



CITY OF DALLAS
 CITY PLAN COMMISSION
 Thursday, October 18, 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:

Briefing on PD-595 South Dallas Fair Park Authorized Hearing - Z101-277 – A City Plan Commission authorized hearing to consider amendments to Planned Development District 595, amending the standards for certain uses, considering appropriate zoning on certain parcels currently zoned for multifamily and non-residential uses, adding a new single family district classification and a new mixed use form district classification on property zoned Planned Development District No. 595 and an NS(A) Neighborhood Service District generally bound by the Union Pacific (DART) Railroad, the Southern Pacific Railroad, C.F. Hawn Freeway, the D.P.&L. Company easement, Central Expressway (S.M. Wright Freeway), the Southern Pacific Railroad, the Santa Fe Railroad, R.L. Thornton Freeway, 2nd Avenue, Parry Avenue, Robert B. Cullum Boulevard, Fitzhugh Avenue, Gaisford Street, and the common line between City Blocks 1820 and D/1821.

David Cossum, Assistant Director, Sustainable Development and Construction

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket Planner: Paul Nelson

Consent Items:

- (1) **S112-207**
 (CC District 2) An application to replat a 1.931 acre tract of land containing part of Lot 4 and all of Lots 5 through 18 in City Block 2341 into one lot on property located on Cedar Plaza Lane northeast of Cedar Springs Road.
Applicant/Owner: Cedar Plaza Townhomes, LLC.
Surveyor: CBG Surveying, Inc.
Application Filed: September 20, 2012
Zoning: PD 193 (MF-2)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S112-209**
(CC District 3) An application to create a 1.043 acre lot and an 18.358 acre lot from a 19.401 acre tract of land in City Block 8721 located in the vicinity of the northwest corner of Wheatland Road and Clark Road.
Applicant/Owner: WalMart Real Estate Business Trust
Surveyor: Kimley-Horn Associates, Inc.
Application Filed: September 20, 2012
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S112-210**
(CC District 2) An application to replat a 0.620 acre tract of land containing all of Lots 10, 11 and 12 in City Block K/662 into 1 lot located at 4403, 4407, and 4411 Deere Street.
Applicant/Owner: Housing Choices, Inc.
Surveyor: North Texas Surveying, LLC
Application Filed: September 21, 2012
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S112-211**
(CC District 3) An application to create two 4.3471 acre lots from an 8.6949 tract of land in City Block 8031 and located at 5400 and 5450 Crystal Lake Boulevard at Dan Morton Drive.
Applicant/Owner: Raul & Daniel Tarango / U.S. Realty Holdings, Ltd.
Surveyor: Xavier Chapa Engineering & Surveying
Application Filed: September 24, 2012
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S112-212**
(CC District 2) An application to replat all of Lots 1 through 9 in City Block 1/2448 and a tract of land in City Block 5721 into one 3.8421 acre lot on property located at 6102 Maple Avenue.
Applicant/Owner: Tomaino Properties, LP
Surveyor: Votex Surveying Co.
Application Filed: September 25, 2012
Zoning: WR-5
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S112-213**
(CC District 2) An application to create a 0.9598 acre lot from a tract of land in City Block 118 on property located at Young Street at Park Avenue.
Applicant/Owner: First Presbyterian Church of Dallas
Surveyor: Raymond L. Goodson, Inc.
Application Filed: September 25, 2012
Zoning: PD 357, Sub-district 8
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (7) **S112-208**
(CC District 11) An application to replat a 1.00 acre tract of land containing part of Lot 5 in City Block 6/7490 into one lot on property located at 6606 Belmead Drive.
Applicant/Owner: James & Deborah Kissire
Surveyor: CBG Surveying, Inc.
Application Filed: September 20, 2012
Zoning: R-1ac (A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Zoning Cases – Consent

1. **Z112-271(RB)**
Richard Brown
(CC District 7) An application for an amendment to the development plan, landscape plan, and conditions for Planned Development District No. 490 on the southeast corner of Ferguson Road and Peavy Road.
Staff Recommendation: **Approval**, subject to a development plan, landscape plan, traffic management plan and conditions.
Applicant: Bishop Lynch School Building Endowment Trust
Representative: William S. Dahlstrom
2. **Z112-301(RB)**
Richard Brown
(CC District 2) An application for an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District along the northwest line of Mockingbird Lane, northeast of Maple Avenue.
Staff Recommendation: **Approval**
Applicant: Prescott Interests, Ltd.
Representative: Karl Crawley
3. **Z112-270(WE)**
Warren Ellis
(CC District 2) An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned Subarea A of Planned Development District No. 134 on the northwest line of Birch Street, northeast of Carroll Avenue.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Fernando Santos
Representative: Mario V. Saldana

4. **Z112-311(WE)**
Warren Ellis
(CC District 11)

An application for an amendment to Planned Development District No. 773 for multifamily uses on the northwest corner of Montfort Drive and Verde Valley Lane.
Staff Recommendation: **Approval**, subject to a development plan.
Applicant: CDP Development Company, LLC
Representative: Karl Crawley – MASTERPLAN
5. **Z112-182(JH)**
Jennifer Hiromoto
(CC District 14)

An application for a Planned Development Subdistrict for MF-3 Multiple Family uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the southeast corner of Hood Street and Brown Street.
Staff Recommendation: **Approval**, subject to a development plan and conditions with retention of the D Liquor Control Overlay.
Applicant: AERC Turtle Creek, LLC
Representative: Jonathan Vinson
6. **Z112-274(JH)**
Jennifer Hiromoto
(CC District 3)

An application for a Planned Development District for CR Community Retail District on property zoned a CR Community Retail District on the north side of West Wheatland Road and west side of Clark Road.
Staff Recommendation: **Approval**, subject to a development plan, elevations, and conditions.
Applicant: Wal-mart Real Estate Business Trust
Representative: Daniel Miller, Kimley-Horn and Associates, Inc.
7. **Z112-310(JH)**
Jennifer Hiromoto
(CC District 6)

An application for an IR Industrial Research District on property zoned an MU-3 Mixed Use District on the west side of Harry Hines Boulevard, north of Willowbrook Drive.
Staff Recommendation: **Approval**
Applicant: Cesar Padilla
Representative: Fahim Khan, RA
8. **Z112-305(MW)**
Megan Wimer
(CC District 9)

An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Planned Development District No. 7 with a D Liquor Control Overlay on the north side of Centerville Road, southeast of Garland Road.
Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
Applicant/Representative: Sherpa Wangchu, NJS Enterprise, Inc.

Landmark Commission Appeal

CA112-301(CH)

Carolyn Horner
(CC District 14)

An appeal of the Landmark Commission decision to deny Certificate of Appropriateness CA112-301(CH) for installation of new stone front walkway at 6107 Worth Street.

Staff Recommendation: **Denial without prejudice**

Landmark Commission Recommendation: **Denial without prejudice**

Other Matters

Minutes: October 4, 2012

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, October 18, 2012

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, October 18, 2012, City Hall, 1500 Marilla Street, in 5ES, at 9:00 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, OCTOBER 18, 2012

FILE NUMBER: S112-207

Subdivision Administrator: Paul Nelson

LOCATION: Cedar Plaza Lane, northeast of Cedar Springs Road

DATE FILED: September 20, 2012

ZONING: PD 193 (MF-2)

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 1.931 Acre

MAPSCO: 34R

APPLICANT/OWNER: Cedar Plaza Townhomes, LLC.

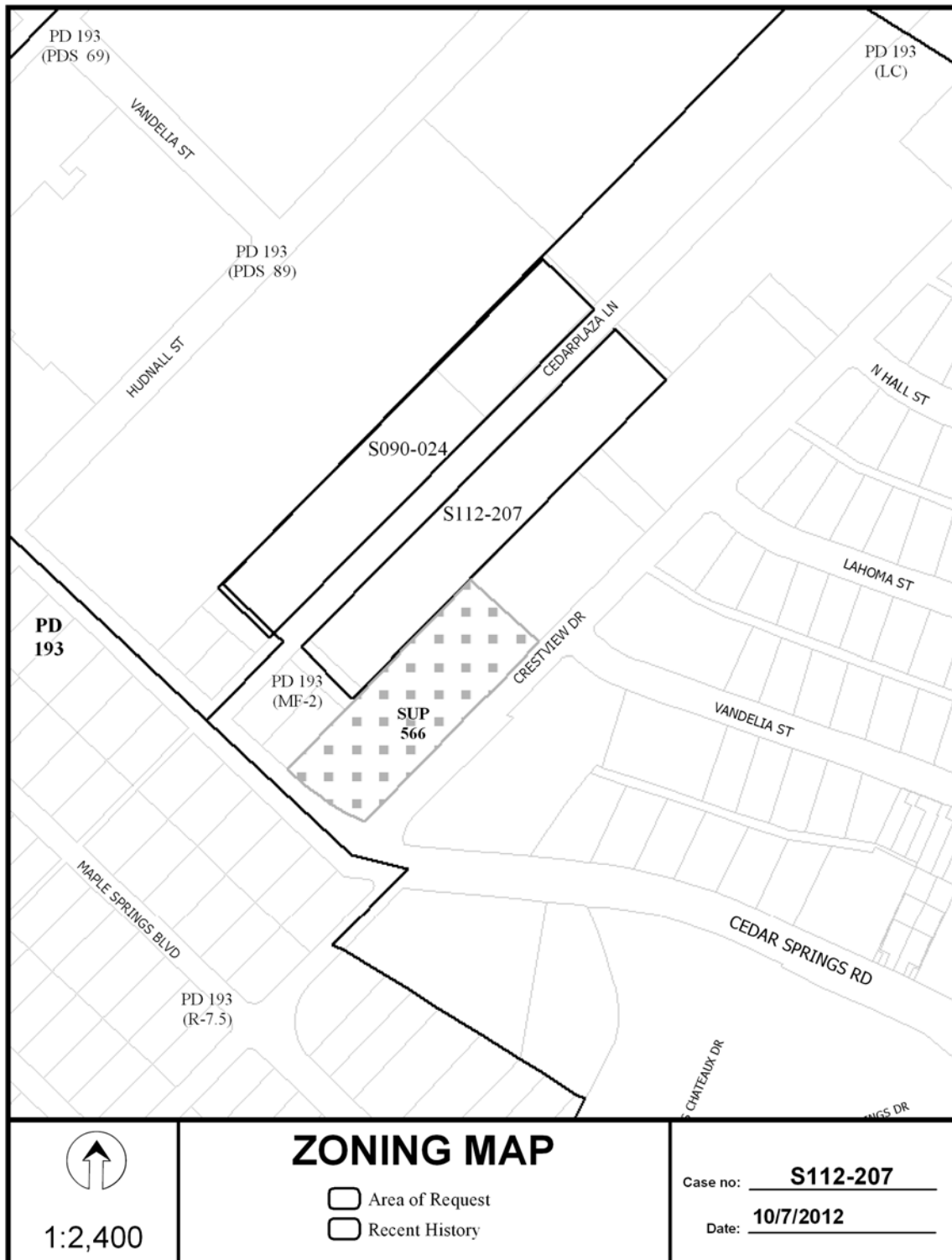
REQUEST: An application to replat a 1.931 acre tract of land containing part of Lot 4 and all of Lots 5 through 18 in City Block 2341 into one lot on property located on Cedar Plaza Lane northeast of Cedar Springs Road.

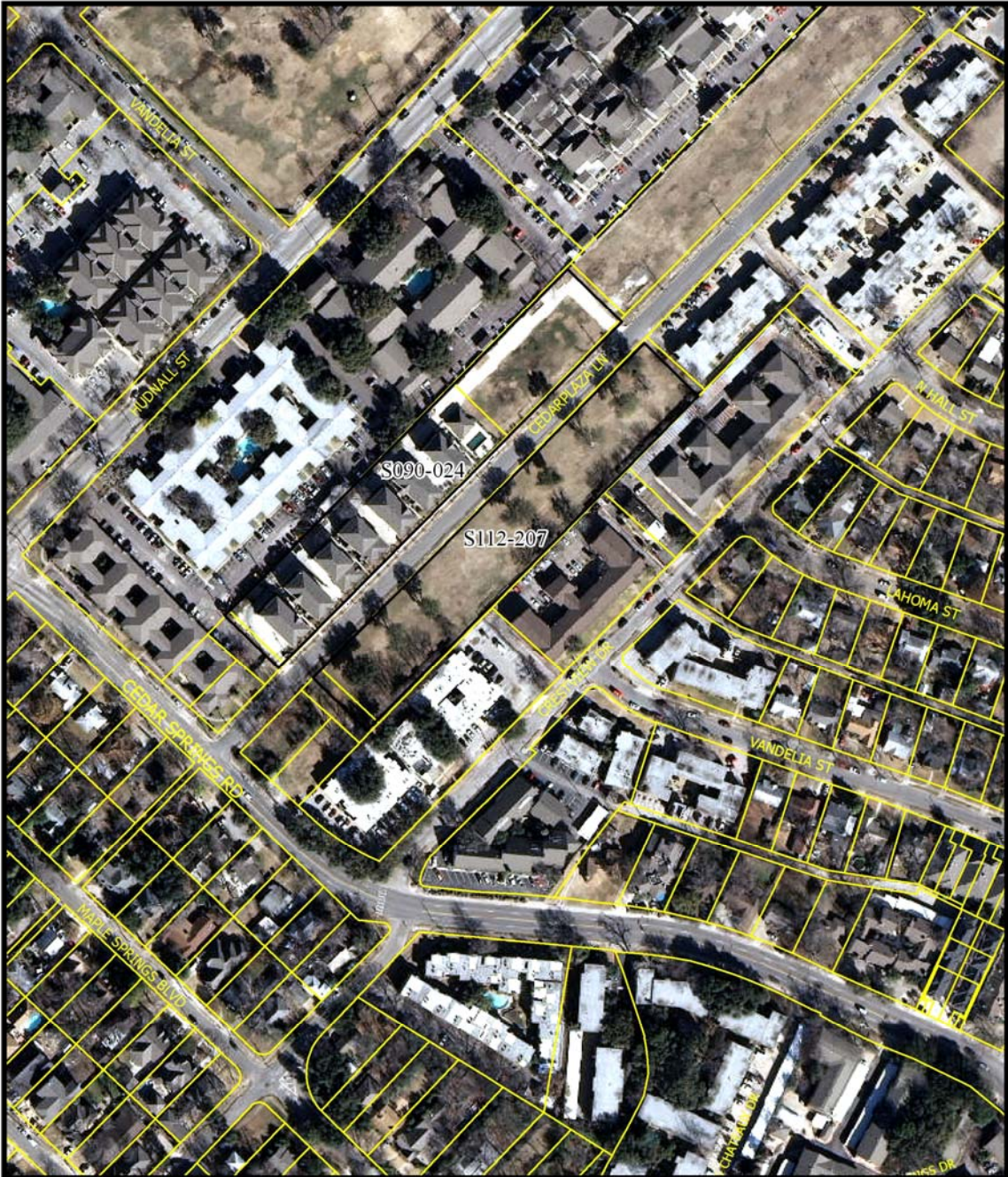
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of the PD 193 (MF-2) 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. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. Water main extension is required by Private Development Contract.
16. On the final plat identify the property as Lot 4A, City Block 2341.





 1:2,400	<h3>AERIAL MAP</h3> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Case no: <u>S112-207</u> Date: <u>10/7/2012</u>
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CITY PLAN COMMISSION

THURSDAY, OCTOBER 18, 2012

FILE NUMBER: S112-209

Subdivision Administrator: Paul Nelson

LOCATION: Wheatland Road and Clark Road, northwest corner

DATE FILED: September 20, 2012

ZONING: CR

CITY COUNCIL DISTRICT: 3 **SIZE OF REQUEST:** 19.401 Acres **MAPSCO:** 71B, C

APPLICANT: Wal Mart Real Estate Business Trust

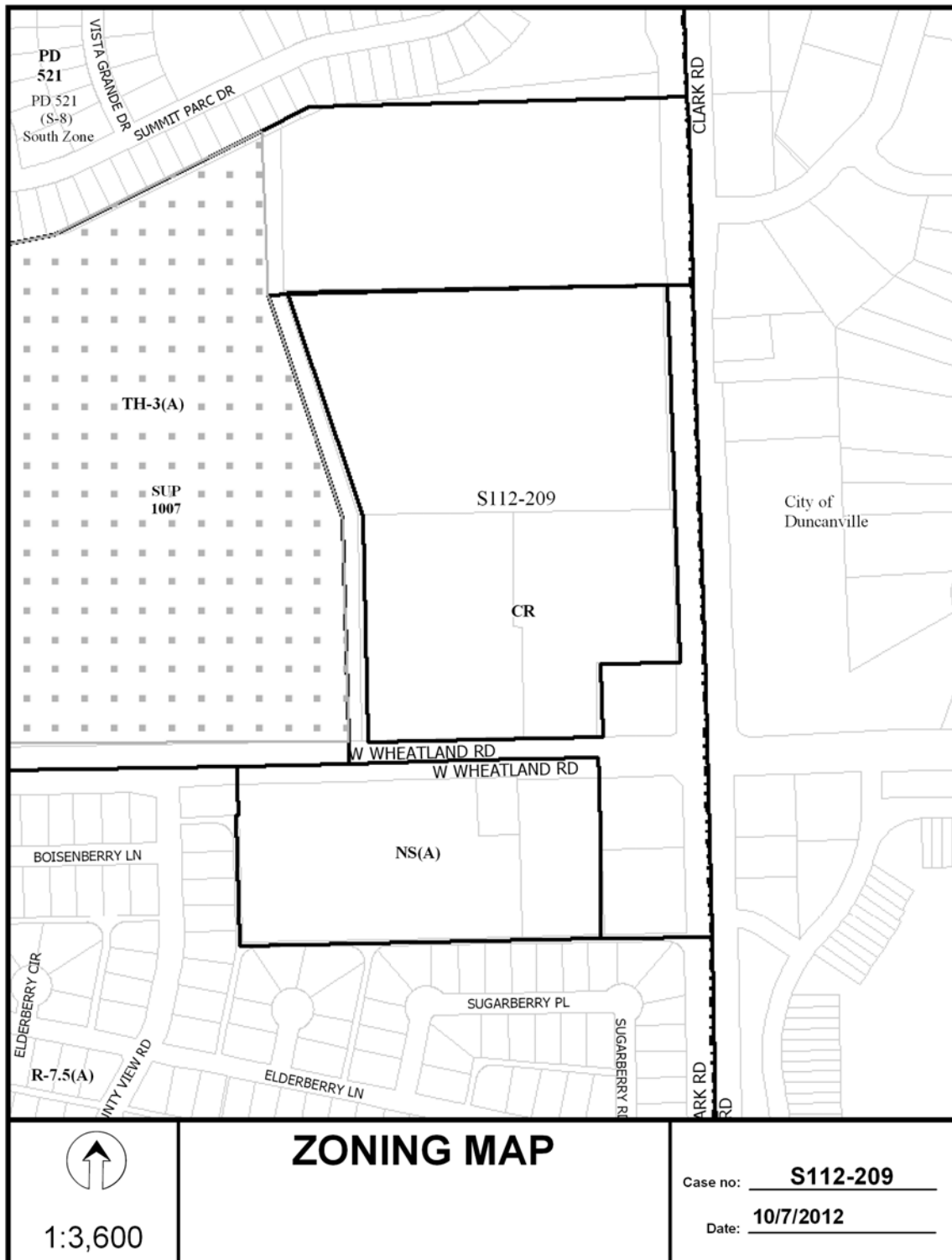
REQUEST: An application to create a 1.043 acre lot and an 18.358 acre lot from a 19.401 acre tract of land in City Block 8721 located in the vicinity of the northwest corner of Wheatland Road and Clark Road.

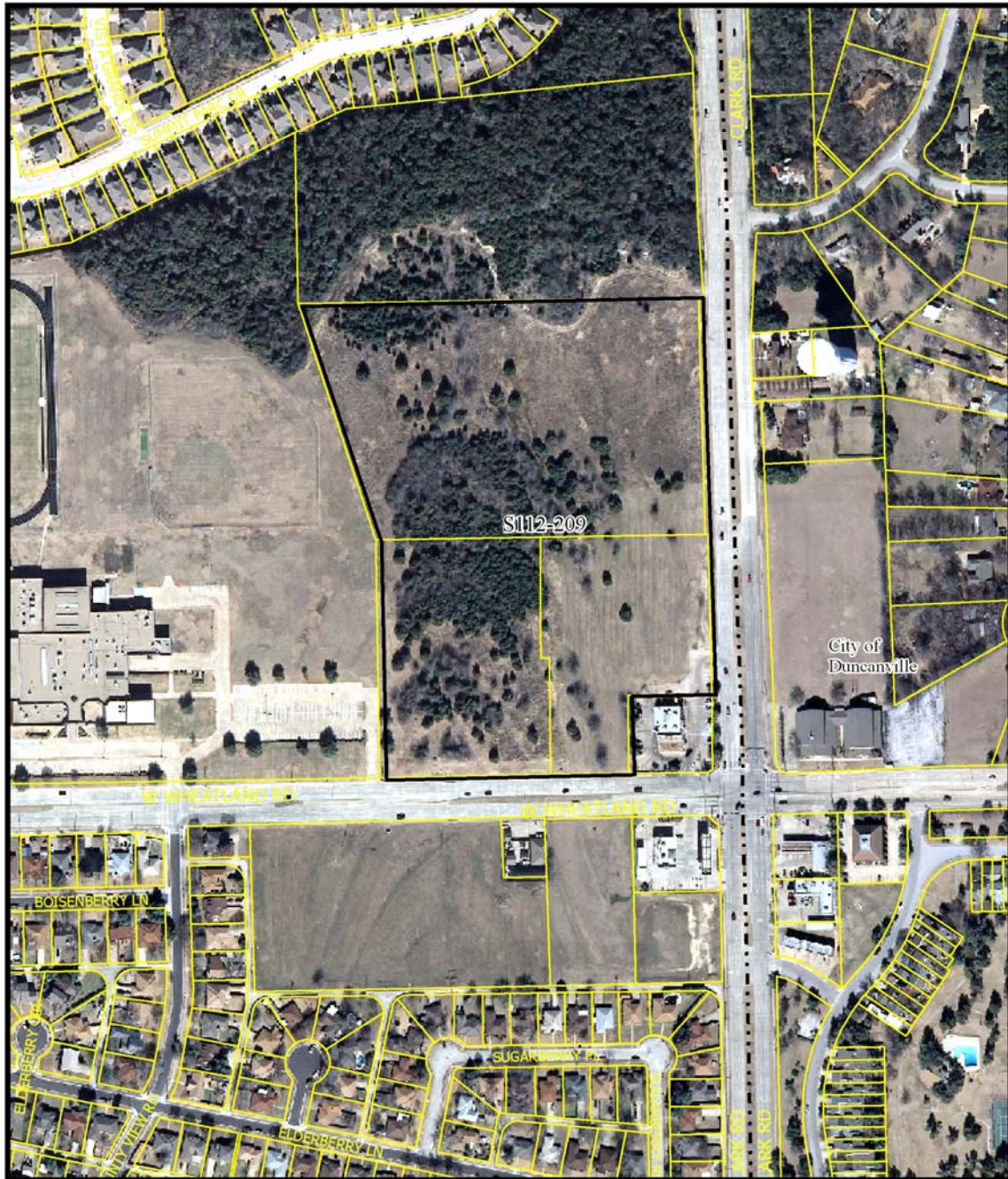
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.


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

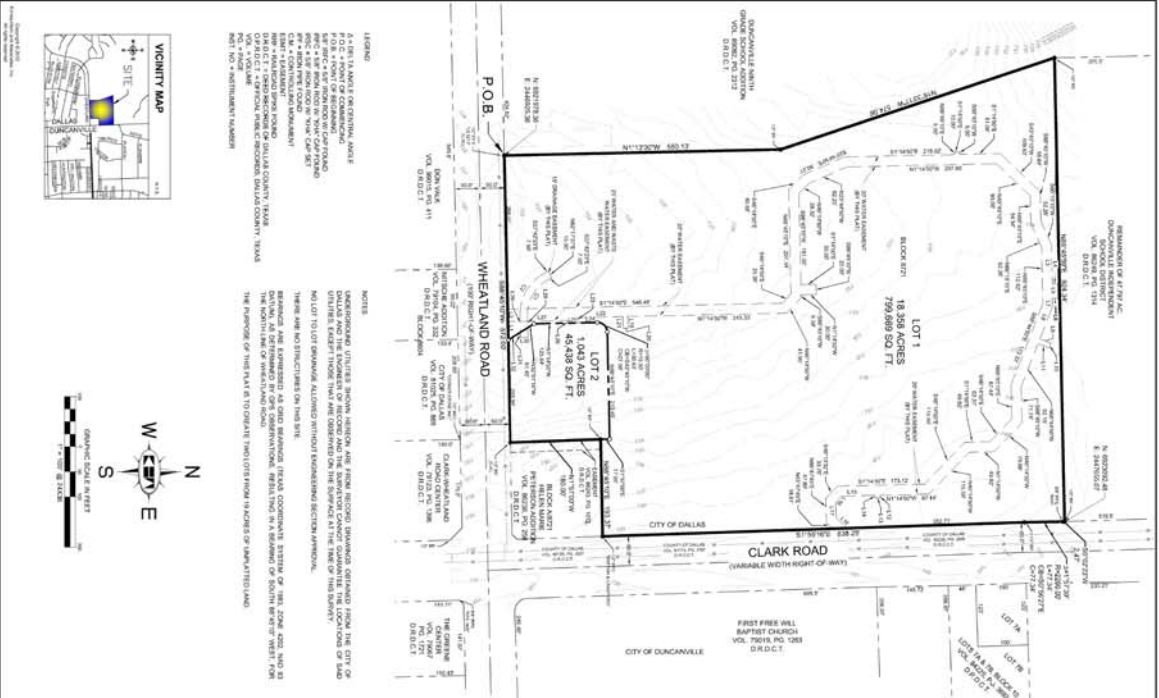
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with 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. 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. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. Provide Right-of-Way, design and construction for a deceleration for Wheatland Road and for Clark Road.
15. On the final plat show how all adjoining Right-of-Way was created.
16. On the final plat show the distances/widths of Right-of-Way across Clark Road.
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. Water/wastewater main extension is required by Private Development Contract.
20. On the final plat add an arrow showing the location of the Dallas – Duncanville boundary with respect to the Clark Road Right of Way.
21. On the final plat identify the property as Lots 3 and 4, City Block A/8721.





 1:3,600	<h2 style="text-align: center;">AERIAL MAP</h2> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Case no: <u> S112-209 </u> Date: <u> 10/7/2012 </u>
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LINE NUMBER	LINE TYPE	LINE NUMBER	LINE TYPE
1	12" WATER	11	12" WATER
2	12" WATER	12	12" WATER
3	12" WATER	13	12" WATER
4	12" WATER	14	12" WATER
5	12" WATER	15	12" WATER
6	12" WATER	16	12" WATER
7	12" WATER	17	12" WATER
8	12" WATER	18	12" WATER
9	12" WATER	19	12" WATER
10	12" WATER	20	12" WATER
21	12" WATER	22	12" WATER
23	12" WATER	24	12" WATER
25	12" WATER	26	12" WATER
27	12" WATER	28	12" WATER
29	12" WATER	30	12" WATER
31	12" WATER	32	12" WATER
33	12" WATER	34	12" WATER
35	12" WATER	36	12" WATER
37	12" WATER	38	12" WATER
39	12" WATER	40	12" WATER
41	12" WATER	42	12" WATER
43	12" WATER	44	12" WATER
45	12" WATER	46	12" WATER
47	12" WATER	48	12" WATER
49	12" WATER	50	12" WATER
51	12" WATER	52	12" WATER
53	12" WATER	54	12" WATER
55	12" WATER	56	12" WATER
57	12" WATER	58	12" WATER
59	12" WATER	60	12" WATER
61	12" WATER	62	12" WATER
63	12" WATER	64	12" WATER
65	12" WATER	66	12" WATER
67	12" WATER	68	12" WATER
69	12" WATER	70	12" WATER
71	12" WATER	72	12" WATER
73	12" WATER	74	12" WATER
75	12" WATER	76	12" WATER
77	12" WATER	78	12" WATER
79	12" WATER	80	12" WATER
81	12" WATER	82	12" WATER
83	12" WATER	84	12" WATER
85	12" WATER	86	12" WATER
87	12" WATER	88	12" WATER
89	12" WATER	90	12" WATER
91	12" WATER	92	12" WATER
93	12" WATER	94	12" WATER
95	12" WATER	96	12" WATER
97	12" WATER	98	12" WATER
99	12" WATER	100	12" WATER

PRELIMINARY

STATE OF TEXAS

COUNTY OF DALLAS

BEING 18.401 ACRES IN THE

ARTHUR LEDBETTER SURVEY

ABSTRACT NO. 772

CITY PLAN FILE NO. S112-209

PRELIMINARY PLAT

NWC CLARK AND WHEATLAND

LOT 1 & LOT 2, BLOCK 8721

ARTHUR LEDBETTER SURVEY

ABSTRACT NO. 772

CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE NO. S112-209

Kimley-Horn and Associates, Inc.

12121 WEST LOOP SOUTH, SUITE 1000
DALLAS, TEXAS 75244
PHONE: 972.232.2000
FAX: 972.232.2001
WWW.KIMLEY-HORN.COM

CITY PLAN COMMISSION**THURSDAY, OCTOBER 18, 2012****FILE NUMBER:** S112-210**Subdivision Administrator:** Paul Nelson**LOCATION:** 4403, 4407 and 4411 Deere Street**DATE FILED:** September 21, 2012**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.620 Acre**MAPSCO:** 35Z**APPLICANT/OWNER:** Housing Choices, Inc.

REQUEST: An application to replat a 0.620 acre tract of land containing all of Lots 10, 11 and 12 in City Block K/662 into 1 lot located at 4403, 4407, and 4411 Deere Street.

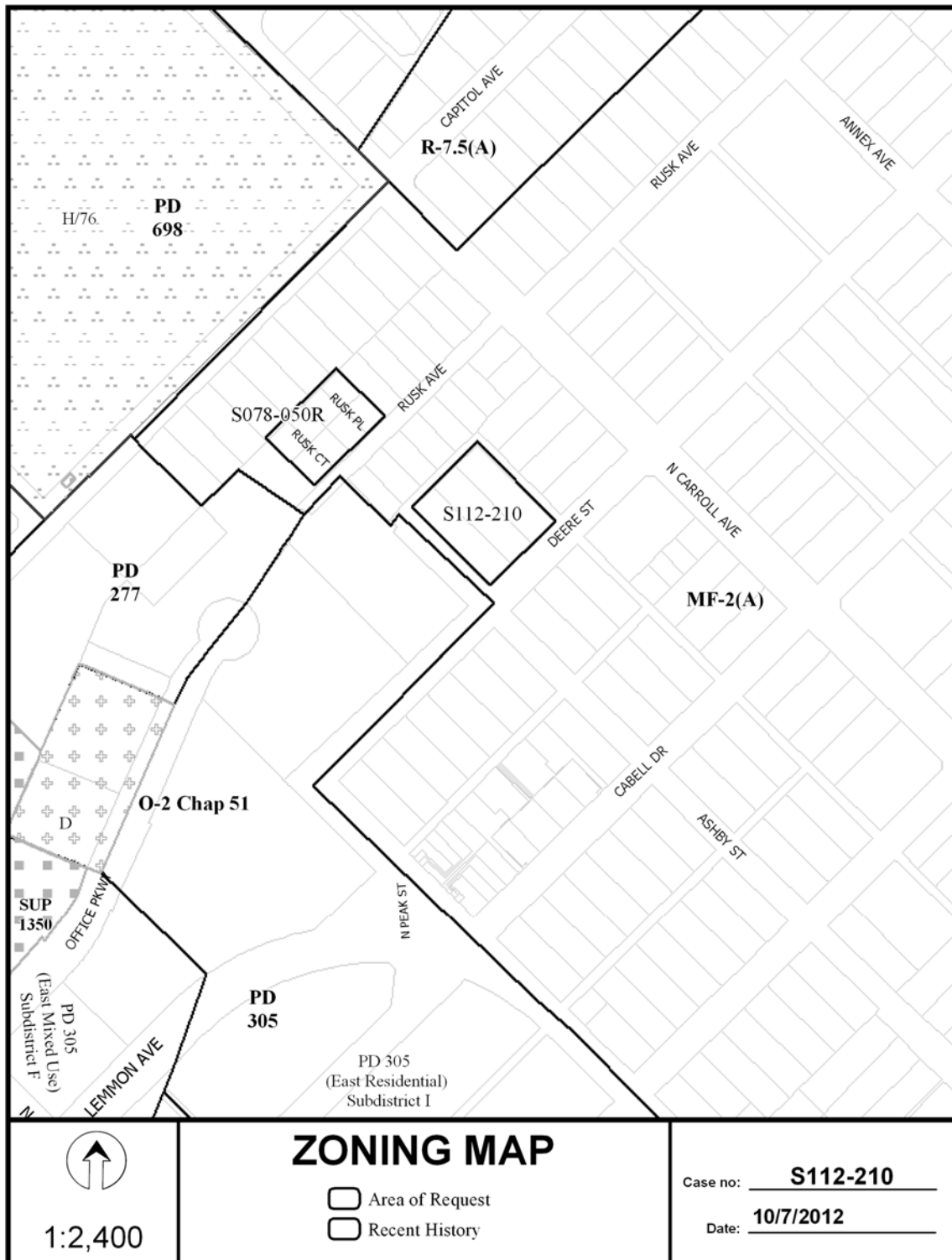
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

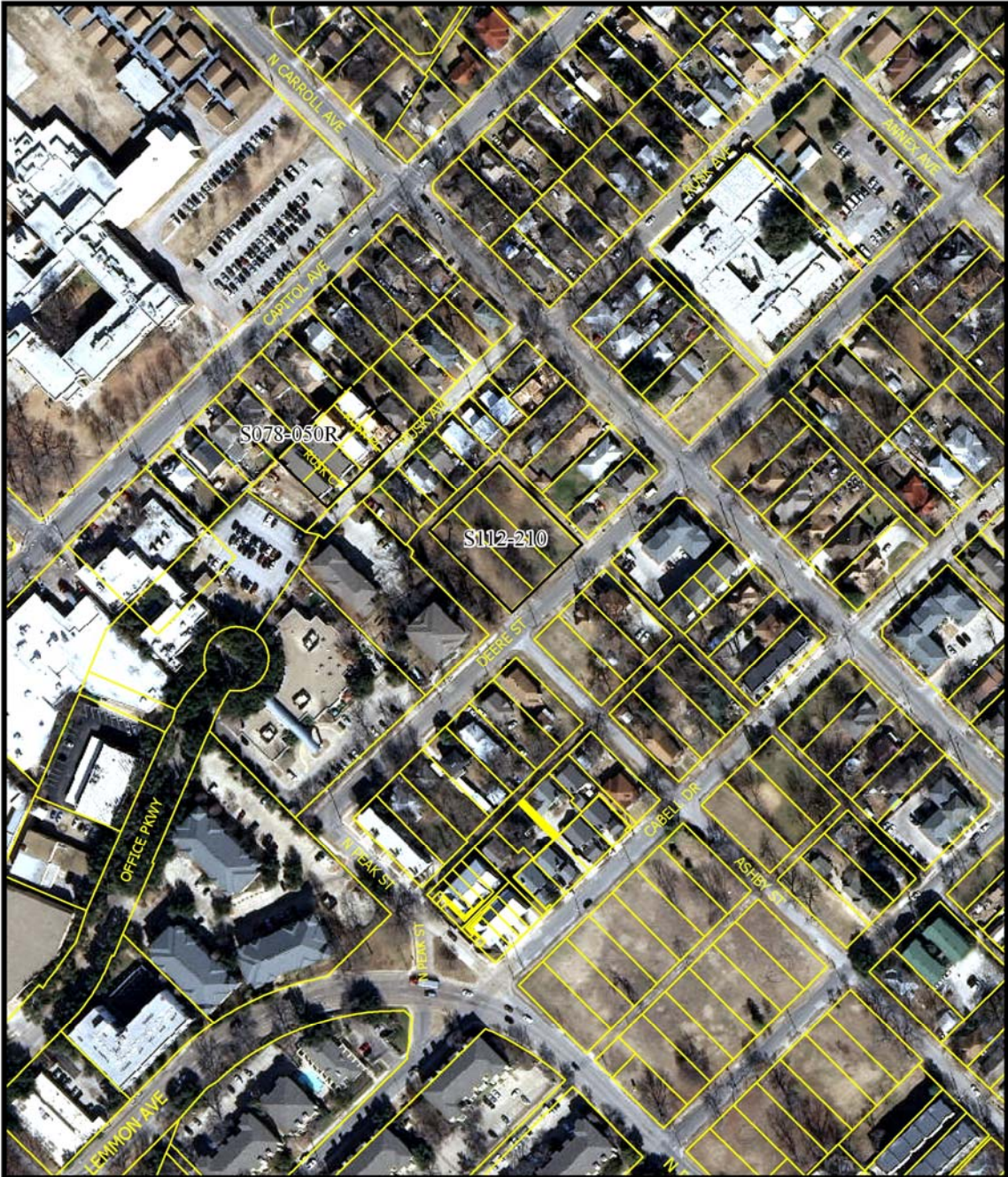
STAFF RECOMMENDATION: The request complies with the requirements of the MF-2(A) District; therefore, staff recommends approval subject to compliance with the following conditions:

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. On the final plat dedicate 5 feet of Right-Of-Way, street easement, public utility, sidewalk easement from the established center line of Ashby Street.
13. On the final plat dedicate a 10 foot by 10 foot corner clip at Ashby Street and Deere Street.
14. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Ashby Street and the alley.
15. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Deere Street and the alley.
16. Comply with the Mill Creek drainage requirement. Finish floor elevation must be 3 feet above the nearest inlet, top of curb.
17. On the final plat show how all adjoining Right-Of-Way was created.
18. On the final plat show the recording information on all existing easements within 150 feet of the property.
19. On the final plat show all additions or tracts of land within 150 feet of the property.
20. On the final plat monument all set corners per the monumentation provisions of Section 51A-8.617 of the Dallas Development Code.
21. Choose a different addition name for the final plat.
22. On the final plat show or list the prior plat on the map, in the legal description and/or in the title block.
23. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
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. Water/wastewater main extension is required by Private Development Contract.
26. On the final plat show and label "Rusk Avenue".
27. On the final plat identify the property as Lot 10A, City Block K/662.





1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S112-210

Date: 10/7/2012

CITY PLAN COMMISSION

THURSDAY, OCTOBER 18, 2012

FILE NUMBER: S112-211

Subdivision Administrator: Paul Nelson

LOCATION: 5400 and 5450 Crystal Lake Boulevard at Dan Morton Drive

DATE FILED: September 24, 2012

ZONING: IR

CITY COUNCIL DISTRICT: 3 **SIZE OF REQUEST:** 8.6949 Acre **MAPSCO:** 62B&F

APPLICANT/OWNER: Raul & Daniel Tarango / U.S. Realty Holdings, Ltd.

REQUEST: An application to create two 4.3471 acre lots from an 8.6949 acre tract of land in City Block 8031 and located at 5400 and 5450 Crystal Lake Boulevard at Dan Morton Drive.

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 IR 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. 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 30 feet of Right-Of-Way from the established centerline of Crystal Lake Boulevard.
14. On the final plat dedicate 30 feet of Right-Of-Way from the established centerline of Dan Morton Drive.
15. On the final plat dedicate a 15 foot by 15 foot corner clip at Dan Morton Drive and Crystal Lake Boulevard.
16. On the final plat show how all adjoining ROW was created.
17. On the final plat show the recording information on all existing easements within 150 feet of the property.
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. Wastewater main extension may be required by Private Development Contract.
20. On the final plat add a label "Undedicated Street" in the "Right-Of-Way" extending north from Crystal Lake Boulevard.
21. On the final plat identify the property as Lots 205A and 206A, City Block 8031.



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ZONING MAP

- Area of Request
- Recent History

Case no: S112-211

Date: 10/7/2012



1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S112-211

Date: 10/7/2012

CITY PLAN COMMISSION

THURSDAY, OCTOBER 18, 2012

FILE NUMBER: S112-212

Subdivision Administrator: Paul Nelson

LOCATION: 6102 Maple Avenue

DATE FILED: September 25, 2012

ZONING: WR-5

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 3.8421 Acre **MAPSCO:** 41BH

APPLICANT/OWNER: Tomaino Properties, Inc.

REQUEST: An application to replat all of Lots 1 through 9 in City Block 1/2448 and a tract of land in City Block 5721 into one 3.8421 acre lot on property located at 6102 Maple Avenue.

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 WR-5 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 10 foot by 10 foot corner clip at Maple Avenue and Bomar Avenue.
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 show all additions or tracts of land within 150 feet of the property with the recording information for each tract.
17. On the final plat show a minimum of two control monuments.
18. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. On the final plat identify the property as Lot 1A, City Block 1/2448.





1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S112-212

Date: 10/7/2012

CITY PLAN COMMISSION

THURSDAY, OCTOBER 18, 2012

FILE NUMBER: S112-213

Subdivision Administrator: Paul Nelson

LOCATION: Young Street at Park Avenue

DATE FILED: September 25, 2012

ZONING: PD 357, Sub-district 8

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 0.9598 Acre **MAPSCO:** 45Q

APPLICANT/OWNER: First Presbyterian Church of Dallas

REQUEST: An application to create a 0.9598 acre lot from a tract of land in City Block 118 on property located at Young Street at Park Avenue.

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

STAFF RECOMMENDATION: The request complies with the requirements of PD 357, Sub-district 8; 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 60 feet of Right-Of-Way from the established center line of Young Street.
14. On the final plat dedicate 32.5 feet of Right-Of-Way from the established centerline of Canton Avenue.
15. On the final plat dedicate a 15 foot by 15 foot corner clip at Young Street and Park Avenue.
16. On the final plat dedicate a 10 foot by 10 foot corner clip at Park Avenue and Canton Avenue.
17. On the final plat show how all adjoining Right-Of-Way was created.
18. On the final plat show the recording information on all existing easements within 150 feet of the property.
19. On the final plat show distances/width of Right-Of-Way Canton Street in a minimum of 2 places.
20. Prior to submittal of the final plat for the Chairman's signature the building encroaching into Park Avenue must be resolved by either: a) removing the encroachment; b) abandoning the Right-Of-Way; or c) creating an "Estate in Expectancy".
21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
22. On the final plat identify the property as Lot 1, City Block A/118.





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AERIAL MAP

- Area of Request
- Recent History

Case no: S112-213

Date: 10/7/2012

CITY PLAN COMMISSION**THURSDAY, OCTOBER 18, 2012****FILE NUMBER:** S112-208**Subdivision Administrator:** Paul Nelson**LOCATION:** 6606 Belmead Drive**DATE FILED:** September 20, 2012**ZONING:** R-1ac(A)**CITY COUNCIL DISTRICT:** 11 **SIZE OF REQUEST:** 1.00 Acre **MAPSCO:** 25C**APPLICANT/OWNER:** James & Deborah Kissire

REQUEST: An application to replat a 1.00 acre tract of land containing part of Lot 5 in City Block 6/7490 into one lot on property located at 6606 Belmead Drive.

SUBDIVISION HISTORY:

1. S090-137 was an application, southeast of the present request, to replat a 0.973 acre tract of land containing all of Lot 3 in City Block 4/7940 to reduce the existing 75 foot platted building line of 6644 Northaven Road at the intersection with Rick's Circle. The plat was approved on August 24, 2010 and recorded on March 4, 2011.

DATES NOTICES SENT: 13 notices were mailed on September 25, 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 October 9, 2012.

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

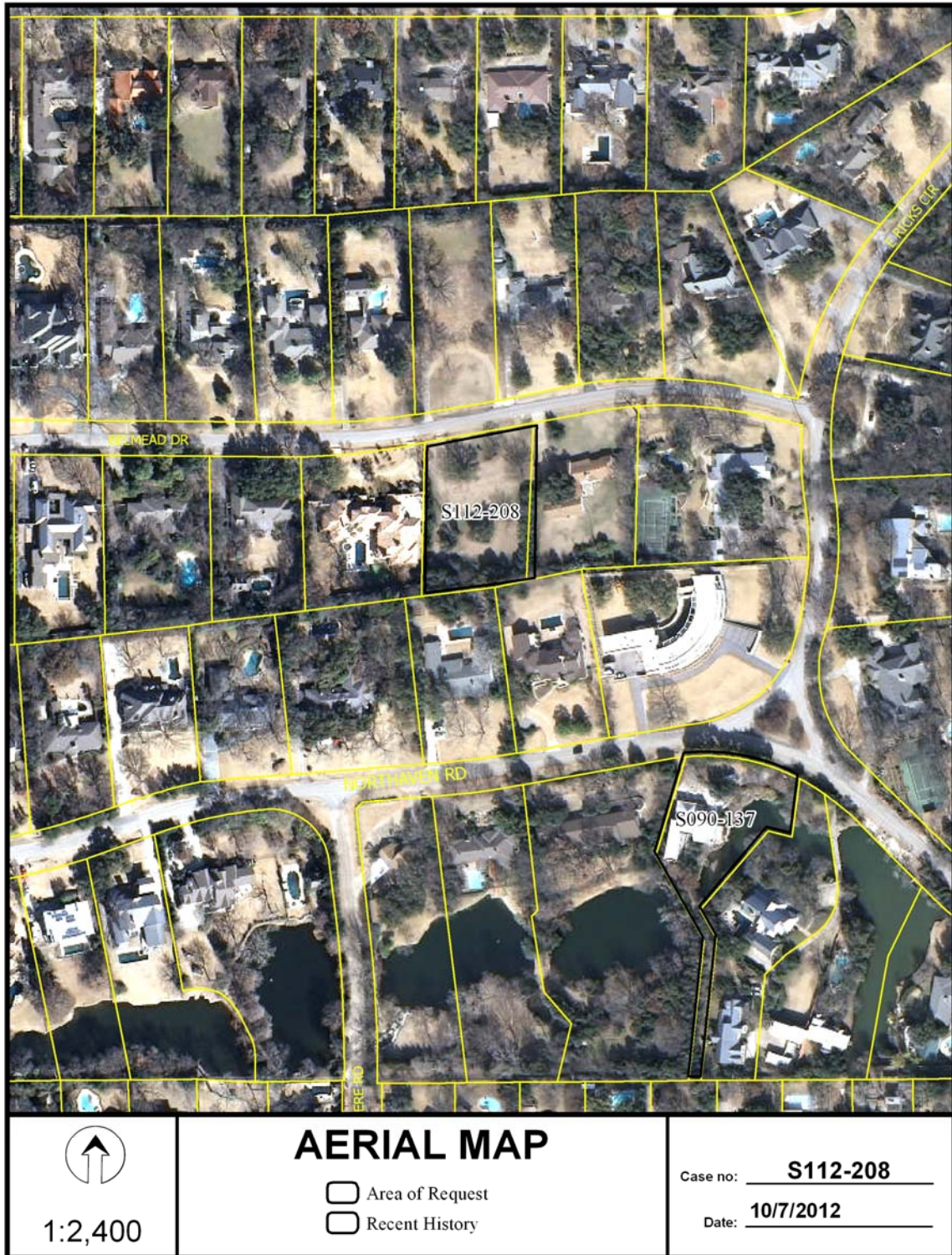
The request is governed by the R-1ac.(A) requirements and complies with those requirements. The proposed lot configuration is similar to other lots in the area is with some lots being larger and other lots being equal in size with the proposed lot; therefore, staff recommends approval subject to compliance 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 chose a different addition name.
14. On the final plat show the approximate location of the abstract line.
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 5A in City Block 6/7490.







 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;">13</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	13	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>S112-208</u> Date: <u>10/7/2012</u>
200'	AREA OF NOTIFICATION					
13	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

S112-208

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6606 BELMEAD DR	KISSIRE JAMES L & DEBORAH J
2	6618 BELMEAD DR	FOSTER TALMADGE E LIV TR
3	6522 BELMEAD DR	BOONE GARRETT & CECILIA
4	6602 BELMEAD DR	KUPRES STEVEN M
5	11323 RICKS CIR	CAPARAS MICHAEL & STEFANIE
6	6645 NORTHAVEN RD	KOZELSKY DARREN & AMY
7	6617 NORTHAVEN RD	LITTLE MARY ANN
8	6637 NORTHAVEN RD	BOWMAN RANDY A & JILL B
9	6527 NORTHAVEN RD	HOAG RICHARD & ELIZABETH
10	6619 BELMEAD DR	BIELE ALEXANDER T & N KATHLEEN FRIDAY
11	6625 BELMEAD DR	POLLMAN CHERYL
12	6611 BELMEAD DR	MORRIS RHONALD
13	6521 BELMEAD DR	MORRIS ROBERT & CATHY MORRIS

Sunday, October 07, 2012

FILE NUMBER: Z112-271(RB)

DATE FILED: June 22, 2012

LOCATION: Ferguson Road and Peavy Road, Southeast Corner

COUNCIL DISTRICT: 7

MAPSCO: 38 U, V

SIZE OF REQUEST: Approx. 21.79 Acres

CENSUS TRACT: 123.01

APPLICANT/OWNER: Bishop Lynch School Building Endowment Trust

REPRESENTATIVE: William S. Dahlstrom

REQUEST: An application to amend the development plan, landscape plan, and conditions for Planned Development District No. 490.

SUMMARY: The applicant proposes to provide for various improvements for the existing private school campus.

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

BACKGROUND INFORMATION:

- The site is developed with a private school and related structures/activity areas.
- On November 12, 1997, the City Council approved the creation of PDD No. 490. Subsequent amendments were approved by the City Council on May 13, 1998, October 27, 1999, March 28, 2001, and January 9, 2002.
- The applicant is requesting various amendments to provide for additional improvements for the private school campus.

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

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Ferguson Road	Principal Arterial; 100' & 100' ROW
Peavy Road	Collector; 60' & 60'ROW
Inadale Road	Local; 50" ROW

STAFF ANALYSIS:

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

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The site is developed with various structures and improvements that support the existing private school campus. The PDD provides only for a private school.

The applicant is requesting an amendment to the development plan, landscape plan, and conditions to provide for additional improvements supporting the existing use. Specifically:

- 1) demolition and construction of new classroom areas (net increase of seven high school classrooms);
- 2) increase in lot coverage; and,
- 3) new off-street parking area (removal of baseball field)

The predominate land use in the immediate area consists of low density residential uses with the following additions; institutional (church) and office/retail uses to the east/northeast, public elementary school (George W. Truett Elementary) and Ferguson Road Park to the south. Again, it should be noted these nonresidential uses are surrounded by low density residential uses.

The applicant has worked with staff to ensure the requested amendments are consistent in application and intensity and remain in scale with the built environment, both on-site and with the single family development in close proximity to the site.

As a result of this analysis, staff supports the request, subject to a development plan, landscape plan, traffic management plan, and conditions.

Traffic: The Engineering Section of the Department of Sustainable Development and Construction has reviewed the applicant's request and Traffic Management Plan and determined that it will not significantly impact the surrounding street system. As has been a consistent provision (scheduled updates) for uses that require a TMP, staff is recommending biennial updates to ensure sustained compatibility with the adjacent residential areas.

Off-Street Parking: PDD No. 490 requires off-street parking per code with not less than 404 spaces. The request raises the minimum to 479 spaces

Landscaping: PDD No. 490 requires landscaping for the property that complies with the City Council approved landscape plan. In conjunction with the above referenced improvements, a revised plan has been submitted that is supported by the arborist.

2011-2012 School Board

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Z112-271

PROPOSED AMENDING CONDITIONS

ARTICLE 490.

PD 490.

SEC. 51P-490.101. LEGISLATIVE HISTORY.

PD 490 was established by Ordinance No. 23336, passed by the Dallas City Council on November 12, 1997. Ordinance No. 23336 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23336 was amended by Ordinance No. 23515, passed by the Dallas City Council on May 13, 1998; Ordinance No. 24074, passed by the Dallas City Council on October 27, 1999; Ordinance No. 24560, passed by the Dallas City Council on March 28, 2001; ~~and~~ Ordinance No. 24817, passed by the Dallas City Council on January 9, 2002.

SEC. 51P-490.102. PROPERTY LOCATION AND SIZE.

PD 490 is established on property generally located at the southeast corner of Ferguson Road and Peavy Road. The size of PD 490 is approximately 21.79 acres.

SEC. 51P-490.103. 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-490.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 490A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control.

SEC. 51P-490.105. MAIN USES PERMITTED.

The only main use permitted is a private school.

SEC. 51P-490.106. ACCESSORY USES.

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

SEC. 51P-490.107. 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 contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

- (a) Front, side, and rear yard. Minimum front, side, and rear yards are as shown on the development plan.
- (b) Floor area. Floor area is as shown on the development plan.
- (c) Height. Maximum structure height is 50 feet.
- (d) Lot coverage. Maximum lot coverage is ~~20~~25 percent. 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. Maximum number of stories is two.

SEC. 51P-490.108. OFF-STREET PARKING AND LOADING.

Off-street parking must be provided in accordance with Section 51A-4.204(17), but in no event may there be less than ~~404~~ 479 off-street parking spaces which must be provided in the locations shown on the development plan. Consult the off-street parking regulations (Divisions 51A-4.300) for information regarding off-street parking generally.

SEC. 51P-490.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-490.110. LANDSCAPING.

- (a) Landscaping must be provided as shown on the landscape plan (Exhibit 490B).
- (b) No certificate of occupancy may issue for a structure in ~~the Phase 1 Area B~~ or ~~Phase 2 Area C~~ Additions shown on the development plan until Subsection (a) is complied with.
- (c) Plant materials must be maintained in a healthy, growing condition.
- (d) Landscaping must be completed in accordance with Section 51A-10.127.

SEC. 51P-490.111. SIGNS.

- (a) Except as provided in Subsection (b), all signs must comply with the provisions for non-business zoning districts contained in Article VII.
- (b) A detached premise sign is permitted as shown on the development plan.

SEC. 51P-490.112. PARKING RESTRICTIONS ON INADALE AVENUE.

Parking on the street is prohibited between the hours of 8:00 a.m. and 3:00 p.m., Monday through Friday, along the north line of Inadale Avenue adjacent to the Property, and no certificate of occupancy may issue for any structure in the ~~Phase 1~~ Area A or Area B Additions until the Property owner has reimbursed the city for the cost of installing appropriate “No Parking” signs at that location.

SEC. 51P-490.113. TRAFFIC MANAGEMENT PLAN.

(a) In general. The operation of a public school other than an open-enrollment charter 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, 2014. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 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; and
- (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) 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-490.113 4. FENCING.

A fence must be provided and located as shown on the development plan.

SEC. 51P-490.114 5. ATHLETIC FIELD LIGHT POLES.

Athletic field light poles must be provided and located as shown on the development plan.

SEC. 51P-490.115 6. 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.

SEC. 51P-490.116 7. 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.

SEC. 51P-490.117 8. COMPLIANCE WITH CONDITIONS.

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

~~SEC. 51P-490.118. ZONING MAP.~~

~~PD 490 is located on Zoning Map Nos. H-10 and I-10.~~

Traffic Management Plan and Queuing Analysis
Bishop Lynch High School Z112-271
9750 Ferguson Road, Dallas, TX
August 21, 2012

Introduction:

The Bishop Lynch High School (BLHS) is a private Catholic high school located on the southeast corner of Ferguson Road and Peavy Road. The school has been in operation on the current site since 1963. For the 2012-2013 school year the school has approximately 1,114 students in grades 9 through 12, along with 135 staff members. The following table shows the approximate distribution of students for the 2012-2013 school year:

Grade	Approx. Number of Students
9 th Grade	267
10 th Grade	281
11 th Grade	267
12 th Grade	299
Total	1,114

BLHS is proposing to amend PD 490 to change the development plan to include a gymnasium addition, a classroom addition, and parking lot modifications. Classrooms on the site would increase by 7 to a total of 58. Enrollment, which will remain at approximately current levels, so there would be no significant change in the typical daily traffic volumes, or in the specific morning drop-off and afternoon pick-up volumes which have been present for many years.

For daily access to the site, there are no significant changes to the three current access points to Ferguson Road. Along Inadale Road, the existing driveways will remain at the same locations, with only the bus storage area being converted to accommodate the gymnasium addition and a reconfigured surface parking lot. In the future, the bus storage will be provided at other locations.

Current TMP Operation:

The school operates on weekdays with a number of pick-up and drop-off times due to activities and varying student schedules. In addition, there are significant numbers of students on the bus system and driving their own vehicles, further reducing the peak drop-off and pick-up vehicle flows. The following table shows the type, times, and approximate 2012-2013 populations of each arrival and dismissal group.

Arrival Type	Arrival Time	Approx. Number of Students (% Of Total)
Early Arrival	7:00 AM	220 (20%)
Buses	8:00 AM	240 (21%)
Normal Arrival	8:20 AM	604 (54%)
Late Arrival	9:30 AM	50 (5%)

Departure Type	Departure Time	Approx. Number of Students (% Of Total)
Early Dismissal	2:00 PM	100 (9%)
Normal Dismissal	3:30 PM	299 (27%)
Buses	3:50 PM	240 (21%)
After School Practice	6:00-6:30 PM	475 (43%)

The spacing out of significant numbers of arrivals and dismissals away from the traditional drop-off and pick-up time periods results in much less intense peak traffic levels at those times. The school-related traffic is further reduced by the fact that approximately 400 student-driven vehicles are present each day. This represents at least 36% of the enrollment, and probably more since some vehicles will have more than one student. The student-driven vehicles do not further reduce the arrival and dismissal numbers in the above table, but they do reduce the number of vehicles using the loading and unloading areas, and reduce the overall number of vehicle trips in and out of the campus each day.

BLHS currently operates three loading areas. One is circulating counterclockwise in the east parking lot, entering and exiting from the easternmost driveway on Ferguson Road. The second enters at the western driveway on Ferguson Road, unloads/loads at the circle, and exits at the central driveway. The third operates on a one-way loop driveway on the south side of the campus, entering and exiting on Inadale Road. Each loading area operates with staff supervision.

The BLHS bus system currently loads and unloads students at the bus parking area which is reached from Inadale Road. The system operates seven buses and transports approximately 240 students.

In general, the school's traffic operations have little impact on the surrounding roadways. While it is a 6-lane arterial, Ferguson Road handles only moderate traffic volumes (18,500 vehicles per day in a 2009 TxDOT count), so entering and exiting the school's Ferguson Road driveways does not result in excessive delays. Occasional queuing is reported at the western driveway on Ferguson Road, where there is a relatively short queue length between the driveway and the loading area at the circle.

Proposed TMP Operation:

The proposed BLHS TMP will operate with two loading areas for parent vehicles and a third for the bus system. The current bus parking area is being redeveloped, so the buses will load and unload in the one-way loop on Inadale Road. Buses will now be stored at other locations. The one-way loop provides at least 280' of storage space, which can accommodate the seven buses used for the bus system. The parent vehicles previously using the one-way loop on Inadale Road will use one of the two remaining loading areas.

One row of parking is being removed from the eastern parking lot to accommodate the gymnasium addition. The East Loading Area follows the same circulation pattern as the existing eastern loading area, with the loading area along the face of the new building. Entry and exit is via the eastern driveway to Ferguson Road. The East Loading Area has an available queue distance of 660', or 33 vehicles.

The Central Loading Area is in the same spot as the current location. The revisions to the west side of the campus make it easier to provide a long queue distance, while supporting entry from either Ferguson Road or Inadale Road. When entering from Inadale Road, the queue moves along the building face north and then east towards the Central Loading Area. Vehicles entering from Ferguson Road are directed west through the parking area to join the rear of the queue. Once through the loading area, vehicles will exit to Ferguson Road at the center driveway. The primary queue from Inadale Road to the Central Loading Area is 840', or 42 vehicles. The available queue distance for the secondary queue from the western Ferguson Road driveway back to the end of the primary queue is an additional 920', or 46 vehicles.

Each of the loading areas will operate with staff supervision. An additional staff member should be stationed near the western driveway on Ferguson Road, to direct inbound vehicles in the appropriate direction. At all locations loading is performed on the passenger side, and no students have to cross vehicle paths.

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, driving themselves, 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:

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

With the BLHS dismissal traffic spread out between 2:00 PM and 6:30 PM and having a sizeable bus system, the loading areas will need to handle only 299 students in the normal peak dismissal time at 3:30 PM. This number is further reduced by the fact that a percentage of those students will be departing using their own vehicles. However, to maintain a conservatively high analysis, the queuing analysis will assume all 299 students are being picked up. Therefore, the projected maximum queue length is:

$$299 \text{ net students dismissed} * 0.20 = 60 \text{ vehicles in queue}$$

The projected queue of 60 vehicles translates to 1,200' of queuing distance which needs to be provided in the loading areas. This distance corresponds well with 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 two loading areas have an available queue distance of 1,500', or 300' in excess of the projected maximum queue demand. This 300' distance would accommodate an additional 15 vehicles over the projected 60-vehicle maximum queue.

Additionally, the secondary queue serving the Central Loading Area provides 920' of queue distance which is available but is not expected to be used. With this additional space leading to the Central Loading Area, there should be no chance for the inbound traffic to queue back to Ferguson Road.

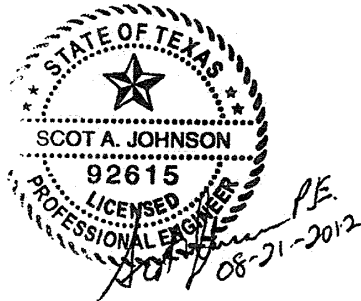
Summary:

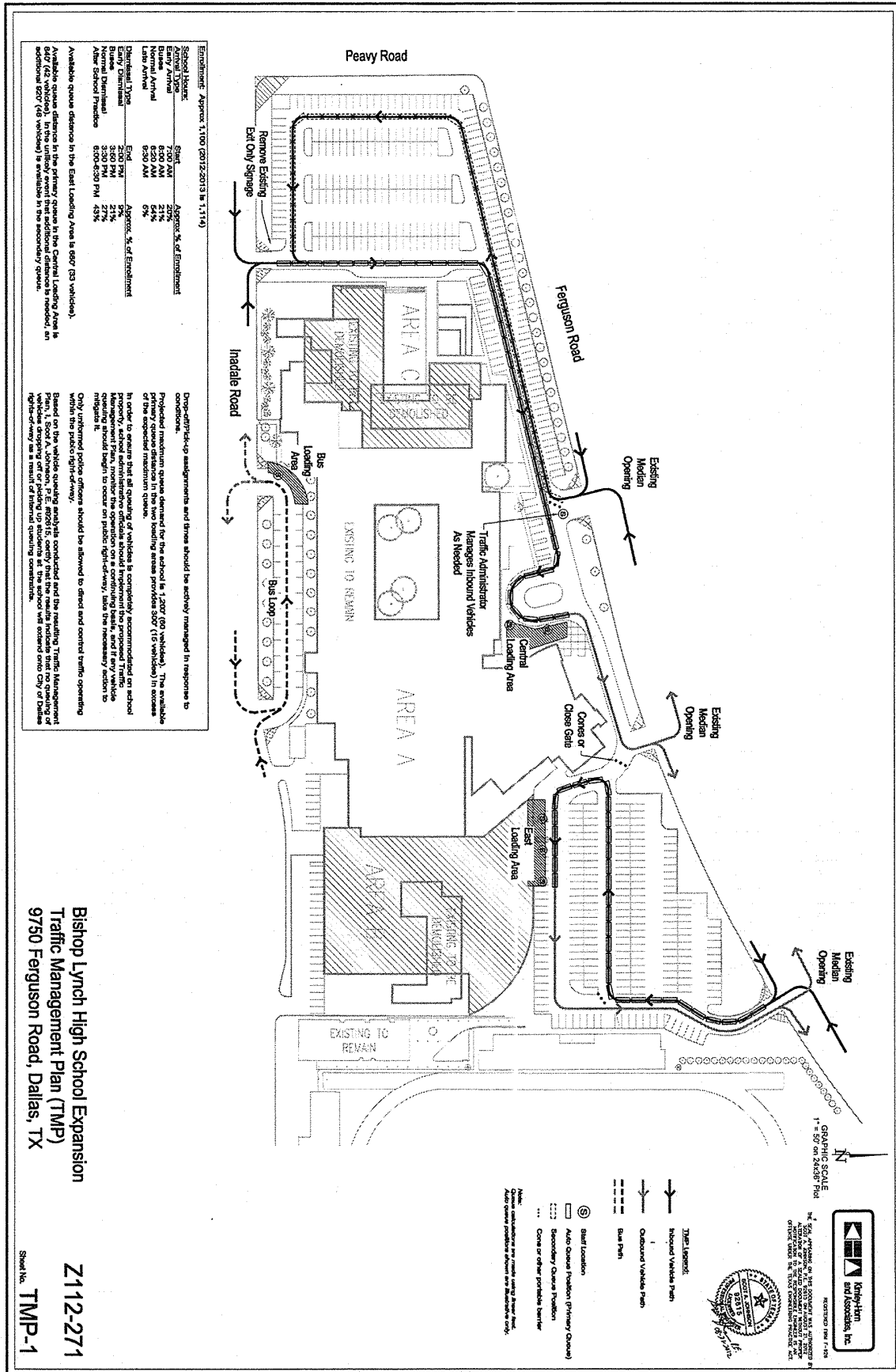
This TMP defines the drop-off and pick-up procedures for Bishop Lynch High School once the site is modified in accordance with the development plan in the modified PD 490. The proposed TMP uses the same basic principles as the existing operation, while adding usable queue distance to the Central Loading Area. 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. With the TMP operating as shown, the school traffic should not need to queue vehicles in the ROW of any City street. The 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 Bishop Lynch High School 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, BLHS 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
12700 Park Central Drive, Suite 1800
Dallas, TX 75251
(972) 770-1300





School Hours	Enrollment	Approx. % of Enrollment
Early Drop-off	7:00 AM	21%
Drop-off	8:00 AM	21%
Drop-off	8:30 AM	5%
Drop-off	8:50 AM	5%
Drop-off	9:00 AM	5%
Drop-off	9:30 AM	21%
Drop-off	9:50 AM	21%
Drop-off	10:00 AM	21%
Drop-off	10:30 AM	43%

Enrollment: Approx. 1,100 (2012-2013 is 1,114)

Available queue distance in the primary queue in the Central Loading Area is 647' (43 vehicles). In the unlikely event that additional distance is needed, an additional 620' (40 vehicles) is available in the secondary queue.

