



CITY OF DALLAS
CITY PLAN COMMISSION
Thursday, October 5, 2017
AGENDA

BRIEFINGS:	5ES	10:30 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.

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

BRIEFINGS:

Subdivision Docket
Zoning Docket

ACTION ITEMS:

Subdivision Docket

Planner: Paul Nelson

Consent Items:

(1) **S167-287**
(CC District 6)

An application to replat a 2.602-acre tract of land containing all of Lots 1 through 4, part of Lots 10 through 13 in City Block D/8343, and an abandoned portion of Marine Way to create one lot on property located between Walton Walker Boulevard and Stillwater Boulevard, south of Marine Way.

Applicant/Owner: Elva J Torres-Fonseca/ Springful Properties, LLC

Surveyor: Candy Hone-Votex

Application Filed: September 6, 2017

Zoning: CS

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

- (2) **S167-288**
(CC District 2) An application to replat a 0.293-acre tract of land containing all of Lot 10A in City Block E/2002 to create three lots ranging in size from 0.073-acre to 0.115-acre on property located at the intersection of Belmont Avenue, Kirby Street, and Weldon Street, southwest corner.
Applicant/Owner: Ted Reeder
Surveyor: C.B.G. Surveying, Inc.
Application Filed: September 6, 2017
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S167-291**
(CC District 8) An application to create 112 single family residential lots and 7 common areas with lots ranging in size from 0.158-acre to 0.439-acre from a 39.687-acre tract of land in City Blocks 8823 and 8824 as a community unit development on property located at 14709 Seagoville Road, west of Apple Gate Drive.
Applicant/Owner: Seagoville Realty, LTD
Surveyor: Shield Engineering Group, PLLC
Application Filed: September 7, 2017
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Building Line Removal:

- (4) **S134-256R**
(CC District 14) An application to replat a 0.736-acre tract of land containing all of Lots 1 and 2A in City Block A/576 to create one lot and to remove the platted 36-foot building line along Woodside Street, remove the platted 25-foot building line along Worthington Street, remove the platted 49-foot building lines along Guillot Alley, and to remove the two platted 10-foot building line along the east and west line of the interior lot line between Lot 1 and Lot 2A on property located on Worthington Street at Woodside Street, east corner.
Applicant/Owner: Crescent Communities/Alta State Thomas, LP
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: September 7, 2017
Zoning: PD 225 (Mid-Rise Mix Subdistrict within the Interior Neighborhood District)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Miscellaneous Items - Under Advisement:

W167-010

Sharon Hurd
(CC District 2)

An application for a waiver of the two-year waiting period to submit an application for an amendment to Planned Development Subdistrict for MF-2 Multiple Family District with office and retail uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, in an area bounded by the Dallas North Tollway, Fairmount Street, and Knight Street.

Staff Recommendation: **Denial**

Applicant: FairKnight Partners, Ltd.

Representative: Rob Baldwin

U/A From: September 28, 2017

Special Provision Sign District Amendment:

SPSD 167-002

Neva Dean
(CC District 14)

An application for a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area bound by Woodall Rodgers Freeway, Crockett Street, Munger Avenue, and North Pearl Street.

Staff Recommendation: **Denial**

Arts District Sign Advisory Committee Recommendation: **Approval**

Applicant: 1900 Pearl Street JV, LLC

Representative: Suzan Kedron

Zoning Cases – Consent:

1. **Z167-359(WE)**

Warren Ellis
(CC District 7)

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the northeast corner of Forney Road and South Buckner Boulevard.

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

Applicant: Buckner Food, Inc.

Representative: Jon R. Featherston, The Dimension Group

2. **Z167-363(JM)**

Jennifer Muñoz
(CC District 13)

An application to amend Planned Development District No. 70 for CR Community Retail District uses, on the northeast corner of Midway Road and Northwest Highway (Loop 12).

Staff Recommendation: **Approval**, subject to conditions.

Applicant: HEB Company, LP

Representative: Karl A. Crawley, Masterplan

3. **Z167-364(WE)**
Warren Ellis
(CC District 13)
- An application for a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District on the west line of Marsh Lane, north of Flair Drive.
- Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.
- Applicant: Dallas Daycare Academy, LLC
- Representative: Robert Reeves, Robert Reeves & Associates, Inc.
4. **Z167-366(WE)**
Warren Ellis
(CC District 8)
- An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south side of Great Trinity Forest Way, east of Longbranch Lane.
- Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
- Applicant: Ram Chhantyal, LLC
- Representative: Stephen Linosey

Zoning Cases – Under Advisement:

5. **Z145-310(DL)**
Donna Moorman
(CC District 4)
- A City Council authorized hearing to determine proper zoning on property zoned an IR Industrial Research District, a CS Commercial Service District, a P(A) Parking District, an R-5(A) Single Family District, a CR Community Retail District, and an RR Regional Retail District with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations, on property generally bounded by a Texas Utility Easement on the northeast, Cedar Crest Boulevard on the east, both sides of East 11th Street on the south, Corinth Street on the west, and a DART right-of-way on the northwest.
- Staff Recommendation: **Approval** of a Planned Development District on the north side of East 11th Street, between Cedar Crest Boulevard and Corinth Street and the south side of East 11th Street, between Avenue B and Corinth Street, subject to conditions; **approval** of an NS(A) Neighborhood Service District, an R-5(A) Single Family District, a TH-1(A) Townhouse District, and a CR Community Retail District; and **no change** to the P(A) Parking District and the R-5(A) Single Family District on the south side of East 11th Street, between Avenue F and Dubois Avenue.
- Bus Tour Date: March 2, 2017
- U/A From: September 7, 2017 and September 28, 2017

6. **Z156-237(WE)**
Warren Ellis
(CC District 13)
- An application for a Planned Development District for CR Community Retail District uses on property zoned a CR Community Retail District on the south line of West Northwest Highway, east of Lemmon Avenue.
- Staff Recommendation: **Approval**, subject to a revised development plan, revised landscape plan and staff's recommended conditions.
- Applicant: QuikTrip Corporation
- Representative: Tonya Meier and Matthew Sanderson, Gray Reed & McGraw, PC
- Bus Tour Date: July 21, 2016
- U/A From: June 2, 2016, August 4, 2016, October 6, 2016, November 10, 2016, January 19, 2017, March 16, 2017, April 27, 2017, and September 7, 2017.
7. **Z167-194(WE)**
Warren Ellis
(CC District 3)
- An application for an R-5(A) Single Family District on property zoned an R-10(A) Single Family District with consideration being given to an R-7.5(A) Single Family District on the west side of South Westmoreland Road, north of Red Raider Lane.
- Staff Recommendation: **Approval** of an R-7.5(A) Single Family District in lieu of an R-5(A) Single Family District.
- Applicant: S.I. Abed & Hasan Nasser
- Representative: S.I. Abed, P.E.
- U/A From: June 8, 2017, August 17, 2017, and September 28, 2017
8. **Z167-326(SM)**
Sarah May
(CC District 13)
- An application for a new subarea on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District, on the northeast corner of Sherry Lane and Lomo Alto Drive.
- Staff Recommendation: **Approval**, subject to conditions.
- Applicant: SGD BD Park Cities, LP
- Representative: William Dahlstrom; Jackson Walker, LLP
- U/A From: September 28, 2017
9. **Z167-332(JM)**
Jennifer Muñoz
(CC District 4)
- An application for an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District, on the south line of West Louisiana Avenue, west of South Beckley Avenue.
- Staff Recommendation: **Approval**
- Applicant/Representative: Juan and Felipa Salas
- U/A From: September 28, 2017

Zoning Cases – Individual:

10. **Z167-358(JM)**
Jennifer Muñoz
(CC District 1)

An application for the renewal of Specific Use Permit No. 2161 for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, on the north line of Fort Worth Avenue, west of Walter Drive.

Staff Recommendation: **Approval** of the renewal of Specific Use Permit No. 2161 for a two-year period, subject to a site plan and staff's recommended conditions.

Applicant: Ashley Watkins % T-Mobile West, LLC

Other Matters:

Consideration of the 2018 City Plan Commission Calendar

Minutes: September 28, 2017

Adjournment

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, October 10, 2017

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING – Tuesday, October 10, 2017, City Hall, 1500 Marilla Street, in Room 5BN, at 9:00 a.m.

Thursday, October 5, 2017

ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) MEETING - Thursday, October 5, City Hall, 1500 Marilla Street, in Room 5ES, at 9:00 a.m., to consider (1) **DCA 167-002** - Consideration of amending Section 51A-4.204(4)(iv) of the Dallas Development Code to amend Remote and Shared Parking regulations for Churches.

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

EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex. Govt. Code §551.086]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]

FILE NUMBER: S167-287**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Walton Walker Boulevard and Stillwater Boulevard, south of Marine Way**DATE FILED:** September 6, 2017**ZONING:** CS**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 2.602-Acres**MAPSCO:** 52E**APPLICANT/OWNER:** Elva J Torres-Fonseca/ Springful Properties, LLC

REQUEST An application to replat a 2.602-acre tract of land containing all of Lots 1 through 4, part of Lots 10 through 13 in City Block D/8343, and an abandoned portion of Marine Way to create one lot on property located between Walton Walker Boulevard and Stillwater Boulevard, south of Marine Way.

SUBDIVISION HISTORY:

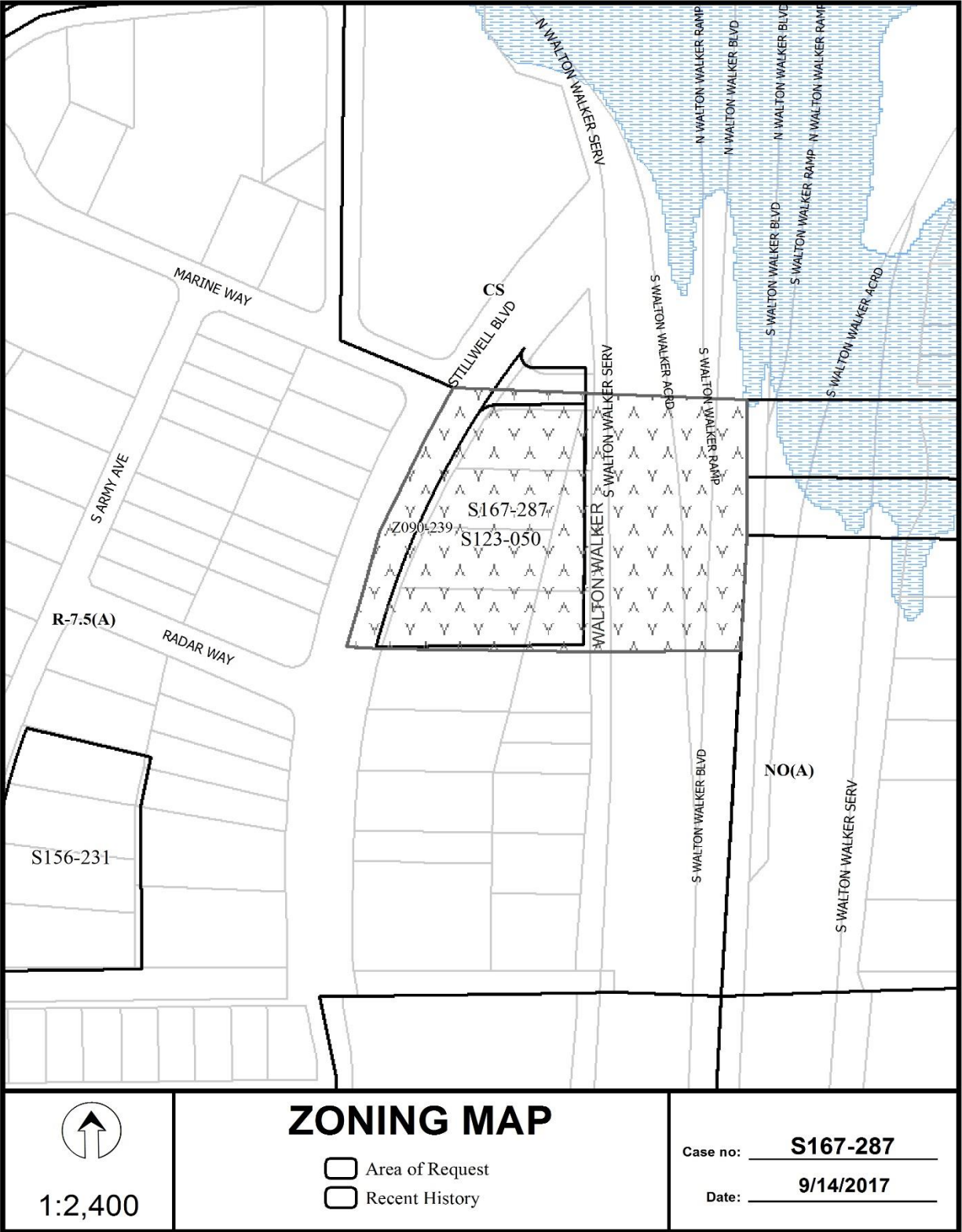
1. S156-231 was a request northwest of the present request to replat a 2.012-acre tract of land containing all of Lots 1, 2, 3, and 4 in City Block G/8343 to create 8 lots ranging in size from 9,538-square feet to 12,632-square feet on property located on Army Avenue between Radar Way and Beau Purple Drive. The request was denied July 21, 2016.


STAFF RECOMMENDATION: The request complies with the requirements of the CS Commercial Service zoning district; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.

7. 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."
8. 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. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
14. On the final plat, add note: "TxDOT approval may be required for any driveway modification or new access point(s)."
15. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management
16. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V
17. On the final plat, include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V
18. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management
19. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.

20. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1)(2), (3), and (4).
21. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g)
22. On the final plat, show recording information on all existing easements within 150 feet of property.
23. On the final plat, list utility easements as retained within street abandonments when stated in the abandonment ordinance, or follow the City of Dallas standard affidavit requirements.
24. On the final plat, show all additions or tracts of land within 150' of property with recording information. Platting Guidelines
25. On the final plat, show two control monuments. Section 51A-8.617
26. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains- including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: **Water and Wastewater Engineering**.
27. On the final plat, must label abandonments "...abandonment authorized by Ordinance no. _____ and recorded as Instrument number _____."
28. Prior to final plat, contact the Dallas Street Coordinator to determine whether the "20' x 60' street easement (by this plat)" will require street name label. Section 51A-8.403(a)(1)(A)(xii)
29. On the final plat, identify the property as Lot 1A in City Block D/8343. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).





 1:2,400

ZONING MAP

Area of Request
 Recent History

Case no: **S167-287**
 Date: **9/14/2017**



<p style="text-align: center;">  1:2,400 </p>	<h2>AERIAL MAP</h2> <p> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History </p>	<p>Case no: <u> S167-287 </u></p> <p>Date: <u> 9/14/2017 </u></p>
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FILE NUMBER: S167-288**SUBDIVISION ADMINISTRATOR:** Paul Nelson**LOCATION:** Belmont Avenue, Kirby Street, and Weldon Street, southwest corner**DATE FILED:** September 6, 2017**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.293-Acres**MAPSCO:** 35Z**APPLICANT/OWNER:** Ted Reeder

REQUEST: An application to replat a 0.293-acre tract of land containing all of Lot 10A in City Block E/2002 to create three lots ranging in size from 0.073-acre to 0.115-acre on property located at the intersection of Belmont Avenue, Kirby Street, and Weldon Street, southwest corner.

SUBDIVISION HISTORY:

1. S156-222 was a request northwest of the present request to replat a 0.167-acre tract of land containing all of Lot 3 in City Block B/2002 to create one 3,194.2-square foot lot, and one 4,102.4-square foot lot on property located on 2614 Calvin Street, east of Cole Manor Place. The request was approved July 8, 2016 but has not been recorded.
2. S156-204 was a request south of the present request to replat a 0.172-acre tract of land containing all of Lot 1, City Block 1/1539 to create five, 1,300-square foot lots, and one 753-square foot common area on property located on 2318 Carroll Avenue at Rusk Avenue. The request was approved June 16, 2016 but has not been recorded.
3. S156-086 was a request north of the present request to replat a 0.144-acre tract of land containing all of Lot 10 in City Block 1/2001 into a Shared Access Development with four lots ranging in size from 1,425 square feet to 1,896 square feet on property located at 4727 Manett Street. The request was approved February 18, 2016 but has not been recorded.

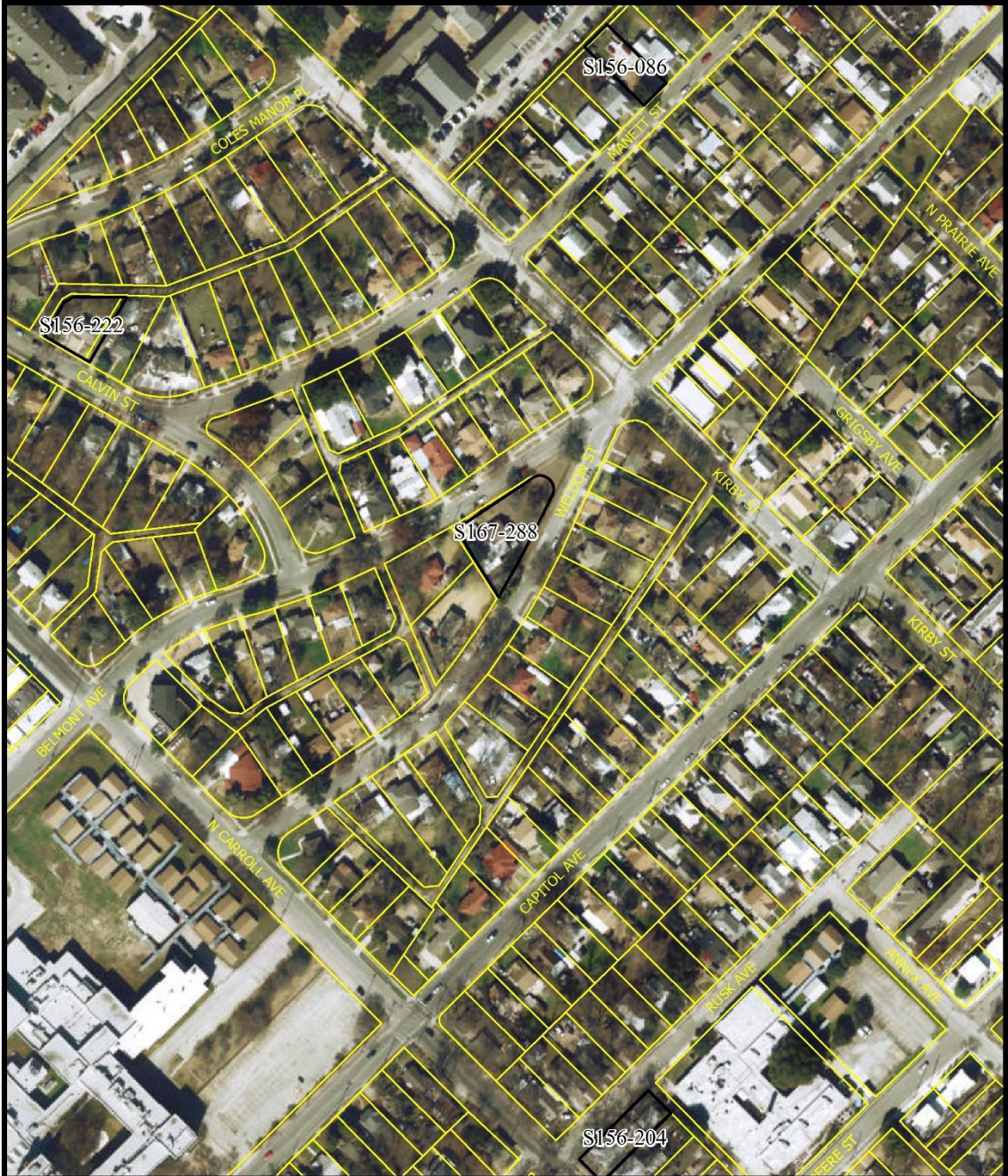
STAFF RECOMMENDATION: The request complies with the requirements of the MF-2(A) Multifamily zoning district; therefore, staff recommends approval of the request subject to compliance with the following conditions:


1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)

4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. 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. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is three.
11. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
12. Provide a detailed lot grading plan prepared by a Professional Engineer. Sections 51A-8.102(c) and 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
13. On the final plat, dedicate 28 feet ROW /Street Easement / Public Utility/Sidewalk & Utility Easement from the established center line of Belmont Avenue and Weldon Street. 51A 8.602(c)
14. On the final plat, show the correct recording information for the subject property. Platting Guidelines.
15. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f)
16. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains- including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: **Water and Wastewater Engineering.**

17. Wastewater main improvement is required by private development contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., room 200, Attention: **Water and Wastewater Engineering**.
18. On the final plat, identify the property as Lots 10B through 10D in City Block E/2002. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).





 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: <u> S167-288 </u> Date: <u> 9/14/2017 </u>
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FILE NUMBER: S167-291

SUBDIVISION ADMINISTRATOR: Paul Nelson

LOCATION: 14709 Seagoville Road, west of Apple Gate Drive

DATE FILED: September 7, 2017

ZONING: R-7.5(A)

CITY COUNCIL DISTRICT: 8 **SIZE OF REQUEST:** 39.687-Acres

MAPSCO: 70E

APPLICANT/OWNER: Seagoville Realty, LTD

REQUEST: An application to create 112 single family residential lots and 7 common areas with lots ranging in size from 0.158-acre to 0.439-acre from a 39.687-acre tract of land in City Blocks 8823 and 8824 as a community unit development on property located at 14709 Seagoville Road, west of Apple Gate Drive.

SUBDIVISION HISTORY:

1. S145-199 was a request southwest of the present request to create one 1.55-acre lot and one 0.98-acre lot from a 2.53-acre tract of land in City Block 8825 on property located on the north side of Edd Road, west of Spicewood Drive. The request was approved June 18, 2015 but has not been recorded.
2. S112-045 was a request east of the present request to create a 10-acre lot from a tract of land in City Block 6957 and located at Keist Boulevard at Rio Grande Avenue, Southeast corner. The request was approved January 19, 2012 and was recorded September 14, 2017.

STAFF RECOMMENDATION: Section 51A-8.503(a) indicates that "...Lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of streets...". The adjoining subdivisions to the west is developed with lots that is 7,500 square feet in size and subdivisions to the southwest and southeast are developed with lots that are 10,000 square feet in size. The present request is creating the "established lot pattern for this 112 lot development:"

The following chart provides the data for compliance with the community unit development regulations for the proposed subdivision:

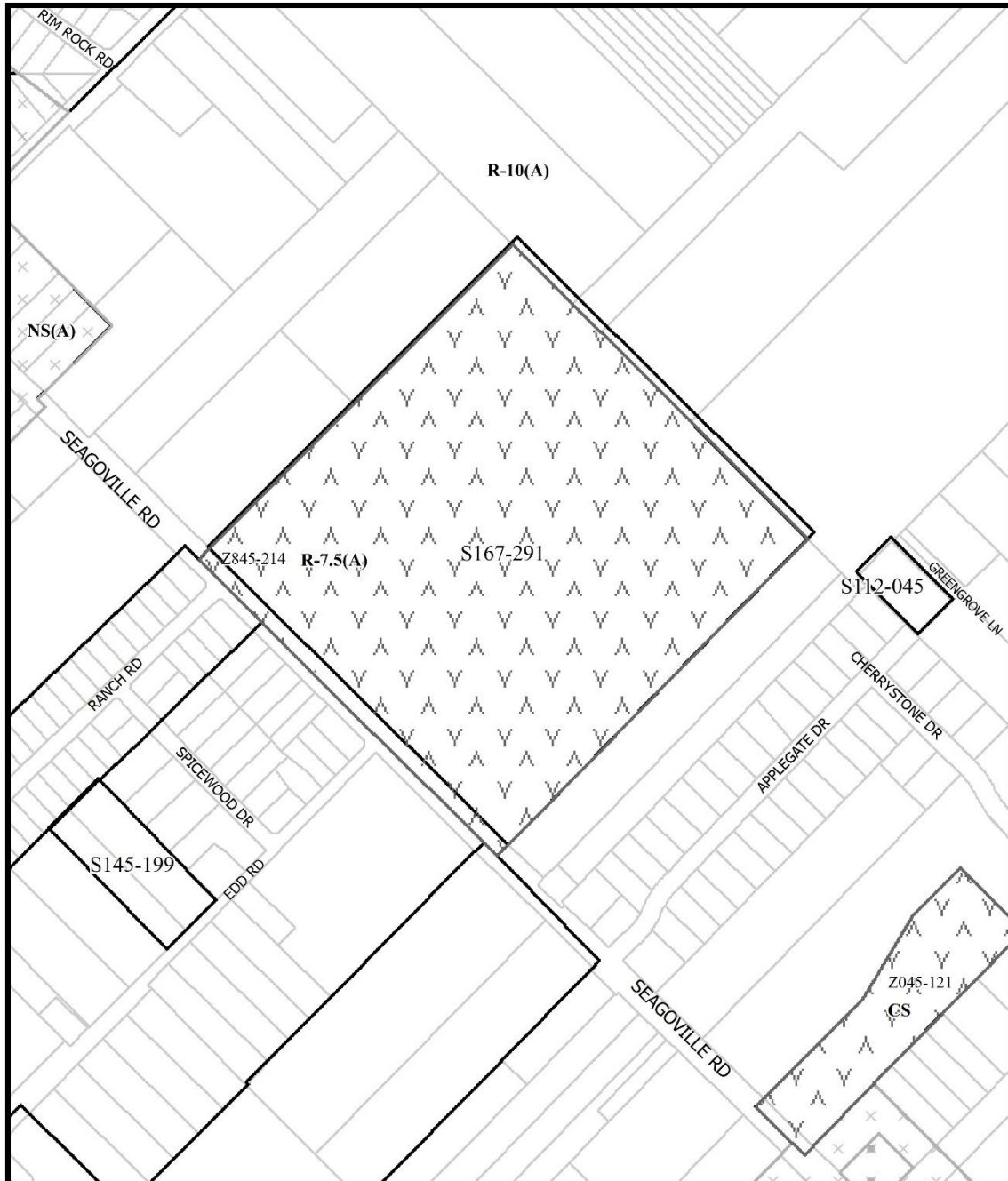
Total number of lots:	112
Total Lot Area	1,728,765.72 sq. ft.
Lot Area needed for 25% reduction	432,191.43 sq. ft.
Lot area reduction allowed [1,875 sq. ft./lot; (25%)]	432,191.43 sq. ft.
Open space provided	574,120.8 sq. ft.
R-7.5(A) lot area required:	7,500.0 sq. ft.
Allowed lot area reduction (25%) per lot	-1,875 sq. ft.
Minimum lot area allowed	5,625 sq. ft.
Smallest lots	6,884 sq. ft.


The proposed subdivision complies with the requirements of the community unit development regulations (Section 51A-8.510) for the 25% lot size reduction, Section 51A-8.503, and the requirements of the R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. 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. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is 112 and 7 common areas.
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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)


13. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
14. On the final plat, dedicate a 20-foot by 20-foot corner clip at the intersection of Seagoville Road & Edd Road. Section 51A 8.602(d)(1)
15. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at all streets that intersect an Alley. Section 51A-8.602(e),
16. On the final plat, dedicate 15-feet by 15-feet corner clip at Edd Road and Street D, Edd Road and Street B, and Edd Road and Street C at all four corners.
17. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management
18. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V
19. On the final plat, include additional paragraph in owner's certificate (pertaining to floodplain). Section 51A-8.611(d), Trinity Watershed Management; Drainage Manual, Article V
20. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management
21. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
22. Prior to submission of the final, plat set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1)(2), (3), and (4).
23. Provide information regarding fill permit or floodplain alteration permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g)
24. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii)
25. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines
26. On the final plat, show recording information on all existing easements within 150 feet of property.
27. On the final plat, show all additions or tracts of land within 150 feet of property with recording information. Platting Guidelines
28. On the final plat, chose a new or different addition name. Platting Guidelines

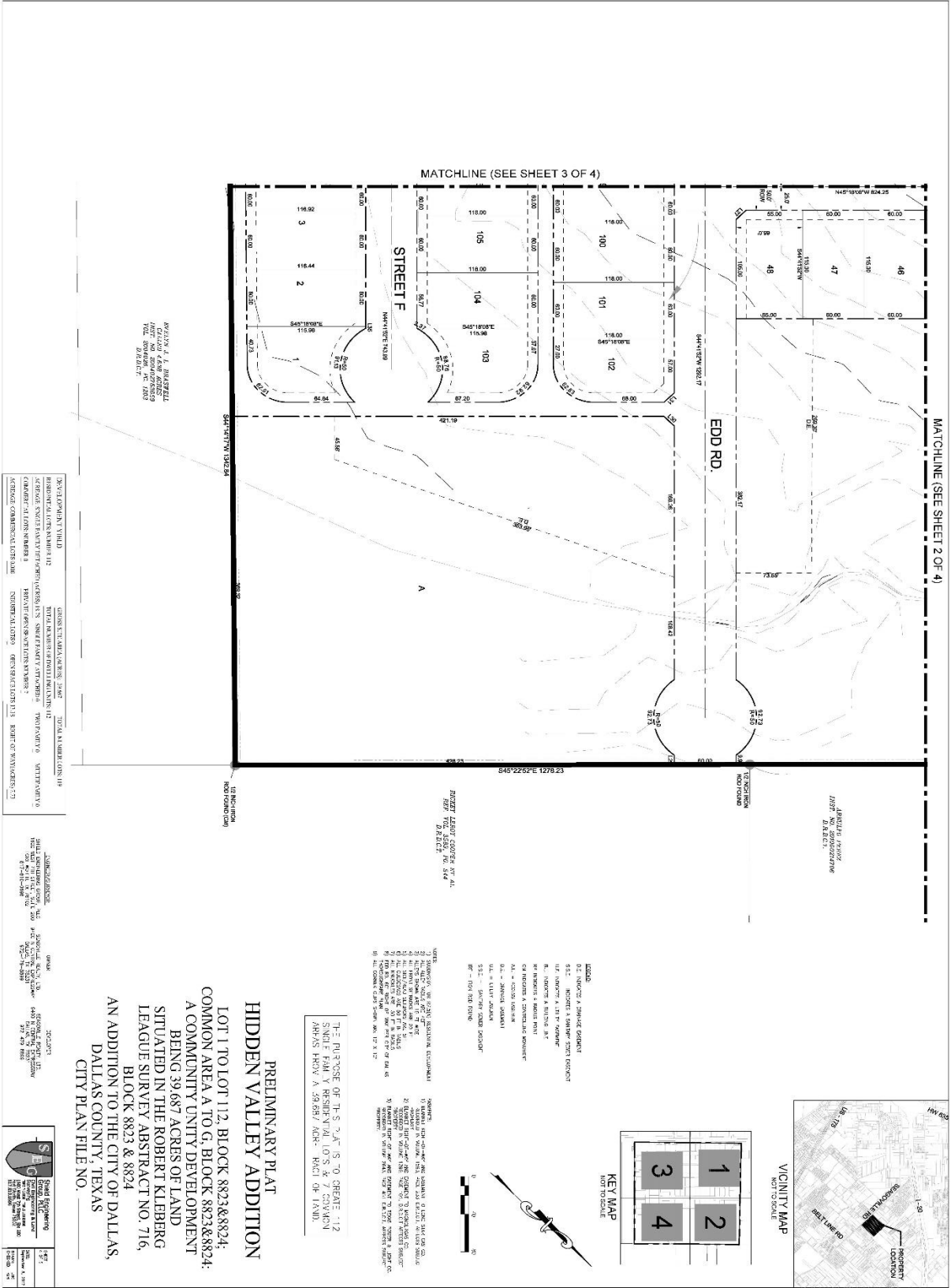
29. On the final plat, clarify existing gas main, show existing easements and /or dedicate proper width.
30. On the final plat, clarify meaning of lines offset around the property currently not labelled.
31. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f)
32. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains- including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: **Water and Wastewater Engineering.**
33. Water and wastewater main improvements are required by private development contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., room 200, Attention: **Water and Wastewater Engineering.**
34. Prior to final plat, contact the Dallas Street Name Coordinator to determine correct names for the new streets. Section 51A-8.403(a)(1)(A)(xii).
35. On the final plat, identify the property as Lots 1 through 16, common area A through C in City Block E/8823; Lots 1 through 24, common area D through E in City Block F/8823; Lots 1 through 13, common area F in City Block G/8823; Lots 1 through 20 in City Block H/8823; Lots 1 through 20 in City Block J/8823; Lots 1 through 19, common area G in City Block K/8823. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).



 1:4,800	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History 	Case no: S167-291 Date: 9/18/2017
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WILLIAM J. BRASWELL
 LICENSED SURVEYOR
 NO. 40444
 10000 W. LAKOTA AVE. SUITE 100
 DALLAS, TEXAS 75247
 TEL: 972.991.2200
 FAX: 972.991.2201

GENERAL NOTES:
 1. THIS PLAN IS SUBJECT TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ORDINANCES OF THE CITY OF DALLAS, TEXAS.
 2. THIS PLAN IS SUBJECT TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ORDINANCES OF THE STATE OF TEXAS.
 3. THIS PLAN IS SUBJECT TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ORDINANCES OF THE FEDERAL GOVERNMENT.
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PRELIMINARY PLAT
HIDDEN VALLEY ADDITION
 LOT 1 TO LOT 112, BLOCK 8823&8824;
 COMMON AREA A TO G, BLOCK 8823&8824;
 A COMMUNITY UNITY DEVELOPMENT
 BEING 39.687 ACRES OF LAND
 SITUATED IN THE ROBERT KLBERG
 LEAGUE SURVEY ABSTRACT NO. 716,
 BLOCK 8823 & 8824
 AN ADDITION TO THE CITY OF DALLAS,
 DALLAS COUNTY, TEXAS
 CITY PLAN FILE NO. _____

THE PURPOSE OF THIS PLAN IS TO CREATE THE
 SPLIT PLAT RESUBDIVISION OF THE
 ABSTRACT ABOVE AS SHOWN ON THIS PLAN.

NOTES:
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LOCATION: Worthington Street at Woodside Street, east corner**DATE FILED:** September 7, 2017 **ZONING:** PD 225 (Mid-Rise Mix Subdistrict within the Interior Neighborhood District)**PD LINK:** <http://www.dallascityattorney.com/51P/Articles%20Supp%2031/ARTICLE%20225.pdf>**CITY COUNCIL DISTRICT:**14 **SIZE OF REQUEST:** 0.556-Acres **MAPSCO:**45B & 45F**APPLICANT/OWNER:** Crescent Communities/Alta State Thomas, LP

REQUEST: An application to replat a 0.736-acre tract of land containing all of Lots 1 and 2A in City Block A/576 to create one lot and to remove the platted 36-foot building line along Woodside Street, remove the platted 25-foot building line along Worthington Street, remove the platted 49-foot building line along Guillot Alley, and to remove the platted 10-foot building line along the east and west of the interior lot line between Lot 1 and Lot 2A on property located on Worthington Street at Woodside Street, east corner.

SUBDIVISION HISTORY:

1. S123-107 was a request west of the present request to replat a 0.185- acre tract of land containing part of Lot 3 in City Block 2/955 into one lot at 2701 McKinney Avenue. The request was approved April 4, 2013 and was recorded November 19, 2015.
2. S123-047 was a request southwest of the present request to replat a 2.720-acre tract of land containing all of Lots 1 through 12 in City Block C/549 and two abandoned alleys within City Block C/549 on property bounded by McKinney Avenue, Routh Street, State Street and Fairmount Street. The request was approved January 10, 2013 and was recorded September 03, 2014.
3. S123-030 was a request southeast of the present request to replat all of Lots 6 and 7 in City Block K/574 into an 11 lot Shared Access Development ranging in lot size from 0.0232 acre to 0.0654 acre on property located on State Street at Worthington Street, east corner. The request was approved December 6, 2012 and was recorded February 13, 2014.

BUILDING LINE REMOVAL: 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”
- (ii) The building lines are a 36-foot building line along Woodside Street, a 25-foot building line along Worthington Street, a 49-foot building line along Guillot Alley, and a 10-foot building lines along east and west of the interior lot line between Lot 1 and Lot 2A. These building lines were created by the recording of the “L & L Molsen” plat addition which was recorded July 19, 1984. The front yard setback for the Mid-Rise Subdistrict within PD 225 requires a minimum front yard setback of 8 feet.
- (iii) “be contrary to the public interest;”
 - Notices were not sent because the district is not considered a single family district.
- (iv) “adversely affect neighboring properties; and”
 - The removal of building lines will allow for orderly development of the property.
- (v) “adversely affect the plan for the orderly development of the subdivision.”
 - The removal of the 36-foot, 25-foot, 49-foot, and 10-foot building lines will allow the property to be developed in accordance with the regulations of PD 225 (Interior Neighborhood District) (Mid-Rise Mix Subdistrict).

STAFF RECOMMENDATION OF BUILDING LINE REMOVAL: The removal of the building lines will allow the property to be developed in accordance with the regulations of PD 225 (Mid-Rise Mix Subdistrict within the Interior Neighborhood District); therefore, staff recommends approval of the removal of the building line.

STAFF RECOMMENDATION OF PLAT: The request is to create one lot to allow a unified development; staff finds that the request complies with the requirements of PD 225 (Mid-Rise Mix Subdistrict within the Interior Neighborhood District); therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the 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. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants, must comply with the Dallas Fire Code.

5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with 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.
7. 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."
8. 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. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
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. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9)
12. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e)
13. On the final plat, dedicate a 10-foot by 10-foot corner clip at the intersection of Worthington Street & Woodside Street. Section 51A 8.602(d)(1)
14. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at Guillot Alley and Worthington Street. Section 51A-8.602(e),
15. On the final plat, modify reference to existing platted building lines from abandoned to remove by this plat.
16. On the final plat, label "Guillot Alley" west of Clay Alley, in its right-of-way, or with an arrow pointing into the right-of-way. Section 51A-8.403(a)(1)(A)(xii).
17. On the final plat, identify the property as Lot 1A in City Block A/576. Ordinance 1A, pages 131-148, section 2 (passed August 13, 1872).



1:2,400

AERIAL MAP

- Area of Request
- Recent History

Case no: S134-256R
 Date: 9/18/2017

FILE NUMBER: W167-010

DATE FILED: August 17, 2017

LOCATION: Area bounded by the Dallas North Tollway, Fairmount Street, and Knight Street

COUNCIL DISTRICT: 2

MAPSCO: 34Z

SIZE OF REQUEST: Approx. 0.95 acres

CENSUS TRACT: 5.00

MISCELLANEOUS DOCKET ITEM:

APPLICANT/OWNER: FairKnight Partners, Ltd.

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a waiver of the two-year waiting period to submit an application for an amendment to Planned Development Subdistrict for MF-2 Multiple Family District with office and retail uses within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: On August 10, 2016, the City Council approved Planned Development Subdistrict No. 125 for MF-2 Multiple Family District with office and retail uses within Planned Development District No. 193, the Oak Lawn Special Purpose District.

The applicant is requesting a waiver of the two-year waiting period in order to submit an application to amend Planned Development Subdistrict No. 125. The applicant has indicated that the design of the building and engineering of the site commenced after approval of the PDS. It was then that they discovered that more grading of the site was required than previously anticipated and additional stairs were needed in order to meet accessibility requirements.

According to Section 51A-4.701(d) of the Dallas Development Code, a new application on this property cannot be filed prior to August 10, 2018, without a waiver of the two-year waiting period. According to the Dallas Development Code, "the commission may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing." However, staff believes circumstances have not changed to warrant a new hearing.

Staff Recommendation: Denial

Previous CPC Action: On September 28, 2017, CPC held this case under advisement to October 5, 2017

W167-010

8-17-17 AR

APPLICATION FOR WAIVER OF TWO-YEAR WAITING PERIOD

Zoning File No. Z156-164

Location Northwest corner of Knight Street & Fairmount St

Date of last CPC or CC Action 8/10/2016

Applicant's Name, Address & Phone Number Rob Baldwin, Baldwin Associates

3904 Elm Street, Suite B, Dallas TX 75226. 214-824-7949. rob@baldwinplanning.com

Property Owner's Name, Address and Phone No., if different from above

FairKnight Partners Ltd, 16850 Dallas Parkway Suite 1000, Dallas, TX 75248

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

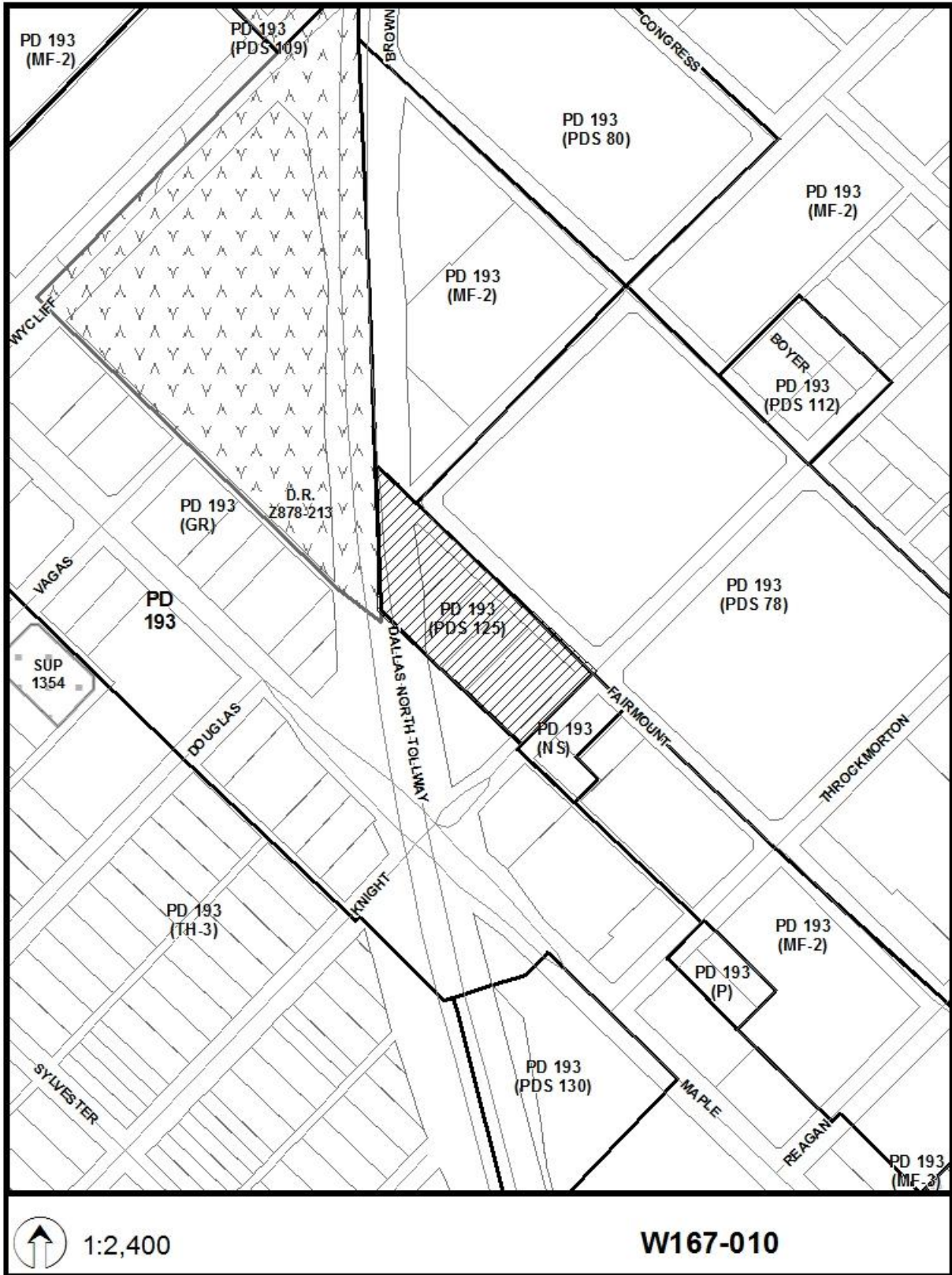
After approval of the PDS, the design of the building and engineering of the site proceeded. It was discovered that more grading of the site was required that anticipated and more stairs are necessary for the building to function and be accessible.

Jennifer Himmels for Rob Baldwin
Applicant's Signature

Fair Knight Partners, LTD
By: Lisa Barentine
Owner's Signature (if individual) or
Letter of Authorization (from corporation/partnership)



Date Received
Fee: \$300.00



Planner: Neva Dean

FILE NUMBER: SPSD167-002

DATE FILED: May 10, 2017

LOCATION: Area bound by Woodall Rodgers Freeway, Crockett Street, Munger Avenue, and North Pearl Street

COUNCIL DISTRICT: 14

MAPSCO: 45-F

SIZE OF REQUEST: Approximately 0.6 acres

CENSUS TRACT: 17.01

REPRESENTATIVE: Suzan Kedron

APPLICANT/OWNER: 1900 Pearl Street JV, LLC

REQUEST: An application to create a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District.

SUMMARY: The purpose of this request is to create a new subdistrict to allow tenant identity signs, restaurant/retail identity signs, and an integrated monument sign.

STAFF RECOMMENDATION: Denial.

ARTS DISTRICT SIGN ADVISORY COMMITTEE RECOMMENDATION: Approval

BACKGROUND INFORMATION:

The Arts District Sign District was created on February 16, 1983. The SPSPD currently has one subdistrict within the boundary – Subdistrict A. Subdistrict A was created on November 7, 2011, and amended on May 14, 2014.

The applicant is proposing the creation of a new subdistrict to allow tenant identity signs and an integrated monument sign, which are allowed only within Subdistrict A. The applicant is also proposing the creation of a new sign – restaurant/retail identity sign – in addition to the tenant identity signs.

The application’s original request included an additional cultural institution digital sign. This sign is not included in the current request because the Arts District limits the number of cultural institution digital signs to six within the entire district. To increase the number of allowed cultural institution digital signs, the entire Arts District SPSPD would need to be part of the request to allow all property within the district to decide to increase the number and if the new sign would be allowed anywhere in the district or in a specific subdistrict.

The applicant submitted revised conditions after the August Arts District Sign Advisory Committee (ADSAC), which reduced the number of signs. The applicant agreed to the ADSAC recommendations during the September Committee meeting.

There was discussion during the Committee meeting about limiting the effective area of tenant identity, building identification signs, and restaurant/retail signs on each façade to less than five percent of that façade. However, the motion did not include reducing the effective area and the conditions show the five percent of the façade limitation.

STAFF ANALYSIS:

Creating a new subdistrict in 2011 was viewed by staff as unnecessary. Staff believed treating one single block differently from the remainder of the Arts District could begin to erode the cohesiveness of the district. The request for a new subdistrict is again singling out one block to be treated differently. While mirroring Subdistrict A for the most part, the signs in the new subdistrict are different from the district as a whole.

The boundaries of the Arts District Special Provision Sign District are consistent with the boundaries of the Sasaki Plan, which serves as a guideline for the Art’s District Planned Development District. While signage is not covered in detail in the Sasaki Plan, the plan does set out consistent design guidelines for the District as a whole. The intent of the Arts District is to create a pedestrian-oriented space with a distinct visual image for the district.

One of the purposes of the Arts District SPSPD is to create a sense of uniformity between signs and the other streetscape elements of the Arts District.

Subdistrict A (current)	Applicant's Revised Request (new subdistrict)	ADSAC Recommendation
<p>One tenant identity sign or building identification sign is permitted per facade.</p> <p>No identification sign on Leonard St. facade.</p>	<p>Two tenant identity or building identification signs on Woodall Rodgers facade.</p> <p>One identity sign or building identity sign on the North Pearl Street facade.</p> <p>No tenant identity signs on Munger Avenue and Crockett Street facades.</p>	<p>ADSAC: Approval</p> <p>Staff: Denial.</p>
<p>Tenant identity signs must be located above the highest leasable floor.</p> <p>A tenant identity sign located on the Ross Avenue facing facade, may be located on any floor.</p>	<p>Tenant identity or building identification signs must be located at or above the third floor on Woodall Rodgers facade.</p> <p>Tenant identity or building identification sign must be located at or above highest leasable floor on the North Pearl Street.</p>	<p>ADSAC: Approval</p> <p>Staff: Denial</p>
	<p>Tenant identity, building identification, and restaurant/retail identity signs combined may not exceed five percent of the facade to which it is affixed.</p>	<p>ADSAC: Approval</p> <p>Staff: Denial</p>
	<p>Tenant identity or building identification signs must be the same white and silver color.</p>	<p>ADSAC: Approval</p> <p>Staff: Denial</p>
<p>One integrated sign is permitted.</p>	<p>One integrated sign is permitted</p>	<p>ADSAC: Approval</p> <p>Staff: Denial</p>
<p>Integrated sign may be attached sign or monument sign.</p>	<p>Integrated sign must be a monument sign.</p>	<p>ADSAC: Approval</p> <p>Staff: Denial</p>
<p>If attached integrated sign must face Crockett Street.</p>	<p>Integrated sign must be located on Pearl Street a minimum of <u>15</u> feet from Woodall Rodgers and 100 feet from Munger Avenue</p>	<p>ADSAC: Approval</p> <p>Staff: Denial</p>
<p>If monument integrated sign, may be two sided and must be in building plaza area.</p>	<p>Integrated sign may be located within five feet of a public right-of-way.</p>	<p>ADSAC: Approval</p> <p>Staff: Denial</p>

Subdistrict A (current)	Applicant's Revised Request (new subdistrict)	Recommendation
Maximum height of an integrated sign is eight feet from bottom of sign face to top of sign face.	Maximum height of an integrated sign is eight feet from bottom of sign face to top of sign face	ADSAC: Approval Staff: Denial
Maximum effective area of an integrated sign is 50 square feet	Maximum effective area of an integrated sign is 175 square feet. Tenant names are limited to 60 square feet effective area.	ADSAC: Approval Staff: Denial
	Restaurant/retail identity signs may not be located above 24 feet.	ADSAC: Approval Staff: Denial
	Restaurant/retail identity signs must be individual letters only and illumination internal to each letter	ADSAC: Approval Staff: Denial
	Two restaurant/retail identity signs on Pearl Street façade and two restaurant/retail identity signs on Woodall Rodgers façade.	ADSAC: Approval Staff: Denial
	Tenant identity, building identification, and restaurant/retail identity signs combined may not exceed five percent of the façade to which it is affixed.	ADSAC: Approval Staff: Denial
	Restaurant/retail identity signs must be the same white and silver color.	ADSAC: Approval Staff: Denial

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1900 Pearl Street JV, LLC
Officers

Applicant and Owner are both 1900 Pearl Street JV, LLC

List of Officers:

Mack Pogue – Chairman of the Board

William C. Duvall – President

Greg Courtwright – Vice President/Assistant Secretary

Clay Duvall – Vice President

J. Elliot Prieur – Vice President

DeAndra L. Trepagnier – Vice President

John Walter – Vice President

**Arts District Sign Advisory Committee Action:
August 8, 2017**

Motion 1: It was moved to approve the creation of a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District in an area bound by Woodall Rodgers Freeway, Crockett Street, Munger Avenue, and North Pearl Street.

Maker: Webster
Second: None
Result: Failed: Lack of a second

Motion 2: It was moved to deny the application for the creation of a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District in an area bound by Woodall Rodgers Freeway, Crockett Street, Munger Avenue, and North Pearl Street.

Maker: Peadon
Second: None
Result: Failed: Lack of a second

Motion 3: In considering an application to create a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District in an area bound by Woodall Rodgers Freeway, Crockett Street, Munger Avenue, and North Pearl Street it was moved to hold this case under advisement to September 12, 2017.

Maker: Wooten Forsyth
Second: Hardin
Result: Carried: 5 to 0

For: 5 – Peadon, Wooten Forsyth, Dumas, Hardin,
Webster

Against: 0
Absent: 1 – Potter
Conflict: 0

Speakers: Suzan Kedron of Jackson Walker; Owen McCrory
of HKS, Inc.; Lily Cabatu Weiss of Dallas Arts District;
Angela Hunt of Munsch Hardt; Debi Pena of Dallas

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Symphony; John Walter of Lincoln; Wortney Wiles of
Lincoln; Jake Young of Lincoln

**Arts District Sign Advisory Committee:
September 12, 2017**

Motion 1: It was moved to **approve** the creation of a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District removing the Tenant Identity Sign or Building Identity Sign on the Crockett Street façade and limiting the Restaurant/Retail Identity Signs to two on the Pearl Street facade and two on Woodall Rodgers façade not to be placed above 24 feet from the ground in an area bound by Woodall Rodgers Freeway, Crockett Street, Munger Avenue, and North Pearl Street.

Maker: Potter
Second: Wooten Forsyth
Result: Carried: 5 to 0

For: 5 - Peadon, Wooten Forsyth, Potter, Hardin, Webster

Against: 0
Absent: 0
Conflict: 1 - Dumas

Amendment 1: It was moved to **amend the motion** to allow a total of three Tenant Identity Signs or Building Identity Signs with up to two allowed on the Woodall Rodgers façade, one allowed on the Pearl Street façade, and one allowed on the Crockett Street façade.

Maker: Hardin
Second: Webster
Result: Failed: 2 to 3

For: 2 - Hardin, Webster

Against: 3 - Peadon, Wooten Forsyth, Potter
Absent: 0
Conflict: 1 - Dumas

Amendment 2: It was moved to **amend the motion** to require the Tenant Identity Sign or Building Identity Sign on Pearl Street be above the highest leasable floor.

Maker: Wooten Forsyth
Second: Peadon
Result: Carried: 4 to 1

For: 4 – Peadon, Wooten Forsyth, Hardin, Webster

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Against: 1 – Potter
Absent: 0
Conflict: 1 - Dumas

Speakers/Visitors: Suzan Kedron of Jackson Walker; Owen McCrory of HKS, Inc.; Donovan Howard of HKS, Inc.; Lily Weiss of Dallas Arts District; Angela Hunt of Museum Tower; Debi Pena of Dallas Symphony; Worthey Wiles of Lincoln; Jake Young of Lincoln

Arts District Sign Advisory Committee Recommendation

DIVISION 51A-7.1200. PROVISIONS FOR ARTS DISTRICT SIGN DISTRICT.

51A-7.1201. DESIGNATION OF ARTS DISTRICT SIGN DISTRICT.

(a) A special provision sign district is hereby created to be known as the Arts District Sign District. For purposes of this article, the boundaries of the Arts District Sign District are the same as those of the Dallas Arts District (Planned Development District No. 145) established by Ordinance No. 17710, passed by the Dallas City Council on February 16, 1983.

(b) Subdistrict A is hereby created within the Arts District Sign District. For the purposes of this division, Subdistrict A is the area bounded by Flora Street to the northwest, Leonard Street to the northeast, Ross Avenue to the southeast, and Crockett Street to the southwest.

(c) Subdistrict B is hereby created within the Arts District Sign District. For the purposes of this division, Subdistrict B is the area bounded by Woodall Rodgers Freeway to the northwest, Crockett Street to the northeast, Munger Avenue to the southeast, and Pearl Street to the southwest.

(d) ~~(e)~~ The property described in Subsection (a), which was formerly part of the Downtown Special Provision Sign District, is no longer considered to be part of that district. This division completely supersedes Division 51A-7.900 with respect to the property described in Subsection (a). (Ord. Nos. 20345; 28471)

51A-7.1202. PURPOSE.

The Dallas Arts District (Planned Development District No. 145) was established by Ordinance No. 17710, which was passed by the Dallas City Council on February 16, 1983. This approximately 17-block, 60-acre area in the northeast section of the central business district represents a concerted effort on the part of the city and arts organizations to consolidate major art institutions in one mixed-use area.

The guideline for development in the Arts District is an urban design plan known as the “Sasaki Plan.” This plan is based on district-wide design and land use concepts, which include the creation of a pedestrian-oriented environment and a distinctive visual image for the district. Flora Street is defined as the major pedestrian spine and focus of development in the district. As a wide, tree-lined environment, Flora Street connects three subdistricts (Museum Crossing, Concert Lights, and Fountain Plaza) and provides continuity in a development framework for public institutions and private owners.

The sign regulations in this division have been developed with the following objectives in mind:

(1) To protect the character of Flora Street and the Arts District from inappropriate signs in terms of number (clutter), size, style, color, and materials.

(2) To enhance the image and liveliness of the Arts District by encouraging compatible signs that are colorful, decorative, entertaining, and artistic in style, while being functional and informative in purpose.

(3) To promote the commercial success of each individual tenant in the Arts District and, in turn, the commercial success of all the tenants in the district collectively. To create a sense of design uniformity between signs and the other streetscape elements of the Arts District.

(4) To help make the Arts District an attractive place for the public to frequent by providing ease of direction to specific cultural institutions.

(5) To create a means of identifying the various types or categories of retail establishments along Flora Street. To identify and promote cultural events and activities consistent with the purposes of the Arts District.

(6) To recognize that sign hardware is a part of the overall visual design of a sign, and to ensure that investments in signs and other structures in the Arts District are not devalued by inappropriate or poor quality sign hardware. (Ord. 20345)

51A-7.1203. DEFINITIONS.

(a) In this division:

(1) ARTS DISTRICT means Planned Development District No. 145 (the Dallas Arts District).

(2) ARTS DISTRICT OFFICIAL LOGO means the official logo of the Arts District as depicted in Exhibit A, which is attached to and made a part of this ordinance.

(3) AWNING SIGN means a sign that is or appears to be part of an awning.

(4) BLOCK means an area bounded by streets on all sides.

(5) BLOCKFACE means all of the lots on one side of a block.

(6) BUILDING CORNICE AREA means that portion of a building facade above the highest story but below the actual roof structure.

(7) BUILDING IDENTIFICATION SIGN means any sign composed of one or more characters that identify a specific building's name.

(7.1) CANOPY means a permanent non-fabric architectural element projecting from the face of a building

(7.2) CANOPY FASCIA SIGN means a sign with a digital display that is attached to, applied on, or supported by the fascia or soffit of a canopy.

(8) CBD STREETSCAPE PLAN means the Dallas Central Business District Streetscape Guidelines approved by the Dallas City Council on April 15, 1981, by Resolution No. 81-1118.

(9) CHARACTER means a symbol, as a letter or number, that represents information.

(9.0) CONSTRUCTION BARRICADE SIGN means a sign that is affixed to a construction barricade.

(9.1) CULTURAL INSTITUTION means any facility used primarily for the visual or performing arts; open to the public, such as a museum, concert hall, theater, or similar facility; and established by a public or philanthropic entity.

(9.1.1) CULTURAL INSTITUTION DIGITAL SIGN means a monument sign with a digital display that identifies the cultural institution; the district; a sponsor of the cultural institution, district, or arts organization; or an arts organization such as a symphony, dance troupe, or theatre group that uses that cultural institution.

(9.2) CULTURAL INSTITUTION IDENTIFICATION SIGN means a premise sign that identifies the cultural institution or the primary arts organization such as a symphony, dance troupe, or theater group that uses that cultural institution.

(10) DETACHED PREMISE SIGN means a sign that is both a detached sign and a premise sign as defined in Section 51A-7.102.

(11) FLAT ATTACHED SIGN means an attached sign projecting four inches or less from a building.

