



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, August 20, 2015  
AGENDA

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BREFINGS:	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.

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

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**EXECUTIVE SESSION:**

Consult with attorneys to discuss recent developments in Fair Housing Law.

**BRIEFINGS:**

Subdivision Docket  
Zoning Docket

**ACTION ITEMS:**

Subdivision Docket

Planner: Sharon Hurd

Consent Items:

- (1) **S145-237**  
(CC District 8)
- An application to create one 0.85-acre lot from a tract of land in City Block 7554 on property located at Hampton Road and Cliff Creek Crossing Drive, northwest corner.  
Applicant/Owner: Hampton/I 20, Ltd  
Surveyor: KAZ Surveying, Inc.  
Application Filed: July 22, 2015  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S145-238**  
(CC District 7) An application to create one 2.911-acre lot from a tract of land in City Block 5800 on property located at 5212 Military Parkway and Parkdale Drive, southwest corner.  
Applicant/Owner: Robert's Auto Sales, Inc.  
Surveyor: CBG Surveying, Inc.  
Application Filed: July 22, 2015  
Zoning: LI  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S145-239**  
(CC District 1) An application to replat a 0.726-acre tract of land containing all of Lots 2, 3, and 4 in City Block 36/3156 to create a Shared Access Development with 17 single family lots and 1 common area on property located at 427 West 10th Street, between North Adams Avenue and North Bishop Avenue.  
Applicant/Owner: Josh Graham Chapman  
Surveyor: Rangel Land Surveying  
Application Filed: July 23, 2015  
Zoning: PD 830, Subdistrict 3  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S145-241**  
(CC District 2) An application to replat a 2.22-acre tract of land containing all of Lot 21 in City Block 5755 and part of City Block 2372 into one lot on property located at 5505 Maple Avenue, between Butler Street and Inwood Road.  
Applicant/Owner: Platinum Self Storage  
Surveyor: Davis Land Surveying Co., Inc.  
Application Filed: July 23, 2015  
Zoning: IR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S145-245**  
(CC District 14) An application to replat a 0.658-acre tract of land containing all of Lot 2 and part of Lot 8 in City Block 20/1877 into one 0.209-acre lot, one 0.214-acre lot; and to create a Shared Access Development with 6 single family lots ranging in size from 0.036 acres to 0.069 acres, on property located at 5930 Ross Avenue between Ross Avenue and Hudson Street, east of Hubert Street.  
Applicant/Owners: 5926 Ross 5X, LLC, Shelagh McElroy and Henry D. Monsch, and Tim Delaughter  
Surveyor: Gonzalez & Schneeberg, Engineers and Surveyors  
Application Filed: July 23, 2015  
Zoning: MF-2 (A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (6) **S145-247**  
(CC District 5) An application to create one lot from a 5.447-acre tract of land in City Block 6235 on property located at 1400 Guard Drive, north of Lake June Road and east of Guard Drive.  
Applicant/Owner: City of Dallas  
Surveyor: Pacheco Koch Consulting Engineers.  
Application Filed: July 24, 2015  
Zoning: LI  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (7) **S145-248**  
(CC District 14) An application to replat a 1.872-acre tract of land containing part of Lot 9, all of Lots 7, 8, 17, 18, 19, and Lot 20A in City Block 4/2017 on property located on Webb Avenue, between Tracy Street and McKinney Avenue.  
Applicant/Owner: Streetlights Residential McKinney I, LP  
Surveyor: Bury-DFW, Inc.  
Application Filed: July 27, 2015  
Zoning: PD-193 (LC)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replats:

- (8) **S145-243**  
(CC District 7) An application to replat a 0.558-acre tract of land containing all of Lot 13 and part of Lots 12 and 14 in City Block E/1735 into one lot on property located at 2323 Eugene Street, between Waldron Avenue and Diamond Avenue.  
Applicant/Owner: Marian Tatum  
Surveyor: MC Surveying Inc.  
Application Filed: July 23, 2015  
Zoning: PD 595, Subdistrict R-5(A)  
Staff Recommendation: **Denial**
- (9) **S145-246**  
(CC District 4) An application to replat a 46.266-acre tract of land containing all of Lots 1 and 2 in City Block 2/3442; all of Lots 1, 2, 7 and 8 and part of Lots 3, 4, and 6 in City Block 3/3442; all of Lot 5 and part of Lot 4 in City Block 1/3442; unplatted tracts of land in City Block 3753; and portions of Black Street, Nabors Street, Fifteenth Street, Marsalis Avenue, Seventeenth Street, Thomas Hill Place, and an unnamed street, all closed and vacated, into one lot on property located south of East Clarendon Drive and South Marsalis Avenue.  
Applicant/Owner: City of Dallas  
Surveyor: Pacheco Koch Consulting Engineers  
Application Filed: July 24, 2015  
Zoning: R-7.5(A) and CS  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Building Line Removal:

- (10) **S145-244**  
(CC District 10) An application to replat a 0.251-acre tract of land containing all of Lot 1 in City Block A/5446 to remove the existing 30-foot platted building line along the southwest portion of the lot line adjacent to Goforth Circle on property located at the southeast corner of Goforth Road and Goforth Circle.  
Applicant/Owner: Matthew and Jamie Miller  
Surveyor: Texas Heritage Surveying, Inc.  
Application Filed: July 23, 2015  
Zoning: R-7.5(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Zoning Cases - Consent:

1. **Z145-221(WE)**  
Warren Ellis  
(CC District 13) 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 on the south line of West Northwest Highway, west of Midway Road.  
Staff Recommendation: **Denial without prejudice.**  
Applicant: Prevarian Companies, L.P.  
Representative: Suzan Kedron, Jackson Walker, L.L.P.
2. **Z145-272(WE)**  
Warren Ellis  
(CC District 14) An application for a WR-5 Walkable Urban Residential District with a Height Map Overlay on property zoned Planned Development District No. 466 and an MF-2(A) Multifamily District on the east corner of Hall Street and Munger Avenue.  
Staff Recommendation: **Approval**, subject to a height map overlay.  
Applicant: MCRT Investments, LLC  
Representative: Jonathan Vinson, Jackson Walker LLP
3. **Z145-275(WE)**  
Warren Ellis  
(CC District 7) An application for an amendment to Specific Permit No. 2048 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay on the south line of East R.L. Thornton Freeway and west of South Buckner Boulevard.  
Staff Recommendation: **Approval** for a four-year period, subject to a site plan and conditions.  
Applicant: Walmart Real Estate Business Trust  
Representative: Myron Dornic, Jackson Walker, LLP

4. **Z145-284(WE)**  
Warren Ellis  
(CC District 7)
- An application for the 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 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard.  
Staff Recommendation: **Hold under advisement until September 3, 2015**  
Applicant: Buckner Food, Inc.  
Representative: Santos Martinez, MASTERPLAN
5. **Z145-286(OTH)**  
Olga Torres Holyoak  
(CC District 2)
- An application for a Specific Use Permit for a microbrewery, microdistillery, or winery on property zoned Tract A in Planned Development District No. 269, the Deep Ellum/Near East Side District, on the northwest corner of Canton Street and South Malcolm X Boulevard.  
Staff Recommendation: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.  
Applicant: Industrial Reservices, LLC  
Representative: Santos Martinez, Masterplan
6. **Z145-293(OTH)**  
Olga Torres Holyoak  
(CC District 10)
- An application for a Specific Use Permit for a vehicle display, sales and service on property zoned Planned Development District No. 629, on the northeast corner of Bonner Drive and North Central Expressway.  
Staff Recommendation: **Approval** for a five-year period, subject to a site plan and conditions.  
Applicant: Ali A. Heidari  
Representative: Robert Reeves and Associates, Inc.
7. **Z145-298(OTH)**  
Olga Torres Holyoak  
(CC District 2)
- An application for a Specific Use Permit for a tattoo studio on property zoned Tract A in Planned Development District No. 269, on the south line of Elm Street, east of North Good Latimer Expressway.  
Staff Recommendation: **Approval** for a three-year period, subject to a site plan and conditions.  
Applicant: Shawn Hodges  
Representative: Audra Buckley, Permitted Development

Zoning Cases – Under Advisement:

8. **Z145-140(OTH)** An application for a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District south of Goodwin Avenue, east of Greenville Avenue.  
Olga Torres Holyoak  
(CC District 14)  
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals of additional ten-year periods, subject to a site plan and conditions.  
Applicant: Verizon Wireless  
Representative: Kathy Zibilich, Griffin Harris PLLC  
U/A From: February 19, 2015, April 2, 2015 and June 4, 2015
9. **Z145-206(WE)** An application for a Specific Use Permit for a mini-warehouse use on property zoned an MU-3 Mixed Use District on the north side of Banner Drive, between Park Central Drive and Merit Drive.  
Warren Ellis  
(CC District 11)  
Staff Recommendation: **Approval** for a ten-year period, subject to a site plan, landscape plan and staff's recommended conditions.  
Applicant: Banner Development, LLC  
Representative: Robert Baldwin, Baldwin Associates  
U/A From: June 18, 2015 and July 23, 2015
10. **Z145-227(WE)** An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the north line of Simpson Stuart Road, west of Tracy Road.  
Warren Ellis  
(CC District 8)  
Staff Recommendation: **Denial**  
Applicant: Marrisie Jones  
Representative: Peter Kavanagh - Zone Systems  
U/A From: July 23, 2015 and August 6, 2015
11. **Z145-195(AF)** An application for an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District on the southwest corner of Royal Lane and Brockbank Drive.  
Aldo Fritz  
(CC District 6)  
Staff Recommendation: **Approval**  
Applicant: Edward Ellefson  
Representative: Robert Reeves & Associates, Inc.  
U/A From: August 6, 2015

12. **Z145-234(AF)**  
Aldo Fritz  
(CC District 3)
- An application for an amendment and expansion of Specific Use Permit No. 1007 for a public school on property zoned a TH-3(A) Townhouse District on the north side of Wheatland Road and west of Clark Road.
- Staff Recommendation: **Approval** for a permanent period, subject to a revised site plan, revised landscape plan, traffic management plan and conditions.
- Applicant: Ducanville ISD
- Representative: Karl Crawley, Masterplan
- U/A From: July 23, 2015

Zoning Cases – Individual:

13. **Z145-289(AF)**  
Aldo Fritz  
(CC District 6)
- An application for a Planned Development District for IR Industrial Research District and general merchandise or food store greater than 3,500 square feet uses on property zoned an IR Industrial Research District at the south corner of Regal Row and John W. Carpenter Service Road.
- Staff Recommendation: **Approval**, subject to a development plan, landscape plan and conditions.
- Applicant: Bubion Investment Co., LLC/Hallett No. 1, LP.
- Representative: Miklos Law, PLLC
14. **Z134-105(SM)**  
Sarah May  
(CC District 5)
- An application for a new subarea and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less within Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay on the northwest corner of Scyene Road and South Buckner Boulevard.
- Staff Recommendation: **Approval** of the new subarea, subject to a development/landscape plan and conditions; and **approval** of the Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.
- Applicant: East Bengal Corporation
- Representative: Raihan Chowdhury
15. **Z134-250(RB)**  
Richard Brown  
(CC District 13)
- An application for a Planned Development District for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District in the southeast quadrant of Averill Way and Preston Road.
- Staff Recommendation: **Approval**, subject to a development plan, landscape plan and staff's recommended conditions.
- Applicant: Transwestern Acquisitions, LLC
- Representative: William S. Dahlstrom

Development Code Amendments:

**DCA145-007**

Neva Dean

Consideration of an amendment to Chapters 51 and 51A, Dallas Development Code, Divisions 51-4.500 and 51A-4.500 to create a historic building demolition delay overlay.

Staff Recommendation: **Approval**

Landmark Commission Recommendation: **Approval**

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Other Matters

Minutes: August 6, 2015

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Thursday, August 20, 2015**

**ZONING ORDINANCE COMMITTEE (ZOC) MEETING** - Thursday, August 20, 2015, City Hall, 1500 Marilla Street, in Room 5ES, at 9:00 a.m. to consider **(1) DCA 145-002** - Consideration of amending the Dallas Development Code to amend Article X, the Landscape and Tree Preservation regulations.

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](http://www.ci.dallas.tx.us/cso/boardcal.shtml). Please review the official agenda for items for consideration.

### EXECUTIVE SESSION NOTICE

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

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

**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 20, 2015**

**FILE NUMBER:** S145-237

**Subdivision Administrator:** Paul Nelson

**LOCATION:** Hampton Road and Cliff Creek Crossing Drive, northwest corner

**DATE FILED:** July 22, 2015

**ZONING:** CR

**CITY COUNCIL DISTRICT:** 8    **SIZE OF REQUEST:** 0.85-Acre

**MAPSCO:** 73D

**APPLICANT/OWNER:** Hampton/I 20, Ltd

**REQUEST:** An application to create one 0.85-acre lot from a tract of land in City Block 7554 on property located at Hampton Road and Cliff Creek Crossing Drive, northwest corner.

**SUBDIVISION HISTORY:**

1. S090-081 was a request to create 2 lots from a tract of land in City Block 7554 on property bounded by Chrysalis Drive, Cliff Creek Crossing, and S. Hampton Road. The request was approved on May 6, 2010; Phase 1 is contiguous on the west of the present request and was recorded on February 18, 2011.
2. S090-081A created a 2.850 acre lot which is Lot 1, City Block M/7554. The present request is part of proposed Lot 2 of the original plat.

**STAFF RECOMMENDATION:** The proposed lot complies with the CR District requirements; 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 Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(a)(6)(G).
5. Any structure new or existing may not extend across new property lines. Sections 51A-8.501(b) and Section 51A-8.503(e).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the

- plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).
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." Section 51A-8.617.
  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. The maximum number of lots permitted by this plat is 1.
  10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A8.603; and 51A-8.604.
  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. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Sections 51A-8.611(e).
  13. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
  14. The mutual access easement must be created by separate instrument and the recording information be placed on the face of the plat. Survey Manual.
  15. On the final plat chose a different addition name. Survey Manual.
  16. On the final plat use the City of Dallas Owner's dedication form and the City of Dallas Surveyor's statement form. Survey Manual.
  17. The number and location of fire hydrants, must comply with the Dallas Fire Code.
  18. On the final plat identify the property as Lot 2, City Block M/7554. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).







**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 20, 2015**

**FILE NUMBER:** S145-238

**Subdivision Administrator:** Paul Nelson

**LOCATION:** 5212 Military Parkway and Parkdale Drive, southwest corner

**DATE FILED:** July 22, 2015

**ZONING:** LI

**CITY COUNCIL DISTRICT:** 7

**SIZE OF REQUEST:** 2.911-Acres

**MAPSCO:** 47K

**APPLICANT/OWNER:** Robert's Auto Sales, Inc.

**REQUEST:** An application to create one 2.911-acre lot from a tract of land in City Block 5800 on property located at 5212 Military Parkway and Parkdale Drive, southwest corner.

**SUBDIVISION HISTORY:**

1. S145-107 was a request to replat 4 existing lots to create 2 new lots on property located west of the present request at 5415 Parkdale Drive. The request was approved on March 9, 2015 but has not been recorded.

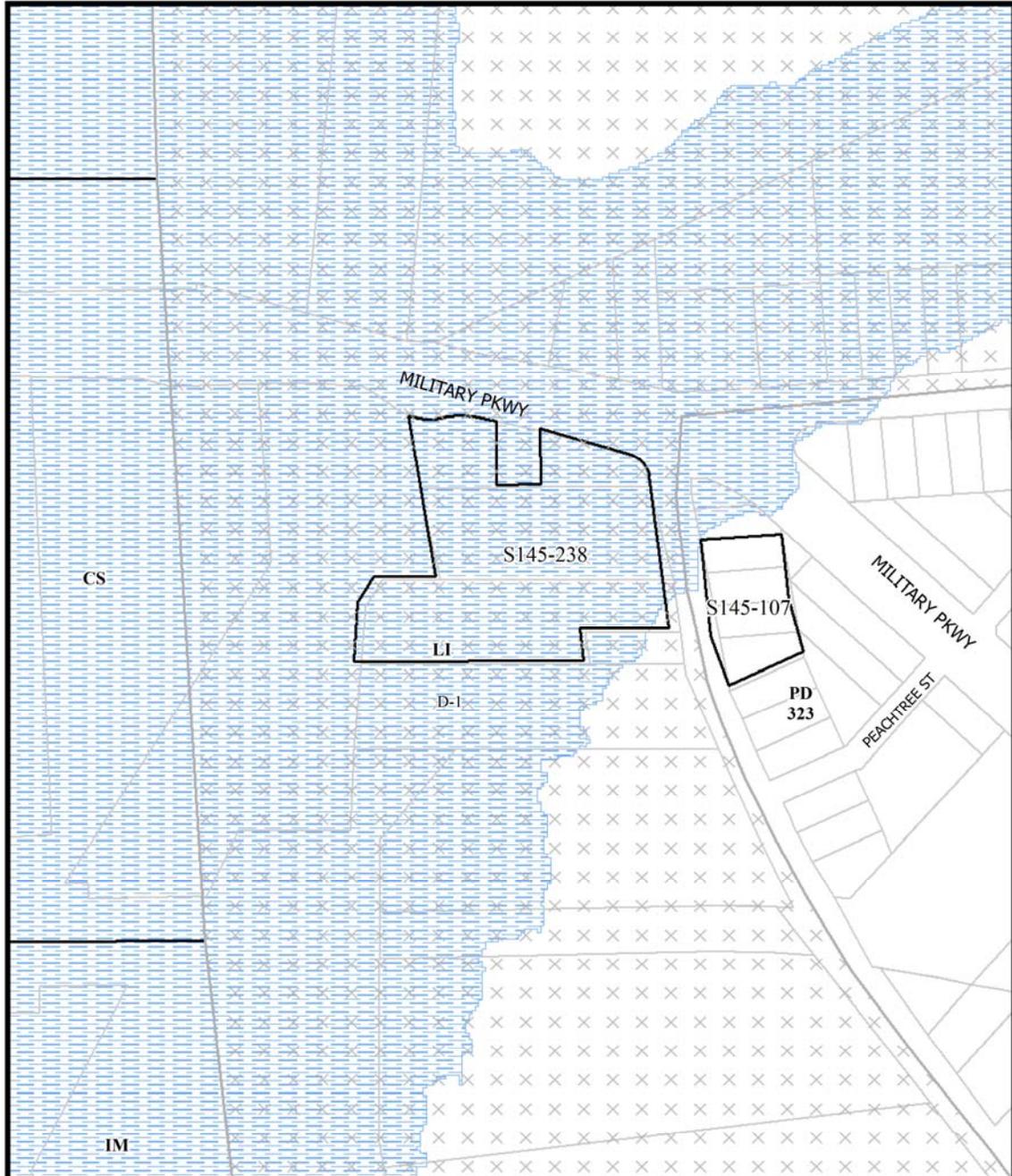
**STAFF RECOMMENDATION:** The proposed lot complies with the LI District requirements; therefore, staff recommends approval subject to compliance with the following conditions:

1. The final plat shall conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. (51A-8.403(a)(6)(G)).
5. Any structure new or existing may not extend across new property lines. Sections 51A-8.501(b) and 51A-8.503(e).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).
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.” Section 51A-8.617.

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. The maximum number of lots permitted by this plat is 1.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.603; and 51A-8.604.
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. On the final plat dedicate 50 feet of right-of-way from the established centerline of Military Parkway. Sections 51A-602(c), and Section 51A-604(c).
13. On the final plat determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
14. 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-611(d) Trinity Watershed Management, Drainage Design Manual Addendum V.
15. On the final plat include additional paragraph in owner’s certificate (pertaining to floodplain). Section 51A-611(d), Trinity Watershed Management; Drainage Manual, Article V.
16. On the final plat specify minimum fill and minimum finished floor elevations. Section 51A-611(d), Trinity Watershed Management
17. On the final plat show the natural channel set back from the crest of the natural channel. Section 51A-611(d), Trinity Watershed Management.
18. 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).
19. 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. Section 51A-5.105(g).
20. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
21. On the final plat show recording information on all existing easements within 150 feet of the property. Survey Manual.

22. On the final plat show all additions or tracts of land within 150 feet of the property with recording information. Survey Manual.
23. On the final plat show two controlling monuments. Survey Manual.
24. Prior to submittal of the final plat document that no existing or proposed lot lines pass through any structures. Survey Manual.
25. The number and location of fire hydrants, must comply with the Dallas Fire Code.
26. 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).
27. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Section 49-60(g)(1).
28. Existing water and/or wastewater easements must be shown and/or increased to conform to current design standards. Chapter 51A-8.403(A)(1)((a)(xii).
29. New water and/or wastewater easements must be shown on the final plat. Section 49-60(d).
30. Water/wastewater main extension may be required by Private Development Contract. Sections 49-60(g)(1) and (2); 49-62(f)(1); and 49-62(b) and (c).
31. Fire hydrant(s) may be required by Private Development Contract. Section 49-62(f)(1).
32. On the final plat identify the property as Lot 1, City Block J/5800. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Case no: <u>      <b>S145-238</b>      </u> Date: <u>      <b>8/11/2015</b>      </u>
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 1:2,400	<h3>AERIAL MAP</h3> <p><input type="checkbox"/> Area of Request <input type="checkbox"/> Recent History</p>	Case no: <u>S145-238</u> Date: <u>8/11/2015</u>
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**CITY PLAN COMMISSION****THURSDAY, AUGUST 20, 2015****FILE NUMBER:** S145-239**Subdivision Administrator:** Paul Nelson**LOCATION:** 427 West 10th Street, between North Adams Avenue and North Bishop Avenue**DATE FILED:** July 23, 2015**ZONING:** PD 830, Subdistrict 3**CITY COUNCIL DISTRICT:** 1    **SIZE OF REQUEST:** 0.726-Acre    **MAPSCO:** 54C**APPLICANT/OWNER:** Josh Graham Chapman

**REQUEST:** An application to replat a 0.726-acre tract of land containing all of Lots 2, 3, and 4 in City Block 36/3156 to create a Shared Access Development with 17 single family lots and 1 common area on property located at 427 West 10th Street, between North Adams Avenue and North Bishop Avenue.

**SUBDIVISION HISTORY:**

1. S145-249 is an application southwest of the current request to replat a 0.423-acre tract of land containing all of Lots 8, 9, and 10 in City Block 44/3164 to create one 0.1175-acre lot and one 0.423-acre lot on property located at the northwest corner of Adams Street and Sunset Avenue. The request is scheduled to be heard on September 3, 2015.
2. S145-191 was an application east of the present request to replat an 8.276-acre tract of land containing all of Lots 1 through 20 and an abandoned alley in City Block 32/3152; replat all of Lots 1 through 20 and an abandoned alley in City Block 37/3157; and a portion of abandoned Ninth Street into one 0.034-acre lot, one 0.633-acre lot, one 2.429-acre lot, one 2.319-acre lot one 0.514-acre lot, one 1.997 acre lot, and one 0.350-acre lot on property bounded by Tenth Street, North Bishop Avenue, Melba Street, and North Madison Avenue. The request was approved on June 4, 2015 but has not been recorded.
3. S145-176 was an application east of the present request and adjacent to S145-191 adjacent to replat a 0.556-acre tract of land containing all of Lots 9, 10, 11, 12, and a portion of a 20-foot alley to be closed and vacated in City Block 33/3153 into three lots on property fronting on North Bishop Avenue between Melba Street and Ninth Street. The request was approved on June 4, 2015 and has not been recorded.

**STAFF RECOMMENDATION:** The proposed lot pattern complies with the requirements of PD 830, Subdistrict 3; however, proposed Lots 5, 6, 12 and 13 must be redesigned to comply with the "Yard, Lot, and Space regulations" of PD 830, with these changes the staff recommends approval subject to compliance with the following conditions:

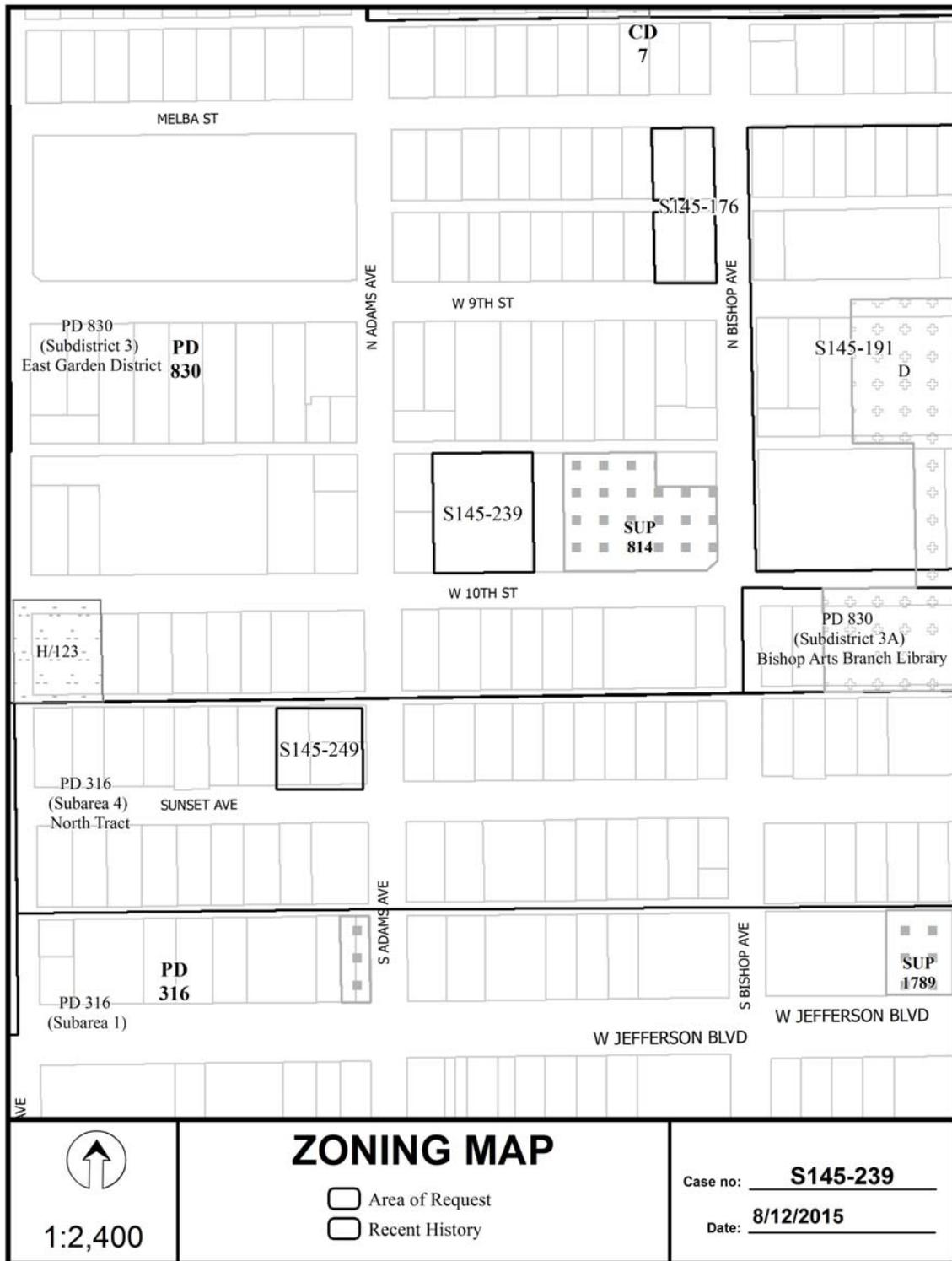
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).

2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. 51A-8.403(a)(6)(G).
5. Any structure new or existing may not extend across new property lines. Section 51A8.501(b) and 51A-8.503(e).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).
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." Section 51A-8.617.
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. The maximum number of lots permitted by this plat is 17 plus one common area.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.603; and 51A-8.604.
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. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
13. On the final plat show all additions or tracts of land within 150 feet of the property with recording information. Survey Manual.
14. On the final plat show two controlling monuments. Survey Manual.
15. On the final plat show or list the prior plat on the map, in the legal description, and/or title block.

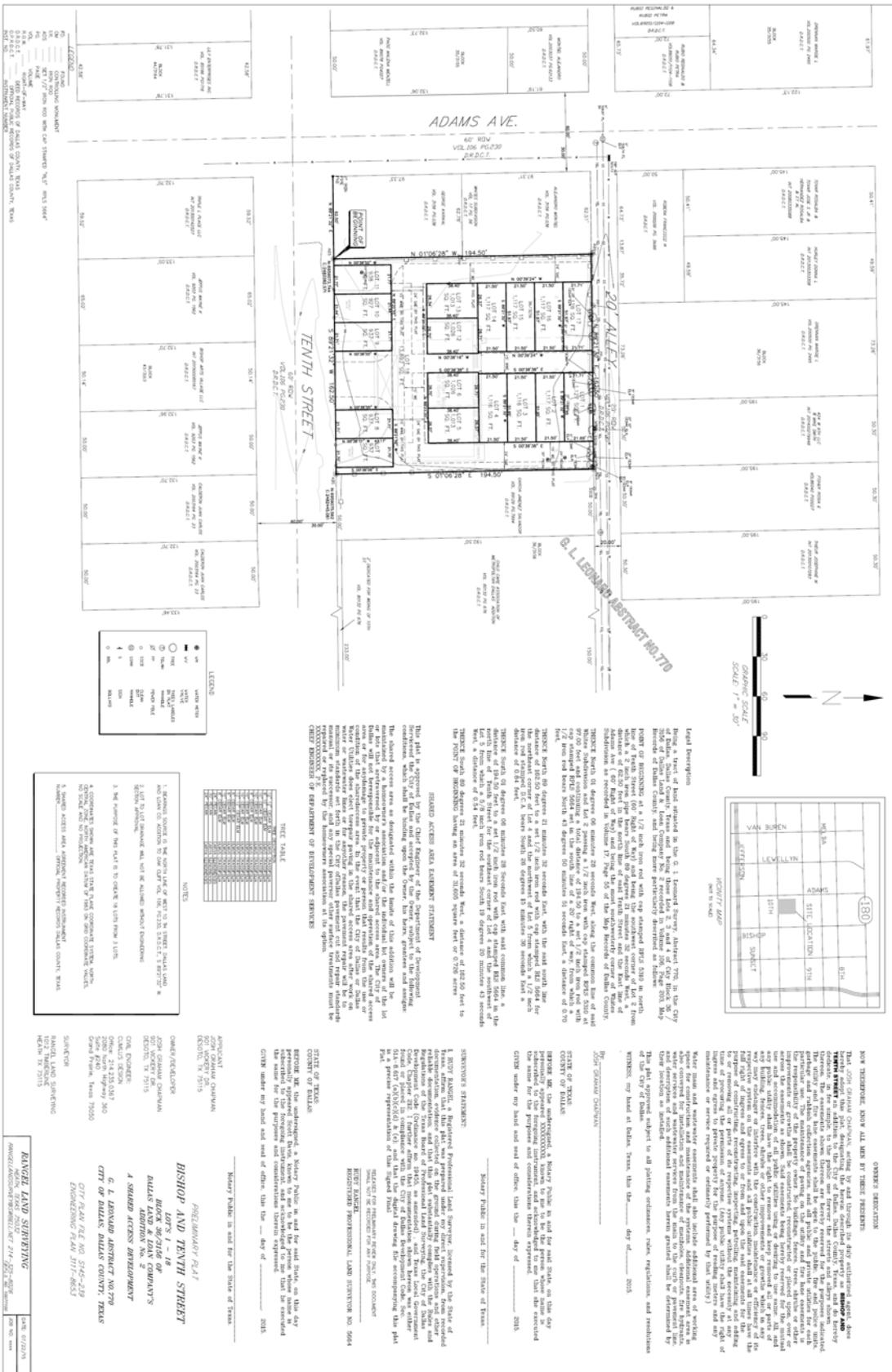
16. On the final plat provide a 3 foot barrier easement along the north, east, and west property lines and along the north right-of-way line of Tenth Street on proposed Lots 7, 8, 9, 10, and 11.
17. On the final plat use the correct Owner's dedication statement.
18. On the final plat proposed Lots 5, 6, 12 and 13 must be redesigned to comply with the "Yard, Lot, and Space regulations" of PD 830.
19. The number and location of fire hydrants, must comply with the Dallas Fire Code.
20. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1)(2), and 49-62(b), (c), and (f).
21. Water/wastewater main extension is required by Private Development Contract. Sections 49-60(g)(1), and (2); 49-62(f)(1); and 49-62(b) and (c).
22. Fire hydrant(s) may be required by Private Development Contract. Section 49-62(f)(1).
23. The shared access area must front a minimum width of 20 feet on Tenth Street and contain a minimum paving width of 16 feet. Section 51A-4.411(d)(7).
24. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat. Section 51A-4.411(d)(2).
25. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met. Section 51A-4.411(c)(3).
26. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include a metes and bounds description of the shared access area as part of an attachment to the document. Sections 51A-4.411(d)(2), and 51A-4.411(e).
27. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot. Section 51A-8.503(b)(2)(B) and, 51A-4.411(f)(2).
28. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f)(2).
29. Include the words "Shared Access Development" in the title block of the final plat. Survey
30. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area

except to a public or City Council approved private street.” Sections 51A-4.411(d)(3), and 51A-4.411(d)(10).

31. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d)(8).
32. The Shared Access Area Easement must be terminated a minimum of 3 feet from the contiguous alley right-of-way. Section 51A-8.618(b).
33. On the final plat provide a City of Dallas approved street name for the Shared Access Area Easement. Contact the Street Name Coordinator to obtain an approved street name”. Sections 51A-8.403(a)(1)(A)(xiv), and 51A-8.506(e).
34. The Shared Access Development must provide 0.25 guest parking spaces per lot. Section 51A-4.411(g).
35. Shared Access Area developments must comply with DWU standards for water and wastewater construction and design and accepted by the City of Dallas prior to submittal of the final plat for the Chairperson’s signature. Section 49-61(c)(5)(B) and the Development Design Procedures and Policy Manual, Section 2.
36. On the final plat identify the property as Lots 2A through 2K, and Lots 3A through 3H in City Block 36/3156. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872); Section 51A-8.403(a)(1)(A)(viii).







**CITY PLAN COMMISSION****THURSDAY, AUGUST 20, 2015****FILE NUMBER:** S145-241**Subdivision Administrator:** Paul Nelson**LOCATION:** 5505 Maple Avenue, between Butler Street and Inwood Road**DATE FILED:** July 23, 2015**ZONING:** IR**CITY COUNCIL DISTRICT:** 2    **SIZE OF REQUEST:** 2.22-Acre**MAPSCO:** 34U**APPLICANT/OWNER:** Platinum Self Storage

**REQUEST:** An application to replat a 2.22-acre tract of land containing all of Lot 21 in City Block 5755 and part of City Block 2372 into one lot on property located at 5505 Maple Avenue, between Butler Street and Inwood Road.

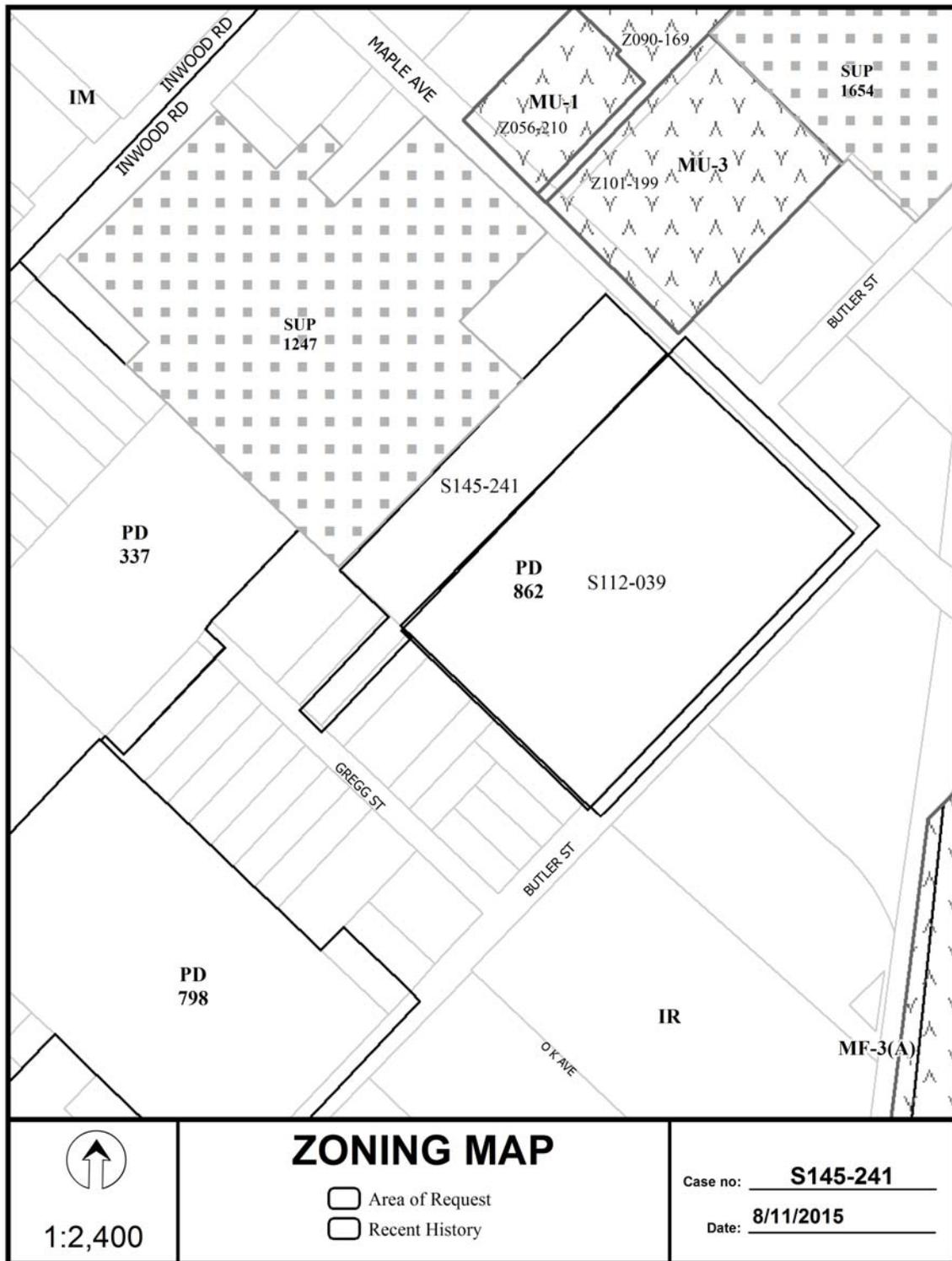
**SUBDIVISION HISTORY:**

1. S112-039 was a request on property contiguous on the southeast of the present request to create a 6.004 acre lot from a tract of land in City Block 2372 on property located at the west corner of Maple Avenue and Butler Street. The request was approved December 15, 2011, an Early Release Building Permit was issued October 18, 2013 but the final plat has not been recorded.

**STAFF RECOMMENDATION:** The proposed lot complies with the IR District requirements; 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 Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(a)(6)(G).
5. Any structure new or existing may not extend across new property lines. Sections 51A8.501(b) and 51A-8.503(e).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).

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." Section 51A-8.617.
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. The maximum number of lots permitted by this plat is 1.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A8.603, and 51A-8.604.
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. On the final plat dedicate 25 feet of right-of-way from the established centerline of Gregg Street. Sections 51A-602(c), and 51A-604(c).
13. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
14. On the final plat show recording information on all existing easements within 150 feet of the property. Survey Manual.
15. On the final plat show two controlling monuments. Survey Manual.
16. On the final plat all utility easement abandonments must be by separate instrument and must be shown with the recording information.
17. The number and location of fire hydrants, must comply with the Dallas Fire Code.
18. 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).
19. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Section 49-60(g)(1).
20. Water/wastewater main extension may be required by Private Development Contract. Sections 49-60(g)(1)(2); 49-62(f)(1); and 49-62(b)(c).
21. On the final plat identify the property as Lot 1, City Block C/2372. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).





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### AERIAL MAP

- Area of Request
- Recent History

Case no: S145-241

Date: 8/11/2015



**CITY PLAN COMMISSION****THURSDAY, AUGUST 20, 2015****FILE NUMBER:** S145-245**Subdivision Administrator:** Paul Nelson**LOCATION:** 5930 Ross Avenue between Ross Avenue and Hudson Street, east of Hubert Street**DATE FILED:** July 23, 2015**ZONING:** MF-2 (A)**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 0.658-Acre    **MAPSCO:** 36X**APPLICANT/OWNER:** 5926 Ross 5X, LLC, Shelagh McElroy and Henry D. Monsch, and Tim Delaughter

**REQUEST:** An application to replat a 0.658-acre tract of land containing all of Lot 2 and part of Lot 8 in City Block 20/1877 into one 0.209-acre lot, one 0.214-acre lot; and to create a Shared Access Development with 5 single family lots ranging in size from 0.036 acres to 0.069 acres, on property located at 5930 Ross Avenue between Ross Avenue and Hudson Street, east of Hubert Street.

**SUBDIVISION HISTORY:**

1. S123-217 was an application west of the present request to replat a 0.317 acre tract of land containing all of Lots 3 and 4 into one lot on property located at 5908 and 5914 Ross Avenue. The request was approved August 8, 2013; however, the plat was not recorded and the application expired on August 8, 2015.
2. S112-194 was an application northwest of the present request to replat a 0.62-acre tract of land containing part of Lots 1, 2, and 3 and all of Lot 7A in City Block J/14/76 into one lot oat 5901 Ross Avenue and 1710 Hubert Street and was approved September 20, 2012. However, the plat was not recorded and therefore expired on September 20, 2014.
3. S112-193 was an application west of the present request to replat a 0.43 acre tract of land containing part of Lots 7 and 8 and part of Lots 3 and 4 in City Block 1/1476 into 1 lot on property located at 5809 and 5815 Ross Avenue and 1711 Hubert Street. The request was approved on September 20, 2012 and was recorded February 10, 2014.

**STAFF RECOMMENDATION:** The request complies with the requirements of the MF-2(A) zoning district and complies with the requirements of the Shared Access Area Development contained in Section 51A-4.411; therefore, staff recommends approval subject to compliance with the following conditions:

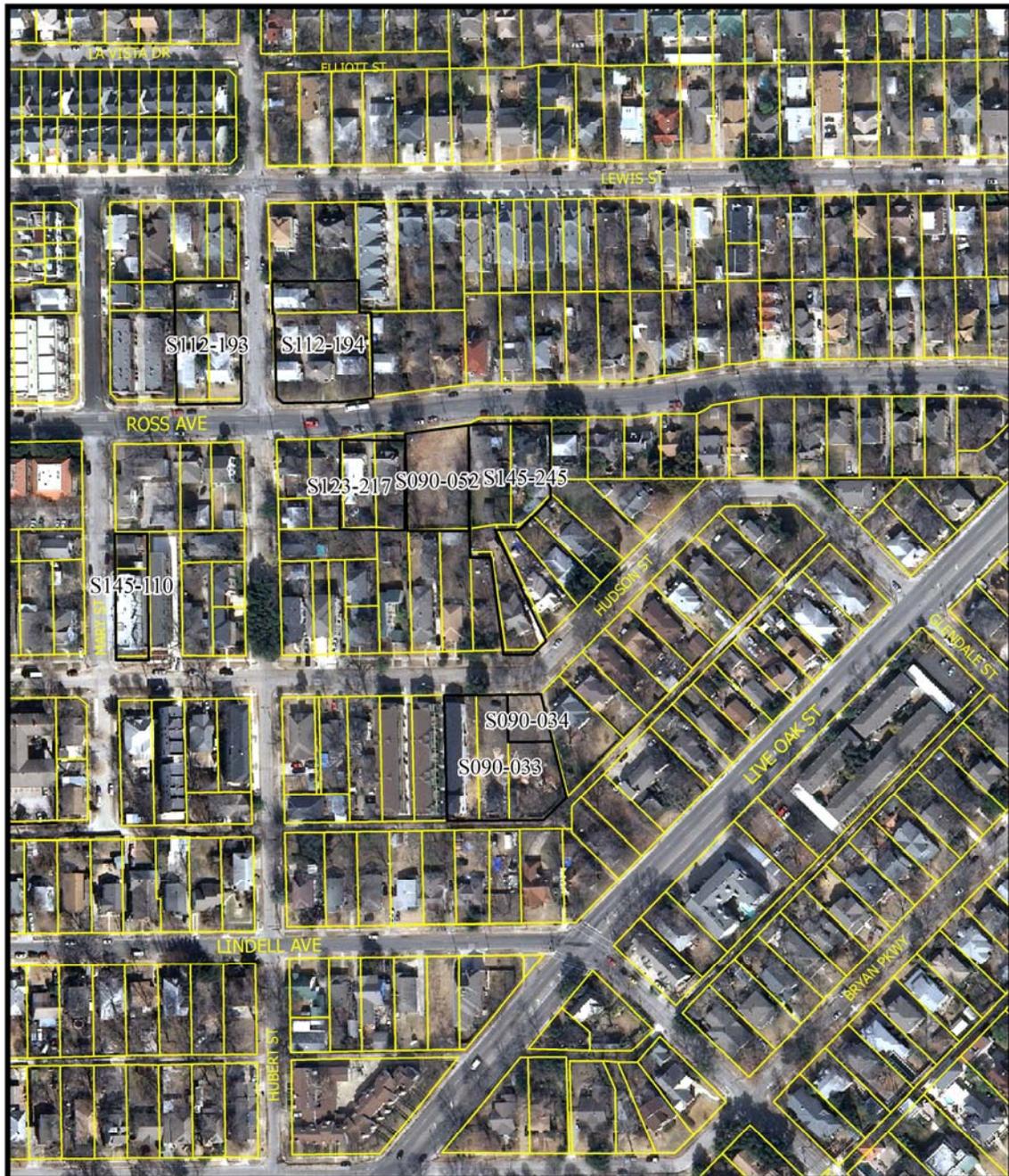
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c) and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).

3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(a)(6)(G).
5. Any structure new or existing may not extend across new property lines. Sections 51A-8.501(b) and 51A-8.503(e).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).
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." Section 51A-8.617.
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. The maximum number of lots permitted by this plat is 7, of which 5 are within the Shared Access Development area.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Section 51A-8.603; and 51A-8.604.
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. On the final plat dedicate 30 feet of right-of-way from the established center line of Hudson Street. Sections 51A-8.602(c), and 51A-8.604(c).
13. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
14. Create one final plat for the 5 lot Shared Access Area Development; one final plat for proposed Lot 1, City Block 1877; and one final plat for proposed Lot 2A, City Block 20/1874.
15. On the final plat show recording information on all existing easements within 150 feet of the property. Survey Manual.
16. On the final plat show two controlling monuments. Survey Manual.

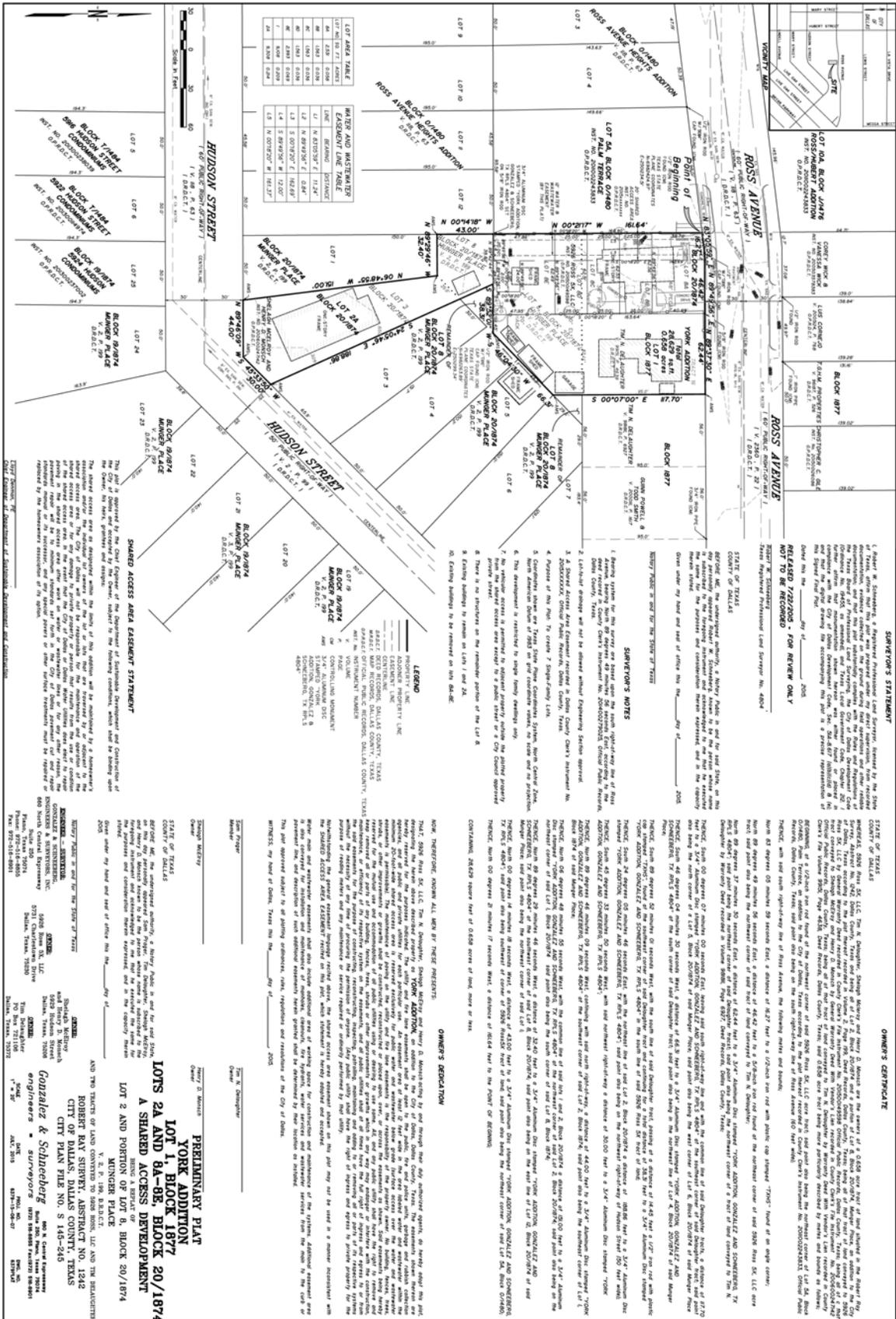
17. On the final plat for the Shared Access Development provide a 3-foot barrier easement along the south line of proposed Lot 8E.
18. The number and location of fire hydrants, must comply with the Dallas Fire Code.
19. Engineer shall furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2); Chapter 49-62(b), (c), and (f).
20. Water/wastewater main extension is required by Private Development Contract. Sections 49-60(g)(1) and (2); 49-62(f)(1); and 49-62(b) and (c).
21. The shared access area must front a minimum width of 20 feet on Ross Avenue and contain a minimum paving width of 16 feet. Section 51A-4.411(d)(7).
22. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area easement & labeled on the plat. Section 51A-4.411(d)(2).
23. Shared Access Area developments must comply with DWU standards for water and wastewater construction and design and accepted by the City of Dallas prior to submittal of the final plat for the Chairperson's signature. Section 49-61(5)(B) and the Development Design Procedures and Policy Manual, Section 2.
24. No building permit may be issued to authorize work in the shared access development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and all requirements of the shared access area have been met. Section 51A-4.411(c)(3).
25. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include a metes and bounds description of the shared access area as part of an attachment to the document. Sections 51A-4.411(d)(2), and 51A-4.411(e).
26. For frontage purposes and determining building setback lines only, all of the property in this shared access development is considered to be one lot. Sections 51A-8.503(b)(2)(B) and 51A-4.411(f)(2).
27. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f)(2).
28. Include the words "Shared Access Development" in the title block of the final plat for the Shared Access Development area. Survey
29. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area except to a public or City Council approved private street." Sections 51A-4.411(d)(3), and 51A-4.411(d)(10).

30. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d)(8).
31. The Shared Access Area Easement must be terminated a minimum of 3 feet from the south lot line of proposed Lot 8E. Section 51A-8.618(b).
32. On the final plat provide a City of Dallas approved street name for the Shared Access Area Easement. Contact the Street Name Coordinator to obtain an approved street name". Sections 51A-8.403(a)(1)(A)(xiv), and 51A-8.506(e).
33. On the final plat identify the property as Lots 2A, and Lots 8A through 8F in City Block 1874. Ordinance Book 1A, pages 131-148, Section 2 (passed August 13, 1872); Section 51A-8.403(a)(1)(A)(viii).
34. The Shared Access Development must provide 0.25 guest parking spaces per lot. Section 51A-4.411(g).





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**CITY PLAN COMMISSION****THURSDAY, AUGUST 20, 2015****FILE NUMBER: S145-247****Subdivision Administrator: Paul Nelson****LOCATION:** 1400 Guard Drive, north of Lake June Road**DATE FILED:** July 24, 2015**ZONING:** LI**CITY COUNCIL DISTRICT: 5    SIZE OF REQUEST: 5.447-Acres    MAPSCO: 57M****APPLICANT/OWNER:** City of Dallas

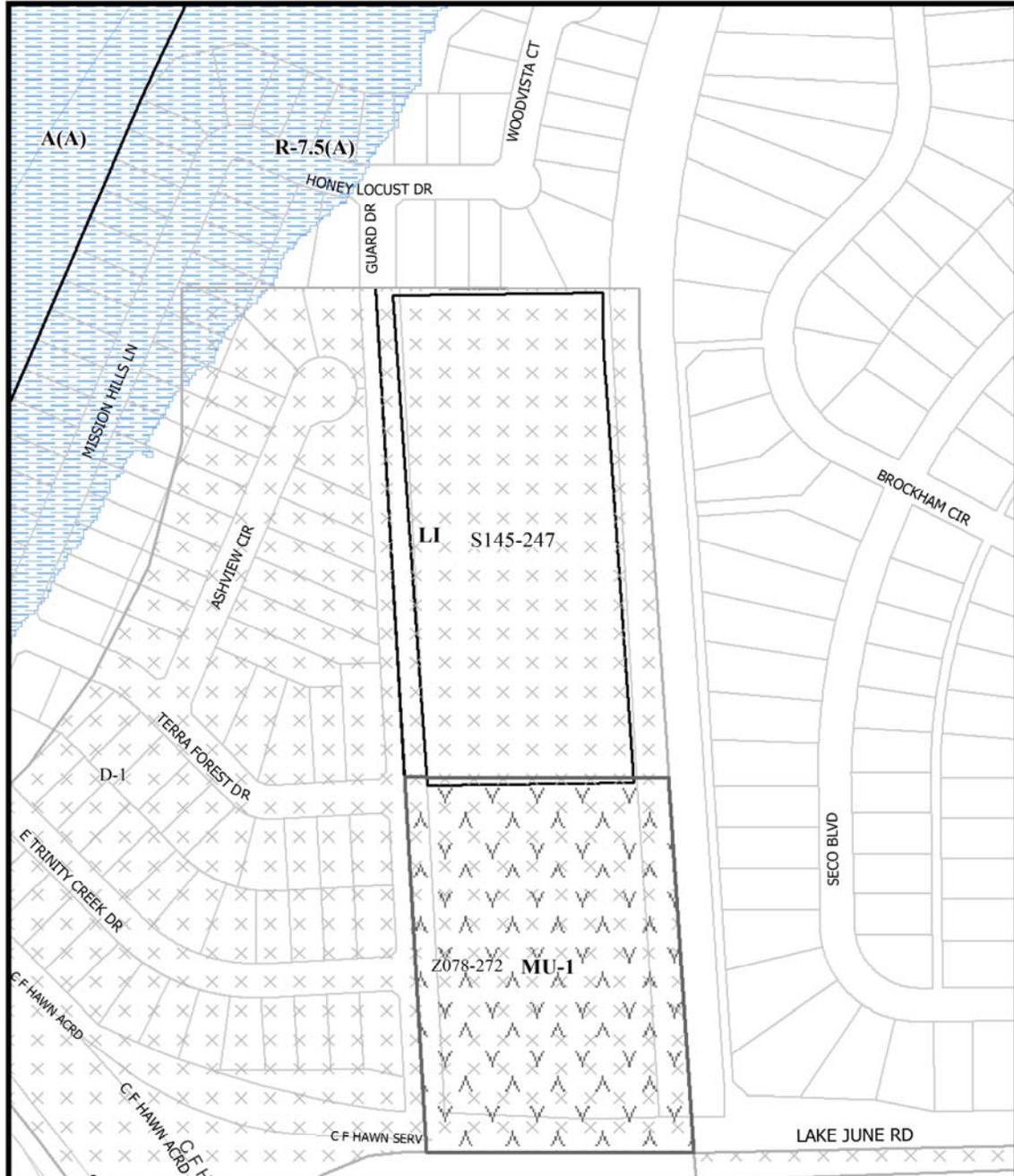
**REQUEST:** An application to create one lot from a 5.447-acre tract of land in City Block 6235 on property located at 1400 Guard Drive, north of Lake June Road and east of Guard Drive.

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

**STAFF RECOMMENDATION:** The proposed lot complies with the LI District requirements; 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 Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. 51A-8.403(6)(G).
5. Any structure new or existing may not extend across new property lines. Sections 51A8.501(b), and 51A-8.503(e).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).
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." Section 51A-8.617.

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. The maximum number of lots permitted by this plat is 1.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c); and Section 51A-8.601(b), (4), (5), (6), (7), (8), and (9).
11. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
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. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Section 49-60(g)(1).
14. The number and location of fire hydrants, must comply with the Dallas Fire Code.
15. On the final plat identify the property as Lot 1, City Block D/6235. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Case no: <u>      <b>S145-247</b>      </u> Date: <u>      <b>8/11/2015</b>      </u>
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**CITY PLAN COMMISSION****THURSDAY, AUGUST 20, 2015****FILE NUMBER:** S145-248**Subdivision Administrator:** Paul Nelson**LOCATION:** Webb Avenue, between Tracy Street and McKinney Avenue**DATE FILED:** July 27, 2015**ZONING:** PD-193 (LC)**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 1.872-Acre    **MAPSCO:** 35R**APPLICANT/OWNER:** Streetlights Residential McKinney I, LP

**REQUEST:** An application to replat a 1.872-acre tract of land containing part of Lot 9, and all of Lots 7, 8, 17, 18, 19, and Lot 20A in City Block 4/2017 on property located on Webb Avenue, between Tracy Street and McKinney Avenue.

**SUBDIVISION HISTORY:**

1. S134-257 was an application on a portion of the present request to create a 0.860-acre lot from a tract of land containing all of Lots 20 through 24 in City Block 4/2017 into one lot on property located at 5031 McKinney Avenue. The request was approved on October 23, 2014 and recorded July 23, 2015.

**STAFF RECOMMENDATION:** The proposed lot complies with the PD-193 (LC) requirements; 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 Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(6)(G).
5. Any structure new or existing may not extend across new property lines. Section 51A8.501(b) and Section 51A-8.503(e).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).

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." Section 51A-8.617.
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. The maximum number of lots permitted by this plat is 1.
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.603; and 51A-8.604.
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. On the final plat dedicate 25 feet of right-of-way from the established centerline of Tracy Street. Section 51A-8.602(c).
13. On the final plat, dedicate a 10 foot by 10 foot corner clip at Tracy Street and Harvard Avenue. Section 51A-8.602(d)(1).
14. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
15. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Chapter 49-60(g)(1).
16. The number and location of fire hydrants, must comply with the Dallas Fire Code.
17. Water/wastewater main extension may be required by Private Development Contract. Sections 49-60(g)(1) and (2); 49-62(f)(1); and 49-62(b)(c).
20. On the final plat identify the property as Lot 7A, City Block 4/2017. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).





 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	Case no: <u>          <b>S145-248</b>          </u> Date: <u>          <b>8/11/2015</b>          </u>
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**LOCATION:** 2323 Eugene Street, between Waldron Avenue and Diamond Avenue

**DATE FILED:** July 23, 2015

**ZONING:** PD 595 Sub district R-5(A)

**CITY COUNCIL DISTRICT: 7    SIZE OF REQUEST: 0.558-Acre    MAPSCO: 46X**

**APPLICANT/OWNER:** Arturo & Mayela Quintanilla

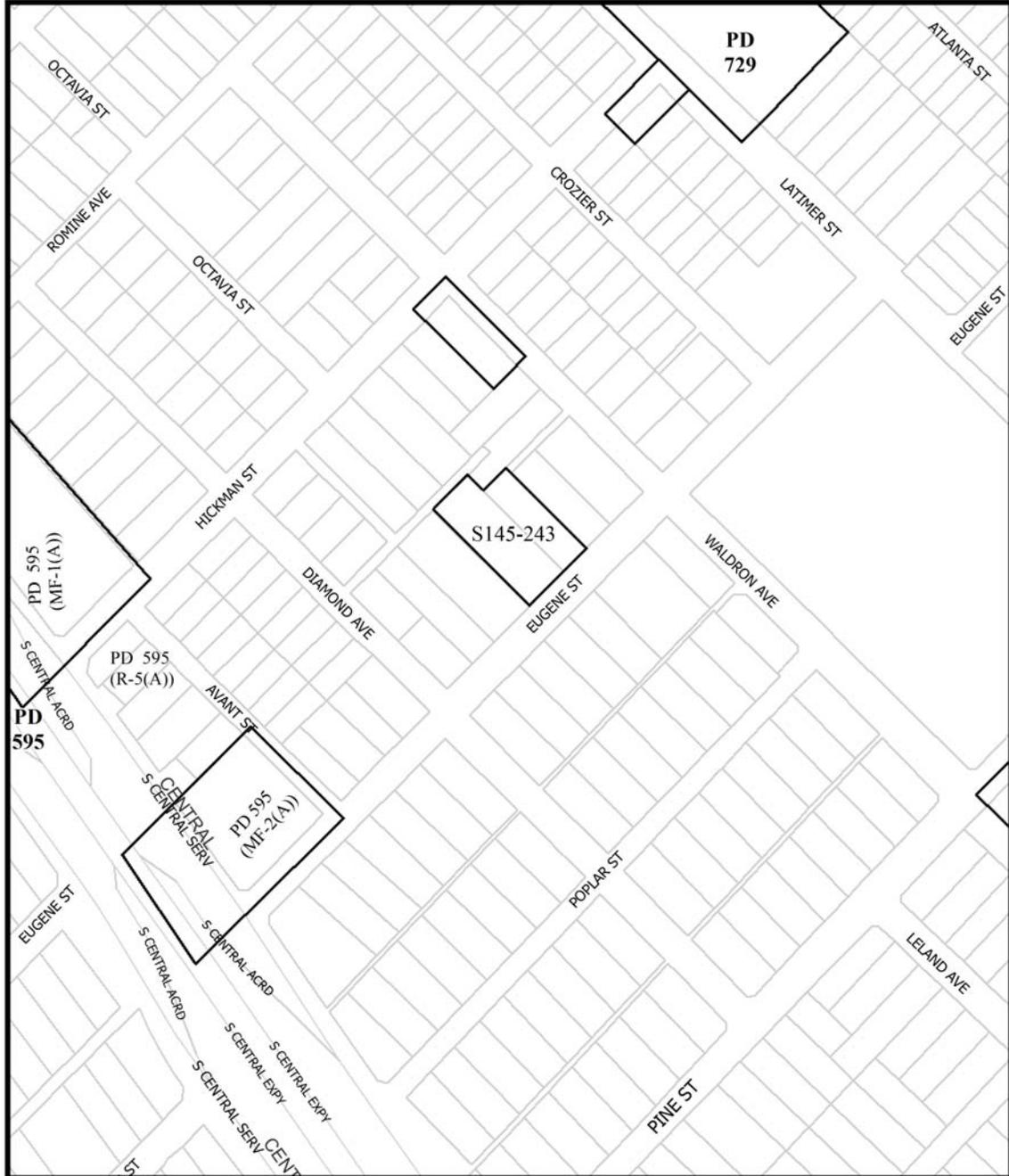
**REQUEST:** An application to replat a 0.558-acre tract of land containing all of Lot 13 and part of Lots 12 and 14 in City Block E/1735 into one lot on property located at 2323 Eugene Street, between Waldron Avenue and Diamond Avenue.

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

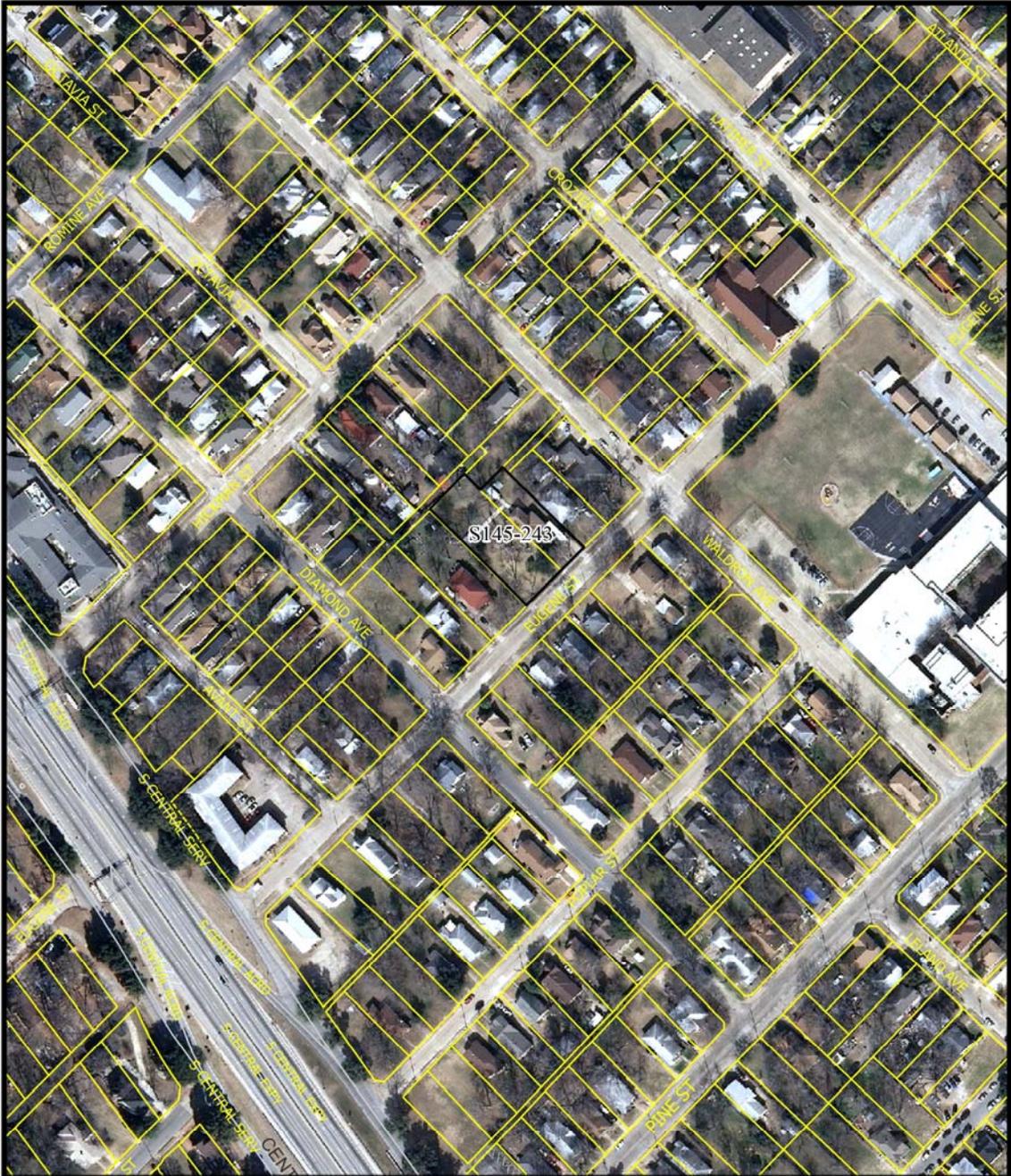
**STAFF RECOMMENDATION:** Staff has determined that the request does not comply with the requirements of Section 51A-8.503 because the established lot pattern within close proximity to this request has lots of various sizes with a mixture of some larger and some smaller than the proposed lot; however, the predominant lot size in the neighborhood seems to be in the 50 to 55 foot lot width range with lot depth between 150 and 200 feet. The proposed lot is twice as large as the adjacent lots, with a lot width that is more than twice as wide as other lots in the area. There does not appear to be any significant topographic features that may hinder development in this area. Staff concludes that the request does comply with Section 51A-8.503; therefore, staff recommends **denial** of the request. However, should the request be approved the staff recommends that the approval be 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 Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. (51A-8.403(6)(G)).
5. Any structure new or existing may not extend across new property lines. Sections 51A-8.501(b) and 51A-8.503(e).

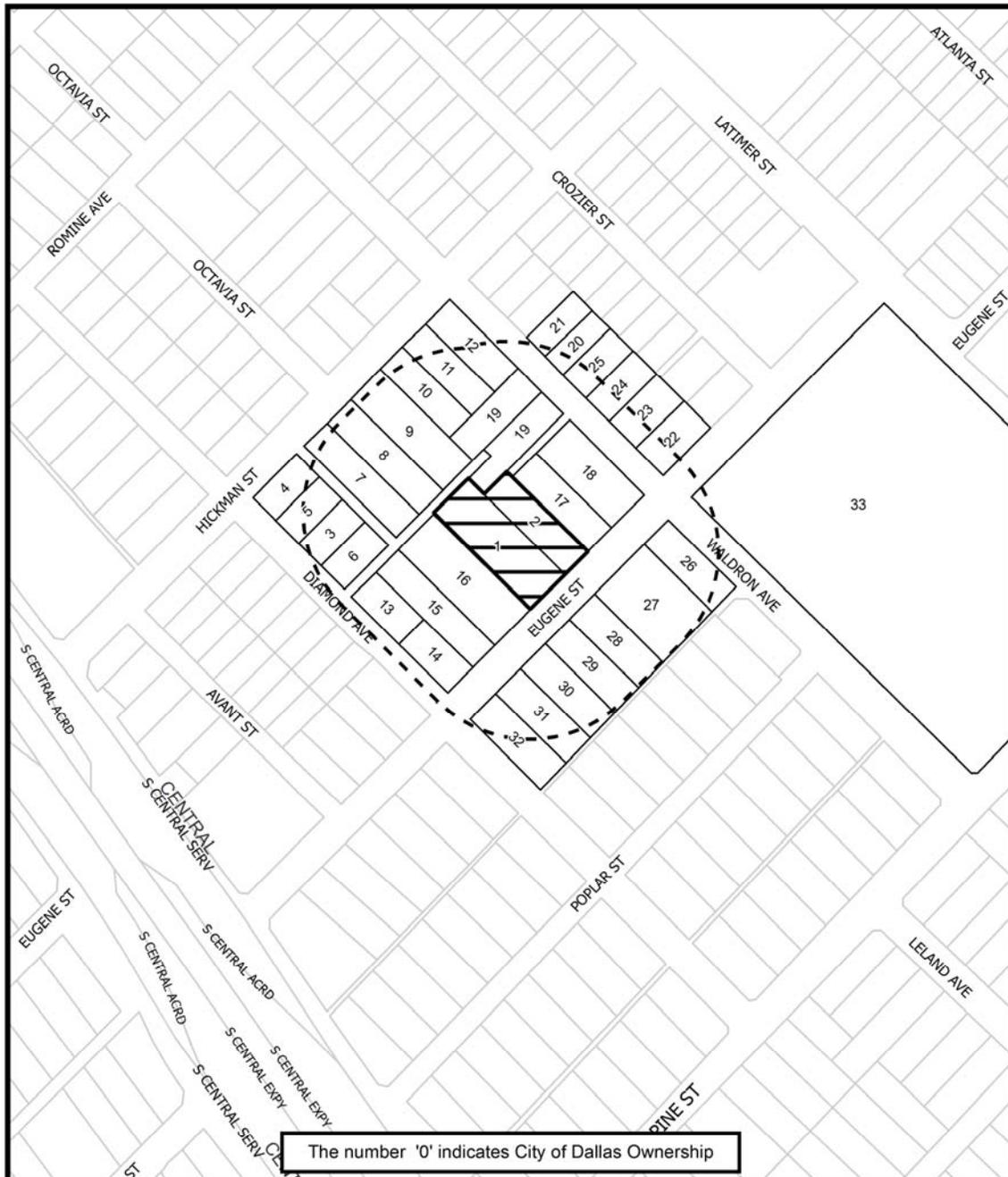
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).
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." Section 51A-8.617.
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. The maximum number of lots permitted by this plat is 1. Section 51(A)-4.411(f)(3).
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. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
14. On the final plat show recording information on all existing easements within 150 feet of the property. Survey Manual.
15. On the final plat monument all set corners per the monumentation ordinance. Survey Manual.
16. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Section 49-60(g)(1).
17. The number and location of fire hydrants, must comply with the Dallas Fire Code.
18. On the final plat identify the property as Lot 12A in City Bock E/1735. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).



 1:2,400	<h2>ZONING MAP</h2> <ul style="list-style-type: none"> <li><input type="checkbox"/> Area of Request</li> <li><input type="checkbox"/> Recent History</li> </ul>	Case no: <b>S145-243</b> Date: <b>8/11/2015</b>
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 1:2,400	<h3 style="text-align: center;">AERIAL MAP</h3> <p> <input type="checkbox"/> Area of Request  <input type="checkbox"/> Recent History         </p>	Case no: <u>          <b>S145-243</b>          </u> Date: <u>          <b>8/11/2015</b>          </u>
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 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>33</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>33</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <b>S145-243</b> Date: <b>8/11/2015</b>
<b>200'</b>	AREA OF NOTIFICATION					
<b>33</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

# *Notification List of Property Owners*

*S145-243*

*33 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2319 EUGENE ST	TATUM JOHN W & MARIAN
2	2323 EUGENE ST	TATUM JOHN WESLEY
3	3910 DIAMOND AVE	DAVIS JOE
4	3900 DIAMOND AVE	SANDERS CHRISTOPHER
5	3904 DIAMOND AVE	HAWKINS RODNEY
6	3912 DIAMOND AVE	TAKADA INC
7	2330 HICKMAN ST	ZARAGOZA VALENTIN
8	2332 HICKMAN ST	THOMAS MELVIN L
9	2334 HICKMAN ST	THOMAS MELVIN LEE
10	2336 HICKMAN ST	THOMAS MELVIN
11	2338 HICKMAN ST	AUSTIN PATRICIA CARTER &
12	2340 HICKMAN ST	HAWKINS RODNEY
13	4000 DIAMOND AVE	NEIGHBORHOOD HOUSING
14	2303 EUGENE ST	JONES VERLINE COOKS
15	2307 EUGENE ST	ALEXANDER CHOYA
16	2313 EUGENE ST	BRADLEY WILLETТА
17	2327 EUGENE ST	STAFFORD DONALD A
18	2333 EUGENE ST	MINOR EVA MURLENE
19	3919 WALDRON AVE	BROWN LARRY WAYNE &
20	3914 WALDRON AVE	GANTZ & SCODELLER LLC
21	3910 WALDRON AVE	HOSKIN BEULAH
22	3934 WALDRON AVE	KAMAU GELESTA
23	3928 WALDRON AVE	MILLER SHALAMAINE R &
24	3924 WALDRON AVE	WINN VELLA B
25	3918 WALDRON AVE	GIDDENS CLARENCE
26	2330 EUGENE ST	REDIX AMY

08/12/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2326 EUGENE ST	JUSTICE ETTA DEAN
28	2320 EUGENE ST	LANG ILA JUANITA TUCK
29	2314 EUGENE ST	PRINCE IDA AND
30	2310 EUGENE ST	COOPER JOSEPH C
31	2306 EUGENE ST	BARNETT FLOYD ESTATE
32	2300 EUGENE ST	FLANAGAN ALBERTA L
33	2425 PINE ST	Dallas ISD



**CITY PLAN COMMISSION****THURSDAY, AUGUST 20, 2015****FILE NUMBER: S145-246****Subdivision Administrator: Paul Nelson****LOCATION:** East Clarendon Drive and South Marsalis Avenue**DATE FILED:** July 24, 2015**ZONING:** R-7.5(A), CS**CITY COUNCIL DISTRICT: 4    SIZE OF REQUEST: 46.266-Acres    MAPSCO: 55J****APPLICANT/OWNER:** City of Dallas

**REQUEST:** An application to replat a 46.266-acre tract of land containing all of Lots 1 and 2 in City Block 2/3442; all of Lots 1, 2, 7 and 8 and part of Lots 3, 4, and 6 in City Block 3/3442; all of Lot 5 and part of Lot 4 in City Block 1/3442; unplatted tracts of land in City Block 3753; and portions of Black Street, Nabors Street, Fifteenth Street, Marsalis Avenue, Seventeenth Street, Thomas Hill Place, and an unnamed street, all closed and vacated, into one lot on property located south of East Clarendon Drive and South Marsalis Avenue.

**SUBDIVISION HISTORY:**

1. S145-017 was a request east of the present request to create a 0.861 acre-lot from a tract of land in City Block 3395 on property located on Ewing Avenue at Morrell Avenue, northeast corner. The request was approved on November 20, 2014 but has not been recorded.
2. S112-199 was an application on property lying east of the present request at S. Marsalis Avenue and I-35E North to create one 0.703 acre lot from a tract of land containing all of Lots 3, 4A, 4B, and 4C in City Block 126/3110 on property located on South Marsalis Street at Opera Street, southeast corner. The request was approved on September 20, 2012 but has not been recorded.
3. S101-053 was an application northeast of the present request to create one 2.711 acre lot from a tract of land in City Block 3395 on Ewing Avenue between Clarendon Drive and 15<sup>th</sup> Street. The request was approved on December 16, 2010 and recorded on May 3, 2012.
4. S101-018 was an application on property between S. Marsalis Avenue and Ewing Avenue south of Clarendon Drive to replat a 17.474 acre tract of land adjacent on the east of the present request and containing all of Lot 1 and part of Lot 2 in City Block 3440; all of Lots 1, 2, 3, and 4, in City Block 10/3442; and part of City Block 3442 into 2 lots. The request was approved on December 16, 2010 and recorded on May 3, 2012.

**STAFF RECOMMENDATION:**

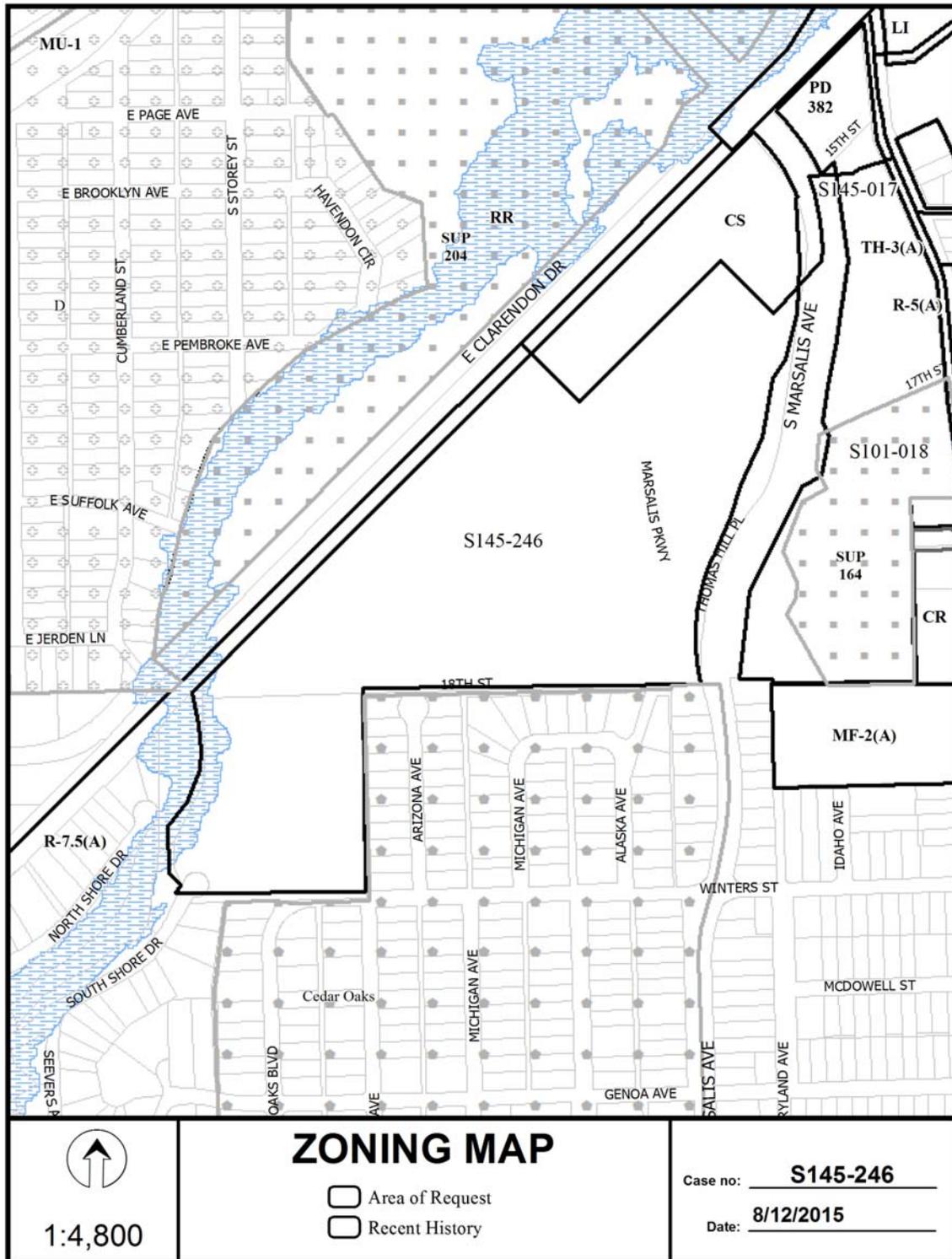
The property has been utilized as a public park (Dallas Zoo) for a number of years. It has been a policy of the city that this type of facility generally is compatible with a residential neighborhood. In this specific instance, the property has unique terrain and geologic features, and is separated from the residential areas by a major freeway, railroad, and major thoroughfares. Staff concludes that the request complies with Section 51A-8.503, and the R-7.5(A) and CS zoning district requirements; therefore,

staff recommends approval of the request subject to compliance with the following conditions:

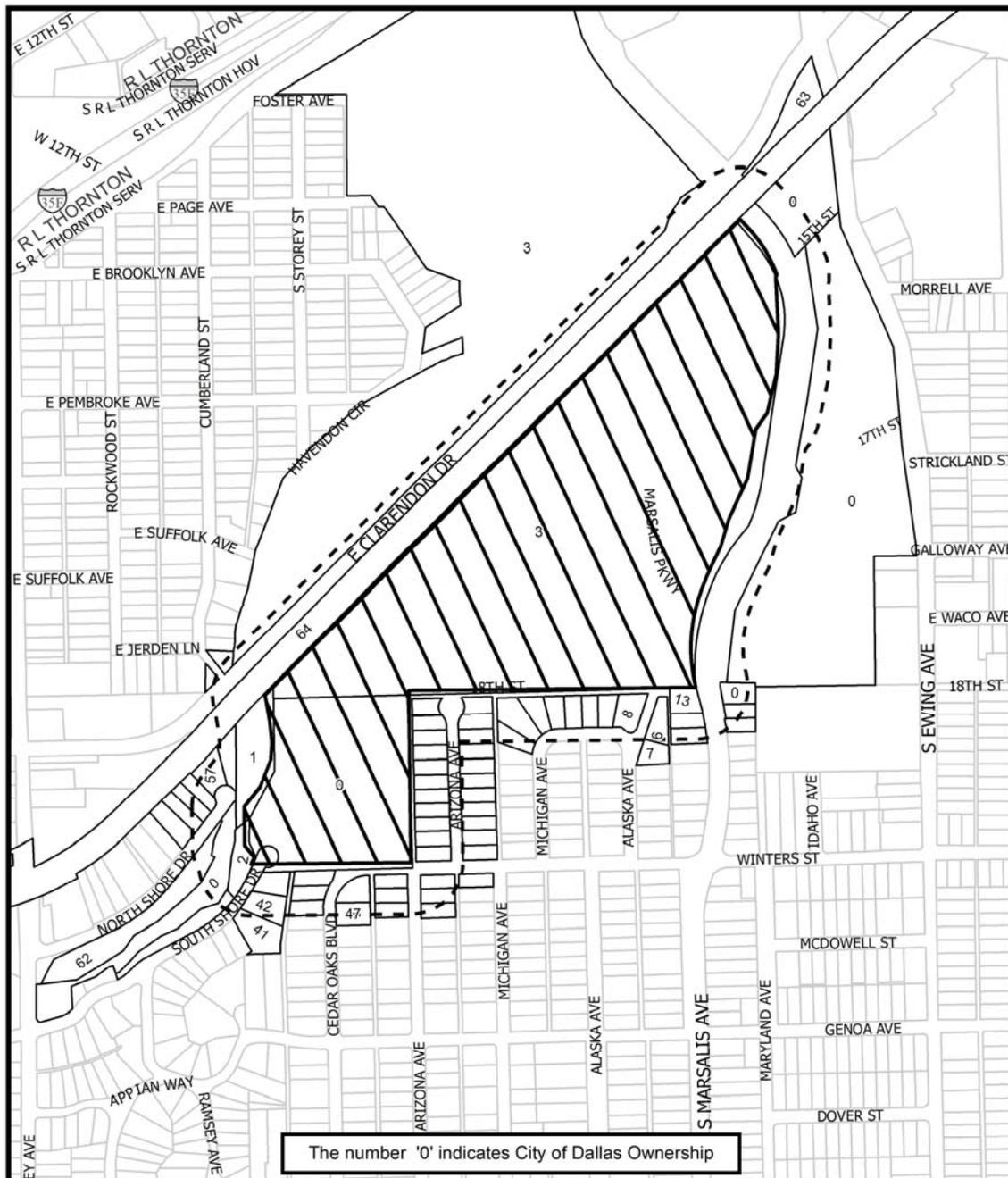
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the "Microstation" format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(6)(G).
5. Any structure new or existing may not extend across new property lines. Sections 51A-8.501(b) and 51A-8.503(e).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a) and (b).
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." Section 51A-8.617.
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. The maximum number of lots permitted by this plat is 1. Section 51(A)-4.411(f)(3).
10. Submit drainage and/or paving plans, prepared by a Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c), and 51A-8.601(b), (4), (5), (6), (7), (8), and (9).
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. On the final plat dedicate 7.5 feet of right-of-way from the established centerline of the alley parallel to Arizona Street. Sections 51A-602(c), Section 51A-604(c), and 51A-8.611(e).
13. On the final plat dedicate 7.5 feet of right-of-way from the established centerline of the alley perpendicular to Arizona Street. Sections 51A-602(c), and 51A-604(c).
14. On the final plat dedicate 25 feet of right-of-way from the established centerline of Cedar Oaks Boulevard. Sections 51A-602(c), and 51A-604(c).
15. An access easement by separate instrument may be required for the existing turnaround.
16. On the final plat determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
17. 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), Trinity Watershed Management, Drainage Design Manual Addendum V.
18. 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.
19. On the final plat specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management
20. 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.
21. 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).
22. 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. Section 51A-5.105(g).
23. On the final plat show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
24. On the final plat show recording information on all existing easements within 150 feet of the property. Survey Manual.
25. A site plan must be submitted to the Water/Wastewater Section in Room 200 of 320 E. Jefferson Blvd. showing proposed new buildings, development, and proposed water and wastewater service locations with service sizes. Section 49-60(g)(1).
26. The number and location of fire hydrants, must comply with the Dallas Fire Code.

27. New water and/or wastewater easements must be shown on the final plat. Section 49-60(d).
28. Water/wastewater main extension may be required by Private Development Contract. Sections 49-60(g)(1) and (2); 49-62(f)(1); and 49-62(b)(c).
29. On sheet 1 add a label for "Arizona Avenue."
30. On sheet 2 change "E. ClarendonDrive" to "E. Clarendon Drive".
32. On sheet 2 add an additional label for "Winters Street" between "Arizona Avenue" and "Cedar Oaks Boulevard".
33. On sheet 2 identify the strip along the south side of Block 3442. If it is street right-of-way indicate the street name on the face of the plat.
34. On sheet 2 add a label for "South Shore Drive". If necessary use an arrow from the label pointing to the right-of-way.
35. On sheet 2 identify whether the area labeled as "asphalt pavement" is a street easement or right-of-way, and label appropriately.
36. On sheet 3 change "E. ClarendonDrive" to "E. Clarendon Drive".
37. On the final plat identify the property as Lot 4A in City Bock 1/3442. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).







 1:6,000	<h2 style="margin: 0;">NOTIFICATION</h2>	Case no: <b>S145-246</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">64</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <b>8/11/2015</b>

# *Notification List of Property Owners*

**S145-246**

*64 Property Owners Notified*

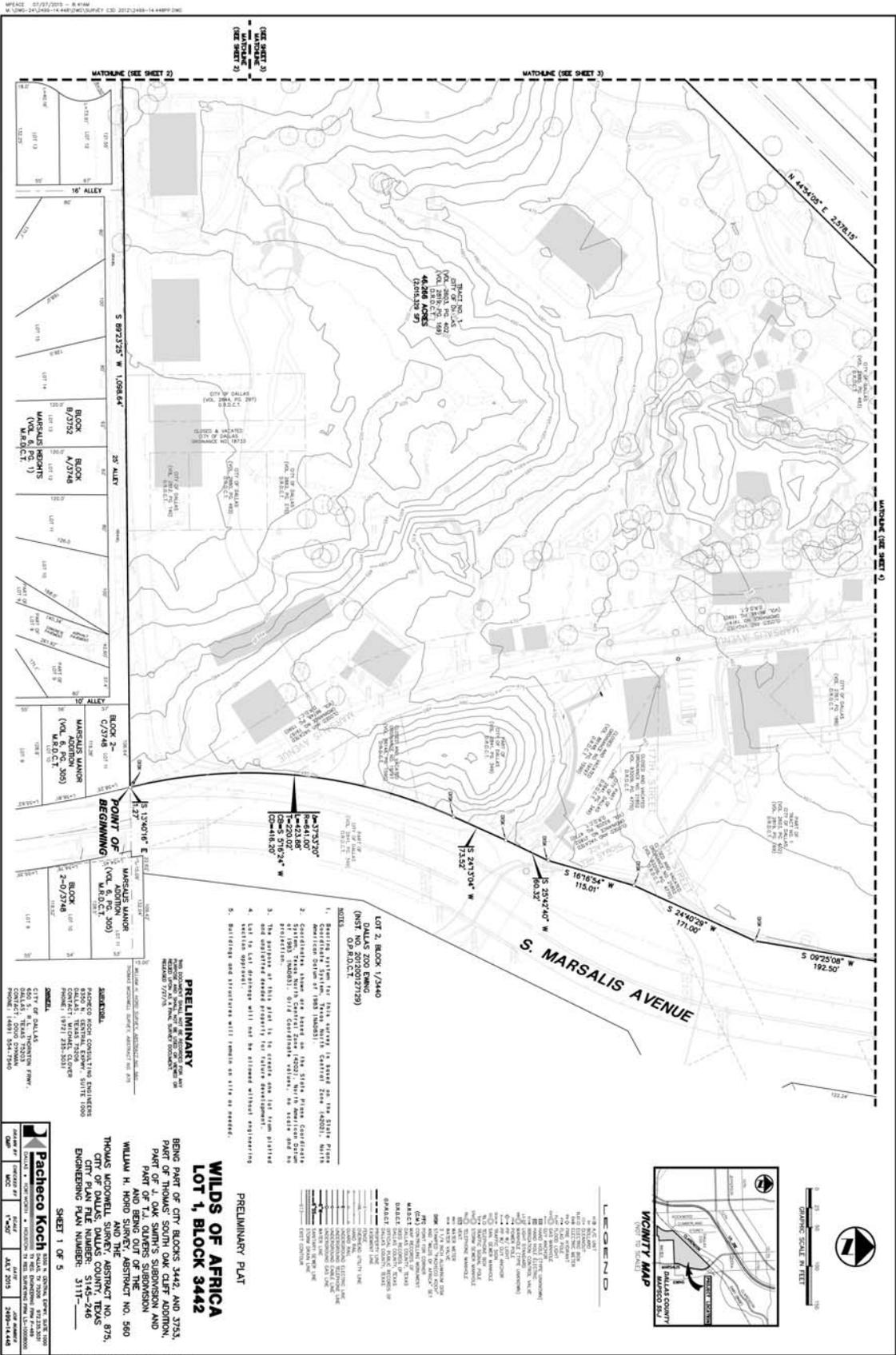
<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	255 NORTH SHORE DR	HARRIS KENNETH L
2	227 SOUTH SHORE DR	BARTOO CYNTHIA F
3	621 CLARENDON DR	DALLAS CITY OF
4	1034 CUMBERLAND ST	MARTINEZ FRANCISCO JAVIER
5	1036 CUMBERLAND ST	GARZA MARIA
6	1218 ALASKA AVE	CARRANZA GUSTAVO
7	1220 ALASKA AVE	THOMPSON EARLENE
8	1205 ALASKA AVE	BRINKLEY OPAL C &
9	1203 MICHIGAN AVE	CORDERO CARMEN I
10	1207 MICHIGAN AVE	COOKS NORRIS LADELL &
11	1217 MARSALIS AVE	RANDLE ALBERTA ETAL &
12	1209 MARSALIS AVE	BUFORD OTIS
13	1203 MARSALIS AVE	PATRICK WILLIE
14	1247 ARIZONA AVE	PERSLEY ALBERT E
15	1243 ARIZONA AVE	JONES MARGREAT EST OF
16	1239 ARIZONA AVE	CROMWELL DEVELOPMENT CORP
17	1235 ARIZONA AVE	EQUITY TRUST COMPANY
18	1231 ARIZONA AVE	GILES DARLENE
19	1225 ARIZONA AVE	GUICE LINDA FAYE &
20	1221 ARIZONA AVE	MOORE LESTER & FAYE
21	1217 ARIZONA AVE	WALLACE JASON
22	1213 ARIZONA AVE	JONES BRYAN & ANGELA
23	1209 ARIZONA AVE	GONZALES RAUL &
24	1203 ARIZONA AVE	WILSON FELICITAS
25	1202 ARIZONA AVE	WAFER-EDWARDS TASHA TRUSTEE
26	1208 ARIZONA AVE	JOHNSON LVERGIA

08/12/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1212 ARIZONA AVE	FRAMPTON JANE HUNTLEY EST
28	1216 ARIZONA AVE	DESANTIAGO UBALDO &
29	1220 ARIZONA AVE	HART MARION
30	1224 ARIZONA AVE	HEATH HELLENE
31	1230 ARIZONA AVE	MORALESSORIA ANGEL &
32	1234 ARIZONA AVE	MONDINE JAMES E
33	1238 ARIZONA AVE	MOTEN IGENELL
34	1242 ARIZONA AVE	PUCKETTE JOHN E JR & RUBY E
35	1246 ARIZONA AVE	PFEIL DICK
36	1211 MICHIGAN AVE	SAUCEDO RAUL PEREZ EST OF
37	1215 MICHIGAN AVE	RUIZ FRANCISCA BARCENAS
38	1219 MICHIGAN AVE	DALE MARTHA W ET AL
39	1223 MICHIGAN AVE	DELEON SALVADOR II
40	1227 MICHIGAN AVE	DELEON RITA A
41	226 SOUTH SHORE DR	JOHNSON KELLY
42	234 SOUTH SHORE DR	MORRISON PAUL M
43	240 SOUTH SHORE DR	GAYTON JODIE DOREMA
44	1303 CEDAR OAKS BLVD	QUESADA OSCAR & LESLEE
45	1307 CEDAR OAKS BLVD	OVERSTREET RUTHIE
46	1311 CEDAR OAKS BLVD	INGRAM WILLIAM I & RUTHIE LEE
47	1312 CEDAR OAKS BLVD	RICHARDS FREDERICK E
48	1306 CEDAR OAKS BLVD	FRAHM RYAN & JENNIFER
49	1303 ARIZONA AVE	MILLER LYDIA B
50	1307 ARIZONA AVE	THOMAS JIMMY B
51	1311 ARIZONA AVE	TANNER JESSE DONALD
52	1310 ARIZONA AVE	FEARANCE NORA LIFE ESTATE
53	1306 ARIZONA AVE	GEORGE BILLY J
54	1302 ARIZONA AVE	DELANEY STEVE GEORGE
55	1303 MICHIGAN AVE	HOWELL EUGENE &
56	247 NORTH SHORE DR	ALLEN MARGARET KIRK
57	239 NORTH SHORE DR	WEST DONNA

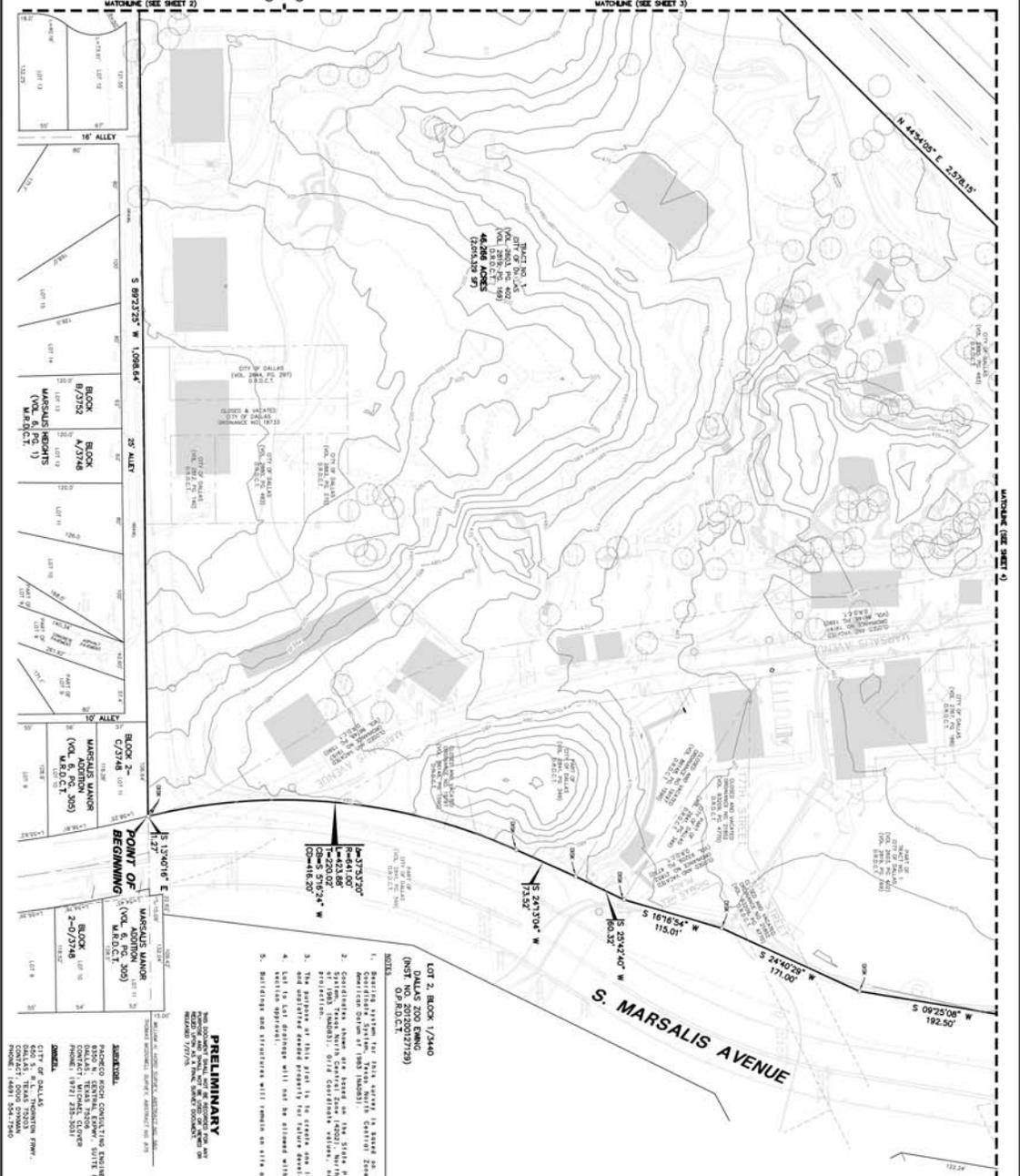
08/12/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	235 NORTH SHORE DR	ABREGO HILARIO
59	231 NORTH SHORE DR	CHAMBERS WALLACE O
60	227 NORTH SHORE DR	QUINTANS JOEL & ALICIA
61	223 NORTH SHORE DR	MORGAN JEFFREY DALE
62	239 NORTH SHORE DR	BRAWLEY HETTIE
63	702 MARSALIS AVE	DALLAS AREA RAPID TRANSIT
64	401 BUCKNER BLVD	DART



DATE: 03/27/2015 - 8:41AM  
 M:\1500-24\2400-14-448\DWG\PLAT1.DWG (3) 201512448-14-448.DWG

(SEE SHEET 2)  
 (SEE SHEET 2)  
 (SEE SHEET 2)



WILDS OF AFRICA  
 LOT 1, BLOCK 3442

BEING PART OF CITY BLOCKS 3442, AND 3753,  
 PART OF THOMAS SOUTH OAK CLIFF ADDITION,  
 PART OF THE 3A CLAYTON SUBDIVISION,  
 AND BEING OUT OF THE  
 WILLIAM H. HORN SURVEY, ABSTRACT NO. 560  
 THOMAS McDONELL SURVEY, ABSTRACT NO. 875,  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS  
 CITY PLAN FILE NUMBER: 5145-246  
 ENGINEERING PLAN NUMBER: 3111-

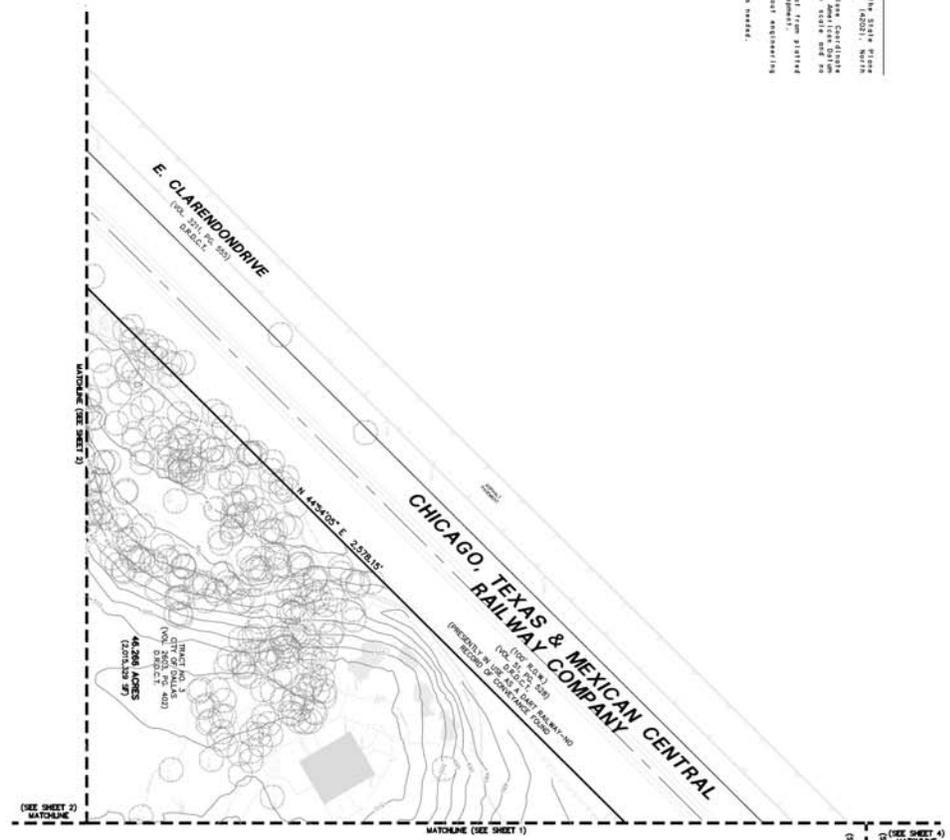
SHEET 1 OF 5

**Pacheco Koch**  
 ENGINEERS, ARCHITECTS & PLANNERS  
 1000 WEST END AVENUE, SUITE 2000  
 DALLAS, TEXAS 75203  
 PHONE: (214) 752-2000  
 FAX: (214) 752-2001  
 WWW.PACHECO-KOCH.COM  
 DATE: 03/27/2015  
 SHEET: 1 OF 5

WILDS OF AFRICA - PRELIMINARY PLAT



- NOTES**
1. Existing system for this project is based on the State Plane Coordinate System, Texas North Central Zone (4202). North American Datum of 1983.
  2. Coordinates shown are based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are in feet.
  3. The purpose of this plan is to create and file from platting a lot in the City of Dallas.
  4. All lot dimensions will not be obtained without engineering building and structure will remain on site in place.
  5. Buildings and structures will remain on site in place.



