



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, November 7, 2013
AGENDA

BRIEFINGS:	5ES	11:00 a.m.
PUBLIC HEARING	Council Chambers	1:30 p.m.

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

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

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S123-114R1**
(CC District 3)

An application to revise the previously approved plat (S123-114) of a 10.043-acre lot into one 1.663-acre lot and one 8.379-acre lot in City Block A/6051 on property located at 2524 Ledbetter Drive at South Hampton Road.

Applicant/Owner: Focus Learning Academy

Surveyor: Raul Reyes Surveying

Application Filed: October 10, 2013

Zoning: RR

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

- (2) **S134-001**
(CC District 1)
- An application to replat a 2.174-acre tract of land containing all of Lots 1, 2, 3, 2A, 2B, and Lot 8, in City Block 79/3060 into one 0.3399-acre lot and one 1.8341-acre lot on property located on Eighth Street (State Highway 180) between Jefferson Blvd. and Ewing Avenue
Applicant/ Owner: Trinity Basin Preparatory, Inc.
Surveyor: Miller Surveying Inc.
Application Filed: October 9, 2013
Zoning: PD 468, Subarea B
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S134-002**
(CC District 14)
- An application to replat a 0.4591-acre tract of land containing all of Lots 7 and 8 and part of Lot 9 in City Block 2/2040 to create one lot on property located at 4428 and 4436 Lemmon Avenue, southeast of Prescott Avenue
Applicant/ Owner: The I's of Texas Family Partnership, L.P.
Surveyor: Halff Associates, Inc
Application Filed: October 9, 2013
Zoning: PD 193 (GR)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S134-003**
(CC District 4)
- An application to create a 3.000 acre lot from a tract of land in City Block A/5989 on property located on Village Fair Drive at Fairshop Drive.
Owner: Beckwith, Inc.
Surveyor: Maddox Surveying & Mapping, Inc.
Application Filed: October 9, 2013
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S134-005**
(CC District 2)
- An application to replat a 0.3755-acre tract of land containing all of Lots 1, 2, and 3 in City Block 1/932 into one lot on property located at N. Harwood Street at Wolf Street, north corner.
Applicant/ Owner: One Harwood Boulevard, Ltd.
Surveyor: A.N.A. Consultants, L.L.C.
Application Filed: October 10, 2013
Zoning: PD No. 193, PDS 83
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S134-009**
(CC District 3)
- An application to replat a 0.746-acre tract of land in City Block 10/4893 to create one lot on property located on E. Ledbetter Drive east of Lancaster Road.
Owner: CVS Pharmacy, Inc.
Surveyor: TerraCorp Associates, LLC
Application Filed: October 14, 2013
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (7) **S134-008**
(CC District 12)
- An application to replat a 0.689-acre lot from a tract of land containing all of Lots 20 and 21 in City Block A/8727 into one lot on property located at 6901 and 6903 Levelland Road at Gold Dust Trail.
Applicant: Stephen and Cheryl Landers
Surveyor: Kadleck & Associates
Application Filed: October 11, 2013
Zoning: TH-2(A)
Staff Recommendation: **Denial**

Zoning Cases – Consent:

1. **Z123-334(RB)**
Richard Brown
(CC District 1)
- An application for a Specific Use Permit for a Convalescent and nursing homes, hospice care, and related institutions use and to terminate the deed restrictions on property within Subdistrict 4A of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the northeast line of Bahama Drive, south of Ft. Worth Avenue.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewal for additional fifteen-year periods, subject to a site plan and conditions, and **approval** of the termination of existing deed restrictions.
Applicant: Pacifica Harborview Kessler, LLC
Representative: Santos Martinez

2. **Z123-362(RB)**
Richard Brown
(CC District 14)

An application for the renewal of Specific Use Permit No. 1905 for a Late-hours establishment limited to a Restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842, Greenville Avenue for CR Community Retail District Uses with an MD-1 Modified Delta Overlay on the west line of Greenville Avenue, south of Sears Street.
Staff Recommendation: **Approval** for a three-year period, subject to conditions.
Applicant/Representative: Samuel J. Mandell, III
3. **Z123-225(MW)**
Megan Wimer
(CC District 9)

An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the northwest corner of Barnes Bridge Road and El Capitan Drive.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant/Representative: 1835 Barnes Bridge Corporation, Jose Rios, President (Sole Officer)
4. **Z123-303(MW)**
Megan Wimer
(CC District 4)

An application to renew Specific Use Permit No. 1924 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northwest corner of Morrell Avenue and South Corinth Street Road.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions.
Applicant: Al-Rousan and Wared, Corp. Tarif Z. Al-Rousan, President, Secretary, and Treasurer
Representative: Audra Buckley, Permitted Development
5. **Z123-361(CG)**
Carrie Gordon
(CC District 6)

An application for a Specific Use Permit for a detached non-premise sign (billboard) use on property zoned a GO(A) General Office Use District on the southwest corner of LBJ Freeway and Bank Way Lane (formerly Nelda Lane).
Staff Recommendation: **Approval** for a ten-year period, subject to a site plan and conditions.
Applicant: LBJ Metroplex LP - Ralston Outdoor
Representative: MASTERPLAN

6. **Z123-329(WE)**
Warren Ellis
(CC District 5)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northwest corner of Bruton Road and North Prairie Creek Road.
Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Applicant: Issam Saleh
Representative: Malik Parvez
7. **Z123-354(WE)**
Warren Ellis
(CC District 5)
- An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the east side of North Saint Augustine Road, south of Lake June 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 renewal for additional five-year periods, subject to a site plan and conditions.
Applicant: Masoud Rezaeizadeh
Representative: Hisham Awadelkariem

Zoning Cases – Under Advisement:

8. **Z123-135(WE)**
Warren Ellis
(CC District 2)
- An application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest line of Hawthorne Avenue between Production Drive and Afton Street.
Staff Recommendation: **Hold under advisement until November 21, 2013.**
Applicant: Texas Intownhomes, LLC
Representative: Robert Baldwin
U/A From: August 8, 2013, September 26, 2013 and October 24, 2013.
9. **Z123-340(WE)**
Warren Ellis
(CC District 2)
- An application for an amendment to Planned Development District No. 759 for RR Regional Retail District uses generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue.
Staff Recommendation: **Hold under advisement until November 21, 2013**
Applicant: Mockingbird Venture Partners, LLC
Representative: Bill Dahlstrom – Jackson Walker
U/A From: October 24, 2013

Zoning Cases – Individual:

10. **Z123-331(WE)**
Warren Ellis
(CC District 3)
An application for a CS-D Commercial Service District with a Dry Liquor Overlay on property zoned an LO-3-D Limited Office District 3 with a Dry Liquor Overlay located north of West Ledbetter Drive, west of South Hampton Road.
Staff Recommendation: **Approval** of an RR-D Regional Retail District with a D Liquor Control Overlay in lieu of a CS-D Commercial Service District with a D Liquor Control Overlay
Applicant: Humberto Serrano
Representative: Tailim Song Law Firm
11. **Z123-355(WE)**
Warren Ellis
(CC District 7)
An application for a CR Community Retail District on property zoned an R-7.5(A) Single Family District on the southwest corner of Scyene Road and Lewiston Avenue.
Staff Recommendation: **Denial**
Applicant: Mehdi & Shurat Enterprise, Inc.
Representative: Hisham Awadelkariem
12. **Z123-285(RB)**
Richard Brown
(CC District 14)
A City Plan Commission authorized hearing to determine the proper zoning on property zoned Planned Development District No. 619 with consideration given to appropriate use regulations and development standards within Planned Development District No. 619 in an area bounded by the centerlines of Pacific Avenue, Harwood Street, Jackson Street and Griffin Street.
Staff Recommendation: **Approval**, subject to revised conditions.
13. **Z123-283(MW)**
Megan Wimer
(CC District 14)
An application for a new Planned Development Subdistrict for mixed uses on property zoned an LC Light Commercial Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the northwest corner of Routh Street and McKinney Avenue.
Staff Recommendation: **Approval**, subject to a development plan and staff's recommended conditions.
Applicant: SC One Dallas, LLC, a Florida Limited Partnership
Paul S. Cheng, Managing Member
Representative: Karl Crawley, Masterplan
14. **Z123-323(MW)**
Megan Wimer
(CC District 2)
An application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Maple Avenue and Clara Street.
Staff Recommendation: **Denial**
Applicant: Crestview Companies
Representative: Drew M. Martin

15. **Z112-297(MW)**
Megan Wimer
(CC District 11)
- An application to amend Tracts 2, 3 and 4 and to create a new tract within Tract 1 of Planned Development District No. 561 located north of Keller Springs Road and east of Glen Abbey Drive.
- Staff Recommendation: **Approval**, subject to a conceptual plan, a development plan and conditions
- Applicant: LAGA, Ltd.
- Representative: Dallas Cothrum
- U/A From: October 24, 2013

Special Provision Sign District

- SPSD123-002(CG)**
Carrie Gordon
(CC District 14)
- An application to create a new subdistrict within the Downtown Special Purpose Sign District (SPSD) to increase signage and effective area in an area generally bounded by Main Street, Elm Street, North Lamar Street, and North Griffin Street.
- Staff Recommendation: **Denial**
- SSDAC Recommendation: **Approval**
- Applicant: Dallas Main LP % Sunbelt Management Company
- Representative: Maxwell Fisher, Masterplan & Willie Cothrum, Masterplan

Other Matters

Minutes: October 24, 2013

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Thursday, November 7, 2013

ZONING ORDINANCE COMMITTEE (ZOC) MEETING - Thursday, November 7, 2013, City Hall, 1500 Marilla Street, in 5ES, at 9:00 a.m., to consider (1) **DCA 123-001** - Consideration of amending the Dallas Development Code to amend the Handicap Group Dwelling Unit regulations to increase the number of handicap persons living in a handicap group dwelling unit.

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

EXECUTIVE SESSION NOTICE

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

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

CITY PLAN COMMISSION**THURSDAY, NOVEMBER 7, 2012****FILE NUMBER: S112-114R1****Subdivision Administrator: Paul Nelson****LOCATION: 2524 Ledbetter Drive at South Hampton Road****DATE FILED: October 10, 2012****ZONING: RR****CITY COUNCIL DISTRICT: 3 SIZE OF REQUEST: 10.043-Acre MAPSCO: 63H****APPLICANT/OWNER: Focus Learning Academy**

REQUEST An application to revise the previously approved plat (S123-114) of a 10.043-acre lot into one 1.663-acre lot and one 8.379-acre lot in City Block A/6051 into one lot on property located at 2524 Ledbetter Drive at South Hampton Road.

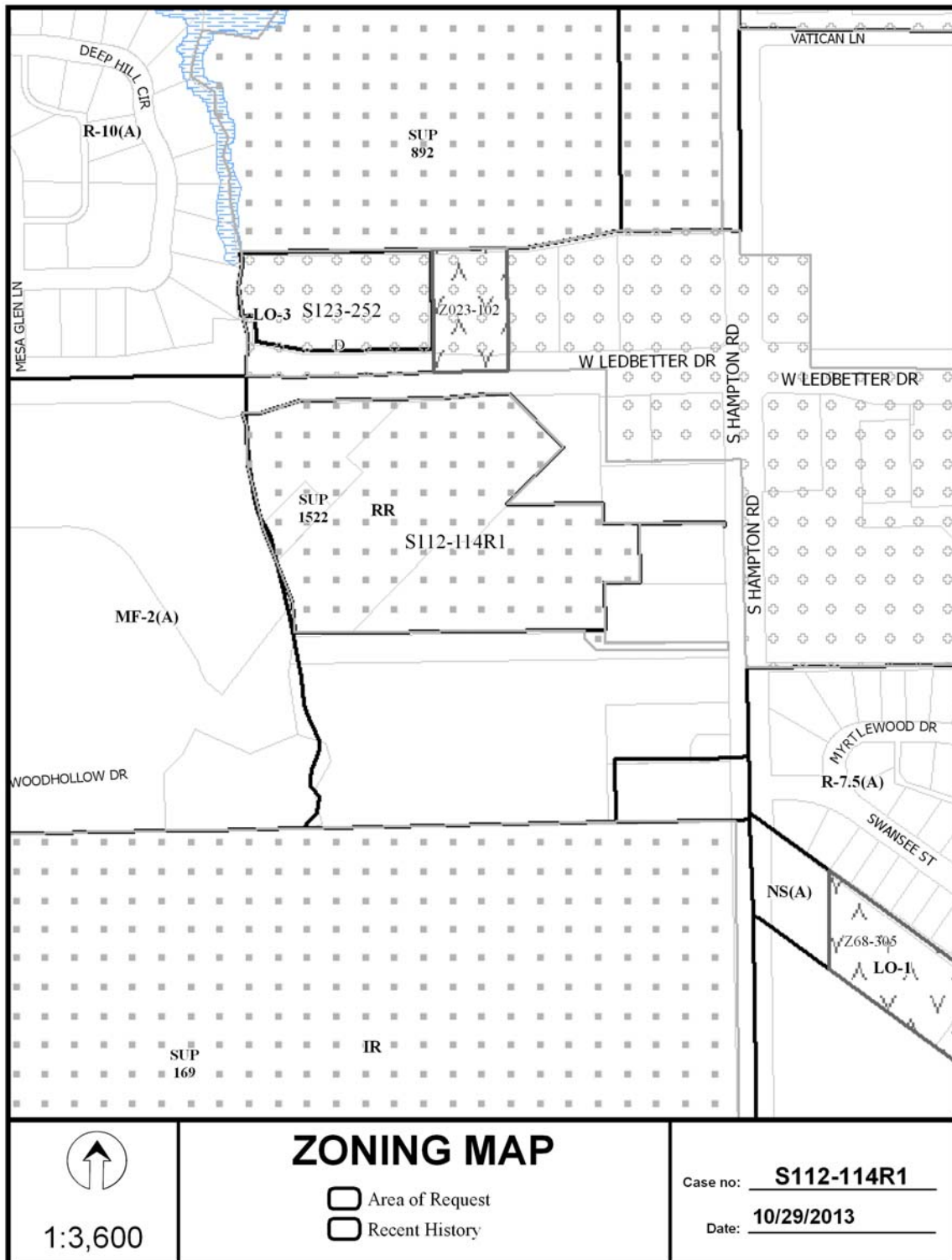
SUBDIVISION HISTORY:

1. S112-114 was an application (on the same property as the current request) to replat a 10.228 acre tract of land containing all of Lots 2, and 3 in City Block A/6051 on property located at 2524 Ledbetter Drive at South Hampton Road. The request was approved on May 17, 2012 but has not been recorded.

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

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

9. A letter stating that the monumentation provisions of Section 51A-8.617 have been complied with and the monuments have been set must be received from the Chief City Surveyor prior to submittal of the final plat for the Chairman's signature.
10. The maximum number of lots permitted by this plat is 2.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. On the final plat show how all adjoining ROW was created.
13. On the final plat show the recording information on all existing easements within 150 feet of the property.
14. On the final plat show all additions or tracts of land within 150 feet of the property.
15. On the final plat show two control monuments.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Prior to final plat provide a parking analysis to Todd Duerksen in Building Inspection Section – Zoning, Room 105 to confirm sufficient parking will remain for existing land use.
18. On the final plat identify the property as Lot 2A and Lot 2B, City Block A/6051.





1:3,600

AERIAL MAP

- Area of Request
- Recent History

Case no: S112-114R1

Date: 10/29/2013

CITY PLAN COMMISSION**THURSDAY, NOVEMBER 7, 2013****FILE NUMBER:** S134-001**Subdivision Administrator:** Paul Nelson**LOCATION:** Eighth Street (State Highway 180) between E Jefferson Blvd. and Ewing Avenue**DATE FILED:** October 9, 2013**ZONING:** PD 468 Subdistrict B**CITY COUNCIL DISTRICT:** 1 **SIZE OF REQUEST:** 2.174 Acres **MAPSCO:** 55A**APPLICANT/OWNER:** Trinity Basin Preparatory, Inc.

REQUEST: An application to replat a 2.174-acre tract of land containing all of Lots 1, 2, 3, 2A, 2B, and Lot 8, in City Block 79/3060 into one 0.3399-acre lot and one 1.8341-acre lot on property located on Eighth Street (State Highway 180) between Jefferson Blvd. and Ewing Avenue.

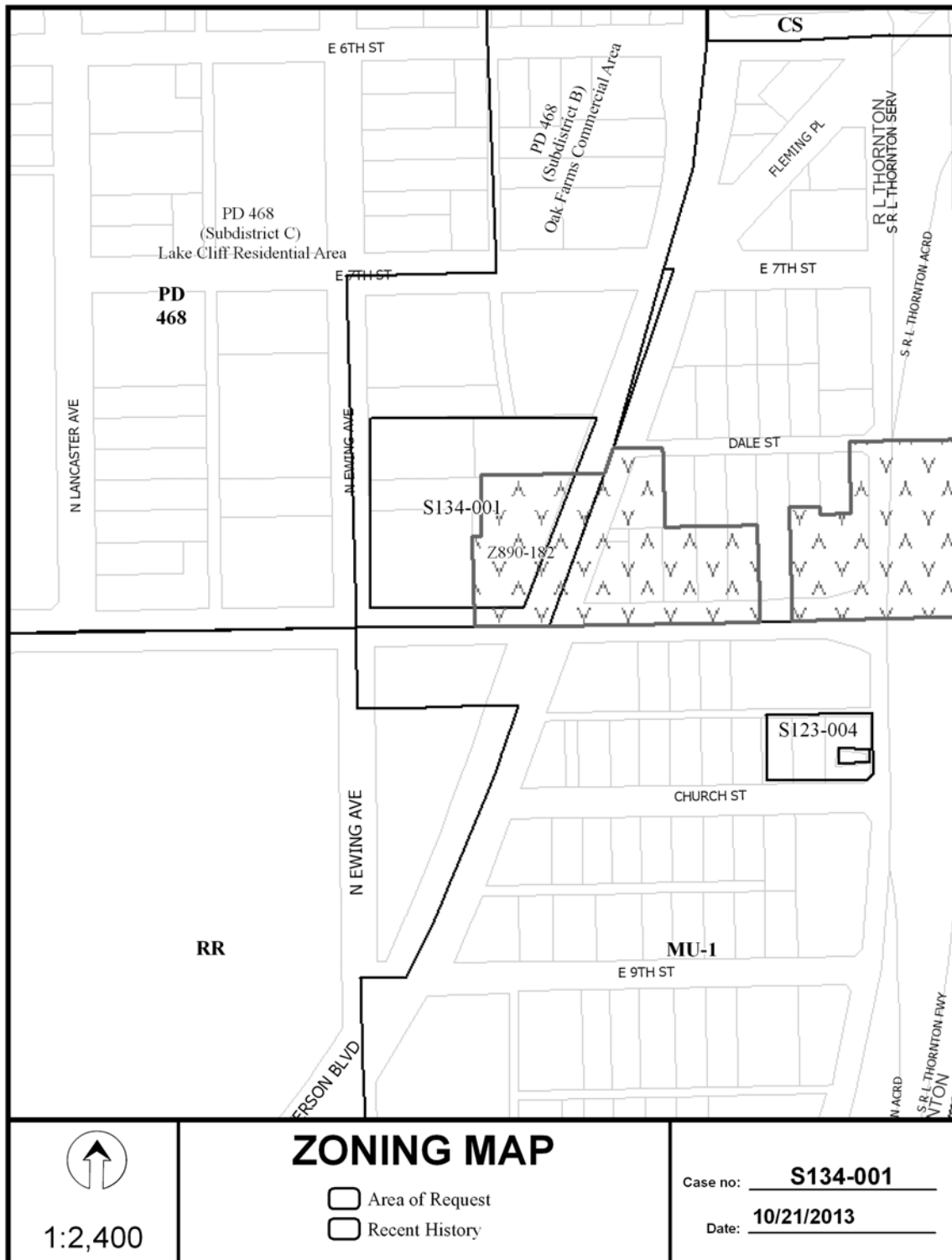
SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of PD 468 Subdistrict B; 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 the International Fire Code section 508, Appendix C.
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 is not permitted without Engineering Section approval."
13. On the final plat dedicate 30 of feet right-of-way from the established centerline of Ewing Avenue.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Eighth Street and Ewing Avenue.
15. On the final plat show how all adjoining right-of-way was created.
16. On the final plat show the recording information on all existing easements within 150 feet of the property.
17. On the final plat monument all set corners per the monumentation ordinance.
18. On the final plat show a minimum of two control monuments.
19. On the final plat all utility easement abandonments must be shown with the correct recording information.
20. On the final plat list the utility easements as retained within street abandonments when stated in the abandonment ordinance.
21. On the final plat show the distance/width of right-of-way across Ewing Avenue.
22. On the final plat show and label abandonment of the 20 foot alley.
23. On the final plat change E 8th Street TX Spur 180 to Eighth Street (State Highway No. 180).
24. On the final plat remove the directional prefix "N" for Ewing Avenue.
25. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development and wastewater service locations.
26. Water/wastewater main extensions may be required by Private Development Contract.
27. Fire hydrant(s) required by Private Development Contract.

28. On the final plat identify the property as Lots 1A and 1B, Block 79/3060.





1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S134-001

Date: 10/21/2013

CITY PLAN COMMISSION**THURSDAY, NOVEMBER 7, 2013****FILE NUMBER:** S134-002**Subdivision Administrator:** Paul Nelson**LOCATION:** 4428 and 4436 Lemmon Avenue, southeast of Prescott Avenue**DATE FILED:** October 9, 2013**ZONING:** PD 193 (GR)**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 0.4591 Acres **MAPSCO:** 35S**APPLICANT/OWNER:** The I's of Texas Family Partnership, L.P.

REQUEST: An application to replat a 0.4591-acre tract of land containing all of Lots 7 and 8 and part of Lot 9 in City Block 2/2040 to create one lot on property located at 4428 and 4436 Lemmon Avenue, southeast of Prescott Avenue.

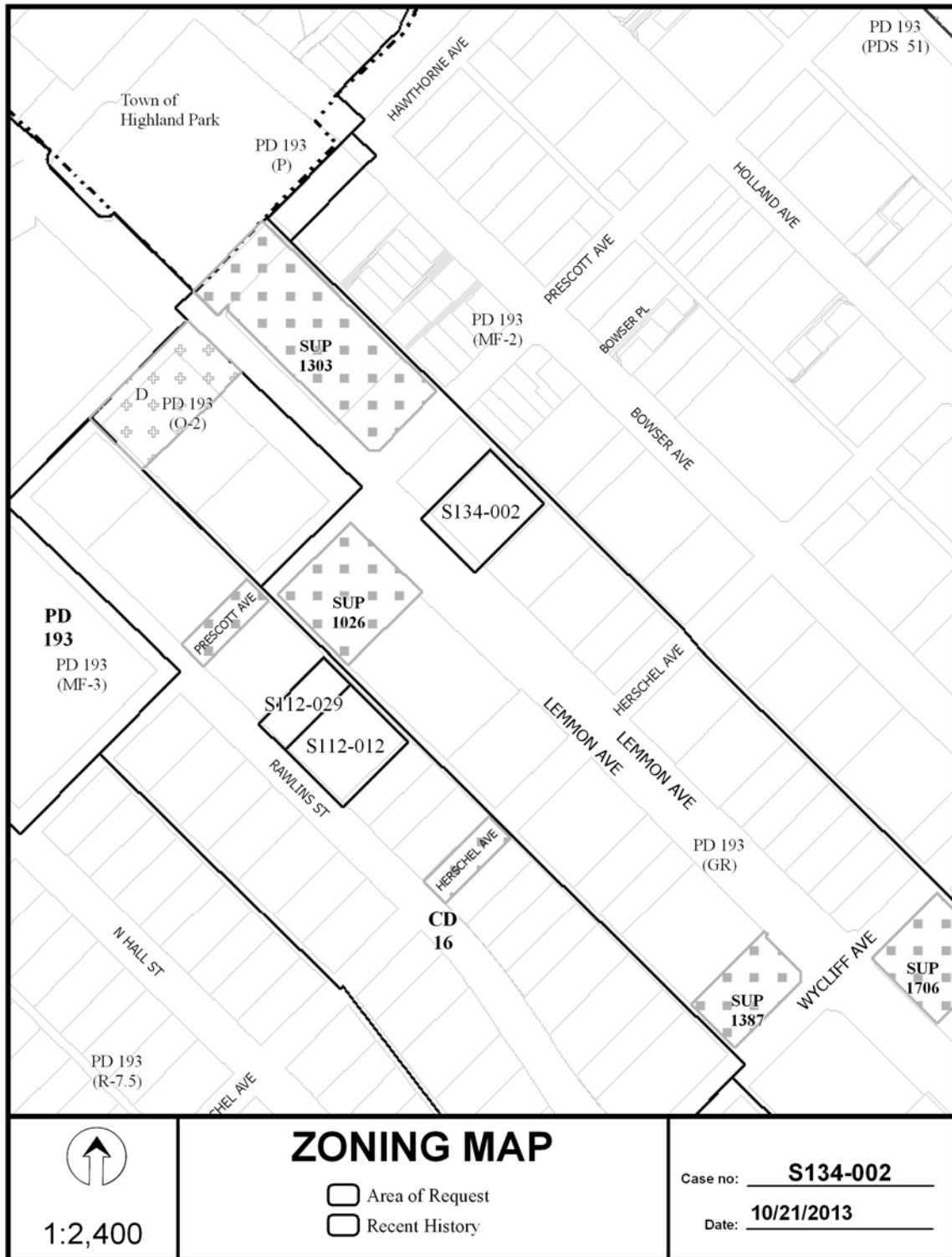
SUBDIVISION HISTORY:

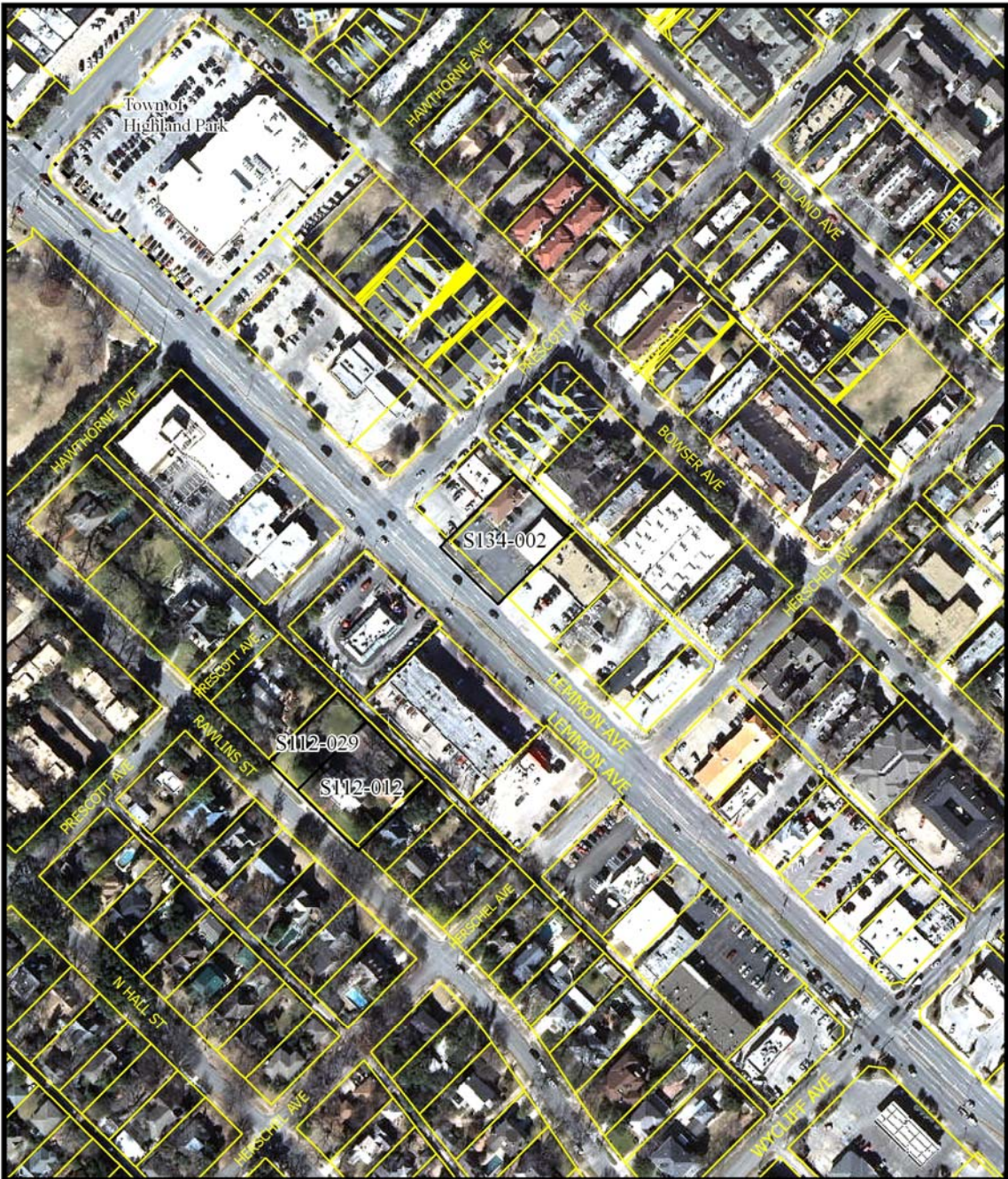
1. S112-029 was an application south of the current request to replat a 0.2106 acre tract of land containing part of Lots 13 and 14 in City Block B/2054 into one lot located at 4420 Rawlins Street. The request was approved on December 15, 2011 and recorded on January 7, 2013.


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

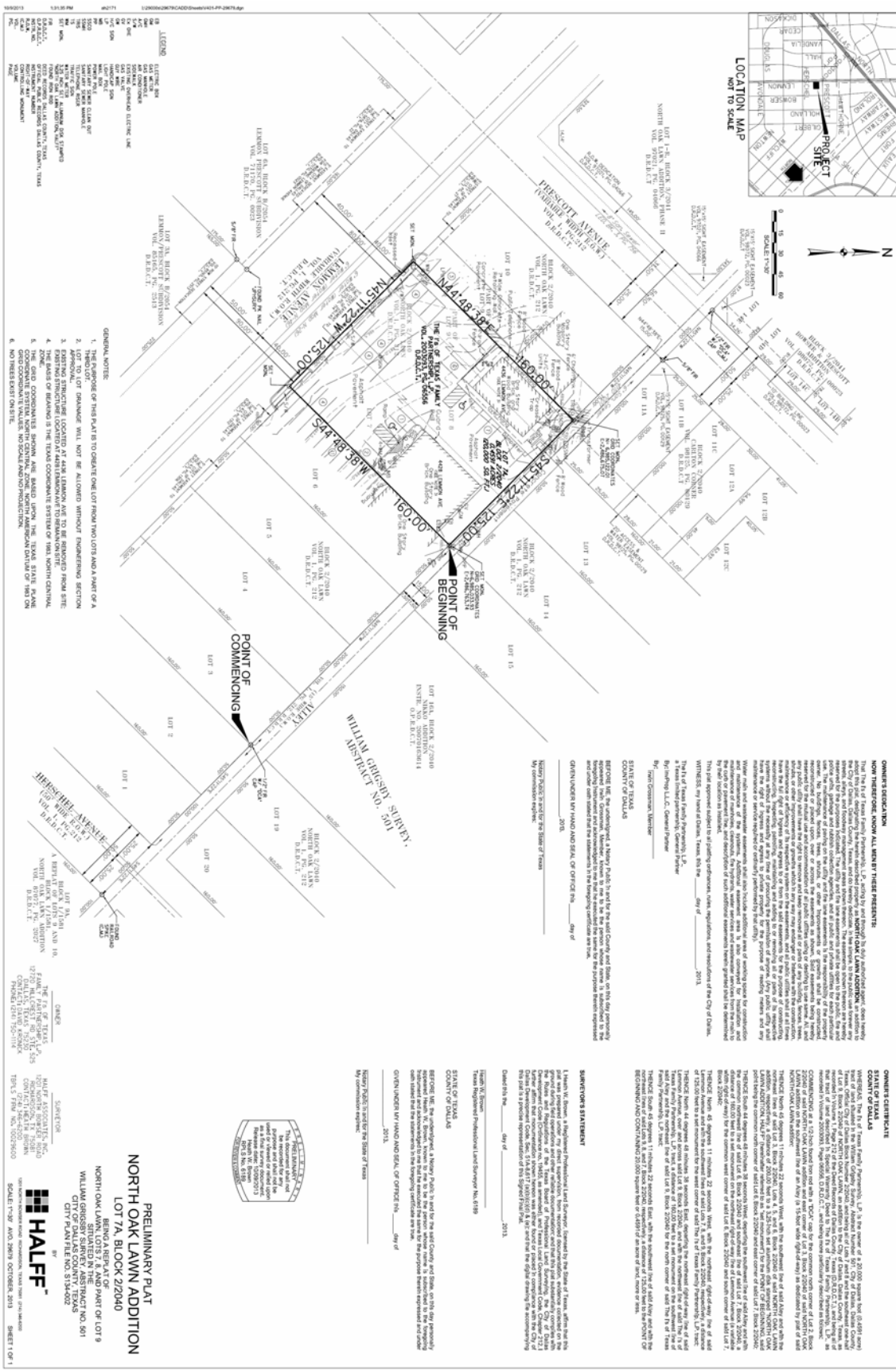
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with 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 the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Division approval."
12. On the final plat show how all adjoining right-of-way was created.
13. On the final plat show recording information on all existing easements within 150 feet of the property.
14. On the final plat choose a different addition name.
15. On the final plat dedicate the existing 5 foot street easement on Lemmon Avenue "by this plat."
16. Prior to submittal of the final plat provide a letter of verification to the Survey Section in Room 200 at 320 E. Jefferson Blvd. that there are no encroachments or protrusions between Lots 6 and 7, the west half of Lot 9 and the east half of Lot 9, Block 2/2040.
17. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations.
18. Water/wastewater main extensions are required by Private Development Contract.
19. Prior to final plat approval relocate the wood fence in alley to private property.
20. Prior to final plat provide confirmation to Ved Gupta in Building Inspection – Building Code Section in Room 105 at 320 E. Jefferson Blvd. that the existing south wall on the property line at 4228 is 24 hour rated.
21. On the final plat identify the property as Lot 7A in City Block 2/2040.





 1:2,400	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	Case no: <u> S134-002 </u> Date: <u> 10/21/2013 </u>
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CITY PLAN COMMISSION**THURSDAY, NOVEMBER 7, 2013****FILE NUMBER:** S134-003**Subdivision Administrator:** Paul Nelson**LOCATION:** Village Fair Drive and Fairshop Drive**DATE FILED:** October 9, 2013**ZONING:** RR**CITY COUNCIL DISTRICT:** 4 **SIZE OF REQUEST:** 3.00 Acres**MAPSCO:** 64H**APPLICANT/OWNER:** Beckwith, Inc.

REQUEST: An application to create a 3.000 acre lot from a tract of land in City Block A/5989 on property located on Village Fair and Drive Fairshop Drive.

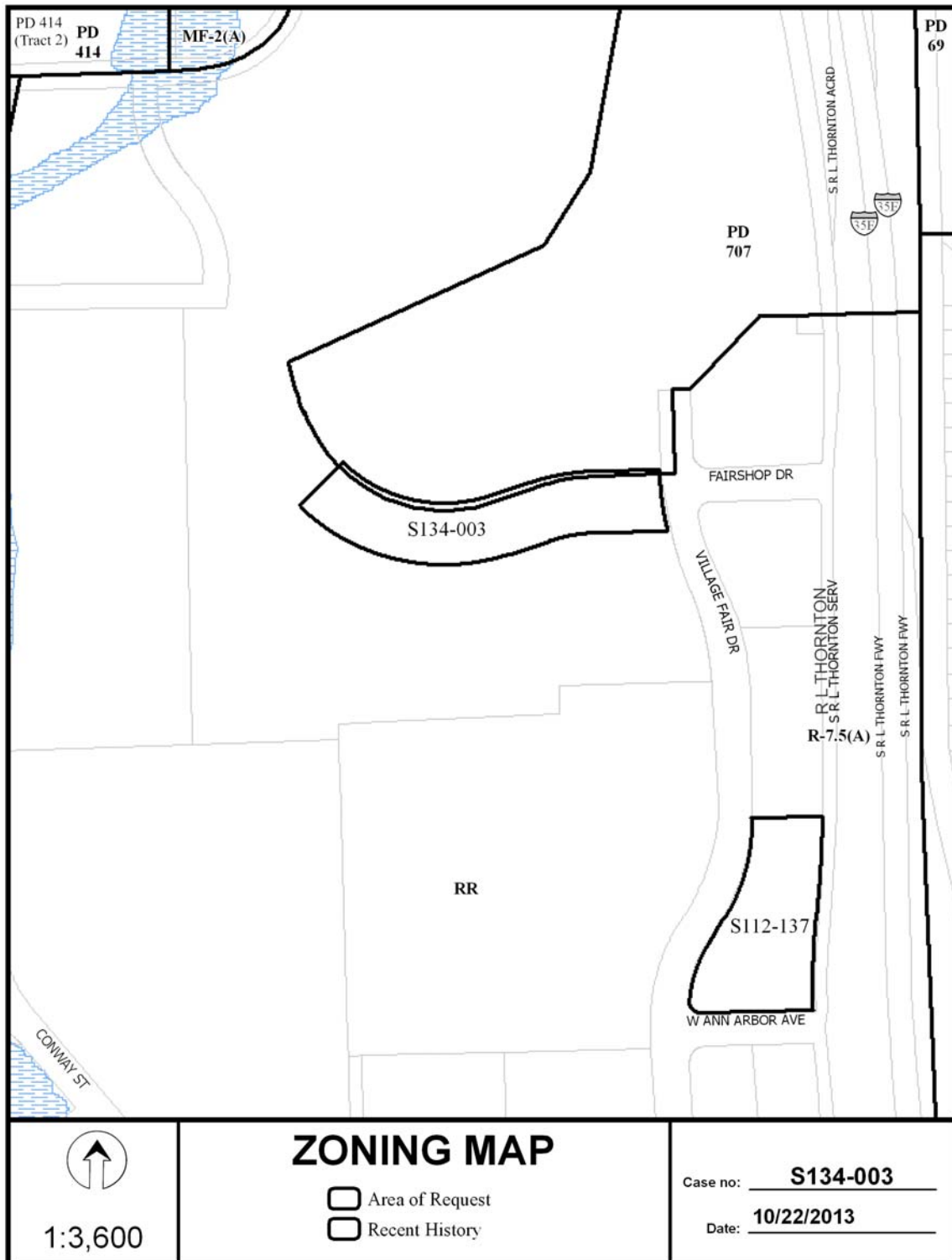
SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

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

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
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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 is not permitted without Engineering Section approval."
13. On the final plat show how all adjoining right-of-way was created.
14. On the final plat show recording information on all existing easements within 150 feet of the property.
15. On the final plat monument all set corners per the monumentation ordinance.
16. On the final plat show a minimum of two control monuments.
17. On the final plat use the Corporate Dedication statement.
18. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations.
19. On the final plat identify the property as Lot 1 in City Block A/5989.





1:3,600

AERIAL MAP

- Area of Request
- Recent History

Case no: S134-003

Date: 10/22/2013

CITY PLAN COMMISSION**THURSDAY, NOVEMBER 7, 2013****FILE NUMBER:** S134-005**Subdivision Administrator:** Paul Nelson**LOCATION:** N Harwood Street at Wolf Street, north corner**DATE FILED:** October 10, 2013**ZONING:** PD 193 PDS 83**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.3755 Acres **MAPSCO:** 45E**APPLICANT/OWNER:** One Harwood Boulevard, Ltd.

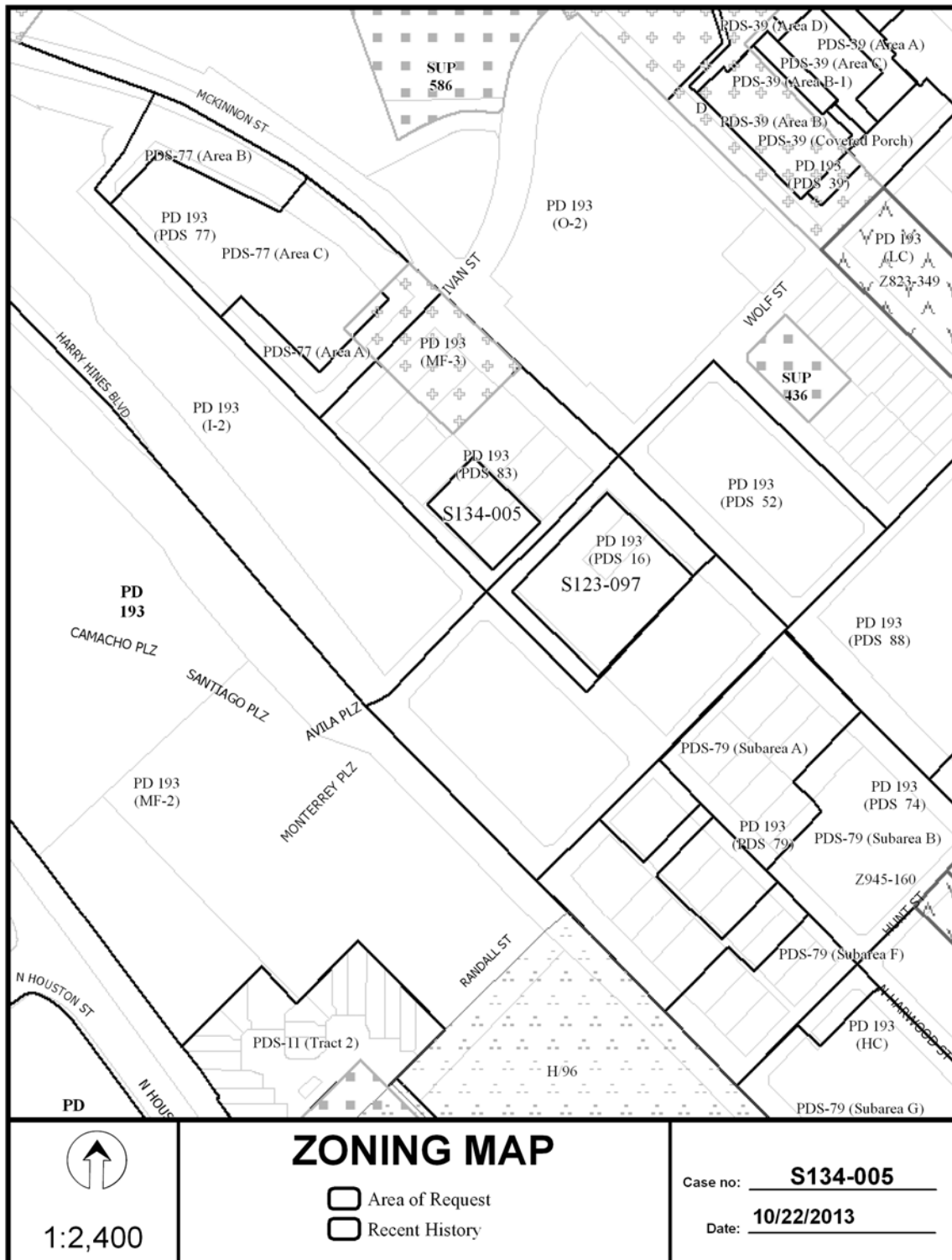
REQUEST: An application to replat a 0.3755-acre tract of land containing all of Lots 1, 2, and 3 in City Block 1/932 into one lot on property located at N. Harwood Street at Wolf Street, north corner.

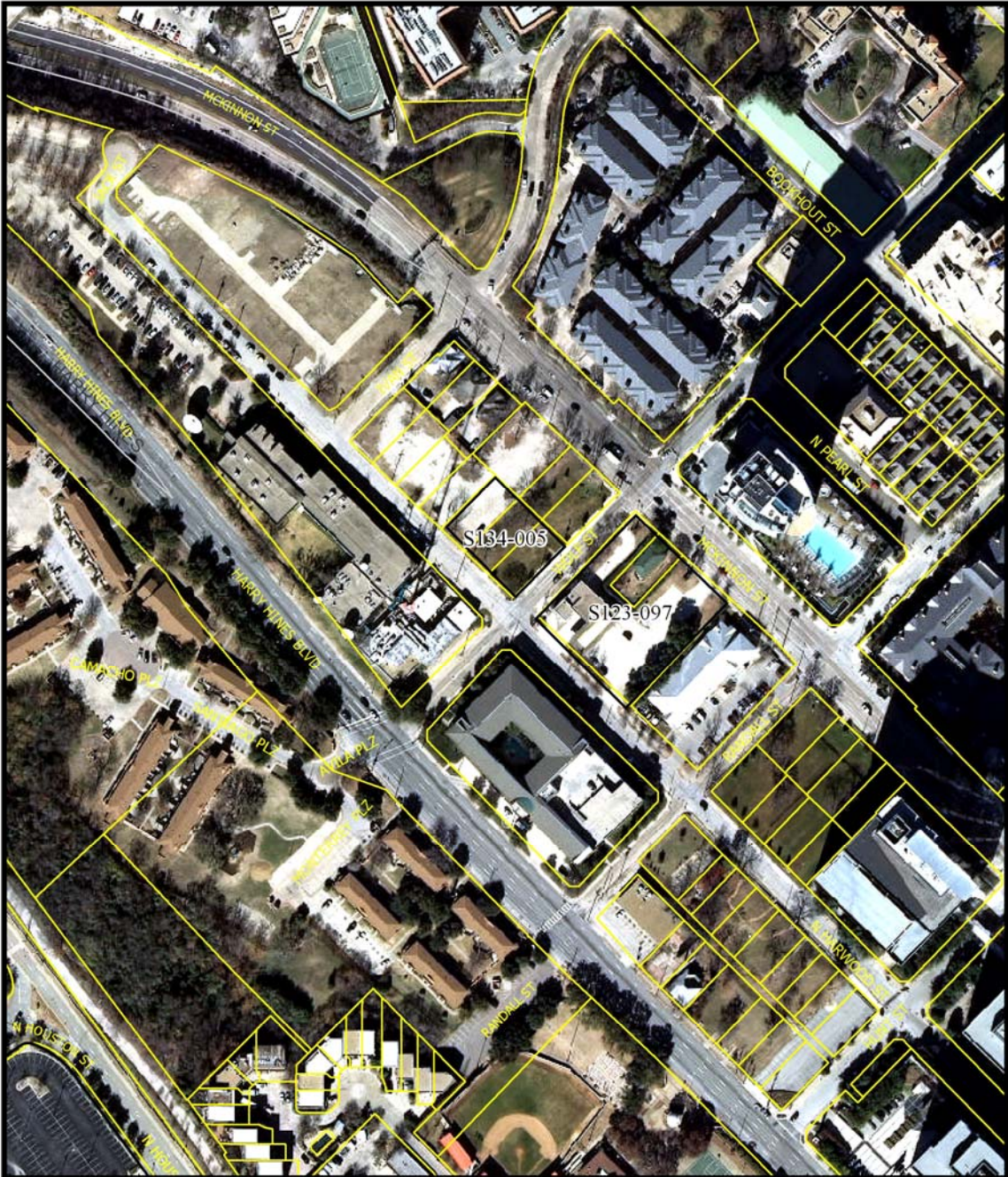
SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of PD 193 PDS 83 Sub district; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas.
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard.
5. The number and location of fire hydrants, must comply with the International Fire Code section 508, Appendix C.
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. On the final plat add a note stating: "Lot to lot drainage is not allowed without proper approval from the Engineering Division in Room 200 at 320 E. Jefferson Boulevard."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat dedicate sufficient right-of-way to provide a total width of 50 feet on Wolf Street.
14. On the final plat dedicate a 10 foot by 10 foot corner clip at Wolf Street and Harwood Street.
15. On the final plat show how all adjoining right-of-way was created.
16. On the final plat show recording information on all existing easements within 150 feet of the property.
17. Monument all set corners per the monumentation ordinance.
18. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations.
19. Water/wastewater main extension is required by Private Development Contract
20. On the final plat identify the property as Lot 1A in City Block A/1/932.





 1:2,400	<h3>AERIAL MAP</h3> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Case no: <u>S134-005</u> Date: <u>10/22/2013</u>
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CITY PLAN COMMISSION**THURSDAY, NOVEMBER 7, 2013****FILE NUMBER:** S134-009**Subdivision Administrator:** Paul Nelson**LOCATION:** E. Ledbetter Drive east of Lancaster Road**DATE FILED:** October 14, 2013**ZONING:** CR**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 0.746 Acres **MAPSCO:** 65H**APPLICANT:** CVS Pharmacy, Inc.

REQUEST: An application to replat a 0.746-acre tract of land in City Block 10/4893 to create one lot on property located on E. Ledbetter Drive east of Lancaster Road.

SUBDIVISION HISTORY:




1. S112-065 was an application contiguous on the west of the present request to replat a 2.312-acre tract of land containing part of Lot 1 in City Block 10/4893 and a tract of land in City Block 4893 into one 0.429-acre lot, and one 1.883-acre lot on property located at Ledbetter Drive and Lancaster Road, northeast corner. The plat was approved on February 2, 2013; Phase A was recorded on April 17, 2013 and Phase B was recorded on August 30, 2012.

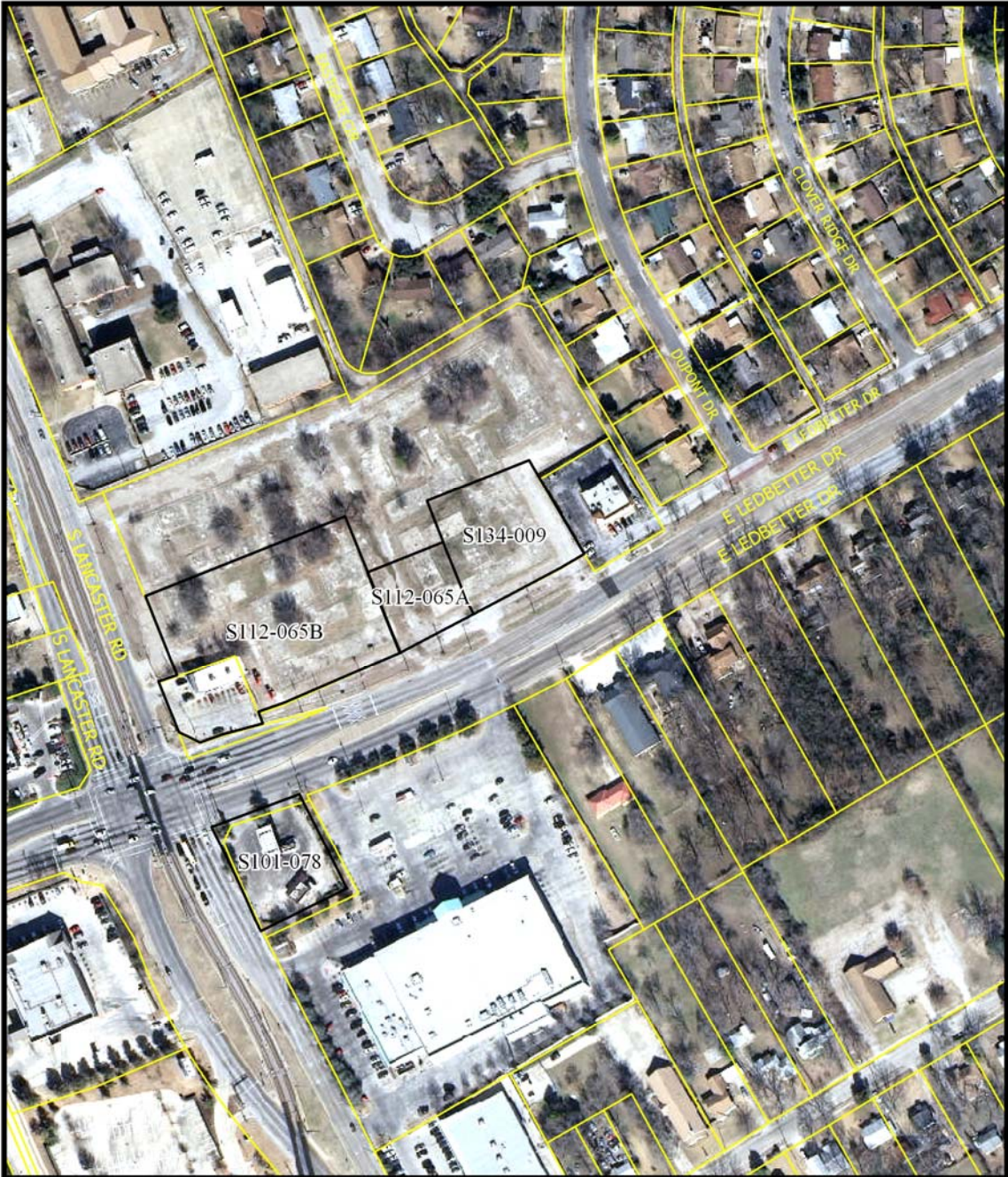
STAFF RECOMMENDATION: The request complies with the CR district requirements; therefore, staff recommends approval subject to compliance with the following conditions:

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 the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
13. On the final plat show how all adjoining right-of-way was created.
14. On the final plat show the recording information on all existing easements within 150 feet of the property.
15. On the final plat show two control monuments.
16. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
17. Site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings, development, and proposed water and wastewater service locations.
18. Wastewater and large water service is located more than 25 feet into the Ledbetter (Loop 12) right-of-way and requires a P-Contract in order to connect to the facilities.
19. Prior to submittal of the final plat provide a copy of Volume 2001095, Page 475 and Ordinance No. 24554 to the Real Estate Section in Room 203, 320 E. Jefferson Blvd.
20. On the final plat identify the property as Lot 4 in City Block 10/4893.



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none">  Area of Request  Recent History 	Case no: <u> S134-009 </u> Date: <u> 10/22/2013 </u>
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1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S134-009

Date: 10/22/2013

CITY PLAN COMMISSION**THURSDAY, NOVEMBER 7, 2013****FILE NUMBER:** S134-008**Subdivision Administrator:** Paul Nelson**LOCATION:** 6901 & 6903 Levelland**DATE FILED:** October 11, 2013**ZONING:** TH-2(A)**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 0.689 Acres **MAPSCO:** L-5**APPLICANT:** Stephen and Cheryl Landers

REQUEST: An application to replat a 0.689-acre lot from a tract of land containing all of Lots 20 and 21 in City Block A/8727 into one lot on property located at 6901 and 6903 Levelland Road at Gold Dust Trail.

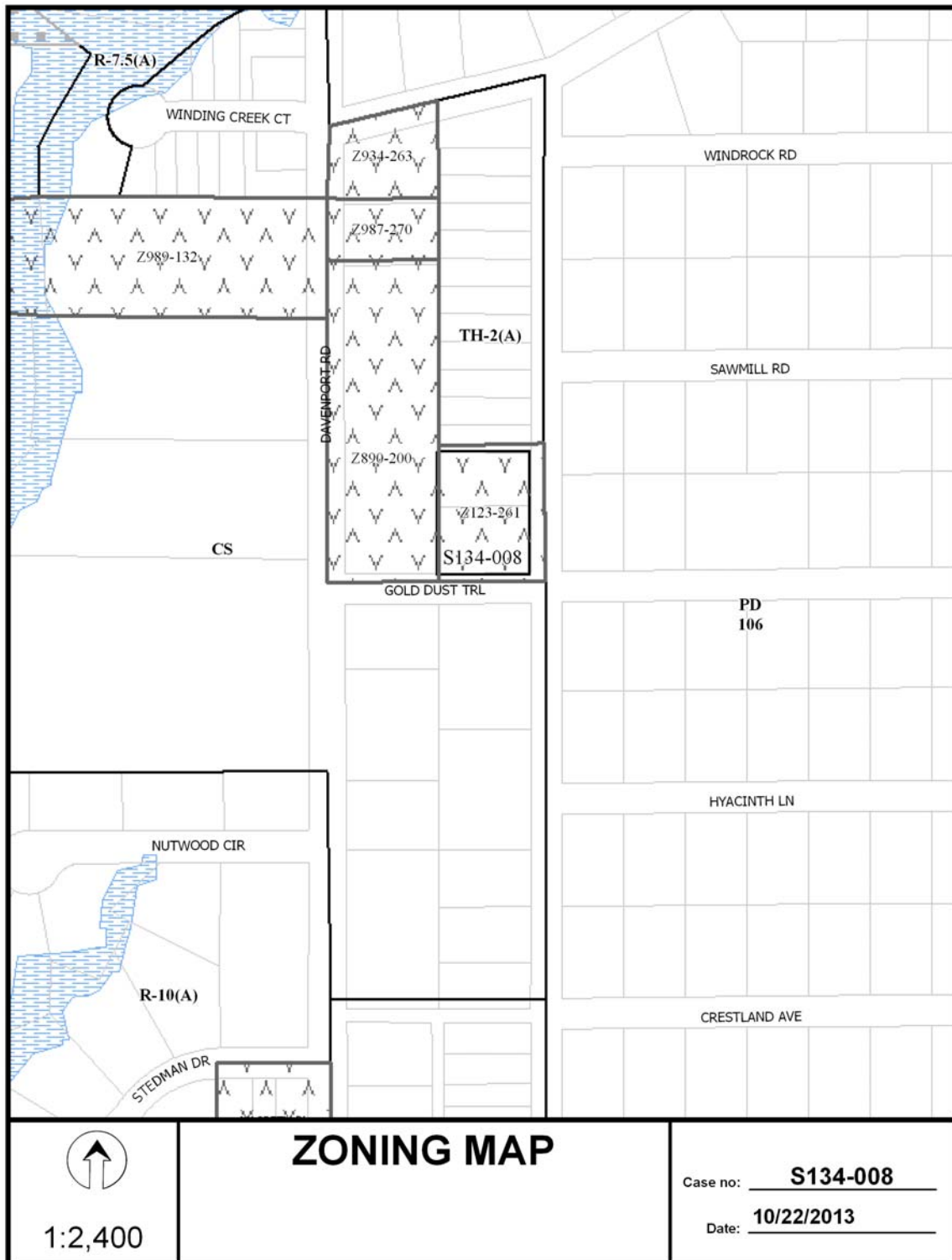
SUBDIVISION HISTORY: There has been no recent subdivision activity within close proximity to this request.

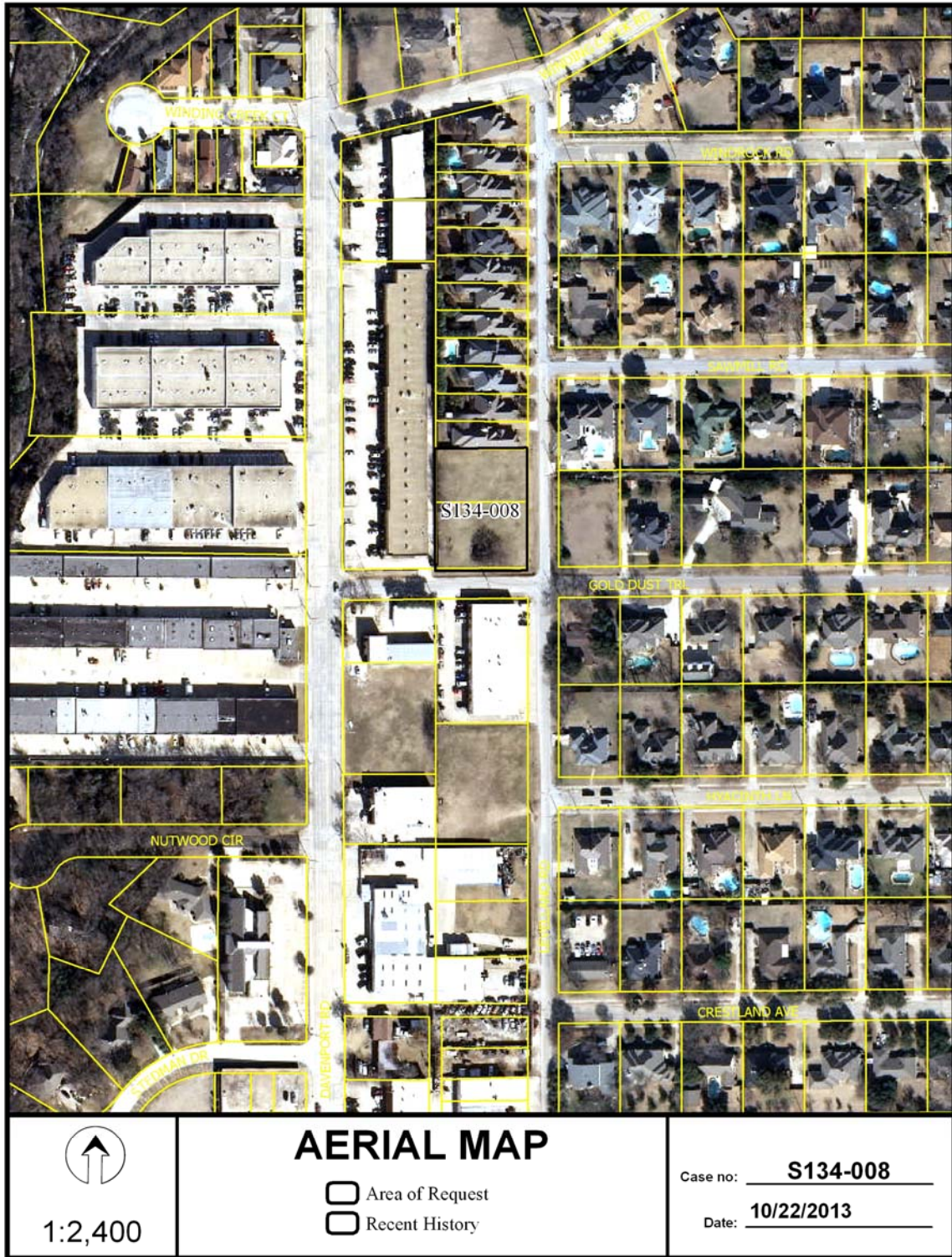
STAFF RECOMMENDATION REPLAT: Section 51A-8.503(a) says that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography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

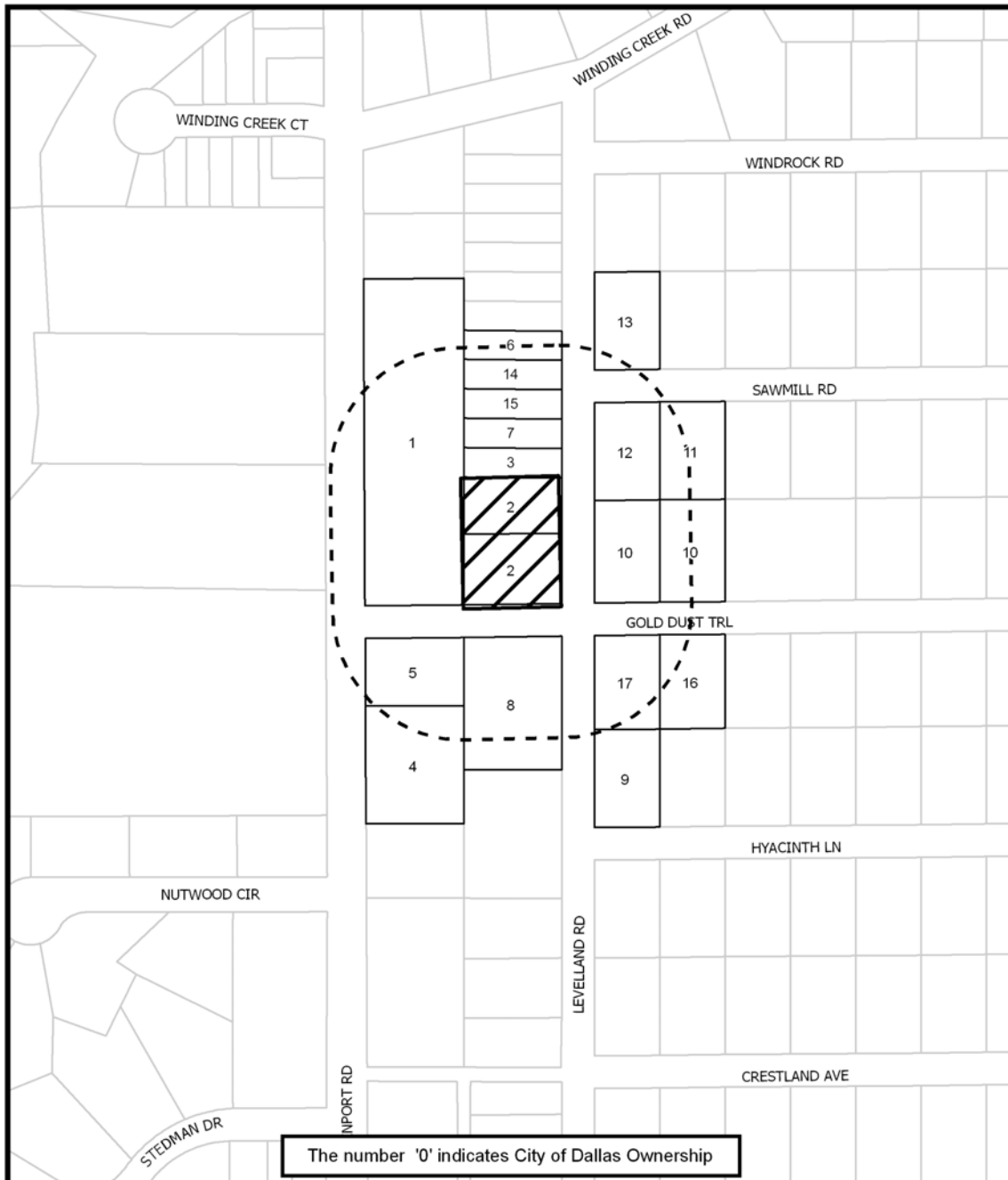
The proposed lot does not comply in width, depth, or area to the pattern already established by plat (S934-241) in the mid 1990's along the west line of Levelland Road between Gold Dust Trail and Winding Creek Drive. Therefore, staff recommends denial of the application. However, should the request be approved staff recommends that the approval be 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 the International Fire Code section 508, Appendix C.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.

7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat dedicate a 10 foot by 10 foot corner clip at Levelland Road and Gold Dust Trail.
14. On the final plat show how all adjoining right-of-way 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 choose a different addition name.
17. On the final plat label Levelland Road within the right-of-way.
18. On the final plat identify the property as Lot 20A in City Block A/8727.







 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">17</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	17	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: S134-008 Date: 10/22/2013
200'	AREA OF NOTIFICATION					
17	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

S134-008

17 Property Owners Notified

Label #	Address	Owner
1	7800-1781 DAVENPORT	DSW DAVENPORT PROPERTIES LP C/O DUTTON & SICKLER
2	6903 LEVELLAND	LANDERS STEPHEN L & CHERYL D LANDERS
3	6905 LEVELLAND	DAVIS TIMOTHY J
4	17738 DAVENPORT	BOLD JIMMY
5	17752 DAVENPORT	HERSON RODNEY AUTOMOTIVE
6	6915 LEVELLAND	VAYNMAN JEFF & RITA
7	6907 LEVELLAND	TABARIA ELI & DANA F
8	6825 LEVELLAND	LEVELLAND D & S PROPERTIES LP C/O DUTTON & SICKLER
9	6601 HYACINTH	MORGAN JAMIE
10	6605 GOLD DUST	ETHERIDGE LEE R
11	6606 SAWMILL	PICOLO MICHAEL J
12	6602 SAWMILL	QUEVEDO ALDO & ROCIO
13	6601 SAWMILL	CAMPOS-FIELD LAURIE ANN & FIELD ERIC
14	6911 LEVELLAND	RICE JENNIFER
15	6909 LEVELLAND	GOAD CHARLES E
16	6604 GOLD DUST	VAN CREVELD ASHLEY & KAREN
17	6600 GOLD DUST	SUPANGAT WELLY L

Monday, October 21, 2013

FILE NUMBER: Z123-334(RB)

DATE FILED: July 17, 2013

LOCATION: Northeast Line of Bahama Drive, South of Ft. Worth Avenue

COUNCIL DISTRICT: 1

MAPSCO: 43 Y, Z

SIZE OF REQUEST: Approx. 5.8 Acres

CENSUS TRACT: 68

APPLICANT/OWNER: Pacifica Harborview Kessler, LLC

REPRESENTATIVE: Santos Martinez

REQUEST: An application for a Specific Use Permit for a Convalescent and nursing homes, hospice care, and related institutions use and to terminate the deed restrictions on property within Subdistrict 4A of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, located on the northeast line of Bahama Drive, south of Ft. Worth Avenue

SUMMARY: The applicant is proposing to provide for nursing home units within the existing retirement housing development. Additionally, existing deed restrictions providing for permitted uses are being requested for termination.

STAFF RECOMMENDATION: Approval for a ten-year period with eligibility for automatic renewal for additional fifteen-year periods, subject to a site plan and conditions, and approval of the termination of existing deed restrictions.

Guiding Criteria for Recommendation:

Staff recommends approval of the request, subject to a site plan and conditions, based upon:

1. *Compatibility with surrounding uses and community facilities* – The request will provide for a compatible nonresidential use that provides for alternative service needs for residents.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The requested Institutional and community service use category is generally found in close proximity to residential uses.
3. *Not a detriment to the public health, safety, or general welfare* – The request will be an addition to an established retirement housing development. No adverse impact on area stakeholders is anticipated.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – A valid certificate of occupancy for retirement housing exists on the property. Subject to normal building permit functions as compliance with the approved (pending a future City Council public hearing) site plan and conditions, the certificate of occupancy will be amended to capture the proposed use.

BACKGROUND INFORMATION:

- The request site is developed with a retirement housing use, various outside amenity areas, and a significant amount of covered surface parking areas that wrap the northern, eastern, and southern facades.
- The applicant is proposing to provide for an expansion area with the southeast quadrant to accommodate the requested use.
- The request provides for an additional 111 beds for the requested use.
- Existing deed restrictions that provide for permitted uses are requested for termination (see Deed Restriction History, below) due to a Planned Development that was subsequently approved by City Council that incorporates the permitted uses and performance standards on this tract.

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

Thoroughfare

Ft. Worth Avenue

Designation; Existing & Proposed ROW

Principal Arterial; 100' & 100' ROW

Bahama Drive

Collector; 60' & 60' ROW

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

Comprehensive Plan: The request site is located in an area considered a Residential Neighborhood. 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.

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is developed with a retirement housing use, various outside amenity areas, and a significant amount of covered surface parking areas that wrap the northern, eastern, and southern facades. Existing deed restrictions providing for permitted uses, are requested for termination as part of the request.

It should be noted that the Subdistrict 4 portion of PDD No. 714 is to be considered a mixed-use subdistrict dominated by multifamily uses. While commercial and retail uses are encouraged at street level, maintenance of the residential density is desired. Pedestrian protections from traffic, such as broad sidewalks, street trees, and crosswalks, are desired. New construction should be oriented to address the street front. Existing slip roads providing on-street parking and pedestrian amenities should be preserved. Building height, land use, and setbacks are controlled separately in Subdistricts 4A and 4B to encourage mixed use and townhouse development. Subdistricts 4A and 4B are part of Subdistrict 4. Subdistrict 4 regulations apply in Subdistricts 4A and 4B unless otherwise indicated. The requested use will comply with the existing standards for Subdistrict 4A.

Deed Restriction History: On March 26, 2003, the City Council passed a resolution for a moratorium on issuance of building permits and certificates of occupancy for certain uses for a geographical area within 1,000 feet of the Ft. Worth Avenue right-of-way, between West Davis Street and Beckley Avenue, from this date through July 24, 2003. This was envisioned as appropriate while studies and stakeholder meetings were completed leading to a land use recommendation that would be vetted through the public hearing process. The result of these efforts provided for the creation of PDD No. 714, adopted by the City Council on February 23, 2005.

On May 21, 2003, a property owner with plans for the development of a home improvement center and other retail uses filed for hardship relief for parcels located on the southwest and southeast corners of Ft. Worth Avenue and Bahama Drive. In conjunction with this initiative, the applicant volunteered deed restrictions that: 1) provided for the anticipated uses; and 2) mirrored the vision of the above referenced land use study that led to the creation of PDD No. 714.

At this time, the proposed use was not captured in the deed restrictions providing for permitted uses. PDD No. 714 currently provides for the uses in the deed restrictions (among others) as well as the requested use which requires a specific use permit.

Off-Street Parking: All uses must comply with the off-street parking regulations for PDD No. 714. The attached site plan captures the existing use (by right) along with the improvements and required parking for the proposed nursing home area.

Landscaping: The proposed expansion of existing facilities will require compliance with the landscape regulations for PDD No. 714. Existing landscaping passed inspection in August, 2010.

Pacifica Harborview Kessler LLC
List of Officers

Ash Israni
Deepak Israni
Naresh Kotwani

Chairman
Secretary
Member

**STAFF RECOMMENDED CONDITIONS FOR A SPECIFIC USE PERMIT FOR A
CONVALESCENT AND NURSING HOMES, HOSPICE CARE, AND RELATED
INSTITUTIONS USE**

1. USE: The only use authorized by this specific use permit is a Convalescent and nursing homes, hospice care, and related institutions use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Applicant requested:

3. TIME LIMIT: This specific use permit expires on (twenty years from the passage of the ordinance), but is eligible for automatic renewal for additional twenty-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.)

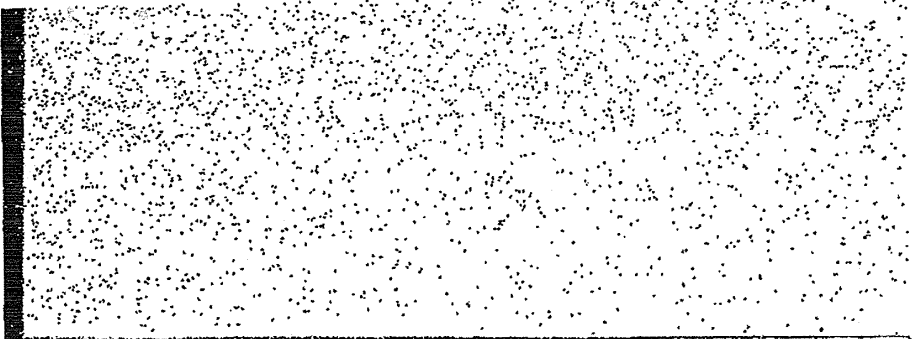
Staff recommended:

3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional fifteen-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. BEDS: A maximum of 111 beds are permitted.
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.