(12) FLORA STREET FRONTAGE AREA means the “Flora Street Frontage Area” as defined in the Arts District PD ordinance (Ordinance No. 17710, as amended).

(12.1) FREESTANDING IDENTIFICATION SIGN means a monument sign that identifies the cultural institution; the district; a sponsor of the cultural institution, district or arts organization; or an arts organization such as a symphony, dance troupe, or theater group that uses that cultural institution.

(13) GENERIC RETAIL IDENTIFICATION SIGN means a sign identifying a type or category of retail establishment without identifying a specific establishment.

(14) GOVERNMENTAL TRAFFIC SIGN means a sign, signal, or other traffic

control device installed by a governmental agency for the purpose of regulating, warning, or guiding vehicular or pedestrian traffic on a public highway. Examples of these signs include stop signs, one-way signs, no parking signs, and electronic pedestrian and vehicular signalization devices and their fixtures.

(15) INSTITUTIONAL MOVEMENT INFORMATION SIGN means a sign showing the location of or route to a specific cultural institution or a parking area serving that institution.

(15.1) INTEGRATED SIGN means a premise sign within Subdistrict A or Subdistrict B that is integrated into the design of the building and may be a monument sign.

(16) KIOSK means a small structure with one or more open sides used to display artwork or temporary signs.

(17) MARQUEE SIGN means a sign attached to, applied on, or supported by a permanent canopy projecting over a pedestrian street entrance of a building, and consisting primarily of changeable panels, words, or characters.

(17.1) MONUMENT SIGN means a detached sign applied directly onto a gradelevel support structure (instead of a pole support) with no separation between the sign and grade.

(18) PLAQUE means a permanent tablet, the contents of which are either commemorative or identifying.

(18.1) PREMISE means the entire Arts District Sign District land area as defined in 51A-7.1201(a).

(19) PRIVATE SIGNS means those signs that are not “public signs” as defined in this section.

(20) PROJECTING ATTACHED SIGN means an attached sign projecting more than four inches from a building.

(21) PROMOTIONAL SIGN means a sign that promotes a cultural event or activity.

(22) PUBLIC SIGNS means governmental traffic signs, institutional movement control signs, generic retail identification signs, promotional signs, or plaques as defined in this section.

(23) RESTAURANT/RETAIL IDENTITY SIGNS means an attached premise sign within Subdistrict B located on a building that has a restaurant, retail, or personal service use located on the ground floor and that identifies a specific restaurant, retail, or personal service tenant.

(24) ~~(23)~~ SASAKI PLAN means the urban design plan prepared by Sasaki Associates, Inc. in August, 1982 to serve as the guideline for development in the Dallas Arts District. The Sasaki Plan is attached to and made a part of the Arts District PD ordinance (Ordinance No. 17710, as amended).

(25) ~~(24)~~ SIGN HARDWARE means the structural support system for a sign, including the fastening devices that secure a sign to a building facade or pole.

(25.1) ~~(24.1)~~ SPONSORSHIP CONTENT means goods and services sold by the sponsor of the cultural institution, district, or arts organization whether sold on or off the premises.

(25.2) ~~(24.2)~~ TENANT IDENTITY SIGN means an attached premise sign within Subdistrict A or Subdistrict B located on a building that is primarily used for office uses that identifies a specific office tenant.

(26) THIS DISTRICT means the Arts District Sign District.

(27) WINDOW SIGN means a sign temporarily or permanently attached to, applied on, or supported by a window.

(b) Except as otherwise provided in this section, the definitions contained in Sections 51A-2.102 and 51A-7.102 apply to this division. In the event of a conflict, this section controls. (Ord. Nos. 20345; 26768; 28071; 28471)

51A-7.1204. ARTS DISTRICT SIGN PERMIT REQUIREMENT.

(a) A person shall not alter, place, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city, except that no sign permit is required for:

- (1) governmental traffic signs; and
- (2) promotional signs other than banners.

(b) The procedure for obtaining a sign permit is outlined in this section. Section 51A-7.602 does not apply to signs in this district.

(c) No sign permit may be issued to authorize a sign in this district unless the director of development services (“the director”) has first issued a certificate of appropriateness in accordance with this section.

(d) There is hereby created a committee to be known as the Arts District Sign Review Committee (“the committee”). The committee shall be composed of five members appointed by the city plan commission. One member of the committee must be an architect or graphic designer. The commission shall solicit a list of nominees from entities operating in the Arts District. Appointments to the committee shall be for a term of two years ending on September 1 of each odd-numbered year, and the members shall serve without compensation.

The commission may appoint up to three alternate members to the committee who serve in the absence of one more regular members when requested to do so by the chairperson or by the city manager. The alternate members serve for the same period and are subject to removal the same as regular members. The commission shall fill vacancies occurring in the alternate membership the same as in the regular membership.

(e) The committee shall meet upon the call of the chair or a simple majority of the committee members. A simple majority of members present shall constitute a quorum, and issues shall be decided by a simple majority vote of the members present. The department of development services shall furnish staff support to the committee.

(f) The function of the committee shall be to familiarize itself thoroughly with the character, special conditions, and economics of the Arts District. In addition, the committee shall provide guidance, advice, and assistance to the director in reviewing applications for permits to authorize signs in this district.

(g) Section 51A-7.504, which establishes the special sign district advisory committee for special provision sign districts in the city generally, does not apply to this district. The Arts District Sign Review Committee is the exclusive advisory committee for reviewing and making recommendations to the director concerning applications for permits to authorize signs in this district.

(h) Upon receipt of an application for a permit to authorize a sign in this district, the building official shall refer the application and plans to the director for a review to determine whether the work complies with this ordinance. The director shall conduct his or her review so that a decision on issuance of the permit can be made within 30 calendar days from the date the completed application is submitted to the building official.

(i) The director shall solicit a recommendation from the committee before making a decision to approve or disapprove a certificate of appropriateness. The recommendation of the committee is not binding upon the director, and the director may decide a matter contrary to the recommendation of the committee.

(j) A decision by the director to grant a certificate of appropriateness may be appealed by the committee only. A decision to deny the certificate may be appealed by either the applicant or the committee. An appeal is made by filing a written request with the director for review by the city plan commission. An appeal must be made within 10 days after notice is given to the applicant of the director's decision. In considering the appeal, the sole issue shall be whether or not the director erred in making the decision, and, in this connection, the commission shall consider the same standards that were required to be considered by the director in making the decision. Decisions of the commission are final as to available administrative remedies and are binding on all parties.

(k) If the city plan commission fails to make a decision on an appeal by the applicant within 30 calendar days of the date the written request for an appeal is filed with the director, the

application shall be considered approved subject to compliance with all other applicable city codes, ordinances, rules, and regulations.

(l) A person who violates Subsection (a) or any other provision in this division is guilty of a separate offense for each day or portion of the day during which the violation is continued. (Ord. Nos. 20345; 20927; 25047)

51A-7.1205. SPECIAL PROVISIONS FOR ALL SIGNS.

(a) This division does not apply to signs that are not visible from outside the premise on which they are located.

(b) Signs in this district are permitted in or overhanging the public way subject to city franchise requirements.

(c) Except in Subdistrict A and Subdistrict B, no sign may obscure a window or a significant architectural element of a building.

(d) Sign hardware may be visible if its structural elements have been specifically devised for their intrinsic contribution to an overall visual effect. Utilitarian hardware intended only for functional purposes must be concealed from normal view.

(e) Mounting devices supporting a projecting attached sign must be fully integrated with the overall design of the sign.

(f) Materials, fasteners, and anchors used to manufacture and install signs must be resistant to corrosion.

(g) Paints and coatings must contain a UV inhibitor to retard the discoloration and fading effects of ultraviolet light. In addition to finish coats, bare metals must have a primer coat or other surface pretreatment as recommended by the paint or coating manufacturer.

(h) Electrical power required for signs must be supplied by means of concealed conduit from an appropriate power source to the sign in accordance with city codes and accepted practices of the trade. Electrical disconnects, transformers, and related apparatus, including wiring and conduit, must be concealed from normal view.

(i) No signs may be illuminated by an independent external light source.

(j) Burned out or defective lights in signs must be replaced within a reasonable time. Failure to comply with this provision may result in sign permit revocation.

(k) Banners are only allowed as promotional signs. (Ord. Nos. 20345; 28471)

51A-7.1205.1. OPERATIONAL REQUIREMENTS FOR SIGNS WITH DIGITAL DISPLAYS.

(a) Display. All signs with digital display:

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(1) must contain a default mechanism that freezes the image in one position in case of a malfunction;

(2) must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:

(A) the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equal the dimming level; then

(B) the dimming level, multiplied by .0039 equals the brightness level; then

(C) the brightness level multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits. For example:

$$\begin{array}{r} 3278 = \text{ambient} \\ \hline \div 256 \\ \hline 128 = \text{dimming level} \\ \hline \times .0039 \\ \hline .4992 = \text{brightness level} \end{array} \quad \underline{\quad \times 9000} = (\text{maximum}$$

brightness of the example sign)

4492.8 = allowed brightness in nits;

(3) may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance;

(4) must have a full color display able to display a minimum of 281 trillion color shades; and

(5) must be able to display a high quality image with a minimum resolution equivalent to the following table:

Digital Display Sign Resolution Chart	
Size of LED Panel	Maximum Pixel Size
100 s/f to 125 s/f	16 mm
Greater than 126 s/f	19 mm

(b) Light intensity. Before the issuance of a sign permit for a sign with a digital display, the applicant shall provide written certification from the sign manufacturer that:

(1) the light intensity has been factory programmed to comply with the maximum brightness and dimming standards in the formula in Subparagraph (a)(2); and

(2) the light intensity is protected from end-user manipulation by password protected software, or other method satisfactory to the building official.

(c) Change of message. Except as provided in this section, changes of message must comply with the following:

(1) Each message must be displayed for a minimum of eight seconds.

(2) Changes of message must be accomplished within two seconds.

(3) Changes of message must occur simultaneously on the entire sign face.

(4) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.

(d) Streaming information. If a special events permit has been issued for district activities, ticker tape streaming and streaming video are permitted.

(e) Malfunction. Digital display sign operators must respond to a malfunction or safety issue within one hour after notification. (Ord. 28071)

51A-7.1206. PUBLIC SIGNS.

(a) Generic retail identification signs.

(1) This subsection applies only to generic retail identification signs as defined in Section 51A - 7.1203.

(2) These signs are only permitted on Flora Street.

(3) These signs must be one-eighth inch thick aluminum disks that are 12 inches in diameter.

(4) Messages on these signs must consist entirely of graphic symbols or glyphs designed to identify a type or category of retail facility. They may not identify specific retail establishments.

(5) These signs must be mounted on streetlight poles. No more than six signs are allowed on a pole. When there is more than one sign, the second sign must be the same height as the first sign and located on the other side of the pole. Additional signs must be similarly paired and located immediately beneath the first two signs. Thus, the proper maximum configuration will be symmetrical and consist of three pairs of signs, with the second and third pairs being located immediately below the first pair.

(b) Governmental traffic signs.

(1) This subsection applies only to governmental traffic signs as defined in Section 51A-7.1203.

(2) Notwithstanding any other provision in this division, these signs must comply with applicable statutory specifications.

(3) On Flora and Crockett Streets these signs must be mounted on streetlight poles, or on white cylindrical poles. On other streets they must be mounted on white cylindrical poles or on other fixtures recommended in the CBD Streetscape Plan.

(4) The backs of these signs must be white in color.

(c) Institutional movement information signs.

(1) This subsection applies only to institutional movement information signs as defined in Section 51A-7.1203.

(2) On Flora and Crockett Streets these signs must be mounted on streetlight poles, or on white cylindrical poles. On other streets they must be mounted on white cylindrical poles or on other fixtures recommended in the CBD Streetscape Plan.

(3) The backs of these signs must be white in color and incorporate the Arts District official logo.

(d) Plaques. Plaques must be made of bronze or stone and contain an inscription that relates to the Arts District.

(e) Promotional signs.

(1) This subsection applies only to promotional signs as defined in Section 51A-7.1203.

(2) These signs must promote cultural events and activities. The portion of a sign devoted to sponsor identification, if any, must not exceed 10 percent of its effective area. No sign or portion of a sign may be used to advertise a specific product or service other than the cultural event or activity.

(3) Banners must be either flat against a building facade or mounted on streetlight poles. All other signs must be affixed to city-franchised kiosks.

(4) No sign other than a banner may be larger than 30 inches by 40 inches. No sign may be permanent in nature. Each sign must be removed no later than 30 days after its specific advertised event or activity has ended. (Ord. 20345)

51A-7.1207. ATTACHED PRIVATE SIGNS.

(a) In general.

(1) This section applies to all attached private signs except building identification signs, cultural institution identification signs, canopy fascia signs, and tenant identity signs within Subdistrict A and Subdistrict B. For the regulations governing building identification signs, see Section 51A-7.1209. For the regulations governing cultural institution identification signs, see Section 51A-7.1210. For the regulations governing canopy fascia signs, see Section 51A-7.1211. For the regulations governing tenant identity signs within Subdistrict A, see Section 51A-7.1214.1. For the regulations governing tenant identity and restaurant/retail identity signs within Subdistrict B, see Section 51A-7.1214.2.

(2) These signs are only allowed on building facades that are in the Flora Street Frontage Area.

(3) No sign may project above the building cornice area.

(4) At grade structural supports are prohibited.

(5) No establishment may have a mix of awning signs, projecting attached signs, flat attached signs, and/or marquee signs, except that awning signs may be mixed with flat attached signs.

(b) Awning signs.

(1) This subsection applies only to awning signs as defined in Section 51A7.1203.

(2) Letters and numbers on these signs must:

(A) be parallel or perpendicular to the front building facade; and

(B) not exceed 18 inches in height.

(3) No letters or numbers are allowed on the sloped top of an awning except as part of an official corporate logo or registered trademark. No more than 50 percent of the total sloped awning surface area may contain graphics.

(4) No words, other than those which are part of the basic awning design pattern, are permitted on awnings located above the second story.

(5) No sign may have flashing or sequenced lighting.

(c) Flat attached signs.

(1) This subsection applies only to flat attached signs as defined in Section 51A-7.1203.

(2) These signs are not permitted above the third story of a building.

(3) No sign may have a length that exceeds 70 percent of the length of the frontage of the establishment with which it is associated. Signs associated with the same establishment must be spaced at least 30 feet apart. No sign may exceed 60 square feet in effective area.

(4) The maximum character heights allowed on these signs are:

(A) 18 inches for signs located below the third story; and

(B) 24 inches for third-story signs.

(5) No sign cabinets are permitted. Adequate clear space for staging characters must be provided. In no event may the character height exceed 60 percent of the vertical dimension of the sign. The sides of three-dimensional characters, if any, must be the same color as their faces.

(6) No sign may contain more than five words.

(7) Sources of sign illumination that are an integral part of the design of the sign, such as neon or small individual incandescent lamps, are permitted. These signs may be protected by transparent covers.

(8) Internally-lit plastic translucent signs are prohibited.

(9) No sign may have flashing or sequenced lighting.

(d) Marquee signs.

(1) This subsection applies only to marquee signs as defined in Section 51A7.1203.

(2) These signs are only allowed in conjunction with establishments that have as their major use movies or live entertainment productions.

(3) The permanent canopy of which this sign is a part must:

(A) project no more than six feet from the building facade;

(B) be a minimum of ten feet above the sidewalk grade;

(C) have a vertical dimension that does not exceed four feet; and

(D) have a horizontal dimension along the building facade that does not exceed 30 feet.

(4) The total effective area of signs on the permanent canopy must not exceed 120 square feet.

(5) No sign may:

- (A) project more than three feet from the permanent canopy;
- (B) extend vertically more than 30 feet above the canopy height; or
- (C) be more than three feet in width.

(6) Messages with characters over eight inches in height are limited to a maximum of five words on each canopy facade. Messages with characters under eight inches in height have no limit on the number of words. Character height must not exceed 60 percent of the vertical dimension of the permanent canopy, or 24 inches, whichever is less.

(7) Only the name of the establishment with which the sign is associated may appear on that portion of the sign located above the permanent canopy.

(8) Display panels that announce a show or event may have plastic characters on an internally-lit background.

(9) These signs may turn on or off or change their brightness. The restrictions contained in Section 51A-7.303(b)(1) do not apply to these signs. Flashing and sequenced lighting are permitted.

(e) Projecting attached signs.

(1) This subsection applies only to projecting attached signs as defined in Section 51A-7.1203.

(2) These signs must be a minimum of ten feet above grade.

(3) These signs must be located in either the bottom, top, or combined envelope depicted graphically in the diagram that is attached to and made a part of this ordinance as Exhibit B. Restrictions on the size and location of each sign depend on which envelope the sign is located in as follows:

	Bottom Envelope	Top Envelope	Combined Envelope
Maximum projection allowed from building façade	6 ft.	3 ft.	3 ft.
Maximum vertical dimension allowed	10 ft.	20 ft.	30 ft.

(5) Hanging neon signs are allowed if their transformers are concealed from normal view.

(6) Opaque painted backgrounds on windows are prohibited. (Ord. Nos. 20345; 26768; 28071; 28472)

51A-7.1208. DETACHED PRIVATE SIGNS.

(a) Detached non-premise signs. Detached non-premise private signs are prohibited in this district. This provision does not apply to:

- (1) sponsorship messages on canopy fascia signs, cultural institution digital signs, and freestanding identification signs; or
- (2) non premise-messages allowed on construction barricade signs.

(b) Detached premise signs.

(1) This subsection applies to all detached premise signs except building identification signs, cultural institution identification signs, cultural institution identification signs, cultural institution digital signs, freestanding identification signs, construction barricade signs, and integrated signs within Subdistrict A and Subdistrict B. For the regulations governing building identification signs, see Section 51A-7.1209. For the regulations governing cultural institution identification signs, see Section 51A-7.1210. For the regulations governing cultural institution digital signs, see Section 51A-7.1212. For the regulations governing freestanding identification signs, see Section 51A-7.1213. For the regulations governing construction barricade signs, see Section 51A-7.1214. For the regulations governing integrated signs within Subdistrict A, see Section 51A-7.1214.1. For the regulations governing integrated signs within Subdistrict B, see Section 51A-7.1214.2.

- (2) No detached premise sign may exceed 20 square feet in effective area.
- (3) Each premise may have no more than one sign on each blockface.
- (4) The pole support element of these signs must be a cylindrical metal column that is six inches in diameter and white in color.
- (5) No sign may exceed 13 feet 6 inches in height.
- (6) The face of these signs must be flat. Vacuum-formed sign faces are prohibited.
- (7) No sign may move or rotate.
- (8) No sign may be more than 12 inches thick.

(9) No illuminated sign or element of a sign may turn on or off or change its brightness. (Ord. Nos. 20345; 26768; 28071; 28471)

51A-7.1209. BUILDING IDENTIFICATION SIGNS.

(a) This section applies only to building identification signs as defined in Section 51A-7.1203.

(b) Illumination of these signs, if any, must be from within to illuminate the building facade or monument and produce a “halo” around the characters. No illuminated sign or element of a sign may turn on or off or change its brightness.

(c) These signs must be located:

- (1) on a building facade above an entrance;
- (2) in the building cornice area; or
- (3) on a monument in a landscaped area between a building facade and the property line.

(d) Signs located above building entrances are limited to the building name and/or street address. A maximum of 50 square feet of effective area of each sign may be allocated to the building name, and a maximum of 25 square feet of effective area of each sign may be allocated to the building address. The maximum permitted heights of characters on these signs are 24 inches for the building name, and 12 inches for the building address. These signs are not allowed above the third story of the building.

(e) No facade may have more than one sign in the building cornice area.

(f) Signs on monuments must conform to the setback and area regulations of detached premise signs in this chapter generally. These signs must be composed of individual characters made of bronze, brass, or stainless steel, or be engraved in stone. (Ord. 20345)

51A-7.1210. CULTURAL INSTITUTION IDENTIFICATION SIGN.

(a) This section applies only to cultural institution identification signs.

(b) Signs may only be located on:

- (1) a building facade;
- (2) a lower-level roof line as shown on Exhibit C; or
- (3) a monument in a landscaped area between a building facade and the property line.

(c) Signs on a building facade may not have an effective area greater than five percent of that building facade.

(d) Signs on a lower-level roof line may not have an effective area greater than five percent of the facade segment located beneath that lower-level roof line. (See Exhibit C).

(e) No portion of a sign on a lower-level roof line may project above the structure's highest roof-line.

(f) Sign cabinets are not permitted.

(g) Illuminated signs and illuminated sign elements may not turn on or off, but may go through cycles of dimming and brightening to create a slow pulsing effect. Each cycle of dimming and brightening must exceed five seconds.

(h) Signs must be compatible with the architectural design and contribute to the visual effect of the building.

(i) Characters may not exceed 24 inches in height.

(j) Monument signs must comply with the setback and effective area regulations for detached premise signs in this chapter.

(k) Signs shall not be considered a business identification sign.

(l) Signs may not have a changeable message. (Ord. 26768)

SEC. 51A-71211. CANOPY FASCIA SIGNS.

(a) This section applies only to canopy fascia signs as defined in Section 51A-7.1203.

(b) Canopy fascia signs must comply with the operational requirements in Section 51A-7.1205.1.

(c) Canopy fascia signs may only be located on buildings fronting on Flora Street.

(d) A maximum of two canopy fascia signs per building is allowed. Only one canopy fascia sign is allowed on a building facade.

(e) Maximum height of a canopy fascia sign is four feet.

(f) Maximum length of a canopy fascia sign is 74 feet.

(g) Maximum effective area of a canopy fascia sign is 496 square feet.

(h) Canopy fascia signs may only display premise and sponsorship content. (Ord. 28071)

SEC. 51A-7.1212. CULTURAL INSTITUTION DIGITAL SIGNS.

(a) This section applies only to cultural institution digital signs as defined in Section 51A-7.1203.

(b) Cultural institution digital signs must comply with the operational requirements in Section 51A-7.1205.1.

(c) A maximum of six cultural institution digital signs are allowed.

(1) One cultural institution digital sign is allowed at the southwest corner of the intersection of Woodall Rodgers Freeway and Jack Evans Street.

(A) Maximum height is 50 feet.

(B) Maximum width is 20 feet.

(C) Total maximum effective area is 1,000 square feet, per side. Maximum effective area for identification of sponsor is 400 square feet, per side.

(D) Minimum setback is 12 feet from back of curb.

(2) One cultural institution digital sign is allowed at the northeast corner of the intersection of Ross Avenue and Leonard Street.

(A) Maximum height is 35 feet.

(B) Maximum width is 12 feet.

(C) Total maximum effective area is 420 square feet, per side. Maximum effective area for identification of sponsor is 144 square feet, per side.

(D) Minimum setback is 35 feet from back of curb.

(3) Four cultural institution digital signs are allowed along Flora Street.

(A) Maximum height is 7 feet.

(B) Maximum width is 3.5 feet.

(C) Total maximum effective area is 8 square feet, per side. Maximum effective area for identification of sponsor is 1.25 square feet, per side.

(D) Minimum setback is 30 feet from back of curb.

(d) Cultural institution digital signs may only display premise and sponsorship content. (Ord. Nos. 28071; 28553)

SEC. 51A-7.1213. FREESTANDING IDENTIFICATION SIGNS.

(a) This section applies only to freestanding identification signs as defined in Section 51A-7.1203.

(b) A maximum of three freestanding identification signs are allowed only along Flora Street.

(c) Maximum height is 20 feet.

(d) Maximum width is 8 feet.

(e) Maximum effective area is 160 square feet, per side.

(f) Minimum setback is 30 feet from back of curb.

(g) Freestanding identification signs may only display premise and sponsorship content. (Ord. 28071)

SEC. 51A-7.1214. CONSTRUCTION BARRICADE SIGNS.

(a) This section applies only to construction barricade signs as defined in Section 51A-7.1203.

(b) A minimum 10 percent of the effective area of the sign must display the names of the owner, occupant, district sponsor, district activity, and/or Woodall Rodgers Park name or activity.

(c) Non-premise messages are allowed. Only one non-premise message along a street frontage is allowed.

(d) Construction barricade signs must be removed when the construction barricade is removed.

(e) The message area on a construction barricade sign may be fully decorated or graphically designed if:

(1) no decoration or graphic horizontally projects more than two inches from the surface of the barricade; or

(2) no decoration or graphic vertically projects more than four feet above the top of the barricade. (Ord. Nos. 28071; 28553)

SEC. 51A-7.1214.1. SUBDISTRICT A.

SPSD167-002(ND)

(a) In general. Except as provided in this division, the provisions of the Arts District Sign District apply in this subdistrict.

(b) Tenant identity signs and building identification signs.

(1) Only one tenant identity sign or building identification sign is permitted per facade, except that a tenant identity sign or building identification sign is not permitted on the Leonard Street facade.

(2) Except as provided in this paragraph, tenant identity signs must be located above the highest leasable floor. On the Ross Avenue facade, a tenant identity sign may be located at any floor.

(3) Tenant identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(4) All tenant identity signs and building identification signs must be the same color.

(c) Integrated sign.

(1) Only one integrated sign is permitted.

(2) This sign must be either an attached sign or a monument sign.

(A) If the sign is an attached sign, it must be attached to a wall and face Crockett Street.

(B) If the sign is a monument sign, it may be two sided, but must be located in the building plaza area.

(3) This sign may identify the building's owner or developer and multiple tenants.

(4) This sign may be located at the building line.

(5) This sign may be located within five feet of a public right of-way.

(6) The maximum height for the sign is eight feet measured from the bottom of the sign face to the top of the sign face.

(7) The maximum effective area for the sign is 50 square feet.

(8) All elements of an integrated sign must be consistent in color and materials.

(d) Detached premise sign. Detached premise signs may not exceed 30 square feet. (Ord. Nos. 28471; 29339)

SEC. 51A-7.1214.2. SUBDISTRICT B.

(a) In general. Except as provided in this division, the provisions of the Arts District Sign District apply in this subdistrict.

(b) Tenant identity signs and building identification signs.

(1) Number.

(A) Two tenant identity signs or building identification signs are permitted on the Woodall Rodgers façade and must be located at or above the third story.

(B) One tenant identity sign or building identification sign is permitted on the Pearl Street façade and must be located at or above the highest leasable floor.

(C) Tenant identity signs are prohibited on the Munger Avenue and Crockett Street facades.

(2) Tenant identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(3) All tenant identity signs and building identification signs must be the same white and silver color.

(4) Tenant identity signs and building identification signs may not exceed five percent of the façade to which it is affixed.

(c) Restaurant/Retail identity signs.

(1) Restaurant/Retail identity signs may not be located above 24 feet.

(2) Restaurant/Retail identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(3) Restaurant/Retail identity signs may not exceed five percent of the façade to which it is affixed.

(4) Two restaurant/retail identity signs are allowed on Pearl Street facade and two restaurant/retail signs are allowed on Woodall Rodgers façade.

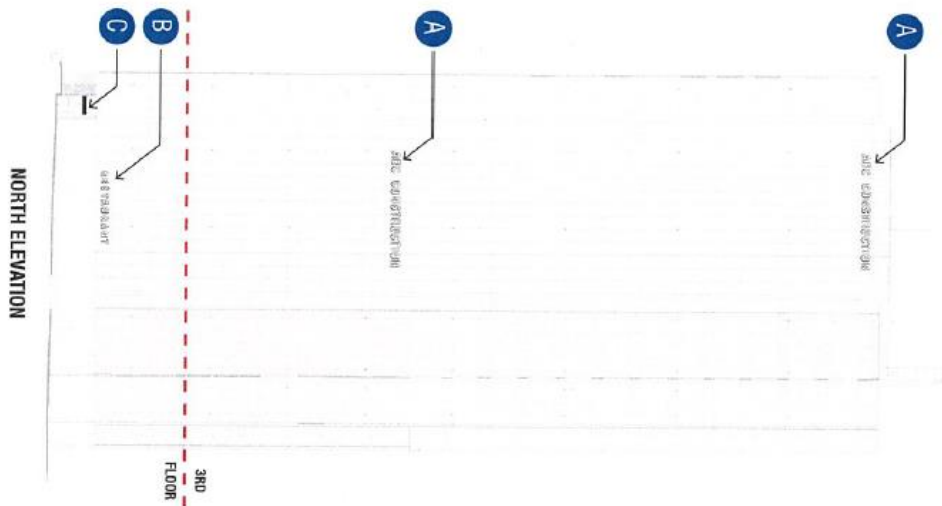
(5) All restaurant/retail signs must be the same white and silver color.

(d) Integrated sign.

- (1) Only one integrated sign is permitted.
- (2) This sign must be a monument sign.
- (3) This sign may be located at the building line.
- (4) This sign may be located within five feet of a public right of-way. This sign must be located on Pearl Street a minimum of 15 feet from Woodall Rodgers and 100 feet from Munger Avenue.
- (5) The maximum height for the sign is eight feet measured from the bottom of the sign face to the top of the sign face.
- (6) The maximum effective area for the sign is 175 square feet. Tenant names are limited to a maximum effective area of 60 square feet. The portion of the sign that contains the address and that does not contain tenant names must have a clear or transparent appearance.
- (7) All elements of an integrated sign must be a consistent color and materials to the building.

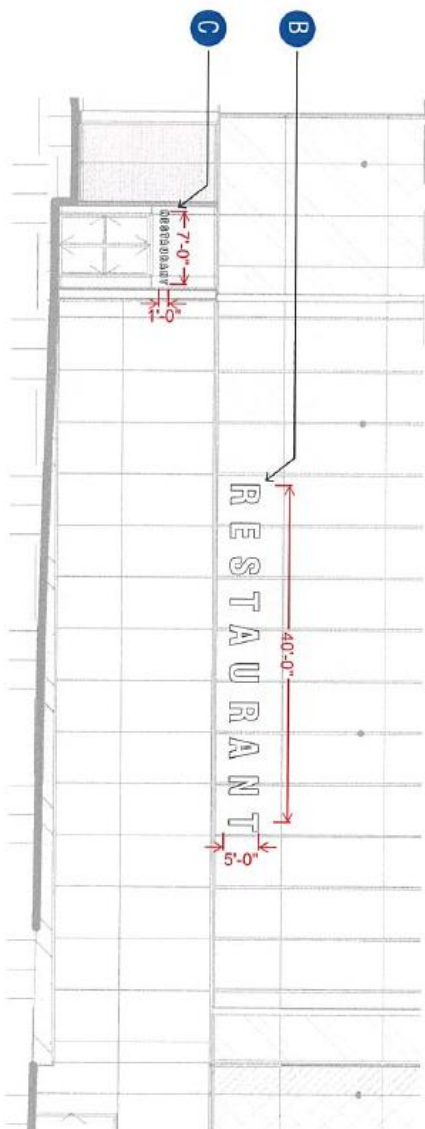
SEC. 51A-7.1215. APPLICATION OF HIGHWAY BEAUTIFICATION ACTS.

For purposes of applying the Federal and Texas Highway Beautification Acts, this district is considered to be a commercial zone. (Ord. 28071).



NOTES: BUILDING SIGNAGE WILL BE MAX 5% OF BUILDING FACADE AND ALL THE SAME COLOR.

TYPICAL RETAIL SIGNAGE



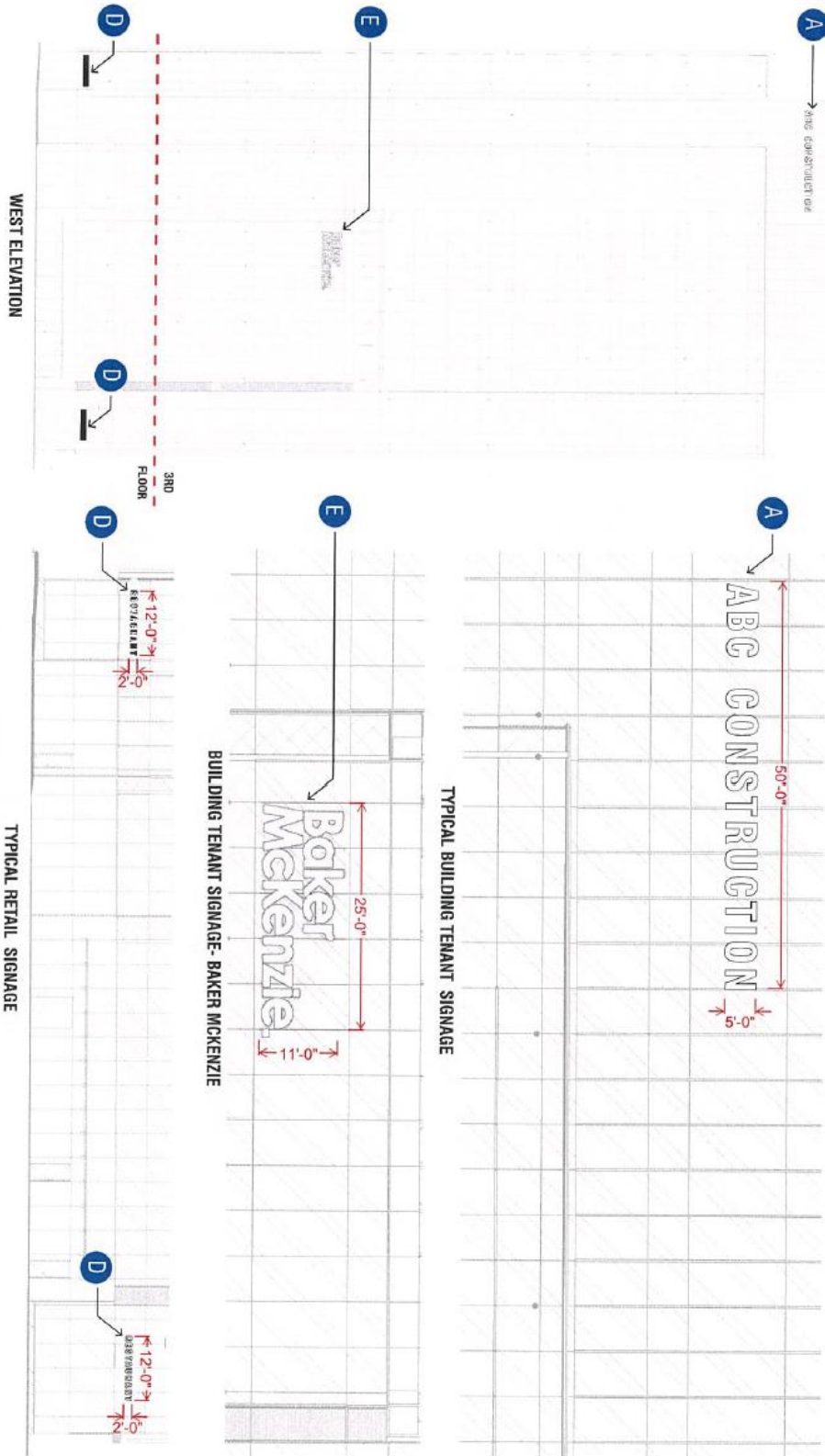
TYPICAL BUILDING TENANT SIGNAGE



LINCOLN
PROPERTY
COMPANY

1900 PEARL
DALLAS, TX

APRIL 13, 2017 #10472
M/S
HKS
ARCHITECTS



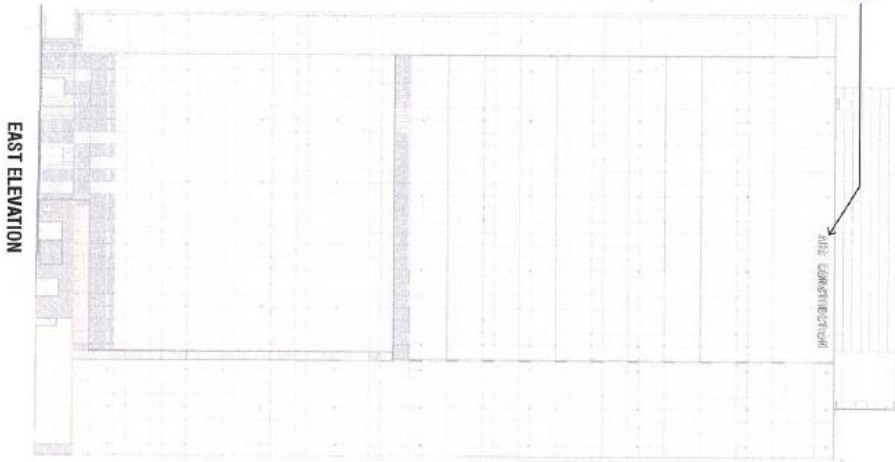
NOTES: BUILDING SIGNAGE WILL BE MAX 5% OF BUILDING FACADE AND ALL THE SAME COLOR.

LINCOLN
PROPERTY
COMPANY

1900 PEARL
DALLAS, TX

APRIL 13 2017 #18472
HKS
ARCHITECTS

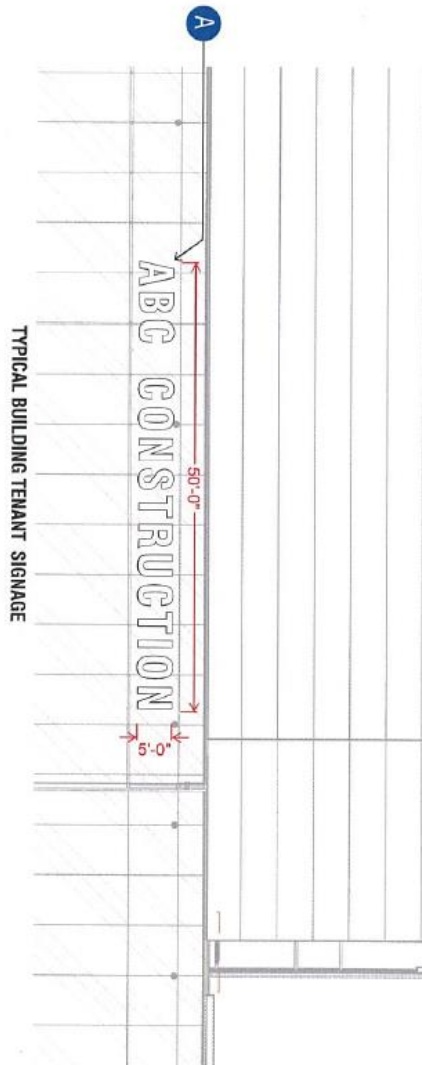
LINCOLN
PROPERTY
COMPANY



EAST ELEVATION

NOTES: BUILDING SIGNAGE WILL BE MAX 5% OF BUILDING FACADE AND ALL THE SAME COLOR

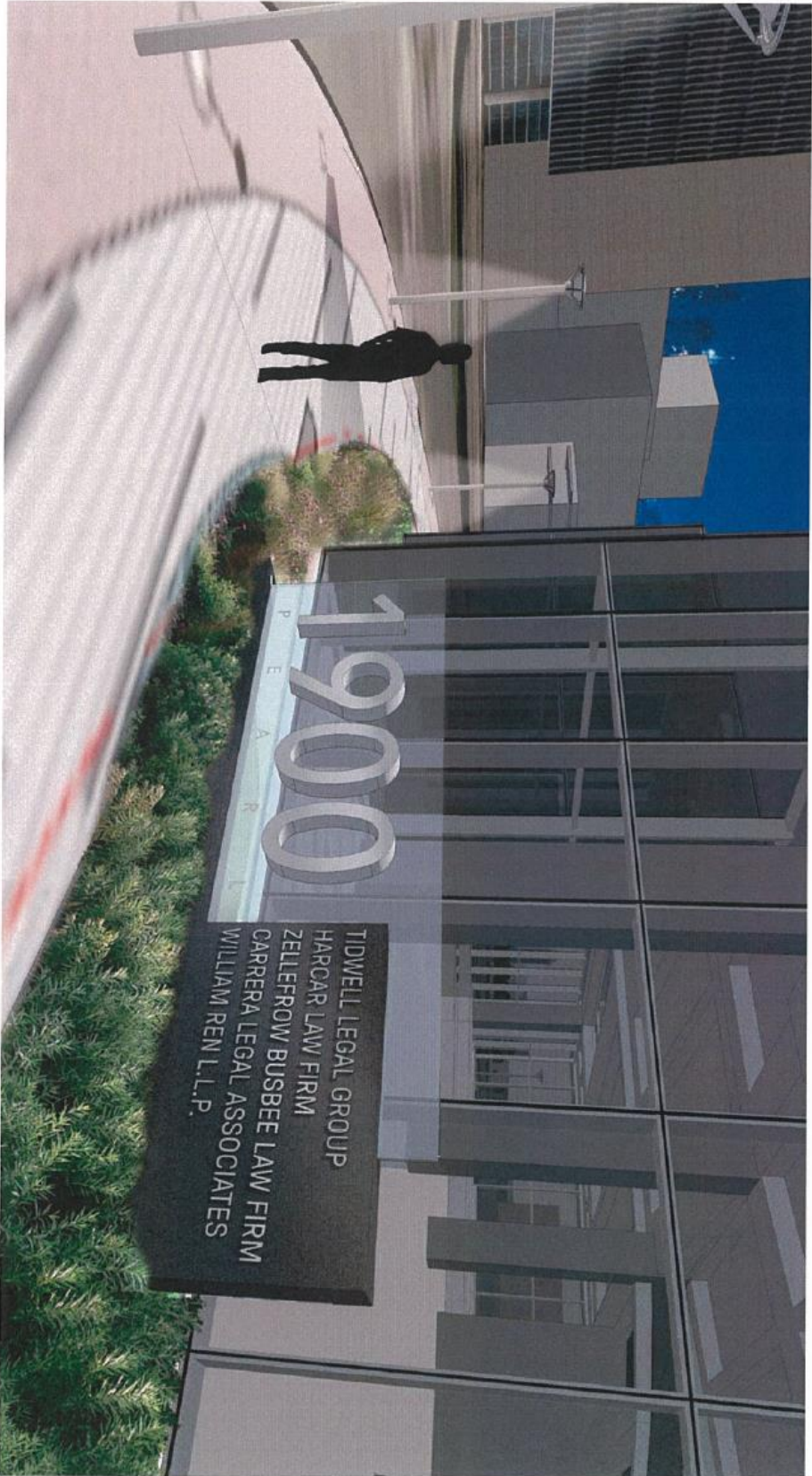
1900 PEARL
DALLAS, TX



TYPICAL BUILDING TENANT SIGNAGE

APRIL 13 2017 #10472

HKS
AECOM



VIEW OF PROPOSED MONUMENT SIGN

LINCOLN
PROPERTY
COMPANY

1900 PEARL
DALLAS, TX

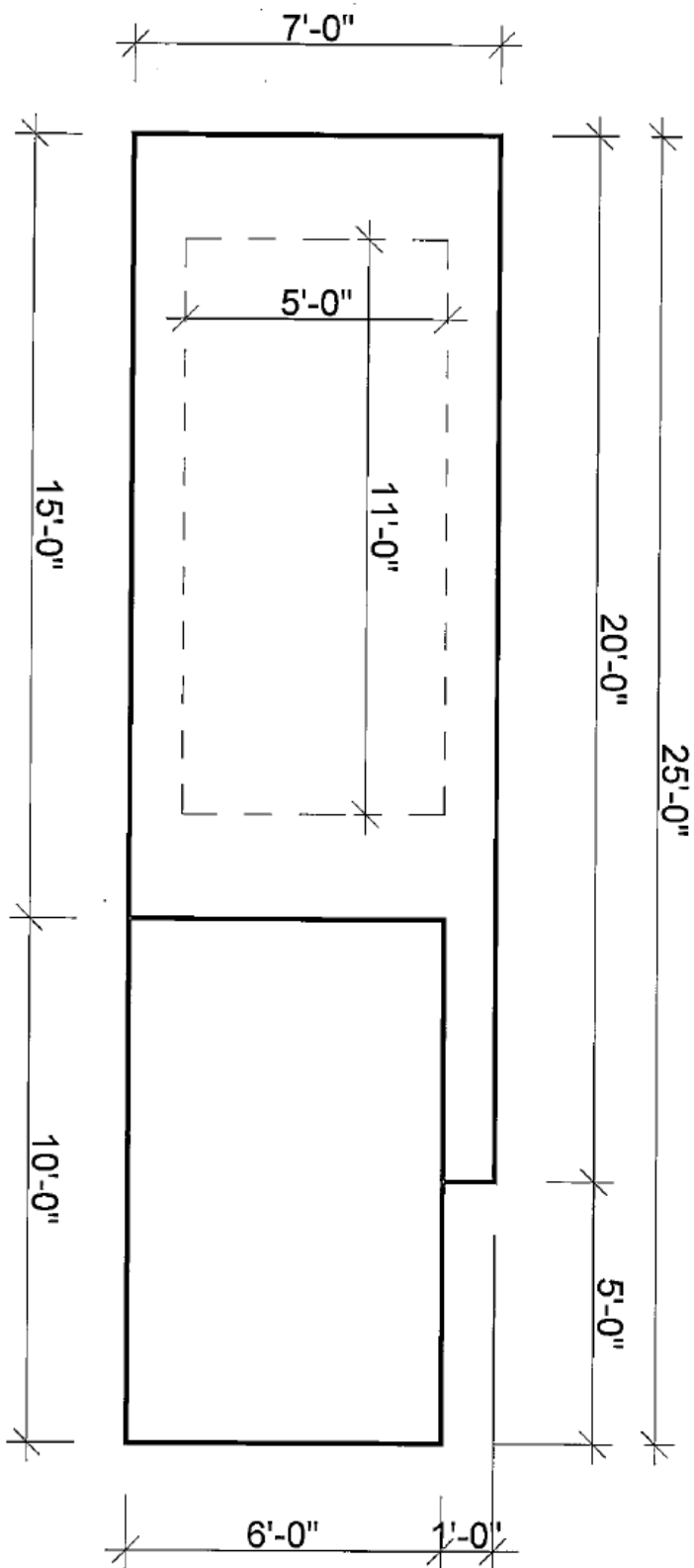
APRIL 13, 2017 #16142
HKS
ARCHITECTS

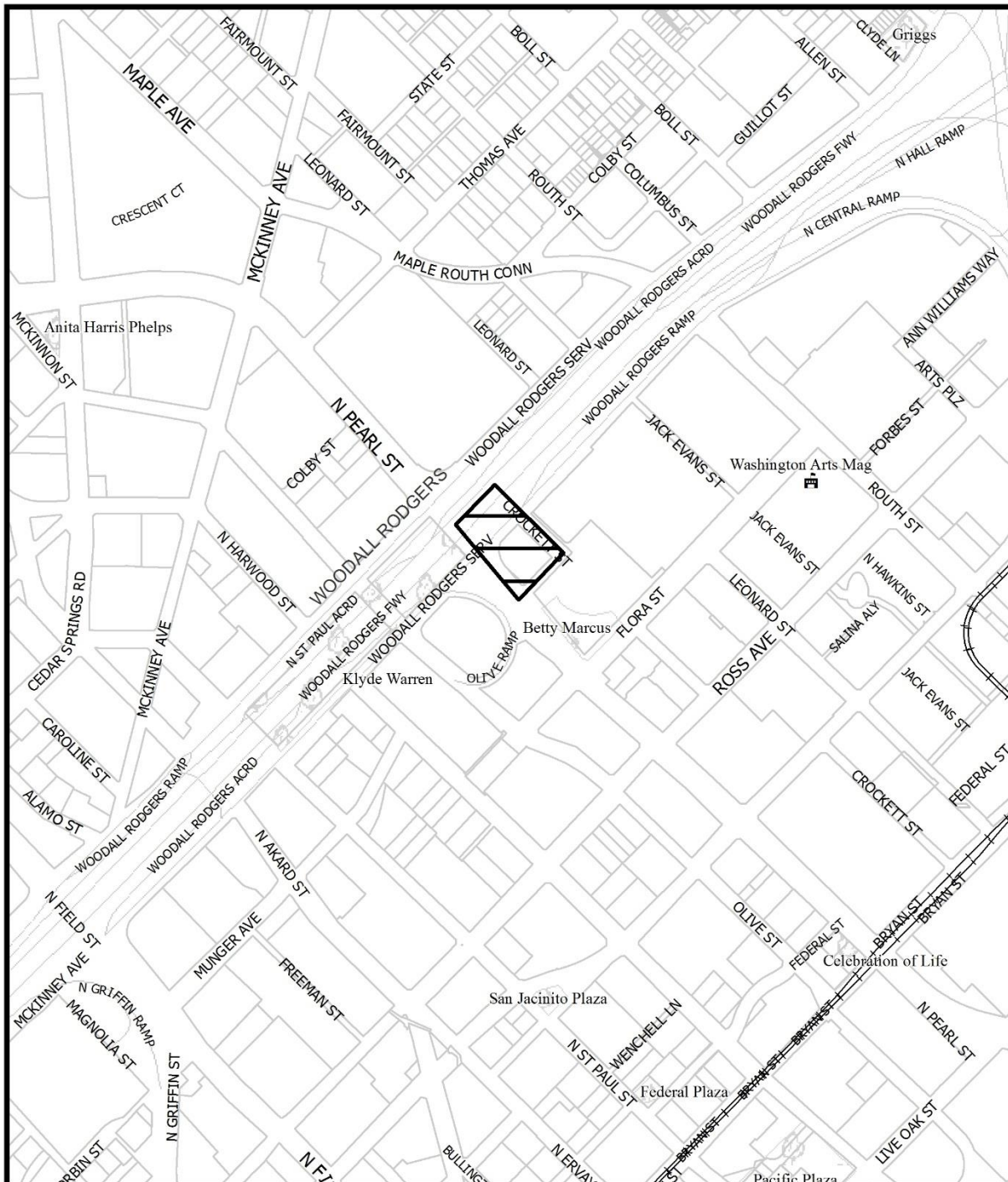
LINCOLN
PROPERTY
COMPANY

1900 PEARL
DALLAS, TX

APRIL 13, 2017 #18472
HKS
ARCHITECTS

ELEVATION OF PROPOSED INTEGRATED MONUMENT SIGN



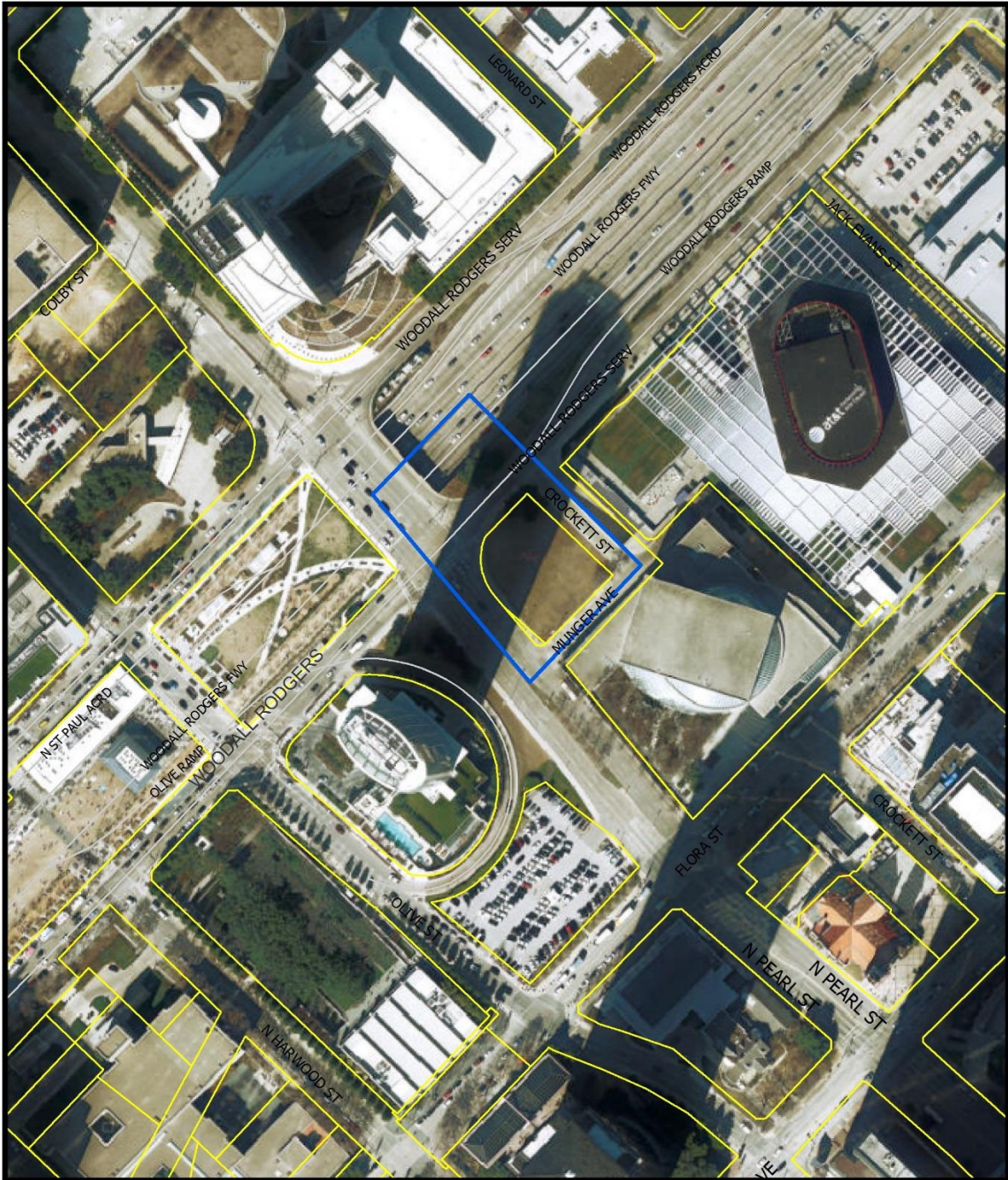


1:6,000

VICINITY MAP

Case no: **SPSD167-002**

Date: **7/17/2017**

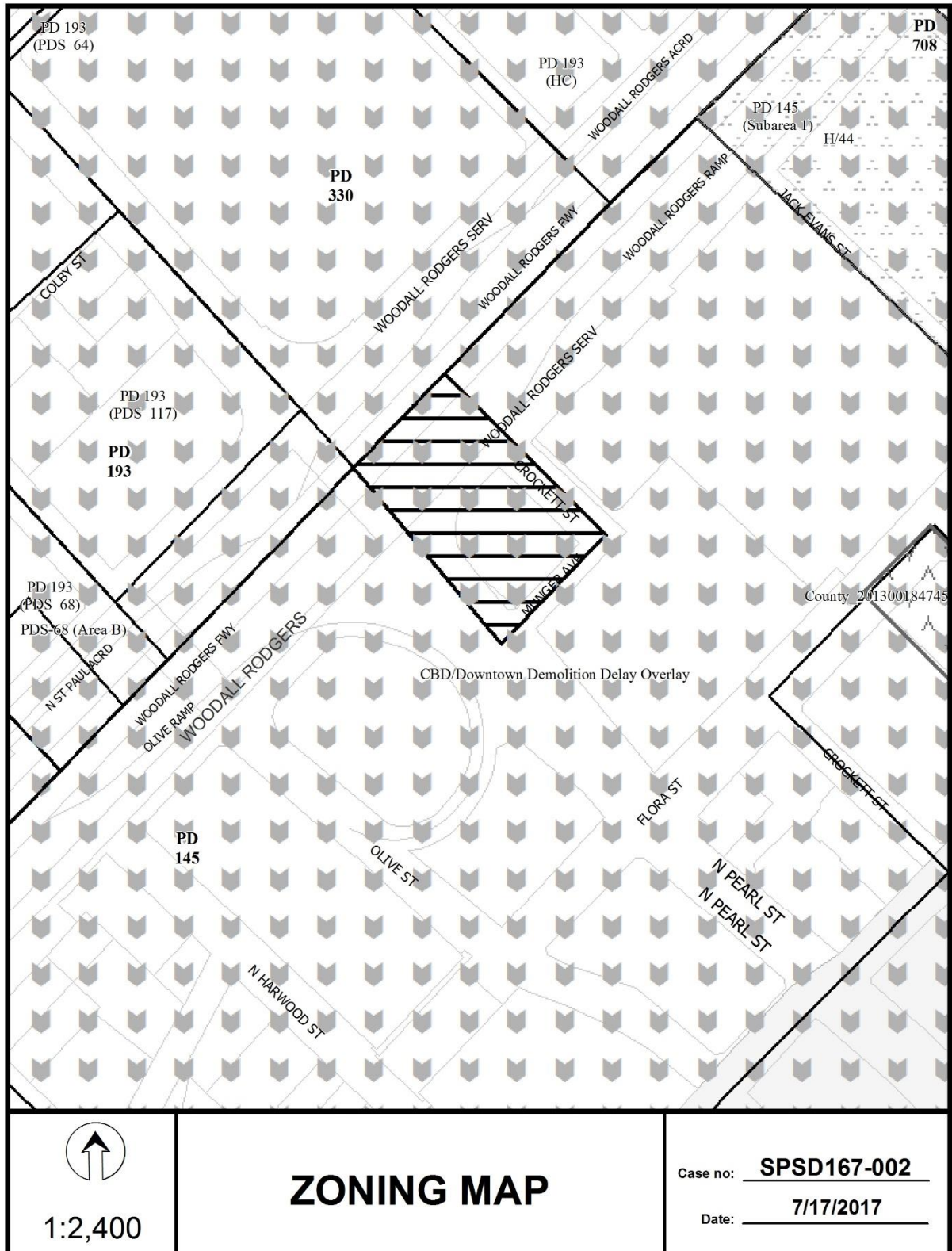


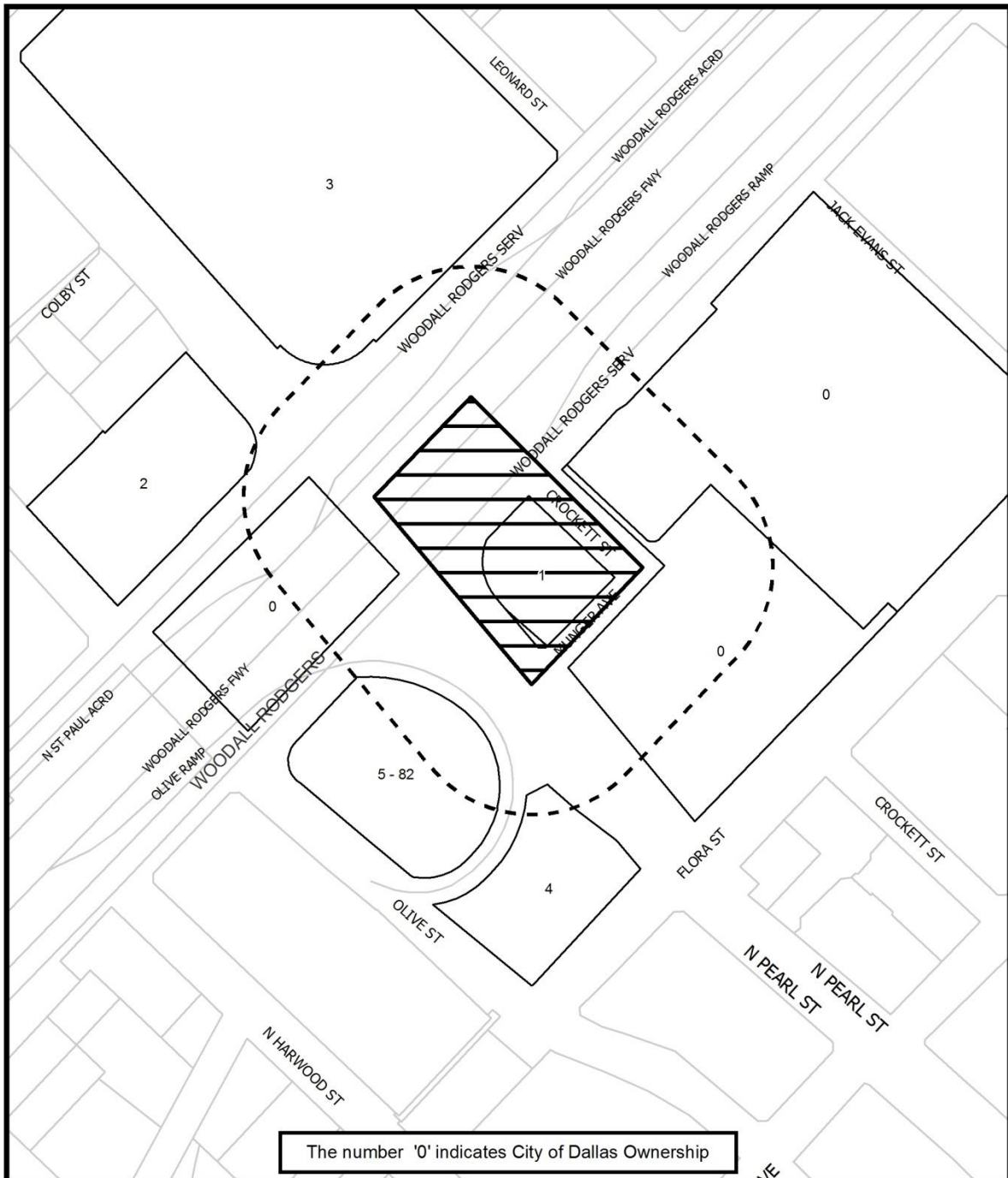
1:2,400

AERIAL MAP

Case no: SPSD167-002

Date: 7/17/2017





 1:2,400	<h2>NOTIFICATION</h2>	Case no: SPSD167-002
	200' AREA OF NOTIFICATION 82 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 9/19/2017

09/19/2017

Notification List of Property Owners***SPSD167-002******82 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2201 MUNGER AVE	1900 PEARL STREET JV LLC
2	2101 N PEARL ST	TC UPTOWN ASSOCIATES LLC
3	2200 N PEARL ST	FEDERAL RESERVE BANK OF
4	901 PEARL ST	ARTS DISTRICT PPTIES LTD &
5	1918 OLIVE ST	MUSEUM TOWER LP
6	1918 OLIVE ST	DRUID HILLS CAPITAL LLC
7	1918 OLIVE ST	DAVISON STEVEN K & SARAH J
8	1918 OLIVE ST	FRIEZO MICHAEL P & MICHELE
9	1918 OLIVE ST	KHOURY ELIE
10	1918 OLIVE ST	BICKFORD MICHAEL ALLEN & KATHY GALLAGHER TR
11	1918 OLIVE ST	ELYSIUM FAMILY TRUST
12	1918 OLIVE ST	WHITE M DAVID & JENNIFER J
13	1918 OLIVE ST	SOLOMON MARK S
14	1918 OLIVE ST	DALLAS MT TRUST
15	1918 OLIVE ST	NELSON MARGARET J REVOCABLE
16	1918 OLIVE ST	NUTKIS DANIEL S
17	1918 OLIVE ST	ILLMER RICHARD A & NANCY D
18	1918 OLIVE ST	HOWELL DOUG & DIANNE
19	1918 OLIVE ST	HUTCHESON JAMES
20	1918 OLIVE ST	NANDA SERVICES LTD
21	1918 OLIVE ST	NELSON GREGORY J & KATHERINE A
22	1918 OLIVE ST	SAUER GRETCHEN &
23	1918 OLIVE ST	NAVIAS CRAIG & ESTHER TRUST THE
24	1918 OLIVE ST	NABORS WILLIAM M & LEANN M
25	1918 OLIVE ST	OLIVE ST LLC
26	1918 OLIVE ST	WEBBER REVOCABLE TRUST

SPSD167-002(ND)

09/19/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1918 OLIVE ST	GRECO THOMAS &
28	1918 OLIVE ST	DBG SP HOLDINGS LLC
29	1918 OLIVE ST	CASHON KELLIE W
30	1918 OLIVE ST	HIDUKE MARK ANDREW
31	1918 OLIVE ST	HIDUKE MARK ANDREW
32	1918 OLIVE ST	PARK & PEARL LLC
33	1918 OLIVE ST	SHORT DONALD W & ANN M
34	1918 OLIVE ST	HAAS ROBERT BRADLEY
35	1918 OLIVE ST	CARTY DONALD J & ANA M
36	1918 OLIVE ST	BUERCK BRETT T
37	1918 OLIVE ST	CARTY DONALD J & ANA M
38	1918 OLIVE ST	GRUBER MIKE & DIANE
39	1918 OLIVE ST	NICKELL ROBERT A
40	1918 OLIVE ST	LMR FAMILY TRUST
41	1918 OLIVE ST	CAST HOLDINGS LLC
42	1918 OLIVE ST	FISCHER BENNO JOHN &
43	1918 OLIVE ST	MUSEUM TOWER LP
44	1918 OLIVE ST	CHEATHAM RICHARD M & TRACY B
45	1918 OLIVE ST	CRAIG REVOCABLE TRUST
46	1918 OLIVE ST	
47	1918 OLIVE ST	SIMON KAREN J
48	1918 OLIVE ST	FIELDS DAVID
49	1918 OLIVE ST	GARTNER JAY S & MARY JO HERNANDEZ GARTNER
50	1918 OLIVE ST	HUGHES JOSEPH V JR & HOLLY O
51	1918 OLIVE ST	POP LIFE LLC
52	1918 OLIVE ST	BASS ALICE WORSHAM
53	1918 OLIVE ST	MILLS MATTHEW &
54	1918 OLIVE ST	TELFER GEOFFREY DAVID
55	1918 OLIVE ST	BAGHERI MAMAD
56	1918 OLIVE ST	EDSEL ROBERT M
57	1918 OLIVE ST	SEAY GEORGE E III

09/19/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1918 OLIVE ST	B 29 PROPERTIES LLC
59	1918 OLIVE ST	CHERRY DAVID L & CARYL E
60	1918 OLIVE ST	KOCUREK SCOTT L &
61	1918 OLIVE ST	DOERING JOAN
62	1918 OLIVE ST	SADDINGTON ROD
63	1918 OLIVE ST	LUDEMAN CHRISTOPHER R & LYNDA M
64	1918 OLIVE ST	MURPHY JAMES R
65	1918 OLIVE ST	SINGH ASHIT & KIRTI
66	1918 OLIVE ST	GOLDFARB IRA
67	1918 OLIVE ST	KAPLAN ROBERT S
68	1918 OLIVE ST	OWENS GARY W & CARA G
69	1918 OLIVE ST	RODRIGUEZ JOSELITA
70	1918 OLIVE ST	CREED GREG & CAROLYN
71	1918 OLIVE ST	CREED GREG & CAROLYN FAMILY TRUST THE
72	1918 OLIVE ST	ANDREWS MARK
73	1918 OLIVE ST	OOSTERVEER PETRUS W B
74	1918 OLIVE ST	KRUGER FAMILY HOLDINGS LLC
75	1918 OLIVE ST	FITZGERALD SCOTT R & ROSE M
76	1918 OLIVE ST	IVY R STEVEN &
77	1918 OLIVE ST	DTHP PROPERTY LLC
78	1918 OLIVE ST	PATSLEY GARY L & PAMELA H
79	1918 OLIVE ST	JOHNSON STEPHEN &
80	1918 OLIVE ST	GRYPHONS GATE LP
81	1918 OLIVE ST	HICKS THOMAS O & CINDA CREE
82	1918 OLIVE ST	CHRIST FAMILY TRUST THE

Planner: Warren F. Ellis

FILE NUMBER: Z167-359(WE) **DATE FILED:** July 26, 2017
LOCATION: Forney Road and South Buckner Boulevard, northeast corner
COUNCIL DISTRICT: 7 **MAPSCO:** 48 Q
SIZE OF REQUEST: Approx. 0.564 acres **CENSUS TRACT:** 112.07

APPLICANT / OWNER: Buckner Food, Inc.