**PROFESSIONAL ENGINEER**  
 RAYMOND KOCH CONSULTING ENGINEERS  
 1515 W. WOODLAWN AVENUE, SUITE 100  
 DALLAS, TEXAS 75203  
 PHONE: (972) 733-5511

**CITY OF DALLAS**  
 PLANNING DEPARTMENT  
 515 W. WOODLAWN AVENUE, SUITE 100  
 DALLAS, TEXAS 75203  
 PHONE: (469) 564-7540

**Pacheco Koch**  
 1515 W. WOODLAWN AVENUE, SUITE 100  
 DALLAS, TEXAS 75203  
 PHONE: (972) 733-5511

**DATE:** 07/27/2015  
**TIME:** 8:43 AM

**PRELIMINARY**  
 THE SOURCE OF THE INFORMATION ON WHICH THIS PLAN IS BASED IS AS REPRESENTED BY THE SURVEYOR AND ENGINEER.  
 REVISION 7/27/15

**PRELIMINARY PLAT**  
**WILDS OF AFRICA**  
**LOT 1, BLOCK 3442**

BEGING PART OF CITY BLOCKS 3442, AND 3753,  
 PART OF THOMAS SOUTH OAK CLIFF ADDITION,  
 PART OF T.A. QUIGGERS SUBDIVISION,  
 AND BEING OUT OF THE  
 WILLIAM H. HORN SURVEY, ABSTRACT NO. 560  
 THOMAS McDOWELL SURVEY, ABSTRACT NO. 875,  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS  
 CITY PLAN FILE NUMBER: S145-246  
 ENGINEERING PLAN NUMBER: 3111-

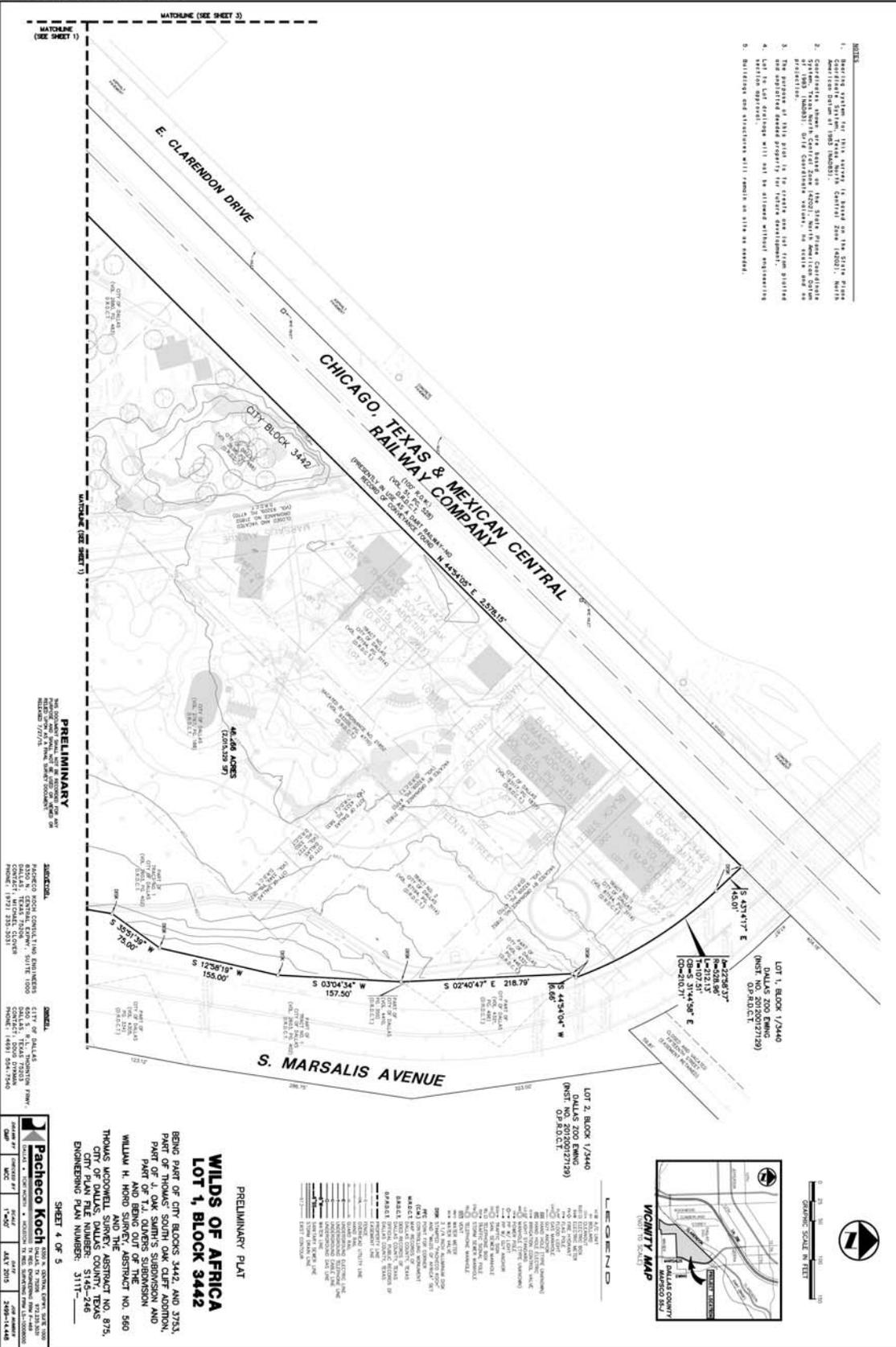
SHEET 3 OF 5

**LEGEND**

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—	100" = 1' SCALE



WILDS OF AFRICA - PRELIMINARY PLAT



- NOTES:**
1. Platting system for this survey is based on the State Plane American Datum of 1983 (NAD83). (Survey 2008 (2022), NAD83).
  2. Coordinates shown are based on the State Plane Coordinate of 1983 (NAD83). City Coordinate values are given and are projected to this point by the State Plane 141 from geoid and unprojected ground property for future development.
  3. All lot dimensions will not be allowed without engineering verification.
  4. Lot to Lot adjoiners will not be allowed without engineering verification.
  5. Builders and structures will remain as they are created.

**PRELIMINARY**

THIS DOCUMENT IS PRELIMINARY AND NOT FOR CONSTRUCTION. IT IS SUBJECT TO CHANGE WITHOUT NOTICE. THE USER OF THIS DOCUMENT SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ENGINEER AND SURVEYOR ASSUME NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DOCUMENT.

**PROFESSIONAL ENGINEER**  
 PACHECO KOCH CONSULTING ENGINEERS  
 10000 WEST 10TH STREET, SUITE 1000  
 DALLAS, TEXAS 75243  
 LICENSE NO. 14871 (S.E.)

**REGISTERED SURVEYOR**  
 WILLIAM H. HOBBS  
 10000 WEST 10TH STREET, SUITE 1000  
 DALLAS, TEXAS 75243  
 LICENSE NO. 14871 (S.E.)

**PRELIMINARY PLAT**  
**WILDS OF AFRICA**  
**LOT 1, BLOCK 3442**

BEGINNING PART OF CITY BLOCKS 3442 AND 3753, PART OF THOMAS SOUTH OAK CLIFF ADDITION, PART OF J. OAK SMITH'S SUBDIVISION AND PART OF J. OAK SMITH'S SUBDIVISION AND WILLIAM H. HOBBS SURVEY, ABSTRACT NO. 560 THOMAS ADDITION AND THE ABSTRACT NO. 875, CITY OF DALLAS, DALLAS COUNTY, TEXAS. ENGINEERING PLAN NUMBER: 3117-1-15

**SHEET 4 OF 5**

**Pacheco Koch**  
 CONSULTING ENGINEERS  
 10000 WEST 10TH STREET, SUITE 1000  
 DALLAS, TEXAS 75243  
 LICENSE NO. 14871 (S.E.)



**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 20, 2015**

**FILE NUMBER:** S145-244

**Subdivision Administrator:** Paul Nelson

**LOCATION:** Goforth Road and Goforth Circle

**DATE FILED:** July 23, 2015

**ZONING:** R-7.5(A)

**CITY COUNCIL DISTRICT:** 10    **SIZE OF REQUEST:** 0.251-Acre    **MAPSCO:** 27T

**APPLICANT/OWNER:** Matthew and Jamie Miller

**REQUEST:** An application to replat a 0.251-acre tract of land containing all of Lot 1 in City Block A/5446 to remove the existing 30-foot platted building line along the southwest portion of the lot line adjacent to Goforth Circle on property located at the southeast corner of Goforth Road and Goforth Circle.

**SUBDIVISION HISTORY:**

1. S145-183 was an application at the south corner of Goforth Road and Goforth Circle to replat a 0.573-acre tract of land containing all of Lots 17, 18, and 19 in City Block B/5446 into one lot, on property located at 7720 Goforth Road and 7728 Goforth Circle. The request was approved June 4, 2015 and has not been recorded.
2. S101-065 was an application to replat all of Lot 29 and a tract of land in City Block B/5446 into one 0.378 acre lot and to remove the platted 30 foot building line along Goforth Road on 7770 Goforth Circle at Goforth Road, east corner. The request was approved on May 7, 2015 and has not been recorded.
3. S101-008 was an application northeast of the present request and contiguous on the southeast of S101-065 to replat all of Lot 28A and a tract of land into one 0.280 acre lot in City Block B/5446 on 7766 Goforth Circle southeast of Goforth Road and was approved on November 18, 2010 and recorded on May 13, 2014.

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

- (1) upon the affirmative vote of at least three- fourths of the commission members present; and
- (2) if the commission finds that relocation or removal of the platted building line will not:
  - “(i) require a minimum front, side, or rear yard setback less than required by zoning regulation;”
    - The 30 foot building line removal will not provide a setback less than what is required by the R-7.5(A) zoning district.
  - “(ii) be contrary to the public interest;”

- 21 notices were to property owners within 200 feet of the request on July 31, 2015 As of August 11, 2015 staff has received Zero responses.
- “(iii) adversely affect neighboring properties; and”
- The removal of the building line will allow a structure to be built 5 feet closer to the front lot line than any other lot within the subdivision thereby creating an encroachment that the remaining lots do not possess.
- “(iv) adversely affect the plan for the orderly development of the subdivision.”
- The removal of the building lines will allow for development in the front yard of the property that would not be consistent with the other lots in the subdivision.

**STAFF RECOMMENDATION OF BUILDING LINE REMOVAL:** There have been three residential replats in this area within the last five years and none of the requests included removal of the 30 foot front yard building line. The 30 foot front yard building lines exist on all of the lots and represent the “established lot pattern” for the White Rock Forest Addition; therefore, staff recommends denial of the removal of the 30 foot front yard building line.

**STAFF RECOMMENDATION:** The request does not comply with the requirements of Section 51A-8.505; therefore, staff recommends of the request. However, should the commission approve the removal of the building line staff recommends that the approval be 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 Rules and Regulations of the Texas Board of Land Surveying. Section 51A-8.102(a), (b), (c), and (d).
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with water, wastewater and easement requirements under the provisions of Chapter 49 of the Dallas City Code. Section 51A-8.102(a), (b), (c), and (d).
3. Compliance with all plans, contracts, ordinances and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d).
4. Provide a copy of the digital electronic CADD file of the final plat at the time the final plat is submitted for signature by the Chairman of the Plan Commission in a format that is compatible with the “Microstation” format to the Survey Section, Engineering Division in Room 200, 320 E. Jefferson Boulevard. Section 51A-8.403(6)(G).
5. Any structure new or existing may not extend across new property lines. Section 51A-8.501(b).
6. On the final plat, all easement abandonments and ROW abandonments must be by separate instrument and the recording information shown on the face of the

- plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature. Section 51A-8.502(a)(b).
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." Section 51A-8.617.
  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. The maximum number of lots permitted by this plat is 1. Section 51(A)-4.411(f)(3).
  10. Place a note on the final plat "Lot-to-lot drainage is not permitted without Engineering Section approval." Section 51A-8.611(e).
  11. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e)
  12. On the final plat, dedicate a 10 foot by 10 foot corner clip at Goforth Circle and Goforth Road. Section 51A-8.602(d)(1).
  13. On the final plat show how all adjoining right-of-way was created. Survey Manual.
  14. On the final plat show recording information on all existing easements within 150 feet of the property. Survey Manual.
  15. The number and location of fire hydrants, must comply with the Dallas Fire Code.
  16. On the final plat identify the property as Lot 1, City Block A/5446. Ordinance Book 1A, page 131 - 148, Section 2 (passed August 13, 1872).
  17. On the final plat add the following statement "The platted 30 foot building line along Goforth Circle within the boundary of this plat is removed by this plat."





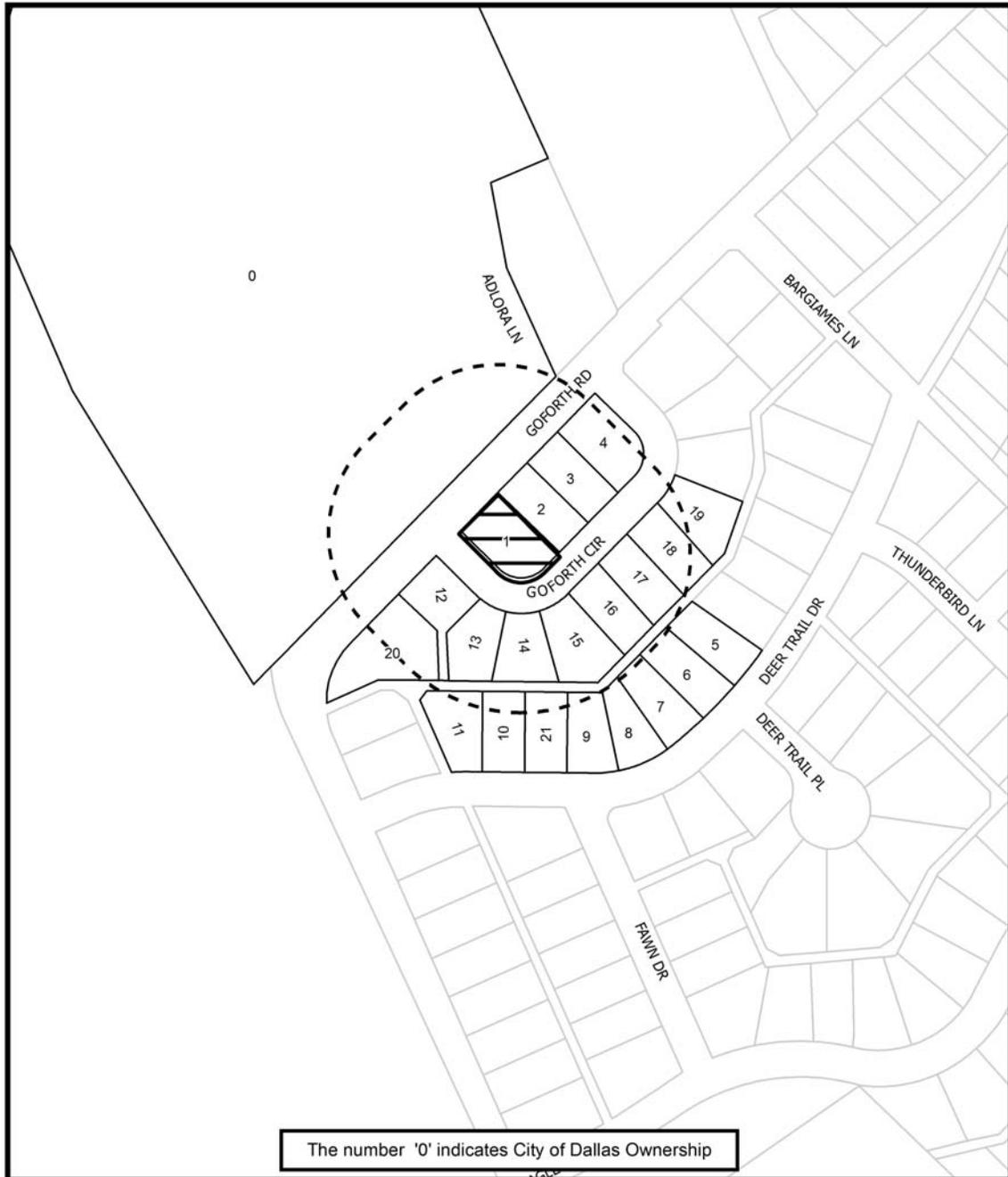
1:2,400

### AERIAL MAP

- Area of Request
- Recent History

Case no: S145-244

Date: 8/11/2015



 1:2,400	<b>NOTIFICATION</b>		Case no: <b>S145-244</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">21</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>8/11/2015</b>

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

***S145-244***

***21 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7743 GOFORTH CIR	MILLER MATTHEW &
2	7749 GOFORTH CIR	BALDWIN ADAM K & SUMMER L
3	7753 GOFORTH CIR	WILSON ROBERT JOSEPH II
4	7757 GOFORTH CIR	MCCULLOUGH SARAH K & STEPHEN W
5	7805 DEER TRAIL DR	WANK RICHARD B &
6	7741 DEER TRAIL DR	EAVAN RHYS A & MARK E KNUSSMANN
7	7735 DEER TRAIL DR	BONDY ROBERT &
8	7729 DEER TRAIL DR	BONDY ROBERT C III
9	7723 DEER TRAIL DR	WALKER VERNON W
10	7715 DEER TRAIL DR	VASSAUR JOHN LEWIS II
11	7711 DEER TRAIL DR	OSBORN PATRICIA J &
12	7728 GOFORTH CIR	SMITH ALEXANDER GEORGE
13	7732 GOFORTH CIR	GONZALES ANTONIO C
14	7736 GOFORTH CIR	MCELROY VENTURES LLC
15	7742 GOFORTH CIR	MOORHEAD ROBERT J &
16	7746 GOFORTH CIR	RASMUSSEN ANNE REILLY
17	7750 GOFORTH CIR	NUTT TERRY L & STEPHANIE L
18	7754 GOFORTH CIR	KEATOR TODD DENISON
19	7758 GOFORTH CIR	HILL MICHELLE M & KRISTOPHER D
20	7720 GOFORTH RD	SOLOMON SAMUEL
21	7719 DEER TRAIL DR	SCHMID CAROL A &



**Planner: Warren F. Ellis**

**FILE NUMBER:** Z145-221(WE)                      **DATE FILED:** March 24, 2015  
**LOCATION:** South line of West Northwest Highway, west of Midway Road  
**COUNCIL DISTRICT:** 13                              **MAPSCO:** 24X  
**SIZE OF REQUEST:** Approx. 1.82 acres              **CENSUS TRACT:** 73.02

---

**APPLICANT:** Prevarian Companies, L.P.

**OWNER:** James C. Leonard

**REPRESENTATIVE:** Suzan Kedron, Jackson Walker, L.L.P.

**REQUEST:** 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.

**SUMMARY:** The purpose of this request is to permit the development of an 85-unit assisted living facility on site. The assisted living facility use is being created with this Planned Development. The proposed facility will not exceed 36 feet in height. **The applicant is requesting that this application be denied without prejudice.**

**STAFF RECOMMENDATION:** **Denial without prejudice**

**BACKGROUND INFORMATION:**

- The request site is currently developed with a single family dwelling.
- The request site is adjacent to single family use and a church facility. Properties north of the request site, across West Northwest Highway consist of a convalescent and nursing home, hospice care and related institutions (SUP No. 1273), and retail and personal service uses. Specific Use Permit 1273 is considered as an assisted living facility.

**Zoning History:** There have been two zoning requests in the area.

1. **Z101-224** On June 8, 2011, the City Council approved Planned Development District No. 851 for retail and office uses on property zoned a TH-1(A) Townhouse District
2. **Z101-231** On August 10, 2011, the City Council approved a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store less than 3,500 square feet on property within Planned Development District No. 366 with a D Liquor Control Overlay.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
W. Northwest Highway	Principal Arterial	100 ft.	100 ft.

**Land Use:**

	Zoning	Land Use
<b>Site</b>	R-10(A)	Single Family
<b>North</b>	TH-1(A) w/SUP No. 1273	Convalescent and nursing home, hospice care and related institutions
<b>South</b>	R-1ac(A)	Single Family
<b>East</b>	R-10(A)	Church
<b>West</b>	PDD No. 528	Single Family

**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 being within a Residential Neighborhood Building Block and is located along a Multi-Modal Corridor.

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

#### Multi-Modal Corridor

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

#### **STAFF ANALYSIS:**

**Land Use Compatibility:** The 1.82 acre site is developed with a single family use and will be razed for the development of a 55,550 square foot assisted living facility. The surrounding area is primarily developed with a mix of retail and personal service uses, single family uses and institutional uses. There is an existing assisted living facility (SUP No. 1273) that is located north of the request site, across West Northwest Highway.

The proposed development will be constructed at a maximum height of 36 feet and will have a reduced front yard setback as regulated by the R-10(A) development standards. The applicant is proposing a 15-foot front yard setback to bring the proposed building closer to the street, while providing a larger rear yard setback of approximately 45 feet. The increase in the rear yard setback will created a buffer from the existing residential uses but will also allowed for a turn-around for emergency vehicles.

Moreover, the adjacent residential development (PDD No. 528) has established reduced side and rear yard setbacks that are smaller than the proposed assisted living facility. The residential planned development district (PDD No. 528) permits a minimum of 5-foot side and rear yard setbacks. The applicant is proposing a 15-foot front yard setback, 10-foot side yard setbacks and a 45-foot rear yard setback for the assisted living facility.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD - proposed	15'	10'/15'	Max. 85-units	36'	70%		Single family, assisted living facility
R-10(A) Single Family	30'	6'	1 Dwelling Unit/ 10,000 sq. ft.	30'	45%		Single family

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

**Parking:** The number of off street parking spaces proposed by the applicant for the assist living facility is 31 spaces. In comparison, the proposed assisted living facility will exceed the number of parking spaces required for a similar use (in the number of beds) for a convalescent home and nursing home, hospice care and related institutions use.

The parking regulations require 0.3 spaces per bed for a convalescent home and nursing home, hospice care and related institutions use. Using the parking ratio for a convalescent home and nursing home, hospice care and related institutions use, the total number beds will be 27 spaces; the applicant is proposing for an assisted living facility 28 spaces.

**TxDOT:** The applicant has met with TxDOT and agreed to use the existing median curb cut to access the site for vehicles travelling west on West Northwest Highway.

**LIST OF OFFICERS**  
Prevarian Companies, L.P.

Prevarian Companies, L.P.

- Dodd Crutcher      President

GP Prevarian Hospital Partners, L.L.C.  
(General partner)

- Allan Brown      Vice-President and Secretary
- Dodd Crutcher      President

**PROPOSED PDD CONDITIONS**

**“ARTICLE \_\_\_\_\_.**

**PD \_\_\_\_\_.**

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

**LEGISLATIVE HISTORY.**

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

**SEC. 51P-\_\_\_\_\_.102.**

**PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_\_ is established on property located south of Northwest Highway and west of Midway Road. The size of PD \_\_\_\_\_ is approximately 1.82 acres.

**SEC. 51P-\_\_\_\_\_.103.**

**DEFINITIONS AND INTERPRETATIONS.**

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

(1) ASSISTED LIVING FACILITY means a permanent residential facility which furnishes (in single or multiple facilities) food, shelter, laundry, and other assistance in activities of daily living, including memory care to persons with Alzheimer’s disease, dementia, and other forms of memory impairment, to five or more persons who are not related by blood, marriage, or adoption to the owner or proprietor of the establishment. Primary food service in a central kitchen. Assisted living facilities must be licensed as Personal Care Facilities under Chapter 247 of the Texas Health and Safety Code. Assisted living facilities do not include other licensed health facilities under Subtitle B, "Licensing of Health Facilities," of Title 4, "Health Facilities," of the Texas Health and Safety Code, specifically nursing homes."

(2) SUITE means one or more rooms designated to accommodate one or more resident, containing living, sanitary, and sleeping facilities, but not containing a stove or oven.

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

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

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

The following exhibit is incorporated into this article:

Exhibit \_\_\_\_A: development plan.

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

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

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

(a) The only main uses permitted are those main uses permitted in the R-10(A) District, subject to the same conditions applicable in the R-10(A) District, as set out in Chapter 51A. For example, a use permitted in the R-10(A) 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 R-10(A) District is subject to DIR in this district; etc.

(b) The following main uses are also permitted:

-- Assisted Living Facility

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

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

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

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

- (a) Front yard. Minimum front yard is 15 feet.
- (b) Side yard. Minimum side yard is 10 feet.
- (c) Rear yard. Minimum rear yard is 15 feet.
- (d) Density. Maximum dwelling unit or suite density is 85 units.

Staff's Recommendation

(e) <u>Floor area ratio.</u> Maximum floor area ratio is 0.75
---

Applicant's Proposal

(e) <u>Floor area ratio.</u> Maximum floor area ratio is 1.0.
---

(f) Height.

(1) Residential proximity slope. Residential proximity slope restrictions set forth in Section 51A-4.412 do not apply.

(2) Maximum height. For an assist living facility, maximum structure height is 36 feet.

(3) Window height. Except for clerestory and opaque windows, no window facing the south shall have a sill height lower than 6 feet from the floor so as to prevent view directly into or out of the window.

(g) Lot coverage. Maximum lot coverage is 70 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. No maximum number of stories.

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

(a) Except as provided, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(b) For an assisted living facility, a minimum of 28 off-street parking spaces must be provided as shown on the development plan.

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

See Article VI.

**SEC. 51P- \_\_\_\_\_.11. FENCE.**

An eight foot fence must be provided around the site's perimeter. The materials may be of masonry, brick, or any combination.

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

(a) Landscaping must be provided in accordance with Article X.

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

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

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

**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 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.”





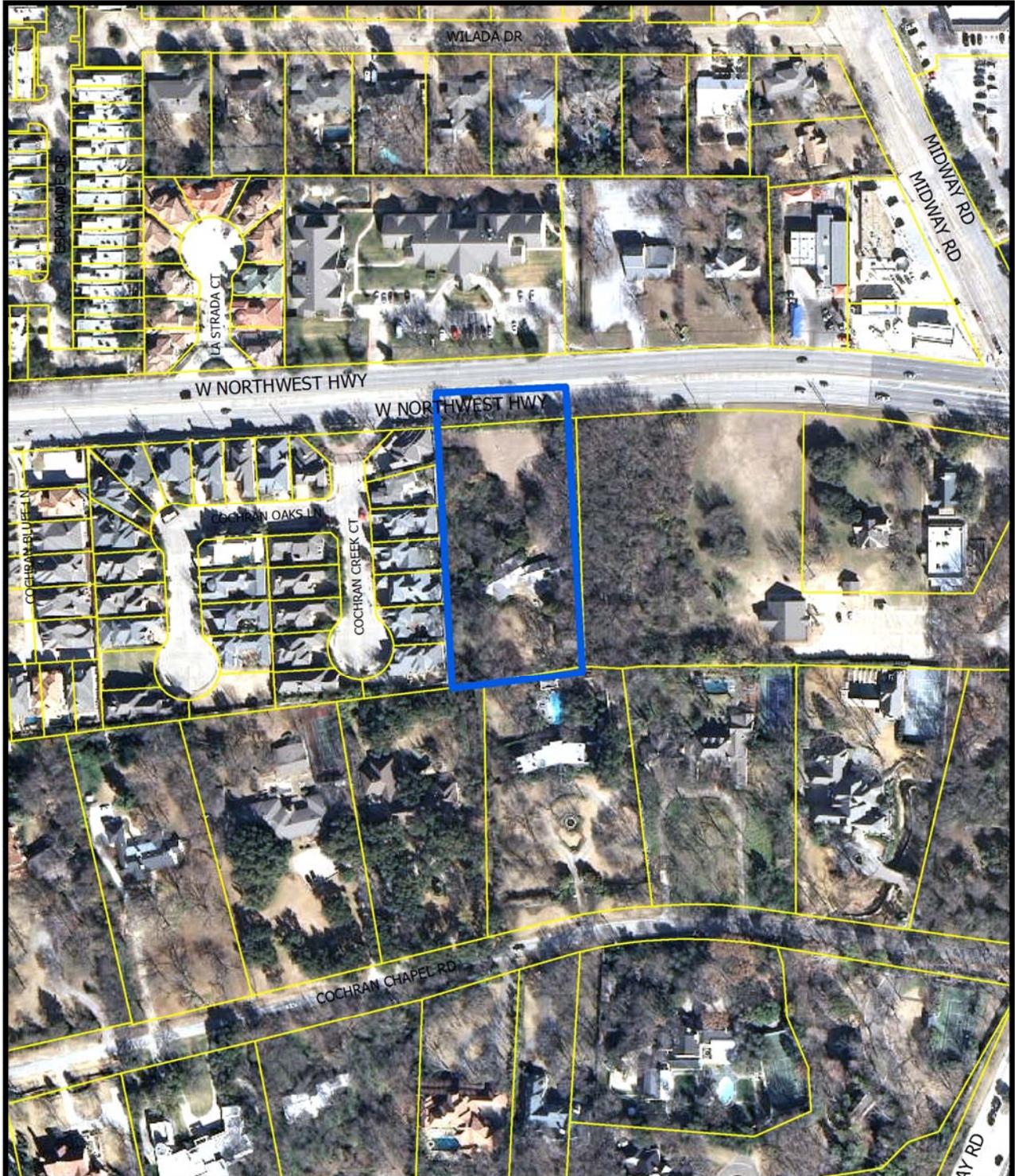
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### VICINITY MAP

Case no: Z145-221

Date: 4/6/2015

Z145-221(WE)

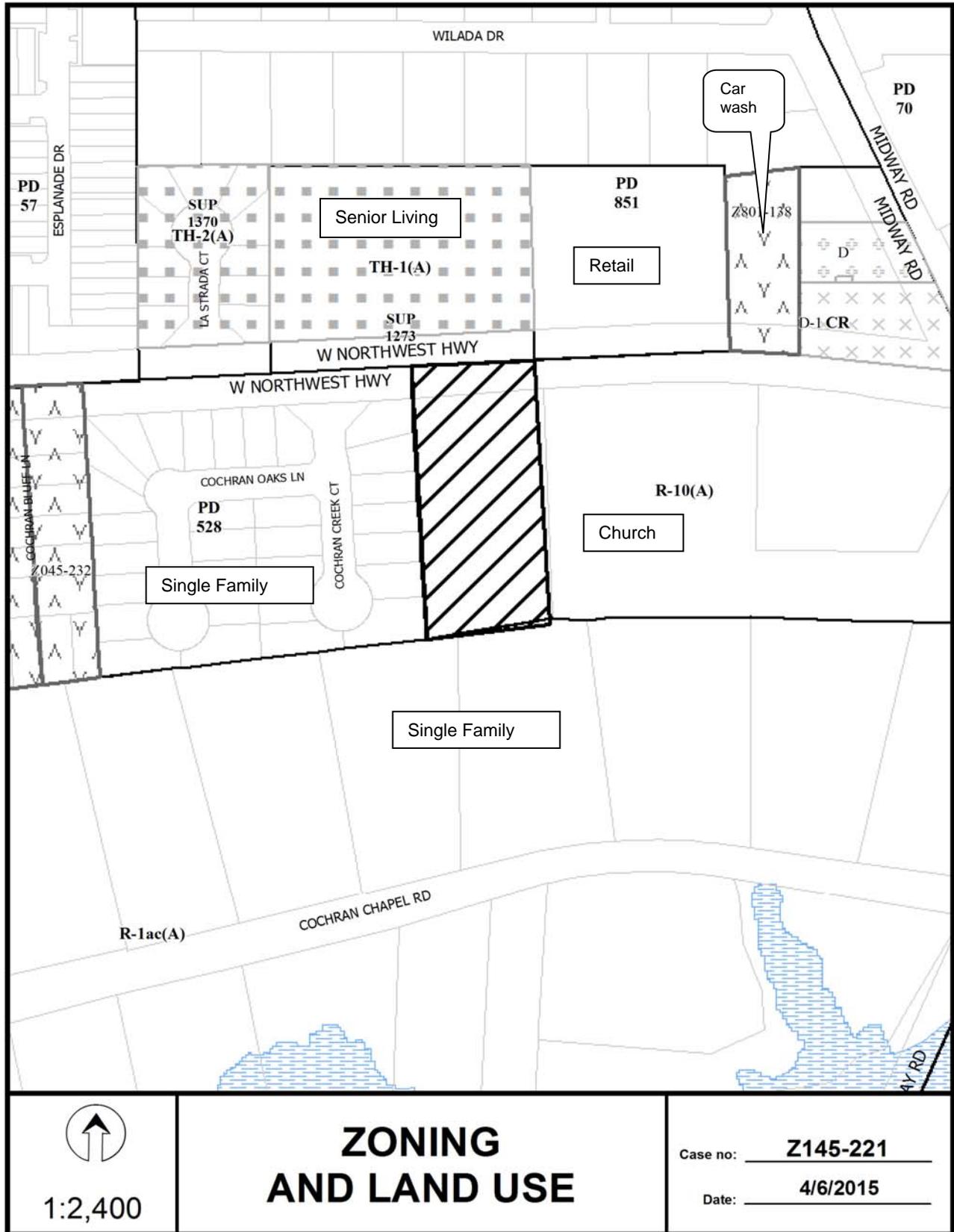


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# AERIAL MAP

Case no: Z145-221

Date: 4/6/2015

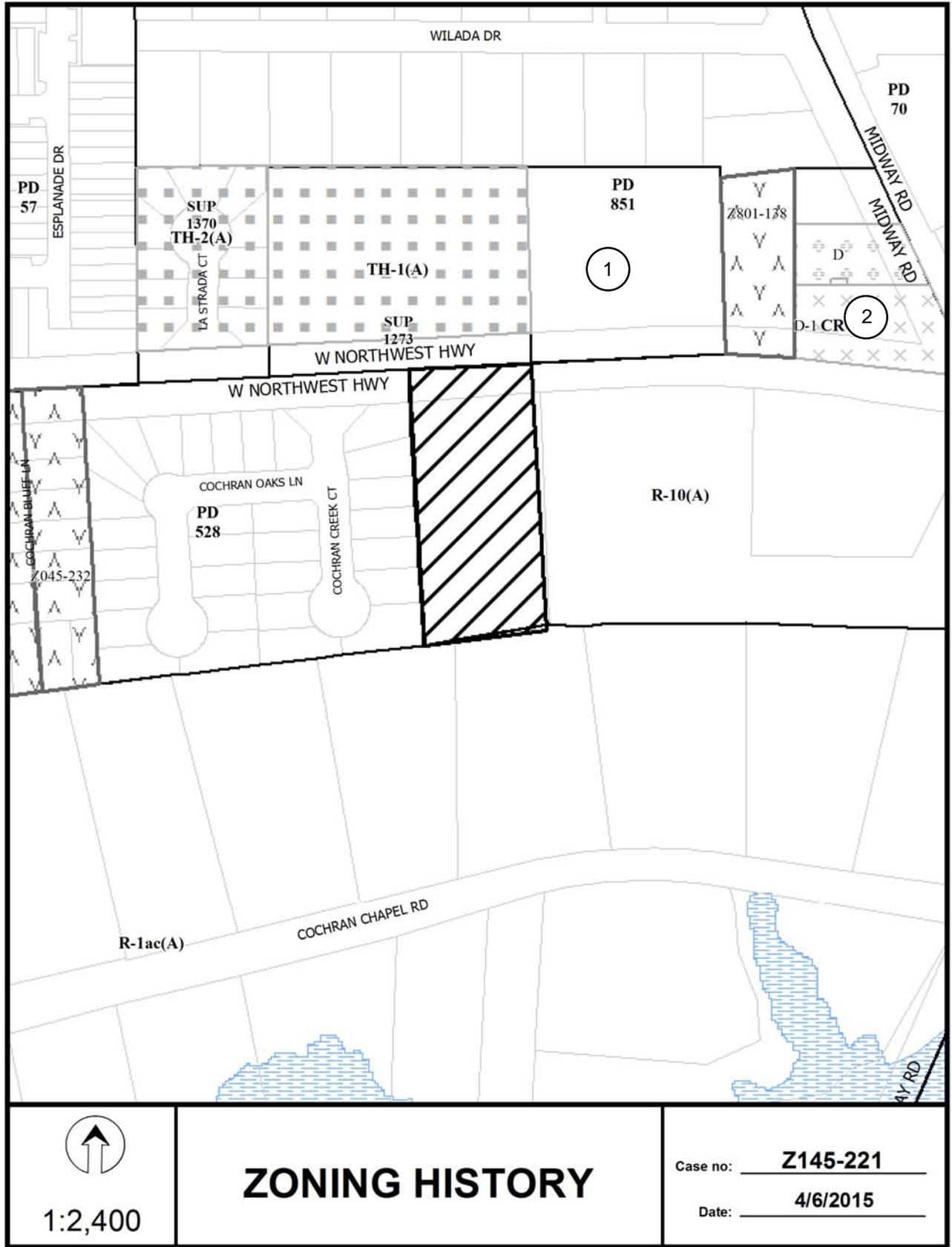


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# ZONING AND LAND USE

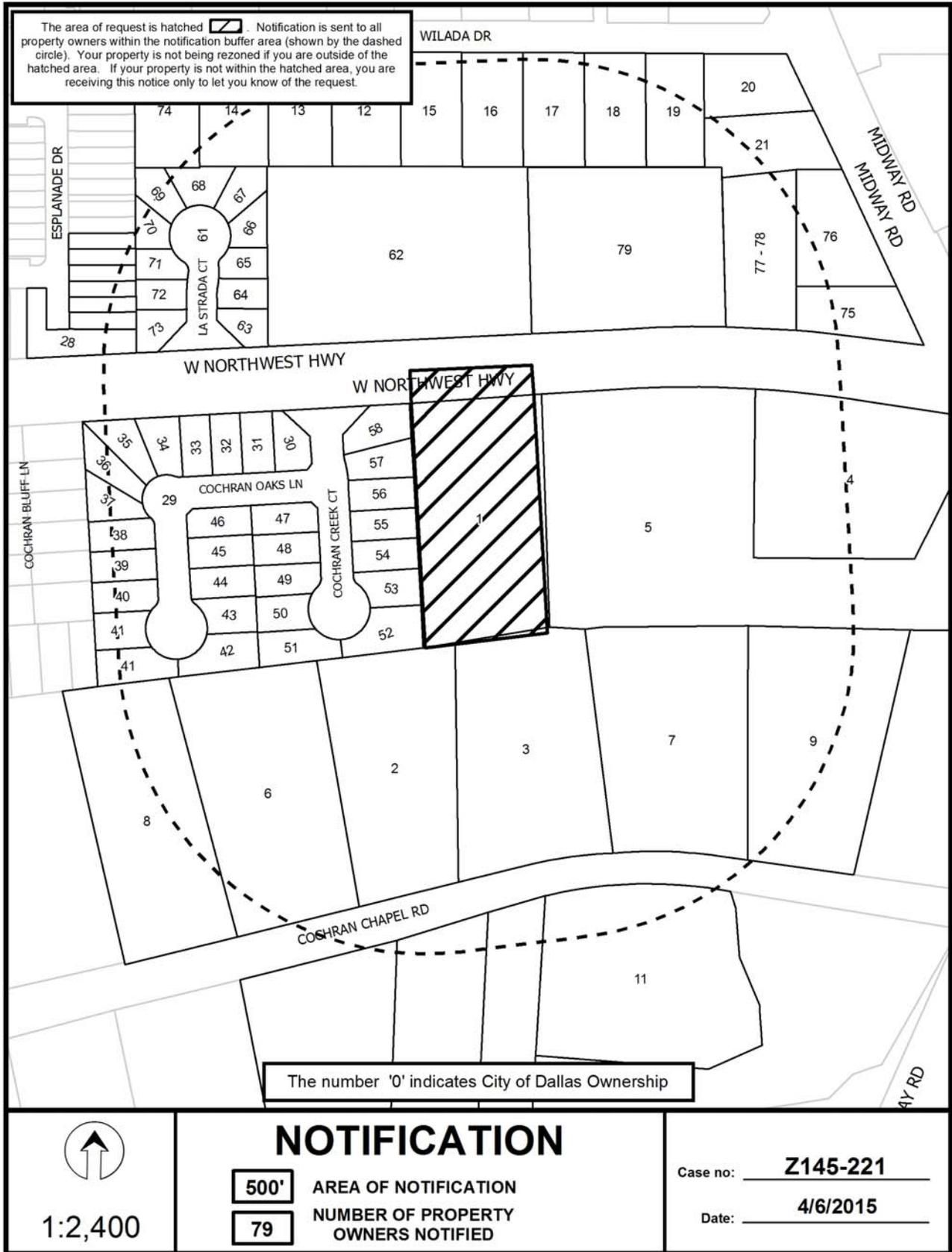
Case no: Z145-221

Date: 4/6/2015



# ZONING HISTORY

Case no: Z145-221  
Date: 4/6/2015



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

### ***Z145-221***

***79 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4214 NORTHWEST HWY	LEONARD JAMES C
2	4215 COCHRAN CHAPEL RD	RAMSEY JAMES S JR &
3	4229 COCHRAN CHAPEL RD	RIGGS JACK A
4	9101 MIDWAY RD	COCHRAN CHAPEL
5	9027 MIDWAY RD	COCHRAN CHAPEL METHODIST
6	4163 COCHRAN CHAPEL RD	LEE C C
7	4241 COCHRAN CHAPEL RD	BLUMENFELD ADAM L &
8	4139 COCHRAN CHAPEL RD	PAYNE FRANK CORRY III &
9	4255 COCHRAN CHAPEL RD	KUHN JOSEPH & MOLLIE
10	4144 COCHRAN CHAPEL RD	TOUMANI RAFIK &
11	4242 COCHRAN CHAPEL RD	MEWHINNEY MICHAEL & LINDA
12	4160 WILADA DR	HOWARD MELISSA M
13	4152 WILADA DR	MURO ALVARO GOMEZ &
14	4144 WILADA DR	KATZ GREGORY LANCE &
15	4166 WILADA DR	CRONENWETT MARK D
16	4174 WILADA DR	NELSON HEATHER G &
17	4180 WILADA DR	KNIGHT ALLAN M
18	4188 WILADA DR	MOORE NICKY N
19	4194 WILADA DR	MORADI MASOUD &
20	9241 MIDWAY RD	ARNOLD H DAVID
21	9227 MIDWAY RD	MCGILL MANDY
22	9106 ESPLANADE DR	GIFFORD KAY WILLIAMS
23	9110 ESPLANADE DR	GREEN ZAN E
24	9114 ESPLANADE DR	BRYAN GAIL V TRUSTEE
25	9118 ESPLANADE DR	HARDEBECK RICHARD J &
26	9202 ESPLANADE DR	VANSTON EDMUND F

04/06/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	9206 ESPLANADE DR	FISHER CAROLYN G
28	4100 WOODCREEK DR	PIERREMONT TOWNHOME ASSOC
29	4100 COCHRAN CREEK CT	COCHRAN HOLLOW HOA INC
30	1 COCHRAN OAKS LN	CASTRO EDNA M
31	3 COCHRAN OAKS LN	GROVER VEENA
32	5 COCHRAN OAKS LN	WILLIAMS CREEDE & LORI
33	7 COCHRAN OAKS LN	DROSSOS LILLIE F IRREVOCABLE LIVING TR
34	9 COCHRAN OAKS LN	LONE STAR FAMILY TRUST
35	11 COCHRAN OAKS LN	CROWDER KENNETH L SR
36	13 COCHRAN OAKS LN	POTTER CAROL
37	15 COCHRAN OAKS LN	RIZZIERI L STEPHEN LIV TR
38	17 COCHRAN OAKS LN	OSBORN STEVE A
39	19 COCHRAN OAKS LN	RUBENFIELD ARNOLD D &
40	21 COCHRAN OAKS LN	HARRISON JANET M & EDWIN E HARRISON
41	23 COCHRAN OAKS LN	LAOS CARLOS A
42	24 COCHRAN OAKS LN	DENTON SUSAN H
43	22 COCHRAN OAKS LN	ROBERTS MARK &
44	20 COCHRAN OAKS LN	HAMPTON JOHN
45	18 COCHRAN OAKS LN	LADUE CHARLES K & AMY B
46	16 COCHRAN OAKS LN	HARDY CHARLES E
47	7 COCHRAN CREEK CT	KLEIN JOYCE C & BERT L
48	9 COCHRAN CREEK CT	RAMSEY ELLIS & JAN H
49	11 COCHRAN CREEK CT	JARMON JUDY
50	13 COCHRAN CREEK CT	CHIEN LAWRENCE W &
51	15 COCHRAN CREEK CT	WALKER NONA B
52	14 COCHRAN CREEK CT	MATTHEWS ANNA L &
53	12 COCHRAN CREEK CT	MILLER PHILIP S & MARIA G
54	10 COCHRAN CREEK CT	JACKSON JOHN D &
55	8 COCHRAN CREEK CT	PENG FANGYU & QIAONA WANG
56	6 COCHRAN CREEK CT	BROSSEAU THOMAS E & MICHELLE M
57	4 COCHRAN CREEK CT	MORROW BEVERLY TRUSTEE OF THE WILLIAM OTIS MORROW

04/06/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2 COCHRAN CREEK CT	LOCKETT CLARENCE D &
59	4222 COCHRAN CHAPEL RD	MALOUF MATTHEW E
60	4212 COCHRAN CHAPEL RD	POLACHEK JOHN
61	9100 LA STRADA CT	LASTRADA HOMEOWNERS ASSOC
62	4201 NORTHWEST HWY	PARSONS HOUSE PRESTON HOLLOW LP
63	9102 LA STRADA CT	KING JEFFREY B
64	9106 LA STRADA CT	COOK STEVEN JAY & JOY F
65	9110 LA STRADA CT	BARBOUR ROSEMARY & JOHN
66	9114 LA STRADA CT	MCLELLAND ALBERT &
67	9118 LA STRADA CT	SCHARTZ ELIZABETH A
68	9121 LA STRADA CT	YANAMADALA SUBBAYYA CHOWDARY &
69	9117 LA STRADA CT	MCPHAUL DONALD M & ANN M
70	9113 LA STRADA CT	PROBASCO FAMILY LIVING
71	9109 LA STRADA CT	IBRAHIM HICHAM M &
72	9105 LA STRADA CT	QAISAR ADEEL
73	9101 LA STRADA CT	ABRAHIM ADIB &
74	4134 WILADA DR	ADAMS RICHARD C
75	4275 NORTHWEST HWY	AIRPORT FREEWAY FUEL CENTER LP
76	9221 MIDWAY RD	CONSTANCE MIDWAY LTD
77	4255 NORTHWEST HWY	N W MIDWAY LAND HOLDINGS
78	4255 NORTHWEST HWY	N W MIDWAY LAND HOLDINGS
79	4235 NORTHWEST HWY	MIDWAY NORTHWEST HIGHWAY SHOPPING CENTER L

**FILE NUMBER:** Z145-272(WE)                      **DATE FILED:** May 29, 2015  
**LOCATION:** East corner of Hall Street and Munger Avenue  
**COUNCIL DISTRICT:** 14                              **MAPSCO:** 45G  
**SIZE OF REQUEST:** Approx. 3.245 acres              **CENSUS TRACT:** 16.00

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**APPLICANT / OWNER:** MCRT Investments, LLC

**REPRESENTATIVE:** Jonathan Vinson, Jackson Walker LLP

**REQUEST:** An application for a WR-5 Walkable Urban Residential District with a Height Map Overlay on property zoned a Planned Development District No. 466 and an MF-2(A) Multifamily District.