Existing Deed Restrictions

(1X)



25360
23-03

1045

PLEASE RETURN TO:
LANDAMERICA COMMONWEALTH TITLE OF TEXAS
2100 McCOMB AVENUE, SUITE 1604
DALLAS, TEXAS 75201

PUBLIC DEED RESTRICTIONS

Sharon Copple 03088660

THE STATE OF TEXAS
COUNTY OF DALLAS

KNOW ALL PERSONS BY THESE PRESENTS:

2532384

442834 09/11/03 \$23.00 Deed

I.

The undersigned, BRONCO GROUP, LTD, a Texas limited partnership, ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the Anson McCracken Survey, Abstract No. 868, City Block 6173, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Bronco Bowl Entertainment, Ltd., a Texas limited partnership, by deed dated July 26, 1996, and recorded in Volume 96149, Page 01085, as Instrument No. 1490249, in the Deed Records of Dallas County, Texas, and being more particularly described as Tracts 9 and 9.1, Block 6173, Dallas, Dallas County, Texas and comprising 21.33 acres of land, more or less.

II.

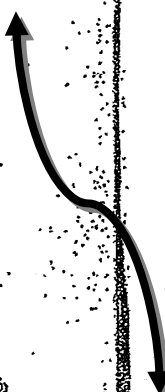
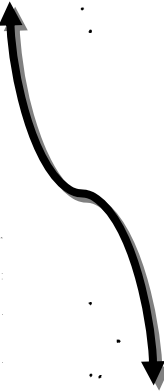
The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The term "Phase I Tract" shall mean that portion of the Property commonly known as 2600 Fort Worth Avenue, Dallas, Texas, and described in Exhibit "A" (the "Phase I Tract"). The term "Phase II Tract" shall mean that tract commonly known as 2600 Bahama Boulevard and described in Exhibit "B" attached hereto and made a part hereof. The term "Owner" shall include Owner or any successor or assign of Owner owning or leasing any portion of the Phase I Tract or the Phase II Tract.

A. ADDITIONAL RESTRICTIONS ON USE

The only uses permitted on the Phase I Tract and the Phase II Tract are as follows:

1. Home improvement center, lumber, brick or building materials sales yard;
2. General merchandise or food store 3,500 square feet or less;
3. General merchandise or food store greater than 3,500 square feet;
4. Furniture store;
5. Nursery, garden shop, or plant sales;
6. Personal service uses;
7. Restaurant without drive-in or drive-through service;
8. Restaurant with drive-in or drive-through service;



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2003.79 00014

9. Tool or equipment rental only as an accessory use to a home improvement center, lumber, brick or building materials sales yard;
10. Library, art gallery, or museum on the Phase II Tract only;
11. Auto service center;
12. Office on the Phase II Tract;
13. Vehicle display, sales, and service only as an accessory use to a home improvement center, lumber, brick or building materials sales yard;
14. Vehicle rental only as an accessory use to a home improvement center, lumber, brick or building materials sales yard;
15. Motor vehicle fueling station only as an accessory use to a general merchandise or food store 3,500 square feet or less or a general merchandise or food store greater than 3,500 square feet;
16. Dry cleaning or laundry store limited to one store on the Phase II Tract;
17. Church;
18. Financial institution without drive-in window;
19. Financial institution with drive-in window;
20. Animal shelter or clinic without outside runs;
21. Household equipment and appliance repair; and
22. Outside sales.

III.

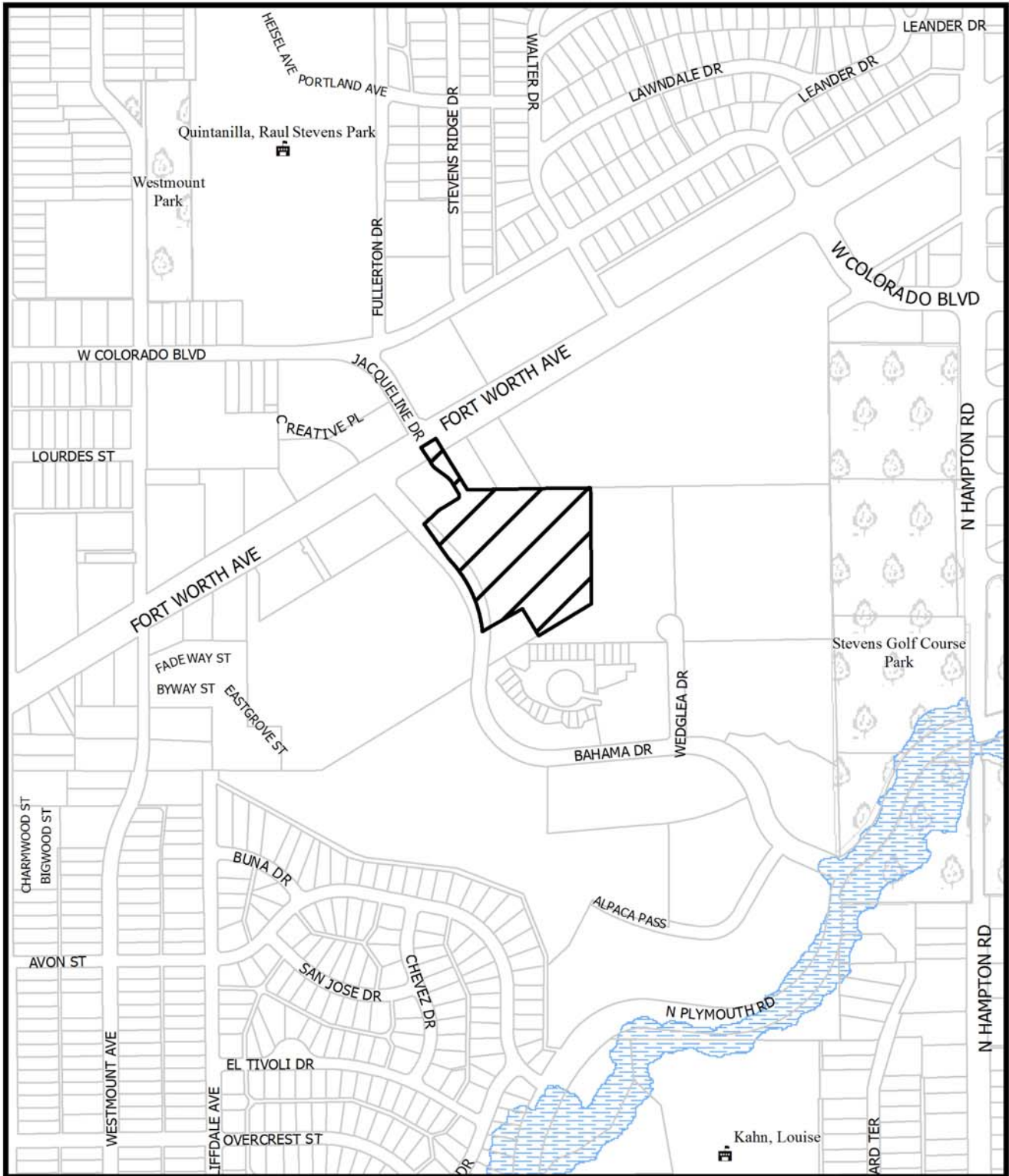
These restrictions shall continue in full force and effect for a period of twenty (20) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless amended or terminated in the manner specified in this document.

IV.

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

407088 v3 (15352.00088.000)

2003179 00015



1:6,000

VICINITY MAP

Case no: Z123-334

Date: 10/25/2013

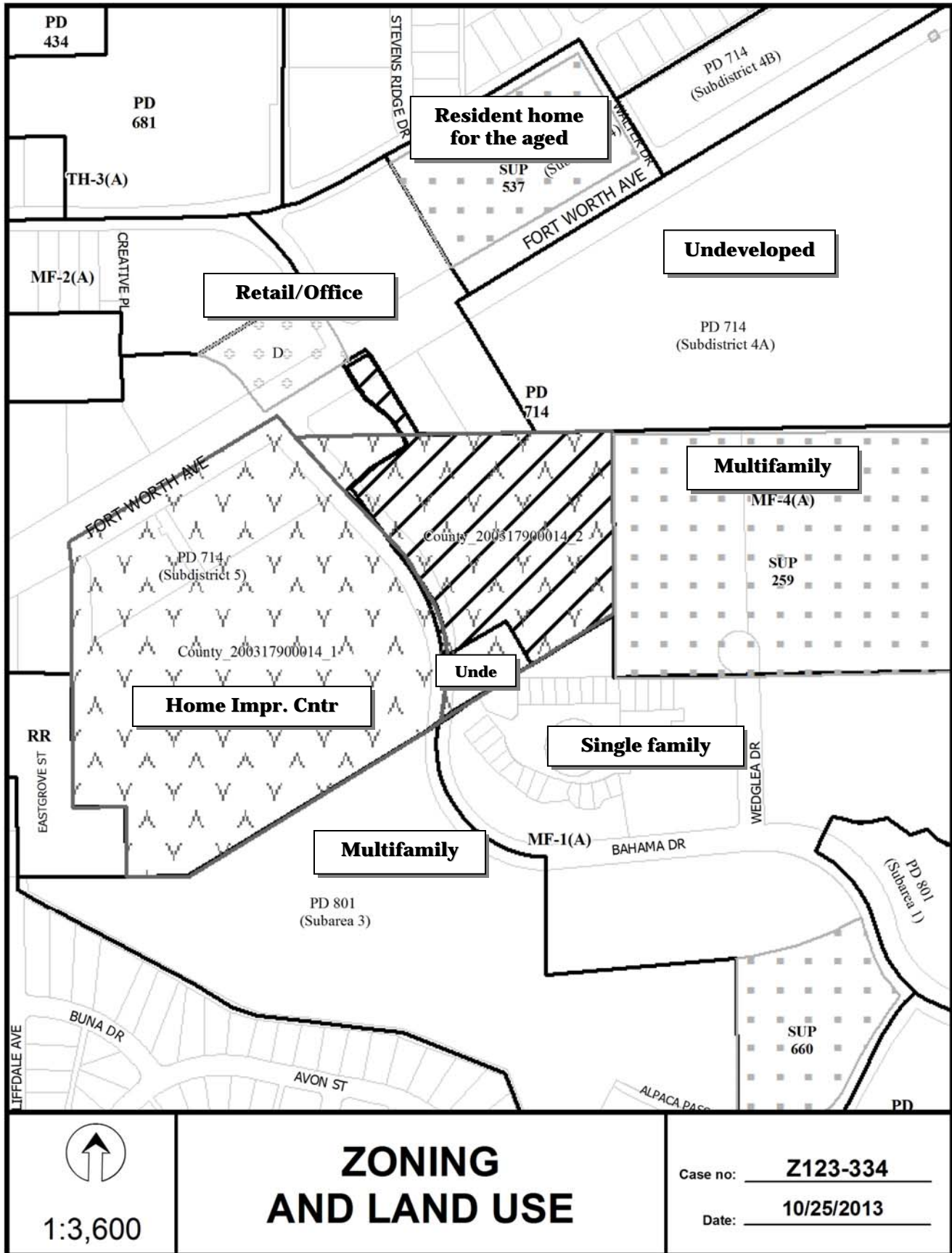



1:3,600

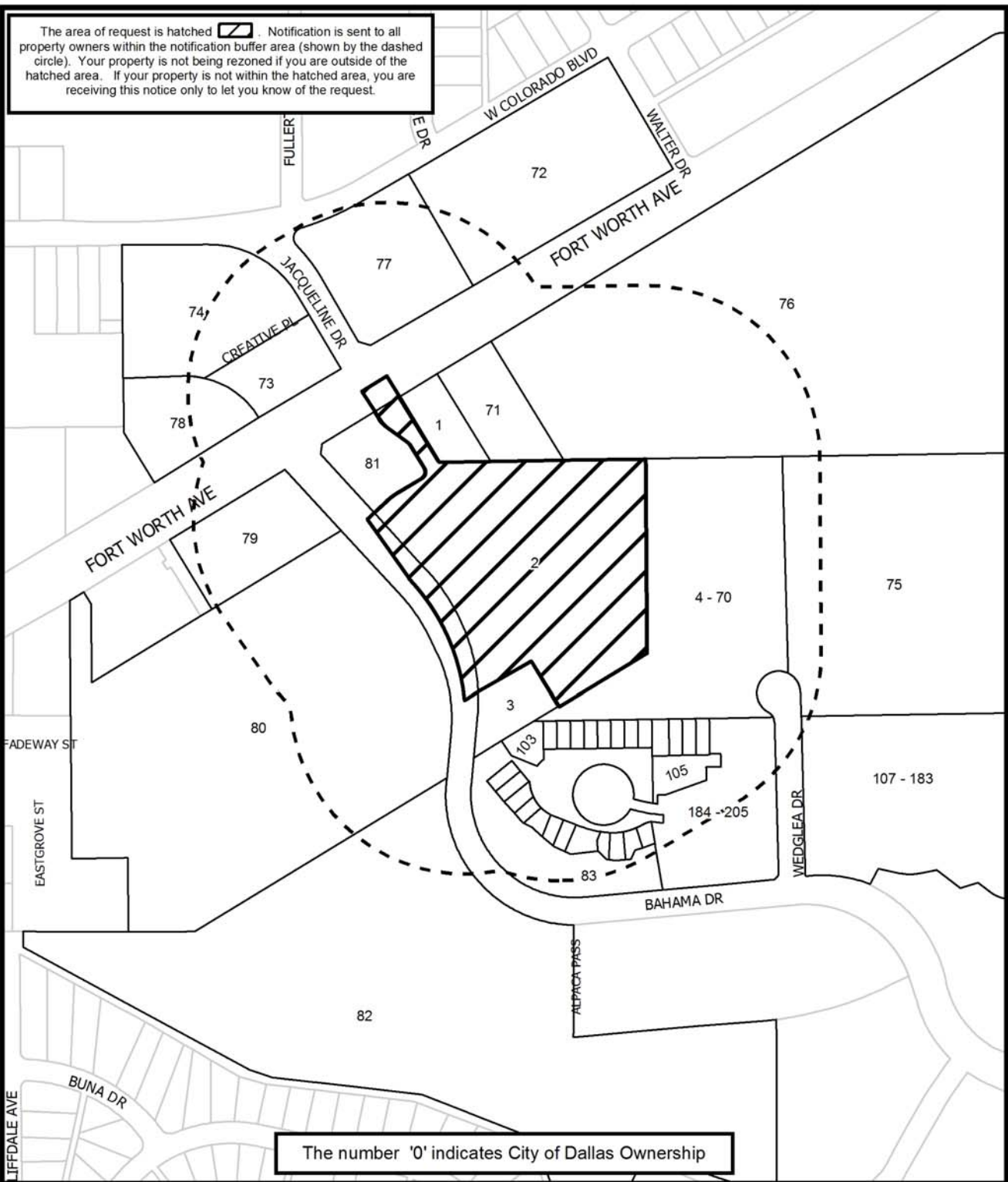
AERIAL MAP

Case no: Z123-334

Date: 10/25/2013



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



The number '0' indicates City of Dallas Ownership


 1:3,600

NOTIFICATION

400' AREA OF NOTIFICATION
205 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-334**
 Date: **10/25/2013**

10/25/2013

Notification List of Property Owners***Z123-334******205 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2516 FORT WORTH AVE	FOLDBERG JOHN D ET AL
2	2522 BAHAMA DR	PACIFICA HARBORVIEW KESSLER LLC
3	2600 BAHAMA DR	LA REUNION TOWNCENTER LLC
4	2535 WEDGLEA DR	MITCHELL DAVID & PAULA
5	2535 WEDGLEA DR	MARLOWE SAMUEL C & ALISON K BLDG A UNIT
6	2535 WEDGLEA DR	LEMLEY SHEEHAN ROSE
7	2535 WEDGLEA DR	WILLIAMS JO OLLIE BLDG A UNIT 104
8	2535 WEDGLEA DR	CRAWFORD BETTY SUE
9	2535 WEDGLEA DR	JOHNSTON MICHAEL L & KAREN J BLDG A UNIT
10	2535 WEDGLEA DR	DAVIS BRYAN W
11	2535 WEDGLEA DR	MAY ROBERT & BELINDA
12	2535 WEDGLEA DR	SALINA VICTOR O & SALINAS SYLVIA H
13	2535 WEDGLEA DR	BROWN BARBARA J
14	2535 WEDGLEA DR	HLAING CHARLES S & MONICA
15	2535 WEDGLEA DR	BURDINE CALVIN EUGENE FAMILY TRUST
16	2535 WEDGLEA DR	WALKER GARY E
17	2535 WEDGLEA DR	HEWITT KATHLEEN A
18	2535 WEDGLEA DR	MANTYLA BRUCE ALLARD & GUADALUPE ALBA RE
19	2535 WEDGLEA DR	PETTIT GREGORY L BLDG B UNIT 209
20	2535 WEDGLEA DR	MONTELONGO AMBER S
21	2535 WEDGLEA DR	HERRING MIKE & BEVERLY
22	2535 WEDGLEA DR	BRACY CAROL L %CAROL FREEMAN
23	2535 WEDGLEA DR	FAIR CARMEN C
24	2535 WEDGLEA DR	HATFIELD RANDALL KEITH
25	2535 WEDGLEA DR	DIXON LALANE
26	2535 WEDGLEA DR	LACROIX CARLA ELAINE

10/25/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2535 WEDGLEA DR	KAVAN DOUGLAS L
28	2535 WEDGLEA DR	DYER BARBARA L UNIT 215 BLDG C
29	2535 WEDGLEA DR	QUESENBERRY TYRA
30	2535 WEDGLEA DR	ZADICK THOMAS W
31	2535 WEDGLEA DR	GRADY KATHRYN A
32	2535 WEDGLEA DR	MARTINEZ FELICITAS BLDG D UNIT 119
33	2535 WEDGLEA DR	MONTAG PATRIC
34	2535 WEDGLEA DR	WEBB ROBIN J
35	2535 WEDGLEA DR	MCKAY MICHAEL
36	2535 WEDGLEA DR	WILLIAMS AMY M
37	2535 WEDGLEA DR	THOMPSON RACHEL BLDG E UNIT 121
38	2535 WEDGLEA DR	RAMOS ARMANDO
39	2535 WEDGLEA DR	SANCHEZ MELODY G
40	2535 WEDGLEA DR	TREDWAY JENNIFER L
41	2535 WEDGLEA DR	WATSON ELAINE BLDG E #125
42	2535 WEDGLEA DR	KALFELL CASSIE
43	2535 WEDGLEA DR	RAMOS ARMANDO
44	2535 WEDGLEA DR	GEEZE MARY ELIZABETH
45	2535 WEDGLEA DR	WATTS EVA ESTATE OF % HAROLD CLARK
46	2535 WEDGLEA DR	EVANS MARSHA W
47	2535 WEDGLEA DR	HOYLE DELILAH L
48	2535 WEDGLEA DR	BOHMAN AMELIA T
49	2535 WEDGLEA DR	SMITH KENNETH WAYNE
50	2535 WEDGLEA DR	HLAING CHARLES & MONICA
51	2535 WEDGLEA DR	DUNCAN JACK L
52	2535 WEDGLEA DR	COLLIE RUTH BLDG F UNIT 227
53	2535 WEDGLEA DR	GLIDEWELL CAROLYN J
54	2535 WEDGLEA DR	MCDONALD GEORGE MARK
55	2535 WEDGLEA DR	ALEXANDER DOROTHY M
56	2535 WEDGLEA DR	FORD HELEN FRANCES
57	2535 WEDGLEA DR	BROOKS ALICE F

10/25/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2535 WEDGLEA DR	PEREZ JOE G
59	2535 WEDGLEA DR	RANDLE FRANCES MORENO
60	2535 WEDGLEA DR	DICKINSON PATRICK
61	2535 WEDGLEA DR	CHANDLER DEBBE KAY
62	2535 WEDGLEA DR	LAWSON JAMES H BLDG H UNIT 136
63	2535 WEDGLEA DR	JIMENEZ MARY ALICE
64	2535 WEDGLEA DR	LITWIN STEPHAN C
65	2535 WEDGLEA DR	ERICKSON MICHAEL B BLDG H UNIT 139
66	2535 WEDGLEA DR	PALOMO MARIA P BLDG H UNIT 140
67	2535 WEDGLEA DR	MAZZMANIA LP
68	2535 WEDGLEA DR	BLUIETT MYRA C BLDG H UNIT 237
69	2535 WEDGLEA DR	KELSKE FRANCIS J
70	2535 WEDGLEA DR	KOHUTEK MARK E BLDG H UNIT 240
71	2500 FORT WORTH AVE	MATTOX JERRY &
72	2423 FORT WORTH AVE	DALLAS HOUSING AUTHORITY
73	2519 FORT WORTH AVE	MICHAEL LINDSEY
74	2620 COLORADO BLVD	RIVER ROCK HOLDINGS LLC
75	2511 WEDGLEA DR	VIEW DFW 4 LLC THE
76	2300 FORT WORTH AVE	FIRST NATIONAL BANK
77	2505 FORT WORTH AVE	ALDI LLC
78	2605 FORT WORTH AVE	FFZ CORPORATION
79	2602 FORT WORTH AVE	CENTURY 2602 LLC
80	2610 FORT WORTH AVE	HD DEVELOPMENT PPTIES LP
81	2530 FORT WORTH AVE	RICHARDS NADA JEAN TRUST
82	2450 BAHAMA DR	WAK BG PARTNERS SUITE 104
83	2500 WEDGLEA DR	WEDGLEA CREEK GARDEN HOMES INC
84	2510 WEDGLEA DR	WALSH STEPHEN A & MARY KATHY
85	2514 WEDGLEA DR	WOODARD CHARLES
86	2518 WEDGLEA DR	BEAUGH JOHN HAROLD JR
87	2524 WEDGLEA DR	AMUKOBOLE ELIZABETH
88	2526 WEDGLEA DR	PAYNE BILL

10/25/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2528 WEDGLEA DR	KELLEY FRANCES M
90	2558 WEDGLEA DR	RYAN DAVID A
91	2556 WEDGLEA DR	HUBBARD THOMAS &
92	2520 WEDGLEA DR	HATFIELD RANDALL K
93	2544 WEDGLEA DR	HINTON JIMMY R
94	2552 WEDGLEA DR	FLINT RYAN
95	2530 WEDGLEA DR	DARLING CARY G
96	2534 WEDGLEA DR	COX FRANCES MARIE
97	2532 WEDGLEA DR	HODGES DALE
98	2536 WEDGLEA DR	GAGE LORI A
99	2546 WEDGLEA DR	VERTREES ROGER W
100	2550 WEDGLEA DR	PINKSTON FAMILY LIVING TRUST
101	2548 WEDGLEA DR	BAKER ANNA LAURIE &
102	2522 WEDGLEA DR	BARGER JIMMY M
103	2540 WEDGLEA DR	MORENO CONNIE K
104	2554 WEDGLEA DR	DEGRAFFENREID NATALIE N
105	2560 WEDGLEA DR	WEDGLEA CREEK GARDEN HOMES HOA INC
106	2562 WEDGLEA DR	KIRKPATRICK ROBERT O
107	2505 WEDGLEA DR	COOPER DON RAY
108	2505 WEDGLEA DR	HLAING CHARLES S & MONICA
109	2505 WEDGLEA DR	IZQUIERDO MARGARITA
110	2505 WEDGLEA DR	RODRIQUEZ JOSE
111	2505 WEDGLEA DR	HLAING CHARLES & MONICA
112	2505 WEDGLEA DR	EFURD DEBORAH J
113	2505 WEDGLEA DR	THOMAS YASMIN G
114	2505 WEDGLEA DR	CUHNA VILMAR S
115	2505 WEDGLEA DR	SNEAD KITTY ALICE
116	2505 WEDGLEA DR	TEJEDA LIZZETTE
117	2505 WEDGLEA DR	WINTERS MAURICE L
118	2505 WEDGLEA DR	WAGNER BETTY LOU LIF EST REM: KELLENE HU
119	2505 WEDGLEA DR	SIMMONS BARBARA K UNIT 108-B

10/25/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2505 WEDGLEA DR	WARTENBACH GORDON R
121	2505 WEDGLEA DR	MENDIETTA BARTOLO
122	2505 WEDGLEA DR	ANDERSON JIM I
123	2505 WEDGLEA DR	COOLEDGE CHARLES UNIT 112
124	2505 WEDGLEA DR	EVES D W
125	2505 WEDGLEA DR	LOZANO KARA NICOLE UNIT 208 BLDG B
126	2505 WEDGLEA DR	HUIE CHERRY & ELAINE TAN
127	2505 WEDGLEA DR	MUNIZ PAUL A & CLAUDIA B
128	2505 WEDGLEA DR	BEGLEY LINDA L BLDG B UNIT 211
129	2505 WEDGLEA DR	BEGLEY BERLIE
130	2505 WEDGLEA DR	HLAING MONICA
131	2505 WEDGLEA DR	VEGA IRENE
132	2505 WEDGLEA DR	CHANDLER JAREN #139
133	2505 WEDGLEA DR	PERRY SHIRLEE ANN
134	2505 WEDGLEA DR	FAIR CARMEN C EST OF
135	2505 WEDGLEA DR	HLAING CHARLES S
136	2505 WEDGLEA DR	MARTIN ANTHONY C
137	2505 WEDGLEA DR	HLAING CHARLES SEIN & MONICA
138	2505 WEDGLEA DR	HAMM ROBERT V
139	2505 WEDGLEA DR	ROBERTS GARY
140	2505 WEDGLEA DR	TONE ENTERPRISES INC % ROBERT BOLDEN
141	2505 WEDGLEA DR	HILL TARA NICHOLE
142	2505 WEDGLEA DR	LOPEZ RUTH G ESTATE OF BLDG D UNIT 132
143	2505 WEDGLEA DR	HLAING CHARLES S & MONICA HLAING
144	2505 WEDGLEA DR	STANTON STEPHEN F & STACY A
145	2505 WEDGLEA DR	CABEZA ADRIANA F UNIT 135
146	2505 WEDGLEA DR	JOY LOQUITA
147	2505 WEDGLEA DR	HLAING CHARLES S & MONICA
148	2505 WEDGLEA DR	TOM ALFRED UNIT 3K
149	2505 WEDGLEA DR	BOCKMAN THOMAS MICHAEL
150	2505 WEDGLEA DR	SHOCKLEY JASON D APT 235

10/25/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	2505 WEDGLEA DR	KLEIN KAREN FIDELIS
152	2505 WEDGLEA DR	MORRELL JAYNE E
153	2505 WEDGLEA DR	WESSON SARA
154	2505 WEDGLEA DR	DUKE DANIEL
155	2505 WEDGLEA DR	GRUBER SYDNEY K UNIT 129
156	2505 WEDGLEA DR	MASTON ROBERT D
157	2505 WEDGLEA DR	JAMES ROBERT C JR &
158	2505 WEDGLEA DR	GIBBONS KENNETH R TR & MARGARET E GIBBON
159	2505 WEDGLEA DR	SAFFARINI RWAN I & UNIT 227
160	2505 WEDGLEA DR	HAMILTON DON BLDG E UNIT 228
161	2505 WEDGLEA DR	VAUGHAN DAVID A
162	2505 WEDGLEA DR	MARTIN MARY E BLDG F UNIT 119
163	2505 WEDGLEA DR	BAKER ANNA LAURIE
164	2505 WEDGLEA DR	MANNING CHARLES J
165	2505 WEDGLEA DR	GRILLO VINCENT J &
166	2505 WEDGLEA DR	VAUGHN FAMILY LIVING TR BRUCE L & MICKEY
167	2505 WEDGLEA DR	HAMM ROBERT V
168	2505 WEDGLEA DR	GRILLO VINCENT J & SANTA
169	2505 WEDGLEA DR	HARTER OLIVER G
170	2505 WEDGLEA DR	KING JUDITH
171	2505 WEDGLEA DR	DUKE DANIEL N
172	2505 WEDGLEA DR	PASS JAMES R
173	2505 WEDGLEA DR	MCDONALD GEORGE MARK
174	2505 WEDGLEA DR	KAVANAUGH SAKIKO T ESTATE OF
175	2505 WEDGLEA DR	DAVIS CURTIS JACKSON UNIT 115
176	2505 WEDGLEA DR	TEMPLETON JAMES T & SHIRLEY A
177	2505 WEDGLEA DR	STARKEY SUSAN M
178	2505 WEDGLEA DR	EVES ROBERT
179	2505 WEDGLEA DR	WERNER CORKY R
180	2505 WEDGLEA DR	MONTGOMERY E STEVE & SHARON R
181	2505 WEDGLEA DR	WARREN L C UNIT 216

10/25/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	2505 WEDGLEA DR	IZQUIERDO MARGARITA BLDG G UNIT 217
183	2505 WEDGLEA DR	MUELLER PROP LTD
184	2506 WEDGLEA DR	HLAING CHARLES SEIN & MONICA
185	2506 WEDGLEA DR	HEDRICK RICHARD BLDG A UNIT 102
186	2506 WEDGLEA DR	HLAING CHARLES & MONICA
187	2506 WEDGLEA DR	ALLEN CHARLOTTE A
188	2506 WEDGLEA DR	STANLEY MARGARET
189	2506 WEDGLEA DR	HLAING CHARLES S & MONICA
190	2506 WEDGLEA DR	BURNS GARY WAYNE
191	2506 WEDGLEA DR	SHARP HENRY STEPHEN
192	2506 WEDGLEA DR	WATSON WILLIAM F
193	2506 WEDGLEA DR	DELACRUZ MIGUEL JR
194	2506 WEDGLEA DR	KIRKPATRICK ROBERT WAYNE &
195	2506 WEDGLEA DR	SKOBEL ROBERT
196	2506 WEDGLEA DR	BARGER BRIAN O
197	2506 WEDGLEA DR	DUKE DANIEL N
198	2506 WEDGLEA DR	HARVEY REGINALD M BLDG J UNIT 902
199	2506 WEDGLEA DR	WALKER MELANIE L BLDG J UNIT 903
200	2506 WEDGLEA DR	NUNEZ ROSA & BLAS ALFARO BLDG J UNIT 90
201	2506 WEDGLEA DR	KAPLAN LETICIA S UNIT 905
202	2506 WEDGLEA DR	HUDGEONS JOHN & HEATHER UNIT 907
203	2506 WEDGLEA DR	FLINT JAMES E
204	2506 WEDGLEA DR	MORGAN CHARMAYE UNIT 909
205	2506 WEDGLEA DR	DURHAM RON UNIT 910

Planner: Richard E. Brown

FILE NUMBER: Z123-362 (RB) **DATE FILED:** August 22, 2013

LOCATION: West Line of Greenville Avenue, South of Sears Street

COUNCIL DISTRICT: 2 **MAPSCO:** 36 X

SIZE OF REQUEST: Approx. 15,073 Sq. Ft. **CENSUS TRACT:** 10.02

APPLICANT/REPRESENTATIVE: Samuel J. Mandell, III

OWNER: 1919-27 Greenville, Ltd.

REQUEST: An application for the renewal of Specific Use Permit No. 1905 for a Late-hours establishment limited to a Restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842, Greenville Avenue for CR Community Retail District Uses with an MD-1 Modified Delta Overlay.

SUMMARY: The applicant is proposing to continue operation of an existing restaurant with late hours.

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

Guiding Criteria for Recommendation:

Staff recommends approval of this renewal and amendment subject to the revised site plan and conditions based upon:

1. *Compatibility with surrounding uses and community facilities* – The request is oriented along the Greenville Avenue frontage, consistent with similar retail and personal service uses in the immediate area. To mitigate any potential impacts upon residential uses in proximity, no outside operations (i. e., patio areas) face the residential area to the west and the use of outdoor loudspeakers is prohibited.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The use possesses similar operational characteristics as expected along the Greenville Avenue frontage.
3. *Not a detriment to the public health, safety, or general welfare* – The applicant has operated in a responsible manner (three reported offenses between 12:00 midnight and 6:00 a.m. and one warning reported by TABC) since the granting of SUP No. 1905 for this late hours establishment.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – A valid certificate of occupancy exists and no building, health, or safety code violations have been recorded.

BACKGROUND INFORMATION:

- The existing improvements are utilized for a restaurant. The applicant has operated at this location since July, 2007.
- The restaurant occupies 1,475 square feet of floor area and is requesting approval for a future 253 square foot uncovered patio located along the site's Greenville Avenue frontage; the latter subject to approval of a private license.
- On January 26, 2011, the City Council approved Planned Development District No. 842 for CR District Uses, and furthermore requires an SUP for any retail and personal service uses operating between the hours of 12:00 midnight and 6:00 a.m.
- On February 24, 2011, the City Council approved SUP No. 1905 for a Late-hours establishment limited to a restaurant without drive-in or drive-through service.
- The site lies within the Area 3 portion of Modified Delta Overlay No. 1.

Zoning History:

<u>File No.</u>	<u>Request, Disposition, and Date</u>
1. Z101-261	On August 10, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period.
2. Z101-303	On September 14, 2011, the City Council approved a Specific Use Permit for a Late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period subject to a site plan and conditions.
3. Z101-311	On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a commercial amusement (inside) use limited to a billiard hall for a two-year period subject to a site plan and conditions.
4. Z101-260	On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a two-year period subject to a site plan and conditions.
5. Z123-304	Renewal of SUP No. 1904 for a late-hours establishment limited to a restaurant without drive-in or drive-through service. Pending the November 12, 2013 Council hearing (CPC recommended approval on October 10, 2013).
6. Z101-318	On September 14, 2011, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a three-year period subject to a site plan and conditions.
7. Z123-262	On August 28, 2013, the City Council approved a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period subject to a site plan and conditions.
8. Z123-315	On October 23, 2013, the City Council approved the renewal of Specific Use Permit No. 1912 for a Late-hours

establishment limited to a Bar, lounge, or tavern use for a three-year period, subject to a revised site plan and revised conditions.

Street

Existing & Proposed ROW

Greenville Avenue

Local; 50' ROW

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

Comprehensive Plan: The request site lies within a Main Street Building Block. Main streets are modeled after the American tradition of “main street” as a place for living, working and shopping. Examples of these streets with concentrations of pedestrian activity include Jefferson Boulevard, Knox-Henderson and Lovers Lane. Main streets, typically no more than a mile long, are active areas with buildings one to four stories in height and usually placed right up to the sidewalk with parking available on-street. Away from the “main street,” density quickly diminishes, thus minimizing impacts on nearby neighborhoods. This Building Block will likely be served by bus or rail and contain safe and pleasant walking environments. Streets have trees and wide sidewalks. There may even be landscaped paths from the “main street” to rear parking areas, sidewalk cafes, outdoor dining areas or courtyards. The primary public investment in these areas will be upgrading streets and walkways to create safe high-quality pedestrian environments.

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

Area Plans: Studies conducted in the area include the Lower Greenville Avenue Parking Study (1986) that recommended that “the City enforce premise code violations as it does in other parts of the City of Dallas”. Code Enforcement was also an issue highlighted in the Greenville Avenue Urban Design Study (1996-1997). It was recommended that “initiatives be taken to conduct a comprehensive sweep to clean-up the Greenville Avenue corridor and there after enforce codes with the assistance of property owners, residents, businesses and operations to maintain the property and report violations to the City for follow-up action.” Recommendations from both studies are still applicable today and consistent with authorized hearing SUP recommendations to address quality of life for adjacent residential neighborhoods and the Lowest Greenville Avenue corridor, respectively.

Land Use: The request site possesses improvements that are utilized for a restaurant; 1,475 square feet of floor area and a request for a future 253 square foot uncovered patio that fronts along the site's Greenville Avenue frontage. The applicant is requesting the renewal of SUP No. 1905. The restaurant has been at this location since July, 2007.

In addition to the mix of retail and entertainment uses located along Greenville Avenue north and south of the site, residential uses (single family and multifamily structures) are found on properties further northwest/west towards Summit Avenue. A vacant office structure abuts the site's western boundary. There is a medium-density residential component (multifamily dwellings) associated with the mixed use development immediately south of the site.

The purpose of PDD No. 842 is to 'ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.' As defined in the PDD, a late-hours establishment is any retail or personal service use that operates between 12:00 a.m. and 6:00 a.m., and furthermore requires an SUP for this defined use. Additionally, the City Council adopted a compliance date of September 23, 2011 for any retail and personal service use operating beyond 12:00 a.m. to obtain the required SUP.

PDD No. 842 establishes the following criteria for consideration of an SUP for a late-hours establishment:

(e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):

(1) the number of citations issued by police to patrons of the establishment;

(2) the number of citations issued by police for noise ordinance violations by the establishment;

(3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;

(4) the number of Texas Alcoholic Beverage Code violations of the establishment; and

(5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

In addition to the regulations of PDD No. 842, the Dallas Development Code establishes general criteria for any use requiring an SUP:

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

The applicant's improvements are oriented along the north-south alignment of Greenville Avenue with no direct access to the residential areas that are found beyond those uses along the street. The applicant has operated in a responsible manner with three of the seven reported offense calls (Nos. 2, 4, and 5, below) involving police activity at the location for the time period of approval of SUP No. 1905 (September 14, 2011) through October, 28, 2013 occurring between the hours of 12:00 midnight and 6:00 a.m. With respect to the applicant's standing with the Texas Alcoholic Beverage Commission, one miscellaneous violation (written warning) has been filed for the time period of September 14, 2011 through October 17, 2013.

Parking: The existing restaurant requires and provides 15 off-street parking spaces. It should be noted the applicant and the property owner are aware of the requirement that off-street parking (one space for each 100 square feet of patio area) must be provided for utilization of the future patio area.

Landscaping: The existing development is void of landscape materials. The request will not trigger compliance with Article X.

Dallas Police Department Reports

Public Offense Search Results

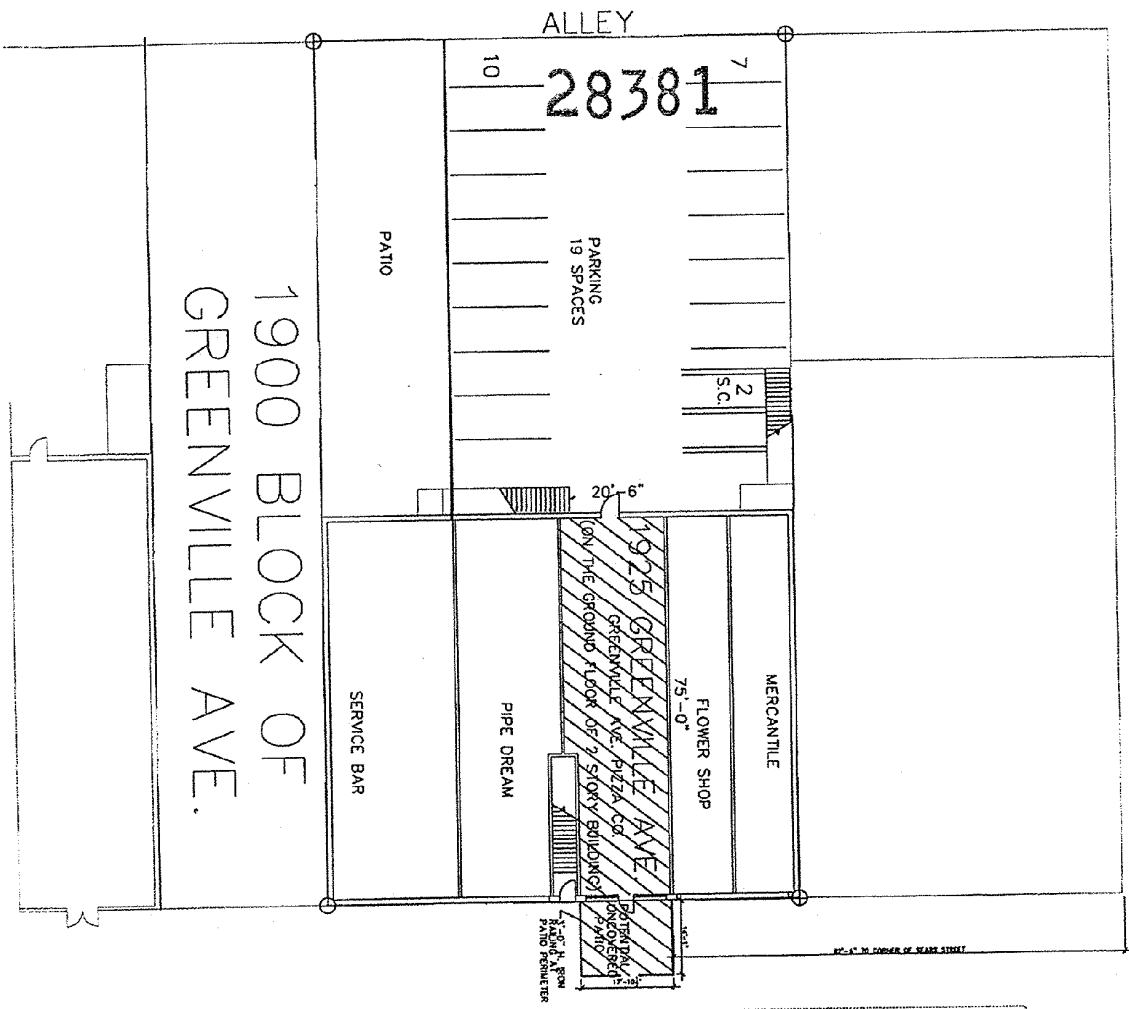
	SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	REPORTING BEAT AREA	
1	0198467-A	08/04/2013	CRIMINAL MISCHIEF/VANDALISM	PACHECO,JULIAN	01923 GREENVILLEAVE	144	1161
2	0214587-Z	08/29/2012	ACCIDENTAL INJURY - PUBLIC PROPERTY	MONTES,JOSE	01923 GREENVILLEAVE	144	1161
3	0242754-Z	09/29/2012	THEFT	STEINWENDER,ASHLEIGH	01923 GREENVILLEAVE	144	1161
4	0181512-Z	07/22/2012	CRIMINAL MISCHIEF/VANDALISM	*GREENVILLE AVE PIZZA CO.	01923 GREENVILLEAVE	144	1161
5	0185463-Z	07/27/2012	ASSAULT	UKIRI,UREMAYDNI	01923 GREENVILLEAVE	144	1161
6	0055614-A	03/08/2013	THEFT	RAMIREZ,PEDRO	01923 GREENVILLEAVE	144	1161
7	0036037-A	02/13/2013	AUTO THEFT-UUMV	JOHNSON,ASHLEY	01923 GREENVILLEAVE	144	1161

List of Partners/Principles/Officers

- **Hope Street, LLC – GP**
- **Reese Children’s Trust II – Limited**
- **AJ Associates - Limited**

AMENDING CONDITIONS FOR SPECIFIC USE PERMIT NO. 1905

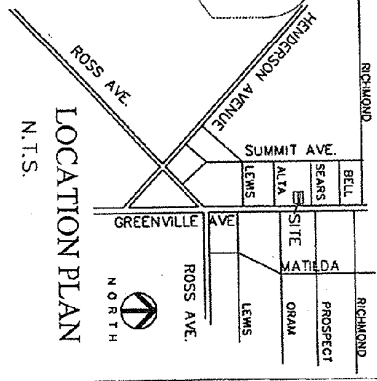
1. USE: The only use authorized by this specific use permit is a late-hours establishment limited to a restaurant without drive-in or drive-through service.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on ~~September, 2013~~ (three years).
4. FLOOR AREA:
 - A. Maximum floor area is 1,475 square feet.
 - B. Maximum outdoor patio area is 253 square feet in the location shown on the attached site plan.
 - C. The patio must be uncovered.
 - D. The owner or operator must obtain a private license for an outdoor patio, with copy provided to the building official, before the outdoor patio may be used for customers.
5. HOURS OF OPERATION: The late-hours establishment may only operate between 12:00 a.m. (midnight) and 3:00 a.m., Tuesday, Wednesday, Thursday, and Sunday, and between 12:00 a.m. (midnight) and 4:00 a.m., Friday and Saturday.
6. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENT: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



SEARS STREET

1900 BLOCK OF GREENVILLE AVE.

GREENVILLE AVENUE



LOCATION PLAN N.T.S.

SCALE - 1" = 10'-0"



DESIGN COLLABORATIVE DALLAS
 4025 NORTHSHORE DRIVE DALLAS, TEXAS 75226
 dcdallas@jhalco.com 214-969-4141



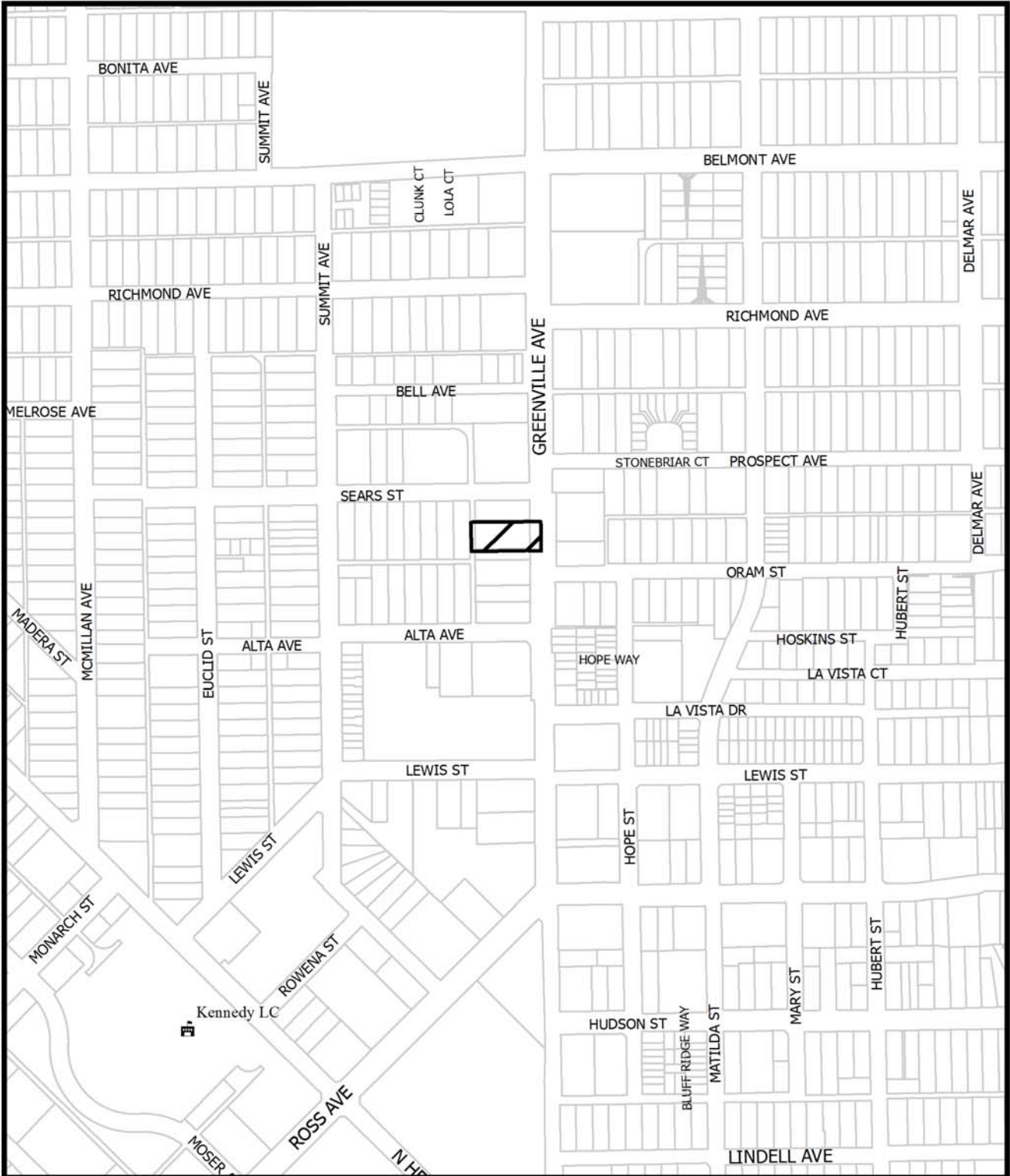
SCALE	0'	5'	10'	20'	30'
1900 BLOCK GREENVILLE AVENUE DALLAS TEXAS					
1925 GREENVILLE AVE.					
DESIGNER AND ARCHITECT					
GREENVILLE AVE. PIZZA CO. - TOTAL AREA = 1,615 SF.					
POTENTIAL UNCORRODED DRAIN = 431 SF.					
GREENVILLE AVE. PIZZA CO. - TOTAL SP. AREA = 1,728 SF.					
CONV. CASE NO. 2101-3300					

Approved

Specific Use Permit No. 1905



Existing Site Plan

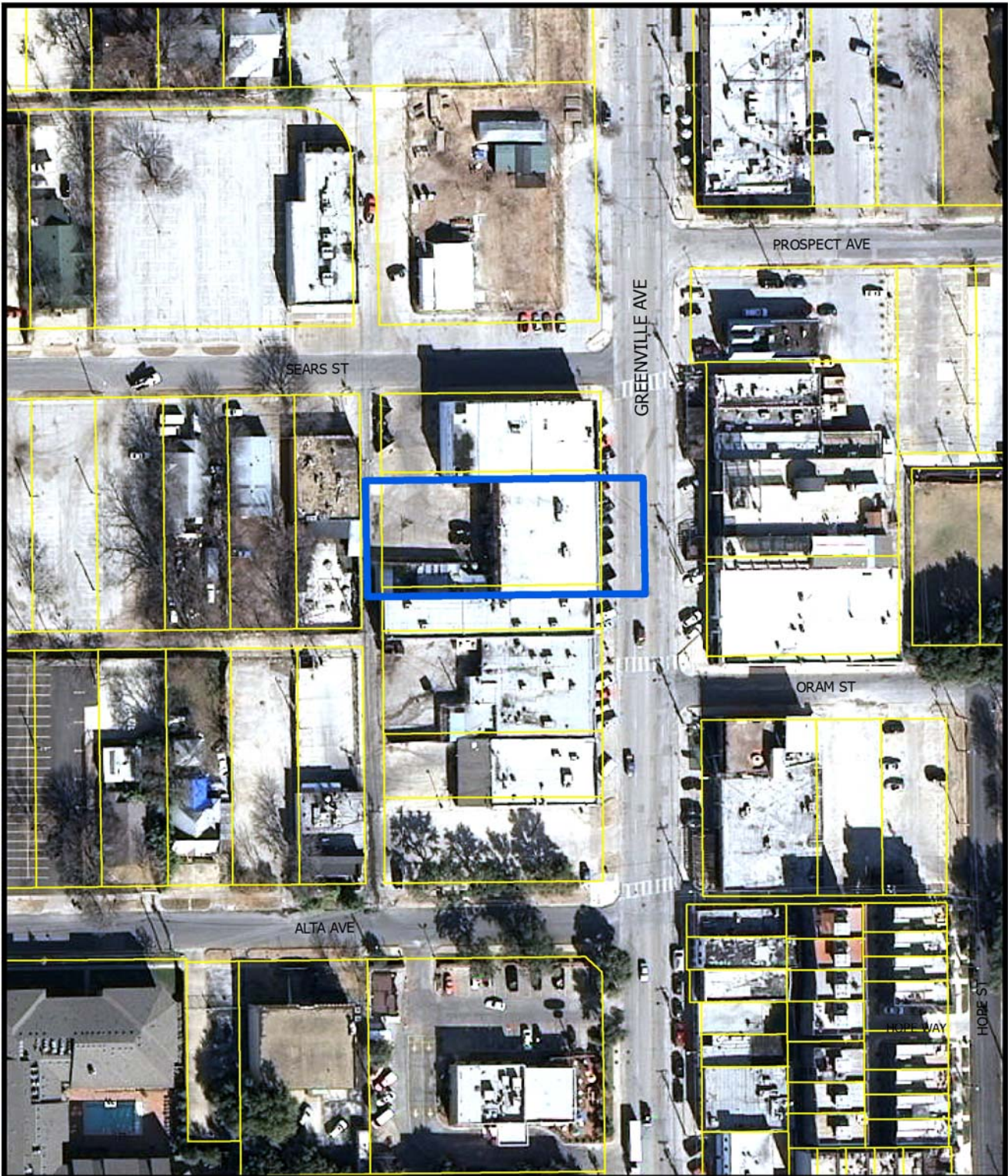


1:4,800

VICINITY MAP

Case no: **Z123-362**

Date: **10/25/2013**

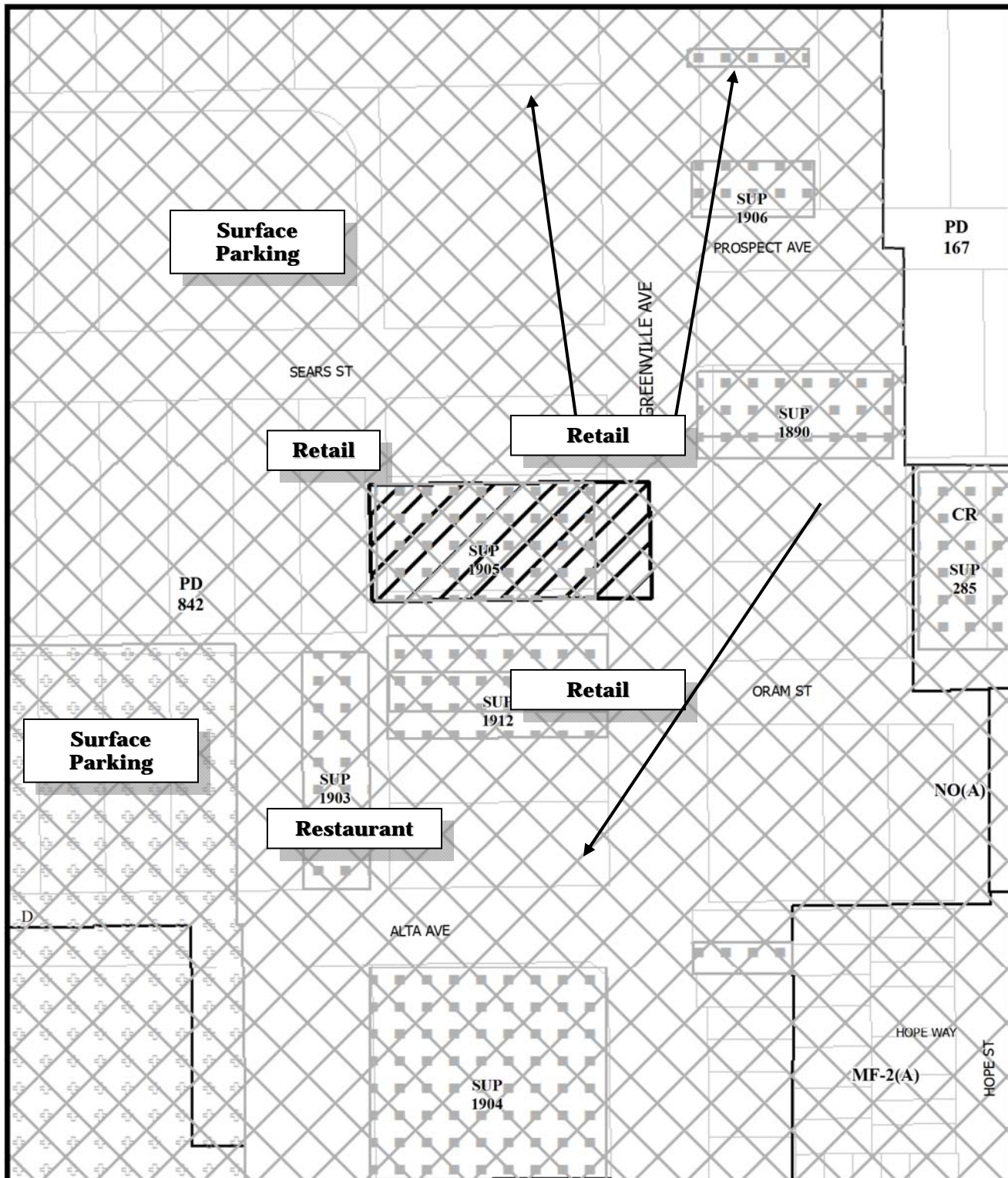


1:1,200

AERIAL MAP

Case no: Z123-362

Date: 10/25/2013

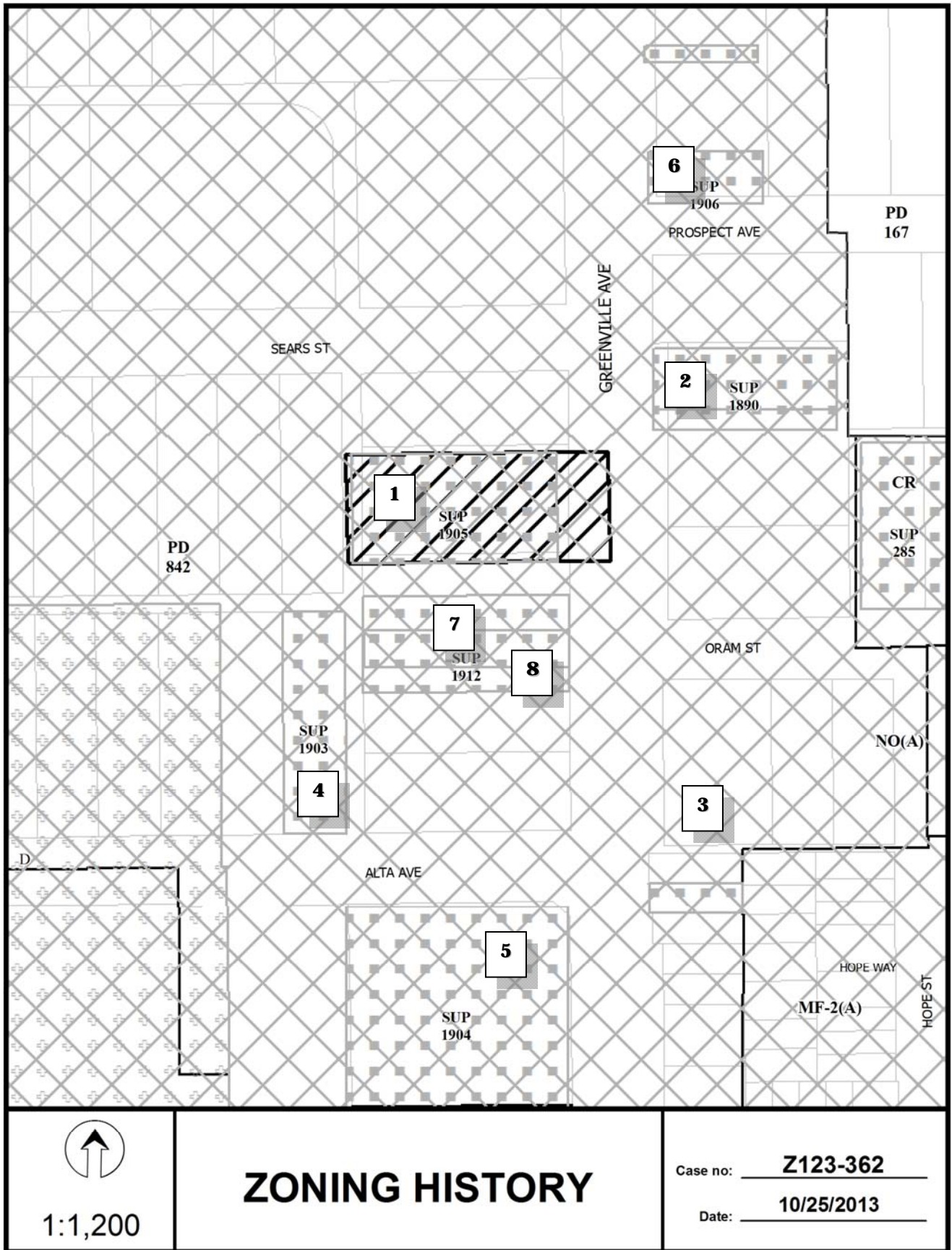


1:1,200

ZONING AND LAND USE

Case no: Z123-362

Date: 10/25/2013




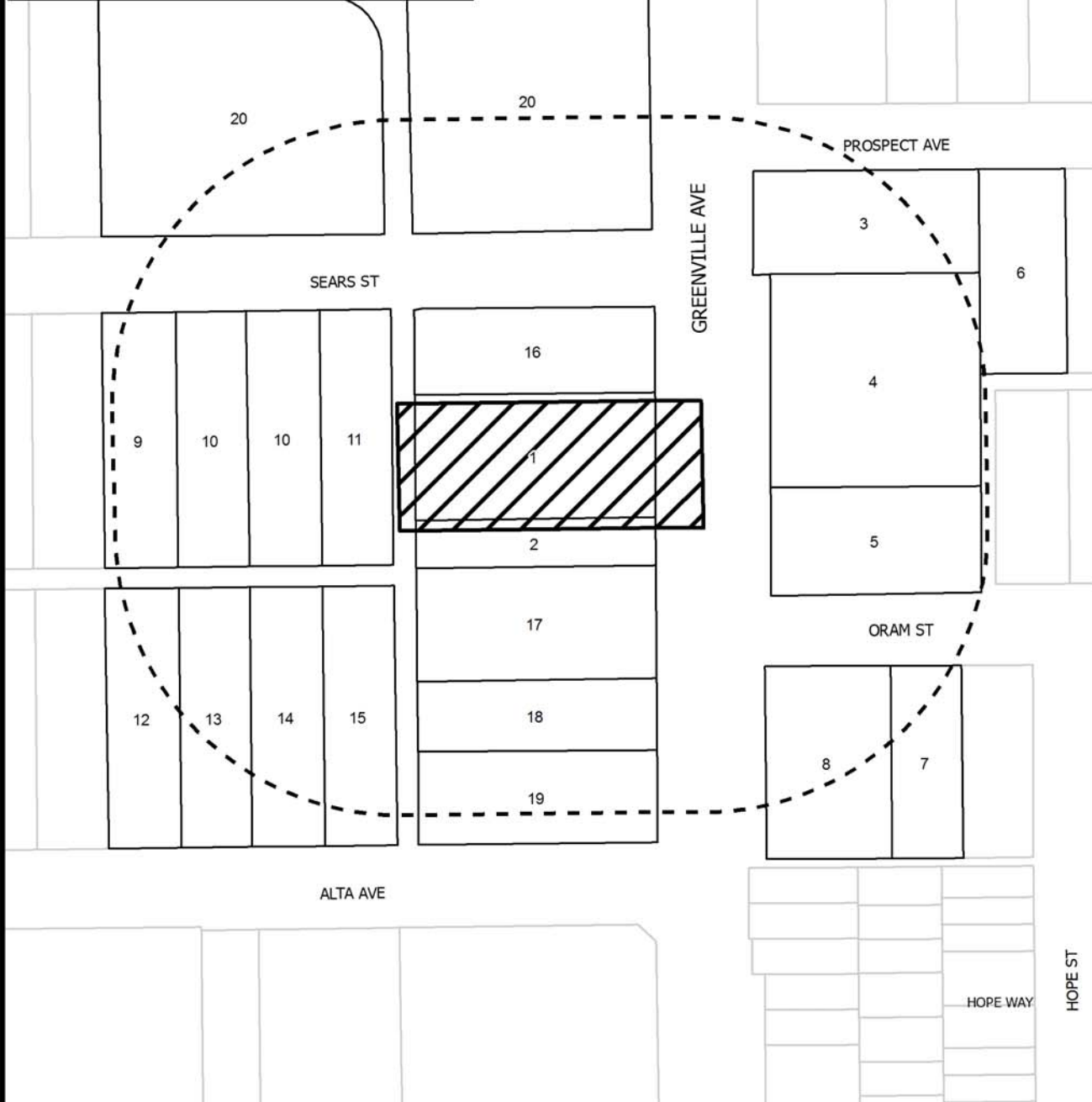
1:1,200

ZONING HISTORY

Case no: Z123-362

Date: 10/25/2013

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
20 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-362**
 Date: **10/25/2013**

10/25/2013

Notification List of Property Owners***Z123-362******20 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1919 GREENVILLE AVE	1919 27 GREENVILLE LTD
2	1917 GREENVILLE AVE	WORLD WIDE FOOD INC
3	2026 GREENVILLE AVE	ANDRES FAMILY TRUST
4	2004 GREENVILLE AVE	LAVO PROPERTIES LLC
5	2000 GREENVILLE AVE	LANDE PAUL & PAUL LANDE EMP PR SH TR
6	5716 PROSPECT AVE	ANDRES FAMILY TRUST 200
7	5710 ORAM ST	SOURIS MINOS
8	1920 GREENVILLE AVE	LOWGREEN PS
9	5618 SEARS ST	GREENVILLE HOLDINGS CO STE 260
10	5622 SEARS ST	5624 SEARS STREET LTD
11	5628 SEARS ST	ANDRES FAMILY TRUSTS
12	5619 ALTA AVE	THACKER RICHARD E JR
13	5623 ALTA AVE	SHIELDS WILLIAM OLIVER
14	5627 ALTA AVE	WSVV
15	5631 ALTA AVE	WSVV LLC
16	1931 GREENVILLE AVE	GENARO TRUST 1 % THOMAS ODDO
17	1911 GREENVILLE AVE	INTERCITY INVESTMENT PROP SUITE 500
18	1909 GREENVILLE AVE	WORLDWIDE FOOD INC
19	1903 GREENVILLE AVE	LOWGREEN PS % SHULA NETZER
20	5623 SEARS ST	2001 GREENVILLE VENTURE LTD

FILE NUMBER: Z123-225(MW)

DATE FILED: March 8, 2013

LOCATION: Northwest corner of Barnes Bridge Road and El Capitan Drive

COUNCIL DISTRICT: 9

MAPSCO: 38-D

SIZE OF REQUEST: ±16,875 square feet

CENSUS TRACT: 127.01

REPRESENTATIVE/APPLICANT/OWNER: 1835 Barnes Bridge Corporation,
Jose Rios, President (Sole Officer)

REQUEST: An application for a CS Commercial Service District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District

SUMMARY: The purpose of this application is to make legal an existing vehicle or engine repair or maintenance use. No new development is proposed by this application.

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

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The proposal is not anticipated to negatively impact the performance of surrounding properties. The applicant’s volunteered deed restrictions further ensure compatibility by prohibiting the more intensive uses permitted in the CS Commercial Service District.
2. *Traffic impact* – With or without the applicant’s volunteered deed restrictions, the request will not significantly impact the surrounding roadway system.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Comprehensive Plan.

BACKGROUND INFORMATION:

- The ±16,875-square foot request site is developed with a ±1,200-square foot building, which will remain. No new construction is proposed by this application.
- Based on information contained in Posse (Building Inspections’ database), the request site has operated under a certificate of occupancy for an auto service center since at least 1992. The applicant, who is the current business operator, was issued a certificate of occupancy for an auto service center on March 20, 2007.
- In addition to the minor mechanical repair to motor vehicles, the applicant performs engine and transmission repairs, which are not permitted under the auto service center use. However, these activities are considered a vehicle or engine repair or maintenance use which is permitted in the CS Commercial Service District.
- The deed restrictions volunteered by the applicant limit the permitted uses to those in CR Community Retail District with the addition of the machine or welding shop and vehicle engine repair or maintenance uses.

Zoning History:

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

Traffic:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Barnes Bridge Road	Local	60 feet	N/A

Surrounding Land Uses:

	Zoning	Land Use
North	CR; MF-2(A)	Undeveloped; multifamily
East	CR; MF-2(A)	Office (vacant); multifamily
South	PDD No. 323	Church
West	PDD No. 323; R-7.5(A)	Retail

STAFF ANALYSIS:

Comprehensive Plan:

The Vision Illustration depicts the request site as within a *Commercial Center or Corridor* Building Block on the ***forwardDallas! Vision Illustration***, adopted June 2006. 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.

URBAN DESIGN

GOAL 5.2 Strengthen community and neighborhood identity

Policy 5.2.1 Maintain neighborhood scale and character.

Land Use Compatibility:

The applicant was issued a certificate of occupancy for an auto service center on March 20, 2007. In addition to the minor mechanical repair to motor vehicles, the applicant

performs engine and transmission repairs, which are not permitted under the auto service center use. The applicant wishes to make the use legal and, therefore, requests CS Commercial Service District. Use of the site for vehicle or engine repair or maintenance appears to be compatible with the surrounding uses. The applicant's proposed deed restrictions will ensure compatibility by prohibiting the more intensive uses permitted in the CS Commercial Service District.

Development Standards:

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: CR Community Retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
Proposed: CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

Parking:

Pursuant to §51A-4.200 of the Dallas Development Code, the vehicle or engine repair or maintenance use requires one off-street parking space per 500 square feet of floor area with a minimum of five spaces required. Therefore, the ±1,200-square foot building on the request site requires five off-street parking spaces.

Landscaping:

New development on the site will require landscaping pursuant to Article X of the Dallas Development Code.

Volunteered Deed Restrictions

THE STATE OF TEXAS)
)
COUNTY OF _____)

KNOW ALL PERSONS BY THESE PRESENTS:

I.

The undersigned, 1835 Barnes Bridge Corporation, a Texas Corporation ("the Owner"), is the owner of the following described property ("the Property"), being in particular a tract of land out of the _JD Casey Survey, Abstract No. 352 , City Block 7272, City of Dallas ("City"), Dallas County, Texas, and being that same tract of land conveyed to the Owner by Guadalupe Rios, by deed dated August 6, 2007, and recorded in Volume 19 , Page 453, in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

Exhibit A

II.

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

1. The following uses are prohibited:

Commercial and business services uses.

- Bus or rail transit vehicle maintenance or storage facility.
- Commercial cleaning or laundry plant.
- Custom woodworking, furniture construction, or repair.
- Job or lithographic printing.
- Labor hall.
- Machinery, heavy equipment, or truck sales and services.

Industrial uses.

- Industrial (inside) for light manufacturing.

Institutional and community service uses.

- Halfway House.

Lodging uses

- Extended stay hotel or motel.

Retail and personal service uses.

- Animal shelter or clinic with outside runs.
- Commercial motor vehicle parking.
- Drive-in theater.
- Outside sales.
- Taxidermist.
- Truck stop.
- Vehicle display, sales and service.

Transportation uses.

- Commercial bus station and terminal.
- Heliport.
- Helistop.
- Railroad passenger station.

Wholesale, distribution, and storage uses.

- Auto action.
- Building mover's temporary storage yard.
- Contractor's maintenance yard.
- Freight terminal.
- Manufactured building sales lot.
- Office showroom/warehouse.
- Outside storage.
- Petroleum product storage and wholesale.
- Sand, gravel, or earth sales and storage.
- Trade center.
- Vehicle storage lot.
- Warehouse.

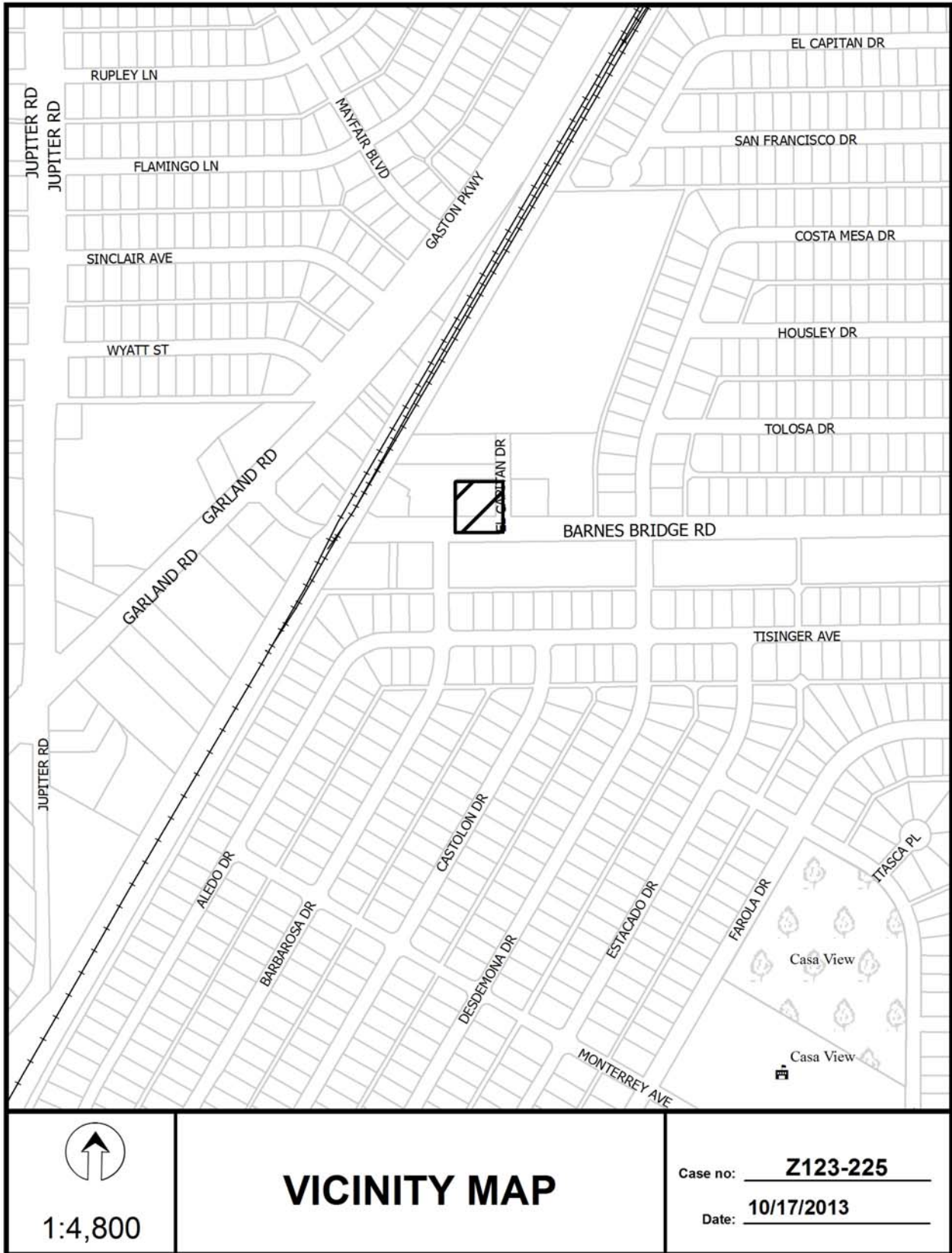
2. The following uses are permitted by SUP:

Commercial and business services uses.