REPRESENTATIVE: Jon R. Featherston
The Dimension Group

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

SUMMARY: The applicant proposes the sale of alcoholic beverages for off-premise consumption in conjunction with the existing general merchandise or food store [7 Eleven, Inc.].

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

BACKGROUND INFORMATION:

- The ±0.564-acre request site is developed with a 3,010-square-foot general merchandise or food store (convenience store) and vehicle fueling station (gas pumps).
- On December 11, 2013, the City Council approved 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 for a two-year period on the request site.
- In April 2015, a letter was sent to the applicant advising them to submit an application to renew SUP No. 2054 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. An application was not submitted and SUP No. 2054 expired on December 11, 2015.
- The proposed request is to sell alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- The general merchandise use is permitted by right. The sale of alcoholic beverages for off-premise consumption is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.
- The adjacent land uses consist of a warehouse and church use to the north, warehouse uses to the east and an industrial (inside) use to the south. Properties west of the request site, across South Buckner Boulevard, are undeveloped.
- **Zoning History:** There has been one zoning change requested in the area in the past 5 years.

1. Z145-284 On November 10, 2015, the City Council approved a renewal of Specific Use Permit No. 2052 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 LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Forney Road	Collector	80 ft.	80 ft.
South Buckner Boulevard	Principal Arterial	100 ft.	100 ft.

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

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

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Land Use:

	Zoning	Land Use
Site	LI-D-1	General merchandise or food store
North	LI-D-1	Warehouse, Church
South	LI-D-1	Industrial (Inside)
East	LI-D-1	Warehouse
West	LI-D-1	Undeveloped

STAFF ANALYSIS:

Land Use Compatibility: The approximately 0.564-acre site is zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store and a motor vehicle fueling station. The request for a Specific Use Permit will allow the applicant to sell alcohol for off-premise consumption in conjunction with the general merchandise.

The general merchandise use is permitted by right. The sale of alcoholic beverages for off-premise consumption is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.

The adjacent land uses consist of a warehouse and church use to the north, warehouse uses to the east and an industrial (inside) use to the south. Properties west of the request site, across South Buckner Boulevard, are undeveloped. The proposed request complies with the alcoholic distance requirement of 300 feet from a church, which is measured front door to front door along the right-of-way lines.

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

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

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

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

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code.

Development Standards:

<u>DISTRICT</u>	<u>SETBACKS</u>		<u>Density</u>	<u>Height</u>	<u>Lot Coverage</u>	<u>Special Standards</u>	<u>PRIMARY Uses</u>
	<u>Front</u>	<u>Side/Rear</u>					
LI Light Industrial	15'	30' adjacent to residential OTHER: No Min.	1.0 FAR overall 0.75 office/ retail 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. The request site will not trigger any landscaping because there is no increase in the total floor area.

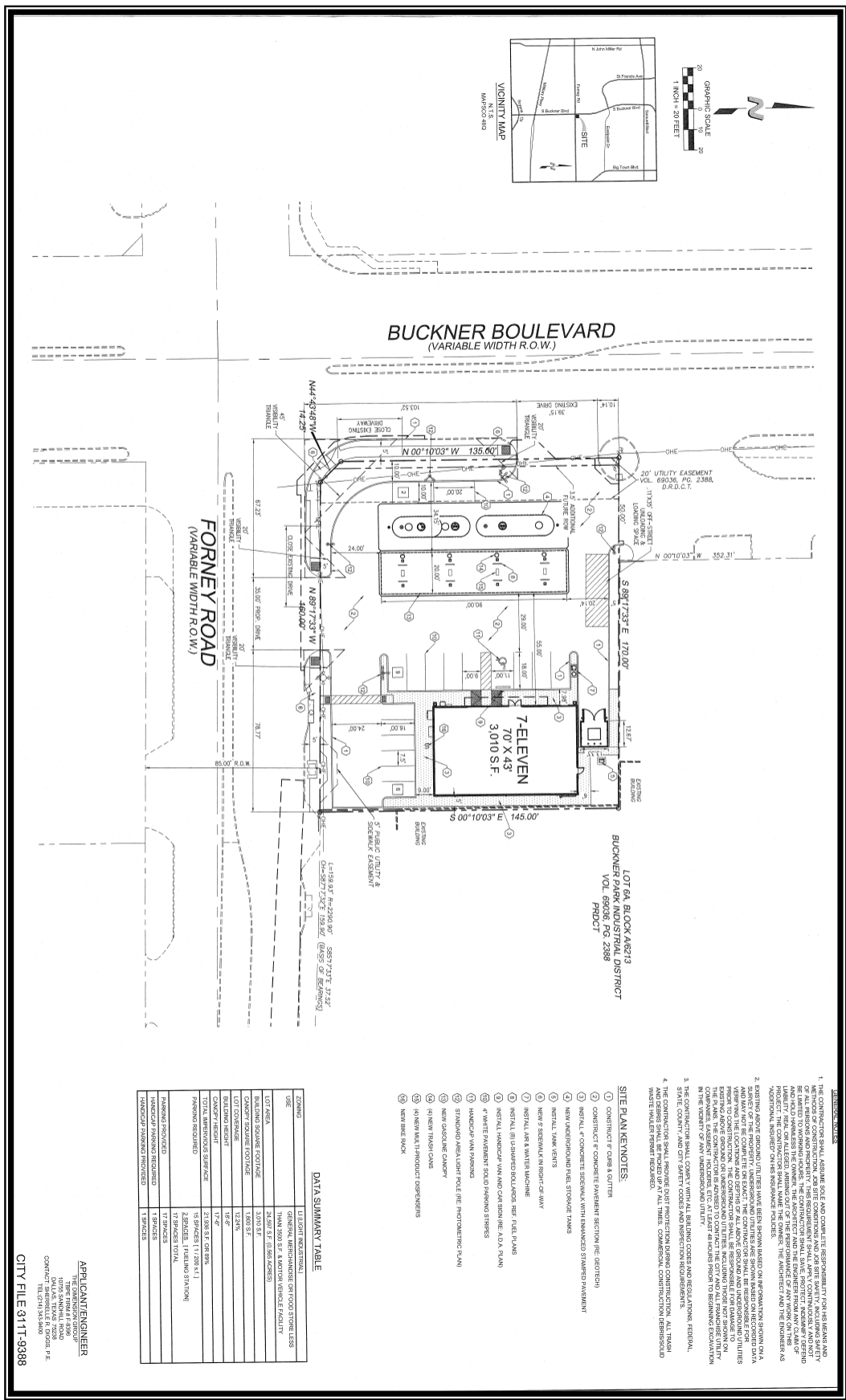
Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 3,500 square feet or less is at one space for each 200 square feet of floor area. Based on the 3,010 square feet of floor area, the development requires 17 spaces with 17 being provided per the attached site plan.

Dallas Police Department: Staff has no received a police report indicating any offenses of the request site. Staff will notify the Commission of any offenses during the briefing session.

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



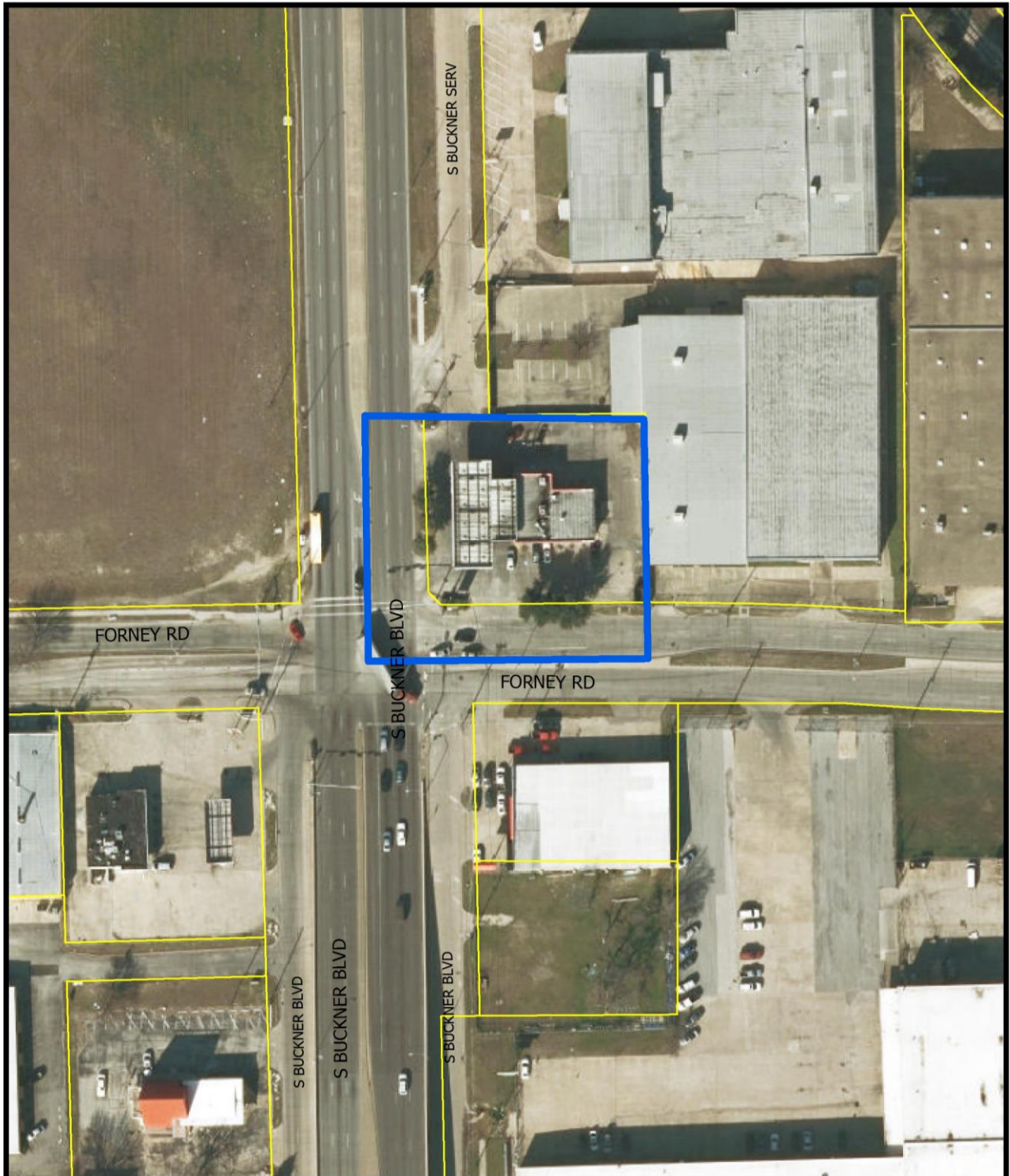
LOT 6A, BLOCK A6273
BUCKNER PARK AND RURAL DISTRICT
VOL. 68, PAGE 2388
PROJECT

1. THE CONTRACTOR SHALL MAINTAIN THE SITE AND SHALL BE RESPONSIBLE FOR THE SAFETY AND PROTECTION OF ALL PERSONS AND PROPERTY. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND HOLD ADEQUATE LIABILITY INSURANCE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND HOLD ADEQUATE LIABILITY INSURANCE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND HOLD ADEQUATE LIABILITY INSURANCE.
 2. EXISTING ABOVE GROUND UTILITIES AND UTILITIES ARE SHOWN BASED ON RECORD DATA AND MAY NOT BE EXACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND HOLD ADEQUATE LIABILITY INSURANCE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND HOLD ADEQUATE LIABILITY INSURANCE.
 3. THE CONTRACTOR SHALL COMPLY WITH ALL BUILDING CODES AND REGULATIONS, FEDERAL, STATE, COUNTY, AND CITY SAFETY CODES AND INSPECTION REQUIREMENTS.
 4. THE CONTRACTOR SHALL MAINTAIN PROTECTION DURING CONSTRUCTION. ALL TRENCHES SHALL BE PROPERLY COVERED. ALL TRENCHES SHALL BE PROPERLY COVERED.
- SITE PLAN KEYNOTES:**
- ① CONCRETE CURB & GUTTER
 - ② CONCRETE FLOOR FINISH
 - ③ CONCRETE FLOOR FINISH WITH FINISHED STRIPED PAVEMENT
 - ④ NEW DIMENSIONED TIE, STRONG TIE
 - ⑤ INSTALL TANK VENTS
 - ⑥ NEW 2" SEWER IN ROOF OR JAW
 - ⑦ INSTALL AIR & WATER MACHINE
 - ⑧ INSTALL 8" INSULATED BOLGERS REE FUEL TANKS
 - ⑨ INSTALL HANDICAP VAN AND CAR BORN (H.V.A. PLAN)
 - ⑩ 4" WHITE PAVEMENT SOLID PAVING STRIPES
 - ⑪ HANDICAP VAN PARKING
 - ⑫ STRANDED ASBESTHOSITE FIBRE PHOTOGRAPHIC FILM
 - ⑬ NEW SIGNALING CAMPS
 - ⑭ NEW TANKS OMS
 - ⑮ NEW MULTIPRODUCT DISPENSERS
 - ⑯ NEW FIRE RACK

DATA SUMMARY TABLE

FORMING	UTILITIES
USE	GENERAL MERCHANDISE ON TOWNS STORE LESS
LOT AREA	7,144.50 S.F. (0.162 ACRES)
BUILDING SQUARE FOOTAGE	3,010 S.F.
LOT COVERAGE	42.13%
BUILDING HEIGHT	11'-0"
CONCEPT HEIGHT	17'-0"
TOTAL IMPERVIOUS SURFACE	27,000 S.F. (0.61 AC)
PARKING REQUIRED	2.6 SPACES (1.141 AC)
PARKING PROVIDED	17 SPACES
MANICAP PARKING PROVIDED	1 SPACES
MANICAP PARKING PROVIDED	1 SPACES

APPLICANT/ENGINEER
THE DESIGN GROUP
10700 SANDHILL ROAD
DUBLIN, CALIFORNIA 94568
CONTACT: BERENDEE R. DOUGLAS, P.E.
TELEPHONE: 925-854-9000
CITY FILE 3111T-9388

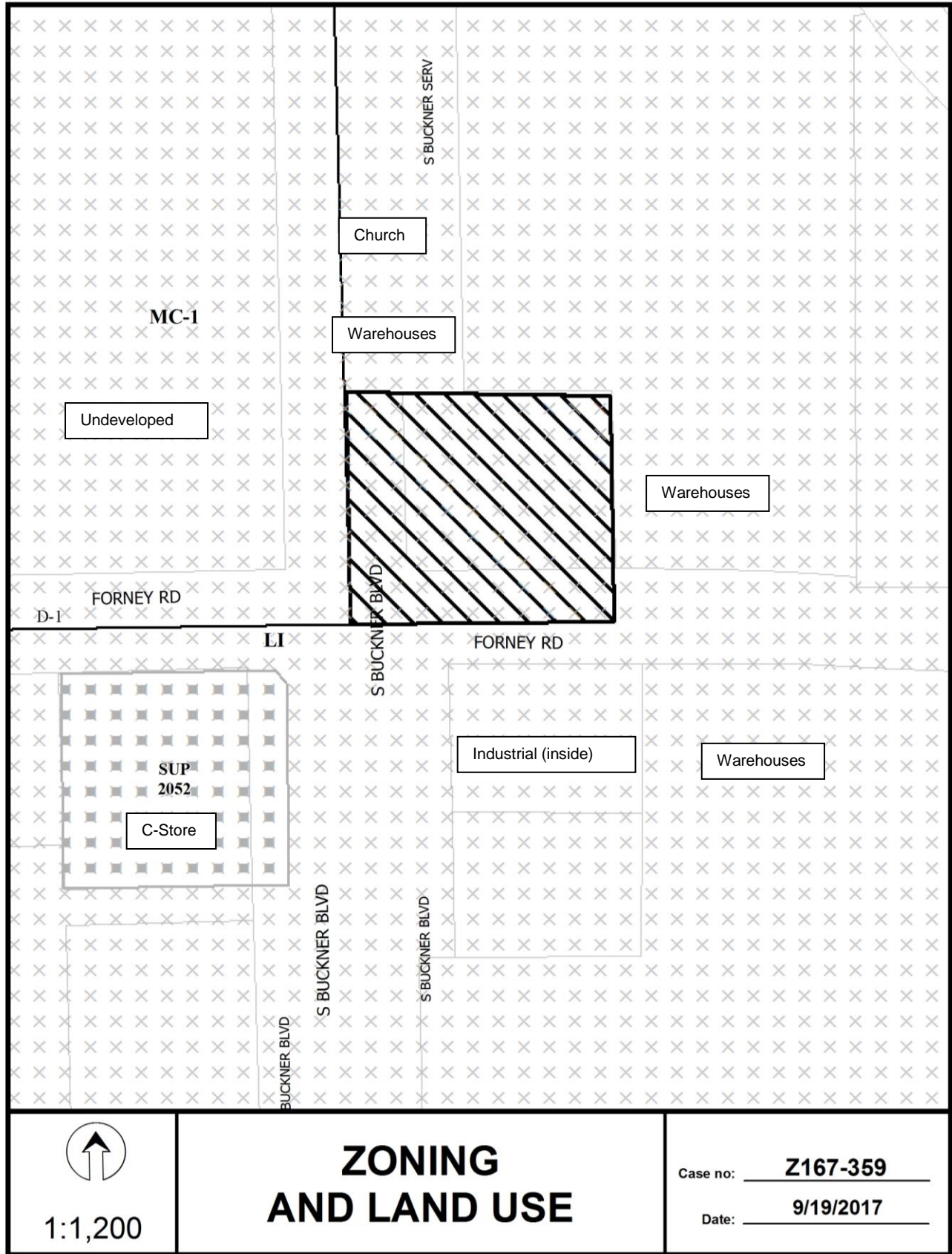


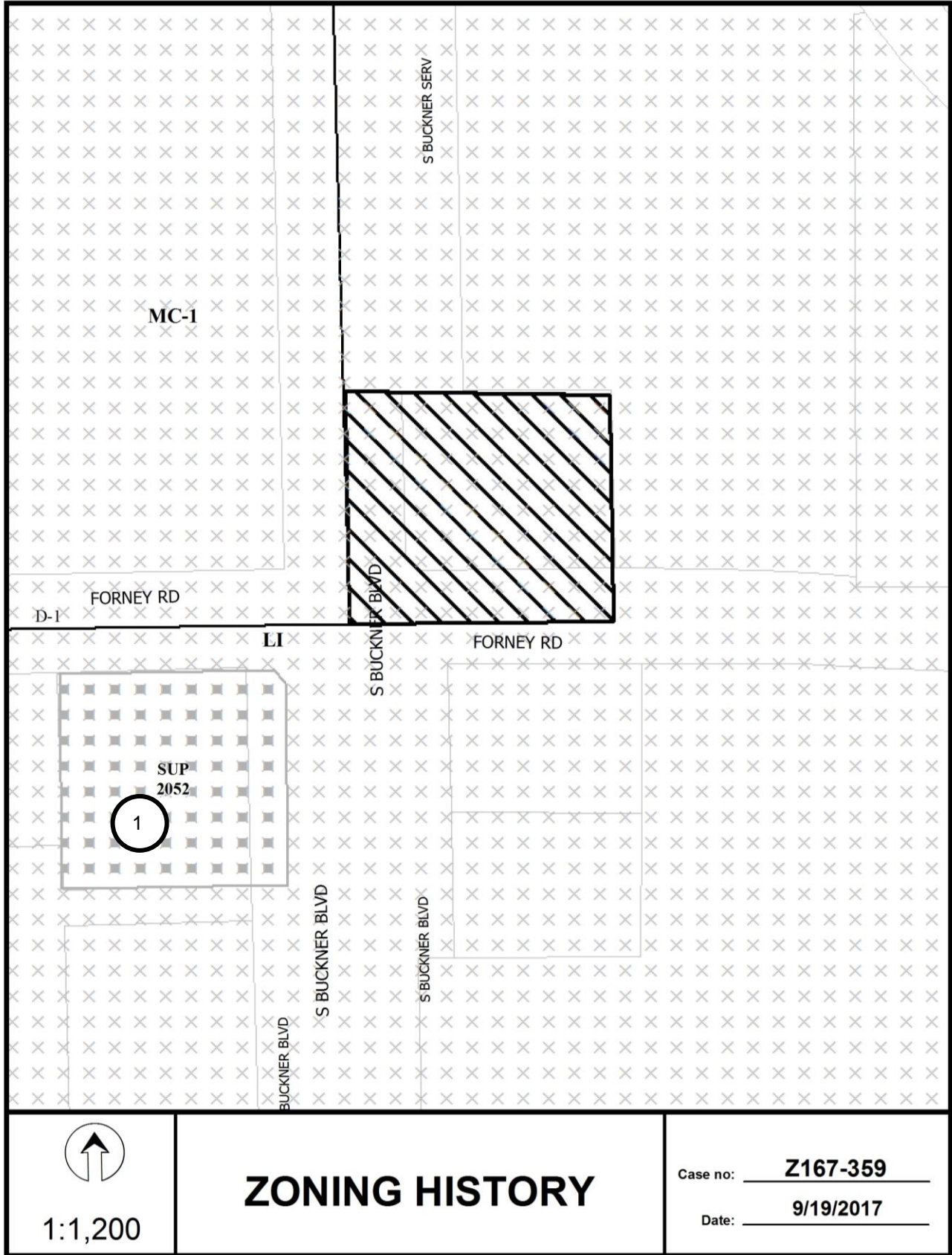
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AERIAL MAP

Case no: Z167-359

Date: 9/19/2017





Notification List of Property Owners

Z167-359

7 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4710 S BUCKNER BLVD	DEVIN BRICH GROUP DORP
2	4700 S BUCKNER BLVD	NW REALTY INC
3	4520 S BUCKNER BLVD	SOUTH BUCKNER 4520 LP THE
4	8131 FORNEY RD	TAGGERT TEXAS LTD
5	4740 S BUCKNER RD	INTERNATIONAL BIBLE ASSOC
6	4625 S BUCKNER BLVD	BUCKNER FOODS INC
7	4612 S BUCKNER BLVD	RICHMOND P CURT

FILE NUMBER: Z167-363(JM)

DATE FILED: July 28, 2017

LOCATION: On the northeast corner of Midway Road and Northwest Highway.

COUNCIL DISTRICT: 13

MAPSCO: F-6

SIZE OF REQUEST: Approx. 7.8 acres

CENSUS TRACT: 206.00

APPLICANT/ OWNER: HEB Company, LP

REPRESENTATIVE: Karl A. Crawley, Masterplan

REQUEST: An application to amend Planned Development District No. 70 for CR Community Retail District uses.

SUMMARY: The purpose of this request is to change the sign regulations from non-business to business, to allow for five banner signs and two existing monument signs. Additionally, the 72-foot setback along the north end of the site would now allow encroachments for mechanical equipment, accessibility ramps, handrails, and stairs.

STAFF RECOMMENDATION: Approval, subject to conditions.

BACKGROUND INFORMATION:

- On August 19, 1974, the City Council approved the creation of PDD No. 70 for Church Uses. Subsequent amendments (August 15, 1984, February 9, 2005, and January 23, 2013) provided for removal of the D Liquor Control Overlay on a portion of the site and replacing the D Liquor Control Overlay with a D-1 Liquor Control Overlay and granting SUP No. 1574 for a restaurant with alcoholic beverage service on a portion of the site; and, the removal of the D-1 Liquor Control Overlay and termination of SUP No. 1574, respectively.
- The current land use consists of a shopping center with retail and personal service uses. The development has three structures all erected in 1983 and containing approximately 90,603 square-feet of floor area.
- The requested amendment to PDD No. 70 will consider the following:
 1. Amend the sign regulations to allow business signage rather than nonbusiness signage. This would allow the existing monument signs to remain and be modified.
 2. Additionally, for a general merchandise or food store greater than 40,000 square feet, five interchangeable banners with a maximum effective area of 64 square feet each would be allowed.
 3. The north building setback line of 72 feet would allow encroachments for mechanical equipment, accessibility ramps, handrails, and stairs.

Zoning History:

There have been three zoning change requests in the area within the last five years.

1. **Z012-276:** On December 11, 2002, the City Council granted Specific Use Permit No. 1262 for a private school limited to grades pre-kindergarten through twelfth on property zoned an R-10(A) Single Family District, located on the west corner of Rosa Rd. and Midway Road. (Renewals & amendments: Z078-246, Z090-179, & Z145-215)
2. **Z145-221:** On August 20, 2017, the City Plan Commission denied an application for a Planned Development District for R-10(A) Single Family District and assisted living facility uses on property zoned an R-10(A) Single Family District, located on the south line of West Northwest Highway, west of Midway Road. *(No further action on this case.)*
3. **Z156-276:** An application for a CH Clustered Housing District with deed restrictions volunteered by the applicant on property zoned an R-10(A) Single Family District, located on the south line of West Northwest Highway, west of Midway Road. *(Case has not progressed.)*

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
Midway Road	Principal Arterial	Variable
West Northwest Highway	Principal Arterial	100 feet

Traffic:

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

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 70	Retail and personal service
North	R-10(A) Residential	Single Family
East	R-10(A) Residential	Single Family
South	TH-3(A) Townhouse & R-10(A) Residential	Single Family & Institutional (church)
West	R-10(A) Residential & CR Community Retail w/ SUP No. 1718	Single Family & Retail and personal service; SUP for cell tower

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site being within a Residential Neighborhood Building Block and is located along a Multi-Modal Corridor.

This request is characteristic of a Residential Building Block because it provides access to shops and restaurants at a key intersection of the neighborhood. Additionally, the site is close to residential neighborhoods, while largely transit (three bus stops at the corner intersection) centered and auto-centric—a main quality of multi-modal development.

Finally, the commercial development site has served surrounding area since 1983, a well-established servicer in the fabric of the neighborhoods.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation Measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways 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.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Implementation Measure 2.5.1.2 Support efforts to maintain distinctive identities of existing neighborhoods and ensure high-quality development of new neighborhoods.

NEIGHBORHOOD PLUS

Policy 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation and safety.

Land Use Compatibility:

The site has contained a commercial development for over 30 years. A variety of shops, restaurants, and personal service uses are provided within the three structures and 90,603 square-feet of floor area. The surrounding residential neighborhoods to the northwest, north, east, and south predate the commercial developments within the area and include the subject site. A Historic Aerials search found low-density residential neighborhoods in these areas, as well as to the immediate west, as far back as 1952.

Westerly properties continue to redevelop into commercial developments along Northwest Highway. The subject site was rezoned when PDD No. 70 was created in 1974 for church uses. Subsequent amendments to the PDD transformed the 7.8-acre site into a commercial development with fewer limitations. Finally, in 2013, all remaining Liquor Control Overlay mechanisms were removed.

The applicant proposes two amendments with this request:

(1) To update the sign section to: a.) refer to business zoning district regulations; b.) allow up to five-64-square-foot banner signs for a general merchandise or food store greater than 40,000 square feet; and, c.) allow a reduced setback for a monument sign at the southwest corner of the property, which currently exists and would be allowed to remain over time with the same three-foot setback from property line.

(2) To allow encroachments into the north setback of 72 feet for mechanical equipment, accessibility ramps, handrails, and stairs.

The largest and most northerly structure within the site is the trigger for the current zoning request. The intention is to house a general merchandise or food store greater than 40,000 square feet. Due to the proximity to the north boundary line and requirements for accessibility, the request is made to allow mechanical equipment, accessibility ramps, handrails, and stairs into the setback area.

Signs:

The change to business zoning district sign regulations for PDD No. 70 is consistent with the signage allotments provided to similar commercial developments in the area and along Northwest Highway. Banner signs are counted toward the total sign allotment per the Dallas Development Code, and count toward the eight-word maximum per façade. The banner signs would be a special provision in consideration of the reclassification of this sign type as a permanent attached sign for code purposes.

The third element of the sign section amendment for this request would allow the placement of existing monument signs to remain with a reduced setback from the property line. Typically, multitenant monument signs are subject to a scaled setback depending on the overall height. With a height of 14 feet, the monument sign would have to be setback 10 feet from the property line. Due to prior right-of-way expansions, the existing monument sign at the southwest corner of the property is located three-feet from the property line. This would be allowed to remain or be upgraded in the future, should the proposed amendment be approved.

Parking:

Parking must be provided in accordance with Sec.51P-70.108, as amended. No changes are proposed with this request.

Landscaping:

Landscaping must be provided in accordance Sec.51P-70.112, as amended. No changes are proposed with this request.

LIST OF OFFICERS

Property Owner:

PRESTON HOLLOW INDIAN SCHOOL, LP, a Texas limited partnership

Westwood Financial Corporation, general partner

Lawrence Stern, VP

Joe Dykstra, VP

Randy Banchik, VP

Applicant:

HEB Board of Directors

Charles E Butt, Chairman and CEO

Craig Boyan, President and COO

Martin Otto, CFO

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; 28905)

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; 28905)

SEC. 51P-70.103. DEFINITIONS AND INTERPRETATIONS.

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

(1) **MESSAGE ESTABLISHMENT** and **MESSAGE** mean a message establishment or message as defined by Texas Occupation Code Chapter 455, as amended.

(2) **TATTOO OR BODY PIERCING STUDIO** means a business in which tattooing or body piercing 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. **BODY PIERCING** means the piercing of body parts, other than ears, for purposes of allowing the insertion of jewelry.

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

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 25423; 25884; 28905)

SEC. 51P-70.104. CONCEPTUAL AND DEVELOPMENT PLANS.

No conceptual plan or 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. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.105. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Article 51A of the Dallas Development Code, as amended. For example, a use permitted in the CR Community Retail 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 Community Retail District is subject to DIR in this district; etc.

(b) The following main use is permitted with additional restrictions:

- Personal service uses. *[Massage establishments and tattoo or body piercing studios are prohibited.]*

(c) The following uses are prohibited:

- Commercial amusement (inside).
- Hotel or motel.
- Liquor store.
- Pawn shop.
- Restaurant with drive-in or drive-through service.
(Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 28905)

SEC. 51P-70.107. YARD, LOT, AND SPACE REGULATIONS.

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the CR Community Retail District apply.

(b) Setbacks. Minimum setbacks are:

- (1) 100 feet along Northwest Highway; and

- (2) 72 feet along Midway Road and the north and east Property lines.

Mechanical equipment and accessibility ramps, handrails, and stairs are allowed in the setback from the north Property line.

(d) Height.

- (1) Except as provided in this subsection, maximum structure height is 36 feet.

(2) Mechanical equipment, screening, cooling towers, tanks, skylights, and ornamental cupolas and domes may project an additional 12 feet above the maximum 36 foot structure height and may not exceed 33 1/3 percent of the roof area.

(3) A portion of a building may be a maximum of 50 feet in height if the horizontal section of that portion of the building above 36 feet in height is 500 square feet or less. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.108. OFF-STREET PARKING AND LOADING.

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

(b) Mixed use development parking reduction.

(1) For purposes of this section, a mixed use development means retail, office, and bar and restaurant uses in combination on a single or adjacent building site.

(2) An adjusted standard off-street parking requirement for a mixed use development is calculated as follows:

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

(B) 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.

(C) 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
For calculating the parking requirements for mixed use development parking

Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
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%

(3)A special exception to the number of required parking spaces may not be combined with a mixed use development parking reduction. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 28905)

SEC. 51P-70.110. STREET DEDICATIONS.

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. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.111. 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; 28905)

SEC. 51P-70.112. LANDSCAPING.

- (a) Except as provided in this section, landscaping must be provided in accordance with Article X.
- (b) A minimum 12-foot-wide landscaped area must be provided along the Northwest Highway frontage.
- (c) A minimum seven-foot-wide landscaped area must be provided along the Midway Road frontage.
- (d) A sprinkler system must be provided for the landscaped areas.
- (e) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.113. SIGNS.

(a) Signs must comply with the provisions for **non-business** zoning districts in Article VII. (Ord. Nos. 14645; 25423; 25884; 28905).

(b) General merchandise or food store greater than 40,000 square feet.

(1) Interchangeable banners.

(A) A maximum of three south-facing and two east-facing interchangeable banners are allowed.

(B) Maximum effective area of an interchangeable banner is 64 square feet.

(C) Interchangeable banners may not be illuminated.

(D) Interchangeable banners are not subject to a word limit.

(2) Multi-tenant monument signs.

(1) Two multi-tenant monument signs are allowed.

(2) Maximum height of a multi-tenant monument sign is 14 feet.

(3) Maximum width of a multi-tenant monument sign is 13 feet.

(4) A multi-tenant monument sign must be set back a minimum of three feet from the Property line.

SEC. 51P-70.114. SCREENING WALL.

The nine-foot and six-foot solid masonry walls provided along the north and east sides of the Property must be properly maintained. (Ord. Nos. 14645; 25423; 25884; 28905)

SEC. 51P-70.115. ADDITIONAL PROVISIONS.

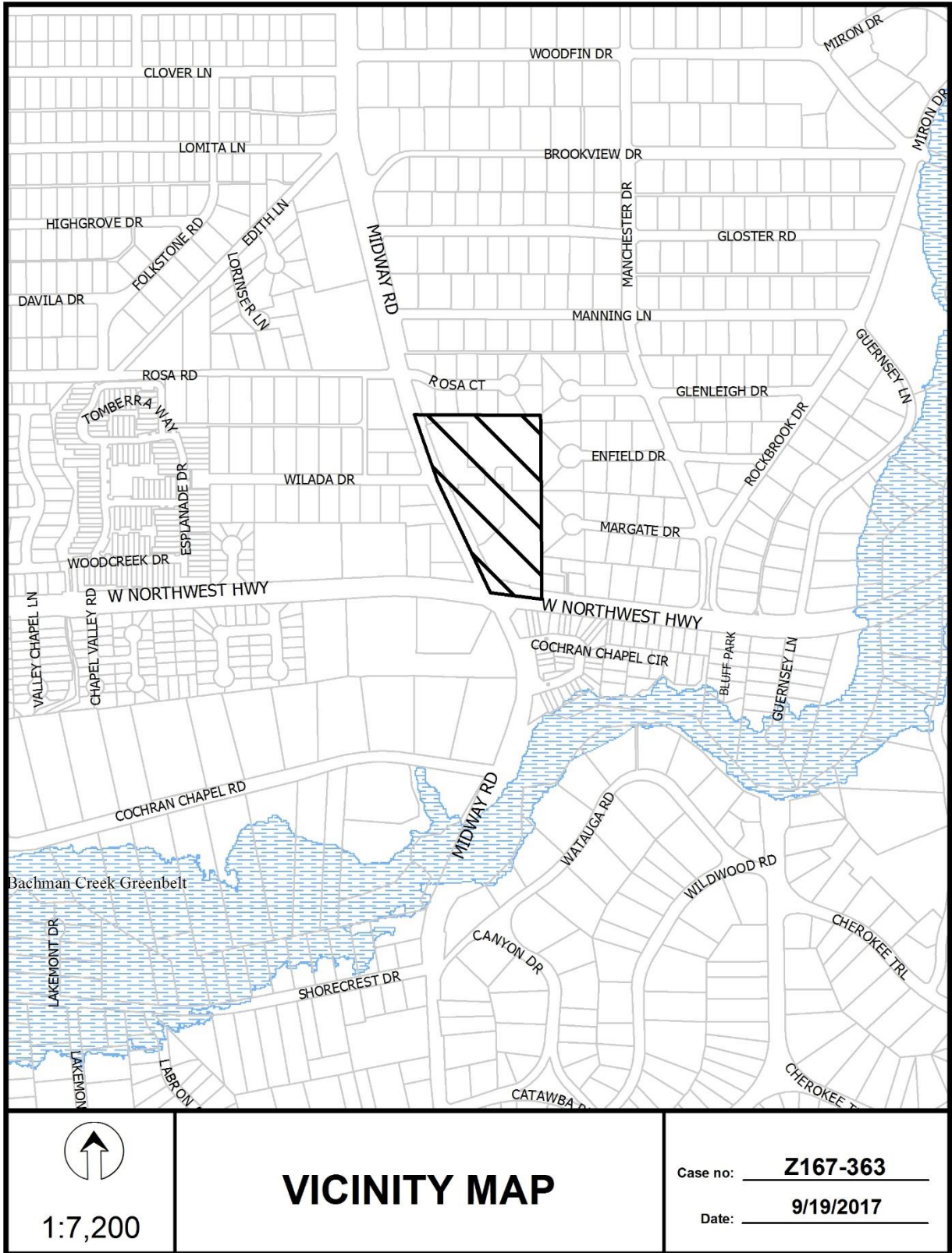
(a) The Property must be properly maintained in a state of good repair and neat appearance.

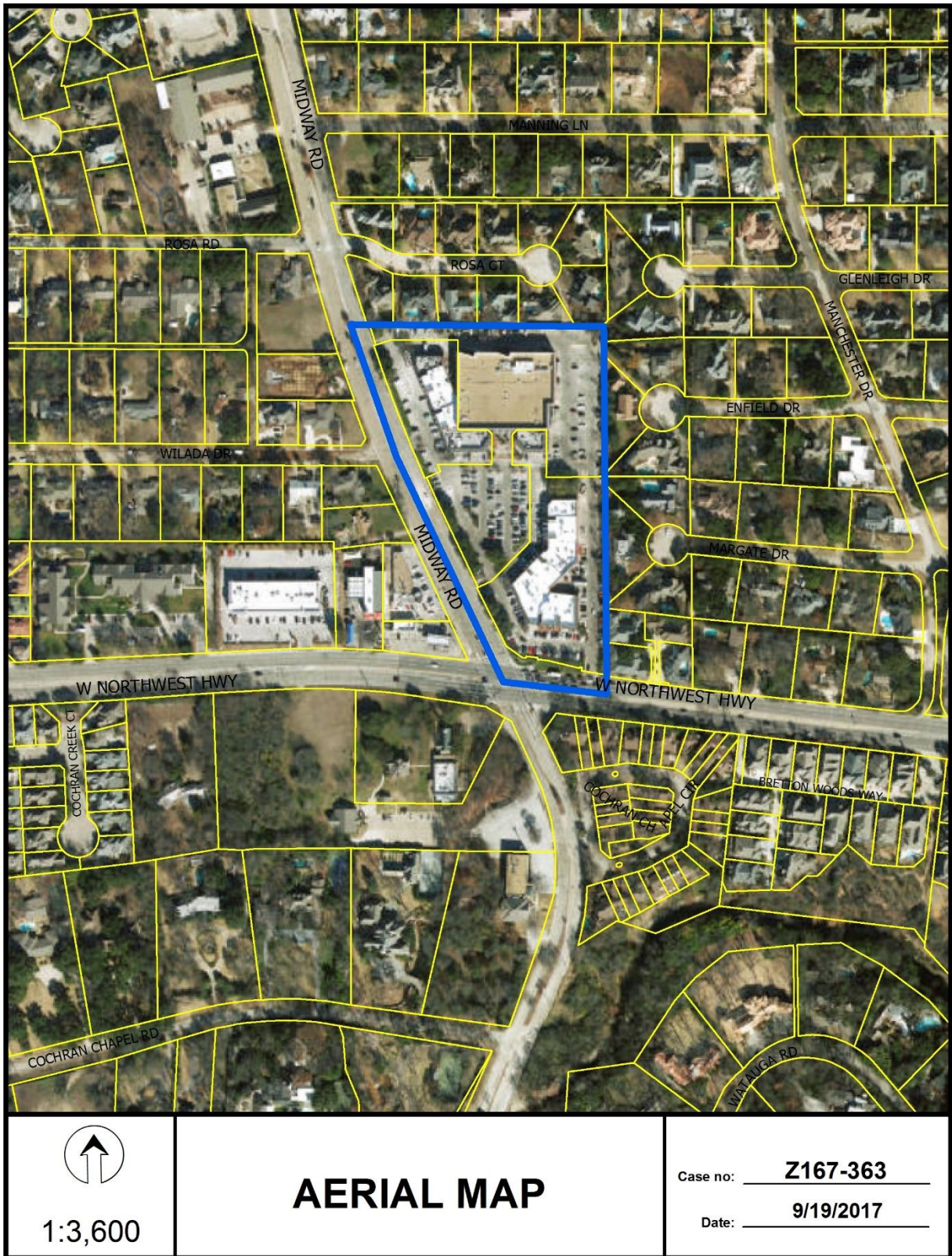
(b) Development and use of the Property must comply with all federal and state law and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 14645; 25423; 25884; 28905)

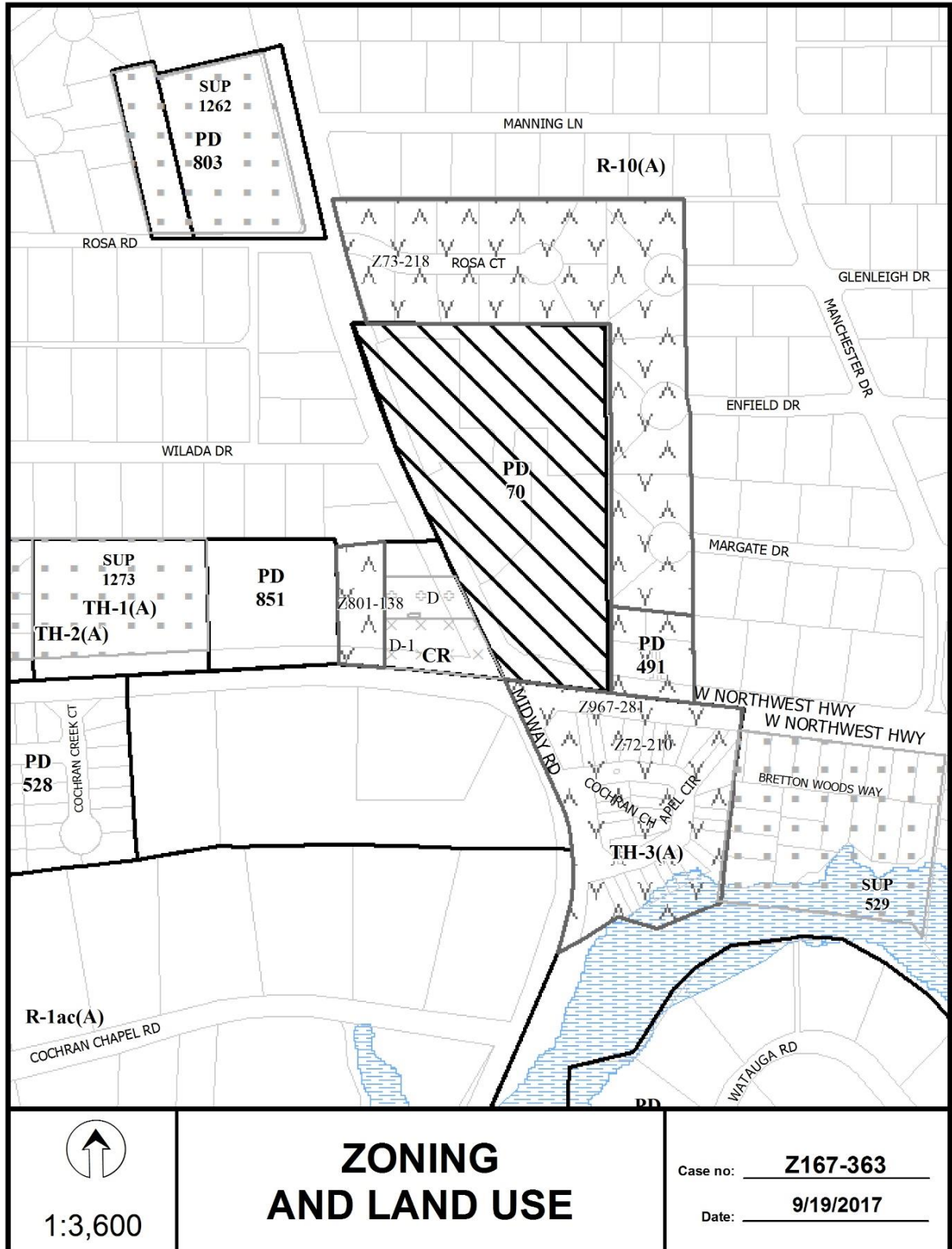
SEC. 51P- 70.116. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 14645; 25423; 25884; 28905)





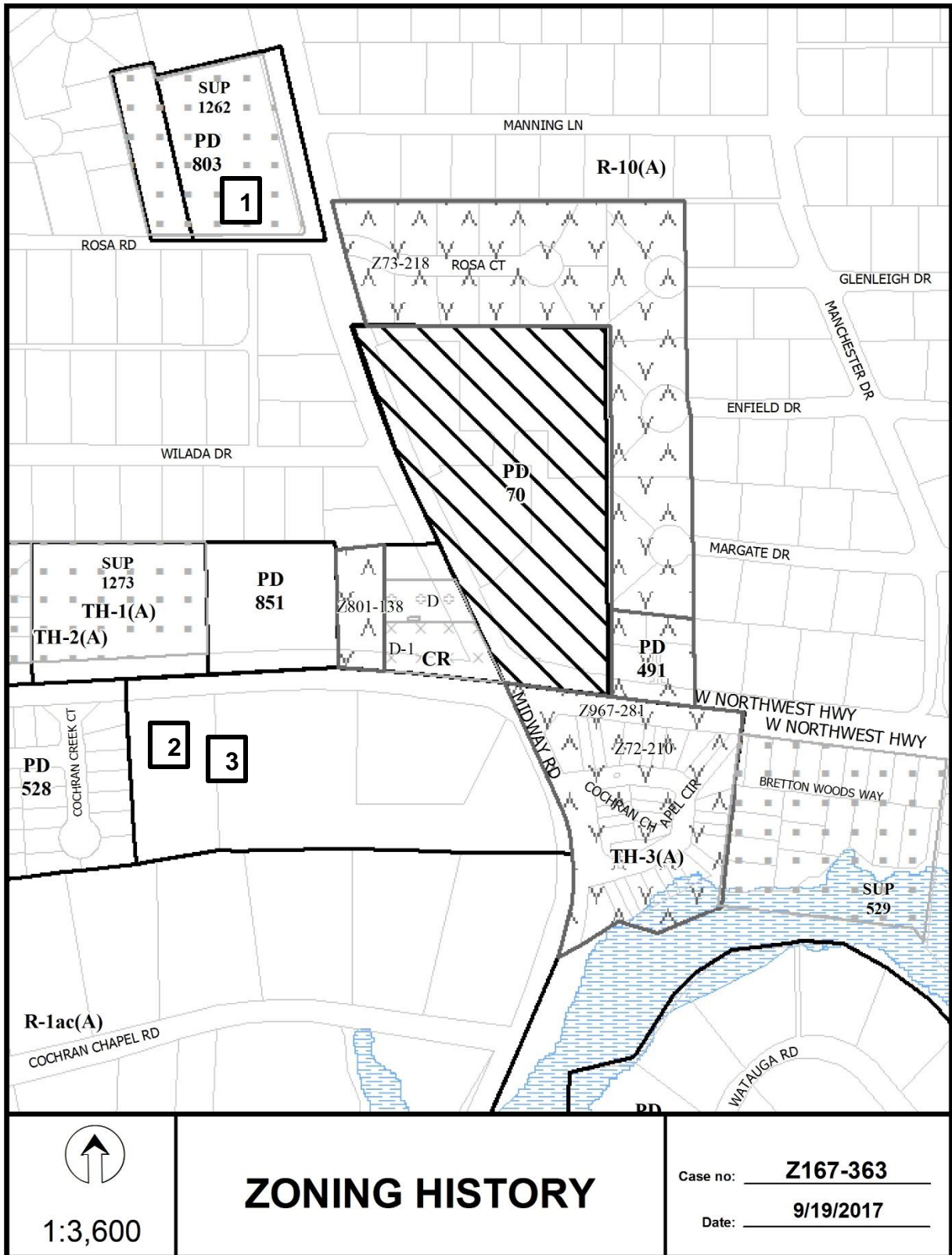


ZONING AND LAND USE

Case no: Z167-363

Date: 9/19/2017

1:3,600





09/19/2017

Notification List of Property Owners***Z167-363******118 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4343 W NORTHWEST HWY	PRESTON HOLLOW INDIAN SCH
2	4343 W NORTHWEST HWY	HEB GROCERY COMPANY LP
3	9101 MIDWAY RD	COCHRAN CHAPEL
4	9027 MIDWAY RD	COCHRAN CHAPEL METHODIST
5	4255 COCHRAN CHAPEL RD	KUHN MOLLIE
6	4168 ROSA RD	GRACHECK JOHN S &
7	4184 ROSA RD	CALDWELL JAMES M
8	9317 MIDWAY RD	WILK BRIAN DAVID
9	4181 WILADA DR	WAGNER DOROTHY P TR
10	4175 WILADA DR	BROWN RYAN W &
11	4167 WILADA DR	MACQUILKEN DAVID E
12	4275 W NORTHWEST HWY	AIRPORT FREEWAY FUEL CENTER LP
13	9221 MIDWAY RD	CONSTANCE MIDWAY LTD
14	4174 WILADA DR	NELSON HEATHER G &
15	4180 WILADA DR	KNIGHT ALLAN M
16	4188 WILADA DR	MOORE NICKY N
17	4194 WILADA DR	MORADI MASOUD &
18	9241 MIDWAY RD	ARNOLD H DAVID
19	9227 MIDWAY RD	MCGILL MANDY
20	4307 GLENLEIGH DR	MCBRIDE THOMAS J & LAURA H
21	4319 GLENLEIGH DR	JACOBS ANDREW F & KAREN C
22	4310 GLENLEIGH DR	GANUCHEAU DAVID W
23	4322 GLENLEIGH DR	MCFARLAND JOHN S JR &
24	4319 ENFIELD DR	BOREN JULIE P & MICHAEL T
25	4307 ENFIELD DR	MARTIN HARRY J JR
26	4306 ENFIELD DR	WEDDING MARC B

09/19/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4318 ENFIELD DR	TIPPEN FORREST W JR &
28	4326 ENFIELD DR	HOFFMANN PETER R & CLAUDETTE L
29	4327 MARGATE DR	MCNEIL JON
30	4319 MARGATE DR	STRONG MILTON STANTON
31	4307 MARGATE DR	VAUGHAN ANNIE K &
32	4310 MARGATE DR	RATNER LYLE J & BEVERLY T
33	4318 MARGATE DR	MCFARLANE BRIAN & BETH
34	4326 MARGATE DR	FOSTER GLENNA CHRISTINE
35	4427 W NORTHWEST HWY	HENLEY JAMES H
36	4419 W NORTHWEST HWY	WAITE RICHARD &
37	4407 W NORTHWEST HWY	KELLY MICHAEL DOUGLAS &
38	4346 MANNING LN	LOWERY JACQUELINE
39	4342 MANNING LN	MUTRIE JAMES EDWARD III &
40	4334 MANNING LN	MORROW CORY L & CHRISTI S
41	4326 MANNING LN	SUNG WINGATE &
42	4316 MANNING LN	VASQUEZ MANUEL D & LAURA
43	4304 MANNING LN	PONDEGROSSA TRUST
44	4214 MANNING LN	GROSS WILLIAM D & VAUGHN D
45	4210 MANNING LN	HOWARD DANIELLE M
46	4206 MANNING LN	BARROW JAMES P
47	4304 COCHRAN CHAPEL CIR	NELSON KAREN S
48	4306 COCHRAN CHAPEL CIR	MAZUR MICHELLE HO
49	4310 COCHRAN CHAPEL CIR	BARRINGER WILLAM VAN FOSSEN LIFE ESTATE
50	4314 COCHRAN CHAPEL CIR	MANN DON & HELEN C
51	4318 COCHRAN CHAPEL CIR	JEFFERS TOBY
52	4322 COCHRAN CHAPEL CIR	VESSELS BARBARA J
53	4326 COCHRAN CHAPEL CIR	13624 FLOYD CIRCLE LTD
54	4330 COCHRAN CHAPEL CIR	TURNER DAVID C & VANNIE
55	4334 COCHRAN CHAPEL CIR	RYAN PETER M & SUZANNE A
56	4338 COCHRAN CHAPEL CIR	YONACK CAROL MINNETTE
57	4342 COCHRAN CHAPEL CIR	WILLIAMS EDDIE W

09/19/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4346 COCHRAN CHAPEL CIR	WATT MELISSA G
59	4350 COCHRAN CHAPEL CIR	STAFFORD JOHN MATTHEW
60	4354 COCHRAN CHAPEL CIR	BLODGETT HENRY DAVID
61	4358 COCHRAN CHAPEL CIR	LIPSCOMP LINDA
62	4362 COCHRAN CHAPEL CIR	LINDLEY ANN
63	4366 COCHRAN CHAPEL CIR	RAWLINGS JASON
64	4370 COCHRAN CHAPEL CIR	HENLEY BARBARA
65	4374 COCHRAN CHAPEL CIR	GONZALES RAUL
66	4378 COCHRAN CHAPEL CIR	SHIRATORI HIROAKI
67	4382 COCHRAN CHAPEL CIR	RODGERS PATRICK CHARLES & JANET B
68	4386 COCHRAN CHAPEL CIR	MAGUIRE CLARENCE B &
69	4390 COCHRAN CHAPEL CIR	STUENKEL ROBERT L
70	4394 COCHRAN CHAPEL CIR	GOODLOE ROBERT W JR
71	9001 COMMON AREA	COCHRAN CHAPEL CIR HMOWNR
72	4347 COCHRAN CHAPEL CIR	HIGGINS LINDA
73	4343 COCHRAN CHAPEL CIR	JOHNSTON JANET S
74	4339 COCHRAN CHAPEL CIR	PRICE LINDA R
75	4335 COCHRAN CHAPEL CIR	DEGRASSI ANN M
76	9102 COCHRAN CHAPEL CIR	FIELD PETER W & ANN C
77	9106 COCHRAN CHAPEL CIR	ASTON SUSAN U
78	9110 COCHRAN CHAPEL CIR	MIHAL BOBBI K
79	9114 COCHRAN CHAPEL CIR	HART M PHILLIP &
80	9407 MIDWAY RD	OAK HILL ACADEMY THE
81	9337 MIDWAY RD	MCGILL MANDY S
82	4193 WILADA DR	HARDAGE PATRICK C & KRISTIE N
83	4187 WILADA DR	CRAVEN ROBERT P &
84	4255 W NORTHWEST HWY	CVS PHARMACY INC
85	4235 W NORTHWEST HWY	MIDWAY NORTHWEST HIGHWAY SHOPPING CENTER LLC
86	4205 ROSA CT	GATLIN GLEN & VIRGINA BRISON
87	4215 ROSA CT	SHIRLEY RICHARD H &
88	4219 ROSA CT	HAMMETT ERLENE LIVING TRUST

09/19/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4223 ROSA CT	MCCABE JAMES J & CHRISTINE
90	4227 ROSA CT	SHULTS GERALD A
91	4226 ROSA CT	THOMAS BARRY D & JILL L
92	4222 ROSA CT	KALINCHAKANDERSON BONNIE &
93	4218 ROSA CT	PINGREE BRUCE & LORRAINE
94	4214 ROSA CT	DANIELL ROBERT W &
95	4208 ROSA CT	WATSON ASHLEY HOLLWEG
96	4204 ROSA CT	CANTRELL CYNTHIA LYNN
97	4305 GLENLEIGH DR	HIEBER J PATRICK
98	4303 GLENLEIGH DR	BROWN PATRICIA J
99	4302 GLENLEIGH DR	HENKEL KATHRYN G
100	4305 ENFIELD DR	HOLLWEG CHARLES L ETAL
101	4303 ENFIELD DR	MCNAMARA JAMES E
102	4302 ENFIELD DR	MCDOWELL REX W & ELLEN
103	4305 MARGATE DR	WEILERT THOMAS H &
104	4303 MARGATE DR	MEYRAT RICHARD B & HELINDA MCCLENDON
105	4302 MARGATE DR	YOUNG JAMES F & CAROLE S
106	4393 W NORTHWEST HWY	THOMPSON LARRY J &
107	4383 W NORTHWEST HWY	PRATT HERBERT
108	4373 W NORTHWEST HWY	SCHNECK ALAN WESLEY & BOBBIE JO
109	4363 W NORTHWEST HWY	WARD JOHN & HEDDY B
110	4300 W NORTHWEST HWY	BRITTON WOODS HOMEOWNERS ASSN INC
111	9 BRETTON WOODS WAY	JONES J & P
112	11 BRETTON WOODS WAY	PICHANICK KIM
113	13 BRETTON WOODS WAY	BODDEN VERNIE & NELLIE JOINT ASSET TRUST
114	1 BRETTON CREEK CT	DAVIS DAVID C &
115	3 BRETTON CREEK CT	STRONG JAMES M & LESLIE KAY
116	5 BRETTON CREEK CT	LOWE REX M
117	7 BRETTON CREEK CT	ALTEMORE J M III ASSET TRUST &
118	2 BRETTON CREEK CT	MD TEXAS HOLDINGS NOMINEE TR

FILE NUMBER: Z167-364(WE) **DATE FILED:** August 1, 2017
LOCATION: West line of Marsh Lane, north of Flair Drive
COUNCIL DISTRICT: 13 **MAPSCO:** 23-D
SIZE OF REQUEST: Approx. 4.467 acres **CENSUS TRACT:** 96.07

APPLICANT: Dallas Daycare Academy, LLC

OWNER: Holy Cross Lutheran Church of Dallas

REPRESENTATIVE: Robert Reeves
Robert Reeves & Associates, Inc.

