



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, November 15, 2012  
AGENDA

---

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

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

---

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

---

**BRIEFINGS:**

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S123-006**  
(CC District 12)

An application to replat Lots 2C and 2D into one 1.7941 acre lot and one 1.1297 acre lot from a 2.9238 acre tract of land in City Block K/8728 on property located at 19008 and 19020 Preston Road, south of Mapleshade Lane.

Applicant/Owner: Preston Shade Partners, Saltillo Apartments, LTD, R&F Partners, Ltd., and Quiktrip Corporation

Surveyor: Survey Consultants, Inc.

Application Filed: October 17, 2012

Zoning: PD 765

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

- (2) **S123-009**  
(CC District 2)
- An application to create one 1.6375 acre lot from a tract of land in City Block 448-1/2 on property located at 1401 Gould Street and bounded by Belleview Street, Browder Street, and Sullivan Drive.  
Applicant/Owner: WINRS, Ltd.  
Surveyor: Piburn & Carson, LLC.  
Application Filed: October 19, 2012  
Zoning: PD 317 Subdistrict 2  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S123-011**  
(CC District 2)
- An application to replat a 0.47 acre tract of land containing all of Lots 1 and 2 and part of Lots 17 and 18 in Block 38/1341 to create one lot at 2631 Reagan Street.  
Applicant/Owner: Pinar, Inc.  
Surveyor: Davis Land Surveying Co., INC.  
Application Filed: October 23, 2012  
Zoning: PD 193 (MF-2)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S123-012**  
(CC District 6)
- An application to create one 38.174 acre lot, one 10.595 acre lot and one 56.878 acre lot from a 113.291 acre tract of land in City Block 8465 on property in the vicinity of Belt Line Road and north of Hackberry Lane.  
Applicant/Owner: Trammell Crow Company No. 43, Ltd.  
Surveyor: Kimly – Horn and Associates, Inc.  
Application Filed: October 23, 2012  
Zoning: PD 741, Subarea A-2  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S123-013**  
(CC Districts 2 & 6)
- An application to plat 4.863 acres of Right Of Way Reservation for Continental Avenue.  
Applicant/Owner: City of Dallas  
Surveyor: Halff & Associates, Inc.  
Application Filed: October 23, 2012  
Zoning: A(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S123-016**  
(CC District 2)
- An application to create one 1.771 acre lot, and one 1.050 acre lot from a 2.821 acre tract of land containing all of Lot 1 in City Block A/390 and a tract of land on property located at 2200 N. Lamar Street.  
Applicant/Owner: Laws Street Land Development L.P. and Laws Street Development, L.P.  
Surveyor: Halff Associates, Inc.  
Application Filed: October 24 2012  
Zoning: PD 193 (CA-2)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S123-017**  
(CC District 13)
- An application to create one 1.003 acre Lot and one 1.160 acre lot from a 2.192 acre tract of land in City Block 5558 on property located at 9200 Guernsey Lane.  
Applicant/Owner: Edward and Stephanie Howard  
Surveyor: Gonzalez and Schneeberg  
Application Filed: October 24 2012  
Zoning: R-1ac(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (8) **S123-010**  
(CC District 12)
- An application to replat a 15.082 acre tract of land containing all of Lot 13 in City Block 4/8726 and a tract of land in Block 8726 into one lot on property located at 7777 Osage Plaza Parkway.  
Applicant/Owner: All Saints Catholic Church  
Surveyor: EBG Engineering, LLC  
Application Filed: October 23, 2012  
Zoning: R-5(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- W123-001**  
Audrey Butkus  
(CC District 9)
- An application for a waiver of the two-year waiting period in order to submit an application to rezone the R-7.5(A) Single Family District on the northwest side of Garland Road, between Easton Road and Lochwood Boulevard.  
Staff Recommendation: **Denial**

Zoning Cases – Consent

1. **Z112-326(JH)**  
Jennifer Hiromoto  
(CC District 1)

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 use 3,500 square feet or less on property zoned CR Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue.  
Staff Recommendation: **Approval** of the D-1 Liquor Control Overlay and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: U Stop Fina, Inc.  
Representative: Parvez Malik
2. **Z112-317(MD)**  
Mark Doty  
(CC District 3)

An application for an Historic District Overlay on property zoned Planned Development District No. 701 on the south side of Grady Niblo Parkway, southeast of the intersection of Grady Niblo Parkway and Spur 408.  
Staff Recommendation: **Approval**, subject to preservation criteria.  
Landmark Commission Recommendation: **Approval**, subject to preservation criteria.  
Applicant: City of Dallas  
Representative: Trent Williams
3. **Z112-286(MW)**  
Megan Wimer  
(CC District 2)

An application for an amendment to Planned Development District No. 262 with Historic Overlay District No. 31 on the west corner of Maple Avenue and Oak Lawn Avenue.  
Staff Recommendation: **Approval**, subject to a revised conceptual plan, revised development plan, revised landscape plan and conditions.  
Applicant: Old Parkland Unit A, B, C, D, E, F, G, H, LLCS  
Representative: Baldwin Associates, Robert Baldwin
4. **Z112-278(WE)**  
Warren Ellis  
(CC District 11)

An application for a Planned Development District for residential and church uses on property zoned Planned Development District No. 78 and an R-16(A) Single Family District on the north side of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane.  
Staff Recommendation: **Hold under advisement until February 7, 2013.**  
Applicant: King of Glory Lutheran Church  
Representative: Robert Baldwin

5. **Z112-276(RB)**  
Richard Brown  
(CC District 2)
- An application for a Planned Development Subdistrict for I-2 Industrial Subdistrict Uses on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and termination of Specific Use Permit No. 1671 for Multiple Family Uses on the west line of Harry Hines Boulevard and the east line of the Houston Street Extension.
- Staff Recommendation: **Approval**, subject to a conceptual plan, Houston Street Tree Plan, and conditions, and **approval** of the termination of Specific Use Permit No. 1671.
- Applicant: Skyline Apartments LTD PS
- Representative: Rob Baldwin
6. **Z112-296(RB)**  
Richard Brown  
(CC District 13)
- An application for amendments to the development plan, landscape plan, and conditions for Planned Development District No. 252 on the east line of Inwood Road, north of the Eastward Prolongation of Willow Lane.
- Staff Recommendation: **Approval**, subject to a revised development plan, revised landscape plan and revised conditions.
- Applicant: RP Inwood Road Properties, L.P.
- Representative: Peter Kavanagh
7. **Z112-306(RB)**  
Richard Brown  
(CC District 14)
- An application for a Planned Development Subdistrict for O-2 Office Subdistrict Uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and termination of existing deed restrictions on the northwest line of Travis Street, between Lemmon Avenue East and Lemmon Avenue West.
- Staff Recommendation: **Approval**, subject to a development plan, landscape plan, and conditions, and **approval** of the termination of existing restrictions.
- Applicant: CFO2 Dallas II, LLC
- Representative: Gladys Bowens and Dallas Cothrum

Zoning Cases – Under Advisement

8. **Z112-291(MW)**  
Megan Wimer  
(CC District 2)
- An application for a new subdistrict and a Specific Use Permit for an outside entertainment and recreation venue on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District on the west side of Riveredge Drive, south of Irving Boulevard.  
Staff Recommendation: **Approval** of a new subdistrict, subject to conditions and **approval** of a Specific Use Permit for an outside entertainment and recreation venue for a three-year period, subject to a site plan and conditions.  
Applicant: Road Trip 67, LLC  
Representative: Cameron Cobb  
U/A From: November 1, 2012
9. **Z112-182(JH)**  
Jennifer Hiromoto  
(CC District 14)
- An application for a Planned Development Subdistrict for MF-3 Multiple Family uses on property zoned an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District with a D Liquor Control Overlay on the southeast corner of Hood Street and Brown Street.  
Staff Recommendation: **Approval**, subject to a development plan and conditions with retention of the D Liquor Control Overlay.  
Applicant: AERC Turtle Creek, LLC  
Representative: Jonathan Vinson  
U/A From: October 18, 2012
10. **Z112-256(JH)**  
Jennifer Hiromoto  
(CC District 12)
- An application for a CS Commercial Service District on property zoned a CH Clustered Housing District on the south side of Ronnie Drive and north side of Newt Drive, east of Dickerson Street.  
Staff Recommendation: **Denial**  
Applicant: Barbara Haynes and Feliz Diaz  
Representative: Barbara Haynes  
U/A From: August 16, 2012; September 6, 2012 and September 20, 2012

11. **Z112-105(RB)**  
Richard Brown  
(CC District 11)
- An application for **1)** an amendment to and expansion of Specific Use Permit No. 363 for a Cemetery and Mausoleum on property zoned an R-7.5(A) Single Family District, an LO-1 Limited Office District, a GO(A) General Office District with deed restrictions, and an MU-3 Mixed Use District with deed restrictions, and **2)** an LO-2 Limited Office District on that portion of the request site zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District in the southwest quadrant of Greenville Avenue and Restland Road.
- Staff Recommendation: **Approval** of an amendment to and expansion of Specific Use Permit No. 363, subject to a site plan and staff's recommended conditions, and **approval** of an LO-2 Limited Office District.
- Applicant: S. E. Cemeteries of Texas, Inc.
- Representative: Robert Reeves
- U/A From: October 4, 2012 and November 1, 2012

#### Zoning Cases – Individual

12. **Z112-247(RB)**  
Richard Brown  
(CC District 6)
- An application for the creation of a new subdistrict within the Light Commercial/Office Subdistrict portion of Planned Development District No. 631, the West Davis Special Purpose District, on the northwest corner of West Davis Street and the unimproved portion of Tatum Avenue.
- Staff Recommendation: **Approval**, subject to staff's recommended conditions.
- Applicant: John Malchi
- Representative: Santos Martinez

#### Landmark Commission Appeal

- CA112-591(CH)**  
Carolyn Horner  
(CC District 14)
- An appeal of the Landmark Commission decision to deny Certificate of Appropriateness CA112-591(CH) for installation of metal fence sections on the side yard to match existing fence on the west side of property at 4931 Junius Street.
- Staff Recommendation: **Approval**, subject to conditions.
- Landmark Commission Recommendation: **Denial without prejudice**

Other Matters

Minutes: November 1, 2012

Adjournment



**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, November 15, 2012**

**ZONING ORDINANCE COMMITTEE (ZOC) MEETING** - Thursday, November 15, 2012, City Hall, 1500 Marilla Street, in 5ES, at 9:30 a.m., to consider **(1) DCA 112-002(c)** - Consideration of amending the Dallas Development Code to amend parking requirements to permit the use of automated/mechanized parking systems for required parking.

**Tuesday, November 27, 2012**

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING** - Tuesday, November 27, 2012, City Hall, 1500 Marilla Street, in 5DN, at 4:00 p.m., to consider **(1)SPSD 112-003** - Consideration for the creation of a new Special Provision Sign District to be known as the "Parkland Hospital Special Provision Sign District" to regulate both the construction of new and alterations of existing signs for property generally bounded by Redfield Street, Butler Avenue, service drives, Maple Avenue, Medical District Drive, Harry Hines Boulevard, and the C.R.I. & G. R.R. Railroad lines; **(2) Z123-110** - Consideration for the appropriateness of a Specific Use Permit for installation of a non-premise district activity videoboard sign on the Ervay Street façade on property zoned Planned Development District No. 619 in an area bound by Pacific Avenue, St. Paul Street, Elm Street, and South Ervay Street; **(3) Z123-111** - Consideration for the appropriateness of a Specific Use Permit for installation of a non-premise district activity videoboard sign on the Commerce Street façade on property zoned Planned Development District No. 619 in an area bound by Pacific Avenue, St. Paul Street, Elm Street, and South Ervay Street; **(4) Z123-112** - Consideration for the appropriateness of a Specific Use Permit for installation of a non-premise district activity videoboard sign on the Elm Street façade on property zoned Planned Development District No. 619 in an area bound by Pacific Avenue, St. Paul Street, Elm Street, and South Ervay Street; **(5) Z123-122** - Consideration for the appropriateness of a Specific Use Permit for installation of a non-premise district activity videoboard sign on the Elm Street façade on property zoned Planned Development District No. 619 in an area bound by Pacific Avenue, St. Paul Street, Elm Street, and South Ervay Street; **(6) Z123-123** - Consideration for the appropriateness of a Specific Use Permit for installation of a non-premise district activity videoboard sign on the N. Griffin Street façade on property zoned Planned Development District No. 619 in an area bound by Pacific Avenue, St. Paul Street, Elm Street, and South Ervay Street; **(7) 211055033** - An application for a Certificate of Appropriateness by Gary Nitschke of The 3-DG Group, LLC for a 16 square foot detached monument sign at 1445 Ross Avenue (N. Field Street, West elevation); and **Other Matters to include** - Consideration of an amendment to Chapter 51A-7.504, which establishes the special sign district advisory committee, to change the composition of the Special Sign District Advisory and Arts District Sign Advisory committees.

Note: The official Special Sign District Advisory Committee Agenda will be posted in the City Secretary's Office and City Website at [www.ci.dallas.tx.us/cso/boardcal.shtml](http://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 15, 2012**

**FILE NUMBER:** S123-006

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 19008 and 19020 Preston Road, south of Mapleshade Lane

**DATE FILED:** October 17, 2012

**ZONING:** PD 765

**CITY COUNCIL DISTRICT:** 12    **SIZE OF REQUEST:** 2.9238 Acres    **MAPSCO:** 5 C

**APPLICANT:** Preston Shade Partners, Saltillo Apartments, LTD, R&F Partners, Ltd., and Quiktrip Corporation

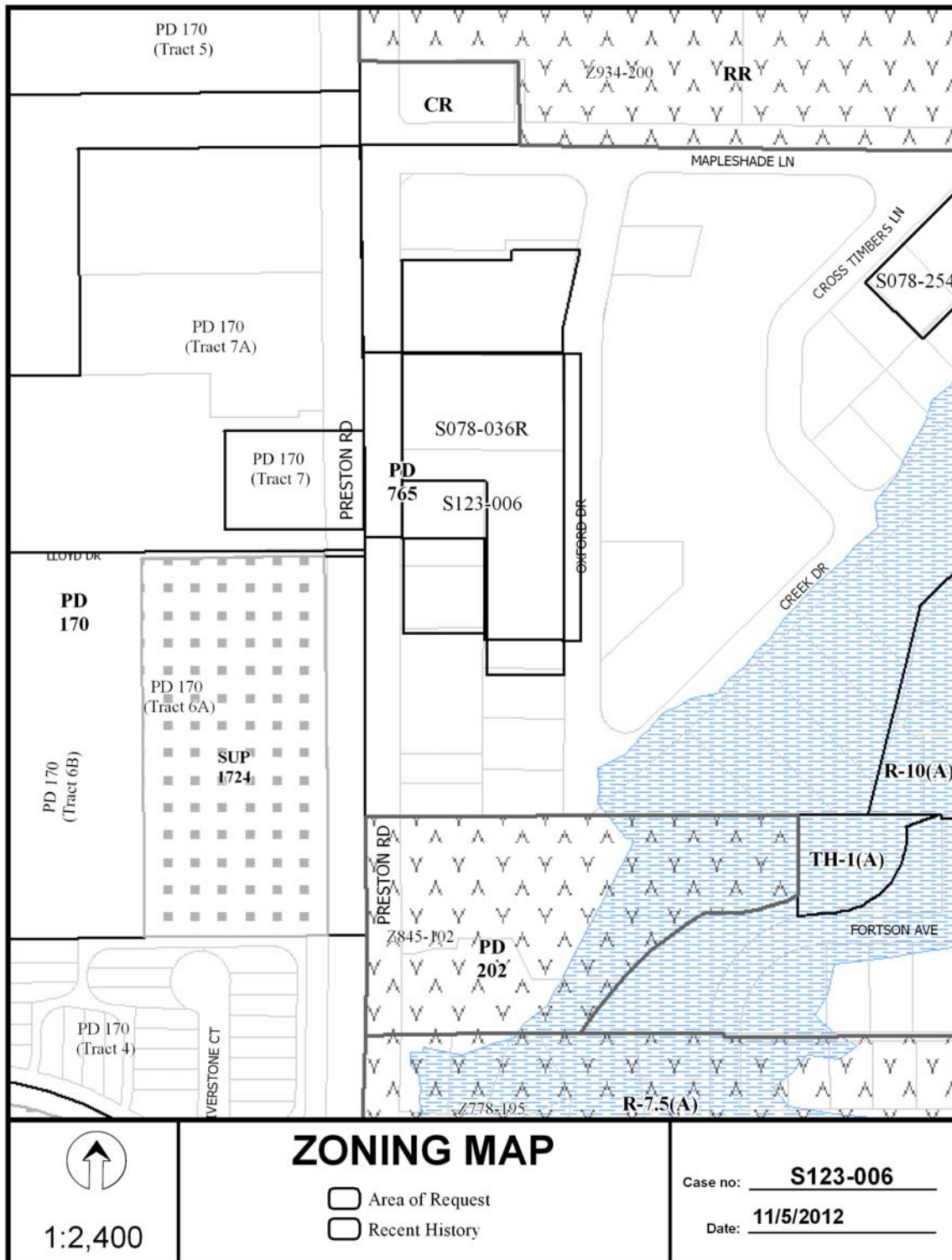
**REQUEST:** An application to replat Lots 2C and 2D into one 1.7941 acre lot and one 1.1297 acre lot from a 2.9238 acre tract of land in City Block K/8728 on property located at 19008 and 19020 Preston Road, south of Mapleshade Lane.

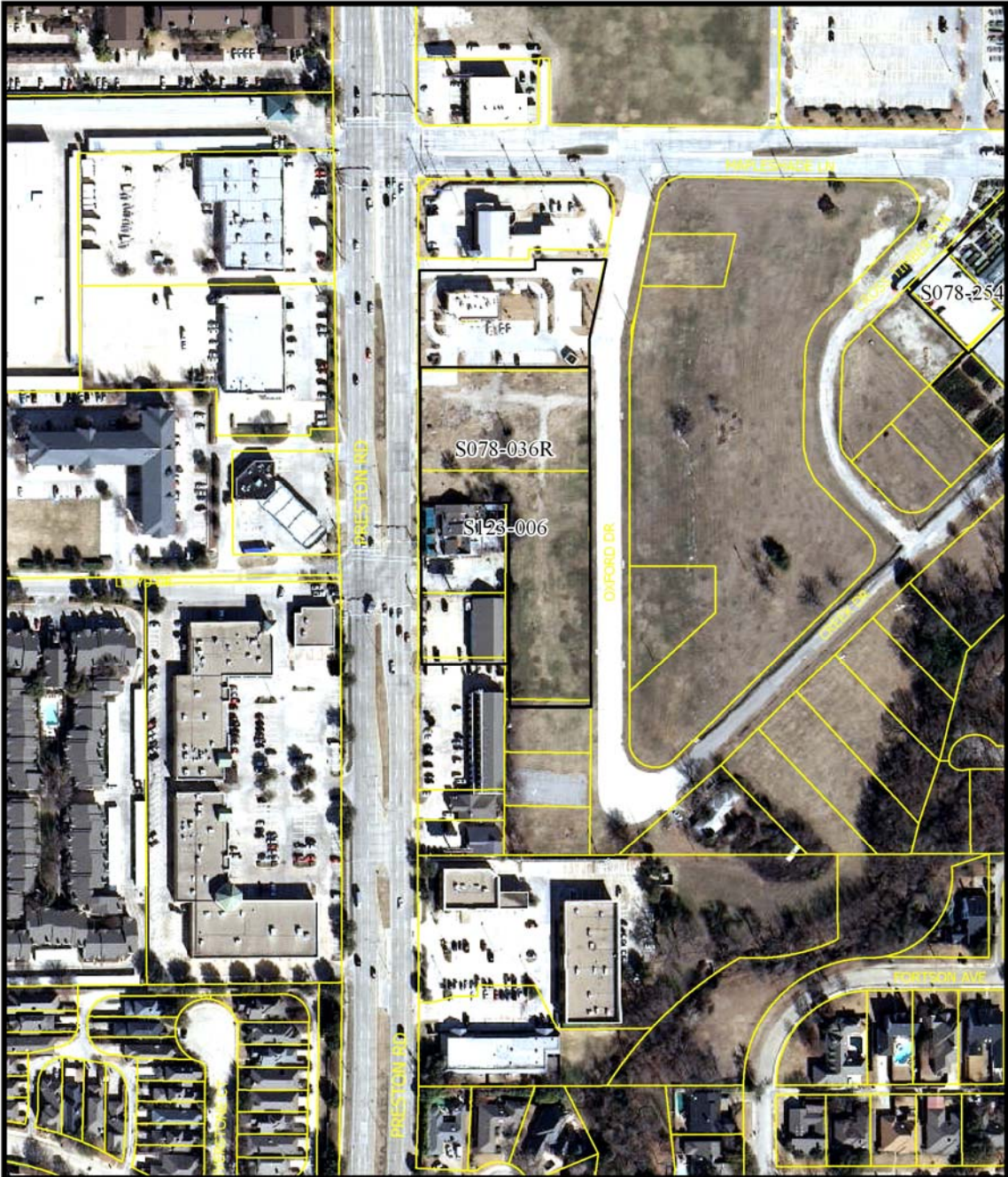
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

**STAFF RECOMMENDATION:** The request complies with the requirements of the PD 765 District; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat show how all adjoining Right-of-Way was created.
14. Prior to submittal of the final plat for recording the owner must verify that the existing building on proposed Lot 2D does not cross the proposed lot line.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. Existing water and wastewater mains must be shown on plat per Chapter 51A-8.403(A)(1)(a)(xii).
17. On the final plat provide a label for Creek Drive and add an arrow pointing to its Right-Of-Way.
18. On the final plat identify the property as Lots 2E and 2F, City Block K/8728.





 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>    <b>S123-006</b>    </u> Date: <u>    <b>11/5/2012</b>    </u>
--	---	--



**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 15, 2012****FILE NUMBER:** S123-009**Subdivision Administrator:** Paul Nelson**LOCATION:** 1401 Gould Street and bounded by Bellevue Street, Browder Street, and Sullivan Drive**DATE FILED:** October 19, 2012**ZONING:** PD 317 Subdistrict 2**CITY COUNCIL DISTRICT:** 2    **SIZE OF REQUEST:** 1.6375 Acres    **MAPSCO:** 45U**APPLICANT:** WINRS, Ltd.

**REQUEST:** An application to create one 1.6375 acre lot from a tract of land in City Block 448-1/2 on property located at 1401 Gould Street and bounded by Bellevue Street, Browder Street, and Sullivan Drive.

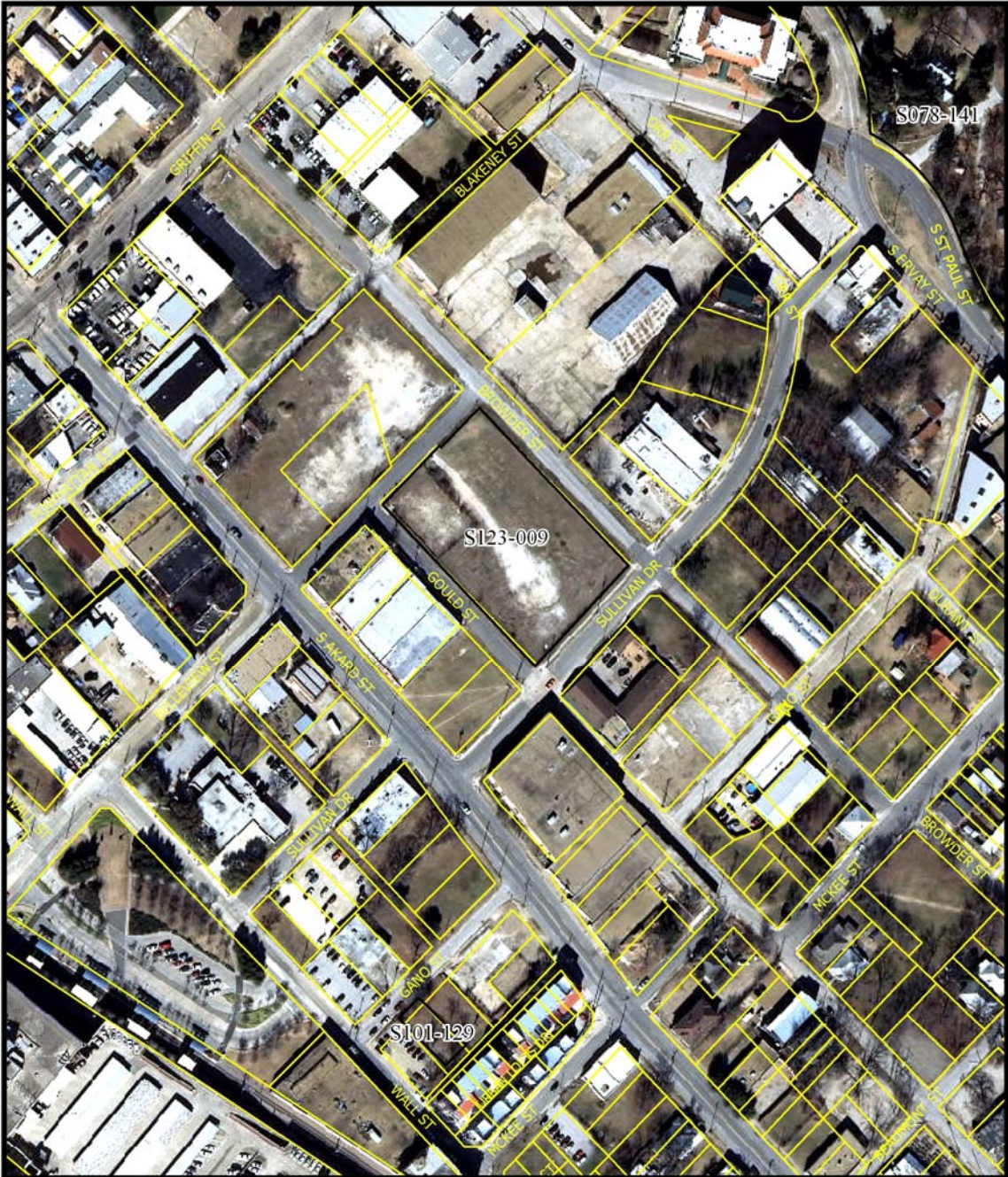
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

**STAFF RECOMMENDATION:** The request complies with the requirements of the PD 317 District; therefore, staff recommends approval subject to compliance with the following conditions:

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



9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. On the final plat dedicate 25 feet of Right-Of-Way from the established centerline of Browder Street.
13. On the final plat dedicate 25 feet of Right-Of-Way from the established centerline of Gould Street.
14. On the final plat dedicate a 15 foot by 15 foot alley sight easement at Sullivan Drive and Browder Street.
15. Coordinate with the Public Works Department the dedication of any additional Right-Of-Way Bellview Street.
16. On the final plat show how all adjoining Right-of-Way was created.
17. On the final plat monument all set corners in accordance with the Monumentation Ordinance.
18. On the final plat match the city Right-Of-Way alignment for Belleview Street as shown on the Belleview Street Extension from Akard Street to Ervay Street on City File 311D-4216 located in the City of Dallas Survey Vault in Room 314 at 320 E. Jefferson Boulevard, Dallas, Texas 75203.
19. On the final plat dedicate a street easement along Gould Street.
20. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
21. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
22. New water and/or wastewater easements need to be shown.
23. Water/wastewater main extension is required by Private Development Contract.
24. Prior to submittal of the final plat the existing fence encroachment needs to be removed from Sullivan Drive Right-Of-Way.
25. Prior to submittal of the final plat evidence must be submitted to the Subdivision Administrator that the fences on Belleview Street, Browder Street and Gould Street Rights-Of-Way do not encroach into the Right-Of-Way.
26. On the final plat identify the property as Lot 1, City Block B/448.



 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	Case no: <u>          <b>S123-009</b>          </u> Date: <u>          <b>11/5/2012</b>          </u>
--	--	--





**CITY PLAN COMMISSION**

**THURSDAY, NOVEMBER 15, 2012**

**FILE NUMBER:** S123-011

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 2631 Reagan Street

**DATE FILED:** October 23, 2012

**ZONING:** PD 193 (MF-2)

**CITY COUNCIL DISTRICT:** 2      **SIZE OF REQUEST:** 0.47 Acres      **MAPSCO:** 35W

**APPLICANT:** Pinar, Inc.

**REQUEST:** An application to replat a 0.47 acre tract of land containing all of Lots 1 and 2 and part of Lots 17 and 18 in Block 38/1341 to create one lot at 2631 Reagan Street.

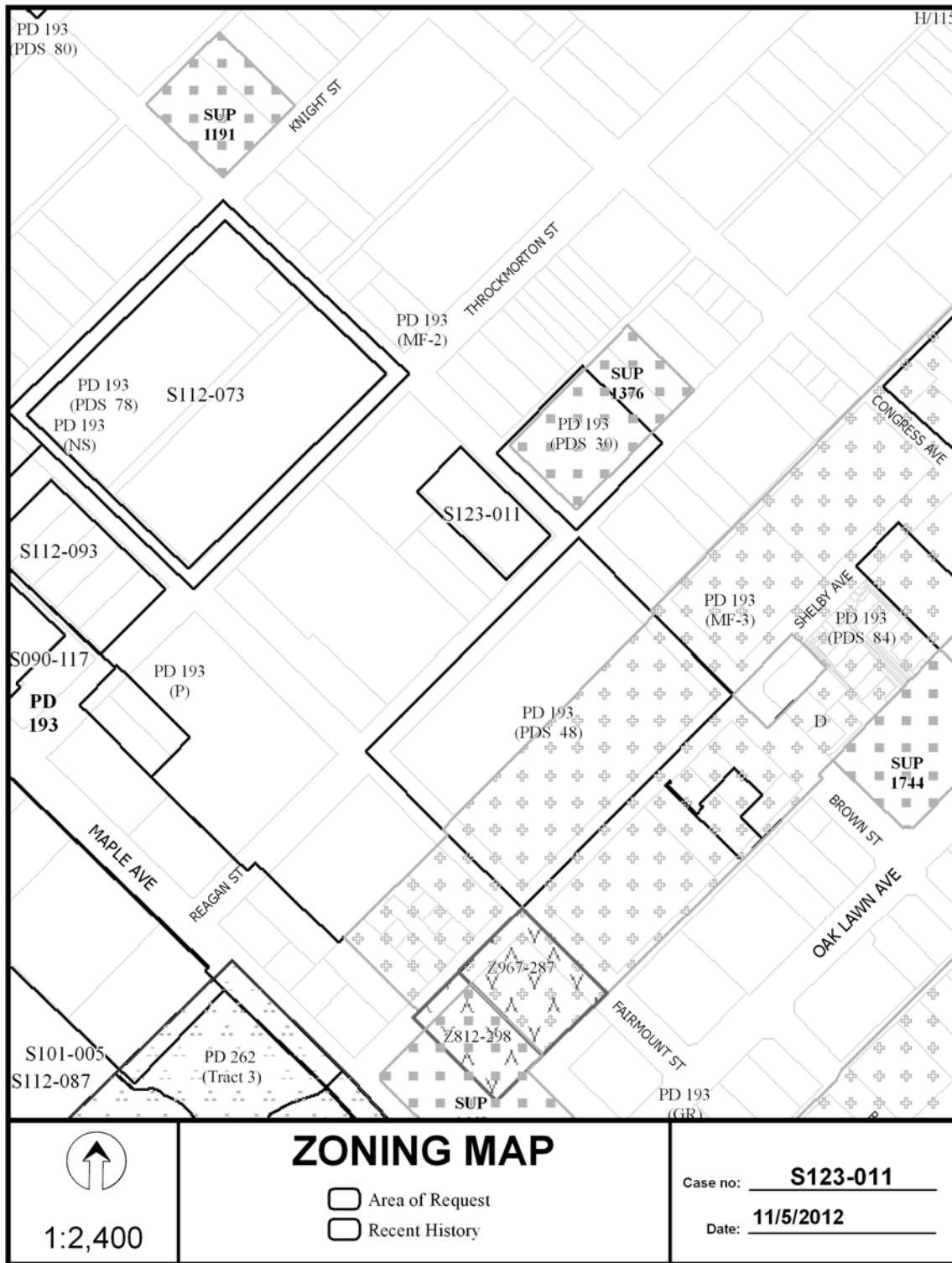
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

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


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

must be verified by the Chief City Surveyors Office in the Public Works Department.

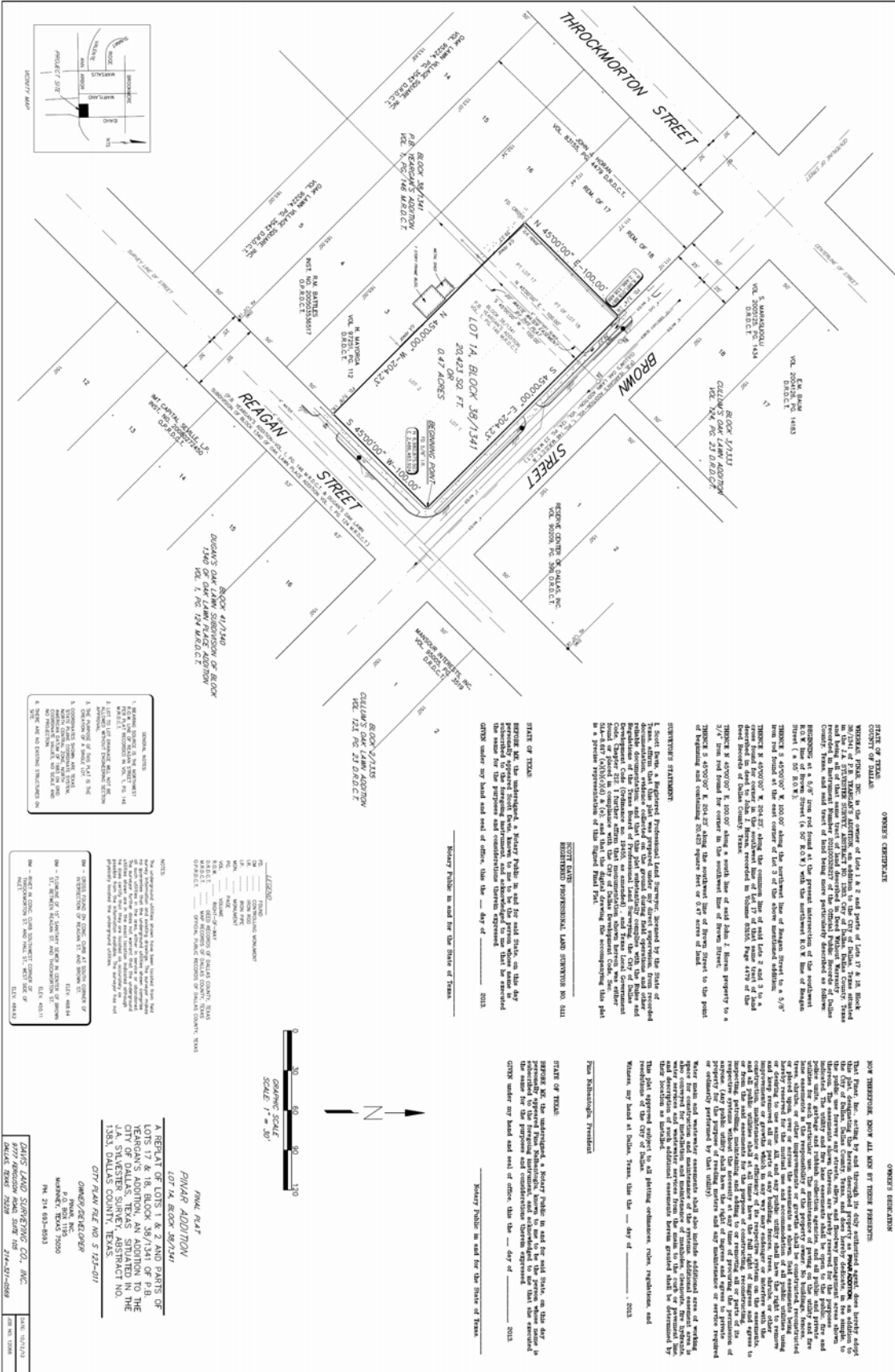
10. The maximum number of lots permitted by this plat is 1.
11. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. On the final plat dedicate a 10 foot by 10 foot corner clip at the intersection of Brown Street and Reagan Street.
14. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
16. Water/wastewater main extension is required by Private Development Contract.
17. On the final plat identify the property as Lot 1A, City Block 38/1341.





 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Case no: <u>          <b>S123-011</b>          </u> Date: <u>          <b>11/5/2012</b>          </u>
--	---	--





**CITY OF DALLAS**  
**OWNER'S CERTIFICATE**

WHEREAS, P&B, INC. is the owner of Lots 1 & 2 and parts of Lots 3 & 4, Block 38/1341, of the THROCKMORTON ADDITION, as addition to the CITY OF DALLAS, Texas, created and being all of that same tract of land described in said Throckmorton Addition, Dallas County, Texas, and said tract of land being more particularly described as follows: BEING, more or less, the present subdivision of the southeast 1/4 of Section 18, Township 10S, Range 14E, County of Dallas, Texas, as shown on the plat of said Block 38/1341, Block of Reagan Street (a 50' R.O.W.) with the southeast R.O.W. line of Reagan Street (a 50' R.O.W.) being the southwest line of Reagan Street to a 3/4" iron rod found at the east corner of Lot 3 of the above mentioned addition.

THENCE S. 45°00'00" W. 100.00' along the southwest line of Reagan Street to a 3/4" iron rod found at the east corner of Lot 3 of the above mentioned addition.

THENCE S. 45°00'00" W. 100.00' along the southwest line of Reagan Street to a 3/4" iron rod found for corner in the southwest line of Brown Street.

THENCE S. 45°00'00" E. 204.23' along the southwest line of Brown Street to the point of beginning and containing 20,423 square feet or 0.47 acres of land.

**SURVEYOR'S STATEMENT**

I, Scott Davis, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I am the author of the foregoing plat and that I am a duly Licensed Professional Land Surveyor in the State of Texas, and that I am duly qualified to perform the duties of a Professional Land Surveyor. I have personally examined the original survey data and the original plat and find that the same are correct and that the same conform to the provisions of the laws of the State of Texas, and that the same are a true and correct representation of the land shown on the plat.

**SCOTT DAVIS**  
**REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5111**

**STATE OF TEXAS**  
BEFORE ME, the undersigned a Notary Public, in and for said State, on this day of \_\_\_\_\_, 2012, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the \_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public in and for the State of Texas

**CITY OF DALLAS**  
**OWNER'S DECLARATION**

I, Scott Davis, the author of the plat, do hereby certify that I am a duly Licensed Professional Land Surveyor in the State of Texas, and that I am duly qualified to perform the duties of a Professional Land Surveyor. I have personally examined the original survey data and the original plat and find that the same are correct and that the same conform to the provisions of the laws of the State of Texas, and that the same are a true and correct representation of the land shown on the plat.

THENCE S. 45°00'00" W. 100.00' along the southwest line of Reagan Street to a 3/4" iron rod found at the east corner of Lot 3 of the above mentioned addition.

THENCE S. 45°00'00" W. 100.00' along the southwest line of Reagan Street to a 3/4" iron rod found for corner in the southwest line of Brown Street.

THENCE S. 45°00'00" E. 204.23' along the southwest line of Brown Street to the point of beginning and containing 20,423 square feet or 0.47 acres of land.

**SURVEYOR'S STATEMENT**

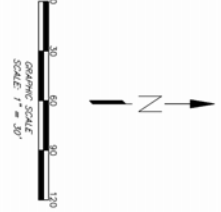
I, Scott Davis, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I am the author of the foregoing plat and that I am a duly Licensed Professional Land Surveyor in the State of Texas, and that I am duly qualified to perform the duties of a Professional Land Surveyor. I have personally examined the original survey data and the original plat and find that the same are correct and that the same conform to the provisions of the laws of the State of Texas, and that the same are a true and correct representation of the land shown on the plat.

**SCOTT DAVIS**  
**REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5111**

**STATE OF TEXAS**  
BEFORE ME, the undersigned a Notary Public, in and for said State, on this day of \_\_\_\_\_, 2012, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the \_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public in and for the State of Texas



- CONVENTIONS**
1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
  2. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE SPECIFIED.
  3. THE CENTER OF A CURVE IS THE CENTER OF THE CIRCLE OF WHICH THE CURVE IS A PART.
  4. ALL CURVES ARE TO BE RUN BY THE METHOD OF SIGHT SIGHTS.
  5. ALL CURVES ARE TO BE RUN BY THE METHOD OF SIGHT SIGHTS.
  6. THERE ARE NO CORNER STATIONING ON THIS PLAT.
- NOTES**
1. THE PROFESSIONAL SURVEYOR HAS BEEN LICENSED UNDER THE PROFESSIONAL LAND SURVEYOR ACT, CHAPTER 553, TITLE 55, OF THE STATUTES OF THE STATE OF TEXAS.
  2. THE SURVEYOR HAS PERSONALLY EXAMINED THE ORIGINAL SURVEY DATA AND THE ORIGINAL PLAT AND FINDS THAT THE SAME ARE CORRECT AND THAT THE SAME CONFORM TO THE PROVISIONS OF THE LAWS OF THE STATE OF TEXAS.
  3. THE SURVEYOR HAS PERSONALLY EXAMINED THE ORIGINAL SURVEY DATA AND THE ORIGINAL PLAT AND FINDS THAT THE SAME ARE CORRECT AND THAT THE SAME CONFORM TO THE PROVISIONS OF THE LAWS OF THE STATE OF TEXAS.
  4. THE SURVEYOR HAS PERSONALLY EXAMINED THE ORIGINAL SURVEY DATA AND THE ORIGINAL PLAT AND FINDS THAT THE SAME ARE CORRECT AND THAT THE SAME CONFORM TO THE PROVISIONS OF THE LAWS OF THE STATE OF TEXAS.
  5. THE SURVEYOR HAS PERSONALLY EXAMINED THE ORIGINAL SURVEY DATA AND THE ORIGINAL PLAT AND FINDS THAT THE SAME ARE CORRECT AND THAT THE SAME CONFORM TO THE PROVISIONS OF THE LAWS OF THE STATE OF TEXAS.
  6. THE SURVEYOR HAS PERSONALLY EXAMINED THE ORIGINAL SURVEY DATA AND THE ORIGINAL PLAT AND FINDS THAT THE SAME ARE CORRECT AND THAT THE SAME CONFORM TO THE PROVISIONS OF THE LAWS OF THE STATE OF TEXAS.

**FINAL PLAT**  
**PINKAIR ADDITION**  
LOT 14, BLOCK 38/1341  
A REVERT OF LOTS 1 & 2 AND PARTS OF LOTS 3 & 4, BLOCK 38/1341, OF P&B THE CITY OF DALLAS, TEXAS, SITUATED IN THE J.A. STALESTER SURVEY, ABSTRACT NO. 3853, DALLAS COUNTY, TEXAS.  
OWNER/REGISTRAR  
DANIS LAND SURVEYING CO., INC.  
2010 W. WILSON ST.  
MCKINNEY, TEXAS 75069  
PH 214 831-5933  
GDT/RLM/RLM NO. 5 722-017  
DANIS LAND SURVEYING CO., INC.  
2010 W. WILSON ST.  
MCKINNEY, TEXAS 75069  
PH 214 831-5933

**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 15, 2012****FILE NUMBER:** S123-012**Subdivision Administrator:** Paul Nelson**LOCATION:** Belt Line Road, north of Hackberry Lane**DATE FILED:** October 23, 2012**ZONING:** PD 741, Subarea A-2**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 113.291 Acres **MAPSCO:** 11AQ**APPLICANT:** Trammell Crow Company No. 43, Ltd.

**REQUEST:** An application to create one 38.174 acre lot, one 10.595 acre lot and one 56.878 acre lot from a 113.291 acre tract of land in City Block 8465 on property in the vicinity of Belt Line Road, north of Hackberry Lane.

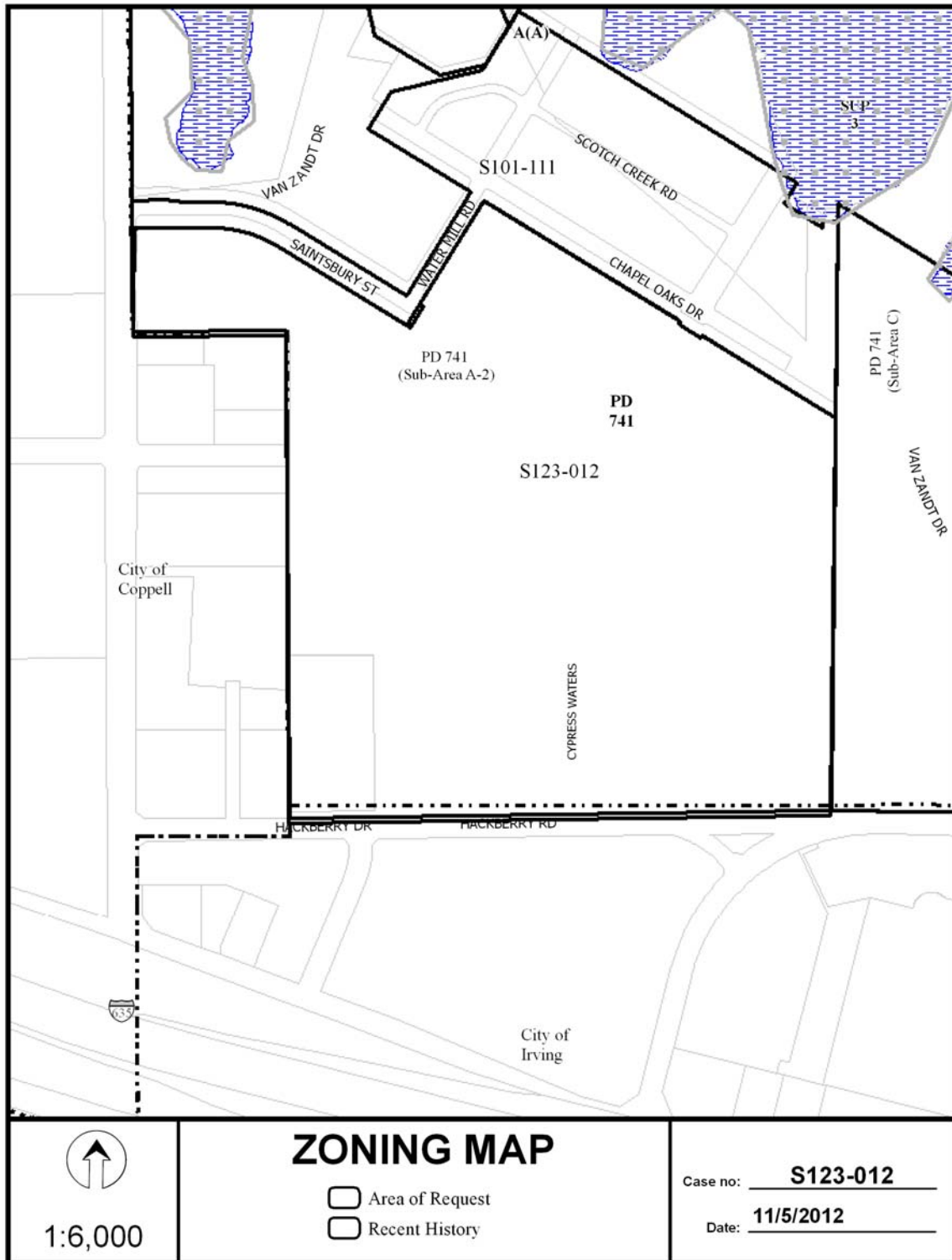
**SUBDIVISION HISTORY:**

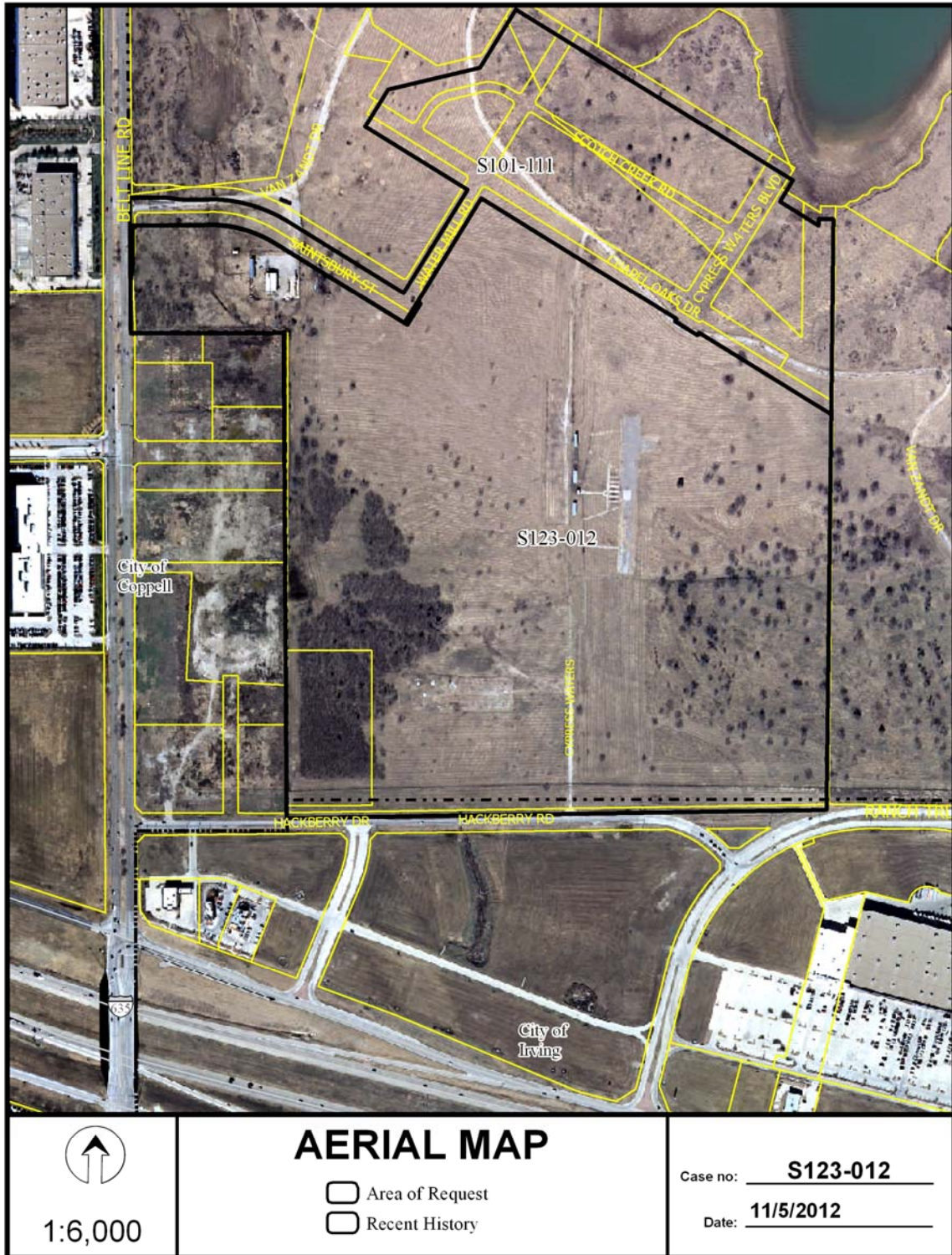
1. S101-111 was an application to create one 2.91 acre lot, one 1.456 acre lot, one 7.146 acre lot, and one 6.229 acre lot from a 34.222 acre tract of land out of the G.W. Laws Survey, Abstract No. 843, and the Jon L. Whitman Survey, Abstract No. 1521 in the City of Dallas, Dallas County, on property in the vicinity of Belt Line Road north of Hackberry Lane. The request was approved on June 16, 2011 but has not been recorded.
2. S101-137 was an application to create a 2.902 acre lot from a tract of land in City Block 8467 located approximately 2,200 feet east of the intersection of Ranch Trail Lane at Hackberry Drive.

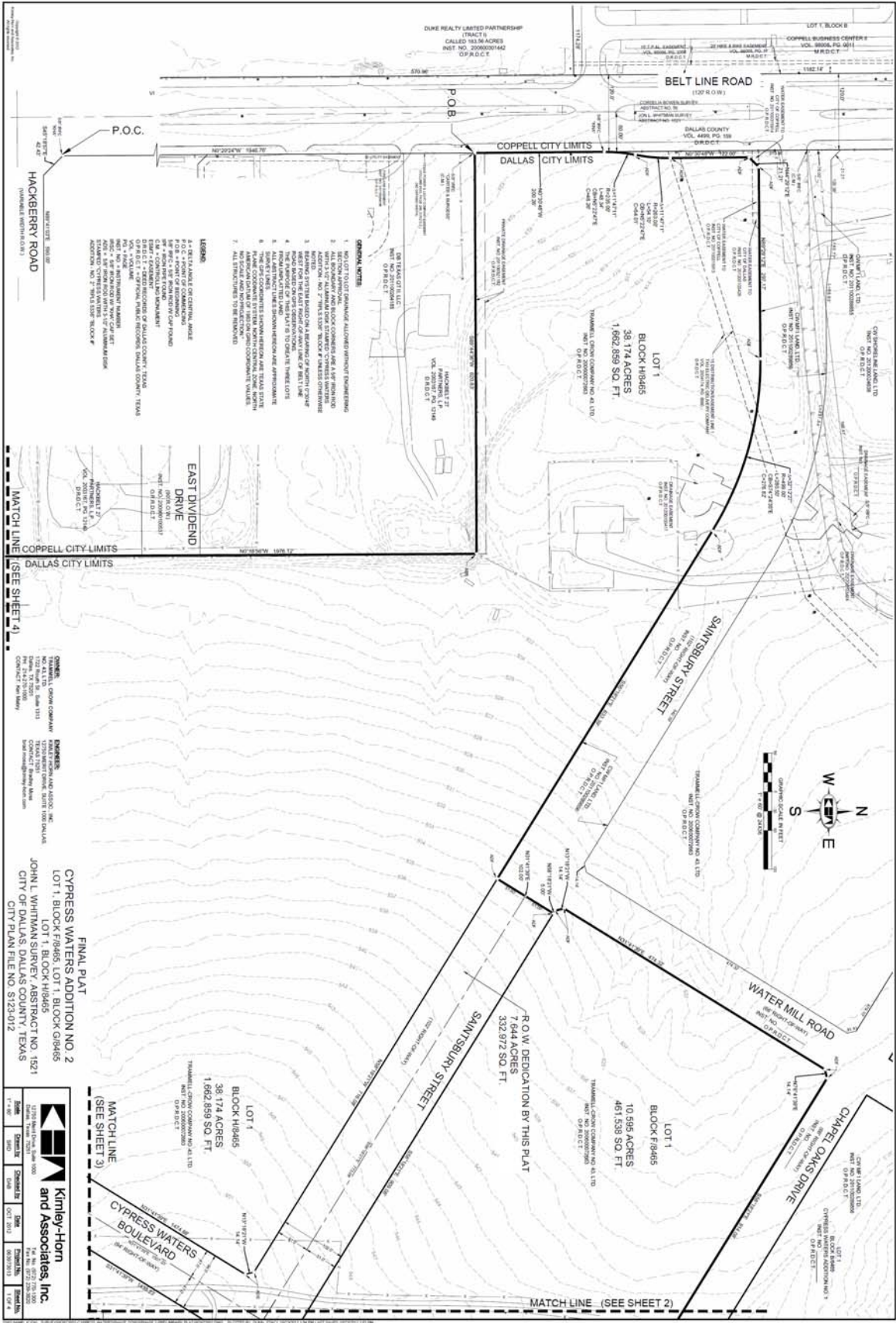
**STAFF RECOMMENDATION:** The request complies with the requirements of the PD 741, Subarea A-2 District; therefore, staff recommends approval subject to compliance with the following conditions:

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

7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 3.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. Detention may be required if the capacity of the available outfall is not adequate to carry the developed runoff.
14. On the final plat dedicate a 15 foot by 15 foot corner clip at Cypress Waters Boulevard at Hackberry Road.
15. Coordinate the Right-Of-Way, design and construction of Hackberry Road with the City of Irving and Dallas County.
16. Provide the Right-Of-Way, design and construction of the turnaround at the terminus of East Dividend Drive.
17. On the final plat show how all adjoining Right-of-Way was created.
18. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
20. Water/wastewater main extension is required by Private Development Contract.
21. On sheet 2 place a label for Saintsbury Street with an arrow pointing to where its Right-Of-Way is extended.
22. On sheet 2 fully spell out both labels for Cypress Waters Boulevard.
23. On the final plat identify the property as Lot 1, City Block F/8465; Lot 1, City Block G/8465, and Lot 1, City Block H/8465.







- GENERAL NOTES:**
1. NO LOT OR LOT CORNER ALLOWED WITHOUT ENGINEERING
  2. ALL CORNERS AND BLOCK CORNERS ARE AS SHOWN UNLESS OTHERWISE NOTED
  3. RELAYING SYSTEM BASED ON A READING OF HEIGHT OF CURB
  4. ELEVATIONS ARE TO CENTERLINE OF ROAD
  5. ELEVATIONS OF LOT CORNERS ARE TO CENTERLINE OF ROAD
  6. ELEVATIONS OF LOT CORNERS ARE TO CENTERLINE OF ROAD
  7. ALL STRUCTURES TO BE REMOVED
- LEGEND:**
- A - BOUNDARY OF ORIGINAL AREA
  - P.O.C. - POINT OF CORNER
  - S.P. - SURVEY POINT
  - C.M. - CORNER MARK
  - D.B.C. - DEED RECORDS OF DALLAS COUNTY, TEXAS
  - V.O.L. - VOLUME
  - P.A.C. - PLAT AND COUNTERPART
  - A.D. - ADJACENT DEED RECORDS
  - A.C. - ADJACENT COUNTY
  - A.S. - ADJACENT STATE
  - A.C.S. - ADJACENT COUNTY STATE
  - A.S.S. - ADJACENT STATE STATE
  - A.C.S.S. - ADJACENT COUNTY STATE STATE

**OWNER:** CYPRESS WATERS ADDITION NO. 2  
 JOHN L. WHITMAN SURVEY, ABSTRACT NO. 1521  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS  
 CITY PLAN FILE NO. S123-012

**ENGINEER:** KIMLEY-HORN AND ASSOCIATES, INC.  
 2125 MAIN STREET, SUITE 1000, DALLAS, TEXAS 75201  
 TEL: 214.752.1000  
 FAX: 214.752.1000  
 WWW.KIMLEY-HORN.COM

**FINAL PLAT**  
 CYPRESS WATERS ADDITION NO. 2  
 LOT 1, BLOCK F8465, LOT 1, BLOCK G8465  
 LOT 1, BLOCK H8465  
 JOHN L. WHITMAN SURVEY, ABSTRACT NO. 1521  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS  
 CITY PLAN FILE NO. S123-012

**Kimley-Horn and Associates, Inc.**  
 2125 MAIN STREET, SUITE 1000, DALLAS, TEXAS 75201  
 TEL: 214.752.1000  
 FAX: 214.752.1000  
 WWW.KIMLEY-HORN.COM

DATE	BY	REVISION
11/15/2012	JLW	FINAL
11/15/2012	JLW	FOR REVIEW
11/15/2012	JLW	FOR REVIEW
11/15/2012	JLW	FOR REVIEW
11/15/2012	JLW	FOR REVIEW
11/15/2012	JLW	FOR REVIEW



**CITY PLAN COMMISSION**

**THURSDAY, NOVEMBER 15, 2012**

**FILE NUMBER:** S123-013

**Subdivision Administrator:** Paul Nelson

**LOCATION:** Continental Avenue at Canada Drive/Beckley Avenue

**DATE FILED:** October 23, 2012

**ZONING:** A(A)

**CITY COUNCIL DISTRICT:** 2 & 6 **SIZE OF REQUEST:** 4.863 Acres **MAPSCO:** 44M,R

**APPLICANT:** City of Dallas

**REQUEST:** An application to plat 4.863 acres of Right Of Way Reservation for Continental Avenue.

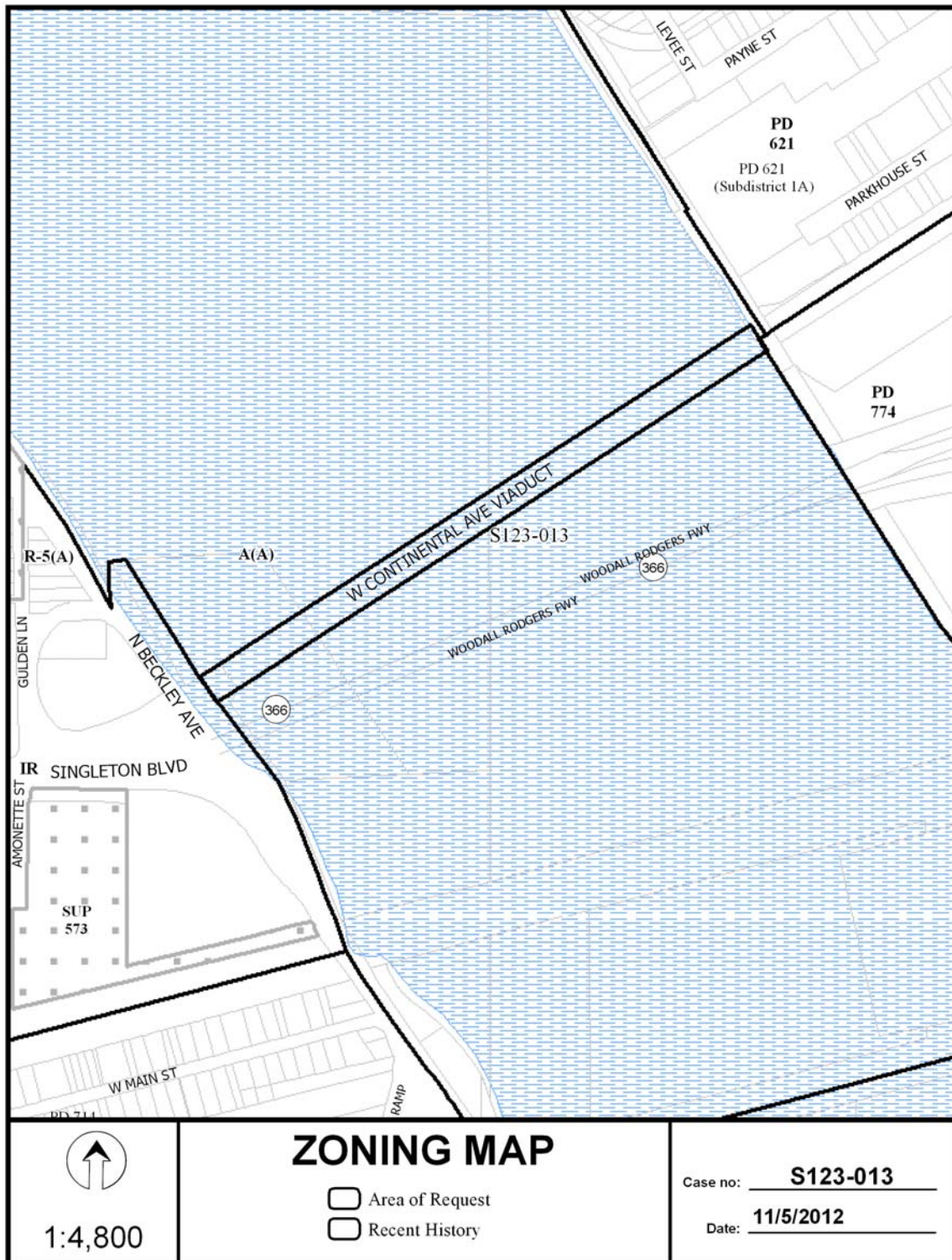
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

**STAFF RECOMMENDATION:** The request complies with the requirements of the A(A) District, and the platting of Right Of Way is only allowed upon approval of Director of Public Works; therefore, staff recommends approval subject to compliance with the following conditions:

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



9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. 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.
11. Coordinate the bridge engineering plans with the Trinity Watershed Management Team.
12. On the final plat label all abstract lines.
13. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. Water/wastewater main extension is required by Private Development Contract.
16. On the final plat Change Woodall Rodgers to Woodall Rodgers Freeway.
17. On the final plat change Spur 366 to State Highway Spur No. 366.
18. Provide information as to how Right-Of-Way is to be closed to vehicular traffic.
19. On the final plat at the west end of Continental Avenue and Woodall Rodgers Freeway show and label the alignments for Singleton Boulevard, Beckley Avenue, and Canada Drive.





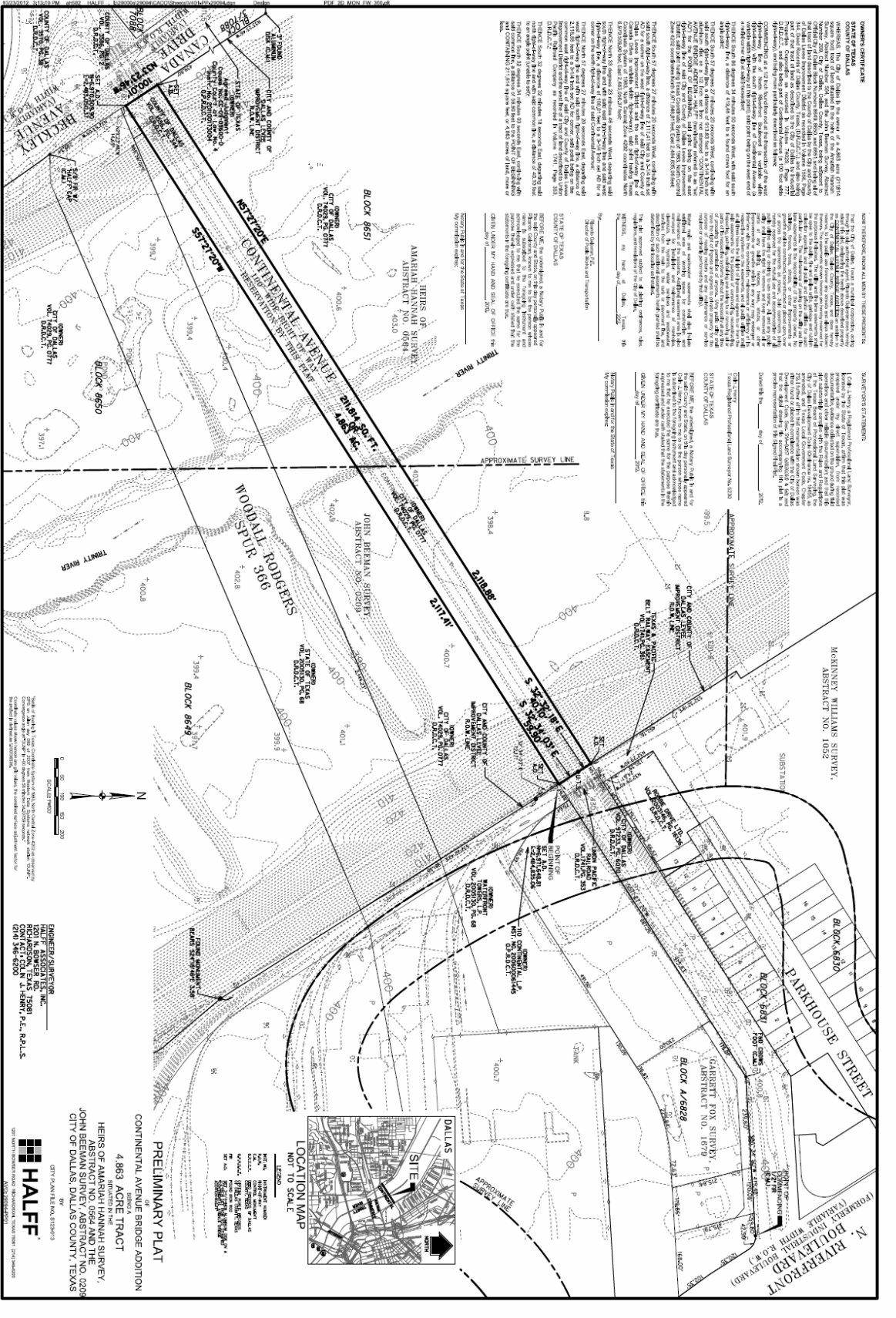
1:4,800

## AERIAL MAP

- Area of Request
- Recent History

Case no: S123-013

Date: 11/5/2012



**OWNERS CERTIFICATE**  
 COUNTY OF DALLAS

NON-EXISTING OWNER HAS TAKEN NECESSARY  
 STEPS TO BE RECORDED

STATE OF TEXAS  
 COUNTY OF DALLAS

STATE OF TEXAS  
 COUNTY OF DALLAS

STATE OF TEXAS  
 COUNTY OF DALLAS

STATE OF TEXAS  
 COUNTY OF DALLAS

STATE OF TEXAS  
 COUNTY OF DALLAS

STATE OF TEXAS  
 COUNTY OF DALLAS

STATE OF TEXAS  
 COUNTY OF DALLAS

**CITY PLAN COMMISSION**

**THURSDAY, NOVEMBER 15, 2012**

**FILE NUMBER:** S123-016

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 2200 N. Lamar Street

**DATE FILED:** October 24, 2012

**ZONING:** PD 193 (CA-2)

**CITY COUNCIL DISTRICT:** 2    **SIZE OF REQUEST:** 2.821 Acres    **MAPSCO:** 45J,K

**APPLICANT:** Laws Street Land Development L.P. and Laws Street Development, L.P.

**REQUEST:** An application to create one 1.771 acre lot and one 1.050 acre lot from a 2.821 acre tract of land containing all of Lot 1 in City Block A/390 and a tract of land on property located at 2200 N. Lamar Street.

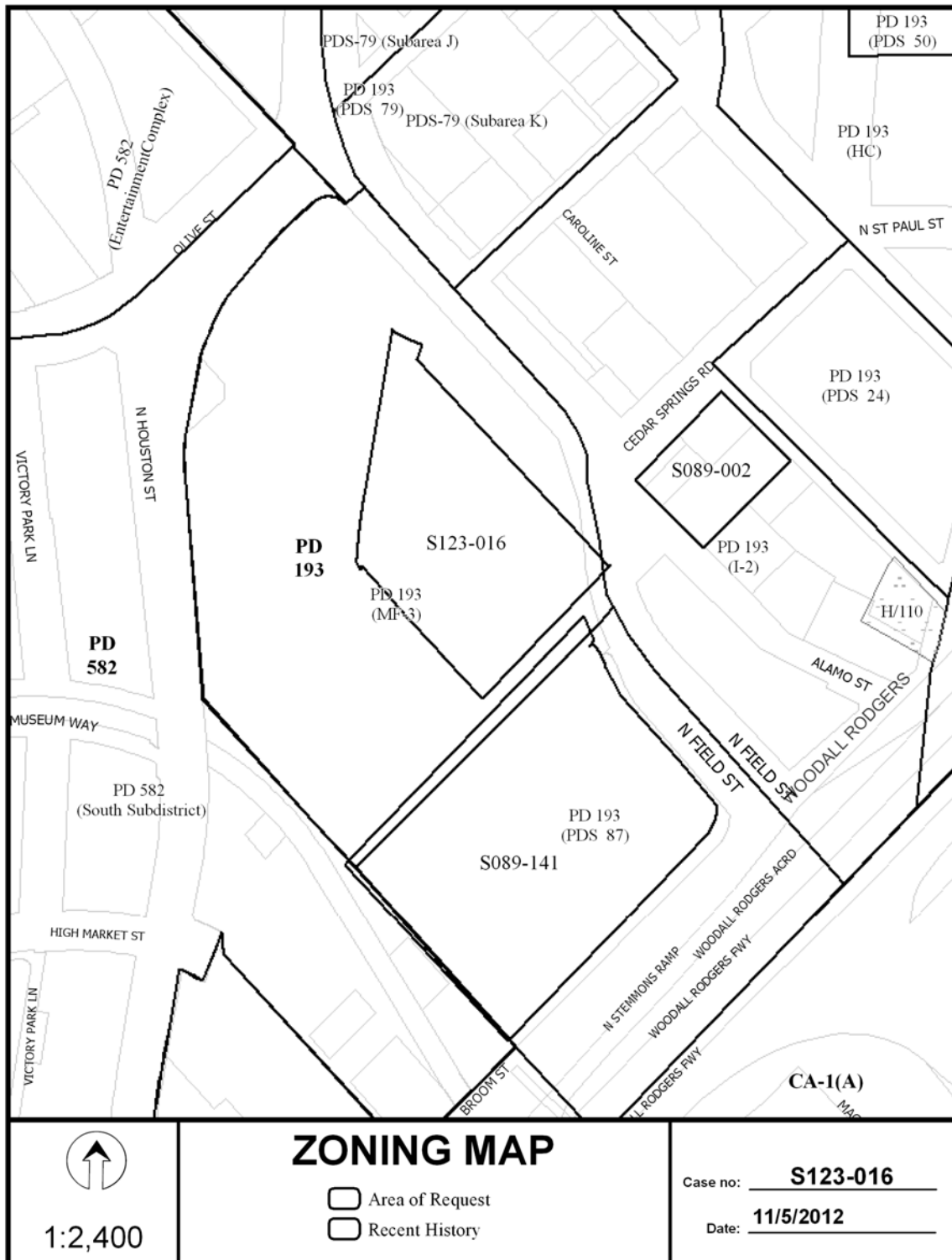
**SUBDIVISION HISTORY:**

1. S056-216 was an application on the current area of request to replat part of Lot 2 and all of Lots 3 through 18 in City Block 390 into one 2.7309 acre lot at N. Houston Street, N. Lamar Street and Broom Street. The plat was approved on May 4, 2006 and was recorded.

**STAFF RECOMMENDATION:** The request complies with the requirements of the PD 193 (CA-2) District; therefore, staff recommends approval subject to compliance with the following conditions:

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

8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat show how all adjoining Right-of-Way was created.
14. On the final plat chose a different addition name.
15. On the final plat show two controlling monuments.
16. On the final plat list utility easements as retained within street abandonments when state as such in the abandonment ordinance.
17. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
18. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
19. Wastewater main extension is required by Private Development Contract.
20. On the final plat change Woodall Rodgers Freeway to Woodall Rodgers Freeway (State Highway Spur No. 366).
22. On the final plat change North Lamar Street to Lamar Street.
23. On the final plat identify the property as Lots 1A, 1B, City Block A/390.





 1:2,400	<h2>AERIAL MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Case no: <u>          <b>S123-016</b>          </u> Date: <u>          <b>11/5/2012</b>          </u>
--	---	--





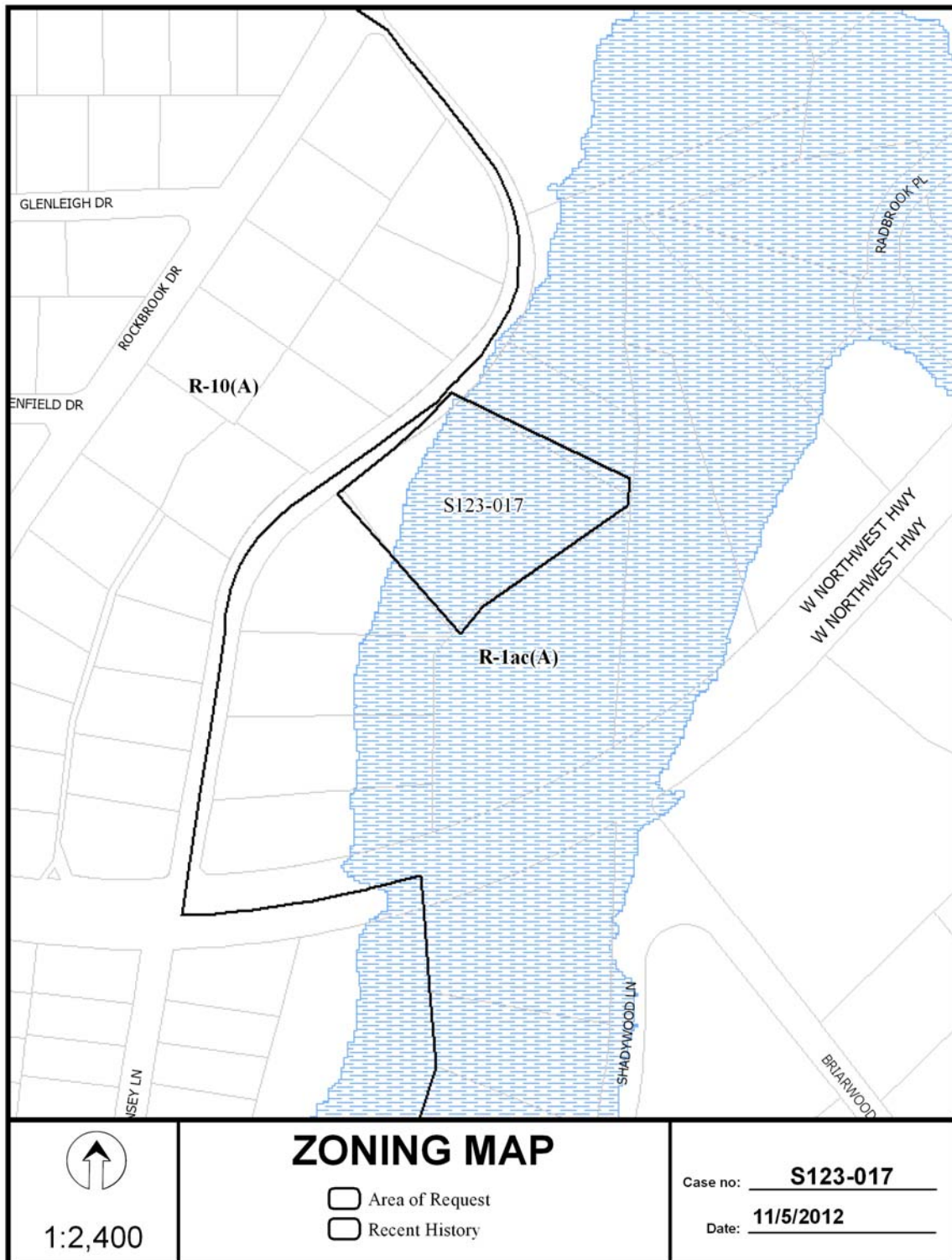
**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 15, 2012****FILE NUMBER:** S123-017**Subdivision Administrator:** Paul Nelson**LOCATION:** 9200 Guernsey Lane**DATE FILED:** October 24, 2012**ZONING:** R-1ac(A)**CITY COUNCIL DISTRICT:** 13    **SIZE OF REQUEST:** 2.192 Acres    **MAPSCO:** 24Y**APPLICANT:** Edward and Stephanie Howard**REQUEST:** An application to create one 1.003 acre lot and one 1.160 acre lot from a 2.192 acre tract of land in City Block 5558 on property located at 9200 Guernsey Lane.**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.**STAFF RECOMMENDATION:** Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets...".