**SUMMARY:** The purpose of this request is to allow for the redevelopment of the site with a 350-unit multifamily development. The development types permitted in a WR-5 District are an Apartment, Townhouse, or Manor House. The applicant has provided a height map overlay that will regulate the height of the proposed development.

The WR-5 District permits a maximum height of 5 stories or 80 feet and the applicant is proposing to limit the maximum height to 5 stories or 70 feet, except along the northeast property line. The applicant is proposing to limit the maximum number of stories along the northeast property line to 2 stories in order to reduce and create a height separation between the existing MF-2 uses and the proposed development. The maximum structure height in the MF-2 Multifamily District is 36 feet.

**STAFF RECOMMENDATION:** Approval, subject to a height map overlay.

**GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The height map overlay will reduce the structure height of the proposed multifamily development to a height that is more compatible to the adjacent multifamily developments, which are located in PDD No. 298 and PDD No. 466. Even though the adjacent properties to the north and east are within an MF-2 (A) Multifamily District, which limits the maximum structure height to 36 feet, there are developments within the surrounding area that limits the height between 54 feet to 120 feet. The redevelopment of the site with a 350 unit multifamily development will strengthen the character of the residential neighborhood by providing a mixed housing option in a pedestrian friendly environment.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is in compliance with the forwardDallas! Comprehensive Plan. The request site is located within the Downtown Building Block.

**BACKGROUND INFORMATION:**

- The request site is currently developed with several retail uses on Hall Street and several single family uses.
- In February 2009, the City Council approved Article XIII, which created the form based zoning districts. The Form Based Districts provides an additional tool for the implementation of ForwardDallas! and to create walkable urban neighborhoods where higher density mixed uses and mixed housing types promote less dependence on the automobiles.

**Zoning History:** There has been one recent zoning request in the area over the past 5 years.

1. Z134-103 On February 26, 2014, the City Council approved a new subdistrict in Planned Development District 466, the Hall Street Special Purpose District on the east side of North Central Expressway, north of Cochran Street.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Hall Street	Collector	40 ft.	40 ft.
Munger Avenue	Local	40 ft.	40 ft.
Roseland Avenue	Local	Variable lane widths	Variable lane widths

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

**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 being within the Downtown Building Block.

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

The Downtown Building Block is an important transit hub for commuter rail, light rail, bus and local systems. This area warrants significant public investment to sustain itself as the signature address in the North Central Texas region and to continually reinvent itself to maintain its competitive advantage.

**LAND USE ELEMENT**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**URBAN DESIGN ELEMENT**

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

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

**GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

**NEIGHBORHOOD ELEMENT**

**GOAL 7.1: PROMOTE VIBRANT AND VIABLE NEIGHBORHOODS**

Policy 7.1.3 Encourage a sense of community and identity.

**STAFF ANALYSIS:**

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 456, MF-2(A)	Retail, Undeveloped
<b>Northeast</b>	MF-2(A)	Single Family
<b>Southeast</b>	Subarea 1 of PDD No. 298, SUP No. 1073	Undeveloped, Retail, Multifamily
<b>Northwest</b>	MF-2(A), PDD No. 466	Multifamily, Retail
<b>Southwest</b>	PDD No. 466, SUP No. 23	Undeveloped

**Land Use Compatibility:**

The WR-5 Walkable Urban Residential District with a Height Map Overlay is intended to provide and meet the following criteria:

- The Walkable Urban Residential (WR) districts are intended to create residential neighborhoods with mixed housing options in a pedestrian environment.
- The WR districts are divided in three intensities: low (WR-3,5), medium (WR-8, 12), and high (WR-20, 40).
- The WR districts are intended to accommodate a limited set of development types (Apartment, Townhouse, and Manor House).
- Parcels of any size are eligible for a WR district. There are no minimum acreage required for an application for WR district. The WR districts are intended for locations where sufficient critical mass of dense, walkable urban mixed use development exists or is definitely planned.
- The WR districts are intended for use in the vicinity of rail transit station, immediately adjacent to the Central Business District, and in the 23 study areas of the

Trinity River Comprehensive Plan. These districts are also appropriate for major job centers and concentrations of multifamily housing where an area plan pursuant to *fowardDallas!* has been adopted. The WR-5 District permits a maximum height of 5 stories or 80 feet and the applicant is proposing to limit the maximum height to 5 stories or 70 feet. The adjacent MF-2 District permits a maximum height of 36 feet.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
PDD No. 466- Existing	10' min. 15' max.	20' adj. to res. Other: no min.	No max.	54'	80'	RPS	Retail and personal service, office, residential
MF-2(A) -Existing Multifamily	15'	15'	Min lot 1,000 sq. ft. 800 sq ft – E 1,000 sq. ft – 1 BR 1,200 sq ft – 2 BR +150 sq ft each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family

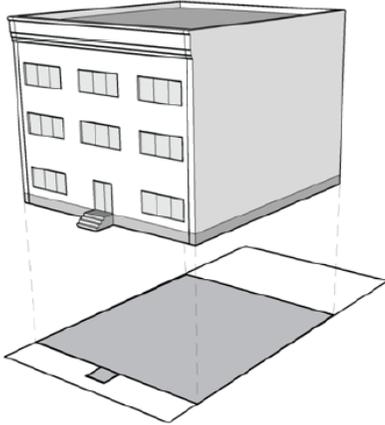
The regulations on the following page apply to WR-5 development types by districts; Apartment, Townhouse, and Manor House.

**Apt**

apartment

**(e) Apartment.**

**(1) Definition.**



A development type containing three or more dwelling units consolidated into a single structure.

An apartment contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking must be located to the rear of the building. The building often shares a common entrance. Primary entrances must be prominent and street-facing. An elevated ground floor for residential uses is recommended to ensure privacy.

**(2) Character Examples.**

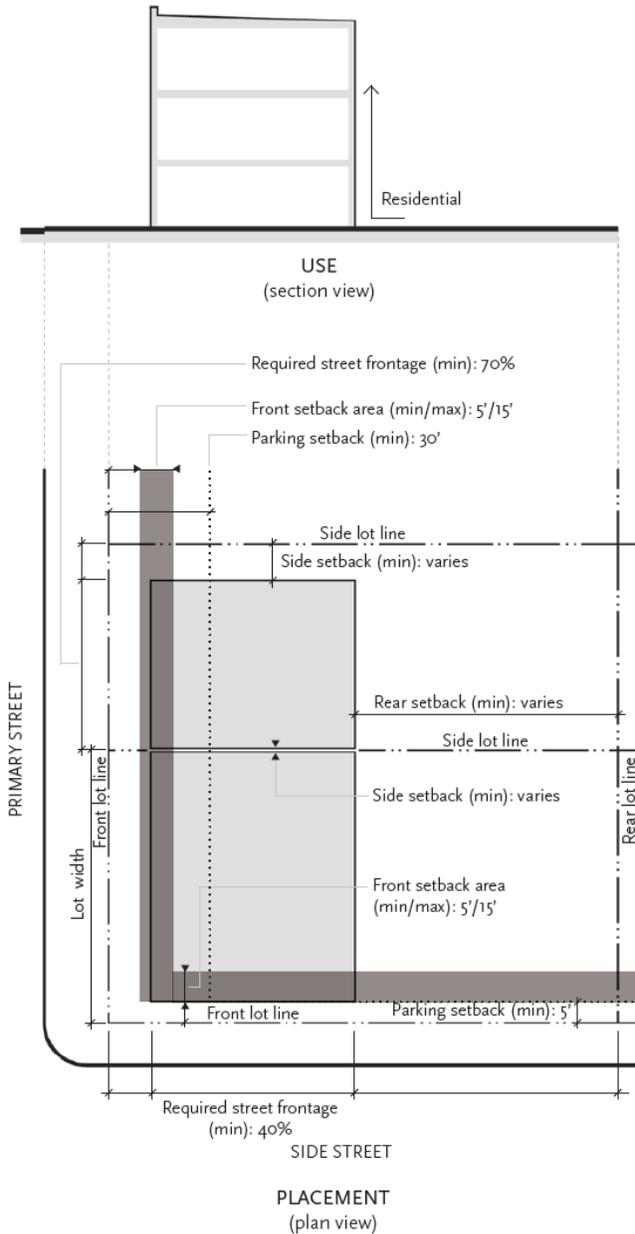
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



**(3) Districts Permitted.**

- |         |                |              |
|---------|----------------|--------------|
| LOW:    | WMU-3, WMU-5   | WR-3, WR-5   |
| MEDIUM: | WMU-8, WMU-12  | WR-8, WR-12  |
| HIGH:   | WMU-20, WMU-40 | WR-20, WR-40 |

**(4) Use and Placement.**



**BUILDING USE**

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

**BUILDING PLACEMENT**

**LOT**

Area (min sf)	none
Area (max sf)	none
Width (min ft)	none
Width (max ft)	none
Lot coverage (max)	80%

**FRONT SETBACK AREA**

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

**REQUIRED STREET FRONTAGE**

Primary street (min)	70%
Side street (min)	40%
Service street (min)	none

**PARKING SETBACK**

From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

**SIDE SETBACK**

Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

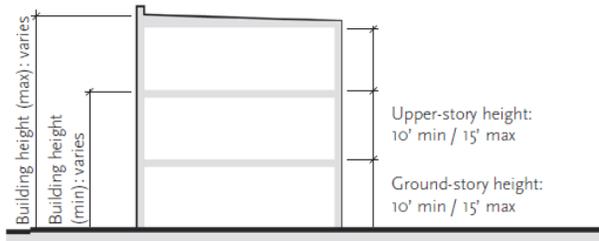
**REAR SETBACK**

Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5
Abutting service street (min ft)	10

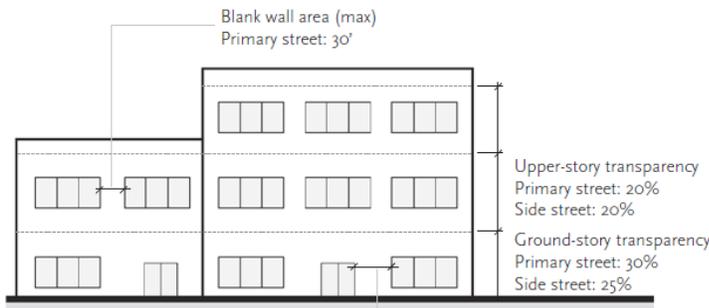


apartment

**(5) Height and Elements.**



**HEIGHT**  
(section view)



**ELEMENTS**  
(elevation view)

**BUILDING HEIGHT**

**HEIGHT**

Building height (max stories/ft)	See Section 51A-13.302, "Height"
Building height (min stories)	
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	2
WMU-20 WR-20	4
WMU-40 WR-40	5

**STORY HEIGHT**

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

**BUILDING FACADE**

**GROUND-STORY TRANSPARENCY**

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none

*Measured from floor to floor.*

**UPPER-STORY TRANSPARENCY**

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none

*Measured from floor to floor.*

**BUILDING ENTRANCE**

Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

**BLANK WALL AREA**

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none



---

apartment

**(6) Landscaping.**

(A) General landscaping standards are set forth in Section 51A-13.304(a) (2), "Landscaping."

(B) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.

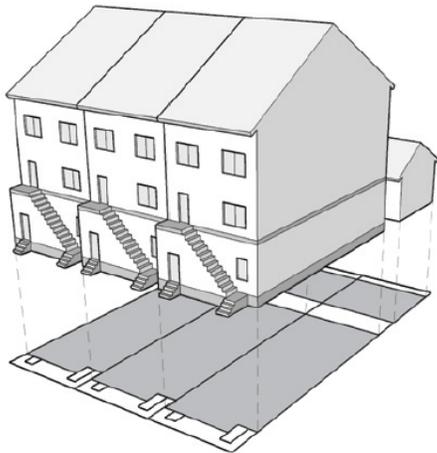
(C) Site trees must be evenly distributed throughout the development.

(D) Required landscaping may be provided aboveground when configured as on-site open space in accordance with Section 51A-13.303, "Open Space."

townhouse stacked

**(f) Townhouse Stacked.**

**(1) Definition.**



A development type with six or more attached units consolidated into a single structure that creates separate ground-story units for residential or office purposes.

Each unit shares a common side wall and a common floor or ceiling. Units are stacked vertically, however, no more than one unit is permitted above another unit. Each building must contain at least three units horizontally (six units total). Each unit typically has its own external entrance. No on-site surface parking is permitted between the building and the street. Garages facing the primary street are not permitted. An elevated ground floor for residential uses is recommended to ensure privacy.

**(2) Character Examples.**

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.

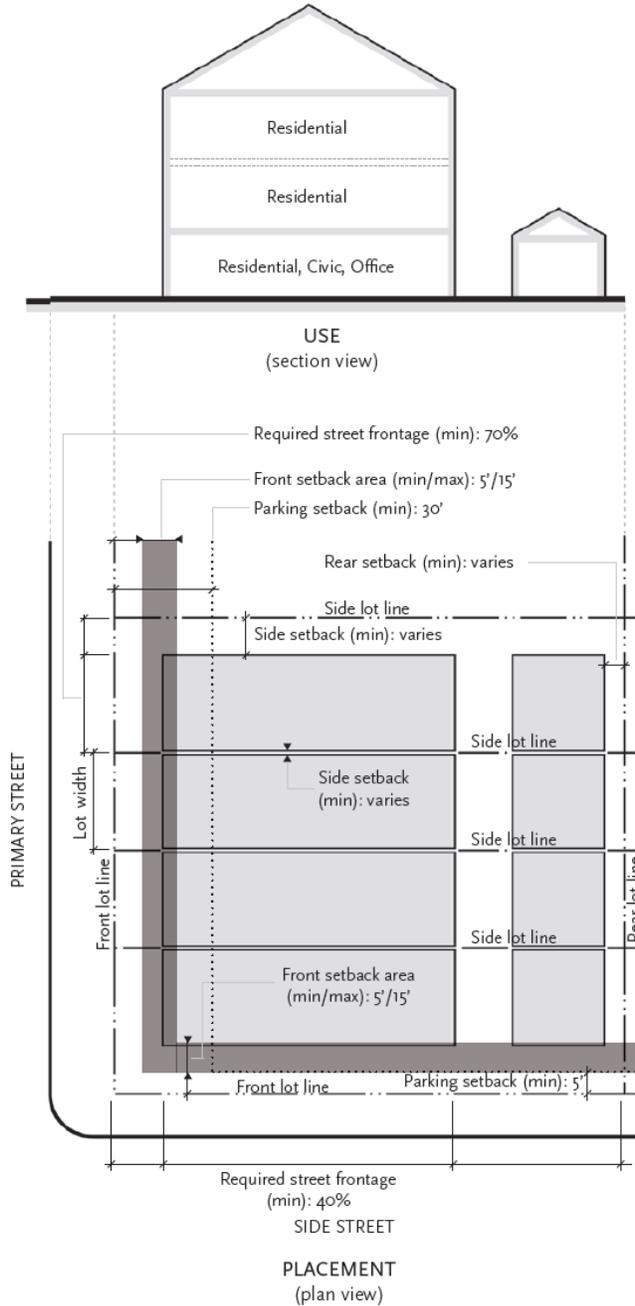


**(3) Districts Permitted.**

- LOW: WMU-3, WMU-5 WR-3, WR-5
- MEDIUM: WMU-8, WMU-12 WR-8, WR-12

townhouse stacked

**(4) Use and Placement.**



**BUILDING USE**

A summary of permitted uses by story is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

**BUILDING PLACEMENT**

**LOT**

Area (min sf)	1,200
Area (max sf)	none
Width (min ft)	16
Width (max ft)	none
Lot coverage (max)	80%

**FRONT SETBACK AREA**

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

**REQUIRED STREET FRONTAGE**

Primary street (min)	70%
Side street (min)	40%
Service street (min)	none

**PARKING SETBACK**

From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

**SIDE SETBACK**

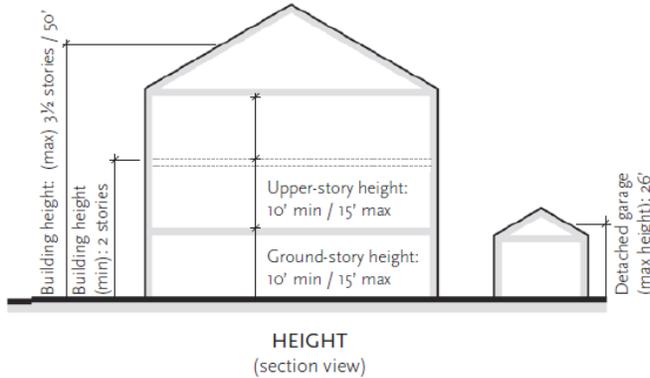
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

**REAR SETBACK**

Abutting single-family district (min ft)	24
Abutting multifamily or nonresidential district (min ft)	24
Abutting alley (ft)	3 or 20 or more
Abutting service street (ft)	3 or 20 or more

townhouse stacked

**(5) Height and Elements.**



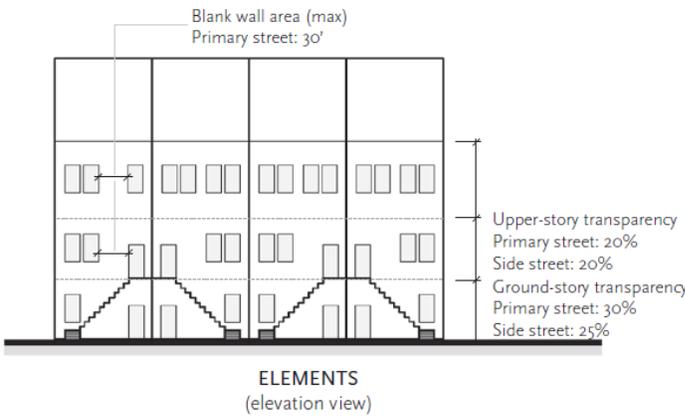
**BUILDING HEIGHT**

**HEIGHT**

Building height (max stories/ft)	WMU-3, -5, -8, -12 WR-3, -5, -8, -12	3 1/2 / 50
Building height (min stories)	WMU-3, -5, -8, -12 WR-3, -5, -8, -12	2
Detached garage (max ft)		26

**STORY HEIGHT**

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15



**BUILDING FACADE**

**GROUND-STORY TRANSPARENCY**

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**UPPER-STORY TRANSPARENCY**

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**BUILDING ENTRANCE**

Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

**BLANK WALL AREA**

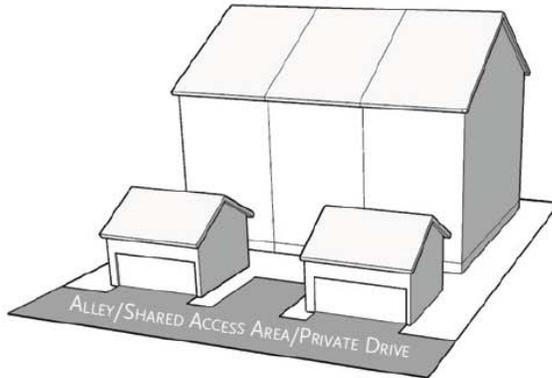
Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

Ts

townhouse stacked

**(6) Garage Placement.**

- (A) Except for an alley, no garage access is permitted from a public street.
- (B) All vehicular access must be to the rear of the building.
- (C) Where the garage is less than 20 feet from the alley, an automatic garage door opener is required.

**(7) Landscaping.**

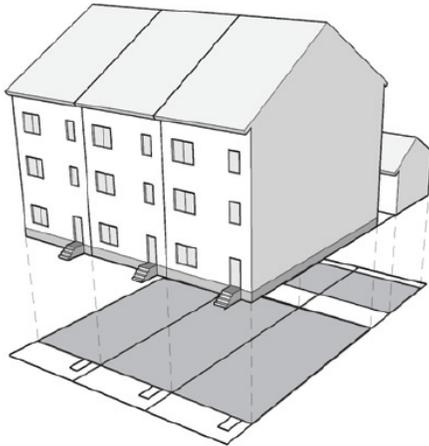
- (A) General landscaping standards are set forth in Section 51A-13.304(a)(2), "Landscaping."
- (B) One site tree must be provided in the front yard for each two units stacked vertically on an individually platted lot.
- (C) If more than two units stacked vertically are located on the same lot, the following requirements apply:
  - (i) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of one site tree must be provided for each set of two units stacked vertically, whichever is greater.
  - (ii) Site trees must be evenly distributed throughout the development.

**Th**

townhouse

**(g) Townhouse.**

**(1) Definition.**



A development type with three or more attached dwelling units consolidated into a single structure.

Each unit must be separated by a common side wall. A townhouse unit must be more than one story in height, however, units must not be vertically mixed. Each unit must have its own external entrance. No on-site surface parking is permitted between the building and the street. Garages facing the primary street are prohibited. In the RTN district, only one unit per lot is permitted. An elevated ground floor for residential uses is recommended to ensure privacy.

**(2) Character Examples.**

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



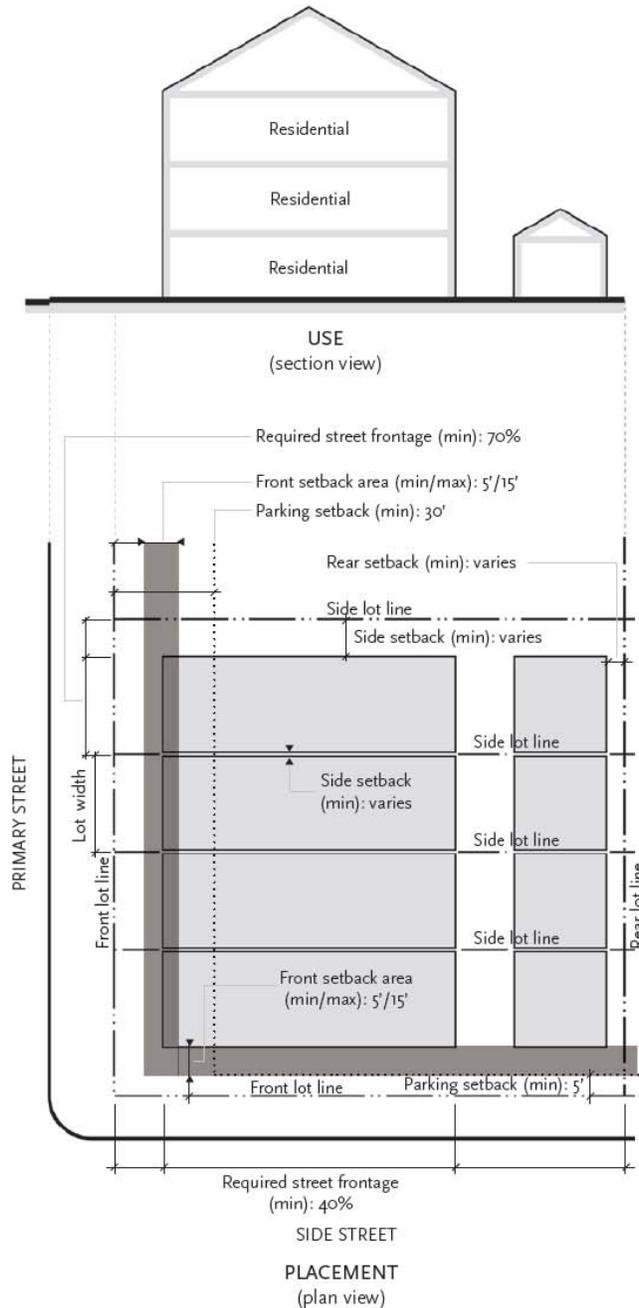
**(3) Districts Permitted.**

LOW:	WMU-3, WMU-5	WR-3, WR-5	RTN
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12	



townhouse

**(4) Use and Placement.**



**BUILDING USE**

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

**BUILDING PLACEMENT**

**LOT**

Area (min sf)	1,200
Area (max sf)	none
Width (min ft)	16
Width (max ft)	none
Lot coverage (max)	80%

**FRONT SETBACK AREA**

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

**REQUIRED STREET FRONTAGE**

Primary street (min)	70%
Side street (min)	40%
Service street (min)	none

**PARKING SETBACK**

From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

**SIDE SETBACK**

Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

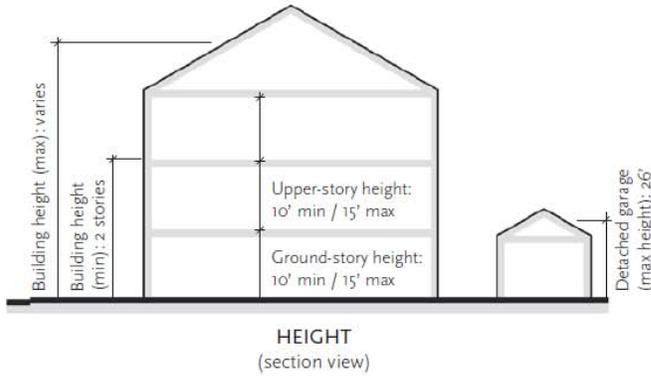
**REAR SETBACK**

Abutting single-family district (min ft)	24
Abutting multifamily or nonresidential district (min ft)	24
Abutting alley (ft)	3 or 20 or more
Abutting service street (ft)	3 or 20 or more



townhouse

**(5) Height and Elements.**



**HEIGHT**  
(section view)

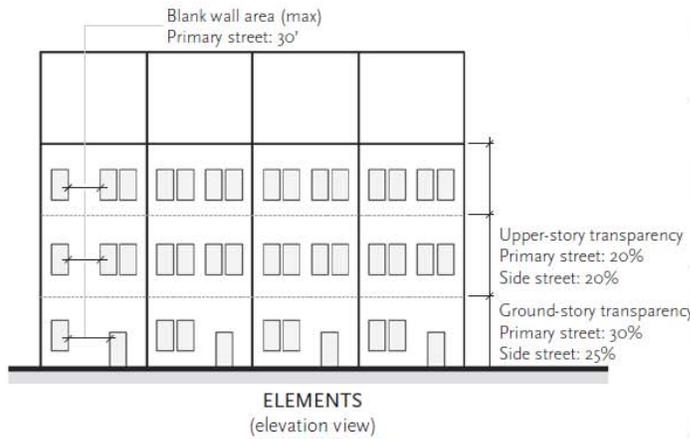
**BUILDING HEIGHT**

**HEIGHT**

Building height (max stories/ft)	
RTN	2½ / 35
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	3½ / 50
Building height (min stories)	
RTN	2
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	2
Detached garage (max ft)	26

**STORY HEIGHT**

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15



**ELEMENTS**  
(elevation view)

**BUILDING FACADE**

**GROUND-STORY TRANSPARENCY**

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**UPPER-STORY TRANSPARENCY**

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**BUILDING ENTRANCE**

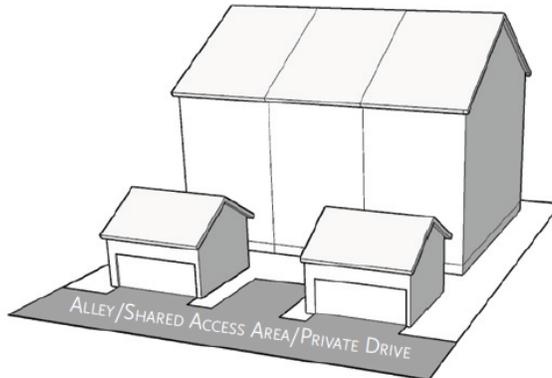
Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

**BLANK WALL AREA**

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

**(6) Garage Placement.**

- (A) Except for an alley, no garage access is permitted from a public street.
- (B) All vehicular access must be to the rear of the building.
- (C) Where the garage is less than 20 feet from the alley, an automatic garage door opener is required.

**(7) Landscaping.**

- (A) General landscaping standards and alternative requirements for shared access developments are set forth in Section 51A-13.304(a)(2), "Landscaping."
- (B) Except in a shared access development, one site tree must be provided in the front yard for a townhouse on an individually-platted lot in all districts.
- (C) In a shared access development or if more than one townhouse unit is located on the same lot, the following requirements apply:
  - (i) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of one site tree must be provided for each individual unit, whichever is greater.
  - (ii) Site trees must be evenly distributed throughout the development.

**(8) Townhouses on Individually-Platted Lots.**

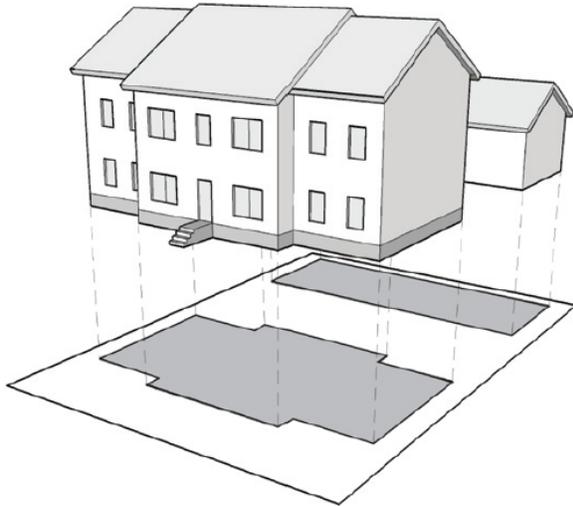
- (A) Except for the foundation, a dwelling unit must be physically separable from contiguous dwelling units in the event of removal of a dwelling unit. Each party wall must be governed by a set of deed restrictions, stipulating that if a dwelling unit is removed, the party wall stays with the remaining dwelling unit.
- (B) Each dwelling unit must have separate utility services; however, general utility services on land owned and maintained by a homeowner's association are allowed.



manor house

**(h) Manor House.**

**(1) Definition.**



A development type with two to five attached dwelling units consolidated in a single structure.

A manor house must be located on a single lot and must contain common walls. The building must look like a conventional single-family house with a single primary entrance except that a manor house with two dwelling units (duplex) may have one primary entrance for each unit. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. No garage may face a primary street. In the RTN district, up to two units per lot are permitted. An elevated ground floor for residential uses is recommended to ensure privacy.

**(2) Character Examples.**

Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



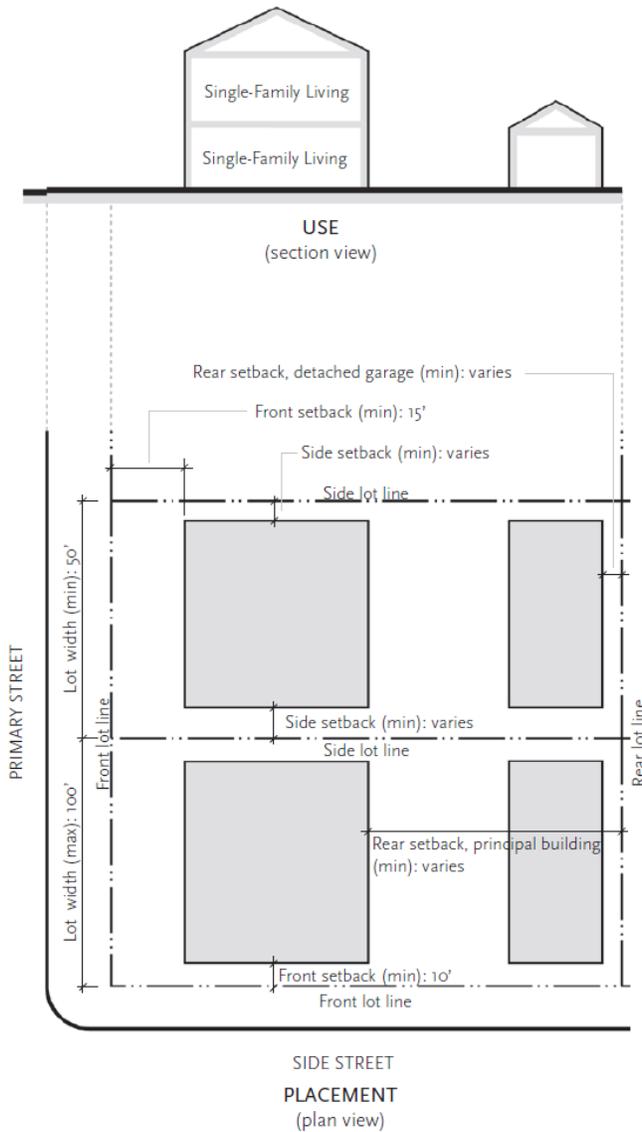
**(3) Districts Permitted.**

LOW: WMU-3, WMU-5, WR-3, WR-5 RTN



manor house

**(4) Use and Placement.**



**BUILDING USE**

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

**BUILDING PLACEMENT**

**LOT**

Area (min sf)	
2 units (duplex)	7,000
3 to 5 units	10,000
Area (max sf)	20,000
Width (min ft)	50
Width (max ft)	100
Lot coverage (max)	60%

**FRONT SETBACK**

Primary street (min ft)	15
Side street (min ft)	10

**SIDE SETBACK**

Abutting single-family district (min ft)	10
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5

**REAR SETBACK (principal building)**

Abutting single-family district (min ft)	15
Abutting multifamily or nonresidential district (min ft)	15

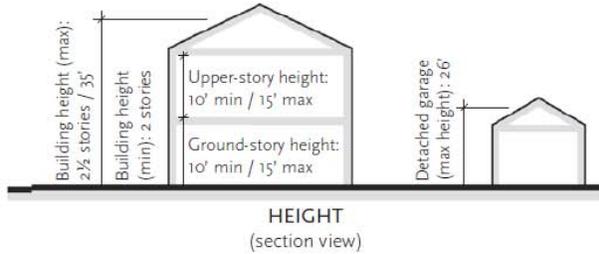
**REAR SETBACK (detached garage)**

Abutting common lot line (min ft)	3
Abutting alley (min ft)	3 or 20+



manor house

**(5) Height and Elements.**



**BUILDING HEIGHT**

**HEIGHT**

Building height (max stories/ft)	2½ / 35
Building height (min stories)	2
Detached garage (max ft)	26

**STORY HEIGHT**

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

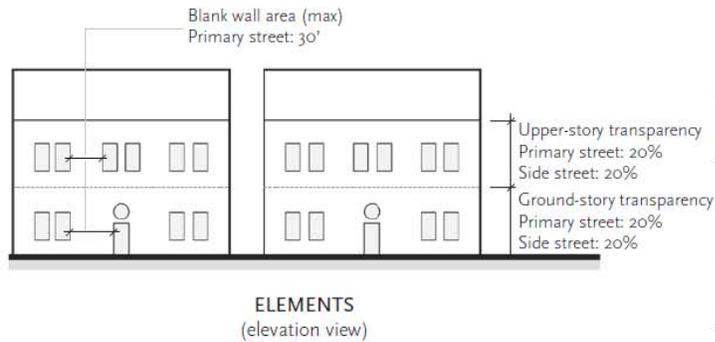
**BUILDING FACADE**

**GROUND-STORY TRANSPARENCY**

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	

**UPPER-STORY TRANSPARENCY**

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to floor.</i>	



**BUILDING ENTRANCE**

Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

**BLANK WALL AREA**

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

**(6) Garage Placement.**

**(A) Alley Provided.**

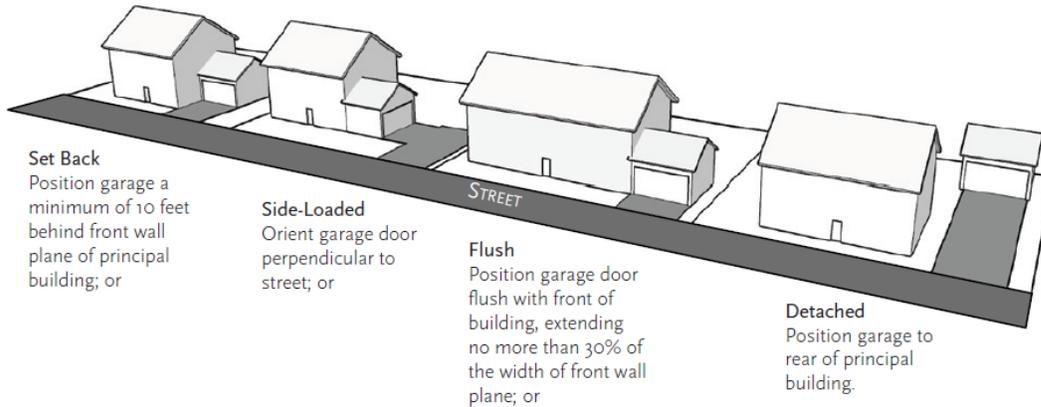
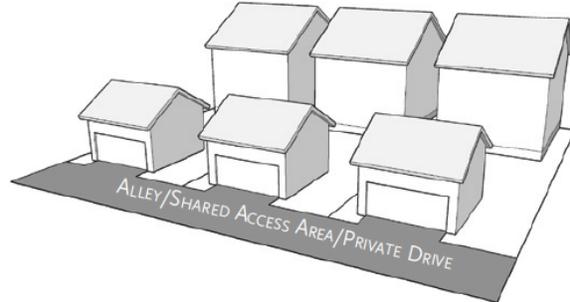
(i) When an alley is provided and developed, all vehicular access must take place from the alley. On corner lots, access may be taken from the side street, in which case the garage door may face a side street.

(ii) If the garage is less than 20 feet from the alley, an automatic garage door opener is required.

**(B) No Alley Provided.**

(i) When an alley is not provided or developed, street-facing garages may be positioned as set forth below.

(ii) If the garage is less than 20 feet from the street, an automatic garage door opener is required.



**(7) Landscaping.**

(A) General landscaping standards are set forth in Section 51A-13.304(a) (2), "Landscaping."

(B) In the RTN district, one site tree must be provided in the front yard of a manor house on an individually platted lot.

(C) A minimum of one site tree must be provided on the lot for each individual unit in the manor house. At least one site tree must be located in the front yard of each manor house.

**LIST OF OFFICERS**

**APPLICANT AND OWNERSHIP OFFICER/DIRECTOR/PARTNER LIST**

**PROPERTY OWNERS:**

**Lupshire Restoration, Inc.**

Tavener C. Lupton, III: President/Secretary/Director

**Topletz Properties Partnership**

Dennis Topletz: Managing General Partner

Topletz Management, LLC: General Partner

Dennis Topletz: Manager/Director

**Amor Real Estate Investments, Inc.**

Haileyesus Z. Hailu: President/Director

**Iris Topletz** Individual owner

**Benedetto Revocable Trust**

Lynn A. Benedetto: Trustee

**John A. Lampo** Individual owner

**Peter G. Lampo** Individual owner

**Lillian R. Catalina** Individual owner

**APPLICANT:**

**MCRT Investments LLC**

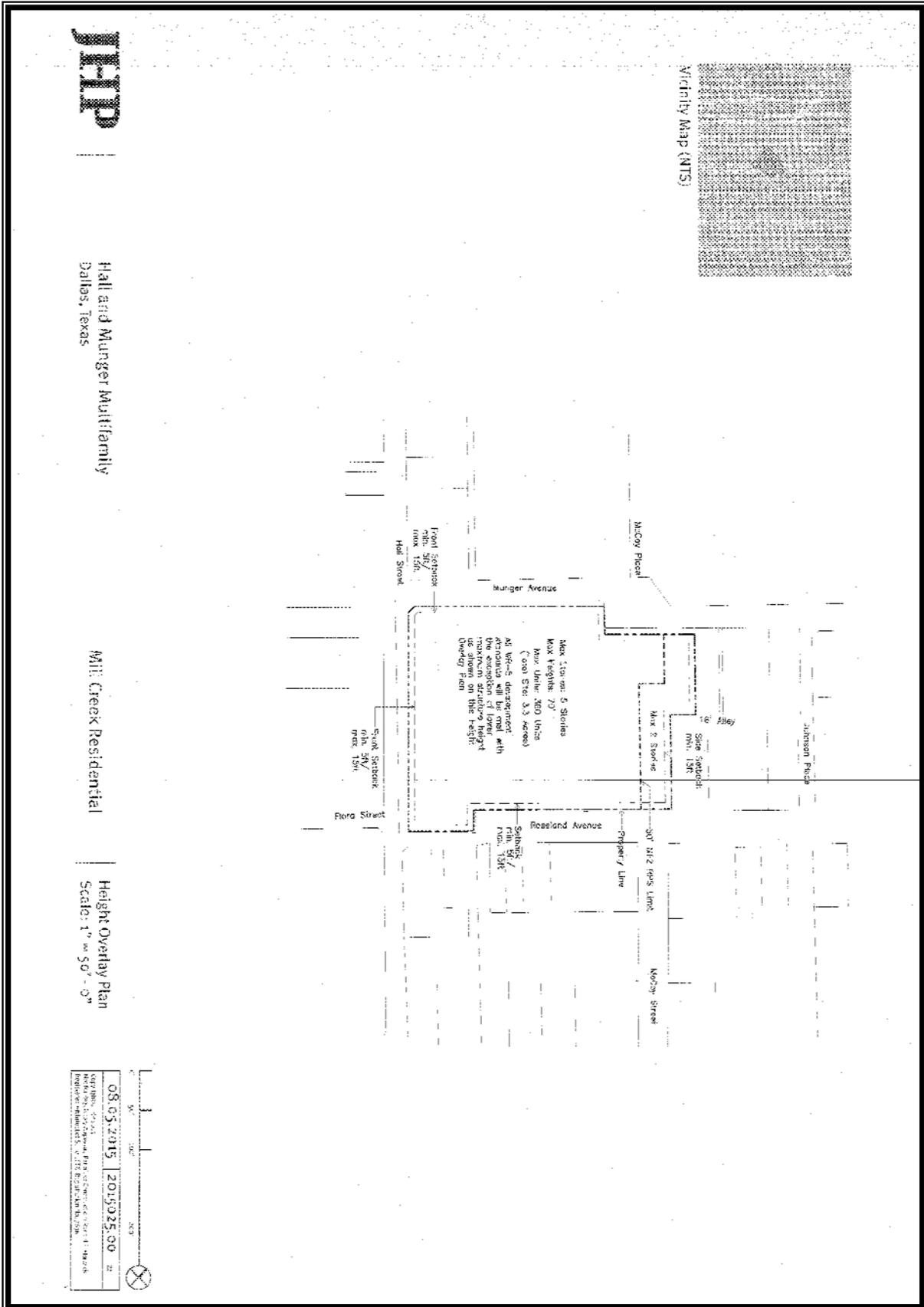
Mill Creek Residential Trust, LLC, Governing Person,

Charles R. Brindell: Chairman and Chief Executive Officer

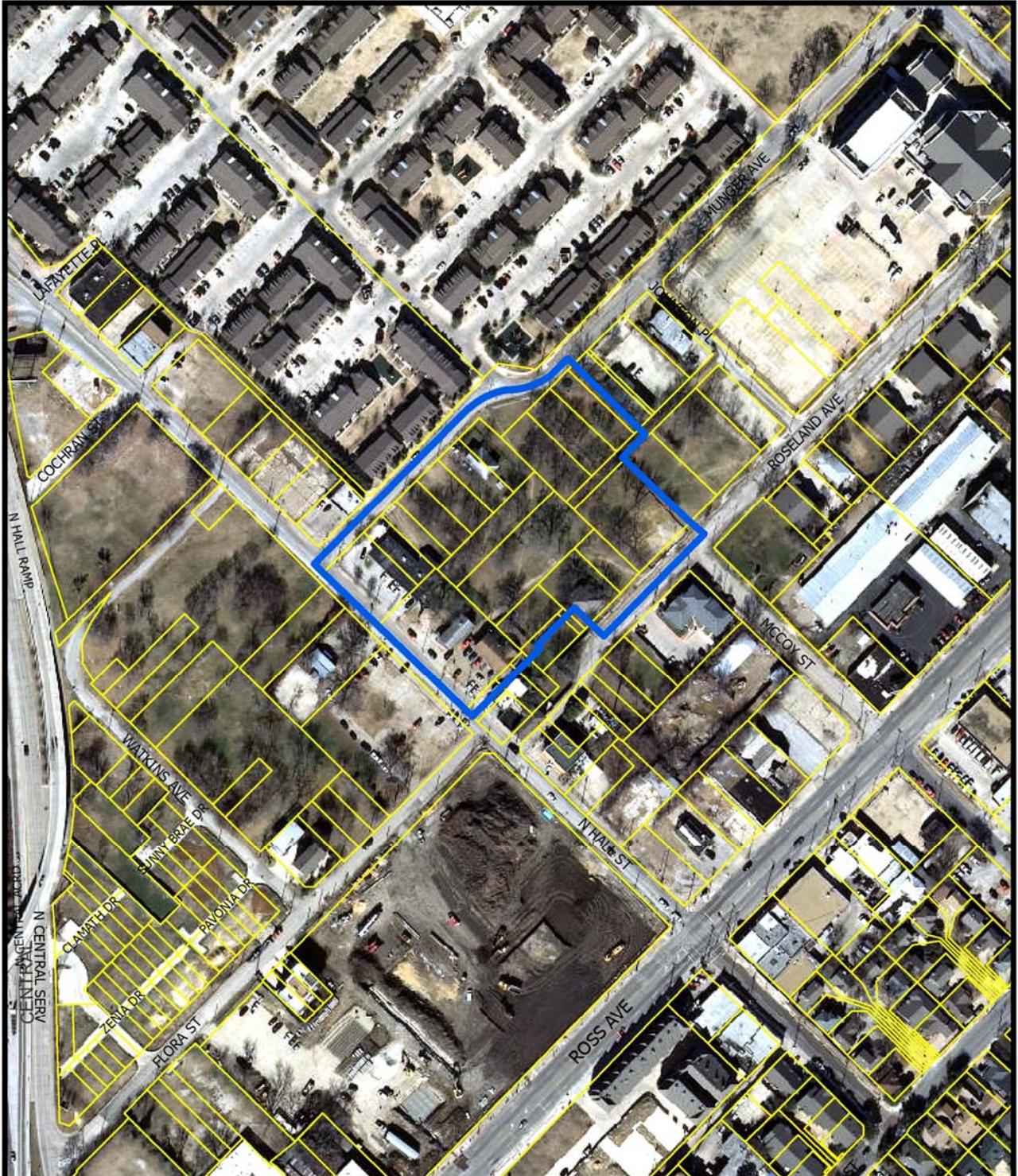
Mark R. Dempsey: Executive Managing Director, Acquisitions