REQUEST: An application for a Specific Use Permit for a child-care facility on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District.

SUMMARY: The purpose of the request is to allow for a child-care facility [Dallas Daycare Academy, LLC] to operate within an existing church facility. The applicant will provide care to children from newborn to six years of age, and will operate the child-care facility Monday through Friday, between the hours of 6:00 a.m. to 7:00 p.m.

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

BACKGROUND INFORMATION:

- The request site is developed with an existing 8,327-square foot church.
- The applicant proposes to use approximately 11 classrooms within the church to provide care to children from newborn to six years of age. The applicant will operate the child-care facility between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday.
- The surrounding land uses consist of single family uses.

Zoning History: There has not been any zoning changes requested in the area during the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Marsh Lane	Principal Arterial	100 ft.	100 ft.

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

Land Use:

	Zoning	Land Use
Site	R-10(A), R-16(A)	Single family
North	R-10(A), R-16(A)	Single family
South	R-10(A), R-16(A)	Single family
East	R-16(A)	Single family
West	R-16(A)	Single family

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

LAND USE

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

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

STAFF ANALYSIS:

Land Use Compatibility: The 4.467-acre site is developed with a church and surrounded by single family uses. The applicant proposes to use 11 classrooms in an existing church for a child-care facility. The applicant is proposing to operate the child-care facility between the hours of 6:00 a.m. to 7:00 p.m., Monday through Friday. The request site has two driveway approaches from Marsh Lane to access the site. The applicant will use the existing playground equipment that is located within a secured area on the church property. The rear of the property is secured with a six-foot perimeter fence.

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

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-10(A) - existing Single Family	30'	6'	1 Dwelling Unit/ 10,000 sq. ft.	30'	45%		Single family
R-16(A) - proposed Single Family	35'	10'	1 Dwelling Unit/ 16,000 sq. ft.	30'	40%		Single family

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. However, due to the site not increasing any impervious surface or floor area, landscaping the site is not required.

Parking: The Dallas Development Code requires that the off-street parking for a child-care facility may be established in the ordinance granting the SUP, otherwise one space per 500 square feet of floor area.

In addition, there is a provision in the Development Code under Special Parking that states “institutional and community service uses may share parking in residential districts on the same lot where both uses are located.” The applicant has submitted a parking analysis that demonstrates that the church and child-care facility have a sufficient amount of off-street parking to serve both uses.

Z167-364(WE)

Below is the parking analysis for the proposed use:

Church:

576 feet of linear feet of pews

576 ft./1.5 ft. per seat = 384 seats in the sanctuary

384 seats/4 seats per parking space = 96 spaces required on the church

Child-care facility:

Classrooms, Kitchen, etc. - 8,638 square ft.

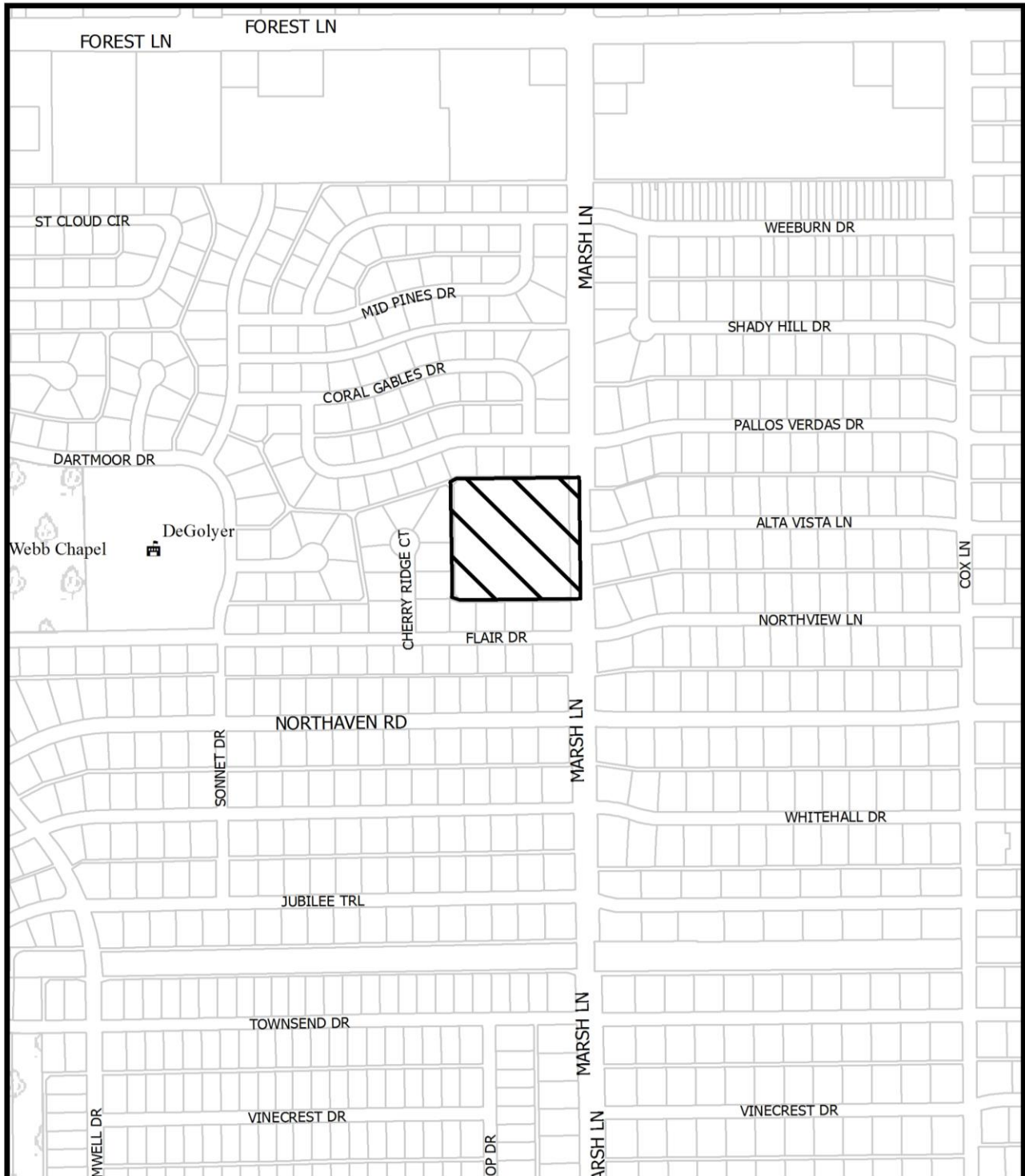
8,638 sq. ft. /500 sq. ft. = 17 spaces

Total required off-street parking for both uses: 113 spaces

Total number of spaces provided: 154 spaces

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a child-care facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (five-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
4. FLOOR AREA: The maximum floor area is 8,638 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The child-care facility may only operate between 6:00 a.m. and 7:00 p.m., Monday through Friday.
6. OFF-STREET PARKING: One off-street parking space per 500 square feet of floor area is required. A minimum of 17 off-street parking spaces are required in the location shown on the attached site plan.
7. INGRESS AND EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.
8. OUTDOOR PLAY AREA: The outdoor play area must be located as shown on the attached site plan and enclosed by a minimum six-foot high fence as shown on the attached site plan.
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulation, and with all ordinances, rules, and regulations of the City of Dallas.

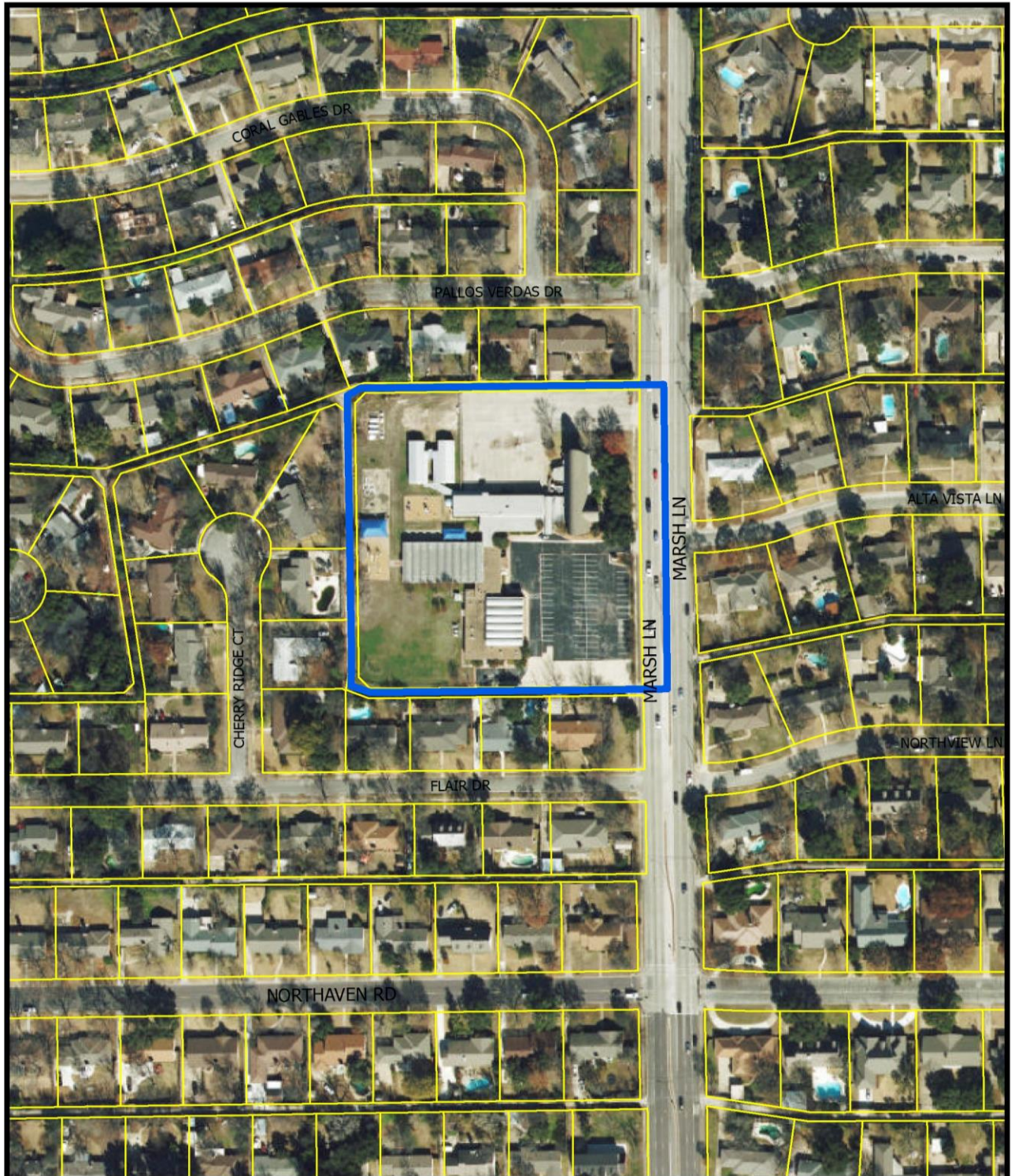


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VICINITY MAP

Case no: Z167-364

Date: 9/19/2017

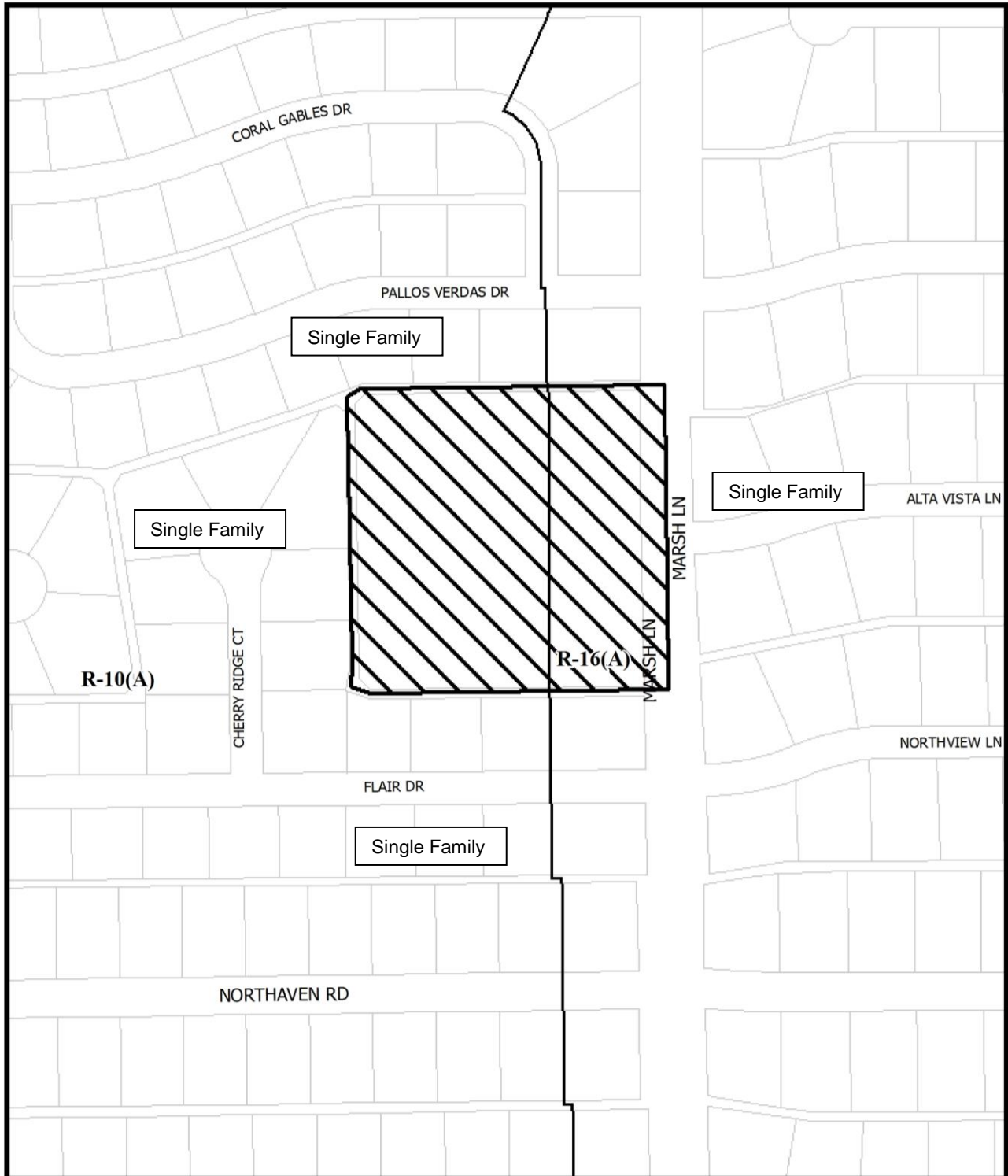


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AERIAL MAP

Case no: Z167-364

Date: 9/19/2017

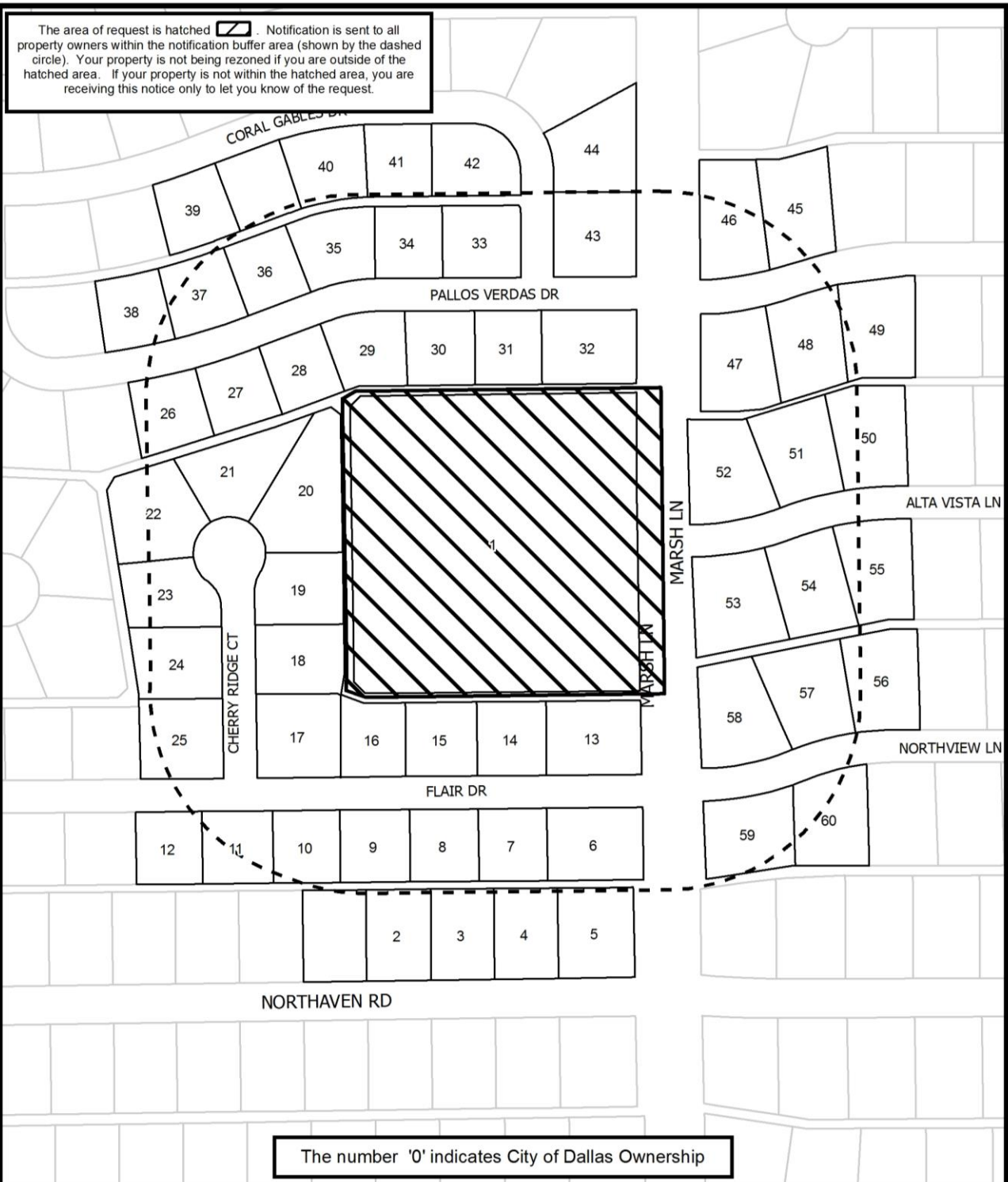


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ZONING AND LAND USE

Case no: Z167-364

Date: 9/19/2017



 1:2,400	<h2>NOTIFICATION</h2> <p> 300' AREA OF NOTIFICATION 60 NUMBER OF PROPERTY OWNERS NOTIFIED </p>	Case no: <u> Z167-364 </u> Date: <u> 9/19/2017 </u>
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Notification List of Property Owners

Z167-364

60 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11425 MARSH LN	HOLY CROSS LUTHERAN CH
2	3637 NORTHAVEN RD	DELEON JOHN MICHAEL
3	3647 NORTHAVEN RD	WHITE BETTY
4	3657 NORTHAVEN RD	DION ROSEMARY
5	3667 NORTHAVEN RD	LEEDS LYLE S ESTATE OF
6	3648 FLAIR DR	EMERY JAMES CHRISTOPHER &
7	3638 FLAIR DR	MORGAN PAMELA JANE
8	3630 FLAIR DR	PHILLIPS JOHN
9	3622 FLAIR DR	OVERSTREET F THOMAS &
10	3616 FLAIR DR	HARGROVE ADAM TILLER &
11	3608 FLAIR DR	WRIGHT TRAVIS & JENNIFER
12	3550 FLAIR DR	HOPKINS BECKY
13	3647 FLAIR DR	KIME KELLEY ANN
14	3637 FLAIR DR	BRIGHT DAN &
15	3629 FLAIR DR	DETOROK ZSOLT S
16	3621 FLAIR DR	TRUE ASHLEY A & TOBY J SMITH
17	11404 CHERRY RIDGE CT	CHRIST TERENCE W &
18	11414 CHERRY RIDGE CT	BROWN NETTIE TERRY
19	11420 CHERRY RIDGE CT	HENDERSON COREY M &
20	11424 CHERRY RIDGE CT	KRAHN KRIS L & SHARON
21	11430 CHERRY RIDGE CT	DOWNUM JANA &
22	11425 CHERRY RIDGE CT	GUERRERO JAIME RODRIGUEZ
23	11421 CHERRY RIDGE CT	MAHONEY SONIA & HOWARD
24	11415 CHERRY RIDGE CT	REAVES JUAN & PAULINA M
25	3551 FLAIR DR	LEVY ALFREDO E &
26	3640 PALLOS VERDAS DR	ALLEN MARK R & JENNIFER A

09/19/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3648 PALLOS VERDAS DR	DILORETO JAMES
28	3656 PALLOS VERDAS DR	COHEN ANN
29	3664 PALLOS VERDAS DR	STROUSE ALAN
30	3672 PALLOS VERDAS DR	BLOCH KAYLA
31	3680 PALLOS VERDAS DR	NOCE FRANK &
32	3688 PALLOS VERDAS DR	MCDONALD RICHARD R &
33	3675 PALLOS VERDAS DR	NOCE MICHAEL & RHONDA
34	3667 PALLOS VERDAS DR	NOCE FRANK
35	3663 PALLOS VERDAS DR	NOCE FRANK & LOUISE
36	3655 PALLOS VERDAS DR	SHAAF HESAM
37	3647 PALLOS VERDAS DR	DUBATO KEVIN M
38	3637 PALLOS VERDAS DR	RENFROW RANDELL L &
39	3624 CORAL GABLES DR	14C HOMES INC
40	3640 CORAL GABLES DR	CAGLE AARON &
41	3650 CORAL GABLES DR	WHITMIRE SANDRA R
42	3660 CORAL GABLES DR	SPARKS JAMES L JR
43	3683 CORAL GABLES DR	MARCH JOHN
44	3675 CORAL GABLES DR	BUTLER BOBBY
45	3715 PALLOS VERDAS DR	STANLEY JOE G &
46	3707 PALLOS VERDAS DR	ALAMAN GREGORY &
47	3706 PALLOS VERDAS DR	LIM ELIZA B &
48	3714 PALLOS VERDAS DR	MOORE JAMES F & REBECCA L
49	3720 PALLOS VERDAS DR	SAFIR SHAWN J & ERIKA
50	3721 ALTA VISTA LN	SHAW LOY R & CATHIE M
51	3715 ALTA VISTA LN	KEITH ANDREW M &
52	3707 ALTA VISTA LN	STEVENS CHADWICK R & STEPHANIE RIGG
53	3706 ALTA VISTA LN	HARRIS CARLA
54	3714 ALTA VISTA LN	HEMSTREET JOAN W
55	3720 ALTA VISTA LN	FRENCH DAN B & STACEY C
56	3723 NORTHVIEW LN	BABB DANIEL G &
57	3715 NORTHVIEW LN	SADLER CHARLES EDWARD

Z167-364(WE)

09/19/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3707 NORTHVIEW LN	OLIVARES MARISELA JOSEFINA
59	3708 NORTHVIEW LN	MOFFITT JEFFREY C
60	3714 NORTHVIEW LN	COLLEN SCOTT A &

FILE NUMBER: Z167-366(WE) **DATE FILED:** August 4, 2017

LOCATION: South side of Great Trinity Forest Way, east of Longbranch Lane

COUNCIL DISTRICT: 8 **MAPSCO:** 58 X

SIZE OF REQUEST: Approx. 0.703 acres **CENSUS TRACT:** 116.01

APPLICANT: Ram Chhantyal, LLC

OWNER: George Reeves
Reeves Group, Ltd.

REPRESENTATIVE: Stephen Linosey

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

SUMMARY: The purpose of the request is to allow for the sale of alcoholic beverages for off-premise consumption in conjunction with the existing a general merchandise or food store [Loop 12 Mart].

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

BACKGROUND INFORMATION:

- The request site is developed within a multi-tenant, one-story, retail development and is located within a D-1 Liquor Control Overlay. In April 2016, the applicant received a certificate of occupancy from the Building Official for a general merchandise or food store 3,500 square feet or less.
- The general merchandise or food store 3,500 square feet or less is permitted by right in an RR Regional Retail District. The D-1 Liquor Control Overlay requires a Specific Use Permit to sell alcoholic beverages for off-premise consumption.
- The surrounding land uses consist of a variety of retail and personal service uses, and single family uses.

Zoning History: There have been three zoning changes requested in the area during the past five years. However, the zoning requests are not shown on the map.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Great Trinity Forest Way (Loop 12)		Variable width lane	Variable width lane

Land Use:

	Zoning	Land Use
Site	RR-D-1	General merchandise or food store, personal service, Retail
North	RR-D-1	Auto related use, General merchandise or food store
South	R-7.5(A)	Single Family
East	RR-D-1	Car wash
West	RR-D-1	Auto Related use, Personal service

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

STAFF ANALYSIS:

Land Use Compatibility: The 0.703-acre site is developed within a one story, 6,750 square foot multi-tenant retail development. The surrounding land uses consist of a variety of retail and personal service uses, and a single family uses. The applicant’s request for a Specific Use Permit will allow for the sale of alcoholic beverages in conjunction with a general merchandise of food store 3,500 or less. The maximum square footage of the general merchandise or food store is approximately 1,700 square feet.

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

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

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

Development Standards:

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

Landscaping: Landscaping of any development will be in accordance with Article X, as amended. However, due to the site not increasing any impervious surface or floor area, landscaping a portion of the site is not required.

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

Parking: The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area. Based on the 1,700 square feet of floor area, the number of required off-street parking spaces is 9 spaces and the applicant is providing 9 spaces.

Dallas Police Department: Staff has not received a police report indicating any offenses of the request site. Staff will notify the Commission of any offenses during the briefing session.

PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on_____, (two-year period from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
5. 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.

LIST OF OFFICERS

Rai Chhantyal, LLC

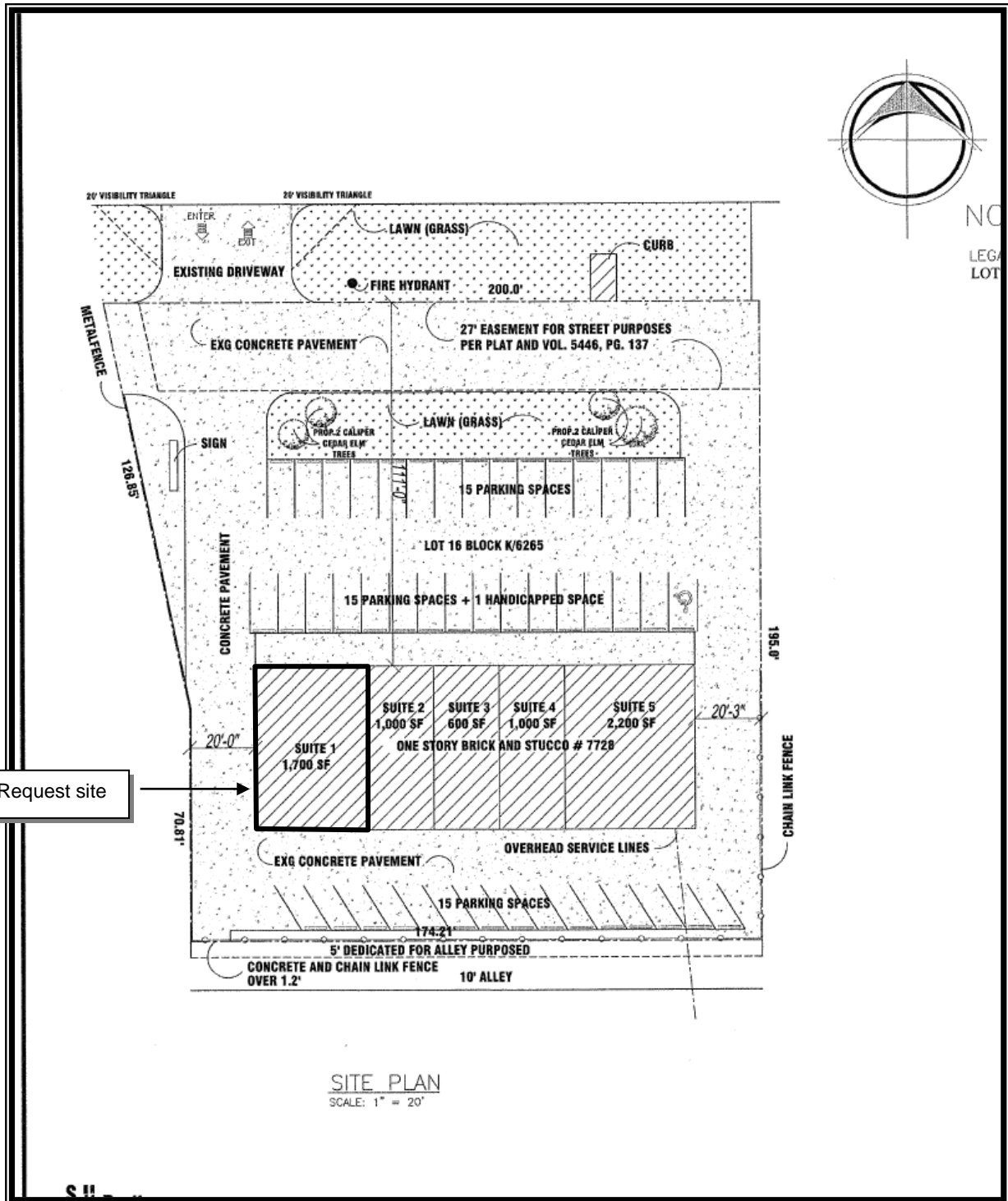
- Suman Rai, Manager
- Ram Chhantyal, Manager

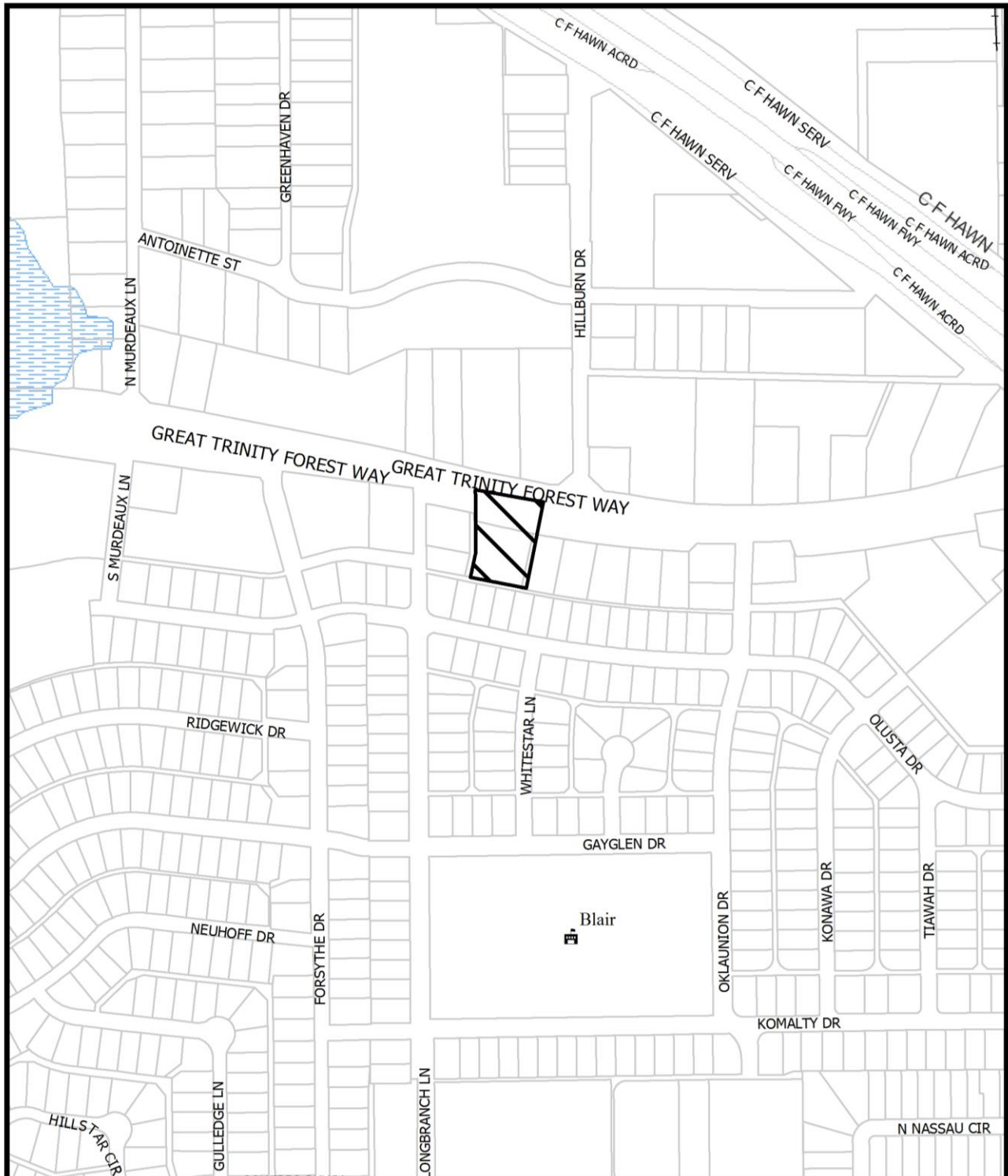
Reeves Group, Ltd.

GMR, Inc. General Partner

- George M. Reeves, President / Treasurer
- George M. Reeves III, Vice-President / Secretary

PROPOSED SITE PLAN





1:4,800

VICINITY MAP

Case no: **Z167-366**

Date: **9/19/2017**

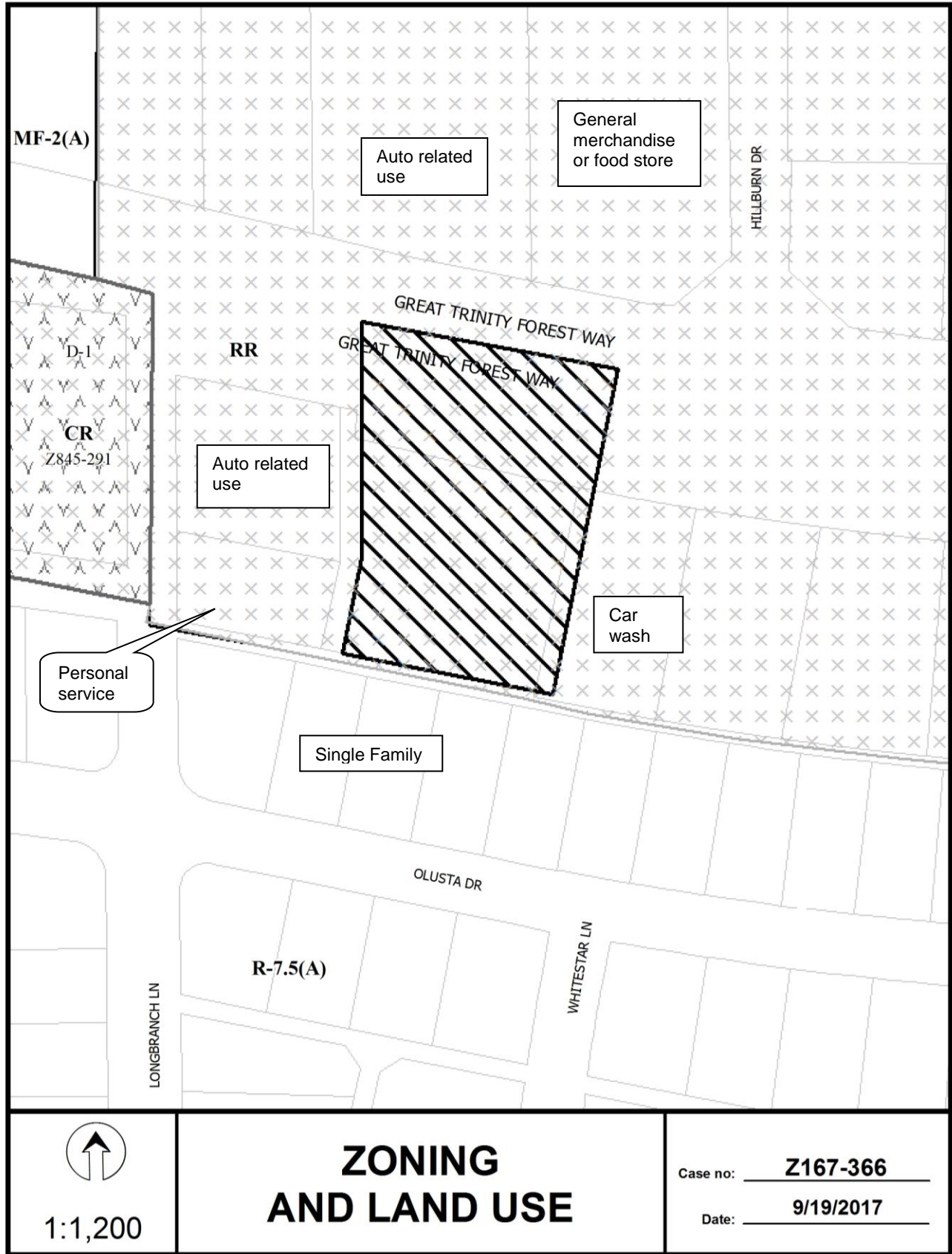


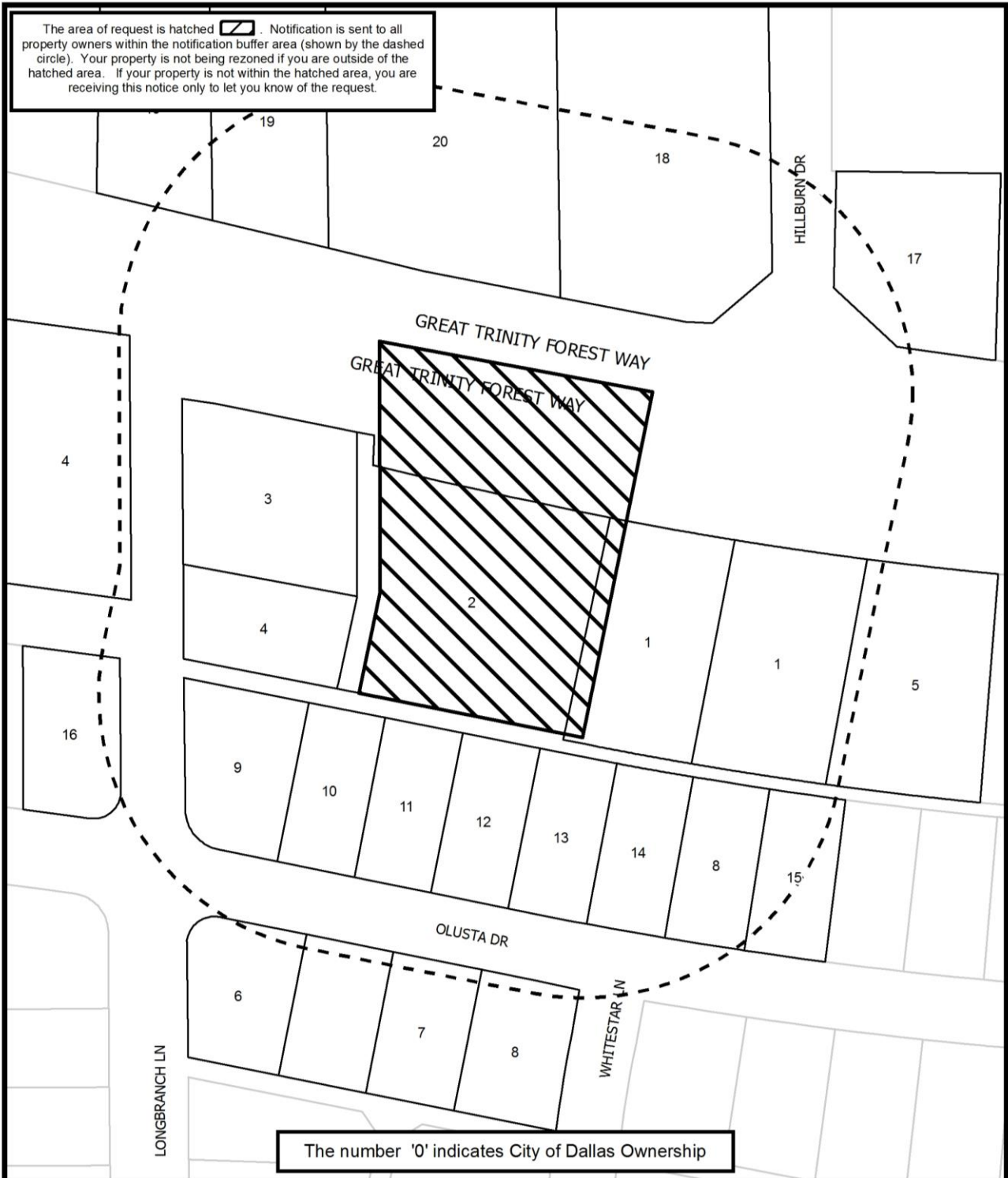
1:1,200

AERIAL MAP

Case no: Z167-366

Date: 9/19/2017





 1:1,200	<h2>NOTIFICATION</h2>	Case no: <u>Z167-366</u>			
	<table border="1" style="display: inline-table;"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">20</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	20	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
20	NUMBER OF PROPERTY OWNERS NOTIFIED				

Notification List of Property Owners

Z167-366

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7740 GREAT TRINITY FOREST WAY	PHILLIPS LEO &
2	7728 GREAT TRINITY FOREST WAY	REEVES GROUP LTD
3	7710 GREAT TRINITY FOREST WAY	R&H REALTY INC
4	7636 GREAT TRINITY FOREST WAY	REEVES GROUP LTD
5	7810 GREAT TRINITY FOREST WAY	SCM COMMERCIAL PROPERTIES LLC
6	7706 OLUSTA DR	SHIELDS O B &
7	7718 OLUSTA DR	SIERRA ROBERT F
8	7724 OLUSTA DR	LENOVITZ J MARSHALL
9	7705 OLUSTA DR	CORTEZ ALEJANDRO &
10	7709 OLUSTA DR	GARCIA MARCELINO
11	7715 OLUSTA DR	HERNANDEZ LUIS MANUEL
12	7719 OLUSTA DR	MEDINA JOHN E &
13	7725 OLUSTA DR	FAGAN LEONARD SR
14	7729 OLUSTA DR	MEDINA JESSE
15	7809 OLUSTA DR	BARRIOS J CARMEN
16	7631 OLUSTA DR	DAVILA MARY ANN
17	7811 GREAT TRINITY FOREST WAY	SHORT DAN & GERALDINE
18	7771 GREAT TRINITY FOREST WAY	4GILL INVESTMENTS LLC
19	7741 GREAT TRINITY FOREST WAY	US PHYSICIAN RESOURCES
20	7767 GREAT TRINITY FOREST WAY	LPP & A WESTERN LAND RESOURCES

FILE NUMBER: Z145-310(DL)

DATE FILED: February 25, 2015

LOCATION: Generally bounded by a Texas Utility Easement on the northeast, Cedar Crest Boulevard on the east, both sides of East 11th Street on the south, Corinth Street on the west, and a DART right-of-way on the northwest.

COUNCIL DISTRICT: 4

MAPSCO: 55B, 55C, 55D, 55F, 55G,
and 55H

SIZE OF REQUEST: Approx. 128 acres

CENSUS TRACT: 89.00

REQUEST: A City Council authorized hearing to determine proper zoning on property zoned an IR Industrial Research District, a CS Commercial Service District, a P(A) Parking District, an R-5(A) Single Family District, a CR Community Retail District, and an RR Regional Retail District with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations.

SUMMARY: The purpose of this authorized hearing is to provide for the development of appropriate retail uses (located adjacent to single family), office, commercial and multifamily residential uses in combination on single or contiguous building sites; to protect and maintain the existing single family neighborhood; to promote pedestrian activity; and to provide guidelines to ensure compatible new development and renovation.

STAFF RECOMMENDATION: **Approval** of a Planned Development District on the north side of East 11th Street, between Cedar Crest Boulevard and Corinth Street and the south side of East 11th Street, between Avenue B and Corinth Street, subject to conditions; **approval** of an NS(A) Neighborhood Service District, an R-5(A) Single Family District, a TH-1(A) Townhouse District, and a CR Community Retail District; and **no change** to the P(A) Parking District and the R-5(A) Single Family District on the south side of East 11th Street, between Avenue F and Dubois Avenue.

PRIOR ACTION: On September 7, 2017, the City Plan Commission held this case under advisement to September 28, 2017 to allow staff to review multifamily uses in subdistricts.

On September 28, 2017, the City Plan Commission held this case under advisement to October 5, 2017.

BACKGROUND INFORMATION:

- On February 25, 2015, City Council authorized a public hearing to determine proper zoning on the area of request. Concern had been expressed about the intensity of the development allowed by the current zoning which is mainly IR Industrial Research District and the proximity to single family development and Moore Park.
- In September 2015, the Office of Environmental Quality (OEQ) was requested by the City Manager's Office to consider a Municipal Setting Designation (MSD) for the 11th Street Corridor. An MSD is a City ordinance which restricts the use of groundwater beneath a property for potable use if the property has groundwater contamination in excess of drinking water standards. The designation (if necessary) provides a less expensive and faster alternative to the existing State environmental regulations regarding the investigation and cleanup of contaminated by certifying that designated groundwater at the property is not used as potable water and is prohibited from future use as potable water. The first phase is environmental due diligence including subsurface soil and groundwater testing to determine if an MSD is appropriate for the area.
- On March 24, 2016, the City held a neighborhood meeting to gather input from community members on the possibility of rezoning properties located in the authorized area. Approximately, 30 people attended.
- On April, 2016, the Steering Committee was appointed by the City Council Member.
- Between May 16, 2016, and March 2, 2017, Sustainable Development and Construction staff met with Steering Committee members during nine meetings to discuss proposed zoning district changes for the area.
- On May, 2016, OEQ oversaw the environmental screening and limited subsurface testing activities. The environmental screening and limited subsurface investigations were completed in May 2016. Subsurface investigation and sampling points were located to address concerns discovered during the environmental screening phase and determined no new chemical impacts in groundwater were found.
- In June, 2016, after discussion with the City Manager's Office and the City Council Member, it was determined MSD project activities would cease and an MSD ordinance for the 11th Street corridor will not be pursued further.
- On March 2, 2017, as part of the City Plan Commission Bus Tour, the City Plan Commission toured the authorized hearing area.
- On April 20, 2017, the Sustainable Development and Construction staff held a neighborhood meeting to review the proposed zoning changes with the

community. Notices for the meeting were sent to all property owners within the authorized area. The meeting was attended by 25 people.

- On September 7, 2017, the City Plan Commission held this case under advisement to allow staff to review multifamily uses in subdistricts.
- On September 18, 2017, staff held a meeting with the Steering Committee.
- On September 28, 2017, the City Plan Commission held this case under advisement to October 5, 2017.

Zoning History:

- 1. Z167-197** On May 10, 2017, City Council approved an application to rezone a property at 308 Bonnie View from R-5(A) to MF-1(A).
- 2. Z167-291** On May 3, 2017 a zoning change was filed to rezone a property located at 310 Avenue L from D(A) to CR. The case is on hold, pending the disposition of the authorized hearing.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
East 11 th Street	Community Collector	60 ft.
East 8 th Street	Local	Unknown
Corinth Street	Principal Arterial	100 ft.
Cedar Crest Boulevard	Principal Arterial	100 ft.

Surrounding Land Use:

	Existing Zoning	Land Use
Site	IR, CR, CS, P(A), RR, and R-5(A)	Undeveloped, Vacant, Industrial, Auto Related, Retail, Church, Park, and Single family
North	IR, IM & PD No. 383	Industrial, Flood Plain, and DART station and R-O-W
South	R-5(A)	Single family
East	RR and PD No. 812	Undeveloped, Multi-family, Commercial
West	IM, CR	Industrial, Park, Warehouse

Comprehensive Plan:

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

The proposed Special Purpose District and additional straight zoning district changes support the following goals and policies in the *forwardDallas! Comprehensive Plan*.

Economic Element

Goal 2.1: Engage in strategic economic development

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

Implementation Measure 2.2.1.2: Develop and implement design guidelines and land use regulations that foster appropriate growth and development in key Trinity River Corridor Areas.

Implementation Measure 2.2.1.4: Support new residential and commercial developments that strengthen connections between the Trinity River Corridor and Downtown and the surrounding urban core neighborhoods.

The proposed PD supports this goal and policy in that the subdistricts foster appropriate land uses, development types, and development scales in the plan area, which is located in the Trinity River Corridor.

Policy 2.2.2: Maximize development opportunities around DART stations.

Policy 2.2.2.1: Work with DART to develop mixed-use zoning districts to maximize transit oriented development at the most appropriate locations within one-quarter to one-half mile of DART stations.

Goal 2.5: Foster a city of great neighborhoods

Policy 2.5.1: Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

Implementation Measure 2.5.1.1: Ensure neighborhoods have access to high-quality public amenities and services such as parks, schools and libraries.

Implementation Measure 2.5.1.2: Support efforts to maintain distinctive identities of existing neighborhoods and ensure high-quality development of new neighborhoods.

Environment Element

Goal 6.1 Protect Dallas Water Quality and Watersheds

Policy 6.1.1: Develop and implement storm water management practices

Implementation Measure 6.1.1.7: Consider shared parking and other parking reduction strategies to minimize unnecessary paved areas.

Goal 6.5: Provide access to parks, open spaces, and recreational opportunities

Policy 6.5.2 Implement the citywide trails master plan.

Implementation Measure 6.5.2.3: Inventory unimproved public rights-of-way citywide and identify areas that could be used for trails and/or public facilities.

Implementation Measure 6.5.2.4: Inventory existing trails and public access along the Trinity River Corridor and identify opportunities to link existing trails through new connections or by establishing new trails.

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

Policy 1.1.1: Implement the Trinity River Corridor Plan.

Policy 1.1.2: Focus on Southern Sector development opportunities.

Implementation Measure 1.1.2.1: Initiate Area Plans to evaluate land use opportunities for appropriate and compatible development and to coordinate public investment and land use regulations with development activity. Include area stakeholders in the development of Area Plans.

Policy 1.1.4: Capitalize on transit oriented development opportunities.

Implementation Measure 1.1.4.1: Maximize development opportunities around DART stations.

Implementation Measure 1.1.4.4: Use land use regulations to define the appropriate mix and density of uses and appropriate transitions to adjacent areas. The range of regulatory measures should reflect the need for various scale and densities in transit centers.

Policy 1.1.5: Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Transportation Element

Goal 4.2 Promote a variety of transportation options.

Policy 4.2.2: Promote a network of on-street and off-street walking and biking paths.

Implementation Measure 4.2.2.6: Create new zoning districts and amend existing districts to encourage new projects to provide enhanced pedestrian and bike amenities such as wider sidewalks, trees, pedestrian lighting, safe bike routes and bike racks.

Urban Design Element

Goal 5.1 Promote a sense of place, safety and walkability

Policy 5.1.1: Promote pedestrian-friendly streetscapes.

Implementation Measure 5.1.1.1: Amend the Dallas zoning and plat regulations to establish pedestrian and transit oriented districts with urban design standards for walkability that encourage enhanced pedestrian amenities. These standards need to accommodate automobile dependent activities such as trash pickup and deliveries.

Implementation Measure 5.1.1.3: Apply urban design tools in pedestrian or transit oriented districts when approving zoning cases and when developing Area Plans.

Land Use Plans:

Trinity River Corridor Comprehensive Land Use Plan

The Trinity River Corridor Comprehensive Land Use Plan (Plan) was adopted on March 9, 2005 and revised on December 9, 2009. The Plan is a tool for individuals and organizations that make decisions affecting the Trinity River Corridor by establishing the general principles that will direct preparation of detailed plans for smaller parts of this large area. The plan provides guidance about the appropriate land uses and development patterns for the corridor.

Study Area #10: Skyline Heights

A substantial portion of the authorized area is located within the Skyline Heights study area (Area #10). The Land Use Opportunity Plan for the Skyline Heights study area supports the retention and enhancement of the Skyline Heights neighborhood. Additionally, the plan depicts two types of development. South of East 11th Street, the plan uses the Residential Neighborhood Infill designation to reflect and retain the existing neighborhood. The plan envisions retail and commercial uses along Cedar

Crest Boulevard and residential/multi-family at the intersection of East 11th Street and Corinth.

The proposed planned development district is consistent with these goals as no changes are proposed to the existing R-5(A) Single Family District (located south of East 11th Street). In fact, one of the goals of PD is to create opportunities for low scale retail development north of East 11th Street that provides services for these single family areas. Additionally, the PD proposes mixed uses and larger scale developments at the intersections of East 11th Street and Corinth Street and at East 11th Street and Cedar Crest Boulevard, which is also consistent with the vision of the plan.