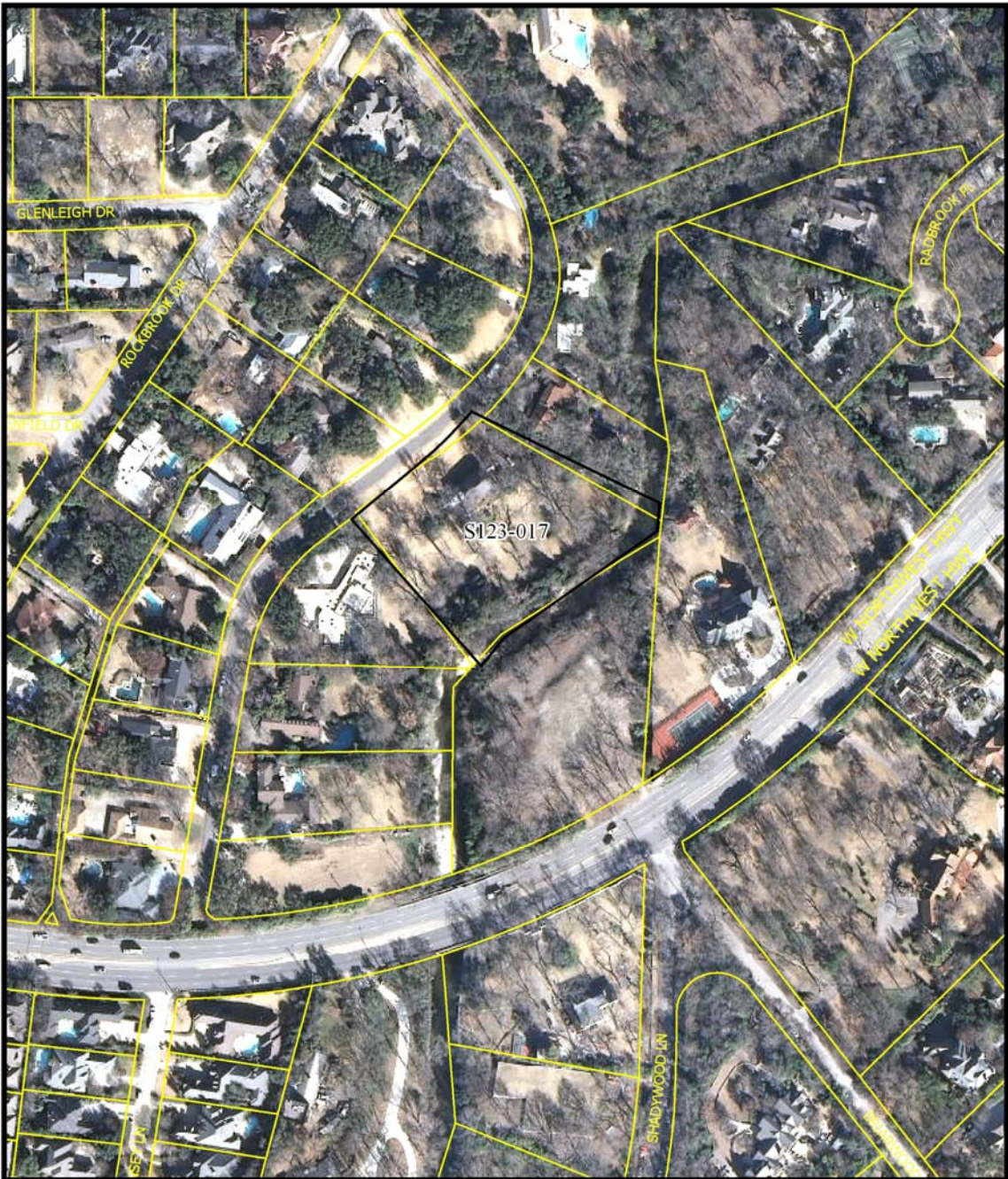
The request is governed by the R-1ac.(A) requirements and the proposed plat complies with those requirements. The proposed lot configuration is similar in lot area to other lots in the area; therefore, staff recommends approval subject to compliance with the following conditions:

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

- plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
  9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
  10. The maximum number of lots permitted by this plat is 2.
  11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
  12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
  13. On the final plat dedicate 28 feet of Row-Of-Way from the established center line of Guernsey Lane.
  14. An application to replat part of Lot 2 and all of Lots 3 through 18 in City Block 390 into one 2.7309 acre lot at N. Houston Street, N. Lamar Street and Broom Street.
  15. On the final plat determine the 100 year water surface elevation across the plat.
  16. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
  17. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
  18. On the final plat specify minimum fill and minimum finished floor elevations.
  19. On the final plat show the natural channel set back from the crest of the natural channel.
  20. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
  21. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.
  22. On the final plat show how all adjoining Right-of-Way was created.
  23. Clarify the sanitary sewer easement along the creek.
  24. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.

25. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
26. Water main extension may be required by Private Development Contract.
27. Wastewater backflow agreement may be required..
28. On the final plat add an arrow showing the location of the Dallas – Duncanville boundary with respect to the Clark Road Right of Way.
29. On the final plat identify the property as Lots 5, 6, City Block 5558.





 1:2,400	<h3>AERIAL MAP</h3> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Case no: <u>S123-017</u> Date: <u>11/5/2012</u>
--	---	--



**CITY PLAN COMMISSION****THURSDAY, NOVEMBER 15, 2012****FILE NUMBER:** S123-010**Subdivision Administrator:** Paul Nelson**LOCATION:** 7777 Osage Plaza Parkway**DATE FILED:** October 23, 2012**ZONING:** R-5(A)**CITY COUNCIL DISTRICT:** 12    **SIZE OF REQUEST:** 15.082 Acres    **MAPSCO:** 6E**APPLICANT/OWNER:** All Saints Catholic Church

**REQUEST:** An application to replat a 15.082 acre tract of land containing all of Lot 13 in City Block 4/8726 and a tract of land in Block 8726 into one lot on property located at 7777 Osage Plaza Parkway.

**SUBDIVISION HISTORY:**

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

**DATES NOTICES SENT:** 52 notices were mailed on October 29, 2012 to property owners within 200 feet of this request with 0 replies received in favor and 0 replies received in opposition to the request as of November 7, 2012.

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

The request is governed by the R-5(A) requirements and complies with those requirements. The proposed lot configuration is similar to other institutional uses; therefore, staff recommends approval subject to compliance with the following conditions:

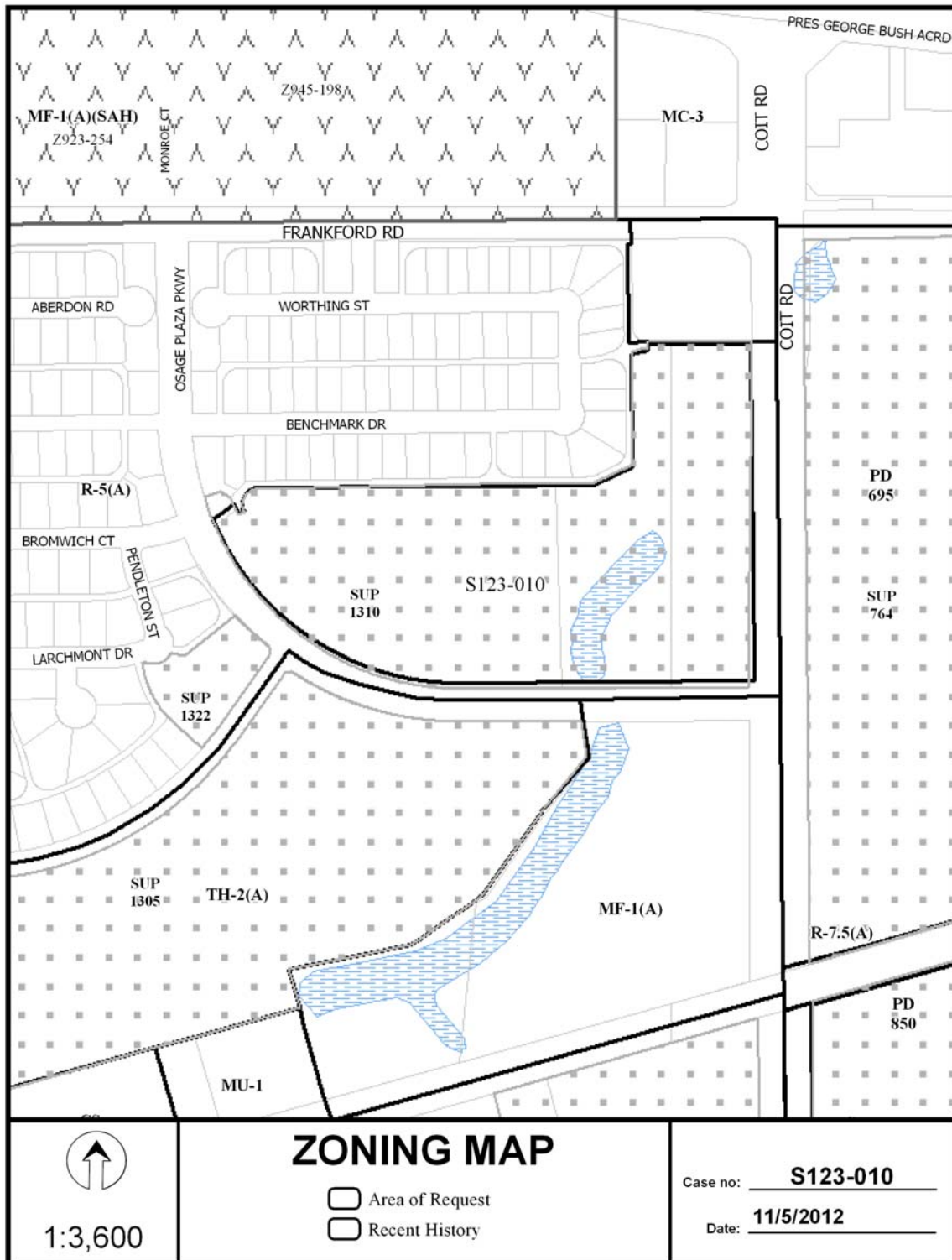
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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




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

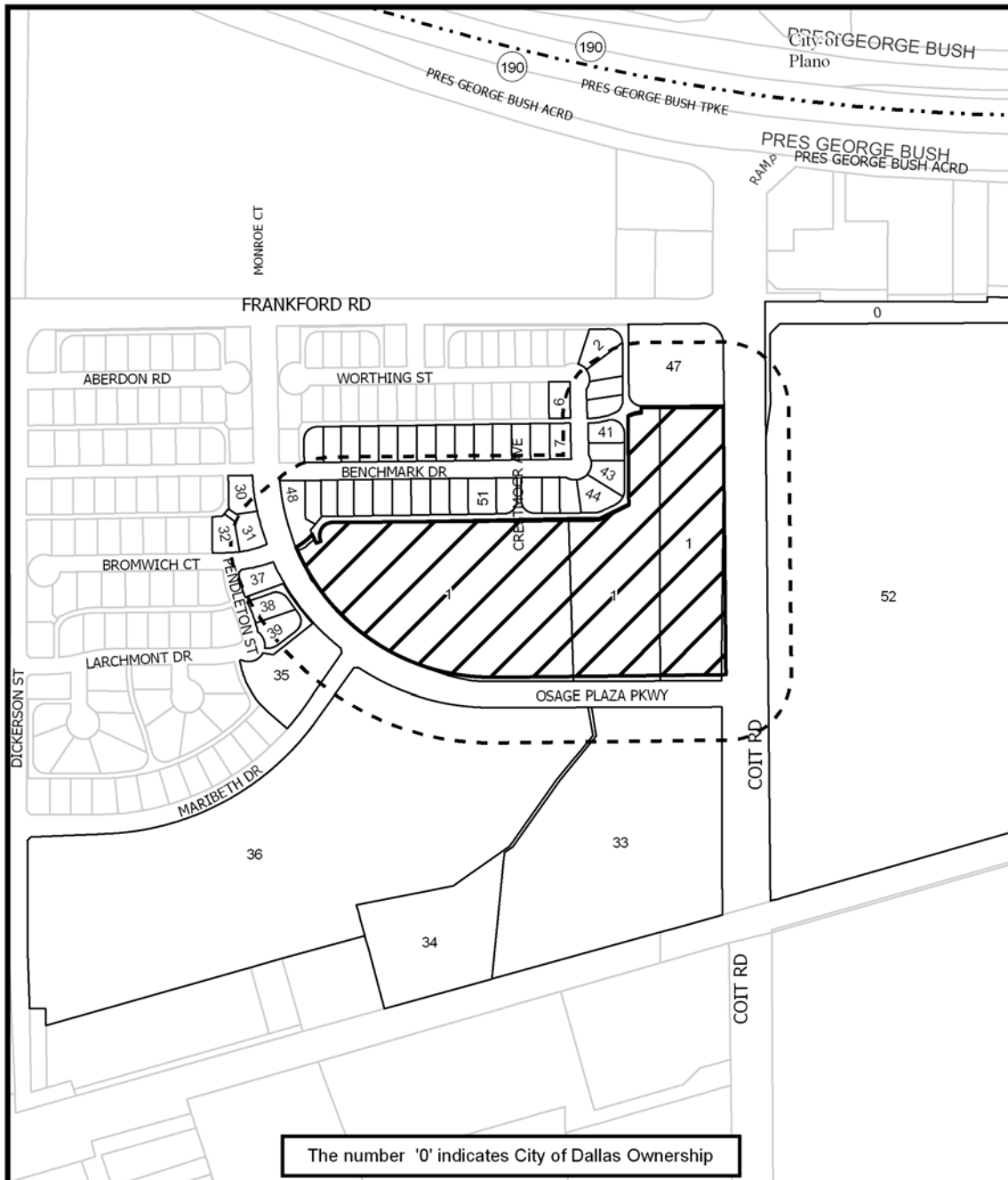
5. The number and location of fire hydrants must comply with Article 10 Division IV of the Dallas Fire Code.
6. Any structure new or existing may not extend across new property lines. In addition, any detached sign must be shown on the final plat.
7. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot to lot drainage will not be allowed without Engineering Section approval."
13. On the final plat dedicate a 20 foot by 20 foot corner clip at Coit Road and Osage Plaza Parkway.
14. On the final plat determine the 100 year water surface elevation across the plat.
15. On the final plat dedicate floodway easement, floodway management area or floodway easement (within common area) with the appropriate easement statement included on the face of the plat.
16. On the final plat include additional paragraph in owner's certificate (pertaining to floodplain).
17. On the final plat specify minimum fill and minimum finished floor elevations.
18. On the final plat show the natural channel set back from the crest of the natural channel.
19. Prior to submission of the final plat set floodway monument markers and provide documentation that the monuments have been set.
20. On the final plat chose a different addition name.
21. On the final plat show two controlling monuments.

22. Chose a different addition name.
23. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
24. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
25. On the final plat identify the property as Lot 13A in City Block 4/8726.





 1:3,600	<h3>AERIAL MAP</h3> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Case no: <u>S123-010</u> Date: <u>11/5/2012</u>
--	---	--



 1:4,800	<b>NOTIFICATION</b>	Case no: <b>S123-010</b>			
	<table border="1"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>52</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>52</b>	NUMBER OF PROPERTY OWNERS NOTIFIED
<b>200'</b>	AREA OF NOTIFICATION				
<b>52</b>	NUMBER OF PROPERTY OWNERS NOTIFIED				

## Notification List of Property Owners

**S123-010**

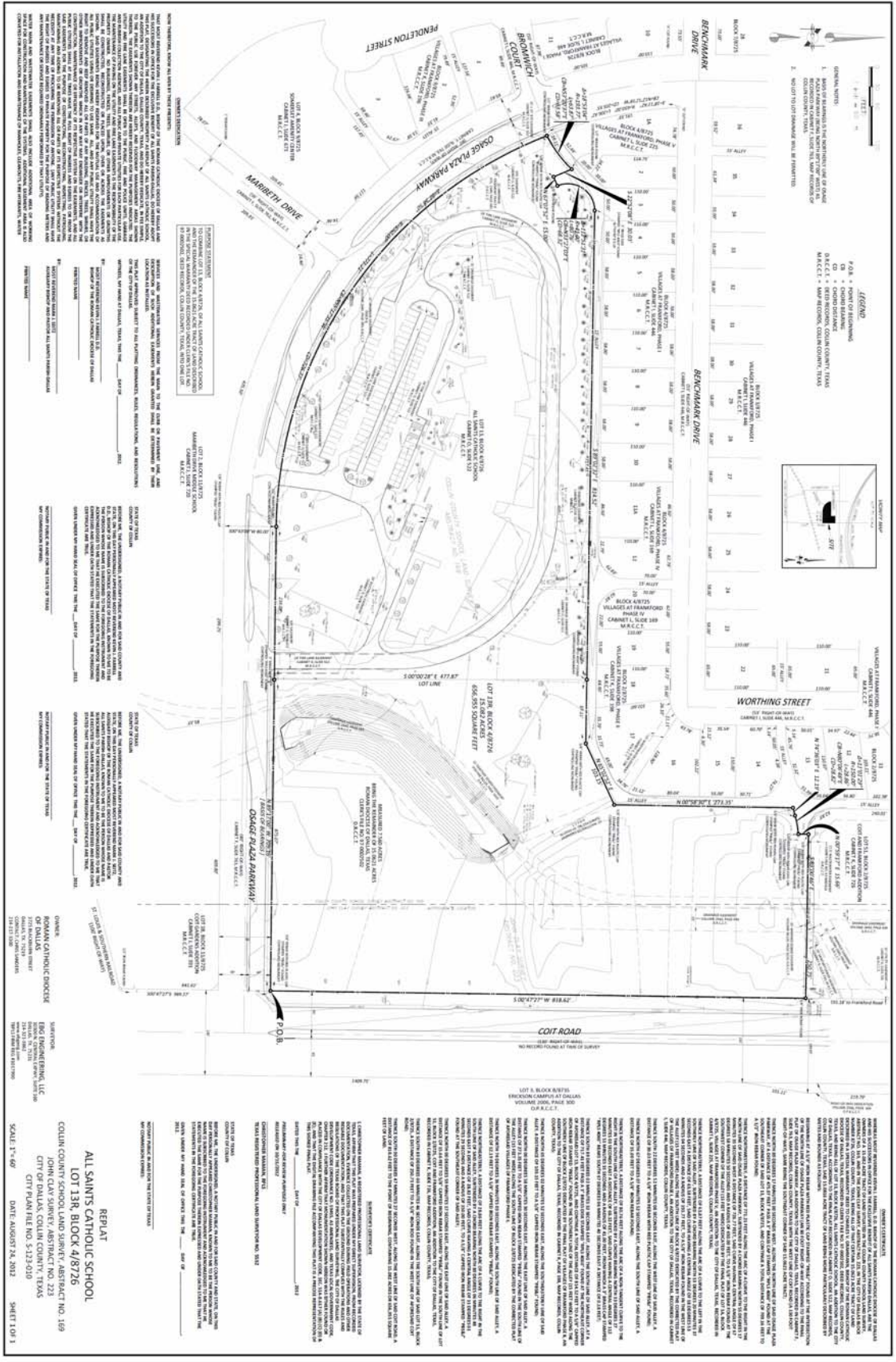
### 52 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7777 OSAGE PLAZA	ALL SAINTS PARISH C/O ROMAN CATHOLIC DIOCESE OF
2	7739 WORTHING	PEEVY LARRY D & MELODY S
3	7743 WORTHING	VILLASENOR ALBERT J JR & RENEE
4	7747 WORTHING	KUSHNER VLADIMIR & LUDMILA
5	7751 WORTHING	KHAZAN BORIS L & RUSLANA A
6	7732 WORTHING	ZHANG KANG
7	17803 BENCHMARK	TAN JINI LEE
8	17807 BENCHMARK	CONINE JIMMY MILTON & DONNA A
9	17811 BENCHMARK	ROMICK SANDER & MURIEL S ROMICK TRUSTEES ROMICK
10	17815 BENCHMARK	SCHWEIG BRADLEY J
11	17819 BENCHMARK	CRISTINA DE LA ROSA
12	17823 BENCHMARK	COBURN DONNA M
13	17827 BENCHMARK	ZHANG JIAN XIN & SHU ZHEN
14	17831 BENCHMARK	LI YALI & WANG YANG
15	17835 BENCHMARK	SIMPSON MICHAEL & JOCELYNN L
16	17839 BENCHMARK	DETWEILER RICHARD & SHANGTING
17	17843 BENCHMARK	TIAN WEIDONG & LIU JINGZHENG
18	17847 BENCHMARK	PATTERSON JAMES S ETUX
19	17851 BENCHMARK	HARBUS JANIS KAY
20	17855 BENCHMARK	CHITTAMAI ANONG P
21	17854 BENCHMARK	KIM YONG HWA
22	17850 BENCHMARK	CLUNE EDWARD F
23	17842 BENCHMARK	LE SHEA INVESTMENTS LLC
24	17846 BENCHMARK	SPERRY ELIZABETH E
25	17838 BENCHMARK	QIU LIMIN CHAO XIAOYANG
26	17834 BENCHMARK	HARTMAN KERVIN G

Friday, October 26, 2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	17830 BENCHMARK	KWON SIN HO ETUX SOON I
28	17826 BENCHMARK	DU MIN & CHEN JUN
29	17822 BENCHMARK	LE LOAN N & THINH C TA
30	17904 BENCHMARK	BOOTH JAMES S
31	7539 BROMWICH	HAMID SYED ETUX ZEBA P
32	7535 BROMWICH	BOLURIAN YITZHAK
33	17817 COIT	HUNTER S RUN APARTMENTS LP C/O WESTWOOD
34	17817 COIT	HUNTER RUN APARTMENTS LP C/O WESTWOOD
35	MERIBETH	SOMERSET RESIDENTIAL ASSOC INC C/O PREMIER
36	MARIBETH	PLANO ISD
37	7606 PENDLETON	KHODABAKHSH EINOLLAH & PARVIN
38	7612 PENDLETON	DARDEN PAUL W & WILLIAMS LINDA LEE
39	7618 PENDLETON	LOOMSTEIN JAMES & SHELLEY
40		SOMERSET RESIDENTIAL ASSN C/O CINDY HUEY
41	7755 WORTHING	KSENDZOV VLADIMIR & NATALIYA
42	7759 WORTHING	PUGACH BORIS & SOFYA
43	7763 WORTHING ST	WISE ELIZABETH A
44	17800 BENCHMARK	KIM RUNGJU & YONG H ETAL
45	17804 BENCHMARK	WU YUDONG & YING QINGHONG
46	17808 BENCHMARK	FAN FRED ZHAO-SHENG & TAO XUELIAN
47	18093 COIT	CAR SPA COIT ROAD LP
48	17858 BENCHMARK	LE DANH & TRAMY
49	17810 BENCHMARK	ZHANG JINDI BING ZHANG ESTATE
50	17814 BENCHMARK	XIA HUIMIN
51	17818 BENCHMARK	CHEN KAIYUAN TANG YUEQING
52	8000 FRANKFORD	REDWOOD-ERC DALLAS LLC C/O THE ALLEGIS GROUP INC

*Friday, October 26, 2012*



**LEGEND**

1. 200' x 100' x 100' x 100'  
 2. 100' x 100' x 100' x 100'  
 3. 50' x 50' x 50' x 50'  
 4. 25' x 25' x 25' x 25'  
 5. 12.5' x 12.5' x 12.5' x 12.5'

1. 200' x 100' x 100' x 100'  
 2. 100' x 100' x 100' x 100'  
 3. 50' x 50' x 50' x 50'  
 4. 25' x 25' x 25' x 25'  
 5. 12.5' x 12.5' x 12.5' x 12.5'



**GENERAL NOTES:**

1. ALL DIMENSIONS ARE SHOWN UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.

**GENERAL NOTES:**

1. ALL DIMENSIONS ARE SHOWN UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.

**GENERAL NOTES:**

1. ALL DIMENSIONS ARE SHOWN UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.

**GENERAL NOTES:**

1. ALL DIMENSIONS ARE SHOWN UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.

**GENERAL NOTES:**

1. ALL DIMENSIONS ARE SHOWN UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.

**GENERAL NOTES:**

1. ALL DIMENSIONS ARE SHOWN UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.



**FILE NUMBER:** W123-001**DATE FILED:** October 17, 2012**LOCATION:** Northwest side of Garland Road, between Easton Road and Lochwood Boulevard**COUNCIL DISTRICT:** 9**MAPSCO:** 38-F**SIZE OF REQUEST:** Approx 6.99 acres**CENSUS TRACT:** 128.00

---

**MISCELLANEOUS DOCKET ITEM:**Owner: Champions Life Christian ChurchWaiver of Two-Year Waiting Period

On April 25, 2012, the City Council approved an application to renew Specific Use Permit No. 1729 for an open-enrollment charter school. According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to April 25, 2014, without a waiver of the two-year waiting period.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application to rezone the property from an R-7.5(A) Single Family District to a district to accommodate a larger sign. The applicant indicates the reason for changed circumstances is: "A sign was purchased that needs to be installed and requires rezoning". The sign is for the church on the property.

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

**Staff Recommendation:** Denial

W 123-001

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. 7112116

Location 10715 GARLAND Road, Dallas, TX 75218

Date of last CPC or CC Action April 25, 2012

Applicant's Name, Address & Phone Number Cecilio R. Robles  
8 Wiltshire Ct., Heath, TX 75032

Property Owner's Name, Address and Phone No., if different from above  
Champions Life Christian Church of Dallas Inc.  
10715 GARLAND Rd., Dallas, TX 75218

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

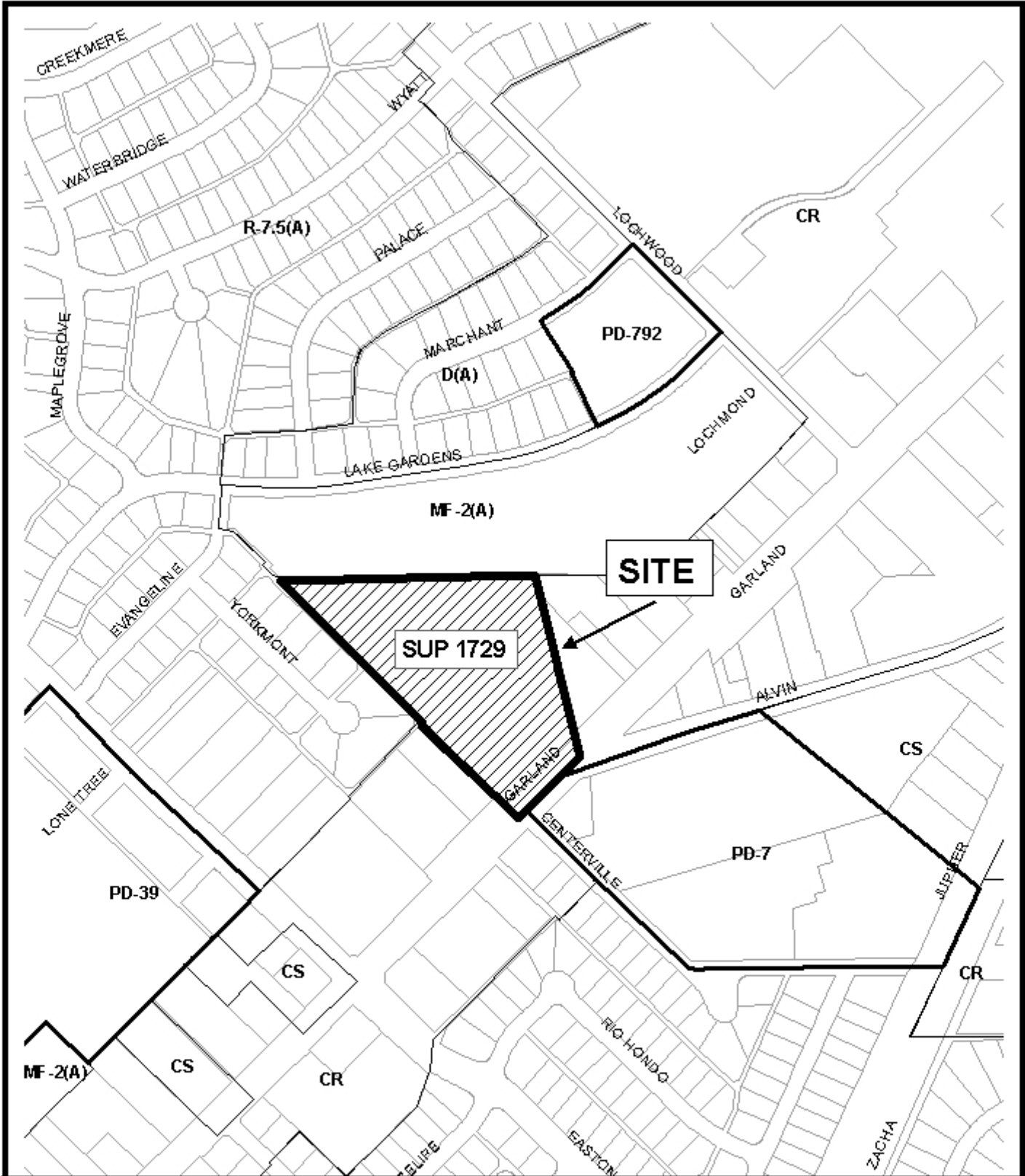
A sign was purchased that needs to be installed.  
and requires rezoning.

[Signature]  
Applicant's Signature

RECEIVED BY  
OCT 17 2012  
Current Planning

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

Date Received  
Fee: \$300.00



1:5,000

Case #: **W123-001**

Date: **November 15, 2012**

**FILE NUMBER:** Z112-326 (JH)

**DATE FILED:** September 27, 2012

**LOCATION:** Northwest corner of W. Jefferson Boulevard and N. Brighton Avenue

**COUNCIL DISTRICT:** 1

**MAPSCO:** 54-E

**SIZE OF REQUEST:** Approx. 0.27 acres

**CENSUS TRACT:** 46

---

**REPRESENTATIVE:** Parvez Malik

**APPLICANT:** U Stop Fina, Inc.

**OWNER:** Moe Barakat

**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 use 3,500 square feet or less on property zoned CR Community Retail District with a D Liquor Control Overlay.

**SUMMARY:** The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing convenience store.

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

**BACKGROUND INFORMATION:**

- The request site is currently developed with a general merchandise 3,500 square feet or less use and a motor vehicle fueling station.
- The proposed use is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- On June 22, 2011, the City Council denied this same request without prejudice.

**Zoning History:**

1. Z101-117      On February 9, 2011, the City Council approved a Specific Use Permit for a private recreation center, club or area on property zoned an MF-1(A) Multifamily District on the east side of North Marlborough Avenue, north of W Jefferson Boulevard.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
W. Jefferson Boulevard	Principle Arterial	100 feet

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

This Building Block represents the life-blood of Dallas, the traditional neighborhood of single-family detached homes. Single-family dwellings are the dominate land use in these areas. Some shops, restaurants or institutional land uses such as schools and religious centers that serve neighborhood residents may be located at the edges or at key intersections. Neighborhood “pocket parks” provide open space for families. These areas rely primarily on cars for access, although traffic on neighborhood streets is expected to be low. Cut-through traffic or spill over from commercial areas will be strongly discouraged. While public transit may be available, typically it involves longer walks to bus stops or the need to drive to parkand-ride facilities. Newly developed neighborhoods may provide better pedestrian access to community services through shorter block lengths, narrower streets, sidewalks and greenbelts with hike and bike trails and might also provide improved access to transit service. Public investment will focus on protecting quality of life by providing amenities such as parks, trails, road improvements and strong code enforcement.

## **LAND USE**

### **GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

#### **Land Use Compatibility:**

The approximately 0.27-acre request site is zoned a CR Community Retail District with a D Liquor Control Overlay and is currently developed with an approximately 700 square foot general merchandise use and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property, which is not allowed by the D Liquor Control Overlay.

The surrounding land uses are single family to the north and east, auto service center to the west and south, and a mix of general merchandise, personal service, and office uses on the south side of Jefferson and at its intersection with N. Marlborough Avenue.

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

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

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

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

preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. This chapter establishes a registration program for convenience stores and provides requirements relating to:

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

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

In the previous request in 2011, the City Plan Commission recommended approval with the condition that a solid screening fence of eight feet be provided on the northern boundary adjacent to the single family residential use. A minimum of six feet is required by code. The residential lot has an approximately three foot tall retaining wall and has a higher elevation than the subject property. The site plan shows the eight foot tall screening fence.

The applicant’s request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. The adjacent residential uses could be considered incompatible, but the intersection of W. Jefferson Boulevard and N. Marlborough Avenue is a node of neighborhood-serving commercial. The initial short time period will also require that the request be reevaluated to ensure the use is compatible in this location.

**Development Standards:**

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing							
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

**Parking/Traffic:**

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

The general merchandise or food store use requires one space for every 200 square feet of floor area and a motor vehicle fueling station requires two spaces. The site plan shows that six off-street parking spaces are required and provided.

**Landscaping:**

Landscaping required per Article X of the Dallas Development Code.

Z112-326(JH)

**List of Partners/Principals/Officers**

U Stop Fina, Inc.

Patrick Henson, President / Secretary

Vanna Tang, Vice President / Treasurer



## DPD Report

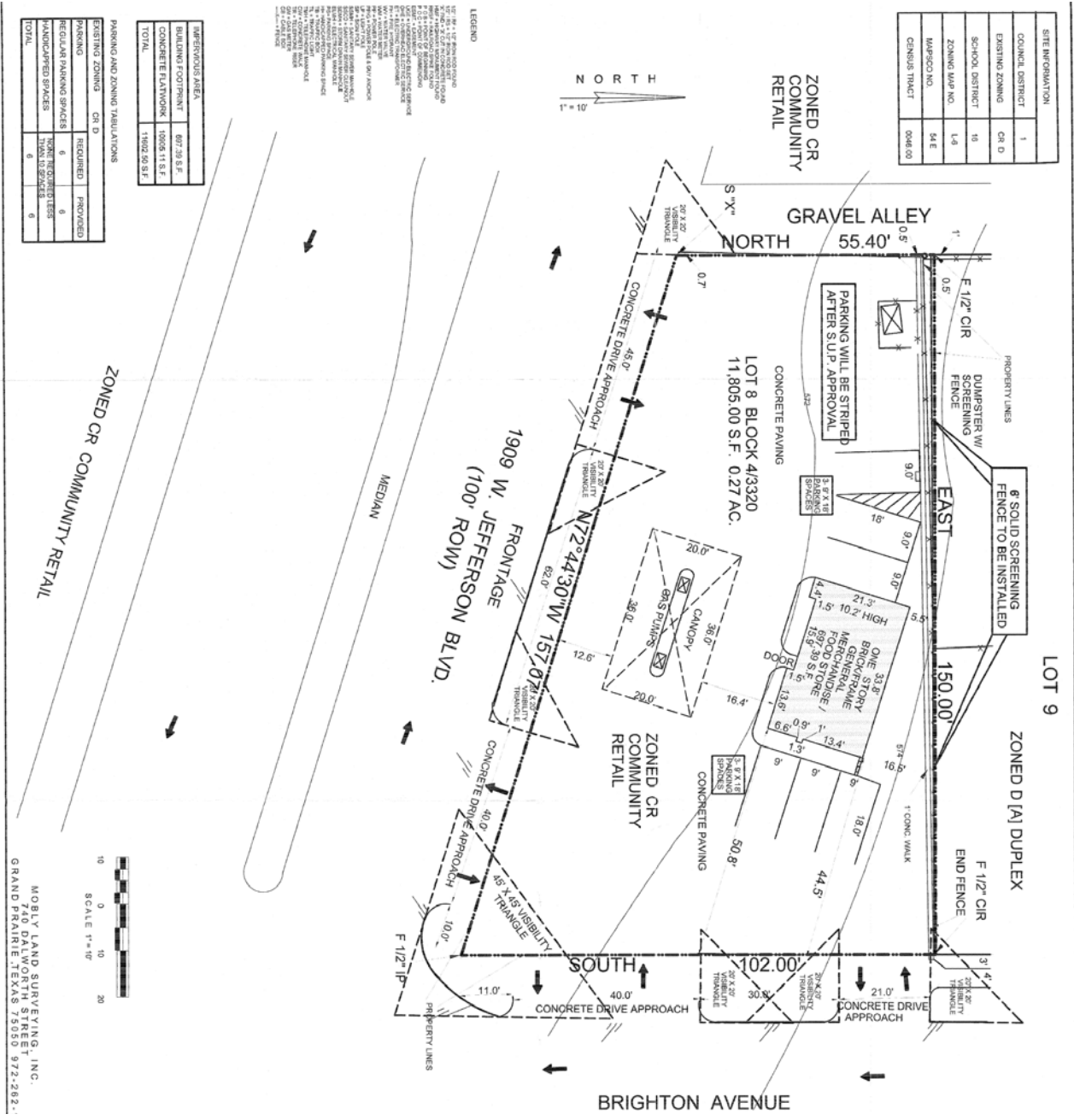
**Dallas Police Department Reports**  
**Public Offense Search Results**

	SERVICE #	OFFENSE DATE	TYPE	COMPLAINANT	ADDRESS	BEAT	REPORTING AREA
1	0727383-T	11/05/2007	ACCIDENTAL INJURY - PUBLIC PROPERTY	SMITH, CRYSTAL	01909 W JEFFERSONBLVD	443	4116
2	0049427-W	02/21/2009	BURGLARY	*U STOP FINA	01909 W JEFFERSONBLVD	444	4116
3	0134875-W	05/12/2009	BURGLARY	*U STOP FINA	01909 W JEFFERSONBLVD	444	4116
4	0199209-W	07/08/2009	ASSAULT	ALEXANDER, BRUCE	01909 W JEFFERSONBLVD	444	4116
5	0288511-W	09/27/2009	THEFT	*U STOP FINA	01909 W JEFFERSONBLVD	444	4116

SUP Conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages for off-premise consumption as part of the operation of 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 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. SCREENING: A minimum eight-foot-high solid screening fence must be maintained along the northern boundary of the Property, as shown on the attached site plan. The screening fence must be located outside of the visibility obstruction triangle. Screening must be constructed before issuance of a building permit, alcohol measurement certification, or certificate of occupancy.
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.

SITE PLAN



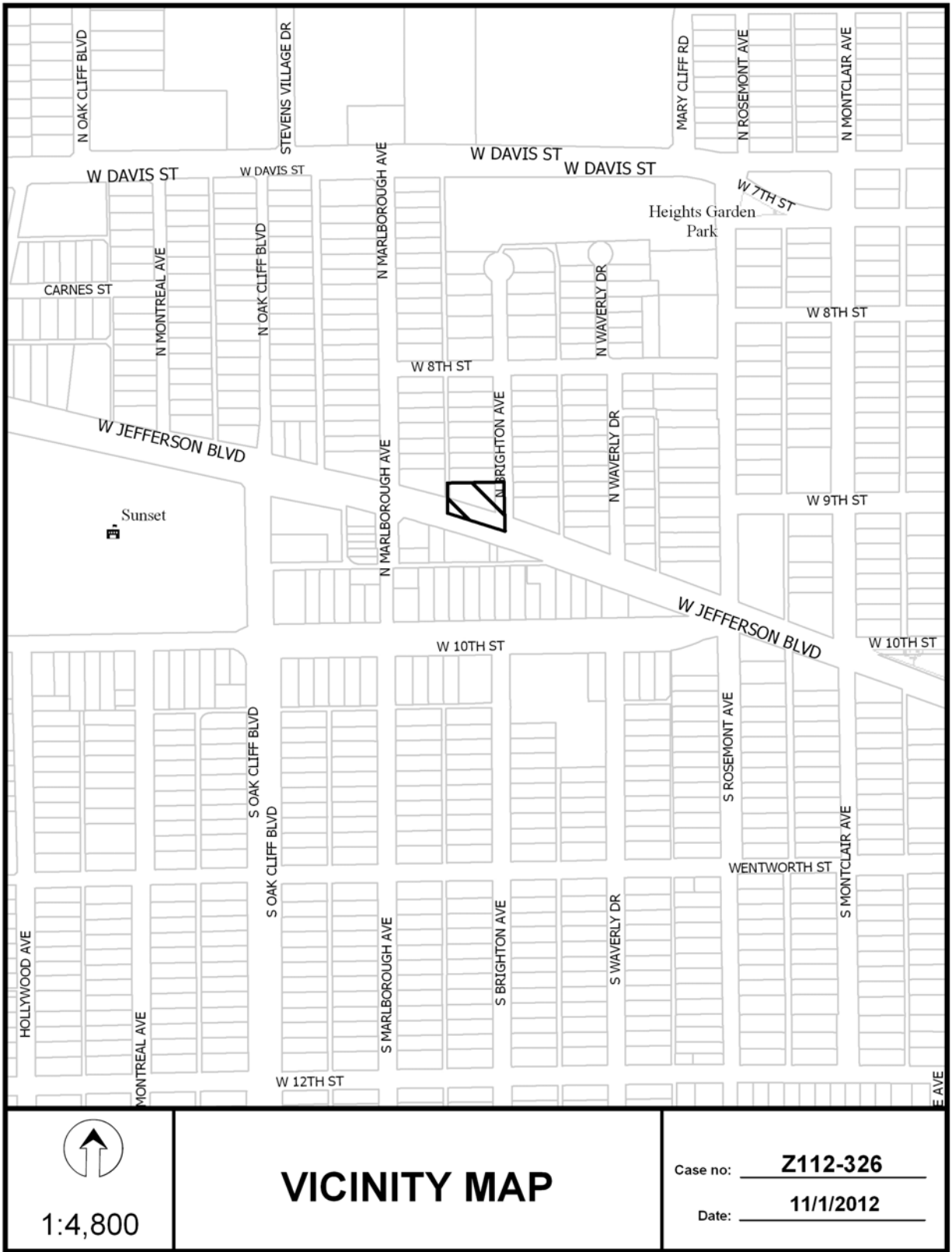
SITE INFORMATION	
COUNCIL DISTRICT	1
EXISTING ZONING	CR D
SCHOOL DISTRICT	16
ZONING MAP NO.	L-9
MAPSCO NO.	54 E
GENSL'S TRACT	0046.00

IMPERVIOUS AREA	
BUILDING FOOTPRINT	697.39 S.F.
CONCRETE PAVING	10008.11 S.F.
TOTAL	11005.50 S.F.

PARKING AND ZONING TABULATIONS			
EXISTING ZONING	CR D	REQUIRED	PROVIDED
PARKING	6	6	6
REGULAR PARKING SPACES	6	6	6
HANDICAPPED SPACES	0	0	0
TOTAL	6	6	6

MOBLY LAND SURVEYING, INC.  
 740 DALWORTH STREET  
 GRAND PRAIRIE, TEXAS 75050 972-282-  
 SCALE 1" = 10'

Z112-326(JH)

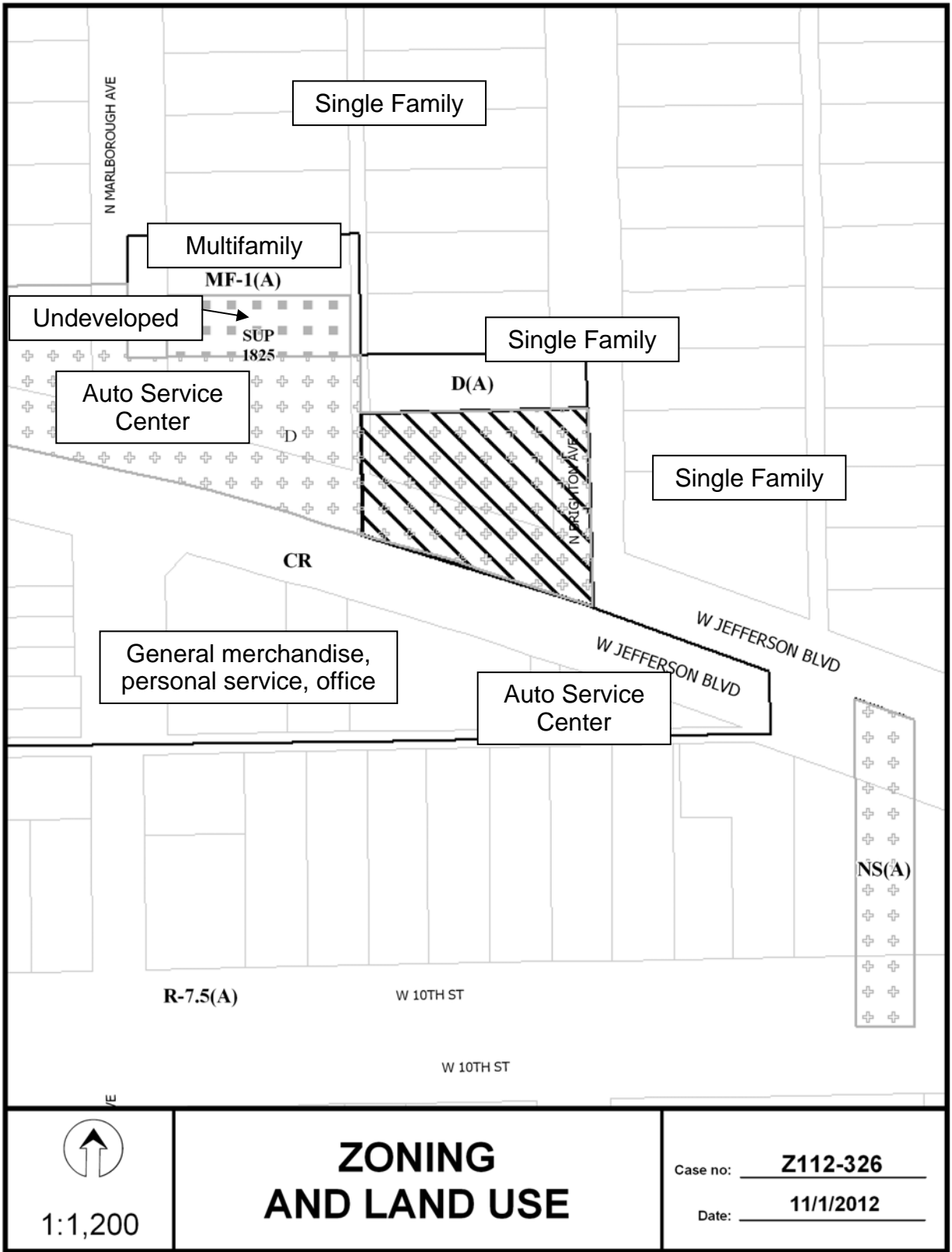


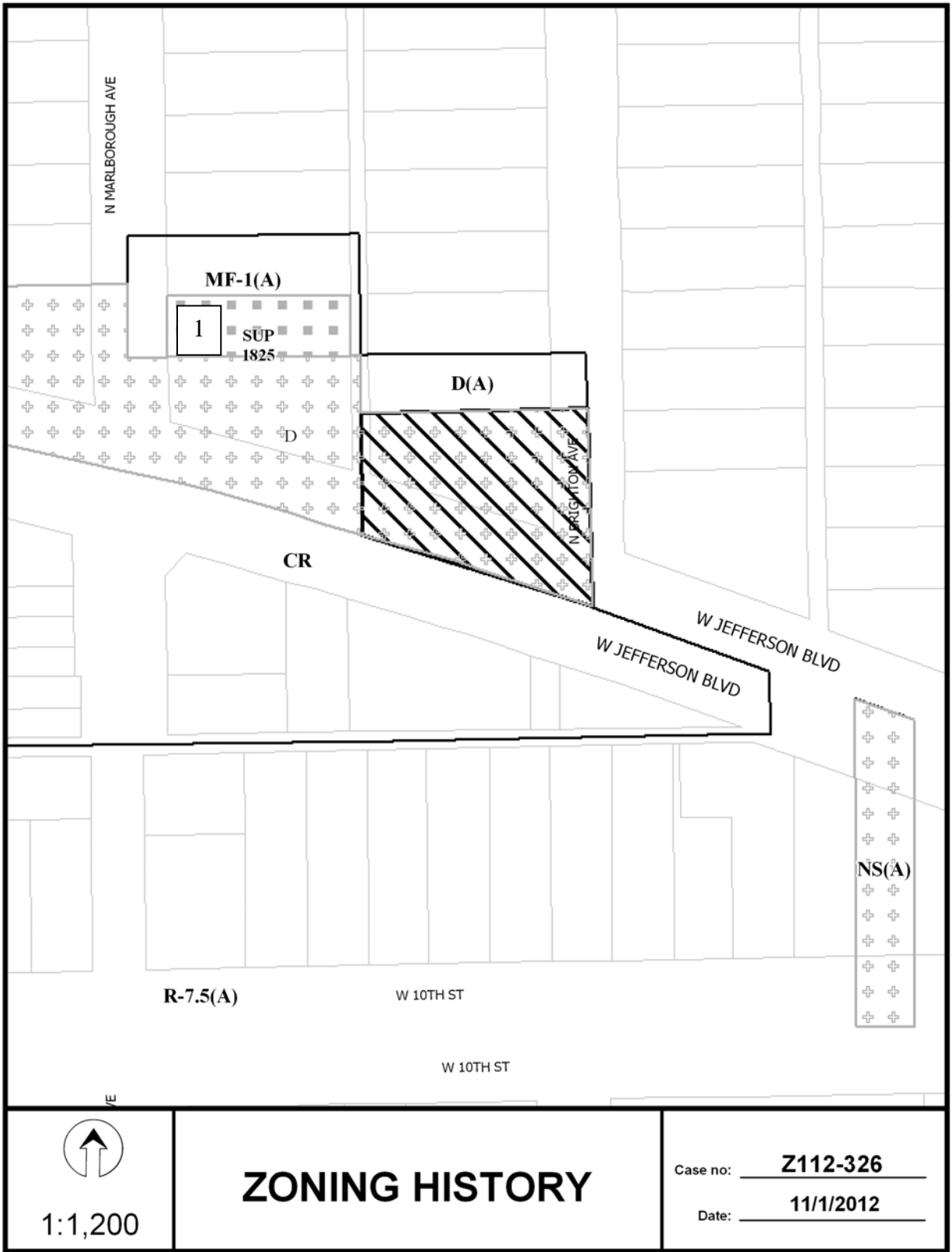
1:4,800

# VICINITY MAP

Case no: Z112-326

Date: 11/1/2012

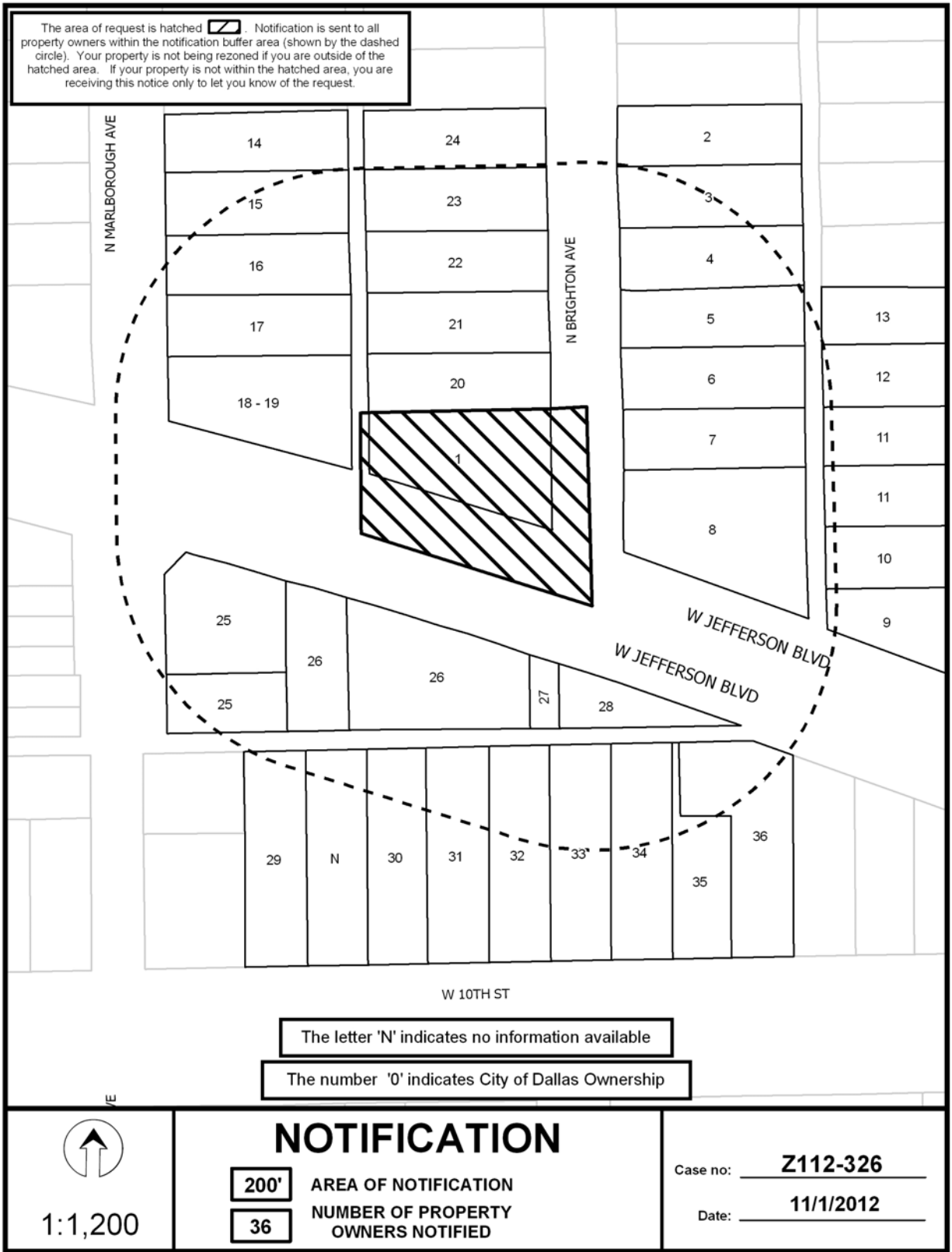




# ZONING HISTORY

Case no: Z112-326  
Date: 11/1/2012

1:1,200



10/31/2012

## Notification List of Property Owners

### Z112-326

#### 36 Property Owners Notified

Label #	Address	Owner
1	1909 JEFFERSON BLVD	BARAKAT MOE
2	228 BRIGHTON AVE	MCCOY SARA & KALLEN
3	224 BRIGHTON AVE	GAMEZ FRANK R
4	220 BRIGHTON AVE	ANGEL ANGELA J
5	216 BRIGHTON AVE	BRADY ROSEANN
6	212 BRIGHTON AVE	DOWPROCACCINI ANNA M & CHESTER WARREN
7	208 BRIGHTON AVE	TAYLOR STEPHANIE S
8	204 BRIGHTON AVE	ALLEN DONALD LEE
9	207 WAVERLY DR	DEARING NANCY C WONDERS
10	211 WAVERLY DR	WILSON MIRANDA ANGER &
11	215 WAVERLY DR	EWERS LIMITED PARTNERSHIP ANGELINE EWERS
12	221 WAVERLY DR	PRIBYL THOMAS & RAJANI SUDAN
13	227 WAVERLY DR	PARAMO RUDOLPH
14	218 MARLBOROUGH AVE	OLGUIN JULIAN
15	216 MARLBOROUGH AVE	LOZADA GERARDO
16	210 MARLBOROUGH AVE	PITZER ENTERPRISES LP
17	206 MARLBOROUGH AVE	NEFFENDORF SHANNON & NEFFENDORF JENNIFER
18	1919 JEFFERSON BLVD	SAMUEL PETER & SUSHEILA
19	1919 JEFFERSON BLVD	SAMUEL PETER
20	211 BRIGHTON AVE	AVILA JAIME &
21	217 BRIGHTON AVE	EQUABLE INV CORP
22	221 BRIGHTON AVE	EDWARDS J B & MARSHA H
23	225 BRIGHTON AVE	LAFFERTY PATRICK R & CHRISTINE H
24	229 BRIGHTON AVE	YOCKEL SCOTT & LAUREN
25	108 MARLBOROUGH AVE	BALLAS VICTOR
26	1916 JEFFERSON BLVD	DIAZ OCTAVIO



Z112-326(JH)

10/31/2012

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
27	1900 JEFFERSON BLVD	NOLAN PATRICK & ROSE ANNA
28	1836 JEFFERSON BLVD	ALLEN DONALD L
29	1917 10TH ST	GALLEGOS JESUS C ET AL
30	1913 10TH ST	MACIAS JOSE A JR & ESPERANZA
31	1909 10TH ST	TRIDESERT INVESTMENTS INC
32	1903 10TH ST	NILES KERRY W
33	1827 10TH ST	BETANCOURT SERGIO & EVA
34	1825 10TH ST	PALOMO MANUEL LIFE ESTATE
35	1821 10TH ST	MARIN DOLORES S ET AL
36	1817 10TH ST	MELGOZA JOSE JJ & VIRGINIA T DE JIMENEZ

---

Planner: Mark Doty

**FILE NUMBER:** Z112-317 (MD) **DATE FILED:** August 2, 2012

**LOCATION:** South side of Grady Niblo Parkway, southeast of the intersection of Grady Niblo Parkway and Spur 408.

**COUNCIL DISTRICT:** 3 **MAPSCO:** 61 B, L

**SIZE OF REQUEST:** Approximately 1.736 ac. **CENSUS TRACT:** 165.21

---

**OWNER/APPLICANT:** City of Dallas

**REPRESENTATIVE:** Trent Williams

**REQUEST:** An application for an Historic District Overlay on property zoned Planned Development District No. 701.

**SUMMARY:** The Sharrock/Niblo Farmstead encompasses several historic structures and sites dated circa 1847 that are associated with Everard Sharrock Jr. and Dr. Grady Niblo Jr. A significant property must meet 3 of 10 designation criteria. This property has been determined to meet 8.

**STAFF RECOMMENDATION:** Approval, subject to preservation criteria.

**LANDMARK COMMISSION RECOMMENDATION:** Approval, subject to preservation criteria.

**BACKGROUND INFORMATION:**

- The site of historic structures and farmstead is at the crest of Cedar Bluff Escarpment. The western portion of the site includes the escarpment face and associated topographic changes down to the lower Blackland Prairie of North Texas. The eastern portion of site adjoins the Blackland Prairie soils at the top of the escarpment.
- The site of these historic structures was originally owned by Evarard Sharrock, Jr. and most recently associated with Dr. Grady Niblo, Jr. and has a long history of documented ownership dating from the Peters Colony settlement.
- The historic structures remaining today include a mid-nineteenth century log cabin and log barn as well as a root cellar and well. A newer plank barn, a tin chicken coop, and a farmhouse are located on the site as well, but considered non-contributing to the overall historic overlay.

**Comprehensive Plan:**

The historic overlay is consistent with both the Urban Design and the Neighborhood Elements of the Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation historic neighborhoods and buildings creates a direct, visual link to the past, contributing to a "sense of place."

**Goal 5.1** Create a Sense of Place, Safety and Walkability

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

**Goal 5.2** Strengthen Community and Neighborhood Identity

Policy 5.2.1 Maintain neighborhood scale and character.

**Goal 7.2** Preservation of Historic and Cultural Assets

Policy 7.2.2 Create a sense of place through the built environment while maintaining the existing historic fabric.

Policy 7.2.4 Protect historic and cultural assets.

**STAFF ANALYSIS:**

- Both the Landmark Commission and its Designation Committee have determined this complex to be historically significant under 8 designation criteria. These criteria include; history, heritage and culture, significant persons, architecture, historic context, unique visual feature, archeological, national and state recognition, and historic education.
- The proposed historic overlay will only affect a portion of the overall future Sharrock/Niblo park site. This application was brought forward by the Park Department.
- This overlay designation does not change the base zoning or permitted uses for the property.

**LANDMARK COMMISSION ACTION:** (September 4, 2012)

This item appeared on the Commission's discussion agenda.

Motion: Approval, subject to revised preservation criteria.

Maker: Silva

Second: Flabiano

Results: 11/0

Ayes: Amonett, Flabiano, Johnson, Jordan,  
Norcross, \*Piper, Seale, Silva, Strickland,  
Tapscott, Thomas-Drake

Against: None

Absent: Edwards, Gonzalez

Vacancies: 1, 7 & 14

**Dallas Landmark Commission  
Landmark Nomination Form**

**1. Name**

*historic:* Everard Sharrock Jr. Farmstead  
*and/or common:* Sharrock / Niblo (Future) Park  
*date:* c. 1847

**2. Location**

*address:* 6900 Grady Niblo Road  
*location/neighborhood:* Grady Niblo Estates  
  
*block:* A/8712     *lot:* 54, partial     *land survey:* E. Sharrock Survey, Abstract 1314

**3. Current Zoning**

*current zoning:* PD 701

**4. Classification**

<p><i>Category</i>  <input checked="" type="checkbox"/> <i>district</i>  <input type="checkbox"/> <i>building(s)</i>  <input type="checkbox"/> <i>structure</i>  <input type="checkbox"/> <i>site</i>  <input type="checkbox"/> <i>object</i></p>	<p><i>Ownership</i>  <input checked="" type="checkbox"/> <i>public</i>  <input type="checkbox"/> <i>private</i>  <input type="checkbox"/> <i>both</i>  <b>Public Acquisition</b>  <input type="checkbox"/> <i>in progress</i>  <input type="checkbox"/> <i>being considered</i></p>	<p><i>Status</i>  <input type="checkbox"/> <i>occupied</i>  <input checked="" type="checkbox"/> <i>unoccupied</i>  <input type="checkbox"/> <i>work in progress</i>  <b>Accessibility</b>  <input checked="" type="checkbox"/> <i>yes: restricted</i>  <input type="checkbox"/> <i>yes: unrestricted</i>  <input type="checkbox"/> <i>no</i></p>	<p><i>Present Use</i>  <input type="checkbox"/> <i>agricultural</i>  <input type="checkbox"/> <i>commercial</i>  <input type="checkbox"/> <i>educational</i>  <input type="checkbox"/> <i>entertainment</i>  <input type="checkbox"/> <i>government</i>  <input type="checkbox"/> <i>industrial</i>  <input type="checkbox"/> <i>military</i></p>	<p><input type="checkbox"/> <i>museum</i>  <input type="checkbox"/> <i>park</i>  <input type="checkbox"/> <i>residence</i>  <input type="checkbox"/> <i>religious</i>  <input type="checkbox"/> <i>scientific</i>  <input type="checkbox"/> <i>transportation</i>  <input checked="" type="checkbox"/> <i>other, specify</i>  <i>Unoccupied; site of</i>  <i>future park</i></p>
---	---	--	---	--

**5. Ownership**

*Current Owner:* City of Dallas, Park and Recreation Dept.  
*Contact:* Trent Williams, RA  
*Phone:* 214/670-1807  
*Address:* 1500 Marilla Street, 6BN City: Dallas State: TX Zip: 75201

**6. Form Preparation**

*Date:* August 21, 2012  
*Name & Title:* Marcel Quimby, FAIA  
*Organization:* Quimby McCoy Preservation Architecture, LLP  
*Contact:* Marcel Quimby, FAIA  
*Phone:* 214/977-9118

<b>7. Representation on Existing Surveys</b>
--

<i>Alexander Survey (citywide)</i>	<i>local</i>	<i>state</i>	<i>national</i>	<i>National Register</i>			
<i>H.P.L. Survey (CBD)</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>Recorded TX Historic Ldmk</i>		
<i>Oak Cliff</i>					<i>TX Archaeological Ldmk</i>		
<i>Victorian Survey</i>							
<i>Dallas Historic Resources Survey, Phase</i>	___	___	<i>high</i>	___	<i>medium</i>	___	<i>low</i>

*For Office Use Only*

*Date Rec'd:* \_\_\_ *Survey Verified: Y N* *by:* \_\_\_ *Field Check by:* \_\_\_ *Petitions Needed: Y N*  
*Nomination:* *Archaeological* *Site* *Structure(s)* *Structure & Site* *District*

<b>8. Historic Ownership</b>
------------------------------

<b><i>original owner:</i></b>	Everard Sharrock, Jr. (1847 – 1853; dates indicate years of property ownership)
<b><i>significant later owner(s):</i></b>	Thomas J. and son Andrew A. Young (1853 – 1881), H. K. Hale (1881 – 1886), B. P. Hale (1886 - 1909), Grady Niblo Sr. (1934 - 1981) and Grady Niblo Jr. (1981 - 2005).

<b>9. Construction Dates</b>
------------------------------

<b><i>original:</i></b>	Log cabin constructed 1847; hand dug well, root cellar and log barn c. 1847. Farmhouse is thought to date from late 1800s to early 1900s. Plank barn is thought to date from 1920s or 1930s. Chicken coop – date unknown (not historic).
<b><i>alterations/additions:</i></b>	See detailed information in Section 13 – Historical Significance.

<b>10. Architect</b>
----------------------

<b><i>original construction:</i></b>	None
<b><i>alterations/additions:</i></b>	Alterations to farmhouse made in 1976 – 1982; architect was William Thomas Odum of Dallas.

<b>11. Site Features</b>
--------------------------

<b><i>natural:</i></b>	Site of historic structures and farmstead is at crest of Cedar Bluff Escarpment; western portion of site includes face of escarpment and associated topographic changes and lower Blackland Prairie of North Texas. Eastern portion of site adjoins Blackland Prairie soils at top of escarpment.
<b><i>urban design:</i></b>	N/A

**12. Physical Description**

Condition, check one:

excellent  
 good  
 fair

deteriorated  
 ruins  
 unexposed

unaltered  
 altered

Check one:

original site  
 moved(date \_\_\_\_\_)

**Log Cabin – Physical Description**



Log cabin with reinforcement, August 2007.



Stone chimney of Log cabin, August 2007

The one room, single-pen log cabin was constructed by Everard Sharrock Jr., for his wife Sarah Elizabeth and first child Amy Catherine; family history notes that Amy Catherine was born in this log cabin in October 1847. This cabin is constructed of hand-hewn square logs typical of north Texas prairie construction of the period; it is 15' x 16' and constructed of local materials – wood and stone from the site. The cabin faces south and remains on its original site; the logs remain exposed.

The foundation is assumed to be rock from the site but as the cabin has settled and a concrete floor was later added, the foundation is currently not visible nor accessible. The hand hewn square logs of the walls are 6" high and vary from 6" to 12" deep. These logs are V-notched and are typical of cabins constructed by Peters Colonists and by other early North Texas settlers. The gaps between the logs would have originally chinked - presumably with mud daubing with chinking (smaller wood or stone pieces wedged between the logs) but this was replaced with Portland cement based daubing in 1934 by Grady Niblo Sr. shortly after he purchased the site and its historic buildings.<sup>1</sup> No remains of this historic chinking have been found. Niblo also added concrete over the dirt floor at the same time.

The roof framing consists of half round rafters pegged at the ridge; the framing lacks a ridgepole or beam. 1 inch x 5 inch wood batten are nailed to the rafters and are replacements for what may have been similar battens used to support a wood shingle roof. The original wood shingle roof

<sup>1</sup> Domeier, Doug 'Log cabin, barn built around 1850 still stand on Dallas County farm', Dallas Morning News; November 15, 1975.

has been removed and replaced with a corrugated metal roof. This metal roof is showing signs of deterioration and has been pulled up at the northwest corner of the cabin; building paper currently covers ¼ of the north façade. At the interior, plank boards have been added on top of horizontal logs at the ceiling line (for bracing); these boards were milled and were thought to have been added at a later date to create an attic floor for storage.

The dry-stacked chimney is constructed of cream colored limestone (ledge stone), cut flat and perpendicular to the bedding plane without visible mortar. It is thought that the limestone was taken from the adjacent escarpment face. Irregular lengths of rectangular stones cut from 2 inches to 5 inches thick form the chimney with noticeably larger blocks used at the corners. The chimney tapers to the top, with the upper two feet of stone a poorly laid, later repair. Dry stack stone chimneys during this era were common due to the lack of professional masons (or settlers with such experience) and preliminary research supports this.<sup>2</sup> Cement-based mortar was added to the joints of the stone by Grady Niblo Sr., when he first purchased the site,<sup>3</sup> and has also been used as a parging material over the front of the fireplace. A log lintel supports the masonry chimney above and it is obviously deflected.

The separation between the log construction and the stone chimney is filled in with cement based mortar which is no longer bonded to the wood and hence, a gap varying from less than an inch at the top to as much as six inches just above the fireplace, exists. The gap narrows near the top of the chimney because the chimney is leaning toward the log wall. The chimney is disengaged from the log construction (as is typical for log house construction in Texas; Jordan p 99); the fireplace is fully engaged with the chimney and is separated from the log construction by approximately 3 inches. The log lintel supporting the stone chimney above the fireplace opening is visible from the exterior and an interior log lintel can be found over the fireplace opening.

The cabin has exterior door openings at the north and south facades but only the south door opening are in their original condition; the north door and adjacent window are later modifications and it is not known if there was a door at this location originally. Electricity has been added to the cabin with a bare light bulb mounted to the ceiling framing; there is no electricity to the building so this light fixture no longer works.



*Stone fireplace inside log cabin, February 2008.*

Internal and exterior bracing of the cabin has been performed by the City of Dallas; a canvas tarp has been placed over the roof in an effort to shed the rain and keep the building dry. The condition of the log cabin is considered 'fair.'

<sup>2</sup> Dwayne Jones, preservation planner; November 2004.

<sup>3</sup> Domeier, Doug. *Log cabin, barn built around 1850 still stand on Dallas County farm*. Dallas Morning News. November 15, 1975.



### Log Barn – Physical Description

Although the exact date of construction of this log barn is not known, it is thought to date from the same time that Everard Sharrock built his log cabin and settled on this farmstead – c. 1847. The log barn is a double-pen structure with a center passage constructed of hand-hewn square logs with V-notched corners; it faces south towards the log cabin and is located approximately 200' north of the cabin. The log barn as originally constructed had five spaces – two large pens used to house farm animals with a center passage between each; two smaller enclosed cribs for storage of grain are located adjacent to each pen. These five spaces are covered with a gable roof; the roof was originally wood shingles or shakes but has since been replaced with corrugated metal panels. A lean-to shed was later added to the west side of the barn for use as a covered, exterior work area.



*Overall view of the log barn with lean-to at left, February 2008.*



*Log barn – details of crib with bois d'Arc piers, February 2008.*

The foundation of the two large pens is stacked white stones (limestone) that sit on the ground at the corners and perimeter of the these pens; these stones are often stacked and support log sills which are approximately 6 inches above grade. The wall structure of the pens is hand-hewn square wood logs, V-notched at corners. Logs are typically 6 inches wide and between 5 inches and 11 inches deep, similar to those found at the log cabin. Greater variation in size and shape is found in the construction of the log barn than in the cabin. The barn did not originally have chinking and daubing but was of 'open' construction. The floor within the two pens and passage is dirt. The north end of the center passage is closed while the south end remains open with a later metal gate; earlier photographs (c. 1973) of this south opening by William Thomas Odum show a wood gate at this opening.

A unique feature of the barn of the two pens are two original 'crib doors' in the upper portion of the walls between the passage and the pens; these crib doors are slatted with the top rail inserted into wood hinges; the door is mortise and tenon joinery and still is operational. This crib door was used to place hay into the animal pens or when used for hay or grain storage, to place hay from the back of a wagon into the pen.

The roof framing includes a combination of hand-hewn 4 inch wood beams at the upper portions of the wall which support round logs at roof joists with 1 x 3 wood battens; the larger joists and beams are mortise and tenon joinery. The roof was originally wood shingles but has been replaced by corrugated metal panels; it appears to be approximately 6/12 pitch.

The west wall of the western pen has partially collapsed; this has been shored up as part of a recent stabilization effort.

The adjoining grain storage 'cribs' are supported on bois d'Arc piers; while many of these wood piers are intact, others are in poor condition and several are missing. The structure of these cribs is raised, (to prevent access by animals and rodents) with heavy perimeter beam supporting vertical timber construction with diagonal bracing at the corners with plank boards lining the interior face – at floors, walls and ceiling; the structure is mortise and tenon joints. The boards are tightly fitted to one another to contain the grain and to also prevent access by animals; the only access into these two cribs are by a small door (less than 2' wide by 3' high) from the passage; the grain was removed by a small slot in the wall at the exterior of the building. This type of construction is a variation of 'fachwerk' – a tradition that dates from the early wood building traditions of medieval Europe and is commonly found in the homes and structures in Texas' hill country – brought by German settlers to Texas. This type of construction would have been known to settlers to Texas as it provided a secure place to store grain and crops. Large, long beams extend from the outside corner of the open pens and continue over these enclosed cribs – thus enfaming these rooms as part of the larger and original barn.

A later lean-to shed, also built of log, has been constructed on the west side of the barn; this has partially collapsed.



*Crib door in upper wall of log barn, May 2008.*



*Log barn foundation at crib, February 2008.*

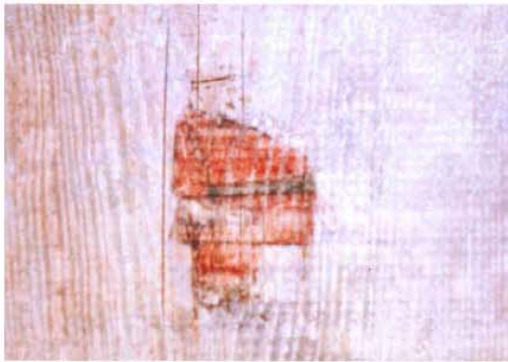
### Plank Barn – Physical Description

The smaller plank barn is thought to date from the late 1800s or early 1900s; the exact date of construction and who constructed this are not known. When first observed in late 2004, a porch at the east façade remained in place while the roof of another porch on the north façade was lying on the ground. The barn was in poor condition when first observed.

Photographs taken in March of 1973 by William Thomas Odum show this original L-shaped porch at the east and north façades. Mr. Odum also observed a series of painted figures and buildings on the east façade – these were approximately 5” in height and in poor condition at that time; it is not known who painted these or when. These figures had disappeared by 2005 and no longer exist.



*Plank barn, March 1973, shows barn's appearance prior to collapse.  
Photo by ARCHITECT WILLIAM THOMAS ODUM*



*Grady Niblo Barn - Painted military(?) figure approx. 5" tall, probably done in late 19th Century*



*Grady Niblo Barn - Painted panel of church, about 5" tall, probably done in late 19th C. by an itinerant*

*Figures of man in red uniform and sketch of church from east (front) side of plank barn, March 1973. Unfortunately these figures no longer exist on wood wall.*

*Photo: ARCHITECT WILLIAM THOMAS ODUM*

This barn was in very poor structural condition and due to removal of adjacent trees (which provided structural support) the east façade porch, roof, west wall and south corner of the building barn collapsed during a storm in May 2007 (see photo below).