Broderick A. Perdue: Managing Director

# Height Map Overlay





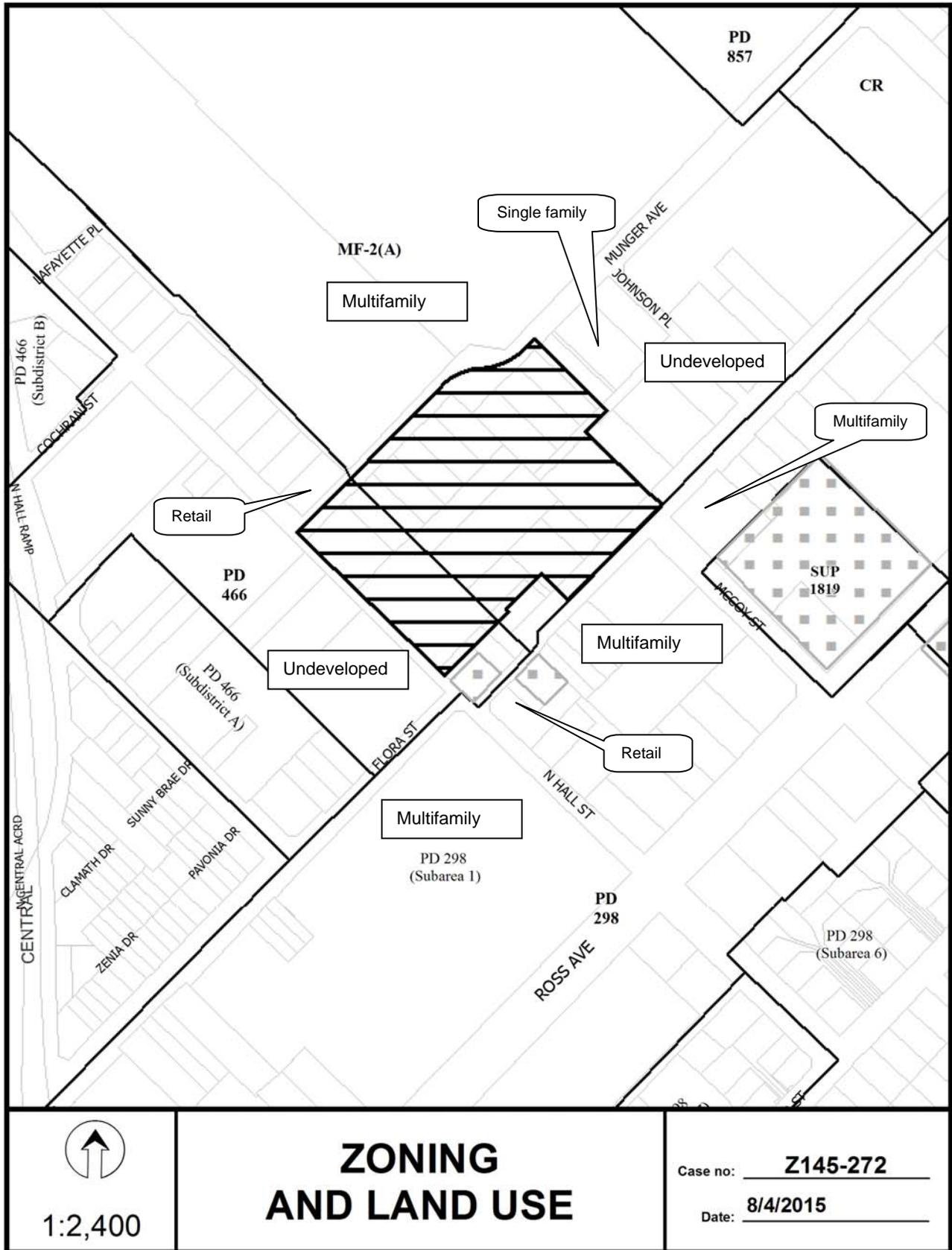


1:2,400

# AERIAL MAP

Case no: Z145-272

Date: 8/4/2015

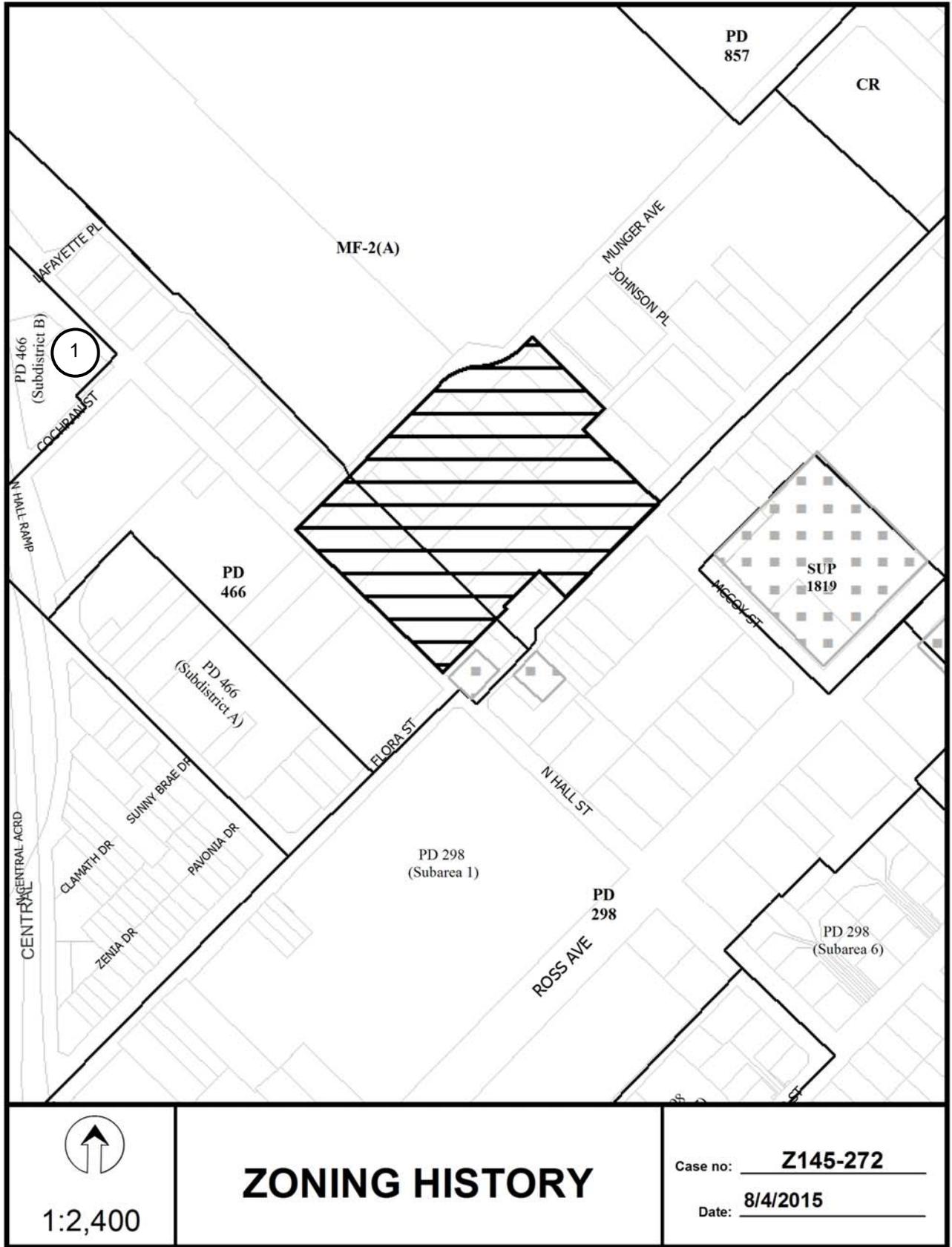


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# ZONING AND LAND USE

Case no: Z145-272

Date: 8/4/2015

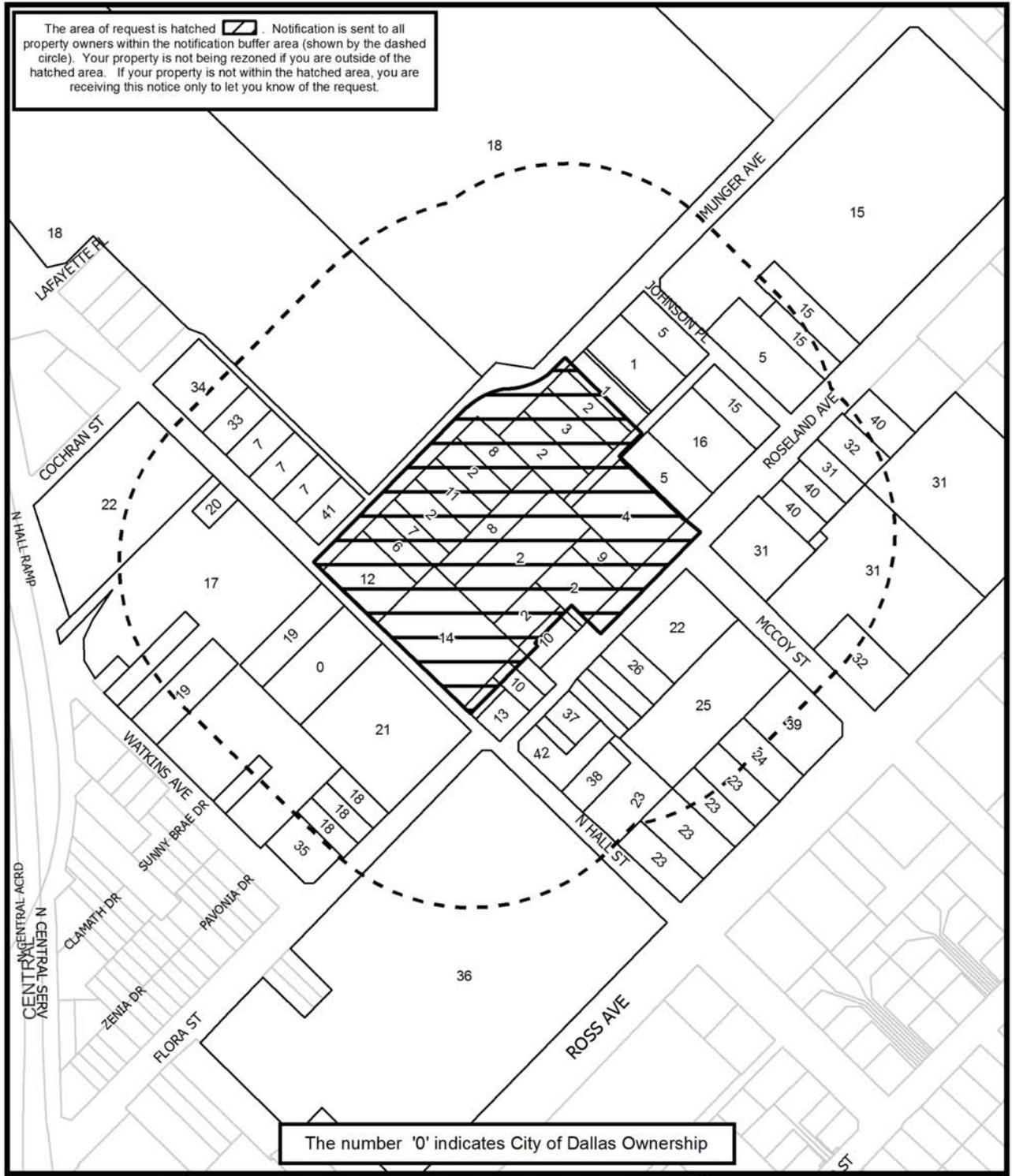


1:2,400

# ZONING HISTORY

Case no: Z145-272

Date: 8/4/2015



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

The number '0' indicates City of Dallas Ownership

 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>300'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>42</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>300'</b>	AREA OF NOTIFICATION	<b>42</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>          <b>Z145-272</b>          </u> Date: <u>          <b>8/4/2015</b>          </u>
<b>300'</b>	AREA OF NOTIFICATION					
<b>42</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

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

***Z145-272***

***42 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3516 MUNGER AVE	PILGRIM REST BAPTIST
2	3508 MUNGER AVE	TOPLETZ INVESTMENTS
3	3504 MUNGER AVE	HARDEN H M
4	3505 ROSELAND AVE	LAMPO CATALINA LILLIAN ROSE & ETAL
5	3603 ROSELAND AVE	PILGRIM REST VILLAGE
6	3310 MUNGER AVE	LUPSHIRE RESTORATION IN
7	1906 HALL ST	LUPSHIRE RESTORATION INC
8	3408 MUNGER AVE	ANDERSON M B
9	3409 ROSELAND AVE	BUTLER VERNON JR
10	3403 ROSELAND AVE	MOXIE INV LTD
11	3402 MUNGER AVE	AMOR REAL ESTATE INVESTMENTS
12	1828 HALL ST	LUPSHIRE RESTORATION INC
13	1800 HALL ST	MOXIE INVESTMENTS LTD
14	1810 HALL ST	TOPLETZ INVESTMENTS
15	3521 ROSELAND AVE	PILGRIM REST BAPTIST
16	3513 ROSELAND AVE	PILGRIM REST MISSIONARY BAPTIST CHURCH
17	1913 HALL ST	HOUSING AUTHORITY OF THE
18	3209 FLORA ST	DALLAS HOUSING AUTHORITY
19	1812 WATKINS AVE	HOUSING AUTHORITY
20	1915 HALL ST	HOUSING AUTHORITY OF CITY
21	1801 HALL ST	HOUSING AUTHORITY OF THE
22	2015 HALL ST	HOUSING AUTHORITY OF THE
23	3311 ROSS AVE	TOMAINO PPTIES LP
24	3405 ROSS AVE	3405 ROSS AVE PTNRS LP
25	1711 MCCOY ST	GIRMA ASKE
26	3404 ROSELAND AVE	ROSE LIMITED PS

Z145-272(WE)

08/03/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3402 ROSELAND AVE	KIM RACHEL
28	3400 ROSELAND AVE	WOODARD JOHN R JR
29	3310 ROSELAND AVE	WOODARD JOHN R JR
30	3304 ROSELAND AVE	WOODARD JULIA J ET AL
31	3603 ROSS AVE	CRP/MAPLE ROSS ARTS OWNER
32	3600 ROSELAND AVE	CRP MAPLE ROSS ARTS OWNER LP
33	1916 HALL ST	RAZA PERVEZ
34	1922 HALL ST	RAZA PERVIZ
35	3201 FLORA ST	FLORA STREET PROP INC
36	1707 HALL ST	SHF I ICON LLC
37	3306 ROSELAND AVE	WOODARD JOHN O JR
38	1716 HALL ST	HALL & ROSS LTD
39	3411 ROSS AVE	R & F INVESTMENTS II LTD
40	3606 ROSELAND AVE	CRP MAPLE ROSS ARTS OWNER LP
41	1900 HALL ST	AMOR REAL ESTATE INVESTMENTS INC
42	1722 HALL ST	HALL & ROSS LTD PS

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z145-275(WE)                      **DATE FILED:** June 8, 2015  
**LOCATION:** South line of East R.L. Thornton Freeway and west of South Buckner Boulevard  
**COUNCIL DISTRICT:** 7                                      **MAPSCO:** 48F  
**SIZE OF REQUEST:** Approx. 22.573 acres              **CENSUS TRACT:** 122.07

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**APPLICANT / OWNER:** Walmart Real Estate Business Trust.

**REPRESENTATIVE:** Myron Dornic , Jackson Walker, LLP

**REQUEST:** An application for an amendment to Specific Permit No. 2048 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more on property zoned an RR Regional Retail District with a D-1 Liquor Control Overlay.

**SUMMARY:** The applicant proposes to continue the sale of alcoholic beverages for off-premise consumption within the existing discount store. In September 2013, the City Council approved Specific Use Permit No. 2048 for a two year period. The amendment to SUP No. 2048 is twofold: 1) to revise the site plan to show a minor reduction in the number of off-street parking spaces, 2) limit the time period to a four-year period without automatic renewals and 3) reduce the SUP area. The applicant has requested to limit the renewal of Specific Use Permit No. 2048 to a four-year time period without automatic renewals

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

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store is compatible and conforms with the adjacent retail and personal service uses. The additional alcohol use within the general merchandise or food store has not impacted the surrounding uses negatively from a land use perspective.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – This use does not contribute nor deter from the welfare of adjacent properties. The SUP has conditions that are associated with the use. An SUP can have a reduced time period or not be renewed if the applicant does not comply.
3. *Not a detriment to the public health, safety, or general welfare* – This use has not been a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

**Zoning History:** There have been four zoning changes requested in the area over the past 5 years.

1. **Z101-306:** On September 24, 2012, the City Council approved Specific Use Permit No.1908 for the sale and service of alcoholic beverages in conjunction with a restaurant with drive-in or drive-through service for a three-year period with eligibility for automatic renewal for additional five-year periods subject to a site plan and conditions.

2. **Z112-110:** On October 10, 2011, the City Council approved Specific Use Permit No. 1975 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a three-year period subject to a site plan and conditions.

3. **Z112-138:** On October 10, 2011, the City Council approved an amendment to PDD No. 605 subject to a conceptual plan and conditions and Specific Use Permit No. 1949 for a four-year period subject to a site plan and conditions.

4. **Z145-130:** On March 25, 2015, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more for a two-year period subject to a site plan and conditions

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
R.L. Thornton Freeway	Freeway	Variable lane width	Variable lane width
Samuell Boulevard	Collector	120 ft.	120 ft.

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that the SUP has not had a negative impact on the surrounding street system.

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

The Vision Illustration depicts the request site as within a *Business Center or Corridor* Building Block. This Building Block represents major employment or shopping destinations outside of Downtown. Examples include the Galleria area, the NorthPark Center area, Southwest Center Mall area at I-20 and US Hwy 67 and the Stemmons Corridor. Business Centers are usually at major intersections or along highways or major arterials and rely heavily on car access. These areas typically include high-rise office towers and low- to mid-rise residential buildings for condos or apartments and may include multifamily housing. Land uses are typically separated from one another by parking lots, freeways or arterial roads. Streets in these areas emphasize efficient movement of vehicles. Bold lighting and linear landscaping features such as esplanades and tree-lined boulevards can all work to distinguish and identify these areas. Public spaces may be at key entry points and central locations. Gateway landscaping, monuments and other devices will provide visibility from the freeway and guide visitors to destinations. Public transit may play a role in these areas and help create some pockets of transit oriented development. Business Centers and Corridors provide important concentrations of employment within Dallas that compete with suburban areas.

In general, the applicant’s request for a Specific Use Permit for the sale of alcoholic beverages is consistent with the following goal and policy of the Comprehensive Plan.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	RR-D-1	General merchandise or food store
<b>North</b>	RR-D-1, SUP No. 1908	Drive-through restaurant, vehicle sales, motel
<b>South</b>	RR-D-1	Single Family
<b>East</b>	RR-D-1	Retail and personal service
<b>West</b>	RR-D-1	Bank, Retail, Fueling Station

**STAFF ANALYSIS:**

**Land Use Compatibility:** The ±23.2-acre request site is developed with a ±208,653-square foot discount store, which is permitted by right in the RR Regional Retail District. The sale of alcoholic beverages on the property requires a specific use permit due to the D-1 Liquor Control Overlay. The amendment to SUP No. 2048 will allow the applicant to continue the sale of alcoholic beverages for off-premise consumption in conjunction with the existing discount store.

A revised site plan has been submitted as a result of an adjacent property to the north replatting a parcel to accommodate a restaurant use. The replatting of the property reduced the original site by 0.63 acres and the number of off-street parking space by 195 spaces. The request site exceeds the required number of parking spaces for the site. The 208,653 square foot development requires 696 spaces and the applicant is providing 837 spaces per the attached site plan.

The request site is surrounded by a restaurant with drive-through service, vehicle display, sales and service and a motel to the north; retail to the east; single family residential to the south and a bank, retail and motor vehicle fueling station to the west.

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

The applicant’s request, subject to a revised site plan and conditions, is consistent with the intent of the Dallas Development Code.

**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. 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 100,000 square feet or greater is at one space for each 300 square feet of floor area.

**Dallas Police Department:** A copy of a police report of the past 3 years of offenses is provided below.

Years	AGG ASSAULT - FV	AGG ASSAULT - NFV	OTHER THEFTS	ROBBERY- INDIVIDUAL	THEFT /BMV	THEFT /SHOP LIFT	UUMV	Grand Total
2013	1	1	3		10	103	4	122
2014		1	19	1	9	156	10	196
2015	1	1	4		4	82	3	95
<b>Grand Total</b>	<b>2</b>	<b>3</b>	<b>26</b>	<b>1</b>	<b>23</b>	<b>341</b>	<b>17</b>	<b>413</b>

LIST OF OFFICERS
------------------

LIST OF OFFICERS WAL-MART
------------------------------

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

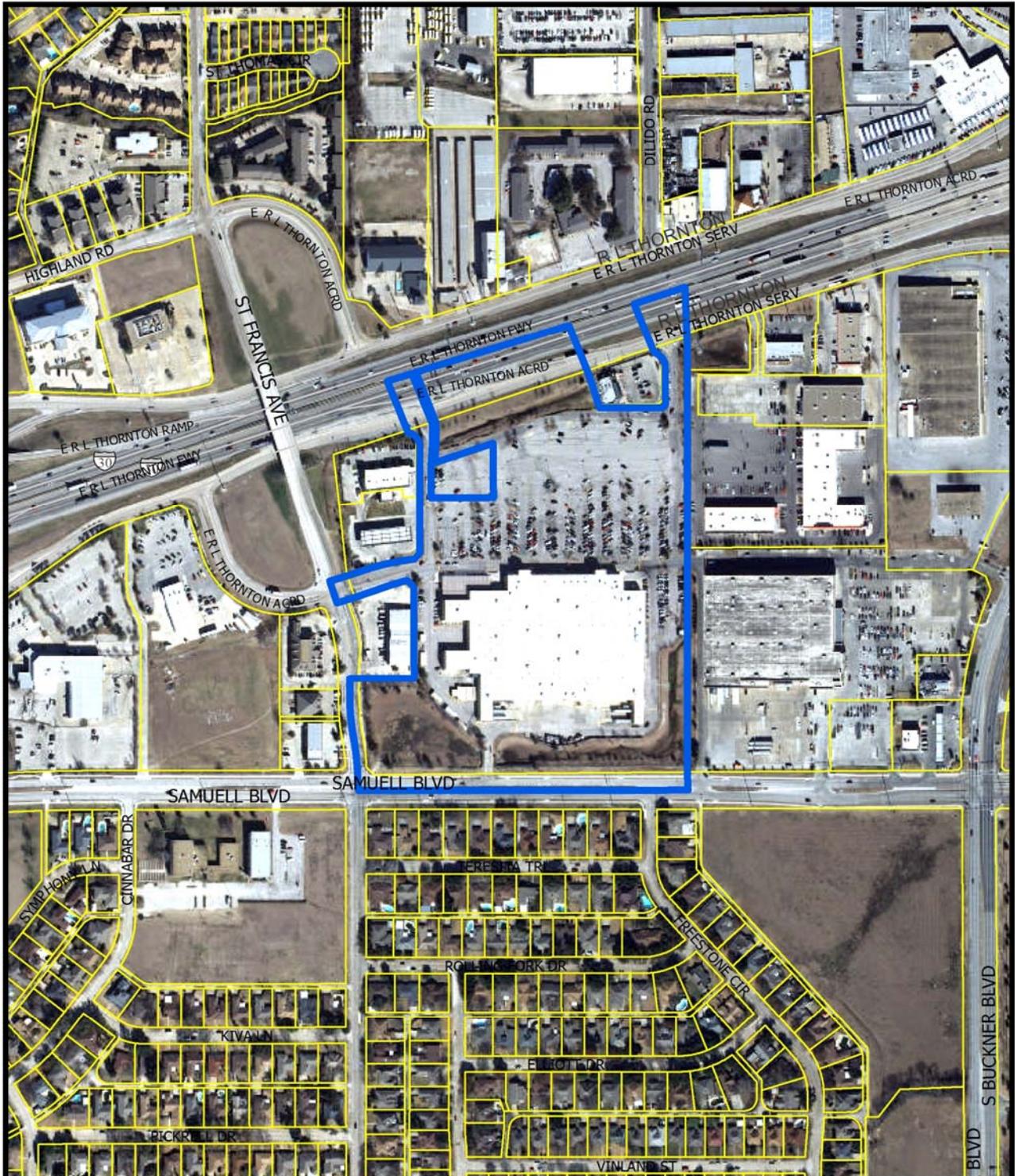
**PROPOSED SUP CONDITIONS**

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 100,000 square feet or more.
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\_\_\_\_\_, (four-year period from the passage of this ordinance).
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.







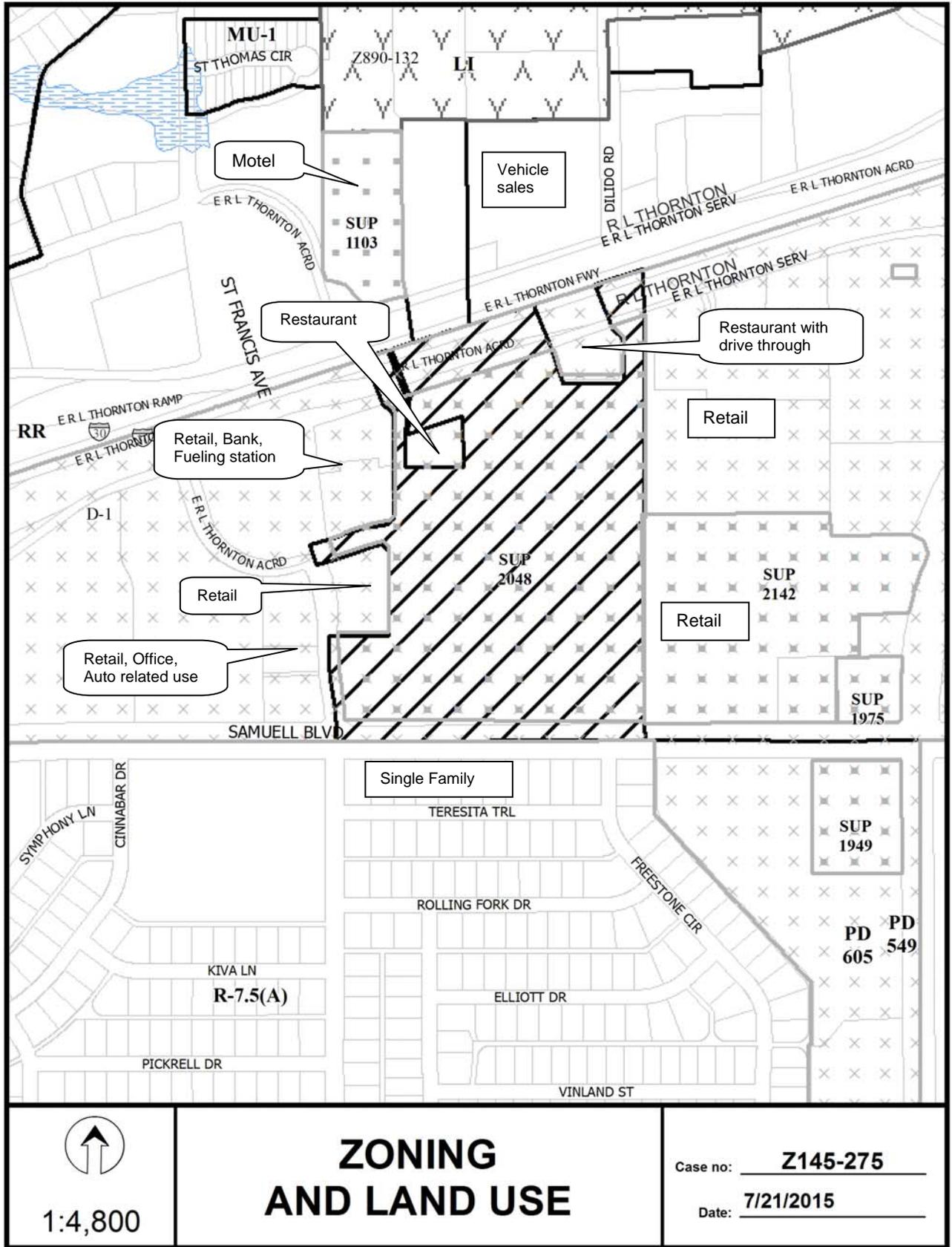


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# AERIAL MAP

Case no: Z145-275

Date: 7/21/2015

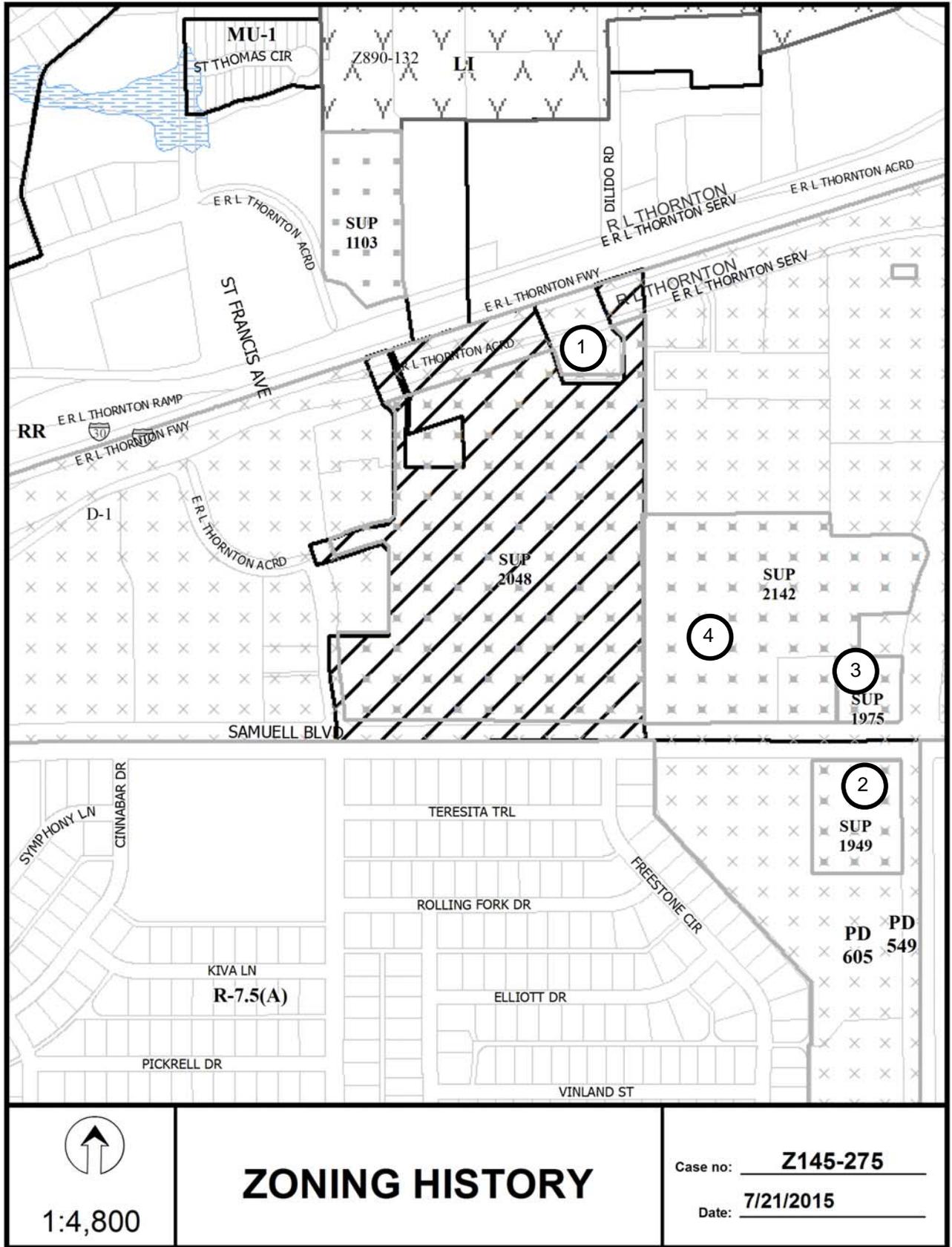


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# ZONING AND LAND USE

Case no: Z145-275

Date: 7/21/2015





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

***Z145-275***

***67 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	9214 R L THORNTON FWY	BUCKNER JUBILEE INVESTMENTS
2	9100 R L THORNTON FWY	WAL MART REAL EST BUS TR
3	9210 R L THORNTON FWY	WAM JERI A FAMILY TRUST &
4	3940 ST FRANCIS AVE	SHOQUIST PROPERTIES LP
5	9208 R L THORNTON FWY	BUCKNER JUBILEE INVESTMENTS
6	5555 BUCKNER BLVD	WM DALLAS PORTFOLIO LP
7	8930 R L THORNTON FWY	8930 RL THORNTON LLC &
8	5204 BUCKNER BLVD	RACETRAC PETROLEUM INC
9	6810 SAMUELL BLVD	LAKE POINTE BAPTIST
10	7105 TERESITA TRL	FLETCHER ARGELL ETAL
11	7111 TERESITA TRL	THOMAS K T
12	7117 TERESITA TRL	RAMOS RUFINO
13	7123 TERESITA TRL	CUSTARD SANDRA KAY
14	7129 TERESITA TRL	HILLBURN BERTHA L
15	7135 TERESITA TRL	LEE DERRICK
16	7141 TERESITA TRL	RAMIREZ RUBY & JUAN
17	7147 TERESITA TRL	WHITEHEAD KELLY JOE
18	7153 TERESITA TRL	ADEYOJU EMMANUEL ETUX
19	7159 TERESITA TRL	MURILLO PABLO JR
20	7165 TERESITA TRL	MARSHALL LENWOOD &
21	7106 TERESITA TRL	WASHINGTON SYLVESTER ETAL
22	7112 TERESITA TRL	BROWN MARK D & DEBRA D
23	7118 TERESITA TRL	COLLINS LAURINE H LF EST
24	7124 TERESITA TRL	MILLER KEITH
25	7130 TERESITA TRL	SANDERS TRAVIS G & JO ANN
26	7136 TERESITA TRL	CHAVEZ JUAN ANTONIO

Z145-275 (WE)

07/21/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7142 TERESITA TRL	JPMORGAN CHASE BANK
28	7148 TERESITA TRL	LEANOS JOSE JR
29	7154 TERESITA TRL	HILL CE ESTER & EUNICE
30	7160 TERESITA TRL	TAING AN & PHA
31	7166 TERESITA TRL	OSBORNE KENNETH L
32	7177 ROLLING FORK DR	NEWMAN TERENCE T
33	7165 ROLLING FORK DR	LANE LOIS H
34	7159 ROLLING FORK DR	FLORES ELVIRA
35	7153 ROLLING FORK DR	JOHNSON HOWARD E & DEZZIE L
36	7147 ROLLING FORK DR	RUIZ ROSIE OCHOA &
37	7141 ROLLING FORK DR	GARCIA SERGIO M
38	7135 ROLLING FORK DR	TOMPKINS STEPHEN ROYCE
39	7129 ROLLING FORK DR	BARRIENTOS MARIO C
40	7123 ROLLING FORK DR	TRENT WILLIAM D
41	7117 ROLLING FORK DR	TIPTON CATHLEEN
42	7111 ROLLING FORK DR	CHENG JASON
43	7105 ROLLING FORK DR	MAYES QUINCY LAVELL
44	5430 FREESTONE CIR	MARQUEZ MARTINA
45	5424 FREESTONE CIR	PERRY ELLEN MARIE
46	5418 FREESTONE CIR	COMBEST MILTON D EST OF
47	5412 FREESTONE CIR	RAMOS FE DALIDA
48	5406 FREESTONE CIR	FLIPITDFW INC
49	5330 FREESTONE CIR	CARR MARGARET
50	9103 R L THORNTON FWY	GARLAND E PARTNERSHIP LP
51	9001 R L THORNTON FWY	SINNI CORPORATION
52	8901 R L THORNTON FWY	NORTHSTAR HOTELS LLC
53	4020 ST FRANCIS AVE	INTERSTATE NATIONAL BANK
54	3550 ST FRANCIS AVE	LAMELL GUIDO & NANCY B
55	9111 R L THORNTON FWY	GARLAND E PARTNERSHIP LP
56	9001 R L THORNTON FWY	LAMPLIGHTER MOTEL LTD
57	9125 R L THORNTON FWY	9125 THORNTON LLC

Z145-275 (WE)

07/21/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3830 DILIDO RD	CLEERE ENTERPRISES INC
59	8951 R L THORNTON FWY	PS TEXAS HOLDINGS LTD
60	8640 R L THORNTON FWY	CORINTH REALTY I30 &
61	4025 ST FRANCIS AVE	KIMBALL MARK P & SHANA L
62	3949 ST FRANCIS AVE	3949 ST FRANCIS LLC
63	3939 ST FRANCIS AVE	FIDELITY BANK NATL ASSOC
64	9222 R L THORNTON FWY	IACONO ELANA FAMILY LTD
65	3936 ST FRANCIS AVE	WAL MART REAL EST BUS TR
66	9226 R L THORNTON FWY	BANK OF AMERICA NA
67	9310 R L THORNTON FWY	DOCKSIDE THREADING INC

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z145-284(WE)                      **DATE FILED:** June 16, 2015  
**LOCATION:** Southwest corner of Forney Road and South Buckner Boulevard  
**COUNCIL DISTRICT:** 7                              **MAPSCO:** 48Q  
**SIZE OF REQUEST:** Approx. 0.616 acres              **CENSUS TRACT:** 85.00

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**APPLICANT / OWNER:** Buckner Food, Inc.

**REPRESENTATIVE:** Santos Martinez, Masterplan

**REQUEST:** An application for the 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 Light Industrial District with a D-1 Liquor Control Overlay.

**SUMMARY:** The purpose of this request is to allow the applicant of the existing general merchandise or food store to continue selling alcohol beverages for off-premise consumption. In October 2013, the City Council approved Specific Use Permit No. 2052 for a two-year period without automatic renewals. The applicant has requested to limit the renewal of Specific Use Permit No. 2052 to a four-year time period without automatic renewals. The Dallas Police is scheduled to re-inspect the property for compliance of Chapter 12B by the middle of August 2015. Therefore, staff is recommending that the item be held until the re-inspection is complete.

**STAFF RECOMMENDATION:** Hold under advisement until September 3, 2015.

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The existing general merchandise or food store is compatible and conforms with the adjacent retail and personal service uses. The additional alcohol use within the general merchandise or food store has not impacted the surrounding uses negatively from a land use perspective.
  2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – This use does not contribute nor deter from the welfare of adjacent properties. The SUP has conditions that are associated with the use. An SUP can have a reduced time period or not be renewed if the applicant does not comply.
  3. *Not a detriment to the public health, safety, or general welfare* – This use has not been a detriment to the public health, safety or general welfare of the community.
  4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. Chapter 12B is a certificate of registration that is required for each physically separate convenience store.
- **Zoning History:** There has been one zoning change requested in the area in the past 5 years.

1. Z123-268 On December 11, 2013, the City Council approved Specific Use Permit No. 2054 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a LI Light Industrial District with a D-1 Dry Liquor Control Overlay on the northeast corner of Forney Road and South Buckner Boulevard.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Forney Road		80 ft.	80 ft.
South Buckner Boulevard	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 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. The Plan identifies the request site as being located along a Multi-modal corridor.

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

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	LI-D-1	General merchandise or food store
<b>North</b>	MC-1-D-1	Undeveloped
<b>South</b>	LI-D-1	Church
<b>East</b>	LI-D-1	Retail and personal service
<b>West</b>	LI-D-1	Auto related uses

**STAFF ANALYSIS:**

**Land Use Compatibility:** The approximately 0.616 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 renewal of Specific Use Permit No. 2052 will allow the applicant to continue the sale

of alcoholic beverages in conjunction with a general merchandise store or food store 3,500 square feet or less.

The general merchandise use is permitted by right. The sale of alcoholic beverages on property is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay. The 2,400 square foot development requires 24 spaces with 25 spaces being provided per the attached site plan. There are no changes to the approved site plan.

The adjacent land uses consist of an auto related use and office uses to the west, and a large tract of undeveloped land to the north. Properties east of the request site, across South Buckner Boulevard are retail and personal services and a general merchandise or food store with fueling station. There is a vacant restaurant and several warehouse uses that are located south of the request site.

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

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

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

- surveillance camera systems,
- video recording and storage systems,

- alarm systems,
- drop safes,
- security signs,
- height markers,
- store visibility,
- safety training programs, and
- trespass affidavits.

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

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

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
LI-D-1 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. The development requires 24 spaces with 25 being provided per the attached site plan.

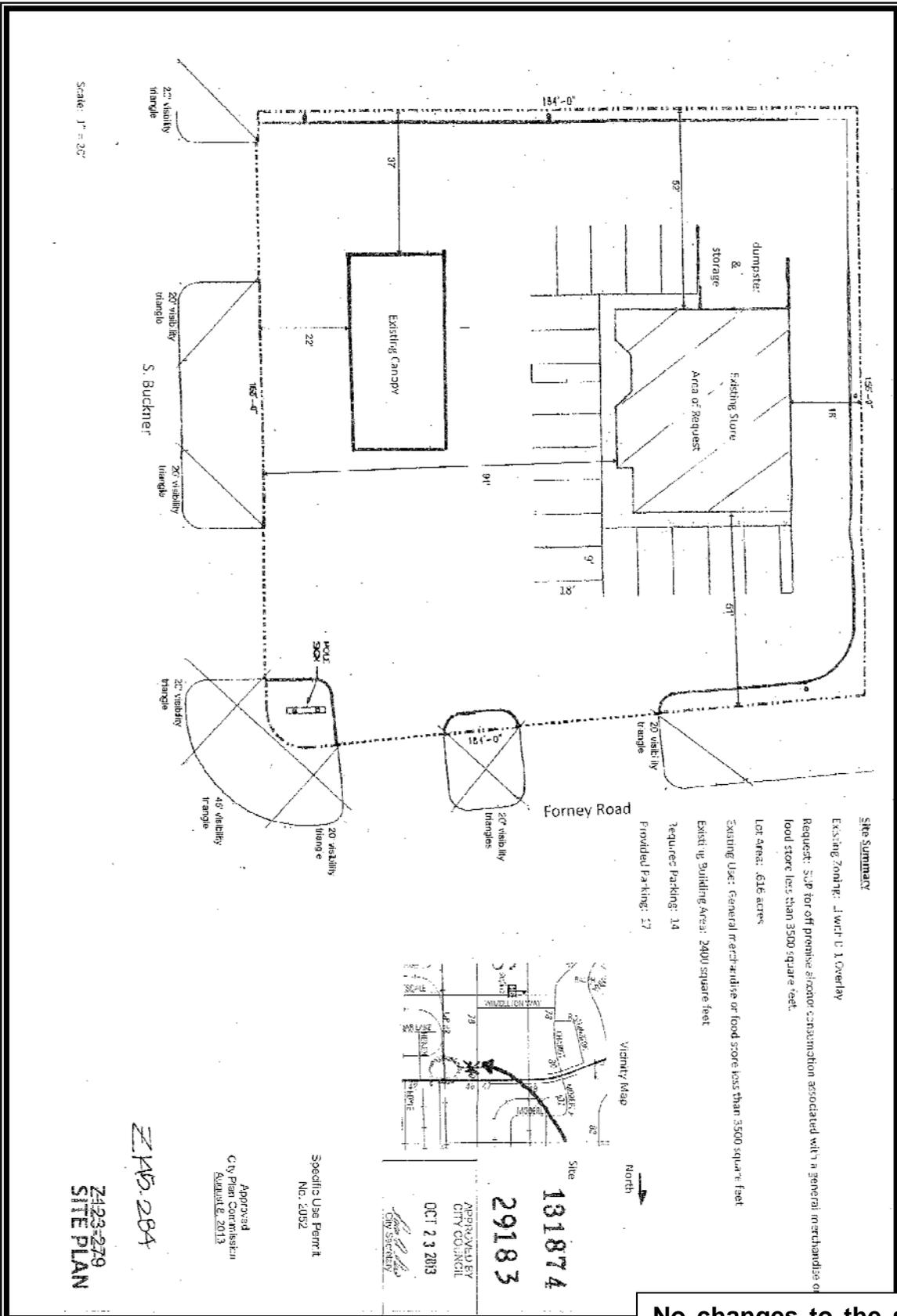
**Dallas Police Department:** A copy of a police report of the past 2 years of offenses is provided below. The report indicated that there were no offenses that occurred in 2013.

Years	AGG ASSAULT - FV	ROBBERY-BUSINESS	ROBBERY-INDIVIDUAL	Grand Total
2014	1	2		3
2015			1	1
<b>Grand Total</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>4</b>

**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\_\_\_\_\_, (four-year period from the passage of this ordinance).
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.