- Medical or scientific laboratory

Institutional and community service uses.

- Hospital





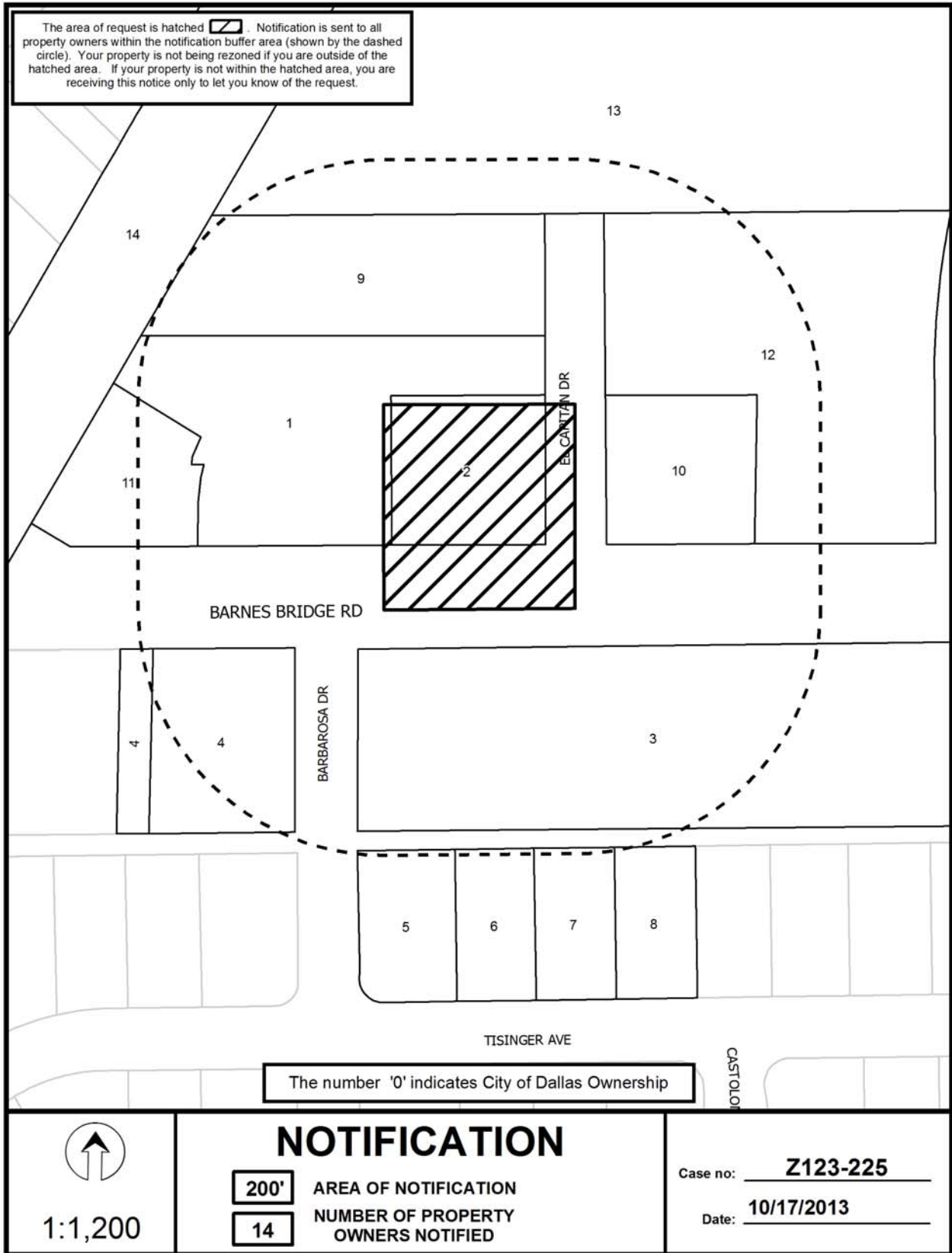
1:1,200

AERIAL MAP

Case no: Z123-225

Date: 10/17/2013





10/17/2013

Notification List of Property Owners

Z123-225

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1707 BARNES BRIDGE RD	HEAD INVESTMENT CO
2	1835 BARNES BRIDGE RD	1835 BARNES BRIDGE CORP
3	1800 BARNES BRIDGE RD	CASA LINDA METH CHURCH
4	1724 BARNES BRIDGE RD	VICTORY ASSEMBLY OF GOD
5	1805 TISINGER AVE	PENA JAIME & MARIA A
6	1809 TISINGER AVE	WALKER DAVID A
7	1815 TISINGER AVE	HERNANDEZ ANGEL & EMILLEY HARRISON
8	1821 TISINGER AVE	MORENO CAROLYN YVONNE
9	1820 EL CAPITAN DR	BURK LAWRENCE R TR SUITE 2100
10	1903 BARNES BRIDGE RD	EL CAPITAN APTS LTD STE 2100
11	1703 BARNES BRIDGE RD	LEE HWANSOO & HYUNJUNG
12	1919 BARNES BRIDGE RD	S H F GANESH LLC
13	1842 EL CAPITAN DR	EL CAPITAN APARTMENTS LTD SUITE 2100
14	99999 NO NAME ST	KANSAS CITY SOUTHERN RR

FILE NUMBER: Z123-303(MW)

DATE FILED: June 5, 2013

LOCATION: Northwest corner of Morrell Avenue and South Corinth Street Road

COUNCIL DISTRICT: 4

MAPSCO: 55-F

SIZE OF REQUEST: ±0.334 acre

CENSUS TRACT: 49.00

REPRESENTATIVE: Audra Buckley, Permitted Development

APPLICANT/OWNER: Al-Rousan and Wared, Corp.
Tarif Z. Al-Rousan, President, Secretary, and Treasurer

REQUEST: An application to renew Specific Use Permit No. 1924 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay

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

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

STAFF RECOMMENDATION:

Staff recommends approval of this renewal subject to the conditions based upon the following:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store 3,500 square feet or less is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with the main use does not affect compatibility.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The existing general merchandise or food store, which offers the sale of alcoholic beverages, provides a service to this area of the City and does not appear to negatively impact to the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the existing site plan associated with Specific Use Permit No. 1924, the request complies all applicable zoning regulations and standards.

BACKGROUND INFORMATION:

- The ±0.334-acre request site is developed with a ±2,600-square foot general merchandise or food store (convenience store) which includes gas pumps.
- The general merchandise or food store use is permitted by right. The sale of alcoholic beverages on property requires a specific use permit due to the D-1 Liquor Control Overlay.
- Specific Use Permit No. 1924 was approved on December 14, 2011 for a two-year period. If not renewed, the Specific Use Permit terminates on December 14, 2013.
- The applicant does not propose any changes to the existing site plan.

Surrounding Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
South Corinth Street Road	Principal arterial	100 feet
Morrell Avenue	Collector	50 feet

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.

Surrounding Land Use:

	Zoning	Land Use
North	R-5(A)	Single family
East	CR	Undeveloped
South	CR	Office (bail bonds)
West	CR	Single family

STAFF ANALYSIS:

Comprehensive Plan:

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

The Vision Illustration depicts the request site as within an *Urban Neighborhood* Building Block. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops

and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

LAND USE ELEMENT

Goal 1.1: Promote desired development.

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

The existing general merchandise or food store 3,500 square feet or less is generally consistent with the development desired in an Urban Neighborhood. The sale of alcoholic beverages in conjunction with the main use does not directly impact the consistency.

Land Use Compatibility:

The ±0.334-acre request site is developed with a ±2,600-square foot general merchandise or food store (convenience store) which includes gas pumps. The applicant proposes to continue to sell beer and wine for off-premise consumption in conjunction with the existing convenience store.

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

A convenience store requires a certificate of registration to comply with Chapter 12B. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience

stores in the city. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually.

Based on information provided by the Dallas Police Department (DPD), Neighborhood Police Unit, Southeast Patrol Division, the convenience store located at 829 South Corinth Street Road is in DPD’s system and passed inspection on September 21, 2013. Therefore, the referenced convenience store complies with Chapter 12B (Convenience Store) requirements.

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR-D-1	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:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area; the requirement for a motor vehicle fueling station is two (2) spaces. Therefore, the ±2,600-square foot convenience store with gas pumps requires a total of 15 parking spaces. The applicant will continue to provide 15 parking spaces, as depicted on the site plan.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any new development on the property will require landscaping per Article X of the Dallas Development Code.

Police Report:

Specific Use Permit No. 1924 was approved on December 14, 2011. An online search of the Dallas Police Department's offense incident reports for the period from December 14, 2010 to December 14, 2011, one year prior to approval, revealed the following results:

Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0028517-Y	02/02/2011	ALWAKE,MAHMOUD	AUTO THEFT-UUMV	00829	S	CORINTHS...	712	4147	07171		
0111647-Y	05/02/2011	*MOTIONS	TRAFFIC MOTOR VE...	00829	S	CORINTHS...	712	4147	32090		
0193650-Y	07/22/2011	@CITY OF DALLAS	FRAUD	00829	S	CORINTHS...	712	4147	11110		
0309303-Y	11/25/2011	MARTINEZ, JUAN MANUEL	ROBBERY	00829	S	CORINTHS...	712	4147	04111	03911	

Page 1 of 1 (4 items)

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Below are the results for the period from December 15, 2011 to October 11, 2013.

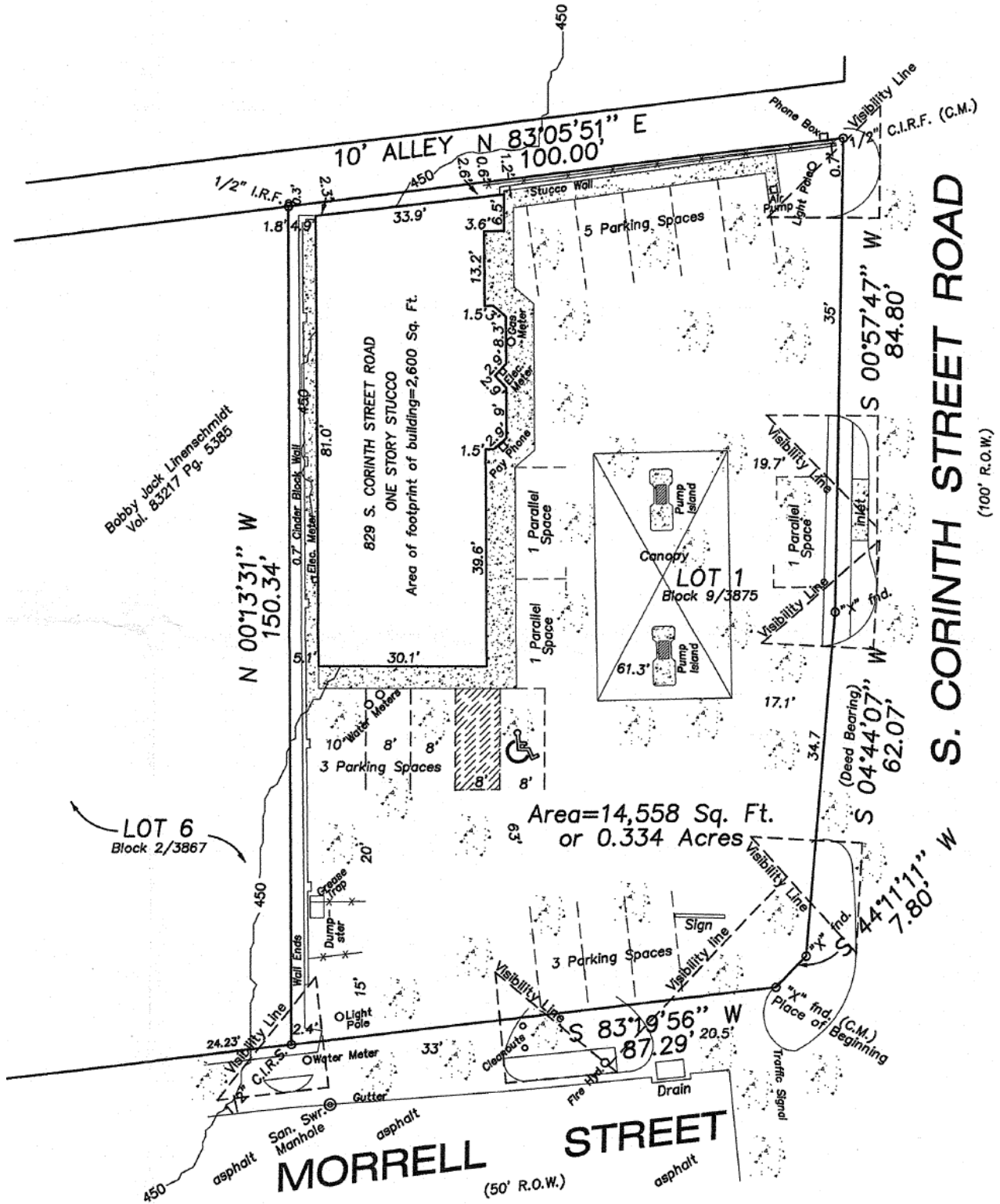
Search Records - Offense										Filter	
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2	
0029251-A	02/05/2013	*MOTION	FORGERY & COUNTERF...	00829	S	CORINTHS...	712	4147	10021		
0035585-Z	02/11/2012	JOHNSON, LETISHA	OTHER OFFENSES	00829	S	CORINTHS...	712	4147	26000		
0047304-Z	02/26/2012	PICKENS,KARA	ASSAULT	00829	S	CORINTHS...	712	4147	08422		
0107567-Z	05/03/2012	MARTINEZ,JESUS	ASSAULT	00829	S	CORINTHS...	712	4147	08192		
0139356-Z	06/06/2012	@CITY OF DALLAS	FOUND PROPERTY	00829	S	CORINTHS...	712	4147	43020		
0144837-A	06/10/2013	BROWN,BENNY	ASSAULT	00829	S	CORINTHS...	712	4147	08291		
0148301-A	06/13/2013	AYANNA, ASHLEY	ASSAULT	00829	S	CORINTHS...	712	4147	08422		
0165279-A	06/30/2013	BOOTH,MARVENNA	AGGRAVATED ASSAULT	00829	S	CORINTHS...	712	4147	04472		
0284878-Z	11/25/2012	@MESQUITE PD	FOUND PROPERTY	00829	S	CORINTHS...	712	4147	43030		

Page 1 of 1 (9 items)

Existing/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 use 3,500 square feet or less.
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 ~~December 14, 2013.~~ (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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. 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.

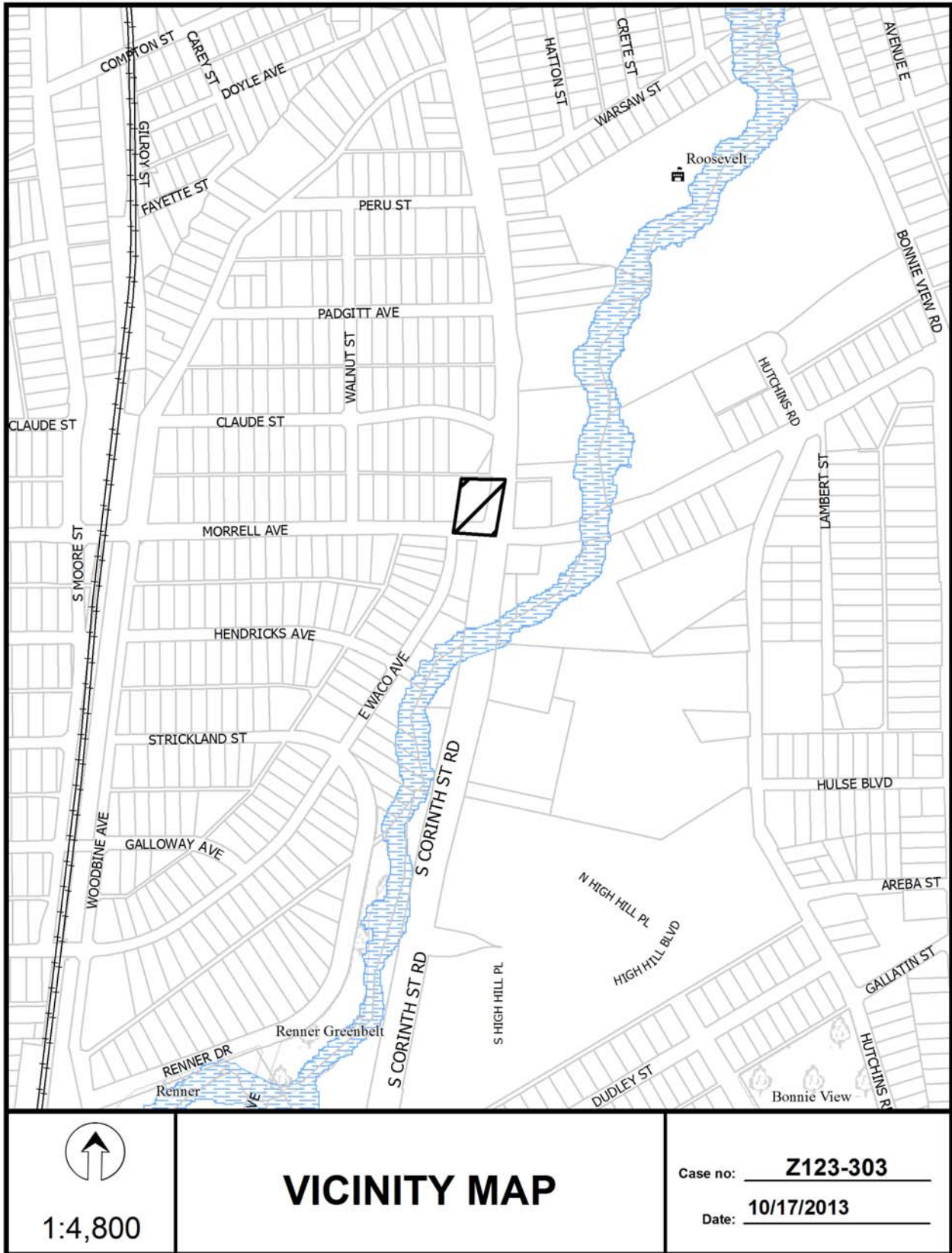
Existing Site Plan



Bobby Jack Linenschmidt
Vol. 83217 Pg. 5385

LOT 6
Block 2/3867

S. CORINTH STREET ROAD
(100' R.O.W.)



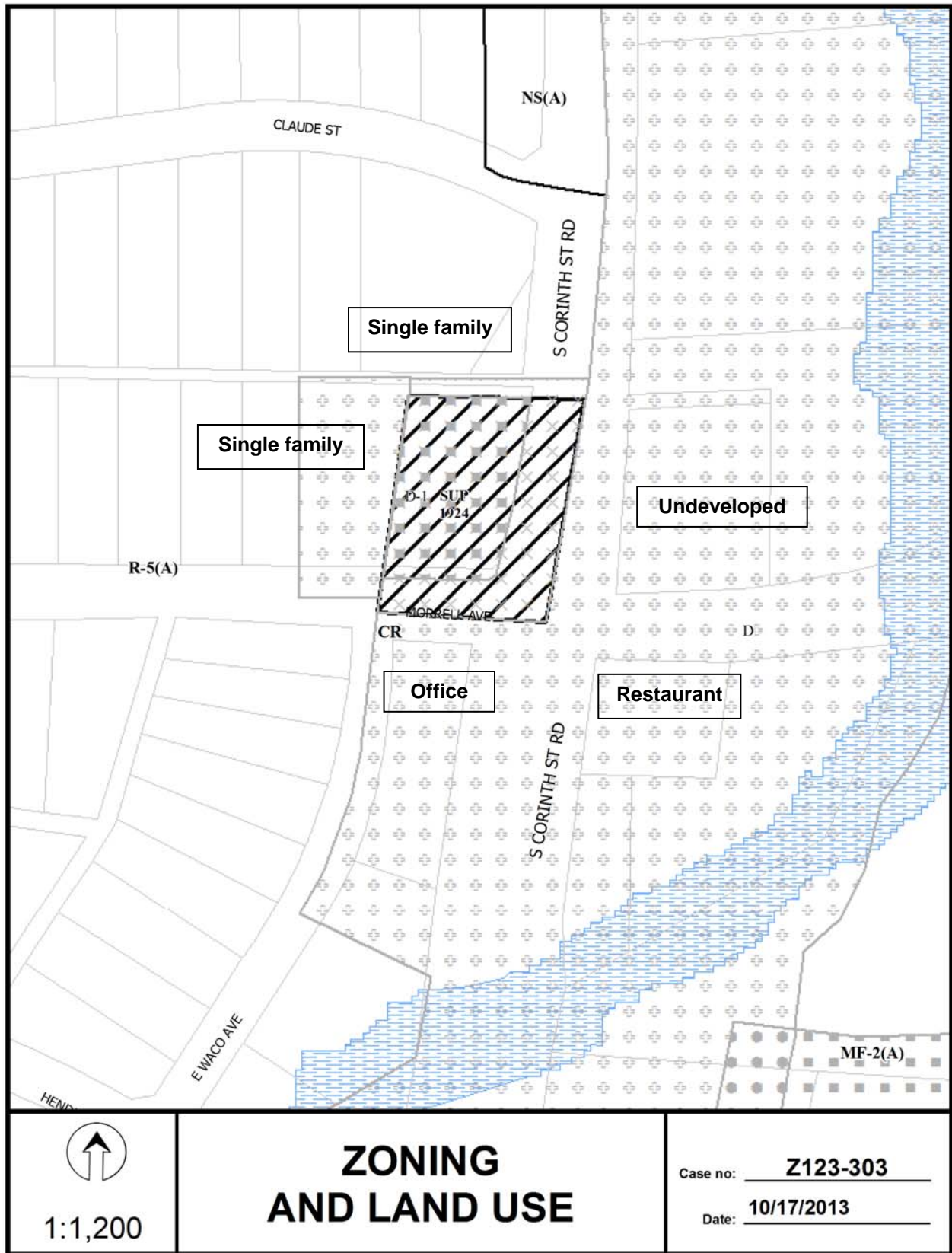


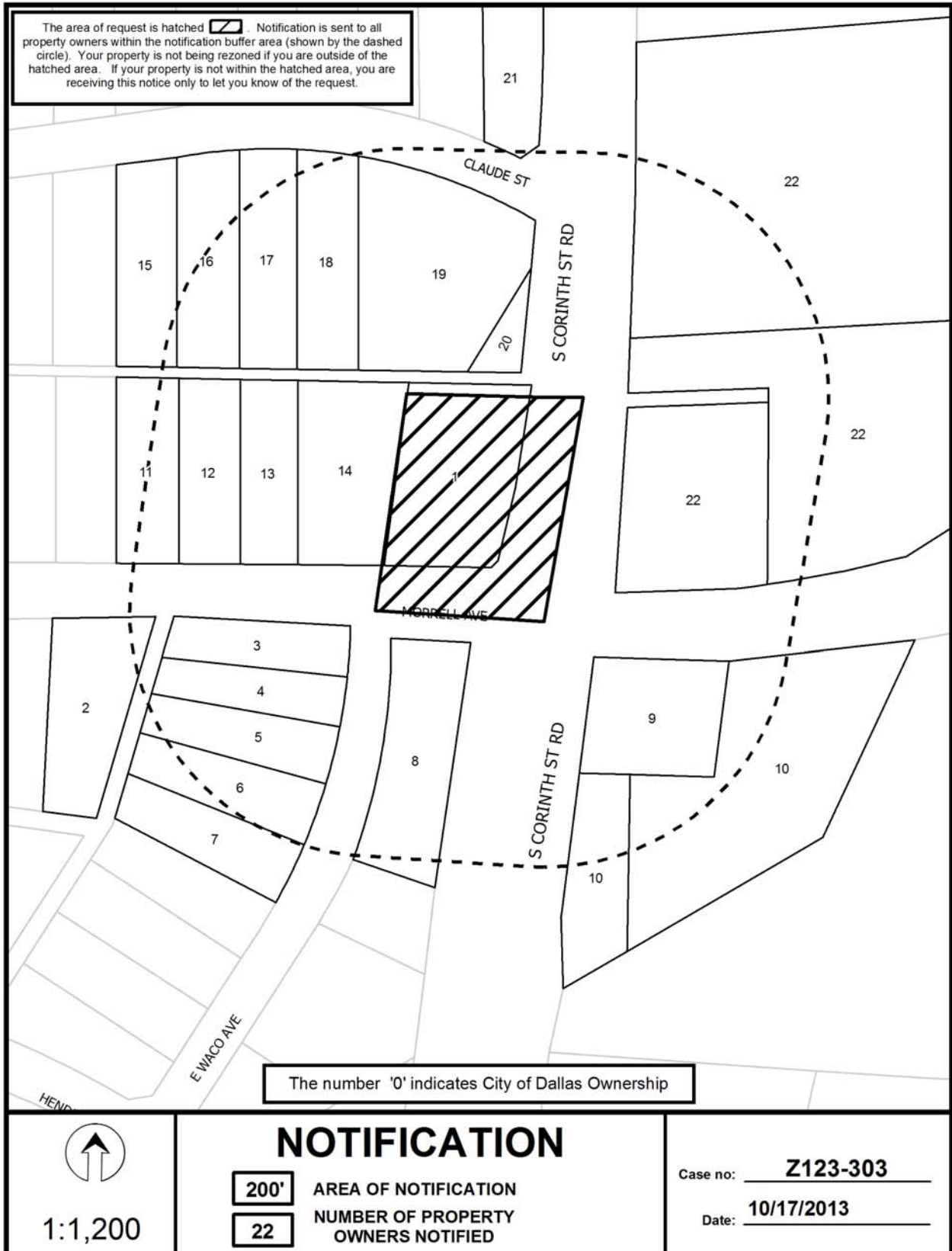
1:1,200

AERIAL MAP

Case no: Z123-303

Date: 10/17/2013





10/17/2013

Notification List of Property Owners***Z123-303******22 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	829 CORINTH ST RD	AL ROUSAN & WARED CORP
2	1514 MORRELL AVE	SHARPE WILLIAM L
3	1735 WACO AVE	SAMUEL FRANKLIN D & ALLENE
4	1731 WACO AVE	MIDFIRST BANK
5	1727 WACO AVE	BIRDA ANTHONY & MARK A DIXON JR
6	1723 WACO AVE	SHOFNER JACQUELYN M
7	1719 WACO AVE	KINGSFORD HOUSING LLC
8	909 CORINTH ST RD	ESTABLISHED INVESTORS INC
9	900 CORINTH ST RD	LOPEZ ANDRES & ANNA GERRERO
10	910 CORINTH ST RD	CORINTH MORRELL LLC ATTN JOESPH MCELROY
11	1511 MORRELL AVE	LEFFALL HALL ESTRELLITA
12	1515 MORRELL AVE	SMITH JOHN A
13	1519 MORRELL AVE	RIOS JEREMIAS &
14	1523 MORRELL AVE	LINENSCHMIDT BOBBY JACK
15	1510 CLAUDE ST	CRUZ SILVANO &
16	1514 CLAUDE ST	TURNER LEWIS
17	1518 CLAUDE ST	WATSON IMA J
18	1522 CLAUDE ST	SNEED SIDNEY LADWAN
19	1530 CLAUDE ST	JONES MARY LOIS
20	800 CORINTH ST	NICHOLS C O ETAL SUITE 302
21	1535 CLAUDE ST	CRUZ SILVANO
22	818 CORINTH ST RD	GREATER NEW VISION CHRISTIAN CENTER

Planner: **Carrie F. Gordon**

FILE NUMBER: Z123-361(CG) **DATE FILED:** August 21, 2013

LOCATION: Southwest corner, LBJ Freeway and Bank Way Lane (formerly Nelda Lane)

COUNCIL DISTRICT: 6 **MAPSCO:** 13-X

SIZE OF REQUEST: ± 670 sq. ft. **CENSUS TRACT:** 96.05

APPLICANT/ OWNER: LBJ Metroplex LP
Ralston Outdoor

REPRESENTATIVE: MASTERPLAN

REQUEST: An application for a Specific Use Permit for a detached non-premise sign (billboard) use on property zoned a GO(A) General Office District.

SUMMARY: The purpose of this request is to relocate an existing detached non-premise sign (billboard) from its current location at 11570 N. Stemmons Freeway to the southwest corner of LBJ Freeway and Bank Way Lane.

STAFF RECOMMENDATION: Approval, for a ten-year time period subject to site plan and conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval to relocate an existing detached non-premise sign (billboard) from its current location at 11570 N. Stemmons Freeway to the southwest corner of LBJ Freeway and Bank Way Lane based upon the following:

1. *Compatibility with surrounding uses and community facilities* – The proposed detached non-premise sign (billboard) would not be incompatible with the surrounding land uses that predominately consist of office, commercial and retail uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The billboard would be located in the parking lot area of existing office and institution uses with no residential adjacency, and proposed signage and does not exceed the maximum effective area of 672 square feet.
3. *Not a detriment to the public health, safety, or general welfare* – There is no indication that the relocation of the billboard to the subject site would be a detriment to the public health, safety, or general welfare in the parking area.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the proposed site plan and review by the Building Inspection Department, the proposed detached non-premise sign complies with all applicable zoning regulations and standards for relocation of an HBA sign.

BACKGROUND INFORMATION:

- Due to Texas Department of Transportation (TxDOT) road construction along the Stemmons Freeway corridor, the existing sign encroaches into the required Right-of-Way (ROW).
- The applicant's request is to relocate an existing detached non-premise sign (billboard) from its current location (11570 N. Stemmons Freeway) to the southwest corner of LBJ Freeway and Bank Way Lane.
- Chapter 51A-7.307(i)(2) allows for the relocation of a Highway Beautification Act (HBA) sign or expressway sign in an LO(A), MO(A) or GO(A) district by Specific Use Permit.
- Chapter 51A-7.307(b) states that "no detached non-premise sign may be relocated within 100 feet of an expressway unless it was originally located within 100 feet of an expressway or new expressway." Chapter 51A-7.307(g) states that "no detached HBA sign may be relocated within 300 feet of a non-business or residential zoning district."

Z123-361(CG)

- City Council may grant a specific use permit to authorize a detached non-premise sign to have lesser spacing than that required in Chapter 51A-7.307(g).

Zoning History:

There has not been any recent zoning activity in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
LBJ Freeway Frontage Road	Variable Width, Limited Access Freeway		
Bankway Lane		60 ft.	60 ft.

Land Use:

	Zoning	Land Use
Site	GO(A)	Office and financial institution
North	N/A (City of Farmers Branch)	N/A
South	CR	Retail and commercial
East	PDD 140	Office
West	MU-2	Office and retail

Comprehensive Plan:

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

The Vision Illustration depicts the request site as within a *Commercial 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.

The applicant's request to relocate the detached non-premise sign from the Stemmons Freeway corridor to the LBJ Freeway corridor is not inconsistent with the following goal and policy 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

STAFF ANALYSIS:

Land Use Compatibility: The subject site is developed with office and financial institutional uses. The proposed area to the north is zoned D(A) and is developed with residential uses. The area to the east is zoned R-7.5(A) with SUP No. 67 and is developed with a church. The area to the west is zoned MF-2(A) and is developed with apartment uses. Location of the non-premise sign would not adversely impact the surrounding uses in the area.

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.

Parking: No parking is required for this use.

Sign Setbacks: Minimum setbacks are measured from the edge of the nearest expressway or new expressway travel lane. No sign may occupy the space between two feet and 14 feet above grade within 15 feet of the right-of-way, except for supports. No sign may be nearer than five feet to the public right-of-way or to the right-of-way line extended across a railroad right-of-way. The existing sign meets the setback requirements.

APPLICANT SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a detached non-premise sign (billboard).
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Applicant's recommendation:

3. TIME LIMIT: This specific use permit expires on _____ (twenty-five years from date of passage) and is eligible for automatic renewal for additional twenty-five year time periods.

Staff's recommendation:

TIME LIMIT: This specific use permit expires on _____ (ten years from date of passage).

4. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.
5. 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



SITE SUMMARY

Existing Zoning: (GCM)

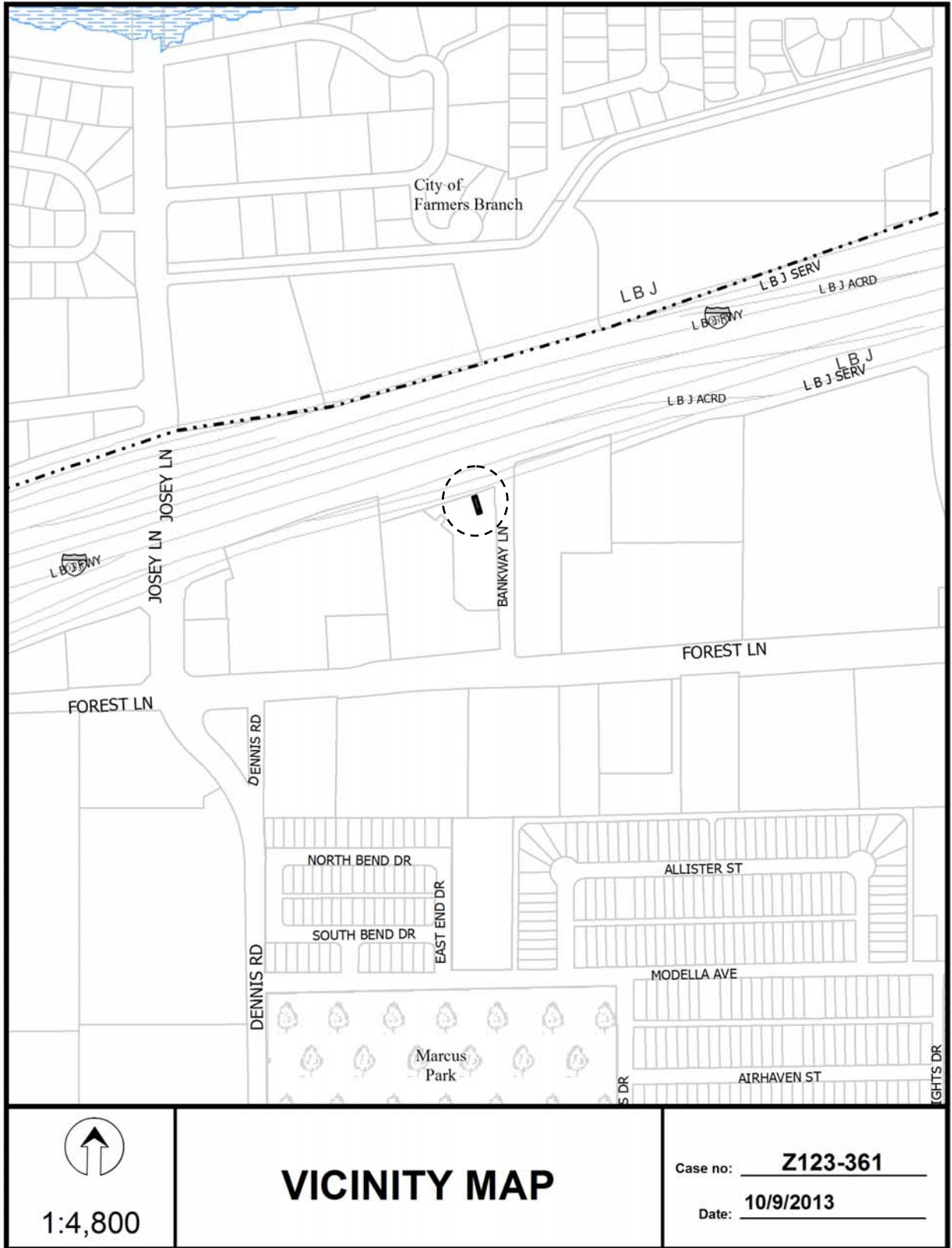
Request: SUP for detached non-premise sign

Area of Request: 670 s.f.

Required Parking: 0

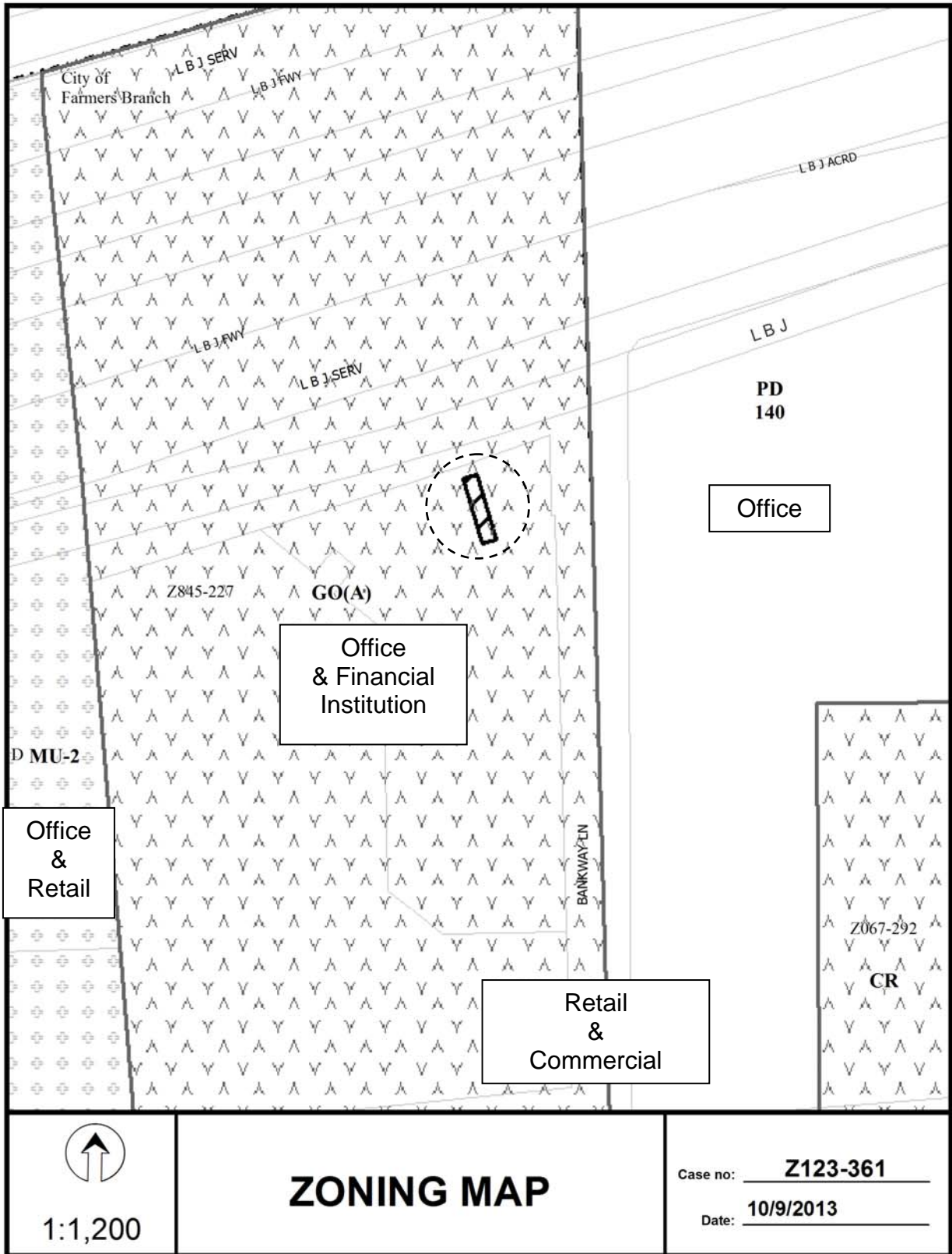


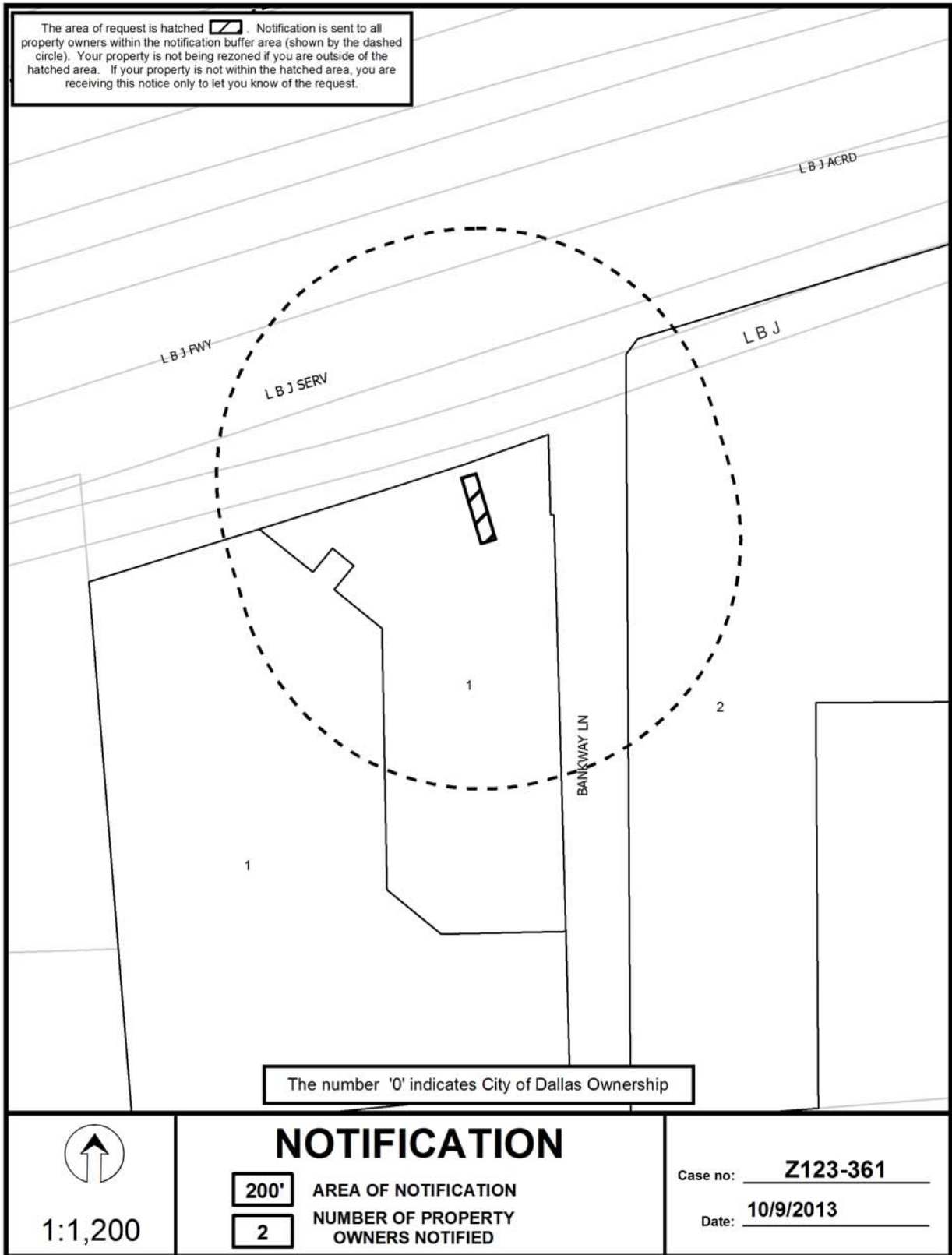
Z123-361 SITE PLAN



VICINITY MAP

Case no: Z123-361
Date: 10/9/2013





Z123-361(CG)

10/8/2013

Notification List of Property Owners

Z123-361

2 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2964 LBJ FWY	LBJ METROPLEX LP
2	3010 LBJ FWY	ONE GRAYSTONE CENTRE LP STE 200

FILE NUMBER: Z123-329(WE) **DATE FILED:** August 9, 2013

LOCATION: Bruton Road and North Prairie Creek Road, northwest corner

COUNCIL DISTRICT: 5 **MAPSCO:** 59-A

SIZE OF REQUEST: Approx. 0.31 acres **CENSUS TRACT:** 90

APPLICANT: Issam Saleh

OWNER: Fazel Rahnani

REPRESENTATIVE: Malik Parvez

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

SUMMARY: The purpose of this request is to allow for the sale of alcohol beverages for off-premise consumption in the existing general merchandise or food store.

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

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store is compatible and conforms with the adjacent retail and personal service uses. The additional alcohol use within the general merchandise or food store should not impact the surrounding uses negatively from a land use perspective.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – While the proposed use will be another service provided in the neighborhood, it is not foreseen that it will deter or enhance adjacent properties. The proposed SUP, if approved by the CPC and City Council, will have conditions that are associated with the use. An SUP could be revoked, have a reduced time period or not be renewed if the applicant does not comply.
3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that this use would be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. The Dallas Police has determined that the request site is in compliance with Chapter 12B, a certificate of registration required for each physically separate convenience store.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store 3,500 square feet or less use.
- The proposed request is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.
- The adjacent land uses consist of restaurant and library uses to the north, multifamily uses to the south and an office use to the east. Properties west of request site, across Saint Augustine Drive is a general merchandise or food store with fueling station and an undeveloped tract of land.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bruton Road	Principal Arterial	100 ft.	100 ft.
North Prairie Creek Road	Principal Arterial	80 ft.	107 ft.

Land Use:

	Zoning	Land Use
Site	CR-D	General merchandise or food store
North	CR-D	Retail & personal service
South	MF-2(A)	Auto related uses, Car wash
East	CR-D	General merchandise or food store w/fueling station
West	CR-D	Retail & personal service

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 along a Transit or Multi-Modal Corridor

Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access.

Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility:

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

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

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

- surveillance camera systems,
- video recording and storage systems,
- alarm systems,
- drop safes,
- security signs,

- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. The Dallas Police has determined that the request site is in compliance with Chapter 12B.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CR-D-1 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

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

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 3,500 square feet or less is at one space for each 200 square feet of floor area. The development requires 12 spaces with 12 being provided per the attached site plan.

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

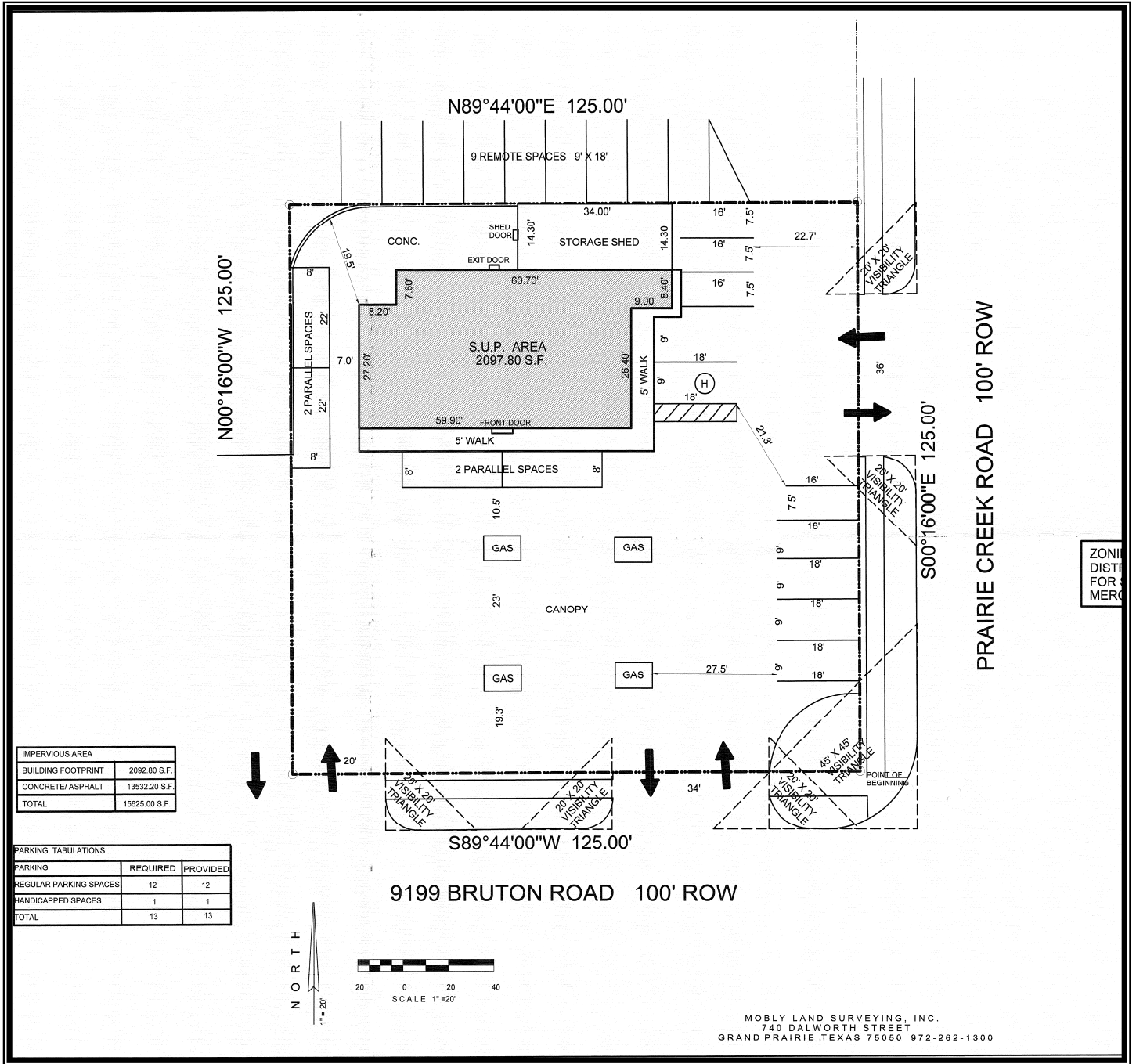
Dallas Police Department: A copy of a police report of the past 5 years of offences is provided below.

 DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes 										
Virtual Viewer - Public Access										Welcome
Search Records - Offense Filter <input type="text"/>										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0021374-Z	01/12/2012	POSEY,RODERICK	THEFT	09199		BRUT...	325	1244	06903	
0023323-Z	01/28/2012	MCGILL,LENEX	THEFT	09199		BRUT...	325	1244	06103	
0029308-Z	02/04/2012	ASHFORD, DINA	THEFT	09199		BRUT...	325	1244	06902	
0051943-Y	03/02/2011	BETHANY,VERNETTA	ASSAULT	09199		BRUT...	325	1244	08421	
0057188-Y	03/07/2011	*EXXON	FORGERY & COUNTERF...	09199		BRUT...	325	1244	10021	
0058545-X	03/02/2010	MAJOR, SHENILKA	THEFT	09199		BRUT...	325	1244	06101	
0068886-X	03/12/2010	@CITY OF DALLAS	FOUND PROPERTY	09199		BRUT...	325	1244	43020	
0071766-X	03/15/2010	DOHA,SHEIKH	CRIMINAL MISCHIEF/V...	09199		BRUT...	325	1244	14081	
0083682...	03/26/2009	*EXXON	THEFT	09199		BRUT...	325	1244	06934	
0083726-Y	04/04/2011	PORTER,JESSICA,LEEANN	ASSAULT	09199		BRUT...	325	1244	08322	
0135794-Z	06/02/2012	EDWARDS, JACQUILINE	TRAFFIC MOTOR VEHI...	09199		BRUT...	325	1244	32080	
0140893-X	05/21/2010	DRINNING,DWAYNE	THEFT	09199		BRUT...	325	1244	06102	
0142744-Y	05/02/2011	KHAN,ANA	THEFT	09199		BRUT...	325	1244	06952	
0160452-Y	06/19/2011	WILLIAMSON, JASMINE N	THEFT	09199		BRUT...	325	1244	06942	
0184950-Z	07/26/2012	*EXXON	FORGERY & COUNTERF...	09199		BRUT...	325	1244	10021	
0190348-Y	07/19/2011	*EXXON	CRIMINAL MISCHIEF/V...	09199		BRUT...	325	1244	14081	
0205787-Y	08/03/2011	SPANN,DESHAUNDA	OTHER OFFENSES	09199		BRUT...	325	1244	26000	
0217913-X	08/04/2010	*EXXON	ROBBERY	09199		BRUT...	325	1244	03341	06935
0231261-Z	09/16/2012	GRAHAM,AISHA	OTHER OFFENSES	09199		BRUT...	325	1244	26000	
0236993-Z	09/23/2012	*EXXON	FORGERY & COUNTERF...	09199		BRUT...	325	1244	10121	
0250860-X	09/06/2010	@CITY OF DALLAS	FOUND PROPERTY	09199		BRUT...	325	1244	43020	
0257268...	08/29/2009	*CITY OF DALLAS	FOUND PROPERTY	09199		BRUT...	325	1244	43021	
0262667-X	09/19/2010	*EXXON GAS STATION	CRIMINAL MISCHIEF/V...	09199		BRUT...	325	1244	14083	
0265374-Y	10/07/2011	DAVIS-CLARK,JAMIE	THEFT	09199		BRUT...	325	1244	06901	
0297971...	10/06/2009	*EXXON	OTHER OFFENSES	09199		BRUT...	325	1244	26530	
0298770-X	10/27/2010	GOMEZ,PABLO	THEFT	09199		BRUT...	325	1244	06901	
0308186...	10/16/2009	HERNANDEZ,JUAN,CARL...	THEFT	09199		BRUT...	325	1244	06941	
0327337-V	10/23/2008	*EXXON	ROBBERY	09199		BRUT...	329	1244	03311	
0328965-X	11/30/2010	*EXXON GAS STATION	FORGERY & COUNTERF...	09199		BRUT...	325	1244	10022	
0335675-X	12/07/2010	HOOD, MICHAEL	OTHER OFFENSES	09199		BRUT...	325	1244	26000	
0342767-V	11/06/2008	DANIELS,MICHELLE	THEFT	09199		BRUT...	329	1244	06941	06941
0382701-V	12/17/2008	KHAN, MDRAEIQUL	TRAFFIC MOTOR VEHI...	09199		BRUT...	329	1244	32090	

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), 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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. 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



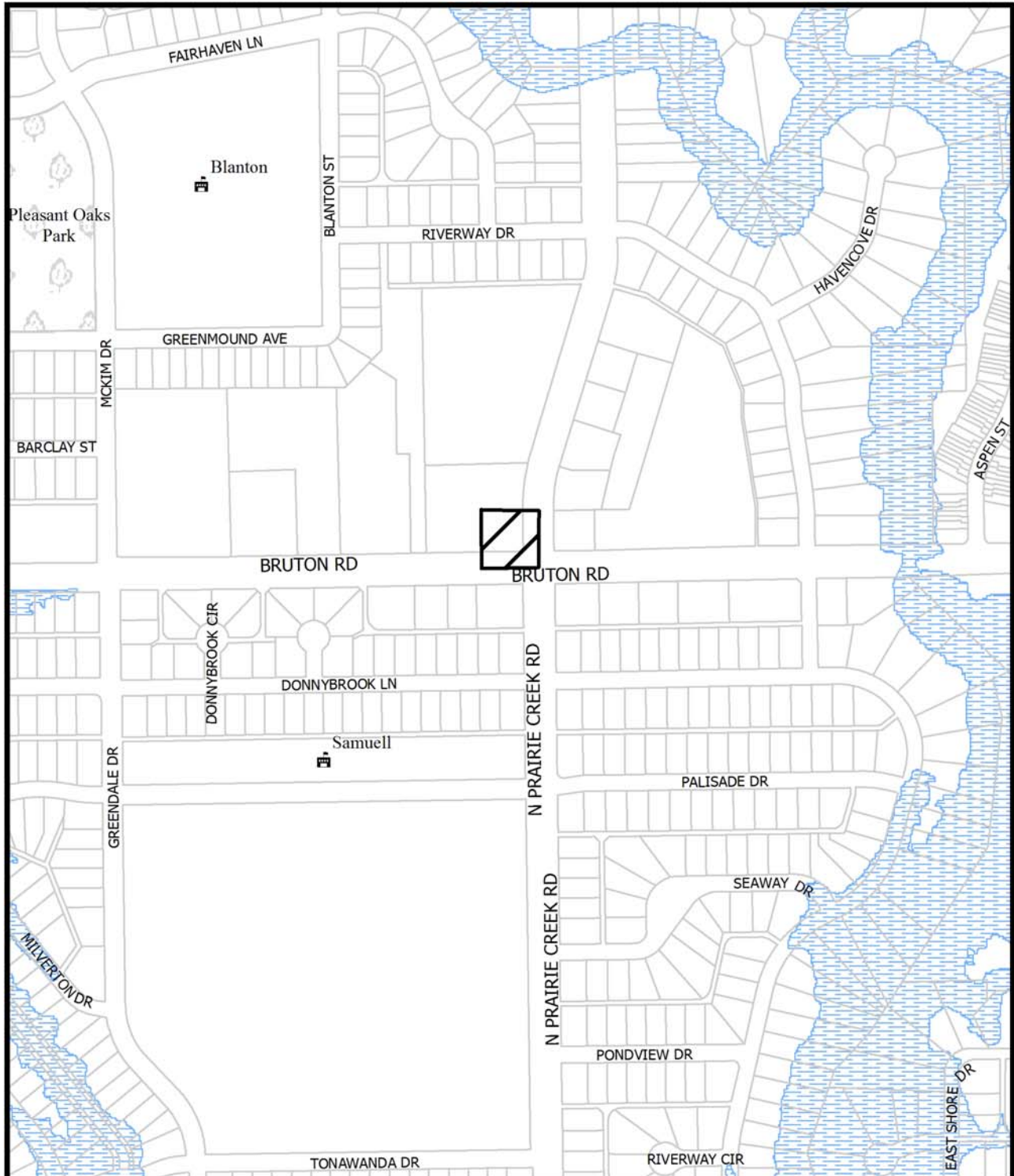
IMPERVIOUS AREA	
BUILDING FOOTPRINT	2092.80 S.F.
CONCRETE/ ASPHALT	13532.20 S.F.
TOTAL	15625.00 S.F.

PARKING TABULATIONS		
PARKING	REQUIRED	PROVIDED
REGULAR PARKING SPACES	12	12
HANDICAPPED SPACES	1	1
TOTAL	13	13



MOBLY LAND SURVEYING, INC.
740 DALWORTH STREET
GRAND PRAIRIE, TEXAS 75050 972-262-1300

ZONING DISTRICT FOR MERCER

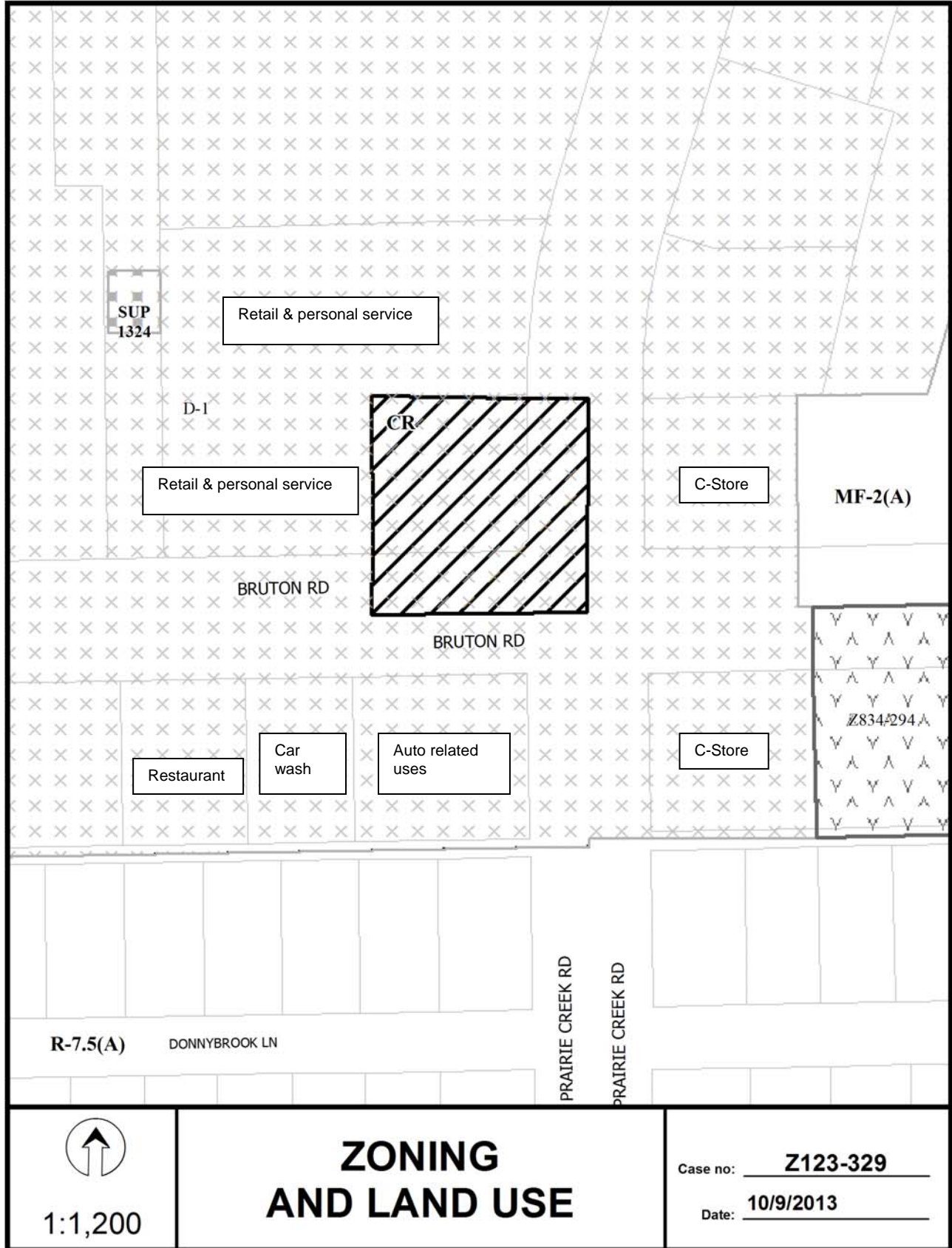


1:4,800

VICINITY MAP

Case no: Z123-329

Date: 10/9/2013

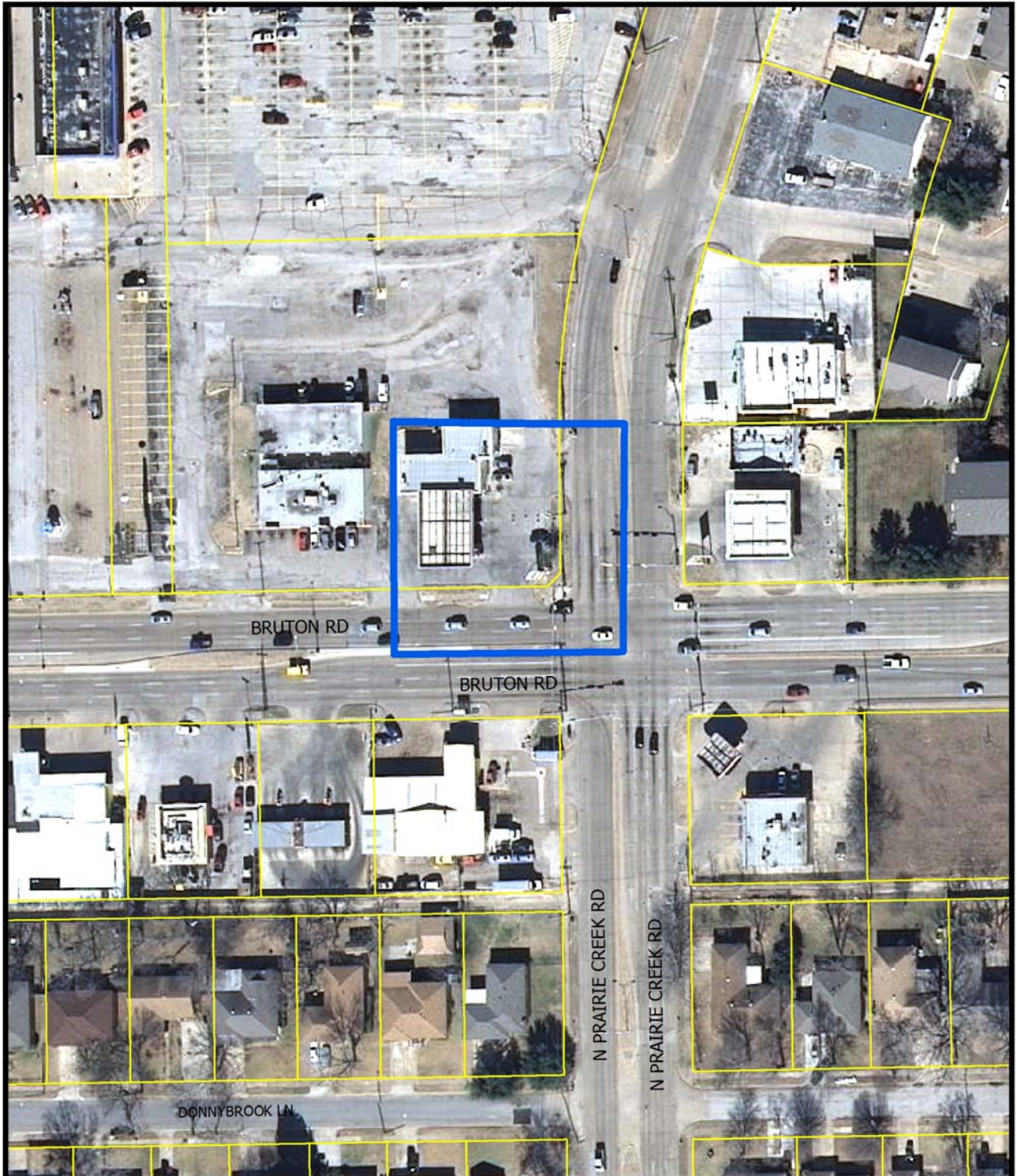


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ZONING AND LAND USE

Case no: Z123-329

Date: 10/9/2013

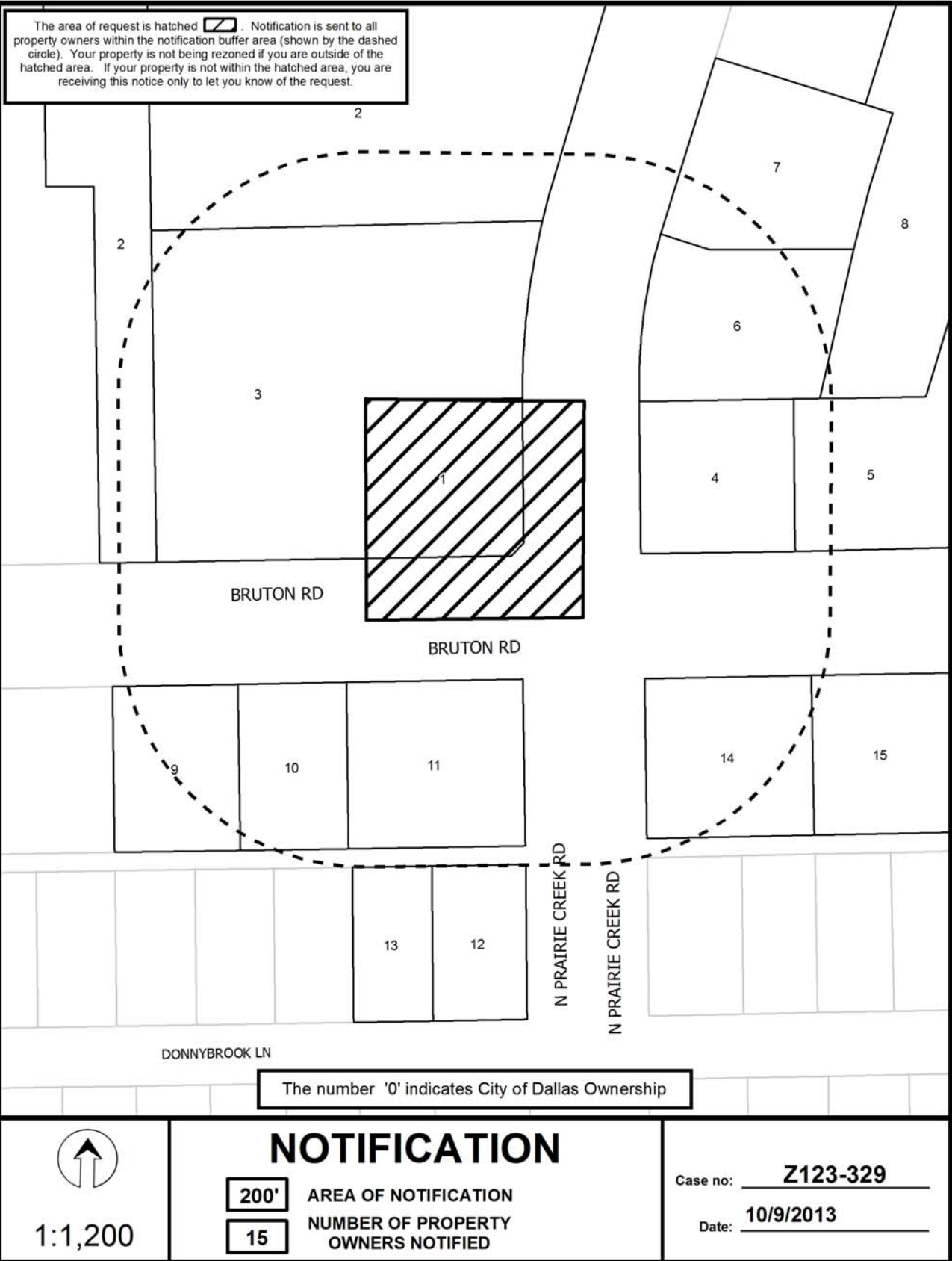


1:1,200

AERIAL MAP

Case no: Z123-329

Date: 10/9/2013



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
15 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-329**

Date: **10/9/2013**

Notification List of Property Owners

Z123-329

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9199 BRUTON RD	RAHNANI FAZEL &
2	9009 BRUTON RD	PROTON PRC LTD
3	9179 BRUTON RD	BRUTON ENTERPRISES LLC
4	9203 BRUTON RD	BIG SCORE INVESTORS LLC
5	9215 BRUTON RD	VOLUNTEERS OF AMERICA ATTN: MARCUS B VIV
6	2112 PRAIRIE CREEK RD	HERNANDEZ GUSTAVO A
7	2122 PRAIRIE CREEK RD	BRUTON TEXAS PPTIES LLC
8	2150 PRAIRIE CREEK RD	AFFORDABLE INCOME INV
9	9116 BRUTON RD	VIRANI MANSOOR M
10	9180 BRUTON RD	KANNADY DERALD & GERALD KANNADY
11	9190 BRUTON RD	HAMM GUY & JOYCE
12	9157 DONNYBROOK LN	ASTON CUSTOM HMES CORP
13	9151 DONNYBROOK LN	HOLLERS MARGARET EST OF
14	9206 BRUTON RD	ASMA INTERNATIONAL TRADING COMPANY
15	9222 BRUTON RD	DELMAR PARTNERS LP

FILE NUMBER: Z123-354(WE) **DATE FILED:** August 9, 2013
LOCATION: East side of North Saint Augustine Road, south of Lake June Road
COUNCIL DISTRICT: 5 **MAPSCO:** 48-Q
SIZE OF REQUEST: Approx. 0.616 acres **CENSUS TRACT:** 85

APPLICANT: Masoud Rezaeizadeh

OWNER: Peymon Enterprises Corp

REPRESENTATIVE: Hisham Awadelkariem

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

SUMMARY: The purpose of this request is to allow the applicant to sell alcohol for off-premise consumption in an existing 2,174 square foot general merchandise or food 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.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends approval, subject to the site plan and conditions are based upon:

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store serves the adjacent community and is compatible with the adjacent retail and personal service uses. The additional alcohol use within the general merchandise or food store should not impact the surrounding uses negatively from a land use perspective.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed SUP, if approved by the CPC and City Council, will have conditions that are associated with the use. A SUP could be revoked or have a reduced time period if the applicant is not adhering to the proposed conditions and the requirements in Chapter 12B during the time the SUP is being renewed.
3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. The Dallas Police has determined that the request site is in compliance with Chapter 12B, a certificate of registration required for each physically separate convenience store.

BACKGROUND INFORMATION:

- The request site is currently developed with a general merchandise or food store 3,500 square feet or less use.
- The proposed request is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.

Zoning History:

- There have been two recent zoning changes in the area.

1. **Z101-174** On June 22, 2011, the City Council approved a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store less than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay, on the southwest corner of North Saint Augustine Road and Lake June Road.

2. **Z112-118** On February 22, 2012, the City Council an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District on the North side of Lake June Road, west of St. Augustine Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
North St. Augustine Road	Collector	60 ft.	60 ft.
Lake June Road	Principal Arterial	80 ft.	107 ft.

Land Use:

	Zoning	Land Use
Site	CR-D	General merchandise or food store
North	CR-D	Restaurant
South	MF-2(A)	Multifamily
East	CR-D	Office
West	CR-D	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 request site fronts on Lake June Road, which is designated as a Multi-Modal Corridor. The property to the north and south of this multi-modal corridor is designated as a Residential Building Block.

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be

centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility:

The "D-1" Overlay District is a Liquor Control Overlay District requires an individual to obtain a Specific Use Permit in order to sell or serve alcoholic beverages, or setup 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.