*Plank barn, 2005.*



*Plank barn, February 200.8*

A foundation of small flat stones support 6" to 8" in diameter log sleepers (or beams) that supported rough milled 2" x 6" wood floor joists. Most of these beams sat directly on grade with the floor joists only a few inches above grade, and many of the beams had deteriorated in place. The floor boards were 9" x 3/4" in size; much of the floor had deteriorated when this barn was first visited in late 2004. Walls were 2 x 4 milled wood, 24 inches on center with horizontal 1" planks nailed to the interior surface, leaving the wood studs exposed to the exterior; the ends of the planks overlapped at the outside corners. A large porch with metal corrugated roofing supported by rough hand-hewn timbers was attached to the east and north façades; the north porch was no longer in place by 2005.

The roof framing consists of 2 x 4 milled rafters with sleepers for the wood shingle roof. The barn was largely without a roof although areas of corrugated metal panels (with some areas of remaining wood shingles) remained on the building prior to its collapse.

### **Root Cellar – Physical Description**

The root cellar was dug into the sloping limestone escarpment some 20 feet west of the log cabin. It is believed to be constructed around the same time as the log cabin (c. 1847) to provide a place for food storage at a low temperature and steady humidity.

The cellar is approximately 9 feet by 10 feet and the finished floor level was about 6 feet below the adjacent grade. The walls of the cellar were hand cut out of the limestone and had a dirt floor; areas of these limestone walls are still visible. Hand-hewn logs spanned the opening and sat on the edges of the exposed limestone walls; these logs supported smaller wood framing that in turn supported mounded dirt that formed the roof of this cellar. This dirt was 12 to 18 inches higher than the adjacent ground which provided insulation and drainage away from the cellar; this dirt mound is approximately 20 feet in diameter.

A straight-run stair with hinged door connected the yard adjacent to the log cabin with the cellar floor and the remains of a metal door remain although the original door would have been wood planks.



*Root Cellar, December 2006.*



*Root Cellar, December 2006.*



*Root Cellar, Geo-Marine Inc., February 2010.*

The white limestone escarpment forms the floor and walls of the rectangular root cellar. The steps with steep risers (over 12") are also hand carved from the limestone.

Rock and earth were piled over the wood forming a dirt mound approximately 20 feet square. Most of this roof has collapsed, making the cellar inaccessible for safety reasons.

### **Hand Dug Well – Physical Description**

The well, believed to be constructed around the same time as the log cabin (c. 1847), is situated some 40 feet due west of the log cabin and due north of the later farm house. The original hand dug well shaft is about 5' in diameter and extends through limestone for approximately 12' feet, then opens out to a larger volume for a total depth of about 25 feet. Standing water remains in the

well, suggesting it is situated above a local spring that after 150 years still remains active. When measured on several occasions, the water level has been 13' to 15' below grade.

The lowest level of construction at the well curb (wall) at grade is dry-stack stones placed on bedrock. A single wythe brick wall extends above this for several feet; due to the fragility of this brick wall, a plywood cover has recently been placed on the top of this wall.

It is assumed that the original above-grade wall of the well was also dry-stack local stones. The means of obtaining water could have originally been by hand or pulley system.

Adjacent to the well is a later concrete box containing an electric pump; this water source was used for many years, serving the adjacent farm house. Modern piping connects the well with the concrete pump trough and the farm house.



*Well, December 2006.*



*Well, December 2006.*



*Well, December 2006.*

### **Chicken Coop - Physical Description**

The chicken coop is located the north-west of the log barn and measures approximately 40 feet by seventeen feet; it appears to have been constructed of salvage materials including round creosote impregnated poles (similar to telephone poles), square (milled) poles, and a variety of metal sheets, used for cladding of walls. Boxes for chickens are located within this open air structure. Wire mesh ('chicken wire') is located at the exterior wall openings and other locations within the structure.



*Chicken coop, June 2007.*

### **Farm House – Physical Description**

Located to the west of the historic log cabin, this rectangular farmhouse is sited near the edge of the escarpment with a steep slope just to its west. This one-story 3-room house is approximately 40' in length with the living room of 18' in width and a bedroom and bath area of 25' in width; a recessed porch (facing the log cabin) extends along the front of the house adjacent to the living room. A small linear rear addition accommodates a kitchen.

The date of construction of the house is not known but is assumed to date from the late 1890s or early 1900s. The house is constructed of wood beams that sit on stone piers with wood joists over a minimal crawl space. Walls are constructed of rough-hewn vertical cedar posts of 5" to 8" in diameter that support the roof structure; the roof joists are also rough-hewn cedar posts. Diagonal bracing of rough-hewn cedar posts are located at the exterior corners; this is often found at homes of similar construction.<sup>4</sup> According to William Thomas Odum, architect for improvements at this house for Grady Niblo Jr. and his wife Barbara, the exterior siding was single-wall of approximately 1" x 12" vertical boards; the interior partitions are also single-wall construction.<sup>5</sup>

<sup>4</sup> The original Caruth log cabin in Dallas (c. 1850s) is also constructed of vertical rough-hewn construction with diagonal bracing.

<sup>5</sup> Odum, William Thomas, unpublished material dated July 22, 2012 and conversation with Odum, Trent Williams and Marcel Qumby, July 20, 2012.

A stone chimney is located at the north wall of the house (facing the living area); it is not known if this chimney is original to the house or not. These stones used in the chimney are dressed limestone – which is unusual for a small farmhouse that sits on an escarpment with available stone nearby – and these are assumed to have been re-used from another building or site elsewhere and brought to this site. These chimney stones have historic graffiti on them – names (some with dates) of the previous owners – including ‘MR Willie Myers 1905 (Myers family lived on property to the north)’, ‘Horrace Parker 1905’, ‘EM Hale’, ‘John Pelt 1893’ (upside down) and ‘J W Cannady’. Some names are upright while others are upside-down, indicating some names were carved when the stones were in a different location and direction, and later moved to the chimney where additional names were added. The three stones with a date of 1905 (Willie Myers, Horrace Parker, and GH) are assumed to have been carved when the stones were in their final location at this chimney. Based on these dates, it is possible that this house may pre-date 1905 but the stone chimney was added at that time or it is possible that the house and chimney were constructed in 1905 by B. P. Hale who owned the land from 1894 – 1909.

During the time the land was owned by Grady Niblo Sr., it was leased for farming and the house occupied by the tenant farmers. Originally clad in wood siding, the house was later clad with asphalt shingles that imitated brick with composition roofing; this was commonly used in the 1940s thru the 1960s.

In April 1976, due to its poor condition, the house’s stone chimney was disassembled and the stones numbered and stored. The stone chimney was re-built with the stones re-installed in their original locations. William Odum was the architect for this work and documented these stones and their graffiti.<sup>6</sup>

---

<sup>6</sup> Odum, William Thomas, unpublished material, dated July 22, 2012, included photographs and sketches of these stones and graffiti.





*Niblo chimney dressed limestone block #43, in situ, Feb. 20, 1976  
Overlay tracing with enhanced rendering of incised graffiti*

*Farmhouse, north façade showing dressed stone chimney and detail of dressed stone with graffiti in 1976.  
Note name 'E M Hale' – was the property owner of site from 1894 - 1909. These stones with graffiti are no longer at chimney.*

*Photo: ARCHITECT WILLIAM THOMAS ODUM*

In November 1979, fire destroyed a portion of the north wall, including the limestone chimney. A pre-fabricated metal fireplace with metal flue was installed and the chimney rebuilt in brick. These dressed stones were removed at that time and their condition and location are not known.

Improvements were made to the house in 1980 in preparation for occupancy by Grady Niblo Jr. and wife Barbara. This work included the installation of insulation at the exterior walls and application of drywall on the interior wall surfaces, installed new Pella windows, new doors, removed the ceiling in the living room and exposing the rough-hewn cedar roof joists, crated a usable loft space above the bedroom, insulating the roof, added skylights, update the kitchen and bathroom, repair the existing pine flooring, new electrical, mechanical and plumbing work and install horizontal wood siding at the exterior and new composition roof. William Thomas Odum was also the architect for this work. The contractor was Charles Truesdall of Dallas.

Z112-317 (MD)



*Farmhouse, east façade (facing log cabin), 200.9*

### ***13. Historical Significance***

*Statement of historical and cultural significance. Include: cultural influences, special events and important personages, influences on neighborhood, on the city, etc.*

The site of these historic structures was originally owned by Everard Sharrock Jr. and most recently associated with Dr. Grady Niblo Jr. and has a long history of documented ownership dating from the Peters Colony settlement. The historic structures remaining today include a mid-nineteenth century log cabin and log barn, a newer plank barn, a tin chicken coop, and a farmhouse that is thought to date from the 1890s or early 1900s.<sup>7</sup> Also in the vicinity of these buildings, a root cellar and well comprise the features of this historic property.

John Neely Bryan settled on the banks of the Trinity River in 1841 in what was then the Republic of Texas, in the environs of the modern city of Dallas.<sup>8</sup> His presence in the area led to the beginning of the small settlement of Dallas which would become a commercial hub for Dallas, Dallas County and the surrounding region.

#### ***Peters Colony***

In the tradition of the Midwest, “colonies” for settlement were established in the Republic of Texas to attract families to immigrate and populate to the Republic. The Peters Colony refers to the empressio land grant made in 1841 with William Smalling Peters (an Englishman living in Pittsburgh, Pennsylvania but located his company in Louisville, Kentucky), his partners and the Republic to colonize a significant area of North Texas. The Peters Colony extended over 16,000 square miles in five North Texas counties, including land that would become Dallas County and was the south-easternmost portion of the colony. Colonists were provided with land allotments of 640 acres to families and 320 acres to single men with requirements that they must reside on and improve the land.<sup>9</sup> The first settlers in the Peters Colony arrived in North Texas in early 1842 and settlement continued until 1848 when the colony’s contract (then with the State of Texas) expired. The Federal Census for Dallas County in 1850 included 395 Peters Colony settlers out of a county population of 2,370.

#### ***Everard Sharrock Sr. and Sharrock Family***

Everard Sharrock Sr., was the son of James Sharrock (b. 1750), a Liverpool-born English college educated man who as a ganged soldier turned American revolutionary, served from 1778-1781 with the Westchester County Militia of the Continental Army.<sup>10</sup> James became a Methodist Minister and with his wife, Jane Everard, is known to have settled in Peekskill, New York until 1803 when the family, with eight children, moved to Guernsey County, Ohio – the year Ohio gained statehood.<sup>11</sup> Everard Sr. was born in New York City about 1790 and married Amy Stevens in 1813; they had nine children. Sharrock family history describes Everard Sr. as having ‘a roving disposition’ and in 1832 the family moved to Flat Branch, a small community near Tower Hill in Christian County, Illinois.<sup>12</sup> In the mid 1840s, Texas was in governmental flux. By 1845, the Republic of Texas was in

<sup>7</sup> The larger farmhouse was most recently inhabited by Barbara Cowling Niblo.

<sup>8</sup> Brown, John Henry. *History of Dallas County, Texas: From 1837-1887* (Dallas: Milligan, Cornett & Farnham, Printers, 1887): 12.

<sup>9</sup> *Ibid.*

<sup>10</sup> Eiler, Homer. *Our Ancestors: A Record of these Families: Sharrock, Everard, Stevens* Grenola, Kansas: James S. Dancy, Printer, 1929., 3.

<sup>11</sup> *Ibid.*, 5

<sup>12</sup> *Ibid.*

discussion with the United States about admission to the union. This was formalized effective December 29, 1845, when Texas became a state of the United States. The state of Texas then modified several counties which had been established by the Republic and on March 30, 1846, Robertson County was divided into several smaller counties – including Dallas County.

Everard Sharrock Sr. and his family moved to what would become Dallas County, State of Texas in 1846 with the Peters Colony; this family move appears to have arrived in two groups: James Sharrock, the eldest son of Everard Sr., arrived in 1845 and is listed in Robertson County's Tax Assessment of 1845 as owning two cattle but with no note of owning land. It is assumed his early arrival was to prepare for the arrival of the remainder of the family. James soon became a Constable for Dallas County in July 1846, and served for two years.<sup>13</sup>

The larger family group left Illinois following the February 28, 1846 marriage of daughter Amy Ann to Jephtha May; May family history notes that 'within six weeks of the marriage he (Jephtha) moved to Dallas, Texas' presumably with his in-laws.<sup>14, 15</sup> The group included Everard Sharrock Sr., wife Amy, sons Everard Jr. and George, daughters Amy and husband Jephtha May, Jane Sharrock Noyer and husband Peter Noyer, Rachel Sharrock Bell and husband John Robertson Bell.<sup>16</sup> Another daughter Phoebe Sharrock and her husband George Alvey followed the family to Texas soon thereafter.<sup>17</sup> Upon arrival in Dallas County, assumed to be in the summer of 1846, Everard Sr., James, Jephtha May, John Bell, Peter Noyer and George Alvey received 640 acres each from the Peters Colony as head of households while Everard Jr. and George received 320 acres each as single males. These land grants were located near each another and all were on flat land to the east of the crest of the 'Cedar Bluff'.

#### ***Everard Sharrock Jr.***

Everard Sharrock Jr. was born in Richland County, Ohio in 1826 and was the sixth child of Everard Sr. and Amy Stevens Sharrock.<sup>18</sup> Upon Everard Jr.'s arrival in Dallas County as an unmarried male, he received 320 acres - the east 320 acres of Abstract 1314.<sup>19</sup> This tract of land is flat and is near the edge of what was referred to as 'Cedar Bluff' (the White Rock escarpment). The 1846 Dallas County Tax Assessment notes Everard Jr. owned 320 acres of land; it is presumed that at the time of this assessment he was single and living on the first 320 acres. This assessment makes no reference to a structure but he could have had a temporary structure or have lived with his parents or other family members on their nearby property.

Everard Jr. married Sarah Elizabeth Robbins, from Illinois, in 1846 or possibly in early 1847 – the date of their marriage in Dallas County is unknown. It is not known if they had met in Illinois or in Dallas County following separate moves to the county with their families.<sup>20, 21</sup>

<sup>13</sup> Brown, History of Dallas County, Texas: From 1837 – 1887.

<sup>14</sup> *Ibid.*, 24.

<sup>15</sup> Eiler, Homer May-Hanson-Pollard-Philips Families Grenola, Kansas, as referenced by Larry Kuttler who noted that the Sharrock family move to Texas occurred following this wedding; email to Frances James, October 27, 1999.

<sup>16</sup> Eiler, Our Ancestors: A Record of these Families: Sharrock, Everard, Stevens (Grenola, Kansas: James S. Dancy, Printer, 1929).

<sup>17</sup> *Ibid.*, 23.

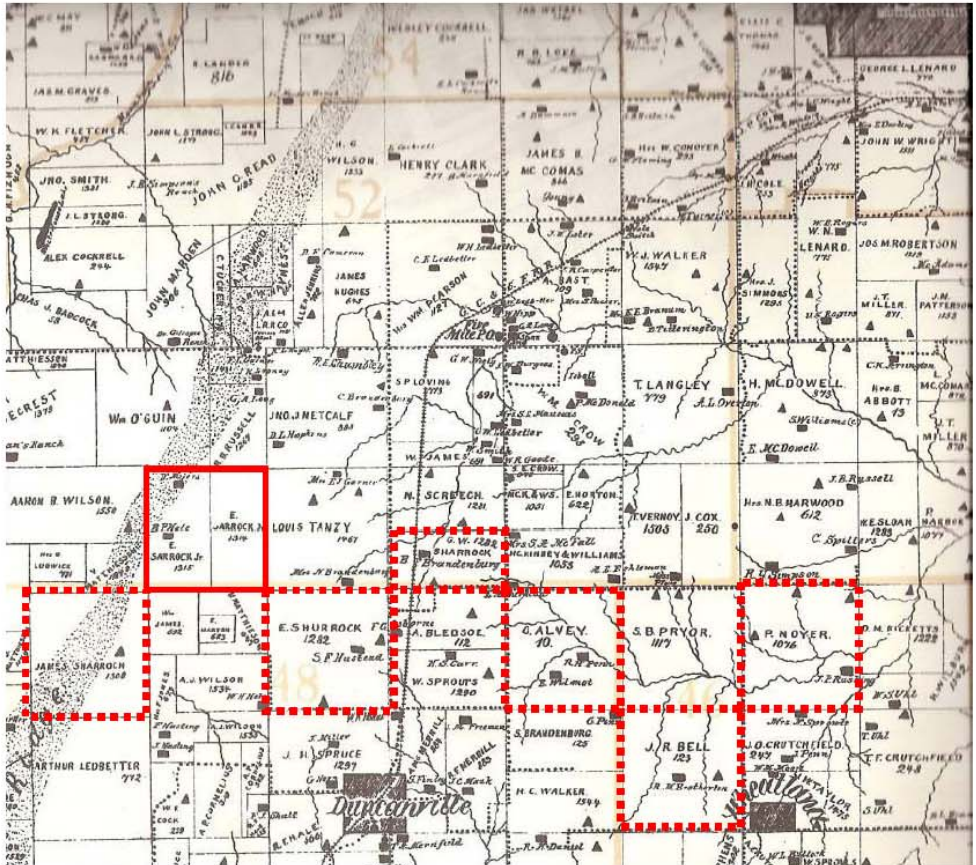
<sup>18</sup> *Ibid.*, 23.

<sup>19</sup> Dallas County Survey Records 1840-1900, Dallas Public Library, Roll 4, Book B, p. 175. Also Refer to "General Index to Surveyor's Records, Dallas County, Texas" p. 105.

<sup>20</sup> 1850 US Census, Dallas County.

<sup>21</sup> Eiler, Homer Our Ancestors: A Record of These Families: Sharrock - Everard - Stevens; Grenola, Kansas, 1929; p. 23.

With his marriage and change in status as head of household, Everard Jr. received an additional 320 acres (the western 320 acres of Abstract 1314): this additional land was located to the west of his first grant and is situated at the crest of Cedar Bluff. It is assumed Everard Jr. and Sarah received this land in 1847 as this property was not included in the 1846 Dallas County Tax Assessment.



"Sam Street's Map of Dallas County, Texas," Library of Congress, Geography and Maps Division. Everard Sharrock Jr.'s 640 acres shown with solid red outline; property of other family members shown in dashed red outline include his father Everard Sr., brothers James and George; brothers-in-law George Alvey, J. R. Bell and R. Noyer.

Colonists were required to provide and live in a permanent dwelling for three years as well as work the land to receive permanent ownership. According to family history, Everard Jr. built a small log cabin on the subject site and his first child Amy Catherine was born in this cabin October 27, 1847 – dating the cabin between early 1847 and the date of his daughters' birth in October 1847.<sup>22</sup> As the subject log cabin is the only log cabin at the site, this is thought to be the cabin constructed by Everard Sharrock Jr. during that time frame.

<sup>22</sup> Correspondence from Chris Love (great grand-daughter of Everard Sharrock Jr.) to Marcel Quimby, July 14, 2011.

This cabin and other historic structures are located at this western acreage, near the edge of the bluff, and take advantage of south-western and southern breezes during the summer as well as providing view to the west. The log barn is of similar construction and it appears to date from this timeframe, as do the well and root cellar.

This cabin and other historic structures are located at this western acreage, near the edge of the bluff, and take advantage of south-western and southern breezes during the summer as well as providing view to the west. The log barn is of similar construction and it appears to date from this timeframe, as do the well and root cellar.

Everard Jr. and Sarah had three children while living at the subject site – the second child George Alvey was born October 24, 1849 and third child Charles Augustus in 1850.<sup>23, 24</sup> The first US Census for the new State of Texas in 1850 counted 2,473 residents in Dallas County and noted that 395 were Peters Colonists. This census included Everard Sharrock Sr., Jr. and wife Sarah, children Amy Catherine and George Alvey as well as family member Everard Sr., brothers George, James, and David Sharrock.

Everard Sr.'s wife Amy Stevens Sharrock died in 1848, and was buried in Five Mile Cemetery in Dallas County; Everard Sr. returned to Illinois several years later.<sup>25</sup> In 1849 several of the Sharrock men in Texas and Tower Hill, Illinois traveled to California in pursuit of the riches promised by the California Gold Rush; there are no records of who made this trip but it is known that son John Sharrock from Illinois did so.<sup>26</sup> Although the group was unsuccessful in their gold mining efforts they decided to later return to California with their families to live.<sup>27</sup> Rachel Bell died in childbirth of her first-born child in 1849 and was buried in Five Mile Cemetery next to her mother, Amy Stevens Sharrock.<sup>28</sup> Rachel's child Timothy Carpenter Bell lived and later moved with the Sharrock family to California and Oregon. James Sharrock and his family (including two children who were born in Texas) returned to Tower Hill, Illinois due to his views on slavery' in 1852.<sup>29</sup>

Surveyors officially set the metes and bounds of Peters Colony land in 1850, and were recorded in the office of the County Survey of Dallas County on December 1850; this survey notes Everard Sharrock Jr. as the owner of the subject property. Everard Jr. received Colony Certificate No. 3, Vol. 1 for 320 acres in the area described as "Cedar Bluff 9 ¾ miles south 50° west from Dallas" on April 1, 1850 (Title of Land Abstract No. 1314 and 1315)<sup>30</sup> – providing legal ownership for the first installment of land in Abstract 1314.<sup>31</sup> In April 1853, he received

<sup>23</sup> Both Amy Catherine (Amy C.) and George Alvey are included in the 1850 Dallas County Census; family history notes that Charles was probably born later in 1850 after the Census was taken.

<sup>24</sup> Correspondence from Chris Love to Marcel Quimby, July 14, 2011.

<sup>25</sup> Eiler, Homer., *Our Ancestors*, 9.

<sup>26</sup> Eiler, Homer., *Our Ancestors*, 16.

<sup>27</sup> Correspondence from Larry Kuttner to Frances James, October 25, 2004.

<sup>28</sup> Eiler, Homer., *Our Ancestors*, 23.

<sup>29</sup> *Ibid.*, 15.

<sup>30</sup> Texas General Land Office, Land Grant Search. File Number 001795.

<sup>31</sup> Dallas County Survey Records 1840-1900, Dallas Public Library, Roll 4, Book B, p. 175. Also Refer to "General Index to Surveyor's Records, Dallas County, Texas" p. 105.

the second installment of his Peters' Colony Certificate lands, another 311 2/10 acres to the east of his original property (east 320 acres of Abstract 1315).<sup>32</sup> However, by the time he received this second certificate, he was in the process of leaving (or had already left) Dallas County.

The Peters Colony administrators experienced difficulties with assigning legal titles to the colonists' property prior to the dissolution of the Peter Colony's contract with the State of Texas in 1848. The State Legislature became involved with this ongoing problem following an incident in 1852 between the colonists, members of the Dallas community and the Peter Colony's local administrator, Henry Hedgcoxe. It would take another twenty years for many land titles to be fully resolved. Fortunately, the Sharrock family members appear to have not been adversely affected by this title dispute.

By 1853 the Illinois and Dallas County members of the Sharrock family had finalized their plans to move to California and the two groups met in New Orleans. The family then boarded a ship sailing to Havana, Cuba and sailed to Colon, Panama where they traveled across the Isthmus of Panama. The railroad was not yet complete, so they had to walk or ride donkeys on the mountainous remainder of the trail.<sup>33</sup> They then took a sailing ship to San Francisco, and traveled by wagon to Tuolumne County (near what is now Yosemite National Park) to settle.<sup>34,35</sup>

It is not known why the Sharrocks' left Texas and Illinois but several possible factors have been mentioned in the family history – the loss of the family matriarch Amy Stevens Sharrock and her daughter Rachel, the desire for adequate land for the entire family to own property and the family's concern about the slavery issue – which had resulted in James Sharrock's return to Illinois the year before. Another possible reason is the Sharrock family's tendency to follow America's ever-changing western frontier – as evidenced by the family's' past moves from New York to Ohio in 1803, to Illinois in 1832 and to Texas in 1846.

Everard Jr.'s wife Sarah and the youngest child, Charles Augustas died of measles in California in March of 1854.<sup>36</sup> Everard Jr., his daughter Amy and son George remained in California where Everard Jr. died in Sonora, Tuolumne County, California, January 19, 1913.<sup>37</sup>

Other family members resettled to Oregon, where they were granted land in Clackamas County, Oregon and where Everard Sr. remained until his death in 1866.<sup>38</sup>

---

<sup>32</sup> Dallas County Survey Records 1840-1900, Dallas Public Library, Roll 4, Book B, p. 448. Also Refer to "General Index to Surveyor's Records, Dallas County, Texas" p. 106.

<sup>33</sup> Ninth May Generation Biographical Sketches – Jephtha May. Powerpoint presentation, May 2008. Author unknown (available from link from Dallas County Pioneer Association) (<http://mayhouse.org/family/essays>); accessed July 14, 2011.

<sup>34</sup> Correspondence from Larry Kuttler, October 1999: Sharrock Archives, Rootsweb; Sharrock-L, [www.archives.rootsweb.ancestry.com](http://www.archives.rootsweb.ancestry.com).

<sup>35</sup> Ibid.

<sup>36</sup> <http://DallasPioners.org/stories/FrancesJames>, October 2004.

<sup>37</sup> Eiler, Homer. *Our Ancestors*, 30.

<sup>38</sup> Ibid., 8.



*Log cabin, north elevation.*



*Log cabin, west elevation.*

### ***History of the Site after 1853***

On June 19, 1856, Thomas J. Young became the assignee of Everard Sharrock Jr. for 320 acres of land (Abstract 1314).<sup>39</sup> It is thought that Young took possession of the property in 1853 and received the deed and title at a later date – which was not uncommon for Peter Colonists properties. Thomas was a first generation Irish immigrant, born in Londonderry, Ireland in 1799.<sup>40</sup> As a ten-year-old immigrant with his widowed mother, Thomas lived in Maryville, Tennessee until moving to Missouri with his wife Rebecca Houston and seven children (Sam Houston Young, Andrew A., Clarinda, Sophia, Elizabeth, Sally, and Hetty).<sup>41</sup> From Johnson County, Missouri, the 56-year-old Thomas and family settled in Texas;<sup>42</sup> he owned the 320 acre plat in the Cedar Bluff area of North Texas until 1867.

Thomas' second son Andrew A. ('Andy') has been described as a tall young man, with curly red hair that hung down to his shoulders and having a red beard – and was known to be an unruly young man.<sup>43</sup> Andy openly stated that if he found unbranded cattle stock on the open range, he would take them on as his own property – thus acquiring a reputation as a cattle rustler. Lucretia Barker Vinyard's book 'The History of the Cedar Mountains' notes that he 'refused to fight in the Civil War and hid out in a cave on the side of the mountain southwest from his home.' Vinyard also notes that 'the log cabin where he lived bore evidence of many gun battles'. For these escapades, Andy was locally known as the 'Giant of the Mountains.'

In 1867, Thomas J. Young deeded the property of the E. Sharrock Survey to Andy and his wife Alice Young.<sup>44</sup> However by this time, Andy had settled down was raising cattle on his land and appears to have been a respectable citizen of the area. He is listed in the 1870 census of Dallas

<sup>39</sup> "Abstract of Land Titles" Dallas Public Library, 368. See Also Texas General Land Office, Land Grant Search, File Number 001795. The deed was made with Everard Sharrock Jr. in California.

<sup>40</sup> Susanna Clark-Smith, "Horton Family Cemetery, History and Description," [www.cemeteries-of-tx.com](http://www.cemeteries-of-tx.com).

<sup>41</sup> Correspondence from Royce Young (descendant of Thomas J. Young) to Leah McCurdy, May 1, 2009. Rebecca Houston Young is purported to be the niece of the famous Sam Houston, being the daughter of his brother, John Houston.

<sup>42</sup> Ibid.

<sup>43</sup> Vinyard, Lucretia Barker, "The History of the Cedar Mountains, 1841 - 1952." Printed by Rhea Printing Co., Inc., Dallas, Texas, 1952. Copyright by The Estate of Mrs. C. O. (Lucretia Barker) Vinyard, 1972, p. 58.

<sup>44</sup> Dallas County Official Public Records, Deed Records, Vol. K, p. 186.



County as a stock raiser of 26 years of age.<sup>45</sup> By 1880, he, his wife and children, and Andy's mother, Rebecca, show up on a census of Coleman County, Texas.<sup>46</sup> By this time, Rebecca was widowed; Thomas having passed in 1875 at the age of 75 and buried in the Horton Family Cemetery in Dallas.<sup>47</sup> A descendant of Thomas J. and Andy, Royce Young, confirms this information from his genealogical research; Royce Young's family continues to live in Coleman County and cares for the ranch that Andy established there in 1876. Andy still held the subject 320 acres in Dallas County until 1881 when he sold to H. K. Hale for \$2,100.<sup>48</sup>

In the 1881 - 82 Dallas County Directory, H. K. Hale is listed as a farmer in the Sprowles (postmaster) area "ten miles southwest of Dallas."<sup>49</sup> Very little family information has been found on the Hale line in north Texas. H. K. Hale deeded the 320 acres to his son B. P. Hale in 1886.<sup>50</sup> The original surveyed land title remained intact as 320 acres until 1894 when B. P. Hale sold the northern 100 acres to another farmer, D. E. Myers.<sup>51</sup> By 1900, the "Sam Street's Map of Dallas County" depicts two houses on the property of Abstract 1314 labeled "D. Myers" on the northern location and "B. P. Hale" on the southern location.<sup>52</sup> This lower house, located in the center of the property and sitting on the crest of the escarpment, corresponds closely with the location of the historic buildings on the site today. The upper location, noted as D. Myers' residence, appears to have been located near the current intersection of the east service road of Spur 408 and Niblo Road near the north property line.

B. P. Hale held the lower 220 acres until deeding the southern-most 100 acres to E. M. Hastings in 1908.<sup>53</sup> The remaining 120 acres were released to E. M. Hastings on B. P. Hale's death by the executrix of his will, his wife Sarah Hale in November of 1909.<sup>54</sup>

This 120 acres was then transferred by E. M. Hastings to his son, John Hastings shortly thereafter in December of 1909.<sup>55</sup> Between this time and 1921, E. M. Hastings deeded the last 100 acres to John. During a period of seven years, from February 1921 to May 1928, John Hastings was party to a transfer of the Deed of Trust of these 220 acres to four companies (Boren & Stewart Co., Blair & Hughes Co., Huey & Philip Hardware Co., and Waples Platter Grocery Co.).<sup>56</sup> The deed refers to this transfer as a transaction used to settled debts that John Hastings incurred with these companies.

Within a month, in June of 1928, Norman Hamilton and William A. Sailer purchased the deed for the 220 acres from those four companies for \$8,800.<sup>57</sup>

<sup>45</sup> Correspondence from Judy Artley to Leah McCurdy via Genforum, [www.genealogy.com](http://www.genealogy.com).

<sup>46</sup> *Ibid.*

<sup>47</sup> Susanna Clark-Smith's research at the Horton family cemetery.

<sup>48</sup> Dallas County Official Public Records, Deed Records, Vol. 54, p. 349.

<sup>49</sup> Jim Wheat, "Dallas County Texas Archives," <http://freepages.history.rootsweb.ancestry.com/~jwheat/index.html>.

<sup>50</sup> Dallas County Official Public Records, Deed Records, Vol. 74, p. 265.

<sup>51</sup> Dallas County Official Public Records, Deed Records, Vol. 167, p. 87.

<sup>52</sup> "Sam Street's Map of Dallas County, Texas," Library of Congress, Geography and Maps Division.

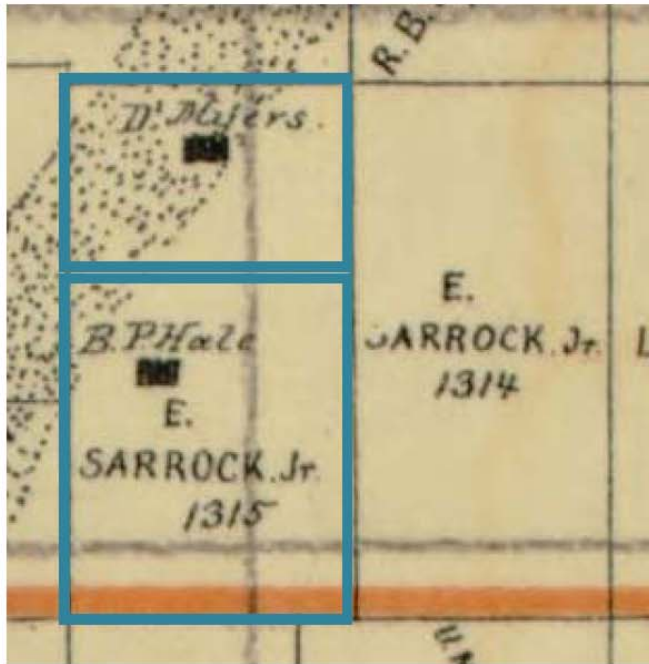
<sup>53</sup> Dallas County Official Public Records, Deed Records, Vol. 395, p. 548.

<sup>54</sup> Dallas County Official Public Records, Deed Records, Vol. 1481, p. 364-366.

<sup>55</sup> *Ibid.*

<sup>56</sup> Dallas County Official Public Records, Deed Records, Vol. 1481, p. 364.

<sup>57</sup> Dallas County Official Public Records, Deed Records, Vol. 1482, p. 596.



*Sam Street's Map of Dallas County, Texas, 1900. Blue outlines designating the 320 acres survey split into the northern 100 acres and southern 220 acres. This is the first documented located of the location of the farmstead and its structures.*

*Note: the Abstract numbers on the two original properties – 1314 and 1315 – on this map are incorrect (this western property should be Abstract 1314 instead of 1315 as shown on this map).*

***Grady Niblo (1889 – 1961) and Dr. Grady Niblo Jr. (1923 – 2005)***

Between April 26, 1934 and May 17, 1935, Grady Niblo of Dallas purchased, in two transactions, the southern 220 acres of the E. Sharrock survey, Abstract 1314.<sup>58</sup> Niblo held the 220 acres intact until 1949 when he sold the southern-most 100 acres to Dr. Frank L. Bracken in 1949.

Grady Niblo was a native of Round Rock, Texas and moved to Dallas as a child in 1900. Niblo, an attorney, practiced law in Dallas and was an Assistant U. S. District Attorney, an Assistant Dallas County Attorney and Assistant Dallas City Attorney. A long-time resident of Oak Cliff, he and his wife later moved to Mockingbird Lane in Dallas, where he resided at the time of his death. Niblo used the land for weekend and personal uses – primarily hunting and fishing. He leased the northern and eastern portion of the land for farming by tenants. Upon Niblo's death in 1961, his wife retained the property, which was then transferred to their only child, Dr. Grady

<sup>58</sup> Dallas County Official Public Records, Deed Records, Vol. 1847, p. 334 and Vol. 1905, p. 375. See also Dallas Morning News, June 13, 1935, Section II, p. 12, "Real Estate Transfers."

Niblo Jr. and his wife Barbara Cowling Niblo upon her death in 1985.<sup>59</sup> Grady Jr. and Barbara remodeled the farmhouse and moved to the site in 1981; it is thought that at this time, the farmland ceased to be leased and the eastern portion of the land was overgrown with cedars. Dr. Niblo, a psychiatrist, maintained a psychiatric practice in Dallas until his retirement in the 1980s. In 2005 he sold 78.33 acres to Marlin Atlantis White Ltd. for residential development but retained a 'Life Estate' on 1.19 acres of land – which included the historic structures and the farmhouse - where he and Barbara lived. Dr. Grady Niblo passed away in August 2005, after living on the property for almost 25 years. Barbara remained at the site for several years before moving to live with her son; she passed away in January 2010, ending the Niblo family's 75-year long relationship with this land and its historic structures.

#### ***Grady Niblo Estates***

By 2005, when Dr. Niblo and Barbara sold the property to Marlin Atlantis White Ltd, the land that was once cleared farmland was thick cedar trees.<sup>60</sup> This land included approximately 44.58 acres of relatively level land at the eastern side of the property and 33.73 acres of land (the subject site) at the western edge that is either on or near the upper portion (or face) of the White Rock Escarpment.<sup>61</sup> This property also included the 'Life Estate' for the Niblos. The 44.58 tract is situated on the blackland prairie; this land is relatively flat and had been overgrown with cedar and other trees as it had not been farmed in several decades. The developer cleared the trees and re-graded the land to establish "Grady Niblo Estates," a single-family housing development. Roads and utilities for Phase 1 of the residential development were constructed and lots were laid out.

In 2006, Marlin Atlantis Ltd. subsequently deeded (as a donation) the western 25.58 acres to the City of Dallas for future park use. This land at the White Rock Escarpment is heavily wooded and contains the subject historic structures. Marlin Atlantis Ltd. subsequently deeded the north-west 8.33 acres to the City of Dallas; this additional acreage is heavily wooded and slopes slightly up to the crest of the escarpment. Currently, the city's future park site is 33.74 acres.

Due to the decline of the residential market in 2007, the development of Grady Niblo Estates was slow with several model homes and approximately half a dozen new homes constructed and/or occupied. Martin Atlantis White Ltd. declared bankruptcy on their 45.58-acre housing development (Phase 1 and Phase 2), and the site was foreclosed on and sold at Dallas County auction, February 7, 2008.

However by mid-2011, additional lots had been developed with Phase 1 development appearing to have between 35 and 40 occupied new homes and others currently under construction. The Phase 2 development has not yet been developed and remains undeveloped.

---

<sup>59</sup> Dallas County Official Public Records, Warranty Deed, Instrument No. 198500373049 (Book 85037, p. 755).

<sup>60</sup> Original Niblo property purchased in 1934 and 1935 was 220 acres. By 2005, Grady Niblo Jr. and wife Barbara sold 78.33 acres to Marlin Atlantis White, Ltd. Remaining portions of this property are not relevant to subject site and are not included in this report.

<sup>61</sup> Dallas County Official Public Records, Deed Records, Special Warranty Deed, Instrument No. 200503282174 (Book 2005054, p. 126).

### Log Cabin Building Type

A scholar of Texas log cabin architecture, Terry G. Jordan, notes the log cabin building type was originally introduced to America by Swedish and German immigrants and was soon adopted by other immigrants (including the English and Scotch-Irish), primarily in the Middle Atlantic colonies.<sup>62</sup> As immigrants from England and Scotland arrived in the colonies, the cabin type was modified to reflect their influence as well as modifications made to accommodate the use of local materials. Later characteristics of the cabin type due to Scotch-Irish and English immigrants included “single-pen,” or room, single-storied, rectangular floor plan design, “side-facing gables,” “a gable-end chimney and a centered front door directly opposite a rear door.”<sup>63</sup> Based on these traditions, the features listed above are integrated into a “square single-pen” design, usually conforming to the standard of a 16’ square space.<sup>64</sup>

The log cabin’s construction materials were easily available in forested environments, making it the preferred building type as migration began to the west - to Appalachia, then west and southwest to Illinois, Indiana, Tennessee, Kentucky, Missouri, Mississippi and Arkansas. By the early nineteenth century, another wave of settlers to the new Republic of Texas (and following 1846, the State of Texas) brought with them this log cabin tradition. However, these log cabins bore little resemblance to the cabins constructed centuries before by Swedish and German immigrants in the Middle Atlantic area, as they had evolved to reflect the ‘diverse ancestry and mixed heritage’ of its builders as well as the different climates and cultures of the new locations.<sup>65</sup> However, the Sharrock/Niblo cabin maintains many of the original characteristics of English and Scotch-Irish log cabin building type.

The Sharrock cabin appears to be a typical cabin for the Peters colonists; similar single-pen cabins within the Peters Colony remain in Collin and counties to the west. It is thought the cabin was built by Everard Sharrock Jr., possibly with the assistance of other family members. As the Sharrock family had made multiple moves to less settled areas of the frontier over the last half-century (to Ohio in 1803 and Illinois in 1823), Everard Sr. and some of his sons would have been experienced in building log structures. Sharrock family history notes that Everard’s brother John ‘had prepared a log cabin in the vicinity of his father’s in Flat Branch,’ so some family members had experience in building log cabins.<sup>66</sup> The Peters Colony Company was eager to place people on their land and occasionally assisted a settler with the construction of log cabins but as several Sharrock family members had such experience, it is not thought that such help would have been necessary.

The Sharrock/Niblo log cabin measures 15’ x 14’, a nearly square single room with the front door facing due south. Directly opposite and centered, the back door faces due north; this is not thought to be an original opening.<sup>67</sup> Gables open on the eastern and western elevations with the stone chimney rising on the west gable-end. The dry-laid stone chimney and low firebox are

<sup>62</sup> Terry G. Jordan, author, Bettie A. Regester, Sheldon A. Wallace, catalogue, Elina Wilkinson, photography, *Log Cabin Village: A Historic and Guide*. Austin: Texas State Historical Association in cooperation with Tarrant County Historical Society, 1980. pgs 2-4.

<sup>63</sup> Terry G. Jordan, *Texas Log Buildings: A Folk Architecture*, Austin: University of Texas Press, 1978.

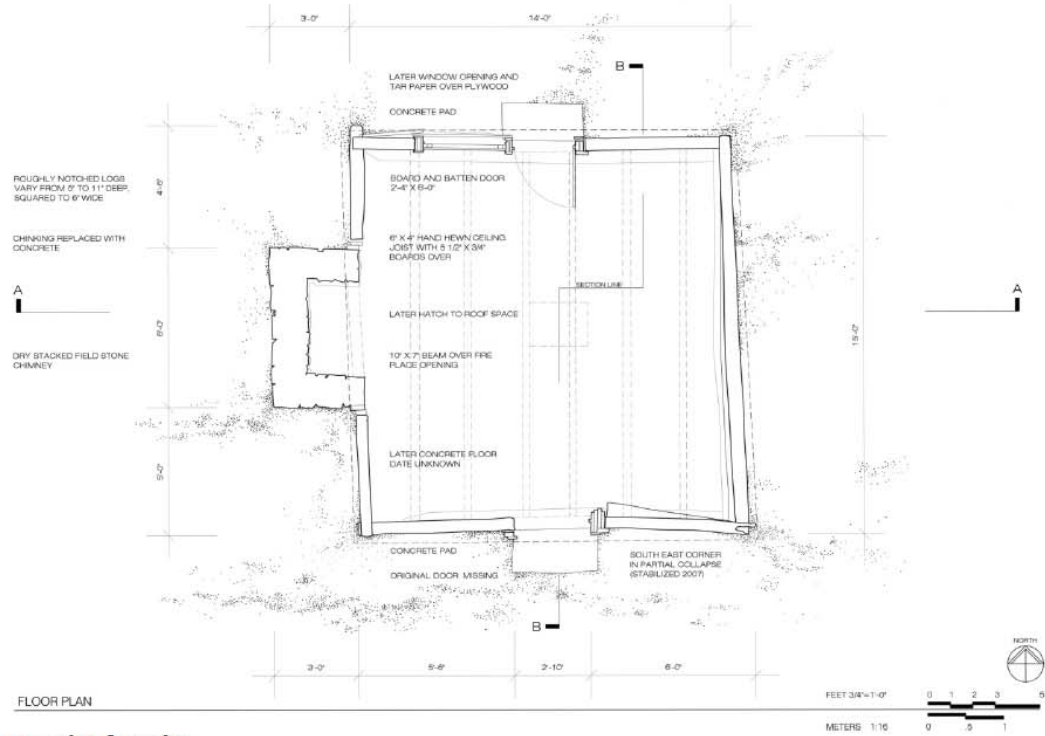
<sup>64</sup> *Ibid.*, 111. Jordan notes that the standard of 16’ derives from the English “rod measurement” or sixteen feet.

<sup>65</sup> *Ibid.*, 4.

<sup>66</sup> Eiler, Homer *Our Ancestors*, 16.

<sup>67</sup> Additional investigation is required to make this determination.

distinctly British log building characteristics, both related to the Scotch-Irish and English traditions.<sup>68</sup>



*Log cabin floor plan.*

As noted above, it is thought that Everard Sharrock Jr. built this log cabin, the log barn, well and root cellar at the site. The farmhouse appears to date from the late 1800s or early 1900s although a definitive date of construction has not been established.

<sup>68</sup> Terry G. Jordan, *Texas Log Buildings: A Folk Architecture*, 95.

*Chronology of Property Ownership of the Site*

1836	Republic of Texas established.
February 4, 1841	Peters' Colony empresario land grant established by the Republic of Texas with the stipulations that 200 families were to be recruited every three years. 320 acres was granted to single men and up to 640 acres per family. <sup>69</sup>
November 1841	First settlement in what would become Dallas County (in Republic of Texas) by John Neely Bryan. <sup>70</sup>
1841	James Sharrock listed in 1845 Robertson County Tax Assessors' document.
December 29, 1845	Texas admitted to the union as a US State.
February 28, 1846	Ann Sharrock, daughter of Everard Sharrock, Sr., married Jephtha May in Tower Hill, Illinois. Six weeks after their marriage the couple moved to Dallas County, Texas with the Sharrock family. <sup>71, 72</sup>
March 30, 1846	Dallas County established out of Robertson and Nacogdoches counties.
April 1846	Everard Sharrock Sr. and family members moved to North Texas with the Peters Colony; family members included his wife Amy, sons George W, Everard Jr. and David, and daughter Ann and husband Jephtha May. The exact date of their arrival in Dallas County is unknown but they are assumed to have arrived in the summer.
April 8, 1846	Texas Legislature established Dallas as the county seat of Dallas County. <sup>73</sup>
June 27, 1847	Amy Ann Sharrock May and Jephtha May's first child was born in Dallas County.
October 27, 1847	Everard Sharrock Jr. and wife Sarah Elizabeth's first child Amy Catherine is born in a log cabin on Everard Jr.'s land in Dallas County. <sup>74</sup>
1850	First US Federal Census of Dallas County counts 2,473 residents.
April 1, 1850	Everard Sharrock Jr. receives Peters' Colony Certificate No. 3, Vol. 1 for land described below in then Dallas County. <sup>75</sup>
April 5, 1850	Survey of the 320 acres granted to Everard Sharrock Jr. in Peters' Colony area described as "Cedar Bluff" 9 ¾ miles south 50° west from Dallas. <sup>76</sup> (Abstract No. 1314). <sup>77</sup>

<sup>69</sup> John Henry Brown, *History of Dallas County, Texas: From 1837-1887* (Dallas: Milligan, Cornett & Farnham, Printers, 1887): 14-17.

<sup>70</sup> *Ibid.*, 12.

<sup>71</sup> Eiler, *Our Ancestors*, 29

<sup>72</sup> Correspondence (email) between Larry Kuttner, The Dalles, Oregon and Francis James, October 29, 2004.

<sup>73</sup> 'Sharrock-L Archives'; Rootsweb Ancestry. Lawrence E. Kuttner, October 27, 1999; accessed July 14, 2011.

<sup>74</sup> Correspondence (email) with Chris Love and Marcel Quimby, July 14, 2011.

<sup>75</sup> Texas General Land Office, Land Grant Search. File Number 001795.

<sup>76</sup> Dallas County Survey Records 1840-1900, Dallas Public Library, Roll 4, Book B, p. 175. Also Refer to "General Index to Surveyor's Records, Dallas County, Texas" p. 105.

<sup>77</sup> "Sam Street's Map of Dallas County, Texas," Library of Congress, Geography and Maps Division. Note: we assume the 'abstract' designation on the map is inaccurate as this shows that the western plot is abstract 1315 and the western plot is abstract 1314. All pertinent County of Dallas records contradict this, noting that the western plot of 320 acres was surveyed under abstract 1314.

March 12, 1853	Amy and Jephtha May's 3 <sup>rd</sup> and 4 <sup>th</sup> children were born and died in Tuolumne County, California. <sup>78</sup>
April 24, 1853	Survey of the second allotment of 311 2/10 acres, east of the original 320 acres survey (Abstract No. 1314) granted to Everard Sharrock Jr. in Peters' Colony area described as "Cedar Bluff or Mountain Creek" <sup>79</sup> (Abstract No. 1315) <sup>80</sup>
1853	Everard Sharrock Sr. and sons George, Everard Jr., daughter Amy Catherine and family leave Dallas County and move to California (exact date unknown).
1853	Thomas J. Young purchases land from Everard Sharrock Jr.
March-June 1854	Everard Sharrock Sr. and family established in Tuolumne County, California. (Everard Sharrock Jr.'s wife, Sarah Elizabeth Robbins Sharrock, and four year-old son, Charles Augustas Sharrock, died in 1954.) <sup>81</sup>
1854	Sharrock families granted land in Clackamas County, Oregon. <sup>82</sup>
June 19, 1856	Thomas J. Young patented 320 acres from E. Sharrock Jr. for \$800 (or \$600). <sup>83</sup> (Abstract No. 1314). Thomas J. Young: Irish immigrant (Londonderry, Ireland) (Born March, 11 1799, Died April 7, 1875 in Dallas County) wife: Rebecca Houston Young (niece of Sam Houston) <sup>84</sup>
February 2, 1856	Texas Legislature voted to create town of Dallas.
April 5, 1856	Dallas votes to incorporate as a town with 400 inhabitants.
December 18, 1867	Andrew A. Young and wife (Alice Young) deeded 320 acres from Thomas J. Young and wife (Rebecca Young) for \$600. <sup>85</sup> Log cabin bearing "evidence of many gun battles" is mentioned on the property during Andy Young's ownership. <sup>86</sup>
December 24, 1881	H. K. Hale deeded 320 acres from A.A. and Alice Young for \$2,100. <sup>87</sup> Hale listed in 1881-82 Dallas County Directory for Sprowles area "Ten Miles Southwest of Dallas" as a farmer. <sup>88</sup>
March 17, 1886	B. P. Hale deeded 320 acres from H. K. Hale for \$2,800. <sup>89</sup>
January 6, 1894	D. E. Myers deeded 100 acres from B.P. Hale (northern 100 acres, not including historic log buildings). <sup>90</sup>

<sup>78</sup> "Sharrock-I Archives"; Rootsweb Ancestry. Lawrence E. Kuttner, October 27, 1999; accessed July 14, 2011.

<sup>79</sup> Dallas County Survey Records 1840-1900, Dallas Public Library, Roll 4, Book B, p. 448. Also Refer to "General Index to Surveyor's Records, Dallas County, Texas" p. 106.

<sup>80</sup> "Sam Street's Map of Dallas County, Texas," Library of Congress, Geography and Maps Division

<sup>81</sup> Eiler, *Our Ancestors*, 23-24.

<sup>82</sup> Correspondence from Larry Kuttner (descendant of Sharrock) to Frances James (Historian), October 25, 2004.

<sup>83</sup> "Abstract of Land Titles" Dallas Public Library, 368. See Also Texas General Land Office, Land Grant Search. File Number 001795.

<sup>84</sup> Susanna Clark-Smith, "Horton Family Cemetery, History and Description," [www.cemeteries-of-tx.com](http://www.cemeteries-of-tx.com).

<sup>85</sup> Dallas County Official Public Records, Deed Records, Vol. K, p. 186.

<sup>86</sup> Lucretia Barker Vinyard, *History of the Cedar Mountains: 1841-1952* (Dallas: Rhea Printing Co., Inc., 1973): 58.

<sup>87</sup> Dallas County Official Public Records, Deed Records, Vol. 54, p. 349.

<sup>88</sup> Jim Wheat's Dallas County Texas Archive, "Dallas County Directory, 1881-82," <http://freepages.history.rootsweb.ancestry.com/~jwheat/index.html>.

<sup>89</sup> Dallas County Official Public Records, Deed Records, Vol. 74, p. 265.

<sup>90</sup> Dallas County Official Public Records, Deed Records, Vol. 167, p. 87. Also Refer to Dallas Morning News "Real Estate Transfers" January 23, 1894. On May 19, 1902, D. E. Myers transferred the deed of his property to the Texas Land & Mortgage Company. This mortgage stayed with the property until Norman Hamilton acquired in 1928.

1900	“Sam Street’s Map of Dallas County” depicts two houses on the property of abstract 1314 labeled “D. E. Myers” on the northern marker and “B. P. Hale” on the southern marker. <sup>91</sup>
November 27, 1908	E. M. Hastings deeded 100 acres from B. P. Hale for \$1,500 (southern 100 acres, not including historic log buildings). <sup>92</sup>
November 13, 1909	E. M. Hastings gains release of 120 acres from B. P. Hale for \$2,750. <sup>93</sup>
December 27, 1909	John Hastings deeded 120 acres from E. M. Hastings. <sup>94</sup>
February 26, 1921 -	Boren & Stewart Company et al, <sup>95</sup> Blair & Hughes Co. et al, Huey & Philip.
May 1, 1928	Hardware Co. et al, and Waples Platter Grocery Co. et al received Deed of Trust of 220 acres from John Hastings (George M. Field and T. A. Slinger were party to the transfer). <sup>96</sup>
June 3, 1928	Norman Hamilton and William A. Sailer deeded 100 acres and another differentiated 120 acres from Boren & Stewart Company et al, Blair & Hughes Co. et al, Huey & Philip Hardware Co. et al, Waples Platter Grocery Co. et al for \$8,800. <sup>97</sup>
April 26, 1934	Grady Niblo deeded 100 acres from Norman Hamilton. <sup>98</sup>
May 17, 1935	Grady Niblo purchases “220 acres off S. end E. Sharrock Jr. sur., abat. 1314” from Norman Hamilton for \$1,000. <sup>99</sup>
August 1, 1949	Frank L. Bracken, M. D. deeded 100 acres from Grady Niblo (southern 100 acres, not including historic log buildings). <sup>100</sup>
March 1961	Grady Niblo dies and property passes to his wife.
November 1976	Property annexed into City of Dallas as City Block 8712. <sup>101</sup>
February 21, 1985	Property (Abstract 1314, City Block 8712) transferred to Grady Niblo Jr. and his wife Barbara Cowling Niblo upon death of Grady Niblo's wife. <sup>102</sup>
2005	Martin Atlantis White Ltd. deeded 78.33 acres from Grady Niblo Jr. and wife Barbara Cowlings Niblo; the Niblos retained a “Life Estate” of 1.19 acres on the property.
August 29, 2005	Grady Niblo Jr. dies; Barbara Cowling remains on ‘Life Estate’ on property.

<sup>91</sup> “Sam Street’s Map of Dallas County, Texas,” Library of Congress, Geography and Maps Division

<sup>92</sup> Dallas County Official Public Records, Deed Records, Vol. 395, p. 548.

<sup>93</sup> Dallas County Official Public Records, Deed Records, Vol. 395, p. 548.

<sup>94</sup> Index of Deeds “Series 2 HA HE Grantee,” Dallas County Official Public Records.

<sup>95</sup> Dallas Morning News “Messrs, Boren & Stewart,” March 4, 1890, 8.

<sup>96</sup> Dallas County Official Public Records, Deed Records, Vol. 1481, p. 364. There is no indication how George M. Field and T. A. Slinger came to have a right to this deed.

<sup>97</sup> Dallas County Official Public Records, Deed Records, Vol. 1482, p. 596. The Deed Record notes that the 120 acres are associated with the 1856 Thomas J. Young purchase.

<sup>98</sup> Dallas County Official Public Records, Deed Records, Vol. 1847, p. 334.

<sup>99</sup> Dallas Morning News, June 13, 1935, Section II, p. 12, “Real Estate Transfers.” See also Dallas County Official Public Records, Deed Records, Vol. 1905, p. 375. These 220 acres includes the 100 acres Niblo acquired in 1934. He comes to own only 220 acres total of the 320 acre E. Sharrock Jr. Survey.

<sup>100</sup> Correspondence from Frank L. Bracken to Marcel Quimby.

<sup>101</sup> Dallas County Official Public Records, Abstract of Land Title Records, Abstract 1314.

<sup>102</sup> Dallas County Official Public Records, Deed Records, Instrument No. 198500373049 (Book 85037, p. 755).

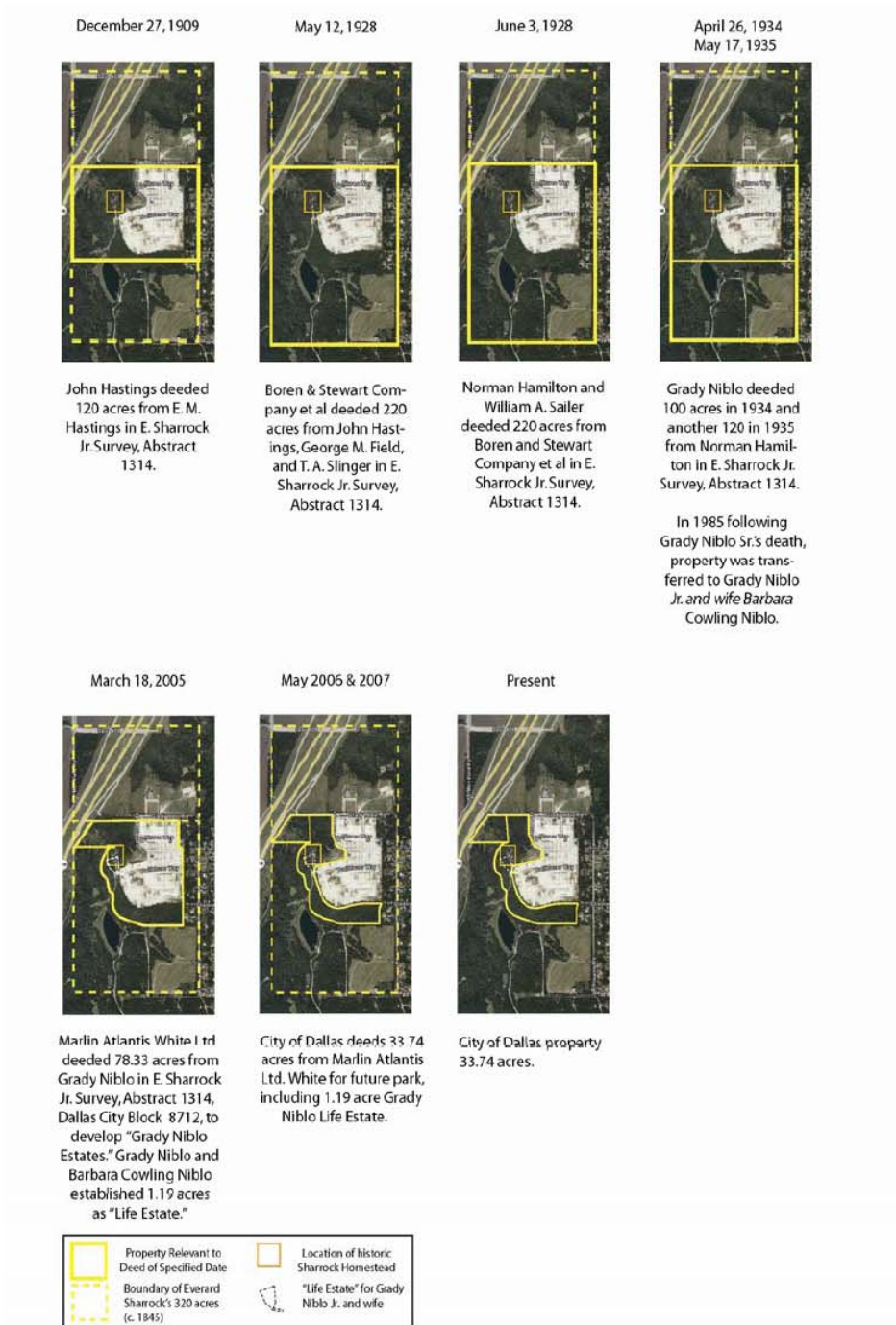


2006	Martin Atlantis White Ltd. deeded 25.58 acres (escarpment property) to City of Dallas for future park use; this land includes the historic log cabin and log barn, plank barn, well and root cellar.
2006	Martin Atlantis White Ltd. deeded an additional 8.154 acres to City of Dallas for future park (north-west corner of site).
2008	Martin Atlantis White bankruptcy; land sold at public auction.
January 2010	Barbara Cowling Niblo passes away.

*Ownership Chronology Illustration*



*Ownership Chronology Illustration (cont'd)*



#### **14. Bibliography**

Alexander, Drury Blakely. *Texas Homes of the 19<sup>th</sup> Century*. Austin and London, England, Amon Carter Museum of Western Art, by the University of Texas Press, c. 1966.

Brown, John Henry. *History of Dallas County, Texas: From 1837-1887* Dallas: Milligan, Cornett & Farnham, Printers, 1887.

Bucher, Ward, ed. *Dictionary of Building Preservation*. New York, New York; John Wiley & Sons, Inc. and Preservation Press, 1996.

Connors, Seymour V. *The Peters Colony of Texas: A History and Biographical Sketches of the Early Settlers*. Austin, Texas; Texas State Historical Association, 1959.

Domeier, Doug. *Log cabin, barn built around 1850 still stand on Dallas County farm*, Dallas Morning News. November 15, 1975.

Eiler, Homer. *Our Ancestors: A Record of these Families: Sharrock, Everard, Stevens*. Grenola, Kansas: James S. Dancy, Printer, 1929.

Holmes, Maxine and Gerald Saxon. *The WPA Dallas Guide and History*. Denton, Texas: University of North Texas Press, 1992.

James, Frances. *The Sharrock Family in Dallas County 1845–1854*. Dallas County Pioneer Association, 2004 [www.dallaspioneers.org/stories/historical.php?ID=277](http://www.dallaspioneers.org/stories/historical.php?ID=277), accessed June 10, 2011.

Jordan, Terry G. *Texas Log Buildings – A Folk Architecture*. Austin: University of Texas Press, c. 1978.

Kuttler, Larry to Frances James and others. October 1999: Sharrock Archives, Rootsweb; Sharrock-L, [www.archives.rootsweb.ancestry.com](http://www.archives.rootsweb.ancestry.com).

Odum, William Thomas, unpublished notes on Sharrock/Niblo property, July 22, 2012; possession of Quimby McCoy Preservation Architecture, LLP and City of Dallas, Park and Recreation Department.

Rogers, John Williams. *The Lusty Texans of Dallas*. New York, New York; E. P. Dutton and Company, 1951.

Santerre, George H. *Dallas' First Hundred Years 1856 – 1956*. Dallas, Texas: The Book Craft

Vinyard, Lucretia Barker, *The History of the Cedar Mountains, 1841 - 1952*. Printed by Rhea Printing Co., Inc., Dallas, Texas, 1952. Copyright by The Estate of Mrs. C. O. (Lucretia Barker) Vinyard, 1972.

Wheat, Jim. *Jim Wheat's Dallas County Texas Archive, Dallas County Directory, 1881-82.*  
<http://freepages.history.rootsweb.ancestry.com/~jwheat/index.html>.

'[Ninth May Generation Biographical Sketches – Jephtha May](#).' Powerpoint presentation, May 2008.  
 Author unknown (available from link from Dallas County Pioneer Association)  
 (<http://mayhouse.org/family/essays>); accessed July 14, 2011.

### ***15. Attachments***

*District or Site Map*     *Additional descriptive material*  
 *Site Plan*     *Footnotes*  
 *Photos (current)*     *Other:* \_\_\_\_\_

### ***16. Inventory of Structures - Historic District Only***

#### **Log Cabin**

Original Owner: Everard Sharrock Jr  
 Architect/Builder: Everard Sharrock Jr with assistance of family members (assumed)  
 Construction dates: Unknown but completed by October 1847  
 Dominant Style: Vernacular log cabin  
 Condition: Fair  
 Category: Contributing (excellent example of an architectural style that is typical of or integral to the district; retaining essential integrity of design).

#### **Log Barn**

Original Owner: Everard Sharrock Jr  
 Architect/Builder: Everard Sharrock Jr with assistance of family members (assumed)  
 Construction dates: c. 1847  
 Dominant Style: Vernacular log barn  
 Condition: Fair  
 Category: Contributing (excellent example of an architectural style that is typical of or integral to the district; retaining essential integrity of design).

#### **Root Cellar**

Original Owner: Everard Sharrock Jr  
 Architect/Builder: Everard Sharrock Jr with assistance of family members (assumed)  
 Construction dates: c. 1847  
 Dominant Style: Vernacular root cellar  
 Condition: Poor (cellar roof has collapsed)  
 Category: Contributing (excellent example of an architectural style that is typical of or integral to the district; retaining essential integrity of design).

#### **Hand Dug Well**

Original Owner: Everard Sharrock Jr  
 Architect/Builder: Everard Sharrock Jr with assistance of family members (assumed)  
 Construction dates: c. 1847  
 Dominant Style: Vernacular cistern

Condition: Fair (hand dug well remains intact; above ground structure is newer)  
Category: Contributing (excellent example of an architectural style that is typical of or integral to the district; retaining essential integrity of design).

**Farmhouse**

Original Owner: Unknown  
Architect/Builder: Unknown  
Construction dates: late 1800s  
Dominant Style: Vernacular house  
Condition: Fair  
Category: Non-contributing due to date of construction.

**Plank Barn**

Original Owner: Unknown  
Architect/Builder: Unknown  
Construction dates: late 1800s to early 1900s  
Dominant Style: Vernacular plank barn  
Condition: Collapsed  
Category: Non-contributing due to condition.

**Plank Barn**

Original Owner: Unknown  
Architect/Builder: Unknown  
Construction dates: c. 1930s  
Dominant Style: Vernacular plank barn  
Condition: Collapsed  
Category: Non-contributing due to condition.

**Chicken Coop**

Original Owner: Unknown  
Architect/Builder: Unknown  
Construction dates: Unknown (post 1930s)  
Dominant Style: Vernacular chicken coop  
Condition: Fair  
Category: Non-contributing due to age.

**Categories:**

*Contributing \_\_\_\_\_  
excellent example of an  
architectural style that is typical of  
or integral to the district; retaining  
essential integrity of design*

*Compatible \_\_\_\_\_  
supportive of the district in age,  
style and massing but is not  
representative of the significant  
style, period and detailing, or area  
of significance typical of the district*

*Non-contributing \_\_\_\_\_  
intrusive; detracts from the  
character of the district*

**17. Designation Criteria**

**X** **History, heritage and culture:** Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.

       **Historic event:** Location of or association with the site of a significant historic event.

**X** **Significant persons:** Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.

**X** **Architecture:** Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.

       **Architect or master builder:** Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country.

**X** **Historic context:** Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.

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

**X** **Archeological:** Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

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

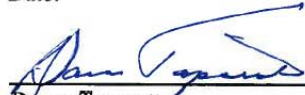
**X** **Historic education:** Represents as era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.

**Recommendation**

*The Designation Committee requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.*

*Further, the Designation Committee endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Department of Planning and Development.*

**Date:**



**Daron Tapscott**  
**Chair, Designation Committee**

15 Aug 12



**Mark Doty**  
**Senior Preservation Planner**

15 AUGUST 2012



8-24-12

ORDINANCE NO. \_\_\_\_\_

An ordinance changing the zoning classification on the following property:

**[Property Description];**

by establishing Historic Overlay District No. 143 (Sharrock/Niblo Historic District Overlay); providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

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

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

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

SECTION 1. That the zoning classification is changed by establishing Historic Overlay District No. 143 on the property described in Exhibit A (“the Property”), which is attached to and made a part of this ordinance.

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

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

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

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or

proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section I-4 of Chapter I of the Dallas City Code, as amended.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

EXHIBIT A

**FIELD NOTES  
2.930 ACRES OUT OF  
LOT 54, BLOCK A/8712  
THE ESTATES AT GRADY NIBLO, PHASE 1  
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING a 127,610 square feet (2.930 acres) tract of land situated in the E. Sharrock Survey, Abstract No. 1314, in the City of Dallas, Dallas County, Texas, and being out of Lot 54, Block A/8712 of The Estates at Grady Niblo, Phase 1, an addition to the City of Dallas, according to the plat thereof recorded in Instrument No. 200700113085 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), also being out of that tract of land conveyed to the City of Dallas, according to the deed thereof recorded in Instrument No. 200600481046, O.P.R.D.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at ½-inch iron rod found at the intersection of the southerly right-of-way line of Grady Niblo Road (60-foot right-of-way) and the westerly right-of-way line of Old Settlers Way (80-foot right-of-way), said point also being the most northerly northeast corner of said Lot 54;

THENCE North 89 degrees 58 minutes 25 seconds West, along the southerly right-of-way line of said Grady Niblo Road and the northerly line of said Lot 54, a distance of 329.83 feet to a ½-inch iron rod found;

THENCE South 10 degrees 46 minutes 42 seconds East, departing the southerly right-of-way line of said Grady Niblo Road and along the westerly line of said Lot 54, a distance of 531.18 feet to a ½-inch iron rod found;

THENCE South 54 degrees 20 minutes 09 seconds West, continuing along the westerly line of said Lot 54, a distance of 51.57 feet to ½-inch iron rod found for THE POINT OF BEGINNING of the herein described tract;

THENCE South 03 degrees 32 minutes 53 seconds West, departing the west line of said Lot 54, a distance of 362.24 feet to a ½-inch iron rod set with yellow plastic cap stamped "LIM ASSOC" for corner;

THENCE North 90 degrees 00 minutes 00 seconds West, a distance of 371.29 feet to a point for corner in the westerly line of said Lot 54;

THENCE North 05 degrees 41 minutes 02 seconds East, along the westerly line of said Lot 54, a distance of 107.77 feet to a point for corner;

THENCE North 16 degrees 58 minutes 14 seconds East, continuing along the westerly line of said lot 54, a distance of 115.65 feet to a point for corner;

THENCE North 31 degrees 52 minutes 01 second East, continuing along the westerly line of said lot 54, a distance of 130.15 feet to a point for corner;

THENCE North 49 degrees 09 minutes 58 seconds East, continuing along the westerly line of said lot 54, a distance of 96.07 feet to a point for corner;

THENCE North 78 degrees 29 minutes 07 seconds East, continuing along the westerly line of said lot 54, a distance of 69.28 feet to a point for corner;

THENC South 72 minutes 44 minutes 37 seconds East, continuing along the westerly line of said Lot 54, a distance of 146.59 feet to the POINT OF BEGINNING and containing 127,610 square feet or 2.930 acres of land, more or less.

BASIS OF BEARING is the southerly line of Grady Nibio Road, being South 89 degrees 58 minutes 25 seconds East, according to the plat thereof recorded in Instrument No. 20070013085, O.P.R.D.C.T.

**EXHIBIT B  
PRESERVATION CRITERIA  
SHARROCK/NIBLO HISTORIC OVERLAY DISTRICT  
6900 GRADY NIBLO ROAD**

**1. GENERAL.**

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

- 1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.
- 1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.
- 1.7 Consult Article XI, "Development Incentives," of the Dallas Development Code, as amended, for tax incentives that may be available in this district.
- 1.8 The period of historic significance for this district is the period from 1846 to 1853.

## **2. DEFINITIONS.**

- 2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.
- 2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.4 CONTRIBUTING STRUCTURE means a structure that retains its essential architectural integrity of design and whose architectural style is typical of or integral to this district, as shown on Exhibit C.2.
- 2.5 DIRECTOR means the Director of the Department of Sustainable Development and Construction or the Director's representative.
- 2.6 DISTRICT means Historic Overlay District No. 143, the Sharrock/Niblo Historic Overlay District. This district contains the

property described in Section 1 of this ordinance and as shown on Exhibits C.1 and C.2.

- 2.7 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.
- 2.8 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.9 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.10 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

### **3. BUILDING SITE AND LANDSCAPING**

- 3.1 All contributing structures and site elements are protected:
  - a. Log Cabin
  - b. Log Barn
  - c. Hand-Dug Well
  - d. Root Cellar
- 3.2 New driveways are permitted as required for fire lane access and service vehicles and must be constructed of gravel, decomposed granite, colored or tinted concrete or other approved material. Brick, brush finish concrete, stone, artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted.
- 3.3 New walkways, sidewalks and steps are permitted and must be constructed of gravel, decomposed granite, dirt or other hard-surface approved material. Brick, brush finish concrete, stone, artificial grass asphalt are not permitted.
- 3.4 Parking areas, carports, and garages are not permitted.
- 3.5 Any new mechanical equipment must be located in the rear or side areas of the historic structures and must be visually screened.
- 3.6 Landscaping



- a. Outdoor lighting must be appropriate and enhance the structures and site elements.
- b. Landscaping must be appropriate to the period of significance as designed by a cultural landscape historian, enhance the structures and surroundings, and not obscure significant views of protected structures and site elements.
- c. Elimination of vines, undergrowth and other intrusive, non-historic landscaping that is not consistent with the period of significance may be removed.

3.7 Fences are not permitted with the exception of the following:

- a. Perimeter fencing is allowed within the historic district but must be at least 75 feet from the historic log cabin and log barn.
- b. Perimeter fences must be wrought iron or other appropriate metal and be a minimum of 70% open.
- c. Perimeter fences must not exceed nine feet in height.
- d. Interior fences may not be erected surrounding the log cabin or log house.
- e. Fences to define agrarian (livestock), garden, or field areas are allowed within the historic district and must be constructed of wood, stacked local stone, wire or other appropriate materials and shall not exceed four-feet-six inches in height.

**4. FACADES**

4.1 Protected facades

- a. All facades of contributing buildings are protected.
- b. Reconstruction, renovation, repair, or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.

- c. Historic solid-to-void ratios of protected facades must be maintained.
- 4.2 Restoration, renovation, repair or maintenance of contributing log structures must be in compliance with the National Park Service's Preservation Brief No. 26, *The Preservation and Repair of Historic 'Log Buildings* and the Secretary of the Interior's *Standards for Preservation and Standards for Restoration*.
- 4.3 Structural wood, wood logs, trim, and detailing must be restored wherever practical.
- 4.4 All exposed wood must be painted, stained, or otherwise preserved with the exception of logs used in the log cabin and barn.
- 4.5 Historic materials must be repaired if possible; they may be replaced only when necessary.
- 4.6 Aluminum siding, stucco, vinyl, and other cladding materials are not permitted.
- 4.7 Stone must not be painted.
- 4.8 Reconstruction, renovation, repair, or maintenance of non-contributing structures must be compatible with the non-contributing structure's historical or existing features.
- 4.9 Cleaning of the exterior of a structure must be in accordance with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

## **5. FENESTRATION AND OPENINGS**

- 5.1 Historic doors must remain intact except when replacement is necessary due to damage or deterioration.
- 5.2 Replacement of doors which have been altered and no longer match the period of significance is recommended.
- 5.3 Replacement doors must express profile, configuration and materials to match the historic. If the historic appearance of doors are not known, replacement doors shall be appropriate to those of log cabins,

barns, or storm cellars in the North Texas area within the period of significance.

- 5.4 Decorative ironwork and burglar bars are not permitted over doors or windows of protected facades. Interior mounted burglar bars are permitted if appropriate.
- 5.5 New door and window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.

## **6. ROOFS**

- 6.1 The historic slope, massing, configuration, and materials of roofs must be preserved and maintained.
- 6.2 The only roofing materials allowed are wood shingles and wood shakes.
- 6.3 Historic eaves, cornices, gables and roof trim must be retained, and should be repaired with material matching in size, module and color.
- 6.4 Mechanical equipment, skylights, and solar panels may not be placed on roofs.

## **7. EMBELLISHMENTS AND DETAILING**

- 7.1 The following features, structures, and site elements are considered important and are protected:
  - a. Log construction of cabin and barn
  - b. Dry stacked stone chimney
  - c. "Open log" construction of barn
  - d. Large, open area of site between log cabin and log barn
  - e. Hand-dug well
  - f. Root cellar construction

## **8. PRESERVATION CRITERIA FOR THE INTERIOR**

8.1 The following interior elements are considered important features and are protected:

- a. Log Barn: interior center passage and interior walls
- b. Log Barn: interior of two cribs
- c. Log Cabin: interior space, including chimney and fireplace.

8.2 The removal of the non-historic concrete floor in the log cabin is encouraged

## **9. NEW CONSTRUCTION AND ADDITIONS**

9.1 Stand-alone new construction is not permitted in the historic district.

9.2 Vertical additions are not permitted to buildings within the historic district.

9.3 Horizontal additions are not permitted to buildings within the historic district.

## **10. TEMPORARY ENCLOSURES AND STABILIZATION**

10.1 Measures, including temporary enclosures, taken to temporarily protect, stabilize and preserve the historic structures shall be allowed.

