



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

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BRIEFINGS:	5ES	9:30 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.

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

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**BRIEFINGS:**

HUD Challenge Grant (Dallas TOD) Plan

Peer Chacko, Assistant Director, Sustainable Development and Construction  
John Fregonese, Fregonese and Associates

Subdivision Docket

Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Paul Nelson

Consent Items:

- (1) **S123-036**  
(CC District 2)

An application to replat all of Lots 6 and 7 in City Block C/1983 into one 0.412 acre lot on property located at 5622 and 5624 Sears Street.

Applicant/Owner: 5624 Sears Street, LTD

Surveyor: CBG Surveying, Inc.

Application Filed: November 27, 2012

Zoning: PD 842

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

- (2) **S123-037**  
(CC District 12) An application to create a 1.866 acre lot from a tract of land in City Block R/8751 on property located at State Highway 190 and Marsh Lane, Northwest corner.  
Applicant/Owner: NEXBANK  
Surveyor: North Texas Surveying  
Application Filed: November 27, 2012  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S123-038**  
(CC District 12) An application to replat a 1.607 acre tract of land containing all of Lot 2A in City Block A/8208 into one 1.4421 acre lot, and two 0.0826 acre lots on property located on McCallum Blvd. southeast of Preston Road.  
Applicant/Owner: Lovell Family Limited Partnership  
Surveyor: Surveying LLC  
Application Filed: November 27, 2012  
Zoning: MC-1  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S123-039**  
(CC District 14) An application to replat a 2.066 acre lot containing all of Lots 1, 2, 3A and Lot 7A in City Block L/1536 into one lot on property located on Cole Avenue between Armstrong Avenue and Knox Street.  
Applicant/Owner: Knox Street Village, Inc., Knox Cole Holding Company, LLC / Lincoln Property Company, Inc.  
Surveyor: Bury & Partners  
Application Filed: November 29, 2012  
Zoning: PD 193 (LC)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S123-040**  
(CC District 2) An application to replat all of Lots 16 through 20 in City Block 7/1616 into one 0.9285 acre lot on property located at 4320 Congress Avenue southeast of Wycliff Avenue.  
Applicant/Owner: Alex S. Friedland  
Surveyor: Cates-Clark & Associates  
Application Filed: November 29, 2012  
Zoning: PD 193(MF-2)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S123-041**  
(CC District 8)
- An application to create one 1.341 acre lot and one 2.145 acre lot from a 3.486 acre tract of land in City Block 8484 on property located on Saint Augustine Road at Brierwood Lane, southeast corner.
- Applicant/Owner: The Hutton Company  
Surveyor: Brad G. Shelton  
Application Filed: November 30, 2012  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S123-042**  
(CC District 14)
- An application to replat a 3.655 acre tract of land containing all of Lot 1 in City Block A/597; all of Lot 1 in City Block A/598 and a tract of land in City Blocks 597 and 598 on property located on McCoy Street between Ross Avenue and Roseland Street
- Applicant/Owner: Trammel Crow Residential / Bill Woodard; Pilgrim Rest Baptist Church; Patriot Bank; Julia Woodard Trustee Trust A of the John and Julia Woodard Family Trust  
Surveyor: Kimley – Horn & Associates  
Application Filed: December 4, 2012  
Zoning: PD 298 Sub Area 1A  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S123-043**  
(CC District 2)
- An application to replat a 2.723 acre tract of land containing all of Lot 2A in City Block F/486; all of Lot 8A in City Block E/485, and a portion of Dallas Area Rapid Transit Right-Of-Way to be abandoned on property located on Indiana Street at Malcolm X Boulevard, northwest corner.
- Applicant/Owner: The Animation Building, LP; Dallas Area Rapid Transit  
Surveyor: Kadleck & Associates, Inc.  
Application Filed: December 4, 2012  
Zoning: PD 269, Tract A  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Building Line Removal:

- (9) **S123-035**  
(CC District 10)
- An application to replat a 6.241 acre tract of land containing all of City Block C/8107 to remove the existing 15 foot building line along the northwest line of Skillman Street, remove the existing 25 foot building line along the easterly line of Fair Oaks Avenue, and remove the existing 10 foot platted building line along the north line of City Block C/8107 on property located at 8303 Skillman Street and Fair Oaks Avenue, north corner.
- Applicant/Owner: Wind Properties RB, LLC  
Surveyor: Votex Surveying Company  
Application Filed: November 27, 2012  
Zoning: MF-1(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items:

- M112-041**  
Richard Brown  
(CC District 6)
- An application for a minor amendment to the site plan and landscape plan for Specific Use Permit No. 1297 for a Bar, lounge, or tavern on the southeast corner of Stemmons Freeway and Rentzel Street.
- Staff Recommendation: **Approval**  
Applicant: Escapade 2001 Nazdar, LLC; Club 2009 King Day, LLC  
Representative: Schahrouz Ferdows
- M112-047**  
Richard Brown  
(CC District 4)
- An application for a minor amendment to the site plan/traffic management plan for Specific Use Permit No. 1824 for an Open-enrollment charter school on the west line of South R. L. Thornton Freeway, south of Kiest Boulevard.
- Staff Recommendation: **Approval**  
Applicant: Faith Family Academy  
Representative: Dean McGuire
- Z112-215(JH)**  
Jennifer Hiromoto  
(CC District 1)
- Extension of the six month time period for scheduling a zoning request for City Council consideration of a zoning request on an application for an NS(A) Neighborhood Service District on property zoned a TH-3(A) Townhouse District on the southwest corner of South Tyler Street and West Page Avenue.
- Staff Recommendation: **Approval**

Certificates of Appropriateness for Signs:

- 1211055033**  
Carrie Gordon  
(CC District 14)
- An application for a Certificate of Appropriateness for a 16 square foot detached monument sign at 1445 Ross Avenue (N. Field Street, West elevation).  
Applicant: Gary Nitschke  
Staff Recommendation: **Approval**  
SSDAC Recommendation: **Approval**
- 1211201132**  
Carrie Gordon  
(CC District 14)
- An application for a Certificate of Appropriateness for a 470 square foot upper level flat attached sign at 1707 San Jacinto Avenue (West elevation).  
Applicant: Jerry Bural of Environment Signage Solutions  
Staff Recommendation: **Approval**  
SSDAC Recommendation: **Approval**
- 1211201134**  
Carrie Gordon  
(CC District 14)
- An application for a Certificate of Appropriateness for a 500 square foot mid-level flat attached sign at 1707 San Jacinto Avenue (North elevation).  
Applicant: Jerry Bural of Environment Signage Solutions  
Staff Recommendation: **Approval**  
SSDAC Recommendation: **Approval**
- 1211201135**  
Carrie Gordon  
(CC District 14)
- An application for a Certificate of Appropriateness for a 290 square foot mid-level flat attached sign at 1707 San Jacinto Avenue (South elevation).  
Applicant: Jerry Bural of Environment Signage Solutions  
Staff Recommendation: **Approval**  
SSDAC Recommendation: **Approval**

Zoning Cases – Consent:

1. **Z123-110(CG)**  
Carrie Gordon  
(CC District 14)
- An application for a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the southwest corner of Commerce Street and South Ervay Street.  
Staff Recommendation: **Approval** for a six-year period, subject to a site plan and conditions.  
Applicant: Reynolds Outdoor Media  
Representative: Michael R. Coker Company

2. **Z123-111(CG)**  
Carrie Gordon  
(CC District 14)  
An application for a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the southwest corner of Commerce Street and South Ervay Street.  
Staff Recommendation: **Approval** for a six-year period, subject to a site plan and conditions.  
Applicant: Reynolds Outdoor Media  
Representative: Michael R. Coker Company
3. **Z123-112(CG)**  
Carrie Gordon  
(CC District 14)  
An application for a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619, on the northeast corner of North Griffin Street and Elm Street.  
Staff Recommendation: **Approval** for a six-year period, subject to a site plan and conditions.  
Applicant: Reynolds Outdoor Media  
Representative: Michael R. Coker Company
4. **Z123-122(CG)**  
Carrie Gordon  
(CC District 2)  
An application for a Specific Use Permit for installation of a non-premise district activity video board on property zoned CA-1 Central Area on the northwest corner of North Griffin Street and Elm Street.  
Staff Recommendation: **Approval** for a six-year period, subject to a site plan and conditions.  
Applicant: Radiant Outdoor  
Representative: Masterplan, Santos Martinez
5. **Z123-123(CG)**  
Carrie Gordon  
(CC District 2)  
An application for a Specific Use Permit for installation of a non-premise district activity video board on property zoned CA-1 Central Area on the northeast corner of North Griffin Street and Elm Street.  
Staff Recommendation: **Approval** for a six-year period, subject to a site plan and conditions.  
Applicant: Radiant Outdoor  
Representative: Masterplan, Santos Martinez
6. **Z123-102(MW)**  
Megan Wimer  
(CC District 1)  
An application for a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, microdistillery or winery on property zoned Conservation District No. 7, the Bishop/Eighth Street Conservation District on the northwest corner of North Bishop Avenue and West 7<sup>th</sup> Street.  
Staff Recommendation: **Approval** for a three-year period, subject to a site plan and conditions.  
Applicant: Joel Malone  
Representative: Audra Buckley, Permitted Development

Zoning Cases – Under Advisement

7. **Z123-116(MW)**  
Megan Wimer  
(CC District 5)
- An application for **1)** a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay and **2)** an RR Regional Retail District on property zoned a CR Community Retail District on the north side of East Laureland Road, east of South RL Thornton Freeway.
- Staff Recommendation: **Approval** of a D-1 Liquor Control Overlay, **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 and **approval** of an RR Regional Retail District.
- Applicant: Lend Lease, Michael Hampton, AICP  
Representative: Verdad Real Estate, Rick Hall  
U/A From: December 6, 2012
8. **Z112-237(RB)**  
Richard Brown  
(CC District 13)
- An application for an amendment to Planned Development District No. 70; removal of the D Liquor Control Overlay and the D-1 Liquor Control Overlay; and, termination of Specific Use Permit No. 1574 for a Restaurant with alcoholic beverage service, on the northeast corner of Northwest Highway and Midway Road.
- Staff Recommendation: **Approval** of an amendment to Planned Development District No. 70, subject to staff's recommended conditions, **denial** of the removal of the D Liquor Control Overlay and the D-1 Liquor Control Overlay, and **denial** of the termination of Specific Use Permit No. 1574.
- Applicant: Preston Hollow Indian School, LP  
Representative: Santos Martinez  
U/A From: December 6, 2012
9. **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  
U/A From: November 15, 2012 and December 6, 2012

10. **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 and November 15, 2012
11. **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, September 20, 2012 and November 15, 2012

Zoning Cases – Individual

12. **Z123-117(WE)**  
Warren Ellis  
(CC District 2)
- An application for an amendment to, and an expansion of, Planned Development Subdistrict No. 16 for O-2 Office Subdistrict uses on property zoned Planned Development Subdistrict No. 16 and an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the south corner of McKinnon Street and Wolf Street.  
Staff Recommendation: **Approval**, subject to revised development plan, revised landscape plan and staff recommended conditions.  
Applicant: Harwood International  
Representative: Ben Cortez - Harwood International
13. **Z101-220(JH)**  
Jennifer Hiromoto  
(CC District 6)
- An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the north side of Northwest Highway, east of Luna Road.  
Staff Recommendation: **Approval** for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan landscape plan and staff conditions.  
Applicant: Trinity East Energy, LLC  
Representative: MASTERPLAN



14. **Z101-221(JH)** Jennifer Hiromoto (CC District 6) An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District south of Royal Lane, west of Luna Road.  
Staff Recommendation: **Approval** for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan landscape plan and staff conditions.  
Applicant: Trinity East Energy, LLC  
Representative: MASTERPLAN
15. **Z101-248(JH)** Jennifer Hiromoto (CC District 6) An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on the east side of Luna Road, north of Ryan Road.  
Staff Recommendation: **Approval** for a twenty-year period with eligibility for automatic renewal for additional ten-year periods, subject to a drilling phase site plan, production phase site plan landscape plan and staff conditions.  
Applicant: Trinity East Energy, LLC  
Representative: MASTERPLAN

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Other Matters

Minutes: December 6, 2012

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, December 20, 2012**

**TRANSPORTATION COMMITTEE MEETING** - Thursday, December 20, 2012, City Hall, 1500 Marilla Street, in the Council Chambers, at 8:00. a.m., to consider **(1)** Amendment to the: City of Dallas Thoroughfare Plan to change the dimensional classification of Harwood Street from Cedar Springs Road to Woodall Rodgers Freeway from an Existing Couplet to a two-way, four lane undivided (S-4-U) roadway within 60 feet of right-of-way; **(2)** Amendment to the CBD Streets and Vehicular Circulation Plan to (a) change the operational characteristics of Harwood Street from Woodall Rodgers Freeway to Flora Street from three lanes southbound to one lane northbound and one lane southbound; and (b) Harwood Street from Flora Street to Ross Avenue from four lanes southbound to two lanes northbound and two lanes southbound; and **(3)** Amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Wycliff Avenue from Stemmons Freeway (I-35E) to Market Center Boulevard from a six lane divided (S-6-D) roadway within 107 feet of right-of-way to a four lane undivided (S-4-U) roadway within 60 feet of right-of-way.

### 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, DECEMBER 20, 2012****FILE NUMBER:** S123-036**Subdivision Administrator:** Paul Nelson**LOCATION:** 5622 and 5624 Sears Street**DATE FILED:** November 27, 2012**ZONING:** PD 842**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.412 Acres**MAPSCO:** 36W**APPLICANT:** 5624 Sears Street, LTD

**REQUEST:** An application to replat all of Lots 6 and 7 in City Block C/1983 into one 0.412 acre lot on property located at 5622 and 5624 Sears Street.

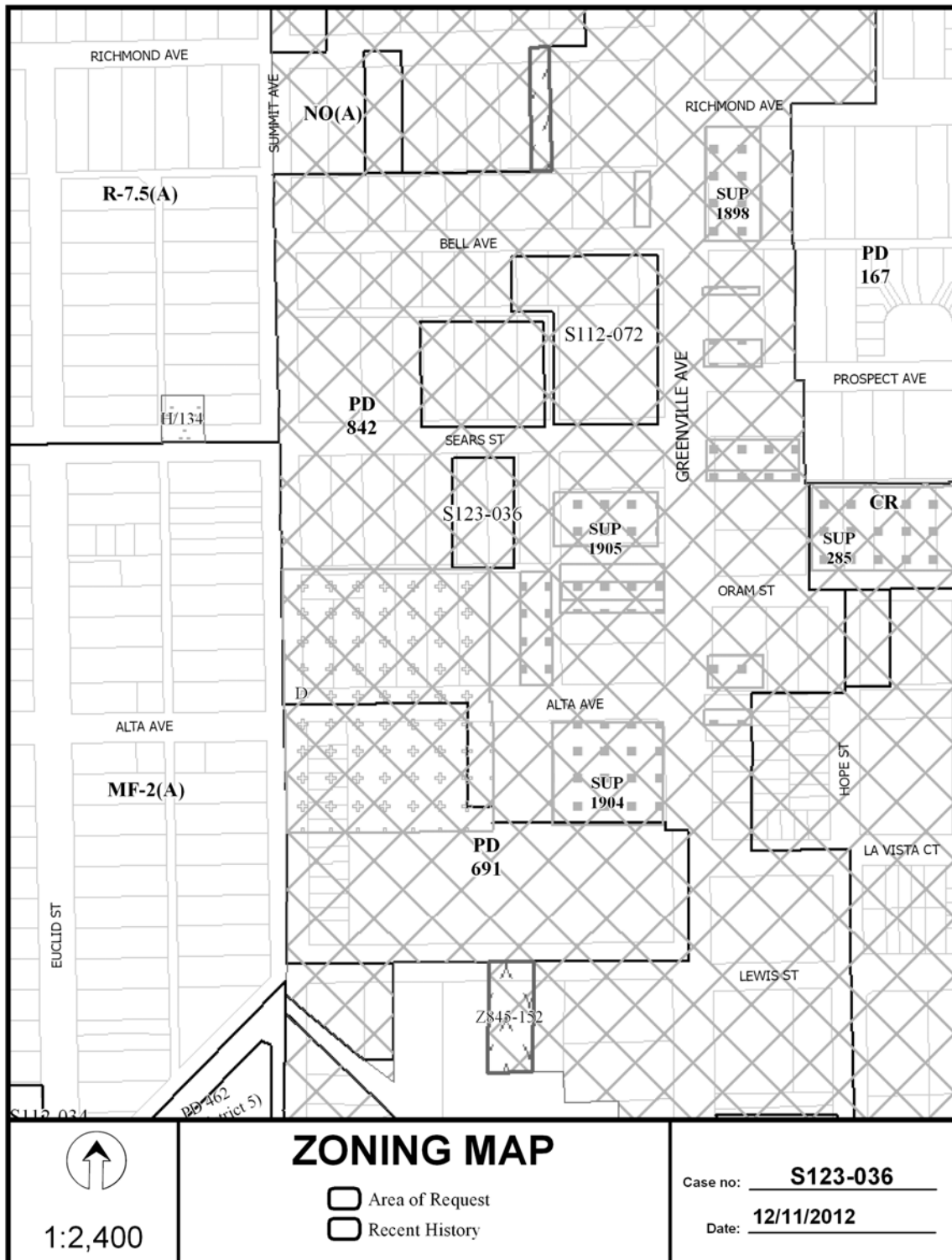
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 842; 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 is not permitted without Engineering Section approval."
12. Provide a detailed lot grading plan prepared by a Professional Engineer to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center.
13. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
14. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
15. Water main extension is required by Private Development Contract.
16. On the final plat identify the property as Lot 6A, City Block C/1983.





 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>S123-036</b>          </u> Date: <u>          <b>12/11/2012</b>          </u>
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**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 20, 2012**

**FILE NUMBER:** S123-037

**Subdivision Administrator:** Paul Nelson

**LOCATION:** State Highway 190 and Marsh Lane, Northwest corner

**DATE FILED:** November 27, 2012

**ZONING:** CR

**CITY COUNCIL DISTRICT:** 12    **SIZE OF REQUEST:** 1.866 Acres

**MAPSCO:** 3H

**APPLICANT:** Nexbank

**REQUEST:** An application to create a 1.866 acre lot from a tract of land in City Block R/8751 on property located at State Highway 190 and Marsh Lane, Northwest corner

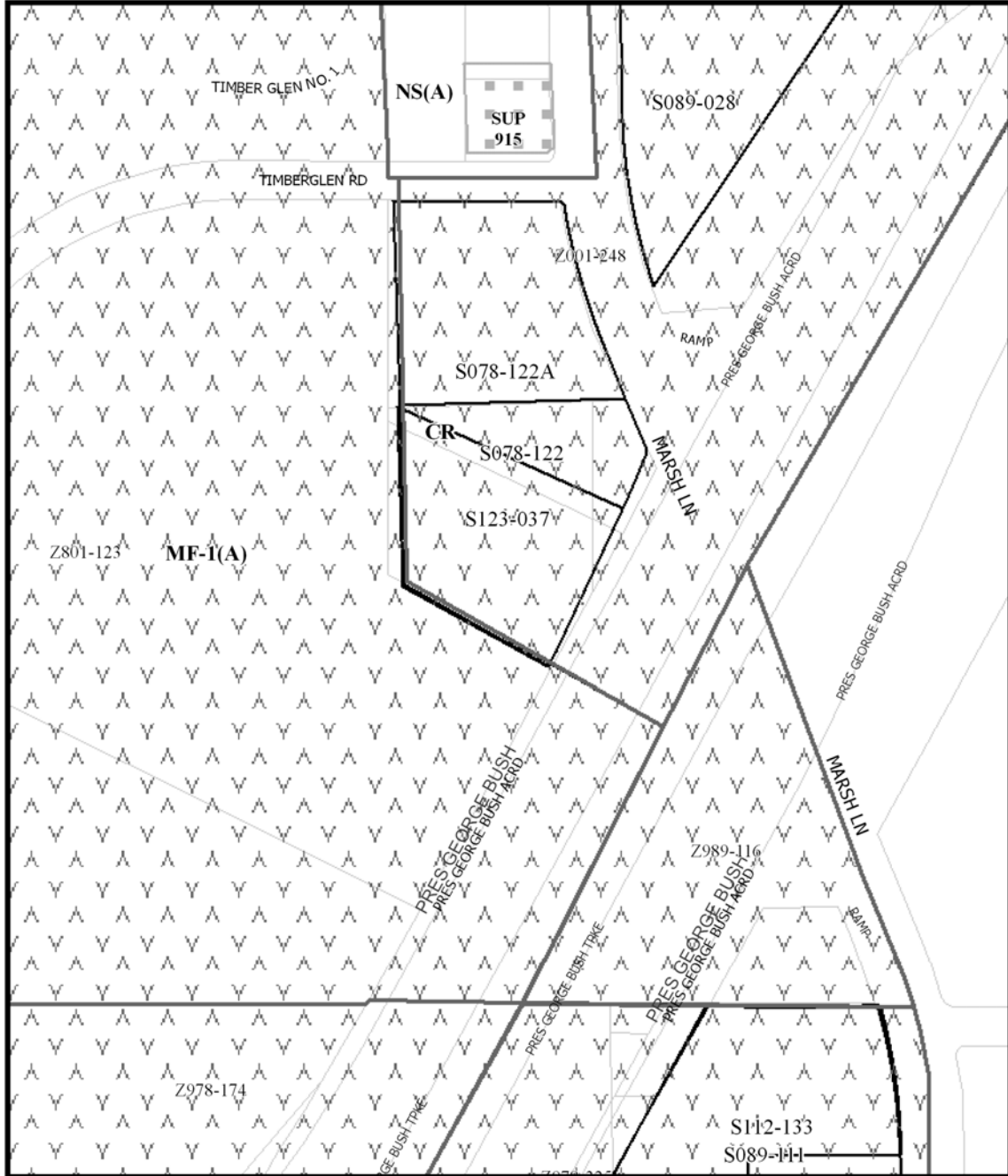
**SUBDIVISION HISTORY:** There has been no recent subdivision activity within close proximity to this request.

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

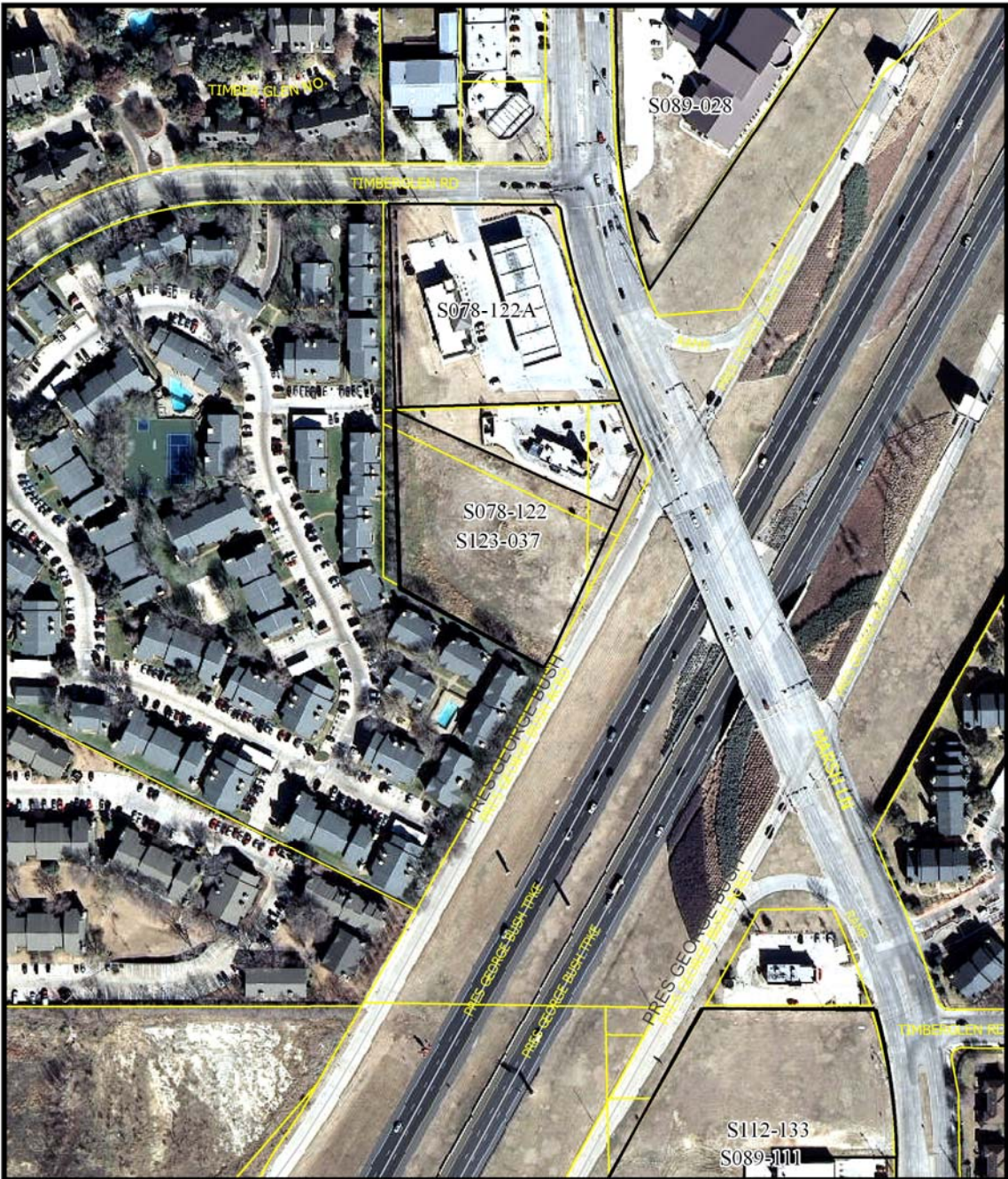
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with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

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

10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. The mutual access easement must be created by separate instrument and the recording information placed on the final plat.
14. Add a note to the final plat: "Any access or modification to President George Bush Turnpike requires TXDOT approval."
15. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Water main extension is required by Private Development Contract.
18. On the final plat remove the label "State Highway No. 190"; leave "President George Bush Turnpike" as the only highway name or number.
19. On the final plat identify the property as Lot 11, City Block R/8751.

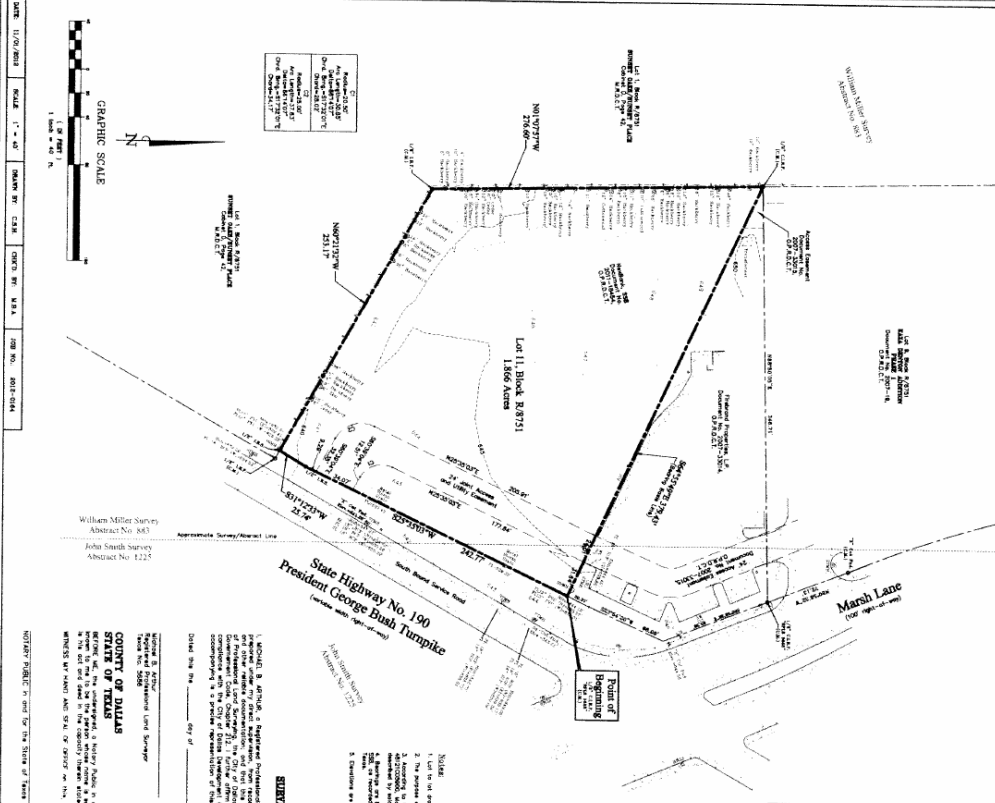


 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Case no: <u>          <b>S123-037</b>          </u> Date: <u>          <b>12/11/2012</b>          </u>
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PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE



NOTICE TO ORDER TO BE RECORDED FOR THE STATE OF TEXAS
COUNTY OF DALLAS
SUPERVISOR'S CERTIFICATE
I, WILLIAM B. MILLER, a Registered Professional Land Surveyor, Licensed by the State of Texas, certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional land surveyor in the State of Texas.

NOTICE TO ORDER TO BE RECORDED FOR THE STATE OF TEXAS
COUNTY OF DALLAS
SUPERVISOR'S CERTIFICATE
I, WILLIAM B. MILLER, a Registered Professional Land Surveyor, Licensed by the State of Texas, certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional land surveyor in the State of Texas.

NOTICE TO ORDER TO BE RECORDED FOR THE STATE OF TEXAS
COUNTY OF DALLAS
SUPERVISOR'S CERTIFICATE
I, WILLIAM B. MILLER, a Registered Professional Land Surveyor, Licensed by the State of Texas, certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional land surveyor in the State of Texas.

NOTICE TO ORDER TO BE RECORDED FOR THE STATE OF TEXAS
COUNTY OF DALLAS
SUPERVISOR'S CERTIFICATE
I, WILLIAM B. MILLER, a Registered Professional Land Surveyor, Licensed by the State of Texas, certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional land surveyor in the State of Texas.

**CITY PLAN COMMISSION****THURSDAY, DECEMBER 20, 2012****FILE NUMBER:** S123-038**Subdivision Administrator:** Paul Nelson**LOCATION:** McCallum Blvd. southeast of Preston Road**DATE FILED:** November 27, 2012**ZONING:** MC-1**CITY COUNCIL DISTRICT:** 12 **SIZE OF REQUEST:** 1.607 Acres**MAPSCO:** 5K**APPLICANT:** Lovell Family Ltd. – Robert Lovell

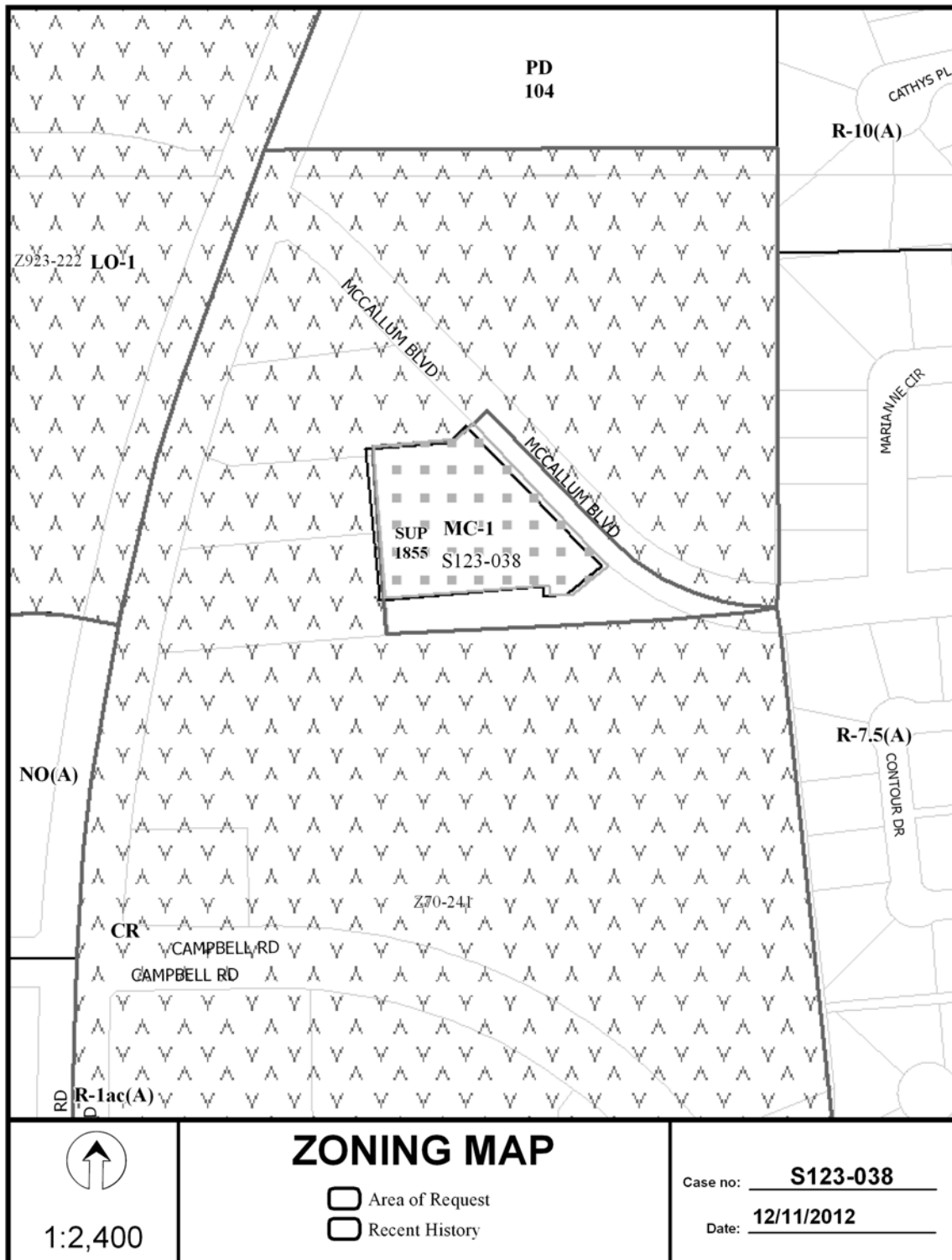
**REQUEST:** An application to replat a 1.6073 acre tract of land containing all of Lot 2A in City Block A/8208 into one 1.4421 acre lot and two 0.0826 acre lots on property located on McCallum Blvd. southeast of Preston Road.

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

**STAFF RECOMMENDATION:** The request complies with the requirements of the MC-1 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 is not permitted without Engineering Section approval."
13. The mutual access easement must be created by separate instrument and the recording information placed on the final plat.
14. On the final plat show how all adjoining Right-Of-Way was created.
15. On the final plat identify the vault at the southeast corner. A portion of the vault appears to be on the subject property. The lot line will need to be adjusted.
16. On the final plat show the easement for the above vault.
17. On the final plat provide signature blocks for both owners.
15. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
17. Water main extension is required by Private Development Contract.
18. On the final plat identify the property as Lot 2B, 2C and 2D, City Block A/8208.
19. On the final plat all lots must have a minimum of 10 feet of "fee simple" frontage on a public street.







1:2,400

## AERIAL MAP

- Area of Request
- Recent History

Case no: S123-038

Date: 12/11/2012



**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 20, 2012**

**FILE NUMBER:** S123-039

**Subdivision Administrator:** Paul Nelson

**LOCATION:** Cole Avenue between Armstrong Avenue and Knox Street

**DATE FILED:** November 29, 2012

**ZONING:** PD 193 (LC)

**CITY COUNCIL DISTRICT:** 14 **SIZE OF REQUEST:** 2.066 Acres **MAPSCO:** 35U,V,Q

**APPLICANT:** Knox Street Village, Inc., Knox Cole Holding Company, LLC / Lincoln Property Company, Inc.

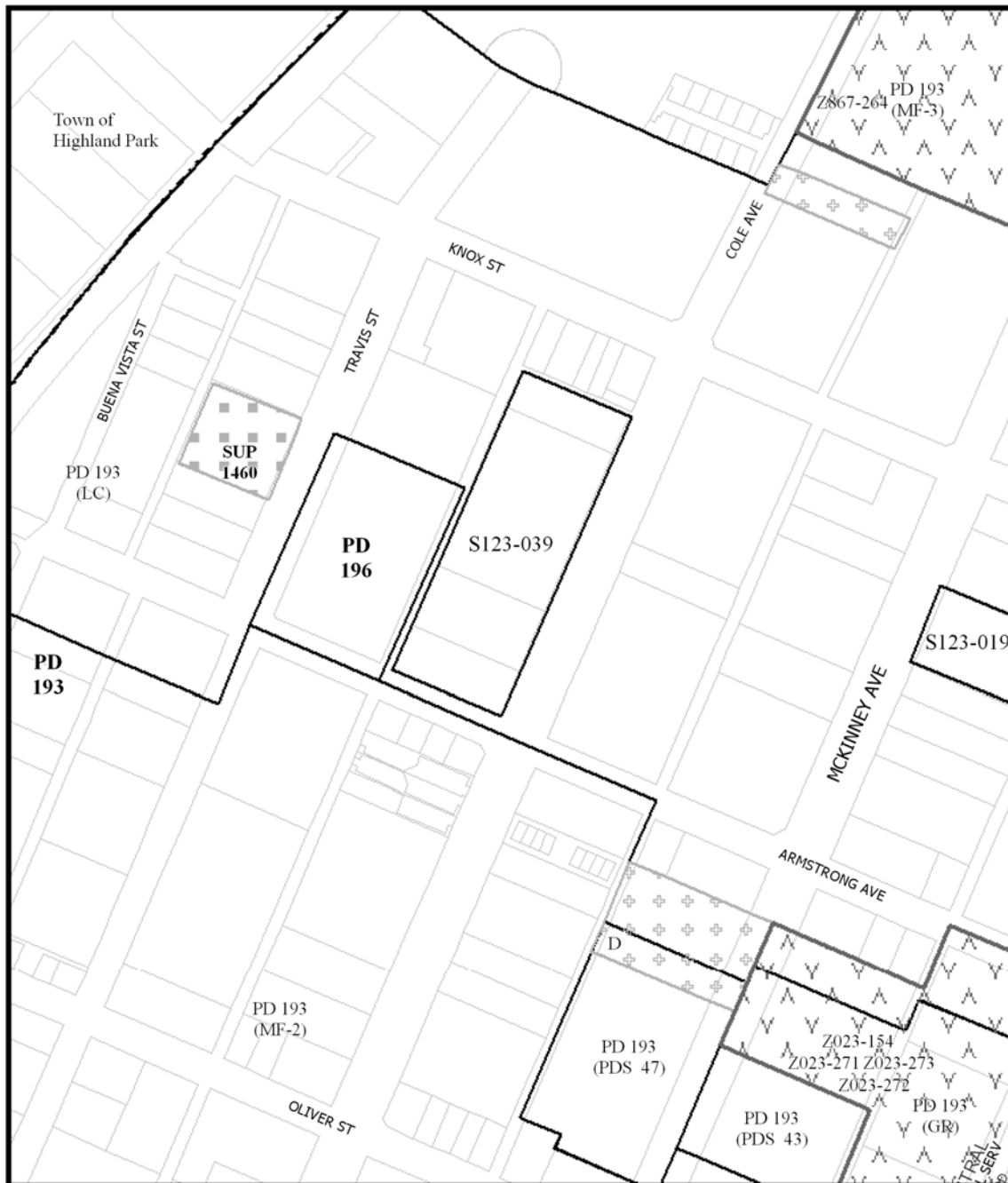
**REQUEST:** An application to replat a 2.066 acre lot containing all of Lots 1, 2, 3A and Lot 7A in City Block L/1536 into one lot on property located on Cole Avenue between Armstrong Avenue and Knox Street.


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

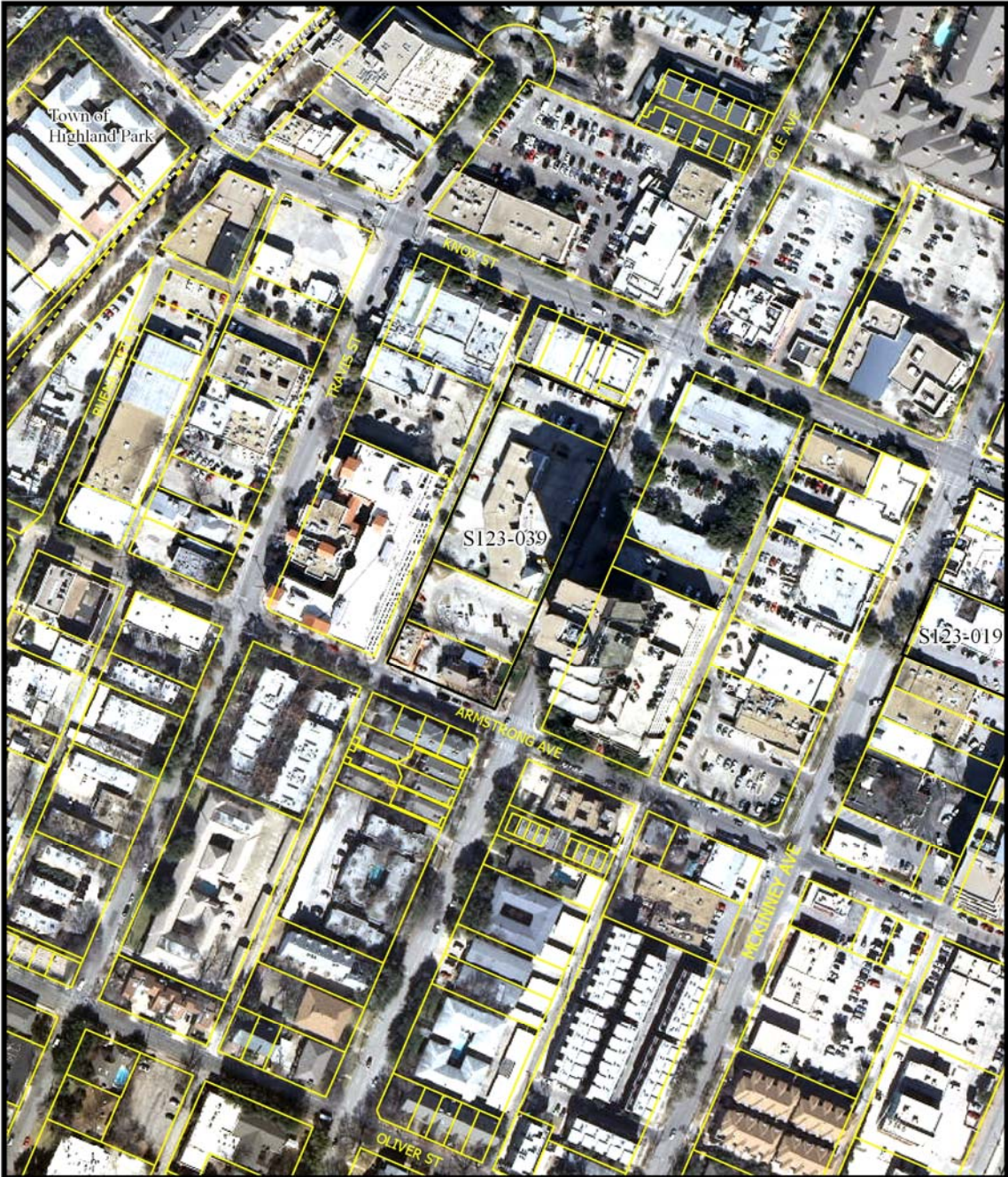
**STAFF RECOMMENDATION:** The request complies with the requirements of PD 193 (LC) District; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate a 10 foot by 10 foot corner clip at Armstrong Avenue and Cole Avenue.
14. On the final plat dedicate a 15 foot by 15 foot alley sight easement at the alley and Armstrong Avenue.
15. On the final plat show two control monuments.
16. On the final plat monument all set corners per the monumentation ordinance.
17. Contact the Real Estate Division about the need for a license for improvements located in the Right-Of-Way.
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 the final plat identify the property as Lot 1A, City Block L/1536.



 1:2,400	<h2>ZONING 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: <b>S123-039</b> Date: <b>12/11/2012</b>
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 1:2,400	<h2>AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	Case no: <u>    <b>S123-039</b>    </u> Date: <u>    <b>12/11/2012</b>    </u>
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**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 20, 2012**

**FILE NUMBER:** S123-040

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 4320 Congress Avenue, southeast of Wycliff Avenue

**DATE FILED:** November 29, 2012

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

**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.9285 Acres **MAPSCO:** 35W

**APPLICANT:** Knox Street Village, Inc., Knox Cole Holding Company, LLC / Lincoln Property Company, Inc.

**REQUEST:** An application to replat all of Lots 16 through 20 in City Block 7/1616 into one 0.9285 acre lot on property located at 4320 Congress Avenue southeast of Wycliff Avenue

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

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

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



9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 1.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat show how all adjoining Right-Of-Way was created.
14. On the final plat show recording information on all existing easements within 150 feet of the property.
15. On the final plat show all additions or tracts of land within 150 feet of the property with the recording information.
16. Real Estate release required prior to submittal of the final plat.
17. Contact the Real Estate Division about the need for a license for improvements located in the Right-Of-Way.
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 identify the property as Lot 16A, City Block 7/1616.



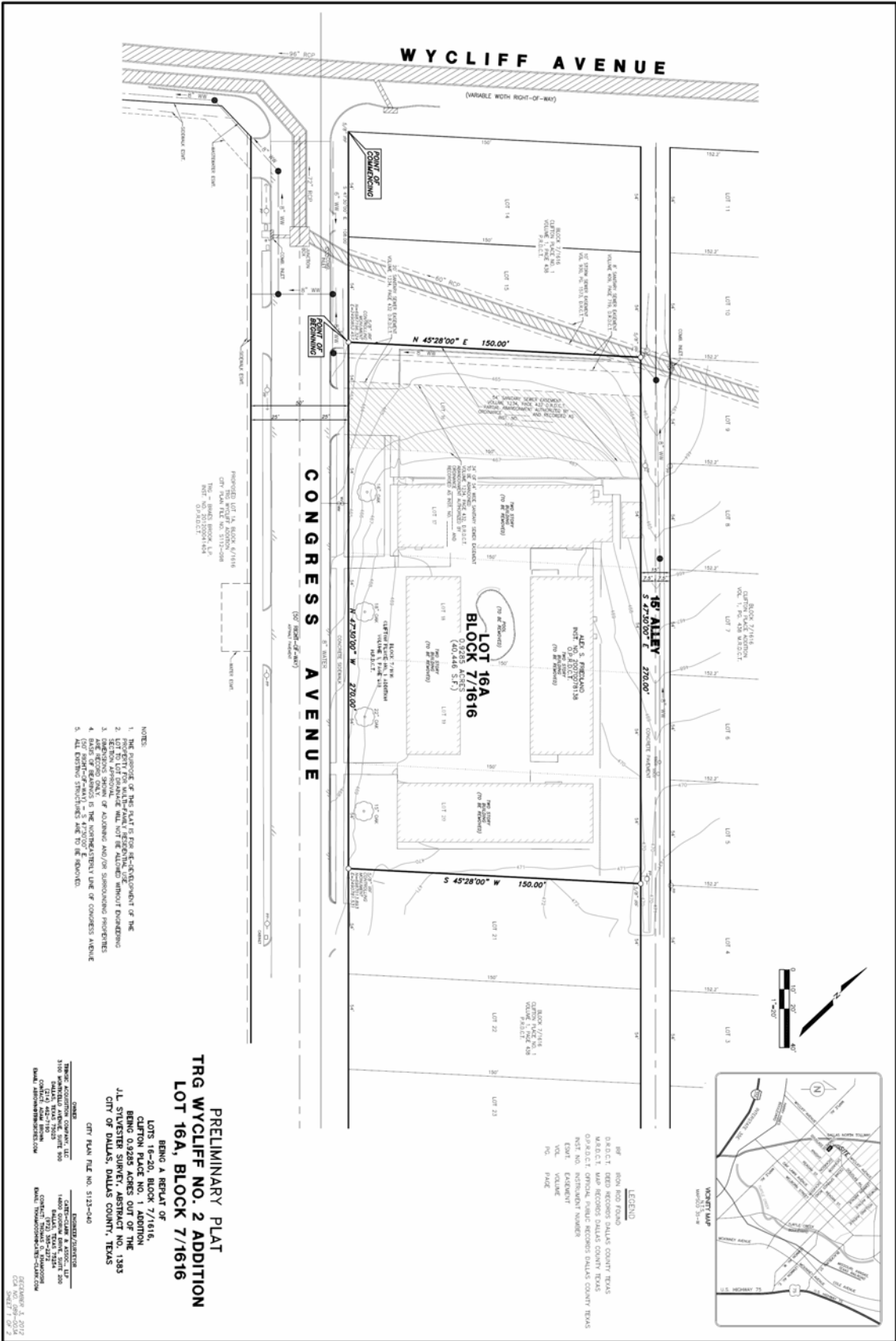
1:2,400

### AERIAL MAP

- Area of Request
- Recent History

Case no: S123-040

Date: 12/11/2012



- NOTES:
1. THE PURPOSE OF THIS PLAT IS FOR RE-DEVELOPMENT OF THE
  2. LOT 16A TO BE SUBDIVIDED INTO TWO ALIGNED WITHOUT ENGINEERING
  3. SURVEY, APPROVAL OF ADJOINING AND/OR SURROUNDING PROPERTIES
  4. THE RIGHT-OF-WAY IS THE NORTHWESTLY LINE OF CONGRESS AVENUE
  5. THE RIGHT-OF-WAY IS 5' WIDE OF E

**PRELIMINARY PLAT**  
**TRG WYCLIFF NO. 2 ADDITION**  
**LOT 16A, BLOCK 7/1616**

BEING A PART OF  
 BLOCK 7/1616  
 TRG WYCLIFF NO. 2 ADDITION  
 BEING 0.9285 ACRES OUT OF THE  
 J.L. STAVESLER SURVEY, ABSTRACT NO. 1383  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE NO. 3123-040

**PREPARED BY:**  
 TRG WYCLIFF NO. 2 ADDITION  
 3100 SPANFORD AVENUE, SUITE 500  
 DALLAS, TEXAS 75244  
 PHONE: (214) 412-1100  
 FAX: (214) 412-1100  
 EMAIL: TRG@TRGWYCLIFF.COM

**ENGINEER:**  
 CONROBERT & ASSOCIATES, L.P.  
 1400 GARDEN COURT, SUITE 200  
 DALLAS, TEXAS 75201  
 PHONE: (214) 412-1100  
 FAX: (214) 412-1100  
 EMAIL: TRG@CONROBERT.COM

APPROVED BY THE CITY OF DALLAS  
 OCTOBER 2, 2012  
 FILED IN THE CITY CLERK'S OFFICE  
 OCTOBER 2, 2012

**CITY PLAN COMMISSION****THURSDAY, DECEMBER 20, 2012****FILE NUMBER:** S123-041**Subdivision Administrator:** Paul Nelson**LOCATION:** Saint Augustine Road at Brierwood Lane, southeast corner**DATE FILED:** November 30, 2012**ZONING:** CR**CITY COUNCIL DISTRICT:** 8      **SIZE OF REQUEST:** 3.486 Acres      **MAPSCO:** 69K**APPLICANT:** The Hutton Company

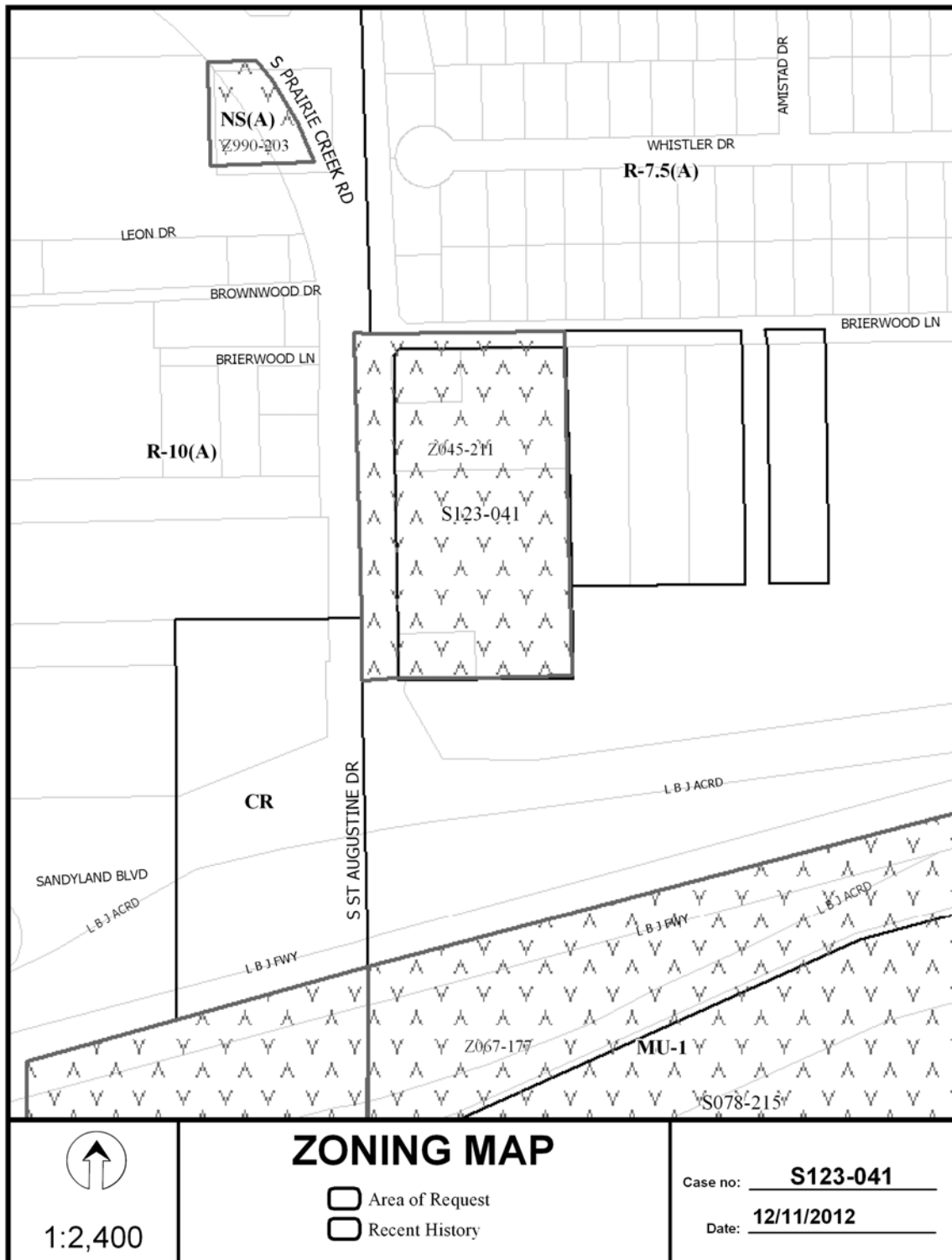
**REQUEST:** An application to create one 1.341 acre lot and one 2.145 acre lot from a 3.486 acre tract of land in City Block 8484 on property located on Saint Augustine Road at Brierwood Lane, southeast corner.

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

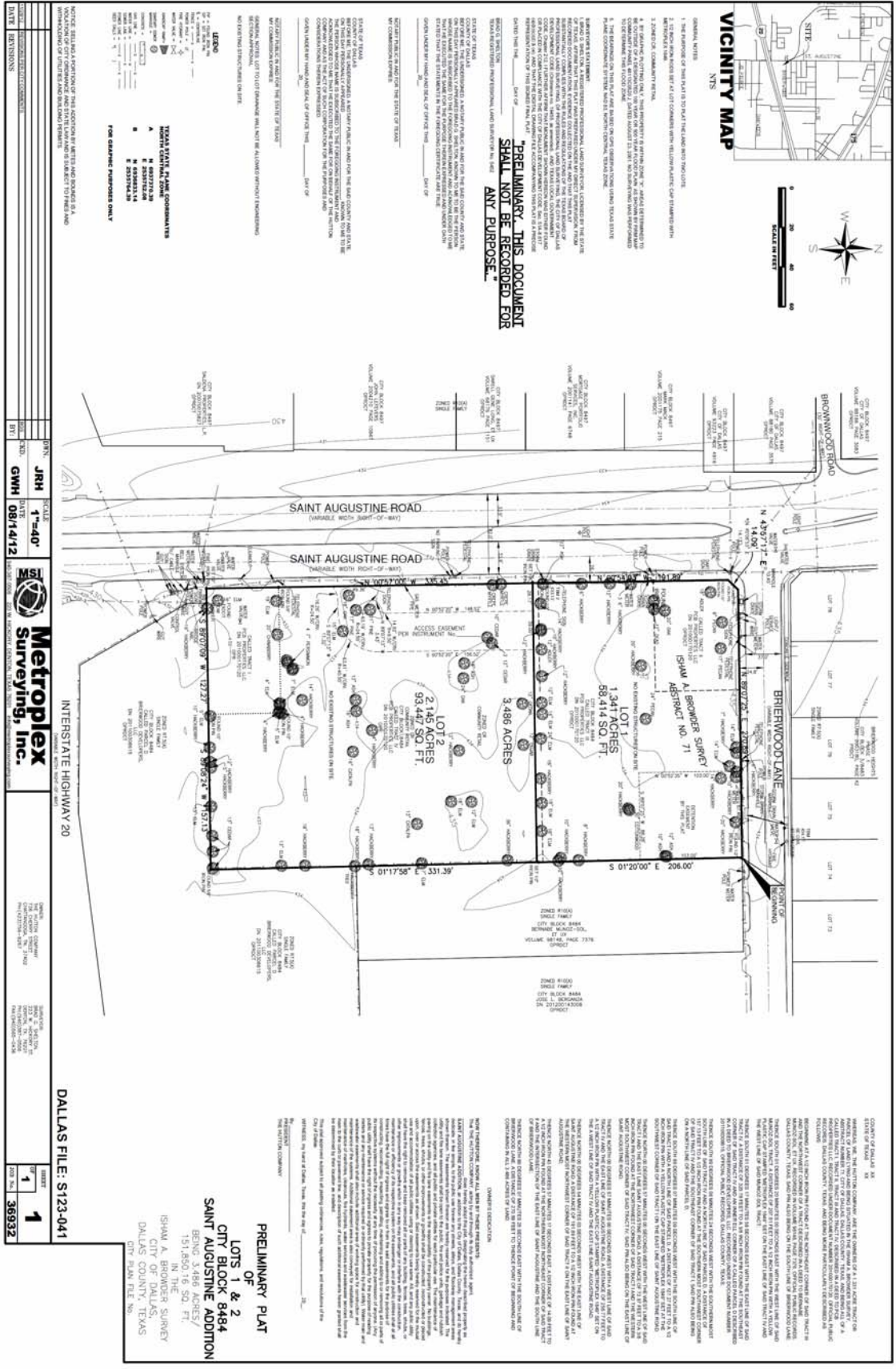
**STAFF RECOMMENDATION:** The request complies with the requirements of the CR District; therefore, staff recommends approval subject to compliance with the following conditions:

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

9. On the final plat monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature the monuments must be verified by the Chief City Surveyors Office in the Public Works Department.
10. The maximum number of lots permitted by this plat is 2.
11. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval."
13. On the final plat dedicate 28 feet of Right-Of-Way from the established center line of Brierwood Lane.
14. On the final plat show how all adjoining Right-Of-Way was created.
15. On the final plat show the correct recording information for the property.
16. On the final plat show two control monuments.
17. The mutual access and public utility easement must be recorded by separate instrument and the recording information placed on the face of the plat.
18. On the final plat show the distances/width of Right-Of-Way across St. Augustine Road and across Brierwood Lane.
19. On the final plat show the correct ownership on the face of the plat and in the owner's certificate and dedication statement.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. A "Fire Protection Certificate" must be signed and approved by the Building Inspection Chief Plans Examiner (or assigned representative) in Room 105 of the Oak Cliff Municipal Center, 320 E. Jefferson Blvd. and must be submitted to the Manager of Water and Sewer Services, Engineering Division, in Room 200, 320 E. Jefferson Blvd. prior to submittal of the final plat for signature by the Chairperson of the City Plan Commission or the approval of an "Early Release Building Permit" application whichever occurs first.
22. Water main extension may be required by Private Development Contract.
23. On the final plat change Interstate Highway 20 to "Lyndon B. Johnson Freeway (Interstate Highway No. 20)".
24. On the final plat identify the property as Lots 1, and 2, City Block 1/8484.









**CITY PLAN COMMISSION**

**THURSDAY, DECEMBER 20, 2012**

**FILE NUMBER:** S123-042

**Subdivision Administrator:** Paul Nelson

**LOCATION:** McCoy Street between Ross Avenue and Roseland Avenue

**DATE FILED:** December 4, 2012

**ZONING:** PD 298 Sub Area 1A

**CITY COUNCIL DISTRICT:** 14      **SIZE OF REQUEST:** 3.655 Acres      **MAPSCO:** 45H

**APPLICANT:** Trammel Crow Residential / Bill Woodard; Pilgrim Rest Baptist Church; Patriot Bank; Julia Woodard Trustee Trust A of the John and Julia Woodard Family Trust

**REQUEST:** An application to replat a 3.655 acre tract of land containing all of Lot 1 in City Block A/597; all of Lot 1 in City Block A/598 and a tract of land in City Blocks 597 and 598 on property located on McCoy Street between Ross Avenue and Roseland Street.

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

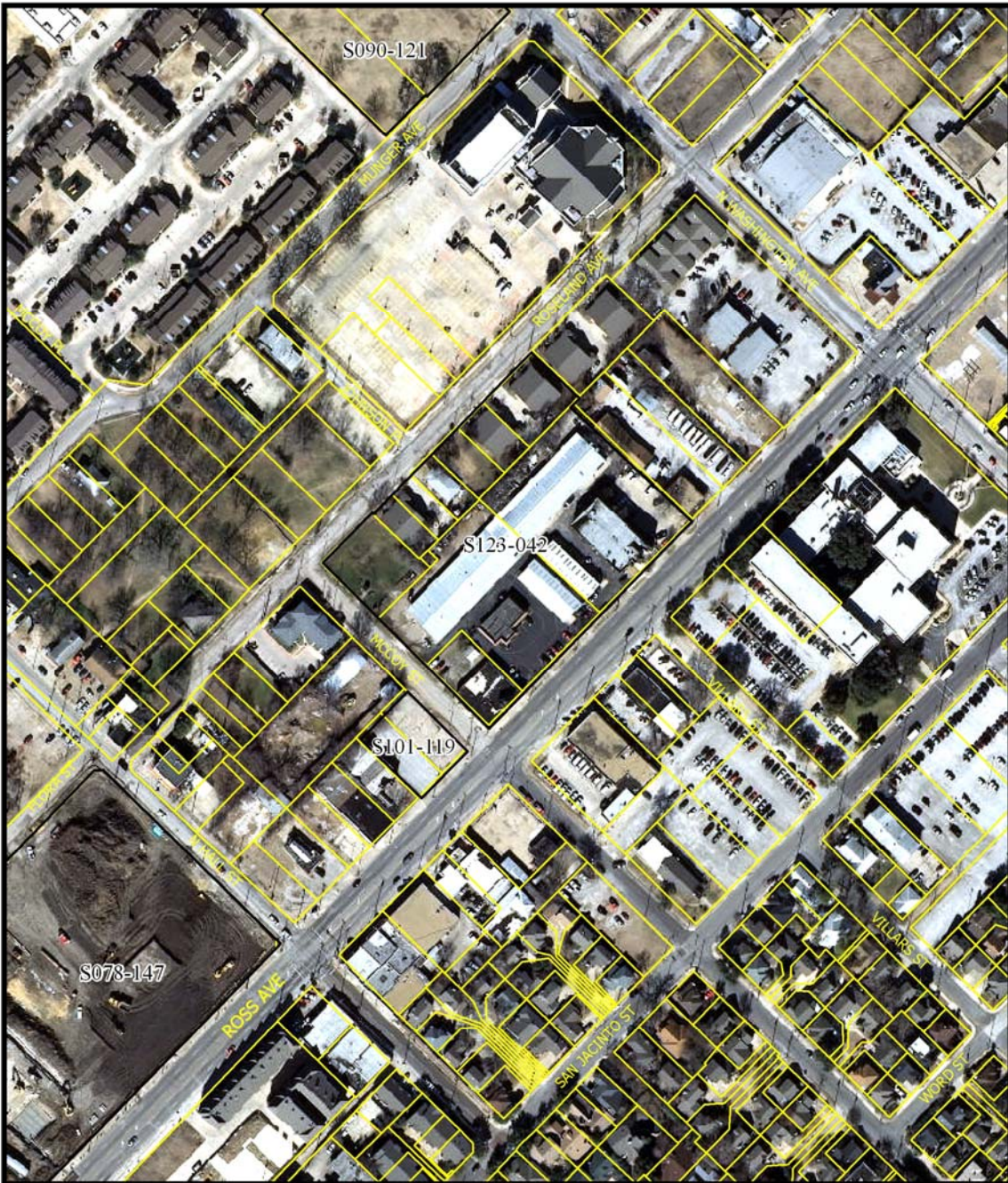
**STAFF RECOMMENDATION:** The request complies with the requirements of PD 298 Subarea 1A; therefore, staff recommends approval subject to compliance with the following conditions:


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.

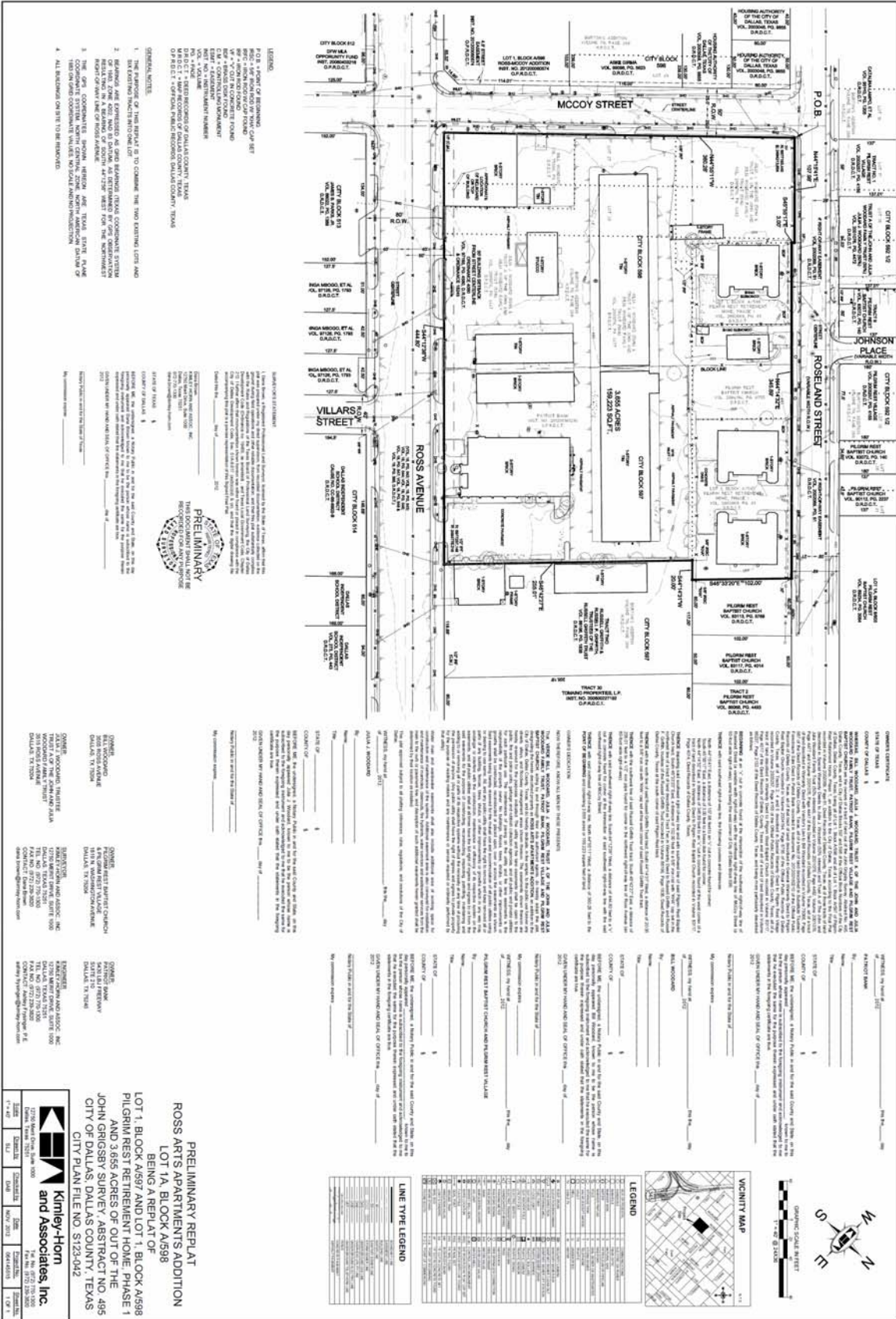
8. On the final plat include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
9. On the final plat monument all set corners per the Monumentation Ordinance. 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 is not permitted 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 28 feet of Right-Of-Way from the established center line of McCoy Street.
15. On the final plat dedicate 28 feet of Right-Of-Way from the established center line of Roseland Avenue.
16. On the final plat dedicate a 15 foot by 15 foot corner clip at Ross Avenue and McCoy Street.
17. On the final plat dedicate a 10 foot by 10 foot corner clip at McCoy Street at Roseland Avenue.
18. On the final plat show how all adjoining Right-Of-Way was created.
19. On the final plat show or list prior plat on the map, in the legal and or in the title block.
20. On the final plat show two control monuments.
21. On the final plat show the distances/width of Right-Of-Way across Roseland Street.
22. On the final plat verify the location of the southeast line of Burton's Additions on this plat.
23. On the final plat show the Right-Of-Way dedications on Ross Avenue.
24. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
25. Capacity of existing wastewater system is questionable. Submit proposed G.P.M. of development for investigation.
23. On the final plat change "Roseland Street" to "Roseland Avenue".

24. On the final plat identify the property as Lot 1A, City Block A/597.





 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>S123-042</b>          </u> Date: <u>          <b>12/11/2012</b>          </u>
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- LEGEND**
1. THE PURPOSE OF THIS REPLAT IS TO COMBINE THE TWO EXISTING LOTS AND
  2. REFINANCE AND EXPANDED AS SEEN BEHIND TEXAS COMMENTS SYSTEM
  3. THE ZONE AND MAP IS DATED AS DETERMINED BY THE DEDICATION
  4. THE CITY COMMENTS, SIGN, HEAVEN AND TOWN STATE PLAN
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  19. THE CITY COMMENTS, SIGN, HEAVEN AND TOWN STATE PLAN
  20. THE CITY COMMENTS, SIGN, HEAVEN AND TOWN STATE PLAN

**GENERAL NOTES**

1. THE PURPOSE OF THIS REPLAT IS TO COMBINE THE TWO EXISTING LOTS AND
2. REFINANCE AND EXPANDED AS SEEN BEHIND TEXAS COMMENTS SYSTEM
3. THE ZONE AND MAP IS DATED AS DETERMINED BY THE DEDICATION
4. THE CITY COMMENTS, SIGN, HEAVEN AND TOWN STATE PLAN
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19. THE CITY COMMENTS, SIGN, HEAVEN AND TOWN STATE PLAN
20. THE CITY COMMENTS, SIGN, HEAVEN AND TOWN STATE PLAN

**PRELIMINARY**

PLANNING DEPARTMENT

DALLAS, TEXAS

**PROPERTY INFORMATION**

OWNER: **ROSS ARTS APARTMENTS, L.P.**

ADDRESS: **199.223 SQ. FT.**

ACREAGE: **3.885 ACRES**

TRACT NO: **TRACT 20, TARRANT, HENRIETTA, L.P., 1987-02-11**

PARCEL NO: **199.223 SQ. FT.**

SECTION: **10**

RANGE: **14N**

COUNTY: **DALLAS**

STATE: **TEXAS**

**OWNER INFORMATION**

NAME: **ROSS ARTS APARTMENTS, L.P.**

ADDRESS: **199.223 SQ. FT.**

CITY: **DALLAS, TEXAS**

STATE: **TEXAS**

ZIP: **75201**

**PRELIMINARY REPLAT**

**ROSS ARTS APARTMENTS ADDITION**

**LOT 1A, BLOCK A598**

**BEING A REPLAT OF**

**LOT 1, BLOCK A597 AND LOT 1, BLOCK A598**

**PILGRIM REST RETIREMENT HOME, PHASE 1**

**AND 3.885 ACRES OF OUT OF THE**

**JOHN GRIGSBY SURVEY, ABSTRACT NO. 495**

**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**CITY PLAN FILE NO. S123-042**

**Kimley-Horn**

**and Associates, Inc.**

12700 Northwest Loop West, Suite 3000

Dallas, Texas 75240

Phone: 972.720.2000

Fax: 972.720.2000

www.kimley-horn.com

DATE: 08/27/2012

SCALE: 1" = 40'

**CITY PLAN COMMISSION****THURSDAY, DECEMBER 20, 2012****FILE NUMBER:** S123-043**Subdivision Administrator:** Paul Nelson**LOCATION:** Indiana Street at Malcolm X Boulevard, northwest corner**DATE FILED:** December 4, 2012**ZONING:** PD 269 Tract A**CITY COUNCIL DISTRICT:** 2     **SIZE OF REQUEST:** 2.723 Acres     **MAPSCO:** 45M**APPLICANT:** The Animation Building, LP; Dallas Area Rapid Transit

**REQUEST:** An application to replat a 2.723 acre tract of land containing all of Lot 2A in City Block F/486; all of Lot 8A in City Block E/485, and a portion of Dallas Area Rapid Transit Right-Of-Way to be abandoned on property located on Indiana Street at Malcolm X Boulevard, northwest corner.

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




**STAFF RECOMMENDATION:** The request complies with the requirements of PD 298 Sub Area 1A; therefore, staff recommends approval subject to compliance with the following conditions:

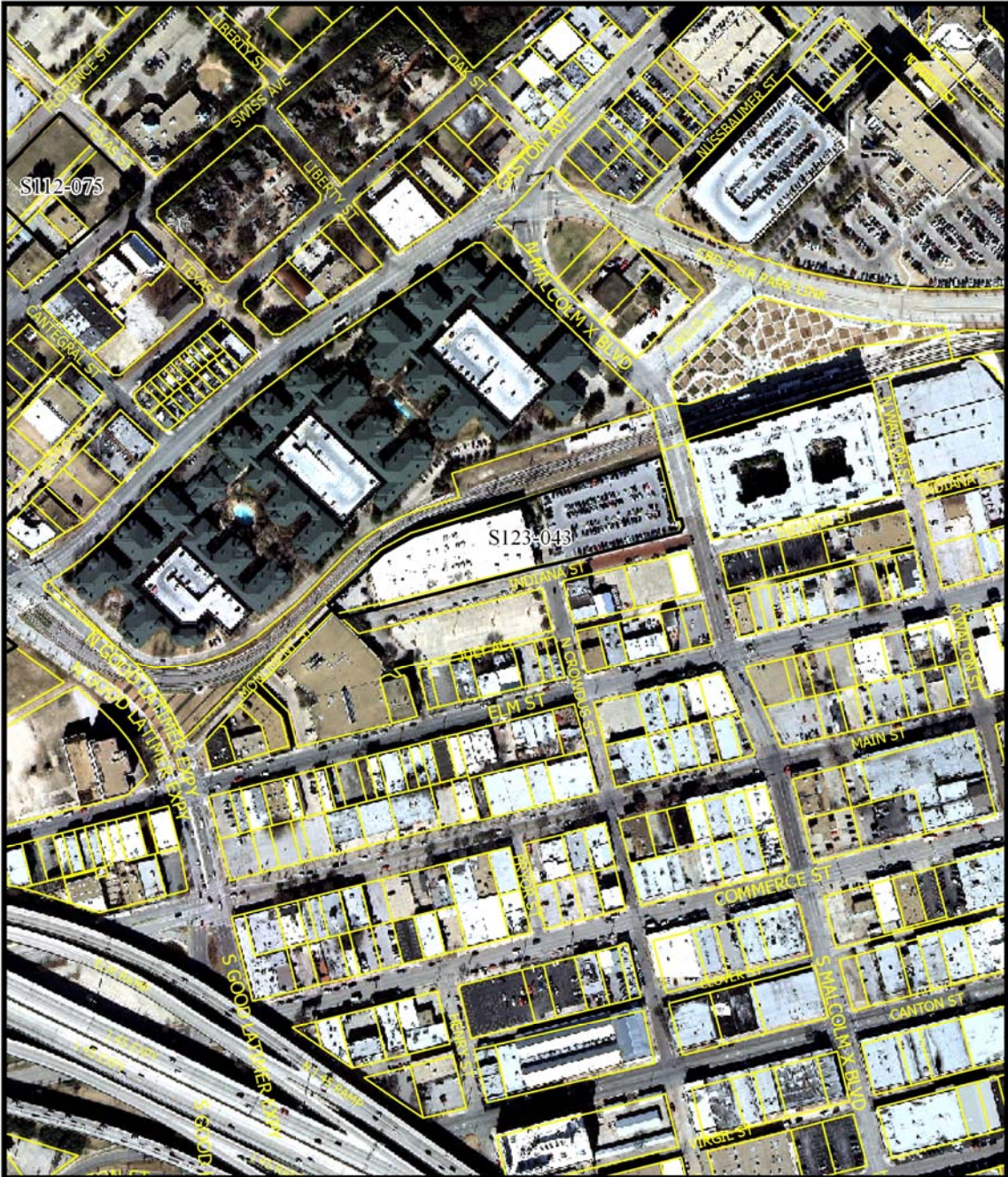
1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying.
2. Development Services, Engineering Division must verify that the plat conforms with 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 is not permitted without Engineering Section approval."
13. On the final plat dedicate 28 feet of Right-Of-Way from the established center line of Indiana Street.
14. On the final plat show how all adjoining Right-Of-Way was created.
15. On the final plat show or list utility easements as retained within street abandonments when stated in the abandonment ordinance.
16. On the final plat show Crowds Street abandonment with easements retained.
17. On the final plat show Cantegral Street abandonment with the Ordinance number.
18. On the final plat place a label "Monument Street" in the 25 foot Right-Of-Way north of Block C/483, Lots 15 and 16.
19. On the final plat place a label "July Alley in the 20 foot alley Right-Of-Way 100 feet south of Indiana Street.
20. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed buildings and development.
21. Water main extension may be required by Private Development Contract.
22. On the final plat identify the property as Lot 1A, City Block E/485.

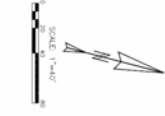
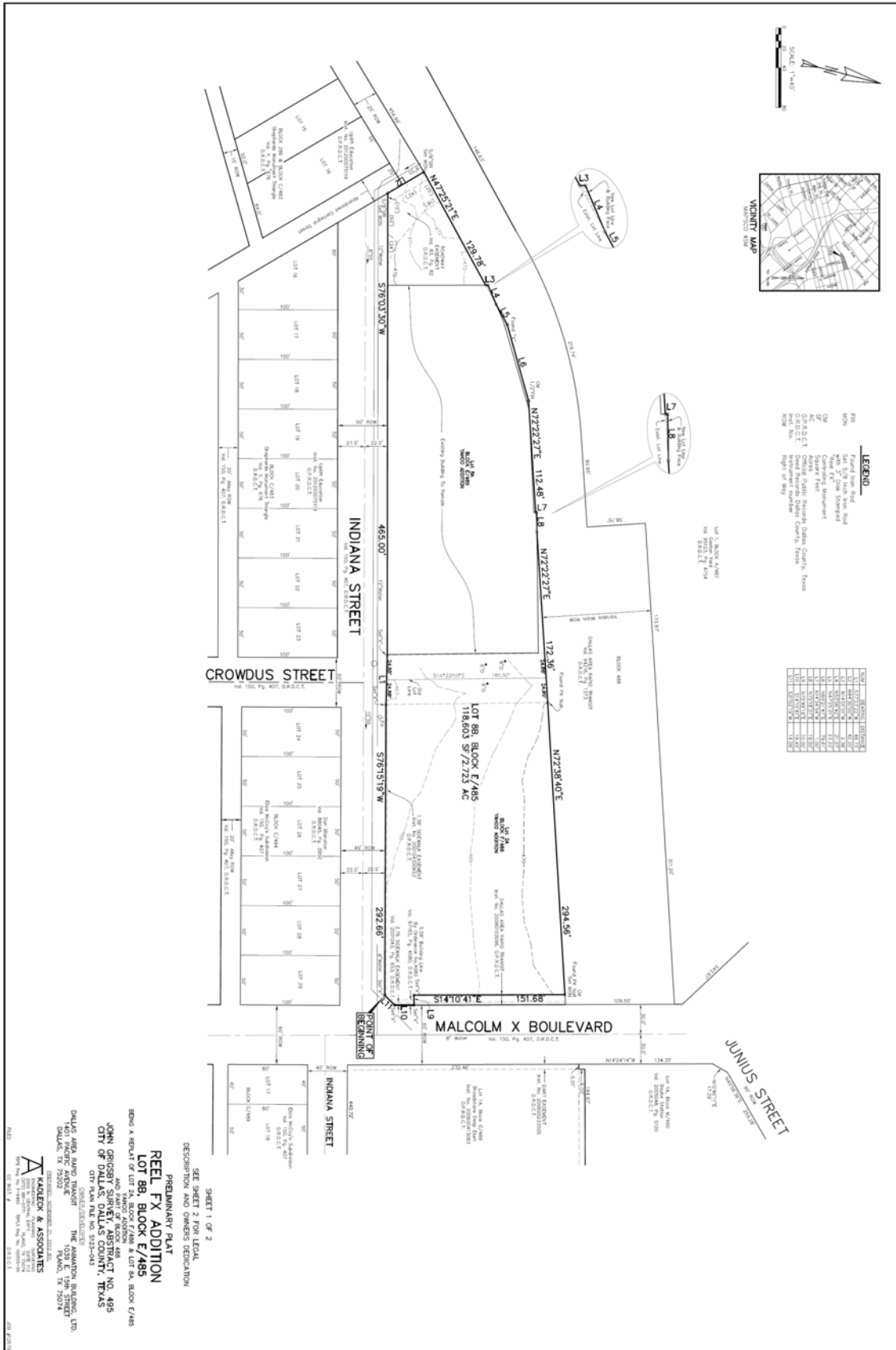




 1:3,600	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <li> Area of Request</li> <li> Recent History</li> </ul>	Case no: <b>S123-043</b> Date: <b>12/11/2012</b>
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 1:3,600	<h2 style="text-align: center;">AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	Case no: <u>          <b>S123-043</b>          </u> Date: <u>          <b>12/11/2012</b>          </u>
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**LEGEND**

- FEI - Faded Iron Red
- LNH - Light Blue
- SH - Solid Blue
- GR - Green
- SP - Solid Yellow
- OP - Open Yellow
- OR - Orange
- SL - Solid Pink
- SR - Solid Red
- SR - Solid Purple
- SL - Solid Green
- SL - Solid Blue
- SL - Solid Black
- SL - Solid White

SHEET REFERENCE	
1	SHEET 1 OF 2

**SHEET 1 OF 2**

SEE SHEET 2 FOR LEGAL DESCRIPTION AND OWNERS DEDICATION

**PRELIMINARY PLAT**

**REEL FX ADDITION**

**LOT 88, BLOCK E/485**

BEING A REPLAT OF LOT 2A, BLOCK F/486 & LOT 8A, BLOCK E/485 AND PART OF BLOCK 486 AND BLOCK 487 OF REEL 10298, CITY OF DALLAS, DALLAS COUNTY, TEXAS

DALLAS AREA BOND TRUSTEES ASSOCIATION ANTIAMERICAN BUILDING, LTD. 1401 PERRY AVENUE DALLAS, TX 75204

**KALMECK & ASSOCIATES** 1609 E. 12TH STREET DALLAS, TX 75204

DATE: 12/13/2012 9:36:21 AM

**LOCATION:** 8303 Skillman Street

**DATE FILED:** November 27, 2012

**ZONING:** MF-1(A)

**CITY COUNCIL DISTRICT:** 10 **SIZE OF REQUEST:** 6.241 Acres **MAPSCO:** 27F

**APPLICANT:** Wind Properties RB, LLC

**REQUEST:** An application to replat a 6.241 acre tract of land containing all of City Block C/8107 to remove the existing 15 foot platted building line along the northwest line of Skillman Street, to remove the existing 25 foot platted building line along the easterly line of Fair Oaks Avenue, and to remove the existing 10 foot platted building line along the north line of City Block C/8107 on property located at 8303 Skillman Street and Fair Oaks Avenue, north corner.

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

**BUILDING LINE REMOVAL STANDARD:** The commission may approve a relocation or removal of the platted building line with a minimum front, side, or rear yard setback greater than required by zoning regulation only:

(1) upon the affirmative vote of at least three- fourths of the commission members present; and

(2) if the commission finds that relocation or removal of the platted building line will not:

“(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”

- The removal of the front yard building lines along Fair Oaks Avenue and Skillman Street will allow the property to be developed to the front yard setbacks of the MF-1(A) zoning district which is 15 feet.
- The removal of the side yard 10 foot building line along the north line of the property will allow the property to be developed to the front yard setbacks of the MF-1(A) zoning district which is 10 feet.

“(ii) be contrary to the public interest;”

- No notices were sent because the property is not zoned as a single family zoning district.

“(iii) adversely affect neighboring properties; and”

- The removal of the building lines will not adversely impact neighboring properties as their removal will allow the property to be developed in compliance with the MF-1(A) zoning setback requirements.

“(iv) adversely affect the plan for the orderly development of the subdivision.”