A separate certificate of registration to comply with Chapter 12B is required for each physically separate convenience store. A certificate of registration for a convenience store expires one year after the date of issuance and must be renewed annually. The Dallas Police has determined that the request site is in compliance with Chapter 12B.

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

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

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
CR-D 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

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

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 3,500 square feet or less at one space for each 200 square feet of floor area. The development requires 11 spaces with 21 being provided per the attached site plan.

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

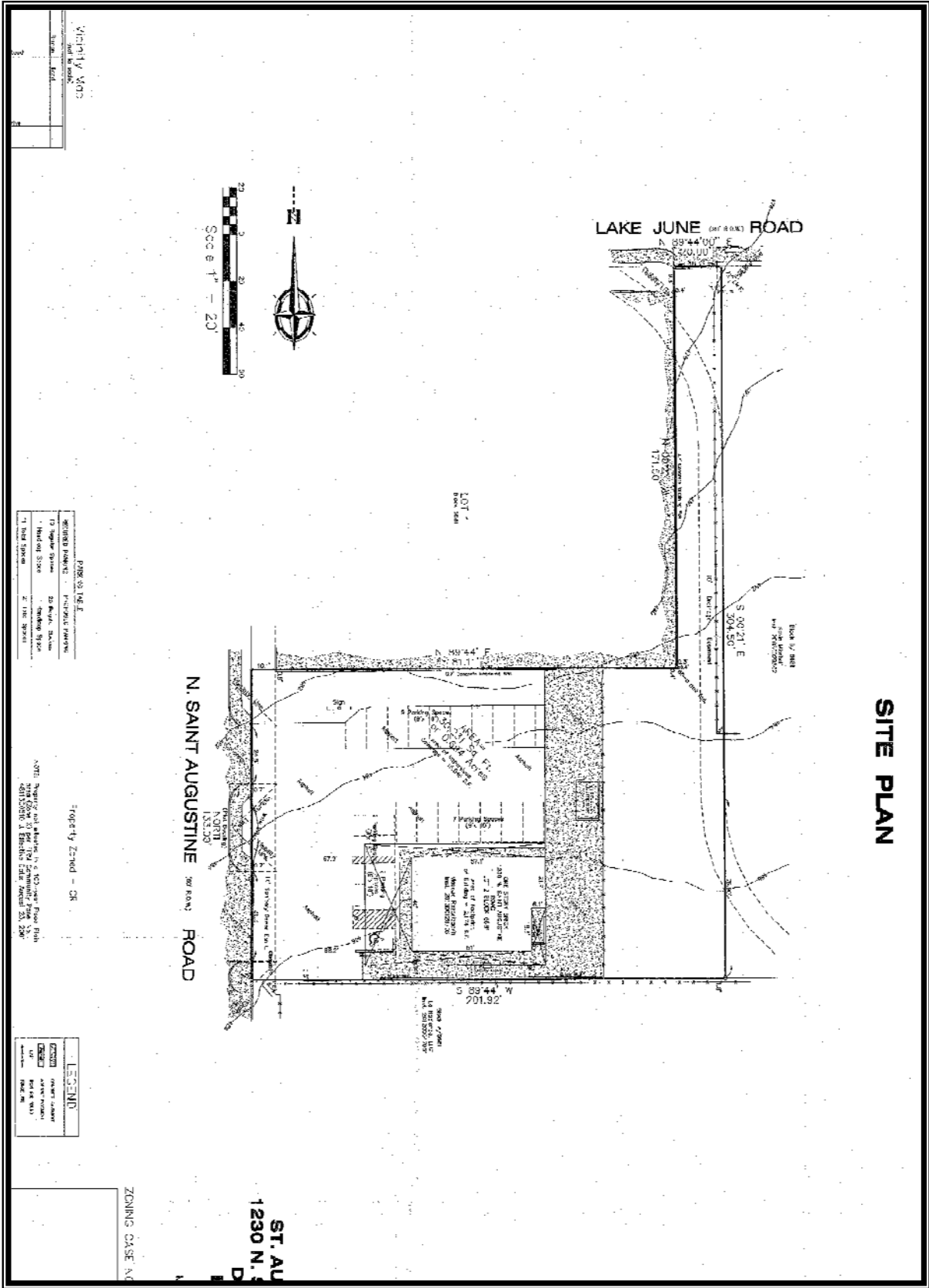
Dallas Police Department: A copy of a police report of the past 5 years of offences is provided below.

 DALLAS POLICE DEPARTMENT UCR Codes Year Codes Property Class Codes 										
Virtual Viewer - Public Access										Welcome
Search Records - Offense Filter <input type="text"/>										
Service #	Offense Date	Complainant	Offense	Block	Dir	Street	Beat	Reporting Area	UCR1	UCR2
0005165-Y	01/06/2011	CARRANZA,JESSES	ASSAULT	01230	N	STAUGUST...	334	2205	08121	
0005167-Y	01/06/2011	CARRAWZA,TAMMY	ASSAULT	01230	N	STAUGUST...	334	2205	08311	
0007684...	01/08/2009	*ST AUGUSTINE FOOD...	THEFT	01230	N	STAUGUST...	334	2205	06975	
0031947-X	02/02/2010	@CITY OF DALLAS	FOUND PROPERTY	01230	N	STAUGUST...	334	2205	43020	
0049138-Z	02/28/2012	*ST AUGUSTINE FOOD...	ROBBERY	01230	N	STAUGUST...	334	2205	03741	
0049141-Z	02/28/2012	REZAEI,PEYMAN	ASSAULT	01230	N	STAUGUST...	334	2205	08111	08111
0050384-A	03/02/2013	JOHNSON,RONALD	LOST PROPERTY	01230	N	STAUGUST...	334	2205	42020	
0055422-Y	03/05/2011	FANN, BILLIE	CRIMINAL MISCHIEF/V...	01230	N	STAUGUST...	334	2205	14092	
0057167...	02/28/2009	JAMES, AMEILDA	THEFT	01230	N	STAUGUST...	334	2205	06901	
0074718-Z	03/28/2012	*ST AUGUSTINE FOOD...	BURGLARY	01230	N	STAUGUST...	334	2205	05196	
0087102-Z	04/11/2012	@CITY OF DALLAS	FRAUD	01230	N	STAUGUST...	334	2205	11020	
0087267-Z	04/11/2012	@CITY OF DALLAS	FOUND PROPERTY	01230	N	STAUGUST...	334	2205	43020	
0098776-Z	04/23/2012	@CITY OF DALLAS/VI...	FOUND PROPERTY	01230	N	STAUGUST...	334	2205	43020	
0122483-Z	05/05/2012	TITSWORTH,CORA	AUTO THEFT-UUMV	01230	N	STAUGUST...	334	2205	26000	07121
0154494-Y	06/13/2011	REZAEI, PEYMAN	THEFT	01230	N	STAUGUST...	334	2205	06943	
0159510-Z	06/28/2012	*FOOD MART	TRAFFIC MOTOR VEHI...	01230	N	STAUGUST...	334	2205	32090	
0193350-X	07/10/2010	HERNANDEZ, FRANCISCO	ROBBERY	01230	N	STAUGUST...	334	2205	03842	
0216411...	07/24/2009	*ST AUGUSTINE FOOD...	BURGLARY	01230	N	STAUGUST...	334	2205	05138	14081
0217679-A	08/24/2013	DANIELS,ASHLEY	ASSAULT	01230	N	STAUGUST...	334	2205	08422	
0220554-Y	08/19/2011	*ST AUGUSTINE FOOD...	ROBBERY	01230	N	STAUGUST...	334	2205	03711	
0246528-A	09/25/2013	*ST AUGUSTINE FOOD...	CRIMINAL MISCHIEF/V...	01230	N	STAUGUST...	334	2205	14082	
0248413-A	09/25/2013	CLEM,CHRISTINA	CRIMINAL MISCHIEF/V...	01230	N	STAUGUST...	334	2205	14082	
0253075-Z	10/10/2012	*ST AUGUSTINE FOOD...	ROBBERY	01230	N	STAUGUST...	334	2205	03721	
0263358-Y	10/04/2011	GONZALES, MARIA	TRAFFIC MOTOR VEHI...	01230	N	STAUGUST...	334	2205	32090	
0278599-X	10/06/2010	NEWSOME, ANTWON	ASSAULT	01230	N	STAUGUST...	334	2205	08222	
0280288-X	10/08/2010	RECAEIZADEH,EVIE	OTHER OFFENSES	01230	N	STAUGUST...	334	2205	26760	
0297623-Y	11/11/2011	HIEDLEBERG,GEORGE,A,	THEFT	01230	N	STAUGUST...	334	2205	06102	
0307170-Y	11/22/2011	*ST AUGUSTINE FOOD...	BURGLARY	01230	N	STAUGUST...	334	2205	05337	
0316730-Y	12/03/2011	SIMMONS,DELVIN	TRAFFIC MOTOR VEHI...	01230	N	STAUGUST...	334	2205	32090	
0364300...	12/10/2009	JONES, LINDA	ROBBERY	01230	N	STAUGUST...	334	2205	03931	
0373384...	12/19/2009	*ST; AUGUSTINE FOO...	CRIMINAL MISCHIEF/V...	01230	N	STAUGUST...	334	2205	14081	

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), 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. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. 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



SITE PLAN

PROPOSED IMPROVEMENTS

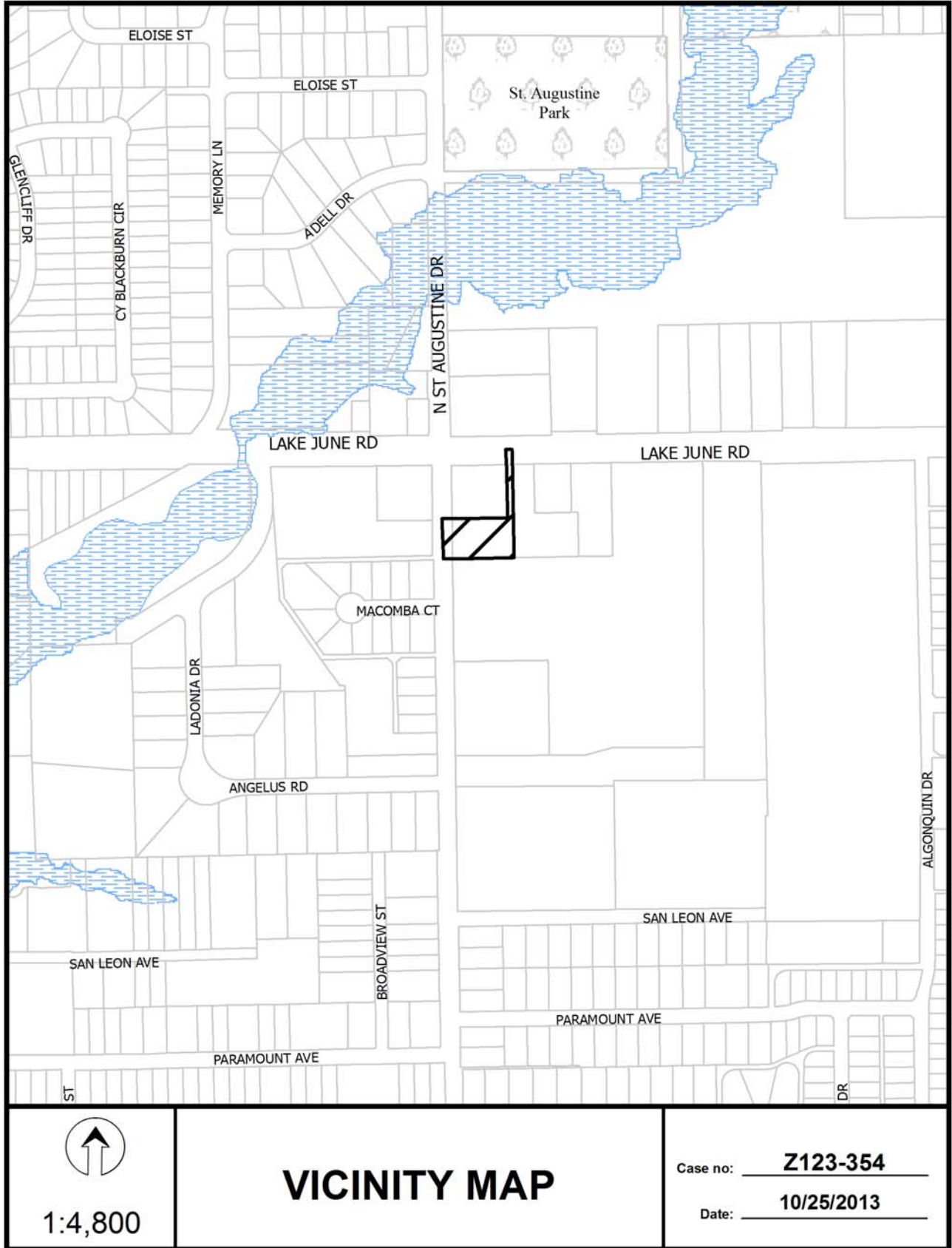
1. IMPROVEMENTS	2. ROAD
3. SIDEWALK	4. DRIVE
5. UTILITY	6. FENCE
7. LANDSCAPE	8. SIGNAGE

NOTE: ALL DISTANCES AND BEARINGS ARE TO THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.

LEGEND

EXISTING	PROPOSED
ROAD	ROAD
UTILITY	UTILITY
LANDSCAPE	LANDSCAPE
FENCE	FENCE
SIGNAGE	SIGNAGE

ST. AUGUSTINE
1230 N. S. AUGUSTINE
DISTRICT

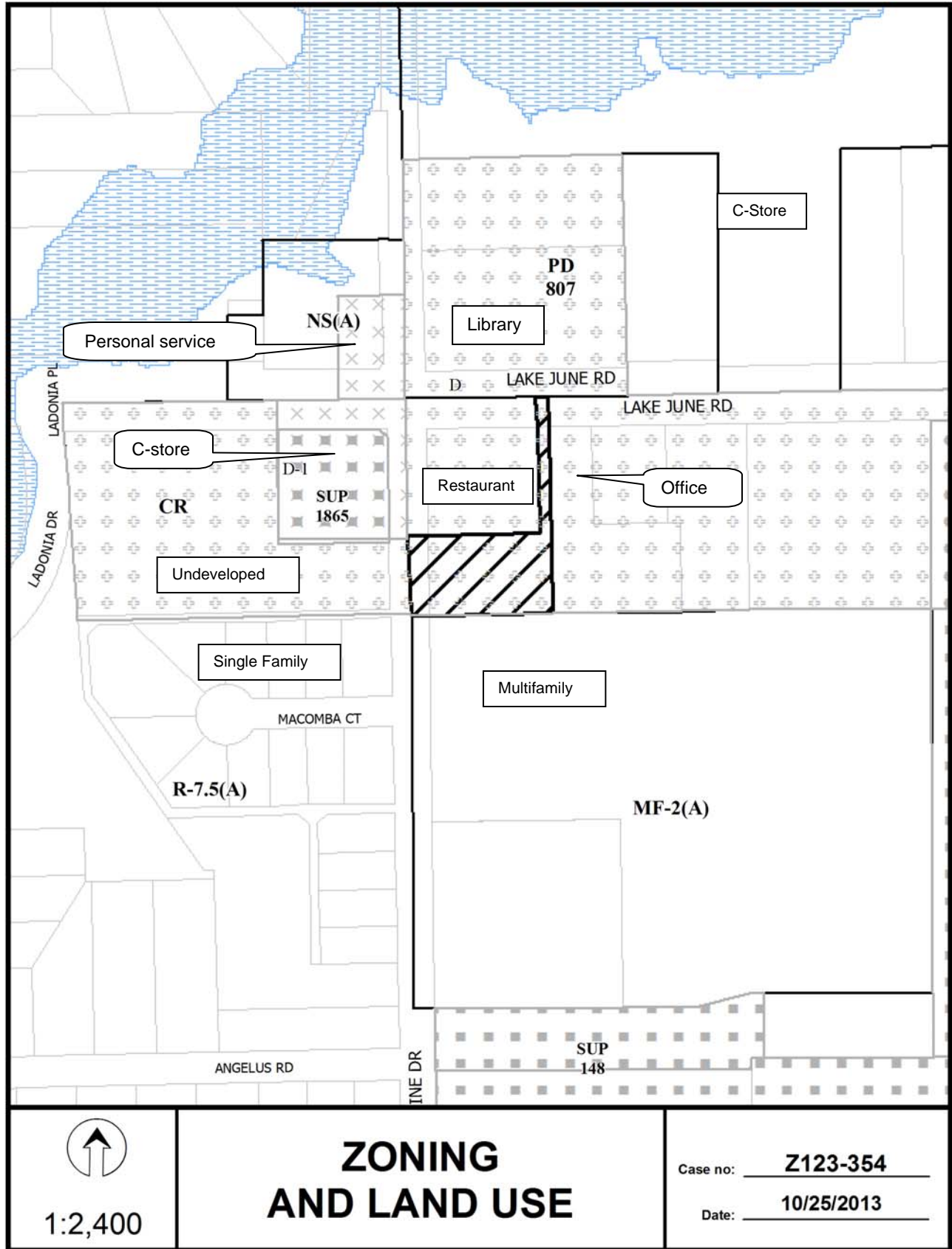


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VICINITY MAP

Case no: Z123-354

Date: 10/25/2013

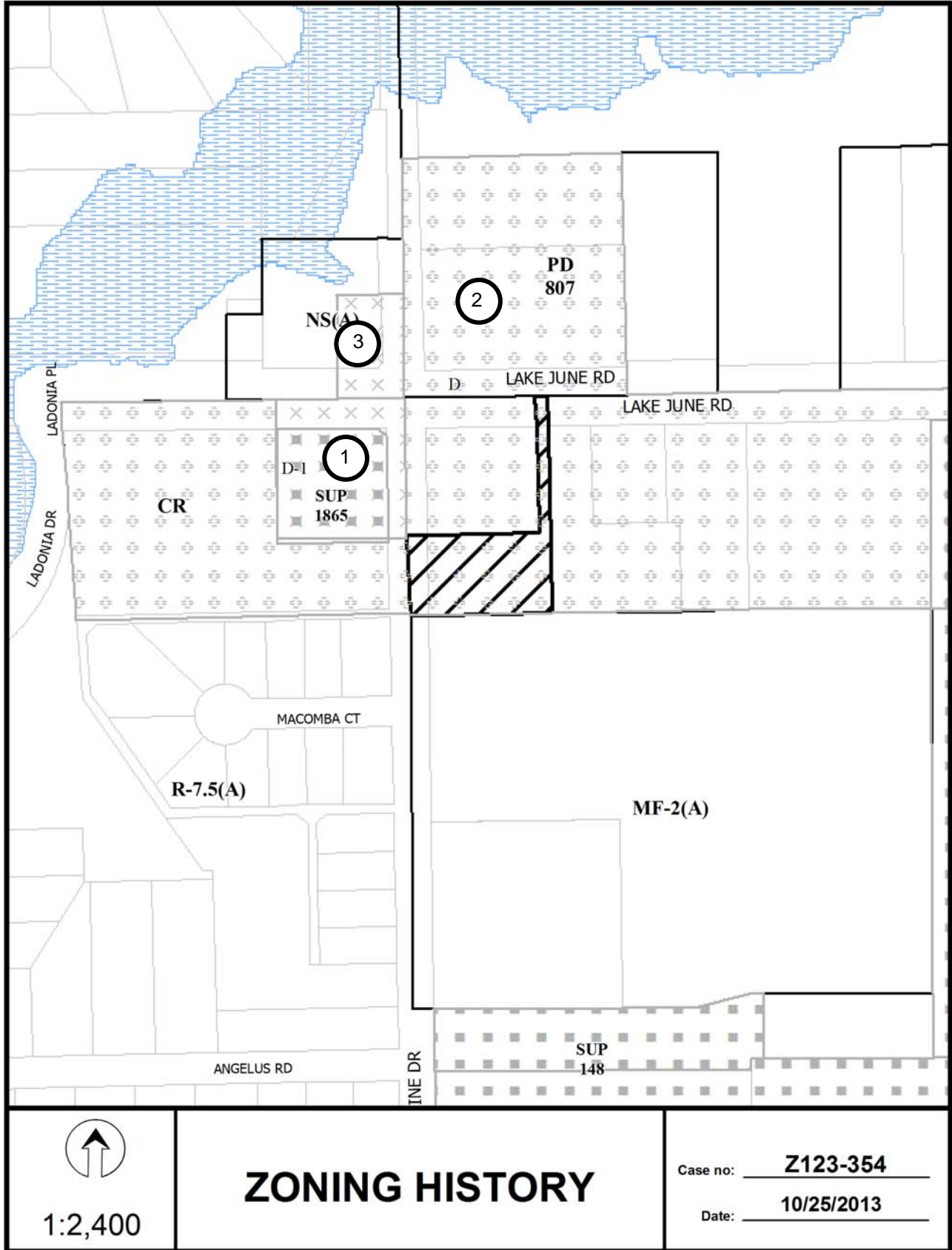


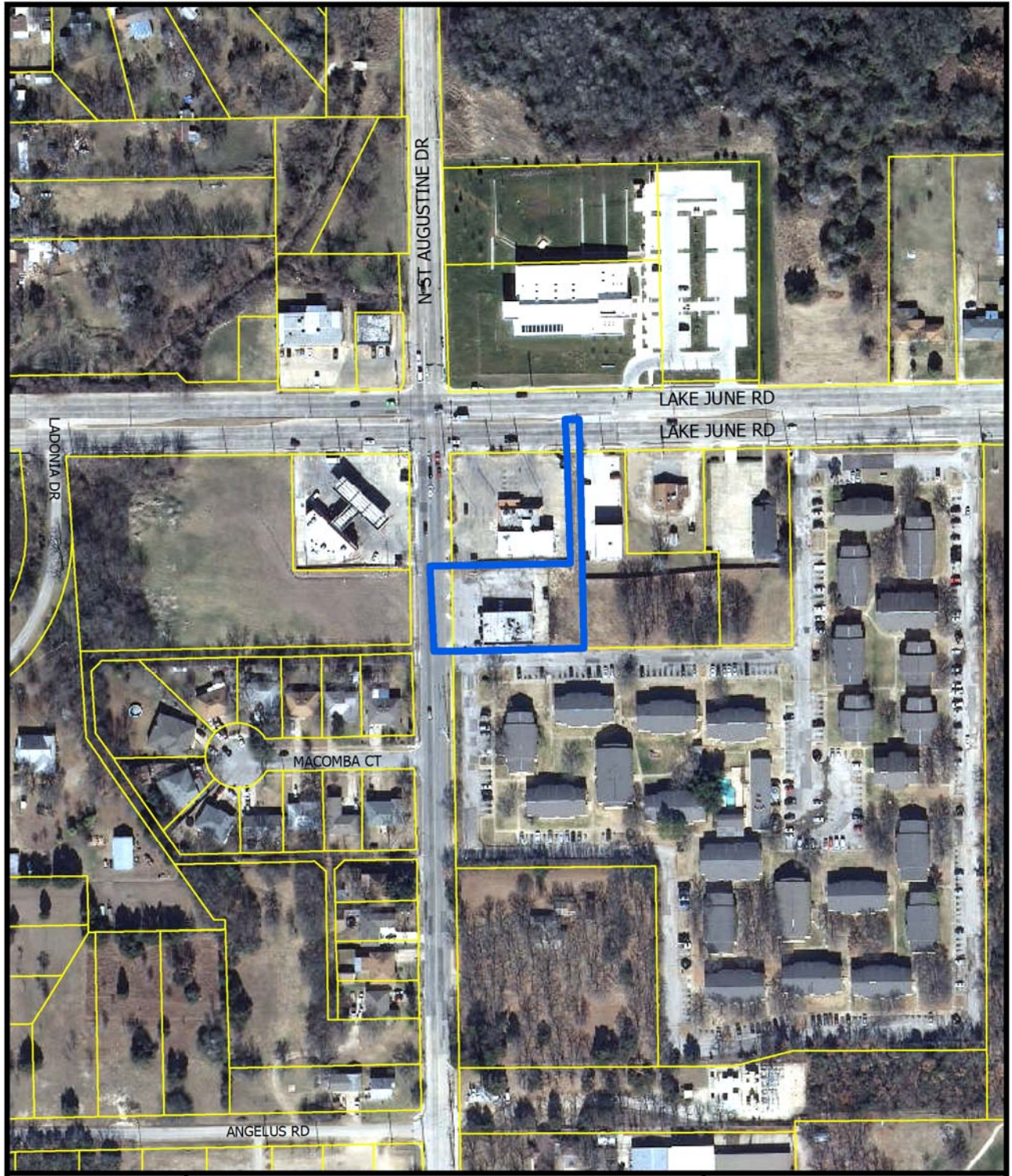
1:2,400

ZONING AND LAND USE

Case no: Z123-354

Date: 10/25/2013



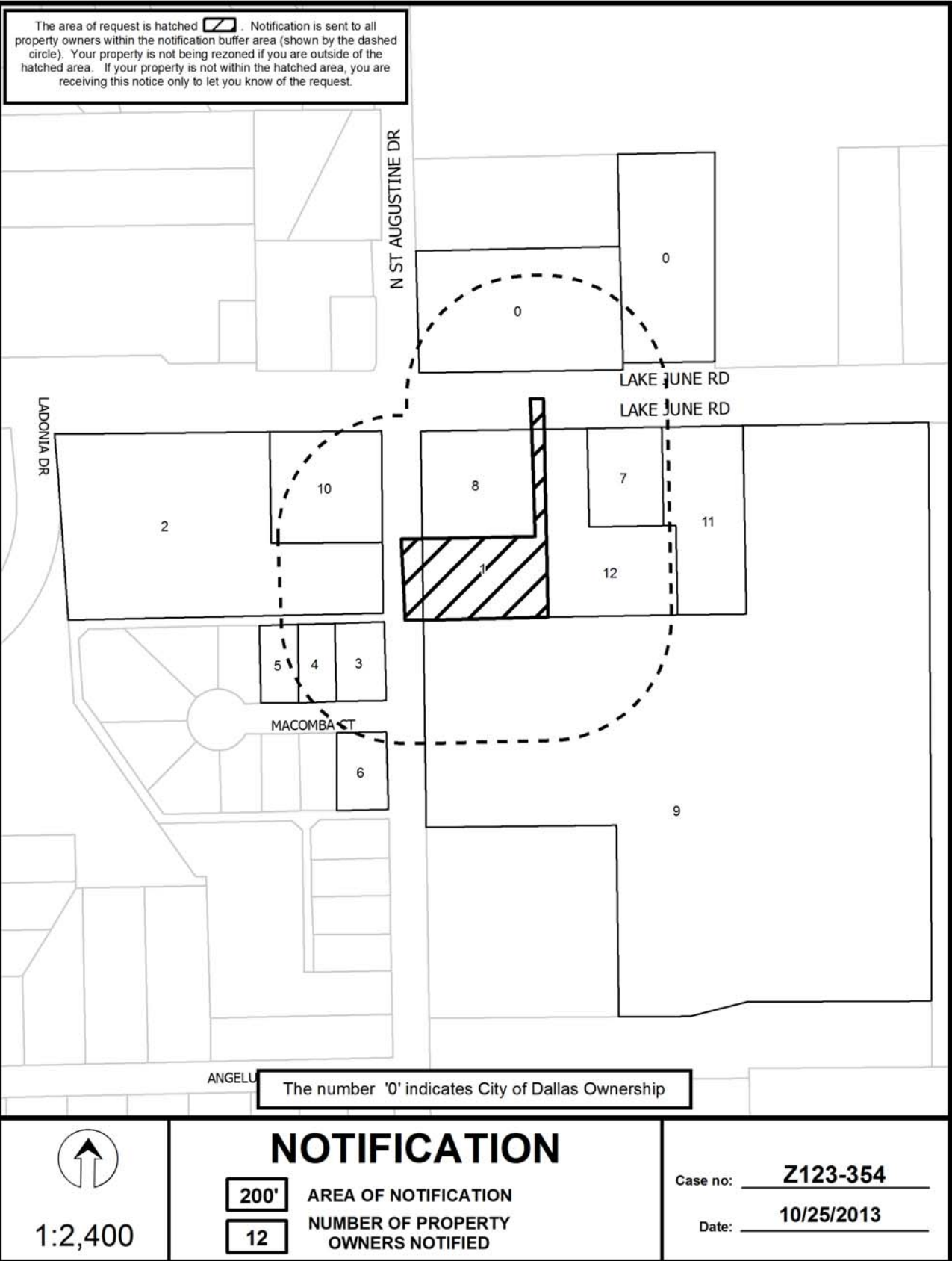


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AERIAL MAP

Case no: Z123-354

Date: 10/25/2013



Notification List of Property Owners

Z123-354

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1230 ST AUGUSTINE RD	MILLER W C TRUSTEE STE 100
2	9500 LAKE JUNE RD	9500 LAKE JUNE LLC SUITE 1100
3	9523 MACOMBA CR DR	RUIZ ERNESTO
4	9519 MACOMBA CR DR	MOORE LAURA JEAN
5	9515 MACOMBA CR DR	THE REAL ADVANTAGE INC DBA WILKINS FAMIL
6	9524 MACOMBA CR DR	BOWEN G C
7	9630 LAKE JUNE RD	CLARK GREGORY A
8	9600 LAKE JUNE RD	TORRES ANTONIO & ALEJANDRINA W TORRES
9	1198 ST AUGUSTINE RD	LA HACIENDA LLC
10	9615 LAKE JUNE RD	IGLESIA NUEVA VISION INC.
11	1200 ST AUGUSTINE RD	EVEREST FINANCIAL CORP
12	9650 LAKE JUNE RD	BRIGHT STAR MISS BAPT CH %PASTOR E. JACK
13	9600 LAKE JUNE RD	MITCHELL KEVIN

Planner: Warren F. Ellis

FILE NUMBER: Z123-135(WE) **DATE FILED:** November 13, 2012

LOCATION: Northwest line of Hawthorne Avenue between Production Dr. and Afton Street

COUNCIL DISTRICT: 2 **MAPSCO:** 34-Y

SIZE OF REQUEST: Approx. 5.509 acres **CENSUS TRACT:** 4.01

APPLICANT / OWNER: Texas Intownhomes, LLC.

REPRESENTATIVE: Robert Baldwin

REQUEST: An application for a Planned Development Subdistrict for single detached dwellings on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of this request is to allow for the construction of a single family development and a community service center. The maximum number of single family dwellings proposed is 118.

STAFF RECOMMENDATION: Hold under advisement until November 21, 2013

PREVIOUS ACTION: On August 8, 2013, September 26, 2013, and October 24, 2013, the City Plan Commission held this case under advisement to allow the applicant time to work with staff on the proposed conditions and make any revisions to the conceptual plan based on the Peer Design Panel review.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request site is currently zoned for MF-2 Multiple Family Subdistrict uses and could be developed with multiple family uses, however, due to certain limitations to the MF-2 development standards, the applicant requested a Planned Development Subdistrict to develop the site. The proposed 118 single family development is compatible with the surrounding development.
2. *Traffic impact* – The Engineering Section of the Department Sustainable development and Construction has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.
3. *Comprehensive Plan or Area Plan Conformance* The proposed request is in compliance with the forwardDallas! Comprehensive Plan.
4. Justification for PD Planned Development District Zoning as opposed to a straight zoning district – The proposed Planned Development Subdistrict is justified because the existing MF-2 Multiple Family Subdistrict prohibits certain development rights and standards the applicant is proposing in the single family development.

BACKGROUND INFORMATION:

- The request for a Planned Development Subdistrict is to construct a 118-single family detached development is twofold: 1) increase the structure height from 36 feet to 58 feet and 2) modify the yard, space and yard regulations in an MF-2(A) Subdistrict. The MF-2 Subdistrict development standards are more restrictive than what is proposed by the applicant to construct the single family development.
- The Medical District Tax Increment Finance District has reached an agreement with the applicant to receive funds for the site's redevelopment. As part of the agreement, the developer has agreed to allocate approximately 20 percent of the units as affordable units.
- On October 25, 2013, the Peer Review Panel will review and comment on the applicant's proposed plan. The Peer Review Panel consists of a Panel from the Design Team. The Review Panel is the first of two review committees that will consider the applicant's request to receive TIF funding. The applicant will have to receive final approval from TIF Board and City Council to receive the funds for the proposed development.
- The surrounding land uses consist of single family uses to the northeast and an elementary school (PDS No. 28) to the southeast, which is across Hawthorne Avenue. A flood plain borders the request site's northwestern and southwestern

boundaries that separate the industrial and commercial type uses that are on Macatee Drive and Production Drive, respectively.

Zoning History: There have been two recent Board of Adjustment cases requested in the area.

1. BDA101-011 On May 17, 2011, the Board of Adjustment Panel A granted a variance of 15 feet to the front yard setback regulations at 2201 Kings Road.
2. BDA101-040 On May 17, 2011, the Board of Adjustment Panel A granted a variance of 15 feet to the front yard setback regulations at 4701 Bengal Street.

Thoroughfares/Streets:

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

Land Use:

	Zoning	Land Use
Site	MF-2 w/in PDD No. 193	Undeveloped
Northeast	MF-2 w/in PDD No. 193	Single Family
Southeast	PDS No. 28 w/in PDD No. 193	Elementary School
Northwest	IR	Industrial
Southwest	IR	Industrial, Warehouses

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 being within the Urban Mixed Use Building Block.

The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or mid-rise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options

and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

LAND USE:

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

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.

Area Plans:

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

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

The applicant's request for a PDS for a single family development meets objectives 1, 4, 6 and 7. The request does not meet the remaining objectives, 2, 3, and 5 because the proposed development will not have a retail component nor is located in a commercial area. The proposed single family development will only provide the appropriate off-street parking requirements necessary to service the development.

STAFF ANALYSIS:

Land Use Compatibility: The 5.509 acre site is undeveloped and is adjacent to a floodplain which flows along the request site's northwestern and southwestern property lines. The surrounding land uses consist of primarily residential uses, however there is an elementary school that is southeast of the site, across Hawthorne Avenue and industrial type uses (e.g., warehouse uses) to the southwest, across Production Drive.

The applicant's request for a Planned Development Subdistrict for single detached dwellings will permit the construction of a 110-single family shared access development. The applicant has requested several modifications to the MF-2 Subdistrict's development standards and regulations to allow for the proposed single family development to be developed. These modifications refer primarily to the yard, lot and space regulations, and parking regulations. The MF-2 Subdistrict development standards are more restrictive than is proposed by the applicant to construct the single family development. The MF-2 Subdistrict permits a front yard setback of 20 feet, a side yard setback of 10 feet and a rear yard setback of 15 feet. The proposed development will allow for zero yard setbacks. In addition, the City Council approved a similar development in the Farmer's Market area that is being proposed on the request site.

In addition, the applicant and the Medical District Tax Increment Finance District have reached an agreement to allocate approximately 20 percent of the units as affordable units. Also, the Medical District Tax Increment Finance will provide some financial funding for the site's redevelopment. On October 25, 2013, the Peer Review Panel, which consists of the Design Team, will review and comment on the applicant's proposed plan. The Review Panel is the first of two review committees that will consider the applicant's request to receive TIF funding. The applicant will have to receive final approval from TIF Board and City Council to receive the funds for the proposed development.

Staff's recommendation is for approval, subject to a conceptual plan and staff's recommended conditions.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
MF-2 – existing Multiple Family	15'	10/15'	Min lot 2,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%		Multifamily, duplex, single family
PDS for single family - proposed	0'	0/0'	Min lot 2,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	58'	90%		Multifamily, duplex, single family

Landscaping: Landscaping of any development will be in accordance with Part I landscaping requirements in PDD No. 193.

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

Miscellaneous – Conditions: Staff has reviewed supports the applicant Planned Development conditions. However, there are some provisions in the conditions that are not supported by staff and will be reflected in the appropriate sections.

**LIST OF OFFICERS
Texas in Townhomes, LLC**

- Frank M. K. Liu, President
- Ming Liu, Vice-President
- Helen Ghozali, Vice-President

PROPOSED PDS CONDITIONS

SEC. S-___.101. LEGISLATIVE HISTORY.

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

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

PD Subdistrict ____ is established on property generally located on the northeast corner of the intersection of Hawthorne Street and Production Drive. The size of PD Subdistrict ____ is approximately 5.509 acres.

SEC. S-___.103. PURPOSE.

The general objectives of these standards are to promote and protect the health, safety, welfare, convenience, and enjoyment of the public, and, in part, to achieve the following:

- (1) To achieve buildings more urban in form.
- (2) To promote and protect an attractive street level pedestrian environment by encouraging the development of residential structures in an urban context.
- (3) To encourage a mix in the design of residential structures.
- (4) To promote landscape/streetscape quality and appearance.
- (5) To provide visual buffering and enhance the beautification of the city.
- (6) To safeguard and enhance property values and to protect public and private investment.
- (7) To conserve energy.

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

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

(1) **COLORED CONCRETE** means concrete with one or more pigments added to it.

(2) **SUBDISTRICT** means a subdistrict of PD 193.

(b) Unless otherwise state, all references to articles, divisions, or sections in this

division are articles, divisions or sections in Chapter 51.

(c) TYPE A UNITS means a unit that has a minimum of xxxx square feet of floor area. **[Note:** The applicant's representative has not provided staff with the square footage of the unit at the time this case was prepared for mail-out.]

(d) TYPE B UNITS means a unit that has less than xxxx square feet of floor area. **[Note:** The applicant's representative has not provided staff with the square footage of the unit at the time this case was prepared for mail-out.]

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

SEC. S-___.105. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit S-__A: conceptual plan.

SEC. S-___.106. CONCEPTUAL PLAN

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

SEC. S-___.107. DEVELOPMENT PLAN

(a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this subdistrict. If there is a conflict between the text of this division and the development plan, the text of this division controls.

(b) For a single family residential development, a final plat may serve as a development plan.

SEC. S-___.108. HOMEOWNERS ASSOCIATION.

Prior to final plat approval, the owner of the Property must execute an instrument creating a homeowner's association for the maintenance of common areas, screening walls, landscape areas (including right-of-way landscaping areas), and for other functions. This instrument must be approved as to form by the city attorney and filed in the Dallas County deed records.

Staff's Recommendation

SEC. S-___.109. GENERAL DEVELOPMENT STANDARDS.

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

Applicant's Proposal

SEC. S-____.109. GENERAL DEVELOPMENT STANDARDS.

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

SEC. S-____.110. MAIN USES PERMITTED.

- (a) The following uses are the only uses permitted in the PD Subdistrict:
- Accessory community center (private).
 - Handicapped group dwelling unit.
 - Local utilities
 - Single-family.
 - Temporary construction or sales office.

SEC. S-____.111. ACCESSORY USES.

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

SEC. S-____.112. 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. In the event of a conflict between this section and Part 1 of this article, this section controls.)

- (a) Single-family uses.
- (1) Front yard. No minimum front yard.
 - (2) Side and rear yard. No minimum side or rear yard.
 - (3) Density. The maximum dwelling unit density is 118 units.
 - (4) Height. Maximum structure height is 58 feet to the highest point of the roof. Rooftop projections, trellis projections and other architectural features may exceed the height by 12 feet.
 - (5) Projections. Windows, sills, belt courses, cornices, or other architectural features may project no more than 12 inches into the right-of-way with a City of Dallas license for use of the public right-of-way. Cantilevered roof eaves, steps, stoops and balconies may project no more than three feet in the right-of-way with a City of Dallas license for use of the public right-of-way.

(6) Lot coverage. Maximum lot coverage is 90 percent. For purposes of lot coverage, the entire property subject to these regulations will be treated as a single lot.

(7) Lot size: No minimum lot size.

(8) Stories. No maximum stories.

(9) Plat requirements. In this subdistrict, a minimum of 10 feet must be provided by plat between each group of no more than eight single family structures.

Staff's Recommendation

(10) Platted lots. Each dwelling unit must be located on a separate lot. Platted lots may have frontage on two opposite sides.

Applicant's Proposal

(10) Platted lots. Platted lots may have frontage on two opposite sides.

SEC. S-____.113. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult Part 1 of this article for the specific off-street parking and loading requirements for each use.

(b) Parking for Single-family Residential Uses.

(1) Type A Units: Two off-street parking spaces are required per unit.

(2) Type B Units: One off-street parking per unit.

(c) Guest Parking. A total of .25 parking spaces are required and these spaces may cross lot lines and may be located in the public right-of-way.

(d) Parking Space Dimensions. Except for on-street parallel parking spaces along Bengal Drive, off-street parking spaces must be a minimum of 18 feet long by eight feet wide.

Staff's recommendation

(e) There is no parking requirement for accessory uses, such as an ~~sales office~~, accessory community center (private) or fitness center, provided that the accessory use is principally for the residents.

Applicant's Proposal

(e) There is no parking requirement for accessory uses, such as a sales office, accessory community center (private) or fitness center, provided the accessory use is principally for the residents.

(f) Accessory community center (private). Off-street parking is not required for an accessory community center (private) use.

SEC. S-____.114. SIDEWALKS.

(a) A minimum sidewalk width of 12 feet, with 7.5 feet unobstructed by any structure or planting, must be provided along Hawthorne Street.

(b) A minimum sidewalk width of 10 feet, with 7.5 feet unobstructed by any structure or planting, must be provided along Bengal Street.

(c) Sidewalks elsewhere in the interior of the subdistrict are allowed but not required. Interior sidewalks must be a minimum of three feet wide.

(d) Sidewalks can be constructed with concrete, colored concrete or pavers.

SEC. S-____.115. RESIDENTIAL DEVELOPMENT TRACT PAVEMENT WIDTHS.

(a) The access drives must be provided as shown on the conceptual plan.

(b) Single-family lots may front on access drives.

Staff's recommendation

(c) The residential development access area must have a minimum width of 20 feet, and a minimum pavement width of 20 feet. Pavement widths are measured perpendicularly from the edge of the pavement to the opposite edge of the pavement.

Applicant's Proposal

(c) The access drives must have a minimum width of 20 feet and a minimum pavement width of 20 feet. Pavement widths are measured perpendicularly from the edge of the pavement to the opposite edge of the pavement.

Staff's recommendation

(d) Minimum visibility triangles are required at all driveways and intersections with public streets. At all driveways and intersections, visibility triangles must be 10 feet by 10-feet for driveways and 20 feet by 20-feet at street intersections.

Applicant's Proposal

(d) In this Subdistrict, sight visibility triangles are 10 feet by 10 feet for driveways and 15 feet by 15 feet at street intersections.

SEC. S-____.116. PARAPET WALL.

All residential units facing the eastern property line must have a minimum four-foot parapet wall. The parapet wall must be of similar materials of the single family dwellings.

SEC. S-____.117. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-____.118. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping and screening must be provided in accordance with Part 1 of this article.

(b) Tree preservation. Protected trees must be preserved in accordance with Article X. The protective fencing and tree mitigation requirements apply to all uses. No grading may occur and no building permit may be issued to authorize work on the Property until required protective fencing is inspected and approved by the building official.(c) Street trees.

(1) Except as provided in this subsection, street trees must have a minimum height of 12 feet and a minimum caliper of three-and-a-half inches measured at a point 12 inches above the root ball at the time of installation.

(2) If the building official determines that a tree with a minimum height of 12 feet will interfere with utilities, a street tree may have a minimum height of six feet and a minimum caliper of two inches measured at a point 12 inches above the root ball at the time of installation.

(d) Maintenance. Plant material must be maintained in a healthy, growing condition.

SEC. S-____.119. URBAN DESIGN CONSIDERATIONS.

(a) Building materials. A minimum of 40 percent of total building facade area, excluding openings, must incorporate stone, brick or a combination of those materials. Hardi-board may be used on all facades.

(b) Drive-through porte-cocheres. Drive-through porte-cocheres must have a minimum height of 18 feet and may be located across shared drives.

(c) Outdoor lighting.

(1) Along Bengal Street, light poles must be located a minimum of 50 feet and a maximum of 100 feet on center with a minimum of one footcandle at the mid-point between fixtures.

(2) Outdoor light sources must be indirect, diffused, or shielded-type fixtures, installed to reduce glare and the consequent interference with boundary streets. Bare bulbs or strings of lamps are prohibited.

(3) Fixtures must be attached to buildings or mounted on permanent poles at a maximum height of 20 feet.

(4) Fixtures may be located within the public right-of-way with a City of Dallas license or on adjoining property.

(5) Pedestrian areas must be lighted beginning one-half hour after sunset and continuing until one-half hour before sunrise.

Staff's recommendation

(d) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar- as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth may be provided for all trees planted within a public sidewalk, ~~but are not required~~.

Applicant's Proposal

(d) Tree grates. Tree grates conforming to state and federal standards and specifications adopted to eliminate, insofar- as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth may be provided for all trees planted within a public sidewalk, but are not required.

(e) Fencing.

(1) Solid fencing is not required, but is allowed.

(2) Wrought iron fencing with or without gates is permitted between buildings along the perimeter of the subdistrict.

(3) Maximum fence height is eight feet.

(f) Pavement markings. Pedestrian crosswalks across ingress and egress driveways and interior drives or streets must be clearly marked by colored concrete or patterned or stamped concrete and must be consistent.

(g) Common areas. Mailboxes, water features and community service (private) use, pools, pool houses and accessory structures are allowed in common areas.

(h) Translucent windows. Along the eastern side of this district, if a side or rear façade is facing the existing single family homes along Afton Street, translucent glass must be used in that part of a window from the finished floor to six feet above the finished floor. If any portion of the window that is 10 feet or more above grade, except that transparent glass may be used in any window that is perpendicular to the side yard line.

SEC. S-____.120. SIGNS.

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

SEC. S-____.121. ADDITIONAL PROVISIONS.

Staff's Recommendation

~~(a) The property that is subject to these regulations can be developed as a residential development tract.~~

Applicant's Proposal

(a) The property that is subject to these regulations can be developed as a residential development tract.

Staff's Recommendation

~~(b) In this Subdistrict, there are not a maximum number of lots that can be platted in a single residential development tract.~~

Applicant's Proposal

(b) In this Subdistrict, there are not a maximum number of lots that can be platted in a single residential development tract.

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

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

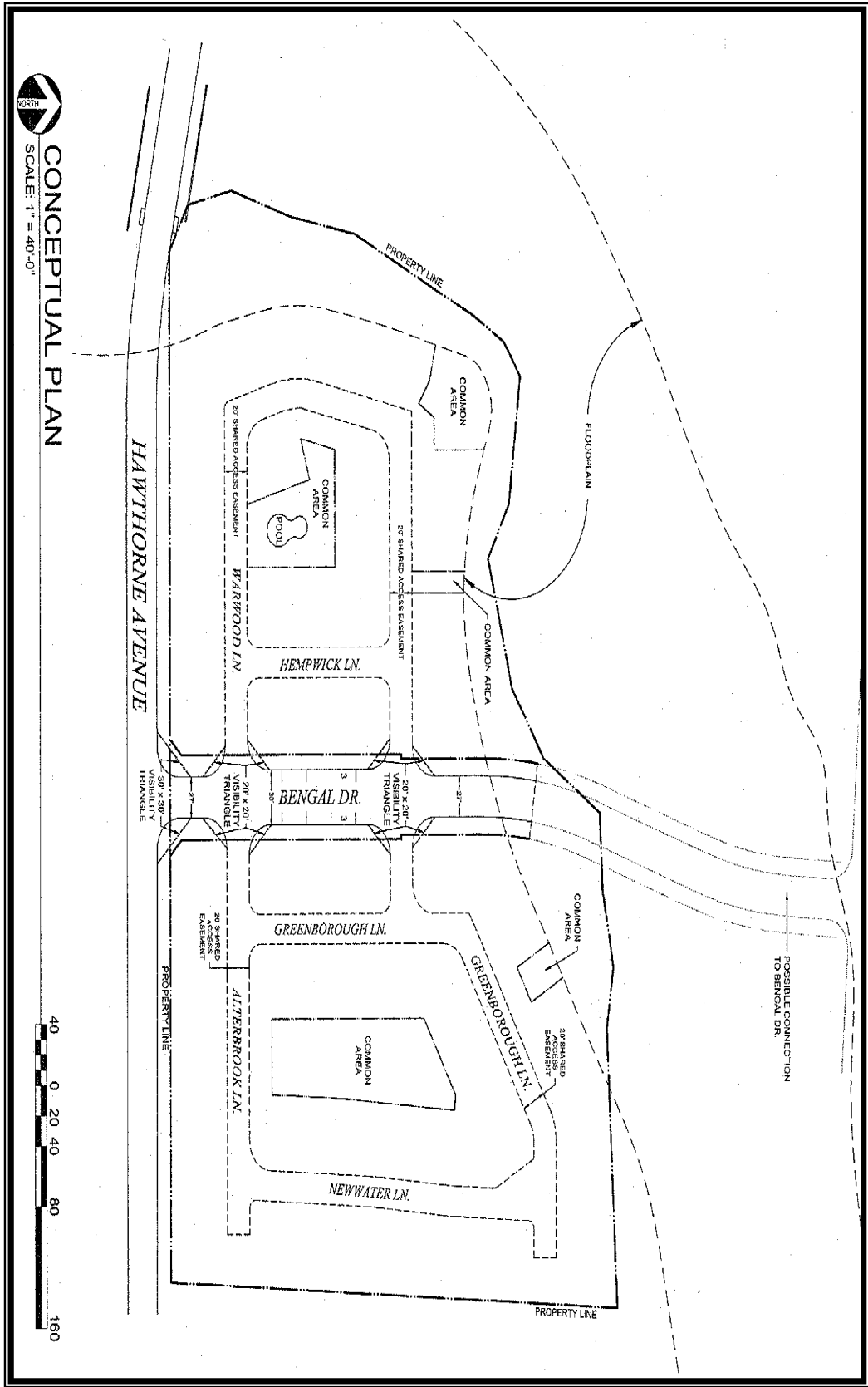
(e) Development and use of the Property must comply with Part 1 of this Article.

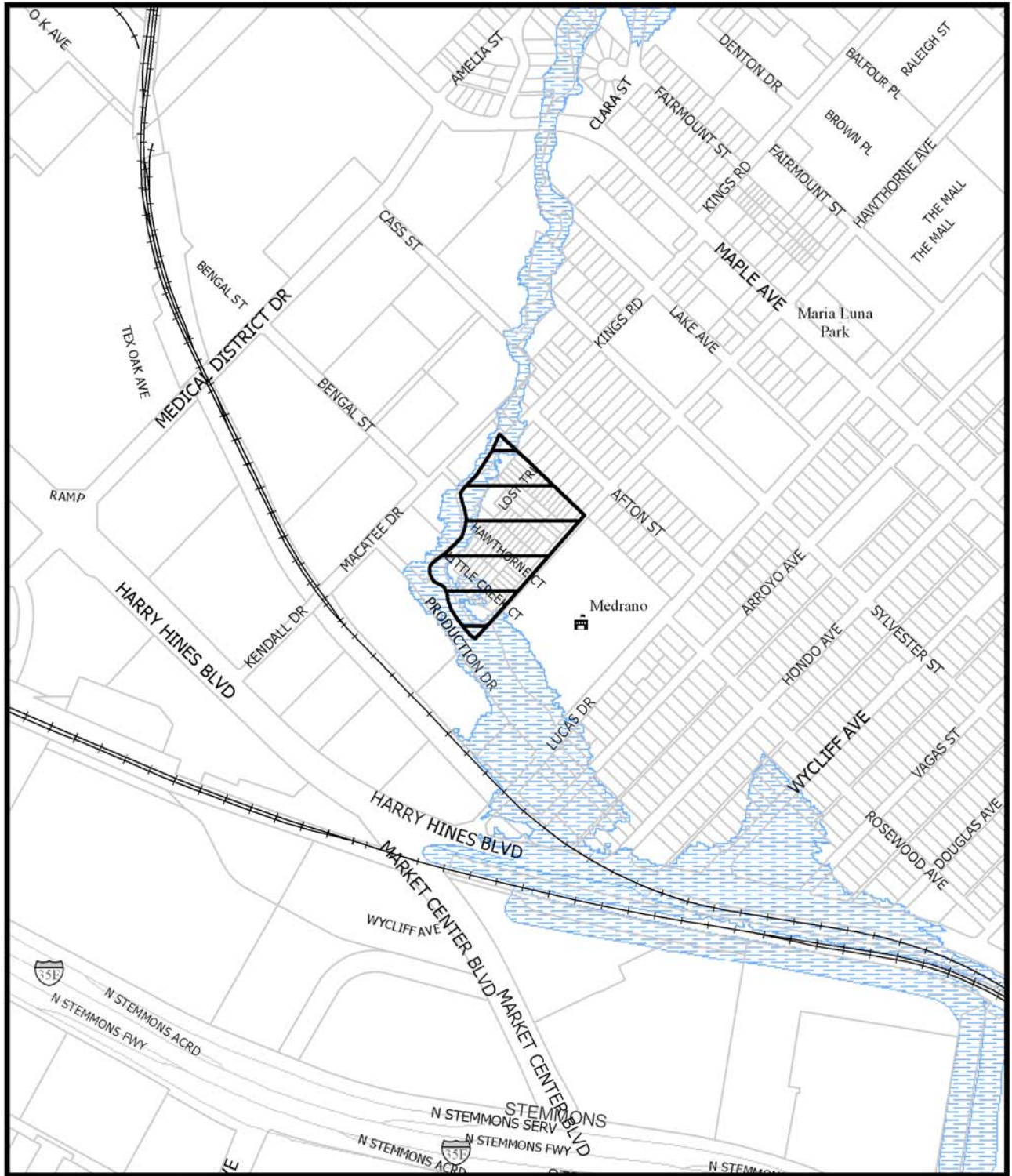
SEC. S-____.122. COMPLIANCE WITH CONDITIONS.

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

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

PROPOSED CONCEPTUAL PLAN



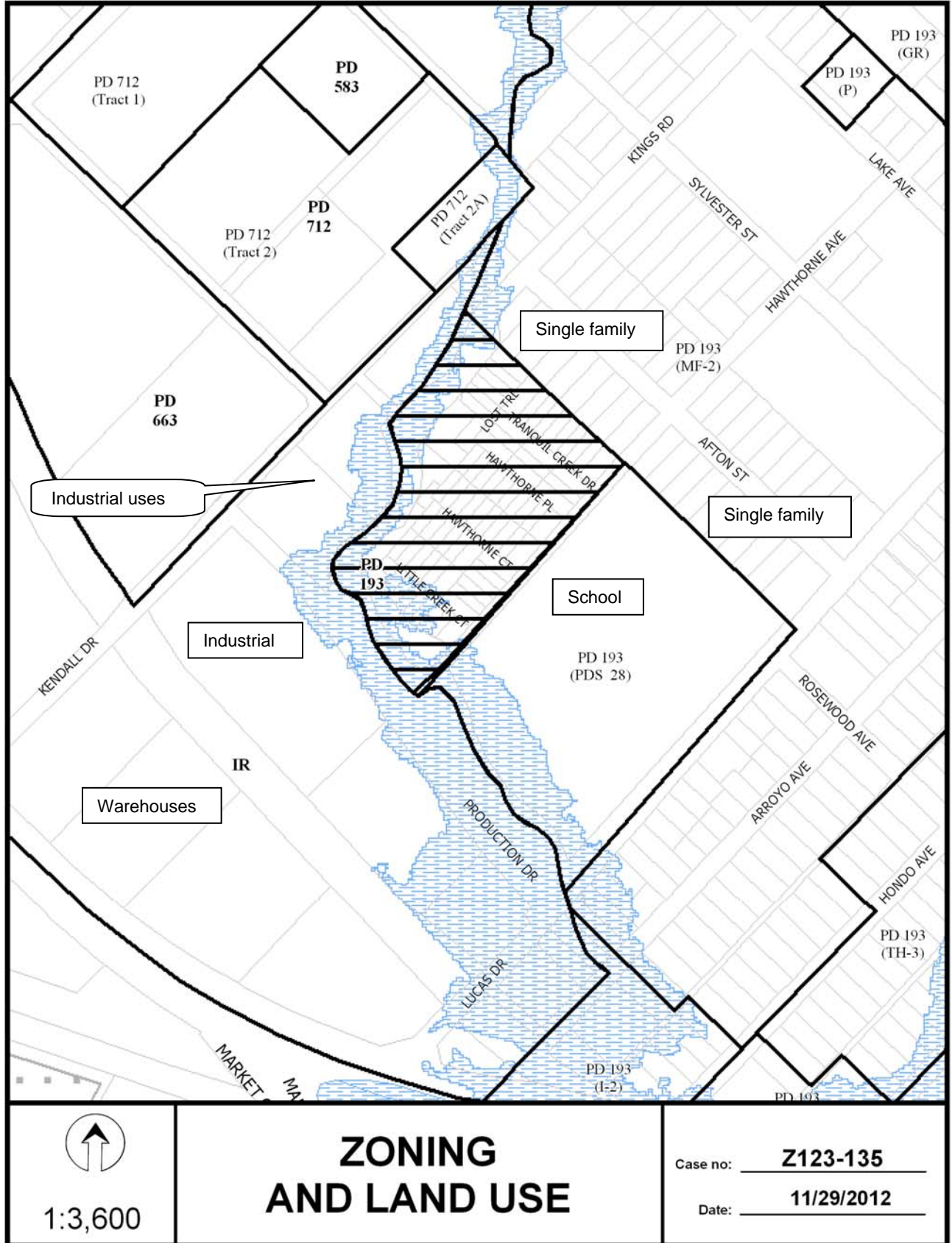


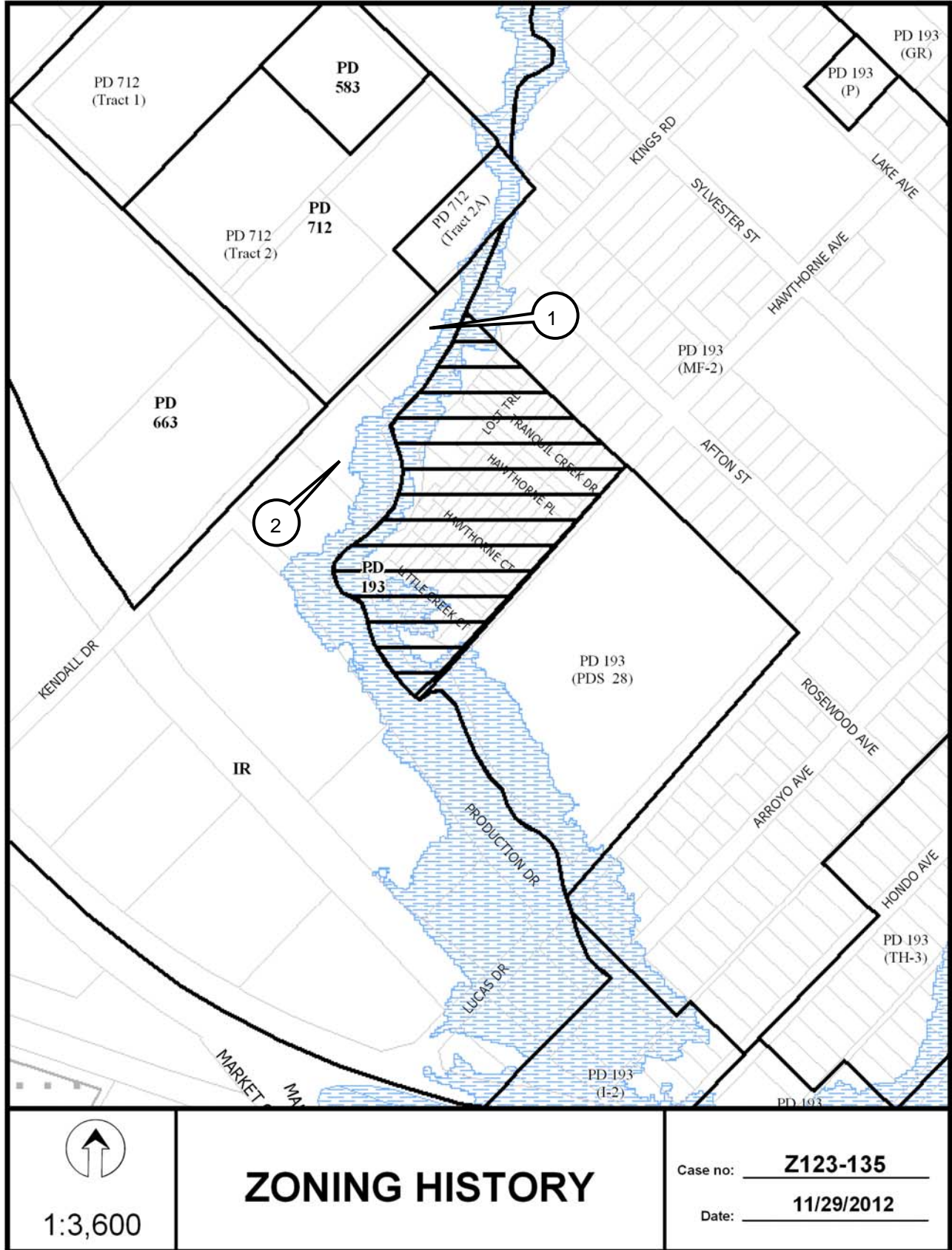
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VICINITY MAP

Case no: Z123-135

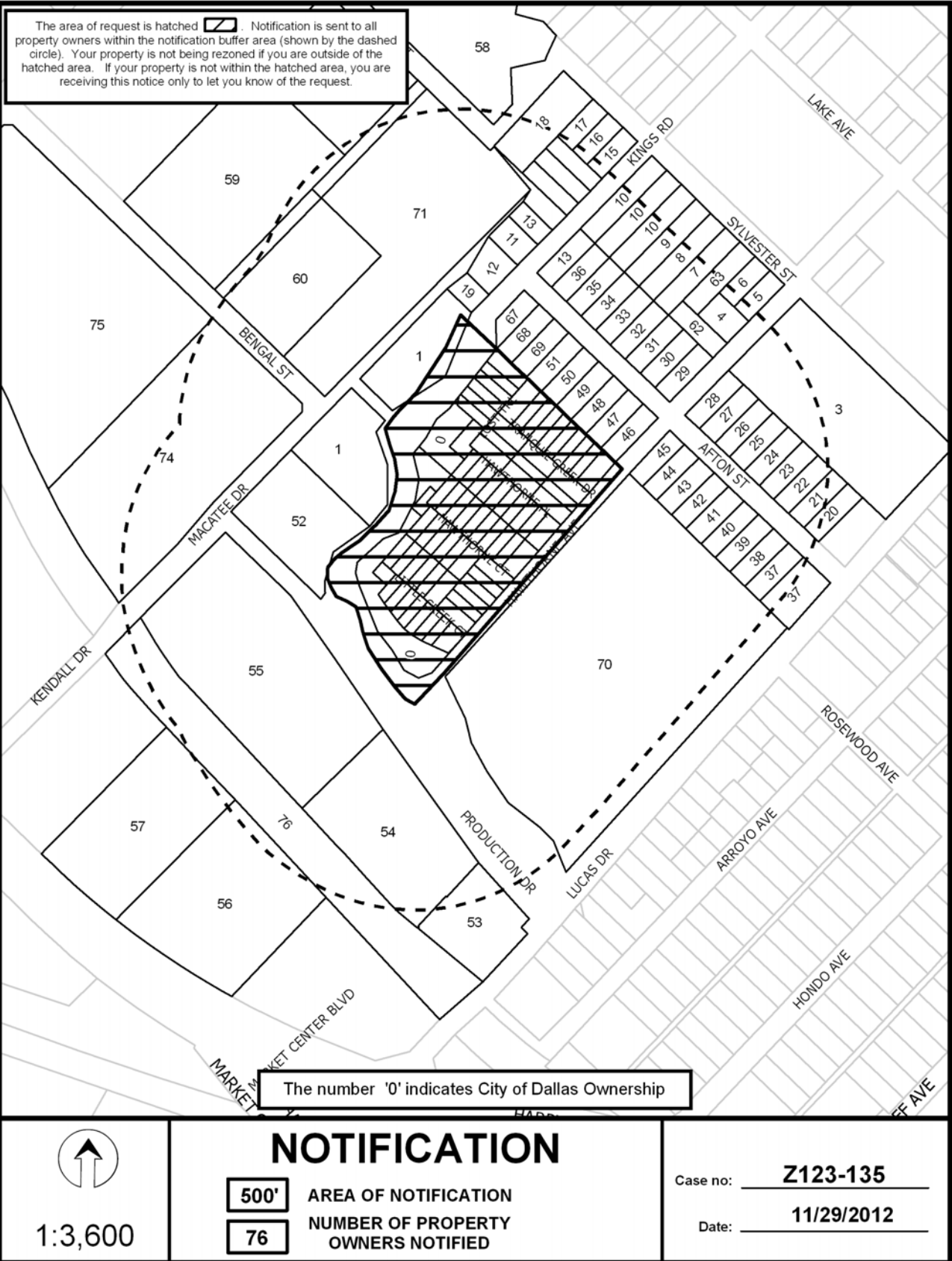
Date: 11/29/2012





Ariel Map





Notification List of Property Owners

Z123-135

76 *Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2201 KINGS RD	CRASH INC
2	2201 LOST TRL	TEXAS INTOWNHOMES LLC
3	4525 SYLVESTER ST	TUNG CHYUAN INV INC
4	2319 HAWTHORNE AVE	DELGADO SALVADOR & DINA
5	4601 SYLVESTER ST	MALAGON MARTIN & GADRIELA
6	4607 SYLVESTER ST	LOEZA CRISTINA
7	4615 SYLVESTER ST	GARCIA BRENDA N
8	4619 SYLVESTER ST	GANDARA AURELIANO & RAFAELA M
9	4623 SYLVESTER ST	HOLGUIN FERNANDO & MARIA D C
10	4625 SYLVESTER ST	KEMP JACK R
11	2330 KINGS RD	HYDE HEATH
12	2251 KINGS RD	SINGER ARTURO
13	2326 KINGS RD	CHANDLER NANCY ANN S TR STE 207
14	2324 KINGS RD	SANCHEZ MARIA
15	4703 SYLVESTER ST	CARRILLO CIRILO ESTATE OF
16	4707 SYLVESTER ST	SEPULVEDA JAMES L & GLORIA MRS
17	4711 SYLVESTER ST	BARRIOS JOSE LUIS & ESPERANZA BARRIOS
18	4719 SYLVESTER ST	HOLGUIN DANIEL & CHRISTINE
19	2200 KINGS RD	ODONNELL AUDREY L % MICHAEL ODONELL
20	4508 AFTON ST	AGUINAGA JOSE A & ALICIA
21	4514 AFTON ST	DAO CUONG P & QUYEN T VO
22	4518 AFTON ST	MARTINEZ MARIA CARMEN
23	4522 AFTON ST	HERNANDEZ EPIFANIO
24	4526 AFTON ST	CORTEZ ANGEL & MARIA AMAYA
25	4530 AFTON ST	NGUYEN HOANG
26	4534 AFTON ST	LE HOA THI XUAN

11/29/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4538 AFTON ST	OSORIO ISRAEL ANTUNEZ & NICOLASA PINEDA
28	4542 AFTON ST	MEDRANO PROPERTIES LLC
29	4600 AFTON ST	GALINDO XOCHILT
30	4606 AFTON ST	RAMIREZ JOSE & MARIA G ZUNIGA
31	4610 AFTON ST	MEDINA ADAN V & MAGDALENA C
32	4614 AFTON ST	VO HUONG THANH
33	4618 AFTON ST	DINH MY HOANG
34	4622 AFTON ST	LE MINH HOANG
35	4624 AFTON ST	LE KY VAN & MANH NGOC NGUYEN
36	4630 AFTON ST	NGUYEN THANH PHONG
37	4501 AFTON ST	LIVE MODERN HOMES LLC
38	4515 AFTON ST	URBINA CELIA
39	4519 AFTON ST	PEREZ JENNIFER
40	4523 AFTON ST	YOHANNES KIDUS UNIT 1001
41	4527 AFTON ST	RODRIGUEZ JUAN P
42	4531 AFTON ST	ZUNIGA ANTONIO JUAN
43	4533 AFTON ST	DEITELHOFF KATRINA
44	4535 AFTON ST	QUINONES DANIEL G
45	4543 AFTON ST	MANUEL CLEMENTE
46	4601 AFTON ST	DICKERSON DOROTHY
47	4607 AFTON ST	GALINDO JOSE H & ROSA
48	4611 AFTON ST	PEREZ DENISE
49	4615 AFTON ST	FRANCISCO TOMAS
50	4619 AFTON ST	CAO TRANG THI
51	4623 AFTON ST	NGUYEN VAN NGOC
52	4699 PRODUCTION DR	RUPLEY HELEN GAIL
53	2023 LUCAS DR	WALRAVEN A T III & ANNE WALRAVEN R RUPE
54	4525 PRODUCTION DR	PRODUCTION PPTY PTNR LLC ATTN: CHARLES M
55	4641 PRODUCTION DR	GREENWAY 4641 PRODUCTION SUITE 100
56	4600 HARRY HINES BLVD	UNIVERSITY OF TEXAS BOARD OF REGENTS
57	4640 HARRY HINES BLVD	SOVRAN ACQUISITION LTD PS

11/29/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4714 CASS ST	KALOGRIDIS REAL EST LTD
59	4814 BENGAL ST	TCF INTERESTS PARTNERSHIP LTD
60	4722 BENGAL ST	FOSTER M POOLE JR
61	4815 CASS ST	UNION GOSPEL MISSION
62	2313 HAWTHORNE AVE	JORY ROBERT
63	4611 SYLVESTER ST	GUZMAN JOSE GUADALUPE
64	2359 KINGS RD	BOUNNHING SAY
65	2355 KINGS RD	GOMEZ ELPIDIA
66	2351 KINGS RD	LARA OLGA L
67	4637 AFTON ST	NGUYEN DIEM TRANG HOANG
68	4633 AFTON ST	NGO HUNG VI & KIM YEN NGO
69	4629 AFTON ST	NGUYEN MINH
70	2221 LUCAS DR	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
71	4700 BENGAL ST	TCF INTERESTS PARTNERSHIP LTD ATTN: LEGA
72	4816 BENGAL ST	TCF INTERESTS PS LTD LTD
73	4816 BENGAL ST	POOLE FOSTER M JR
74	4707 BENGAL ST	RONALD MCDONALD HOUSE OF DALLAS FAMILY A
75	2140 MEDICAL DISTRICT DR	MOTOR STREET APTS LP
76	555 2ND AVE	DART

Planner: Warren F. Ellis

FILE NUMBER: Z123-340(WE) **DATE FILED:** March 7, 2007

LOCATION: Generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 34-N

SIZE OF REQUEST: Approx. 31.02 acres **CENSUS TRACT:** 04.06

APPLICANT / OWNER: Mockingbird Venture Partners, LLC

REPRESENTATIVE: Bill Dahlstrom
Jackson Walker

REQUEST: An application for an amendment to Planned Development District No. 759 for RR Regional Retail District uses.

SUMMARY: The purpose of this request is to change the Planned Development District conditions parking requirements for an office and lodging use to reflect the parking standards in the Dallas Development Code.

STAFF RECOMMENDATION: Hold under advisement until November 21, 2013

PREVIOUS ACTION: On October 24, 2013, this item was held under advisement.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The request for an amendment to Planned Development District No. 759 should not have a negative impact on the surrounding areas. The types of uses proposed for the site could support the adjacent businesses as well the Medical District.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable development and Constructions has reviewed the applicant's Traffic Impact Analysis Report and the amendments to the parking regulations for an office and lodging uses and have determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in an Urban Mixed Use Building Block and is transitioning from industrial uses to a mixed use area even though the *Love Field – West Land Use Study* recommends light industrial or industrial research uses.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The proposed Planned Development District is justified because of the Dallas Development Code does not permit the flexibility to change the developments standards and regulations for a project that requires some latitude in the development standards to develop a mix use development.

BACKGROUND INFORMATION:

- The Planned Development conditions state that the required parking for nonresidential uses, except for restaurant uses, is 4.5 spaces per 1,000 square feet of floor area. The applicant request is to change the off-street parking requirements for office and lodging use to reflect the Development Code's parking regulations standards.
- The proposed change will establish the parking requirements for an office use as one space per 333 square feet of floor area and for a lodging use as one space for each guest room.
- In May 2013, the City Council approved an amendment to Planned Development District No. 759 for RR Regional Retail District uses. The amendment allowed an increase the development rights on the Property by including MF-3(A) development rights and standards in Subdistrict II-A and Subdistrict II-B, but retained the RR Regional Retail development rights and standards on the entire site. In addition,

there is a natural ravine (floodplain) that transverse the site and is proposed to be filled-in to allow for the construction of the proposed development.

- In July 2013, the City Plan Commission approved the applicant's request for a waiver of the two-year waiting period. The approval allowed the applicant to submit a zoning application prior to the required two year waiting period for any zoning changes or amendments to their proposed development.
- The surrounding land uses consist of industrial, manufacturing, commercial and single family uses.

Zoning History: There has been one Board of Adjustment case and four zoning changes requested in the area.

1. B067-035 On March 19, 2007, the Board of Adjustment Panel C denied without prejudice a special exception to the parking regulations at 2525 W. Mockingbird Lane.
2. Z045-116 On April 13, 2005, the City Council approved an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District along the northwest line of Mockingbird Lane beginning at the west corner of Mockingbird Lane and Denton Drive.
3. Z045-119 On May 13, 2005, the City Council approved an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District on the north corner of Mockingbird Lane and Maple Avenue.
4. Z067-188 On June 27, 2007, the City Council approved a Planned Development District for RR Regional Retail District uses on property zoned an IM Industrial Manufacturing District and IR Industrial Research District.
5. Z123-177 On May 22, 2013, the City Council approved an amendment to Planned Development District No. 759 for RR Regional Retail District uses.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Mockingbird Lane	Minor Arterial	100 ft.	100 ft.
Maple Avenue	Collector	60 ft.	60 ft.
Empire Central	Collector	44.2 ft.	44 ft.
Forest Park	Local Street	40 ft.	40 ft.
Hawes Street	Local Street	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	PDD No. 759	Undeveloped, Mobile Home Park, Storage area for vehicles
Northeast	IR	Industrial, Nursery, Single Family
Southeast	MU-2, IR	Industrial, Undeveloped, Multifamily, Auto Related uses
Northeast	IR, CS	Industrial, Auto Related uses, Single Family
Southwest	IR	Industrial

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, but also recommends protecting Dallas’ floodplains.