## **11. SIGNS**

11.1 The following type of signs may be allowed within the historic district, and shall be reviewed through the Certificate of Appropriateness process:

- a. Directional signage
- b. Educational signage

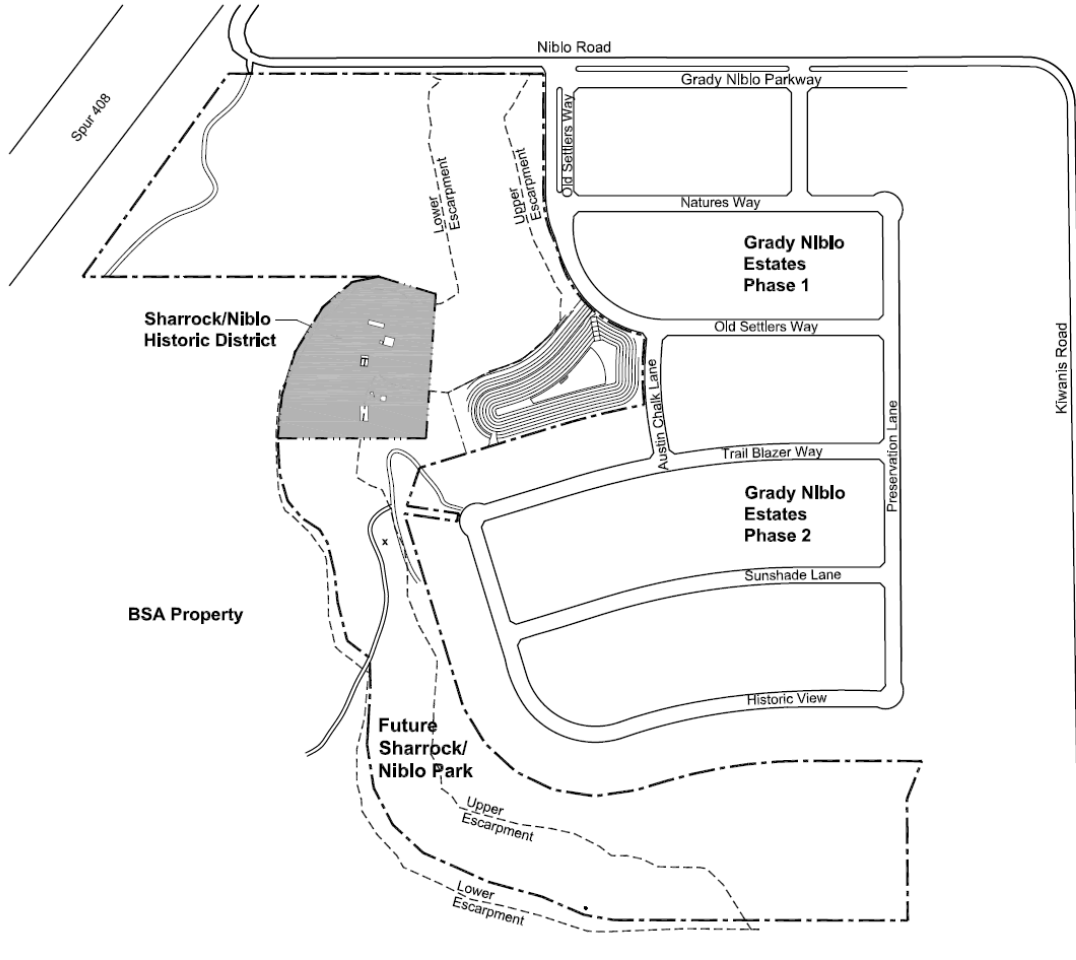
## **12. ENFORCEMENT**

- 12.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation
- 12.2 A person is criminally responsible for a violation of these preservation criteria if:
  - a. the person knowingly commits the violation or assists in the commission of the violation;
  - b. the person owns part or all of the property and knowingly allows the violation to exist;
  - c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or
  - d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.
- 12.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.
- 12.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal

Z112-317 (MD)

laws applicable to the person charged with or the conduct involved in the offense.

**Exhibit C.1**  
Sharrock/Niblo Historic District  
6900 Grady Niblo Road  
Dallas, Texas

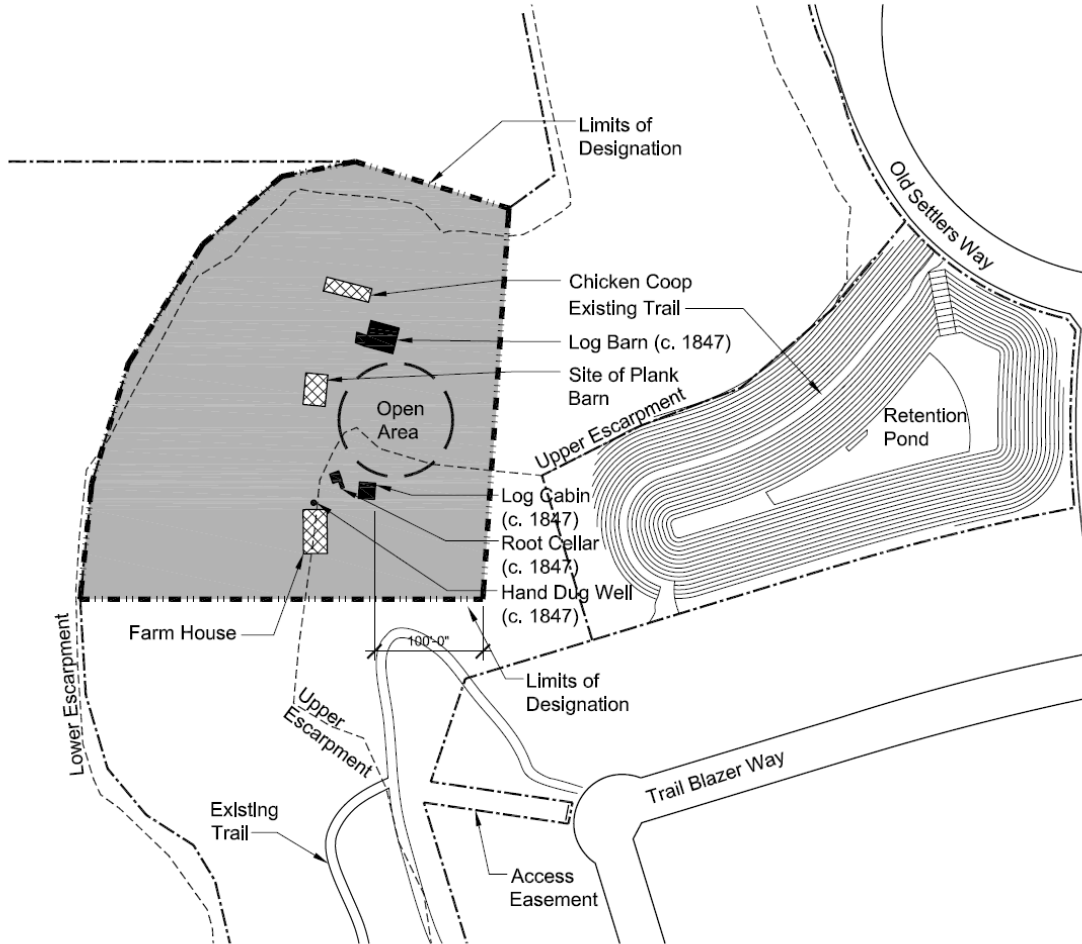


**LEGEND**

- Property Line
- - - - Limits of Designation
- Sharrock/Niblo Historic District  
See Exhibit C.2

August 21, 2012  
Revised: October 29, 2012

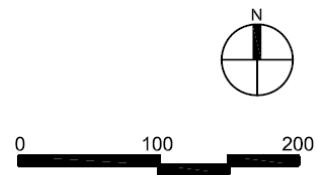
**Exhibit C.2**  
**Sharrock/Niblo Historic District**  
 6900 Grady Niblo Road  
 Dallas, Texas



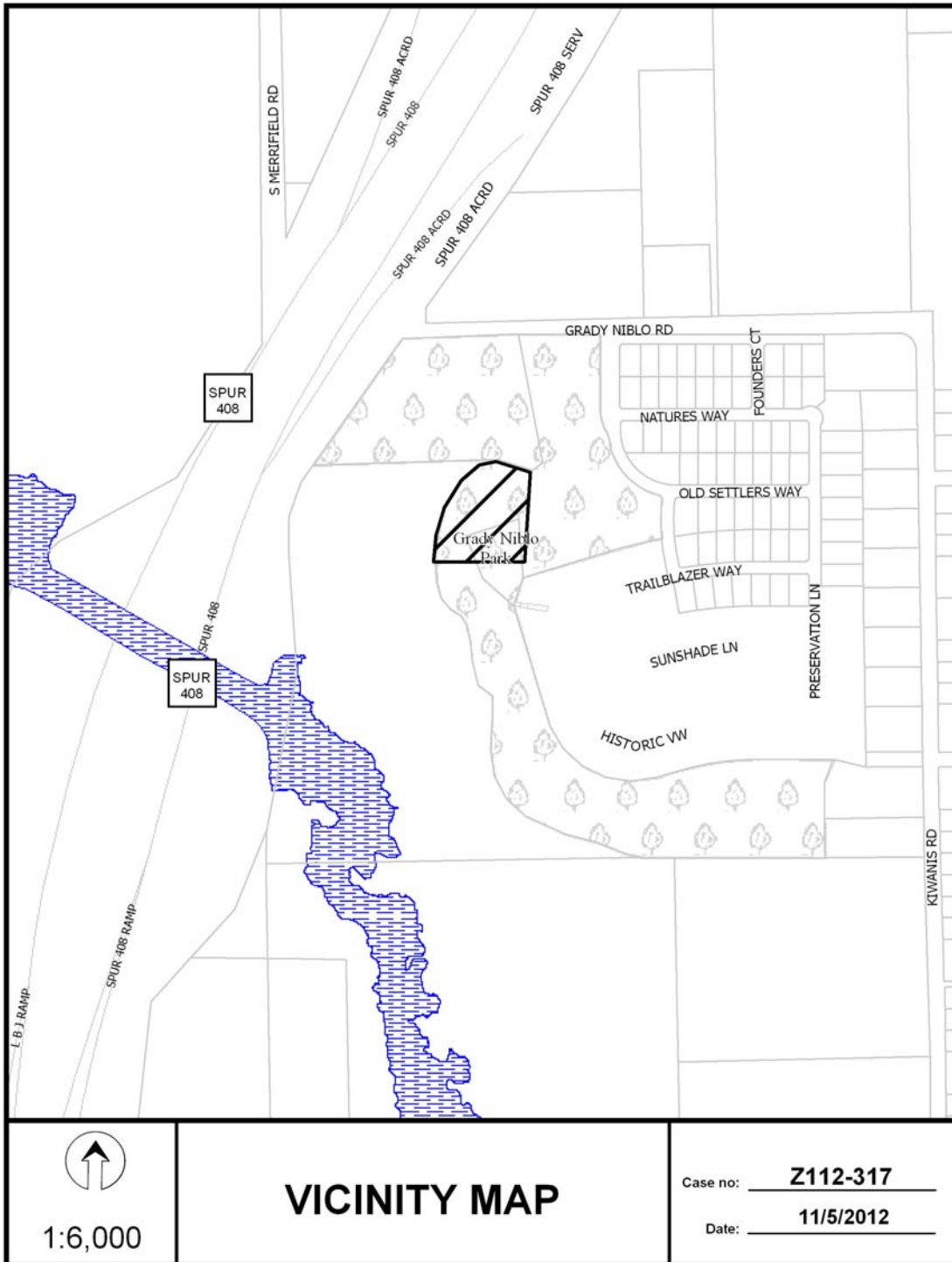
**LEGEND**

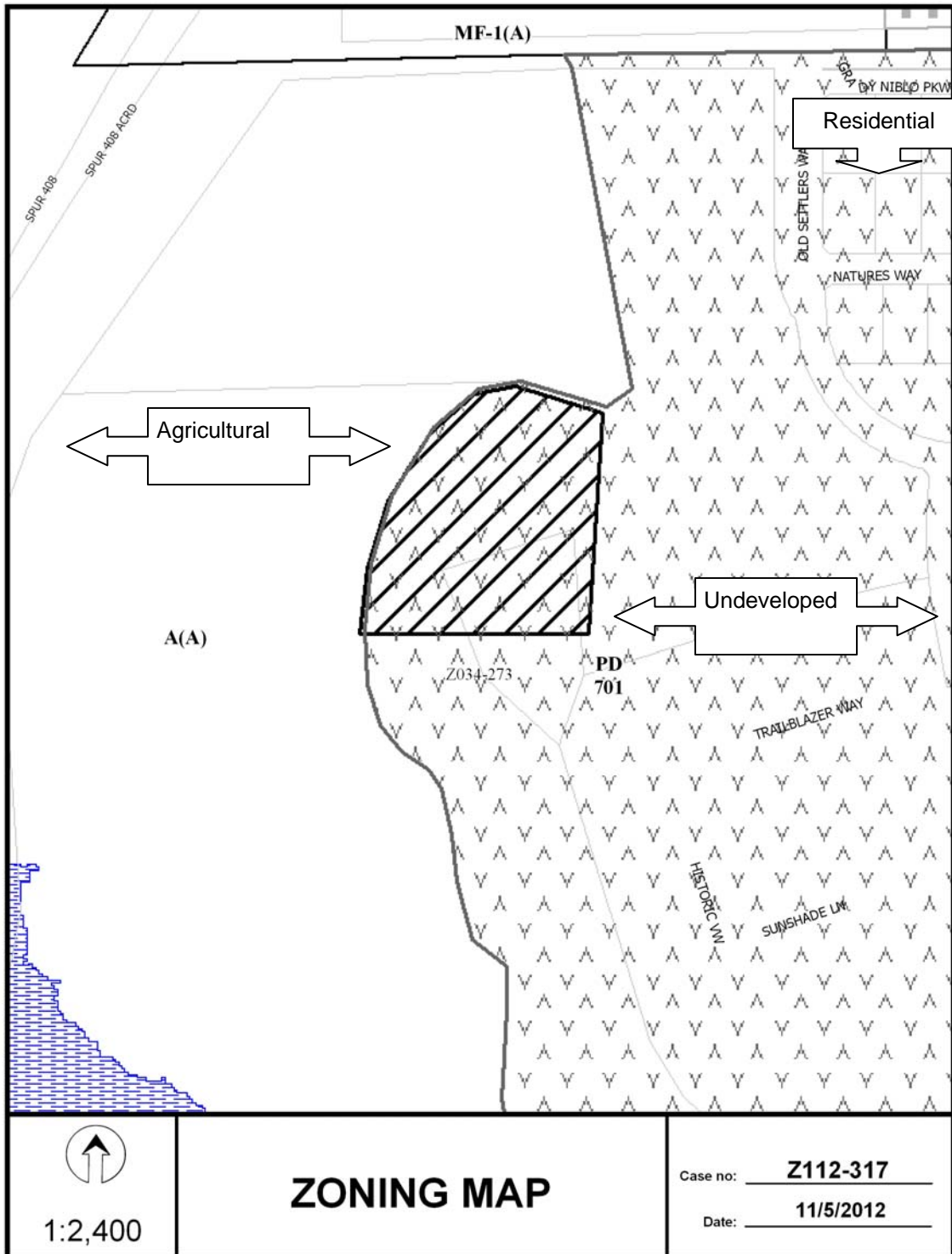
- Property Line
- - - - Limits of Designation
- Protected Site
- Contributing Structures and Site Elements
- ▨ Non-Protected Structures

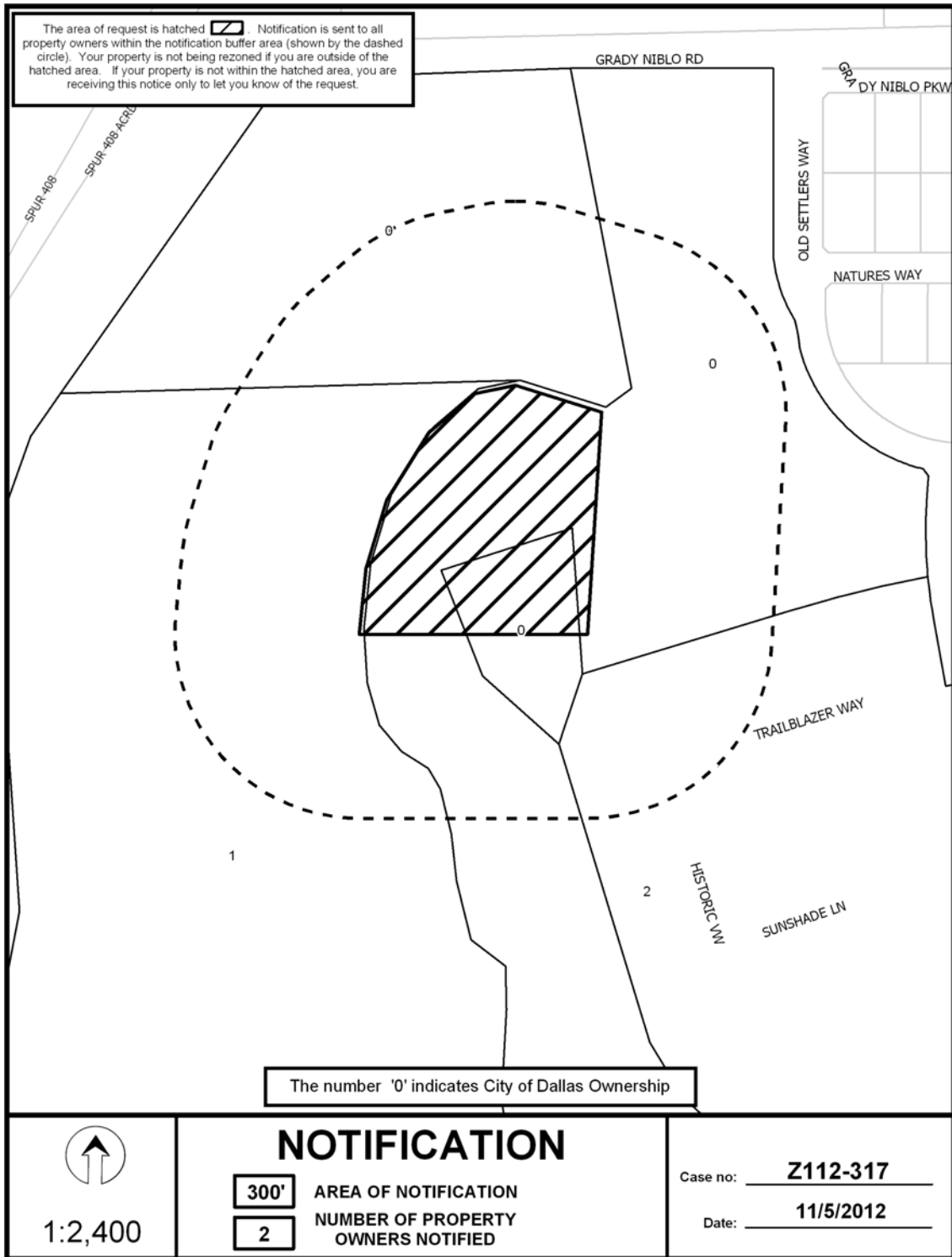
August 21, 2012  
 Revised: October 29, 2012











11/5/2012

***Notification List of Property Owners***

***Z112-317***

***2 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5429 KIWANIS RD	CIRCLE TEN COUNCIL BOY SCOUTS OF AMERICA
2	5429 KIWANIS RD	FIRST CLASS HOMES INC

**FILE NUMBER:** Z112-286(MW)

**DATE FILED:** August 13, 2012

**LOCATION:** West corner of Maple Avenue and Oak Lawn Avenue

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45-A

**SIZE OF REQUEST:** ±8.95 acres

**CENSUS TRACT:** 5

---

**REPRESENTATIVE:** Baldwin Associates, Robert Baldwin

**APPLICANT/OWNER:** See attached

**REQUEST:** An application to amend Planned Development District No. 262 with Historic Overlay District No. 31.

**SUMMARY:** The applicant proposes to amend the approved conceptual plan, development plan and landscape plan to accommodate the construction of new office buildings on an undeveloped portion of request site. The applicant also proposes to amend the off-street parking requirement for office uses and the urban form setback requirement on Oak Lawn Avenue.

**STAFF RECOMMENDATION:** Approval; subject to a revised conceptual plan, revised development plan, revised landscape plan and conditions.

**BACKGROUND INFORMATION:**

- The ±8.95-acre request site (Old Parkland Campus) is developed with four office buildings, two of which are subject to historic preservation criteria. The applicant is not proposing amendments to the approved preservation plan and elevations (Exhibits 262E and 263F). This amendment will not change the historic preservation criteria.
- Planned Development District No. 262 was established by Ordinance No. 19432, passed by the Dallas City Council on January 7, 1987. A recent amendment, which created Tract 3 with historic preservation criteria for the Nurses Quarters Building, was approved by City Council on August 10, 2010.
- The applicant proposes amendments to the approved conceptual plan, development plan and landscape plan (Exhibits 262A, 262B and 262D) to accommodate the construction of new office buildings on the undeveloped portion of Tract 2.
- On August 29, 2012, a minor amendment to the development plan was approved administratively in accordance with the provisions of Section 51A-4.702 of the Dallas Development Code. The minor amendment added the building outlines which allowed the applicant to apply for a building permit to begin construction of the underground garage.
- The request site is surrounded by multifamily; a bar and an office building with a drive-through bank to the northeast; a hospital to the southeast; Dallas North Tollway to the southwest and office (under development) to the northwest.

**Zoning History:**

- 1. Z101-102:** On March 9, 2011, the City Council approved an amendment to Planned Development District No. 518 Development Plan.
- 2. Z089-170:** On June 24, 2009, the City Council approved the renewal of Specific Use Permit No. 1668 for a bank or savings and loan with drive-in window service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**Thoroughfares/Streets:**

<b>Thoroughfares/Street</b>	<b>Type</b>	<b>Existing ROW</b>
Maple Avenue	Collector	60 feet
Oak Lawn Avenue	Principal Arterial	100 feet

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 262	Office
<b>Northeast</b>	PDD No. 193 (GR); SUP No. 1668	Multifamily; bar; bank; office
<b>Southeast</b>	PDD No. 518	Hospital
<b>Southwest</b>	PDD No. 193 (I-2)	Dallas North Tollway; undeveloped; single family
<b>Northwest</b>	PDD No. 193 (GR)	Office

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The request site is identified as being with an *Urban Neighborhood* on the forwardDallas! Vision Illustration, adopted June 2006. Urban neighborhoods are predominantly residential, but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. 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 residents.

The applicant’s request is consistent with the forwardDallas! Vision and further complies with the following goal and policy 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.

**Area Plan:**

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 request complies with the abovementioned objectives. Development on the site is urban in form, provides a quality pedestrian environment and conceals parking.

**Land Use Compatibility:**

The ±8.95-acre request site (Old Parkland Campus) is developed with four office buildings, two of which are subject to historic preservation criteria. The applicant is not proposing amendments to the approved preservation plan and elevations (Exhibits 262E and 263F). This amendment will not change the historic preservation criteria.

The applicant proposes amendments to the approved conceptual plan, development plan and landscape plan (Exhibits 262A, 262B and 262D) to accommodate the construction of new office buildings on the undeveloped portion of Tract 2.

In conjunction with the minor amendment that was approved administratively on August 29, 2012, the applicant proposed to amend the maximum building height shown as 100 feet on the development plan to reflect the maximum height of 240 allowed by the PDD conditions. However, it was determined that this could not be accomplished through the minor amendment process. Therefore, as part of the request, the applicant proposes to amend the development plan to depict the maximum allowable height in Tract 2 (240 ft) and the maximum height of the proposed buildings (170 feet to account for a spire). This will ensure consistency with the PDD Conditions. In addition, the square footage of the proposed buildings will increase from 130,000 square feet to 145,000 square feet; this change is also depicted on the development plan.

The applicant proposes to amend the urban form setback requirement on Oak Lawn Avenue. Pursuant to the setback provisions of PDD No. 262, except for fences, and except as shown on the conceptual plan, any new construction adjacent to Oak Lawn Avenue must be set back at least as far from the property line as Existing Building A (Old Parkland) as shown on the conceptual plan for that portion of Tract 2 that abuts Oak Lawn Avenue. An additional setback of no less than 36 feet must be provided for that portion of a structure that exceeds 505 feet above mean sea level (approximately 60 feet in height).



Given the designs of the proposed buildings and their relationships with the existing buildings on the site, the applicant considers this additional setback to be unnecessary. The new building will be set back approximately 50 feet from Oak Lawn Avenue, consistent with the original Parkland Hospital building and will not exceed 170 feet in height. Maintaining continuity of the established setback will preserve the character of the request site. Of equal importance, the applicant strives for a unified appearance of buildings on the property; however, the urban form setback would render the new buildings inconsistent in architectural style with the existing buildings on the campus.

The request site is surrounded by multifamily; a bar and an office building with a drive-through bank to the northeast; a hospital to the southeast; Dallas North Tollway to the southwest and office (under development) to the northwest.

**Traffic:**

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

**Parking:**

Parking must be provided in accordance with the provisions of PDD No. 262, which defer to Part I of Article 193. Per Article 193, an office use requires one off-street parking space per 366 square feet of floor area. The applicant proposes to amend the off-street parking requirement for office uses to require one off-street space per 400 square feet of floor area. Staff supports the proposed eight-and-one-half percent (8.5%) reduction, based on the applicant's justification which is provided below:

October 8, 2012

Ms. Megan Wimer, AICP  
Senior Planner  
Department of Sustainable Development  
City of Dallas  
1500 Marilla Street  
Dallas, Texas 75201

Re: Case Z112-286 - Parking

Dear Ms. Wimer,

I am a registered architect who has worked in and on the Old Parkland Campus for several years. Part of my duties is to work with our tenants on building and design issues. I have been requested to perform an analysis on the existing and expected parking demand within the Old Parkland Campus and my findings are listed below.

I have reviewed the rent roll for all of the buildings on the Old Parkland Campus and have determined that the average parking ratio is one space for every 432 square feet of floor area. I am confident that this ratio is accurate as we carefully monitor the parking on the property, as our tenants are required to pay for each parking space they use.

One must keep in mind that the parking ratio can be attributed to the design and operation of our office buildings. The Old Parkland Campus is a marquis office project and as such, the tenants that office in the buildings tend to have larger suites, and fewer employees in the office suites, than a traditional office building. In addition, the buildings have been designed to allow for more and larger common areas than one normally finds in a traditional office building. People do not work in the common areas but the City's parking regulations require that these areas be parked according to the code. This results in more parking spaces than is necessary to meet the need of the tenants on the property.

This property is a bit unique in that it is self-contained and most of our parking is underground as to be invisible so it does not distract from the art that is located throughout the campus and the architecture of the buildings. Please rest assured that we have worked with our design professionals to create a beautiful and compelling environment. We are dedicated to providing the amount of parking needed to meet our needs, but do not want to be required to provide parking that will never be used. Our analysis reveals that providing one space for every 400 square feet of building area is adequate to meet the needs of our tenants and guests.

Thank you for your time. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Mark A. Mathews, AIA  
Associate Principal,  
Beck Architecture

Z112-286 (MW)

**Landscaping:**

Landscaping must be provided in accordance with the provisions of PDD No. 262. The applicant proposes to amend the existing landscape plan to depict landscaping for the new buildings.

**List of Partners/Principals/Officers:**

**Old Parkland Hospital Campus  
Amendment to PD-262  
Ownership & Officers**

**The Old Parkland Campus is Owned By:**

**Old Parkland Unit A, L.L.C.**

3819 Maple Avenue  
Dallas, Texas 75219  
Manager = CH/OP Campus Services, Inc.

**Old Parkland Unit B, L.L.C.**

3819 Maple Avenue  
Dallas, Texas 75219  
Manager = CH/OP Campus Services, Inc.

**Old Parkland Unit C, L.L.C.**

3819 Maple Avenue  
Dallas, Texas 75219  
Manager = CH/OP Campus Services, Inc.

**Old Parkland Unit D, L.L.C.**

3819 Maple Avenue  
Dallas, Texas 75219  
Manager = CH/OP Campus Services, Inc.

**Old Parkland Unit E, L.L.C.**

3819 Maple Avenue  
Dallas, Texas 75219  
Manager = CH/OP Campus Services, Inc.

**Old Parkland Unit F, L.L.C.**

3819 Maple Avenue  
Dallas, Texas 75219  
Manager = CH/OP Campus Services, Inc.

**Old Parkland Unit G, L.L.C.**

3819 Maple Avenue  
Dallas, Texas 75219  
Manager = CH/OP Campus Services, Inc.

**Old Parkland Unit H, L.L.C.**

3819 Maple Avenue  
Dallas, Texas 75219  
Manager = CH/OP Campus Services, Inc.

Z112-286

**CH/OP Campus Services, Inc.**  
3819 Maple Avenue  
Dallas, Texas 75219

**Officers:**

Anne L. Raymond, Director  
3819 Maple Avenue  
Dallas, Texas 75219

Anne L. Raymond, President  
3819 Maple Avenue  
Dallas, Texas 75219

M. Kevin Bryant, Vice President  
3819 Maple Avenue  
Dallas, Texas 75219

M. Kevin Bryant, Secretary  
3819 Maple Avenue  
Dallas, Texas 75219

Jackie L. Close, Assistant Secretary  
3819 Maple Avenue  
Dallas, Texas 75219

Z112-286

Old Parkland Hospital Campus  
Amendment to PD-262  
Applicant

Applicant for Planned Development Amendment:

**Old Parkland Unit A, L.L.C.**  
3819 Maple Avenue  
Dallas, Texas 75219

**Old Parkland Unit B, L.L.C.**  
3819 Maple Avenue  
Dallas, Texas 75219

**Old Parkland Unit C, L.L.C.**  
3819 Maple Avenue  
Dallas, Texas 75219

**Old Parkland Unit D, L.L.C.**  
3819 Maple Avenue  
Dallas, Texas 75219

**Old Parkland Unit E, L.L.C.**  
3819 Maple Avenue  
Dallas, Texas 75219

**Old Parkland Unit F, L.L.C.**  
3819 Maple Avenue  
Dallas, Texas 75219

**Old Parkland Unit G, L.L.C.**  
3819 Maple Avenue  
Dallas, Texas 75219

**Old Parkland Unit H, L.L.C.**  
3819 Maple Avenue  
Dallas, Texas 75219

Z112-286

**Proposed Conditions**

**ARTICLE 262.**

**PD 262.**

**SEC. 51P-262.101. LEGISLATIVE HISTORY.**

PD 262 was established by Ordinance No. 19432, passed by the Dallas City Council on January 7, 1987. Ordinance No. 19432 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 19432 was amended by Ordinance No. 19459, passed by the Dallas City Council on February 11, 1987, and Ordinance No. 22379, passed by the Dallas City Council on April 12, 1995. (Ord. Nos. 10962; 19432; 19459; 22379; 25711; 26590)

**SEC. 51P-262.102. PROPERTY LOCATION AND SIZE.**

PD 262 is established on property generally located at the west corner of Maple Avenue and Oak Lawn Avenue. The size of PD 262 is approximately 8.9522 acres. (Ord. Nos. 19432; 19459; 25711; 26590)

**SEC. 51P-262.103. DEFINITIONS AND INTERPRETATIONS.**

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

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51. (Ord. Nos. 25711; 26590)

**SEC. 51P-262.104. CONCEPTUAL PLAN.**

A conceptual plan dividing the Property into Tracts 1, 2, and 3 is labeled Exhibit 262A. The Property descriptions for Tracts 1, 2, and 3 are described in Exhibit A attached to this ordinance. If there is a conflict between the conceptual plan and the Property description, the Exhibit A Property description controls. Development and use of the Property must comply with the conceptual plan.  
(Ord. Nos. 19432; 25711; 26590; 27952)

**SEC. 51P-262.105. DEVELOPMENT PLAN.**

Development and use of the Property must comply with the development plan (Exhibit 262B). If there is a conflict between the text of this article and the development plan, the text of this article controls. If there is a conflict between the conceptual plan and the development plan, the development plan controls. (Ord. Nos. 19432; 25711; 26590; 27952)

**SEC. 51P-262.106. LANDSCAPE PLAN.**

(a) In general.

(1) Except as provided in this subsection, landscaping must be provided as shown on the landscape plan (Exhibit 262D). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(2) Landscaping in the area labeled “future development” on the landscape plan must be provided in accordance with Part I of Article 193.

(3) Landscaping along Oak Lawn Avenue must be provided as shown on the landscape plan.

(b) Timing of installation. Except as provided in this subsection, landscaping must be installed in accordance with the landscape plan within six months after the issuance of a certificate of occupancy for any structure on the portion of the Property covered by the landscape plan. Landscaping shown on the landscape plan that is within 10 feet of a structure must be installed within six months after the issuance of a certificate of occupancy for that structure.

(c) Maintenance. Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 19432; 25711; 26590; 27952)

**SEC. 51P-262.107. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 262A: conceptual plan.
- (2) Exhibit 262B: development plan.
- (3) Exhibit 262C: inventory of existing trees
- (4) Exhibit 262D: landscape plan.
- (5) Exhibit 262E: preservation plan.
- (6) Exhibit 262F: elevations. (Ord. Nos. 19432; 25711; 26590; 27952)

**SEC. 51P-262.108. USES, FLOOR AREA, HEIGHT, AND SETBACKS.**

(a) Tract 1.

(1) Uses. The only uses permitted are those uses permitted by right in a GR General Retail Subdistrict, as defined in Part I of Article 193, except that:

(A) motor vehicle related uses are not permitted, and

(B) a utility or government installation other than listed use is permitted only by specific use permit.

(2) Floor area. Minimum permitted floor area is 53,534 square feet.



(3) Height. No additional height to any portion of the existing structures is permitted.

(4) Setbacks. Setbacks for any portion of the existing structures must be maintained, except that the installation of a perimeter fence, chillers, and a screening wall on the south side of the building near the 1935 addition facing Oak Lawn Avenue are permitted as shown on the conceptual plan. The screening wall must match the first floor façade of the current adjacent structure in height and materials.

(5) Open space. The existing trees and open space must remain as indicated on the conceptual plan.

(b) Tract 2.

(1) Uses. The only uses permitted are those uses permitted by right in a GR General Retail Subdistrict, as defined in the Part I of Article 193, except that:

(A) motor vehicle related uses are not permitted, and

(B) a utility or government installation other than listed use is permitted only by specific use permit.

(2) Floor area. Maximum permitted floor area is 701,740 square feet.

(3) Height. No structure may exceed 240 feet in height, as defined in the Dallas Development Code, except that no additional height to any portion of the existing structures is permitted.

(4) Setbacks.

(A) Oak Lawn Avenue. Except for fences, and except as shown on the conceptual plan, any new construction adjacent to Oak Lawn Avenue must be set back at least as far from the property line as Existing Building A as shown on the conceptual plan for that portion of Tract 2 that abuts Oak Lawn Avenue. ~~An additional setback of no less than 36 feet must be provided for that portion of a structure that exceeds 505 feet above mean sea level.~~

(B) Dallas North Tollway and Reagan Street. Except for fences, and except as shown on the conceptual plan, any new structures must be setback from the Dallas North Tollway and Reagan Street pursuant to the provisions of Part I of Article 193 for structures in a General Retail Subdistrict. The urban form setback is not triggered by the Dallas North Tollway.

(c) Tract 3.

(1) Uses. The only uses permitted are those uses permitted by right in the GR General Retail Subdistrict, as defined in Part I of Article 193, except that:

(A) motor vehicle related uses are not permitted; and

(B) a utility or government installation other than listed use is permitted only by a specific use permit.

(2) Floor area. The minimum permitted floor area is 24,644 square feet.

(3) Yard, lot, and space regulations. New construction and additions must comply with Sections 51P-262.112(c).

(d) Tracts 1, 2, and 3.

(1) Floor area ratio (FAR).

(A) Maximum permitted floor area ratio for Tracts 1, 2, and 3 combined is 2.0.

(B) Any property dedicated for right-of-way pursuant to this article is included for purposes of computing maximum permitted floor area.

(2) Lot coverage. Maximum permitted lot coverage for Tracts 1, 2, and 3 combined is 80 percent, including above-grade parking structures. (Ord. Nos. 22379; 25711; 26341; 26590; 27952)

**SEC. 51P-262.109. OFF-STREET PARKING.**

(a) In general. Except as otherwise provided in this section, the off-street parking on the Property must be provided for each use in accordance with the provisions of Part I of Article 193,

(b) The basement area is exempt from parking requirements when devoted to support uses including storage, mail room, break rooms, and workout facilities. For the purpose of this section, a basement is a story that is primarily below grade.

(c) Office uses. For an office use, the minimum off-street parking requirement is one space for every 400 square feet of floor area.

(d) Any reduction in the required parking provided for in Part I of Article 193 must occur in the following sequence:

(1) Contributions to the Oak Lawn Transit Management Organization Fund, for a maximum reduction of 10 percent.

(2) Implementation of a Transportation Management Plan and/or mixed use parking pursuant to a provision of the mixed use development parking chart contained in Part I of Article 193. (Ord. Nos. 19432; 25711; 26590)

**SEC. 51P-262.110. RESERVED.** (Ord. Nos. 19292; 25711; 26590)

**SEC. 51P-262.111. ROADWAY IMPROVEMENTS.**

The owner(s) must dedicate the necessary right-of-way for a right-turn lane from southbound Maple Avenue to westbound Oak Lawn Avenue to the extent the dedication is roughly proportional to the need for the right-of-way created by the development of the Property. (Ord. Nos. 19432; 25711; 26590)

**SEC. 51P-262.112. PRESERVATION CRITERIA.**

(a) Tract 1. All buildings and facades are subject to the following preservation criteria and any changes to such buildings and facades must be approved through the certificate of appropriateness process contained in the Dallas Development Code.

(1) Surface materials.

(A) Any renovations or reconstruction of the facades must employ a brick similar in color, module size, and texture to the existing brick. Existing brick may not be painted unless the brick and mortar joints have deteriorated to a point where they must be replaced and the new brick color cannot reasonably match the old color.

(B) Any renovations or reconstruction of existing trim and detailing on protected facades must employ materials (concrete, cut stone, etc.) similar in color, module size, and texture to the existing trim and detailing. Existing masonry elements may not be painted.

(2) Fenestrations and opening.

(A) Existing window and door openings in the facades must be preserved.

(B) Reflective, mirrored, or tinted glass is not permitted in openings in the facades. Existing wooden windows should be preserved and reconditioned if at all possible. They may be replaced with metal or vinyl clad frame windows if they express previous colors, mullion patterns, window lights, and frame profile. New window openings may be created only in order to comply with health and safety code provisions.

(C) Existing door openings in facades must be preserved as door openings unless they are not part of the original design. New door openings may be created only in order to comply with health and safety code provisions. Doors must be compatible with the character of the building, and may not be made entirely of glass. Solid wood or a mixture of wood and glass doors are required.

(3) Roof.

(A) The character, configuration, and slope of the existing roofs must be maintained and preserved.

(B) No new vertical addition is allowed above the existing buildings. All existing gables and parapets on the protected facades must be preserved. Mechanical equipment may be placed on the roofs if the placement, configuration, and color is reviewed and approved through the certificate of appropriateness process.

(4) Porches and balconies.

(A) Existing porches and balconies must be maintained and preserved. Porches and balconies may not be enclosed except by mesh screening. Canvas and other fabric awnings are permitted, within the acceptable color range.

(B) All columns or railings that are part of a porch or balcony configuration must be preserved.

(5) Embellishments and detailing. The following embellishments and detailing must be preserved and maintained. Any reconstruction, renovation, or replacement of these items, due to irreversible damage, must be as similar in composition, texture, color, and size as practicable.

- (A) Window mullions.
- (B) Cornices.
- (C) Parapets and gables.
- (D) Columns and railings.
- (E) Window sills.
- (F) Decorative detailing.

(6) Color.

(A) Existing brick and trim detailing must remain unpainted. Brick may be painted a compatible color only if existing brick and mortar joints are beyond repair and the new brick color cannot reasonably match the old color. The color of any additions, repairs, or alterations to the buildings must coincide as nearly as practicable to the original brick color.

(B) Any cleaning of the brick and trim must follow United States Department of the Interior guidelines, as stated in the Secretary of the Interior's "Standards for Rehabilitation."

(C) Accent colors may be used on window frames, mullions, and doors, but must comply with the hue, value, and chroma content of the Munsell Color System as outlined in the Munsell Book of Color, Neighboring Hues Collection, 1973.

(7) Signs. All exterior signs and graphics must be reviewed and approved for compatibility through the certificate of appropriateness process. Temporary political campaign signs and temporary real estate signs may be erected without a certificate of appropriateness.

(8) New construction.

(A) Existing front and side yard setbacks must be preserved and no new building construction is allowed, except:

- (i) the installation of chillers;
- (ii) erection of a screening wall on the south side of the building near the 1935 addition facing Oak Lawn Avenue as shown on the conceptual plan; and
- (iii) construction of a maximum six-foot-tall security fence that is 70 percent open in the location shown on the development plan.

(B) The existing courtyards that face the protected public space must be preserved and maintained.

(9) Tree preservation.

(A) The existing mature tree cover must be preserved.

(B) Surface parking lots are prohibited to protect the existing tree root systems. A circular drive for access to the Old Parkland Building as shown on the development plan is permitted if it will not adversely affect the tree root systems; limited parking may occur along the drive. Grass or groundcover must be provided to further protect the trees. Any paving surface used to preserve the trees must be approved by the building official.

(C) Any tree listed in the inventory of existing trees (Exhibit 262C) must be replaced with one of the same variety within six months of its loss, with a four-inch minimum caliper dimension for any single tree. Replacements must be placed within the original tree canopy area.

(D) Before the issuance of a building permit, a plan for maximum protection of all the trees must be submitted to and approved by the city plan commission and filed with the landmark commission.

(b) Tract 2.

(1) New construction that is physically attached to existing structures located in Tract 1 will affect the structures located in Tract 2. Therefore, a certificate of appropriateness is required for the following items and must be reviewed by the landmark commission using only the Secretary of the Interior's Standards for Rehabilitation:

(A) Facade materials for new construction that is physically attached to existing structures located in Tract 1.

(B) The relationship of glass to opaque areas of new facades.

(C) Window articulation.

(D) The cornice lines articulated on existing structures located in Tract 1 must also be reflected in any new construction fronting Reagan, Maple, or Oak Lawn Avenues and attached to the buildings located in Tract 1.

(E) Detailing, materials, and solid-to-void relationships for any new construction that is physically attached to existing structures located in Tract 1.

(2) Any new construction not a part of a structure that is physically attached to a structure located in Tract 1 is exempt from the certificates of appropriate process.

(a) Tract 3.

(1) All buildings and facades are subject to the following preservation criteria and any changes to such buildings and facades must be approved through the certificate of appropriateness process in the Dallas Development Code.

(2) Building site and landscaping.

(A) New construction is prohibited in the no-build zone shown on the preservation plan (Exhibit 262E).

- (B) The nurses' building shown on the preservation plan, is protected.
  - (C) New driveways, parking areas, sidewalks, steps, and walkways must be constructed of brick, brush finish concrete, or other appropriate material.
  - (D) Artificial grass, asphalt, and exposed aggregate are not permitted.
  - (E) Driveways and parking areas are not permitted in the front yard, except as shown on the preservation plan.
  - (F) Garages are permitted only behind the nurses' building: carports are not permitted.
  - (G) New mechanical equipment may be erected in the mechanical yard area as approximately shown on the preservation plan, and must be screened.
  - (H) Water pumps and related equipment may be located in the area behind a line parallel to Maple Avenue along the front facade of the building: pumps and equipment must be less than four feet in height and screened by landscaping or a wall that is less than four feet in height.
- (I) Landscaping.
    - (i) Outdoor lighting must be appropriate and enhance the structure.
    - (ii) Landscaping must be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades.
    - (iii) It is recommended that landscaping reflect the historic landscape design.
    - (iv) Existing trees are protected, except that unhealthy or damaged trees may be removed.
    - (v) A six-foot-tall security fence that is 70 percent open may be built in the location shown on the development plan.

(3) Facades.

- (A) Protected facades.
  - (i) The facades shown on the preservation plan are protected.
  - (ii) Reconstruction, renovation, repair, or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.
  - (iii) Historic solid-to-void ratios of protected facades must be maintained.
  - (iv) Brick added to protected facades must match in color, texture, module size, bond pattern, and mortar color.

(v) Brick, cast stone, terra cotta, and concrete elements on protected facades may not be painted, except that portions of the structure that had been painted before the effective date of this ordinance may remain painted.

(B) Reconstruction, renovation, repair, or maintenance of non-protected facades must be compatible with protected features.

(C) Wood siding, trim, and detailing must be restored wherever practical.

(D) All exposed wood must be painted, stained, or otherwise preserved.

(E) Historic materials must be repaired if possible; they may be replaced only when necessary.

(F) Paint must be removed in accordance with the Secretary of the Interior's Standards and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library, before refinishing.

(G) Aluminum siding, stucco, and vinyl cladding are not permitted.

(H) Historic color must be maintained wherever practical. Color schemes for non-masonry elements should conform to any available documentation as to historic color.

(I) Exposing and restoring historic finish materials is recommended.

(J) Cleaning of the exterior of a structure must be in accordance with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

(4) Fenestration and openings.

(A) Existing door and window openings on protected facades must be preserved.

(B) Replacement of doors and windows which have been altered and no longer match the historic appearance is recommended.

(C) Doors and windows that have been altered and no longer match the historic appearance of the building should be replaced using available historical, pictorial, and physical documentation, or be compatible with the window openings and the historic character of the building.

(D) Decorative ironwork and burglar bars are not permitted over doors or windows of protected facades unless they were there historically. Interior mounted burglar bars are permitted if appropriate.

(E) Glass and glazing must match historic materials as much as practical. Films and tinted or reflective glazings are not permitted on glass. New door and

window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.

(F) The Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library, should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration.

(5) Roofs.

(A) The historic slope, character, and configuration of the roof must be preserved and maintained.

(B) Historic eaves, coping, cornices, dormers, parapets, and roof trim must be retained, and should be repaired with material matching in size, finish, module, and color.

(C) Mechanical equipment, skylights, and solar panels on the roof must be set back or screened so that they are not visible to a person standing at ground level directly across Maple Avenue from the nurses' building.

(6) Porches and balconies.

(A) The front porch and balcony are protected.

(B) The front porch and balcony may not be enclosed.

(C) Historic columns, stairs, detailing, metal railings, and trim on the front porch and balcony are protected.

(D) The historic concrete porch floor with tile finishes must be must be maintained. It must not be painted or covered in brick, concrete, stone, or wood. A clear sealant is acceptable on porch floors.

(7) Embellishments and detailing. The following architectural elements are considered important features and are protected:

(A) Front porch and balcony and metal railings.

(B) Door openings and doors at the front porch and balcony.

(C) Window openings at protected facades.

(D) Door openings at protected facades.

(E) Brick and brick quoins at corners of the exterior facades.

(F) Terra cotta detailing and trim.

(G) Brick and terra cotta parapet and arched parapet gable at the front facade.

(H) Terra cotta parapet cap.



(8) New construction and additions.

(A) Stand-alone new construction is not permitted in the no-build zone shown on the preservation plan.

(B) Except for mechanical equipment and screening, vertical additions to the nurses' building are not permitted.

(C) Horizontal additions to the nurses' building are permitted only in the areas shown on the preservation plan.

(D) The color, details, form, materials, and general appearance of new construction and additions must be compatible with the existing historic structure.

(E) New construction and additions must have appropriate color, detailing, fenestration, massing, materials, roof form, shape, and solid-to-void ratios.

(F) The height of new construction and additions must not exceed the height of the historic structure with the exception that the height of the parapet at a rear addition may be three feet higher than the existing parapet and include a parapet gable (similar to the historic gable at the front facade) that may extend an additional four feet in height above the top of the parapet as shown on the elevations (Exhibit 262F).

(G) Aluminum siding, stucco, and vinyl cladding are not permitted.

(H) New construction and additions must be designed so that connections between new construction or additions and the historic structure are clearly discernible as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new construction or additions and the historic structure must be established and maintained. Historic details in the coping, eaves, and parapet of the historic structure must be preserved and maintained at the point where the historic structure abuts new construction or additions. (Ord. Nos. 19432; 25711; 26590; 27952)

**SEC. 51P-262.113. SIGNS.**

All signs must comply with the provisions for business zoning districts contained in Article VII. No non-premise signs are permitted. (Ord. Nos. 19432; 25711; 26590)

**SEC. 51P-262.114. RESERVED.** (Ord. Nos. 19432; 25711; 26590)

**SEC. 51P-262.115. GENERAL REQUIREMENTS.**

Utilization of the Property must comply with the requirements of the Oak Lawn Special Purpose District (Article 193) and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 19432; 25711; 26590)

**SEC. 51P-262.116. PAVING.**

Except as provided in this section, 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. Alternative materials, including crushed granite, may be used for drives and parking areas in the

Z112-286 (MW)

environmental zone, subject to the approval of the director of development services as routine maintenance. The director may require a report from the city arborist and an engineering analysis to support any request for alternative materials. (Ord. Nos. 22379; 25711; 26590)

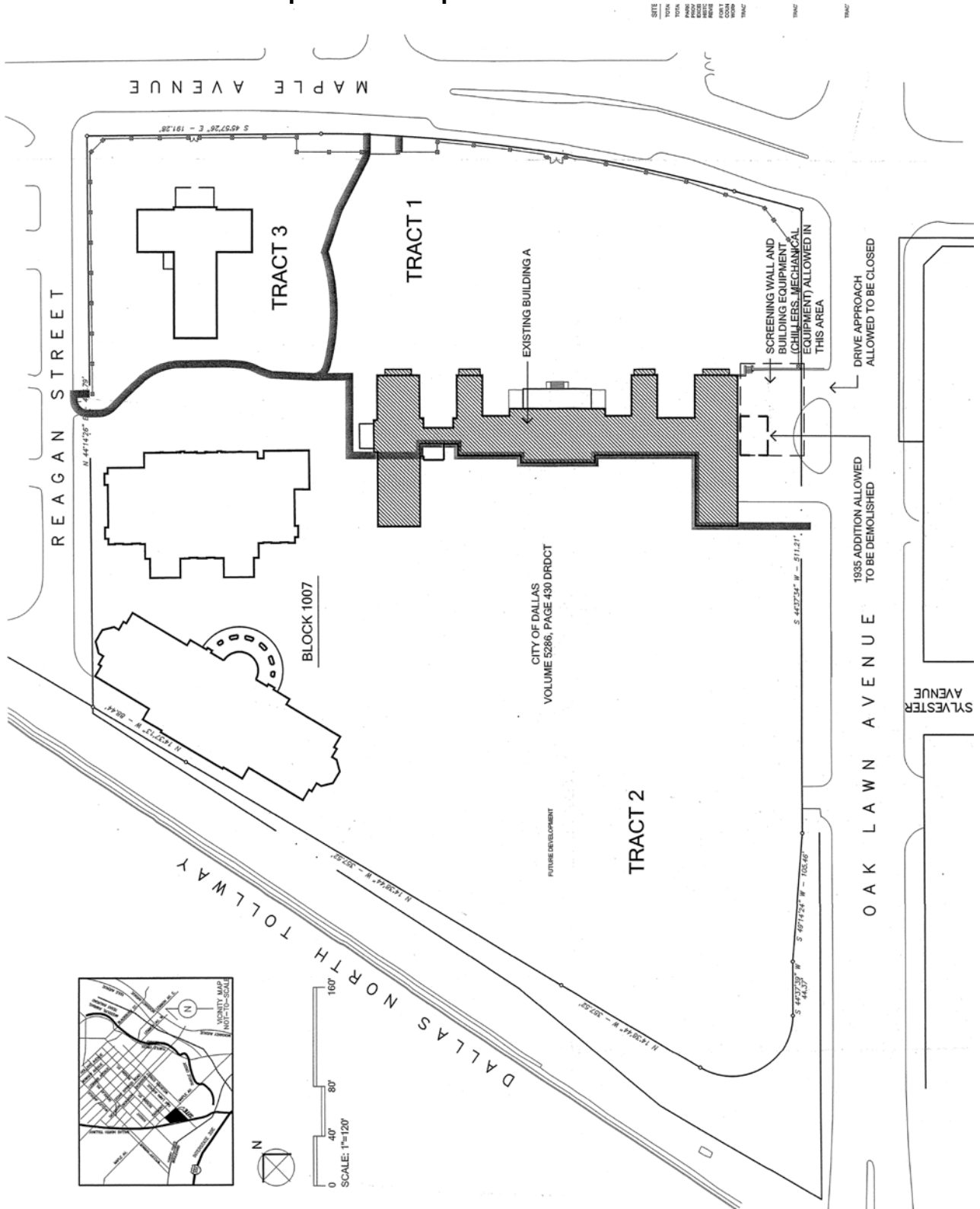
**SEC. 51P-262.117. COMPLIANCE WITH CONDITIONS.**

The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 22379; 25711; 26590)

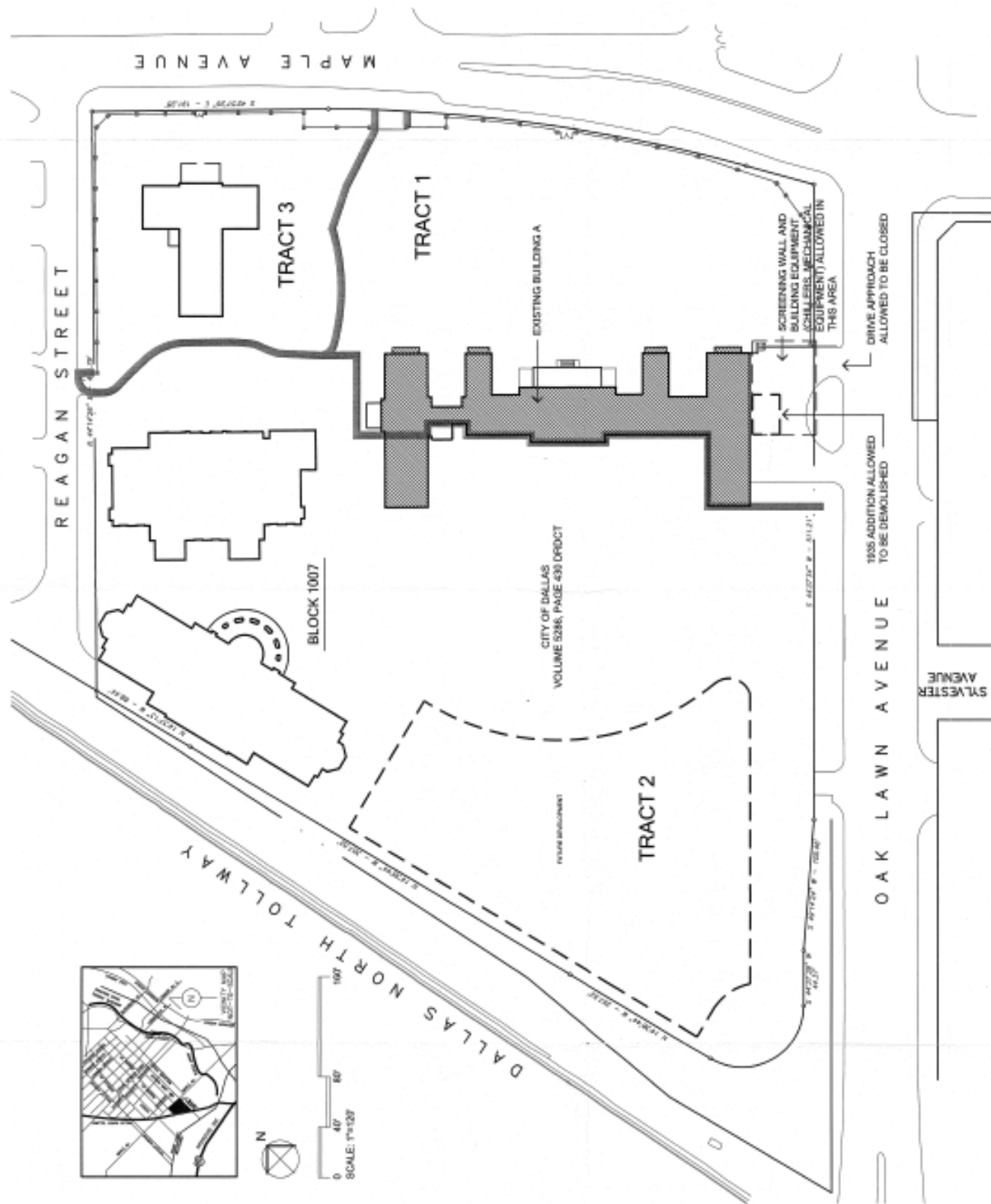
~~SEC. 51P-262.118. ZONING MAP.~~

~~PD 262 is located on Zoning Map No. I-7. (Ord. Nos. 19432; 25711; 26590)~~

Proposed Conceptual Plan: Exhibit 262A



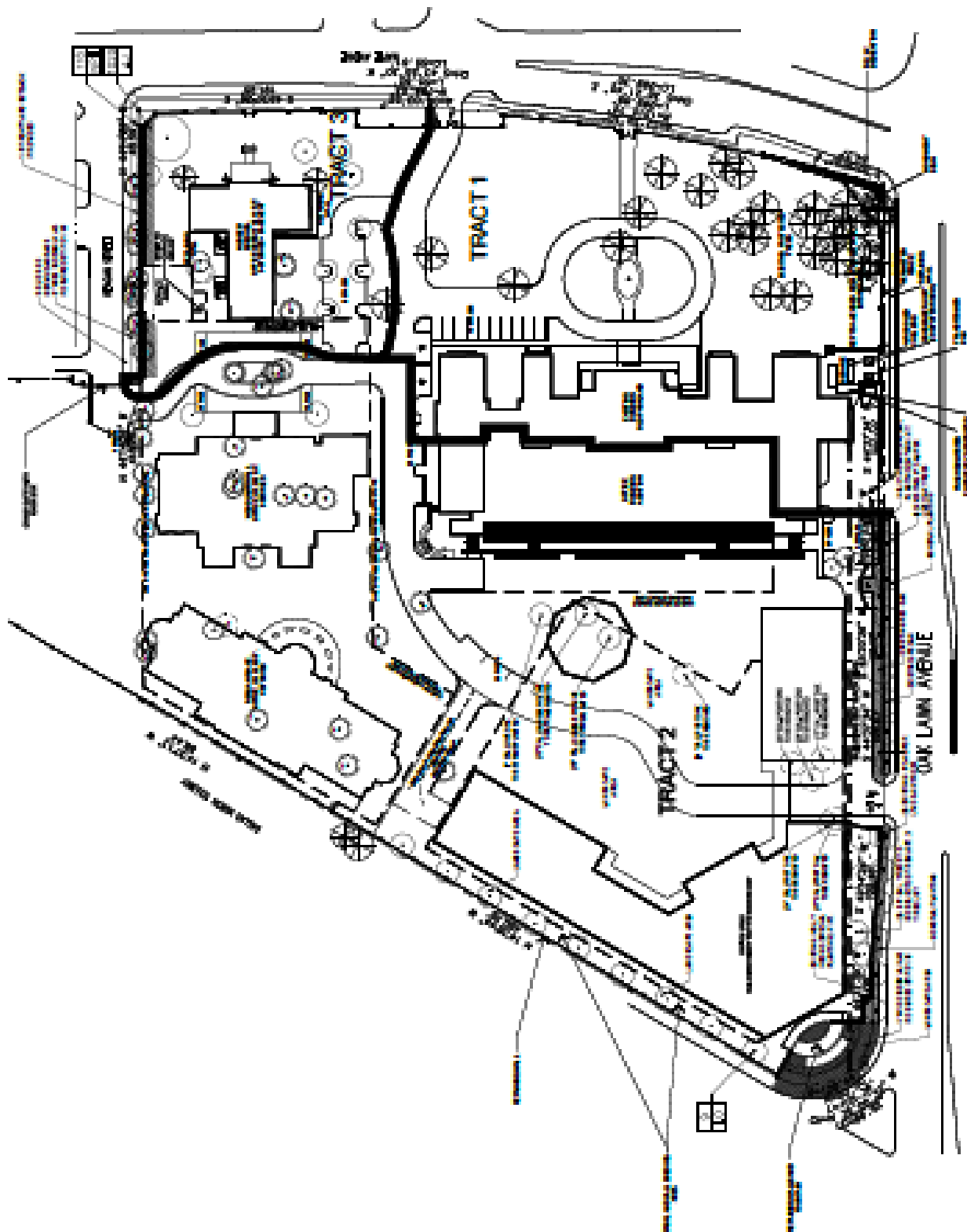
Existing Conceptual Plan: Exhibit 262A



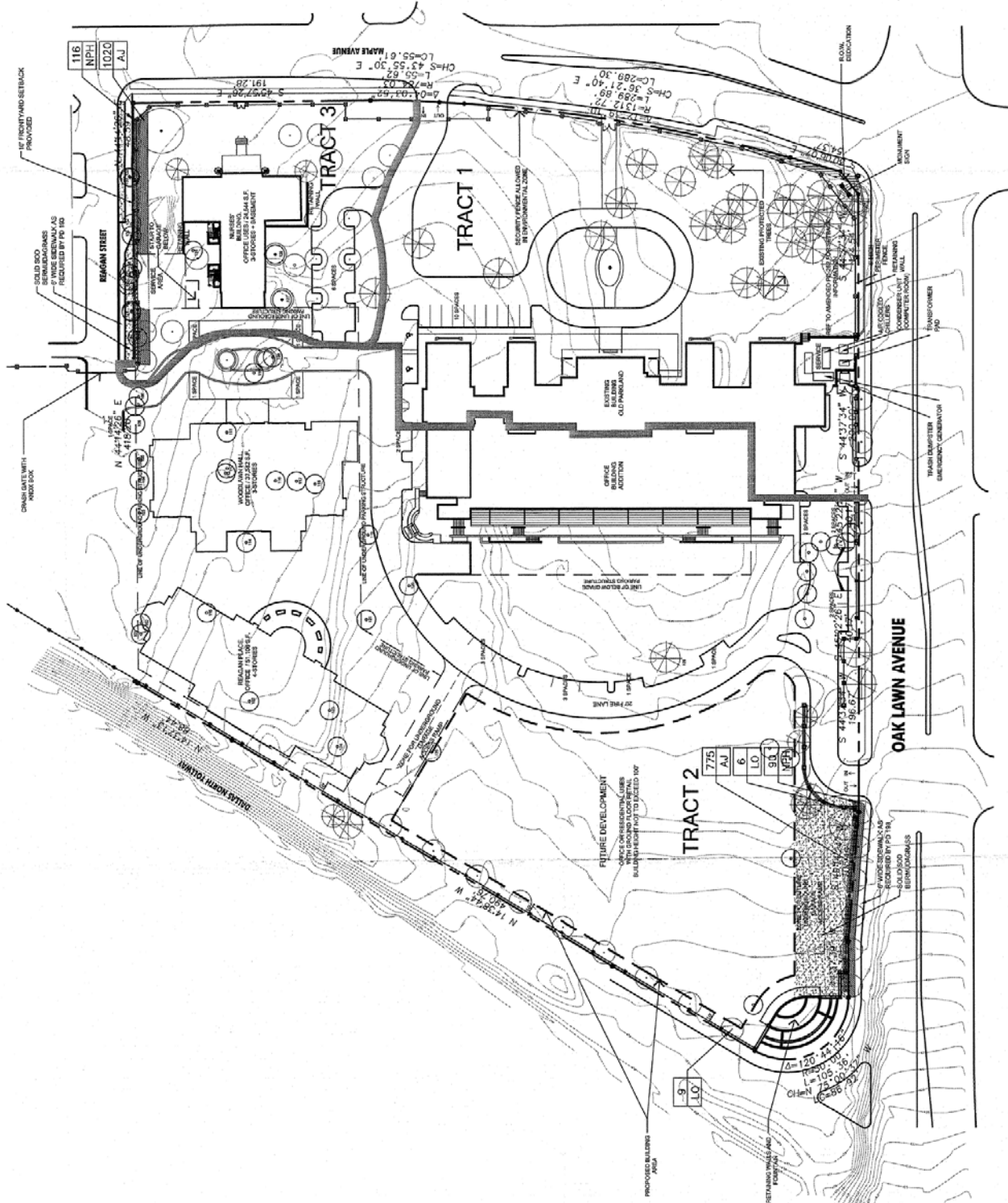




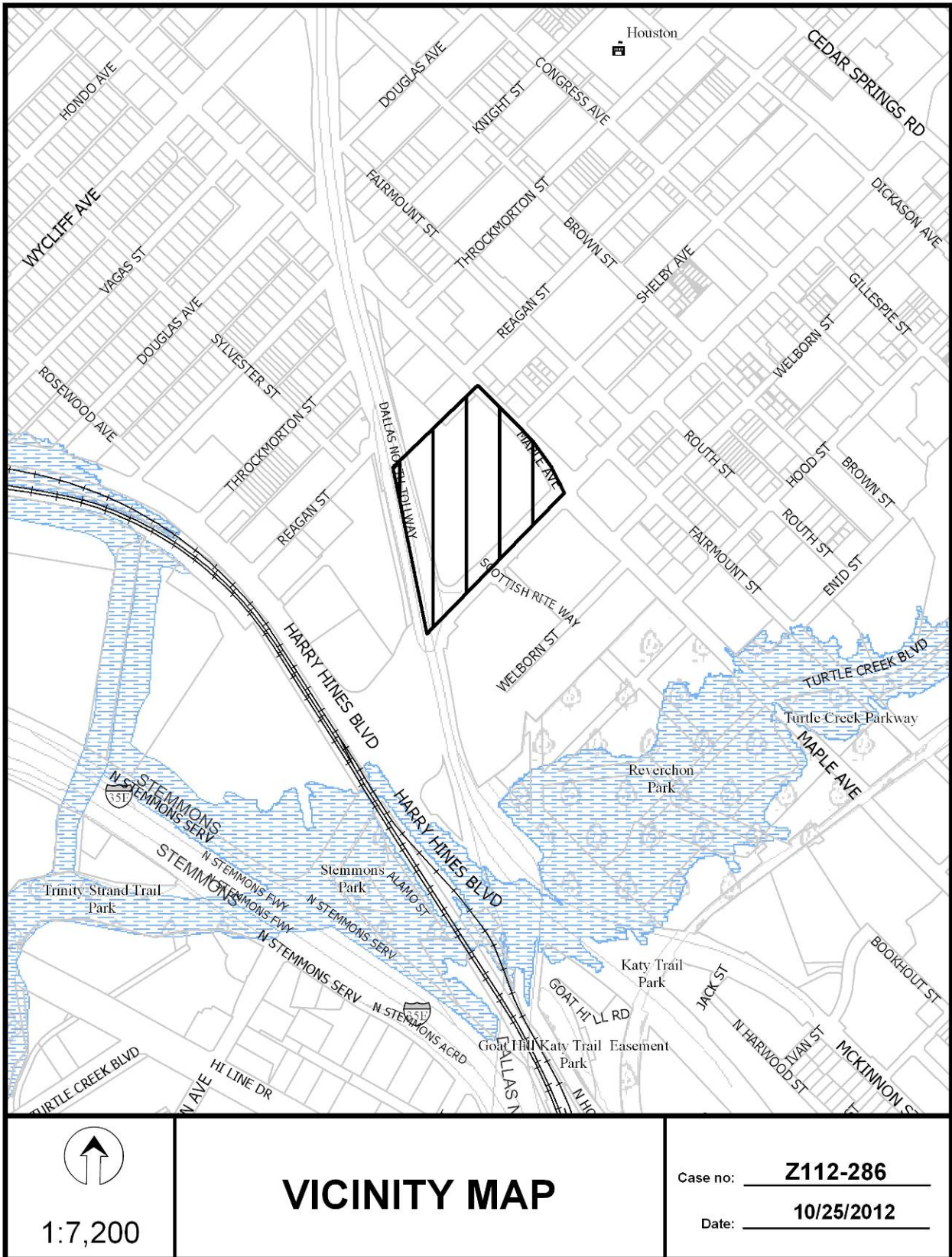
Proposed Landscape Plan: Exhibit 262D

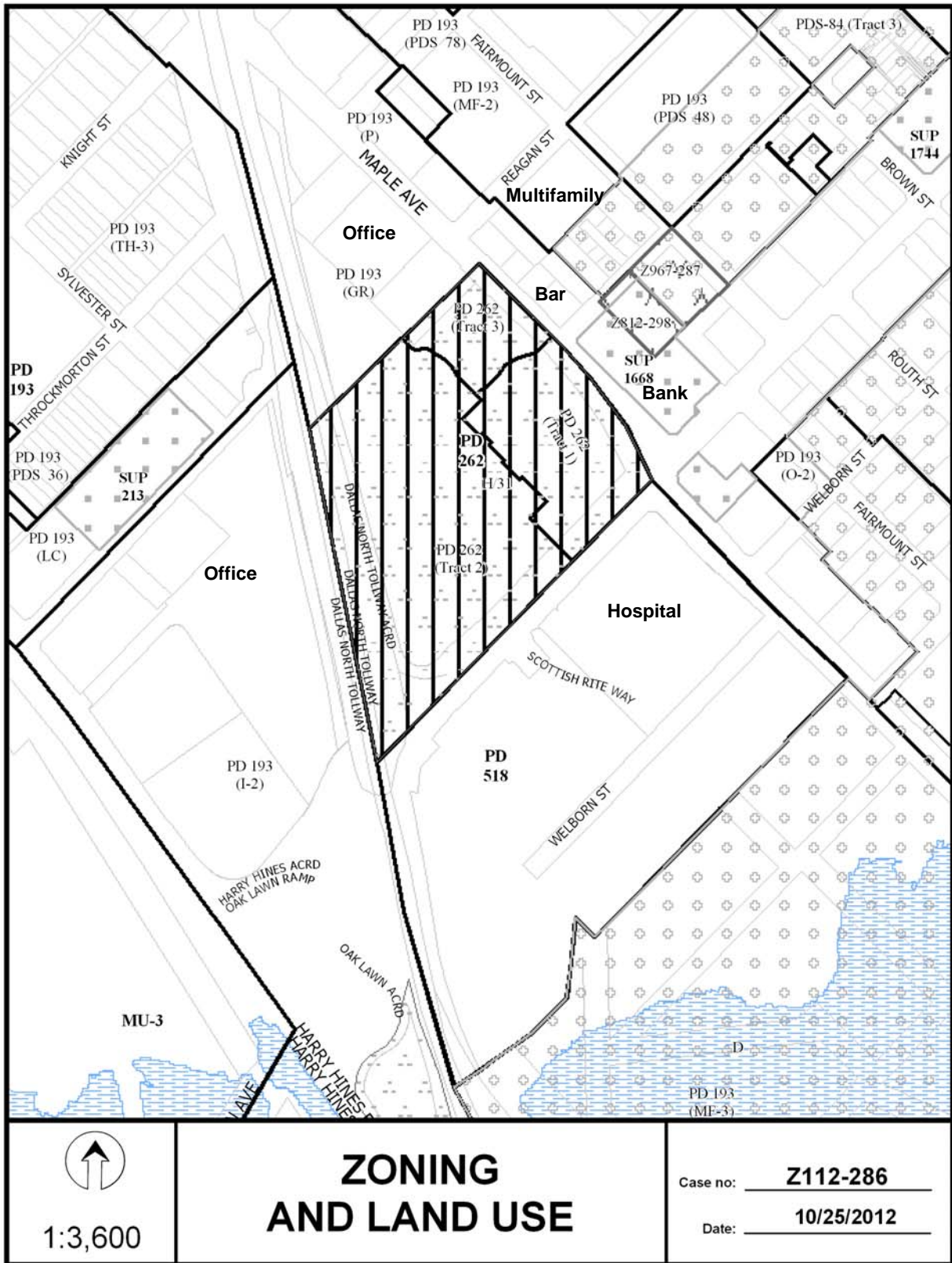


# Existing Landscape Plan: Exhibit 262D





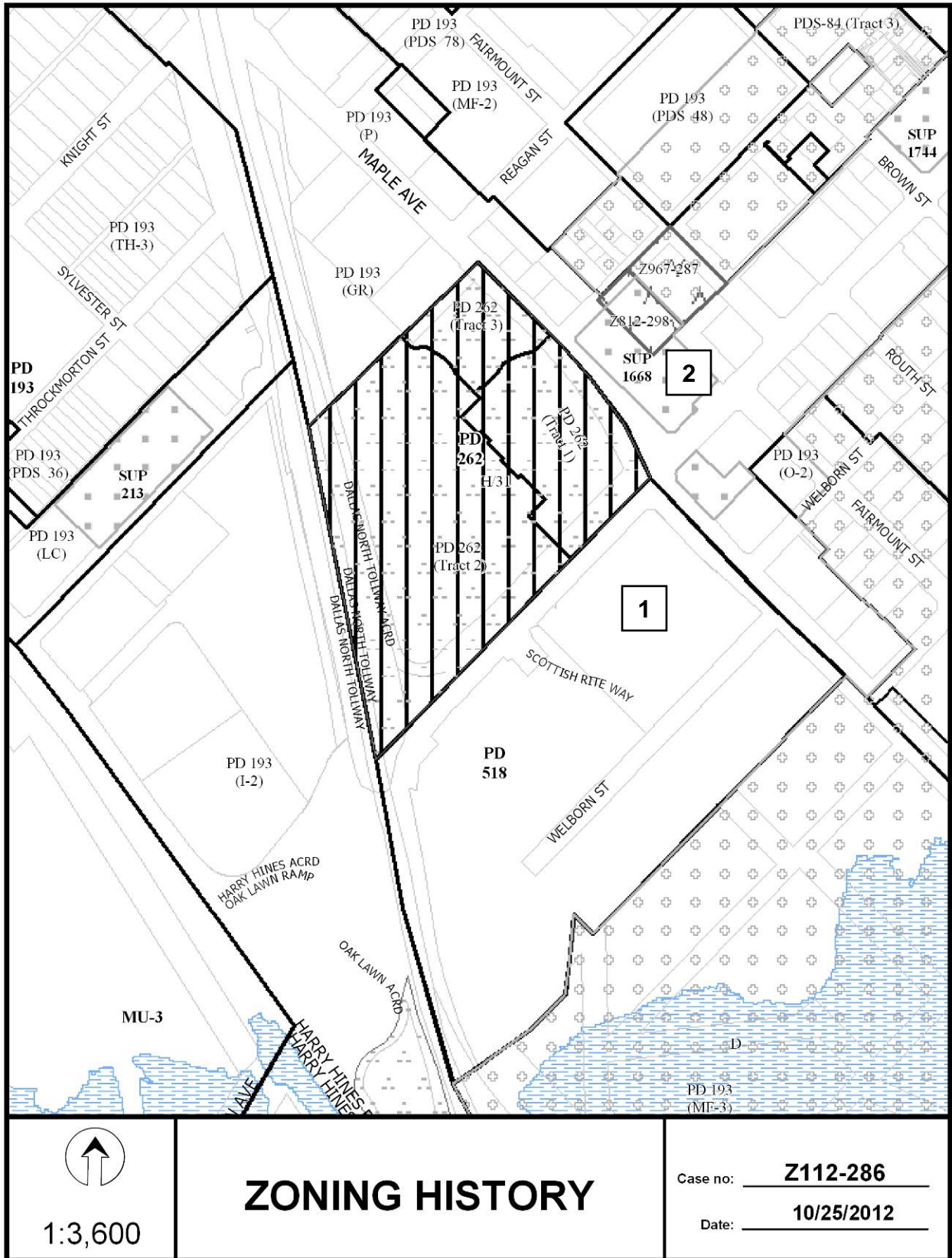


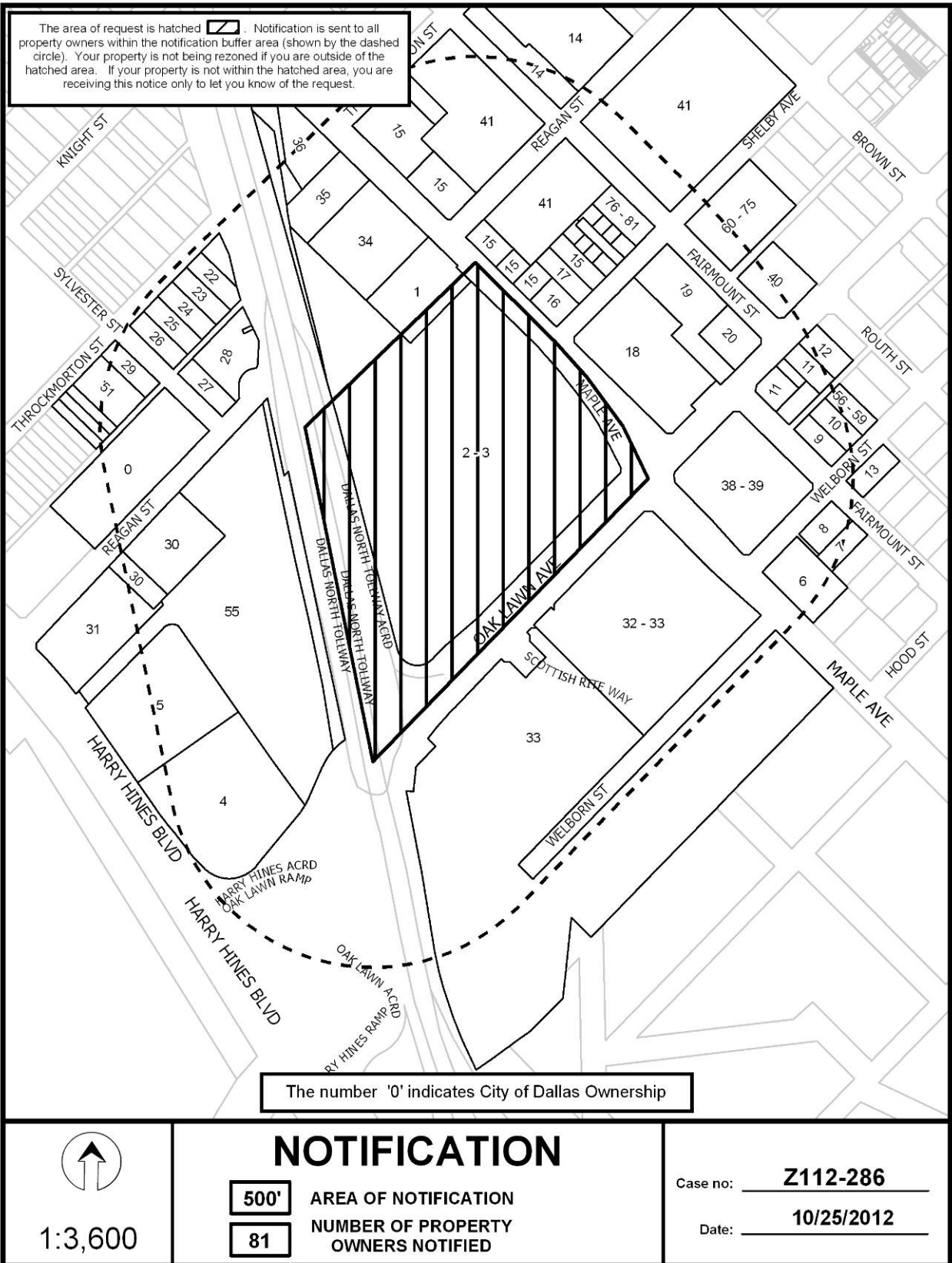


1:3,600

# ZONING AND LAND USE

Case no: Z112-286  
Date: 10/25/2012





10/25/2012

***Notification List of Property Owners******Z112-286******81 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4001 MAPLE AVE	NORTH MAPLE LLC
2	3819 MAPLE AVE	OLD PARKLAND UNIT A LLC
3	3963 OAK LAWN AVE	TRT OLD PARKLAND LLC
4	3900 HARRY HINES BLVD	RP HH/LEMMON PPTIES LP
5	3910 HARRY HINES BLVD	SENIOR CITIZENS OF GREATER DALLAS INC
6	3636 MAPLE AVE	3636 MAPLE LTD
7	3629 FAIRMOUNT ST	DALY PATRICK W
8	3631 FAIRMOUNT ST	REDFEARN BEVERELY
9	3702 FAIRMOUNT ST	3702 FAIRMOUNT LLP
10	2505 WELBORN ST	ROUGHTON BRIAN & KAYLA
11	2500 OAK LAWN AVE	MCGONAGLE MARTIN E
12	2512 OAK LAWN AVE	BARCELONETA LLC
13	3622 FAIRMOUNT ST	RP TURTLE CREEK LTD PS
14	2612 THROCKMORTON ST	OAKLAWN VILLAGE SQUARE INC
15	4024 MAPLE AVE	SOUTH TOLLWAY 3920 LP
16	3902 MAPLE AVE	PAPPAS JASON &
17	2507 SHELBY AVE	PAPPAS HARRIS PROPERTIES LLC
18	2501 OAK LAWN AVE	GAEDEKE HOLDINGS II LTD STE 500
19	2519 OAK LAWN AVE	WEISFELD HERSCHEL A
20	2529 OAK LAWN AVE	SOUTHLAND CORP (NO 12200)
21	2422 THROCKMORTON ST	GARRISON RICHARD T
22	2418 THROCKMORTON ST	MEDRANO JOE N
23	2414 THROCKMORTON ST	RAMOS CLEMENTINA M
24	2410 THROCKMORTON ST	MANZANARES MARY L & JOSEPHINE E MUNOZ
25	2406 THROCKMORTON ST	PINEDA JOSEPHINE EST OF
26	2402 THROCKMORTON ST	BALLAS BARRY BULL INC

10/25/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2359 REAGAN ST	PRESCOTT INTERESTS LC STE 225
28	2363 REAGAN ST	PRESCOTT INTERESTS LTD STE 225
29	2350 THROCKMORTON ST	LEE ANNIE D
30	2338 REAGAN ST	BRODNAX JEAN MARIE
31	3918 HARRY HINES BLVD	PLASMA LTD
32	3721 MAPLE AVE	TEXAS SCOTTISH RITE HOSP
33	2312 OAK LAWN AVE	TEXAS SCOTTISH RITE HOSPITAL FOR CHILDRE
34	4011 MAPLE AVE	4011 MAPLE LLC ATTN: ASST MGR - 4011 MAP
35	4103 MAPLE AVE	NORTH MAPLE LLC % ASSET MANAGER
36	4117 MAPLE AVE	SOUTH TOLLWAY 3920 LP C/O MANDY LEMMOND
37	4117 MAPLE AVE	MAPLE AVENUE BT LLC C/O MANDY LEMMOND
38	3720 OAK LAWN AVE	TEXAS SCOTTISH RITE HOSP % EXXON MOBIL C
39	3716 MAPLE AVE	EXXON CORPORATION
40	2603 OAK LAWN AVE	2603 OAK LAWN INC SUITE 760
41	2626 REAGAN ST	IMT CAPITAL SEVILLE LP SUITE 200
42	2517 SHELBY AVE	SHELBY TOWNHOMES OWN ASSO % AMERICAN TIT
43	2517 SHELBY AVE	NAIK MAYUR
44	2517 SHELBY AVE	HALL DAVID M CHRISTY A JONES
45	2517 SHELBY AVE	AUSTIN TANGULAR UNIT C
46	2517 SHELBY AVE	GARZA LORI A APT D
47	2519 SHELBY AVE	SONG MARIA & UNIT A
48	2519 SHELBY AVE	MARTINEZ DAVID
49	2519 SHELBY AVE	KINSER EVAN W UNIT 11- C
50	2519 SHELBY AVE	PATEL NIMIT
51	2344 THROCKMORTON ST	LEWIS JACK V &
52	2338 THROCKMORTON ST	RASCO SHAD L
53	2336 THROCKMORTON ST	WESTLAKE P TEED
54	2334 THROCKMORTON ST	COX CHRISTOPHER R
55	2338 REAGAN ST	NORTH TEXAS TOLLWAY AUTHORITY
56	2509 WELBORN ST	HELMS JOHN B APT 309
57	2509 WELBORN ST	REESE ASHLEY GAYLE

10/25/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2509 WELBORN ST	THOMPSON BRUCE EDWARD UNIT C
59	2509 WELBORN ST	CLOSE JAMES I
60	2606 SHELBY AVE	CURTIN JAMES M & KELLEY B
61	2606 SHELBY AVE	HORSESHOE BUILDERS LP
62	2606 SHELBY AVE	STAFFORD MARK ALEXANDER
63	2606 SHELBY AVE	MURPHY JONATHAN M HODGMAN KIMBERLY
64	2606 SHELBY AVE	LEAL MARCIAL III &
65	2606 SHELBY AVE	NPDF I INVESTMENT PROPERTIES LLC
66	2606 SHELBY AVE	ANDERSON JUSTIN R
67	2606 SHELBY AVE	MEIER MICHAEL J &
68	2606 SHELBY AVE	NPDF II INVESTMENT PROPERTIES LLC
69	2606 SHELBY AVE	DUNPHY SUZANNE UNIT 301
70	2606 SHELBY AVE	DANNA VALTER & MELANIE A
71	2606 SHELBY AVE	CROGER SUZANNE Y UNIT 303
72	2606 SHELBY AVE	BALTER JEFFREY C &
73	2606 SHELBY AVE	WAITE SARA A
74	2606 SHELBY AVE	VO HELEN
75	2606 SHELBY AVE	EYSTER DONNA &
76	3911 FAIRMOUNT ST	BUTSUAMLAK AMANUEL
77	3911 FAIRMOUNT ST	HUNTER SHIRLEY B LIFE ESTATE REM: BRYAN
78	3911 FAIRMOUNT ST	CULBERT SHERRY
79	3911 FAIRMOUNT ST	BUTSUAMLAK AMANUEL
80	3911 FAIRMOUNT ST	BUTSUAMLAK AMANUEL & HADDAS TSEGGAY
81	3911 FAIRMOUNT ST	TSEGGAY HADDAS & ELSA WALLACE

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z112-278(WE)                      **DATE FILED:** July 3, 2012  
**LOCATION:** North side of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane  
**COUNCIL DISTRICT:** 11                              **MAPSCO:** 15-Q  
**SIZE OF REQUEST:** Approx. 4.83 acres              **CENSUS TRACT:** 136.08

---

**APPLICANT / OWNER:** King of Glory Lutheran Church

**REPRESENTATIVE:** Robert Baldwin

**REQUEST:** An application for a Planned Development District for residential and church uses on property zoned Planned Development District No. 78 and an R-16(A) Single Family District.