**APPROVED SITE PLAN**



Scale: 1" = 20'

S. Buckner

**Site Summary**

- Existing Zoning: J with U 1 Overlay
- Request: SUP for off premise food service construction associated with a general merchandise or food store less than 3500 square feet.
- Lot Area: 616 acres
- Existing Use: General merchandise or food store less than 3500 square feet
- Existing Building Area: 2400 square feet
- Required Parking: 14
- Provided Parking: 17



Site  
181874  
29183

APPROVED BY  
CITY COUNCIL  
OCT 23 2013  
CITY SECRETARY

Specific Use Permit  
No. 2052

Approved  
City Plan Commission  
February, 2013

Z145-284

Z145-279  
SITE PLAN

**No changes to the site plan**

Z145-284(WE)

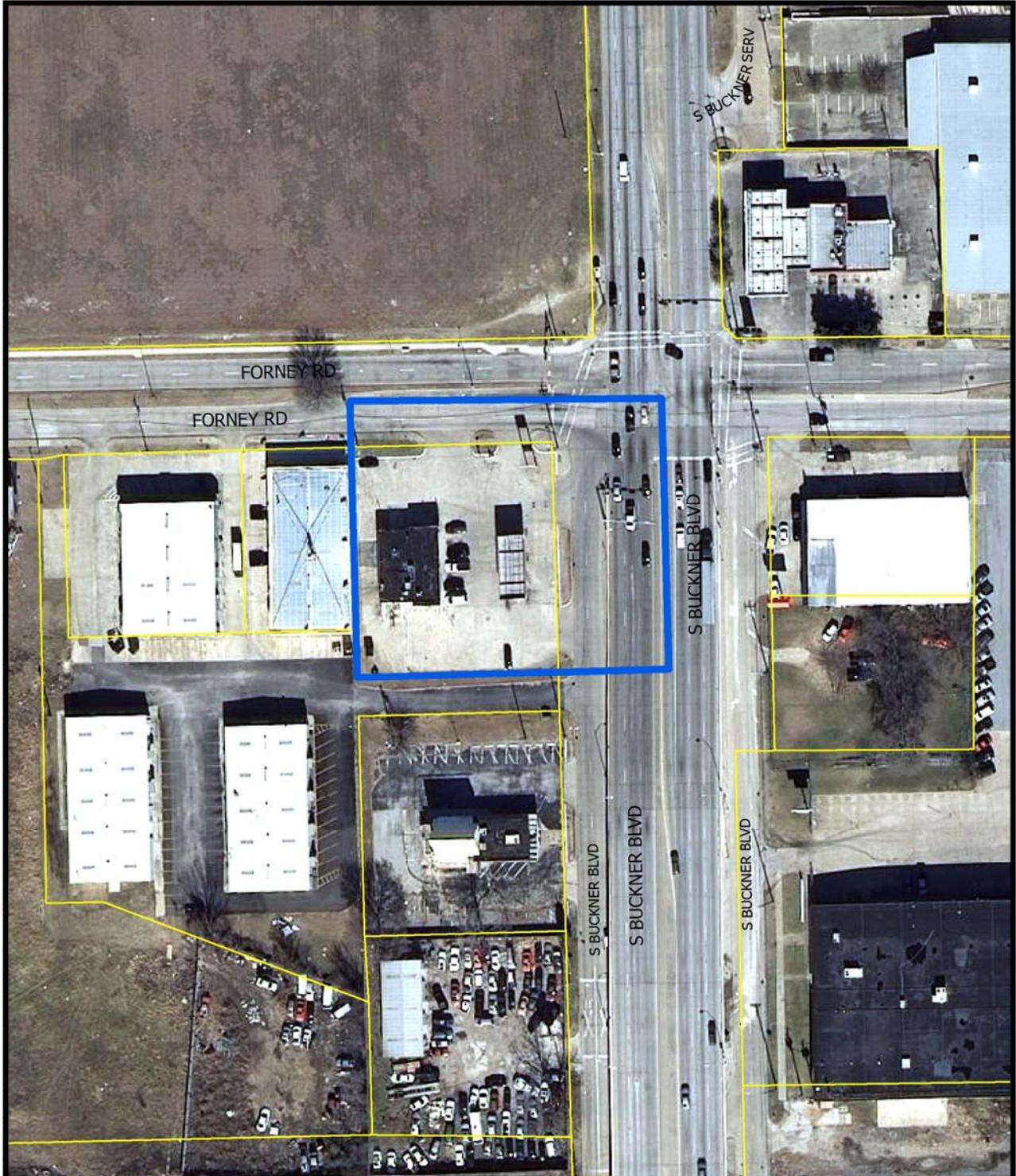


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### VICINITY MAP

Case no: Z145-284

Date: 7/21/2015

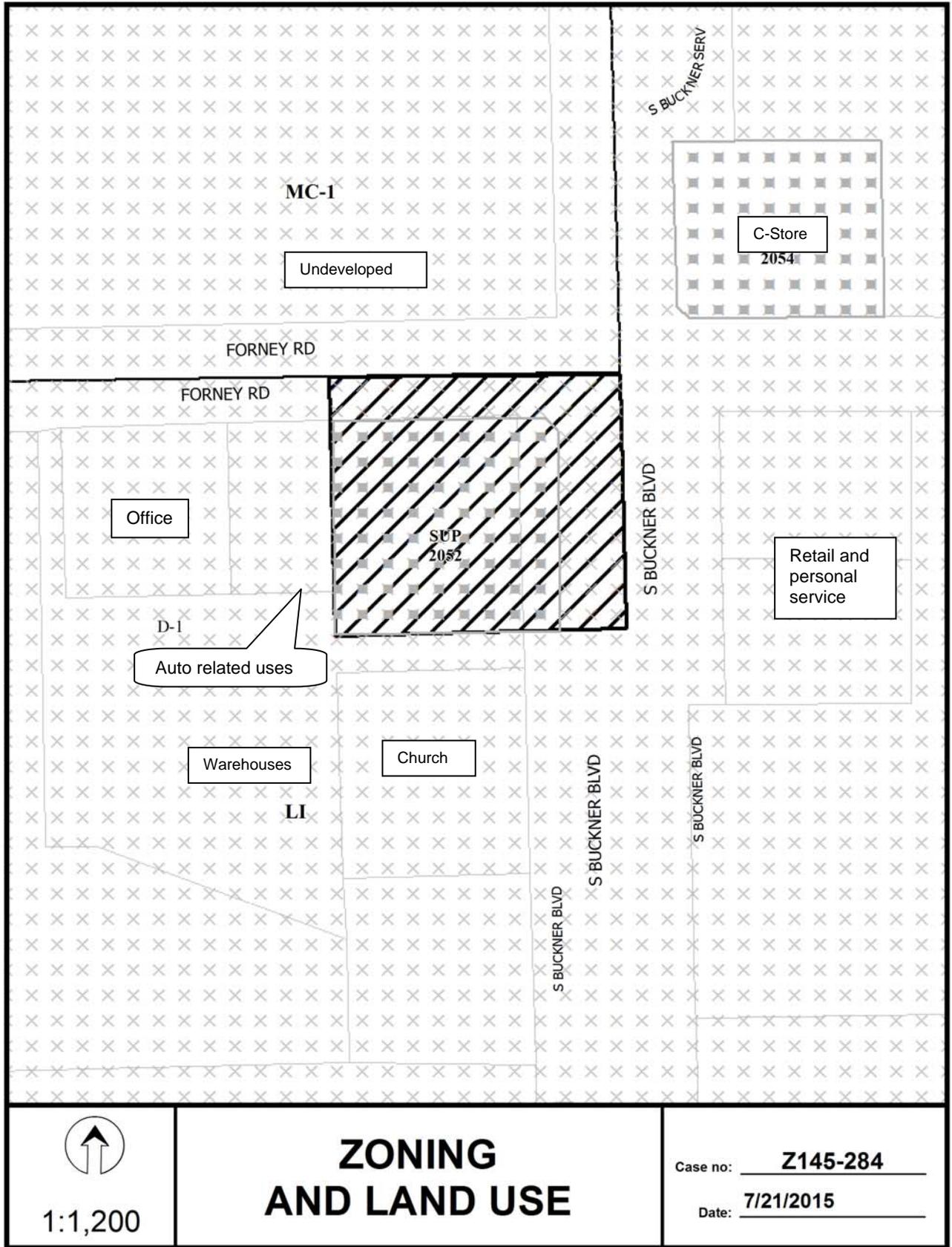


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# AERIAL MAP

Case no: Z145-284

Date: 7/21/2015

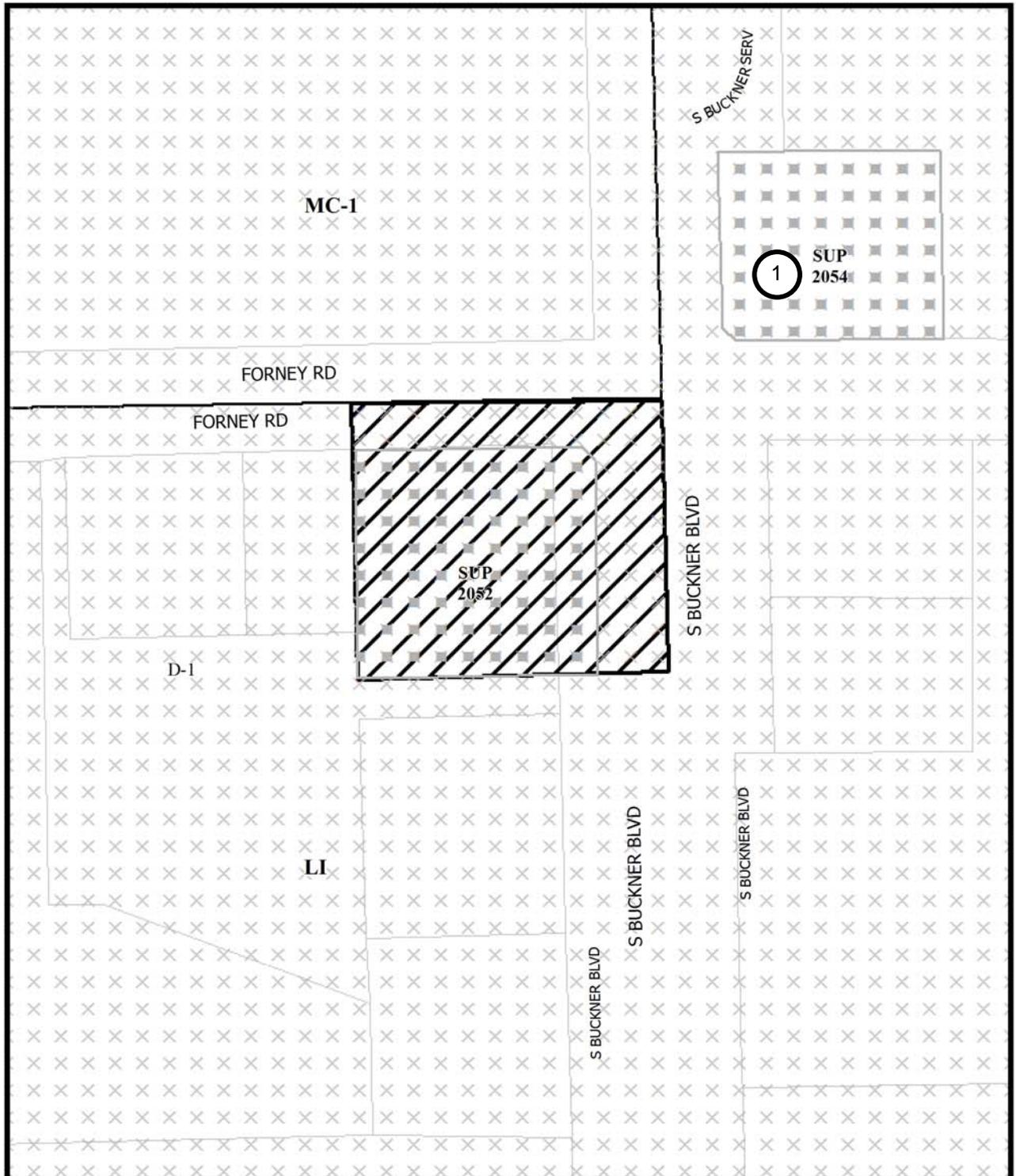


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# ZONING AND LAND USE

Case no: Z145-284

Date: 7/21/2015

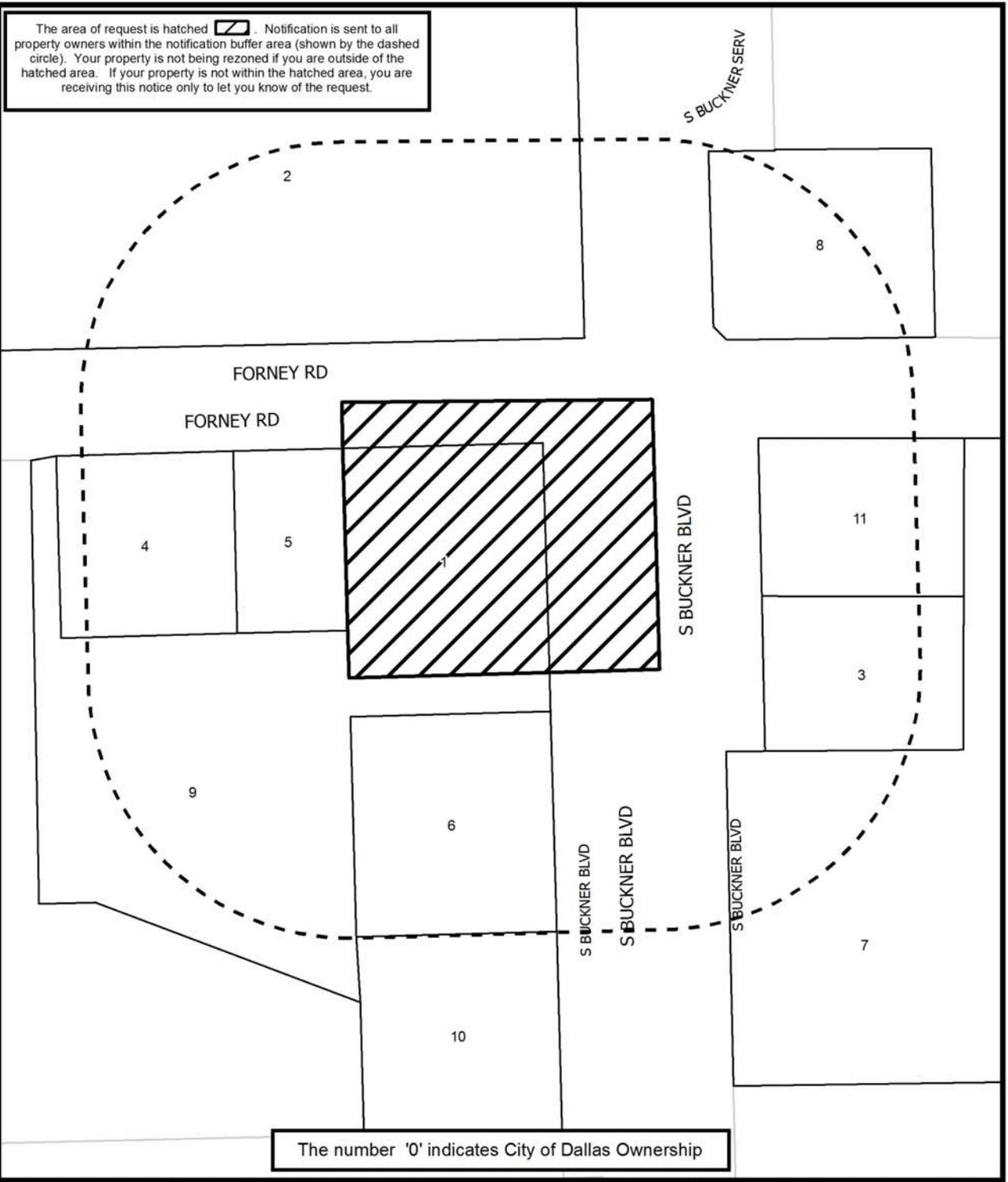


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# ZONING HISTORY

Case no: Z145-284

Date: 7/21/2015



  
 1:1,200

**NOTIFICATION**

200' AREA OF NOTIFICATION  
11 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:           Z145-284            
 Date:           7/21/2015

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

***Z145-284***

***11 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4625 BUCKNER BLVD	BUCKNER FOODS INC
2	4700 BUCKNER BLVD	NW REALTY INC
3	4612 BUCKNER BLVD	RICHMOND P CURT
4	8020 FORNEY RD	BITTERROOT INC
5	8050 FORNEY RD	SIX CONSTRUCT INC
6	4545 BUCKNER BLVD	FULL LIFE OUTREACH CENTER
7	4520 BUCKNER BLVD	4520 BUCKNER LP
8	4710 BUCKNER BLVD	DEVIN BRICH GROUP DORP
9	4617 BUCKNER BLVD	BARA REAL ESTATE PROPERTIES LLC
10	4509 BUCKNER BLVD	A ADVANTAGE REMODELING COMP
11	4612 BUCKNER BLVD	RICHMOND P CURT

**CITY PLAN COMMISSION**

**THURSDAY, AUGUST 20, 2015**

**Planner: Olga Torres-Holyoak**

**FILE NUMBER:** Z145-286(OTH)

**DATE FILED:** June 22, 2015

**LOCATION:** Northwest corner of Canton Street and South Malcolm X Boulevard

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45M

**SIZE OF REQUEST:** ±0.4 acres

**CENSUS TRACT:** 204.00

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**APPLICANT/ OWNER:** Industrial Reservices, LLC

**REPRESENTATIVE:** Santos Martinez, Masterplan

**REQUEST:** An application for a Specific Use Permit for a microbrewery, microdistillery, or winery on property zoned Tract A in Planned Development District No. 269, the Deep Ellum/Near East Side District.

**SUMMARY:** The prospective buyer/tenant is proposing to convert the existing vacant building into a microbrewery use.

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

**GUIDING CRITERIA FOR RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The proposed use is compatible with the surrounding land uses and the character of the area. The proposed use blends in with the various surrounding buildings, and the scale of the building makes the use compatible with the surrounding uses. The applicant is not proposing to utilize the existing building for the proposed use.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use is not anticipated to negatively impact the surrounding properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use is not anticipated to be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan the property and use comply with all applicable zoning regulations and standards. No variances or special exceptions are requested.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
Malcolm X Boulevard	Collector	50 feet
Canton Street	Minor Arterial	80 feet

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the existing roadway system.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

The comprehensive plan does not make a specific land use recommendation related to the request; however, the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns.

Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur.

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

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

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD 269 Tract A	Vacant
<b>North</b>	PD 269 Tract A	Office, vacant
<b>East</b>	PD 269 Tract A	Parking lot, personal service, offices
<b>South</b>	PD 269 Tract A	Office, gallery, vacant
<b>West</b>	PD 269 Tract A	Office, vacant

**Land Use Compatibility:**

The applicant has a prospective buyer/tenant who is proposing to convert the existing warehouse and liquor store into a microbrewery use. The new operator proposes to utilize approximately 15,000 square feet for the manufacture of alcoholic beverages and utilize the remainder of the building for warehouse use for the microbrewery, microdistillery or winery use.

*Pursuant to Plan Development District No. 269, a microbrewery, micro distillery or winery means an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 15,000 square feet or less that takes place wholly inside a building. Floor area dedicated to retail sales and on-site consumption is not included in the 15,000 square foot maximum floor area calculations. A facility that only provides tasting or retail sale of alcoholic beverages is not a microbrewery, micro distillery or winery use.*

The surrounding land uses are office and vacant to the north; parking lot, personal service use and offices to the east; gallery and vacant to the south; and office and vacant to the west.

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

The request is compatible with the surrounding uses. Staff recommends a three-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

**Parking:**

Parking must be provided in accordance with the requirements of Planned Development District No. 269, the Deep Ellum/Near East Side District.

**Landscaping:**

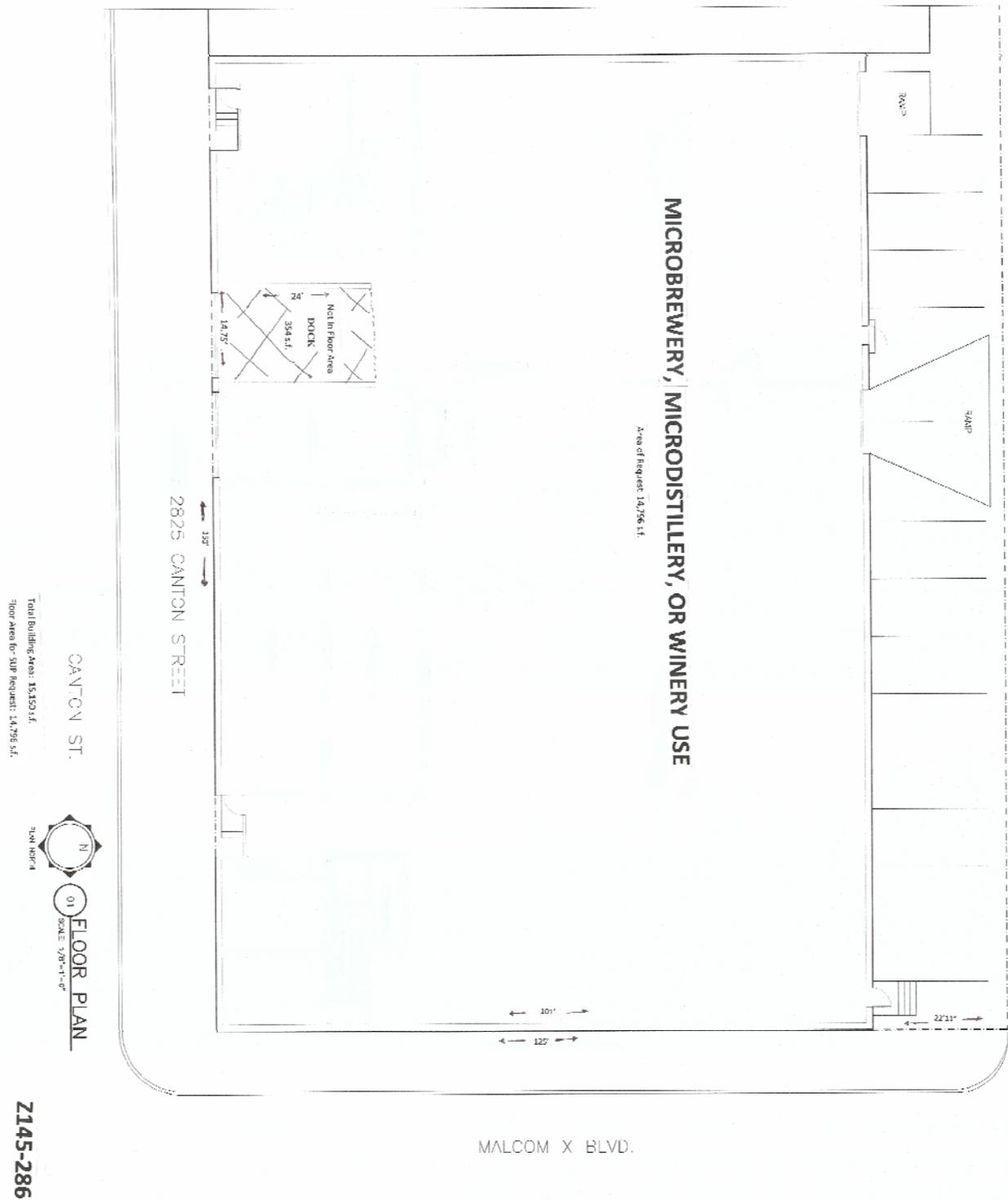
The applicant's request does not trigger any landscape requirements.

**Proposed SUP Conditions  
Z145-286 (OTH)**

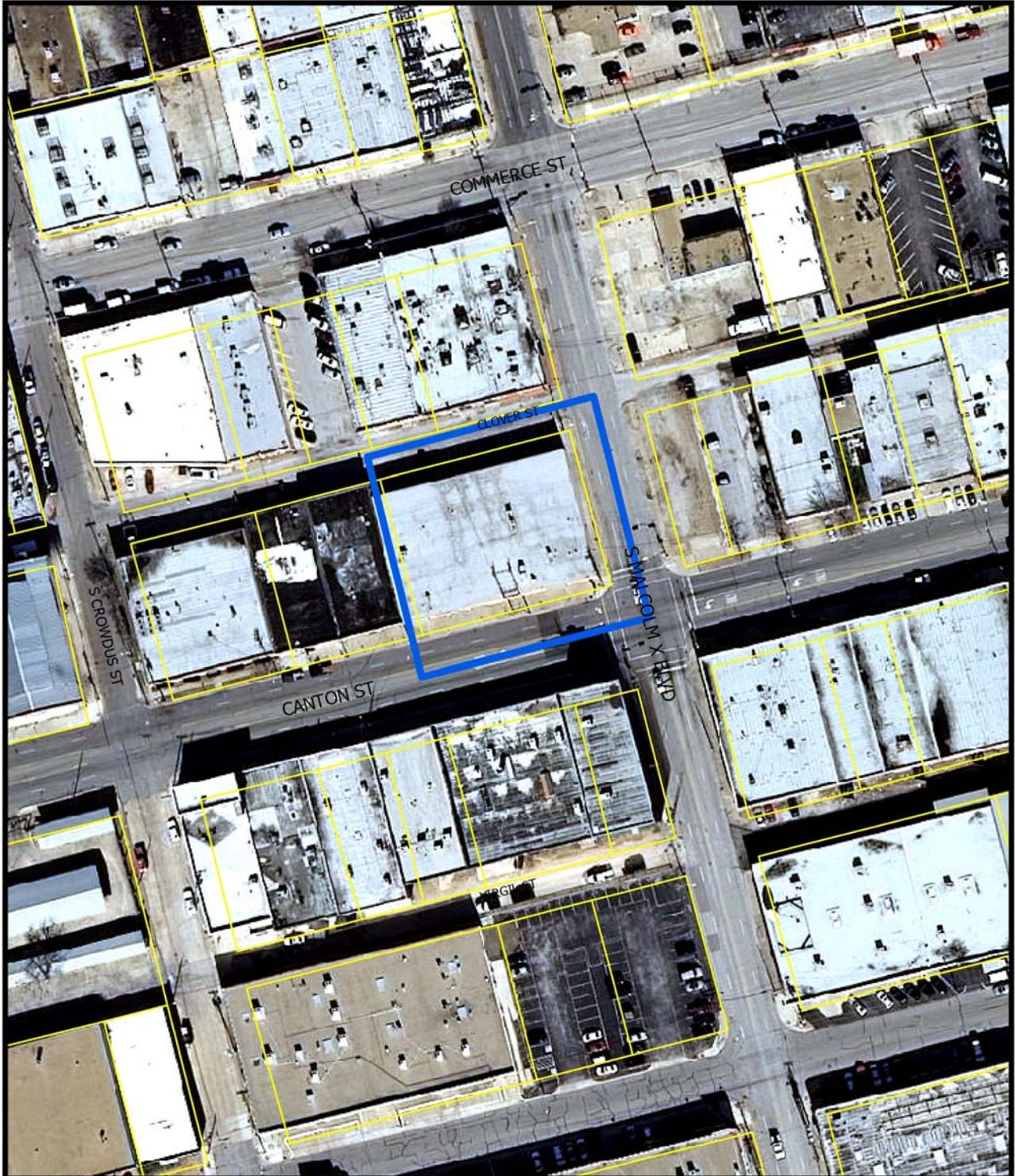
SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is a microbrewery, micro distillery, or winery.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on three years, but it is eligible for automatic renewals for additional five-year periods.
6. OUTSIDE STORAGE: Outside storage silos and outside storage of spent organic material is prohibited.
7. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269, the Deep Ellum/Near East Side District.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

### PROPOSED SITE PLAN





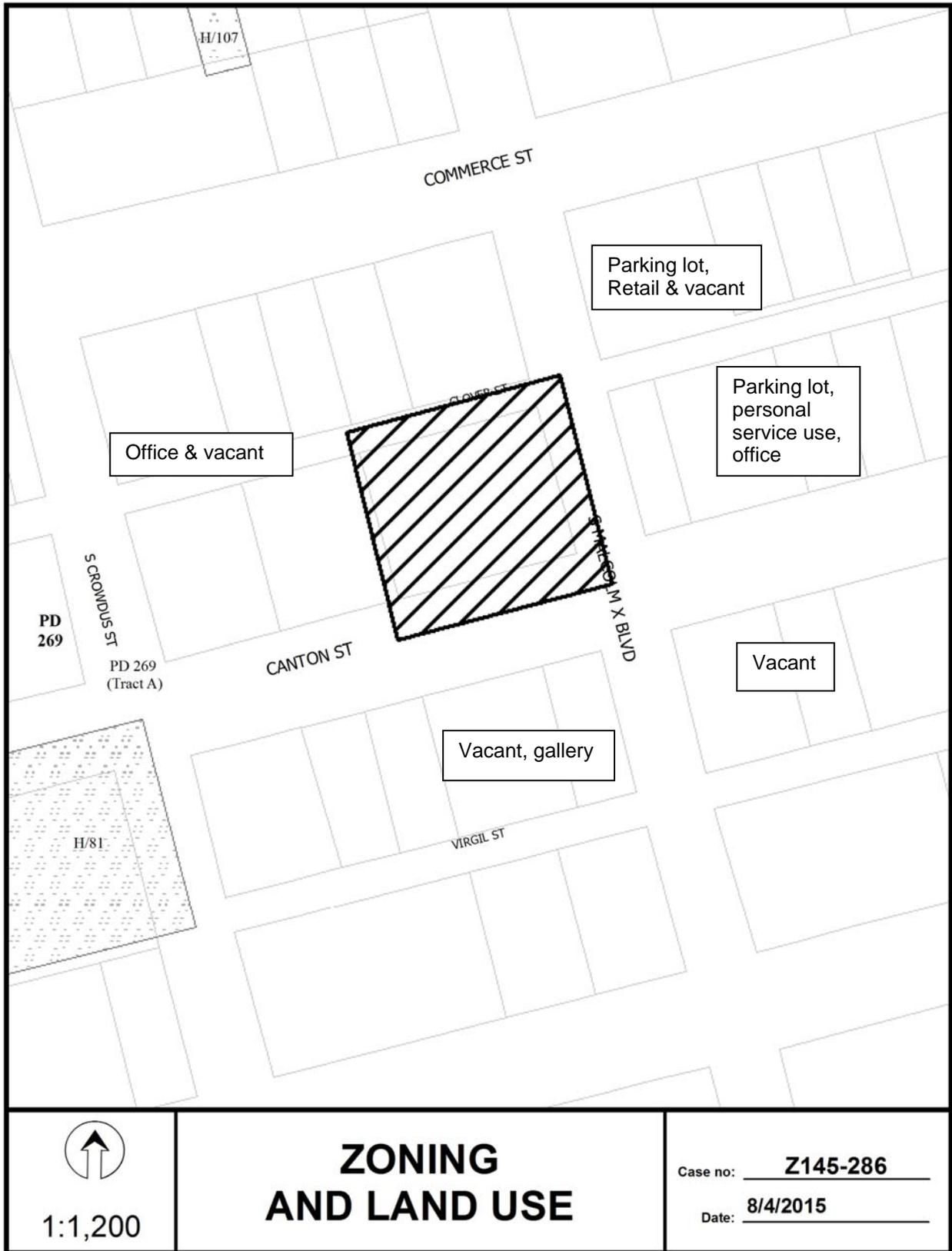


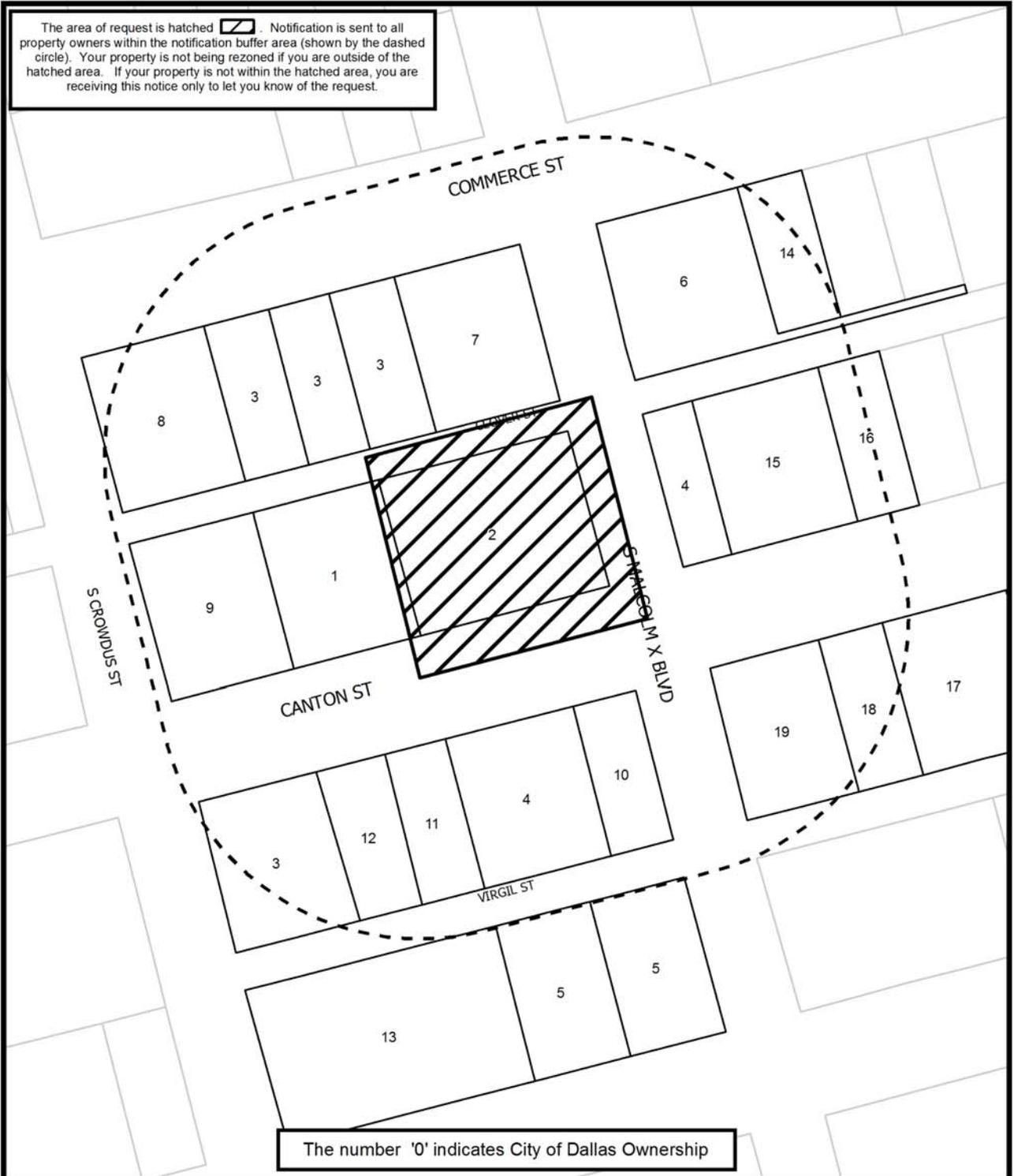
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# AERIAL MAP

Case no: Z145-286

Date: 8/4/2015





 1:1,200	<h2>NOTIFICATION</h2>	Case no: <u>    Z145-286    </u>
	200' AREA OF NOTIFICATION 19 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <u>    8/4/2015    </u>

08/03/2015

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

### ***Z145-286***

#### ***19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2809 CANTON ST	BALLAS VICTOR
2	2825 CANTON ST	INDUSTRIAL RESERVICES LLC
3	2816 COMMERCE ST	BLANTON JEANNE
4	2824 CANTON ST	HORTON T L DESIGN INC
5	2821 TAYLOR ST	DEEP ELLUM CHURCH
6	2904 COMMERCE ST	SDL PARTNERS LTD
7	2820 COMMERCE ST	BLANTON JEANNE
8	2800 COMMERCE ST	GILPIN J R
9	2805 CANTON ST	GEBHARDT BROADCASTING LLC
10	2824 CANTON ST	HORTON T L DESIGN INC
11	2814 CANTON ST	FITZGERALD KAREN K &
12	2810 CANTON ST	WARREN PROPERTY HOLDINGS LLC
13	2803 TAYLOR ST	DEEP ELLUM CHURCH
14	2910 COMMERCE ST	CITY PARK A LOT LP
15	2909 CANTON ST	CANTON MAIN PROP LTD
16	2913 CANTON ST	DUET COMMERCIAL LLC
17	2914 CANTON ST	ONDRUSEK W J
18	2910 CANTON ST	ONDRUSEK W J
19	2900 CANTON ST	ONDRUSEK W J

**FILE NUMBER:** Z145-293(OTH)

**DATE FILED:** July 9, 2015

**LOCATION:** Northeast corner of Bonner Drive and North Central Expressway

**COUNCIL DISTRICT:** 10

**MAPSCO:** 26B

**SIZE OF REQUEST:** ±0.522 acres

**CENSUS TRACT:** 78.05

**APPLICANT/ OWNER:** Ali A. Heidari

**REPRESENTATIVE:** Robert Reeves and Associates, Inc.

**REQUEST:** An application for a Specific Use Permit for a vehicle display, sales and service on property zoned Planned Development District No. 629.

**SUMMARY:** The applicant proposes to continue to utilize the property with the already existing vehicle display, sales and service use. The SUP was originally approved on January 22, 2003 for a three-year period. On January 25, 2006, the SUP was amended and renewed for a three-year period that terminated on January 25, 2009. On April 22, 2009, the SUP was renewed for a five-year period that terminated on April 22, 2014. The applicant did not apply for a renewal of the SUP until July 9, 2015. The applicant is not proposing any changes to the site plan.

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

**GUIDING CRITERIA FOR RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The existing vehicle display sales and service use is compatible with the surrounding land uses and the character of the area.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The vehicle display, sales and service use does not negatively impact the surrounding properties.
3. *Not a detriment to the public health, safety, or general welfare* – The vehicle display, sales and service use is not a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan the property and use comply with all applicable zoning regulations and standards. No variances or special exceptions are requested.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
North Central Expressway	Freeway	Variable ROW
Bonner Drive	Local	80 feet

**Traffic:**

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not significantly impact the existing roadway system.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

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

In general, the applicant’s request is consistent with the goals and policies of the Comprehensive Plan. This use may not be the long-term highest and best use for the property along Central Expressway, but it is acceptable at this time.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD 269 Tract A	Vehicle display, sales and service
<b>North</b>	PD 269 Tract A	Auto service center, offices, restaurant
<b>East</b>	PD 269 Tract A	Retail
<b>South</b>	PD 269 Tract A	Office
<b>West</b>	PD 269 Tract A	North Central Expressway

**Land Use Compatibility:**

The applicant is continuing the use of the property with a vehicle display, sales and service use. The property is developed with a two story structure that has been utilized for this use since January 2003. The SUP was originally approved on January 22, 2003 for a three-year period. On January 25, 2006 the SUP was amended and renewed for a three-year period that terminated on January 25, 2009. On April 22, 2009, the SUP was renewed for a five-year period that terminated on April 22, 2014. The applicant did not apply for a renewal of the SUP until July 9, 2015.

The surrounding land uses are auto service center, offices and restaurant to the north; retail and office uses to the west; office uses to the south; and North Central Expressway to the west.

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

**Parking:**

Required off-street parking and display areas must be provided as shown on the attached site plan.

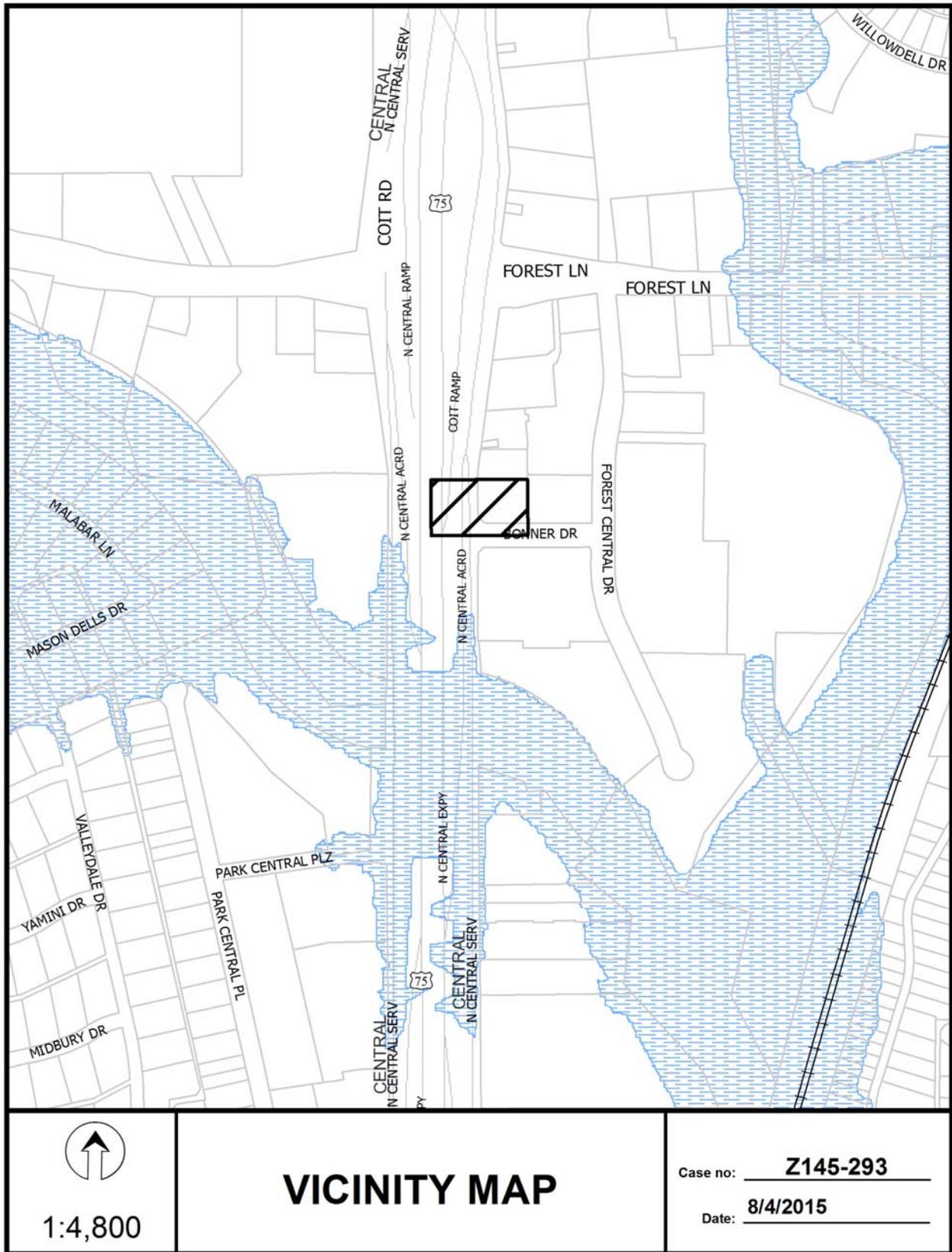
**Landscaping:**

The applicant's request does not trigger any landscape requirements.

### PROPOSED CONDITIONS

1. USE: The only use authorized by this specific use permit is a vehicle display, sales, and service use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit automatically terminates on \_\_\_\_\_ ~~April 22, 2014~~ (five years).
4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.
5. INGRESS AND EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
6. PARKING: Parking must be located as shown on the attached site plan.
7. DETACHED SIGN: The maximum height of the detached sign on the Property is 56 feet above the ground at the base of the sign. The message area for the detached sign must not extend lower than 36 feet above the ground at the base of the sign, and must not be more than 50 feet wide. Exhibit A on the attached site plan shows the maximum boundaries of the message area for the detached sign.
8. MAINTENANCE: The [entire] Property must be properly maintained in a state of good repair and neat appearance.
9. 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.”





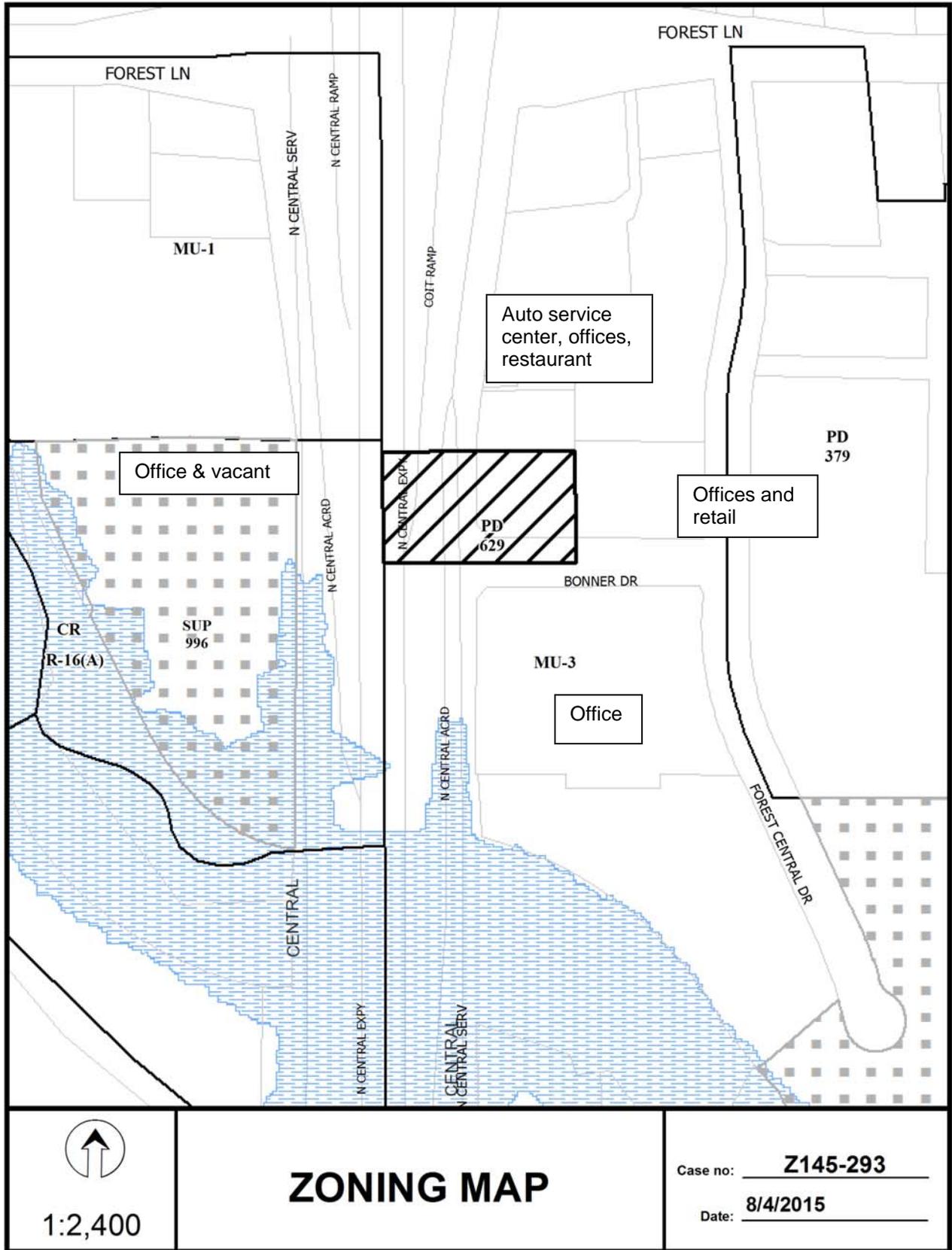


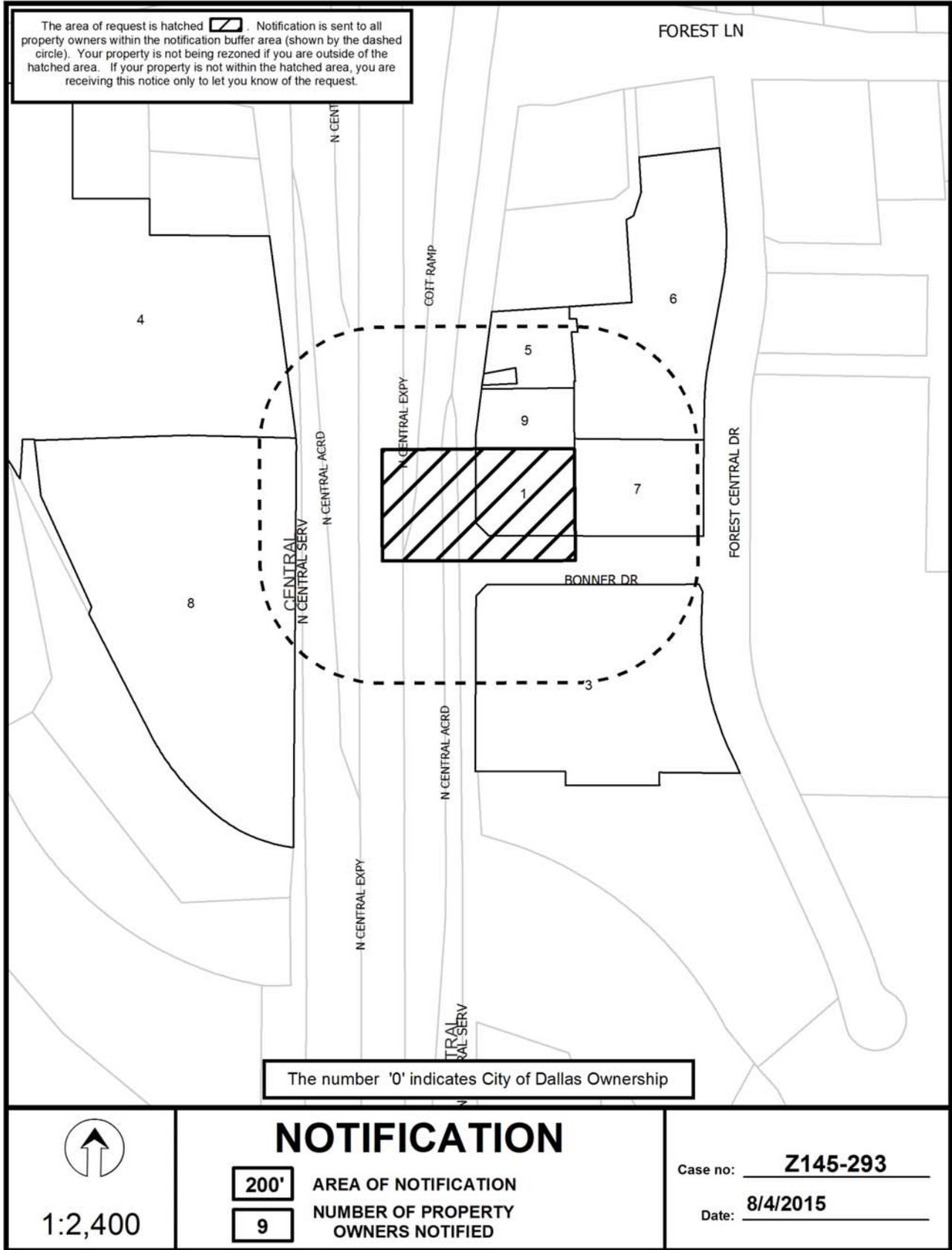
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# AERIAL MAP

Case no:           Z145-293          

Date:           8/4/2015





1:2,400

# NOTIFICATION

**200'**

AREA OF NOTIFICATION

**9**

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z145-293**

Date: **8/4/2015**

Z145-293(OTH)

08/03/2015

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

***Z145-293***

***9 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	11610 CENTRAL EXPY	HEIDARI ALI A
2	11640 CENTRAL EXPY	CENTRAL SIGN JV
3	11520 CENTRAL EXPY	BARCELONA 93 LTD
4	11613 CENTRAL EXPY	NEW CENTRAL FOREST S C LTD
5	11648 CENTRAL EXPY	SMT ENTERPRISES LLC
6	11615 FOREST CENTRAL DR	C S B INC
7	11611 FOREST CENTRAL DR	TOYO COTTON CO
8	11541 CENTRAL EXPY	CROSSMAN CORP
9	11632 CENTRAL EXPY	REALTY INCOME TEXAS

**FILE NUMBER:** Z145-298(OTH)

**DATE FILED:** July 13, 2015

**LOCATION:** South line of Elm Street, east of North Good Latimer Expressway

**COUNCIL DISTRICT:** 2

**MAPSCO:** 45M

**SIZE OF REQUEST:** ± 0.11 acres

**CENSUS TRACT:** 204.00

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**APPLICANT:** Shawn Hodges

**REPRESENTATIVE:** Audra Buckley, Permitted Development

**OWNER:** 42 Deep Ellum LP

**REQUEST:** An application for a Specific Use Permit for a tattoo studio on property zoned Tract A in Planned Development District No. 269, the Deep Ellum/Near East Side District.

**SUMMARY:** The request is to operate a tattoo studio on the subject property within a 1,264-square-foot lease space. On May 28, 2014, the City Council approved an amendment to PDD No. 269 which requires an SUP for the requested use as well as prohibiting another similar use within 300 feet. The proposed tattoo studio meets the distance requirement. There are no other tattoo studios within 300 feet of the subject site.

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

**GUIDING CRITERIA FOR RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The proposed tattoo studio use is compatible with the surrounding retail, restaurant, personal businesses, bars and parking lot uses. The proposed use should not adversely impact the surrounding uses. The primary uses in PDD No. 269 consist of restaurants, commercial, retail and personal service, bars, lounge and taverns with and without dance halls or music venues, and office uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use will contribute and compliment the viability of the area offering services permitted within the Deep Ellum/Near East Side PDD and boost the character of the area.
3. *Not a detriment to the public health, safety, or general welfare* – It is not foreseen that the proposed use would be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards.

**Zoning History:**

There have been three recent zoning changes in the area:

1. Z123-267(CG) On May 28, 2014, the City Council approved amendments to certain use regulations and development standards within PDD No. 269, the Deep Ellum/East Side District.
2. Z123-255(RB) On August 14, 2013, the City Council approved the renewal of Specific Use Permit No. 1913 for a Bar on property located on the South Line of Elm Street, East of Good Latimer Expressway.
3. Z145-207(CG) On June 10, 2015, the City Council approved a Specific Use Permit No. 2150 for an alcoholic beverage establishment limited to a bar, lounge, or tavern.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Elm Street	Collector	60 feet
North Good Latimer Expressway	Principal Arterial	Variable ROW

**Traffic:**

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

**COMPREHENSIVE PLAN:**

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

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

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

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 269	Vacant structure
<b>North</b>	PDD No. 269	Commercial amusement inside, restaurant, vacant, parking lot
<b>South</b>	PDD No. 269	Retail, restaurant
<b>East</b>	PDD No. 269	Vacant, retail, parking lot
<b>West</b>	PDD No. 269	Retail, restaurant, vacant

**STAFF ANALYSIS:**

Land Use Compatibility:

On May 28, 2014, the City Council approved an amendment to PDD No. 269 which requires a SUP for the requested use as well as prohibiting another similar uses within 300 feet. The proposed tattoo studio meets the distance requirement. There are no other tattoo studios within 300 feet of the subject site. The surrounding land uses include commercial amusement inside, restaurant, vacant and parking lot to the north; retail, parking lot and vacant structures to the east; retail and restaurant uses to the south; and retail, restaurant and vacant to the west.

*Pursuant to Plan Development District No. 269, tattoo studio means an establishment in which tattooing is performed. Tattooing means the practice of producing and indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.*

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

The request complies with the general provisions of PDD No. 269 for consideration of the SUP at this location.