The Plan identifies the request site as being in an Urban Mixed Use Building Block and is transitioning from industrial uses to a mixed use area even though the *Love Field – West Land Use Study* recommends light industrial or industrial research uses.

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

and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

Economic

Goal 2.1 Promote Balanced Growth.

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

Goal 2.2 Engage in strategic economic development

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

Urban Design

Goal 5.2 Strengthen community and neighborhood identity

Policy 5.2.4 Enhance retail, industrial and business operations

Area Plan: The request site lies within the *Love Field – West Land Use Study, January 1987*, and recommends light industrial or industrial research uses for the area. The area contains a mixture of land uses, from a paint manufacturing company to professional and corporate offices, commercial facilities, and a mobile home park. The Study states that light industrial or industrial research uses are appropriate because the request site is adjacent to a residential area.

STAFF ANALYSIS:

Land Use Compatibility: The 31.02 acre site is irregularly shaped and is primarily undeveloped with the exception of a mobile home park and a staging area for vehicles.

In June 27, 2007, the City Council approved Planned Development District No. 759 for RR Regional Retail uses that permitted several modifications to the development standards. These modifications included 1) alternative options for tree mitigation, and 2) design standards for general merchandise greater than 100,000 square feet of floor area on any structure greater than 75,000 square feet with some modification to the tree planting requirements.

In May 2013, the City Council approved an amendment to Planned Development District No. 759 for RR Regional Retail District uses which allowed an increase in the development rights on the Property by including MF-3(A) development rights and standards in Subdistrict II-A and Subdistrict II-B, but retained the RR Regional Retail development rights and standards on the entire site. In addition, there is a natural ravine (floodplain) that transverse the site and is proposed to be filled-in to allow for the construction of the proposed development.

The applicant’s request for an amendment to Planned Development District No. 759 for RR Regional Retail uses will change the office and lodging use to have the off-street parking regulation standards that are established in the Development Code. Currently, the PDD conditions limit the required parking for nonresidential uses, except for restaurant uses, to 4.5 spaces per 1,000 square feet of floor area. The proposed changes will reflect the off-street parking requirements for an office use is one space per 333 square feet of floor and a lodging use as one space for each guest room. The applicant may provide a lodging use with a maximum of 300 guest rooms.

The request for an amendment to Planned Development District No. 759 should not have an adverse impact on the surrounding areas, subject to attached conditions.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
Planned Development District No. 759 Regional retail	15'	15'	1.5 FAR	95 ft.	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office, Multifamily

Landscaping: Landscaping will be maintained in accordance with Article X, as amended and big box standards for any building greater than 75,000 square feet.

Article V (Floodplain): Any fill work in the flood plain will require application to the Public Works Department. The fill permit will be reviewed for compliance under Article V of the Dallas Development Code. The Public Works Department will determine the impact and type of mitigation measures on the floodplains and forward their recommendation to the City Council. In November 2007, the Dallas City Council approved a fill permit for the request site and the fill permit will expire in November 2015.

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. The infrastructure improvements identified in the applicant’s Traffic Impact Analysis Report, Mockingbird at

Z123-340(WE)

Maple Retail Site, February 2007, will be implemented and will suffice for the proposed amendment to Planned Development District No. 759.

**LIST OF OFFICERS
MOCKINGBIRD VENTURE PARTNERS, LLC**

Mockingbird venture partners, LLC
A Delaware Limited Liability Company

Sole Managing Member: Highridge Asset Management, LLC
A Delaware Limited Liability Company

Sole Managing Member: Highridge Management, Inc
A California Corporation

Highridge Asset Management, LLC - Officers

- John S. Long – President
- Steven A. Berlinger – Executive VP/CFO
- Jack L. Mahoney – VP
- Eugene S. Rosenfield – VP
- Parviz Vaghti – VP
- Linda Kasai – VP/Secretary

Directors:

- John S. Long
- Steven A. Berlinger

**PROPOSED PDD CONDITION
CHANGES**

ARTICLE 759.

PD 759.

SEC. 51P-759.110. 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. Consult Division 51A-4.300 for information regarding off-street parking and loading generally.

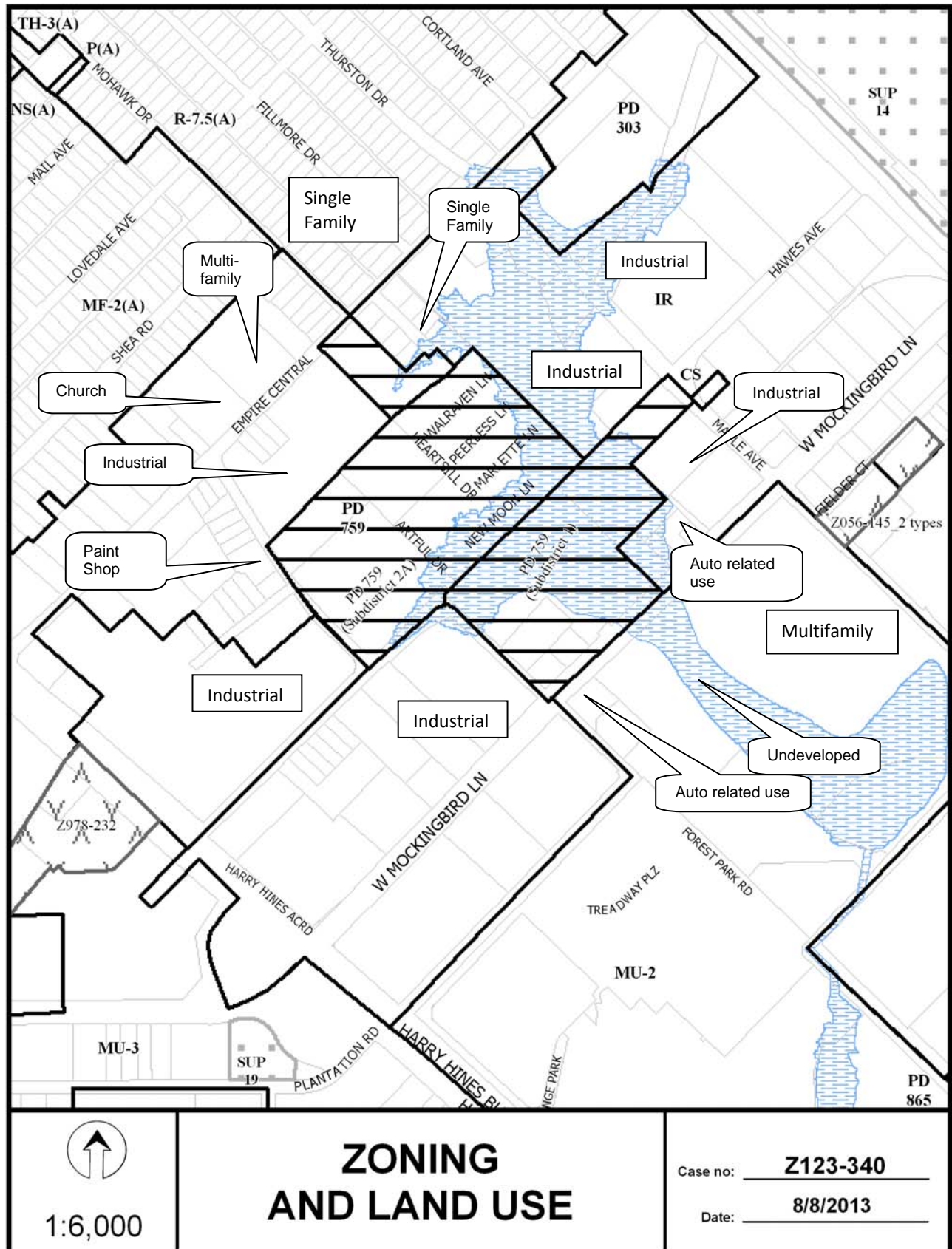
(b) The required parking for nonresidential uses, except for restaurant uses, office uses, and lodging uses, is 4.5 spaces per 1,000 square feet of floor area. In addition, one off-street parking space must be provided for every 500 square feet of covered outdoor sales area and one off-street parking space must be provided for every 2,000 square feet of open outdoor sales area.

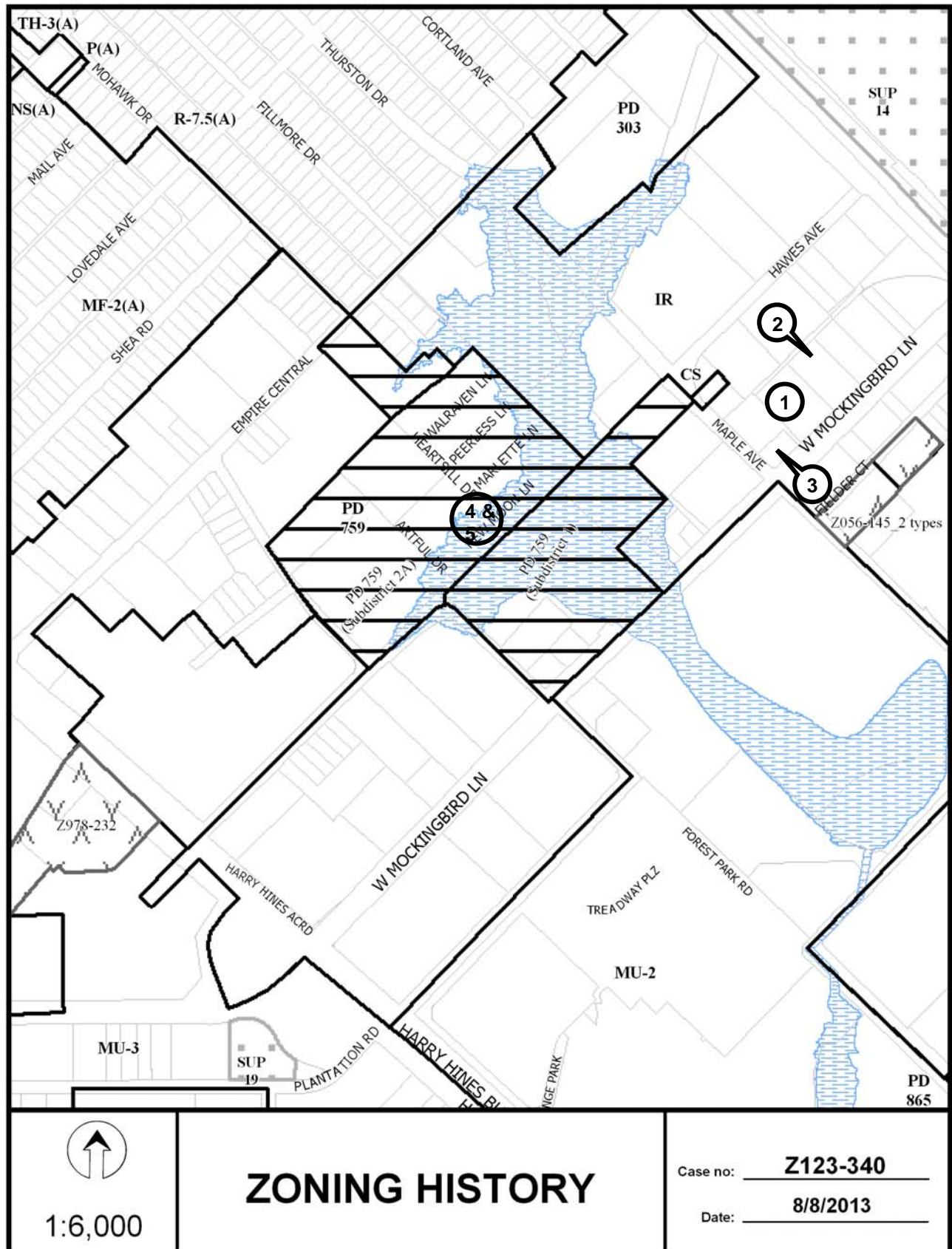
(c) The following off-street parking requirements apply to office and lodging uses:

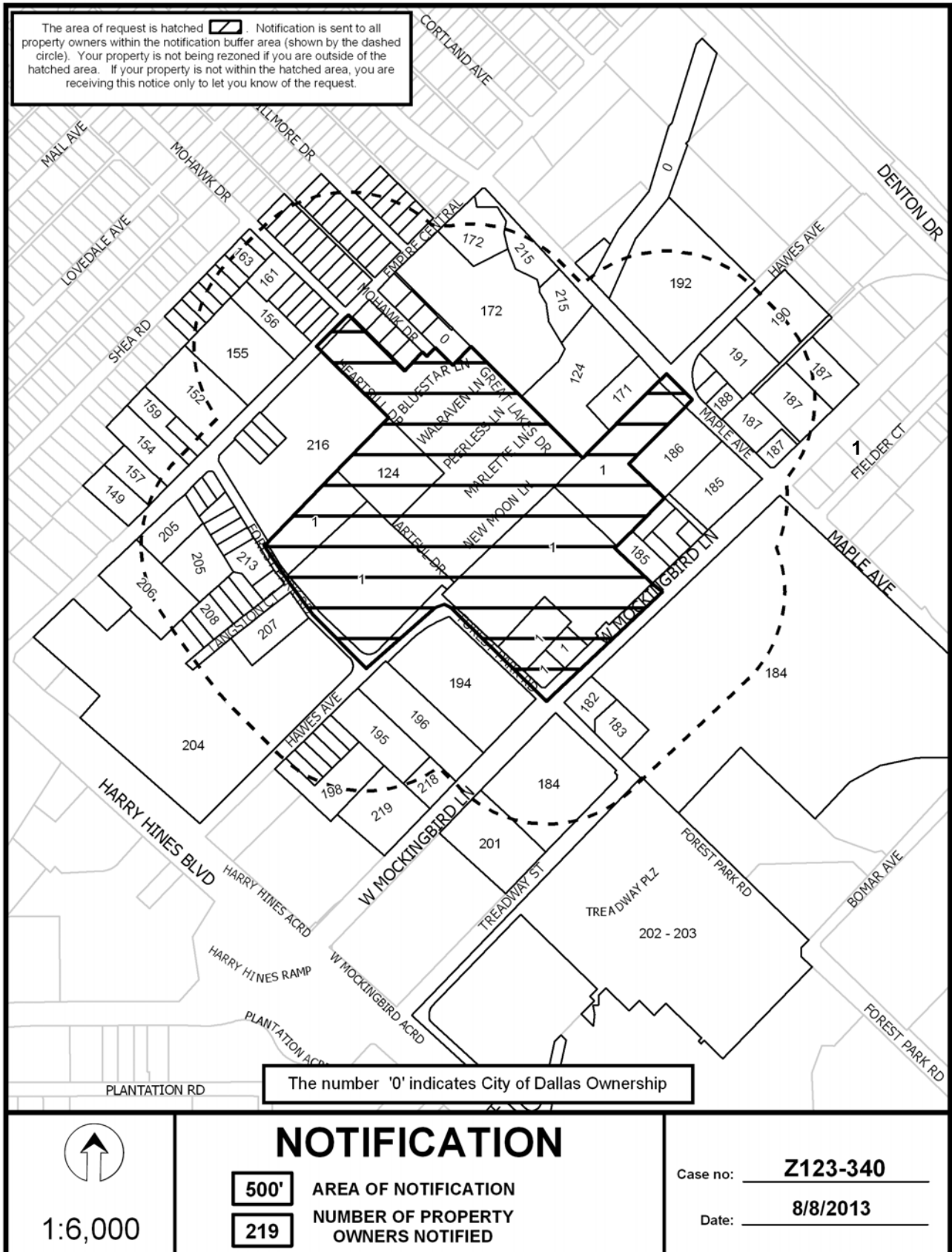
i. Office: one space per 333 square feet of floor area

ii. Lodging: one space for each guest room.

(d)[(e)] For purposes of the off-street parking regulations, the Property is considered one lot.







Notification List of Property

Z123-340

219 - Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6820 FOREST PARK RD	MOCKINGBIRD VENTURE PARTNERS LLC
2	2232 EMPIRE CENTRAL	MOCKINGBIRD VENTURE PARTNERS LLC
3	2222 PEERLESS LN	BARRON FRED SPACE 064
4	2201 WALRAVEN LN	VEGA SILVIA SPACE 020
5	2232 EMPIRE CENTRAL	VALENCIA JORGE LOT 1A
6	2201 BLUESTAR LN	HERNANDEZ HERIBERTO LOPEZ SPACE 3
7	2206 BLUESTAR LN	SANDOVAL MARIO LOT 8
8	2214 BLUESTAR LN	MUNOZ NOE LOT 16
9	2217 BLUESTAR LN	RODRIGUEZ MANUEL SPACE 019
10	2202 WALRAVEN LN	DIAZ AGUSTIN SPACE 21
11	2210 WALRAVEN LN	GUERRERO JOSE SPACE 29
12	2211 WALRAVEN LN	SANCHEZ JUAN
13	2216 WALRAVEN LN	ORTIZ JOSE SPACE 35
14	2217 WALRAVEN LN	VILLEGAS CARLOS SPACE 36
15	2216 BLUESTAR LN	GONZALEZ SERGIO SPACE 018
16	2221 WALRAVEN LN	BELTRAN JOSE
17	2206 PEERLESS LN	MARTINEZ LILIANA SPACE 48
18	2208 PEERLESS LN	MENDOZA ENRIQUE SPACE 50
19	2209 PEERLESS LN	CANELO JOSE ANTONIO %MARIA DE JESUS CAMP
20	2213 PEERLESS LN	LUIS-MARTINEZ JOSE SPACE 55
21	2215 PEERLESS LN	JUAREZ ROLANDO SPACE 57
22	2217 PEERLESS LN	BILLEDA FLAVIO SPACE 59
23	2218 PEERLESS LN	LOPEZ VICTOR SPACE 60
24	2219 PEERLESS LN	RODRIGUEZ RICARDO SPACE 61
25	2202 MARLETTE LN	MARTINEZ MOISES SPACE 67
26	2204 MARLETTE LN	LARA RAYMOND SPACE 69

8/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2209 MARLETTE LN	QUEVADO MARIA SPACE 74
28	2210 MARLETTE LN	LEDEZMA DELFINO SPACE 75
29	2214 MARLETTE LN	VALENCIA DAVID % DEBBIE WILLMON
30	2217 MARLETTE LN	CORTEZ ABRAHAM SPACE 82
31	2220 MARLETTE LN	NIEVES AMADO SPACE 85
32	2222 MARLETTE LN	AVILES BERNARDO SPACE 87
33	2110 NEW MOON LN	SANCHEZ CARMELA SPACE 92
34	2202 NEW MOON LN	GARCIA LESLIE SPACE 15A
35	2203 NEW MOON LN	VASQUEZ ALEJANDRO SPACE 96
36	2204 NEW MOON LN	RODRIGUEZ GABRIELA SPACE 97
37	2205 NEW MOON LN	RAMOS SIMON SPACE 98
38	2206 NEW MOON LN	MEJIA SERGIO SPACE 99
39	2208 NEW MOON LN	UGLADE JOSE SPACE 101
40	2210 NEW MOON LN	BRIONES JUAN MUNIZ & RAMONA SPACE 103
41	2211 NEW MOON LN	MARTINEZ LIONSO
42	2220 NEW MOON LN	SANTIAGO JORGE SPACE 113
43	2222 NEW MOON LN	QUEZADA GERARDO SPACE 114
44	6713 HEARTSILL DR	LEDEZMA ROSALIO 121
45	6719 HEARTSILL DR	RAZO SONIA SPACE 124
46	6723 HEARTSILL DR	MENDEZ MANUEL SPACE 126
47	6720 ARTFUL DR	MENDOZA OSBALDO SPACE 135
48	2232 EMPIRE CENTRAL	CORONEL MARIA LOT 15A
49	2232 EMPIRE CENTRAL	ROBERTS OFELIA SPACE 145 C
50	2201 NEW MOON LN	GAMEZ CONCEPCION
51	6722 ARTFUL DR	RODRIGUEZ JOSE SPACE 137
52	2108 NEW MOON LN	REYES OMAR
53	2222 WALRAVEN LN	BARRERA JUANITA SPACE 41
54	2232 EMPIRE CENTRAL	GONZALES JUAN MARTIN SPACE 2B
55	2202 BLUESTAR LN	FLORES RUBEN SPACE 4
56	2203 BLUESTAR LN	CORTEZ DANIEL
57	2205 BLUESTAR LN	SANCHEZ GUSTAVO SPACE 7

8/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2210 BLUESTAR LN	MARTINEZ JOSE SPACE 12
59	2212 BLUESTAR LN	TORRES RUBEN MUNOZ SPACE 14
60	2213 BLUESTAR LN	RODRIGUEZ ABIGAIL SPACE 15
61	2204 WALRAVEN LN	LEDEZMA SAMUEL SPACE 23
62	2206 WALRAVEN LN	MELLENDEZ VIRGINA SPACE 25
63	2209 WALRAVEN LN	RAMIREZ FIDEL SPACE 28
64	2213 WALRAVEN LN	SANCHEZ BERTHA & VERA MIGUEL SPACE 32
65	2214 WALRAVEN LN	VILLEGAS MARGARITO SPACE 33
66	2215 WALRAVEN LN	CARREON ALEJANDRO SPACE 34
67	2220 WALRAVEN LN	MANDUJANO ERNESTINA SPACE 39
68	2201 PEERLESS LN	MORALES MARISOL SPACE 43
69	2203 PEERLESS LN	RAMIREZ YOLANDA SPACE 45
70	2204 PEERLESS LN	AGUILAR RAUL SPACE 46
71	2205 PEERLESS LN	MORALES CONSTANCIO SPACE 47
72	2207 PEERLESS LN	NUNEZ GUSTAVO
73	2210 PEERLESS LN	DELACRUZ RODOLFO SPACE 52
74	2211 PEERLESS LN	GARCIA JESUS SPACE 53
75	2212 PEERLESS LN	YANEZ JOSE SPACE 54
76	2216 PEERLESS LN	ANDRADE JOSE % REOLADA MARIA
77	2201 MARLETTE LN	MARTINEZ LUCIA SPACE 66
78	2203 MARLETTE LN	JURA MICHAEL SPACE 68
79	2206 MARLETTE LN	DORADO SALOMON B & MARTHA VALDEZ
80	2207 MARLETTE LN	GARCIA CAESAR SPACE 72
81	2208 MARLETTE LN	DELEON MARIA SPACE 73
82	2212 MARLETTE LN	LOPEZ DELIA MORA LARA
83	2216 MARLETTE LN	EUGENIO ELVERADO SPACE 81
84	2218 MARLETTE LN	GONZALES JOSE SPACE 83
85	2104 NEW MOON LN	RODRIGUEZ ROSA SPACE 89
86	2112 NEW MOON LN	HENIZE JOHN SPACE 93
87	6715 HEARTSILL DR	ANGUIANO JOSE SPACE 122
88	2205 MARLETTE LN	MARTINEZ LILIANA SPACE 70

8/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2211 MARLETTE LN	ARANDA ISMAEL SPACE 76
90	2207 NEW MOON LN	GARCIA RAFAEL SPACE 100
91	2212 NEW MOON LN	ROJAS MISRAIM SPACE 105
92	2214 NEW MOON LN	SAENZ GUADALUPE SPACE 107
93	2216 NEW MOON LN	SAINZ MISAEL SPACE 109
94	2217 NEW MOON LN	VASQUEZ TORIBIO SPACE 110
95	2218 NEW MOON LN	SANCHEZ MARIA SPACE 111
96	6717 HEARTSILL DR	ALLMAGUAR JOSE LOT 123
97	6721 HEARTSILL DR	VASQUEZ BENITO SPACE 125
98	6713 ARTFUL DR	AGUILAR CRECENCIA SPACE 128
99	6714 ARTFUL DR	CURE STEVE SPACE 129
100	6715 ARTFUL DR	MOLINA JUAN SPACE 130
101	6716 ARTFUL DR	MUNOZ EVA LUCIA SPACE 131
102	6718 ARTFUL DR	RUIZ JOSE #133
103	6719 ARTFUL DR	CHAVEZ ESPERANZA SPACE 134
104	6723 ARTFUL DR	GALAN RAUL SPACE 138
105	6712 DANTE DR	REYES HUGO SPACE 139
106	6716 DANTE DR	MUNOZ RAFAEL SPACE 141
107	6718 DANTE DR	ARREDONDO JUANA SPACE 142
108	6720 DANTE DR	MOROIN EDI SPACE 143
109	6722 DANTE DR	RICO ALFONZO
110	2232 EMPIRE CENTRAL	SWETZER TAMMY SPACE 146D
111	2232 EMPIRE CENTRAL	JIMENEZ MARTHA SPACE 147E
112	2215 BLUESTAR LN	SANCHEZ LILIA
113	2224 WALRAVEN LN	CASTRELLON BERTHA SPACE 42
114	6721 ARTFUL DR	RIVERA DUVELSA SPACE 136
115	2209 NEW MOON LN	RIVERA JOSE SPACE 102
116	2205 WALRAVEN LN	SANCHEZ MARIA SPACE 24
117	2213 MARLETTE LN	GONZALEZ DAVID SPACE 78
118	2209 BLUESTAR LN	VEITENHEIMER ELEANOR SPACE 11
119	2207 WALRAVEN LN	WILDER CATHY SPACE 26

8/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2211 BLUESTAR LN	LUCAS EUGENIO SPACE 13
121	2208 WALRAVEN LN	CHAVEZ ANJELICA SPACE 027
122	2215 NEW MOON LN	DURAN NOYOLA ARCELIA SPACE 108
123	2219 WALRAVEN LN	BARRERA IVAN SPACE 038
124	6721 MAPLE AVE	MOCKINGBIRD VENTURE PARTNERS LLC
125	7110 FILLMORE DR	ESQUIVEL GUADALUPE E & LIDIA C
126	7106 FILLMORE DR	WEAR JOHN G
127	7102 FILLMORE DR	RANGEL DOLORES A
128	7010 FILLMORE DR	PLASCENCIA MARIO
129	7006 FILLMORE DR	PULLEN MELVIN L
130	7002 FILLMORE DR	CONDE EPIFANIA
131	7123 FILLMORE DR	TORRES TOMAS
132	7119 FILLMORE DR	CERVANTES MANUEL JR
133	7115 FILLMORE DR	CROUCH COLEMAN R
134	7111 FILLMORE DR	VALLES JOSE L ET AL
135	7107 FILLMORE DR	GONZALEZ MIGUEL
136	7103 FILLMORE DR	CARLOS CONSTANTINE
137	7011 FILLMORE DR	FLORES GUADALUPE
138	7003 FILLMORE DR	CROUCH C R
139	7126 MOHAWK DR	GUTIERREZ MERCEDEZ
140	7122 MOHAWK DR	PERALEZ DOROTHY
141	7118 MOHAWK DR	FAZ AVELINO S
142	7114 MOHAWK DR	GONZALEZ FRANCISCO & F MARGARITA M GONZA
143	7110 MOHAWK DR	RIVERA LORENZA
144	7106 MOHAWK DR	FLORES JESUS E
145	7102 MOHAWK DR	RAMIREZ LORENZO & MARIA
146	7010 MOHAWK DR	GONZALES GUSTAVO
147	7006 MOHAWK DR	WOHLGEMUTH BRIAN LEE ETAL
148	7002 MOHAWK DR	NELSON DARRELL PATRICK
149	2103 EMPIRE CENTRAL	ANDOR PROPERTIES LLC
150	7011 MOHAWK DR	CASTRO PEDRO D

8/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	7103 MOHAWK DR	MARTINEZ JUAN
152	2145 EMPIRE CENTRAL	NO PEARL IGLESIA DE CRIST
153	7007 MOHAWK DR	MORALES JESUS S & MARIA L
154	2121 EMPIRE CENTRAL	LUAU JOINT VENTURE
155	2203 EMPIRE CENTRAL	KOKO JOINT VENTURE
156	2221 EMPIRE CENTRAL	PLEASANT RUN LANCASTER
157	2115 EMPIRE CENTRAL	LANG 2115 EMPIRE CENTRAL LLC STE 39
158	7107 MOHAWK DR	SALAS ANTONIO
159	2133 EMPIRE CENTRAL	1250 WDT LTD
160	7003 MOHAWK DR	MARTINEZ PATRICIA
161	7111 MOHAWK DR	VETERANS OF FOREIGN WARS LOVE FIELD MEM
162	2234 SHEA RD	RENERIA RODOLFO M % MERCEDES M MARTIN
163	2226 SHEA RD	GUAJARDO JOSE
164	2222 SHEA RD	BARRERA GILBERTO & ELIDA MELENDEZ
165	2218 SHEA RD	ALMAGUER ELIAS & MERCEDES
166	2214 SHEA RD	RAMIREZ RAUL & ALMAGUER DIANE
167	2210 SHEA RD	LOPEZ TEODORO JAIMES
168	2206 SHEA RD	RODRIGUEA JOSE ANGEL
169	2202 SHEA RD	CHAVEZ DOLORES G
170	2162 SHEA RD	US BANK
171	6707 MAPLE AVE	TEXAS UTILITIES ELEC CO % STATE & LOCAL
172	2414 EMPIRE CENTRAL	BOOZIOTIS BILL
173	6922 MOHAWK DR	WATTACHERIL JOSEPH J
174	6910 MOHAWK DR	JACOB JOSEPH W
175	6925 MOHAWK DR	TINSLEY CLAUDIA ANNE M
176	6919 MOHAWK DR	ABAUNZA DENIS E & A OMEGA
177	6911 MOHAWK DR	TUNIS BENJAMIN ESTATE OF
178	6907 MOHAWK DR	QUINN DENISE MARIE
179	2148 EMPIRE CENTRAL	BFH LTD
180	2152 EMPIRE CENTRAL	SOLIS GLORIA B
181	2156 EMPIRE CENTRAL	HERNANDEZ DAVID PAEZ & MARIA ALICIA

8/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	2304 MOCKINGBIRD LN	WILLINGHAM REUBEN TR ETAL % EJW CHILDREN
183	6516 FOREST PARK RD	TAYLOR THOMAS W
184	6535 MAPLE AVE	BOARD OF REGENTS OF THE % REAL ESTATE OF
185	2449 MOCKINGBIRD LN	GREENWAY-MOCKINGBIRD LP STE 100
186	6627 MAPLE AVE	6627 MAPLE AVE PS % WELLS FARGO NA
187	2601 MOCKINGBIRD LN	PRESCOTT INTERESTS LTD STE 225
188	6638 MAPLE AVE	HAWES JOINT VENTURE
189	6644 MAPLE AVE	LAMM FRIEDA WOOD
190	2608 HAWES AVE	WILLIAMSON HAWES JV
191	2510 HAWES AVE	HAWES JV
192	6700 MAPLE AVE	JONES BLAIR CO
193	6814 MAPLE AVE	GARCIA JORGE
194	2221 MOCKINGBIRD LN	GENUINE PARTS COMPANY % FINANCE DEPT
195	2128 HAWES AVE	MOORE DISPOSAL CORPORTION
196	2130 HAWES AVE	JL & JB PROPERTIES INC
197	2112 HAWES AVE	MOORE DISPOSAL INC
198	2116 HAWES AVE	MDC HAWES LLC
199	2110 HAWES AVE	MDC-HAWES
200	2108 HAWES AVE	MDC HAWES
201	2126 MOCKINGBIRD LN	SAF EXCHANGE PARK LTD STE 1000
202	6303 FOREST PARK RD	BOARD OF REGENTS OF THE UNIVERSITY OF TX
203	6303 FOREST PARK RD	BOARD OF REGENTS OF THE UNIVERSITY OF TX
204	6814 HARRY HINES BLVD	6814 HH PARTNERS LP
205	2102 EMPIRE CENTRAL	SUAREZ MARCOS N
206	2040 EMPIRE CENTRAL	GIRLS INCORPORATED OF METROPOLITAN DALLA
207	6835 FOREST PARK RD	SONG JIN HEE
208	2119 LANGSTON CT	LEE J KENNETH
209	2123 LANGSTON CT	FORESTPARK SERVICES LLC STE 123-359
210	2127 LANGSTON CT	VALDEZ FRANCISCO
211	2131 LANGSTON CT	MCRAE MICHAEL C
212	6901 FOREST PARK RD	FORD LEVERNE R & GAY D FORD

Z123-340(WE)

8/7/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	6911 FOREST PARK RD	DOUBLE E PROPERTIES
214	6921 FOREST PARK RD	IMPRUNETTA LLC
215	6801 MAPLE AVE	MARKER PERRY
216	6930 FOREST PARK RD	BFH LTD
217	2608 MOCKINGBIRD LN	CARLISLE INTERESTS INC
218	2121 MOCKINGBIRD LN	MESQUITE CREEK DEVELOPMENT INC
219	2111 MOCKINGBIRD LN	MESQUITE CREEK DEV INC % MESQUITE CREEK

Planner: Warren F. Ellis

FILE NUMBER: Z123-331(WE) **DATE FILED:** August 9, 2013

LOCATION: North side of W. Ledbetter Drive, west of South Hampton Road

COUNCIL DISTRICT: 3 **MAPSCO:** 63-H

SIZE OF REQUEST: Approx. 2.4595 acres **CENSUS TRACT:** 108.03

APPLICANT: Humberto Serrano

OWNER: Zahra Makhani

REPRESENTATIVE: Tailim Song Law Firm

REQUEST: An application for a CS-D Commercial Service District with a Dry Liquor Overlay on property zoned an LO-3-D Limited Office District 3 with a Dry Liquor Overlay.

SUMMARY: The purpose of this request is to allow for the construction of a multi-tenant retail development.

STAFF RECOMMENDATION: **Approval** of an RR-D Regional Retail District with a D Liquor Control Overlay (in lieu of the requested CS-D Commercial Service District with a D Liquor Control Overlay)

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends denial based upon:

1. *Performance impacts upon surrounding property* – Per Chapter 51A of the Dallas Development Code, the purpose of the CS Community Service District is “to provide for development of commercial and business service uses that may involve outside storage, service, or display. This district is not intended to be located in areas of low and medium density residential development.” The property adjacent to a private school to the north and residential uses to the west. The proposed CS Community Service District could have a negative impact because some of the permitted uses such as outdoor storage, display and service may be too intrusive for the surrounding neighborhood area.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the applicant’s request will not have a negative impact on the street system. However, the additional traffic that inevitably comes with more intensive, regional serving uses will impact the neighborhood.
3. *Comprehensive Plan or Area Plan Conformance* – The request as presented is not in conformance with the Comprehensive Plan. A more compatible zoning district that may be considered such as an RR Regional Retail District, which would still permit retail strip development.

BACKGROUND INFORMATION:

- The request site is currently undeveloped and there is a significant grade change on the northern property line that will provides a natural boundary between the proposed .retail development and single family development.
- The applicant proposes to develop a retail development on the 2.495 acres site. The property north of the site will limit the height of the proposed development because of the residential adjacency.
- The surrounding uses consist of a church and a private school to the north, to the east, a retail development with a car wash to the east and a single family development to the west. West of the request site, across W. Ledbetter Drive, are retail uses and a private school.
- **Zoning History:** There have not been any recent zoning changes in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW

W. Ledbetter Drive	Principal Arterial	100 ft.	100 ft.
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Land Use:

	Zoning	Land Use
Site	LO-3	Undeveloped
North	R-10(A0 Single Family w/ SUP No. 892	Church w/ a private school
South	RR w/ SUP No. 1522	Retail, private school
East	RR w/ deed restrictions	Restaurant, Car wash
West	R-10(A)	Single Family

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 request site fronts Ledbetter Drive, an arterial that is designated as a “Multi-Modal Corridor” in the Comprehensive Plan. The area north of this multi-modal corridor, which includes the request site, is designated as “Residential Neighborhood”.

Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: There is a significant grade change that separates the request site from the adjacent single family development to the west. The grade change serves as a natural barrier between the proposed development, single family and the streetscape along W. Ledbetter Drive.

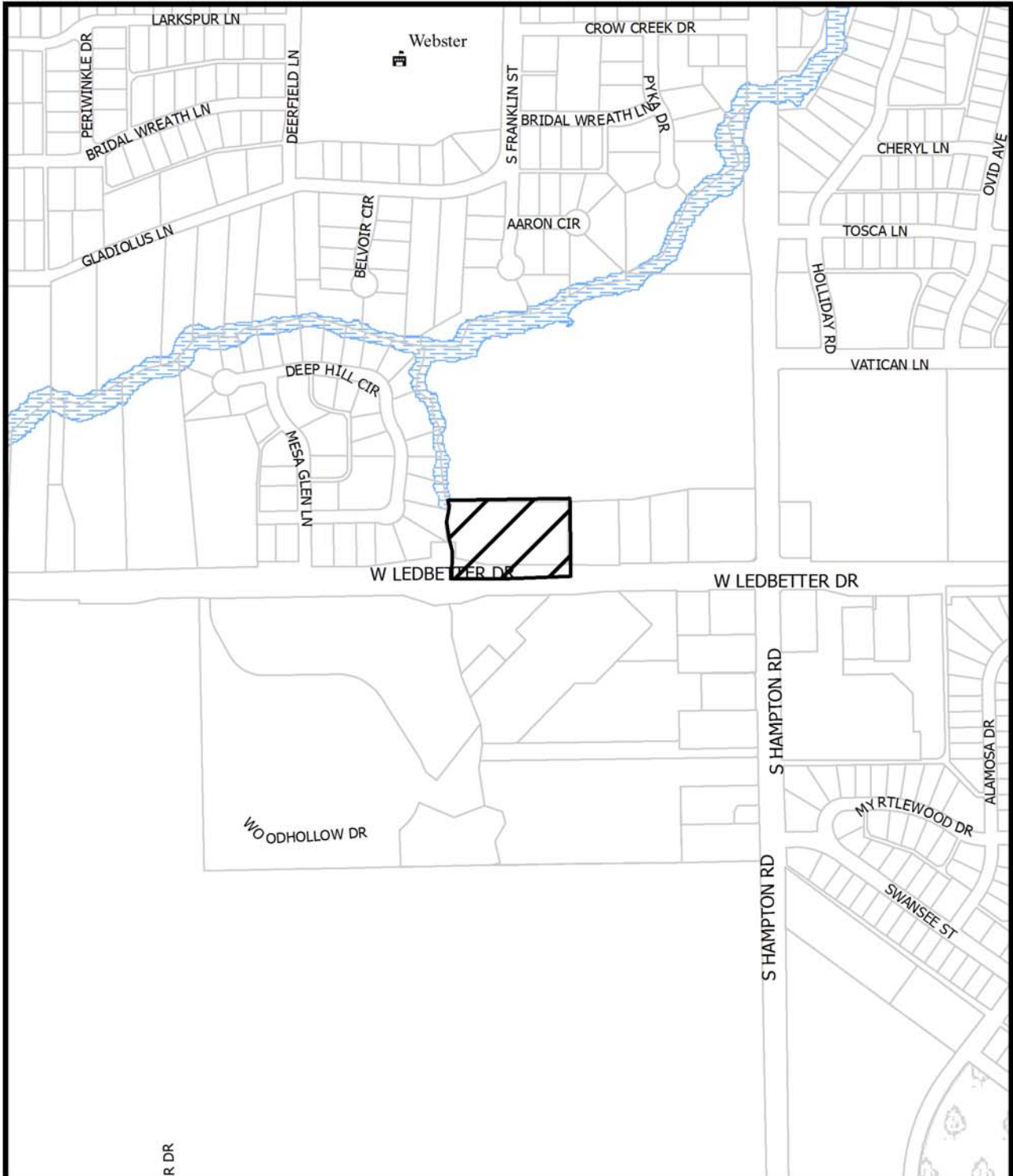
By extending the RR-D Regional Retail District to the northern property line where there is a natural drop-off separating the proposed retail development from the single family development, the type of uses that are permitted within the RR-D Regional Retail District will be consistent with the existing development pattern that is along West Ledbetter Drive. The proposed CS Commercial Service District could negatively impact the area and disrupt the consistent development that is developed along the corridor. The CS District permits more commercial and business service uses that may involve outside storage, service and display as opposed to the RR-D Regional Retail District.

Staff’s recommendation is for an RR-D Regional Retail District in lieu of the CS Commercial Service District. The City plan Commission and /or City Council may approve a different zoning district than the one requested, except that the different district may not (1) have a maximum structure height, floor area ratio, or density that is higher than the one requested; or (2) be "nonresidential" when the one requested is for residential uses or vice versa.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
LO-3 -existing Limited office – 1	15'	20' adjacent to residential OTHER: No Min.	1.75 FAR	115' 9 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, lodging – limited retail & personal service uses
RR – staff’s rec Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office
CS – applicant’s proposal 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, as amended.

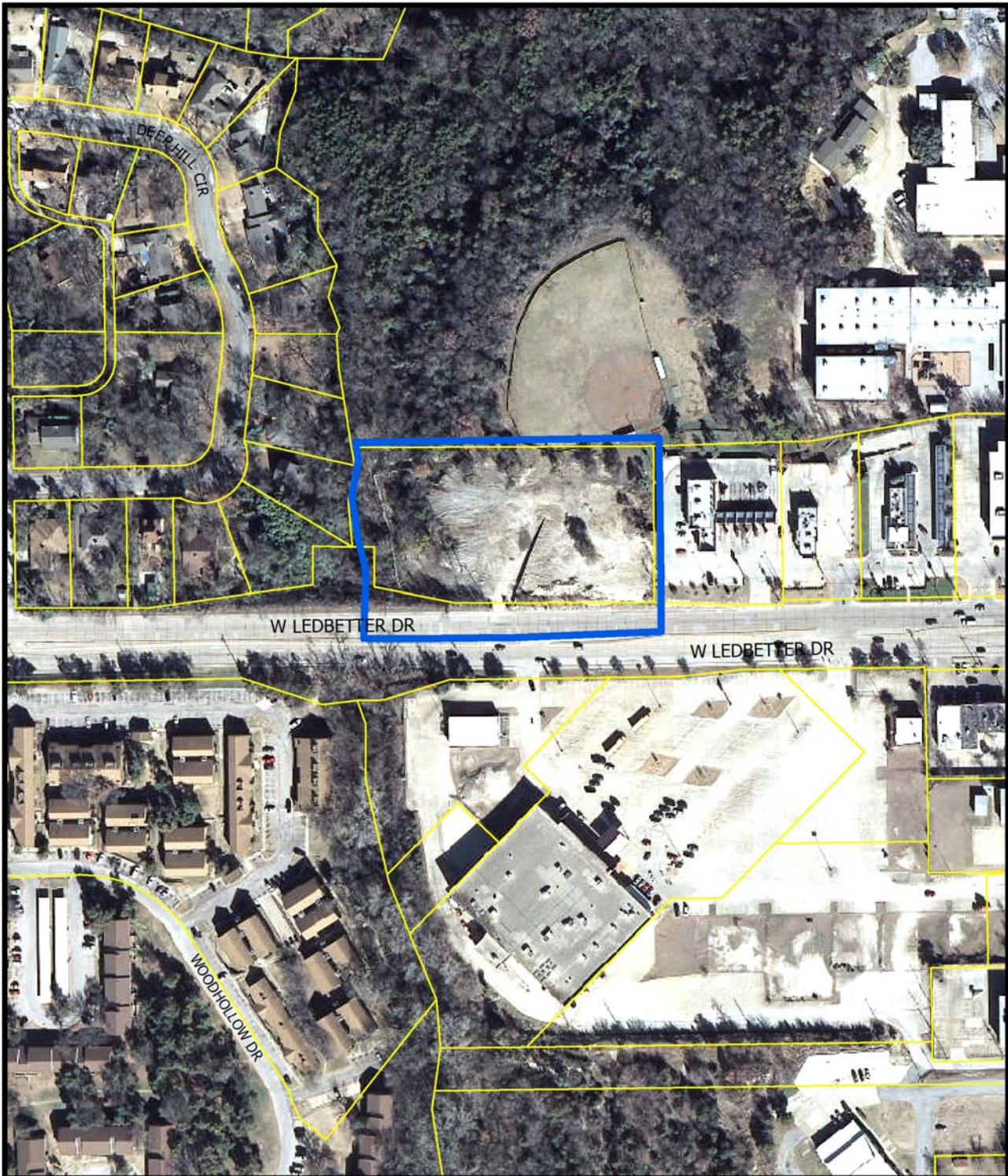


1:6,000

VICINITY MAP

Case no: Z123-331

Date: 10/24/2013

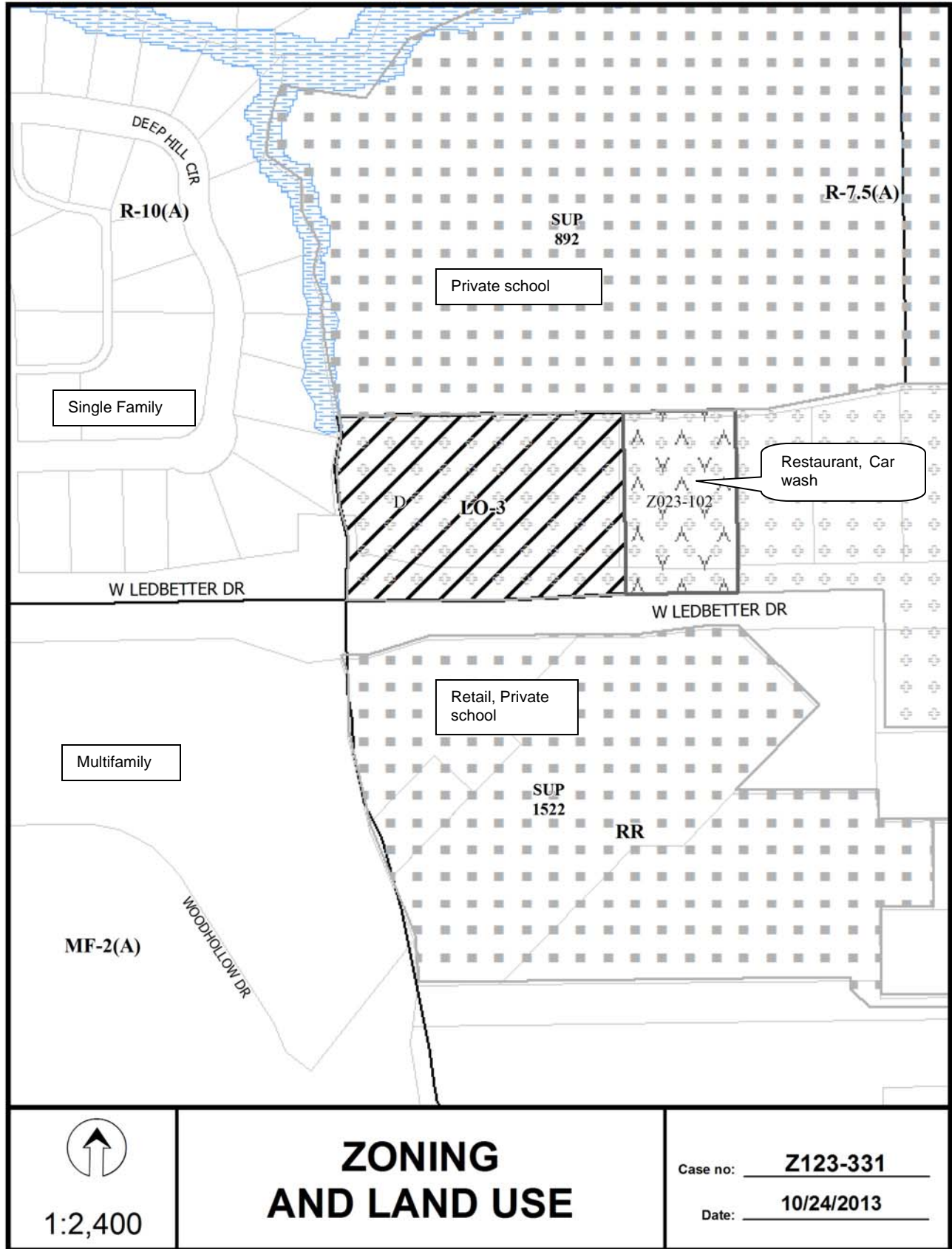


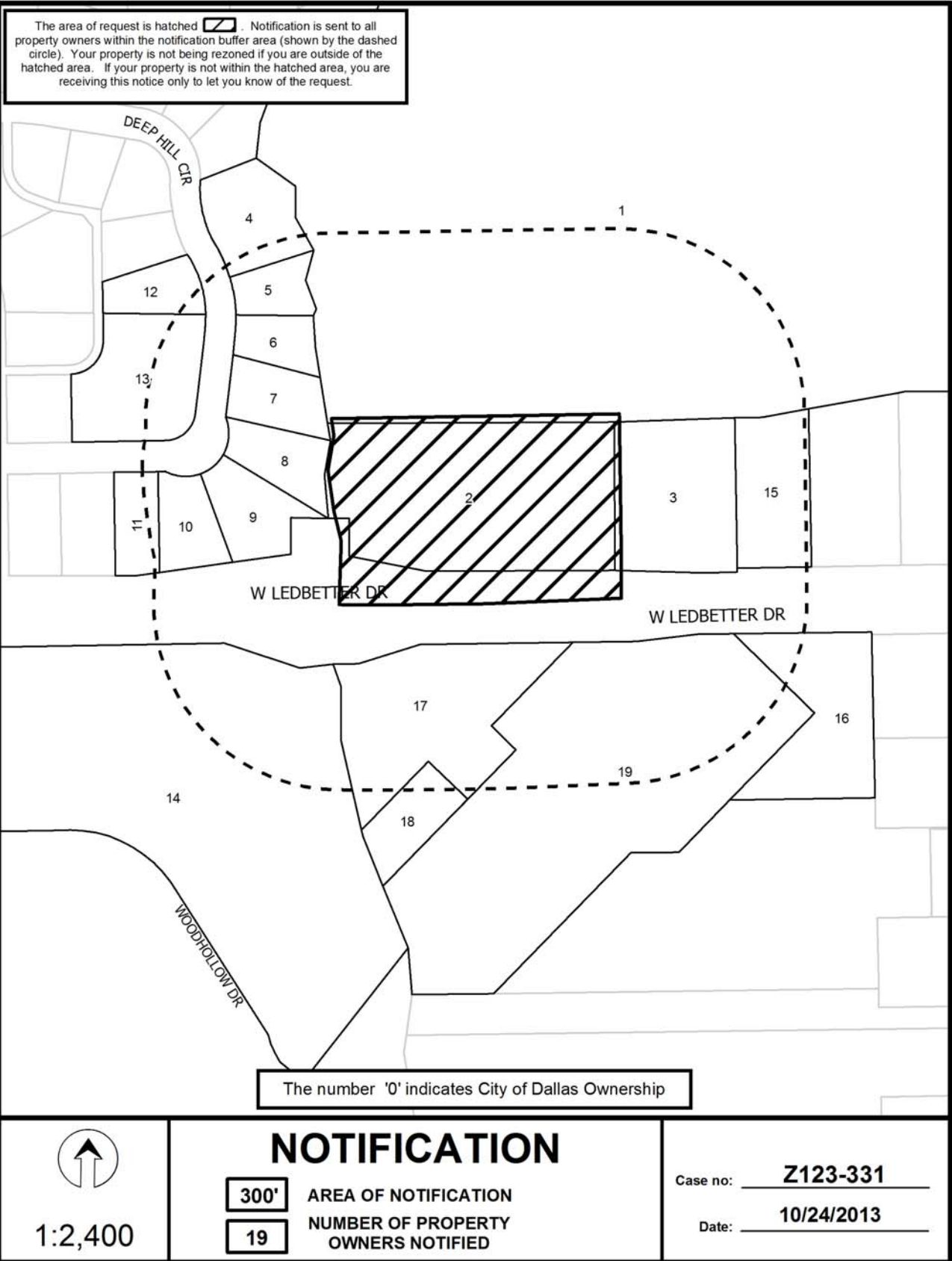
1:2,400

AERIAL MAP

Case no: Z123-331

Date: 10/24/2013





Notification List of Property Owners

Z123-331

19 *Property Owners Notified*

Label #	Address	Owner
1	4015 HAMPTON RD	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN
2	2415 LEDBETTER DR	SERRANO HUMBERTO
3	2451 LEDBETTER DR	TEXAS SUDS CO
4	2651 DEEP HILL CIR	WALKER DOUGLAS
5	2647 DEEP HILL CIR	JORDAN CAROLINE & JENNIFER WICHMANN
6	2641 DEEP HILL CIR	ORUM EDDIE L III DBA ORUM & ASSOCIATES
7	2635 DEEP HILL CIR	BURCIAGA JOSE G &
8	2631 DEEP HILL CIR	ROTHSTEIN LINDA A
9	2625 DEEP HILL CIR	ROTHSTEIN LINDA
10	2621 DEEP HILL CIR	WALKER RUTH E
11	2615 DEEP HILL CIR	AYALA SAMUEL
12	2650 DEEP HILL CIR	BARNETT MAJOR L & LISA R
13	2626 DEEP HILL CIR	MARCO SUE M
14	4302 WOODHOLLOW DR	BACLAK LLC
15	2439 LEDBETTER DR	POP HOLDINGS LP #120-121
16	2426 LEDBETTER DR	RECORD ALFRED E
17	2502 LEDBETTER DR	FOCUS LEARNING ACADEMY INC
18	2502 LEDBETTER DR	FOCUS LEARNING ACADEMY INC
19	2524 LEDBETTER DR	FOCUS LEARNING ACADEMY INC

FILE NUMBER: Z123-355(WE) **DATE FILED:** August 9, 2013

LOCATION: Scyene Road and Lewiston Avenue, southwest corner

COUNCIL DISTRICT: 7 **MAPSCO:** 49-X, Y

SIZE OF REQUEST: Approx. 21,172 sq. ft. **CENSUS TRACT:** 120

APPLICANT / OWNER: Mehdi & Shurat Enterprise, Inc.

REPRESENTATIVE: Hisham Awadelkariem

REQUEST: An application for a CR Community Retail District on property on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for a retail strip center to be developed on site.

STAFF RECOMMENDATION: Denial

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends denial based upon:

1. *Performance impacts upon surrounding property* –The request site is surrounded by single family uses and the adjacency of a CR Community Retail District could impact the area. Even though the site is on a principal arterial, it also is bounded by a residential street that provides access to the residential neighborhood.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the applicant’s request will not have a negative impact on the street system. However, the additional traffic that inevitably comes with more intensive, regional serving uses will impact the neighborhood.
3. *Comprehensive Plan or Area Plan Conformance* – The type of uses the CR Community Retail District permits are not compatible in an area that is developed with residential uses. The *forwardDallas! Comprehensive Plan* shows that the request site is located within a Residential Building Block.

BACKGROUND INFORMATION:

- The request site is currently undeveloped.
- The proposed request is to develop a retail strip center on the 21,172-square-foot site.

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Scyene Road	Principal Arterial	100 ft.	100 ft.
Lewiston Avenue	Local	50 ft.	50 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	MF-2(A)	Multifamily
South	R-7.5(A)	Single Family
East	R-7.5(A)	Single Family
West	R-7.5(A)	Single Family

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 is being in a Residential Building Block.

A Residential 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.

The Comprehensive Plan recognizes that this building block is suitable for some shops, restaurants, and institutional land uses that serve neighborhoods at the edges or at key intersections. NS(A) Neighborhood Service District and some office districts may be appropriate as they limit the lot coverage, drive-through services, and building footprint.

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The applicant's request for a CR Community Retail District will allow for the development of a retail center on a 21,172 square foot site. The proposed retail development is located in a predominately residential area.

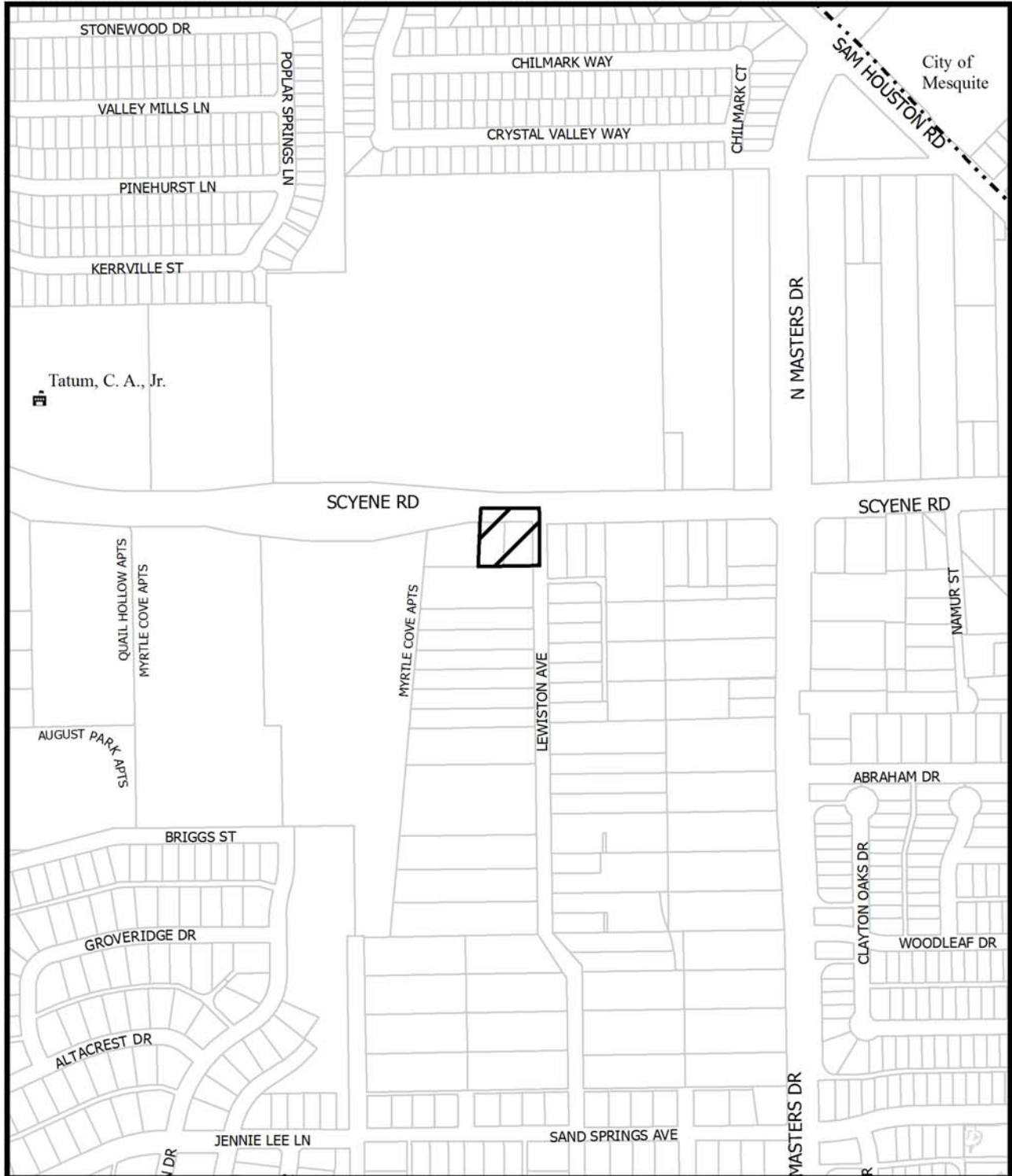
Staff is concerned that the location of the proposed uses could impact the adjacent residential uses. Even though the request site is adjacent to a principal arterial and local street, the type of uses a CR Community Retail District permits and development pattern that will be created as a result of the proposed development is not consistent with the surrounding area. The type of uses that could be developed in a CR Community Retail District are, but not limited to, a building repair and maintenance shop, tool or equipment rental, church, community service center, auto service center, and general merchandise or food store permit. The nearest retail development is at the southwest corner of Masters Road and Scyene Road, which is approximately 584 feet east from the request site and is located within an NS Neighborhood Service District. .

Staff's recommendation is for denial of a CR Community Retail District.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) – existing Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
CR - proposed 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

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

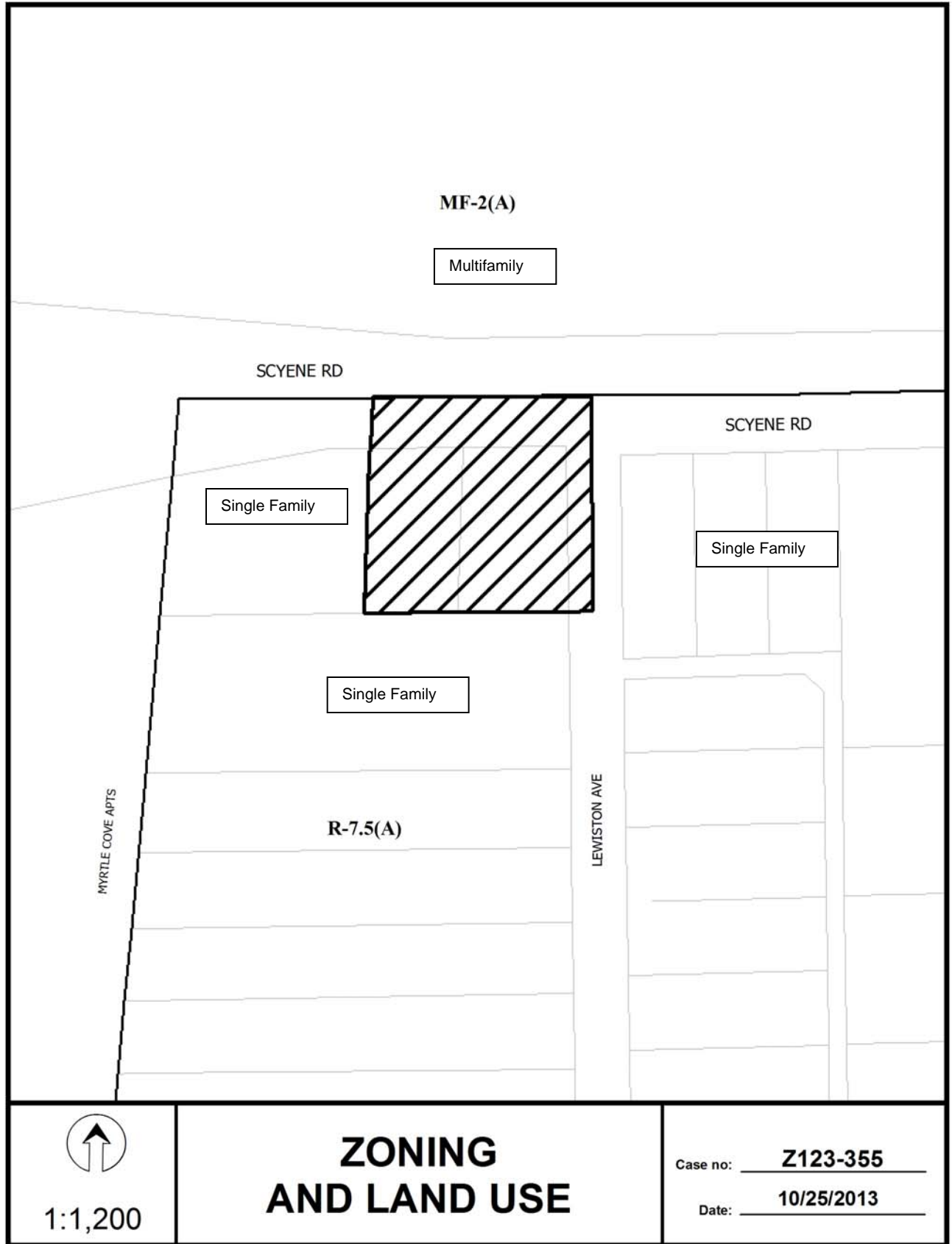


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VICINITY MAP

Case no: Z123-355

Date: 10/25/2013



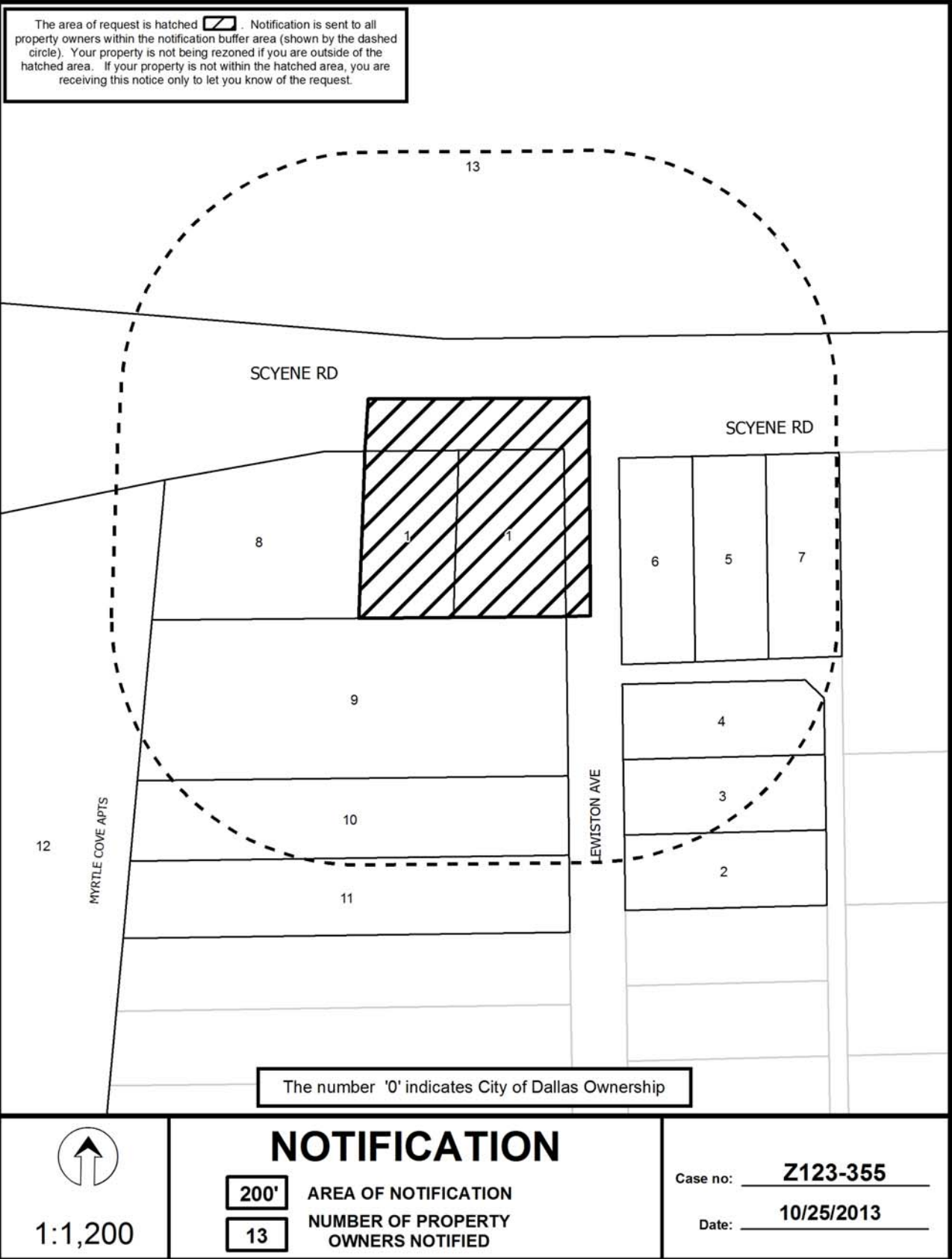


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AERIAL MAP

Case no: Z123-355

Date: 10/25/2013



Notification List of Property Owners

Z123-355

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9928 SCYENE RD	HERNANDEZ OMAR &
2	2908 LEWISTON AVE	DIAZ ROSALBA
3	2912 LEWISTON AVE	VEGA CLAUDIA
4	2918 LEWISTON AVE	ROBLES JORGE & ELIZABETH ARENAS
5	10006 SCYENE RD	FLORES JOEL J
6	10002 SCYENE RD	MATA MARIA C
7	10012 SCYENE RD	RODRIQUEZ LIIZ
8	9922 SCYENE RD	STUART MICHAEL E
9	2921 LEWISTON AVE	SANDATE LEODEGARIO & FELIPA
10	2911 LEWISTON AVE	MARTINEZ ZENIDO TRLR 133
11	2909 LEWISTON AVE	MARTINEZ ZENAIDO TRLR 133
12	9860 SCYENE RD	CRP TBG MYRTLE COVE LP STE 200
13	9901 SCYENE RD	HOUSING AUTHORITY OF THE CITY OF DALLAS

FILE NUMBER: Z123-285(RB)

DATE AUTHORIZED: May 16, 2013

LOCATION: Area bounded by the centerlines of Pacific Avenue, Harwood Street, Jackson Street and Griffin Street

COUNCIL DISTRICT: 14

MAPSCO: 45 K, L, P, Q

SIZE OF REQUEST: Approx. 34.83 Acres

CENSUS TRACT: 31.01

PROPOSAL: A City Plan Commission authorized hearing to determine the proper zoning on property zoned Planned Development District No. 619 with consideration given to appropriate use regulations and development standards within Planned Development District No. 619.

SUMMARY: The proposal focuses on the following items: 1) consider a lodging use as a pedestrian-oriented use; 2) revise maximum height of windows for street level uses; and 3) continue to permit the Board of Adjustment to consider a special exception for the percentage of windows for street level uses.

STAFF RECOMMENDATION: Approval, subject to revised conditions.

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – As there is focus on street level efforts to encourage pedestrian/resident activities, detrimental impacts upon adjacent properties (lighting, noise, odor) are not anticipated.
2. *Traffic impact* – The proposed amendments will not affect existing trip generations within the Central Business District.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed amendments will continue to support the designated Building Block that captures the downtown area.
4. Hotels in the CBD area accommodate the lodging needs of conventioners and visitors and the corporate needs of the surrounding businesses. Boutique hotels in the CBD are now part of the inventory accessible to visitors to the city. These uses enhance and attract pedestrian activity to downtown, supporting the inclusion of this use category as a ‘pedestrian-oriented use.’ Due to the pedestrian activity, staff also supports revising the maximum height of windows for street level facades.

BACKGROUND INFORMATION:

- On June 12, 2002, the City Council approved Planned Development District No. 619.
- The PDD was created as a result of several public and private studies that developed retail strategies for the CBD area to encourage investment in the downtown core as a “full time” activity area. The vision would encourage the development of retail and service uses in the area, a commitment to residential uses, thus redefining the area as a mixed use urban activity center.
- PDD No. 619 generally mirrors the CA-1(A) Central Area District uses and development standards.

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

The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing. A Downtown includes pedestrian-oriented and mixed-use development and offers multiple transportation options. Ground floors of tall buildings feature shops with many windows for visual interest and safety while the streetscape incorporates trees for shade, wide sidewalks and easy-to-use signs for finding points of interest. Civic and open spaces provide an inviting atmosphere for pedestrians as well as a diversity of uses, generating activity throughout the day and evening.

Goal 1.1 Align land use strategies with economic development priorities

Policy 1.1.3 Build a dynamic and expanded Downtown.

Goal 1.2 Promote Desire development

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

STAFF ANALYSIS:

Land Use Compatibility: Planned Development District No. 619 created subdistricts that generally address street level, below street level, and above street level areas of development (see subdistrict definitions in the attached amending ordinance). While the PDD has existed since June, 2001, the vision remains constant; create an environment that is thriving and active after much of the workforce has turned their attention to returning to their homes. The authorized hearing was initiated by Downtown Dallas, Inc. who has a long history of representing the stakeholders and residents in the CBD.

Since the creation of PDD No. 619, many enhancements to the central business district, both public and private sector initiated, have been established. Some of these improvements include, but are not limited to: 1) Dallas Convention Center expansion; 2) various pocket parks interspersed through the area; 3) new hotel/existing hotel expanded services; 4) expansion of DART service, inclusive of connections to the Trinity River Express (TRE), connecting adjacent cities.

The proposal area is developed with a mix of uses, with somewhat unlimited development rights as permitted in a CA-1(A) district. Adjacent areas are similarly developed with a mix of uses with various levels of development rights. The proposal

focuses on the following items: 1) consider a lodging use as a pedestrian-oriented use; 2) revise maximum height of windows for street level uses; and 3) continue to permit the Board of Adjustment to consider a special exception for the percentage of windows for street level uses.

With regard to No. 1, staff recognizes that hotels in the area not only accommodate the lodging needs of conventioners and visitors to the area, but the corporate needs of the area's businesses. To that regard, a commitment of boutique hotels to the area are now part of the inventory accessible to visitors to the city. Staff recognizes these uses enhance and attract pedestrian activity to downtown, and as a result, support the inclusion of this use category as a 'pedestrian-oriented use.' Current provisions for the Board of Adjustment to grant a special exception to reduce the 75 percent requirement of street level frontage (exclusive of ingress/ingress and loading areas) of a building devoted to certain uses will be retained.

As visitors and residents have chosen to spend more time in the area, the flexibility to create visual interest at street level has led to a greater span of street level windows. Current provisions limit the height of these windows (ten feet with a bottom edge of no greater than three feet above the base of the building). This regulation has proven to be somewhat restrictive as new retailers consider designs of their storefronts in an attempt to not only capture the interest of pedestrians but a desire to bring more natural light into their areas. As a result, staff is supporting the removal of the ten-foot maximum.

Lastly, one additional existing regulation within the scope of the authorized hearing that staff has determined merits attention is the current requirement for a CPC approved development plan. In working with the building official, staff has determined this can be accommodated during the normal building permit process. It should be noted that existing notification to various advisory bodies is being retained.

As the ordinance regulating PDD No. 619 is a bit lengthy, staff's recommended revised conditions (strike-through and underlined) are highlighted for ease of identification.