Available queue distance in the East Loading Area is 890' (53 vehicles).

Drop-off/pick-up assignments and times should be actively managed in response to conditions.

Projected maximum queue demand for the school is 1,200' (80 vehicles). The available queue distance in the secondary queue provides 600' (40 vehicles) in excess of the projected maximum queue.

In order to ensure that all queuing of vehicles is completely accommodated on school property, school administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing is observed, the Traffic Administrator should be notified immediately to investigate it.

Only uniformed police officers should be allowed to stand and control traffic operating within the public right-of-way.

Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, Scott A. Johnson, P.E. #82915, certifies that the results indicate that no queuing of vehicles is expected to occur on public right-of-way, and the necessary action to mitigate it.

Approved by: _____

Bishop Lynch High School Expansion
 Traffic Management Plan (TMP)
 9750 Ferguson Road, Dallas, TX

Z112-271
 TMP_1

GRAPHIC SCALE
 1" = 50' on 24x36" Plot

Legend:

- Staff Location
- Auto Queue Position (Primary Queue)
- Secondary Queue Position
- Circle or other portable barrier

Notes:

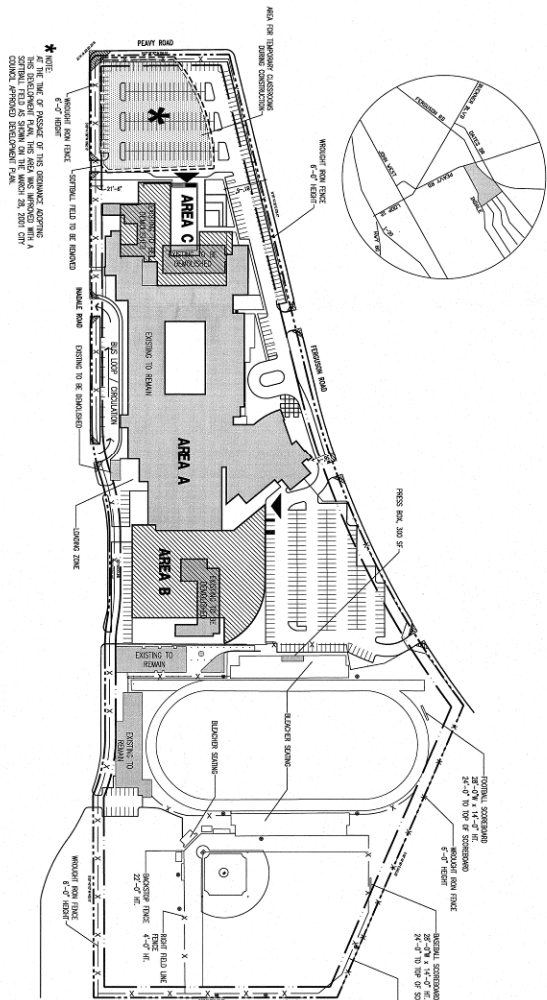
- Queue boundaries are shown using these lines.
- Auto queue positions shown are illustrative only.

Kerley-Ham and Associates, Inc.
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF TEXAS
 No. 26742
 EXPIRES 12/31/14
 1515
 1515
 1515

**Traffic Management Plan
 Circulation Plan**



01 DEVELOPMENT PLAN
 1" = 100'



PROVISION	FINISHED AREA & COMMISSION ADDITION		TOTAL ALLOWED	TOTAL FINISHED
	AREA A & EXISTING	FINISHED AREA & COMMISSION ADDITION		
SITE AREA	544,774 SF (21.79 ACRES)	N/A	N/A	N/A
LOT COVERAGE	104,645 SF 17.2%	42,215 SF	26,847 SF	137,907 SF 25.12%
FLOOR AREA	104,645 SF	43,914 SF	43,212 SF	89,227 SF (NOA) 266,522 SF (TOTAL)
STRUCTURE HEIGHT	MAXIMUM 5'0"	3'0"	2'0"	MAXIMUM 5'0"
STORIES	2 STORIES	2 STORIES	2 STORIES	2 STORIES
CLASSROOMS	35 SINGLE ROOM	N/A	7 SINGLE ROOM	12 JUNIOR HIGH 46 SINGLE ROOM
OFF-STREET PARKING	425 REQUIRED	0 REQUIRED	66.5 REQUIRED	479 PROVIDED

NOTES:
 1. CORNER PARKING COUNT EXCEEDS THE REQUIRED PARKING COUNT.
 2. 22 CLASSROOMS WILL BE BUILT AND THERE WILL BE 13 CLASSROOMS DEMOLISHED SHOWING THE NET CLASSROOMS ADDED TO 47.



SITE INFORMATION

BISHOP LYNCH HIGH SCHOOL
 6750 FERGUSON ROAD
 DALLAS, TEXAS 75239
 MAPS BY PERKINS
 01012012
 DATE OF REVISION: 09/27/12 544-1584-112

LEGEND

- FINISHED AREA
- PROPERTY LINE
- DRIVEWAY TO BURN
- DRIVEWAY TO BURN AND DRIVEWAY TO BURN AND DRIVEWAY TO BURN
- DRIVEWAY TO BURN AND DRIVEWAY TO BURN AND DRIVEWAY TO BURN
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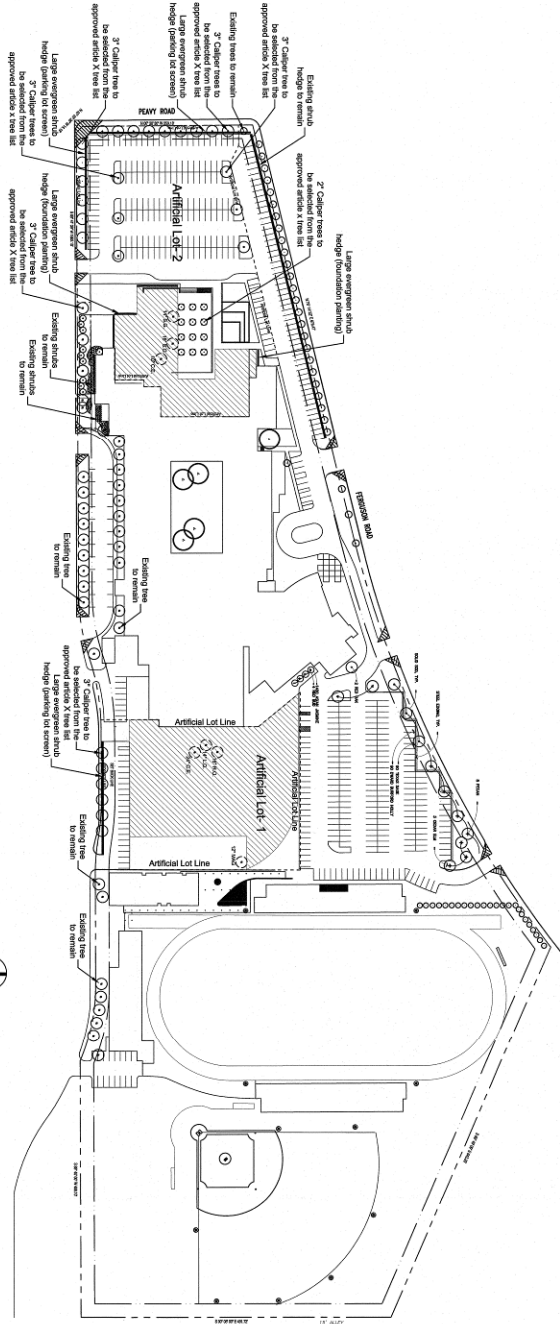
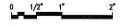
REVISIONS

NO.	DESCRIPTION	DATE

DEVELOPMENT PLAN
 ZONING CODE NUMBER: Z112-271 (RB)

Copyright © 2012 Perkins + Will

Proposed Development Plan



ARTIFICIAL LOT AREA 1

ARTIFICIAL LOT AREA 2

PROTECTED TREES REMOVED

DESIGN REQUIREMENTS
 3\"/>

DESIGN REQUIREMENTS
 3\"/>

DESIGN REQUIREMENTS
 3\"/>

STREET REQUIREMENTS
 1\"/>

STREET REQUIREMENTS
 1\"/>

STREET REQUIREMENTS
 1\"/>

DESIGN REQUIREMENTS
 3\"/>

DESIGN REQUIREMENTS
 3\"/>

DESIGN REQUIREMENTS
 3\"/>

- TREE LEGEND**
- EXISTING TREE TO REMAIN
 - EXISTING TREE TO BE REMOVED
 - 3\"/>



PERKINS + WILL
 500 E. Campbell Expressway
 15th Floor
 Dallas, TX 75226
 www.perkinswill.com

BISHOP LYNCH HIGH SCHOOL CAMPUS EXPANSION
 9750 Ferguson Road
 Dallas, TX 75228

Proposed Landscape Plan

NO.	DATE	BY

SMIT Landscape Architects, Inc.
 10000 North Central Expressway
 Suite 200
 Dallas, TX 75243
 Phone: 972-350-0500
 Fax: 972-350-0501
 Copyright © 2012 Perkins+Will

LANDSCAPE PLAN
 Z112-271 (RB)
 Copyright © 2012 Perkins+Will

Doc 01, 2008 - 5/3/08
 P:\Drawings\2008\271\271-RB.dwg
 Plotted on: 1/23/2012 10:40:30 AM
 Plotter: HP DesignJet 50
 Author: J...
 Date: 1/23/2012 10:40:30 AM

1" = 100'

EXISTING DEVELOPMENT PLAN

Proposition	Building	Area (sq ft)	Project Name	Proposed Address	Development Name	Notes
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft
Proposed Addition	Existing Building	12,500 sq ft	Proposed Addition	12,500 sq ft	Proposed Addition	12,500 sq ft

EXISTING DEVELOPMENT PLAN

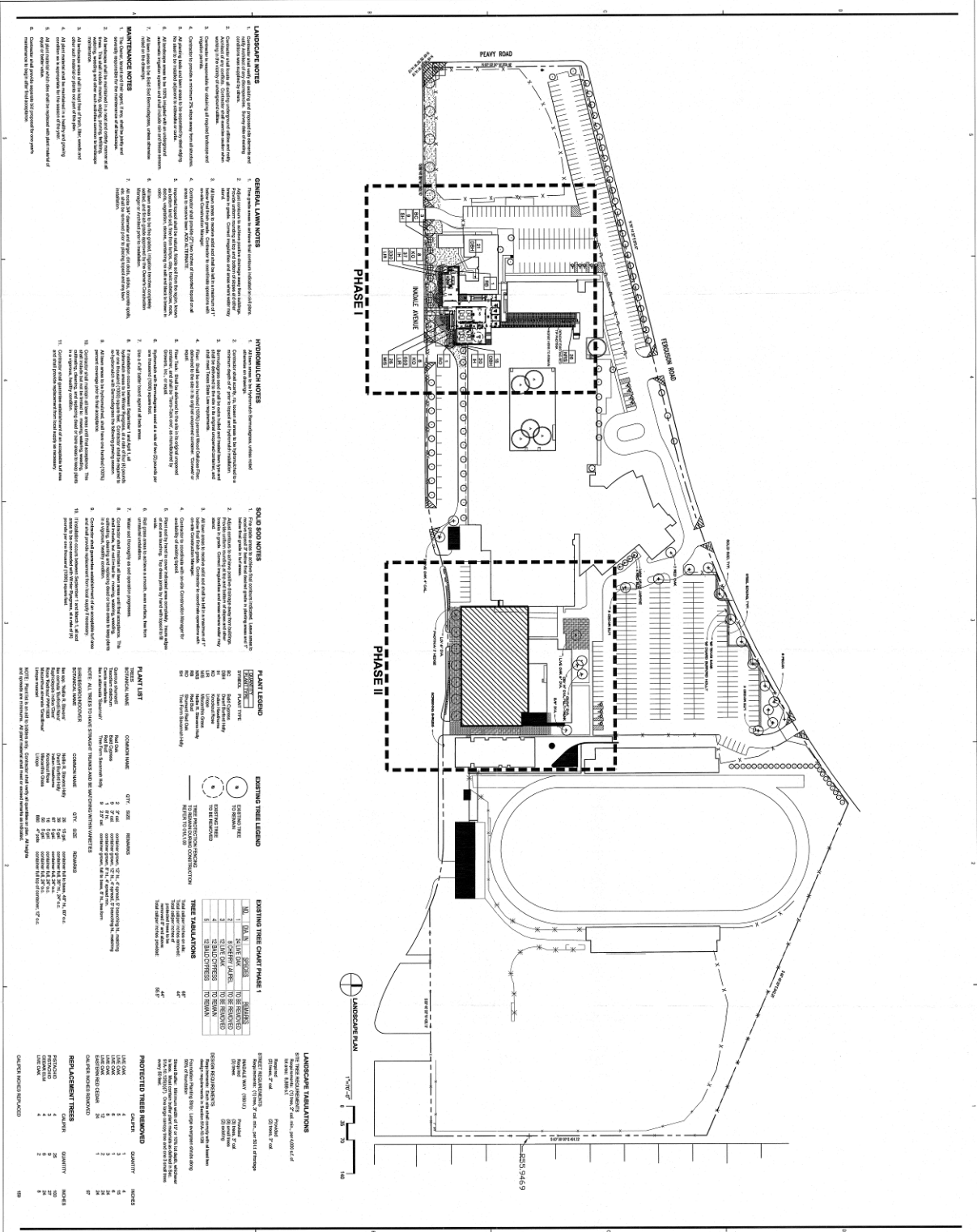
PERKINS + WILL
 ARCHITECTS
 330 N. LaSalle
 Suite 1100
 Chicago, IL 60610
 Phone: 312.786.4500
 Fax: 312.786.4501
 www.perkinswill.com

EXISTING DEVELOPMENT PLAN

ARCHITECTURAL SITE PLAN

NOTES BY NUMBER

1. EXISTING BUILDING
 2. EXISTING BUILDING
 3. EXISTING BUILDING
 4. EXISTING BUILDING
 5. EXISTING BUILDING
 6. EXISTING BUILDING
 7. EXISTING BUILDING
 8. EXISTING BUILDING
 9. EXISTING BUILDING
 10. EXISTING BUILDING
 11. EXISTING BUILDING
 12. EXISTING BUILDING
 13. EXISTING BUILDING
 14. EXISTING BUILDING
 15. EXISTING BUILDING
 16. EXISTING BUILDING
 17. EXISTING BUILDING
 18. EXISTING BUILDING
 19. EXISTING BUILDING
 20. EXISTING BUILDING



- LANDSCAPE NOTES**
1. All landscape materials shall be installed in accordance with the manufacturer's instructions.
 2. All landscape materials shall be installed in accordance with the manufacturer's instructions.
 3. All landscape materials shall be installed in accordance with the manufacturer's instructions.
 4. All landscape materials shall be installed in accordance with the manufacturer's instructions.
 5. All landscape materials shall be installed in accordance with the manufacturer's instructions.

- GENERAL LAWN NOTES**
1. All lawn areas shall be installed in accordance with the manufacturer's instructions.
 2. All lawn areas shall be installed in accordance with the manufacturer's instructions.
 3. All lawn areas shall be installed in accordance with the manufacturer's instructions.
 4. All lawn areas shall be installed in accordance with the manufacturer's instructions.
 5. All lawn areas shall be installed in accordance with the manufacturer's instructions.

- HYDRONIC NOTES**
1. All hydronic systems shall be installed in accordance with the manufacturer's instructions.
 2. All hydronic systems shall be installed in accordance with the manufacturer's instructions.
 3. All hydronic systems shall be installed in accordance with the manufacturer's instructions.
 4. All hydronic systems shall be installed in accordance with the manufacturer's instructions.
 5. All hydronic systems shall be installed in accordance with the manufacturer's instructions.

- SOLID SOIL NOTES**
1. All solid soil areas shall be installed in accordance with the manufacturer's instructions.
 2. All solid soil areas shall be installed in accordance with the manufacturer's instructions.
 3. All solid soil areas shall be installed in accordance with the manufacturer's instructions.
 4. All solid soil areas shall be installed in accordance with the manufacturer's instructions.
 5. All solid soil areas shall be installed in accordance with the manufacturer's instructions.

PLANT LIST

COMMON NAME	QTY	SIZE	REMARKS
...
...
...

EXISTING TREE CHART PHASE I

NO.	TRAJECTORY	SCALES	STATUS
1
2
3
4

EXISTING TREE CHART PHASE II

NO.	TRAJECTORY	SCALES	STATUS
1
2
3
4

LANDSCAPE TABULATIONS

NO.	DESCRIPTION	QTY	REMARKS
1
2
3

PROTECTED TREES REMOVED

NO.	DESCRIPTION	QTY	REMARKS
1
2
3

LANDSCAPE PLAN
 1" = 10' - 0"
 1/8" = 1' - 0"

DATE: 01/15/2014
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Project Name]

PERKINS + WILL
 300 N. Dearborn Street
 Chicago, IL 60610
 www.perkinswill.com

BISHOP LYNCH HIGH SCHOOL SCIENCE CLASSROOM ADDITION
 8750 Ferguson Road
 Dallas, TX 75228

LA Plaza Partners
 1201 Ross Street, Suite 1000
 Dallas, TX 75203
 972.412.1000

Blumenshok Construction
 1201 Ross Street, Suite 1000
 Dallas, TX 75203
 972.412.1000

SRF Landscape Architecture
 1201 Ross Street, Suite 1000
 Dallas, TX 75203
 972.412.1000

LANDSCAPE ARCHITECT
 STATE OF TEXAS
 No. 123456789
 Exp. 12/31/2015

LANDSCAPE PLAN

NO.	DESCRIPTION	QTY	REMARKS
1
2
3

PROTECTED TREES REMOVED

NO.	DESCRIPTION	QTY	REMARKS
1
2
3

LANDSCAPE PLAN

NO.	DESCRIPTION	QTY	REMARKS
1
2
3

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LANDSCAPE ARCHITECT
 STATE OF TEXAS
 No. 123456789
 Exp. 12/31/2015

LANDSCAPE PLAN

NO.	DESCRIPTION	QTY	REMARKS
1
2
3

PROTECTED TREES REMOVED

NO.	DESCRIPTION	QTY	REMARKS
1
2
3

LANDSCAPE PLAN

NO.	DESCRIPTION	QTY	REMARKS
1
2
3

DATE: 01/15/2014
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Project Name]

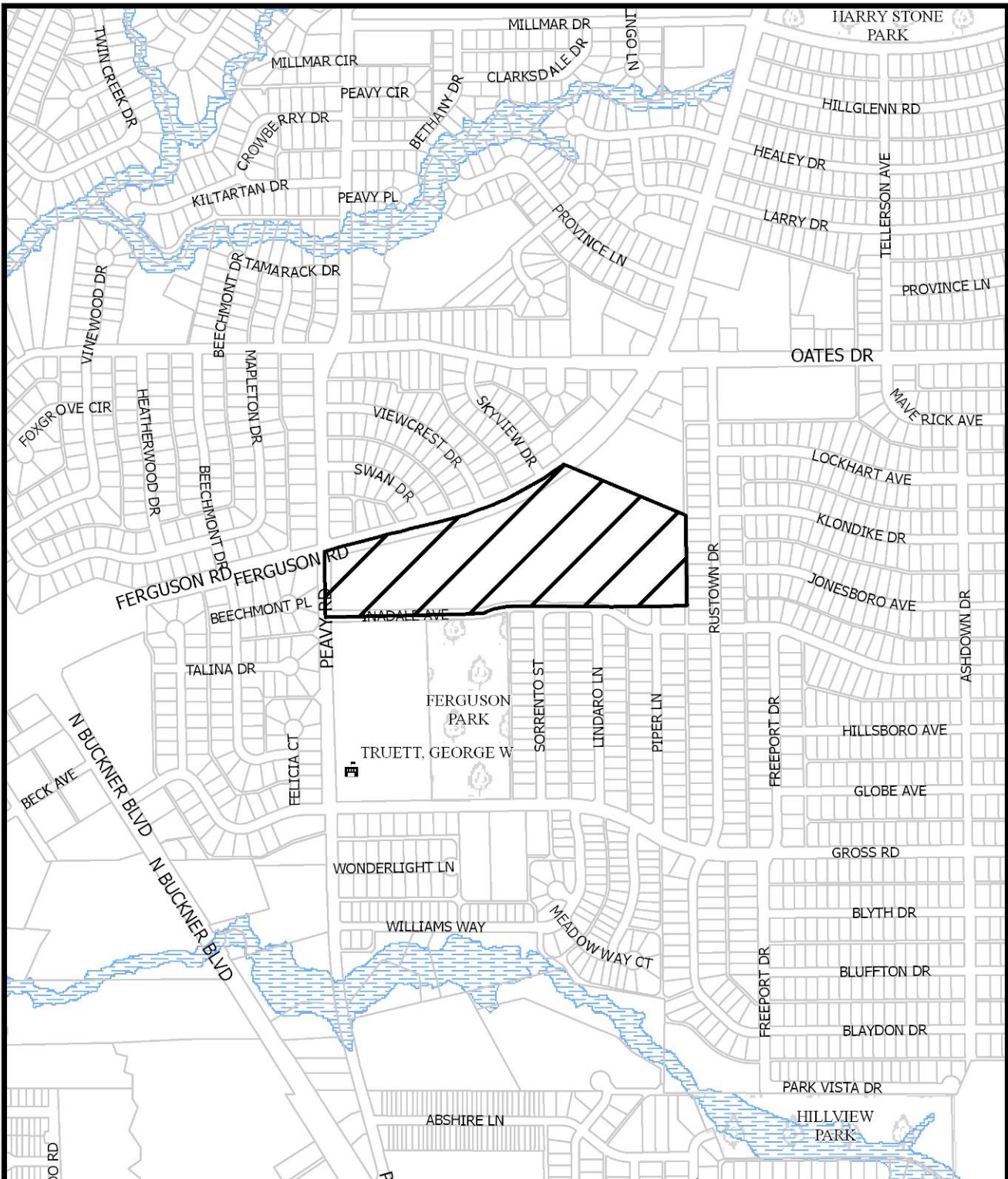
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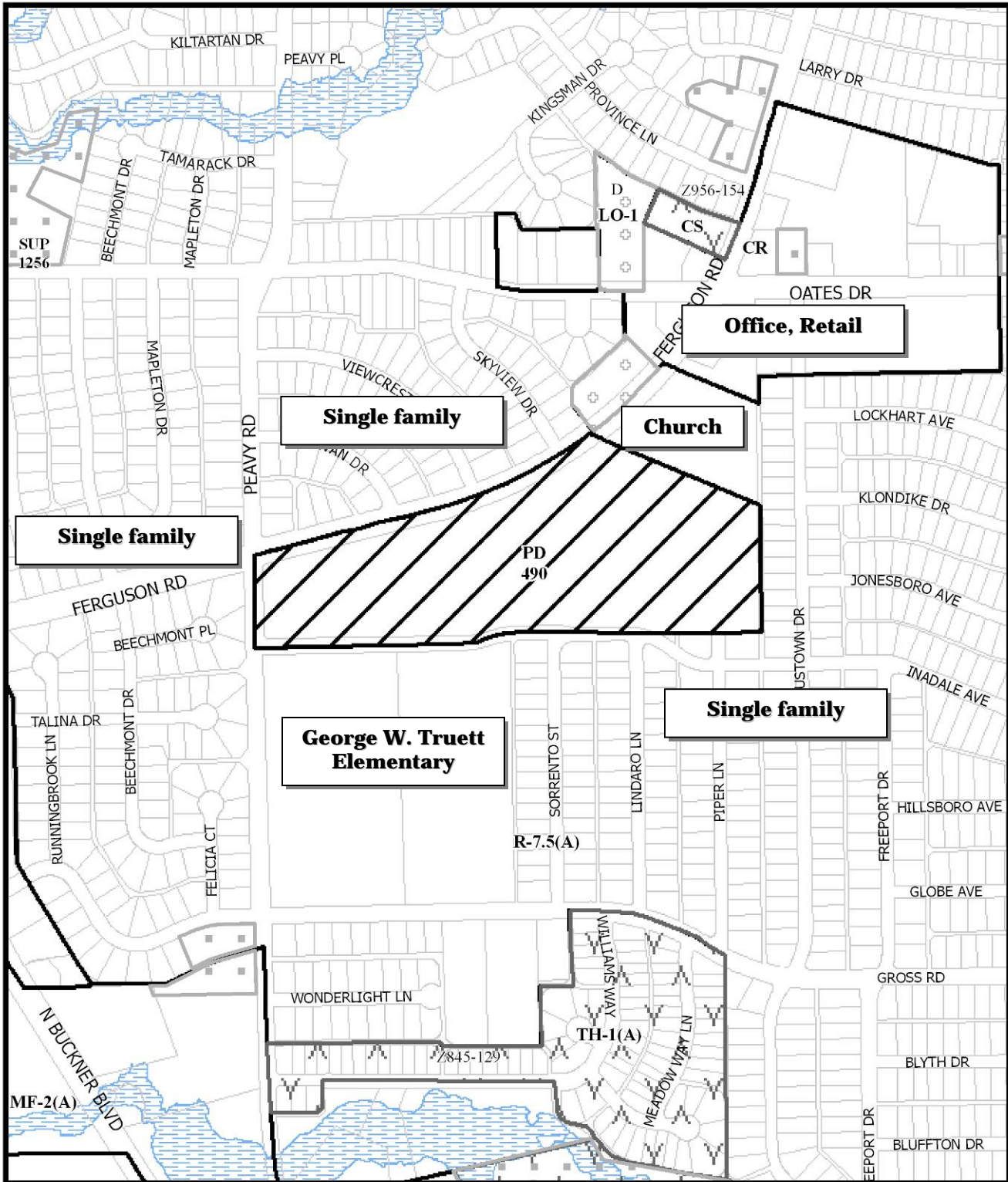


1:8,400

VICINITY MAP

Case no: Z112-271

Date: 7/12/2012



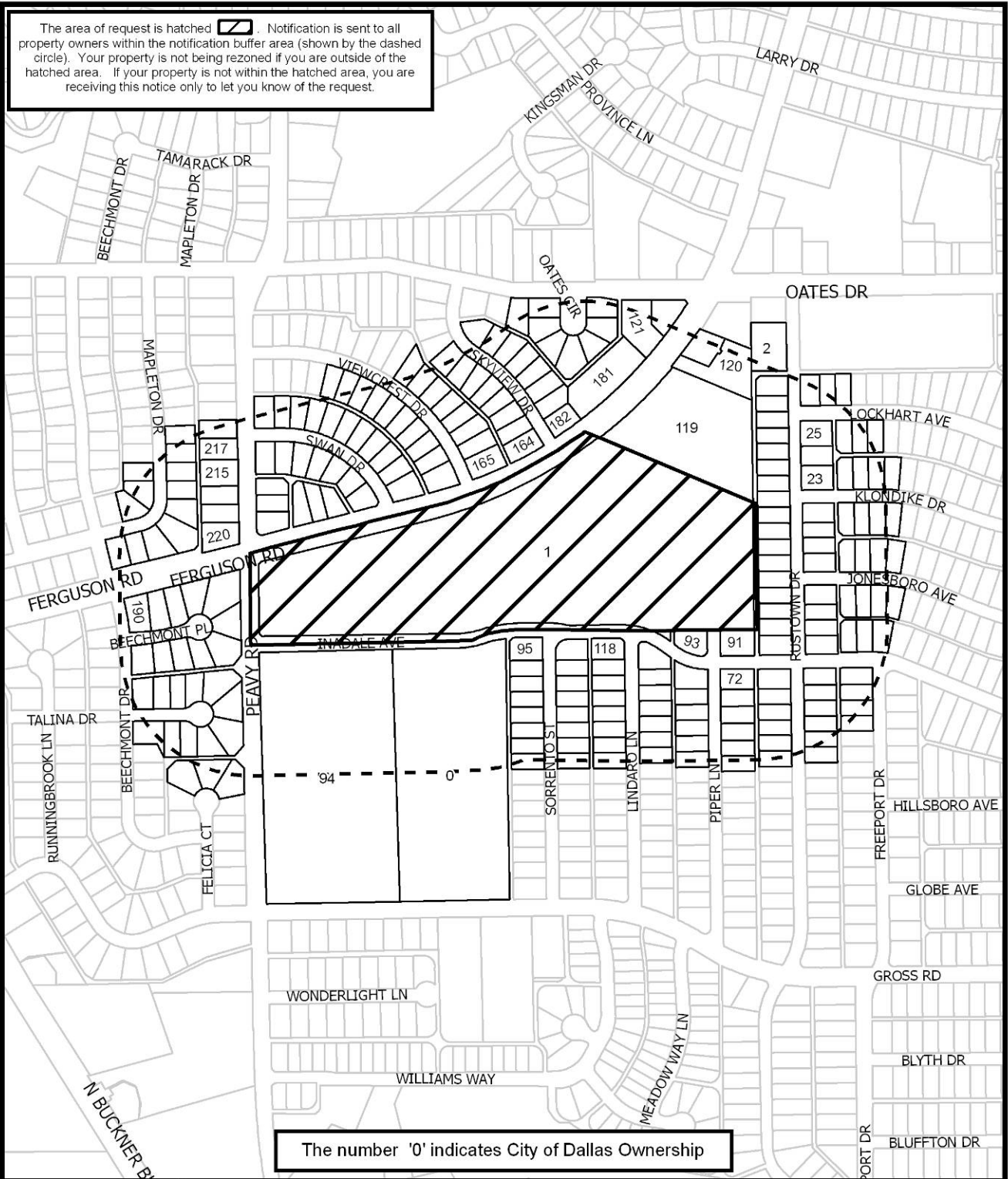
1:6,000

ZONING AND LAND USE

Case no: Z112-271

Date: 7/12/2012

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



1:6,000

NOTIFICATION

500'

AREA OF NOTIFICATION

232

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-271**

Date: **7/12/2012**

7/12/2012

Notification List of Property Owners***Z112-271******232 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1 ENDOWM	9750 FERGUSON RD	BISHOP LYNCH HIGH SCHOOL BLDG AND
2	9700 RUSTOWN DR	LEGENDARY INVESTMENTS CORPORATION
3	9709 RUSTOWN DR	MOORE GLENN L
4	9703 RUSTOWN DR	CRUZ JORGE
5	9621 RUSTOWN DR	SHAW DORIS
6	9615 RUSTOWN DR	PIPKIN DAVID & PATTY O
7	9611 RUSTOWN DR	PATINO RAUL SR SILVIA U
8	9607 RUSTOWN DR	FLORES ROBERT M &
9	9603 RUSTOWN DR	HERNANDEZ HERMINIO & MARIA
10	9519 RUSTOWN DR	ROSE KENNETH R & AMARYLLIS ROSE
11	9515 RUSTOWN DR	GERKEN JAMES D
12	9511 RUSTOWN DR	TREJO ARON & BLANCA E
13	9507 RUSTOWN DR	SOL CRUZ REYNALDO T & AURORA E
14	9503 RUSTOWN DR	HANSON MICHAEL WAYNE
15	9423 RUSTOWN DR	SAUCEDO BENITO & ROSARIO TOVAR
16	9419 RUSTOWN DR	ESPINDOLA BERNARDINO
17	9415 RUSTOWN DR	NAJERA MARTIN B & ALICIA
18	9409 RUSTOWN DR	VILLALOBOS VICTOR M & MARY J
19	9405 RUSTOWN DR	GONZALEZ AGUSTIN H
20	2305 LOCKHART AVE	LATIMER REBA F
21	2309 LOCKHART AVE	UDSTUEN DIANNE
22	2315 LOCKHART AVE	AGUILAR AURELIO & NOEMI
23	9606 RUSTOWN DR	GRANDINETTI TONY
24	9610 RUSTOWN DR	GRANDINETTI ANTONIO
25	9616 RUSTOWN DR	GRIFFITH LUCY A
26	2316 LOCKHART AVE	WALKER LEE ALLEN R

Z112-271(RB)

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2320 LOCKHART AVE	JAIMES MARIA R
28	2324 LOCKHART AVE	VELASQUEZ CHRISTOBAL
29	2327 KLONDIKE DR	COVARRUBIAS GILBERT
30	2323 KLONDIKE DR	CARTWRIGHT JOHN K
31	2319 KLONDIKE DR	SOTO JOSE L
32	2315 KLONDIKE DR	PRESLOPSKI ALEXANDER T
33	9504 RUSTOWN DR	MARTINEZ FELIPE
34	9508 RUSTOWN DR	ROGERS ERTIS & GLORIA
35	9512 RUSTOWN DR	HERRERA EVODIO
36	9516 RUSTOWN DR	FAJARDO VIRGINIA
37	2314 KLONDIKE DR	LOPEZ MELQUIADES
38	2318 KLONDIKE DR	REA TOMAS
39	2324 KLONDIKE DR	GUZMAN LUIS F
40	2328 KLONDIKE DR	FLORES ORLANDO C
41	2327 JONESBORO AVE	TURNER RONNIE W
42	2323 JONESBORO AVE	RUIZ MIGUEL JUAREZ & MARTHA ALICIA
43	2319 JONESBORO AVE	CHUC MANUEL & FRANKLIN CHUC
44	2315 JONESBORO AVE	HERNANDEZ PABLO V
45	9404 RUSTOWN DR	DOZAL RODRIGO & ANA P
46	9408 RUSTOWN DR	NAJERA ROSA
47	9414 RUSTOWN DR	NUNES ALFRED B &
48	9418 RUSTOWN DR	YANES JOE S TR & MARTHA B YANES
49	2314 JONESBORO AVE	CASTANEDA LUIS
50	2318 JONESBORO AVE	ELLIOT WILLIAM F
51	2324 JONESBORO AVE	HERNANEZ MARIA E & ERIC HERNANDEZ
52	2330 JONESBORO AVE	STANFILL MICHAEL GLEN
53	2315 INADALE AVE	HURLEY DAVID JOE EST OF % NETTEENA V HUR
54	2319 INADALE AVE	PEREZ GORGONIO
55	2323 INADALE AVE	SAXTON JANA
56	9204 RUSTOWN DR	ZAMORA MARIA I &
57	9208 RUSTOWN DR	TRAN LINDA HUE THI

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	9214 RUSTOWN DR	OLVERA ENRIQUE & MARIA
59	9306 RUSTOWN DR	HEMPHILL CHARLES W
60	9310 RUSTOWN DR	DOZAL RODRIGO & ANA
61	9316 RUSTOWN DR	JONES RICHARD L
62	9233 FREEPORT DR	RAMIREZ NICOLAS
63	9227 FREEPORT DR	BOUDEWYN DOLLY
64	9223 FREEPORT DR	PERKINS JESSICA M S
65	9217 FREEPORT DR	JIMENEZ CIRILO & GUILLERMINA
66	9205 RUSTOWN DR	CORTEZ FILIBERTA
67	9209 RUSTOWN DR	WILSON SONJA R
68	9215 RUSTOWN DR	NEWMAN MARCIE
69	9307 RUSTOWN DR	TORRES JAVIER & CHRISTINA
70	9311 RUSTOWN DR	DICKSON MELANIE R
71	9317 RUSTOWN DR	GARZA JOSE C
72	9314 PIPER LN	MEDINA JUAN M
73	9308 PIPER LN	LERMA NARCISO SR & MARGARITA
74	9302 PIPER LN	SWAINBANK JOHN JAY & CONSTANCE D
SWAINBA		
75	9214 PIPER LN	MARGUERITE DECKERT LIFE E HENRY H
BOHANN		
76	9208 PIPER LN	JONES JENNIFER F
77	9202 PIPER LN	SALAS JOHN
78	9314 LINDARO LN	PUENTE RACHEL ANN
79	9308 LINDARO LN	PENA GABRIEL & ZULEYKA
80	9302 LINDARO LN	REID RUSSELL L
81	9212 LINDARO LN	ADAMS RAE
82	9208 LINDARO LN	ATKINSON JOSEPH W SR
83	9202 LINDARO LN	GUTIERREZ JOHN A
84	9118 LINDARO LN	ANNINO BARRY DEBORA REED ANNINO
85	9203 PIPER LN	CRONE PATRICIA & NATHAN
86	9209 PIPER LN	ORTUNO SAI & CARMEN CATALAN
87	9215 PIPER LN	FIELDING FOSTER L
88	9303 PIPER LN	WHITE PAMELA ANN

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	9309 PIPER LN	KEITH WENDY LEE & RICHARD L JONES
90	9315 PIPER LN	RUIZ ALEJANDRA &
91	9406 PIPER LN	TODD JAMES K JR
92	2100 INADALE AVE	BARRETT ROSA E
93	9407 PIPER LN	FW PROPERTIES LLC
94	1811 GROSS RD	Dallas ISD
95	9317 SORRENTO ST	MADDOX MARY N
96	9309 SORRENTO ST	UJAQUE PESANTE MARIZA & SHARON BLACK
97	9303 SORRENTO ST	STEELE JANET M
98	9215 SORRENTO ST	ARMSTRONG MARY C
99	9209 SORRENTO ST	JACKSON L M
100	9203 SORRENTO ST	ROESLE MICHELE K
101	9119 SORRENTO ST	TUNKS TERRY L
102	9111 SORRENTO ST	ROJAS ABEL &
103	9318 SORRENTO ST	HOWELL LINDSAY H & KENNETH M
104	9310 SORRENTO ST	LAZARO ROSENDO
105	9304 SORRENTO ST	MOORE DARRIN
106	9216 SORRENTO ST	RIGGS PAUL F JR & BEVERLY A
107	9210 SORRENTO ST	PERSINGER GEORGE WILLIAM
108	9204 SORRENTO ST	BLANCHETTE MICHAEL P
109	9120 SORRENTO ST	EWING PATSY
110	9112 SORRENTO ST	CANTRELL BETTY
111	9111 LINDARO LN	HARDER ALLEN L
112	9119 LINDARO LN	DELEON KATHY Y & ROBERT
113	9203 LINDARO LN	HUGHES THOMAS W
114	9209 LINDARO LN	TRULL MARY LOUISE
115	9215 LINDARO LN	JOHNSON MARLENE H
116	9303 LINDARO LN	CHITIQUE ALBA &
117	9309 LINDARO LN	OLIVO JOSE G & LOURDES A
118	9317 LINDARO LN	FREEMAN CHANDRA
119	9780 FERGUSON RD	SECOND AVE BAPTIST CHURCH

Z112-271(RB)

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	9784 FERGUSON RD	GOFORTH SLOAN P %JOHN BASEL
121	9785 FERGUSON RD	PRIKRYL ROBERT GENE
122	9791 FERGUSON RD	SKINNER ALAN INC
123	1806 SWAN DR	BARAJAS RUBEN & AGUSTINA
124	1812 SWAN DR	MCGURK DEBORAH
125	1818 SWAN DR	STRONG SOLUTIONS INC
126	1828 SWAN DR	PEATON MARGIE L A
127	1838 SWAN DR	RATLIFF JOE ROBERT
128	1848 SWAN DR	MALLILLIN EDWARD J
129	1858 SWAN DR	STEPHENSON CLINTON G
130	9719 FERGUSON RD	SULLIVAN VERNA JO
131	9715 FERGUSON RD	HERNANDEZ SADIE
132	9711 FERGUSON RD	DUFFY JOHN F III
133	2676 PEAUVY RD	VOLANTE JEROME PETER & JULIE ANN
134	2670 PEAUVY RD	CREEL CHRIS
135	2666 PEAUVY RD	REYES CELIA & MARTIN JESSE REYES
136	1830 VIEWCREST DR	INGRAM EMILY
137	1836 VIEWCREST DR	STRONG SOLUTIONS INC % DORINDA
ARMSTRONG		
138	1840 VIEWCREST DR	STUMP KENT & JUDY
139	1844 VIEWCREST DR	BRYANT DANIEL
140	1906 VIEWCREST DR	WISE NATALIE A
141	1914 VIEWCREST DR	MORGAN BILL
142	1918 VIEWCREST DR	RUDD LILLIAN H
143	1928 VIEWCREST DR	KRIEGER JACQUELYN R
144	1934 VIEWCREST DR	CARPENTER MELISSA J
145	1940 VIEWCREST DR	YONICK KEITH A &
146	1857 SWAN DR	LINCON JOSE INES & MARIA
147	1851 SWAN DR	CLEMENTS RICHARD L SUITE 100
148	1847 SWAN DR	SCOTT LINDA ANN
149	1841 SWAN DR	CAVENDER JOSEPH W
150	1837 SWAN DR	JACKSON JANA

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	1831 SWAN DR	VARNON TRUMAN
152	1827 SWAN DR	HOWARD GLENN O & DONNA M
153	1821 SWAN DR	TIMMONS SHEILA RHYMES
154	1817 SWAN DR	THOMAS KEVIN
155	1811 SWAN DR	MERRILL THOMAS REYNARD
156	1805 SWAN DR	YARBROUGH EVELYN G
157	9737 SKYVIEW DR	GUY J W
158	9731 SKYVIEW DR	BROCKMAN TROY W
159	9727 SKYVIEW DR	BENNERS MARCUS
160	9723 SKYVIEW DR	SHOCKLEY STEVE G
161	9719 SKYVIEW DR	DENNING GLENN & MAUREEN
162	9715 SKYVIEW DR	KENNAMER JEAN ALICE
163	9709 SKYVIEW DR	ARMSTRONG DORINDA LEE
164	9705 SKYVIEW DR	HARRIS E WILLETTE K
165	1939 VIEWCREST DR	KHAN SURAIYA P PILLAI
166	1933 VIEWCREST DR	KRIEGER KARL J & DESIREE R
167	1929 VIEWCREST DR	COLLINS LAURA MARIE
168	1923 VIEWCREST DR	GARDINER WILLIAM R &
169	1919 VIEWCREST DR	Taxpayer at
170	1915 VIEWCREST DR	AYALA UBALDO JARAMILLO
171	1909 VIEWCREST DR	MARSDEN STEPHEN J & DEBRA J
172	1903 VIEWCREST DR	HARRIS LISA
173	2016 OATES DR	MONTES NANCY K G
174	2024 OATES CIR	CRAMER CHRISTINE M
175	2028 OATES CIR	DREWS KARIANNE M
176	2032 OATES CIR	WISE W FOSTER III EST OF % DEBRA WISE
177	2036 OATES CIR	WHITAKER JANE & JAMES HEATH
178	2040 OATES CIR	HERNANDEZ KARLA Y
179	2044 OATES CIR	MELENDEZ OSCAR & ROSA
180	2050 OATES CIR	TOBIN JASON
181	9777 FERGUSON RD	F.I. & B.MANAGEMENT, LTD.

Z112-271(RB)

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	9704 SKYVIEW DR	NGUYEN CHUONG CONG
183	9708 SKYVIEW DR	SOLOMON MONICO JR
184	9714 SKYVIEW DR	DANIEL MARK & BEVERLY
185	9718 SKYVIEW DR	SMITH PATRICK JOSEPH
186	9722 SKYVIEW DR	SLOVAK JOY
187	9726 SKYVIEW DR	SMITH CHARLES T & CINDY T
188	9730 SKYVIEW DR	BENNERS KRISTIN MARION
189	9740 SKYVIEW DR	JONES PHYLLIS MARIE
190	2704 BEECHMONT PL	OXLEY DAVIS BEVERLY ANN
191	2708 BEECHMONT PL	MARTINEZ JESUS ANDREW & VITIA B
192	2712 BEECHMONT PL	TUCKER LAURA
193	2716 BEECHMONT PL	REYES ARIZBE M & JOSE L
194	2720 BEECHMONT PL	VARELA ISRAEL R & MARIA G BARAJAS
195	2724 BEECHMONT PL	CHEEVER TRINA D ETAL
196	2728 BEECHMONT PL	SMITH DAVID G & J CAROL
197	2732 BEECHMONT PL	ROUSSIN THOMAS
198	2736 BEECHMONT PL	WESTBAY MABEL LIFE ESTATE
199	2742 BEECHMONT PL	DELEON DORILA
200	2746 BEECHMONT PL	GALVEZ IRENE
201	9605 TALINA DR	TURNER DIANE WIBBENMEYER
202	9611 TALINA DR	WILLIAMS CHARLIE H JR
203	9617 TALINA DR	CISNEROS FRANCISO RAYAS
204	9623 TALINA DR	RAPHAEL DAVID M
205	9629 TALINA DR	PIERCE CHARLES H
206	9635 TALINA DR	KUNDL JOHN
207	9630 TALINA DR	TURNER RICHARD A
208	9624 TALINA DR	PATTERSON OLLIE R
209	9618 TALINA DR	DUNNAM SUSETTE
210	9612 TALINA DR	BUNTON ALICE
211	2760 BEECHMONT DR	JONES JOHN
212	2705 FELICIA CT	MCCOY JULIE D

Z112-271(RB)

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	2702 FELICIA CT	REESE BETTY
214	2708 FELICIA CT	SCALES REIGH M
215	2665 PEAVY RD	ROSE EMILY C
216	2649 PEAVY RD	MICHALAKEAS HARRY & GWENDOLYN
217	2655 PEAVY RD	REIBENSTEIN CHARLES JR
218	2671 PEAVY RD	RESCHLY CARMEN K
219	2677 PEAVY RD	STILLWELL RONAL F
220	2683 PEAVY RD	STOVALL BETTY
221	1736 MAPLETON DR	THOMPSON HAROLD & PATRICIA
222	1732 MAPLETON DR	MURPHY LINDA & ROBERT PICKENS
223	1728 MAPLETON DR	LEACH GLENDA
224	1724 MAPLETON DR	JAMES DYLAN R & KEELY E
225	1720 MAPLETON DR	SMITH JOYCE L
226	1716 MAPLETON DR	BARTON GEORGE E
227	1712 MAPLETON DR	HERNDON MARY CHRISTINE
228	1708 MAPLETON DR	GOLIHAR DANIEL J
229	1704 MAPLETON DR	PEREZ DAVID HECTOR & PEREZ JUVENTINA
230	1729 MAPLETON DR	SNEDDEN ROBERT & MICHELLE
231	1725 MAPLETON DR	ROWE BRENDA DILORD
232	1715 MAPLETON DR	ROBBE JOHN

FILE NUMBER: Z112-301(RB)

DATE FILED: August 9, 2012

LOCATION: Northwest Line of Mockingbird Lane, Northeast of Maple Avenue

COUNCIL DISTRICT: 2

MAPSCO: 34 P

SIZE OF REQUEST: Approx. 1.32 Acres

CENSUS TRACT: 4.06

APPLICANT/OWNER: Prescott Interests, Ltd.

REPRESENTATIVE: Karl Crawley

REQUEST: An application for an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District.

SUMMARY: The applicant is requesting an IR District in order to develop the property with inside industrial uses and warehouse/distribution uses.

STAFF RECOMMENDATION: Approval

BACKGROUND:

- The request site is fully developed with various commercial structures on individually platted lots. The majority of the structures are occupied.
- The applicant is requesting a zoning change in order in order to develop the property with inside industrial uses and warehouse/distribution uses.
- No specific development plans exist at this time.

Zoning History:

<u>Case Number</u>	<u>Request, Disposition & Date</u>
1. Z045-116	On April 13, 2005, the City Council approved an IR District on property zoned an MC-3 District.
2. Z045-119	On April 13, 2005, the City Council approved an IR District on property zoned an MC-3 District.
3. Z056-145	On April 26, 2006, the City Council approved an MU-2 District on property zoned an IR District.

<u>Thoroughfare/Street</u>	<u>Designation; Existing & Proposed ROW</u>
Mockingbird Lane	Principal Arterial; 100' & 100' ROW
Maple Avenue	Local; 60' ROW*

*Classified as a local street north of Mockingbird, but transitions to a Collector designation southward from Mockingbird Lane

Area Plans: The site is situated within the boundary of the Love Field-West Land Use Study, adopted by the City Council in January, 1987. The study recommends industrial-research uses for the immediate area. The requested IR District permits uses consistent with the study's recommendations.

Comprehensive Plan: The site is located in a Commercial Center or 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.

STAFF ANALYSIS:

Land Use Compatibility: The request site is improved with a surface parking area. The applicant proposes to rezone the property to permit industrial uses. It should be noted that the requested IR District is consistent with the immediate area surrounding the site and is developed with similar uses as those within the request area.

For information purposes, the site is surrounded by similar IR District zoning (see Zoning History). At the time the intervening property owner that owned this parcel was approached by that applicant, however neglected to be a part of this zoning request. It should be noted a different property owner controlled this site in 2005.

Surrounding land use consists of a mix of commercial, retail, and industrial uses in all directions. Love Field Airport is situated to the east/northeast across Denton Drive. It should be noted that many of the structures located along both sides of Mockingbird Lane between Maple Avenue and Denton Drive are vacant. These properties are zoned for IR District Uses and are encompassing of structures that permit, in part, warehouse and office/showroom uses.

Prior to the City-wide zoning transition program, the immediate area was zoned for I-2 District Uses. The area exclusive of the blockface on the northwest line of Mockingbird Lane between Maple Avenue and Denton Drive transitioned to an IR District. All records of public input during the process are no longer available,

therefore, staff is unclear as to why the request site transitioned to the current MC-3 District.

As a result of this analysis, staff supports the applicant’s request.

Zoning District Comparison

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: MC-3 Multiple Commercial	15' Urban form	20' adjacent to residential OTHER: No Min.	1.2 FAR base 1.5 maximum	115' 9 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging
Requested: IR – Industrial Research District	15'	30' adj. To residential OTHER: No min.	2.0	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

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.

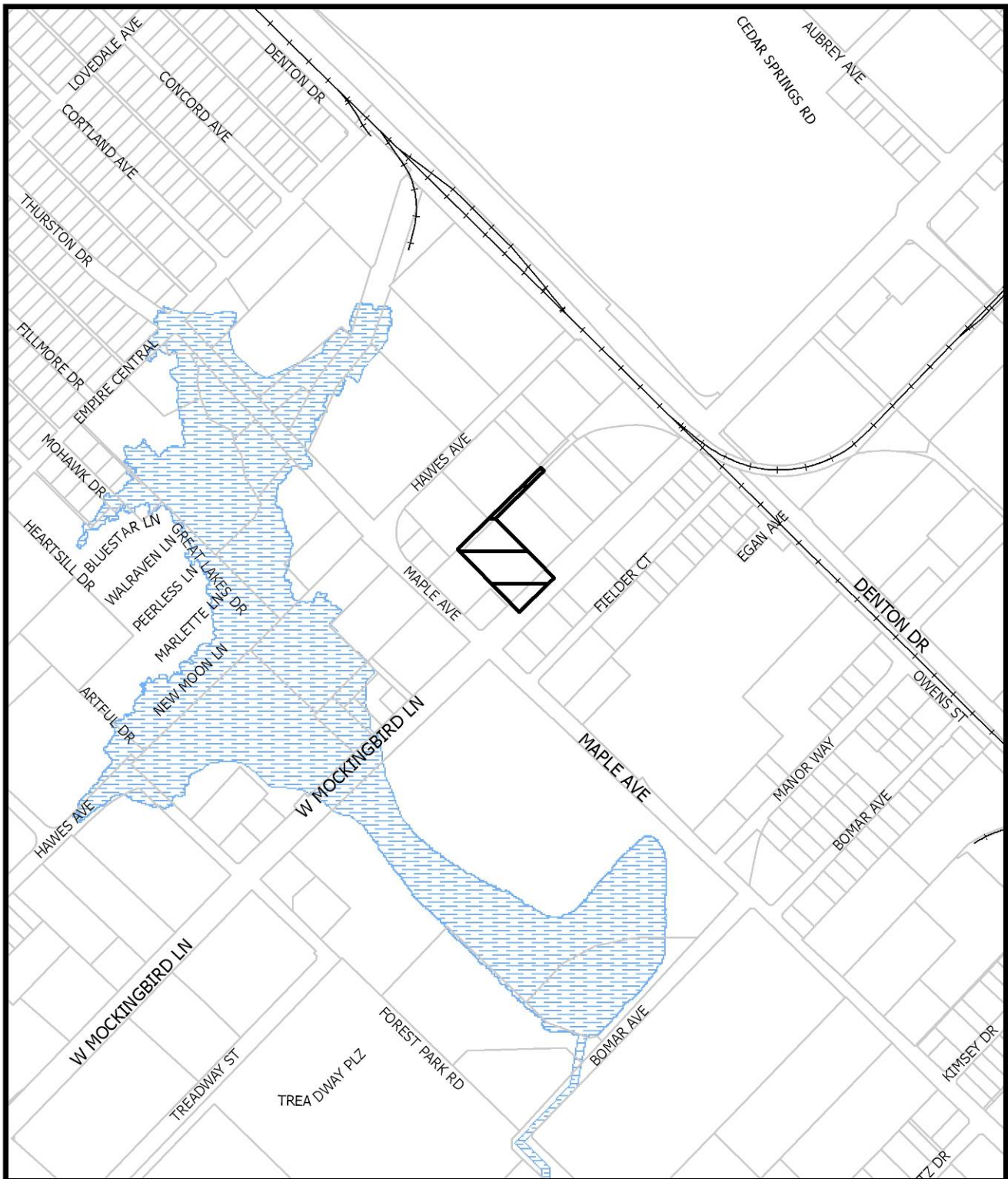
Landscaping: The site is void of any landscaping. Redevelopment of the site will require compliance with Article X.

Z112-301(RB)

PRESCOTT INTERESTS LTD.

Carlisle Acquisitions, Inc. General Partner
John K. Percy, President/Secretary
James B. Oates, Vice President
Sandra Owens, Vice President

Z112-301

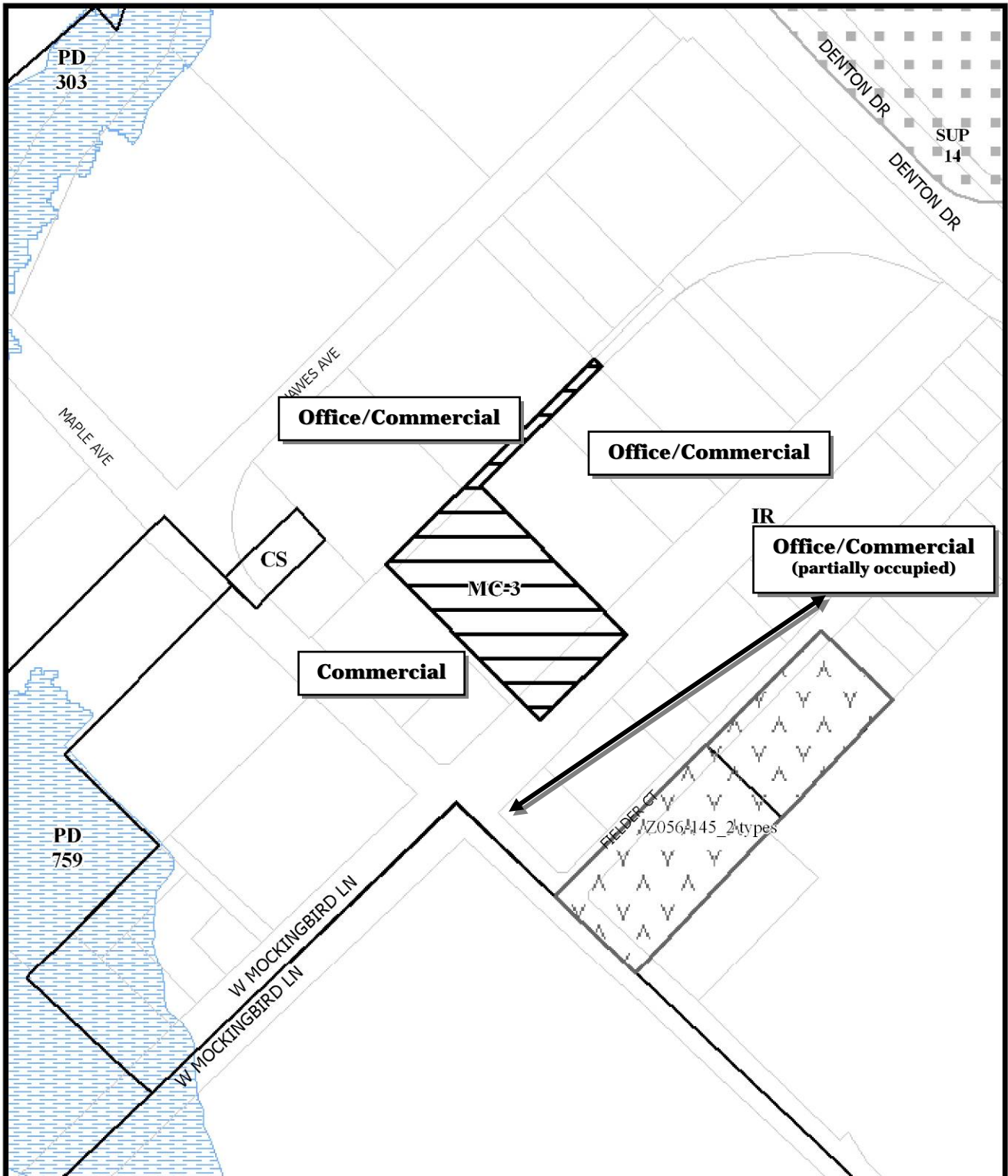


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VICINITY MAP

Case no: **Z112-301**

Date: **9/21/2012**

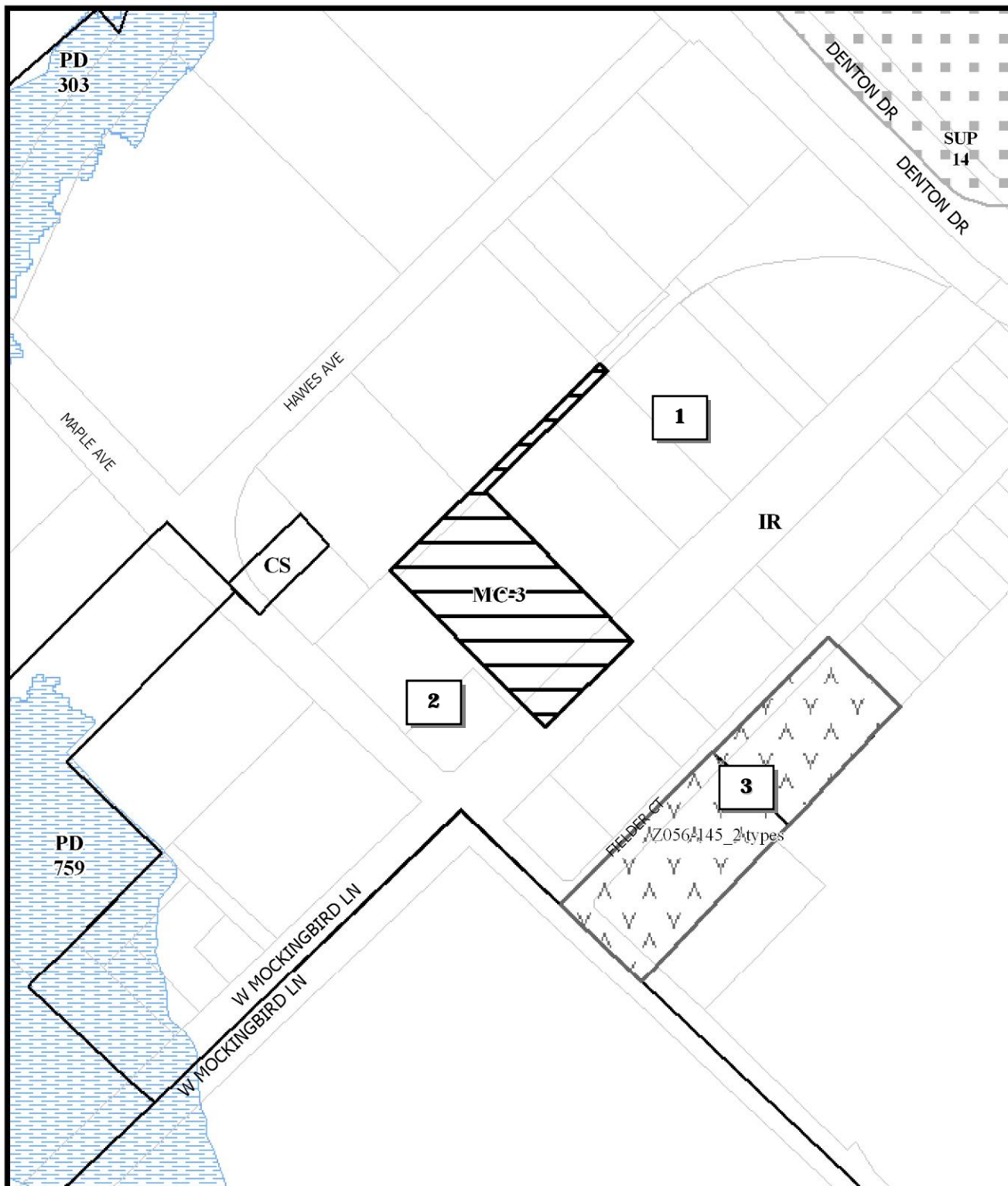


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ZONING AND LAND USE

Case no: Z112-301

Date: 9/21/2012




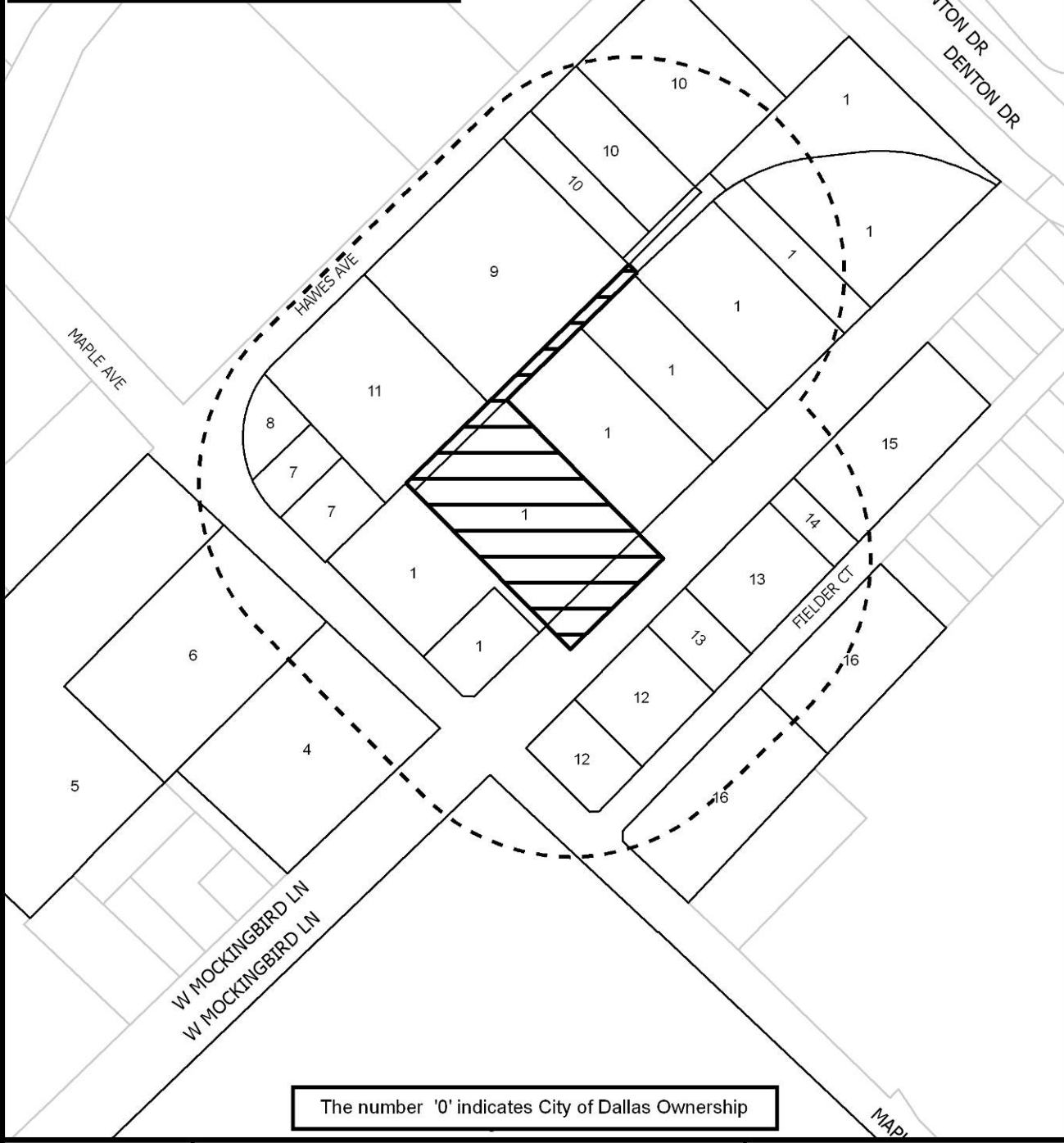
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ZONING HISTORY

Case no: **Z112-301**

Date: **9/21/2012**

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
16 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-301**
 Date: **9/21/2012**

9/20/2012

Notification List of Property Owners

Z112-301

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2727 MOCKINGBIRD LN	PRESCOTT INTERESTS LTD
2	2608 MOCKINGBIRD LN	CARLISLE INTERESTS INC
3	6535 MAPLE AVE	BOARD OF REGENTS OF THE % REAL ESTATE OF
4	2449 MOCKINGBIRD LN	GREENWAY-MOCKINGBIRD LP STE 100
5	6641 MAPLE AVE	MOCKINGBIRD VENTURE PARTNERS LLC
6	6627 MAPLE AVE	6627 MAPLE AVE PS % WELLS FARGO NA
7	6638 MAPLE AVE	HAWES JOINT VENTURE
8	6644 MAPLE AVE	LAMM FRIEDA WOOD
9	2608 HAWES AVE	WILLIAMSON HAWES JV
10	2640 HAWES AVE	WILLIAMSON PRINTING CO
11	2510 HAWES AVE	HAWES JV
12	2500 MOCKINGBIRD LN	JUSBAR LTD
13	2526 MOCKINGBIRD LN	TREVINO PROPERTIES LTD
14	2616 MOCKINGBIRD LN	HALLFORD RAY
15	2626 MOCKINGBIRD LN	EL HUASCARAN LP
16	6434 MAPLE AVE	6434 MAPLE PLACE LP

FILE NUMBER: Z112-270(WE) **DATE FILED:** June 22, 2012

LOCATION: Northwest line of Birch Street, northeast of Carroll Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 46-F

SIZE OF REQUEST: Approx. 21,300 sq. ft. **CENSUS TRACT:** 24.00

APPLICANT / OWNER: Fernando Santos

REPRESENTATIVE: Mario V. Saldana

REQUEST: An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned Subarea A of Planned Development District No. 134.

