vehicles
Available Queuing Distance:	1,120'	56 Vehicles
Surplus (Deficiency):	320'	16 Vehicles

Parking:

The 3663 Camp Wisdom school property contains in excess of 200 parking spaces. The school use, with 32 elementary classrooms at 1.5 spaces each and 13 middle school classroom at 3.5 spaces each, requires only 94 parking spaces per Dallas City Code §51A-4.202(17)(C).

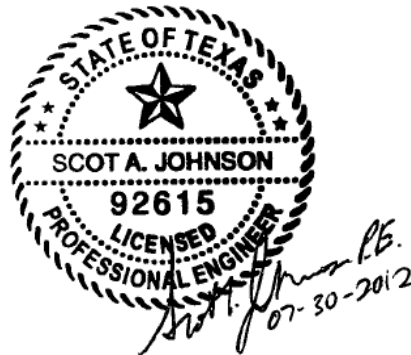
Summary:

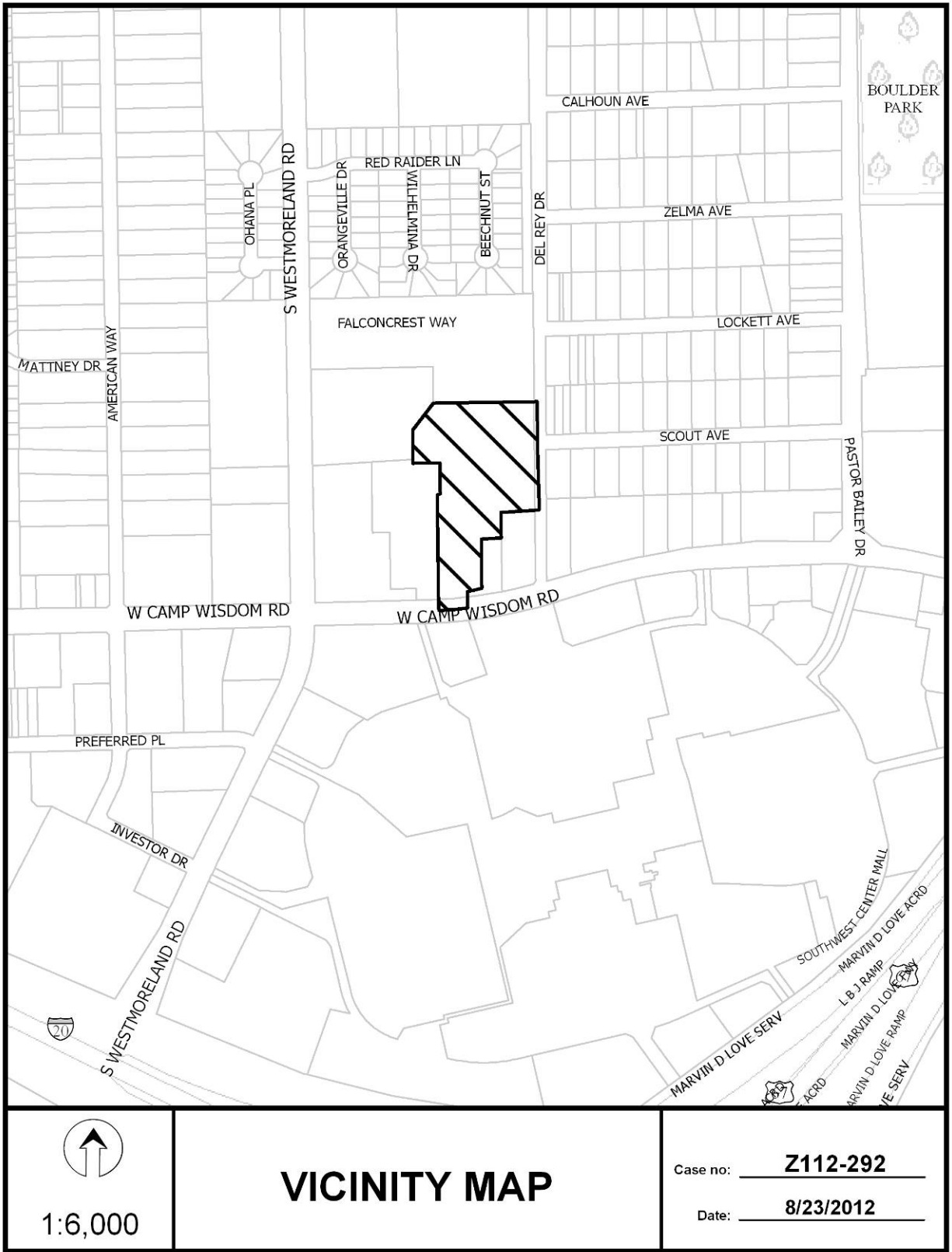
This TMP and the attached TMP plain define the drop-off and pick-up procedures for the public charter school at 3663 Camp Wisdom Road with a maximum of 1,000 students. The TMP vehicle routes provide an available queue distance within the site that is greater than the projected maximum expected queue for the school's operations. The school traffic will never be allowed to queue vehicles in the ROW of any City street or alley, nor will the traffic on any City street be stopped or diverted. The property owner/school administrator is responsible for the administration of the TMP and minimizing the impact of the vehicle queue on the City streets. Only uniformed police officers should be allowed to direct and control traffic operating within the public right-of-way.

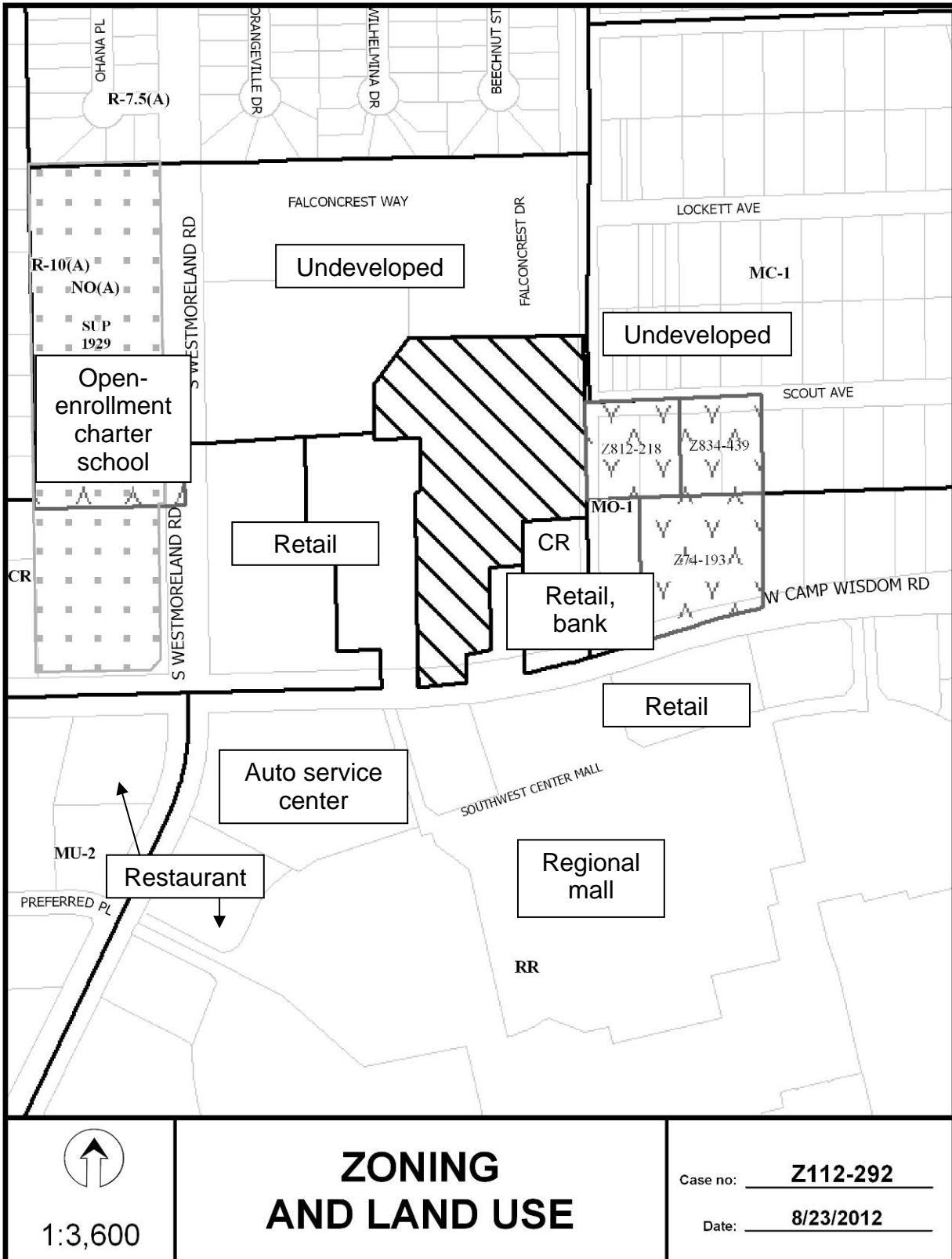
Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, I, Scot A. Johnson, P.E. #92615, certify that the results indicate that no queuing of vehicles dropping off or picking up students at 3663 Camp Wisdom Road will extend onto City of Dallas rights-of-way as a result of internal queuing constraints.

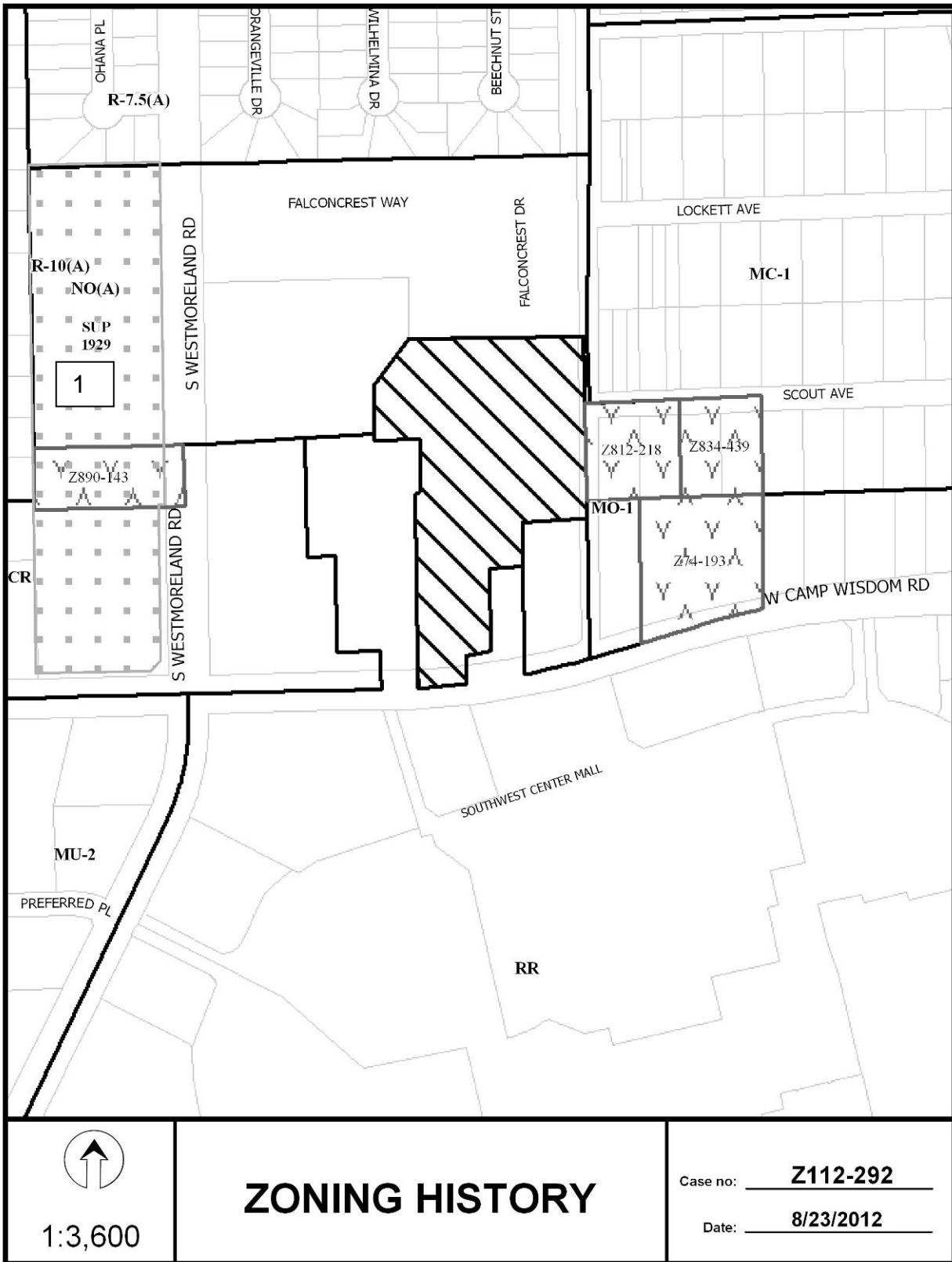
In order to ensure that all queuing of vehicles is completely accommodated on school property, the school administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it.