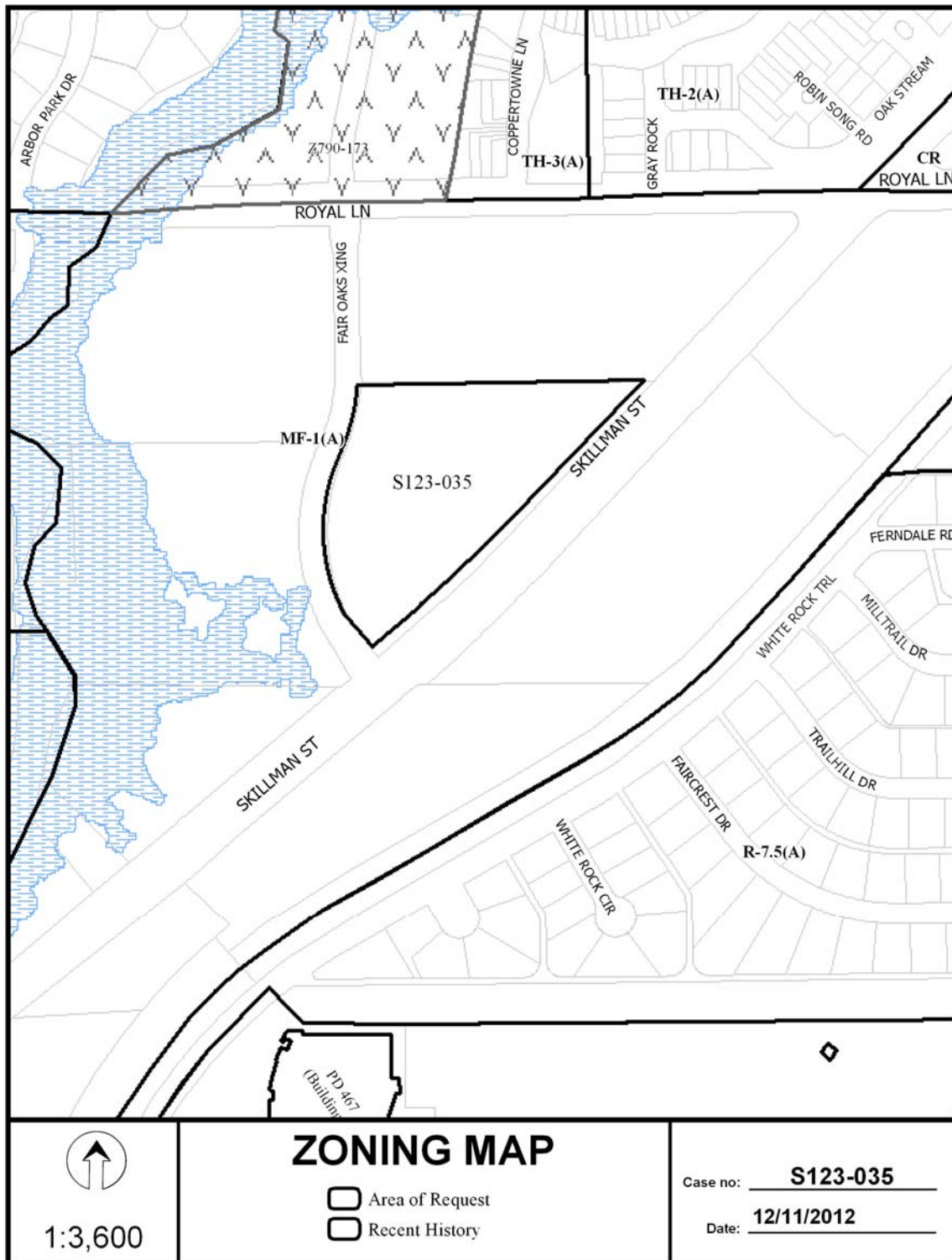
- The property contains the entire subdivision which is governed by the existing building lines. The removal of the building lines will allow the property to be developed in accordance with the requirements of the zoning district.

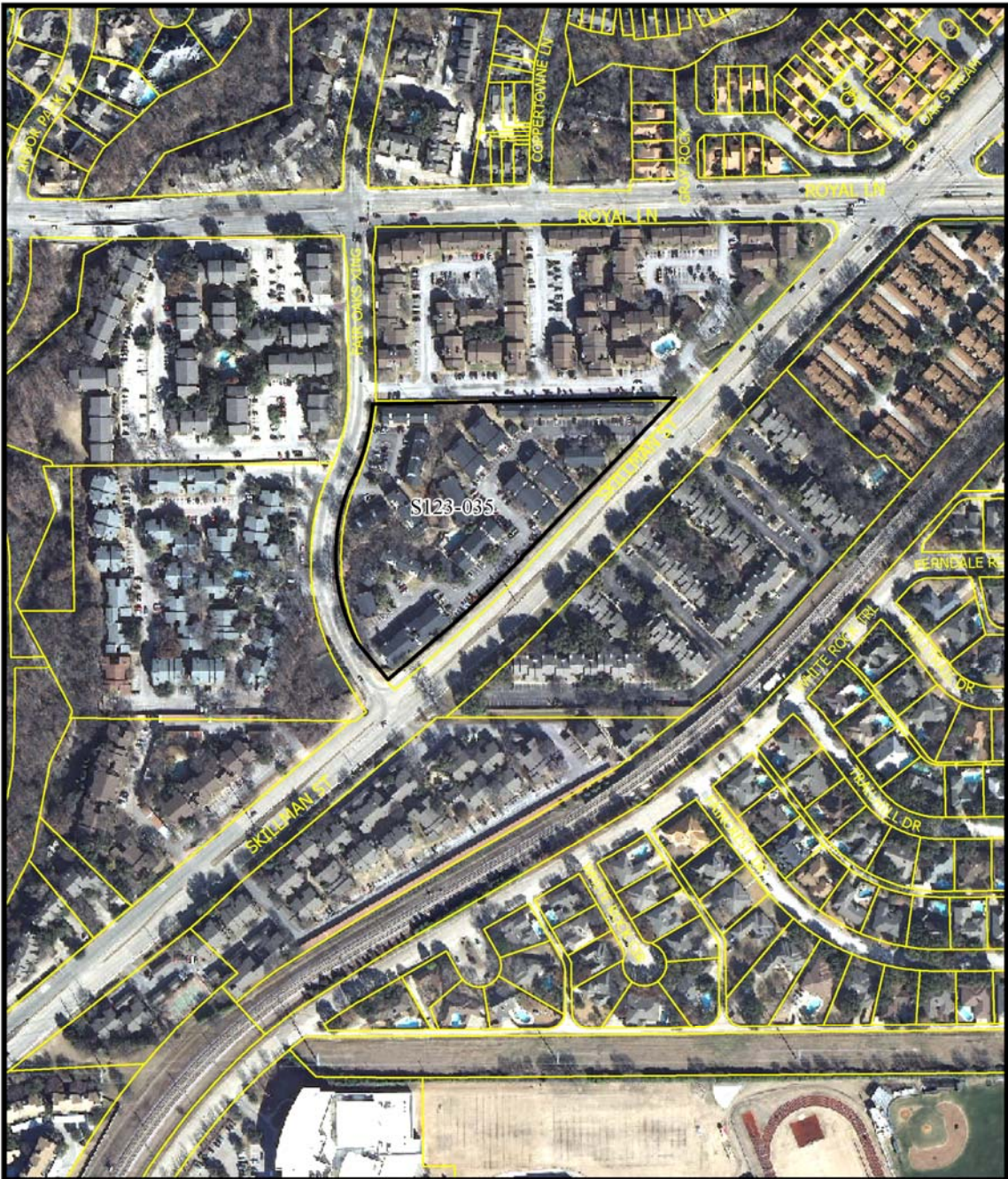
**STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:** The staff supports the removal of the building lines.

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

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

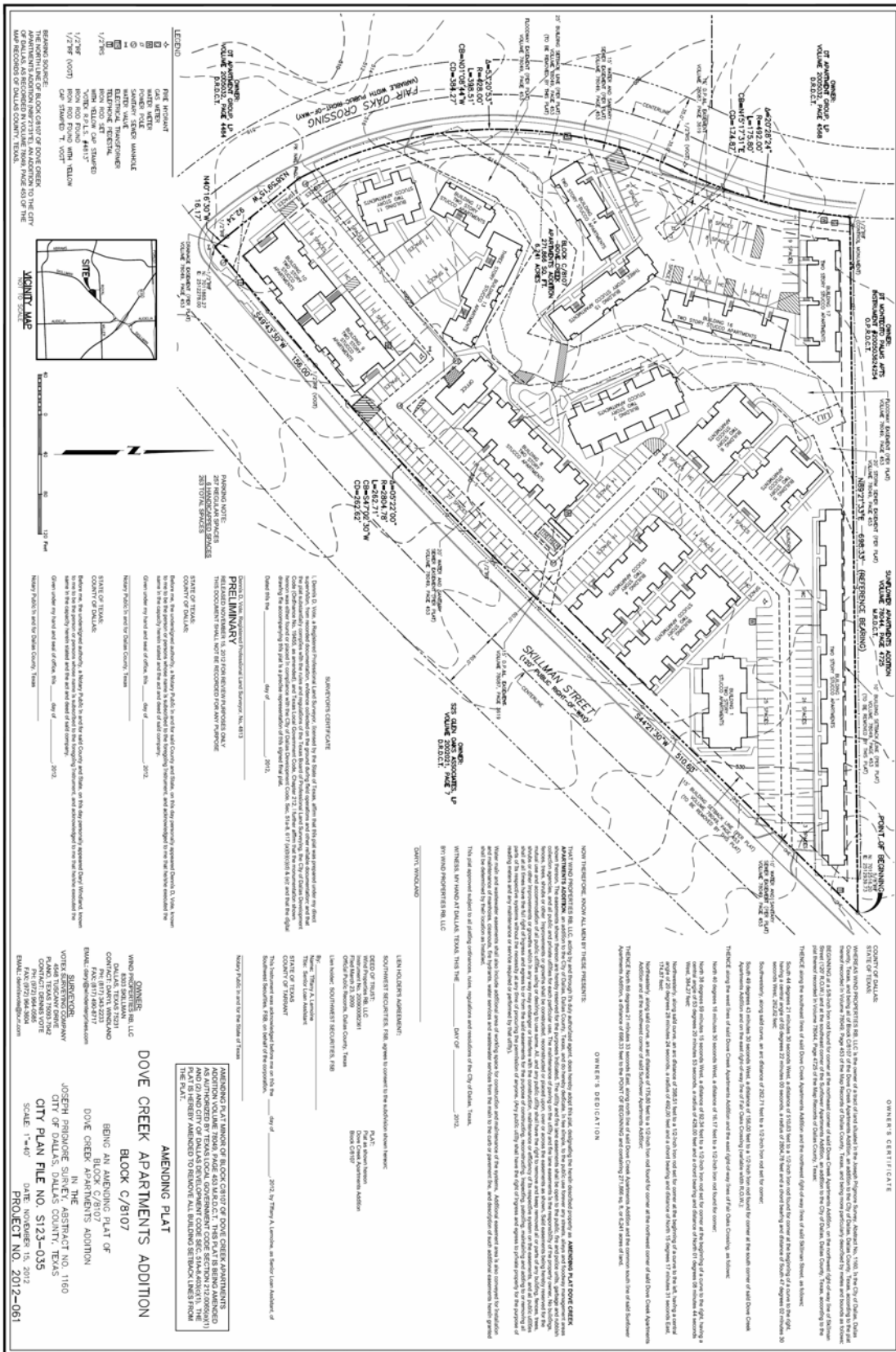
12. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. The minimum DWU easement size is 20 feet for water or wastewater and is 25 feet for an easement having both water and sewer.
13. Wastewater main extension may be required by Private Development Contract.
14. Prior to submittal of the final plat the existing fence that appears to be built within the Right-Of-Way must be either removed or the Right-Of-Way abandoned to remove the encroachment.





 1:3,600	<h3 style="text-align: center;">AERIAL MAP</h3> <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>S123-035</b>          </u> Date: <u>          <b>12/11/2012</b>          </u>
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**FILE NUMBER:** M112-041

**DATE FILED:** August 1, 2012

**LOCATION:** Stemmons Freeway and Rentzel Street, Southeast Corner

**COUNCIL DISTRICT:** 6

**MAPSCO:** 22 V

**SIZE OF REQUEST:** Approx. 19.68 Acres

**CENSUS TRACT:** 99

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**MISCELLANEOUS DOCKET ITEM**

**APPLICANTS:** Escapade 2001 Nazdar, LLC; Club 2009 King Day, LLC

**OWNER:** King Family Day Trust

**REPRESENTATIVE:** Schahrouz Ferdows

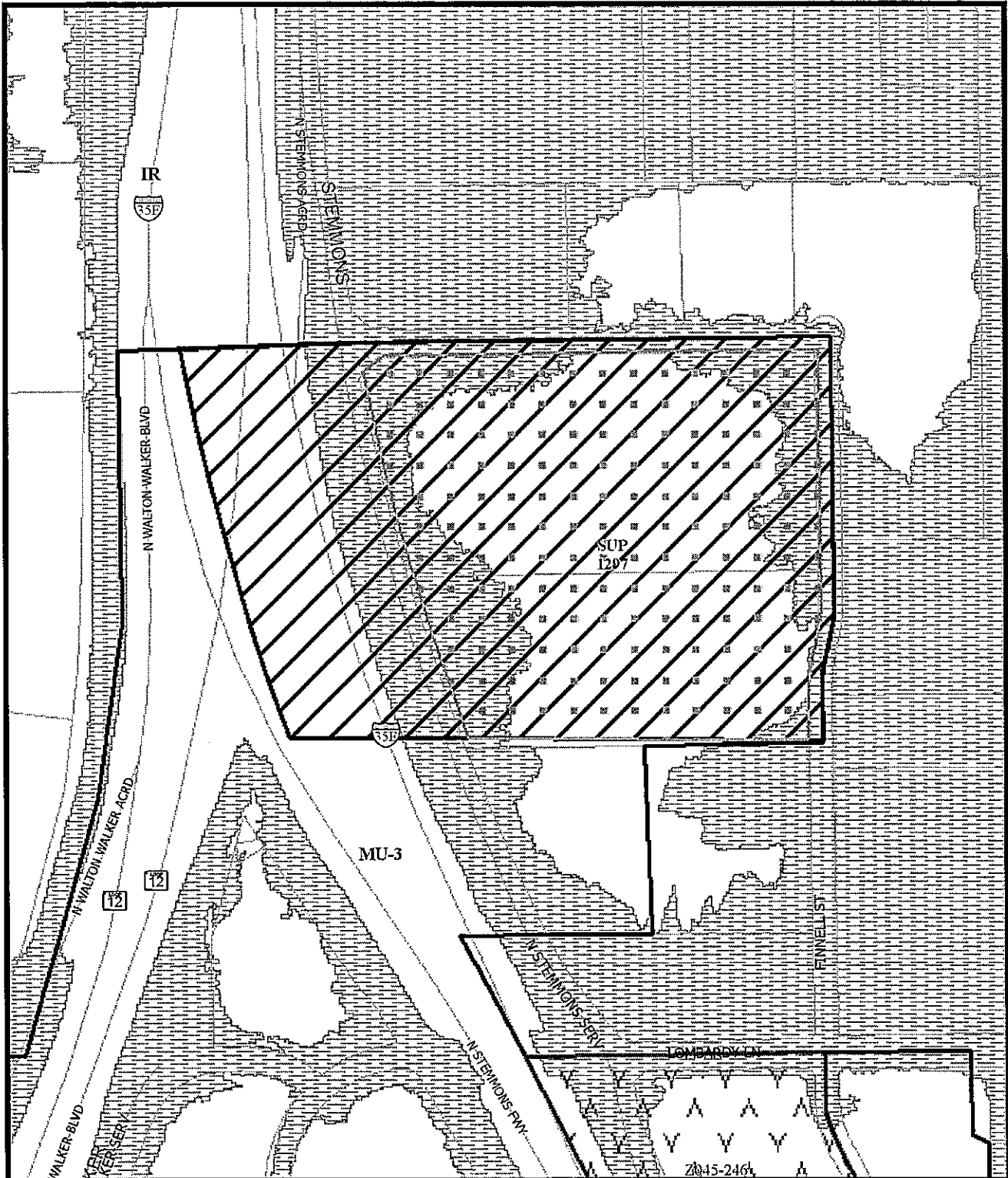
Minor Amendment for Site Plan and Landscape Plan

On August 28, 1996 the City Council passed Ordinance No. 22860 which established Specific Use Permit No. 1297 for a Bar, lounge, or tavern on property at the above location. Three minor amendments have been approved by the CPC, most recently on August 17, 2006.

At this time, the property owner has requested consideration of a minor amendment to the site plan to provide for previously approved floor area for a future 10,000 square foot structure to be allocated between the two existing structures within the eastern third of the property. The landscape plan has been revised to provide for previously approved perimeter plantings and furthermore, confirmation that such plantings have been actually planted.

The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use and complies with the criteria for consideration of a minor amendment to a site plan and landscape plan.

**STAFF RECOMMENDATION:** Approval

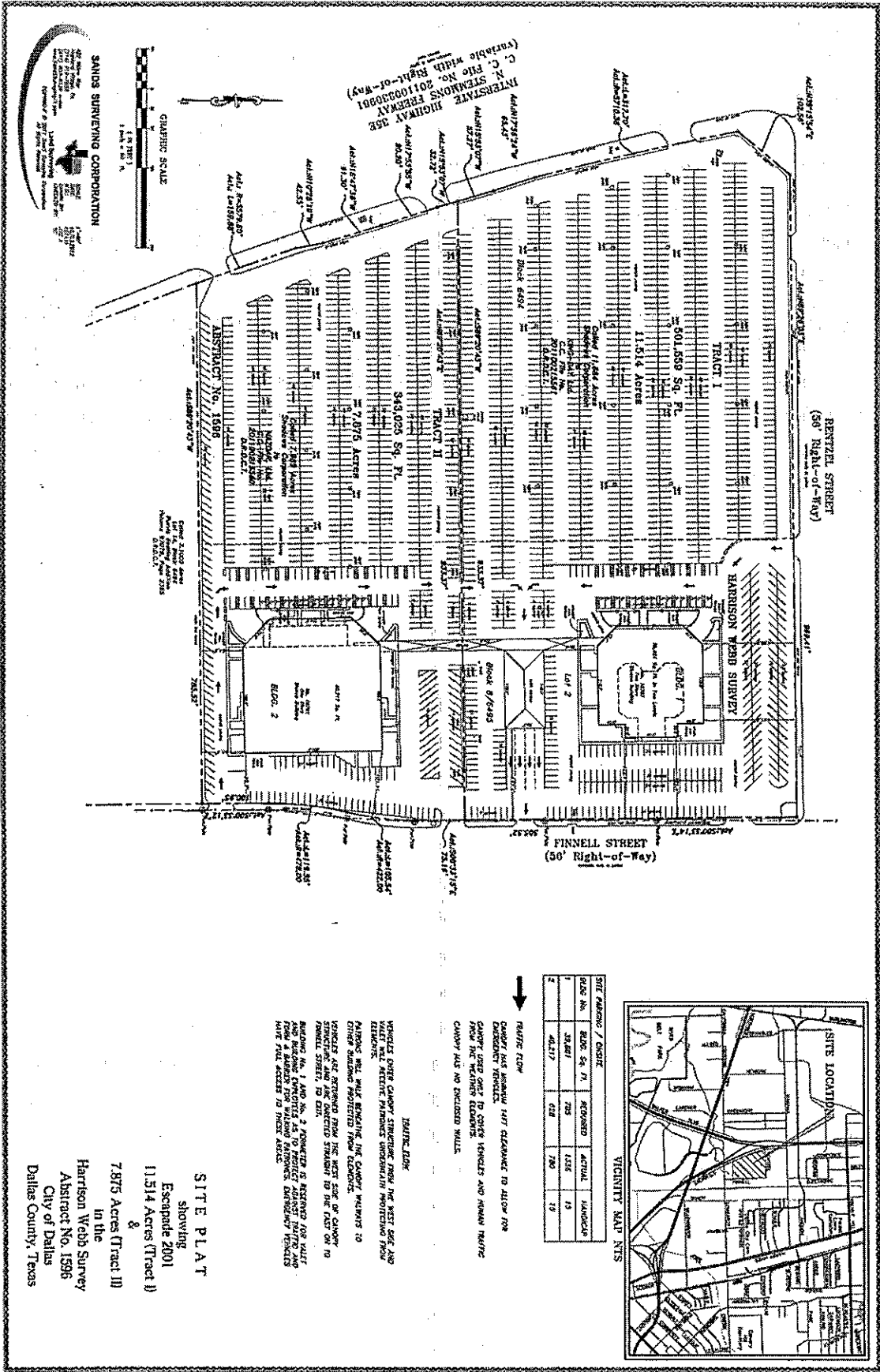


1:3,600

# ZONING MAP

Case no: M112-041

Date: 11/15/2012



**SANOS SURVEYING CORPORATION**  
 1100 West Loop West, Suite 1000  
 Dallas, Texas 75201  
 Phone: 214-750-1100  
 Fax: 214-750-1101  
 Website: www.sanos.com

**GRAPHIC SCALE**  
 1" = 100' 0"

**North Arrow**

INTERSTATE HIGHWAY 35E  
 C. N. STEWARTS FERRYWAY  
 (Variable Width Right-of-Way)

ABSTRACT No. 1596  
 7.875 ACRES

TRACT I  
 501,459 SQ. FT.  
 11,514 ACRES

TRACT II  
 343,025 SQ. FT.  
 7,875 ACRES

FINNELL STREET  
 (50' Right-of-Way)

**VEHICLE CLEARANCE**

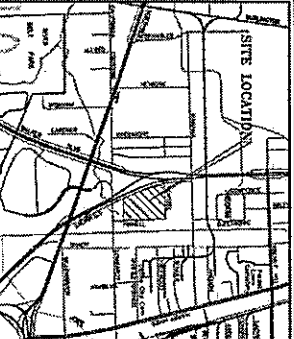
BLDG. NO.	BLDG. SQ. FT.	REQUIRED	ACTUAL	VARIOUS
1	48,841	785	1,132	13
2	48,117	628	780	13

**VEHICLE CLEARANCE**

VEHICLES OVER CANOPY STRUCTURE FROM THE WEST SIDE AND WEST WALL ARE NOT PERMITTED UNDERMAIN MOVING FROM EAST SIDE. VEHICLES FROM WEST SIDE OF CANOPY STRUCTURE ARE NOT PERMITTED FROM EAST SIDE. OTHER VEHICLES ARE NOT PERMITTED FROM EAST SIDE OF FINNELL STREET TO EAST.

**VEHICLE CLEARANCE**

VEHICLES OVER CANOPY STRUCTURE FROM THE WEST SIDE AND WEST WALL ARE NOT PERMITTED UNDERMAIN MOVING FROM EAST SIDE. VEHICLES FROM WEST SIDE OF CANOPY STRUCTURE ARE NOT PERMITTED FROM EAST SIDE. OTHER VEHICLES ARE NOT PERMITTED FROM EAST SIDE OF FINNELL STREET TO EAST.



**TRAFFIC FLOW**

CANOPY HAS ANNUAL LIGHT CLEARANCE TO ALLOW FOR DISORDERLY TRAFFIC.

CANOPY USED ONLY TO COVER VEHICLES AND ANIMAL TRAFFIC FROM THE WEATHER ELEMENTS.

CANOPY HAS NO ENCLOSED WALLS.

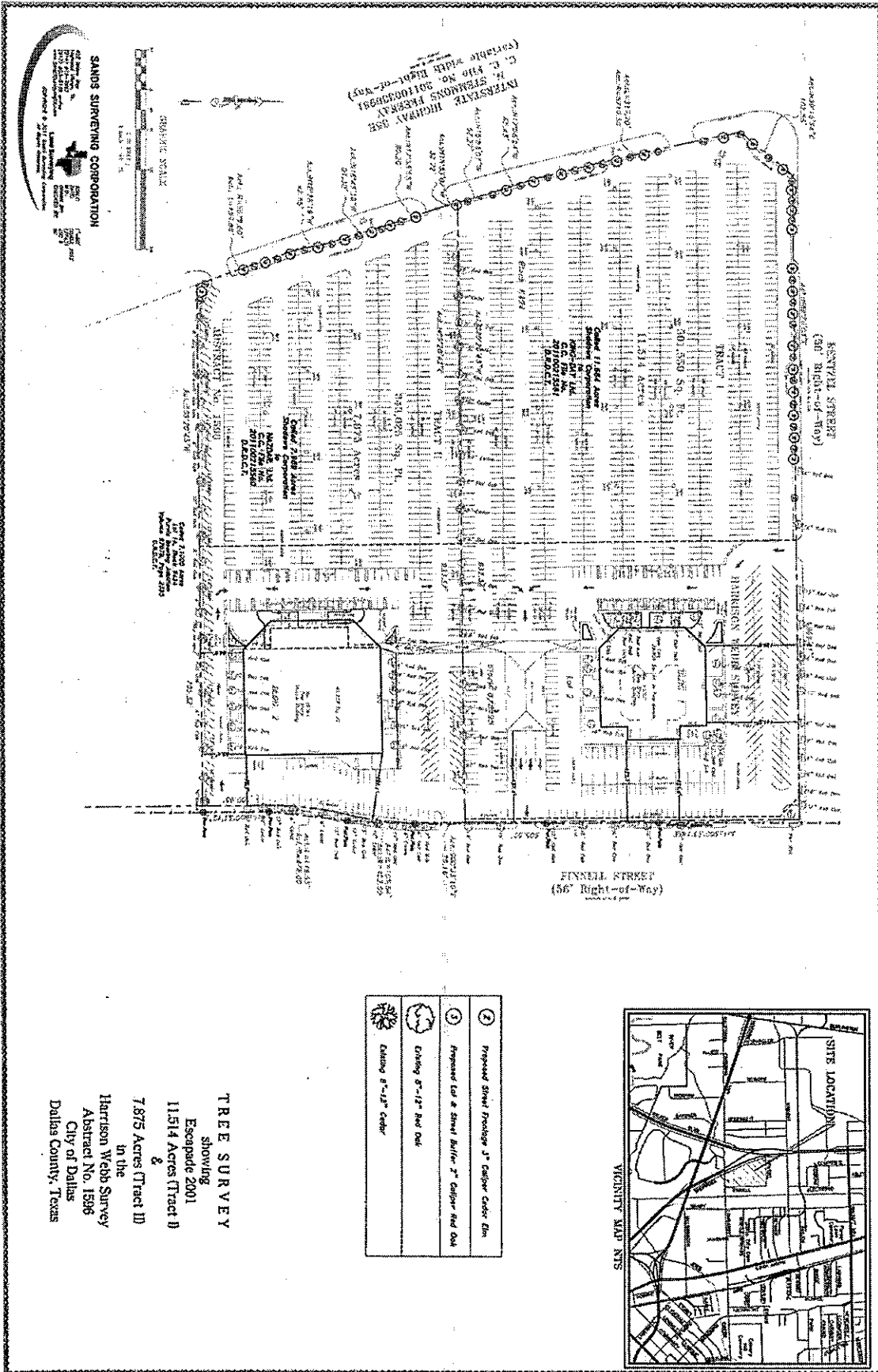
**TRAFFIC FLOW**

CANOPY HAS ANNUAL LIGHT CLEARANCE TO ALLOW FOR DISORDERLY TRAFFIC.

CANOPY USED ONLY TO COVER VEHICLES AND ANIMAL TRAFFIC FROM THE WEATHER ELEMENTS.

CANOPY HAS NO ENCLOSED WALLS.

**SITE PLAT**  
 showing  
 Escarpate 2001  
 11,514 Acres (Tract I)  
 &  
 7,875 Acres (Tract II)  
 in the  
 Harrison Webb Survey  
 Abstract No. 1596  
 City of Dallas  
 Dallas County, Texas

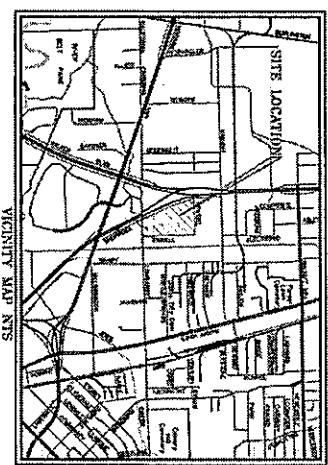


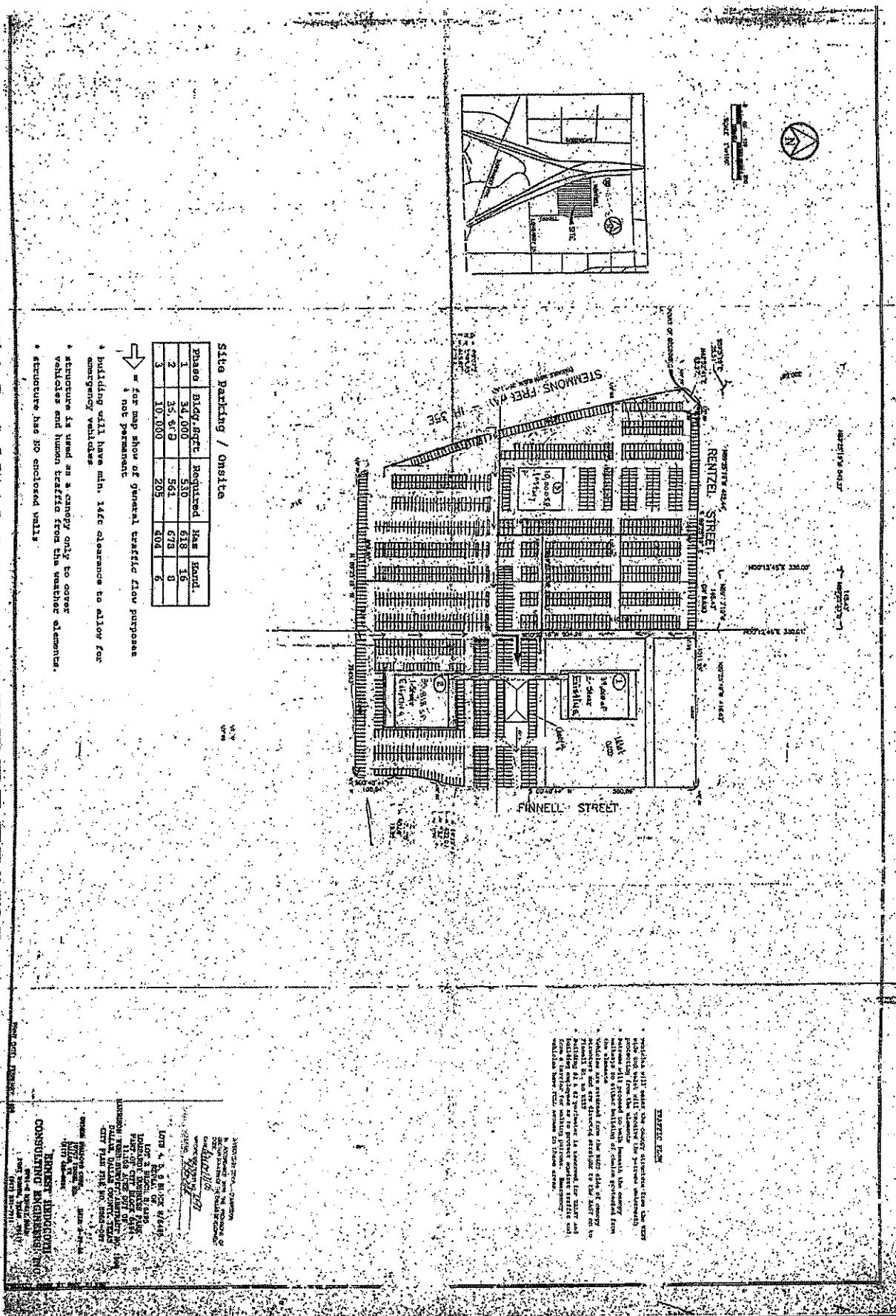
**SANDS SURVEYING CORPORATION**  
 2000 West Loop South  
 Suite 1000  
 Dallas, Texas 75241  
 Phone: (214) 343-1234  
 Fax: (214) 343-1235  
 Website: www.sandsurveying.com



	Proposed Street Frontage 3" Cedar Cedar Elm
	Proposed lot & street buffer 3" Cedar Red Oak
	Existing 8" 12" Red Oak
	Existing 8" 12" Cedar

**TREE SURVEY**  
 showing  
 Escapade 2001  
 11514 Acres (Tract B)  
 &  
 7875 Acres (Tract II)  
 in the  
 Harrison Webb Survey  
 Abstract No. 1596  
 City of Dallas  
 Dallas County, Texas





**Site Parking / Onsite**

Phase	Bldg. SqFt.	Required	Max	Found.
1	34,000	510	618	16
2	35,500	561	678	8
3	10,000	205	400	8

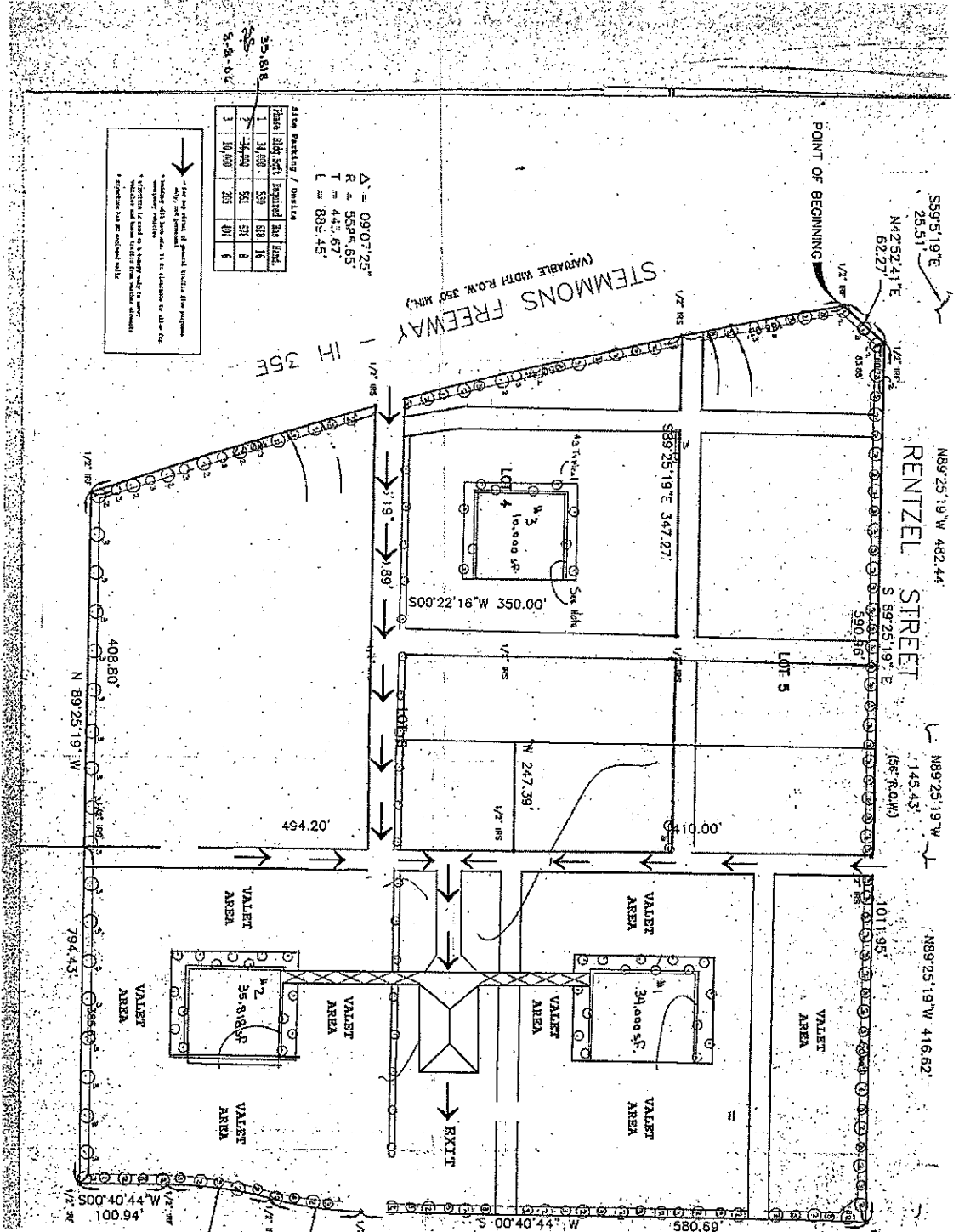
- ⇨ = far map show of general traffic flow purposes
- ↑ not permanent
- \* building will have min. 14ft clearance to allow for emergency vehicles
- \* structure is used as a canopy only to cover vehicles and human traffic from the weather elements.
- \* structure has 80 enclosed walls

**EXISTING HOUSING**

Existing housing units are shown on the site plan. The units are shown with their respective lot numbers and are located primarily along the eastern and southern boundaries of the site. The existing housing units are shown in a hatched pattern. The units are shown with their respective lot numbers and are located primarily along the eastern and southern boundaries of the site. The existing housing units are shown in a hatched pattern. The units are shown with their respective lot numbers and are located primarily along the eastern and southern boundaries of the site.

**REINERT ENGINEERING, INC.**  
 CONSULTING ENGINEERS  
 1100 15th Street, Suite 100  
 Denver, CO 80202  
 Phone: 303.733.1111  
 Fax: 303.733.1112

**LOT 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100**



Site Parting / Details

Sheet	Block	Section	Area	Lot
1	34	22	358	16
2	34	22	358	16
3	10	00	213	01

$\Delta = 09^{\circ}07'25''$   
 $R = 5595.65'$   
 $T = 442.67'$   
 $L = 883.45'$

\* 1/2" IR = 1/2" scale of ground surface elevation  
 \* 1/2" IR = 1/2" scale of ground surface elevation  
 \* 1/2" IR = 1/2" scale of ground surface elevation  
 \* 1/2" IR = 1/2" scale of ground surface elevation  
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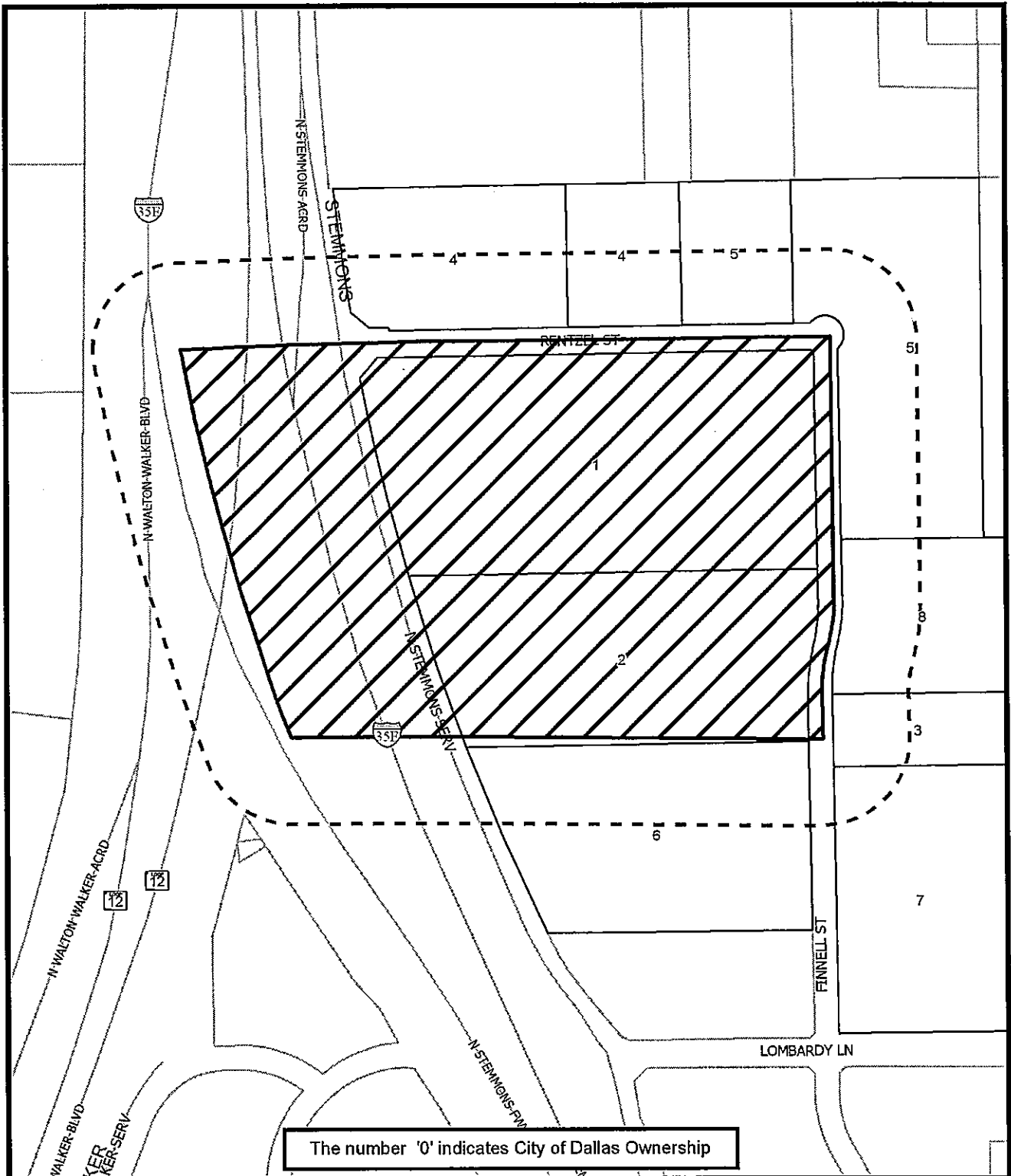
$\Delta = 14^{\circ}19'46''$   
 $R = 422.00'$   
 $T = 53.05'$   
 $L = 103.54'$

$\Delta = 14^{\circ}19'48''$   
 $R = 478.00'$   
 $T = 60.09'$   
 $L = 119.55'$


1. The owner, Pauline S. Sells  
 2. The owner, Pauline S. Sells  
 3. The owner, Pauline S. Sells  
 4. The owner, Pauline S. Sells  
 5. The owner, Pauline S. Sells  
 6. The owner, Pauline S. Sells  
 7. The owner, Pauline S. Sells  
 8. The owner, Pauline S. Sells  
 9. The owner, Pauline S. Sells  
 10. The owner, Pauline S. Sells

Master Landscape Layout  
 Site Plan  
 1/2" IR = 1/2" scale of ground surface elevation  
 1/2" IR = 1/2" scale of ground surface elevation  
 1/2" IR = 1/2" scale of ground surface elevation

**Existing Landscape Plan**



The number '0' indicates City of Dallas Ownership

  
 1:3,600

## NOTIFICATION

<b>200'</b>	AREA OF NOTIFICATION
<b>8</b>	NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:           M112-041            
 Date:           11/15/2012



11/15/2012

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

***M112-041***

### ***8 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10707 FINNELL ST	KING-DAY LTD
2	10707 FINNELL ST	NAZDAR LTD
3	10520 FINNELL ST	ADRCC LTD
4	10620 STEMMONS FWY	PACCAR LEASING CORPORATION
5	2455 RENTZEL ST	DALLAS COUNTY SCHOOLS
6	10540 STEMMONS FWY	SAMMONS REALTY CORP SUITE 1900
7	2551 LOMBARDY LN	NDF LTD
8	10530 FINNELL ST	ADRCC LTD

**FILE NUMBER:** M112-047

**DATE FILED:** September 11, 2012

**LOCATION:** West Line of South R. L. Thornton Freeway, South of Kiest Boulevard

**COUNCIL DISTRICT:** 4

**MAPSCO:** 54 Y, 64 C

**SIZE OF REQUEST:** Approx. 13.45 Acres

**CENSUS TRACT:** 60.02

**APPLICANT/OWNER:** Faith Family Academy

**REPRESENTATIVE:** Dean McGuire

**MISCELLANEOUS DOCKET ITEM**

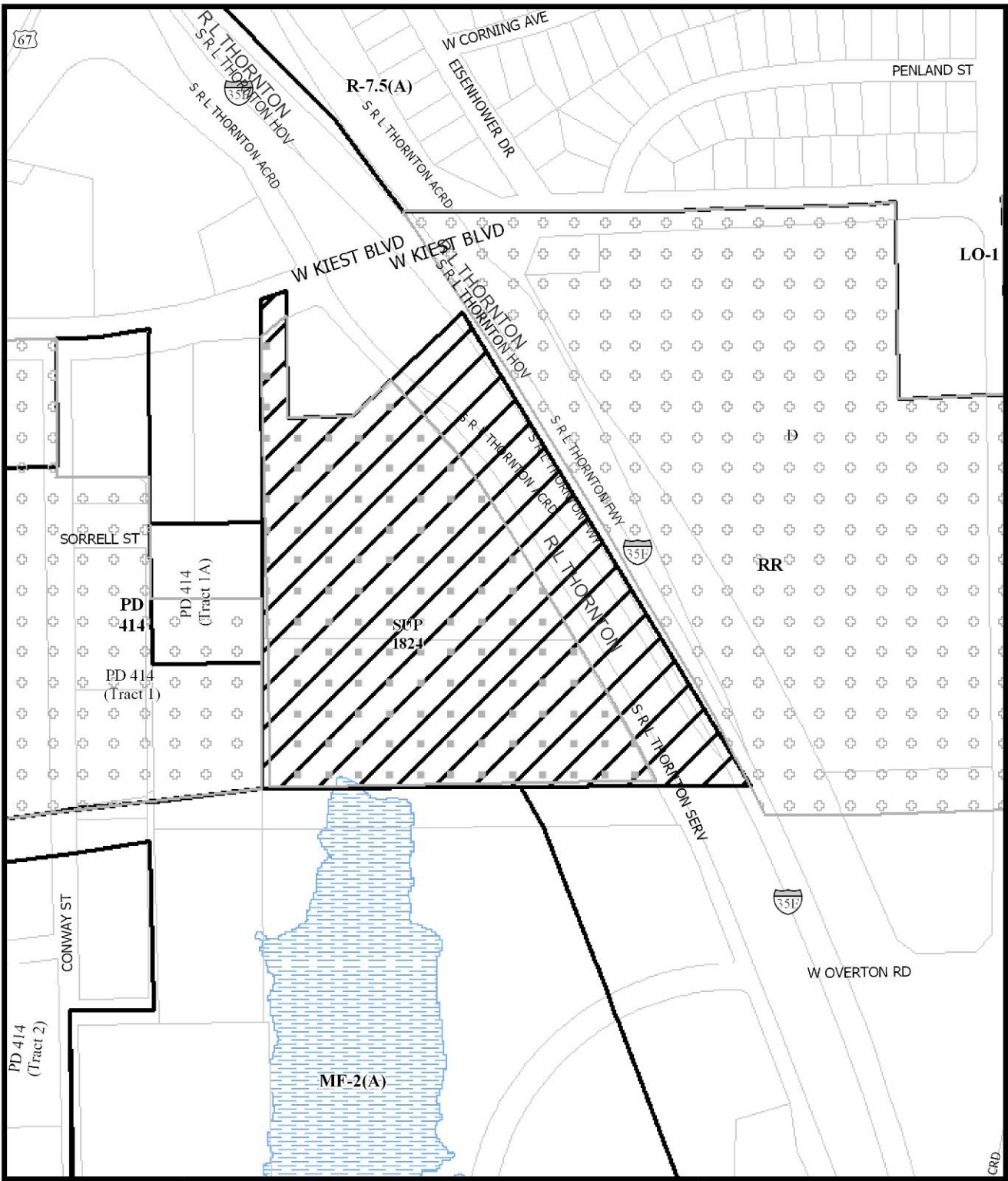
Minor Amendment for Site Plan/Traffic Management Plan

On January 26, 2011, the City Council passed Ordinance No. 28111 which established Specific Use Permit No. 1824 for an Open-enrollment charter school on property at the above location. The ordinance was subsequently amended by Ordinance No. 28358,

At this time, the property owner has submitted an application for consideration of a minor amendment to the site plan/traffic management plan to provide for consolidation of previously approved floor area within the southern portion of the property. The traffic management plan portion of the plan is not affected by this consolidation.

The requested minor amendment does not impact any of the other provisions of the ordinance permitting this use.

**STAFF RECOMMENDATION:** Approval

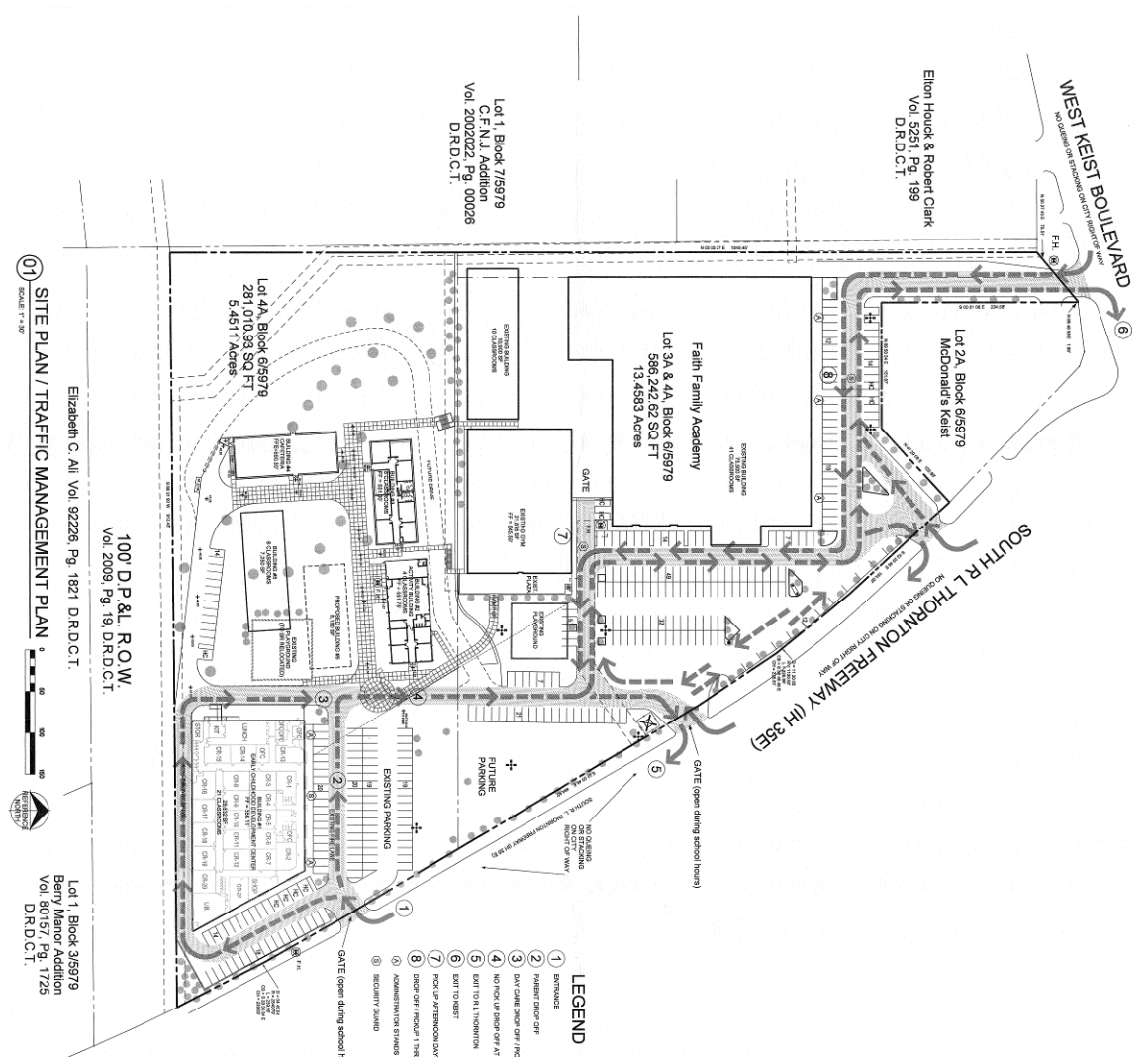


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# ZONING MAP

Case no: M112-047

Date: 11/2/2012



- LEGEND**
- 1 EXISTING DRIVEWAY
  - 2 EXISTING DRIVEWAY / PICKUP
  - 3 EXISTING DRIVEWAY / PICKUP
  - 4 NO PICKUP DROP OFF AT NEW BUILDING
  - 5 EXIT TO R.L. THORNTON
  - 6 EXIT TO GATES
  - 7 PICKUP / AFTERNOON DROP OFF
  - 8 DROP OFF / PICKUP 1 THRU 12
  - 9 ADMINISTRATION BLDG
  - 10 SECURITY GUARD

**AREA CALCS - EXISTING**

USE: OPEN ENROLLMENT CHARTER SCHOOL

CLASSROOMS	18
PERFORMING ARTS	1
ART ROOM	1
PERFORMING ARTS	1
ART ROOM	1
TOTAL BLDG AREA	18,000 SF

**PARKING CALCS - CURRENT**

TOTAL SPACES PROVIDED	34 SPACES
TOTAL, LOT PROVIDED (REQUIRED)	18 SPACES
TOTAL, LOT PROVIDED (PROPOSED)	16 SPACES

**CODES**

CITY OF DALLAS DEVELOPMENT CODE

ZONING: RESIDENTIAL SINGLE-FAMILY (RS-1)

USE: CHARTER SCHOOL

LANDSCAPE: 20% PERMANENT MECHANICAL CODE

BUILDING: 2008 INTERNATIONAL BUILDING CODE

OCCUPANCY CLASS: EDUCATIONAL (E)

MECHANICAL: 2008 INTERNATIONAL MECHANICAL CODE

ELECTRICAL: 2008 NATIONAL ELECTRICAL CODE (NEC)

PLUMBING: 2008 INTERNATIONAL PLUMBING CODE

FIRE: 2008 INTERNATIONAL FIRE CODE

ACCESSIBILITY: ADA & ADA SUPPLEMENTAL

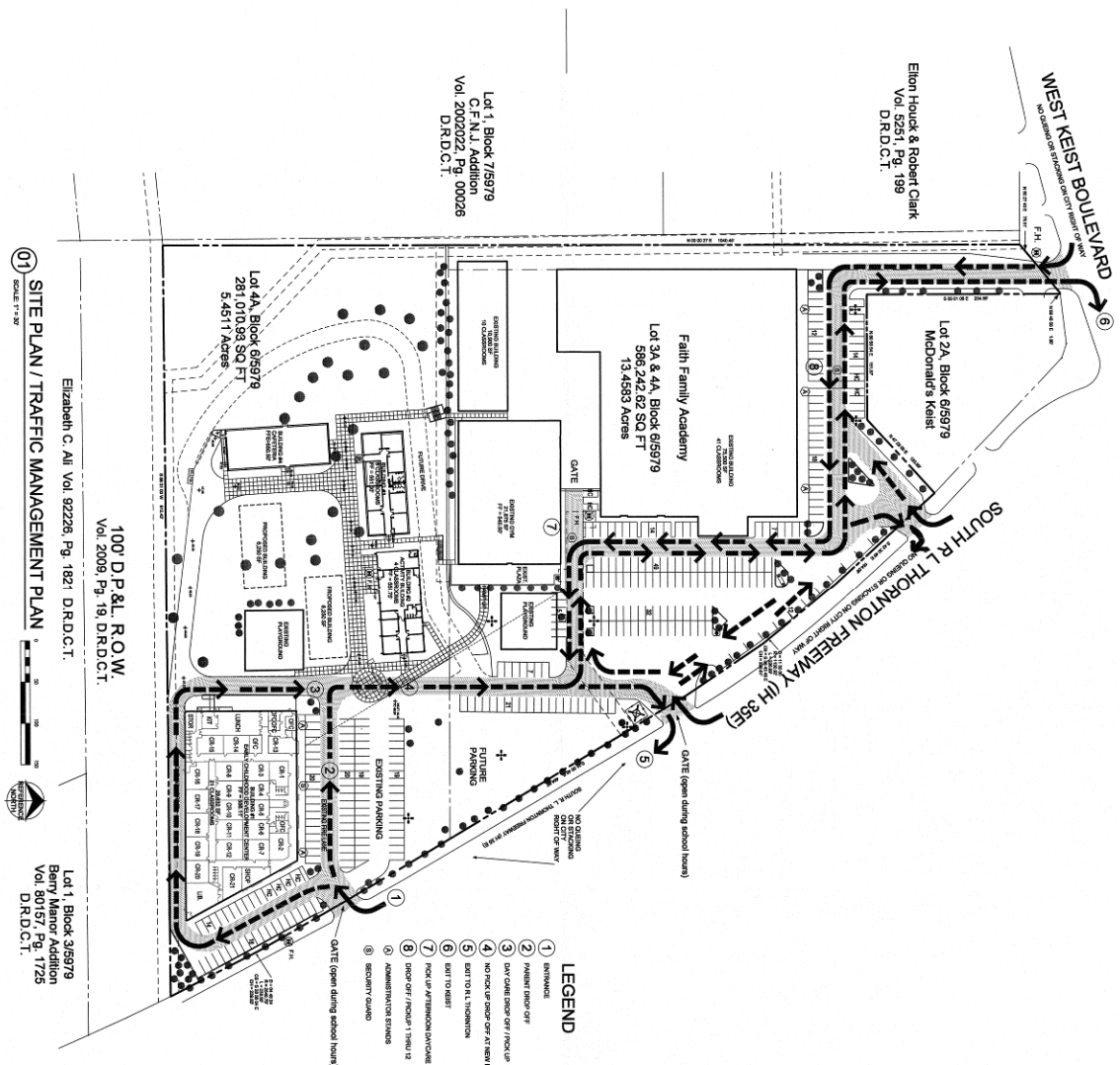
ENERGY: 2008 INTERNATIONAL ENERGY CONSERVATION CODE

GREEN: 2008 U.S. GREEN BUILDING CERTIFICATION (LEED) 2009

**INDEX OF DRAWINGS**

A-1	SITE PLAN, INDEX, COORDS. & SITE LOCATION
A-2	TRAFFIC MANAGEMENT PLAN
A-3	EXTENSION, ELEVATIONS & BUILDING SECTIONS

	<b>CHARTER SCHOOL</b> 3415 South R.L. Thornton Freeway, Dallas, TX 75224 <b>FAITH FAMILY ACADEMY</b> 1620 Falcon Drive, Desoto, TX 75115 <b>SITE PLAN / TRAFFIC MANAGEMENT PLAN</b>	
	Date: 08/31/2012 Revision: Description: Drawn: Checked: Title: TRAFFIC MANAGEMENT PLAN	



Elton Houck & Robert Clark  
 Val# 5251 Pg. 199  
 D.R.D.C.T.

Lot 1, Block 7/5979  
 C.F.N.J. Addition  
 Val# 2002022 Pg. 00026  
 D.R.D.C.T.

Lot 4A, Block 6/5979  
 281,010.93 SQ FT  
 5.4511 Acres

100' D.P. & L. R.O.W.  
 Val# 2009 Pg. 19 D.R.D.C.T.

Elizabeth C. All Val# 92226 Pg. 1821 D.R.D.C.T.

Lot 1, Block 3/5979  
 Berry Manor Addition  
 Val# 80757 Pg. 1725  
 D.R.D.C.T.

**LEGEND**

- 1 ENTRANCE
- 2 PARENT DROP OFF
- 3 DAY CARE DROP OFF / PICK UP
- 4 NO PICK UP DROP OFF / PICK UP
- 5 SOUTH R.L. THORNTON
- 6 EXIT TO ASSELT
- 7 PICK UP / ATTENDANCE TAKE CARE
- 8 DROP OFF / PARENT TRAIL 12
- 9 ADMINISTRATION SERVICES
- 10 SECURITY GUARD

**AREA CALCS - EXISTING**

USE: OTHER UNDEVELOPED OPEN SPACE, 54  
 CLASSROOMS 12,800 SF  
 PROPOSED BUILDINGS 106,422 SF  
 TOTAL IMPROVED AREAS 119,222 SF  
 TOTAL IMPROVED AREAS 119,222 SF

**PARKING CALCS - CURRENT**

314 SPACES  
 8 SPACES  
 TOTAL, IMPROVED AREAS 119,222 SF

**CODES**

ZONING: CITY OF DALLAS DEVELOPMENT CODE  
 USE: COMMERCIAL  
 BUILDING: 2008 INTERNATIONAL MECHANICAL CODE  
 MECHANICAL: 2008 INTERNATIONAL MECHANICAL CODE  
 ELECTRICAL: 2008 NATIONAL ELECTRICAL CODE  
 PLUMBING: 2008 NATIONAL PLUMBING CODE  
 FIRE: 2008 INTERNATIONAL FIRE CODE  
 ACCESSIBILITY: ADA 2010 (ENFORCEABLE)  
 ENERGY: 2008 INTERNATIONAL MECHANICAL CODE  
 SUSTAINABLE: GREEN BUILDING RATING SCHEME (LEED) 2009

**INDEX OF DRAWINGS**

A43 SITE PLAN, INDEX, COORDS, & SITE LOCATION  
 A1.0 FLOOR PLAN, ROOM PLAN, ROOM SCHEDULE & SECTION  
 A1.0 EXISTING ELEVATIONS & BUILDING SECTION  
 A4.0 EXISTING ELEVATIONS & BUILDING SECTION

**LOCATION PLAN**

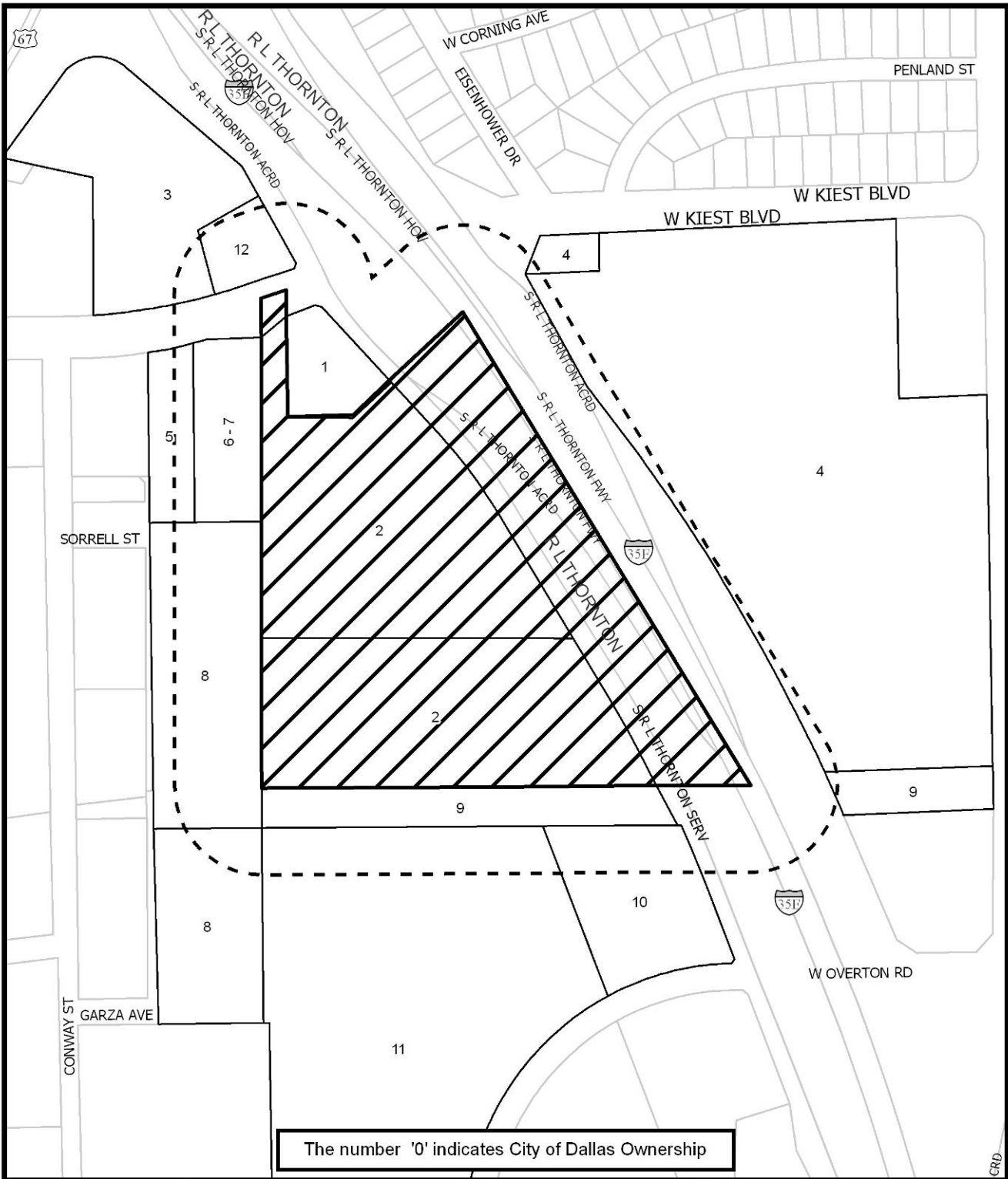


Project Number  
 10-008  
**A0.0**

Date: 10/17/2011  
 Revision:  
 1. REVISIONS  
 2. REVISIONS  
 3. REVISIONS  
 4. REVISIONS  
 5. REVISIONS

**CHARTER SCHOOL**  
 3415 South R.L. Thornton Freeway, Dallas, TX 75224  
**FAITH FAMILY ACADEMY**  
 1620 Falcon Drive, Desoto, TX 75115  
**SITE PLAN / TRAFFIC MANAGEMENT PLAN**





1:3,600

# NOTIFICATION

**200'**

AREA OF NOTIFICATION

**12**

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: M112-047

Date: 11/2/2012

11/1/2012

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

***M112-047***

### ***12 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	310 Kiest Blvd	ARCHLAND PROPERTY II LP
2	3415 R L Thornton Fwy	FAITH FAMILY KIDS
3	321 Kiest Blvd	CHRIST FOR THE NATIONS BIBLE INSTITUTE
4	200 Kiest Blvd	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
5	330 Kiest Blvd	JACKSON MELVIN DBA J & C TRANSPORT
6	334 Kiest Blvd	GUARANTY BANK NKA RED OAK STATE BANK
7	334 Kiest Blvd	RED OAK STATE BANK
8	3500 Conway St	CHRIST FOR THE NATIONS INC
9	110 Overton Rd	TEXAS UTILITIES ELEC CO % STATE & LOCAL
10	3515 R L Thornton Fwy	GOTHARD FAMILY TRUST
11	205 Overton Rd	MADISON POINT LTD PS
12	309 Kiest Blvd	AMERICAN HOMESTEAD LTD

**FILE NUMBER:** Z112-215 (JH)

**DATE FILED:** March 30, 2012

**LOCATION:** Southwest corner of S. Tyler Street and W. Page Avenue

**COUNCIL DISTRICT:** 1

**MAPSCO:** 54-F

**SIZE OF REQUEST:** Approx. 0.30 acres

**CENSUS TRACT:** 51.00

---

**REPRESENTATIVE:** Peiser Surveying, LLC

**APPLICANT:** Khiem Phan

**OWNER:** KP Star Investment

**MISCELLANEOUS DOCKET ITEM**

Extension of the six month time period for scheduling a zoning request for City Council.

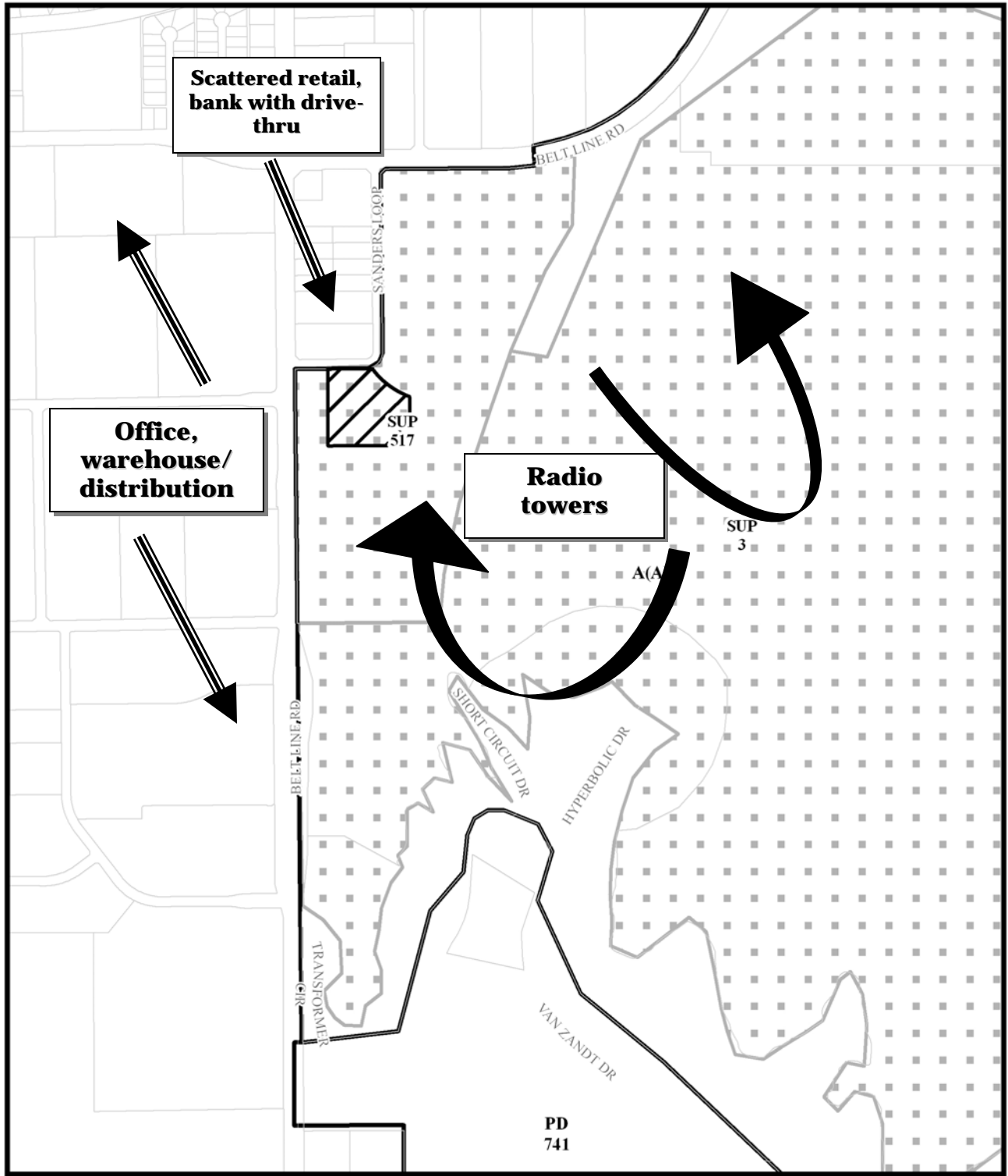
On May 17, 2012, the City Plan Commission recommended approval of an NS(A) Neighborhood Service District on property zoned a TH-3(A) Townhouse District.


The Dallas Development Code states that a request for a zoning change may not be held for longer than six months from the date of the Commission's action without being scheduled for a City Council hearing. Furthermore, the Commission shall review a zoning request that has not been scheduled within six months of the Commission's action to determine whether a time extension should be granted for a specified period or whether the application should be terminated and declared null and void.

The delay in forwarding this request to the City Council has been attributed to abandonment of an alley that is on the western side of this block that runs north to south. Staff policy is to coordinate the zoning change request with any abandonment in scheduling for the City Council hearing. Staff from the Real Estate Division has indicated this should be completed in January, 2013, but there are still outstanding issues to complete for the abandonment before scheduling for City Council. Staff recommends an extension of three months to be sure the abandonment requirements are satisfied.

**Staff Recommendation:** Approval.





  
 1:9,600

# ZONING AND LAND USE

Map no:           C-2            
 Case no:           Z078-309 RB          

DATE: October 3, 2008

GIS TECHNICIAN: SHolyoak

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)**

**DOWNTOWN DISTRICT**

---

**CASE NUMBER:** 1211055033

**DATE FILED:** November 5, 2012

**LOCATION:** 1445 Ross Avenue, West elevation

**SIZE OF REQUEST:** 16 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** CA-1(A)

**MAPSCO:** 45-K

---

**APPLICANT:** Gary Nitschke

**CONTRACTOR:** The 3-DG Group, LLC

**OWNER/TENANT:** Cassidy Turley

**REQUEST:** Install one (1) 16 sq. ft. monument sign, west elevation

**SUMMARY:** The application is for erection of a 1'6" X 1'0" X 16'0" non-illuminated exterior monument sign to display the words "Fountain Place" on N. Field Street, West elevation.

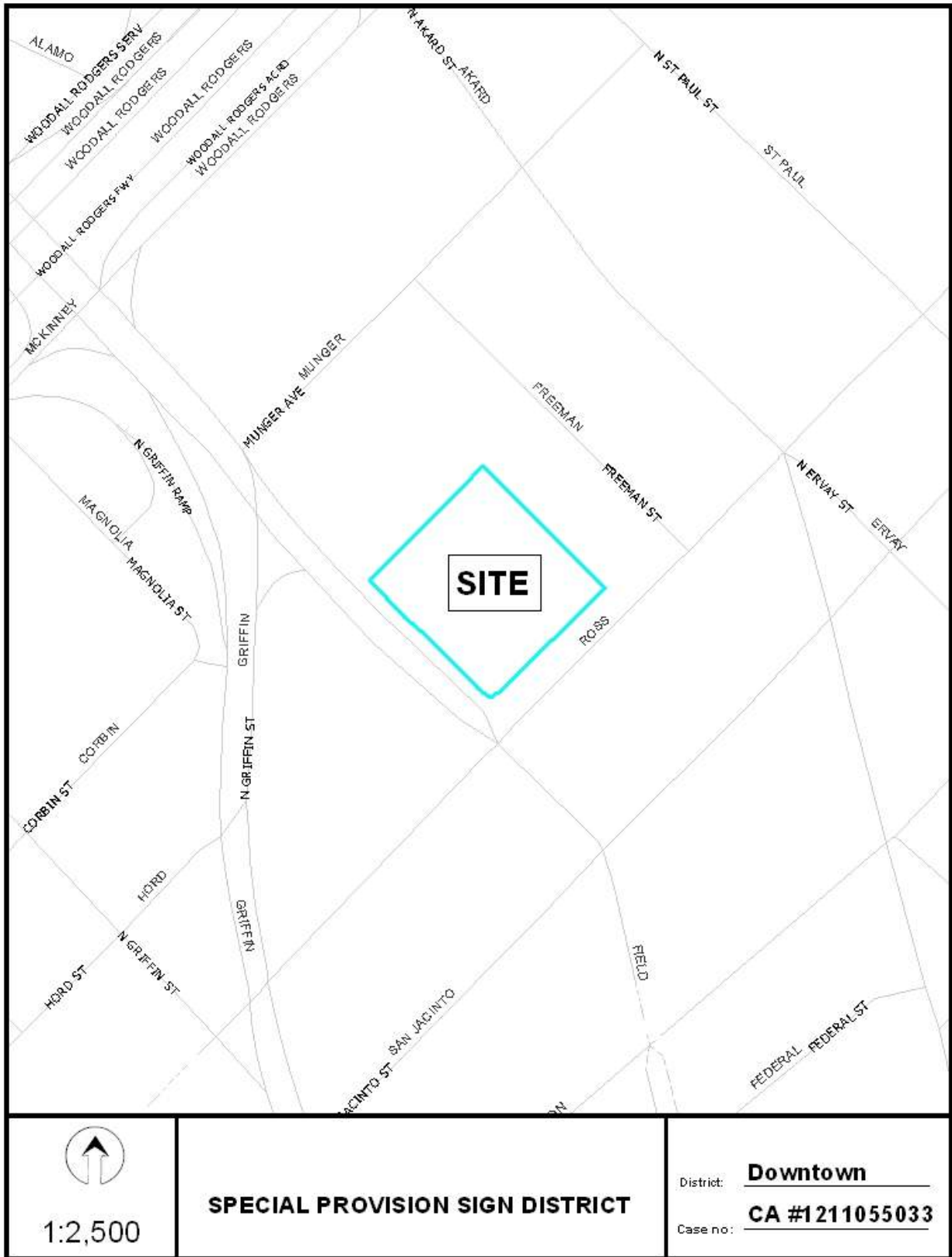
**STAFF RECOMMENDATION:** Approval.

**SSDAC RECOMMENDATION:** Approval.

**BACKGROUND:**

Construction of the monument sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.912. DETACHED PREMISE SIGNS:

- Unless otherwise provided, all detached premise signs must be monument signs or landscape signs.
- No detached premise sign may be located within five feet of a public right-of-way, except for monument signs or landscape signs, which may be located at the building line.
- Detached premise signs located within 15 feet of a public right-of-way may not exceed 20 square feet in effective area, or five feet in height.
- Detached premise signs with a setback of 15 feet or greater from a public right-of-way may not exceed 50 square feet in effective area, or 15 feet in height.
- A detached premise sign may contain only the name, logo, and address of the premise building and its occupants.
- Section 51A-7.304(c) of the Dallas Development Code, as amended, does not apply to monument signs or landscape signs in these subdistricts.
- A premise having more than 450 feet of frontage along a street may have no more than one additional detached premise sign for each additional 100 feet of frontage or fraction thereof. For purposes of this subsection, "street" means a right-of-way that provides primary access to adjacent property. (Ord. Nos. 20167; 21404; 22425; 24606; 24925)

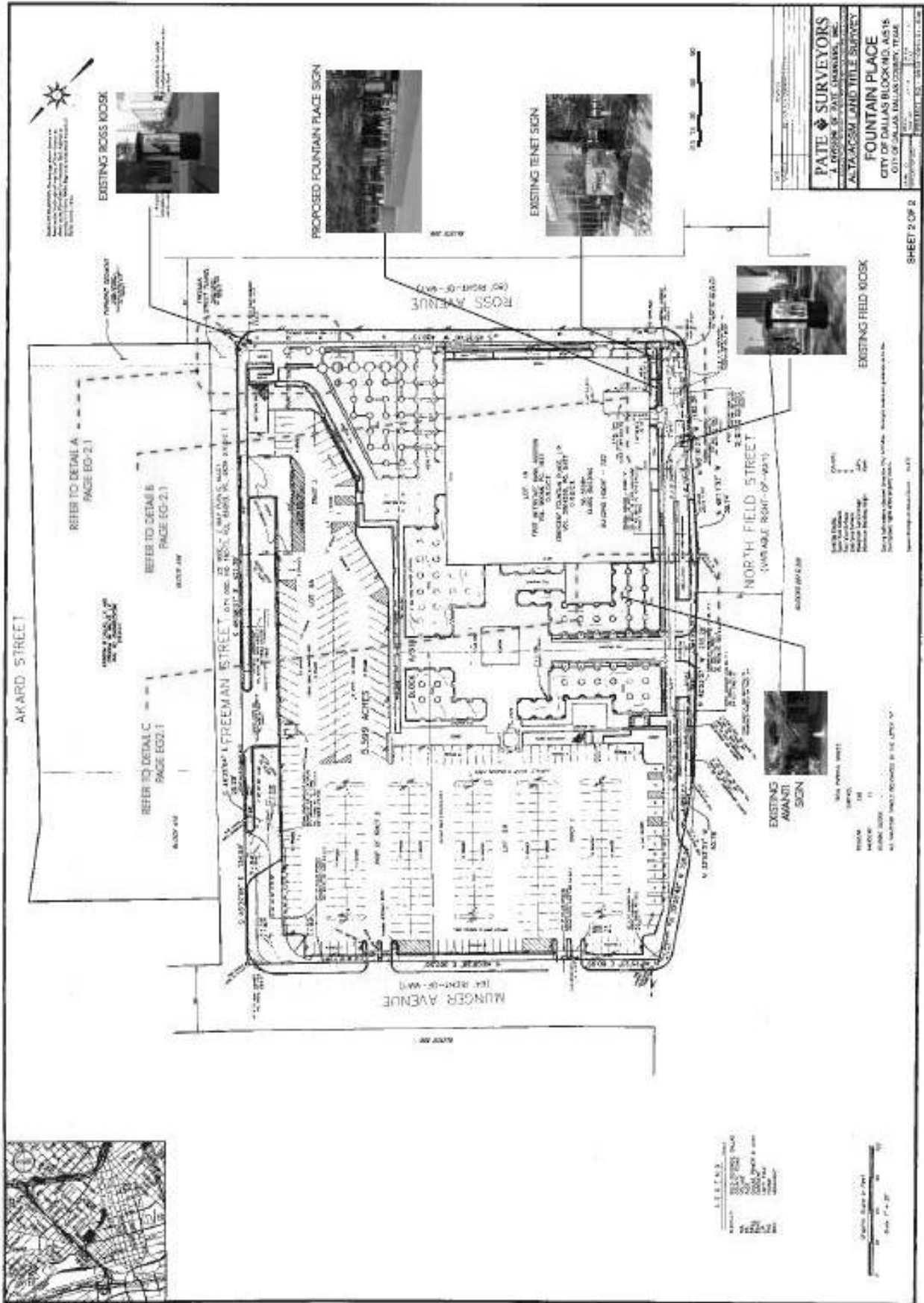


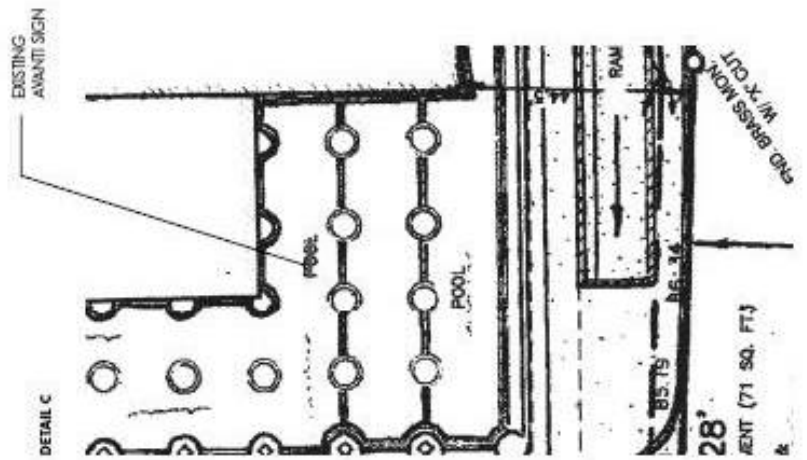
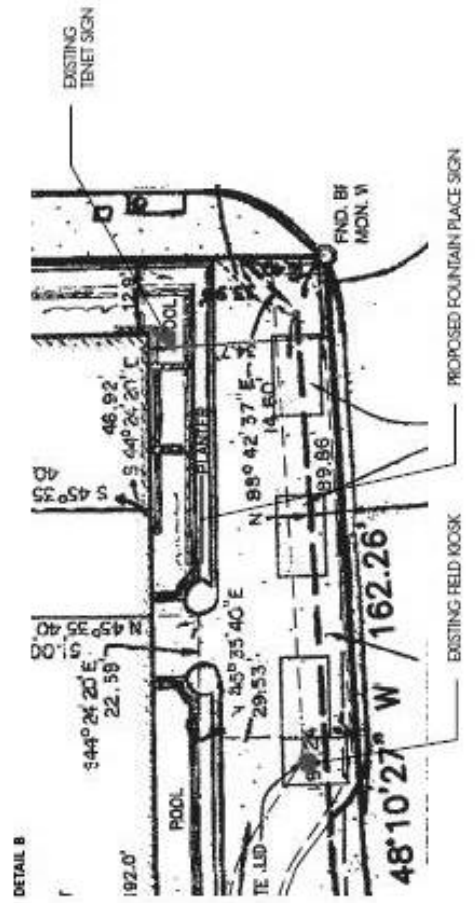
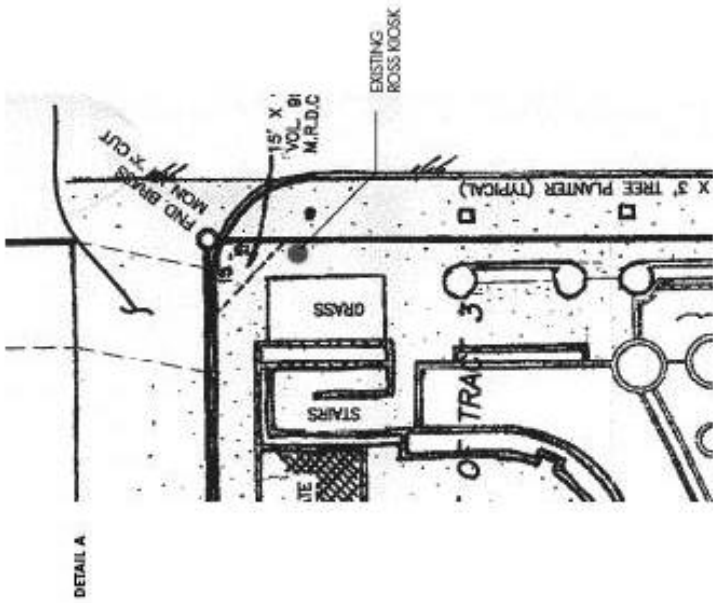
DATE: November 27, 2012

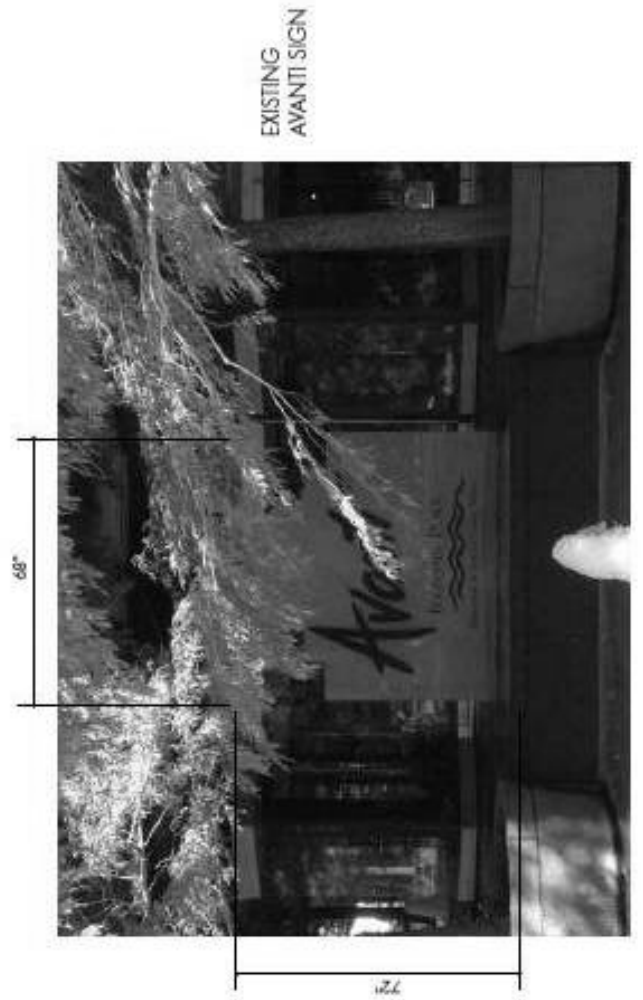
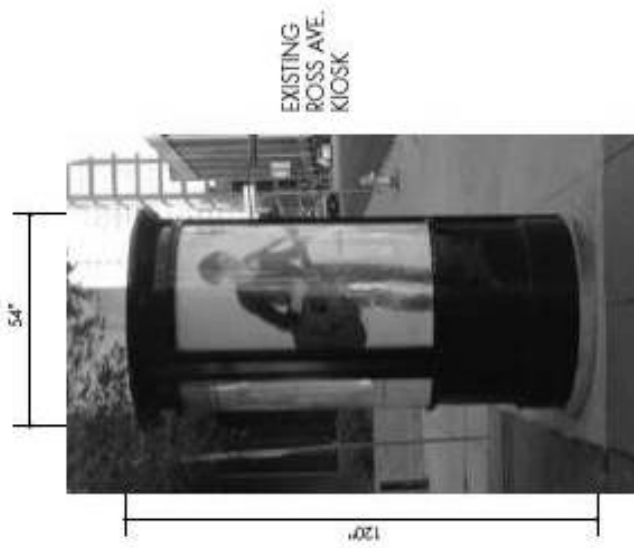
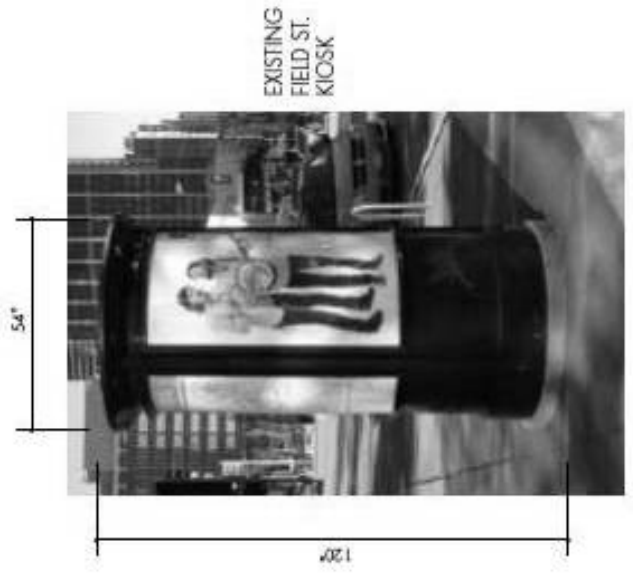
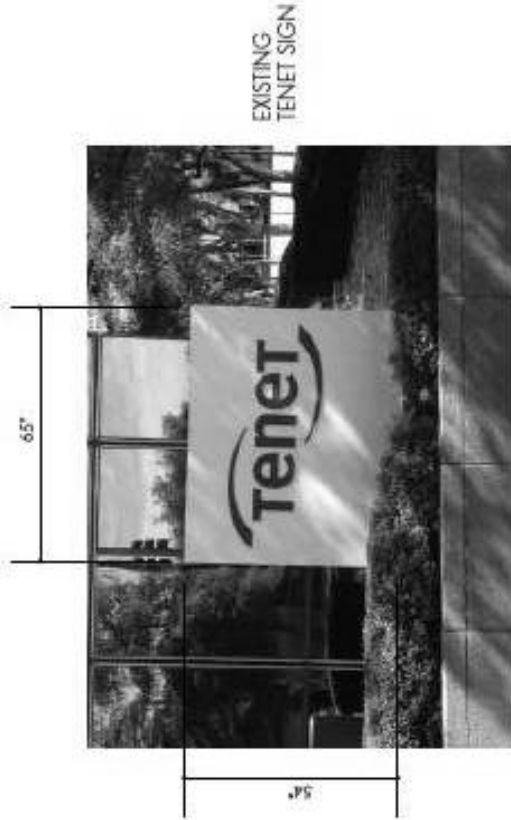


 1:1,250	<b>SPECIAL PROVISION SIGN DISTRICT</b>	District: <b>Downtown</b> Case no: <b>CA #1211055033</b>
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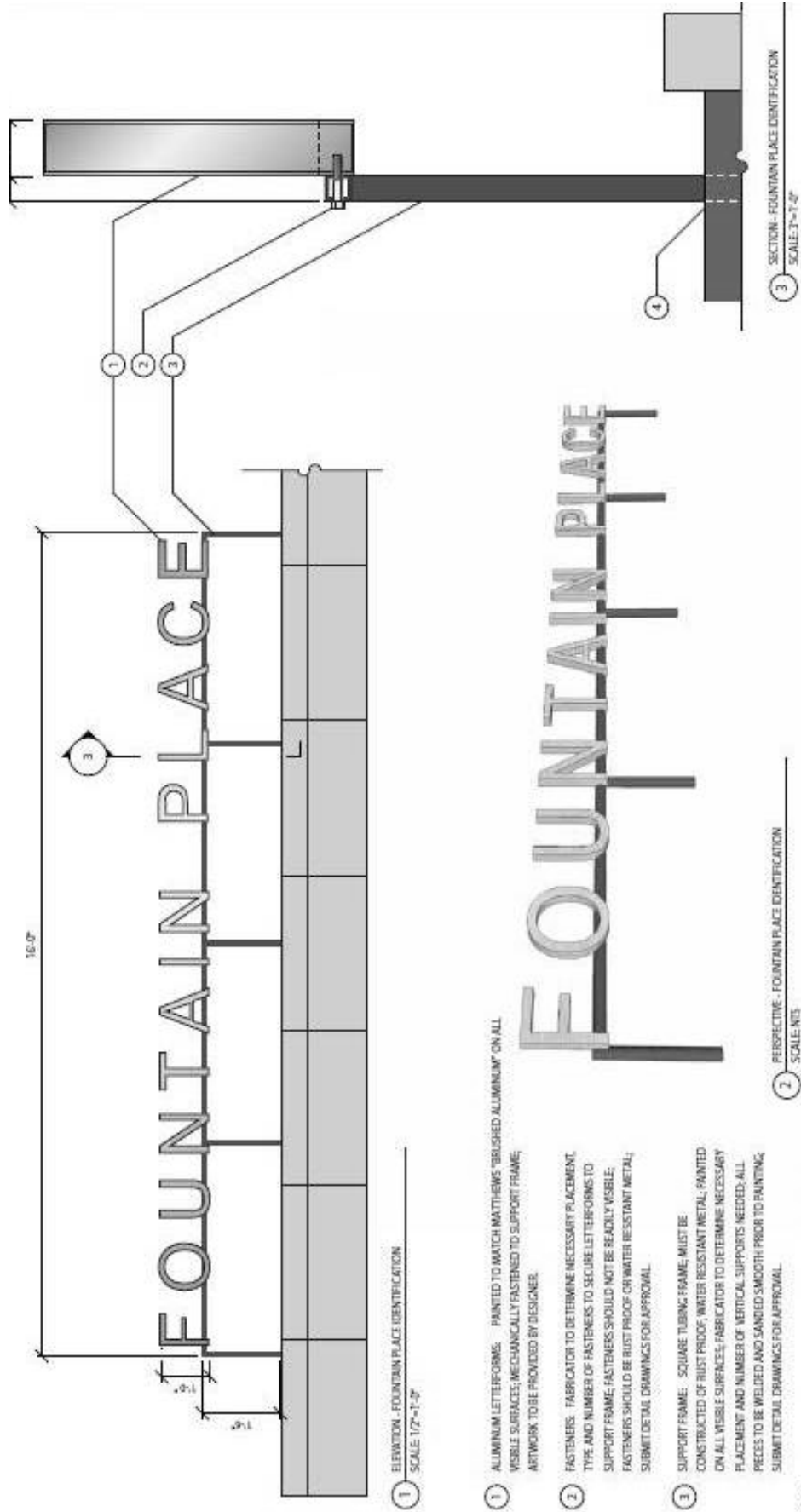
DATE: November 27, 2012











1 ELEVATION - FOUNTAIN PLACE IDENTIFICATION  
SCALE: 1/2"=1'-0"

1 ALUMINUM LETTERFORMS: PAINTED TO MATCH MATTHEWS' BRUSHED ALUMINUM ON ALL VISIBLE SURFACES; MECHANICALLY FASTENED TO SUPPORT FRAME; ARTWORK TO BE PROVIDED BY DESIGNER.