SUMMARY: The purpose of this request is to allow for an expansion of an existing auto related use. The applicant has volunteered deed restrictions which prohibit any structures from being developed on the lot that is adjacent to a residential dwelling.

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

BACKGROUND INFORMATION:

- The applicant’s request for a CS Commercial Service District will allow for the expansion of an existing auto related use. The applicant is proposing to develop two of the three lots with a structure to service automobiles.
- The applicant has volunteered deed restrictions which prohibit any structures from being developed on an adjacent lot that is contiguous to a residential dwelling.
- The request site is adjacent to single family use, which is on Birch Street. Southeast of the request site, across Birch Street are single family uses and an auto related use. The Santa Fe Trail runs along the northeastern property line of the request site.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Birch Street	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 134	Undeveloped
Northeast	PDD No. 134	Single Family
Southeast	PDD No. 134, CS w/DR	Single Family, Auto related use
Southwest	CS	Office, Auto related use
Northwest	MC-3	Santa Fe Trails, Undeveloped

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 within a Urban Mixed-Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a

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

Land Use Element

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 21,300 square foot request site is located on the outer perimeter of Planned Development District No. 134, which is developed with single family uses. The applicant’s request for a CS Commercial Service District will allow for an expansion of an existing auto related business. Two of the three lots that are within the request site will allow for development of CS district uses. The applicant has volunteered deed restrictions that will prohibit any development, except for surface parking, on their lot that is adjacent to a single family use.

The applicant will use the existing driveway approaches on Birch Street and South Carroll Avenue to access the proposed site. The proposed expansion of the auto related use will have to meet the residential proximity slope due to the residential adjacency. In addition, the property will be secured with a fence and should not have an adverse impact on the adjacent residential uses. South Carroll Avenue is developed with a variety of auto related and personal service uses.

Staff recommendation is for approval of a CS Commercial Service District with deed restriction volunteered by the applicant.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 134 – existing	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
CS- Proposed 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

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

Screening: The applicant will be required, by Code, to provide screening not less than six feet in height that is adjacent to a residential use. A non-residential use that is adjacent to a residential use is required to provide screening. The screening must be constructed of brick, stone, concrete masonry, stucco, concrete, wood or evergreen plant materials.

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

PROPOSED DEED RESTRICTIONS

THE STATE OF TEXAS

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF DALLAS

1.

The undersigned, Fernando Santos & Maria I. Yolanda Santos, ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the P.T. of Blenheim Place Addition Survey, Abstract No. 0495, City Block A/1057, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Jimmy Lee Redding, by deed dated October 3, 1995, and recorded in Volume 1, Page1, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Blenheim Place Addition Block A/1057 Lot No.2, Lot No.3 and Lot No.4 of the City of Dallas, Dallas County, Texas

II.

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

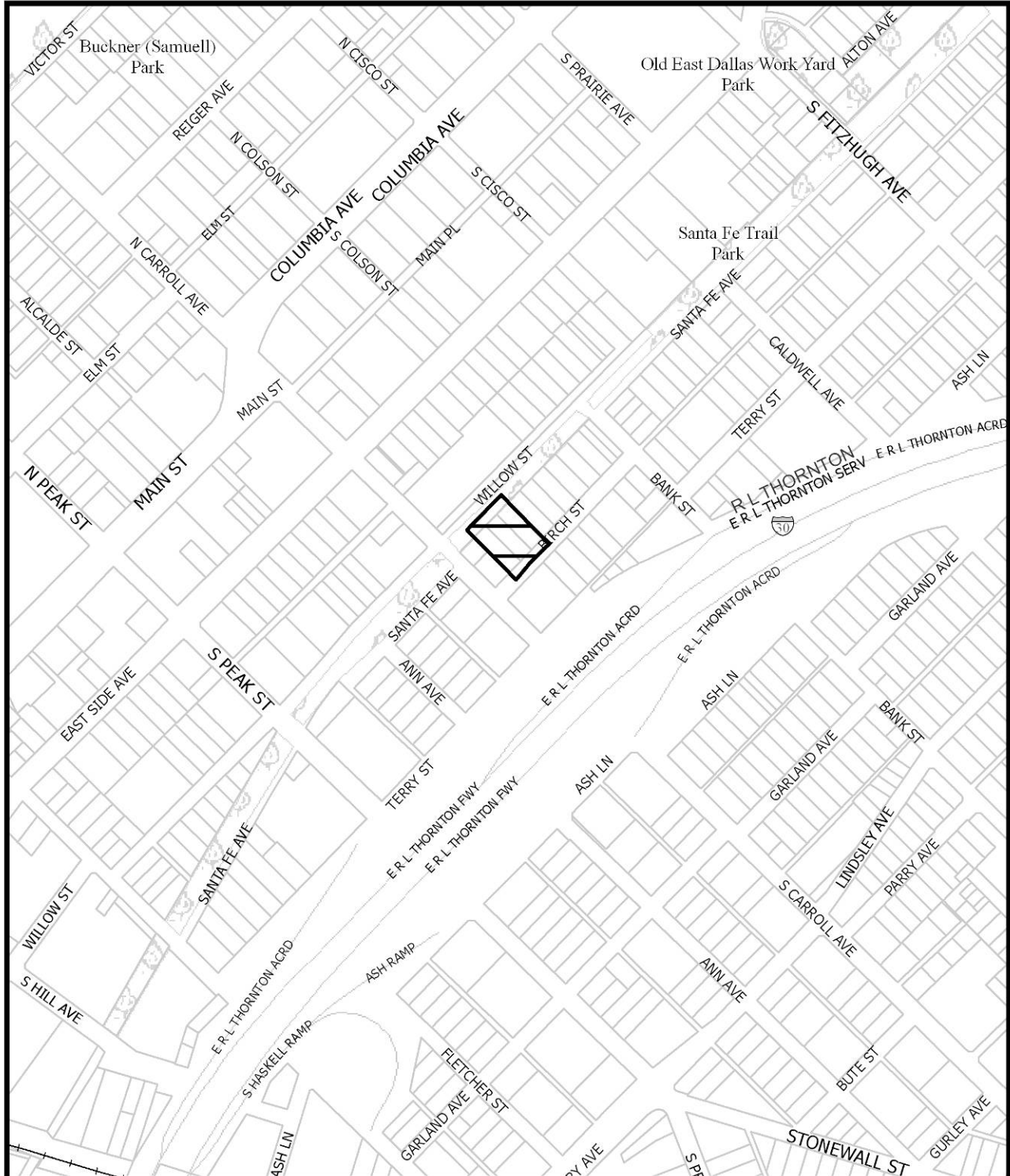
All CS Commercial Service District uses are prohibited on Lot 4 in City Block A/1057, except for surfacing parking.

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.

IV.

These restrictions may be amended or terminated as to any portion of the Property, upon application to the City of Dallas by the current owner of that portion of the Property, without the concurrence of the owners of the remaining portion of the Property. 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.

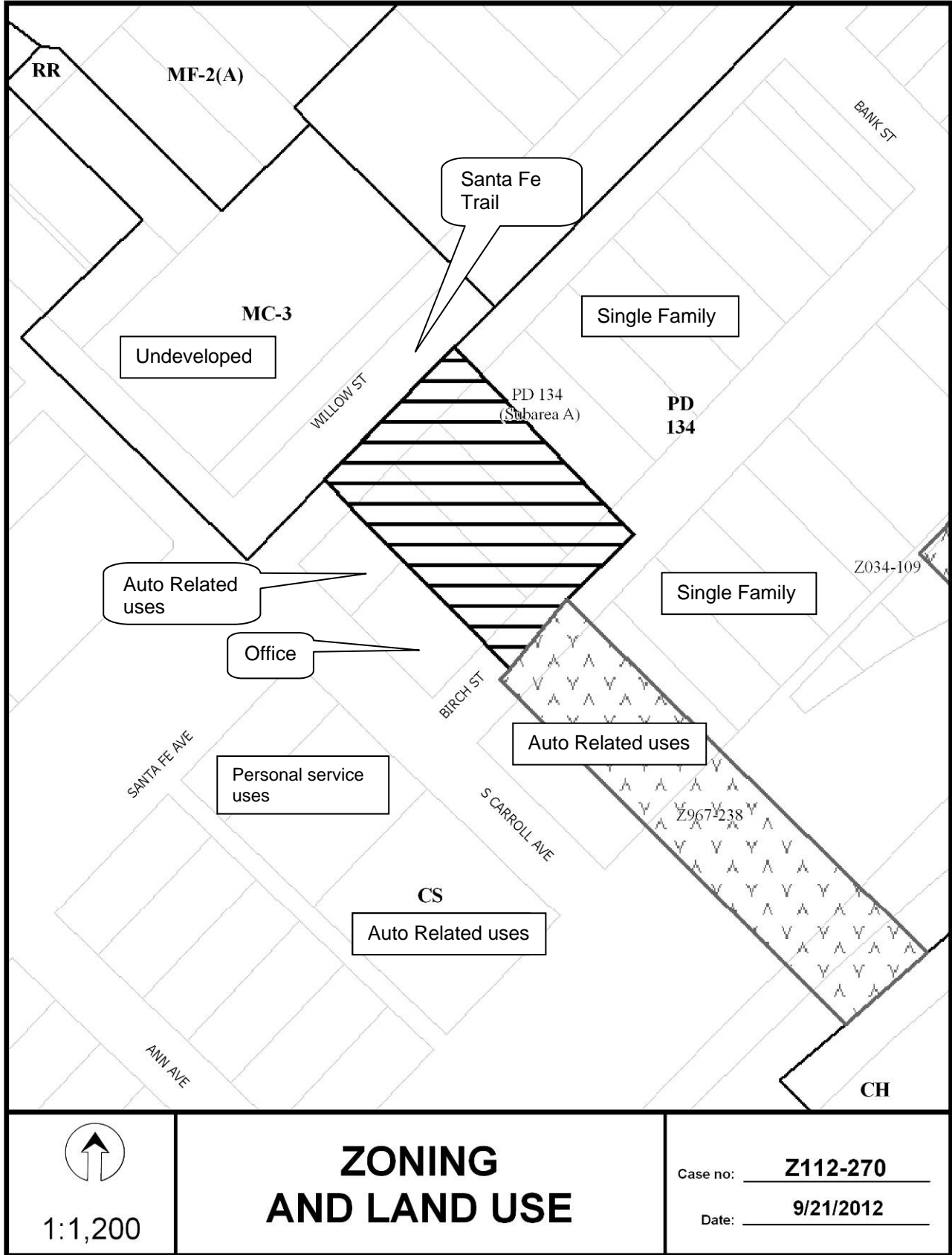


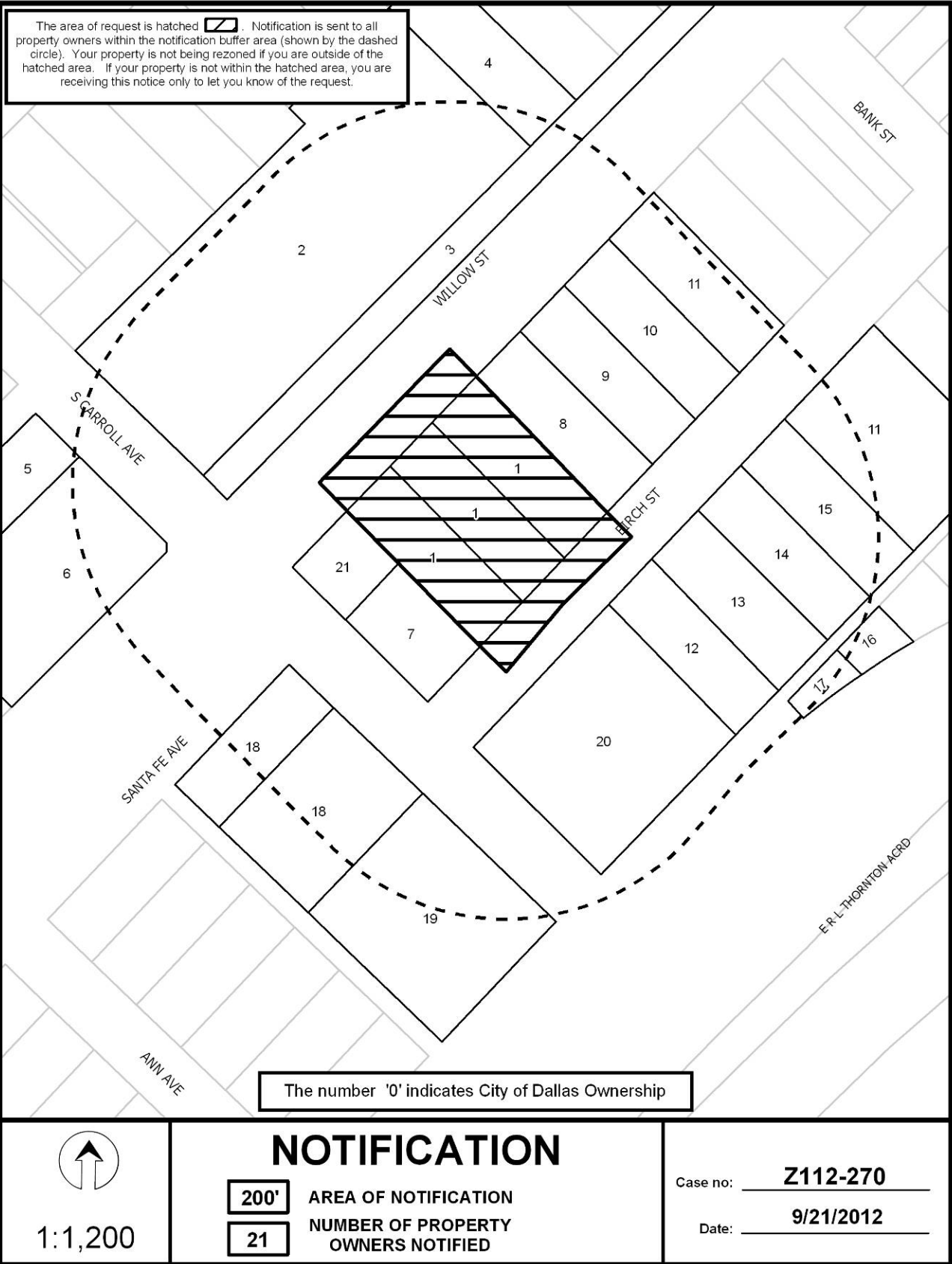
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VICINITY MAP

Case no: Z112-270

Date: 9/21/2012





1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

21

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: Z112-270

Date: 9/21/2012

Notification List of Property

Z112-270

21 Property Owners Notified

Label #	Address	Owner
1	4505 BIRCH ST	SANTOS FERNANDO & MARIA I YOLANDA
2	310 CARROLL AVE	SAMADIAN FAMILY L P
3	4643 WILLOW ST	MORRISON FAMILY LIMITED PARTNERSHIP
4	4529 WILLOW ST	WILLOW PARTNERS LP
5	301 CARROLL AVE	GONZALEZ TROY &
6	305 CARROLL AVE	RAMIREZ GRICELDA
7	406 CARROLL AVE	EICHINGER FURTULA BUDD WATTS LTD
8	4517 BIRCH ST	LOPEZ IGNACIO & MARIA DE LOURDES
9	4521 BIRCH ST	GAMEZ RICHARD & OLGA VALDEZ
10	4525 BIRCH ST	LEATHERNECK FOUNDATION OF TEXAS INC THE
11	4529 BIRCH ST	DALLAS SPANISH PILGRIM NAZARENE CHURCH
12	4512 BIRCH ST	VELASQUEZ PEDRO & MARIA VELASQUEZ
13	4516 BIRCH ST	VELAZQUEZ PEDRO ETUX
14	4520 BIRCH ST	SALAS SANTOS HERNANDEZ & DORA SOTO
15	4524 BIRCH ST	REYNA ROBERT
16	4521 R L THORNTON FWY	SCHOOLFIELD ESSIE P % VIRGINIA DUNLAP
17	4517 R L THORNTON FWY	FAZ RUBEN
18	405 CARROLL AVE	CENTURY CARROLL LLC
19	505 CARROLL AVE	BROWN MIKE &
20	504 CARROLL AVE	GRYDER ROY
21	402 CARROLL AVE	SANTOS FERNANDO & YOLANDA

FILE NUMBER: Z112-311(WE) **DATE FILED:** August 29, 2012

LOCATION: Montfort Drive and Verde Valley Lane, northwest corner

COUNCIL DISTRICT: 11 **MAPSCO:** 14-H

SIZE OF REQUEST: Approx. 5.79 acres **CENSUS TRACT:** 136.24

APPLICANT: CDP Development Company, LLC

OWNER: Oram Properties, Ltd.

REPRESENTATIVE: MASTERPLAN
Karl Crawley

REQUEST: An application for an amendment to Planned Development District No. 773 for multifamily uses.

SUMMARY: The purpose of this request is to amend the Planned Development District development plan. The proposed development plan will modify the yard setbacks from 25 feet to 15 feet.

STAFF RECOMMENDATION: Approval, subject to a development plan

BACKGROUND INFORMATION:

- The applicant’s request is to amend the approved development plan to reflect the modifications to the yard setbacks on Montfort Drive and Verde Valley Lane. The proposed development plan will reflect the 15-foot setback as stated in the Planned Development District conditions instead of the 25-foot setback that is shown on the approved development plan. There are no additional changes that are being considered to the existing Planned Development District conditions.
- In January 2009, the City Council approved a Planned Development District for multifamily uses on property zoned an MF-1(A) Multifamily District (request site).
- The applicant is proposing to construct a 310-unit multifamily development that will have an interior parking structure and one architectural features that will be oriented towards Verde Valley Lane and Montfort Drive.
- The surrounding land uses consist primarily of multifamily uses and a public school on Verde Valley Lane. North and east of the request site is the City of Addison. The development within the City of Addison consists of a retail strip center to the north and retail and office uses to east, across Montfort Drive.

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

1. Z034-137 On March 24, 2004, the City Council approved a Planned Development District for a Public School other than an Open Enrollment Charter School and MF-1(A) Multifamily District uses and an amendment to Specific Use Permit No. 1277 for a public school and tower/antenna for cellular communication on property zoned an MF-1(A) Multifamily District and Planned Development No. 335 for mixed use development, bounded by Verde Valley Lane, Montfort Drive, Celestial Road and Noel Road.
2. Z078-293 On January 14, 2009, the City Council approved a Planned Development District for multifamily uses on property zoned an MF-1(A) Multifamily District at the northwest corner of Montfort Drive and Verde Valley Lane. (request site)

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Montfort Drive	Local	55 ft.	55 ft.
Verde Valley Lane	Local	30 ft.	30 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 773	Multifamily
North	City of Addison	Retail
South	PD No. 676 w/SUP No. 1277	School, Cellular tower
East	City of Addison	Office, Single Family
West	PDD No. 291	Multifamily

Comprehensive Plan: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies to support the applicant’s request for multifamily uses.

The proposed 310-unit multifamily development is located within the Business Center or Corridor building Block which represents major employment or shopping destinations outside of Downtown and is distinguished by a strong auto orientation. Even though the Business Centers or Corridors Building Blocks are primarily oriented towards commercial and offices uses, they also include some multi-family housing that would include low-to-mid-rise apartments, condos and townhomes.

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 Plan:

Greater Far North Dallas Area Land Use and Transportation Plan: The *Greater Far North Dallas Area Land Use and Transportation Plan, Update*, was adopted by the City Council in September 1995. The request site is located within an area of the Plan that is identified as “Commercial/Retail/Office Areas.” The plan recommends a high density (no limitation) for this area. In addition, the request site is contiguous to the City of Addison.

Furthermore, the Plan recommends high rise offices and high density mixed use development in the core of the Dallas Parkway Center area. The goal is “to create a

very urban, mixed use character where residential is encouraged as an important mixed use component (in order to increase the efficiency of the area by reducing traffic impacts).” The requested Planned Development District for multifamily uses will limit the total development to 310-units or a maximum density of approximately 54 dwelling units per acre. The proposed development will comply with the recommendation in the Greater Far North Dallas Area Land Use and Transportation Plan.

STAFF ANALYSIS:

Land Use Compatibility: The 5.79 acre site is developed with a 137-unit multifamily development and is adjacent to several multifamily uses and an elementary school. The request property abuts the City of Addison, where the development is urban in nature. The development within the City of Addison consists of a large retail strip center to the north and retail and office uses to the east, across Montfort Drive. The applicant’s request for an amendment to Planned Development No. 773 for multifamily uses will allow for the development plan to reflect the approved setbacks on Montfort Drive and Verde Valley Lane from 25 feet to 15 feet.

In January 2009, the City Council approved Planned Development District No. 733. The PDD conditions indicated a front yard setback of 15-feet on Montfort Drive and Verde Valley Lane; however, the approved plan showed a setback of 25-feet. The changes to the setbacks on the development plan could not be process as a minor amendment because the setback lines were drawn on the plan. In addition, there are some minor changes to the building’s footprint that also contributed to the decision that the changes could not be processed as a minor amendment. Therefore, the applicant had to file an amendment to Planned Development No. 733 to reflect the changes in the front yard setbacks and building footprint.

The applicant proposes to redevelop the site with a 310-unit multifamily development that will have an interior parking structure that incorporates an architectural feature at the northeast corner of Verde Valley Lane and Montfort Drive. In addition, the planned Development limits the maximum height of the multifamily development to 60 feet or 5 stories, with the architectural features not to exceed 76 feet in height, measured to the highest point, due to the site’s topography. The site slopes between 15 to 20 feet in a west to east direction towards Montford Drive.

Staff has reviewed the request and recommends approval of the applicant’s request for an amendment to Planned Development District No. 773 for a multifamily uses, subject to a development plan.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 773	15'	10'	310	36'	60%	Proximity Slope	Multifamily

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended. All plant materials must be maintained in a healthy, growing condition.

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

**LIST OF OFFICERS
ORAM PROPERTIES, LTD**

Oram Properties Ltd., a Texas Limited Partnership

- Michael J. Ockstein, President, Secretary, Treasurer

MJO Properties, Inc., a Texas Corporation – General Partner

- Michael J. Ockstein, President, Secretary, Treasurer

**LIST OF OFFICERS
CDP DEVELOPMENT COMPANY, LLC**

CDP Development Company, LLC, a Delaware Corporation

- John J. Englert, Manager
- C. Christopher Harris, Manager
- Andrew S. Kaye, Manager
- W. Pretlow Riddick, Manager

**LIST OF OFFICERS
CRITERION BILTMORE, LLP**

- John J. Englert, Manager
- C. Christopher Harris, Manager
- Andrew S. Kaye, Manager
- W. Pretlow Riddick, Manager

APPROVED PDD CONDITIONS

PD 773.

SEC. 51P-773.101. LEGISLATIVE HISTORY.

PD 773 was established by Ordinance No. 27450, passed by the Dallas City Council on January 14, 2009. [~~Ord. 27450~~]

SEC. 51P-773.102. PROPERTY LOCATION AND SIZE.

PD 773 is established on property located at the northwest corner of Verde Valley Lane and Montfort Drive. The size of PD 773 is approximately 5.79 acres. [~~Ord. 27450~~]

SEC. 51P-773.103. 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. [~~Ord. 27450~~]

SEC. 51P-773.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 773A: development plan. [~~Ord. 27450~~]

SEC. 51P-773.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 773A). If there is a conflict between the text of this article and the development plan, the text of this article controls. [~~Ord. 27450~~]

SEC. 51P-773.106. MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the MF-1(A) Multifamily District, subject to the same conditions applicable in the MF-1(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-1(A) Multifamily 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 MF-1(A) Multifamily District is subject to DIR in this district; etc. [~~Ord. 27450~~]

SEC. 51P-773.107. 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 sales.

-- Accessory pathological waste incinerator.

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

-- Accessory helistop. [~~Ord. 27450~~]

SEC. 51P-773.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Front yard.

(1) Minimum front yard is 15 feet.

(2) Cantilevered roof eaves and balconies may project up to four feet into the required front yard. Stoops and stairs not exceeding eight feet in width and four feet in height from grade to the top of the stairs may extend up to five feet into a required front yard.

(b) Side and rear yard.

(1) Except as provided in this subsection, minimum side and rear yard is 10 feet.

(2) Cantilevered roof eaves and balconies may project up to four feet into the required side and rear yard. Stoops and stairs not exceeding eight feet in width and four feet in height from grade to the top of the stairs may extend up to five feet into a required side or rear yard.

(c) Density. Maximum number of dwelling units is 310.

(d) Floor area ratio. No maximum floor area ratio.

(e) Height.

(1) Except as provided in this subsection, maximum structure height is 60 feet, measured to the highest point. Architectural elements located in this area in Section 51A-4.408(a)(2)(A) may project a maximum of six feet above the maximum structure height.

(2) Maximum structure height, in the location shown on the development plan is 76 feet, measured to the highest point. Architectural elements located in this area in Section 51A-4.408(a)(2)(A) may project a maximum of 12 feet above the maximum structure height. (3) Roof-mounted mechanical equipment, skylights, and solar panels must be screened or set back so that they are not visible at the property line.

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

(g) Lot size. No minimum lot size.

(h) Stories. Maximum number of stories above grade is five. (Ord. 27450)

SEC. 51P-773.109. 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 and loading requirements for each use.

(b) For multifamily uses, the following off-street parking spaces are required, except that a minimum average of one-and-one-half parking spaces are required for each dwelling unit in a multifamily structure:

(1) one space for each efficiency unit;

(2) one-and-one-third spaces for each one bedroom unit; and

(3) two spaces for each unit with two or more bedrooms.

(c) For an accessory community center (private) use, one space per 500 square feet of floor area is required. [~~Ord. 27450~~]

SEC. 51P-773.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. [~~Ord. 27450~~]

SEC. 51P-773.111. LANDSCAPING.

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

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

(c) Along Montfort Drive and Verde Valley Lane, street trees must be provided at a ratio of one tree for every 30 feet of frontage, excluding driveways. Small trees may be substituted for large trees if the building official determines that a large street tree will interfere with overhead utility lines. Existing trees within 30 feet of the street curb may count toward the street tree requirements. [~~Ord. 27450~~]

SEC. 51P-773.112. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII. [~~Ord. 27450~~]

SEC. 51P-773.113. ADDITIONAL PROVISIONS.

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

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. [~~Ord. 27450~~]

SEC. 51P-773.114. COMPLIANCE WITH CONDITIONS.

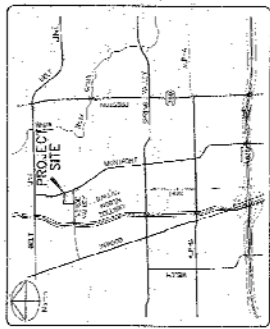
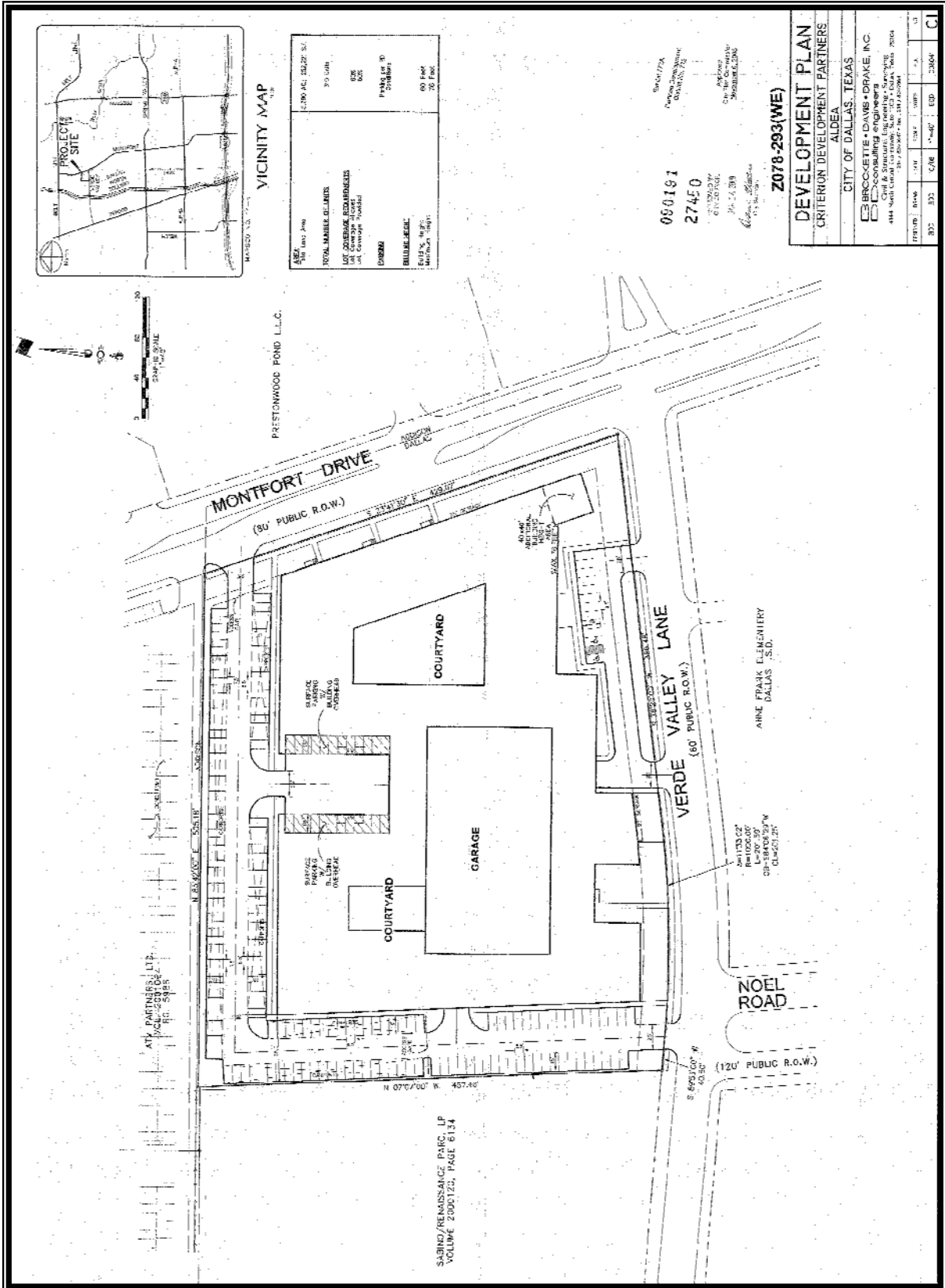
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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, 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. [~~Ord. 27450~~]

[~~SEC. 51P-773.115. ZONING MAP.~~]

[~~PD 773 is located on Zoning Map No. C-7. (Ord. 27450)~~]

APPROVED DEVELOPMENT PLAN



AREA TOTAL AREA: 282,277.62	373.000H
TOTAL MARKET LANDS	0.02
LOT ZONING REQUIREMENTS Lot Coverage: 40% Max	0.02
DIMENSIONS	70' x 70'
BUILDING CODE	60' x 70'

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27450

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10/15/24
11/15/24

08/17/24
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11/15/24

2078-293(WE)

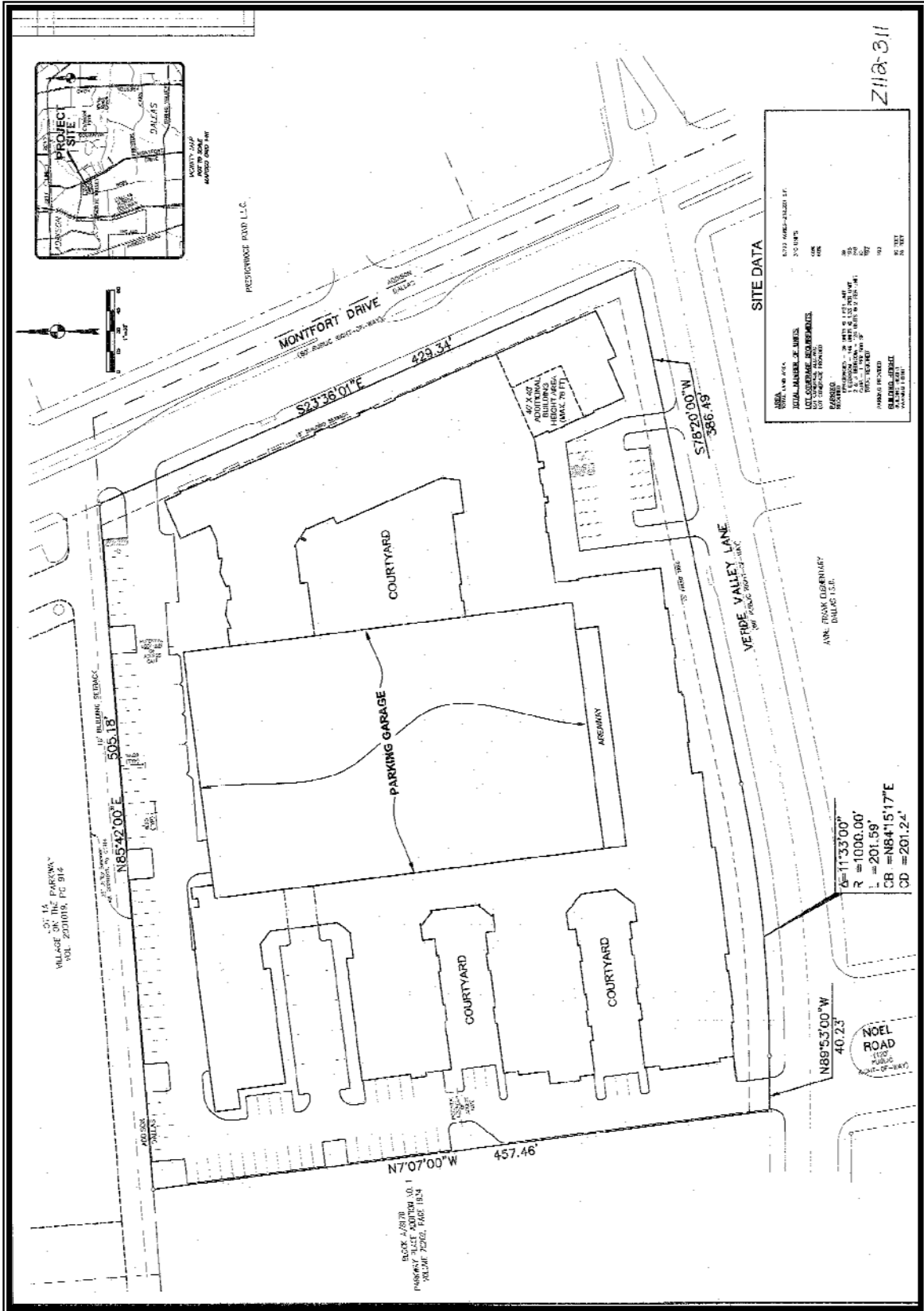
DEVELOPMENT PLAN
CRITERION DEVELOPMENT PARTNERS
ALDEA
CITY OF DALLAS, TEXAS

BRACKETTE + DAVIS + DRAKE, INC.
Consulting Engineers
444 West Loop East, Suite 2000
Dallas, Texas 75206
Tel: 214.416.4100

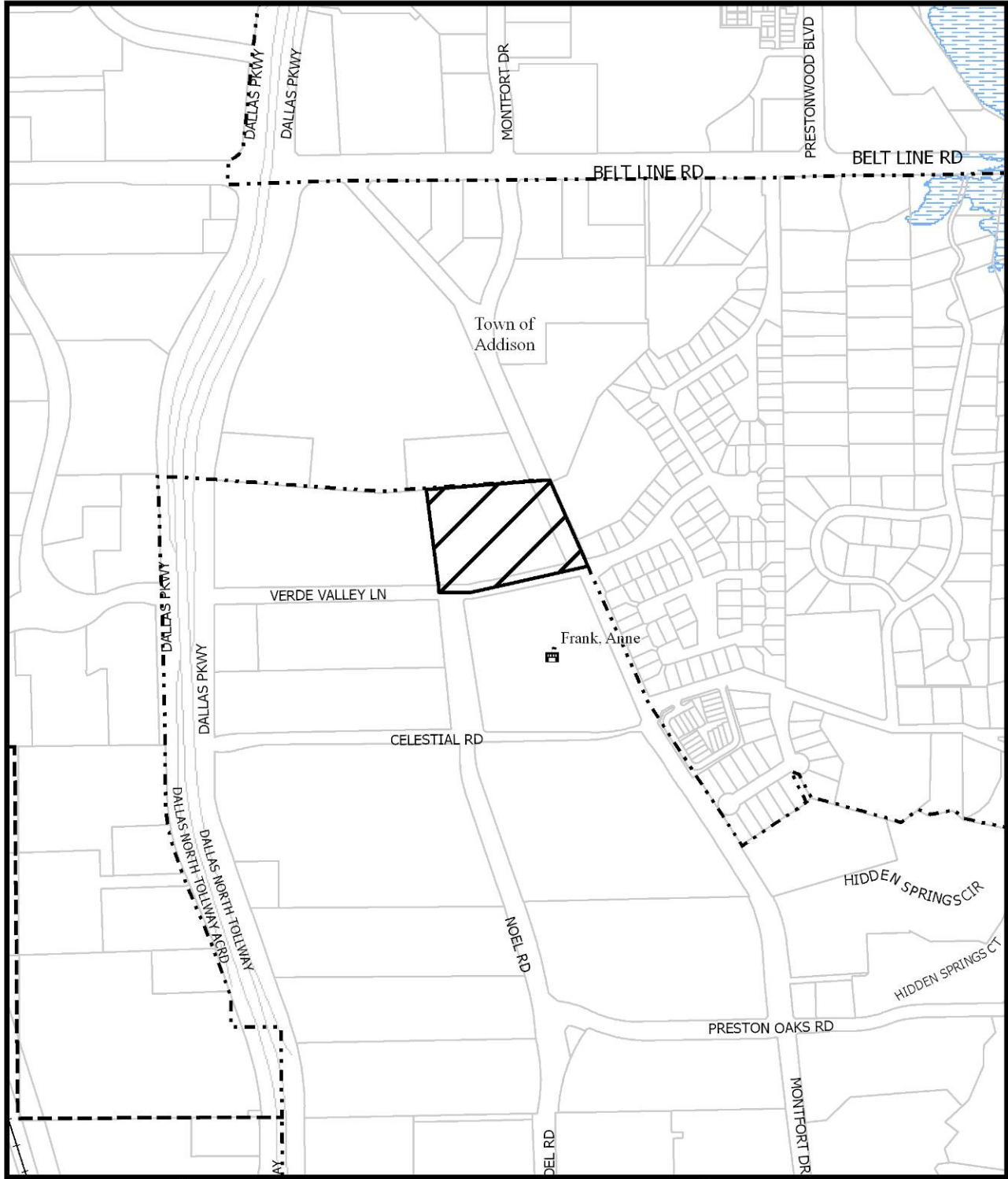
REV	DATE	BY	APP'D	DESCRIPTION
01	08/17/24
02	10/15/24
03	11/15/24

SABINO/RENAISSANCE PLAC, LP
VOLUME 2000122, PAGE 6134

PROPOSED DEVELOPMENT PLAN



Z112-311

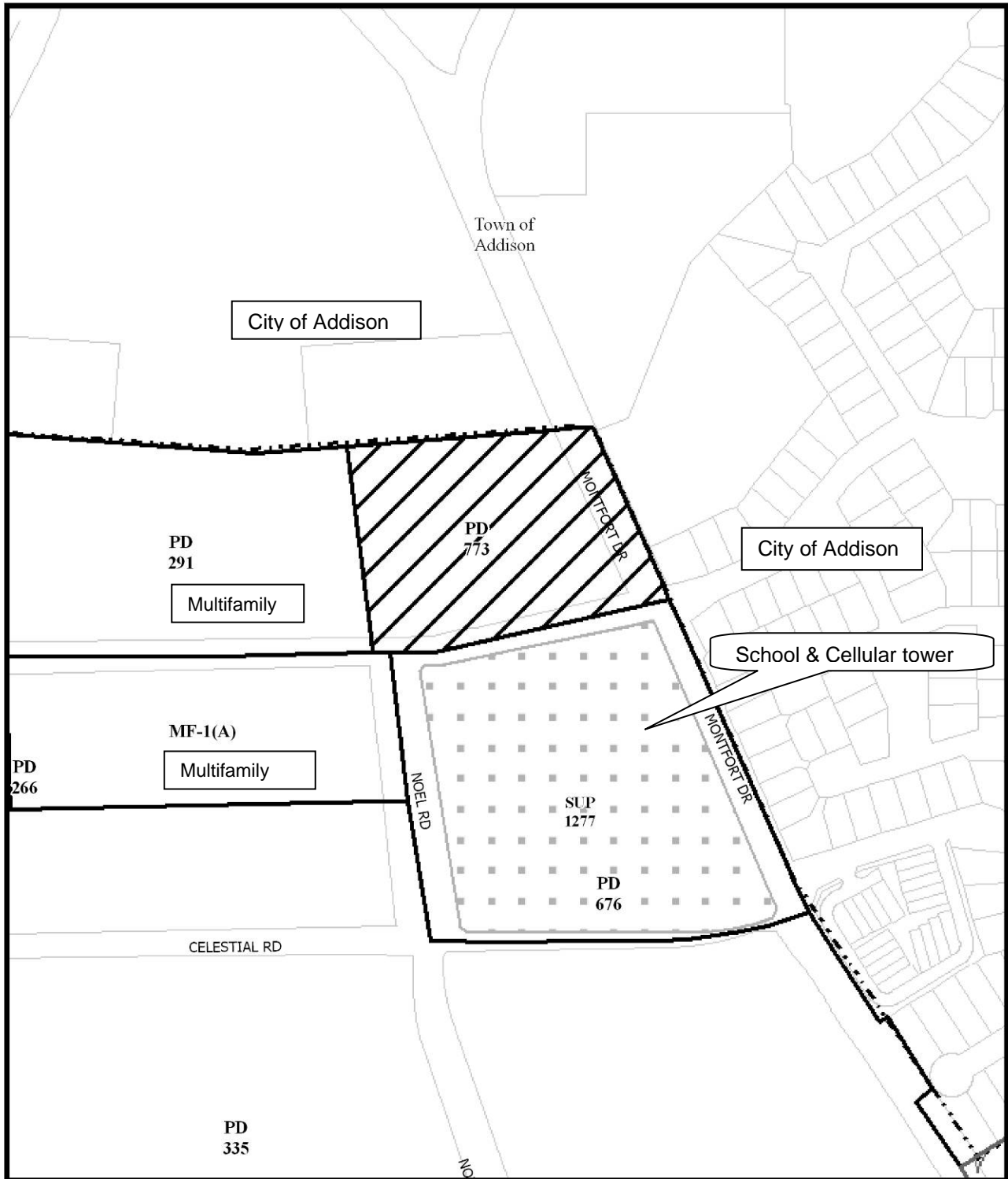


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VICINITY MAP

Case no: Z112-311

Date: 9/21/2012

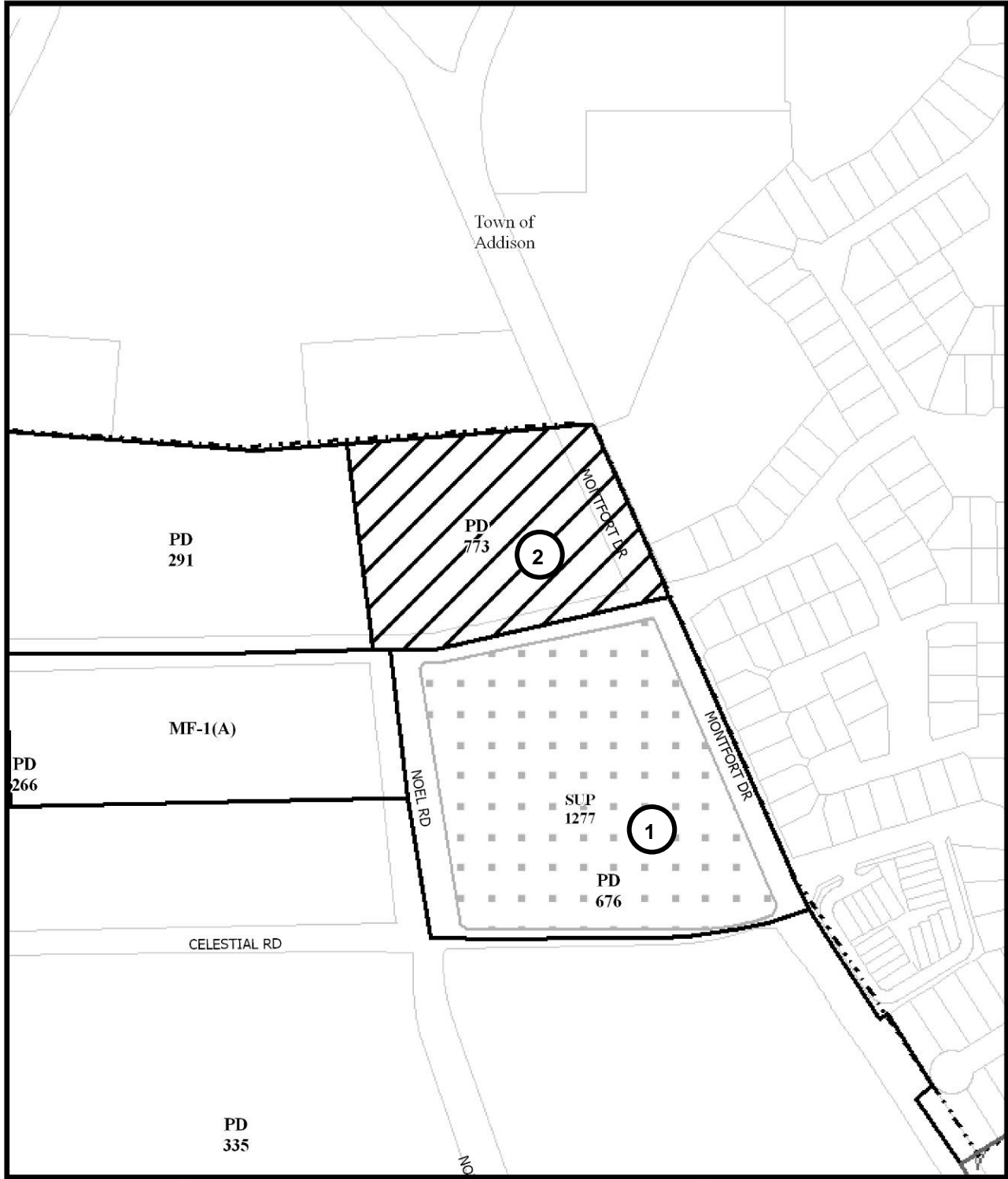


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ZONING AND LAND USE

Case no: Z112-311

Date: 9/21/2012



1:3,600

ZONING HISTORY

Case no: Z112-311

Date: 9/21/2012



 1:3,600	<h2>NOTIFICATION</h2> <p>500' AREA OF NOTIFICATION</p> <p>178 NUMBER OF PROPERTY OWNERS NOTIFIED</p>	Case no: Z112-311 Date: 9/21/2012
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Notification List of Property

Z112-311

178 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	14735 MONTFORT DR	ORAM PROPERTIES LTD
2	5151 VERDE VALLEY LN	SABINO RENAISSANCE PARC LP
3	14606 DALLAS PKWY	WESTDALE DAVENPORT LTD
4	5201 CELESTIAL RD	Dallas ISD
5	14905 OAKS NORTH DR	WHITMAN MARK & JEANNIE
6	14901 OAKS NORTH DR	SOUERS THOMAS M & LILLIAN G
7	14897 OAKS NORTH DR	THORNTON KALEN B
8	5329 PALADIUM DR	SCHUMM COLLEEN E &
9	5325 PALADIUM DR	CHEN STAR
10	5321 PALADIUM DR	KAHANEK MARY L KAHANEK LEROY GENE
11	5317 PALADIUM DR	ARNOLD JEANNE W
12	5313 PALADIUM DR	EVANS STEVEN A
13	5309 PALADIUM DR	FRANKLIN SHYRLEE A
14	5305 PALADIUM DR	LOOMIS KATHRYN K
15	5301 PALADIUM DR	COMU CENGIZ J
16	5300 PALADIUM DR	JACKSON GREGORY
17	5304 PALADIUM DR	GADD ROGER B
18	5308 PALADIUM DR	FOLKES RONALD P & LAURA E WHITMIRE
19	5312 PALADIUM DR	HATCHETT FRANK JR
20	5316 PALADIUM DR	MEYER JAMES E
21	5320 PALADIUM DR	SHING KEITH
22	14801 BUCKINGHAM CT	ALEXANDER JAMES W & SANDRA L
23	14799 BUCKINGHAM CT	WILLIAMS BARRY J & KAREN D TRUSTEES
24	14797 BUCKINGHAM CT	EVANS WILLIAM I III & JANICE W EVANS
25	14795 BUCKINGHAM CT	AZAD VAHID FARJAD & CAROL AZAD
26	14793 BUCKINGHAM CT	TOMPKINS STEVEN B

9/20/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	14791 BUCKINGHAM CT	SEGURA JUDITH G & AVELINO F
28	14789 BUCKINGHAM CT	HUIE MINDY SUE
29	14787 BUCKINGHAM CT	BEAL WESLEY E ETAL
30	14785 BUCKINGHAM CT	JAMES GARTH F &
31	14783 BUCKINGHAM CT	KERBER IRWIN J & PAULA E
32	14781 BUCKINGHAM CT	HERNDON JAMES BELL II & KATHRYN MANN
33	14785 LOCHINVAR DR	HENRY GEORGE & CAROLYN A
34	14775 LOCHINVAR DR	CHIKALLA MARK
35	14775 BEDIVERE CT	DEWEESE JEFFERSON
36	14773 BEDIVERE CT	KIRTLEY GARY
37	14810 LOCHINVAR DR	MARTIN CHARLES H & ANN B
38	14820 LOCHINVAR DR	NOLAN JOHN
39	14830 LOCHINVAR DR	DODSON HERBERT W & LYNN E
40	14840 LOCHINVAR DR	MELLOW ROGER S & HARRIET L
41	14850 MONTFORT DR	PRESTONWOOD POND LLC
42	5100 BELT LINE RD	ATV PARTNERS LTD SUITE 300
43	5100 BELT LINE RD	VOP LP
44	5100 VERDE VALLEY LN	COOK JOHN CHESTER & MARTHA JEAN
45	5100 VERDE VALLEY LN	NAMAZY DAVID
46	5100 VERDE VALLEY LN	FLEKSER BARBARA L
47	5100 VERDE VALLEY LN	CROSIER FRANKLIN
48	5100 VERDE VALLEY LN	NAKASHIMA CARTER L # 112
49	5100 VERDE VALLEY LN	MATA OMAR
50	5100 VERDE VALLEY LN	SPENCE DONALD E BLDG 101 UNIT 114
51	5100 VERDE VALLEY LN	KIBLER CHRISTOPHER # 208
52	5100 VERDE VALLEY LN	ZAMORA ARTURO JR APT 209
53	5100 VERDE VALLEY LN	BERNATEK CHELSEE H &
54	5100 VERDE VALLEY LN	LESIEUR DENNIS BLDG 101 UNIT 211
55	5100 VERDE VALLEY LN	VILLASANA MARIA DEL SOCORRO J BLDG 102 U
56	5100 VERDE VALLEY LN	STOKES VERNON JR APT 116
57	5100 VERDE VALLEY LN	HOLDCROFT ROBERT G # 117

9/20/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5100 VERDE VALLEY LN	ONGAY DONNA L
59	5100 VERDE VALLEY LN	BOGNER BEAUEN A BLDG 103 UNIT 119
60	5100 VERDE VALLEY LN	DURAN EDUARDO UNIT 120
61	5100 VERDE VALLEY LN	ERSAN OKTAY &
62	5100 VERDE VALLEY LN	PETZOLD DAVID BLDG 103 UNIT 122
63	5100 VERDE VALLEY LN	MOSES GARY J TRUSTEE MOSES FAMILY LIVING
64	5100 VERDE VALLEY LN	BOARDWALK ON THE PARKWAY CONDOMINIUMS IN
65	5100 VERDE VALLEY LN	DOAN VIVIAN 103 125
66	5100 VERDE VALLEY LN	BARMAKI NASRIN APT 225
67	5100 VERDE VALLEY LN	ANDUJO OSCAR F
68	5100 VERDE VALLEY LN	SMITH RICHARD
69	5100 VERDE VALLEY LN	MACKEY DACIA E BLDG 104 UNIT 128
70	5100 VERDE VALLEY LN	SMITH ROBERT & ERICA SMITH
71	5100 VERDE VALLEY LN	MCCARTY JANICE D UNIT 130
72	5100 VERDE VALLEY LN	ZOLOTUHIN BORIS
73	5100 VERDE VALLEY LN	CARRINGTON JEFF # 229
74	5100 VERDE VALLEY LN	ROSEBERRY CORKY BLDG 105 UNIT 131
75	5100 VERDE VALLEY LN	LEIFESTE JOSHUA LUKE APT 132
76	5100 VERDE VALLEY LN	BROWN CLIFFORD E BLDG 105 UNIT 133
77	5100 VERDE VALLEY LN	ALLAN AUTUMN L BLDG 105 UNIT 134
78	5100 VERDE VALLEY LN	TUSKAN YAZANIA BLDG 105 UNIT 135
79	5100 VERDE VALLEY LN	ALEGRIA-BOLDEN ADALIZ A # 136
80	5100 VERDE VALLEY LN	WOODCOCK KAREN &
81	5100 VERDE VALLEY LN	LE HUNG T
82	5100 VERDE VALLEY LN	ASAVA VIJAY
83	5100 VERDE VALLEY LN	ORR ROBERTA P & BILLY SANDERS
84	5100 VERDE VALLEY LN	WEBER JAMES C APT 137
85	5100 VERDE VALLEY LN	MERCER STEWART A & NOELLE
86	5100 VERDE VALLEY LN	ALEGRIA SHANA R UNIT 139
87	5100 VERDE VALLEY LN	SIMS AMY R
88	5100 VERDE VALLEY LN	KANE SUZANNE

9/20/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	5100 VERDE VALLEY LN	MEDINA JOSEPH APT 142
90	5100 VERDE VALLEY LN	FOWLS DLANDRIA M
91	5100 VERDE VALLEY LN	NATHLICH JOHN W & DONNA L
92	5100 VERDE VALLEY LN	BRIGGS MARGUERITE L BLDG 106 UNIT 240
93	5100 VERDE VALLEY LN	PAXTON JOHN DAVID UNIT 241
94	5100 VERDE VALLEY LN	CATRON JAMES CRAWFORD APT 143
95	5100 VERDE VALLEY LN	GOLINSKI ZBIGNIEW & ANNA UNIT 144
96	5100 VERDE VALLEY LN	SOBIESKI MARGARET
97	5100 VERDE VALLEY LN	WONG ICY H # 146
98	5100 VERDE VALLEY LN	BLANTON JOHN JR
99	5100 VERDE VALLEY LN	WITHARANE HARISCHANDRA & CHANDRA WITHARA
100	5100 VERDE VALLEY LN	LIN YAOHSIN
101	5100 VERDE VALLEY LN	GROSSKOPF KURT UNIT 246
102	5100 VERDE VALLEY LN	BLANTON JOHN R JR
103	5100 VERDE VALLEY LN	SLABAUGH DARRELL E & DEBORA V
104	5100 VERDE VALLEY LN	BOLES LOUANN & WAYNE
105	5100 VERDE VALLEY LN	NORDSETH STEVEN L & JUDY
106	5100 VERDE VALLEY LN	TOLES WILLIAM UNIT 151
107	5100 VERDE VALLEY LN	HOWARD JAMELIA BLDG 109 UNT 152
108	5100 VERDE VALLEY LN	RUDMAN KATHRYN M BLDG 109 UNIT 153
109	5100 VERDE VALLEY LN	YIM YIK MING BLDG 109 UNIT 154
110	5100 VERDE VALLEY LN	MCDONALD SUSAN
111	5100 VERDE VALLEY LN	MURRAY CATHERINE M UNIT 156
112	5100 VERDE VALLEY LN	FORTENBOHER ALFREDO APT# 157 BLDG 110
113	5100 VERDE VALLEY LN	CHEN CHU MEI-JUNG
114	5100 VERDE VALLEY LN	BARNES THOMAS
115	5100 VERDE VALLEY LN	RAM NARAYAN J
116	5100 VERDE VALLEY LN	TRIMAJ TOMAS
117	5100 VERDE VALLEY LN	MOE RICHARD E BLDG 111 UNIT 160
118	5100 VERDE VALLEY LN	FANG JINGHUI
119	5100 VERDE VALLEY LN	YEN YU CHEN UNIT 260

9/20/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	5100 VERDE VALLEY LN	GROSS CHARLES R BLDG 112
121	5100 VERDE VALLEY LN	LARUSSA JAMES K
122	5100 VERDE VALLEY LN	GLENN DENISE BLDG 113 UNIT 164
123	5100 VERDE VALLEY LN	FADOIR SARAH S APT 165
124	5100 VERDE VALLEY LN	JOHNSON TAMIKA R UNIT 166
125	5100 VERDE VALLEY LN	MICHAEL DAN J
126	5100 VERDE VALLEY LN	MCSHANE JOHN INCENT SUITE 1200
127	5100 VERDE VALLEY LN	WEINBERG MARY A BLDG 114 UNIT 168
128	5100 VERDE VALLEY LN	DINH QUANG
129	5100 VERDE VALLEY LN	PHEARSE CYNTHIA & BRUCE APT 170
130	5100 VERDE VALLEY LN	DICKEY EUGENE WESLEY
131	5100 VERDE VALLEY LN	HAVARD VINCENT # 172
132	5100 VERDE VALLEY LN	HOUSMAN XAN # 268
133	5100 VERDE VALLEY LN	MCWHORTER KATHY DONTJE UNIT 269
134	5100 VERDE VALLEY LN	BOBULA MATTHEW J # 270
135	5100 VERDE VALLEY LN	RIDER PRESTON J UNIT 271
136	5100 VERDE VALLEY LN	BIRK DAVID BRIAN APT 173
137	5100 VERDE VALLEY LN	ABSHIRE KEVIN G #174
138	5100 VERDE VALLEY LN	CARTER KEITH L UNIT 175
139	5100 VERDE VALLEY LN	CHAN MAN HUNG BLDG 115 UNIT 176
140	5100 VERDE VALLEY LN	PIETZSCH BEATRICE L BLDG 115 UNIT 177
141	5100 VERDE VALLEY LN	DOBBINS DARREN L BLDG 115 UNIT 273
142	5100 VERDE VALLEY LN	BARDI DINA H UNIT 274
143	5100 VERDE VALLEY LN	GREEN RONALD # 275
144	5100 VERDE VALLEY LN	JOHNSTON CLAY UNIT 276
145	5100 VERDE VALLEY LN	JONES CHADWICK D APT 277
146	5100 VERDE VALLEY LN	PACIFIC PPTY MGMT
147	5100 VERDE VALLEY LN	WANG GEORGE BLDG 116 UNIT 179
148	5100 VERDE VALLEY LN	MCGILBERRY KIMBERLY
149	5100 VERDE VALLEY LN	GOLDBERG JEFFREY L BLDG 116 UNIT 181
150	5100 VERDE VALLEY LN	NGUYEN TWEEDY BLDG 116 UNIT 182

9/20/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	5100 VERDE VALLEY LN	MURILLO YENDRY
152	5100 VERDE VALLEY LN	GLASS JANA K
153	5100 VERDE VALLEY LN	MAYS JORDAN BLDG 116 UNIT 280
154	5100 VERDE VALLEY LN	BYRNE SCOTT # 281
155	5100 VERDE VALLEY LN	WHITE J SCOTT BLDG 116 UNIT 282
156	5100 VERDE VALLEY LN	KILLEN SHARON UNIT 183 BLDG 117
157	5100 VERDE VALLEY LN	EVANS BILLIE C & HARDY BLDG 117 UNIT 184
158	5100 VERDE VALLEY LN	MATHEWS ALLISON BLDG 117 UNIT 185
159	5100 VERDE VALLEY LN	FEDERAL NATIONAL MORTGAGE ASN
160	5100 VERDE VALLEY LN	DWIRE RHONDA L
161	5100 VERDE VALLEY LN	JOHNSON JAMES C
162	5100 VERDE VALLEY LN	BARTLETT MARK # 285
163	5100 VERDE VALLEY LN	KROCHMAL GREGORY APT 187
164	5100 VERDE VALLEY LN	LISMEY CASTRO BLDG 118 UNIT 188
165	5100 VERDE VALLEY LN	HOEGGER JERRY BLDG 118 UNIT 189
166	5100 VERDE VALLEY LN	PLICHTA THOMAS JR & KELSEY
167	5100 VERDE VALLEY LN	DOMINGUEZ DYLAN R BLDG 118 UNIT 191
168	5100 VERDE VALLEY LN	ROBINSON GETHON
169	5100 VERDE VALLEY LN	MCDERMOTT WILLIAM F UNIT 287
170	5100 VERDE VALLEY LN	BELINA NADIA BLDG 118 UNIT 288
171	5100 VERDE VALLEY LN	MOSSA TANA M
172	5100 VERDE VALLEY LN	CULIVER TALIBAH BLDG 118 UNIT 290
173	5100 VERDE VALLEY LN	WOODHAM BRENDA UNIT 101
174	5100 VERDE VALLEY LN	ORLICH CLAIRE PATRICIA & KATHERINE ORLIC
175	5100 VERDE VALLEY LN	LOK YIN HAR #103
176	5100 VERDE VALLEY LN	NORDSETH STEVEN & JUDY
177	5100 VERDE VALLEY LN	BLANTON JOHN R
178	5100 VERDE VALLEY LN	DOYLE BRIAN P APT 107

FILE NUMBER: Z112-182 (JH)

DATE FILED: February 6, 2012

LOCATION: Hood Street and Brown Street, southeast corner

COUNCIL DISTRICT: 14

MAPSCO: 45-A

SIZE OF REQUEST: Approx. 2.37 acres

CENSUS TRACT: 5

REPRESENTATIVE: Jonathan Vinson

APPLICANT/OWNER: AERC Turtle Creek, LLC

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

SUMMARY: The applicant proposes to construct a multifamily development. The purpose of the PD subdistrict is to require enhanced streetscape and architectural elements, and to allow relief from setbacks for the portions of the building over 36 feet in height.