Prepared by:
Kimley-Horn and Associates, Inc.
Scot A. Johnson, P.E., PTOE
12750 Merit Drive, Suite 1000
Dallas, TX 75251
(972) 770-1300





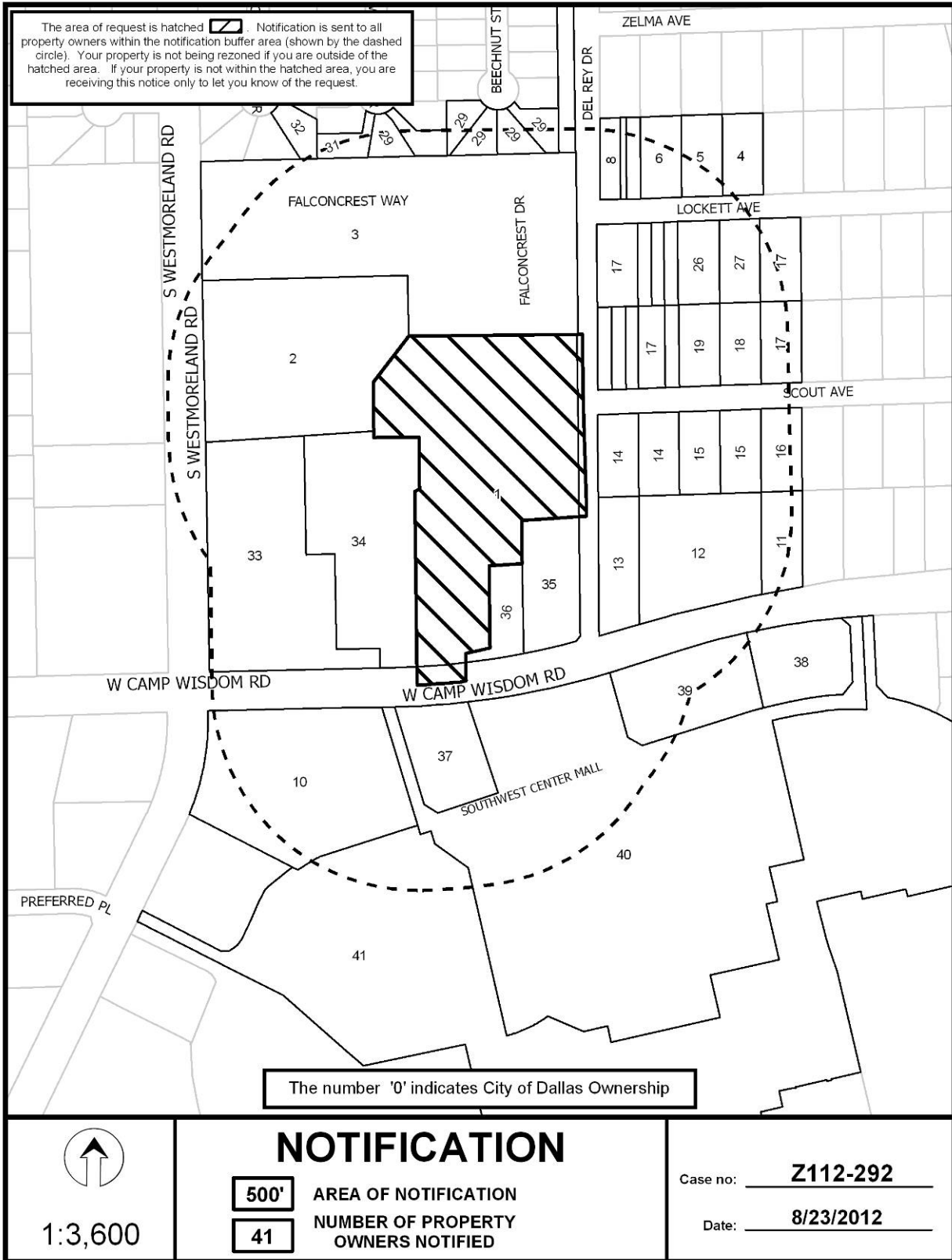




1:3,600

ZONING HISTORY

Case no: Z112-292
Date: 8/23/2012



8/23/2012

Notification List of Property Owners

Z112-292

41 Property Owners Notified

Label #	Address	Owner
1	3663 CAMP WISDOM RD	PLAZZIO EVENT INC
2	6900 WESTMORELAND RD	ST MATTHEW BAPTIST CH INC
3	6900 WESTMORELAND RD	WESTMORELAND VILLAGE LP % JAMES M BROWN
4	3507 LOCKETT AVE	CONCORD MISSIONARY BAPTIST CHURCH
5	3515 LOCKETT AVE	OLIVE H A
6	3523 LOCKETT AVE	CRAFT HENRY P
7	3527 LOCKETT AVE	COURSON JAMES L
8	3525 LOCKETT AVE	PHELAN R W EST
9	3531 LOCKETT AVE	SCOTT WILLIAM MICHAEL
10	7100 WESTMORELAND RD	SJJ MCCADDEN LLC STE 1170
11	3431 CAMP WISDOM RD	CAMP WISDOM ROAD ASSOC LTD
12	3515 CAMP WISDOM RD	PROSPERITY BANK % SHELLY SCRUBAR
13	3535 CAMP WISDOM RD	CAMP WISDOM DEL REY 4
14	3530 SCOUT AVE	BANK OF THE SOUTHWEST OF %PROSPERITY BAN
15	3514 SCOUT AVE	RED BIRD BANK
16	3430 SCOUT AVE	CONCORD MISSIONARY BAPTIST CHURCH
17	3431 SCOUT AVE	MAZZMANIA LP
18	3507 SCOUT AVE	JIMENEZ JOEL
19	3515 SCOUT AVE	NIGUSSIE ZEMENAY M
20	3517 SCOUT AVE	BICKHAM JOHN D EST OF
21	3301 SCOUT AVE	LEGACY COUNSELING CENTER STE 212
22	3301 SCOUT AVE	STEINER EDWARD C M JR
23	3301 SCOUT AVE	MOORE HARRY R
24	3300 LOCKETT AVE	DOUTHIT DANNY BRYAN & DANNY B DOUTHIT AS
25	3300 LOCKETT AVE	GRAHAM STEVE
26	3300 LOCKETT AVE	SIMMONS JAMES A & JUDITH

8/23/2012

Label #	Address	Owner
27	3300 LOCKETT AVE	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN
28	1 DEL REY DR	WESTMORELAND VILLAGE HOMEOWNERS ASSOC IN
29	6830 BEECHNUT DR	WESTMORELAND VILLAGE LP STE 213
30	6832 WILHELMINA DR	DALY DIANA L
31	6833 WILHELMINA DR	MARTINEZ MARIA
32	6828 ORANGEVILLE DR	MALONE BESSIE L
33	3777 CAMP WISDOM RD	TRU 2005 RE I LLC %TOYS R US
34	3737 CAMP WISDOM RD	CAMP WISDOM WESTMORELAND LTD
35	3611 CAMP WISDOM RD	U S REAL V LTD % GEORGE WATSON
36	3643 CAMP WISDOM RD	CAMP WISDOM W JV % CENCOR REALTY SERVICE
37	3704 CAMP WISDOM RD	MISSIRIAN JOHN O TR JOHN O MISSIRIAN TRU
38	3550 CAMP WISDOM RD	HALLE PROP LLC
39	3502 CAMP WISDOM RD	CORRAL GROUP LP STE 120-221
40	3550 CAMP WISDOM RD	PRIMARY PROPERTIES CORP % PROPERTY TAX D
41	3662 CAMP WISDOM RD	RETAIL SWC MALL LLC ATTN: JACK FRIEDLER

FILE NUMBER: Z112-295(MW)

DATE FILED: August 3, 2012

LOCATION: Southwest corner C.F. Hawn Freeway and Great Trinity Forest Way

COUNCIL DISTRICT: 5

MAPSCO: 58-U, Y

SIZE OF REQUEST: ±0.71 acre

CENSUS TRACT: 93.04

REPRESENTATIVE: Santos Martinez, Masterplan

APPLICANT/OWNER: DFW Distributor Petroleum, Inc., Sami Ebrahim, President

REQUEST: An application to amend Specific Use Permit No. 1926 for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned Subarea 5 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to amend SUP No. 1926 in order to expand the convenience store by ±877 square feet, to add a ±1,774-square foot restaurant with drive-through service (allowed by right) and to relocate the fuel pumps. The applicant intends to continue to sell beer and wine for off-premise consumption in conjunction with the convenience store.

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

BACKGROUND INFORMATION:

- The ±0.71-acre request site is developed with a ±1,844 square foot general merchandise or food store (convenience store) and motor vehicle fueling station.
- Specific Use Permit No. 1926 was approved by City Council on December 14, 2012 for a two-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions.
- The request site is surrounded by C.F. Hawn Freeway ROW to the north; C.F. Hawn Freeway ROW and Loop 12 ROW to the east; general merchandise or food stores with motor vehicle fueling stations to the south and a restaurant with drive through service and retail the west.

Zoning History:

1. **Z101-155:** On Wednesday, April 27, 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property zoned a RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.
2. **Z101-202:** On Wednesday, June 8, 2011, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned RR Regional Retail District with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
CF Hawn Freeway	US Highway	Variable Width
Great Trinity Forest Way (Loop 12)	State Highway	Variable Width

Land Use:

	Zoning	Land Use
Site	PDD No. 533-D-1; SUP No. 1926	General merchandise store
North	PDD No. 533-D-1	C.F. Hawn Freeway ROW
East	RR; SUP No. 1844; SUP No. 1858	C.F. Hawn Freeway ROW; Loop 12 ROW
South	RR	General merchandise or food stores w/fueling stations
West	PDD No. 533-D-1	Restaurant with drive-through; retail

STAFF ANALYSIS:

Comprehensive Plan:

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

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

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

LAND USE ELEMENT

Goal 1.1: Promote desired development

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

Land Use Compatibility:

The ±0.71-acre request site is developed with a ±1,844 square foot general merchandise or food store (convenience store) and motor vehicle fueling station. The applicant proposes to expand the convenience store by ±877 square feet, to add a ±1,774-square foot restaurant with drive-through service (allowed by right) and to relocate the fuel pumps. The applicant intends to continue to sell beer and wine for off-premise consumption in conjunction with the convenience store.

The request site is surrounded by C.F. Hawn Freeway ROW to the north; C.F. Hawn Freeway ROW and Loop 12 ROW to the east; general merchandise or food stores with motor vehicle fueling stations to the south and a restaurant with drive through service and retail the west.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises.

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

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

In general, the applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval of the amendment of Specific Use Permit No. 1926 for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD No. 533 - D-1 Subdistrict 5	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

Traffic/Circulation:

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

However, it is noted that planning staff has concerns with how the placement of the drive-through restaurant, which is allowed by right, will affect the onsite circulation. Specifically, if a vehicle enters the site from the northwest egress point on CF Hawn Freeway, there will not be adequate width for the vehicle to bypass the drive-through lane to access the off-street parking located on the south portion of the site.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area, the requirement for a restaurant with drive-through service is one (1) space per 100 square feet of floor area. In addition, a motor vehicle fueling station requires two (2) spaces.

Therefore, the proposed ±2,721-square foot convenience store; ±1,774-square foot restaurant with drive-through service and motor vehicle fueling station will require 34 spaces. As depicted on the site plan, 34 spaces will be provided.

Landscaping:

Landscaping is required in accordance with Planned Development District No. 533. However, the applicant is seeking the approval of an alternative landscape plan to address the constraints of landscaping on a fully developed property with new increased floor area, parking and vehicle maneuvering requirements and underground utilities that limit available landscape areas, as well as to address conflicts with PDD requirements for sidewalk and parkway planting needs.

It is noted that the proposed alternative landscape plan is based on the presumption of TXDOT's rejection of sidewalks and/or parkway tree plantings in the required locations. TXDOT has also introduced and maintains trees and other landscape improvements on the parkway area adjacent to the property.

Z112-295(MW)

Specifically, the proposed alternative landscape plan would exempt the applicant from the following requirements:

- Parkway trees (between sidewalk and street) are required for all street frontages at 1: 30 feet (minus driveways and visibility triangles)
- Screening of parking along CF Hawn Freeway both street frontages (3-foot tall shrub row or solid wall).
- Site trees at 1:4000 square feet
- Two design standards

Z112-295(MW)

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from December 14, 2011 (approval of the SUP) to August 24, 2012 revealed the following results:

DALLAS POLICE DEPARTMENT [UCR Codes](#) [Year Codes](#) [Property Class Codes](#)

Virtual Viewer - Public Access Welcome

Search Records - Offense Filter

Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0084664-Z	04/08/2012	HERNANDEZ, JANET,SARAI	ASSAULT	08015		CFHAWNF...	337	4431	08321	
0158226-Z	06/27/2012	CORLEY, DENNIS	AUTO THEFT-U...	08015		CFHAWNF...	337	4431	07622	

Page 1 of 1 (2 items)

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**Z112-295
Proposed SUP Conditions**

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

Existing/Staff recommended:

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

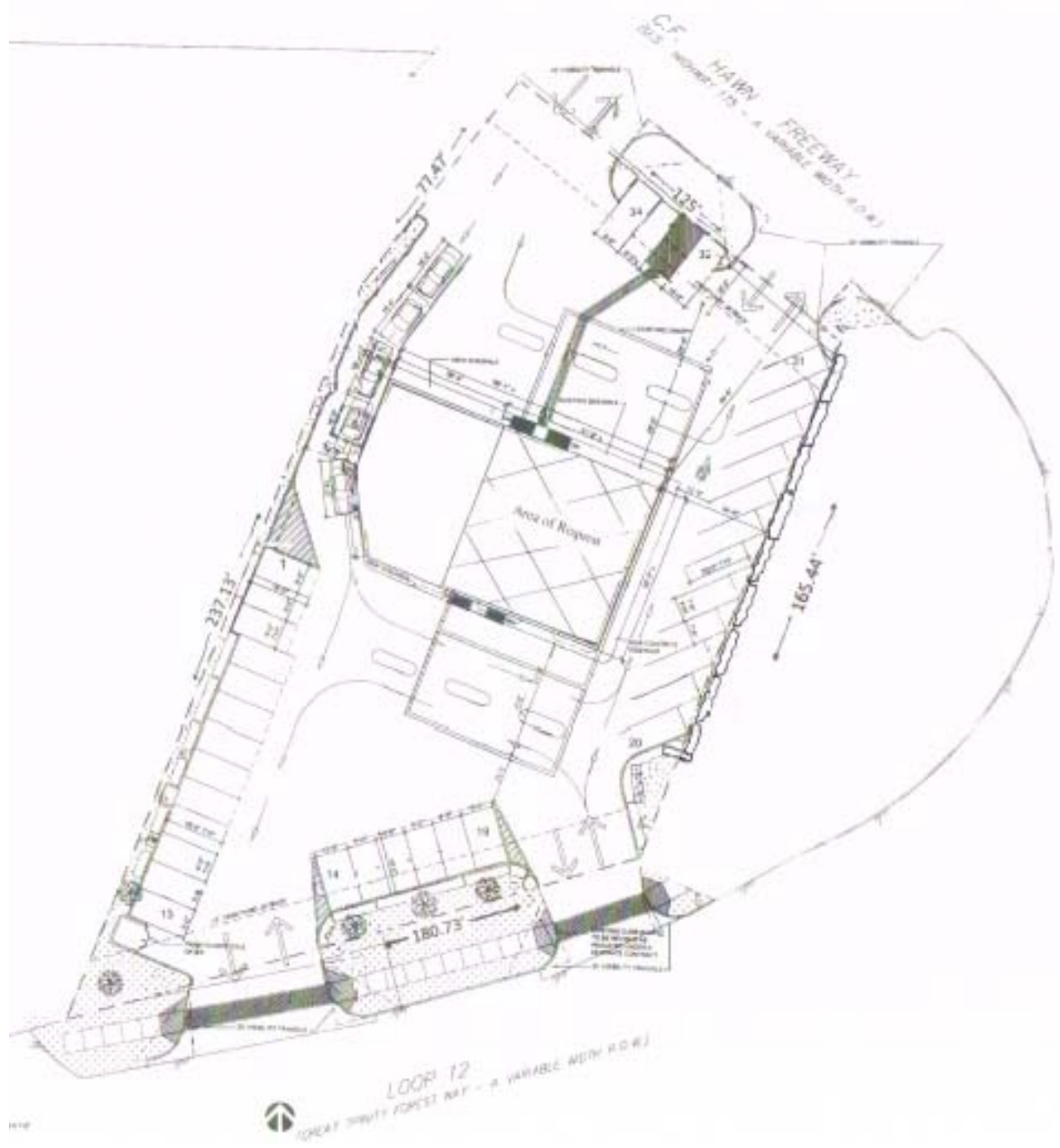
Applicant proposed:

3. **TIME LIMIT:** This specific use permit expires on (five years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. **INGRESS/EGRESS:** Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. **DRIVE-THROUGH WINDOW:** A restaurant with drive-through service may not use a drive-through window for retail sales if alcohol.
6. **PARKING:** Parking must be located as shown on the attached site plan.
7. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.