2 FASTENERS: FABRICATOR TO DETERMINE NECESSARY PLACEMENT, TYPE AND NUMBER OF FASTENERS TO SECURE LETTERFORMS TO SUPPORT FRAME; FASTENERS SHOULD NOT BE READILY VISIBLE; FASTENERS SHOULD BE RUST PROOF OR WATER RESISTANT METAL; SUBMIT DETAIL DRAWINGS FOR APPROVAL.

3 SUPPORT FRAME: SQUARE TUBING; FRAME MUST BE CONSTRUCTED OF RUST PROOF, WATER RESISTANT METAL; PAINTED ON ALL VISIBLE SURFACES; FABRICATOR TO DETERMINE NECESSARY PLACEMENT AND NUMBER OF VERTICAL SUPPORTS NEEDED; ALL PICES TO BE WELDED AND SANDED SMOOTH PRIOR TO PAINTING; SUBMIT DETAIL DRAWINGS FOR APPROVAL.

4 ANCHORING: FABRICATOR TO DETERMINE ANCHORING METHOD TO SECURE SUPPORT FRAME TO PLANTER; SUBMIT DETAIL DRAWINGS FOR APPROVAL.



**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)**

**DOWNTOWN DISTRICT**

---

**CASE NUMBER:** 1211201132

**DATE FILED:** November 21, 2012

**LOCATION:** 1707 San Jacinto Ave., West elevation

**SIZE OF REQUEST:** 470 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** CA-1(A)

**MAPSCO:** 45-K, L

---

**APPLICANT:** Jerry Bural

**CONTRACTOR:** Environmental Signage Solutions

**OWNER/TENANT:** First Baptist Church

**REQUEST:** Install one (1) 470 sq. ft. upper level flat attached sign.

**SUMMARY:** The application is for erection of an upper level flat attached sign that reads, "Andy & Joan Horner Family Center" along N. St. Paul Street, West elevation. The proposed signage materials will be non-illuminated 2" fabricated aluminum for logo element and channel letters.

**STAFF RECOMMENDATION:** Approval.

**SSDAC RECOMMENDATION:** Approval.

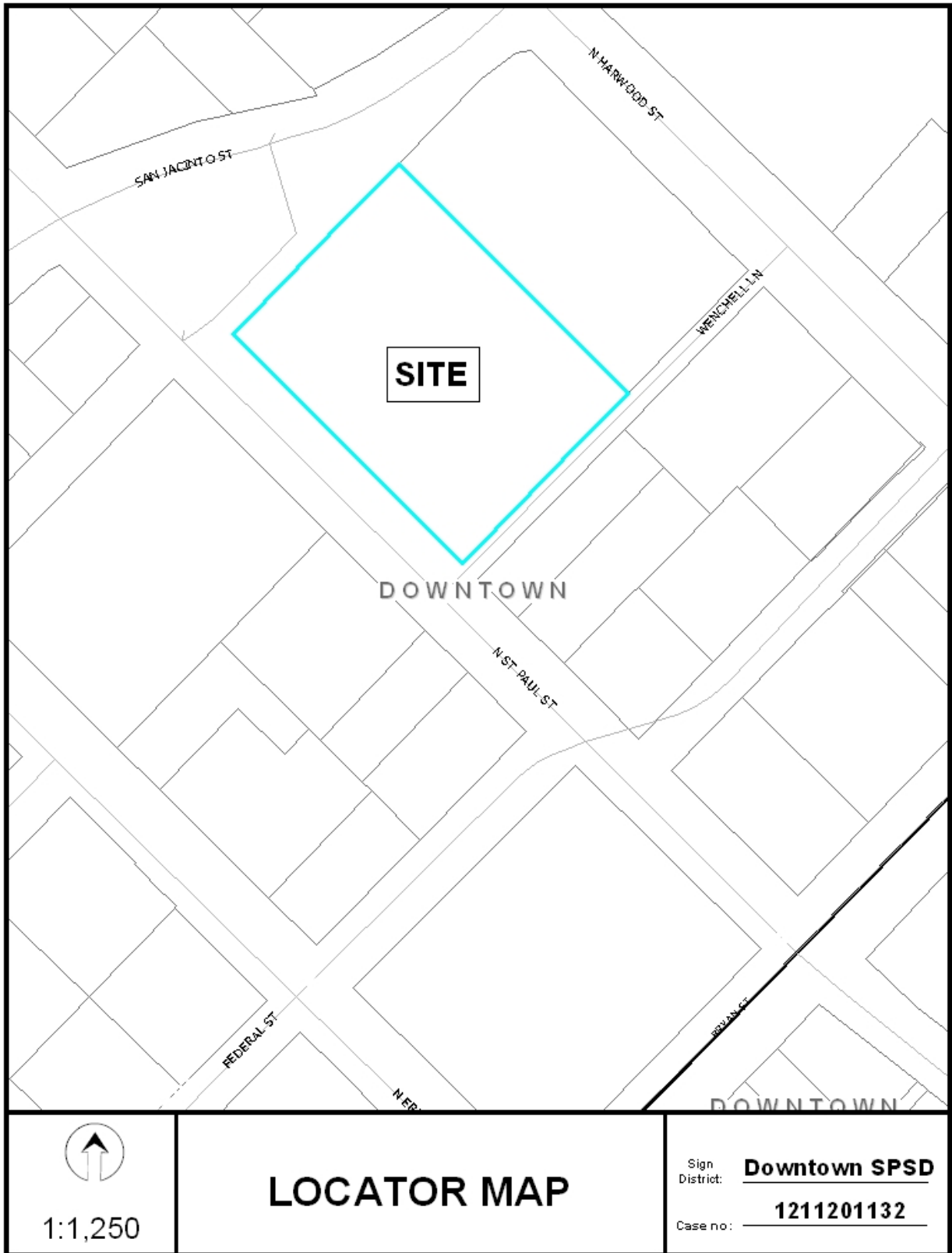
**BACKGROUND:**

Construction of the flat attached sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911. FLAT ATTACHED SIGNS:

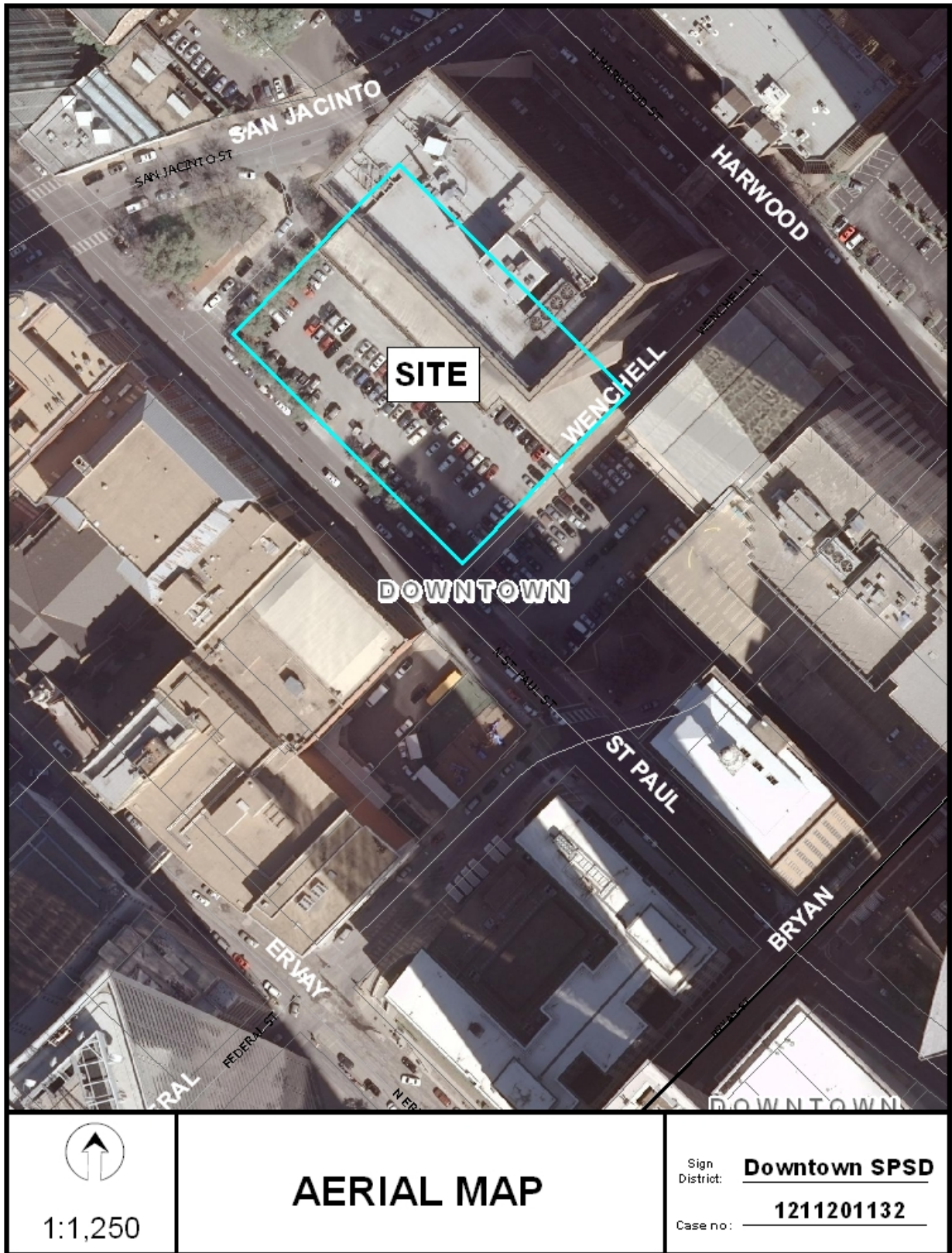
(e) Flat attached signs.

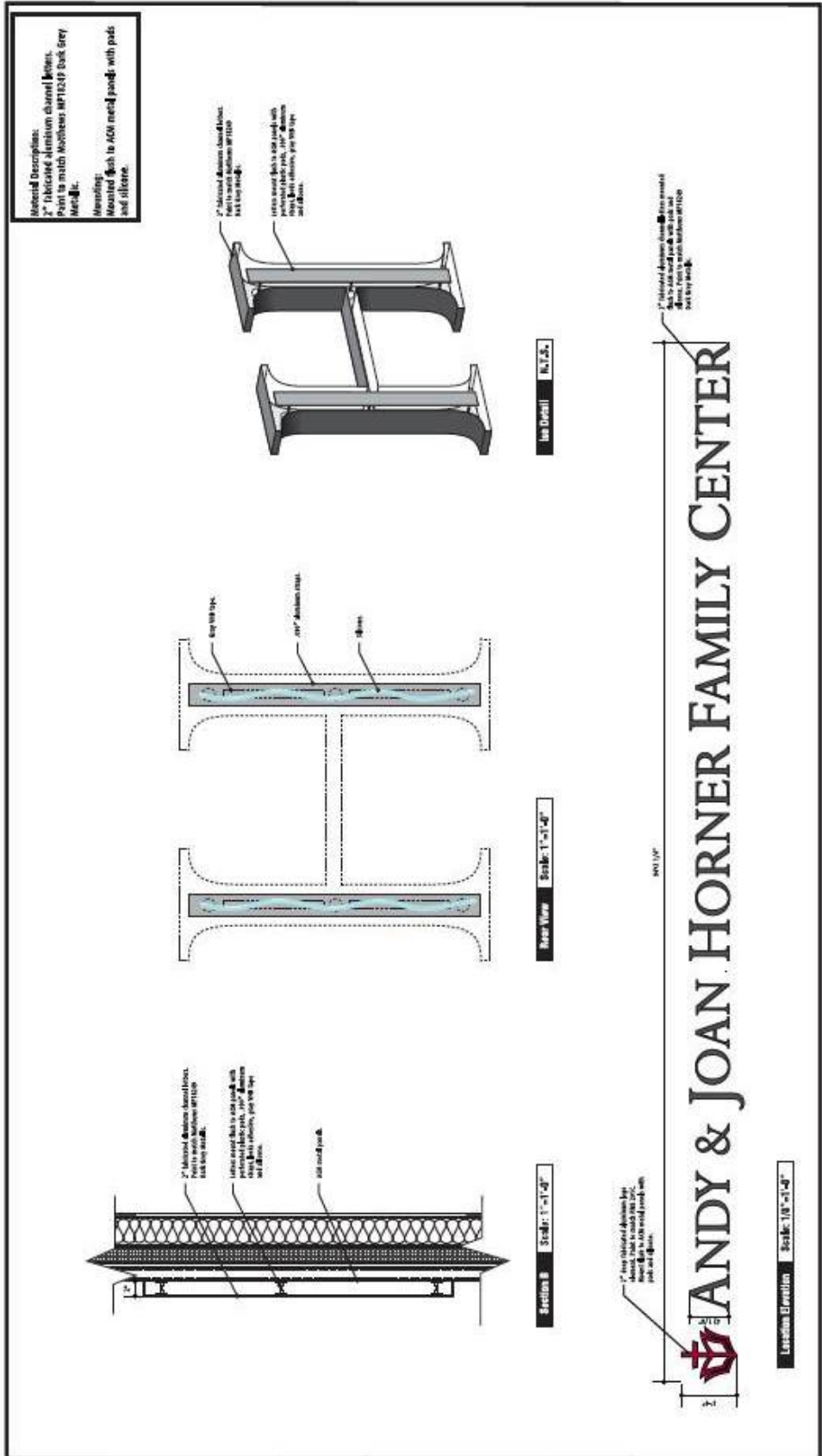
(3) Upper level flat attached signs.

- (A) Each upper level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches.
- (B) Upper level flat attached signs must be wholly located within the upper level sign area.

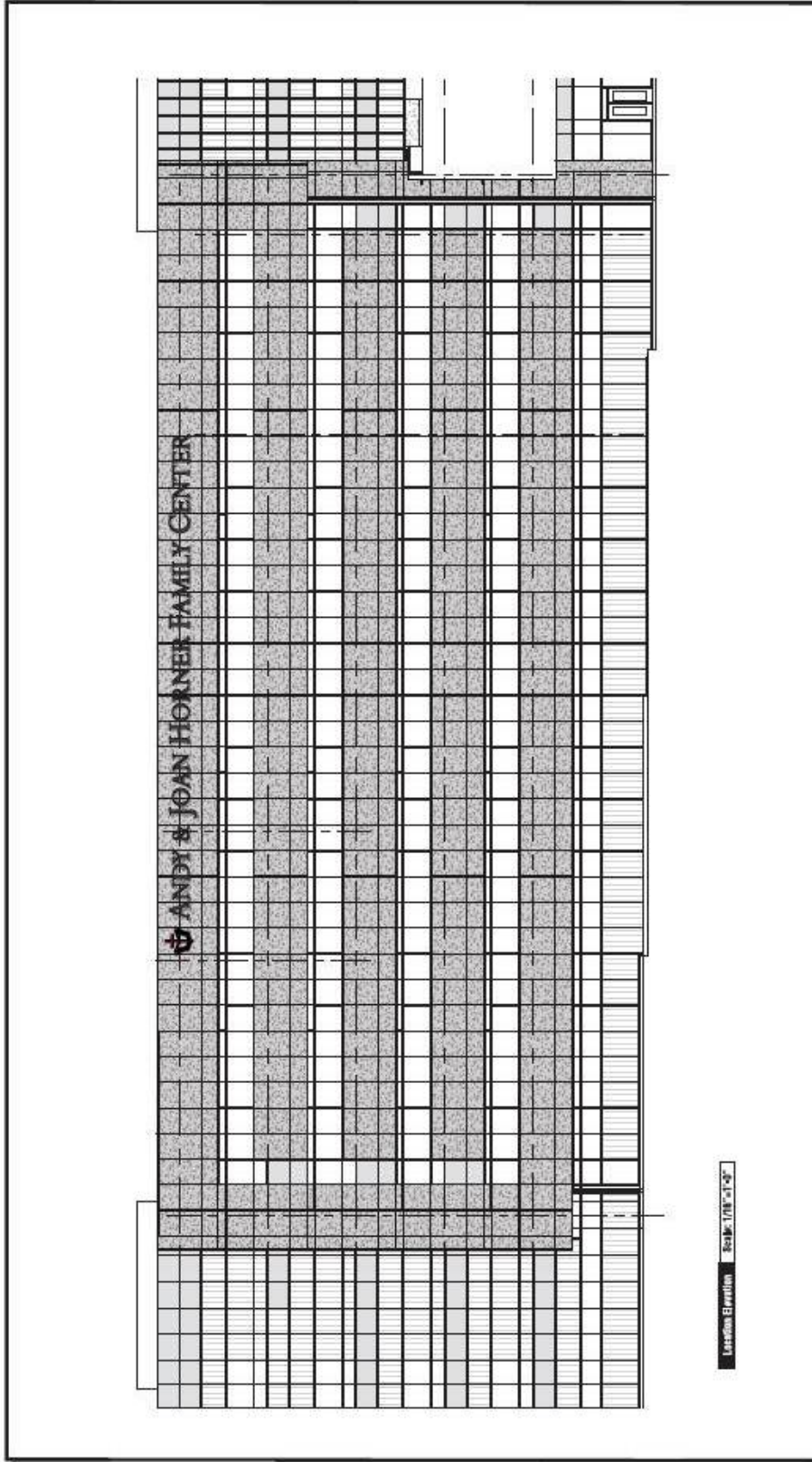


Date: November 26, 2012



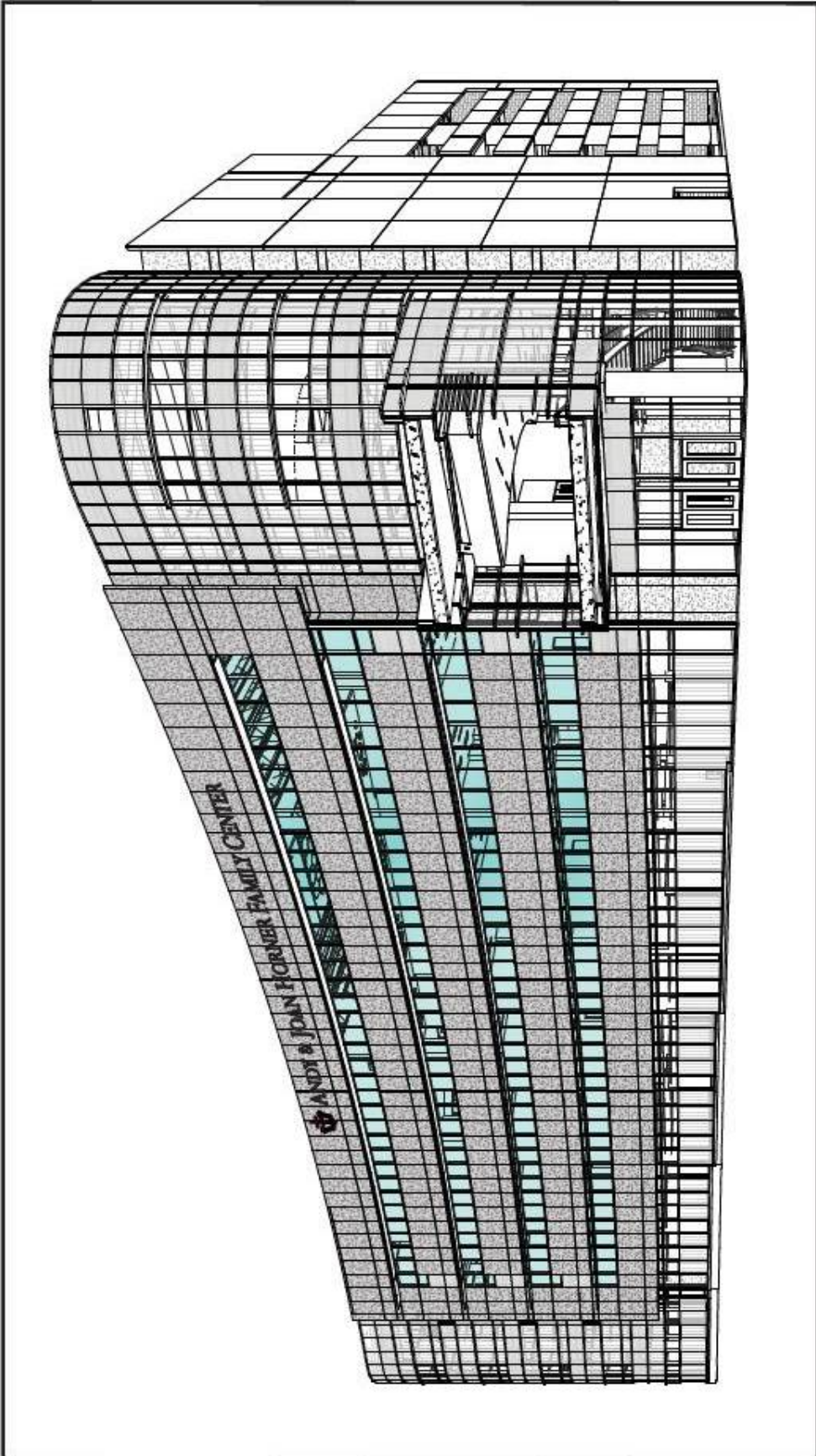



<b>asi</b> Environmental Signage Solutions 4311 Justice Drive Irving, TX 75063 www.asisignage.com Signage Innovations		Project: First Baptist Dallas - Exterior Signage Location: Dallas, TX Description: Building ID - Horner Family Center Qty: 1	Revisions By: _____ Date: _____
Folder: Construction Documents File Name: <b>Bldg_ID2.dwg</b> The drawing is to be used for construction only. It is not to be used for any other purpose. It is the responsibility of the user to ensure that the drawing is used for the intended purpose. It is not to be used for any other purpose. It is the responsibility of the user to ensure that the drawing is used for the intended purpose.		Date: 03/05/12 Scale: As Noted Drawn: JB Sheet: 1 OF 3 Page: 1	



<b>asi</b> Signage Innovations Environmental Signage Solutions 8311 Jetcoe Drive Irving, TX 75063 www.asisignage.com		Project: First Baptist Dallas - Exterior Signage Location: Dallas, TX Description: Building ID - Horner Family Center Qty: 1	Fabric: Construction Documents File Name: Bldg_102.dwg <small>No items in this project are available for download. To view items in this project, you must be logged in to the system. To view items in this project, you must be logged in to the system. To view items in this project, you must be logged in to the system.</small>	Date: 03/05/12 Scale: As Noted Drawn: JB Sheet: 2 OF 3 Page: 1
Revisions By: _____ Date: _____				





 Environmental Signage Solutions 3311 Jettcoo Drive Irving, TX 75063 www.asisignage.com Signage Innovations		Project: First Baptist Dallas - Exterior Signage Location: Dallas, TX Description: Building ID - Warner Family Center Qty: 1	Revisions: _____ By: _____ Date: _____	Miller Construction Documents File Name: Bldg_102.dwg The drawings are prepared by the architect. The drawings are not to be used for construction without the approval of the architect. The drawings are not to be used for construction without the approval of the architect. The drawings are not to be used for construction without the approval of the architect.	Date: 03/05/12 Scale: As Noted Drawn: JB Sheet: 3 OF 3 Page: 1
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**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)  
DOWNTOWN DISTRICT**

---

**CASE NUMBER:** 1211201134

**DATE FILED:** November 21, 2012

**LOCATION:** 1707 San Jacinto Ave., North elevation

**SIZE OF REQUEST:** 500 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** CA-1(A)

**MAPSCO:** 45-K, L

---

**APPLICANT:** Jerry Bural

**CONTRACTOR:** Environmental Signage Solutions

**OWNER/TENANT:** First Baptist Church

**REQUEST:** Install one (1) 500 sq. ft. middle level flat attached sign.

**SUMMARY:** The application is for erection of a middle-level flat attached sign on the Education Building that reads, "First Baptist Dallas" on San Jacinto Avenue at N. St. Paul Street, North elevation. The signage will be a 4" deep fabricated halo aluminum logo element and letters to be mounted on outside wall of parking garage.

**STAFF RECOMMENDATION:** Approval.

**SSDAC RECOMMENDATION:** Approval.

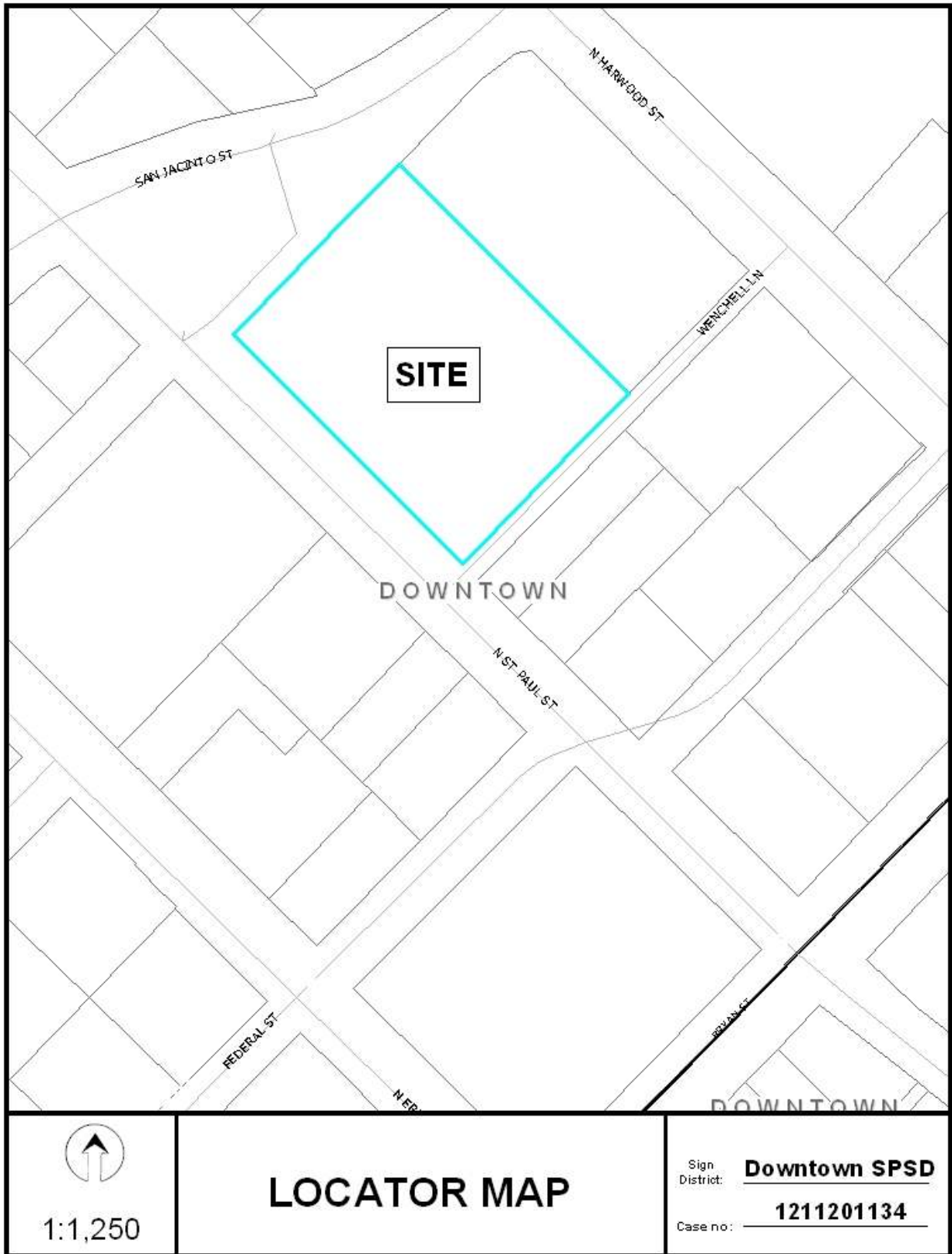
**BACKGROUND:**

Construction of the flat attached sign is in accordance with SPSP regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911. FLAT ATTACHED SIGNS:

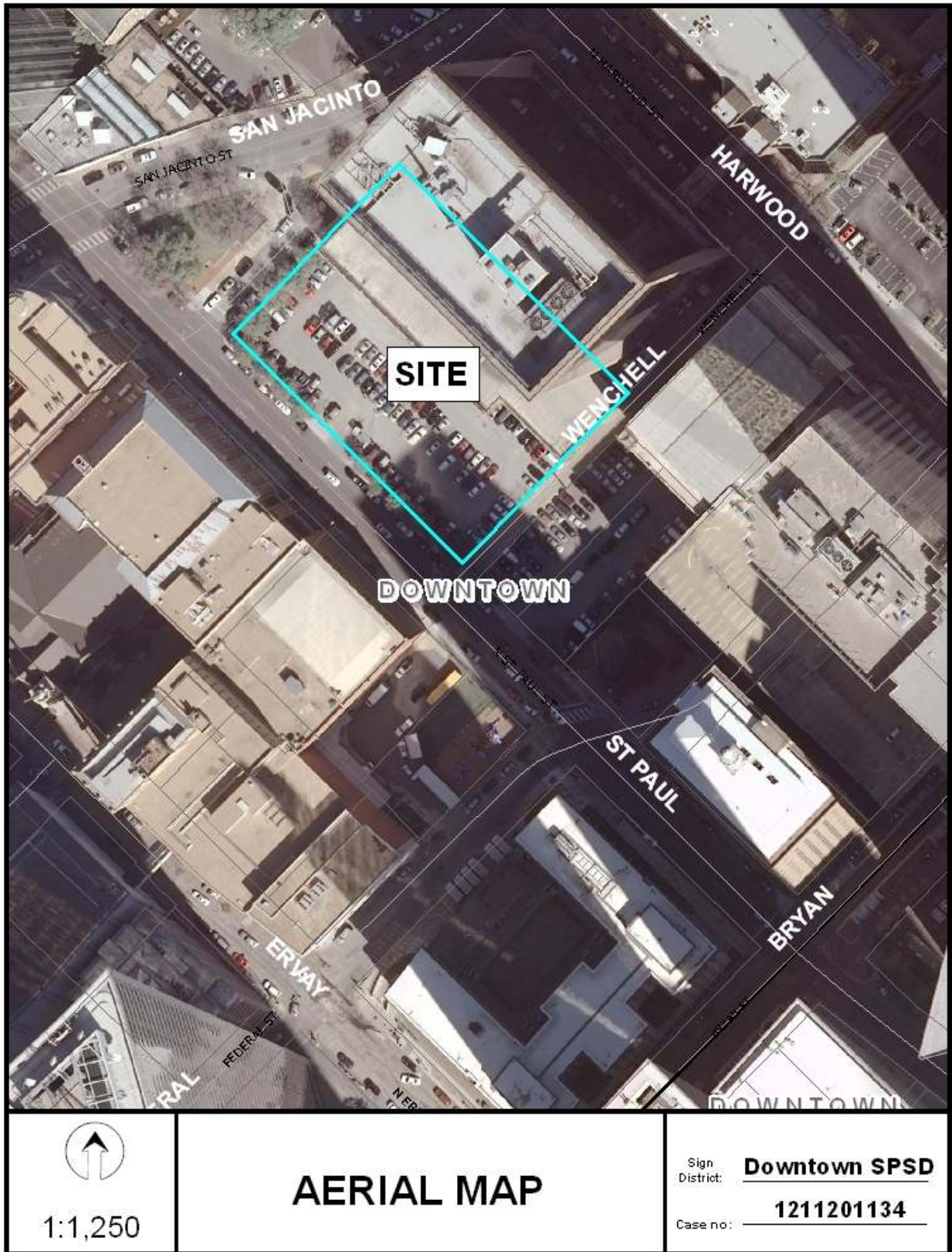
(e) Flat attached signs.

(2) Middle level flat attached signs.

- (A) Each middle level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches.
- (B) Middle level flat attached signs must be wholly or partially located within the middle level sign area.
- (C) The maximum effective area for a middle level flat attached sign is 500 square feet.
- (D) Middle level flat attached signs may only display the names or symbols or a combination thereof representing tenants occupying one or more full floors or 20,000 square feet or more of leasable building area, whichever is greater.
- (E) Middle level flat attached signs are only permitted on buildings with 10 or more stories.
- (F) One middle level flat attached sign is permitted for every 100 feet of building height or portion thereof, up to a maximum of three signs, per facade.
- (G) Middle level flat attached signs must have a vertical separation of 75 feet from any other flat attached sign on the same facade in the lower, middle, or upper level sign area.



Date: November 26, 2012



Date: November 26, 2012

**Elevation: Scale: 3/16\" = 1'-0"**

**Elevation: Scale: 1/8\" = 1'-0"**

**Material Descriptions:** 1. Keep indicated hole dimensions and tolerances.

**Mounting:** 1. Mount sign face to wall with 1/2\"/>

**Notes:** This is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Proposed <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Needs a lot of work (more than 10% of total work)
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Needs a lot of work (more than 10% of total work)

**Electrical Protection:**

120V  
 277V

**Revisions:**

By	Date

**Project:** First Baptist Dallas - Exterior Signage  
**Location:** Dallas, TX  
**Description:** Exterior Sign  
**Qty:** 1

**asi**  
 Environmental signage solutions  
 8131 Jettrose Drive  
 Dallas, TX 75243  
 www.asisignage.com  
 Signage Innovations

**Project File Name:** Exterior Ed Sign 01.dwg  
**Date:** 03/23/12  
**Scale:** As Noted  
**Drawn:** JRB  
**Sheet:** 1 of 2  
**Dwg. No.:** 1.12/1/9

**Elevation Elevation: 1/4" = 1'-0"**

**Elevation Reference: N.P.S.**

<b>Notes</b>	<b>Date</b> 03/23/12
File Name: Exterior Ed 0619 00.a	<b>Scale</b> As Noted
<small>The drawings are prepared by the designer and are not to be used for construction without the approval of the designer. The designer is not responsible for any errors or omissions in the drawings. The designer is not responsible for any construction delays or costs incurred as a result of any errors or omissions in the drawings.</small>	
<b>Drawn</b> JB	<b>Sheet</b> 2 of 2
<b>Drawn No.</b> 1-12/19	

<b>Project</b> First Baptist Dallas - Exterior Signage	<b>By</b>
<b>Location</b> Dallas, TX	<b>Date</b>
<b>Description</b> Exterior ID	
<b>Qty</b> 1	

**asi**  
 Environmental Signage Solutions  
 2117 Jettie Drive  
 Irving, TX 75038  
[www.asisignage.com](http://www.asisignage.com)  
 Signage Innovations

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR  
A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)**

**DOWNTOWN DISTRICT**

---

**CASE NUMBER:** 1211201135

**DATE FILED:** November 21, 2012

**LOCATION:** 1707 San Jacinto Ave., South elevation

**SIZE OF REQUEST:** 290 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** CA-1(A)

**MAPSCO:** 45-K, L

---

**APPLICANT:** Jerry Bural

**CONTRACTOR:** Environmental Signage Solutions

**OWNER/TENANT:** First Baptist Church

**REQUEST:** Install one (1) 290 sq. ft. middle level flat attached sign.

**SUMMARY:** The application is for erection of a middle-level flat attached sign that reads, "First Baptist Dallas" on Federal Street, South elevation. The existing site is developed with a church.

**STAFF RECOMMENDATION:** Approval.

**SSDAC RECOMMENDATION:** Approval.



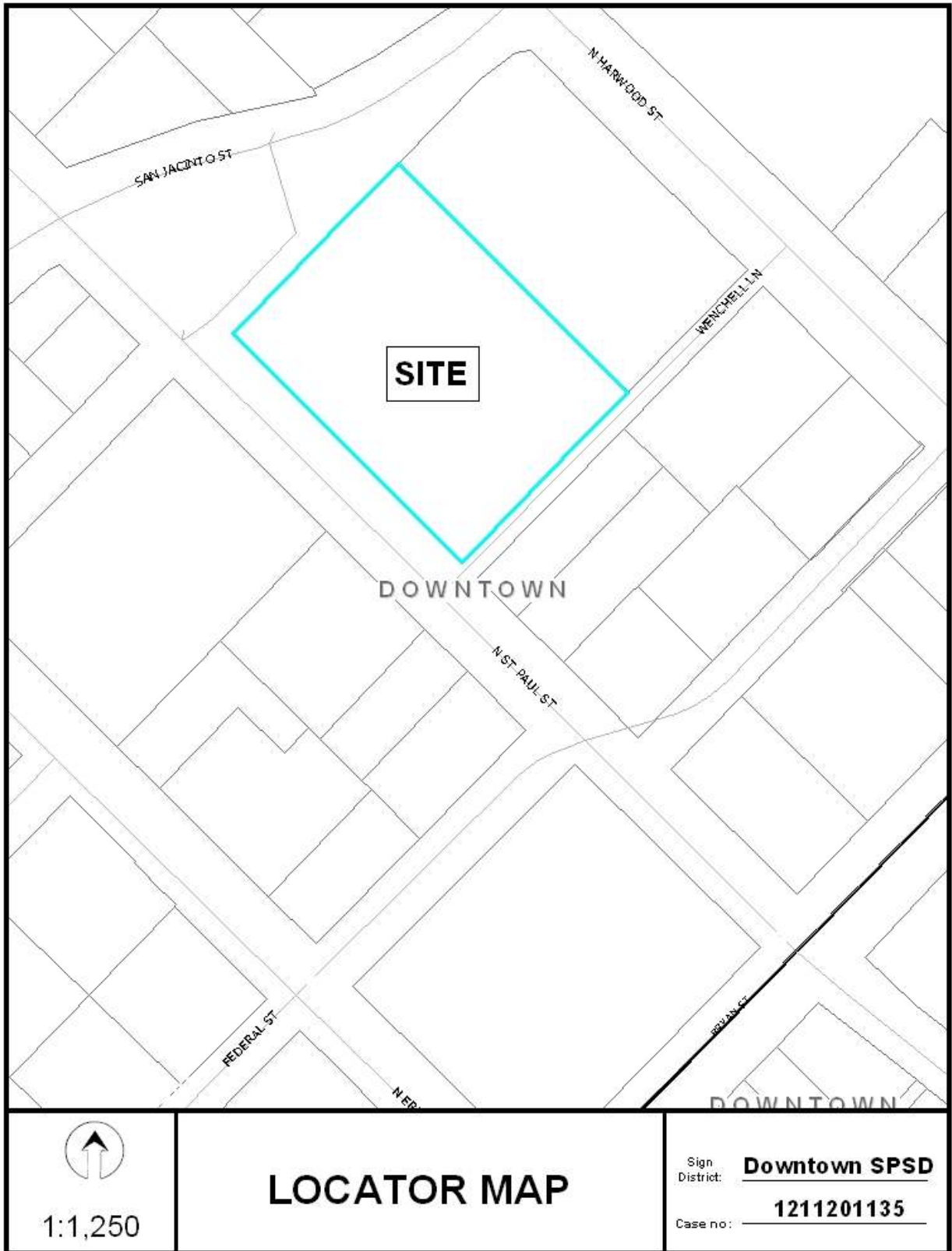
**BACKGROUND:**

Construction of the flat attached sign is in accordance with SPSPD regulations and meets the requirements of the Dallas City Code per SEC. 51A-7.911. FLAT ATTACHED SIGNS:

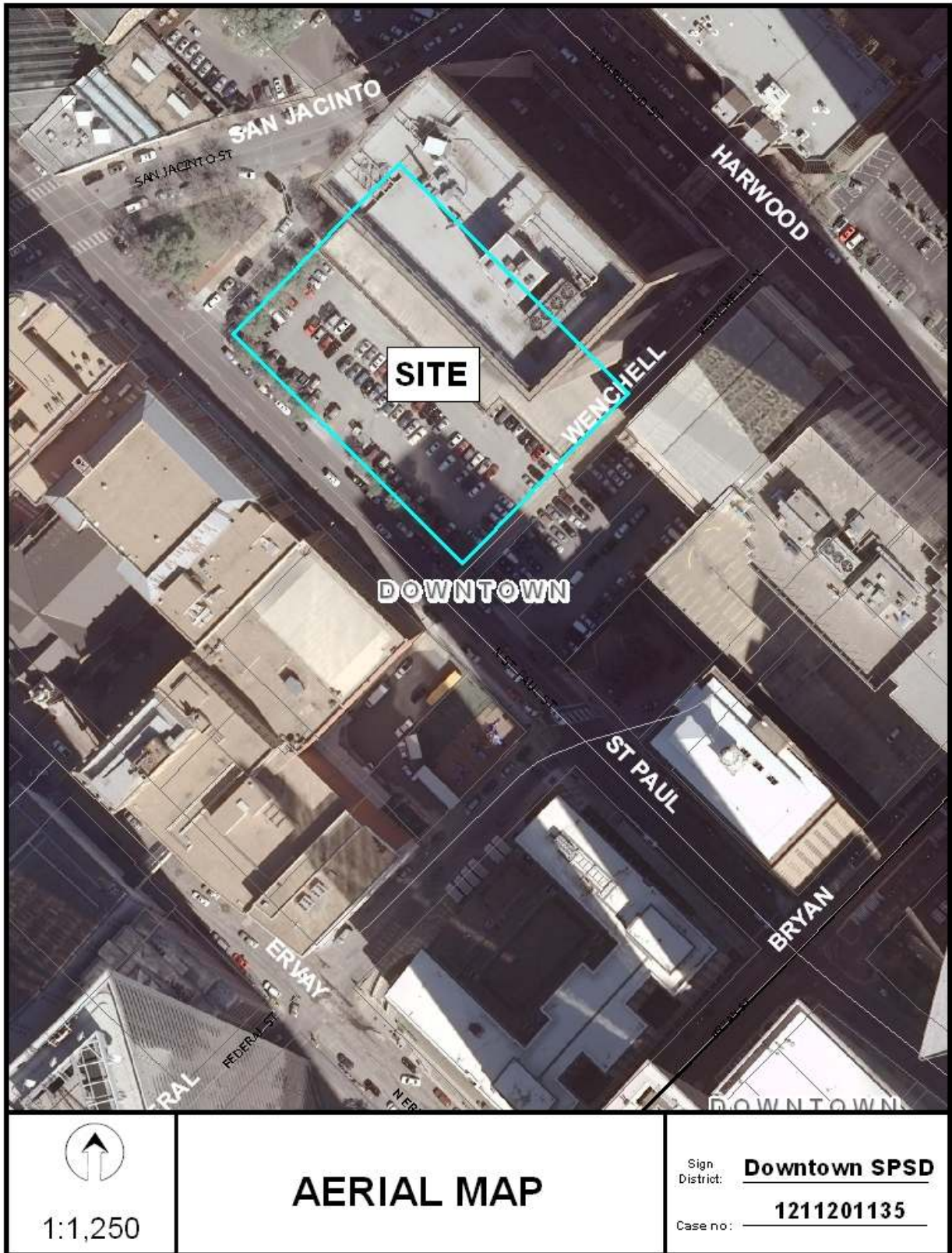
(e) Flat attached signs.

(2) Middle level flat attached signs.

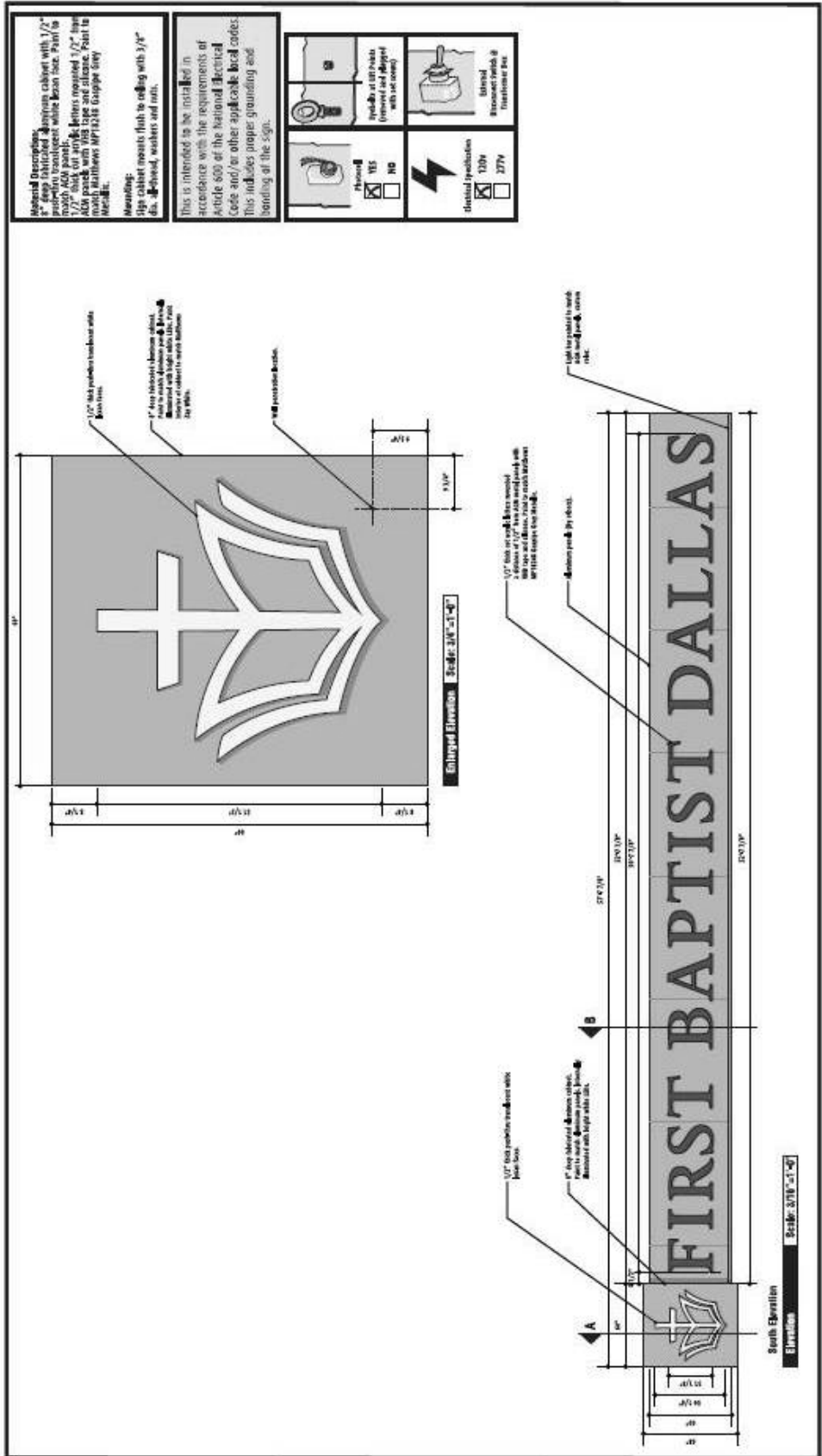
- (A) Each middle level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches.
- (B) Middle level flat attached signs must be wholly or partially located within the middle level sign area.
- (C) The maximum effective area for a middle level flat attached sign is 500 square feet.
- (D) Middle level flat attached signs may only display the names or symbols or a combination thereof representing tenants occupying one or more full floors or 20,000 square feet or more of leasable building area, whichever is greater.
- (E) Middle level flat attached signs are only permitted on buildings with 10 or more stories.
- (F) One middle level flat attached sign is permitted for every 100 feet of building height or portion thereof, up to a maximum of three signs, per facade.
- (G) Middle level flat attached signs must have a vertical separation of 75 feet from any other flat attached sign on the same facade in the lower, middle, or upper level sign area.



Date: November 26, 2012



Date: November 26, 2012



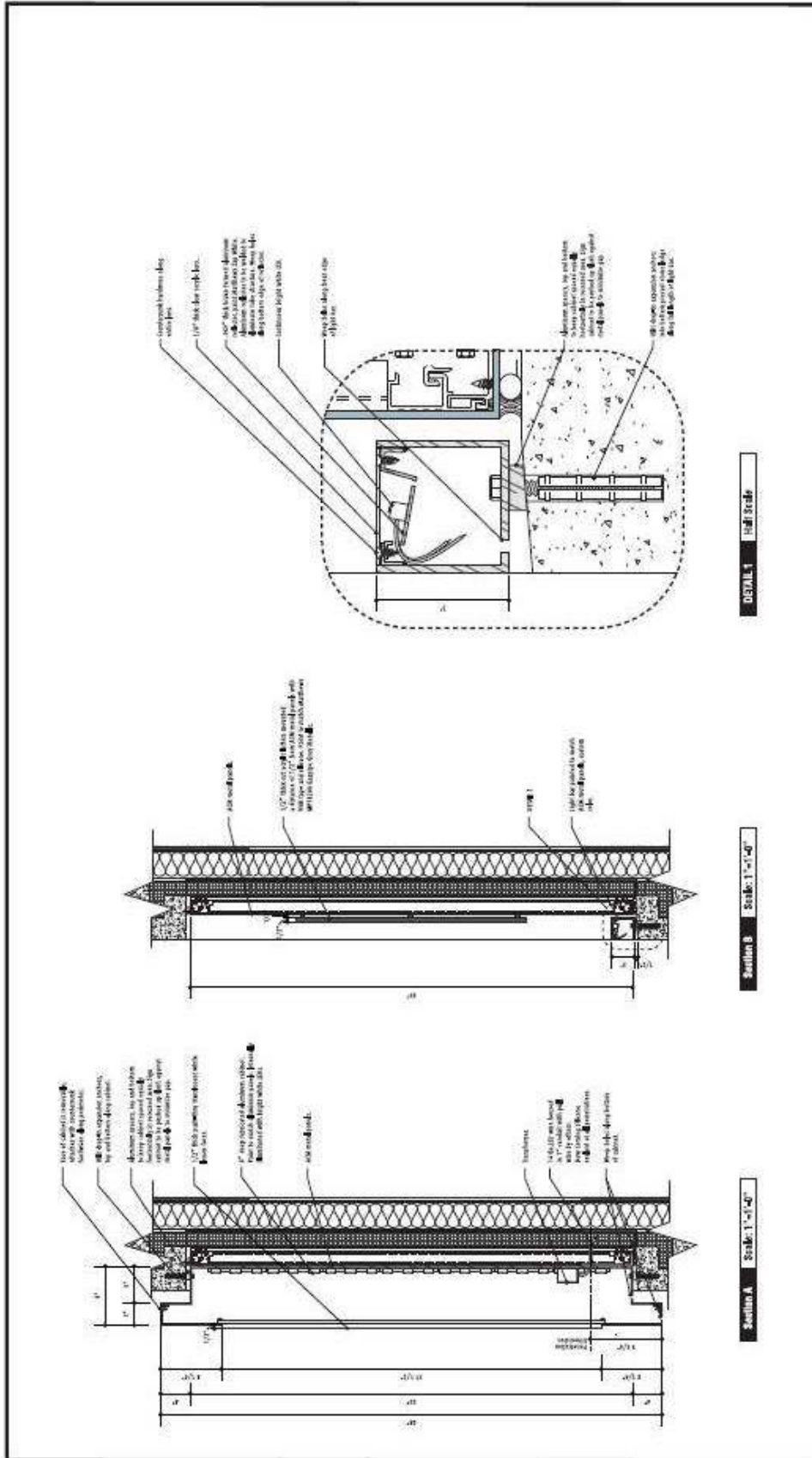
**Material Description:**  
 1/2" deep stainless steel cabinet with 1/2" deep translucent white resin face. Paint to match Matthews MPT1228 Gauge Gray.


**Finishing:**  
 All cabinet metals finish to color with 3/8" dia. brushed, washed and oiled.

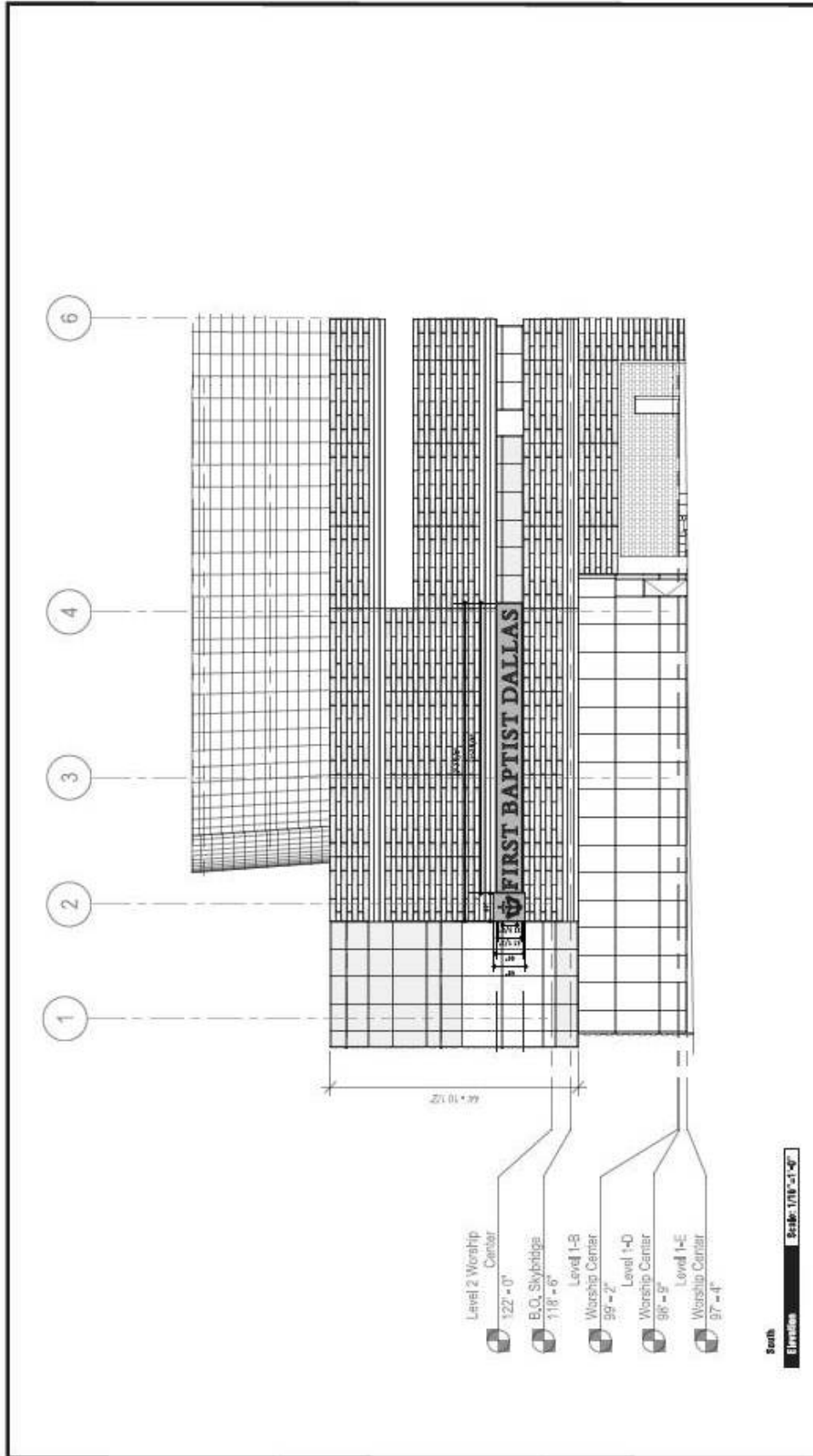
This is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This indicates proper grounding and bonding of the sign.

	Grounding <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Finish at all points (finish to be completed with last entry)
	Electrical Protection <input checked="" type="checkbox"/> 120V <input type="checkbox"/> 277V		Mounting Hardware & Fasteners Size

<b>Project:</b> First Baptist Dallas - Exterior Signage <b>Location:</b> Dallas, TX <b>Description:</b> Building Mounted ID Letters <b>Qty:</b> 2		<b>Revision:</b> By: _____ Date: _____	
<b>Environment:</b> Outdoor <b>Material:</b> Aluminum <b>Finish:</b> Brushed Aluminum <b>Color:</b> RAL 9006 <b>Mounting:</b> Building Mounted <b>Signage Type:</b> Building Mounted ID Letters		<b>Scale:</b> As Noted <b>Sheet:</b> 1 OF 2 <b>Page:</b> 1	



 Environmental Signage Solutions 3131 80250 Drive Dallas, TX 75243 www.asisignage.com	Project: First Baptist Dallas - Exterior Signage Location: Dallas, TX Description: Building Mounted ID Letters Qty: 2	Date: 03/05/12 Scale: As Noted Drawn: JB Page: 1
	Revisions:	Sheet 1 OF 2



<b>Project</b> First Baptist Dallas - Exterior Signage <b>Location</b> Dallas, TX <b>Description</b> Building Mounted ID Letters <b>Qty.</b> 2		<b>Project</b> Construction Documents <b>File Name</b> EX_Building_ID.dwg <b>Scale</b> As Noted <b>Drawn</b> JR <b>Page</b> 1	
<b>Environmental Signage Solutions</b> 8331 Jettico Drive Irving, TX 75063 www.asisignage.com		<b>Permit</b> By _____ Date _____ Permitted _____	



Location Rendering N.T.S.



Location Rendering N.T.S.

**asi**  
Signage Innovations

Investmental Signage Solutions  
3181 Justice Drive  
Dallas, TX 75243  
www.asisignage.com

Project	First Baptist Dallas - Exterior Signage
Location	Dallas, TX
Description	Building Mounted ID Letters
Qty.	2

Author	Construction Documents	Date	03/05/12
File Name	01_Building ID.ai	Scale	As Noted
<small>By using this drawing, you acknowledge that you have received the drawings for the project and you agree to hold ASI and its employees harmless from any and all claims, damages, and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by ASI or its employees in connection with the project, whether or not such claims, damages, or expenses result from the negligence of ASI or its employees, and whether or not such claims, damages, or expenses are caused in whole or in part by the negligence of ASI or its employees.</small>			
Drawn	JB	Sheet	1 OF 2
By		Page	1

**FILE NUMBER:** Z123-110

**DATE FILED:** October 15, 2012

**LOCATION:** Southwest corner of Commerce Street and S. Ervay Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 45-Q

**SIZE OF REQUEST:** ±0.89 acres

**CENSUS TRACT:** 31.01

---

**REPRESENTATIVE:** Michael R. Coker Company

**APPLICANT:** Reynolds Outdoor Media

**OWNER:** Dalpark Land Lease, Ltd.

**REQUEST:** An application for a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619.

**SUMMARY:** The applicant seeks to install a non-premise district activity videoboard sign on the southwest corner of Commerce and Lane Streets of a parking garage within the Downtown Special Provision Sign District (Retail Core), Ervay Street facade.

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

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval for a six-year period, subject to a site plan and conditions.



**BACKGROUND INFORMATION:**

- The request site is currently developed with a parking garage with retail uses.
- The Special Sign Advisory Committee reviewed this request on November 27, 2012, and recommended approval of the appropriateness of a videoboard sign at this location.
- Ordinance No. 27481, adopted by City Council on February 11, 2009, allowed for non-premise district activity videoboard signs in the Downtown Special Provision Sign District. In this ordinance, there was a limit of five videoboard signs.
- Ordinance No. 28347 was adopted by City Council on August 24, 2011. One of the amendments in this ordinance was to increase the number of videoboard signs in the Downtown SPSD to a total of 15 and increase the area in which the videoboard signs are allowed.
- The 2011 amendment also provided a provision whereby the Director may waive the occupancy requirements for up to one year if it is determined that the building is being redeveloped.
- The original application was deemed invalid and not processed because “non-premise district activity videoboard signs were only permitted on buildings with retail and personal service uses (other than commercial parking lot or garage) or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent.” According to the application submitted, the parking garage was not an allowed use.
- On October 10, 2012, the City Council adopted Ordinance No. 28822 to allow non-premise district activity videoboard signs on parking garages and lodging uses in the Downtown Special Provision Sign District.
- The application was resubmitted for consideration based on recent ordinance amendment to allow videoboards on parking garage uses.

**Zoning History:**

#	SUP/CASE No.	APPROVED	EXPIRATION
1	<b>SUP #1755</b> (SPSD 067-003)	6/10/09 (two videoboards)	6/10/2015
2	<b>SUP #1788</b> (Z089-263)	12/9/09	12/9/2015
3	<b>SUP #1791</b> (Z089-264)	1/13/10	1/13/2016
4	<b>SUP #1796</b> (Z090-111)	2/24/10	2/24/2016
5	<b>SUP #1955</b> (Z101-369)	4/25/12	4/25/2013
6	<b>SUP #1956</b> (Z101-370)	4/25/12	4/25/2013
7	<b>SUP #1957</b> (Z101-372)	4/25/12	4/25/2018
8	<b>SUP #1958</b> (Z101-375)	4/25/12	4/25/2018
9	<b>SUP #1959</b> (Z101-382)	4/25/12	4/25/2018

(Refer to Exhibit A)

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The subject site is identified as being within the *Downtown Area* on the ***forwardDallas! Vision Illustration***, adopted June 2006. The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing.

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

Policy 1.1.3 Build a dynamic and expanded Downtown.

**GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN**

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

**GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

- Policy 5.1.4 Enhance visual enjoyment of public space.

**GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

- Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

**Land Use Compatibility:**

The 0.89 acre request site is zoned Planned Development District No. 619 and developed with office, retail, and parking uses. The applicant is proposing to install an 11' X 17' 10" videoboard sign that will be visible from S. Ervay Street. The proposed sign will be installed 20 feet above the sidewalk. The properties in the surrounding area are developed with office, retail, and parking uses.

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.

Section 51A-7.909(g) Non-premise district activity videoboard signs are only permitted on buildings with retail and personal service uses, lodging uses, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent. Non-premise district activity videoboard signs are not allowed on a lot containing a commercial surface parking lot use. The director shall notify City Council of any building that falls below the occupancy requirements and fails to reestablish the occupancy requirement within 120 days. The director may waive the occupancy requirements of this subsection for up to one year if the director determines that the building or multi-building complex is currently being redeveloped. The director may revoke this waiver if redevelopment stops or is inactive for 90 days or more.

The applicant submitted an affidavit indicating that the building is and has a certificate of occupancy for a commercial parking garage.

The applicant's request, subject to a site plan and staff conditions, complies with the general provisions for consideration of an SUP.

**Development Standards:**

A maximum of 15 non-premise district activity videoboard signs are permitted and may only be erected on buildings with frontage on streets within the Retail Subdistrict bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard.

Non-premise district activity videoboard signs may not be placed on Pacific Avenue between Akard Street and Ervay Street. Non-premise district activity videoboard signs may not be placed on building facades facing Main Street Garden or Belo Garden.

A maximum of one non-premise district activity videoboard sign is permitted per block face. Non-premise district activity videoboard signs must have a minimum of 100 square feet in effective area and may have maximum of 150 square feet in effective area.

Non-premise district activity videoboard signs are only permitted by SUP.

Projecting non-premise activity videoboard signs:

- must have a vertical orientation with height exceeding the width at a minimum of 16:9 width-to-height ratio;
- may project a maximum of 12 feet into the right-of-way;
- must have a minimum clearance of 15 feet above the sidewalk and a maximum clearance of 35 feet above the sidewalk; and
- must have video displays on both sides of the sign

All videoboard signs:

- must contain a default mechanism that freezes the image in one position in case of malfunction
- must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
  - the ambient light level measure in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
  - the dimming level, multiplied by .0039 equal the brightness level; then
  - the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed brightness, measured in nits;
- must be turned off between 1:00a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday; and
- may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance

Non-premise district activity videoboard signs:

- must have a full color display able to display a minimum of 281 trillion color shades; and
- must be able to display a high quality image with a minimum resolution equivalent to 19mm maximum pixel size

Changes of message must comply with the following:

- Each message must be displayed for a minimum of eight seconds
- Changes of message must be accomplished within two seconds
- Changes of message must occur simultaneously on the entire sign face
- No flashing, dimming, or brightening of message is permitted except to accommodate changes of message

**Traffic:**

The applicant submitted a traffic study conducted by an independent firm. The traffic analysis concluded that the proposed non-premise district activity videoboard sign will not significantly interfere with the effectiveness of the traffic control device within 300 feet of the sign.

Z123-110 (CG)

**Special Sign District Advisory Committee:**  
November 27, 2012

**Motion:** It was moved to **approve** a Certificate of Appropriateness for a non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the southwest corner of Commerce St. and S. Ervay St., Ervay St. façade.

Maker: Van Dermark  
Second: Gomez  
Result: Carried: 4 to 0

For: 4 – Bauer, Van Dermark, Gomez, Tarpley

Against: 0  
Absent: 0  
Conflict: 0

**List of Officers  
1600 Commerce Street Videoboard**

**Reynolds Outdoor Media, Inc.**

Scott Reynolds  
President

Scott Reynolds  
Secretary

**Building Owner:**

**Dalpark Parnters, Ltd.**

John Tatum  
CEO / President

John Tatum  
Secretary

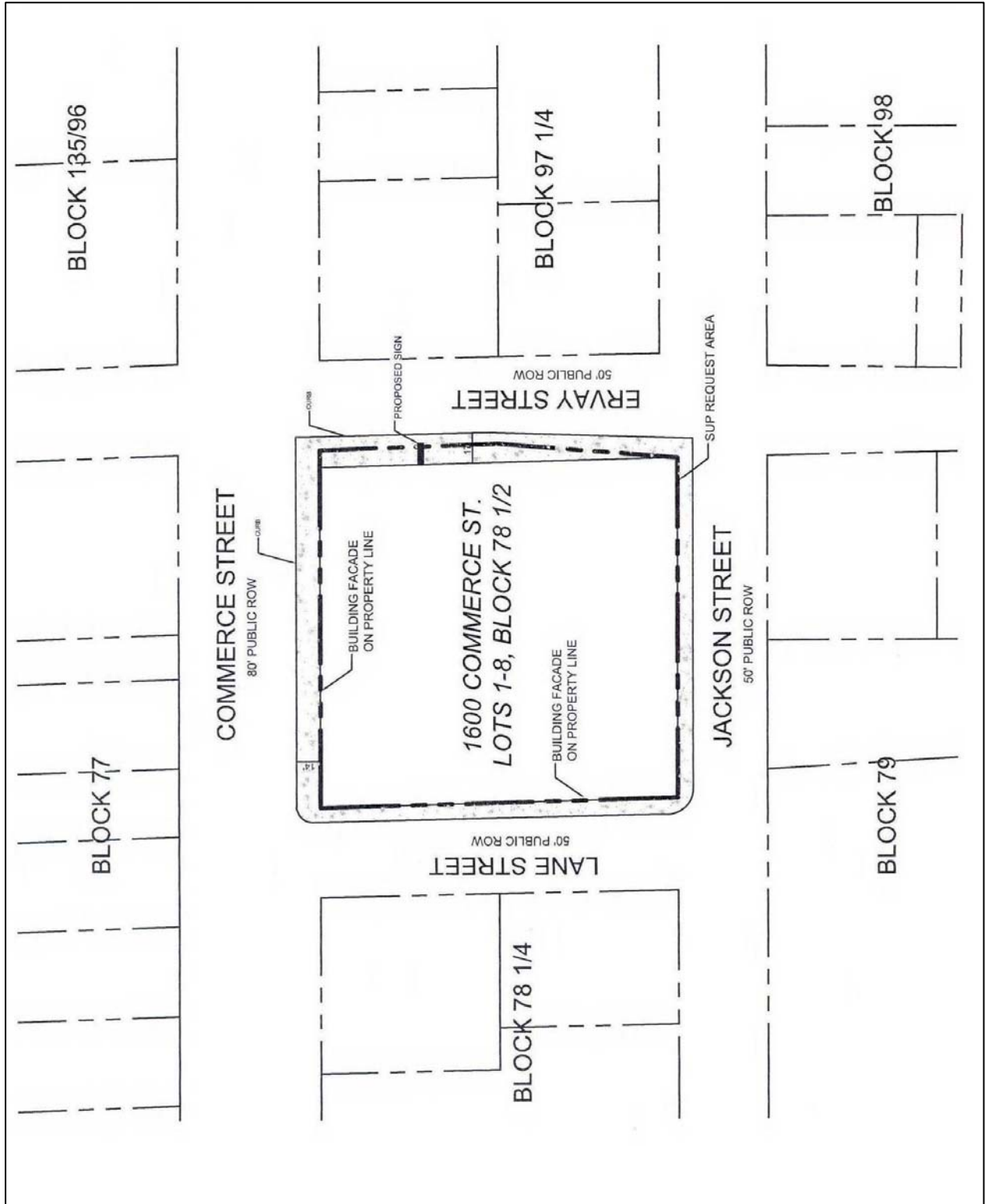
## PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is an attached projecting non-premise district activity videoboard sign.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.

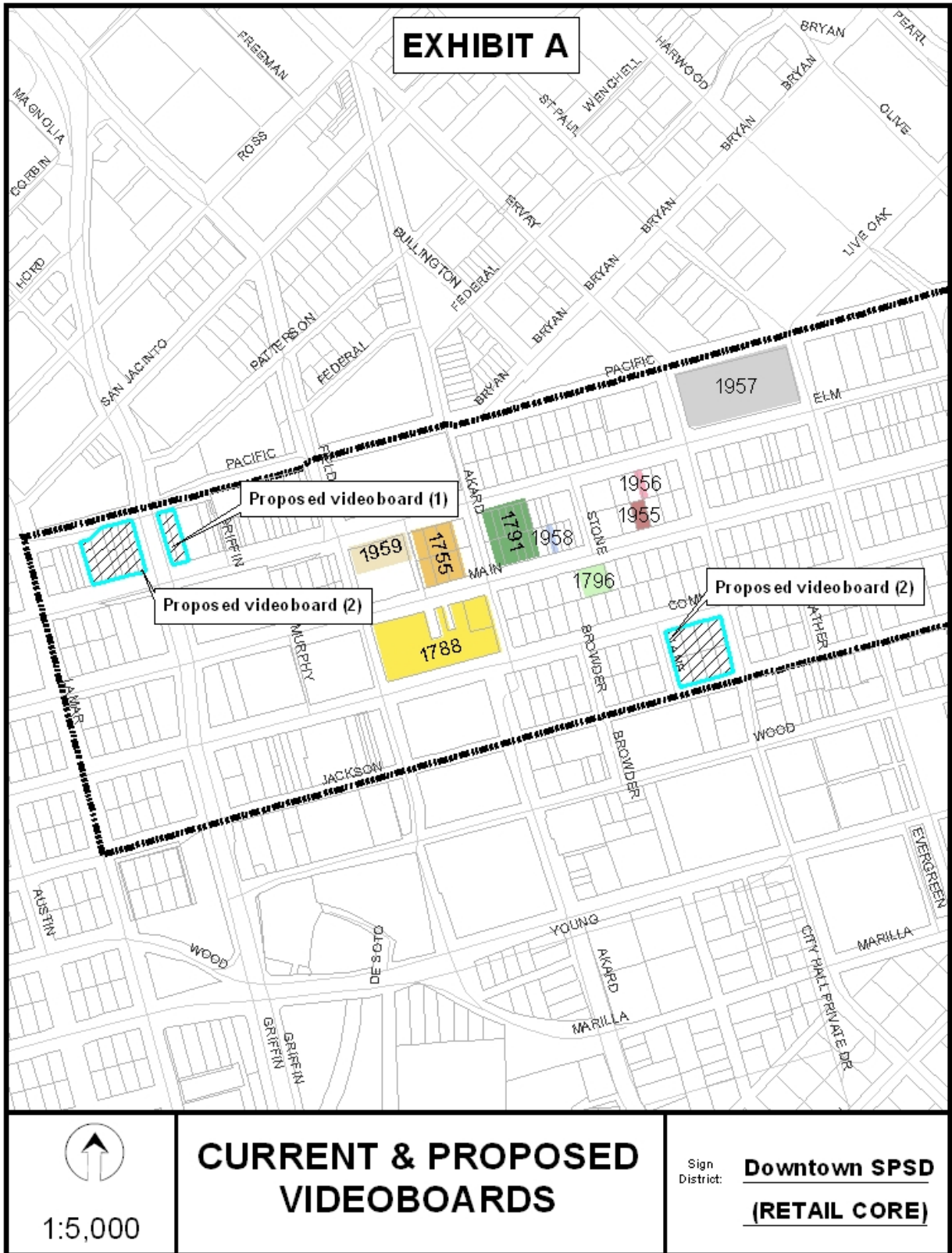
### Staff & SSDAC Recommendation:

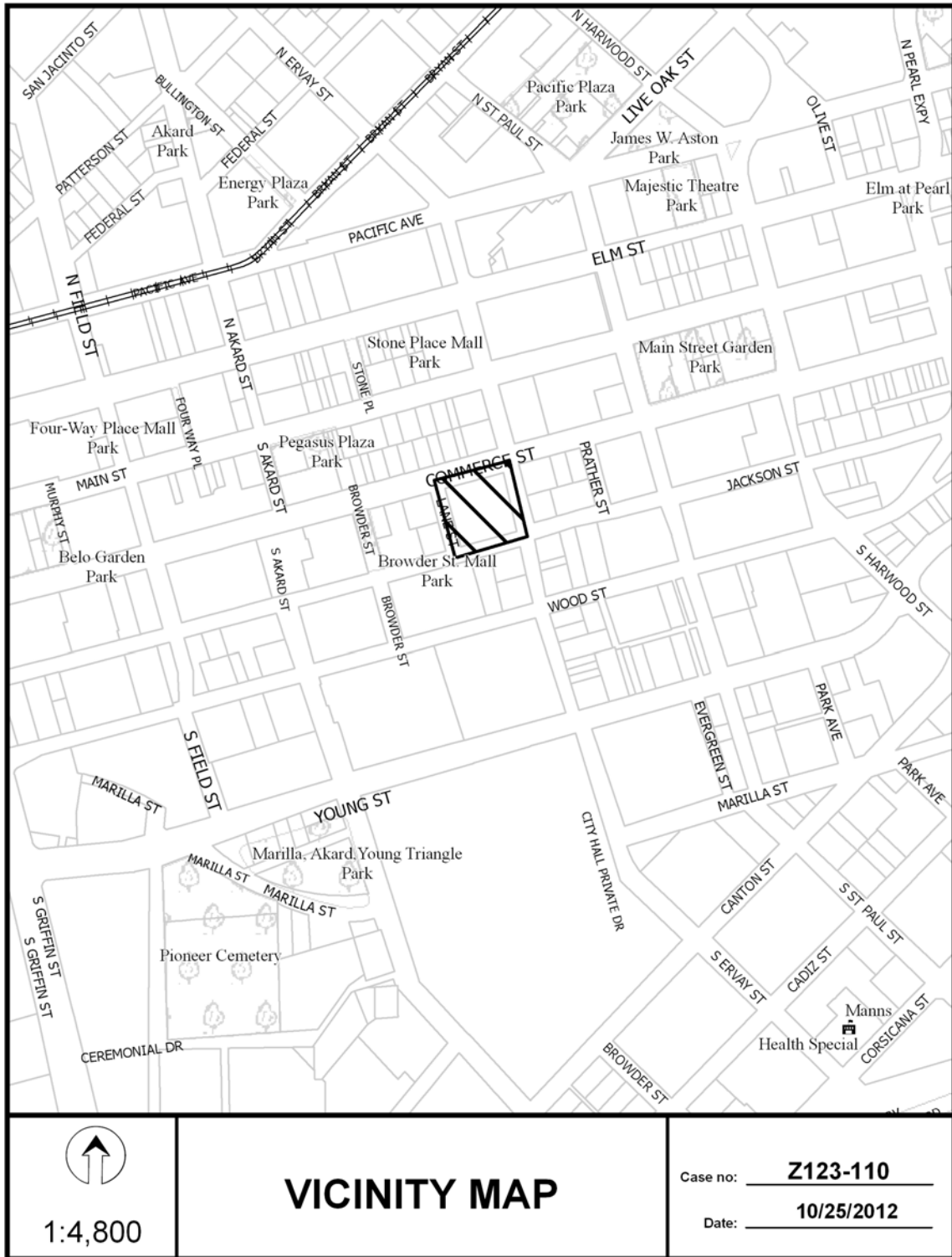
3. BUILDING REQUIREMENTS: This use is only permitted if the building that the sign is attached to has a minimum of 15,000 square feet at street level occupied by retail and personal service uses, lodging uses or office uses or at least 50 percent of the façade area of the street level facing Commerce Street and Ervay Street has window art displays or graphics.
4. TIME LIMIT: This specific use permit has initial time period of six (6) years and is eligible for automatic renewal for additional six (6) year periods.
5. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance at all times.
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.