STAFF RECOMMENDATION: Approval, subject to a development plan and conditions with retention of the D Liquor Control Overlay

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- The applicant is proposing a multifamily development with less density and height than the MF-3 Subdistrict allows in order to develop a structure without the additional setbacks for the portions of the structure over 36 feet and with an alternate parking ratio.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Hood Street	Local	45-50 ft.
Brown Street	Local	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 of Oak Lawn designated for higher density multifamily uses and will enhance the streetscape and pedestrian environment adjacent to the building.

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

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 items 1, 3, 4, 5, and 7 of the above listed objectives. The applicant is requesting to vary the "wedding cake setback" that is the PDD No. 193 version of an urban form setback. The proposed PD conditions enhance the streetscape and architectural elements that will improve the urban form of the proposed development. Overall, staff finds that the applicant's request is consistent with the objectives of the Oak Lawn Plan.

Land Use Compatibility:

The approximately 2.4-acre request site is zoned an MF-3 Multiple Family Subdistrict within PDD No. 193, the Oak Lawn Special Purpose District, and is currently undeveloped. The applicant is proposing to construct approximately 325 multifamily dwellings on the property, but is seeking relief to the development standards of the MF-3 Multiple Family Subdistrict.

The surrounding land uses are multifamily to the north, east, and west. Commercial uses to the south include a hotel and parking garage. There is a tract of land that is undeveloped northwest of the request site.

The request site is situated in an area of MF-3 subdistrict zoning that covers approximately 35 acres or 11 blocks. The MF-3 subdistrict zoning allows for a maximum density that exceeds 200 dwelling units per acre. The applicant is requesting a maximum density of 325 dwelling units, which is a density of 137 units per acre. Staff has worked with the applicant to require a minimum density and height in order to maintain a semblance of the scale and intensity of the MF-3 subdistrict.

The proposed development will have individual units on the ground floor that have direct access to the street, benches, and trash receptacles, which will enhance pedestrian activity. The urban form of the building will be broken up with required articulations every 60 feet and using a mix of façade materials or colors. Staff supports the applicant's request for less density and height because of the increase urban design and pedestrian amenities.

Parking/Traffic:

The expected number of trips generated by the proposed use is 2,141 trips per day according to the trip rate for the maximum number of multifamily dwelling units proposed. A Traffic Impact Study was submitted and reviewed by the Engineering Section of the Department of Sustainable Development and Construction who determined that it will not significantly impact the surrounding street system for the proposed development. No traffic improvements are necessitated by the proposed development.

For a multifamily use in PDD No. 193, the parking requirement is one space per 500 square feet of floor area, with a minimum of 1.5 spaces for structures that exceed 36 feet in height. The applicant is requesting to require a minimum of 1.4 spaces and retaining the PDD No. 193 requirement that 25 percent of the parking spaces be unassigned for visitors. The proposed PD conditions also require a minimum bicycle parking of one space per 10 dwelling units due to the proximity of the Katy Trail approximately 1,000 feet away in a radial measurement; along the streets, the distance to the Katy Trail is approximately 1,500 feet from the southwestern corner of the request site.

Landscaping:

Landscaping is required in accordance with PDD No. 193. The applicant has provided an exhibit for informational purposes that show how the development will comply with PDD No. 193 landscaping.

List of Partners/Principals/Officers

AERC (Associated Estates Realty Corporation)

Jeffery I. Friedman
John T. Shannon
Michelle B. Creger
Patrick Duffy
Lou Fatica
Jason A. Friedman
Daniel E. Gold
Jeremy S. Goldberg
John P. Hinkle
Miria C. Rabideau
Beth L. Stoll
Bradley A. Van Auken
Martin A. Fishman
James A. Schoff
Richard T. Schwarz
Albert T. Adams
James M. Delaney
Michael E. Gibbons
Mark L. Milstein
James A. Schoff

PD CONDITIONS

“Division S-____. PD Subdistrict ____.

SEC. S-____.101. LEGISLATIVE HISTORY.

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

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

PD Subdistrict ____ is established on property generally located at the east corner of Brown Street and Hood Street. The size of PD Subdistrict ____ is approximately 2.37 acres.

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

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is of a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part 1 of this article controls. In this division:

(1) PROJECTING ATTACHED PREMISE SIGN means a premise sign projecting from a main building facade and visible from both sides.

(2) STOOP means a small porch leading to the entrance of a residence.

(3) 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 a residential zoning district.

SEC. S-____.104. EXHIBITS.

The following exhibit is incorporated into this article:

Exhibit S-____A: development plan.

SEC. S-___.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-____A). If there is a conflict between the text of this division and the development plan, the text of this division controls.

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

The only main uses permitted in this subdistrict are those main uses permitted in the MF-3 Multiple family Subdistrict, subject to the same conditions applicable in the MF-3 Multiple family Subdistrict, as set out in Part I of this article. For example, a use permitted in the MF-3 Multiple family Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the MF-3 Multiple family Subdistrict is subject to DIR in this subdistrict; etc.

SEC. S-___.107. ACCESSORY USES.

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

(b) The following accessory uses are prohibited:

- Private stable.
- Amateur communication tower.
- Open storage.

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

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Part 1 of this article. If there is a conflict between this section and Part I of this article, this section controls.)

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

(b) Multiple family uses.

(1) Encroachments.

(A) Architectural features such as window sills, bay windows, balconies, belt courses, cornices, and fireplace chimneys may project up to three and one-half feet into a required front, side, or rear yard.

(B) Unenclosed patios and stoops may project up to six feet into a required front, side, or rear yard, provided that the width of the encroachment is not greater than 12 feet.

(2) Front yard. Minimum front yard is 25 feet.

(3) Side yard. Minimum side yard is 15 feet.

(4) Rear yard. Minimum rear yard is 25 feet.

(5) Height. Minimum height for the portions of a structure containing floor area is 60 feet. Maximum height is 115 feet. Structures located on a roof, such as chimneys, clerestories, communication towers, cooling towers, elevator penthouses or bulkheads, architectural features, mechanical equipment rooms, plaza or terrace structures, pool structures, skylights, vent stacks, and visual screens that surround mechanical equipment are allowed to project up to 10 feet above the maximum structure height.

(7) Stories. Minimum number of stories for a structure containing floor area is five. Maximum number of stories is nine.

(8) Lot coverage. Maximum lot coverage is 60 percent. Surface parking lots, and underground parking structures are not included in lot coverage calculations.

(9) Density. Minimum number of dwelling units is 175. Maximum number of dwelling units is 325.

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

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

(b) Multiple family uses.

(1) A minimum of 1.4 spaces per dwelling unit is required. A minimum of 25 percent of these spaces must remain unassigned and available for guest parking.

(2) A minimum of one bicycle parking space per 10 dwelling units must be provided. The bicycle parking must be secure and located within an enclosed structure.

(3) No parking for an accessory community center (private) use in conjunction with a multiple family use is required.

(c) A maximum of 35 percent compact parking is allowed.

SEC S-___.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-___.111. LANDSCAPING.

(a) Landscaping and screening must be provided in accordance with Part I of this article.

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

(c) A minimum of six feet of unobstructed sidewalk must be provided in the location required by Part I of this Article.

(d) Retaining walls and fences up to six feet in height are allowed in the required yards if the location of the retaining wall or fencing does not obstruct required landscaping or minimum sidewalk widths. Retaining walls and fencing must comply with urban design elements in this division.

SEC. S-___.112. URBAN DESIGN ELEMENTS FOR RESIDENTIAL USES.

The following urban design elements are required for residential uses.

(a) Street-facing, ground floor dwelling units.

(1) A minimum of 90 percent of the street-facing, ground floor dwelling units must have individual entries that access the street and must have an improved path connecting to the sidewalk.

(2) Individual entries may be gated and private yards or patios fenced if the fencing is a minimum of 70 percent open, such as wrought iron.

(3) A minimum of 60 percent of the street-facing, ground floor dwelling units must have the individual entrance or patio within 6 to 30 inches above the finished sidewalk grade.

(4) Construction of stoops or porches at each street-facing, ground floor dwelling unit is encouraged.

(b) Architectural elements.

(1) To break up long walls, building articulation of a minimum depth of one foot is required for every 60 feet of length of a street facing façade.

(2) A minimum of two different façade materials or colors is required on each street-facing facade.

(3) Special architectural elements, such as architecturally prominent public entrances, a canopy or awning, attached tower or turret, are required at the building public entry points. A minimum of two elements are required for the Brown Street frontage, and a minimum of one element is required for the Hood Street frontage.

(c) Pedestrian amenities.

(1) A minimum of two benches and two trash receptacles are required along each street frontage.

(2) Pedestrian scale lighting must be provided at an average of one lighting fixture per 75 feet of street frontage. Lighting fixtures may be attached or detached.

(d) Open space. A minimum of eight percent of the lot area must be provided as open space. Open space may be provided at or below grade or above ground through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area. Open space cannot be parked or driven upon.

SEC. S-___.113. SIGNS.

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

(b) Projecting attached premise sign. A Multiple family premise may erect no more than one projecting attached premise sign that projects no further than four feet from the vertical building surface. The sign may not be illuminated, exceed 40 square feet in effective area, extend above the roof or over any public right-of-way, or be on a premise with a detached sign. The sign must be located on the building surface within 14 feet to 36 feet from grade.

SEC. S-___.114. ADDITIONAL PROVISIONS.

(a) 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 or property line at grade.

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

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

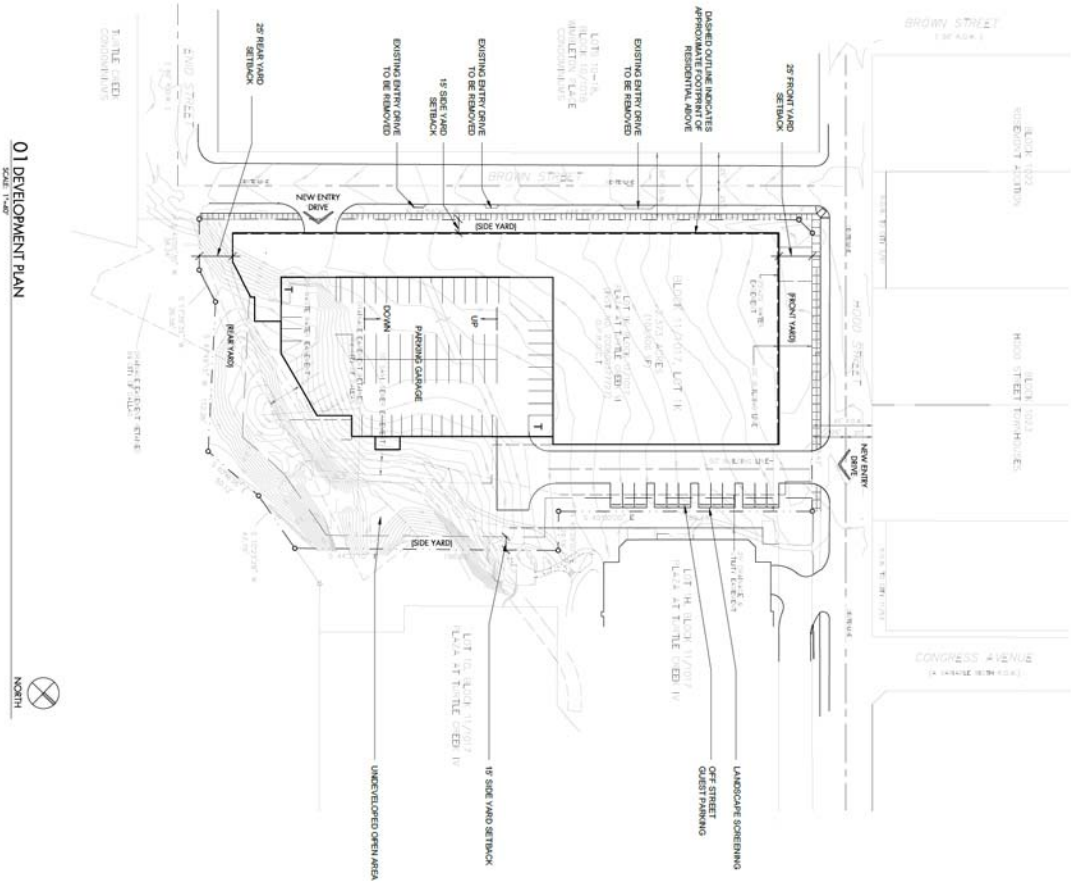
(d) Development and use of the Property must comply with Part I of this article.

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

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

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

DEVELOPMENT PLAN



01 DEVELOPMENT PLAN
SCALE: 1"=40'



02 VICINITY MAP
N.T.S.

Site Data	
Land Area	101,400 SF (2.32 Acres)
Use	MF-3
Floor Area	300,000 SF
Coverage	60% maximum
Setbacks	Front Yard: 25 FT Rear Yard: 25 FT Side Yard: 15 FT
Height	Maximum height of building: 60 FT Maximum height of building: 115 FT Maximum height of building: 150 FT Type of parking: at level Maximum Stories: 9
Density	Maximum number of units: 175
Parking	1.4 Spaces per Residential Unit 1.0 Bicycle spaces per 10 Units

Wilder Belsaw Architects
2710 MARSH LANE
DALLAS, TEXAS 75229
PH: (214) 520-0000
WWW.WILDERBELSAW.COM

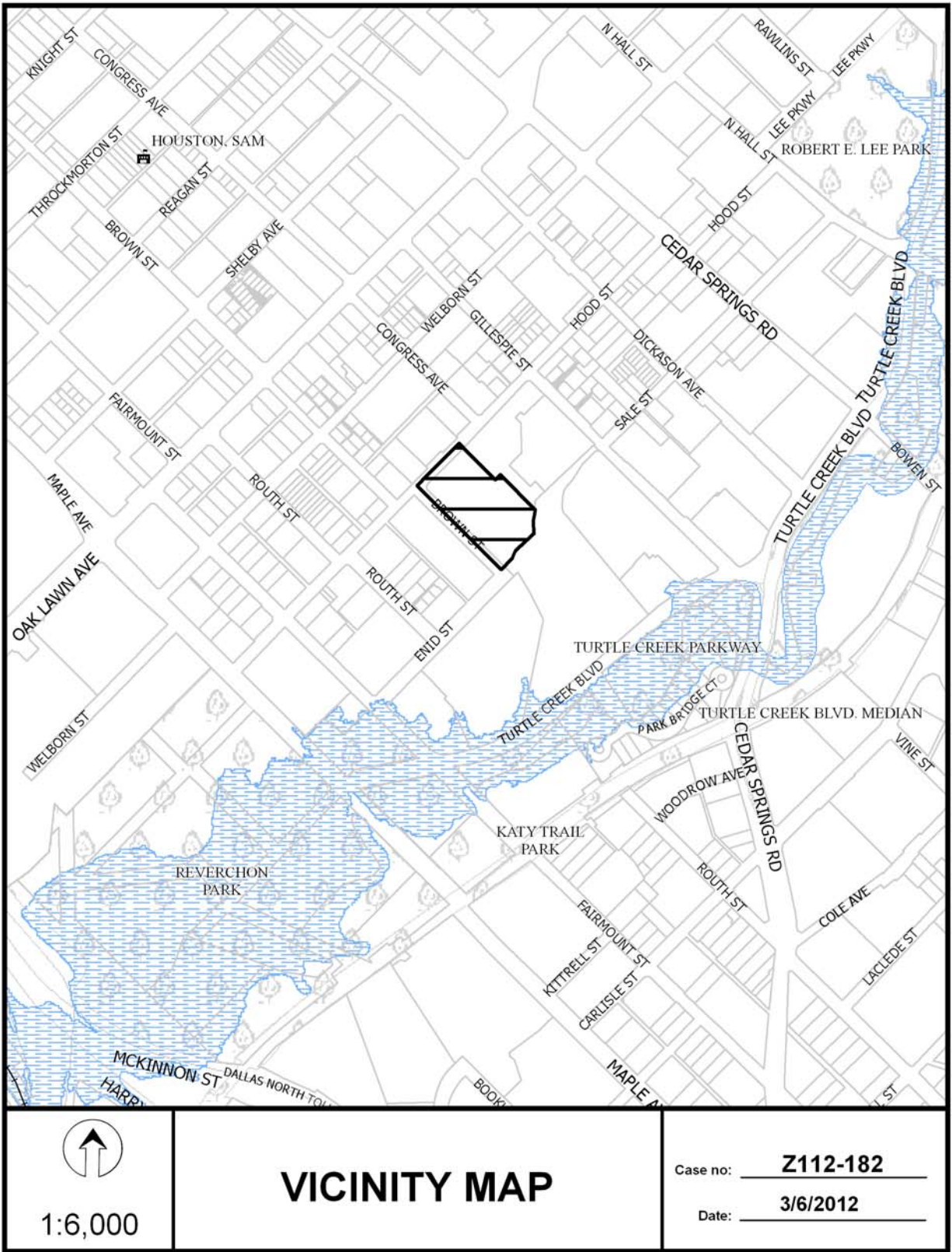
Associated Estates
2710 MARSH LANE
DALLAS, TX 75219

Client Name: _____
Date: _____
Project Name: _____
Project Number: _____
Project Address: _____
Project City: _____
Project State: _____
Project Zip: _____
Project Phone: _____
Project Fax: _____
Project Email: _____

DWELL
Turtle Creek
Dallas, Texas
WSPR Building Project Number: 1205
09/28/2012

Drawing Name: _____
Drawing Number: _____
Sheet Number: _____
A1

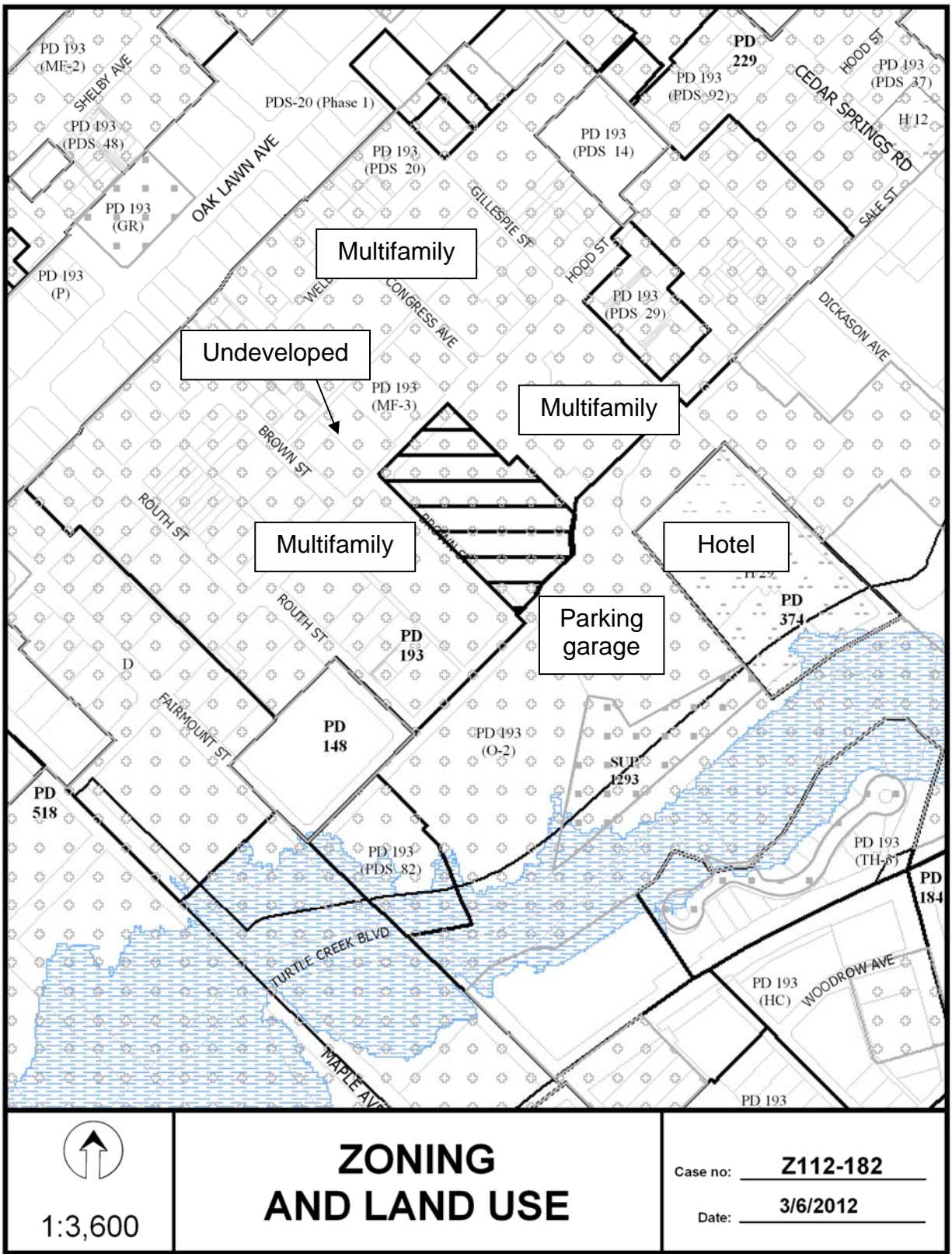
ZONING CASE #:
Z112-182

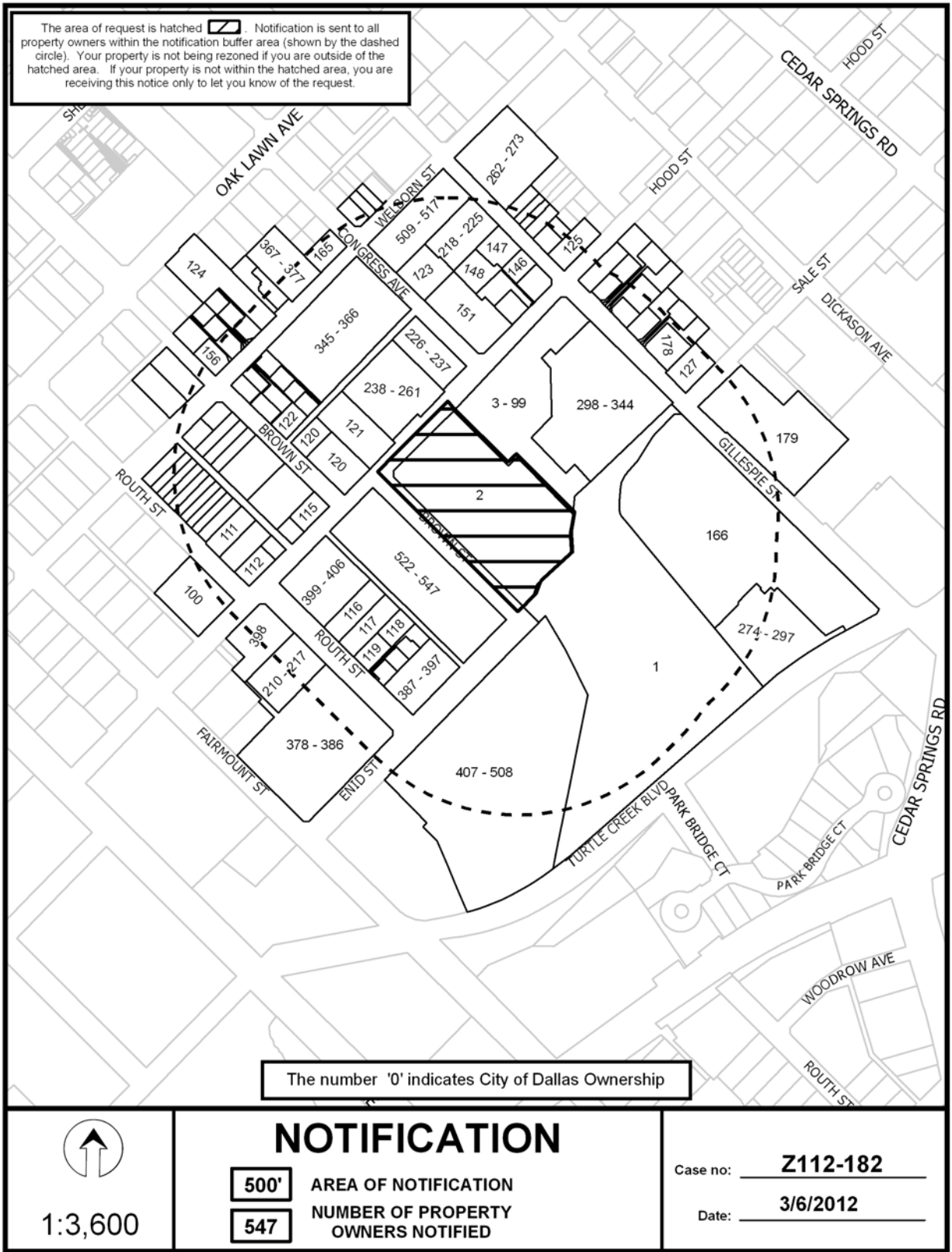


1:6,000

VICINITY MAP

Case no: Z112-182
Date: 3/6/2012





3/6/2012

Notification List of Property Owners

Z112-182

547 Property Owners Notified

Label #	Address	Owner
1	2727 TURTLE CREEK BLVD	FIRST TEXAS HOMES INC
2	2702 HOOD ST	MJ CB LLC
3	2828 HOOD ST	PLAZA APARTMENTS PHASE II LTD
4	2828 HOOD ST	PLAZA TURTLE CREEK IV
5	2828 HOOD ST	MINITAS COMPANY SA
6	2828 HOOD ST	UTLEY ROBERT & ANN
7	2828 HOOD ST	UTLEY GROUP II LTD UNIT 403
8	2828 HOOD ST	UTLEY GROUP II LTD STE 601
9	2828 HOOD ST	WOODWARD PROPERTIES LTD
10	2828 HOOD ST	MOUSSA STANLEY A UNIT 406
11	2828 HOOD ST	RISINGER DENNIS R & MELBA
12	2828 HOOD ST	ADAMO KENNETH R
13	2828 HOOD ST	SONNENSCHNEIN INVESTMENTS LTD
14	2828 HOOD ST	GODSEYJETSON CATHY G &
15	2828 HOOD ST	MASSINGILL LYNN
16	2828 HOOD ST	PASTRANA DARIO # 504
17	2828 HOOD ST	BAKER CHARLES DON UNIT 505
18	2828 HOOD ST	NEUFELD JOHN A & CHERYL M
19	2828 HOOD ST	PINK ELISABETH R UNIT 507
20	2828 HOOD ST	BASILBAY PARTICIPATION BOX 3129
21	2828 HOOD ST	MEXICAN & GOURMET INTL UNIT 601
22	2828 HOOD ST	GONZALES DEBORA
23	2828 HOOD ST	WASKOM ENTERPRISES LLC UNIT 603
24	2828 HOOD ST	PE GLORIA ST
25	2828 HOOD ST	HENRY JOAN MARILYN
26	2828 HOOD ST	WHITELEY CARMALETA UNIT 606

3/6/2012

Label #	Address	Owner
27	2828 HOOD ST	GARZA CESAR JR UNIT 607
28	2828 HOOD ST	DRENNAN JOHN C IV
29	2828 HOOD ST	ADAMO KENNETH R
30	2828 HOOD ST	SAFIR ANN GENE UNIT 702
31	2828 HOOD ST	MARCIA MORAN ELLIS FAMILY LIVING TRUST
32	2828 HOOD ST	DW OPERATING LLC ATTN DAVID WEISSMAN
33	2828 HOOD ST	LAGUARDIA LOUIS M & ELENA
34	2828 HOOD ST	STONER MARY & DAVID YOST
35	2828 HOOD ST	TELLO RHONDA # 707
36	2828 HOOD ST	DOUNING WILLIAM H & KAREN K
37	2828 HOOD ST	MINITAS COMPANY S A % JERRY CARDEN
38	2828 HOOD ST	GINERIS MARC A & JEAN M
39	2828 HOOD ST	KRUMSICK HERBERT L & KATHLEEN
40	2828 HOOD ST	HADEN MASTER TRUST 2004
41	2828 HOOD ST	PORTER JARVIS H & PAMELA
42	2828 HOOD ST	FOKAS TERRY
43	2828 HOOD ST	SILCOCK JAMES
44	2828 HOOD ST	OSUAGWU CHUKWUMA J
45	2828 HOOD ST	REVERCHON PARTNERS II LTD
46	2828 HOOD ST	GRAY RICHARD A JR UNIT 903/904
47	2828 HOOD ST	WILLIFORD WARD & ROBERTA WILLIFORD
48	2828 HOOD ST	LOPEZ LEONARD MR
49	2828 HOOD ST	IBI KEIKO
50	2828 HOOD ST	STEPHENSON KAREN
51	2828 HOOD ST	SAHLIYEH HANNA F UNITS 1003 & 1004
52	2828 HOOD ST	SELL STEPHEN G
53	2828 HOOD ST	GILBERT REVOCABLE TRUST UNIT 1006
54	2828 HOOD ST	BARBOSA VERA LUCIA F
55	2828 HOOD ST	CANTER PEGGY S
56	2828 HOOD ST	YATES DENISE
57	2828 HOOD ST	GOURLEY JOHN D

3/6/2012

Label #	Address	Owner
58	2828 HOOD ST	MOORER REVOCABLE TRUST
59	2828 HOOD ST	KETTMAN JOHN R & DIANA M UNIT 1104
60	2828 HOOD ST	STILL MARC STE 1550
61	2828 HOOD ST	CONDAL LLC UNIT 1106
62	2828 HOOD ST	GARRETT DONNA N STE 1107
63	2828 HOOD ST	BRODIE RACHEL D
64	2828 HOOD ST	JACOBSON EUGENE B & MARGARET M
65	2828 HOOD ST	DUKE MARTHA W
66	2828 HOOD ST	ZELAZNY CHARLES L
67	2828 HOOD ST	HALL MARK
68	2828 HOOD ST	WISMER ANN
69	2828 HOOD ST	BAILEY ROBERT D & BONNIE L BOGS
70	2828 HOOD ST	REICHSTADT EMIL & SHIRLEY
71	2828 HOOD ST	ST PE ROZALYN
72	2828 HOOD ST	FORD JOE T & JO ELLEN FORD
73	2828 HOOD ST	BECKETT JAMES III
74	2828 HOOD ST	CARTNER STUART
75	2828 HOOD ST	RVO TEXAS HOLDINGS LLC
76	2828 HOOD ST	BACKA RICHARD F & LOUISE P
77	2828 HOOD ST	WOLIN BARTON AND JUDITH UNIT 1401
78	2828 HOOD ST	SIEMER CLEMENS H & MARY RITA
79	2828 HOOD ST	BARTON THOMAS P & ANNIE A #1403
80	2828 HOOD ST	LEACH JAMES E ESTATE OF %JENNIFER D PORT
81	2828 HOOD ST	HIGHFIELD EQUITIES INC ATTN: RUSSELL JEN
82	2828 HOOD ST	MINITAS CO SA
83	2828 HOOD ST	HOWARD CASSIE
84	2828 HOOD ST	BALDWIN WILLIAM L & NANCY D
85	2828 HOOD ST	HULL CRAIG W & MARY W
86	2828 HOOD ST	JOHNSON STEPHEN C & MIMI
87	2828 HOOD ST	ARP DONNA LIFE ESTATE
88	2828 HOOD ST	ROBINSON DAVID B & REBECCA M

3/6/2012

Label #	Address	Owner
89	2828 HOOD ST	HAMMER DRU ANN
90	2828 HOOD ST	SAHLIYEH HANNA F #1003
91	2828 HOOD ST	STINSON FRANK M & BRENDA B STINSON
92	2828 HOOD ST	KAUFMAN CHESTER & DELPHINE 1992 TRUST
93	2828 HOOD ST	HULSEY ROBERT A & SHARON D
94	2828 HOOD ST	HALL CRAIG & KATHRYN HALL CO-TRUSTEES
95	2828 HOOD ST	DALE RICHARD P JR
96	2828 HOOD ST	FISCHER BENNO JOHN UNIT 1705
97	2828 HOOD ST	SIMMONS DENNIS E UNIT 1706
98	2828 HOOD ST	MINITAS COMPANY S A
99	2828 HOOD ST	LARUE JOHN
100	3601 ROUTH ST	WEISFELD HERSCHEL A
101	3630 ROUTH ST	DURBIN PAULA L
102	3628 ROUTH ST	ONDREJ PAUL A
103	3626 ROUTH ST	SMITH SABRINA
104	3624 ROUTH ST	MEEKS RICHARD BRYAN & RUSSELL P SIMMONS
105	3622 ROUTH ST	ARNOLD SCOTT
106	3620 ROUTH ST	FITZPATRICK MICHAEL C
107	3618 ROUTH ST	MCKEON JAMES &
108	3616 ROUTH ST	ALMOND CAROL
109	3614 ROUTH ST	FAUST DANNY K
110	3612 ROUTH ST	ONOFREY JANE E
111	3610 ROUTH ST	CONDON JOHN K
112	3600 ROUTH ST	BALDWIN MARY T
113	2607 HOOD ST	SHUBERT LLOYD J JR
114	2609 HOOD ST	MCCLAIN CAROLYN
115	3601 BROWN ST	SAMARA DAVID E
116	3520 ROUTH ST	PRATT JAMES R
117	3518 ROUTH ST	KOTHARI AJAY
118	3514 ROUTH ST	POGIR STEVEN H
119	3516 ROUTH ST	PATON PAULA J & RICHARD STEWART PATON

3/6/2012

Label #	Address	Owner
120	2701 HOOD ST	EDWARDS W R JR
121	2709 HOOD ST	ALVARADO PABLO STE 1160
122	3614 BROWN ST	CISCO SPRINGS LP
123	3610 CONGRESS AVE	RAWLINS H EARLE JR EST OF % MARY KATHERI
124	2710 OAK LAWN AVE	GILDAS CLUB NORTH TEXASL
125	3600 GILLESPIE ST	BAKER DALE & KAY BAKER
126	3530 GILLESPIE ST	MORGAN CHARLES D & MORGAN JANIS S
127	3502 GILLESPIE ST	KLEMENT MICHAEL
128	2630 WELBORN ST	GALANOS NICHOLAS S
129	2626 WELBORN ST	VALENCIA JOHN & KRISTI
130	3633 BROWN ST	MILANI JOHN CHARLES & CHRISTEN LYNN
131	3629 BROWN ST	SWAYDEN CHRISTOPHER G
132	3625 BROWN ST	MOSS ROBERT KYLE
133	3506 ROUTH ST	ANDERTON DONALD RAY & SHEILA W
134	3508 ROUTH ST	GATES DAVID L
135	3510 ROUTH ST	SCHIFFMAN LISA A
136	3512 ROUTH ST	SCHROER BRENDA R
137	2704 WELBORN ST	HURLEY LEAH
138	2704 WELBORN ST	YORK CRAIG H & NICOLE S GEORGOULIS
139	2704 WELBORN ST	DAHL SCOT W
140	2704 WELBORN ST	GIRI BALA K
141	2704 WELBORN ST	CODIANA JOHANNA D UNIT F
142	2704 WELBORN ST	CARTER GREGORY S & CAROLYN N
143	2704 WELBORN ST	HERVEY LARRY D & ARTHUR MONSIVAIS
144	2704 WELBORN ST	CRAWFORD RANDALL & AMANDA
145	2845 HOOD ST	SMITH ALEXANDER W & ANNE
146	2841 HOOD ST	NORRELL STEVE & SHURAH
147	2837 HOOD ST	LOKEY PAUL E LIZ
148	2833 HOOD ST	DOROTHY L MANAGEMENT TR I
149	2825 HOOD ST	COOKE HOWARD F TR
150	2821 HOOD ST	GANARAJ POSAVANIKE S & RATNA CO TRUSTEES

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Label #	Address	Owner
151	2801 HOOD ST	HOOD AND CONGRESS LLC
152	2803 WELBORN ST	PUTMAN ELEANOR POWELL
153	2805 WELBORN ST	PESTL MARCUS G
154	2807 WELBORN ST	NEWMAN JULIE
155	3708 BROWN ST	ROSE MARIE JEANETTE
156	3704 BROWN ST	BLAGG JIM C & NIXON EMILY A
157	2701 WELBORN ST	WEINSTEIN TONI ELLEN
158	2703 WELBORN ST	MOZISEK ANDY
159	2705 WELBORN ST	GORMAN CAROLINE ELIZABETH & MOORE ERIC D
160	2707 WELBORN ST	BERRONG JAMES D
161	2709 WELBORN ST	BRUNGER PHILIP & MELISSA
162	2711 WELBORN ST	HICKS BILLY H & TERI R
163	2723 WELBORN ST	LOWERY WILLIAM K & HELEN S SLAYTON
164	2719 WELBORN ST	2719 WELBORN DRIVE LLC
165	2729 WELBORN ST	BOUSTRIDGE MICHAEL
166	2821 TURTLE CREEK BLVD	MOTC L P
167	3610 GILLESPIE ST	MINNA JOHN D & LYNN
168	3610 GILLESPIE ST	REMICK KARL V
169	3610 GILLESPIE ST	KIM BRYANT Y
170	3610 GILLESPIE ST	DUNN NANCY H
171	3610 GILLESPIE ST	STEWART JOHN R & INESSA B
172	3610 GILLESPIE ST	HAN EUGENE
173	3528 GILLESPIE ST	PEARL GREGORY J
174	3526 GILLESPIE ST	THOMPSON J DIETER
175	2908 HOOD ST	MORGAN CHARLES D & JANIS
176	3524 GILLESPIE ST	ANDERSON WILLIAM BRANTLEY
177	3522 GILLESPIE ST	MCKEON JOHN C & DEBORAH
178	3520 GILLESPIE ST	REGENTS PARK RESIDENCES II LP
179	3424 GILLESPIE ST	PUIG A WINSTON VILLA 8
180	3606 ROUTH ST	CARTER G JACK III
181	3606 ROUTH ST	VEARS SARA M &

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Label #	Address	Owner
182	3606 ROUTH ST	HEALY BRENDA C UNIT C
183	3606 ROUTH ST	GRAY APRIL UNIT D
184	3606 ROUTH ST	CLARK KEEVIN SUITE 200
185	3606 ROUTH ST	GOOLSBY WILLIAM GREGORY UNIT F
186	3703 BROWN ST	JOHNSON ARTHUR D & FLORENCE C
187	3705 BROWN ST	ALCOCER FERNANDO G
188	3707 BROWN ST	EAST COURTNEY E &
189	3709 BROWN ST	JOHNSON JANETTE
190	3605 BROWN ST	KNIGHT QUIN
191	3605 BROWN ST	OLOMU PATRICK
192	3605 BROWN ST	WILLIAMSON JAMES
193	3605 BROWN ST	WESTBROOK DONALD E BLDG A UNIT 104
194	3605 BROWN ST	SMITH RONALD S BLDG A UNIT 105
195	3605 BROWN ST	MURALIRAJ VIJAY UNIT 106 BLDG B
196	3605 BROWN ST	ELMERS JENNIFER L
197	3605 BROWN ST	RIVET LAUREN
198	3605 BROWN ST	HILDRETH GREGORY K BLDG B UNIT 109
199	3605 BROWN ST	MONTGOMERY THOMAS E
200	3615 BROWN ST	WILSON RONALD D
201	3615 BROWN ST	ALANIZ CESAR JR
202	3615 BROWN ST	JAMES BRADIE UNTI C
203	3615 BROWN ST	SUTHERLAND JAMI BLDG 1 UNIT D
204	3615 BROWN ST	MILLS MELANIE
205	3617 BROWN ST	PETERS KIM L
206	3617 BROWN ST	DELEON CLAUDIA PATRICIA BLDG 2 UNIT G
207	3617 BROWN ST	BURMASTER AIMEE
208	3617 BROWN ST	BROADENT COTY A & MICHAEL
209	3617 BROWN ST	TANG PATRICK
210	3525 ROUTH ST	DUFFIE CHARLES F
211	3525 ROUTH ST	DUFFIE JAMES M
212	3525 ROUTH ST	STORY RICHARD A

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Label #	Address	Owner
213	3525 ROUTH ST	LUNA NILSA & FAISAL S SYED
214	3525 ROUTH ST	ESTLE BETTY J
215	3525 ROUTH ST	PANIYADI PRADEEP & SADANANDA SWETHA
216	3525 ROUTH ST	WRIGHT COLTON & DORI ANN
217	3525 ROUTH ST	JENNINGS WILLIAM A BLDG C UNIT 8
218	3615 GILLESPIE ST	WOOD WILLIAM
219	3615 GILLESPIE ST	MM MUTLIPHE HOLDINGS LLC
220	3615 GILLESPIE ST	DAVIS GREGORY T
221	3615 GILLESPIE ST	BOSSLER STANLEY C BLDG I UNIT H
222	3615 GILLESPIE ST	MARGO WILLIAM W
223	3615 GILLESPIE ST	BOHDAN ERIK
224	3615 GILLESPIE ST	MITCHELL KELLY D
225	3615 GILLESPIE ST	KOELSCH CHRISTOPHER S BLDG II UNIT D
226	2727 HOOD ST	JOHNSON ELIZABETH G
227	2727 HOOD ST	HOWE MARTHA
228	2727 HOOD ST	ABRAMS KERRI ANN
229	2727 HOOD ST	SACHDEV FRAVEEN
230	2727 HOOD ST	KIEDAISCH SCOTT D UNIT 105
231	2727 HOOD ST	BURNETT KIRBY
232	2727 HOOD ST	WRIGHT LAURIE C
233	2727 HOOD ST	WELLS CORY
234	2727 HOOD ST	EPPERSON ADAM CHRISTOPHER
235	2727 HOOD ST	BENNETT MARK L
236	2727 HOOD ST	NEWELL TIFFANY ANNE UNIT 111
237	2727 HOOD ST	EVANGELISTA MARJORIE S
238	2711 HOOD ST	S REAL ESTATE LLC
239	2711 HOOD ST	WILSON RALPH H JR UNIT C
240	2711 HOOD ST	CARY CLIFFORD L
241	2711 HOOD ST	LORMAND LEE E
242	2711 HOOD ST	NANCE MICHAEL W
243	2711 HOOD ST	SUTTON DEBBIE

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Label #	Address	Owner
244	2711 HOOD ST	SEALANDER JOHN A
245	2711 HOOD ST	WHITCHER LARRY
246	2711 HOOD ST	WRIGHT BRADY & LAURA
247	2711 HOOD ST	VANDERSLICE GEORGE R
248	2725 HOOD ST	POWELL JIMMY J JR
249	2725 HOOD ST	COLEY BRADLEY STEWART
250	2725 HOOD ST	ANDREASON POKLADNIK JUSTINE
251	2725 HOOD ST	CHAILER JOHN D JR & MARTHA CHAILER
252	2725 HOOD ST	CHAILER JOHN D JR
253	2725 HOOD ST	CROW BENJAMIN LEE BLDG B UNIT 106
254	2725 HOOD ST	CRUZ DE LOPEZ ANTONINA BLDG B UNIT 107
255	2725 HOOD ST	MARTIN LORI ANN
256	2725 HOOD ST	ALLEN JOHN BRIAN BLDG B UNIT 109
257	2725 HOOD ST	WILLIAMS JASON M UNIT 110
258	2725 HOOD ST	TURBEVILLE KAREN F BLDG B UNIT 111
259	2725 HOOD ST	CAVENER THOMAS K
260	2725 HOOD ST	OSWALT MORRIS BLDG B UNIT 114
261	2725 HOOD ST	MARKS BRENDA L
262	3618 GILLESPIE ST	MCRAE WILLIAM H
263	3618 GILLESPIE ST	LANDRUM MARY E
264	3618 GILLESPIE ST	MILLER ELAINE K & RICHARD B UNIT A103
265	3618 GILLESPIE ST	LYNN JAMES B & KATIE A
266	3618 GILLESPIE ST	BARBER SCOTT C # A-105
267	3618 GILLESPIE ST	SIEGAL MICHAEL UNIT 106
268	3618 GILLESPIE ST	FARRIS EFISIO & LORI
269	3618 GILLESPIE ST	BEGOR BRUCE & ARTURO FIERRO
270	3618 GILLESPIE ST	PACE PATRICIA O UNIT 109B
271	3618 GILLESPIE ST	KOPEC FRANK J & DEBORAH A
272	3618 GILLESPIE ST	SBEITY ALI UNIT 111
273	3618 GILLESPIE ST	WHITTIER ANTONIE BLDG B APT 112
274	2801 TURTLE CREEK BLVD	LEVY IRVIN L

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Label #	Address	Owner
275	2801 TURTLE CREEK BLVD	WALKER PAULA S UNIT 1E
276	2801 TURTLE CREEK BLVD	KING ROLLIN W & MARY ELLA UNIT 1W
277	2801 TURTLE CREEK BLVD	KEY SUSAN # 2E
278	2801 TURTLE CREEK BLVD	THOMSEN CARL J APT 2W
279	2801 TURTLE CREEK BLVD	BARNES H DOUG % EYE MART EXPRESS
280	2801 TURTLE CREEK BLVD	PILGRIM LONNIE BO & PATTY R
281	2801 TURTLE CREEK BLVD	KENILWORTH TRUST % MARGARET ROGERS TR
#		
282	2801 TURTLE CREEK BLVD	HODGES AMELIA LAY APT 4-W
283	2801 TURTLE CREEK BLVD	BRAD & ERNIE WAYNE FAMILY TRUST A U/A
284	2801 TURTLE CREEK BLVD	CAMPBELL ELIZABETH STEPHENS
285	2801 TURTLE CREEK BLVD	SKOKOS THEODORE C & SHANNON B
286	2801 TURTLE CREEK BLVD	TAYLOR JASON M & LEIGH SYKES
287	2801 TURTLE CREEK BLVD	PRICE H CHARLES &
288	2801 TURTLE CREEK BLVD	PORKY REALTY INV LP
289	2801 TURTLE CREEK BLVD	LEVY MILTON P & UNIT #8E
290	2801 TURTLE CREEK BLVD	CHAMBERS PATRICIA L
291	2801 TURTLE CREEK BLVD	HOFFMAN ADELYN JEAN
292	2801 TURTLE CREEK BLVD	LEVY LESTER & BARBARA J
293	2801 TURTLE CREEK BLVD	HAMON NANCY B
294	2801 TURTLE CREEK BLVD	CREE RICHARD W SR ETAL # 10E
295	2801 TURTLE CREEK BLVD	BOWEN CASSANDRA C 1996 REVOCABLE TRUST
296	2801 TURTLE CREEK BLVD	MCADAMS SHELIA W APT 12E
297	2801 TURTLE CREEK BLVD	KEY CHARLES B UNIT 12 W
298	3535 GILLESPIE ST	ALTERNATIVE ASSET HOLDINGS LLC
299	3535 GILLESPIE ST	FLOOD JOAN M
300	3535 GILLESPIE ST	GUERIN DEAN & JO ALICE
301	3535 GILLESPIE ST	MURPHY SUSAN W UNIT 104
302	3535 GILLESPIE ST	AUGUR MARILYN
303	3535 GILLESPIE ST	BRINDELL CHARLES R JR &
304	3535 GILLESPIE ST	GREEN LEE A
305	3535 GILLESPIE ST	MONTANA ROBERT C II & PRISCILA A C MONTA

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Label #	Address	Owner
306	3535 GILLESPIE ST	MIRKEN MARK C
307	3535 GILLESPIE ST	CROZIER LESLIE ANN UNIT 602
308	3535 GILLESPIE ST	CROZIER LESLIE ANN
309	3535 GILLESPIE ST	GREEN G GARDINER JR & BOBBIE S
310	3535 GILLESPIE ST	MALONE MARY LINK APT 207
311	3535 GILLESPIE ST	SWEENEY FRANCIS & PAULA
312	3535 GILLESPIE ST	FARRAR WILLIAM D
313	3535 GILLESPIE ST	FRANK ANDREW G APT 406
314	3535 GILLESPIE ST	HOWELL BILLYE
315	3535 GILLESPIE ST	ANTIOCO JOHN F UNIT 304
316	3535 GILLESPIE ST	ALVAREZ SERGIO R
317	3535 GILLESPIE ST	KELLEY CHARLES D & FRANCES J
318	3535 GILLESPIE ST	MARCHBANK SUNIE G TR
319	3535 GILLESPIE ST	SALMANS TODD L & DEBORAH K SALMANS
320	3535 GILLESPIE ST	NAVIAS LOUIS & ARLENE
321	3535 GILLESPIE ST	HEATHER DAVID & LINDA HEATHER
322	3535 GILLESPIE ST	KRAUSSE BILLIE B UNIT 404
323	3535 GILLESPIE ST	KNEESE CAROLYN C APT 121
324	3535 GILLESPIE ST	SAVARIEGO VELINDA UNIT 406
325	3535 GILLESPIE ST	MCWILLIAMS GEORGE L & REBECCA D MCWILLIA
326	3535 GILLESPIE ST	DESRUISSEAU ANNE E UNIT 408
327	3535 GILLESPIE ST	PARK REAL ESTATE PLAZA 501 LLC
328	3535 GILLESPIE ST	LAPHAM PHYLLIS UNIT 502
329	3535 GILLESPIE ST	PARK DAVID J & KIMMIE J
330	3535 GILLESPIE ST	SANDERS GEORGE STE 650
331	3535 GILLESPIE ST	PADILLA EZEQUIEL & MARIA
332	3535 GILLESPIE ST	ZEIDMAN MARK & MAGGIE ZEIDMAN
333	3535 GILLESPIE ST	BRADLEY KATRINA D
334	3535 GILLESPIE ST	STEPHENSON KAREN
335	3535 GILLESPIE ST	COULTER JAMIE B
336	3535 GILLESPIE ST	FERNANDES GARY J & SANDRA UNIT 604

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Label #	Address	Owner
337	3535 GILLESPIE ST	BOWMAN BRUCE W & BEVERLY
338	3535 GILLESPIE ST	RITZ ESTHER
339	3535 GILLESPIE ST	LARSON WILLIAM D 10700 LYNDAL AVE S
340	3535 GILLESPIE ST	SHAMIS CAROLYN T ESTATE
341	3535 GILLESPIE ST	KIVOWITZ DONALD P UNIT 703
342	3535 GILLESPIE ST	WOLFSWINKEL RANDALL V
343	3535 GILLESPIE ST	MCGONIGLE J OLIVER
344	3535 GILLESPIE ST	TEMPLETON WILLIAM M # 706
345	2728 WELBORN ST	LINN DIANE E
346	2700 WELBORN ST	SATYU PPTIES LLC
347	2728 WELBORN ST	LINN DIANE E UNIT 127
348	2700 WELBORN ST	ORMSBY BRETT
349	2700 WELBORN ST	BUTLER GERALD W
350	2700 WELBORN ST	DUBBELDE TODD UNIT 228
351	2700 WELBORN ST	WEISFELD RONALD A
352	2700 WELBORN ST	DEAN ASAD & SHAMA DEAN
353	2700 WELBORN ST	SOMES FAMILY TRUST UNIT 235
354	2700 WELBORN ST	MCFARLAIN RANDALL R
355	2700 WELBORN ST	RYAN SCOTT
356	2700 WELBORN ST	DULOCK ALBERT V JR
357	2700 WELBORN ST	SADEQ ABU & TANIA HAQUE
358	2700 WELBORN ST	HAVELKA JUDY
359	2700 WELBORN ST	ANDERSON DENISE
360	2700 WELBORN ST	VENEGAS ARTURO
361	2700 WELBORN ST	LESZINSKI SLAWOMIR
362	2700 WELBORN ST	MERTENS KATHLEEN
363	2700 WELBORN ST	CARPENTER BLAIR &
364	2700 WELBORN ST	FEDERAL NATIONAL MORTGAGE ASSN
365	2700 WELBORN ST	WALKER JOHN POWELL
366	2700 WELBORN ST	HANLON BRION 316
367	2727 WELBORN ST	HUMPHRIES JOHN F JR

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Label #	Address	Owner
368	2727 WELBORN ST	LEE MINDY MAO
369	2727 WELBORN ST	CARIERE JOHN
370	2727 WELBORN ST	CARIERE JOHN PAUL
371	2727 WELBORN ST	TRUONG DUY D
372	2727 WELBORN ST	WALGAMA RUWANI M UNIT 106
373	2727 WELBORN ST	MEQUET DAVID &
374	2727 WELBORN ST	GILBERT JR RICHARD A
375	2727 WELBORN ST	DEPPERSCHMIDT MARK
376	2727 WELBORN ST	THE SHREVEPORT GROUP LLC
377	2727 WELBORN ST	TRUONG DUY D & WEIWEI JUAN
378	3500 FAIRMOUNT ST	LANG ROLAND E FAMILY TR SUTIE 118
379	3500 FAIRMOUNT ST	REALTY ASSOCIATES RIENZI LP FLOOR
380	3500 FAIRMOUNT ST	REALTY ASSOC RIENZI LP % TA ASSOCIATES R
381	3500 FAIRMOUNT ST	REALTY ASSOCIATES RIENZI LP
382	3500 FAIRMOUNT ST	REALTY ASSOCIATES RIENZI LP
383	3500 FAIRMOUNT ST	REALTY ASSOCIATES RIENZI
384	3500 FAIRMOUNT ST	REALTY ASSO RIENZI LP
385	3500 FAIRMOUNT ST	REALTY ASSOCIATES RIENZEL LP
386	3500 FAIRMOUNT ST	CROWE ANGELA
387	3500 ROUTH ST	FEDERAL HOME LOAN MORTGAGE
388	3500 ROUTH ST	MOSS AMANDA E
389	3500 ROUTH ST	BILODEAU TONYA M UNIT 3
390	3500 ROUTH ST	NACHAWATI NABIL MAJED
391	3500 ROUTH ST	CLARK WILLIAM GEORGE
392	3500 ROUTH ST	MARGOLIS MICHAEL
393	3500 ROUTH ST	REZEO SAMEH
394	3500 ROUTH ST	NACHAWATI NABIL M II UNIT 8
395	3500 ROUTH ST	ARNOLD FAMILY TRUST
396	3500 ROUTH ST	HOPPER FORREST W
397	3500 ROUTH ST	MARTIN ANDREA
398	3535 ROUTH ST	MMM HOLDINGS LP

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Label #	Address	Owner
399	2614 HOOD ST	UNGER BARBARA L
400	2612 HOOD ST	SADACCA STEPHEN
401	2610 HOOD ST	CALHOUN REBEL
402	3534 ROUTH ST	AINSWORTH GEORGE M UNIT D
403	3532 ROUTH ST	MOORE JAMES K UNIT E
404	3530 ROUTH ST	KRAMER PAMELA A UNIT F
405	3528 ROUTH ST	MOORE JAMES K
406	3526 ROUTH ST	JOBE TERRANCE
407	2525 TURTLE CREEK BLVD	MATHEWS CARLY J
408	2525 TURTLE CREEK BLVD	FAYNE TODD M BLDG A UNIT 218
409	2525 TURTLE CREEK BLVD	RICHARDS GLENITA DENAE BLDG A UNIT 219
410	2525 TURTLE CREEK BLVD	LUCAS H KARIN
411	2525 TURTLE CREEK BLVD	MAUST DENNIS R UNIT 315
412	2525 TURTLE CREEK BLVD	HANNA KIMBERLY R BLDG A UNIT 316
413	2525 TURTLE CREEK BLVD	GIBSON LEE B
414	2525 TURTLE CREEK BLVD	SEARS RICHARD D BLDG A UNIT 318
415	2525 TURTLE CREEK BLVD	BELZ SHARON K
416	2525 TURTLE CREEK BLVD	HUNTLEY ERIC K & JANE A SUTE 425
417	2525 TURTLE CREEK BLVD	TISDALE CHARLES E #409
418	2525 TURTLE CREEK BLVD	ANGLIN DEBORAH
419	2525 TURTLE CREEK BLVD	BROWN JOHNNIE E APT 428
420	2525 TURTLE CREEK BLVD	BOWMAN HARRY D UNIT 429
421	2525 TURTLE CREEK BLVD	ECHOLS DANNY D SR LIFE ESTATE REM ECHOLS
422	2525 TURTLE CREEK BLVD	RAMAGE CASSIDY L UNIT 502
423	2525 TURTLE CREEK BLVD	KEMP DONALD BLDG A UNIT 503
424	2525 TURTLE CREEK BLVD	WEAVER WESLEY R # 504
425	2525 TURTLE CREEK BLVD	KREUZIGER FREDERICK & MIRIAM A WOODS
426	2525 TURTLE CREEK BLVD	WATTS B C & JO E
427	2525 TURTLE CREEK BLVD	LUCAS LUTZ ALEXANDER
428	2525 TURTLE CREEK BLVD	BURNS LINDA #505
429	2525 TURTLE CREEK BLVD	MCALESTER VIRGINIA

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Label #	Address	Owner
430	2525 TURTLE CREEK BLVD	ALLEN ROSALEE UNIT 507 B
431	2525 TURTLE CREEK BLVD	DELOZIER THOMAS & SARAH NAIFEH APT
432	2525 TURTLE CREEK BLVD	DONOVAN KATHLEEN T BLDG C UNIT 417
433	2525 TURTLE CREEK BLVD	MUSSLER BENJAMIN & BLDG C UNIT 418
434	2525 TURTLE CREEK BLVD	RODERICK ROBERT G APT 419
435	2525 TURTLE CREEK BLVD	WELLS GEORGE W JR &
436	2525 TURTLE CREEK BLVD	GALLIGAN REGINA MARIE
437	2525 TURTLE CREEK BLVD	SALIBA DANIEL P JANE GALE
438	2525 TURTLE CREEK BLVD	HARDISTY AMANDA LEIGH
439	2525 TURTLE CREEK BLVD	CRANFILL CHAD
440	2525 TURTLE CREEK BLVD	BROOKS MICHAEL L UNIT 524
441	2525 TURTLE CREEK BLVD	ADAMS ROBERT L UNIT 525
442	2525 TURTLE CREEK BLVD	VINSON REBECCA A UNIT 101
443	2525 TURTLE CREEK BLVD	SCHELLINCK FAMILY 1992 TR
444	2525 TURTLE CREEK BLVD	BOLEY TOMMY J #103
445	2525 TURTLE CREEK BLVD	MUNROE ANNE C TR
446	2525 TURTLE CREEK BLVD	FULLER RANDALL H & JANE D UNIT 202
447	2525 TURTLE CREEK BLVD	FRISBIE MARAGRET M APT 301
448	2525 TURTLE CREEK BLVD	KUN STEVE STE 302 BLDG D
449	2525 TURTLE CREEK BLVD	ANDERSON AMANDA B
450	2525 TURTLE CREEK BLVD	HARTSELL BRANDON L & NICOLE SHAW
451	2525 TURTLE CREEK BLVD	ROSE CHARLES A & SHIRLEY
452	2525 TURTLE CREEK BLVD	LAL MOHAN & GRACE
453	2525 TURTLE CREEK BLVD	GALAMBUSH MARILYN
454	2525 TURTLE CREEK BLVD	EATON DAVID W BLDG D UNIT 402
455	2525 TURTLE CREEK BLVD	SANDERS LANA C UNIT 403
456	2525 TURTLE CREEK BLVD	ELLIOTT FRIEDRICH
457	2525 TURTLE CREEK BLVD	ASHLEY DONNA SUE APT 431D
458	2525 TURTLE CREEK BLVD	TISDALE CHARLES E
459	2525 TURTLE CREEK BLVD	WALES VICTOR R # 511
460	2525 TURTLE CREEK BLVD	BEAHAN SARAH G BLDG D UNIT 514

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Label #	Address	Owner
461	2525 TURTLE CREEK BLVD	ROSE CHARLES & SHIRLEY BLDG E UNIT #104
462	2525 TURTLE CREEK BLVD	SWICK DAVID E & PAULA H BLDG E UNIT 106
463	2525 TURTLE CREEK BLVD	BACUS KRISTEN D #204
464	2525 TURTLE CREEK BLVD	ISHEE JAMES ALFRED
465	2525 TURTLE CREEK BLVD	FENNELL PETE & CYNTHIA LIVING TRUST THE
466	2525 TURTLE CREEK BLVD	NELSON RON &
467	2525 TURTLE CREEK BLVD	JUDGE WALTER E & RUTH
468	2525 TURTLE CREEK BLVD	CHAVEZ HERMAN & WILLIAM C BERRONG
469	2525 TURTLE CREEK BLVD	HEJL BRADLEY & UNIT 404
470	2525 TURTLE CREEK BLVD	MAYOTTE RICHARD V UNIT 405
471	2525 TURTLE CREEK BLVD	RODERICK ROBERT G # 406E
472	2525 TURTLE CREEK BLVD	HOLLINGSWORTH CLAYTON G &
473	2525 TURTLE CREEK BLVD	PEUGH JIMMY E BLDG E UNIT 515
474	2525 TURTLE CREEK BLVD	BURKHARDT KATHRYN C
475	2525 TURTLE CREEK BLVD	SUSSMAN PRODUCTS CO
476	2525 TURTLE CREEK BLVD	DEITZ SHARON UNIT 107
477	2525 TURTLE CREEK BLVD	KEELING STEVEN C #206
478	2525 TURTLE CREEK BLVD	SHAH ANGELA KIRAN
479	2525 TURTLE CREEK BLVD	TEARNAN EVELYN H APT 112
480	2525 TURTLE CREEK BLVD	SIMONE ALPHONSE F APT 115
481	2525 TURTLE CREEK BLVD	KERR CHRISTINE M
482	2525 TURTLE CREEK BLVD	WHITLOCK LESLIE BLDG G UNIT 216
483	2525 TURTLE CREEK BLVD	WOODHOUSE DOUGLAS H
484	2525 TURTLE CREEK BLVD	HULL LEROY W & JOYCE B UNIT 311
485	2525 TURTLE CREEK BLVD	LUCAS H K
486	2525 TURTLE CREEK BLVD	MOORE DOROTHY SUE
487	2525 TURTLE CREEK BLVD	TISDALE CHARLES E # 409
488	2525 TURTLE CREEK BLVD	POST KAREN
489	2525 TURTLE CREEK BLVD	FETTERICK NICHOLAS J III BLDG H UNIT 41
490	2525 TURTLE CREEK BLVD	JONES KATHERINE J BLDG H UNIT 517
491	2525 TURTLE CREEK BLVD	CARNES JOHN W

3/6/2012

Label #	Address	Owner
492	2525 TURTLE CREEK BLVD	DYTECH SOLUTIONS INTERNATIONAL
493	2525 TURTLE CREEK BLVD	CREE MARY ANNE
494	2525 TURTLE CREEK BLVD	ANDERSON JUERGEN # 412
495	2525 TURTLE CREEK BLVD	STEELE JOHN A BLD J UNIT 414
496	2525 TURTLE CREEK BLVD	HUNLEY LAMAR ETAL BLDG J UNIT 415
497	2525 TURTLE CREEK BLVD	TOON STEPHEN L UNIT J521
498	2525 TURTLE CREEK BLVD	FRANKE BONNY S
499	2525 TURTLE CREEK BLVD	ROSAS CHRISTOPHER J UNIT 523
500	2525 TURTLE CREEK BLVD	MYERS ELIZABETH J BLDG K UNIT 108
501	2525 TURTLE CREEK BLVD	MONTGOMERY JAMES B & ETAL #109
502	2525 TURTLE CREEK BLVD	BOSSBACH JERRY &
503	2525 TURTLE CREEK BLVD	HARTSELL BRANDON L & NICOLE
504	2525 TURTLE CREEK BLVD	WELLS GEORGE W UNIT 210
505	2525 TURTLE CREEK BLVD	JOLLY STEVEN R APT 211
506	2525 TURTLE CREEK BLVD	SCOTT PHILIP & MARILYN #212
507	2525 TURTLE CREEK BLVD	SIFFORD ANDY L
508	2525 TURTLE CREEK BLVD	GIVENS NATALIE BROOKE
509	2802 WELBORN ST	SHUGHRUE CYNTHIA L & CARLOS L BARRAGUE
510	2804 WELBORN ST	BOUNDS JAMES T III UNIT 2
511	2806 WELBORN ST	FUNK JUDITH EHMAN
512	2808 WELBORN ST	BORLENGHI ELLEN S
513	2810 WELBORN ST	SCOTT LLOYD & ALVIN C TISDALE
514	2812 WELBORN ST	JANSING WILLIAM S
515	2814 WELBORN ST	BOLIN DENNIS L UNIT 7
516	2816 WELBORN ST	ENGLISH RICK L & SUSAN P
517	2818 WELBORN ST	GUZZETTI WILLIAM L
518	2615 WELBORN ST	VU KIM UNIT A
519	2615 WELBORN ST	OMEARA RAYMOND J
520	2615 WELBORN ST	PORCELLI JOSEPH # 101-541
521	2615 WELBORN ST	RAMMING JULIANNE UNIT D
522	3515 BROWN ST	NOSS MICHAEL R UNIT 101

3/6/2012

Label #	Address	Owner
523	3515 BROWN ST	BENNISON VICTORIA B
524	3515 BROWN ST	FOX SHERYL A BLDG I UNIT 103
525	3515 BROWN ST	SHUMAKE VICKI B
526	3515 BROWN ST	ZAMBRANO GERARDO BLDG I UNIT 105
527	3515 BROWN ST	HAILEY PEGGY BLDG II UNIT 106
528	3515 BROWN ST	PHILEN TERRELL JR
529	3515 BROWN ST	BLACKSTONE WARREN L
530	3515 BROWN ST	SMITH BARBARA D TRUST BLDG III UNIT 109
531	3515 BROWN ST	OBIEN LINDA P
532	3515 BROWN ST	BOWERS MICHAEL R UNIT 111
533	3515 BROWN ST	WARNER WILLIAM J APT 309
534	3515 BROWN ST	ARMSTRONG MARSHALL
535	3515 BROWN ST	FEDERAL HOME LOAN MTG CORP
536	3515 BROWN ST	FILIO BIANCA
537	3515 BROWN ST	ALLEN A KATHLEEN APT 116
538	3515 BROWN ST	BOLLINGER JOY
539	3515 BROWN ST	LOLLAR DALE J &
540	3515 BROWN ST	WAYLOCK GREGORY BLDG V UNIT 119
541	3515 BROWN ST	GRANATINO JOHN F & FRANCES D
542	3515 BROWN ST	HAFFAR ZOUHDI EL APT 121
543	3515 BROWN ST	GOLDSTEIN ROBERT M SUITE 108
544	3515 BROWN ST	BURNS LARA LEE
545	3515 BROWN ST	LYLE BEVERLY BLDG VI UNIT 124
546	3515 BROWN ST	SNAPP CHARLES W UNIT 125
547	3515 BROWN ST	BROOKS JAMES LEE JR ESTATE OF %FRANKLIN

FILE NUMBER: Z112-274 (JH)

DATE FILED: June 29, 2012

LOCATION: North side of W. Wheatland Road and west side of Clark Road

COUNCIL DISTRICT: 3

MAPSCO: 71B-B, C

SIZE OF REQUEST: Approx. 18.4 acres

CENSUS TRACT: 165.10

REPRESENTATIVE: Daniel Miller, Kimley-Horn and Associates, Inc.