**Parking:**

In PDD No. 269 establishes that no off-street parking spaces are required for the first 5,000 square feet of floor area in a retail-related use or professional, personal service, and custom crafts use that has a separate certificate of occupancy if the use is located in an original building. PD No. 269 defines original building as building constructed on or before June 27, 1984, the floor area of which has not since June 27, 1984, been increased by more than:

- A. 150 percent if the increase is 5,000 square feet or less; or
- B. 100 percent if the increase is more than 5,000 square feet.

The structure on the subject site meets the criteria.

**Landscaping:**

The proposed use will not trigger any Article X requirements, as no new construction is proposed.

Z145-298(OTH)

**List of Partners/Principals/Officers**

**42 Deep Ellum, LP, a Texas Limited Partnership**

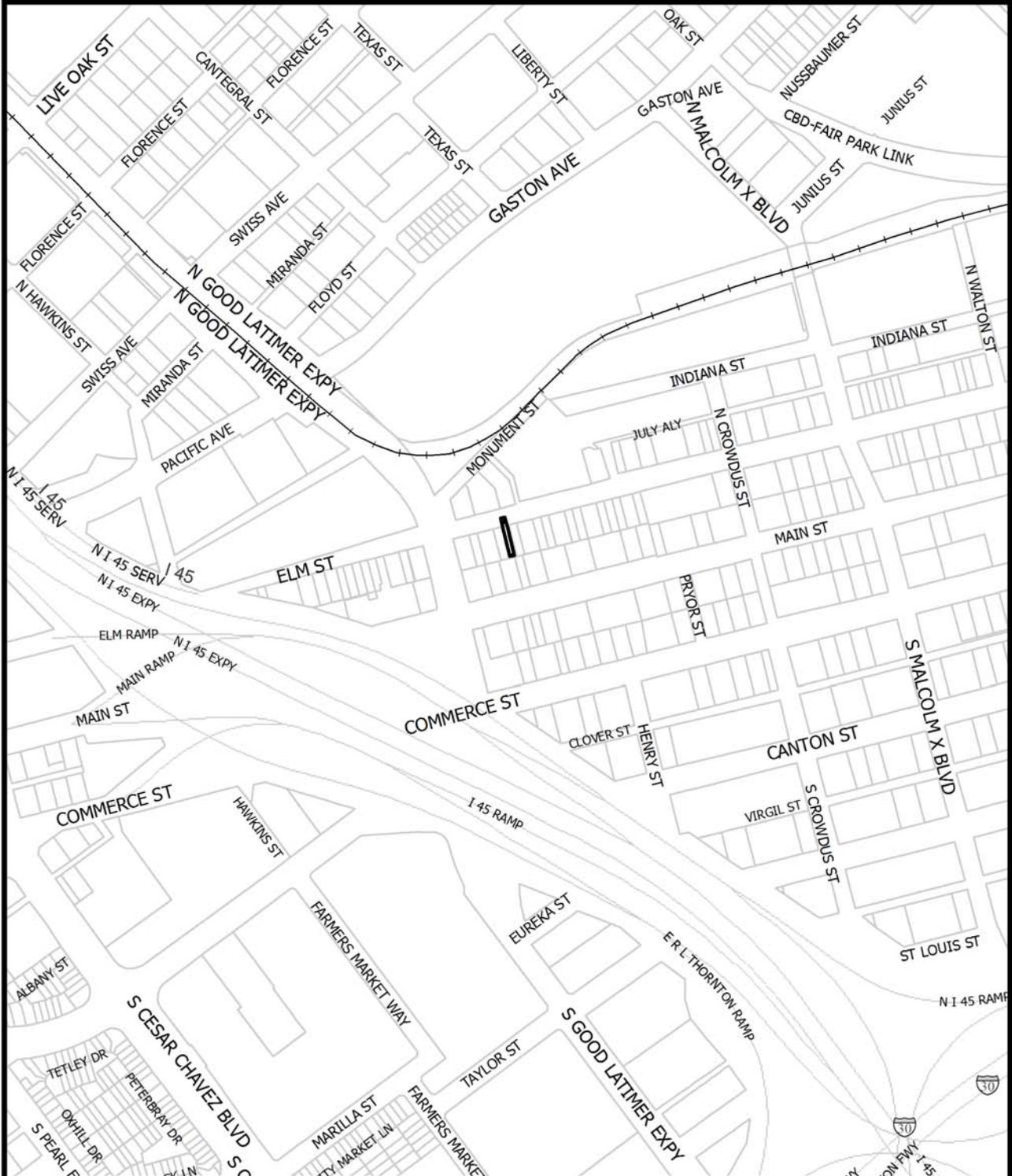
General Partner: 42 GP Ellum, LLC, a Texas Limited Liability Corporation

Managing member: Scott Rohrman

### Proposed SUP Conditions

1. USE: The only uses authorized by this SUP are a tattoo studio.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (three years) from the date the SUP is granted.
4. FLOOR AREA: The maximum floor area is 1,264 square feet in the location shown on the attached site plan.
5. PARKING: Parking must be provided in accordance with the requirements of Planned Development District No. 269, the Deep Ellum/Near East Side District.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. 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.

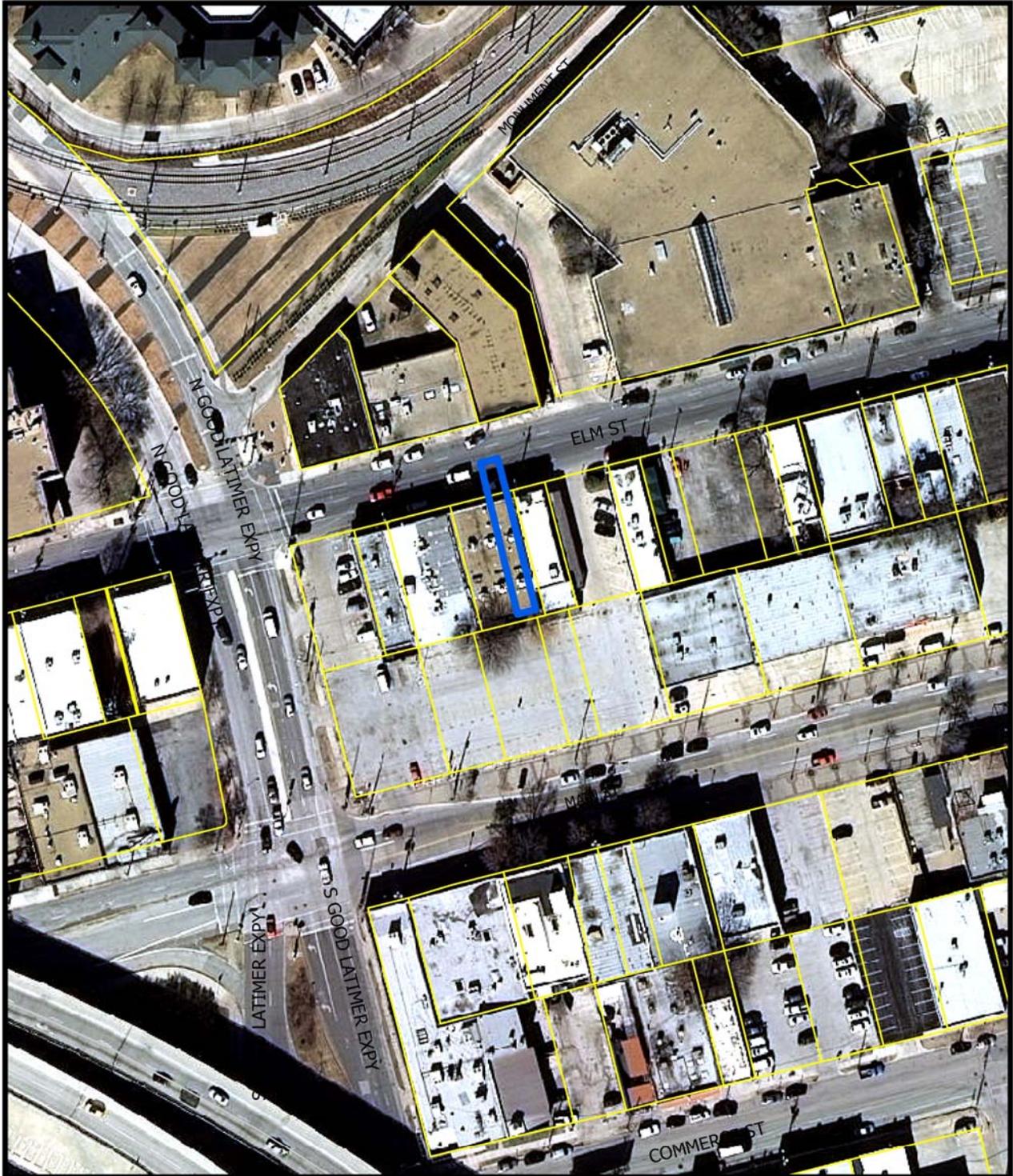




  
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# VICINITY MAP

Case no:           Z145-298            
Date:           8/6/2015

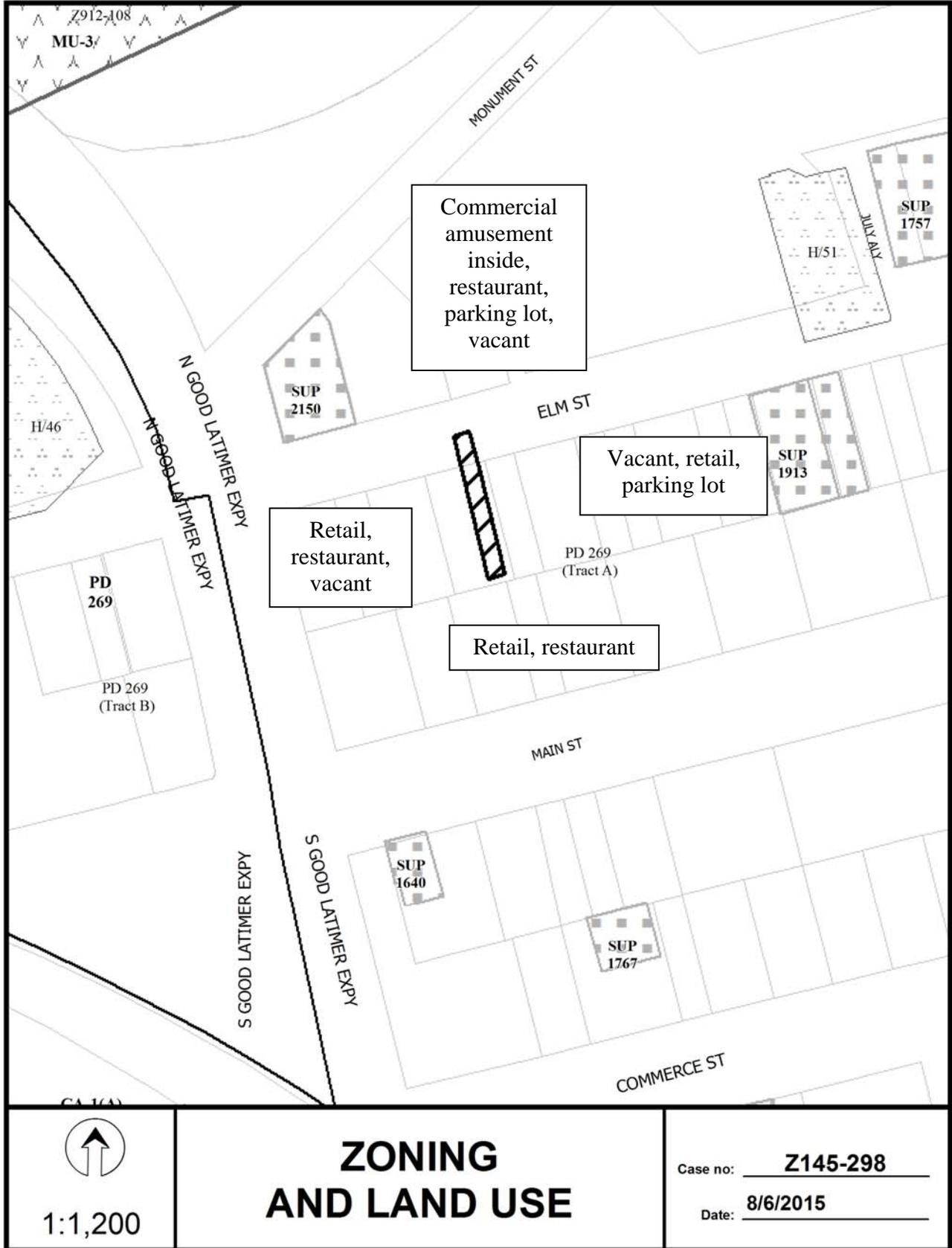


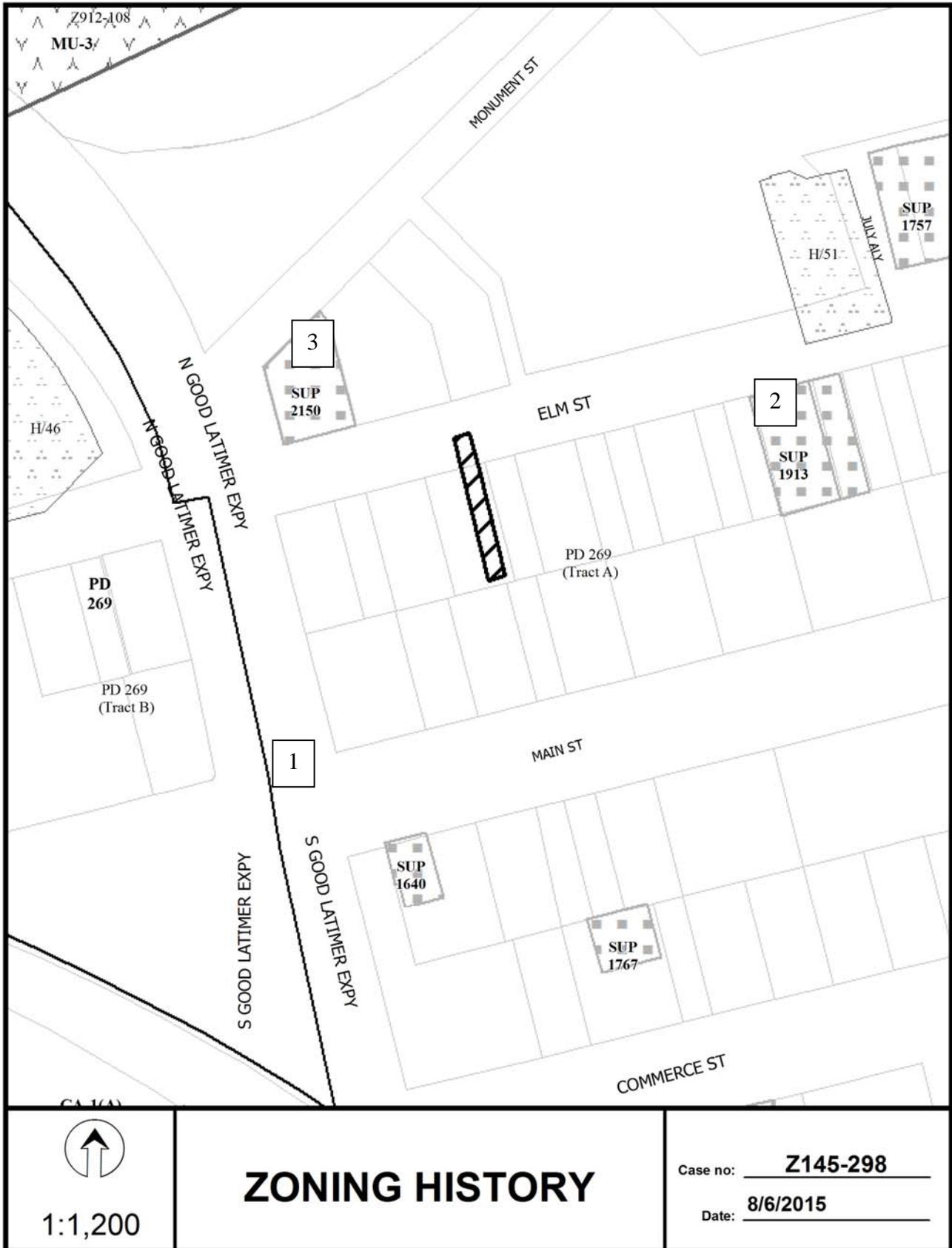
1:1,200

# AERIAL MAP

Case no: Z145-298

Date: 8/6/2015







08/06/2015

***Notification List of Property Owners******Z145-298******20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2635 MAIN ST	42 DEEP ELLUM LP
2	2626 ELM ST	ELM STREET LOFTS LTD
3	2625 MAIN ST	42 DEEP ELLUM LP
4	2634 ELM ST	ROSE BARSHOP RESIDUARY TR
5	2628 ELM ST	ROSE BARSHOP RESIDUARY TR
6	2604 ELM ST	SEJ ASSET MGMT & INVESTMENT CO
7	2610 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
8	2603 MAIN ST	PARKIN ART JOINT VENTURE
9	2616 MAIN ST	LEEDS HARLAN S
10	2605 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
11	2625 ELM ST	UPLIFT EDUCATION
12	2615 ELM ST	WESTDALE PPTIES AMERICA I LTD
13	2600 MONUMENT ST	DALLAS AREA RAPID TRANSIT
14	2624 ELM ST	ELM STREET LOFTS LTD
15	2608 ELM ST	SEJ ASSET MGMT & INVESTMENT CO
16	2618 ELM ST	WESTDALE PROPERTIES AMERICA I LTD
17	2612 MAIN ST	2612 MAIN LLC
18	2604 MAIN ST	42 DEEP ELLUM LP
19	2620 MAIN ST	BLANTON JEANNE
20	2609 ELM ST	42 DEEP ELLUM LP

**FILE NUMBER:** Z145-140(OTH)

**DATE FILED:** December 10, 2014

**LOCATION:** South of Goodwin Avenue, east of Greenville Avenue

**COUNCIL DISTRICT:** 14

**MAPSCO:** 36-P

**SIZE OF REQUEST:** Approx. 615 sq. ft.

**CENSUS TRACT:** 02.02

**APPLICANT:** Verizon Wireless

**REPRESENTATIVE:** Kathy Zibilich, Griffin Harris PLLC

**OWNER:** 2900 Greenville Trust

**REQUEST:** An application for a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower on property zoned a CR Community Retail District.

**SUMMARY:** The applicant proposes to build a 65-foot, 5-inch tall monopole cellular tower. The request site is approximately 615 square feet and is located within a parking lot of a multi-tenant retail development. The existing CR zoning allows a tower/antenna for cellular communication to be constructed up to a height of 65 feet by right; however, Chapter 51A requires that it meet residential proximity slope requirements. If the tower/antenna for cellular communication exceeds 65 feet in height, an SUP is required. Chapter 51A permits an exemption to residential proximity slope height restrictions for monopole cellular towers that exceed 65 feet in height via Specific Use Permit approval. Chapter 51A does not permit this exemption for monopole cellular towers 65 feet or less in height with or without Specific Use Permit approval.

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

**CPC PREVIOUS ACTION:** At the request of the applicant, this case was held under advisement on April 2, 2015 and August 20, 2015. There have been no changes to the request.

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The proposed use will not have a negative impact in the surrounding area. The proposed tower will be in close proximity to a retail area and will be shielded by local utility transmission and distribution lines as well as existing structures and existing large trees in the neighborhood.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed use will not deter or contribute to the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety, or general welfare of the surrounding community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed use complies with all applicable zoning regulations and standards. No variances or special exceptions are requested.

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

1. **Z123-114** On March 27, 2013, the City Council approved a new subarea within Conservation District No. 9 on property on the southwest corner of Greenville Avenue and Vanderbilt Avenue.
2. **BDA 101-039** On Tuesday, May 17, 2011, the Board of Adjustment granted a variance of 15 feet to the front yard setback, subject to conditions at 2815 Greenville Avenue.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Local	60 feet

**Surrounding Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
Site	CR	Parking lot
North	CR	Retail
East	CS & R-7.5(A)	Retail & Single Family
South	CS	Retail & office
West	CR	Retail

**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 classifies the area as Residential Neighborhood Building Block.

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

The *forwardDallas! Comprehensive Plan* does not directly address the tower/antenna for cellular communication limited to a monopole cellular tower use. Uses permitted by Special Use Permits should be compatible with the neighborhood. The proposed tower

will be shielded by the surrounding buildings and large trees in the area. There are several utility structures that will shield the proposed structure.

**Land Use Compatibility:**

The CR Community Retail District, where this property is located is surrounded by single family development which all are part of Conservation Districts No. 9 and 11 to the north, P(A) Parking District to the west and Conservation District No. 15. There are also office and retail uses to the west and south of the proposed site.

Because the height of the proposed tower requires an SUP based upon the height exceeding 65 feet, it is exempt from residential proximity slope (RPS) regulations per Chapter 51A. Monopole towers 65 feet or less are subject to RPS regulations. The proposed location will be approximately 60 feet away from the R-7.5(A) zoning.

The monopole cellular tower meets the following requirements:

1. The pole portion of a monopole cellular tower may not exceed 42 inches in diameter; microwave dishes or similar devices up to three feet in diameter may be mounted on the pole portion of a monopole cellular tower.
2. No more than two dishes or similar devices may be placed on a monopole cellular tower.
3. The platform portion of a monopole cellular tower may not have a horizontal cross sectional area greater than 196 square feet. The depth of the platform may not exceed 4 feet, excluding any whip antenna.

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

**Parking:**

The Building Inspection Division determined that the proposed equipment and structures are not 120 square feet or more, therefore it is not required to provide any parking.

Z145-140(OTH)

**Landscaping:**

Additional landscaping requirements are not triggered with this request.

**Proposed Conditions  
Z145-140(OTH)**

1. **USE:** The only use authorized by this specific use permit is a tower/antenna for cellular communication limited to a monopole cellular tower.
2. **SITE PLAN/TOWER ELEVATION:** Use and development of the Property must comply with the attached site plan/tower elevation.
3. **TIME LIMIT:** This specific use permit expires on \_\_\_\_\_, but is eligible for automatic renewal for additional \_\_\_\_-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.) *(For temporary renewable SUP.)*
4. **HEIGHT:** The monopole cellular tower authorized by this specific use permit may not exceed 65 feet and five inches in height.
5. **COLLOCATION:** Any tower/antenna support structure at this site authorized by this specific use permit that exceeds 65 feet in height must be constructed to support the antenna arrays for at least two other wireless communications carriers. The tower/antenna support structure must be made available to other wireless communication carriers upon reasonable terms.
6. **MAINTENANCE:** The entire Property must be properly maintained in a state of good repair and neat appearance.
7. **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 Partners**

Madison Pacific Development Company, Inc. list of principals and officers

Name: Susan B Reese

Position held: President

Name: Larry Vineyard

Position held: Vice President

<b>DALLAS MTA, L.P.</b>	
Texas Taxpayer Number	17526822550
Mailing Address	1 VERIZON PL ALPHARETTA, GA 30004-8510
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	08/16/1995
Texas SOS File Number	0008283611
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	1999 BRYAN ST., STE. 900 DALLAS, TX 75201

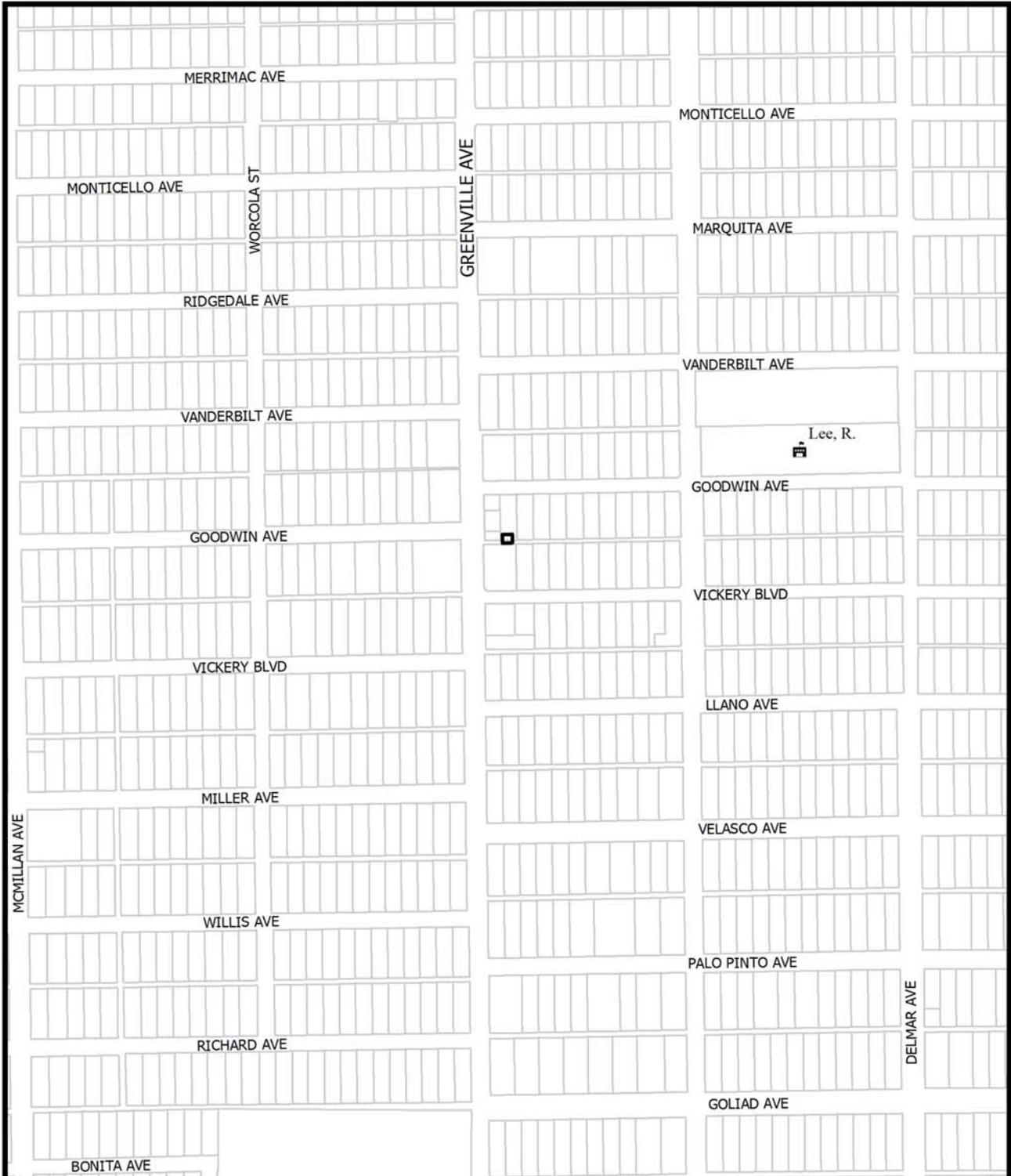
General Partner: Verizon Wireless Texas LLC

No individual Limited partners.

Dallas MTA LP is ultimately 100% owned by Verizon Wireless, a public company.

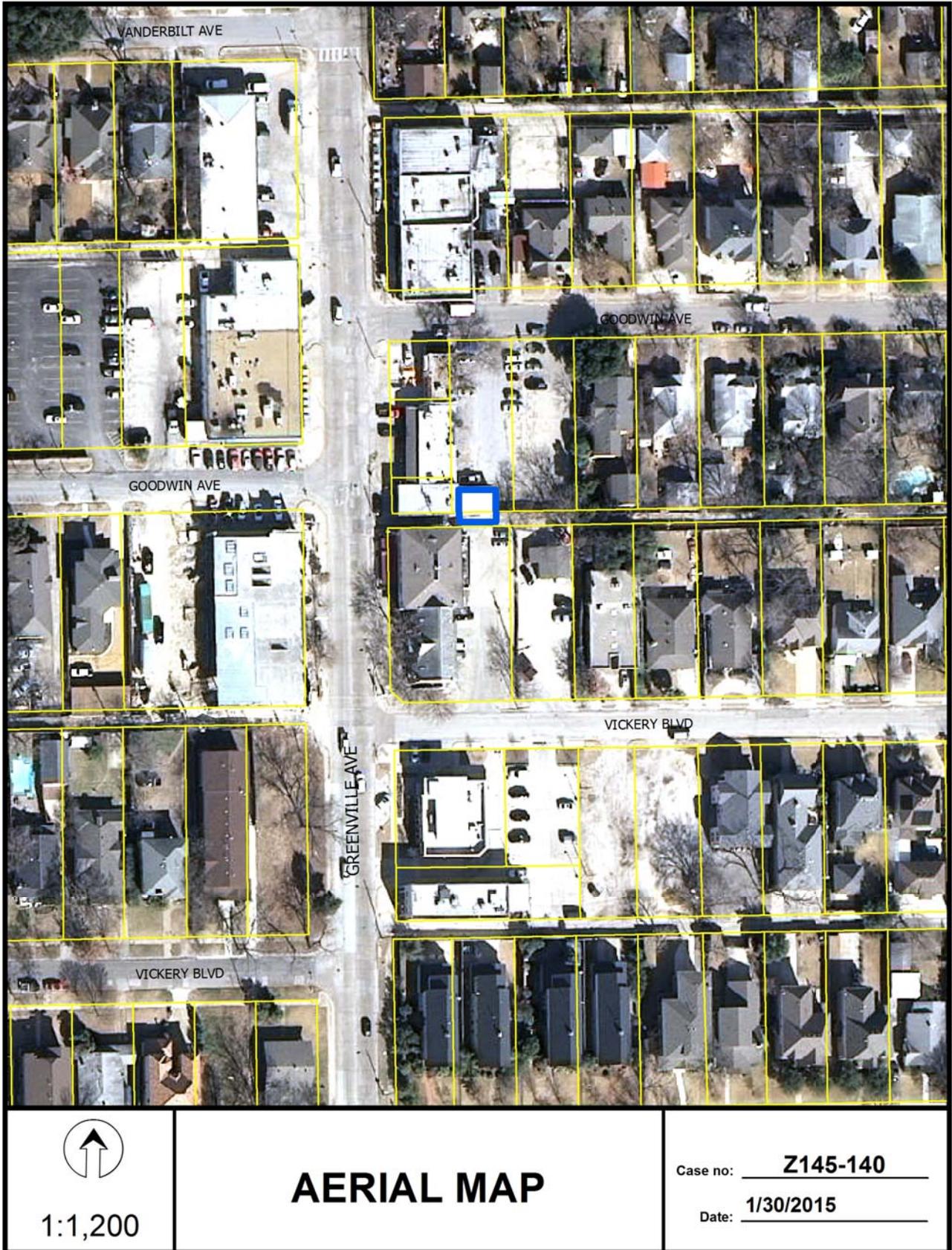
Z145-140(OTH)

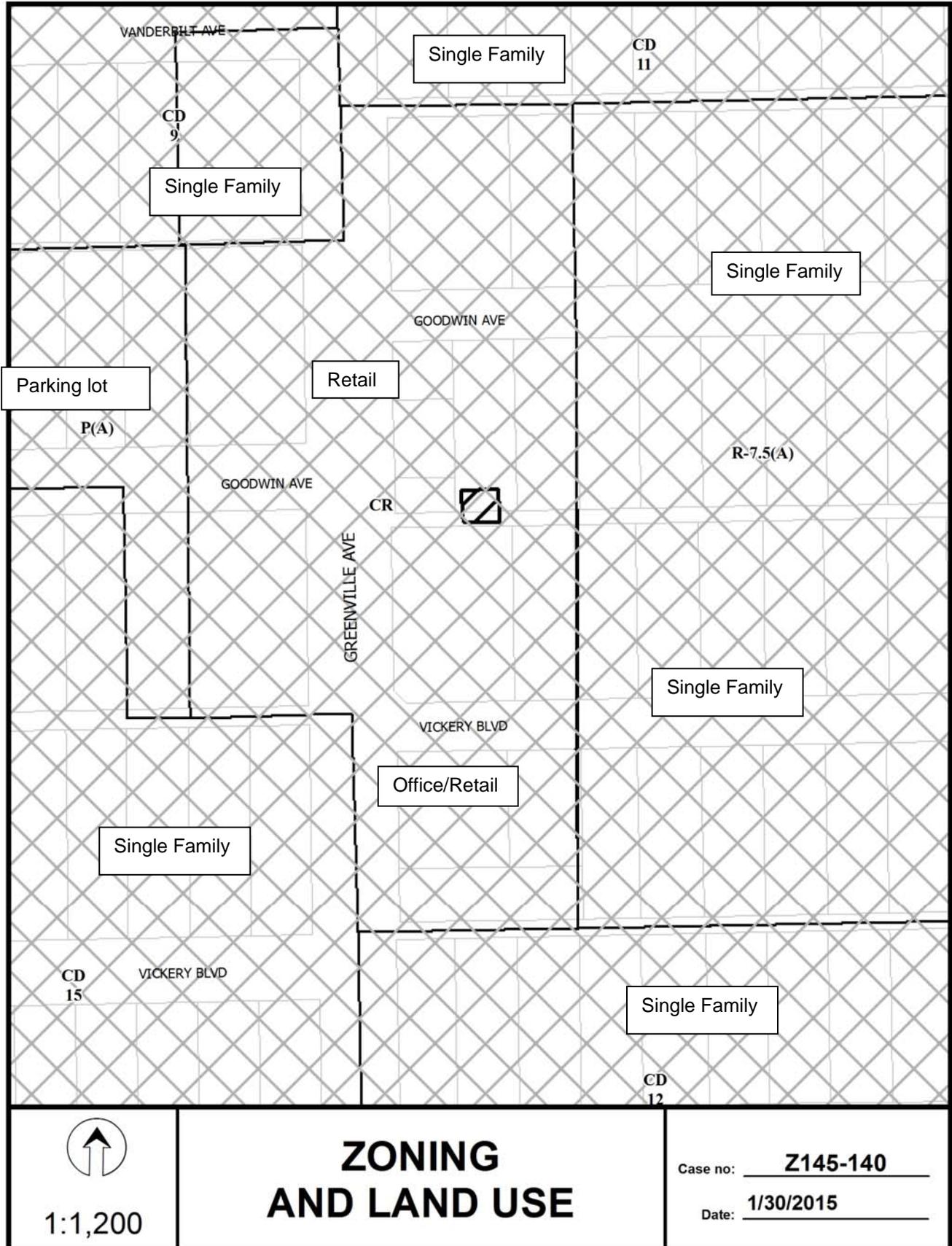
<b>VERIZON WIRELESS TEXAS, LLC</b>	
Texas Taxpayer Number	12237241729
Mailing Address	1 VERIZON PL C/O TAX DEPT ALPHARETTA, GA 30004-8510
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	11/03/2000
Texas SOS File Number	0707769823
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	350 N. ST. PAUL ST. STE. 2900 DALLAS, TX 75201

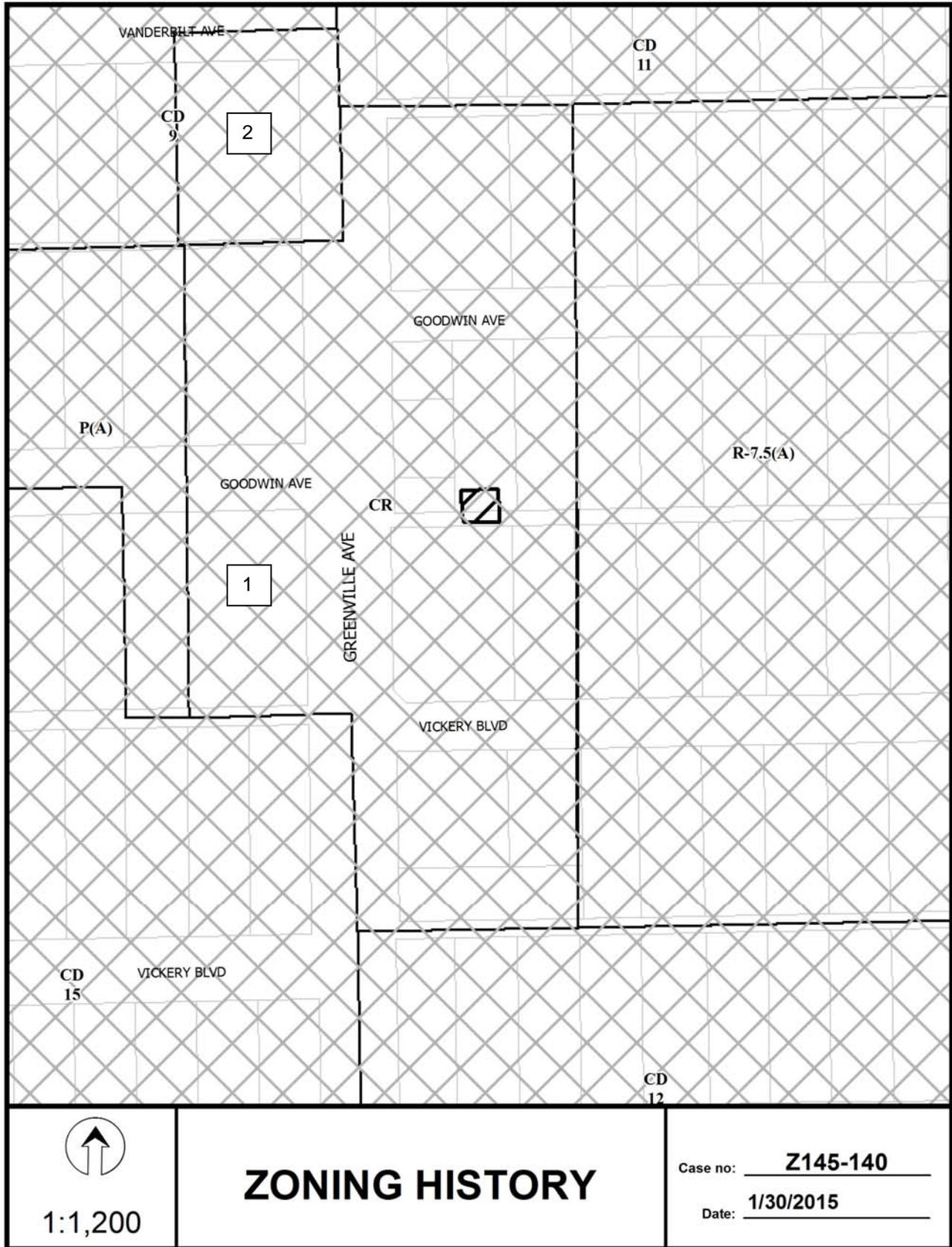


 1:4,800	<h1>VICINITY MAP</h1>	Case no: <u>    <b>Z145-140</b>    </u> Date: <u>    <b>1/30/2015</b>    </u>
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Z145-140(OTH)





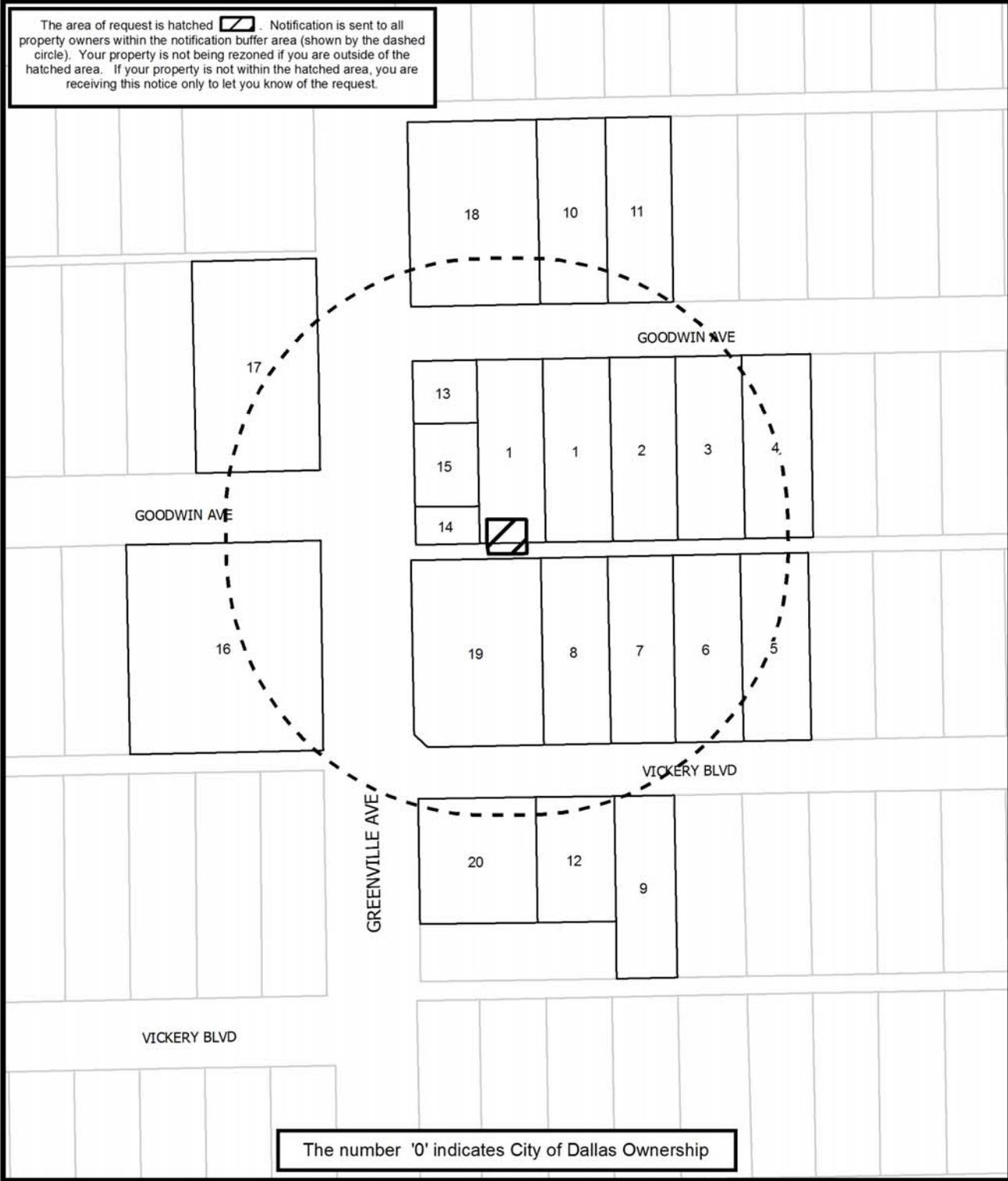


1:1,200

# ZONING HISTORY

Case no: Z145-140

Date: 1/30/2015



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>20</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>20</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>          <b>Z145-140</b>          </u> Date: <u>          <b>1/30/2015</b>          </u>
<b>200'</b>	AREA OF NOTIFICATION					
<b>20</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

01/30/2015

***Notification List of Property Owners******Z145-140******20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5706 GOODWIN AVE	2900 GREENVILLE TRUST
2	5714 GOODWIN AVE	PHILLIPS JAMES T
3	5718 GOODWIN AVE	COHN ERIC
4	5722 GOODWIN AVE	COHN ERIC
5	5723 VICKERY BLVD	LAMPLIGHT PROPERTIES
6	5717 VICKERY BLVD	AGUIRRE JUANA T
7	5713 VICKERY BLVD	REEDER VIRGINIA
8	5711 VICKERY BLVD	GRAPE BUILDING J V
9	5714 VICKERY BLVD	WILLIAMS HARDMON III &
10	5711 GOODWIN AVE	CASS DON TRUSTEE
11	5715 GOODWIN AVE	RESENDIZ CONSTANTINO I &
12	5710 VICKERY BLVD	K&B COMMERCIAL TEXAS ETAL
13	2820 GREENVILLE AVE	RUBIN MARTIN J
14	2810 GREENVILLE AVE	GRAPE BLDG JT VTR
15	2818 GREENVILLE AVE	RUBIN MARTIN J
16	2815 GREENVILLE AVE	GREENVILLE LANDMARK VENT
17	2901 GREENVILLE AVE	REISBERG FRED INV LTD
18	2900 GREENVILLE AVE	MADISON PACIFIC
19	2808 GREENVILLE AVE	GRAPE BUILDING JV
20	2724 GREENVILLE AVE	CIGS II 5 LLC

**FILE NUMBER:** Z145-206(WE) **DATE FILED:** March 16, 2015

**LOCATION:** North side of Banner Drive, between Park Central Drive and Merit Drive

**COUNCIL DISTRICT:** 11 **MAPSCO:** 16 S

**SIZE OF REQUEST:** Approx. 1.101 acres **CENSUS TRACT:** 132.00

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**APPLICANT / OWNER:** Banner Development, LLC

**REPRESENTATIVE:** Robert Baldwin, Baldwin Associates

**REQUEST:** An application for a Specific Use Permit for a mini-warehouse use on property zoned an MU-3 Mixed Use District.

**SUMMARY:** The purpose of this request is to allow for the construction of a 5-story, 110,000 square foot mini-warehouse facility.

**STAFF RECOMMENDATION:** Approval for a ten-year period, subject to a site plan, landscape plan and staff's recommended conditions

**PRIOR CPC ACTION:** On June 18, 2015 and July 23, 2015, the City Plan Commission held this case under advisement to allow the applicant to submit a landscape plan and incorporate additional provisions in the SUP conditions. The additional provisions in the conditions reflect that the individual storage units must be accessed internally and that 80 percent of the northern and western exterior building façade must be of seminar building materials with the surrounding properties [brick]. The remaining 20 percent of the exterior building facade on the southern and eastern facade can be of a different type of materials [cement fiber board paneling, stone, or decorative concrete blocks or tile].

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The existing building is compatible in scale and character with the surrounding uses as an interim use. However, it may not be the best long-term use as the surrounding area redevelops and this area becomes attractive to more active, higher and better uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed mini-warehouse is not anticipated to have a negative impact on the adjacent multifamily and office uses. The proposed use could provide services to the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – This use will not be a detriment to the public health, safety or general welfare of the community.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The request will comply with all zoning regulations and standards. No variances or special exceptions are requested.

**Zoning History:** There have not been any zoning cases in the area over the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Banner Drive	Collector	100 ft.	80 ft.

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

The request site is identified as being within an Urban Mixed-Use Building Block on the *forwardDallas! Vision Illustration*, adopted June 2006. This Building Block incorporates a vibrant mix of residential and employment uses at a lower density than the Downtown

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

The proposed development does not comply with the characteristics of an urban mixed use building block. The proposed use does not provide for a mix of residential and employment uses or allow for certain design elements that could be associated with an urban mixed use community (i.e., wider sidewalks, public art, storefront at ground level). However, the proposed use will provide a service for the existing residential development in the area. Staff considers this type of use as a transitional use and recommends no automatic renewals.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	MU-3	Undeveloped
<b>North</b>	PDD No. 615	Parking Structure
<b>South</b>	MU-3	Multifamily
<b>East</b>	MU-3	Parking Structure
<b>West</b>	PDD No. 615	Office, surface parking

**Land Use Compatibility:** The 5.16 acre site is an irregular shape that is adjacent to several office buildings and parking structures. The adjacent land uses in the surrounding area consist of multifamily, office, and restaurant uses, with several surface parking lots scattered in the vicinity.

The surrounding land uses consist of a mixed is uses; multifamily, hotel, parking structure and restaurant. The applicant’s request is to develop a 5-story, 110,000 square foot mini-warehouse use that will share an existing driveway approach that is adjacent to a 3-story parking structure. The only access to the proposed development is from Banner Drive.

In order mitigate potential concerns regarding compatibility with surrounding uses, the Specific Use Permit conditions require the exterior facades to be constructed with a minimum of 80 percent brick-patterned, cement fiber board paneling, stone, or decorative concrete blocks or tile, excluding fenestration. In addition, the development will operate between the hours of 9:00 a.m. and 7:00 p.m., Monday through Sunday.

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					
MU-3 Mixed use-3	15'	20' adjacent to residential OTHER: No Min.	3.2 FAR base 4.0 FAR maximum + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential, trade center

**Landscaping:** Landscaping of any development will be in accordance with the attached landscape plan. The applicant submitted a landscape plan that shows the plant materials and additional screening along the parking area. The landscape plan exceeds Article X, standards. The additional screening along the parking area will also screen the loading area from the vehicular traffic traveling south on Banner Drive.

**Parking:** The off-street parking requirement for a mini-warehouse use is a minimum of six spaces. Spaces may not be used for outside storage, vehicle storage, or parking for vehicles for rent.

**LIST OF OFFICERS**  
Banner Development, LLC

Owner:

Banner Brothers, Ltd.

General partner

BBros General, Inc

Keith E. Koop, President

Barry R. Waranch

Limited Partners

Keith E. Koop

Barry R. Waranch

Opal Interests, L.P.

Becky Enterprises, LLC

James Thweatt, President

Kovest Realty Profit Sharing Plan

Keith E. Koop

Waranch Company Profit Sharing Plan

Barry R. Waranch

Applicant:

Banner Development, LLC

William T. Henry, President

James Merkey, Vice President

Kent McCreedy, Vice President

Banner Apartments Holdings, LLC

Banner Apartments, LLC

Milton Pinsky, President

Martin Pinsky, Vice President

David Gottlieb, Vice President

Kent McCreedy, Vice President

**PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is a mini-warehouse.
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\_\_\_\_\_, (ten-year period from the passage of this ordinance

*Applicant's Proposal*

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

4. FLOOR AREA: Total maximum floor area is 110,000 square feet.
5. HOURS OF OPERATION: The mini-warehouse may only operate between 9:00 a.m. and 7:00 p.m., Monday through Sunday.
6. ACCESS: Individual storage units must be accessed internally to the building
7. OUTSIDE STORAGE: Outside storage of vehicles, parking for vehicles for rent, boats, and /or equipment is prohibited.