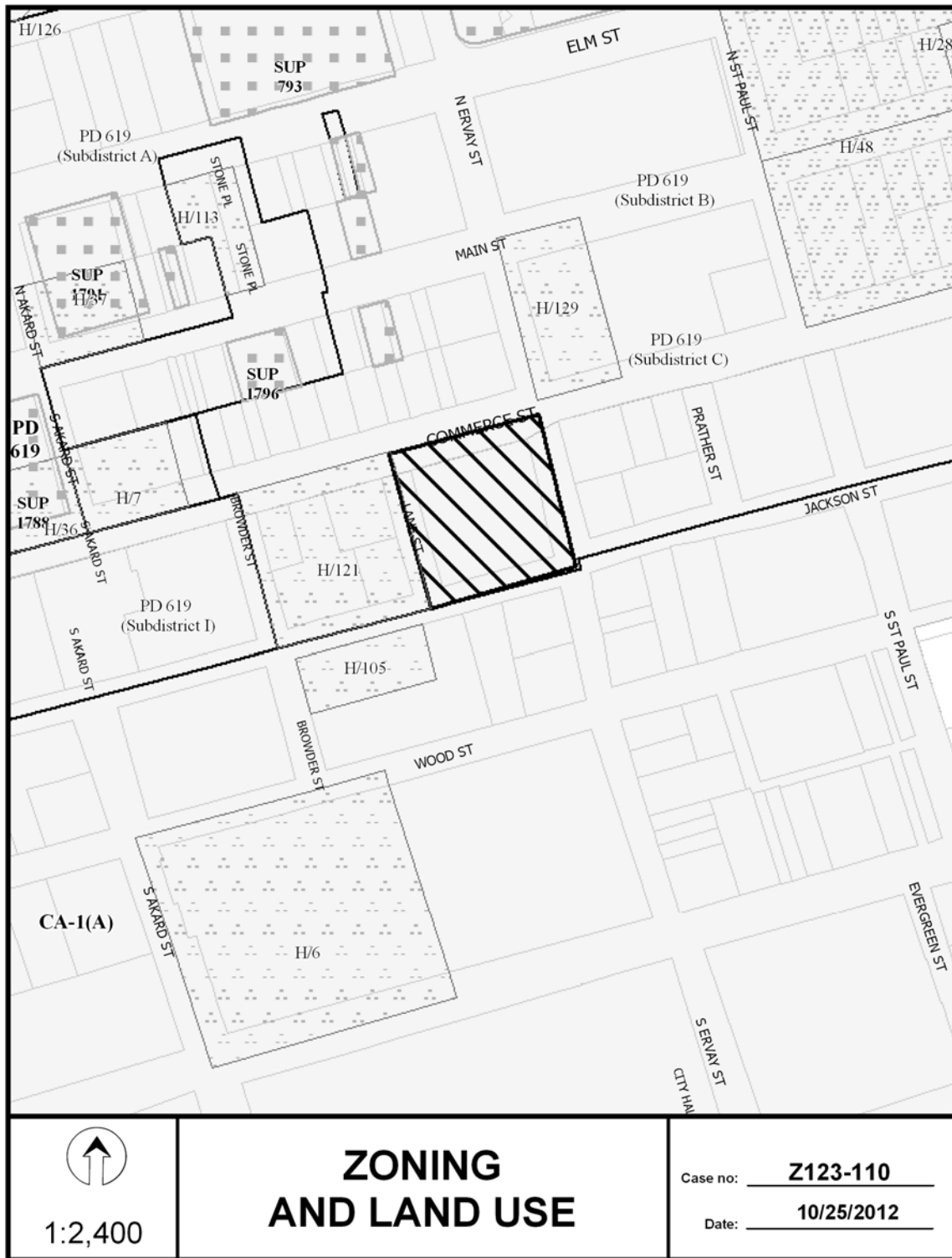
# SITE PLAN





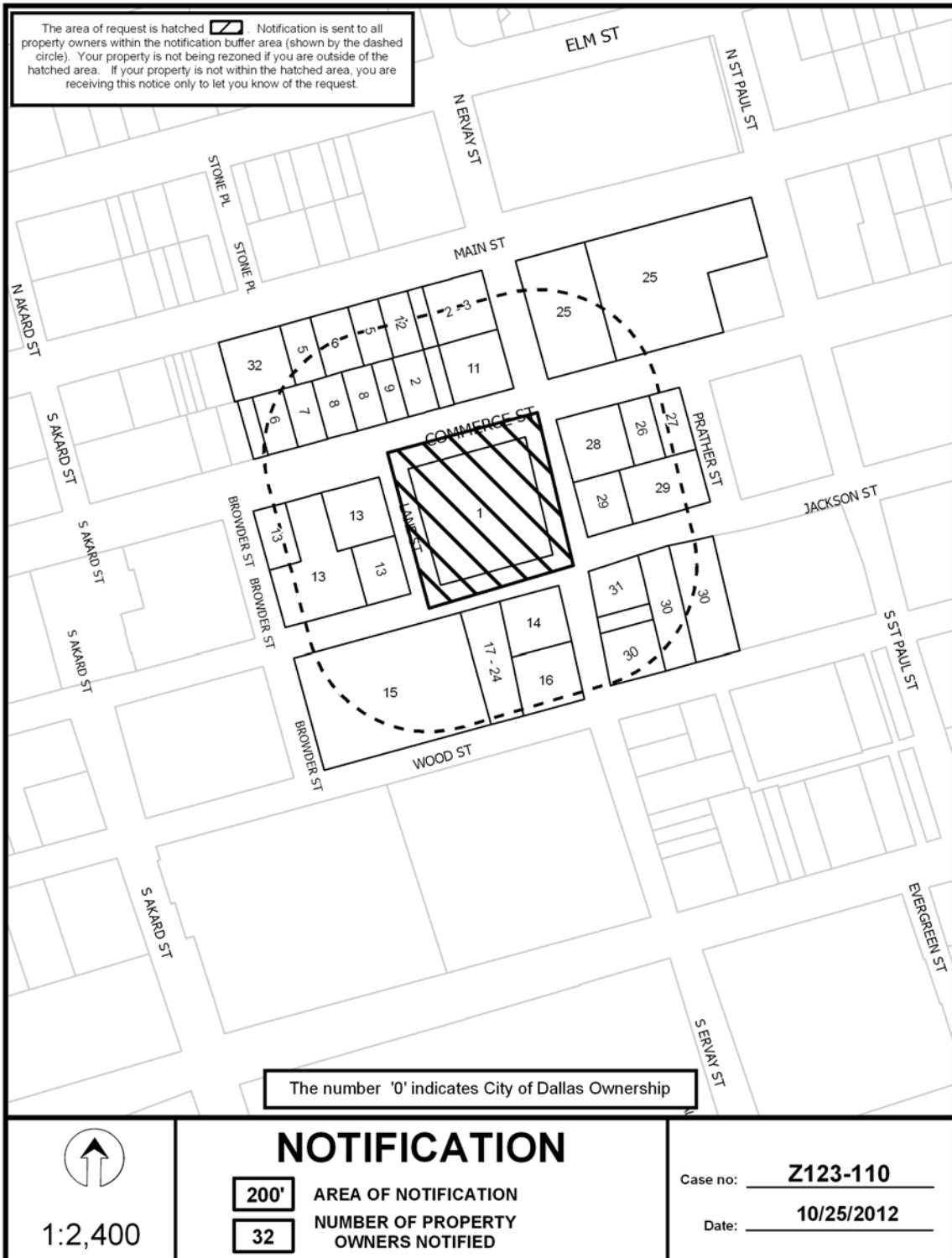






# ZONING AND LAND USE

Case no: Z123-110  
Date: 10/25/2012



10/25/2012

***Notification List of Property Owners******Z123-110******32 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1600 COMMERCE ST	DALPARK LAND LEASE LTD STE A
2	1622 MAIN ST	NEIMAN MARCUS CO LESSEE ATTN: GEORGE A R
3	1603 COMMERCE ST	NEIMAN MARCUS CO ATTN: GEORGE A RAWLINGS
4	1618 MAIN ST	THE NEIMAN MARCUS GROUP INC ONE MARCUS S
5	1608 MAIN ST	1600 MAIN STREET HOLDINGS LP
6	1604 MAIN ST	1600 MAIN STREET HOLDINGS LP
7	1513 COMMERCE ST	PACIFICO PARTNERS LTD
8	1517 COMMERCE ST	PACIFICO PARTNERS LTD STE A205
9	1525 COMMERCE ST	POLLOCK ROBERT ETAL ATTN: GEORGE A RAWLI
10	1607 COMMERCE ST	ROGERS WILLIAM S ETAL ATTN: GEORGE A RAW
11	1609 COMMERCE ST	NEIMAN MARCUS GROUP INC ATTN: GEORGE A R
12	1616 MAIN ST	THE DALLAS FOUNDATION ATTN: MARY JALONIC
13	1512 COMMERCE ST	HAMILTON DPL LP SUITE 170
14	1610 JACKSON ST	CHAVEZ ACQUISITIONS LP
15	1500 JACKSON ST	BRIDGE-NATIONAL PTNRS LP
16	315 ERVAY ST	BANK OF AM NA IA TUW EEA STALCUP/9991197
17	1600 JACKSON ST	SWAIN JACK R JR
18	1600 JACKSON ST	SABO MARY ELIZABETH
19	1600 JACKSON ST	ROBERTS GEORGE
20	1600 JACKSON ST	WILSON MARGARET PHARR
21	1600 JACKSON ST	DUNLAP DEVEREAUX
22	1600 JACKSON ST	DUNLAP HUGH D JR &
23	1600 JACKSON ST	DUNLAP HUGH D JR
24	1600 JACKSON ST	DUNLAP WILLIAM D
25	1800 MAIN ST	FC MERC COMPLEX LP C/O FOREST CITY TAX D
26	1712 COMMERCE ST	MERCANTILE DEVELOPMENT LLC % SOVEREIGN

Z123-110 (CG)

10/25/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1712 COMMERCE ST	MERCANTILE DEVELOPMENT LLC @ SOVEREIGN
28	1700 COMMERCE ST	1700 COMMERCE STREET LP STE 500
29	208 ERVAY ST	MERCANTILE DEVELOPMENT LLC
30	1708 JACKSON ST	RADER PARKING SYSTEM LP
31	308 ERVAY ST	RADER PARKING SYSTEMS LP
32	1530 MAIN ST	DUNHILL 1530 MAIN LP

**FILE NUMBER:** Z123-111

**DATE FILED:** October 15, 2012

**LOCATION:** Southwest corner of Commerce Street and S. Ervay Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 45-Q

**SIZE OF REQUEST:** ±0.89 acres

**CENSUS TRACT:** 31.01

---

**REPRESENTATIVE:** Michael R. Coker Company

**APPLICANT:** Reynolds Outdoor Media

**OWNER:** Dalpark Land Lease, Ltd.

**REQUEST:** An application for a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619.

**SUMMARY:** The applicant seeks to install a non-premise district activity videoboard sign on the southwest corner of Commerce and Lane Streets of a parking garage within the Downtown Special Provision Sign District (Retail Core), Commerce Street facade.

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

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval for a six-year period, subject to a site plan and conditions.

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- The application was resubmitted for consideration based on recent ordinance amendment to allow videoboards on parking garage uses.

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4	<b>SUP #1796</b> (Z090-111)	2/24/10	2/24/2016
5	<b>SUP #1955</b> (Z101-369)	4/25/12	4/25/2013
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8	<b>SUP #1958</b> (Z101-375)	4/25/12	4/25/2018
9	<b>SUP #1959</b> (Z101-382)	4/25/12	4/25/2018

(Refer to Exhibit A)



**STAFF ANALYSIS:**

**Comprehensive Plan:**

The subject site is identified as being within the *Downtown Area* on the **forwardDallas! Vision Illustration**, adopted June 2006. The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing.

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

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The 0.89 acre request site is zoned Planned Development District No. 619 and developed with office, retail, and parking uses. The applicant is proposing to install an 11' X 17' 10" videoboard sign. The proposed sign will be installed 20 feet above the sidewalk and located adjacent to the intersection of N. Lane Street (proximal to the existing eastbound right-side traffic signal head on Commerce Street). The properties in the surrounding area are developed with office, retail, and parking uses.

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

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Projecting non-premise activity videoboard signs:

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Changes of message must comply with the following:

- Each message must be displayed for a minimum of eight seconds
- Changes of message must be accomplished within two seconds
- Changes of message must occur simultaneously on the entire sign face
- No flashing, dimming, or brightening of message is permitted except to accommodate changes of message

**Traffic:**

The applicant submitted a traffic study conducted by an independent firm. The traffic analysis concluded that the proposed non-premise district activity videoboard sign will not significantly interfere with the effectiveness of the traffic control device within 300 feet of the sign.

Z123-111 (CG)

**Special Sign District Advisory Committee:**  
November 27, 2012

**Motion:** It was moved to **approve** a Certificate of Appropriateness for a non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the southwest corner of Commerce St. and S. Ervay St., Commerce St. façade.

Maker: Tarpley  
Second: Van Dermark  
Result: Carried: 4 to 0

For: 4 – Bauer, Van Dermark, Gomez, Tarpley

Against: 0  
Absent: 0  
Conflict: 0

Z123-111 (CG)

**List of Officers  
1600 Commerce Street Videoboard**

**Reynolds Outdoor Media, Inc.**

Scott Reynolds  
President

Scott Reynolds  
Secretary

**Building Owner:**

**Dalpark Parnters, Ltd.**

John Tatum  
CEO / President

John Tatum  
Secretary

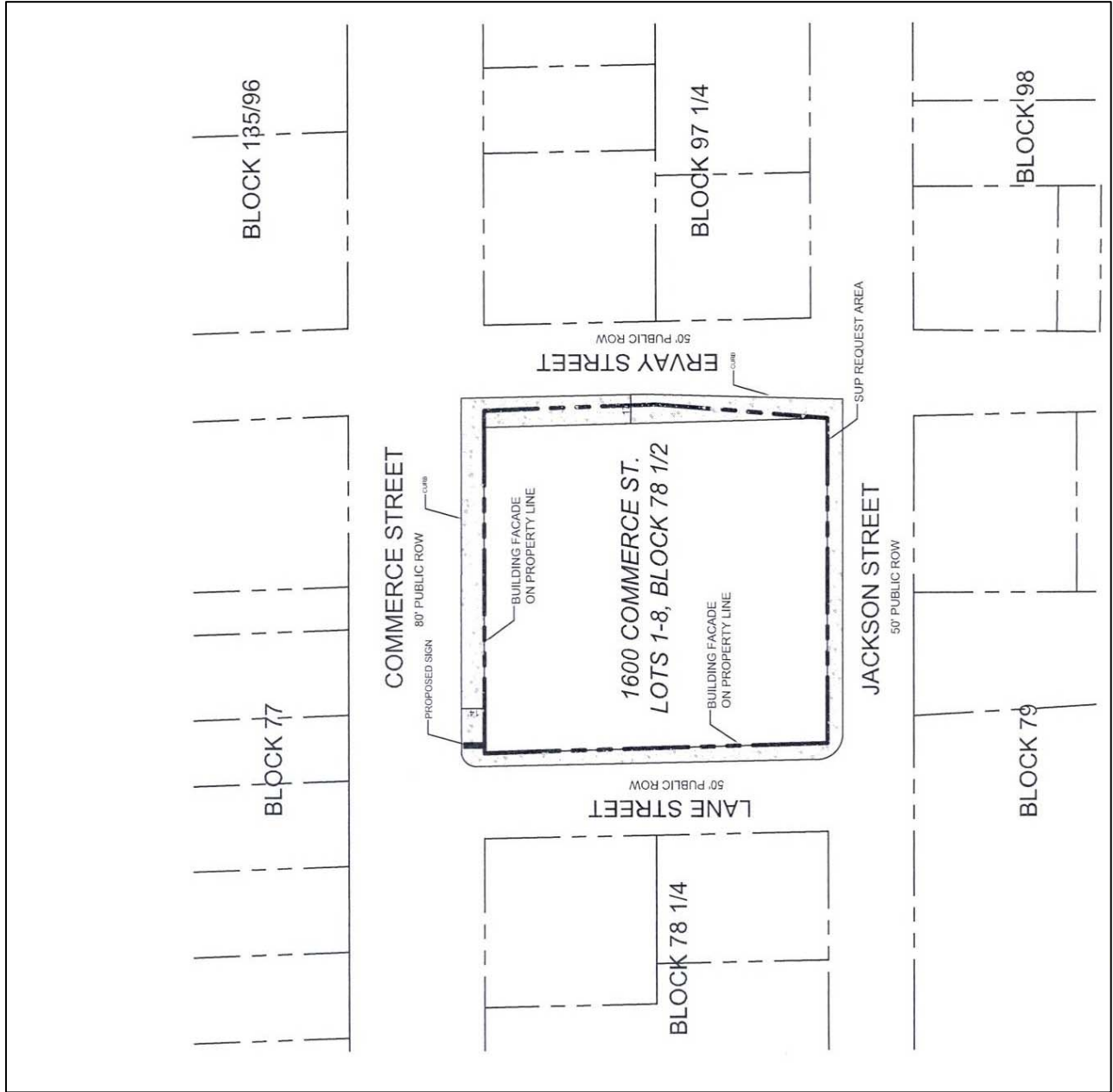
### PROPOSED SUP CONDITIONS

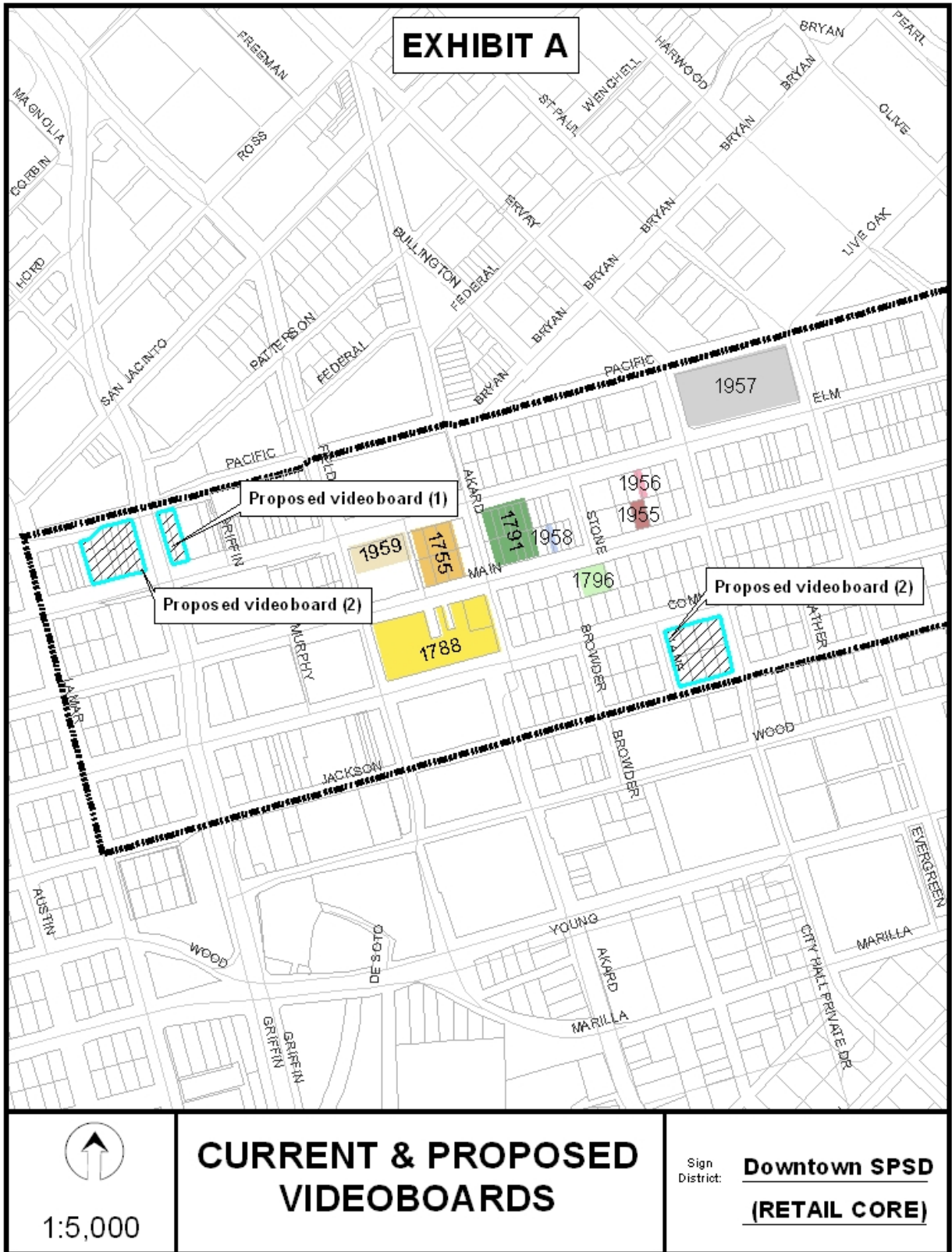
1. USE: The only use authorized by this specific use permit is an attached projecting non-premise district activity videoboard sign.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.

Staff & SSDAC Recommendation:

3. BUILDING REQUIREMENTS: This use is only permitted if the building that the sign is attached to has a minimum of 15,000 square feet at street level occupied by retail and personal service uses, lodging uses or office uses or at least 50 percent of the façade area of the street level facing Commerce Street and Ervay Street has window art displays or graphics.
4. TIME LIMIT: This specific use permit has initial time period of six (6) years and is eligible for automatic renewal for additional six (6) year periods.
5. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance at all times.
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.

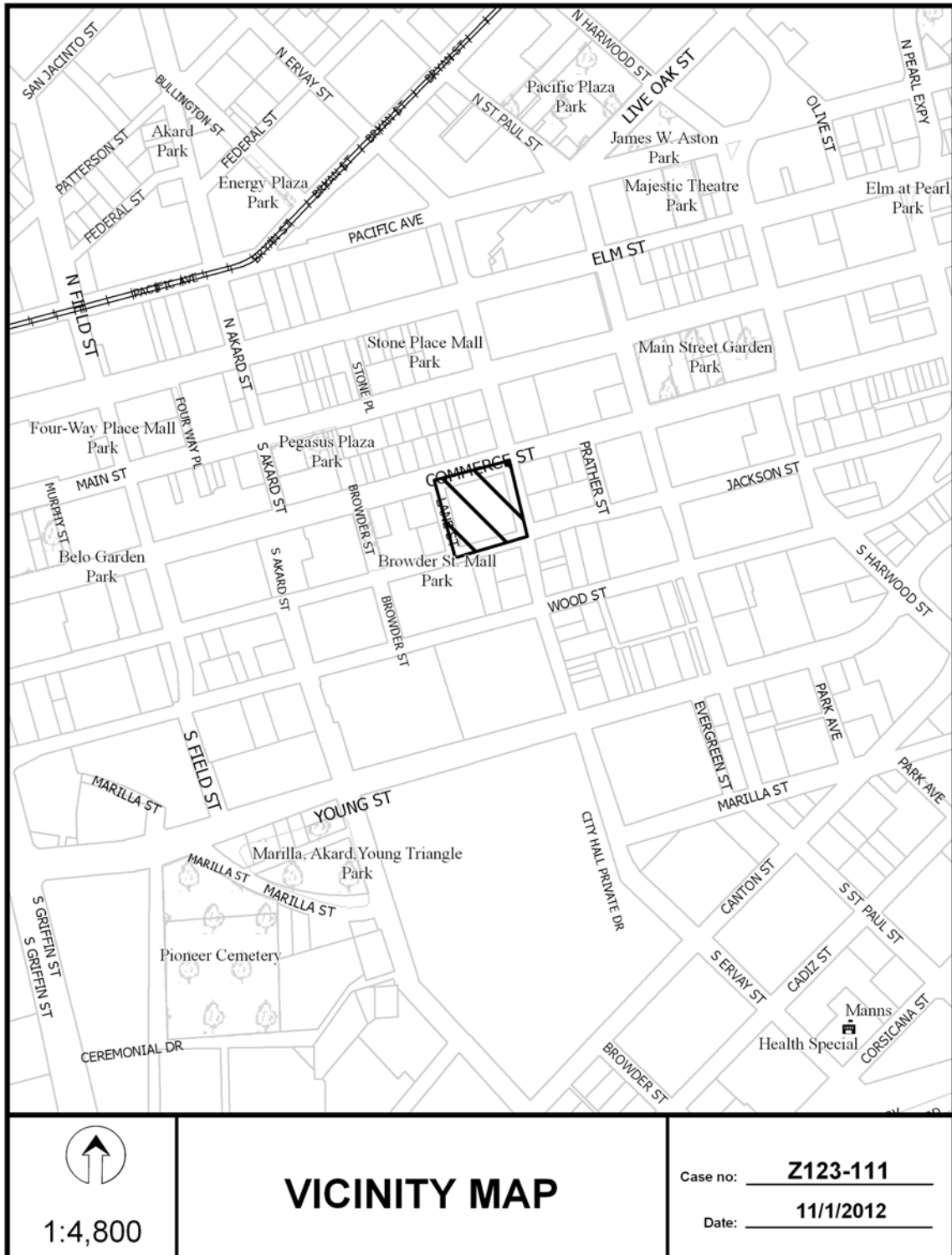
# SITE PLAN

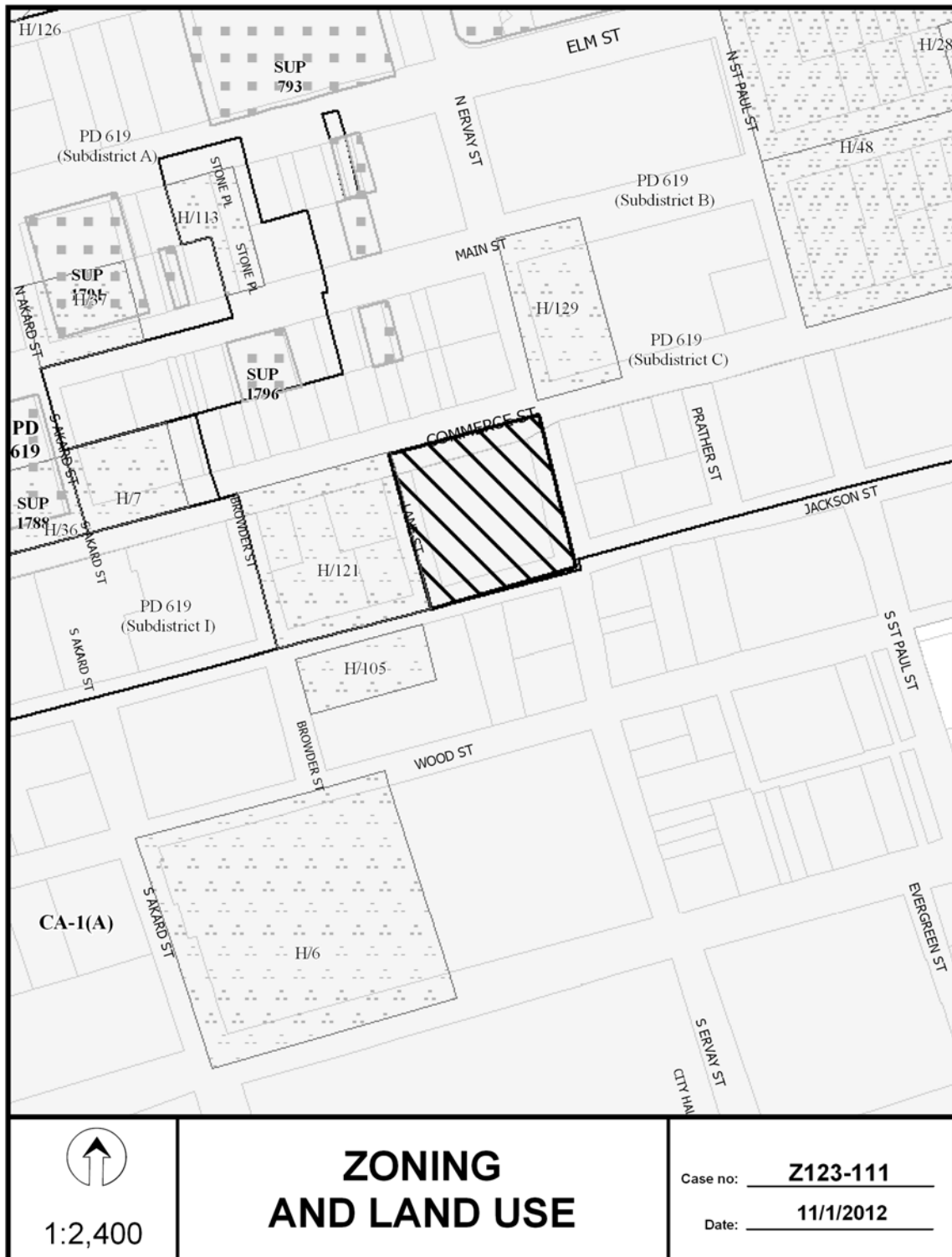


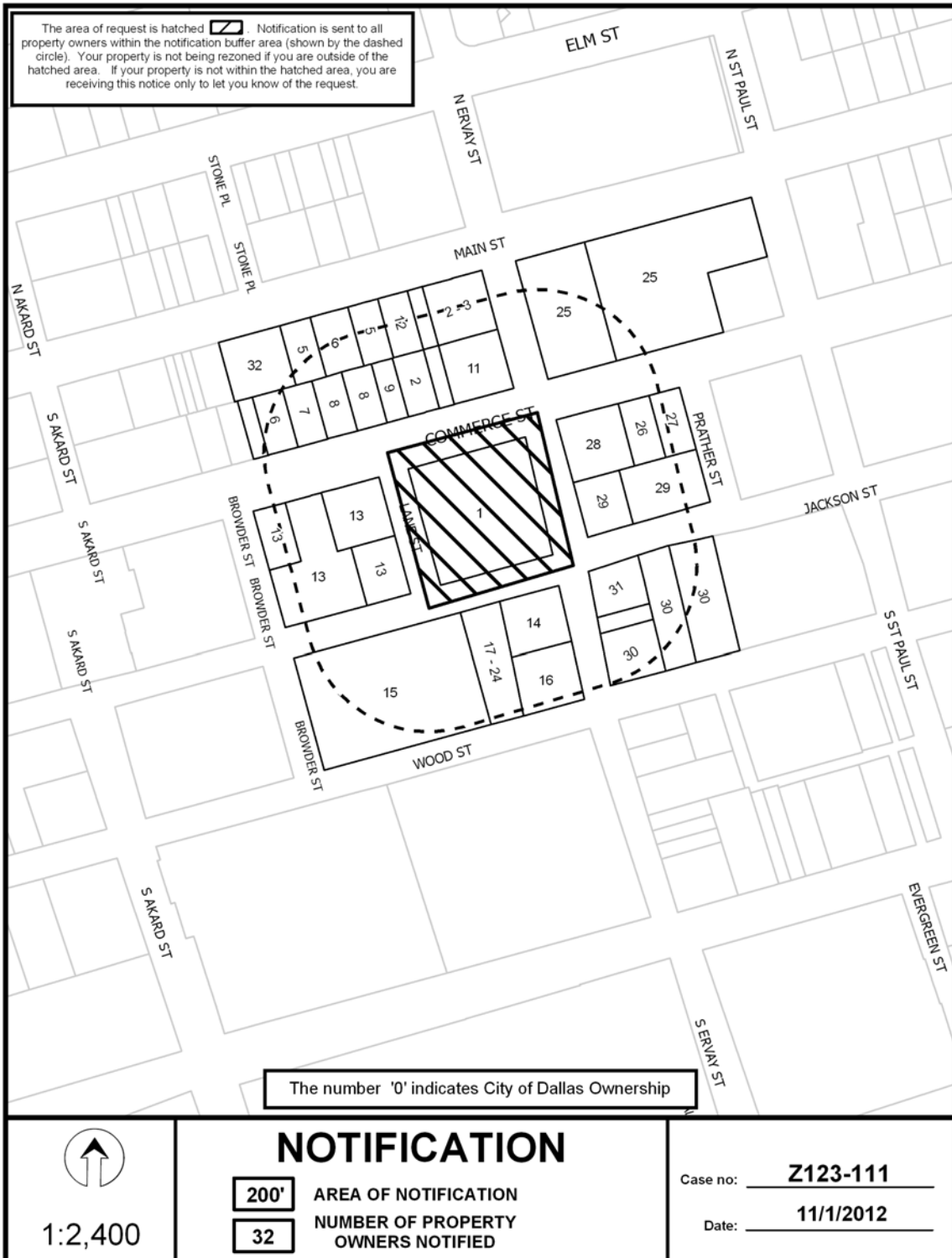


DATE: December 20, 2012









10/31/2012

***Notification List of Property Owners******Z123-111******32 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1600 COMMERCE ST	DALPARK LAND LEASE LTD STE A
2	1622 MAIN ST	NEIMAN MARCUS CO LESSEE ATTN: GEORGE A R
3	1603 COMMERCE ST	NEIMAN MARCUS CO ATTN: GEORGE A RAWLINGS
4	1618 MAIN ST	THE NEIMAN MARCUS GROUP INC ONE MARCUS S
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8	1517 COMMERCE ST	PACIFICO PARTNERS LTD STE A205
9	1525 COMMERCE ST	POLLOCK ROBERT ETAL ATTN: GEORGE A RAWLI
10	1607 COMMERCE ST	ROGERS WILLIAM S ETAL ATTN: GEORGE A RAW
11	1609 COMMERCE ST	NEIMAN MARCUS GROUP INC ATTN: GEORGE A R
12	1616 MAIN ST	THE DALLAS FOUNDATION ATTN: MARY JALONIC
13	1512 COMMERCE ST	HAMILTON DPL LP SUITE 170
14	1610 JACKSON ST	CHAVEZ ACQUISITIONS LP
15	1500 JACKSON ST	BRIDGE-NATIONAL PTNRS LP
16	315 ERVAY ST	BANK OF AM NA IA TUW EEA STALCUP/9991197
17	1600 JACKSON ST	SWAIN JACK R JR
18	1600 JACKSON ST	SABO MARY ELIZABETH
19	1600 JACKSON ST	ROBERTS GEORGE
20	1600 JACKSON ST	WILSON MARGARET PHARR
21	1600 JACKSON ST	DUNLAP DEVEREAUX
22	1600 JACKSON ST	DUNLAP HUGH D JR &
23	1600 JACKSON ST	DUNLAP HUGH D JR
24	1600 JACKSON ST	DUNLAP WILLIAM D
25	1800 MAIN ST	FC MERC COMPLEX LP C/O FOREST CITY TAX D
26	1712 COMMERCE ST	MERCANTILE DEVELOPMENT LLC % SOVEREIGN

Z123-111 (CG)

10/31/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1712 COMMERCE ST	MERCANTILE DEVELOPMENT LLC @ SOVEREIGN
28	1700 COMMERCE ST	1700 COMMERCE STREET LP STE 500
29	208 ERVAY ST	MERCANTILE DEVELOPMENT LLC
30	1708 JACKSON ST	RADER PARKING SYSTEM LP
31	308 ERVAY ST	RADER PARKING SYSTEMS LP
32	1530 MAIN ST	DUNHILL 1530 MAIN LP

**FILE NUMBER:** Z123-112

**DATE FILED:** October 15, 2012

**LOCATION:** Northeast corner of N. Griffin Street and Elm Street

**COUNCIL DISTRICT:** 14

**MAPSCO:** 45-K

**SIZE OF REQUEST:** ±0.24 acres

**CENSUS TRACT:** 31.01

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**REPRESENTATIVE:** Michael R. Coker Company

**APPLICANT:** Reynolds Outdoor Media

**OWNER:** Dalpark Land Lease, Ltd.

**REQUEST:** An application for a Specific Use Permit for the installation of a non-premise district activity videoboard sign on property zoned Planned Development District No. 619.

**SUMMARY:** The applicant seeks to install a non-premise district activity videoboard sign on an existing parking garage within the Downtown Special Provision Sign District (Retail Core), Elm Street facade.

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

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval for a six-year period, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The request site is currently developed with a parking garage with hotel immediately adjacent to use.
- The Special Sign Advisory Committee reviewed this request on November 27, 2012, and recommended approval of the appropriateness of a videoboard sign at this location.
- Ordinance No. 27481, adopted by City Council on February 11, 2009, allowed for non-premise district activity videoboard signs in the Downtown Special Provision Sign District. In this ordinance, there was a limit of five videoboard signs.
- Ordinance No. 28347 was adopted by City Council on August 24, 2011. One of the amendments in this ordinance was to increase the number of videoboard signs in the Downtown SPSP to a total of 15 and increase the area in which the videoboard signs are allowed.
- The 2011 amendment also provided a provision whereby the Director may waive the occupancy requirements for up to one year if it is determined that the building is being redeveloped.
- The original application was deemed invalid and not processed because “non-premise district activity videoboard signs were only permitted on buildings with retail and personal service uses (other than commercial parking lot or garage) or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent.” According to the application submitted, the parking garage was not an allowed use.
- On October 10, 2012, the City Council adopted Ordinance No. 28822 to allow non-premise district activity videoboard signs on parking garages and lodging uses in the Downtown Special Provision Sign District.
- The application was resubmitted for consideration based on recent ordinance amendment to allow videoboards on parking garage uses.

**Zoning History:**

#	SUP/CASE NO.	APPROVED	EXPIRATION
1	<b>SUP #1755</b> (SPSD 067-003)	6/10/09 (two videoboards)	6/10/2015
2	<b>SUP #1788</b> (Z089-263)	12/9/09	12/9/2015
3	<b>SUP #1791</b> (Z089-264)	1/13/10	1/13/2016
4	<b>SUP #1796</b> (Z090-111)	2/24/10	2/24/2016
5	<b>SUP #1955</b> (Z101-369)	4/25/12	4/25/2013
6	<b>SUP #1956</b> (Z101-370)	4/25/12	4/25/2013
7	<b>SUP #1957</b> (Z101-372)	4/25/12	4/25/2018
8	<b>SUP #1958</b> (Z101-375)	4/25/12	4/25/2018
9	<b>SUP #1959</b> (Z101-382)	4/25/12	4/25/2018

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The subject site is identified as being within the *Downtown Area* on the **forwardDallas! Vision Illustration**, adopted June 2006. The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing.

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

Policy 1.1.3 Build a dynamic and expanded Downtown.

**GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN**

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

**GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

- Policy 5.1.4 Enhance visual enjoyment of public space.

**GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

- Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

**Land Use Compatibility:**

The 0.24 acre request site is zoned Planned Development District No. 619 and developed with a parking garage with retail uses. The applicant is proposing to install an 11' X 17' 10" videoboard sign that will be visible from Elm and is near the intersection of N. Griffin Street. The sign will be installed 20 feet above the sidewalk. The properties in the surrounding area are developed with office, retail, and parking uses.

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.

Section 51A-7.909(g) Non-premise district activity videoboard signs are only permitted on buildings with retail and personal service uses, lodging uses, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent. Non-premise district activity videoboard signs are not allowed on a lot containing a commercial surface parking lot use. The director shall notify City Council of any building that falls below the occupancy requirements and fails to reestablish the occupancy requirement within 120 days. The director may waive the occupancy requirements of this subsection for up to one year if the director determines that the building or multi-building complex is currently being redeveloped. The director may revoke this waiver if redevelopment stops or is inactive for 90 days or more.

The applicant submitted an affidavit indicating that the building is and has a certificate of occupancy for a commercial parking garage.

The applicant's request, subject to a site plan and staff conditions, complies with the general provisions for consideration of an SUP.

**Development Standards:**

A maximum of 15 non-premise district activity videoboard signs are permitted and may only be erected on buildings with frontage on streets within the Retail Subdistrict bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard.

Non-premise district activity videoboard signs may not be placed on Pacific Avenue between Akard Street and Ervay Street. Non-premise district activity videoboard signs may not be placed on building facades facing Main Street Garden or Belo Garden.

A maximum of one non-premise district activity videoboard sign is permitted per block face. Non-premise district activity videoboard signs must have a minimum of 100 square feet in effective area and may have maximum of 150 square feet in effective area.

Non-premise district activity videoboard signs are only permitted by SUP.

Projecting non-premise activity videoboard signs:

- must have a vertical orientation with height exceeding the width at a minimum of 16:9 width-to-height ratio;
- may project a maximum of 12 feet into the right-of-way;
- must have a minimum clearance of 15 feet above the sidewalk and a maximum clearance of 35 feet above the sidewalk; and
- must have video displays on both sides of the sign

All videoboard signs:

- must contain a default mechanism that freezes the image in one position in case of malfunction
- must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
  - the ambient light level measure in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
  - the dimming level, multiplied by .0039 equal the brightness level; then
  - the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed brightness, measured in nits;
- must be turned off between 1:00a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday; and
- may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance

Non-premise district activity videoboard signs:

- must have a full color display able to display a minimum of 281 trillion color shades; and
- must be able to display a high quality image with a minimum resolution equivalent to 19mm maximum pixel size

Changes of message must comply with the following:

- Each message must be displayed for a minimum of eight seconds
- Changes of message must be accomplished within two seconds
- Changes of message must occur simultaneously on the entire sign face
- No flashing, dimming, or brightening of message is permitted except to accommodate changes of message

**Traffic:**

The applicant submitted a traffic study conducted by an independent firm. The traffic analysis concluded that the proposed non-premise district activity videoboard sign will not significantly interfere with the effectiveness of the traffic control device within 300 feet of the sign.

**Special Sign District Advisory Committee:**  
November 27, 2012

**Motion:** It was moved to **approve** a Certificate of Appropriateness for a non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the northeast corner of N. Griffin St. and Elm St. (Elm St. façade), subject to a distance of at least 50 feet between the location of the sign and main entry to hotel, and that a graphic rendering be provided to show location of proposed signage on hotel for City Plan Commission consideration.

Maker: Gomez  
Second: Tarpley  
Result: Carried: 4 to 0

For: 4 – Bauer, Van Dermark, Gomez, Tarpley

Against: 0  
Absent: 0  
Conflict: 0

**List of Officers**

**Reynolds Outdoor Media, Inc.**

Scott Reynolds, President  
Scott Reynolds, Secretary

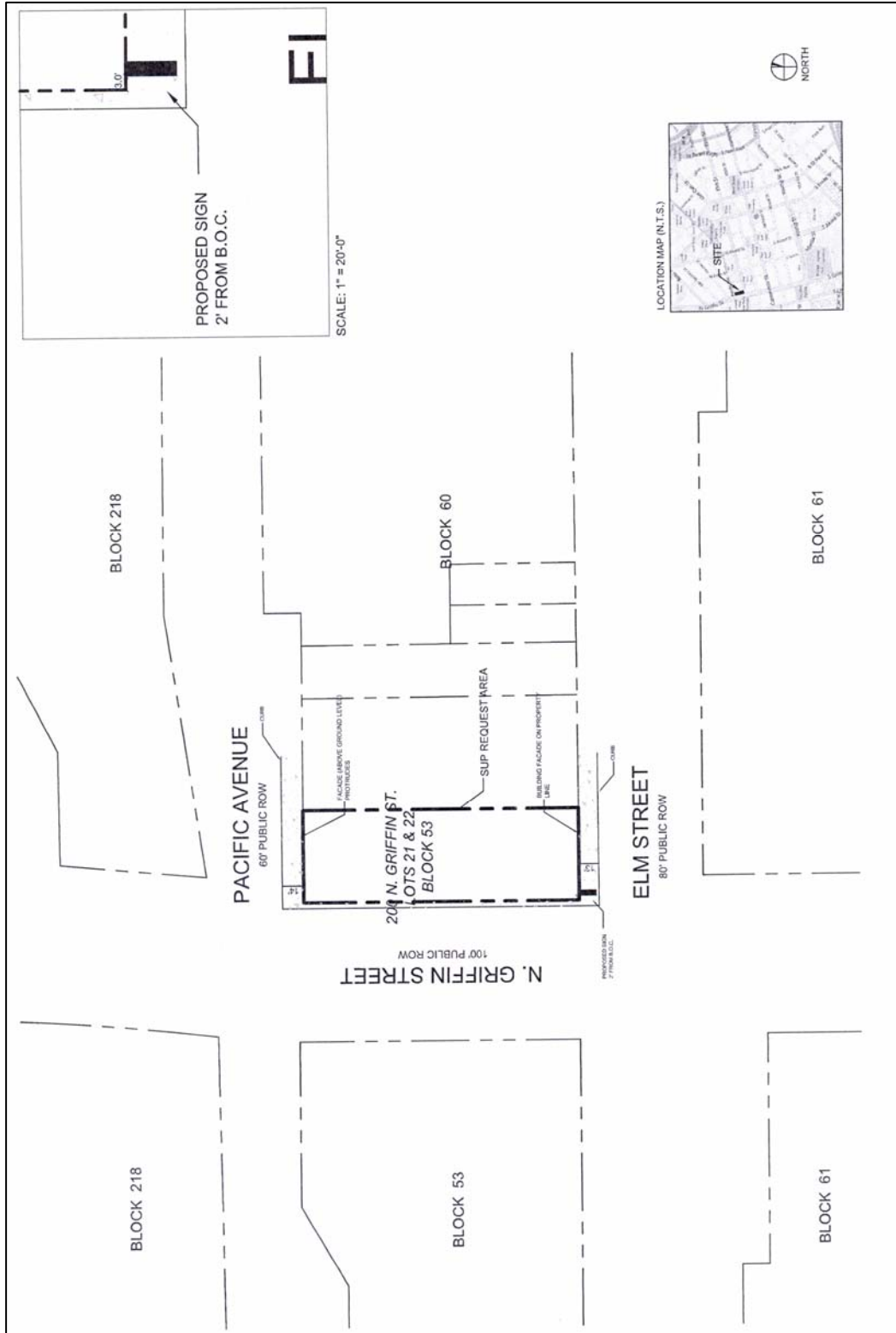
**Lowen Holdings, Ltd.**

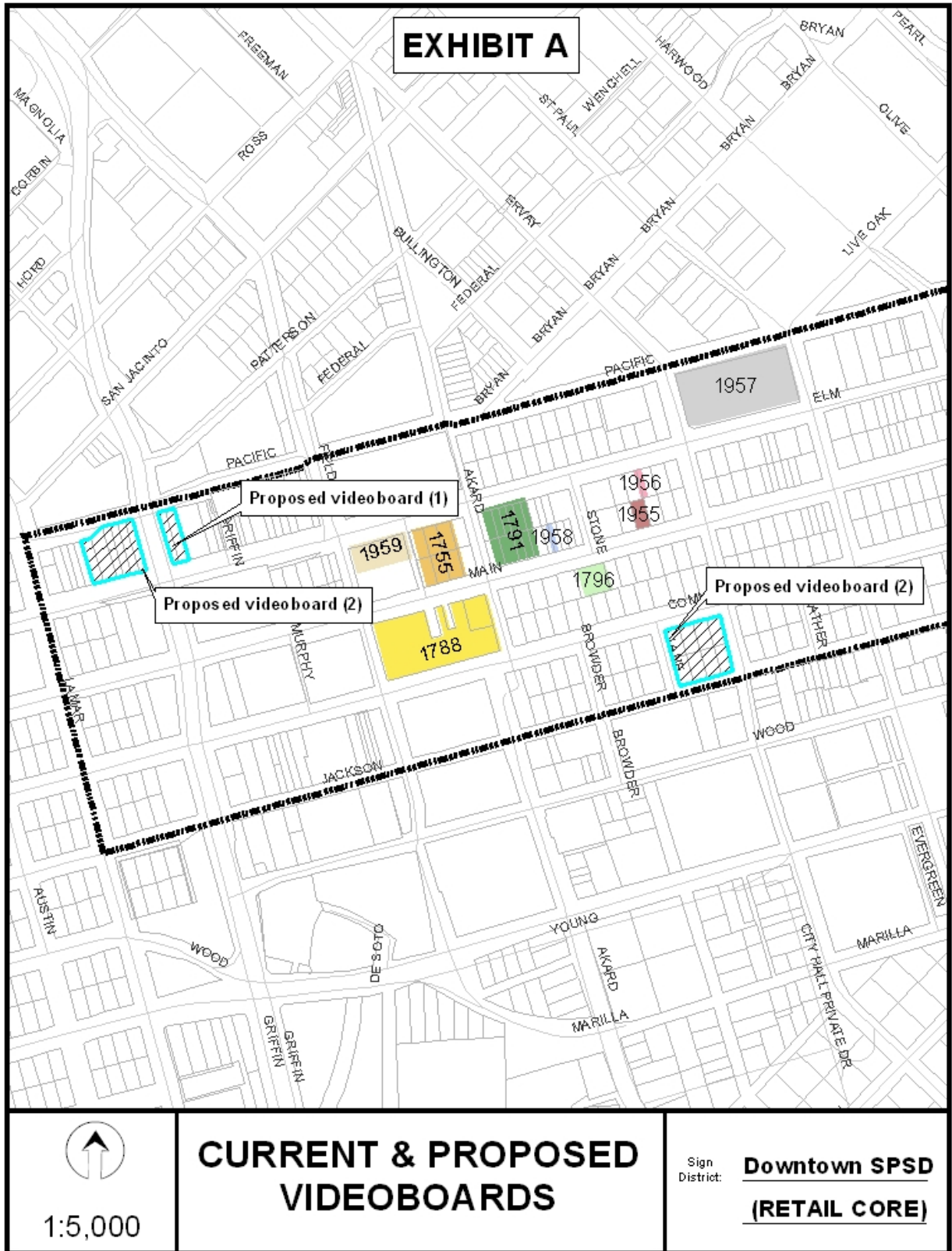
Bimal Naik, President  
Sanjay Naik, V.P.  
Ajay Desa, V.P.

**PROPOSED SUP CONDITIONS**

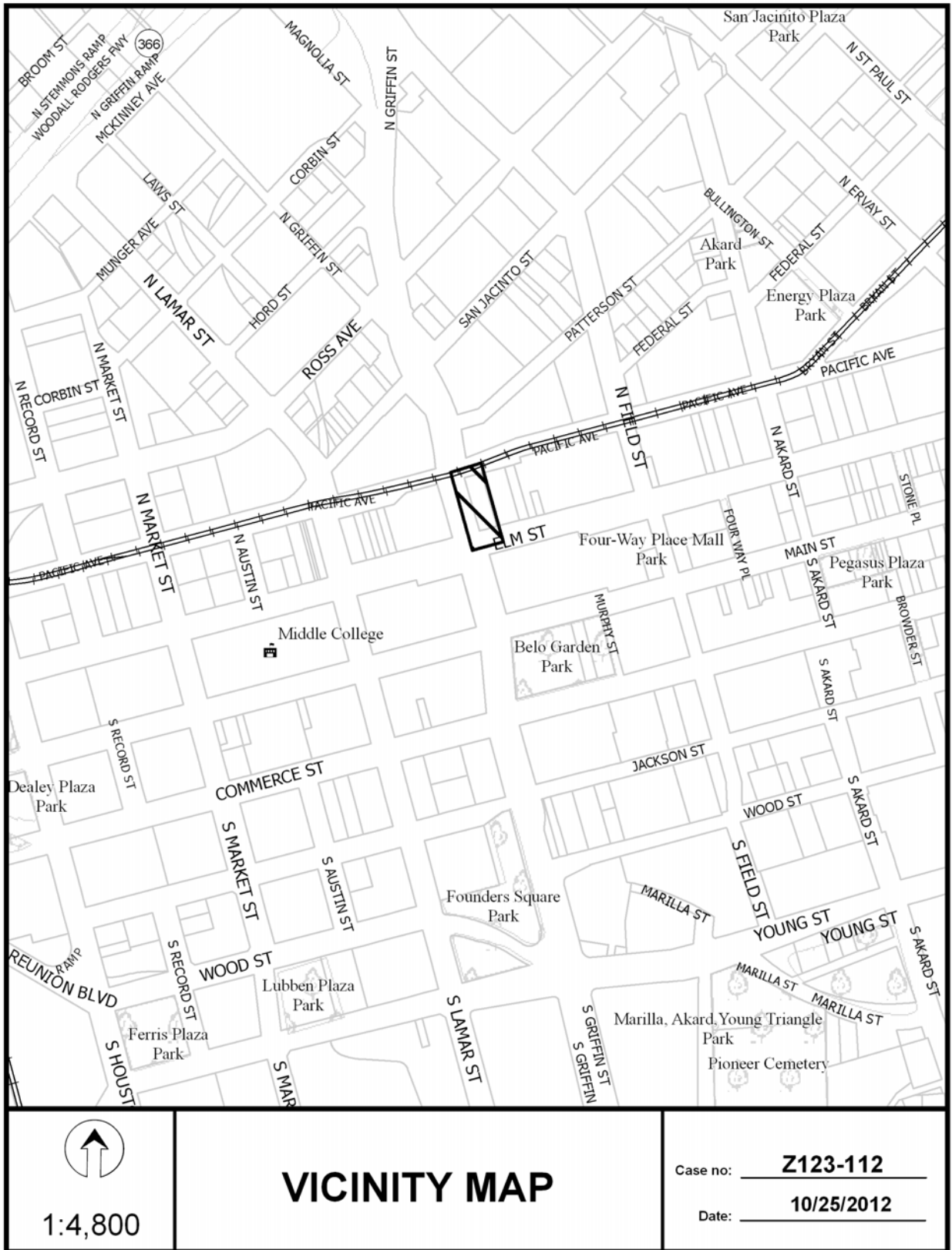
1. USE: The only use authorized by this specific use permit is an attached projecting non-premise district activity videoboard sign.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.
3. TIME LIMIT: This specific use permit has initial time period of six (6) years and is eligible for automatic renewal for additional six (6) year periods.
4. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance at all times.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

# SITE PLAN





DATE: December 20, 2012

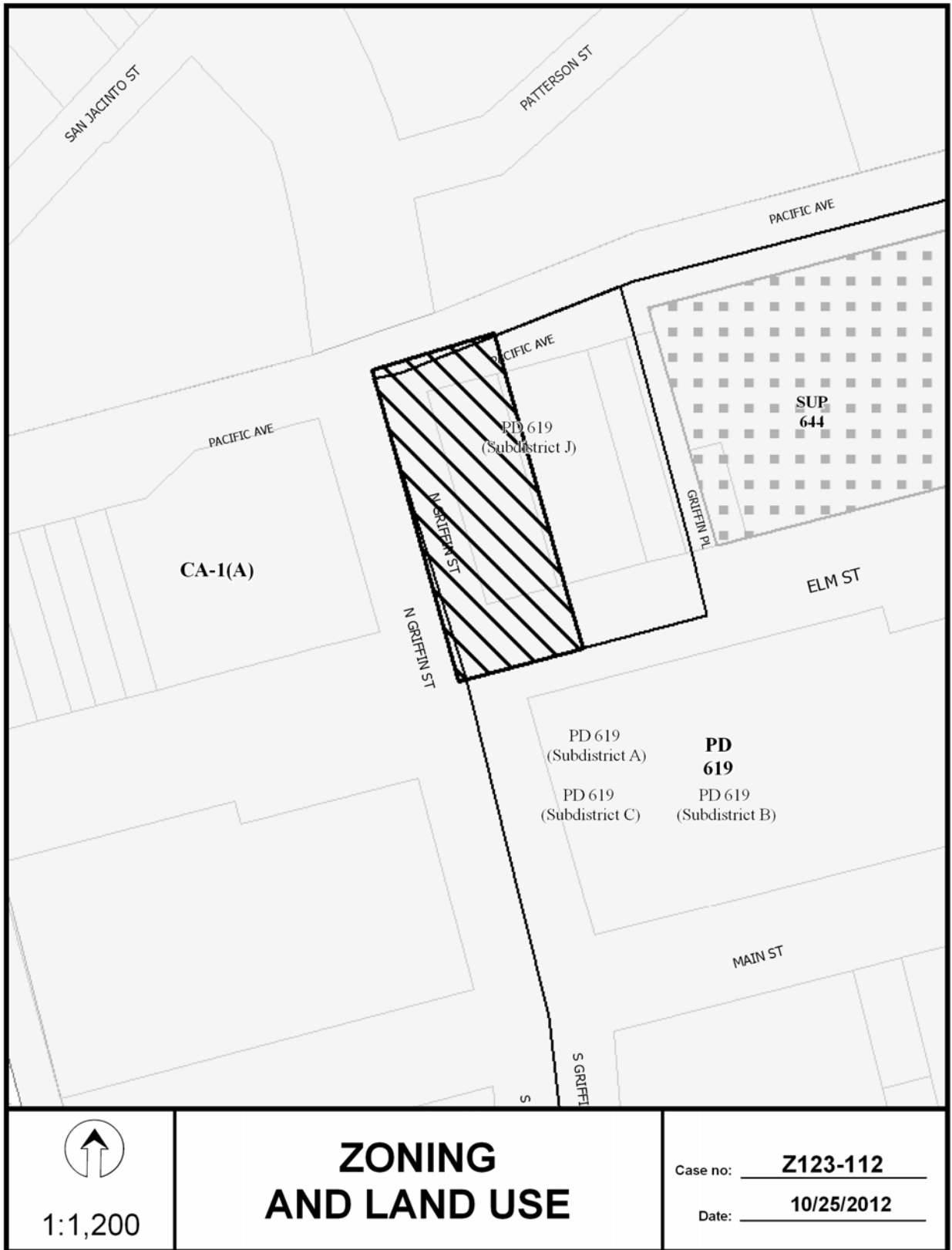


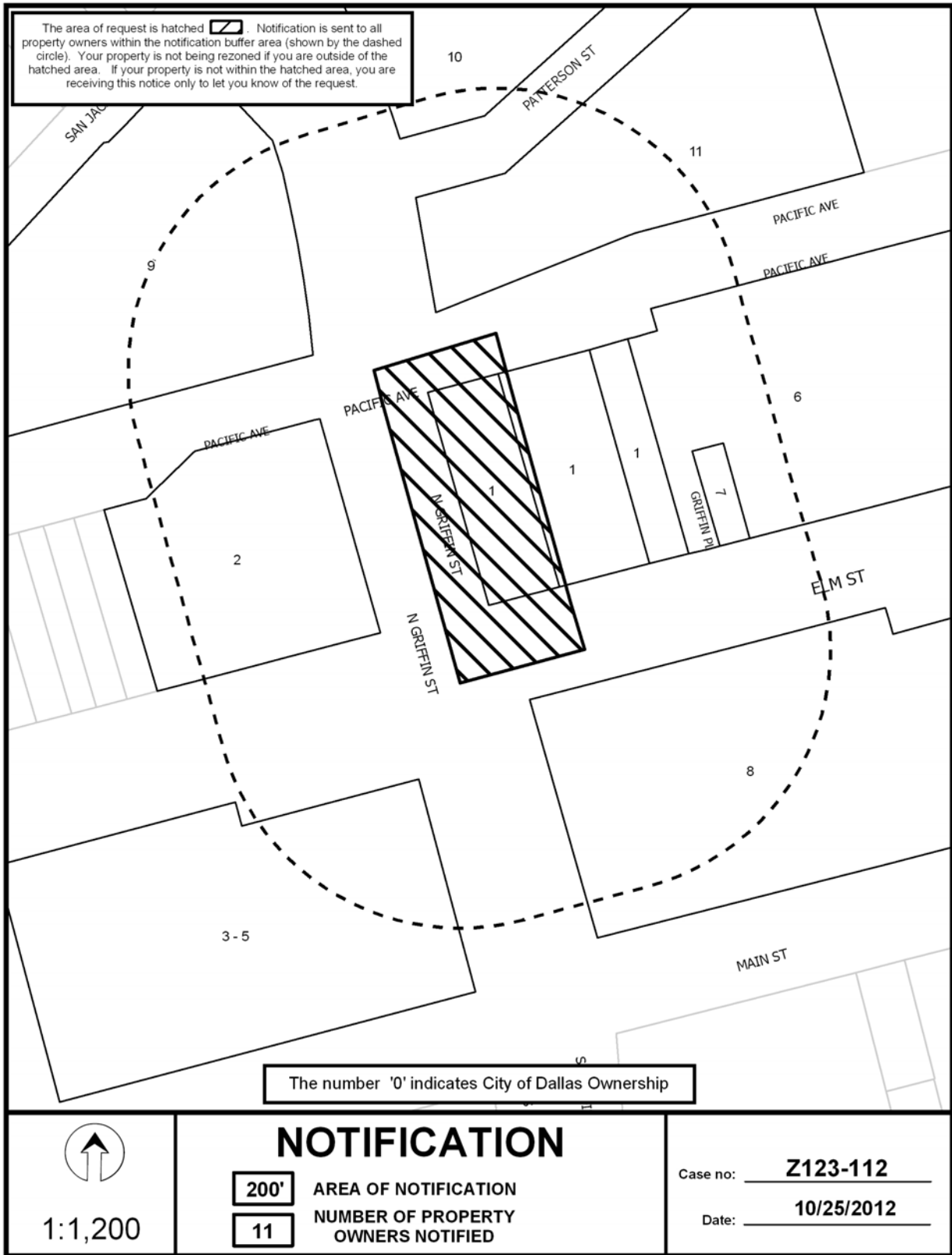
↑  
1:4,800

### VICINITY MAP

Case no:     **Z123-112**      
Date:     **10/25/2012**







10/25/2012

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

### ***Z123-112***

#### ***11 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1025 ELM ST	LOWEN 1025 ELM LP
2	1015 ELM ST	TOG HOTELS DOWNTOWN DALLAS LLC
3	901 MAIN ST	DALLAS MAIN LP %SUNBELT MGMT CO STE 215
4	100 LAMAR ST	INTERFIRST BANK DALLAS SUITE 5009
5	901 MAIN ST	INTERFIRST BANK DALLAS 5009 1ST REPUBLIC
6	1201 ELM ST	BINYAN REALTY LP % JOSEPH MOINIAN
7	1201 ELM ST	1401 ELM STREET HOLDINGS LLC SUITE 700
8	1201 MAIN ST	RAK MAIN PLACE ASSOC LP % RAK GROUP LLC
9	202 LAMAR ST	DALLAS AREA RAPID TRANSIT
10	1109 PATTERSON AVE	DALLAS FORT WORTH ARGYLE TELEVISION INC
11	1100 PATTERSON AVE	CHAVEZ LAND INCOME PROPERTIES LP

**FILE NUMBER:** Z123-122

**DATE FILED:** October 22, 2012

**LOCATION:** Northwest corner of N. Griffin Street and Elm Street

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45-K

**SIZE OF REQUEST:** ±0.69 acres

**CENSUS TRACT:** 31.01

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**REPRESENTATIVE:** Masterplan, Santos Martinez

**APPLICANT:** Radiant Outdoor

**OWNER:** TOG Hotels Downtown Dallas, LLC

**REQUEST:** An application for a Specific Use Permit for installation of a non-premise district activity video board on property zoned a CA-1 Central Area District.

**SUMMARY:** The applicant seeks to install a non-premise district activity board on a hotel within the Downtown Special Provision Sign District. The sign will be installed on the Elm Street façade.

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

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval for a six-year period, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The request site is currently developed with a hotel use.
- The Special Sign Advisory Committee reviewed this request on November 27, 2012, and recommended approval of the appropriateness of a videoboard sign at this location.
- Ordinance No. 27481, adopted by City Council on February 11, 2009, allowed for non-premise district activity videoboard signs in the Downtown Special Provision Sign District. In this ordinance, there was a limit of five videoboard signs.
- Ordinance No. 28347 was adopted by City Council on August 24, 2011. One of the amendments in this ordinance was to increase the number of videoboard signs in the Downtown SPSD to a total of 15 and increase the area in which the videoboard signs are allowed.
- The 2011 amendment also provided a provision whereby the Director may waive the occupancy requirements for up to one year if it is determined that the building is being redeveloped.
- The original application was deemed invalid and not processed because “non-premise district activity videoboard signs were only permitted on buildings with retail and personal service uses (other than commercial parking lot or garage) or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent.” According to the application submitted, the hotel was not an allowed use.
- On October 10, 2012, the City Council adopted Ordinance No. 28822 to allow non-premise district activity videoboard signs on parking garages and lodging uses in the Downtown Special Provision Sign District.
- The application was resubmitted for consideration based on recent ordinance amendment to allow videoboards on hotel uses.

**Zoning History:**

#	SUP/CASE No.	APPROVED	EXPIRATION
1	<b>SUP #1755</b> (SPSD 067-003)	6/10/09 (two videoboards)	6/10/2015
2	<b>SUP #1788</b> (Z089-263)	12/9/09	12/9/2015
3	<b>SUP #1791</b> (Z089-264)	1/13/10	1/13/2016
4	<b>SUP #1796</b> (Z090-111)	2/24/10	2/24/2016
5	<b>SUP #1955</b> (Z101-369)	4/25/12	4/25/2013
6	<b>SUP #1956</b> (Z101-370)	4/25/12	4/25/2013
7	<b>SUP #1957</b> (Z101-372)	4/25/12	4/25/2018
8	<b>SUP #1958</b> (Z101-375)	4/25/12	4/25/2018
9	<b>SUP #1959</b> (Z101-382)	4/25/12	4/25/2018

(Refer to Exhibit A)

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The subject site is identified as being within the *Downtown Area* on the **forwardDallas! Vision Illustration**, adopted June 2006. The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing.

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

Policy 1.1.3 Build a dynamic and expanded Downtown.

**GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN**

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

**GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

- Policy 5.1.4 Enhance visual enjoyment of public space.

**GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

- Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

**Land Use Compatibility:**

The applicant proposes to install a 16'x 9' (144 square feet) videoboard display sign approximately 17 feet above the sidewalk of the existing hotel. The proposed sign location will be visible from Elm Street near the intersection of N. Field Street. The properties in the surrounding area are developed with office, commercial lots, retail, and restaurant uses. A DART transfer station is also located across the street.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote

the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Section 51A-7.909(g) - Non-premise district activity videoboard signs are only permitted on buildings with retail and personal service uses, lodging uses, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent. Non-premise district activity videoboard signs are not allowed on a lot containing a commercial surface parking lot use. The director shall notify City Council of any building that falls below the occupancy requirements and fails to reestablish the occupancy requirement within 120 days. The director may waive the occupancy requirements of this subsection for up to one year if the director determines that the building or multi-building complex is currently being redeveloped. The director may revoke this waiver if redevelopment stops or is inactive for 90 days or more.

The applicant submitted an affidavit indicating the more than 75% of the leasable space on the first floor is a hotel and restaurant uses.

The applicant's request, subject a site plan and staff conditions complies with the general provisions for consideration of an SUP.

**Development Standards:**

A maximum of 15 non-premise district activity videoboard signs are permitted and may only be erected on buildings with frontage on streets within the Retail Subdistrict bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard.

Non-premise district activity videoboard signs may not be placed on Pacific Avenue between Akard Street and Ervay Street. Non-premise district activity videoboard signs may not be placed on building facades facing Main Street Garden or Belo Garden.

A maximum of one non-premise district activity videoboard sign is permitted per block face. Non-premise district activity videoboard signs must have a minimum of 100 square feet in effective area and may have maximum of 150 square feet in effective area.

Non-premise district activity videoboard signs are only permitted by SUP.

Projecting non-premise activity videoboard signs:

- must have a vertical orientation with height exceeding the width at a minimum of 16:9 width-to-height ratio;
- may project a maximum of 12 feet into the right-of-way;
- must have a minimum clearance of 15 feet above the sidewalk and a maximum clearance of 35 feet above the sidewalk; and

- must have video displays on both sides of the sign

All videoboard signs:

- must contain a default mechanism that freezes the image in one position in case of malfunction
- must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
  - the ambient light level measure in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
  - the dimming level, multiplied by .0039 equal the brightness level; then
  - the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed brightness, measured in nits;
- must be turned off between 1:00a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday; and
- may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance

Non-premise district activity videoboard signs:

- must have a full color display able to display a minimum of 281 trillion color shades; and
- must be able to display a high quality image with a minimum resolution equivalent to 19mm maximum pixel size

Changes of message must comply with the following:

- Each message must be displayed for a minimum of eight seconds
- Changes of message must be accomplished within two seconds
- Changes of message must occur simultaneously on the entire sign face
- No flashing, dimming, or brightening of message is permitted except to accommodate changes of message

**Traffic:**

The applicant submitted a traffic study conducted by an independent firm. The traffic analysis concluded that the proposed non-premise district activity videoboard sign will not significantly interfere with the effectiveness of the traffic control device within 300 feet of the sign.



**Special Sign District Advisory Committee:**

November 27, 2012

**Motion:** It was moved to **approve** a Certificate of Appropriateness for a non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the northwest corner of N. Griffin St. and Elm St. (Elm St. façade), subject to the provision that the outer edge of signage not encroach within 2 feet (from back of curb) per the Dallas Development Code.

Maker: Tarpley  
Second: Gomez  
Result: Carried: 4 to 0

For: 4 – Bauer, Van Dermark, Gomez, Tarpley

Against: 0  
Absent: 0  
Conflict: 0

Z123-122 (CG)

**LIST OF OFFICERS:**

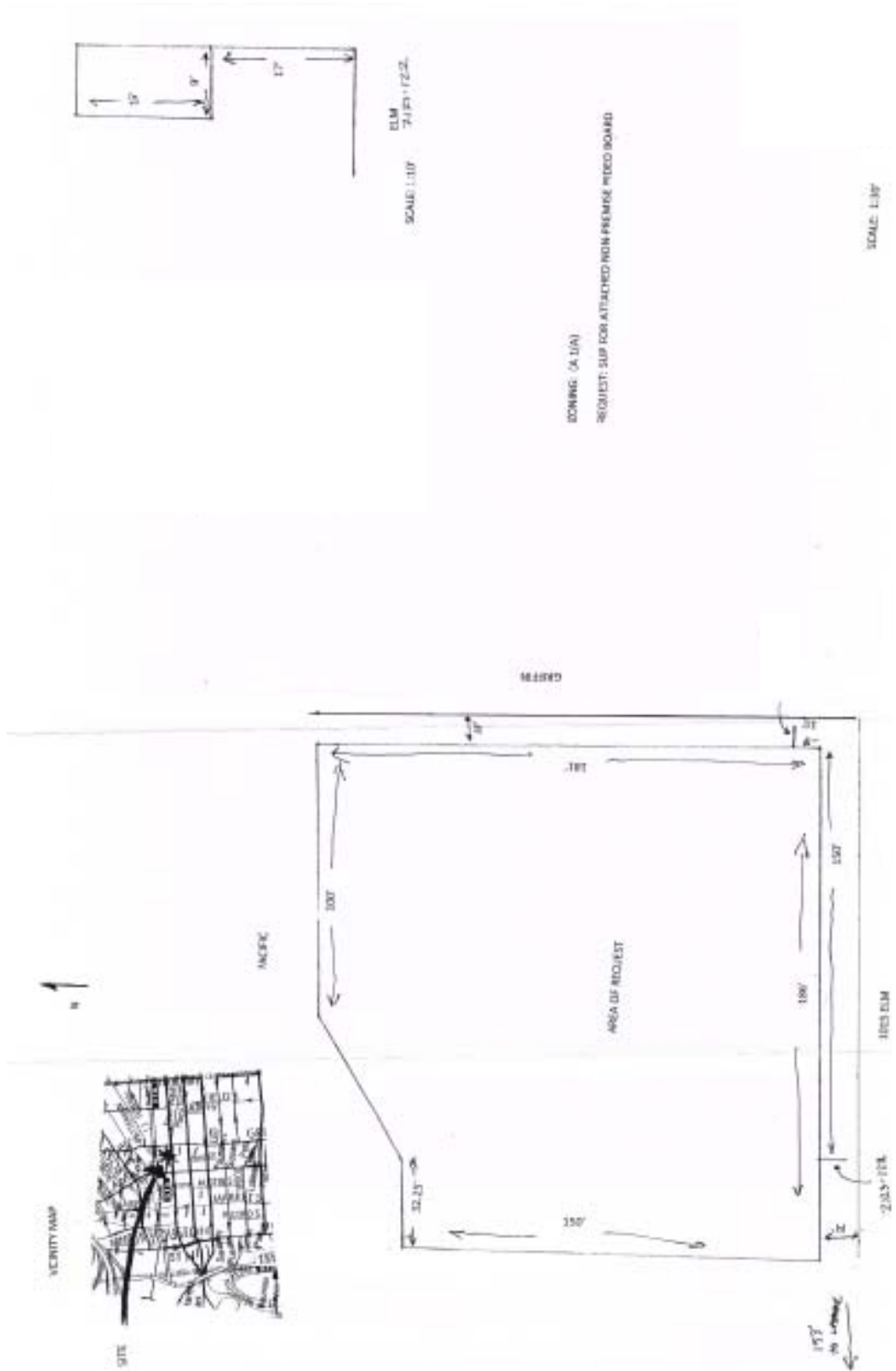
Brad Berkley, Owner  
Radiant Outdoors

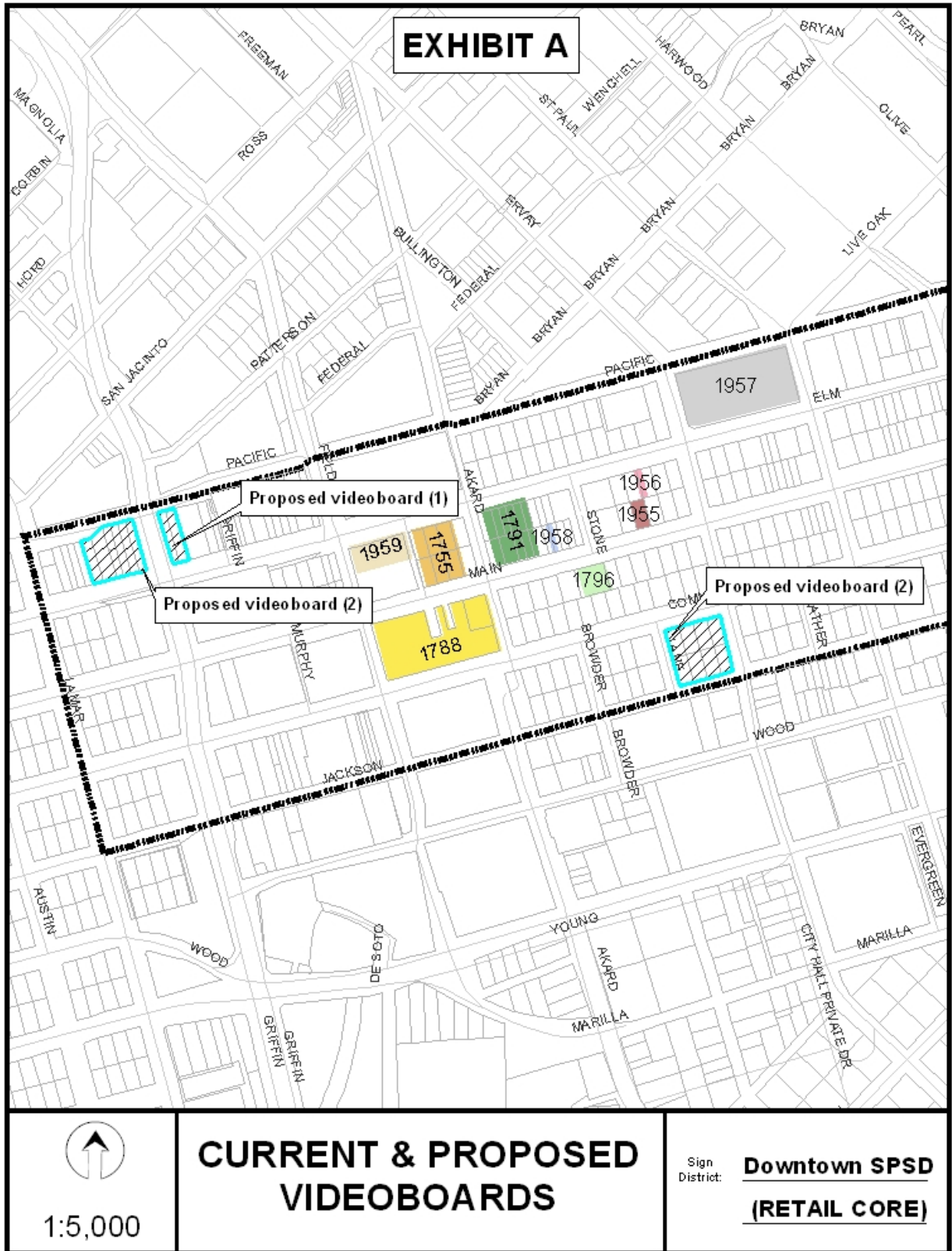
Terry Tognazzini, Owner  
TOG Hotels Downtown Dallas, LLC

**PROPOSED SUP CONDITIONS**

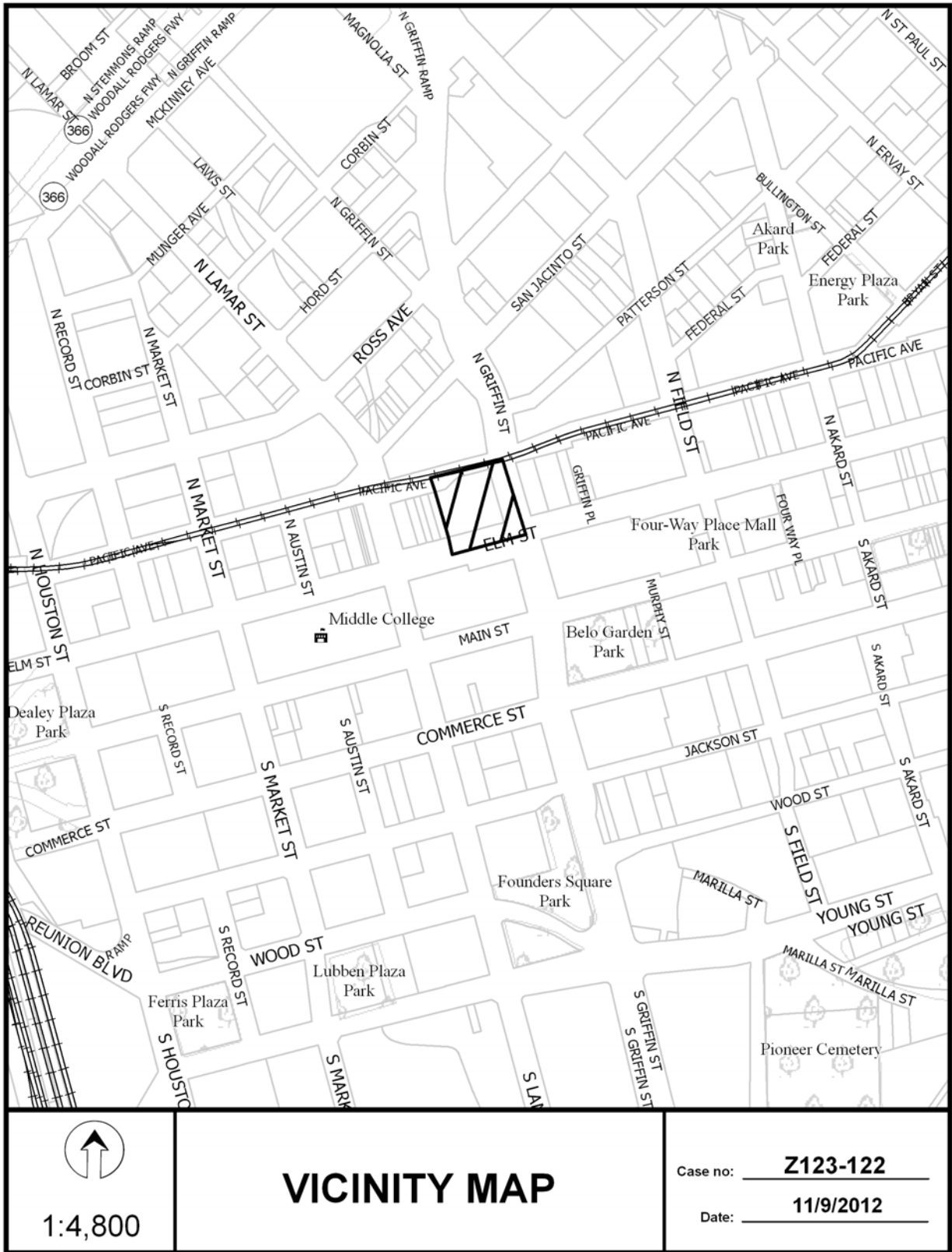
1. USE: The only use authorized by this specific use permit is an attached projecting non-premise district activity videoboard sign.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.
3. TIME LIMIT: This specific use permit has initial time period of six (6) years and is eligible for automatic renewal for additional six (6) year periods.
4. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance at all times.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

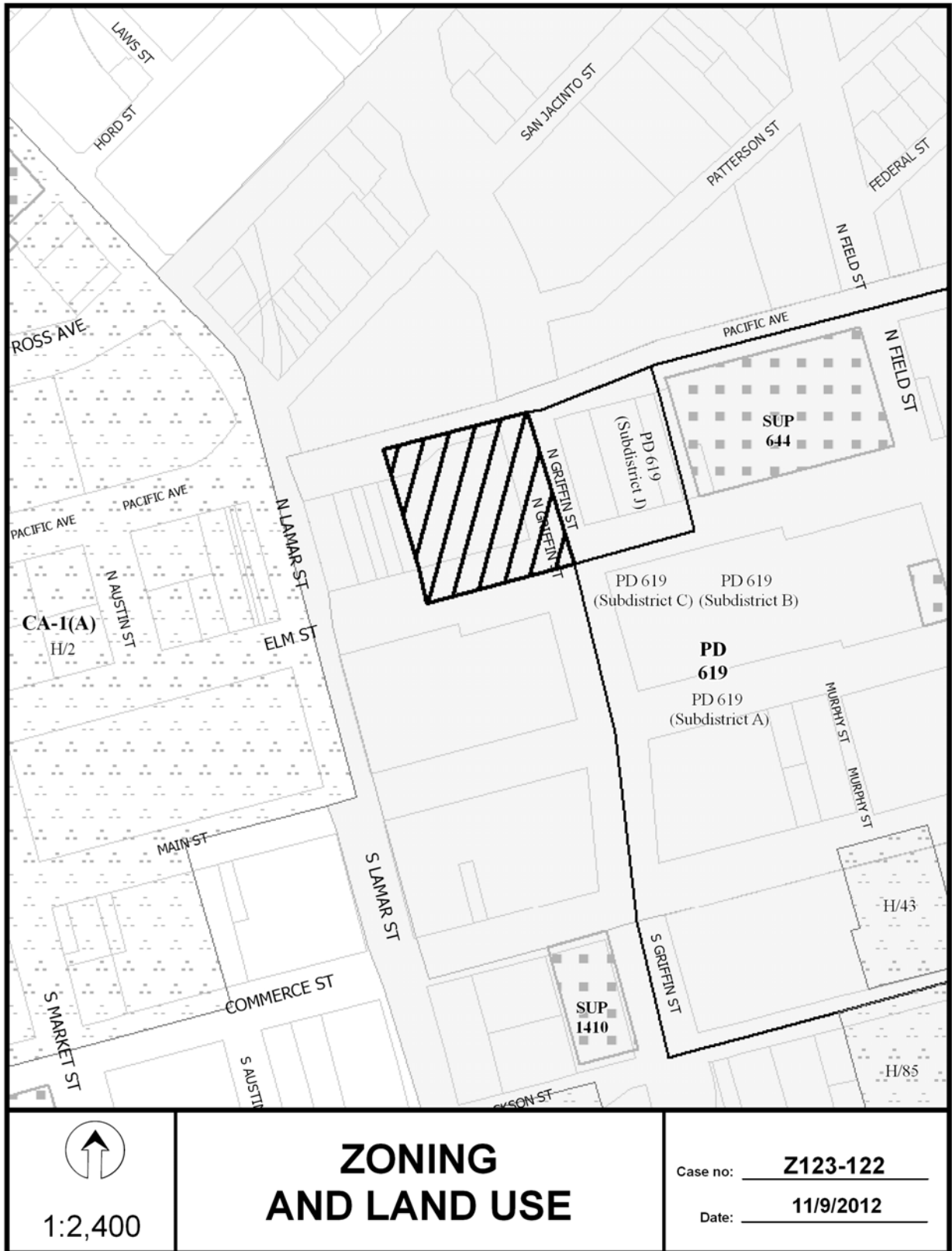
Site Plan & Elevation

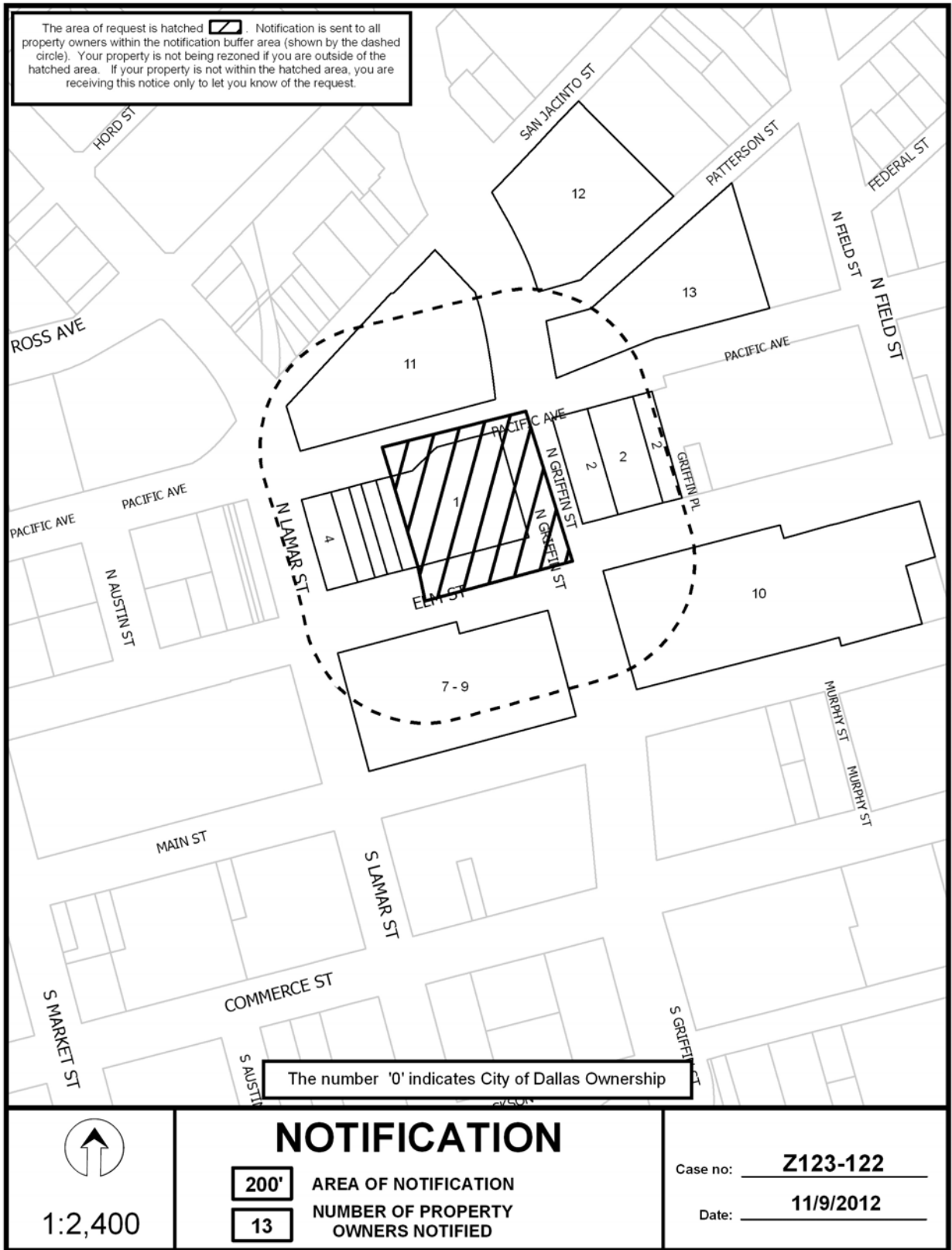




DATE: December 20, 2012









11/9/2012

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

### ***Z123-122***

#### ***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1015 ELM ST	TOG HOTELS DOWNTOWN DALLAS LLC
2	1025 ELM ST	LOWEN 1025 ELM LP
3	907 ELM ST	HARMON FRANK G III ET AL
4	901 ELM ST	DART
5	911 ELM ST	HIRSH FAMILY TRUST ET AL BERNARD & BEATR
6	909 ELM ST	RP ELM ERVAY PROPERTIES LP
7	901 MAIN ST	DALLAS MAIN LP %SUNBELT MGMT CO STE 215
8	100 LAMAR ST	INTERFIRST BANK DALLAS SUITE 5009
9	901 MAIN ST	INTERFIRST BANK DALLAS 5009 1ST REPUBLIC
10	1201 MAIN ST	RAK MAIN PLACE ASSOC LP % RAK GROUP LLC
11	202 LAMAR ST	DALLAS AREA RAPID TRANSIT
12	1109 PATTERSON AVE	DALLAS FORT WORTH ARGYLE TELEVISION INC
13	1100 PATTERSON AVE	CHAVEZ LAND INCOME PROPERTIES LP

**FILE NUMBER:** Z123-123

**DATE FILED:** October 22, 2012

**LOCATION:** Northeast corner of N. Griffin Street and Elm Street

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45-K

**SIZE OF REQUEST:** ±0.69 acres

**CENSUS TRACT:** 31.01

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**REPRESENTATIVE:** Masterplan, Santos Martinez

**APPLICANT:** Radiant Outdoor

**OWNER:** TOG Hotels Downtown Dallas, LLC

**REQUEST:** An application for a Specific Use Permit for installation of a non-premise district activity video board on property zoned a CA-1 Central Area.