APPLICANT: Wal-mart Real Estate Business Trust

OWNER: Wheatland Crossing, L.P.
Huyen M. Ta and Van Truong

REQUEST: An application for a Planned Development District for CR Community Retail District on property zoned a CR Community Retail District.

SUMMARY: The applicant proposes to construct a general merchandise or food store greater than 100,000 square feet.

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

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- The proposed use is a general merchandise or food store 100,000 square feet or more. The applicant is seeking a Planned Development District to allow the use by right, to allow for a specific parking ratio, and specify certain relief from the design standards for a big box type development. Additionally, the development will create the need for certain traffic improvements.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Clark Road	Principle Arterial	120 ft.
Wheatland Road	Principle Arterial	100 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request complies with the following land use goal and policy of the Comprehensive Plan because the proposed development will bring retail use to the site and likely attract additional retail and service uses nearby.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

Land Use Compatibility:

The approximately 18.4-acre request site is zoned a CR Community Retail District and is currently undeveloped. The applicant is proposing to construct a general merchandise or food store use 100,000 square feet or greater on the property, which requires a Specific Use Permit. The applicant is seeking a Planned Development District to allow the use by right, specify a parking ratio, and modify the design standards of a big box development.

The surrounding land uses are undeveloped to the north and northeast, restaurant and retail uses to the south, a church to the east, and a school to the west. These uses are further surrounded by mostly low density single family neighborhoods.

The proposed Planned Development District will give minimal relief and deviation from the big box design standards. The PD conditions list six standards in the additional provisions section that describe the slight deviation from the big box design standards. The attached elevations meet the minimum façade requirements with the one exception of a rear service side façade requirement. Two design elements are required on the rear façade. The applicant proposes to only provide the façade articulation requirement and staff supports this request. Staff finds that the minor deviations from the big box design standards meet the intent of the standards.

The request site is at the intersection of two six-lane divided principle arterials in an area that is surrounded with low density single family neighborhoods. The portion of the intersection that is in the City of Dallas is zoned CR Community Retail and NS(A) Neighborhood Service Districts. The properties on the City of Duncanville side of the intersection are developed with non-residential uses. The request site is an appropriate size and location for a large retail development. Staff supports the applicant’s request.

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

Parking/Traffic:

The applicant is proposing a parking ratio of one space per 250 square feet of floor area for a general merchandise or food store 100,000 square feet or greater. The parking code amendments approved by City Council on September 26th, 2012 require a minimum of one space per 300 square feet.

The proposed development will generate the need for adjacent traffic improvements. The PD conditions state that the required traffic improvements must be completed before the issuance of a certificate of occupancy. An exhibit is included in the PD conditions and in this report that illustrates the location of the traffic improvements for ease of identifying where the improvements are required. The traffic improvements relate to the median openings, turn lanes, and deceleration lanes.

Landscaping:

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

Z112-274(JH)

List of Partners/Principals/Officers

Owners:

Wheatland Crossing, L.P.

Robert Colombe, Principal

Marilyn Colombe, Principal

Huyen M. Ta and Van Truong, individuals

List of Partners/Principals/Officers

Applicant: Walmart Real Estate Business Trust

Eric S. Zorn.....	President and Chief Executive Officer
Claire L. Babineaux-Fontenot.....	Senior Vice President
J. Robert Bray	Senior Vice President
Anthony L. Fuller.....	Senior Vice President
Steven P. Whaley	Senior Vice President and Controller
Gordon Y. Allison.....	Vice President and Secretary
Cathryn Santoro	Vice President Treasurer
Harry M. Eng	Vice President
Patrick J. Hamilton.....	Vice President
Richard O. Kinnard.....	Vice President
J. Councill Leak	Vice President
Jennifer May-Brust	Vice President
Carl R. Muller	Vice President
L. Dale Murphy.....	Vice President
Kimberly K. Saylor-Laster	Vice President
Michael E. Gardner	Vice President
Caroline K. Clarke	Vice President
John E. Clarke.....	Vice President
Brian E. Hooper	Vice President
George J. Bacso	Assistant Secretary
James A. Cole	Assistant Secretary
Geoffrey W. Edwards	Assistant Secretary
Donald R. Etheredge.....	Assistant Secretary
B.A. Glass	Assistant Secretary
Nicholas S. Goodner	Assistant Secretary
Sheri K. Goodwin	Assistant Secretary
Amber R. Graham	Assistant Secretary
Adele E. Lucas.....	Assistant Secretary
Richard H. Martin	Assistant Secretary
Michelle M. McCall.....	Assistant Secretary
John T. Okwubanego	Assistant Secretary
Matthew R. Powers.....	Assistant Secretary
Brad T. Rogers.....	Assistant Secretary
Jennifer M. Rudolph	Assistant Secretary
Erron W. Smith	Assistant Secretary
J. Jeremy Snell	Assistant Secretary
Elvin J. Sutton, Jr.....	Assistant Secretary
Gregory L. Tesoro.....	Assistant Secretary
Kathy E. Tobey	Assistant Secretary
Barri L. Tulgetske	Assistant Secretary
Sonya L. Webster.....	Assistant Secretary
Romona L. West	Assistant Secretary
Bruce E. Wickline.....	Assistant Secretary

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 located on the west side of Clark Road north of Wheatland Road. The size of PD ____ is approximately 18.392 acres.

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

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

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

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: elevations.
- (3) Exhibit ____C: traffic improvements.

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

(a) For a general merchandise or food store 100,000 square feet or more, development and use of the Property must comply with the development plan (Exhibit ____A). If there is a conflict between the text of this article and the development plan, the text of 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.

(a) Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the CR community retail district, subject to the same conditions applicable in the CR community retail district. 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) General merchandise or food store 100,000 square feet or more is a permitted main use.

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

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

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

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

The yard, lot, and space regulations for the CR Community Retail District apply.

SEC. 51P-____.109. 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 and loading requirements for each use.

(b) For a general merchandise or food store 100,000 square feet or more, a minimum of one space per 250 square feet of floor area must be provided in the locations shown on the development plan.

SEC. 51P-____.110. INGRESS AND EGRESS.

For a general merchandise or food store 100,000 square feet or more, ingress to and egress from the Property must be provided as shown on the development plan.

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

See Article VI.

SEC. 51P-____.112. LANDSCAPING AND TREE MITIGATION.

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-____.113. SIGNS.

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

SEC.51P-____.114 TRAFFIC IMPROVEMENTS.

The following traffic control improvements must be implemented, subject to approval by the city, prior to the issuance of a certificate of occupancy in this district. See Exhibit ____C (traffic improvements) for location information.

- (a) Design, construct, and provide adequate right-of-way for a westbound right-turn deceleration lane on Wheatland Road in location 1 shown on Exhibit ____C.
- (b) Provide a new median opening and eastbound left-turn lane on Wheatland Road in location 2 shown on Exhibit ____C.
- (c) Design, construct, and provide adequate right-of-way for a southbound right-turn deceleration lane on Clark Road in location 3 shown on Exhibit ____C.
- (d) Relocate median opening and northbound left-turn lane on Clark Road to location 4 on Exhibit ____C.
- (e) Design, construct, and provide adequate right-of-way for a southbound right-turn deceleration lane on Clark Road in location 5 shown on Exhibit ____C.

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

- (a) For a general merchandise or food store 100,000 square feet or more:
 - (1) Parking lot landscaped islands required in Section 51A-4.605(a)(8)(A) must be provided as shown on the development plan.
 - (2) Screening of mechanical equipment on the ground required in Section 51A-4.605(a)(9)(C) may include landscaping and retaining walls.

(3) Trees required in Section 51A-4.605(a)(8)(F) must be provided along the primary façade wall and the west side façade wall. For the west side façade wall, the trees must be located in the landscape islands shown on the development plan.

(4) A tubular metal fence a minimum of six feet in height must be erected and maintained within 30 feet of the western and northern property lines. Landscaping provided in accordance with Article X must include plant groups with large evergreen shrubs within the landscape buffer along the western property line.

(5) Material, color, and texture variations to the primary façade wall and secondary façade walls must be provided as shown on the elevations (Exhibit ___B).

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

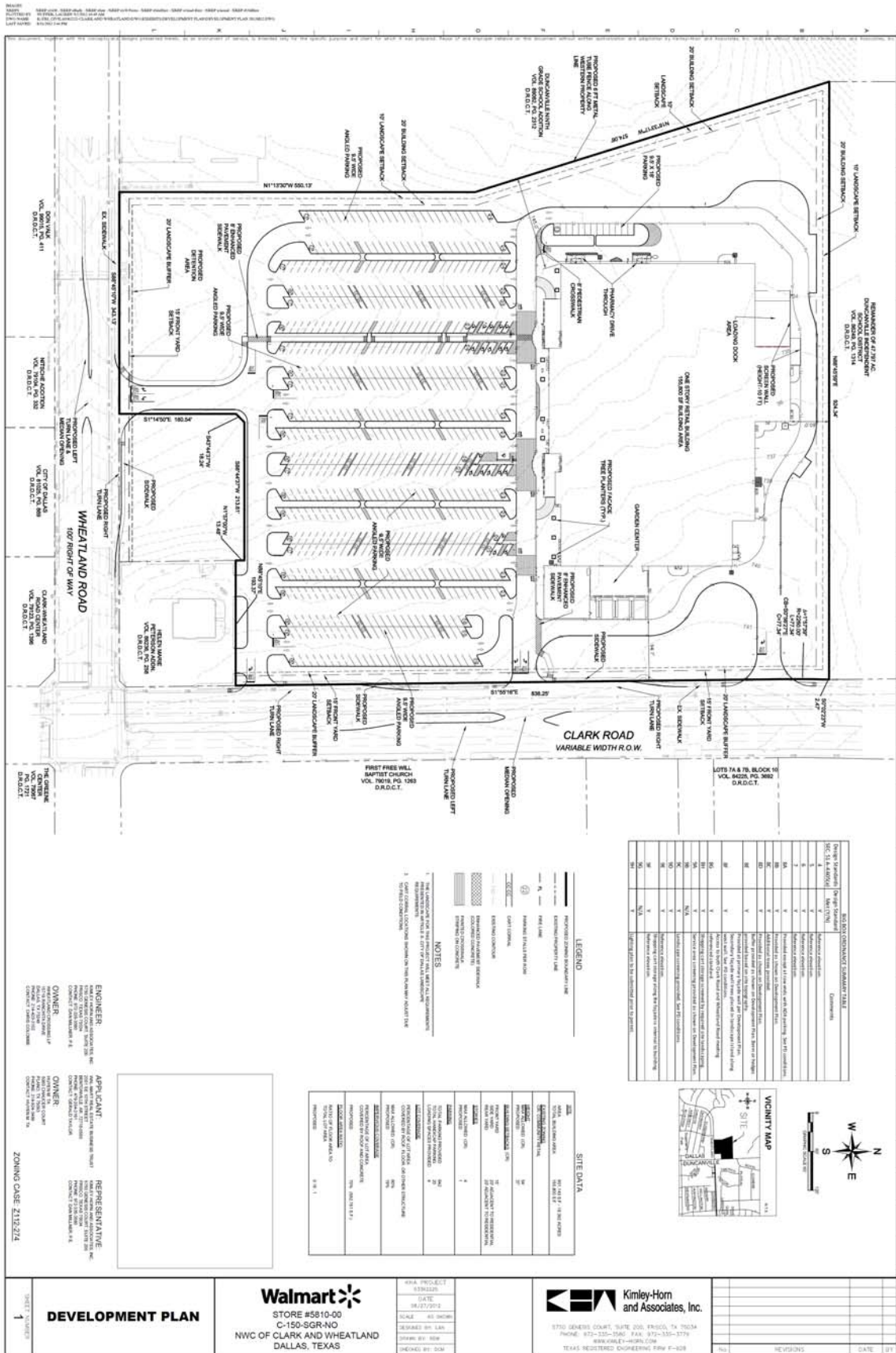
(c) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

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

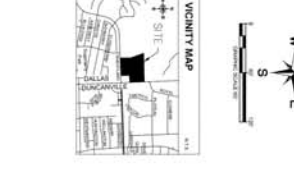
All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

DEVELOPMENT PLAN



Group Symbol	Group Name	Symbol	Notes
1	Proposed Building	[Symbol]	Proposed building footprint
2	Proposed Parking	[Symbol]	Proposed parking stalls
3	Proposed Driveway	[Symbol]	Proposed driveway
4	Proposed Easement	[Symbol]	Proposed easement
5	Proposed Right-of-Way	[Symbol]	Proposed right-of-way
6	Proposed Utility	[Symbol]	Proposed utility lines
7	Proposed Landscape	[Symbol]	Proposed landscape features
8	Proposed Retention Pond	[Symbol]	Proposed retention pond
9	Proposed Stormwater	[Symbol]	Proposed stormwater management
10	Proposed Access	[Symbol]	Proposed access points
11	Proposed Signage	[Symbol]	Proposed signage locations
12	Proposed Fencing	[Symbol]	Proposed fencing locations
13	Proposed Security	[Symbol]	Proposed security features
14	Proposed Lighting	[Symbol]	Proposed lighting locations
15	Proposed Irrigation	[Symbol]	Proposed irrigation systems
16	Proposed Hardscape	[Symbol]	Proposed hardscape features
17	Proposed Softscape	[Symbol]	Proposed softscape features
18	Proposed Utility Easement	[Symbol]	Proposed utility easement
19	Proposed Right-of-Way Easement	[Symbol]	Proposed right-of-way easement
20	Proposed Access Easement	[Symbol]	Proposed access easement
21	Proposed Fencing Easement	[Symbol]	Proposed fencing easement
22	Proposed Security Easement	[Symbol]	Proposed security easement
23	Proposed Lighting Easement	[Symbol]	Proposed lighting easement
24	Proposed Irrigation Easement	[Symbol]	Proposed irrigation easement
25	Proposed Hardscape Easement	[Symbol]	Proposed hardscape easement
26	Proposed Softscape Easement	[Symbol]	Proposed softscape easement



LEGEND

PROPOSED BUILDING FOOTPRINT

PROPOSED PARKING

PROPOSED DRIVEWAY

PROPOSED EASEMENT

PROPOSED RIGHT-OF-WAY

PROPOSED UTILITY

PROPOSED LANDSCAPE

PROPOSED RETENTION POND

PROPOSED STORMWATER

PROPOSED ACCESS

PROPOSED SIGNAGE

PROPOSED FENCING

PROPOSED SECURITY

PROPOSED LIGHTING

PROPOSED IRRIGATION

PROPOSED HARDSCAPE

PROPOSED SOFTSCAPE

PROPOSED UTILITY EASEMENT

PROPOSED RIGHT-OF-WAY EASEMENT

PROPOSED ACCESS EASEMENT

PROPOSED FENCING EASEMENT

PROPOSED SECURITY EASEMENT

PROPOSED LIGHTING EASEMENT

PROPOSED IRRIGATION EASEMENT

PROPOSED HARDSCAPE EASEMENT

PROPOSED SOFTSCAPE EASEMENT

NOTES

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODE (IMC) AND THE NATIONAL ELECTRICAL CODE (NEC).
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE CODE (IFC) AND THE INTERNATIONAL FIRE MARSHAL ASSOCIATION (IFMA) CODE.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SAFETY CODE (ISC) AND THE INTERNATIONAL SAFETY ASSOCIATION (ISA) CODE.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL HEALTH AND SAFETY CODE (IHSC) AND THE INTERNATIONAL HEALTH AND SAFETY ASSOCIATION (IHSA) CODE.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ENVIRONMENTAL CODE (IEC) AND THE INTERNATIONAL ENVIRONMENTAL ASSOCIATION (IEA) CODE.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL QUALITY CODE (IQC) AND THE INTERNATIONAL QUALITY ASSOCIATION (IQA) CODE.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SUSTAINABILITY CODE (ISC) AND THE INTERNATIONAL SUSTAINABILITY ASSOCIATION (ISA) CODE.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ACCESSIBILITY CODE (IAC) AND THE INTERNATIONAL ACCESSIBILITY ASSOCIATION (IAA) CODE.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ENERGY CODE (IEC) AND THE INTERNATIONAL ENERGY ASSOCIATION (IEA) CODE.

ENGINEER:
 KIMLEY-HORN AND ASSOCIATES, INC.
 8750 GENESEE COURT, SUITE 200, FORT WORTH, TEXAS 76126
 PHONE: 817-335-5940 FAX: 817-335-5779
 WWW.KIMLEY-HORN.COM
 TEXAS REG. NO. 0000000000 ENGINEER P. 0000000000

APPLICANT:
 WALMART STORE #5810-00
 1500 W. CLARK ROAD, SUITE 100
 DALLAS, TEXAS 75201
 CONTACT: JIM WALKER, P.E.
 PHONE: 972-343-1234
 FAX: 972-343-1235
 EMAIL: JIM.WALKER@WALMART.COM

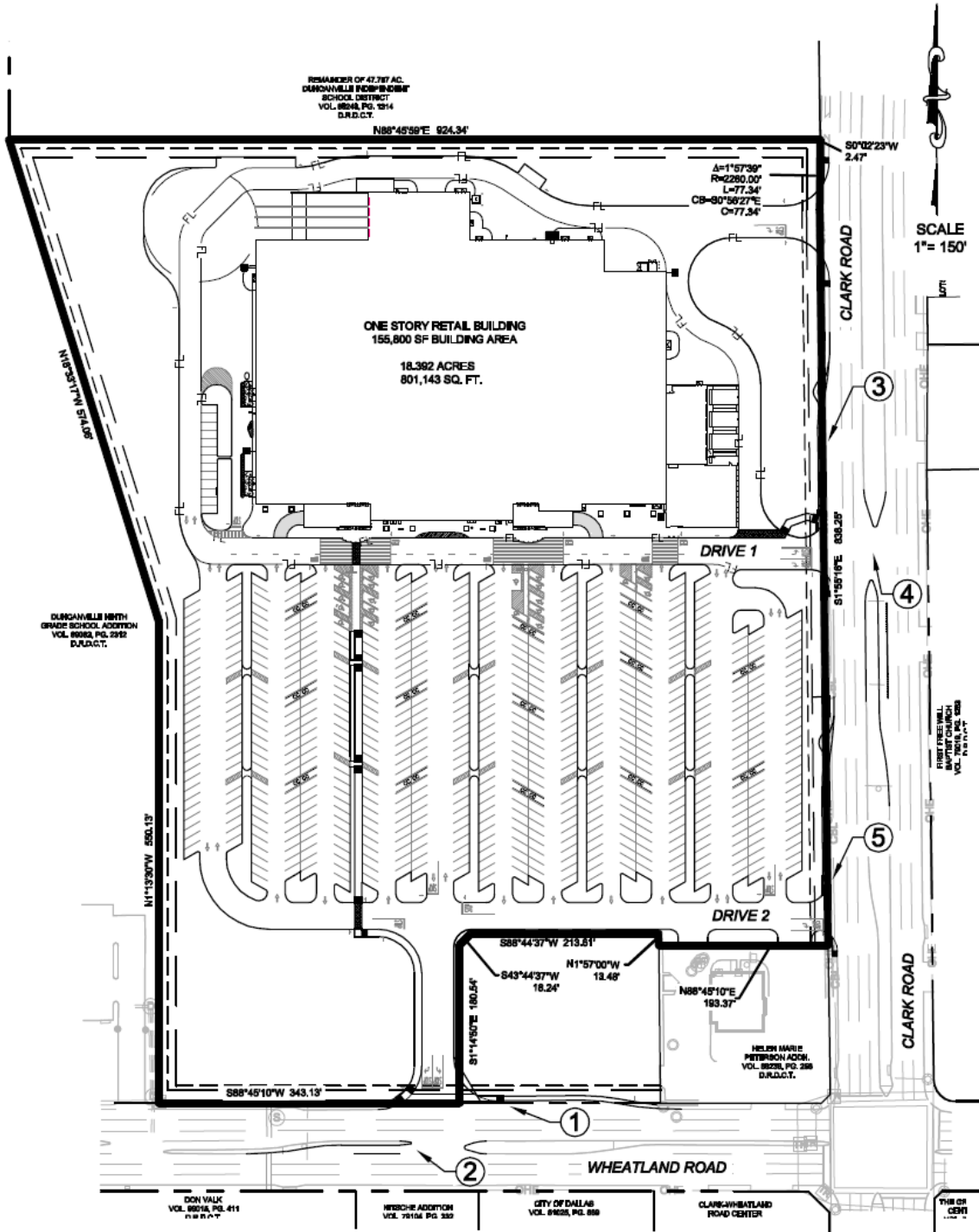
OWNER:
 WALMART STORE #5810-00
 1500 W. CLARK ROAD, SUITE 100
 DALLAS, TEXAS 75201
 CONTACT: JIM WALKER, P.E.
 PHONE: 972-343-1234
 FAX: 972-343-1235
 EMAIL: JIM.WALKER@WALMART.COM

REPRESENTATIVE:
 KIMLEY-HORN AND ASSOCIATES, INC.
 8750 GENESEE COURT, SUITE 200, FORT WORTH, TEXAS 76126
 PHONE: 817-335-5940 FAX: 817-335-5779
 WWW.KIMLEY-HORN.COM
 TEXAS REG. NO. 0000000000 ENGINEER P. 0000000000

ZONING CASE: Z112-274

<p>DEVELOPMENT PLAN</p> <p>1</p>	<p>Walmart</p> <p>STORE #5810-00 C-150-SGR-NO NWC OF CLARK AND WHEATLAND DALLAS, TEXAS</p>	<p>DATE: 04/27/2012</p> <p>SCALE: AS SHOWN</p> <p>DESIGNED BY: JH</p> <p>CHECKED BY: JH</p> <p>APPROVED BY: JH</p>	<p>Kimley-Horn and Associates, Inc.</p> <p>8750 GENESEE COURT, SUITE 200, FORT WORTH, TX 76126 PHONE: 817-335-5940 FAX: 817-335-5779 WWW.KIMLEY-HORN.COM TEXAS REG. NO. 0000000000 ENGINEER P. 0000000000</p>	<p>NO. _____</p> <p>REVISIONS _____</p> <p>DATE _____</p>
		<p>1</p>		

Traffic Improvements Illustration

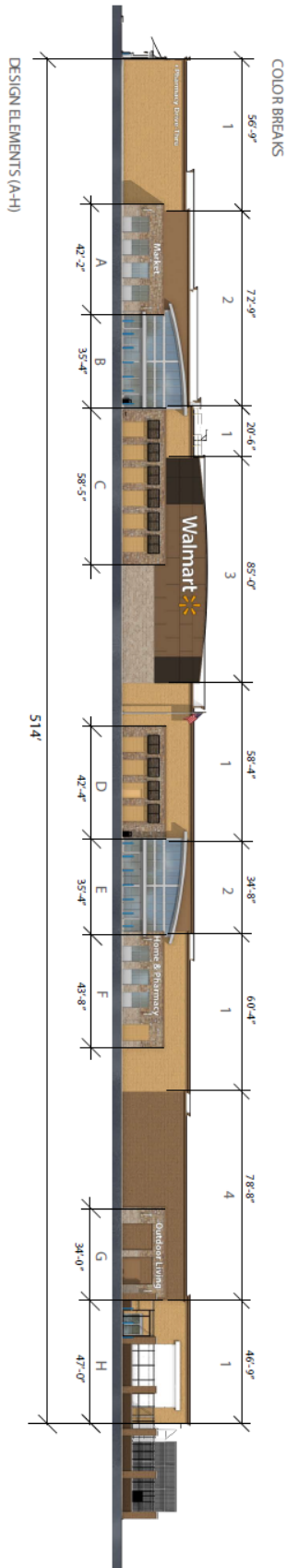
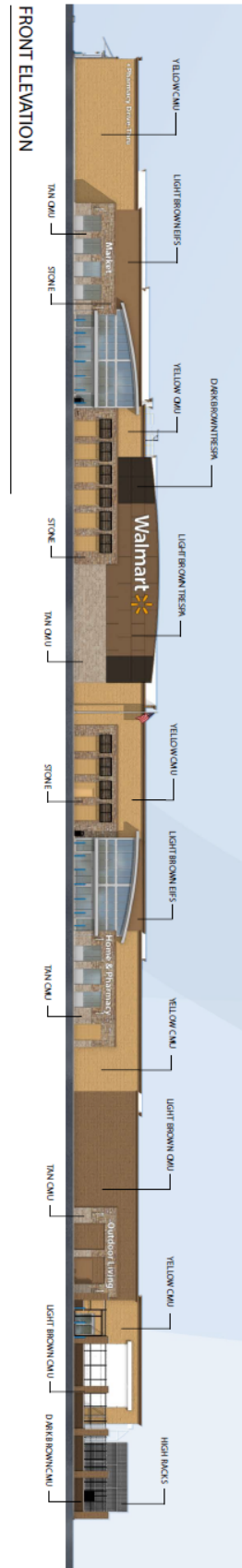


Proposed Roadway Improvements

- 1- New Westbound Right-Turn Deceleration Lane on Wheatland Road
- 2- New Median Opening and Eastbound Left-Turn Lane on Wheatland Road
- 3- New Southbound Right-Turn Deceleration Lane on Clark Road
- 4- Relocated Median Opening and Northbound Left-Turn Lane on Clark Road
- 5- New Southbound Right-Turn Deceleration Lane on Clark Road

 Kinley-Horn
and Associates, Inc.
Z112-274

Elevations – South / Primary façade



DESIGN FEATURES:

- FRONT FAÇADE:
- DESIGN ELEMENTS: PROJECTIONS/RECESSES, WINDOW ELEMENTS, AWNINGS
 - A- WINDOW ELEMENT AT 47' LENGTH AND 26' DEEP
 - B- PROJECTION AT 35' LENGTH AND 26' DEEP
 - C- PROJECTION AT 58' LENGTH AND 8' DEEP
 - D- PROJECTION AT 42' LENGTH AND 8' DEEP
- 514' (TOTAL FAÇADE LENGTH) X 0.60 = 309' (REQUIRED ARTICULATION)
- PROVIDED ARTICULATION: 42'+35'+58'+42'+35'+43'+34'+47' = 336'
- CHANGES IN COLOR/TEXTURE/MATERIALS:
 - BREAK 1: 56'+20'+58'+60'+46' = 240' / 514' = 47%
 - BREAK 2: 72'+34' = 106' / 514' = 21%
 - BREAK 3: 85' / 514' = 17%
 - BREAK 4: 78' / 514' = 15%



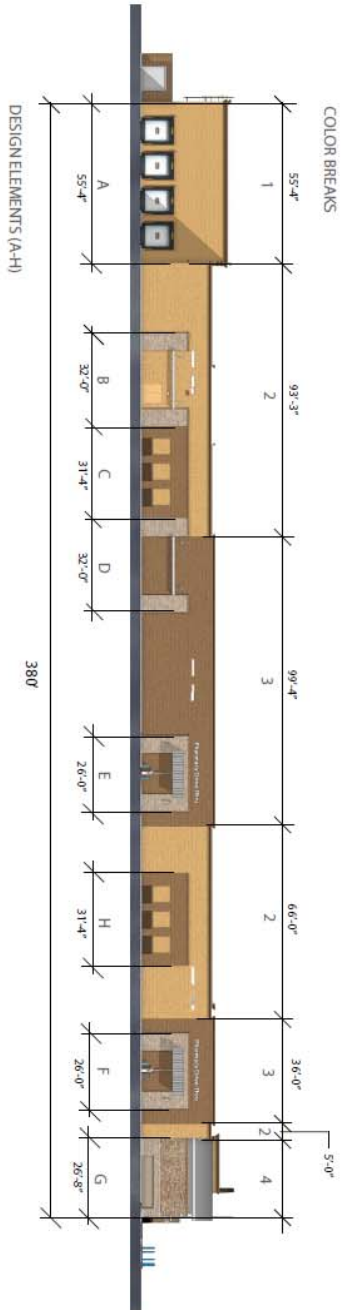


4 OCTOBER 2012

#5810 DALLAS (CLARK & WHEATLAND), TX

FRONT ELEVATION- DESIGN FEATURES

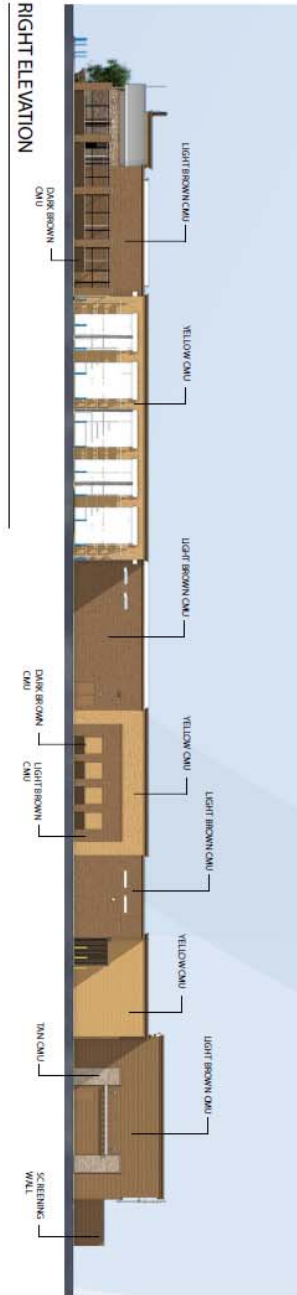
Elevations – West/Side façade



DESIGN FEATURES:

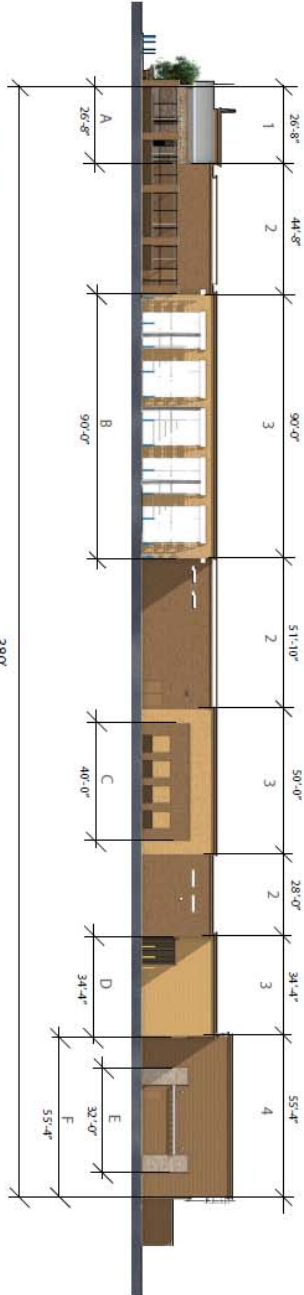
- LEFT FACADE
- DESIGN ELEMENTS: PROJECTIONS/RECESSES, WINDOW ELEMENT, AWNINGS
 - A- RECESS AT 55' LENGTH AND 128" DEEP
 - B- PROJECTION AT 32' LENGTH AND 8" DEEP
 - C- WINDOW ELEMENT AT 31' LENGTH AND 8" DEEP
 - D- PROJECTION AT 32' LENGTH AND 8" DEEP
- 380' (TOTAL FACADE LENGTH) X 0.60 = 228 (REQUIRED ARTICULATION)
- PROVIDED ARTICULATION: 55'+32'+31'+32'+26'+31' = 259'
- CHANGES IN COLOR/TEXTURE/MATERIALS:
 - BREAK 1: 55'/380 = 14%
 - BREAK 2: 93'+66'+5' = 164'/380 = 43%
 - BREAK 3: 99'+36' = 135'/380 = 36%
 - BREAK 4: 26'/380 = 7%

Elevations – East/Side façade



RIGHT ELEVATION

COLOR BREAKS



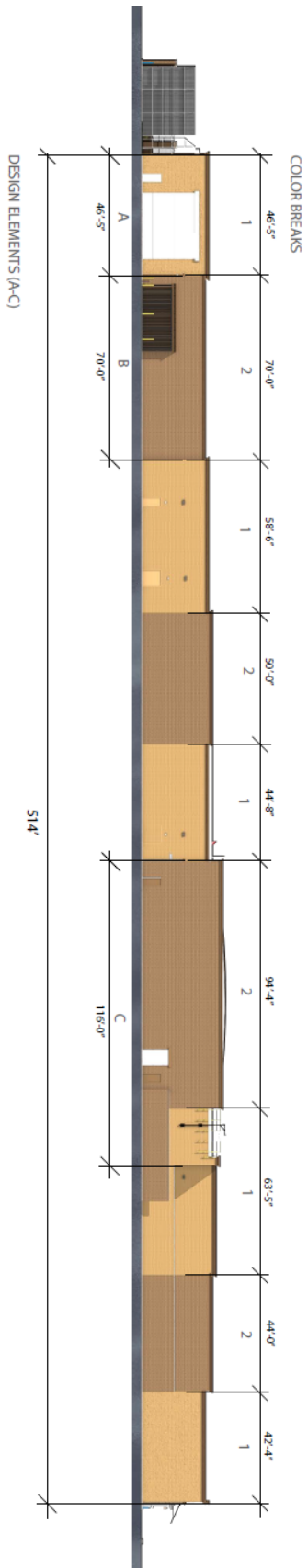
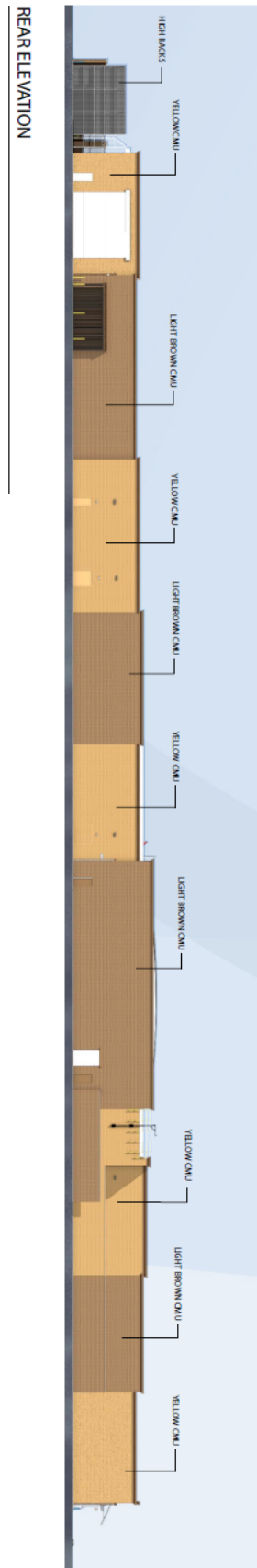
DESIGN ELEMENTS (A-F)

DESIGN FEATURES:

- RIGHT FACADE:
- DESIGN ELEMENTS: PROJECTIONS/RECESSES, WINDOW ELEMENT, AWNINGS
- RECESS AT 26' LENGTH AND 9'-5" DEEP
- PROJECTION AT 90' LENGTH AND 4'-6" DEEP
- WINDOW ELEMENT AT 40' LENGTH AND 8" DEEP
- 380' (TOTAL FACADE LENGTH) X 0.60 = 228' (REQUIRED ARTICULATION)
- PROVIDED ARTICULATION: 26'+90'+40'+34'+32'+55' = 277'
- CHANGES IN COLOR/TEXTURE/MATERIALS:
 - BREAK 1: 26' / 380 = 7%
 - BREAK 2: 44' + 51' + 28' = 123' / 380 = 32%
 - BREAK 3: 90' + 50' + 34' = 174' / 380 = 46%
 - BREAK 4: 55' / 380 = 15%

		4 OCTOBER 2012	#5810 DALLAS (CLARK & WHEATLAND), TX	RIGHT ELEVATION - DESIGN FEATURES	4
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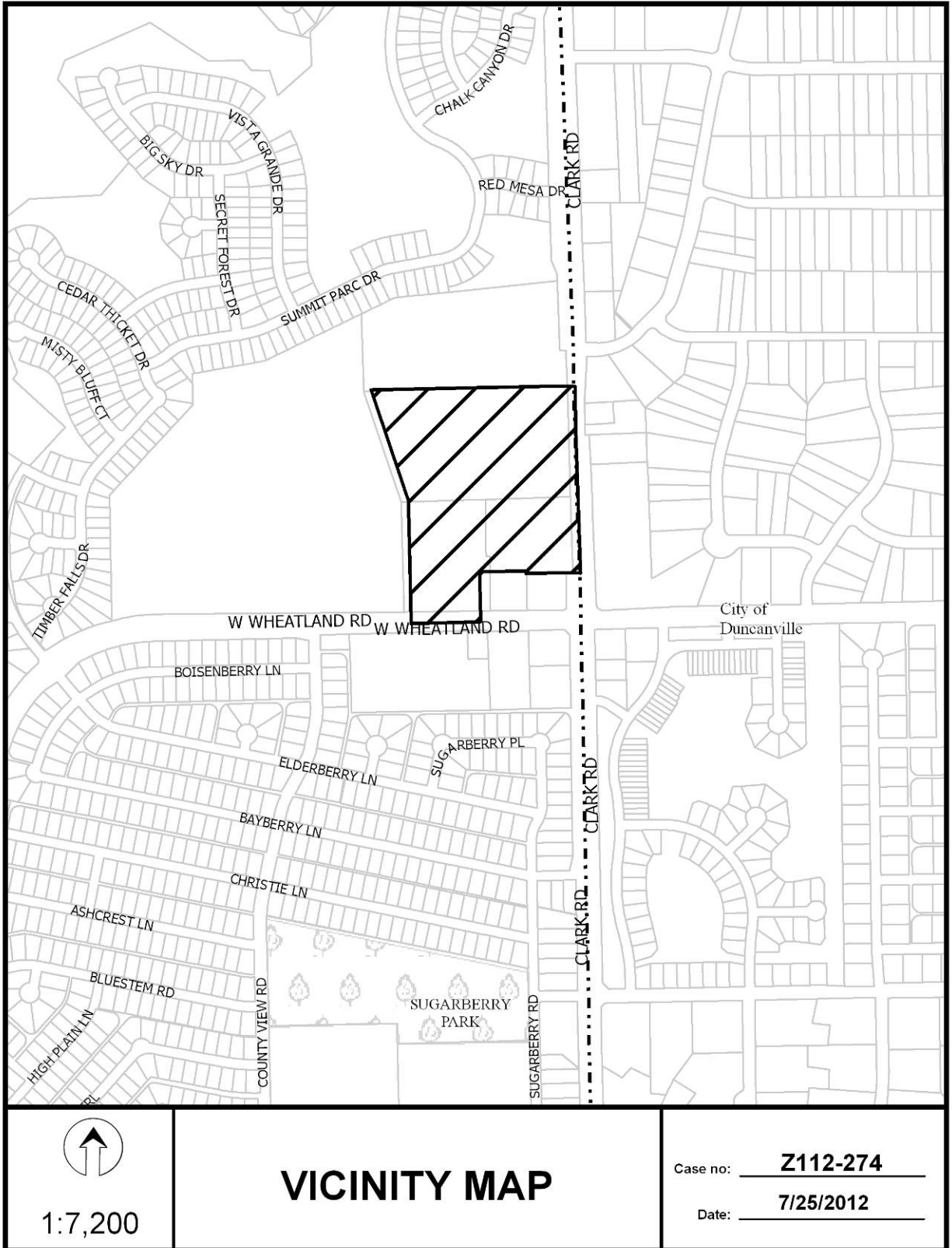
Elevations – North / Rear façade



DESIGN FEATURES:

- REAR FACADE:
- DESIGN ELEMENTS: PROJECTIONS/RECESSES
- A- RECESS AT 46' LENGTH AND 130" DEEP
- B- RECESS AT 70' LENGTH AND 34" DEEP
- C- PROJECTION AT 116' LENGTH AND 55" DEEP
- 514' (TOTAL FACADE LENGTH) X 0.60 = 309' (REQUIRED ARTICULATION)
- PROVIDED ARTICULATION: 46'+7'0" + 116' = 232'
- CHANGES IN COLOR/TEXTURE/MATERIALS:
- BREAK 1: 47'+59'+45'+64'+42' = 257' / 514' = 50%
- BREAK 2: 70'+50'+94'+44' = 258' / 514' = 50%

		<p>4 OCTOBER 2012</p>	<p>#5810 DALLAS (CLARK & WHEATLAND), TX</p>	<p>REAR ELEVATION- DESIGN FEATURES</p>
				<p>2</p>

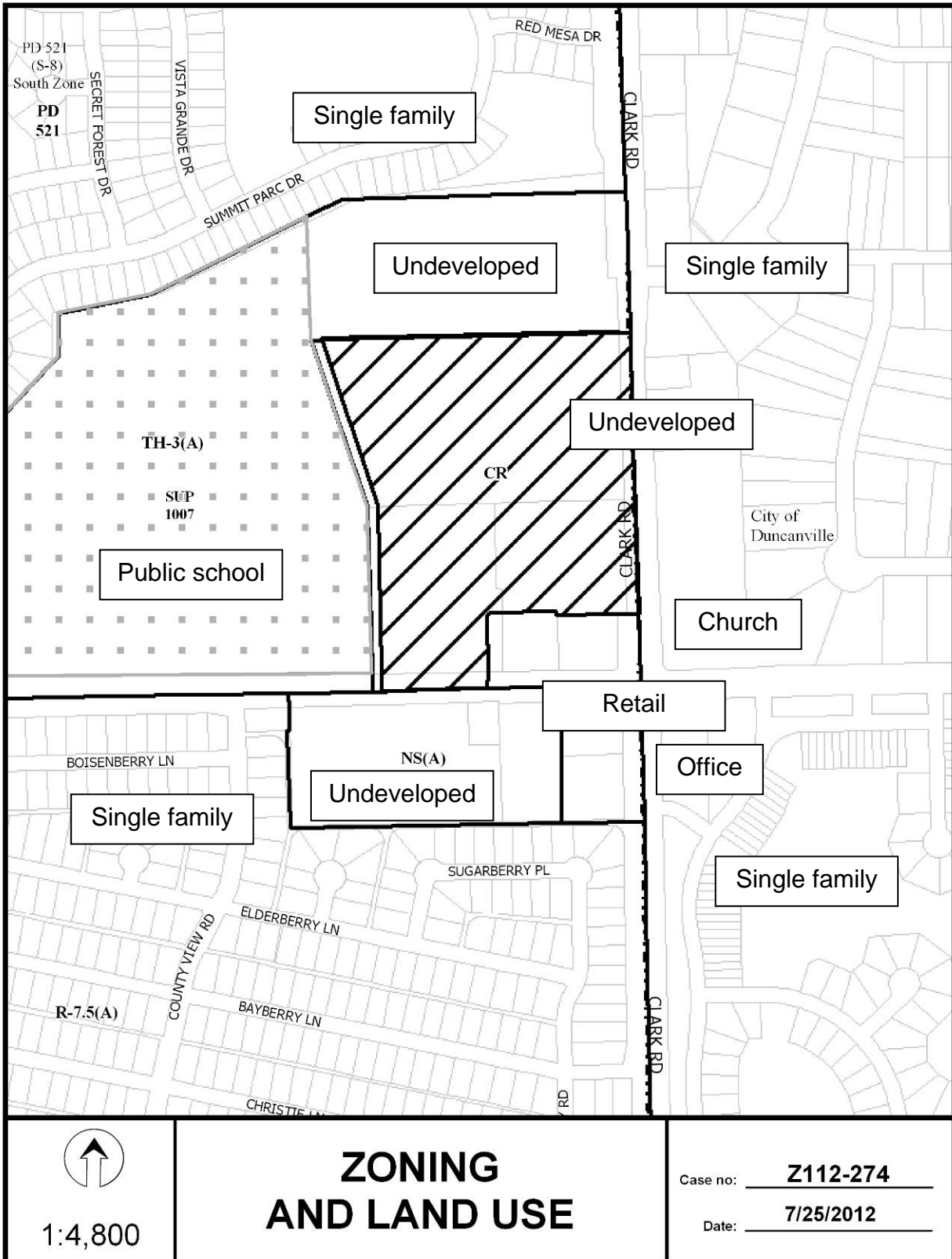


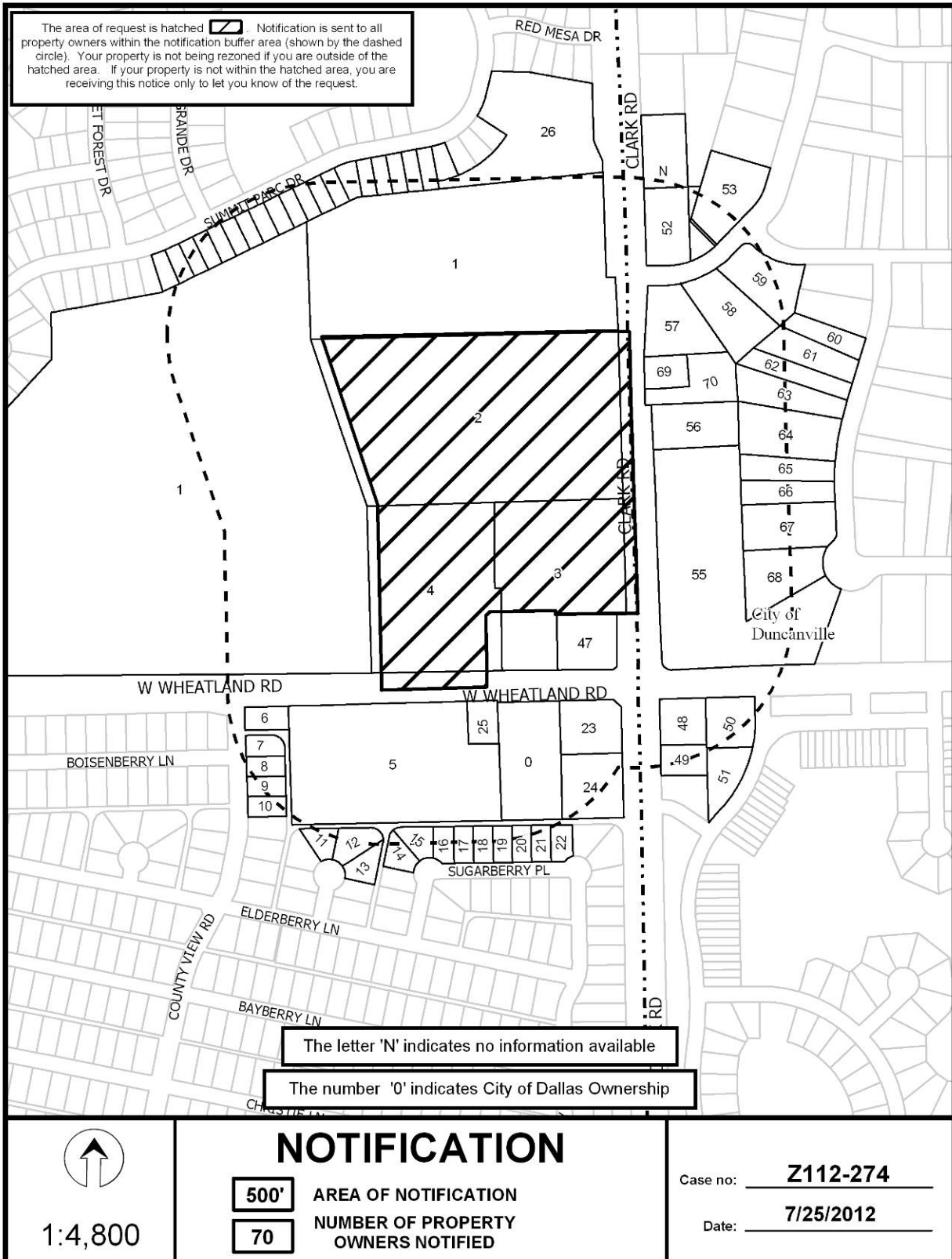
1:7,200

VICINITY MAP

Case no: Z112-274

Date: 7/25/2012





7/25/2012

Notification List of Property Owners

Z112-274

70 Property Owners Notified

Label #	Address	Owner
1	8605 CLARK RD	DUNCANVILLE I S D
2	8601 CLARK RD	COLOMBE ROBERT & MARILYN
3	7001 WHEATLAND RD	TA HUYEN M
4	7095 WHEATLAND RD	COLOMBE MARILYN
5	7001 WHEATLAND RD	VALK DON
6	8702 COUNTY VIEW RD	SORRELLS EVELYN F
7	8706 COUNTY VIEW RD	VALDEZ LORENA
8	8710 COUNTY VIEW RD	EVANS JANIE LYNN
9	8714 COUNTY VIEW RD	BLANCHARD BOBBY C & DEBOR
10	8718 COUNTY VIEW RD	MAGEE SANDERA
11	8603 ELDERBERRY CT	SULLIVAN ROY LEE
12	8604 ELDERBERRY CT	DRIVER LARRY JOE
13	8608 ELDERBERRY CT	MILLER GARY
14	8415 SUGARBERRY PL	VARGAS LUIS & MARIA
15	8419 SUGARBERRY PL	LOPEZ ALICIA
16	8423 SUGARBERRY PL	CERVANTES ANDREW C
17	8427 SUGARBERRY PL	GORDON GILDA FAYE
18	8431 SUGARBERRY PL	FULLER AMOS E & ALICE F
19	8435 SUGARBERRY PL	NUNEZ MARTIN & MARIA
20	8439 SUGARBERRY PL	ROBINSON ANNIE
21	8443 SUGARBERRY PL	HAWTHORNE ALTHIA C
22	8447 SUGARBERRY PL	ARIAS VARGAS ROY & TERESA
23	8817 CLARK RD	MURTAZA INVESTMENTS INC
24	8800 CLARK RD	RUSSELL HAROLD
25	7044 WHEATLAND RD	THURMOND VIRGIL B & JONI L
26	7100 SUMMIT PARC DR	SUMMIT PARC OWNERS ASSOC %LONE STAR

ASSO

7/25/2012

Label #	Address	Owner
27	7214 SUMMIT PARC DR	BANK OF AMERICA
28	7218 SUMMIT PARC DR	HUD
29	7222 SUMMIT PARC DR	CHAVEZ RENEE S & NORBIL E CHAVEZ
30	7226 SUMMIT PARC DR	WADDELL JIMMIE & TIFFANY R
31	7230 SUMMIT PARC DR	PAYNE HOMER I & DONELLA
32	7234 SUMMIT PARC DR	ELLIS CATERINA APT 439
33	7238 SUMMIT PARC DR	FORD JOHN MACK
34	7242 SUMMIT PARC DR	DAN & DAN INVESTMENTS LLC
35	7246 SUMMIT PARC DR	LAWRENCE DONNA & DOYLE
36	7250 SUMMIT PARC DR	GARCIA GAVINO & CHRISTINA GARCIA
37	7254 SUMMIT PARC DR	HIAZO NKOSANA
38	7258 SUMMIT PARC DR	SIERRA CATHY
39	7262 SUMMIT PARC DR	SMITH LAKETRA R
40	7266 SUMMIT PARC DR	WILSON GWENDOLYN
41	7270 SUMMIT PARC DR	GONZALEZ JESUS & ERICA AGUIRRE
42	7274 SUMMIT PARC DR	MALKOWSKI GREGORY J
43	7304 SUMMIT PARC DR	MUHAMMED SHAWN
44	7308 SUMMIT PARC DR	BAKER BIRDELLE
45	7312 SUMMIT PARC DR	ALLEN JANET
46	7316 SUMMIT PARC DR	AYALA JOSUE & SEGOVIA DIANA E
47	7007 WHEATLAND RD	MCDONALDS CORP % JOSE LOZANO
48	602 CLARK RD	CLARK MART CORPORATION
49	606 CLARK RD	RUSSELL HAROLD & VICKY
50	1414 WHEATLAND RD	MARTIN JAMES D ET AL
51	1414 WHEATLAND RD	THE TRACY SHOOK CO INC
52	111 ROYAL OAK DR	GONZALEZ JOSE & NORMA
53	101 ROYAL OAK DR	STRICKLAND DALD D & STEPHANIE D
54	103 ROYAL OAK DR	LORD JAMES F JR & SUSAN
55	1415 WHEATLAND RD	FIRST FREE WILL BAPTIST CHURCH
56	202 CLARK RD	RAMOS TRINIDAD A
57	102 CLARK RD	CARDOZA SERGIO M & DORA E

Z112-274(JH)

7/25/2012

Label #	Address	Owner
58	106 ROYAL OAK DR	BLANKENSHIP CARMEN
59	102 ROYAL OAK DR	WILLIAMS RUSSELL L
60	111 TAMPICO CIR	MOON FREDA M LIFE ESTATE
61	115 TAMPICO CIR	MATA CARLOS A & ANA L TORRES
62	119 TAMPICO CIR	MARTIN WILLIAM H III & LENORE
63	123 TAMPICO CIR	PARR GERALD E & GLENNA S
64	203 TAMPICO CIR	BARNETT AVIS ESTATE OF
65	207 TAMPICO CIR	HOLDER GROVER A
66	209 TAMPICO CIR	FURRA BILLY D
67	215 TAMPICO CIR	FURRA RUBY L
68	303 TAMPICO CIR	WRIGHT C TONY & SUITE 750
69	106 CLARK RD	PEREZ RUBEN
70	110 CLARK RD	DUNCANVILLE CITY OF

FILE NUMBER: Z112-310 (JH)

DATE FILED: August 28, 2012

LOCATION: West side of Harry Hines Boulevard, north of Willowbrook Drive

COUNCIL DISTRICT: 6

MAPSCO: 23-W, X

SIZE OF REQUEST: Approx. 0.95 acres

CENSUS TRACT: 99.00

REPRESENTATIVE: Fahim Khan, RA

APPLICANT: Cesar Padilla

OWNER: Unicorn 10217, LLC

REQUEST: An application for an IR Industrial Research District on property zoned an MU-3 Mixed Use District.

SUMMARY: The purpose of the request is to allow an industrial (inside) use within the existing commercial building for the manufacturing of a food product.

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

- The request site is currently developed with a multi-tenant commercial building containing retail and personal service uses.
- One of the suites within the building proposes to convert from a retail business to an industrial (inside) use, specifically to manufacture popsicles.

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Harry Hines Boulevard	State Road	164 – 358 ft.
Willowbrook Road	Local	50 ft.

STAFF ANALYSIS:

Comprehensive Plan:

The request site is located within a Business Center or Corridor Building Block on the Vision Illustration within Forward Dallas!, which spans the IH-35 to Harry Hines Boulevard area, generally from Northwest Highway to IH-635.

The Business Center or Corridor Building Block represents major employment or shopping destinations outside of Downtown. Business Centers are usually at major intersections or along highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

While the applicant’s request does not fully comply with the intent of the building block, the IR Industrial Research District is compatible with the existing land uses and zoning districts of the area. The Industrial Research District does allow for the retail and personal service uses within the other suites on the property to remain legal uses. If the

Harry Hines corridor is studied in the future, a small scale food manufacturer should be a compatible use with the Business Corridor building block, though it's classification is industrial (inside).

Land Use Compatibility:

The approximately 0.95-acre request site is zoned an MU-3 Mixed Use District and is currently developed with a multi-tenant commercial building containing retail and personal service uses. The applicant is proposing to operate an industrial (inside) use on the property, which is not allowed by the existing zoning.

The surrounding land uses are a mobile home park to the northwest, restaurant to the north, hotel or motel to the northeast, retail to the east and south, and a landscaping service. Further to the west, land uses are a mix of warehouse and industrial (inside).