**SUMMARY:** The purpose of the request is to allow an existing church to construct a parking lot. The Texas Department of Transportation acquired additional right-of-way for the expansion of the LBJ Freeway and a portion of the church off-street parking.

**STAFF RECOMMENDATION:** Hold under advisement until December 6, 2012.



**BACKGROUND INFORMATION:**

The request for a Planned Development District will allow for an existing church to expand to develop a surface parking lot on approximately 1.04 acres of land. A portion of the request site consists of four existing single family dwellings that will be razed to accommodate 113 parking spaces. The request site, which includes the church property, totals 4.83 acres of land.

- The Texas Department of Transportation acquired additional right-of-way along the Lyndon B. Johnson Freeway and as a result of the right-of-way acquisition. A portion of the church parking was eliminated.
- The surrounding land uses in the area are single family uses

**Zoning History:** There has not been any recent zoning change request in the area.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
LBJ Freeway Frontage		Variable lane widths	Variable lane widths

**Land Use:**

	Zoning	Land Use
<b>Site</b>	PDD No. 78, R-16(A)	Single Family, Church
<b>North</b>	PDD No. 78	Single Family
<b>South</b>	LO-1, NO(A)	LJB Freeway
<b>East</b>	R-16(A)	Single Family
<b>West</b>	PDD No. 78	Undeveloped, 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 as being along a Transit Centers or Multi-Modal Corridor and in a Residential Neighborhood Building Block.

**Transit Centers or Multi-Modal Corridors**

Transit centers support a compact mix of employment, retail, cultural facilities and housing. Multi-modal corridors should encourage the redevelopment of aging auto-oriented commercial strip development while respecting existing single family

neighborhoods. While normally located around DART light-rail or commuter rail stations, these building blocks could also be focused streetcar or enhanced bus corridors such as bus rapid transit. Examples of transit centers include the Mockingbird Station area, the Cityplace Station area and the Westmoreland Station area, and examples of multi-modal corridors include the Lancaster and Ferguson Road corridor. These areas offer dense mixed use at the transit station or multi-modal corridor and then transition to multi-family and single-family housing at the edge. Of all the Building Blocks, this incorporates the greatest range of building structures and land uses, including multi-story residential above retail to townhomes to single-family residences. Transit centers and multi-modal corridors may sometimes be near residential neighborhoods and call for appropriate mitigation requirements. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Multi-modal corridors in particular would diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit orientation and access. Interactive public plazas and/or civic uses will be centrally located and residential roof terraces and balconies overlooking transit station areas add “eyes on the street” that can aid public safety

#### Residential Neighborhoods

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

#### **STAFF ANALYSIS:**

**Land Use Compatibility:** The 4.83 acre site is developed with a church and four single family dwellings. The applicant’s request for a Planned Development District for residential and church uses will allow for an existing church to expand to develop a surface parking lot. A portion of the request site, which consists of approximately 1.04 acres, includes four existing single family dwellings that will be razed to accommodate 113 parking spaces.

The Texas Department of Transportation acquired additional right-of-way for the expansion of the LBJ Freeway and a portion of the church off-street parking was taken as a result of the right-a-way acquisition. The applicant purchased properties within the residential neighborhood to accommodate the parking needs of the church. The existing four single family dwellings will be razed to accommodate the redevelopment of 113 surface parking spaces. The applicant is currently the owner of two single family dwellings that are north of the request site and will use the dwellings as a buffer from the remaining residential structures on Clubhouse Circle. The two single family dwellings are not part of the Planned Development District.

Access to the proposed surface lot will be limited from the main church’s campus. The applicant is proposing to construct a solid six-foot fence around the perimeter of the surface parking lot and will be buffered by the two single family dwellings to the north on Clubhouse Circle. In addition, any entrance onto the site from a residential street is prohibited.

Even though staff is concern with the encroachment of a non-residential use into the residential neighborhood, staff can support the applicant’s request because the site is located on the outer perimeter of the neighborhood.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b><u>SETBACKS</u></b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
PDD No. 78	25'	10'/10'	1 Dwelling Unit/ 8,600 sq. ft.	24'	45%		Single family
R-7.5(A) Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
Proposed PDD Church & residential	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Church , single family

**Landscaping:** Landscaping of any development will be in accordance with the attached landscape plan. Plant materials must be maintained in a healthy, growing condition.

**Miscellaneous – conditions:** The proposed PDD conditions in the docket will mirror the conditions in Planned Development District No. 78, except that a surface parking lot will be added as a main use. The surface parking lot use is added as a main use because the applicant’s representative has indicated the owners may not re-plat the site.

**LIST OF OFFICERS**  
King of Glory

- Alan Melson President
- Bonnie Meeder Vice President
- Becky Pederson Secretary
- Randy Kurtz Treasurer
- Jon Bustard
- Janet Follstardt
- Steve Hid
- Gary Johnson
- Kelsey Plichta
- Sarah Schultz

**PROPOSED PDD CONDITIONS**

**“ARTICLE**

**PD**

**SEC. 51P - \_\_\_\_\_.101. LEGISLATIVE HISTORY.**

PD District \_\_\_\_ was established by Ordinance No.\_\_\_\_\_, passed by the Dallas City Council on \_\_\_\_\_.

**SEC. S- \_\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD District No.\_\_\_\_ is established on property on the north side of Lyndon B. Johnson Freeway, between Ridgeview Circle and Hughes Lane . The size of PDD No. \_\_\_\_ is approximately 4.83 acres.

**SEC. 51P - \_\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

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

**SEC. 51P - \_\_\_\_\_.104. EXHIBIT.**

The following exhibits are incorporated into the article:

(a) Exhibit S-\_\_\_\_A: development plan.

(b) Exhibit S-\_\_\_\_B: landscape plan

**SEC. 51P - \_\_\_\_\_.105. DEVELOPMENT PLAN.**

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

(b) For residential uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a

development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

**SEC. 51P - \_\_\_\_\_.106. MAIN USES PERMITTED.**

- (a) Main uses permitted
  - (i) -- Single family detached dwellings
  - (ii) -- Handicapped group dwellings
  - (iii) -- Church
  - (iv) -- Surface parking lot

**SEC. 51P - \_\_\_\_\_.107. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108, Accessory Uses. 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
- (c) In this district, the following accessory uses are permitted by SUP only.
  - Accessory community center private

**SEC. 51P - \_\_\_\_\_.108. YARD, LOT, AND SPACE REGULATIONS.**

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

- (a) Front yard. The minimum front yard is 25 feet.
  - (i) For a church use, parking is permitted in the front yard
- (b) Side and rear yard. The minimum side yard is 10 feet. The minimum rear yard is 10feet.

(c) Height. The maximum structure height is 24 feet.

(d) Lot coverage. Maximum lot coverage is:

(i) 45 percent for residential structures; and

(ii) 25 percent for non-residential structures.

(iii) Above-ground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(e) Lot size. The minimum lot size is 8,600 square feet.

(f) Stories. No maximum number of stories.

**SEC. 51P - \_\_\_\_\_.109. OFF-STREET PARKING AND LOADING.**

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

**SEC. 51P - \_\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P - \_\_\_\_\_.111. LANDSCAPING AND SCREENING.**

(a) Landscaping must be provided as shown on the landscape plan (Exhibit \_).

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

**SEC. 51P - \_\_\_\_\_.112. SIGNS.**

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

**SEC. 51P - \_\_\_\_\_.113. FENCES.**

Minimum of a four foot and a maximum of a six-foot fence is permitted in the front yard and is located as shown on the development plan. Fence materials may consist of wrought iron, masonry, or brick.

**SEC. 51P - \_\_\_\_\_.114. ADDITIONAL PROVISIONS.**

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

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

**SEC. 51P - \_\_\_\_\_.115.**

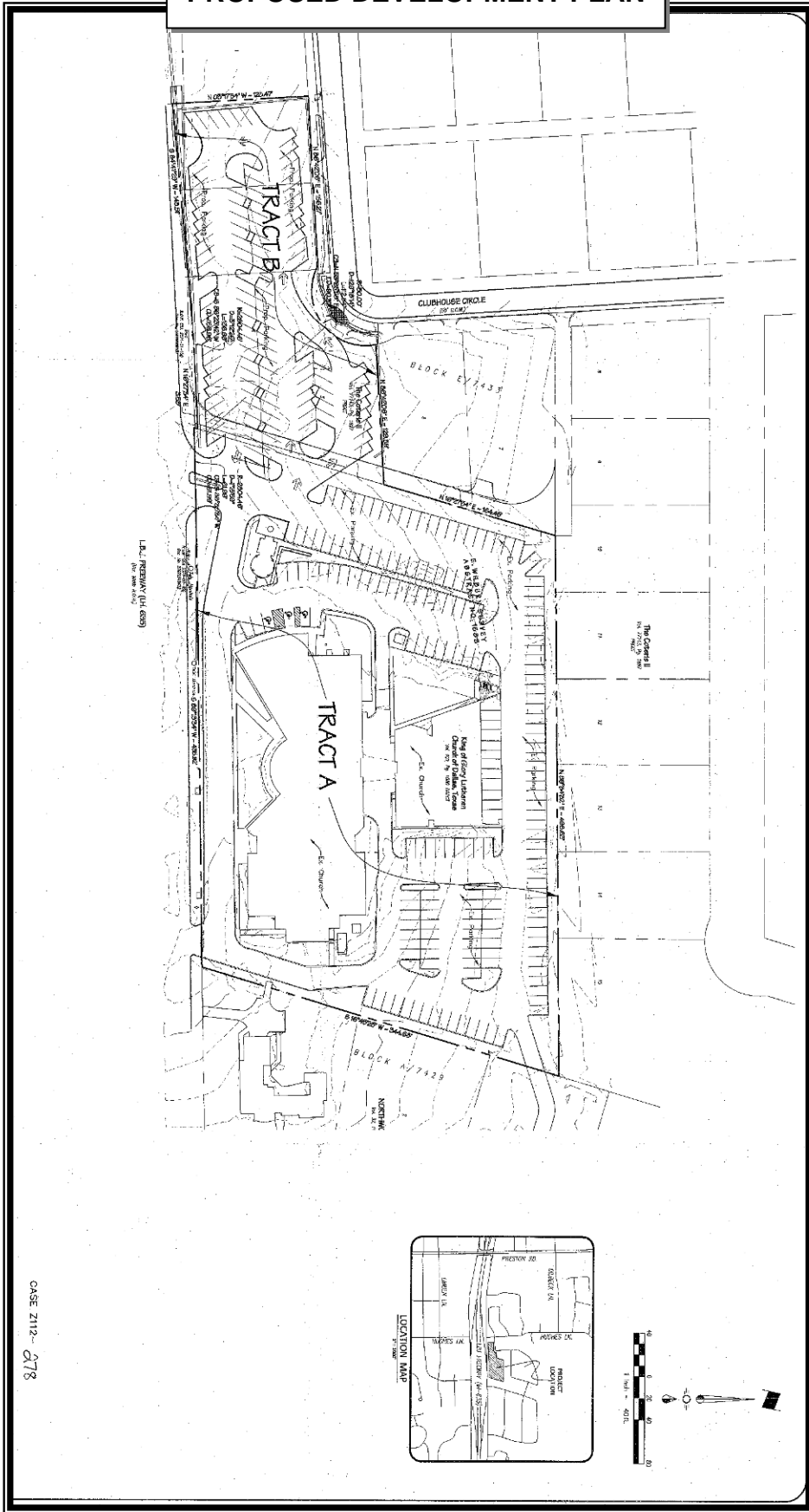
**COMPLIANCE WITH CONDITIONS.**

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

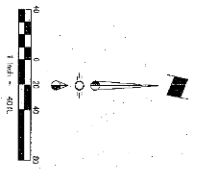
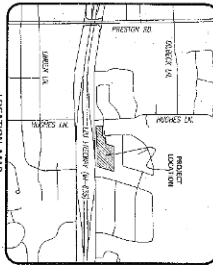
(b) The building official shall not issue a building permit or certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City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



# PROPOSED DEVELOPMENT PLAN

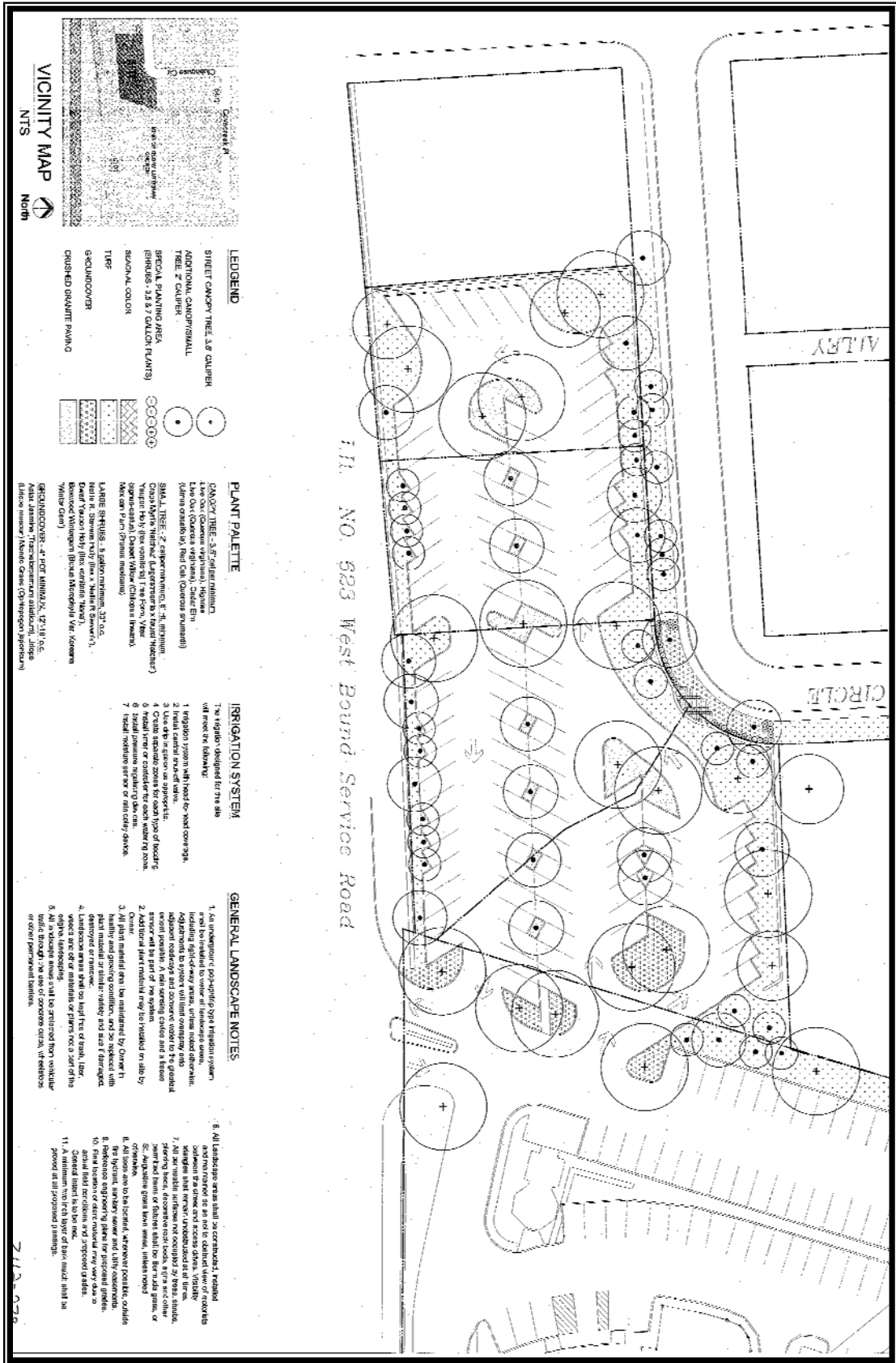


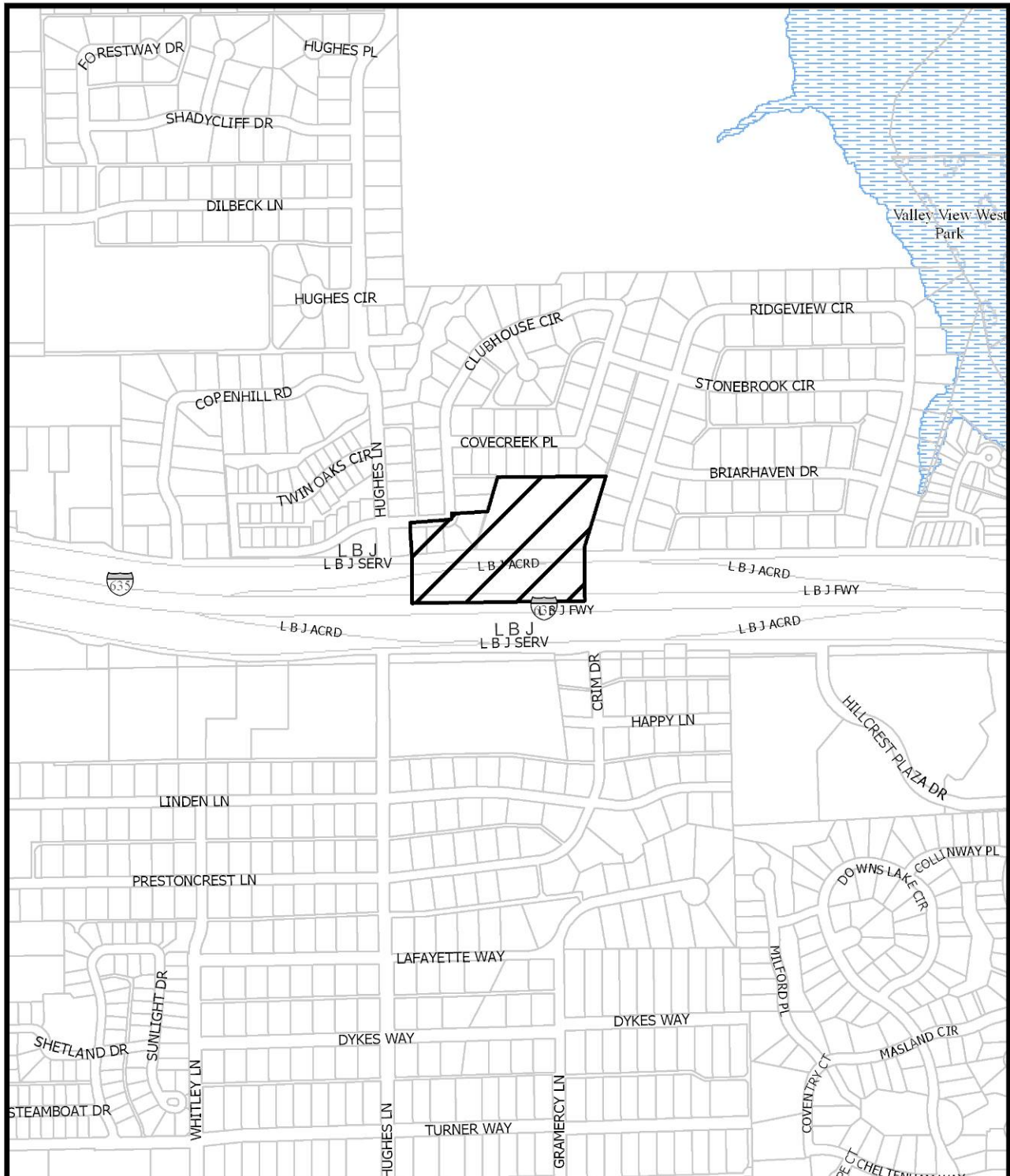
L.B. PREWITT (U.L. 689)  
(for see 4-10)



CASE 2112- 278

**PROPOSED LANDSCAPE PLAN**



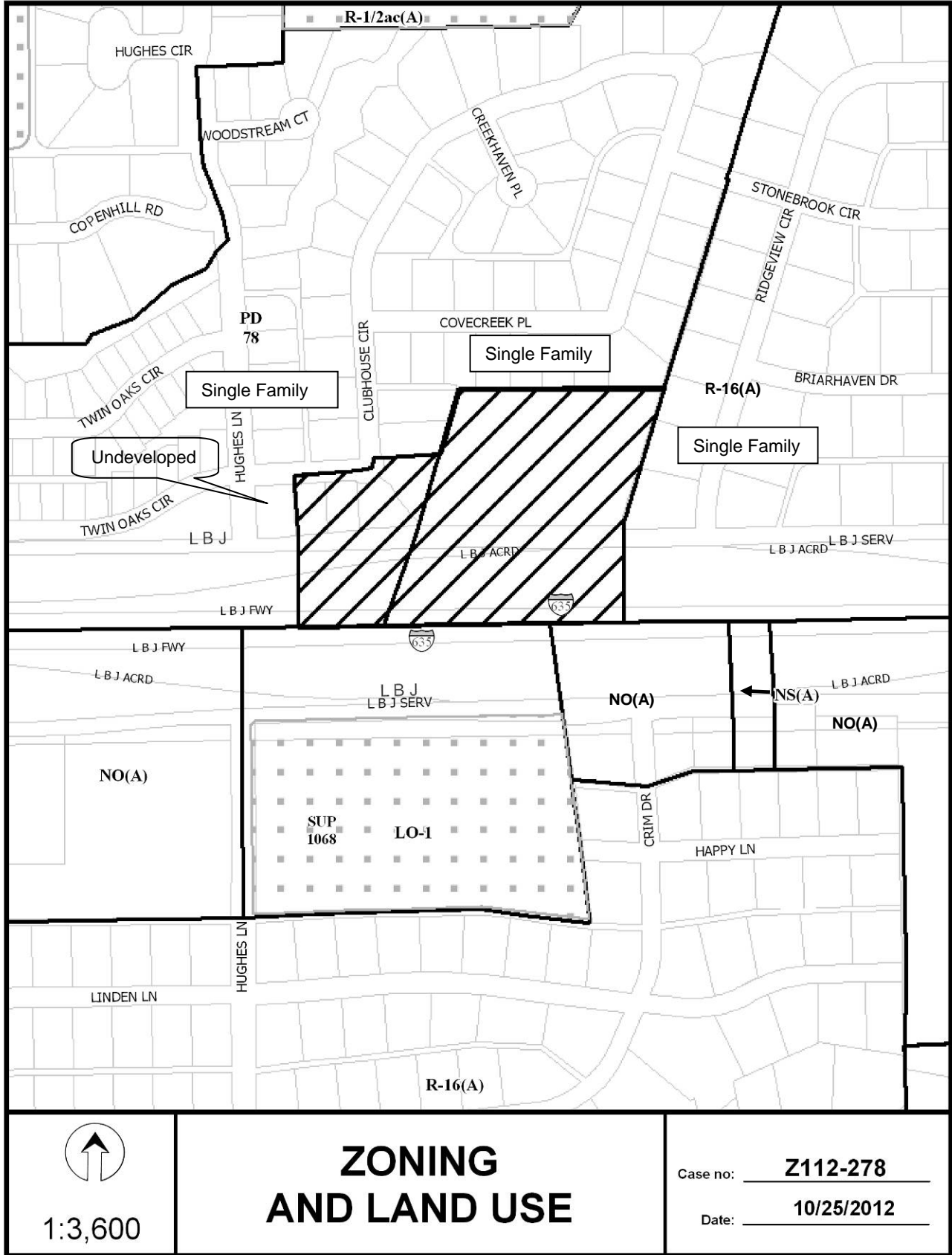


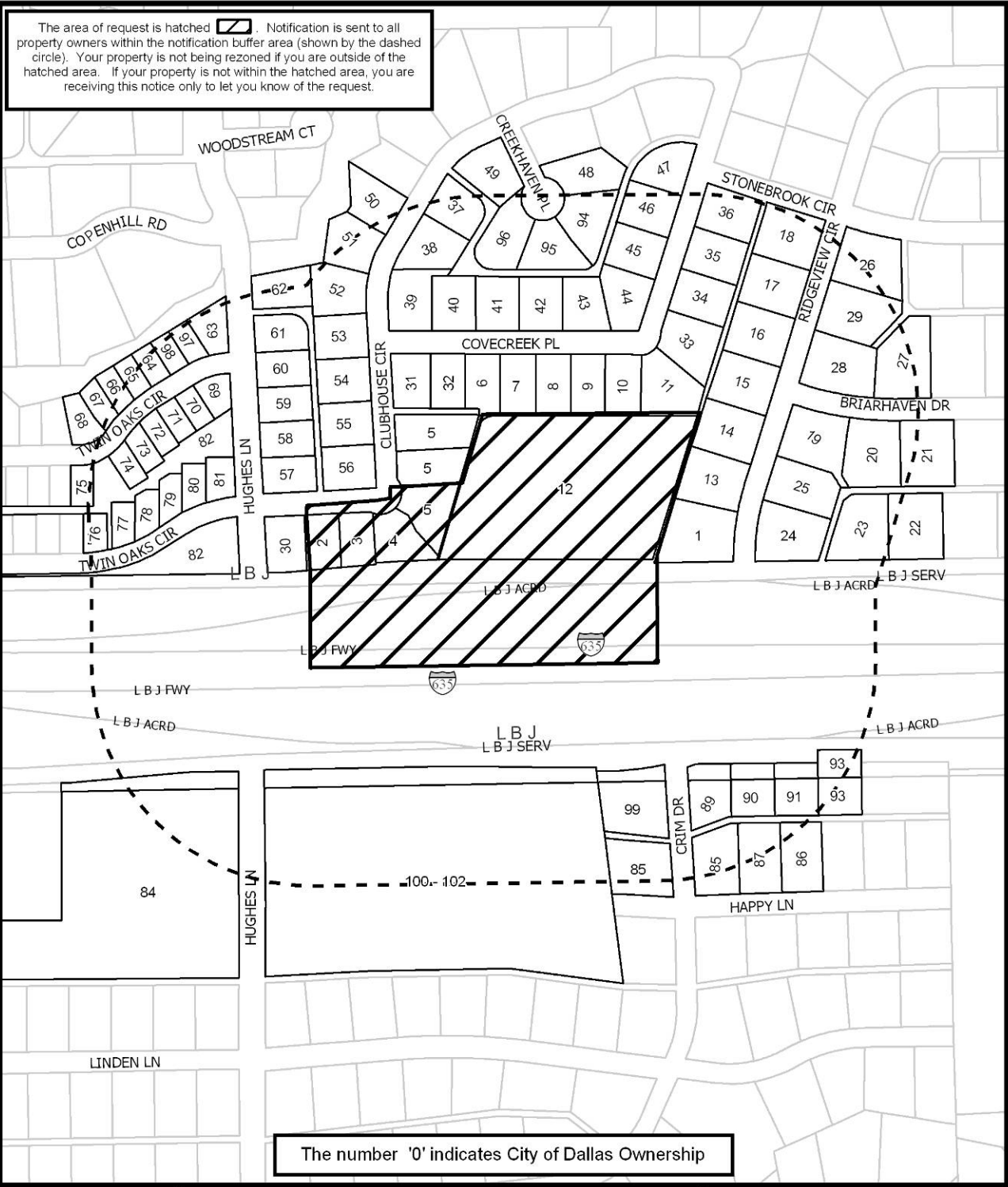
1:7,200


# VICINITY MAP

Case no: Z112-278

Date: 10/25/2012





  
 1:3,600

## NOTIFICATION

500' AREA OF NOTIFICATION  
105 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:           Z112-278            
 Date:           10/25/2012

## ***Notification List of Property Owners***

***Z112-278***

***105 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6507 RIDGEVIEW CIR	KING OF GLORY LUTHERN CH
2	6306 CLUBHOUSE CIR	KING OF GLORY LUTHERAN CHURCH
3	6310 CLUBHOUSE CIR	KING OF GLORY LUTHERAN CHURCH
4	6314 CLUBHOUSE CIR	KING OF GLORY LUTHERAN CHURCH
5	6402 CLUBHOUSE CIR	KING OF GLORY LUTHERAN CHURCH
6	6410 COVECREEK PL	DUE JUDY WINGER
7	6414 COVECREEK PL	BROOKS JAMES & BARBARA
8	6418 COVECREEK PL	VASSILEV BOGOMIL
9	6422 COVECREEK PL	NARAN FERRINI VINO & DIVA NARAN FERRINI
10	6426 COVECREEK PL	ARNSTEIN BARBARA J TR & ROBERT A ARNSTEIN
11	6502 COVECREEK PL	BEAN JANE RYAN
12	6411 LBJ FWY	KING OF GLORY LUTHERAN CHURCH
13	6515 RIDGEVIEW CIR	SPEER WALTER B & SHIRLEY
14	6523 RIDGEVIEW CIR	KING OF GLORY LUTHERAN CH
15	6531 RIDGEVIEW CIR	STEAKLEY FAMILY LIVING TR
16	6539 RIDGEVIEW CIR	MUIRHEID TRACI & DARREN
17	6547 RIDGEVIEW CIR	WOODWARD JOHN E
18	6555 RIDGEVIEW CIR	GROOM TIFFANY
19	6522 RIDGEVIEW CIR	DIRKS LEONARD F JR
20	6516 BRIARHAVEN DR	OFFER PAUL J JR
21	6524 BRIARHAVEN DR	GHAFFAR MERDAD N & SHERRY A
22	6545 LBJ FWY	STEVENSON RUBY
23	6537 LBJ FWY	SHAHI SAVITA GAIND & RAJIV GAIND
24	6508 RIDGEVIEW CIR	SAUCEDA JAVIER G & APRIL P
25	6516 RIDGEVIEW CIR	TRAN THU
26	6554 RIDGEVIEW CIR	KIC INVESTMENT LLC

10/24/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6517 BRIARHAVEN DR	PAULEY STEPHEN & DIANE
28	6538 RIDGEVIEW CIR	BEDDINGFIELD ROBERT W & SUE BRISTOL
29	6546 RIDGEVIEW CIR	BROWN W DOUGLAS JR TR& JANIE M TR
30	6302 CLUBHOUSE CIR	SHULTS CONNI & I V JOHNSON
31	6402 COVECREEK PL	MORROW ANDREW P & JENNIFER
32	6406 COVECREEK PL	REGALADO JUAN & WANDA E
33	6506 COVECREEK PL	MURFIN ROSS C & PAMELA K
34	6510 COVECREEK PL	FREEFIELD JERRY Y & ELISE FREEFIELD
35	6514 COVECREEK PL	PUGH JOEL A & LISA A
36	6518 COVECREEK PL	KOTAMARTI VENKAT & SHARON D
37	6518 CLUBHOUSE CIR	JOHNSTON KENNETH M & JOHNSTON LUCY A
38	6510 CLUBHOUSE CIR	HOLT DUNCAN W JR & JEAN S
39	6403 COVECREEK PL	SULZBACH FRANK C &
40	6407 COVECREEK PL	ROBINSON MARIA
41	6411 COVECREEK PL	TOSTADO GLORIA B
42	6415 COVECREEK PL	KALIDAS VASANTI
43	6419 COVECREEK PL	CANNON JACK % CANNON INDUSTRIES INC
44	6501 COVECREEK PL	RIDER BRUCE D & PAULA C
45	6505 COVECREEK PL	AZIZ NASIM & MAHSOOMA
46	6509 COVECREEK PL	BAIN TRAVIS W II & KARLEN B
47	6515 COVECREEK PL	CHAILLET BRIAN S & SHIRLEE STEWART
48	6408 CREEKHAVEN PL	MATTSON JAMES R & ANN N
49	6524 CLUBHOUSE CIR	CAVE THOMAS A & TAMI K
50	6515 CLUBHOUSE CIR	COHEN DOUGLAS O
51	6511 CLUBHOUSE CIR	LANG LAYTON H & ARIEL M
52	6507 CLUBHOUSE CIR	ROBISON SALLY & SCOTT
53	6501 CLUBHOUSE CIR	GRAMMER CHRISTOPHER M & ELIZABETH B
54	6411 CLUBHOUSE CIR	DRAIN LEE & LYNETT C
55	6407 CLUBHOUSE CIR	MCLARTY MARY A
56	6403 CLUBHOUSE CIR	KARNI CATHERINE
57	13016 HUGHES LN	BAKER WANDA

10/24/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	13020 HUGHES LN	MASSAD AMELIA SHADID
59	13024 HUGHES LN	ALCHORBACHI RIAD
60	13028 HUGHES LN	REYES JOSE
61	13032 HUGHES LN	ZIMMERMANN BETTY
62	13036 HUGHES LN	WINFIELD RENA GOODSON
63	13031 HUGHES LN	DECOURSEY PATRICK T & RENE FRANCO
64	6243 TWIN OAKS CIR	MARY LOU AVERA MGMT TRUST
65	6239 TWIN OAKS CIR	MCNIEL MARIE H
66	6235 TWIN OAKS CIR	COOK CHARLES R
67	6231 TWIN OAKS CIR	ALEXANDER A ANN
68	6227 TWIN OAKS CIR	SUSMAN JOAN R
69	6254 TWIN OAKS CIR	FOLLSTAEDT JANET
70	6250 TWIN OAKS CIR	RIDNOUR STUART D
71	6246 TWIN OAKS CIR	STEVENSON KENNETH
72	6242 TWIN OAKS CIR	SALFRANK JOE B & DORIS C
73	6238 TWIN OAKS CIR	ENGLISH CYNTHIA
74	6234 TWIN OAKS CIR	SMITHEY PAM J & LESLIE M
75	6226 TWIN OAKS CIR	BOWER LOU ANN
76	6127 TWIN OAKS CIR	QUISENBERRY JAMES R & SHERIDAN SUITE 204
77	6123 TWIN OAKS CIR	FRANKLIN MARLENE Z
78	6117 TWIN OAKS CIR	DAVIS MICHAEL ROBERT
79	6111 TWIN OAKS CIR	PAREDES CANDELARIO
80	6107 TWIN OAKS CIR	CAMPBELL LAURA L
81	6103 TWIN OAKS CIR	FISHER ROBERTA
82	900001 HUGHES LN	COTERIE HOMEOWNERS ASSN % JAMES QUISENBE
83	6250 LBJ FWY	TUESDAY MORNING INC ATTN MARK JARVIS
84	6250 LBJ FWY	TUESDAY MORNING INC ATTN MARK JARVIS
85	6441 HAPPY LN	HAPPY LANE LP LLLP STE 210
86	6525 HAPPY LN	HAPPY LANES LP
87	6517 HAPPY LN	LOGUE GRACIA DUFF
88	6510 LBJ FWY	ALBERT DAVID



10/24/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	6510 LBJ FWY	ALBERT DAVID
90	6518 LBJ FWY	THE KNOCHE LTD PS
91	6526 LBJ FWY	THE KNOCHE LIMITED PARTNERSHIP
92	6526 LBJ FWY	KNOCHE LIMITED PARTNERSHIP
93	6532 LBJ FWY	LYNCH ROBERT A & MIRNA WEATHERS LYNCH
94	6404 CREEKHAVEN PL	NAXON ADAM & ELLA
95	6405 CREEKHAVEN PL	ROSEN BARRY M & JAN A
96	6409 CREEKHAVEN PL	MCLEOD PAUL G
97	6251 TWIN OAKS CIR	SHADDOCK CALDWELL BUILDERS & DEV
98	6247 TWIN OAKS CIR	STOUT JOE W & FREDDA M
99	6446 LBJ FWY	CAAWA INVESTMENT PPTIES LLC
100	6310 LBJ FWY	LBJ CONCOURSE OFFICE LP %SIGNATURE ASSET
101	6330 LBJ FWY	LBJ CONCOURSE OFFICE LP % SIGNATURE ASSE
102	6380 LBJ FWY	LBJ CONCOUSE OFFICE LP %SIGNATUTE ASSET
103	6310 LBJ FWY	LBJ CONCOURSE OFFICE LP %SIGNATURE ASSET
104	6330 LBJ FWY	LBJ CONCOURSE OFFICE LP % SIGNATURE ASSE
105	6380 LBJ FWY	LBJ CONCOUSE OFFICE LP %SIGNATUTE A

**FILE NUMBER:** Z112-276(RB)

**DATE FILED:** July 2, 2012

**LOCATION:** West Line of Harry Hines Boulevard and the East Line of the Houston Street Extension

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45 E

**SIZE OF REQUEST:** Approx. 4.89 Acres

**CENSUS TRACT:** 19

---

**APPLICANT/OWNER:** Skyline Apartments LTD PS

**REPRESENTATIVE:** Rob Baldwin

**REQUEST:** An application for a Planned Development Subdistrict for I-2 Industrial Subdistrict Uses on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and termination of Specific Use Permit No. 1671 for Multiple Family Uses.

**SUMMARY:** The applicant is proposing to develop the site with a mix of uses (multiple family, retail, and restaurant) as well as permitting a multiple family use by right, and as a result, requesting termination of SUP No. 1671 providing for a multiple family use.

**STAFF RECOMMENDATION:** Approval, subject to a conceptual plan, Houston Street Tree Plan, and conditions, and approval of the termination of Specific Use Permit No. 1671.

**BACKGROUND INFORMATION:**

- The property is undeveloped that wraps a billboard (not part of the request site).
- On June 13, 2007, the City Council approved Specific Use Permit No. 1671 providing for multiple family uses with the following development standards: 1) 302 dwelling units; 2) 125 foot structure height; 3) five stories, excluding parking structures.
- The applicant is requesting a PDS for consideration of the following: 1) multiple family use by right; 2) alternate off-street parking ratios for certain uses; 3) site specific landscape and sidewalk requirements for portions of the site; and, 4) an increase in structure height and density.
- As a matter of background, a similar request was submitted by the property owner to provide for an amendment to SUP No. 1671, but was returned by staff as an application that was no longer active.

**Zoning History:** Other than noted above, there has been no recent zoning activity in the immediate area relevant to the request.

**Thoroughfare**

**Existing & Proposed ROW**

Harry Hines Boulevard

Principal Arterial/Existing Couplet; 85' ROW

Houston Street

Minor Arterial/Existing Couplet; 80' ROW

**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 site is undeveloped. Even though there is an increase in density and structure height for the proposed multiple family component, the applicant has worked with staff to ensure certain design criteria, landscaping, and publically accessible open space (embracing integration with the Katy Trail and future plans for this section of the Trinity Strand Trail) are provided as part of the request.

Exclusive of No. 2 (not applicable), the proposed development complies with the above referenced objectives.

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

#### **LAND USE ELEMENT**

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The property is undeveloped, however an internal parcel

provides for an existing billboard (access through a recorded easement). The applicant is proposing to develop the site with a mix of uses (multiple family, retail, and restaurant) as well as permitting a multiple family use by right, and as a result, requesting termination of SUP No. 1671 providing for a multiple family use.

As part of the request for a new subdistrict within PDD No. 193, the applicant is requesting to terminate SUP No. 1671 for multiple family uses.

Due to its topography, the site is somewhat isolated yet is surrounded by high-density mixed use projects. Examples of this includes Harwood International's 'Walk to Life' mixed use area that is situated to the east and generally spans along both sides of the Harwood Street frontage from Jack Street southeasterly to Olive Street. The Victory Planned Development District (PDD No. 582) is situated on approximately to the south/southwest on approximately 87 acres and is partially developed within the southern half of its boundary with a mix of uses inclusive of American Airlines Arena. The DART Victory Station (served by the Orange and Green Lines) is situated along the IH 35 frontage and interconnects with the balance of the DART system and the Trinity Rail Express (TRE) service line at DART's Union Station platform. It should be noted that acceptable walking distances to mass transit are approximately one-quarter mile (1,320 feet); the distance from the site's southernmost point along Houston Street to the Victory Station, measured diagonally, is approximately 1,900 feet and approximately 2,900 feet measured along existing right-of-way alignments.

The site possesses significant topography, rising approximately 40 feet from its intersection with Houston Street/Harry Hines Boulevard to the Katy Trail site frontage, with a highpoint in the middle of the site, approximately 50 feet above the Houston Street elevation, as measured midpoint along the street's frontage.

The applicant has worked with staff to require certain design criteria as well as a commitment to publically accessible open space are provided, thus ensuring this development becomes part of the ground level activity generated by the Katy Trail, future connection to the Trinity Strand Trail (see attached masterplan) and their interconnectivity with adjacent high-density mixed use developments.

As a result of this analysis, staff supports the applicant's request, subject to the attached conceptual plan and staff's recommended conditions, as well as supporting the termination of SUP No. 1671.

With respect to the attached conditions, the applicant and staff differ on one item; the unobstructed trail width across the trail easement. The trail system has enjoyed tremendous support by trail users, thus congestion at various points along its alignment do exist. In anticipation of the completion of the Trinity Strand Trail improvements,

activity in this portion of the respective trails' alignments will increase over existing demand. As a result, staff is recommending more unobstructed trail width than the applicant has proposed (see attached Staff Recommended Unobstructed Trail Width Exhibit). It should be noted that the Katy Trail widths range from 12'-16', yet often experience congestion for trail users. At this point, the applicant has not proposed a minimum dimension (although 10' and 12' options have been mentioned), however, it is anticipated that will be finalized during the public hearing.

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

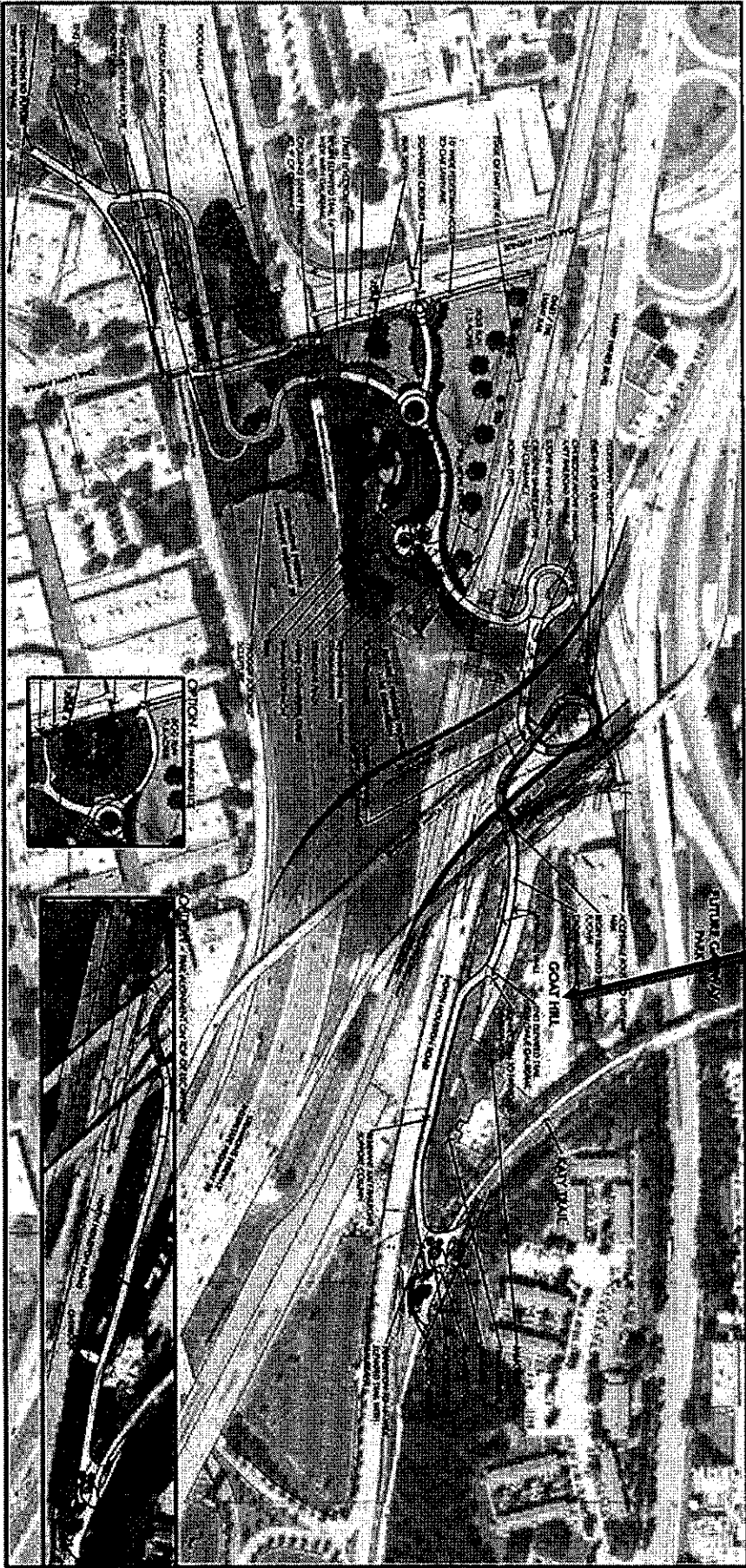
**Off-Street Parking:** PDD No. 193 requires off-street parking based on use, provisions that the applicant's proposed development will comply with, along with staff's recommendation to provide four spaces for the exclusive use of the leasing office for the days and hours noted in the attached conditions.

The applicant is anticipating a community center (private) use for the exclusive use of residents, providing workout facilities and related amenities. Staff is supporting this as a limited use, which does not permit a separate entrance nor exterior signage or advertising being permitted. Operationally, this use will not generate additional parking requirements, thus staff is recommending no off-street parking for the first 2,000 square feet of floor area (applicant anticipating 1,800 square feet). Floor area exceeding 2,000 square feet will require one space for each 1,000 square feet, with not less than one space being provided.

**Landscaping:** SUP No. 1671, along with the underlying I-2 Subdistrict requires landscaping per PDD No. 193. Due to the topography, landscaping and sidewalk locations normally provided have now required special consideration. In working with the chief arborist, staff has recommended to retain the existing sidewalk alignment along Houston Street as well as recognizing the existing tree mass and vegetation along the street (see attached Houston Street Tree Plan). Alternate parkway tree plantings are being recommended for the balance of the site's frontage.

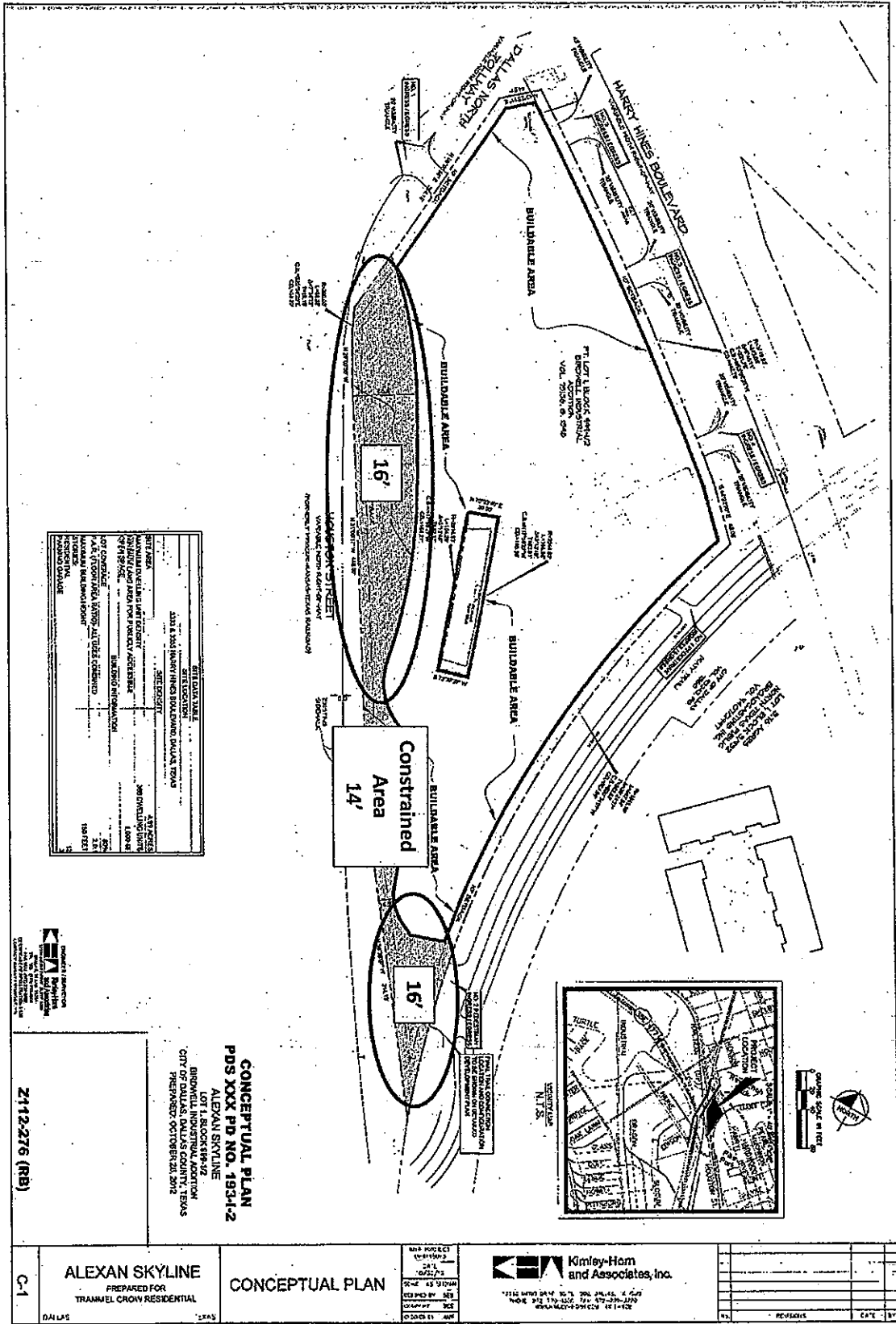
**Environmental:** As noted in this material, the site enjoys significant topography that the applicant has indicated plans on showcasing within the development of the property.

As a result, staff will require a slope stability analysis submitted to the Engineering Section of the Department of Sustainable Development and Construction prior to the submission of engineering plans.



# Trinity Strand Trail/Katy Trail Master Plan

Site



**Staff Recommended  
Unobstructed Trail Width Exhibit**



**Ownership Information**

Skyline Apartments, LTD PS  
2001 Bryan Street - Suite 3700  
Dallas, Texas 75201

General Partner for Skyline Apartments, LTD is:

NT 112 Skyline Apartments Limited Partnership.

General Partner for NT 112 Skyline Apartment LP is:

NT 101 Development GP LLC  
6400 Congress Avenue - Suite 2100  
Boca Raton, FL 33487

General Partner for NT 101 Development is:

Southwest 101 GP, LLC  
6400 Congress Avenue - Suite 2100  
Boca Raton, FL 33487

**Officers**

NT 101 Development 2006 GP LLC  
Kenneth J. Valach, Vice President  
J. Ronald Terwilliger, Vice President

**Division S-XX**

**PD Subdistrict XX**

**SEC. S-XX.101. LEGISLATIVE HISTORY.**

PD Subdistrict XX was established by Ordinance No. \_\_, passed by the Dallas City Council on \_\_.

**SEC. S-XX.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict XX is established on property generally bounded by Harry Hines Boulevard, The Dallas North Tollway, Houston Street and the Katy Trail. The size of PD Subdistrict XX is approximately 4.89 acres.

**SEC. S-XX.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part 1 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 1 of this article, Part 1 of this article controls.

(b) In this division, SUBDISTRICT means a subdistrict of PD-193.

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

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

**SEC. S-XX.104. EXHIBIT.**

The following exhibits are incorporated into this division: Exhibit S-XXA: conceptual plan, and Exhibit S-XXB: Houston Street Tree Plan.

**SEC. S-XX.105. CONCEPTUAL PLAN.**

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

**SEC. S-XX.106. DEVELOPMENT PLAN.**

A development plan must be approved by the city plan commission before the issuance of any building permit to authorized work in this subdistrict. If there is a conflict between the text of this section and the development plan, the text of this section controls.

**SEC. S-XX.107. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those uses permitted in the I-2 Subdistrict and multi-family dwellings, subject to the same conditions applicable in the I-2 Subdistrict, as set out in Part 1 of this article. For example, a use permitted in the I-2 Industrial Subdistrict only by Specific Use Permit (SUP) is permitted in this subdistrict only by specific use permit (SUP); a use subject to development impact review (DIR) in the I-2 Industrial Subdistrict is subject to DIR in this subdistrict; etc.

(b) Multiple family.

(c) Community center (private). *[only as a limited use for a multiple family use].*

**SEC. S-XX.108. ACCESSORY USES.**

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific 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 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

- (b) The following accessory uses are prohibited:
  - Amateur communications tower.
  - Open Storage.
  - Private stable.

**SEC. S-XX.109. YARD, LOT, AND SPACE REGULATIONS.**

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

(a) In general. Except as provided in this section, the yard, lot and space regulations for the I-2 Industrial Subdistrict apply.

(b) Multiple family uses.

(1) Front yard. Minimum front yard is 10 feet. Balconies can extend into the required front yard setback by up to five (5) feet.

(2) Side and rear yard. Minimum side and rear yards are 10 feet. Balconies can extend into a required side or rear yard setback by up to five (5) feet, provided that any balcony projecting towards the Katy Trail must have a clear height of at least 25 feet above the Katy Trail.

(3) Density. The maximum number of dwelling units is 388.

(4) Height. Except as provided in this section, maximum structure height for occupied floor area is 150 feet.

(A) Elevator penthouse, mechanical equipment, or a clerestory may project a maximum of 12 feet above occupied floor area.

(B) A parapet wall, limited to a height of four feet, may project above the maximum structure height for occupied floor area.

(5) Lot coverage. Maximum lot coverage is 80 percent. Aboveground

parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(6) Stories. The maximum number of stories for residential uses is 12. The maximum number of stories for an aboveground parking garage is three.

**SEC. S-XX.110. 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) Multiple family uses.

(1) A minimum of four off-street parking spaces must be provided for the exclusive use of the leasing office between the hours of 8:00 a.m. and 6:00 p.m., Monday through Sunday.

(c) Community center (private) use. No off-street parking is required for the first 2,000 square feet of floor area; otherwise, one space for each 1,000 square feet, with not less than one space being provided.

**SEC. S-XX.111. 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.

**SEC. S-XX.112. SIDEWALKS.**

(a) Except as provided in this section, sidewalks must be provided in accordance with Part 1 of this article.

(1) Existing sidewalks along Houston Street must be maintained located as shown on the conceptual plan.

(b) Variance. The Board of Adjustment may not grant a variance to the

sidewalk requirements in this subsection.

- (c) Waiver. Sidewalk waivers are not permitted.

**SEC. S-XX.113. TRAIL IMPROVEMENTS.**

*Staff recommended: (Applicant does not agree with this provision)*

(a) Except as provided in this section, a minimum unobstructed trail width of 16 feet must be provided in the location shown on the conceptual plan.

(b) For the Trinity Strand Trail located as shown on the conceptual plan, a minimum unobstructed trail width of 14 feet must be provided.

**SEC. S-XX.114. STABILITY SLOPE ANALYSIS.**

Prior to the issuance of a building permit, a stability slope analysis as part of the engineering plans must be submitted to the Engineering Section of the Department of Sustainable Development and Construction to confirm that a minimum safety factor of 1.5 is achieved for any overturning along the slip surface of the structure.

**SEC. S-XX.115. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. S-XX.116. LANDSCAPING.**

***NOTE: This section will be revised with amending ordinance provisions provided at the staff briefing***

(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) Height and caliper.

(1) Except as provided in this subsection, parkway 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 parkway 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.

(3) Landscaping along Houston Street must comply with the Houston Street Tree Plan.

(d) Off-street loading spaces abutting a street must be screened by a minimum three-foot wide planting area with minimum three-foot tall evergreen shrubs spaced a minimum three feet on center.

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

**SEC. S-XX.117 URBAN DESIGN CONSIDERATIONS.**

(a) Prior to the issuance of a certificate of occupancy for a permitted use, the following must be provided:

(1) Building facades longer than 80' shall incorporate at least three of the following design features or architectural elements:

(A) Change in building materials, color, and texture that effectively contrasts from the rest of the facade

(B) Vertical articulation by breaking-up undifferentiated roof lines with strong forms

(C) Accentuate the building's base, middle and a top

(D) Incorporate deep inset windows

(E) Step back upper floors with site-specific articulation

(F) Architectural elements including projecting volumes, balconies, awnings, and canopies.

(2) A minimum of 1,000 square feet of publicly accessible open space must be provided in the location shown on the conceptual plan and contain a minimum four of the following:

(A) Benches, trash receptacles and bicycle racks, enhanced paving, seating areas (built-in and/or benches), pedestrian scaled lighting, trash receptacle, and drinking fountain.

(3) All permanent parking structures must be located either underground or be concealed by a facade that is similar in appearance to the facade of either the main building it serves or the closest main building.

(4) Aboveground parking structures must be constructed so as to screen vehicle headlights from shining on adjacent property to the east and shining into the airspace above the Katy Trail by a minimum forty-two inch wall.

(5) Openings in the parking structure facade must not exceed 55 percent of the total garage facade area.

(6) Highly reflective glass may not be used as an exterior building material on any building or structure in this subdistrict. For purposes of this subsection,



"highly reflective glass" means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.)

**SEC.S-XX.118. SIGNS.**

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

**SEC. S-XX.119. ADDITIONAL PROVISIONS.**

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

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

(c) Except as otherwise specified in this division or shown on the development plan, development and use of the Property must comply with Part 1 of tis Article.

**SEC. S-XX.120. 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.



Z112-276(RB)

At this time, the applicant has not finalized efforts with staff.

The Houston Street Tree Plan will be provided at the staff briefing, along with revised ordinance language (see note in landscaping section).

**Existing Conditions**  
**SUP No. 1671**

017794

26787

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

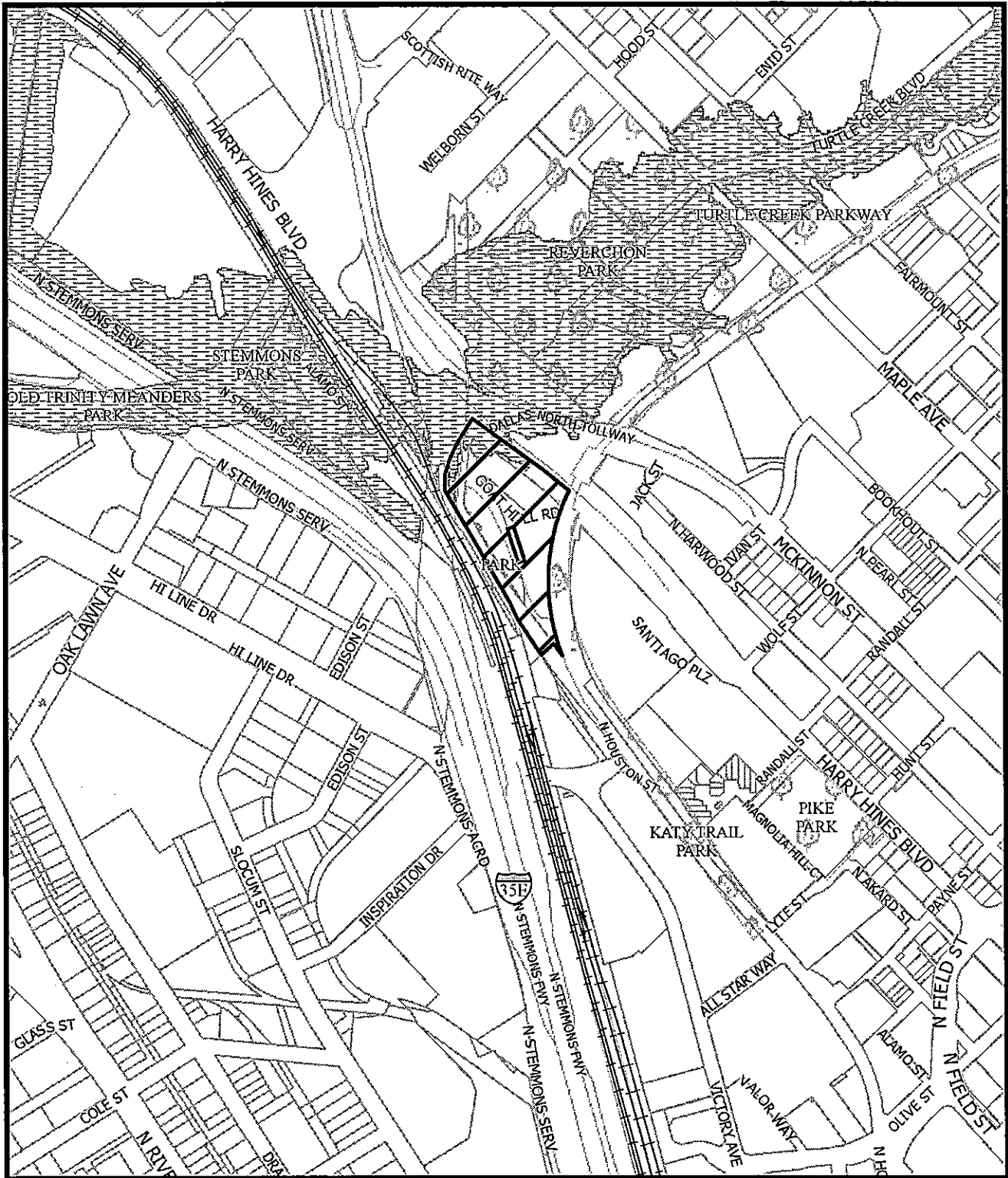
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property"), which is presently zoned as an I-2 Industrial Subdistrict within Planned Development District No. 193 (the Oak Lawn Special Purpose District), to be used under Specific Use Permit No. 1671 for a multiple-family use.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is a multiple-family use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit has no expiration date.
4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Section 51P-193.126, as amended. Plant materials must be maintained in a healthy, growing condition.
5. DENSITY: The maximum number of dwelling units is 302.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. HEIGHT: The use authorized by this specific use permit may not exceed 125 feet in height, measured to the top of the structure.
8. STORIES: The maximum number of stories above grade is 5. Parking structures are not included in calculating the number of stories.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



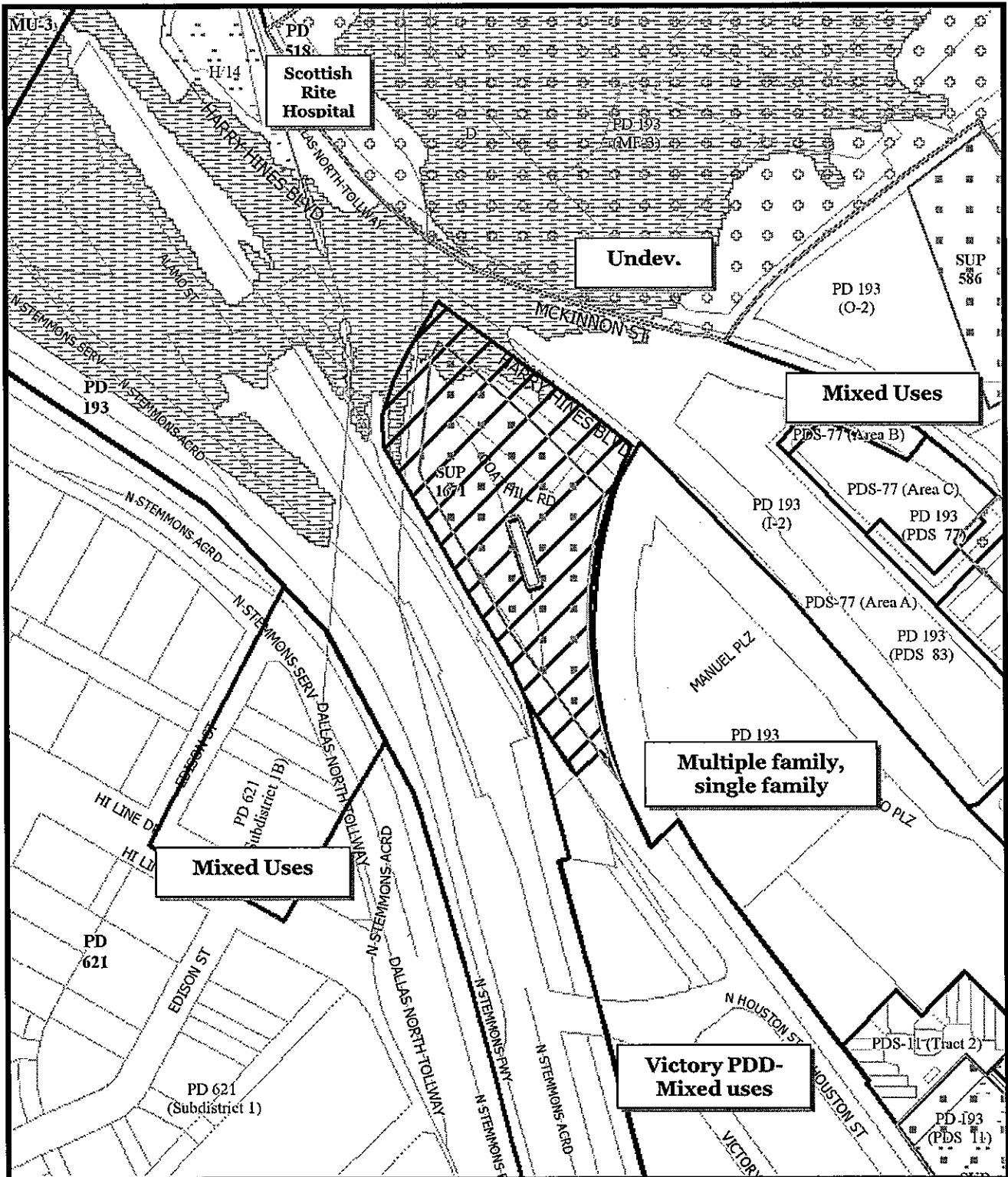


1:7,200

# VICINITY MAP

Case no: Z112-276

Date: 7/25/2012




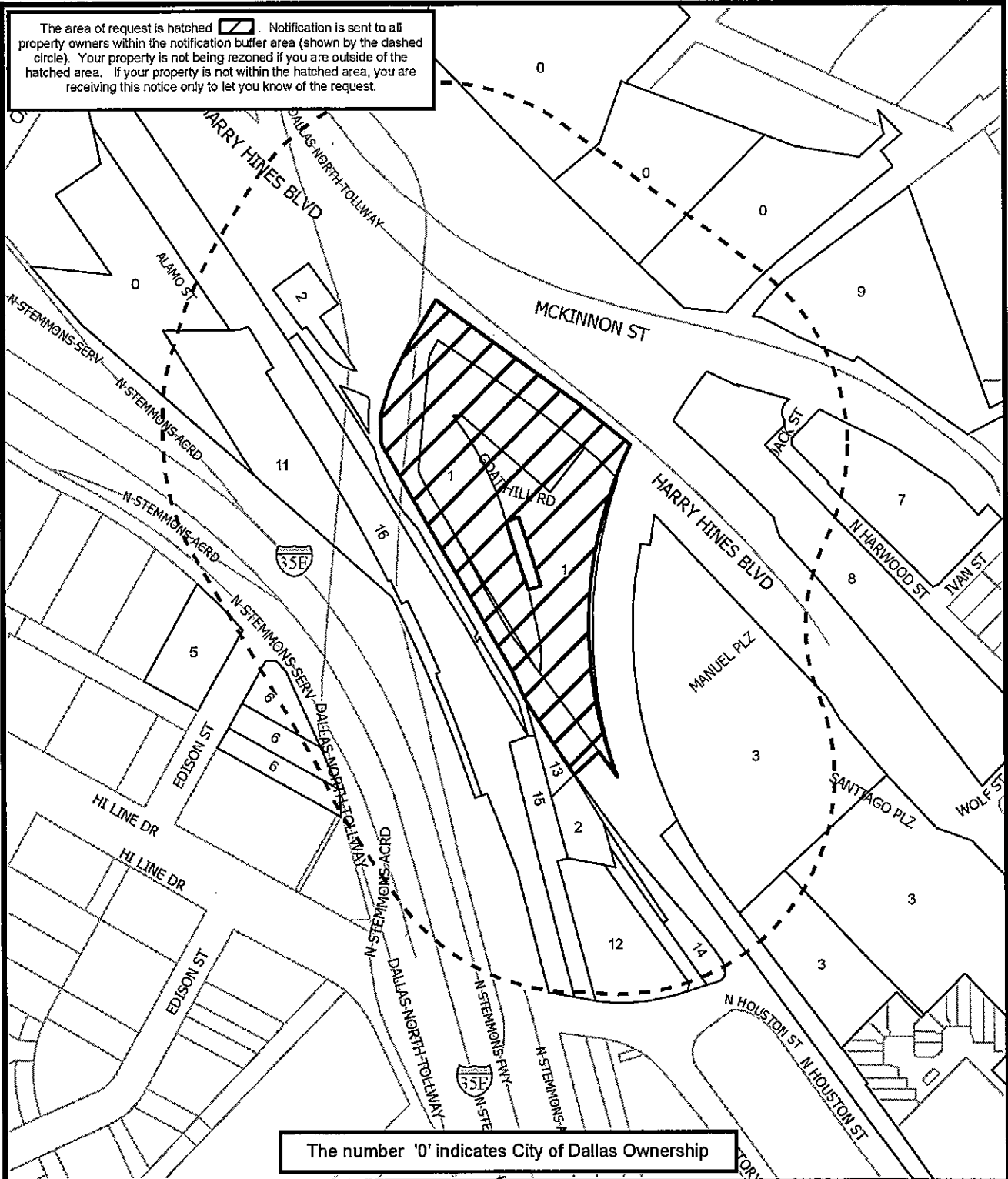
1:3,600

# ZONING AND LAND USE


Case no:           Z112-276          

Date:           7/25/2012

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



The number '0' indicates City of Dallas Ownership

  
1:3,600

## NOTIFICATION

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

Case no:           Z112-276            
Date:           7/25/2012



7/25/2012

***Notification List of Property Owners******Z112-276******16 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3305 HARRY HINES BLVD	SKYLINE APARTMENTS LTD PS SUITED 3700
2	99999 NO NAME ST	ANLAND NORTH COMM LP % HILLWOOD
3	2927 HARRY HINES BLVD	DALLAS HOUSING AUTHORITY
4	3303 HARRY HINES BLVD	CLEAR CHANNEL OUTDOOR INC
5	1605 STEMMONS FWY	LUI2 DALLAS OAK LAWN VI
6	1626 EDISON ST	LOWER OAK LAWN INVESTMENT LP % PM
REALTY		
7	3130 HARWOOD ST	HIC BLEU CIEL LTD STE 450
8	3000 HARRY HINES BLVD	NORTH TEXAS PUBLIC BROADCASTING INC
9	3100 MCKINNON ST	HINES REIT 3100 MCKINNON ST LP
10	1300 STEMMONS FWY	DALLAS AREA RAPID TRANSIT
11	1680 STEMMONS FWY	MILLWEE STEPHEN MICHAEL
12	1400 ALAMO ST	ANLAND NORTH LP STE 800
13	1400 ALAMO ST	ANLAND 2A LP STE 800
14	1400 ALAMO ST	ANLAND NORTH LP % HILLWOOD
15	555 2ND AVE	DART
16	1900 OAK LAWN AVE	DART & FT WORTH TRANSP AUTH

**FILE NUMBER:** Z112-296(RB)

**DATE FILED:** August 6, 2012

**LOCATION:** East Line of Inwood Road, North of the Eastward Prolongation of Willow Lane

**COUNCIL DISTRICT:** 13

**MAPSCO:** 14 V, Z

**SIZE OF REQUEST:** Approx. 2.253 Acres

**CENSUS TRACT:** 96.03

---

**APPLICANT/OWNER:** RP Inwood Road Properties, L.P.

**REPRESENTATIVE:** Peter Kavanagh

**REQUEST:** An application to amend the development plan, landscape plan, and conditions for Planned Development District No. 252.