**SUMMARY:** The applicant seeks to install a non-premise district activity board on a hotel within the Downtown Special Provision Sign District (Retail Core), N. Griffin Street façade.

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

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE RECOMMENDATION:** Approval for a six-year period, subject to a site plan and conditions.

**BACKGROUND INFORMATION:**

- The request site is currently developed with a hotel use.
- The Special Sign Advisory Committee reviewed this request on November 27, 2012, and recommended approval of the appropriateness of a videoboard sign at this location.
- Ordinance No. 27481, adopted by City Council on February 11, 2009, allowed for non-premise district activity videoboard signs in the Downtown Special Provision Sign District. In this ordinance, there was a limit of five videoboard signs.
- Ordinance No. 28347 was adopted by City Council on August 24, 2011. One of the amendments in this ordinance was to increase the number of videoboard signs in the Downtown SPSD to a total of 15 and increase the area in which the videoboard signs are allowed.
- The 2011 amendment also provided a provision whereby the Director may waive the occupancy requirements for up to one year if it is determined that the building is being redeveloped.
- The original application was deemed invalid and not processed because “non-premise district activity videoboard signs were only permitted on buildings with retail and personal service uses (other than commercial parking lot or garage) or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent.” According to the application submitted, the parking garage was not an allowed use.
- On October 10, 2012, the City Council adopted Ordinance No. 28822 to allow non-premise district activity videoboard signs on parking garages and lodging uses in the Downtown Special Provision Sign District.
- The application was resubmitted for consideration based on recent ordinance amendment to allow videoboards on hotel uses.

**Zoning History:**

#	SUP/CASE No.	APPROVED	EXPIRATION
1	<b>SUP #1755</b> (SPSD 067-003)	6/10/09 (two videoboards)	6/10/2015
2	<b>SUP #1788</b> (Z089-263)	12/9/09	12/9/2015
3	<b>SUP #1791</b> (Z089-264)	1/13/10	1/13/2016
4	<b>SUP #1796</b> (Z090-111)	2/24/10	2/24/2016
5	<b>SUP #1955</b> (Z101-369)	4/25/12	4/25/2013
6	<b>SUP #1956</b> (Z101-370)	4/25/12	4/25/2013
7	<b>SUP #1957</b> (Z101-372)	4/25/12	4/25/2018
8	<b>SUP #1958</b> (Z101-375)	4/25/12	4/25/2018
9	<b>SUP #1959</b> (Z101-382)	4/25/12	4/25/2018

(Refer to Exhibit A)

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The subject site is identified as being within the *Downtown Area* on the **forwardDallas! Vision Illustration**, adopted June 2006. The Downtown is a centrally located hub that provides high intensity, concentrated regional job and commercial activity supported by high-density housing.

**LAND USE ELEMENT**

**GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES**

Policy 1.1.3 Build a dynamic and expanded Downtown.

**GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN**

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

**GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY**

- Policy 5.1.4 Enhance visual enjoyment of public space.

**GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

- Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

**Land Use Compatibility:**

The applicant proposes to install a 16'x 9' (144 square feet) videoboard display sign approximately 17 feet above the sidewalk of the existing hotel. The proposed sign location will be visible from N. Griffin Street. The properties in the surrounding area are developed with office, commercial lots, retail, and restaurant uses. A DART transfer station is also located across the street.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote

the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Section 51A-7.909(g) - Non-premise district activity videoboard signs are only permitted on buildings with retail and personal service uses, lodging uses, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent. Non-premise district activity videoboard signs are not allowed on a lot containing a commercial surface parking lot use. The director shall notify City Council of any building that falls below the occupancy requirements and fails to reestablish the occupancy requirement within 120 days. The director may waive the occupancy requirements of this subsection for up to one year if the director determines that the building or multi-building complex is currently being redeveloped. The director may revoke this waiver if redevelopment stops or is inactive for 90 days or more.

The applicant submitted an affidavit indicating the more than 75% of the leasable space on the first floor is a hotel and restaurant uses.

The applicant's request, subject a site plan and staff conditions complies with the general provisions for consideration of an SUP.

**Development Standards:**

A maximum of 15 non-premise district activity videoboard signs are permitted and may only be erected on buildings with frontage on streets within the Retail Subdistrict bounded by Jackson Street, Lamar Street, Pacific Street, and Cesar Chavez Boulevard.

Non-premise district activity videoboard signs may not be placed on Pacific Avenue between Akard Street and Ervay Street. Non-premise district activity videoboard signs may not be placed on building facades facing Main Street Garden or Belo Garden.

A maximum of one non-premise district activity videoboard sign is permitted per block face. Non-premise district activity videoboard signs must have a minimum of 100 square feet in effective area and may have maximum of 150 square feet in effective area.

Non-premise district activity videoboard signs are only permitted by SUP.

Projecting non-premise activity videoboard signs:

- must have a vertical orientation with height exceeding the width at a minimum of 16:9 width-to-height ratio;
- may project a maximum of 12 feet into the right-of-way;
- must have a minimum clearance of 15 feet above the sidewalk and a maximum clearance of 35 feet above the sidewalk; and

- must have video displays on both sides of the sign

All videoboard signs:

- must contain a default mechanism that freezes the image in one position in case of malfunction
- must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:
  - the ambient light level measure in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then
  - the dimming level, multiplied by .0039 equal the brightness level; then
  - the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed brightness, measured in nits;
- must be turned off between 1:00a.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday; and
- may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance

Non-premise district activity videoboard signs:

- must have a full color display able to display a minimum of 281 trillion color shades; and
- must be able to display a high quality image with a minimum resolution equivalent to 19mm maximum pixel size

Changes of message must comply with the following:

- Each message must be displayed for a minimum of eight seconds
- Changes of message must be accomplished within two seconds
- Changes of message must occur simultaneously on the entire sign face
- No flashing, dimming, or brightening of message is permitted except to accommodate changes of message

**Traffic:**

The applicant submitted a traffic study conducted by an independent firm. The traffic analysis concluded that the proposed non-premise district activity videoboard sign will not significantly interfere with the effectiveness of the traffic control device within 300 feet of the sign.

Z123-123 (CG)

**Special Sign District Advisory Committee:**

November 27, 2012

**Motion:** It was moved to **approve** a Certificate of Appropriateness for a non-premise district activity videoboard sign on property zoned Planned Development District No. 619 on the northeast corner of N. Griffin St. and Elm St., N. Griffin St. façade.

Maker: Tarpley  
Second: Van Dermark  
Result: Carried: 4 to 0

For: 4 – Bauer, Van Dermark, Gomez, Tarpley

Against: 0  
Absent: 0  
Conflict: 0

Z123-123 (CG)

**LIST OF OFFICERS:**

Brad Berkley, Owner  
Radiant Outdoors

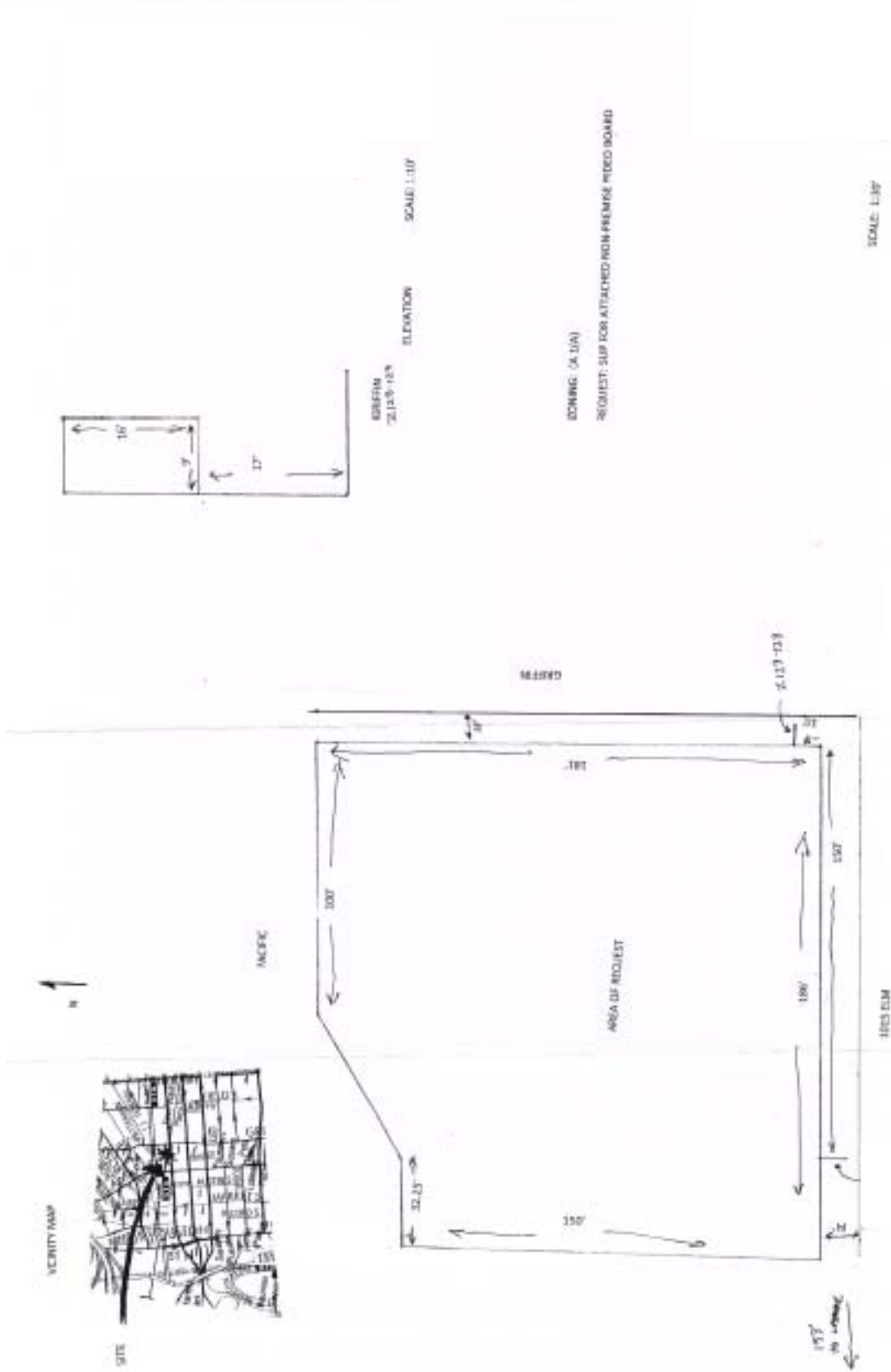
Terry Tognazzini, Owner  
TOG Hotels Downtown Dallas, LLC

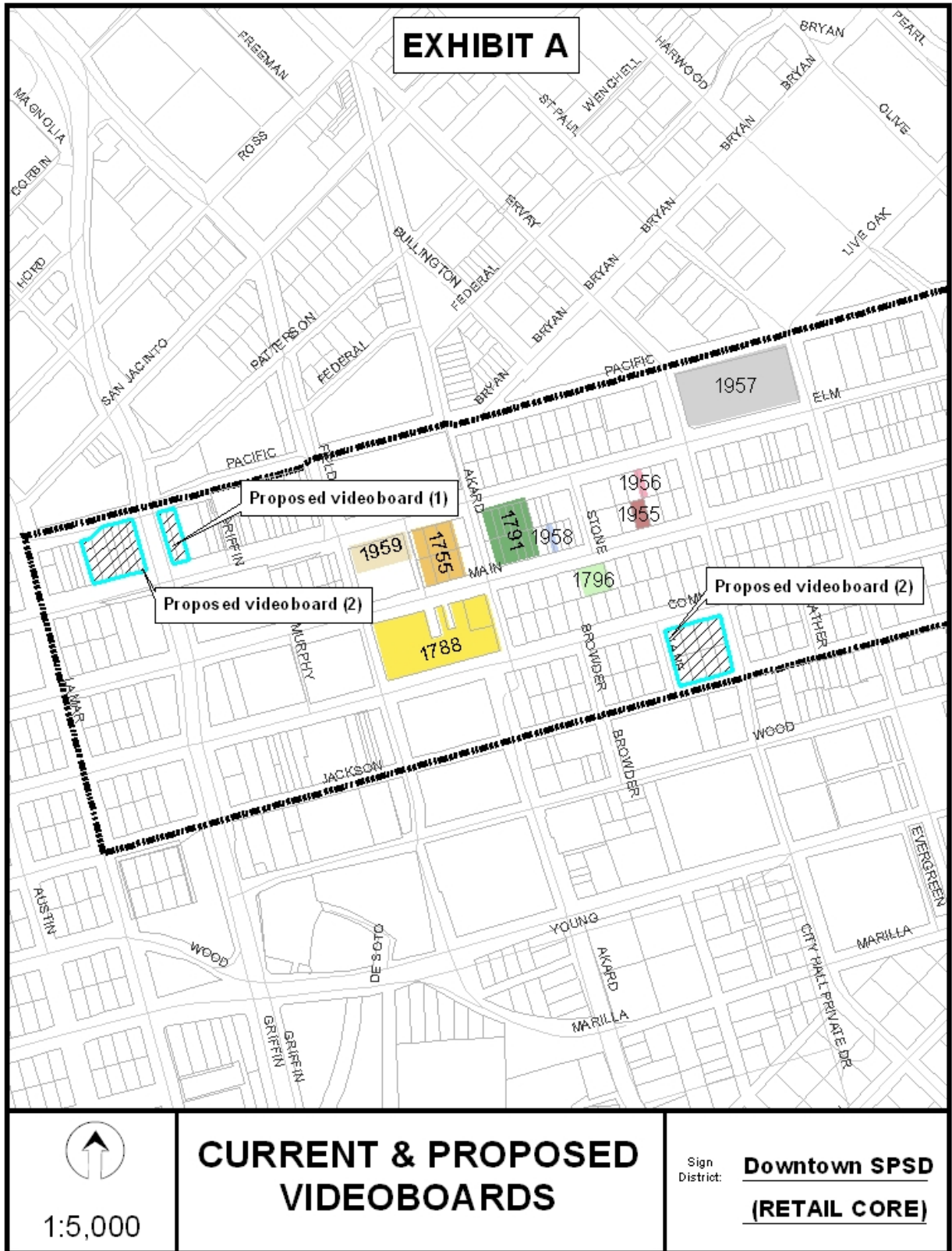


**PROPOSED SUP CONDITIONS**

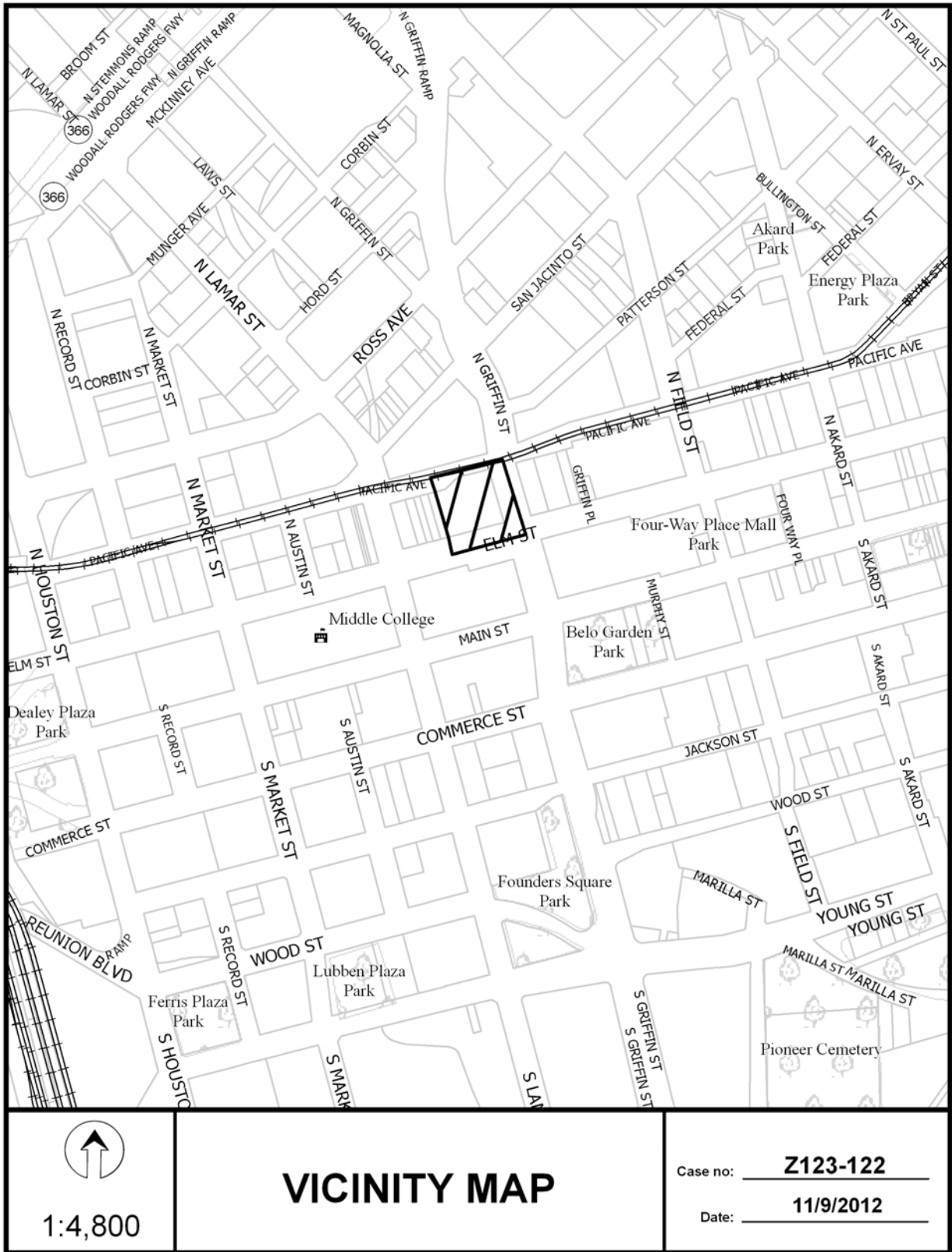
1. USE: The only use authorized by this specific use permit is an attached projecting non-premise district activity videoboard sign.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.
3. TIME LIMIT: This specific use permit has initial time period of six (6) years and is eligible for automatic renewal for additional six (6) year periods.
4. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance at all times.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

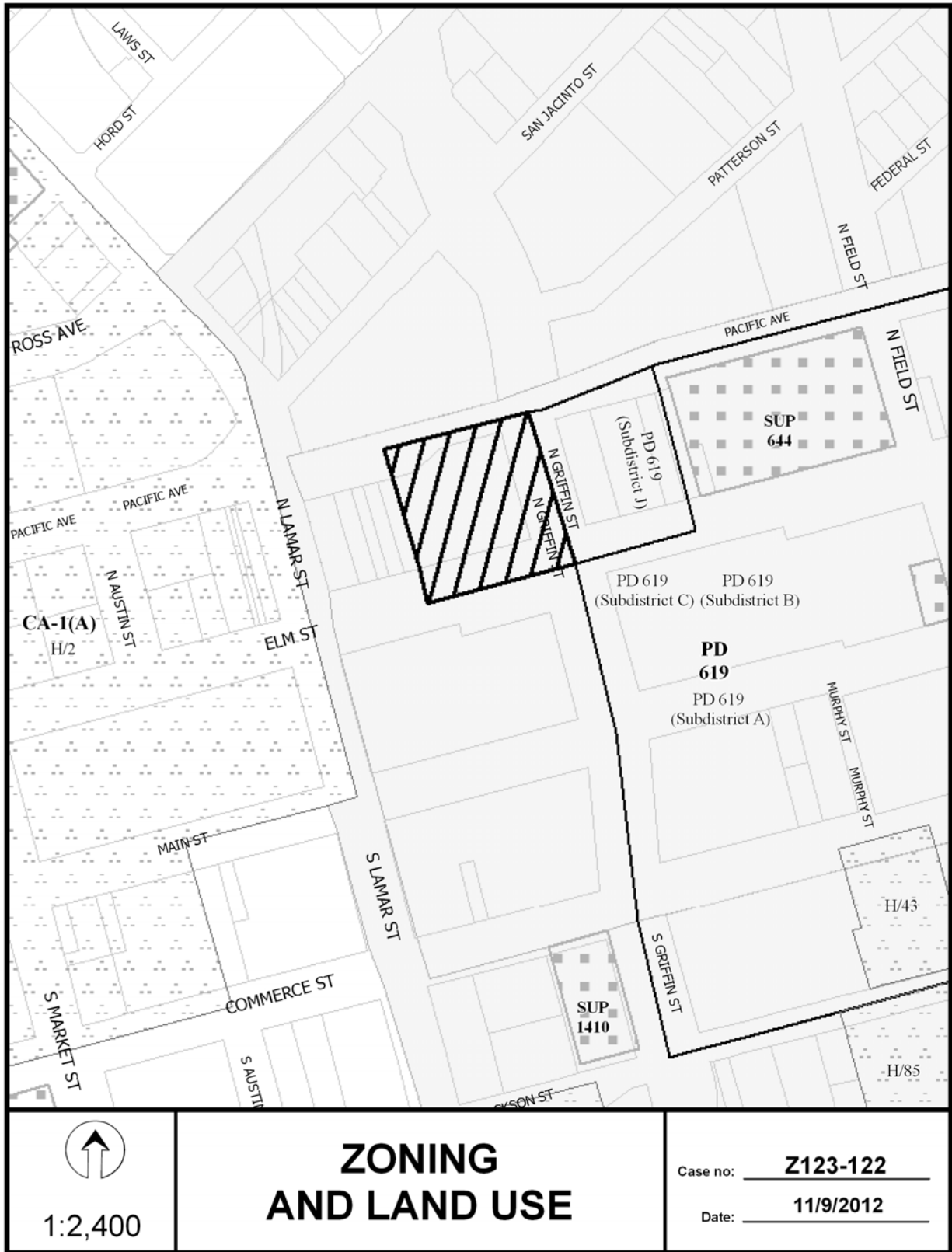
# Site Plan & Elevation

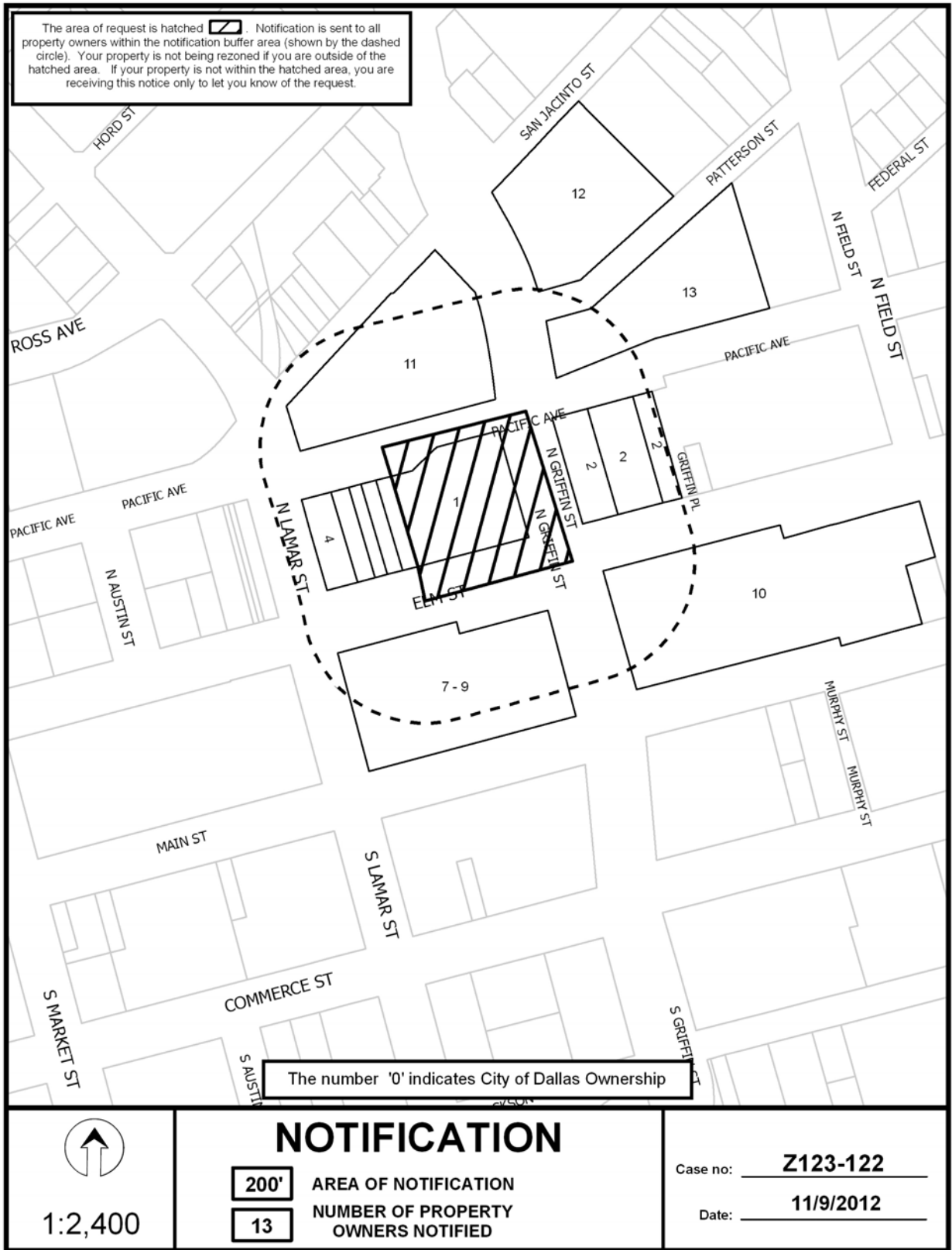




DATE: December 20, 2012







11/9/2012

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

### ***Z123-122***

#### ***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1015 ELM ST	TOG HOTELS DOWNTOWN DALLAS LLC
2	1025 ELM ST	LOWEN 1025 ELM LP
3	907 ELM ST	HARMON FRANK G III ET AL
4	901 ELM ST	DART
5	911 ELM ST	HIRSH FAMILY TRUST ET AL BERNARD & BEATR
6	909 ELM ST	RP ELM ERVAY PROPERTIES LP
7	901 MAIN ST	DALLAS MAIN LP %SUNBELT MGMT CO STE 215
8	100 LAMAR ST	INTERFIRST BANK DALLAS SUITE 5009
9	901 MAIN ST	INTERFIRST BANK DALLAS 5009 1ST REPUBLIC
10	1201 MAIN ST	RAK MAIN PLACE ASSOC LP % RAK GROUP LLC
11	202 LAMAR ST	DALLAS AREA RAPID TRANSIT
12	1109 PATTERSON AVE	DALLAS FORT WORTH ARGYLE TELEVISION INC
13	1100 PATTERSON AVE	CHAVEZ LAND INCOME PROPERTIES LP

**FILE NUMBER:** Z123-102(MW)

**DATE FILED:** October 2, 2012

**LOCATION:** Northwest corner of North Bishop Avenue and West 7<sup>th</sup> Street

**COUNCIL DISTRICT:** 1

**MAPSCO:** 54-C

**SIZE OF REQUEST:** ±0.28 acre

**CENSUS TRACT:** 47.00

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**APPLICANT:** Joel Malone

**REPRESENTATIVE:** Audra Buckley, Permitted Development

**OWNER:** 2 Esquinas at Bishop Arts, LLC

**REQUEST:** An application for a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, microdistillery or winery on property zoned CD-7 Conservation District 7, the Bishop/Eighth Street Conservation District

**SUMMARY:** The applicant proposes to manufacture and bottle fruit ciders and traditional wines and to provide tastings and retail sales in accordance with Texas Alcoholic Beverage Commission (TABC) regulations.

**STAFF RECOMMENDATION:** **Approval** for a three-year period subject to a site plan and conditions.



**BACKGROUND INFORMATION:**

- The ±0.28-acre request site is developed with a ±5,824-square foot multi-tenant shopping center which includes retail, personal service and restaurant uses. The area of the proposed specific use permit is limited to a ±704-square foot suite within the shopping center.
- *Microbrewery, microdistillery or winery* means an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use.
- The request site is surrounded by retail, restaurant and a dental office to the north; retail to the east and south and personal services to the west.

**Zoning History:**

- 1) **Z112-169:** On Wednesday, September 12, 2012, the City Council denied without prejudice an expansion of Conservation District No. 7, the Bishop/Eighth Street Conservation District, on property zoned within the Subdistrict 1 portion of Planned Development District No. 830, the Davis Street Special Purpose District, and the removal of the D Liquor Control Overlay on the southern portion of the request site, zoned within Conservation District No. 7 and the Subdistrict 1 portion of Planned Development District No. 830.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
North Bishop Avenue	Collector	60 feet
West Davis Street	Minor Arterial	60 feet
West 7 <sup>th</sup> Street	Local	60 feet

**Land Use:**

	Zoning	Land Use
Site	CD 7	Shopping center
North	CD 7	Retail, restaurant and a dental office
East	CD 7	Retail
South	CD 7	Retail
West	CD 7	Personal services

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

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

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

**LAND USE ELEMENT**

Goal 1.1: Promote desired development

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

**URBAN DESIGN ELEMENT**

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

**Land Use Compatibility:**

The ±0.28-acre request site is developed with a ±5,824-square foot multi-tenant shopping center which includes retail, personal service and restaurant uses. The area of

the proposed specific use permit is limited to a ±704-square foot suite within the shopping center. The applicant proposes to manufacture and bottle fruit ciders and traditional wines and to provide tastings and retail sales in accordance with Texas Alcoholic Beverage Commission (TABC) regulations. The applicant intends to operate between 11:00 am and 11:00 pm, Monday through Sunday.

Pursuant to the Dallas Development Code, *microbrewery, microdistillery or winery* means an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use.

The applicant will apply for a TABC Winery Permit (G). This authorizes the holder to manufacture, bottle, label and package wine containing not more than 24% alcohol by volume; sell or buy wine from permit holders authorized to purchase and sell wine including wholesalers, winery and wine bottler's permittees; sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption; and dispense free wine for consumption on the winery premises.

The request site is surrounded by retail, restaurant and a dental office to the north; retail to the east and south and personal services to the west.

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 request; subject to a site plan and conditions is considered compatible with the surrounding uses. However, staff recommends an initial three-year time period so that the use can be reevaluated for compatibility.

**Development Standards:**

District	Setbacks		FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CD 7	Min: 0' Max: 10'	No Min.	2.0	36' 3 stories	80%	N/A	Retail ,personal service, office and residential

**Traffic:**

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

**Parking:**

Pursuant to the provisions of Conservation District No. 7, an alcoholic beverage establishment requires one space per 220 square feet of floor area. Therefore, the proposed 704-square foot alcoholic beverage establishment limited to a microbrewery, microdistillery or winery requires three spaces.

Per the parking analysis provided by the applicant, 24 off-street spaces are required for all uses on the request site. As depicted on the site plan, 10 spaces are provided onsite. It has been confirmed that the site retains 11 delta credits and two (2) spaces are provided through remote parking agreements. This accounts for 23 spaces, which leaves the request site deficient by one (1) off-street parking space. For the applicant to obtain a certificate of occupancy for the proposed use, one (1) additional parking space must be provided through a parking agreement.

**Landscaping:**

No new construction is proposed by this application. New construction would require landscaping in accordance with the provisions of Conservation District No. 7.

Z123-102(MW)

**Partners/Principals/Officers:**

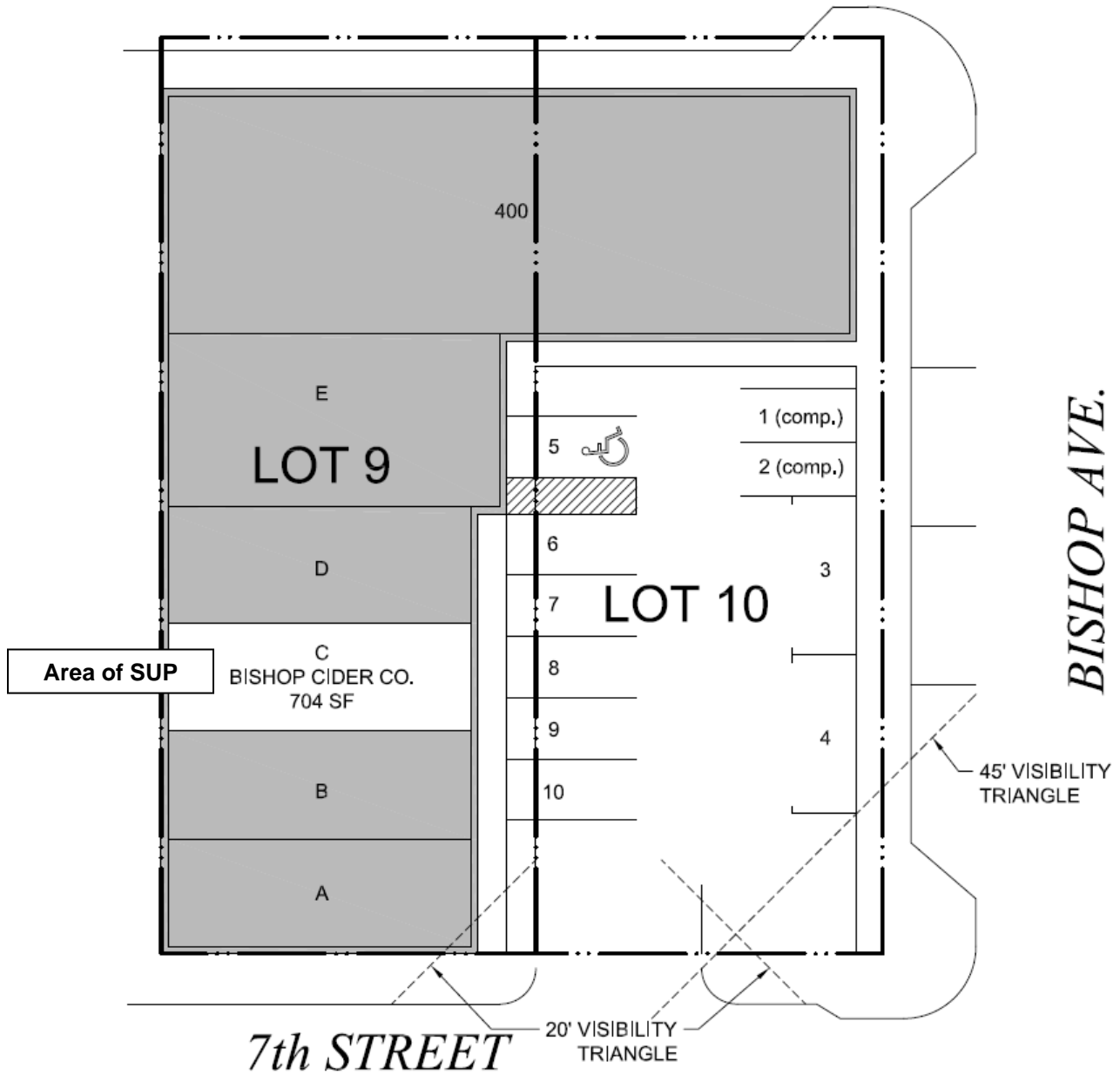
**Owner: 2 Esquinas at Bishop Arts, LLC**  
Amanda Cross, Sole Partner

**Z123-102**  
**Proposed SUP Conditions**

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery.
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 from the passage of this ordinance).
4. FLOOR AREA: The maximum floor area for a microbrewery, microdistillery, or winery is 704 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The microbrewery, microdistillery, or winery may only operate between 11:00 a.m. and 11:00 p.m., Monday through Sunday.
6. OUTSIDE STORAGE: No outside storage of silos or storage of spent grain is permitted. No spent organic material from the manufacturing of wine may be stored outside.
7. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all conditions, rules, and regulations of the City of Dallas.

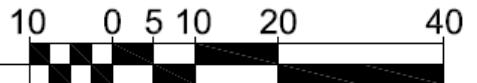
**Proposed Site Plan**

*DAVIS STEET*



**BISHOP CIDER CO. SITE PLAN**

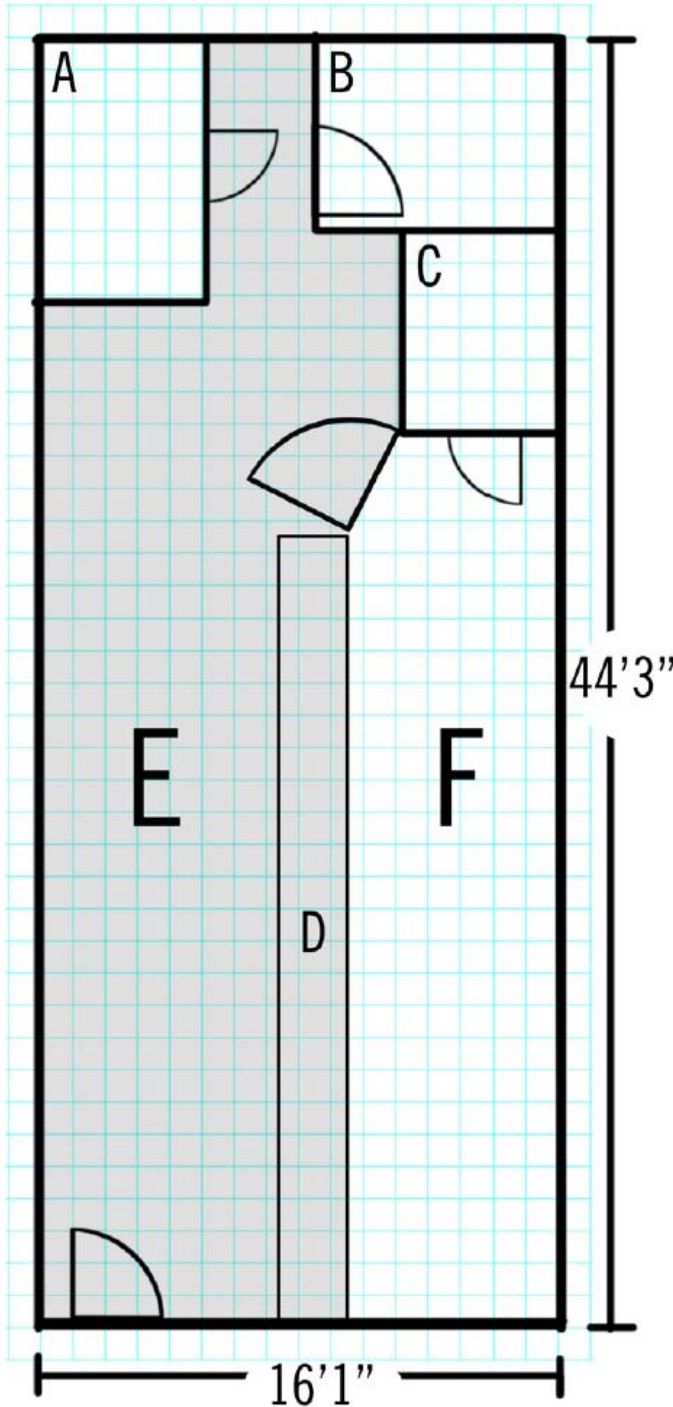
SCALE: 1" = 40'-0"



Proposed Floor Plan: For Illustrative Purposes Only

# Bishop Cider Co.

Floorplan



## Address

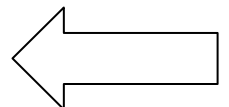
509 N Bishop Ave Suite C  
Dallas, TX 75208

## Area Descriptions

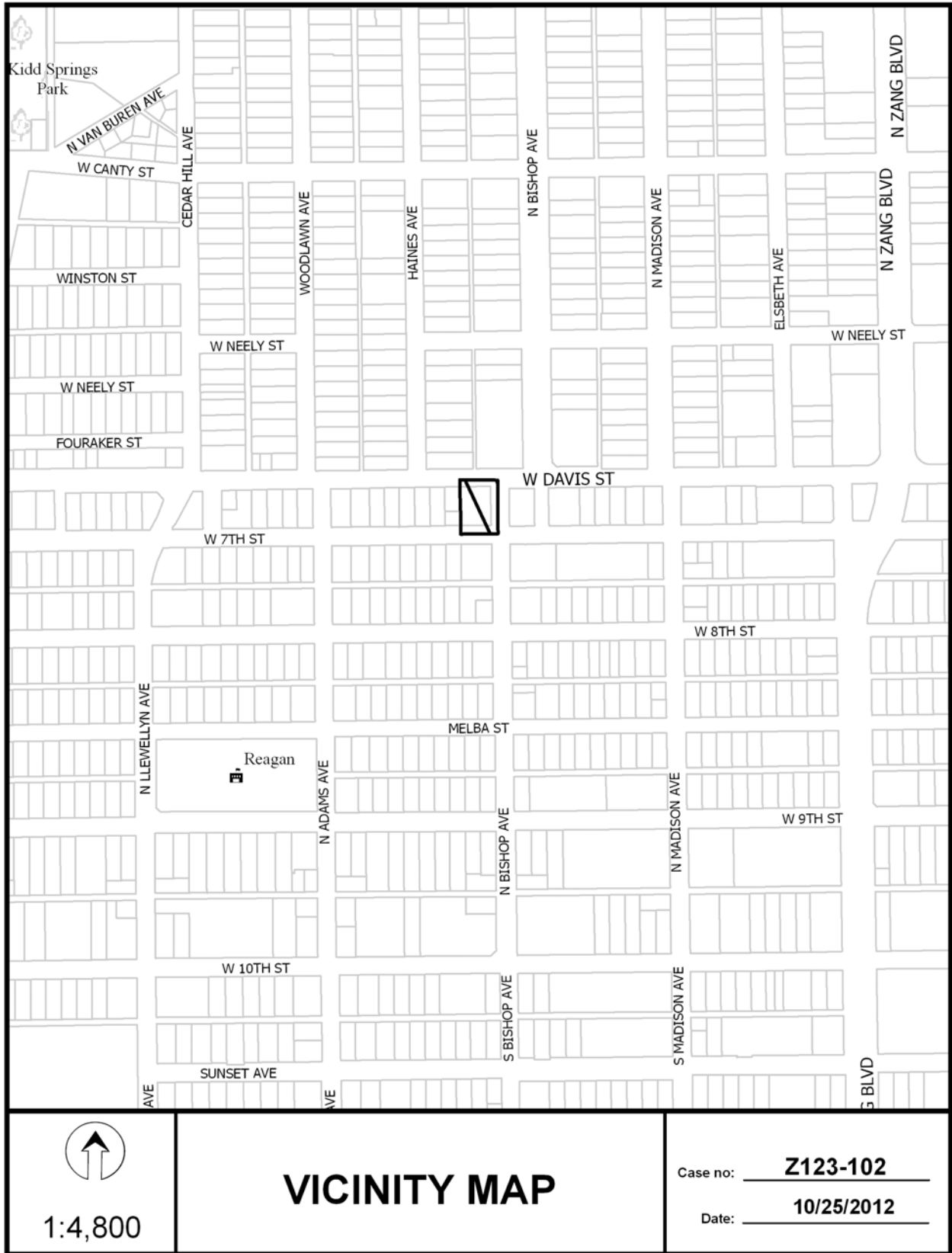
- A: Tax-paid Storage
- B: Bathroom
- C: Bonded Storage
- D: Bar (48" tall)
- E: Tasting Room
- F: Production Area (employees only)
- Retail Area: D+E 385.5sf (gray area)
- Production Area: A+B+C+F 318.5sf

## Scale

1 Square = 1 Foot





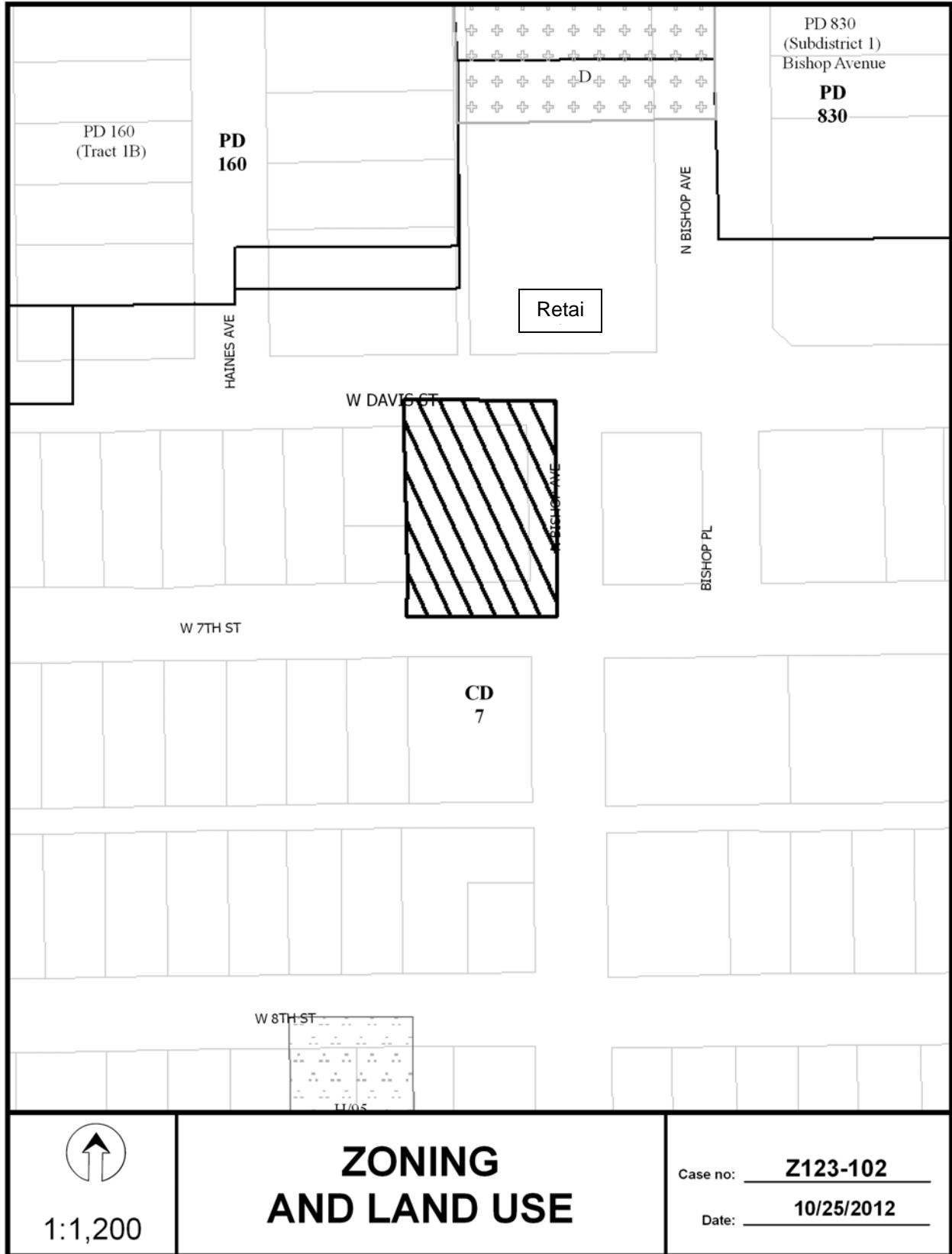


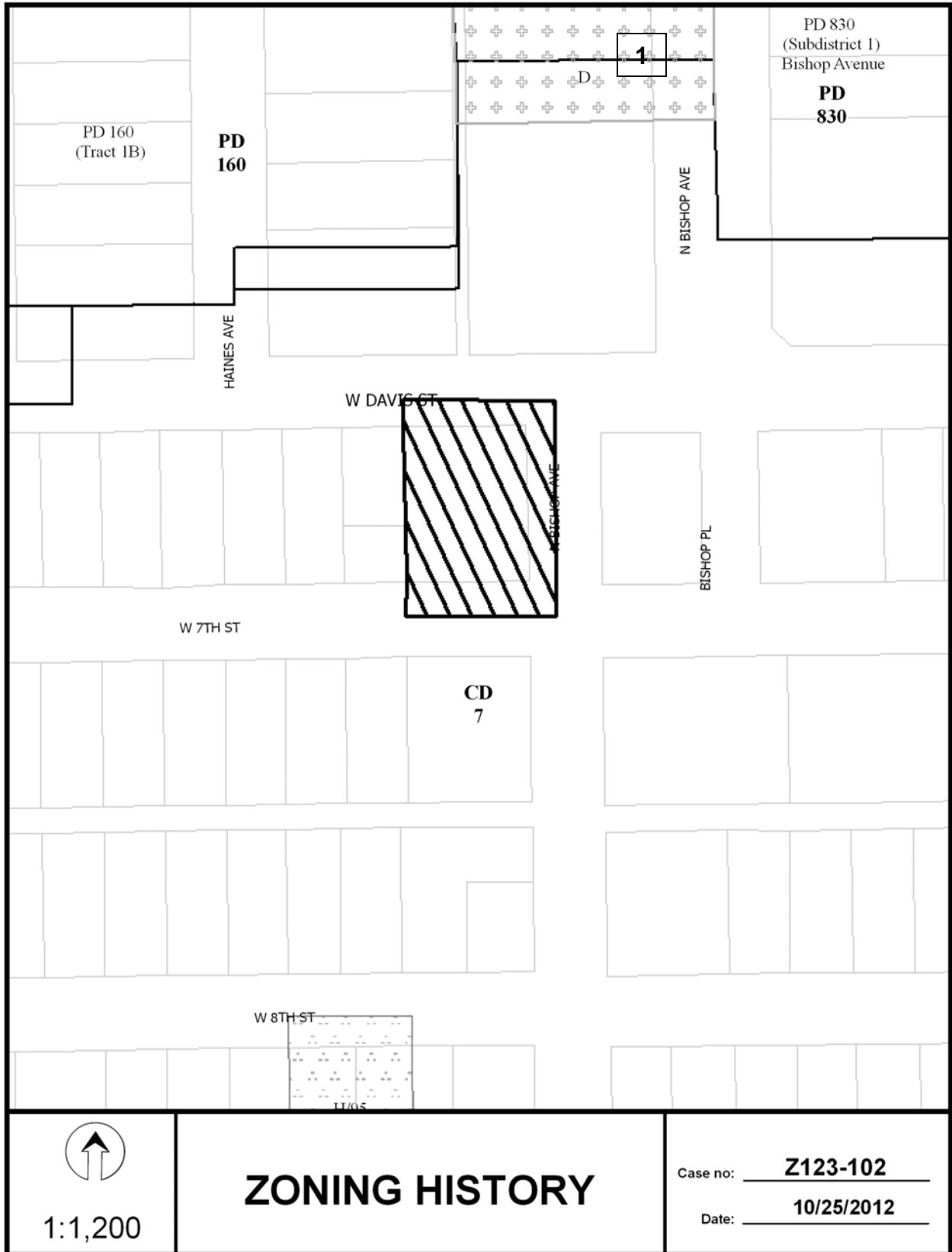
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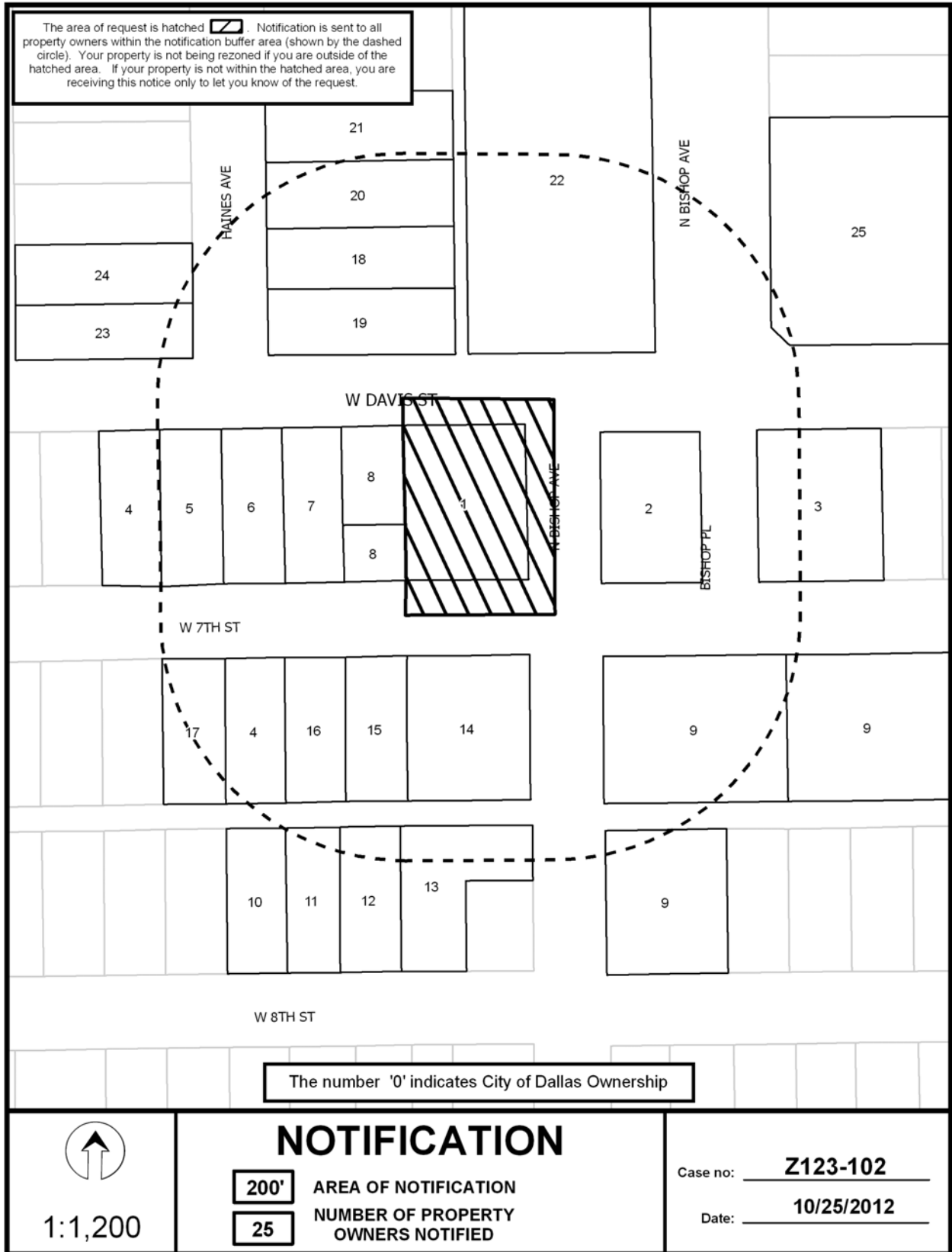
# VICINITY MAP

Case no:     Z123-102    

Date:     10/25/2012







10/24/2012

***Notification List of Property Owners******Z123-102******25 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	509 BISHOP AVE	2 ESQUINAS AT BISHOP ARTS LLC
2	334 DAVIS ST	2 ESQUINAS AT BISHOP ARTS LLC
3	330 DAVIS ST	YEUNG EDWINA & SHIU
4	424 DAVIS ST	D MC LEASING INC
5	420 DAVIS ST	SALVAGGIO CHARLES F
6	416 DAVIS ST	D MC LEASING INC SUITE 116-384
7	414 DAVIS ST	M & I CAPITAL LLC
8	408 DAVIS ST	BELMAR MANAGMENT LTD
9	333 8TH ST	BISHOP STREET PARTNERS JV STE 101
10	419 8TH ST	ESPINOSA MARIA
11	413 8TH ST	MORENO AMELIE G
12	411 8TH ST	MORENO JOAQUIN M
13	407 BISHOP AVE	BAD KRAMER LLC
14	419 BISHOP AVE	BISHOP FUND LTD
15	408 7TH ST	7TH LLC
16	412 7TH ST	DOMINGUEZ ARTURO & MARIA AURORA
17	422 7TH ST	D MC LEASING SUITE 116-384
18	606 HAINES AVE	WRIGHT JOYCE
19	415 DAVIS ST	SHIDID SALOMON TR & TERESA SHIDID TR
20	612 HAINES AVE	BATSON DELAINA W
21	616 HAINES AVE	HIDALGO MARIA TERESA
22	611 BISHOP AVE	2444 LLC
23	601 HAINES AVE	BISHOP ARTS CUSTOM FRAMING & GIFTS, INC.
24	607 HAINES AVE	VARGAS ALBERT & GLADYS L
25	600 BISHOP AVE	JOSE FUENTES CO INC

**FILE NUMBER:** Z123-116(MW)

**DATE FILED:** October 19, 2012

**LOCATION:** North side of East Laureland Road, east of South RL Thornton Freeway

**COUNCIL DISTRICT:** 5

**MAPSCO:** 64-R

**SIZE OF REQUEST:** ±1.53 acres

**CENSUS TRACT:** 112.00

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**REPRESENTATIVE:** Verdad Real Estate, Rick Hall

**APPLICANT:** Lend Lease, Michael Hampton, AICP

**OWNER:** SE Cemeteries of Texas (aka Laurel Land Memorial Park, Inc.)

**REQUEST:** An application for 1) a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR Regional Retail District with a D Liquor Control Overlay and 2) an RR Regional Retail District on property zoned a CR Community Retail District.

**SUMMARY:** The applicant intends to develop the request site, in conjunction with an adjacent property, with a general merchandise or food store 3,500 square feet or less (convenience store) and a motor vehicle fueling station. The specific permit will allow the sale of alcohol at the convenience store. The request for an RR Regional Retail District will provide consistent zoning on the development site.

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

**PREVIOUS ACTION:** Under advisement from December 6, 2012

**BACKGROUND INFORMATION:**

- The ±1.53-acre request site consists of two parcels of land: 1) a ±0.93-acre lot zoned an RR Regional Retail District with a D Liquor Control Overlay and 2) a ±0.60 acre lot zoned a CR Community Retail District.
- The request site is predominately undeveloped but includes a ±2,100-square foot vacant storage warehouse which will be demolished.
- The applicant intends to replat the request site with the property adjacent to the west, zoned an RR Regional Retail District, to create a ±2.5-acre building site.
- The ±2.5-acre building site will be developed with a with a ±3,010 square foot convenience store and a motor vehicle fueling station both of which are currently permitted by right in the CR Community Retail and RR Regional Retail Districts.
- The sale of alcoholic beverages is allowed by right on the portion of the request site not covered by the D Liquor Control Overlay. However, the proposed convenience store will be located on the portion of the property covered by the D overlay, which prohibits the sale of alcoholic beverages.
- The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the convenience store and, therefore, requests a D-1 Liquor Control Overlay and a Specific Use Permit.
- The request site is surrounded by a motel and single family residential to the north; undeveloped property to the east; a cemetery to the south and undeveloped property to the west.

**Zoning History:**

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

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
RL Thornton Freeway	Interstate Highway	Varies
Laureland Road	Collector	67 feet

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	RR-D; CR	Undeveloped; vacant warehouse
<b>North</b>	RR-D; R-7.5(A)	Motel; single family
<b>East</b>	R-7.5(A)	Undeveloped
<b>South</b>	CR with SUP No. 187	Cemetery
<b>West</b>	RR	Undeveloped

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

The Vision Illustration depicts the request site as within a *Residential Neighborhood*; however, the portion of the development site not subject to this zoning case has frontage on a *Commercial Corridor*. While single family dwellings are the dominant land use in the *Residential Neighborhood* Building Block, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections. *Commercial Corridors*, commonly at the intersection of major streets, are easily accessed via automobiles. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums.

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

**LAND USE ELEMENT**

Goal 1.1: Promote desired development

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



**Land Use Compatibility:**

The ±1.53-acre request site consists of two parcels of land: 1) a ±0.93-acre lot zoned an RR Regional Retail District with a D Liquor Control Overlay and 2) a ±0.60 acre lot zoned a CR Community Retail District. The request site is predominately undeveloped but includes a ±2,100-square foot vacant storage warehouse which will be demolished.

The applicant intends to replat the request site with the property adjacent to the west, zoned an RR Regional Retail District, to create a ±2.5-acre building site. The ±2.5-acre building site will be developed with a with a ±3,010 square foot convenience store and a motor vehicle fueling station, both of which are currently permitted by right. However, the convenience store will be located on the portion of the property covered by the D overlay, which prohibits the sale of alcoholic beverages. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the proposed convenience store and, therefore, requests a D-1 Liquor Control Overlay and a Specific Use Permit.

The request site is surrounded by a motel and single family residential to the north; undeveloped property to the east; a cemetery to the south and undeveloped property to the west. Pursuant to the Dallas Development Code, screening is required on the rear or service side of a building adjacent to residential uses and for parking adjacent to residential uses. As depicted on the site plan, a six-foot solid screen fence and a ten-foot residential adjacency buffer will be provided where adjacent to the R-7.5(A) Single Family District. This will ensure compatibility with the existing single family, as well as with any future residential development.

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

The applicant's request is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions. Staff also recommends approval of the RR Regional Retail District.

**Development Standards:**

District	Setbacks		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
CR Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
RR Regional retail	15'	20' adjacent to residential OTHER: No Min.	1.5 FAR overall 0.5 office	70' 5 stories	80%	Proximity Slope U-form setback Visual Intrusion	Retail & personal service, office

**Traffic:**

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

**Parking:**

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area; a motor vehicle or fueling station requires two spaces. Therefore, the ±3,010-square foot convenience store with fuel pumps requires 17 parking spaces; 28 spaces will be provided as depicted on the site plan.

**Landscaping:**

Landscaping will be required pursuant to Article X of the Dallas Development Code. In accordance with Article X, a ten-foot landscape buffer strip is required adjacent to the R-7.5(A) Single Family District to the north and east of the request site and is depicted on the proposed site plan.

**Z123-116  
Proposed SUP Conditions**

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

Staff Recommended:

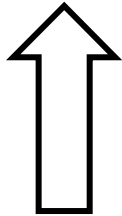
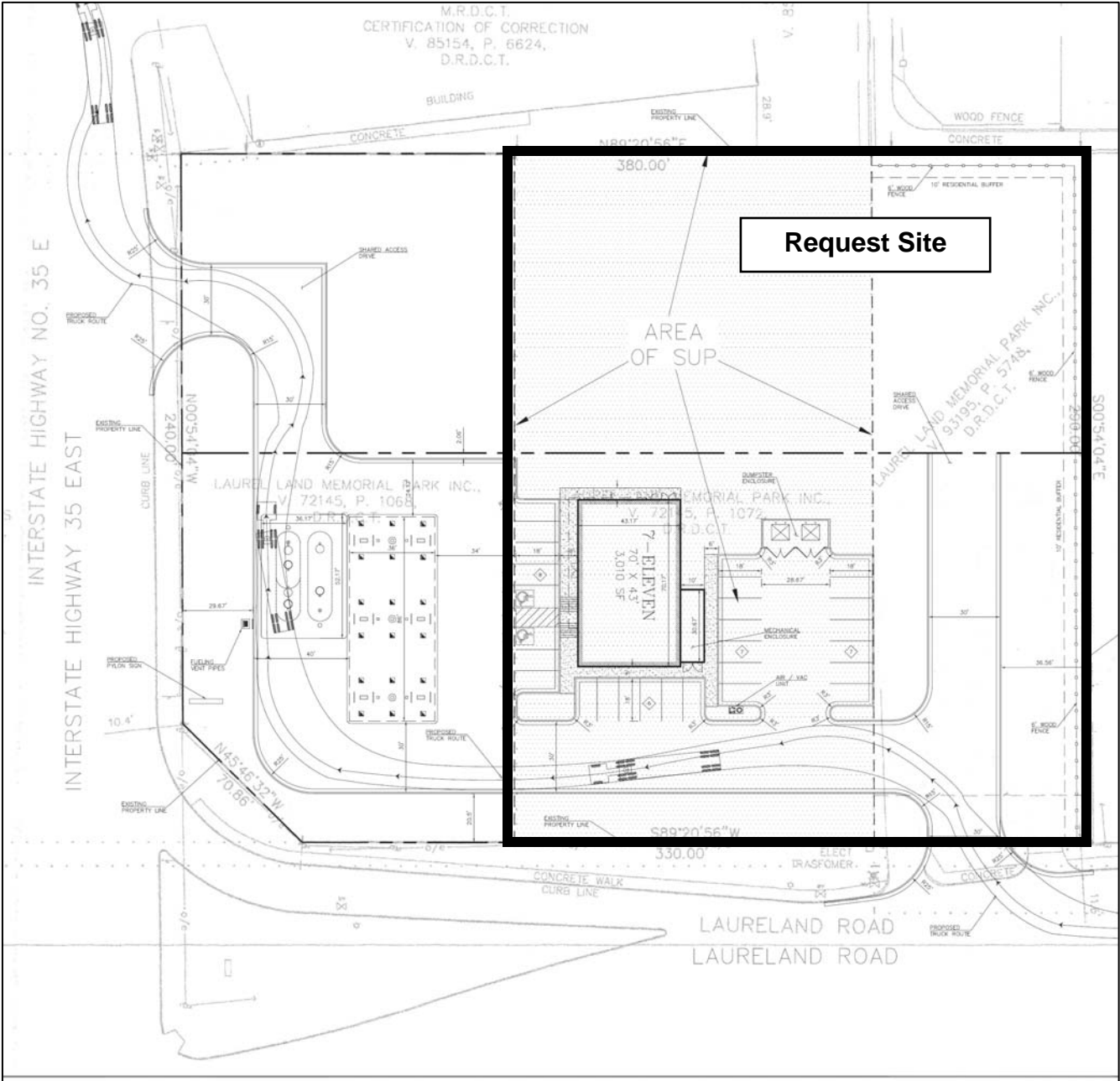
3. **TIME LIMIT:** This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application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

Applicant Proposed:

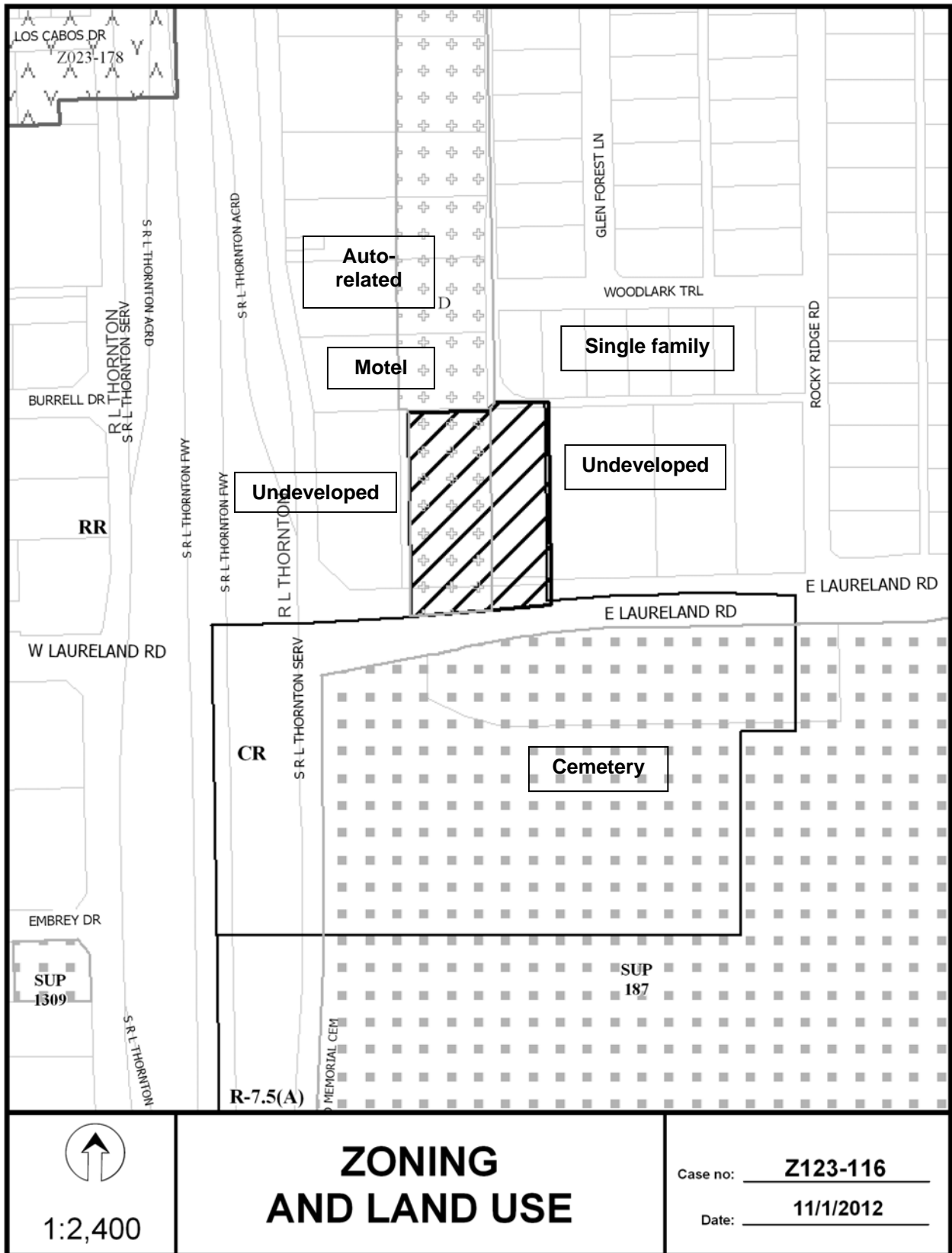
3. **TIME LIMIT:** This specific use permit expires on (fifteen years), but is eligible for automatic renewal for additional fifteen-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application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


4. **FLOOR AREA:** Maximum floor area is 3,010 square feet.
5. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
6. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

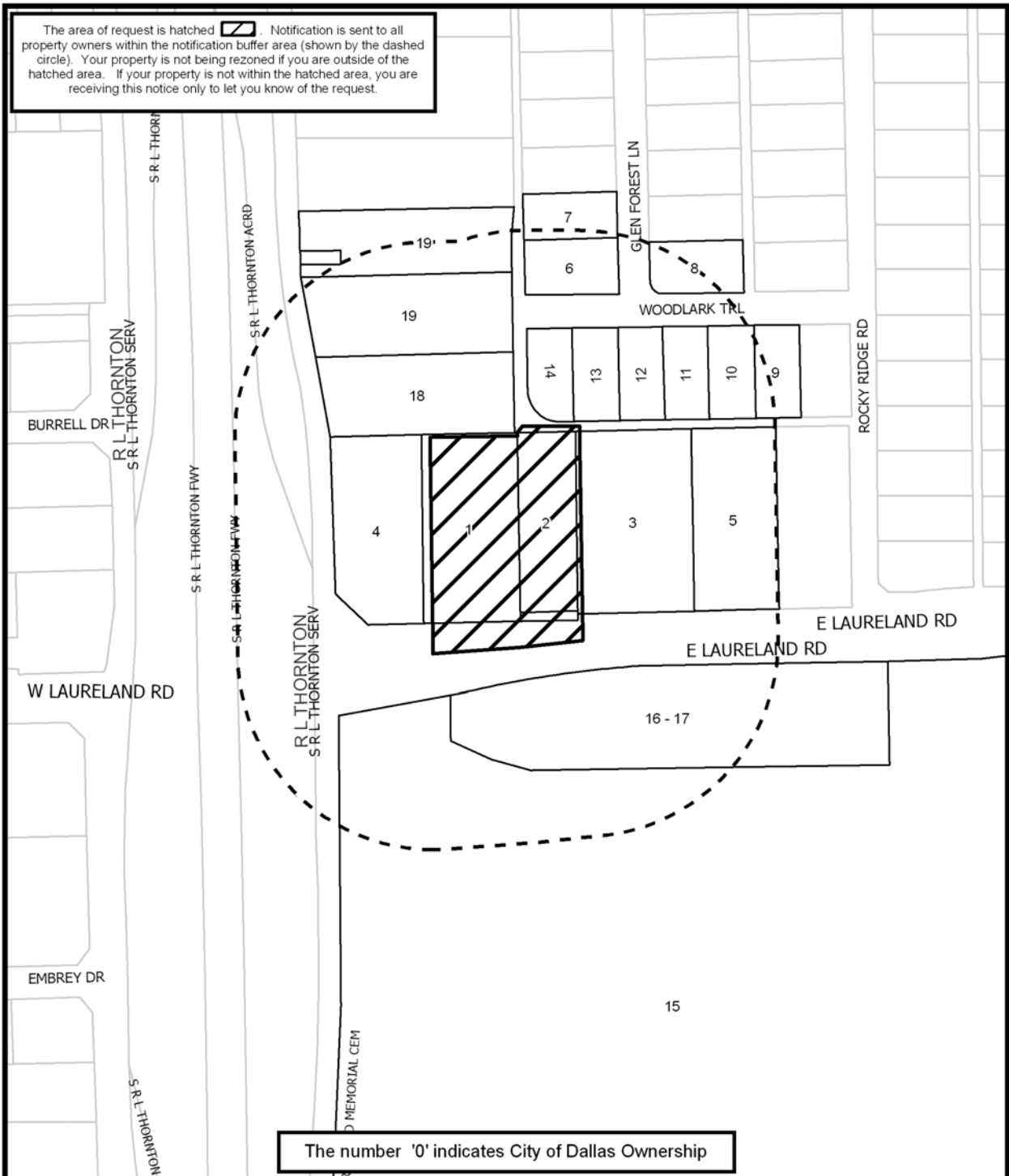
**Proposed Site Plan**







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

# NOTIFICATION

**300'** AREA OF NOTIFICATION  
**20** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: Z123-116

Date: 11/1/2012

10/31/2012

***Notification List of Property Owners******Z123-116******20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	201 LAURELAND RD	LAUREL LAND MEMORIAL PARK INC
2	219 LAURELAND RD	LAUREL LAND MEMORIAL PARK INC
3	225 LAURELAND RD	BRICKLEY DOUGLASSJ TRUSTEE LIQUIDATING T
4	5918 R L THORNTON FWY	LAUREL LAND MEM PARK
5	309 LAURELAND RD	JONES SHEILA
6	5725 GLEN FOREST LN	WHISNANT J CLIFTON STE 100
7	5721 GLEN FOREST LN	HODGE GOLDIE
8	5726 GLEN FOREST LN	BENSON JUANITA
9	316 WOODLARK TRL	ARCENEUX PHYLLIS G
10	310 WOODLARK TRL	DANIELS LINDSEY E
11	306 WOODLARK TRL	DORSEY JIMMIE
12	226 WOODLARK TRL	REVEST PROP INVEST LLC
13	220 WOODLARK TRL	REVEST PROPERTIES INVESTMENTS LLC
14	216 WOODLARK TRL	BROOKS BETTY LAVERNE J
15	6306 R L THORNTON FWY	LAUREL LAND MEMORIAL PA
16	6000 R L THORNTON FWY	LAUREL LAND FUNERAL HOME INC
17	6000 R L THORNTON FWY	LAUREL LAND MEM PARK
18	5860 R L THORNTON FWY	TEJAL CORPORATION
19	5830 R L THORNTON FWY	SOUTH THORNTON ASSOCIATES
20	5802 R L THORNTON FWY	TLC PPTIES INC



**FILE NUMBER:** Z112-237(RB)

**DATE FILED:** May 9, 2012

**LOCATION:** Northwest Highway and Midway Road, Northeast Corner

**COUNCIL DISTRICT:** 13

**MAPSCO:** 24 T, X

**SIZE OF REQUEST:** Approx. 7.9 Acres

**CENSUS TRACT:** 206

**APPLICANT/OWNER:** Preston Hollow Indian School, LP

**REPRESENTATIVE:** Santos Martinez

**REQUEST:** An application for an amendment to Planned Development District No. 70; removal of the D Liquor Control Overlay and the D-1 Liquor Control Overlay; and, termination of Specific Use Permit No. 1574 for a Restaurant with alcoholic beverage service.

**SUMMARY:** The applicant proposes to provide revised permitted uses and development standards, remove both Liquor Control Overlays, and terminate SUP No. 1574.

**STAFF RECOMMENDATION:** Approval of an amendment to Planned Development District No. 70, subject to staff's recommended conditions, denial of the removal of the D Liquor Control Overlay and D-1 Liquor Control Overlay, and denial of the termination of Specific Use Permit No. 1574.

**PRIOR CPC ACTION:** On December 6, 2012, the City Plan Commission held this request under advisement until December 20, 2012.

**BACKGROUND INFORMATION:**

- The site is developed with various structures providing for a multi-tenant retail center. Off-street parking areas are located internally and along the site's northern and eastern property lines.
- On August 19, 1974, the City Council approved the creation of PDD No. 70 for Church Uses. A subsequent amendment (February 9, 2005) provided for a zoning change to replace the D Liquor Control Overlay on a portion of the site with a D-1 Liquor Control Overlay and an SUP for a Restaurant with alcoholic beverage service.
- SUP No. 1574 provides for four restaurants with an aggregate floor area of 12,704 square feet (see SUP No. 1574 site plan).
- The requested amendment to PDD No. 70 will consider the following: 1) revise permitted uses; 2) revise permitted development standards; and, 3) remove the conceptual plan and development plan requirements. Additionally, the applicant's request includes removal of the D Liquor Control Overlay and the D-1 Liquor Control Overlay as well as the termination of SUP No. 1574.

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

**Thoroughfare**

**Designation; Existing & Proposed ROW**

Northwest Highway

Freeway; Variable width ROW

Midway Road

Principal Arterial; 100' & 100' ROW

**STAFF ANALYSIS:**

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

GOAL 1.2 Promote desired development.

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

**Land Use Compatibility:** The site is developed with various structures providing for a multi-tenant retail center. Off-street parking areas are located internally and along the site's northern and eastern property lines. The requested amendment to PDD No. 70 will consider the following: 1) revise permitted uses; 2) revise permitted development standards; and, 3) remove the conceptual plan and development plan requirements. Additionally, the applicant's request includes removal of the D Liquor Control Overlay and the D-1 Liquor Control Overlay as well as the termination of SUP No. 1574. With respect to uses and off-street parking requirements, the applicant is requesting Chapter 51A interpretations, which expand the nonresidential use options as well as provide applicable parking requirements, many of which have been and will be addressed with the current Dallas City Code off-street parking amendments.

Other than an institutional (church) use and a small retail strip located at the site's southwestern corner (southwest and northwest corner of Northwest Highway and Midway Road), the site is surrounded by low density single family uses (north, east, southeast, and northwest). As required by PDD No. 70, these single family uses are screened from the site's northern and eastern property lines by a solid screening wall.

As noted above, PDD No. 70 was adopted by the City Council in 1974; the property has been considered and approved for an amendment to the PDD as well as receiving approval for several minor amendments. As a matter of history, the PDD was adopted with the D Liquor Control Overlay. The February, 2005 amendment removed the D Liquor Control Overlay on a portion of the site (retaining on the surface parking areas), and granted a D-1 Liquor Control Overlay. This was largely due to the (then) applicant requesting beer and wine sales for off-site consumption for the general merchandise or food store greater than 3,500 square feet (Albertsons Food Store), located in the northern quarter of the site; this parcel is not encumbered by either liquor control overlay (see attached Zoning and Land Use Map).

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.

As part of the February, 2005 City Council action (D to D-1), SUP No. 1574 was adopted to permit four restaurants to provide alcohol sales for on-site consumption.

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 application has taken many turns relating to revisions to the initial submission, with the final basis of request addressed herein. While staff has attempted to remain flexible as the application changed focus a few times, there remain many fundamental land use issues that as part of the current package of requested amendments, could remain problematic. In summary:

- 1) certain permitted uses that could negatively impact the built environment;
- 2) removal of the D and D-1 Liquor Control Overlays lessens the ability to ensure compatibility as existing tenants pursue the automatic renewal options within SUP No. 1574 as well as change of tenants or addition of new venues normally addressed through the SUP process (reference SUP guidelines, above);
- 3) increased development rights (ie, floor area) not addressed in the traffic engineer's parking analysis providing for reduced parking regulations; and,
- 4) removal of any conceptual plan, development plan or landscape plan requirements.

A PDD is zoning tool that creates a mix of uses and development standards that affords flexibility of development while at the same time protects adjacent land uses and preserves natural features. In order to deliver on this directive, the requirement of all or a combination of conceptual plan/development/landscape plan requirement is a standard for a PDD.

It should be noted that the City Plan Commission has recommended and the City Council has approved the creation of Special Purpose Districts (a PDD without a development plan/landscape plan requirement); examples being the Jefferson Area Special Purpose District, the Bryan Area Special Purpose District, and the Arlington Park Special Purpose District. In these situations, the land area is extensive; there are multiple landowners within the district boundary involved in the rezoning; and, there tends to be a unified (amongst the property owners) effort to create uses and development standards that are compatible within and adjacent to the district boundary. This request does not meet any of these criteria.

Regardless of which vehicle provides for the uses and development standards, what has

been and remains the common thread of utilization of this property is adjacency-related with respect to the sale or service of alcoholic beverages for on-site or off-site consumption. Staff cannot support the removal of the D Liquor Control Overlay nor the D-1 Liquor Control Overlay, thus the portion of the request to terminate SUP No. 1574 also cannot be supported.

Should CPC approve the portion of the applicant's request to remove the D and D-1 Liquor Control Overlays and terminate SUP No. 1574, the following provisions would be recommended for inclusion in the CPC recommended amending PDD conditions:

For any use that provides for on-site consumption of alcoholic beverages:

- 1) limit hours of operation for the patio portion of the main use;
- 2) prohibit outside amplification and live music; and,
- 3) limit location of any outside patio (whether covered or uncovered) to a southern façade, western facade, and a northern façade of the southernmost structure on the property.

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

**Off-Street Parking:** The applicant has requested utilization of a mixed-use parking reduction. The Engineering Section of the Department of Sustainable Development and Construction has reviewed the Parking Study and determined this concept, based on a maximum floor area of 93,101 square feet and further restricted by use (7,664 sf-office; 53,667 sf-retail/personal service; and 31,770 sf-restaurant) can be supported.

With respect to staff's conditional support, it was requested that the applicant revise the submitted parking study to address the additional floor permitted by an increase in floor area ratio and removal of the maximum for certain uses within the overall permitted floor area; for comparison purposes, the parking study was based on the above referenced floor area maximums. The applicant's request would permit a maximum of 258,093 square feet of floor area for all permitted uses.

At this time, the applicant has decided not to provide the amended study.

**Landscaping:** PDD No. 70 provides for specific landscaping as provided for on the attached landscape plan. No additional landscaping is required nor recommended at this time.

April 24, 2012

Mr. David Cossum, Assistant Director  
Department of Development Services  
Dallas City Hall  
Dallas, Texas 75201

RE: 4343 W. Northwest Highway

Dear Mr. Cossum:

The undersigned owner hereby authorizes MASTERPLAN to represent the undersigned in all matters regarding a zoning change request for the property described above.