ARTICLE 619.

PD 619.

SEC. 51P-619.101. LEGISLATIVE HISTORY.

PD 619 was established by Ordinance No. 24960, passed by the Dallas City Council on June 12, 2002. (Ord. 24960)

SEC. 51P-619.102. PROPERTY LOCATION AND SIZE.

PD 619 is established on property bounded by the centerlines of Pacific Avenue, Harwood Street, Jackson Street, and Griffin Street, in the city of Dallas. The size of PD 619 is approximately 34 acres. (Ord. 24960)

SEC. 51P-619.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions in Chapter 51A apply to this article.
- (b) DATA CENTER means a facility for storing, managing, processing, converting, warehousing, or disseminating data or information and includes the equipment that supports the data center, including computers, servers, and other data storage devices.
- (c) STREET LEVEL means, in a multi-level building, the level having the floor closest in elevation to the adjacent street. If the floors of two levels are equally close in elevation to the adjacent street, the level with the higher elevation is the street level.
- (d) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
- (e) This district is considered to be a nonresidential zoning district.
- (f) The symbol *[E]* appearing after a listed use means that the use is not permitted when located at street level, except that it is permissible to have an entrance for the use at street level if the entrance provides access to a level of the building on which the use is permitted. (Ord. Nos. 24960; 27470)

SEC. 51P-619.103.0. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 619A: Subdistrict D and E property description.
- (2) Exhibit 619B: Subdistrict F property description.
- (3) Exhibit 619C: Subdistrict G, H, and I property description.

Z123-285(RB)

- (4) Exhibit 619D: Metes and bounds description and drawing of Building Site 1.
 - (5) Exhibit 619E: Metes and bounds description and drawing of Building Site 2.
 - (6) Exhibit 619F: Subdistrict J development plan.
 - (7) Exhibit 619G: Subdistrict J property description.
- (8) Exhibit 619H: Subdistrict K property description. (Ord. Nos. 28428; 28605)

SEC. 51P-619.103.1. GENERAL MERCHANDISE OR FOOD STORE.

(a) Unless otherwise stated, the regulations set forth in Section 51A-4.210 for a general merchandise or food store 3,500 square feet or less apply to a general merchandise or food store 2,000 square feet or less in this article, except that the maximum size of this use is 2,000 square feet.

(b) Unless otherwise stated, the regulations set forth in Section 51A-4.210 for a general merchandise or food store greater than 3,500 square feet apply to a general merchandise or food store greater than 2,000 square feet in this article, except that the size of this use must be greater than 2,000 square feet. (Ord. 24960)

SEC. 51P-619.103.2. TATTOO OR BODY PIERCING STUDIO.

Unless otherwise stated, the regulations set forth in Section 51A-4.210 for a personal service use apply to a tattoo or body piercing studio in this article. (Ord. 24960)

SEC. 51P-619.104. DEVELOPMENT PLAN.

- (a) Subdistricts A, B, C, D, E, F, G, H, I, and K.

~~(1) — In general. A development plan is required, and the provisions of Section 51A-4.702 regarding submission of a development plan and a development schedule apply. The location and type of all proposed street level uses must be indicated on the development plan. The provisions of Section 51A-4.702 regarding submission of a site analysis, conceptual plan, and landscape plan do not apply. Amendments to the development plan must follow the same procedure set forth in this section for a development plan, and the provisions of Section 51A-4.702(h) do not apply.~~

~~(1 2) Preapplication conference. An applicant shall consult with the director to determine whether the proposed project complies with the requirements of this article, and~~ the extent to which the project is consistent with any design guidelines for the district approved by city council.

~~(2 3) Copies to be provided to advisory bodies. When the application for a building permit is submitted to the director building official,~~ the applicant shall also send a copy of the proposed development site plan and development schedule to the Board of Directors of Tax Increment Financing Reinvestment Zone No. 5 (City Center TIF), c/o Area Redevelopment Manager, Economic Development Department, 1500 Marilla Street, Room 5CS, Dallas, Texas 75201, and to the Downtown Partnership, Inc., 1623 Main Street, Dallas, Texas 75201, or their successors.

(b) Subdistrict J. Development and use of the Property must comply with the Subdistrict J development plan (Exhibit 619F). If there is a conflict between the text of this article and the Subdistrict J development plan, the text of this article controls. (Ord. 24960; 28428; 28605)

SEC. 51P-619.105. SUBDISTRICTS.

(a) Subdistrict A is street level Property, except Property in Subdistricts F, G, J, and K. In general terms, this is all street level Property except Property adjacent to the south side of Pegasus Plaza; Property bounded by Field Street, Commerce Street, Jackson Street, and Browder Street; Property bounded by Pacific Avenue, Griffin Place, Elm Street, and Griffin Street; and approximately 2,500 square feet of land on the south side of Elm Street between Stone Place and Ervay Street.

(b) Subdistrict B is Property that is below street level, except Property in Subdistricts D and H. In general terms, this is all underground Property except Property adjacent to Pegasus Plaza and Stone Street Mall and Property bounded by Field Street, Commerce Street, Jackson Street, and Browder Street.

(c) Subdistrict C is Property that is one or more levels above street level, except Property that is in Subdistricts E and I. In general terms, this is all Property above ground level except Property above the area adjacent to Pegasus Plaza and Stone Street Mall and Property bounded by Field Street, Commerce Street, Jackson Street, and Browder Street.

(d) Subdistrict D is Property that is below street level, in the area described in Exhibit 619A. In general terms, this is all underground Property that is adjacent to Pegasus Plaza and Stone Street Mall.

(e) Subdistrict E is Property that is one or more levels above street level, in the area described in Exhibit 619A. In general terms, this is all Property above ground level in the area adjacent to Pegasus Plaza and Stone Street Mall.

(f) Subdistrict F is street level Property in the area described in Exhibit 619B. In general terms, this is all street level Property that is adjacent to the south side of Pegasus Plaza.

(g) Subdistrict G is street level Property in the area described on Exhibit 619C. In general terms, this is all street level Property that is bounded by Field Street, Commerce Street, Jackson Street, and Browder Street.

(h) Subdistrict H is Property that is below street level in the area described on Exhibit 619C. In general terms, this is all underground Property that is bounded by Field Street, Commerce Street, Jackson Street, and Browder Street.

(i) Subdistrict I is Property that is one or more levels above street level in the area described on Exhibit 619C. In general terms, this is all Property above ground level that is bounded by Field Street, Commerce Street, Jackson Street, and Browder Street.

(j) Subdistrict J is street level Property in the area described on Exhibit 619G. In general terms, this is all street level Property that is bounded by Pacific Avenue, Griffin Place, Elm Street, and Griffin Street.

(k) Subdistrict K is street level Property in the area described on Exhibit 619H. In general terms, this is approximately 2,500 square feet of land on the south side of Elm Street between Stone Place and Ervay Street. (Ord. Nos. 24960; 27470; 28428; 28605)

SEC. 51P-619.106.1. MAIN USES PERMITTED IN SUBDISTRICTS A, F, G, J, AND K (STREET LEVEL).

- (a) Agricultural uses.
 - None permitted.
- (b) Commercial and business service uses.
 - Catering service. *[See Section 51P-619.106.4.]*
 - Custom business services. *[See Section 51P-619.106.4.]*
 - Custom woodworking, furniture construction, or repair. *[E][See Section 51P-619.106.4.]*
 - Electronics service center. *[E][See Section 51P-619.106.4.]*
 - Job or lithographic printing. *[E][See Section 51P-619.106.4.]*
 - Medical or scientific laboratory. *[E][See Section 51P-619.106.4.]*
 - Technical school. *[E][See Section 51P-619.106.4.]*
 - Tool or equipment rental. *[E][See Section 51P-619.106.4.]*
- (c) Industrial uses.
 - Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*
- (d) Institutional and community service uses.
 - Adult day care facility. *[E][See Section 51P-619.106.4.]*
 - Child-care facility. *[See Section 51P-619.106.4.]*
 - Church. *[See Section 51P-619.106.4.]*
 - College, university, or seminary. *[See Section 51P-619.106.4.]*
 - Community service center. *[E][See Section 51P-619.106.4.]*
 - Convalescent and nursing homes, hospice care, and related institutions. *[E][See Section 51P-619.106.4.]*
 - Convent or monastery. *[E][See Section 51P-619.106.4.]*
 - Hospital. *[See Section 51P-619.106.4.]*
 - Library, art gallery, or museum. *[See Section 51P-619.106.4.]*
 - Public or private school. *[See Section 51P-619.106.4.]*
- (e) Lodging uses.
 - Hotel or motel. *[See Section 51P-619.106.4.]*
 - Lodging or boarding house. *[See Section 51P-619.106.4.]*
- (f) Miscellaneous uses.
 - Carnival or circus (temporary). *[By special authorization of the building official.]*

- Temporary construction or sales office.
- (g) Office uses.
 - Alternative financial establishment. *[By SUP only in Subdistrict K.] [See Section 51P-619.106.4.]*
 - Financial institution without drive-in window. *[See Section 51P-619.106.4.]*
 - Medical clinic or ambulatory surgical center. *[See Section 51P-619.106.4.]*
 - Office. *[See Section 51P-619.106.4.]*
- (h) Recreation uses.
 - Private recreation center, club, or area. *[See Section 51P-619.106.4.]*
 - Public park or playground. *[Golf course is not permitted.][See Section 51P-619.106.4.]*
- (i) Residential uses.
 - College dormitory, fraternity, or sorority house. *[E][See Section 51P-619.106.4.]*
 - Group residential facility. *[E][SUP required if spacing component of Section 51A-4.209(3) is not met.][See Section 51P-619.106.4.]*
 - Multifamily. *[E][See Section 51P-619.106.4.]*
 - Retirement housing. *[E][See Section 51P-619.106.4.]*
- (j) Retail and personal service uses.
 - Alcoholic beverage establishments. *[E, otherwise by SUP only. See Section 51A-4.210(b)(4).]*
 - Ambulance service.
 - Business school. *[E]*
 - Commercial amusement (inside). *[SUP]*
 - Commercial amusement (outside). *[SUP]*
 - Commercial parking lot or garage. *[Permitted only up to a maximum of 25 percent of the ground floor area of a building, and this use must be part of a multiple level parking garage; a single level commercial parking lot or garage is not permitted in this subdistrict.]*
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store 2,000 square feet or less.
 - General merchandise or food store greater than 2,000 square feet.
 - Household equipment and appliance repair.
 - Mortuary, funeral home, or commercial wedding chapel.
 - Nursery, garden shop, or plant sales.
 - Outside sales. *[Permitted only if the outside sales are adjacent to and accessory to a permitted retail and personal service use in this subdistrict.]*
 - Personal service uses.
 - Restaurant without drive-in or drive-through service.
 - Tattoo or body piercing studio. *[SUP]*
 - Temporary retail use.
 - Theater.
 - Vehicle display, sales, and service. *[SUP][Vehicle display is limited to the inside of a building.]*
- (k) Transportation uses.
 - Commercial bus station and terminal. *[SUP]*

- Heliport. [E]
- Helistop. [E]
- STOL (short takeoff or landing) port. [E]
- Railroad passenger station. [SUP]
- Transit passenger shelter.
- Transit passenger station or transfer center. [SUP]

(l) Utility and public service uses.

- Commercial radio or television transmitting station. [See Section 51P-619.106.4.]
- Communications exchange facility. [E][See Section 51P-619.106.4.]
- Data center. [Subdistrict G only.]
- Electrical substation. [E][See Section 51P-619.106.4.]
- Local utilities. [See Section 51P-619.106.4.]
- Police or fire station. [See Section 51P-619.106.4.]
- Post office. [See Section 51P-619.106.4.]
- Utility or government installation other than listed. [See Section 51P-619.106.4.]

(m) Wholesale, distribution, and storage uses.

- Freight terminal. [E][See Section 51P-619.106.4.]
- Mini-warehouse. [E][See Section 51P-619.106.4.]
- Office showroom/warehouse. [See Section 51P-619.106.4.]
- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.][See Section 51P-619.106.4.]
- Recycling drop-off for special occasion collection. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.3) are not satisfied.][See Section 51P-619.106.4.]
- Trade center. [See Section 51P-619.106.4.]
- Warehouse. [E][See Section 51P-619.106.4.]

(Ord. Nos. 24960; 27470; 28428; 28605)

SEC. 51P-619.106.2. MAIN USES PERMITTED IN SUBDISTRICTS B, D, AND H (BELOW STREET LEVEL).

(a) Agricultural uses.

- None permitted.

(b) Commercial and business service uses.

- Catering service.
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing. [RAR]
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

(c) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(d) Institutional and community service uses.

- Child-care facility. *[See Section 51P-619.106.4.]*
- Church.
- College, university, or seminary.
- Community service center. *[SUP]*
- Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
- Convent or monastery.
- Hospital.
- Library, art gallery, or museum. *[SUP]*
- Public or private school.

(e) Lodging uses.

- Hotel or motel.
- Lodging or boarding house.

(f) Miscellaneous uses.

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

(g) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[DIR]*
- Medical clinic or ambulatory surgical center.
- Office.

(h) Recreation uses.

- Private recreation center, club, or area.
- Public park, playground. *[Golf course is not permitted.]*

(i) Residential uses.

-- College dormitory, fraternity, or sorority house.
-- Group residential facility. *[SUP required if spacing component of Section 51A-4.209(3) is not met.]*

- Multifamily.
- Retirement housing.

(j) Retail and personal service uses.

-- Alcoholic beverage establishments. *[This use is permitted only when the use has direct public access to the exterior of the building at street level. See Section 51A-4.210(b)(4). By SUP only in Subdistricts B and H.]*

- Ambulance service.

- Business school.
- Commercial amusement (inside). *[By SUP only in Subdistricts B and H.]*
- Commercial amusement (outside). *[SUP]*
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 2,000 square feet or less.
- General merchandise or food store greater than 2,000 square feet. *[SUP]*
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Nursery, garden shop, or plant sales. *[SUP]*
- Personal service uses. *[SUP required if this use exceeds 2,000 square feet.]*
- Restaurant without drive-in or drive-through service. *[SUP required if this use exceeds 2,000 square feet.]*
 - Tattoo or body piercing studio. *[SUP]*
 - Temporary retail use. *[SUP]*
 - Theater.
- Vehicle display, sales, and service. *[SUP][Vehicle display is limited to the inside of a building.]*

(k) Transportation uses.

- Commercial bus station and terminal. *[SUP]*
- Railroad passenger station. *[SUP]*
- Transit passenger shelter.
- Transit passenger station or transfer center. *[SUP]*

(l) Utility and public service uses.

- Commercial radio or television transmitting station.
- Communications exchange facility.
- Data Center. *[Subdistrict H only.]*
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Utility or government installation other than listed.

(m) Wholesale, distribution, and storage uses.

- Freight terminal. *[DIR]*
- Mini-warehouse.
- Office showroom/warehouse.
- Recycling drop-off container. *[SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]*
- Recycling drop-off for special occasion collection. *[SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.3) are not satisfied.]*
 - Trade center.
 - Warehouse.

(Ord. Nos. 24960; 27470)

SEC. 51P-619.106.3. MAIN USES PERMITTED IN SUBDISTRICTS C, E, AND I (ABOVE STREET LEVEL).

- (a) Agricultural uses.
 - None permitted.
- (b) Commercial and business service uses.
 - Catering service.
 - Custom business services.
 - Custom woodworking, furniture construction, or repair.
 - Electronics service center.
 - Job or lithographic printing. *[RAR]*
 - Medical or scientific laboratory.
 - Technical school.
 - Tool or equipment rental.
- (c) Industrial uses.
 - Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*
- (d) Institutional and community service uses.
 - Adult day care facility.
 - Child-care facility.
 - Church.
 - College, university, or seminary.
 - Community service center. *[SUP]*
 - Convalescent and nursing homes, hospice care, and related institutions. *[SUP]*
 - Convent or monastery.
 - Hospital.
 - Library, art gallery, or museum.
 - Public or private school.
- (e) Lodging uses.
 - Hotel or motel.
 - Lodging or boarding house.
- (f) Miscellaneous uses.
 - Carnival or circus (temporary). *[By special authorization of the building official.]*
 - Temporary construction or sales office.
- (g) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[DIR]*
- Medical clinic or ambulatory surgical center.
- Office.

- (h) Recreation uses.
 - Private recreation center, club, or area.
 - Public park, playground. *[Golf course is not permitted.]*

- (i) Residential uses.
 - College dormitory, fraternity, or sorority house.
 - Group residential facility. *[SUP required if spacing component of Section 51A-4.209(3) is not met.]*
 - Multifamily.
 - Retirement housing.

- (j) Retail and personal service uses.
 - Alcoholic beverage establishments. *[See Section 51A-4.210(b)(4). By SUP only in Subdistricts C and I.]*
 - Ambulance service.
 - Business school.
 - Commercial amusement (inside). *[By SUP only in Subdistricts C and I.]*
 - Commercial amusement (outside). *[SUP]*
 - Commercial parking lot or garage.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store 2,000 square feet or less.
 - General merchandise or food store greater than 2,000 square feet.
 - Household equipment and appliance repair.
 - Mortuary, funeral home, or commercial wedding chapel.
 - Nursery, garden shop, or plant sales.
 - Personal service uses.
 - Restaurant without drive-in or drive-through service.
 - Tattoo or body piercing studio. *[SUP]*
 - Temporary retail use.
 - Theater.
 - Vehicle display, sales, and service. *[SUP][Vehicle display is limited to the inside of a building.]*

- (k) Transportation uses.
 - Commercial bus station and terminal. *[SUP]*
 - Heliport. *[SUP]*
 - Helistop. *[SUP]*
 - Railroad passenger station. *[SUP]*
 - STOL (short takeoff or landing) port. *[SUP]*
 - Transit passenger shelter.
 - Transit passenger station or transfer center. *[SUP]*

(l) Utility and public service uses.

- Commercial radio or television transmitting station.
- Communications exchange facility. [SUP]
- Data center. [Subdistrict I only.]
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower.
- Tower/antenna for cellular communication.
- Utility or government installation other than listed.

(m) Wholesale, distribution, and storage uses.

- Mini-warehouse.
- Office showroom/warehouse.
- Recycling drop-off container. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]
- Recycling drop-off for special occasion collection. [SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.3) are not satisfied.]
- Trade center.
- Warehouse.

(Ord. Nos. 24960; 27470)

SEC. 51P-619.106.4. RESTRICTIONS ON USES IN SUBDISTRICTS A AND K.

(a) Pedestrian-oriented uses.

(1) Subdistrict A. Any use that is not a retail and personal service use, a financial institution without drive-in window, hotel or motel, or a transportation use, and is located in a building in Subdistrict A is not permitted if, at the time of the request for a certificate of occupancy, less than 75 percent of the frontage of that building at street level (excluding docking and loading areas, driveways, exit ramps, and entrance ramps) is occupied by, or is made available exclusively for use by, retail and personal service uses, financial institution without drive-in window, hotel or motel, and/or transportation uses that extend at least 50 feet into the building.

(2) Subdistrict K. Any use that is not a retail and personal service use, an office use, a transportation use, or a hotel or motel, and is located in a building in Subdistrict K is not permitted if, at the time of the request for a certificate of occupancy, less than 75 percent of the frontage of that building at street level (excluding docking and loading areas, driveways, exit ramps, and entrance ramps) is occupied by, or is made available exclusively for use by, a retail and personal service use, an office use, a transportation use, and/or a hotel or motel that extends at least 50 feet into the building.

(3) Measurement. The 50-foot measurement is made perpendicularly from the facade of the building having the frontage. For the purpose of this subsection, “frontage” means the length of property between property or lease boundary lines along one side of a street that is: (1) at least 35 feet wide; or (2) a closed street that has not been abandoned by the city.

(b) Special exception.

(1) The board may grant a special exception to reduce the minimum 75 percent requirement in Subsection (a) to no less than 50 percent upon making a special finding from the evidence presented that:

(A) strict compliance with the requirements of this section will unreasonably burden the use of the property;

(B) the special exception will not adversely affect neighboring property; and

(C) the proposed use will not discourage street level activity.

(2) In determining whether to grant a special exception under Paragraph (1), the board shall consider the following factors: the location of the site, and the extent to which existing or proposed amenities will compensate for the reduction of retail and personal service uses, office uses, hotel or motel, financial institution without drive-in window, and/or permitted transportation uses in these subdistricts, as applicable.

(3) The board may waive the filing fee for a special exception under Paragraph (1) when the board finds that payment of the fee would result in financial hardship to the applicant. The applicant may either pay the fee and request reimbursement as part of his appeal or request that the matter be placed on the board's miscellaneous docket for predetermination. If the matter is placed on the miscellaneous docket, the applicant may not file his appeal until the merits of the request for waiver have been determined by the board. (Ord. Nos. 24960; 28605)

SEC. 51P-619.107. ACCESSORY USES.

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

(b) The following accessory uses are permitted in this district only when accessory to a commercial parking garage:

- Vehicle or engine repair or maintenance. *[DIR]*
- Auto service center.
- Car wash.
- Motor vehicle fueling station.

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

- Private street or alley.

(Ord. 24960)

SEC. 51P-619.108. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Except as provided below, the yard, lot, and space regulations contained in Section 51A-4.124(a)(4) for the CA-1(A) Central Area District, and where CP Core Pedestrian Precinct and SP Secondary Pedestrian Precinct overlays exist, the yard, lot, and space regulations contained in Section 51A-4.124(a)(8)(B), apply to this planned development district.

(b) Front yard. No minimum front yard.

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

(d) Maximum floor area ratio. Subdistricts G, H, I, and J are considered one lot for purposes of calculating maximum floor area ratio. (Ord. Nos. 24960; 27470; 28428)

SEC. 51P-619.109. OFF-STREET PARKING AND LOADING.

(a) In general. Unless otherwise provided, the off-street parking and loading regulations contained in Section 51A-4.124(a)(5) and Section 51A-4.306 for the CA-1(A) Central Area District apply in this district. Consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for multifamily uses. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(b) Parking bay dimensions. Each off-street parking space must be provided in accordance with the following dimensional standards:

(1) A parking space parallel with the access lane must be 22 feet long and 8 feet wide. A one-way access lane must be at least 10 feet wide; a two-way access lane must be at least 20 feet wide.

(2) The following restrictions apply to the use of 7.5-foot-wide stalls to satisfy off-street parking requirements:

(A) 7.5-foot-wide stalls must be double-striped and identified by pavement markings to indicate that the stalls are for small car parking.

(B) 7.5-foot-wide stalls may constitute no more than 35 percent of the required parking spaces for any use.

(C) The following parking bay widths must be provided.

Parking Angle	Aisle	Aisle	One Row	One Row	Two Rows	Two Rows
	One Way	Two Way	One Way	Two Way	One Way	Two Way
30	12.0'	18.0'	26.5'	32.5'	41.0'	47.0'
40	12.0'	18.0'	28.0'	34.0'	44.0'	50.0'
50	12.0'	18.0'	29.1'	35.1'	46.2'	52.2'
60	14.0'	18.0'	31.6'	35.6'	49.2'	53.2'
70	15.0'	18.0'	32.6'	35.6'	50.2'	53.2'
80	18.0'	18.0'	35.1'	35.1'	52.2'	52.2'
90	18.0'	18.0'	34.0'	34.0'	50.0'	50.0'

(3) All other parking spaces must be provided in accordance with the parking stall width requirements set forth in Article IV.

(c) Subdistricts G, H, and I. All required off-street parking spaces for uses located in Subdistricts G, H, and I may be located outside of Subdistricts G, H, and I without complying with the special parking regulations in Division 51A-4.320 provided the nearest edge of the parking structure or parking lot containing the required spaces is located within 150 feet of the nearest edge of the Property bounded by Field Street, Commerce Street, Jackson Street, and Browder Street. (Ord. Nos. 24960; 27470)

SEC. 51P-619.109.1. VALET PARKING.

Use of the right-of-way for valet parking is subject to a central valet plan if required by Chapter 43 of the Dallas City Code. (Ord. 24960)

SEC. 51P-619.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 24960)

SEC. 51P-619.111. LANDSCAPING.

(a) In general. Landscaping must comply with all landscaping requirements set forth for the CA-1(A) district, and should be consistent with any design guidelines for the district approved by city council.

(b) Subdistrict J. Landscaping must comply with the following provisions in addition to the requirements of Subsection (a):

(1) Landscape materials. A minimum of one large shrub or small tree must be planted for each 30 feet of frontage on Elm Street and on Griffin Street.

(2) Planting area requirements. The planting area requirements for containers must meet the minimum planting area requirements for planting areas located above underground buildings or structures for large shrubs or small trees in Section 51A-10.104(b)(1).

(3) Alternative landscape plan. The director may approve an alternative landscape plan only if compliance with this subsection is not possible, the inability to comply is not self-created, and the alternative landscape plan is in keeping with the intent of this subsection. An alternative landscape plan may reduce the size of planters and landscape materials if the number of trees or shrubs are not reduced.

(4) Private license granted.

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

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

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

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

(5) Parkway landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(B) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

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

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

(E) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way. (Ord. 24960; 28428)

SEC. 51P-619.112. STREET LEVEL FACADE REQUIREMENTS IN SUBDISTRICTS A, J, AND K.

The following provisions apply to all uses in Subdistricts A, J, and K except church use and residential uses. All street level frontage (“street level facade”) of a building in this district must have windows and primary entrances facing the street, pedestrian way, or plaza. For the purpose of this subsection, “frontage” means the length of property between property or lease boundary lines along one side of a street that is: (1) at least 35 feet wide; or (2) a closed street that has not been abandoned by the city. No more than 10 continuous linear feet of street level facade may lack a transparent surface (e.g. a window or a transparent door). Corner lot structures must have corner entrances in compliance with the visibility triangle standards set by the department of public works and transportation. Street level facade windows must:

- (1) be clear, unpainted, or made of similarly treated glass allowing visibility into street level uses;
- (2) cover 50 percent or more of street level frontage; and

- (3) not have a bottom edge higher than three feet above the base of building. ~~and~~
- ~~(4) be less than 10 feet high. (Ord. Nos. 24960; 28428; 28605)~~

SEC. 51P-619.113. SIGNS.

Signs must comply with Article VII. (Ord. 24960)

SEC. 51P-619.114. ADDITIONAL PROVISIONS.

(a) Except as otherwise provided, the additional regulations applicable to CA-1(A) in Section 51A-4.124(a)(8) apply in this district, and the additional regulations applicable to the CC City Core Subdistrict, Secondary Parking Subdistrict, CP Core Pedestrian Precinct, and SP Secondary Pedestrian Precinct overlays in Section 51A-4.124(a)(8) apply in this district to the respective retained overlay areas in this district.

(b) The Property bounded by Field Street, Commerce Street, Jackson Street, and Browder Street consists of two separate building sites. Building Site 1 is an approximately 42,682 square foot tract of land as shown on and described in Exhibit 619D. Building Site 2 is an approximately 84,318 square foot tract of land as shown on and described in Exhibit 619E.

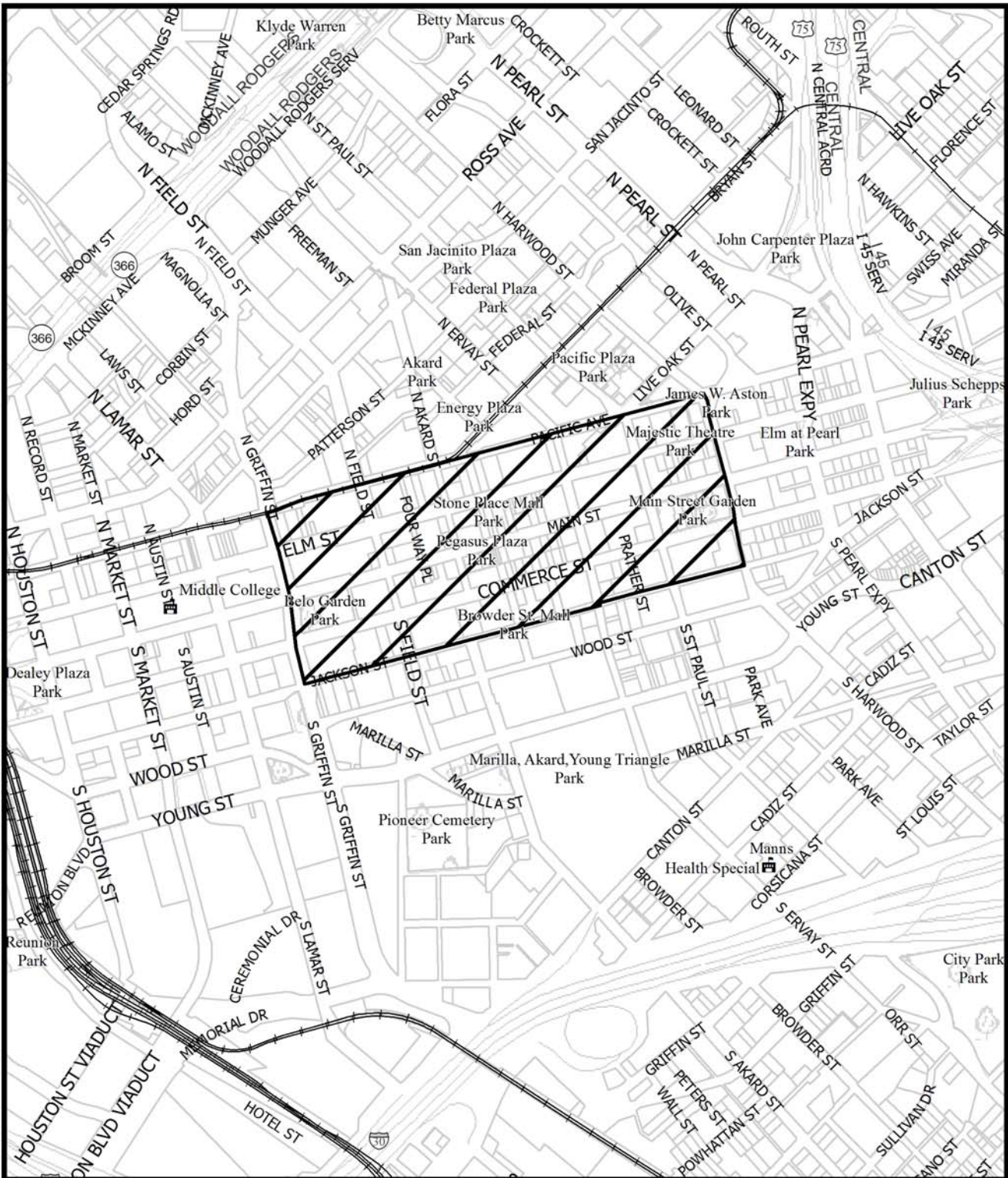
(c) The Property must be properly maintained in a state of good repair and neat appearance.

(d) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 24960; 26102; 27470)

SEC. 51P-619.115. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit or certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24960; 26102)




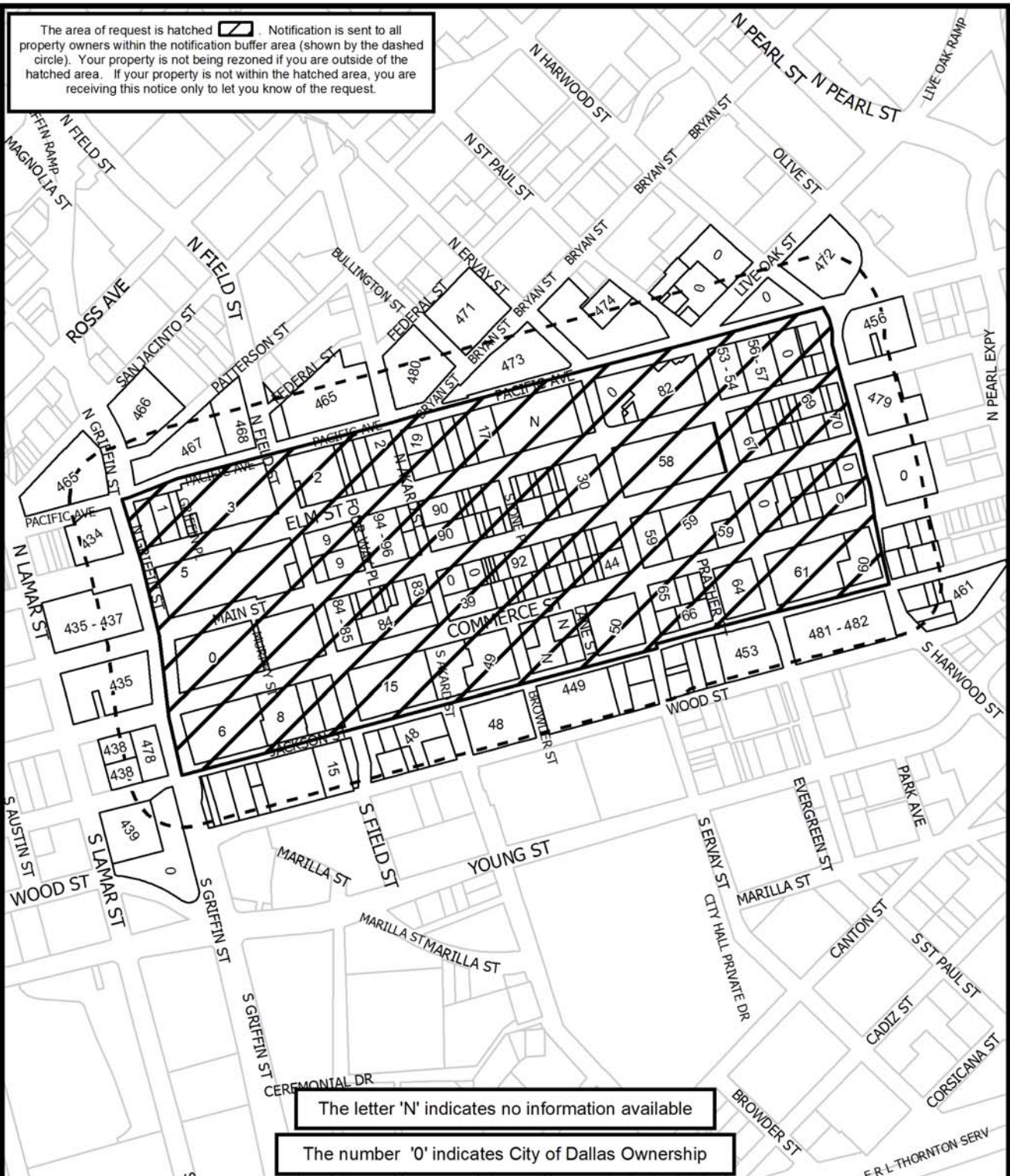
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VICINITY MAP

Case no: **Z123-285**


Date: **10/24/2013**

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 letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership


1:6,000

NOTIFICATION

200' AREA OF NOTIFICATION
684 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z123-285**
Date: **10/24/2013**

10/24/2013

Notification List of Property Owners***Z123-285******684 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1025 ELM ST	LOWEN 1025 ELM LP
2	1401 ELM ST	1401 ELM STREET HOLDINGS LLC % POLIDEV I
3	1201 ELM ST	BINYAN REALTY LP % JOSEPH MOINIAN
4	1201 ELM ST	SUHGERS DONALD TRUST THE BANK ONE TEXAS
5	1201 MAIN ST	RAK MAIN PLACE ASSOC LP % RAK GROUP LLC
6	1100 COMMERCE ST	U S GOVERNMENT
7	1208 COMMERCE ST	DAVIS MRS HELEN BOUCHE
8	1201 JACKSON ST	U S A VETERANS ADM
9	1302 ELM ST	1309 MAIN STREET APARTMENTS LLC
10	1301 MAIN ST	NAYEB FAMILY LP
11	1217 MAIN ST	FWS GROUP DALLAS LLC %STEVE M SPENCER CP
12	1400 MAIN ST	FOSTER BRYAN S
13	1404 MAIN ST	1404 MAIN BUILDING LLC
14	1208 COMMERCE ST	BRAMA COMMERCE STREET LTD
15	1212 JACKSON ST	SOUTHWESTERN BELL SBC COMMUNICATIONS INC
16	211 ERVAY ST	ALTERRA 211 NORTH ERVAY LLC RENASSANCE T
17	1600 PACIFIC AVE	RICCHI DALLAS INVESTMENTS LLC
18	1600 PACIFIC AVE	RICCHI DALLAS INVESTMENTS LLC
19	208 AKARD ST	MZEIN HOLDINGS LP
20	1517 MAIN ST	FONBERG PETER D TR ET AL SUITE 203
21	1514 ELM ST	MID STATES REALTY LLC SUITE 100
22	1521 MAIN ST	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN
23	1516 ELM ST	HARRIS LIPSITZ BUILDING LLC
24	1519 MAIN ST	1519 MAIN LP
25	1512 ELM ST	CADE SARAH G TRUST ET AL
26	1515 MAIN ST	LEGAL AID OF NORTHWEST TE

10/24/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1604 ELM ST	ELM AT STONEPLACE HOLDINGS LLC STE 2800
28	1606 ELM ST	ELM AT STONEPLACE HOLDINGS LLC
29	1607 MAIN ST	ELM AT STONEPLACE HOLDINGS LLC
30	1623 MAIN ST	FC WP BUILDING LLC
31	1612 ELM ST	ELM AT STONEPLACE HOLDINGS LLC ATTN: JOH
32	1608 ELM ST	1610 ELM STREET LLC
33	1622 MAIN ST	NEIMAN MARCUS CO LESSEE ATTN: GEORGE A R
34	1603 COMMERCE ST	NEIMAN MARCUS CO ATTN: GEORGE A RAWLINGS
35	1618 MAIN ST	THE NEIMAN MARCUS GROUP INC ONE MARCUS S
36	1608 MAIN ST	1600 MAIN STREET HOLDINGS LP
37	1604 MAIN ST	1600 MAIN STREET HOLDINGS LP
38	1520 MAIN ST	MAIN STREET INVESTORS JV
39	1401 COMMERCE ST	HOLTZE MAGNOLIA LLLP ATTN: STEVEN HOLTZE
40	1513 COMMERCE ST	PACIFICO PARTNERS LTD
41	1517 COMMERCE ST	PACIFICO PARTNERS LTD STE A205
42	1525 COMMERCE ST	POLLOCK ROBERT ETAL ATTN: GEORGE A RAWLI
43	1607 COMMERCE ST	ROGERS WILLIAM S ETAL ATTN: GEORGE A RAW
44	1609 COMMERCE ST	NEIMAN MARCUS GROUP INC ATTN: GEORGE A R
45	1616 MAIN ST	THE DALLAS FOUNDATION ATTN: MARY JALONIC
46	208 AKARD ST	SOUTHWESTERN BELL TELEPHONE SBC COMM INC
47	208 AKARD ST	IEP DALLAS LLC C/O ICAHN ENTERPRISES LP
48	301 AKARD ST	SOUTHWESTERN BELL SBC COMM INC PPTY TAX
49	208 AKARD ST	IEP DALLAS LLC C/O ICAHN ENTERPRISES LP
50	1600 COMMERCE ST	DALPARK LAND LEASE LTD STE A
51	1500 COMMERCE ST	DPL LAND LLC % HAMILTON PROPERTIES
52	1517 JACKSON ST	DPL LOAN HOLDINGS LLC % HAMILTOAN PROPER

10/24/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
53	1907 ELM ST	PETROCORRIGAN TOWERS LP
54	1900 PACIFIC AVE	PACIFIC 2004 HOLDINGS LTD
55	1933 ELM ST	PACIFIC ELM BUILDING LLC
56	1910 PACIFIC AVE	1910 PACIFIC LP SUITE 500
57	1910 PACIFIC AVE	BERKELEY FIRST CITY LP STE 2300
58	1717 MAIN ST	1717 TOWER OWNER LP WELLS FARGO TOWER
59	1800 MAIN ST	FC MERC COMPLEX LP C/O FOREST CITY TAX D
60	1954 COMMERCE ST	RICCHI 1954 DEV LLC
61	1914 COMMERCE ST	RICCHI DEVELOPMENT GROUP LLC STE 20275
62	1712 COMMERCE ST	MERCANTILE DEVELOPMENT LLC % SOVEREIGN
63	1712 COMMERCE ST	MERCANTILE DEVELOPMENT LLC @ SOVEREIGN
64	1810 COMMERCE ST	FC CONTINENTAL LANDLORD LLC TERMINAL TOW
65	1700 COMMERCE ST	1700 COMMERCE STREET LP STE 500
66	208 ERVAY ST	MERCANTILE DEVELOPMENT LLC
67	1900 ELM ST	UNIVERSITY OF NORTH TEXAS SYSTEM % VICE C
68	1916 ELM ST	BERKELEY FIRST CITY LP STE 2300
69	1920 ELM ST	1920 ELM LTD
70	1933 MAIN ST	BIJOY LLC
71	1927 MAIN ST	PHELAN RICHARD W JR ET AL DIR OF SYS EX
72	1915 MAIN ST	PATTEE JAMES F ETAL TR DIR OF SYS & EX R
73	1915 MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
74	1911 MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
75	1911 MAIN ST	DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
76	1928 ELM ST	UNIVERSITY NORTH TEX SYST % VICE CHANCEL
77	1921 MAIN ST	UNIVERSITY OF NORTH TEXAS SYSTEM
78	1921 MAIN ST	DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
79	1908 ELM ST	JARVIS BARNEY W JR TR & MARY LOU TR
80	1707 ELM ST	DALLAS CITY OF
81	200 ST PAUL ST	BERKELEY FIRST CITY LP STE 2300
82	1700 PACIFIC AVE	BERKELEY FIRST CITY LP STE 2300

10/24/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
83	1412 MAIN ST	BN 1412 MAIN LP
84	1315 COMMERCE ST	RBP ADOLPHUS LLC % ROCK BRIDGE CAPITAL L
85	1315 COMMERCE ST	DALLAS COMMERCE ASSOC LP % ADOLPHUS ASSO
86	1402 MAIN ST	TIER DEVELOPMENT GROUP LC
87	1306 MAIN ST	RASANSKY MITCHELL
88	1511 ELM ST	TOWER GARAGE LP SUITE 300
89	1511 ELM ST	TOWER GARAGE LP
90	1502 ELM ST	BVF-II KIRBY LIMITED PARTNERSHIP %BERKSH
91	1520 ELM ST	STONE PLACE MALL INV1 LTD
92	1530 MAIN ST	DUNHILL 1530 MAIN LP
93	1414 ELM ST	ELM 1414 PPTIES, LTD
94	1407 MAIN ST	DLD PROPERTIES
95	1407 MAIN ST	DRED PROPERTIES LTD
96	1407 MAIN ST	DCAR PROPERTIES LTD
97	1415 MAIN ST	GS RENAISSANCE LTD PS
98	1505 ELM ST	CHRISTIAN LARRY & PATRICIA R
99	1505 ELM ST	DUCOTEY WARREN 2002 TR % JOANNE D ANTERH
100	1505 ELM ST	JOBE REAGAN V
101	1505 ELM ST	KEY SEAN
102	1505 ELM ST	BUTLER KELLY A LIVING TRUST KELLY ANN BU
103	1505 ELM ST	DELEON JOSE & ALMA FLORES UNIT 205
104	1505 ELM ST	NORRIS SONJA # 301
105	1505 ELM ST	WONG ERIK JEFFREY
106	1505 ELM ST	LANGAN PATRICK
107	1505 ELM ST	LEAVERTON KEVIN O
108	1505 ELM ST	MENDEZPEREZ JAIME & FANNY
109	1505 ELM ST	SCHMIDT MICHAEL
110	1505 ELM ST	HARTLINEDIAZ PATRICIA UNIT 402
111	1505 ELM ST	BREWER STEPHEN D & ERIN K
112	1505 ELM ST	BECKMAN JAMIE W
113	1505 ELM ST	SYMPHONY PROPERTIES LLC

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
114	1505 ELM ST	STAMM REGINA UNIT 501
115	1505 ELM ST	HERTIG KELSEY
116	1505 ELM ST	FLAUGH CHRISTOPHER C
117	1505 ELM ST	NIENDORFF CARL
118	1505 ELM ST	MEADOWS JAYME
119	1505 ELM ST	PIGG CHRISTINE
120	1505 ELM ST	BUSBY MELINDA Z
121	1505 ELM ST	BASSAMPOUR FATEMAH &
122	1505 ELM ST	IKER GREGORY MARK UNIT 604
123	1505 ELM ST	SONNETT JOHN
124	1505 ELM ST	BRAIR GHASSAN B # 701
125	1505 ELM ST	MAGAN NAVIN UNIT 702
126	1505 ELM ST	MITCHELL JASON M STE 1109A
127	1505 ELM ST	STEVENS KATHERINE A
128	1505 ELM ST	POTTER BRITON J III & ELIZABETH A
129	1505 ELM ST	MUNK FLORENCE
130	1505 ELM ST	KRAUSELECKIE JAN
131	1505 ELM ST	SINGER ARTURO
132	1505 ELM ST	JONES REBECCA J
133	1505 ELM ST	YELLOTT JAY D
134	1505 ELM ST	SCHWARTZ DEBORAH
135	1505 ELM ST	RICHARD C WERNON
136	1505 ELM ST	KEDRON LUCEA SUZAN
137	1505 ELM ST	ANTERHAUS ROBERT H & JOANNE D
138	1505 ELM ST	MUNOZ ROLANDO & DONNA W
139	1505 ELM ST	MCKNIGHT BILLY REA
140	1505 ELM ST	DILENA R J
141	1505 ELM ST	L & M PROPERTY MGMT LLC
142	1505 ELM ST	HOLLOWAY MICHAEL S & SUSAN CANTRELL
143	1505 ELM ST	FRAZEE STEVEN K
144	1505 ELM ST	DANE EUGENE # 1101
145	1505 ELM ST	LARA JOHN COOPER
146	1505 ELM ST	MCLAIN WILLIAM T & TIRZAH K

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
147	1505 ELM ST	MITTELSTET STEPHEN K UNIT 1104
148	1505 ELM ST	ABENDSCHEIN FREDERICK UNIT 1105
149	1505 ELM ST	ROBERTSON RON & DONNA
150	1505 ELM ST	EDWARDS GARY DON & JANIE FAY
151	1505 ELM ST	COLLETT BRIAN J TR LIFE EST & CHERYL TR
152	1505 ELM ST	NIENDORFF CARL A IV # 1204
153	1505 ELM ST	HALL MICHAEL D
154	1505 ELM ST	PATTERSON J R JR & BILLIE JO PUD
155	1505 ELM ST	FURRH JAMES MADISON & GAIL ROSBOROUGH FU
156	1505 ELM ST	AKIN LARRY D & CAROL D UNIT 1403
157	1505 ELM ST	SWAYDEN CHRISTOPHER G UNIT 1404
158	1505 ELM ST	SWAIM GARY DON #1501
159	1505 ELM ST	ROBERTS FINES OLIVER
160	1505 ELM ST	VARDEMAN RYAN
161	1505 ELM ST	DUNNAHOO WILLIAM MICHAEL & PATRICIA DUNN
162	1505 ELM ST	SCARLET PEGASUS GROUP LP % KYLE E CARLTO
163	1505 ELM ST	WILSON ADDISON G IV
164	1505 ELM ST	SCRIPPS FREDERIC SCOTT
165	1505 ELM ST	BLUE STAR MORTGAGE INC
166	1200 MAIN ST	BELLINGHAUSEN WIL J
167	1200 MAIN ST	NEWMAN PAULETTE E
168	1200 MAIN ST	1621 ERVAY LTD
169	1200 MAIN ST	FLEEMAN WILLIAM SUSAN P
170	1200 MAIN ST	SHAH VINAY
171	1200 MAIN ST	DIXON GLORIA D UNIT 206
172	1200 MAIN ST	MACKLIN LURENZO E
173	1200 MAIN ST	GRAINGER GEORGE RICHARD &
174	1200 MAIN ST	RAFF GEORGE JR UNIT 209
175	1200 MAIN ST	SMITH DANIEL E & HERMA A
176	1200 MAIN ST	BRANSTETTER ROBERT M & CAROL SHELTON UNI

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
177	1200 MAIN ST	FREEMAN SCOTT UNIT 303
178	1200 MAIN ST	BOYD CURTIS W & GLENNA HALVORSON
179	1200 MAIN ST	JUAREZ GERARDO
180	1200 MAIN ST	MCARDLE PATRICIA UNIT 306
181	1200 MAIN ST	AMONGKOL JITTADA KITTY
182	1200 MAIN ST	HART STANLEY L & HART M ELIZABETH
183	1200 MAIN ST	SMITH SHERIA D
184	1200 MAIN ST	CRIST EUGENE SCOTT STE 319
185	1200 MAIN ST	TERESI MARK A & TERESI JEANNE N
186	1200 MAIN ST	KW 1200 MAIN LLC
187	1200 MAIN ST	KISLING MISTY
188	1200 MAIN ST	SANADI NISAR & THU NGUYET UNIT 405
189	1200 MAIN ST	CARPENTER ROBIN N
190	1200 MAIN ST	MASTAGLIO LINDA R
191	1200 MAIN ST	LOPEZ DENNIS A
192	1200 MAIN ST	WOMBLE JOHN M & GINGER A
193	1200 MAIN ST	BAILEY PETER & MARY
194	1200 MAIN ST	PERRI ANTHONY J & DOROTHY G
195	1200 MAIN ST	RATH OMKAR R &
196	1200 MAIN ST	FAYE WILLIS DESIGNS INC
197	1200 MAIN ST	BAGARIA SAPNA & SURESH
198	1200 MAIN ST	PARKER RUBY
199	1200 MAIN ST	HOWARD KENNETH ROBERT
200	1200 MAIN ST	ARAUJO JOSEPH
201	1200 MAIN ST	CHATTERJEE ARUNABHA
202	1200 MAIN ST	SALVANT WAYNE
203	1200 MAIN ST	ELLER KELLEY
204	1200 MAIN ST	MASSEY LINDA UNIT 604
205	1200 MAIN ST	DASH PRIYARANJAN & AMITA K SAHU
206	1200 MAIN ST	MUEHLENWEG ROBERT J &
207	1200 MAIN ST	CUEVAS ISRAEL F UNIT 607
208	1200 MAIN ST	EDWARDS JAMES & BARBARA
209	1200 MAIN ST	SCOTT DARIAN D

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
210	1200 MAIN ST	ATV TEXAS VENTURES IV LP
211	1200 MAIN ST	KADAN PROPERTIES LP
212	1200 MAIN ST	CAMPOS EDWARD UNIT 704
213	1200 MAIN ST	ADAMS WILHELMINA J UNIT 705
214	1200 MAIN ST	COMBS DAMETIA
215	1200 MAIN ST	BEVERS MARC UNIT 707
216	1200 MAIN ST	WHITE JESSICA UNIT 708
217	1200 MAIN ST	HERICKS JAMES & HERICKS SHELLY
218	1200 MAIN ST	BAKER WILLIAM H III
219	1200 MAIN ST	SPRING TRUMAN E JR
220	1200 MAIN ST	TITTLE CYNTHIA LARK
221	1200 MAIN ST	DANIEC MONICA UNIT 713
222	1200 MAIN ST	BLACK PAUL
223	1200 MAIN ST	HAQUE NAZ & HAQUE MUHAMMAD
224	1200 MAIN ST	SCHNAPPAUF MICHAEL STE 803
225	1200 MAIN ST	ALANIZ GEORGE R JR & ANEESA T HOJAT
226	1200 MAIN ST	CHANEY GARY WAYNE 1992 FAMILY TRUST
227	1200 MAIN ST	NGUYEN MICHAEL
228	1200 MAIN ST	BENEVENTI MARK FRANCIS
229	1200 MAIN ST	DU YALI
230	1200 MAIN ST	UNITED STATES OF AMERICA
231	1200 MAIN ST	SAIED ANNA M
232	1200 MAIN ST	FAIRCHILD MELISSA
233	1200 MAIN ST	BURNS CHRISTOPHER J UNIT 812
234	1200 MAIN ST	HARRIS KENDRICK LASALLE UNIT 901
235	1200 MAIN ST	CRIST EUGENE SCOTT
236	1200 MAIN ST	PATEL JAYSHREE & PATEL SANJAY
237	1200 MAIN ST	ALSUP LAUREN BRITTANY
238	1200 MAIN ST	ELLER TOM & ROBYN UNIT 905
239	1200 MAIN ST	KAHANE DENNIS SPENCER
240	1200 MAIN ST	SULLIVANMCMULLEN DAVID UNIT 907
241	1200 MAIN ST	SALEEM ADEEL
242	1200 MAIN ST	PARK STEPHEN

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
243	1200 MAIN ST	MOBLEY HENRY B JR
244	1200 MAIN ST	ROMACK FAMILY LIVING TRUST
245	1200 MAIN ST	THEIS LANGSTON UNIT 912
246	1200 MAIN ST	CAREY GABRIELLE
247	1200 MAIN ST	IPPOLITO MARTA
248	1200 MAIN ST	CIN ALBERTO DAL
249	1200 MAIN ST	BROWN GLENN ALAN UNIT 1003
250	1200 MAIN ST	ROMERO GERALD & LOURDES
251	1200 MAIN ST	PATRA DEEPAK
252	1200 MAIN ST	FEDERAL HOME LOAN MORTGAGE CORPORATION
253	1200 MAIN ST	KEANE JUSTIN SCOTT &
254	1200 MAIN ST	COMMUNITY BANK & TRUST
255	1200 MAIN ST	STEGER SUSAN Z
256	1200 MAIN ST	XIE JIMIN
257	1200 MAIN ST	OROZCO CARLOS A
258	1200 MAIN ST	SALVANT BRIAN
259	1200 MAIN ST	DOMINGUEZ JOSE R & ZOILA
260	1200 MAIN ST	GRIEGO MANUEL R JR & DEBRA
261	1200 MAIN ST	KEATON JULIAN E II
262	1200 MAIN ST	MA MAU & JUYEI
263	1200 MAIN ST	THOMAS BIJU
264	1200 MAIN ST	PATRO LOKANATH
265	1200 MAIN ST	IPPOLITO DAVIDE MICHAEL
266	1200 MAIN ST	MADDERRA RHONDA & FARON
267	1200 MAIN ST	LIN JEFF P UNIT 1108
268	1200 MAIN ST	SENDKER JAN
269	1200 MAIN ST	RADFORD TRACI UNIT 1111
270	1200 MAIN ST	ROMIG RANDALL UNIT 1112
271	1200 MAIN ST	BRAUM EARL E JR DBA INTERVEST ENGINEERIN
272	1200 MAIN ST	QUACH LINH
273	1200 MAIN ST	MORAIS JUSTIN
274	1200 MAIN ST	MATHEW THOPPIL L

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	1200 MAIN ST	MCCANS WILLIAM
276	1200 MAIN ST	HOSID KEVIN M & PEGGY S
277	1200 MAIN ST	JUDAH JOHN K & BETTY JO
278	1200 MAIN ST	BARGANIER NORA D & MICHAEL G
279	1200 MAIN ST	BAKER ARIANNE & UNIT 1209
280	1200 MAIN ST	LITTLE STERLING UNIT 1210
281	1200 MAIN ST	LIN XIEQING
282	1200 MAIN ST	ASHON HASSEB
283	1200 MAIN ST	WEBER DANIEL T & GAIL G UNIT 1213
284	1200 MAIN ST	KHUNTIA ASHOK
285	1200 MAIN ST	KOUROSH INVESTMENT LLC
286	1200 MAIN ST	TINSLEY GARY A
287	1200 MAIN ST	CHAUDHRY JAMAL AZIZ UNIT 1405
288	1200 MAIN ST	MICHULKA GEORGE & MICHULKA NONY
289	1200 MAIN ST	BYRUM TADD A & UNIT 1407
290	1200 MAIN ST	HUTCHINSON ANDREW F II
291	1200 MAIN ST	DAO BAO D
292	1200 MAIN ST	THOMAS MONA
293	1200 MAIN ST	BENTLEY BRIAN D
294	1200 MAIN ST	GREEN KAREN S
295	1200 MAIN ST	ZANDER GREG W
296	1200 MAIN ST	SALVANT WAYNE F & BEVERLY B
297	1200 MAIN ST	YATES RALPH & FAYE UNIT 1503
298	1200 MAIN ST	HILL DANIEL &
299	1200 MAIN ST	HIBSID 1 LLC
300	1200 MAIN ST	TRIPP THOMAS UNIT 4405
301	1200 MAIN ST	KOKES KEVIN K & UNIT 1507
302	1200 MAIN ST	COCHRAN TYLER
303	1200 MAIN ST	JAIN NEHA
304	1200 MAIN ST	METROPOLITAN 1510 LLC
305	1200 MAIN ST	BRYANT CHRIS UNIT 1511

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
306	1200 MAIN ST	KHAN MOIN
307	1200 MAIN ST	KLAMM CYNTHIA B & KLAMM KEITH J
308	1200 MAIN ST	DAVIS STEPHEN J
309	1200 MAIN ST	COBB DONNA MARIE & COBB KENNETH R SR
310	1200 MAIN ST	COWDEN PETER # 1603
311	1200 MAIN ST	NARAN ASHOK
312	1200 MAIN ST	LANCASTER PHILLIP & IRENE
313	1200 MAIN ST	KOERBER ELLEN & UNIT 1607
314	1200 MAIN ST	POLANCO PAUL UNIT 1608
315	1200 MAIN ST	DAMANI ANIRUDH A UNIT 1609
316	1200 MAIN ST	DOCKTER BRYAN
317	1200 MAIN ST	PROCTOR RICHARD P REVOCABLE TRUST
318	1200 MAIN ST	SOLE GARY & SOLE KATHLEEN
319	1200 MAIN ST	PATTERSON JEFF
320	1200 MAIN ST	STRINGER CHRISTOPHER & KATIE
321	1200 MAIN ST	STROTHMAN RHONDA K
322	1200 MAIN ST	REMPHREY BRYAN S
323	1200 MAIN ST	DANIEL SAM
324	1200 MAIN ST	BROWNELL SUSAN K &
325	1200 MAIN ST	ALVAREZ DAVID & REVOCABLE TRUST
326	1200 MAIN ST	HOLLANDER KEVIN J & BETH A UNIT 1707
327	1200 MAIN ST	AHUMADA MUCIO UNIT 1708
328	1200 MAIN ST	LESTER MARY C
329	1200 MAIN ST	MOORE ARROYO AYSHA UNIT 1710
330	1200 MAIN ST	FUENTE JOSE ANTONIO DE LA
331	1200 MAIN ST	MOORE ROBERT W
332	1200 MAIN ST	CHAFFIN LYNDAL A
333	1200 MAIN ST	HUMES EDUARDO
334	1200 MAIN ST	VIRANI ASIF
335	1200 MAIN ST	JACKSON JILL A UNIT 1803
336	1200 MAIN ST	DIXON ADAM

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
337	1200 MAIN ST	BADMAND HOLDINGS LLC
338	1200 MAIN ST	CURE NANCY A & WILLIAM E
339	1200 MAIN ST	ABDULWAHAB MANNIE
340	1200 MAIN ST	LIN JAMES
341	1200 MAIN ST	TRAVELSTEAD GARY LYNN & KIBBY PAUL CRAIG
342	1200 MAIN ST	ZOLLER ROBERT W
343	1200 MAIN ST	MDH 1200 MAIN LP
344	1200 MAIN ST	KOERBER ELLEN &
345	1200 MAIN ST	RICHARDS GILL & ELIZABETH ANN
346	1200 MAIN ST	CWALINO PETER
347	1200 MAIN ST	NATHAL JULIO
348	1200 MAIN ST	SINGERMAN ALEXANDER
349	1200 MAIN ST	SLAUGHTER JUSTIN UNIT 1906
350	1200 MAIN ST	POON PHILIP
351	1200 MAIN ST	HUDSON SAMUEL L & KALYNN K
352	1200 MAIN ST	ROMERO ROBERT R &
353	1200 MAIN ST	HAYES MONIQUE C
354	1200 MAIN ST	RICHARDS GILL & ELIZABETH ANN
355	1200 MAIN ST	HAGLER TRENT L
356	1200 MAIN ST	REVELLE ANIEL W III & CAROL L
357	1200 MAIN ST	MUEHLENWEG ROBERT J & CHRISTINE
358	1200 MAIN ST	CHAUDHRY JAMAL
359	1200 MAIN ST	OLTMAN GREGG UNIT 2005
360	1200 MAIN ST	GIBSON MICHAEL CHANNING
361	1200 MAIN ST	CHANG LAWRENCE SHEYLUN
362	1200 MAIN ST	FARTHING DANIEL
363	1200 MAIN ST	FICKEL MATTHEW & MARY BETH
364	1200 MAIN ST	SHAFFNER GLORIA
365	1200 MAIN ST	GOLNABI ROSITA NINA & NEIMA
366	1200 MAIN ST	IPPOLITO GIUSEPPINA C
367	1200 MAIN ST	HENSLEY DALLAS W & VIRGINIA K

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
368	1200 MAIN ST	MCCLAIN JONI L MD FAMILY TRUST
369	1200 MAIN ST	REVIS MARK
370	1200 MAIN ST	TARVER CHRISTOPHER T & MONIQUE
371	1200 MAIN ST	YING KEN W
372	1200 MAIN ST	HWANG HELEN
373	1200 MAIN ST	MOVVA SATYANARAYANA
374	1200 MAIN ST	PERRY BEVERLY UNIT 2109
375	1200 MAIN ST	FOX JEFFREY L
376	1200 MAIN ST	BODLEY GABRIELLE UNIT 2111
377	1200 MAIN ST	QUINN CRAIN A & NATALIE L
378	1200 MAIN ST	WAYGOOD PATRICK S & PARKER ROBERT W
379	1200 MAIN ST	DURRA OMAR
380	1200 MAIN ST	PHILLIPS DAVID G
381	1200 MAIN ST	WARREN BLAKE T &
382	1200 MAIN ST	MARKHOFF STEVEN UNIT 2205
383	1200 MAIN ST	GRANT JASON A & MARIA UNIT 2206
384	1200 MAIN ST	COOKSEY CHARLES N UNIT 2207
385	1200 MAIN ST	CUNNINGHAM THOMAS G
386	1200 MAIN ST	POWERS A MARKS
387	1200 MAIN ST	ARNOLD NANCY E WEINTRAUB
388	1200 MAIN ST	BERMAN DANIEL
389	1200 MAIN ST	PERRI VINEYARDS & REAL ESTATE HOLDINGS L
390	1200 MAIN ST	MERRITT THOMAS JOSEPH
391	1200 MAIN ST	LUDWIG CURTIS A
392	1200 MAIN ST	PATEL AMIR B
393	1200 MAIN ST	KNIPE LUTHER DASSON III
394	1200 MAIN ST	IPPOLITO ESTER
395	1200 MAIN ST	MOORE MARIJANA & MOORE CLARENCE E II
396	1200 MAIN ST	NAIDU EUPHRASIA RANI
397	1200 MAIN ST	BOWENS BARRY C
398	1200 MAIN ST	KRIDER SUE E

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
399	1200 MAIN ST	BORICHEVSKY BRIAN & AMANDA
400	1200 MAIN ST	ENGRAM AARON
401	1200 MAIN ST	COX JOHN VERNON TR & GAY GAYLE TR UNIT 2
402	1200 MAIN ST	COX JOHN VERNON TR &
403	1200 MAIN ST	SMITH LAURA
404	1200 MAIN ST	ONU ADISA M
405	1200 MAIN ST	BIERI MATTHEW B & REBECCA
406	1200 MAIN ST	MAYORGA LUIS A UNIT 2407
407	1200 MAIN ST	MUSABASIC MEMSUD
408	1200 MAIN ST	GILMAN ALEX
409	1200 MAIN ST	MOTGI GURU & SHASHI
410	1200 MAIN ST	MOTGI GURUBASAPPA V & SHASHI R MOTGI
411	1200 MAIN ST	SARDARABADI ABDOL M & DICKSON DEBRA
412	1200 MAIN ST	ACKER PARLEY E III
413	1200 MAIN ST	WATTS FAMILY TRUST % MARCIA J M WATTS TR
414	1200 MAIN ST	WELKER EDWARD & JOANNE
415	1200 MAIN ST	TRAMMELL DUANE &
416	1200 MAIN ST	DUNCAN ROBERT J &
417	1200 MAIN ST	CORCORAN SHAWN M & CARRIE A
418	1200 MAIN ST	MAURER IAN S
419	1200 MAIN ST	MERCHANT REHAN I & BHULA ROSHNI
420	1200 MAIN ST	REAGANS KIMBERLY
421	1200 MAIN ST	KRISHNA SHAIENDRA & KRISHNA RITU
422	1200 MAIN ST	PONZIO JOHN & SHARP MATTHEW
423	1200 MAIN ST	GORTA JAYSON E &
424	1200 MAIN ST	DAVIS WALKER L
425	1200 MAIN ST	GONZALO 1200 MAIN LLC
426	1200 MAIN ST	PERRI VINEYARDS & REAL ESTATE HOLDINGS L
427	1200 MAIN ST	GARCIA CASSANDRA
428	1200 MAIN ST	BARBATO CRISTINA COSTA
429	1200 MAIN ST	BOWLES NEAL A & CARLA D WATSON

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
430	1200 MAIN ST	LUFKIN ROGER W
431	1200 MAIN ST	WILKINSON EARL J
432	1200 MAIN ST	CALDWELL ROGER W & KIMBERLY S
433	1200 MAIN ST	BELGAUM LLC
434	1015 ELM ST	TOG HOTELS DOWNTOWN DALLAS LLC
435	901 MAIN ST	DALLAS MAIN LP %SUNBELT MGMT CO STE 215
436	100 LAMAR ST	INTERFIRST BANK DALLAS SUITE 5009
437	901 MAIN ST	INTERFIRST BANK DALLAS 5009 1ST REPUBLIC
438	908 COMMERCE ST	DALLAS MAIN LP % CUSHMAN & WAKEFIELD
439	900 JACKSON ST	JACKSON WOOD LTD STE 350 LB 10
440	1100 JACKSON ST	BUNTING PARTNERS LP %JOHN NEWTON WALKER
441	311 AKARD ST	WRIGHT GILBERT G JR ET AL % SOUTHWESTERN
442	311 AKARD ST	SOUTHWESTERN BELL % PROPERTY TAX ADMINIS
443	308 AKARD ST	SOUTHWESTERN BELL ROOM 36 M 1
444	308 AKARD ST	SOUTHWESTERN BELL ONE SBC CENTER
445	1321 WOOD ST	S W BELL TELE CO LESSEE SBC COMMUNICATIO
446	1312 JACKSON ST	MEACHUM HOLDINGS LLC
447	1311 WOOD ST	CVH 918 LLC SBC COMM INC TAX
448	1610 JACKSON ST	1610 JACKSON LLC
449	1500 JACKSON ST	BRIDGE-NATIONAL PTNRS LP
450	315 ERVAY ST	315 ERVAY LLC
451	1600 JACKSON ST	1600 JACKSON LLC
452	1600 JACKSON ST	SABO MARY ELIZABETH
453	1810 JACKSON ST	1810 JACKSON GARAGE LLC
454	1708 JACKSON ST	RADER PARKING SYSTEM LP
455	308 ERVAY ST	RADER PARKING SYSTEMS LP
456	2001 ELM ST	CAIN JOHN CHARLES
457	2009 ELM ST	DENIUS FRANKLIN W & ET AL % FRANK DENIUS
458	2012 COMMERCE ST	ASC HARCOM INVESTMENTS
459	2002 COMMERCE ST	ALLRIGHT PARKING SYSTEM
460	2007 JACKSON ST	ALLRIGHT PARKING SYSTEM LESSEE

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
461	2013 JACKSON ST	WOOD JACKSON ST PARCELS LP
462	300 HARWOOD ST	GENECOV DMLT LTD
463	2008 JACKSON ST	AVETON NOEL J & LAURA L
464	312 HARWOOD ST	NELSON WILLIAM E & PAMELA
465	202 LAMAR ST	DALLAS AREA RAPID TRANSIT
466	1109 PATTERSON AVE	DALLAS FORT WORTH ARGYLE TELEVISION INC
467	1100 PATTERSON AVE	CHAVEZ LAND INCOME PROPERTIES LP
468	1201 PACIFIC AVE	BINYAN GARAGE LLC % JOSEPH MOINIAN, THE
469	1311 FEDERAL ST	MORGAN W B & JACK S
470	1307 PACIFIC AVE	J & D MERRIMAN LTD %MERRIMAN ASSOC/ ARCHI
471	1601 BRYAN ST	STATE ST BK & TR CO CT TR DONALD E SMITH
472	2020 LIVE OAK ST	UNIFIED 2020 REALTY
473	1627 PACIFIC AVE	THANKSGIVING SQUARE FDN
474	325 ST PAUL ST	FOUR POINT STAR LP PS %JONES LANG LASALL
475	325 ST PAUL ST	FOUR POINT STAR LP %JONES LANG LASALLE A
476	325 ST PAUL ST	FOUR POINT STAR LP %JONES LANG LASALLE A
477	350 ERVAY ST	ERVAY RESIDENTIAL LTD PS SUITE 1400
478	1000 COMMERCE ST	MCDONALDS CORP ATTN MCKAREN INDUSTRIES
479	2000 ELM ST	BERKELEY FIRST CITY LP
480	318 AKARD ST	WLK MOSAIC OWNER LP % LEVIN REALTY ADVIS
481	301 HARWOOD ST	ATMOS LIHTC LLC SUITE 140
482	301 HARWOOD ST	HAMILTON ATMOS LP SUITE 140
483	1300 JACKSON ST	1300 JACKSON STREET PARTNERS
484	1300 JACKSON ST	FRACKT RENA L
485	1300 JACKSON ST	POE BRIAN
486	1300 JACKSON ST	BRAZZEL ZACHARY L
487	1300 JACKSON ST	HOPE MARK A
488	1300 JACKSON ST	WASHINGTON DAVID CHASE
489	1300 JACKSON ST	KOLANDER KAMELA APT 6
490	1300 JACKSON ST	HARRIS ROSS L UNIT 7
491	1300 JACKSON ST	SLAWOMIR LESZINSKI LIVING

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
492	1122 JACKSON ST	HIBBARD CHRISTIAN
493	1122 JACKSON ST	MIDBOE MATTHEW L APT 409
494	1122 JACKSON ST	PILON JASON
495	1122 JACKSON ST	SPARKS KIMBERLY UNIT 205
496	1122 JACKSON ST	MORIARTY SONIA
497	1122 JACKSON ST	HORNING REX & CHARLOTTE
498	1122 JACKSON ST	POPE WILLIAM UNIT 208
499	1122 JACKSON ST	WEBER WILLIAM R
500	1122 JACKSON ST	MARTINEZ JONATHAN R
501	1122 JACKSON ST	COOLEY BRIAN K
502	1122 JACKSON ST	DURANT BODHI
503	1122 JACKSON ST	GORDON JULIANNE E
504	1122 JACKSON ST	KEMBERY ROBERT
505	1122 JACKSON ST	HISHINUMA ROBIN A
506	1122 JACKSON ST	WHITE JARED
507	1122 JACKSON ST	UNDERWOOD GUTHRIE B JR & KELLIE C
508	1122 JACKSON ST	COATES WHITNEY PETERSON
509	1122 JACKSON ST	SMITH JASON DEWAYNE & KIMMIE FARRAR
510	1122 JACKSON ST	YATES JOEL UNIT 220
511	1122 JACKSON ST	ELAM KYLE P
512	1122 JACKSON ST	CARRANZA RAMIRO & LATOYA
513	1122 JACKSON ST	FREEMAN ISAAC
514	1122 JACKSON ST	MILLIGAN MOLLIE
515	1122 JACKSON ST	TRI MARY UNIT 305
516	1122 JACKSON ST	SEGOVIA MARIA
517	1122 JACKSON ST	ADAMS CHRISTIAN R
518	1122 JACKSON ST	ARCHBOLD EDWIN
519	1122 JACKSON ST	MAXWELL YVONNE & THOMAS
520	1122 JACKSON ST	BUTTINE THOMAS C
521	1122 JACKSON ST	PARKER PENNY LYNN
522	1122 JACKSON ST	GREEN BILLY D

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
523	1122 JACKSON ST	WYMER BRYCE G
524	1122 JACKSON ST	DUGAS EARL J
525	1122 JACKSON ST	GUERRA JOSE ARNOLDO
526	1122 JACKSON ST	HACKETT RANDY
527	1122 JACKSON ST	LU HUIRU &
528	1122 JACKSON ST	BJELICA ADAM
529	1122 JACKSON ST	KLEUSER MICHELLE
530	1122 JACKSON ST	FARROW PATRICIA
531	1122 JACKSON ST	WALKER JONATHAN
532	1122 JACKSON ST	NWANKWO ADIAH
533	1122 JACKSON ST	FANNIE MAE
534	1122 JACKSON ST	JAMES KAREN K UNIT 403
535	1122 JACKSON ST	REAVIS BEN & KRISTI UNIT 404
536	1122 JACKSON ST	CRAIG EDWARD LIVING TRUST EDWARD CRAIG T
537	1122 JACKSON ST	WREN OIL & GAS LLC
538	1122 JACKSON ST	STAFFORD STEPHANIE E
539	1122 JACKSON ST	CALDWELL BRYANN
540	1122 JACKSON ST	RANDOLPH KEVIN URESTI DIANE
541	1122 JACKSON ST	DILL MICHAEL K
542	1122 JACKSON ST	WREN JUSTIN
543	1122 JACKSON ST	SHEPHARD GREGORY UNIT 413
544	1122 JACKSON ST	PEAK JASON L UNIT 414
545	1122 JACKSON ST	SMITH BRENDA KAY UNIT 415
546	1122 JACKSON ST	WYATT ALAN K
547	1122 JACKSON ST	SHIGEMATSU KEN
548	1122 JACKSON ST	SQUIRES MICHAEL K
549	1122 JACKSON ST	JOHNSON BRANDON
550	1122 JACKSON ST	WARTON JAMES
551	1122 JACKSON ST	SWEET OCEAN T
552	1122 JACKSON ST	THOMASON ADAM CLARK
553	1122 JACKSON ST	MCCOWN CRISTEN & WIESLAWA UNIT 501

10/24/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
554	1122 JACKSON ST	MARASCO LAWRENCE P III SUITE 502
555	1122 JACKSON ST	BETHEL SUSAN
556	1122 JACKSON ST	ABBATI JOSEPH L
557	1122 JACKSON ST	GIBBS JAMES M LIFE ESTATE REM: TERESA L
558	1122 JACKSON ST	DUDEK JAKUB
559	1122 JACKSON ST	STEWART COREY F UNIT # 507
560	1122 JACKSON ST	BERNSTEIN CAMI
561	1122 JACKSON ST	NICHOLSON STEVEN W
562	1122 JACKSON ST	ELLIOTT NATALIE UNIT 510
563	1122 JACKSON ST	BASINGER GREGORY LEROY UNIT 511
564	1122 JACKSON ST	LANGER BRUCE & JEAN UNIT 512
565	1122 JACKSON ST	REED THOMAS J & UNIT 513
566	1122 JACKSON ST	RIDEN LAVONNE
567	1122 JACKSON ST	ACEVEDO MAGDALENA UNIT 515
568	1122 JACKSON ST	BAEZ SUZETTE UNIT 516
569	1122 JACKSON ST	WHEELIS JONATHAN UNIT 517
570	1122 JACKSON ST	CARTER JASON &
571	1122 JACKSON ST	DENSON MICHAEL
572	1122 JACKSON ST	BEIHOFF DAVID
573	1122 JACKSON ST	ETTER CHRISTOPHER W UNIT 521
574	1122 JACKSON ST	TUCKER JOB ALEXANDER
575	1122 JACKSON ST	KNAUS ROBERT
576	1122 JACKSON ST	NAVARRO JOHN UNIT 602
577	1122 JACKSON ST	BOWERS JOEL B UNIT 603
578	1122 JACKSON ST	STEPHENS TAMMY L
579	1122 JACKSON ST	PATTON JERRE W
580	1122 JACKSON ST	NEWHAM ANDREA RODRIGUEZ & NEWHAM TOBIAS
581	1122 JACKSON ST	QUINT BERNARD T
582	1122 JACKSON ST	NATIONAL NATIONAL MTG ASSOC
583	1122 JACKSON ST	LUNSFORD WALKER
584	1122 JACKSON ST	BRAMMER JANE E

10/24/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
585	1122 JACKSON ST	DURKIN BRETT T & SHIRLEY
586	1122 JACKSON ST	WILSON DAMON
587	1122 JACKSON ST	HALL JACQUELINE R &
588	1122 JACKSON ST	BOYCE MOLLIE UNIT 614
589	1122 JACKSON ST	CHOWDHURY RYAN R
590	1122 JACKSON ST	MORRIS DOUGLAS A & VIRSIE N
591	1122 JACKSON ST	MCGUFFEY THOMAS J 700 N LARRABEE ST
592	1122 JACKSON ST	2008 CONDO PROPERTIES LLC SUITE 2100
593	1122 JACKSON ST	ALLELO JOHN G
594	1122 JACKSON ST	KNIGHT SHAWN P
595	1122 JACKSON ST	WATTERS MELODY & EDWARD UNIT 621
596	1122 JACKSON ST	CLARKSON ROBERT A
597	1122 JACKSON ST	TOONY JEFFREY D & ELIZABETH A UNIT 701
598	1122 JACKSON ST	DILLON CRAIG L UNIT 702
599	1122 JACKSON ST	KEAN MICHELLE UNIT 703
600	1122 JACKSON ST	PULSIFER LYNN P
601	1122 JACKSON ST	BONNIN MATTHEW E
602	1122 JACKSON ST	NADIR NIDA UNIT 706
603	1122 JACKSON ST	MUELLER ANDREW
604	1122 JACKSON ST	BATES SAM IV
605	1122 JACKSON ST	SOROKA STAN & SANDRA
606	1122 JACKSON ST	ADAMS JOHN & JEAN
607	1122 JACKSON ST	VANPELT DANIEL
608	1122 JACKSON ST	US BANK NATIONAL ASSOC
609	1122 JACKSON ST	SMITH JOAN D
610	1122 JACKSON ST	ROJASRESTREPO OLGA L
611	1122 JACKSON ST	CHOE DAVID UNIT 715
612	1122 JACKSON ST	ADAMS SUSAN E
613	1122 JACKSON ST	STAPLES NATHAN
614	1122 JACKSON ST	MCKENZIE LANCE A
615	1122 JACKSON ST	ESCANILLA DINNAH UNIT 720

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
616	1122 JACKSON ST	BONANNO CAROLINA
617	1122 JACKSON ST	MAHONEY LAURIE & JOHN UNIT 801
618	1122 JACKSON ST	FARKAS JANOS
619	1122 JACKSON ST	FOREMAN ROSEMARY &
620	1122 JACKSON ST	BIEDENHAM JOSEPH A III
621	1122 JACKSON ST	SOUTHARD DANE M &
622	1122 JACKSON ST	WOJCIECHOWSKI MARZENA & TOMASZ POPPE
623	1122 JACKSON ST	JANNING JAMES N & CARIE D
624	1122 JACKSON ST	ADROVIC ARMIN
625	1122 JACKSON ST	JONES CHRISTOPHER & LE LYNH
626	1122 JACKSON ST	HILL JAMES C
627	1122 JACKSON ST	CRAIN PRISCILLA S UNIT 811
628	1122 JACKSON ST	ONEAL MARK
629	1122 JACKSON ST	ALAVI REZA & MONA
630	1122 JACKSON ST	ANDERSON PHILLIP H UNIT 816
631	1122 JACKSON ST	EHLE JOEL & TONI
632	1122 JACKSON ST	PATTI MARIE A TRUST PATTIE MARIE A TRUST
633	1122 JACKSON ST	ATKINS SHARON K UNIT 819
634	1122 JACKSON ST	GOODWIN JEFF ANDERSON & JULIE PRESTON
635	1122 JACKSON ST	CAMP JUSTIN
636	1122 JACKSON ST	KNIGHT LAURA C UNIT 822
637	1122 JACKSON ST	EFURD ROBERT
638	1122 JACKSON ST	BUSTAMANTE NIRMA D
639	1122 JACKSON ST	WELLS FARGO BANK
640	1122 JACKSON ST	MAISEL WILLIAM L & JUDITH J
641	1122 JACKSON ST	MCCLINTOCK SANDRA
642	1122 JACKSON ST	GONZALEZ RAUL
643	1122 JACKSON ST	KIENAST AILEEN
644	1122 JACKSON ST	DUBOIS THOMAS
645	1122 JACKSON ST	WANCHO FRANK W
646	1122 JACKSON ST	GROVES RYAN LANE & JENNIFER ANN

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
647	1122 JACKSON ST	SCHROTBERGER LUKE A
648	1122 JACKSON ST	MITCHELL ANN
649	1122 JACKSON ST	FRANK NATHAN A UNIT 915
650	1122 JACKSON ST	INIGO RALPH R
651	1122 JACKSON ST	BOYD GANNON M & MEGAN L
652	1122 JACKSON ST	BLEVINS JESSE & ALISON
653	1122 JACKSON ST	EVANS HEATHER UNIT 921
654	1122 JACKSON ST	STRONG GERI & JON GRINALDI
655	1122 JACKSON ST	DAVIS ANGELA L
656	1122 JACKSON ST	EVANS BRIAN K #1002
657	1122 JACKSON ST	HUESTON JANIE G
658	1122 JACKSON ST	ORILEY PATRICIA ANN
659	1122 JACKSON ST	KELLER JAY EDWARD
660	1122 JACKSON ST	COOK JUSTIN P & LINDSEY A
661	1122 JACKSON ST	HEHMANN BRYAN A
662	1122 JACKSON ST	SPIGEL SAMUEL ADAM UNIT 1008
663	1122 JACKSON ST	SEYMOUR JEFFREY
664	1122 JACKSON ST	WHITE COREY
665	1122 JACKSON ST	ROBERTSON EMILY ELIZABETH
666	1122 JACKSON ST	STARK DAREN
667	1122 JACKSON ST	ADDAGATLA BABU & VAJRA S
668	1122 JACKSON ST	CLARK JOHN
669	1122 JACKSON ST	BESCO JANIS A
670	1122 JACKSON ST	RIGHETTI MARCO & CHIN CHAI CHIN
671	1122 JACKSON ST	BROWN BRITNEY NOEL UNIT 1017
672	1122 JACKSON ST	PRIKRYL SARAH GRACE
673	1122 JACKSON ST	WATSON ORA LEE SIMPSON
674	1122 JACKSON ST	ENTRUST RETIREMENT SERVICES INC FBO MARK
675	1122 JACKSON ST	ALLIE STEVEN CHARLES & KIMBERLY TODD
676	1122 JACKSON ST	FANNIE MAE
677	1122 JACKSON ST	BARRETO WARREN UNIT 1102

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
678	1122 JACKSON ST	SOROKA STAN R JR & SANDRA
679	1122 JACKSON ST	THURSTON MARSHALLYN UNIT 1104
680	1122 JACKSON ST	COSBY LAWRENCE UNIT 1105
681	1122 JACKSON ST	AISLING KATHLEEN A
682	1122 JACKSON ST	GOLARZ SCOTT R
683	1122 JACKSON ST	KIENAST AILEEN D
684	1122 JACKSON ST	FORSTENZER ANDREW P

FILE NUMBER: Z123-283(MW)

DATE FILED: May 14, 2013

LOCATION: Northwest corner of Routh Street and McKinney Avenue

COUNCIL DISTRICT: 14

MAPSCO: 45-F

SIZE OF REQUEST: ±0.85 acre

CENSUS TRACT: 18.00

REPRESENTATIVE: Karl Crawley, Masterplan

APPLICANT/OWNER SC One Dallas, LLC, a Florida Limited Partnership
Paul S. Cheng, Managing Member

REQUEST: An application for a new Planned Development Subdistrict for mixed uses on property zoned an LC Light Commercial Subdistrict District in Planned Development District No. 193, the Oak Lawn Special Purpose District

SUMMARY: The applicant proposes a mixed use project comprised of a maximum of 36,000 square feet of nonresidential uses on the ground story and second story with a maximum of 200 multifamily residential units on the stories above. The proposed maximum height is 240 feet, consistent with the existing zoning.