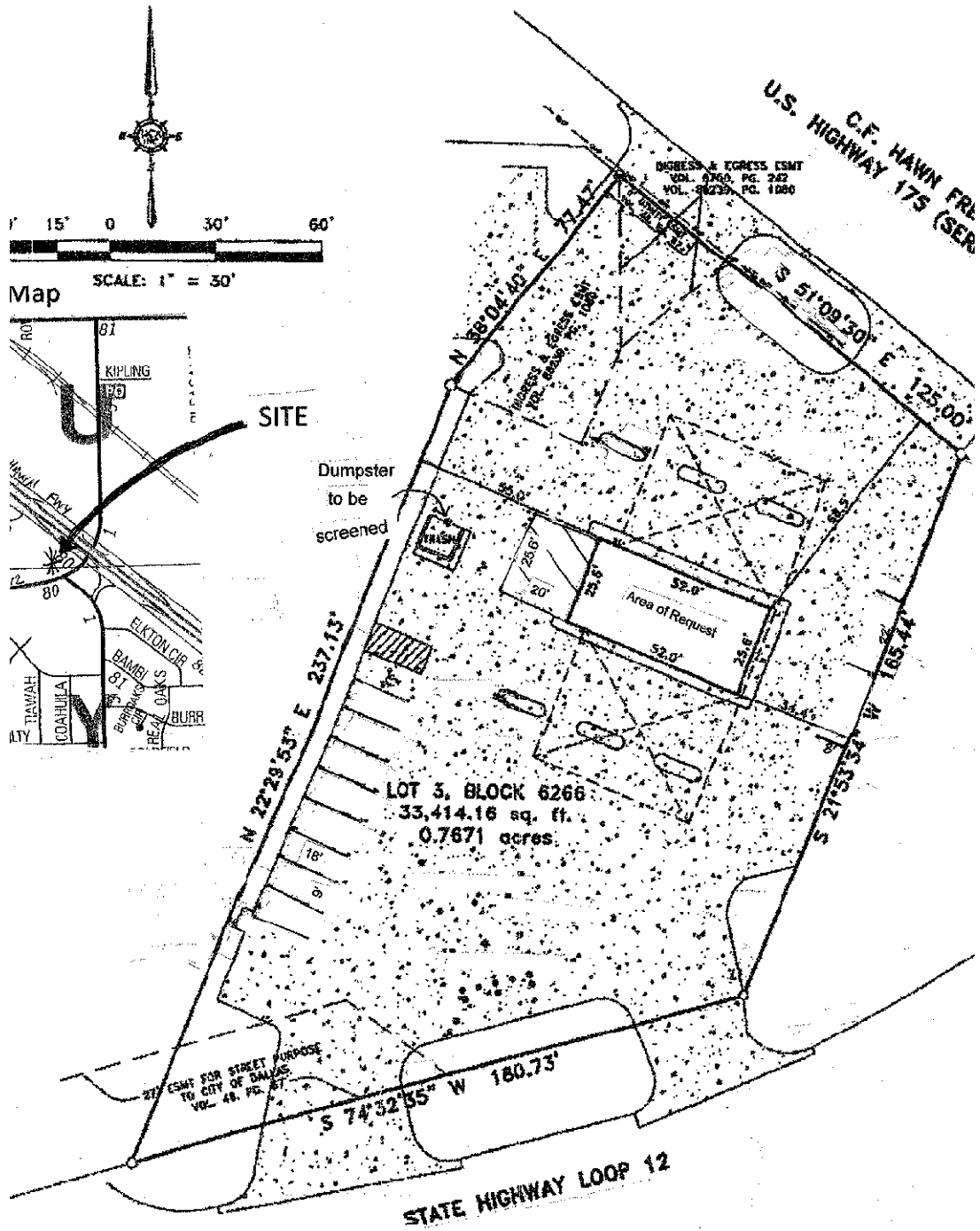
Z112-295(MW)

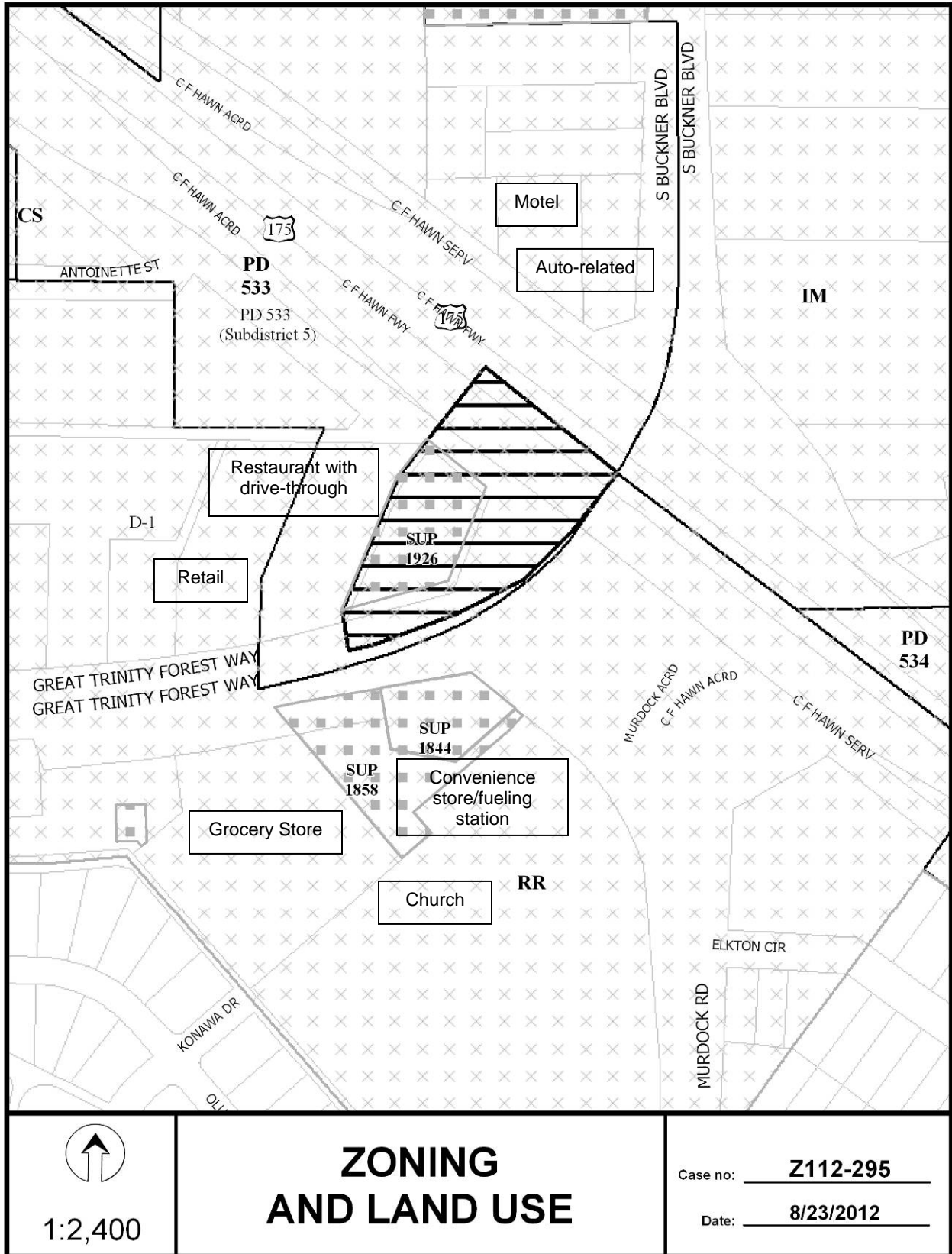
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