Urban Design Principles

The Trinity River Corridor Comprehensive Land Use Plan also provides guidance on appropriate urban design (i.e., the location, mass and form of buildings, paved surfaces, landscaping and other urban features). Some urban design concerns are: protecting key view corridors so new development does not block important vistas of the Dallas Skyline, the Trinity River and landmarks such as signature bridges; avoiding a “wall of buildings” that limits views along the river greenbelt edge; and establishing riverfront development patterns that encourage new investment and redevelopment while protecting views from properties located further from the river’s edge.

The proposed planned development district is consistent with these goals as maximum structure heights and stories are limited in varying degrees throughout the PD, with taller maximum structure heights being allowed toward Corinth Street and Cedar Crest Boulevard. Additionally, urban form setbacks are proposed in some subdistricts to prevent a wall of buildings.

Leveraging and Improving Neighborhood Connections (LINC Dallas)

In June, 2012, the City Design Studio held charrettes with stakeholders in six focus areas as part of a larger community-based urban design initiative, called “Leveraging and Improving Neighborhood Connections” or LINC. The area of request is located in the Cedar Creek focus area (Area E), however, due to a lack of interest at that time, the City did not move forward on any effort to create or adopt an area plan for the Cedar Creek area.

Nevertheless, some of the objectives from the June 2012 LINC charrette for Area E are furthered by the proposed Special Purpose District. These include the following:

- Recreating 11th Street as a walkable mixed-use retail and residential street;
- Capitalizing on views from Cedar Crest Boulevard and 11th Street with new mixed use development;
- Providing walkable green connections from Skyline Heights across 11th Street to Moore Park and the Great Trinity Forest; and
- Developing retail spaces to attract quality retailers, including healthy grocers.

Additionally, the discussions allowed the community to note the opportunities as well as some of the challenges in the area. Some of the opportunities pointed out by residents,

stakeholders, and business owners during the discussions that are applicable to the authorized area include:

- Views of downtown;
- Small scale development opportunities;
- Mixed use development opportunity near the DART station;
- Opportunity for improved park connections;
- Potential for an anchor development opportunity near Cedar Crest Boulevard; and
- The potential for retail/service uses along East 11th Street.

Some of the challenges pointed out by residents, stakeholders, and business owners during the discussions that are applicable to the authorized area include:

- Poor sidewalks and lack of sidewalks along East 11th and East 8th Streets;
- The type of land uses along the north side of East 11th Street; and
- Drug activity in the Skyline Heights neighborhood

STAFF ANALYSIS:

General overview:

Development in the area is made more complicated by the flood plain designation which covers the majority of the authorized area. To build in a flood plain requires approval of a fill permit under Section 51A-4.505 of the Dallas Development Code in addition to other approvals (e.g., building permits). However, given the continuing improvements to building technologies and the ongoing discussion about levee extensions, it is in the best interest of the community and the city as a whole to plan for the future development of the area.

Currently, the area of request is predominately an Industrial Research District. Additional areas are zoned a CS Commercial Service District, an RR Regional Retail District, and a CR Community Retail District. Of particular concern is the location of a CS Commercial Service and IR Industrial Research Districts and the allowed uses in proximity to single family areas zoned an R-5(A) Single Family District and within the flood plain.

Overall, the objectives of the steering committee centered around restricting those uses that were not regarded as appropriate to be near single family residences (the Skyline Heights neighborhood is located on the south side of East 11th Street); lowering the overall maximum heights (especially across from single family) while allowing for taller maximum heights near Corinth Street and Cedar Crest Boulevard; and trying to encourage retail and personal service uses on the north side of East 11th Street.

The proposal includes the creation of a Planned Development District with six subdistricts and four areas of straight zoning district changes.

Subdistricts in the PD are intended to foster appropriate land uses and development types, including: providing for mixed-use areas within ¼ mile of the Corinth DART

station and at the intersections of East 11th Street and Corinth Street and East 11th and Cedar Crest Boulevard; maintaining the existing R-5(A) Single Family District (south of East 11th Street); providing view protections (in the form of building height limits); allowing for parking reductions for projects with proximity to light-rail stations (with the provision of pedestrian amenities, such as enhanced sidewalks and pedestrian street lamps); and creating opportunities for low scale, pedestrian friendly, developments across from the existing R-5(A) Single Family District. Currently, much of the area of request is lacking sidewalks. To address this, the PD proposes minimum streetscape and sidewalk standards. However, given the limited right-of-way, more weight was given to having a wider landscape buffer strip (five feet wide) and a standard sidewalk width (three feet wide). A wider landscape buffer strip will allow for a larger planting area for the required street trees.

PD Subdistrict 1:

Subdistrict 1 is generally located between the DART right-of-way on the north, East 11th street on the south, and 8th Street on the east, and Corinth Street on the west. The subdistrict also includes some parcels south of East 11th Street. The majority of Subdistrict 1 is currently zoned an IR Industrial Research District; however, portions adjacent to Corinth Street and the DART right-of-way are zoned an RR Regional Retail District and a CR Community Retail District.

Subdistrict 1, because it is within a ¼ mile of the 8th and Corinth DART station, is proposed to be a mixed-use district. Proposed regulations for Subdistrict 1 include some form-based standards, such as: a minimum required street frontage; a minimum parking setback; minimum and maximum building setbacks for main buildings; a maximum blank façade area; and restrictions on the location of ground story primary entrances. Together these standards are intended to ensure that new buildings help define the public space (such as, the sidewalk and the street). For instance, the minimum required street frontage will ensure that at least 70 percent of a main building's street façade is located within the area created by the minimum and maximum front yard setbacks. The maximum blank façade area will ensure that pedestrians are not faced with blank building facades and surfaces. Finally, the restriction on the location of ground story entrances will ensure that entrances to new buildings will face the street.

PD Subdistrict 2:

Subdistrict 2 includes Moore Park, portions of the Santa Fe Trestle Trail, and Texas Utility Easements. The entire subdistrict is located within a flood plain area. The proposal removes these areas from the current zoning of an IR Industrial Research District and places them in their own subdistrict with a more appropriate mix of main uses, accessory uses, and maximum heights.

PD Subdistrict 3:

Subdistrict 3 is located on both sides of Rockefeller Boulevard and the east side of East 8th Avenue. The area is currently zoned IR Industrial Research and CS Commercial

Service Districts and containing existing non-conforming single family uses along Rockefeller and a few auto related uses on 8th Avenue. Most of Subdistrict 3 is in the flood plain and as such no new single family uses will be allowed. Future development in this area should strengthen the existing residential neighborhoods (located south of East 11th Street) by providing a mix of low intensity uses to include neighborhood serving retail and personal services, office, and multifamily in a pedestrian friendly environment. Proposed regulations include form-based standards, such as: a minimum street frontage; a minimum parking setback (applies to all subdistricts); minimum and maximum building setbacks for main buildings; a maximum blank façade area; and restrictions on the location of ground story primary entrances.

PD Subdistrict 4 and 5:

Subdistrict 4 and Subdistrict 5 are located north of East 11th Street between Avenue J and Cedar Crest Boulevard, and south of Big Cedar Creek and the Texas Utility easement and are included as the area may be levee protected in the future. Currently, the majority of these subdistricts are located within a flood plain area. Subdistricts 4 and 5 are currently zoned an IR Industrial Research District. These subdistricts are also proposed to be mixed-use districts, however because of their location further from the 8th and Corinth DART station, they are treated more traditionally with respect to front yard setbacks.

PD Subdistrict 6:

After the Steering Committee meetings concluded and upon further evaluation, it was determined that an area along the north side of East 11th Street, between Bonnie View Road and Avenue J, originally intended to be in Subdistrict 3, should become its own subdistrict. This area, like Subdistrict 3, is currently zoned a CS Commercial Service District which allows higher intensity uses not generally intended to be located in areas of low and medium density residential development. Being located across East 11th street from Skyline Heights neighborhood, future development should strengthen the existing residential neighborhoods providing for a mix of uses predominantly neighborhood serving retail and personal services with the ability to live and work in a pedestrian friendly environment. To that end, the proposed regulations for this subdistrict would allow multifamily on a second story only while providing for community serving retail and service uses on the ground floor.

Proposed regulations include form-based standards, such as: a minimum street frontage; a minimum parking setback (applies to all subdistricts); minimum and maximum building setbacks for main buildings; a maximum blank façade area; and restrictions on the location of ground story primary entrances.

General Zoning Changes in the Authorized Area

The proposal includes four additional zoning district changes within the authorized area, but outside of the proposed PD. The first area of individual zoning district changes removes a CS Commercial Service District and an R-5(A) Single Family District (located south of East 11th Street on both sides of Bonnie View) The CS Commercial Service District is being replaced as it is adjacent to R-5(A) Single Family District and the

individual parcel zoned R-5(A) Single Family district is being replaced as it is immediately adjacent to MF-1(A). Both zoning districts are being replaced by an NS(A) Neighborhood Service District. The proposed NS(A) Neighborhood Service District is intended to accommodate convenience retail shopping, services and professional offices that serve and are compatible in scale and intensity with adjacent residential uses.

The next area of individual zoning district changes replaces a CS Commercial Service District with an R-5(A) Single Family District. CS Commercial Service Districts involve outside storage, service and display and are not intended to be located in areas of low density residential development. The R-5(A) Single Family District is intended to allow for single family development in the unlikely event the existing church sells the property.

The next area of individual zoning district changes involves an area south of East 11th Street and east of Dubois Avenue that is currently zoned a CR Community Retail District. This area is adjacent to an R-5(A) Single Family District (on the west across Dubois Avenue) and immediately north of a D(A) Duplex District and is proposed to be changed to a TH(A)-1 Townhouse Zoning to provide a transition to the adjacent commercial zoning districts along the south side of East 11th Street.

The last proposed individual zoning district change involves a parcel located south of East 11th Street at the intersection of Cedar Crest Boulevard. This area is currently zoned a CR Community Retail District and a CS Commercial Service District. The proposed change is to replace the CS Commercial Service District with a CR Community Retail District, thereby making the entire area a CR Community Retail District. Given the recent Cedar Crest Bridge gateway improvements (completed in 2015), removing the CS Commercial Service District (which allows outside storage, service and display) will allow for the development of visually compatible uses.

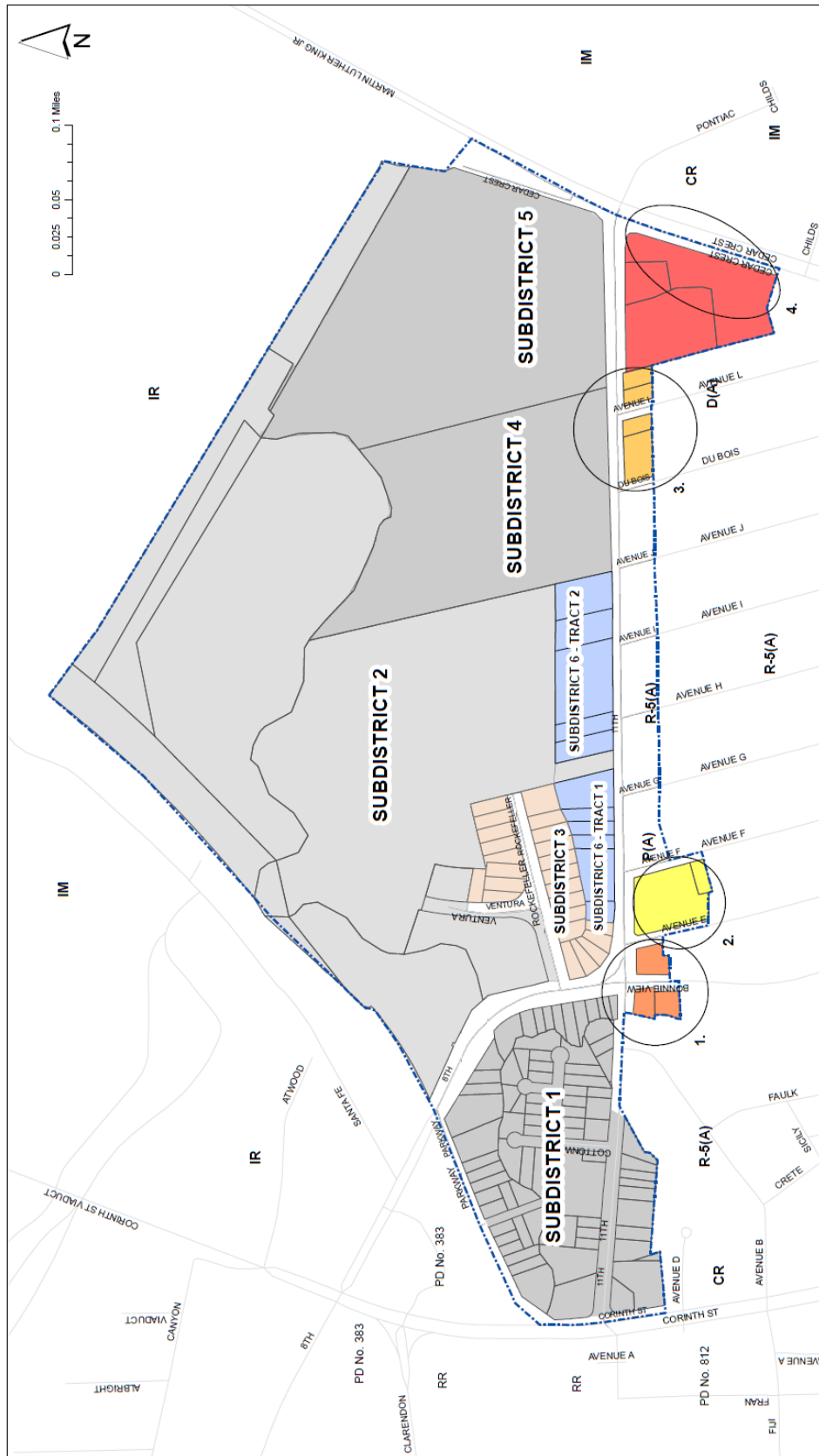
Moore Park

Moore Park is a 24.6 acre community park located along East 8th Street within the proposed PD's Subdistrict 2. Moore Park provides opportunities for active recreation, and serves as an access point to the Santa Fe Trestle Trail and the Trinity Skyline Trail. Community Parks are intended to serve users within a one to two mile radius; however, access to Moore Park is limited to entrances located off of East 8th Street and Rockefeller Boulevard. Additional pedestrian access is needed and desired by the community, especially for residents located south of East 11th Street.

Dallas' Park and Recreation Department could capitalize on the Moore Park spur that connects the park to the north side of East 11th Street (between Avenue G and Avenue H) to create an additional pedestrian entrance to the park.

A pedestrian entrance that connects Moore Park to East 11th Street could potentially include: a paved pedestrian walkway/pathway into the park; sidewalk along East Eleventh Street (as necessary); pedestrian lighting; bollards to prevent unauthorized vehicle access; and pedestrian seating.

Proposed Cedar Crest Planned Development Subdistricts and Proposed Straight Zoning District Changes



- KEY TO STRAIGHT ZONING CHANGES**
- 1. NS(A)
 - 2. R-5(A)
 - 3. TH-1(A)
 - 4. CR
- PROPOSED STRAIGHT ZONING CHANGES**
- 1. CS Commercial Service and R-5(A) to NS(A) Neighborhood Service
 - 2. CS Commercial Service to R-5(A) Single Family
 - 3. CR Community Retail to TH-1(A) Townhouse
 - 4. CS Commercial Service to CR Community Retail

- KEY TO STRAIGHT ZONING CHANGES**
- 1. NS(A)
 - 2. R-5(A)
 - 3. TH-1(A)
 - 4. CR

Authorized Boundary

Proposed PD Subdistricts are Labeled Subdistrict 1 - 6.
See PD for Proposed Subdistrict Regulations

“ARTICLE ____.

PD ____.

The Cedar Crest Special Purpose District.

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

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

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

PD ____ is established on property generally bounded by a Texas utility easement and the DART right-of-way on the on the northeast and northwest, East 11th Street on the south, Cedar Crest Boulevard on the east, and Corinth Street on the west. The size of PD _____ is approximately____ acres.

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

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

(1) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds, whether as an accessory use or a main use.

(2) BLANK FACADE AREA means the portion of the exterior of a building’s street facade that does not include windows or doors. Blank facade area is measured horizontally. For purposes of determining blank facade area: for corner lots with a frontage on 8th Street, 8th Street is the street facade and for corner lots with a frontage on Rockefeller Boulevard, Rockefeller Boulevard is the street facade.

(3) ENHANCED PAVEMENT means any permeable or non-permeable decorative pavement material intended for pedestrian or vehicular use. Examples of enhanced pavement include brick or stone pavers, grass pavers, exposed aggregate concrete, and stamped and stained concrete.

(4) ENHANCED SIDEWALKS are sidewalks made of enhanced pavement intended for pedestrian use and approved by the building official.

(5) ENHANCED PEDESTRIAN AMENITIES means improvements in an enhanced pedestrian amenities area that are intended to increase the attractiveness of the area and the comfort of pedestrians. These amenities may be provided by property owners to take advantage of reduced parking requirements.

(6) **ENHANCED PEDESTRIAN AMENITIES AREA** means the area located between the street facade of a building and the edge of the curb but not more than 30 feet from the curb. Enhanced pedestrian amenities may not be located within the three-foot unobstructed sidewalk width.

(7) **FLOOD CONTROL PUMP STATION** means a utility or governmental installation used specifically for storm water flood protection.

(8) **GROUND STORY AREA** means the area of a building located on the ground story in Subdistrict 3 that has a minimum depth of 25 feet measured inward from the street facade and extends a minimum of 50 percent of the length of the street facade. For purposes of determining required Ground Story Area: for corner lots with a frontage on 8th Street, 8th Street is the street facade and for corner lots with a frontage on Rockefeller Boulevard, Rockefeller Boulevard is the street facade.

(9) **MAJOR MODIFICATION** means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in floor area of an original building by 50 percent or more. With regard to streets and sidewalks, **MAJOR MODIFICATION** means reconstruction, alteration, or renovation that exceeds 50 percent of the surface area of that street or sidewalk segment located adjacent to a property.

(10) **MASSAGE ESTABLISHMENT** means a massage establishment as defined by Chapter 455 of the Texas Occupation Code, as amended.

(11) **NEW CONSTRUCTION** means construction of a main structure that did not exist as of the date of the establishment of this special purpose district. With regard to streets and sidewalks, **NEW CONSTRUCTION** means construction of a street or sidewalk that did not exist as of the date of the establishment of this planned development district.

(12) **STREET FACADE** means any facade that faces a lot line that abuts a public right-of-way along East 11th Street, East 8th Street, Avenue E, Rockefeller Blvd., or Ventura Drive as applicable. For corner lots with a frontage on 8th Street, 8th Street is the street facade and for corner lots with a frontage on Rockefeller Boulevard, Rockefeller Boulevard is the street facade.

(13) **STREET FRONTAGE** means that portion of the street facade of a building that must be located within the area between the minimum and the maximum front yard setback area, expressed as a percentage of total facade width.

(14) **UPPER STORY** means any story above the ground story.

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

(c) For purposes of interpreting Chapter 51A, this district is considered to be a non-residential zoning district.

(d) If there is a conflict, the text of this article controls over any charts, exhibits, graphic displays, or maps.

SEC. 51P- _____.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit ____A: district and subdistricts map.

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

(a) A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work that constitutes new construction or a major modification in this district. A development plan is not required to be approved by the city plan commission before the issuance of any building permit to authorize any work on a public park, playground, or golf course.

(b) At least 30 days prior to filing an application for a development plan, the applicant must provide a copy of the application and any plans to the Skyline Heights Neighborhood Association. A copy of the application and plans must be mailed certified mail to the Skyline Heights Neighborhood Association, C/O Greater Emmanuel Baptist Church, 2110 East 11th Street Dallas, TX 75203. The applicant must submit the certified mail receipt with the application for a development plan.

SEC. 51P- _____.106. CREATION OF SUBDISTRICTS.

PD ____ is divided into five subdistricts, as shown on Exhibit ____A.

SEC. 51P- _____.107. SUBDISTRICT REGULATIONS.

(a) Subdistricts 1, 4, and 5 (Mixed Use Districts).

(1) In general. Single or multiple uses may be developed on a site in subdistricts 1, 4, and 5; however, in order to encourage a mixture of uses and promote innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel, density bonuses and, in some instances, increases to the maximum structure height are awarded to developments that qualify as mixed use projects, as defined in Subsection (a)(2). If a development does not qualify as an MUP, it is limited to the base dwelling unit density, floor area ratio, and maximum structure height. When a development qualifies as an MUP, it earns a higher maximum dwelling unit density, floor area ratio and, in some instances, a greater maximum structure height. The exact increments of increase vary depending on the number and mix of use

categories and the subdistrict that the MUP is in. For more information regarding the exact increments of increase, consult the yard, lot, and space regulations in this section.

(2) Qualifying as a mixed use project. To qualify as a MIXED USE PROJECT (MUP) for purposes of this section, a development must contain uses in two or more of the following categories, and the combined floor areas of the uses in each category must equal or exceed the following percentages of the total floor area of the project:

USE CATEGORIES	
Use Category	% of Total Floor Area
Office	15 percent
Residential	15 percent
Retail and personal service	10 percent

(3) Phases. If an MUP is constructed in phases:

- (A) the first phase must independently qualify as an MUP under Subsection (2); and
- (B) each subsequent phase combined with all previous phases already completed or under construction must also qualify as an MUP under Subsection (2).

(4) Multiple building sites.

(A) An MUP may consist of two or more building sites if they are developed under an approved unified development plan. The plan must be:

- (1) signed by or on behalf of all of the owners of the properties involved;
- (2) approved by the building official; and
- (3) filed in the deed records of the county where the Property is located.

(B) When an MUP consists of multiple building sites, its development standards and off-street parking and loading requirements are calculated by treating the multiple building sites as one building site.

- (5) Main uses permitted. The following uses are the only main uses permitted.
- (A) Agricultural uses.
 - Crop production.
 - (B) Commercial and business service uses.
 - Catering service.
 - Custom business services.
 - Electronics service center.
 - Labor hall. *[SUP]*
 - Medical or scientific laboratory. *[SUP]*
 - (C) Institutional and community service uses.
 - Adult day care facility.
 - Child-care facility.
 - Church.
 - College, university or seminary.
 - Community service center. *[SUP]*
 - Convalescent and nursing homes, hospice care, and related institutions.
[RAR]
 - Hospital. *[SUP]*
 - Library, art gallery, or museum.
 - Open-enrollment charter school or private school. *[SUP]*
 - Public school other than an open-enrollment charter school. *[RAR]*
 - (D) Miscellaneous uses.
 - Attached non-premise sign. *[SUP]*
 - Carnival or circus (temporary). *[By special authorization of the building official.]*
 - Temporary construction or sales office.

(E) Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window. *[DIR]*
- Medical clinic or ambulatory surgical center.
- Office. *[Bail bond office use is prohibited.]*

(F) Recreation uses.

- Private recreation center, club, or area.

(G) Residential uses.

- Multifamily.
- Retirement housing.

(H) Retail and personal service uses.

- Animal shelter or clinic without outside runs. *[RAR]*
- Business school.
- Commercial amusement (outside). *[SUP]*
- Commercial parking lot or garage. *[RAR]*
- 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.
- General merchandise or food store 100,000 square feet or more. *[By*

SUP in subdistrict 4 and 5, only]

- Motor vehicle fuelling station. *[SUP]*
- Nursery, garden shop, or plant sales.
- Personal service uses. *[Massage establishments and Massage schools are prohibited]*
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR]*

- Temporary retail use.
- Theater. *[By SUP in subdistrict 4 and 5, only]*
- (I) Transportation uses.
 - Transit passenger shelter.
- (J) Utility and public service uses.
 - Commercial radio or television transmitting station.
 - Electrical substation.
 - Local utilities. *[SUP or RAR may be required. See Section [51A-4.212\(4\)](#).]*
 - Police or fire station.
 - Post office.
 - Pump Station. *[Operated by Trinity Watershed Management in Subdistrict 4 and Subdistrict 5, only]*
 - Radio, television, or microwave tower. *[SUP]*
 - Tower/antenna for cellular communication. *[See Section [51A-4.212\(10.1\)](#).]*
 - Utility or government installation other than listed. *[SUP]*
- (K) Wholesale, distribution, and storage uses.
 - Mini-warehouse. *[SUP]*
 - Recycling drop-off container. *[See Section [51A-4.213\(11.2\)](#).]*
 - Recycling drop-off for special occasion collection. *[See Section [51A-4.213\(11.3\)](#).]*

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

- (A) The following accessory use is not permitted:
 - Private stable.
- (B) The following accessory use is permitted by SUP only:

-- Accessory helistop.

(C) An SUP may be required for the following accessory use:

-- Accessory medical/infectious waste incinerator. [See Section

[51A-4.217\(3.1\).](#)]

(7) Form-based Standards in Subdistrict 1:

(A) Primary entrances for a ground story area use. For new construction or major modifications, main uses located in the ground story area of a building must have their primary entrances facing the lot line that abuts the adjacent public right-of-way (East 11th Street, East 8th Street, or Avenue E, as applicable). For purposes of this paragraph, facing means parallel to, or within 45 degrees of being parallel to, the lot line that abuts the adjacent public right-of-way. This paragraph does not apply to structures that assist in the growing of vegetation and food crops for crop production but does apply to structures used for the on-site sale of vegetation or food crops produced.

(B) Blank facade area. For new construction or major modifications, the maximum length of blank facade area allowed on the street facade of any building is 20 linear feet. This paragraph does not apply to structures that assist in the growing of vegetation and food crops for crop production but does apply to structures used for the on-site sale of vegetation or food crops produced.

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

(A) Front yard.

(i) Subdistrict 1.

(aa) Minimum front yard. Minimum front yard setback is 5 feet.

(bb) Maximum front yard. Except as provided in this romanette , maximum front yard setback is 10 feet.

(cc) Urban form setback. An additional front yard setback of one foot for each two feet in height above 50 feet is required for that portion of a structure above 50 feet in height, up to a total setback of 15 feet.

(dd) Required Street Frontage. A minimum of 70 percent of the street facade of a main building must be located within the minimum front yard setback and the maximum front yard setback.

(ii) Subdistricts 4 and Subdistrict 5. Minimum front yard is 15 feet.

(B) Side yard.

(i) Except as provided in this subparagraph, no minimum side yard. If a side yard is provided, it must be a minimum 5 feet.

(ii) Subdistrict 1 and Subdistrict 5. In Subdistricts 1 and Subdistrict 5, an additional side yard setback of one foot for each two feet in height above 50 feet is required for that portion of a structure above 50 feet in height, up to a total setback of 15 feet.

(C) Rear yard.

(i) No minimum rear yard.

(9) Dwelling unit density. Maximum dwelling unit density is as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)		
Base (No MUP)	MUP with Mix of 2 Categories	MUP with Mix of 3 Categories
15	20	25

(10) Floor area ratio.

(A) Floor area ratio. Maximum floor area ratio (FAR) varies according to the following chart depending on whether the development is a mixed use project :

[Note: Column I is the base FAR, which applies when there is no MUP. Column II (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is “residential.” Column III (MUP=2/with Res) is the FAR for an MUP with a mix of “residential” plus one other use category. Column IV (MUP=3/with Res) is the FAR for an MUP with a mix of “residential” plus two other use categories.]

	I	II	III	IV
Use Categories	Base (no MUP)	MUP=2 (no Res)	MUP=2 (with Res) Res + 1	MUP=3 (with Res) Res + 2
Office	0.8	0.85	0.9	0.95
Residential	0.8	---	0.95	0.95
Retail and personal	0.4	0.5	0.5	0.6
TOTAL	0.8	0.9	1.0	1.1

(B) The maximum floor area ratio for projects not involving office, residential, and retail and personal service uses is 0.75 for all uses combined.

(11) Height.

(A) Maximum height.

(i) Subdistrict 1 and Subdistrict 5. Unless further restricted under Paragraph (B), the maximum structure height is as follows:

MAXIMUM STRUCTURE HEIGHT SUBDISTRICT 1 AND SUBDISTRICT 5		
Base (No MUP)	MUP with Mix (No Retail)	MUP (with Retail)
30 FT	50 FT	80 FT

(ii) Subdistrict 4. Unless further restricted under Paragraph (B), the maximum structure height is 45 feet.

(B) 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: the following structures may project a maximum of 12 feet above the slope or a maximum of 12 feet above the maximum structure height, whichever is less:

- (i) Elevator penthouse or bulkhead.
- (ii) Mechanical equipment room.
- (iii) Cooling tower.

- (iv) Tank designed to hold liquids.
- (v) Ornamental cupola or dome.
- (vi) Skylights.
- (vii) Clerestory.
- (viii) Visual screen which surround roof mounted mechanical equipment.
- (ix) Chimneys and vent stacks.
- (x) Parapet wall, limited to a height of four feet.

(C) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section [51A-4.412](#).) For purposes of this paragraph, OPENING means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(12) 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.

(13) Lot size. No minimum lot size.

(14) Stories.

(A) Except as provided in this paragraph, maximum number of stories above grade is:

- (i) two when the maximum structure height is 30 feet.
- (ii) three when the maximum structure height is 45 feet.
- (iii) three and one-half when the maximum structure height is 50 feet.
- (iv) five when the maximum structure height is 80 feet.

(B) No maximum number of stories for parking structures. However, parking structures must comply with the height regulations.

(15) Blank facade area in Subdistrict 1. The maximum length of blank facade area allowed on the ground story of a street facade is 20 linear feet.

(b) Subdistrict 2 (Moore Park).

(1) Main uses permitted. The following uses are the only main uses permitted in Subdistrict 2:

(A) Agricultural uses.

--Crop production. *[A dwelling unit is not permitted.]*

(B) Utility and Public Service Uses.

--Local utilities. *[SUP or RAR may be required. See Section [51A-4.212\(4\)](#).]*

--Utility or government installation other than listed. *[SUP]*

--Pump Station. *[Operated by Trinity Watershed Management]*

(C) Recreation Uses.

--Public park, playground, or golf course. *[See Section 51A-4.208(3)]*

(2) Accessory uses.

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

(B) The following accessory uses are not permitted:

--Accessory community center (private).

--Accessory pathological waste incinerator.

--Accessory medical/ infectious waste incinerator.

--Accessory helistop.

--Accessory outside display of merchandise.

--Amateur communication tower.

--Day home.

--Home occupation.

--Private stable.

(3) 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 in Division 51A-4.400. If there is a conflict between this paragraph and Division 51A-4.400, this paragraph controls.

(A) Front yard. Minimum front yard is 15 feet.

- (B) Side and rear yard. No minimum side and rear yard.
- (C) Floor area ratio. No maximum floor area.
- (D) Height. Maximum structure height is 45 feet. Maximum structure height does not apply to athletic field lights or driving range netting used for a Public park, playground, or golf course.
- (E) Lot coverage. Maximum lot coverage is 45 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (F) Lot size. No minimum lot size.
- (G) Stories. Maximum number of stories above grade is three.

(c) Subdistrict 3 and Subdistrict 6.

(1) Permitted ground story area uses. The following are the only main uses permitted in the ground story area:

- (A) Agricultural uses.
None permitted.
- (B) Commercial and business service uses.
None permitted.
- (C) Institutional and community service uses.
None permitted.
- (D) Miscellaneous uses.
None permitted.
- (E) Office uses.
 - Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office. [*Bail bond office use is prohibited.*]
- (F) Recreation uses.
 - Public park, playground, or golf course.

(X) Residential.

--Multifamily [*Subdistrict 3 only*]

(G) Retail and personal service uses.

--Ambulance service. [*RAR*]

--Animal shelter or clinic without outside runs. [*RAR*]

--Animal shelter or clinic with outside runs. [*SUP may be required.*]

See Section [51A-4.210\(b\)\(2\).](#)]

--Business school.

--Car wash. [*RAR*]

--Convenience store with drive-through. [*SUP*]

--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. [*RAR*]

--Household equipment and appliance repair.

--Nursery, garden shop, or plant sales.

--Outside sales. [*SUP*]

--Personal service uses. [*Massage establishments and Massage schools are prohibited*]

--Restaurant without drive-in or drive-through service. [*RAR*]

--Restaurant with drive-in or drive-through service. [*SUP*]

--Swap or buy shop. [*SUP*]

--Taxidermist.

--Temporary retail use.

--Theater.

(H) Transportation uses.

None permitted.

(I) Utility and public service uses.

--Local utilities. *[SUP or RAR may be required. See Section [51A-4.212\(4\)](#).]*

--Police or fire station.

--Post office.

--Utility or government installation other than listed. *[SUP]*

(J) Wholesale, distribution, and storage uses.

None permitted.

(2) The following uses are the only main uses permitted in any portion of a building or structure outside of the ground story area:

(A) Agricultural uses.

--Crop production. *[A dwelling unit is not permitted.]*

(B) Commercial and business service uses.

--Catering service.

--Custom business services.

--Custom woodworking, furniture construction, or repair.

--Electronics service center.

--Job or lithographic printing. *[RAR]*

--Labor hall. *[SUP]*

(C) Institutional and community service uses.

--Adult day care facility.

--Child-care facility.

(D) Miscellaneous uses.

--Attached non-premise sign. *[SUP]*

--Temporary construction or sales office.

(E) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office. *[Bail bond office use is prohibited.]*

(F) Recreation uses.

- Private recreation center, club or area.
- Public park, playground, or golf course.

(G) Residential Uses.

- Multifamily

(H) Retail and personal service uses.

- Ambulance service. *[RAR]*
- Animal shelter or clinic without outside runs. *[RAR]*
- Animal shelter or clinic with outside runs. *[SUP may be required.]*

See Section [51A-4.210\(b\)\(2\).](#)

- Business school.
- Car wash. *[RAR]*
- Convenience store with drive-through. *[SUP]*
- 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. *[RAR]*
- Household equipment and appliance repair.
- Nursery, garden shop, or plant sales.
- Outside sales. *[SUP]*
- Personal service uses. *[Massage establishments and Massage schools are prohibited]*
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[SUP]*

- Swap or buy shop. [SUP]
- Taxidermist.
- Temporary retail use.
- Theater.

(I) Transportation uses.

- Transit passenger shelter.

(J) Utility and public service uses.

- Commercial radio or television transmitting station. [SUP]
- Electrical substation.
- Local utilities. [SUP or RAR may be required. See Section [51A-4.212\(4\).](#)]
- Police or fire station.
- Post office.
- Radio, television or microwave tower. [RAR]
- Tower/antenna for cellular communication. [See Section [51A-4.212\(10.1\).](#)]
- Utility or government installation other than listed. [SUP]

(K) Wholesale, distribution, and storage uses.

- Contractor's maintenance yard. [RAR]
- Mini-warehouse.
- Office showroom/warehouse.
- Recycling drop-off container. [See Section [51A-4.213 \(11.2\).](#)]
- Recycling drop-off for special occasion collection. [See Section [51A-4.213 \(11.3\).](#)]
- Warehouse. [RAR]

(3) Primary entrances for ground story area uses. For new construction or major modifications, main uses located in the ground story area of a building must have their primary entrances facing the lot line that abuts the adjacent public right-of-way (East 11th Street, East 8th Street, or Avenue E, as applicable). For purposes of this paragraph, facing means parallel

to, or within 45 degrees of being parallel to, the lot line that abuts the adjacent public right-of-way. This paragraph does not apply to structures that assist in the growing of vegetation and food crops for crop production but does apply to structures used for the on-site sale of vegetation or food crops produced.

(4) Blank facade area. The maximum length of blank facade area allowed on the street facade of any building is 20 linear feet. This paragraph does not apply to structures that assist in the growing of vegetation and food crops for crop production but does apply to structures used for the on-site sale of vegetation or food crops produced.

(5) Accessory uses.

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

(B) The following accessory uses are not permitted:

- Accessory community center (private).
- Accessory helistop.
- Accessory medical/ infectious waste incinerator
- Accessory pathological waste incinerator
- Amateur communication tower
- Home occupation.
- Private stable.

(6) 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. If there is a conflict between this paragraph and Division 51A-4.400, this paragraph controls.)

(A) Front yard.

- (i). Minimum front yard is five feet.
- (ii). Maximum front yard is 10 feet.
- (iii) A minimum of 70 percent of the street facade of a main building must be located within the minimum front yard setback and the maximum front yard setback.

(B) Side yard. No minimum side yard.

(C) Rear yard. The minimum rear yard is five feet.

(D) Floor area ratio. Maximum floor area ratio is:

- (i) 0.5 for office; and
- (ii) 0.75 for all other uses combined.

(E) Height.

(i) Maximum height. Unless further restricted under this subparagraph, the maximum structure height in Subdistrict 3 is 30 feet. The board may not grant a special exception to the maximum structure height in Subdistrict 3.

(ii) 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: the following structures may project a maximum of 12 feet above the slope or a maximum of 12 feet above the maximum structure height, whichever is less:

- (i) Elevator penthouse or bulkhead.
- (ii) Mechanical equipment room.
- (iii) Cooling tower.
- (iv) Tank designed to hold liquids.
- (v) Ornamental cupola or dome.
- (vi) Skylights.
- (vii) Clerestory.
- (viii) Visual screen which surround roof mounted mechanical equipment.
- (ix) Chimneys and vent stacks.
- (x) Parapet wall, limited to a height of four feet.

(F) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF-2(SAH) district may penetrate or be located above a residential proximity slope originating in that district. (See Section [51A-4.412](#).) For purposes of this paragraph, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(G) 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.

(H) Lot size. No minimum lot size.

(I) Stories.

(i) Except as provided in this paragraph, the maximum number of stories above grade is two.

(ii) No maximum stories for parking structures. However, parking structures must comply with the height regulations of Subparagraph (E).

SEC. 51P- ____ .108. OFF-STREET PARKING, LOADING AND BICYCLE PARKING.

(a) In general. Consult the use regulations (Division 51A-4.200) for the specific off-street parking 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.

(b) Parking Setback. All off-street parking (including off-street parking structures) for new construction or major modifications shall be set back a minimum 15 feet from any property line that abuts East 11th Street, East 8th Street, or Avenue E. The board of adjustment may not grant a special exception to the required parking setback.

(c) Bicycle parking. Consult bicycle parking regulations in Division 51A-4.330 for bicycle parking requirements.

SEC. 51P- ____ .109. OFF-STREET PARKING REDUCTIONS.

(a) Parking reduction for proximity to light-rail stations. The off-street parking requirement for uses located within one-half of a mile (2,640 feet) of a light-rail station may be reduced by 10 percent if enhanced pedestrian amenities are provided in accordance with this subsection.

(1) All of the following enhanced pedestrian amenities must be provided to qualify for the off-street parking reduction:

(A) Enhanced sidewalks. Enhanced sidewalks are sidewalks made of any permeable or non-permeable decorative pavement intended for pedestrian use and approved by the building official. Examples of enhanced sidewalks include, but are not limited to, brick or stone pavers and stamped and stained concrete. Except as provided in this section, sidewalks must be constructed in accordance with Chapter 51A-8.606 and the Paving Design Manual.

(i) Location of Enhanced sidewalks. Enhanced sidewalks must be provided along the entire length of a property's frontage with a street façade. Enhanced sidewalks may be located on private property or in the public right-of-way provided that all private licensing requirements of the city code and charter are met. In no case may the enhanced sidewalks be located more than 30 feet from the curb. Enhanced sidewalks must meet the minimum widths required in sec. 51p- ____ .113., streetscape and sidewalk standards.

(B) Pedestrian Street Lamps. A minimum of one pedestrian street lamp per every 75 feet of street frontage must be provided. Pedestrian street lamps must have a

minimum clearance of nine feet above a sidewalk and a maximum height of 15 feet. Light fixtures must be cut-off type luminaries that direct lighting downward. Pedestrian street lamps may not be located in a visibility triangle as defined in Section 51A-4.602.

(i) Pedestrian street lamps must be located within the enhanced pedestrian amenities area, but may not be located within the three-foot unobstructed sidewalk width. In no case may the enhanced pedestrian amenities be located more than 30 feet from the curb. Pedestrian Street Lamps may be located on private property or in public right-of-way provided that all private licensing requirements of the city code and charter are met.

(C) Awnings. Awnings must be provided over at least 50 percent of all the doors and windows located on the ground story of a street facade. Awnings must have a minimum height of seven feet and a maximum height of 14 feet. For purposes of this paragraph, awning height is the vertical distance between the ground or pavement directly beneath the awning and the lowest point of the awning.

(2) Enhanced pedestrian amenities must:

- (A) not be placed in a manner that impedes the movements of pedestrians on a sidewalk;
- (B) not be placed in any visibility triangle; and
- (C) be completely installed prior to the issuance of the certificate of occupancy.

(b) Parking reduction for on-street parking. Except as provided in this subsection, on-street parking spaces (that are immediately adjacent to a site and located on the same side of the street) may be counted toward the off-street parking requirement of the use adjacent to the on-street parking space. To receive credit, parking spaces must be marked per city regulations and must be approved by the director of the mobility and street services department.

(1) An on-street parking space may not be used to reduce the required parking for more than one use (i.e., it cannot be counted more than once as a space for a use), except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-used project.

(2) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8/24=1/3$). The total of the limited availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(3) If the director of mobility and street services determines that on-street parking in the street right-of-way abutting the use, approved in accordance with Section 51P-____.109(b), has become a traffic hazard and prohibits the on-street parking or the right-of-way is acquired for public works use, the on-street parking credit will be treated as a delta credit.

SEC. 51P- ____ .110. LANDSCAPE REGULATIONS.

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

(1) Native, drought-adaptive, and non-invasive plant materials must be used..

(b) Street trees. For new construction or major modifications, one small tree must be provided for every 40 feet of street frontage along East 11th Street, East 8th Street, Avenue E, Rockefeller Boulevard, and Ventura Drive. Street trees must be provided within 30 feet from the projected street curb. Required street trees may be located on private property or in the public right-of-way provided that all licensing requirements of the city code and charter are met.

(c) Planting area requirements. For each small tree installation, a minimum of 36 inches of soil depth and 25 square feet of surface area (total of 75 cubic feet) must be provided. The building official may waive the minimum planting area requirements if a landscape architect certifies that the proposed alternative soil depths and dimensions are sufficient to support the healthy and vigorous growth of the affected plant materials.

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

SEC. 51P- ____ .111 TREE PRESERVATION, REMOVAL, AND REPLACEMENT.

(a) In general.

(1) Except as provided in this section, tree preservation, removal, and replacement must comply with Article X, as amended.

(b) Great Trinity Forest Management Fund.

(1) In lieu of payments to the reforestation fund, payments may be made into a special city account known as the Great Trinity Forest Management Fund as a means of alternative compliance with the tree replacement requirements.

(2) The amount of payment is calculated using the formula in Article X for payments to the reforestation fund.

(3) The director of Trinity Watershed Management shall administer the fund to maintain planned forest vegetation management projects on public land within the Great Trinity Forest.

SEC. 51P- ____ .112. SCREENING REGULATIONS.

(a) Screening of off-street surface parking.

(1) Except as provided in this section, the provisions of Section 51A-4.301(f), “Screening Provisions for Off-Street Parking,” apply to off-street parking in this district.

(2) Screening provided for off-street parking pursuant to this section may be counted as one of the design standards required in Section 51A-10.126.

(3) Off-street parking must be screened from view from East 11th Street, East 8th Street, and/or Avenue E. Screening must extend along the entire street frontage of the surface parking lot, exclusive of driveways and access ways at points of ingress or egress, openings for pedestrian access, and visibility triangles.

(A) Screening must be a minimum 36-inch-tall wall that is constructed of brick, stone, concrete masonry (split face block only; no smooth block), concrete, or a combination of these materials. Required screening may not have more than 10 square inches of openings in any given square foot of surface area. The board may not grant a special exception to the height requirements for screening around off-street surface parking.

(B) A landscape area must be provided between the required screening wall and the adjacent right-of-way, but immediately adjacent to the screening wall. The landscape area must be a minimum of three feet in width with a minimum soil depth of 24 inches, and must extend the length of the screening, excluding driveways used for ingress or egress and openings for pedestrian access. The landscaping area must be planted with a combination of evergreen and deciduous vegetation, including ground covers, and shrubs. Shrubs must be planted at a minimum of 24 inches on center over the entire length of the landscape area, with at least one shrub per twenty square feet of landscape area

(C) Off-street parking that is located entirely behind a building or structure, or that is located underground, is considered to be screened for the purposes of this subsection.

(b) Off-street parking structures. All permanent parking structures must be concealed in a building with a facade that is similar in appearance to the facade of the main non-parking building for which the parking is accessory. At least 12 percent of the surface area of a parking structure's street facade (including openings, if any) must be covered with the same material used predominately on the first story of the main non-parking building. Openings in the parking structure's street facade may not exceed 52 percent of the total street facade area.

(c) Loading spaces. Off-street loading spaces must be screened with a minimum six-foot-tall sight-obscuring fence so they are not visible from East 11th Street, East 8th Street, or Avenue E.

(d) Dumpsters and garbage storage areas.

(1) All dumpsters and garbage storage areas must be screened on all four sides with a minimum six-foot-tall solid fence. Only one side may be a gate.

(2) Screening materials must compliment the materials and colors used on the main building. Chain link fences may not be used as screening material.

(3) Each panel of a garbage storage area gate must have a pin that can be inserted into a sleeved hole in the ground to allow the gate to be held open during garbage collection.

(e) Roof-mounted equipment. Roof-mounted mechanical equipment must be screened or set back so it is not visible from a point five feet, six inches above grade at the Property line. Screening materials must compliment the materials and colors used on the main building. Chain link fences may not be used as screening material.

SEC. 51P- _____.113. STREETScape AND SIDEWALK STANDARDS.

(a) Sidewalks required. Except as otherwise provided in this article, the standards, provisions, and requirements of the Dallas City Code, as amended, apply to all sidewalks. The street and sidewalk standards of this subsection apply only to new construction or a major modification.

(1) All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the construction requirements contained in the Paving Design Manual and the Standard Construction Details of the City of Dallas.

(2) New sidewalks provided to comply with this subsection must meet the unobstructed width standards specified below.

(3) No certificate of occupancy may be issued for new construction or a major modification until sidewalks are provided in accordance with this section.

(4) An existing sidewalk may be used to comply with this section if it meets the construction standards and the minimum unobstructed widths.

(b) Minimum sidewalk widths and minimum landscape buffer widths. New sidewalks located along the north side of East 11th Street (between Corinth Street and Cedar Crest Boulevard); along the south side of East 11th Street (excluding the area between Avenue F and Dubois Avenue); along the south side of East 11th Street (between Avenue F and Dubois Avenue); and along East 8th Street and Avenue E must have:

- (1) a minimum unobstructed width of three feet; and
- (2) a minimum five-foot-wide landscape buffer strip.

(c) Waiver of sidewalks. The requirement for sidewalks may not be waived by the director or building official.

SEC. 51P- _____.114. DESIGN REQUIREMENTS.

(a) Non-residential use transparency.

(1) Windows and public entrances on the ground story must be maintained clear of all items that would obstruct a clear view into a non-residential use. This includes, but is not limited to, print advertisements, shelving, merchandise (including any outside display), and interior or exterior window coverings. The unobstructed line of sight must extend, at a minimum, from three feet above the ground to at least six feet above the ground.

(2) Security bars, guards, blinds, and similar materials are prohibited from covering windows and public entrances during the hours of operation for a use. Security bars, guards, blinds, and similar materials may be used to cover windows and public entrances during non-business hours.

(b) Reflective glass. Reflective glass may not be used on the first story of a facade facing East 11th Street. The reflectance of glass used on the second story may not exceed 15 percent. The reflectance of glass used on stories above the second story may not exceed 27 percent. For purposes of this subsection, reflectance is the percentage of available light energy reflected away from the exterior surface of the glass. The higher the reflectance percentage, the more mirror-like the surface will appear.

(c) Building materials. Synthetic stucco and E.I.F.S (Exterior Insulated Finish Systems) may not be used as exterior building cladding in this District.

SEC. 51P- _____.115. ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) In general. See Article VI.

SEC.51P-_____.116 SIGNS.

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

(b) Signs may not be located on a roof or project over a building.

SEC. 51P- _____.117. ADDITIONAL PROVISIONS.

(a) Accessory outside display of merchandise. This use may not:

- (1) extend more than four feet, horizontally, from the Street Façade of a main building or structure; or
- (2) reduce the unobstructed width of any sidewalk to less than three feet; or
- (3) obstruct any off-street parking spaces; or
- (4) be placed in the public right-of-way without a licence.

(b) Accessory outside sales. This use may not:

(1) extend more than four feet, horizontally, from a street facade of a main building or structure; or

(2) reduce the unobstructed width of any sidewalk to less than five feet; or

(3) obstruct any off-street parking spaces; or

(4) be placed in the public right-of-way without a license; or

(5) occur more than three days during any given calendar month.

(c) Accessory outside storage. This use may not:

(1) be placed in a required front yard; or

(2) be placed between the street facade of a main building or structure and a lot line that abuts a public street.

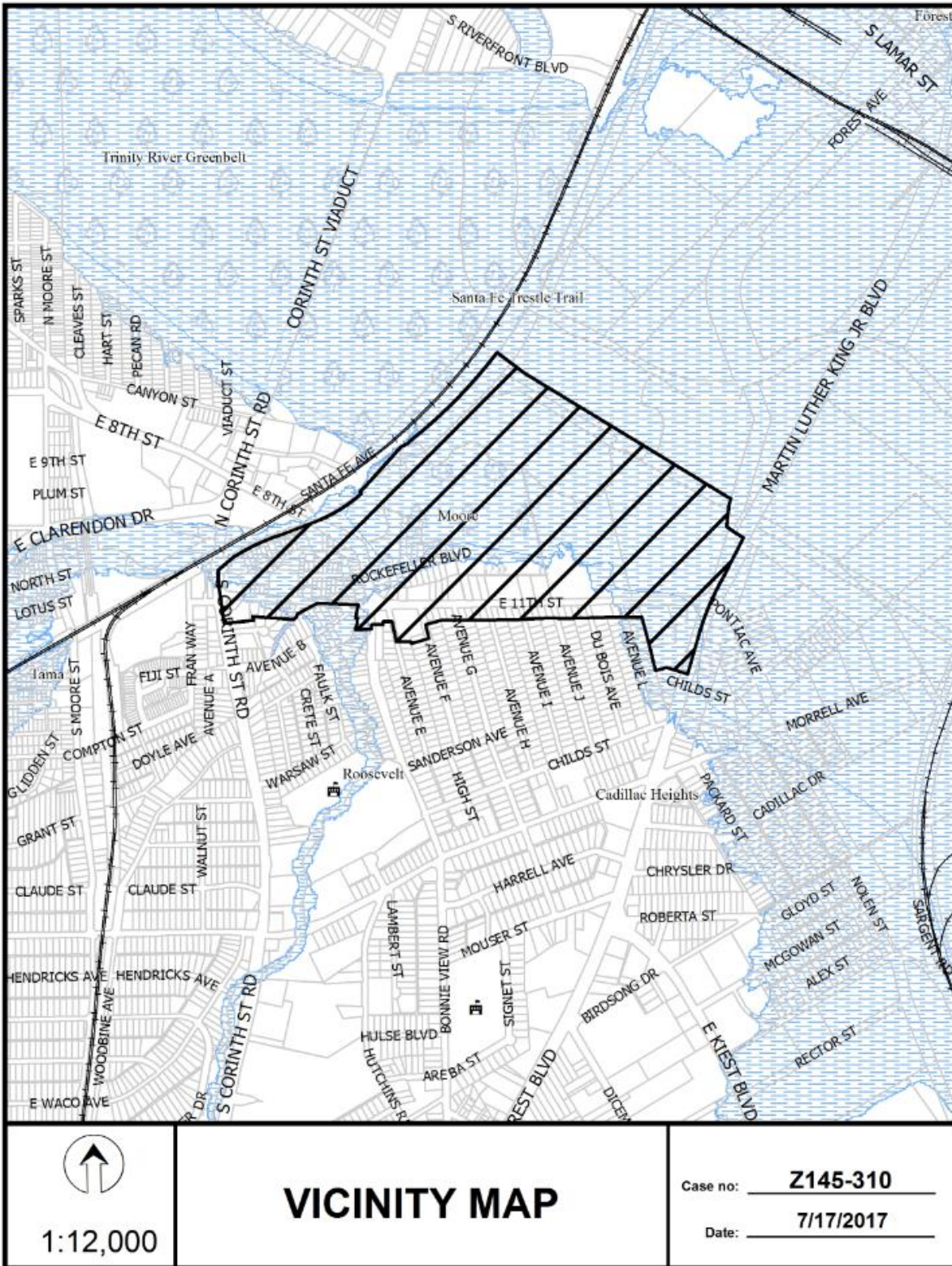
(d) The Property must be properly maintained in a state of good repair and neat appearance.

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

SEC. 51P-____.118. COMPLIANCE WITH CONDITIONS.