**SUMMARY:** The applicant proposes to amend the PDD for consideration of permitting uses and off-street parking ratios consistent with the current City Code.

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

**BACKGROUND INFORMATION:**

- The site is developed with two nonresidential structures and surface parking areas that wrap both buildings.
- On November 5, 1986, the City Council approved the creation of PDD No. 252.
- The applicant proposes to amend the PDD for consideration of permitting uses and off-street parking ratios consistent with the current city code.

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

**Thoroughfare**

**Designation; Existing & Proposed ROW**

Inwood Road

Principal Arterial; 100' & 100' ROW

**STAFF ANALYSIS:**

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

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The site is developed with two nonresidential structures and surface parking areas that wrap both buildings. The applicant proposes to amend the PDD for consideration of permitting uses and off-street parking ratios consistent with the current city code.

The predominate land use in the immediate area consists of nonresidential uses, a private school to the west, and various retail uses to the north (single use structure) and south. The elevated portion of the Dallas North Tollway abuts the site's eastern property line.

The PDD was created under the Chapter 51 zoning code, which was more comprehensive than the current Chapter 51A code, adopted by City Council after zoning transition during the late 1980's. The specific focus of the request is to permit current off-street parking requirements for permitted uses. Additionally, consideration is being given to expanding on options for permitted uses on the property.

It is staff's opinion that the request to be required off-street parking requirements that are consistent with other nonresidential zoning districts in the immediate area is reasonable. Additionally, the site is somewhat isolated along the thoroughfare in that it abuts the elevated portion of the Dallas North Tollway and a single use parcel to the north. The multi-tenant retail development to the south is not easily accessible to this site and enjoys multiple access points to its off-street parking areas. With respect to amending the list of permitted uses, the attached amending conditions provides for additional uses that are consistent with the adjacent retail zoning along the east line of Inwood Road, while maintaining a sensitivity to the private school use and residential area surrounding the school.

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

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

**Landscaping:** PDD No. 252 requires landscaping per the City Council approved landscape plan, adopted with the ordinance. The plan has been revised to reflect current landscape inventory as well as accommodating for the proposed improvements and has been reviewed and accepted by the city arborist.

**Elevation:** During consideration of the zoning request that created this PDD, the City Plan Commission recommended to require an elevation (see attached) for the proposed (at the time) southernmost building; the northernmost building existed at that time and no existing elevation was required. The land use today mirrors what was in existence at the time. It should be noted that there is not an adjacent residential area, nor does there exist development that is governed by an Historic District, a Conservation District, or architecture that is unique, yet could be impacted by design that could negatively impact an area.

Staff has been unable to determine the rationale behind the Plan Commission's recommendation. The existing façade treatment regulation remains enforceable. As a result of these factors, staff is recommending to remove the elevation requirement.

RP Inwood Road Properties, L.P.

Partners: RP Inwood Road GP, LLC - sole general partner  
The Rader 2009 Trust - limited partner  
Karen A. Rader - limited partner

Z112-296

**RECOMMENDED AMENDING CONDITIONS**

**ARTICLE 252.**

**PD 252.**

**SEC. 51P-252.101. LEGISLATIVE HISTORY.**

PD 252 was established by Ordinance No. 19354, passed by the Dallas City Council on November 5, 1986. Ordinance No. 19354 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. (Ord. Nos. 10962; 19354; 25711)

**SEC. 51P-252.102. PROPERTY LOCATION AND SIZE.**

PD 252 is established on property generally located along the east line of Inwood Road, north of the eastward prolongation of the north line of Willow Lane. The size of PD 252 is approximately 2.253 acres.

**SEC. 51P-252.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

**SEC. 51P-252.104. DEVELOPMENT PLAN.**

~~Development of the Property must conform to the city plan commission-approved development plan (Exhibit 252A). The director of development services may not authorize minor amendments in the development plan [which would otherwise be authorized under Section 51-4.702(h)] after it has been approved by the city council. (Ord. Nos. 19354; 25711)~~

Development and use of the Property must comply with the development plan (Exhibit 252A). If there is a conflict between this article and the development plan, this article controls.

**SEC. 51P-252.105. LANDSCAPE PLAN.**

~~Landscaping of the Property must conform to the city plan commission-approved landscape plan (Exhibit 252B). Landscaping must be installed within six months of the issuance of a certificate of occupancy. All landscaping must be maintained in a healthy, growing condition at all times. (Ord. Nos. 19354; 25711)~~

- (a) Landscaping must be provided as shown on the landscape plan (Exhibit 252B).
- (b) Plant materials must be maintained in a healthy, growing condition.

**SEC. 51P-252.106. MAIN USES PERMITTED.**

~~The only permitted uses on the Property are those professional, personal service and custom crafts uses, and retail uses, permitted in an SC Shopping Center District, restaurant without drive-in service, restaurant with entertainment, private club, catering service, and a game court center. (Ord. Nos. 19354; 25711)~~

(a) Except as provided in this section, the only main uses permitted in this district are those main uses permitted in the Community Retail District (CR), subject to the same conditions applicable in the Community Retail District, as set out in Article 51A of the Dallas Development Code, as amended. For example, a use permitted in the CR District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR District is subject to DIR in this district; etc.

(b) For a financial institution with drive-in window, a maximum of one is permitted on the Property at any one time.

(c) The following uses are prohibited.

(A) Agricultural uses.

--Crop production.

(B) Commercial and business service uses.

--Medical or scientific laboratory.

--Tool or equipment rental.

(C) Industrial uses.

--Gas drilling and production.

--Temporary concrete or asphalt batching plant.

(D) Institutional and community service uses.

--Adult day care facility.

--Cemetery or mausoleum.

--Convent or monastery.

(E) Lodging uses.

--Hotel and motel.

--Lodging or boarding house.

--Overnight general purpose shelter.

(F) Miscellaneous uses.

- Attached non-premise sign.
- Carnival or circus (temporary).

(G) Recreation uses.

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

(H) Residential uses.

- College dormitory, fraternity, or sorority house.

(I) Retail and personal service uses.

- Alcoholic beverage establishments.
- Ambulance service.
- Auto service center.
- Car wash.
- Commercial amusement (outside).
- Convenience store with drive-through.
- General merchandise or food store 100,000 square feet or more
- Liquor store.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Pawn shop.
- Personal service uses when utilized as a *Massage establishment, piercing salon, and tattoo studio.*
- Restaurant with drive-in or drive-through service.
- Swap or buy shop.

(J) Transportation uses.

- Transit passenger station or transfer center.

(K) Utility and public service uses.

- Commercial radio and television transmitting station.
- Electrical substation.
- Radio, television or microwave tower.
- Utility or government installation other than listed.

(L) Wholesale, distribution, and storage uses.

- Mini-warehouse.



**SEC. 51P-252.106.1. ACCESSORY USES.**

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

(a) The following accessory uses are not permitted:

--Accessory community center (private).

--Home occupation.

--Private stable.

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

--Accessory helistop.

(C) In this district, an SUP may be required for the following accessory uses

--Accessory medical/infectious waste incinerator. [See Section 51A-4.217 (3.1).]

**SEC. 51P-252.107. ALCOHOLIC BEVERAGES PROHIBITED.**

The sale of alcoholic beverages, setups for alcoholic beverages, or both, whether for consumption on or off the premises, is prohibited.

**SEC. 51P-252.108. MAXIMUM FLOOR AREA RATIO.**

~~Maximum permitted floor area ratio for all office uses combined is .75:1, and for all retail and restaurant uses combined is .35:1. Maximum floor area ratio for all uses combined is 1:1. (Ord. Nos. 19354; 25711)~~

Maximum floor area ratio is 0.5:1.

**SEC. 51P-252.109. MINIMUM SETBACKS.**

~~All structures must be set back as shown on the development plan. (Ord. Nos. 19354; 25711)~~

(a) Front yard. Minimum front yard is 30 feet.

(b) Side and rear yard. No minimum.

**SEC. 51P-252.110. MAXIMUM COVERAGE.**

(a) Maximum permitted coverage of the Property is ~~34~~ 50 percent.

(b) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

**SEC. 51P-252.111. MAXIMUM PERMITTED HEIGHT.**

Maximum permitted height of ~~Building #1 shown on the development plan~~ is ~~35~~ 54 feet. Maximum permitted height of ~~Building #2 shown on the development plan~~ is ~~67 feet, five inches.~~ For purposes of this article, height means the vertical distance from grade to the highest point of the structure, including mechanical equipment. (Ord. Nos. 19354; 25711)

**SEC. 51P-252.112. OFF-STREET PARKING.**

~~Parking must be provided for each use in accordance with the Dallas Development Code. (Ord. Nos. 19354; 25711)~~

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations in Division 51A-4.300 for information regarding off-street parking and loading generally.

(b) Off-street loading must be provided in accordance with Chapter 51A of the Dallas Development Code, as amended.

**SEC. 51P-252.113. SIGNS.**

Signs must comply with the provisions for business zoning districts contained in Section 51- 7.400.

**SEC. 51P-252.114. DRIVE-IN BANKS.**

~~Only one drive-in window that is associated with a bank or savings and loan office is allowed on the Property. (Ord. Nos. 19354; 25711)~~

**SEC. 51P-252.1154. FACADE TREATMENT.**

No exterior glass is permitted on any structure if the glass has an exterior visible reflectance percentage in excess of 27 percent. No single building facade on the Property may consist of more than 85 percent glass.

**SEC. 51P-252.1165. ELEVATIONS.**

~~Development of the Property must be in conformance with the city plan commission-approved elevation drawings (Exhibit 252G).~~

**SEC. 51P-252.1175. ADDITIONAL PROVISIONS ~~[GENERAL REQUIREMENTS]~~.**

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

(b) Development and use ~~[Utilization]~~ of the Property must be comply ~~[in compliance]~~ with all federal and state laws and regulations, and with ~~[the requirements of]~~ all ordinances, rules, and regulations of the city.

**~~[SEC. 51P-252.118. PAVING.~~**

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

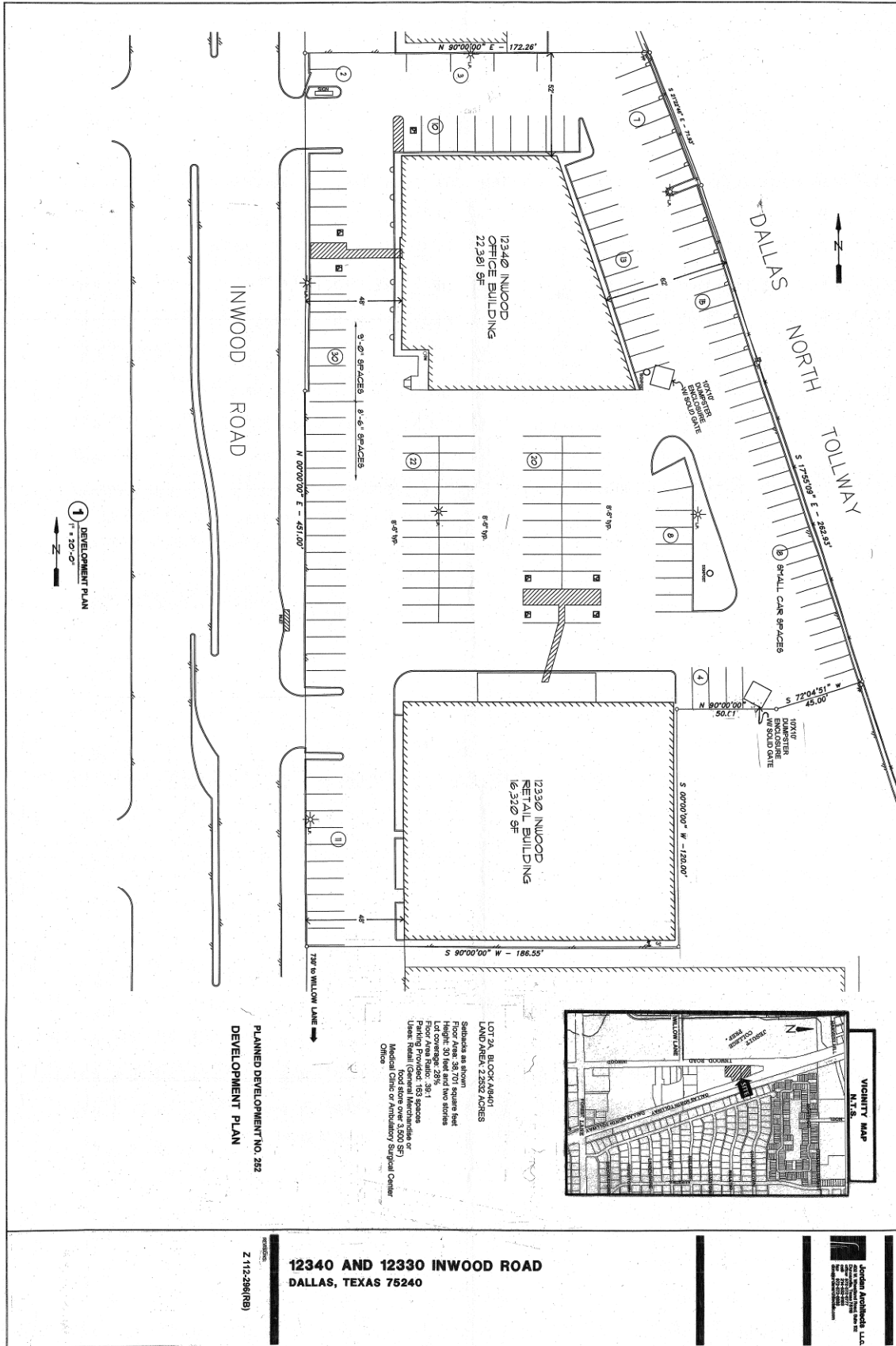
**SEC. 51P-252.1196. COMPLIANCE WITH CONDITIONS.**

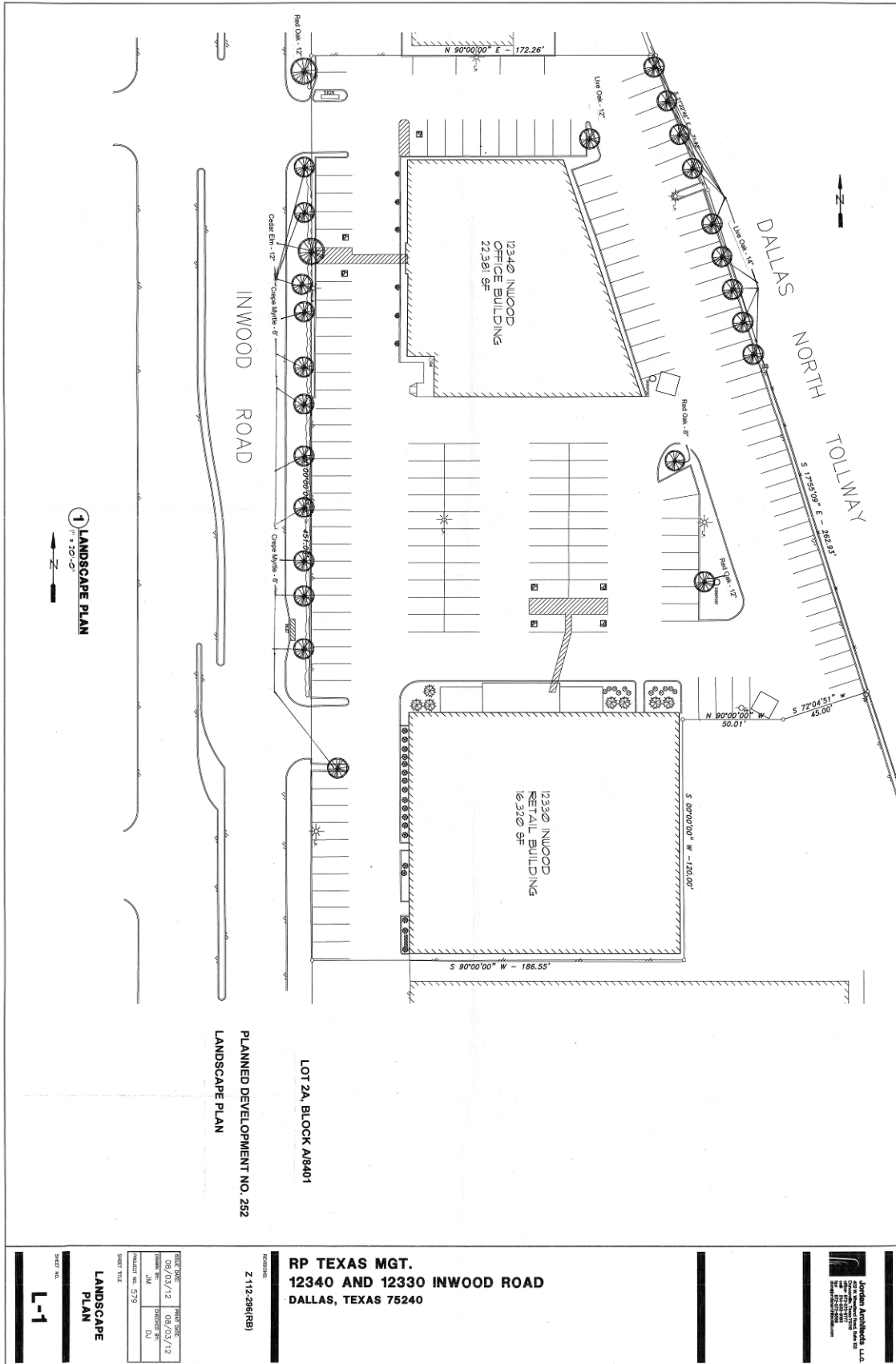
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

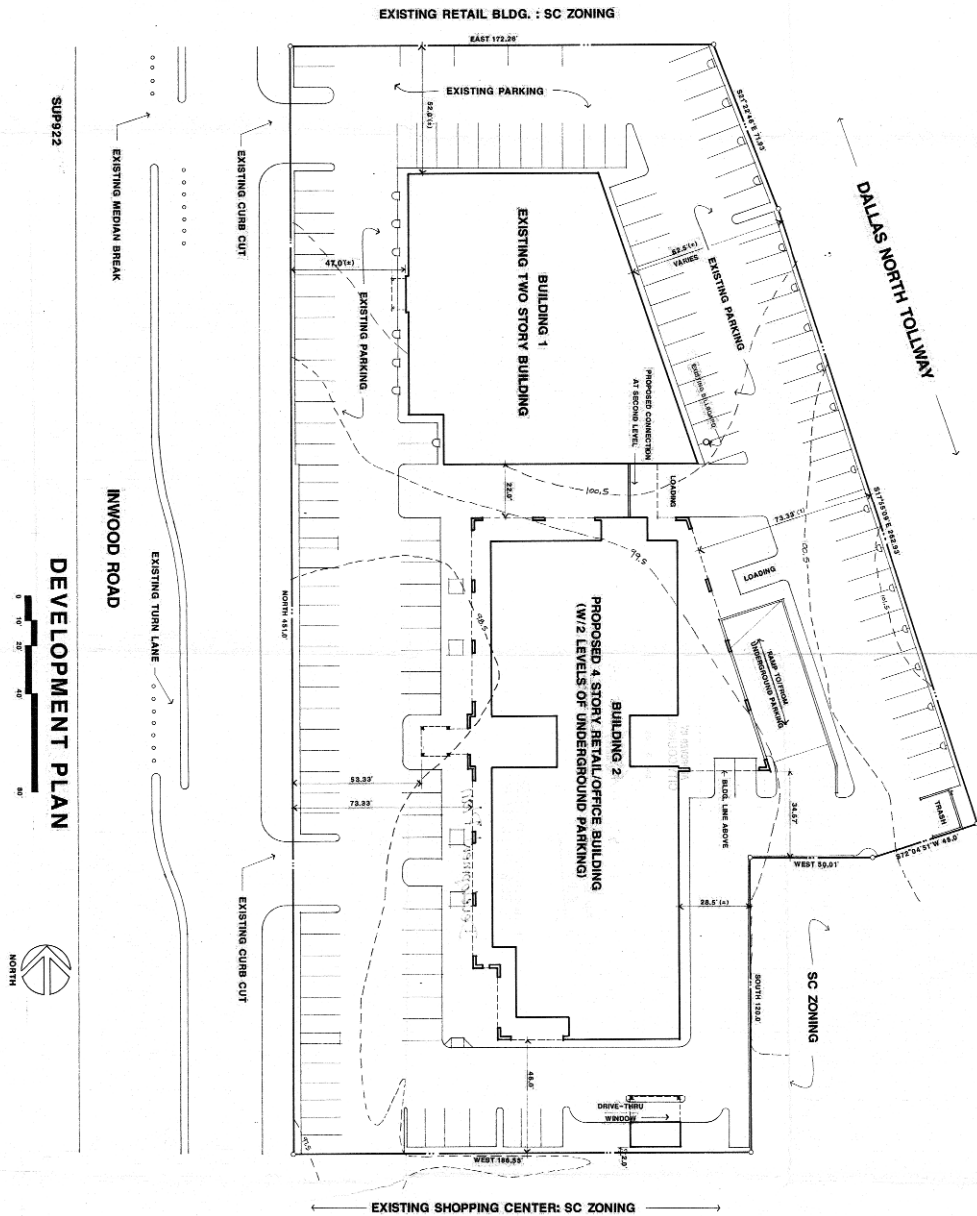
(b) The building official shall not issue a building permit to authorize work, or certificate of occupancy to authorize the operation of [for] a use, ~~[in this PD]~~ until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ~~[applicable]~~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

**~~SEC. 51P-252.120. ZONING MAP.~~**


~~PD 252 is located on Zoning Map No. D-7. (Ord. Nos. 19354; 25711)~~





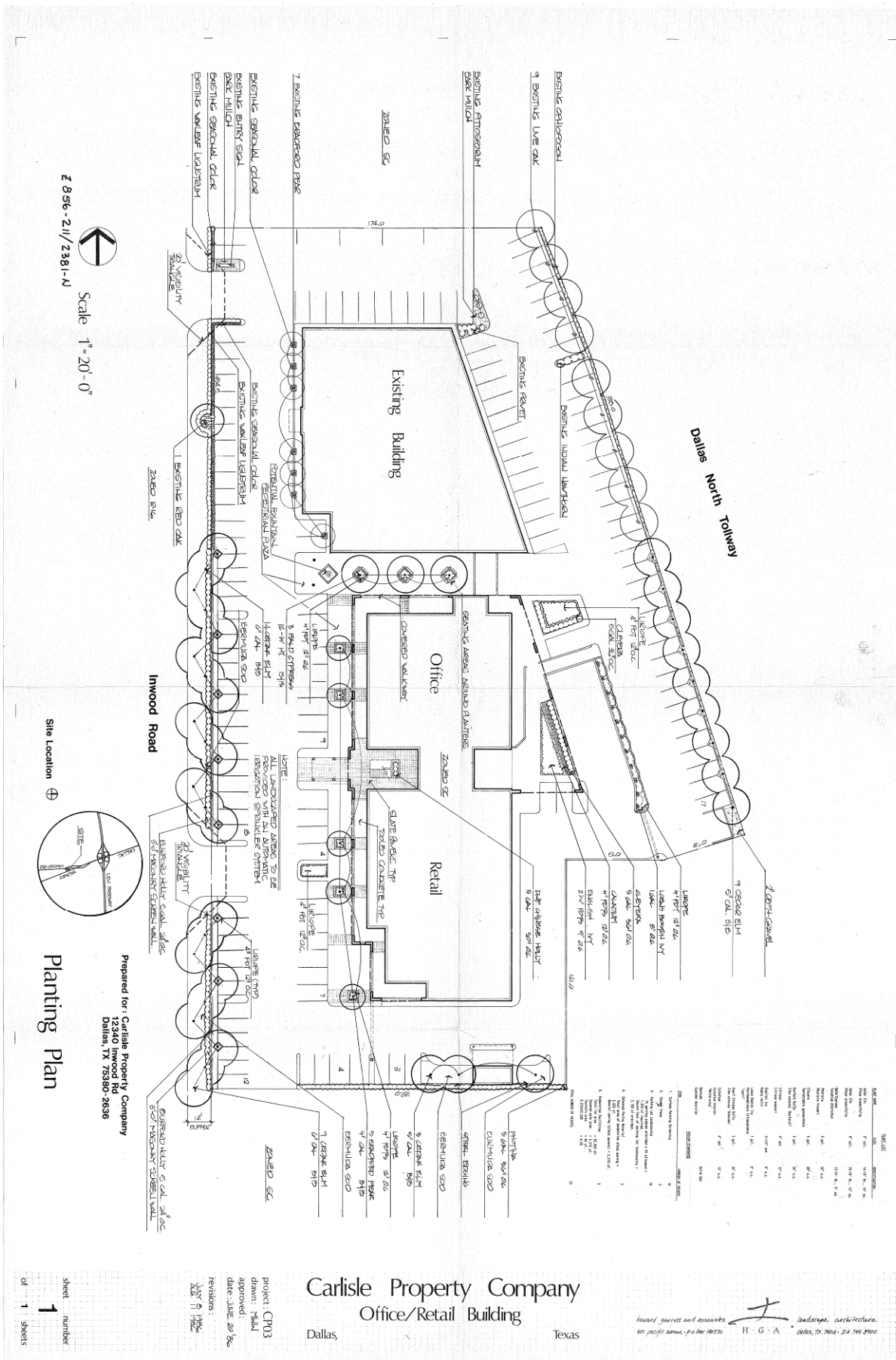


**TABULATION**

863480  
 19354  
 APPROVED BY  
 CITY COUNCIL  
 NOV. 5 2008  


<b>SITE AREA:</b>	96,146 SQ. FT. 2.2332 ACRES
<b>MAXIMUM BUILDING AREA:</b>	96,146 SQ. FT.
<b>MAX. # A.R. : 1:1 =</b>	22,536 SQ. FT.
<b>BUILDING 1 (EXISTING):</b>	22,536 SQ. FT.
<b>OFFICE USES:</b>	
<b>BUILDING 2 (PROPOSED):</b>	73,610 SQ. FT.
<b>OFFICE/RETAIL/RESTAURANT USES:</b>	
<b>AMOUNT, NO MORE</b>	OF THIS
<b>WILL BE RETAIL/</b>	RESTAURANT USES
<b>PRIVATE GAME COURTS:</b>	4,000 SQ. FT. MAX.
<b>(LOCATED IN UNDERGROUND</b>	<b>PARKING GARAGE)</b>
<b>MAXIMUM BUILDING HEIGHT:</b>	35 FT.
<b>EXISTING BUILDING (2 STORY)</b>	35 FT.
<b>MAX. HEIGHT (EXCLUDING MECH.):</b>	65 FT.
<b>PROPOSED BUILDING (4 STORY)</b>	65 FT.
<b>MAX. HEIGHT (EXCLUDING MECH.):</b>	65 FT.
<b>PARKING:</b>	
<b>ALL PARKING TO BE PROVIDED SUBSEQUANT TO</b>	<b>THE DALLAS DEVELOPMENT CODE.</b>
<b>LOT COVERAGE:</b>	
<b>MAX. BUILDING:</b>	34%
<b>MAX. PARKING:</b>	50%
<b>OPEN SPACE:</b>	16%

5/28/86



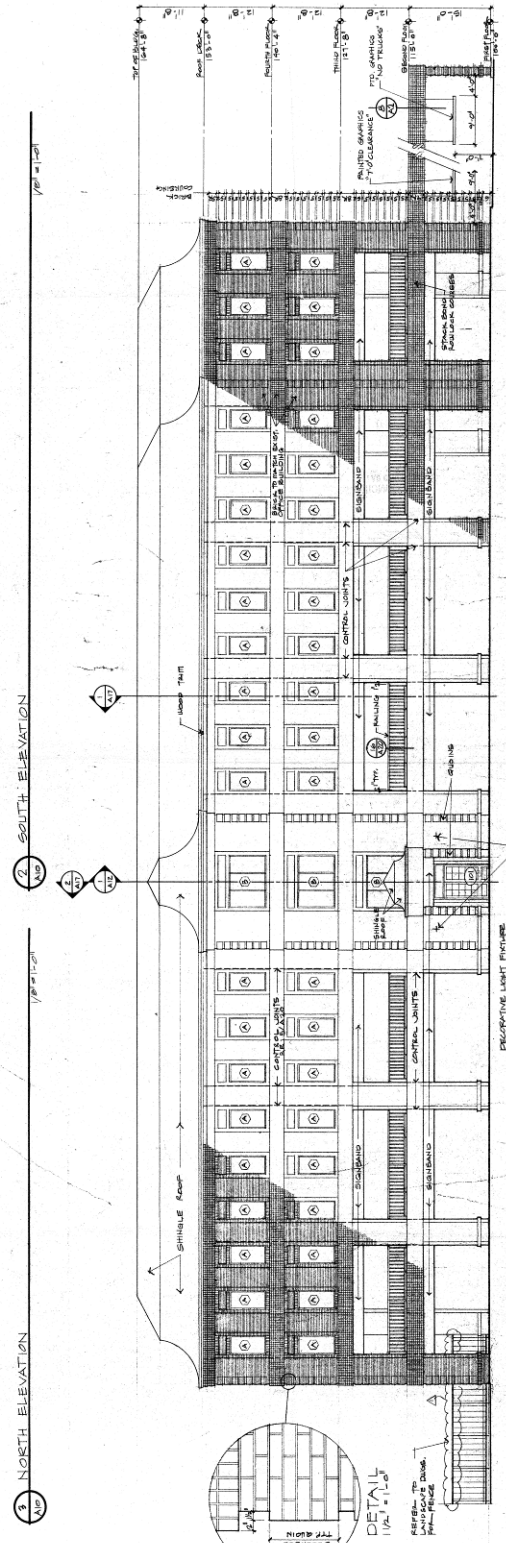
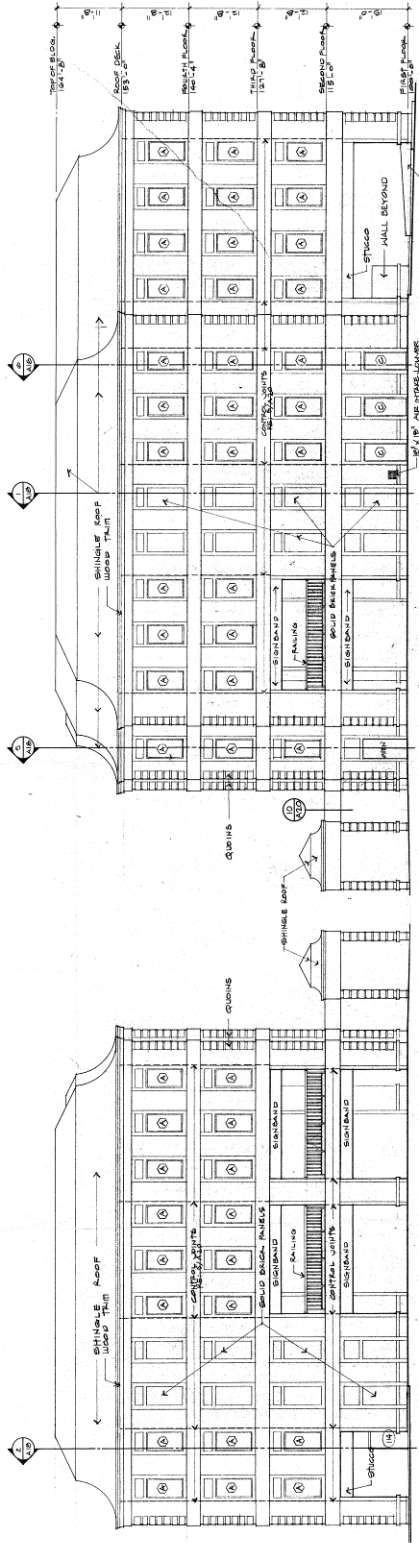
JOB NUMBER: 8507  
 DATE: 11/15/85  
 REVISIONS:  
 APPROVED: [Signature]

12330 INWOOD ROAD  
 AN OFFICE/RETAIL BUILDING  
 DALLAS, TEXAS  
 FOR CARLISLE PROPERTY COMPANY



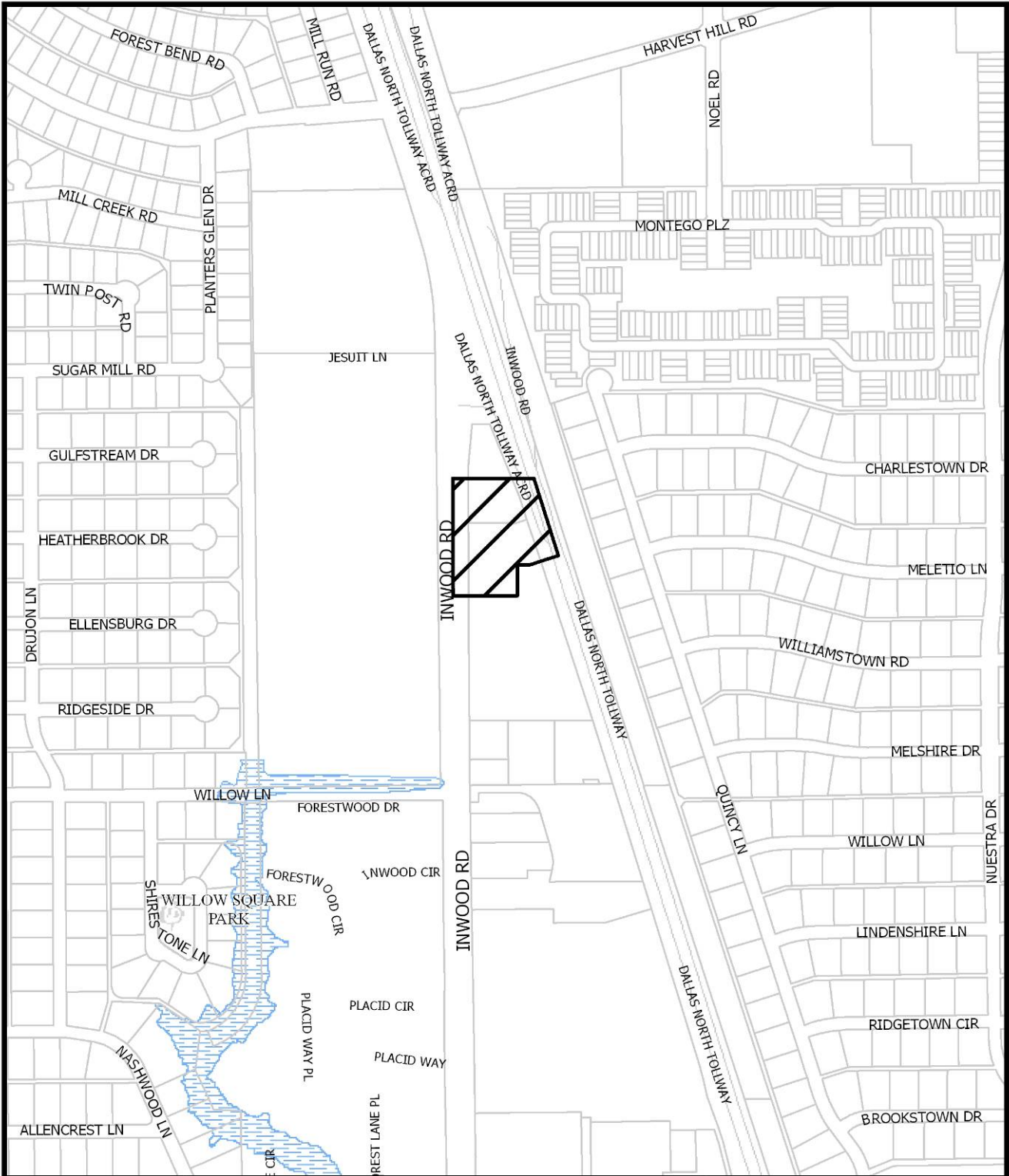
ARCHITECT:  
**ESD**  
 Dallas, Texas  
 1984-1985

SHEET NUMBER:  
**A70**



**Existing Elevation**



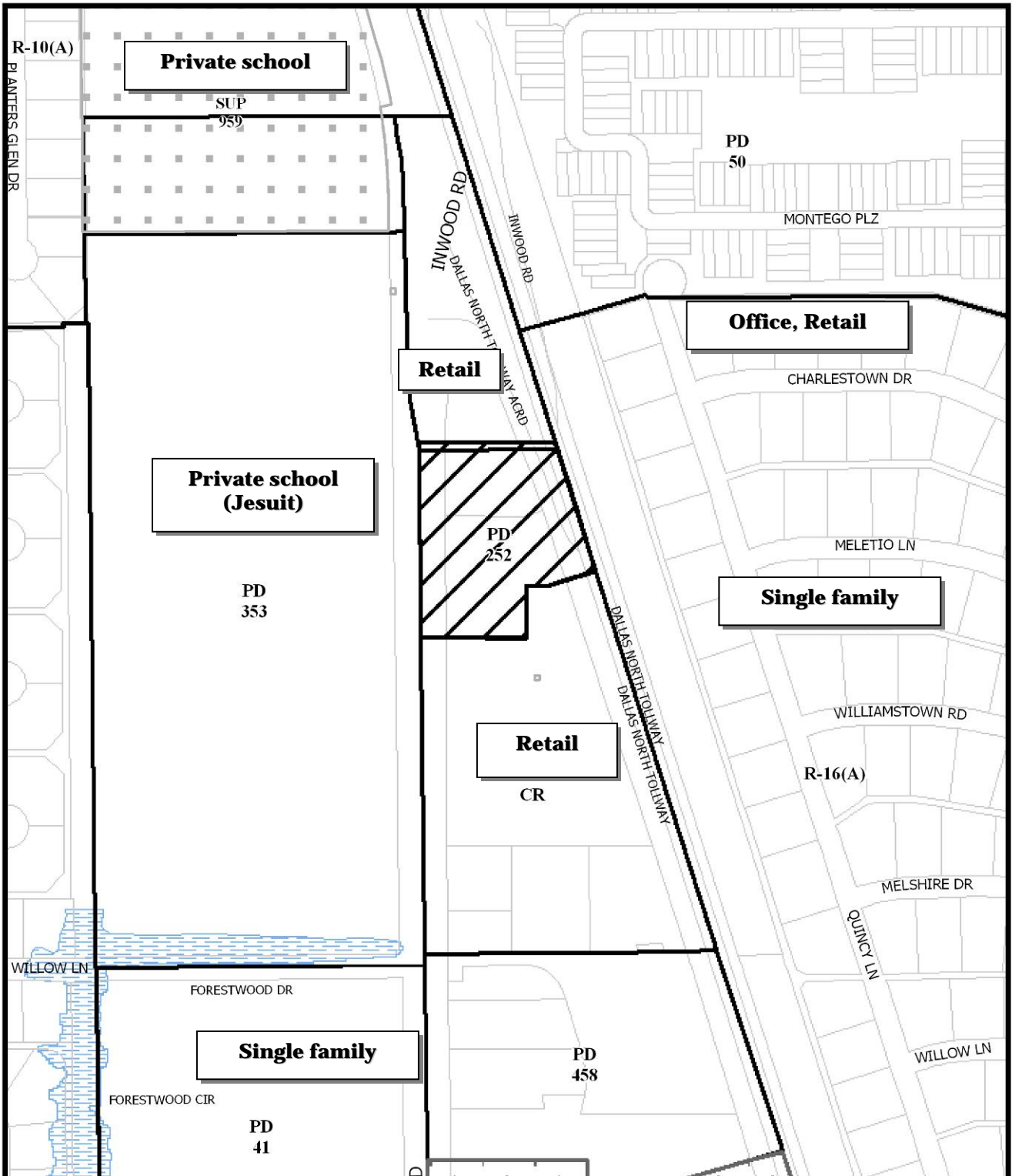


1:6,000

# VICINITY MAP

Case no:           Z112-296          

Date:           8/23/2012




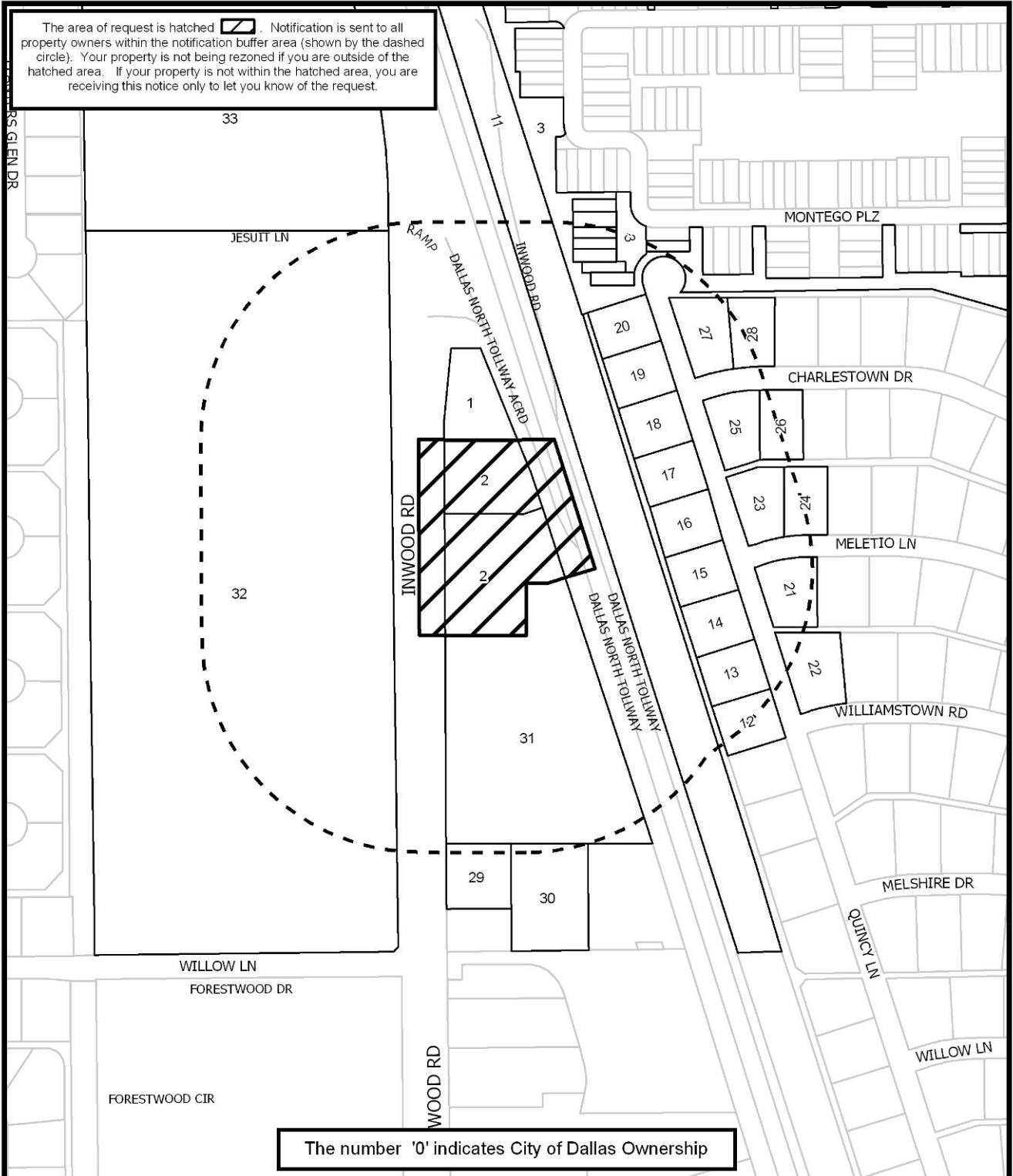
1:3,600

# ZONING AND LAND USE

Case no: Z112-296

Date: 8/23/2012

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



The number '0' indicates City of Dallas Ownership



1:3,600

# NOTIFICATION

**500'** AREA OF NOTIFICATION  
**33** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-296**  
 Date: **8/23/2012**

8/23/2012

***Notification List of Property Owners******Z112-296******33 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	12370 INWOOD RD	INWOOD WILLOW INV PPTIES
2	12330 INWOOD RD	RADER HOMER J JR
3	900001 NO NAME ST	PRESTON SQUARE INC
4	12473 MONTEGO PLAZA	CARNES ANN
5	12481 MONTEGO PLAZA	XIE YIQUN
6	12483 MONTEGO PLAZA	THOMAS MICHAEL W
7	12485 MONTEGO PLAZA	GRABER FAMILY P S LTD
8	12487 MONTEGO PLAZA	RUBIN TED
9	12489 MONTEGO PLAZA	KIDD MARLA GENE
10	12491 MONTEGO PLAZA	MILLER GREG R
11	12200 DALLAS PKWY	TEXAS UTILITIES ELEC CO % STATE & LOCAL
12	12303 QUINCY LN	JOHNSON JENNIFER
13	12309 QUINCY LN	JOHNSON JENNIFER
14	12315 QUINCY LN	KERNAN KEVIN
15	12405 QUINCY LN	BASDEN GREG & KELLY
16	12411 QUINCY LN	FERGUSON HELLON J
17	12417 QUINCY LN	DANGELO MARION R & CHARLOTTE L
18	12423 QUINCY LN	STREDIC VELMA R TRUSTEE STREDIC FAMILY T
19	12507 QUINCY LN	MILLER BRYAN LEE & BRIAN SCOTT WHITAKER
20	12515 QUINCY LN	HARRISON FRANK E & SONJA B
21	5508 MELETIO LN	JERRY RIES CUSTOM HOMES INC
22	5503 WILLIAMSTOWN RD	BOWER ADRE MAY
23	5503 MELETIO LN	SEALE JOHN H & KATHERINE D
24	5509 MELETIO LN	DIXON REAGAN & CHRISTIE
25	5506 CHARLESTOWN DR	PARK JOUNG H & YOUNG H
26	5516 CHARLESTOWN DR	ELBAZ ALBERT & AYALA

Z112-296(RB)

8/23/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5505 CHARLESTOWN DR	KAM GAVIN M & ANNIE B KAM
28	5511 CHARLESTOWN DR	BROWNRIGG ELIZABETH ANN
29	12214 INWOOD RD	JESUIT COLLEGE PREPARATORY SCHOOL OF DAL
30	12240 INWOOD RD	LUTADOR LLC STE 300
31	12240 INWOOD RD	INWOOD WILLOW INV PROP LTD % WILSON BRUC
32	12345 INWOOD RD	JESUIT HIGH SCHOOL
33	12607 INWOOD RD	ROMAN CATH DIOCESE DALLAS % BISHOP KEVIN

**FILE NUMBER:** Z112-306(RB)

**DATE FILED:** August 20, 2012

**LOCATION:** Northwest Line of Travis Street, between Lemmon Avenue East and Lemmon Avenue West

**COUNCIL DISTRICT:** 14

**MAPSCO:** 35 X

**SIZE OF REQUEST:** Approx. 2.33 Acres

**CENSUS TRACT:** 7.01

---

**APPLICANT/OWNER:** CFO2 Dallas II, LLC

**REPRESENTATIVES:** Gladys Bowens and Dallas Cothrum

**REQUEST:** An application for a Planned Development Subdistrict for O-2 Office Subdistrict Uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, and termination of existing deed restrictions.

**SUMMARY:** The applicant is requesting a zoning change in order to permit a restaurant without drive-through service. Additionally, deed restrictions that require certain development standards are being terminated, however, some of the provisions are being provided for in the requested PDS.

**STAFF RECOMMENDATION:** Approval, subject to a development plan, landscape plan, and conditions, and approval of the termination of existing restrictions.

**BACKGROUND INFORMATION:**

- The request site is developed with a multi-tenant office building with covered parking as part of the building’s design. .
- The applicant is proposing to provide for a restaurant and outdoor patio area within the southwest corner of the existing building footprint.
- As part of the request, existing deed restrictions are being terminated, however, the provisions of the deed restrictions are incorporated into the proposed PDS conditions.
- The existing uses and development standards provided by the underlying O-2 Subdistrict are being retained.

**Zoning History:**

**File No.**

**Request, Disposition, and Date**

1. Z034-120

On May 12, 2004, CPC approved an application for an amendment to the conceptual plan and conditions for PDD No. 174. Applicant withdrew the request.

2. Z045-296

On March 8, 2006, the City Council approved an amendment to PDD No. 174, subject to a conceptual plan and conditions.

**Thoroughfare/Street**

**Existing & Proposed ROW**

Lemmon Avenue

Principal Arterial; 60’ & 60’ ROW

Travis Street

Local; 50’ ROW

**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 request will not require any new construction, other than in the southwest corner of the existing parking garage. The existing improvements comply with objective numbers 1, 3, 4, 6, and 7. Objective numbers 2 and 5 are not applicable to the request.

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

### **LAND USE ELEMENT**

GOAL 1.2 Promote desired development.



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

**Land Use Compatibility:** The request site is developed with a multi-tenant office building with covered parking as part of the building's design. The applicant is requesting a zoning change to provide for a restaurant without drive-through service (existing O-2 Subdistrict prohibits this use). It is the intent of the applicant to provide for a 3,800 square foot restaurant with an accompanying 2,300 square foot patio. These improvements will be located within the southwest corner of the building, with the patio exposed to the Katy Trail.

The second part of the request is to terminate existing deed restrictions. Generally, they require certain design/construction standards (see attached existing deed restriction instrument). The applicant has included these within their requested conditions, so the integrity of what was volunteered during the July, 1981 rezoning (from MF-2 to O-2) will be continued in the PDS ordinance regulating the property.

The predominate land use in the immediate area consists of medium density residential uses, much of which is developed within three PDD's; the West Village Special Purpose District and City Place PDD to the north and northeast, and PDD No. 174, specifically the Phase 2 portion southeast of the site. The Phase 1 portion of PDD No. 174 is developed with an electrical substation and is situated south, across Lemmon Avenue West. The Katy Trail abuts the site's western boundary (no physical connection) and traverses north to south with various pedestrian connection points along its alignment. The Dallas Theater Center occupies property to the northwest, across the trail from the request site.

In consideration of the 'notching' of this use within a portion of the parking structure will not negatively impact the built environment and the inclusion of a patio area with unobstructed views afforded by its location on the property will visually connect the use to the Katy Trail.

As a result of this analysis, staff supports the request subject to the following specific recommendations related to the restaurant that will ensure that certain characteristics associated with the use do not impact the residentially influenced built environment: 1) limit the number of restaurants on the property to one; 2) restricted hours of operation for the uncovered outdoor patio; and, 3) prohibit outside amplification and live performances.

**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.

**Landscaping:** The site is blessed with a significant tree canopy and certain planting areas along the Travis Street frontage. Existing sidewalks are located at the back of curb along the property's three street frontages.

In working with the chief arborist, staff has determined the above represents landscaping and sidewalk placements that meet the spirit of Part 1 of PDD No. 193. Staff is requesting that trees located within the Street Tree Zone (20 foot-deep area around the site's perimeter as shown on the attached development plan) be retained and any mitigation be provided within this area.

**LIST OF PARTNERS/PRINCIPALS/OFFICERS**

**CFO2 Dallas II, LLC**

Thomas G. Bacon, Manager

Daniel R. Dubrowski, Manager

Glenn L. Lowenstein, Manager

Z112-306

**APPLICANT REQUESTED/STAFF RECOMMENDED CONDITIONS**

**“Division S-\_\_\_\_. PD Subdistrict \_\_\_\_.”**

**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 northwest line of Travis Street between Lemmon Avenue East and Lemmon Avenue West. The size of the PD Subdistrict \_\_\_\_ is approximately 2.3325 acres.

**SEC. S-\_\_\_\_.103 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: SUBDISTRICT means a subdistrict of PD 193.

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

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

**SEC. S-\_\_\_\_. 104. EXHIBITS.**

The following exhibits are incorporated into this division:

- (1) Exhibit S-\_\_\_\_A: development plan.
- (2) Exhibit S-\_\_\_\_B: landscape plan.

**SEC. S-\_\_\_\_. 105. DEVELOPMENT PLAN.**

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

**SEC. S-\_\_\_\_.106. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the O-2 Office Subdistrict, subject to the same conditions applicable in the O-2 Office Subdistrict, as set out in Part I of this article. For example, a use permitted in the O-2 Office 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 O-2 Office Subdistrict is subject to DIR in this Subdistrict; etc.

(b) The following additional main use is permitted in this subdistrict: restaurant without drive-through service. *[outdoor patios must be uncovered]*

**SEC. S-\_\_\_\_.107. ACCESSORY USES.**

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

**SEC. S-\_\_\_\_.108. YARD, LOT, AND SPACE REGULATIONS.**

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

(a) In general. Except as provided in this section, the yard, lot and space regulations of the O-2 Office Subdistrict apply.

(b) Height. Maximum structure height is 120 feet.

(c) Multiple Family Uses. For a building containing multiple family uses:

(1) The first, second, and third floors may house either multiple family dwelling units, or office units, or a combination of both.

(2) The remaining floors may only house multiple family dwelling units.

(d) Restaurant without drive-through service.

(1) Maximum floor area is 3,800 square feet in the location shown on the development plan.

(2) Maximum uncovered patio area is 2,300 square feet in the location shown on the development plan.

**SEC. S-\_\_\_\_.109. OFF-STREET PARKING AND LOADING.**

Consult Part 1 of this article for the specific off-street parking and loading requirements for each use.

**SEC. S-\_\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. S-\_\_\_\_.111. LANDSCAPING.**

(a) Landscaping must be provided as shown on the landscape plan (Exhibit S-\_\_B).

(b) Any tree removed from the Street Tree Zone as located on the attached landscape plan must be replaced per the tree mitigation regulations within Article X of the Dallas Development Code, as amended.

(c) 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. RESTAURANT WITHOUT DRIVE-THROUGH SERVICE.**

(a) Hours of operation for the area of the uncovered patio are limited to the hours of 7:00 a.m. to 10:00 p.m., Monday through Sunday.

(b) Outside amplification and live performances are prohibited.

**SEC. S-\_\_\_\_.114. ADDITIONAL PROVISIONS.**

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

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

(c) Development and use of the property must comply with Part I of this article.

**SEC. S-\_\_\_\_.115. COMPLIANCE WITH CONDITIONS.**

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

(b) The building official shall not issue a building permit 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.

**Existing Deed Restrictions**

7/988

DEED RECORD

8 12175

DEED RESTRICTIONS

STATE OF TEXAS )  
COUNTY OF DALLAS )

KNOW ALL MEN BY THESE PRESENTS:

5.00 DEED  
8/16/81

That the undersigned, TURTLE CREEK PLACE ASSOCIATES, a Partnership, is the owner of the following described property situated in Dallas County, Texas, and being located in City of Dallas Block 7/988, out of the Bowser and Lemmon's Oak Lawn North Dallas Addition to the City of Dallas, Dallas County, Texas, and being more particularly described as follows:

BEING all of Lots 1, 2, 3, 4, 5, and 6 in City Block 7/988 out of the Bowser and Lemmon's Oak Lawn North Dallas Addition, to the City of Dallas, according to the map or plat recorded in the Map and Plat Records of Dallas County, Texas.

That the undersigned, TURTLE CREEK PLACE ASSOCIATES, a Partnership, does hereby impress all of the above described property with the following deed restrictions, to-wit:

1. That no building may be constructed upon such property with a height in excess of one hundred twenty (120) feet.
2. That the first, second and third floor may be used for either multi-family dwellings or for office purposes only, and the remaining floors may be used for multi-family dwelling purposes only.

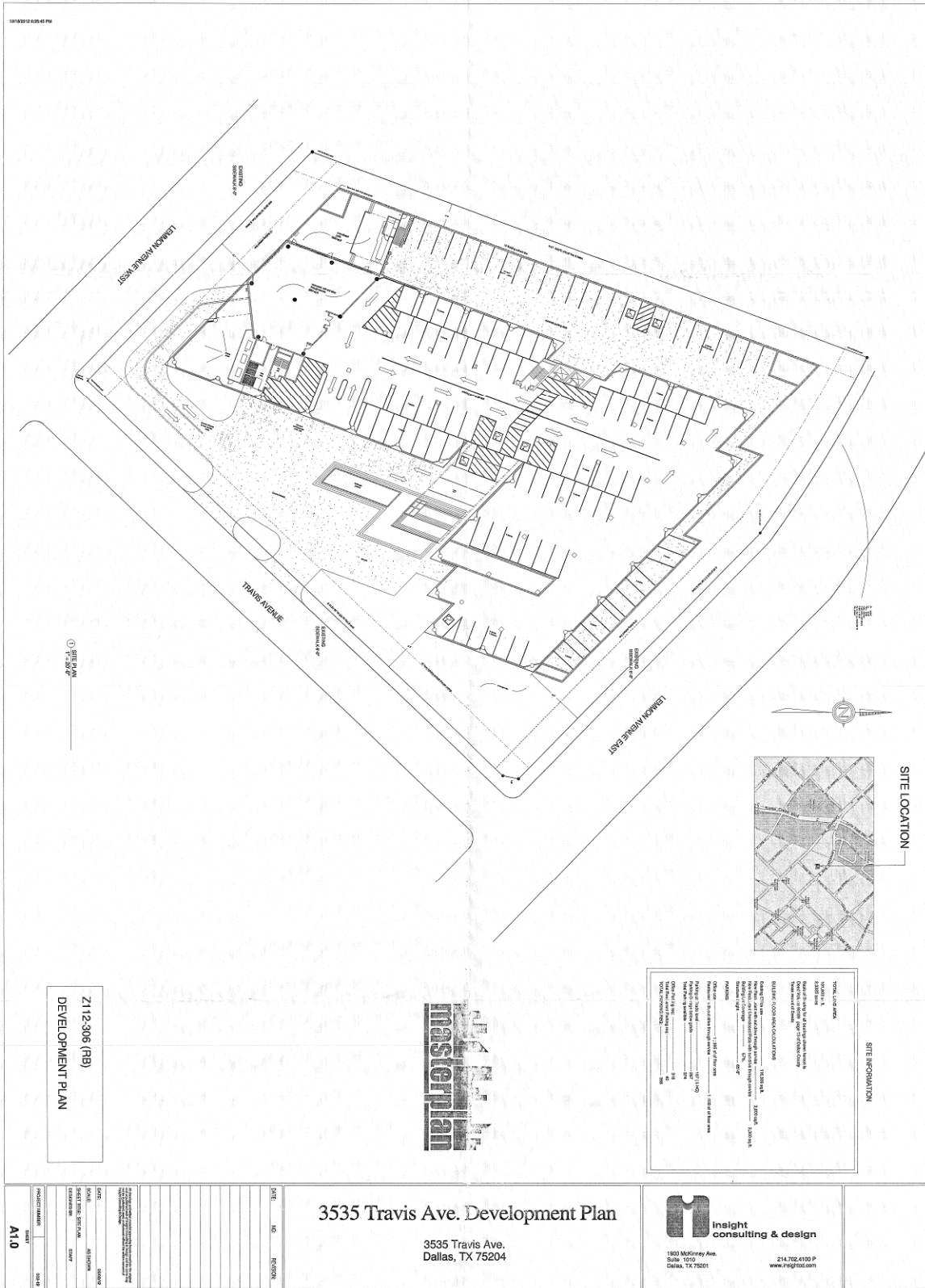
These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein. These restrictions may be altered, amended or terminated only upon a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

PAGE  
81189 1433

2801-191/5049-N

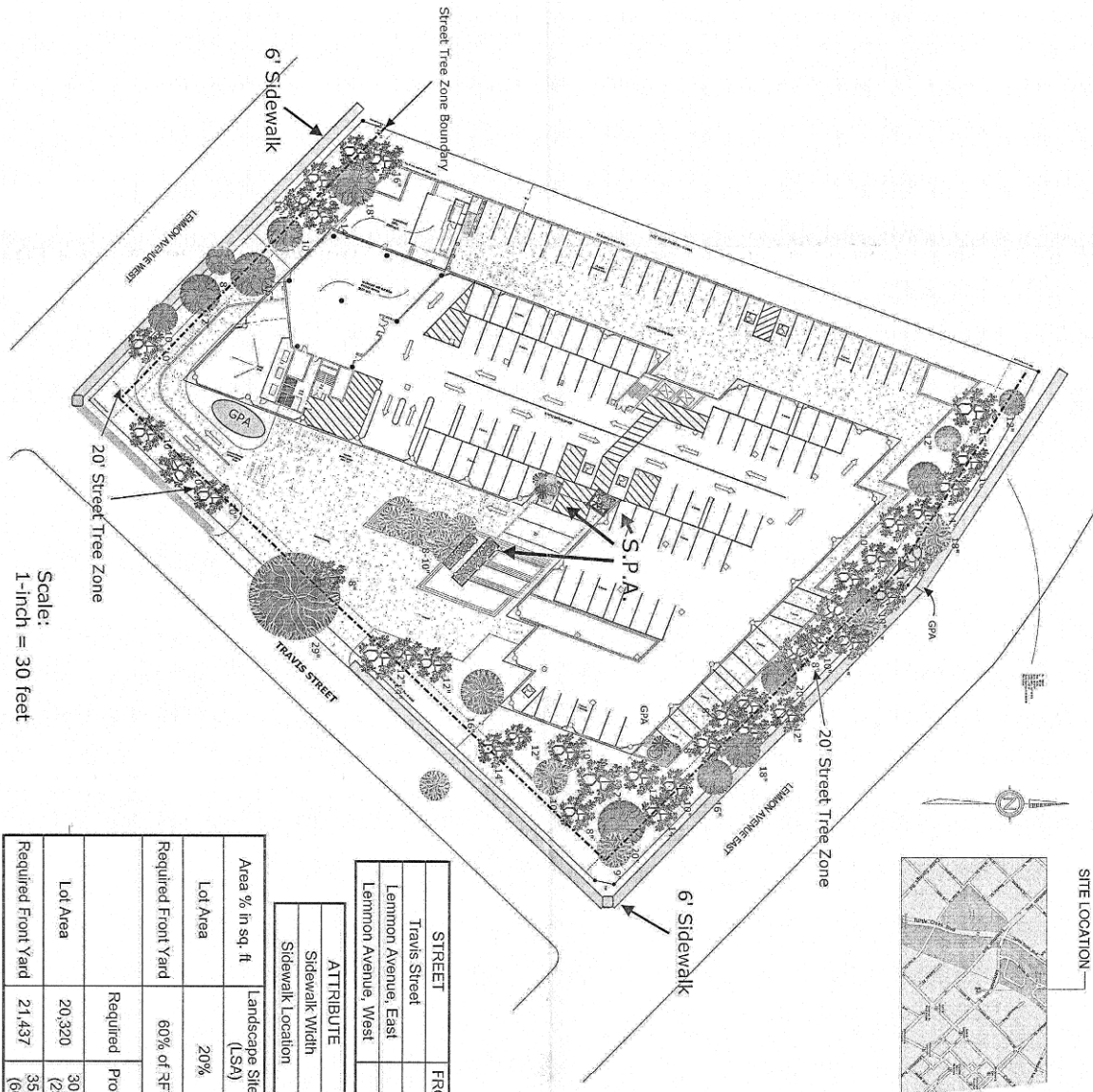




**3535 Travis Ave. Development Plan**  
 3535 Travis Ave.  
 Dallas, TX 75204

**insight consulting & design**  
 1900 McKinney Ave.  
 Suite 1010  
 Dallas, TX 75201  
 214.702.4100 P  
 www.insight100.com

NO.	REVISION	DATE
A110		



Scale:  
1-inch = 30 feet

SYM	NUMBER	TYPE
(Symbol)	14	LIVE OAK
(Symbol)	39	CEDAR ELM
(Symbol)	13	MAGNOLIA
(Symbol)	1	ASH
GPA	-	General Planting Area
SPA	-	Special Planting Area

STREET	FRONTAGE	RATIO	REQUIRED	PROVIDED
Travis Street	380	1/25 FT	14	7
Lemmon Avenue, East	348	1/25 FT	14	19
Lemmon Avenue, West	202	1/25 FT	8	6

ATTRIBUTE	REQUIRED	PROVIDED
Sidewalk Width	6'	6'
Sidewalk Location	5' to 12' from curb	Against curb

Area % in sq. ft.	Landscape Site Area (LSA)	General Planting Area (GPA)	Special Planting Area (SPA)
Lot Area	20%	50% of 20% LSA	20% (of GPA) w/ Pl./6 s.f.
Required Front Yard	60% of RFY	30% of RFY	6% of RFY w/ 1 Pl./6 s.f.
Lot Area	Required	Provided	Required
Required Front Yard	Required	Provided	Required
Lot Area	20,320	30,211 (29%)	10,166 (14%)
Required Front Yard	21,437 (60%)	35,717 (60%)	10,718 (13%)
		1,456 (14%)	2,032/339
		1,456 (13%)	2,143/358
			26

**LANDSCAPE PLAN  
3535 TRAVIS STREET**

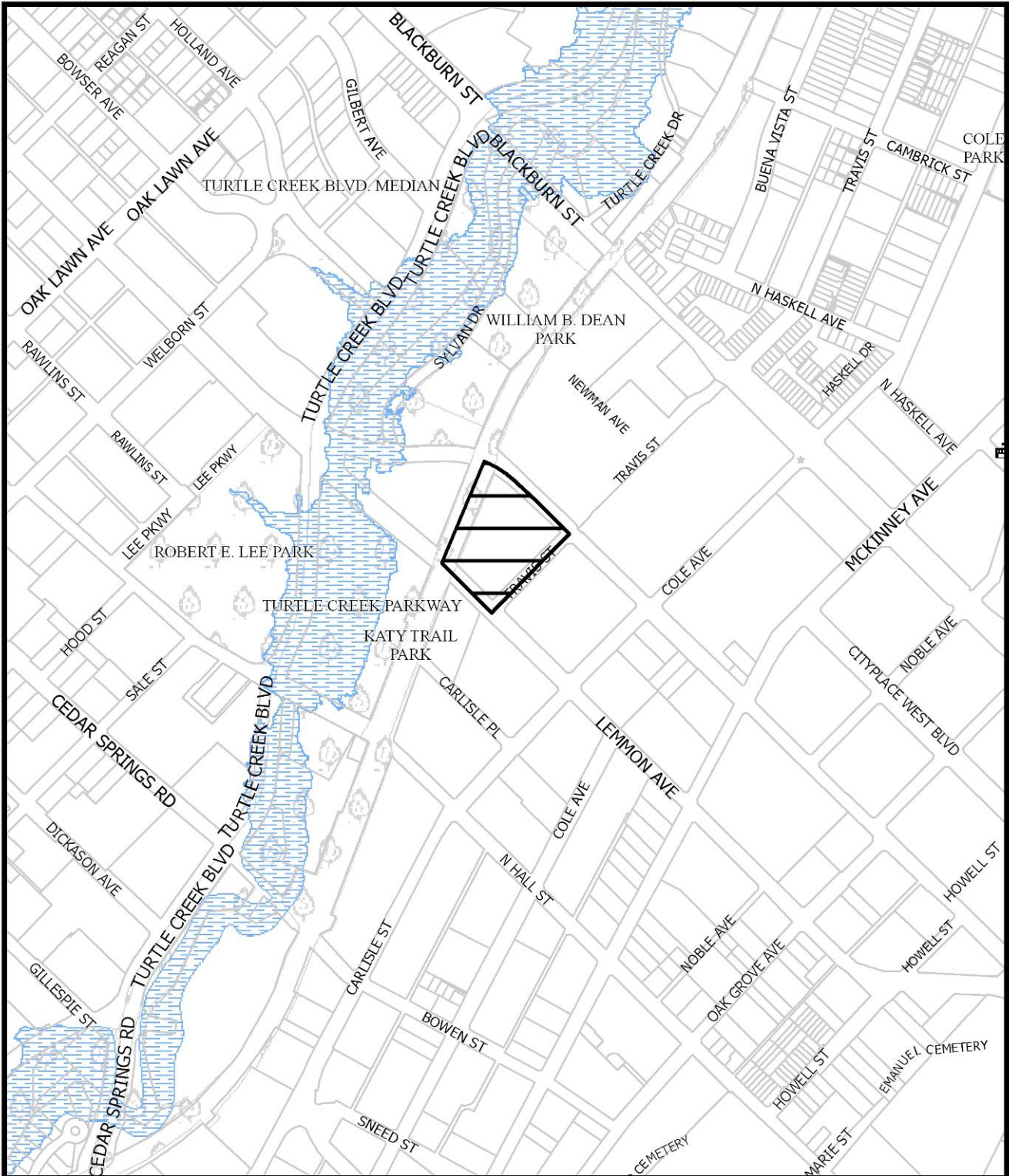


900 Jackson Street, Suite 640  
Dallas, Texas 75202  
Phone: 214.761.9197

Land Use & Development Consultants

DATE: \_\_\_\_\_  
SCALE: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DESIGNED BY: \_\_\_\_\_