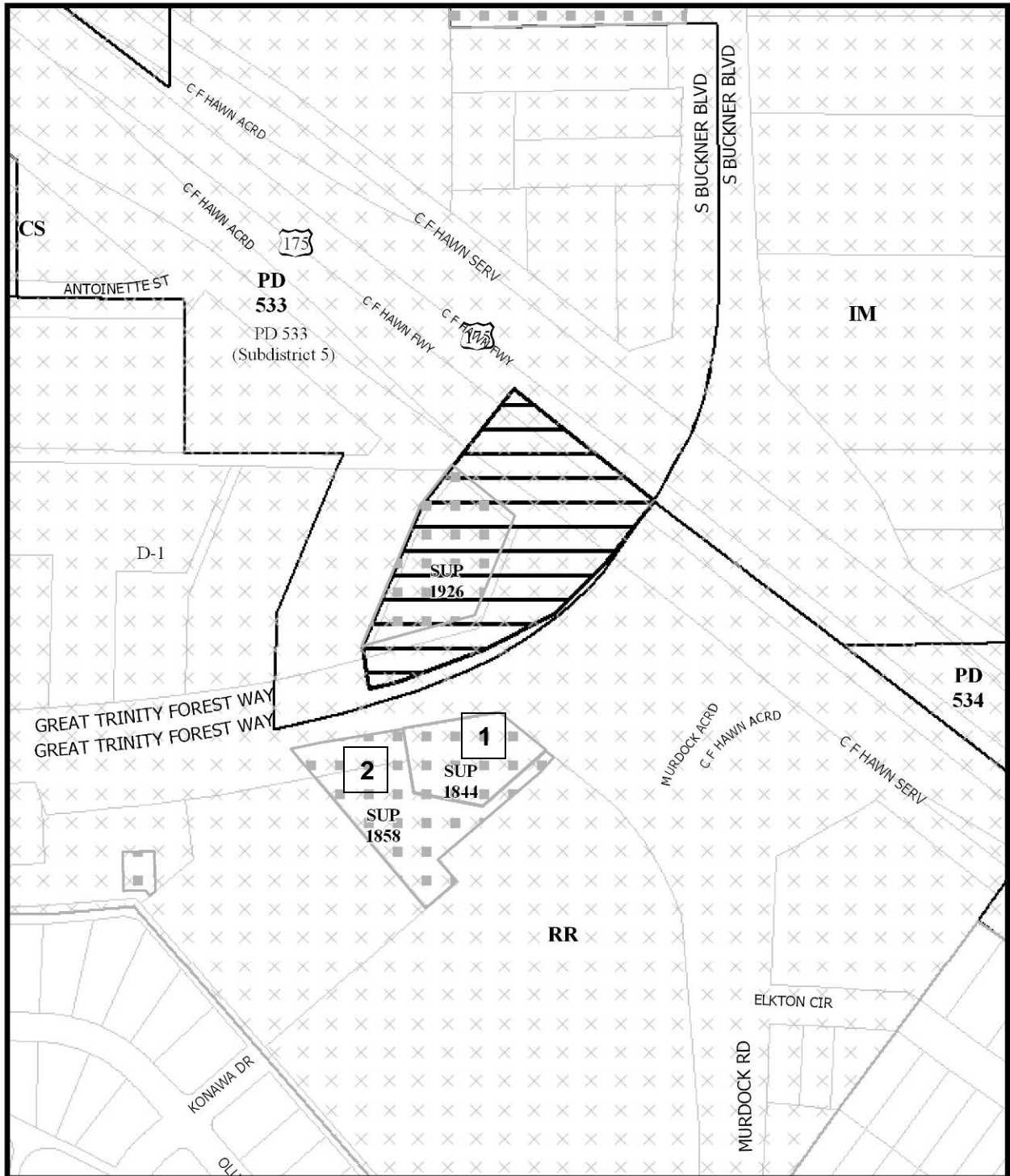
Proposed Site/Landscape Plan



Existing Site Plan



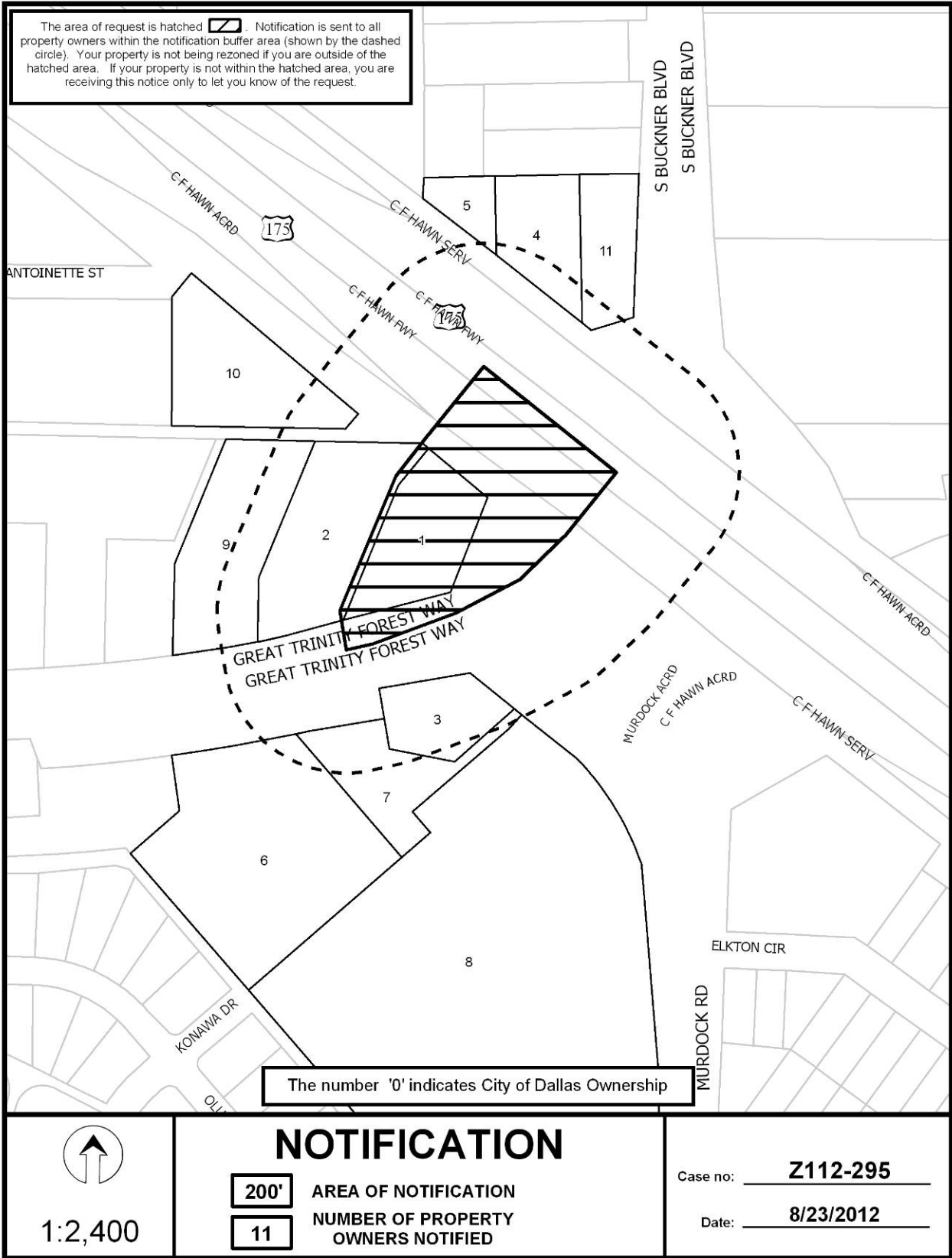




↑
1:2,400

ZONING HISTORY

Case no: Z112-295
Date: 8/23/2012



8/23/2012

Notification List of Property Owners***Z112-295******11 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8015 C F HAWN FWY	I & C TEXAS ENT INC
2	8055 GREAT TRINITY FOREST WAY	BENJAMIN FRANKLIN FEDERAL ASSN % ROL
SAV		
3	8098 GREAT TRINITY FOREST WAY	JPKP ENTERPRISES INC
4	8020 C F HAWN FWY	STARDUST MOTELS INC
5	8010 C F HAWN FWY	DAL TILE CORPORATION
6	7932 GREAT TRINITY FOREST WAY	KIMODALE INC
7	8000 LOOP 12	R & R SULEIMAN LLC
8	7930 GREAT TRINITY FOREST WAY	UNITED HOUSE OF PRAYER FOR ALL PEOPLE %
9	7900 GREAT TRINITY FOREST WAY	FAMILY DOLLAR STORES TX ATTN: TAX DEPT
10	2950 ANTOINETTE ST	KELLER R JACK
11	129 BUCKNER BLVD	BWINGRAM INVESTMENTS LTD

Planner: Donna Moorman

FILE NUMBER:	Z090-243 (DM)	DATE FILED:	August 5, 2010
LOCATION:	South side of Belmont Avenue, west of Greenville Avenue		
COUNCIL DISTRICT:	2	MAPSCO:	36 S,T
SIZE OF REQUEST:	Approx. .925 acres	CENSUS TRACT:	10.02

REQUEST: A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 842 for CR Community Retail District Uses with Modified Delta Overlay District No. 1 with consideration given to zoning to permit Townhouse District uses and standards on the south side of Belmont Avenue, west of Greenville.

SUMMARY: Staff was asked to evaluate and recommend appropriate zoning for this property, in particular townhouse district uses, because the long time post office use is scheduled for closure and the property to be sold.

STAFF RECOMMENDATION: Approval, of a new tract within Planned Development District No. 725, subject to a conceptual plan and conditions.

BACKGROUND INFORMATION:

- The property is currently developed with a US Post Office which is scheduled for closure and the property to be sold.
- On August 5, 2010, the City Plan Commission authorized a hearing to determine proper zoning on this property with consideration to be given to zoning to permit Townhouse District uses and standards. The property was zoned a CR Community Retail District at the time of authorization but subsequently became part of PD No. 842.
- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses, and furthermore requires a SUP for any retail and personal service uses operating between 12:00 a. m. and 6:00 a.m.
- The request site is adjacent to Planned Development District No. 725 for townhouse uses which was established by City Council on May 24, 2005.
- The creation of a new tract within PDD No. 725 for single family townhouse development will allow a greater dwelling unit density and a greater lot coverage than allowed in a TH-3(A) District.
- At such time as a replat is requested, the owner would need to request to amend the plat to change the 25' building line as shown on the current subdivision plat to 10' as allowed in this tract.
- The major land uses surrounding the site consist of a retirement community on the north, townhomes on the west, single family to the south and a gas station and general merchandise store on the east.

Zoning History:

1. Z090-242 On January 21, 2011, the City Council approved Planned Development District No. 842, along both sides of Greenville Avenue between Belmont Avenue and Bryan Street requiring an SUP for a late hours establishment.
2. Z101-261 On August 10, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a four-year period, subject to a site plan and conditions.
3. Z101-264 On August 10, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a three-year period, subject to a site plan and conditions.

4. Z101-312 On September 14, 2011, the City Council denied a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service.
5. Z101-270 On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a bar, lounge, or tavern for a two-year period, subject to a site plan and conditions.
6. Z101-260 On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a two-year period, subject to a site plan and conditions.
7. Z101-303 On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period, subject to a site plan and conditions.
8. Z112-107 On December 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a store 3,500 square feet or less and a motor vehicle fueling station.
9. Z112-115 On June 21, 2012, City Plan Commission denied a request for a Specific Use Permit for a late-hours establishment limited to general merchandise or food store and motor vehicle fueling station uses on property zoned Planned Development District No. 842 for CR Community Retail District Uses.

Thoroughfares/Streets:

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

Land Use:

	Zoning	Land Use
Site	PDD No. 842	Post Office
North	MF-3(A)	Retirement Housing
South	R-7.5(A)	Single Family Homes
East	PDD No. 842	Gas Station
West	PDD No. 725	Townhomes

STAFF ANALYSIS:

Comprehensive plan:

The Plan identifies the request site as being in a Residential Neighborhood Building Block.

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Dallas has many neighborhoods that match this description, including Winnetka Heights, Preston Hollow, Lakewood and Wheatley Place. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood “pocket parks” provide open space for families. Individual lot size, front yard and side yard setbacks, garage orientation and scale of the home varies from neighborhood to neighborhood. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to park-and-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

LAND USE ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.2 Promote neighborhood-development compatibility.

Land Use Compatibility: The .925 acre site is currently developed with a US Post Office. The Post Office is closing and the property is for sale. The surrounding neighborhood and community expressed their concerns over the current zoning which would allow the redevelopment of land uses that may not be compatible with the adjacent and surrounding residential uses. The property, currently zoned PDD No. 842, would allow those main uses permitted in a CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A and require an SUP for late hours establishments.

This property extends into and is surrounded by residential uses. By creating a new tract within PDD No. 725, it allows for the consideration of the following: 1) dwelling unit density greater than that permitted by a TH-3(A) District; 2) lot coverage greater than that permitted by a TH-3(A) District; 3) structure height less than allowed in a TH-3(A) District. This would allow for the development of a higher density single family use. The conceptual plan and development standards for the new tract are similar to the existing townhouse development in PDD No. 725 adjacent to the property on the west.

The proposed new tract will permit development of the site at a scale that would be compatible with both the higher and lower density single family uses on surrounding properties.

Staff recommends approval of a new tract within Planned Development District No 725, subject to the conceptual plan and attached conditions.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 842 CR (existing) Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
	North/South	Side West/East					
New tract in PDD No. 725 (proposed)	10'	10'/0'	15 Units	27'	60% Resid 25% NonRes 90% SF Shared Dev		Townhomes
TH-3(A)	0'/0' SF 0'/10' Dup 0'/10' Other	0" SF 5' Dup 10' Other	12 Units/acre 11 Units on this site	36'	60% Resid 25% NonRes 80% SF Shared Access		Townhomes

Landscaping: Landscaping of any development within the new tract must comply with the provisions of Article X.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system. The request will generate significantly less trip generations when compared to those of a retail or office development, as permitted by the existing CR District uses.

PROPOSED PDD CONDITIONS

**ARTICLE 725.
PD 725.**

SEC. 51P-725.101. LEGISLATIVE HISTORY.

PD 725 was established by Ordinance No. 25987, passed by the Dallas City Council on May 25, 2005.

SEC. 51P-725.102. PROPERTY LOCATION AND SIZE.

PD 725 is established on property located on the southeast corner of Belmont Avenue and Summit Avenue, west of Greenville Avenue. The size of PD 725 is approximately 1.54 acres [~~26,911 square feet of land~~].

SEC. 51P-725.103. 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 residential zoning district.

SEC. 51P-725.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 725A: Tract 1 development plan.
- (2) Exhibit 725B: Tract 1 landscape plan.
- (3) Exhibit 725C: Tract 2 conceptual plan.

SEC. 51P-725.103.2. CONCEPTUAL PLAN.

Development and use of Tract 2 must comply with the Tract 2 conceptual plan (Exhibit 725C). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P-725.104. DEVELOPMENT PLAN.

(a) Tract 1.

(1) For single family uses, development and use of Tract 1 [~~the Property~~] must comply with the Tract 1 development plan (Exhibit 725A). If there is [~~In the event of~~] a conflict between the text of this article and the development plan, the text of this article controls.

(2[~~b~~]) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

(b) Tract 2. A development plan must be approved by city plan commission before the issuance of any building permit to authorize work in Tract 2. Development plans may be submitted in phases. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-725.105. MAIN USES PERMITTED.

The only main uses permitted in this district are those main uses permitted in the TH-3(A) Townhouse District, subject to the same conditions applicable in the TH-3(A) Townhouse District, as set out in Chapter 51A. For example, a use permitted in the TH-3(A) Townhouse 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 TH-3(A) Townhouse District is subject to DIR in this district; etc.

SEC. 51P-725.106. ACCESSORY USES.

(a) 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.

(b) In this district, the following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

(c) In this district, the following accessory use is permitted by SUP only:

- Accessory community center (private).

SEC. 51P-725.107. TRACT 1 YARD, LOT, AND SPACE REGULATIONS.

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

(a) Except as provided in this section, the yard, lot, and space regulations for the TH-3(A) Townhouse District apply in this district.

(b) For a single family use, the regulations in this subsection apply.

(1) Front yard. Minimum front yard is as shown on the development plan.

(2) Side and rear yard. Minimum side and rear yard is as shown on the development plan.

(3) Density. Maximum number of dwelling units is 10.

(4) Height.

(A) Maximum structure height for Lots 1, 2, 3, and 4 as shown on the development plan is 30 feet.

(B) Maximum structure height for Lots 5, 6, 7, 8, 9, and 10 as shown on the development plan is 27 feet.

(5) Lot coverage. Maximum lot coverage is as shown on the development plan. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(6) Lot size. No minimum lot size.

(7) Stories. No maximum number of stories.

SEC. 51P-725.107.1. TRACT 2 YARD, LOT, AND SPACE REGULATIONS.

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

(a) Setbacks. For purposes of building setbacks, Tract 2 is considered one lot. Maximum setbacks are:

(1) 10 feet from the north boundary.

(2) 10 feet from the south boundary.

(3) 10 feet from the west boundary.

(4) 0 feet from the east boundary.

(b) Density. Maximum number of dwelling units is 15.

(c) Height. Maximum structure height is 27 feet.

(d) Lot coverage.

(1) Except as provided in this subsection, maximum lot coverage is:

(A) 60% for residential structures.

(B) 25% for nonresidential structures.

(2) 90 percent of an individual lot may be covered if the total coverage for Tract 2 does not exceed 60 percent with the remaining 40 percent reserved for open space.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(e) Lot size. No minimum lot size.

(f) Stories. No maximum number of stories.

SEC. 51P-725.108. OFF-STREET PARKING AND LOADING.

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

(b) For a single family use, a minimum of two off-street parking spaces for each dwelling unit must be provided within an enclosed structure.

(c) For a single family use on Tract 1, a minimum of four off-street parking spaces that are available and unassigned must be provided in the location shown on the Tract 1 development plan.

(d) For a single family use on Tract 2, a minimum of 0.5 off-street parking spaces per lot that are available and unassigned must be provided.

SEC. 51P-725.109. FENCING.

(a) Tract 1. A minimum eight-foot-high solid fence must be provided along the eastern and southern property lines as shown on the Tract 1 development plan.

(b) Tract 2. A minimum eight-foot-high solid fence must be provided along the southern and western property lines as shown on the Tract 2 conceptual plan.

SEC. 51P-725.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-725.111. TRACT 1 LANDSCAPING.

(a) Single family uses. For single family uses, landscaping must be provided as shown on the landscape plan (Exhibit 725B).

(b) Landscaping in the parkway.

(1) Definition. Parkway means the portion of a street right-of-way between the projected street curb and the lot line of the Property.

(2) Private license granted.

(A) The city council hereby grants a revocable, non-exclusive license to the owners, or with the written consent of the owner, to the tenants (“property owner”) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. 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 parkway landscape permit in accordance with the Dallas Building Code, or Paragraph (3) of this section. This private license shall not terminate at the end of any specific time period, however, the city council reserves and has the absolute 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 of the necessity for such termination shall be final and binding and the city shall become entitled to possession of the premises without giving any notice and without the necessity of legal

proceedings to obtain possession whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or when the purpose or use of this license is likely to become a nuisance or a public safety issue. Upon termination of the license by the director, each property owner shall remove all improvements and installations in the public rights-of-way in a manner satisfactory to the director of public works and transportation.

(B) A property owner is not required to comply with any landscaping requirement if compliance is made impossible due to the director's revocation of a landscape permit or the revocation of the license granted herein affecting landscaping.

(C) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the property owner 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 license granted herein, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, \$2,000,000 annual aggregate. Coverage under this liability policy shall be on an "occurrence" basis and the city shall be named as additional insured. Proof of such insurance shall be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, 1/C/North, Dallas, Texas 75201 and the policy shall 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 it is covered by this liability insurance policy.