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

GUIDING CRITERIA FOR RECOMMENDATION:

Staff recommends approval of the proposed Planned Development Subdistrict based upon the following:

1. *Performance impacts upon surrounding property* –Development of the site with a building more urban in form is consistent with the existing character of the area and is not anticipated to negatively impact the performance of surrounding properties.
2. *Traffic impact* – Staff has reviewed the request and has determined that it will not significantly impact the surrounding roadway system. As demonstrated in the traffic impact analysis prepared by DeShazo Group, Inc., the traffic generated by the proposed development can be accommodated by the existing roadway network with no need for mitigation measures.
3. *Comprehensive Plan or Area Plan Conformance* – The request complies with the Comprehensive Plan and the Oak Lawn Plan.
4. While the proposed uses are permitted in the LC Light Commercial Subdistrict, the applicant proposes a new Planned Development Subdistrict to accommodate an increase in floor area for a mixed use project. However, to encourage pedestrian activity, the applicant proposes design standards such as ground story transparency on McKinney Avenue and Routh Street, tower setbacks, and concealment of loading areas.

However, Staff does not support the following aspects of the request:

1. The applicant proposes that, on the McKinney Avenue frontage, a maximum of 60 percent (60%) of the area at ground level between the property line and the setback may be occupied by outside seating area and on the Routh Street frontage a maximum of 25 percent (25%) on the Routh Street frontage of the area at ground level between the property line and the setback may be occupied by outside seating area. Staff does not believe this allowance for setback encroachments is necessary, as the request site is undeveloped and not subject to existing constraints.
2. The applicant proposes an eight-foot sidewalk on McKinney Avenue. To further encourage pedestrian activity, staff recommends a minimum unobstructed sidewalk width of 10 feet on McKinney Avenue.

BACKGROUND INFORMATION:

- With the exception of surface parking, the ±0.85-acre request site is unimproved.
- The applicant proposes an increase in the maximum floor area ratio permitted under the current zoning. To accomplish this, the applicant proposes to define a “special residential project” as a development having multifamily uses occupying

at least 80 percent of the building floor area and a floor area ratio greater than 4.5:1.

Surrounding Zoning History:

1. **Z123-129:** On Wednesday, February 27, 2012, the City Council approved a Planned Development District for mixed uses subject to a development plan, landscape plan and conditions
2. **Z123-130:** On Wednesday, February 27, 2012, the City Council approved the termination of deed restrictions and a new subdistrict with deed restrictions volunteered by the applicant.
3. **Z112-135:** On Wednesday, February 22, 2012, the City Council approved a Specific Use Permit for a Hotel or Motel use for a fifteen-year time period; subject to a site plan and conditions.

Traffic:

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

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
McKinney Avenue	Minor arterial	58 feet
Howland Street	Local	45 feet
Routh Street	Local	50 feet

Surrounding Land Use:

	Zoning	Land Use
Site	LC Subdistrict in PDD No. 193	Surface parking
North	LC Subdistrict in PDD No. 193	Restaurant
East	LC Subdistrict in PDD No. 193	Office
South	LC Subdistrict in PDD No. 193	Retail and restaurant
West	PDD No. 9	Office

STAFF ANALYSIS:

Area Plans:

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

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

In general, the applicant's proposal is consistent with these objectives.

Comprehensive Plan:

The Vision Illustration depicts the request site as within an *Urban Neighborhood Building Block* on the ***forwardDallas! Vision Illustration***, adopted June 2006. This building block should be predominantly residential, but are distinguished from other neighborhoods by a wide variety of housing options available. These neighborhoods will have concentrations of shops or offices along key corridors or at key intersections, which provide important services and job opportunities. These areas may have mixed-use buildings with ground floor shops.

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

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Compatibility:

The applicant proposes to develop the site with a mixed use project comprised of a maximum of 36,000 square feet of nonresidential uses on the ground story and second story with a maximum of 200 multifamily residential units on the stories above.

While the proposed uses are permitted in the LC Light Commercial Subdistrict, the applicant seeks an increase in the floor area ratio of 4.5:1 permitted for a mixed use project. Specifically, the applicant proposes a maximum floor area of 240,000 square feet (with the maximum floor area for non-residential uses limited to 36,000 square feet), which equates to a floor area ratio of approximately 6.5:1.

To accomplish this, the applicant proposes to define a “Special Residential Project” as a project having multifamily uses occupying at least 80 percent of the building floor area, a floor area ratio greater than 4.5:1 and no dwelling units are permitted on the ground story.

For a Special Residential Project, the applicant proposes to permit outside seating areas, retaining walls, landscaping or planters within a required front yard. While the locations of such encroachments are not depicted on the development plan, the applicant proposes that, on the McKinney Avenue frontage, a maximum of 60 percent (60%) of the area at ground level between the property line and the setback may be occupied by outside seating area and on the Routh Street frontage a maximum of 25 percent (25%) on the Routh Street frontage of the area at ground level between the property line and the setback may be occupied by outside seating area. Staff does not believe this allowance for setback encroachments is necessary, as the request site is undeveloped and not subject to existing constraints.

The applicant proposes design standards for a Special Residential Project which include, but are not limited to ground story transparency on McKinney Avenue and Routh Street, tower setbacks, and concealment of loading areas.

The applicant proposes an eight-foot sidewalk on McKinney Avenue. To encourage pedestrian activity, staff recommends a minimum unobstructed sidewalk width of 10 feet

on McKinney Avenue, consistent with the adjacent Planned Development District No. 877, and a minimum unobstructed sidewalk width of six feet on Howland Street and Routh Street. Currently, in the LC Light Commercial Subdistrict, six-foot sidewalks are required on all street frontages.

Development Standards:

The yard, lot, and space regulations and uses for the LC Light Commercial Subdistrict apply to the proposed Planned Development District, with exceptions for a Special Residential Project (SRP).

District	Setbacks		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
LC Subdistrict	10'	10' side MF 5' side duplex 0' side other 15'/25' rear MF 10' rear duplex 0' side other	4:1 4.5:1 with res	36' SF 240' other	80%	N/A	Commercial
Proposed							
New Subdistrict	LC SRP:10'*	LC 10' McKinney 10' Routh 10' side 8'6" Howland	LC SRP: 240,000 sf retail/200 du	LC	80%	SRP: design standards	LC District SRP Multifamily; retail

*Outside seating areas, retaining walls, landscaping or planters are permitted within a required front yard.

Parking:

The applicant proposes parking in accordance with the provisions of Planned Development District No. 193 with the following exception for a Special Residential Project:

- Parking for an accessory community center (private) use in conjunction with a multiple-family use must provide parking at a ratio of one space per 1,000 square feet of floor area.

For a Special Residential Project, the applicant proposes the following additional requirements to address the location of parking, which is not currently addressed in the existing Subdistrict regulations:

- All required parking must be located either underground or within a structure.
- If valet parking is provided, no queuing is permitted within the public right-of-way. Drop-off and pick-up and of valet parked vehicles for residential uses must occur either underground or within a structure. Drop-off and pick-up of valet parked vehicles for non-residential uses may occur at street level outside of the public right-of-way.

Z123-283 (MW)

Landscaping:

The applicant proposes landscaping in accordance with the provisions of Planned Development District No. 193.

Proposed PDS Conditions

Z123-283

SEC. S-___.101. LEGISLATIVE HISTORY.

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

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

PD Subdistrict __ is established on property generally located at the northwest and southwest corner of McKinney Avenue and Routh Street. The size of PD Subdistrict __ is approximately 0.85 acre.

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. In the event of a conflict, this division controls. In the event of a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division:

- (1) SPECIAL RESIDENTIAL PROJECT means a development having:
 - (A) multifamily uses occupying at least 80 percent of the building floor area; and
 - (B) a floor area ratio greater than 4.5.
 - (C) no dwelling units are permitted on the ground story.
- (2) SUBDISTRICT means a subdistrict of PD No. 193.
- (3) TRANSPARENCY means the total area of window and door opening filled with glass, expressed as a percentage of the total facade area by story.
- (4) GROUND STORY means the story closest to and above grade along the street.

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

(d) This Subdistrict is considered to be a non-residential zoning district.

SEC. S- ____ .104. EXHIBIT.

The following exhibit is incorporated into this division: Exhibit ____A: development plan.

SEC. S- ____ .105. DEVELOPMENT PLAN.

(a) For a Special Residential Project, development and use of the Property must comply with the development plan (Exhibit S- A). The development and use of the Property must comply with the floor area ratios and percentages for each use shown on the development plan that allows the development to qualify as a Special Residential Project. If there is a conflict between the text of this division and the development plan, the text of this division controls.

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

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

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

(b)The following additional use is permitted in this Subdistrict:

- A Special Residential Project.

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 Part I of this article. For more information regarding accessory uses, consult PD 193.

(b) In this subdistrict, the following accessory uses are not permitted:

- 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 I of this article. In the event of a conflict between this section and Part I of this article, this section controls.)

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

(b) Special Residential Project.

(1) Front yard.

(A) As shown on the development plan (Exhibit S- A).

Applicant proposed (staff does not support):

(B) On the ground story, outside seating areas, retaining walls, landscaping, and planters are permitted within the required front yard. The minimum height of an outside seating area within a required front yard is 18 inches above the adjacent sidewalk with a maximum height no greater than the threshold of the entry door of the use to which it is accessory. Railings in conjunction with an outside seating area within a required front yard are limited to a maximum height of 42 inches measured from the floor of outside seating area. For the McKinney Avenue frontage a maximum of 60 percent (60%) of the area at ground level (raised a minimum of 18 inches) between the property line and the setback maybe occupied by outside seating area; for the Routh Street frontage the maximum is 25 percent (25%)

(C) On the second story, outside seating areas are permitted within the required front yard.

(c) Density. The maximum number of dwelling units is 200.

(e) Floor area: The maximum floor area is 240,000 square feet for all uses combined. The maximum floor area for non-residential uses is 36,000 square feet. Uses that are accessory to a multifamily use are not included in the measurement of non-residential floor area.

(f) Lot coverage: The maximum lot coverage is 80 percent.

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

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

Special Residential Project.

(a) Accessory community center (private). One space per 1,000 square feet of floor area.

(b) Additional requirements.

(1) All required parking must be located either underground or within a structure.

(2) If valet parking is provided, no queuing is permitted within the public right-of-way. Drop-off and pick-up and of valet parked vehicles for residential uses must occur either underground or within a structure. Drop-off and pick-up of valet parked vehicles for non-residential uses may occur at street level outside of the public right-of-way. Packed parking for required parking is allowed by right.

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.

SEC. S-___.112. SIGNS

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

SEC. S- . 113. DESIGN STANDARDS FOR A SPECIAL RESIDENTIAL PROJECT.

- (a) Facade length along McKinney Avenue is a maximum of 110 feet.
- (b) A minimum of 50 percent of the multifamily units must have direct access to an outdoor balcony.
- (c) Tower setback (above 36 feet in height) from McKinney Avenue is 25 feet.
- (d) Tower setback (above 36 feet in height) from Routh Street is 36 feet.

(e) The maximum lot coverage above 36 feet in height is 40 percent.

(g) The minimum transparency for the ground story on McKinney Avenue is fifty percent; the minimum transparency for the ground story on Routh Street is twenty five percent.

(h) The loading area must be located underground, within a structure, or gated with the gate remaining closed except for deliveries. An intercom and remote opening system must be installed and must be operated so that delivery drivers must contact building security for admittance through the gate.

Staff recommended:

(i) Sidewalks on McKinney Avenue must have a minimum unobstructed width of 10 feet. Sidewalks on Routh Street and Howland Street must have a minimum unobstructed width of six feet.

Applicant proposed:

(i) Sidewalk width on McKinney Avenue is a minimum of eight feet and is located as shown on the approved development plan. The width is measured from the center of any trees to the nearest obstruction. If the sidewalk is located within the front yard a sidewalk easement must be dedicated to the City. Tree grates must comply with Section 193.126(b)(5)(F).

SEC. S-___.114. 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. S-___.115. ADDITIONAL PROVISIONS.

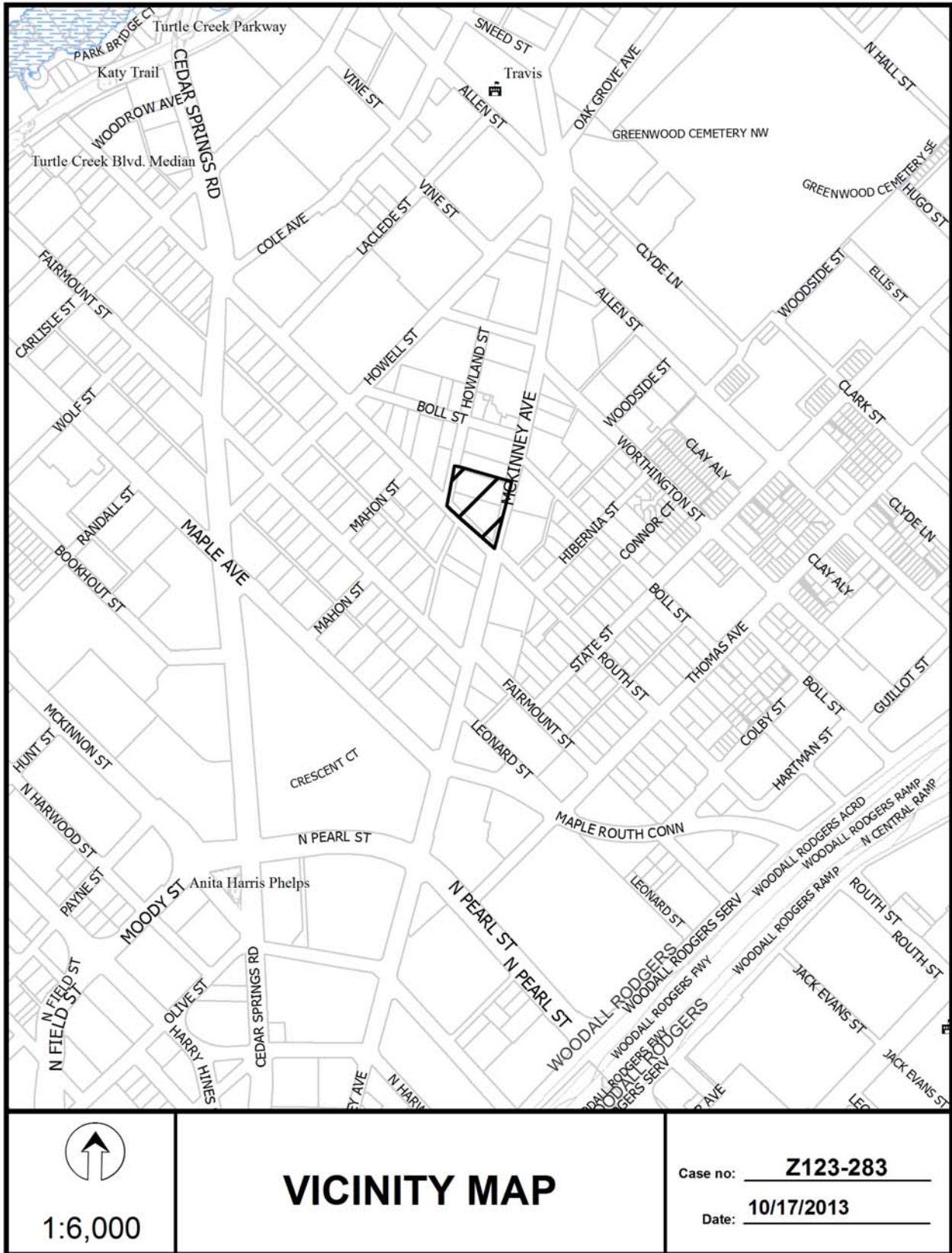
(a) The Property must be properly maintained in a state of good repair and neat appearance.

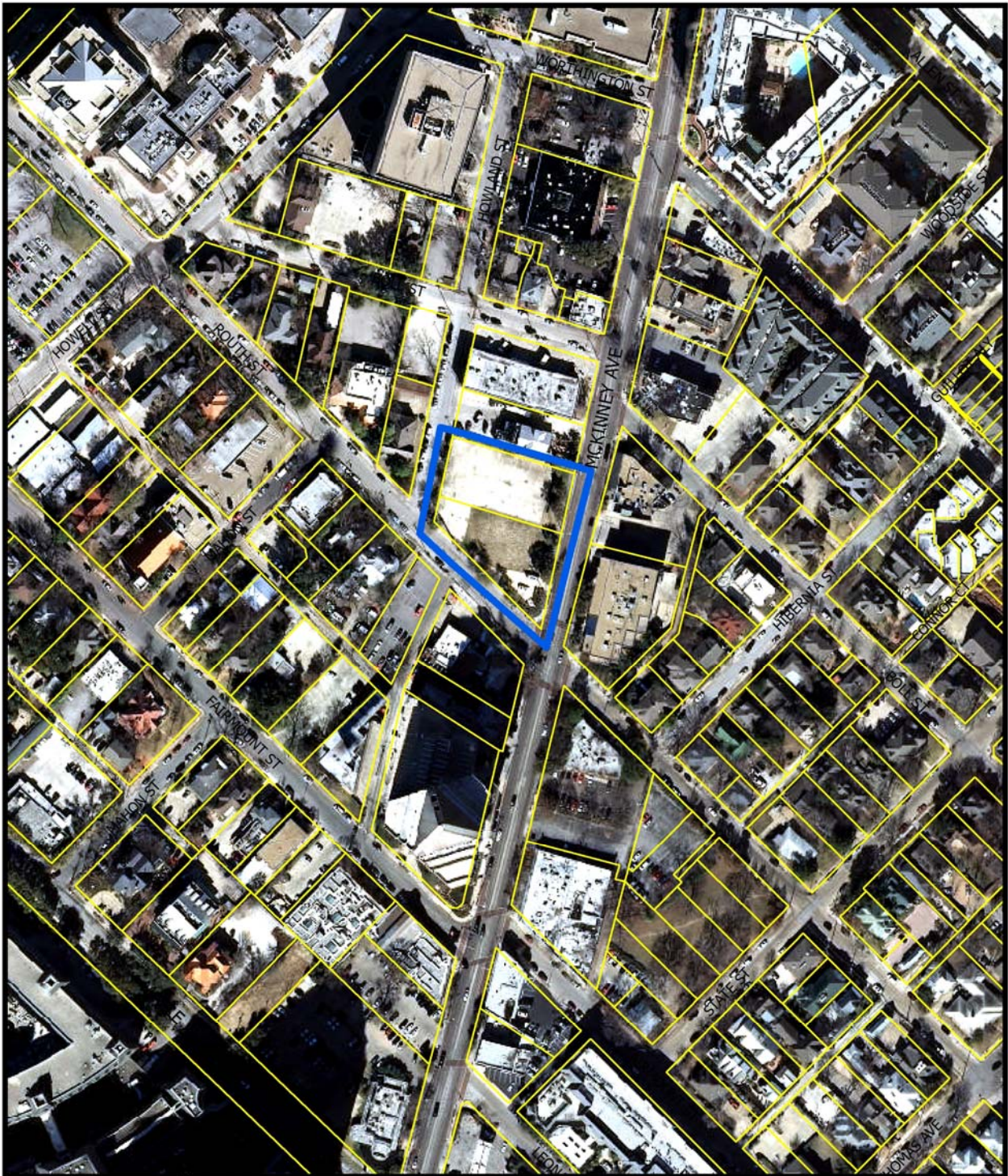
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Except as otherwise provided in this division, development and use of the Property must comply with Part I of this article.

SEC. S-___.116. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or a certificate of occupancy for 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.



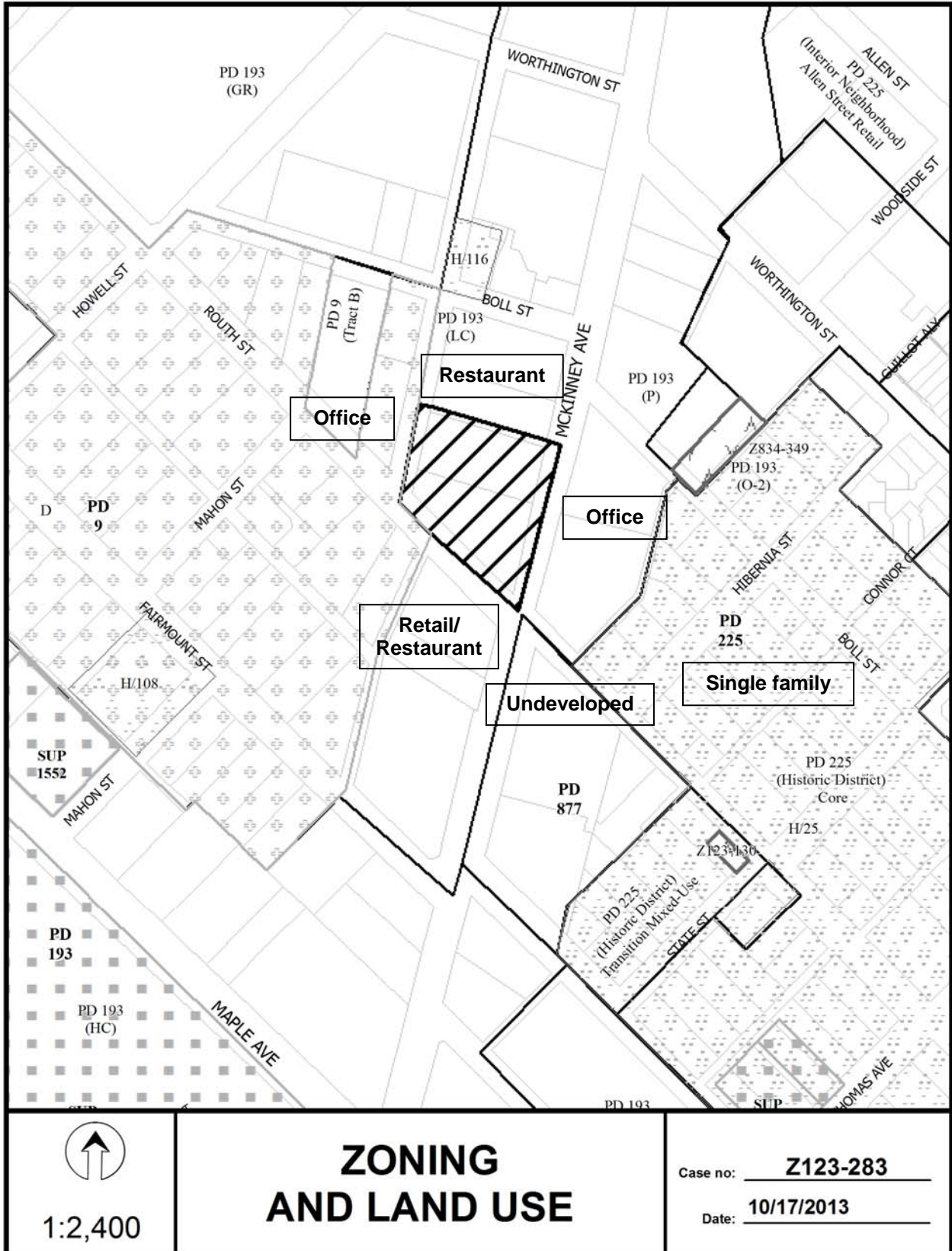


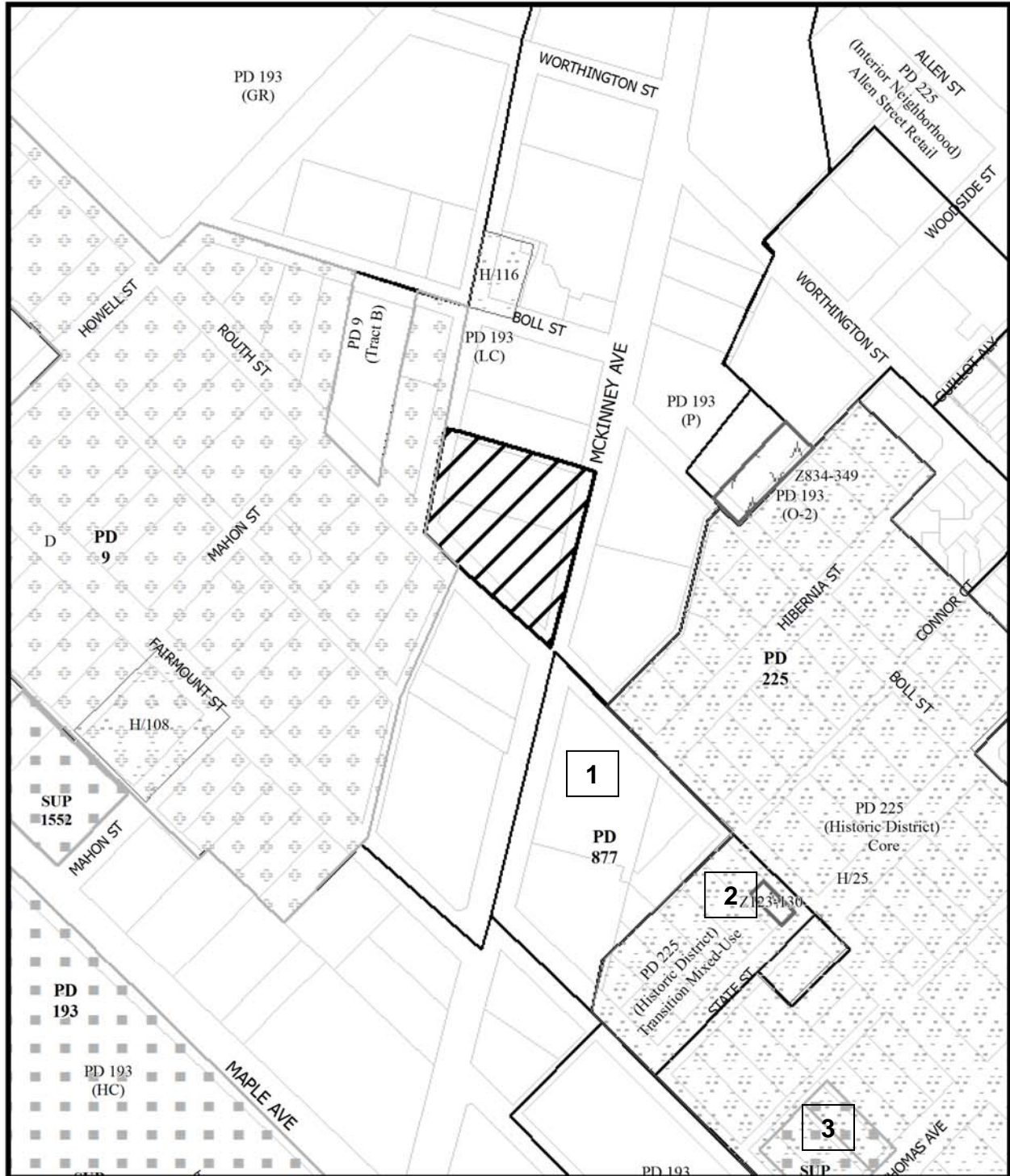
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AERIAL MAP

Case no: Z123-283

Date: 10/17/2013

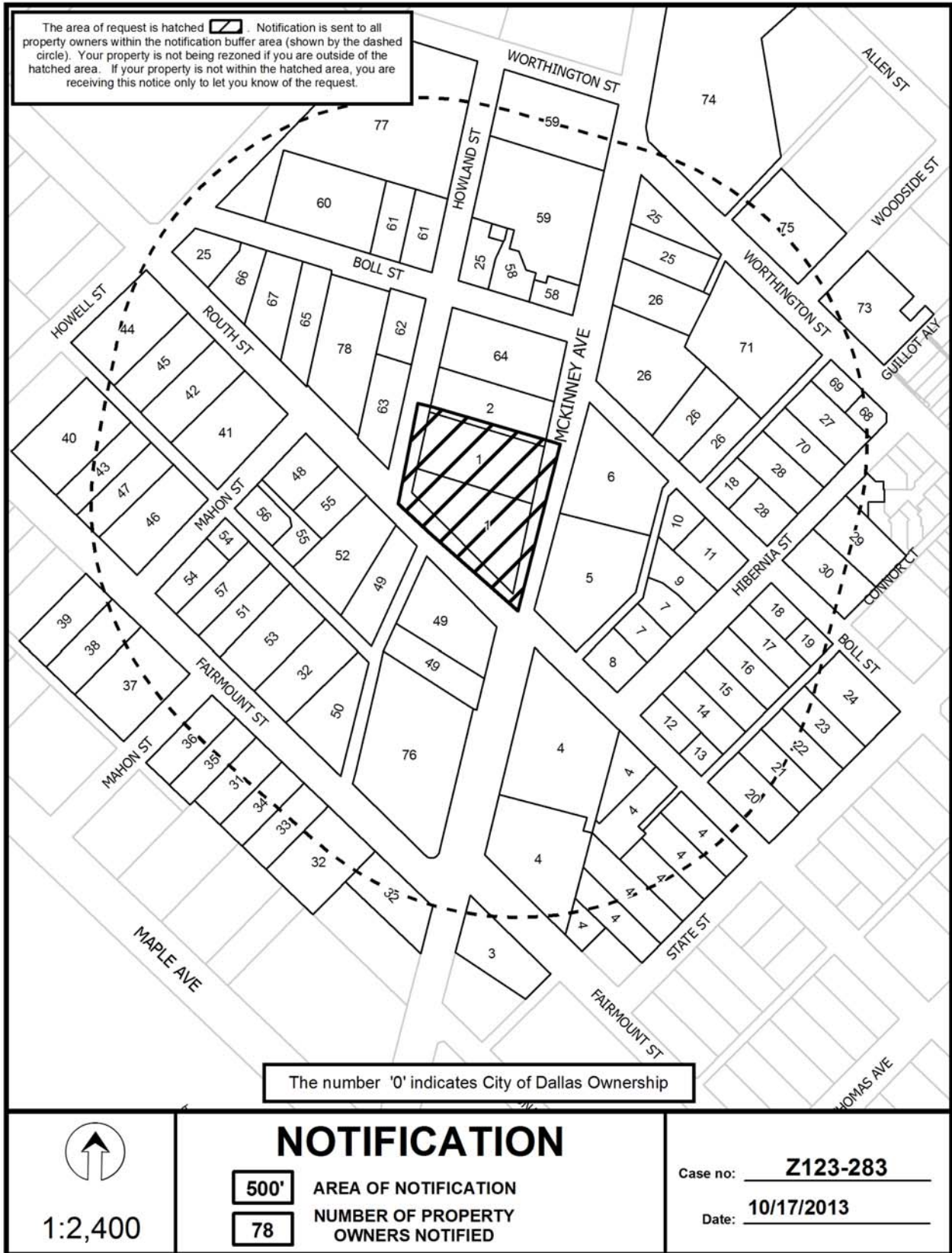




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ZONING HISTORY

Case no: Z123-283
Date: 10/17/2013



10/17/2013

Notification List of Property Owners***Z123-283******78 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2619 MCKINNEY AVE	XL CAPITAL LLC
2	2621 MCKINNEY AVE	BLACKFRIAR PROPERTY LLC
3	2408 MCKINNEY AVE	PEASE RALPH W & DOROTHY M
4	2500 MCKINNEY AVE	LG ROUTH LP SUITE 600
5	2602 MCKINNEY AVE	UPTOWN ENERGY PARTNERS LP
6	2614 MCKINNEY AVE	J&K REAL ESTATE INV LTD
7	2605 HIBERNIA ST	HUMPHRIES JOHN JR
8	2500 ROUTH ST	GARZA PPTIES L L C #200
9	2615 HIBERNIA ST	SWIFT DALE MATTHEW
10	2511 BOLL ST	FEFERMAN R JOSH
11	2619 HIBERNIA ST	EHM PROPERTIES HIBERNIA LLC
12	2600 HIBERNIA ST	DOWNTOWN PREGNANCY CENTER DBA THE UPTOWN
13	2414 ROUTH ST	ROUTH COFFEE HOUSE LLC
14	2604 HIBERNIA ST	NICHOLS DOUGLAS R & KARRISON S NICHOLS
15	2608 HIBERNIA ST	HARTMAN PRINCELLA
16	2614 HIBERNIA ST	SMITH STEPHEN S & MARLA F
17	2616 HIBERNIA ST	STAR B PROPERTIES LLC
18	2620 HIBERNIA ST	HUMPHRIES JOHN F JR
19	2415 BOLL ST	SIMS LEON
20	2601 STATE ST	KIRVEN JOE & GLORIA E LIVING TRUST
21	2607 STATE ST	ARMSTRONG BERGER PARTNERS
22	2611 STATE ST	ARMSTRONG BERGER PARTNERS
23	2615 STATE ST	PETERS PAULINE & JOHN H ARMSTRONG
24	2621 STATE ST	PASCAL ENTERPRISES INC
25	2714 MCKINNEY AVE	PASHA & SINA INC
26	2516 BOLL ST	AJP PROPERTIES

Z123-283 (MW)

10/17/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2715 HIBERNIA ST	HUMPHRIES JOHN F JR TR
28	2707 HIBERNIA ST	FINCH MARK M
29	2706 HIBERNIA ST	MYSLIWY ALLIE RAYMOND & DEBORAH ANN
30	2700 HIBERNIA ST	HUMPHRIES JOHN F
31	2521 FAIRMOUNT ST	BLL LP % LANDES INVESTMENTS
32	2507 FAIRMOUNT ST	MURPHY PLAZA LLC ATTN: MARTIN ADLER
33	2515 FAIRMOUNT ST	MURPHY PLAZA LLC ATTN:MARTIN ADLER
34	2517 FAIRMOUNT ST	COLLIE GRIFFIN W & SUZANNE C COLLIE
35	2525 FAIRMOUNT ST	BLL LP % LANDES INVESTMENT
36	2527 FAIRMOUNT ST	UNDERWOOD PPTIES LLC
37	2603 FAIRMOUNT ST	2603 FAIRMOUNT INVESTORS
38	2611 FAIRMOUNT ST	DIKE DAVID DBA DAVID DIKE FINE ART
39	2701 FAIRMOUNT ST	MAPLE MARKETING CORP
40	2718 FAIRMOUNT ST	2718 FAIRMOUNT LP
41	2711 ROUTH ST	PEGASUS FOUNDATION THE DBA DALLAS INST O
42	2719 ROUTH ST	PEGASUS FDN
43	2708 FAIRMOUNT ST	2708 FAIRMOUNT PROPERTIES
44	2727 ROUTH ST	2727 PARTNERSHIP LP % JOSH LADD
45	2723 ROUTH ST	FRAME HOUSE INC
46	2700 FAIRMOUNT ST	CHARTER 2700 FAIRMOUNT LP
47	2706 FAIRMOUNT ST	2706 FAIRMOUNT LTD MELINDA R RENNA TRUST
48	2707 ROUTH ST	TURTLE CREEK MANOR INC
49	2609 ROUTH ST	OR ASSET HOLDINGS LP
50	2520 FAIRMOUNT ST	TCJ REALTY HOLDINGS LLC
51	2600 FAIRMOUNT ST	STARK JERRY COMPANIES INC
52	2615 ROUTH ST	VILLANUEVA MARIA & MARCELINO
53	2530 FAIRMOUNT ST	KORNYE GEORGE W & MARY ANN
54	2512 MAHON ST	GINSBURG BROOKE MINORS TRUST ET AL
55	2703 ROUTH ST	BABY ROUTH INC
56	2518 MAHON ST	CHARTER 2700 FAIRMOUNT LP
57	2604 FAIRMOUNT ST	SMITH SHARON HAYSLIP & COLE SMITH SR

Z123-283 (MW)

10/17/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2701 MCKINNEY AVE	STORY HERBERT B JR
59	2705 MCKINNEY AVE	MCKINNEY AVENUE PARTNERS LTD
60	2718 BOLL ST	PUBS LAND PARTNERSHIP
61	2706 BOLL ST	STORY HERBERT B JR & MARY KAY STORY
62	2703 BOLL ST	OGLE LINDA K ET AL
63	2704 ROUTH ST	MARTIN INV LP % JAMES B MARTIN
64	2633 MCKINNEY AVE	2633 MCKINNEY AVE LLC
65	2714 ROUTH ST	2714 ROUTH STREET LTD
66	2728 ROUTH ST	FRENCH REAL EST INTS LLC
67	2724 ROUTH ST	FREESTONE HOLDINGS LLC % JOSEPHINE JENKI
68	2501 WORTHINGTON ST	WOFFORD ANGELA
69	2505 WORTHINGTON ST	AFH REALTY LLC
70	2711 HIBERNIA ST	DUNAWAY DIANE
71	2521 WORTHINGTON ST	POST APARTMENT HOMES LP POST PPTYS INC
72	2712 HIBERNIA ST	RODEN SHANNON
73	2828 WOODSIDE ST	LAGRANGE ACQUISITION LP
74	2808 MCKINNEY AVE	POST APARTMENT HOMES LP
75	2801 WOODSIDE ST	EARJDR LLC
76	2515 MCKINNEY AVE	CHATEAU PLAZA HOLDINGS LP
77	2626 HOWELL ST	KODIAK UPTOWN CENTER H LP STE 100
78	2708 ROUTH ST	JTS ROUTH ST PARTNERS LLC ATTN: JOHN T S

FILE NUMBER: Z123-323(MW)

DATE FILED: July 1, 2013

LOCATION: East corner of Maple Avenue and Clara Street.

COUNCIL DISTRICT: 2

MAPSCO: 34-U, V

SIZE OF REQUEST: ±0.3572 acre

CENSUS TRACT: 0004.04

REPRESENTATIVE: Drew M. Martin

APPLICANT: Crestview Companies

OWNER: TCG Maple Clara Investors LLC

REQUEST: An application for a Specific Use Permit for a restaurant with drive-in or drive-through service on property zoned a GR General Retail Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District

SUMMARY: The applicant intends to develop the site with a ±996-square foot restaurant with drive-through service. In addition to the restaurant, the applicant proposes a 300-square foot uncovered patio.

STAFF RECOMMENDATION: Denial

GUIDING CRITERIA FOR RECOMMENDATION:

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

1. *Compatibility with surrounding uses and community facilities* – The proposed drive-through component is not considered compatible with the adjacent residential development; specifically, the proposed site plan depicts an exit drive on the adjoining residential street.
2. *Contributes to, enhances, or promotes the welfare of the area of request and adjacent properties* – While the proposed restaurant with drive-through service will likely provide a service to the community, the drive-through component will not contribute to, enhance, or promote the welfare of the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – Although the traffic circulation pattern is a concern, it is not foreseen that the drive-through component would be detrimental to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The project will meet all regulations and no variances are requested.

BACKGROUND INFORMATION:

- The ±0.3572-acre request site is undeveloped.
- A restaurant is permitted by right; the proposed drive-through component requires a specific use permit.

Surrounding Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Clara Street	Local	50 feet
Maple Avenue	Collector	Varies

Traffic:

The Engineering Section of the Building Inspection Division of the Department of Sustainable Development and Construction has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. However, the proposed site plan depicts an exit drive on the adjoining residential street. Staff is concerned with potential traffic circulation on Clara Street and recommends that the City Plan Commission and City Council consider a condition to require signs indicating “No Left Turn”, and “Exit Only adjacent to the exit drive.

Surrounding Land Uses:

	Zoning	Land Use
Northeast	MF-2 in PDD 193	Multifamily
Southeast	GR in PDD 193	Bar; auto-related
Southwest	GR in PDD 193	Retail
Northwest	GR in PDD 193; MF-2 in PDD 193	Restaurant; single family

STAFF ANALYSIS:

Area Plans:

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

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

The applicant's proposal to develop the site with an auto-oriented use is not consistent with these objectives.

Comprehensive Plan:

The Vision Illustration depicts the request site as within an *Urban Mixed Use* Block on the **forwardDallas! Vision Illustration**, adopted June 2006. The Urban Mixed-Use Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown Building Block. These areas are typically near Downtown, along the Trinity River or near major transit centers. Examples include Uptown, the City Place/West Village area, Stemmons Design District, Cedars and Deep Ellum. Urban Mixed-Use Building Blocks provide residents with a vibrant blend of opportunities to live, work, shop and play within a closely defined area. Buildings range from high-rise residential or midrise commercial towers to townhomes and small corner shops. Good access to transit is a critical element. Similar to Downtown, the Urban Mixed-Use Building Blocks offer employment and housing options and are important economic growth areas for businesses. People on foot or bike can enjoy interesting storefronts at ground level with benches, public art, on-street parking and wide sidewalks, creating an appealing streetscape. Large parking areas and other auto-oriented land uses are typically located at the edges.

The proposed auto-oriented use in this area of the City is not consistent with the following goals and policies of the Comprehensive Plan.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

URBAN DESIGN

GOAL 5.2 Strengthen community and neighborhood identity

NEIGHBORHOOD ELEMENT

GOAL 7.1: PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.3 Encourage a sense of community and identity.

Furthermore, given the site’s residential adjacently, the proposed drive-through component is not consistent with the following goals and policies of the Comprehensive Plan.

NEIGHBORHOOD ELEMENT

GOAL 7.1 PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS

Policy 7.1.2 Promote neighborhood-development compatibility.

Development Standards:

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
GR General Retail	10'	No min.	0.75 FAR overall 0.5 office	80'	80%	N/A	Retail & personal service, office

Land Use Compatibility:

The proposed drive-through component is not considered compatible with the adjacent residential development. Furthermore, while the proposed drive-through component will likely provide a service to the community, it will not contribute to, enhance, or promote the welfare of the adjacent properties. Therefore, staff does not support the request.

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.

Parking:

Pursuant to the PDD No. 193, a restaurant with drive-in or drive-through service requires one (1) space per 100 square feet of floor area. Therefore, the proposed ±994-square foot restaurant requires 10 spaces, as depicted on the site plan.

Landscaping:

Landscaping must be provided in accordance the GR General Retail landscaping requirements of PDD No. 193, the Oak Lawn Special Purpose District.

Proposed Conditions:

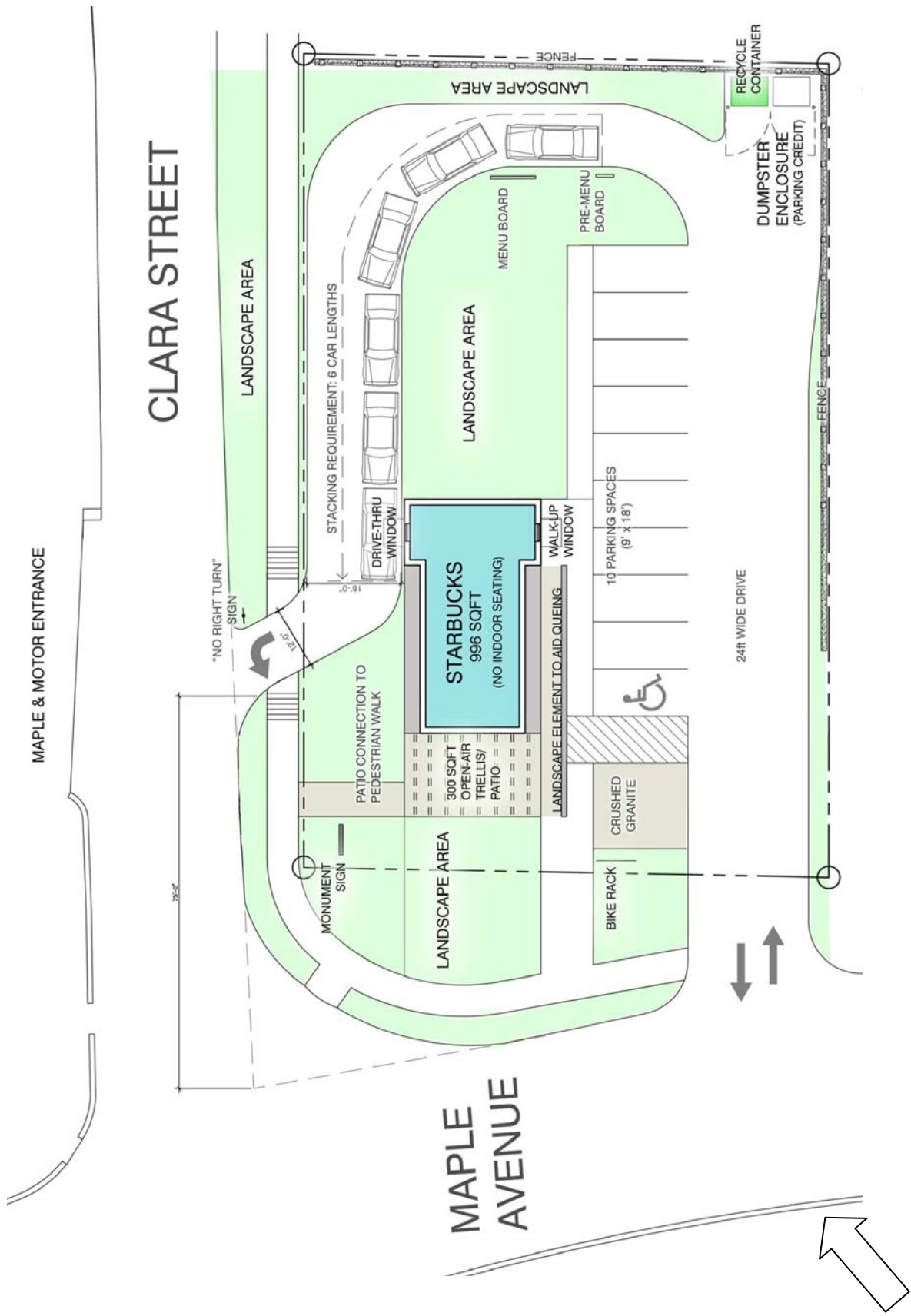
Staff does not support the request. However, conditions have been provided for the City Plan Commission's consideration in the event that the Commission opts not to follow staff's recommendation. In addition to the standard conditions for a Specific Use Permit, a condition has been included to specifically address the traffic circulation onto the adjoining residential street (Clara) to potentially mitigate any negative impacts from this auto-oriented use.

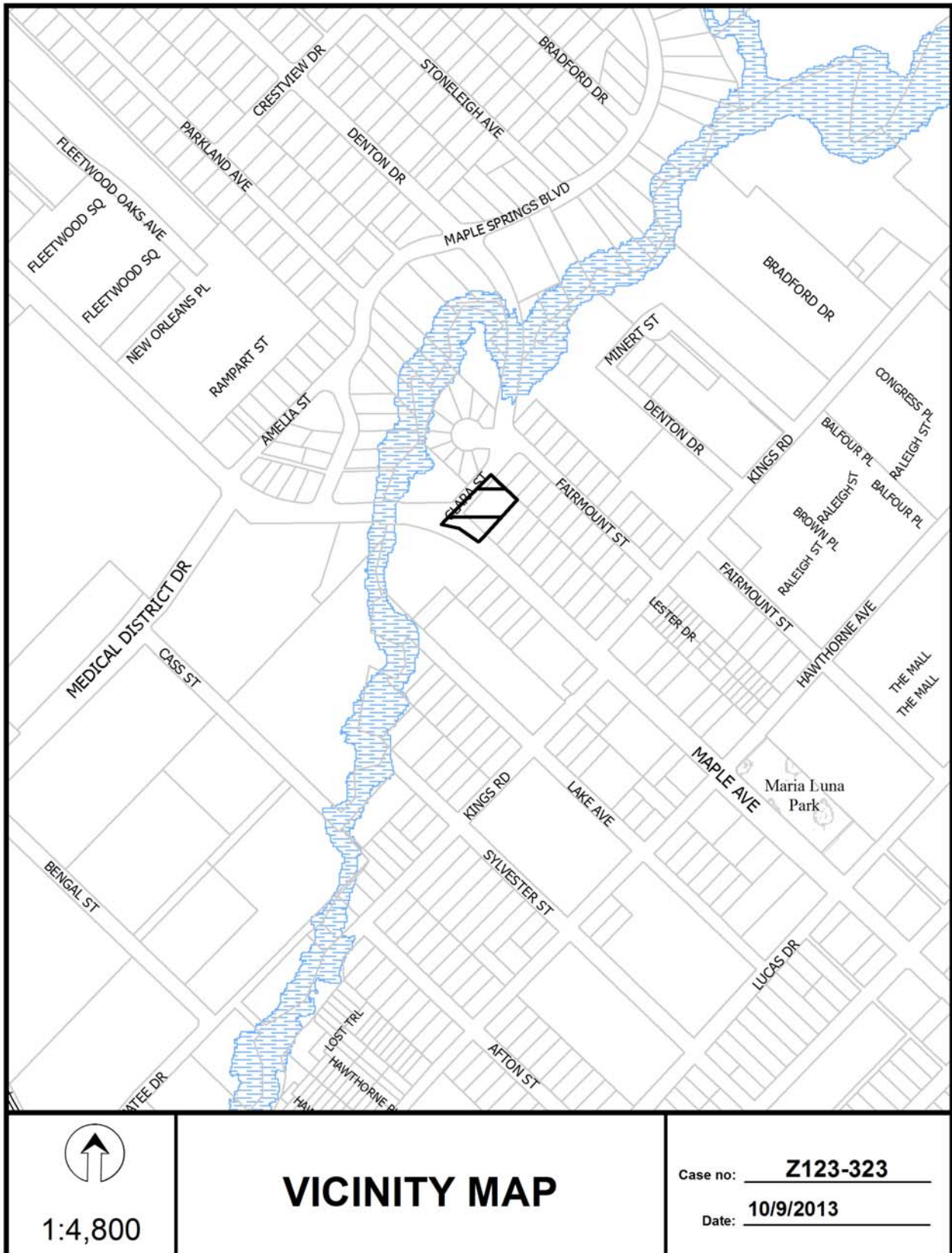
Z123-323
Applicant Proposed SUP Conditions

Note: While staff does not support the request, conditions, which have been reviewed by the City Attorney's Office, have been provided for the Commission's consideration.

1. USE: The only use authorized by this specific use permit is a restaurant with drive-in or drive-through service.
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 (fifteen years), but is eligible for automatic renewal for additional fifteen-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted. Signs indicating "No Left Turn", and "Exit Only" must be posted on the property adjacent to the exit drive to Clara Street.
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: Z123-323
Date: 10/9/2013

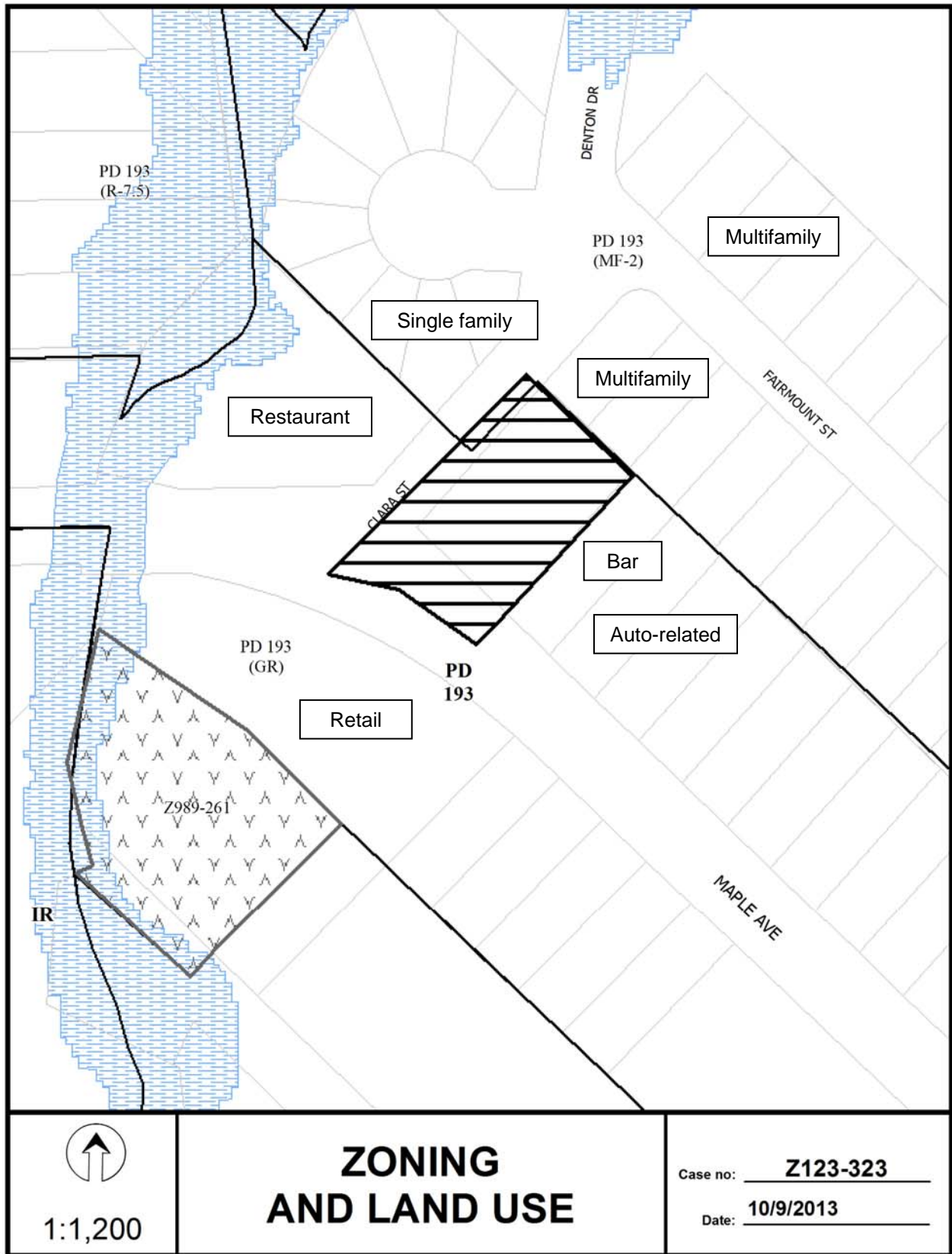


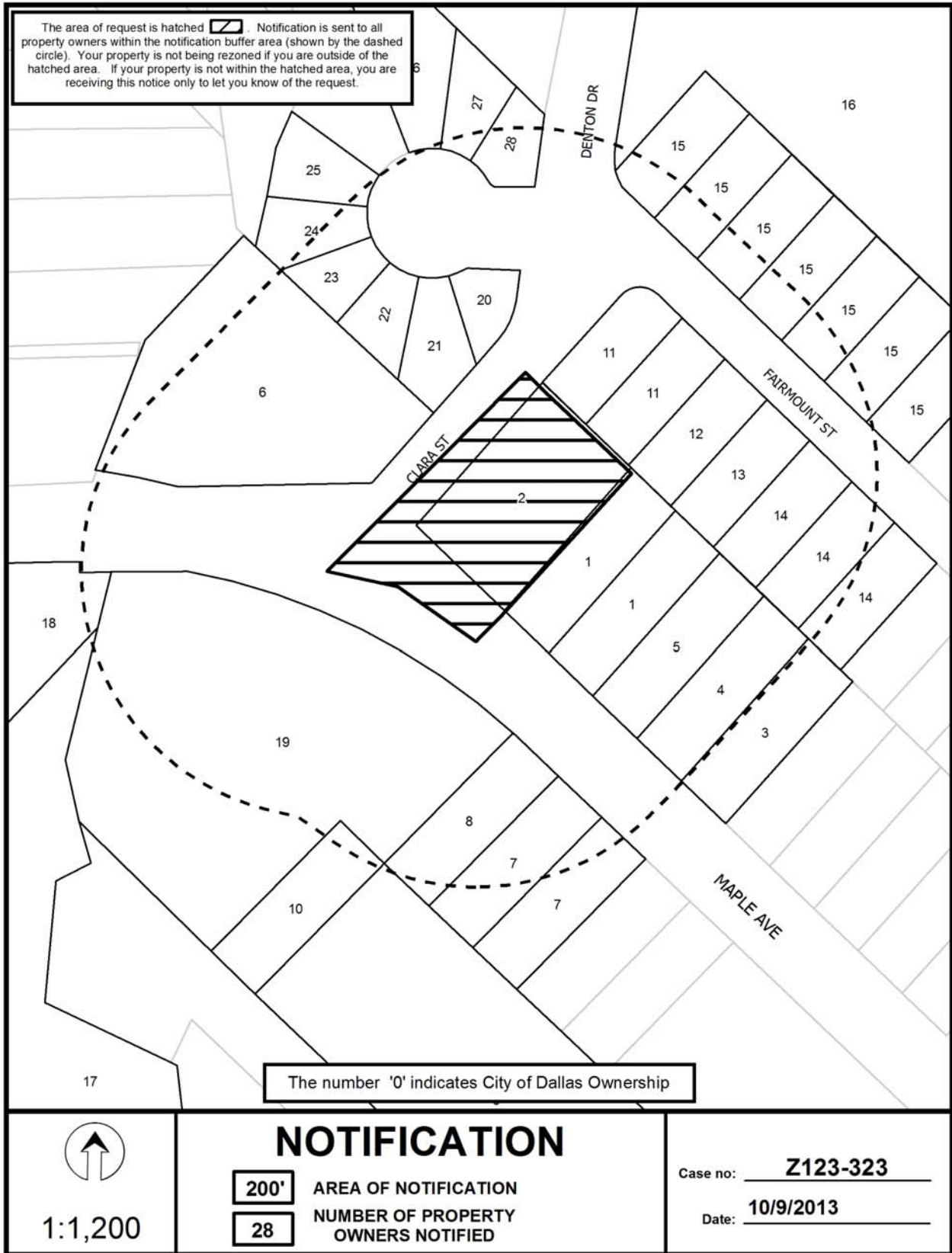
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AERIAL MAP

Case no: Z123-323

Date: 10/9/2013





10/8/2013

Notification List of Property Owners***Z123-323******28 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4732 MAPLE AVE	4732 36 MA LTD
2	4744 MAPLE AVE	TCG MAPLE CLARA INVESTORS LLC
3	4722 MAPLE AVE	CUCOVATZ PAUL C & MARY LOUISE
4	4724 MAPLE AVE	QUINTANILLA JOE
5	4730 MAPLE AVE	QUINTANILLA RAY JR
6	4810 MAPLE AVE	ICAVI INC
7	4729 MAPLE AVE	QUINTANILLA TECHNOLOGIES INC
8	4739 MAPLE AVE	QUINTANILLA TECHNOLOGIES INC
9	4710 LAKE AVE	BRANDYWINE INVESTMENT LLC
10	4742 LAKE AVE	QUINTANILLA RAYMOND F
11	4747 FAIRMOUNT ST	TRG FAIRMOUNT LP
12	4739 FAIRMOUNT ST	TRG FAIRMOUNT LP ATTN: DIANE HORNQUIST
13	4735 FAIRMOUNT ST	TRG FAIRMOUNT LP SUITE 900
14	4731 FAIRMOUNT ST	TRG FAIRMOUNT LP % DIANE HORNQUIST
15	4730 FAIRMOUNT ST	TRG FAIRMOUNT LP ATTN DIANE HORNQUIST
16	4735 DENTON DR	TRG FAIRMOUNT LP % DIANE HORNQUIST
17	4714 CASS ST	KALOGRIDIS REAL EST LTD
18	4821 MAPLE AVE	MAGIC CARPET LTD
19	4807 MAPLE AVE	MAPLE C PARTNERS LTD
20	4803 FAIRMOUNT ST	ORTIZ JOSE A & MARIA L
21	4807 FAIRMOUNT ST	HOWELL DONNA Y
22	4811 FAIRMOUNT ST	FORTNER GORDON V
23	4815 FAIRMOUNT ST	MACIAS OCTAVIO & VICTORINA
24	4819 FAIRMOUNT ST	MEJIA JUAN FRANCISCO & VIRGINIA GARCIA
25	4820 FAIRMOUNT ST	RODRIGUEZ PAULINO & SUSANA
26	4812 FAIRMOUNT ST	AYALA MARIO G

Z123-323(MW)

10/8/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4808 FAIRMOUNT ST	YERSKEY JEANNE M
28	4804 FAIRMOUNT ST	MAI TUAN & NGUYEN MY-DUNG T

FILE NUMBER: Z112-297(MW)

DATE FILED: August 6, 2012

LOCATION: North side of Keller Springs Road, east of Glen Abbey Drive

COUNCIL DISTRICT: 11

MAPSCO: 5-S

SIZE OF REQUEST: ±19.038 acres

CENSUS TRACT: 136.11

REPRESENTATIVE: Dallas Cothrum, Masterplan

APPLICANT/OWNER: LAGA, Ltd.

REQUEST: An application to amend Tracts 2, 3 and 4 and to create a new tract within Tract 1 of Planned Development District No. 561

SUMMARY: The applicant proposes to amend the conceptual plan to reconfigure and renumber the tracts and to provide a development plan for the reconfigured and renumbered Tract 2. The applicant also proposes to amend the conditions to accommodate the reconfigured tracts.

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

GUIDING CRITERIA:

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – Given the established single family development pattern of the area, performance impacts to surrounding properties are anticipated to be positive.
2. *Traffic impact* – The proposed amendment is not anticipated to significantly impact the surrounding roadway system.
3. *Comprehensive Plan or Area Plan Conformance* – In general, the applicant’s proposal, which includes single family homes with access to a public park, as well as, private open space, is consistent with the goals and policies of the Comprehensive Plan.
4. While the proposed Planned Development District will permit an increase in lot coverage, it included provisions to ensure the maintenance of a conservation area and the indigenous vegetation within it.

BACKGROUND INFORMATION:

- The ±19.038-acre request site is currently undeveloped.
- Planned Development District No. 561 was approved by City Council on December 8, 1999 as a conceptual PDD.
- The City Plan Commission took action on this item on September 12, 2013; however, this item is being reconsidered due to a change in the request. The applicant now intends to increase the number of single family homes from 67 to 77 but to eliminate the previously proposed convalescent and nursing home, hospice care, or related institution and retirement housing uses.

Zoning History:

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

Traffic:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Keller Springs Road	Minor arterial	Variable

Land Use:

	Zoning	Land Use
Site	PDD No. 561	Undeveloped
North	PDD No. 562	Single family
East	R-1ac(A)	Park (dog park)
South	PDD No. 531 (Tract 5); R-1ac(A)	Undeveloped
West	PDD No. 531 (Tract 5); R-1ac(A)	Single family

STAFF ANALYSIS:

Comprehensive Plan:

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

In general, the applicant’s proposal, which includes single family homes with access to a public park, as well as, private open space, is consistent with the following goal and policy 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 development plan proposed for Tract 2 depicts a gated community consisting of 77 single family units served by a private street, consistent with the established development pattern of the area. While the applicant proposes an increase in the permitted lot coverage (from 60% to 75%), a ±1.32-acre conservation area and several undeveloped common areas, will be maintained on the site.

A comparison of the existing and proposed development standards is provided in the following section.

Development Standards:

Subdistrict	Setbacks		Density	Height/Stories	Lot Coverage	Primary Uses
	Front	Side/rear				
Existing						
1	No minimum	SF: No min. Duplex side: 5' Duplex rear: 10' Other: 10'	28 units	36'/no max.	60% res. 25% non res.	Single family
2	No Minimum (60'/100' for MF uses	SF: No min. Duplex side: 5' Duplex rear: 10' Other: 10'	144 units total	55'/65' 3 stories	60% res. 25% non res.	Multifamily
3	15' adj. to thoroughfare; no min. other cases	10' adj. to res. Other: no min cases		65' 3 stores	60% res. 25% non res.	Multifamily
4	15' adj. to thoroughfare; no min. other cases	10' adj. to res. Other: no min cases	N/A	36'	60% res. 25% non res.	Open space

Subdistrict	Setbacks		Density	Height/Stories	Lot Coverage	Primary Uses
	Front	Side/rear				
Proposed						
1	No minimum	0' side/rear SF 5' side/10' rear duplex	N/A (doesn't meet minimum lot size)	36'/no max.	60% res. 25% non res.	Single family
2	5' if two fronts 10' otherwise	1' side /5' side for zero side lots 5' side other 10' side as shown on plan 10' rear	85 units	26'/2 stories	75%	Single family
3	15'/0'	0'	N/A	19'/1 story	500 sf	Conservation area

Parking:

The Planned Development District No. 561 requires off-street parking pursuant to §51A-4.200 of the Dallas Development Code. The applicant proposes the following exception: in Tract 2, no more than three designated parking spaces are permitted near the guardhouse at the entry point from Keller Springs Road provided the spaces do not conflict with minimum vehicular access requirements.