Owner: Preston Hollow Saticoy, LP, a Texas limited partnership,  
Preston Hollow Indian School, LP, a Texas limited partnership, and  
Preston Hollow Westgate, LP, a Texas limited partnership

PRESTON HOLLOW SATICOY, LP, a Texas limited partnership

By: PH Saticoy Genpar, LLC,  
a Delaware limited liability company

Its: General Partner

By: Westwood Financial Corp.,  
a California corporation

Its: Manager

By:

Name: Steven J. Fogel  
Title: Secretary

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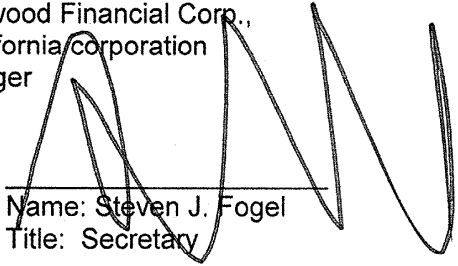
Z112-237

PRESTON HOLLOW INDIAN SCHOOL, LP, a Texas limited partnership

By: PH Indian School Genpar, LLC,  
a Delaware limited liability company  
Its: General Partner

By: Westwood Financial Corp.,  
a California corporation  
Its: Manager

By: \_\_\_\_\_  
Name: Steven J. Fogel  
Title: Secretary

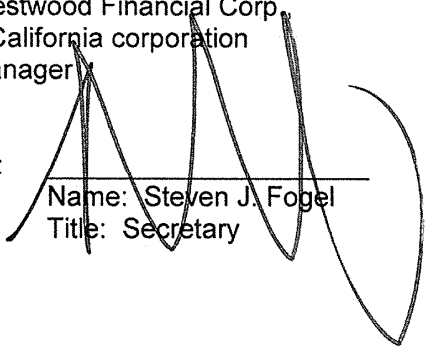


PRESTON HOLLOW WESTGATE, LP, a Texas limited partnership

By: PH Westgate Genpar, LLC,  
a Delaware limited liability company  
Its: General Partner

By: Westwood Financial Corp.,  
a California corporation  
Its: Manager

By: \_\_\_\_\_  
Name: Steven J. Fogel  
Title: Secretary



Z112-237

**APPLICANT REQUESTED/STAFF RECOMMENDED AMENDING CONDITIONS**  
**ARTICLE 70.**  
**PD 70.**

**SEC. 51P-70.101. LEGISLATIVE HISTORY.**

PD 70 was established by Ordinance No. 14645, passed by the Dallas City Council on August 19, 1974. Ordinance No. 14645 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas. Ordinance No. 14645 was amended by Ordinance No. 18360, passed by the Dallas City Council on August 15, 1984, and Ordinance No. 21348, passed by the Dallas City Council on June 24, 1992. (Ord. Nos. 10962; 14645; 18360; 21348; 25423; 25884)

**SEC. 51P-70.102. PROPERTY LOCATION AND SIZE.**

PD 70 is established on property generally located at the northeast corner of Northwest Highway (Loop 12) and Midway Road. The size of PD 70 is approximately 7.9806 acres. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.103. 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.

~~(c) Subdistrict 1 and Subdistrict 2 are shown on the development plan. (Ord. Nos. 25423; 25884)~~

**SEC. 51P-70.104. CONCEPTUAL, DEVELOPMENT, AND LANDSCAPE PLANS.**

~~(a) Conceptual plan. A conceptual plan, as approved by the city plan commission, showing the overall development, the buildable area, the area subject to a fifty foot height limitation, required masonry screening walls, landscaped areas, and the proposal for subdividing the residential area that acts as a buffer on the north and the east is labeled Exhibit 70A.~~

~~(b) Development plan. Development and use of the Property must comply with the development plan (Exhibit 70B). In the event of a conflict between the text of this article and the development plan, the text of this article controls.~~

~~(c) Landscape plan. Landscaping must be provided as shown on the landscape plan (Exhibit 70D). (Ord. Nos. 14645; 25423; 25884)~~

**SEC. 51P-70.105. USES.**

~~(a) All uses permitted in the Shopping Center zoning district are permitted, except a hotel, motel, tourist court, eating place with drive in or curb service, commercial aquarium, bowling alley, pool hall, skating rinks, and new or used car sales (for other automotive related uses, see Section 51P-70.106 of this article).~~



Z112-237(RB)

~~(b) Except as provided in this subsection, uses that include the sale or service of alcoholic beverages as part of their operation are not permitted in this PD, except that a use which sells beer and wine for off-premise consumption is permitted if it is not otherwise disallowed by and through the establishment of a liquor control overlay district. Within Subdistricts 1 and 2, a restaurant with alcoholic beverage service is allowed by specific use permit. (Ord. Nos. 21348; 25423; 25884)~~

*Applicant requested:*

(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) The following uses are prohibited.

(A) Lodging uses.

--Hotel or motel.

(B) Retail and personal service uses.

--Commercial amusement (inside).

--Restaurant with drive-in or drive-through service.

*Staff recommended:*

(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) Uses that include the sale or service of alcoholic beverages as part of their operation are not permitted in this PD, except that a use which sells beer and wine for off-premise consumption is permitted if it is not otherwise disallowed by and through the establishment of a liquor control overlay district. ~~Within Subdistricts 1 and 2, a restaurant with alcoholic beverage service is allowed by specific use permit.~~

(c) A restaurant with without drive-in or drive-through service that provides alcoholic beverage service is allowed by specific use permit.

(d) A maximum of one motor vehicle fueling station is permitted on the Property at any one time.

(d) The following uses are prohibited.

(A) Commercial and business service uses.

--Liquor store.

- and tattoo studio.
- Medical or scientific laboratory.
  - Personal service uses when utilized as a *Massage establishment, piercing salon,*
  - Tool or equipment rental.
- (B) Industrial uses.
- Gas drilling and production.
  - Temporary concrete or asphalt batching plant.
- (C) Institutional and community service uses.
- Adult day care facility.
  - Cemetery or mausoleum.
  - Convent or monastery.
- (D) Lodging uses.
- Hotel or motel.
  - Lodging or boarding house.
  - Overnight general purpose shelter.
- (E) Miscellaneous uses.
- Attached non-premise sign.
  - Carnival or circus (temporary).
- (F) Recreation uses.
- Private recreation center, club, or area.
- (G) Residential uses.
- College dormitory, fraternity, or sorority house.
- (H) Retail and personal service uses.
- Alcoholic beverage establishments.
  - Ambulance service.
  - Auto service center.
  - Car wash.
  - Commercial amusement (inside).
  - 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.
  - Nursery, garden shop, or plant sales.
  - Pawn shop.
  - Personal service uses when utilized as a *Massage establishment, piercing salon,*
- and tattoo studio.

<p><u>--Swap or buy shop.</u></p> <p>(J) <u>Utility and public service uses.</u></p> <p><u>--Commercial radio and television transmitting station.</u> <u>--Electrical substation.</u> <u>--Radio, television or microwave tower.</u> <u>--Utility or government installation other than listed.</u></p> <p>(K) <u>Wholesale, distribution, and storage uses.</u></p> <p><u>--Mini-warehouse.</u></p>
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**SEC. 51P-70.106. AUTOMOTIVE RELATED USES.**

~~Only one service station or area where gasoline or fuel can be pumped or sold is permitted. Any car wash or muffler sales and service, or repair of automobiles is limited to the one permitted service station. (Ord. Nos. 14645; 25423; 25884)~~

*\*Staff recommended: As noted Sec. 51P-70.105, staff is not supporting the motor vehicle fueling station use. Should CPC approve this use, staff would recommend the above referenced design criteria be retained.*

**SEC. 51P-70.107. MAXIMUM HEIGHT AND STORIES.**

All portions of a building may be constructed to, but not to exceed, a height of 36 feet above finished grade with the exceptions that (1) mechanical equipment, screening, cooling towers, tanks, skylights, and ornamental cupolas and domes created on the top of a building may project beyond the 36-foot height to a maximum height of 12 feet and not exceeding 33 1/3 percent of the roof area, and (2) one building or a part of the building may extend up to, but not to exceed, 50 feet in height provided the horizontal section of the building so extended may not exceed 500 square feet of usable floor area. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.107.1. SETBACKS.**

- 1) Minimum front yard on Northwest Highway is 100 feet.
- 2) Minimum front yard on Midway Road is 72 feet.
- 3) Minimum setback along the northern property line is 72 feet.
- 4) Minimum setback along the eastern property line is 72 feet.

**SEC. 51P-70.107.2. 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.

**SEC. 51P-70.108. BUILDING LOCATION AND SPACING.**

~~The location of all buildings must be confined within the buildable area shown on the development plan. (Ord. Nos. 14645; 25423; 25884)~~

**SEC. 51P-70.109.-FLOOR AREA RATIO.**

*Applicant requested:*

~~Retail and shopping areas are to be no more than 90,000 square feet exclusive of malls, entrances, and covered walks. (Ord. Nos. 14645; 25423; 25884)~~

Maximum floor area ratio is:

- 1) 0.5 for office uses; and
- 2) 0.75 for all uses combined.

*Staff recommended:*

- (a) Except as provided in this section, maximum permitted floor area is 93,101 square feet.
- (b) Maximum permitted floor area for office uses is 7,664 square feet.
- (c) Maximum permitted floor area for retail and personal service uses is 53,667 square feet.
- (d) Maximum permitted floor area for restaurant uses is 31,770 square feet.

**SEC. 51P-70.110. RESIDENTIAL LOT DEPTH AND AREA.**

A minimum depth of 120 feet must be provided on the residential lots to the north of the shopping center. All residential lots to the east of the shopping center must be a minimum of 16,000 square feet. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.111. OFF-STREET PARKING.**

~~Off-street parking must be provided for as required by the comprehensive general ordinance of the city based on the uses within the PD, and arranged as shown on the development plan. (Ord. Nos. 14645; 25423; 25884)~~

(a) In general. Except as provided in this section, consult the use regulations in Division 51(A)-4.200 for the specific off-street parking and loading requirements for each use.

(b) Mixed use development parking reduction. An adjusted standard off-street parking requirement for development is calculated as follows:

(1) The standard parking requirements for each of the use in the development must be ascertained.

(2) The parking demand for each use is determined for each of the five times of day shown in the mixed use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the shared parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(3) The time of day columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted standard off-street parking requirement for the development.

**Table 1: Mixed Use Development Parking Chart**

<b>(For calculating the parking requirement for shared parking) Use Category</b>	<b>Morning</b>	<b>Noon</b>	<b>Afternoon</b>	<b>Late Afternoon</b>	<b>Evening</b>
Office related uses	100%	80%	100%	85%	35%
Retail and personal service related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

(c) A special exception for the number of required parking spaces may not be combined with a mixed use development parking reduction.

**SEC. 51P-70.112. SUBDIVISION PLAT.**

Prior to the issuance of a building permit for any part of this PD, a subdivision plat of the entire area, plus the residential buffer, must be approved by the city plan commission and filed for record in the office of the County Clerk of Dallas County, Texas. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.113. STREETS, PAVING, AND DEDICATIONS.**

(a) All driveways, entrances, and parking areas must have a minimum surfacing of six inches compacted gravel and two coats of penetration asphalt. The developer shall bear the total cost and maintenance of all such improvements, including curb and drainage structures that may be necessary.

(b) At the time of platting, the property necessary to provide for 50 feet of right-of-way from the centerline of Midway Road must be dedicated to the city.

(c) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 14645; 25423; 25884; 25884)

**SEC. 51P-70.114. FIRE LANES.**

Fire lanes or fire protection must be provided in accordance with the requirements of the fire department. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.115. LIGHTING.**

Light poles or standards for parking areas must be covered to deflect light downward and not shine directly onto any adjacent residential properties. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.116. LANDSCAPING.**

A landscaped area must be provided along the Northwest Highway and Midway Road frontage, these areas to be a minimum of 12 feet in width along Northwest Highway and seven feet in width along Midway Road. Landscaping is also to be provided on both sides of the proposed wall along the north and east sides of the shopping center in all areas that are now owned by the applicant for this PD. The landscaped area outside the PD must be maintained by the applicant or owner until the adjacent residential property to the north and east of the PD is sold by the applicant or present owners. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.117. SPRINKLER SYSTEM.**

A sprinkler system must be provided for the landscaped area, excluding the landscaped areas outside the boundaries of the PD. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.118. SIGNS.**

Signs must comply with the provisions for non-business zoning districts in Article VII. [~~All signs, either temporary or permanent, must comply with Chapter 41 of the Dallas City Code (the Sign Standards of Ordinance No. 14086).~~] (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.119. SCREENING WALL.**

A maximum of a nine-foot and a minimum of a six-foot all masonry wall must be constructed as shown on the development plan on the north and east sides of this PD. The wall can be stepped or constructed as steps, but the overall average height should be between seven and eight feet. (Ord. Nos. 14645; 25423; 25884)

*Applicant requested:*

**SEC. 51P-70.120. TYPE OF CONSTRUCTION. \***

~~The service station must be constructed with the same architecture and character and materials as the total retail development, including canopies, gables, etc., insofar as permitted by the building code. (Ord. Nos. 14645; 25423; 25884)~~

*\*Staff recommended: As noted Sec. 51P-70.105, staff is not supporting the motor vehicle fueling station use. Should CPC approve this use, staff would recommend the above referenced design criteria be retained.*

**[SEC. 51P-70.121. MAINTENANCE.**

~~The entire area must be maintained in a state of good repair and neat appearance. (Ord. Nos. 14645; 25423; 25884)]~~

**SEC. 51P-70.122. ISSUANCE OF A CERTIFICATE OF OCCUPANCY.**

~~No certificate of occupancy is to be issued for the shopping center until the time as the residential property to the north and east of the area of request has been platted in accordance with Section 51P-70.112, streets and utilities are in place, and the screening wall to be constructed around the north and east of the shopping center property is in place. (Ord. Nos. 14645; 25423; 25884)~~

**SEC. 51P-70.123. DEED RESTRICTIONS.**

Prior to the passage of an ordinance, deed restrictions must be filed for record in the County Clerk's Office, Dallas County, Texas, providing for the following conditions:

(1) The Residential-10,000 Square Foot District lots to the east and north of this PD must be deed restricted to single-family detached homes for a period of 30 years.

(2) The approximate four acre tract of land zoned Residential-1 Acre Dwelling District located at the northeast corner of Guernsey Lane and Northwest Highway in City Block 5558, owned by Jack Lively, J.T. Lively, and Joan Stansbury must be deed restricted to single-family detached homes for a period of 30 years.

(3) The city shall be made a party to all of the above restrictions. (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70. . 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 law and regulations, and with all ordinances, rules, and regulations of the city.

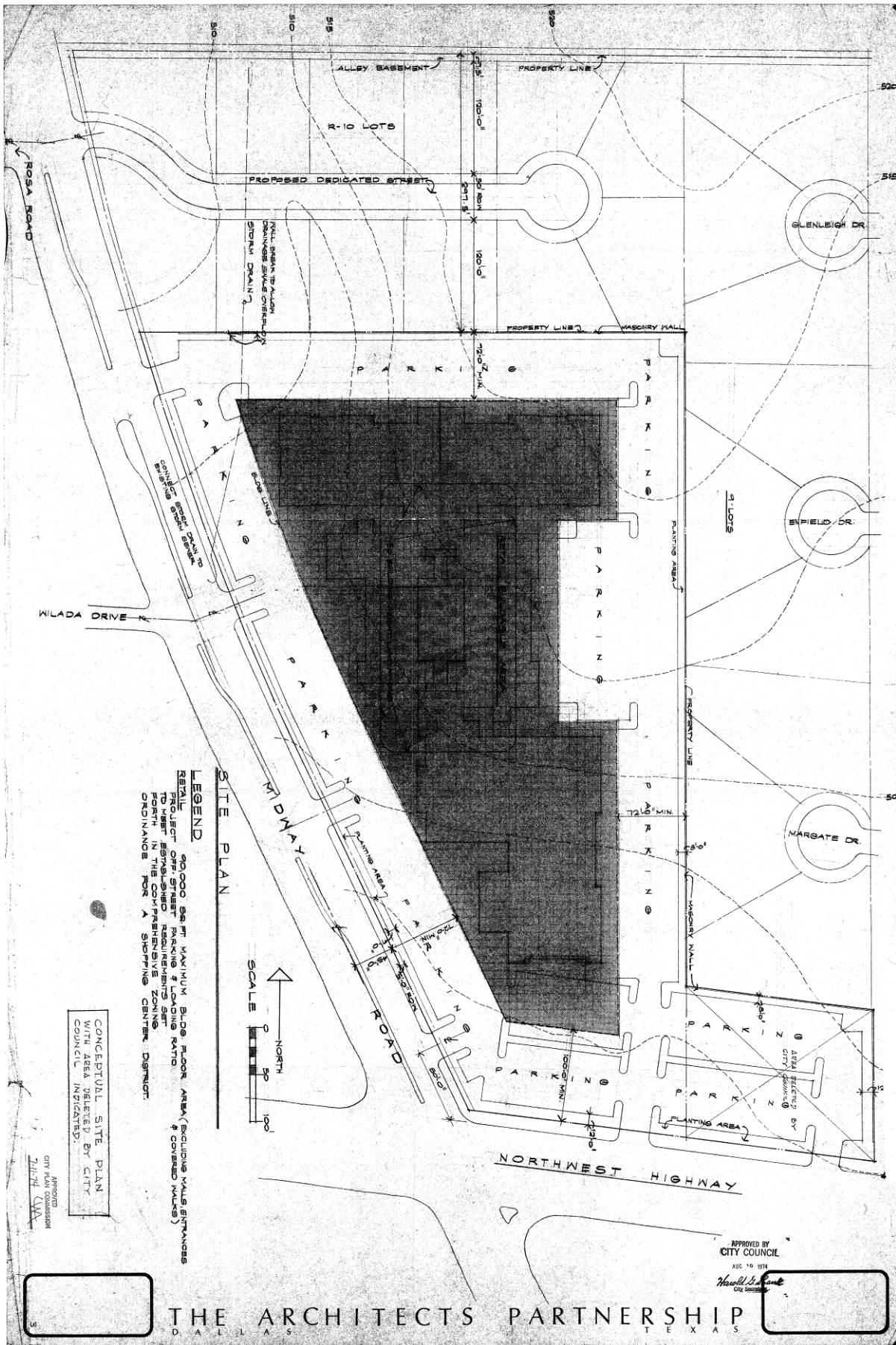
**SEC. 51P-70.124. COMPLIANCE WITH [~~CODES AND~~] CONDITIONS.**

(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. [~~This PD is subject to all requirements of all departments of the city and must comply with all codes and ordinances of the city.]~~

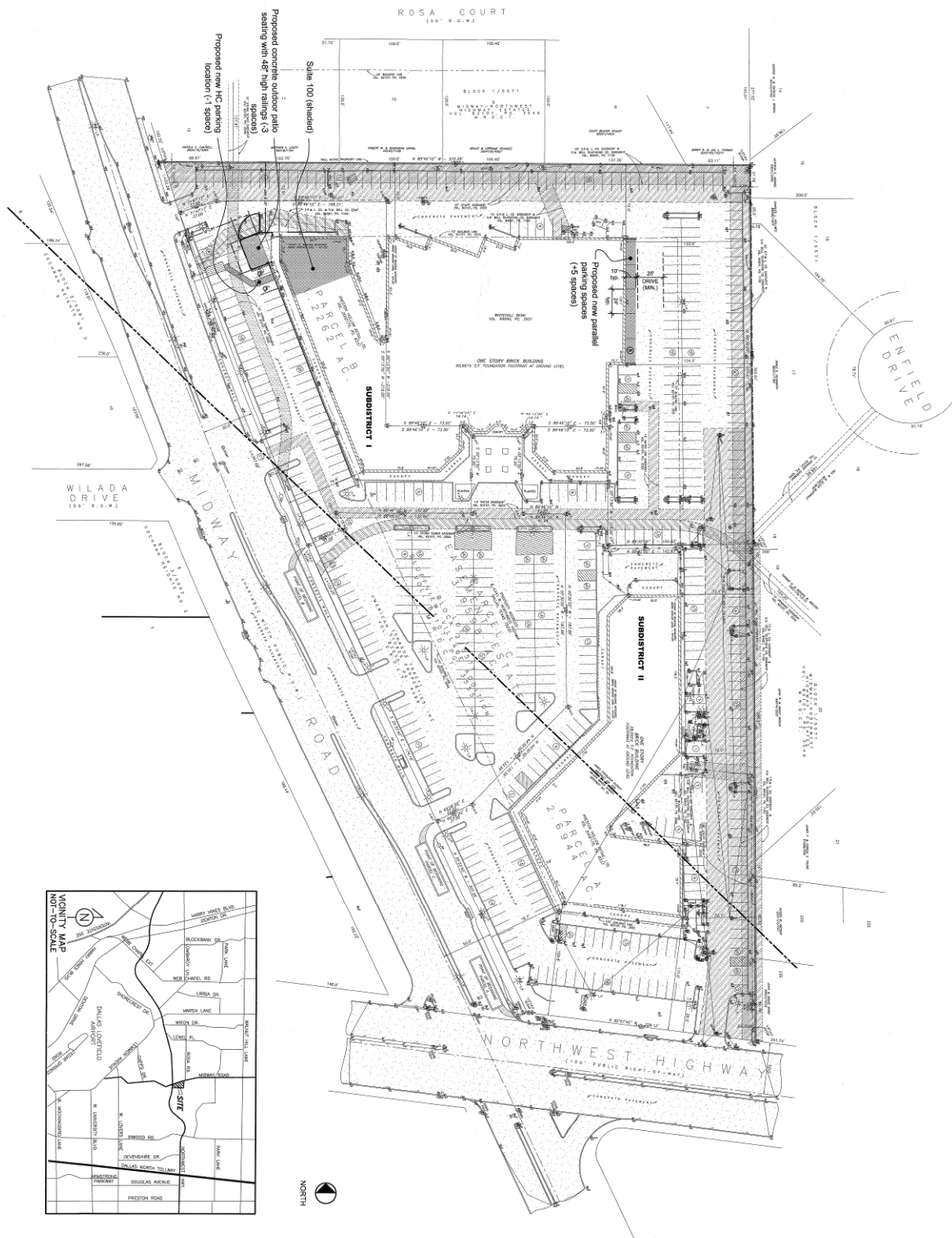
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. [~~No certificate of occupancy may be issued by the building official until there has been full compliance with this article and any applicable provisions of the zoning ordinance and the building codes.]~~ (Ord. Nos. 14645; 25423; 25884)

**SEC. 51P-70.125. ZONING MAP.**

PD 70 is located on Zoning Map No. F-6. (Ord. Nos. 18360; 25423; 25884)







**DEVELOPMENT PLAN**  
SCALE: 1" = 40'-0"

**DATE:** 08/21/11  
**BY:** J. V. JENKINS  
**APP. LOCATION:**

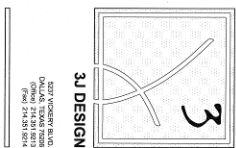
**THIS SHEET ONLY:** ASP.01  
**PROJECT:** BLUFFVIEW VILLAGE ADDITION  
**DATE:** 08/21/11  
**PROJECT NO.:** 080111  
**REVISIONS:**

**Bluffview Village Addition**  
Lot 1 - Block 23571  
0.86 Acres of Land  
Dallas County,  
Texas

**PROJECT NAME:** Bluffview Village Addition  
**DATE:** 08/21/11

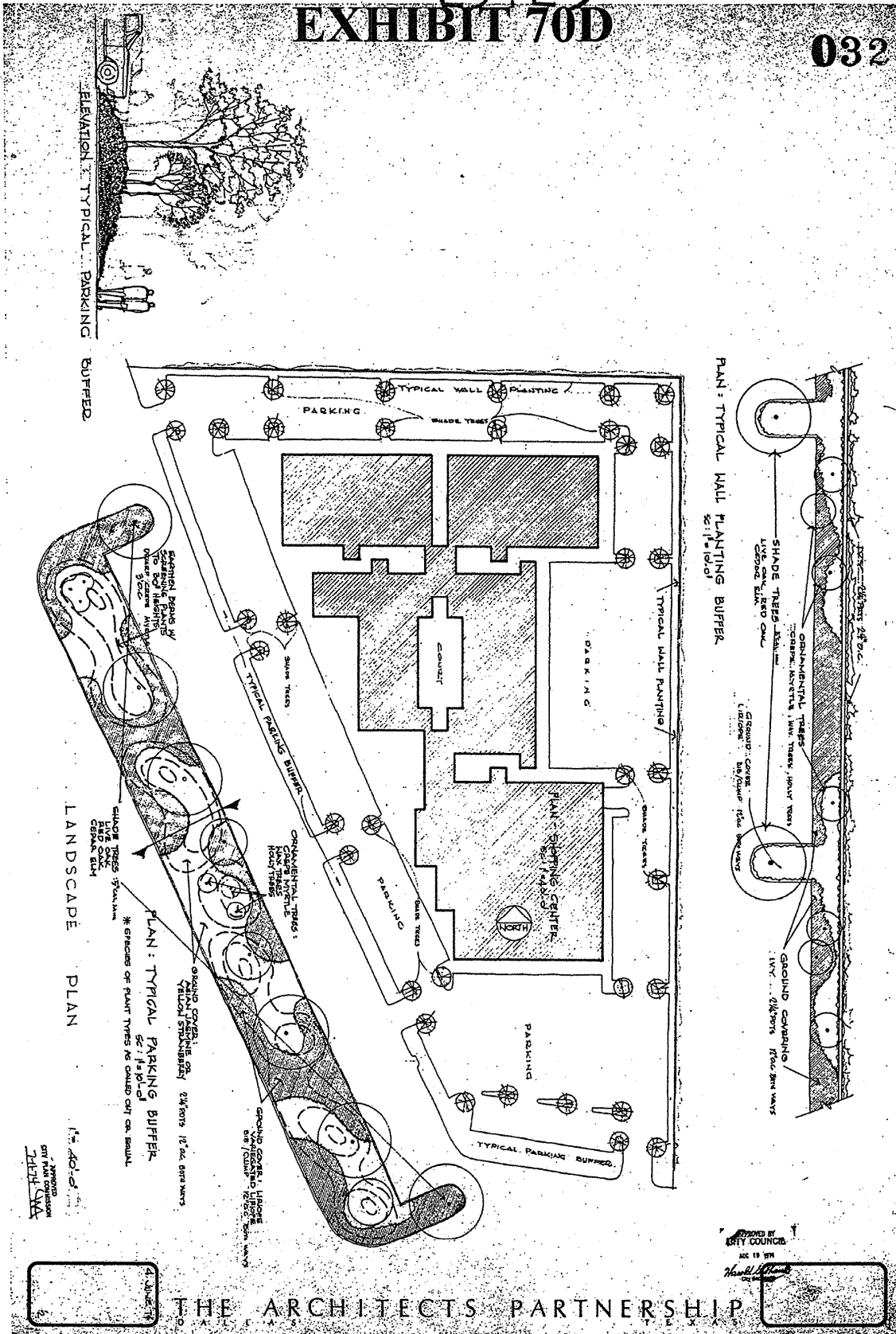
**Padilla & Associates, LP**  
4501 West 19th  
Suite 180  
Dallas, TX 75220

**PROJECT NO.:** 080111  
**DATE:** 08/21/11



# 25423 EXHIBIT 70D

032856

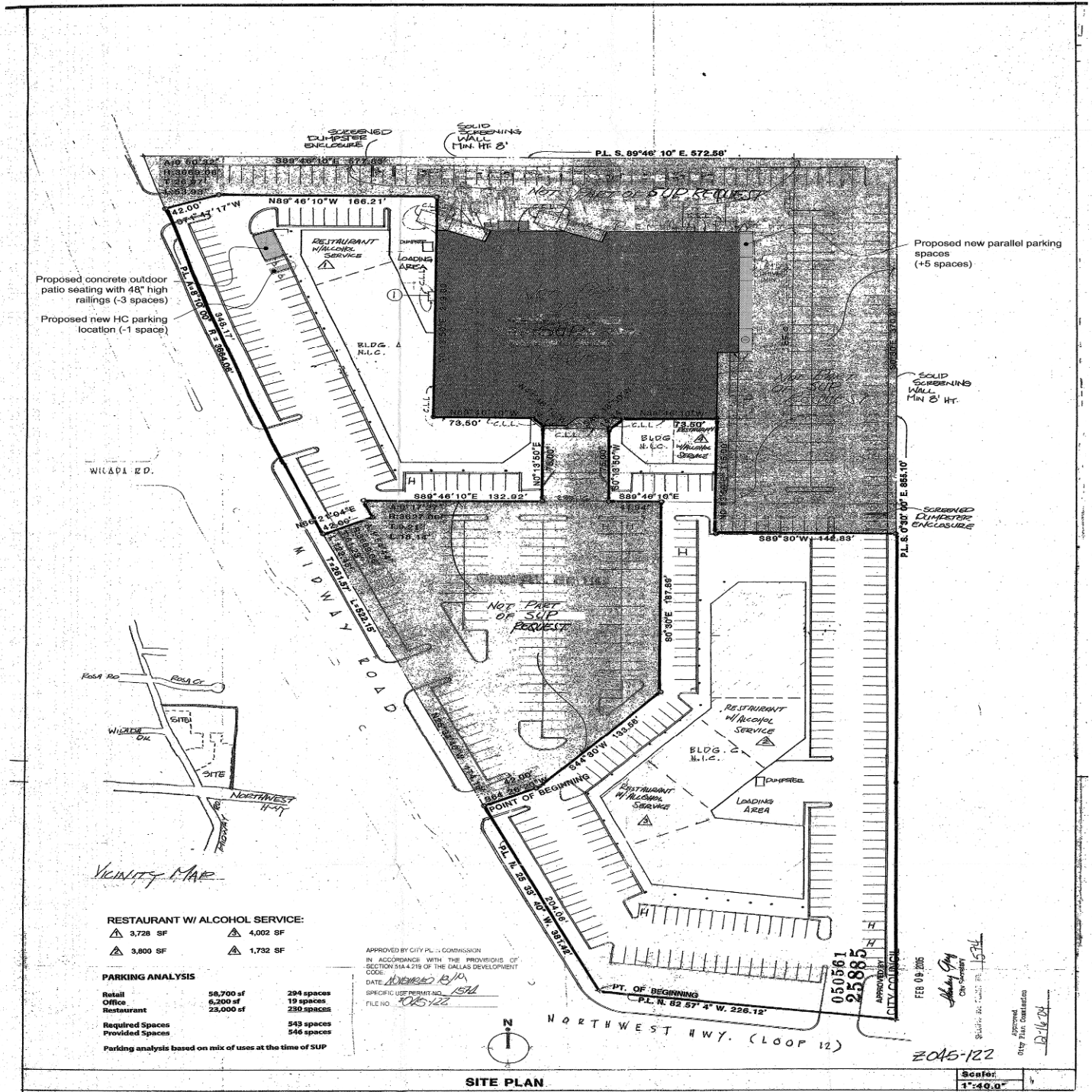


LANDSCAPE PLAN

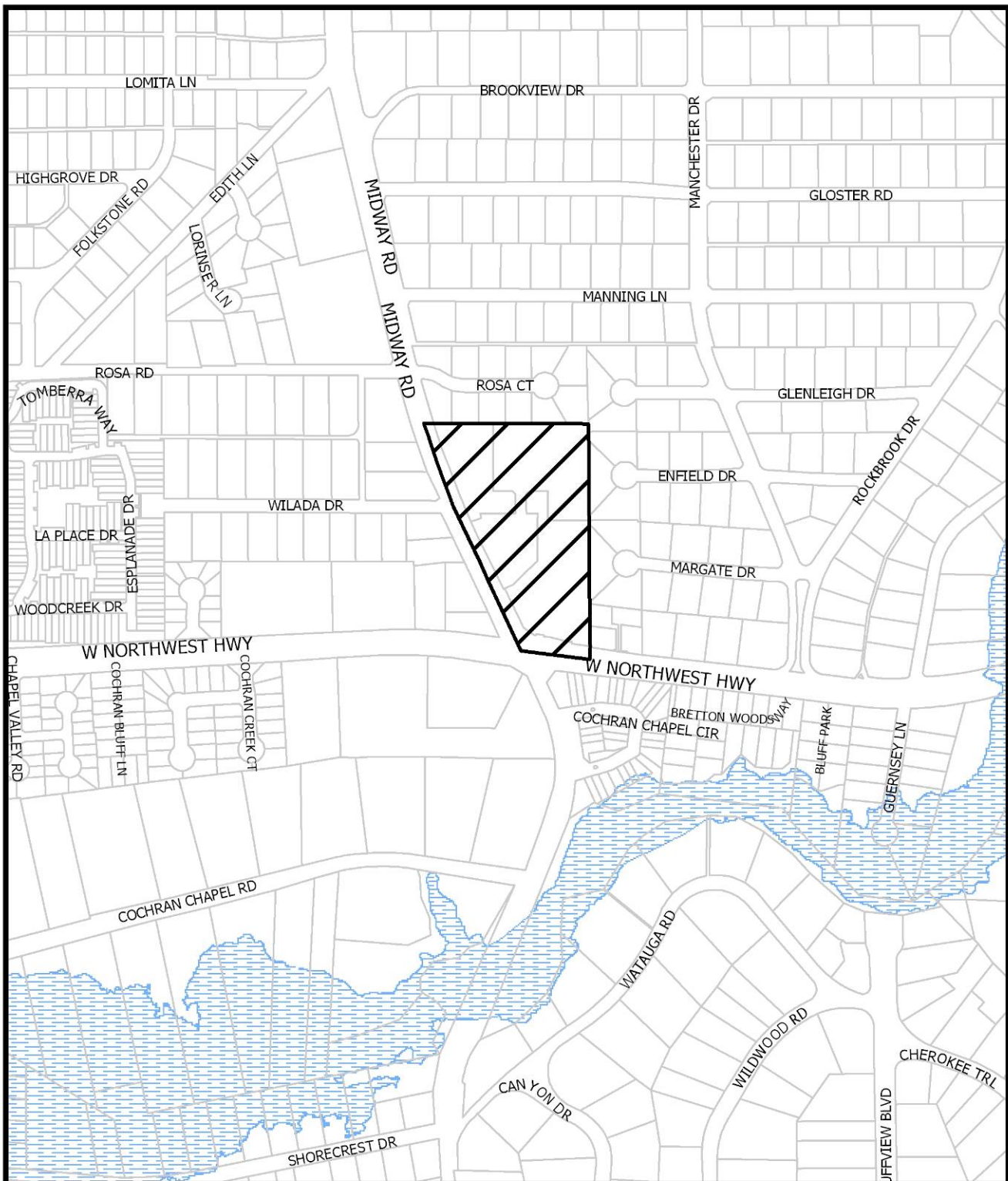
THE ARCHITECTS PARTNERSHIP

APPROVED BY  
CITY COUNCIL  
JUL 19 95

Handwritten signature and date



**Existing SUP No. 1574 Site Plan**

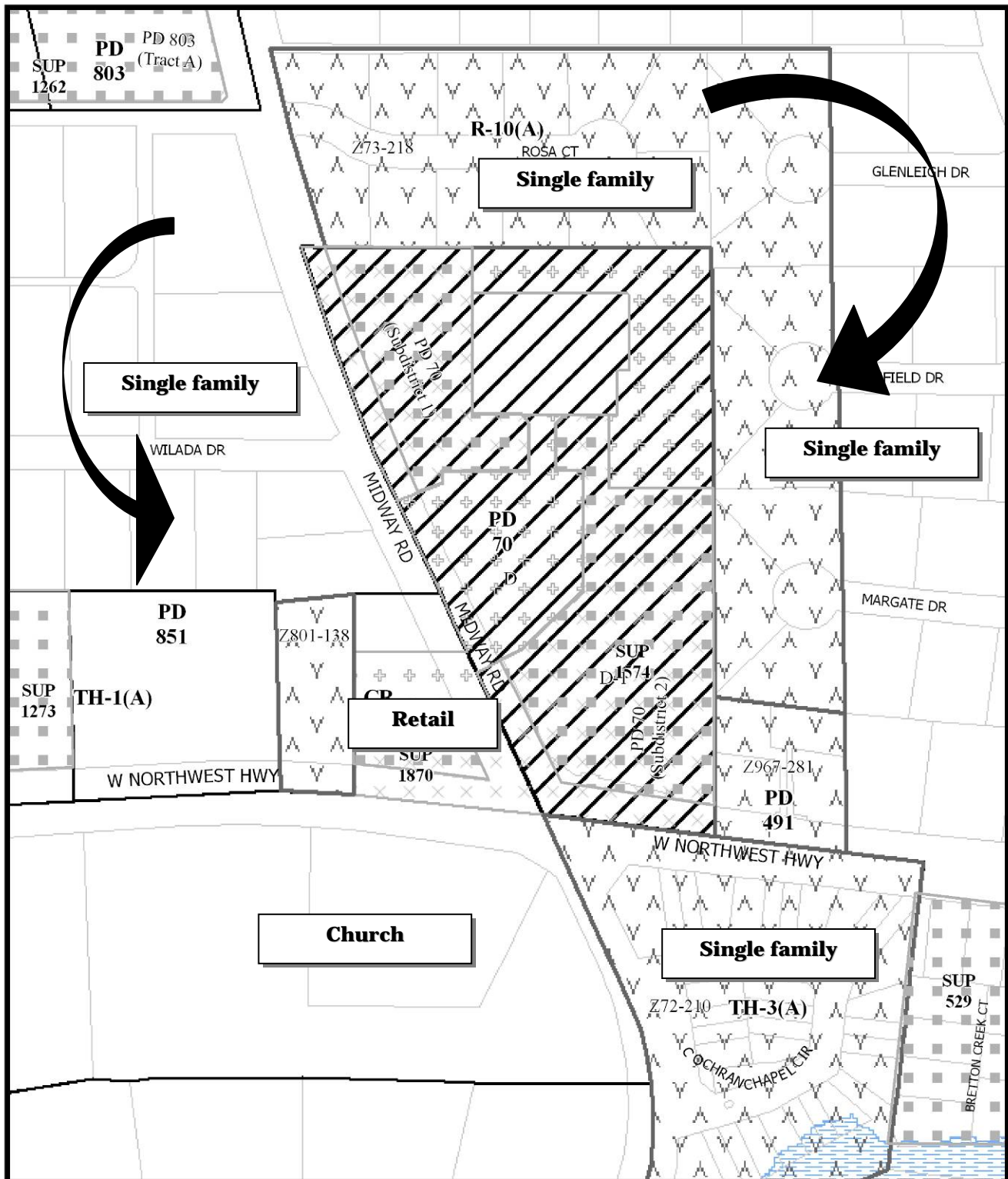


1:6,000

# VICINITY MAP

Case no:           **Z112-237**          

Date:           **5/24/2012**




1:2,400

# ZONING AND LAND USE


Case no: Z112-237

Date: 5/24/2012

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  
**123** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z112-237**  
Date: **11/21/2012**

11/21/2012

***Notification List of Property Owners******Z112-237******123 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4255 NORTHWEST HWY	N W MIDWAY LAND HOLDINGS LTD
2	4343 NORTHWEST HWY	SBS TX INVESTOR LP
3	9101 MIDWAY RD	COCHRAN CHAPEL METHODIST CHURCH
4	9027 MIDWAY RD	COCHRAN CHAPEL METHODIST CHURCH
5	4255 COCHRAN CHAPEL RD	KUHN JOSEPH & MOLLIE
6	4168 ROSA RD	GRACHECK JOHN S & MARY
7	4176 ROSA RD	VELTEN WILLIAM D & ELIZABETH S
8	4184 ROSA RD	CALDWELL JAMES M
9	9317 MIDWAY RD	CHIKONYORA TARVIUS & PRECIOUS
10	4181 WILADA DR	WAGNER WILLIS H TR & DOROTHY P TR
11	4175 WILADA DR	BROWN RYAN W & SUSANNA N
12	4167 WILADA DR	MACQUILKEN DAVID E
13	4275 NORTHWEST HWY	AIRPORT FREEWAY FUEL CENTER LP
14	9221 MIDWAY RD	CONSTANCE MIDWAY LTD
15	4174 WILADA DR	NELSON HEATHER G & ANDREW P
16	4180 WILADA DR	KNIGHT ALLAN M
17	4188 WILADA DR	MOORE NICKY N
18	4194 WILADA DR	MORADI MASOUD
19	9241 MIDWAY RD	ARNOLD H DAVID
20	9227 MIDWAY RD	MCGILL MANDY
21	4307 GLENLEIGH DR	MCBRIDE THOMAS J & LAURA H
22	4319 GLENLEIGH DR	JACOBS ANDREW F & KAREN C
23	4310 GLENLEIGH DR	TX PANTHER PROPERTIES LLC
24	4322 GLENLEIGH DR	MCFARLAND JOHN S JR & REGINA B
25	4327 ENFIELD DR	OLIVER TIM & NANCY OLIVER
26	4319 ENFIELD DR	PHILIPSON JULIE

11/21/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4307 ENFIELD DR	MARTIN HARRY J JR
28	4306 ENFIELD DR	WEDDING MARC B
29	4318 ENFIELD DR	TIPPEN FORREST W JR & CATHERINE S
30	4326 ENFIELD DR	HOFFMANN PETER R & CLAUDETTE L
31	4327 MARGATE DR	MCNEIL JON
32	4319 MARGATE DR	STRONG MILTON STANTON
33	4307 MARGATE DR	VAUGHAN ANNIE K & RAYMOND
34	4310 MARGATE DR	RATNER LYLE J & BEVERLY T
35	4318 MARGATE DR	MCFARLANE BRIAN & BETH
36	4326 MARGATE DR	FOSTER GLENNA CHRISTINE
37	4427 NORTHWEST HWY	HENLEY JAMES H
38	4419 NORTHWEST HWY	KELLY MICHAEL & KARINA
39	4407 NORTHWEST HWY	KELLY MICHAEL DOUGLAS & KARINA Z
40	4346 MANNING LN	LOWERY JACQUELINE
41	4342 MANNING LN	CURTIS CATHERINE A
42	4334 MANNING LN	MORROW CORY L & CHRISTI S
43	4326 MANNING LN	SUNG WINGATE & CAROLYN KUO YAO SUNG
44	4316 MANNING LN	VASQUEZ MANUEL D & LAURA
45	4304 MANNING LN	VANDERVEEN PETER C
46	4214 MANNING LN	GROSS WILLIAM D & VAUGHN D
47	4210 MANNING LN	MCGUIRE CHRISTOPHER MEGAN H MCGUIRE
48	4206 MANNING LN	BARROW JAMES P
49	4304 COCHRAN CHAPEL CIR	NELSON KAREN S
50	4306 COCHRAN CHAPEL CIR	PORGES GEORGE W & NICOLE N ESTATE OF
ROB		
51	4310 COCHRAN CHAPEL CIR	BARRINGER ELIZABETH C
52	4314 COCHRAN CHAPEL CIR	MANN DON & HELEN C
53	4318 COCHRAN CHAPEL CIR	JEFFERS TOBY
54	4322 COCHRAN CHAPEL CIR	VESSELS BARBARA J
55	4326 COCHRAN CHAPEL CIR	CROUSEN GUINN D
56	4330 COCHRAN CHAPEL CIR	YANDELL CYNTHIA P
57	4334 COCHRAN CHAPEL CIR	CAUDLE MARK P & MOLLY B



11/21/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4338 COCHRAN CHAPEL CIR	YONACK CAROL MINNETTE
59	4342 COCHRAN CHAPEL CIR	ROBERTS CLAY H
60	4346 COCHRAN CHAPEL CIR	BOVERIE ROBERT L JR
61	4350 COCHRAN CHAPEL CIR	STAFFORD JOHN MATTHEW C/O RGT
62	4354 COCHRAN CHAPEL CIR	BLODGETT HENRY DAVID
63	4358 COCHRAN CHAPEL CIR	LIPSCOMP LINDA
64	4362 COCHRAN CHAPEL CIR	LINDLEY ANN
65	4366 COCHRAN CHAPEL CIR	RANDOLPH PATRICIA
66	4370 COCHRAN CHAPEL CIR	HENLEY BARBARA
67	4374 COCHRAN CHAPEL CIR	YOUNG RYAN ANDREW
68	4378 COCHRAN CHAPEL CIR	SHIRATORI HIROAKI
69	4382 COCHRAN CHAPEL CIR	RODGERS PATRICK CHARLES & JANET B
70	4386 COCHRAN CHAPEL CIR	MAGUIRE CLARENCE B & SARAH B
71	4390 COCHRAN CHAPEL CIR	STEWART BARBARA K
72	4394 COCHRAN CHAPEL CIR	GOODLOE ROBERT W JR
73	9001 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR % CRAIG
HEADLE		
74	4347 COCHRAN CHAPEL CIR	GRITZ JULIET K
75	4343 COCHRAN CHAPEL CIR	JOHNSTON JANET S
76	4339 COCHRAN CHAPEL CIR	PRICE LINDA R
77	4335 COCHRAN CHAPEL CIR	DEGRASSI ANN M
78	9102 COCHRAN CHAPEL CIR	FIELD PETER W & ANN C
79	9106 COCHRAN CHAPEL CIR	ASTON SUSAN U
80	9110 COCHRAN CHAPEL CIR	HASKETT TERRY L
81	9114 COCHRAN CHAPEL CIR	HART M PHILLIP & MARY E
82	9003 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR % CRAIG
HEADLE		
83	9002 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR % CRAIGE
HEADL		
84	9407 MIDWAY RD	OAK HILL ACADEMY THE
85	9337 MIDWAY RD	MCGILL MANDY S
86	4100 WILADA DR	GAMBOA ANTHONY
87	4100 WILADA DR	TX KINGDOM INV CO LLC
88	4255 NORTHWEST HWY	N W MIDWAY LAND HOLDINGS LTD

11/21/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4255 NORTHWEST HWY	N W MIDWAY LAND HOLDINGS LTD
90	4235 NORTHWEST HWY	MIDWAY NORTHWAY INVESTORS LP
91	4205 ROSA CT	GATLIN GLEN & VIRGINIA BRISON
92	4209 ROSA CT	ALMEIDA ALAN TRUSTEE % CONNOR &
HILLIARD		
93	4215 ROSA CT	SHIRLEY RICHARD H & GERALDINE W
94	4219 ROSA CT	HAMMETT ERLINE LIVING TRUST ERLINE
HAMME		
95	4223 ROSA CT	MILLER SARA & HOWARD MILLER
96	4227 ROSA CT	SHULTS GERALD A
97	4226 ROSA CT	THOMAS BARRY D & JILL L
98	4222 ROSA CT	LEPAGE CAROLINE S TR
99	4218 ROSA CT	PINGREE BRUCE & LORRAINE
100	4214 ROSA CT	DANIELL ROBERT W & BERNADINE
101	4208 ROSA CT	WATSON STEVEN PATRICK & ASHLEY HOLLWEG
102	4204 ROSA CT	CANTRELL CYNTHIA LYNN
103	4305 GLENLEIGH DR	HIEBER J PATRICK
104	4303 GLENLEIGH DR	BROWN GEORGE W & PATRICIA J
105	4302 GLENLEIGH DR	HENKEL KATHRYN G
106	4305 ENFIELD DR	HOLLWEG CHARLES L ETAL
107	4303 ENFIELD DR	MCNAMARA JAMES E
108	4302 ENFIELD DR	MCDOWELL REX W & ELLEN
109	4305 MARGATE DR	WEILERT THOMAS H & DEANNA M
110	4303 MARGATE DR	WILKINSON DAVE & LISA
111	4302 MARGATE DR	YOUNG JAMES F & CAROLE S
112	4393 NORTHWEST HWY	THOMPSON LARRY J & RAYNELLE H
113	4383 NORTHWEST HWY	PRATT HERBERT
114	4373 NORTHWEST HWY	ARCHER ALISON W
115	4363 NORTHWEST HWY	WARD JOHN & HEDDY B
116	4300 NORTHWEST HWY	BRITTON WOODS HOMEOWNERS ASSN INC
117	9 BRETTON WOODS WAY	JONES J & P
118	11 BRETTON WOODS WAY	PICHANICK KIM
119	13 BRETTON WOODS WAY	PLATINUM SERIES DEV LLC STE 240

Z112-237(RB)

11/21/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	1 BRETTON CREEK CT	DAVIS DAVID C & FAIRCLOTH MICHAEL
121	3 BRETTON CREEK CT	STRONG JAMES M & LESLIE KAY
122	7 BRETTON CREEK CT	WADDELL KARL RAY & ANGELIQUE FAYE
LEHMAN		
123	2 BRETTON CREEK CT	MD TEXAS HOLDINGS NOMINEE TR JAMES M KIT

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**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

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**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.

**PRIOR CPC ACTION:** On November 15, 2012, the City Plan Commission held this request under advisement until December 6, 2012. On December 6, 2012, the City Plan Commission held this request under advisement until December 20, 2012.

**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.

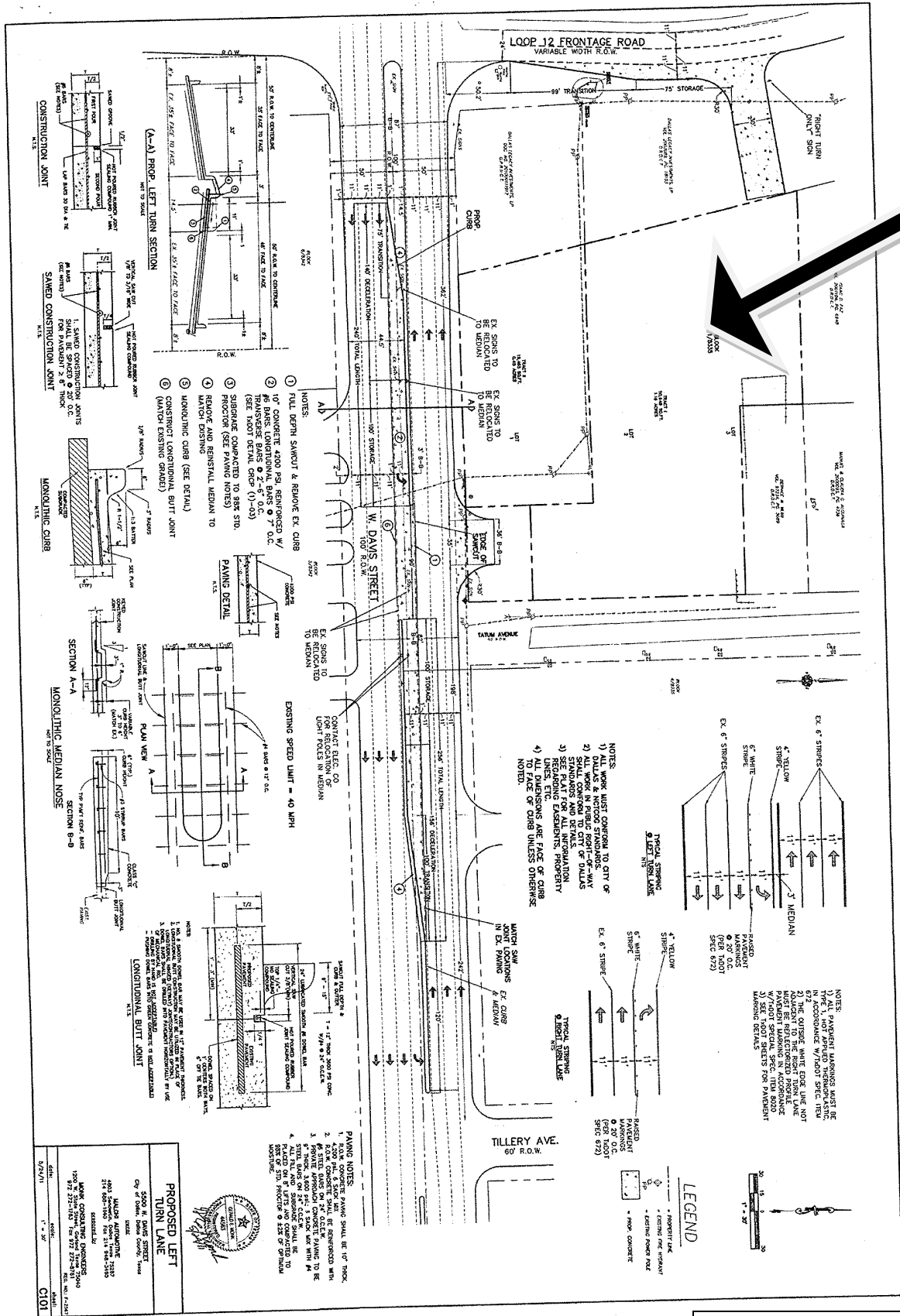
As referenced above, the PDD was created with an emphasis of ensuring compatibility for permitted nonresidential uses (normally fronting both sides of Davis Street) as the PDD alignment encroached into the established, low-density residential areas found in both directions of the thoroughfare's alignment. 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**

**Access Exhibit**



Site

# Exhibit 631A West Davis Special Purpose District and Subdistrict Boundary Map

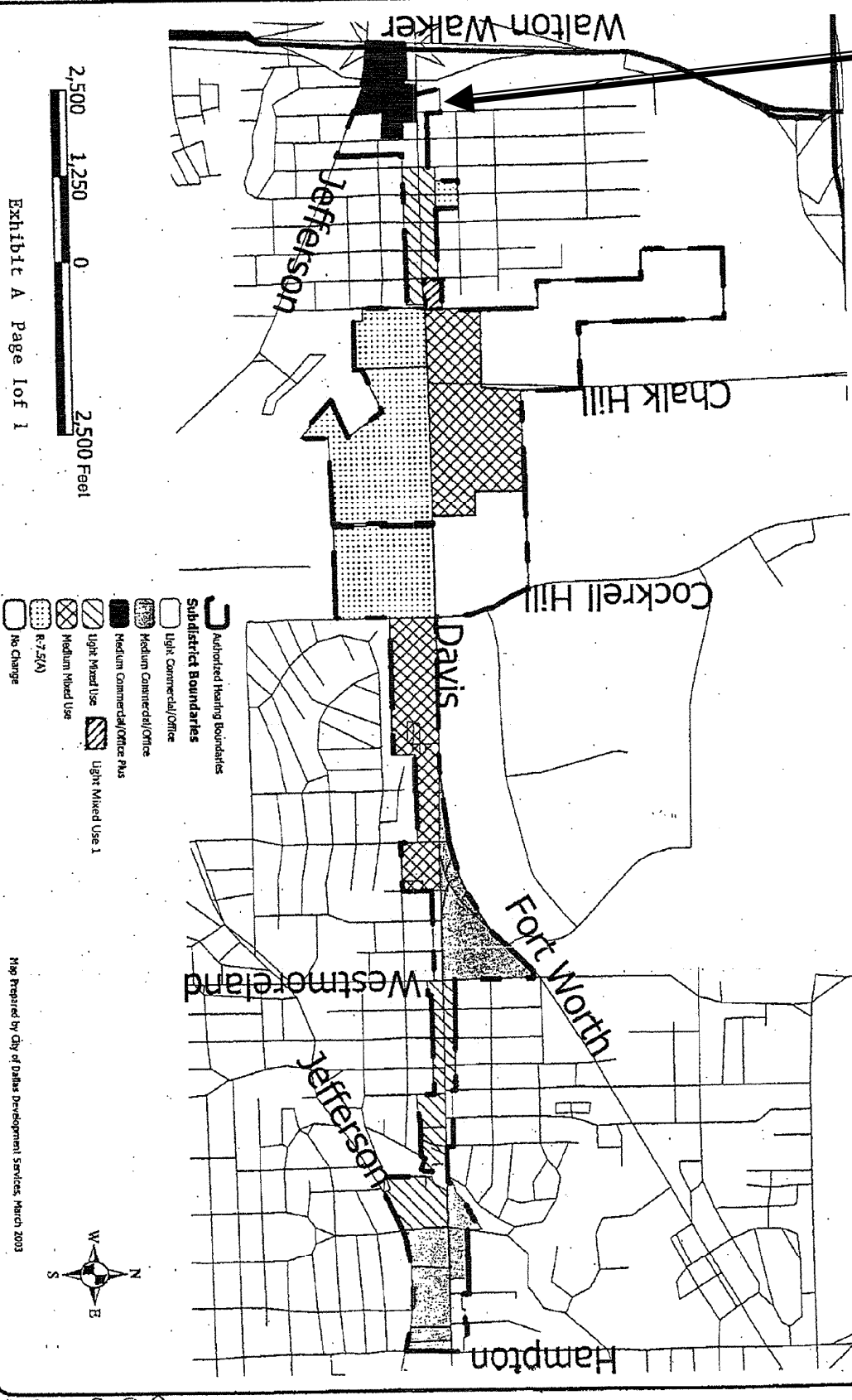


Exhibit A Page 1 of 1

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 AREA-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.

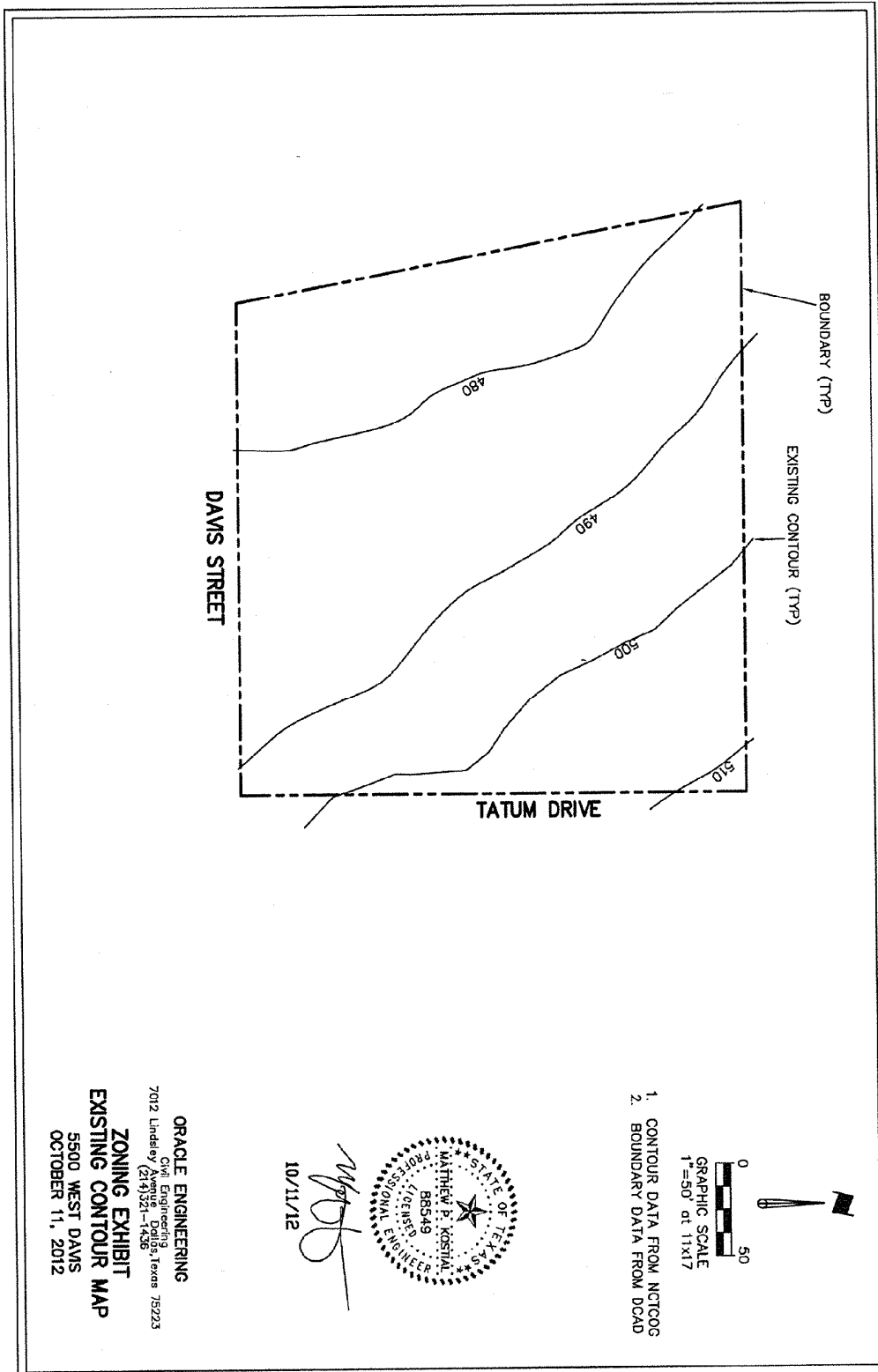
(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 25209; 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)



- 1. CONTOUR DATA FROM NCTCOG
  - 2. BOUNDARY DATA FROM DCAD
- GRAPHIC SCALE  
1"=50' at 11x17
- 

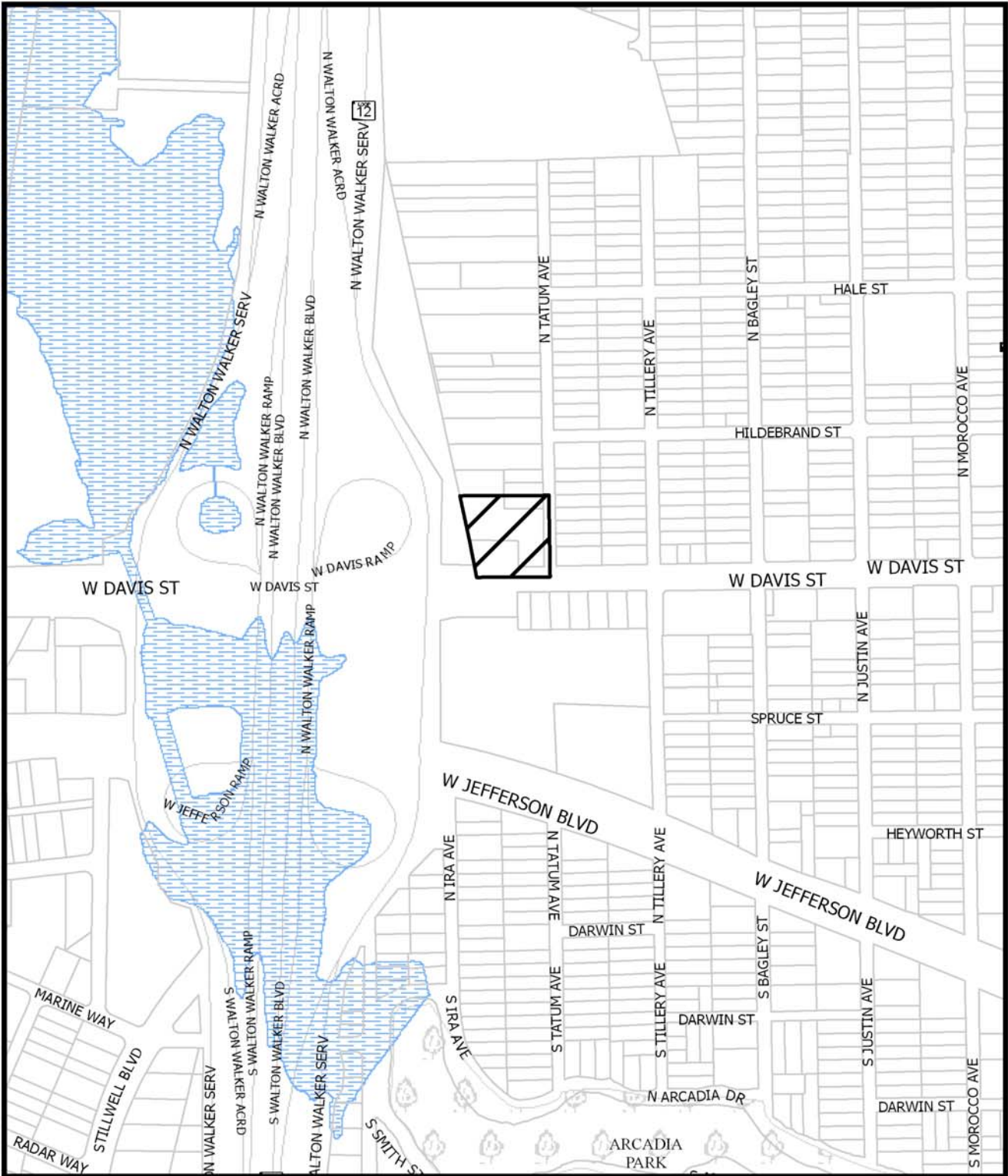
10/11/12

M. P. Kostival

**ORACLE ENGINEERING**  
 Civil Engineering  
 7012 Lindseley Avenue Dallas, Texas 75223  
 (214) 321-1436

**ZONING EXHIBIT**  
**EXISTING CONTOUR MAP**  
 5500 WEST DAVIS  
 OCTOBER 11, 2012

**Light Commercial/Office Area-1  
 topographic exhibit.**

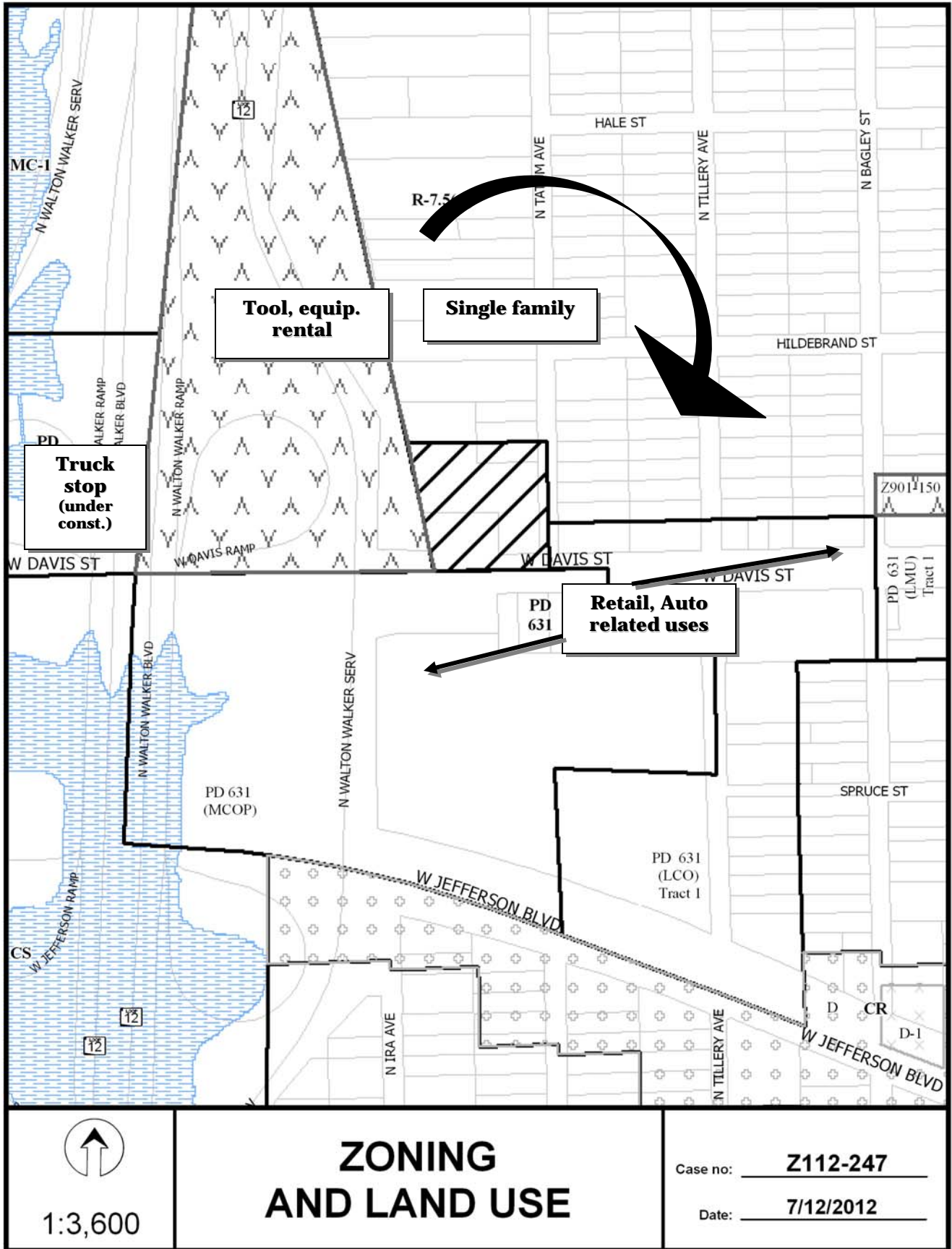


1:6,000

**VICINITY MAP**

Case no:           **Z112-247**          

Date:           **7/12/2012**

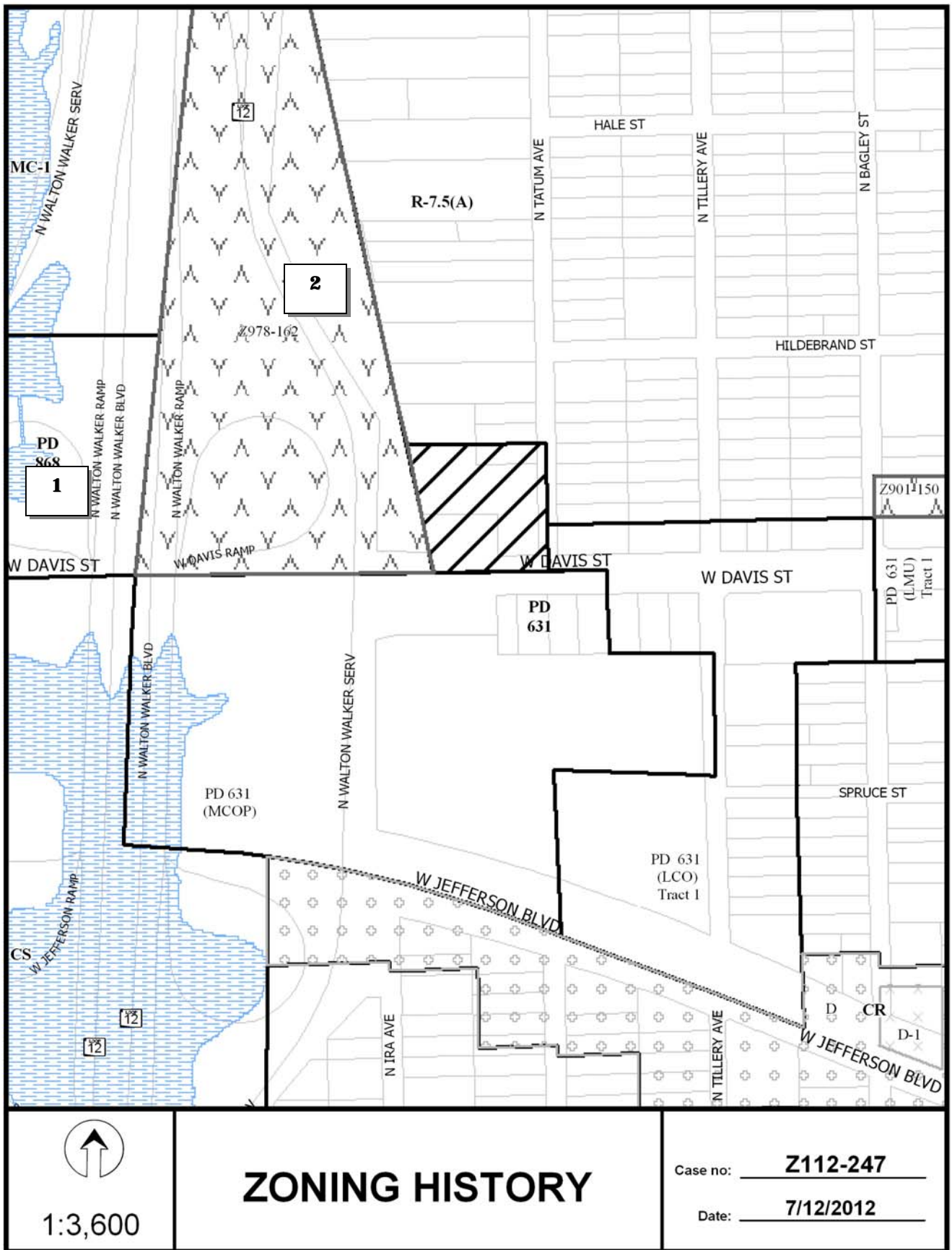


1:3,600

# ZONING AND LAND USE

Case no: Z112-247

Date: 7/12/2012




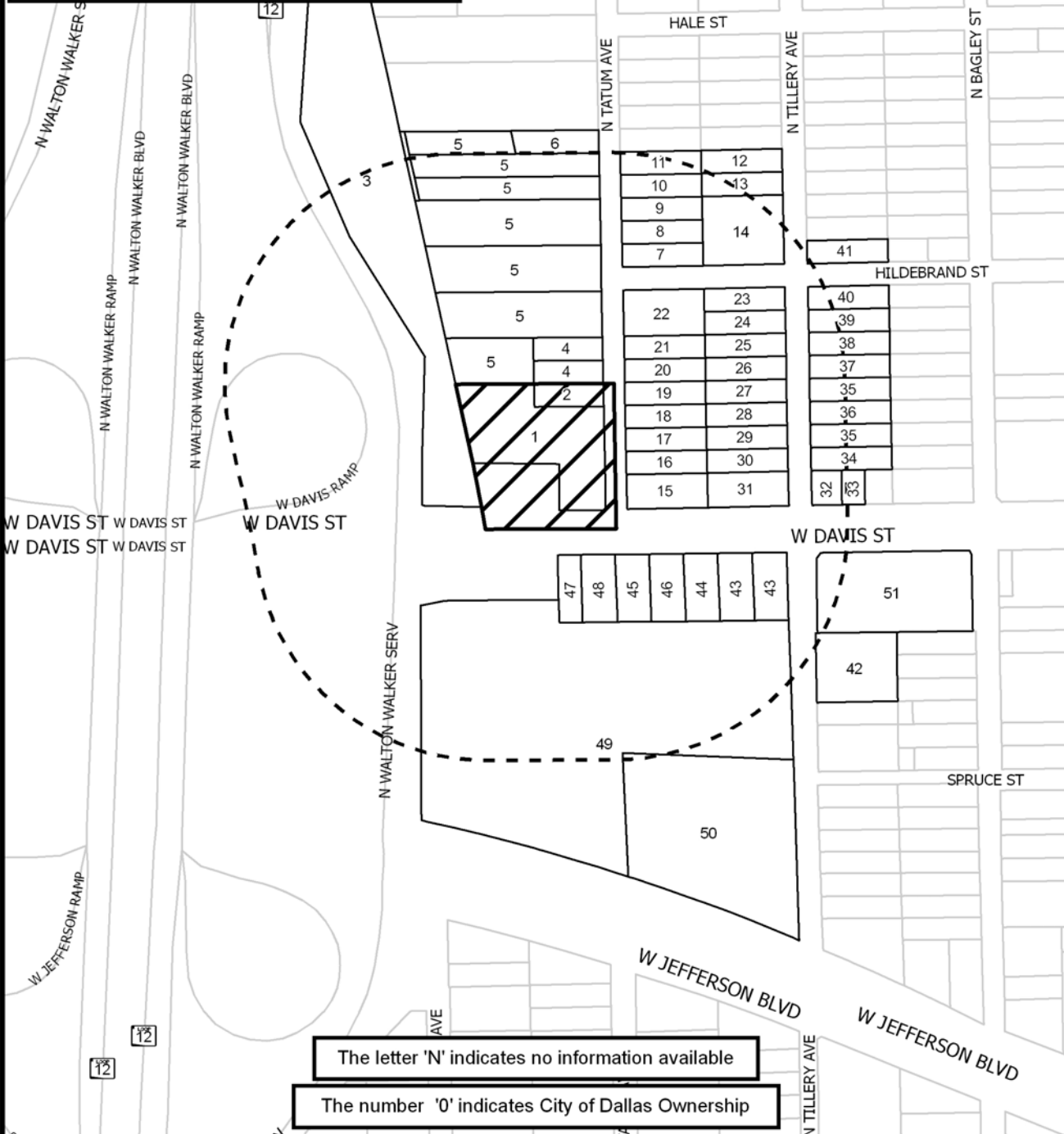
# ZONING HISTORY

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

**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

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**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 November 15, 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.

On the request site, the Hood Street frontage is the front yard for setback purposes and Brown Street is the side yard frontage. In the MF-3 Subdistrict, the required front yard setback is 10 feet for the first 36 feet in height and 25 feet for all portions of a building above 36 feet in height.

The MF-3 Subdistrict requires a side yard setback of 10 feet, but an additional setback is required for the portions of a building above 36 feet in height. The additional setback that must be provided is equal to one-half of the total height of the building, up to a maximum setback of 50 feet. In providing the additional side yard setback, one side yard may be reduced up to 20 percent from the dimension required, if the other side yard setback is increased by a distance equal to the reduction. The provisions are the same for the rear yard setback.

The development plan shows a front yard setback of 25 feet along Hood Street, an eastern side yard setback of 50 feet, 15-foot western side yard setback along Brown Street with a highlighted area along approximately half of the building frontage that will provide an additional 10 foot setback for portions of the building above 45 feet, and a rear yard setback of 25 feet.

The purpose of the additional setbacks above 36 feet in PD 193 are to provide for light and air between taller buildings between adjacent lots and reduce the canyon effect along streets. The development plan setbacks are meeting or exceeding the minimum requirements on the front, eastern side, and rear setbacks. Brown Street has a right-of-way of 50 feet. If the site to the west across Brown Street redevelops, the portions of the buildings less than 36 feet in height will have separation of at least 75 feet. The additional setback required will be determined by the height of that possible redevelopment, which can be built to any legal height under the MF-3 Subdistrict regulations. The request site's reduction in height will provide for light and air if the redevelopment is constructed to maximize its MF-3 zoning rights. Staff supports the applicant's requested reduction in the Brown Street side yard setback because the potential canyon effect along this street is mitigated by the urban design requirements.

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.

(C) Rooftop patios and private patio fencing are allowed within the additional side yard setback required for certain portions of a building above 45 feet in height.

(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.

Z112-182(JH)

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

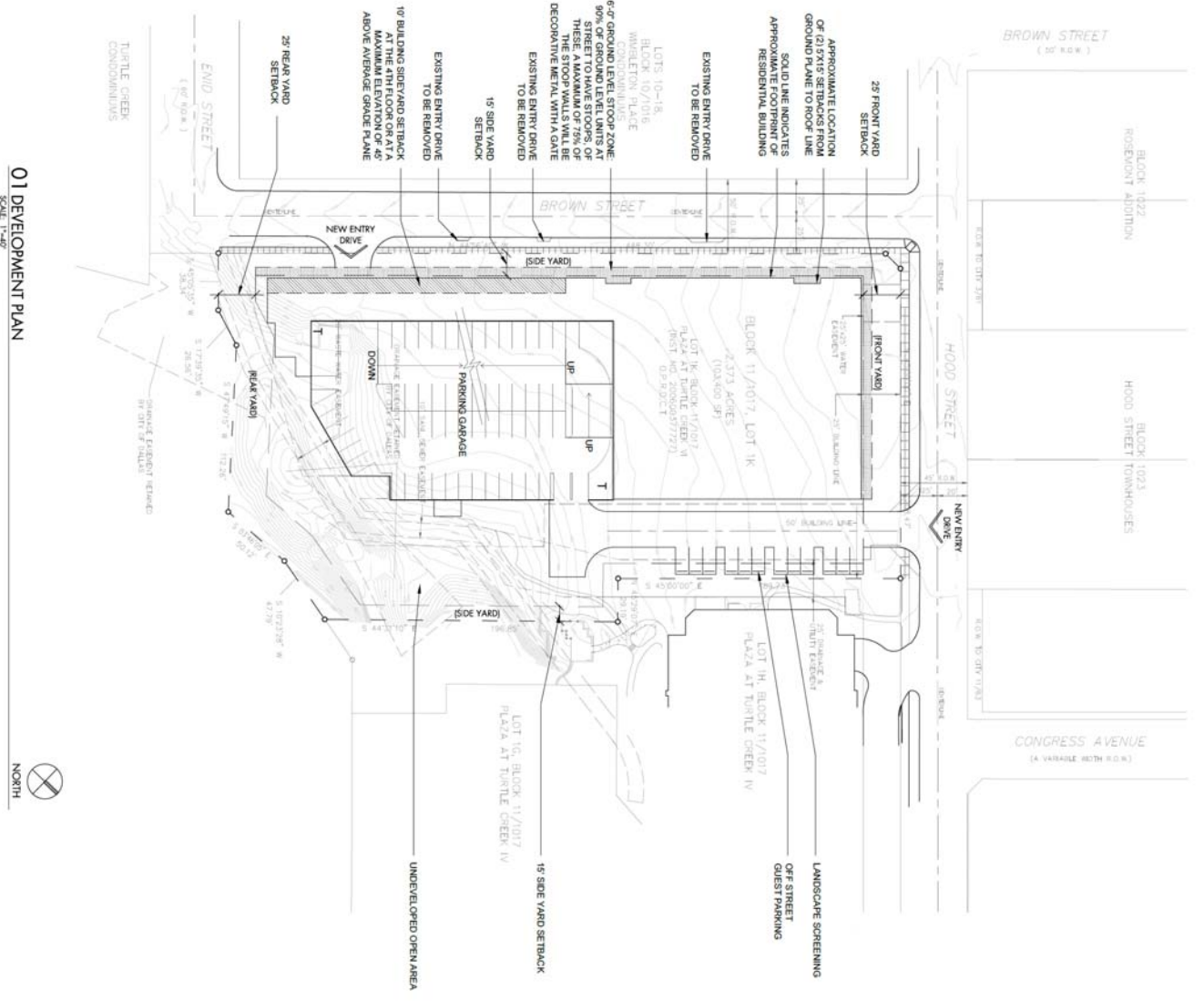
(d) Development and use of the Property must comply with Part I of this article.

SEC. S-\_\_\_.115. COMPLIANCE WITH CONDITIONS.