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

(3) Parkway landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. 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.

(B) 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 and 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.

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

(D) 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.

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

(c) Other uses. For all other uses, landscaping must comply with the provisions of Article X.

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

SEC. 51P-725.111.1. TRACT 2 LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

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

SEC. 51P-725.112. SIGNS.

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

SEC. 51P-725.113. ADDITIONAL PROVISIONS.

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

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

(c) For Lots 8, 9, and 10 on Tract 1 as shown on the Tract 1 development plan, any window located on a southern or western building façade and located above a first floor must utilize translucent glass or other material that prohibits viewing onto adjacent properties.

(d) For Lot 3 in Tract 1 as shown on the Tract 1 development plan, any window located on a southern building façade and located above a first floor must utilize translucent glass or other material that prohibits viewing onto adjacent properties.

(e) Balconies or decks located above a first floor are prohibited.

(f) Use of outdoor speakers is prohibited.

(g) For the facade of any structure facing the south or west property lines of Tract 2, any window located above a first floor must utilize translucent glass or other material that prohibits viewing onto adjacent properties.

(h) For the facade of any structure facing the south or west property lines of Tract 2, balconies or decks located above a first floor are prohibited.

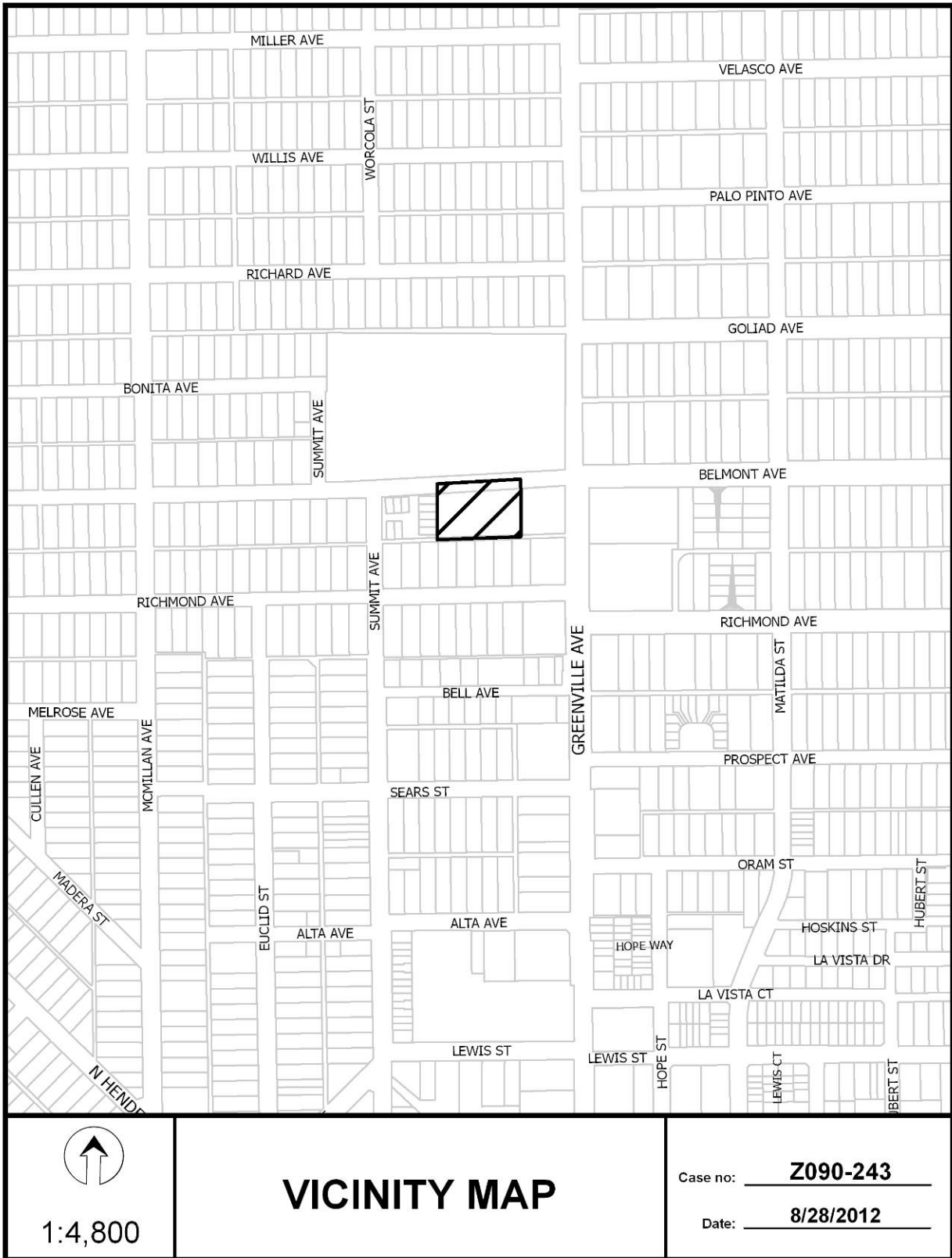
SEC. 51P-725.114. COMPLIANCE WITH CONDITIONS.

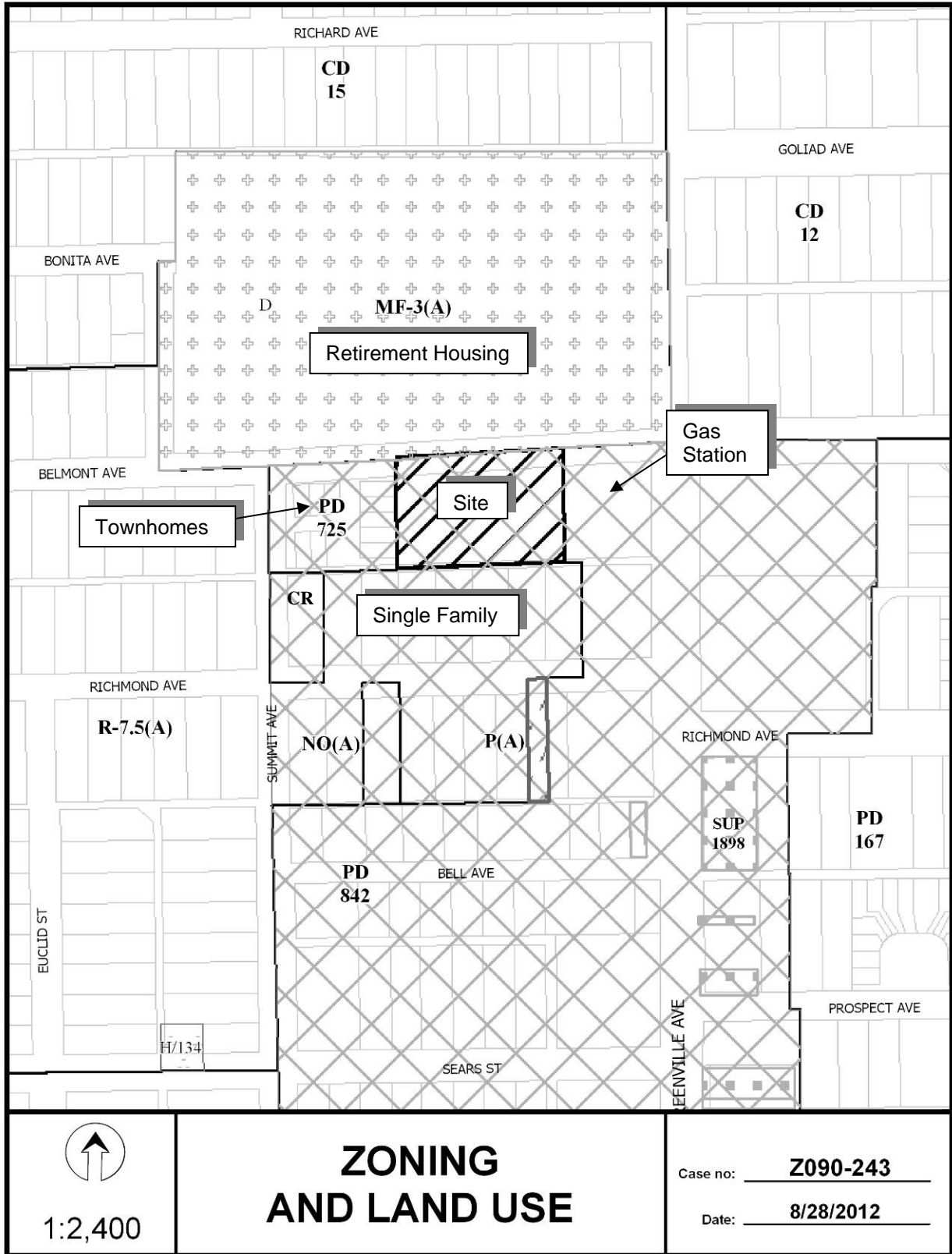
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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 planned development 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-725.115. ZONING MAP.]

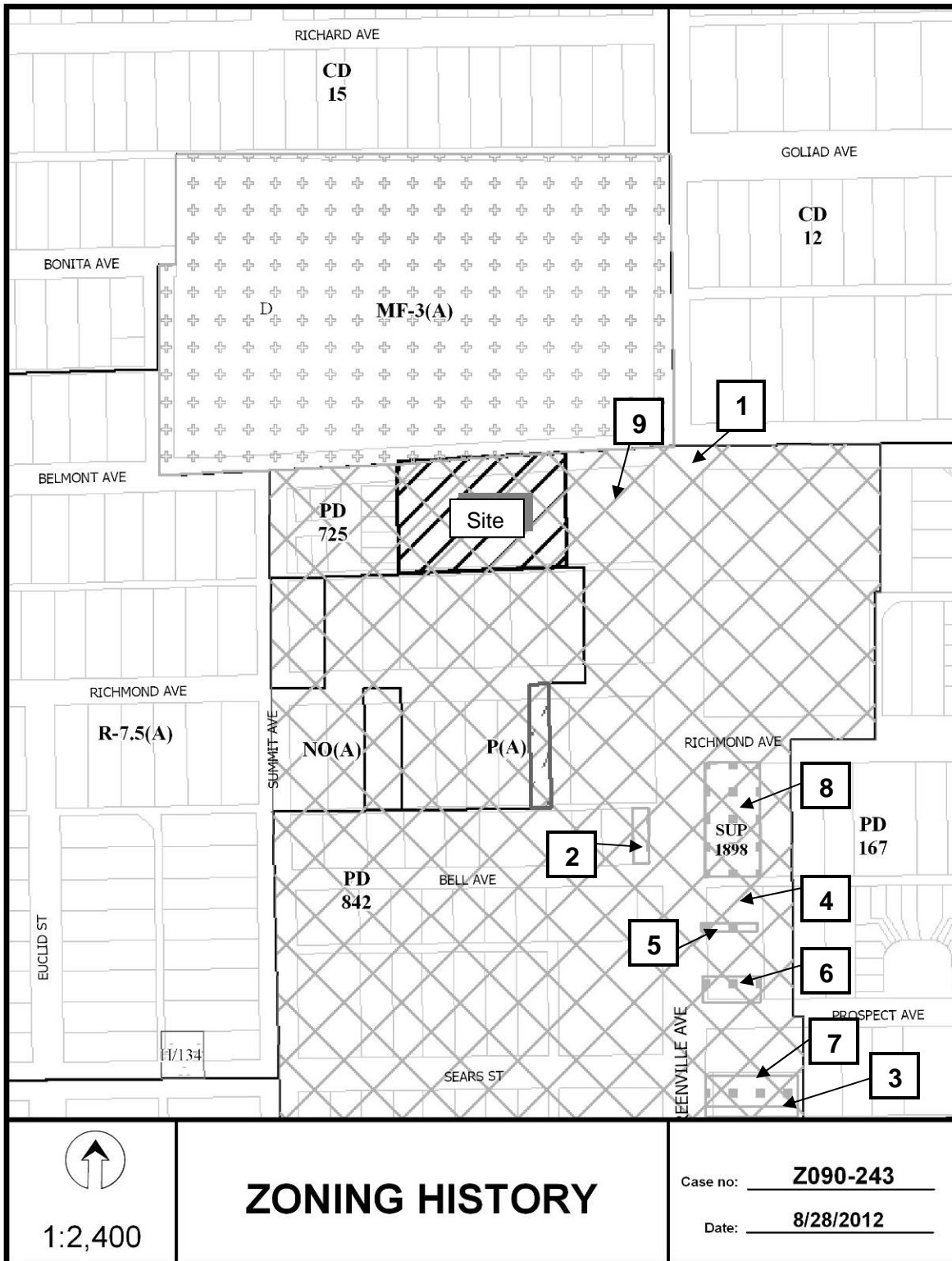
~~PD 725 is located on Zoning Map No. I 8.]~~