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

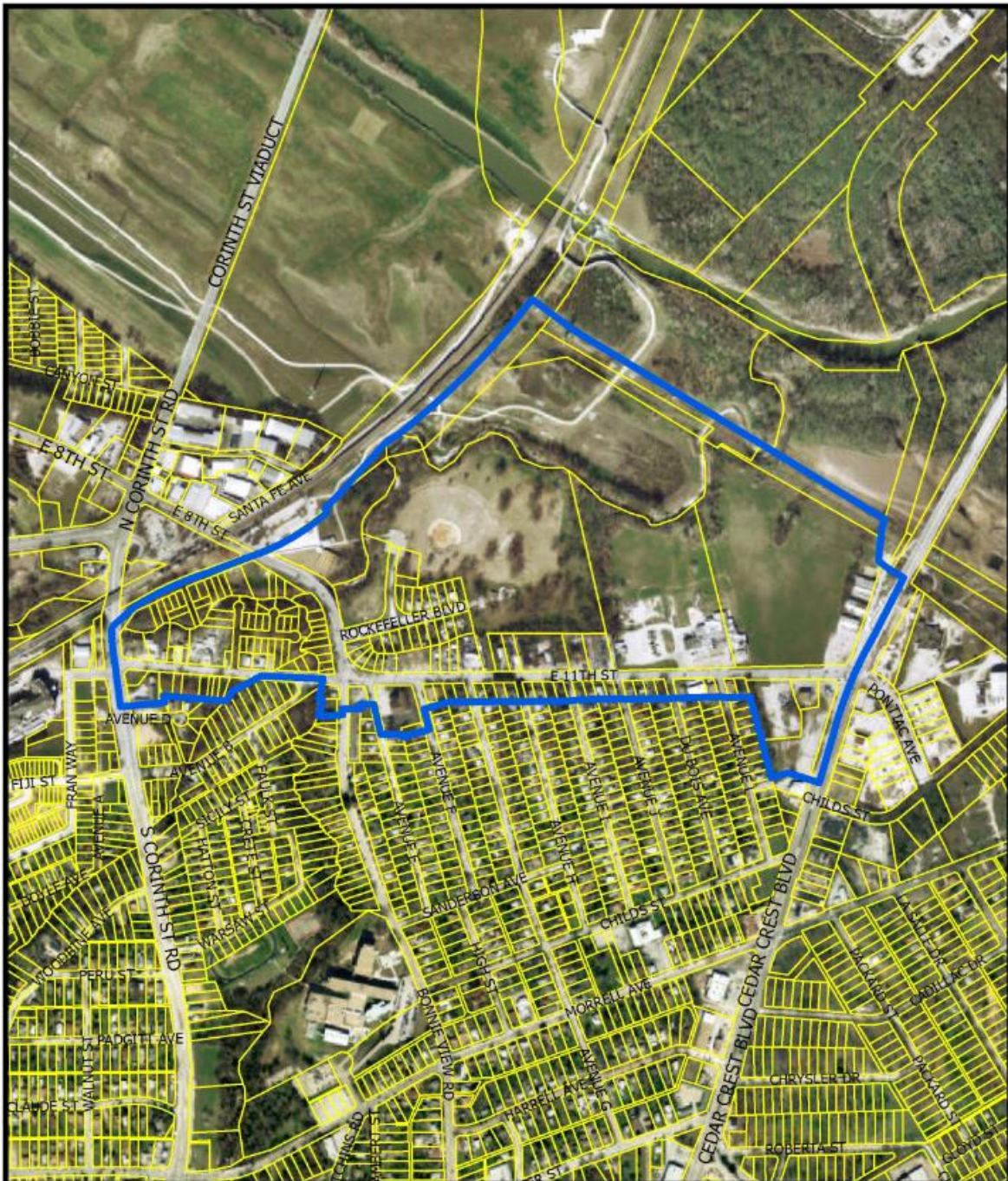


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VICINITY MAP

Case no: **Z145-310**

Date: **7/17/2017**

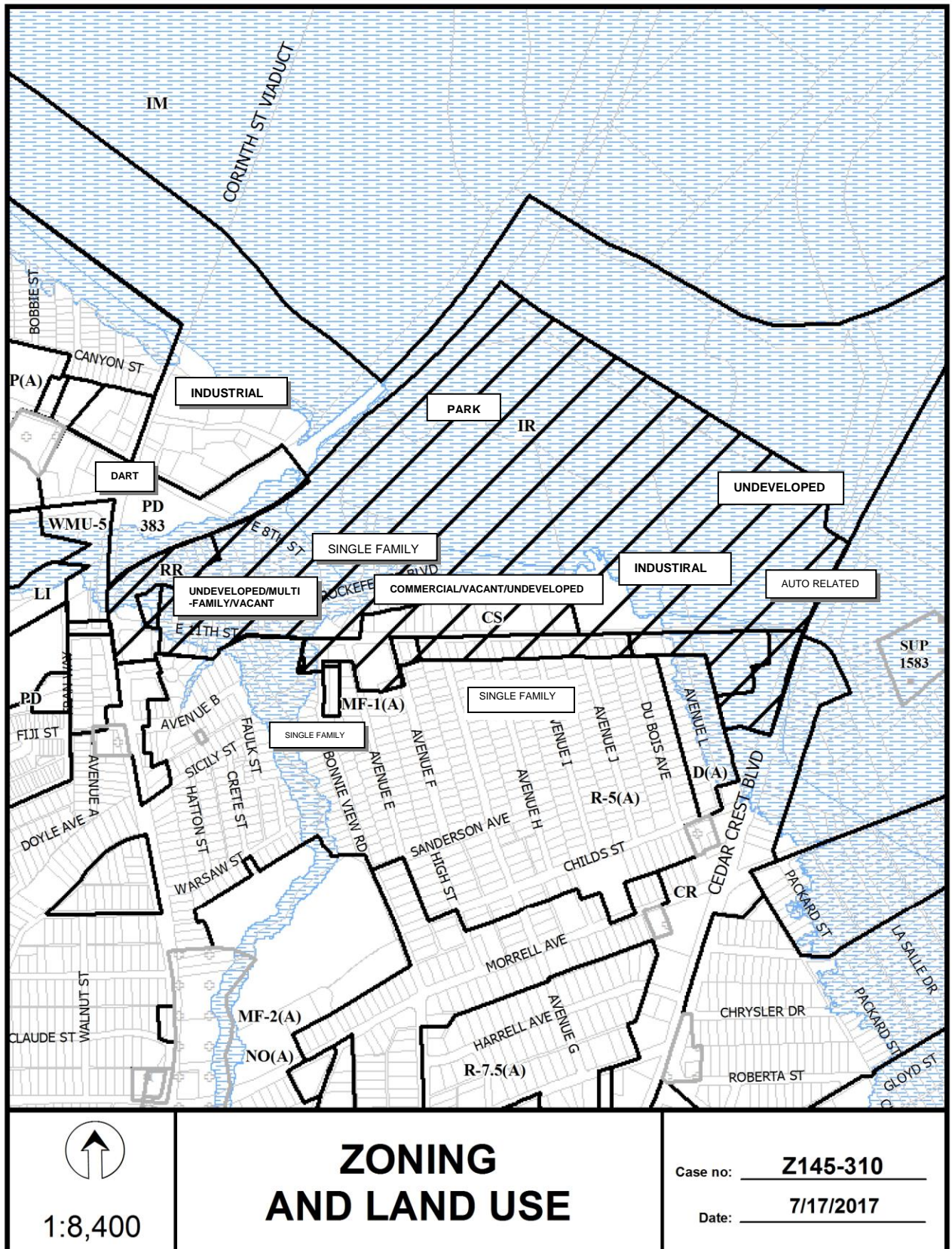


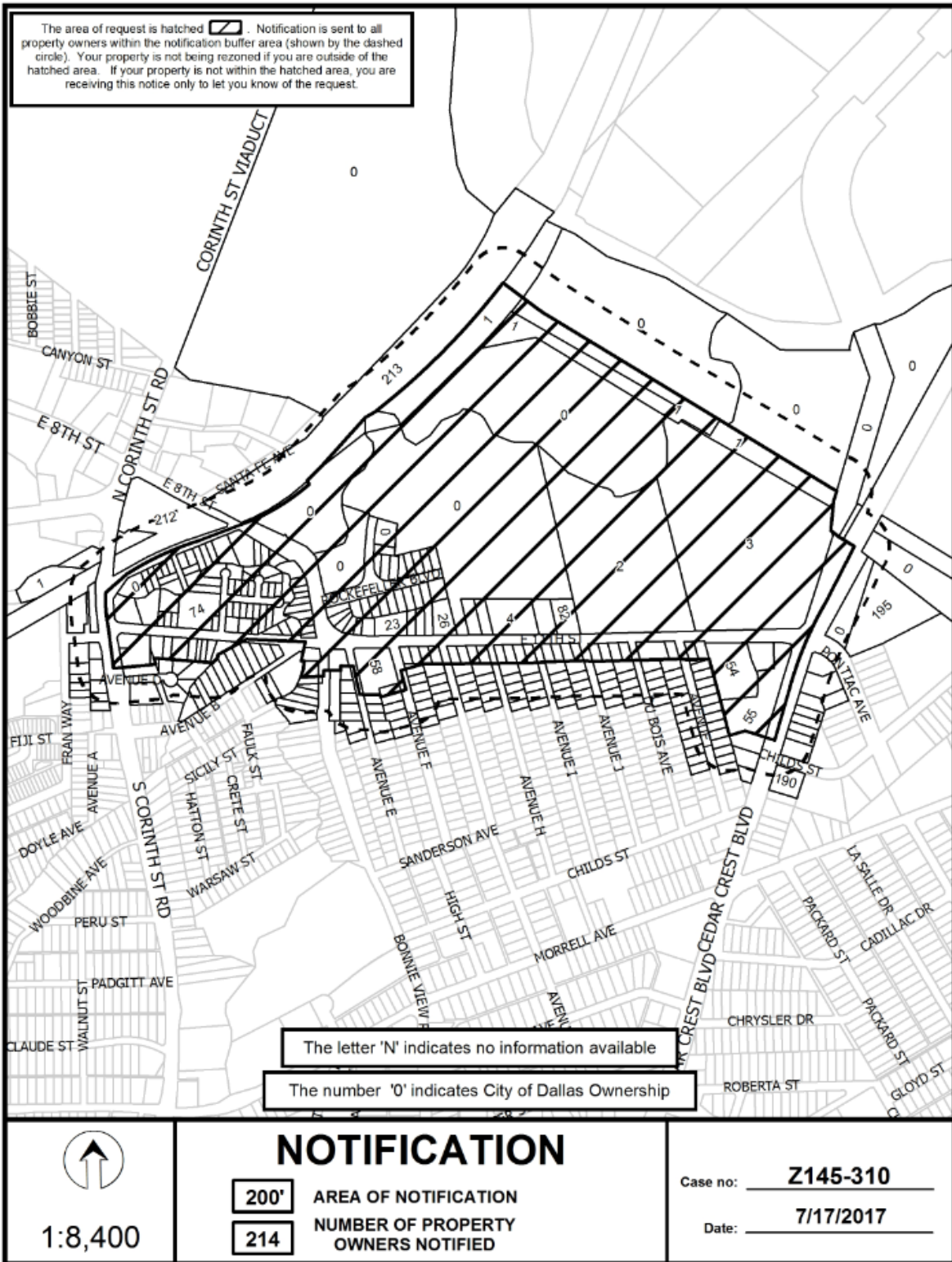
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AERIAL MAP

Case no: Z145-310

Date: 7/17/2017





07/17/2017

Notification List of Property Owners***Z145-310******214 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	560 MARTIN LUTHER KING JR BLVD	TEXAS UTILITIES ELEC CO
2	2807 E 11TH ST	COLUMBIA PACKING OF
3	3443 CEDAR CREST BLVD	ONDRUSEK W J
4	2507 E 11TH ST	BALLAS VICTOR
5	2321 E 11TH ST	GRANADOS ANTONIO
6	2317 E 11TH ST	CHECKERED ENTERPRISES LP
7	2215 ROCKEFELLER BLVD	PINKSTON MARY ANN EST OF &
8	2231 ROCKEFELLER BLVD	HAYES GEORGE & ALLIE
9	2219 ROCKEFELLER BLVD	PONCE MARIO ARTURO &
10	2227 ROCKEFELLER BLVD	GREER ORA LEE
11	2203 ROCKEFELLER BLVD	ROSS EVA LIFE ESTATE
12	2207 ROCKEFELLER BLVD	POWELL BOBBIE
13	2223 ROCKEFELLER BLVD	THORNTON JOHNNIE STENCER EST OF
14	2211 ROCKEFELLER BLVD	RAMIREZ JESUS & TERESA
15	114 VENTURA DR	ROSS EVA LIFE ESTATE
16	2226 ROCKEFELLER BLVD	GARNICA CLEMENTE &
17	2003 E 8TH ST	WOODARD BOBBIE
18	2007 E 8TH ST	LOCKETT BOBBIE JEAN
19	2011 E 8TH ST	SCOTT BARBARA A WHITE
20	2015 E 8TH ST	TOPLETZ INVESTMENTS
21	2019 E 8TH ST	DELEON JOSE
22	2103 E 11TH ST	DELEON JOSE
23	2111 E 11TH ST	RDC IRREVOCABLE TRUST
24	2205 E 11TH ST	LEWIS OTIS
25	2215 E 11TH ST	POWELL TERRANCE
26	2219 E 11TH ST	GRANADOS ANTONIO

07/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2222 ROCKEFELLER BLVD	DIAZDELEON HERMENEGILDO
28	2218 ROCKEFELLER BLVD	MEDEL LUZ DEL RAYLO
29	2214 ROCKEFELLER BLVD	MURPHY BENTON
30	2210 ROCKEFELLER BLVD	RAMIREZ ANTONIA G
31	2206 ROCKEFELLER BLVD	CRUMP MRS HENRY ESTATE OF
32	2202 ROCKEFELLER BLVD	IVD FINANCIAL LP
33	2122 ROCKEFELLER BLVD	BUTLER STEVEN
34	2118 ROCKEFELLER BLVD	JERNIGAN ANNIE LOU COX
35	2114 ROCKEFELLER BLVD	SMITH DONALD EST OF
36	306 AVE F	GREATER EMANUEL
37	2214 E 11TH ST	BADGER MARY M
38	2306 E 11TH ST	RODRIGUEZ DANNY
39	2310 E 11TH ST	SALDIVAR FAMILY 1 LP
40	2402 E 11TH ST	LOUD IMOGENE
41	2404 E 11TH ST	MCKINNEY BRENDA J
42	2410 E 11TH ST	SCHNEIDER MARIA
43	2414 E 11TH ST	HILLMAN EMMA EST OF
44	2502 E 11TH ST	GARZA JULIO
45	2506 E 11TH ST	MALDONADO HECTOR E
46	2510 E 11TH ST	HAYDEN SARAH EST OF
47	2514 E 11TH ST	MARTINEZ JOEL
48	2602 E 11TH ST	JONES GERALDINE
49	2606 E 11TH ST	MONTGOMERY HOMER &
50	2610 E 11TH ST	WILLIAMS DIANA
51	2614 E 11TH ST	COVERALL MANAGEMENT ASSOC
52	2702 E 11TH ST	PERSLEY BILLY RAY
53	2714 E 11TH ST	CARTER DOZIER
54	2808 E 11TH ST	PUGH PROPERTIES LLC
55	3333 CEDAR CREST BLVD	STARLIGHT BETHEL
56	2908 11TH ST	WILLIAMS LEE M &
57	310 AVE L	REEVES GROUP LTD

07/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2100 E 11TH ST	GREATER EMMANUEL BAPTIST
59	319 AVE F	GREATER EMANUEL BAPT CH
60	1906 E 8TH ST	LAWRENCE HAROLD J
61	311 BONNIE VIEW RD	MOODY VIRGIL
62	234 S CORINTH ST RD	DELAGARZA DAVID
63	260 S CORINTH ST RD	BLACKMAN JOHN B &
64	218 S CORINTH ST RD	MCDONALD BETTY SUE
65	1825 E 11TH ST	WILLIAMS HENRY L
66	1815 E 11TH ST	QUADSHIP INC
67	1716 E 11TH ST	CHISM FAMOUS
68	1720 E 11TH ST	HAYDEN TOM AND
69	1712 E 11TH ST	JOHNSON LORA
70	1714 E 11TH ST	KEYSTONE STAR HOMES INC
71	1727 AVE B	ADIA PARTNERSHIP LLC
72	1623 E 11TH ST	CARR CLYDE
73	1627 E 11TH ST	CARR CLYDE B
74	1711 E 11TH ST	POUNDERS STANLEY &
75	1615 E 11TH ST	MCCOMBS PHYLLIS R
76	1618 PARKWAY AVE	FLOWERS CRANFORD
77	1622 PARKWAY AVE	CANYON O C & DELMA
78	211 CHANEY ST	MCDONALD W G
79	1714 PARKWAY AVE	MILES W L
80	1716 PARKWAY AVE	DAZZO JON &
81	1822 E 8TH ST	PALISH LISA &
82	2519 E 11TH ST	CORIA CORPORATION INC
83	334 AVE F	GREATER EMMANUEL BAPTIST
84	330 AVE F	ROBINSON EDWARD &
85	326 AVE F	ROBERSON CLARENCE JR
86	322 AVE F	MCFALL MARY
87	318 AVE F	AMADOR ROGELIO & CRISTINA
88	314 AVE F	DUENAS OTILIO &

07/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	310 AVE F	MARTINEZ YESENIA
90	311 AVE G	HAWTHORNE NATHANIEL JR &
91	315 AVE G	ZUNIGA FABIAN
92	319 AVE G	ZUNIGA ALBERTO P
93	323 AVE G	JOHNSON MYRTLE MARIE
94	327 AVE G	JOHNSON MYRTLE M
95	331 AVE G	VILLASENOR MARIA SILVA &
96	326 AVE G	GRANADOS ANTONIO &
97	322 AVE G	SANDLE EASTER NELL
98	318 AVE G	DUNN BETTY RAMBO ESTATE OF
99	314 AVE G	MCILVEEN GARLAND III
100	311 AVE H	LEFFALLHAU ESTRELLITA
101	315 AVE H	GUERRERO CARLOS J
102	319 AVE H	BUCHANAN JUANITA S
103	323 AVE H	ORNELAS NOLBERTO
104	327 AVE H	CHERRY JOHNSON WILLIE J
105	326 AVE H	THOMAS EDDIE & SHELVA J
106	322 AVE H	STREET CAPITAL RENTAL LLC
107	318 AVE H	FUENTAS IRMA L
108	314 AVE H	WRIGHT VIRDEL
109	310 AVE H	MCNEAL GREGORY
110	311 AVE I	EQUITY TRUST CO CUSTODIAN
111	315 AVE I	SHARP LEONOR MARTINEZ &
112	319 AVE I	POUNDERS STANLEY G
113	323 AVE I	HAYES LINDA S
114	327 AVE I	EDWARDS LILLIE
115	328 AVE I	CRUZ JOSE MANUEL LARES &
116	324 AVE I	FLORES BARTOLO &
117	320 AVE I	GABRIEL BLANCH
118	316 AVE I	ROBINSON NORMA GEAN COIT
119	310 AVE I	TERRY RUBY J TR &

07/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	311 AVE J	GREEN EMERSON &
121	315 AVE J	ORNELASJUAREZ SILVIA
122	319 AVE J	SMITH MARY L
123	323 AVE J	LIGHTS MARY ALLEN EST OF
124	327 AVE J	DRAWHORN OTHELLA
125	200 FRAN WAY	LIBERTY BAPTIST CHURCH
126	229 AVE A	SPHINX DEVELOPMENT CORPORATION
127	215 S CORINTH ST RD	SDC MIXED DEVELOPMENT LLC
128	301 S CORINTH ST RD	SDC SACHSE SENIOR VILLAS LLC
129	315 AVE A	SPHINX DEVELOPMENT CORP
130	303 AVE A	SDC SACHSE SENIOR VILLAS LLC
131	326 AVE J	KNIGHT FRANCES
132	322 AVE J	WISNER JIMMY
133	314 AVE J	MOORE LILLIE MAE
134	310 AVE J	CLARK SANDRAL
135	311 DU BOIS AVE	TAI WILLIAM
136	315 DU BOIS AVE	QUILANTAN JOSE L
137	319 DU BOIS AVE	WOOD SISTERS MINOR TR THE
138	323 DU BOIS AVE	TREJO JOSE REYES &
139	327 DU BOIS AVE	WASHINGTON DEWEY
140	326 DU BOIS AVE	HERNANDEZ BENJAMIN
141	322 DU BOIS AVE	NOBLES MARY
142	318 DU BOIS AVE	FISHER BRANDY
143	314 DU BOIS AVE	PORTILLO INVESTMENTS LLC
144	310 DU BOIS AVE	DEPAZ FELIPE
145	311 AVE L	LOCHE MICHAEL A
146	315 AVE L	LOCHE MICHAEL
147	323 AVE L	PETRASH JACK R &
148	327 AVE L	DALLAS NEIGHBORHOOD
149	403 AVE L	ROBINSON FANNIE
150	405 AVE L	WILSON LILLIAN D ET AL

07/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	409 AVE L	ARTEAGA JOSE LUIS
152	415 AVE L	PORTILLO MIGUEL
153	423 AVE L	VILLANUEVA CRESENCIO R &
154	503 AVE L	TAYLOR BEVERLY K
155	510 AVE L	TIRE ASSETS LLC
156	422 AVE L	STARLIGHT BETHEL BAPT CH
157	418 AVE L	TAMEZ GUMARO L III
158	412 AVE L	ZUNIGA EFRAIN
159	410 AVE L	WASHINGTON ARICE WILLIAMS
160	406 AVE L	WARDEN OPHELIA
161	324 AVE L	MAZZMANIA LP
162	320 AVE L	BRAVO NEREIDA
163	316 AVE L	REYES JOSE SR &
164	3163 CEDAR CREST BLVD	STARLIGHT BETHEL BAPTIST CHURCH
165	3151 CEDAR CREST BLVD	GUALIE ALMAZ
166	3131 CEDAR CREST BLVD	ALEMAYEHU AMAHA
167	332 BONNIE VIEW RD	BREWER & SONS HOMES
168	339 AVE E	GEIGER PATTI L
169	343 AVE E	SERRATO DOLORES SOLIS
170	342 AVE E	CHEATHAM JAMES M ET AL
171	338 AVE E	SOLORZANO DIANA EVELIN
172	323 AVE F	DAVIS BOBBY
173	327 AVE F	HOUSTON CECIL ESTATE
174	331 AVE F	HERNANDEZ JUAN
175	335 AVE F	HENDERSON JOHNNIE MAE ESTATE OF
176	339 AVE F	HERNANDEZ JUAN & MERCED HERNANDEZ GRANADOS
177	308 BONNIE VIEW RD	308 BVIEW LLC
178	335 AVE E	MORENO GLORIA CHAVEZ & ISRAEL

07/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
179	327 AVE E	POUNDERS STANLEY ETAL
180	324 AVE E	GREATER EMMANUEL BAPTISH CHURCH
181	328 AVE E	TRUSTEES OF GREATER
182	332 AVE E	SCOTT TERESIA
183	315 BONNIE VIEW RD	NORTH AMERICAN ACCEP CORP
184	13 BONNIE VIEW RD	E T I MANAGEMENT CO INC
185	319 BONNIE VIEW RD	GOLDEN GATE FUNERAL HOME
186	323 BONNIE VIEW RD	MEDINA BENNY
187	327 BONNIE VIEW RD	MCCULLOUGH C J ESTATE OF
188	331 BONNIE VIEW RD	RAMIERZ RAY
189	333 BONNIE VIEW RD	JOHNSON MARY WILLIAMS
190	3146 CEDAR CREST BLVD	FRANCIS STANLEY E
191	528 PONTIAC AVE	FALCON TRANSIT INC
192	3224 CEDAR CREST BLVD	FAWAZ FAWZIEH
193	3214 CEDAR CREST BLVD	FAWAZ FAWZIEH
194	3342 CEDAR CREST BLVD	HOLLINS LEON
195	519 PONTIAC AVE	TEXAS BY PRODUCTS ET AL
196	302 CORINTH ST	SDC SACHSE SENIOR VILLAS LLC
197	1601 AVE D	HERNANDEZ JUAN
198	1809 AVE B	MUNOZ ANA LAURA
199	1739 AVE B	MARTINEZ JUAN MARTIN
200	1735 AVE B	BOLDEN CEDRIC
201	1731 AVE B	ZUGASTI GERARDO
202	1721 AVE B	YOLANDA CUELLAR
203	1719 AVE B	CUELLAR YOLANDA
204	1711 AVE B	MCELROY JOSEPH III TR
205	1715 AVE B	KINGDOM OF GOD CHURCH
206	1802 AVE B	HERNANDEZ CAYETANO
207	1810 AVE B	SWANN J A & S A
208	1619 AVE D	MARTINEZ ALVARO
209	1623 AVE D	WILSON DAWNA
210	1625 AVE D	WILSON DAWNA

Z145-310(DL)

07/17/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
211	1624 AVE D	CHANG HENRY
212	1803 E 8TH ST	DALLAS AREA RAPID TRANSIT
213	555 2ND AVE	DART
214	555 2ND AVE	DART

Planner: Warren F. Ellis

FILE NUMBER: Z156-237(WE) **DATE FILED:** March 24, 2016
LOCATION: South line of West Northwest Highway, east of Lemmon Avenue
COUNCIL DISTRICT: 13 **MAPSCO:** 23Z, 24W
SIZE OF REQUEST: Approx. 0.891 acres **CENSUS TRACT:** 73.02

APPLICANT /OWNER QuikTrip Corporation

REPRESENTATIVE: Tonya Meier and Matthew Sanderson,
Gray Reed & McGraw, PC

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

SUMMARY: The purpose of this request is to allow for the development of general merchandise or food store and a fueling station to be developed on the site. The applicant is requesting several modifications to the landscaping regulations. The applicant is in discussions with the City's Park and Recreation Department to use the adjacent undeveloped tract of land for additional surface parking. The adjacent park land is not a part of this request.

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

PREVIOUS CPC ACTION: On June 2, 2016, CPC held this case under advisement to August 4, 2016, at the request of the applicant. The City Plan Commission subsequently held under advisement on the following dates: August 4, 2016; October 6, 2016; November 10, 2016; January 19, 2017; March 16, 2017; and April 27, September 7, 2017.

BACKGROUND INFORMATION:

- On December 3, 2015, the Park and Recreation Board authorized a public hearing to be held on February 10, 2016, to discuss a portion of the Bachman Creek Greenbelt. A portion of the Greenbelt is proposed to be developed with surface parking.
- On April 27, 2016, the City Council held this action item under advisement indefinitely regarding the Park and Recreation Board’s authorized public hearing for a portion of the Bachman Creek Greenbelt and maintenance agreement for the request site [QuikTrip].
- The applicant has redesigned the site to incorporate a one-story, general merchandise or food store with a fueling station and the required off-street parking spaces on site. The original request to incorporate a portion of the Bachman Creek Greenbelt for surface parking is no longer a part of this request.
- The applicant is requesting to modify the landscape requirements due to the size of the site.

Zoning History: There has been one zoning case in the area within the past five years.

1. Z123-338 On January 8, 2014, the City Council approved a Planned Development for mixed uses on property zoned an MU-1 Mixed Use District, on the south side of West northwest Highway, east of Lemmon Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
W. Northwest Highway	Principal Arterial	100 ft.	100 ft.

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

COMPREHENSIVE PLAN: The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being on the outer perimeter edge of an Urban Neighborhood Building Block.

LAND USE ELEMENT:

GOAL 1.2 Promote desired development.

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

Land Use Compatibility: The request site is currently developed with a personal service use. The applicant is requesting a Planned Development District for CR Community Retail uses to allow for a reduction in the landscape requirements for a proposed 5,773 square foot general merchandise or food store with a fueling station. A general merchandise or food store greater than 3,500 square feet is permitted by right in a CR Community Retail District.

The proposed Planned Development District for a CR Community Retail District will not have a negative performance impact on the surrounding community-retail serving uses. A CR Community Retail District is to provide for “development of community-serving retail, personal service and office uses at a scale and intensity compatible with residential communities. The proposed general merchandise or food store greater than 3,500 square feet with a fueling station is a permitted use in the CR Community Retail District. The nearest residential use is approximately 336 feet east of the proposed development.

In addition, the applicant is seeking City Council approval to use the adjacent lot that is owned by the City of Dallas. The adjacent lot is not part of the request. However, if the City Council approves the use of the adjacent lot, the lot will be used for additional off-street parking for the proposed use and for individuals seeking to use the Bachman Lake Park.

	Zoning	Land Use
Site	CR	Restaurant
North	CR, SUP No. 1596	Auto Related uses, Retail
South	CR	Undeveloped, parkland
East	CR	Retail & personal service
West	CR	Undeveloped

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
PDD for 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

Landscaping: Landscaping must be provided as shown on the attached landscape plan. Due to the site's configuration, the landscape requirements for site trees and street trees will not be in compliance with Article X. Below is a comparison chart that shows the differences between Article X requirements and the applicant's proposal. In addition, there is an underground utility easement that runs along West Northwest Highway and as a result could affect the type of plant materials (i.e., street trees) that may be installed.

REQUIRED ORDINANCE	PROVIDED
PROTECTED TREE MITIGATION - REPLACEMENT TREES MUST EQUAL, IN CALIPER, THE CALIPER OF PROTECTED TREES REMOVED. (ASSUME NO MITIGATION AT PRELIM) REFER TO DEMO SHEET	EXISTING TREES TO REMAIN = ALL NO NEW TREES PLANTED FOR MITIGATION
SITE TREES – 10 REQUIRED: ONE 2" CALIPER TREE PER 4,000 S.F. OF LOT AREA WITH MINIMUM OF 4 TREES. NO ONE SPECIES MAY CONSTITUTE MORE THAN 30% OF REPLACEMENT TREES. 38,768.73 S.F. / 4,000 S.F. = 9.69 (10) TREES	13 PROVIDED
STREET TREES – 4 REQUIRED: MUST HAVE ONE 3" CALIPER TREE PER 50' OF STREET FRONTAGE WITH A MINIMUM OF 2 TREES. LEMMON AVENUE = 0' / 50' = 0 TREES NORTHWEST HIGHWAY = 159' / 50' = 3.18 (4) TREES	1 PROVIDED
PARKING LOT TREES - ALL REQUIRED PARKING SPACES MUST BE LOCATED WITHIN 120' OF THE TRUNK OF A LARGE CANOPY TREE. PARKING LOT TREES MAY NOT BE PLANTED CLOSER THAN 2.5' TO THE PAVED PORTION OF THE PARKING LOT.	MEETS CODE
DESIGN STANDARDS - MUST PICK TWO. 1. SCREENING OF OFF STREET PARKING 2. ENHANCED PEDESTRIAN WALKWAYS	MEETS CODE 1) ENHANCED PEDESTRIAN WALKWAY (SCORED & STAINED CONCRETE) CONCRETE TO BE STAINED WITH SCOFIELD REVIVE STAIN USING COLOR WESTWOOD BROWN: STAMPED CONCRETE

Parking: The off-street parking requirement for a general merchandise or food store with a fuel station is one space per 200 square feet of floor area plus two spaces for the fueling station. Based on the proposed 5,773 square-foot buildable floor area, the applicant is required to provide 31 parking spaces, as depicted on the proposed development plan.

LIST OF OFFICERS

QuikTrip Corporation

ELECTION OF OFFICERS RESOLUTION

RESOLVED: That the persons as set out below are elected to the office set below their names, said officers to begin their term at the beginning of the 2015-2016 fiscal year, May 2, 2015.

Name and Title

Chester E. Cadieux III
Chairman of the Board/ President/ Chief Executive Officer

Stuart C. Sullivan
Vice President – Finance/ Chief Financial Officer

Charles L. Barton
Vice President – Marketing

Julie L. Brockmeier
Vice President – Petroleum Supply & Transportation

Stephen R. Fater
Vice President – Corporate Treasurer

Timothy O. Heuback
Vice President – Store Operations

Gina L. Hitz
Vice President – Information Services/ Chief Information Officer

Andrew C. Houdashelt
Vice President – Food

James A. Kubala
Vice President – Operations Systems

Ronald S. Jeffers
Vice President – Operations/Human Resources

James D. Marchesano
Vice President – Store Development

PROPOSED PDD CONDITIONS

ARTICLE.

PDD.

SEC. 51P- .101. LEGISLATIVE HISTORY.

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

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

PD ____ is established on property generally located on the South line of W. Northwest Highway, east of Lemmon Avenue. The size of PD ____ is approximately 0.891 acres.

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

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

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

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

SEC. 51P- 103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ____A: development plan.

(2) Exhibit ____B: landscaping plan.

SEC. 51P- .104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit __) before the issuance of any building permit to authorize work on the Property. If there is a conflict between the text of this article and the approved development plan, the text of this section controls.

SEC. 51P- .105. MAIN USES PERMITTED.

The uses permitted in this district are the same as those permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in the Dallas Development Code. For example, a use permitted in the CR Community Retail District by specific use permit (SUP) only is permitted in this PD by SUP only. A use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this PD, etc.

SEC. 51P- .106. ACCESSORY USES.

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

SEC. 51P- .107. YARD, LOT, AND SPACE REGULATIONS.

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

(a) In general. Except as otherwise provided in this section, the yard, lot, and space regulations for a CR Community Retail District apply in this district.

SEC. 51P- .108. OFF-STREET PARKING.

(a) Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300) for information regarding off-street parking and loading generally.

SEC. 51P- .109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- .110. LANDSCAPING.

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

SEC. 51P- .111. SIGNS.

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

SEC. 51P- .112. ACCESS.

Ingress and egress must be provided as shown on the development plan.

SEC. 51P- .113. ADDITIONAL PROVISIONS.

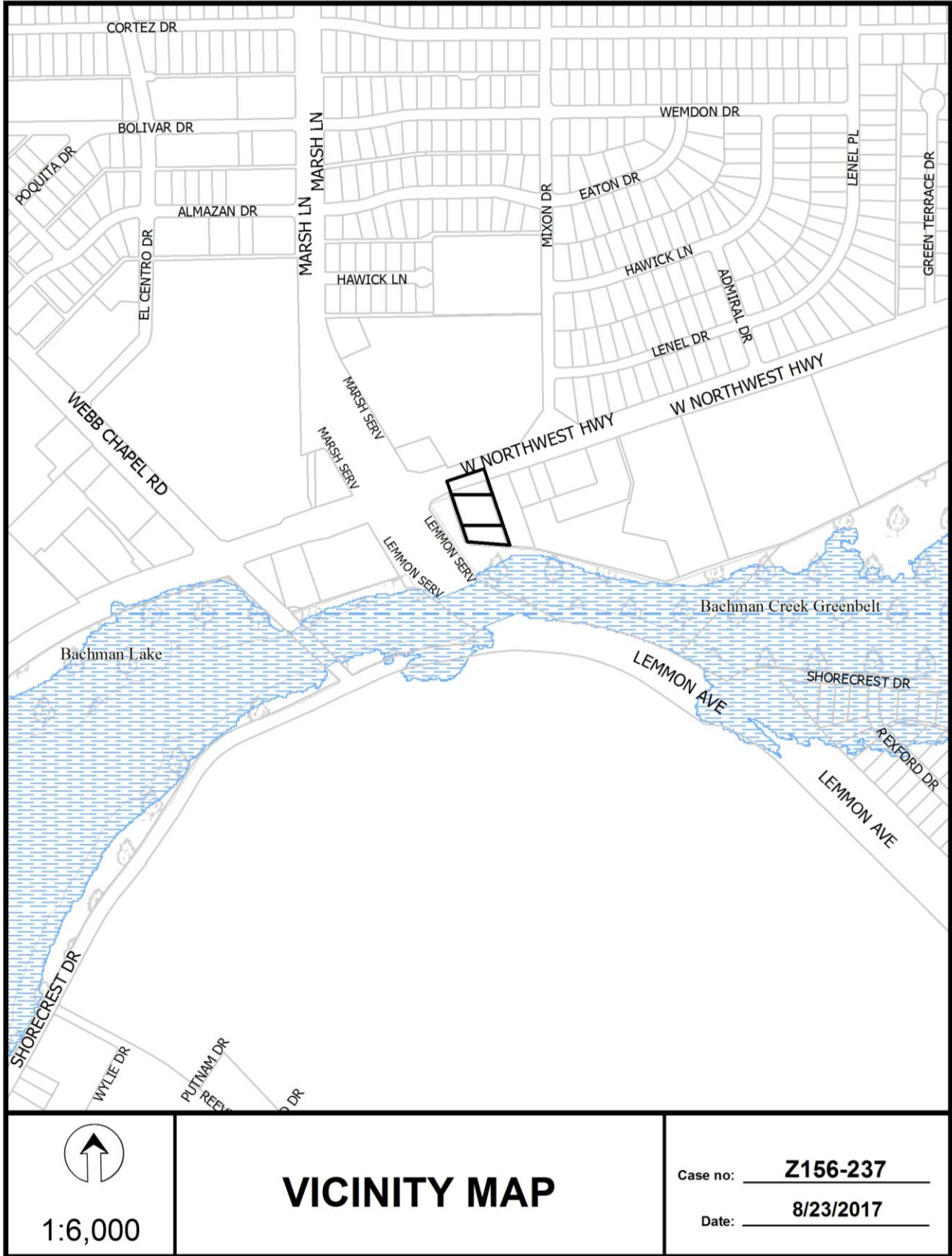
(a) The Property must be properly maintained in a state of good repair and neat appearance.

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

SEC. 51P- .114. COMPLIANCE WITH CONDITIONS.

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

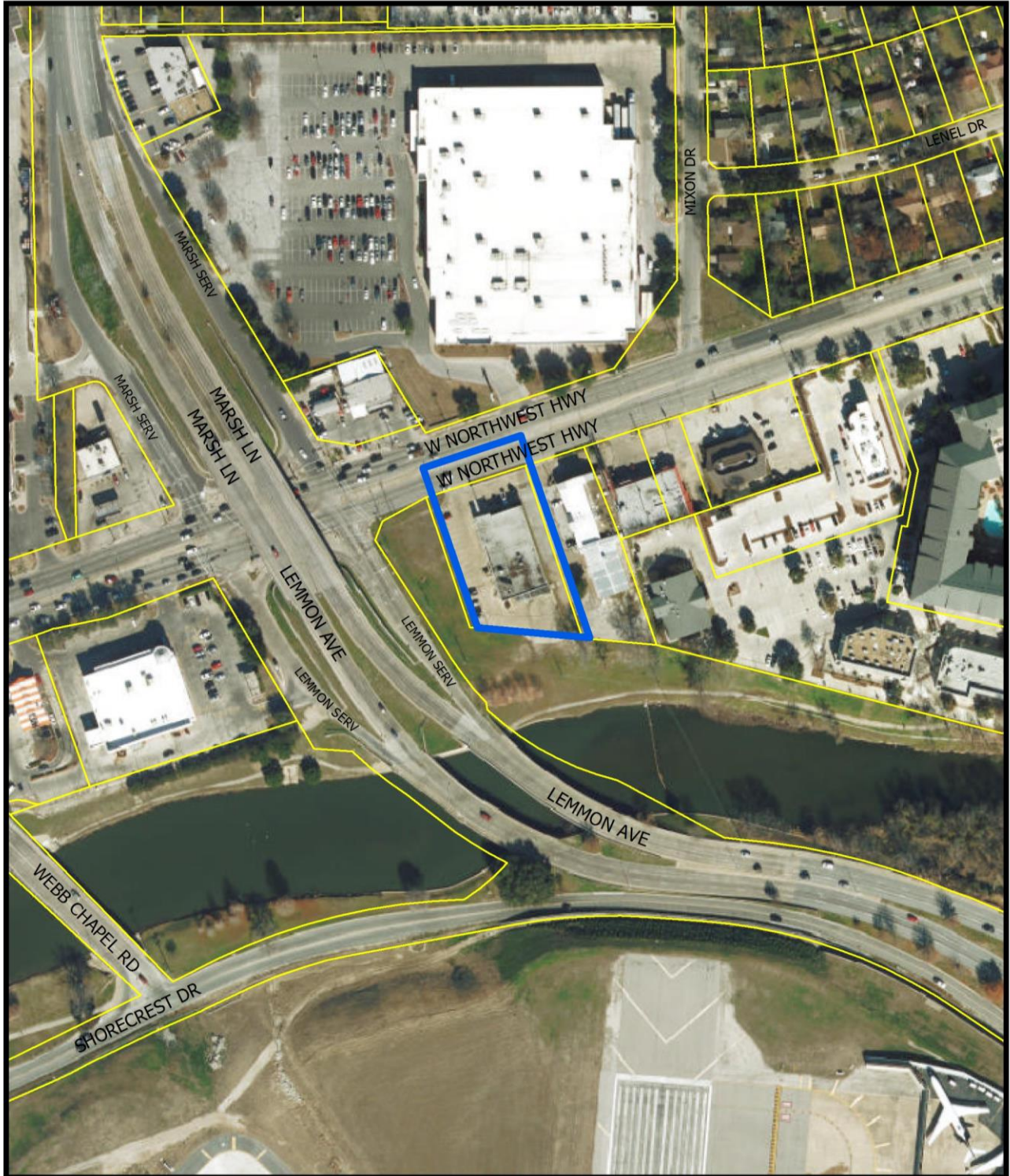
(b) The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.



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VICINITY MAP

Case no: Z156-237
Date: 8/23/2017

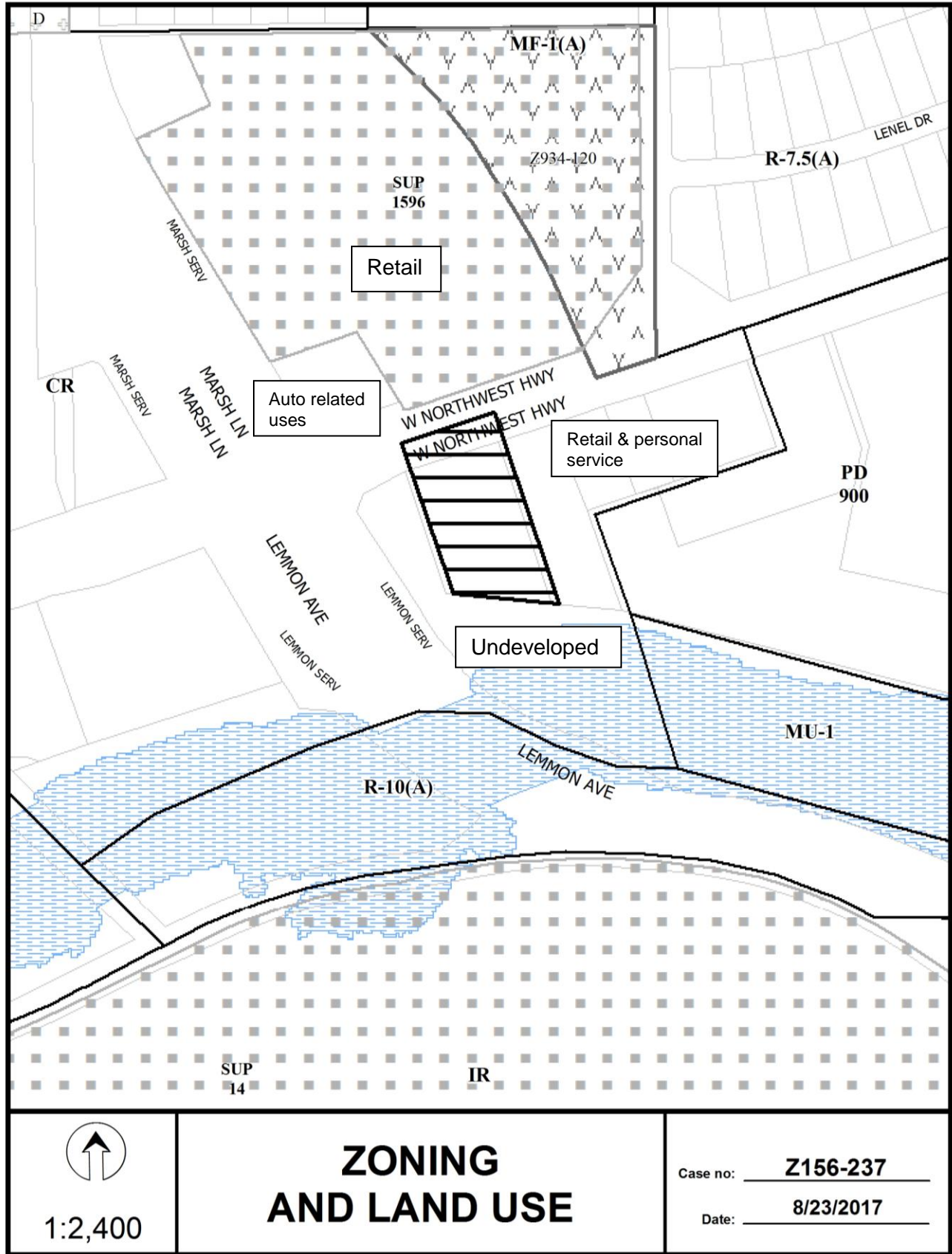


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AERIAL MAP

Case no: Z156-237

Date: 8/23/2017

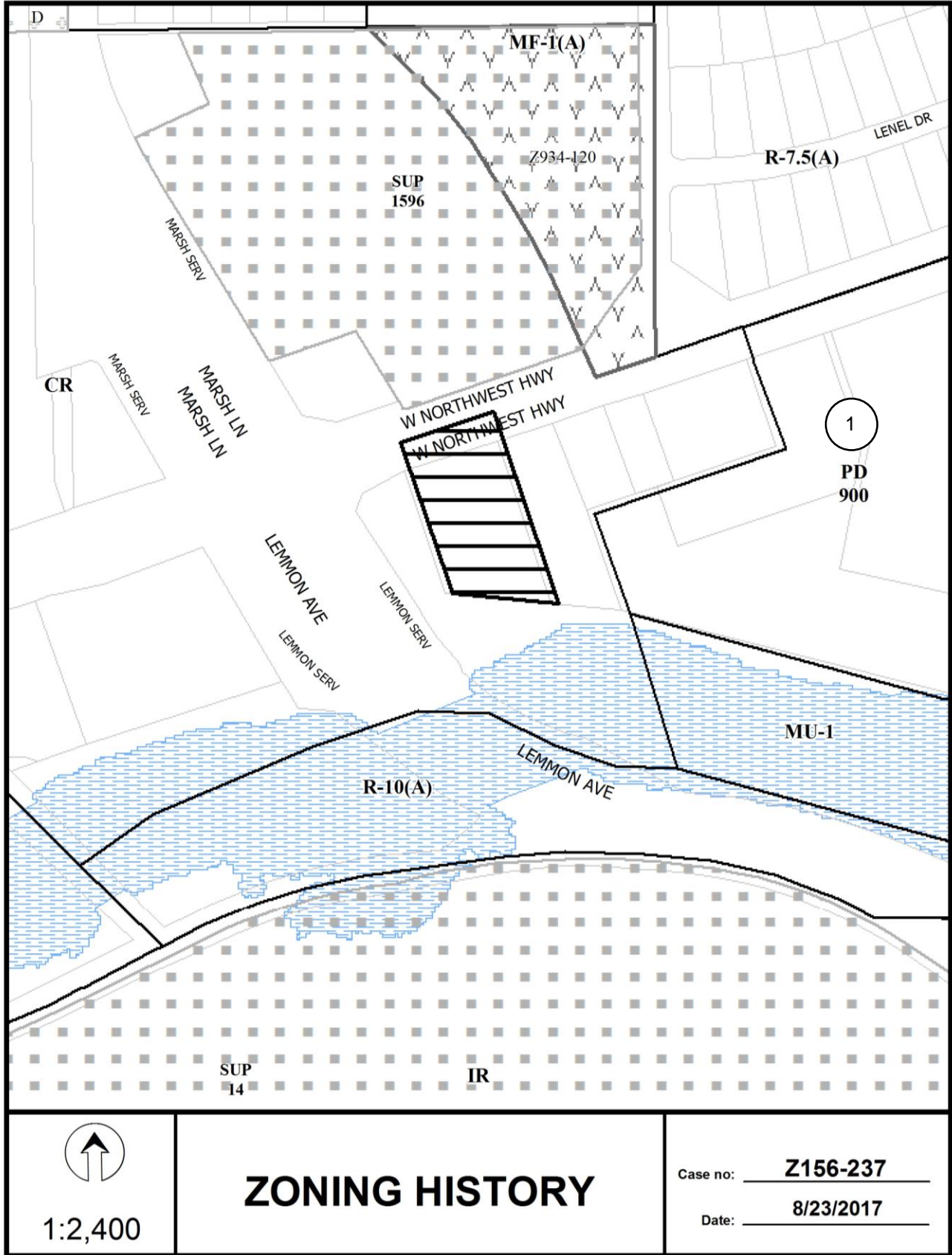


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ZONING AND LAND USE

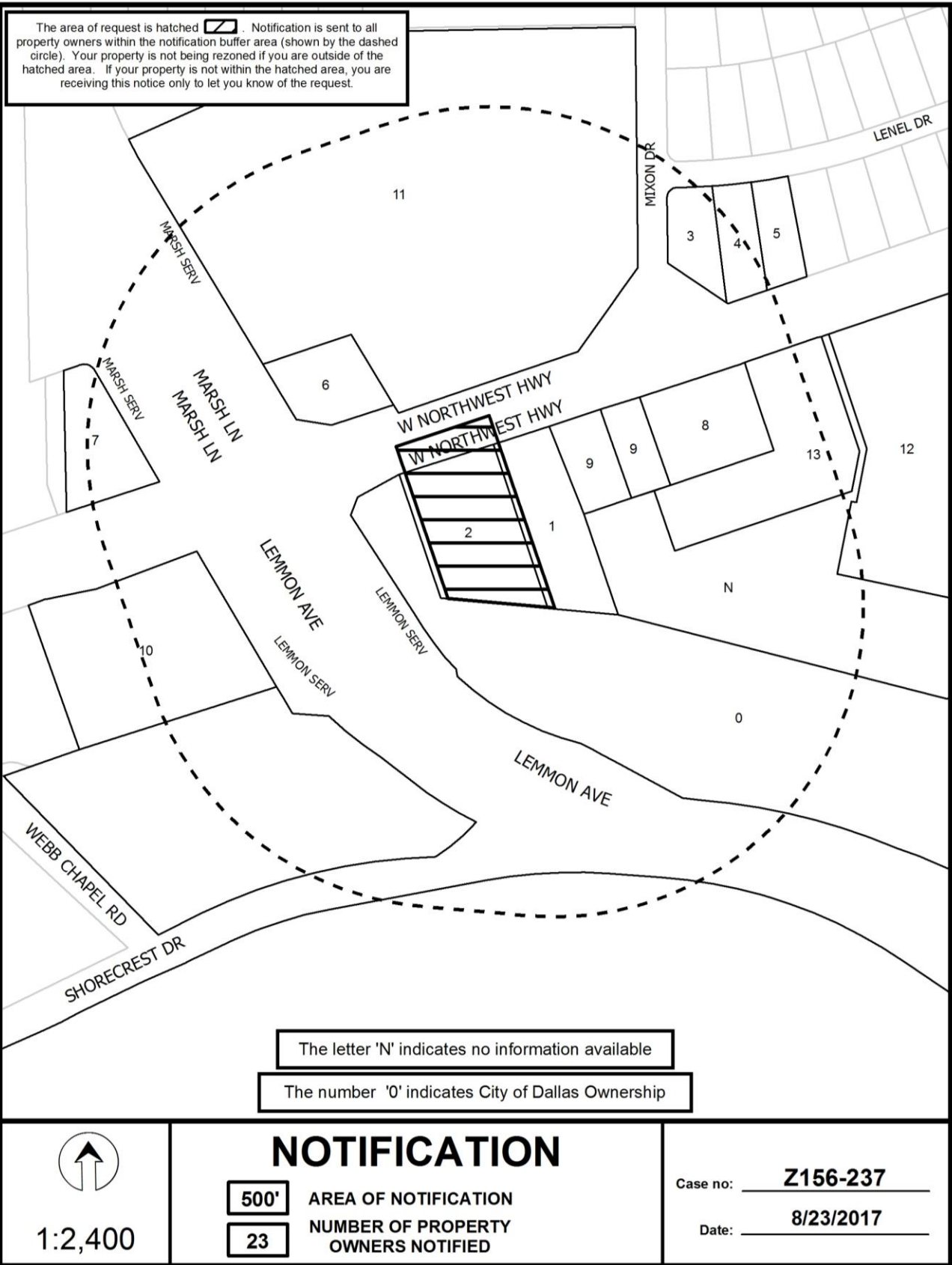
Case no: Z156-237

Date: 8/23/2017



ZONING HISTORY

Case no: Z156-237
Date: 8/23/2017



Notification List of Property Owners

Z156-237

23 Property Owners Notified

Label #	Address	Owner
1	3750 W NORTHWEST HWY	ADMIRAL FLAG INC
2	3740 W NORTHWEST HWY	QUIKTRIP CORPORATION
3	3804 LENEL DR	LEON GILBERTO &
4	3808 LENEL DR	CUTLER JOSEPH G & SALLY P
5	3812 LENEL DR	SMITS PETER &
6	3767 W NORTHWEST HWY	LEAL PROPERTIES LTD
7	3733 W NORTHWEST HWY	RED BIRD I-20 CORP
8	3780 W NORTHWEST HWY	CARROLL CONCERNS LTD PS
9	3760 W NORTHWEST HWY	INTERRANTE INTERESTS LTD
10	3714 W NORTHWEST HWY	WALGREEN CO
11	9440 MARSH LN	DAYTON HUDSON CORP
12	3840 W NORTHWEST HWY	BRE PIPER MF BLUFFVIEW TX LLC
13	3820 W NORTHWEST HWY	BRE PIPER MF BLUFFVIEW RETAIL TX LLC
14	2702 LOVE FIELD DR	SOUTHWEST AIRLINES CO
15	8020 DENTON DR	JACKS AUTO SUPPLY
16	7212 HERB KELLEHER WAY	HERTZ RENT A CAR
17	7020 HERB KELLEHER WAY	AVIS RENT A CAR
18	3407 HAWES AVE	TUCKER BLAKE C
19	8333 LEMMON AVE	SOUTHWESTERN BELL
20	8611 LEMMON AVE	BUSINESS JET CENTER
21	3250 LOVE FIELD DR	MLT DEVELOPMENT
22	3232 LOVE FIELD DR	MLT DEVELOPMENT COMPANY
23	7366 CEDAR SPRINGS	ENTERPRISE HOLDINGS

Planner: Warren F. Ellis

FILE NUMBER: Z167-194(WE) **DATE FILED:** January 24, 2017
LOCATION: West side of South Westmoreland Road, north of Red Raider Lane
COUNCIL DISTRICT: 3 **MAPSCO:** 63-S
SIZE OF REQUEST: Approx. 5.14 acres **CENSUS TRACT:** 109.03

APPLICANT: S.I. Abed & Hasan Nasser

OWNER: Grand Junction Partners-2
[S.I. Abed & Afzal Noor – only officers]

REPRESENTATIVE: S.I. Abed, P.E.

REQUEST: An application for an R-5(A) Single Family District on property zoned an R-10(A) Single Family District with consideration being given to an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for the development of approximately 29 single family lots. The lots sizes will range between 5,000 square feet and 8,900 square feet. The lots sizes will vary as a result of an existing creek and the large number of trees that are on site. The applicant intends to preserve some of the existing trees.

STAFF RECOMMENDATION: Approval of an R-7.5(A) Single Family District in lieu of an R-5(A) Single Family District.

PREVIOUS ACTION: On June 8, August 17, and September 28, 2017, the City Plan Commission held this case under advisement.

BACKGROUND INFORMATION:

- The request site is undeveloped with heavily vegetation.
- The applicant proposes to develop 29 single family dwellings on the site. The proposed R-5(A) District will provide the applicant the flexibility to develop single-family dwellings on lots ranging between 5,000 square feet and 8,900 square.
- The proposed R-5(A) District does not comply with the development pattern of the single-family lots to the south of the TH-2(A) Townhome District. Staff’s opinion is the R-7.5(A) Single Family District is more compatible with the surrounding zoning and uses.

Zoning History: There have been two zoning changes request in the area for the past five years.

1. Z134-210 On December 10, 2014, the City Council approved an amendment and expansion of Specific Use Permit No. 1995 for an open-enrollment charter school on property zoned a CR Community Retail District and an NO(A) Neighborhood Office District
2. Z167-222 On May 4, 2017, the City Plan Commission recommended approval for a renewal of Specific Use Permit No. 1929 for an open-enrollment charter school on property zoned an NO(A) Neighborhood Office District and a CR Community Retail District. City Council will consider the application on June 14, 2014.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Westmoreland Road	Principal Arterial	100 ft.	100 ft.

Land Use:

	Zoning	Land Use
Site	R-10(A)	Undeveloped
North	TH-2(A)	Single Family
South	R-7.5(A)	Single Family
East	R-10(A)	Undeveloped
West	R-10(A)	Single Family

COMPREHENSIVE PLAN: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

ECONOMIC DEVELOPMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

STAFF ANALYSIS:

Land Use Compatibility:

The request site is undeveloped and is contiguous to single family uses to the north, south and west. The applicant's request to change the zoning from an R-10(A) Single Family District to an R-5(A) Single Family District will allow for the development of approximately 29 single family dwellings. The R-5(A) District will also provide the applicant the flexibility to develop the proposed single family development with lots ranging between 5,000 square feet and 8,900 square feet. The applicant proposes to retain several large trees and develop around an existing creek that traverses through the property. To ensure the site is developed as proposed by the applicant, 1) deed restrictions could be volunteered to identify or list the number of lots and lots sizes in the development and protect the trees and creek or 2) amend the application for a Planned Development District that will impose development regulations and standards for the development and provide a development plan that will show the layout of the proposed single family development.

Staff does not support the applicant’s request for an R-5(A) Single Family District because the lot size does not reflect the overall development pattern of the surrounding area as a well as conform to the residential pattern along South Westmoreland Road. Even though the properties to the north are developed on TH-2(A) District lots, a minimum of 2,000 square feet, the residential development south and southwest of the site is constructed on lots that are between 7,500 square feet and 10,000 square feet.