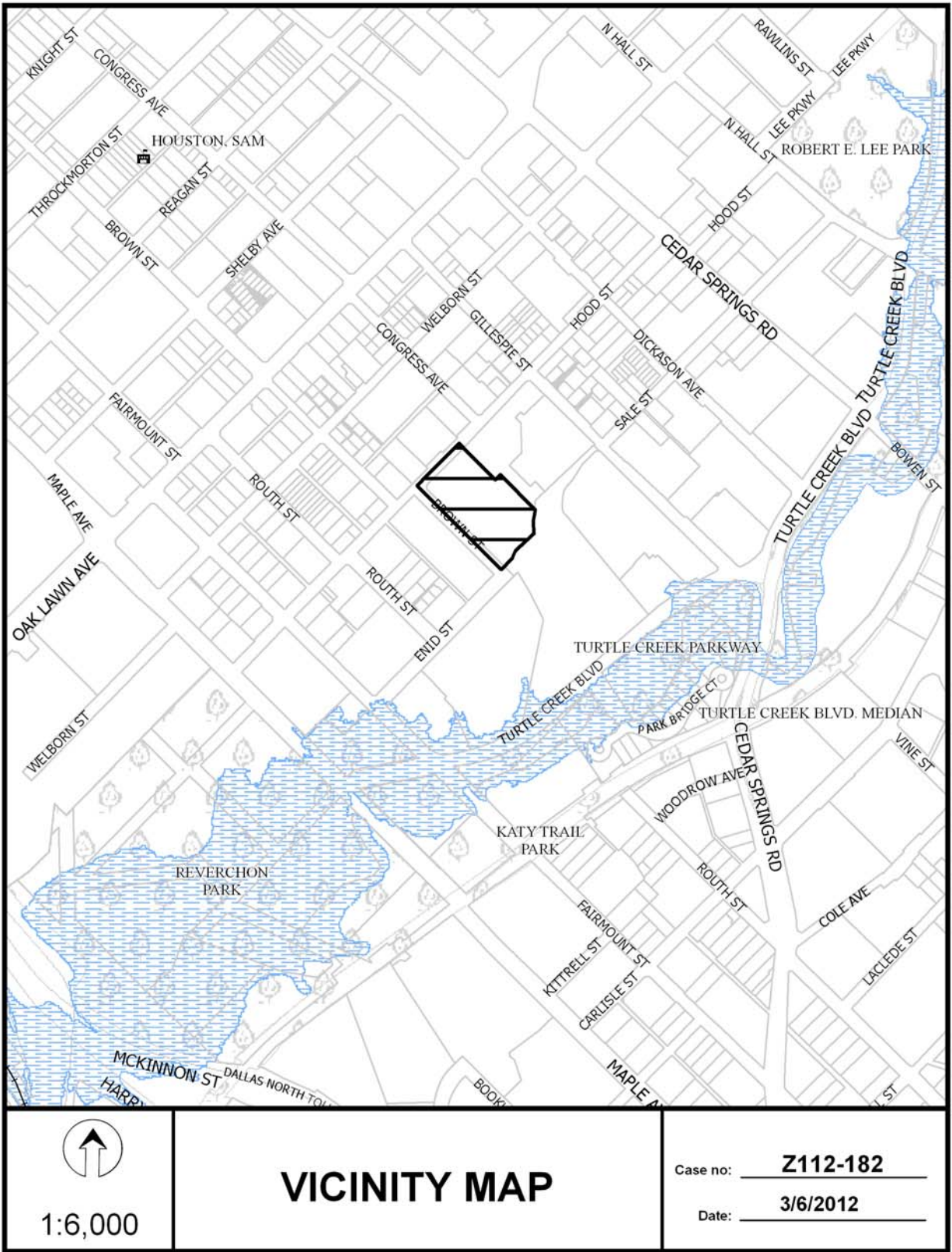
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

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

# DEVELOPMENT PLAN



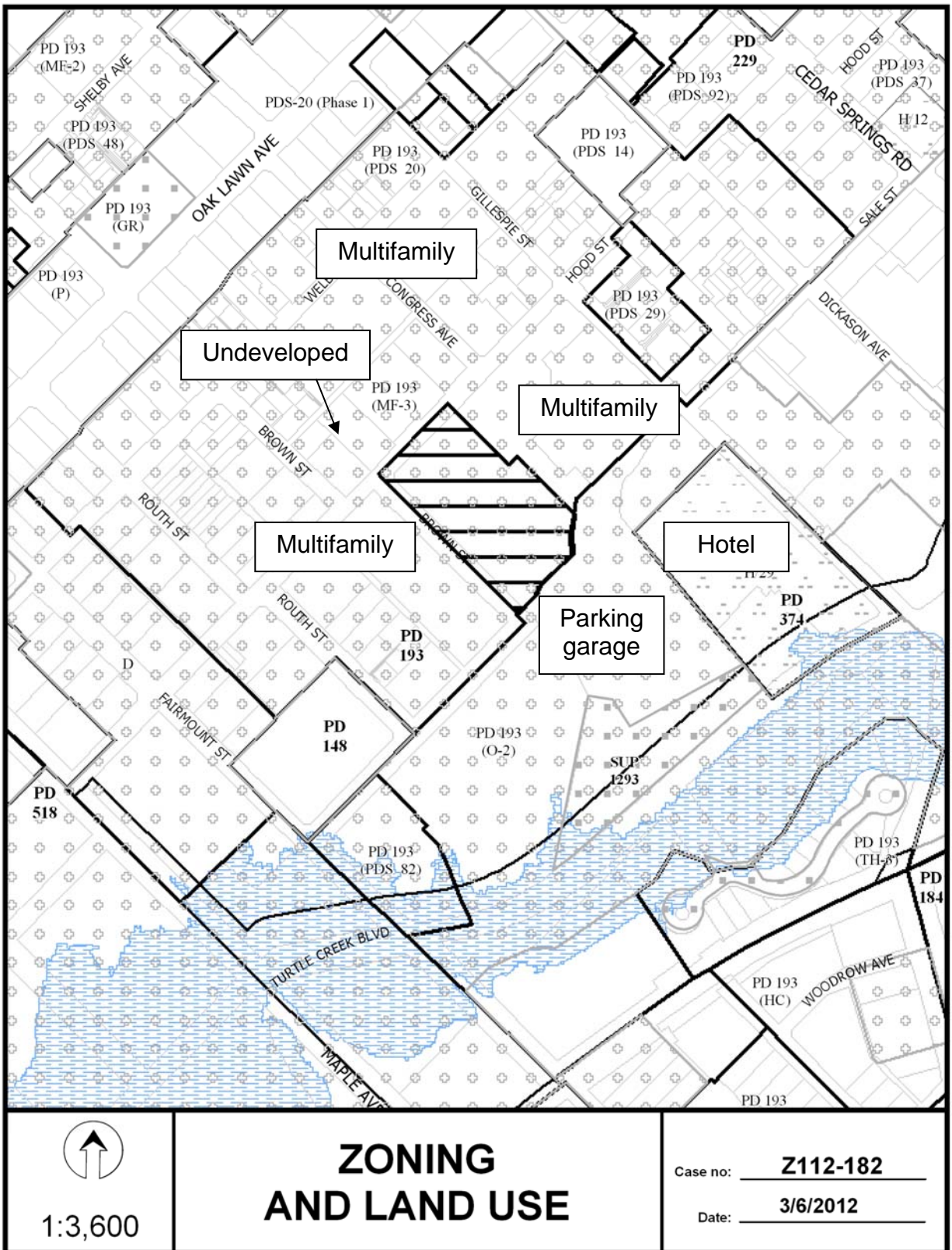
Site Data	
Land Area:	103,400 SF (2.37 Acres)
Uses:	MF-3
Floor Area:	350,000 SF
Coverage:	60% maximum
Setbacks:	Front Yard 25 FT Side Yard 15 FT Rear Yard 25 FT
Height:	Minimum height of Building: 60 FT Maximum height of Building: 115 FT (Maximum height of building is measured from top of finished at that roof)
Density:	Minimum 5 stories of Dwelling Units Maximum 8 stories of Dwelling Units
Parking:	Minimum number of units: 175 Maximum number of units: 285 1.5 Spaces per Residential Unit 1.0 Spaces (specialty) per 10 Units



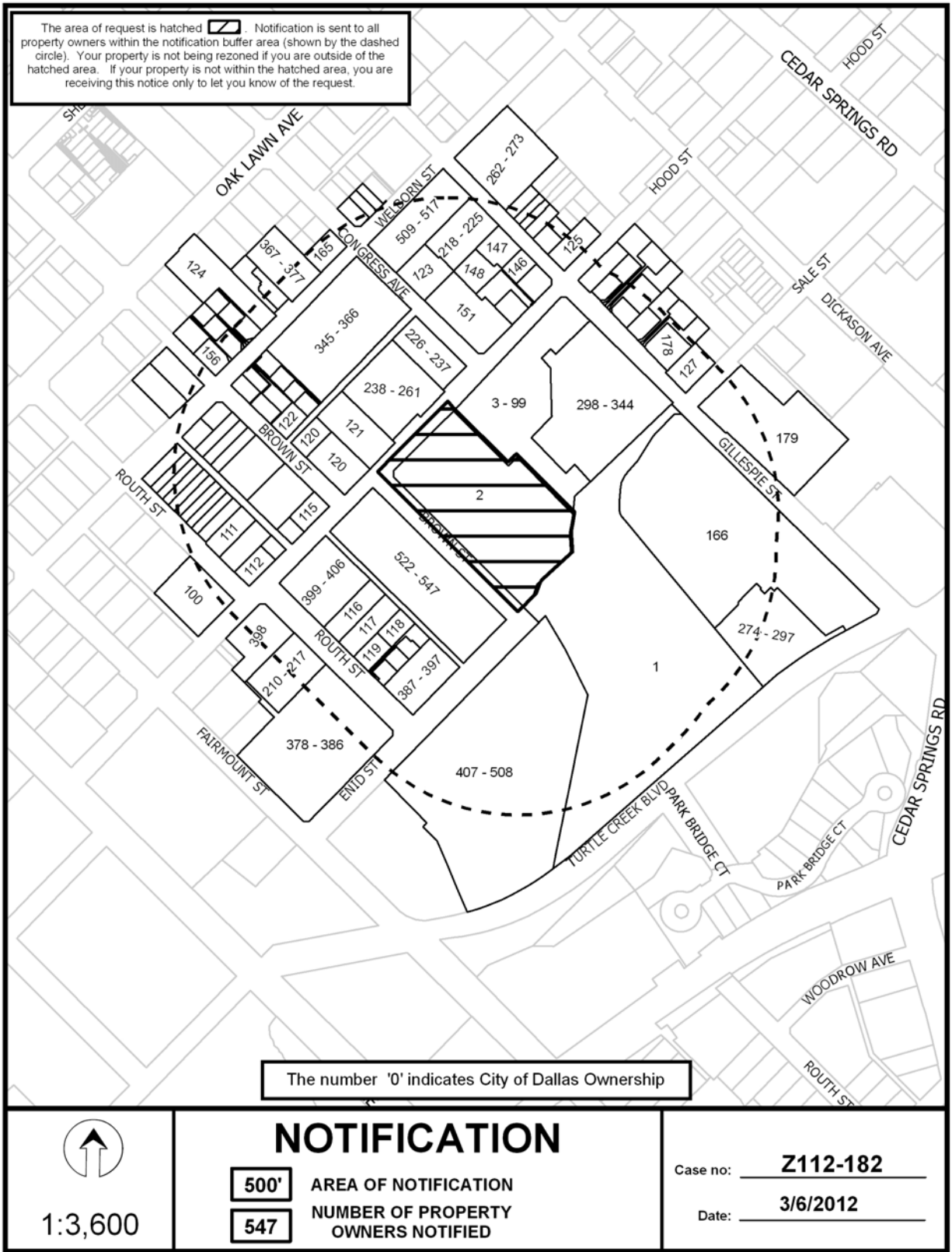
1:6,000

### 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 LYNDALE 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

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

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

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

3/6/2012

<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	OBRIEN 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

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**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:**

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

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

**HOUSING ELEMENT**

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

Policy 3.1.3            Encourage stabilization of existing neighborhoods.

**URBAN DESIGN**

**GOAL 5.2            STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

Policy 5.2.1            Maintain neighborhood scale and character.

**Land Use Compatibility:**

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

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

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

**Development Standards:**

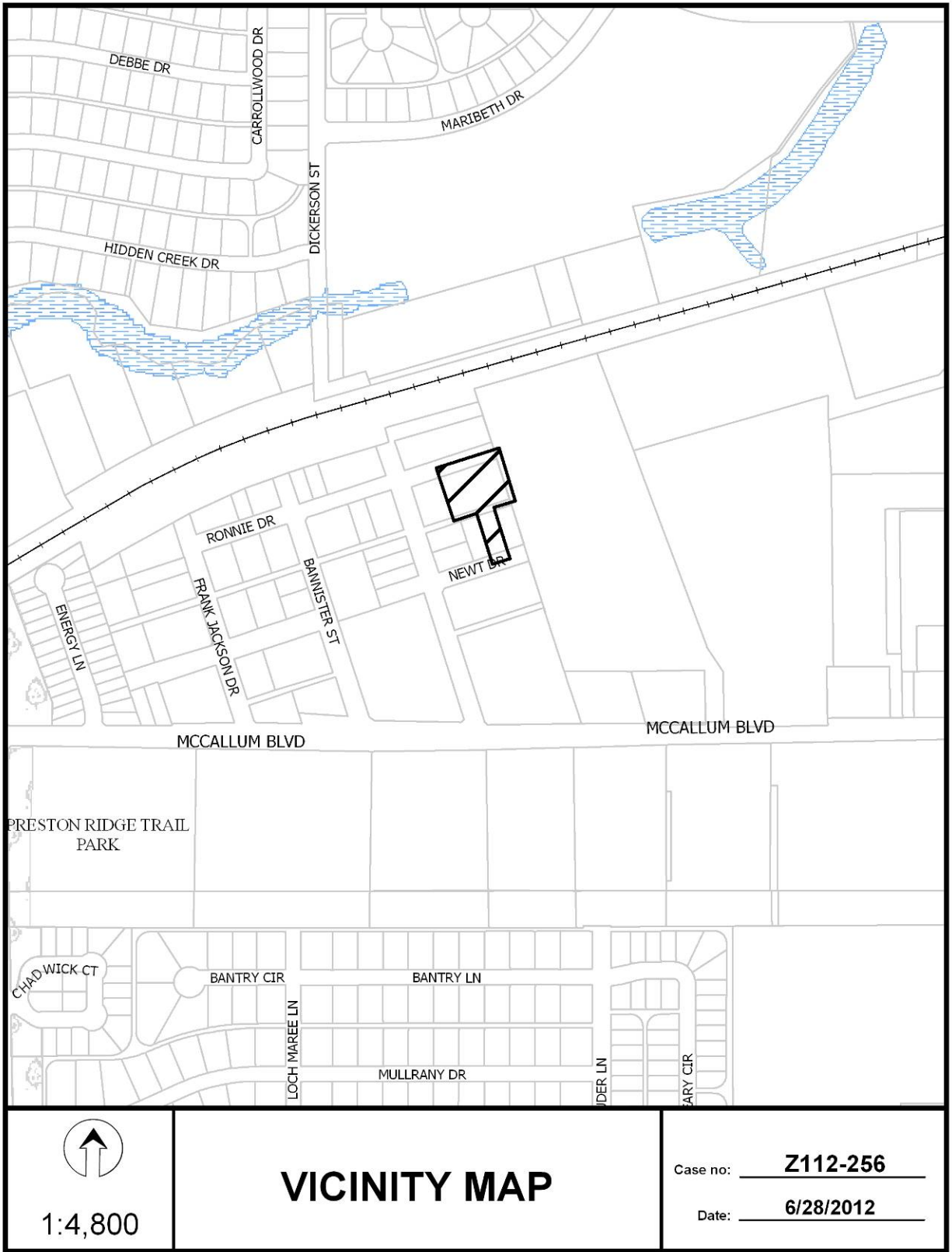
DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
<b>Proposed</b>							
CS Commercial Service	15' 0' on minor	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 3 stories	80%	Proximity Slope Visual 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.

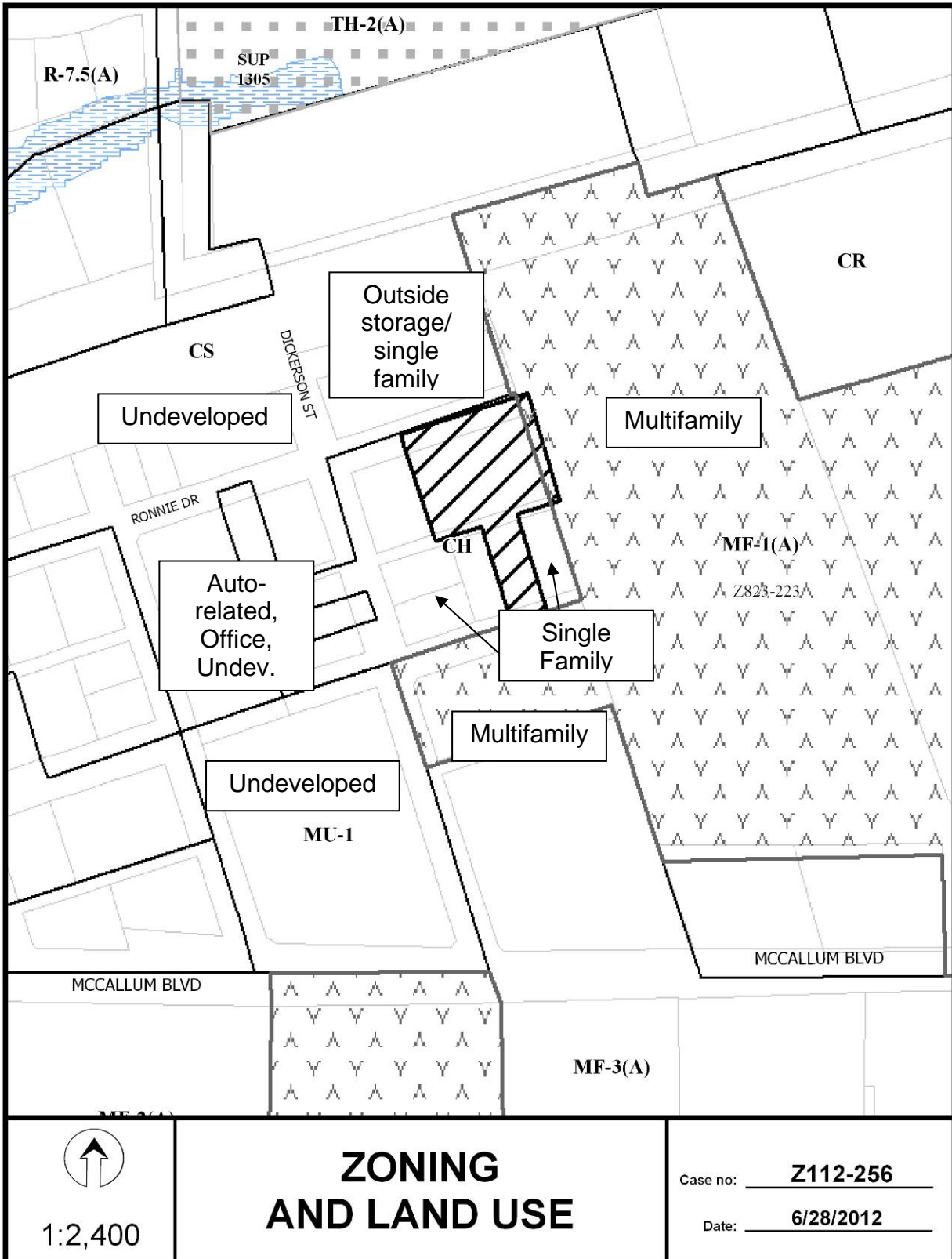


1:4,800

# VICINITY MAP

Case no: Z112-256

Date: 6/28/2012



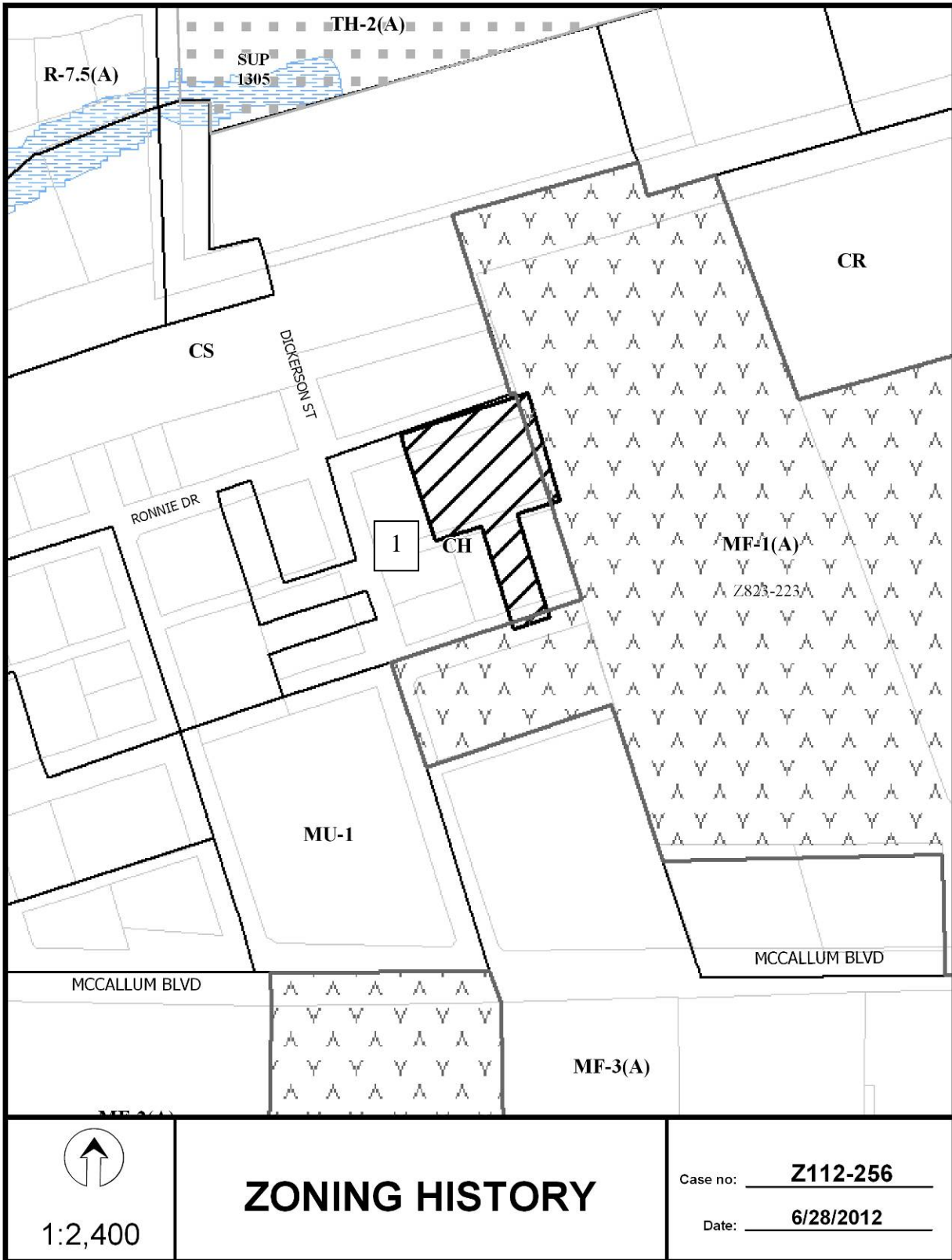
1:2,400

# ZONING AND LAND USE

Case no: Z112-256

Date: 6/28/2012

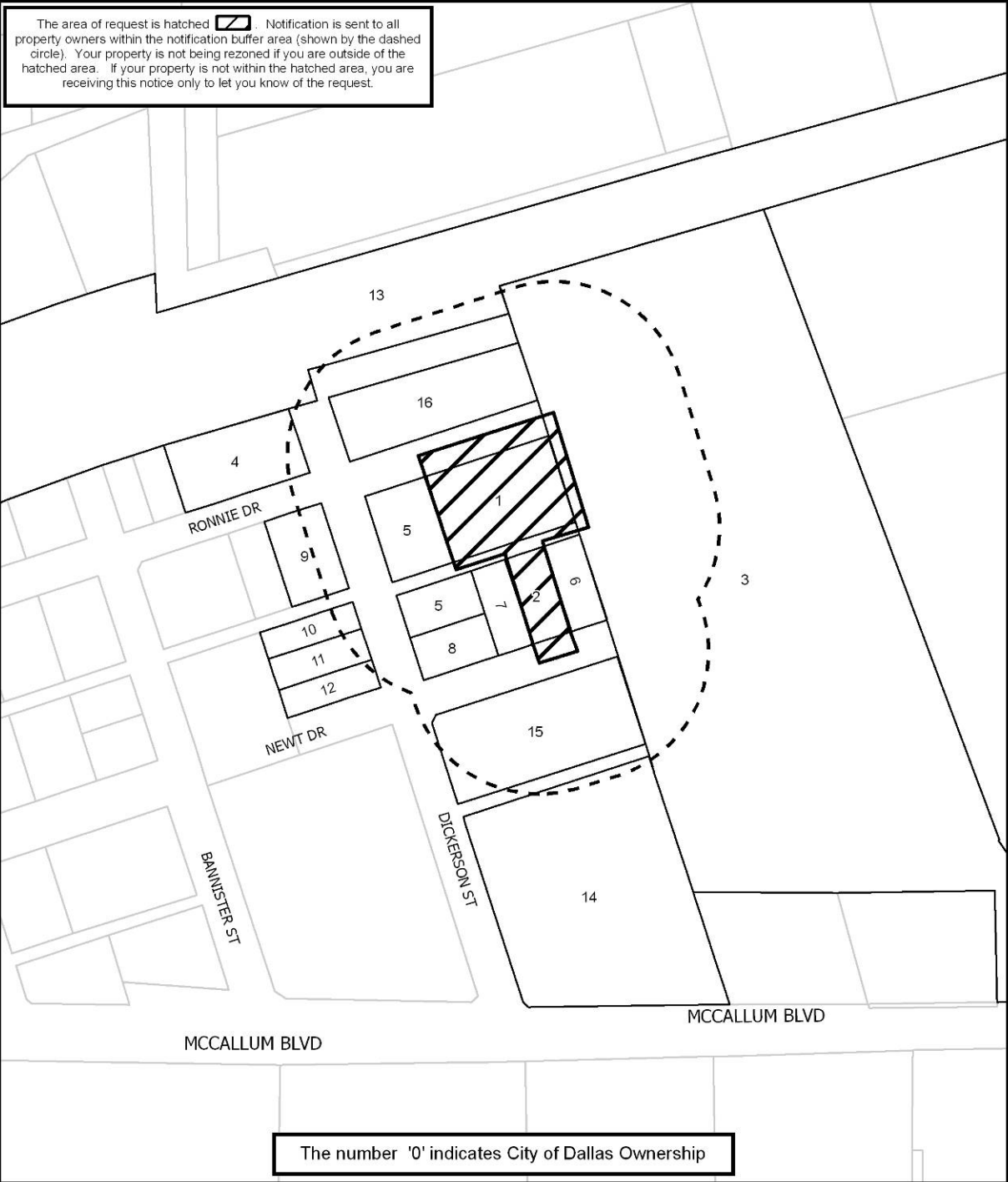




1:2,400

# ZONING HISTORY

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



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <p> <span style="border: 1px solid black; padding: 2px;">200'</span> AREA OF NOTIFICATION  <span style="border: 1px solid black; padding: 2px;">16</span> NUMBER OF PROPERTY OWNERS NOTIFIED                 </p>	Case no: <u>    <b>Z112-256</b>    </u> Date: <u>    <b>6/28/2012</b>    </u>
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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: Warren F. Ellis**

**FILE NUMBER:** Z123-117(WE) **DATE FILED:** October 19, 2012

**LOCATION:** McKinnon Street and Wolf Street, south corner

**COUNCIL DISTRICT:** 2 **MAPSCO:** 45 E

**SIZE OF REQUEST:** Approx. 0.9968 acres **CENSUS TRACT:** 19.00

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**APPLICANT:** Harwood International

**OWNER:** Frost Bank

**REPRESENTATIVE:** Ben Cortez  
Harwood International

**REQUEST:** An application for an amendment to, and an expansion of, Planned Development Subdistrict No. 16 for O-2 Office Subdistrict uses on property zoned Planned Development Subdistrict No. 16 and an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

**SUMMARY:** The purpose of this request is to allow for the construction of a 174,000 square foot office development. The proposed development will allow for approximately 5,000 square feet of additional retail and office uses on the street level.

**STAFF RECOMMENDATION:** Approval, subject to revised development plan, revised landscape plan and staff's recommended conditions.

**BACKGROUND INFORMATION:**

- In November 1996, the City Council approved Planned Development Subdistrict No. 16 for O-2 Office Subdistrict uses and for a bank or savings and loan office with drive through service. The approved Ordinance permitted the O-2 Office Subdistrict uses as the main uses but the development was governed by the development plan, which is the bank or savings and loan office with drive through service. The site, at the time, was developed around a single family use that was not part of the original request. A bank or savings and loan office requires a Specific Use Permit in an O-2 Office Subdistrict.
- The applicant’s request for an amendment to, and an expansion of, PDS No. 16 will reflect the O-2 Office Subdistrict development rights and standards on the property. The applicant acquired additional property (single family dwelling) that will allow the site’s redevelopment of a 174,000 square foot office development. The proposed office development will be developed on a seven story parking structure and will have several ground floor retail uses.
- The applicant has requested several modifications to the O-2 Office Subdistrict development rights and standards. These modifications include: an increase in the structure’s height, an increase the lot coverage and a reduction in the required setbacks.
- The request site is adjacent to an undeveloped tract of land to the northwest (PDS No. 82), a residential development (PDS No. 52) to the northeast, which is across McKinnon Street, an office use to the southeast and a hotel use to the southwest, across N. Harwood Street.

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Mckinnon Street aka Dallas North Tollway		Variable right-away width	Variable right-away width
Wolf Street	Local Street	40 ft.	40 ft.
N. Harwood Street	Local Street	60 ft.	60 ft.

**Land Use:**

	<b>Zoning w/in PDD No. 193</b>	<b>Land Use</b>
<b>Site</b>	PDS No. 16, O-2	Bank, Single Family
<b>Northeast</b>	PDS No. 52, O-2	Residential, Office
<b>Southeast</b>	O-2	Office
<b>Northwest</b>	PDS No. 83	Undeveloped
<b>Southwest</b>	PDS No. 58	Hotel, Office, Television station

**Comprehensive Plan:** The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies that support the applicant's request for an Office development. The request site is located on the outer edge of the Downtown Building Blocks.

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

**LAND USE**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**URBAN DESIGN**

**Goal 5.1 Promote a sense of place, safety and workability**

Policy 5.1.2 Define urban character in Downtown and urban cores

**Area Plans:**

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

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

The applicant's request for an amendment to, and an expansion of, PDS No. 16 meets objectives 1, 3, 4 and 7. The remaining objectives, 2, 5, and 6 do not apply to the proposed development. The Property will be redeveloped with a 174,000 square foot office building that will have a restaurant and bank with a drive through service. The restaurant and bank use will occupy approximately 5,000 square feet of floor area, per use, on the street level.

The proposed development will need to increase the maximum floor area for retail uses on the street level from 2,000 square feet to 5,000 square feet. PDD No. 193 states that "a maximum of 2,000 square feet of floor area for retail and certain street level uses are permitted on the street level or the aggregate floor area of retail uses and the additional uses listed in PDD No. 193.110(c)(2) on a street level of a building may not exceed 50 percent of the aggregate floor area of all uses on the street level." This increase in floor area could increase the pedestrian traffic along McKinnon Street, Wolf Street or N. Harwood Street as result of the type of uses that are being proposed within the development.

The applicant will submit a landscape plan that will comply generally with the landscaping requirements in Part 1 of PDD No. 193. The plan will show an area north of the development as "open space" and the space will be used as a landscape area, which will allow pedestrian interaction along the street edge.

**STAFF ANALYSIS:**

**Land Use Compatibility:** The 0.9968 acre site is developed with a one-story bank with a drive through service and a single family use. In November 1996, the City Council approved Planned Development Subdistrict No. 16 for O-2 Office Subdistrict uses and a bank or savings and loan office with drive through service. The approved Ordinance permitted the O-2 Office Subdistrict uses as the main uses but the development was governed by the development plan, which is the bank or savings and loan office with drive through service. The site, at the time, was developed around a single family use that was not part of the original request.

The applicant’s request for an amendment to, and an expansion of, PDS No. 16 will generally reflect the O-2 Office Subdistrict development rights and standards on the property. The applicant acquired additional property (single family dwelling) that will allow for the site’s redevelopment of a 174,000 square foot office development. In addition, the applicant is requesting several modifications to the development standards and regulations to the O-2 Office Subdistrict as it relates to the proposed office development. The modifications are three-fold; 1) increase in the structure’s height, 2) increase the lot coverage and 3) reduction in the required setbacks.

The proposed office development will be constructed on a 7-story parking structure and will have several retail and office uses on the street level. Planned Development District No. 193 limits the floor area of retail and certain additional uses on the street level of a building to a maximum of 2,000 square feet. The applicant is proposing to have two restaurants within the development. Both restaurants will be located on the street level and will occupy approximately 5,000 square feet of floor area. The increase in the total square footage will allow for larger retail uses to operate within the development. The applicant is proposing a maximum structure height of 270 feet. The O-2 Subdistrict limits the maximum height to 240 feet.

Below is a list of the uses that are permitted on the street level with a limited square footage in an O-2 Office Subdistrict.

Antique shop	Duplication shop	Photography studio
Art gallery/art work sales	Electronic store	Private club
Bakery or confectionery shop	Florist store	Private mailing and messenger pick-up and delivery service
Bar, lounge or tavern	Gift shop	Private recreation club or area
Barber and beauty shop	Handcraft bookbinding	Restaurant with alcoholic beverages and/or entertainment
Book and stationary store	Health studio	Shoe repair
Camera shop	Hobby and art supplies store	Tailor, custom sewing and millinery



Cigar, tobacco and candy store	Key shop	Travel bureau
Drugstore	Optical shop	

PDS No. 16 and O-2 Subdistrict will limit the lot coverage to 75 percent. The applicant is proposing an increase in the lot coverage from 75 percent to 80 percent, even though the proposed development will only cover approximately 42 percent of the land area. Staff is proposing that the lot coverage remain at 75 percent, pursuant to the PDD No. 193 standards.

The request site is bounded by three streets, McKinnon, Wolf and North Harwood, which are considered front yards to the proposed development. The applicant is proposing modifications to the required setbacks. The regulations specify that the front yard setback in an O-2 Subdistrict is 20 feet. However, the applicant is proposing a 20 foot setback on Mckinnon Street and zero front yard setbacks on Wolf Street and North Harwood Street. In addition, the applicant is proposing the development to have a zero rear and side yard setback. PDD No. 193 requires a 10 foot side and rear setback in an O-2 Subdistrict.

Staff is concerned with the applicant’s proposal for zero setbacks along Wolf Street, N. Harwood Street and the southeastern property line. A zero setback along the street frontages, more specifically along North Harwood Street, is in conflict with the applicant’s overall vision and concept for the area; that is to create a walkable pedestrian friendly environment within the 17-block Harwood District. The entrance/exit into loading dock area and parking structure is proposed to be built at the property line on North Harwood Street. Staff does not support the development being constructed at the property line and recommends a 10 foot setback. The 10 foot setback will promote pedestrian safety as well as establish a friendly walkable environment along the street’s edge.

Moreover, the zero rear yard setbacks the applicant is proposing along the southeastern property line will allow for a 7-story parking structure to be built at the property line. A bank with a drive through service will be constructed underneath the parking structure on the street level which will face the adjoining property. Staff is concerned with a zero rear yard setback and recommends a 10 foot setback along the southeastern property line. The buffer strip could provide solid screening between the adjoining property and the bank’s vehicular traffic as well as allow for the sight line or visibility of the adjoining property to be less obscured from the proposed development.

Staff recommendation is for approval of the applicant’s request for an amendment to, and an expansion of, Planned Development Subdistrict No. 16 for O-2 Office Subdistrict uses, subject to a revised development plan, revised landscape plan and staff’s recommended conditions.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b>SETBACKS</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>					
PDS No. 16 -existing O-2 Office uses	Per plan	Per plan	4:1 FAR	240'	75%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
O-2 -existing Office uses	20'	10'/10'	4:1 FAR	240'	75%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
PDS No. 16 —Applicant's Proposal O-2 Office uses	0'	0'/0'	4:1 FAR	270'	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential
PDS No. 16 —Staff's rec. O-2 Office uses	20'/10'	10'/10'	4:1 FAR	270'	75%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential

**Landscaping:** Landscaping must be provided as shown on the attached landscape plan.

**Landscape Plan:** At the time of this report, staff has not received a revised landscaping plan that shows the screening of the surface parking. The applicant will have to mitigate the number of trees that will be removed from the site.

**Wolf Street:** The proposed development will be required to add additional right-of-way and pavement on Wolf Street. Currently, Wolf Street has 45 feet of right-of-way and 26 feet of pavement. PDD No. 193 will require the developer bring Wolf Street to Code's standards, which is to provide 50 feet right-of-way and 30 feet of pavement.

City staff has met with the applicant's representative to discuss the construction of a left turn lane from Wolf Street onto McKinnon Street. Staff made several site visits and reviewed the traffic data for the proposed development and determined that a left turn lane is vital to the efficient operation of the intersection as well as maintain or improve the streets level of service. Presently, Wolf Street is signaled with one lane each direction.

The applicant did not agree with staff's assessment with the construction of a left turn lane from Wolf Street onto McKinnon Street. The applicant contends that the left turn lane will increase the traffic flow on Wolf Street and therefore, will impact their overall concept and vision for the 17-block Harwood District. The applicant wants to maintain a pedestrian friendly environment.

**LIST OF OFFICERS  
Harwood International**

- J. Gabriel-Mueller CEO/President
- David O. Roehm Executive Vice President
- Kennenth Babb CFO, Treasurer

**LIST OF OFFICERS  
Frost Bank**

- Richard W. Evans CEO
- Phillip D. Green Executive Vice President

**PROPOSED PLANNED DEVELOPMENT  
CONDITIONS**

**SEC. S-16.101. LEGISLATIVE HISTORY.**

PD Subdistrict 16 was established by Ordinance No. 22954, passed by the Dallas City Council on November 13, 1996. Ordinance No. 22954 amended Ordinance No. 21859, PD 193 (the Oak Lawn Special Purpose District), as amended, and Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. [~~Ord. Nos. 10962; 21859; 22954; 25267~~]

**SEC. S-16.102. PROPERTY LOCATION AND SIZE.**

PD Subdistrict 16 is established on property generally located on the east corner of Harwood Street and Wolf Street. The size of PD Subdistrict 16 is approximately 0.9968 [~~0.8946~~] acres. [~~Ord. Nos. 22954; 25267~~]

**SEC. S-16.103. PURPOSE STATEMENT.**

The standards of this division complement the development pattern in the area and recognize the area's unique identity as a gateway to downtown and a bridge between downtown and Oak Lawn. The objectives of these standards are as follows:

- (1) To promote the health, safety, welfare, convenience, and enjoyment of the public.
- (2) To achieve buildings more in urban form.
- (3) To promote a pedestrian environment and provide public open space.
- (4) To encourage development that complements nearby properties.
- (5) To achieve buildings efficient in design and utilization of space while providing adequate view corridors, light, and air to nearby properties.
- (6) To achieve buildings that reduce natural resource consumption, enhance occupant comfort and health, lower utility consumption, minimize strain on local infrastructures, and improve quality of life.
- (7) To promote new sign construction and existing sign alterations that:
  - (A) enhance, preserve, and develop the unique character of the district;

(B) insure compatibility with the area's architectural character;

(C) do not obstruct significant architectural features; and

(D) promote the safety of pedestrians and motorists.

**SEC. S-16.104. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions contained in Chapter 51 and in Part I of this article apply. In the event of a conflict, this division controls.

(b) In this division,

(1) SUBDISTRICT means a subdistrict of PD 193.

(2) CANOPY means a permanent, non-fabric architectural element projecting from the façade of a building.

(3) OPEN SPACE means publicly accessible plaza, terrace, balcony, or outdoor area. Open space may be located on the roof of a structure.

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

[d] [~~For purposes of determining the applicability of regulations in this division and in Chapter 51 triggered by adjacency or proximity to another zoning subdistrict or district, and for purposes of interpreting the requirements of Division 51-4.800;~~]  
[t]This subdistrict is considered to be a nonresidential zoning district. [~~Ord. Nos. 22954; 25267~~]

**SEC. S-16.105. EXHIBITS.**

The following exhibits are incorporated into this division:

Exhibit S-16A: development plan. (replace existing plan)

Exhibit S-16B:landscape plan.

Exhibit S16C: logo sign elevations.

**SEC. S-16.10[4]6. DEVELOPMENT PLAN.**

Development and use of the Property must comply with the development plan (Exhibit S-86A). If there is a conflict between the text of this division and the development plan, the text of this division controls. [~~Ord. 22954; 25267~~]

**SEC. S-16-107. LANDSCAPE PLAN**

Development and use of the Property must comply with the landscape plan (Exhibit S-86B). If there is a conflict between the text of this division and the development plan, the text of this division controls.

**SEC. S-16.10[5]8. MAIN USES PERMITTED.**

(a) 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. [~~Ord. 22954; 25267~~]

b[~~(a)~~] Bank or savings and loan office with drive-through service is permitted by right.

**SEC. S-16.10[6]9. ACCESSORY USES.**

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

**SEC. S-16.1[07]10. YARD, LOT, AND SPACE REGULATIONS.**

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

(a) In general. Except as provided [~~below~~] in this section, the yard, lot, and space regulations [~~specified~~] for the O-2 Office Subdistrict [~~PD PD 193, as amended,~~] apply [~~to this PD subdistrict~~].

[~~(b) For a bank or savings and loan office with drive-through service use, the following yard, lot, and space regulations apply:~~]

*Staff's Recommendation*

(a)[4] Front yard. Minimum front yards [is] are ~~[shown on the development plan. (Ord.27499)]~~;

- (i) Mckinnon Street is 20 feet;
- (ii) Wolf Street is 20 feet; and
- (iii) North Harwood Street is 10 feet.

*Applicant's Proposal*

(a)[4] Front yard. Minimum front yards [is] are ~~[shown on the development plan. (Ord.27499)]~~;

- (i) Mckinnon Street is 20 feet;
- (ii) Wolf Street is 0 feet; and
- (iii) North Harwood Street is 0 feet.

(b) One monument sign is permitted in the front yard as shown on the development plan.

*Staff's Recommendation*

(c)[2] Side and Rear yard. Minimum side and rear yard is 10 feet ~~[as shown on the development plan.]~~

*Applicant's Proposal*

(c)[2] Side and Rear yard. Minimum side and rear yard is 0 feet ~~[as shown on the development plan.]~~

~~[(3) Floor area. Maximum floor area is as shown on the development plan.]~~

~~[(4) Lot coverage. Minimum lot coverage is as shown on the development plan.]~~

~~[(5) Lot size. Minimum lot size is as shown on the development plan.]~~

~~[(c) Maximum permitted structure height and number of stories for all uses in this subdistrict are 36 feet and three stories. (Ord. Nos. 22954; 25267)]~~

(d) Height. Maximum structure height is 270 feet.

(e) Floor area.

(1) The additional street level uses listed Section 51P-193.110(c)(2) may not have a combined floor area greater than 5,000 square feet.

(ii) The combined floor area of retail uses and the additional street level uses listed in Section 51P-193.110(c)(2) on the street level of a building may not exceed 50 percent of the floor area of all uses on the street level.

**SEC. S-16.10[8]11. OFF-STREET PARKING AND LOADING.**

~~[Parking for a bank or savings and loan office with drive-through service use must be provided as shown on the development plan. For all other permitted uses,] Consult Part I of this article for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations of PD 193 for information regarding off-street parking and loading generally. [(Ord. Nos. 22954; 25267)]~~

**EC. S-86.112. PARKING STRUCTURE FACADE STANDARDS.**

All permanent parking structures must be either underground or concealed in a building with a facade that is similar in appearance to the facade of the main building for which the parking is accessory. At least 12 percent of the parking structure facade (including openings, if any) must be covered with the same material used predominantly on the first 24 feet of height of the main non-parking building. Openings in the parking structure facade may not exceed 52 percent of the total facade area.

**SEC. S-16.1[09]13. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. [(Ord. Nos. 22954; 25267)]

**SEC. S-16.11[0]4. [ACCESS.]**

~~[Ingress and egress for a bank or savings and loan office with drive-through service must be provided as shown on the development plan. (Ord. Nos. 22954; 25267)]~~

**SEC. S-16.11[1]5. LANDSCAPING.**

In general. Except as provided in this section, [L]andscaping must comply with Section 51P-193.126. [All plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 22954; 25267)]

(a) Landscaping must be provided as shown on the landscape plan

(b) Off-street parking and screening. The off-street parking and screening requirement must comply with 51P-193.126(b)(3)(iii).



(c) All plant materials must be maintained in a healthy, growing condition. [Ord. 22954]

(c) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this subdistrict for the exclusive purpose of authorizing compliance with the landscaping requirements of this article. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit. 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, any time such termination becomes necessary. The determination by the city 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 this 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 right-of-way to the satisfaction of the director of public works and transportation.

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

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy shall be on an occurrence basis and the city shall be named as an 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 the same are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and keeping the premises safe and from deteriorating in value or

condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability in the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(c) Prior to the commencement of the process of relocating trees to be planted elsewhere on the property, the Building Official must be provided a detail of the contractor, dates of transplant, the approved storage locations, and maintenance provisions, for the relocated trees.

[e](d) Plant materials must be maintained in a healthy, growing condition.

**[SEC. S-16.112. TREE PRESERVATION.]**

[Tree mitigation must comply with Article X. (Ord. Nos. 22954; 25267)]

**SEC. S-16.11[3]6. SIGNS.**

[(a) Detached premise signs for a bank or savings and loan office with drive-through service may be erected as shown on the development plan. The permissible effective area and height of these detached signs are also shown on the development plan.]

[(b) Except as provided in Subsection (a), all signs must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 22954; 25267)]

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

(b) Attached premise signs.

(1) The following attached premise signs are the only attached premise signs allowed:

(A) One logo sign located on or above the 20<sup>th</sup> floor of the north façade, as shown on the logo sign elevation (Exhibit S-16C). This sign may illuminated and may not be more than 24 feet in height..

(B) One logo sign located on or above the 20<sup>th</sup> floor of the south façade, as shown on the logo sign elevation (Exhibit S-16C). This sign may illuminated and may not be more than 24 feet in height.

(C) One logo sign located between the 9<sup>th</sup> floor and 13<sup>th</sup> floor of the west façade, as shown on the logo sign elevation (Exhibit S-16C). This sign must have LED light embedded glazing and be no more than 45 feet in height.

(D) One logo sign located on the canopy of the east façade, as shown on the logo sign elevation (Exhibit S-16C)

**SEC. S-16.117. TRAFFIC IMPROVEMENTS.**

*Staff's Recommendation*

(a) The following traffic improvements must be completed prior to obtaining a certificate of occupancy:

(1) 50 feet of right-of-way on Wolf Street;

(2) design and construct a 36-foot-wide street pavement on Wolf Street to accommodate a left turn lane from eastbound Wolf Street to Northbound McKinnon Street; and

(3) provide traffic signal upgrades to accommodate a protected left turn from Wolf Street onto McKinnon Street.

*Applicant's Proposal*

~~(b) The following traffic improvements must be completed prior to obtaining a certificate of occupancy:~~

~~(1) 50 feet of right-of-way on Wolf Street;~~

~~(2) design and construct a 36-foot-wide street pavement on Wolf Street to accommodate a left turn lane from eastbound Wolf Street to Northbound McKinnon Street; and~~

~~(3) provide traffic signal upgrades to accommodate a protected left turn from Wolf Street onto McKinnon Street.~~

**SEC. S-16.11[4]8. [GENERAL REQUIREMENTS] 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. [~~Ord. 22954~~]

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

**SEC. S-16.11[6]9. [PAVING] 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

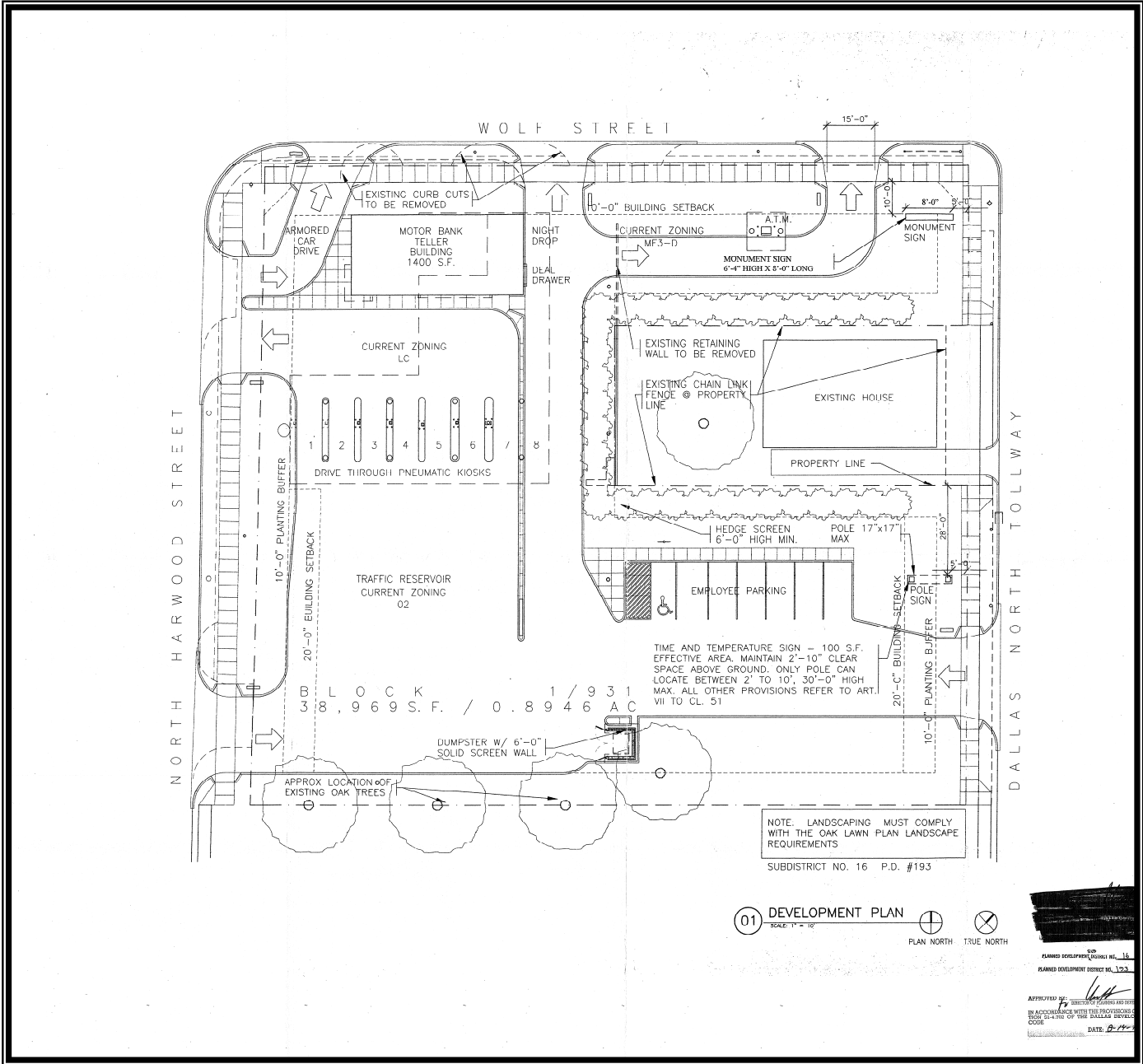
satisfaction of the director of public works and transportation. [~~Ord. Nos. 22954; 2567; 26102~~]

(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. [~~Ord. Nos. 22954; 2567; 26102~~]

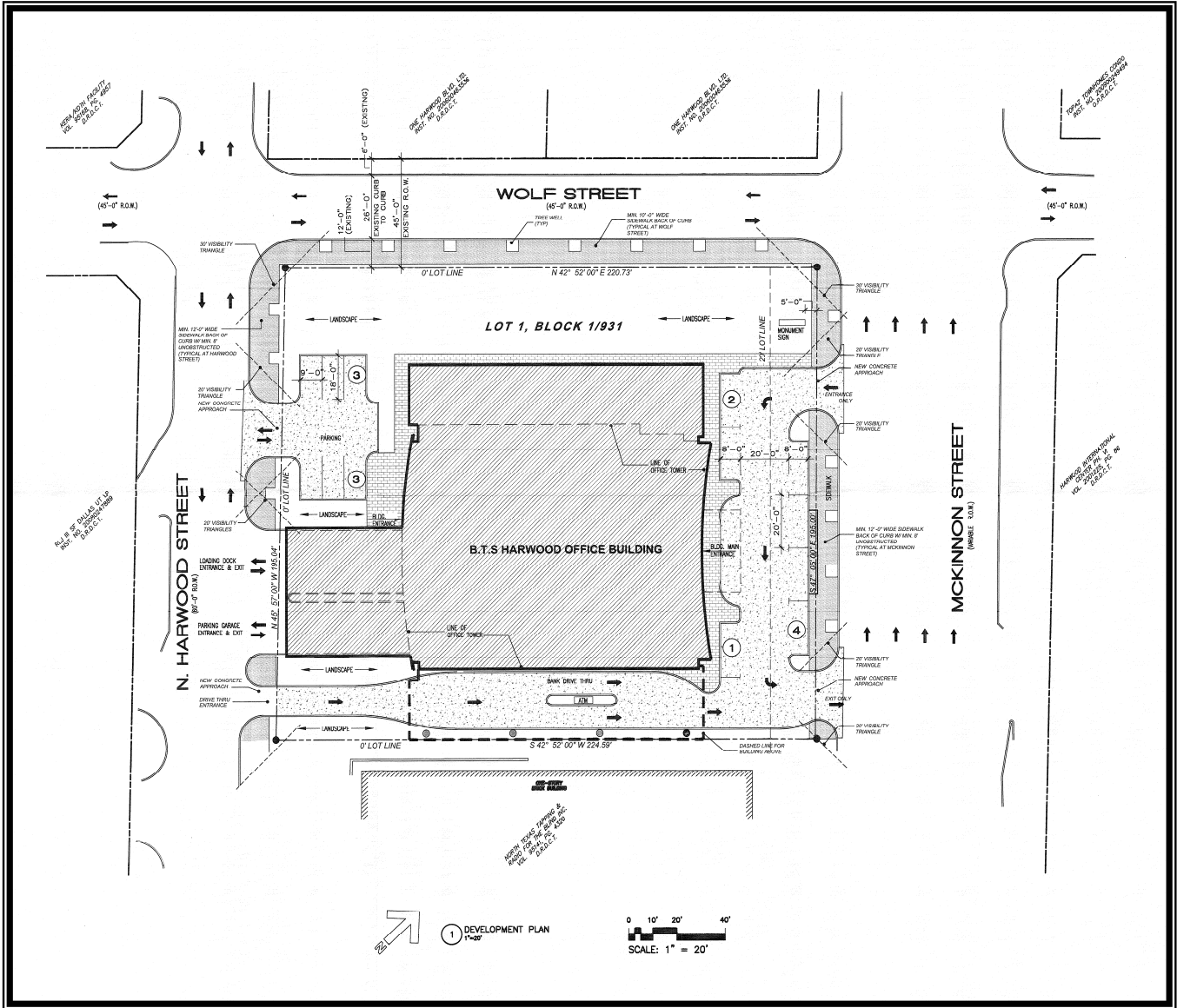
**[~~SEC. S-16.117. ZONING MAP.~~]**

[~~PD Subdistrict 86 is located on Zoning Map No. I-7. (Ord. Nos. 22954; 2567; 26102)~~]

**APPROVED DEVELOPMENT PLAN**



# PROPOSED DEVELOPMENT PLAN

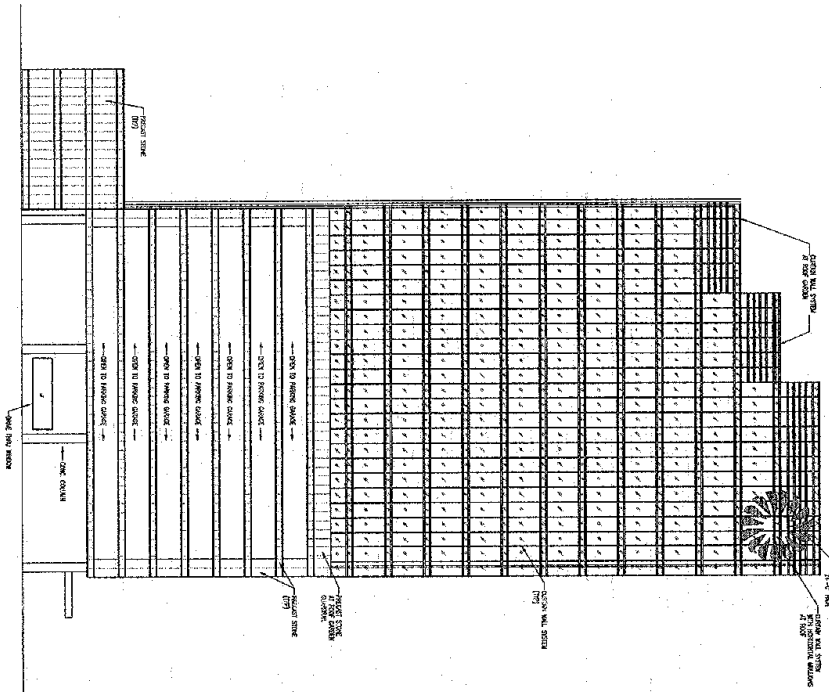


**PROPOSED LANDSCAPE PLAN**

A revised landscape plan will be handed out during the briefing session. Staff did not receive the revised Plan when this report was produced.

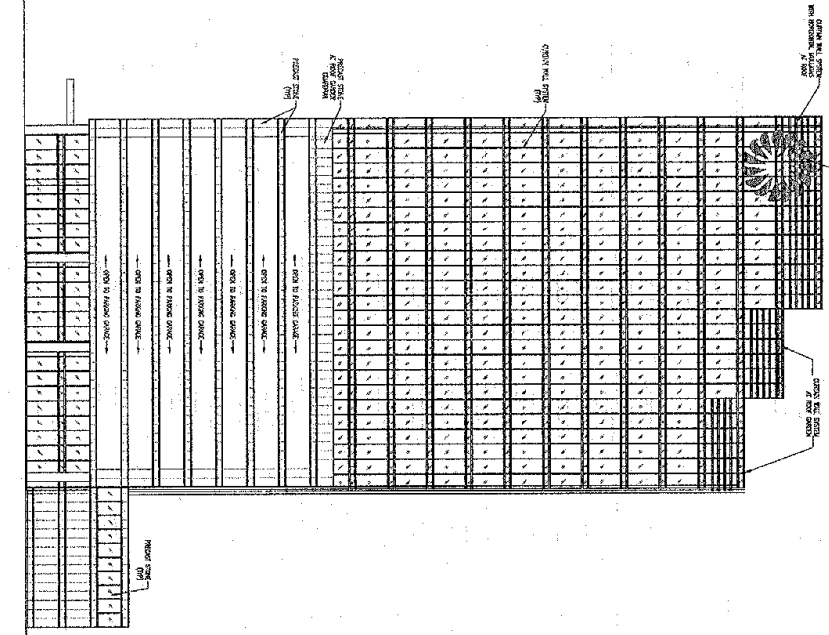
# PROPOSED NORTH/SOUTH ELEVATIONS

1 SOUTH BUILDING ELEVATION  
SCALE: 1/8" = 1'-0"



- 12TH FLOOR - OFFICE
- 11TH FLOOR - OFFICE
- 10TH FLOOR - OFFICE
- 9TH FLOOR - OFFICE
- 8TH FLOOR - OFFICE
- 7TH FLOOR - OFFICE
- 6TH FLOOR - OFFICE
- 5TH FLOOR - OFFICE
- 4TH FLOOR - OFFICE
- 3RD FLOOR - OFFICE
- 2ND FLOOR - OFFICE
- 1ST FLOOR - OFFICE
- 0TH FLOOR - OFFICE
- BASEMENT - OFFICE

2 NORTH BUILDING ELEVATION  
SCALE: 1/8" = 1'-0"

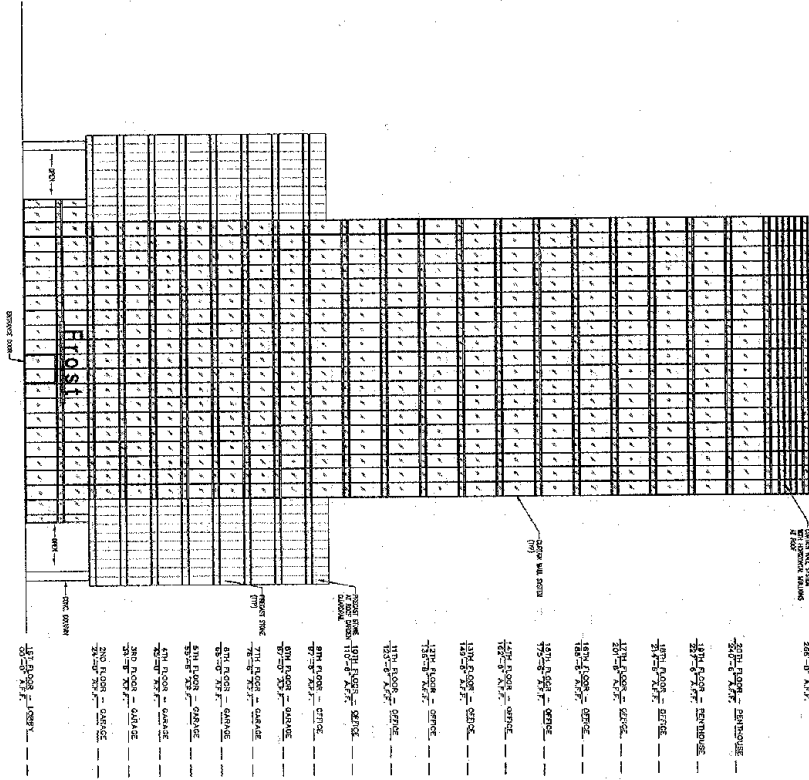


- 12TH FLOOR - OFFICE
- 11TH FLOOR - OFFICE
- 10TH FLOOR - OFFICE
- 9TH FLOOR - OFFICE
- 8TH FLOOR - OFFICE
- 7TH FLOOR - OFFICE
- 6TH FLOOR - OFFICE
- 5TH FLOOR - OFFICE
- 4TH FLOOR - OFFICE
- 3RD FLOOR - OFFICE
- 2ND FLOOR - OFFICE
- 1ST FLOOR - OFFICE
- 0TH FLOOR - OFFICE
- BASEMENT - OFFICE

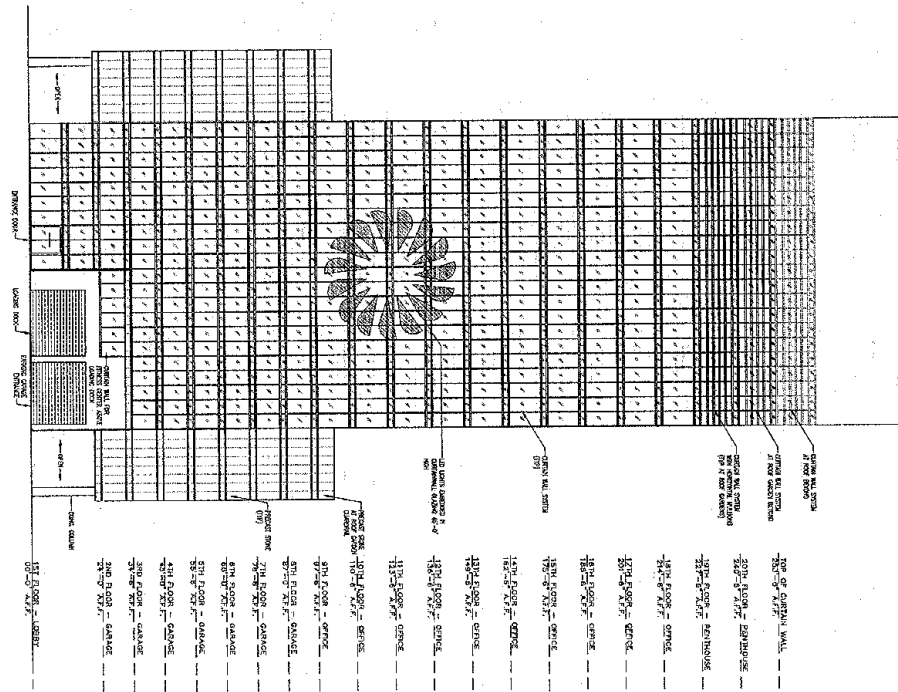


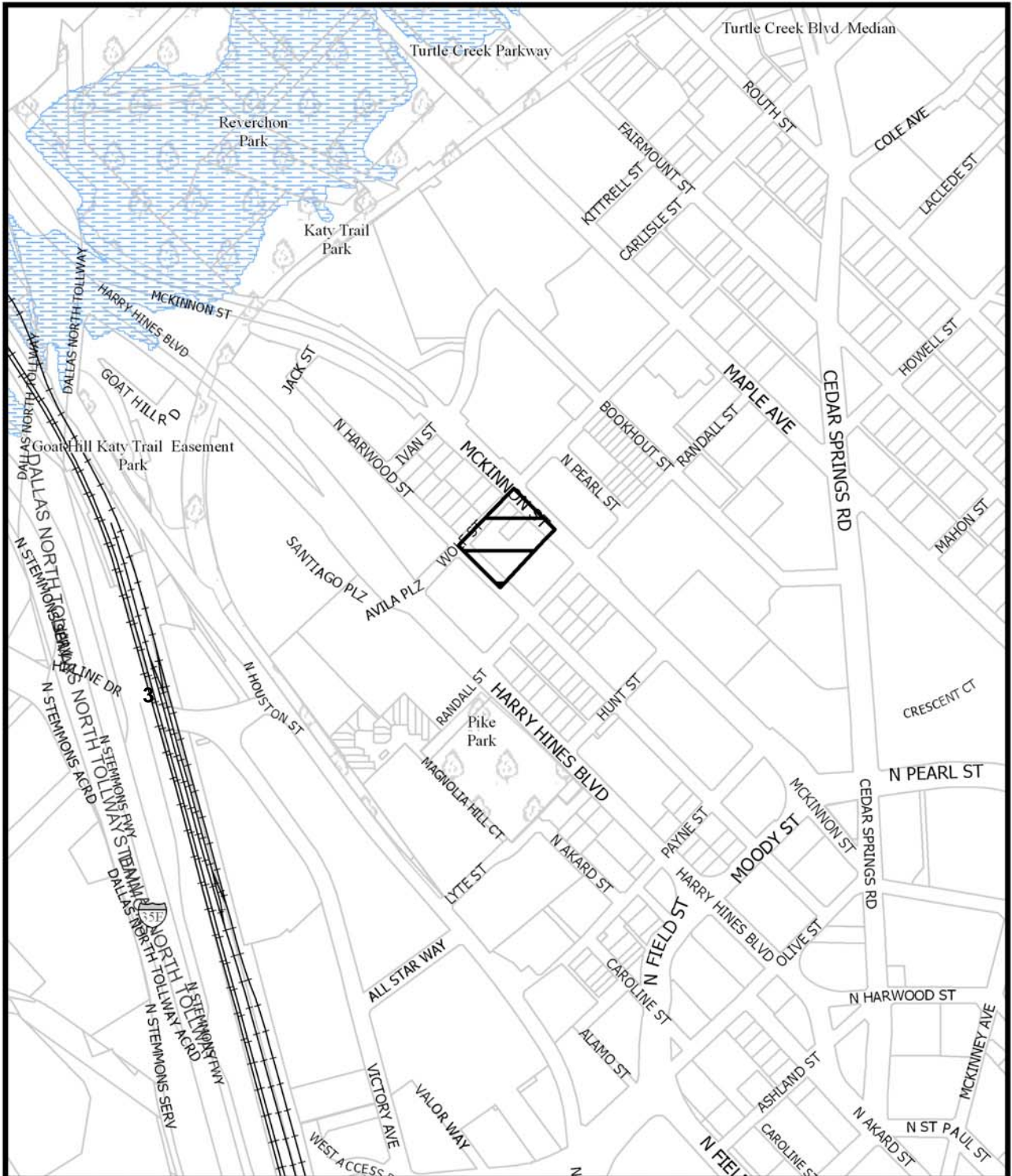
# PROPOSED EAST/WEST ELEVATIONS


1 EAST BUILDING ELEVATION  
SCALE 1/8" = 1'-0"



2 WEST BUILDING ELEVATION  
SCALE 1/8" = 1'-0"

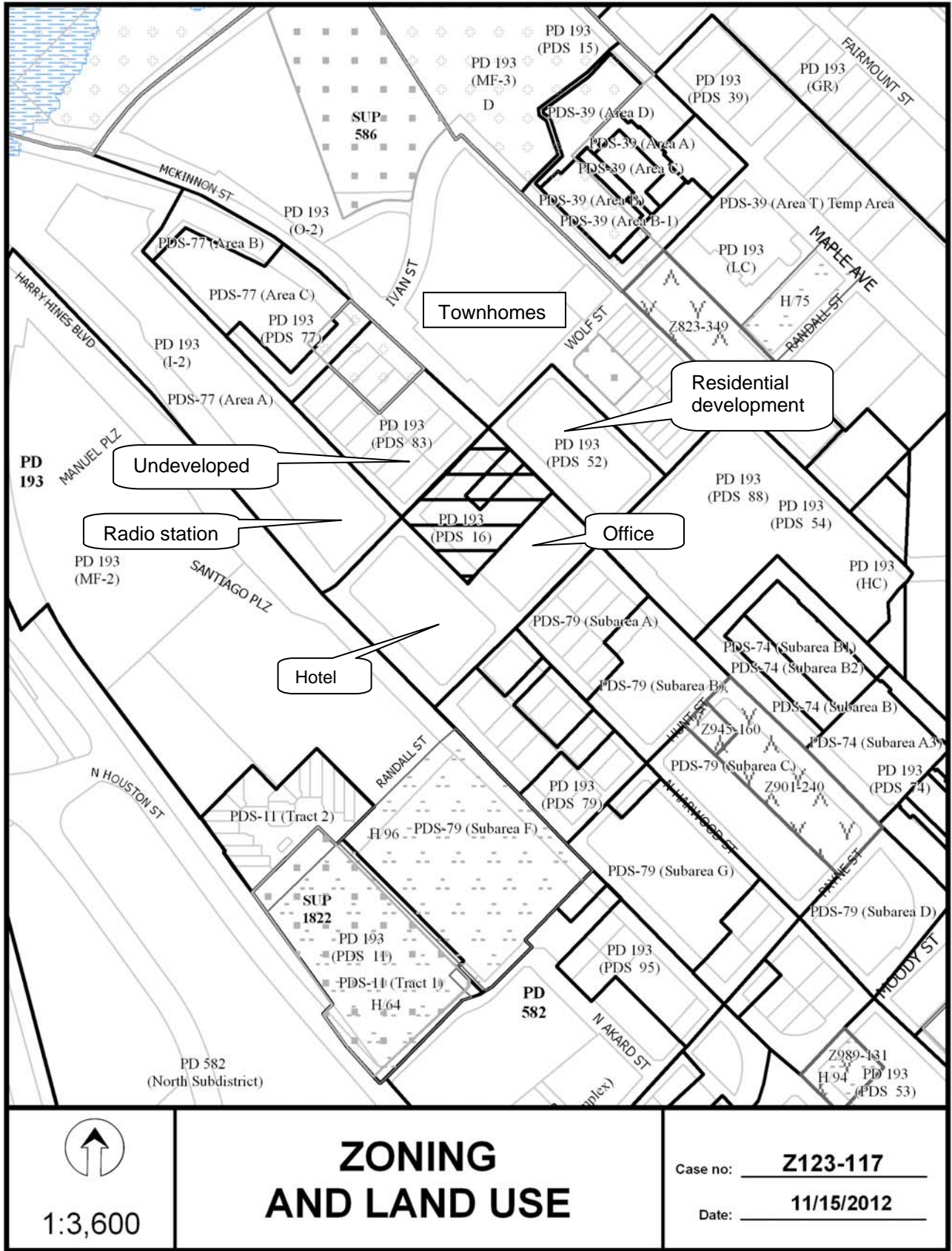





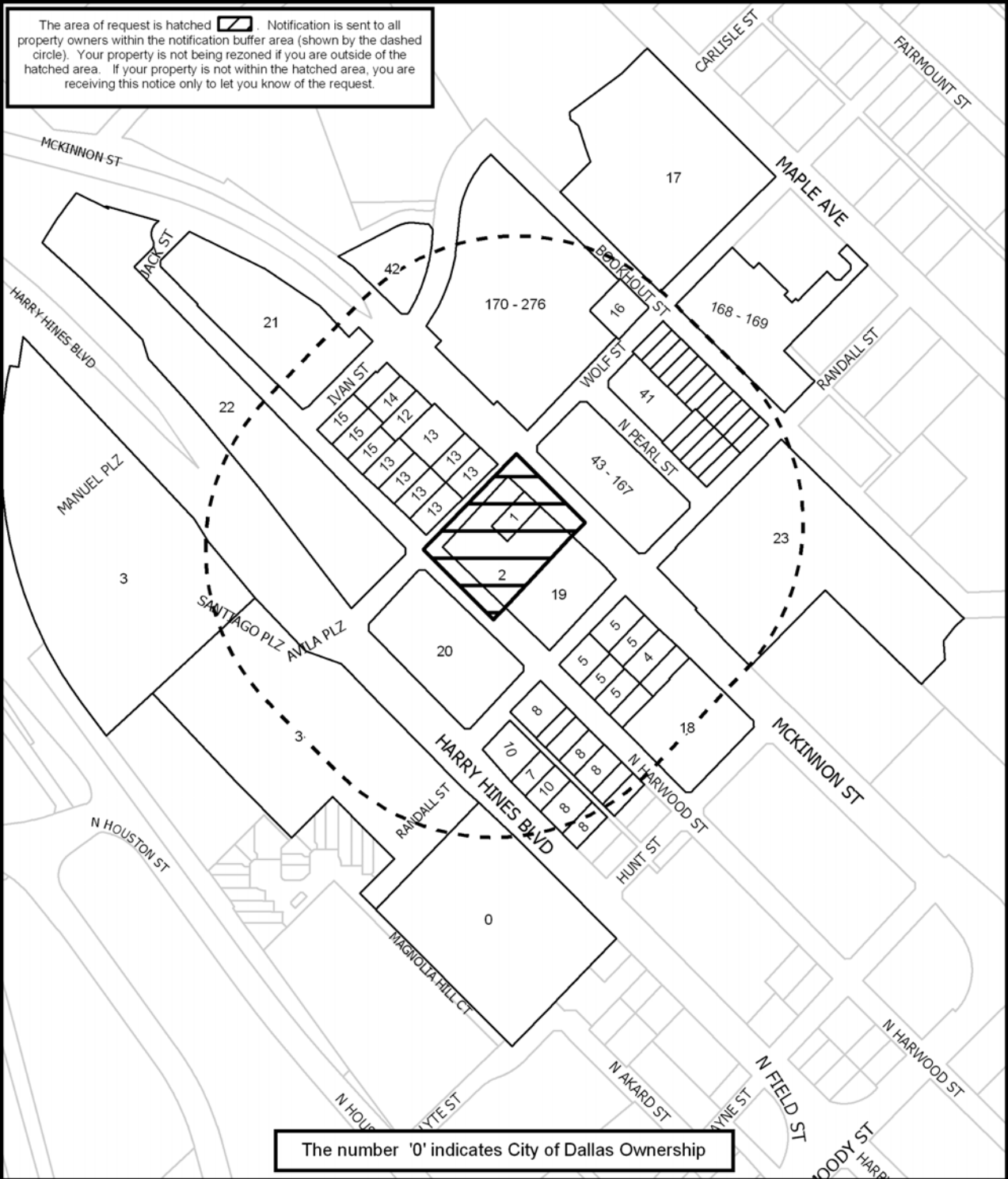
  
1:6,000

# VICINITY MAP


Case no: **Z123-117**  
Date: **11/15/2012**



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

<b>500'</b>	AREA OF NOTIFICATION
<b>276</b>	NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:           **Z123-117**            
Date:           **11/15/2012**

## **Notification List of Property Owners**

### **Z123-117**

#### **276 Property Owners Notified**

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	2921 MCKINNON ST	FROST NATIONAL BANK THE % ROBERT GOUDGE
2	2950 HARWOOD ST	OVERTON BANK & TRUST % CULLEN FROST BANK
3	2901 HARRY HINES BLVD	DALLAS HOUSING AUTHORITY
4	2819 MCKINNON ST	ROLEX TEX REALTY CORP
5	2823 MCKINNON ST	ROLEX TEXAS REALTY CORP
6	2821 HARWOOD ST	SANCHEZ TRINIDAD ESTATE % JOAQUIN SANCHE
7	2818 HARRY HINES BLVD	AVALOS SAMUEL R III ET AL
8	2825 HARWOOD ST	HPO INC
9	2807 HARWOOD ST	S.R.S.R. INC
10	2830 HARRY HINES BLVD	VILLASANA CHARLES
11	2809 HARWOOD ST	GLAZER JUDY B
12	3015 MCKINNON ST	DELAGARZA NAPOLEON % JOE DE LA GARZA
13	3009 MCKINNON ST	ONE HARWOOD BLVD LTD
14	3019 MCKINNON ST	MORENO ARTHUR J
15	3023 MCKINNON ST	ONE HARWOOD BOULEVARD LTD
16	3001 BOOKHOUT ST	LANGFORD JAMES E
17	3001 MAPLE AVE	KENSINGTON MAPLE LLC
18	2828 HARWOOD ST	INTERNATIONAL CENTER DEVELOPMENT IV LTLD
19	2007 RANDALL ST	NORTH TEXAS TAPING & RADIO FOR THE BLIND
20	2914 HARRY HINES BLVD	RLJ III SF DALLAS UT LP STE 1000
21	3130 HARWOOD ST	HIC BLEU CIEL LTD
22	3000 HARRY HINES BLVD	NORTH TEXAS PUBLIC BROADCASTING INC
23	2820 MCKINNON ST	WINDSOR AT TRIANON LP % TRIANON
24	2925 BOOKHOUT ST	MCCUTCHIN TRACY L
25	2923 BOOKHOUT ST	GROGAN WILLIAM & SILA GROGAN
26	2921 BOOKHOUT ST	SANTINI NOEL O

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2919 BOOKHOUT ST	FRENCH DAX K
28	2917 BOOKHOUT ST	LEVIEUX JANE STUART PMB 133
29	2915 BOOKHOUT ST	MORGAN T S
30	2911 BOOKHOUT ST	CLARK MARK C
31	2912 PEARL ST	CLARK JON
32	2910 PEARL ST	COLEMAN WALTER C IV
33	2909 BOOKHOUT ST	HOPKINS HAROLD N III & NETHERLAND MONICA
34	2907 BOOKHOUT ST	GATTMAN CHRISTOPHER JONATHAN
35	2908 PEARL ST	SHERRY STEVEN D
36	2906 PEARL ST	CRANE MICHAEL A
37	2905 BOOKHOUT ST	SALMASSIAN ERIC & URIBE MERCEDES
38	2903 BOOKHOUT ST	BALDWIN LAURA C
39	2902 PEARL ST	ONEAL J SCOTT & CAROL
40	2901 BOOKHOUT ST	HOANG DANE
41	2920 PEARL ST	HARTNETT PROPERTIES CO
42	1902 IVAN ST	HINES REIT 3100 MCKINNON STE 4900
43	2900 MCKINNON ST	KARCHMER DON A REVOCABLE TRUST
44	2900 MCKINNON ST	INTERNATIONAL CENTER DEV VI LTD
45	2900 MCKINNON ST	LACY DOMINIC N & KYLE H LACY
46	2900 MCKINNON ST	BURDORF BRIAN
47	2900 MCKINNON ST	JOHNSON LONNIE
48	2900 MCKINNON ST	UNIT 308 MCKINNON LLC
49	2900 MCKINNON ST	RYAN CARLOS A MORALES & PATRICIA GARCIA
50	2900 MCKINNON ST	AKINA RENEE A TR &
51	2900 MCKINNON ST	OXFORD ENTERPRISES INC
52	2900 MCKINNON ST	TERRY SHAWN D
53	2900 MCKINNON ST	FITZGERALD STEPHEN R & LOUISE A
54	2900 MCKINNON ST	SALINAS RICARDO & SALINAS JUANITA
55	2900 MCKINNON ST	HAYWARD GORDON H
56	2900 MCKINNON ST	RAOOFI PARHAM
57	2900 MCKINNON ST	UNIT 508 MCKINNON LLC

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2900 MCKINNON ST	AM ESTATE LLC
59	2900 MCKINNON ST	FILIPOVIC JIRI
60	2900 MCKINNON ST	GOSS TIM K
61	2900 MCKINNON ST	WARREN MARK T
62	2900 MCKINNON ST	REDMOND ELIZABETH
63	2900 MCKINNON ST	BORRELLI JOSEPH JR & CINDY ANNE
64	2900 MCKINNON ST	HANLINE MICHAEL J & DIANE N
65	2900 MCKINNON ST	FRANCOIS SERGE P
66	2900 MCKINNON ST	DEWAN MASHRUR M & AFREEN M
67	2900 MCKINNON ST	FORREST ROBERT
68	2900 MCKINNON ST	KECK MARK C
69	2900 MCKINNON ST	RATHOD VEERAL K UNIT 805
70	2900 MCKINNON ST	LE MENER FAMILY TR THE
71	2900 MCKINNON ST	SNB LIMITED PARTNERSHIP
72	2900 MCKINNON ST	CARBONNEAU KRISTINA A UNIT 903
73	2900 MCKINNON ST	LANDAVERDE CARMEN E
74	2900 MCKINNON ST	ABRAMOV BORIS & ETAL APT 2F
75	2900 MCKINNON ST	BORNO MOUNIR Y & LEEN M KHALAF
76	2900 MCKINNON ST	PATZWALD DAVID B
77	2900 MCKINNON ST	JAHANIAN BAHMAN M
78	2900 MCKINNON ST	ABEL ELIZABETH
79	2900 MCKINNON ST	MEDAVARAPU BALAKRISHNA &
80	2900 MCKINNON ST	CHAN MINSANG UNIT 1006
81	2900 MCKINNON ST	WYNN RALPH T
82	2900 MCKINNON ST	NGUYEN BICH HUONG & KIEN LUONG
83	2900 MCKINNON ST	SOKAL PAUL &
84	2900 MCKINNON ST	GILBERT LOREEN TRUST THE
85	2900 MCKINNON ST	HAVELKA JUDY MARIE
86	2900 MCKINNON ST	SKINNER MICHAEL A & CELETTE SUGG
87	2900 MCKINNON ST	VUILLEMOT WILLIAM G &
88	2900 MCKINNON ST	HOOPER ROBERT SCOTT

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2900 MCKINNON ST	TIGGES GARY
90	2900 MCKINNON ST	SANDLIN MARK R
91	2900 MCKINNON ST	GUTIERREZ JAVIER
92	2900 MCKINNON ST	SPEER M L & CAROL
93	2900 MCKINNON ST	STONE CHRISTOPHER & SUSAN
94	2900 MCKINNON ST	MECHANIC DONALD A UNIT 1401
95	2900 MCKINNON ST	MOLLOY HELEN
96	2900 MCKINNON ST	POINDEXTER ALONZO J & SANDRA APT 1408
97	2900 MCKINNON ST	MCDONALD LAUREN A UNIT 1501
98	2900 MCKINNON ST	TISEO LOUIE
99	2900 MCKINNON ST	KELLY JOSEPH J UNIT 1505
100	2900 MCKINNON ST	LELAND JANET SWARTZ
101	2900 MCKINNON ST	BARR TRUST EDWARD G & JAN M BARR TR
102	2900 MCKINNON ST	CUTLER WILLIAM P
103	2900 MCKINNON ST	GALLMANN WILLIAM H III & JOELLYN A
104	2900 MCKINNON ST	DREWS R ERIC & BARBARA B
105	2900 MCKINNON ST	NAM YOUNG JAE & CHEE ALLIS S
106	2900 MCKINNON ST	NIR ADI & SHERYL
107	2900 MCKINNON ST	MARTTER RICHARD P & THERESA M MARTTER
108	2900 MCKINNON ST	ELLEN MARTIN M & ELLEN ROBIN W
109	2900 MCKINNON ST	BABB KENNETH R
110	2900 MCKINNON ST	SHAH BIPIN & MRUNALINI
111	2900 MCKINNON ST	2900 MCKINNON STREET LLC
112	2900 MCKINNON ST	NILTA PROPERTY HOLDINGS LP %NEIL J ATLIN
113	2900 MCKINNON ST	GLADDEN JEFFREY & KAREN
114	2900 MCKINNON ST	DANIEL RICHARD JAY
115	2900 MCKINNON ST	ROEHM DAVID O
116	2900 MCKINNON ST	LUGANO TICINO HOLDINGS LLC STE 100-709
117	2900 MCKINNON ST	JEAN JACQUES HOLDING INC STE 100-709
118	2900 MCKINNON ST	LEVIN ROBERT & OLGA
119	2900 MCKINNON ST	ABM REAL ESTATE GROUP LLC



11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2900 MCKINNON ST	VICIOSO BELINDA &
121	2900 MCKINNON ST	MARION BARBER III UNIT#2001
122	2900 MCKINNON ST	STEWART PATRICK M & CHERYL A
123	2900 MCKINNON ST	JENKINS MARK E
124	2900 MCKINNON ST	MACATEE WILLIAM F JR TR
125	2900 MCKINNON ST	MONSOUR DOUGLAS & SARAH
126	2900 MCKINNON ST	PEARSON CHRISTOPHER MARK
127	2900 MCKINNON ST	CLEMENTS CRAIG A
128	2900 MCKINNON ST	GAUTIER ELISE M
129	2900 MCKINNON ST	ERWIN STEVEN P & CHANG CORRINA # 2105
130	2900 MCKINNON ST	KIDD JASON F
131	2900 MCKINNON ST	TICE DAVID W UNIT 2201
132	2900 MCKINNON ST	GRIFFITH WILLIAM F UNIT 2202
133	2900 MCKINNON ST	BRINGAS RICARDO MARTIN
134	2900 MCKINNON ST	TICE DAVID W
135	2900 MCKINNON ST	SCULLY JOHN ANTHONY
136	2900 MCKINNON ST	VIA COLLINA DORO INC STE 100-709
137	2900 MCKINNON ST	TSM DEVELOPMENT LLC
138	2900 MCKINNON ST	REXING RICK A
139	2900 MCKINNON ST	MAGUIRE MICHAEL F & COLLEEN J
140	2900 MCKINNON ST	ALQAHTANI SALEH
141	2900 MCKINNON ST	BROWN IRWIN J
142	2900 MCKINNON ST	FUSCO MANAGEMENT TRUST EDWARD JR & PHYLA
143	2900 MCKINNON ST	KAVANAGH MARK
144	2900 MCKINNON ST	LO NATHAN
145	2900 MCKINNON ST	RIBELIN MICHAEL #2408
146	2900 MCKINNON ST	HENRIETTA EDWARD B TR & HENRIETTA WRIGHT
147	2900 MCKINNON ST	LYNCH PETER H
148	2900 MCKINNON ST	HASTINGS EXCHANGE LLC STE 1001
149	2900 MCKINNON ST	KUTNER MICHAEL B & JOINT TENANTS
150	2900 MCKINNON ST	MCMORRAN MICHAEL & #2508

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	2900 MCKINNON ST	VALK DON
152	2900 MCKINNON ST	ISSA IMRAN A
153	2900 MCKINNON ST	BACHMAN MARVIN A & YVONNE APT 1202
154	2900 MCKINNON ST	SLUGOCKI MAREK & HOANG VUONG THAO UYEN
155	2900 MCKINNON ST	MCALLISTER STEVEN K
156	2900 MCKINNON ST	NASATO BRAD L & JUSTINA LYNN MCCLAIN
157	2900 MCKINNON ST	PRINDIVILLE GEORGE & MARY KAY
158	2900 MCKINNON ST	MUELLERBARBIER J GABRIEL %KEN BABB
159	2900 MCKINNON ST	FIJOLEK RICHARD M %KEN BABB
160	2900 MCKINNON ST	CHEN YI FEN
161	2900 MCKINNON ST	LEVIN DANIEL E
162	2900 MCKINNON ST	2802/2902 PARTNERS LP STE#250
163	2900 MCKINNON ST	HUNT LAURA
164	2900 MCKINNON ST	LACERTE PHILLIP R
165	2900 MCKINNON ST	TROTTER JAMES F
166	2900 MCKINNON ST	BRADY GREGORY A
167	2900 MCKINNON ST	TWENTYONE LLC
168	2919 MAPLE AVE	MAPLE WOLF STONELEIGH LLC
169	2919 MAPLE AVE	MAPLE WOLF STONELEIGH LLC
170	2201 WOLF ST	BAUER SARAH J
171	2201 WOLF ST	BENAVIDES OSCAR JR
172	2201 WOLF ST	SOHN TED
173	2201 WOLF ST	MEADE KRISTYN L UNIT 1104
174	2201 WOLF ST	KUBAN KATHERINE UNIT 1105
175	2201 WOLF ST	MT GROUP REAL ESTATE LLC
176	2201 WOLF ST	FLEMING JEFFREY H
177	2201 WOLF ST	TRAYLOR DEE ANNA
178	2201 WOLF ST	DRIVER DANIEL RICHARD II
179	2201 WOLF ST	JONES JAMES W & ROSA A
180	2201 WOLF ST	FREEMAN JAMES M
181	2201 WOLF ST	CLARKE NICHOLAS S BLDG 1 UNIT 1204

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	2201 WOLF ST	ADKINS MICHELLE M
183	2201 WOLF ST	KEELER DOCTOR
184	2201 WOLF ST	MUNDO TILE LTD BLDG 1 UNIT 1208
185	2201 WOLF ST	SALAZAR MONICA
186	2201 WOLF ST	HOFKER BEATRIX
187	2201 WOLF ST	LUU MYDA LUU ZUY
188	2201 WOLF ST	TRORB INC
189	2201 WOLF ST	NEWMAN PHILIP
190	2201 WOLF ST	SINGH PARDIP
191	2201 WOLF ST	LEEDS JESSICA BONNIE
192	2201 WOLF ST	MARTINEZ DEE BLDG 2 UNIT 2108
193	2201 WOLF ST	LE BETSY
194	2201 WOLF ST	BARANSI RAMZI
195	2201 WOLF ST	SOHN TED S
196	2201 WOLF ST	BIDA DAN F
197	2201 WOLF ST	SULLIVAN PATRICK E
198	2201 WOLF ST	NEMATI MEHDI & SHANIN
199	2201 WOLF ST	BOND DANA
200	2201 WOLF ST	BUNN IAN
201	2201 WOLF ST	LANGFORD MATTHEW D
202	2201 WOLF ST	COOK ROY NEIL
203	2201 WOLF ST	MANCENIDO PATRICK
204	2201 WOLF ST	RAJAGOPALAN SRIDHARAN & LAKSHMY
205	2201 WOLF ST	SHAPOURI AZIZOLLAH
206	2201 WOLF ST	WEIAND JAMES J & LAURA M
207	2201 WOLF ST	BREKKE CORTNEE E
208	2201 WOLF ST	SCHONERT BECKY
209	2201 WOLF ST	AHLUWALIA VIMLA
210	2201 WOLF ST	DIEBOLT DOUG J & KATIE L
211	2201 WOLF ST	DIXON DENNIE W & LOANN P
212	2201 WOLF ST	KARIMI AKHTAR

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	2201 WOLF ST	GIBBS KAYLA M
214	2201 WOLF ST	DIAZ SAMUEL UNIT 4102
215	2201 WOLF ST	LOZOFF RONALD L SUITE 2404
216	2201 WOLF ST	KALLIPALLI BHUPALA R & USHA R GANGA
217	2201 WOLF ST	PODOLSKI BARTLOMIEJ
218	2201 WOLF ST	URIOSTE JOSE RAFAEL
219	2201 WOLF ST	NAQUIN JOSHUA P & SANJA PISAC NAQUIN BLD
220	2201 WOLF ST	MEYER NATALIE
221	2201 WOLF ST	GANT LESLIE
222	2201 WOLF ST	WHITAKER SHERRY R
223	2201 WOLF ST	PATTERSON MELISSA
224	2201 WOLF ST	KEARNAGHAN KRISTEN BLDG 4 UNIT 4206
225	2201 WOLF ST	VICK JEFFREY B
226	2201 WOLF ST	CHINN CAROLYN JEANETTE BLDG 5 UNIT 5102
227	2201 WOLF ST	VUCINA DAVID
228	2201 WOLF ST	TRORB INC
229	2201 WOLF ST	BURNS GLENN
230	2201 WOLF ST	HOFFMANN DONNA
231	2201 WOLF ST	KELLER ZACHARY
232	2201 WOLF ST	TRAYLOR DEE ANNA
233	2201 WOLF ST	PINCKNEY JAMES S II
234	2201 WOLF ST	AHMADI TINA
235	2201 WOLF ST	MOORE KELLY ANNE UNIT 5203 BLDG 5
236	2201 WOLF ST	PARZIK CHRISTY
237	2201 WOLF ST	TAYLOR CHRISTOPHER
238	2201 WOLF ST	RODRIGUEZ ELISA
239	2201 WOLF ST	GANT GREG & HONOR UNIT 5207 BLDG 5
240	2201 WOLF ST	SHAUL JOSH
241	2201 WOLF ST	HENSLEY CHRISTOPHER T &
242	2201 WOLF ST	POURY REZA STEVE
243	2201 WOLF ST	KJT GROUP

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	2201 WOLF ST	HANKINS PAUL G &
245	2201 WOLF ST	NEMATI MEHDI & SHAHIN
246	2201 WOLF ST	LEE JAMES HENRY III &
247	2201 WOLF ST	US BANK NA
248	2201 WOLF ST	SMITH MELODY
249	2201 WOLF ST	KAKHNOVETS ALEX
250	2201 WOLF ST	LITTLE BRADLEY C & LAURA L
251	2201 WOLF ST	NOWICKI MILOSZ BLDG 6 UNIT 6203
252	2201 WOLF ST	WARSHAUER MAX & HIROKO BLDG 6
253	2201 WOLF ST	WILSON SKYE
254	2201 WOLF ST	PENSCO TRUST CO FBO PHILIP A MARTIN IRA
255	2201 WOLF ST	LEWIS KYLE
256	2201 WOLF ST	SAM JANAY M
257	2201 WOLF ST	WURTELE JOSEPH H JR &
258	2201 WOLF ST	AKINTOLA OMOLOLA E &
259	2201 WOLF ST	CABASSOL MICHAEL C
260	2201 WOLF ST	ADDO TAYO A
261	2201 WOLF ST	FOURMENT CHRISTOPHER L
262	2201 WOLF ST	KORB RONALD DEAN & NICKI UNIT 7106 BLDG
263	2201 WOLF ST	BEADLING ASHLEY M &
264	2201 WOLF ST	RAMEY ISABEL ZAINA
265	2201 WOLF ST	MA YOU J
266	2201 WOLF ST	REEVES GEORGE WP
267	2201 WOLF ST	TOPAZ TOWNHOMES OWNERS ASSN INC
268	2201 WOLF ST	KOH PATRICK & SHANNON
269	2201 WOLF ST	MEHTA SATISH & HEMLATA
270	2201 WOLF ST	KEITH KRISTY
271	2201 WOLF ST	SRINIVASAN JAYANTH
272	2201 WOLF ST	CULLUM PAMELA G
273	2201 WOLF ST	ROY DAVE A
274	2201 WOLF ST	OSBURN KEVIN A

Z123-117(WE)

11/15/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	2201 WOLF ST	KOUZBARI MAHMOOD
276	2201 WOLF ST	OUZTS SUSAN & JOHNSON TREVOR A

**FILE NUMBER:** Z101-220 (JH)

**DATE FILED:** March 17, 2011

**LOCATION:** North side of Northwest Highway, east of Luna Road

**COUNCIL DISTRICT:** 6

**MAPSCO:** R-21B, N-22 & S-22

**SIZE OF REQUEST:** Approx. 5.77 acres

**CENSUS TRACT:** 0099.00

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**REPRESENTATIVE:** MASTERPLAN

**APPLICANT:** Trinity East Energy, LLC

**OWNER:** City of Dallas

**REQUEST:** An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District.

**SUMMARY:** The applicant proposes to construct and operate wells for extracting natural gas.

**STAFF RECOMMENDATION:** Approval, for a 20 year period with eligibility for automatic renewal for additional 10-year periods, subject to a drilling phase site plan, production phase site plan, landscape plan and staff conditions

**BACKGROUND INFORMATION:**

- The request site is currently an undeveloped portion of a city park, specifically a gun range.
- The applicant is proposing to develop the request site for the drilling and production of natural gas with up to 20 wells within the drilling area.
- The nearest residential lot is approximately 1,500 ft to the northwest from the request site in the City of Irving.