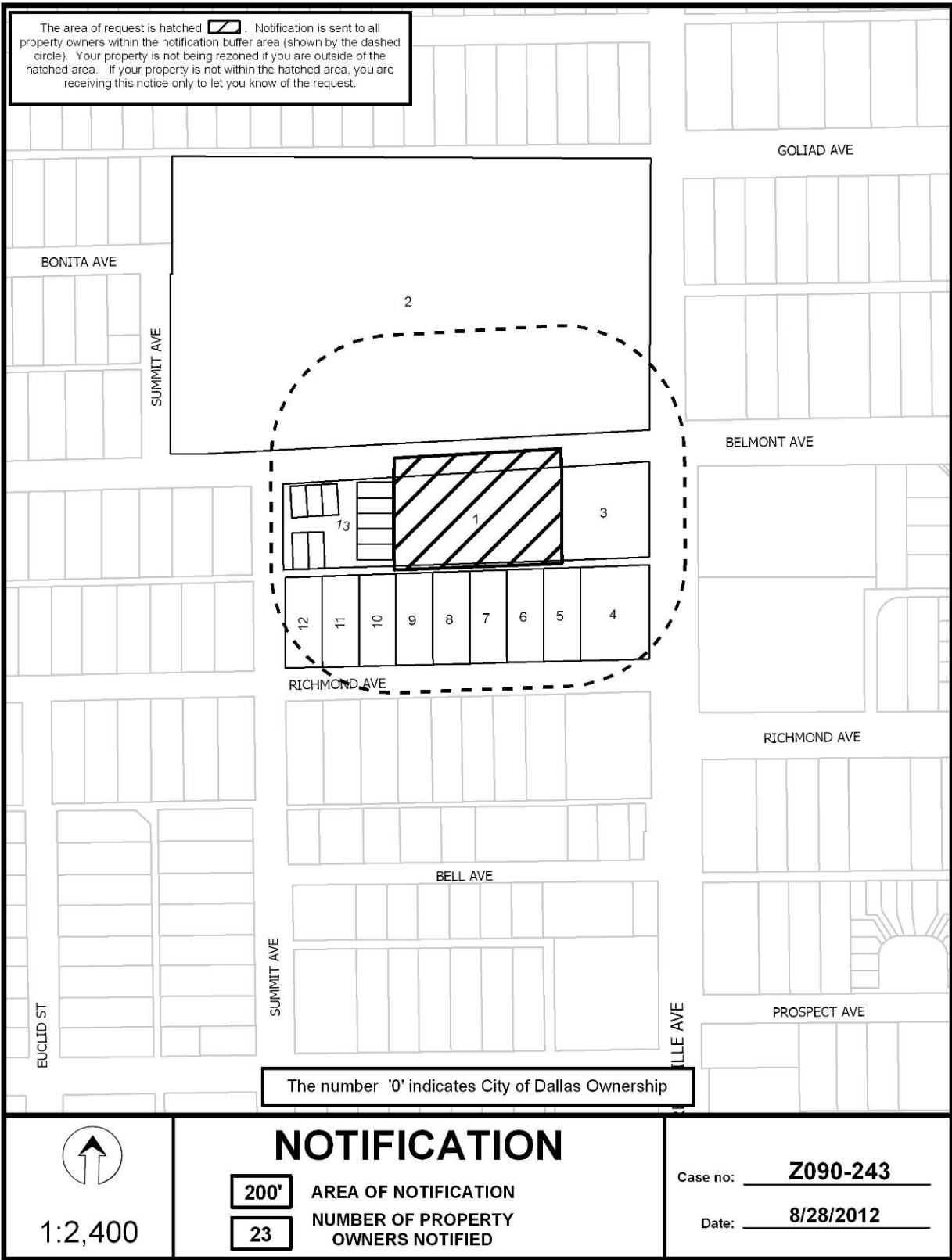




ZONING AND LAND USE

Case no: Z090-243
Date: 8/28/2012





8/28/2012

Notification List of Property Owners

Z090-243

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5606 BELMONT AVE	U S POSTAL SERVICE
2	5619 BELMONT AVE	ESC II LP ATTN JEAN FUKUDA
3	2237 GREENVILLE AVE	QUIK WAY RETAIL AS II LTD
4	2203 GREENVILLE AVE	JOE LING FOO
5	5637 RICHMOND AVE	GRADY KRISTEN ANNE
6	5631 RICHMOND AVE	KOHLER KEVIN C & SUZANNE R KOHLER
7	5627 RICHMOND AVE	REDDING TRACI LYN
8	5623 RICHMOND AVE	COMERFORD PAUL MICHAEL & KIMBERLY ANN
9	5617 RICHMOND AVE	SANDERSON JEROME E
10	5611 RICHMOND AVE	JOHNSON WILLIAM A
11	5607 RICHMOND AVE	LORINCE KAREN K
12	5603 RICHMOND AVE	SAYKLAY RICHARD A
13	5626 BELMONT AVE	SUMMIT BELMONT HOMEOWNERS ASSN INC
14	5620 BELMONT AVE	WHITE ANGELA P
15	5620 BELMONT AVE	SCHULTE PAMELA UNIT 2
16	5620 BELMONT AVE	SHAW ALBANY R & EARL D JR
17	5620 BELMONT AVE	COUSINS WILLIAM R & RENEE NAQUIN
18	5620 BELMONT AVE	ENGSTROM DUWAYNE II
19	5620 BELMONT AVE	MOSELEY LESLYE E
20	5620 BELMONT AVE	HAWPE JEREMY W UNIT 5
21	5620 BELMONT AVE	NEVES SUSAN MELISSA
22	5620 BELMONT AVE	KENSIC CHRISTINA R
23	5620 BELMONT AVE	SAMUELSON RICHARD T UNIT 8

Planner: Warren F. Ellis

FILE NUMBER: Z112-233(WE) **DATE FILED:** May 7, 2012
LOCATION: South side of Bandera Avenue, between Turtle Creek
Boulevard and Hillcrest Road
COUNCIL DISTRICT: 13 **MAPSCO:** 25-V
SIZE OF REQUEST: Approx. 2.25 acres **CENSUS TRACT:** 77.00

APPLICANT / OWNER: Champion Northwest, LLC

REPRESENTATIVE: MASTERPLAN
Maxwell Fisher

REQUEST: An application for a Planned Development District for MF-3(A) Multifamily District uses on property zoned a CR Community Retail District.

SUMMARY: The purpose of this request is to permit the construction of a 180-unit multifamily development. The proposed Planned Development District will allow for several modifications to the typical development standards and regulations of an MF-3(A) District, such as setbacks, urban form setback, lot coverage, tower spacing, and residential proximity slope.

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

BACKGROUND INFORMATION:

- The applicant’s request for a Planned Development District for MF-3(A) Multifamily District uses will allow for a construction of a five story, 180-unit multifamily development.
- The request site is developed with three office buildings on a tract of land that divides the site in half by an access and utility easement.
- The surrounding land uses consist of retail and personal services, an electrical substation and multifamily.

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

1. Z101-363 On May 23, 2012, the City Council approved an amendment to Planned Development District No. 766 for a CR Community Retail District.
2. Z101-222 On June 22, 2011, the City Council approved a Planned Development District for a Mini-warehouse and CR Community Retail District Uses on property zoned a CR Community Retail District.
3. Z067-276 On September 26, 2007, the City Council approved a Planned Development District for CR Community Retail District uses on property zoned an MC Multiple Commercial District and a CR Community Retail District.
4. Z045-135 On April 13, 2005, the City Council approved an MF-3(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the southeast corner of Turtle Creek Boulevard and Bandera Avenue.
5. B056-223 On October 18, 2006, the Board of Adjustment Panel B granted a variance to the front yard setback regulations of 14 feet at 8616 Turtle Creek Boulevard.
6. B067-054 On April 18, 2007, the Board of Adjustment Panel B granted an alternative landscape plan

as a special exception to the landscape requirements and denied without prejudice a variance to the floor area ratio and the height regulation of 15 feet, eight inches.

7. B067-098

On August 15, 2007, the Board of Adjustment Panel B recommended denial without prejudice of a variance to the height regulations of 15 feet, 8-1/2 inches at 8623 Hillcrest Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bandera Avenue	Local Street	30 ft.	30 ft.

Land Use:

	Zoning	Land Use
Site	CR	Offices
North	LO-1 w/SUP 307, MF-1(A)	Multifamily, Office
South	CR, PDD No. 854	Retail, Undeveloped
East	PDD No.766	Retail and personal service uses
West	CR	Electrical substation, Multifamily

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

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 2.25 acre site is developed with three vacant office buildings on a tract of land that divides the site in half by an access and utility easement. The applicant is proposing to redevelop a portion of the tract with a five story, 180-unit multifamily development. The applicant’s request for a Planned Development District for MF-3(A) Multifamily District uses will limit the site’s development to certain residential uses, which includes multifamily, retirement housing and a group residential facility. In addition, the applicant is requesting several modifications to the MF-3(A) Multifamily District development standards and regulations in the Planned Development District. These modifications include the reduction in the front and rear yard setbacks, elimination of the urban form setback, exemption of the residential proximity slope and an increase in the lot coverage. The applicant’s requested land use is consistent with multifamily development to the west and southwest of the request site and to the north of Bandera Avenue.

The proposed multifamily development will be developed within an internal tract of land that does not have an identifiable street frontage. Bandera Avenue and N.W. Highway Plaza are contiguous to the site and connect the site to Hillcrest and Northwest

Highway. However, while named, these are access and utility easements. Bandera Avenue is classified as an alley easement and N.W. Highway Plaza is a 40-foot wide access and utility easement. The PDD conceptual plan and conditions will establish setbacks from these drives.

In April of 2005 the City Council approved an MF-3(A) Multifamily District to the west of the subject site subject to deed restrictions volunteered by the applicant. The deed restrictions limited height to 60 ft, measured to the mid line of the roof, and limited permitted uses to multifamily and local utilities. That property is now developed with a 5 story, 90 unit condominium project. In August 2012, Planned Development District No. 766 east of the request site was amended to provide for parking reductions which allowed for additional retail and personal services floor area which otherwise would have to be utilized as office floor area. The applicant is requesting a density of approximately 72 units to the acre. The development that resulted from the 2005 case to the west is approximately 67 units to the acre. The older condominium development to the southwest is approximately 51 units to the acre

Staff is concerned that the proposed zoning change could have additional impact at peak times on traffic in the area which currently has severe traffic issues, particular at the Hillcrest and Northwest Highway intersection. However, staff acknowledges that the office buildings currently on the site, if fully occupied, could have a similar impact. While retail development on the site, more consistent with the current CR zoning, would generate more trips, the majority of them would occur at off-peak times.

Staff’s recommendation of approval is contingent on staff recommended conditions which include restrictions on height and density similar to what was developed to the west. On a zoning request of this size staff would have also preferred a detailed development plan be submitted with the request.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CR - existing Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
MF-3(A) – development standards	15'	10' Urban Form	Min lot 6,000 sq. ft. 450 sq ft – E 500 sq. ft – 1 BR 550 sq ft – 2 BR +50 sq ft each add BR	90'	60%	Proximity Slope U-form setback Tower spacing	Multifamily
Proposed PDD for MF-3(A) Multifamily	15'	5/10'	180 units or 80du/acre	66'	75%		Multifamily, Retirement housing,

Landscaping: Landscaping of any development will be in accordance with landscaping requirements in Article X, as amended. Plant materials must be maintained in a healthy, growing condition. The applicant has agreed to buffer the three story condominium development to the southwest with trees on 25 foot centers.

LIST OF OFFICERS
Champion Northwest, LLC,

- Jeffrey I. Swoope – President
- Stephen M. Modory – Vice President

PROPOSED PDD CONDITIONS

PROPOSED PDD CONDITIONS

ARTICLE ____

PD ____

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

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

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

PD _____ is established on property located on the south side of Bandera Avenue, between Turtle Creek Boulevard and Hillcrest Road. The size of PD _____ is approximately 2.25 acres.

SEC. 51P-____.103 DEFINITIONS AND INTERPRETATIONS

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

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

Staff

(1) **BLADE SIGN** is a sign projecting perpendicularly from a main building façade, visible from both sides, and made of rigid or soft materials and is not internally illuminated.

Applicant

(1) **BLADE SIGN** is a sign projecting perpendicularly from a main building façade, visible from both sides, and made of rigid or soft materials.

(2) **STOOP** means a small porch leading to the entrance of a residence.

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

Staff Recommendation

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

Applicant's Proposal

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

SEC. 51P- ____.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit __A: conceptual plan.

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

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

SEC. 51P- ____.106. DEVELOPMENT PLAN

Staff's Recommendation

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.

Applicant's Proposal

Development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. Development plans may be submitted in phases. 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.

The following main uses are the only main uses permitted:

- (1) Residential uses.
 - Multifamily.
 - Retirement housing.
- (2) Utility and public service uses.

- Local utilities.
- Tower/antenna for cellular communication.

SEC. 51P-____.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 outside display of merchandise.
- Accessory outside sale
- Accessory pathological waste incinerator.

(c) The following accessory uses are permitted by SUP only:

- Accessory helistop.
- Amateur communication tower

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

Staff recommendation:

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-3(A) Multifamily District apply.

(b) Required yard.

(1) For residential uses, the minimum building setbacks are as reflected on the Conceptual Plan identified as Exhibit ____.

(2) For residential uses, balconies, bay windows, awnings, patios and stoops affixed to the building or part of the foundation may project up to five feet into required yards, except that balconies are prohibited on the western elevation of buildings on Lot 3. Such elements may not project into easements.

(c) Dwelling unit density. For multifamily uses, maximum number of units is 170.

(d) Height. Maximum height is 60 feet.

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

Applicant's Proposal

(b) Required yard.

(1) For residential uses, the minimum building setbacks are as reflected on the Conceptual Plan identified as Exhibit ____.

(2) For residential uses, balconies, bay windows, awnings, patios, signs, and entryways affixed to the building or part of the foundation may project up to five feet into required yards, except that balconies are prohibited on the western elevation facing and immediately adjacent to 8610 Turtle Creek Boulevard. Balconies and aforementioned projections are permitted on all elevations facing the internal courtyard, including those on western elevations facing 8610 Turtle Creek Boulevard, yet separated by a courtyard. Stoops, retaining walls, benches, pots, raised planters, sculptures, cabanas and other decorative landscape items may be located within the required setback with no projection limitation.

(3) Urban Form setback. No urban form setback is required.

(c) Dwelling unit density. For multifamily uses, maximum number of units is 180.

(d) Height. Maximum height is 72.5 feet.

(e) Floor area. For non-residential uses, maximum floor area is 54,886 square feet.

(f) Lot coverage. Maximum lot coverage is 75 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground structures are not.

SEC. 51P-__109. OFF-STREET PARKING

(a) 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

(b) One space for each bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

- (c) For multifamily uses, tandem parking is permitted.
- (d) Angled parking is permitted on Bandera Avenue and is counted toward the required off-street parking requirements.

Applicant's Proposal

- (a) For multifamily uses, a minimum of one parking space per bedroom is required. In no case, however, shall the overall minimum parking requirement exceed 1.5 parking spaces per unit. No additional parking is required for accessory uses to a multifamily use.
- (b) Tandem parking is permitted for multifamily residents only.
- (c) The existing parking spaces along Bandera Avenue shall be included is counted in the overall parking calculation

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

See Article VI.

SEC. 51P-___.111. LANDSCAPING

- (a) Landscaping must be provided in accordance with Article X.
- (b) All plant materials must be maintained in a healthy, growing condition at all times.

Staff's Recommendation

- (c) On lot 3, One tree shall be provided for each 25 feet of side yard adjacent to the west property line.

Applicant's Proposal

- (c) One tree shall be provided for each 25 feet of side yard adjacent to the condominiums as generally shown on Exhibit ____.

SEC. 51P-___.112. SIGNS.

- (a) In general. Except as provided in the district, all signs must comply with the provisions for business zoning districts in Article VII.