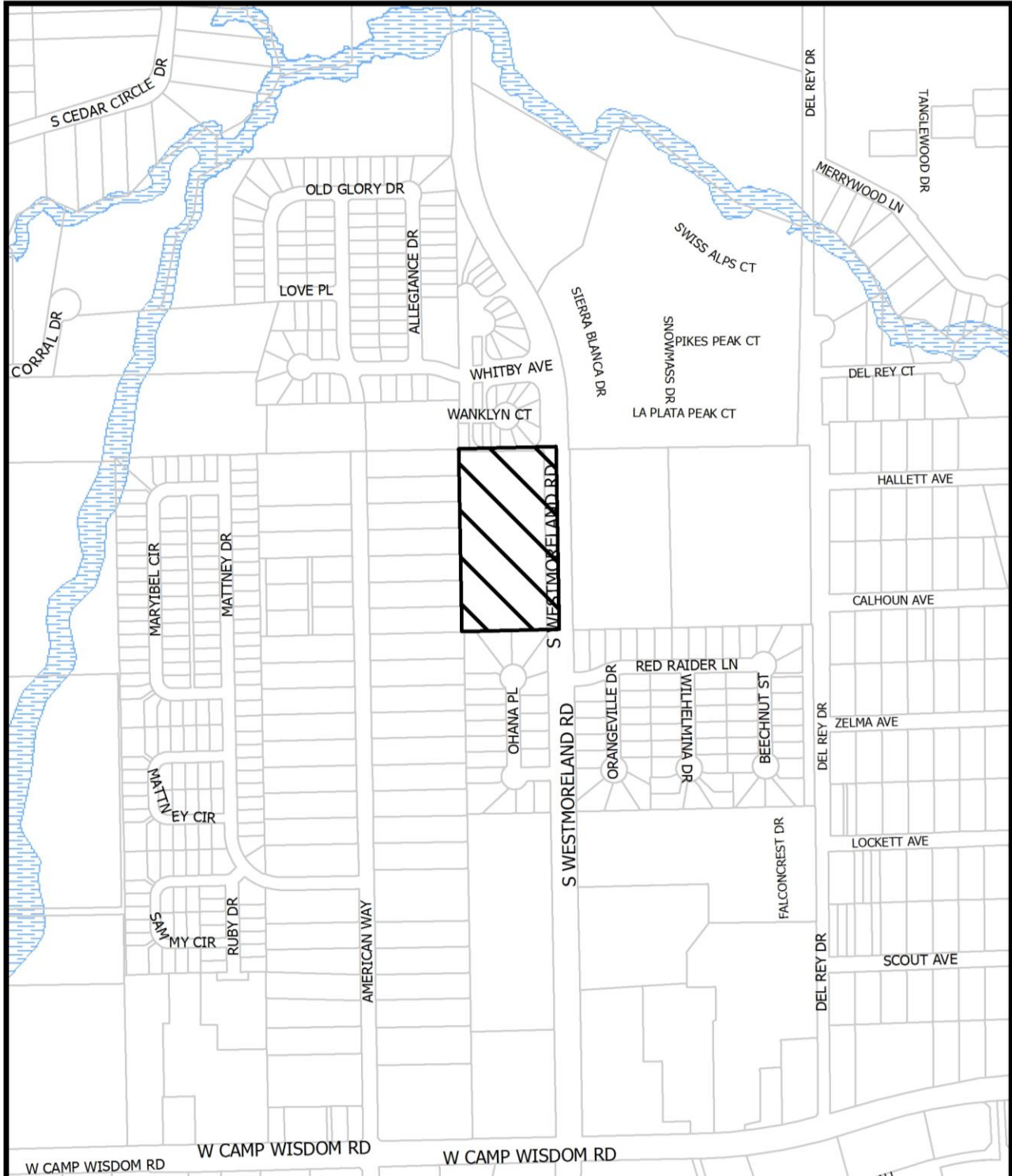
If the site is zoned for an R-5(A) District, the applicant can develop approximately 29 lots and in an R-7.5(A) District, between 25 and 26 lots. With the R-7.5(A) District, the applicant could plat as a Community Unit Development (CUD), which allows between 25 percent and 30 percent reduction in the lot size. The Code states, that “the minimum lot area of any lot within the CUD may be reduced by an amount not to exceed 25 percent of the minimum lot area for the zoning district in which the CUD is located. Any reduction in minimum lot area must be compensated proportionally on a square foot for square foot basis by the establishment of permanent community open space to serve the property being platted. If five percent or more of the community open space is unimproved and in a flood plain (as defined in Article V), the minimum lot area may be reduced by u to 30 percent.” The property does not appear to be located within a flood plain. In addition, in order to receive the lot reductions, the applicant will have to comply with regulations for a CUD.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-5(A) – Applicant’s proposal Single Family	20’	5’	1 Dwelling Unit/ 5,000 sq. ft.	30’	45%		Single family
R-7.5(A) - Staff’s rec. Single Family	25’	5’	1 Dwelling Unit/ 7,500 sq. ft.	30’	45%		Single family

Landscaping: Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

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

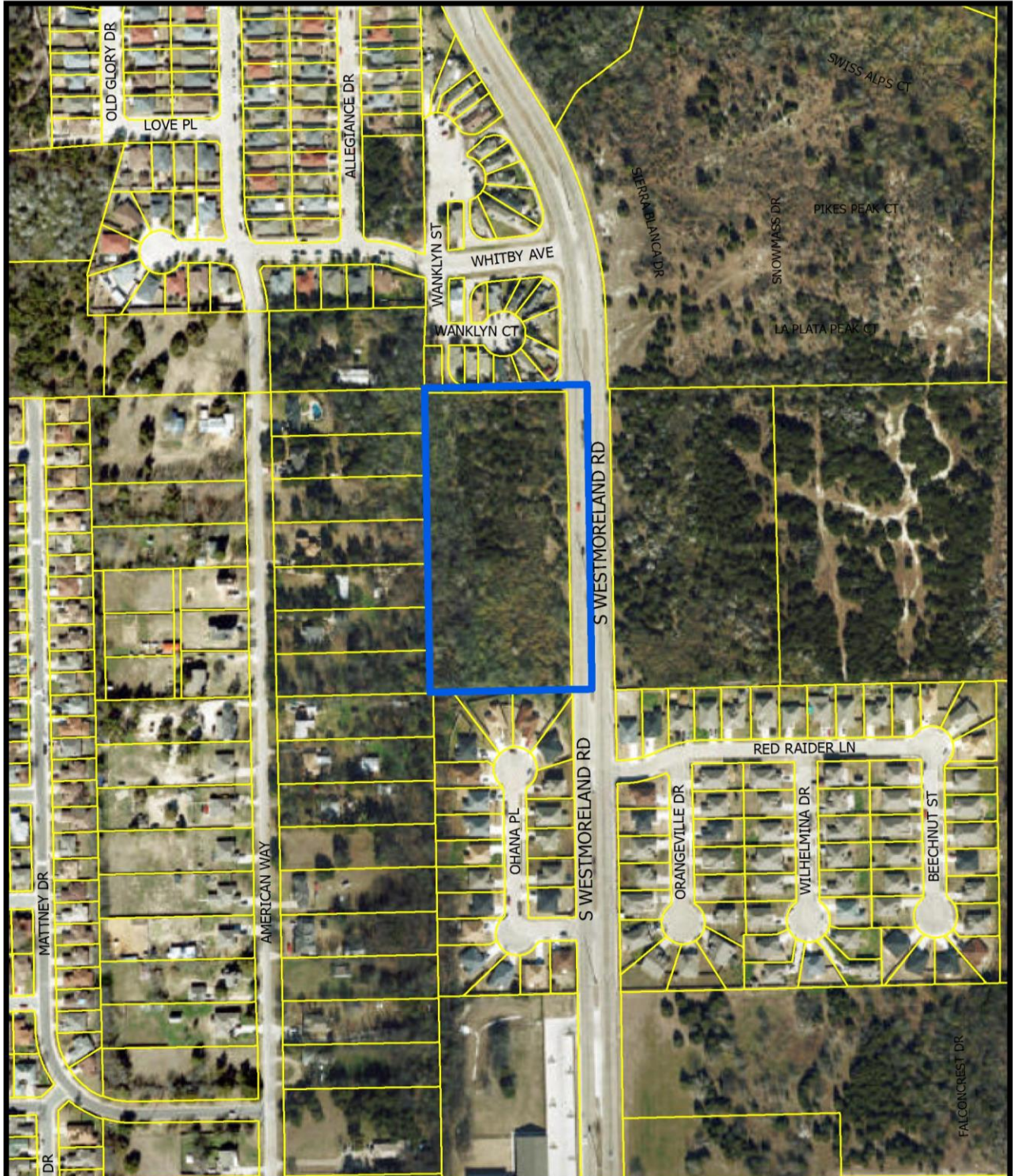


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VICINITY MAP

Case no: Z167-194

Date: 5/10/2017

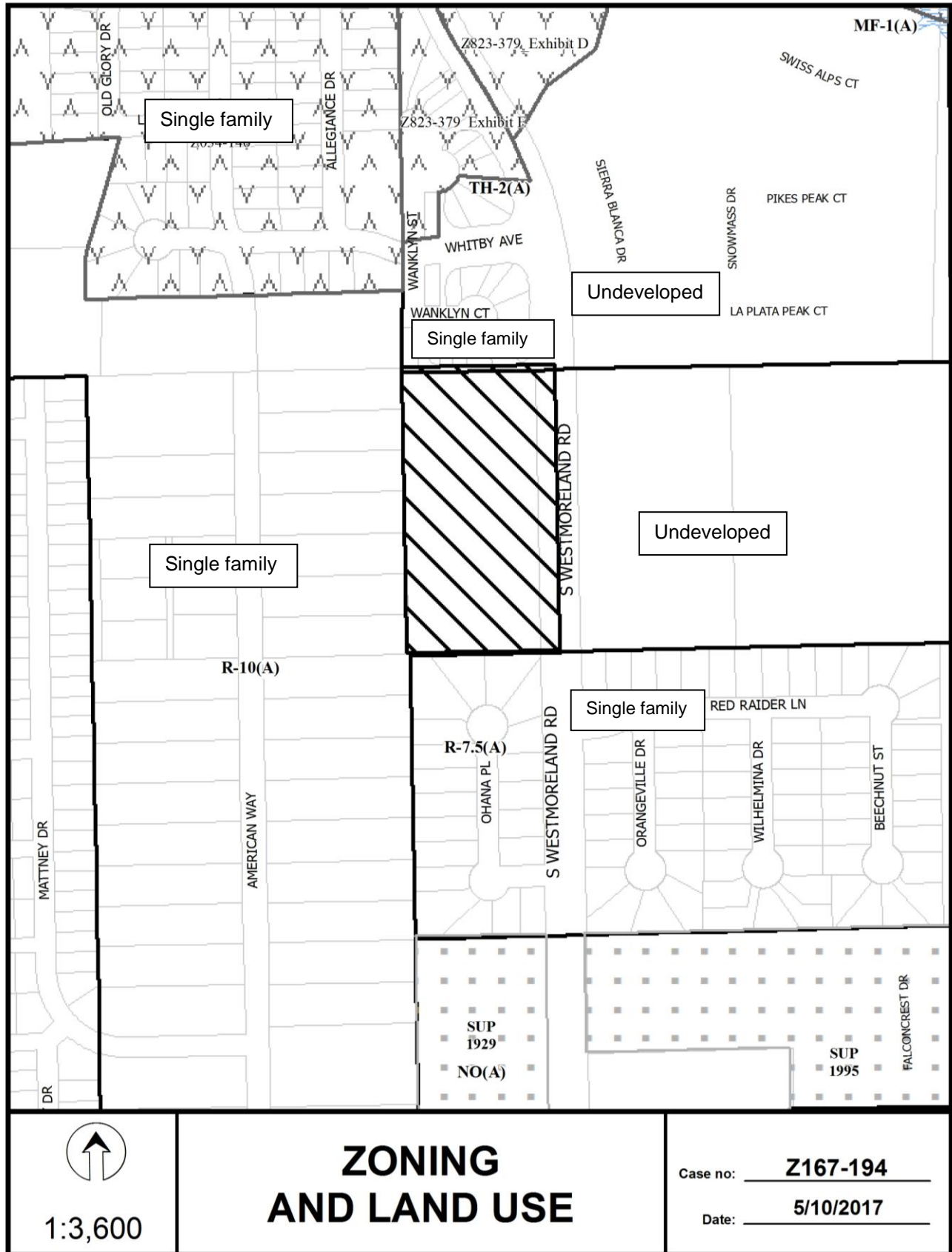


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AERIAL MAP

Case no: Z167-194

Date: 5/10/2017



1:3,600

ZONING AND LAND USE

Case no: Z167-194

Date: 5/10/2017

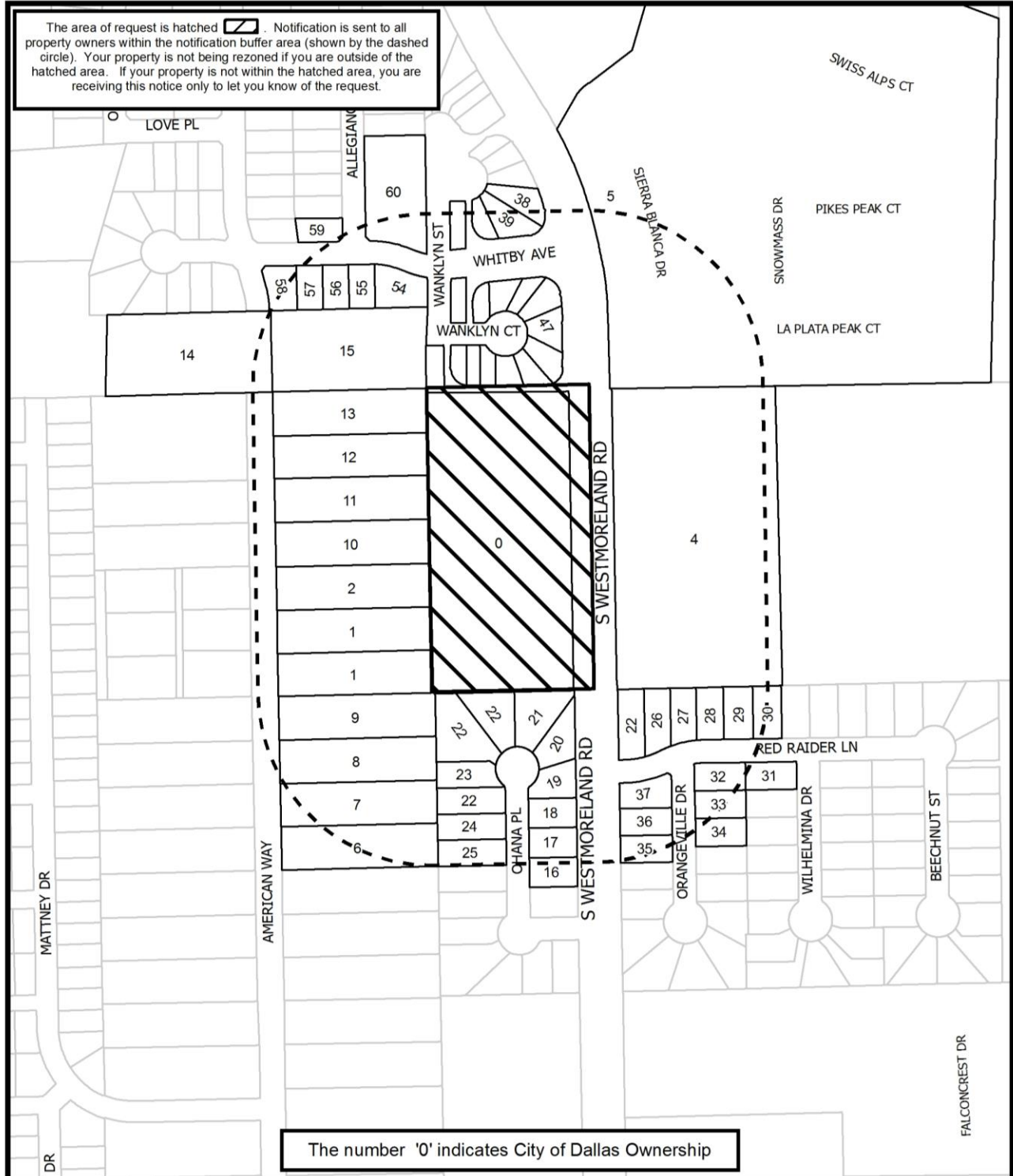


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ZONING HISTORY

Case no: Z167-194

Date: 5/10/2017



 1:3,600	<h2>NOTIFICATION</h2>	Case no: Z167-194
	400' AREA OF NOTIFICATION 60 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 5/10/2017

Notification List of Property

Z167-194

60 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6622 AMERICAN WAY	CADENA JUAN & ELSA
2	6606 AMERICAN WAY	RICO ESMERALDA
3	3928 WANKLYN CT	HALL JOHN E &
4	6700 S WESTMORELAND RD	Dallas ISD
5	6600 S WESTMORELAND RD	TA PROPERTIES II
6	6722 AMERICAN WAY	LUCERO LUIS ALAN
7	6714 AMERICAN WAY	STRAIN JAMES K
8	6706 AMERICAN WAY	STRAIN BETTY
9	6630 AMERICAN WAY	LAND ROBERT EUGENE &
10	6530 AMERICAN WAY	LOZANOSQUIVEL MAURILIO
11	6522 AMERICAN WAY	AZURA ADRIAN I &
12	6514 AMERICAN WAY	RIOS GABRIEL & MAURA
13	6506 AMERICAN WAY	HERNANDEZ JUAN F JR &
14	6501 AMERICAN WAY	THAMES C J
15	6500 AMERICAN WAY	ULLOAORTIZ DANIEL &
16	6724 OHANA PLC	MACIAS EDNA &
17	6720 OHANA PLC	JONES LATASHA D
18	6716 OHANA PLC	BLACK LANETTE &
19	6712 OHANA PLC	TRAN HAN VAN &
20	6708 OHANA PLC	CANALES SANTOS JULIANA &
21	6704 OHANA PLC	ALVIZOVELAZQUEZ ALBERTO J &
22	6703 OHANA PLC	WESTMORELAND OC LLC
23	6711 OHANA PLC	GARCIA CARLOS A &
24	6719 OHANA PLC	NICKLEBERRY KIMBERLY EVON
25	6723 OHANA PLC	RODRIGUEZ ROSELY SILIEZAR &
26	3749 RED RAIDER LN	GARCIA KAREN

05/10/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3745 RED RAIDER LN	GONZALEZ BRENDA &
28	3741 RED RAIDER LN	ANDERSON TERRY N & ANISSA P
29	3737 RED RAIDER LN	HE LING
30	3733 RED RAIDER LN	CASTANEDA PERFECTO &
31	6805 WILHELMINA DR	FONTILLAS ANNALYN
32	6804 ORANGEVILLE DR	DUFFEY JIMMY & JOSEPHINE
33	6808 ORANGEVILLE DR	SIERRA OSPICIO
34	6812 ORANGEVILLE DR	RODRIGUEZ RAUL IBARRA &
35	6815 ORANGEVILLE DR	LEVEY HOWARD II
36	6811 ORANGEVILLE DR	BARRERA RAYNALDO &
37	6807 ORANGEVILLE DR	HORTON KELVIN L & KISHA SHERRICE
38	6440 WANKLYN ST	GONZALEZ DAPHNE J
39	6444 WANKLYN ST	CATES YOLANDA
40	6448 WANKLYN ST	WARE DENNIS D
41	6452 WANKLYN ST	GOMEZ RAFAEL
42	3923 WANKLYN CT	SOLORZANO JORGE
43	3919 WANKLYN CT	SANMIGUEL JAVIER
44	3915 WANKLYN CT	MILLER SANDRA J
45	3911 WANKLYN CT	ANDERSON WILLIE HAYWOOD
46	3907 WANKLYN CT	ADKISON JIMMY L
47	3903 WANKLYN CT	COFER BRENDA R
48	3904 WANKLYN CT	WILLBANKS TAMMY
49	3908 WANKLYN CT	BERRY LUTHER W & ELLEN J
50	3912 WANKLYN CT	HUBBARD ROSIE M
51	3916 WANKLYN ST	MUELLER BEVERLY
52	3920 WANKLYN ST	BROWN ELLEN R
53	3924 WANKLYN CT	DOTSON VERNETTE
54	4004 WHITBY AVE	COTTMAN MARIA O
55	4012 WHITBY AVE	GARCIA IRMA
56	4016 WHITBY AVE	SANCHEZ JOHANNA S
57	4020 WHITBY AVE	MACIAS LUIS A & SANDRA

Z167-194(WE)

05/10/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4024 WHITBY AVE	JOHNSON BURCHINAL D
59	6453 ALLEGIANCE DR	AIYELESO OLASEYI
60	6501 AMERICAN WAY	HOA OF AMERICAN WAY ESTATES INC

FILE NUMBER: Z167-326(SM) **DATE FILED:** June 14, 2017
LOCATION: Northeast corner of Sherry Lane and Lomo Alto Drive
COUNCIL DISTRICT: 13 **MAPSCO:** 25 W
SIZE OF REQUEST: Approx. 0.86 acres **CENSUS TRACT:** 73.01

OWNER/APPLICANT: SGD BD Park Cities, LP

REPRESENTATIVE: William Dahlstrom; Jackson Walker, LLP

REQUEST: An application for a new subarea on property zoned Subarea A of Tract II within Planned Development District No. 314, the Preston Center Special Purpose District.

SUMMARY: The purpose of this request is to allow railings, parapet walls, trellises, and unoccupiable structures such as wind barriers, wing walls, and patio dividing walls to project through the residential proximity slope to a height not to exceed the maximum structure height, or eight feet above the slope, whichever is less. The applicant proposes to erect the proposed projections on the building that is currently under construction.

STAFF RECOMMENDATION: Approval, subject to conditions.

PRIOR CPC ACTION: On September 28, 2017, the City Plan Commission held this item under advisement. No change to the request is included in this report.

BACKGROUND INFORMATION:

- The site previously consisted of a vacant lot and an office building that was demolished on December 1, 2015, according to permit records.
- An eight story assisted living and memory care facility was issued a permit for new construction on November 3, 2016.

Zoning History: There have been no recent zoning cases requested in the area in the past five years.

Thoroughfares/Streets:

Thoroughfare/ Street	Function	Operational Characteristic	ROW
Sherry Lane	Collector	4 lanes undivided	60 feet
Lomo Alto	Local	N/A	50 feet

Traffic:

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

COMPREHENSIVE PLAN:

The fowardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The fowardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request.

ECONOMIC ELEMENT

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

Planning for balanced growth in a dynamic economic environment calls for flexible zoning regulations to enable the City to respond to changing markets and to better facilitate development that aligns with economic priorities.

AREA PLAN:

The *Northwest Highway and Preston Road Area Plan* was approved by Council on January 25, 2017. The *Plan* was comprised of seven study areas and approximately 1,370 acres. The area of request is located within Zone 1, Preston Center. In Preston Center, the *Plan* envisions the core of Preston Center as a vibrant, mixed-use concept with retail space would be located on the ground floor and office or residential spaces would be located on the upper floors. The *Plan* also recognizes, “that not all developments will be mixed use, the ultimate build out would undoubtedly include additional residential, retail, office and hospitality” (p. 25).

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 314, Tract 2 (Subarea A)	Senior care and living
North	PDD No. 314, Tract 2 (Subarea A)	Office
East	PDD No. 314, Tract 2	Office
South	PDD No. 314, Tract 2 (Subarea B)	Office
West	PDD No. 142	Single family

Land Use Compatibility:

The area of request is under construction for a senior living facility that will include a wide range of services and residences for its residents. The surrounding properties primarily consist of office buildings to the north, east, and south. A large divided highway is also located to the west and single family uses are located on the opposite side of the divided highway from the area of request, which therefore originates the residential proximity slope and the necessity of the request.

Since the existing regulations regarding land use are remaining unchanged, the proposed land use is compatible with surrounding properties.

Development Standards:

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
PDD No. 314, Tract 2 (Subarea A)- Existing	0'	5/10' – duplexes No min. all other areas	20 FAR	Any legal height	85%	Multifamily, duplex, single family, Retail and personal service, Warehouses
PDD No. 314, Tract 2 (Subarea A-2) Proposed	0'	5/10' – duplexes No min. all other areas	20 FAR	Any legal height	85% 100% with MUP	Multifamily, duplex, single family, Retail and personal service, Warehouses

The request proposes to allow projections in the existing residential proximity slope, which is a slope that emanates at a one foot in height for each three feet in distance of separation from the nearest private property within a single family zoning district, in this case the single family units west of the Dallas North Tollway.

The requested projections into the residential proximity slope are restricted to eight feet above the existing residential proximity slope and are limited to railings, parapet walls, trellises, and unoccupiable structures such as wind barriers, wing walls, and patio dividing walls. Projections are requested by the applicant to create safer and more habitable balconies and patios to the residents. For example, four-foot tall parapet walls are currently allowed to project through the residential proximity slope. If parapet walls were allowed to extend an additional four feet to allow an eight-foot parapet wall, the higher parapet would create additional visual separation from the residential districts to the west. Extending a parapet wall four feet higher also provides the benefit of additional safety, as objects or persons are less likely to overcome an eight-foot wall. Finally, the higher walls and requested projections also provide benefits to the residents as high winds often occur when a structure achieves heights above the general tree canopy height of the area.

Staff supports the request because the requested projections are similar to the following projections that are already allowed to project above residential proximity slope: elevator penthouse or bulkhead, mechanical equipment room, cooling tower, tank designed to hold liquids, ornamental cupola or dome, skylights, clerestory, visual screens which surround roof mounted mechanical equipment, chimney and vent stacks, amateur communications tower, and four-foot tall parapet walls¹.

Landscaping:

Landscaping must be in accordance with the landscaping requirements in Planned Development District No. 314, the Preston Center Special Purpose District.

¹ See the district regulations of nonresidential districts in Chapter 51A and Section 51A-4.408(a)(2).

List of Partners/Principals/Officers

SGD BV Park Cities LP
List of Partners/Principals/Officers

SGD Park Cities, LLC, Limited Partner
BV Sherry IV, LP, Limited Partner
SGD PC GP, LLC, General Partner
 SGD Senior Living, LP, its Sole Member

SGD PC GP, LLC
List of Partners/Principals/Officers

Officers of SGD PC GP, LLC

Dennis H. Alberts, Chairman and Chief Executive Officer
Frederick N. Sheppard, President and Chief Operating Officer
Christopher T. Porter, Managing Director and Chief Financial Officer
Thomas E. Dwyer, President – Development

PROPOSED AMENDMENTS TO

ARTICLE 314.

PD 314.

Preston Center Special Purpose District

SEC. 51P-314.101. LEGISLATIVE HISTORY.

PD 314 was established by Ordinance No. 20397, passed by the Dallas City Council on July 26, 1989. Ordinance No. 20397 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 20397 was amended by Ordinance No. 20619, passed by the Dallas City Council on May 9, 1990; Ordinance No. 22689, passed by the Dallas City Council on February 28, 1996; and Ordinance No. 23277, passed by the Dallas City Council on September 24, 1997. (Ord. Nos. 10962; 19455; 20397; 20619; 22689; 23277; 24914)

SEC. 51P-314.102. PROPERTY LOCATION AND SIZE.

PD 314 is established on property generally bounded by Northwest Highway on the north, Preston Road on the east, Colgate Avenue on the south, and the Dallas North Tollway on the west. The size of PD 314 is approximately 68.534 acres. (Ord. Nos. 20397; 24914; 27859)

SEC. 51P-314.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless the context clearly indicates otherwise, in this article:

(1) **BAR, LOUNGE, OR TAVERN USE** means the "bar, lounge, or tavern" use defined in Section 51A-4.210.

(2) **DIR** means development impact review pursuant to Division 51A-4.800.

(3) **FORMER PLANNED DEVELOPMENT DISTRICT NO. 6** means the planned development district established and governed by Ordinance No. 7059, passed by the Dallas City Council on September 10, 1956, as amended by Ordinance Nos. 14320 and 19221, passed by the Dallas City Council on November 5, 1973, and July 16, 1986, respectively. Copies of Ordinance Nos. 7059, 14320, and 19221 are included in this article as Exhibit 314A.

(4) **NEARBY INTERSECTIONS** means those street intersections within a one-quarter (1/4) mile radius of the building site.

(5) **NEW DEVELOPMENT** means any work that increases the total floor area on a building site.

(6) **OFFICE USES** means those uses defined in Section 51A-4.207.

(7) **OWNER** means the owner or owners, from time to time, of property in this district.

(8) PARAGRAPH means the first division of a subsection. Paragraphs are designated by arabic numerals in parentheses, e.g. "(1)."

(9) PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include the following:

(A) A private street or alley.

(B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.

(C) A railroad right-of-way.

(D) A cemetery or mausoleum.

(10) RAR means residential adjacency review pursuant to Division 51A-4.800.

(10.1) REMOTE COMMUNITY CENTER means a multi-functional facility sponsored or operated by a church as an accessory use to the church use where a combination of social, recreational, or educational activities are provided to church members and their families.

(11) RESIDENTIAL PROXIMITY SLOPE means the "residential proximity slope" defined in Section 51A-4.412.

(12) RETAIL AND PERSONAL SERVICE USES means those uses defined in Section 51A-4.210.

(13) SECTION means a section of this article.

(14) SUBAREA A means Subarea A in Tract I, Subarea A in Tract II, or Subarea A in Tract IV.

(14.1) SUBAREA B means Subarea B in Tract II.

(15) SUBPARAGRAPH means a division of a paragraph. Subparagraphs are designated by capital letters in parentheses, e.g. "(A)." A division of a subparagraph is also referred to as a subparagraph.

(16) SUBSECTION means the first division of a section. Subsections are designated by lower case letters in parentheses, e.g. "(a)."

(17) SUP means specific use permit.

(18) THIS DISTRICT means the entire planned development district created by Ordinance No. 20397, as amended.

(19) TRACT means one of the tracts referred to in Section 314.105 of this article.

(20) UNACCEPTABLE LEVEL-OF-SERVICE means a level-of-service "E" or "F" as defined in the Highway Capacity Manual, Transportation Research Board of the National Research Council, Washington, D.C.

(21) USE CATEGORY means the group of uses defined in any one of the following sections: Sections 51A-4.201 through 51A-4.217. The name of the use category corresponds to the section title. For example, "Retail and Personal Service" is a use category consisting of those uses defined in Section 51A-4.210, which is entitled "Retail and Personal Service Uses."

(b) Unless otherwise stated, the definitions contained in CHAPTER 51A apply to this article. In the event of a conflict, this section controls.

(c) Unless otherwise stated, all references to code sections in this article refer to sections in CHAPTER 51A.

(d) The interpretations in CHAPTER 51A, including Section 51A-2.101, "Interpretations," apply to this article.

(e) The phrase "the only uses permitted are those permitted in the ... district" means that the uses indicated are permitted in this district under precisely the same conditions (e.g. SUP, DIR, RAR, etc.) as permitted in the referenced district.

(f) In the event of a conflict between this article and Ordinance No. 7059, passed by the Dallas City Council on September 10, 1956, as amended by Ordinance Nos. 14320 and 19221, passed by the Dallas City Council on November 5, 1973, and July 16, 1986, respectively (see Exhibit 314A), this article controls.

(g) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district and each tract within this district is considered to be a "nonresidential zoning district." (Ord. Nos. 20397; 23277; 24914; 26807; 27859; 28089; 28788)

SEC. 51P-314.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 314A: copies of Ordinance Nos. 7059, 14320, and 19221.
- (2) Exhibit 314B: Preston Center Special Purpose District tract boundary descriptions.
- (3) Exhibit 314C: tract map.
- (4) Exhibit 314D: Tract V development plan.
- (5) Exhibit 314E: Tract I, Subarea B development plan.
- (6) Exhibit 314F: Tract I, Subarea B landscape plan. (Ord. Nos. 28068; 28788)

SEC. 51P-314.103.2. DEVELOPMENT PLANS.

(a) In general. Except as provided in this section, 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, and development schedule do not apply.

(b) Tract I, Subarea B. Development and use of the Property must comply with the Tract I, Subarea B development plan (Exhibit 314E). If there is a conflict between the text of this article and the Tract I, Subarea B development plan, the text of this article controls.

(c) Tract V. Development and use of the Property must comply with the Tract V development plan (Exhibit 314D). If there is a conflict between the text of this article and the Tract V development plan, the text of the article controls. (Ord. 28788)

SEC. 51P-314.104. ZONING CLASSIFICATION CHANGE AND DISTRICT NAME.

PD 314 is to be known as the Preston Center Special Purpose District. The boundaries of this district are described in Exhibit A of Ordinance No. 20397. (Ord. Nos. 20397; 24914)

SEC. 51P-314.105. CREATION OF SEPARATE TRACTS.

This district is divided into seven tracts: Tracts I, II, III, IV, V, VI, and VII. In addition, Tract I contains a designated "Subarea A" and a designated "Subarea B," Tract II contains a designated "Subarea A", and a designated "Subarea B," and a designated "Subarea C," and Tract IV contains a designated "Subarea A." The boundaries of all tracts, including Subareas A in Tracts I, II, and IV, and Subareas B in Tracts I and II, and Subarea C in Tract II are verbally described in Exhibit 314B. A map showing the boundaries of the various tracts, including Subareas A in Tracts I, II, and IV, and Subareas B in Tracts I and II, and Subarea C in Tract II, is labeled Exhibit 314C. If there is [In the event of] a conflict, the verbal descriptions in Exhibit A of Ordinance No. 20397 and Exhibit 314B control over the graphic description in Exhibit 314C. (Ord. Nos. 23277; 24914; 27859; 28089; 28788)

SEC. 51P-314.106. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACTS I AND V.

(a) Use regulations. The following use regulations apply in Tracts I and V (including Subareas A and B):

- (1) Except as otherwise provided in Paragraph (2), the only uses permitted are:
 - (A) those permitted in the NO(A) district;
 - (B) in Subarea A of Tract I and Tract V only, financial institution with drive in windows [SUP];
 - (C) in Subarea B of Tract I only, fire station (permitted by right); and
 - (D) in Tract V only, multifamily.
- (2) The "bar, lounge, or tavern" use is prohibited.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tracts I and V (including Subareas A and B):

(1) Front, side, and rear yards.

(A) Except as provided in this paragraph, minimum front, side, and rear yards are the same as those for the NO(A) district.

(B) In Subarea B of Tract I, no minimum front yard is required on Douglas Avenue or Berkshire Lane and no minimum side yard or rear yard are required.

(C) In Tract V, no side yard is required.

(2) Density. In Tract V, maximum number of dwelling units is 115.

(3) Floor area. In Tract V, maximum floor area is 200,000 square feet.

(4) Floor area ratio.

(A) Tract I.

(i) Except as provided in this subparagraph, maximum floor area ratio is 0.5.

(ii) In Subarea B, maximum floor area ratio is 1.19.

(B) Tract V. Maximum floor area ratio is 1.94.

(5) 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: 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.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is as follows:

(i) 30 feet in Tract I.

(ii) 119 feet in Tract V.

(6) Lot coverage.

(A) Tract I.

(i) Except as provided in this subparagraph, maximum lot coverage is 50 percent.

(ii) For Subarea B, maximum lot coverage is 85 percent.

(B) Tract V. Maximum lot coverage is 60 percent.

(C) Parking. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(7) Stories.

(A) Tract I. Maximum number of stories above grade is two. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(B) Tract V. Maximum number of stories above grade is nine. The top story may only be used for mechanical equipment. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(c) Required off-street parking.

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

(2) For office uses in Tract V, one space per 410 square feet of floor area is required.

(d) Tract V environmental performance standards.

(1) In general. Except as provided in this section, see Article VI.

(2) LEED certification.

(A) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004 (or more current), must be submitted with an application for a building permit for development, indicating how the development will comply with a LEED compliance designation. A LEED accredited professional designated by the department must affirm that development plans submitted for a building permit are LEED compliant. The building official must determine that the project is consistent with the standards and criteria for a LEED certified designation before a building permit may be issued.

(B) If during development, the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

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

(e) Landscape regulations.

(1) Tract I.

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

(B) In Subarea B, landscaping must be provided as shown on the Tract I, Subarea B landscape plan (Exhibit 314F). If there is a conflict between the text of this article and the Tract I, Subarea B landscape plan, the text of this article controls.

(2) Tract V.

(A) Landscaping must be provided in accordance with Section 51P-314.112.

(B) Except as provided in this paragraph, tree preservation, removal, and replacement must comply with Article X.

(C) Replacement trees must be planted in the right-of-way adjacent to the lot where the protected trees were removed or injured.

(f) Development impact review in Tracts I and V (including Subareas A and B). A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 22689; 24914; 26807; 28068; 28788)

SEC. 51P-314.107. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT II.

(a) Use regulations. The following use regulations apply in Tract II (including Subareas A, ~~and~~ B, and C):

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are:

(A) those permitted in the GO(A) and MF-4(A) districts; and

(B) retirement housing (permitted by right).

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the "outside sales" main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract II (including Subareas A, and B, and C):

(1) Front yard.

(A) Except as otherwise provided in Subparagraph (B), the minimum front yard is:

- (i) 15 feet where adjacent to Lomo Alto Drive; and
- (ii) no minimum in all other cases.

(B) An additional 20-foot "urban form" front yard setback is required for a building exceeding 45 feet in height if the building is on a lot whose front yard is adjacent to Lomo Alto Drive. The additional setback is only required for that portion of the building exceeding 45 feet in height.

(2) Side and rear yards. Minimum side and rear yards are the same as those for the GO(A) district.

(3) Floor area ratio. Maximum floor area ratio is 4.0.

(4) Dwelling unit density. No maximum dwelling unit density.

(5) 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. Exceptions:

(i) 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. In Subarea C, railings, parapet walls, trellises, and unoccupiable structures such as wind barriers, wing walls, and patio dividing walls may project through the slope to a height not to exceed the maximum structure height, or eight feet above the slope, whichever is less.

(ii) For purposes of calculating the maximum permitted height of a structure located in Subareas A and B of Tract II only, if the structure has no openings above 36 feet in height facing the residential neighborhood directly across the Dallas North Tollway, those sites of origination located west of the Dallas North Tollway are considered to project residential proximity slopes as follows:

<u>ZONING CATEGORY</u>	<u>ANGLE OF PROJECTION</u>	<u>EXTENT</u>
R, R(A), D, D(A), TH, and TH(A)	21.3°	Infinite; (1 to 2.56 slope)

otherwise, the standard residential proximity slope (1 to 3 slope), as defined in Section 51A-4.412, applies. For purposes of this subparagraph, the term "opening" means an open and unobstructed space or

a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 180 feet.

(6) Lot coverage. Maximum lot coverage is 100 percent.

(7) Stories. Maximum number of stories above grade is 14. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (5).

(c) Required off-street parking. Required off-street parking in Tract II (including Subareas A, and B, and C) must be provided for each use in accordance with Chapter 51A.

(d) Landscaping regulations. Landscaping in Tract II (including Subareas A, and B, and C) must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tract II (including Subareas A, and B, and C). A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation.

(f) Attached signage in Subarea B. In addition to the attached signage allowed in non-business zoning districts in Article VII of Chapter 51A, one attached sign may be placed on both the northern and southern facades of any building, in accordance with the following standards:

(1) Additional attached signs must be located within the area of the 5th and 6th stories above ground level.

(2) The additional attached signs may contain a maximum of five words each, with letters and symbols no taller than six feet in height.

(3) The maximum effective area of each additional attached sign permitted under this subsection is 125 square feet. (Ord. Nos. 20397; 20619; 24914; 28089)

SEC. 51P-314.108. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT III.

(a) Use regulations. The following use regulations apply in Tract III:

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are those permitted in the MU-2 district.

(2) The "bar, lounge, or tavern" use is prohibited.

(3) That portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west is limited to parking uses only.

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(4) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the “outside sales” main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract III:

(1) Front yard.

(A) Except as otherwise provided in Subparagraph (B), the minimum front yard is:

(i) 15 feet where adjacent to Northwest Highway or Preston Road; and

(ii) no minimum in all other cases.

(B) An additional 20-foot "urban form" front yard setback is required for a building exceeding 45 feet in height if the building is on a lot whose front yard is adjacent to Northwest Highway or Preston Road. The additional setback is only required for that portion of the building exceeding 45 feet in height.

(2) Side and rear yards. Minimum side and rear yards are the same as those for the MU-2 district.

(3) Floor area ratio. Maximum floor area ratio is 2.0.

(4) 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: 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.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is:

(i) 40 feet on Lots 7, 8, and 9 in City Block 5623 and on that portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west; and

(ii) 85 feet on all other property.

(5) Lot coverage. Maximum lot coverage is 100 percent.

(6) Stories.

(A) Maximum number of stories above grade is:

(i) three on Lots 7, 8, and 9 in City Block 5623; and

(ii) six on all other property.

(B) Parking garages are exempt from the requirements of Subparagraph (A), but must comply with the height regulations in Paragraph (4).

(c) Required off-street parking. The following off-street parking regulations apply in Tract III:

(1) Except as otherwise provided in this subsection, required off-street parking must be provided for each use in accordance with Chapter 51A.

(2) If at least 800 off-street parking spaces are available for use by the general public as part of an improved parking facility located on that portion of City Block 5623 bounded by Berkshire Lane on the north, Kate Street on the east, Luther Lane on the south, and Westchester Drive on the west, the number of off-street parking spaces required for each use shall be a percentage of the number of parking spaces required for that use in Division 51A-4.200, "Use Regulations," of the Dallas Development Code, as amended, as follows:

<u>USE CATEGORY</u>	<u>PERCENT OF DIVISION 51A-4.200 REQUIREMENT</u>
Retail and personal service	60 percent
All other use categories	75 percent

Delta credits, if any, shall not be taken into account when making the above calculation. Such credits, if any, shall be applied after the above calculation is made. (Consult Section 51A-4.704 for more information regarding the delta theory generally.)

(3) Remote parking for a use in Tract III may be located anywhere within Tract III regardless of the walking distance between the parking and the use served.

(4) In February, 1993, and every five years thereafter, the department of public works and transportation shall:

(A) evaluate the off-street parking needs of all uses in Tract III; and

(B) if necessary, recommend that appropriate changes be made to the off-street parking requirements of this subsection.

(5) All parking studies required under Paragraph (4) must be made available for public inspection upon their completion. The director of planning and development shall maintain a list of all persons requesting early notification of zoning matters affecting this district and notify those persons whenever a parking study required under Paragraph (4) has been completed.

(d) Landscaping regulations. Landscaping in Tract III must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tract III. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 20397; 20619; 24914)

SEC. 51P-314.109. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACTS IV AND VII.

(a) Use regulations. The following use regulations apply in Tracts IV and VII:

(1) Except as provided in this subsection, the only uses permitted are those permitted in the MU-2 district.

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the "outside sales" main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(4) A remote community center is allowed in Tract VII. A remote community center is not required to be located on the same lot as the church, but the lot containing a remote community center must be within 100 feet of the lot containing the church.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tracts IV and VII:

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- (1) Front yard. Minimum front yard is:
 - (A) 15 feet where adjacent to Preston Road, Douglas Avenue, or Weldon Howell Parkway; and
 - (B) no minimum in all other cases.
- (2) Side and rear yards.
 - (A) In Tract IV, minimum side and rear yards are the same as those for the MU-2 district.
 - (B) In Tract VII, minimum side and rear yards are five feet.
- (3) Floor area ratio.
 - (A) In Tract IV, maximum floor area ratio is 2.0.
 - (B) In Tract VII, maximum floor area ratio is 1.0.
- (4) 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.
 - (B) Preston Road slope. If any portion of a structure is over 45 feet in height, that portion may not be located above the plane projecting upward and outward from Preston Road at an angle of 26.5° (1 to 2 slope) through the line formed by the intersection of:
 - (i) the vertical plane extending through the Preston Road front yard setback line; and
 - (ii) the horizontal plane 45 feet above grade.
 - (C) Exception to slope restrictions. Structures listed in Section 51A-4.408(a)(2) may project through the slopes described in Subparagraphs (A) and (B) to a height not to exceed the maximum structure height, or 12 feet above the slopes, whichever is less.
 - (D) Maximum structure height.
 - (i) Unless further restricted under Subparagraphs (A) and (B), in Subdistrict IV, maximum structure height is 120 feet.
 - (ii) In Tract VII, maximum structure height is 45 feet.
- (5) Lot coverage.
 - (A) In Tract IV, maximum lot coverage is 100 percent.
 - (B) In Tract VII, maximum lot coverage is 80 percent.

(6) Stories. Maximum number of stories above grade is nine. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (4).

(7) Floor area.

(A) In Tract IV, subarea A may not have more than 30,000 square feet of retail and personal service uses.

(B) In Tract VII, maximum floor area is 42,000 square feet.

(c) Required off-street parking. The following off-street parking regulations apply in Tracts IV and VII:

(1) Except as otherwise provided in this subsection, required off-street parking must be provided for each use in accordance with Chapter 51A.

(2) In Subarea A, the off-street parking requirement is 1,306 spaces. Subsection (e), "Off-Street Parking Reduction Option," of Section 51P-314.111 of this article does not apply to property located in Subarea A.

(3) No parking spaces are required for a remote community center.

(4) Tract VII is considered one lot for parking purposes.

(5) Required off-street parking for a church may be provided on an adjacent lot within Subdistricts IV or VII.

(d) Landscaping regulations. Landscaping in Tracts IV and VII must be provided on all property in accordance with Article X of Chapter 51A or Section 51P-314.112 of this article.

(e) Development impact review in Tracts IV and VII. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 20397; 20619; 23277; 24914; 26708; 27859)

SEC. 51P-314.110. USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT VI.

(a) Use regulations. The following use regulations apply in Tract VI:

(1) Except as otherwise provided in Paragraph (2), the only uses permitted are those permitted in the CR district.

(2) The "bar, lounge, or tavern" use is prohibited.

(3) When a special events permit has been issued under Chapter 42A of the Dallas City Code, outside sales and display of merchandise in conjunction with that special event may occur in any area authorized by the permit. Otherwise:

(A) the “outside sales” main and accessory uses are prohibited; and

(B) accessory outside display of merchandise is subject to the following restrictions:

(i) All merchandise displayed must be located within 10 feet of a building facade of the business making the display.

(ii) No merchandise may be displayed in that portion of a street or alley improved, designed, or ordinarily used for vehicular travel, or on a parking space located on a public street or alley.

(iii) If merchandise is placed on a sidewalk, the sidewalk must have a minimum unobstructed width of five feet at all times.

(b) Yard, lot, and space regulations. The following yard, lot, and space regulations apply in Tract VI:

(1) Front, side, and rear yards. Minimum front, side, and rear yards are the same as those for the CR district.

(2) Floor area ratio. Maximum floor area ratio is 0.75.

(3) 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: 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.

(B) Maximum height. Unless further restricted under Subparagraph (A), maximum structure height is 54 feet.

(4) 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.

(5) Stories. Maximum number of stories above grade is four. Parking garages are exempt from this requirement, but must comply with the height regulations in Paragraph (3).

(c) Required off-street parking. Required off-street parking in Tract VI must be provided for new development in accordance with Chapter 51A. Off-street parking for existing development must be provided as was required under former Planned Development District No. 6. (See Exhibit 314A)

(d) Traffic impact study required.

(1) Except as otherwise provided in this subsection, no building permit in Tract VI may be issued to authorize development at an FAR in excess of that permitted in former Planned Development District No. 6 unless and until the director of public works and transportation determines that such development will not result in an unacceptable level-of-service at nearby intersections.

(2) An applicant for a permit to authorize development at an FAR in excess of that permitted in former Planned Development District No. 6 shall submit a traffic impact study to the building official for review and approval by the director of public works and transportation. The director may reject a traffic impact study submitted if, in the opinion of the director, it does not contain sufficient information.

(3) Within 30 calendar days of the date the traffic impact study is accepted, the director of public works and transportation shall determine whether the development will result in an unacceptable level-of-service at nearby intersections. The applicant may appeal the decision of the director to the board of adjustment.

(4) The property owner assumes the risk that the provisions of this subsection have been complied with. Any permit issued in violation of this subsection is void.

(e) Landscaping regulations. Landscaping in Tract VI must be provided on all property in accordance with Article X of Chapter 51A.

(f) Development impact review in Tract VI. A site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803 before an application is made for a permit for work in this district if the estimated trip generation for all uses on the lot collectively is equal to or greater than 6,000 trips per day and 500 trips per acre per day. See Table 1 in Section 51A-4.803 to calculate estimated trip generation. (Ord. Nos. 20397; 20619; 24914)

SEC. 51P-314.111. PROVISIONS OF GENERAL APPLICABILITY.

(a) In general. The following subsections apply to all property in this district and are cumulative of the use regulations and development standards for individual tracts in the previous sections.

(b) Existing buildings conforming. All buildings lawfully existing at the time of passage of Ordinance No. 20397 shall be considered conforming.

(c) Illumination of buildings and structures.

(1) In this subsection:

(A) EXTERIOR ILLUMINATION means illumination provided for the primary purpose of attracting the attention of persons outside the premise on which it is located, regardless of whether the light source itself is physically located inside or outside of a building or structure. This definition includes illuminated holiday decorations.

(B) LIGHT SOURCE means a device such as a lamp, mantle, or bulb, or any portion thereof, which produces visible light.

(C) LUMINAIRE means a device or fixture containing a light source and means for directing and controlling the distribution of light from the source.

(2) The exterior illumination of buildings, structures, signs, and art is prohibited:

(A) above 30 feet in height when the item illuminated is located within 600 feet of private property in a residential district and the illumination is visible from that property; and

(B) above 45 feet in height in all other cases.

All exterior illumination in this district must be brought into full compliance with this paragraph on or before July 28, 1989. No person shall have nonconforming rights to exterior illumination as defined in this subsection.

(d) Noise.

(1) Except as otherwise provided in this subsection, the noise regulations in Article VI of Chapter 51A apply in this district. In the event of a conflict between this subsection and Article VI, this subsection controls.

(2) The use of an outside public address or paging speaker is prohibited in this district.

(3) The use of an outside speaker as part of an intercom system must be approved by the director of planning and development if the speaker is located within 250 feet of private property in a residential district. Review and approval of the speaker are governed by the procedures and standards for residential adjacency review in Division 51A-4.800.

(4) Paragraphs (2) and (3) do not apply to special events for which a special events permit is issued under Chapter 42A of the Dallas City Code.

(e) Off-street parking reduction option.

(1) A property owner may reduce the standard off-street parking requirement for office uses up to 20 percent in Tracts II and IV and up to 10 percent in Tract III if the owner:

(A) submits a traffic impact study establishing that the reduction will not result in an unacceptable level-of-service at nearby intersections; and

(B) makes a "cash in lieu of parking" payment into a special city account, to be known as the Preston Center Parking and Transit Improvement Fund.

(2) The traffic impact study required under Paragraph (1) must be approved by the director of public works and transportation. The applicant may appeal the decision of the director to the board of adjustment.

(3) The amount of the "cash in lieu of parking" payment referred to in Paragraph (1) is calculated by taking 50 percent of the "cost of constructing a parking garage space" and multiplying that cost by the number of parking spaces that will not be required by reason of the payment. Until January 2, 1991, the cost of constructing a parking garage space is \$5,975.52. On January 2, 1991, and on January 2 of each odd-numbered year thereafter, the director of planning and development shall determine a new cost of constructing a parking garage space by using the following formula:

$$\text{National Median Cost} \times 320 \text{ sq. ft.} \times \text{Dallas Cost Index} \\ \text{Sq. Ft.}$$

where National Median Cost/Sq. Ft. is the national median cost per square foot of a parking space in a parking garage. Both the National Median Cost/Sq. Ft. and the Dallas Cost Index must be derived from the most recent issues of Building Construction Cost Data, published by the Robert Snow Means

Company, Inc., of Kingston, Massachusetts, unless another publication is designated by the director of planning and development. In order for the off-street parking reduction to be considered in cases involving work for which a permit is required, the entire payment must be made to the building official before issuance of the permit.

(5) All money paid into the Preston Center Parking and Transit Improvement fund must be used for programs to promote new common area and shared use parking, ride sharing, van pooling, transit usage (including system improvements), and bike and walkway facilities. All programs on which the money is spent must directly benefit properties in this district.

(f) Parking structures. Parking structures located adjacent to or directly across a street or alley from private property in a residential district must have a facade treatment to ensure that vehicles parked are not visible from that property.

(g) Sanitation. Garbage storage areas, including dumpster, must:

- (1) be located behind the front building line;
- (2) be screened from all yards having frontage on Lomo Alto Drive, Preston Road, or Northwest Highway; and
- (3) comply in all other respects with Chapter 51A and all other applicable ordinances of the city.

(h) Visual intrusion. No portion of any balcony or opening that faces an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-2, or MF-2(A) district may penetrate or be located above a residential proximity slope originating in that district. For purposes of this section, the term "opening" means an open and unobstructed space or a transparent panel in an exterior wall or door from which there can be visual surveillance into the yard of a residential use.

(i) Sign regulations.

- (1) Non-premise signs, as defined in Article VII of the Dallas Development Code, as amended, are prohibited in this district.
- (2) Section 51A-7.209, "Signs Displaying Noncommercial Messages," of the Dallas Development Code, as amended, applies in this district. (Ord. Nos. 20397; 20619; 24914)

SEC. 51P-314.112. SPECIAL LANDSCAPING REGULATIONS.

(a) Definitions. Except as otherwise provided in this subsection, the definitions in Article X of Chapter 51A apply to this section. In this section:

- (1) COURT OR PLAZA means a pedestrian area covered with a permeable or nonpermeable surface paving material.
- (2) FRONT YARD means the area extending across the lot between the roadway and any facade of the main building facing the roadway and lines parallel to and extending outward from that facade.

(3) FRONT YARD LANDSCAPE AREA means an area in the front yard, as defined in this section, at least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials.

(4) FYLA means front yard landscape area.

(5) INTERNAL STREET means a street that is internal to, i.e. not on the perimeter of, this district.

(6) PARKWAY means the portion of a street right-of-way between the street curb and the front lot line.

(7) SPECIAL AMENITIES ZONE means that area parallel to and between three and six feet from the back of the street curb in Tracts II, III, and IV, and that area parallel to and between three and 25 feet from the back of the street curb in Tract V.

(b) In general. Properties in Tracts II, III, and IV with front yard setbacks of less than 15 feet may comply with these special landscaping regulations as an alternative to strict compliance with Article X of Chapter 51A. Properties in Tract V must comply with the mandatory special landscaping provisions in Subsection (e). This section partially modifies the requirements of Article X for qualifying properties. Those portions of Article X not expressly modified in this section continue to apply to all property in Tracts II, III, IV, and V. In the event of a conflict between this section and Article X, this section controls.

(c) Minimum point totals required. The minimum number of points needed for landscape plan approval varies depending on the tract the lot is in and the zoning district classification of adjacent properties as follows:

LOT WITH RESIDENTIAL ADJACENCY*	LOT WITHOUT RESIDENTIAL
25 points	15 points

*As defined in Section 51A-10.101 (Definitions). The alternatives from which an applicant may select to achieve the minimum point score needed for approval are referred to in this section as "design standards" and contained in Subsection (d).

(d) Design standards.

(1) Front yard landscape area.

(A) Five points are awarded when one square foot of front yard landscape area (FYLA) is provided for each linear foot of lot frontage. One additional point may be earned for each additional increment of one square foot of FYLA per linear foot of lot frontage, up to a maximum of three additional points (eight points total). [Example: Seven points would be awarded if three square feet of FYLA was provided for each linear foot of lot frontage.]

(B) FYLA credits may be substituted for actual front yard landscape area. FYLA credits are earned when trees or shrubs are placed in the front yard as follows:

<u>SIZE OF TREE OR SHRUB</u>	<u>FYLA CREDIT</u>
1 tree: minimum 5 in. caliper minimum 2.5 in. caliper	100 sq. ft. 50 sq. ft.

minimum 1 in. caliper **30 sq. ft.**

1 shrub: minimum 4-foot height **30 sq. ft.**
minimum 2-foot height **15 sq. ft.**

(2) Pavement enhancement. Five points are awarded when at least 50 percent of all outdoor pedestrian and vehicular pavement area in the front yard consists of enhanced pavement. An additional one-half point may be earned for each additional increment of enhanced pavement constituting 10 percent of the total pedestrian and vehicular pavement area in the front yard.

(3) Pedestrian facilities.

(A) Courts or plazas. Three points are awarded when at least three square feet of courts or plazas are provided for each linear foot of lot frontage. One additional point is earned for each additional increment of one-half square foot of courts or plazas per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(B) Covered walkways. Three points are awarded when walkways in the front yard are covered by awnings or canopies in accordance with this subparagraph. Coverage must be at least five feet in depth, and the total length of walkways covered must be equal to or greater than 25 percent of the length of the lot frontage. One additional point is awarded for each additional increment of walkway length covered that is equal to 25 percent of the lot frontage, up to a maximum of three additional points (six points total).

(C) Fountains, ponds, and sculpture. Three points are awarded when at least one-half square foot of front yard area for each linear foot of lot frontage is devoted to fountains, ponds, or sculpture. One additional point is earned for each additional increment of one-half square foot per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(D) Seating area. Three points are awarded when at least 0.25 linear feet of seating is provided for each linear foot of lot frontage. One additional point is earned for each additional increment of 0.25 linear feet of seating per linear foot of lot frontage, up to a maximum of two additional points (five points total).

(e) Mandatory provisions.

(1) The following mandatory provisions must be complied with in addition to achieving the minimum number of points required by Subsection (c).

(2) Sidewalks must be provided and located in the special amenities zone.

(3) Any lot having frontage on an internal street or on Douglas Avenue must have:

(A) a minimum average sidewalk width of seven feet; and

(B) a minimum unobstructed sidewalk width of five feet.

(4) Any lot in Tract III having frontage on an internal street or on Douglas Avenue must have:

(A) a minimum average sidewalk width of ten feet; and

(B) a minimum unobstructed sidewalk width of seven feet.

(5) Street trees must be provided and located in the special amenities zone. The street trees must have a caliper of at least two and one-half inches and, except in Tract V, must be spaced no less than 25 feet apart, measured from trunk to trunk. The street trees in Tract V must be spaced no less than 15 feet apart and no more than 35 feet apart, measured from trunk to trunk, excluding driveways and required visibility triangles. In Tract V, street trees planted in the right-of-way may be counted towards the site tree requirements.

(6) Off-street loading and service areas must be screened from adjacent properties by a minimum six-foot-high screening wall or fence.

(7) Surface off-street parking must be screened from all adjacent public streets and residential properties by a wall or evergreen hedge. In Tract V, drive lanes and structured parking adjacent to Douglas Avenue must also be screened by a wall or evergreen hedge. Screening from adjacent public streets must be at least three feet in height, while screening from adjacent residential properties must be at least six feet in height.

(8) Pedestrian scale lighting must be provided and located in the special amenities zone. The light standards must be no greater than 14 feet in height and be spaced no more than 50 feet apart. The intensity of light on the pedestrian surface must be at least 1.5 footcandles.

(9) Any lot in Tract V having frontage on Douglas Avenue must provide a minimum of 18 linear feet of seating area and a minimum of 200 square feet of courts or plazas in the front yard facing Douglas Avenue.

(f) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the landscaping requirements of this article. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit in accordance with Subsection (g) of this section. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(g) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or pavement in the parkway. An application for a parkway landscape permit, if required, must be made to the director of public works and transportation before an application for a building permit is made for work on the lot. The application must be in writing on a form approved by the director and be accompanied by plans or drawings showing the area of the parkway affected and the construction and planting proposed.

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

(3) A property owner is not required to comply with any mandatory landscaping requirement of this section if compliance is made impossible due to the director's denial of a parkway landscape permit.

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

(5) The issuance of a parkway landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way. (Ord. Nos. 20397; 24914; 28068)

SEC. 51P-314.113. COMPLIANCE DATES AND NONCONFORMING RIGHTS.

(a) The compliance date of October 26, 1989, in Paragraph (5) of Subsection (c) of Section 11 of Ordinance No. 20397 applies only to light sources for the lighting of parking lots and garages [See Paragraphs (3) and (4) of that subsection].

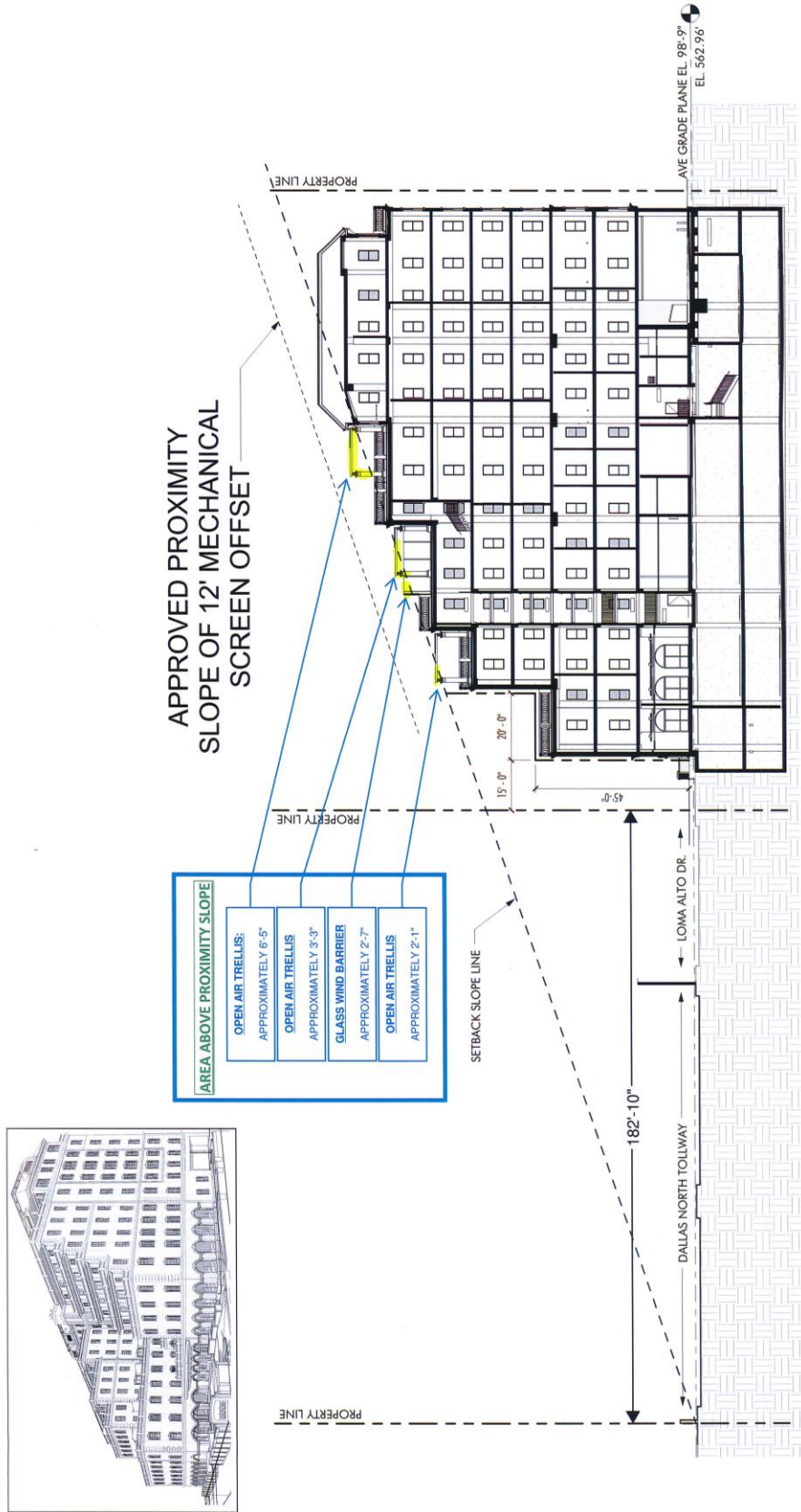
(b) The compliance date of July 28, 1989, in Section 3 of Ordinance No. 20619 is not ex post facto, but reflects, for informational purposes, the original effective date of Paragraph (2) of Subsection (c) of Section 11 of Ordinance No. 20397.

(c) The Dallas City Council did not grant, establish, or provide for nonconforming rights to illumination when it passed Ordinance No. 20397. (Ord. Nos. 20619; 24914)

SEC. 51P-314.114. CERTIFICATE OF OCCUPANCY CONDITIONED ON COMPLIANCE.