The IR Industrial Research District is prevalent for this area and the applicant's request is consistent with the existing land uses in the area. Staff acknowledges the Vision Illustration's goal for the larger area becoming more business center oriented.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Proposed							
MU-3 Mixed use-3	15'	20' adjacent to residential OTHER: No Min.	3.2 FAR base 4.0 FAR maximum + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential, trade center
Existing							
IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

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:

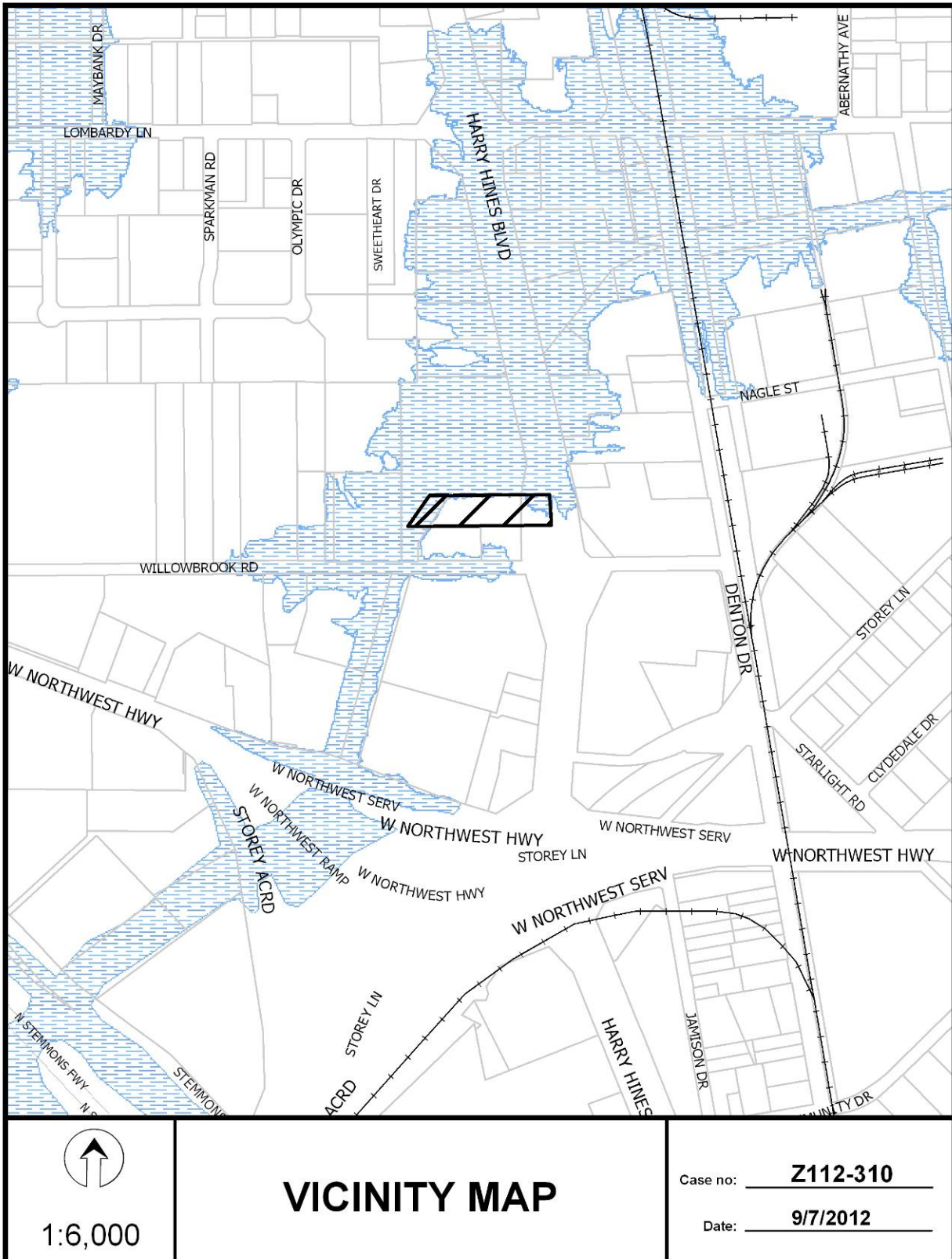
Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

Z112-310(JH)

List of Partners/Principals/Officers

Unicorn 10217, LLC

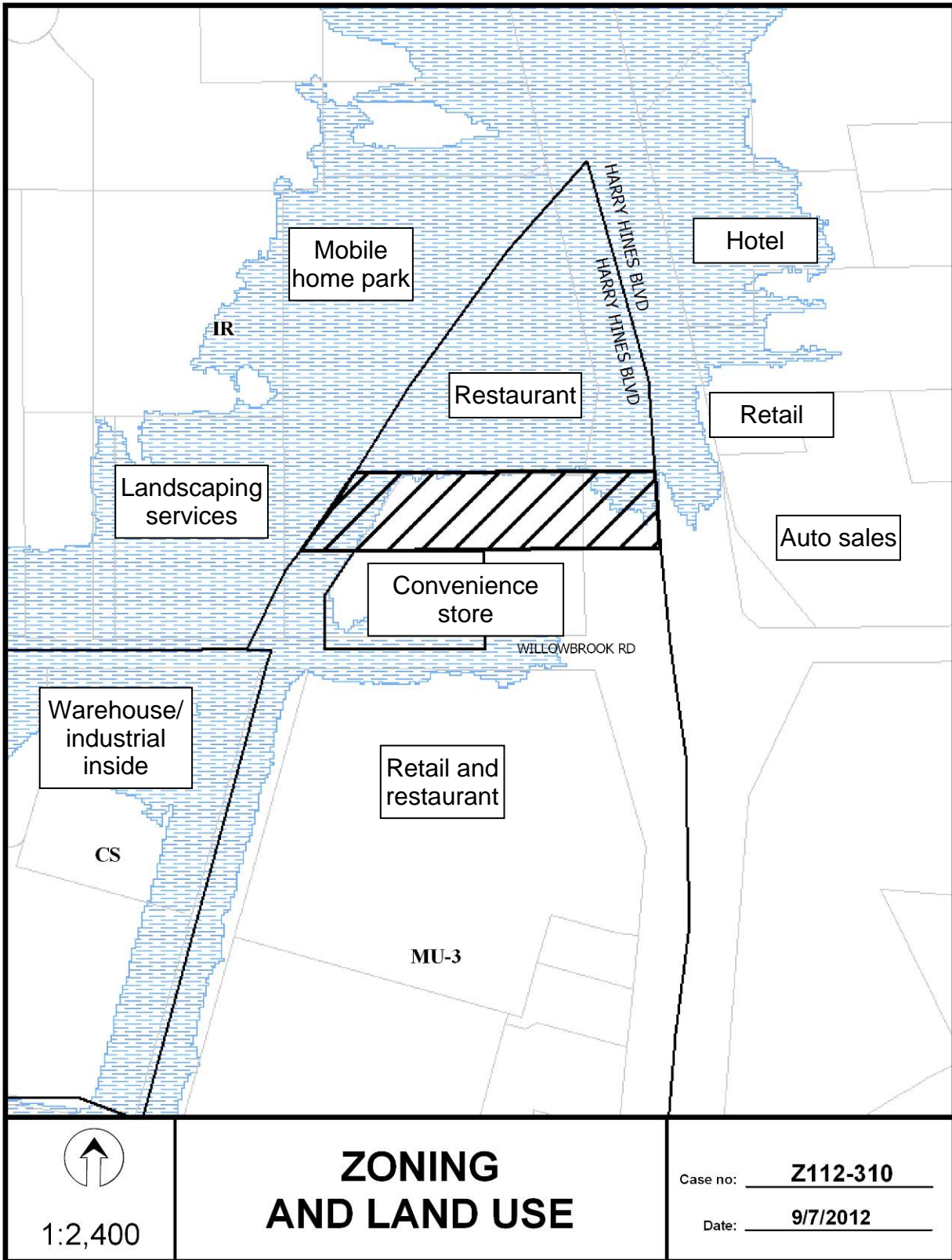
Kenneth Loung, President

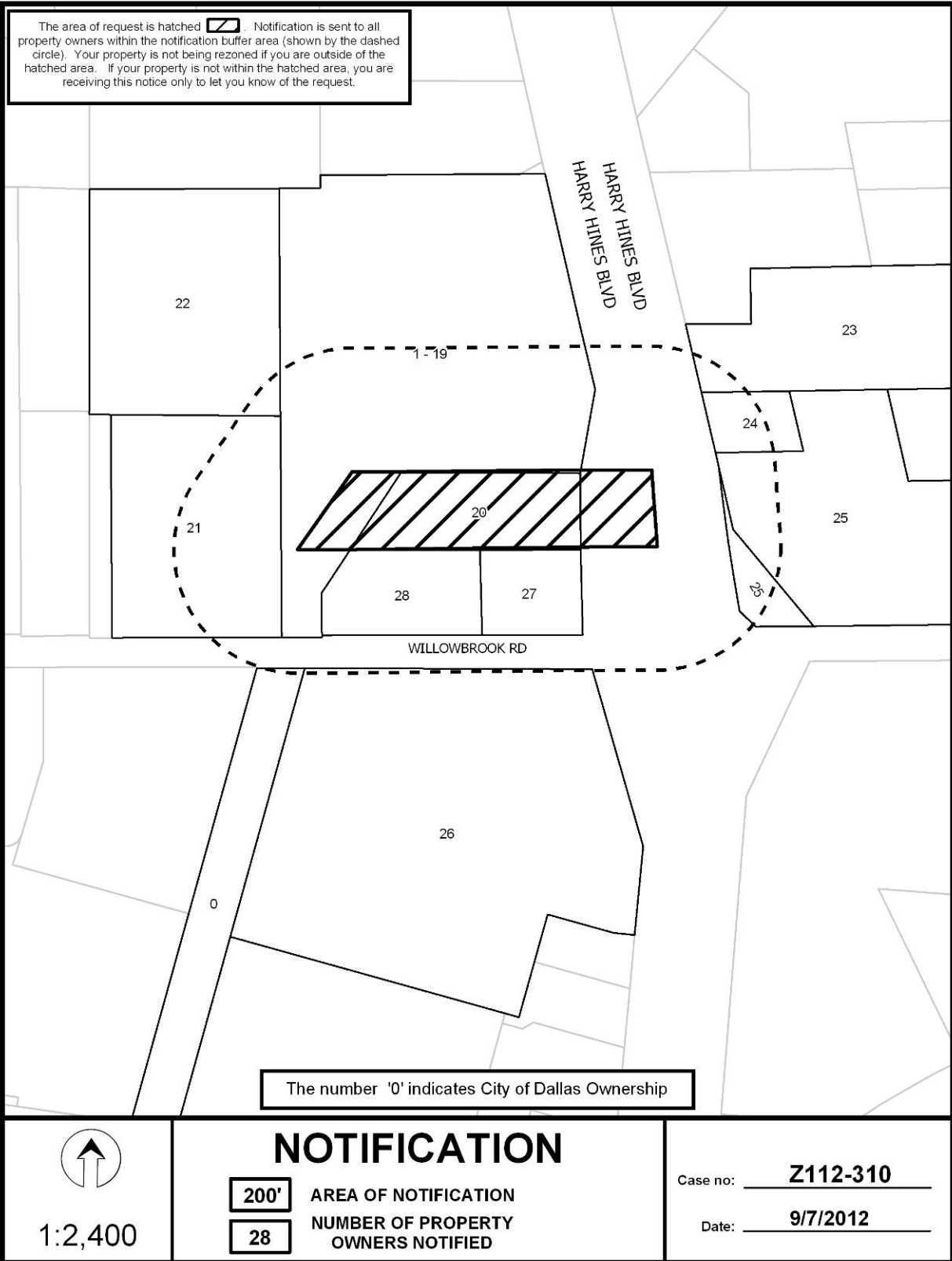


↑
1:6,000

VICINITY MAP

Case no: Z112-310
Date: 9/7/2012





9/7/2012

Notification List of Property Owners

Z112-310

28 Property Owners Notified

Label #	Address	Owner
1	10251 HARRY HINES BLVD	RIVERA FAMILY LTD PS THE
2	10251 HARRY HINES BLVD	GUTIERREZ HORTENS SPACE 53
3	10251 HARRY HINES BLVD	RIVERA FAMILY LTD PS THE THE RIVERA FAMI
4	10251 HARRY HINES BLVD	PARRA ENRIQUE SPACE 32
5	10251 HARRY HINES BLVD	RAMIREZ CARLOS SPACE 40
6	10251 HARRY HINES BLVD	ESCORZA NICOLAS 10251 HARRY HINES BLVD
7	10251 HARRY HINES BLVD	HERRERA CARLOS SPACE #54
8	10251 HARRY HINES BLVD	ESTRADA JUAN CARLOS SPACE 49
9	10251 HARRY HINES BLVD	RAMIREZ JESUS 10251 HARRY HINES BLVD
10	10251 HARRY HINES BLVD	TEXPA DAVID 10251 HARRY HINES BLVD
11	10251 HARRY HINES BLVD	HERRERA LUCIANDO SPACE 31
12	10251 HARRY HINES BLVD	BAUTISTA PASCUAL & JULIA SPACE 33
13	10251 HARRY HINES BLVD	TORRES HORTENCIA A SPACE 34
14	10251 HARRY HINES BLVD	SCHULAR ELOISE SPACE 36
15	10251 HARRY HINES BLVD	CHAVEZ GERARDO SPACE 38
16	10251 HARRY HINES BLVD	CASTRO OSVALDO 10251 HARRY HINES BLVD
17	10251 HARRY HINES BLVD	BALDERAS TOBIAS 10251 HARRY HINES BLVD
18	10251 HARRY HINES BLVD	GAONA JOEL SPACE 45
19	10251 HARRY HINES BLVD	MARTINEZ LUIS 10251 HARRY HINES BLVD
20	10217 HARRY HINES BLVD	TOLAN FINDING INC
21	2621 WILLOWBROOK RD	ALLMAN COMPANY DALLAS LLC THE
22	2617 WILLOWBROOK RD	HBSS REAL ESTATE LLC % UNITED SITE SVC I
23	10230 HARRY HINES BLVD	TEXAS MOTEL CORPORATION
24	10222 HARRY HINES BLVD	BROTHERS VENTURES LTD
25	10220 HARRY HINES BLVD	BROTHERS VENTURES LTD
26	2415 NORTHWEST HWY	BHAGAT HOLDINGS LTD
27	2635 WILLOWBROOK RD	SOUTHLAND CORP % AD VALOREM
28	2631 WILLOWBROOK RD	LOMBARDY LANE LTD % PHIL LACK

FILE NUMBER: Z112-305(MW)

DATE FILED: August 20, 2012

LOCATION: North side of Centerville Road, southeast of Garland Road

COUNCIL DISTRICT: 9

MAPSCO: 38-G

SIZE OF REQUEST: ±6,124 square feet

CENSUS TRACT: 128.00

APPLICANT/REPRESENTATIVE: Sherpa Wangchu, NJS Enterprise, Inc.

OWNER: Mexico Lindo Bazaar, Inc.

REQUEST: An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned Planned Development District No. 7 with a D Liquor Control Overlay

SUMMARY: The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the existing grocery store

STAFF RECOMMENDATION: Approval of a D-1 Liquor Control Overlay and Approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The request site is developed with a ±6,124-square foot single story building which comprises a portion of a ±3.23-acre shopping center.
- Planned Development District No. 7 for Chapter 51 SC Shopping Center Uses was established on May 2, 1960.
- The request site is surrounded by retail to the north; office/showroom to the east; retail and personal service and single family to the south and surface parking to the west.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Centerville Road	Collector	60 feet

Land Use:

	Zoning	Land Use
Site	PDD No 7	Retail
North	PDD No 7	Retail
East	PDD No 7	Office/showroom
South	PDD No 7; R-7.5(A)	Retail and personal service; single family
West	PDD No 7	Surface parking

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 a *Commercial Center or 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 request site is developed with a ±6,124-square foot single story building which comprises a portion of a ±3.23-acre shopping center. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the existing grocery store.

The request site is surrounded by retail to the north; office/showroom to the east; retail and personal service and single family to the south and surface parking to the west.

The "D" Overlay District is a Liquor Control Overlay District which prohibits an individual from selling or serving alcoholic beverages, or setups for alcoholic beverages, for consumption on or off the premises. 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.

Development Standards:

District	Setbacks		FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
PDD No. 7	30'	None	1:1	240'	60%	N/A	N/A

Traffic:

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

Parking:

Pursuant to the regulations of Planned Development District No. 7, a Chapter 51 PD, parking must be provided for each use in accordance with the provisions of the Dallas Development Code. Both Chapter 51 and 51A require one (1) space per 200 square feet of floor area for a retail food store (Chapter 51) or a general merchandise or food store (Chapter 51A). Therefore, the ±6,124-square foot general merchandise or food store requires 31 off-street parking spaces. A certificate of occupancy was issued on September 13, 2012; it was determined at that time that the applicant meets the parking requirements.

Landscaping:

Any new construction requires landscaping in accordance with Article X of the Dallas Development Code. No new construction is proposed by this application.

Police Report:

An online search of the Dallas Police Department's offense incident reports for the period from October 8, 2007 to October 8, 2012 revealed the following results (it is noted that "Nortena Meat Market" is the request site):

DALLAS POLICE DEPARTMENT										
Virtual Viewer - Public Access										Welcome
Search Records - Offense										Filter
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0020084-Y	01/20/2008	*NORTENA MEAT MARKET	BURGLA...	10718		GARLAND...	236	1128	05197	
0080925-W	03/24/2009	*NORTENO MEAT MARKET	BURGLA...	10718		GARLAND...	232	1128	05128	
0080947-W	03/24/2009	*SYLVIA'S SALON	BURGLA...	10718		GARLAND...	232	1128	05128	
0099507-Y	04/05/2008	*NORTEGA'S MEAT MARKET	THEFT	10718		GARLAND...	236	1128	06904	06974
0209599-X	07/26/2010	*MEXICO BAZAAR	BURGLA...	10718		GARLAND...	232	1128	05128	
0232835-W	08/07/2009	DUARTE,JOSE LUIS VELEZ	THEFT	10718		GARLAND...	232	1128	06951	

Page 1 of 1 (6 items)

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Z112-305(MW)

Partners/Principals/Officers:

Applicant/Representative:

NJS Enterprise, Inc.

Sherpa Wangchu, President, Secretary, Director

Owner:

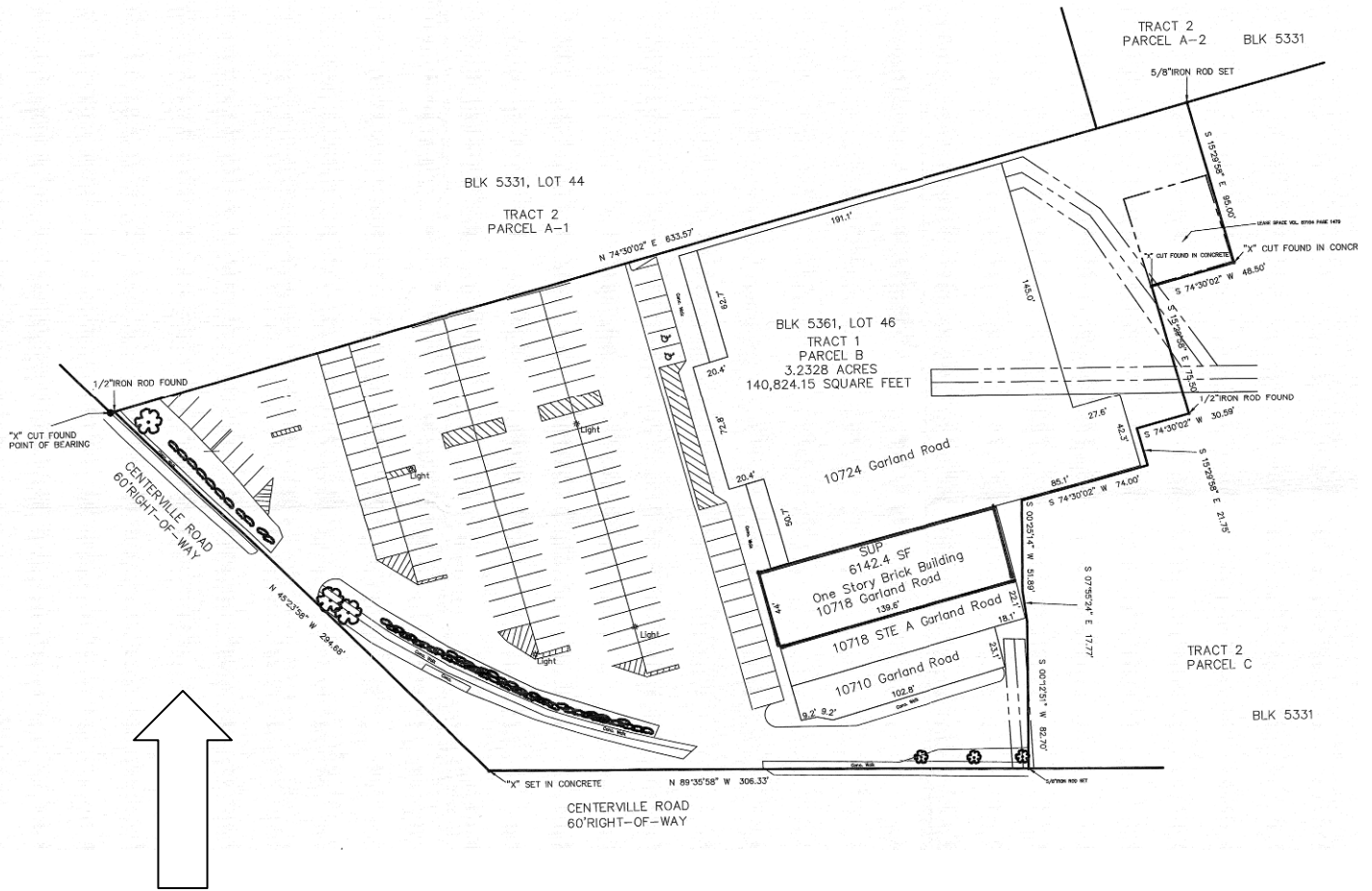
Mexico Lindo Bazaar, Inc.

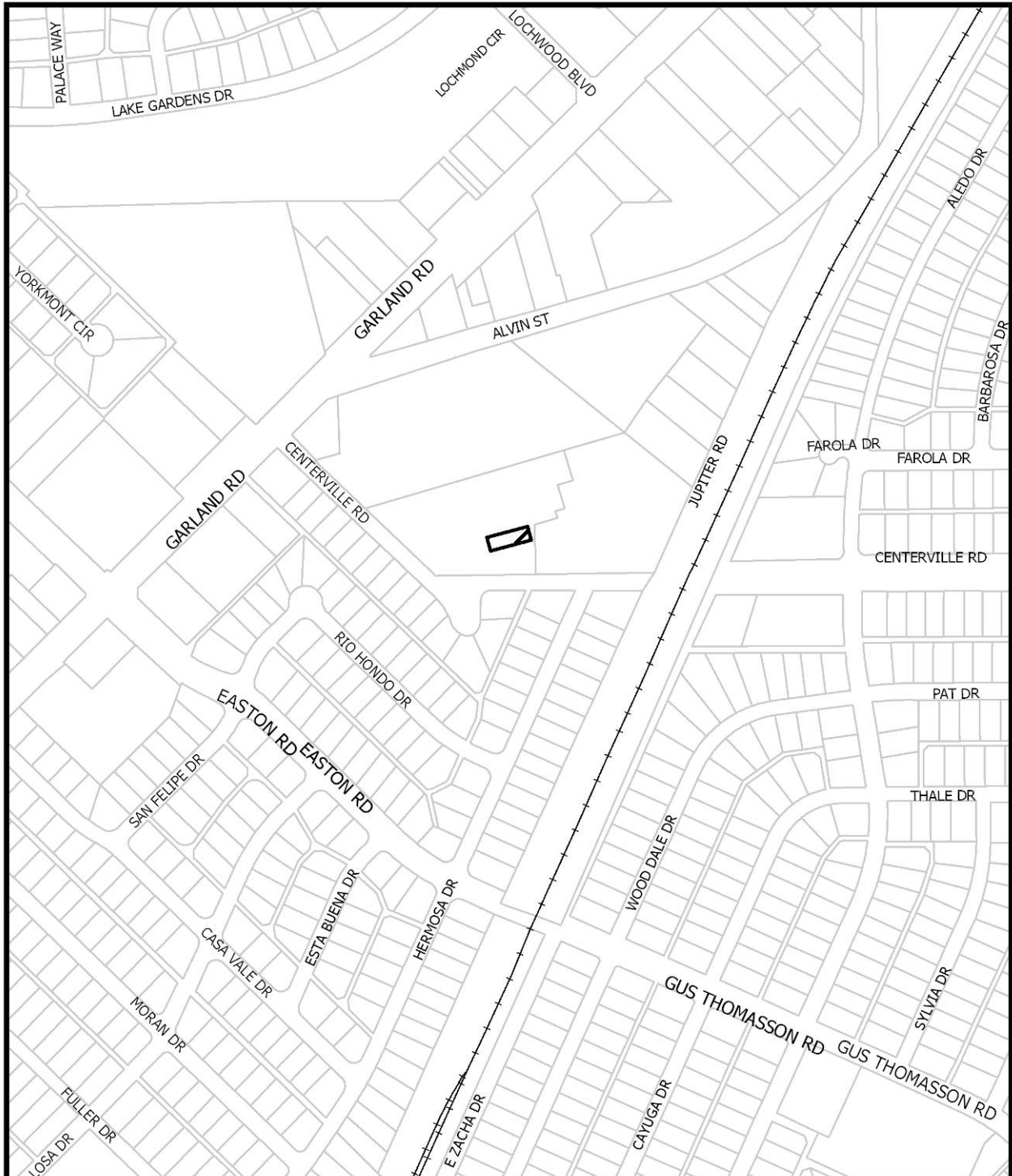
Pablo Sigala, President

**Z112-305
Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
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.)
4. FLOOR AREA: Maximum floor area is 6,142 square feet.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan



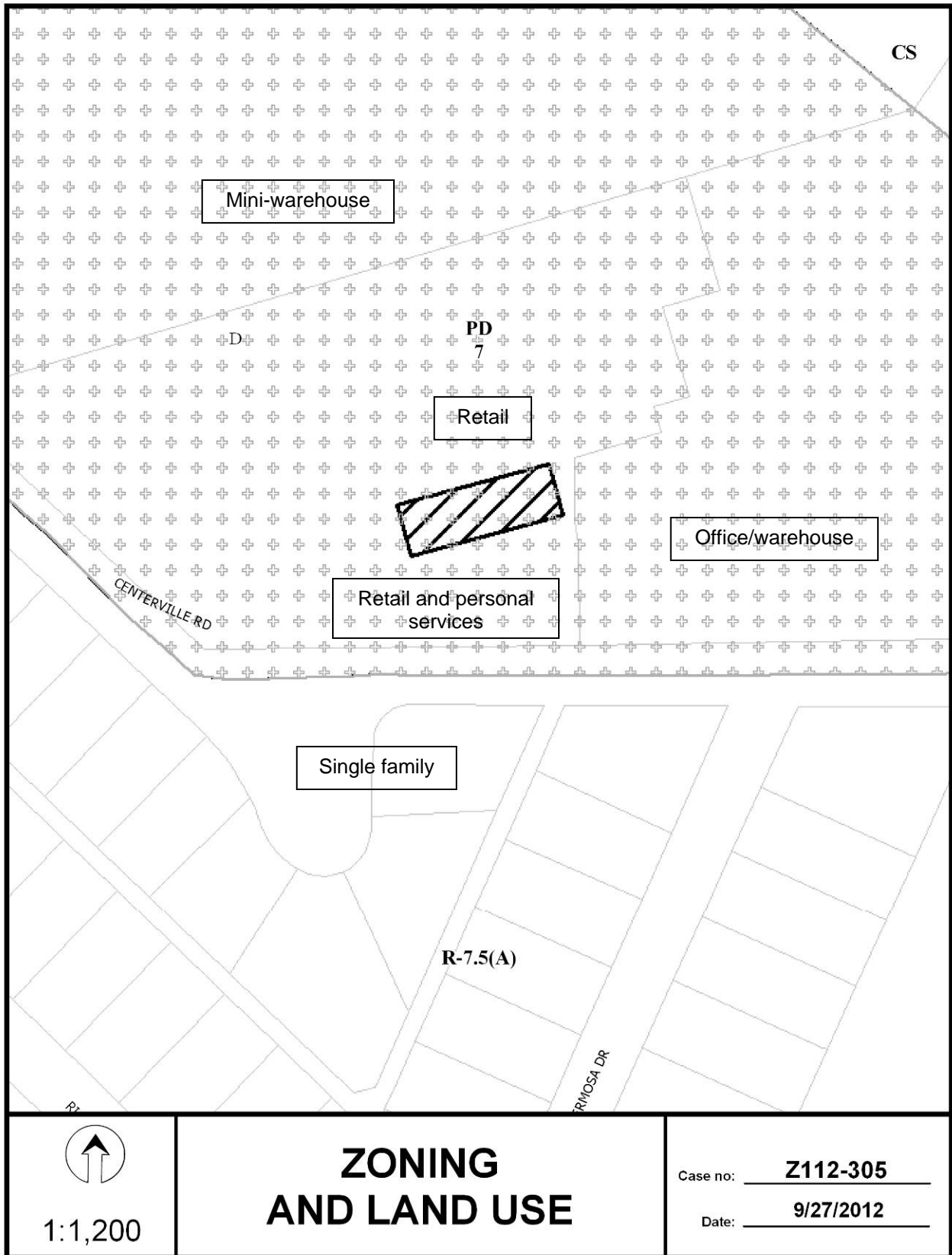



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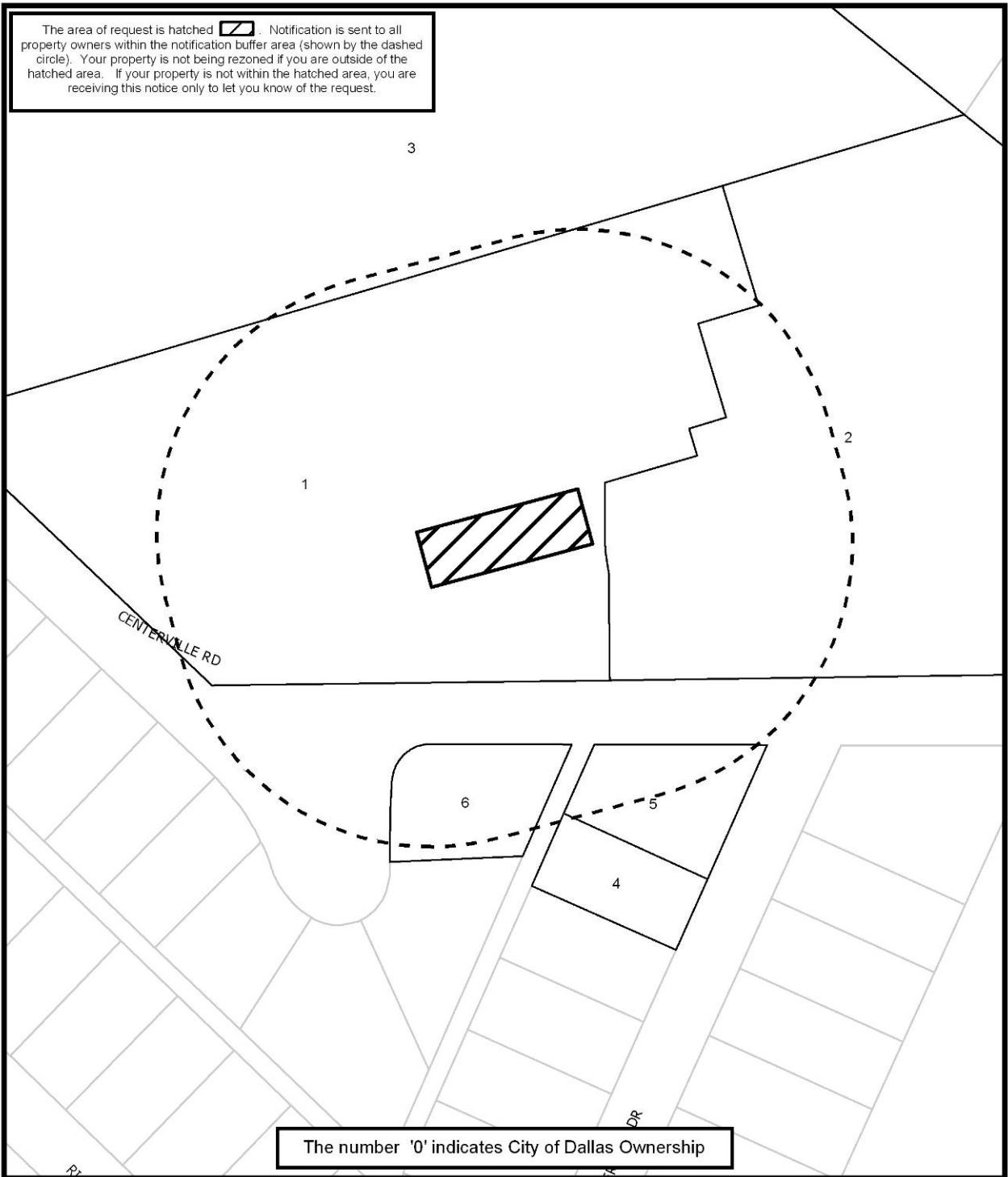
VICINITY MAP

Case no: Z112-305

Date: 9/27/2012



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



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

6

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-305**

Date: **9/27/2012**

Z112-305(MW)

9/27/2012

Notification List of Property Owners

Z112-305

6 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10724 GARLAND RD	MEXICO LINDO BAZAAR INC
2	1330 CENTERVILLE RD	GEMCO PROPERTY CORP
3	10740 GARLAND RD	EXTRA SPACE PPTIES 26 LLC PTA - EX #561
4	10835 HERMOSA DR	FRENKEL MARK L & JOYCE N TRUSTEES OF FRE
5	10843 HERMOSA DR	CRAVATT LYNDEL
6	1283 CENTERVILLE RD	DOMINUS PROPERTIES INC



CITY OF DALLAS

Memorandum

DATE October 2, 2012

TO Joe Alcantar, Chair and
Members of the City Plan Commission

SUBJECT **Appeal of Landmark Commission Decision
6107 Worth Street, Case #: CA112-301(CH)
CPC Consideration: October 18, 2012**

Attached is the record relating to the applicant's appeal of the denial of a Certificate of Appropriateness application for 6107 Worth Street, to install new stone front walkway.

If you have any questions related to City Plan Commission review procedures, please contact Laura Morrison, Assistant City Attorney, at 214-670-5477.

Neva Dean
Planning Manager
Sustainable Development and Construction

- c: Theresa O'Donnell, Director, Sustainable Development and Construction
- David Cossum, Assistant Director, Sustainable Development and Construction
- Bert Vandenberg, Assistant City Attorney
- Laura Morrison, Assistant City Attorney
- Carolyn Horner, Senior Planner, Historic Preservation

THE RECORD

6107 WORTH STREET APPEAL

City Plan Commission
Hearing
10/18/2012

CERTIFIED MAIL 7011 1150 0000 0380 6667

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6107 Worth Street, CA112-301(CH)

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SECTION 1

Certificate of Appropriateness

6107 WORTH STREET
CA112-301(CH)

Certificate of Appropriateness (CA) City of Dallas Landmark Commission

CA 112 - 301 (ch)
Office Use Only

Name of Applicant: Rodney Wauson
Mailing Address: 6107 Worth St
City, State and Zip Code: Dallas, TX 75214
Daytime Phone: 214 564 5895 Fax: _____
Relationship of Applicant to Owner: _____

Building Inspection:
Please see signed drawings before issuing permit:
Yes ___ No ___
Planner's Initials

PROPERTY ADDRESS: 6107 Worth St
Historic District: Junius Heights

RECEIVED BY
JUN 01 2012

Development Services

PROPOSED WORK:

Please describe your proposed work simply and accurately. Attach extra sheets and supplemental material as requested in the submittal criteria checklist.

Replace broken entry walkway between city sidewalk and front of house

Material used: Oklahoma Flagstone

Signature of Applicant: Rodney Wauson Date: 5/1/12

Signature of Owner: _____ Date: _____
(IF NOT APPLICANT)

APPLICATION DEADLINE:

Application material must be completed and submitted by the **FIRST THURSDAY OF EACH MONTH, 12:00 NOON**, (see official calendar for exceptions), before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. This form along with any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201. **You may also fax this form to 214/670-4210. DO NOT FAX PAINT SAMPLES OR PHOTOGRAPHS.**

Please use the enclosed criteria checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information. You are encouraged to contact a Preservation Planner at 214/670-4538 to make sure your application is complete.

OTHER:

In the event of a denial, you have the right to an appeal within 30 days after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall (see exceptions). Information regarding the history of past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

Please review the enclosed Review and Action Form Memorandum to the Building Official, a Certificate of Appropriateness has been:

- APPROVED. Please release the building permit.
- APPROVED WITH CONDITIONS. Please release the building permit in accordance with any conditions.
- DENIED. Please **do not** release the building permit or allow work.
- DENIED WITHOUT PREJUDICE. Please **do not** release the building permit or allow work.

Clayton Horne 7-6-12
Sustainable Construction and Development Date

SECTION 2

Agenda

JULY 2, 2012

See Page 7, Item #2



**CITY OF DALLAS
LANDMARK COMMISSION
MONDAY, JULY 2, 2012
REVISED
AGENDA**

BRIEFINGS:	Dallas City Hall 1500 Marilla St., Room 5/E/S	12:00 P.M.
PUBLIC HEARING:	Dallas City Hall 1500 Marilla St., Council Chambers, 6 th floor	1:00 P.M.

Theresa O'Donnell, Director
Mark Doty, Sr. Planner Historic Preservation
Carolyn Horner, Sr. Planner Historic Preservation

BRIEFING ITEMS

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

1. Update on routine maintenance certificates of appropriateness resulting from the June 2012 storm.
Historic Preservation staff.

CONSENT ITEMS

1. 1400 The Midway
Fair Park Historic District
CA112-311(MD)
Mark Doty

Request:
1) Midway - Remove decorative retaining wall and berm area.
2) Midway - Relocate existing curb and fence.
3) Midway - Remove one Live Oak tree.
4) Midway - Remove several Crepe Myrtle trees.
Applicant: State Fair of Texas
Application Filed: June 7, 2012
Staff Recommendation:
1) Midway - Remove decorative retaining wall and berm area. Approve – Approve site plan dated 6/20/12 with the finding the proposed work is meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).
2) Midway - Relocate existing curb and fence. Approve - Approve drawing dated 6/20/212 with the finding the proposed work is consistent with the criteria for fencing in the preservation criteria Section 3.11(b), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).
3) Midway - Remove one Live Oak tree. Approve – Approve site plan dated 6/20/12 with the finding the proposed work is meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).
4) Midway - Remove several crepe myrtle trees. Approve – Approve site plan dated 6/20/12 with the finding the proposed work is meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

Monday, July 2, 2012

Task Force Recommendation:

- 1) Midway - Remove decorative retaining wall and berm area. - Approve
- 2) Midway - Relocate existing curb and fence. - Approve with Conditions - Provide 3 ft. or 4 ft. wide area of landscape immediately behind fence, with irrigation, shrubs and trees compatible with the space. Crepe myrtles suggested.
- 3) Midway - Remove one Live Oak tree. - Approve
- 4) Midway - Remove several crepe myrtle trees. – Approve

2. 615 N Marsalis Ave

Lake Cliff Historic District
CA112-303(CH)
Carolyn Horner

Request:

Replace existing/broken windows with new wood windows.

Applicant: Ramin Amini

Application Filed: May 31, 2012

Staff Recommendation:

Replace existing/broken windows with new wood windows. Approve - Approve the request dated 6/1/12 with the finding that the new wood windows comply with Ordinance 23328, Section 5.3, and meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

Task Force Recommendation:

Replace existing/broken windows with new wood windows. - Approve as submitted.

3. 2807 Harry Hines Blvd

Pike Park
CA112-316(MD)
Mark Doty

Request:

Remove existing retaining wall and install new retaining wall and fence.

Applicant: Alamo Manhattan Victory LLC

Application Filed: June 7, 2012

Staff Recommendation:

Remove existing retaining wall and install new retaining wall and fence. Approve – Approve drawings dated 6/20/12 with the finding the proposed work is consistent with the criteria for fences in the preservation criteria Section 3.8(d), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

Task Force Recommendation:

Remove existing retaining wall and install new retaining wall and fence. - Approved as submitted.

4. 1309 Main St

Republic National Bank (Davis) Building
CA112-312(MD)
Mark Doty

Request:

- 1) Install two flex strip, ten spot and ten flood lights at cupola.
- 2) Install twelve flex strip lights at roof line cornice.
- 3) Install 40 linear bar lights on the facade.
- 4) Install four linear bar and two spot lights on central window facade.
- 5) Install ten string lights on 4th floor ledge.
- 6) Install two flex lights on decorative frieze.
- 7) Install eight sconces (two per entrance) at doorways.

Applicant: Wiedamark LLC

Application Filed: June 7, 2012

Staff Recommendation:

Monday, July 2, 2012

1) Install two flex strip, ten spot and ten flood lights at cupola. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) Install twelve flex strip lights at roof line cornice. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

3) Install 40 linear bar lights on the facade. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

4) Install four linear bar and two spot lights on central window facade. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

5) Install ten string lights on 4th floor ledge. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

6) Install two flex lights on decorative frieze. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

7) Install eight sconces (two per entrance) at doorways. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation:

1) Install two flex strip, ten spot and ten flood lights at cupola. Approve - Original submittal approved as submitted.

2) Install twelve flex strip lights at roof line cornice. Approve - Original submittal approved as submitted.

3) Install 40 linear bar lights on the facade. Approve - Original submittal approved as submitted.

4) Install four linear bar and two spot lights on central window facade. Approve - Original submittal approved as submitted.

Monday, July 2, 2012

- 5) Install ten string lights on 4th floor ledge. Approve - Original submittal approved as submitted.
- 6) Install two flex lights on decorative frieze. Approve - Original submittal approved as submitted.
- 7) Install eight sconces (two per entrance) at doorways. Approve with conditions - The proposed sconces at the entries be submitted with mounting methods.

5. 265 Commerce St.
West End Historic District
CA112-309(MD)
Mark Doty

Request:

- 1) Dealey Plaza - Renovate planting areas.
- 2) Dealey Plaza – Fountain renovations.
- 3) Dealey Plaza - Renovate existing lighting and install new lighting.
- 4) Dealey Plaza - Install new interpretive signage.
- 5) Dealey Plaza – Clean and restore existing lighting at triple underpass.
- 6) Dealey Plaza - Install new lighting at triple underpass.

Applicant: Good Fulton & Farrell

Application Filed: June 7, 2012

Staff Recommendation:

- 1) Dealey Plaza - Renovate planting areas. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 2) Dealey Plaza - Fountain Renovations. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 3) Dealey Plaza - Renovate existing lighting and install new lighting. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 4) Dealey Plaza - Install new interpretive signage. Approve with Conditions - conceptually with the condition the final sign locations, details, and verbage are submitted to Landmark Commission for final review.
- 5) Dealey Plaza - Clean and restore existing lighting at triple underpass. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 6) Dealey Plaza - Install new lighting at triple underpass. Approve

Task Force Recommendation:

- 1) Dealey Plaza - Renovate planting areas. Approve – Approve as submitted.
- 2) Dealey Plaza - Fountain Renovations. Approve with Conditions - New paving to be differentiated from the historic paving.
- 3) Dealey Plaza - Renovate existing lighting and install new lighting. Approve – Approve as submitted.
- 4) Dealey Plaza - Install new interpretive signage. Approve with Conditions - Submit the location and design of interpretive signage for approval.

Monday, July 2, 2012

- 5) Dealey Plaza - Clean and restore existing lighting at triple underpass. Approve – Approve as submitted.
- 6) Dealey Plaza - Install new lighting at triple underpass. Approve

6. 400 Main Street

West End Historic District
CA112-310(MD)
Mark Doty

Request:

- 1) Dealey Plaza - Restore pergolas.
- 2) Dealey Plaza - Accessibility upgrades to paving.
- 3) Dealey Plaza - Renovate plantings areas.
- 4) Dealey Plaza - Fountain renovations.
- 5) Dealey Plaza - Renovate existing lighting and install new lighting.
- 6) Dealey Plaza - Install new interpretive signage.
- 7) Dealey Plaza - Clean and restore existing lighting at triple underpass.
- 8) Dealey Plaza - Install new lighting at triple underpass.

Applicant: Good Fulton & Farrell

Application Filed: June 7, 2012

Staff Recommendation:

- 1) Dealey Plaza - Restore pergolas. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 2) Dealey Plaza - Accessibility upgrades to paving. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 3) Dealey Plaza - Renovate plantings areas. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 4) Dealey Plaza - Fountain renovations. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 5) Dealey Plaza - Renovate existing lighting and install new lighting. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 6) Dealey Plaza - Install new interpretive signage. Approve with Conditions - conceptually with the condition the final sign locations, details, and verbage are submitted to Landmark Commission for final review.
- 7) Dealey Plaza - Clean and restore existing lighting at triple underpass. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 8) Dealey Plaza - Install new lighting at triple underpass. Approve

Task Force Recommendation:

- 1) Dealey Plaza - Restore pergolas. Approve - Approve as submitted.
- 2) Dealey Plaza - Accessibility upgrades to paving. Approve with

Monday, July 2, 2012

Conditions - New paving to be differentiated from the historic paving.

3) Dealey Plaza - Renovate plantings areas. Approve - Approve as submitted.

4) Dealey Plaza - Fountain renovations. Approve - Approve as submitted.

5) Dealey Plaza - Renovate existing lighting and install new lighting. Approve - Approve as submitted.

6) Dealey Plaza - Install new interpretive signage. Approve with Conditions - Submit the location and design of interpretive signage for approval.

7) Dealey Plaza - Clean and restore existing lighting at triple underpass. Approve - Approve as submitted.

8) Dealey Plaza - Install new lighting at triple underpass. Approve

7. 417 S. Winnetka

Winnetka Heights Historic District
CA112-308(CH)

Carolyn Horner

Request:

1) Install new 30 year composition shingle roof. Owens Corning 'Onyx Black'.

2) Paint exterior. Body - Valspar 6002-1C 'Gray Silt', Trim - Valspar 7002-15 'Chef White', Accent/door - Valspar 5011-2 'Very Black'.

Applicant: OCCM, Inc.

Application Filed: June 7, 2012

Staff Recommendation:

1) Install new 30 year composition shingle roof. Owens Corning 'Onyx Black'. Approve - Approve the request dated 6/7/12 with the finding that the proposed new roof color complies with City Code Section 51P-87.111(a)(8)(E) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) Paint exterior. Body - Valspar 6002-1C 'Gray Silt', Trim - Valspar 7002-15 'Chef White', Accent/door - Valspar 5011-2 'Very Black'. Approve – Approve the request dated 6/7/12 with the finding that the proposed new colors comply with City Code Section 51P-87.111(a)(8)(C) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation:

1) Install new 30 year composition shingle roof. Owens Corning 'Onyx Black'. Approve – Approve as submitted.

2) Paint exterior. Body - Valspar 6002-1C 'Gray Silt', Trim - Valspar 7002-15 'Chef White', Accent/door - Valspar 5011-2 'Very Black'. Approve – Approve as submitted.

8. 500 N Montclair

Winnetka Heights Historic District
CA112-302(CH)

Carolyn Horner

Request:

Paint exterior: Body-Magnetic Grey SW7058, Trim-Pure White SW7005, Accent-Black of Night SW6993

Applicant: Victoria Palacios

Application Filed: May 31, 2012

Staff Recommendation:

Paint exterior: Body-Magnetic Grey SW7058, Trim-Pure White SW7005, Accent-Black of Night SW6993 – Approve - Approve the request dated 6/1/12 with the finding that the proposed colors

Monday, July 2, 2012

comply with City Code Section 51p-87.111(a)(8)(C) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation:

Paint exterior: Body-Magnetic Grey SW7058, Trim-Pure White SW7005, Accent-Black of Night SW6993 - Approve as submitted.

DISCUSSION ITEMS:

1. 5314 Victor St

Junius Heights District
CD112-020(CH)
Carolyn Horner

Request:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code).

Applicant: City Attorney's Office

Application Filed: June 7, 2012

Staff Recommendation:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). Approve - The proposed demolition meets the standard in City Code Section 51A-4.501(i)(7) because the City Attorney has received a court issued order for demolition and the suspension of the certificate of demolition is not a feasible option to alleviate the nuisance in a timely manner.

Task Force Recommendation:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). None - No quorum - comments only. Support as submitted. The building is not contributing structure.

2. 6107 Worth St.

Junius Heights Historic District
CA112-301(CH)
Carolyn Horner

Request:

Install new stone front walkway. Work completed without a Certificate of Appropriateness.

Applicant: Rodney Ray Wauson

Application Filed: June 1, 2012

Staff Recommendation:

Install new stone front walkway. Work completed without a Certificate of Appropriateness. Deny without prejudice - Deny the request dated 6/1/12 with the finding that the proposed replacement walkway does not comply with Ordinance 26331, Section 3.2, which states that "replacement of existing walkways and steps must be consistent with the original style".

Task Force Recommendation:

Install new stone front walkway. Work completed without a Certificate of Appropriateness. None - Comments only - no quorum. Replacement sidewalk materials are not in compliance with 3.2 (replacement of existing walkways must be consistent with the original style).

3. 5640 Swiss Ave.

Swiss Avenue Historic District
CA112-315(CH)
Carolyn Horner

Request:

1) Relocate two windows and install one door on rear elevation. Door to be wood frame with glass, painted to match existing color.
2) Replace door with window on side elevation. Window to be wood, painted to match.

Monday, July 2, 2012

- 3) Fill in one window on side elevation with brick.
- 4) Remove concrete steps at door to be removed on side elevation and install new brick to match.

Applicant: Rebecca Browning

Application Filed: June 7, 2012

Staff Recommendation:

1) Relocate two windows and install one door on rear elevation. Door to be wood frame with glass, painted to match existing color. Approve with Conditions – Approve the request dated 6/7/12 with the finding that the request meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). Condition: intermingle any new brick with the reused brick.

2) Replace door with window on side elevation. Window to be wood, painted to match. Approve with Conditions - Approve the drawing dated 6/20/12 with the finding that the request complies with City Code Section 51P-63.116(1)(P)(vi)(cc) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i), with the condition the bottom area be infilled with matching brick, inset approximately three inches.

3) Fill in one window on side elevation with brick. Approve with Conditions - Approve the drawings dated 6/20/12 with the finding that the proposal meets the standards in City Code Section 51A-4.501(g)(6)(C)(i), with the condition that the new brick match the existing brick, and that the new brick be inset approximately three inches to maintain the window location.

4) Remove concrete steps at door to be removed on side elevation and install new brick to match. Approve with Conditions - Approve the request dated 6/20/12 with the finding that the request meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). Conditions: intermingle any new brick with the reused brick and match the cast stone water table.

Task Force Recommendation:

1) Relocate two windows and install one door on rear elevation. Door to be wood frame with glass, painted to match existing color. Approve with Conditions - French door acceptable, with matching number of lites (two columns of lites). Relocated or new wood window to match existing finish and number of lites.

2) Replace door with window on side elevation. Window to be wood, painted to match. Approve with Conditions - Brick/mortar color & pointing to match existing, new window to match existing wood/color and finish and number of lites.

3) Fill in one window on side elevation with brick. Approve with Conditions - Window and opening to remain - close from interior with gypsum board or similar.

4) Remove concrete steps at door to be removed on side elevation and install new brick to match. Approve with Conditions - Brick/mortar color and pointing to match existing.

4. 336 Leads St.

Tenth Street Historic District
CD112-019(MD)

Request:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code).

Mark Doty

Applicant: City Attorney's Office

Application Filed: June 7, 2012

Staff Recommendation:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). None - Staff recommends an initial suspension period as outline in 51A-4.501(i)(8)(A)(i).

Task Force Recommendation:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). None - No meeting. Lack of attendance.

5. 220 N. Cliff

Tenth Street Historic District

CD112-013(MD)

Mark Doty

Request:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code).

Applicant: City Attorney's office

Application Filed: March 1, 2012

Staff Recommendation:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). – Approve - The proposed demolition meets the standards in City Code Section 51A-4.501(i)(7) because the City Attorney has received a court issued order for demolition and the suspension of the certificate of demolition is not a feasible option to alleviate the nuisance in a timely manner.

Task Force Recommendation:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). - Supports entering into initial suspension period. Harris recused - No voting quorum. Comments only. (This recommendation is from the March 6 Task Force meeting. The Task Force does not review the application again once it enters into a suspension period.)

Extended Suspension

OTHER BUSINESS ITEMS

1) Minutes from the June 4, 2012 Meeting.

ADJOURNMENT

EXECUTIVE SESSION NOTICE

The Commission may hold a closed executive session concerning one or more of the following topics:

- a. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the commission's attorney to his client under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act; [Texas Government Code §551.071]*
- b. deliberating the purchase, exchange, lease, or value of real property if deliberation in open meeting would have a detrimental effect on the position of the city in negotiations with a third person; [Texas Government Code §551.072]*
- c. 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; [Texas Government Code §551.073]*
- d. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to the hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation requests a public hearing; or [Texas Government Code §551.074]*
- e. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Texas Government Code §551.076]*
- f. 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. [Texas Government Code §551.086]*

SECTION 3

- Docket Material
- Power Point Presentation
- Document Presented at the Hearing by the Applicant



LANDMARK COMMISSION**JULY 2, 2012**

FILE NUMBER: CA112-301(CH)
LOCATION: **6107 Worth**
STRUCTURE: Main & Contributing
COUNCIL DISTRICT: 14
ZONING: PD-397

PLANNER: Carolyn Horner
DATE FILED: June 1, 2012
DISTRICT: Junius Heights
MAPSCO: 36Y
CENSUS TRACT: 0013.01

APPLICANT/OWNER: Rodney Wauson

REQUEST: Install new stone front walkway. Work completed without a Certificate of Appropriateness.

ANALYSIS: The homeowner removed the concrete walkway and installed a stone walkway. The stone material complies with the Junius Heights regulations; however, the same regulation requires that replacement walkways must be consistent with the original style. Last month the Landmark Commission denied a request to install a new walkway with stone in Junius Heights. Staff believes that this request should also be denied.

There are no other stone walkways on this block of Worth Street.

STAFF RECOMMENDATION: Install new stone front walkway. Work completed without a Certificate of Appropriateness. Deny without prejudice - Deny the request dated 6/1/12 with the finding that the proposed replacement walkway does not comply with Ordinance 26331, Section 3.2, which states that "replacement of existing walkways and steps must be consistent with the original style."

TASK FORCE RECOMMENDATION: Install new stone front walkway. Work completed without a Certificate of Appropriateness. Comments only - no quorum. Replacement sidewalk materials are not in compliance with 3.2 (replacement of existing walkways must be consistent with the original style).

**Certificate of Appropriateness (CA)
City of Dallas Landmark Commission**

CA 112 - 301 (ch)
Office Use Only

Name of Applicant: Rodney Wauson
 Mailing Address: 6107 Worth St
 City, State and Zip Code: Dallas Tx 75214
 Daytime Phone: 214 564 5895 Fax: _____
 Relationship of Applicant to Owner: _____

Building
Inspection:
Please see signed
drawings before
issuing permit:
Yes ___ No ___
Planner's Initials

PROPERTY ADDRESS: 6107 Worth St
 Historic District: Junius Heights

RECEIVED BY
JUN 01 2012
Development Services

PROPOSED WORK:

Please describe your proposed work simply and accurately. Attach extra sheets and supplemental material as requested in the submittal criteria checklist.

Replace broken entry walkway between city sidewalk and front of house

Material used: Oklahoma Flagstone

Signature of Applicant: Rodney Wauson Date: 5/1/12

Signature of Owner: _____ Date: _____
(IF NOT APPLICANT)

APPLICATION DEADLINE:

Application material must be **completed and submitted by the FIRST THURSDAY OF EACH MONTH, 12:00 NOON**, (see official calendar for exceptions), before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. This form along with any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201. **You may also fax this form to 214/670-4210. DO NOT FAX PAINT SAMPLES OR PHOTOGRAPHS.**

Please use the enclosed criteria checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information. You are encouraged to contact a Preservation Planner at 214/670-4538 to make sure your application is complete.

OTHER:

In the event of a denial, you have the right to an appeal within 30 days after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall (see exceptions). Information regarding the history of past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

Please review the enclosed Review and Action Form Memorandum to the Building Official, a Certificate of Appropriateness has been:

- APPROVED.** Please release the building permit.
- APPROVED WITH CONDITIONS.** Please release the building permit in accordance with any conditions.
- DENIED.** Please do not release the building permit or allow work.
- DENIED WITHOUT PREJUDICE.** Please do not release the building permit or allow work.

Sustainable Construction and Development

Date

Certificate of Appropriateness

City of Dallas

Historic Preservation
Rev. 111408



Front façade
with original
walkway.



New walkway already installed.



TASK FORCE RECOMMENDATION REPORT

Junius Heights

DATE: 6-14-2012

TIME: 5:30pm

MEETING PLACE: Center for Community Cooperation, 2900 Live Oak

APPLICANT NAME: Rodney Wauson

PROPERTY ADDRESS: 6107 Worth

DATE of CA / CD REQUEST: June 1, 2012

RECOMMENDATION:

Approval Approval with conditions Denial Denial without prejudice

Recommendation / comments / basis:

Comments - Deny request because replacement sidewalk materials are not in compliance with 3.2 (Replacement of existing walkways must be consistent with the original style).

Task force members present

Laura Koppang Mary Mesh Rene Schmidt

Sally Johnson Morgan Harrison Barbara Cohen

Ex Officio staff members Present: Carolyn Horner

Simply Majority Quorum: yes no

Task Force members in favor:

Task Force members opposed:

Basis for opposition:

CHAIR, Task Force

DATE June 14, 2012

The task force recommendation will be reviewed by the landmark commission in the City Council chamber, Room 5ES, starting at 11:00 with a staff briefing.

The landmark commission public hearing begins at 1:00 pm in Room 6EN, the Council Chamber, which allows the applicant and citizens to provide public comment.

Discussion Item #2: 6107 Worth



- **District:** Junius Heights
- **Request:** Install new stone walkway. Work completed without a Certificate of Appropriateness.
- **Staff Recommendation:** Denial without Prejudice
- **Task Force Recommendation:** comments only – no quorum



New flagstone installed



Installed walkway with
landscape areas



Other existing
walkways on
the block



Existing walkways on the block.

Standard for approval: The landmark commission must approve the application if it determines that:

(i) for contributing structures:

(aa) the proposed work is consistent with the regulations contained in this sections and the preservation criteria contained in the historic overlay district ordinance;

(bb) The proposed work will not have an adverse effect on the architectural features of the structure;

(cc) The proposed work will not have an adverse effect on the historic overlay district; and

(dd) The proposed work will not have an adverse effect on the future preservation, maintenance and use of the structure or the historic overlay district.

Dallas Development Code: No. 19455, Section 51A-4.501(g)(6)(C)(i)

Staff Recommendation:

- 1) Install new stone front walkway. Work completed without a Certificate of Appropriateness.**

Deny without prejudice – Deny the request with the finding that replacement walkway does not comply with Ordinance 26331, Section 3.2, which states that “replacement of existing walkways and steps must be consistent with the original style”.

SECTION 4

Minutes

JULY 2, 2012

See Page 5, Item #2

July 2, 2012



CITY OF DALLAS
LANDMARK COMMISSION MINUTES

The Dallas Landmark Commission held a regular meeting on July 2, 2012 with a briefing at 12:00 Noon in room 5ES and the public hearing at 1:00 p.m. in the Council Chambers of City Hall.

The following Commissioners were present for the meeting:

* Alternates

*Steve Clicque
Louis Cruz
Doug Edwards
Mattia Flabiano

John Johnson
Robin Norcross
*Ann Piper

Katherine Seale
Joy Strickland
Daron Tapscott
Linda Ward

The following ex-officio member was present for the meeting: None

The following ex-officio member was absent for the meeting: None

The following Commissioners were absent for the Meeting: Carmen Gonzalez, Albert Silva

The following Commissioners were absent for the briefing: Carmen Gonzalez, Albert Silva

The following Positions are vacant:

Districts 1, 4, 8, and 14

The following Staff was present:

Neva Dean
Mark Doty
Carolyn Horner

Tammy Palomino
Trena Law

Staff briefed the Landmark Commission on each agenda item and a question and answer period followed each briefing.

A variety of dockets, requests and briefings were presented to the Commission during the open public hearing. The applicants or their representatives presented their arguments, citizen comments were heard, and using information and staff recommendations in the hearing dockets, the Commission took the following actions.

Briefings:

The Commissioners were briefed on the consent and individual discussion items.

Public Hearing:

Motion was made to approve Consent Items 1 through 8 per staff recommendation.

Maker: Flabiano

Second: Edwards

Results: 10/0

Ayes:	- 10	Flabiano, Cruz, Edwards, Johnson, Norcross, *Piper, Seale, Strickland, Tapscott, Ward
Against:	- 0	None
Absent:	- 2	Gonzalez, Silva
Vacancies:	- 4	1, 4, 8, and 14

CONSENT ITEMS:

1. 1400 The Midway

Fair Park Historic District
CA112-311(MD)
Mark Doty

- 1) Midway - Remove decorative retaining wall and berm area. Approve – Approve site plan dated 6/20/12 with the finding the proposed work is meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).
- 2) Midway - Relocate existing curb and fence. Approve - Approve drawing dated 6/20/212 with the finding the proposed work is consistent with the criteria for fencing in the preservation criteria Section 3.11(b), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).
- 3) Midway - Remove one Live Oak tree. Approve – Approve site plan dated 6/20/12 with the finding the proposed work is meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).
- 4) Midway - Remove several Crepe Myrtle trees. Approve – Approve site plan dated 6/20/12 with the finding the proposed work is meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

2. 615 N Marsalis Ave

Lake Cliff Historic District
CA112-303(CH)
Carolyn Horner

Replace existing/broken windows with new wood windows. Approve - Approve the request dated 6/1/12 with the finding that the new wood windows comply with Ordinance 23328, Section 5.3, and meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

3. 2807 Harry Hines Blvd

Pike Park
CA112-316(MD)
Mark Doty

Remove existing retaining wall and install new retaining wall and fence. Approve – Approve drawings dated 6/20/12 with the finding the proposed work is consistent with the criteria for fences in the preservation criteria Section 3.8(d), and it meets the standards in City Code Section 51A-

4.501(g)(6)(C)(ii).

4. 1309 Main St

Republic National Bank (Davis) Building

CA112-312(MD)

Mark Doty

1) Install two flex strip, ten spot and ten flood lights at cupola. Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) Install twelve flex strip lights at roof line cornice. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

3) Install 40 linear bar lights on the facade. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

4) Install four linear bar and two spot lights on central window facade. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

5) Install ten string lights on 4th floor ledge. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

6) Install two flex lights on decorative frieze. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

7) Install eight sconces (two per entrance) at doorways. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work is consistent with the criteria for building site and landscaping and outdoor lighting in the preservation criteria Section 3.3, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

5. 265 Commerce St.

West End Historic District

CA112-309(MD)

Mark Doty

1) Dealey Plaza - Renovate planting areas. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) Dealey Plaza – Fountain renovations. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

3) Dealey Plaza - Renovate existing lighting and install new lighting. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

4) Dealey Plaza - Install new interpretive signage. Approve with Conditions - conceptually with the condition the final sign locations, details, and verbage are submitted to Landmark Commission for final review.

- 5) Dealey Plaza – Clean and restore existing lighting at triple underpass. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 6) Dealey Plaza - Install new lighting at triple underpass. Approve

6. 400 Main Street

West End Historic District

CA112-310(MD)

Mark Doty

- 1) Dealey Plaza - Restore pergolas. Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 2) Dealey Plaza - Accessibility upgrades to paving. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 3) Dealey Plaza - Renovate plantings areas. Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 4) Dealey Plaza - Fountain renovations. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 5) Dealey Plaza - Renovate existing lighting and install new lighting. Approve - Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 6) Dealey Plaza - Install new interpretive signage. Approve with Conditions - conceptually with the condition the final sign locations, details, and verbage are submitted to Landmark Commission for final review.
- 7) Dealey Plaza - Clean and restore existing lighting at triple underpass. Approve – Approve drawings and specifications dated 6/20/12 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 8) Dealey Plaza - Install new lighting at triple underpass. Approve

7. 417 S. Winnetka

Winnetka Heights Historic District

CA112-308(CH)

Carolyn Horner

- 1) Install new 30 year composition shingle roof. Owens Corning 'Onyx Black'. Approve - Approve the request dated 6/7/12 with the finding that the proposed new roof color complies with City Code Section 51P-87.111(a)(8)(E) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
- 2) Paint exterior. Body - Valspar 6002-1C 'Gray Silt', Trim - Valspar 7002-15 'Chef White', Accent/door - Valspar 5011-2 'Very Black'. Approve – Approve the request dated 6/7/12 with the finding that the proposed new colors comply with City Code Section 51P-87.111(a)(8)(C) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

8. 500 N Montclair

Winnetka Heights Historic District

CA112-302(CH)

Carolyn Horner

Paint exterior: Body-Magnetic Grey SW7058, Trim-Pure White SW7005, Accent-Black of Night SW6993. Approve - Approve the request dated 6/1/12 with the finding that the proposed colors comply with City Code Section 51p-87.111(a)(8)(C) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

DISCUSSION ITEMS:

1. 5314 Victor St

Junius Heights District
CD112-020(CH)
Carolyn Horner

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code).

Speakers: For: Andrew Gilbert, City Attorney’s Office
Against: No one

Motion:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). Approve - The proposed demolition meets the standard in City Code Section 51A-4.501(i)(7) because the City Attorney has received a court issued order for demolition and the suspension of the certificate of demolition is not a feasible option to alleviate the nuisance in a timely manner.

Maker: Johnson
Second: Tapscott
Results: 10/0

Ayes: - 10 Flabiano, Cruz, Edwards, Johnson, Norcross,
*Piper, Seale, Strickland, Tapscott, Ward
Against: - 0 None
Absent: - 2 Gonzalez, Silva
Vacancies: - 4 1, 4, 8, and 14

2. 6107 Worth St.

Junius Heights Historic District
CA112-301(CH)
Carolyn Horner

Install new stone front walkway. Work completed without a Certificate of Appropriateness.

Speakers: For: No one
Against: No one

Motion:

Install new stone front walkway. Work completed without a Certificate of Appropriateness. Deny without prejudice - Deny the request dated 6/1/12 with the finding that the proposed replacement walkway does not comply with Ordinance 26331, Section 3.2, which states that "replacement of existing walkways and steps must be consistent with the original style".

Maker: Flabiano
Second: Ward
Results: 10/0

Ayes: - 10 Flabiano, Cruz, Edwards, Johnson, Norcross,
*Piper, Seale, Strickland, Tapscott, Ward

Against:	- 0	None
Absent:	- 2	Gonzalez, Silva
Vacancies:	- 4	1, 4, 8, and 14

3. 5640 Swiss Ave.

Swiss Avenue Historic District
CA112-315(CH)
Carolyn Horner

- 1) Relocate two windows and install one door on rear elevation. Door to be wood frame with glass, painted to match existing color.
- 2) Replace door with window on side elevation. Window to be wood, painted to match.
- 3) Fill in one window on side elevation with brick.
- 4) Remove concrete steps at door to be removed on side elevation and install new brick to match.

Speakers: For: Rebecca Browning
Against: No one

Motion:

- 1) Relocate two windows and install one door on rear elevation. Door to be wood frame with glass, painted to match existing color. Approve with Conditions – Approve the request dated 6/7/12 with the finding that the request meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). Condition: intermingle any new brick with the reused brick.
- 2) Replace door with window on side elevation. Window to be wood, painted to match. Approve with Conditions - Approve the drawing dated 6/20/12 with the finding that the request complies with City Code Section 51P-63.116(1)(P)(vi)(cc) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i), with the condition that the bottom area be infilled with matching brick, inset between one and three inches.
- 3) Fill in one window on side elevation with brick. Approve with Conditions - Approve the drawings dated 6/20/12 with the finding that the proposal meets the standards in City Code Section 51A-4.501(g)(6)(C)(i), with the condition that the new brick match the existing brick, and that the new brick be inset between one and three inches to maintain the window location.
- 4) Remove concrete steps at door to be removed on side elevation and install new brick to match. Approve with Conditions - Approve the request dated 6/20/12 with the finding that the request meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). Conditions: intermingle any new brick with the reused brick and match the cast stone water table.