**Proposed Landscape Plan**

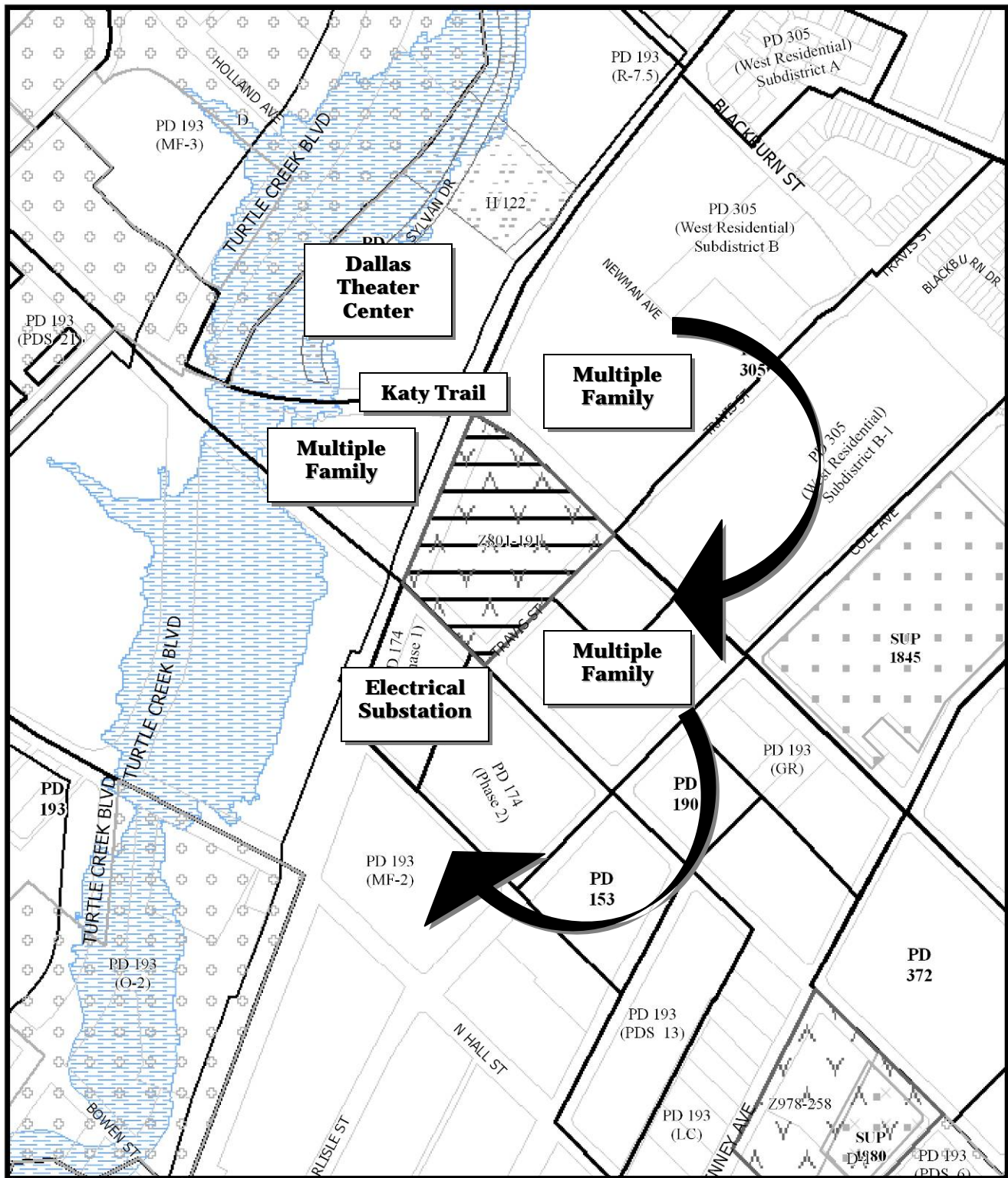


1:6,000

# VICINITY MAP

Case no:           **Z112-306**          

Date:           **9/7/2012**

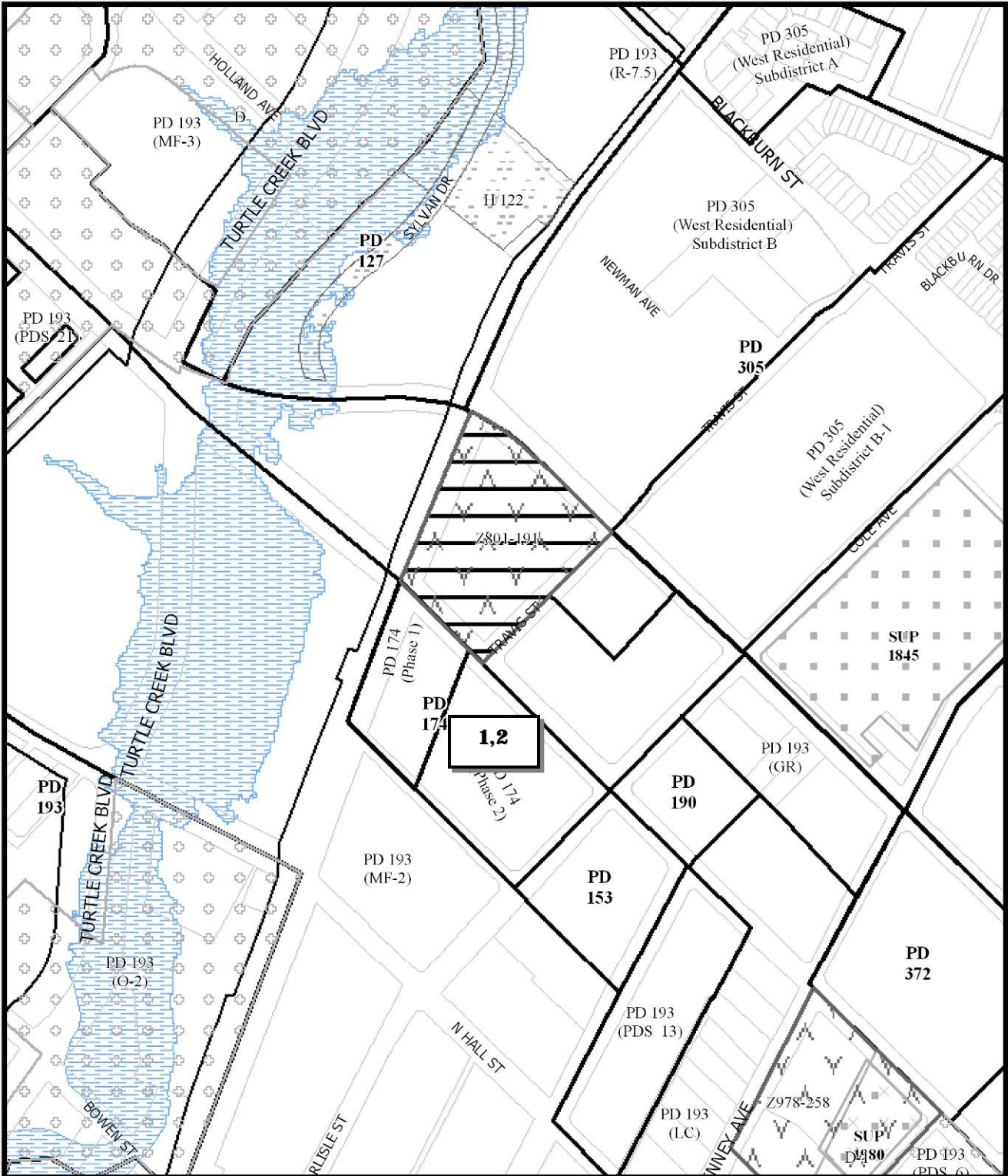


1:3,600

# ZONING AND LAND USE

Case no: Z112-306

Date: 9/7/2012




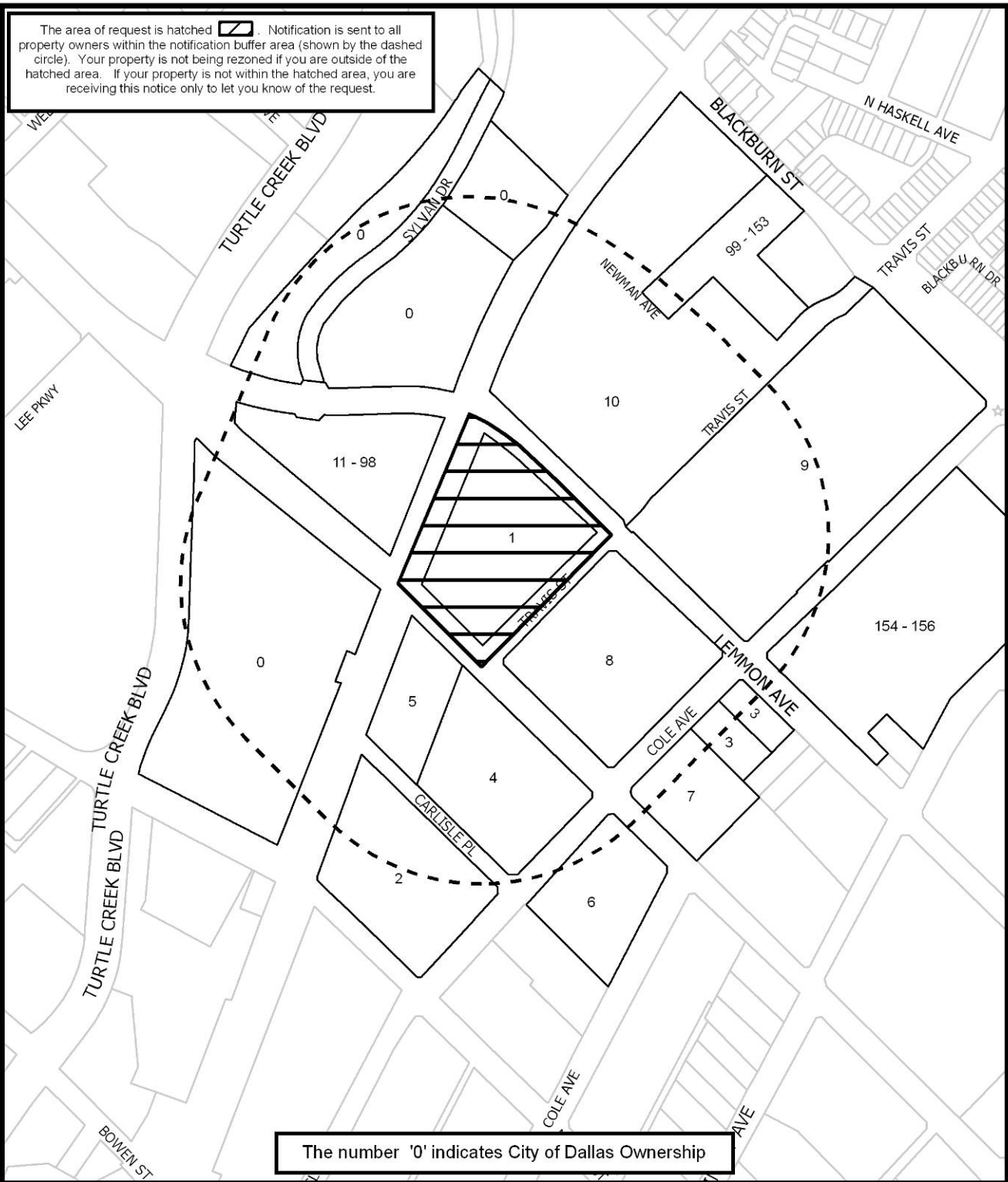
1:3,600

# ZONING HISTORY

Case no: Z112-306

Date: 9/7/2012

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



The number '0' indicates City of Dallas Ownership



1:3,600

# NOTIFICATION

**500'** AREA OF NOTIFICATION  
**156** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-306**

Date: **9/7/2012**

9/7/2012

***Notification List of Property Owners******Z112-306******156 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3535 TRAVIS ST	CFO2 DALLAS II LLC
2	3230 HALL ST	KENSINGTON CARLISLE LLC
3	3522 COLE AVE	RP TOWN & COUNTRY SC
4	3223 LEMMON AVE	CITYVILLE CARLISLE LIMITED PS LTD PS
5	9 LEMMON AVE	TEXAS UTILITY ELECTRIC CO DBA TXU ELECTR
6	3400 CARLISLE ST	TURTLE CREEK LIMON LP ATTN GRAHAM MCFARL
7	3130 LEMMON AVE	LEMMON & COLE PARTNERS LP STE 100
8	3530 TRAVIS ST	3530 TRAVIS ST APARTMENTS
9	3711 COLE AVE	LG CITYPLACE LP
10	3377 BLACKBURN ST	TC BLACKBURN %B&D EQUITY PROPERTY TAX GR
11	3510 TURTLE CREEK BLVD	KEMP MAURY PAGE & JEAN J UNIT 2A
12	3510 TURTLE CREEK BLVD	PITTMAN JUDY GOFF & WILLIAM THOMAS PH 23
13	3510 TURTLE CREEK BLVD	JULIAN RUTH GRAY BLDG 2 UNIT C
14	3510 TURTLE CREEK BLVD	CHEN LIN R & JEFFERY UNIT 2D
15	3510 TURTLE CREEK BLVD	MCKINLEY JOHN K 1994 TR UNIT 2E
16	3510 TURTLE CREEK BLVD	HANKINSON DEBORAH G BLDG 2 UNIT 2F
17	3510 TURTLE CREEK BLVD	HOGLUND FORREST E & SALLY R
18	3510 TURTLE CREEK BLVD	GRINNAN SUSANNA MARITAL TRUST
19	3510 TURTLE CREEK BLVD	MARIANI JANET #3C
20	3510 TURTLE CREEK BLVD	ALLISON CHRISTOPHER & APT 3E
21	3510 TURTLE CREEK BLVD	BALLEW GREGORY E & LISA H UNIT 3F
22	3510 TURTLE CREEK BLVD	PARKER TOM F III & JOANNE E UNIT 4A
23	3510 TURTLE CREEK BLVD	SENISE JAIRO & ELAINE
24	3510 TURTLE CREEK BLVD	SHAUGHNESSY ROBERT M & DENISE T APT
25	3510 TURTLE CREEK BLVD	STOCK DAVID V & GLENDA F
26	3510 TURTLE CREEK BLVD	PHILLIPS CATHERINE COOK & CECIL B

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3510 TURTLE CREEK BLVD	MIDDLEBERG IRA J
28	3510 TURTLE CREEK BLVD	BAKER ANDREW & VERA BAKER
29	3510 TURTLE CREEK BLVD	JAROBEE WALLACE & ANN UNIT 5B
30	3510 TURTLE CREEK BLVD	ROBERTS DAVID M & LAURIE UNIT 5C
31	3510 TURTLE CREEK BLVD	CLARK JOHN J & LESLIE L CLARK APT 5D
32	3510 TURTLE CREEK BLVD	IRWIN ROBERT B & MARY M UNIT 5E
33	3510 TURTLE CREEK BLVD	SMITH KEVIN L UNIT 5F
34	3510 TURTLE CREEK BLVD	GOLDFARB ABRAHAM TR & BARBARA TR
35	3510 TURTLE CREEK BLVD	VAUGHAN SUSAN S
36	3510 TURTLE CREEK BLVD	DONSKY CAL L UNIT 6C
37	3510 TURTLE CREEK BLVD	ABERLY ANSEL & SUZANNE
38	3510 TURTLE CREEK BLVD	AGATHER V NEILS & ELAINE B APT 6E
39	3510 TURTLE CREEK BLVD	SATURN REALTY CORP % C/O HANS HOLTERBOSC
40	3510 TURTLE CREEK BLVD	MAIA LUIS F & VALERIE R UNIT 7-B
41	3510 TURTLE CREEK BLVD	ELLMAN FAMILY PARTNERSHIP BLDG 7 STE C
42	3510 TURTLE CREEK BLVD	FUNK CAROL O
43	3510 TURTLE CREEK BLVD	CRAIG JOY UNIT 7E
44	3510 TURTLE CREEK BLVD	GOLD LINDA
45	3510 TURTLE CREEK BLVD	MCINERNEY MICHAEL P & KATHLEEN
46	3510 TURTLE CREEK BLVD	OVERCASH CHRISTA A # 8B
47	3510 TURTLE CREEK BLVD	ROTHSTEIN MARION & LORETTA SOFIA ROTHSTE
48	3510 TURTLE CREEK BLVD	DONSKY ANDREA & CAL DONSKY
49	3510 TURTLE CREEK BLVD	JOINT HUSSEINI TR
50	3510 TURTLE CREEK BLVD	ROWAN MARCUS R APT 8F
51	3510 TURTLE CREEK BLVD	SPITZBERG JACK & MARIAN
52	3510 TURTLE CREEK BLVD	HEMBREE H L & JANELLE Y UNIT9B
53	3510 TURTLE CREEK BLVD	ROSS ADAM UNIT 9C
54	3510 TURTLE CREEK BLVD	PEARSON ROBERT L & NORMA D
55	3510 TURTLE CREEK BLVD	WALLACH STEVEN J & SAMRA E
56	3510 TURTLE CREEK BLVD	WALKER THOMAS C & CAROLYN UNIT 10A
57	3510 TURTLE CREEK BLVD	BOBER JOANNE #10B



9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3510 TURTLE CREEK BLVD	GRACE OLIVER R JR
59	3510 TURTLE CREEK BLVD	LEWIS JOHN P & ANN L APT 10D
60	3510 TURTLE CREEK BLVD	MILHOUS M DOLORES UNIT 10E0
61	3510 TURTLE CREEK BLVD	HART MILLEDGE A III SUITE 900
62	3510 TURTLE CREEK BLVD	MCDERMETT DONALD J UNIT 11B
63	3510 TURTLE CREEK BLVD	RICHEY H L
64	3510 TURTLE CREEK BLVD	KNORR KATHARINE H REV TR UNIT 11F
65	3510 TURTLE CREEK BLVD	LEE HARRY & SOPHIE WU LEE UNIT 12A
66	3510 TURTLE CREEK BLVD	SCHENKEL STEPHEN UNIT 12-B
67	3510 TURTLE CREEK BLVD	SAMUEL MESFIN
68	3510 TURTLE CREEK BLVD	ZOLLARS ROBERT L ETAL # 12D
69	3510 TURTLE CREEK BLVD	SCHOLZ NANCY S APT 12E
70	3510 TURTLE CREEK BLVD	CHRISTENSEN JOHN G UNIT12F
71	3510 TURTLE CREEK BLVD	MCADAMS HERBERT HALL III& LETTY CASTLEBE
72	3510 TURTLE CREEK BLVD	FELDMAN HELGA A UNIT 14B
73	3510 TURTLE CREEK BLVD	TURNER FRED E & PATRICIA NO 14C
74	3510 TURTLE CREEK BLVD	QUERBES C R & DIANNE # 14D
75	3510 TURTLE CREEK BLVD	PRATT EDWARD T JR & MARIA A PRATT APT 15
76	3510 TURTLE CREEK BLVD	WHITMAN MARIE CAROLINE UNIT 15B
77	3510 TURTLE CREEK BLVD	STANLEY GAINES & VICKIE #15C
78	3510 TURTLE CREEK BLVD	BANK OF NEW YORK ET AL CHURCH STREET STA
79	3510 TURTLE CREEK BLVD	STANLEY GAINES B JR & VICKIE C #15E
80	3510 TURTLE CREEK BLVD	LEHNER PAUL M & LINDA S UNIT 16A
81	3510 TURTLE CREEK BLVD	UPTON JOHN A
82	3510 TURTLE CREEK BLVD	DITTMAN WILLIAM & PAULETTE APT
83	3510 TURTLE CREEK BLVD	GEORGE WILLIAM W UNIT 16D
84	3510 TURTLE CREEK BLVD	MOORE JAMES H & BEVERLY J
85	3510 TURTLE CREEK BLVD	BAACK LYLE A & SHERILL A
86	3510 TURTLE CREEK BLVD	ENGLES CYNTHIA K UNIT 17B
87	3510 TURTLE CREEK BLVD	KEW CLARIDGE LLC
88	3510 TURTLE CREEK BLVD	STRAUSS ROBERT S %RICHARD C STRAUSS STE3

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	3510 TURTLE CREEK BLVD	OPPENHEIMER MILDRED M TR UNIT 17E
90	3510 TURTLE CREEK BLVD	MACCO PROPERTIES INC
91	3510 TURTLE CREEK BLVD	THOMA CARL & THOMA MARILYNN UNIT 18E
92	3510 TURTLE CREEK BLVD	THOMA CARL & THOMA MARILYNN UNIT 18-E
93	3510 TURTLE CREEK BLVD	MILHOUS M DOLORES NO 10E
94	3510 TURTLE CREEK BLVD	HART MILIEDGE A III ET AL SUITE 900
95	3510 TURTLE CREEK BLVD	STRAUSS ROBERT S % JERRY A CANDY CPA
96	3510 TURTLE CREEK BLVD	SMITH POMEROY & BETTY SUITE 19A PHA
97	3510 TURTLE CREEK BLVD	BUFORD ROBERT & LINDA
98	3510 TURTLE CREEK BLVD	MILHOUS M DOLORES UNIT 10 E
99	3311 BLACKBURN ST	SUERO LILIANA
100	3311 BLACKBURN ST	BICHLER BRANDON CLARK
101	3311 BLACKBURN ST	SMITH WILLIAM
102	3311 BLACKBURN ST	MCCARTNEY ALISHA M
103	3311 BLACKBURN ST	SULIT MARIO A
104	3311 BLACKBURN ST	KATEB MEDHI &
105	3311 BLACKBURN ST	TRAN JOHN
106	3311 BLACKBURN ST	JOHNSON CHANELLE L #108
107	3311 BLACKBURN ST	PRICE LINDSEY C
108	3311 BLACKBURN ST	MAK NANCY MAN FONG
109	3311 BLACKBURN ST	VAUGHN PATRICIA
110	3311 BLACKBURN ST	BANCROFT CHRISTOPHER JR
111	3311 BLACKBURN ST	DANE EUGENE
112	3311 BLACKBURN ST	LEHENBAUER DAVID G UNIT 116
113	3311 BLACKBURN ST	RUCHLIN KEVIN
114	3311 BLACKBURN ST	NUNEZ CARLOS A UNIT 118
115	3311 BLACKBURN ST	GERMANY MEREDITH PAIGE
116	3311 BLACKBURN ST	WEBB RONALD J # 120
117	3311 BLACKBURN ST	CALHOUN BRENDA OATES
118	3311 BLACKBURN ST	CASH ERIN TIFFANY
119	3311 BLACKBURN ST	GONZAGA CHRISTINE

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	3311 BLACKBURN ST	RICCARDI ALYSON L UNIT 125
121	3311 BLACKBURN ST	MEADOR KIRSTEN M
122	3311 BLACKBURN ST	RAMSEY BRIDGETTE S
123	3311 BLACKBURN ST	BORNE MATTHEW UNIT 128
124	3311 BLACKBURN ST	LONG KRISTINA A UNIT 129
125	3311 BLACKBURN ST	ARSIANTO JANESA UNIT 201
126	3311 BLACKBURN ST	SNYDER ANA
127	3311 BLACKBURN ST	WRIGHT LARRY J & WRIGHT PATRICIA D
128	3311 BLACKBURN ST	MOTLAGH AL
129	3311 BLACKBURN ST	ROBERTS DIANA
130	3311 BLACKBURN ST	MCCARTNEY BRIAN SCOTT UNIT 206
131	3311 BLACKBURN ST	TORRES DULCE
132	3311 BLACKBURN ST	NGO HONGVIEN # 208
133	3311 BLACKBURN ST	NORWICH MANAGMENT LLC
134	3311 BLACKBURN ST	GREEN PHILLIP WISTER
135	3311 BLACKBURN ST	TORRES DULCE M
136	3311 BLACKBURN ST	HERNANDEZ DANIELLE
137	3311 BLACKBURN ST	SHADE PARKER H UNIT 213
138	3311 BLACKBURN ST	SWIFT MICHAEL UNIT 214
139	3311 BLACKBURN ST	KRIVACIC ROBYN UNIT 215
140	3311 BLACKBURN ST	NH EXEMPT TRUST U/A MARIA R
141	3311 BLACKBURN ST	BISHOP THOMAS D
142	3311 BLACKBURN ST	GOVITVIWAT PRINYA & MANANYA
143	3311 BLACKBURN ST	LAROCCA ASHLEY
144	3311 BLACKBURN ST	E S INTERESTS LLC
145	3311 BLACKBURN ST	MICIOTTO ELLETT J UNIT 221
146	3311 BLACKBURN ST	CAMPANARO JENNIFER L
147	3311 BLACKBURN ST	KNOPIK NICOLE A
148	3311 BLACKBURN ST	KEARNEY KATHLEEN
149	3311 BLACKBURN ST	DECKER WILLIAM M
150	3311 BLACKBURN ST	CORONA GARY L & DETTA D

Z112-306(RB)

9/7/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	3311 BLACKBURN ST	HINES MATHEW B TRUST
152	3311 BLACKBURN ST	RUGGIERO ROSECELLE M
153	3311 BLACKBURN ST	GOLDBERG ERIC #229
154	3699 MCKINNEY AVE	CWS VILLAGE RESIDENTIAL LP SUITE 210
155	3699 MCKINNEY AVE	SOUTH ALLEY LOFT LLC BLDG A UNIT 221
156	3699 MCKINNEY AVE	MILLER HENRY S III & ANGELA AHMADI

**FILE NUMBER:** Z112-291(MW)

**DATE FILED:** January 27, 2012

**LOCATION:** West side of Riveredge Drive, south of Irving Boulevard

**COUNCIL DISTRICT:** 2

**MAPSCO:** 44-G; H

**SIZE OF REQUEST:** ±1.7045 acres

**CENSUS TRACT:** 100.00

---

**REPRESENTATIVE:** Cameron Cobb

**APPLICANT:** Road Trip 67, LLC

**OWNER:** La Zona Verde, LLC

**REQUEST:** An application for a new subdistrict and a Specific Use Permit for an outside entertainment and recreation venue on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District

**SUMMARY:** The applicant proposes to operate an outside entertainment and recreation venue offering live music, motion pictures, theatrical performances and open space for recreational use with the sale and service of alcoholic beverages.

**STAFF RECOMMENDATION:** Approval of a new subdistrict; subject to conditions and approval of a specific use permit for an outside entertainment and recreation venue for a three-year period; subject to a site plan and conditions

**PREVIOUS ACTION:** On November 1, 2012, the City Plan Commission held this case under advisement with the public hearing left open

**BACKGROUND INFORMATION:**

- The ±1.7045-acre request site is developed with a vacant ±2,520-sqaure foot storage warehouse.
- The applicant intends to utilize the existing structure, as part of the proposed outside entertainment and recreation venue, for storage, restrooms and a service bar. As depicted on the proposed site plan, the project will also include both open and covered outdoor seating areas, a pavilion structure, additional restrooms, a fenced dog walk area and open space.
- Alcoholic beverage establishments are currently permitted by Specific Use Permit in Subdistrict 1A of PDD No. 621. The live music, motion pictures and theatrical performances aspect of the request would be classified by the Dallas Development Code as a commercial amusement (outside), which is not a permitted use in PDD No. 621.
- The purpose of the proposed subdistrict is to retain all of the current regulations of Subdistrict 1A but to also create a new use which more accurately captures the intent of the applicant’s proposed project. The outside entertainment and recreation venue will be permitted by specific use permit; the sale and service of alcoholic beverages will be allowed in conjunction with the outside entertainment and recreation venue.
- The request site is surrounded by undeveloped land to the north; warehouse to the east; undeveloped land and food processing to the south and office/showroom/warehouse to the west.

**Zoning History:** There have been no recent zoning requests in the vicinity of the request site.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
Riveredge Drive	Local	70 feet

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 621, Subdistrict 1A	Warehouse
<b>North</b>	PDD No. 621, Subdistrict 1A	Undeveloped
<b>East</b>	PDD No. 621, Subdistrict 1A	Warehouse
<b>South</b>	PDD No. 621, Subdistrict 1A	Undeveloped; food processing
<b>West</b>	PDD No. 621, Subdistrict 1A	Office/showroom/warehouse

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The Vision Illustration depicts the request site as within an *Urban Mixed Use* Building Block. This 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.

The request complies with the following land use goals and policies of the Comprehensive Plan.

**ECONOMIC ELEMENT**

**GOAL 2.1 PROMOTE BALANCED GROWTH**

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

**GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT**

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

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

**Land Use Compatibility:**

The ±1.7045-acre request site is developed with a vacant ±2,520-square foot storage warehouse. The applicant intends to utilize the existing structure, as part of the proposed outside entertainment and recreation venue, for storage, restrooms and a bar service window.

As depicted on the proposed site plan, the project will also include both open and covered outdoor seating areas, a pavilion structure, additional restrooms, a fenced dog walk area and open space. Within the proposed subdistrict, the following accessory uses will be permitted in conjunction with an outside entertainment and recreation venue: art displays; community gardens; dog parks or dog walk areas (not limited to the five percent area restriction contained in Section 51A-4.217); farmers markets and mobile food units. Pursuant to Section 51A-4.217, if an accessory use is conducted outside, it may not occupy more than five percent of the area of the lot containing the main use; if conducted inside, it may not occupy more than five percent of the floor area of the main use.

The live music, motion pictures and theatrical performances aspect of the request would be classified by the Dallas Development Code as a commercial amusement (outside), which is not a permitted use in PDD No. 621. The purpose of the proposed subdistrict is to retain all of the current regulations of Subdistrict 1A but to also create a new use which more accurately captures the intent of the applicant's proposed project. The outside entertainment and recreation venue will be permitted by specific use permit.

Within the proposed PDD Subdistrict, the sale and service of alcoholic beverages in conjunction with an outside entertainment and recreation venue will be allowed generally, and will not be limited to the five percent area restriction contained in Section 51A-4.217(a)(3), and will be considered as part of the main use when determining the gross revenue derived by the establishment from the sale of alcoholic beverages for on-premise consumption.

The uses surrounding the request site are consistent with the nature of the Design District and include undeveloped land to the north; warehouse to the east; undeveloped land and food processing to the south and office/showroom/warehouse to the west. The applicant's request is compatible with the existing nonresidential uses and, subject to the proposed site plan and conditions, could also operate compatibly with future residential development. Therefore, staff supports the request but recommends an initial three-year time period so that the use can be reevaluated for compatibility as the area undergoes the anticipated redevelopment.



**Development Standards:**

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

**Traffic:**

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

**Parking:**

As proposed by the PDD Conditions and depicted on the site plan, 84 off-street spaces and five (5) bicycle parking stands to accommodate 25 bicycles will be provided. It is noted that the request site has ±220 feet of street frontage outside of the visibility triangles, which could accommodate ±10 parallel on-street parking spaces. Rather than imposing a specific parking ratio, staff worked with the applicant to establish the total number of required off-street parking spaces to accommodate the proposed project. In general, the parking requirements for PDD No. 621 and Chapter 51A were used as a basis for establishing the proposed parking scenario.

Within PDD No. 621, except as provided within the Article, parking must be provided pursuant to §51A-4.200. Pursuant to Article 621, an alcoholic beverage establishment requires one (1) space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the alcoholic beverage establishment.

The proposed outdoor entertainment and recreation venue will include ±6,236 square feet of covered area (i.e. floor area), as follows:

±2,520 sf	Storage (2,056 sf), service bar (234 sf) and bathrooms (230 sf)
±1,680 sf	Covered seating
±1,494 sf	Pavilion
±542 sf	Bathrooms

In addition, the proposed outside entertainment and recreation venue will include ±4,017 square feet of uncovered seating area, intended to provide for a flexible seating arrangement.

The sale and service of alcoholic beverages will be allowed in conjunction with the outside entertainment and recreation venue. **f** all floor area and uncovered seating areas were

parked as an alcoholic beverage establishment, 97 spaces would be required (without accounting for the reduction).

The remainder of the site area will function is a dog walk area, open space and landscape buffer. Similar uses, such as a public park, playground or golf course; a country club with private membership and a private recreation center, club or area require minimal parking. A public park, playground or golf course requires no parking, while a country club with private membership and a private recreation center, club or area both require three (3) spaces per game court and one space for each additional 150 square feet of floor area. Open space is not parked for these uses.

Due to the unique nature of the proposed venue and given the site's location within the Design District, which allows for reduced parking, staff supports the proposed parking approach consisting of 84-street spaces, the potential for 10 on-street spaces and the accommodation for 25 bicycles.

**Landscaping:**

Landscaping will be required per Planned Development District No. 621. In addition, the applicant proposes a ±2,096-square foot landscape buffer area on the western portion of the property.

Z112-291(MW)

**List of Partners/Principals/Officers:**

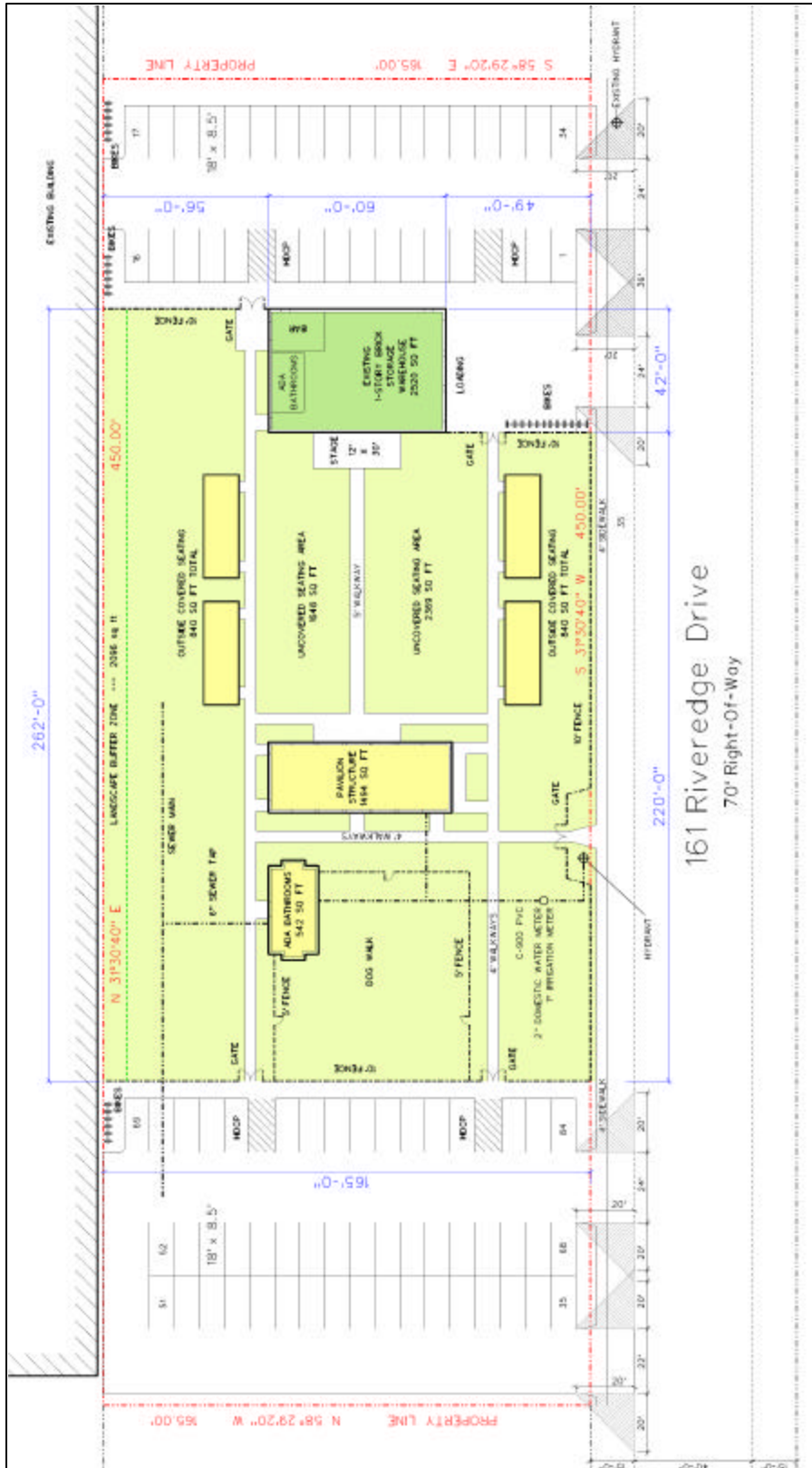
**La Zona Verde LLC**

Lillian Walcott Albritton, Partner  
Katherine Elizabeth Albritton, Partner  
Alexander Heldt Albritton  
Claude C. Albritton, President

**Road Trip 67, LLC**

Lillian Walcott Albritton, Partner  
Katherine Elizabeth Albritton, Partner  
Alexander Heldt Albritton

### Proposed Site Plan



**Z112-291  
Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is an outside entertainment and recreation venue.
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 (three years).
4. HOURS OF OPERATION: An outside entertainment and recreation venue may only operate between 4:00 p.m. and 12:00 a.m. (the next day), Tuesday through Friday; between 12:00 p.m. and 12:00 am (the next day) on Saturday; and between 12:00 p.m. and 10:00 p.m. on Sunday.
5. OUTSIDE SPEAKERS: Outside speakers are prohibited after 11:00 pm.
6. PARKING: 84 off-street parking spaces must be provided in the locations shown on the attached site plan.
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
8. 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.

**ARTICLE 621.**

**PD 621.**

**Old Trinity and Design District Special Purpose District**

**Note:** These conditions also reflect the conditions proposed for Z112-283 for the creation of subdistrict 1D.

**SEC. 51P-621.101. LEGISLATIVE HISTORY.**

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

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

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

**SEC. 51P-621.102.1. CREATION OF SUBDISTRICTS.**

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

(b) Creation of subdistricts.

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

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

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

**SEC. 51P-621.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(16) OUTSIDE ENTERTAINMENT AND RECREATION VENUE means an open-air facility offering live music, motion pictures, theatrical performances, and open space for recreational use.

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

(18) ~~(17)~~ RAILBEDS means the areas shown on the map labeled Exhibit 621D.

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

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

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

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

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

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

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

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



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

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

**SEC. 51P-621.103.1. EXHIBITS.**

The following exhibits are incorporated into this article:

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

**SEC. 51P-621.104. CONCEPTUAL PLAN.**

There is no conceptual plan for this special purpose district.

**SEC. 51P-621.105. DEVELOPMENT PLAN.**

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

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

**SEC. 51P-621.106. MAIN USES PERMITTED.**

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

(1) Agricultural uses.

None permitted.

(2) Commercial and business service uses.

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

(3) Industrial uses.

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

official.]

(4) Institutional and community service uses.

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

(5) Lodging uses.

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

(6) Miscellaneous uses.

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

(7) Office uses.

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

(8) Recreation uses.

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

(9) Residential uses.

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

(10) Retail and personal service uses.

- Alcoholic beverage establishments. [SUP. See Section 51A-4.210(b)(4).]
- Ambulance service. [RAR]
- Animal shelter or clinic without outside run. [RAR]
- Animal shelter or clinic with outside run. [SUP]
- Antique shop.
- Art gallery.
- Art or craft production facility. [Limited to 5,000 square feet or less of floor area.]
- Auto service center. [SUP]
- Billiard hall. [SUP]
- Bingo parlor. [SUP]
- + -- Business school.
- Car wash. [SUP]
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Except as otherwise provided, permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed

## Z112-291(MW)

Use District. Class E dance halls, as defined in Chapter 14 of the Dallas City Code, are not permitted. Billiard hall by SUP only. Bingo parlor by SUP only.]

- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard.
- Household equipment and appliance repair.
- Liquor store.
- Massage establishment. [SUP]
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station. [SUP]
- Nursery, garden shop, or plant sales.
- Outside sales. [SUP]
- Outside entertainment and recreation venue [SUP. Limited to Subdistrict 1E]
- Personal service uses.
- Piercing salon. [SUP]
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [SUP]
- Swap or buy shop. [SUP]
- Taxidermist.
- Tattoo studio. [SUP]
- Temporary retail use.
- Theater. [Limited to 1,000 seats or fewer.]
- Truck stop. [SUP]
- Vehicle display, sales, and service. [SUP]

### (11) Transportation uses.

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

### (12) Utility and public service uses.

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

### (13) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Contractor's maintenance yard. [RAR]

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

(b) Subdistrict 2.

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

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

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

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

- Commercial bus station and terminal. [SUP]

**SEC. 51P-621.107. ACCESSORY USES.**

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

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

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

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

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

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

(e) The following accessory uses are permitted in conjunction with an outside entertainment and recreation venue:

- art displays
- community gardens
- dog parks or dog walk areas [not limited to the five percent area restriction contained in Section 51A-4.217(a)(3)]
- farmers markets
- mobile food units

(f) The sale and service of alcoholic beverages in conjunction with an outside entertainment and recreation venue is allowed generally, and is not limited to the five percent area restriction contained in Section 51A-4.217(a)(3), and will be considered as part of the main use when determining the gross revenue derived by the establishment from the sale of alcoholic beverages for on-premise consumption.

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

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

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

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

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

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

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

(1) Front yard. No minimum front yard.

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

(3) Density. No maximum density.

(4) Floor area.

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

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

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

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

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

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

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

(i) in Subdistrict 1A and 1D and 1E:

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

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

(ii) in Subdistrict 1B:

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

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

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

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

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

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

(C) LEED rating.

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

(ii) Determination of eligibility.

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

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

(cc) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

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

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

(6) Building site coverage.

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

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

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

(8) Stories. No maximum number of stories.

(b) Subdistrict 2.

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

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

(A) Front yard. No minimum front yard.

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

(C) Density. No maximum density.

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

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



Z112-291(MW)

- (F) Building site coverage. Maximum building site coverage is 100 percent.
- (G) Building site size. No minimum building site size.
- (H) Stories. No maximum number of stories.

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

(a) General requirements applicable to all subdistricts.

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

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

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

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

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

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

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

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

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

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

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

(G) Duplex.

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

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

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

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

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

Z112-291(MW)

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

(K) Multifamily.

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

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

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

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

(N) Outside entertainment and recreation venue. In Subdistrict 1E, the off-street parking requirement shall be established in the ordinance granting the Specific Use Permit.

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

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

(P) Single family.

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

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

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

(2) Parking reductions.

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

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

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

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

- (i) Industrial (inside). One space per 750 square feet of floor area.
- (ii) Office. One space per 450 square feet of floor area.

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

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

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

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

(3) Delta theory.

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

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

(4) Special parking.

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

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

(C) Remote parking for nonresidential uses.

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

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

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

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

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

Table 1: Shared Parking Table

(For calculating the parking requirement for shared parking)

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

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

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

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

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

(c) Subdistrict 2. The off-street parking requirement for a bus or rail transit vehicle maintenance or storage facility is one space per 1,500 square feet of floor area. For all other uses, consult the use

regulations contained in Division 51A-4.200, "Use Regulations," for the specific off-street parking/loading requirements for each use.

**SEC. 51P-621.111. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-621.112. LANDSCAPING.**

(a) General requirements applicable to all subdistricts.

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

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

(2) Prohibited trees.

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

Scientific name	Common name
-----------------	-------------

Populus deltoides Cottonwood  
Albizia julbrissen Mimosa

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

(3) Street trees.

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

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

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

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

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

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

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

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

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

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

(5) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that compliance is made impossible by Subsection (d), "Visual Obstruction Regulations," of Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

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

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

(2) Landscaping in railbeds.

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

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

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

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

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



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

(C) Artificial plant materials may not be used.

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

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

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

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

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

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

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

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

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

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

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

(B) Plant trees within:

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

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

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

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

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

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

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

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

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

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

### **SEC. 51P-621.113. ARCHITECTURAL DESIGN GUIDELINES.**

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

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

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

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

(3) The maximum permitted reflectance of glass used as a facade material varies depending on where the glass is used. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used above the first two stories may not exceed 27 percent. Reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. The higher the percentage, the more visible light reflected and the more mirror-like the glass will appear.

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

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

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

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

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

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

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

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

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

(C) Awnings/canopies along the front facade.

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

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

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

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

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

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

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

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

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

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

(B) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

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

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

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

#### **SEC. 51P-621.114. SITE DESIGN REQUIREMENTS.**

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

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

(c) Sidewalk standards for new construction.

(1) In general.

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

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

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

(2) Location.

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

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

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

(3) Width.

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

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

(d) License to allow compliance with ADA requirements.

(1) If there is no other way to install ramps required by the Americans with Disabilities Act or similar state laws other than to install the ramps in the public right-of-way, the city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the Americans with Disabilities Act or similar state laws. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a building permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city

council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

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

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

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

#### **SEC. 51P-621.115. SCREENING REGULATIONS.**

(a) Parking lot screening.

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

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

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

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

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

(C) Hedge-like evergreen plant materials recommended for local area use by the city arborist. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

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

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

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

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

(4) Screening is not required in the railbeds.

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

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

#### **SEC. 51P-621.116. SIGNS.**

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

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

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

#### **SEC. 51P-621.117. ADDITIONAL PROVISIONS.**

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

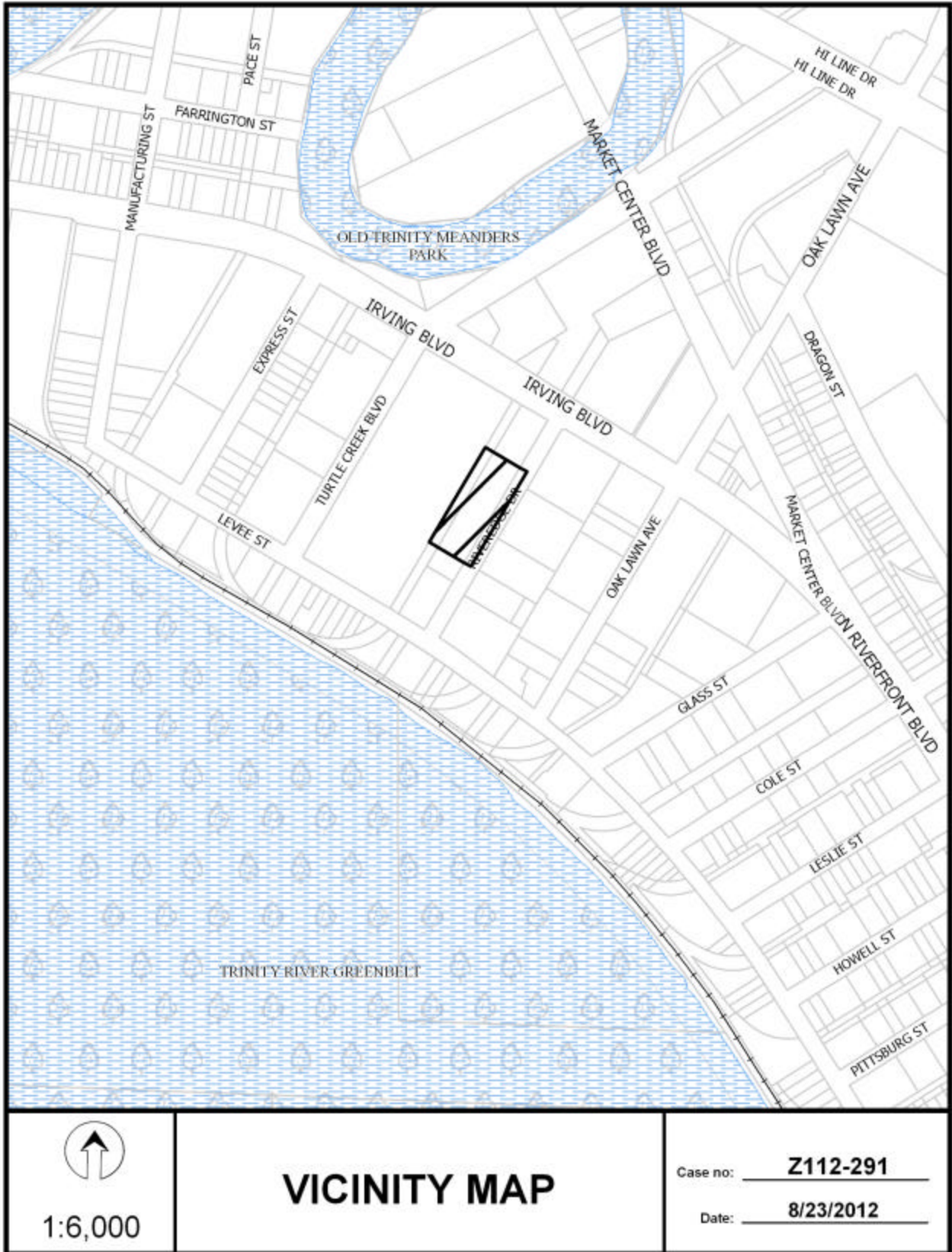


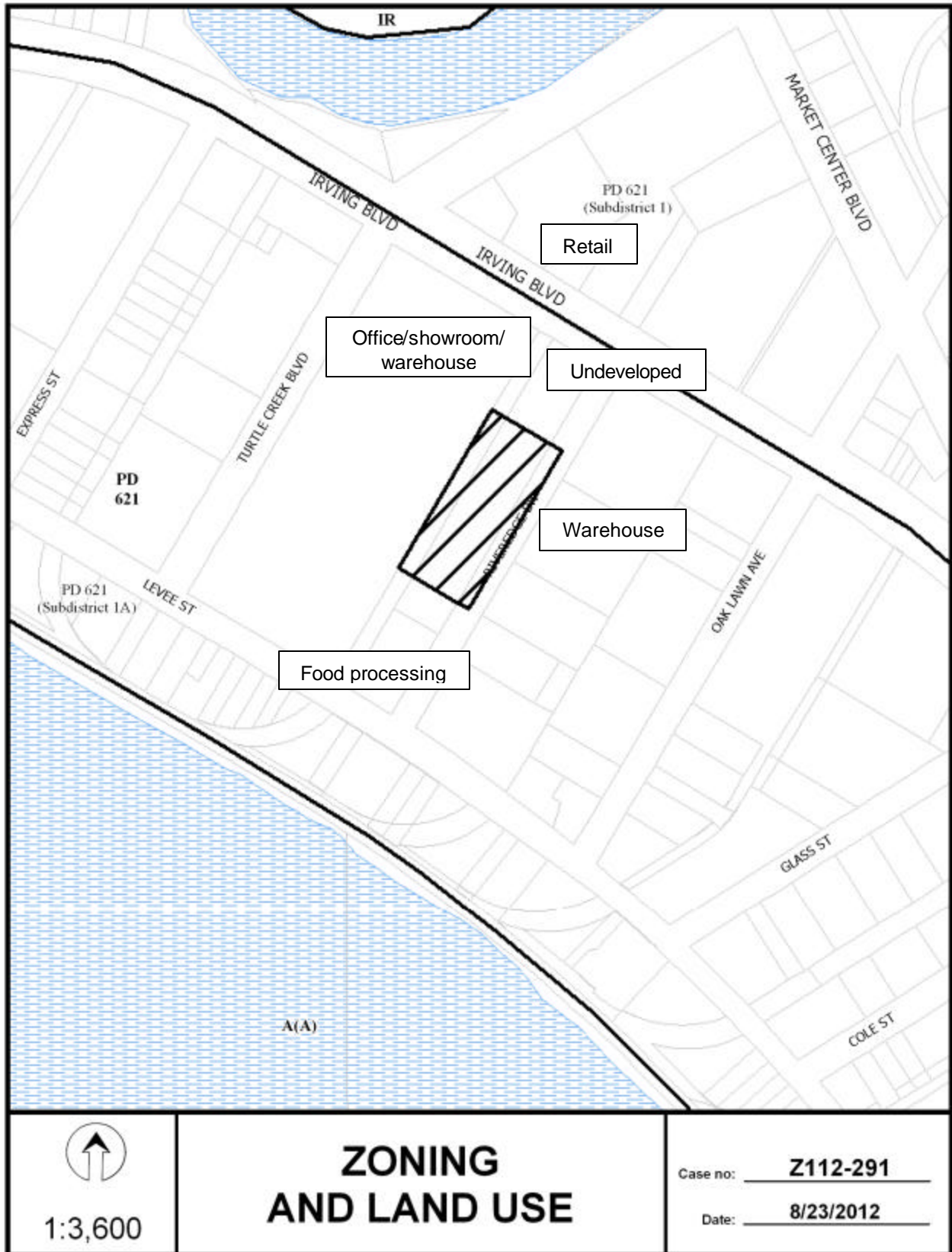
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

**SEC. 51P-621.118. COMPLIANCE WITH CONDITIONS.**

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


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






# ZONING AND LAND USE

Case no: Z112-291  
Date: 8/23/2012

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



The number '0' indicates City of Dallas Ownership

  
1:3,600

## NOTIFICATION

**500'** AREA OF NOTIFICATION  
**37** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-291**  
 Date: **8/23/2012**

8/23/2012

***Notification List of Property Owners******Z112-291******37 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	161 RIVEREDGE DR	LA ZONA VERDE LLC STE 200
2	155 OAK LAWN AVE	SUGAR INVESTMENT GROUP LLC
3	163 OAK LAWN AVE	JAGANNATHAN SURAJ & PRACHI SHAH
4	123 OAK LAWN AVE	S2 RESOURCES INC
5	111 OAK LAWN AVE	DALLAS CRYSTAL CLEAR SOUND INC
6	1710 LEVEE ST	ATWS LLC
7	107 OAK LAWN AVE	CHT SYSTEMS LLC
8	100 RIVEREDGE DR	3M RIVEREDGE LLC
9	122 RIVEREDGE DR	POTTS MCCRIGHT K & CATHERINE CAMILLE
10	1727 LEVEE ST	SEELCCO PARTNERS LTD
11	1733 LEVEE ST	POLISHUK ERVIN
12	1737 LEVEE ST	KNOBLER DONALD G
13	1745 LEVEE ST	MADERA 1745 LEVEE ST REVO DIANE L SNYDER
14	1807 LEVEE ST	LEVEE STREET PPTIES LLC
15	1201 OAK LAWN AVE	343 W SUNSET LTD
16	1715 MARKET CENTER BLVD	J&D REAL ESTATE LLC
17	1820 IRVING BLVD	PFIFFNER STEVEN J
18	1838 IRVING BLVD	TURTLE CREEK & IRVING LTD
19	1212 TURTLE CREEK BLVD	TEXAS SECURITY BANK
20	1800 IRVING BLVD	PETTIGREW ASSOC INC PROFIT SHARING PLAN
21	178 RIVEREDGE DR	COONER JOSEPH MAYNE
22	175 FORDYCE ST	VICHYASTIT KITTICHAJ & WHITIS WANNEE
23	1802 LEVEE ST	COX ROSEMARY
24	150 TURTLE CREEK BLVD	ONE TURTLE CREEK, LTD STE 101
25	1821 LEVEE ST	LEVEE PARTNERS LP
26	1825 LEVEE ST	PARADOX PPTIES LP

Z112-291(MW)

8/23/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1829 LEVEE ST	PARADOX PROPERTIES
28	1831 LEVEE ST	ALCALA LUIS M DBA ALCALA CUSTOM FURN
29	1833 LEVEE ST	GRATTAN GWENDOLYN C
30	175 OAK LAWN AVE	WSL JKO VENTURES LTD
31	171 OAK LAWN AVE	THE LORDS PROVISION LTD CO
32	134 RIVEREDGE DR	GROTH JAMES A
33	148 RIVEREDGE DR	MCSHANE R D LP
34	1700 LEVEE ST	SEELCCO PARTNERS LTD % CHAMPIONS MANAGEM
35	1825 MARKET CENTER BLVD	1825 MARKET CENTER LP SUITE 388
36	1811 IRVING BLVD	MK PARTNERS LTD
37	1800 LEVEE ST	ALCALA LUIS

**FILE NUMBER:** Z112-182 (JH)

**DATE FILED:** February 6, 2012

**LOCATION:** Hood Street and Brown Street, southeast corner

**COUNCIL DISTRICT:** 14

**MAPSCO:** 45-A

**SIZE OF REQUEST:** Approx. 2.37 acres

**CENSUS TRACT:** 5

---

**REPRESENTATIVE:** Jonathan Vinson

**APPLICANT/OWNER:** AERC Turtle Creek, LLC

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

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

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

**PREVIOUS ACTION:** On October 18, 2012, the City Plan Commission held this case under advisement with the public hearing left open.

**BACKGROUND INFORMATION:**

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

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

**Thoroughfares/Streets:**

<b>Thoroughfares/Street</b>	<b>Type</b>	<b>Existing ROW</b>
Hood Street	Local	45-50 ft.
Brown Street	Local	50 ft.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The request complies with the following land use goals and policies of the Comprehensive Plan because the proposed development will add residential units to an area of Oak Lawn designated for higher density multifamily uses and will enhance the streetscape and pedestrian environment adjacent to the building.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

HOUSING ELEMENT

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

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

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.



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

Area Plans:

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

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

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

**Land Use Compatibility:**

The approximately 2.4-acre request site is zoned an MF-3 Multiple Family Subdistrict within PDD No. 193, the Oak Lawn Special Purpose District, and is currently undeveloped. The applicant is proposing to construct approximately 244 multifamily dwellings on the property, but is seeking relief to the development standards of the MF-3 Multiple Family Subdistrict.

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

The request site is situated in an area of MF-3 subdistrict zoning that covers approximately 35 acres or 11 blocks. The MF-3 subdistrict zoning allows for a maximum density that exceeds 200 dwelling units per acre. The applicant is requesting a maximum density of 288 dwelling units, which is a density of 120 units per acre. Staff has worked with the applicant to require a minimum density and height in order to maintain a semblance of the scale and intensity of the MF-3 subdistrict.

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

**Parking/Traffic:**

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

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

**Landscaping:**

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

**List of Partners/Principals/Officers**

AERC (Associated Estates Realty Corporation)

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

PD CONDITIONS

“Division S-\_\_\_\_. PD Subdistrict \_\_\_\_.

SEC. S-\_\_\_\_.101. LEGISLATIVE HISTORY.

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

SEC. S-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.

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

SEC. S-\_\_\_\_.103. DEFINITIONS AND INTERPRETATIONS.

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

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

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

(3) SUBDISTRICT means a subdistrict of PD 193.

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

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

SEC. S-\_\_\_\_.104. EXHIBITS.

The following exhibit is incorporated into this article:

Exhibit S-\_\_\_\_A: development plan.

SEC. S-\_\_\_.105. DEVELOPMENT PLAN.

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

SEC. S-\_\_\_.106. MAIN USES PERMITTED.

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

SEC. S-\_\_\_.107. ACCESSORY USES.

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

(b) The following accessory uses are prohibited:

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

SEC. S-\_\_\_.108. YARD, LOT, AND SPACE REGULATIONS.

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

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

(b) Multiple family uses.

(1) Encroachments.

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

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

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

(3) Side yard.

(a) Except as provided, minimum side yard is 15 feet.

(b) For the portions of a building above 45 feet in height fronting Brown Street in the area shown on the development plan, an additional 10 foot side yard setback is required.

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

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

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

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

(9) Density. Minimum number of dwelling units is 175. Maximum number of dwelling units is 285.

SEC. S-\_\_\_.109. OFF-STREET PARKING AND LOADING.

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

(b) Multiple family uses.

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

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

(c) Seven and one-half-foot wide stalls may constitute no more than 15 percent of the required parking. A maximum of five percent of the required off-street parking provided as 7.5-foot wide stalls may be unassigned, surface parking.

SEC S-\_\_\_.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-\_\_\_.111. LANDSCAPING.

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

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

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

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

SEC. S-\_\_\_.112. URBAN DESIGN ELEMENTS FOR RESIDENTIAL USES.

The following urban design elements are required for residential uses.

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

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

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

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

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

(b) Architectural elements.

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

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

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

(c) Pedestrian amenities.

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

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

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

SEC. S-\_\_\_.113. SIGNS.

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

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

SEC. S-\_\_\_.114. ADDITIONAL PROVISIONS.

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

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

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



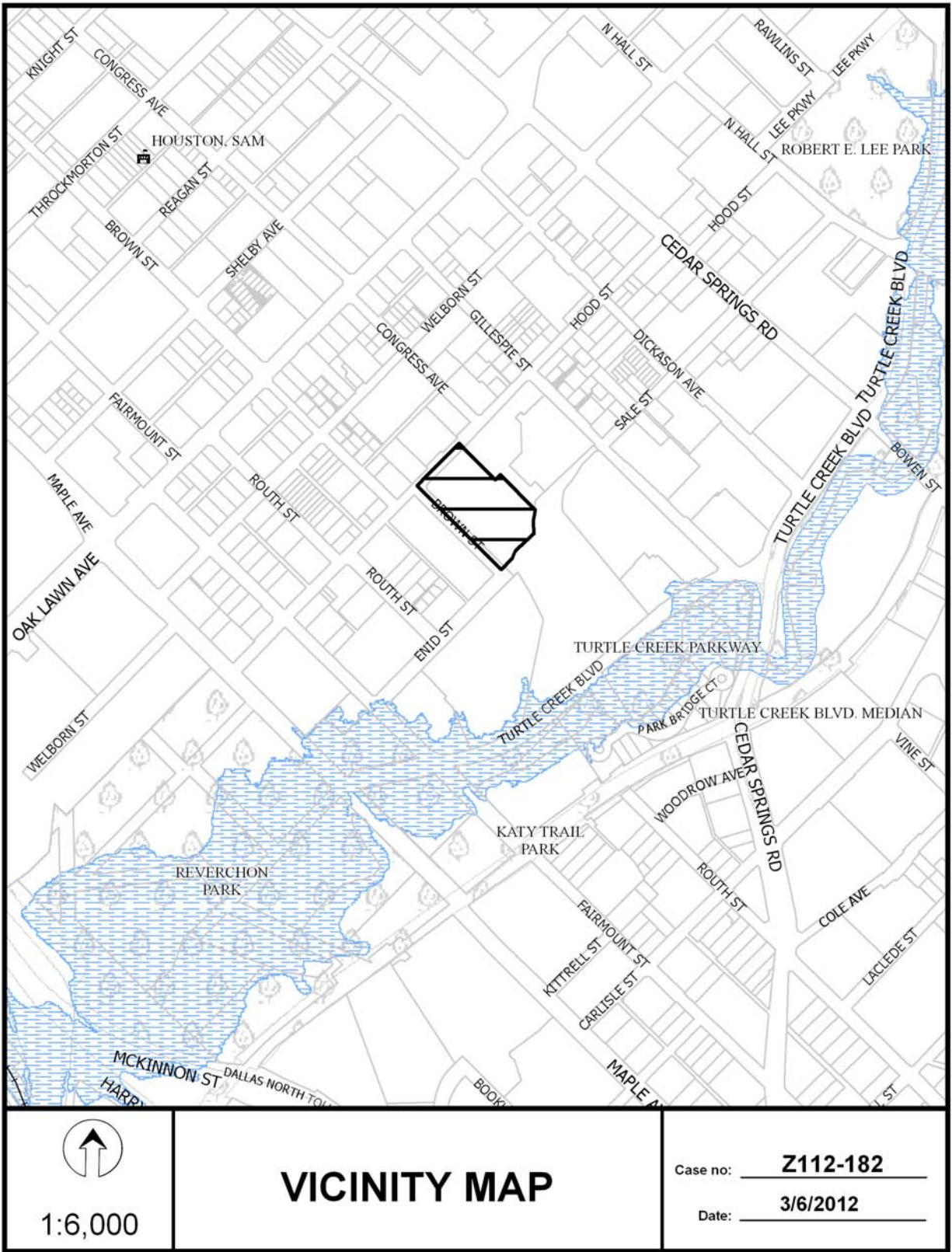
(d) Development and use of the Property must comply with Part I of this article.

SEC. S-\_\_\_.115. COMPLIANCE WITH CONDITIONS.

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

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



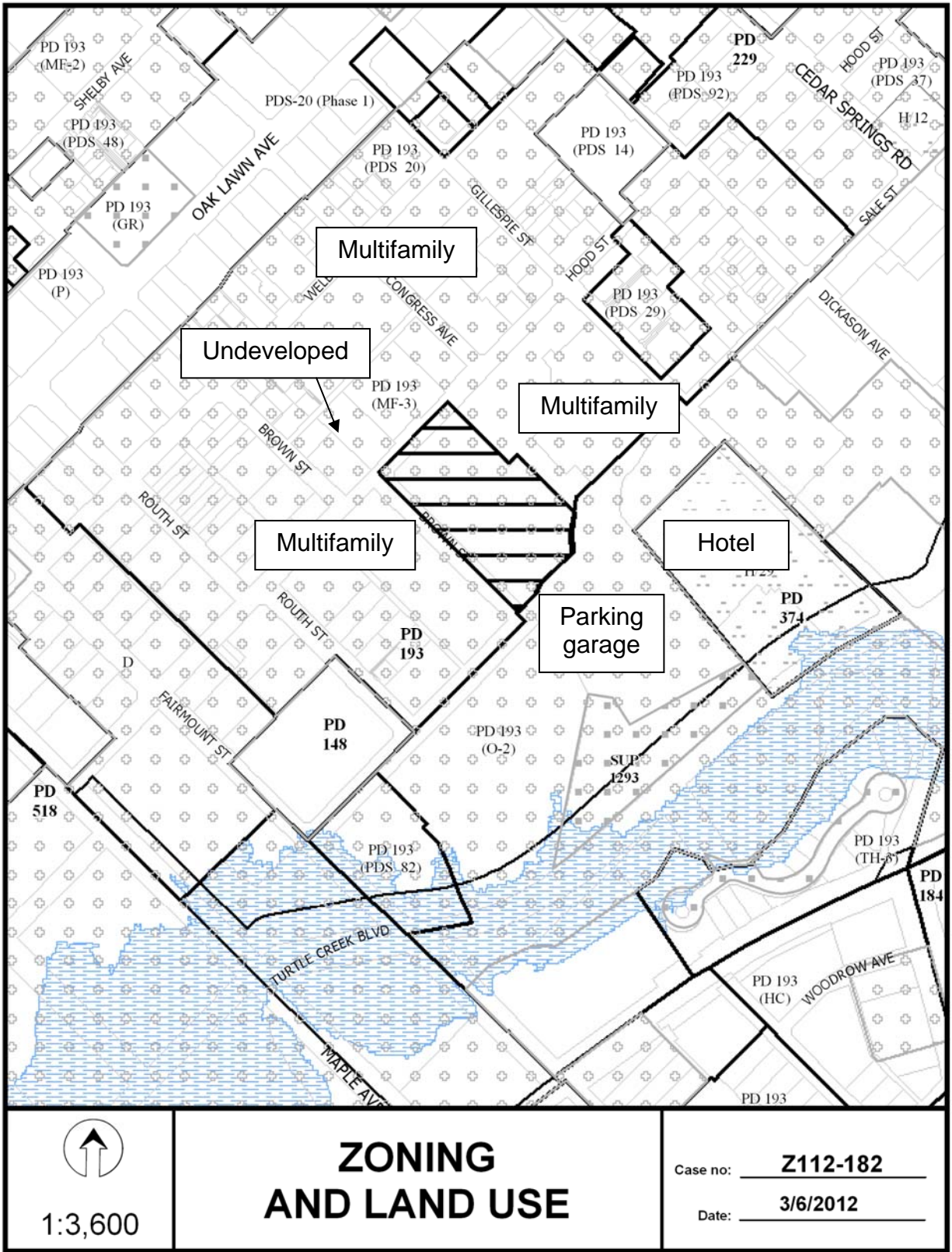


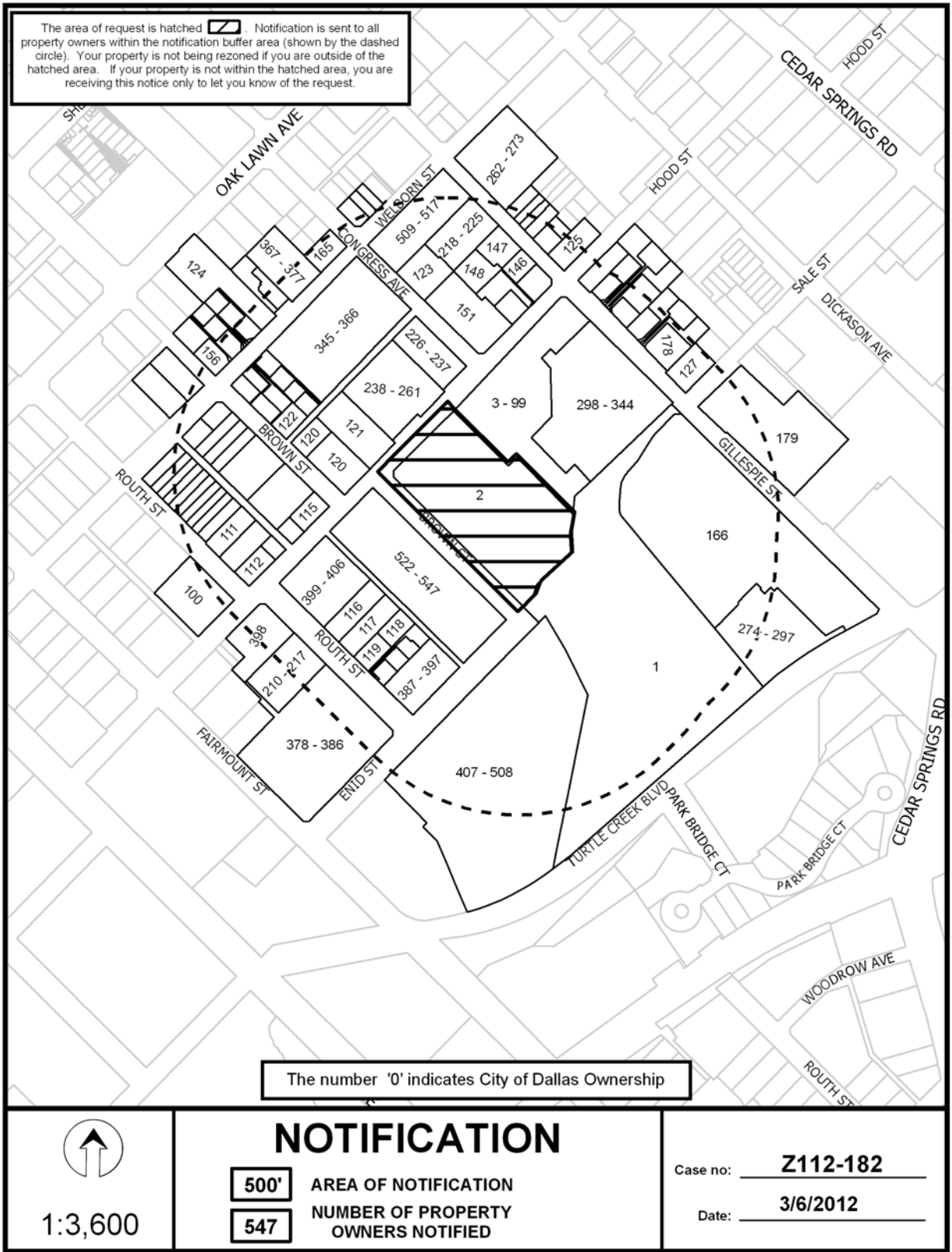
1:6,000

### VICINITY MAP

Case no: Z112-182

Date: 3/6/2012





3/6/2012

## Notification List of Property Owners

### Z112-182

#### 547 Property Owners Notified

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

3/6/2012

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

3/6/2012

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



3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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



3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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

3/6/2012

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

**FILE NUMBER:** Z112-256 (JH)

**DATE FILED:** June 8, 2012

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

**COUNCIL DISTRICT:** 12

**MAPSCO:** 6-J

**SIZE OF REQUEST:** Approx. 0.84 acres

**CENSUS TRACT:** 317.20

---

**APPLICANT/OWNER:** Barbara Haynes and Feliz Diaz

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

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

**STAFF RECOMMENDATION:** Denial

**PREVIOUS ACTION:** On September 20, 2012, the City Plan Commission held this case under advisement with the public hearing kept open.



**BACKGROUND INFORMATION:**

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

**Zoning History:**

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

**Thoroughfares/Streets:**

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

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

**HOUSING ELEMENT**

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

Policy 3.1.3            Encourage stabilization of existing neighborhoods.

**URBAN DESIGN**

**GOAL 5.2            STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

Policy 5.2.1            Maintain neighborhood scale and character.

**Land Use Compatibility:**

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

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

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

**Development Standards:**

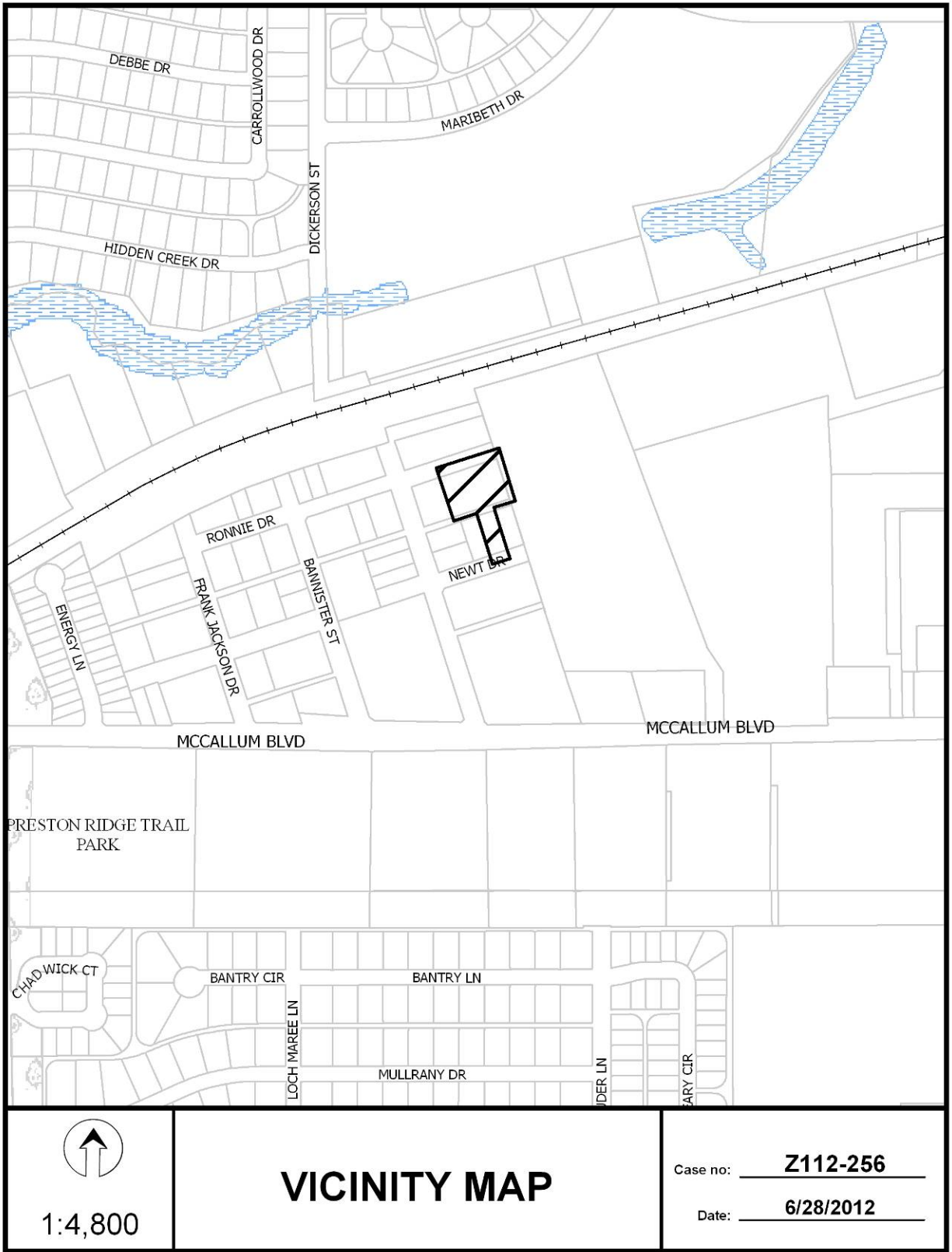
DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
<b>Proposed</b>							
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual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

**Traffic:**

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

**Landscaping:**

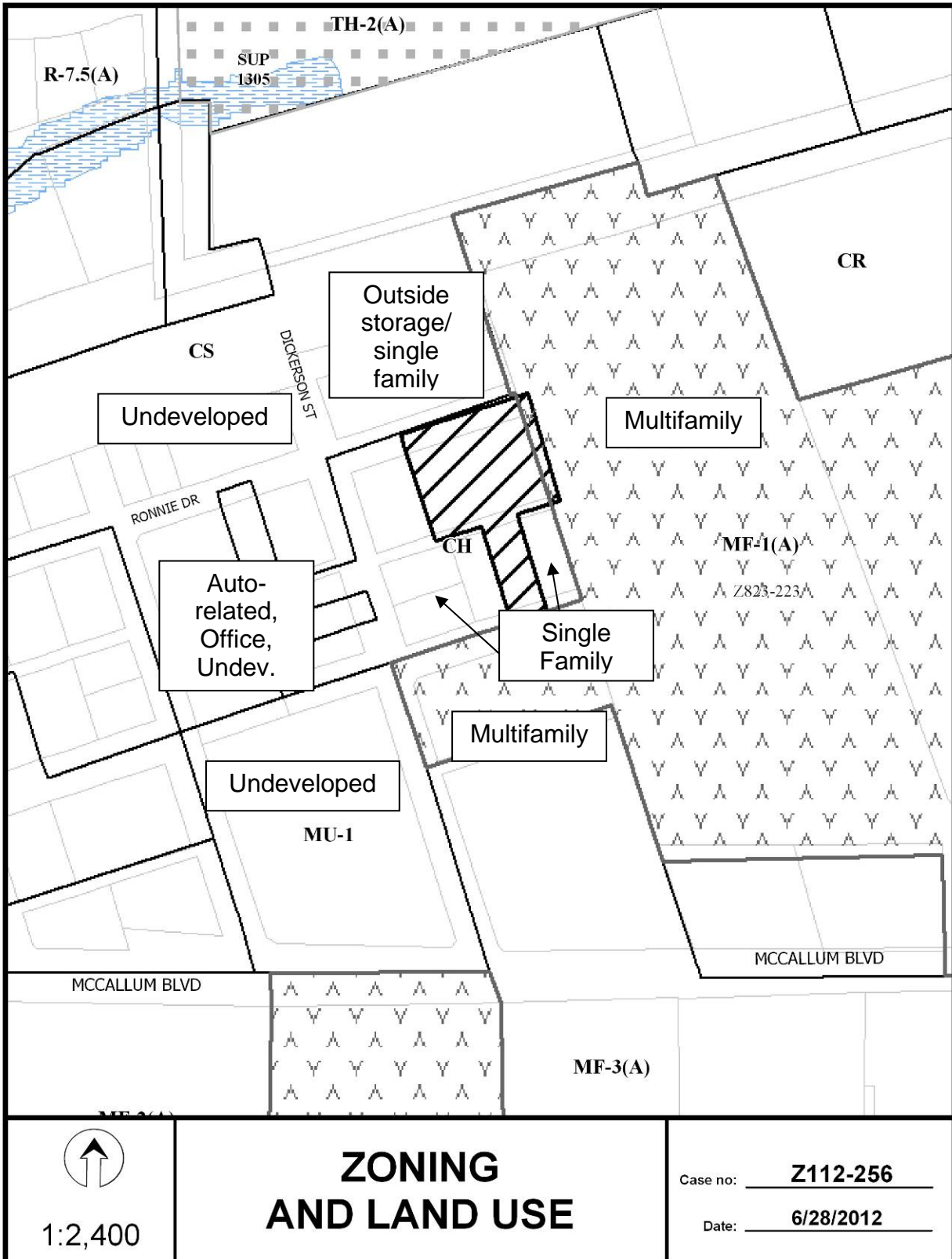
Landscaping is required in accordance with Article X of the Dallas Development Code.