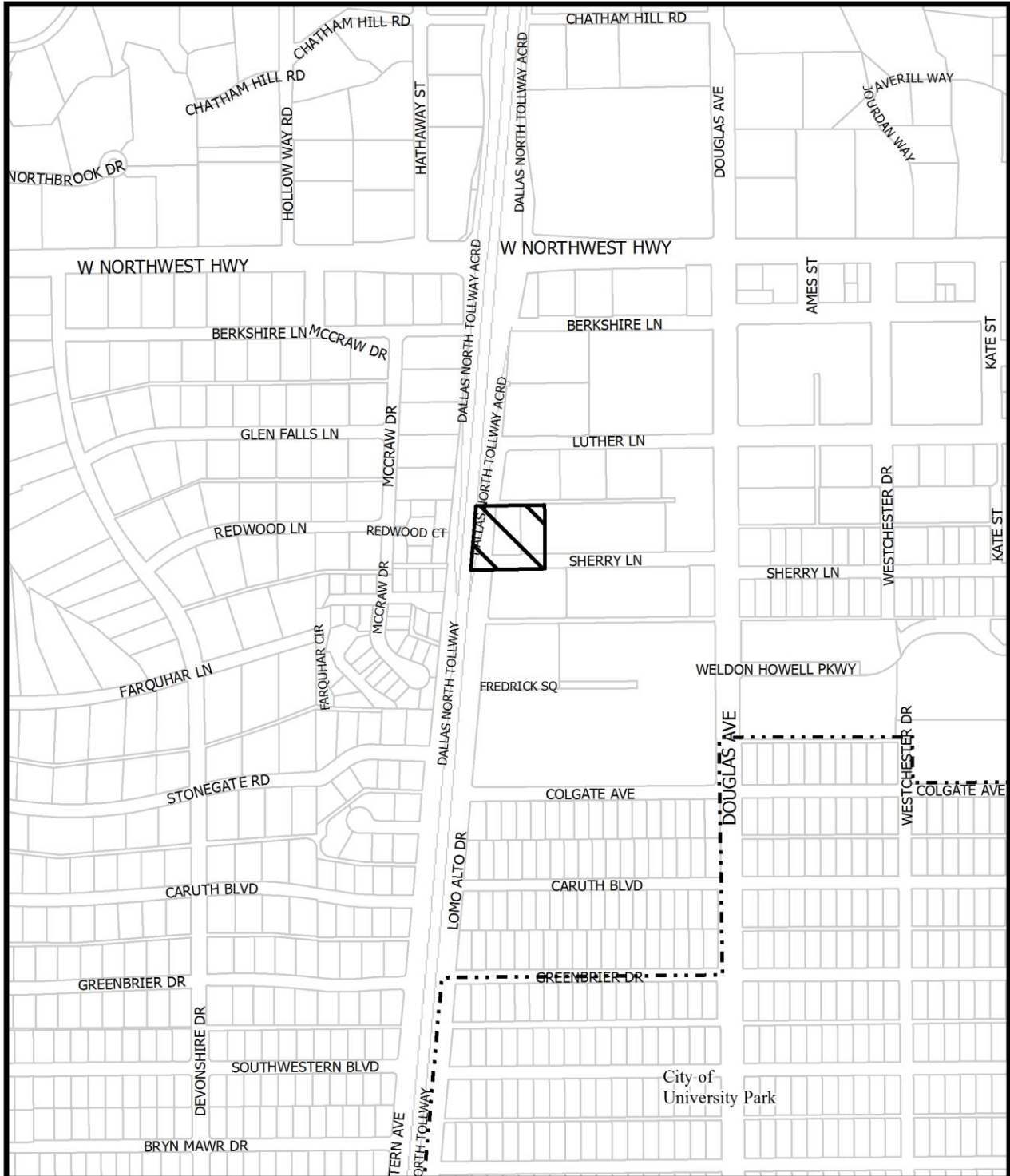
The building official shall not issue a certificate of occupancy for a use on the Property until there has been full compliance with this article and with the construction codes and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 20397; 24914; 26102)


Illustrative Example of Request



HARBORCHASE OF THE PARK CITIES
MAY 15, 2017

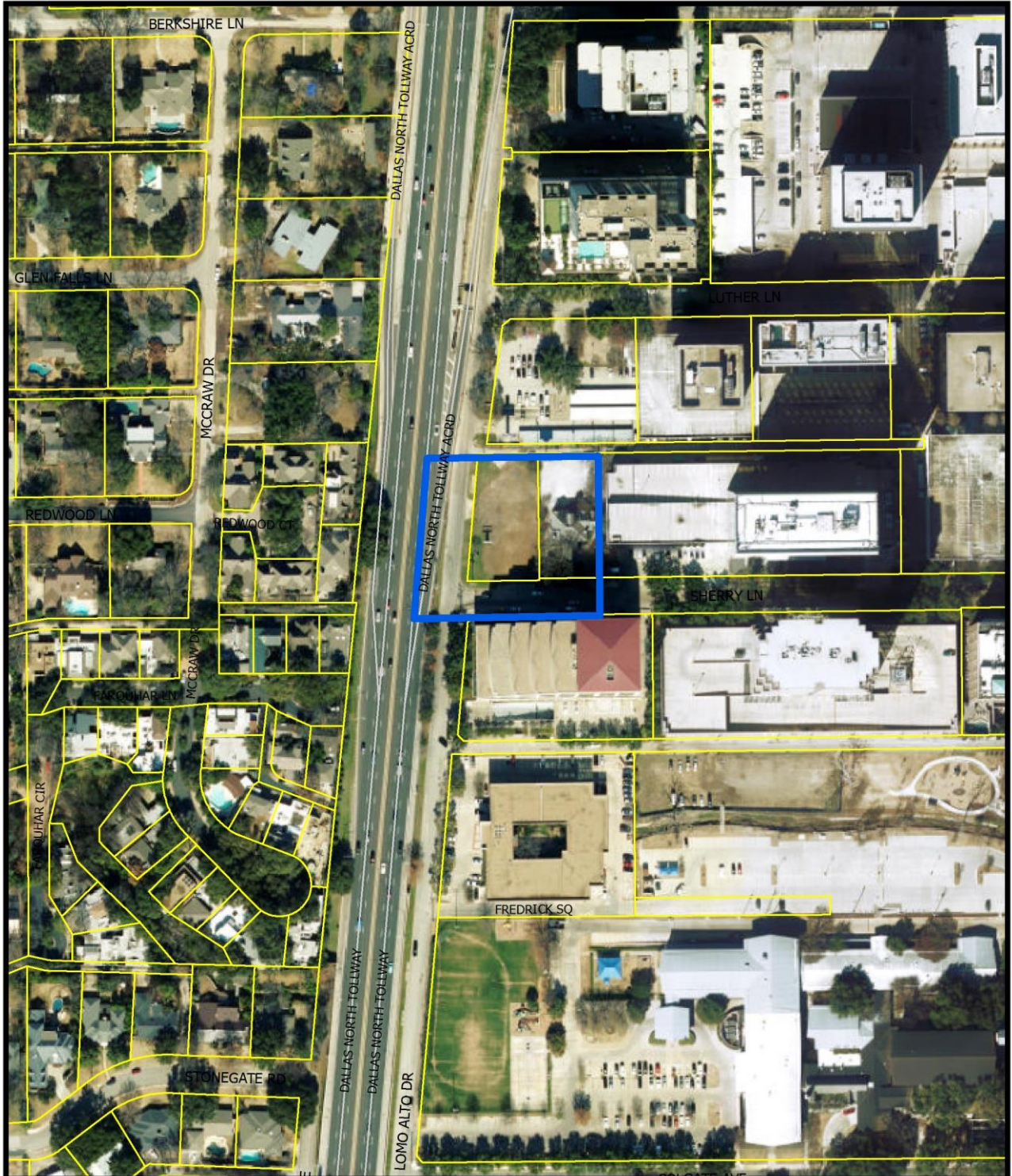
HPC - TRELLIS & GLASS WIND-BARRIER WALL
AREA ABOVE PROXIMITY SLOPE
BOKA POWELL SKETCH
06.05.2017




1:6,000

VICINITY MAP

Case no: Z167-326
Date: 9/12/2017

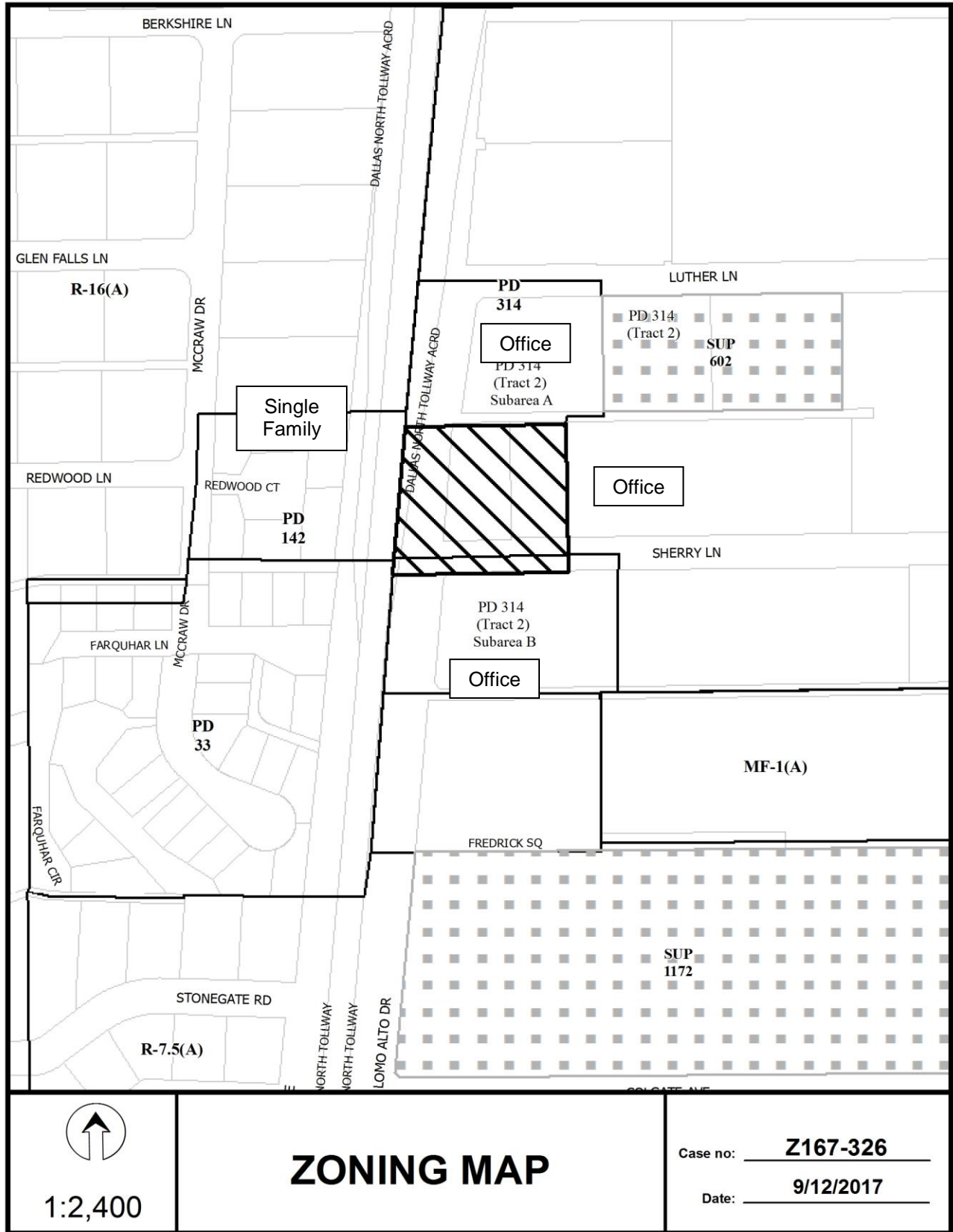


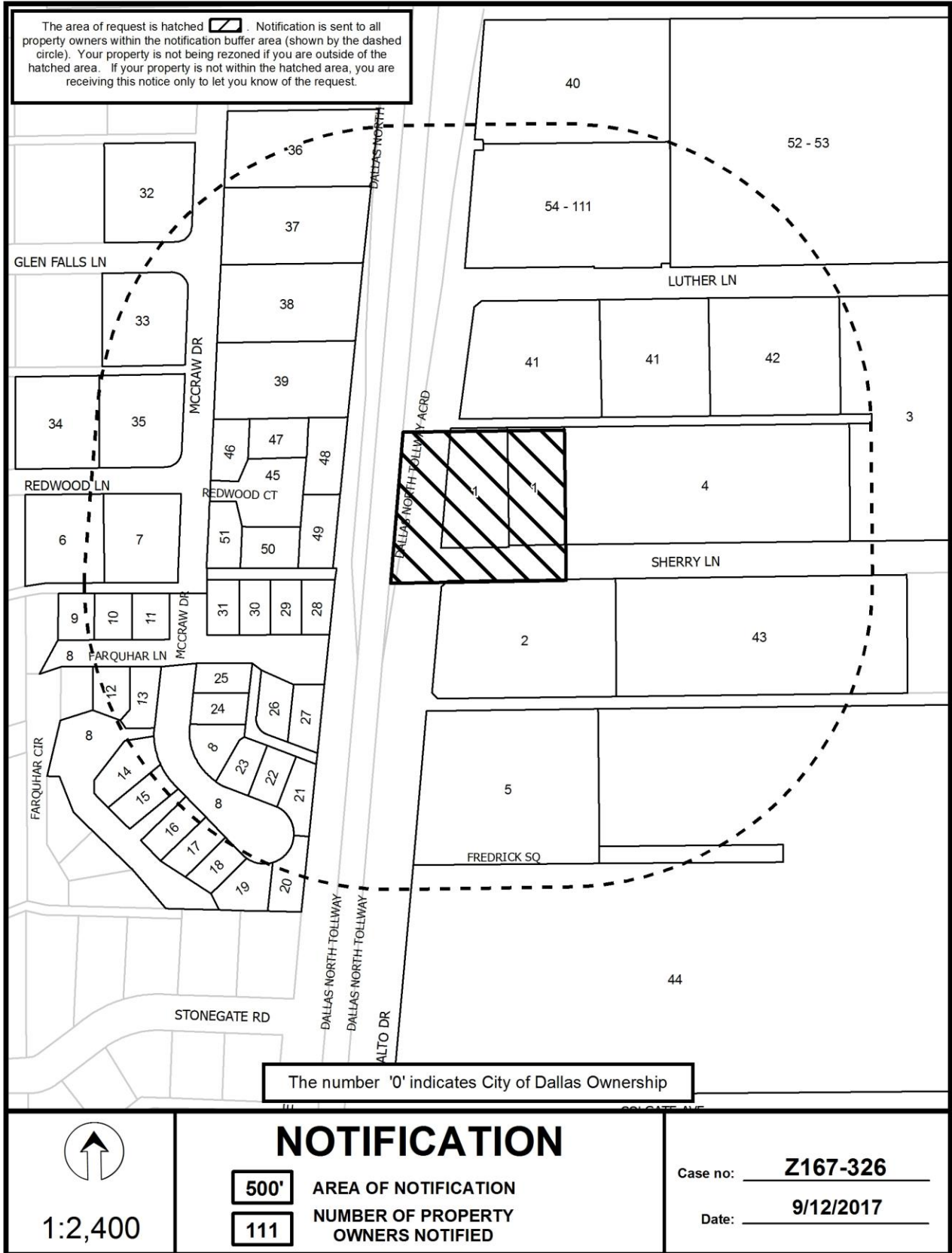
1:2,400

AERIAL MAP

Case no: Z167-326

Date: 9/12/2017





09/12/2017

Notification List of Property Owners***Z167-326******111 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5905 SHERRY LN	SGD BV PARK CITIES LP
2	5950 SHERRY LN	5950 SHERRY PROPERTY LLC
3	8235 DOUGLAS AVE	DIP SPV COMPANY 4 LLC
4	5949 SHERRY LN	KBSIII STERLING PLAZA LLC
5	8100 LOMO ALTO DR	FREDERICKS SQUARE TITLE
6	5808 REDWOOD LN	RIEKE ROBERT D & MELISSA E
7	5818 REDWOOD LN	COZORT DONNA
8	8848 MCCRAW DR	TEALWOOD SQ HOME OWNERS
9	5815 FARQUHAR LN	BERRY SALLY B & BUFORD P
10	5825 FARQUHAR LN	FARQUHAR MANAGEMENT LLC
11	5835 FARQUHAR LN	BEE J C
12	5826 FARQUHAR LN	MITCHELL HARVEY R &
13	8863 MCCRAW DR	WELLS CHERRIE STEERE
14	8859 MCCRAW DR	STAMMBERGER ERIC &
15	8849 MCCRAW DR	LIPSCOMB STEPHEN M & SHELLEY G
16	8839 MCCRAW DR	HAYNER WILLIAM M ETAL
17	8829 MCCRAW DR	MCFARLAND JOHN SAMUEL &
18	8819 MCCRAW DR	ROOSEVELT ELLIOTT JR &
19	8809 MCCRAW DR	CAMPBELL BOBBY PIPKIN
20	8808 MCCRAW DR	CRUTCHER HARRY III &
21	8818 MCCRAW DR	BRUTON CAROLE LOU
22	8828 MCCRAW DR	BLACK BEAU K
23	8838 MCCRAW DR	BIRNBAUM MARC A
24	8858 MCCRAW DR	MYTINGER FRANK K &
25	5858 FARQUHAR LN	DEISON PETER V
26	5866 FARQUHAR LN	BARNES WILLIAM R & MARY G

09/12/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5876 FARQUHAR LN	GRANT ELISABETH W
28	5875 FARQUHAR LN	DOREMUS JO CLEAVER TRUST
29	5865 FARQUHAR LN	LEDYARD G C JR & DOLORES
30	5855 FARQUHAR LN	STOREY HELEN S
31	5845 FARQUHAR LN	NEWSOME THOMAS W & JANVRIN M
32	5819 GLEN FALLS LN	EIDSON ALLISON S
33	5818 GLEN FALLS LN	SULLIVAN MARK & PATTY A
34	5807 REDWOOD LN	TALKINGTON GRACE D &
35	5819 REDWOOD LN	FLYNN W BRAMWELL & SUSAN N
36	9114 MCCRAW DR	BROWN EDGAR MILLER & CYNTHIA CASEY
37	9104 MCCRAW DR	SINACOLA JAMES MARIO
38	9026 MCCRAW DR	MOD HOME
39	9018 MCCRAW DR	HARDAWAY OSCAR O &
40	5950 BERKSHIRE LN	BPC CORP
41	5944 LUTHER LN	PRESTON CENTER LLC
42	5954 LUTHER LN	APPLE NINE SPE DALLAS INC
43	5956 SHERRY LN	SHERRY REALTY HOLDINGS
44	8011 DOUGLAS AVE	CORPORATION OF EPISCOPAL
45	5801 REDWOOD CT	REDWOOD COURT HOMEOWNERS
46	5803 REDWOOD CT	PRITCHETT PHILIP H & MARTHA C
47	5805 REDWOOD CT	LOEB MICHAEL E & RAYNA D
48	5811 REDWOOD CT	LARDNER ANN MARIE
49	5810 REDWOOD CT	HUBACH FRANCIS P JR
50	5804 REDWOOD CT	PITZER STARR LAMBERT & CHRISTINE H
51	5802 REDWOOD CT	COUSINS RALPH & HARRIET
52	8343 DOUGLAS AVE	CFO DT III LLC
53	5960 BERKSHIRE LN	CFO DT IV LLC
54	5909 LUTHER LN	FERNANDEZ ALINA MARIE CLAIRE OCARANZA
55	5909 LUTHER LN	M & J WHILHITE FAMILY PARTNERSHIP LTD
56	5909 LUTHER LN	YELLOW TRAVEL & ENTERTAINMENT INC
57	5909 LUTHER LN	ROBBINS JAY & MINDY

09/12/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5909 LUTHER LN	704 DSP SHELTON LLC
59	5909 LUTHER LN	REAL ESTATE ARBITRAGE PARTNERS LLC
60	5909 LUTHER LN	TAYLOR RICHARD C & TRACY
61	5909 LUTHER LN	708 DSP SHELTON LLC
62	5909 LUTHER LN	HWANG CHIUFANG & WILLIAM
63	5909 LUTHER LN	DALLAS SHELTON PTNR LLC
64	5909 LUTHER LN	TUDOR III TRUST
65	5909 LUTHER LN	RATCLIFF T PATRICK &
66	5909 LUTHER LN	HAMMOND PPTIES INC
67	5909 LUTHER LN	RATCLIFF TERRENCE P
68	5909 LUTHER LN	HAMMOND PPTIES INC
69	5909 LUTHER LN	HARE WILLIAM C III
70	5909 LUTHER LN	INGOLD HANS H & MARY ANN
71	5909 LUTHER LN	BIGHAM BRYAN & DEBORAH
72	5909 LUTHER LN	LEWIS LINDA B
73	5909 LUTHER LN	DEARMOND KATHRYN MARIE
74	5909 LUTHER LN	MARTIN C JOANNE C REVOCABLE TRUST
75	5909 LUTHER LN	FLEET TIMOTHY
76	5909 LUTHER LN	SNIDER ROSEMARY
77	5909 LUTHER LN	PALMER JAMES F & BETTY L
78	5909 LUTHER LN	ARAVAMUTHAN VIBHAS &
79	5909 LUTHER LN	DALE JOHN ROBERT
80	5909 LUTHER LN	LANE CAROLYN HOOPER
81	5909 LUTHER LN	WILSON JOHN E & BETTY P
82	5909 LUTHER LN	FRANKE REVOCABLE TRUST
83	5909 LUTHER LN	HARVIN SUSAN
84	5909 LUTHER LN	CHEN CHYN SHYR & WU LINGCHI
85	5909 LUTHER LN	DAKIL DIANE
86	5909 LUTHER LN	SORRA LP
87	5909 LUTHER LN	KOSEL CHRIS & MARTHA
88	5909 LUTHER LN	HUTCHINSON WILLIAM L

09/12/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	5909 LUTHER LN	BLAIR RONALD M &
90	5909 LUTHER LN	PURVIN DEBORAH T &
91	5909 LUTHER LN	PIVNICK LIVING TRUST
92	5909 LUTHER LN	DUNNING DAVID W
93	5909 LUTHER LN	RUBLE KARIN G
94	5909 LUTHER LN	CAMALIER GEORGE ROBERT & CATHY KYLE
95	5909 LUTHER LN	MENTER GILLIAN SACHAR
96	5909 LUTHER LN	SAULTER GILBERT J & MAE F
97	5909 LUTHER LN	KING SHAUNA RYAN BENEFICIARY TR &
98	5909 LUTHER LN	FIKE REBECCA & RICHARD
99	5909 LUTHER LN	LUBICK FINANCIAL GROUP LLC
100	5909 LUTHER LN	DDK HOLDINGS LLC
101	5909 LUTHER LN	ANDERSON KIMBALL R & ROBIN C
102	5909 LUTHER LN	MILLER BENJAMIN G & KELLI
103	5909 LUTHER LN	BACON TERI L
104	5909 LUTHER LN	LELAND DANIEL & SUSAN
105	5909 LUTHER LN	FULLER REVOCABLE TRUST
106	5909 LUTHER LN	CADG 5909 LUTHER LANE LLC
107	5909 LUTHER LN	DUPONT DENISE REVOCABLE TRUST
108	5909 LUTHER LN	KELLY RICHARD
109	5909 LUTHER LN	GLAZER LORI LUSKEY
110	5909 LUTHER LN	KELLY RICHARD D
111	5909 LUTHER LN	ZIELKE PETER B

FILE NUMBER: Z167-332(JM)

DATE FILED: June 26, 2017

LOCATION: On the south line of West Louisiana Avenue, west of South Beckley Avenue.

COUNCIL DISTRICT: 4

MAPSCO: 54-R

SIZE OF REQUEST: 14,000 square feet

CENSUS TRACT: 54.00

APPLICANT/OWNER: Juan and Felipa Salas

REQUEST: An application for an MF-1(A) Multifamily District on property zoned a CR Community Retail District and an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to rezone to make the existing multifamily use conforming.

STAFF RECOMMENDATION: Approval

PRIOR ACTION: On September 28, 2017, the City Plan Commission held this item under advisement to allow more time for clarification and discussion.

BACKGROUND INFORMATION:

- The site is currently developed with a multifamily unit (fourplex). The site was initially nonconforming when it contained a duplex. A past owner renovated the unit in 2007 to make it a group home or multifamily unit. Upon requesting a Certificate of Occupancy, the work done was found to be unpermitted, releasing the established legal nonconformity AND making the use illegal in the current zoning of Community Retail District.
- In October 2007, the site was denied a CO. The property owner presented to the Board of Adjustment on January 16, 2008, where the Building Official's determination was overturned, reinstating nonconforming rights for the duplex use. The site remained vacant for six months and lost nonconforming rights again. Additionally, the site continues to operate as a multifamily unit, never being returned to the nonconforming state as a duplex.
- The applicant proposes to rezone to make the existing use conforming.

Zoning History:

There have been no recent zoning requests in the area in the past five years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
W. Louisiana Avenue	Local	50 ft.

STAFF ANALYSIS:

Comprehensive Plan:

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

LAND USE ELEMENT:

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Surrounding Land Uses:

	Zoning	Land Use
Site	CR Community Retail & R-7.5(A) Single Family	Multifamily
North	CS Commercial Service	Home Improvement Store w/outside storage
East	CR Community Retail	Auto-related; Retail & Personal Service
South	R-7.5(A) Single Family	Single Family
West	R-7.5(A) Single Family	Single Family

Land Use Compatibility:

The site is developed with a multifamily structure. According to DCAD records, the original structure was built in 1956. Initially, there was a nonconforming duplex use. A past owner renovated the unit in 2007 to make it a group home or multifamily unit. Upon requesting a Certificate of Occupancy, the work done was found to be unpermitted, releasing the established legal nonconformity AND making the use illegal in the current zoning of Community Retail District.

In October 2007, the site was denied a CO. The property owner presented to the Board of Adjustment on January 16, 2008, where the Building Official's determination was overturned, reinstating nonconforming rights for the duplex use. The site remained vacant for six months and lost nonconforming rights again. Additionally, the site continues to operate as a multifamily unit, never being returned to the nonconforming state as a duplex. The applicant proposes to rezone to make the existing multifamily use conform.

Surrounding land uses include a home improvement store with outside storage to the north; auto-related and retail and personal service uses to the east; and, single family uses to the south and west. The site is partially zoned R-7.5(A) Single Family District to the west and CR Community Retail District to the east. Rezoning the site to MF-1(A) Multifamily District would allow the multifamily use to remain, acting as a buffer between the existing single family uses further west and the retail and personal service uses to the east.

Development Standards:

DISTRICT	SETBACKS		Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing:							
R-7.5(A) Single Family	25'	5'	1	30'	45% Res. 25% NonRes.	RPS	Single family
Existing:							
CR Community Retail	15'	20' adj.res. 0' Others	None	54'	60%	RPS	Retail & personal service, office
Proposed:							
MF-1(A) Multifamily	15'	0' SF 5'/10' Duplex 10'/15' Others	None	36'	60% Res. 25% NonRes.	RPS	Multifamily, duplex, single family

Traffic:

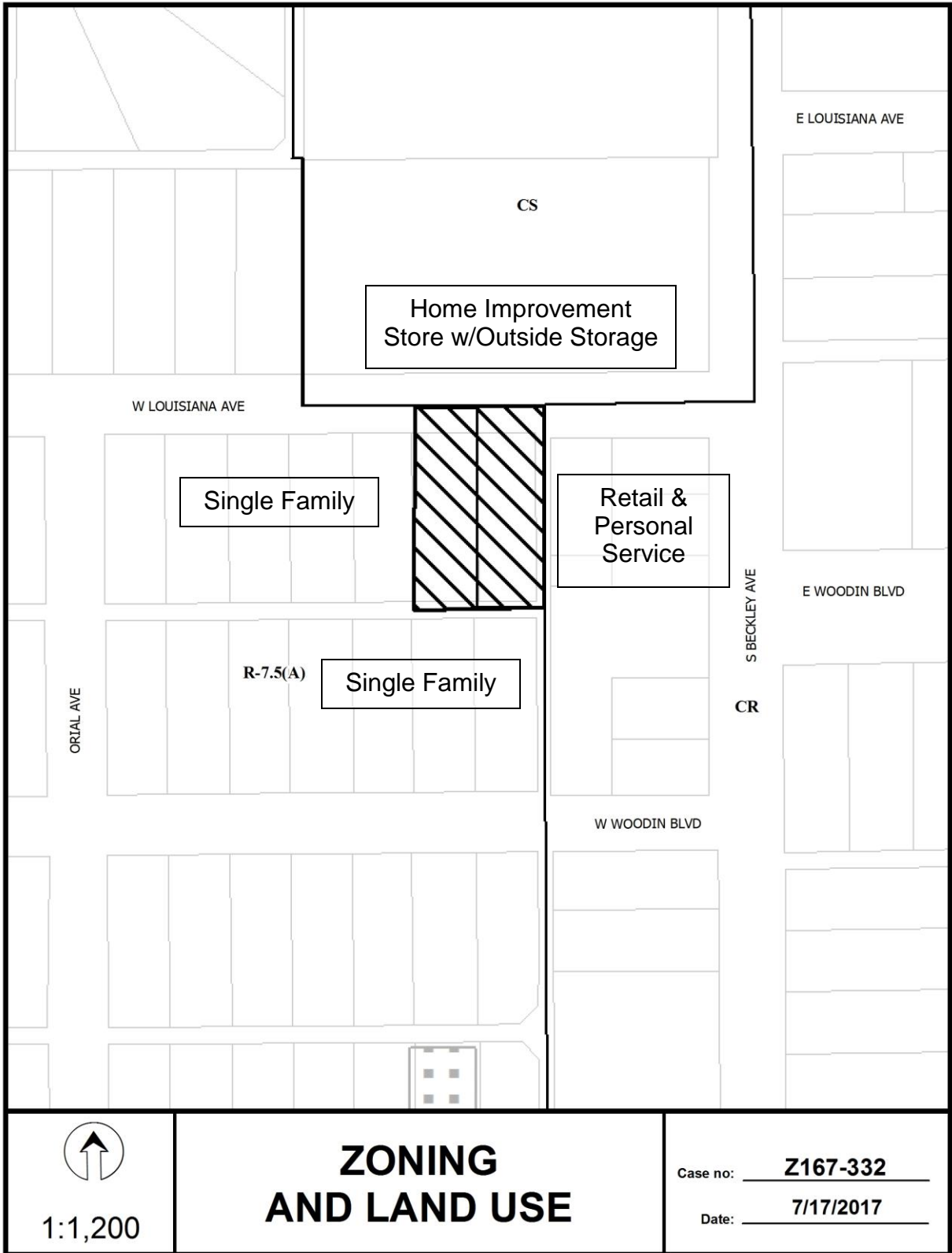
The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and has no objections.

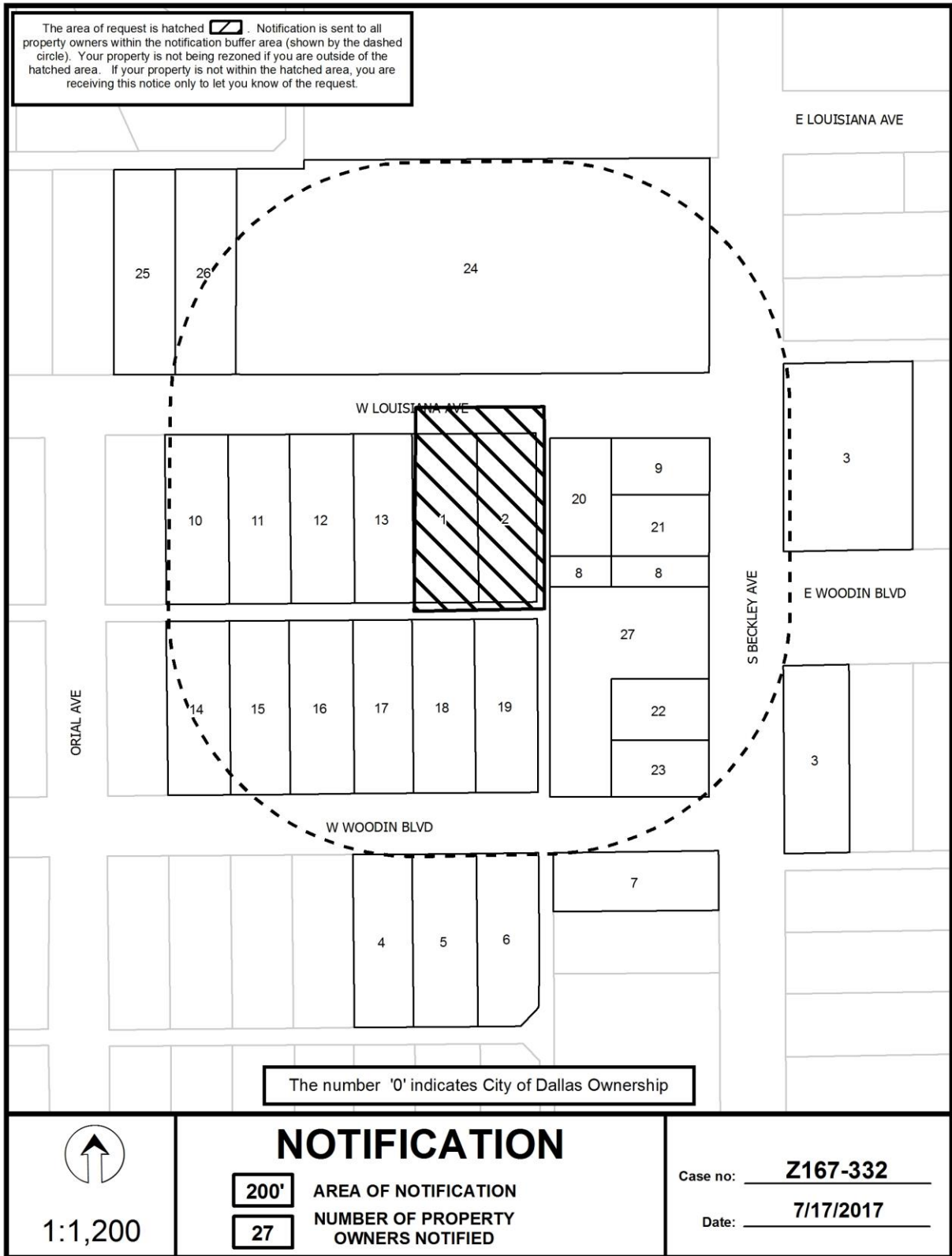
Landscaping:

Landscaping must be provided in accordance with Article X, as amended.









07/17/2017

Notification List of Property Owners***Z167-332******27 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	118 W LOUISIANA AVE	SALAS JUAN & FELIPA
2	114 W LOUISIANA AVE	SALAS JUAN &
3	2016 S BECKLEY AVE	ELISALDE SANTOS J
4	120 W WOODIN BLVD	ALVAREZ JESUS &
5	118 W WOODIN BLVD	THOMPSON TOMMIE FAYE
6	114 W WOODIN BLVD	PERKINSHORNAGE MAGGIE
7	2103 S BECKLEY AVE	SHEKINAH TABERNACLE
8	2009 S BECKLEY AVE	ZUBIRI GLORIA
9	2001 S BECKLEY AVE	CUADROS FERMAN
10	134 W LOUISIANA AVE	ORTIZ MARTINA I & JUAN EDUARDO
11	130 W LOUISIANA AVE	MORIEL JOSE BENITO &
12	126 W LOUISIANA AVE	VASQUEZ MIGUEL & GRISELDA
13	122 W LOUISIANA AVE	LEALAM REALTY LLC
14	135 W WOODIN BLVD	ALVAREZ JESUS M & NORMA
15	129 W WOODIN BLVD	ADAMS RACHEL
16	127 W WOODIN BLVD	NEVEL LEROY & BARBARA
17	123 W WOODIN BLVD	ABNEY IIVISON SR
18	117 W WOODIN BLVD	SOLANO JOSE L
19	115 W WOODIN BLVD	RIVERA JOSE G
20	108 W LOUISIANA AVE	TORRE MIGUEL DEL &
21	2005 S BECKLEY AVE	TORRE MIGUEL DELA &
22	2019 S BECKLEY AVE	KING J H
23	2023 S BECKLEY AVE	COMPANIA DEMETRIO LLC
24	1941 S BECKLEY AVE	CHEVY CHASE OAKS LLC
25	131 W LOUISIANA AVE	ESPINOZA JOSE GUADALUPE
26	127 W LOUISIANA AVE	MALDONADO JAMIE & YOLANDA
27	2011 S BECKLEY AVE	DE LEON CRISTOBAL &

FILE NUMBER: Z167-358(JM)

DATE FILED: July 26, 2017

LOCATION: North line of Fort Worth Avenue, west of Walter Drive

COUNCIL DISTRICT: 1

MAPSCO: 43 Z

SIZE OF REQUEST: Approximately 3.6 acres

CENSUS TRACT: 69.00

APPLICANT: Ashley Watkins % T-Mobile West, LLC

OWNER: Housing Authority of Dallas

REQUEST: An application for the renewal of Specific Use Permit No. 2161 for a tower/antenna for cellular communication limited to a mounted cellular antenna on property zoned Subdistrict 4 of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District.

SUMMARY: In 2015, PDD No. 714 was amended and SUP No. 2161 was approved for a tower/antenna for cellular communication limited to a mounted cellular antenna for a two-year period subject to a site plan and conditions. The applicant's request is to renew the SUP and extend the time frame to 10 years.

STAFF RECOMMENDATION: Approval of the renewal of Specific Use Permit No. 2161 for a two-year period, subject to a site plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- According to Dallas Central Appraisal District records, the existing 12-story structure was built in 1970 and is approximately 32,304 square feet.
- In 2015, an amendment to PDD No. 714 and SUP No. 2161 were approved to allow a tower/antenna for cellular communication limited to a mounted cellular antenna use for a two-year period.
- The current request is to renew the SUP and extend the term to 10 years. Staff supports the renewal, but for a two-year period.

Zoning History: There have been two recent zoning changes requested in the area within the last five years.

1. **Z123-334:** On Wednesday, November 12, 2014 the City Council approved an ordinance granting Specific Use Permit No. 2067 for a convalescent and nursing homes, hospice care, and related institutions use and a resolution to terminate deed restrictions on property within Subdistrict 4A of Planned Development District No. 714, the West Commerce Street/Fort Worth Avenue Special Purpose District, located on the northeast line of Bahama Drive, south of Fort Worth Avenue.
2. **Z167-172:** On Wednesday, June 14, 2017, the City Council approved an ordinance granting an amendment to Subdistrict 4B of Planned Development District No. 714, subject to a development plan and conditions, located at the northwest line of Fort Worth Avenue, between Walter Drive and Colorado Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Fort Worth Avenue	Principal Arterial	120 feet
West Colorado Boulevard	Local Street	60 feet
Walter Drive	Local Street	50 feet

Traffic:

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

STAFF ANALYSIS:

COMPREHENSIVE PLAN:

The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The Plan identifies the request site as being located within a Main Street Building Block.

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

Modern living entails the use of technology and access to cellular communications. The tower/antenna for cellular communication limited to a mounted cellular antenna use continues to provide a vital service to the area, thereby facilitating the "main street" expectation of living, working and shopping within the vicinity.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 714, Subdistrict 4	Multifamily
North	R-7.5(A)	Single Family and Church
East	PDD No. 714, Subdistrict 4B	Undeveloped
South	PDD No. 714, Subdistrict 4A	Multifamily, Retail & Personal Service
West	PDD No. 714, Subdistrict 5	General Merchandise or Food Store

Land Use Compatibility:

The site is surrounded by single family and a church to the north; undeveloped land to the east and southeast; new multifamily to the south; retail (restaurant w/drive-in) and personal service (bank w/drive-through) uses to the southwest; and, a general merchandise or food store (grocery store) to the west.

Mounted cellular antennas and temporary cellular units provide the much-needed utility of cellular coverage, but in a much more appealing manner than monopole cellular antennas, which remain prohibited in this zoning district. In medium-density residential, office, retail, and mixed use base zoning districts, mounted cellular antennas are allowed by right when attached to any existing structure.

The 2015 request to amend PDD No. 714, The West Commerce Street/Fort Worth Avenue Special Purpose District, to create a subdistrict for this use to be allowed by SUP was recognized as a temporary use for the area when they applied for an initial two-year time period. Only one other subdistrict within PDD No. 714 allows this use (1C). Subdistrict 4 has low-density residential uses to the north of the subject site, as well as new multifamily to the south. The applicant has requested a 10-year time period for this renewal. Typically, staff supports longer time periods for specific uses that require less monitoring and seem to fit with the character of the neighborhood for the foreseeable future. Considering the transitional nature of the area, staff does not support the longer time frame.

The applicant's request, subject to staff's recommended conditions, is compatible with the surrounding mix of uses. The mounted cellular antenna is barely visible from the street at any angle. The short time frame allows for staff and CPC to evaluate whether the use is a detriment to the area as the neighborhood continues to transition over time.

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.

Landscaping:

Landscaping must be provided in accordance with the approved landscape plan. No modifications to the existing landscape plan are requested with the current renewal application. The city arborist conducted a compliance visit and found the property to be operating under the parameters of the approved landscape plan.

APPLICANT LIST OF OFFICERS

T-Mobile West LLC
Officers & Managers
(As of April 27,2017)

Officers	Title
John J. Legere	President and Chief Executive Officer
J. Braxton Carter	Executive Vice President and Chief Financial Officer
G. Michael Sievert	Chief Operating Officer
Neville R. Ray	Executive Vice President and Chief Technology Officer
Thomas C. Keys	President, T-Mobile Indirect Channels
David A. Miller	Executive Vice President, General Counsel and Secretary
Neville R. Ray	Executive Vice President and Chief Technology Officer
G. Michael (Mike) Sievert	Chief Operating Officer
Elizabeth A. Sullivan	Executive Vice President, Human Resources
Managers	Title
Michael Arden	Engineering Development Manager

Z167-358

OWNER LIST OF OFFICERS

Dallas Housing Authority
Officers & Managers
(As of April 27,2017)

Officers	Title
Albert C. Black Jr	Board of Commissioners: Chair
Victor Vital	Board of Commissioners: Vice Chair
Deborah Culberson	Board of Commissioners: member
Theresa Flores	Board of Commissioners: member
James Garne	Board of Commissioners: member

Z168-358

Proposed SUP No. 2161 Conditions

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to mounted cellular antennas.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

Staff's Recommendation:

3. TIME LIMIT: This specific use permit expires on October 28, 2017 **2019**. The structures and equipment for the mounted cellular antenna must be removed within 60 days of the expiration of this specific use permit.

Applicant's Request:

3. TIME LIMIT: This specific use permit expires on October 28, 2017 **2027**. The structures and equipment for the mounted cellular antenna must be removed within 60 days of the expiration of this specific use permit.
4. COLOR: Mounted cellular antennas and equipment must be consistent with the facade of the structure to which they are attached.
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.

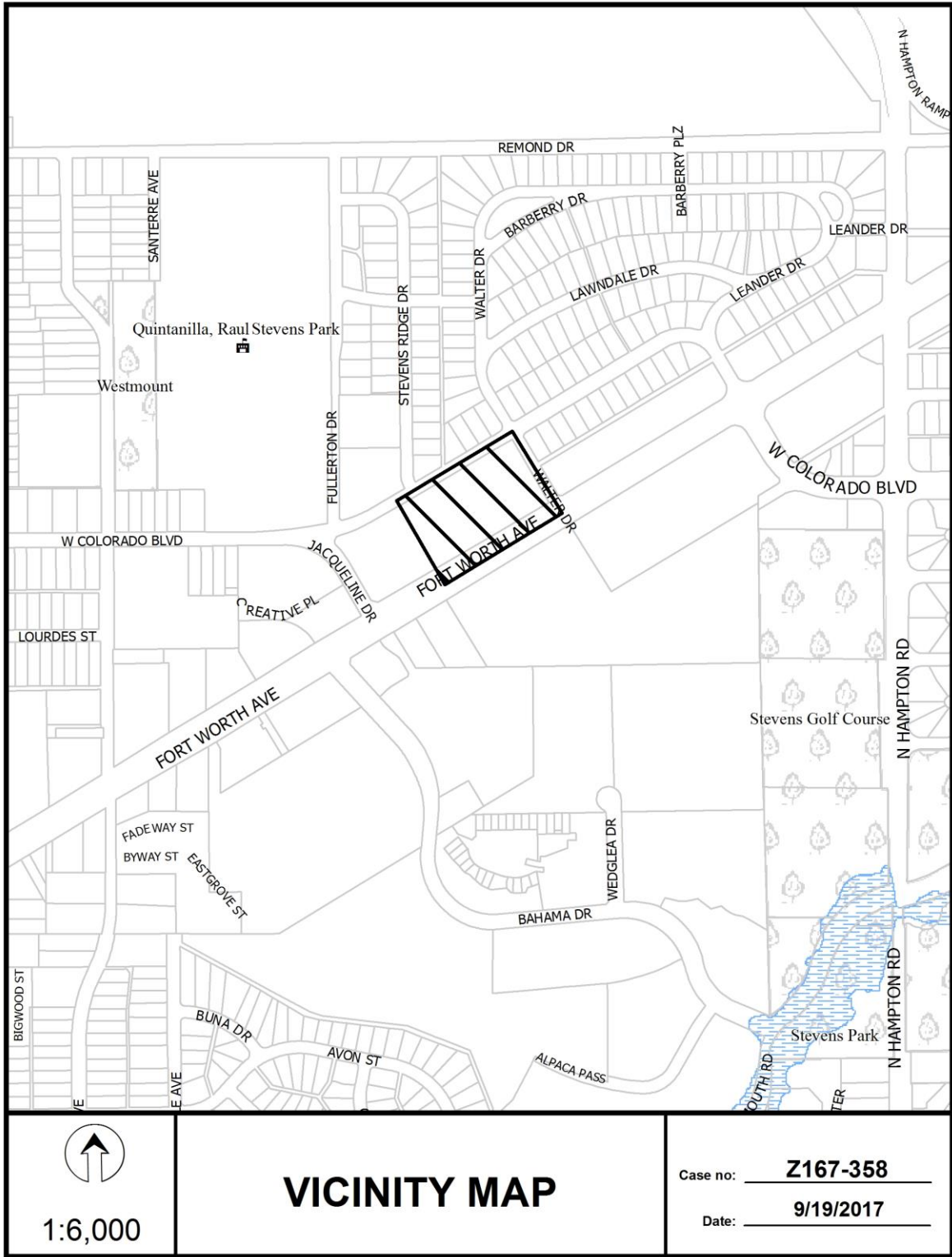


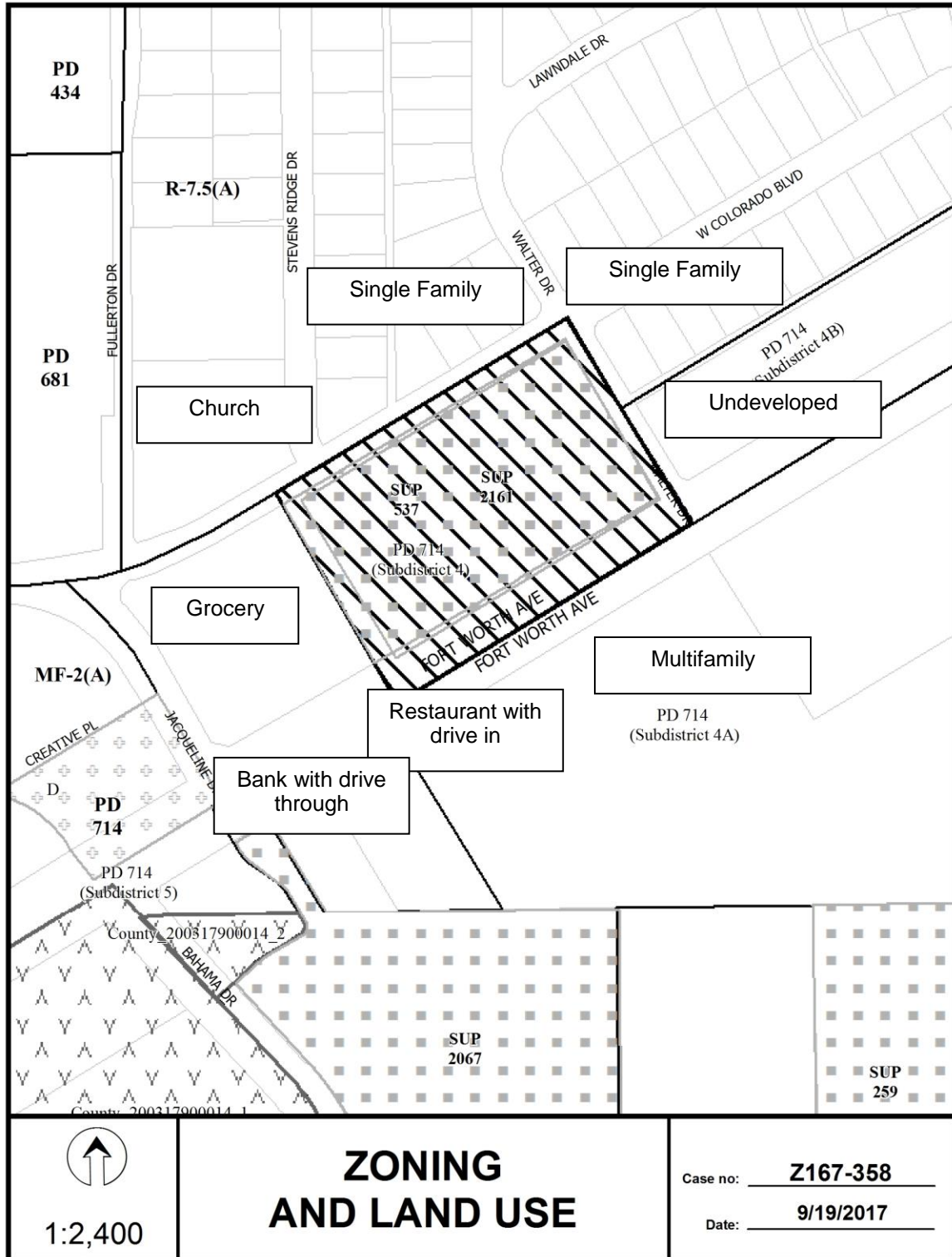
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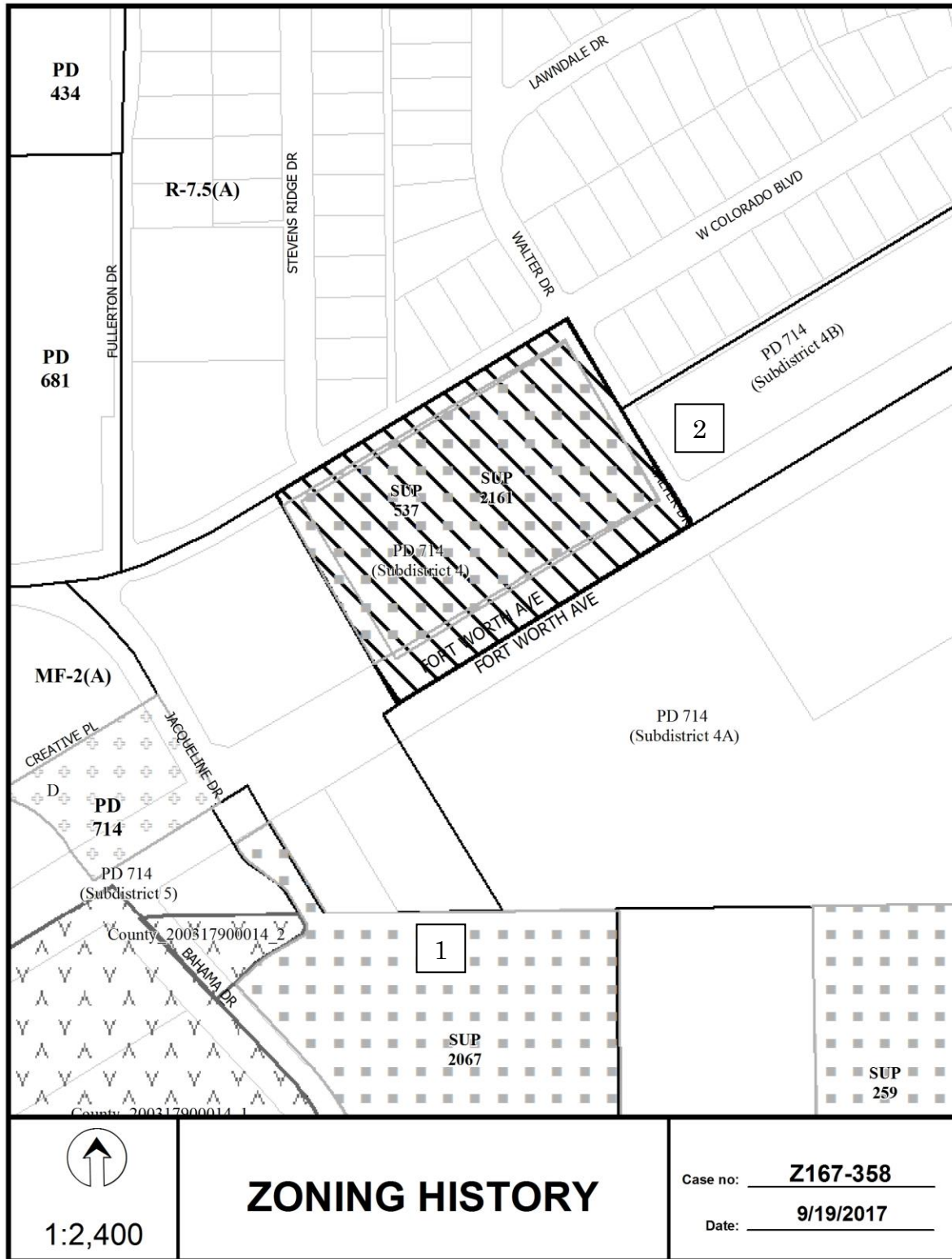
AERIAL MAP

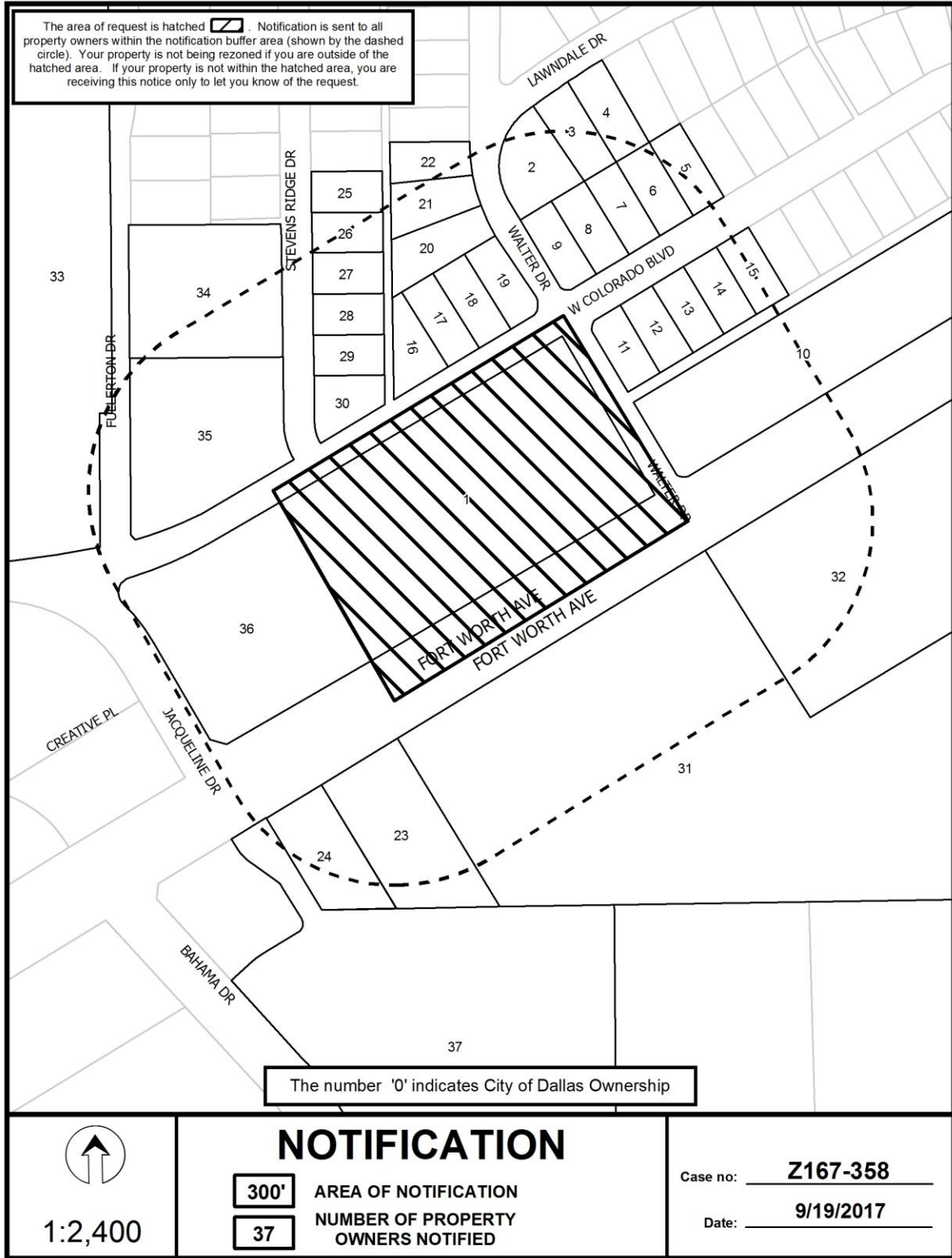
Case no: **Z167-358**

Date: **9/19/2017**









09/19/2017

Notification List of Property Owners***Z167-358******37 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2423 FORT WORTH AVE	DALLAS HOUSING AUTHORITY
2	2336 LAWNSDALE DR	TREJO F R
3	2332 LAWNSDALE DR	MCQUEEN MOLLY KATHERINE
4	2328 LAWNSDALE DR	MCKOWN REBECCA R &
5	2307 W COLORADO BLVD	RUTLEDGE LOREN E &
6	2309 W COLORADO BLVD	SMITH LARRY
7	2315 W COLORADO BLVD	LELAND ROBYN
8	2323 W COLORADO BLVD	DUNCAN BATSON TRUST
9	2329 W COLORADO BLVD	KP COMMERCIAL HOLDINGS LLC
10	2201 FORT WORTH AVE	GRBK FRISCO LLC
11	2328 W COLORADO BLVD	JOHNSO DON L &
12	2322 W COLORADO BLVD	SCHROEDER ALICIA T
13	2318 W COLORADO BLVD	CCBESTHOME LLC
14	2314 W COLORADO BLVD	SAENZ RENE R & ELIDA T
15	2308 W COLORADO BLVD	MINKLER AMANDA D &
16	2419 W COLORADO BLVD	RODRIGUEZ ROSEMARIE LIFE ESTATE
17	2411 W COLORADO BLVD	MORALES ROSALBA L & CESAR H
18	2407 W COLORADO BLVD	DOMINGUEZ VALENTINE G &
19	2403 W COLORADO BLVD	MALONE KEVIN & MELISSA
20	1215 WALTER DR	CZITROM ALEC LADISLAU
21	1219 WALTER DR	CAMPBELL JERRY D &
22	1223 WALTER DR	IMTHURN MELINDA &
23	2500 FORT WORTH AVE	CPIF INVESTORS 1
24	2516 FORT WORTH AVE	FOLDBERG JOHN D &
25	1236 STEVENS RIDGE DR	RIVERA ESMERALDA
26	1230 STEVENS RIDGE DR	GOODRIDGE ERIN

Z167-358(JM)

09/19/2017

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1224 STEVENS RIDGE DR	MUNOZ JORGE & ANGELICA R
28	1218 STEVENS RIDGE DR	MUNOZ JESUS M & LUCINA
29	1212 STEVENS RIDGE DR	MENDOZA JOVITO
30	1206 STEVENS RIDGE DR	GAYTAN RAUL O
31	2400 FORT WORTH AVE	LINCOLN COLORADO PLACE LLC
32	2300 FORT WORTH AVE	DALLAS KESSLER PARK LTD
33	2615 W COLORADO BLVD	Dallas ISD
34	1231 STEVENS RIDGE DR	BACAK ALBERT ET AL TR OF
35	2527 W COLORADO BLVD	PROMISE METROPOLITAN
36	2505 FORT WORTH AVE	ALDI LLC
37	2522 FORT WORTH AVE	PACIFICA HARBORVIEW KESSLER LLC