Maker: Tapscott
Second: Edwards
Results: 10/0

Ayes:	- 10	Flabiano, Cruz, Edwards, Johnson, Norcross, *Piper, Seale, Strickland, Tapscott, Ward
Against:	- 0	None
Absent:	- 2	Gonzalez, Silva
Vacancies:	- 4	1, 4, 8, and 14

4. 336 Leads St.

Tenth Street Historic District

CD112-019(MD)

Mark Doty

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code).

Speakers: For: Andrew Gilbert, City Attorney's Office

Against: No one

Motion:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). Follow staff recommendation and enter into initial suspension period as outline in 51A-4.501(i)(8)(A)(i).

Maker: Tapscott

Second: Strickland

Results: 10/0

Ayes:	- 10	Flabiano, Cruz, Edwards, Johnson, Norcross, *Piper, Seale, Strickland, Tapscott, Ward
Against:	- 0	None
Absent:	- 2	Gonzalez, Silva
Vacancies:	- 4	1, 4, 8, and 14

5. 220 N. Cliff

Tenth Street Historic District

CD112-013(MD)

Mark Doty

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code).

Speakers: For: Andrew Gilbert, City Attorney's Office

Against: Alonzo Harris

Motion:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). Approve - The proposed demolition meets the standards in City Code Section 51A-4.501(i)(7) because the City Attorney has received a court issued order for demolition and the suspension of the certificate of demolition is not a feasible option to alleviate the nuisance in a timely manner.

Maker: Flabiano

Second: Edwards

Results: 10/0

Ayes:	- 10	Flabiano, Cruz, Edwards, Johnson, Norcross, *Piper, Seale, Strickland, Tapscott, Ward
Against:	- 0	None
Absent:	- 2	Gonzalez, Silva

Vacancies: - 4 1, 4, 8, and 14

OTHER BUSINESS ITEMS:

1) Approval of the June 4, 2012 Minutes.

Motion was made to approve the Minutes for the June 4, 2012 meeting.

Maker: Cruz
Second: Flabiano
Results: 10/0

Ayes: - 10 Flabiano, Cruz, Edwards, Johnson, Norcross,
*Piper, Seale, Strickland, Tapscott, Ward
Against: - 0 None
Absent: - 2 Gonzalez, Silva
Vacancies: - 4 1, 4, 8, and 14

ADJOURNMENT

Motion was made to adjourn at 1:46 p.m.

Maker: Flabiano
Second: Cruz
Results: 10/0

Ayes: - 10 Flabiano, Cruz, Edwards, Johnson, Norcross,
*Piper, Seale, Strickland, Tapscott, Ward
Against: - 0 None
Absent: - 2 Gonzalez, Silva
Vacancies: - 3 1, 4, 8, and 14

Katherine D. Seale

Date

SECTION 5

Transcript of the
JULY 2, 2012
Landmark Commission
Hearing
For 6107 Worth
Street
CA 112-301(CH)

transcript

CA112-301(CH) LANDMARK COMMISSION PUBLIC HEARING 7/2/12 6107 WORTH STREET

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CITY OF DALLAS, TEXAS
LANDMARK COMMISSION PUBLIC HEARING
DATE OF HEARING: JULY 2, 2011
EXCERPT OF HEARING: ITEM NO. 2
REGARDING: 6107 WORTH STREET, CA112-301(CH)

□ ALL-AMERICAN REPORTING (972) 219-5161
CA112-301(CH) LANDMARK COMMISSION PUBLIC HEARING 7/2/12 6107 WORTH STREET

transcript

1 T R A N S C R I P T I O N

2 UNKNOWN SPEAKER (Carolyn Horner): Discussion, Item No.
2,
3 6107 Worth Street in the Junius Heights Historic
4 District, CA112-301(CH). The request is to install a
5 new stone front walkway. Work completed without a
6 certificate of appropriateness.

7 Staff recommendation is to deny without
8 prejudice, deny the request dated 6-1-12 with the
9 finding that the proposed replacement walkway does not
10 comply with Ordinance 26331, Section 3.2, which states
11 that, quote, replacement of existing walkways and steps
12 must be consistent with the original style, end quote.

13 UNKNOWN SPEAKER (Joy Strickland): Task Force
recommendation,
14 install new stone front walkway. Work completed without
15 a certificate of appropriateness, non-comments only, no
16 quorum.

17 Replacement, sidewalk materials are not in
18 compliance with 3.2, replacement of existing walkways
19 must be consistent with the original style.

20 UNKNOWN SPEAKER (Katherine Seale, Chair): All right.
Commissioners,
21 it looks like we do not have a speaker on this issue.
22 Do any of the commissioners have questions?
23 Commissioner Flabiano.

24 COMMISSIONER (Mattia) FLABIANO: I'll make a motion
25 when we're ready, if there's no comments.

□ ALL-AMERICAN REPORTING (972) 219-5161
CA112-301(CH) LANDMARK COMMISSION PUBLIC HEARING 7/2/12 6107 WORTH STREET

transcript

1 UNKNOWN SPEAKER (Katherine Seal, Chair): Are we ready?
2 Commissioner Johnson.

3 MR. JOHNSON: No, no.

4 UNKNOWN SPEAKER (Katherine Seale, Chair): Looks like
we're ready.

5 COMMISSIONER FLABIANO: Okay. Regarding --
6 like to make a motion regarding discussion Item No. 2 at
7 6107 Worth Street, Junius Heights Historic District,
8 CA112-301(CH).

9 The motion would be to follow staff
10 recommendation and deny without prejudice the existing
11 stone walkway.

12 UNKNOWN SPEAKER (Katherine Seale, Chair): It's been
moved by
13 Commissioner Flabiano and seconded by Commissioner Ward.
14 Any questions, Commissioners? Discussion? No. I think
15 we're ready for a vote, then.

16 All those in favor, please say aye. Any
17 opposed? We are three for 0, motion carries
18 unanimously.

19 (End of transcription)

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□ ALL-AMERICAN REPORTING (972) 219-5161
LANDMARK COMMISSION PUBLIC HEARING 7/2/12 6107 WORTH STR4ET
CA112-301(CH)

transcript

1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 I, Leslie McDonald Wilkins, Registered Professional
4 Reporter No. 029319, certify that the foregoing
5 proceeding was transcribed from an audio recording and
6 that it was transcribed to the best of my ability.

7 GIVEN UNDER MY HAND on this the 8th day of August,
8 2012.

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LESLIE McDONALD WILKINS, RPR #029319
Expiration Date: 12/31/12
ALL-AMERICAN REPORTING #365
P. O. Box 520
Denton, Texas 76202
(972) 219-5161
(940) 320-1992

ALL-AMERICAN REPORTING (972) 219-5161

SECTION 6

Junius Heights
Historic District
Ordinance #26331

4-26-06

ORDINANCE NO. 26331

An ordinance changing the zoning classification on the following property:

BEING an area generally bounded by Gaston Avenue, Henderson Avenue, Reiger Avenue, East Side Avenue, Abrams Road, Columbia Avenue, Glasgow Drive, Abrams Road, and Nesbitt Drive, and containing approximately 190.2 acres,

by establishing Historic Overlay District No. 128 (Junius Heights); providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property hereinafter described; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

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

SECTION 1. That the zoning classification is changed by establishing Historic Overlay District No. 128 on the property described in Exhibit A ("the Property"), which is attached to and made a part of this ordinance.

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That, except as provided in the preservation criteria, a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit B.

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

SECTION 5. That the director of development services shall correct Zoning District Map No. I-8 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

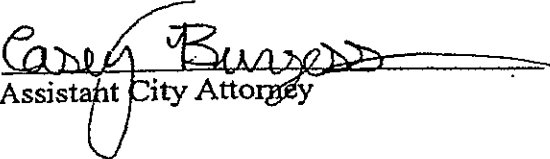
SECTION 7. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed APR 26 2006

26331

EXHIBIT A
JUNIUS HEIGHTS BOUNDARY DESCRIPTION

The Junius Heights legal description consists of the following City Blocks and Lots and being further divided into six subdistricts:

City Block 1490 Tract/Lots 1-23, and City Block 2/1864 Lots 1-7 and 8-14, and City Block 3/1865 Lots 1-14, and City Block 4/1866 Lots 1-14, and City Block 5/1868 Lots 1-14, and City Block 6/1869 Lots 1-14, and City Block 7/1883 Lots 1-16, and City Block 8/1883 Lots 1-15, and City Block 9/1884 Lots 1-14, and City Block 21/1884 Lots 8-16, and City Block 4/1884 Lots 1-9, City Block 5/1884 Lots 9-16, City Block 1493 Lots 14 and 15 and, City Block B/609 Lots 6 and 6A and, City Block C/455 Lots 1-9 and part of 11 that fronts on Reiger Avenue and Augusta Street, and that part of City Block D/432 located north and west of Columbia Avenue/Abrams Road, and City Block 18/1658 Lots 1 through 5 and Lot 18, and City Block B/1664 Lots 1-4, and City Block B/1670 Lots 1-4 and 15-18 and City Block C/1670 Lots 1A, 2A, 3A, 1B, 2B, and 3B, and City Block A/697 Lots 1-15 and all of the following City Blocks: V/1496, 1/1496, V/1495, 1/1495, 1494, 1/1589, 2/1590, 3/1647, 5/1649, A/1659, B/1660, A/1663, 1489, 10/1592, 9/1591, 8/1652, 7/1651, 6/1650, D/1662, C/1661, A/1488, 11/1593, 12/1594, 13/1653, 14/1654, 15/1655, A/1670, B/1488, 20/1596, 19/1595, 17/1657, 16/1656, and 21/1617.

Tract A:

City Block V/1495 Lots 5-16 and City Block 1/1495 Lots 1-7 and 12-17, and City Block 2/1864 Lots 1-7 and 8-14, and City Block 3/1865 Lots 1-14, and City Block 4/1866 Lots 1-14, and City Block 5/1868 Lots 8-14.

Tract B:

City Block 5/1868 Lots 1-7, and City Block 6/1869 Lots 1-14, and City Block 7/1883 Lots 1-16, and City Block 8/1883 Lots 1-15, and City Block 9/1884 Lots 1-14, and City Block 21/1884 Lots 8-14, and City Block 4/1884 Lots 1-7, and City Block 5/1884 Lots 9-16.

Tract C:

City Block V/1496 Lots 1-4 and City Block 1/1496 Lots 8-11 and City Block 21/1884 Lots 15 and 16 and City Block 4/1884 Lots 8 and 9.

Tract D:

City Block A/697 Lots 14 and 15, and City Block 1490 Tracts/Lots 1-8 and Tracts/Lots 10, 12, 14, 16, 19, 20, 23, and City Block 1493 Lots 14 and 15, and City Block B/609 Lots 6 and 6A, and City Block C/455 Lots 1-9 and part of 11 that fronts on Reiger Avenue and Augusta Street, and City Block D/432 north and west of Columbia Avenue/Abrams Road, and City Block 18/1658 Lots 1 through 5 and Lot 18, and City Block B/1664 Lots 1-4, and City Block B/1670 Lots 1-4 and 15-18 and City Block C/1670 Lots 1A, 2A, 3A, 1B, 2B, and 3B, and all of City Blocks: 1494, 1/1589, 2/1590, 3/1647, 4/1648, 5/1649, A/1659, B/1660, A/1663, 1489, 10/1592, 9/1591, 8/1652, 7/1651, 6/1650, D/1662, C/1661, A/1488, 11/1593, 12/1594, 13/1653, 14/1654, 15/1655, A/1670, B/1488, 20/1596, 19/1595, 17/1657, 16/1656, and 21/1617.

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Tract E:

City Block A/697 Lots 1-13.

Tract F:

City Block 1490 Tracts/Lots 9, 11, 13, 15, 17, 18, 21, and 22.

**EXHIBIT B
PRESERVATION CRITERIA
JUNIUS HEIGHTS**

1. GENERAL

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. In the event of a conflict, these preservation criteria control.
- 1.3 Certificate of appropriateness
 - a. Except as provided in Item 1.3(c), a person may not alter a site within this district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
 - b. Except as provided in Item 1.3(c), the certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
 - c. A certificate of appropriateness is not required for routine maintenance at a school in Tract D. A certificate of appropriateness is required for routine maintenance for all other uses.
 - d. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.
 - e. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.
- 1.4 A person may not demolish or remove any structure in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.

- 1.5 Preservation and restoration materials and methods used must comply with the *Secretary of the Interior's Standards for Rehabilitation* and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.
- 1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.
- 1.7 Consult Article XI, "Development Incentives," of the Dallas Development Code, as amended, for tax incentives that may be available in this district.
- 1.8 The period of historic significance for this district is the period from 1900 to 1940.

2. DEFINITIONS

- 2.1 Unless defined below, the definitions contained in Chapter 51A of the Dallas City Code, as amended, apply.
- 2.2 ADDITION means any floor area attached to a main building.
- 2.3 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.
- 2.4 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.5 COLUMN means the entire column, including the base and capital.
- 2.6 CONTRIBUTING STRUCTURE means a structure that retains its essential architectural integrity of design and whose architectural style is typical of or integral to this district.
- 2.7 CORNERSIDE YARD means a side yard abutting a street.
- 2.8 CRAFTSMAN means the Craftsman architectural style as shown in Exhibit D.
- 2.9 DIRECTOR means the Director of the Department of Development Services or the Director's representative.

- 2.10 DISTRICT means Historic Overlay District No. 128, the Junius Heights Historic Overlay District. This district contains the property described in Section 1 of this ordinance. A map of this district is attached to and made a part of this ordinance as Exhibit C. This district is divided into six tracts, to be known as "Tract A," "Tract B," "Tract C," "Tract D," "Tract E," and "Tract F." Property descriptions of Tracts A through F are contained in Exhibit A. A map showing the tract boundaries is attached to and made a part of this ordinance as Exhibit C. In the event of a conflict, between the verbal descriptions in Exhibit A and the depictions in Exhibit C, the verbal description in Exhibit A controls.
- 2.11 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.
- 2.12 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.13 FRONT FACADE means a facade of a main building facing a front yard.
- 2.14 INTERIOR LOT means a lot other than a corner lot.
- 2.15 INTERIOR SIDE YARD means a side yard not abutting a street or alley.
- 2.16 NEW CONSTRUCTION means a main building built after April 26, 2006, the date of creation of this district.
- 2.17 PRAIRIE means the Prairie architectural style as shown in Exhibit D.
- 2.18 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.19 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.
- 2.20 SIDE FACADE means a facade of a main building facing a side yard.
- 2.21 SOLID-TO-VOID RATIO means the ratio between the voids (i.e., the window and door openings) to the solid (i.e., proportion of a facade that comprises a blank or solid wall).
- 2.22 TUDOR means the Tudor architectural style as shown in Exhibit D.

3. SITE AND SITE ELEMENTS

- 3.1 All contributing structures are protected.

- 3.2 New driveways, sidewalks, steps, and walkways must be constructed of brick, brush finish concrete, stone, or other appropriate material. Artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted. Replacement of existing walkways and steps must be consistent with the original style.
- 3.3 No new circular driveways or parking areas are allowed in front yards.
- 3.4 Any new mechanical equipment on the ground must be erected in the side or rear yards, and must be screened.
- 3.5 Landscaping
- a. Outdoor lighting must be appropriate and enhance the structure.
 - b. Landscaping must be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades.
 - c. Existing mature trees in the front yard are protected, except that unhealthy or damaged trees may be removed.
- 3.6 Fences
- a. Location
 1. Except as provided in Item 3.6(a)(4), new fences are not permitted in the front yard.
 2. Except as provided in Item 3.6(a)(4), fences in interior side yards must be located in the rear 50 percent of the side yard and behind the open front porch of an adjacent house as shown in Exhibit E. If more screening is required for additional security or privacy, the Landmark Commission may allow a fence that is located five feet behind the porch of the house requesting the fence.
 3. Except as provided in Item 3.6(a)(4), fences in cornerside yards are not allowed in front of the side facade of the main building unless the Landmark Commission determines that more security or screening is necessary. Fences in cornerside yards must have a two-foot setback from the cornerside yard sidewalk.
 4. Chain link fences are allowed in the front and side yards of a school in Tract D for safety purposes.
 5. Fence locations are shown in Exhibit E. Front, rear, interior side, and cornerside yards are illustrated in Exhibit F.

b. Height

1. Fences in the rear yard and rear 50 percent of the interior side yard or cornerside yard may not exceed nine feet in height as shown in Exhibit E.
2. Fences in the front 50 percent of the interior side yard or cornerside yard may not exceed eight feet in height.
3. Chain link fences in the front yard of a school in Tract D may not exceed four feet in height.

c. Construction

1. Except as provided in Item 3.6(c)(2), new fences visible from the street must be constructed of brick, stone, wood, metal pickets, or a combination of these materials.
2. For a school in Tract D, new fences visible from the street may be constructed of chain link for safety purposes.
3. The tops of fences must be horizontal, stepped, or parallel to grade, as shown in Exhibit E.
4. The finished side of a fence must face out if seen from any street, as shown in Exhibit E.

4. **FACADES**

4.1 Protected facades

- a. Front facades and the front 50 percent of side facades of contributing structures are protected.
- b. Reconstruction, renovation, repair, or maintenance of protected facades must be appropriate and employ materials similar to the historic materials in texture, color, pattern, grain, and module size.
- c. Historic solid-to-void ratios of protected facades must be maintained.
- d. Brick added to protected facades must match the original brick as closely as possible in color, texture, module size, bond pattern, and mortar color.
- e. Brick, cast stone, and concrete elements on protected facades may not be painted, except that portions of the structure that had been painted prior to the effective date of this ordinance may remain painted.

- 4.2 All additions and alterations must be architecturally sensitive and appropriate to the overall design of the existing structure.
- 4.3 Wood siding, trim, and detailing must be restored wherever practical.
- 4.4 All exposed wood must be painted, stained, or otherwise preserved.
- 4.5 Historic materials must be repaired if possible; they may be replaced only when necessary.
- 4.6 Paint must be removed in accordance with the *Secretary of the Interior's Standards for Rehabilitation* and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library, prior to refinishing.
- 4.7 Vinyl or aluminum siding and exterior insulated finish systems (EIFS) are not permitted on main buildings.
- 4.8 Colors appropriate to the period of historic significance are recommended. No fluorescent or metallic colors are permitted on the exterior of any structure.
- 4.9 All structures must have a dominant body color and no more than three trim colors, including any accent colors. Front porch floors and ceilings do not count as one of these colors. The colors of a structure must complement each other and the overall character of this district. Complimenting color schemes are encouraged throughout the blockface.
- 4.10 Exposing and restoring original historic finish materials is recommended.
- 4.11 Cleaning of the exterior of a structure must be in accordance with the *Secretary of the Interior's Standards for Rehabilitation* and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

5. FENESTRATION AND OPENINGS

- 5.1 Historic doors and windows must remain intact and their openings must be preserved on protected facades, except that doors and windows may be replaced if necessary due to damage or deterioration.
- 5.2 It is recommended that non-original or altered original doors and windows that do not match the historic appearance of the main building be replaced with appropriate doors and windows.

- 5.3 Replacement doors and windows must express mullion size, light configuration, and material to match the original.
- 5.4 Storm doors and windows are permitted if they are sensitive additions and match the existing doors and windows in frame width and proportion, glazing material, and color. Wood is the preferred material, but painted or factory-finished aluminum storm doors, storm windows, or screens are permitted. Mill-finished aluminum is not permitted.
- 5.5 Decorative ironwork and burglar bars are permitted over doors or windows on rear facades and accessory structures. Interior mounted burglar bars are permitted on protected facades.
- 5.6 Glass and glazing must match historic materials as much as practical. Films and dark tinted or reflective glazings are not permitted on glass.
- 5.7 New door and window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.
- 5.8 The *Secretary of the Interior's Standards for Rehabilitation* and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library, should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration.

6. ROOFS

- 6.1 The historic slope, massing, configuration, and materials of the roof must be preserved and maintained.
- 6.2 The following roofing materials are allowed: wood shingles; composition shingles; slate, clay, concrete, or terra-cotta tiles; and other appropriate materials. Roof materials must be appropriate to the historic style of the main building.
- 6.3 Historic eaves, coping, cornices, dormers, parapets, roof trim, gables, and porch roofs must be retained, and should be repaired with material matching in size, finish, module, and color.
- 6.4 Mechanical equipment, skylights, and solar panels on the roof must be set back or screened so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.
- 6.5 Satellite dishes require a certificate of appropriateness only if they are visible from a street.

7. PORCHES AND BALCONIES

- 7.1 Historic porches and balconies on protected facades are protected.
- 7.2 Porches and balconies on protected facades may not be enclosed. It is recommended that existing enclosed porches on protected facades be restored to their historic appearance.
- 7.3 Historic columns, detailing, railings, and trim on porches and balconies are protected.
- 7.4 Front and side porch floor finishes must be concrete, wood, or other appropriate materials. Porch floors may not be covered with carpet. Wood floors must be painted or stained. Brick or stone floors may not be painted. A clear sealant is acceptable on porch floors.

8. MAIN BUILDING: NEW CONSTRUCTION AND ADDITIONS IN TRACTS A, B, C, D, AND E

- 8.1 New construction and vertical and horizontal additions to existing main buildings are permitted.
- 8.2 If a contributing structure is destroyed by other than the intentional act of the owner or the owner's agent, it may be rebuilt in the original architectural style of the structure as substantiated by documentary or pictorial evidence.
- 8.3 New construction and vertical or horizontal additions must be compatible with the historic architectural styles for that tract as listed below. Architectural styles are illustrated in Exhibit D.
 - a. Tract A: Except as otherwise provided in this paragraph, new construction and additions must be in the Craftsman style typical to contributing main buildings within this tract.
 - 1. New construction on Dumas Street must have brick veneer on the front and side facades.
 - 2. New construction on Dumont Street, Parkmont Street, Beacon Street, and Huntley Street must have wood siding on the front, side, and rear facades.
 - 3. New construction on Glendale Street may also be in the Prairie style and must have brick veneer or wood siding on the front and sides facades.

- b. Tract B: New construction and additions must be in the Craftsman or Tudor style typical to contributing main buildings within this tract and have brick veneer on the front and side facades.
 - c. Tract C: New construction and additions must follow the architectural requirements in Planned Development District No. 99 (Gaston Avenue). See Section 51P-99.109 of the Dallas Development Code, as amended.
 - d. Tract D: Except as otherwise provided in this paragraph, new construction and additions must be in the Prairie or Craftsman style, typical to contributing main buildings within this tract. New construction and additions to a school building must be compatible with the existing school building.
 - e. Tract E: New construction and additions must be two-story and in the Prairie style typical to contributing main buildings within this tract.
- 8.4 The massing, shape, building and roof form, materials, solid-to-void ratios, details, color, and general appearance of new construction must be compatible with the selected historic architectural style.
- 8.5 The massing, shape, building and roof form, materials, solid-to-void ratios, details, color, and general appearance of additions must be compatible with the existing historic structure.
- 8.6 The height of new construction and vertical or horizontal additions must not exceed the height of similar historic structures on the block.
- 8.7 New construction is prohibited in front and cornerside yards except as noted in Item 8.8 and Section 9. Front, interior side, cornerside, and rear yards are illustrated in Exhibit F.
- 8.8 New construction and additions are permitted in the cornerside yard of a school in Tract D.
- 8.9 The width of new construction must be within 20 percent of the average width of existing structures on the blockface.
- 8.10 New construction on interior lots must have a front yard setback that is equal to the average setback of other structures on the blockface. Front, rear, interior side, and cornerside yards are illustrated in Exhibit F.
- 8.11 New construction on interior lots must have a front driveway on the same side of the main building as typical of other main buildings on the blockface. New construction must have a side yard setback of at least 10 feet on the driveway side of the main building and at least a five-foot side yard setback on the other side of the main building. Driveways must extend to the rear of the main building.

- 8.12 Vinyl, aluminum, or exterior insulated finish systems (EIFS) are not permitted as cladding materials for the construction of a new main building or an addition to an existing historic structure. Cementitious siding is not permitted as cladding of a horizontal or vertical addition.
- 8.13 Chimneys visible from a public street must be clad in masonry.
- 8.14 New construction and additions must be designed so that connections between new construction or additions and the historic structure are clearly discernible as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new construction or additions and the historic structure must be established and maintained. Historic details in the coping, eaves, and parapet of the historic structure must be preserved and maintained at the point where the historic structure abuts new construction or additions.

9. ACCESSORY STRUCTURES FOR TRACTS A, B, C, D, AND E

- 9.1 Accessory structures are only permitted in the rear yard, except that portable classroom buildings are permitted in the cornerside yard of a school in Tract D, and garages may be built in the rear 30 feet of cornerside yards.
- 9.2 Accessory structures must be compatible with the scale, shape, roof form, materials, detailing, and color of the main building.
- 9.3 Accessory structures must be at least eight feet from the main building.
- 9.4 Accessory structures in Tracts A, B, D, and E may not exceed a footprint of 600 square feet, unless documentation shows that an original structure exceeding this size was previously on the building site. The 600 square foot footprint requirement does not apply to portable classroom buildings located at a school in Tract D. Accessory structures in Tract C may not exceed a footprint of 1,200 square feet, unless documentation shows that an original structure exceeding this size was previously on the building site.
- 9.5 Cementitious siding is allowed on accessory structures if it is in keeping with the style and materials of the main building. Except as otherwise provided in this paragraph, vinyl and aluminum siding and Exterior Insulated Finish Systems (EIFS) are not permitted on the exterior of accessory structures. Vinyl and aluminum siding are permitted on the exterior of portable classroom buildings located at a school in Tract D.
- 9.6 The eave height of accessory structures may not exceed the eave height of the main building.
- 9.7 If a garage is within 20 feet of the alley pavement and parking is entered from the alley, the garage must have electric garage door openers.

- 9.8 For accessory structures not adjacent to an alley, the minimum rear yard setback is two-and-a-half feet with a one-and-a-half foot allowed roof overhang encroachment. For accessory structures adjacent to an alley, a three-foot setback must be provided. In Tract C, accessory structures must comply with the rear yard setback requirements of Planned Development District No. 99.
- 9.9 Minimum side yard setback for accessory structures is three feet, with a one-and-a-half foot allowed roof overhang encroachment, except that accessory structures in Tract C must comply with the side yard setback requirements for Planned Development District No. 99.
- 9.10 Accessory structures may be rebuilt in the location of a structure that existed prior to April 26, 2006, the date of creation of this district, if the location of the pre-existing structure is properly documented.
- 10. MAIN BUILDING: NEW CONSTRUCTION AND ADDITIONS IN TRACT F**
- 10.1 New construction and vertical and horizontal additions to existing main buildings are permitted.
- 10.2 New commercial construction and additions must be in the style of the existing 1920's commercial building. New vertical additions to the existing main building must be set back 15 feet from the front facade. New residential construction must be in the Prairie or Craftsman style, typical to contributing main buildings in Tract D.
- 10.3 New construction and additions must be designed so that connections between new construction or additions and the historic structure are clearly discernible as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new construction or additions and the historic structure must be established and maintained. Historic details in the coping, eaves, and parapet of the historic structure must be preserved and maintained at the point where the historic structure abuts new construction or additions.
- 11. ACCESSORY STRUCTURES IN TRACT F**
- 11.1 Accessory structures are permitted in side and rear yards.
- 11.2 Accessory structures may not exceed a footprint of 2,000 square feet.
- 12. SIGNS**
- 12.1 Signs may be erected if appropriate.

- 12.2 All signs must comply with the provisions of the Dallas City Code, as amended.
- 12.3 Temporary political campaign signs and temporary real estate signs may be erected without a certificate of appropriateness.

13. ENFORCEMENT

- 13.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.
- 13.2 A person is criminally responsible for a violation of these preservation criteria if:
- a. the person owns part or all of the property and knowingly allows the violation to exist;
 - b. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials;
 - c. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property; or
 - d. the person knowingly commits the violation or assists in the commission of the violation.
- 13.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.

- 13.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

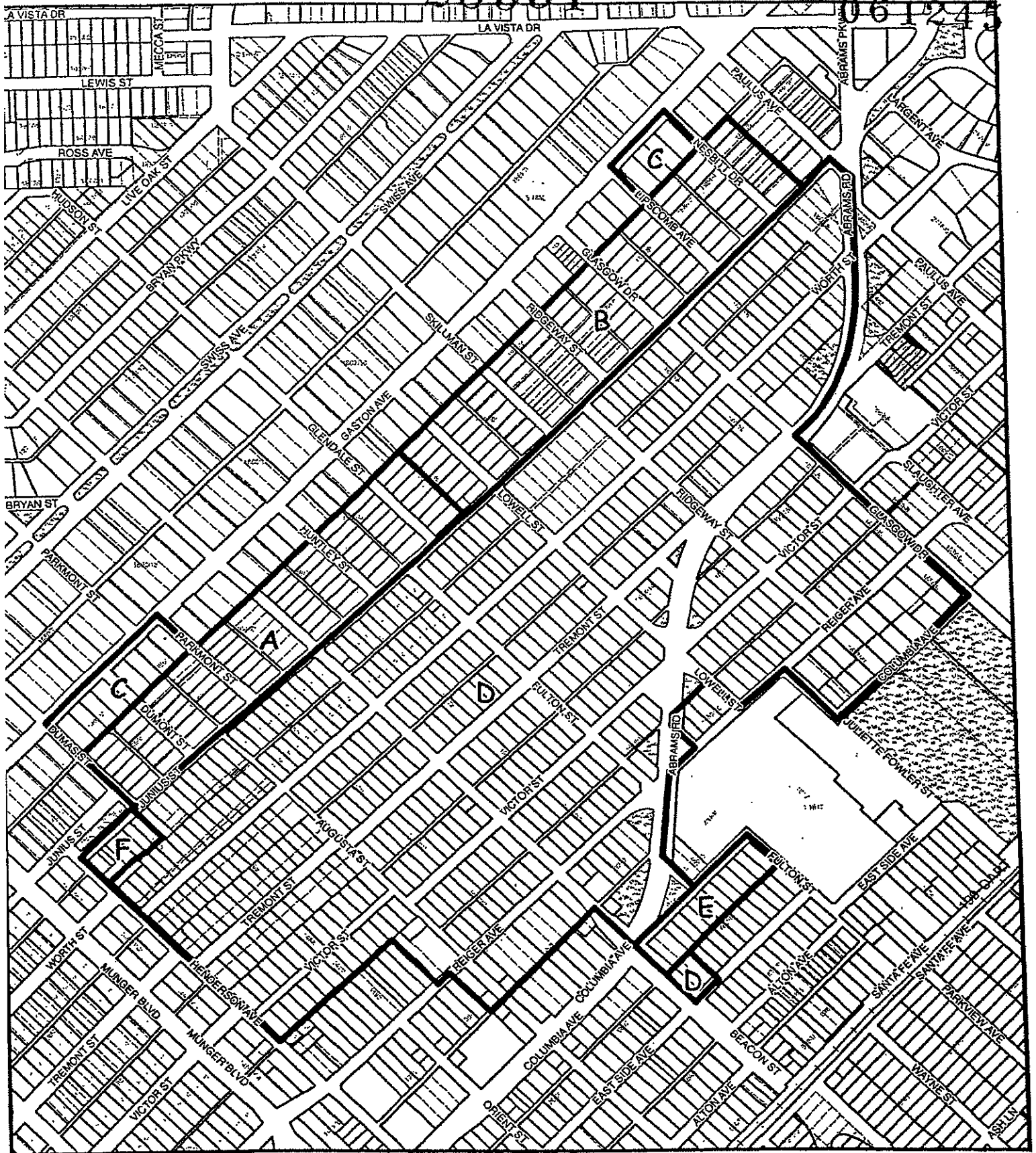


EXHIBIT C

TRACT MAP

H/128 (Junius Heights)

Contains 6 Tracts



1:6,800

Matched to Parcel105 lines

000062

26331

061245

Craftsman

1905-1930

low-pitched gabled roof (occasionally hipped) with wide, unenclosed eave overhang

decorative (false) beams or braces under gables

roof rafters usually exposed

porches, either full- or partial-width, with roof supported by square columns

columns or column bases frequently continue to ground level (without break at level of porch floor)



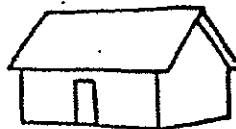
Architectural drawings sourced from A Field Guide To American Houses (1984) with the permission of the author Virginia McAlester.

FRONT-GABLED ROOF

CROSS-GABLED ROOF

SIDE-GABLED ROOF

HIPPED ROOF



pages 456-7

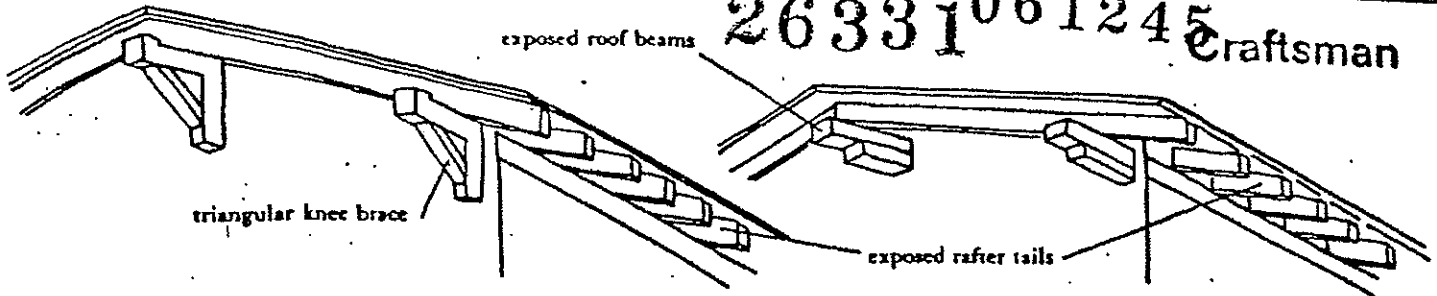
pages 458-9

pages 460-1

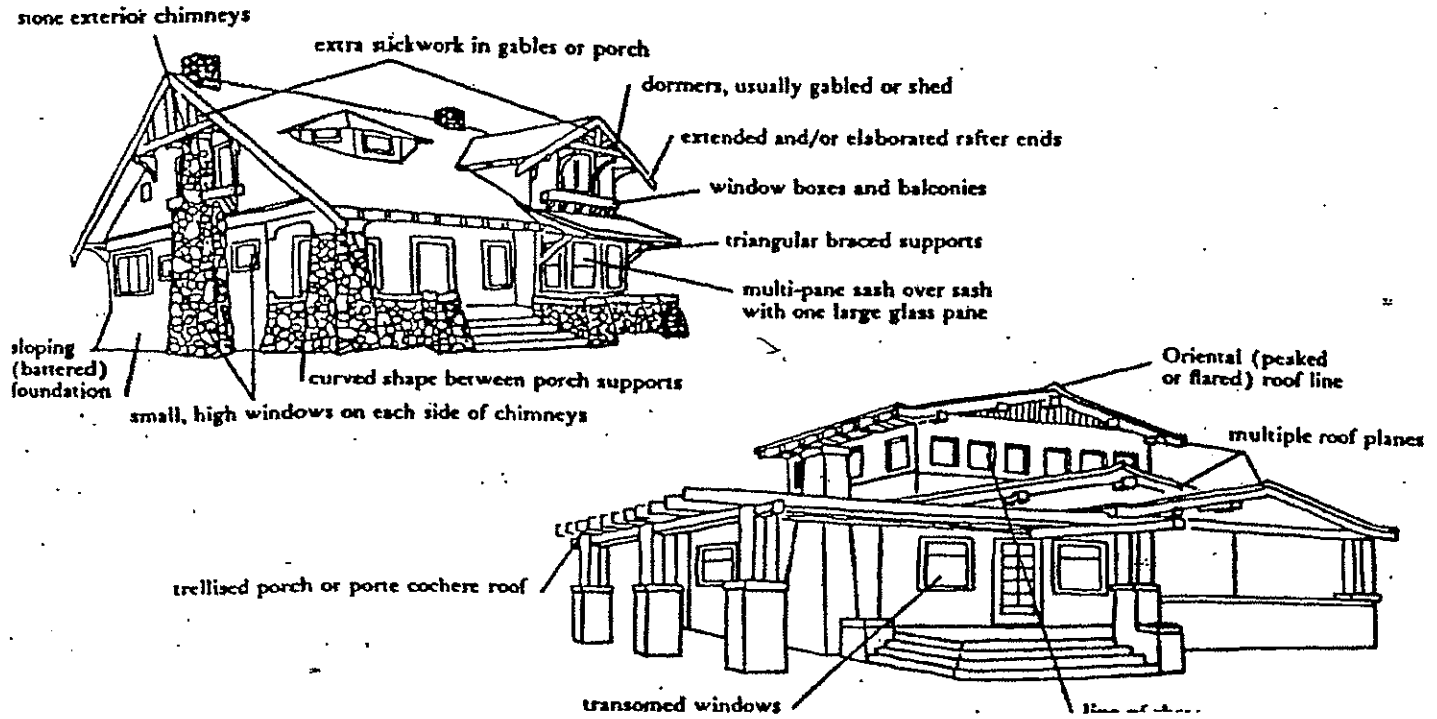
page 463

EXHIBIT D

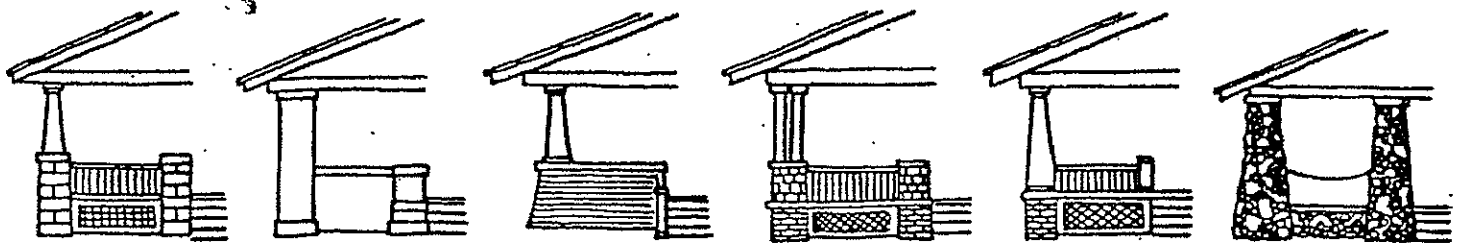
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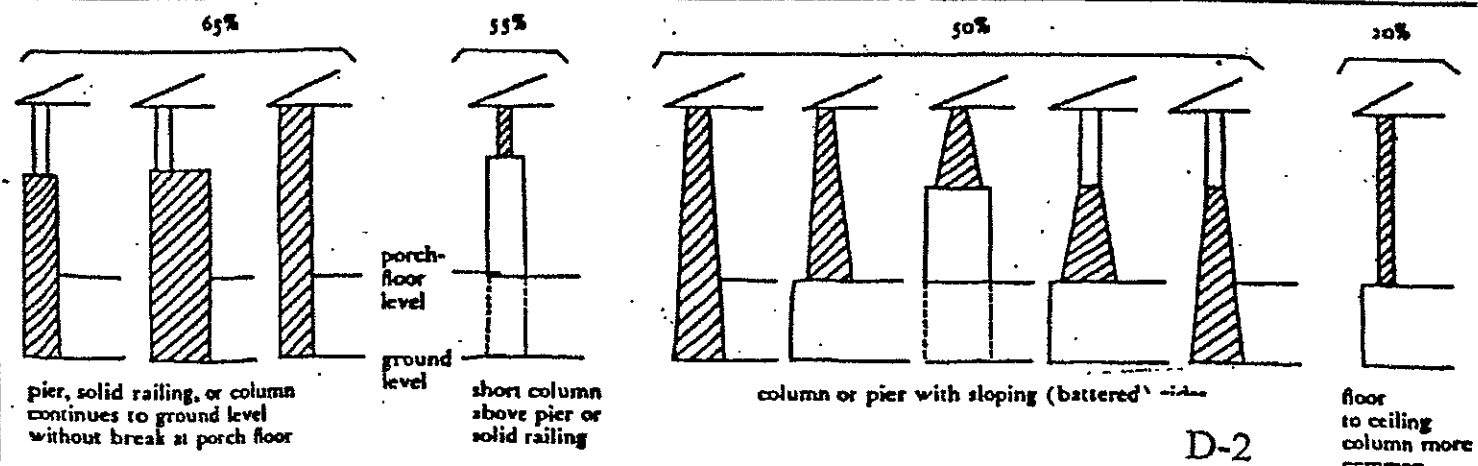
TYPICAL ROOF-WALL JUNCTIONS



TYPICAL ELABORATIONS Architectural drawings sourced from A Field Guide To American Houses (1984) with the permission of the author Virginia McAlester.



SOME TYPICAL PORCH SUPPORTS AND PORCH RAILINGS A pier without column is common



26331

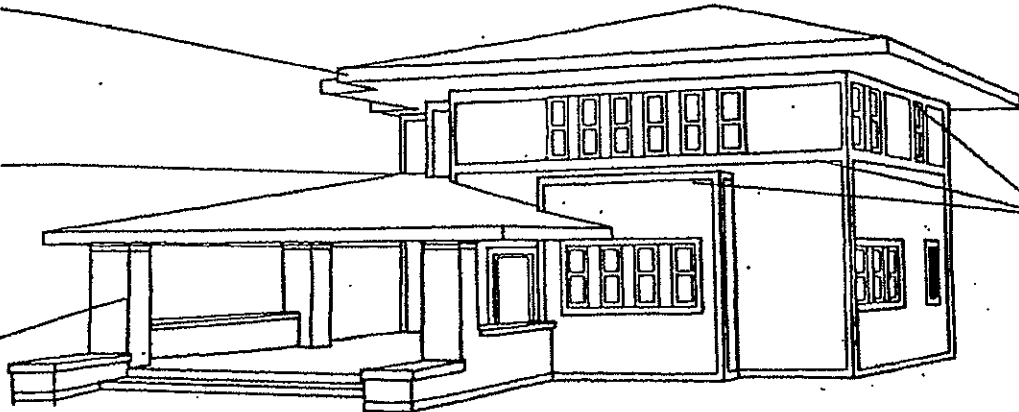
0612 Prairie

1900-1920

low-pitched roof with widely overhanging eaves

two stories with one-story porches or wings

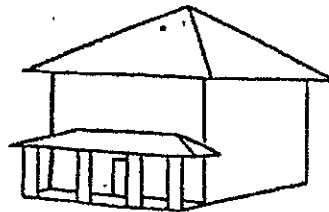
massive square porch supports



detail emphasizing horizontal lines

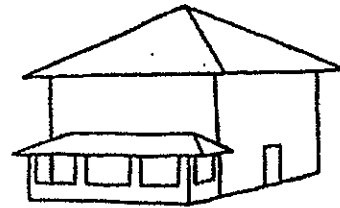
Architectural drawings sourced from A Field Guide To American Houses (1984) with the permission of the author Virginia McAlester.

HIPPED ROOF, SYMMETRICAL, WITH FRONT ENTRY



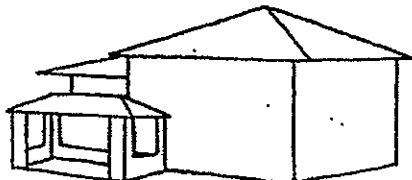
pages 444-5

HIPPED ROOF, SYMMETRICAL, NO FRONT ENTRY



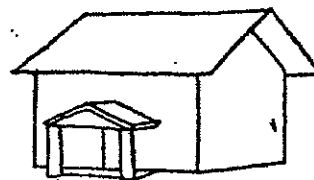
pages 446-7

HIPPED ROOF, ASYMMETRICAL



pages 448-9

GABLED ROOF



pages 450-1

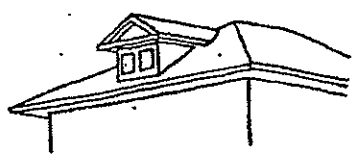
PRINCIPAL SUBTYPES

D-3

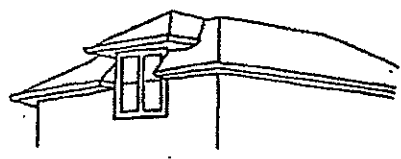
000065

26331

061245



gable

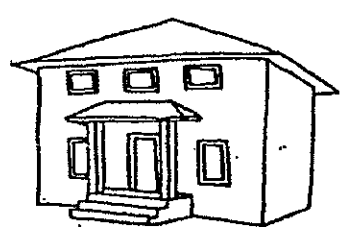
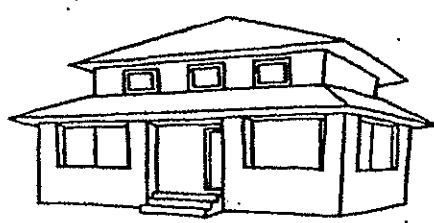
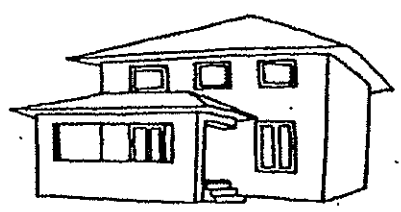


through-cornice



Palladian

COMMON DORMER VARIANTS

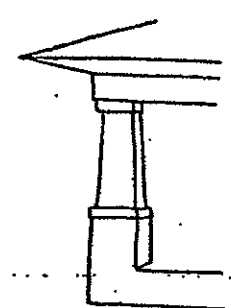
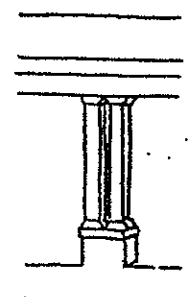
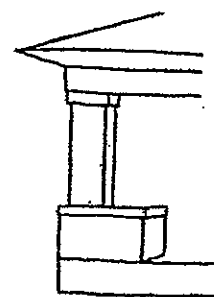
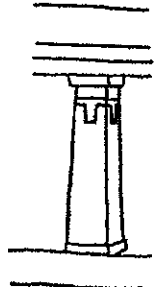
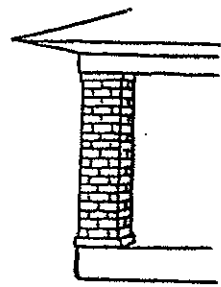


COMMON PORCH VARIANTS



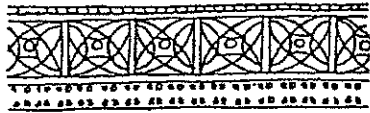
MOST COMMON VERNACULAR FORM

Architectural drawings sourced from A Field Guide To American Houses (1984) with the permission of the author Virginia McAlester.



SULLIVANESQUE
stylized floral and circular geometric

WRIGHTIAN
angular geometric



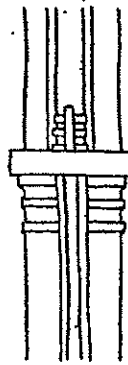
bands at cornice or door



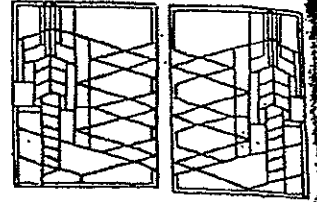
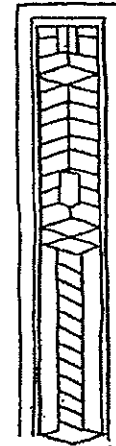
column capitals



terra cotta medallion

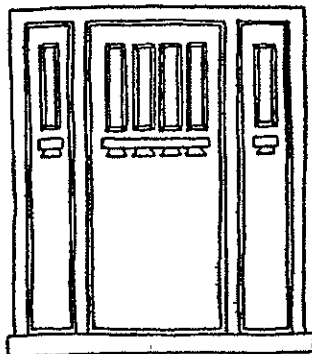
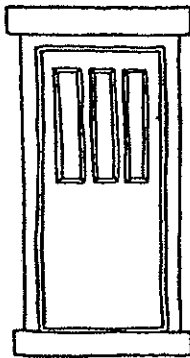
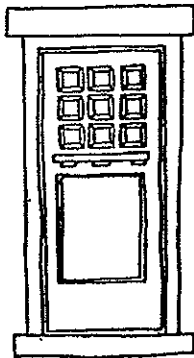
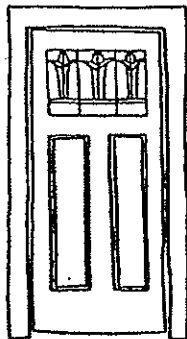
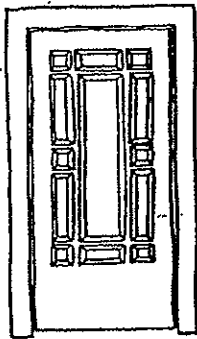


column elaboration and capitals

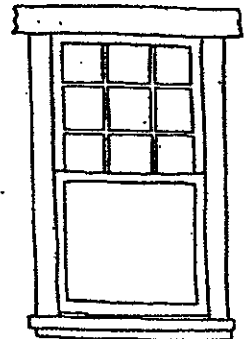
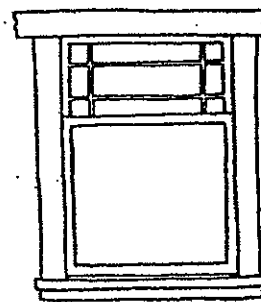
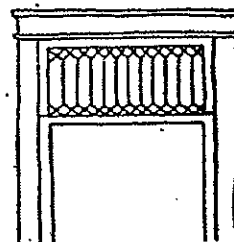
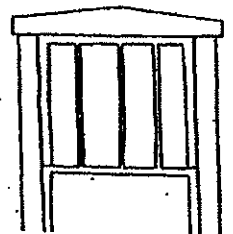
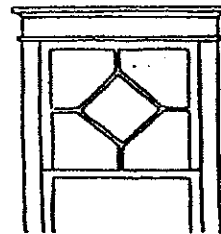
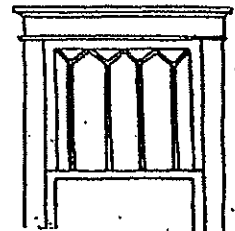
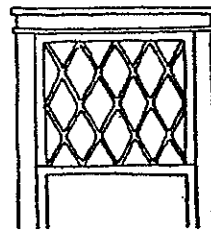


leaded glass windows

DECORATIVE DETAIL Architectural drawings sourced from *A Field Guide To American Houses* (1984) with the permission of the author Virginia McAlester.



TYPICAL DOORS



FOUND IN BOTH
CRAFTSMAN & PRAIRIE

TYPICAL WINDOW GLAZING & SURROUNDS
Casement windows common on Prairie high-style examples

26331

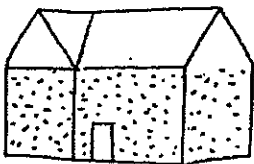
061245 Tudor

1890-1940



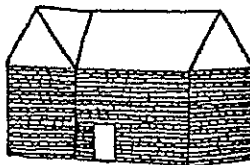
Architectural drawings sourced from A Field Guide To American Houses (1984) with the permission of the author Virginia McAlester.

STUCCO WALL CLADDING



pages 360-1

BRICK WALL CLADDING



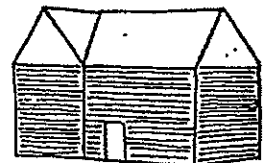
pages 362-5

STONE WALL CLADDING



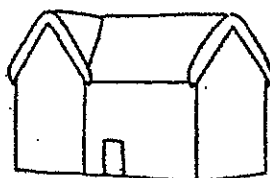
pages 366-7

WOODEN WALL CLADDING



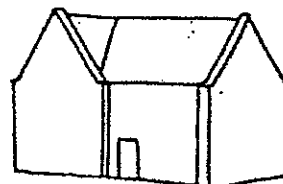
page 368

FALSE THATCHED ROOF



page 369

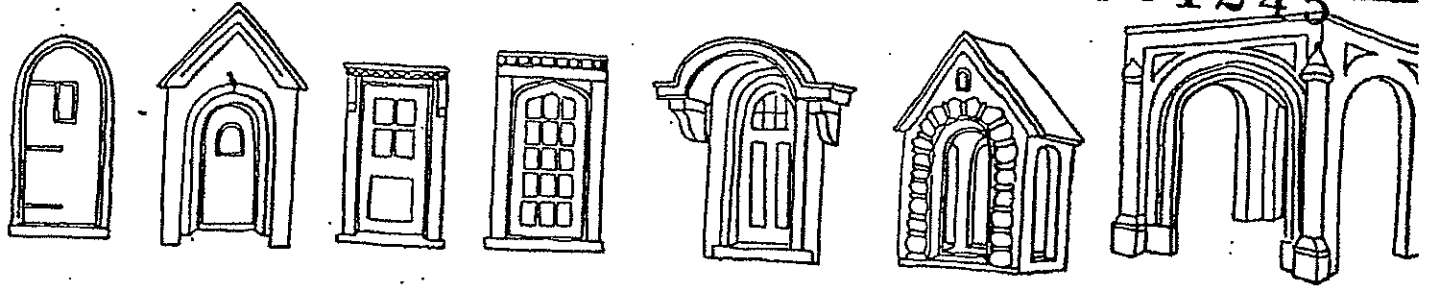
PARAPETED GABLES



pages 370-1

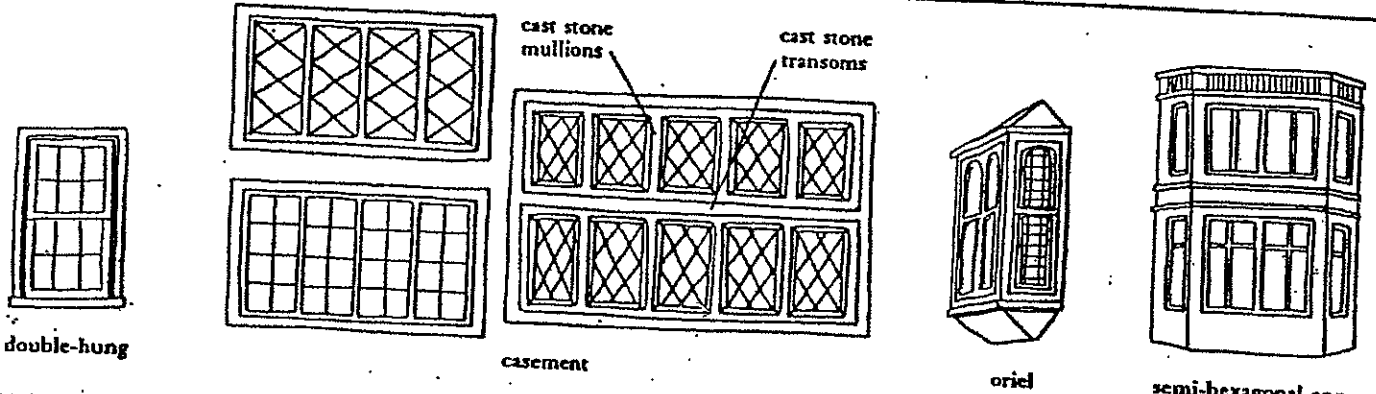
PRINCIPAL SUBTYPES

D-6



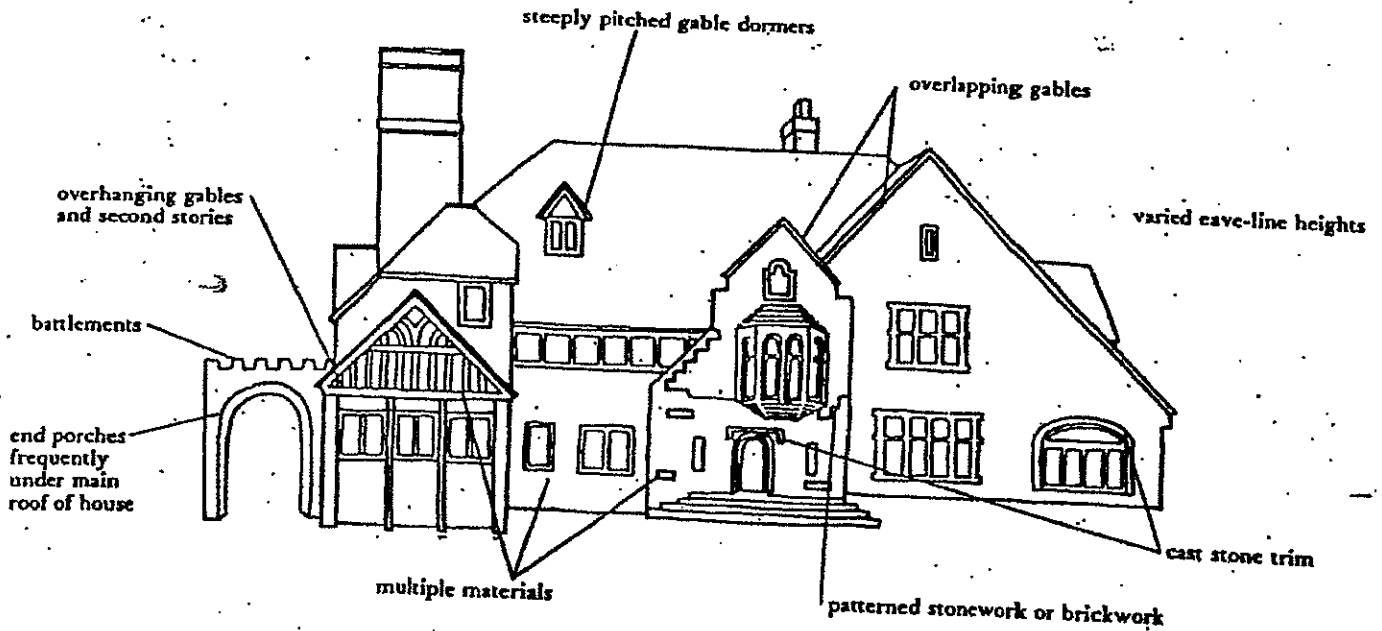
TYPICAL ENTRANCES

entry porches

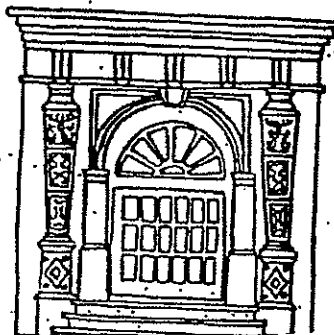


TYPICAL WINDOWS

Architectural drawings sourced from A Field Guide To American Houses (1984) with the permission of the author Virginia McAlester.