Staff's Recommendation

- (a) ~~For multifamily uses, two blade sign are permitted.~~
- (b) ~~Effective area. Maximum effective area is 72 square feet.~~

~~(c) A blade sign may project up to 4 feet in the required yard.~~

Applicant's Proposal

- (a) For multifamily uses, two blade sign are permitted.
- (b) Effective area. Maximum effective area is 72 square feet.
- (c) A blade sign may project up to 4 feet in the required yard.

Staff's recommendation – No Land use rationale

~~**SEC. 51P-____.114. EXTERIOR BUILDING MATERIALS.**~~

~~(a) The exterior materials of the building elevations shall be comprised of no less than 70% masonry. Masonry includes stone, brick, concrete, hollow clay tile, cementitious fiber ding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.~~

Applicant's Proposal

SEC. 51P-____.114. EXTERIOR BUILDING MATERIALS.

(a) The exterior materials of the building elevations shall be comprised of no less than 70 percent masonry. Masonry includes stone, brick, concrete, hollow clay tile, cementitious fiber siding, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.

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

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

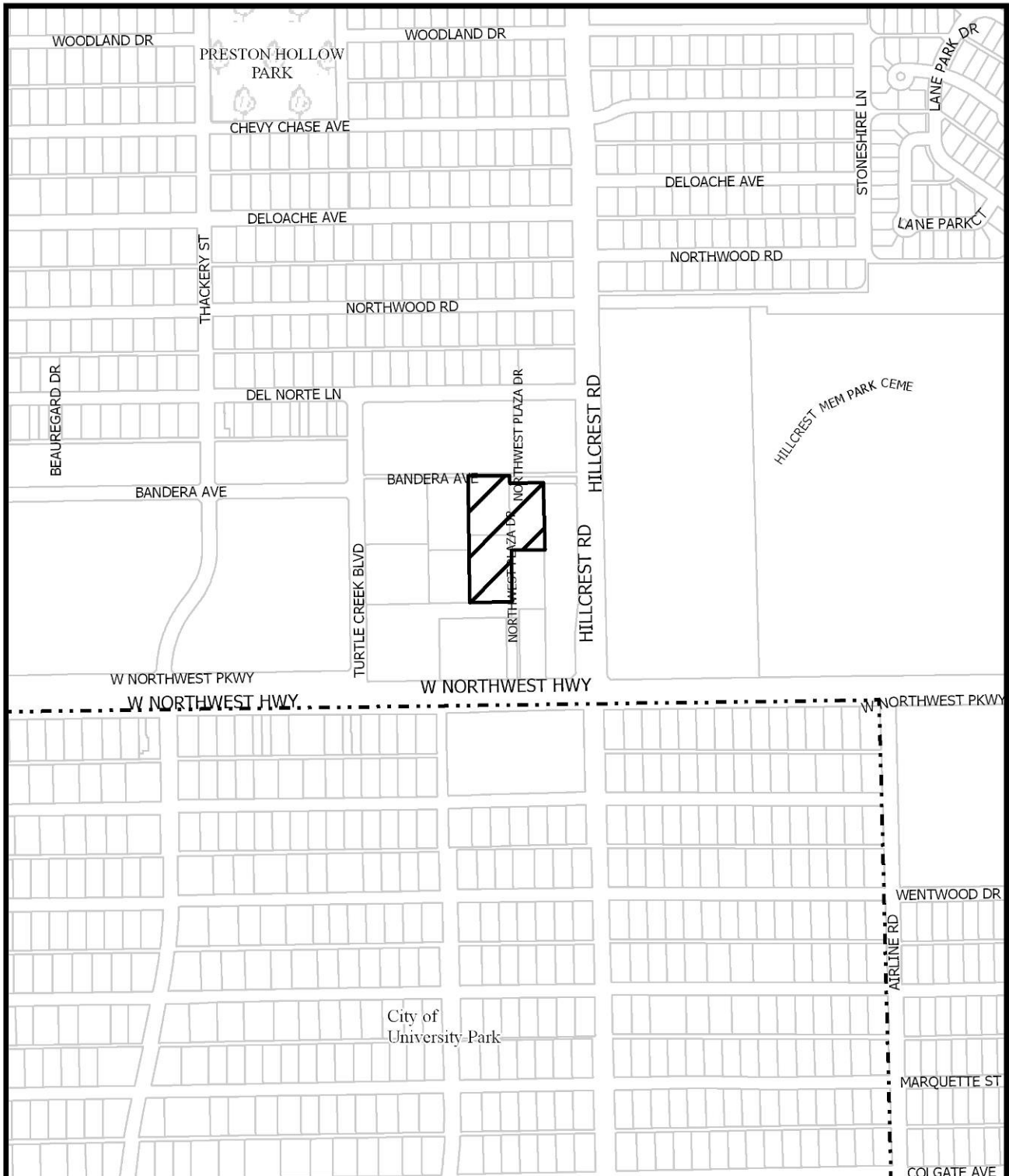
SEC. 51P-____.115. COMPLIANCE WITH CONDITIONS.

- (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, 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.