1:4,800

### VICINITY MAP

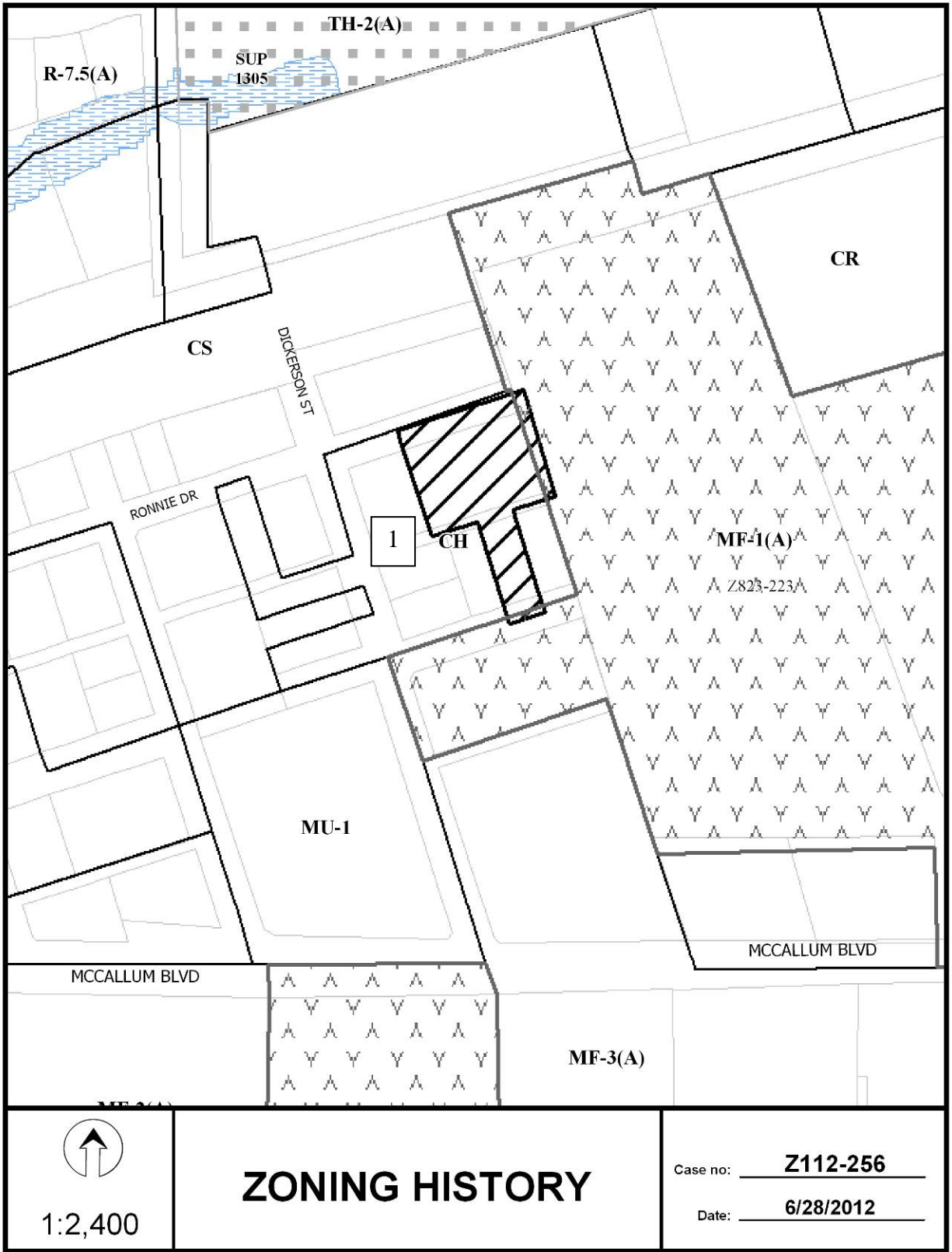
Case no: Z112-256  
Date: 6/28/2012



1:2,400

# ZONING AND LAND USE


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

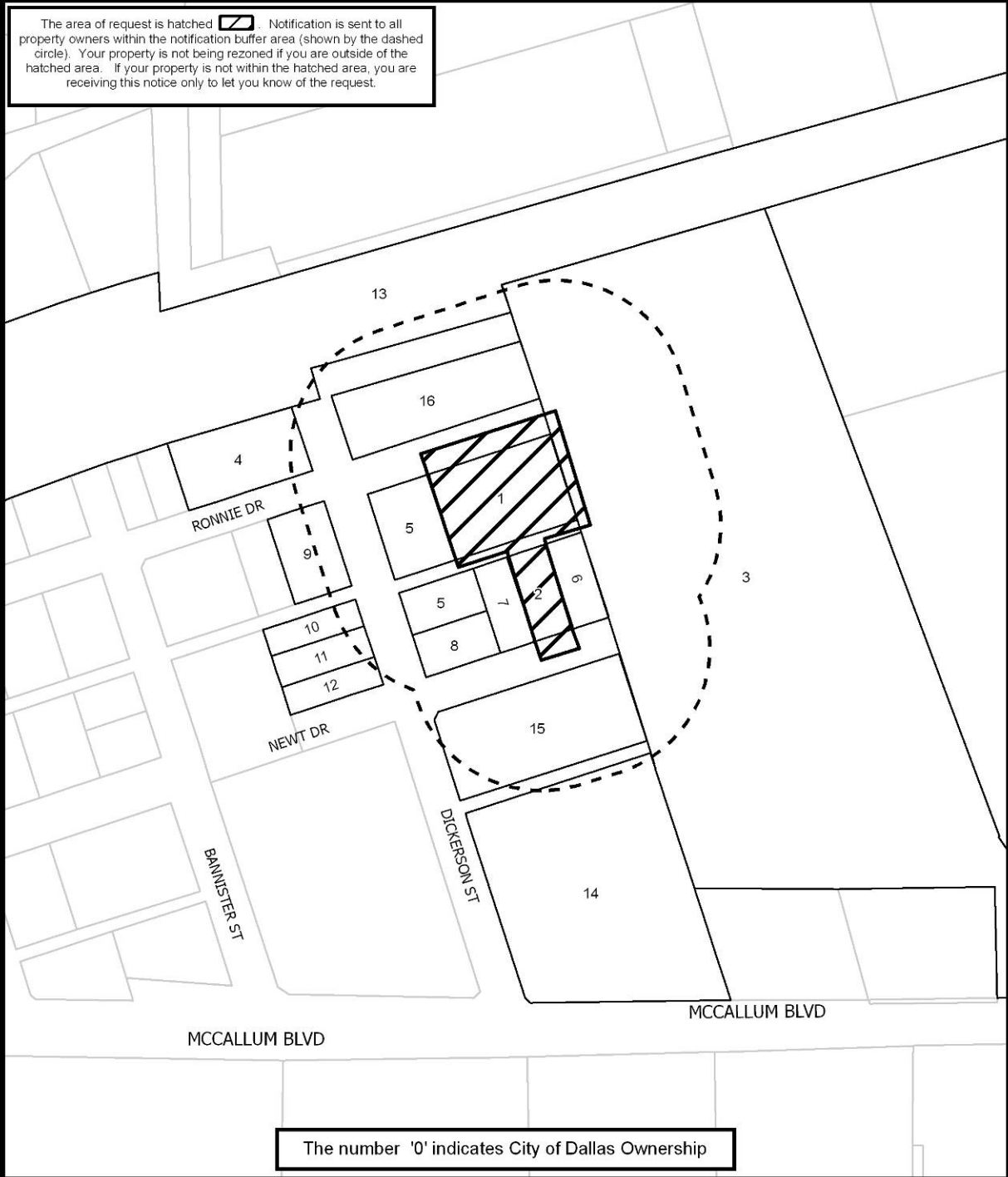


1:2,400

# ZONING HISTORY

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

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



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>16</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>16</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>    <b>Z112-256</b>    </u> Date: <u>    <b>6/28/2012</b>    </u>
<b>200'</b>	AREA OF NOTIFICATION					
<b>16</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

6/28/2012

## Notification List of Property Owners

### Z112-256

#### 16 Property Owners Notified

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

---

Planner: Richard E. Brown

**FILE NUMBER:** Z112-105(RB)                      **DATE FILED:** October 11, 2011

**LOCATION:** Greenville Avenue and Restland Road, Southwest Quadrant

**COUNCIL DISTRICT:** 11                              **MAPSCO:** 16V, 17S

**SIZE OF REQUEST:** Approx. 57.29 Acres              **CENSUS TRACT:** 190.16

---

**APPLICANT/OWNER:** S. E. Cemeteries of Texas, Inc.

**REPRESENTATIVE:** Robert Reeves

**REQUEST:** An application for an amendment to and expansion of Specific Use Permit No. 363 for a Cemetery and Mausoleum on property zoned an R-7.5(A) Single Family District, an LO-1 Limited Office District, a GO(A) General Office District with deed restrictions and an MU-3 Mixed Use District with deed restrictions, and an LO-2 Limited Office District on that portion of the request site zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District.

**SUMMARY:** The applicant is proposing to expand the presence of the existing cemetery and mausoleum use.

**STAFF RECOMMENDATION:** Approval of an amendment to and expansion of SUP No. 363, subject to a site plan and staff's recommended conditions, and approval of an LO-2 Limited Office District.

**PRIOR CPC ACTION:** On October 4, 2012, the City Plan Commission held this request under advisement until November 1, 2012. On November 1, 2012, the City Plan Commission held this request under advisement until November 15, 2012.



**BACKGROUND INFORMATION:**

- The existing SUP No. 363 site boundary is improved with typical structures and infrastructure that support a cemetery use. The expansion area is undeveloped.
- The applicant’s request will permit expansion of the cemetery by adding approximately a 9.1 acre tract of land abutting the southeast quadrant of the existing SUP site boundary.
- Existing deed restrictions on a portion of the site provide for maximum floor area, require property for additional right-of-way, and require a solid screening wall along a portion of the site’s perimeter (see note on proposed site plan).

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

<b><u>Thoroughfare/Street</u></b>	<b><u>Designation; Existing &amp; Proposed ROW</u></b>
Greenville Avenue	Local; 70’ ROW
Restland Road	Local; 80’ ROW
IH 635	Freeway; Variable ROW

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

**LAND USE ELEMENT**

GOAL 1.2 Promote desired development.

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

**STAFF ANALYSIS:**

**Land Use Compatibility:** The request site is partially developed with cemetery and mausoleum uses. The applicant is requesting to add an approximate 9.1 acre parcel to the existing site boundary for SUP No. 363. Additionally, the applicant requests to rezone the portion of the request site zoned for R-7.5(A) and LO-1 District Uses to an LO-2 District so as to provide for anticipated structure height within the expansion area. Existing deed restrictions providing for maximum floor area, right-of-way dedication, and solid screening wall requirements exist on a portion of the request site. For orientation purposes, the site plan provides for existing improvements along with seven future building areas along with a designated amount of floor area not restricted to one of the seven areas.

Surrounding land use consists of a mix of uses. Specifically, additional cemetery uses operated by the applicant to the north, multifamily and office uses to the east, with a hotel and office that are 'wrapped' by the applicant's request site. The elevated access road to northbound North Central Expressway and undeveloped property zoned for IR District Uses abut the site's southern and western boundaries, respectively. Various retail uses are found on properties to the south, across IH 635. It should be noted that a portion of the applicant's expansion area (specifically, Future Building Areas 3, 4, and 5) is accessed from Greenville Avenue (both north and south bound) by a private access, utility, and drainage easement that also serves the rear of the adjacent lodging use and abutting office use.

The applicant has worked with staff to address the majority of the adjacency issues as the site's expansion area encroaches towards the above referenced office and lodging uses. While the expansion area consists of significant acreage to accommodate the expansion, staff remains concerned as to the impact on the two uses developed to the southeast; an office building that is wrapped by the existing SUP boundary (northern and western facades) and the expansion area (eastern façade).

It should be noted that 'impact on adjacent uses' takes on a different sensitivity when assessing this request. While no studies exist on the impact of cemeteries on adjacent nonresidential uses (studies do exist with respect to residential adjacency), it should be noted that this use can offer superb green spaces and beautiful natural surroundings and interesting architectural detail. At the same time, it is staff's opinion that Future Building Area 5 could be problematic. Suggestions have been made as to utilizing this tract with improvements that would provide more conducive to abutting the office use,

while at the same time providing for efficiencies of operation; for example, a surface parking area served by shuttle to facilitate visitors and family members to specific areas on the property. Since the applicant has, in combination, added 9.1 acres and requested a zoning district that provides for significant structure height (anticipated mausoleum structures; see structure height table, below) to provide for future improvements, prohibiting gravesites and/or development of mausoleum structures of significant height and massing within this area would tend to minimize the impact of the applicant’s expansion.

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.

Staff has determined the applicant’s request, subject to the attached site plan and staff’s recommend conditions, complies with the intent of the requirements for an expansion of the existing specific use permit. Additionally, staff supports the request for an LO-2 District on the expansion portion of the request area.

Should CPC not agree with staff’s recommended condition that prohibit gravesites and mausoleum structures (limited in height and massing) within Future Building Area 5, it is suggested discussions be considered to provide for enhanced setbacks from the area’s northern and western boundaries.

<b>*EXISTING</b>	<b>PROPOSED</b>	<b>**FUTURE BUILDING AREA MAXIMUMS</b>
R-7.5(A)/30’ LO-1/70’	LO-2/95’	Area 1-36’; Areas 2, 7-95’; Areas 3, 4, 6-74’; and, Area 5-42’

\*The respective areas currently zoned for GO(A) and MU-3 District Uses are being retained

\*\*For a cemetery and mausoleum use, structure height limited by site plan; other permitted uses will comply with the respective land areas zoned for LO-2, GO(A), and MU-3 District Uses.

Z112-105(RB)

**Traffic:** The Engineering Section of the Department Sustainable Development and Construction has reviewed the requested amendment and expansion of SUP No. 363 and determined that it will not significantly impact the surrounding street system.

**Landscaping:** Both SUP No. 363 and the expansion area are governed by the landscape regulations of Article X. The applicant has provided for additional tree plantings related to 'Future Building Area 5' so as to provide for a visual buffer from the abutting office use.

**MINUTES OF JOINT ANNUAL MEETING  
OF  
SHAREHOLDER AND BOARD OF DIRECTORS  
OF  
S.E. CEMETERIES OF TEXAS, INC.**

The joint annual meeting of the shareholder and the Board of Directors of S.E. Cemeteries of Texas, Inc., a Texas Corporation (the "Corporation"), was held in New Orleans, Louisiana on the 30th day of July, 2010, pursuant to Waiver of Notice and Consent to Meeting.

Lewis J. Derbes, Jr., Secretary, representing S.E. South-Central, Inc., sole shareholder of the Corporation, and in his capacity as Secretary of the Corporation, was present.

The following, being all the members of the Board of Directors, were present:

Thomas M. Kitchen  
Martin R. de Laoreal  
Lewis J. Derbes, Jr.

Thomas M. Kitchen presided as Chairman of the meeting. The shareholder and directors discussed the operations of the Corporation for the past year and the activities of the officers and directors of the Corporation. Upon motion duly made, the shareholder and directors unanimously approved, ratified, and confirmed all lawful actions of the officers and directors of the Corporation during the year, including specifically, but without limitation, the appointment of trustees, investment advisors, custodians and other similar persons, and any amendment to the governing instruments of the trusts maintained by this Corporation. Upon motion duly made, all previously-appointed officers and directors of the Corporation were removed from office.

The chairman announced that nominations were open for directors to serve the Corporation during the ensuing year. Upon nominations duly made by the sole shareholder, the following directors were elected to serve during the next year and until their successors are duly elected and qualified:

Thomas M. Kitchen  
Martin R. de Laoreal  
Lewis J. Derbes, Jr.

Thereafter, the chairman announced the nominations were open for officers to serve the Corporation during the next year. Upon nomination duly made by the directors named above, the following officers were unanimously elected to serve during the next year and until their successors are duly elected and qualified:

Z112-105

<u>Name</u>	<u>Office</u>
Brian Shake	President/Assistant Secretary
Kenneth G. Myers, Jr.	Executive Vice President/ Assistant Secretary
Thomas J. Crawford	Vice President
Angela M. Lacour	Vice President
Michael G. Hymel	Vice President
Donnie K. Payne	Vice President-Cemetery Sales
Marisa A. Parrott	Assistant Secretary-Cemetery Sales
Sandra L. Wallace	Assistant Secretary-Cemetery Sales
Karen K. Davis	Assistant Secretary-Cemetery Sales
Lewis J. Derbes, Jr.	Secretary/Treasurer
Thomas M. Kitchen	Assistant Secretary/Assistant Treasurer

The Board of Directors has reviewed and discussed the findings described in the last Reports of Examination issued to the Corporation for the audit period ending August 31, 2009 as well as the Corporation's response to such findings and the proposed corrective actions. The Board will continue to monitor the activities of the Corporation and its compliance with all applicable laws.

The chairman then discussed the annual shareholder and board meetings. There being no further business, the meeting was duly adjourned.

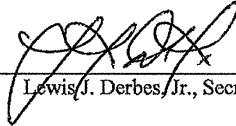
The sole shareholder and the directors of the Corporation waived notice of meeting at which the foregoing actions were taken, and consent to and approve said actions and the foregoing minutes reflecting the same.

**CERTIFICATE**

The undersigned, Lewis J. Derbes, Jr., Secretary of the Corporation, certifies that the foregoing resolutions were duly adopted and that the minutes are true and correct.

---

S.E. CEMETERIES OF TEXAS, INC.



---

Lewis J. Derbes, Jr., Secretary

Z112-105(RB)

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS FOR  
SUP NO. 363**

At this time, final review of the applicant's most recent version of the amending conditions has not been completed.

The final version will be provided at the staff briefing.

<b>Existing Deed Restrictions</b>
-----------------------------------

17720 830737

That the undersigned, George Young and Carol Young Marvin, do hereby impress all of the above described property with the following Deed Restrictions, to-wit:

1.

That the maximum floor area of any structure or structures to be erected on the above described property shall not exceed a total of 1,272,000 square feet of floor area, excluding floor area of structures used for off-street parking. Said floor area ratio being a floor area ratio of 1.6 to 1 based upon the total area of the above described tract which consists of 18.25 acres of land.

Application for building permits for office development shall be limited as follows:

For the year 1983 not more than 200,000 square feet.

For the years 1983 and 1984 combined, not more than a cumulative total of 200,000 square feet.

For the year 1985 not more than 200,000 additional square feet, for a cumulative total for the years of 1983, 1984 and 1985 combined of 400,000 square feet.

For the year 1986 not more than 200,000 additional square feet, for a cumulative total for the years of 1983, 1984, 1985 and 1986 combined of 600,000 square feet.

For the year 1987 and later, no building permits for additional square feet of building until Greenville Avenue has been improved to six (6) lanes from LBJ Freeway north to the Dallas City Limits.

2.

That the owners shall provide to the City of Dallas an additional right-of-way of ten (10) feet in width for an extra lane along the west side of Greenville Avenue for a distance of 1,030 feet north from the LBJ Freeway, at the owner's expense. The said additional lane to be installed prior to the issuance of a certificate of occupancy for the first phase 200,000 square feet of office building to be constructed on the above described tract.



17720 830737

3.

Owners agree to reserve an additional right-of way for a service road along the LBJ Freeway for a depth of twenty-five (25) feet from the present right-of-way line for the width of owner's property adjacent to the LBJ Freeway. Such reservation to be for a period of ten (10) years, and should said additional right-of-way not be required by the State of Texas within said ten (10) year period the reservation will terminate.

4.

That owner will construct and maintain at owner's expense a masonry wall (concrete, brick or like material) along the north and west side of the above described property, said wall to be eight (8) feet in height except said wall may be six (6) feet in height if adjacent to a parking structure.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

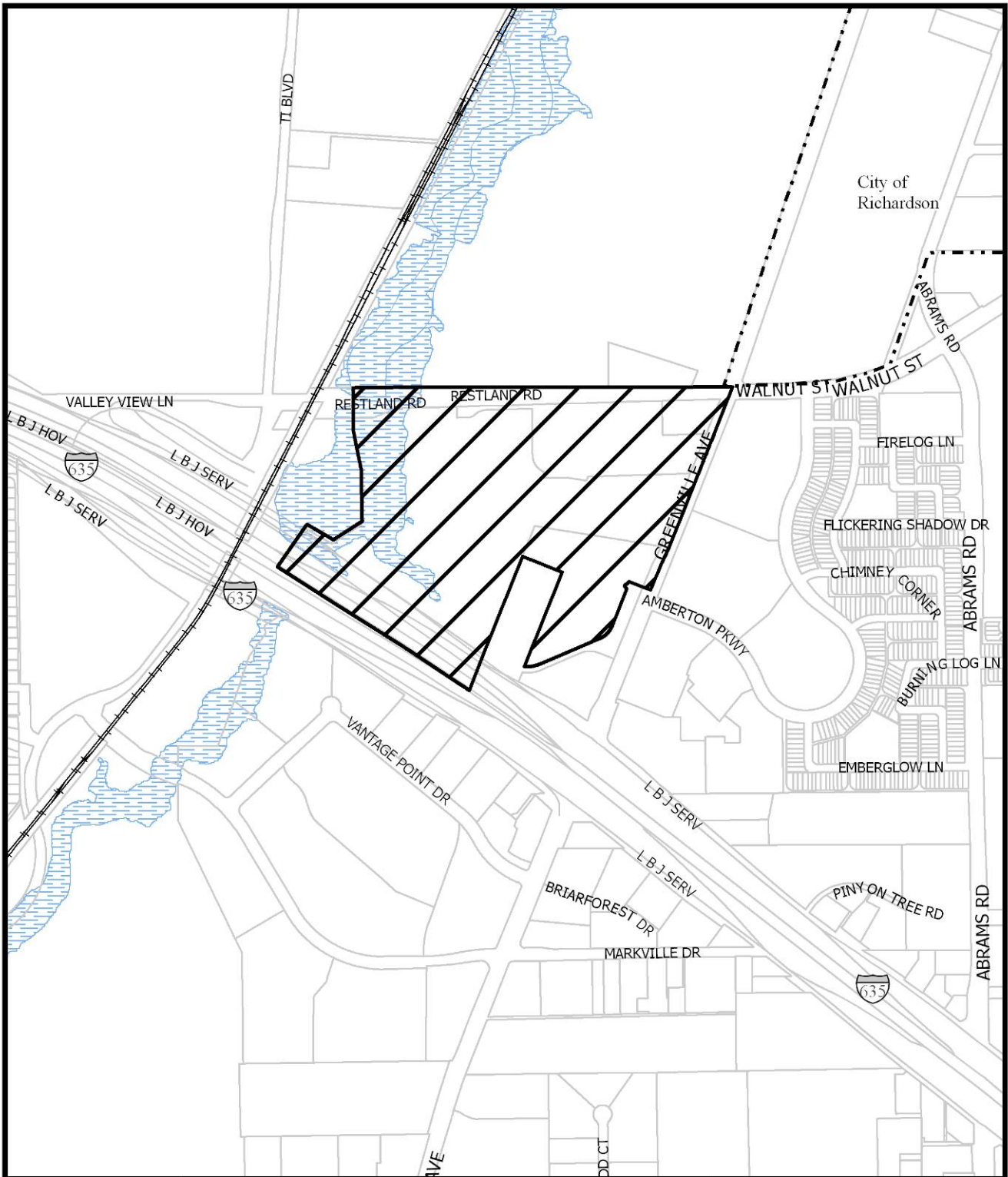
These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the property described herein.

These restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the undersigned owners hereof do hereby grant to the City of Dallas the right to prosecute, at law and in equity,





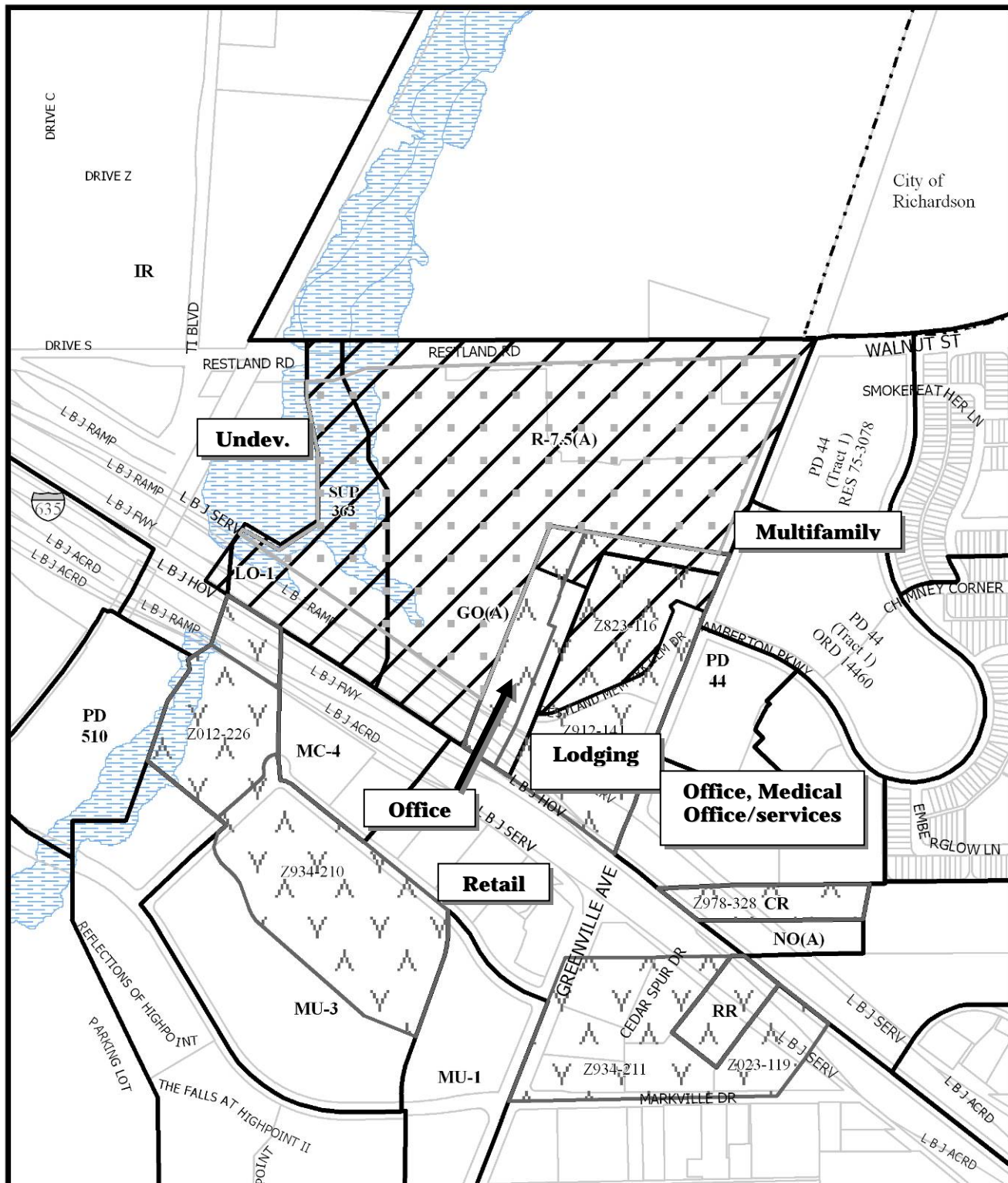


1:9,600

# VICINITY MAP

Case no:           Z112-105          

Date:           3/22/2012




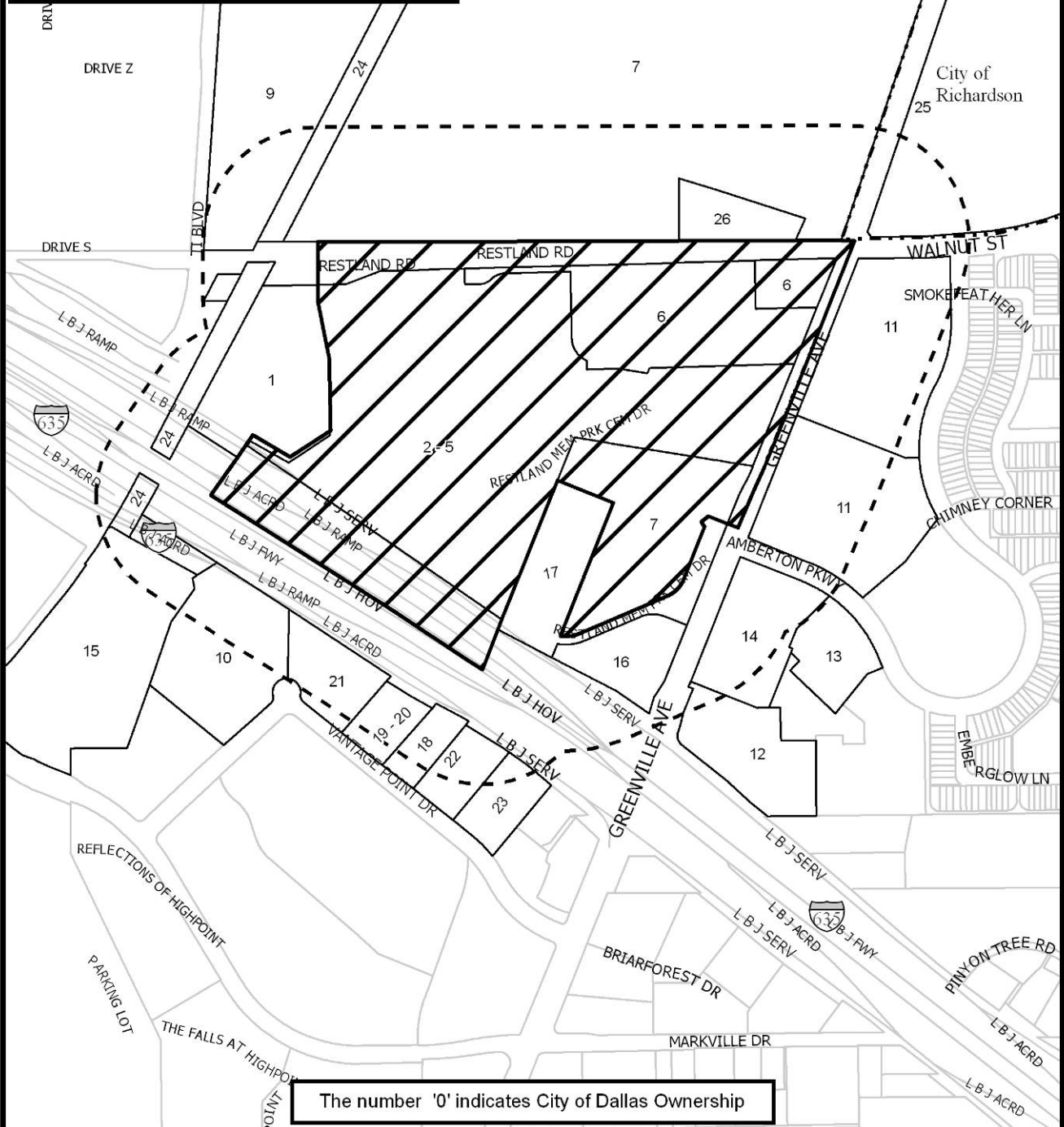
1:7,200


# ZONING AND LAND USE

Case no: Z112-105

Date: 3/22/2012

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



  
 1:7,200

## NOTIFICATION

500' AREA OF NOTIFICATION  
26 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:           Z112-105            
 Date:           3/22/2012

3/22/2012

***Notification List of Property Owners******Z112-105******26 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	9000 LBJ FWY	TEXAS INSTRUMENTS INC MS3998
2	12705 GREENVILLE AVE	RESTLAND OF DALLAS
3	9300 RESTLAND DR	RESTLAND OF DALLAS % BILL HILL
4	9060 RESTLAND DR	RESTLAND OF DALLAS
5	12700 GREENVILLE AVE	RESTLAND MEMORIAL PARK
6	12969 GREENVILLE AVE	RESTLAND MEMORIAL PARK
7	12525 GREENVILLE AVE	RESTLAND OF DALLAS INC
8	13000 T I BLVD	ENSERCH CORP % ATMOS ENERGY / PPTY TAX
9	13020 T I BLVD	TEXAS INSTRUMENTS INC % BILL SCHLEUSNER
10	9000 VANTAGE POINT DR	LBJ STATION LTD SUITE 400
11	9737 AMBERTON PKWY	PRICEBLU CANDLEWYCK LLC
12	9229 LBJ FWY	NP I DALLAS PORTFOLIO LP % H & R REIT HO
13	9250 AMBERTON PKWY	NORTHPOINT INVESTMENT LTD
14	12606 GREENVILLE AVE	Q NORTHPOINT LP
15	8902 LBJ FWY	DALLAS AREA RAPID TRANSIT
16	12525 GREENVILLE AVE	CANDLEWOOD DALLAS TX % INTERCONTINENTAL
17	9101 LBJ FWY	WHITESTONE OFFICES LLC STE 500
18	9049 VANTAGE POINT DR	PRIVATE RESTAURANT PPTIES LLC
19	9039 VANTAGE POINT DR	REALTY INCOME TEXAS %PORTFOLIO MGMT #710
20	9039 VANTAGE POINT DR	DF&R RESTAURANTS INC ATTN:PORTFOLIO MGMT
21	9019 VANTAGE POINT DR	BRE/ESA P PORTFOLIO TXNC % FRANCES PARKE
22	9069 VANTAGE POINT DR	GENERAL MILLS RESTAURANTS DBA: 0010873
23	9079 VANTAGE POINT DR	GENERAL MILLS RESTS INC DBA:0021257 ATTN
24	401 BUCKNER BLVD	DART
25	1132 ABRAMS RD	RICHARDSON ISD
26	9001 GREENVILLE AVE	RESTLAND FUNERAL HOME

**Planner: Richard E. Brown**

**FILE NUMBER:** Z112-247(RB)

**DATE FILED:** May 23, 2012

**LOCATION:** West Davis Street and the unimproved portion of Tatum Avenue,  
Northwest Corner

**COUNCIL DISTRICT:** 6

**MAPSCO:** 52 B

**SIZE OF REQUEST:** Approx. 1.79 Acres

**CENSUS TRACT:** 107.01

---

**APPLICANT/OWNER:** John Malchi

**REPRESENTATIVE:** Santos Martinez

**REQUEST:** An application for the creation of a new subdistrict within the Light Commercial/Office Subdistrict portion of Planned Development District No. 631, the West Davis Special Purpose District.

**SUMMARY:** The applicant proposes to create a new subdistrict to permit certain retail and office uses, those that provide for drive-in or drive-through service, as well as certain other nonresidential uses.

**STAFF RECOMMENDATION:** Approval, subject to staff's recommended conditions.



**BACKGROUND INFORMATION:**

- The request site is undeveloped. There are no defined plans for development of the site.
- Planned Development District No. 631 was established to: 1) protect residential areas from incompatible land uses; 2) increase the commercial viability along West Davis Street; and, 3) enhance the image of this State Highway/thoroughfare.
- The applicant is requesting to create a new subdistrict that retains the existing Light Commercial/Office Subdistrict Uses and development standards with the addition of certain retail and office uses that possess drive-through service (i. e., restaurant, financial institution) as well as a few other nonresidential uses.
- Staff has recommended certain regulations related to these uses to ensure compatibility with adjacent low-density residential uses.

**Zoning History:**

**File No.**

**Request, Disposition, and Date**

- |             |   |
|-------------|---|
| 1. Z978-162 | On May 27, 1998, the City Council approved a CS District on property zoned an R-7.5(A) District, subject to deed restrictions volunteered by the applicant. |
| 2. Z112-168 | On May 23, 2012, the City Council approved a PDD for a Truck stop and certain MC-1 District Uses  |

**Thoroughfare/Street:**

**Existing & Proposed ROW**

West Davis Street

Freeway; Variable ROW

Tatum Avenue\*

Local; 50' ROW

\*Tatum Avenue improved right-of-way terminates approximately 150 feet north of West Davis Street.

**STAFF ANALYSIS:**

**Comprehensive Plan:** The request area is located in an area designated as a Commercial Center or Corridor. These areas primarily function as service and job destinations and are similar to Business Centers or Corridors, but are smaller and

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

GOAL 1.2 Promote desired development.

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

**Land Use Analysis:** The request site is undeveloped with no specific plans for development. The applicant is requesting to create a new subdistrict that retains the existing Light Commercial/Office Subdistrict Uses and development standards with the addition of certain retail and office uses, those that provide for drive-in or drive-through service, as well as permitting certain other nonresidential uses by right.

Surrounding land use consists of established low-density single family uses to the north and northeast. Commercial, retail, and auto-related uses can be found on property to the west and east, along the West Davis Street frontage.

Additionally, the site is somewhat depressed as it relates to the elevations of the adjacent residential to the north and east. While it is anticipated proposed development will comply with the residential proximity slope regulations, the applicant has asked for an increase in structure height for a hotel or motel use (staff is recommending that access to rooms must be provided by internal corridor or area). The portion of the site that will permit a hotel or motel use (specific setbacks are required) is approximately 20-30 feet below the established grade of the adjacent residential uses. As a result, the increase in structure height is absorbed by the lower elevation of the site.

It should be noted that PDD No. 631 'sawtooths' through both sides of the Davis Street frontage. As a result of this irregular defined PDD boundary, it becomes difficult to transition the impact of nonresidential uses to the established residential areas on both sides of Davis Street. As a result, the applicant has worked with staff to ensure certain

development standards and operational designs are provided to address the impact of the anticipated development.

As referenced above, the PDD was created with an emphasis of ensuring compatibility for permitted nonresidential uses (normally fronting both sides of Davis Street) as the PDD alignment encroached into the established, low-density residential areas found in both directions of the thoroughfare's alignment. In part, with no specific development plans being proposed, staff is concerned as to the impact of these certain requested uses, currently not permitted by the existing subdistrict, however, being requested as uses by right: 1) financial institution with drive-in window; 2) restaurant with drive-in or drive-through service; 3) motor vehicle fueling station; and, 4) hotel or motel (when in excess of 60 rooms).

Subject to staff's recommended conditions, it has been determined the requested additional uses can be both consistent with the development found along the Davis Street frontage while maintaining sensitivity to the established low-density surrounding the site. It should be noted in staff's recommended conditions that certain operational characteristics will be required in addition to the requirement of obtaining a specific use permit. Should CPC support the applicant's request to permit any or all of these uses by right, it is recommended to retain those respective operational characteristics recommended by staff.

**Landscaping:** PDD No. 631 requires landscaping per Article X of the Dallas Development Code. As noted above, staff has determined due to the site's adjacency to residential uses in conjunction with the applicant's requested uses, additional landscape materials should be provided along the site's northern and eastern property line which in conjunction with other recommended provisions, will ensure additional screening/buffering of the site from this residential area.

**Access:** As noted on the attached Access Exhibit, the Texas Department of Transportation has approved a median opening on Davis Street that will permit a protected left turn-in for both east and west bound vehicular movements. In conjunction with no access to the site from the unimproved portion of Tatum Avenue, this will ensure the majority of vehicular traffic associated with the development of this site will have a minimal impact on the adjacent residential community. It should also be noted that a drive approach for right-turn-in and right-turn-out movements will be constructed along the northbound access road of Loop 12.

With respect to Tatum Avenue, existing pavement for this road ends approximately 150 feet north of Davis Street. At this time, it is anticipated the property owner will be required (as part of a future preliminary plat application) to construct half of the right-of-way for this unimproved section.



Site

# Exhibit 631A West Davis Special Purpose District and Subdistrict Boundary Map

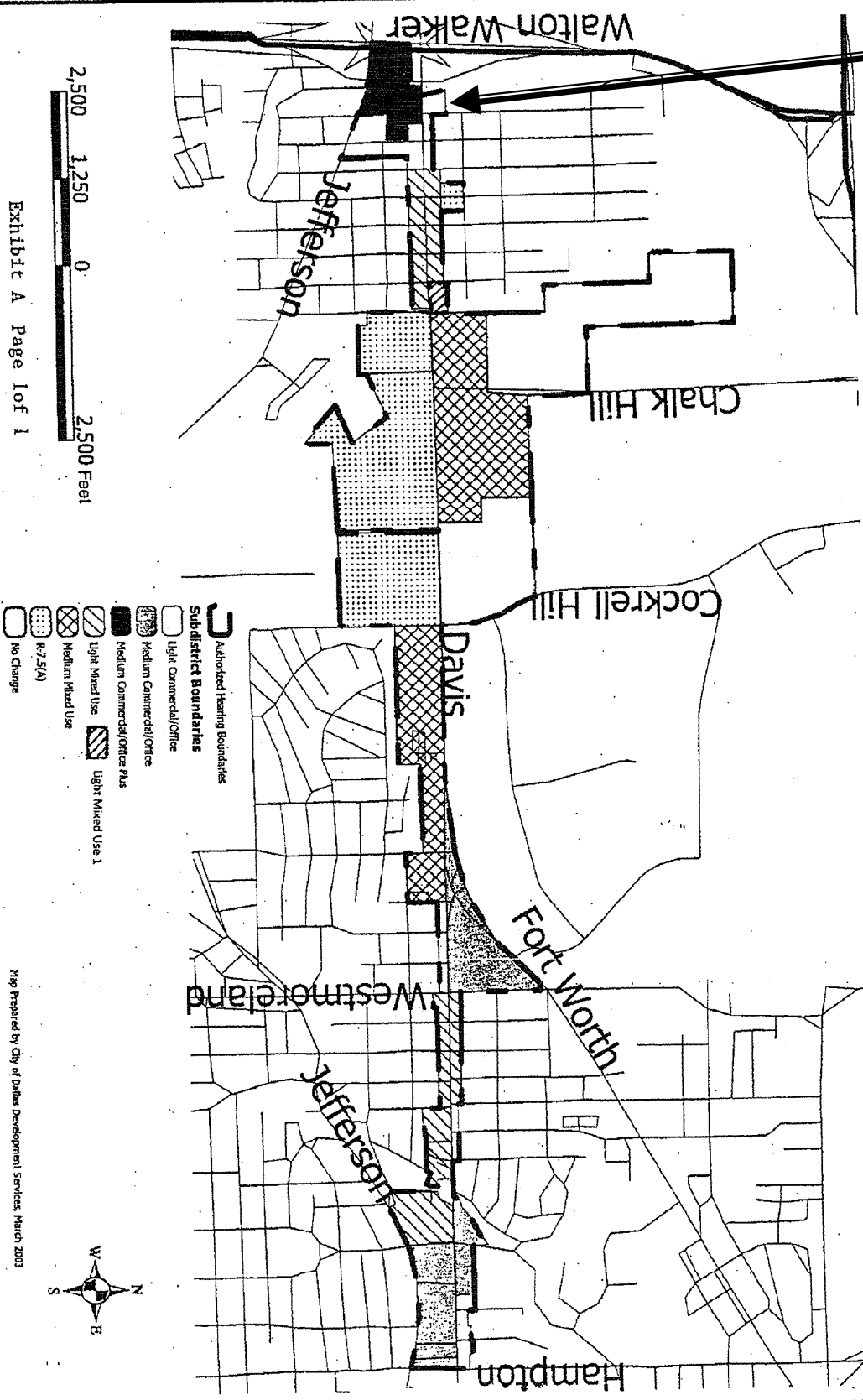


Exhibit A Page 1 of 1

Map Prepared by City of Dallas Development Services, March 2003

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS  
ARTICLE 631.**

**PD 631.**

**West Davis Special Purpose District**

**SEC. 51P-631.101. LEGISLATIVE HISTORY.**

PD 631 was established by Ordinance No. 25209, passed by the Dallas City Council on March 26, 2003. (Ord. 25209)

**SEC. 51P-631.102. PROPERTY LOCATION AND SIZE.**

PD 631 is established on property generally located along West Davis Street, bounded by Walton Walker (Loop 12) on the west and Hampton Road on the east. The size of PD 631 is approximately 523 acres. (Ord. Nos. 25209; 27949)

**SEC. 51P-631.103. CREATION OF SUBDISTRICTS.**

- (a) This district contains one residential subdistrict: Residential R-7.5(A).
- (b) This district is divided into the following nonresidential subdistricts:

(1) Light Commercial/Office. The Light Commercial/Office Subdistrict includes the area labeled Light Commercial/Office Area-1 on the West Davis Special Purpose District and subdistrict boundary map.

(2) Medium Commercial/Office.

(3) Medium Commercial/Office Plus.

(4) Light Mixed Use. The Light Mixed Use Subdistrict includes the area labeled Light Mixed Use Area-1 on the West Davis Special Purpose District and subdistrict boundary map.

(5) Medium Mixed Use.

(c) A map showing the boundaries of this district and its subdistricts is provided in this article and labeled as Exhibit 631A. A detailed description of the boundaries of this district and its subdistricts is provided in Exhibit 631D. (Ord. Nos. 25209; 27890)

(d) A Light Commercial/Office Area-1 topography exhibit is provided in this article and labeled as Exhibit 631E.

**SEC. 51P-631.104. DEFINITIONS.**

Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In this district:

(1) DISTRICT means the entire planned development district (the West Dallas Special Purpose District) created by this article.

(1.1) MACHINE SHOP means a facility where material is processed and manufactured by machining, cutting, grinding, welding, or similar processes and is assembled or disassembled wholly within an enclosed building. This use does not include the repair of automobiles, commercial vehicles, engines, or other automobile parts.

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

(3) SUBDISTRICT means one of the subdistricts referred to in Section 51P-631.103 of this article.

(4) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. (Ord. Nos. 25209; 27890)

**SEC. 51P-631.105. INTERPRETATIONS.**

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

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

(c) Section 51A-2.101, "Interpretations," applies to this article.

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

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

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

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only. ["SUP" means "specific use permit." For more information regarding specific use permits, see Section 51A-4.219, "Specific Use Permit (SUP)."]

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

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

(e) If there is a conflict, the text of this article controls over the charts or any other graphic display. (Ord. Nos. 25209; 27890; 28554)

**SEC. 51P-631.105.1. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 631A: West Davis Special Purpose District and subdistrict boundary map.

(2) Exhibit 631B: land use chart.



- (3) Exhibit 631C: development standards summary chart.
- (4) Exhibit 631D: property description. (Ord. Nos. 27890; 28554)
- (5) Exhibit 631E: Light Commercial/Office Area-1 topography exhibit.

**SEC. 51P-631.106. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN THE RESIDENTIAL R-7.5(A) SUBDISTRICT.**

(a) Main uses permitted. The uses permitted in this subdistrict are those uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this planned development district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this planned development district; etc.

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

(c) Yard, lot, and space regulations. The yard, lot, and space regulations contained in Section 51A-4.112(f), "R-7.5(A) District," apply to this subdistrict.

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.107. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN THE LIGHT COMMERCIAL/ OFFICE SUBDISTRICT.**

(a) Main uses permitted.

- (1) Agricultural uses.

- None permitted.
- (2) Commercial and business service uses.
  - Catering service. [SUP]
- (3) Industrial uses.
  - Temporary concrete or asphalt batching. *[By special authorization of the building official.]*
- (4) Institutional and community service uses.
  - Adult day care facility.
  - Cemetery or mausoleum. [SUP]
  - Child-care facility.
  - Church.
  - College, university, or seminary. [SUP]
  - Community service center. [SUP]
  - Library, art gallery, or museum.
  - Public or private school. [SUP]
- (5) Lodging uses.
  - None permitted.
- (6) Miscellaneous uses.
  - Temporary construction or sales office.
- (7) Office uses.
  - Financial institution without drive-in window.
  - Medical clinic or ambulatory surgical center.
  - Office.
- (8) Recreation uses.
  - Public park, playground, or golf course.
- (9) Residential uses.
  - None permitted.
- (10) Retail and personal service uses.

- Dry cleaning or laundry store.
- Furniture store. *[SUP]*
- General merchandise or food store 3,500 square feet or less.
- Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
- Restaurant without drive-in or drive-through service.

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Electrical substation. *[SUP]*
- Local utilities. *[See Section 51A-4.212(4). Treat as if in the NS(A) Neighborhood Service District.]*
- Police or fire station. *[SUP]*
- Post office. *[SUP]*
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1). Treat as if in the NS(A) Neighborhood Service District.]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.

- Private stable.
- Pedestrian skybridges.

(c) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(3) Rear yard. Minimum rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.5.

(6) Height.

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

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 30 feet.

(7) Lot coverage. Maximum lot coverage is 40 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.107.1. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN THE LIGHT COMMERCIAL/ OFFICE SUBDISTRICT 1**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

-- Catering service. [SUP]

(3) Industrial uses.

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

(4) Institutional and community service uses.

-- Adult day care facility.

-- Cemetery or mausoleum. [SUP]

-- Child-care facility.

-- Church.

-- College, university, or seminary. [SUP]

-- Community service center. [SUP]

-- Library, art gallery, or museum.

-- Public or private school. [SUP]

*Applicant requested:*

(5) Lodging uses.  
-- Hotel or motel (SUP required if 60 or fewer guest rooms; guest rooms must be accessible from internal corridor or walkway).

*Staff recommended:*

(5) Lodging uses.  
-- Hotel or motel (SUP; guest rooms must be accessible from internal corridor or walkway).

(6) Miscellaneous uses.  
-- Temporary construction or sales office.

*Applicant requested:*

(7) Office uses.  
-- Financial institution without drive-in window.  
-- Financial institution with drive-in window.  
-- Medical clinic or ambulatory surgical center.  
-- Office.

*Staff recommended:*

(7) Office uses.  
-- Financial institution without drive-in window.  
-- Financial institution with drive-in window. [SUP]  
-- Medical clinic or ambulatory surgical center.  
-- Office.

(8) Recreation uses.  
-- Public park, playground, or golf course.

(9) Residential uses.  
-- None permitted.

*Applicant requested:*

(10) Retail and personal service uses.  
-- Dry cleaning or laundry store.  
-- Furniture store. [SUP]  
-- General merchandise or food store 3,500 square feet or less.  
-- General merchandise or food store 3,500 square feet or more.

<u>allowed.]</u>	<u>-- Personal service uses. [Massage establishment and tattoo studio not</u>
	<u>-- Restaurant without drive-in or drive-through service.</u>
	<u>-- Restaurant with drive-in through service.</u>
	<u>-- Motor vehicle fueling station.</u>

Staff recommended:

<u>allowed.]</u>	<u>(10) Retail and personal service uses.</u>
	<u>-- Dry cleaning or laundry store.</u>
	<u>-- Furniture store. [SUP]</u>
	<u>-- General merchandise or food store 3,500 square feet or less.</u>
	<u>-- General merchandise or food store 3,500 square feet or more.</u>
	<u>-- Personal service uses. [Massage establishment and tattoo studio not</u>
	<u>-- Restaurant without drive-in or drive-through service.</u>
	<u>-- Restaurant with drive-in through service. [SUP]</u>
	<u>-- Motor vehicle fueling station. [SUP]</u>

- (11) Transportation uses.  
-- Transit passenger shelter.

- (12) Utility and public service uses.  
-- Electrical substation. [SUP]  
-- Local utilities. [See Section 51A-4.212(4). Treat as if in the NS(A)

Neighborhood Service District.]

- Police or fire station. [SUP]  
-- Post office. [SUP]  
-- Radio, television, or microwave tower. [SUP]  
-- Tower/antenna for cellular communication. [See Section 51A-  
4.212(10.1). Treat as if in the NS(A) Neighborhood Service District.]  
-- Utility or government installation other than listed. [SUP]

- (13) Wholesale, distribution, and storage uses.  
--Recycling drop-off container. [See Section 51A-4.213(11.2).]

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

(c) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Except as provided in this section, minimum front yard is 15 feet.

(A) For a lodging use, a minimum front yard on Tatum Street is 75.

(2) Side yard.

(A) Except as provided in this section, minimum side yard is 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered a residential zoning district, and no minimum in all other cases.

(B) For a lodging use, minimum side yard along the northern property line is 50 feet.

(C) For a lodging use, no minimum side yard along the western property line.

(3) Rear yard.

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.5.



(6) Height. Except as provided in this section, maximum structure height is 30 feet.

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

(B) Except as provided in this paragraph, maximum height for a lodging use is 54 feet.

(i) A lodging use is exempt from the residential proximity slope if the finished floor elevation does not exceed 490 feet as identified in the topography exhibit (Exhibit 631E).

(ii) For any occupied building on the Property, screening of mechanical equipment must be provided along any northern and eastern façade in such a manner to visually screen these areas from a vantage point of the intersection of six feet above the existing grade of Tatum Street and the northeast corner of the Property. Mechanical equipment screening may exceed the maximum allowable height requirements to provide required screening.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is five. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

*Applicant requested:*

<p><u>(1) Speaker/order boxes for a restaurant with drive-through service must be placed a minimum of 100 feet from Tatum Street and a minimum of 75 feet from the northern property line.</u></p>
--

Staff recommended:

(2) Any drive-through window and/or speaker/order box for a permitted use must be placed a minimum of 100 feet from Tatum Street and a minimum of 75 feet from the northern property line.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.108. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE MEDIUM COMMERCIAL/ OFFICE SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Job or lithographic printing.
- Medical or scientific laboratory. [SUP]
- Tool or equipment rental.

(3) Industrial uses.

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

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary. [SUP]
- Community service center. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [SUP]

(5) Lodging uses.

- Hotel or motel. [SUP]
- Lodging or boarding house. [SUP]
- Overnight general purpose shelter. [SUP]

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

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

(8) Recreation uses.

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

(9) Residential uses.

- None permitted.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run.
- Auto service center. [SUP]
- Business school. [SUP]
- Car wash. [SUP]
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Treat as if in the CR Community Retail District.]
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.

- Home improvement center; lumber, brick, or building materials sales yard. *[SUP]*
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. *[DIR]*
- Swap or buy shop. *[SUP]*
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. *[See Section 51A-4.212(4). Treat as if in the CR Community Retail District.]*
- Police or fire station. *[SUP]*
- Post office.
- Radio, television, or microwave tower. *[SUP]*
- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1). Treat as if in the CR Community Retail District.]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory community center (private).
- Accessory helistop.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

(3) The following accessory use is permitted in this subdistrict by SUP only:

- Accessory medical/infectious waste incinerator. [SUP]

(c) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(3) Rear yard. Minimum rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.75.

(6) Height.

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

feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 54 feet.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE MEDIUM COMMERCIAL/ OFFICE PLUS SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Job or lithographic printing.
- Medical or scientific laboratory. [SUP]
- Tool or equipment rental.

(3) Industrial uses.

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

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. *[SUP]*
- Child-care facility.
- Church.
- College, university, or seminary. *[SUP]*
- Community service center. *[SUP]*
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Public or private school. *[SUP]*

(5) Lodging uses.

- Hotel or motel. *[SUP]*
- Lodging or boarding house. *[SUP]*
- Overnight general purpose shelter. *[SUP]*

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

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

(8) Recreation uses.

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

(9) Residential uses.

- None permitted.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run.

- Auto service center. [SUP]
- Business school. [SUP]
- Car wash. [SUP]
- Commercial amusement (inside). [See Section 51A-4.210(b)(7). Treat as if in the CR Community Retail District.]
- Commercial amusement (outside). [SUP]
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center; lumber, brick, or building materials sales yard. [SUP]
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Personal service uses. [Massage establishment and tattoo studio not allowed.]
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Commercial bus station and terminal. [SUP]
- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities. [See Section 51A-4.212(4). Treat as if in the CR Community Retail District.]
- Police or fire station. [SUP]
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [See Section 51A-4.212(10.1). Treat as if in the CR Community Retail District.]
- Utility or government installation other than listed. [SUP]



(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213(11.2).]

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

(c) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(3) Rear yard. Minimum rear yard is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Density. Not applicable. (Residential uses are not permitted.)

(5) Floor area ratio. Maximum floor area ratio is 0.75.

(6) Height.

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

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 54 feet.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.110. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE LIGHT MIXED USE SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Medical or scientific laboratory. [SUP]

(3) Industrial uses.

- Machine shop. *[Light Mixed Use Area-1 only] [SUP]*
- Temporary concrete or asphalt batching. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary. [SUP]
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions. [SUP]
- Convent or monastery.
- Foster home. [SUP]
- Library, art gallery, or museum.
- Public or private school. [SUP]

(5) Lodging uses.

- None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house. *[SUP]*
- Duplex.
- Handicapped group dwelling unit. *[By right when located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units; otherwise by SUP only.]*
- Multifamily.
- Retirement housing.
- Single family.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run.
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store. *[SUP]*
- General merchandise or food store 3,500 square feet or less.
- Household equipment and appliance repair.
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater. *[Limited to 100 seats.]*

(11) Transportation uses.

- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station. *[SUP]*
- Electrical substation. *[SUP]*
- Local utilities. *[See Section 51A-4.212(4). Treat as if in a residential district. Communication exchange facilities prohibited.]*
- Police or fire station. *[SUP]*
- Post office. *[SUP]*
- Radio, television, or microwave tower. *[SUP]*
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. *[See Section 51A-4.213(11.2).]*

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

(c) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is 10 feet for multifamily structures. No minimum side yard for all other structures.

(3) Rear yard. Minimum rear yard is 15 feet for multifamily structures. Minimum rear yard for all other structures is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Dwelling unit density. Maximum dwelling unit density is 20 units per acre. Minimum dwelling unit size is 500 square feet.

(5) Floor area ratio. Maximum floor area ratio is 0.5, except that maximum floor area ratio is 1.0 for a mixed use project with both a residential component and a nonresidential component.

(6) Height.

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

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 30 feet, except that the maximum structure height is 45 feet for a mixed use project with both a residential component and a nonresidential component.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading.

(1) Except as provided in this subsection, consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(2) Machine shop.

(A) One off-street parking space per 700 square feet of floor area is required.

(B) Loading and unloading areas must be screened from Davis Street and Dwight Street with a minimum six-foot-high solid screening fence.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping."

(g) Outside storage in Light Mixed Use Area-1. Outside storage is limited to 6,000 square feet of area in the location shown on the Light Mixed Use Area-1 development plan. (Ord. Nos. 25209; 27890)

**SEC. 51P-631.111. USE REGULATIONS AND DEVELOPMENT STANDARDS  
IN THE MEDIUM MIXED USE SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.
- Job or lithographic printing.
- Medical or scientific laboratory. [SUP]

(3) Industrial uses.

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

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary. [SUP]
- Community service center. [SUP]
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Halfway house. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [SUP]

(5) Lodging uses.

-- Overnight general purpose shelter. [SUP]

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house. *[SUP]*
- Group residential facility. *[By right when located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units; otherwise by SUP only.]*
- Multifamily.
- Retirement housing.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run.
- Commercial amusement (inside). *[SUP]*
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Household equipment and appliance repair.
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
- Restaurant without drive-in or drive-through service.
- Temporary retail use.
- Theater. *[Limited to 1,000 seats.]*

(11) Transportation uses.



- Transit passenger shelter.

(12) Utility and public service uses.

- Commercial radio or television transmitting station. [SUP]
- Electrical substation. [SUP]
- Local utilities. [See Section 51A-4.212(4). Treat as if in a residential district. Communication exchange facilities prohibited.]
- Police or fire station. [SUP]
- Post office. [SUP]
- Radio, television, or microwave tower. [SUP]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

- Recycling drop-off container. [See Section 51A-4.213(11.2).]

(b) Accessory uses.

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

(2) The following accessory uses are not permitted in this subdistrict:

- Accessory helistop.
- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- General waste incinerator.
- Private stable.
- Pedestrian skybridges.

(c) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

(1) Front yard. Minimum front yard is 15 feet.

(2) Side yard. Minimum side yard is 10 feet for multifamily structures. No minimum side yard for all other structures.

(3) Rear yard. Minimum rear yard is 15 feet for multifamily structures. Minimum rear yard for all other structures is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

(B) no minimum in all other cases.

(4) Dwelling unit density. Maximum dwelling unit density is 40 units per acre. Minimum dwelling unit size is 500 square feet.

(5) Floor area ratio. Maximum floor area ratio is 0.75 for a project without a residential component and 2.0 for a project with a residential component.

(6) Height.

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

(B) Maximum height. Unless further restricted under Subparagraph (A), the maximum structure height is 54 feet for a project without a residential component and 90 feet for a project with a residential component.

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

(8) Lot size. No minimum lot size.

(9) Stories. Maximum number of stories above grade is six. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."

(d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(e) Environmental performance standards. See Article VI.

(f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

**SEC. 51P-631.112. LANDSCAPING.**

(a) In general. Except as modified in this section, the regulations in Article X, "Landscape and Tree Preservation Regulations," apply to this district. In the event of a conflict between this section and Article X, this section controls.

(b) Application. Subsection (c) of Section 51A-10.121, "Application of Division," of Division 51A-10.120, "Landscaping," is modified to read as follows: This division becomes applicable to a lot or tract when an application is made for a building permit for construction work that within a 24-month period:

- (1) increases the number of stories in a building on the lot;
- (2) increases the combined floor areas of all buildings on the lot; or
- (3) increases the nonpermeable coverage on the lot.

(c) Light Mixed Use Area-1.

(1) Machine shop.

(A) Prior to the issuance of a certificate of occupancy, landscaping must be provided as shown on the Light Mixed Use Area-1 development plan.

(B) Automatic sprinkler systems are not required for landscaping located within a public right-of-way. Landscaping within a public right-of-way must be located within 100 feet of a verifiable water source.

(2) 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 Light Mixed Use Area-1 for the exclusive purpose of authorizing compliance with the landscaping requirements of this subsection. 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 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 to 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 paragraph.

(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 paragraph, 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 paragraph 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.

(3) Landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a landscape permit before locating trees, landscaping, or related amenities in the right-of-way. An application for a 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 right-of-way 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 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 landscaping requirement of this subsection if compliance is made impossible due to the building official's denial of a landscape permit.

(D) A landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the right-of-way 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 landscaping requirement of this subsection if compliance is made impossible due to the building official's revocation of a landscape permit.

(E) The issuance of a landscape permit under this paragraph does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way. (Ord. Nos. 25209; 27890)

**SEC. 51P-631.113. SIGNS.**

Signs must comply with the provisions for business zoning districts contained in Article VII, "Sign Regulations." (Ord. 25209)

**SEC. 51P-631.114. ADDITIONAL PROVISIONS.**

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

(b) Development and use of property within this district must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 25209; 26102)

**SEC. 51P-631.115. COMPLIANCE WITH CONDITIONS.**

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

(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this 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. 25209; 26102)

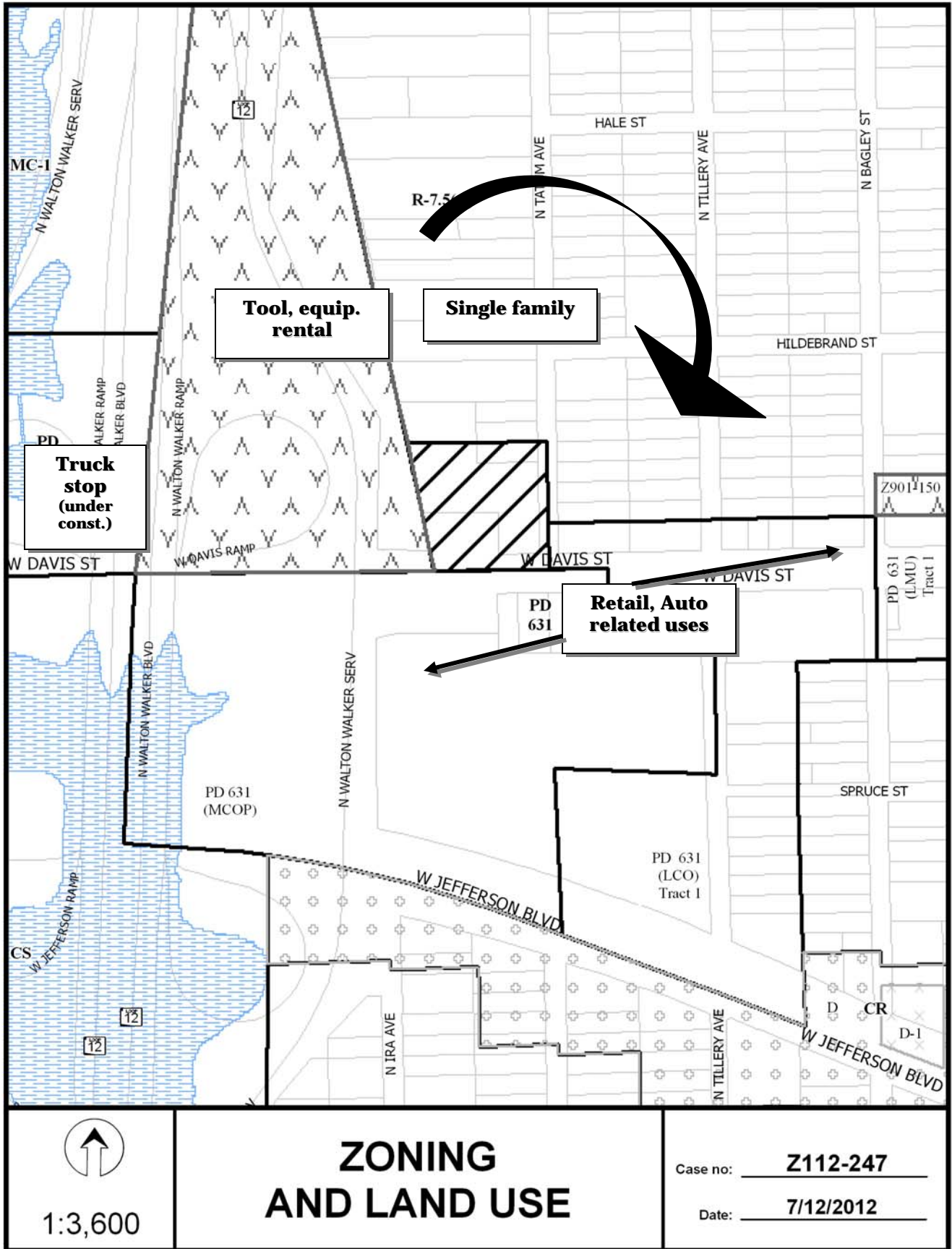
~~**SEC. 51P-631.116. ZONING MAP.**~~

~~PD 631 is located on Zoning Map Nos. L-4, L-5, L-6, and K-5. (Ord. 25209)~~

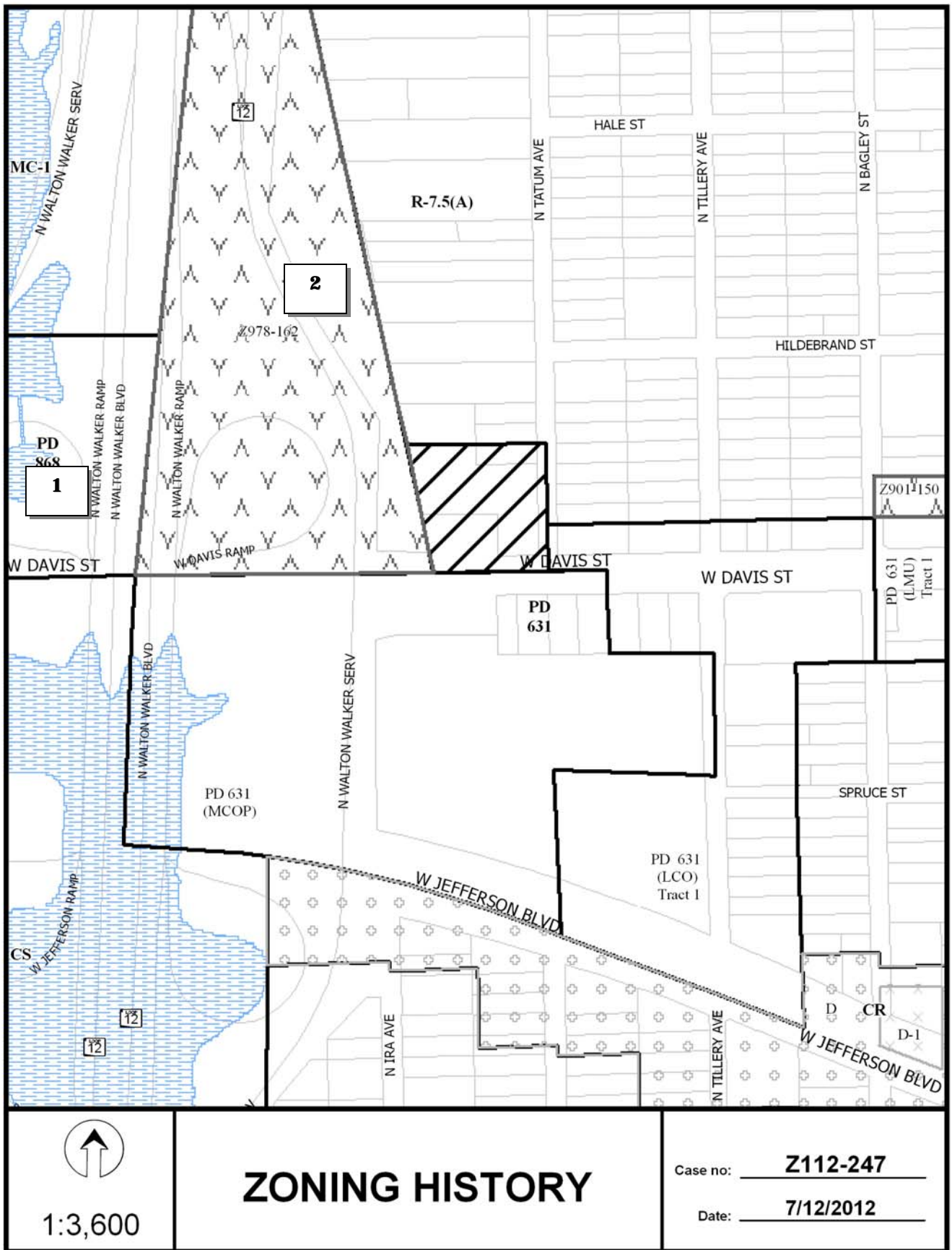
**SEC. 51P-631.117 6. LAND USE AND DEVELOPMENT STANDARDS CHARTS.**

A land use chart is provided in this article and labeled as Exhibit 631B, and a development standards chart is provided in this article and labeled as Exhibit 631C. In the event of a conflict between these charts and the text of this article, the text controls. (Ord. 25209)








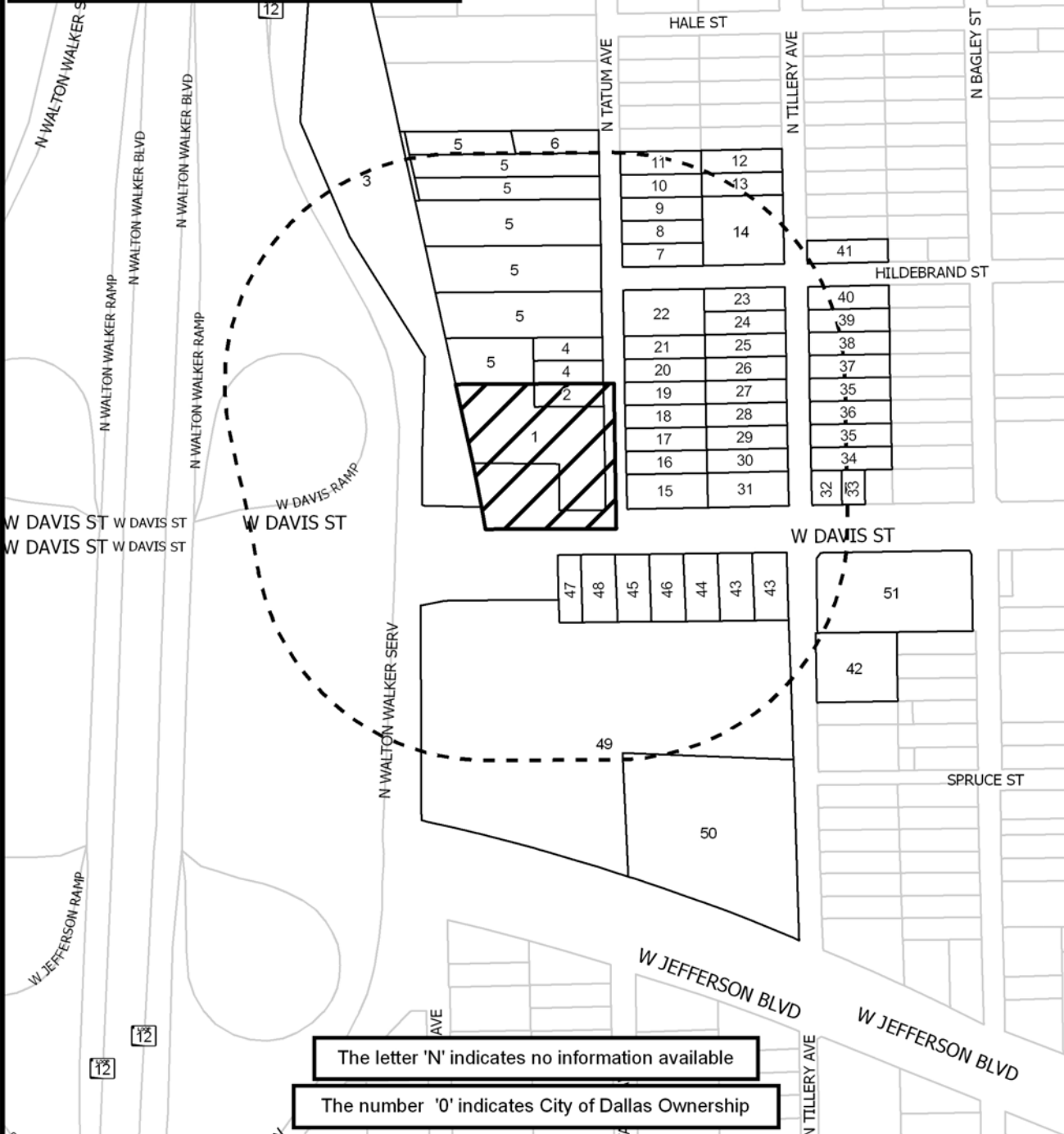


# ZONING HISTORY

Case no: Z112-247  
 Date: 7/12/2012

1:3,600

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

  
1:3,600

## NOTIFICATION

**500'** AREA OF NOTIFICATION  
**51** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:           **Z112-247**            
Date:           **7/12/2012**

7/12/2012

***Notification List of Property Owners******Z112-247******51 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5500 DAVIS ST	MALCHI JOHN
2	703 TATUM AVE	WEBB BERNICE W
3	1200 WALTON WALKER BLVD	DALLAS LEGACY INVESTMENTS LP
4	707 TATUM AVE	AGUINAGA MANUEL & CLAUDIA G
5	715 TATUM AVE	FAZ ISAAC D
6	905 TATUM AVE	ANTUNEZ PATRICIA & ANTONIO CASTANEDAS
7	802 TATUM AVE	WALKER FRANCES N
8	806 TATUM AVE	SMITH JIMMY SR
9	810 TATUM AVE	GONZALEZ DEXMAR J & SYLVIA L
10	814 TATUM AVE	RAMIREZ ALFONSO & RAMIREZ JORGE
11	818 TATUM AVE	COUCH TAWANA
12	819 TILLERY ST	ANTUNEZ PATRICIA & ANTONIO C HERRERA
13	815 TILLERY ST	GALVAN JUAN
14	803 TILLERY ST	WEST FLOYD J
15	606 TATUM AVE	SEGURA ABRAHAM
16	610 TATUM AVE	AGUAYO JUAN CARLOS & ETAL
17	614 TATUM AVE	MERCADO RICARDO
18	618 TATUM AVE	MERCADO RICARDO ETAL
19	702 TATUM AVE	AGUAYO JUAN CARLOS & CAROLINA D
20	708 TATUM AVE	AGUAYO CARLOS & CAROLINA
21	710 TATUM AVE	GARZA ANA L
22	718 TATUM AVE	OLVERA ADAN O
23	717 TILLERY ST	STOKER KATHY L
24	715 TILLERY ST	WHITEHORN JANIE
25	711 TILLERY ST	RUIZ LUIS & BEATRICE
26	707 TILLERY ST	CASTANEDA SILVINA & ISMAEL

7/12/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	621 TILLERY ST	CACERES JOSE
28	619 TILLERY ST	CACERES JOSE & MARTHA
29	615 TILLERY ST	RODRIQUEZ RAFAEL N
30	611 TILLERY ST	SEGOVIANO MANUEL
31	603 TILLERY ST	EVANS JOE
32	5319 DAVIS ST	FARRIS DEANO
33	5317 DAVIS ST	FARRIS DEANO
34	610 TILLERY ST	DOBBINS WOODROW
35	614 TILLERY ST	FAZ ISMAEL & MARIA G
36	616 TILLERY ST	FAZ ALEJANDRO & MINERVA A
37	706 TILLERY ST	QUEZADA CARLOS & HERLINDA
38	710 TILLERY ST	LANDEROS JOSE & DORA LANDEROS
39	714 TILLERY ST	GARCIA FELIX C
40	716 TILLERY ST	RUIZ GREGORIO & ESPERANZA
41	802 TILLERY ST	CADLE PROPERTIES OF LOUISIAN INC
42	418 TILLERY ST	ADVANCED FOUNDATION REPAIR LP
43	5406 DAVIS ST	SALVATIERRA JOSE M
44	5410 DAVIS ST	CUARENTA FRANCISCO & IRMA
45	5414 DAVIS ST	ARTIGA ARMANDO & ANA EDITH
46	5412 DAVIS ST	ARTIGA ARMANDO & ANA EDITH
47	5502 DAVIS ST	DEANDA RODOLFO & YOLANDA
48	5502 DAVIS ST	DEANDA RODOLFO & YOLANDA
49	5601 JEFFERSON BLVD	MARSHALL FREDERICK S
50	5401 JEFFERSON BLVD	DAVIS PHILLIP E
51	5306 DAVIS ST	MARTINEZ RUBEN



CITY OF DALLAS

## Memorandum

DATE October 31, 2012

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

SUBJECT **Appeal of Landmark Commission Decision  
4931 Junius Street, Case # CA112-591(CH)  
CPC Consideration: November 15, 2012**

Attached is the record relating to the applicant's appeal of the denial of a Certificate of Appropriateness application for 4931 Junius Street, to install metal fence sections on side yard to match existing fence on west side of property.

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

Neva Dean  
Planning Manager  
Sustainable Development and Construction

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