Landscaping:

The applicant proposes landscaping in accordance with Article X of the Dallas Development Code, with exceptions to encourage tree preservation. Tree mitigation is addressed in Section 51P-561.116 (Tree Management). Specifically, in Tract 2, protected trees transplanted successfully on-site may be used to decrease the number of replacement inches by a factor of one and one-half (1.5). Protected trees in the Conservation Area (Tract 3), may be used to decrease the number of required replacement inches by a factor of one (1.0). For mitigation for tree removal in Tract 2, at least 50 percent of the total caliper of replacement trees must be planted, or otherwise mitigated, before 65 percent of single family development in Tract 2 has received a final building inspection. All tree mitigation must be completed, and replacement trees must be planted prior to the completion of initial construction on all development lots, or within eight years of the issuance of the first building permit for a single family structure, whichever is sooner.

Z112-297(MW)

List of Partners/Principals/Officers:

APPLICANT/OWNER: LAGA, Ltd.

LAGA GP, LLC (General Partner)

Managers: Denny Holman
R. Stephen Folsom
Haddon Winkler
Robert W. Kennedy

Limited Partners: CAC Land Investment, LLC
Club Hill Partners
CM Williams
Holam Group Class C JV
Sabre Class D JV

**Z112-297
Proposed PDD Conditions**

SEC. 51P-561.101. LEGISLATIVE HISTORY.

PD 561 was established by Ordinance No. 24136, passed by the Dallas City Council on December 8, 1999. Ordinance No. 24136 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 24136 was amended by Ordinance No. 24197, passed by the Dallas City Council on March 8, 2000.

SEC. 51P-561.102. PROPERTY LOCATION AND SIZE.

PD 561 is established on property fronting on the north line of Keller Springs Road, west of Preston Road. The size of PD 561 is approximately 25.4196 acres.

SEC. 51P-561.103. DEFINITIONS AND INTERPRETATIONS.

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

(b) Unless otherwise stated, all code references are to Chapter 51A.

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

(d) REDUCED SIDE YARD LOT means a residential lot with a side yard having a lesser setback than the opposite side yard on the same lot designed to provide a more usable yard area on one side.

SEC. 51P-561.104. CONCEPTUAL PLAN.

For Tract 1, ~~3, and 4~~, use and development of the Property must comply with the conceptual plan (Exhibit 561A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control.

SEC. 51P-561.105. DEVELOPMENT PLAN.

(a) For Tracts ~~1, 2, 3 and 4~~, a development plan must be approved by the city plan commission before issuance of any building permit. Development and use of the property must comply with the approved development plan. The development plan and any amendments must comply with the conceptual plan and this article.

(b) For Tract 2, development and use of the Property must comply with the attached Tract 2 development plan (Exhibit 561B.) In the event of a conflict between the provisions of this article and the Tracts 2 development plan, the provisions of this article shall control. A development plan is not required for the following:

(1) Amenity or recreational structures or equipment in common areas of Tract 2; or

(2) Guardhouses.

(c) For Tract 3, no development plan is required. See Section. 51P-561.115.

(c) For Tract 5 4, development and use of the Property must comply with the Tract 5 4 development plan (Exhibit 561BC). In the event of a conflict between the provisions of this article and the Tract 5 4 development plan, the provisions of this article control.

SEC. 51P-561.106. CONSTRUCTION TRAFFIC.

It is the intent of the city council to minimize construction traffic in residential neighborhoods. Therefore, issuance of any building permit on the Property is conditioned upon approval of a construction traffic management plan by the building official showing that the proposed routes for construction traffic will not go through minor residential streets. A violation of the construction management plan is a violation of this article and may result in issuance of citations or a stop-work order.

SEC. 51P-561.107. MAIN USES PERMITTED.

- (a) Agricultural uses.
 - Crop production.
- (b) Commercial and business service uses.
 - None permitted.
- (c) Industrial uses.
 - Temporary concrete or asphalt batching plant. [Tracts 1 and 4 only; by special authorization of the Building official]
- (d) Institutional and community service uses.
 - Adult day care facility. [SUP in Tracts 1 and 4 only]
 - Cemetery or mausoleum. [SUP in Tracts 1 and 4 only]
 - Child-care facility. [SUP in Tracts 1 and 4 only]
 - Church.
 - College, university, or seminary. [SUP in Tracts 1 and 4 only]
 - Community service center. [SUP in Tracts 1, 2, and 4 only]
 - Convalescent and nursing homes, hospice care, and related institutions. [SUP in Tracts 1 and 4.]
 - Convent or monastery. [SUP in Tracts 1 and 4 only]
 - Foster home. [SUP in Tracts 1 and 4 only]
 - Library, art gallery, or museum. [SUP in Tracts 1 and 4 only]
 - Public or private school. [SUP in Tracts 1 and 4 only]

- (e) Lodging uses.
 - None permitted.
- (f) Miscellaneous uses.
 - Carnival or circus (temporary). [In Tracts 1 and 4 only, by special authorization of the building official.] ~~only in Tract 5.~~
 - Temporary construction or sales office.
- (g) Office uses.
 - None permitted.
- (h) Recreation uses.
 - Country club with private membership. [SUP in Tract 1 and ~~s 3, 4,~~ and 4.]
 - Private recreation center, club, or area [SUP] [Allowed by right in Tract 2; SUP in Tracts 1 and 4.]
 - Public park, playground, or golf course.
- (i) Residential uses.
 - Duplex. [Tracts 1, 2, and ~~5 4~~ 4 only.]
 - ~~--- Group residential facility. [See Section 51A-4.209(3)]. [Tracts 2 and 3 only]~~
 - Handicapped group dwelling unit. [See Section 51A-4.209(3.1).] [Tracts 1, 2, 3, and 4 only.]
 - ~~Multifamily. [Tract 2 and 3 only.]~~
 - Retirement housing. [SUP] SUP in Tracts 1, 2, 3 and 5 only
 - Single family. [Tracts 1, 2, ~~3 and 4 5~~ 4 5 only.]
- (j) Retail and personal service uses.
 - None permitted.
- (k) Transportation uses.
 - Private street or alley.
 - Transit passenger shelter.
 - Transit passenger station or transfer center. [SUP in Tracts 1 and 4 only]
- (l) Utility and public service uses.
 - Electrical substation. [SUP in Tracts 1 and 4 only]
 - Local utilities.
 - Police or fire station. [SUP in Tracts 1 and 4 only]
 - Radio, television, or microwave tower. [SUP in Tracts 1 and 4 only]
 - Tower/antenna for cellular communication. [See Section 51A-4.212(10.1).]
 - Utility or government installation other than listed. [SUP]
- (m) Wholesale, distribution, and storage uses.
 - Recycling drop-off container. [In Tracts 1 and 4 only, See Section 51A-4.213(11.2)].

-- Recycling drop-off for special occasion collection. [*In Tracts 1 and 4 only. See Section 51A-4.213(11.13).*]

SEC. 51P-561.108. 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.

- (a) The following accessory uses are not permitted in this district:
 - Accessory helistop.
 - Accessory medical/infectious waste incinerator.
 - Accessory outside display of merchandise.
 - Accessory outside sales.
 - Accessory pathological waste incinerator.

- (b) The following accessory ~~use is~~ uses are permitted by right:
 - Accessory community center (private).
 - Accessory game court (private)

SEC. 51P-561.109. YARD, LOT, AND SPACE REGULATIONS.

- (a) Front yard.

(1) Tract 1 ~~and 2~~. Except as provided in this paragraph, no minimum front yard. [~~Minimum front yard for multifamily structures in Tract 2 is 100 feet from the northern property line and 60 feet from the western property line, as shown on the conceptual plan.~~]

(2) Tract 2. The minimum front yard is 10 feet with exception of lots with frontage on two streets or shared access. The minimum front yard setback of the shorter frontage is 10 feet. The minimum setback of the longer frontage is 5 feet. The minimum building setback from Keller Springs Road is 10 feet.

(3) ~~Tracts 3, and 4, and 5~~. Minimum front yard is 15 feet where adjacent to an expressway or a thoroughfare; no minimum in all other cases.

- (b) Side and rear yard.

- (1) ~~Tracts 1. and 2.~~
 - (A) No minimum side or rear yard for single family structures.
 - (B) Minimum side yard for duplex structures is five feet.
 - (C) Minimum rear yard for duplex structures is 10 feet.

(2) Tract 2.

(A) For reduced side yard lots indicated on the Tract 2 development plan (Exhibit 561B.), the minimum side yard setback is one foot on one side and five feet on the opposite side with a minimum of six feet between residential structures.

(i) When adjacent to a residential lot, a structure on a reduced side yard lot may not have doors, windows, or other transparent openings located less than seven feet from any finished floor. Opaque glass or other similar opaque materials are permitted on any portion of the structure.

(ii) When adjacent to a common space, thoroughfare, private street, shared access, or other nonresidential lot, a reduced side yard lot may have doors, windows or other openings without limitation.

(B) For other lots, the minimum side setback is five feet.

(C) For Lots 22, 23 and 34, Block D, Lot 19, Block B, as shown on the development plan for Tract 2 (Exhibit 561B), the minimum side yard setback from the northern property line is 10 feet.

(D) The minimum rear yard for single-family structures is five feet, except for Lots 9-12, Block D, and Lots 13-22, Block D, as shown on the development plan for Tract 2 (Exhibit 561B), in which case the minimum rear yard is 10 feet.

(E) The setback for accessory structures in a side or rear yard is two feet. ~~Except as provided in this paragraph, minimum side and rear yard for other permitted structures is 10 feet.~~

~~(F) Minimum side and rear yard for multifamily structures in Tract 2 are 100 feet from the northern Property line and 60 feet from the western Property line, as shown on the conceptual plan.~~

~~(3) Tract 2. The side yard setback from the southern perimeter of Lot 5, Block A of Tract 1a is 10 feet. The side yard setback from the eastern property line is 5 feet, as shown on the conceptual plan (Exhibit 561A).~~

(3) Tract 3. The minimum side and rear yard is five feet.

(4) Tracts 4_3, 4, and 5. Minimum side and rear yard is 10 feet where adjacent to or directly across an alley from a zoning district other than a TH or TH(A) Townhouse District; no minimum in all other cases.

(c) Setbacks for common area or open space. For any structures located in a common area or open space, there is no required setback with exception of the 10-foot

setback requirement from Keller Springs right-of-way as shown on the development plan.

(d) Density.

(1) Tract 1. Maximum dwelling units is ~~28~~ 0.

(2) Tract 2. Maximum dwelling units is 85.

~~(3) Tract 2 and 3 combined. Maximum number of dwelling units is 144.~~

(3) ~~Tracts 3 and 4.~~ No dwelling units are permitted.

(4) Tract ~~5~~ 4. Maximum dwelling unit density is nine dwelling units per acre.

(e) Height. Except as provided in this subsection, maximum structure height is 36 feet.

(1) Tract 2. The maximum height for accessory structures is 26 feet.

~~(2) Tract 2. Maximum height for structures, measured to the highest point of the structure, is 55 feet on the western portion and 65 feet on the eastern portion, as shown on the conceptual plan, except that structures listed in Subparagraph 51A-4.408(a)(2)(A) may project a maximum of 12 feet above the maximum structure height.~~

(2) Tract 3. Maximum structure height is ~~49~~ 16 feet. ~~multifamily structures is 65 feet, measured to the highest point of the structure, as shown on the conceptual plan, except that structures listed in Subparagraph 51A-4.408(a)(2)(A) may project a maximum of 12 feet above the maximum structure height.~~

(f) Lot coverage. For Tracts 1 and ~~4~~ 5, the maximum lot coverage is 60 percent for residential structures and 25 percent for nonresidential structures. For Tract 3, refer to Section 51P-561.115 for building allowances. For Tract 2, the maximum lot coverage is 75 percent for residential lots. The maximum lot coverage is 75 percent for common areas.

(g) Lot size. In Tract 2, the minimum residential lot size is ~~2,000~~ 5,000 square feet except that up to five lots may be no less than 4,000 square feet. In Tract 3, there is no minimum lot size requirement. For Tracts 1 and 4, the minimum lot size is 2,000 square feet for single-family residential structures.

(h) Stories. Except as provided in this subsection, no maximum number of stories.

(1) ~~Tract 2. Maximum number of stories for multifamily structures is three on the western portion and four stories on the eastern portion, as shown on the conceptual plan. Maximum number of stories for accessory structures is two.~~

(2) ~~Tract 3. Maximum number of stories for multifamily structures is three on the northwest portion and four on the remainder, as shown on the conceptual plan. Maximum number of stories is one.~~

SEC. 51P-561.110. OFF-STREET PARKING AND LOADING.

Except as provided below, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult Division 51A-4.300 for information regarding off-street parking and loading generally. (Ord. Nos. 24136; 25163)

(1) Tract 2. No more than three designated parking spaces are permitted near the guardhouse at the entry point from Keller Springs Road provided the spaces do not conflict with minimum vehicular access requirements.

SEC. 51P-561.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 24136; 25163)

SEC. 51P-561.112. ELECTRICAL SERVICE FOR SINGLE FAMILY USES.

In this planned development district, a lot for a single family use may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The board of adjustment may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this planned development district when, in the opinion of the board, the special exception will:

- (1) not be contrary to the public interest;
- (2) not adversely affect neighboring properties; and
- (3) not be used to conduct a use not permitted in this planned development district.

SEC. 51P-561.113. ACCESS AND STREETS.

(a) Tract 1 and 4. Ingress and egress must be generally provided as shown on the conceptual plan.

(b) Tracts 2 and 4. Ingress and egress must be generally provided as shown on the development plan.

(c) Tract 2. Minimum pavement width for vehicular access including curbs is 30 feet, measured from back of curb to back of curb. Private street dedication for cul-de-sacs shall have a minimum diameter of 90 feet of which a minimum of 82 feet shall be devoted to pavement for vehicular access.

SEC. 51P-561.114. LANDSCAPING.

(a) Prior to the final inspection for each single family use, landscaping must be provided for each platted lot in accordance with Article X, except as provided in this section.

(b) Prior to the issuance of a certificate of occupancy for all other permitted uses, landscaping must be provided in accordance with Article X, except a large tree must be provided for each 25 feet of public street frontage. The Building Official may authorize the planting of small trees measured at 2 inches caliper in lieu of large trees to avoid conflict with overhead utility lines.

(c) All plant materials must be maintained in a healthy, growing condition.

(d) In Tract 2, a minimum of two trees from the City of Dallas Approved Replacement Tree List (Section 51A-10.134) are required per single family use, except as provided below. Each new tree planted shall be a minimum of four caliper inches. Existing trees on single family lots that are determined by the Arborist to be healthy may be used to satisfy the single family lot tree requirement.

SEC. 51P-561.115 CONSERVATION AREA

(a) Tract 3 is a conservation area. The conservation area is provided for the purpose of the sustainable maintenance, private community pedestrian uses, and conservation of the land area and the indigenous vegetation within it. The following activities, structures, and uses are permitted in Tract 3. The city arborist shall review all construction plans and site changes to assure compliance with the conservation purposes. Construction must be determined to cause the least disturbance of the native vegetation as possible, which precludes improvements in the area:

(1) Hiking trails (ADA accessibility is not required) and sidewalks.

(2) Flood control structures that are approved by the Director of the Department of Public Works and Transportation.

(3) Public utility easements, rights-of-way and utilities.

(4) Recreational and pedestrian-oriented structures, including but not limited to, arbors, pergolas and gazebos.

(5) Planting of native vegetation or trees, approved by the building official, to restore the Conservation Area.

(6) Self-guided media or markers identifying flora and fauna.

(7) Barbecue cooking grills, picnic tables, benches, trash receptacles, and other similar pedestrian and recreational amenities approved by the building official.

(b) Tree and Vegetation Maintenance.

(1) Trees within Tract 3 that are in danger of falling, causing damage to dwellings or other structures, or causing blockage of a stream, may be removed with approval of the city arborist. The city arborist shall be notified prior to the removal of a hazardous damaged tree unless immediate removal is necessary for the public safety.

(2) Other timber or vegetation removal is permitted to protect the forest from extensive pest infestation, control invasive, alien vegetation, to reduce a threat from disease, or threat from fire. The city arborist shall determine the condition and type of tree or vegetation to be removed before removal.

(3) Trail Design. If provided, trails must be designed and constructed to preserve the natural, scenic conditions of the Property.

Tree Replacement.. If a tree is removed, a tree must be planted in the conservation area, unless it is determined that doing so would compromise the purpose of the conservation area. Only Texas native trees and other vegetation, or trees in the Dallas Approved Replacement Tree list, may be planted in the conservation area. The retention of existing healthy trees precludes any action for modification of planting areas and installation of irrigation systems.

SEC. 51P-561.116. TREE MANAGEMENT.

(a) Except as provided in Subsections (b) and (c) below, the regulations contained in Division 51A-10.130, "Tree Preservation," apply to this planned development district.

(b) Prior to the removal of any trees from the Property, a tree survey must be completed and delivered to the building official.

(c) Tree removal applications may be approved by the building official prior to the issuance of a building permit on the Property. (Ord. Nos. 24136; 25163)

(d) In Tract 2, protected trees transplanted successfully on-site may be used to decrease the number of replacement inches by a factor of 1.5. For example, a transplanted tree of 14 caliper inches will satisfy 21 caliper inches of required replacement. Successful tree transplantation will be determined by the city arborist within two years of transplantation.

(e) Protected trees in the Conservation Area (Tract 3), may be used to decrease the number of required replacement inches by a factor of 1.0. For example, a preserved tree of 14 inches, will satisfy 14 inches of required replacement (i.e. required

mitigation). Confirmation of the Conservation Area for mitigation will be completed before the final tree mitigation inspection for the Property.

(f) For mitigation for tree removal in Tract 2, at least 50 percent of the total caliper of replacement trees must be planted, or otherwise mitigated, before 65 percent of single family development in Tract 2 has received a final building inspection. All tree mitigation must be completed, and replacement trees must be planted prior to the completion of initial construction on all development lots, or within eight years of the issuance of the first building permit for a single family structure, whichever is sooner.

SEC. 51P-561.117. FENCES, WALLS, ENTRYWAY COLUMNS, AND GATES.

(a) Except as provided in Subsection (c), the maximum height for all fences, walls, entryway columns, and gates on the Property, excluding those that front on a public or private street or an access easement, is 10 feet.

(b) Except as provided in Subsection (c), the maximum height for all fences and walls on the Property that front on a public or private street or an access easement is 12 feet. The maximum height for all entryway columns and gates on the Property that front on a public or private street or an access easement is 18 feet.

(c) The visual obstruction regulations contained in Section 51A-4.602(d) apply to this subsection. Fences in front yards may not exceed four feet in height.

SEC.51P-561.118 GUARDHOUSE.

A guardhouse is permitted within the private entry drive and may be located within a required setback. The final location and design of the guardhouse must be approved by the director of public works and transportation and the building official.

SEC. 51P-561.119. FLOODWAY

(a) No platted lot may extend into the floodway in Tracts 1 and 4 only.

(b) Any land area extending into the floodway must be dedicated as a floodway management area, floodway easement, common area, or park.

SEC. 51P-561.120. HOMEOWNERS' ASSOCIATION.

Prior to final plat approval, the owner(s) of any common areas, including Tract 3, the Property must execute an instrument creating a homeowners' association for the maintenance of common areas, screening walls, landscape areas (including right-of-way landscaping areas), private streets, and for other functions. This instrument must be approved as to form by the city attorney, and filed in the Dallas County deed records.

SEC. 51P-561.121. SIGNS.

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

SEC. 51P-561.122. ADDITIONAL PROVISIONS.

(a) Sidewalks are not required on internal streets and accessways.

(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) In lieu of standard street curbs, rollover curbs are permitted for all private streets or access easements.

(d) In Tract 2, recreational and pedestrian oriented structures such as pergolas, arbors, gazebos, trash receptacles, pedestrian paths, barbecue cooking grills, light poles, fences, benches and picnic tables, or other similar structures, are permitted on common lots.

(f) In Tract 2, pools, game courts, and other accessory uses allowed under Section 51A. 4.217 of Dallas City Code are permitted on lots without a main residential structure provided said accessory uses serve the main residential structure(s) on an immediately adjacent and contiguous lot.

(g) At the sole expense of the owner, a traffic signal shall be erected at the intersection of the entry point road and Keller Springs Road.

(h) The main entrance into Tract 1a may include two one-way drives separated by a landscaped median with guardhouse.

SEC. 51P-561.123. COMPLIANCE WITH CONDITIONS.

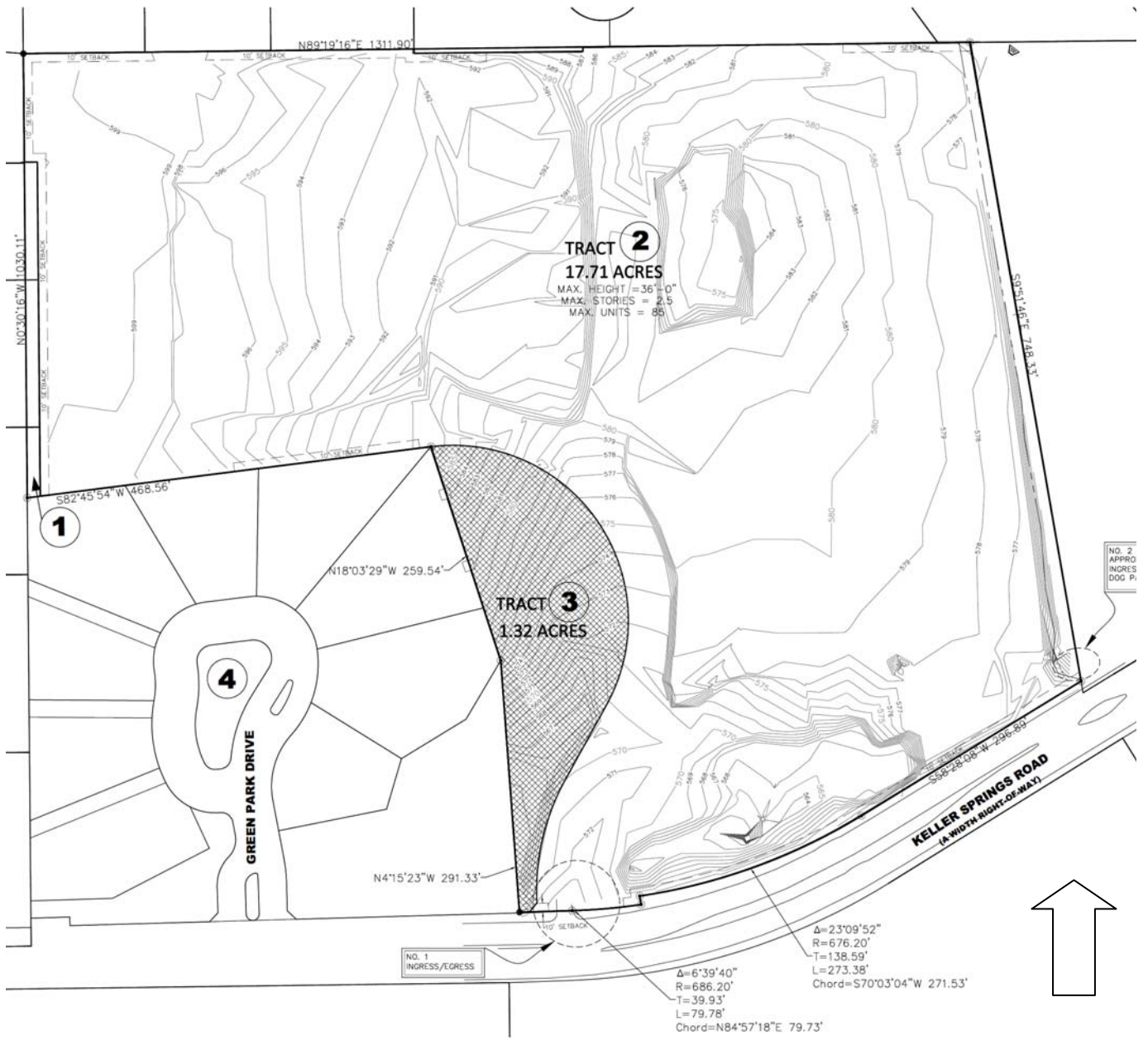
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

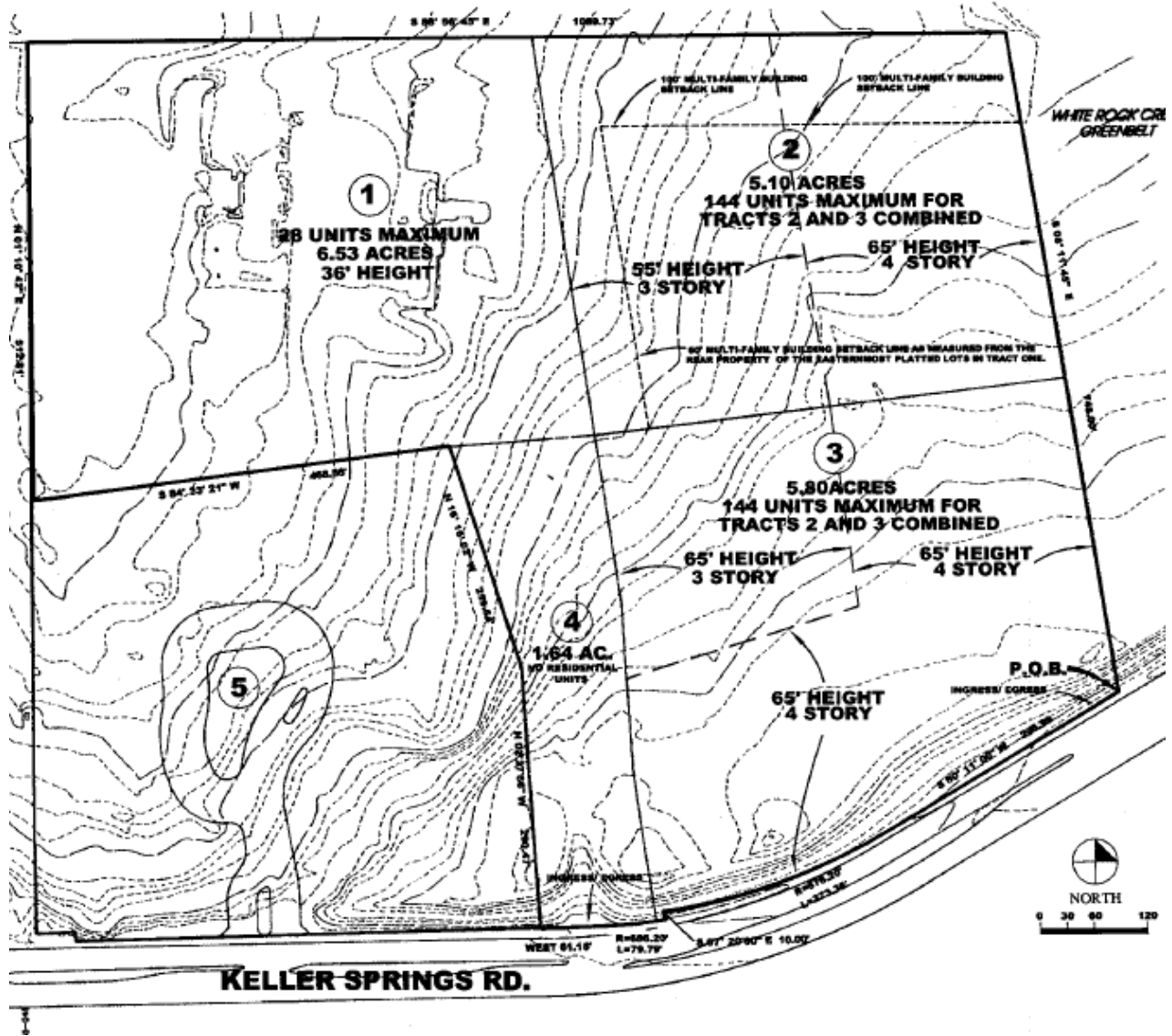
~~SEC. 51P-561.125. ZONING MAP.~~

~~PD 561 is located on Zoning Map No. B-7. (Ord. Nos. 24136; 25163)~~

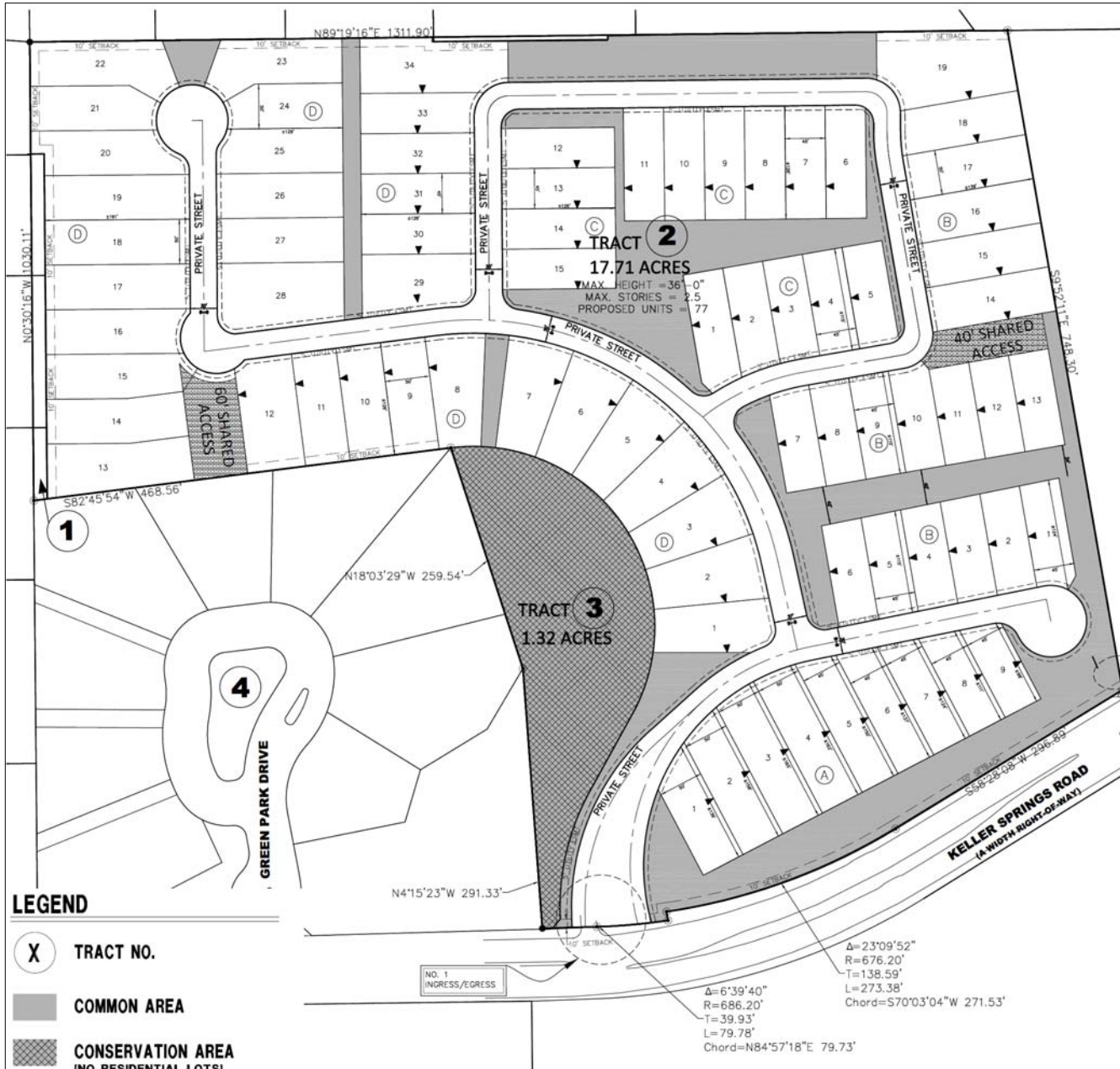
Proposed Conceptual Plan

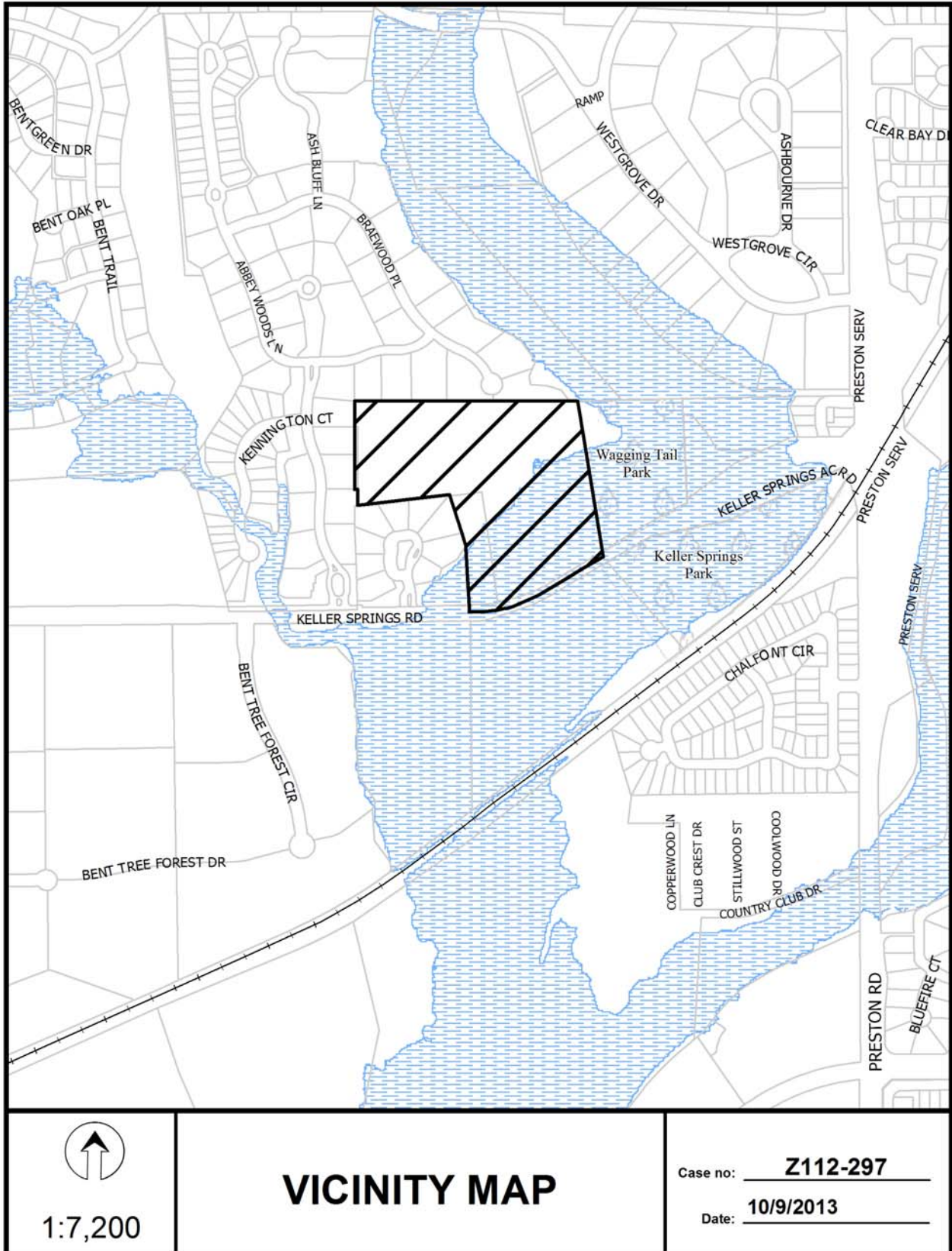


Existing Conceptual Plan



Proposed Tract 2 Development Plan

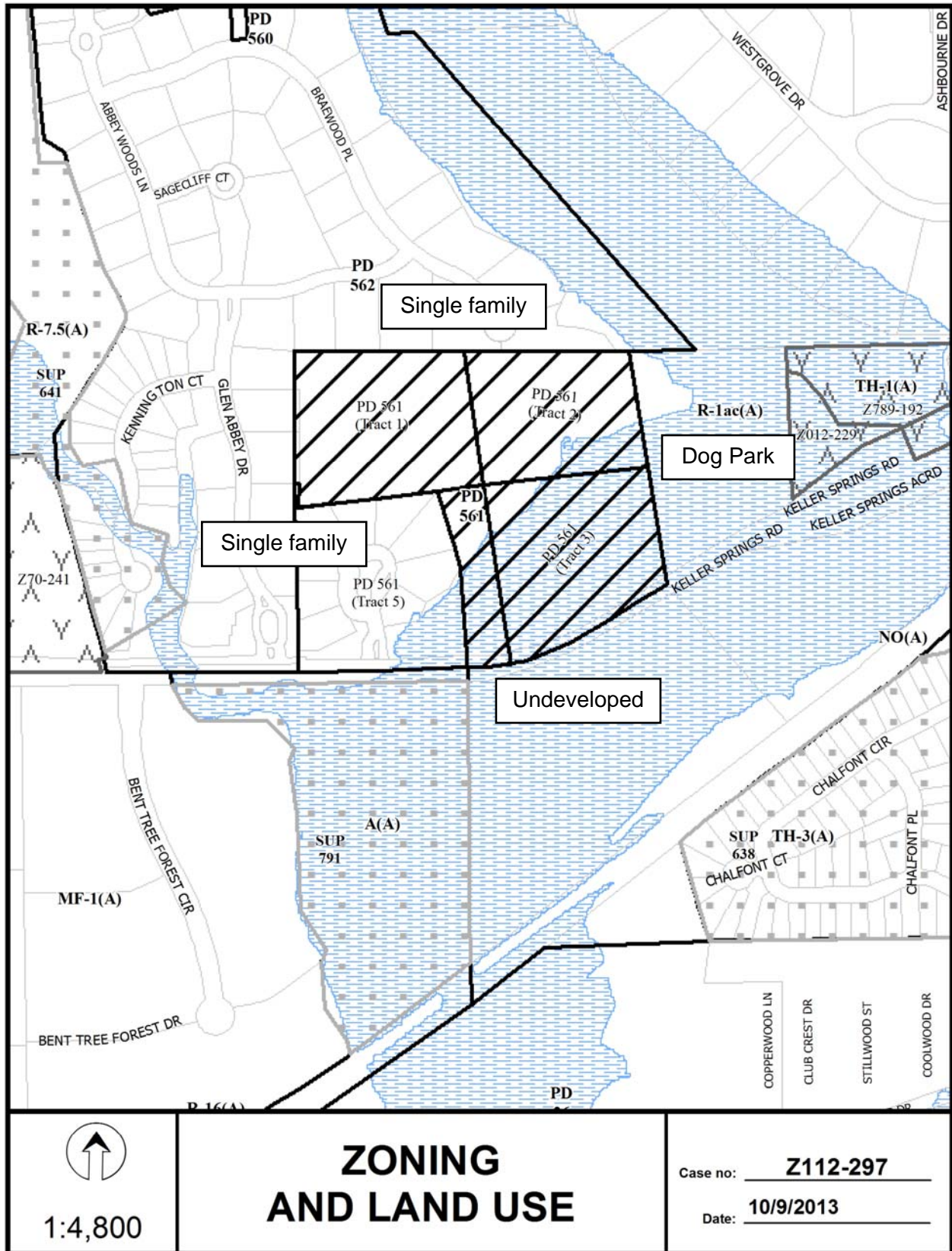


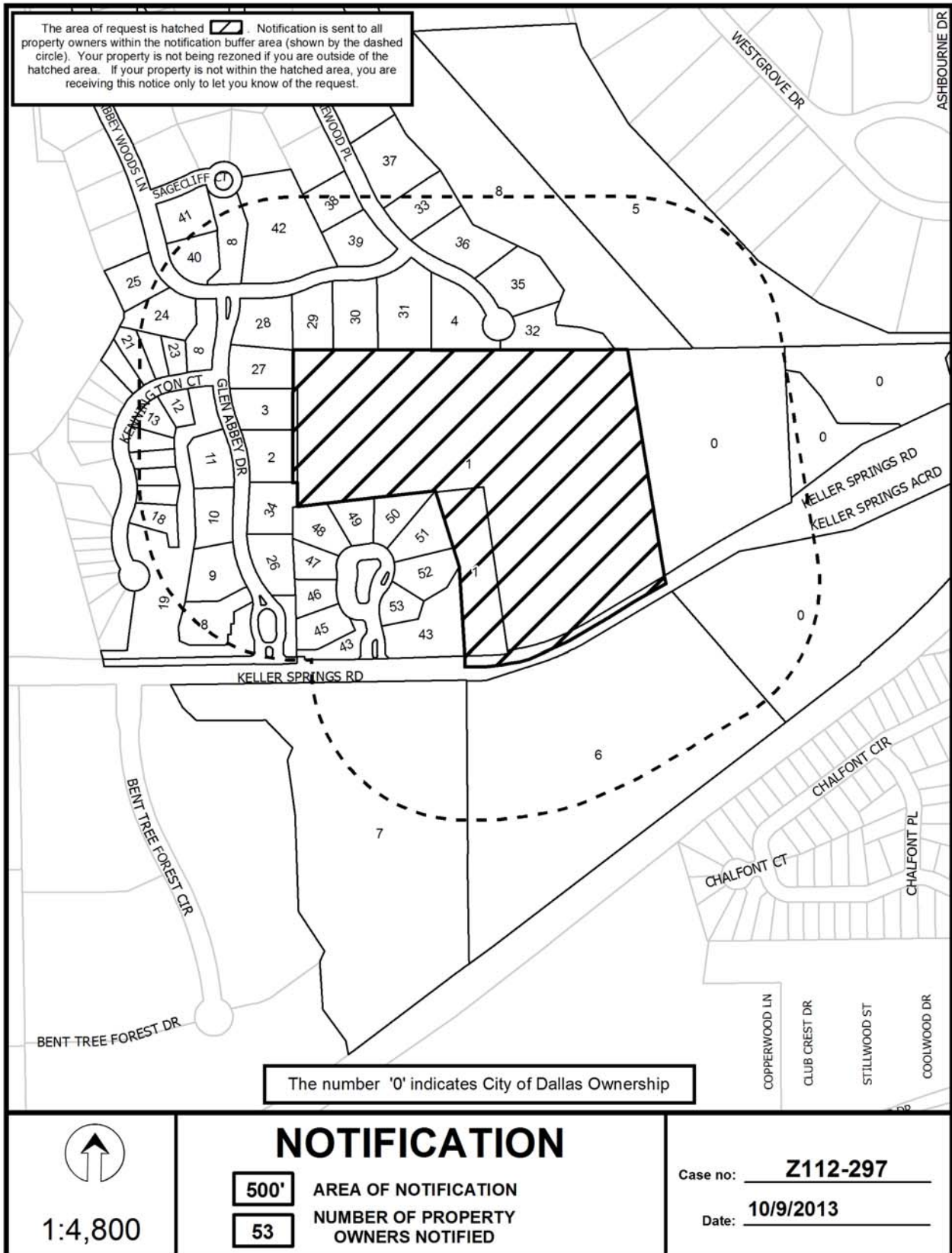


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VICINITY MAP

Case no: Z112-297
Date: 10/9/2013





10/9/2013

Notification List of Property Owners***Z112-297******53 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5781 KELLER SPRINGS RD	LAGA LTD
2	32 GLEN ABBEY DR	WELLS WILLIAM K
3	36 GLEN ABBEY DR	ROSE JAMES M
4	25 BRAEWOOD PL	LONGBOTHAM JOE C & KAREN
5	16300 PRESTON RD	PRESTON TRAILS HOMEOWNERS SUITE 101
6	5800 KELLER SPRINGS RD	KELLER SPRINGS ESTATE LTD %DAVID MCDAVID
7	5500 KELLER SPRINGS RD	PRESTONWOOD GOLF CLUB CORP
8	16 GLEN ABBEY DR	GLEN ABBEY HOMEOWNERS ASSOCIATION INC %
9	25 GLEN ABBEY DR	FRIEDMAN LAWRENCE J & JANELLE
10	29 GLEN ABBEY DR	BINKLEY JOHN H JR & SHARON
11	33 GLEN ABBEY DR	RANDAZZO TERRY & DELPHA
12	52 KENNINGTON CT	HEAPE SCOTT G & MARY A
13	48 KENNINGTON CT	BENSON SCOTT A & MARNI T
14	44 KENNINGTON CT	FINN TERRY
15	40 KENNINGTON CT	OSBORN GARY D & BEVERLY B
16	36 KENNINGTON CT	NELSON WILLIAM M & HELAINE Q
17	32 KENNINGTON CT	WATERSIDE PROPERTIES INC SUITE 430
18	28 KENNINGTON CT	RODRIGUEZ ALFRED J & MARY KATHLEEN
19	1 GLEN ABBEY DR	HEMMING PROPERTIES LLP
20	73 KENNINGTON CT	KAYEM DOUGLAS J & JUILE R
21	77 KENNINGTON CT	HIRL FAMILY TRUST
22	81 KENNINGTON CT	PEDERSEN KIM K & PATRICIA L
23	85 KENNINGTON CT	BRACKEN FRANK D JR
24	19 ABBEY WOODS LN	ALLEN ORVILLE G & SHERRI G
25	23 ABBEY WOODS LN	HAMMOND DANIEL D
26	24 GLEN ABBEY DR	KELLER SPRINGS PPTIES LTD SUITE 800

10/9/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	40 GLEN ABBEY DR	ASCHEBRENNER THOMAS H & BEVERLY J
28	44 GLEN ABBEY DR	MIDYETT BOB & VICKI A
29	7 ABBEY WOODS LN	YEAGER KATHI STE 725
30	5 ABBEY WOODS LN	BURLESON JUDY K STE 725
31	1 ABBEY WOODS LN	C L NIX
32	20 BRAEWOOD PL	FOSTER KENT B & JOANN B
33	36 BRAEWOOD PL	YOUNG JAMES R & MICHELLE
34	28 GLEN ABBEY DR	PLATT TODD
35	24 BRAEWOOD PL	PACK SAM H & CAROL D
36	32 BRAEWOOD PL	MCCRAW ROBERT & HELEN
37	42 BRAEWOOD PL	PALUCK ROBERT & MICHELLE
38	39 BRAEWOOD PL	DASARI NEERAJA & VENKATA CHEMITI
39	35 BRAEWOOD PL	BT DEV CORP
40	14 ABBEY WOODS LN	PATRICK TERRY W & MERRY H PATRICK
41	30 SAGECLIFF CT	GREEN DAVID W & POLLY M
42	2 ABBEY WOODS LN	DOSHIER RAYMOND & SUSAN
43	12 GREEN PARK DR	GP HOMEOWNERS ASSOC INC % KATHY MCGARITY
44	13 GREEN PARK DR	DRS PARAGON CUSTOM HOMES LLC
45	1 GREEN PARK DR	LEATHERWOOD MIKE
46	3 GREEN PARK DR	ROBINSON HOWARD R U/T/D
47	5 GREEN PARK DR	BOYER FRANCIS C JR
48	7 GREEN PARK DR	NEELY ESTEBAN & MARY L
49	9 GREEN PARK DR	HANLON TERENCE F & NANCY R
50	8 GREEN PARK DR	SUMMERS KEVIN
51	6 GREEN PARK DR	SODERSTROM CARL D
52	4 GREEN PARK DR	MCGARITY KEVIN & KATHLEEN
53	2 GREEN PARK DR	FISS TIMOTHY P & PHYLLS P GAGE

Planner: Carrie F. Gordon

FILE NUMBER: SPSD123-002

DATE INITIATED: June 24, 2013

LOCATION: Area bound by Main Street, Elm Street, N. Lamar Street, and
N. Griffin Street

COUNCIL DISTRICT: 14

MAPSCO: 45-P

SIZE OF REQUEST: ±1.53 acres

CENSUS TRACT: 31.01

APPLICANT: Dallas Main LP % Sunbelt Management Company

REPRESENTATIVE(S): Maxwell Fisher, Masterplan
Willie Cothrum, Masterplan

REQUEST: An application to create a new subdistrict within the
Downtown Special Purpose Sign District (SPSD) to increase
signage and effective area.

SUMMARY: The purpose of this request is to create a new subdistrict to
allow detached premise signs and increase the effective
area of directional control signs in the Downtown SPSP
(Retail Subdistrict).

STAFF RECOMMENDATION: Denial.

SSDAC RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The request is for a new subdistrict within the Downtown Special Provision Sign District (SPSD).
- The request is to allow 11 detached premise signs and increase the effective area of directional control signs associated with the existing Bank of America site.
- An amendment to the Downtown Subdistrict was approved on July 11, 2013, the City Plan Commission approved a waiver of the two-year waiting period to consider the proposed request.
- The Special Sign District Advisory Committee (SSDAC) considered the request on 8/27/13, 9/10/13, and granted approval on 10/8/13.

STAFF ANALYSIS:

The subject site is the home of Bank of America, and tallest building in downtown Dallas. Adjacent land use to the subject site includes a high-rise office building on the east; surface parking lot to the south; a high rise office building on the west; and a plaza and retail building on the east. All the surrounding properties are located in the West End Historic SPSP or the Retail Core Subarea with the Downtown SPSP.

The applicant proposes the following 11 signs all of which are classified today as detached premise signs:

- 3 detached premise (A-1, Tenant)
- 1 detached premise (A-2, Campus ID)
- 4 detached premise (A-4, "Retaining Wall")
- 3 detached premise (B-1 & B-2, Movement Control)

In addition to the 11 signs listed above, the site plan shows the construction of 3 additional detached premise "pedestrian-oriented concession" signs. The signs are permitted by right; however, self-imposed conditions are being offered for height, setback and effective area.

Staff is recommending denial due to the number of requested signs on Main Street. Currently, a premise having more than 450 feet of frontage along a street may have no more than one (1) additional detached premise sign for each additional 100 feet of frontage or fraction thereof. With approximately 350 feet of frontage along Main Street, that would be one (1) sign. The number of requested signs in the plaza area would exceed the premise limit by 4 signs (3 tenant and 1 campus identification).

Staff worked with the representatives to reduce the number of signs to minimize the "visual impact" of a proliferation of signs on the subject site particularly along its Main Street frontage; however, an agreement was not reached. The proposal would be

supported if the recommended signage were reduced by three (3) detached “tenant” signs in the 14,260 square foot plaza area; hence, maintaining the intent of being aesthetically appealing at the street level.

The applicant indicates that the “subject site was originally designed as a “garden tower”; however, the area has become a crowded overgrown street frontage to the city and lacks the kind of urban open space that is appropriate for Dallas’ tallest structure. The intent of the Bank of America renovation is to provide an urban plaza that creates an open area in the foreground of the tower as it is approached, as well as a landing from which the pedestrian may experience the city around it. This basic move – the urban plaza – will emphasize the tower’s Main Street “front door” presence and provide a stronger connection between the tower and the street pedestrian.”

LIST OF OFFICERS

Dallas Main L.P.

Main Center Inc. is the sole General Partner.

The officers for Main Center Inc. are:

Thomas R. Prescott, President

Stephen T. Falvey, Executive VP, Chief Financial Officer, and Secretary

Thomas Dempsey, VP, Real Estate

William J. Ghory, VP, Engineering

Linda F. Forment, Assistant Secretary

Ryan D. Curry, Chief Accounting Officer

SSDAC ACTION (August 27, 2013):

Motion: It was moved to hold case under advisement until September 10, 2013.

Maker: Tarpley
Second: Van Dermark
Result: Carried: 3 to 0
For: 3 – Bauer, Tarpley, Van Dermark
Against: 0
Absent: 1 – Gomez (excused at 11:45 am)
Conflict: 0

Speaker(s):

1. Maxwell Fisher (MasterPlan)
2. Willie Cothrum (MasterPlan)

SSDAC ACTION (September 10, 2013):

Motion: It was moved to hold case under advisement until October 8, 2013.

Maker: Tarpley
Second: Van Dermark
Result: Carried: 3 to 0
For: 3 – Bauer, Tarpley, Van Dermark
Against: 0
Absent: 1 – Gomez
Conflict: 0

Speaker(s): Willie Cothrum (MasterPlan)

SSDAC ACTION (October 8, 2013):

Motion: It was moved to accept the language of the subdistrict ordinance with the following changes: 1) redefine “wall sign” to read “retaining wall”; remove “plaza language” inserting 1.5 million square foot or greater single building tenant; and to accept three tenant and one campus identification monument signs.

Maker: Van Dermark
Second: Phiffer
Result: Carried: 3 to 0
For: 3 – Bauer, Van Dermark, Phiffer
Against: 0
Absent: 2 – Gomez, Tarpley
Conflict: 0

Speaker(s):

1. Maxwell Fisher (MasterPlan)
2. Willie Cothrum (MasterPlan)
3. Tom Prescott (Metropolis Investment Holdings)
4. Jim Wood (Downtown Dallas, Inc.)

ORDINANCE NO. _____

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51A-7.901.1, 51A-7.903, 51A-7.911, 51A-7.912, and 51A-7.919; providing a property description of Retail Subdistrict B, new definitions, and regulations for Retail Subarea B; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

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

SECTION 1. That Section 51A-7.901.1, “Designation of Subdistricts,” of Division 51A-7.900, “Downtown Special Provision Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“SEC. 51A-7.901.1. DESIGNATION OF SUBDISTRICTS.

(a) This district is divided into six [~~five~~] subdistricts: [~~the~~] Retail Subdistrict A, Retail Subdistrict B, the General CBD Subdistrict, the Downtown Perimeter Subdistrict, the Main Street Subdistrict, and the Convention Center Subdistrict.

(b) [~~The~~] Retail Subdistrict A is that central area of downtown within the following described boundaries:

SPSD 123-002(CG)

BEGINNING at a point being the intersection of the centerlines of Pacific Avenue and Lamar Street;

THENCE with said centerline of Pacific Avenue proceeding easterly to the intersection of Pacific Avenue and Bryan Street;

THENCE with said centerline of Bryan Street proceeding northeasterly to the intersection of IH-45;

THENCE with said centerline of IH-45 proceeding southerly to the intersection of Commerce Street and IH-45;

THENCE with said centerline of Commerce Street proceeding westerly [~~easterly~~] to the intersection of Harwood Street;

THENCE with said centerline of Harwood Street proceeding southerly to the intersection of Wood Street;

THENCE with said centerline of Wood Street proceeding westerly to the intersection of Griffin Street;

THENCE with the said centerline of Griffin Street proceeding northerly to the intersection of Jackson Street;

THENCE with the said centerline of Jackson Street proceeding westerly to the intersection of Austin Street;

THENCE with the said centerline of Austin Street proceeding northerly to the intersection of Main Street;

THENCE with the said centerline of Main Street proceeding easterly to the intersection of Griffin [~~Lamar~~] Street;

THENCE with the said centerline of Griffin Street proceeding northerly to the intersection of Elm Street;

THENCE with the said centerline of Elm Street proceeding westerly to the intersection of Lamar Street;

THENCE with the said centerline of Lamar Street proceeding northerly to the intersection, and point of origin, of Pacific Avenue, save and except that area that is in the Main Street Subdistrict.

(c) Retail Subdistrict B is that central area of downtown within the following described boundaries:

SPSD 123-002(CG)

BEGINNING at a point being the intersection of the centerlines of Elm Street and Lamar Street;

THENCE with said centerline of Elm Street proceeding easterly to the intersection of Griffin Street;

THENCE with said centerline of Griffin Street proceeding southerly to the intersection of Main Street;

THENCE with said centerline of Main Street proceeding westerly to the intersection of Lamar Street;

THENCE with said centerline of Lamar Street proceeding northerly to the POINT OF BEGINNING.

(d) The General CBD Subdistrict is that area of the district within the Freeway Loop, more particularly described in metes and bounds as follows:

BEGINNING at a point being the intersection of the centerlines of Woodall Rodgers Freeway and IH-45;

THENCE with said centerline of IH-45 proceeding southerly to the intersection of IH-30;

THENCE with said centerline of IH-30 proceeding westerly to the intersection of IH-35E;

THENCE with said centerline of IH-35E proceeding northerly to the intersection of the Woodall Rodgers Freeway;

THENCE with said centerline of Woodall Rodgers Freeway easterly to the intersection, and point of origin, of IH-45, except that area that is in the Convention Center Subdistrict, the Main Street Subdistrict, Retail Subdistrict A, and Retail Subdistrict B or any other special provision sign district created under this article.

(e[~~d~~]) The Downtown Perimeter Subdistrict is that area outside of the freeway loop within the downtown sign district.

(f[~~e~~]) The Main Street Subdistrict is that area of downtown near Main Street described in Exhibit A attached to Ordinance No. 24925.

(g[~~f~~]) The Convention Center Subdistrict is that area of downtown near the convention center, more particularly described in metes and bounds as follows:

BEGINNING at a point being the intersection of the centerline of R.L. Thornton Freeway with the centerline of Hotel Street;

THENCE, in a northwesterly direction along the centerline of Hotel Street to its intersection with the centerline of the Jefferson Boulevard Viaduct/Market Street;

SPSD 123-002(CG)

THENCE, in a northeasterly and northwesterly direction along the centerline of the Jefferson Boulevard Viaduct/Market Street to its intersection with the centerline of Jackson Street;

THENCE, in a northeasterly direction along the centerline of Jackson Street to its intersection with the centerline of South Griffin Street;

THENCE, in a southeasterly direction along the centerline of South Griffin Street to its intersection with the centerline of Wood Street;

THENCE, in a northeasterly direction along the centerline of Wood Street to its intersection with the centerline of Akard Street;

THENCE, in a southeasterly direction along the centerline of Akard Street to its intersection with the centerline of R.L. Thornton Freeway;

THENCE, in a southwesterly direction along the centerline of R.L. Thornton Freeway, to the POINT OF BEGINNING.”

SECTION 2. That Section 51A-7.903, “Definitions,” of Article 51A-7.900, “Downtown Special Provision Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” is amended by adding a new Paragraph (24.1) to read as follows:

Applicant’s recommendation:

“(24.1) PEDESTRIAN-ORIENTED CONCESSION SIGN means a sign displaying advertising for one or more subsidiary concessions to on-site pedestrians.”

SECTION 3. That Section 51A-7.903, “Definitions,” of Article 51A-7.900, “Downtown Special Provision Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” is amended by adding a new Paragraph (29.1) to read as follows:

“(29.1) RETAINING WALL SIGN means a sign in Retail Subdistrict B affixed or engraved into a retaining wall supporting a landscape bed or similar feature.”

SECTION 4. That Paragraph (1), “Lower Level Flat Attached Signs,” of Subsection (e), “Flat Attached Signs,” of Section 51A-7.911, “Attached Premise Signs,” of Division 51A-7.900,

“Downtown Special Provision Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” is amended to read as follows:

“(1) Lower level flat attached signs.

(A) Except as provided in this paragraph, t[~~F~~]he maximum number of lower level flat attached signs permitted on a facade is the sum obtained by counting all of the street entrances and first floor occupants with windows on that facade with no street entrances.

(B) In the general CBD and convention center subdistricts, the maximum effective area for a lower level flat attached sign is:

(i) 30 square feet if the sign is within 15 feet of the right-of-way; and

(ii) 50 square feet if the sign is more than 15 feet from the right-of-way.

(C) Except as provided in this paragraph, i[~~F~~]n the Main Street Subdistrict, Retail Subdistrict A, and R[~~F~~]etail S[~~S~~]ubdistrict[~~S~~] B, the maximum effective area for a lower level flat attached sign is:

(i) 40 square feet if the sign is within 15 feet of the right-of-way; or

(ii) 60 square feet if the sign is more than 15 feet from the right-of-way.

(D) In Retail Subdistrict B, if retaining wall signs are erected pursuant to Section 51A-7.912, a maximum of one flat attached sign is permitted per building entry with a maximum effective area of 10 square feet per sign. The provisions of Subparagraph (C) apply in the absence of retaining wall signs.”

SECTION 5. That Section 51A-7.912, “Detached Premise Signs,” of Article 51A-7.900, “Downtown Special Provision Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” is amended to read as follows:

“SEC. 51A-7.912. DETACHED PREMISE SIGNS.

(a) Unless otherwise provided, all detached premise signs must be monument signs or landscape signs.

(b) No detached premise sign may be located within five feet of a public right-of-way, except for monument signs or landscape signs, which may be located at the building line.

(c) Except as provided in this section, d[~~D~~]etached premise signs located within 15 feet of a public right-of-way may not exceed 20 square feet in effective area, or five feet in height.

(d) Except as provided in this section, d[~~D~~]etached premise signs with a setback of 15 feet or greater from a public right-of-way may not exceed 50 square feet in effective area, or 15 feet in height.

(e) A detached premise sign may contain only the name, logo, and address of the premise building and its occupants.

(f) Section 51A-7.304(c) of the Dallas Development Code, as amended, does not apply to monument signs or landscape signs in these subdistricts.

(g) Except as provided in this section, a[~~A~~] premise having more than 450 feet of frontage along a street may have no more than one additional detached premise sign for each additional 100 feet of frontage or fraction thereof. For purposes of the subsection, “street” means a right-of-way that provides primary access to adjacent property.

Staff’s recommendation:

<p>If CPC considers approval of the campus identification and additional monument signs, it is recommended that the language read, <u>“signs are permitted if the building site contains a single building with a floor area of 1.5 million square feet or greater and having a plaza or publicly accessible open space area comprising 14,260 square feet on Main Street.”</u></p>

(h) The following additional regulations apply in Retail Subdistrict B.

(1) Campus identification sign.

(A) One campus identification sign is permitted.

(B) This sign must be located within 15 feet of the right-of-way.

(C) Maximum height is four feet, six inches.

(D) Maximum effective area is 77 square feet.

(E) The message area cannot exceed 70 percent of the effective area.

(F) Push through acrylic lettering is required. No other lettering is permitted.

(2) Additional monument signs.

(A) Three additional monument signs are permitted if the building site contains a single building with a floor area of 1.5 million square feet or greater.

(B) Maximum height is four feet, six inches.

(C) Maximum effective area of each sign is 45 square feet.

(D) The message area cannot exceed 60 percent of the effective area.

(E) These signs may be located along any street, provided there are no more than five detached premise signs oriented toward any street.

(3) Retaining wall signs.

(A) A maximum of four retaining wall signs are permitted.

(B) Maximum effective area of each sign is 40 square feet.

(4) Pedestrian-oriented concession signs.

(A) A maximum of three pedestrian-oriented concessions signs are permitted.

(B) These signs may contain campus and associated identification.

(C) Minimum setback is 15 feet.

(D) Maximum height is eight feet, eight inches.

(E) Maximum effective area of each sign is 30 square feet.

(F) There is no message area restriction for these signs.

(G) Push through acrylic lettering is required. No other lettering is permitted.

(5) Illumination.

(A) Except as provided in this paragraph, internal sources of illumination may only be used if the internal source is an integral part of the sign's design, such as the use of light emitting diodes (LED) or small individual incandescent lamps.

(B) Except as provided in this paragraph, detached premise signs must not have a plastic translucent cover.

(C) Retaining wall signs and pedestrian-oriented concession signs may be externally lit, or internally lit with a translucent or transparent cover, without limitation to the type of lighting or cover materials.

SECTION 6. That Subsection (a) of Section 51A-7.919, "Movement Control Signs," of Article 51A-7.900, "Downtown Special Provision Sign District," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," is amended to read as follows:

"(a) Except as provided in this section, m[M]ovement control signs must direct vehicular or pedestrian movement within this district or to adjacent districts and may include the name or logo of any premise located in this district or the name or logo of any adjacent district."

SECTION 7. That Section 51A-7.919, "Movement Control Signs," of Article 51A-7.900, "Downtown Special Provision Sign District," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," is amended by adding a new Subsection (d) to read as follows:

"(d) Retail Subdistrict B.

(1) Movement control signs cannot include the name or logo of any premise located in this subdistrict or adjacent subdistricts.

(2) Pedestrian movement control signs may:

(A) be attached or detached signs;

(B) not exceed 10 square feet in effective area;

(C) not exceed a message area of 75 percent;

SPSD 123-002(CG)

(D) not exceed a maximum letter height of five inches;
(E) not be located in a public right-of-way; and
(F) be erected anywhere in this subdistrict without limitation as to number.

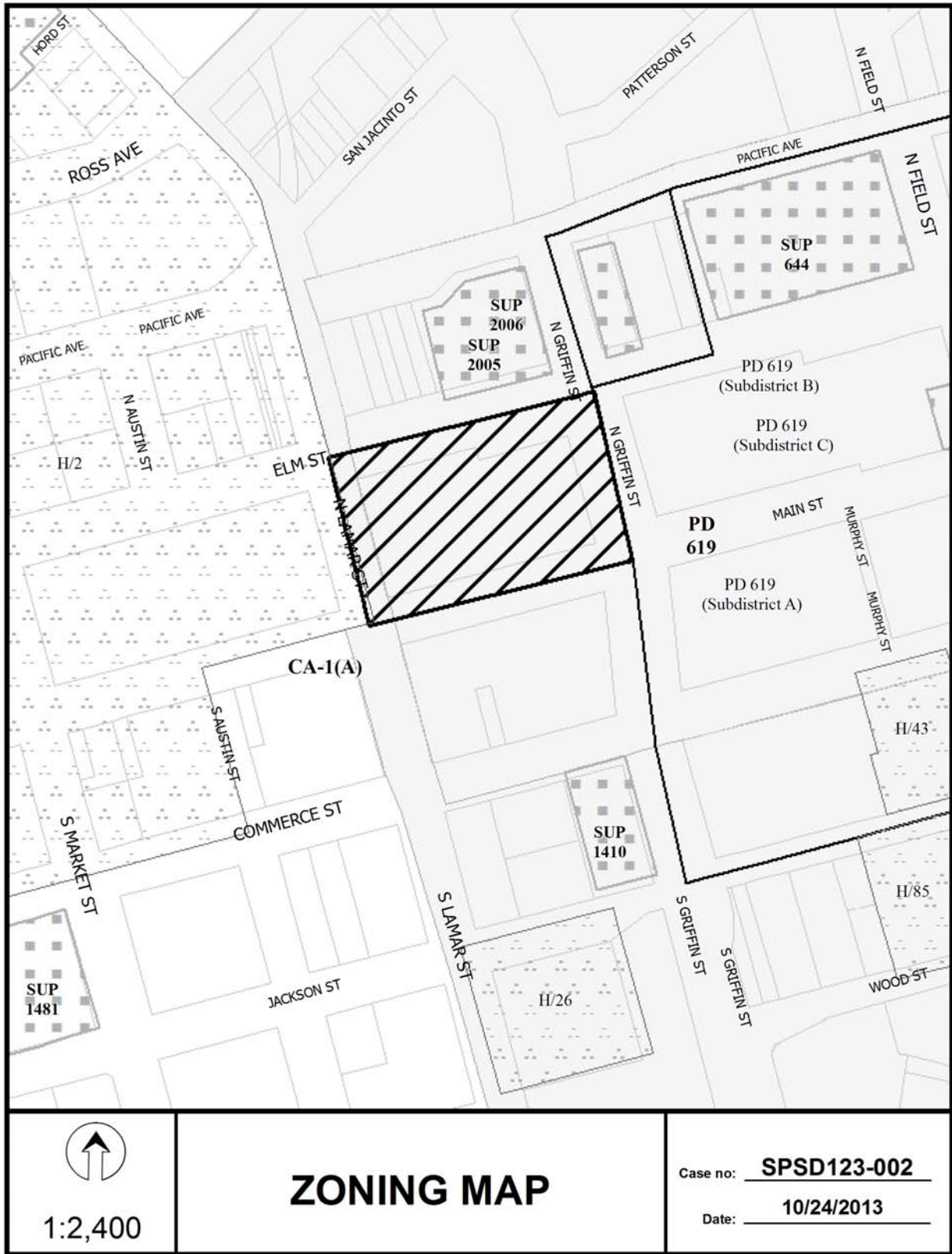
(3) Vehicular movement control signs may:
(A) be attached or detached signs;
(B) not exceed two square feet in effective area;
(C) not be located in a public right-of-way; and
(D) be erected anywhere in this subdistrict without limitation as to number.”

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

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

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

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



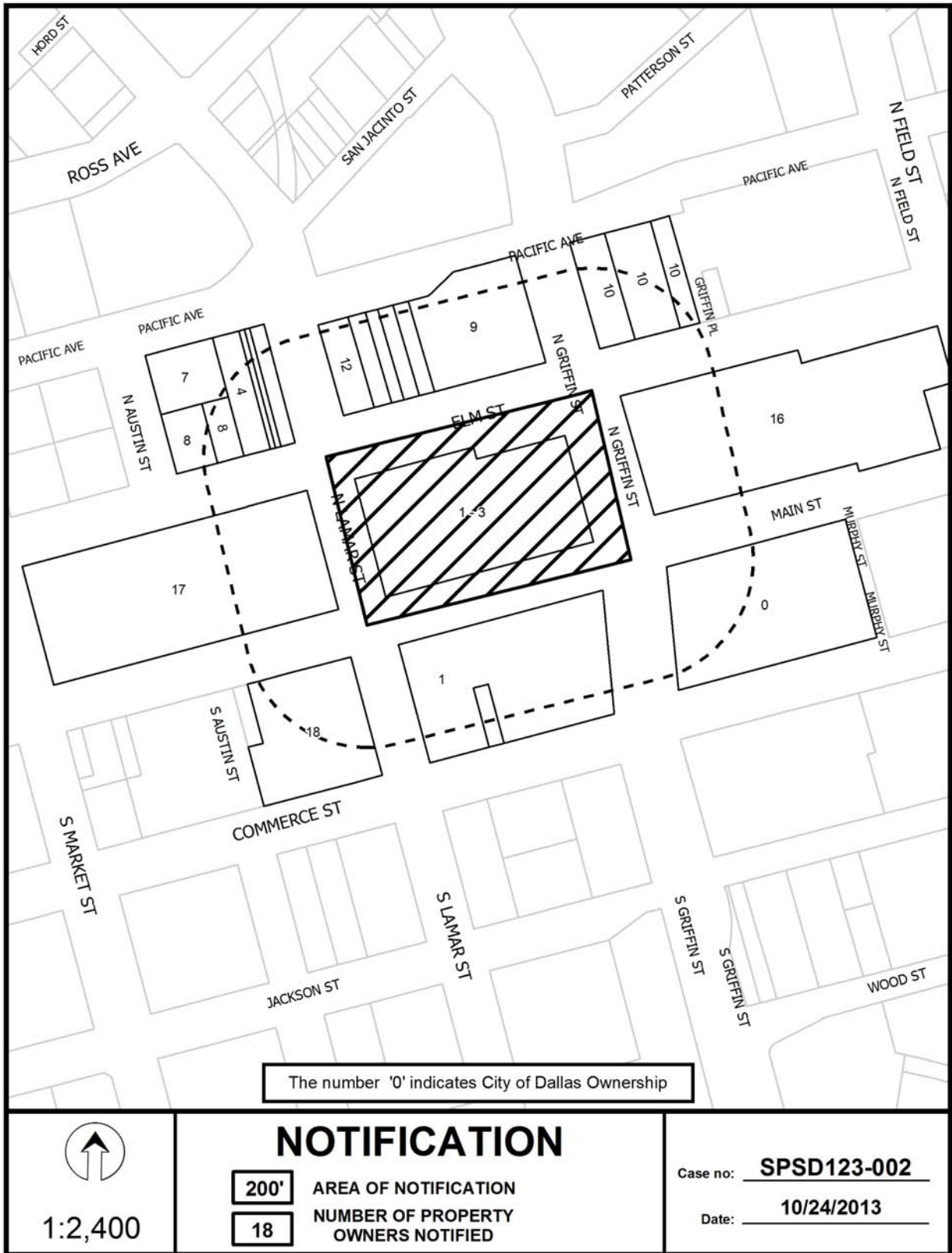
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ZONING MAP

Case no: SPSD123-002

Date: 10/24/2013





10/23/2013

Notification List of Property Owners***SPSD123-002******18 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	901 MAIN ST	DALLAS MAIN LP %SUNBELT MGMT CO STE 215
2	100 LAMAR ST	INTERFIRST BANK DALLAS SUITE 5009
3	901 MAIN ST	INTERFIRST BANK DALLAS 5009 1ST REPUBLIC
4	811 ELM ST	ANTIOCH CHURCH ATTN: MARK BRAND PRESID
5	815 ELM ST	ANTIOCH CHURCH ATTN: MARK BRAND
6	813 ELM ST	ANTIOCH CHURCH ATTN: MARK BRAND PRESIDE
7	804 PACIFIC AVE	ANTIOCH CHURCH STE#450
8	801 ELM ST	ANTIOCH CHURCH % THOMPSON & KNIGHT LLP
9	1015 ELM ST	TOG HOTELS DOWNTOWN DALLAS LLC
10	1025 ELM ST	LOWEN 1025 ELM LP
11	907 ELM ST	HARMON FRANK G III ET AL
12	901 ELM ST	DART
13	911 ELM ST	HIRSH FAMILY TRUST ET AL BERNARD & BEATR
14	909 ELM ST	RP ELM ERVAY PROPERTIES LP
15	909 COMMERCE ST	DALLAS MAIN LP FLOOR 24
16	1201 MAIN ST	RAK MAIN PLACE ASSOC LP % RAK GROUP LLC
17	705 MAIN ST	DALLAS COUNTY COMMUNITY COLLEGE EL CENTR
18	800 MAIN ST	DALLAS MAIN LP % SUNBELT MGMT CO FL24