Aerial of Request Site

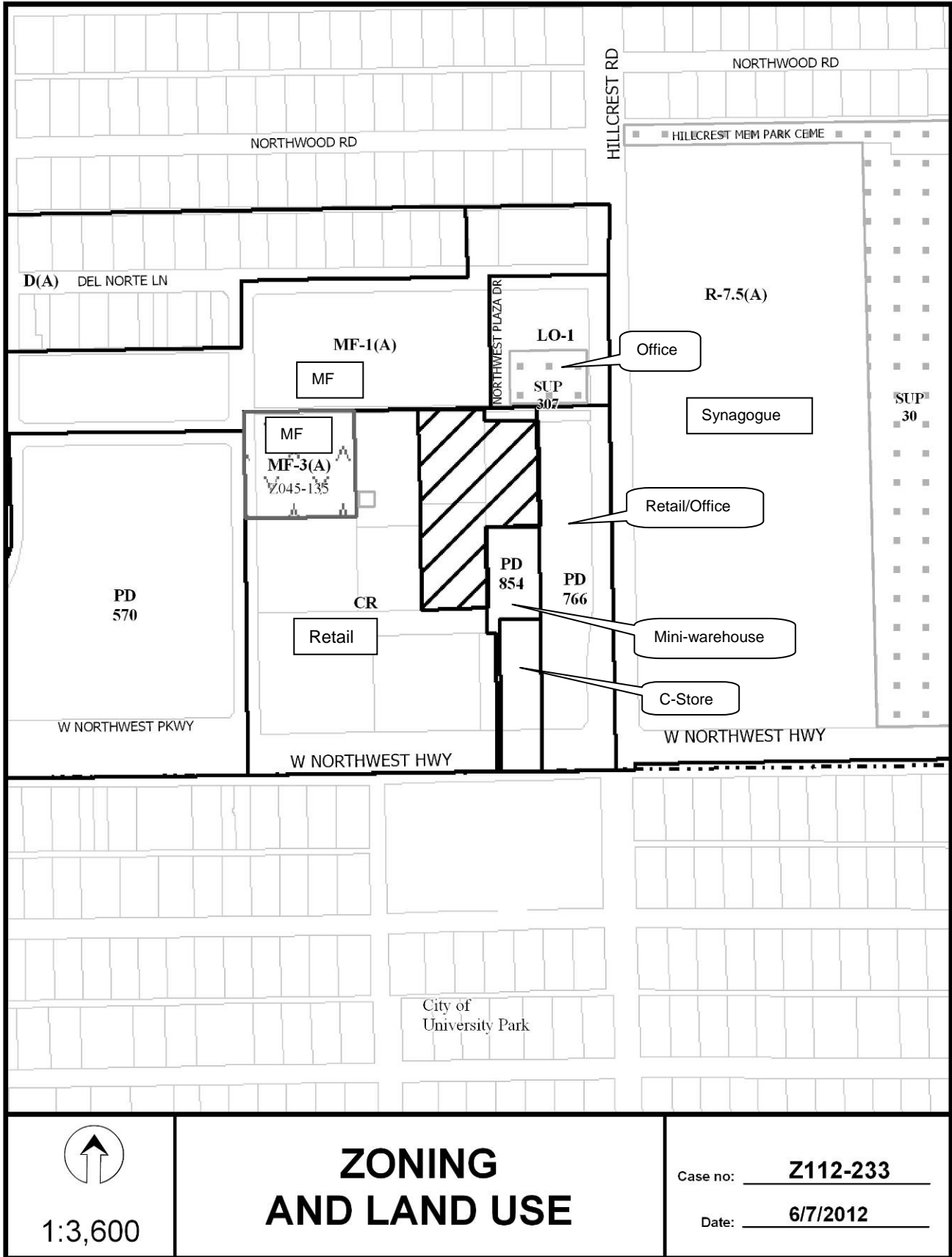


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VICINITY MAP

Case no: **Z112-233**

Date: **6/7/2012**

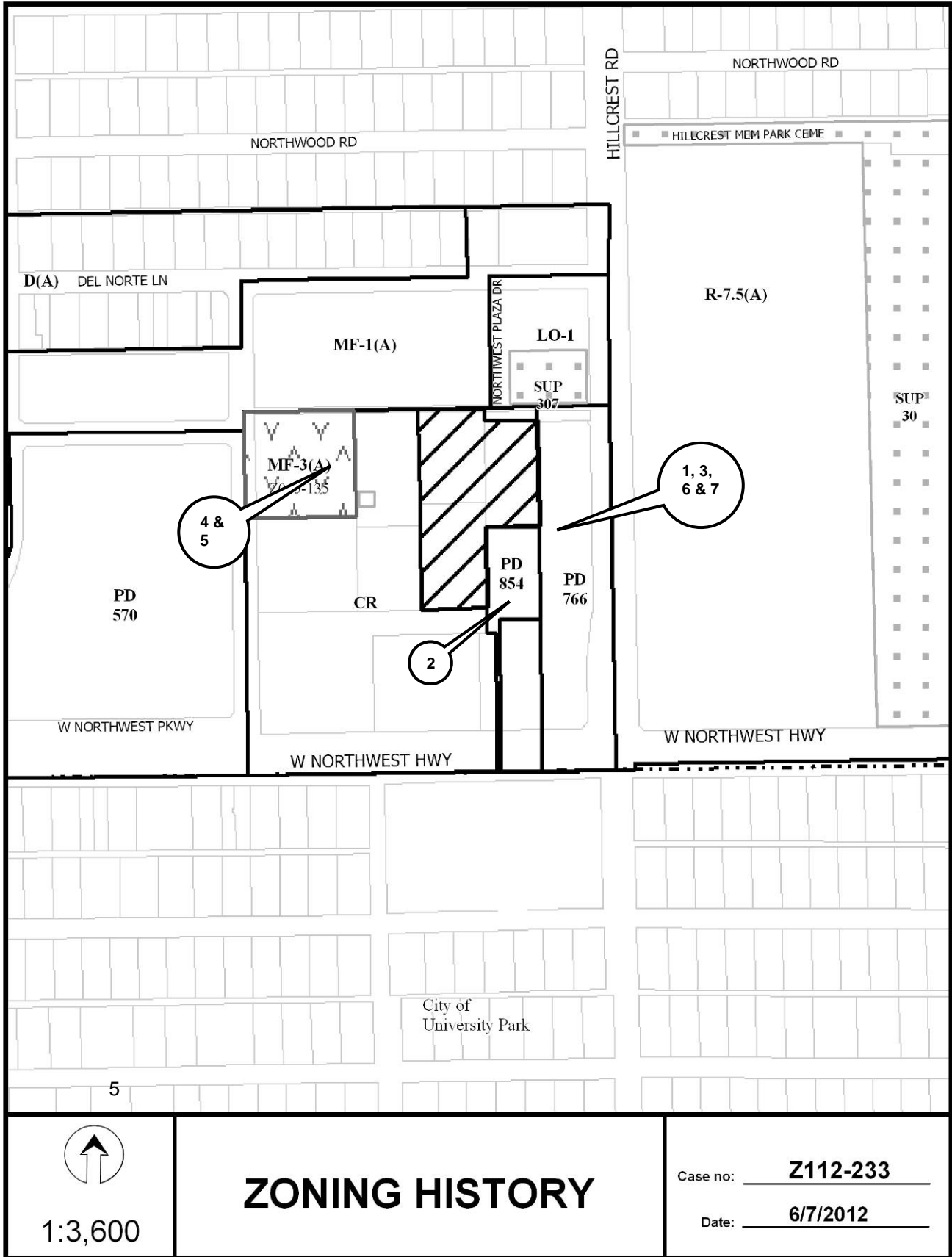


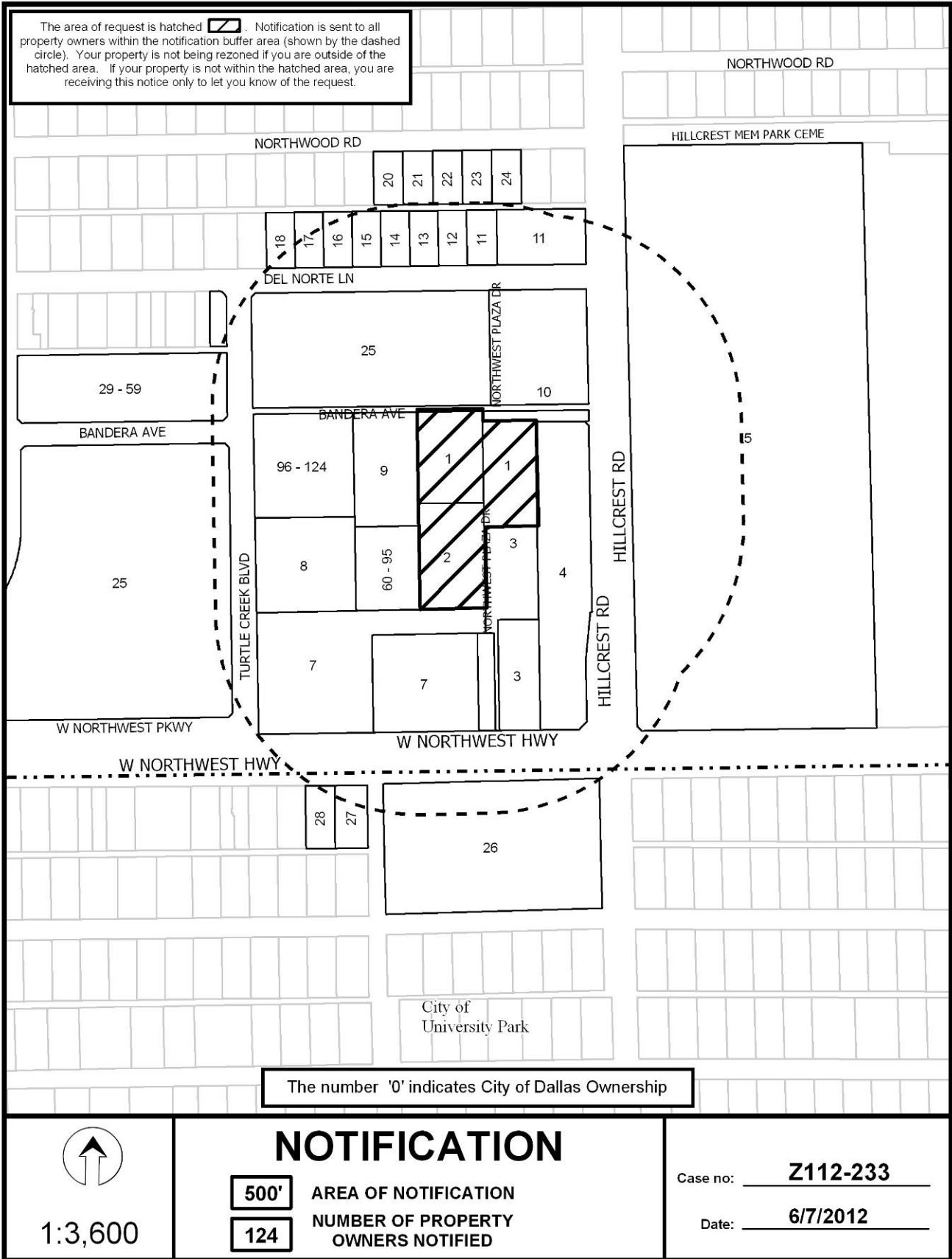
1:3,600

ZONING AND LAND USE

Case no: Z112-233

Date: 6/7/2012





Notification List of Property Owners

Z112-233

124 Property Owners Notified

Label #	Address	Owner
1	8617 NORTHWEST PLAZA DR	CHAMPION NORTHWEST LLC STE 410
2	8609 NORTHWEST PLAZA DR	CHAMPION NW LLC STE 410
3	6833 NORTHWEST HWY	FAIRWAY CAPITAL PARTNERS LTD % CRESTVIEW
4	8501 HILLCREST RD	CFO DT LLC % LIONSTONE US LAND ONE LP
5	7323 NORTHWEST	CONGREGATION EMANUEL
6	6831 NORTHWEST HWY	PRESTON CENTER EAST JV ONE BROOKRIVER CE
7	6823 NORTHWEST HWY	FAIRWAY CAPITAL % CRESTVIEW REAL ESTATE
8	8604 TURTLE CREEK BLVD	U S POSTAL SERVICE FACILITIES
9	8611 TURTLE CREEK BLVD	TEXAS UTILITIES ELEC CO % STATE & LOCAL
10	8643 HILLCREST RD	SOUTHWESTERN BELL SBC COMM INC PPTY TAX
11	6827 DEL NORTE LN	CORRIGAN HOLDINGS INC % INTERCITY INV PP
12	6809 DEL NORTE LN	MARSHALL JOHN H &
13	6801 DEL NORTE LN	280 PRESTON LLC
14	6729 DEL NORTE LN	CUTCHER JOSEPH W
15	6723 DEL NORTE LN	SNIDER MARION B
16	6719 DEL NORTE LN	MAY MELINDA J & JOYCE E MAY
17	6715 DEL NORTE LN	BLAYLOCK SUZANNE
18	6705 DEL NORTE LN	INTERRANTE ANTHONY J & MARY K
19	6638 DEL NORTE LN	SANCHEZ REYNALDO C
20	6732 NORTHWOOD RD	JACOBSEN ALLISON F
21	6804 NORTHWOOD RD	MAST HEIDI C & JOERG MAST
22	6810 NORTHWOOD RD	JOHNSON BRAD G & STEPHANIE A
23	6816 NORTHWOOD RD	CARTER NANCY A
24	6822 NORTHWOOD RD	THOMAS PAUL L
25	6800 DEL NORTE LN	INTERCITY INVESTMENTS PROPERTIES INC
26	3400 VILLANOVA DR	UNIVERSITY PARK CITY OF

6/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	8415 TURTLE CREEK BLVD	JOHNSTON RANDOLPH G JR & CARY L
28	3505 NORTHWEST PKWY	CLARKSON IDA
29	6605 BANDERA ST	LAIN DANNY B & SARA K UNIT 1A
30	6605 BANDERA ST	HICKMAN BETSY B
31	6605 BANDERA ST	GLUCK MARTIN R & SUSAN B BLDG 6605 UNIT
32	6605 BANDERA ST	DUNN PETER A
33	6605 BANDERA ST	SG HEALTH GROUP LLC
34	6605 BANDERA ST	POWERS DAVID LEON BLDG 6605 UNIT 1F
35	6605 BANDERA ST	BOND WILLIAM M UNIT 2A
36	6605 BANDERA ST	TEEGARDEN DAVID KENT & SUZANNE HARRIS TE
37	6605 BANDERA ST	WYSONG KATHARINE L
38	6605 BANDERA ST	WOOLDRIDGE KAREN A
39	6605 BANDERA ST	SIDERIS DINO G UNIT 2E
40	6605 BANDERA ST	LERMAN MELVYN & ELAINE BLDG 6605 UNIT 2F
41	6605 BANDERA ST	DEVRIES WILLEML J & ASA C
42	6605 BANDERA ST	STETSON ROBERT J & STETSON CYNTHIA B
43	6615 BANDERA ST	DREXEL DEV CO LLC SUITE 900
44	6615 BANDERA ST	JACOBS DAVID M & JACOBS CHER
45	6615 BANDERA ST	RIVERA ELIZABETH
46	6615 BANDERA ST	BROWN FORREST C
47	6615 BANDERA ST	JORDAN JANET G TRUSTEE JANET G JORDAN DY
48	6615 BANDERA ST	POGOLOFF ISABEL M
49	6615 BANDERA ST	MICHELS KURT S & JESSICA M
50	6615 BANDERA ST	IKPH 2010 LLC %E JOHN JUSTEMA
51	6615 BANDERA ST	ACKERMAN NEEL B & ACKERMAN MARTHA N
52	6625 BANDERA ST	BARTON BENNY M
53	6625 BANDERA ST	HERMAN JESALEXIS APT 1B
54	6625 BANDERA ST	BRODSKY LOTTYE
55	6625 BANDERA ST	LOVELL DANIEL S & AMBER C
56	6625 BANDERA ST	CURRY SIDNEY M & CATHY H
57	6625 BANDERA ST	CONNELL B ALLEN & KATHLEEN C

6/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	6625 BANDERA ST	LISOTTA ANTHONY C SR & RUTH A
59	6625 BANDERA ST	RIGNEY ONESIA
60	8610 TURTLE CREEK BLVD	AGUILLON BRENDA S
61	8610 TURTLE CREEK BLVD	KING RACHEL L # 102
62	8610 TURTLE CREEK BLVD	ECHOLS THOMAS M & ANNA C # 103
63	8610 TURTLE CREEK BLVD	RUTLEDGE NANCY OLDS
64	8610 TURTLE CREEK BLVD	GRIPPY FRANK EUGENE # 306
65	8610 TURTLE CREEK BLVD	FENTON ALBERT B & JANEY B FENTON
66	8610 TURTLE CREEK BLVD	HAYNES JOAN E # 107
67	8610 TURTLE CREEK BLVD	SMITH SUSAN H UNIT 108
68	8610 TURTLE CREEK BLVD	HERMANN KELLY UNIT 109
69	8610 TURTLE CREEK BLVD	JOLLEY REBECCA RENEE
70	8610 TURTLE CREEK BLVD	HUMPHRIES BARBARA JO UNIT 111
71	8610 TURTLE CREEK BLVD	GILLET MARILYN M TR #112
72	8610 TURTLE CREEK BLVD	SMITH MITCHELL P & SANDRA JEAN SMITH #2
73	8610 TURTLE CREEK BLVD	BROWN CONNIE J
74	8610 TURTLE CREEK BLVD	COLLIE GRIFFIN W
75	8610 TURTLE CREEK BLVD	BALDWIN SANDRA DILLMAN # 204
76	8610 TURTLE CREEK BLVD	RENFRO SHERRILL A UNIT 205
77	8610 TURTLE CREEK BLVD	WATTS SUE ELLEN
78	8610 TURTLE CREEK BLVD	BOBO ROBERT UNIT 201
79	8610 TURTLE CREEK BLVD	MEYER LINDA W UNIT 208
80	8610 TURTLE CREEK BLVD	MCCASLIN RAMONA R
81	8610 TURTLE CREEK BLVD	LEHMAN ASHLEY REID UNIT 210 BLDG A
82	8610 TURTLE CREEK BLVD	WHEATLEY PAMELA H
83	8610 TURTLE CREEK BLVD	SMITH C DOUGLAS UNIT 212
84	8610 TURTLE CREEK BLVD	PHILPOT R JURHEE # 301
85	8610 TURTLE CREEK BLVD	FLOYD LINDA S UNIT 302
86	8610 TURTLE CREEK BLVD	RUSSELL GEORGE & HEATHER UNIT 303
87	8610 TURTLE CREEK BLVD	JUSTISS LAURA K
88	8610 TURTLE CREEK BLVD	AUGUSTIN MARY BETH

6/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	8610 TURTLE CREEK BLVD	OVERBAY JAMES D & FRANK GRIPPY # 30
90	8610 TURTLE CREEK BLVD	LANPHER KATHLEEN
91	8610 TURTLE CREEK BLVD	BOYD CHARLES O #308
92	8610 TURTLE CREEK BLVD	TALIAFERRO SHANNON M # 309
93	8610 TURTLE CREEK BLVD	MONTGOMERY CHARLA UNIT 310
94	8610 TURTLE CREEK BLVD	SMITH C DOUGLAS APT 212
95	8610 TURTLE CREEK BLVD	ROBINSON JOHN M # 312
96	8616 TURTLE CREEK BLVD	ONEAL DON M & MARY ANN M UNIT 100
97	8616 TURTLE CREEK BLVD	PRESTON HOLLOW PTRS LP %GRI PRESTON HOLL
98	8616 TURTLE CREEK BLVD	CHURCH OMA #102
99	8616 TURTLE CREEK BLVD	GIROIR FREIDA T & GIROIR BRETT P
100	8616 TURTLE CREEK BLVD	MACKAY OLENE M #201
101	8616 TURTLE CREEK BLVD	EVANS G RANDALL & DOLORES J
102	8616 TURTLE CREEK BLVD	FACTOR DENNIS J & FREDYE UNIT 209
103	8616 TURTLE CREEK BLVD	ROGERS CHARLES 211
104	8616 TURTLE CREEK BLVD	CASAZZA JEAN K # 215
105	8616 TURTLE CREEK BLVD	DEAN DIANA DANIELLE IRREVOCABLE TRUST DE
106	8616 TURTLE CREEK BLVD	HUNGERFORD BEVERLY ANN UNIT 224
107	8616 TURTLE CREEK BLVD	NGUYEN NICOLE N UNIT 300
108	8616 TURTLE CREEK BLVD	COVENEY JACQUELINE A #301
109	8616 TURTLE CREEK BLVD	WRIGHT RICHARD H & SHERRY
110	8616 TURTLE CREEK BLVD	LANIER JOHN A & JUDITH C UNIT 319
111	8616 TURTLE CREEK BLVD	CARRABBA JOSEPH JR #401
112	8616 TURTLE CREEK BLVD	ZADINA RICHARD E & UNIT 403
113	8616 TURTLE CREEK BLVD	DENECHAUD CHARLES & PATRICIA UNI
114	8616 TURTLE CREEK BLVD	JANAK DONALD R & JOAN E #411
115	8616 TURTLE CREEK BLVD	JENKINS MICHAEL #412
116	8616 TURTLE CREEK BLVD	SULLIVAN BARBARA B # 423
117	8616 TURTLE CREEK BLVD	BREEDLOVE CHARLES &
118	8616 TURTLE CREEK BLVD	SANDERS STEPHEN L & MARY J UNIT 501
119	8616 TURTLE CREEK BLVD	ELLINGTON SHARON L

Z112-233(WE)

6/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	8616 TURTLE CREEK BLVD	PRESTON HOLLOW PARTNERS LP
121	8616 TURTLE CREEK BLVD	LOVETT ALICE R UNIT 510
122	8616 TURTLE CREEK BLVD	LAW ACIE IV
123	8616 TURTLE CREEK BLVD	BRADLEY DEBRA APT #524
124	8616 TURTLE CREEK BLVD	HERMANN HENRY & MARGARET TRUST

DRAFT
CITY PLAN COMMISSION
MEETING SCHEDULE
2013

January	February	March
3 Meeting 10 Off 17 Meeting 24 Off 31	7 Meeting 14 Off 21 Meeting 28 Off	7 Meeting 14 Off(Spring Break) 21 Meeting 28 Off
April	May	June
4 Meeting 11 Off 18 Meeting 25 Off	2 Meeting 9 Off 16 Meeting 23 Off 30 Off	6 Meeting 13 Off 20 Meeting 27 Off
July *	August	September
4 Off 11 Meeting 18 Meeting 25 Off	1 Meeting 8 Off 15 Meeting 22 Off 29 Off	5 Meeting 12 Off 19 Meeting 26 Off
October	November	December
3 Meeting 10 Off 17 Meeting 24 Off 31	7 Meeting 14 Off 21 Meeting 28 Off	5 Meeting 12 Off 19 Meeting 26 Off

*due to the July 4th holiday, staff is suggesting meeting on July 11th and 18th

2013 Holiday Calendar

Tuesday, January 1	New Year's Day Kwanzaa Ends
Monday, January 21	Martin Luther King, Jr. Day
Monday, February 18	Presidents' Day
Monday, March 11 – Friday, March 15	DISD Spring Break
Thursday, March 28	Maundy Thursday (Holy Thursday)
Monday, March 25 – Tuesday, April 2	Passover
Monday, May 27	Memorial Day
Thursday, July 4	Independence Day
Monday, September 2	Labor Day
Wednesday, September 4 – Friday, September 6	Rosh Hashanah
Friday, September 13 – Saturday, September 14	Yom Kippur
Monday, October 14	Columbus Day
Monday, November 11	Veterans Day
Thursday, November 28	Thanksgiving Day
Wednesday, November 27 – Thursday, December 5	Chanukah
Wednesday, December 25	Christmas Day
Thursday, December 26	Kwanzaa Begins