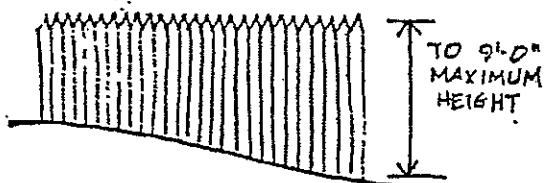


TYPICAL ELABORATIONS

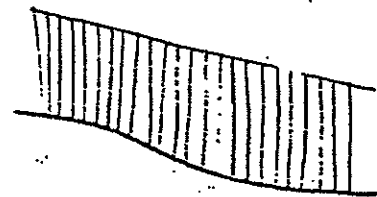
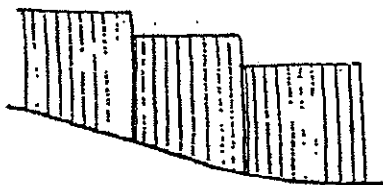


D-7

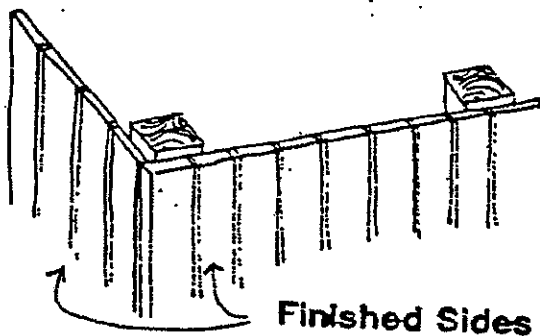
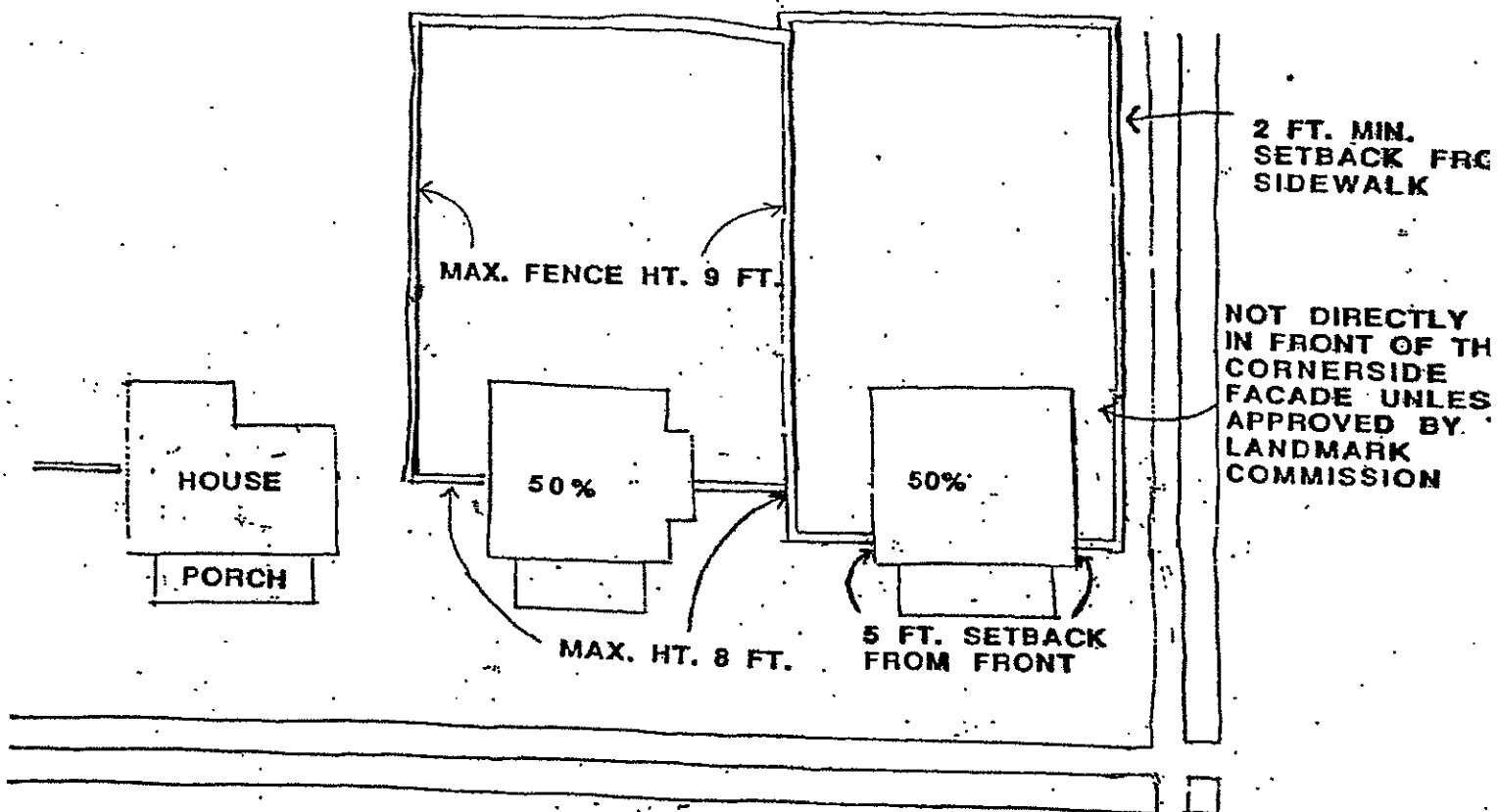




Horizontal



Parallel to Grade



FENCES

EXHIBIT E

26331

061245

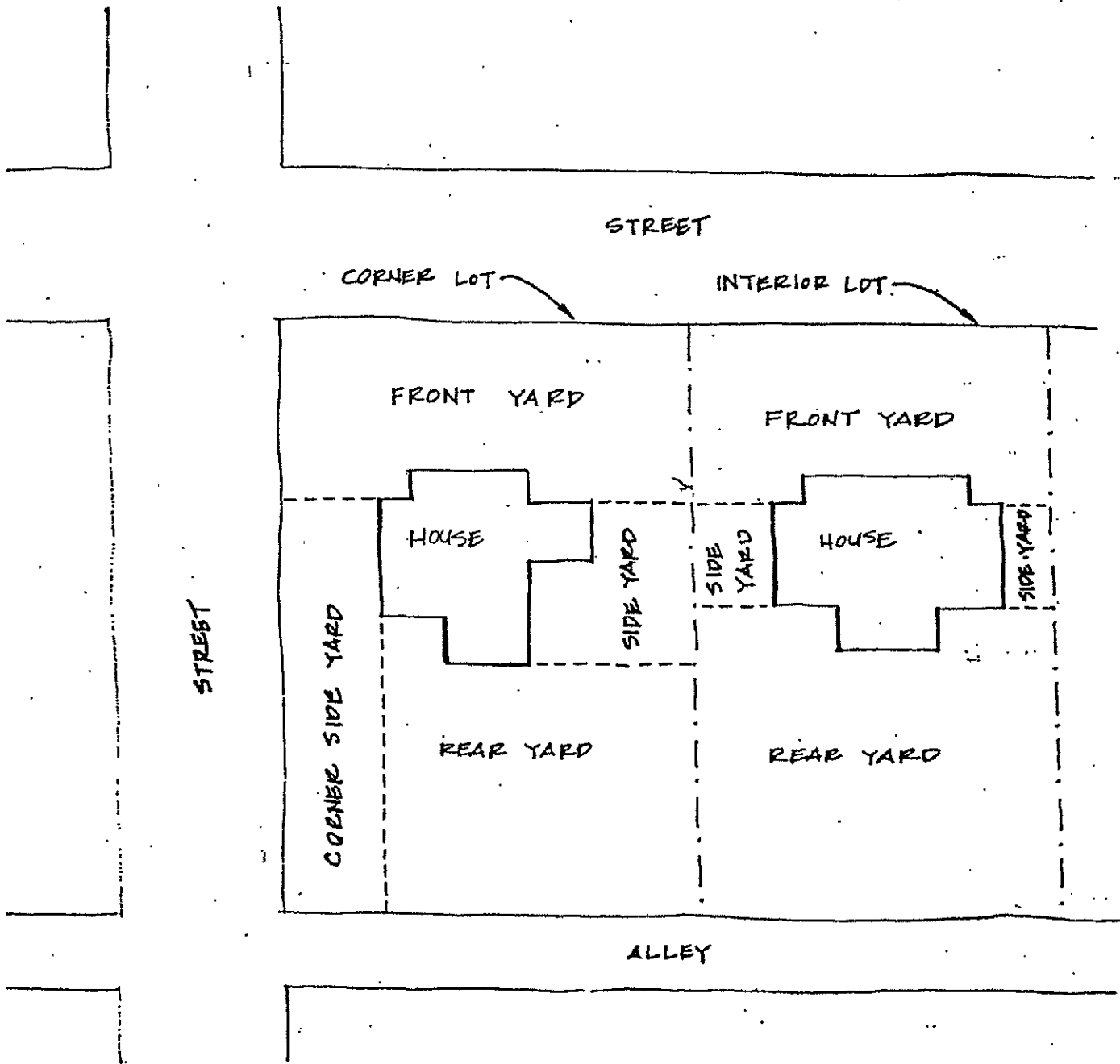
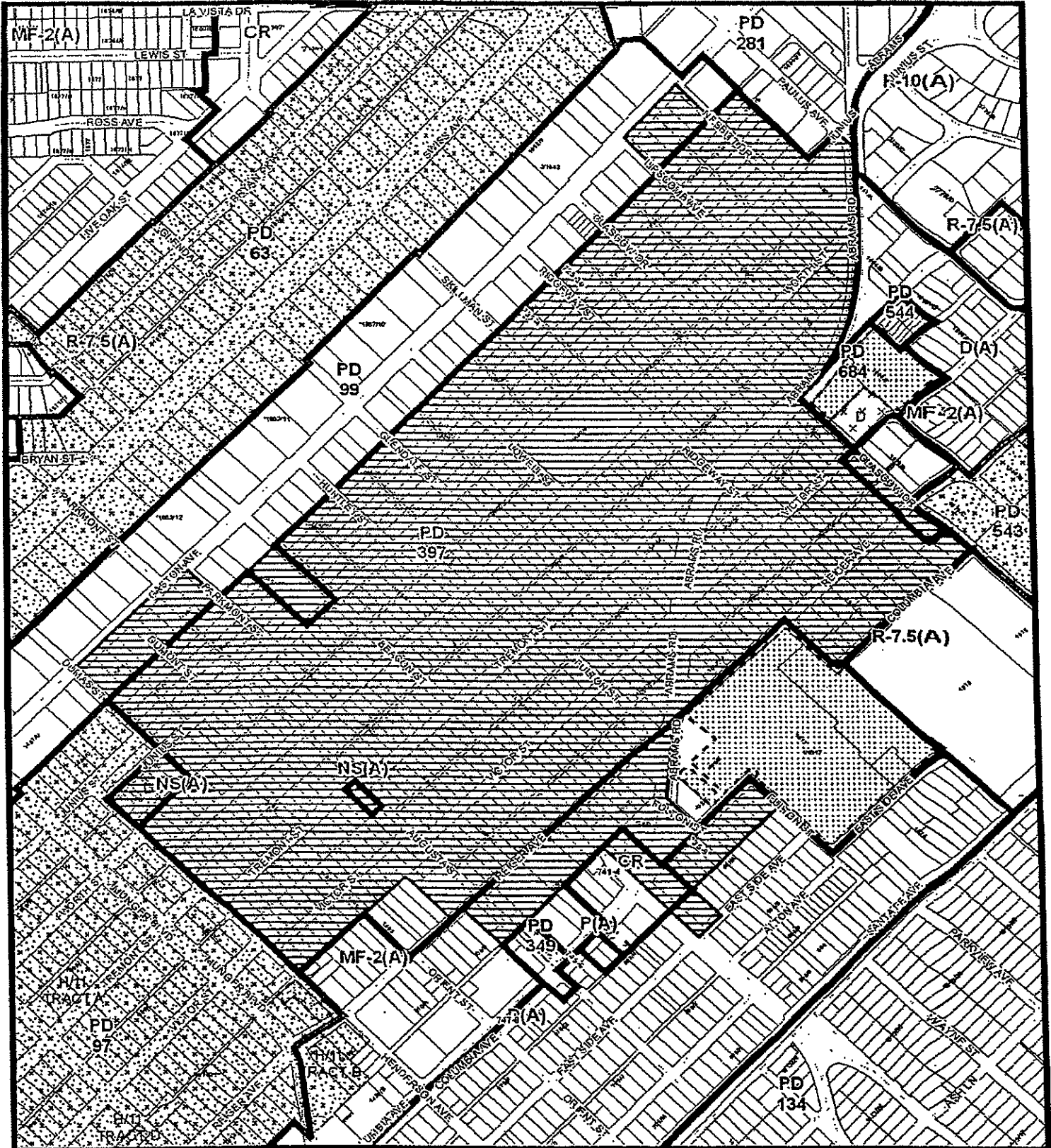


EXHIBIT F



1:7,200

ZONING MAP

Map no: 1-8

Case no: Z056-188(JA)

DATE:03/03/2006

BY: V. JENSEN

SECTION 7

Historic Preservation
Criteria
Dallas Development
Code
§ 51A-4.501

Division 51A-4.500. Overlay and Conservation District Regulations.

SEC. 51A-4.501. HISTORIC OVERLAY DISTRICT.

(a) Purpose: The purpose of this section is to promote the public health, safety and general welfare, and:

- (1) to protect, enhance, and perpetuate places and areas which represent distinctive and important elements of the city's historical, cultural, social, economic, archeological, paleontological, ethnic, political and architectural history;
- (2) to strengthen the economy of the city;
- (3) to increase public knowledge and appreciation of the city's historic past and unique sense of place;
- (4) to foster civic and neighborhood pride and a sense of identity;
- (5) to promote the enjoyment and use of historic resources by the people of the city;
- (6) to preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the city's history;
- (7) to create a more livable urban environment;
- (8) to enhance property values;
- (9) to provide financial incentives for preservation;
- (10) to protect and enhance the city's attraction to tourists and visitors;
- (11) to resolve conflicts between the preservation of historic resources and alternative land uses;
- (12) to integrate historic preservation into public and private land use planning;

(13) to conserve valuable resources through use of the existing building environment;

(14) to stabilize neighborhoods;

(15) to increase public awareness of the benefits of historic preservation;

(16) to maintain a harmony between new and historic structures so that they will be compatible in scale, form, color, proportion, texture and material; and

(17) to encourage public participation in identifying and preserving historic resources.

(b) Establishment of historic overlay districts.

A historic overlay district may be established to preserve places and areas of historical, cultural, or architectural importance and significance if the place or area has three or more of the following characteristics:

- (1) History, heritage and culture: Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.
- (2) Historic event: Location as or association with the site of a significant historic event.
- (3) Significant persons: Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.
- (4) Architecture: Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.
- (5) Architect or master builder: Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state, or country.
- (6) Historic context: Relationship to other distinctive buildings, sites, or areas which are

eligible for preservation based on historic, cultural, or architectural characteristics.

(7) Unique visual feature: Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.

(8) Archaeological: Archaeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

(9) National and state recognition: Eligible for or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.

(10) Historic education: Represents an era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.

(c) Historic designation procedure and predesignation moratorium.

(1) Purpose. Temporary preservation of the status quo upon initiation of the historic designation procedure is necessary to allow time to evaluate each proposed historic overlay district, to consider appropriate preservation criteria, and to prevent circumvention of the purposes of this section. Relief from the predesignation moratorium may be obtained by applying for a predesignation certificate of appropriateness or certificate for demolition or removal.

(2) Initiation of historic designation procedure. The procedure for adopting an ordinance to establish or amend a historic overlay district may be initiated by the city council, the city plan commission, the landmark commission, or by the owner(s) of the property. The director shall provide property owners with notice of a public hearing to initiate the historic designation procedure at least 10 days before the date set for the hearing using the procedure outlined in Section 51A-4.701(a)(1). No permits to alter or demolish the property may be

issued after provision of this notice until action is taken at that hearing by the city council, city plan commission, or landmark commission. The historic designation procedure is considered to be initiated immediately when the city council, the city plan commission, or the landmark commission votes to initiate it or, in the case of initiation by the property owner(s), when the zoning change application is filed with the director.

(3) Appeal. If the historic designation procedure is initiated by the landmark commission or city plan commission, the property owner may appeal the initiation to the city council by filing a written notice with the director within 10 days after the action of the landmark commission or city plan commission. Within 180 days after the filing of the appeal, the director shall prepare, and the landmark commission shall adopt, a designation report and submit it to the city council. After submission of the designation report, the city council shall hold a public hearing on the appeal. The sole issue on appeal is whether the landmark commission or city plan commission erred in evaluating the significance of the property based on the characteristics listed in Section 51A-4.501(b). Appeal to the city council constitutes the final administrative remedy.

(4) Enforcement. Upon initiation of the historic designation procedure, the historic preservation officer shall immediately notify the building official. The building official shall not accept any application for a permit to alter, demolish, or remove the structure or site subject to the predesignation moratorium, unless a predesignation certificate of appropriateness or certificate for demolition or removal has been issued.

(5) Designation report. Upon initiation of the historic designation procedure, the historic preservation officer shall coordinate research to compile a written report regarding the historical, cultural, and architectural significance of the place or area proposed for historic designation. This report must include a statement on each of the following to the extent that they apply:

(A) A listing of the architectural, archaeological, paleontological, cultural, economic, social, ethnic, political, or historical characteristics upon which the nomination is based;

(B) A description of the historical, cultural, and architectural significance of the structures and site;

(C) A description of the boundaries of the proposed historic overlay district, including subareas and areas where new construction will be prohibited; and

(D) Proposed preservation criteria for the proposed historic overlay district.

(6) Termination of the predesignation moratorium. The predesignation moratorium ends on the earliest of the following dates:

(A) The day after the city council, city plan commission, or landmark commission that voted to initiate the historic designation procedure, votes to terminate the historic designation procedure.

(B) The day after the city council, in an appeal from an initiation by the city plan commission or landmark commission, votes to terminate the historic designation procedure.

(C) In the case of initiation by the property owner(s), the day after the zoning change application is withdrawn.

(D) If the proposed historic overlay district zoning change is approved, the effective date of the ordinance establishing the historic overlay district.

(E) If the proposed historic overlay district zoning change is denied, the day after either the city council makes its final decision denying the change or the expiration of the time period for appeal to the city council from a city plan commission recommendation of denial.

(F) Two years after the date the historic designation procedure was initiated, regardless of who initiated the procedure.

(d) Predesignation certificate of appropriateness.

(1) When required. A person shall not alter a site, or alter, place, construct, maintain, or

expand any structure on the site during the predesignation moratorium without first obtaining a predesignation certificate of appropriateness in accordance with this subsection.

(2) Penalty. A person who violates this subsection is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a predesignation certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

(3) Application. An application for a predesignation certificate of appropriateness must be submitted to the director. The application must include complete documentation of the proposed work. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. No application shall be deemed to be filed until it is made on forms promulgated by the director and contains all required supporting plans, designs, photographs, reports, and other exhibits required by the director. The applicant may consult with the department before and after the submission of an application.

(4) Predesignation certificate of appropriateness review procedure. Upon receipt of an application for a predesignation certificate of appropriateness, the director shall determine whether the structure is contributing or noncontributing. Within 40 days after a complete application is filed for a noncontributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. Within 65 days after a complete application is filed for a contributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. The landmark commission may impose conditions on the predesignation certificate of appropriateness. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. The director shall immediately notify the applicant of the landmark commission's action. The landmark

commission's decision must be in writing and, if the decision is to deny the predesignation certificate of appropriateness, with or without prejudice, the writing must state the reasons why the predesignation certificate of appropriateness is denied.

(5) Standard for approval. The landmark commission must approve the application if it determines that:

(A) for contributing structures, the application will not adversely affect the character of the site or a structure on the site; and the proposed work is consistent with the regulations contained in this section and the proposed preservation criteria; or

(B) for noncontributing structures, the proposed work is compatible with the historic overlay district.

(6) Issuance. If a predesignation certificate of appropriateness has been approved by the landmark commission or if final action has not been taken by the landmark commission within 40 days (for a noncontributing structure) or 65 days (for a contributing structure) after a complete application is filed:

(A) the director shall issue the predesignation certificate of appropriateness to the applicant; and

(B) if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

(7) Appeal. If a predesignation certificate of appropriateness is denied, the chair of the landmark commission shall verbally inform the applicant of the right to appeal to the city plan commission. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. The applicant may appeal the denial to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. The director shall forward to the city plan commission a complete record of the matter being appealed,

including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (m). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (m). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(8) Reapplication. If a final decision is reached denying a predesignation certificate of appropriateness, no further applications may be considered for the subject matter of the denied predesignation certificate of appropriateness unless the predesignation certificate of appropriateness has been denied without prejudice or the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for a new hearing.

(9) Suspension of work. After the work authorized by the predesignation certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

(10) Revocation. The director may, in writing, revoke a predesignation certificate of appropriateness if:

(A) the predesignation certificate of appropriateness was issued on the basis of incorrect information supplied;

(B) the predesignation certificate of appropriateness was issued in violation of the regulations contained in this section, the proposed preservation criteria, or the development code or building codes; or

(C) the work is not performed in accordance with the predesignation certificate of appropriateness, the development code, or building codes.

(11) Amendments to a predesignation certificate of appropriateness. A predesignation certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard predesignation certificate of appropriateness review procedure.

(12) Effect of approval of the historic overlay district. A predesignation certificate of appropriateness will be treated as a certificate of appropriateness after the effective date of the ordinance implementing the historic overlay district.

(e) Additional uses and regulations.

(1) A historic overlay district is a zoning overlay which supplements the primary underlying zoning district classification. A historic overlay district is subject to the regulations of the underlying zoning district, except the ordinance establishing the historic overlay district may permit additional uses and provide additional regulations for the historic overlay district.

(2) If there is a conflict, the regulations contained in the historic overlay district ordinance control over the regulations of the underlying zoning district. If there is a conflict, the regulations contained in the historic overlay district ordinance control over the regulations of this section.

(3) The historic overlay district ordinance may include preservation criteria for the interior of historic structures if the interior is customarily open and accessible to the public and the interior has extraordinary architectural, archaeological,

cultural, economic, social, ethnic, political or historical value. Unless there are specific provisions for the interior, the preservation criteria in the historic overlay district ordinance and the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties apply only to the exterior of structures within a historic overlay district.

(4) The landmark commission shall consider the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties ("the Standards"), as amended, when reviewing applications for predesignation and standard certificates of appropriateness. Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Standards are common sense principles in non-technical language developed to help promote consistent rehabilitation practices. It should be understood that the Standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations; as such, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. The director shall make the current Standards available for public inspection at all times. For informational purposes, the Standards published at Section 68.3 of Title 36 of the Code of Federal Regulations (current through January 1, 2001) are set forth below:

(A) A property will be used as it was historically or be given a new use that requires minimal changes to its distinctive materials, features, spaces and spatial relationships.

(B) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

(C) Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

(D) Changes to a property that have acquired historic significance in their own right will be retained and preserved.

(E) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

(F) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

(G) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(H) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(I) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

(J) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(f) Notice of designation.

(1) Upon passage of a historic overlay district ordinance, the director shall send a notice to the owner or owners of property within the historic overlay district stating the effect of the designation, the regulations governing the historic overlay district, and the historic preservation incentives that may be available.

(2) Upon passage of a historic overlay district ordinance, the director shall file a copy of the ordinance in the county deed records to give notice of the historic regulations. Pursuant to Texas Local Government Code Section 315.006, the director shall also file in the county deed records a verified written instrument listing each historic structure or property by the street address, if available, the legal description of the real property, and the name of the owner, if available.

(3) The director may erect suitable plaques appropriately identifying each historic overlay district.

(g) Certificate of appropriateness.

(1) When required. A person shall not alter a site within a historic overlay district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with this subsection and the regulations and preservation criteria contained and in the historic overlay district ordinance.

(2) Penalty. A person who violates this subsection is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

(3) Application. An application for a certificate of appropriateness must be submitted to the director. The application must include complete documentation of the proposed work. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. No application shall be deemed to be filed until it is made on forms promulgated by the director and contains all required supporting plans, designs, photographs, reports, and other exhibits required by the director. The applicant may consult with the department before and after the submission of an application.

(4) Director's determination of procedure. Upon receipt of an application for a certificate of appropriateness, the director shall determine

whether the application is to be reviewed under the routine work review procedure or the standard certificate of appropriateness review procedure.

(5) Routine maintenance work review procedure.

(A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize only routine maintenance work, he may review the application to determine whether the proposed work complies with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance and approve or deny the application within 20 days after a complete application is filed. The applicant must supply complete documentation of the work. Upon request, staff will forward copies of applications to the task force. The director may forward any application to the landmark commission for review.

(B) Routine maintenance work includes:

- (i) the installation of a chimney located on an accessory building, or on the rear 50 percent of a main building and not part of the corner side facade;
- (ii) the installation of an awning located on an accessory building, or on the rear facade of a main building;
- (iii) the replacement of a roof of the same or an original material that does not include a change in color;
- (iv) the installation of a wood or chain link fence that is not painted or stained;
- (v) the installation of gutters and downspouts of a color that matches or complements the dominant trim or roof color;
- (vi) the installation of skylights and solar panels;
- (vii) the installation of storm windows and doors;

(viii) the installation of window and door screens;

(ix) the application of paint that is the same as the existing or that is an appropriate dominant, trim, or accent color;

(x) the restoration of original architectural elements;

(xi) minor repair using the same material and design as the original;

(xii) repair of sidewalks and driveways using the same type and color of materials;

(xiii) the process of cleaning (including but not limited to low-pressure water blasting and stripping), but excluding sandblasting and high-pressure water blasting; and

(xiv) painting, replacing, duplicating, or stabilizing deteriorated or damaged architectural features (including but not limited to roofing, windows, columns, and siding) in order to maintain the structure and to slow deterioration.

(C) The applicant may appeal the director's decision by submitting to the director a written request for appeal within 10 days of the decision. The written request for appeal starts the standard certificate of appropriateness review procedure by the landmark commission.

(6) Standard certificate of appropriateness review procedure.

(A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize work that is not routine maintenance work, or if the director's decision concerning a certificate of appropriateness to authorize only routine maintenance work is appealed, the director shall immediately forward the application to the landmark commission for review.

(B) Upon receipt of an application for a certificate of appropriateness, the director shall determine whether the structure is contributing or noncontributing. Within 40 days after a complete

application is filed for a noncontributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. Within 65 days after a complete application is filed for a contributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the certificate of appropriateness and forward its decision to the director. The landmark commission may approve a certificate of appropriateness for work that does not strictly comply with the preservation criteria upon a finding that the proposed work is historically accurate and is consistent with the spirit and intent of the preservation criteria and that the proposed work will not adversely affect the historic character of the property or the integrity of the historic overlay district. The landmark commission may impose conditions on the certificate of appropriateness. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. The director shall immediately notify the applicant of the landmark commission's action. The landmark commission's decision must be in writing and, if the decision is to deny the certificate of appropriateness, with or without prejudice, the writing must state the reasons why the certificate of appropriateness is denied.

(C) Standard for approval. The landmark commission must grant the application if it determines that:

(i) for contributing structures:

(aa) the proposed work is consistent with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance;

(bb) the proposed work will not have an adverse effect on the architectural features of the structure;

(cc) the proposed work will not have an adverse effect on the historic overlay district; and

(dd) the proposed work will not have an adverse effect on the future preservation,

maintenance and use of the structure or the historic overlay district.

(ii) for noncontributing structures, the proposed work is compatible with the historic overlay district.

(D) Issuance. If a certificate of appropriateness has been approved by the landmark commission or if final action has not been taken by the landmark commission within 40 days (for a noncontributing structure) or 65 days (for a contributing structure) after a complete application is filed:

(i) the director shall issue the certificate of appropriateness to the applicant; and

(ii) if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

(E) Appeal. If a certificate of appropriateness is denied, the chair of the landmark commission shall verbally inform the applicant of the right to appeal to the city plan commission. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. The applicant may appeal the denial to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the

case back to the landmark commission in accordance with Subsection (m). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (m). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(F) Reapplication. If a final decision is reached denying a certificate of appropriateness, no further applications may be considered for the subject matter of the denied certificate of appropriateness for one year from the date of the final decision unless:

(i) the certificate of appropriateness has been denied without prejudice; or

(ii) the landmark commission waives the time limitation because the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for waiver of the time limitation.

(G) Suspension of work. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

(H) Revocation. The director may, in writing, revoke a certificate of appropriateness if:

(i) the certificate of appropriateness was issued on the basis of incorrect information supplied;

(ii) the certificate of appropriateness was issued in violation of the regulations contained in this section, the preservation

criteria contained in the historic overlay district ordinance, the development code, or building codes; or

(iii) the work is not performed in accordance with the certificate of appropriateness, the development code, or building codes.

(I) Amendments to a certificate of appropriateness. A certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard certificate of appropriateness review procedure.

(8) Emergency procedure. If a structure on a property subject to the predesignation moratorium or a structure in a historic overlay district is damaged and the building official determines that the structure is a public safety hazard or will suffer additional damage without immediate repair, the building official may allow the property owner to temporarily protect the structure. In such a case, the property owner shall apply for a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal within 10 days of the occurrence which caused the damage. The protection authorized under this subsection must not permanently alter the architectural features of the structure.

(h) Certificate for demolition or removal.

(1) Findings and purpose. Demolition or removal of a historic structure constitutes an irreplaceable loss to the quality and character of the city. Therefore, demolition or removal of historic structures should be allowed only for the reasons described in this subsection.

(2) Application. A property owner seeking demolition or removal of a structure on a property subject to the predesignation moratorium or a structure in a historic overlay district must submit a complete application for a certificate for demolition or removal to the landmark commission. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. The application must be accompanied by the following documentation before it will be considered complete:

(A) An affidavit in which the owner swears or affirms that all information submitted in the application is true and correct.

(B) An indication that the demolition or removal is sought for one or more of the following reasons:

(i) To replace the structure with a new structure that is more appropriate and compatible with the historic overlay district.

(ii) No economically viable use of the property exists.

(iii) The structure poses an imminent threat to public health or safety.

(iv) The structure is noncontributing to the historic overlay district because it is newer than the period of historic significance.

(C) For an application to replace the structure with a new structure that is more appropriate and compatible with the historic overlay district:

(i) Records depicting the original construction of the structure, including drawings, pictures, or written descriptions.

(ii) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.

(iii) Any conditions proposed to be placed voluntarily on the new structure that would mitigate the loss of the structure.

(iv) Complete architectural drawings of the new structure.

(v) A guarantee agreement between the owner and the city that demonstrates the owner's intent and financial ability to construct the new structure. The guarantee agreement must:

(aa) contain a covenant to construct the proposed structure by a specific date in accordance with architectural drawings approved by the city through the predesignation certificate of

appropriateness process or the certificate of appropriateness process;

(bb) require the owner or construction contractor to post a performance and payment bond, letter of credit, escrow agreement, cash deposit, or other arrangement acceptable to the director to ensure construction of the new structure; and

(cc) be approved as to form by the city attorney.

(D) For an application of no economically viable use of the property:

(i) The past and current uses of the structure and property.

(ii) The name of the owner.

(iii) If the owner is a legal entity, the type of entity and states in which it is registered.

(iv) The date and price of purchase or other acquisition of the structure and property, and the party from whom acquired, and the owner's current basis in the property.

(v) The relationship, if any, between the owner and the party from whom the structure and property were acquired. (If one or both parties to the transaction were legal entities, any relationships between the officers and the board of directors of the entities must be specified.)

(vi) The assessed value of the structure and property according to the two most recent tax assessments.

(vii) The amount of real estate taxes on the structure and property for the previous two years.

(viii) The current fair market value of the structure and property as determined by an independent licensed appraiser.

(ix) All appraisals obtained by the owner and prospective purchasers within the previous two years in connection with the potential or

actual purchase, financing, or ownership of the structure and property.

(x) All listings of the structure and property for sale or rent within the previous two years, prices asked, and offers received.

(xi) A profit and loss statement for the property and structure containing the annual gross income for the previous two years; itemized expenses (including operating and maintenance costs) for the previous two years, including proof that adequate and competent management procedures were followed; the annual cash flow for the previous two years; and proof that the owner has made reasonable efforts to obtain a reasonable rate of return on the owner's investment and labor.

(xii) A mortgage history of the property during the previous five years, including the principal balances and interest rates on the mortgages and the annual debt services on the structure and property.

(xiii) All capital expenditures during the current ownership.

(xiv) Records depicting the current conditions of the structure and property, including drawings, pictures, or written descriptions.

(xv) A study of restoration of the structure or property, performed by a licensed architect, engineer or financial analyst, analyzing the physical feasibility (including architectural and engineering analyses) and financial feasibility (including pro forma profit and loss statements for a ten year period, taking into consideration redevelopment options and all incentives available) of adaptive use of restoration of the structure and property.

(xvi) Any consideration given by the owner to profitable adaptive uses for the structure and property.

(xvii) Construction plans for any proposed development or adaptive reuse, including site plans, floor plans, and elevations.

(xviii) Any conditions proposed to be placed voluntarily on new development that would mitigate the loss of the structure.

(xix) Any other evidence that shows that the affirmative obligation to maintain the structure or property makes it impossible to realize a reasonable rate of return.

(E) For an application to demolish or remove a structure that poses an imminent threat to public health or safety:

(i) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.

(ii) A study regarding the nature, imminence, and severity of the threat, as performed by a licensed architect or engineer.

(iii) A study regarding both the cost of restoration of the structure and the feasibility (including architectural and engineering analyses) of restoration of the structure, as performed by a licensed architect or engineer.

(F) For an application to demolish or remove a structure that is noncontributing to the historic overlay district because the structure is newer than the period of historic significance:

(i) Documentation that the structure is noncontributing to the historic overlay district.

(ii) Documentation of the age of the structure.

(iii) A statement of the purpose of the demolition:

(G) Any other evidence the property owner wishes to submit in support of the application.

(H) Any other evidence requested by the landmark commission or the historic preservation officer.

(3) Certificate of demolition or removal review procedure.

(A) Economic review panel. For an application of no economically viable use of the property, the landmark commission shall cause to be established an ad hoc three-person economic review panel. The economic review panel must be comprised of three independent experts knowledgeable in the economics of real estate, renovation, and redevelopment. "Independent" as used in this subparagraph means that the expert has no financial interest in the property, its renovation, or redevelopment; is not an employee of the property owner; is not a city employee; is not a member of the landmark commission; and is not compensated for serving on the economic review panel. The economic review panel must consist of one person selected by the landmark commission, one person selected by the property owner, and one person selected by the first two appointees. If the first two appointees cannot agree on a third appointee within 30 days after submission of the documentation supporting the application, the third appointee will be selected by the director within 5 days. Within 35 days after submission of the documentation supporting the application, all appointments to the economic review panel shall be made. Within 35 days after appointment, the economic review panel shall review the submitted documentation; hold a public hearing; consider all options for renovation, adaptive reuse, and redevelopment; and forward a written recommendation to the landmark commission. The historic preservation officer shall provide administrative support to the economic review panel. The economic review panel's recommendation must be based on the same standard for approval to be used by the landmark commission. An application of no economically viable use will not be considered complete until the economic review panel has made its recommendation to the landmark commission. If the economic review panel is unable to reach a consensus, the report will indicate the majority and minority recommendations.

(B) Within 65 days after submission of a complete application, the landmark commission shall hold a public hearing and shall approve or deny the application. If the landmark commission does not make a final decision within that time, the building official shall issue a permit to allow the

requested demolition or removal. The property owner has the burden of proof to establish by clear and convincing evidence the necessary facts to warrant favorable action by the landmark commission.

(4) Standard for approval. The landmark commission shall deny the application unless it makes the following findings:

(A) The landmark commission must deny an application to replace a structure with a new structure unless it finds that:

(i) the new structure is more appropriate and compatible with the historic overlay district than the structure to be demolished or removed; and

(ii) the owner has the financial ability and intent to build the new structure. The landmark commission must first approve the predesignation certificate of appropriateness or certificate of appropriateness for the proposed new structure and the guarantee agreement to construct the new structure before it may consider the application to demolish or remove.

(B) The landmark commission must deny an application of no economically viable use of the property unless it finds that:

(i) the structure is incapable of earning a reasonable economic return unless the demolition or removal is allowed (a reasonable economic return does not have to be the most profitable return possible);

(ii) the structure cannot be adapted for any other use, whether by the owner or by a purchaser, which would result in a reasonable economic return; and

(iii) the owner has failed during the last two years to find a developer, financier, purchaser, or tenant that would enable the owner to realize a reasonable economic return, despite having made substantial ongoing efforts to do so.

(C) The landmark commission must deny an application to demolish or remove a structure that poses an imminent threat to public health or safety unless it finds that:

(i) the structure constitutes a documented major and imminent threat to public health and safety;

(ii) the demolition or removal is required to alleviate the threat to public health and safety; and

(iii) there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner.

(D) The landmark commission must deny an application to demolish or remove a structure that is noncontributing to the historic overlay district because it is newer than the period of historic significance unless it finds that:

(i) the structure is noncontributing to the historic overlay district;

(ii) the structure is newer than the period of historic significance for the historic overlay district; and

(iii) demolition of the structure will not adversely affect the historic character of the property or the integrity of the historic overlay district.

(5) Appeal. The chair of the landmark commission shall give verbal notice of the right to appeal at the time a decision on the application is made. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. Any interested person may appeal the decision of the landmark commission to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. If no appeal is made of a decision to approve the certificate for demolition or removal within the 30-day period, the building official shall issue the permit to allow demolition or removal. If an appeal is filed, the city plan commission shall hear and decide the appeal within 65 days after the date of its filing. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan

commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (m). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (m). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(6) Reapplication. If a final decision is reached denying a certificate for demolition or removal, no further applications may be considered for the subject matter of the denied certificate for demolition or removal for one year from the date of the final decision unless:

(A) the certificate for demolition or removal has been denied without prejudice; or

(B) the landmark commission waives the time limitation because the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for waiver of the time limitation.

(7) Expiration. A certificate for demolition or removal expires if the work authorized by the certificate for demolition or removal is not commenced within 180 days from the date of the certificate for demolition or removal. The director may extend the time for commencement of work upon written request by the applicant showing circumstances beyond the control of the applicant. If the certificate for demolition or removal expires, a new certificate for demolition or removal must first be obtained before the work can be commenced.

(i) Certificate for demolition for a residential structure with no more than 3,000 square feet of floor area pursuant to court order.

(1) Findings and purpose. Demolition of a historic structure constitutes an irreplaceable loss to the quality and character of the city. Elimination of substandard structures that have been declared urban nuisances and ordered demolished pursuant to court order is necessary to prevent blight and safeguard the public health, safety, and welfare. Therefore, the procedures in this subsection seek to preserve historic structures while eliminating urban nuisances.

(2) Notice to landmark commission by email. A requirement of this subsection that the landmark commission be provided written notice of a matter is satisfied if an email containing the required information is sent to every member of the landmark commission who has provided an email address to the director.

(3) Referral of demolition request to landmark commission and director. When a city department requests the city attorney's office to seek an order from a court or other tribunal requiring demolition of a residential structure with no more than 3,000 square feet of floor area on a property subject to a predesignation moratorium or in a historic overlay district, that department shall provide written notice to the landmark commission and director of that request within two business days after the date it makes the request. The notice must include a photograph of the structure, the address of the property, and (if known) the name, address, and telephone number of the property owner. If the city attorney's office determines that the department did not provide the required notice, the city attorney's office shall provide that notice within two business days after the date it determines that the department did not provide the notice.

(4) Notice of court proceedings to landmark commission and director. The city attorney's office shall provide written notice to the landmark commission and director at least 10 days before any hearing before a court or other tribunal where the city attorney's office seeks an order requiring demolition of a residential structure with no more than 3,000 square feet of floor area subject to a

predesignation moratorium or in a historic overlay district. If a court or other tribunal orders demolition of the structure subject to a predesignation moratorium or in a historic overlay district, the city attorney's office shall provide written notice to the landmark commission and director within five days after the order is signed and provided to the city attorney's office.

(5) Application. If the city or a property owner seeks demolition of a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district pursuant to an order from a court or other tribunal requiring demolition obtained by the city, a complete application for a certificate for demolition must be submitted to the landmark commission. Within 10 days after submission of an application, the director shall notify the city's representative or the property owner in writing of any documentation required but not submitted. The application must be accompanied by the following documentation before it will be considered complete:

(A) An affidavit in which the city representative or the property owner affirms that all information submitted in the application is correct.

(B) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions, and including Historic American Buildings Survey or Historic American Engineering Records documentation if required by law or agreement.

(C) A signed order from a court or other tribunal requiring the demolition of the structure in a proceeding brought pursuant to Texas Local Government Code Chapters 54 or 214, as amended.

(D) A copy of a written notice of intent to apply for a certificate for demolition that was submitted to the director and the landmark commission at least 30 days before the application.

(E) Any other evidence the city representative or property owner wishes to submit in support of the application.

(6) Hearing. Within 40 days after submission of a complete application, the landmark commission shall hold a public hearing to determine whether the structure should be demolished. If the landmark commission does not make a final decision on the application or suspend the granting of the certificate of demolition pursuant to this subsection within that time, the building official shall issue a demolition permit to allow the demolition. The city representative or the property owner has the burden of proof to establish by a preponderance of the evidence the necessary facts to warrant favorable action by the landmark commission.

(7) Standard for approval. The landmark commission shall approve the certificate for demolition if it finds that:

(A) a court or other tribunal has issued a final order requiring the demolition of the structure pursuant to Texas Local Government Code Chapters 54 or 214, as amended; and

(B) suspension of the certificate for demolition is not a feasible option to alleviate the nuisance in a timely manner.

(8) Suspension. The purpose of the suspension periods is to allow an interested party to rehabilitate the structure as an alternative to demolition.

(A) Residential structures with no more than 3,000 square feet of floor area.

(i) Initial suspension period.

(aa) The landmark commission may suspend the granting of the certificate for demolition until the next regularly scheduled landmark commission meeting (the initial suspension period) to allow time to find a party interested in rehabilitating the structure.

(bb) If during the initial suspension period no interested party is identified, the landmark commission shall grant the certificate for demolition.

(cc) If during the initial suspension period an interested party is identified, the landmark commission shall suspend the granting of the certificate for demolition for no more than two more regularly scheduled landmark commission meetings (the extended suspension period).

(ii) Extended suspension period.

(aa) During the extended suspension period, the interested party shall:

[1] submit an application for a predesignation certificate of appropriateness or a certificate of appropriateness;

[2] provide evidence that the interested party has or will obtain title to the property and has authority to rehabilitate the structure, or is authorized to rehabilitate the property by a party who has title to the property or has the right to rehabilitate the property;

[3] provide evidence that the structure and property have been secured to prevent unauthorized entry; and

[4] provide a guarantee agreement that:

[A] contains a covenant to rehabilitate the structure by a specific date, in accordance with the predesignation certificate of appropriateness process or certificate of appropriateness, which the landmark commission may extend if the interested party shows circumstances preventing rehabilitation of the structure by that date that are beyond the control of the interested party;

[B] is supported by a performance and payment bond, letter of credit, escrow agreement, cash deposit, or other similar enforceable arrangement acceptable to the director to ensure rehabilitation of the structure; and

[C] is approved as to form by the city attorney.

(bb) If during the extended suspension period the interested party does not meet the requirements of Subparagraph (A)(ii), the landmark commission shall grant the certificate for demolition.

(cc) If during the extended suspension period the interested party meets the requirements of Subparagraph (A)(ii), the landmark commission shall continue to suspend the granting of the certificate for demolition (the continuing suspension period).

(iii) Continuing suspension period.

(aa) The interested party must rehabilitate the structure to comply with Dallas City Code Chapter 27 and request an inspection by the city before the end of the continuing suspension period.

(bb) At each landmark commission meeting during the continuing suspension period, the interested party shall provide a progress report demonstrating that reasonable and continuous progress is being made toward completion of the rehabilitation.

(cc) If during the continuing suspension period the landmark commission finds that the interested party is not making reasonable and continuous progress toward completion of the rehabilitation, the landmark commission shall grant the certificate for demolition, unless the interested party shows circumstances preventing reasonable and continuous progress that are beyond the control of the interested party.

(dd) If during the continuing suspension period the landmark commission finds that the interested party has rehabilitated the structure to comply with Dallas City Code Chapter 27, the landmark commission shall deny the certificate for demolition.

(9) Appeal. The city representative or property owner may appeal a decision of the landmark commission under this subsection to the city plan commission by filing a written notice with the director within 10 days after the date of the decision of the landmark commission. The city plan

commission shall hear and decide the appeal at the next available city plan commission meeting. The standard of review shall be *de novo*, but the director shall forward to the city plan commission a transcript of the landmark commission hearing. In considering the appeal, the city plan commission may not hear or consider new evidence unless the evidence corrects a misstatement or material omission at the landmark commission hearing or the evidence shows that the condition of the property has changed since the landmark commission hearing. The city plan commission chair shall rule on the admissibility of new evidence. The city plan commission shall use the same standard required for the landmark commission. The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings; however, the city plan commission shall give deference to the decision of the landmark commission. Appeal to the city plan commission constitutes the final administrative remedy.

(10) Expiration. A certificate for demolition expires if the work authorized by the certificate for demolition is not commenced within 180 days after the date of the certificate for demolition. The director may extend the time for commencement of work upon written request by the city representative or the property owner showing circumstances justifying the extension. If the certificate for demolition expires, a new certificate for demolition must first be obtained before the work can be commenced.

(11) Procedures for all other structures. If the city or a property owner seeks demolition of any structure other than a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district pursuant to an order from a court or other tribunal requiring demolition obtained by the city, an application must be filed under Subsection (h) of this section.

(j) Summary abatement by fire marshal. If the fire marshal finds that conditions on a structure subject to a predesignation moratorium or in a historic overlay district are hazardous to life or property and present a clear and present danger, the fire marshal may summarily abate those conditions without a

predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition.

(k) Demolition by neglect.

(1) Definition. Demolition by neglect is neglect in the maintenance of any structure on property subject to the predesignation moratorium or in a historic overlay district that results in deterioration of the structure and threatens the preservation of the structure.

(2) Demolition by neglect prohibited. No person shall allow a structure to deteriorate through demolition by neglect. All structures on properties subject to the predesignation moratorium and in historic overlay districts must be preserved against deterioration and kept free from structural defects. The property owner or the property owner's agent with control over the structure, in keeping with the city's minimum housing standards and building codes, must repair the structure if it is found to have any of the following defects:

(A) Parts which are improperly or inadequately attached so that they may fall and injure persons or property.

(B) A deteriorated or inadequate foundation.

(C) Defective or deteriorated floor supports or floor supports that are insufficient to carry the loads imposed.

(D) Walls, partitions, or other vertical supports that split, lean, list, or buckle due to defect or deterioration, or are insufficient to carry the loads imposed.

(E) Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration, or are insufficient to support the loads imposed.

(F) Fireplaces and chimneys which list, bulge, or settle due to defect or deterioration, or are of insufficient size or strength to carry the loads imposed.

(G) Deteriorated, crumbling, or loose exterior stucco or mortar.

(H) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken or open windows and doors.

(I) Defective or lack of weather protection for exterior wall coverings, including lack of paint or other protective covering.

(J) Any fault, defect, or condition in the structure which renders it structurally unsafe or not properly watertight.

(K) Deterioration of any exterior feature so as to create a hazardous condition which could make demolition necessary for the public safety.

(L) Deterioration or removal of any unique architectural feature which would detract from the original architectural style.

(3) Demolition by neglect procedure.

(A) Purpose. The purpose of the demolition by neglect procedure is to allow the landmark commission to work with the property owner to encourage maintenance and stabilization of the structure and identify resources available before any enforcement action is taken.

(B) Request for investigation. Any interested party may request that the historic preservation officer investigate whether a property is being demolished by neglect.

(C) First meeting with the property owner. Upon receipt of a request, the historic preservation officer shall meet with the property owner or the property owner's agent with control of the structure to inspect the structure and discuss the resources available for financing any necessary repairs. After the meeting, the historic preservation officer shall prepare a report for the landmark commission on the condition of the structure, the repairs needed to maintain and stabilize the structure, any resources available for financing the repairs, and the amount of time needed to complete the repairs.

(D) Certification and notice. After review of the report, the landmark commission may vote to certify the property as a demolition by neglect case. If the landmark commission certifies the structure as a demolition by neglect case, the landmark commission shall notify the property owner or the property owner's agent with control over the structure of the repairs that must be made. The notice must require that repairs be started within 30 days and set a deadline for completion of the repairs. The notice must be sent by certified mail.

(E) Second meeting with the property owner. The historic preservation officer shall meet with the property owner or the property owner's agent with control over the structure within 30 days after the notice was sent to inspect any repairs completed and assist the property owner in obtaining any resources available for financing the repairs.

(F) Referral for enforcement. If the property owner or the property owner's agent with control over the structure fails to start repairs by the deadline set in the notice, fails to make continuous progress toward completion, or fails to complete repairs by the deadline set in the notice, the landmark commission may refer the demolition by neglect case to the code compliance department, the urban rehabilitation standards board, or the city attorney for appropriate enforcement action to prevent demolition by neglect.

(l) Historic preservation incentives. Consult Article XI, "Development Incentives," for regulations concerning the tax exemptions, conservation easements, and transfer of development rights available to structures in historic overlay districts.

(m) Historic preservation fund.

(1) The department of development services, in cooperation with community organizations, shall develop appropriate funding structures and shall administer the historic preservation fund.

(2) The historic preservation fund is composed of the following funds:

(A) Outside funding (other than city general funds or capital funds), such as grants and donations, made to the city for the purpose of historic preservation and funding partnerships with community organizations.

(B) Damages recovered pursuant to Texas Local Government Code Section 315.006 from persons who illegally demolish or adversely affect historic structures.

(3) The outside funding may be used for financing the following activities:

(A) Necessary repairs in demolition by neglect cases.

(B) Full or partial restoration of low-income residential and nonresidential structures.

(C) Full or partial restoration of publicly owned historic structures.

(D) Acquisition of historic structures, places, or areas through gift or purchase.

(E) Public education of the benefits of historic preservation or the regulations governing historic overlay districts.

(F) Identification and cataloging of structures, places, areas, and districts of historical, cultural, or architectural value along with factual verification of their significance.

(4) Damages recovered pursuant to Texas Local Government Code Section 315.006 must be used only for the following purposes:

(A) Construction, using as many of the original materials as possible, of a structure that is a reasonable facsimile of a demolished historic structure.

(B) Restoration, using as many of the original materials as possible, of the historic structure.

(C) Restoration of another historic structure.

(n) Enforcement and criminal penalties.

(1) A person is criminally responsible for a violation of this section if:

(A) the person owns part or all of the property and knowingly allows the violation to exist;

(B) the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials;

(C) the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property; or

(D) the person knowingly commits the violation or assists in the commission of the violation.

(2) Any person who adversely affects or demolishes a structure on property subject to the predesignation moratorium or in a historic overlay district in violation of this section is liable pursuant to Texas Local Government Code Section 315.006 for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No predesignation certificates of appropriateness, certificates of appropriateness, or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.

(3) Prosecution in municipal court for an offense under this section does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

(o) Substantial evidence standard of review for appeals. The city plan commission shall give deference to the landmark commission decision and may not substitute its judgment for the landmark commission's judgment.

(1) The city plan commission shall remand the matter back to the landmark commission if it determines that there is new testimony or evidence that was not available at the landmark commission hearing.

(2) The city plan commission shall affirm the landmark commission decision unless it finds that it:

(A) violates a statutory or ordinance provision;

(B) exceeds the landmark commission's authority; or

(C) was not reasonably supported by substantial evidence considering the evidence in the record.

(p) Judicial review of decisions. The final decision of the city planning commission regarding an appeal of a landmark commission decision may be appealed to a state district court. The appeal to the state district court must be filed within 30 days after the decision of the city planning commission. If no appeal is made to the state district court within the 30-day period, then the decision of the city plan commission is final and unappealable. An appeal to the state district court is limited to a hearing under the substantial evidence rule. (Ord. Nos. 19455; 19499; 20585; 21244; 21403; 21513; 21874; 22018; 23506; 23898; 24163; 24542; 24544; 25047; 26286; 27430; 27922)

SEC. 51A-4.502.

INSTITUTIONAL OVERLAY DISTRICT.

(a) General provisions.

(1) The institutional overlay district promotes cultural, educational, and medical institutions, and enhances their benefit to the community while protecting adjacent property.

(2) The following main uses may be permitted in an institutional overlay district:

- Ambulance service.
- Ambulatory surgical center.
- Cemetery or mausoleum.
- Church.
- College dormitory, fraternity or sorority house.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Day care center.
- Foster home.
- Halfway house.
- Hospital.
- Library, art gallery, or museum.
- Medical clinic.
- Medical or scientific laboratory.
- Overnight general purpose shelter.
- Post office.
- Public or private school.

(3) All uses permitted in the underlying zoning district are allowed in an institutional overlay district.

(4) The zoning regulations of the underlying zoning district are applicable to an institutional overlay district unless otherwise provided in this section.

(b) Special yard, lot, and space regulations.

(1) In an institutional overlay district, additional setbacks, if any, for institutional buildings greater than 36 feet in height may be established by the site plan process.

(2) Buildings in an institutional overlay district must comply with applicable height regulations.

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

(c) Special parking regulations.

(1) Required off-street parking for institutional uses may be located anywhere within the boundaries of the institutional overlay district or outside the district if the parking meets the requirements of Division 51A-4.320.

(2) Reserved.

(3) Reserved.

(d) Procedures for establishing an institutional overlay district.

(1) The applicant for an institutional overlay district shall comply with the zoning amendment procedure for a change in the zoning district classification.

(2) A site plan must be submitted after the institutional district is established and before a building permit or certificate of occupancy is issued.

(e) Site plan process.

(1) The building official shall not issue a building permit for additions to existing structures or for new structures except in accordance with an approved site plan and all applicable regulations.

(2) Preapplication conference. An applicant for site plan approval shall request, by letter, a preapplication conference with the director. The letter must contain a brief, general description of the nature, location, extent of the proposed institutional use and the list of any professional consultants advising the applicant concerning the proposed site plan.

SECTION 8

Correspondence

- Notice of July 2, 2012
Landmark Hearing
- Notice of denied
application
- Request to Appeal from
applicant
- Applicants Notice of CPC
Date of Appeal

June 26, 2012

RODNEY RAY WAUSON
6107 WORTH,
DALLAS, TX 75214

**RE: Review of your Certificate of Appropriateness Application
6107 WORTH ST
Item Number: CA112-301(CH)**

Dear: RODNEY RAY WAUSON

The Landmark Commission will discuss your Certificate of Appropriateness application.

**What: Review of your Certificate of Appropriateness.
When: Monday, July 2, 2012 at: 1:00 P.M., during the public hearing.
Where: Dallas City Hall, 1500 Marilla Street**

The requests and recommendations are:

- 1) New stone front walkway. Work completed without a Certificate of Appropriateness.

TF:

Comments only - no quorum. Replacement sidewalk materials are not in compliance with 3.2 (replacement of existing walkways must be consistent with the original style).

Staff: Deny without Prejudice

Deny the request dated 6/1/12 with the finding that the proposed replacement walkway does not comply with Ordinance 26331, Section 3.2, which states that "replacement of existing walkways and steps must be consistent with the original style".

- You will be given an opportunity to discuss your application during the 1:00 P.M. public hearing.
- Prior to the 1:00 P.M. public hearing, there will be a staff briefing, which includes a description of your application that starts at 12:00 P.M., the same day.

THESE RECOMMENDATIONS ARE NOT FINAL

Please do not start work until you receive a final written notice from our office.

The Landmark Commission considers these recommendations and welcomes your attendance and input. If you have any questions, please contact me by phone at 214/670-5825. Thank you for your cooperation.

July 6, 2012

RODNEY RAY WAUSON
6107 WORTH,
DALLAS, TX 75214

**RE: CA112-301(CH)
REVIEW OF YOUR CERTIFICATE OF APPROPRIATENESS APPLICATION
6107 WORTH ST**

Dear RODNEY RAY WAUSON:

Enclosed is a copy of the Certificate of Appropriateness (CA) application that you submitted for review by the Landmark Commission on July 2, 2012.

Please see the enclosed Certificate of Appropriateness for Details.

PLEASE NOTE: You have the right to appeal this decision within 30 days from the Landmark Commission review date. The enclosed ordinance lists the fee schedule for appeals. Also enclosed is an application for appeal. For information regarding the appeals process, please call Trena Law at 214-670-4206.

If you have any questions, please contact me by phone at 214/670-5825.



Carolyn Horner, AICP
Senior Planner

Encl. Ordinance #27430 and Application for Appeal

Certificate of Appropriateness

July 2, 2012

Standard	July 2, 2012	PLANNER:	Carolyn Horner
FILE NUMBER:	CA112-301(CH)	DATE FILED:	May 31, 2012
LOCATION:	6107 WORTH ST	DISTRICT:	Junius Heights Historic District
COUNCIL DISTRICT:	14	MAPSCO:	36-Y
ZONING:	PD-397	CENSUS TRACT:	0013.01

APPLICANT: RODNEY RAY WAUSON
 REPRESENTATIVE:
 OWNER: WAUSON RODNEY & JAMIE HIL

The Landmark Commission decision is: Denied without Prejudice

Information regarding requests:

- 1) New stone front walkway. Work completed without a Certificate of Appropriateness.
Deny without Prejudice

Conditions: Deny without prejudice - Deny the request dated 6/1/12 with the finding that the proposed replacement walkway does not comply with Ordinance 26331, Section 3.2, which states that "replacement of existing walkways and steps must be consistent with the original style".



Landmark Commission Chair

July 2, 2012

Date

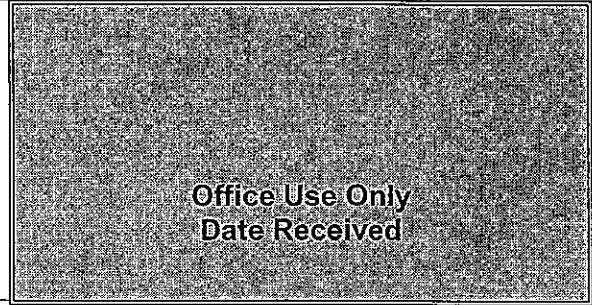
Please take any signed drawings to Building Inspection for permits.

0000097

APPLICATION FOR APPEAL OF LANDMARK COMMISSION DECISION

The Deadline to Appeal this application is: August 1, 2012

Director, Development Services Department
Dallas City Hall
1500 Marilla St., Rm 5/B/N
Dallas Texas 75201
Telephone 214-670-4209



Landmark Case/File No.: CA112-301 (CH)

Property Address: 6107 Worth Street

Date of Landmark Commission Action: July 2, 2012

Applicant's Name: Rodney Wauson

Applicant's Mailing Address: 6107 Worth St

City: Dallas State: Tx Zip: 75214

Applicant's Phone Number: 214 564-5895 Fax: _____

Applicant's Email: rodney.wauson@msn.com

IF DIFFERENT FROM ABOVE, PROVIDE PROPERTY OWNER'S INFORMATION.

Owner's Name: _____

Owner's Mailing Address: _____

City: _____ State: _____ Zip: _____

Owner's Phone Number: _____ Fax: _____

Owner's Email: _____

Rodney Wauson 7/26/12
Applicant's Signature Date

Rodney Wauson 7/26/12
Owner's Signature (if individual) Date
or Letter of Authorization (from corporation/partnership)

Fee for Single Family use/structure: **\$300.00**

Fee for any other use/structure: **\$700.00**

0000098

August 1, 2012



Rodney Wauson
6107 Worth Street
Dallas, TX 75214

Via Certified Mail:
7011 1150 0000 0380 6650

RE: Appeal of Certificate of Appropriateness: Hearing – July 2, 2012
6107 Worth Street, Case # CA112-301(CH)

Dear Mr. Wauson:

We have received your correspondence appealing the Landmark Commission's denial of a Certificate for Appropriateness application for **6107 Worth Street**, to install new stone front walkway. Please be advised that the City Plan Commission hearing for **this appeal is scheduled for Thursday, October 18, 2012** during the public hearing scheduled to begin no earlier than 1:30 p.m. in the City Council Chambers at Dallas City Hall, 1500 Marilla Street.

The appeal of the decision of the Landmark Commission regarding the application for a certificate of appropriateness is a quasi-judicial action. No communication with City Plan Commission members may occur outside the hearing of **October 18, 2012**.

The Dallas Development Code, Section 51A-4.501(g)(6)(E) provides the procedures applicable to a certificate of appropriateness appeal. For your convenience, I have enclosed a copy of the ordinance containing the applicable section and a copy of the Appeal Procedures.

I will send you the Landmark Commission record (the transcript of the hearing, and other related paperwork) by **Thursday, September 5, 2012**. The Landmark Commission record includes all documents related to your specific case. Should you wish to provide the City Plan Commission a brief on the matter, please submit 3 copies in Word or PDF format and 1 electronic copy of the brief to *me at, Dallas City Hall, 1500 Marilla Street, Room 5BN, Dallas, TX 75201* by **Thursday, September 27, 2012**. I will then distribute the copies of your brief to the City Plan Commission. I will also send you a copy of the brief by Bert Vandenberg, Assistant City Attorney for the Landmark Commission.

Please contact me at 214-670-4206 if there are any questions regarding the deadline dates. You are encouraged to contact Assistant City Attorney Laura Foland at 214-670-5477 if you have any questions regarding the format of the City Plan Commission hearing or other related matters.

Sincerely,

Neva Dean
Trena Law

Board Coordinator for the Landmark Commission
Sustainable Development and Construction

cc: Theresa O'Donnell, Director, Sustainable Development and Construction
David Cossum, Assistant Director, Current Planning
Neva Dean, Manager, Current Planning
Bert Vandenberg, Assistant City Attorney
Laura Foland, Assistant City Attorney
Carolyn Horner, Planner, Historic Preservation

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits. *6107 Worth*

1. Article Addressed to: *LMCAppeal 7/2/12*

*Rodney Wauson
6107 Worth St.
Dallas TX 75214*

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
x Rodney Wauson Address

B. Received by (Printed Name) C. Date of Delivery
Rodney Wauson

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7011 1150 0000 0380 6650

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15



City of Dallas

INSPECTOR'S NOTICE OF VIOLATION

Sustainable Development and Construction Department
Building Inspection

Violation Type(s)

- Building
- Electrical
- Plumbing
- Mechanical
- Zoning
- Other _____

SR/Permit Number _____ Date: 4/30/12

Address of Violation: 6107 Worth St Occupied

Location of Violation _____ Vacant

Owner/Agent/Person in Control of Property:

Name _____ Phone Number _____

Address _____ Phone Number _____

ID _____

Your are hereby notified (print legibly) A FINAL Notice to OBTAIN
APPROVAL FROM THE HISTORIC DISTRICT FOR
FLAGSTONE WALKWAY IN FRONT WITHIN 10 DAYS
TO AVOID A CITATION

The provisions of this notice remain in effect until released in writing by the Building Official.

Please comply within 10 days or citations may be issued. Notice Issued On-site

Served by: _____ Notice sent by Regular Mail

Inspector Name: TERRY WILLIAMS Phone # 214-670-8173 Date 4/30/12

Owner/Agent/Person in Control of Property:

I hereby acknowledge receipt of the above notice.

Signature _____ Date _____

Name (Please Print) _____



City of Dallas

INSPECTOR'S NOTICE OF VIOLATION

Sustainable Development and Construction Department
Building Inspection

Violation Type(s)

- Building
- Electrical
- Plumbing
- Mechanical
- Zoning
- Other

SR/Permit Number # 1200163105 Date 4/10/12

Address of Violation 6107 Worth St

- Occupied
- Vacant
- Undetermined

Location of Violation _____

Owner/Agent/Person in Control of Property:

Name _____ Phone Number _____

Address _____ Phone Number _____

ID _____

Your are hereby notified (print legibly) To obtain approval from the Historic District for installing Flagstone walkway within 10 days to avoid a citation

The provisions of this notice remain in effect until released in writing by the Building Official.

Please comply within 10 days or citations may be issued.

- Notice Issued On-site
 - Notice sent by Regular Mail
- Badge # _____

Served by: _____

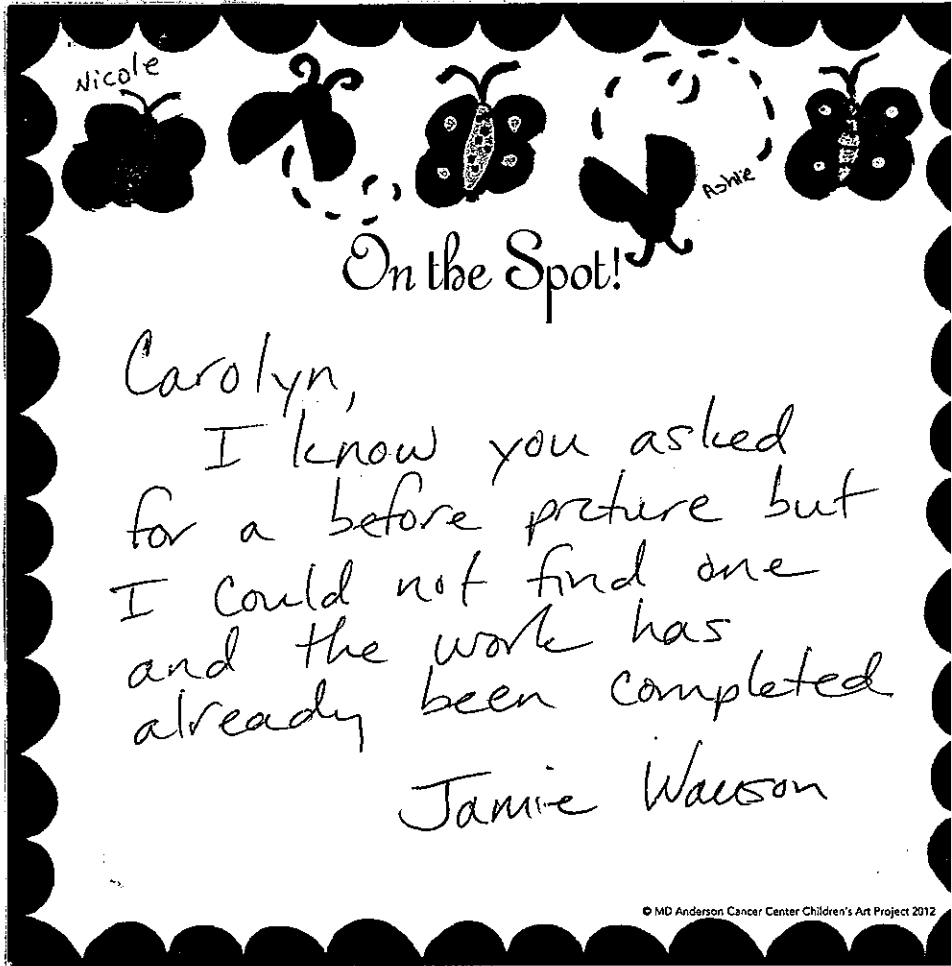
Inspector Name Terry Williams Phone # 214-670-8177 Date 4/10/12

Owner/Agent/Person in Control of Property:

I hereby acknowledge receipt of the above notice.

Signature _____ Date _____

Name (Please Print) _____





August 28, 2012

Rodney Wauson
6107 Worth Street
Dallas, TX 75214

Via Certified Mail:
7011 1150 0000 0380 6667

RE: Appeal of Certificate of Appropriateness: Hearing – July 2, 2012
6107 Worth Street, Case # CA112-301(CH)

Dear Mr. Wauson:

Enclosed please find a copy of The Landmark Commission Record including all documents related to your case to be heard by City Plan Commission on **October 18, 2012**. Should you wish to provide the City Plan Commission a brief on the matter, please submit 3 copies in Word or PDF format and 1 electronic copy of the brief to *me at, Dallas City Hall, 1500 Marilla Street, Room 5BN, Dallas, TX 75201 by Thursday, September 27, 2012*. I will then distribute the copies of your brief to the City Plan Commission. I will also send you a copy of the brief by Bert Vandenberg, Assistant City Attorney for the Landmark Commission.

Please contact me at 214-670-4206 if there are any questions regarding the deadline dates. You are encouraged to contact Assistant City Attorney Laura Foland at 214-670-5477 if you have any questions regarding the format of the City Plan Commission hearing or other related matters.

Sincerely,


Treva Law

Board Coordinator for the Landmark Commission
Sustainable Development and Construction

cc: Theresa O'Donnell, Director, Sustainable Development and Construction
David Cossum, Assistant Director, Current Planning
Neva Dean, Manager, Current Planning
Bert Vandenberg, Assistant City Attorney
Laura Foland, Assistant City Attorney
Carolyn Horner, Planner, Historic Preservation



September 27, 2012

Rodney Wauson
6107 Worth Street
Dallas, TX 75214

Via Certified Mail:
7011 1150 0000 0380 6698

RE: Appeal of Certificate of Appropriateness: Hearing – July 2, 2012
6107 Worth Street, Case # CA112-301(CH)

Dear Mr. Wauson:

Enclosed please find a copy of the brief by Bert Vandenberg, Assistant City Attorney regarding your appeal to City Plan Commission scheduled for October 18, 2012.

If you have any questions, please feel free to contact me at 214-670-4206.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trena Law', written over a horizontal line.

Trena Law
Board Coordinator for the Landmark Commission
Sustainable Development and Construction

cc: Theresa O'Donnell, Director, Sustainable Development and Construction
David Cossum, Assistant Director, Current Planning
Neva Dean, Manager, Current Planning
Bert Vandenberg, Assistant City Attorney
Laura Foland, Assistant City Attorney
Carolyn Horner, Planner, Historic Preservation