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

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Northwest Highway	Principle Arterial / State Highway	300 ft.
Luna Road	Principle Arterial	60 ft.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The applicant proposes to drill approximately 20 wells to extract natural gas from the site. The request complies with the following land use goal and policy of the Comprehensive Plan because the applicant there are several measures that are in place pursuant to the Dallas Development Code that requires the applicant to restore the site back to its natural state after the wells have been capped. In addition, there are additional provisions in the Code that require the right-of-ways (infrastructure) to be restored.

LAND USE

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTAION, LAND USE, INFRASTRUCUTRE AND TRANSPORTATION

Policy 1.4.3 Embrace environmental sustainability



**Land Use Compatibility:**

The 5.7 acre site is an undeveloped portion of a city park and is located on the north side of Northwest Highway, approximately 1,600 feet west of Luna Road. The operations are proposed to use Luna Road for access, not Northwest Highway. The applicant's request for a Specific Use Permit is to permit gas drilling and production on the site.

The primary land uses surrounding the request site are undeveloped tracts of land to the south, east and west. A liquor store is located to the south across Northwest Highway. The city park property containing the gun range is surrounding to the north. The nearest residential use is approximately 1,500 feet to the northwest and southwest of the request site in the City of Irving. The current spacing requirement from residential uses from a gas well is 300 feet.

The request site is located within the floodplain, which the current floodplain regulations, Article V, do not permit gas drilling and production. In order to conduct the gas drilling and production use within the floodplain, it will require either a fill permit from the Floodplain Administrator or an amendment to Article V. The SUP conditions and site plans are prepared in anticipation of an amendment to Article V.

The request site is also located within a city park. In order to conduct a non-park use on park property, City Council must approve the use in a public hearing, which is separate from the zoning public hearing.

In the Development Code, gas drilling and production means the activities related to the "the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas."

The Development Code requires the applicant to provide the following site plans for a gas drilling and production use:

- Site/operation plan for the drilling phase; and
- Site/operation plan for the production phase.

The operation plan for the drilling phase addresses the natural-gas drilling. The plan shows the location of several temporary construction trailers, water tanks, mud tanks, and drilling equipment. A drilling rig will be on site during this phase. The building official will consider this as a temporary structure, similar to a crane used in constructing a building.

There are two methods for drilling: an open-loop system and a closed-loop system. An open-loop system uses a lined mud-pit to hold mud. The mud-pit may be a safety hazard and may have a negative impact on adjacent property. In contrast, a closed-loop system uses tanks to hold the mud. There are fewer environmental concerns with a closed-loop system and the applicant is providing a drilling phase plans that will

include a closed-loop system. The applicant is proposing to drill up to 20 wells on the site.

The production plan shows an area in the northeast quadrant of the pad site that will store the equipment (e.g., horizontal separators, water tanks and gas lift compressors) on a platform. The platform is approximately 12 feet above grade with equipment extending approximately 6 to 10 feet above the floor of the platform. The SUP area will be enclosed by an eight-foot-high chain link fence with a vinyl coating around the remaining perimeter.

Staff has reviewed the applicant's request for a SUP for gas drilling and production and is recommending approval for a time period of 20 years with eligibility for automatic renewal of additional 10 year periods, subject to the attached plans and conditions.

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 request does not appear to have an adverse impact on the surrounding zoning and land uses.

The attached SUP conditions are staff recommended. The SUP conditions were provided to the applicant late and a full response from the applicant was not received by the time this case report was finalized. Also, revised site plans that comply with Article XII were not received in time to be included. Additional SUP conditions or revisions may be provided during the briefing prior to the public hearing. The revised site plans will be provided during the briefing as well.

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not negatively impact the surrounding street system by the proposed development. All truck traffic to and from the site will be from Luna Road to Northwest Highway.

Z101-220(JH)

**Landscaping:**

Landscaping will be provided in accordance with the landscape plan. A row of street trees will be provided along the southern property line adjacent to Northwest Highway. Additional landscaping will be provided via artificial lot for trees to provide additional screening and buffering from the park.

Z101-220(JH)

**List of Partners/Principals/Officers**

Trinity East Energy, LLC

Thomas B. Blanton, CEO  
Phillip Pierce, CFO  
Irene Sullivent, Secretary/Treasurer

SUP Conditions

a. IN GENERAL.

1. USE: The only use authorized by this specific use permit is gas drilling and production.
2. TIME LIMIT:
  - (a) Except as provided, this specific use permit expires on (20 years from passage of ordinance), but is eligible for automatic renewal for additional 10-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 180<sup>th</sup> but before the 120<sup>th</sup> 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.)
  - (b) The Operator must notify the building official in writing at least 10 days before permanently stopping gas production (abandoning the well). Once the Operator permanently stops production, this specific use permit expires after the Operator restores the Property in accordance with Article XII. After the Operator restores the Property, a new specific use permit is required for any other gas drilling and production operation.
3. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
4. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and all ordinance, rules, and regulations, including the gas drilling and production regulations, of the City of Dallas.

b. PLANS AND BASELINE ASSESSMENTS.

1. SITE PLANS: Use and development of the Property must comply with the attached:
  - (a) Drilling phase site plan; and
  - (b) Production phase site plan.

2. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan. Landscaping must be installed within six months after the first well is in production.
3. FENCING: Fencing must be provided as shown on the site plans. The fencing material must be vinyl coated chain link and the vinyl coating must be black.
4. AIR QUALITY MANAGEMENT AND MONITORING PLAN.
  - (a) The Operator must provide an air quality management and monitoring plan (AQMM) to the gas inspector with the gas well permit application.
  - (b) The AQMM plan must include:
    - (1) Measures and equipment the Operator will use to ensure that all site activities and equipment on the operation site comply with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
    - (2) Monitoring techniques the Operator will use to measure for emissions to ensure continuous compliance with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
    - (3) A categorization of Environmental Protection Agency (EPA) Tier (Tier 0 to Tier 4) of all diesel equipment that will be used on the Property during each phase of the drilling and production use.
  - (c) The Operator must provide a quarterly report of the continuous monitoring results to the gas inspector. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous quarter to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
5. BASELINE ASSESSMENTS:
  - (a) NATURAL GAS.

(1) Within 30 days after the first well enters production, a written extended natural gas analysis must be provided to the gas inspector.

(2) The extended natural gas analysis must be performed by a qualified third party laboratory and must include findings for benzene and hydrocarbons.

(b) SOIL.

(1) Before drilling activities begin, soil sampling must be conducted to establish a baseline for site conditions.

(2) A minimum of five soil sample must be collected at locations across a pad site are required, with at least two samples at or adjacent to the tank containment areas.

(3) Soil samples must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum acceptable criteria for soil sampling include baseline study of Texas Railroad Commission guidance.

(4) The soil sample baseline study results must include:

(A) a description of the point samples and GPS coordinates of each location,

(B) planned equipment above the sampled area,

(C) methodology of sample collection,

(D) description of field conditions,

(E) summary of laboratory data results compared to the minimum acceptable soil sampling criteria,

(F) copies of all laboratory data sheets,

(G) drawings of sample points,

(H) areas where equipment is anticipated, and

(I) concentrations of the following compounds: TPH, Benzene, Toluene, Ethyl benzene, and Xylenes.

(5) The soil sample baseline study results must be provided to the gas inspector within 30 days after the soil sampling is conducted.

(c) WATER.

(1) Except as provided in this paragraph, before commencing drilling activities on the Property, the Operator must provide a written report of the baseline testing of all water wells within 2,000 feet of a well bore and all surface water within 750 feet of the well bore to the gas inspector.

(2) If the Operator documents to the satisfaction of the gas inspector that permission to access private property to conduct the required baseline testing is not granted, water baseline testing is not required for that well or water body.

6. FLOOD EVENT CONTINGENCY PLAN: A flood event contingency plan that complies with Article V, "Flood Plain Regulations," of the Dallas Development Code, must be approved by the Flood Plain Administrator before the issuance of the first gas well permit on the Property.

7. NOISE MANAGEMENT PLAN.

(a) Before the issuance of a gas well permit for the first gas well, the Operator must submit a noise management plan to the gas inspector.

(b) The noise management plan must:

(1) Identify gas drilling and production use operation noise impacts.

(2) Provide written documentation of a continuous 72-hour study establishing the ambient noise levels before drilling activities begin at the Property. The continuous 72-hour study establishing the ambient noise levels before drilling activities begin must include at least one 24-hour reading during either a Saturday or Sunday.

(3) Detail how noise impacts will be mitigated considering specific site characteristics, including the location of the site, proximity and type of adjacent development, seasonal prevailing weather patterns including wind directions, vegetative cover on or adjacent to the site, and topography of the site.



8. PERMITS: The building official may not issue a certificate of occupancy for gas drilling and production use until the Operator obtains all required permits from the Railroad Commission of Texas, Texas Commission on Environmental Quality, and all other state, federal, or city agencies.

9. PIPELINES:

(a) Before the issuance of the first gas well permit, a pipeline map showing the location of the nearest gathering station and the alignment of the pipelines from the operation site to the gathering stations must be submitted to the gas inspector.

(b) Within 60 days after completion of pipeline construction, as-built or record drawings of the pipelines must be provided to the gas inspector. A record drawing must meet the field note guidelines of the City of Dallas Public Works and provide a minimum of two GPS coordinates of the pipeline location. The scale of the record drawings must be a minimum of one inch to 40 feet.

10. TRAFFIC PLAN:

(a) A map showing truck routes must be submitted to and approved by the gas inspector before the issuance of the gas well permit. The mapped truck route must use the shortest route to a state or federal roads.

(b) Before the issuance of a gas well permit for the first well, a traffic management plan (TMP) must be approved by the Director of Parks and Recreation before the application of a gas well permit. The TMP must describe the trip generation and peak time for trips during the drilling and production phase and mitigation to minimize impact on or conflict with park users and park maintenance staff.

11. WATER PLAN: At least 10 days before drilling activities begin on a well, the Operator must disclose in writing to the gas inspect the quantity, source, and disposal method for water used during the fracturing process.

c. OPERATIONS.

1. AIR QUALITY COMPATIBILITY MEASURES: The gas drilling and production use has been evaluated for its probable land use effects on adjacent properties. The following conditions help ensure that this gas drilling and production use is more compatible with surrounding land uses:

(b) ENGINES.

(1) Electric motors are encouraged during all gas drilling and production phases.

(2) Only electric motors may be used during the production phase.

(c) VAPOR RECOVERY.

(1) After fracturing is completed on a well, the Operator must employ appropriate equipment and processes to minimize natural gas and associated vapor release.

(2) All salable gas must be directed to the sales line as soon as practicable or shut in.

(3) All wells that have a sale pipeline must use reduced emission completion techniques and methods in accordance with federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas.

(4) Vapor recovery equipment is required for tanks and tank batteries in accordance with federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas.

2. CLOSED LOOP SYSTEM: All operations must be conducted on a closed loop system.

3. DUST, VIBRATIONS, AND ODORS:

(a) The Operator must conduct drilling and production activities, including vehicular traffic, in a manner that minimizes dust, vibration, and odors consistent with the best practices of the industry.

(b) Brine water, sulphur water, or water with any type of hydrocarbon may not be used for dust suppression.

4. MANEUVERING SURFACE: Vehicle maneuvering surfaces must be gravel or a similar material and must be located as shown on the site plans.

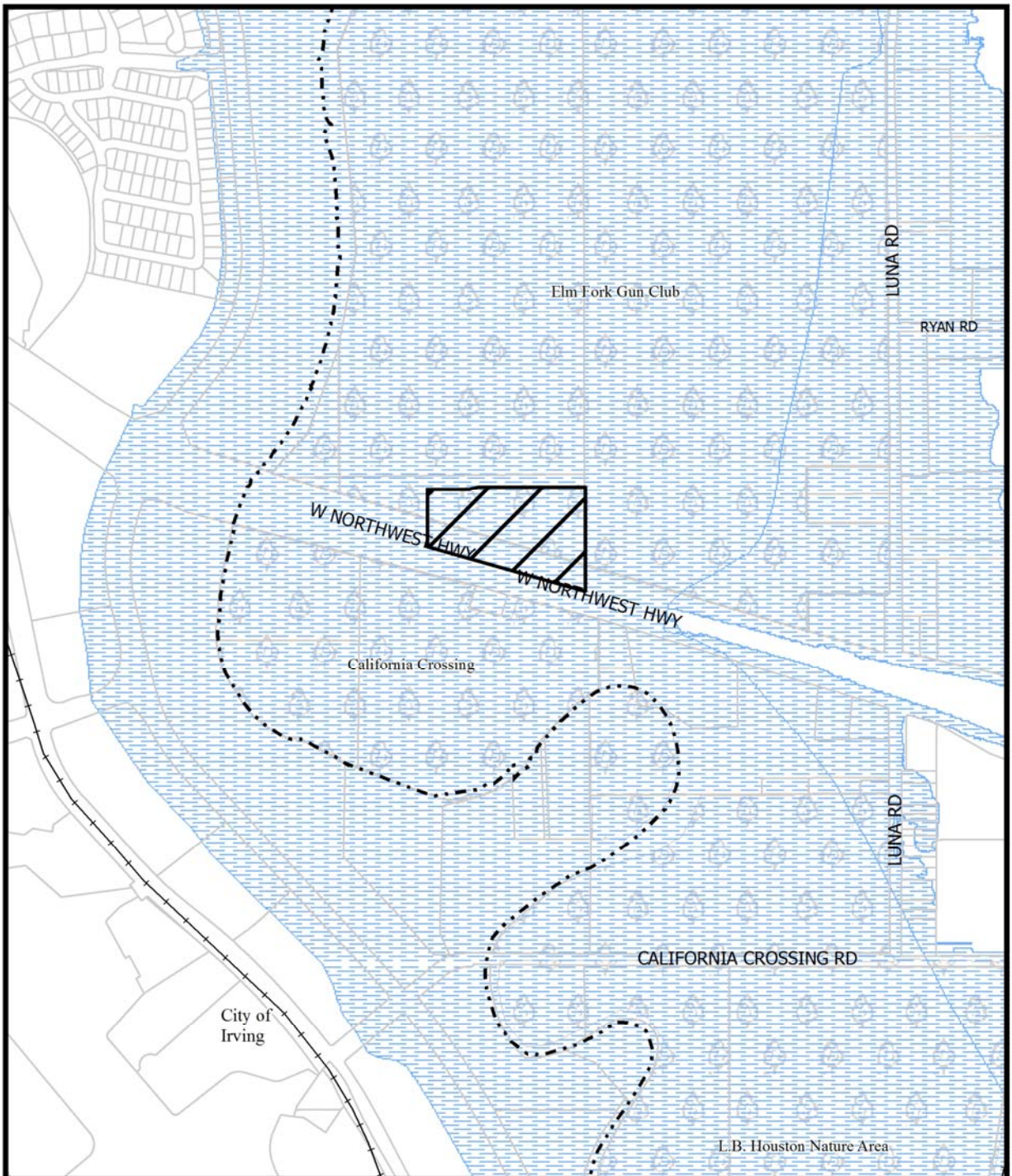
5. MATERIAL SAFETY DATA SHEET:

(a) In accordance with Paragraph (6) of the Amendment of Oil and Gas Lease executed between Trinity East Energy and the City of Dallas on July 18, 2011, the Operator must submit to the City of Dallas a completed Material Safety Data Sheet (MSDS) containing an accurate inventory of chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities.

(b) The MSDS must disclose every chemical to be used, including inventory quantity, concentrations, combinations, and formulations, sufficient to satisfy the gas inspector that full disclosure has been made.

(c) An amended MSDS must be provided to the gas inspector disclosing any change in the inventory, quantity, concentrations, combinations, or formulations of the chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities sufficient to satisfy the gas inspector that full disclosure has been made.

6. ON-SITE WASTE STORAGE: Drilling mud, cuttings, liquid hydrocarbons, and all other field waste derived or resulting from the drilling or re-working of any well must be discharged into an above-ground self-contained storage tank.



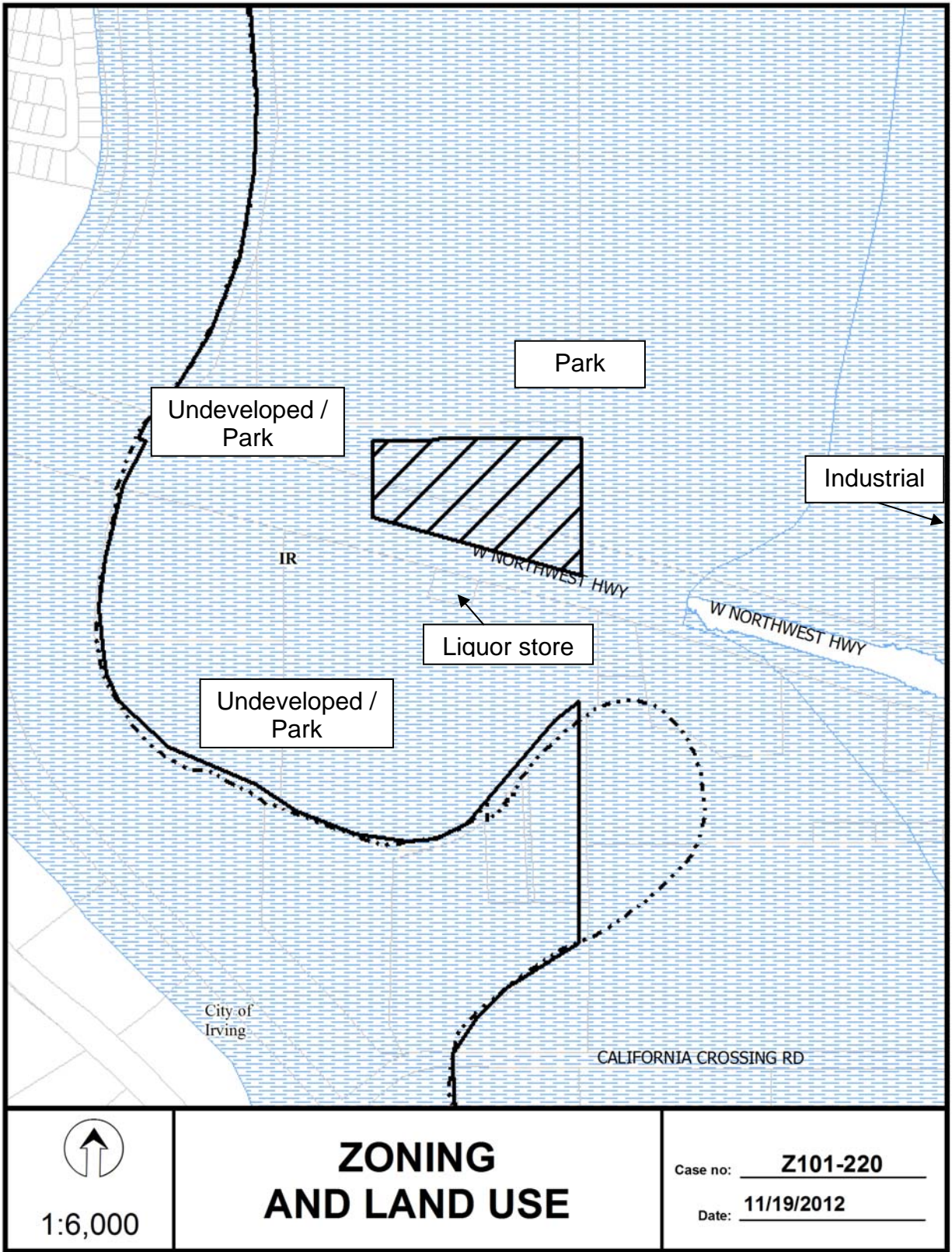
1:8,400

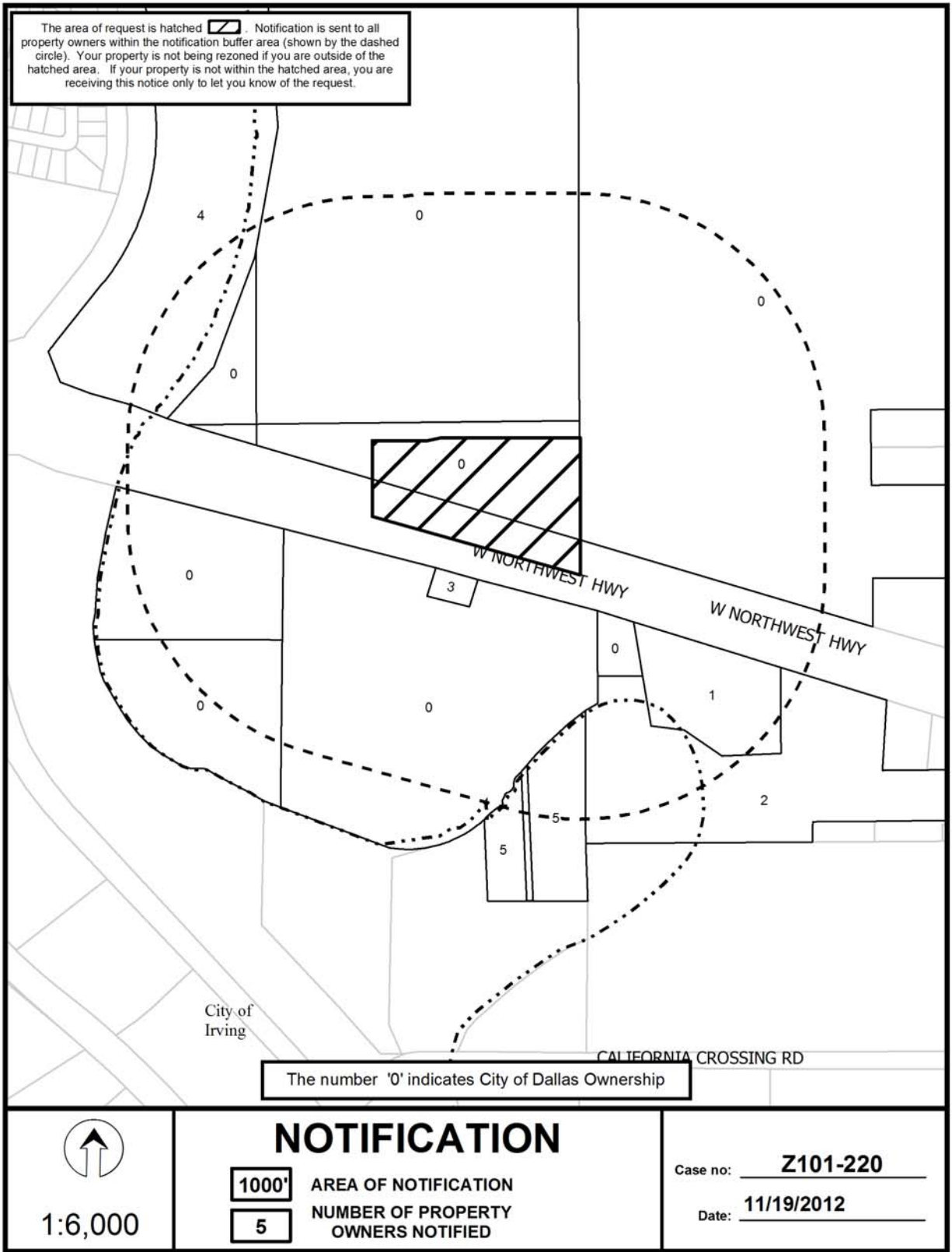
# VICINITY MAP

Case no: Z101-220

Date: 11/19/2012







Z101-220(JH)

11/19/2012

## Notification List of Property Owners

**Z101-220**

### 5 Property Owners Notified

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	1680 NORTHWEST HWY	AMERICAN TOWER LP
2	1600 NORTHWEST HWY	RUBIO TOM JR ETAL
3	1604 NORTHWEST HWY	JWV ASSOCIATES LTD
4	5600 OCONNOR BLVD	IRVING CITY OF PARK PROPERTY 1993-2A
5	1310 CALIFORNIA CROSSING RD	FULLER SYLVIA APT 118

**FILE NUMBER:** Z101-221 (JH)

**DATE FILED:** March 17, 2011

**LOCATION:** South side of Royal Lane, west of Luna Road

**COUNCIL DISTRICT:** 6

**MAPSCO:** E-22 & J-2

**SIZE OF REQUEST:** Approx. 3.818 acres

**CENSUS TRACT:** 0099.00

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**REPRESENTATIVE:** MASTERPLAN

**APPLICANT:** Trinity East Energy, LLC

**OWNER:** City of Dallas

**REQUEST:** An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District.

**SUMMARY:** The applicant proposes to construct and operate wells for extracting natural gas.

**STAFF RECOMMENDATION:** Approval, for a 20-year period with eligibility for automatic renewal for additional 10-year periods, subject to a drilling phase site plan, production phase site plan, landscape plan and staff conditions



**BACKGROUND INFORMATION:**

- The request site is currently an undeveloped portion of a city park, specifically a golf course.
- The applicant is proposing to develop the request site for the drilling and production of natural gas with up to 20 wells within the drilling area.
- The nearest residential lot is approximately 2,400 feet to the northwest and 3,000 feet to the southwest from the request site in the City of Irving.

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

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Royal Lane	Principle Arterial	100 ft.
Luna Road	Principle Arterial	60 ft.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The applicant proposes to drill approximately 20 wells to extract natural gas from the site. The request complies with the following land use goal and policy of the Comprehensive Plan because the applicant there are several measures that are in place pursuant to the Dallas Development Code that requires the applicant to restore the site back to its natural state after the wells have been capped. In addition, there are additional provisions in the Code that require the right-of-ways (infrastructure) to be restored.

LAND USE

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTAION, LAND USE, INFRASTRUCUTRE AND TRANSPORTATION

Policy 1.4.3 Embrace environmental sustainability

**Land Use Compatibility:**

The 3.818 acre site is an undeveloped portion of a city park and is located within the Luna Vista Golf Course (formerly known as LB Houston Golf Course), approximately 1,700 feet south of Royal Lane and approximately 2,200 feet west of Luna Road. The operations are proposed to use a maintenance road within the golf course to access Luna Road for access, not Royal Lane. The applicant's request for a Specific Use Permit is to permit gas drilling and production on the site.

The primary land uses surrounding the request site are the golf course/city park. The nearest residential use is approximately 2,400 feet to the northwest and 3,000 feet to the southwest of the request site in the City of Irving. The current spacing requirement from residential uses from a gas well is 300 feet.

The request site is located within the floodplain, which the current floodplain regulations, Article V, do not permit gas drilling and production. In order to conduct the gas drilling and production use within the floodplain, it will require either a fill permit from the Floodplain Administrator or an amendment to Article V. The SUP conditions and site plans are prepared in anticipation of an amendment to Article V.

The request site is also located within a city park. In order to conduct a non-park use on park property, City Council must approve the use in a public hearing, which is separate from the zoning public hearing.

In the Development Code, gas drilling and production means the activities related to the "the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas."

The Development Code requires the applicant to provide the following site plans for a gas drilling and production use:

- Site/operation plan for the drilling phase; and
- Site/operation plan for the production phase.

The operation plan for the drilling phase addresses the natural-gas drilling. The plan shows the location of several temporary construction trailers, water tanks, mud tanks, and drilling equipment. A drilling rig will be on site during this phase. The building official will consider this as a temporary structure, similar to a crane used in constructing a building.

There are two methods for drilling: an open-loop system and a closed-loop system. An open-loop system uses a lined mud-pit to hold mud. The mud-pit may be a safety hazard and may have a negative impact on adjacent property. In contrast, a closed-loop system uses tanks to hold the mud. There are fewer environmental concerns with a closed-loop system and the applicant is providing a drilling phase plans that will

include a closed-loop system. The applicant is proposing to drill up to 20 wells on the site.

The production plan shows an area in the southwest quadrant of the pad site that will store the equipment (e.g., horizontal separators, water tanks and gas lift compressors) on a platform. The platform is approximately 12 feet above grade with equipment extending approximately 6 to 10 feet above the floor of the platform. The SUP area will be enclosed by an eight-foot-high chain link fence with a vinyl coating around the remaining perimeter.

Staff has reviewed the applicant's request for a SUP for gas drilling and production and is recommending approval for a time period of 20 years with eligibility for automatic renewal of additional 10 year periods, subject to the attached plans and conditions.

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 request does not appear to have an adverse impact on the surrounding zoning and land uses.

The attached SUP conditions are staff recommended. The SUP conditions were provided to the applicant late and a full response from the applicant was not received by the time this case report was finalized. Also, revised site plans that comply with Article XII were not received in time to be included. Additional SUP conditions or revisions may be provided during the briefing prior to the public hearing. The revised site plans will be provided during the briefing as well.

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not negatively impact the surrounding street system by the proposed development. All truck traffic to and from the site will be from Luna Road to Northwest Highway.

**Landscaping:**

Landscaping will be provided in accordance with the landscape plan. Landscaping will be provided via artificial lot for trees to provide additional screening and buffering from the park.

Z101-221(JH)

**List of Partners/Principals/Officers**

Trinity East Energy, LLC

Thomas B. Blanton, CEO  
Phillip Pierce, CFO  
Irene Sullivent, Secretary/Treasurer

SUP Conditions

a. IN GENERAL.

1. USE: The only use authorized by this specific use permit is gas drilling and production.
2. TIME LIMIT:
  - (a) Except as provided, this specific use permit expires on (20 years from passage of ordinance), but is eligible for automatic renewal for additional 10-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 180<sup>th</sup> but before the 120<sup>th</sup> 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.)
  - (b) The Operator must notify the building official in writing at least 10 days before permanently stopping gas production (abandoning the well). Once the Operator permanently stops production, this specific use permit expires after the Operator restores the Property in accordance with Article XII. After the Operator restores the Property, a new specific use permit is required for any other gas drilling and production operation.
3. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
4. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and all ordinance, rules, and regulations, including the gas drilling and production regulations, of the City of Dallas.

b. PLANS AND BASELINE ASSESSMENTS.

1. SITE PLANS: Use and development of the Property must comply with the attached:
  - (a) Drilling phase site plan; and
  - (b) Production phase site plan.

2. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan. Landscaping must be installed within six months after the first well is in production.
3. FENCING: Fencing must be provided as shown on the site plans. The fencing material must be vinyl coated chain link and the vinyl coating must be black.
4. AIR QUALITY MANAGEMENT AND MONITORING PLAN.
  - (a) The Operator must provide an air quality management and monitoring plan (AQMM) to the gas inspector with the gas well permit application.
  - (b) The AQMM plan must include:
    - (1) Measures and equipment the Operator will use to ensure that all site activities and equipment on the operation site comply with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
    - (2) Monitoring techniques the Operator will use to measure for emissions to ensure continuous compliance with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
    - (3) A categorization of Environmental Protection Agency (EPA) Tier (Tier 0 to Tier 4) of all diesel equipment that will be used on the Property during each phase of the drilling and production use.
  - (c) The Operator must provide a quarterly report of the continuous monitoring results to the gas inspector. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous quarter to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
5. BASELINE ASSESSMENTS:
  - (a) NATURAL GAS.

(1) Within 30 days after the first well enters production, a written extended natural gas analysis must be provided to the gas inspector.

(2) The extended natural gas analysis must be performed by a qualified third party laboratory and must include findings for benzene and hydrocarbons.

(b) SOIL.

(1) Before drilling activities begin, soil sampling must be conducted to establish a baseline for site conditions.

(2) A minimum of five soil sample must be collected at locations across a pad site are required, with at least two samples at or adjacent to the tank containment areas.

(3) Soil samples must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum acceptable criteria for soil sampling include baseline study of Texas Railroad Commission guidance.

(4) The soil sample baseline study results must include:

(A) a description of the point samples and GPS coordinates of each location,

(B) planned equipment above the sampled area,

(C) methodology of sample collection,

(D) description of field conditions,

(E) summary of laboratory data results compared to the minimum acceptable soil sampling criteria,

(F) copies of all laboratory data sheets,

(G) drawings of sample points,

(H) areas where equipment is anticipated, and

(I) concentrations of the following compounds: TPH, Benzene, Toluene, Ethyl benzene, and Xylenes.

(5) The soil sample baseline study results must be provided to the gas inspector within 30 days after the soil sampling is conducted.

(c) WATER.

(1) Except as provided in this paragraph, before commencing drilling activities on the Property, the Operator must provide a written report of the baseline testing of all water wells within 2,000 feet of a well bore and all surface water within 750 feet of the well bore to the gas inspector.

(2) If the Operator documents to the satisfaction of the gas inspector that permission to access private property to conduct the required baseline testing is not granted, water baseline testing is not required for that well or water body.

6. FLOOD EVENT CONTINGENCY PLAN: A flood event contingency plan that complies with Article V, "Flood Plain Regulations," of the Dallas Development Code, must be approved by the Flood Plain Administrator before the issuance of the first gas well permit on the Property.

7. NOISE MANAGEMENT PLAN.

(a) Before the issuance of a gas well permit for the first gas well, the Operator must submit a noise management plan to the gas inspector.

(b) The noise management plan must:

(1) Identify gas drilling and production use operation noise impacts.

(2) Provide written documentation of a continuous 72-hour study establishing the ambient noise levels before drilling activities begin at the Property. The continuous 72-hour study establishing the ambient noise levels before drilling activities begin must include at least one 24-hour reading during either a Saturday or Sunday.

(3) Detail how noise impacts will be mitigated considering specific site characteristics, including the location of the site, proximity and type of adjacent development, seasonal prevailing weather patterns including wind directions, vegetative cover on or adjacent to the site, and topography of the site.



8. PERMITS: The building official may not issue a certificate of occupancy for gas drilling and production use until the Operator obtains all required permits from the Railroad Commission of Texas, Texas Commission on Environmental Quality, and all other state, federal, or city agencies.

9. PIPELINES:

(a) Before the issuance of the first gas well permit, a pipeline map showing the location of the nearest gathering station and the alignment of the pipelines from the operation site to the gathering stations must be submitted to the gas inspector.

(b) Within 60 days after completion of pipeline construction, as-built or record drawings of the pipelines must be provided to the gas inspector. A record drawing must meet the field note guidelines of the City of Dallas Public Works and provide a minimum of two GPS coordinates of the pipeline location. The scale of the record drawings must be a minimum of one inch to 40 feet.

10. TRAFFIC PLAN:

(a) A map showing truck routes must be submitted to and approved by the gas inspector before the issuance of the gas well permit. The mapped truck route must use the shortest route to a state or federal roads.

(b) Before the issuance of a gas well permit for the first well, a traffic management plan (TMP) must be approved by the Director of Parks and Recreation before the application of a gas well permit. The TMP must describe the trip generation and peak time for trips during the drilling and production phase and mitigation to minimize impact on or conflict with park users and park maintenance staff.

11. WATER PLAN: At least 10 days before drilling activities begin on a well, the Operator must disclose in writing to the gas inspect the quantity, source, and disposal method for water used during the fracturing process.

c. OPERATIONS.

1. AIR QUALITY COMPATIBILITY MEASURES: The gas drilling and production use has been evaluated for its probable land use effects on adjacent properties. The following conditions help ensure that this gas drilling and production use is more compatible with surrounding land uses:

(b) ENGINES.

(1) Electric motors are encouraged during all gas drilling and production phases.

(2) Only electric motors may be used during the production phase.

(c) VAPOR RECOVERY.

(1) After fracturing is completed on a well, the Operator must employ appropriate equipment and processes to minimize natural gas and associated vapor release.

(2) All salable gas must be directed to the sales line as soon as practicable or shut in.

(3) All wells that have a sale pipeline must use reduced emission completion techniques and methods in accordance with federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas.

(4) Vapor recovery equipment is required for tanks and tank batteries in accordance with federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas.

2. CLOSED LOOP SYSTEM: All operations must be conducted on a closed loop system.

3. DUST, VIBRATIONS, AND ODORS:

(a) The Operator must conduct drilling and production activities, including vehicular traffic, in a manner that minimizes dust, vibration, and odors consistent with the best practices of the industry.

(b) Brine water, sulphur water, or water with any type of hydrocarbon may not be used for dust suppression.

4. MANEUVERING SURFACE: Vehicle maneuvering surfaces must be gravel or a similar material and must be located as shown on the site plans.

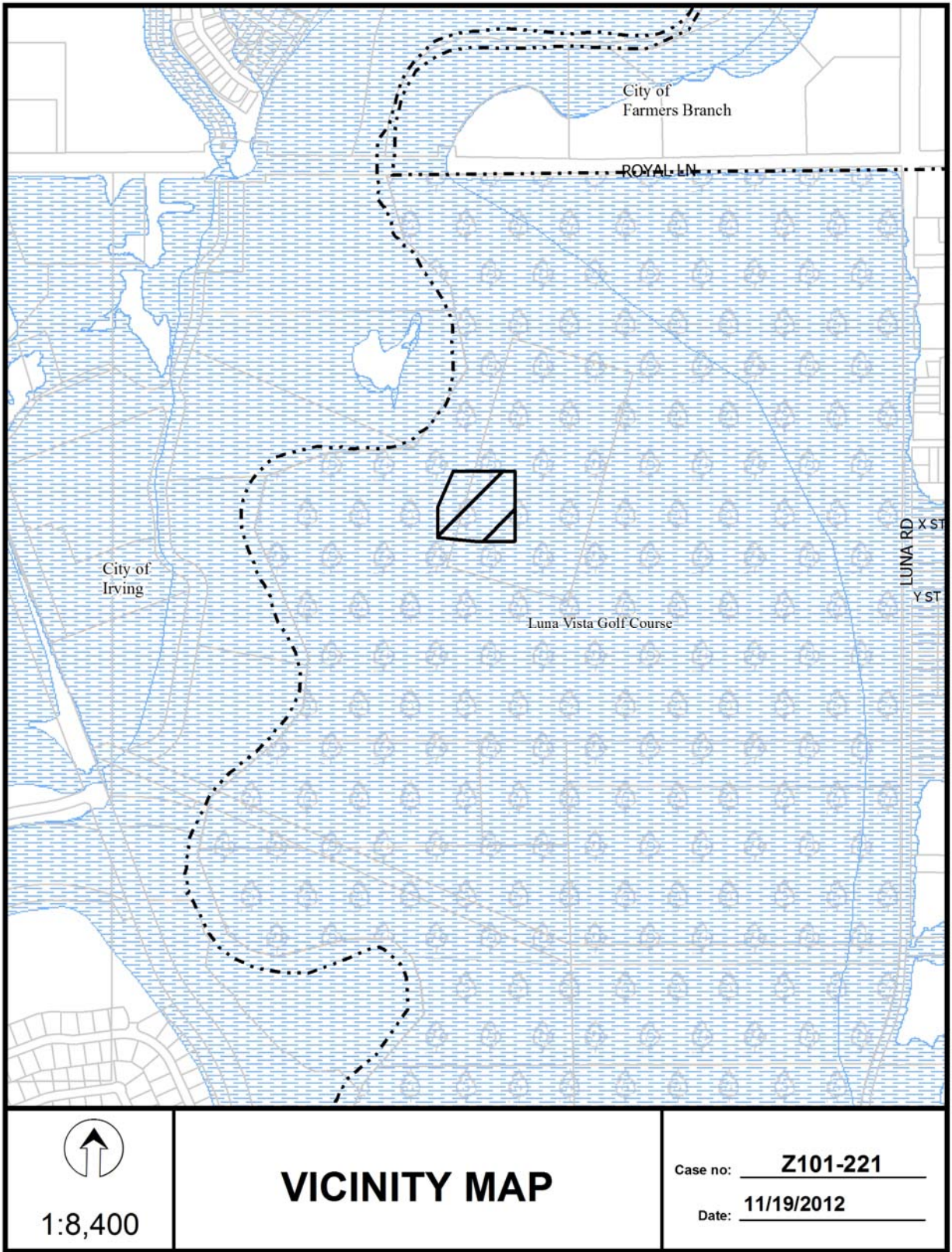
5. MATERIAL SAFETY DATA SHEET:

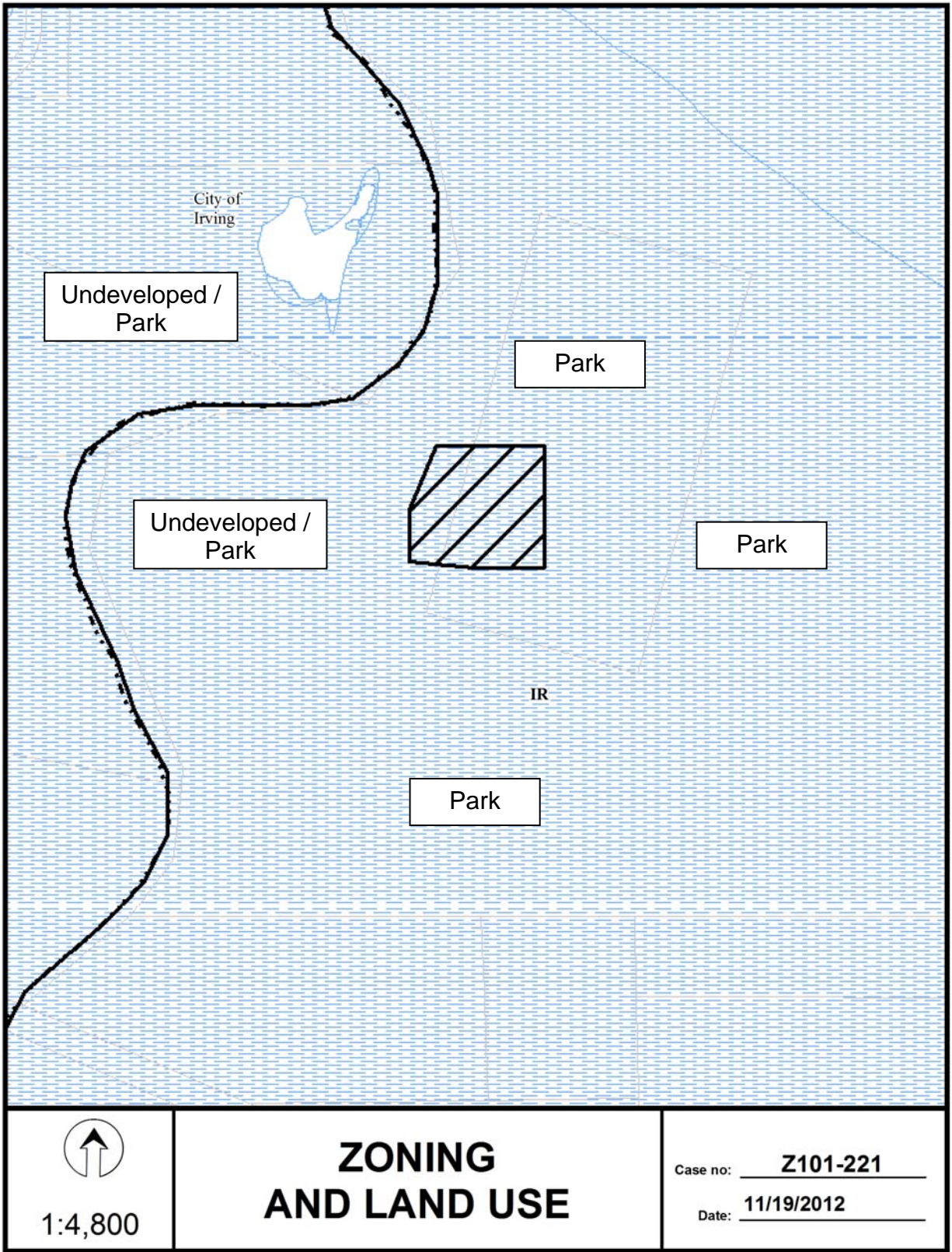
(a) In accordance with Paragraph (6) of the Amendment of Oil and Gas Lease executed between Trinity East Energy and the City of Dallas on July 18, 2011, the Operator must submit to the City of Dallas a completed Material Safety Data Sheet (MSDS) containing an accurate inventory of chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities.

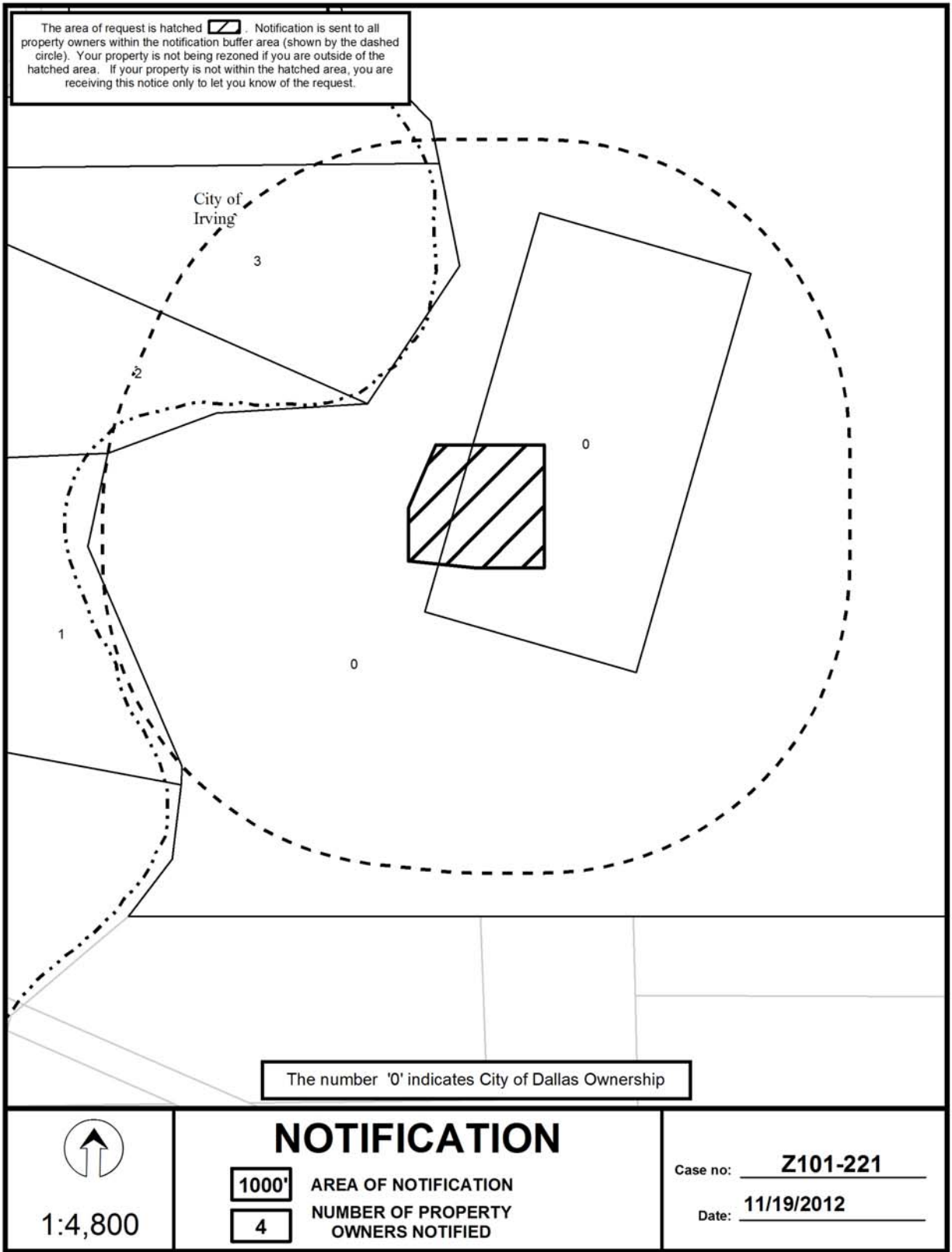
(b) The MSDS must disclose every chemical to be used, including inventory quantity, concentrations, combinations, and formulations, sufficient to satisfy the gas inspector that full disclosure has been made.

(c) An amended MSDS must be provided to the gas inspector disclosing any change in the inventory, quantity, concentrations, combinations, or formulations of the chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities sufficient to satisfy the gas inspector that full disclosure has been made.

6. ON-SITE WASTE STORAGE: Drilling mud, cuttings, liquid hydrocarbons, and all other field waste derived or resulting from the drilling or re-working of any well must be discharged into an above-ground self-contained storage tank.







Z101-221(JH)

11/19/2012

## Notification List of Property Owners

### Z101-221

#### 4 Property Owners Notified

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	6210 OCONNOR BLVD	IRVING CITY OF PRAK PROPERTY 1993-1
2	6210 OCONNOR BLVD	IRVING CITY OF PARK PROPERTY 1994-1
3	6210 OCONNOR BLVD	IRVING CITY OF PARK PROPERTY 1995-1
4	6210 OCONNOR BLVD	IRVING CITY OF PARK PROPERTY 1996-1

**FILE NUMBER:** Z101-248 (JH)

**DATE FILED:** April 12, 2011

**LOCATION:** East side of Luna Road, north of Ryan Road

**COUNCIL DISTRICT:** 6

**MAPSCO:** P-22 & N-22

**SIZE OF REQUEST:** Approx. 11.584 acres

**CENSUS TRACT:** 0099.00

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**REPRESENTATIVE:** MASTERPLAN

**APPLICANT:** Trinity East Energy, LLC

**OWNER:** TCI Luna Ventures, LLC

**REQUEST:** An application for a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District.

**SUMMARY:** The applicant proposes to construct and operate wells for extracting natural gas as well as a compressor facility for natural gas production.

**STAFF RECOMMENDATION:** Approval, for a 20-year period with eligibility for automatic renewal for additional 10-year periods, subject to a drilling phase site plan, production phase site plan, landscape plan and staff conditions



**BACKGROUND INFORMATION:**

- The request site is currently undeveloped.
- The applicant is proposing to develop the request site for the drilling and production of natural gas with up to 12 wells within the drilling area and a natural gas compressor facility.
- The nearest residential lot is approximately 5,000 ft to the west from the request site in the City of Irving.

**Zoning History:**

1. Z112-268 A pending application for the January 9th City Council hearing for an IM Industrial Manufacturing District with deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District.
2. Z112-262 An application for a SUP for a concrete batch plant on property zoned an IR District. On September 6, 2012, the CPC recommended approval of the request for a five-year period, subject to a site plan and conditions. Pending a to-be determined City Council public hearing.
3. Z112-157 On September 26, 2012, the City Council denied a request to amend and renew Specific Use Permit No. 1609 for a potentially incompatible industrial (outside) use limited to concrete and asphalt crushing on property zoned an IM Industrial Manufacturing District.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Luna Road	Principle Arterial	60 ft.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The applicant proposes to drill up to 12 wells to extract natural gas from the site and a gas compressor facility. The request complies with the following land use goal and policy of the Comprehensive Plan because the applicant there are several measures that are in place pursuant to the Dallas Development Code that requires the applicant to restore the site back to its natural state after the wells have been capped. In addition, there are additional provisions in the Code that require the right-of-ways (infrastructure) to be restored.

LAND USE

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE  
TRANSPORTATION, LAND USE, INFRASTRUCTURE AND  
TRANSPORTATION

Policy 1.4.3 Embrace environmental sustainability

**Land Use Compatibility:**

The 11.6-acre site is undeveloped and is located on the north side of Northwest Highway. The main pad site is located approximately 800 feet from Luna Road along an access drive included in the SUP boundary. The applicant's request for a Specific Use Permit is to permit gas drilling and production on the site.

The primary land uses surrounding the request site are undeveloped tracts of land to the north; heavy industrial to the south; park to the west (Luna Vista Golf Course); and heavy industrial and park to the east (Elm Fork Soccer Complex). The soccer complex is located approximately 600 feet to the east. The nearest residential use is approximately 5,000 feet to the west of the request site in the City of Irving. The current spacing requirement from residential uses from a gas well is 300 feet.

In the Development Code, gas drilling and production means the activities related to the "the extraction of any fluid, either combustible or noncombustible, that is produced in a natural state from the earth and that maintains a gaseous or rarefied state at standard temperature and pressure conditions, or the extraction of any gaseous vapors derived from petroleum or natural gas."

The Development Code requires the applicant to provide the following site plans for a gas drilling and production use:

- Site/operation plan for the drilling phase; and
- Site/operation plan for the production phase.

The request site is generally divided into two areas. The northern portion of the request site is the area proposed for gas drilling with up to 20 wells. The southern portion is the compressor facility which will include an equipment area, tanks, and the compressors located within three approximately 2,300 square foot "sound proof buildings" that will mitigate the noise from the compressors. The applicant has applied for Specific Use Permits for two other locations nearby (Z101-220 and Z101-221) that will pipe extracted gas to this request site to be processed prior to entering a sales pipeline.

The operation plan for the drilling phase addresses the natural-gas drilling. The plan shows the location of several temporary construction trailers, water tanks, mud tanks, and drilling equipment. A drilling rig will be on site during this phase. The building official will consider this as a temporary structure, similar to a crane used in constructing a building.

There are two methods for drilling: an open-loop system and a closed-loop system. An open-loop system uses a lined mud-pit to hold mud. The mud-pit may be a safety hazard and may have a negative impact on adjacent property. In contrast, a closed-loop system uses tanks to hold the mud. There are fewer environmental concerns with a closed-loop system and the applicant is providing a drilling phase plans that will include a closed-loop system.

The production plan shows an area in the central portion of the pad site that will store the equipment (e.g., horizontal separators, water tanks and gas lift compressors) The SUP area will be enclosed by an eight-foot-high chain link fence.

Staff has reviewed the applicant's request for an SUP for gas drilling and production and is recommending approval for a time period of 20 years with eligibility for automatic renewal of additional 10-year periods, subject to the attached plans and conditions.

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 request does not appear to have an adverse impact on the surrounding zoning and land uses.

The attached SUP conditions are staff recommended. The SUP conditions were provided to the applicant late and a full response from the applicant was not received by the time this case report was finalized. Also, revised site plans that comply with Article XII were not received in time to be included. Additional SUP conditions or revisions may be provided during the briefing prior to the public hearing. The revised site plans will be provided during the briefing as well.

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not negatively impact the surrounding street system by the proposed development. All truck traffic to and from the site will be from Luna Road to Northwest Highway.

Z101-248(JH)

**Landscaping:**

Landscaping will be provided in accordance with the landscape plan. The landscaping plan shows an area on the eastern portion of the request site that will be reserved for understory preservation.

**List of Partners/Principals/Officers**

Trinity East Energy, LLC

Thomas B. Blanton, CEO  
Phillip Pierce, CFO  
Irene Sullivent, Secretary/Treasurer

TCI Luna Ventures, LLC

Daniel J. Moos, President  
Gene S. Bertcher, Vice President and Treasurer  
Stephen Shelley, Vice President  
Louis J. Corna, Secretary  
Pamela M. Arsenault, Assistant Secretary  
Melissa G. James, Assistant Secretary  
Melody A. Woffard, Assistant Secretary

SUP Conditions

a. IN GENERAL.

1. USE: The only use authorized by this specific use permit is gas drilling and production.
2. TIME LIMIT:
  - (a) Except as provided, this specific use permit expires on (20 years from passage of ordinance), but is eligible for automatic renewal for additional 10-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 180<sup>th</sup> but before the 120<sup>th</sup> 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.)
  - (b) The Operator must notify the building official in writing at least 10 days before permanently stopping gas production (abandoning the well). Once the Operator permanently stops production, this specific use permit expires after the Operator restores the Property in accordance with Article XII. After the Operator restores the Property, a new specific use permit is required for any other gas drilling and production operation.
3. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
4. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and all ordinance, rules, and regulations, including the gas drilling and production regulations, of the City of Dallas.

b. PLANS AND BASELINE ASSESSMENTS.

1. SITE PLANS: Use and development of the Property must comply with the attached:
  - (a) Drilling phase site plan; and
  - (b) Production phase site plan.

2. LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan. Landscaping must be installed within six months after the first well is in production.
3. FENCING: Fencing must be provided as shown on the site plans. The fencing material must be vinyl coated chain link and the vinyl coating must be black.
4. AIR QUALITY MANAGEMENT AND MONITORING PLAN.
  - (a) The Operator must provide an air quality management and monitoring plan (AQMM) to the gas inspector with the gas well permit application.
  - (b) The AQMM plan must include:
    - (1) Measures and equipment the Operator will use to ensure that all site activities and equipment on the operation site comply with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
    - (2) Monitoring techniques the Operator will use to measure for emissions to ensure continuous compliance with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
    - (3) A categorization of Environmental Protection Agency (EPA) Tier (Tier 0 to Tier 4) of all diesel equipment that will be used on the Property during each phase of the drilling and production use.
  - (c) The Operator must provide a quarterly report of the continuous monitoring results to the gas inspector. The report must include all laboratory data sheets, field logs, data summaries, and any actions taken in the previous quarter to reduce emissions, ensure compliance, or correct noncompliance with applicable emissions limits, other federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas relating to emissions.
5. BASELINE ASSESSMENTS:
  - (a) NATURAL GAS.

(1) Within 30 days after the first well enters production, a written extended natural gas analysis must be provided to the gas inspector.

(2) The extended natural gas analysis must be performed by a qualified third party laboratory and must include findings for benzene and hydrocarbons.

(b) SOIL.

(1) Before drilling activities begin, soil sampling must be conducted to establish a baseline for site conditions.

(2) A minimum of five soil sample must be collected at locations across a pad site are required, with at least two samples at or adjacent to the tank containment areas.

(3) Soil samples must be collected and analyzed by a qualified third party using proper sampling and laboratory protocol from an EPA or Texas Commission on Environmental Quality (TCEQ) approved laboratory. The minimum acceptable criteria for soil sampling include baseline study of Texas Railroad Commission guidance.

(4) The soil sample baseline study results must include:

(A) a description of the point samples and GPS coordinates of each location,

(B) planned equipment above the sampled area,

(C) methodology of sample collection,

(D) description of field conditions,

(E) summary of laboratory data results compared to the minimum acceptable soil sampling criteria,

(F) copies of all laboratory data sheets,

(G) drawings of sample points,

(H) areas where equipment is anticipated, and

(I) concentrations of the following compounds: TPH, Benzene, Toluene, Ethyl benzene, and Xylenes.



(5) The soil sample baseline study results must be provided to the gas inspector within 30 days after the soil sampling is conducted.

(c) WATER.

(1) Except as provided in this paragraph, before commencing drilling activities on the Property, the Operator must provide a written report of the baseline testing of all water wells within 2,000 feet of a well bore and all surface water within 750 feet of the well bore to the gas inspector.

(2) If the Operator documents to the satisfaction of the gas inspector that permission to access private property to conduct the required baseline testing is not granted, water baseline testing is not required for that well or water body.

7. NOISE MANAGEMENT PLAN.

(a) Before the issuance of a gas well permit for the first gas well, the Operator must submit a noise management plan to the gas inspector.

(b) The noise management plan must:

(1) Identify gas drilling and production use operation noise impacts.

(2) Provide written documentation of a continuous 72-hour study establishing the ambient noise levels before drilling activities begin at the Property. The continuous 72-hour study establishing the ambient noise levels before drilling activities begin must include at least one 24-hour reading during either a Saturday or Sunday.

(3) Detail how noise impacts will be mitigated considering specific site characteristics, including the location of the site, proximity and type of adjacent development, seasonal prevailing weather patterns including wind directions, vegetative cover on or adjacent to the site, and topography of the site.

8. PERMITS: The building official may not issue a certificate of occupancy for gas drilling and production use until the Operator obtains all required permits from the Railroad Commission of Texas, Texas Commission on Environmental Quality, and all other state, federal, or city agencies.

9. PIPELINES:

(a) Before the issuance of the first gas well permit, a pipeline map showing the location of the nearest gathering station and the alignment of the pipelines from the operation site to the gathering stations must be submitted to the gas inspector.

(b) Within 60 days after completion of pipeline construction, as-built or record drawings of the pipelines must be provided to the gas inspector. A record drawing must meet the field note guidelines of the City of Dallas Public Works and provide a minimum of two GPS coordinates of the pipeline location. The scale of the record drawings must be a minimum of one inch to 40 feet.

10. TRAFFIC PLAN: A map showing truck routes must be submitted to and approved by the gas inspector before the issuance of the gas well permit. The mapped truck route must use the shortest route to a state or federal roads.

11. WATER PLAN: At least 10 days before drilling activities begin on a well, the Operator must disclose in writing to the gas inspect the quantity, source, and disposal method for water used during the fracturing process.

c. OPERATIONS.

1. AIR QUALITY COMPATIBILITY MEASURES: The gas drilling and production use has been evaluated for its probable land use effects on adjacent properties. The following conditions help ensure that this gas drilling and production use is more compatible with surrounding land uses:

(b) ENGINES.

(1) Electric motors are encouraged during all gas drilling and production phases.

(2) Only electric motors may be used during the production phase.

(c) VAPOR RECOVERY.

(1) After fracturing is completed on a well, the Operator must employ appropriate equipment and processes to minimize natural gas and associated vapor release.

(2) All salable gas must be directed to the sales line as soon as practicable or shut in.

(3) All wells that have a sale pipeline must use reduced emission completion techniques and methods in accordance with

federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas.

(4) Vapor recovery equipment is required for tanks and tank batteries in accordance with federal and state laws and regulations, and all ordinances, rules, and regulations of the City of Dallas.

2. CLOSED LOOP SYSTEM: All operations must be conducted on a closed loop system.

3. DUST, VIBRATIONS, AND ODORS:

(a) The Operator must conduct drilling and production activities, including vehicular traffic, in a manner that minimizes dust, vibration, and odors consistent with the best practices of the industry.

(b) Brine water, sulphur water, or water with any type of hydrocarbon may not be used for dust suppression.

4. MANEUVERING SURFACE: Vehicle maneuvering surfaces must be gravel or a similar material and must be located as shown on the site plans.

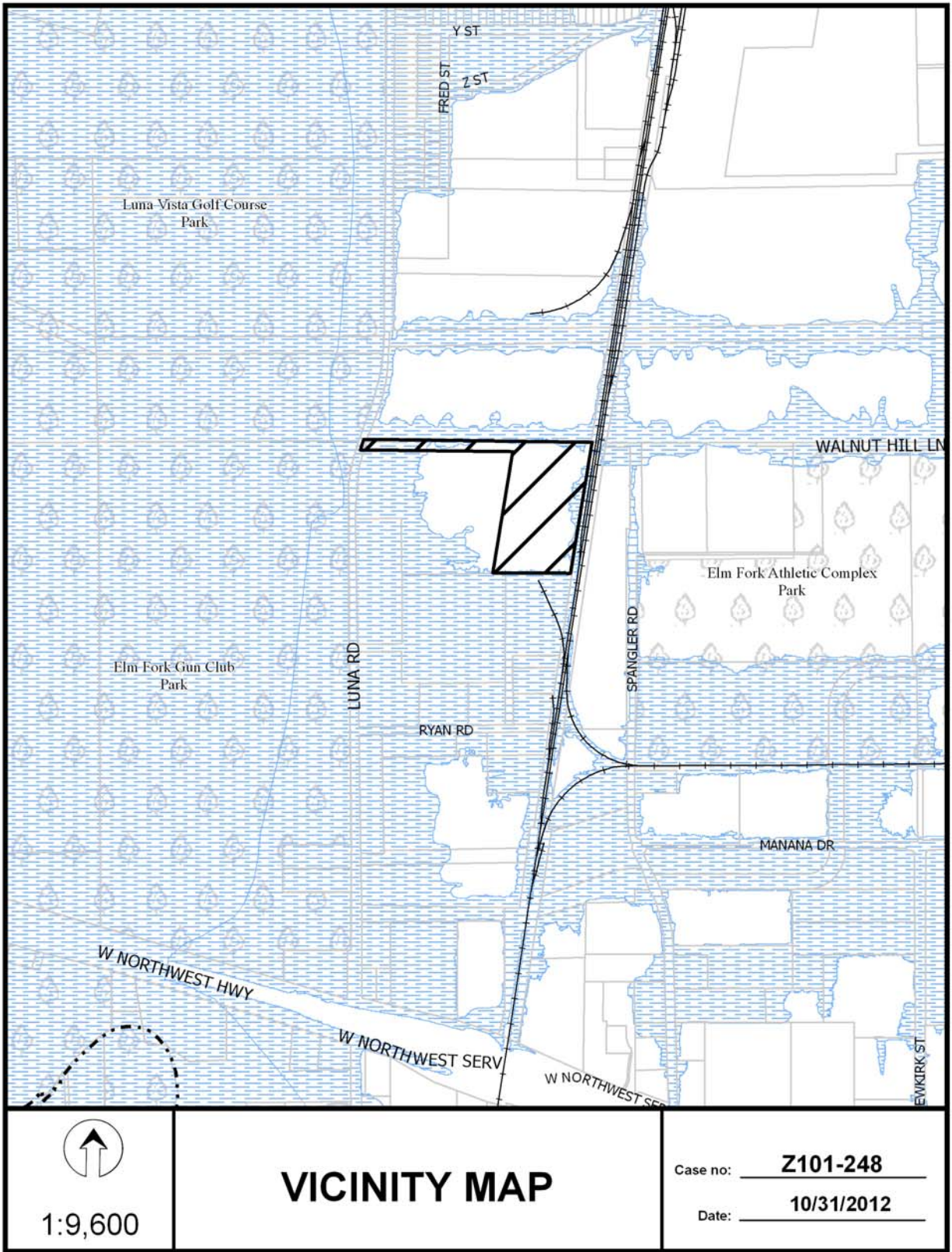
5. MATERIAL SAFETY DATA SHEET:

(a) Before a gas well permit is issued for the first well, the Operator must submit to the City of Dallas a completed Material Safety Data Sheet (MSDS) containing an accurate inventory of chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities.

(b) The MSDS must disclose every chemical to be used, including inventory quantity, concentrations, combinations, and formulations, sufficient to satisfy the gas inspector that full disclosure has been made.

(c) An amended MSDS must be provided to the gas inspector disclosing any change in the inventory, quantity, concentrations, combinations, or formulations of the chemicals to be injected into the well bore for purposes of drilling or hydraulic fracturing or related well bore activities sufficient to satisfy the gas inspector that full disclosure has been made.

6. ON-SITE WASTE STORAGE: Drilling mud, cuttings, liquid hydrocarbons, and all other field waste derived or resulting from the drilling or re-working of any well must be discharged into an above-ground self-contained storage tank.

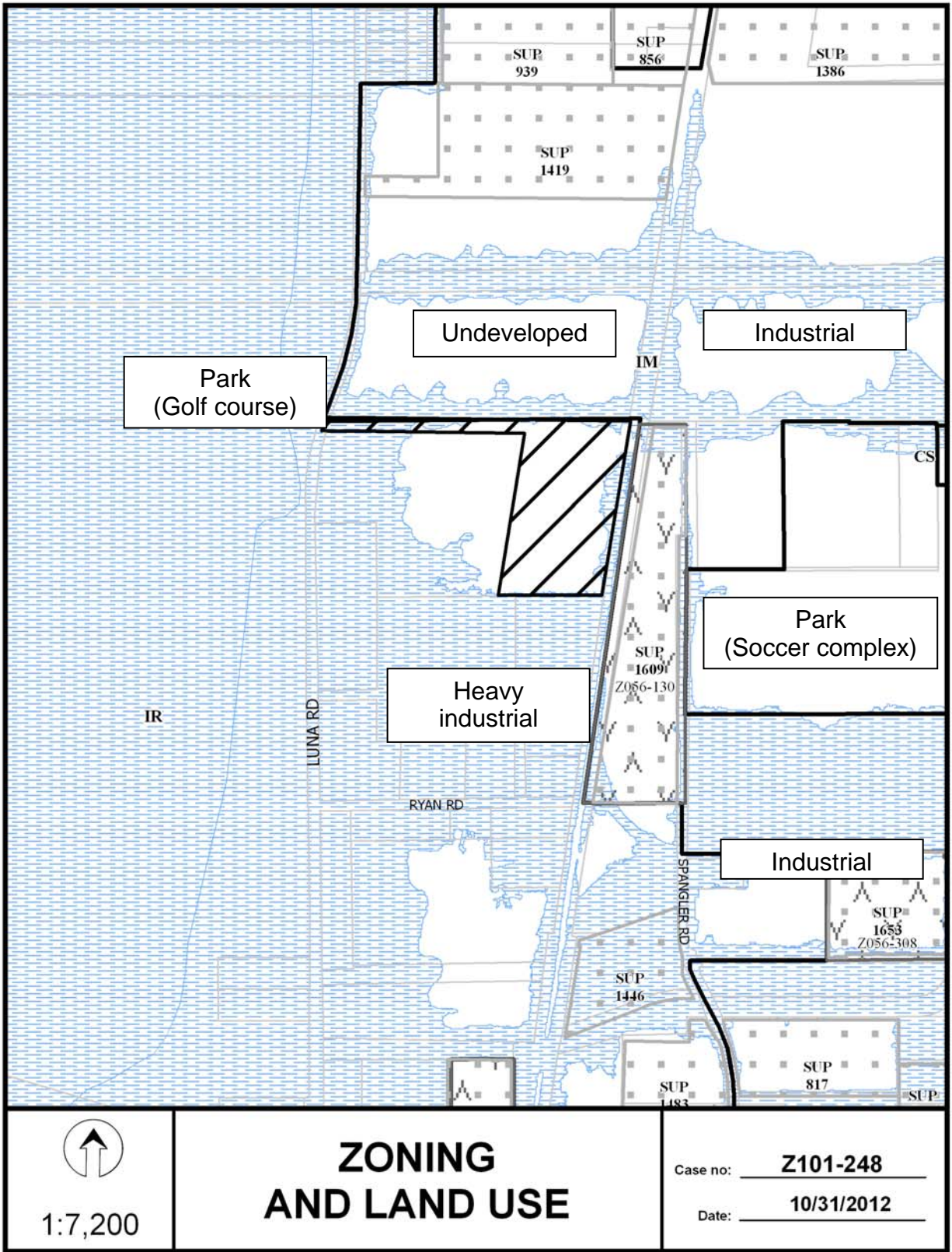


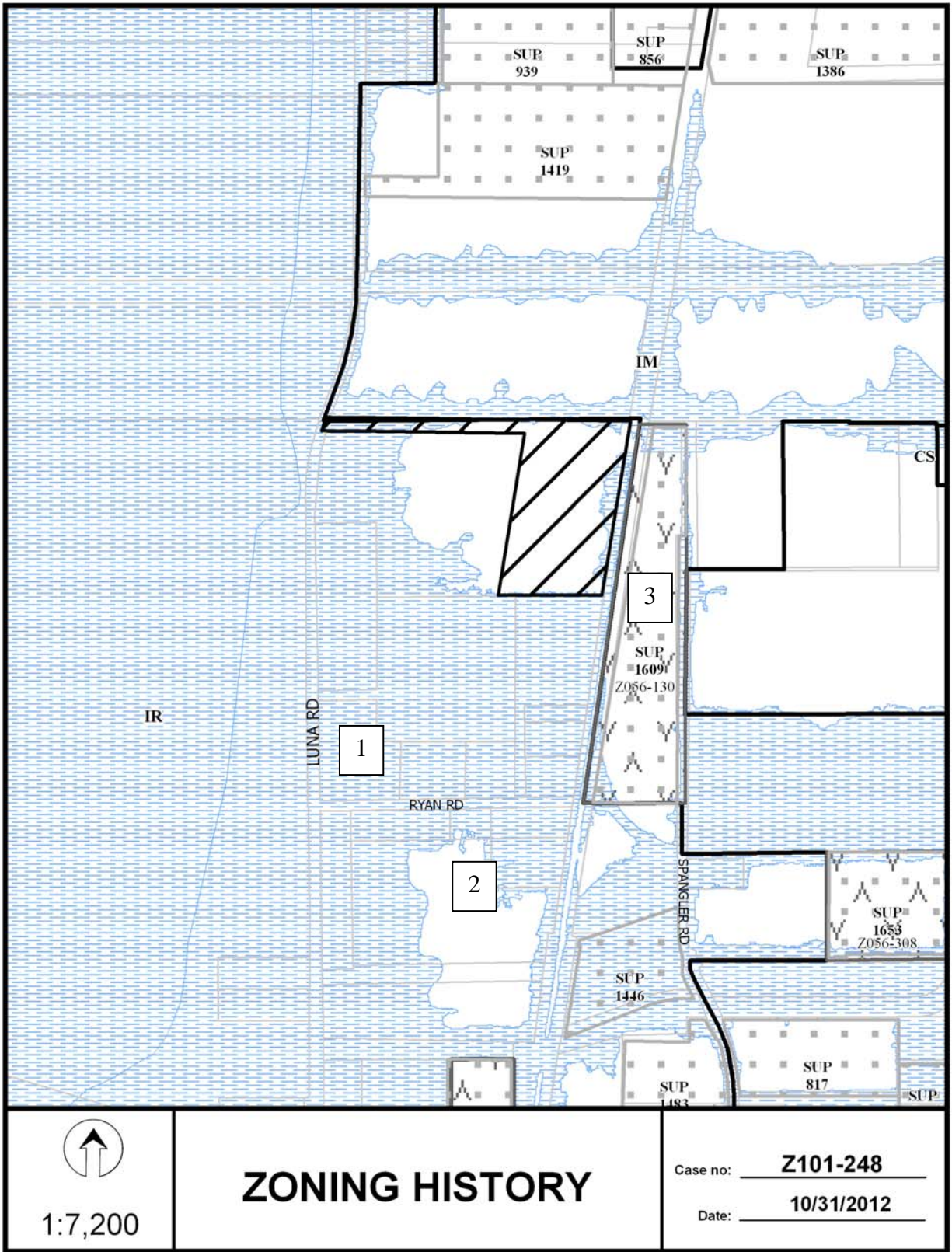
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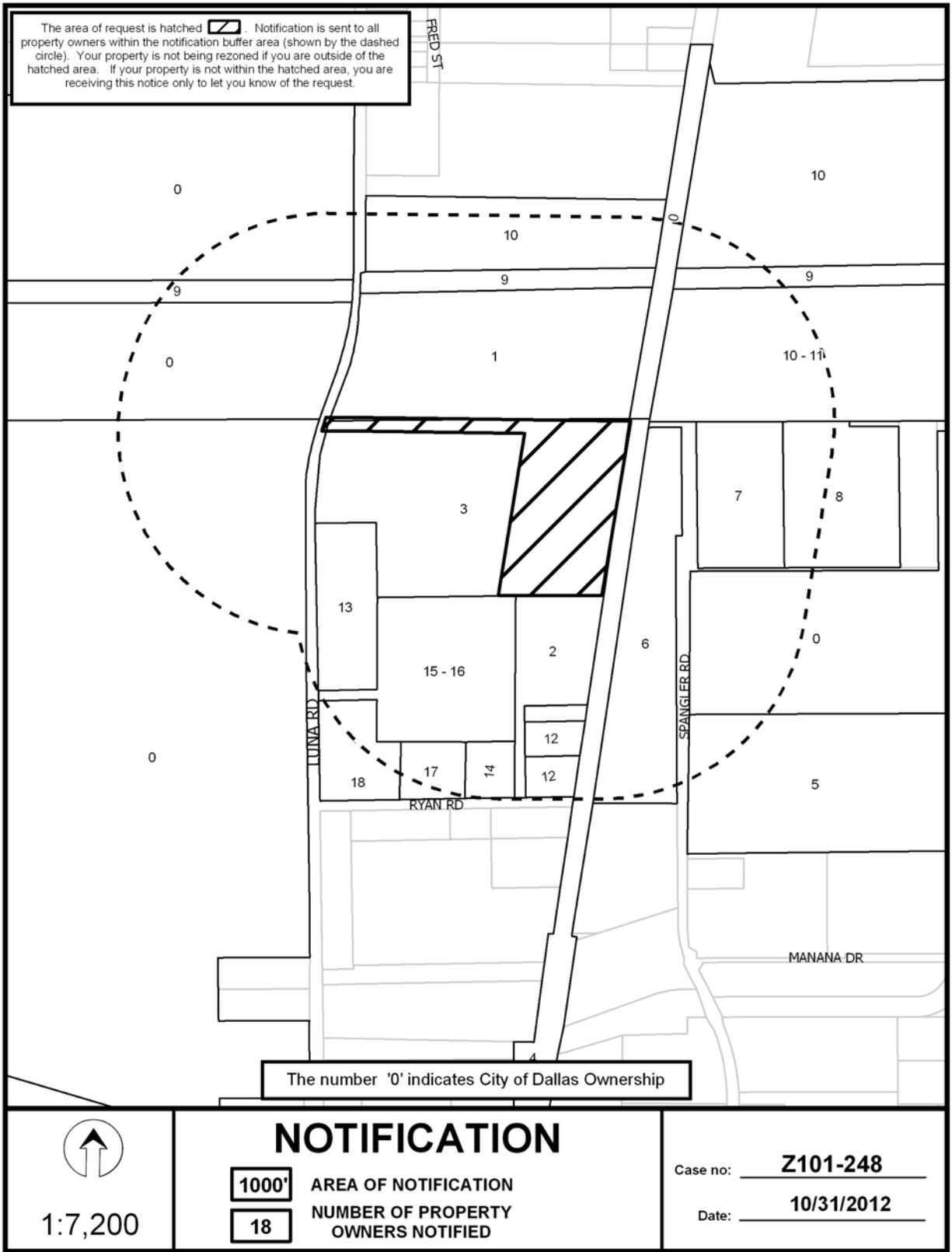
# VICINITY MAP

Case no: Z101-248

Date: 10/31/2012







10/31/2012

## Notification List of Property Owners

### Z101-248

#### 18 Property Owners Notified

Label #	Address	Owner
1	10900 LUNA RD	JACKSON ALMA S ET AL % NATIONSBANK OF TE
2	1885 RYAN RD	ONEAL METALS LP
3	10850 LUNA RD	TCI LUNA VENTURES LLC
4	2300 GRAND AVE	BNSF RAILWAY % PROPERTY TAX DEPT
5	10830 SPANGLER RD	INTERFIRST BANK DALLAS CARUTH/999117062/
6	10801 SPANGLER RD	WEIR BROTHERS PRTNRS LLC
7	10940 SPANGLER RD	PROFFIT VAUGHN & ANNETTE
8	2030 WALNUT HILL LN	GANESH GROUP INC THE
9	10910 LUNA RD	TEXAS UTILITIES ELEC CO % STATE & LOCAL
10	2101 WALNUT HILL LN	JACKSON ALMA S ET AL % NATIONSBANK OF TE
11	2101 WALNUT HILL LN	WASHMON ENTERPRISES INC
12	1891 RYAN RD	DALLAS TUBE PS
13	10850 LUNA RD	LUNA VANOD B TRUST PART M VANOD B LUNA T
14	1865 RYAN RD	ONEAL METALS LP ATTN KEVIN HURD
15	10848 LUNA RD	ONEAL METALS LP ATTN KEVIN HURD
16	10848 LUNA RD	ONEAL STEEL BLDGS CO ATTN KEVIN HURD
17	1839 RYAN RD	NILCO ENTERPRISES INC
18	10808 LUNA RD	PARNIAN CHARLIE