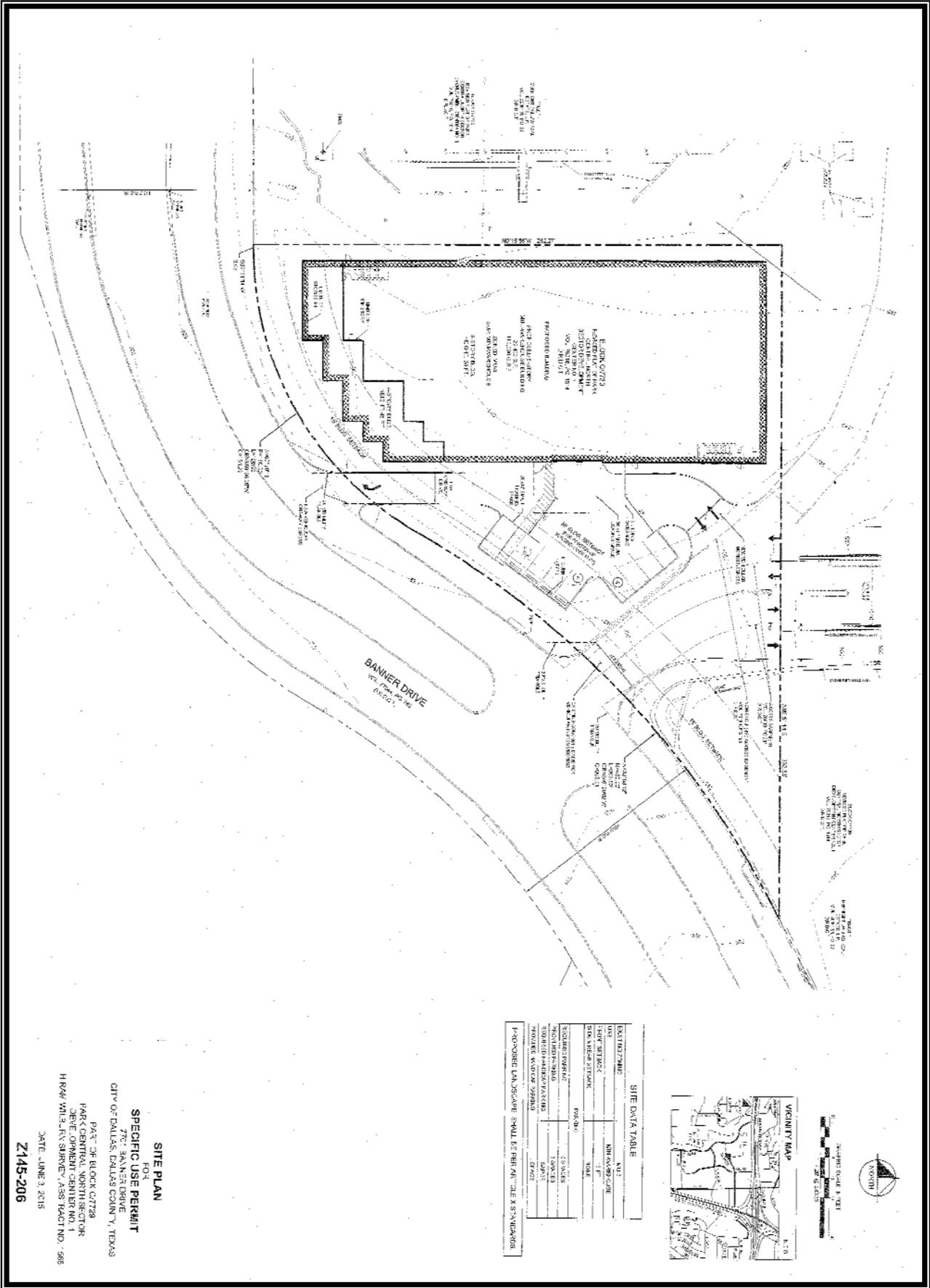
*Staff's Recommendation*

8. MATERIALS: To ensure compatibility with the surrounding neighborhood, the exterior facades must be a minimum 80 percent brick patterned cement fiber board paneling, stone, or decorative concrete blocks or tile, excluding fenestration.

Applicant's Proposal

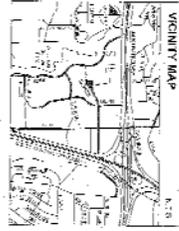
8. MATERIALS: To ensure compatibility with the surrounding neighborhood, the exterior facades must be a minimum 80 percent brick patterned cement fiber board paneling, stone, or decorative concrete blocks or tile, excluding fenestration on the southern and eastern facades and a minimum of 20 percent of the northern and western facades.
9. LANDSCAPING: Landscaping must comply with the attached landscape plan.
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**PROPOSED SITE PLAN**



**SITE DATA TABLE**

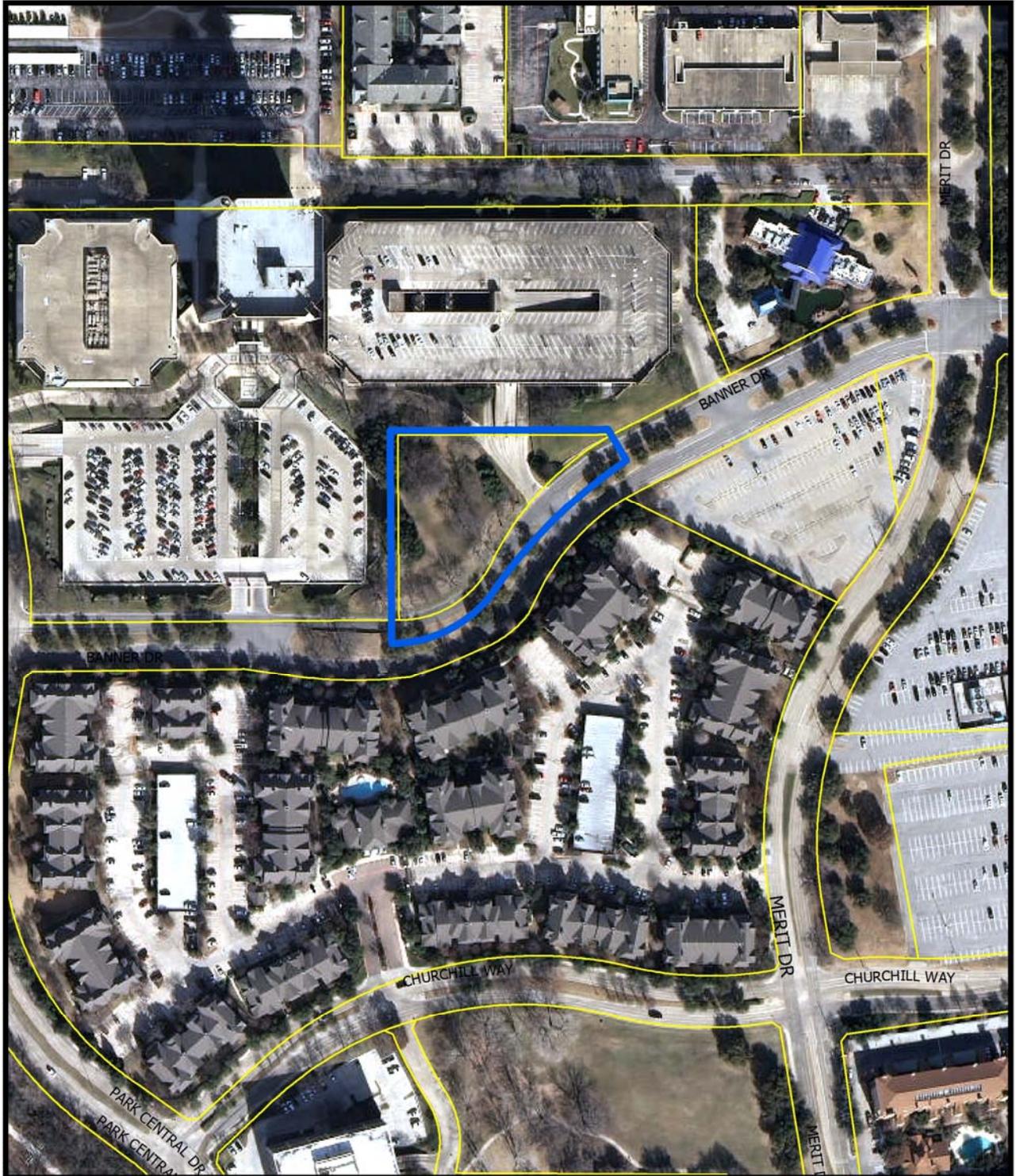
EXISTING ZONE	M-1
USE	MULTI-FAMILY RESIDENTIAL
STORY HEIGHT	4
PROPOSED ZONE	M-1
PROPOSED USE	MULTI-FAMILY RESIDENTIAL
PROPOSED STORY HEIGHT	4
PROPOSED LOT AREA	10,000
PROPOSED GROUND COVER	10%
PROPOSED PARKING SPACES	10
PROPOSED LANDSCAPE SMALL EST. PER AN. TREE SPACING	10



**SITE PLAN**  
 FOR  
**SPECIFIC USE PERMIT**  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS  
 PART OF BLOCK 6772A  
 PARK CENTRAL NORTH SECTOR  
 DRIVE OPINENT CENTER NO. 1  
 H 1044 WILBUR DRIVE, ASS PACT NO. 988  
 DATE: JUNE 3, 2015  
**Z145-206**





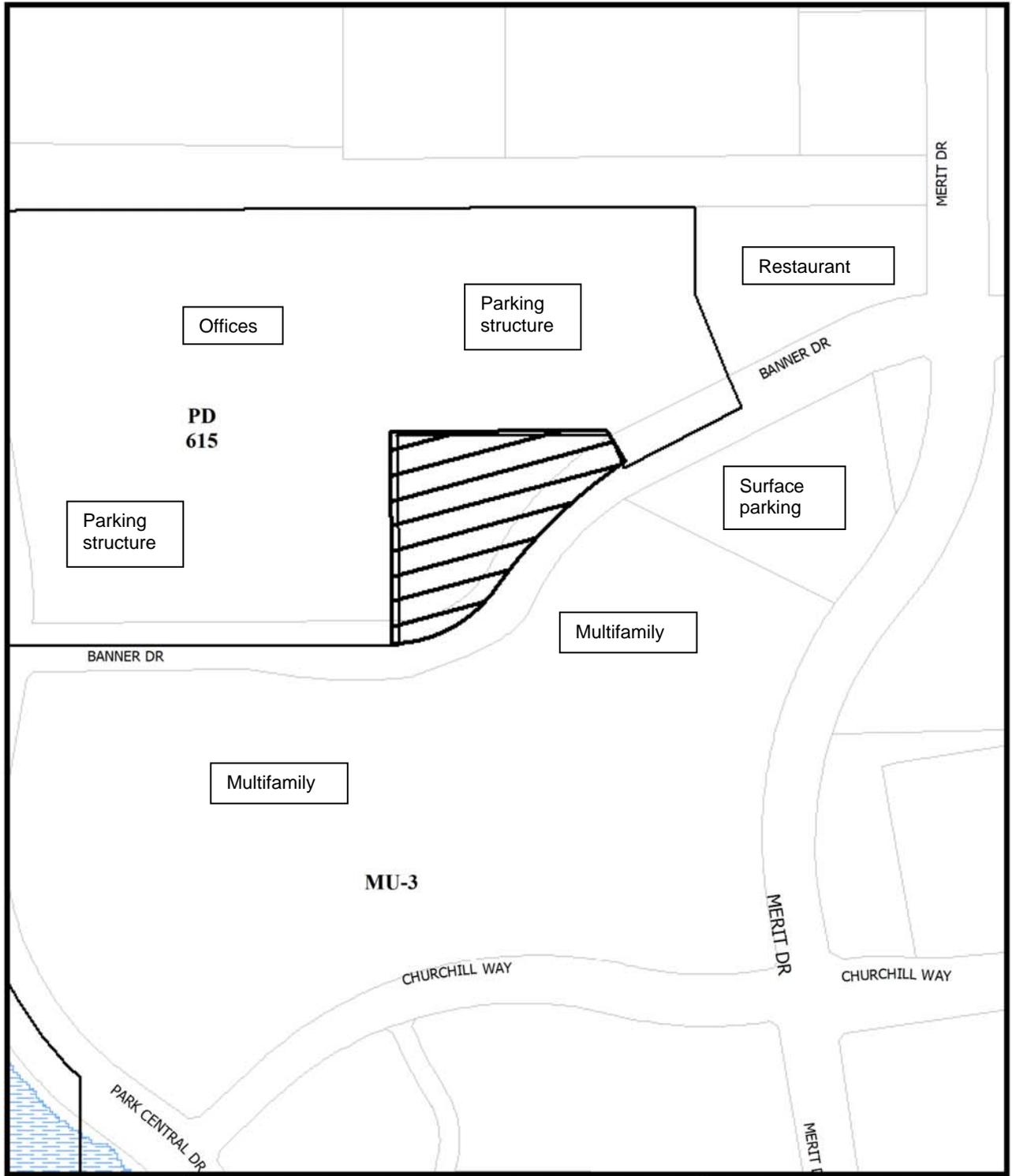


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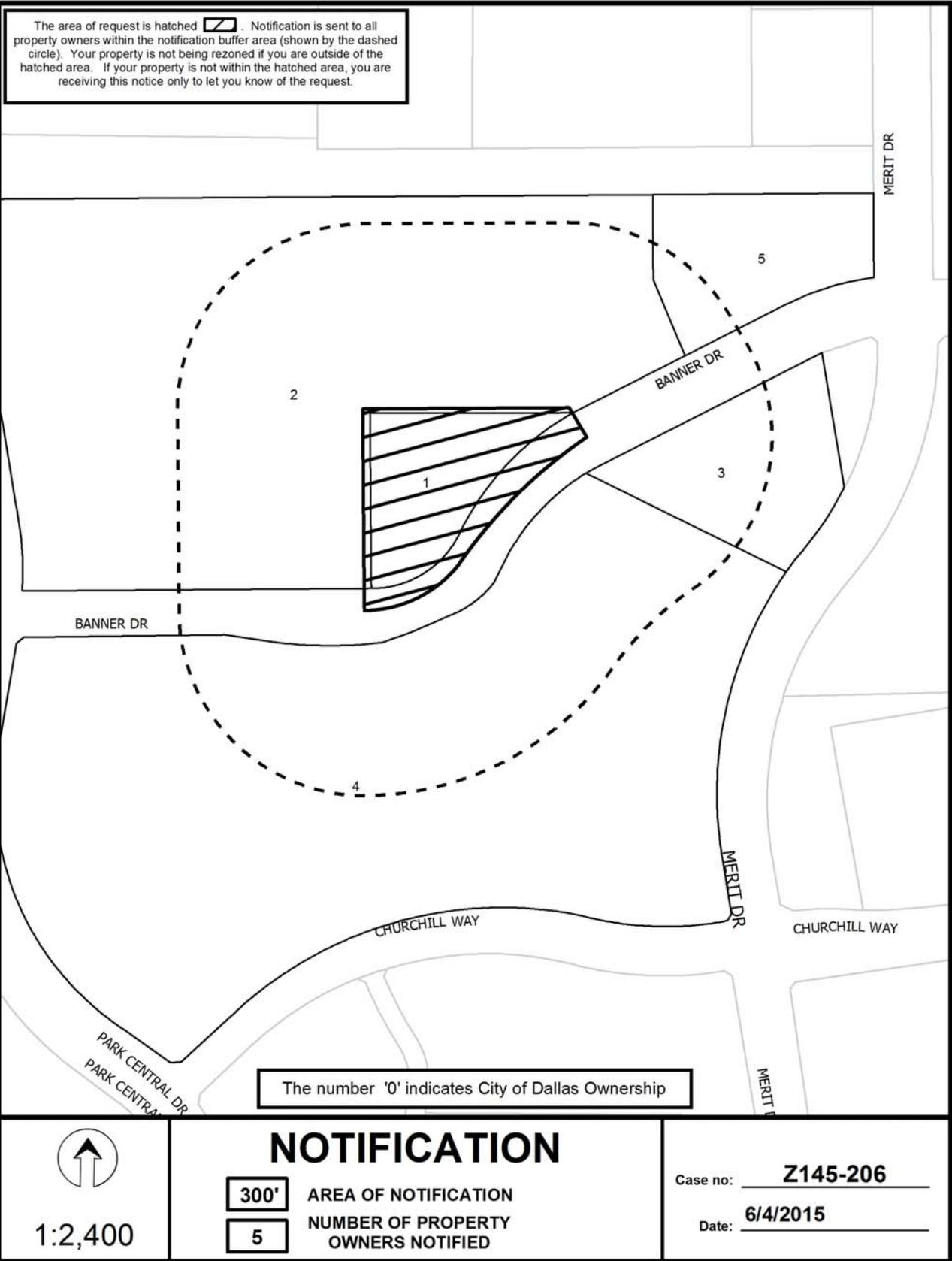
# AERIAL MAP

Case no: Z145-206

Date: 6/4/2015



 1:2,400	<b>ZONING AND LAND USE</b>	Case no: <u>    Z145-206    </u> Date: <u>    6/4/2015    </u>
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## ***Notification List of Property Owners***

***Z145-206***

***5 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7701 BANNER DR	BANNER BROTHERS LTD
2	12700 PARK CENTRAL DR	MCKNIGHT DALLAS REAL EST
3	7600 BANNER DR	COLE BN DALLAS TX LLC
4	7601 CHURCHILL WAY	CHURCHILL ON THE PARK
5	7775 BANNER DR	COLE BN DALLAS TX LLC

**Planner: Warren F. Ellis**

**FILE NUMBER:** Z145-227(WE)                      **DATE FILED:** March 30, 2015  
**LOCATION:** North line of Simpson Stuart Road, west of Tracy Road  
**COUNCIL DISTRICT:** 8                              **MAPSCO:** 66S  
**SIZE OF REQUEST:** Approx. 12,572 sq. ft.      **CENSUS TRACT:** 114.01

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**APPLICANT / OWNER:** Marrison Jones

**REPRESENTATIVE:** Peter Kavanagh, Zone Systems

**REQUEST:** An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District.

**SUMMARY:** The purpose of this request is to allow for the construction and operation of a nursery, garden shop or plant sales on site. Currently, the applicant is operating an illegal contractor's maintenance yard at this location. The applicant has volunteered deed restrictions to restrict the uses to a nursery, gardens shop or plant sales use.

**STAFF RECOMMENDATION:** Denial

**PRIOR CPC ACTION:** On July 23, 2015 and August 6, 2015, the City Plan Commission held this case under advisement to obtain information from the Trinity Watershed Management Department as it relates to the property being in the flood plain and to allow the applicant an opportunity to prepare deed restrictions. Staff has received a response from the Trinity Watershed Department indicating that the request site is no longer within the floodplain. The applicant has submitted deed restrictions.

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends denial based upon:

1. *Performance impacts upon surrounding property* – The proposed CR Community Retail District could have a negative performance impact on the surrounding single family 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. However the location of the zoning district in mid-block of a residential district could negatively impact the existing single family uses. Mitigating the potential odor, or smell of the plant materials and the visual impact the various plant materials on site could impact any future single family development in the area.
2. *Traffic impact* – Given that the proposed zoning district is mid-block of a residential district, commercial traffic could negatively impact the local residential streets.
3. *Comprehensive Plan or Area Plan Conformance* – The proposed request is not in compliance with the forwardDallas! Comprehensive Plan. The request site is located within a Residential Building Block.

**Zoning History:** There have not been recent zoning cases in the area over the past 5 years.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-5(A)	Undeveloped
<b>North</b>	R-5(A)	Single Family
<b>South</b>	R-7.5(A)	Undeveloped
<b>East</b>	R-5(A)	Single Family
<b>West</b>	R-5(A)	Undeveloped

**COMPREHENSIVE PLAN:** The *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur. The Plan identifies the request site being within a Residential Neighborhood Building Block.

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

The proposed development does not comply with the characteristics of a residential neighborhood building block. Staff believes that retaining the residential character of the area is more appropriate. Developing the site for retail uses beginning at the mid-block could negatively impact this residential area.

**LAND USE:**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**Land Use Compatibility:** The 12,572 square foot site fronts on a principal arterial [Simpson Stuart Road] and is adjacent to several undeveloped tracts of land and single family uses. The proposed CR Community Retail District will have a negative impact on the surrounding residential uses as a result of the proposed development being located within mid-block of a residential district and the type of uses that are permitted in the CR District. The compatibility of the CR District uses at this location is inappropriate.

The nearest retail district is a CR Community Retail District and is approximately 375.44 west of the site.

The Development Code requires the applicant to provide a minimum 20-foot setback from a residential district as well as screen the outside sales and display areas. The zoning district and proposed land use requested by the applicant is inappropriate because of the location and potential uses that are permitted in the CR District. The Trinity Watershed Department has informed staff that request site has been removed from the floodplain.

Staff recommendation is for denial of a CR District.

**Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-5(A) - existing Single Family	20'	5'	1 Dwelling Unit/ 5,000 sq. ft.	30'	45%		Single family
CR - proposed Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

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

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Simpson Stuart Road	Principal Arterial	107 ft.	107 ft.

Z145-227(WE)

**Parking:** The off-street parking requirement for a nursery, garden shop or plant sale use is one space per 500 square feet of floor area, plus one space per 2,000 square feet of outside sales and display area.



Property, without the concurrence of the owners of the remaining portion of the Property. These restrictions may be amended or terminated only after a public hearing before the City Plan Commission and a public hearing before and approval by the City Council of the City. Notice of the public hearings must be given as would be required by law for a zoning change on the Property. The amending or terminating instrument must be approved as to form by the city attorney. If the City Council approves an amendment or termination of these restrictions, the Owner must then file the amending or terminating instrument in the Deed Records of the county or counties where the Property is located at his or her sole cost and expense before the amendment or termination becomes effective.

**V.**

These restrictions are not intended to restrict the right of the City Council of the City to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

**VI.**

The Owner agrees that these restrictions inure to the benefit of the City. The Owner hereby grants the City the right to enforce these restrictions by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against the person violating or attempting to violate these restrictions, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce these restrictions, the Owner agrees that the City shall be entitled to recover damages, reasonable attorney's fees, and court costs. For further remedy, the Owner agrees that the City may withhold any certificate of occupancy or final inspection necessary for the lawful use of the Property until these restrictions are complied with. The right of the City to enforce these restrictions shall not be waived, expressly or otherwise.

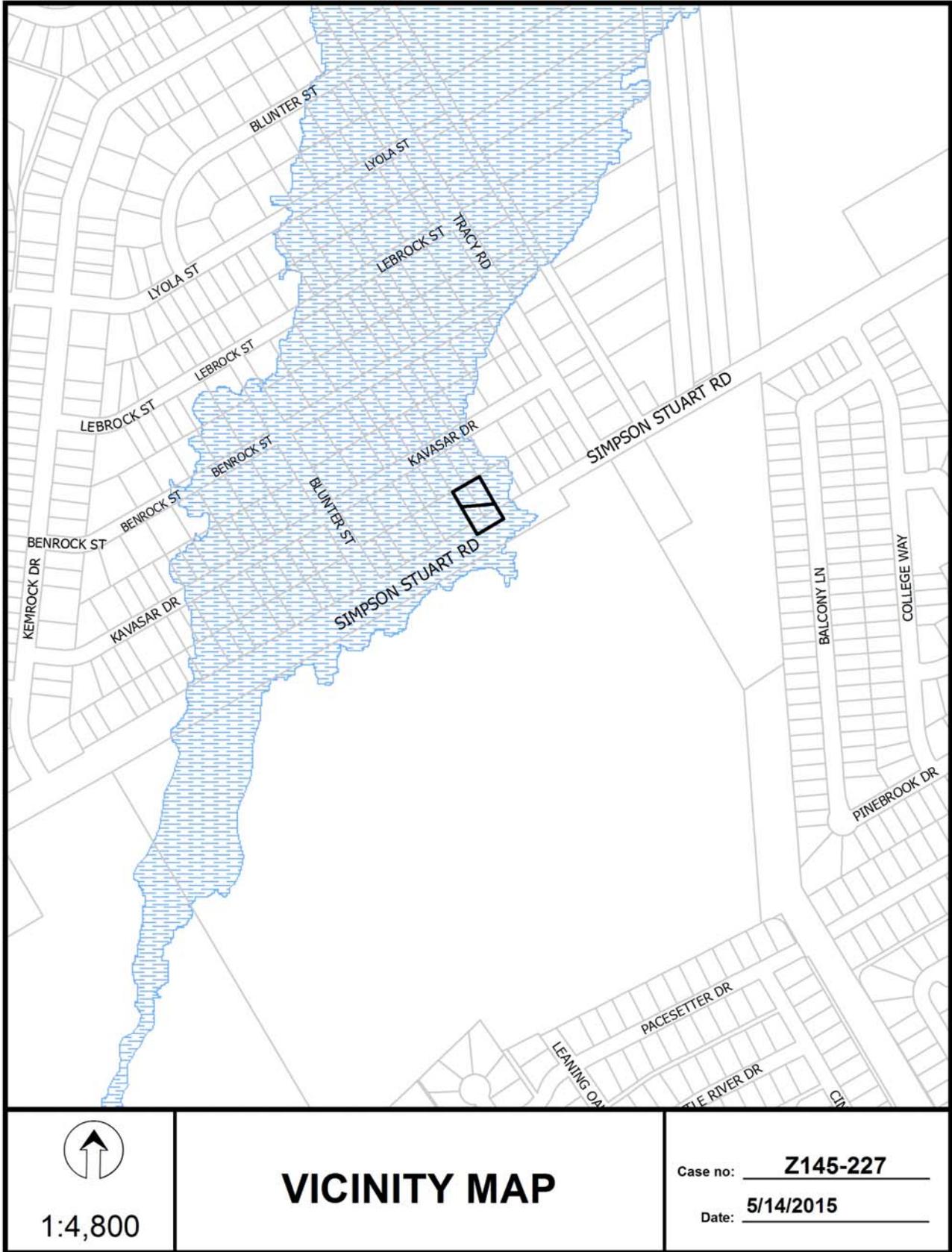
**VII.**

The Owner agrees to defend, indemnify, and hold harmless the City from and against all claims or liabilities arising out of or in connection with the provisions of this document.

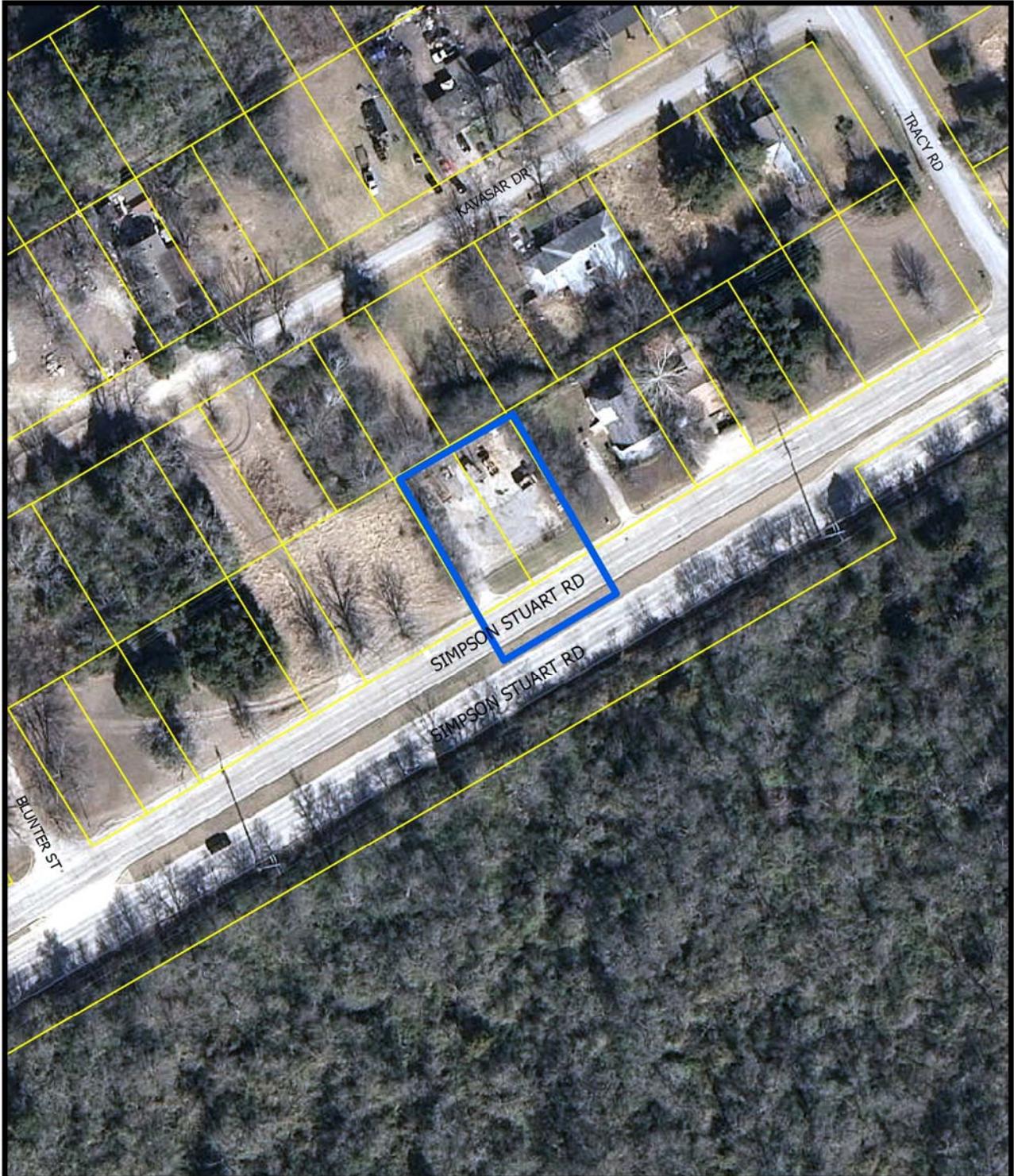
**VIII.**

The provisions of this document are hereby declared covenants running with the land and are fully binding on all successors, heirs, and assigns of the Owner who acquire any right, title, or interest in or to the Property, or any part thereof. Any person who acquires any right, title, or interest in or to the Property, or any part thereof, thereby agrees and covenants to abide by and fully perform the provisions of this document.

Z145-227(WE)



Z145-227(WE)

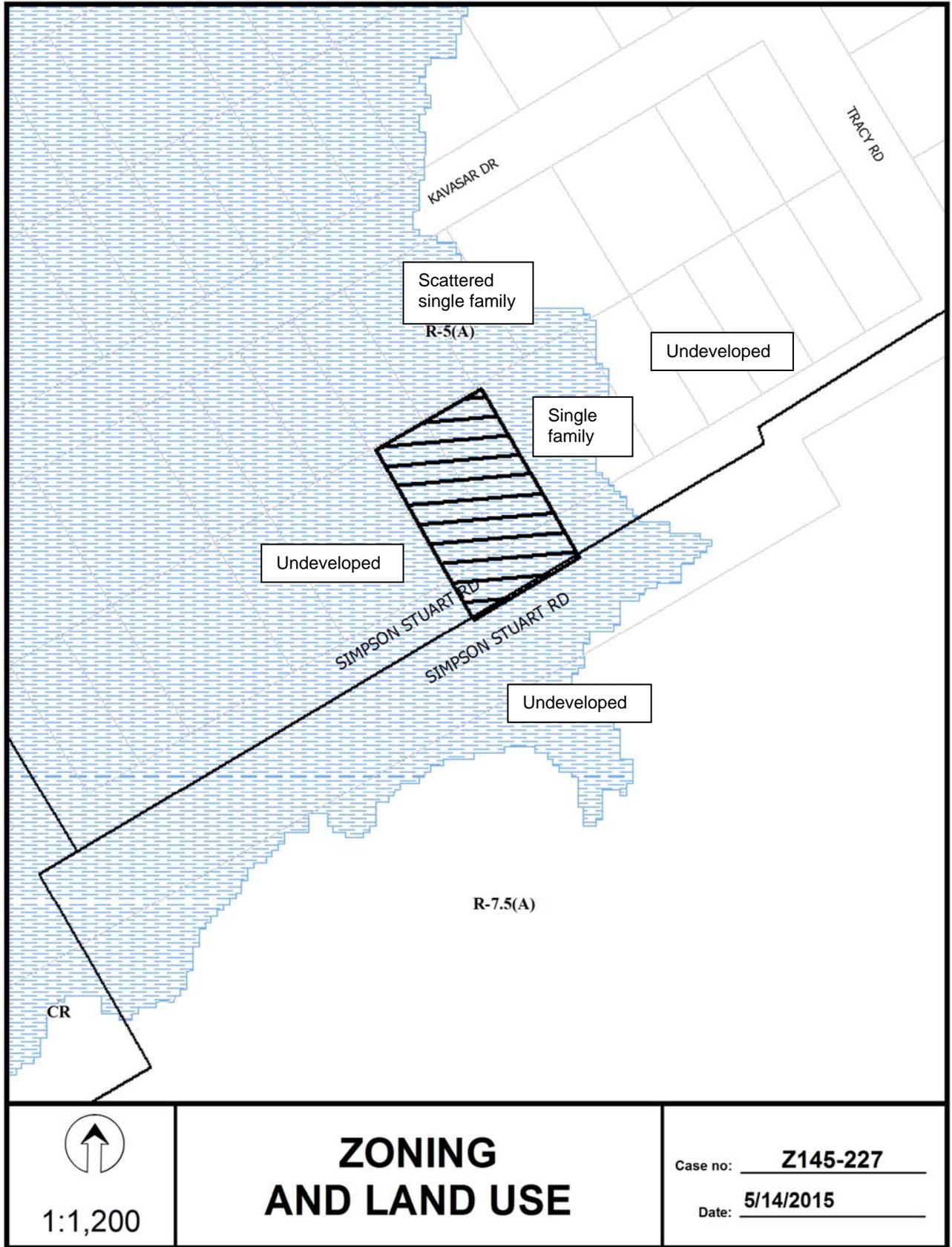


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## AERIAL MAP

Case no: Z145-227

Date: 5/14/2015

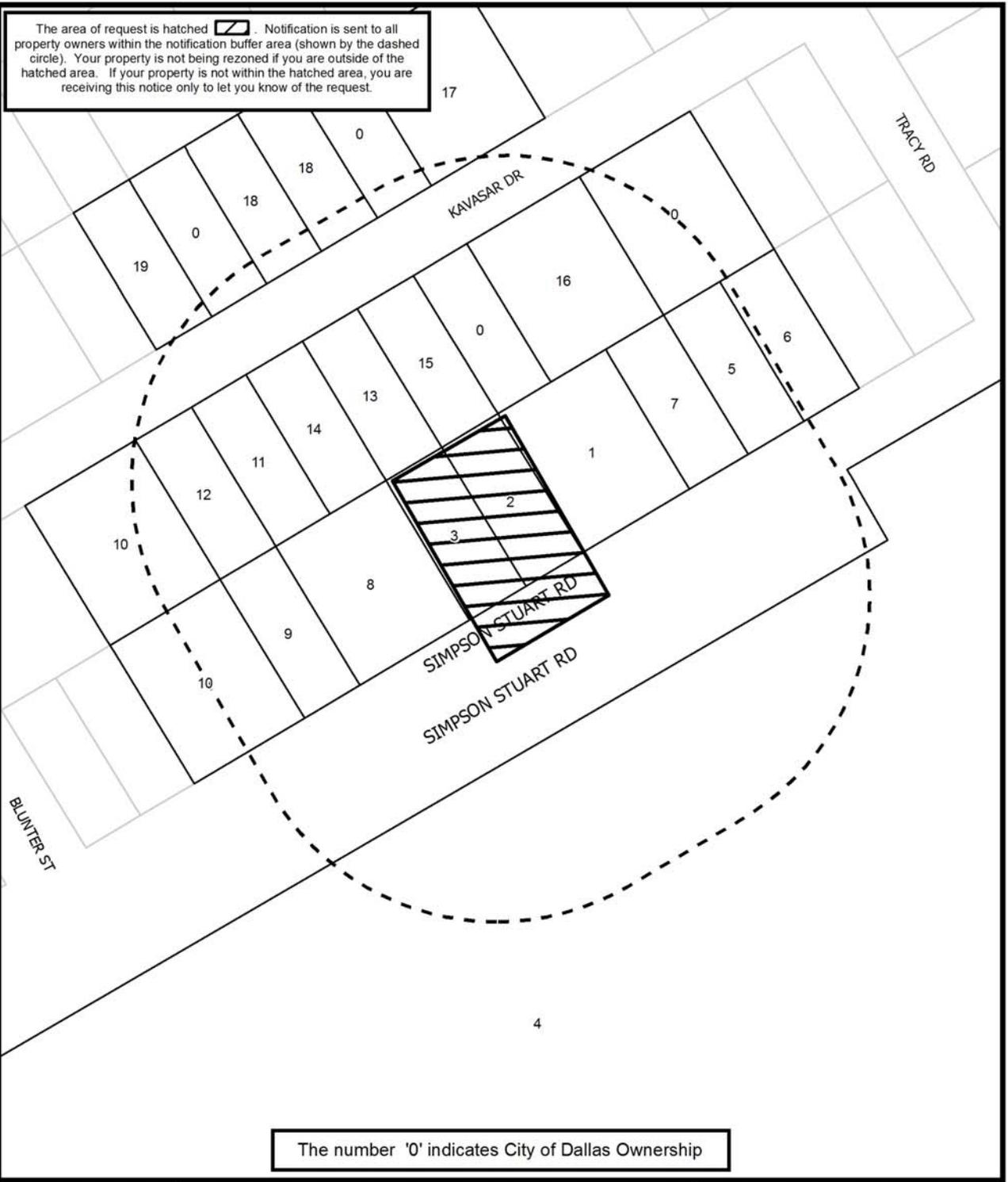


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# ZONING AND LAND USE

Case no: Z145-227

Date: 5/14/2015



  
 1:1,200

**NOTIFICATION**

 AREA OF NOTIFICATION  
 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no:     Z145-227      
 Date:     5/14/2015

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

***Z145-227***

***19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2943 SIMPSON STUART RD	HUERTA XAVIER &
2	2935 SIMPSON STUART RD	JONES MARRISE
3	2930 SIMPSON STUART RD	JONES MARRISE
4	2700 SIMPSON STUART RD	PRA SIMPSON STUART
5	2951 SIMPSON STUART RD	BAUTISTA JUAN & LETICIA
6	2955 SIMPSON STUART RD	WAGONER ARTENZIE
7	2947 SIMPSON STUART RD	STINSON KYRA
8	2923 SIMPSON STUART RD	ANTIOCH MISSIONARY
9	2919 SIMPSON STUART RD	WEBBER DONALD R
10	2915 SIMPSON STUART RD	HUBBARD SAMMIE L JR
11	2922 KAVASAR DR	MEYERS MELVIN
12	2918 KAVASAR DR	JORDAN WILLEN
13	2936 KAVASAR DR	JORDAN EDWARD
14	2934 KAVASAR DR	SAMPLE J C ESTATE
15	2940 KAVASAR DR	TANNER RICHARD L
16	2946 KAVASAR DR	GALLOWAY DANIEL LIFE EST
17	2947 KAVASAR DR	THAMES JOE
18	2935 KAVASAR DR	WILEY BERNICE TANNER
19	2931 KAVASAR DR	RODRIGUEZ GABRIEL L &

**FILE NUMBER:** Z145-195 (AF)                      **DATE FILED:** March 23, 2015

**LOCATION:** Southwest corner of Royal Lane and Brockbank Drive

**COUNCIL DISTRICT:** 6                                      **MAPSCO:** 23F

**SIZE OF REQUEST:** Approx. 0.199 acres              **CENSUS TRACT:** 97.01

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**APPLICANT / OWNER:** Edward Ellefson

**REPRESENTATIVE:** Robert Reeves & Associates, Inc.

**REQUEST:** An application for an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The intent of the applicant is to build a restaurant. However, all uses within NS(A) would be permitted.

**STAFF RECOMMENDATION:** Approval

**PRIOR CPC ACTION:** On August 6, 2015, the City Plan Commission held this item under advisement for the applicant to hold public meetings with the community. No changes have been made. The applicant indicates he is in the process of scheduling the public meetings.

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – The residential adjacency regulations in Chapter 51A of the Dallas Development Code will limit the height of any future structures structure, location of parking, and will necessitate increased screening in the form of fencing and/or landscaping. The NS district is designed to accommodate convenience retail shopping, services, and professional offices principally servicing and compatible in scale and intensity of use with adjacent residential uses.
2. *Traffic impact* – The surrounding street system can accommodate the zoning request. The prohibition of drive-through windows is anticipated to mitigate any potential compatibility conflicts with the adjoining neighborhood.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located in a Residential Neighborhood Building Block and is in compliance with the Comprehensive Plan.

**Zoning History:** There have not been recent zoning cases in the area over the past 5 years.

**COMPREHENSIVE PLAN:** The *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur. The Plan identifies the request site being within a Residential Neighborhood Building Block.

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

The location of the zoning at the edge of a neighborhood and on a main thoroughfare provides an opportunity to provide local services envisioned in the plat. The zoning is in compliance with the forwardDallas! Comprehensive Plan.

**LAND USE:**

**GOAL 1.2 PROMOTE DESIRED DEVELOPMENT**

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

**URBAN DESIGN**

**GOAL 5.1 Promote a sense of place, safety, and walkability**

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

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

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	R-7.5(A)	Single Family
<b>North</b>	IR	General merchandise or food store < 3500 SQ. FT.
<b>East</b>	R-7.5(A)	Single Family
<b>South</b>	R-7.5(A)	Single Family
<b>West</b>	PD 447	Multi Family

**Land Use Compatibility:** The 0.199 acre site is currently developed with a +/-1,600-square-foot single family home. The overall land use pattern portrays the dense uses along the north and south side of Royal Lawn. The intersection of Royal Lane and Brockbank Drive delineate the nexus where a variation of land uses meet. East and south of the property is predominately single family residential, multi-family and retail uses are located to the west and north of the property. Located on the southwest corner of this intersection, the subject property is consistent with the land use pattern and will serve as a buffer separating the dense land uses and the residential neighborhood. The development potential is limited because it is directly adjacent to residential uses. The residential adjacency will limit the height of the structure, location of parking, and will necessitate increased screening.

**Development Standards:**

<b><u>DISTRICT</u></b>	<b>SETBACKS</b>		<b>Density</b>	<b>Height</b>	<b>Lot Coverage</b>	<b>Special Standards</b>	<b>PRIMARY Uses</b>
	<b>Front</b>	<b>Side/Rear</b>					
NS (A)	15'	20'	.5 FAR	30'	40%		Retail & personal service, office

**Landscaping:**

Additional pavement on the site could trigger landscaping requirements from Article X.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>	<b>Proposed ROW</b>
Royal Lane	Major Arterial	60 ft.	60 ft.
Brockbank Dr	Minor Arterial	60 ft.	60 ft.

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

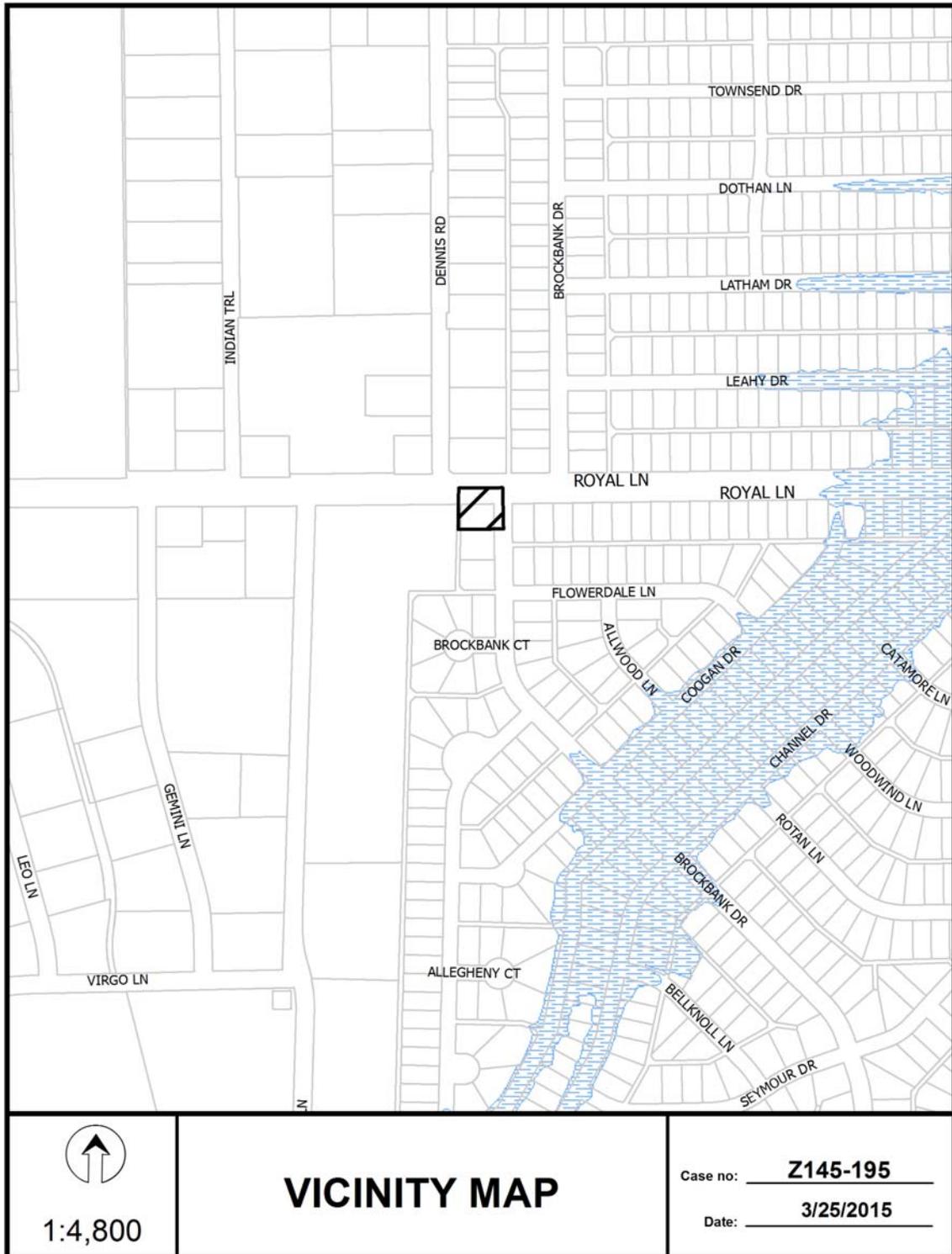
**Parking:**

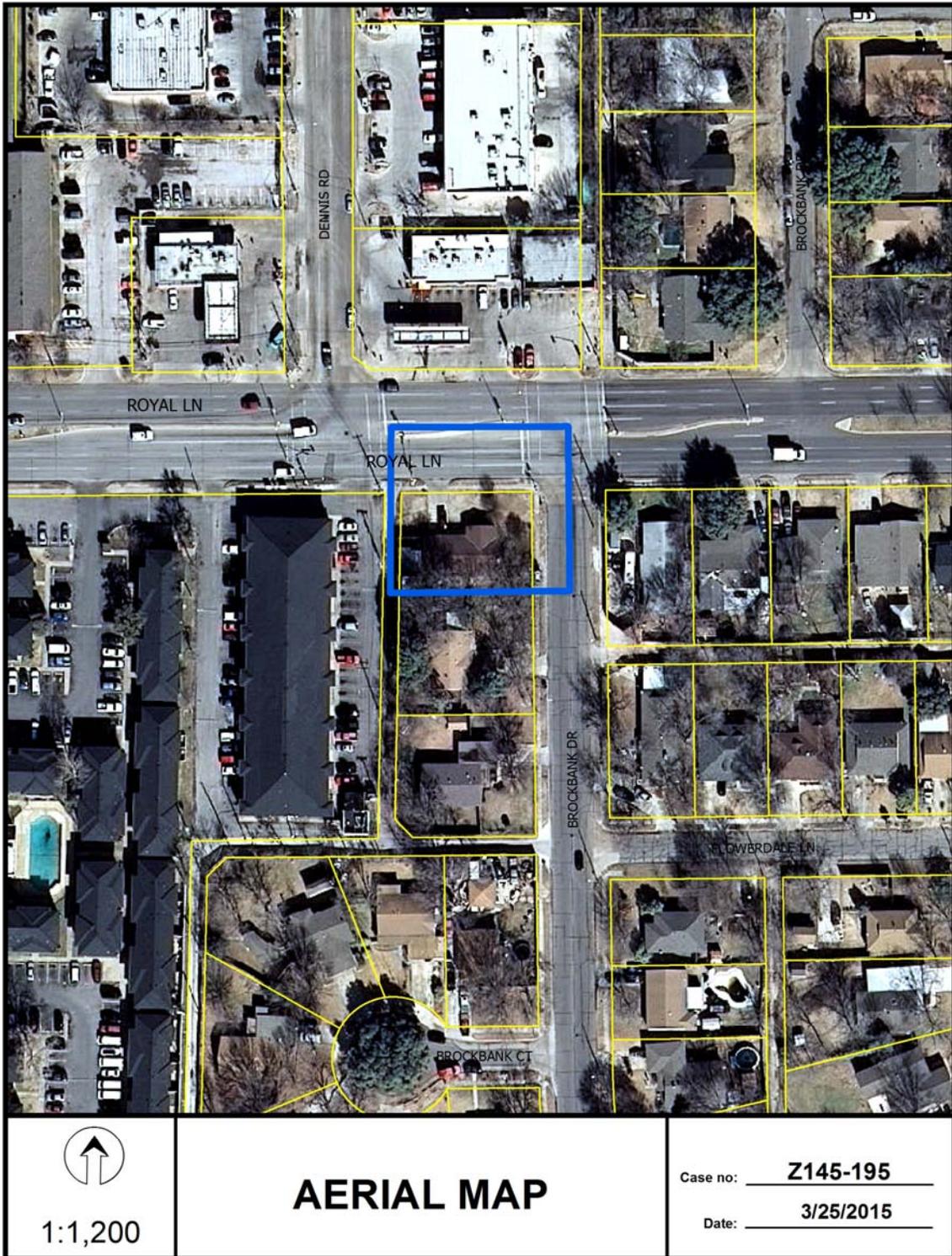
Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200.

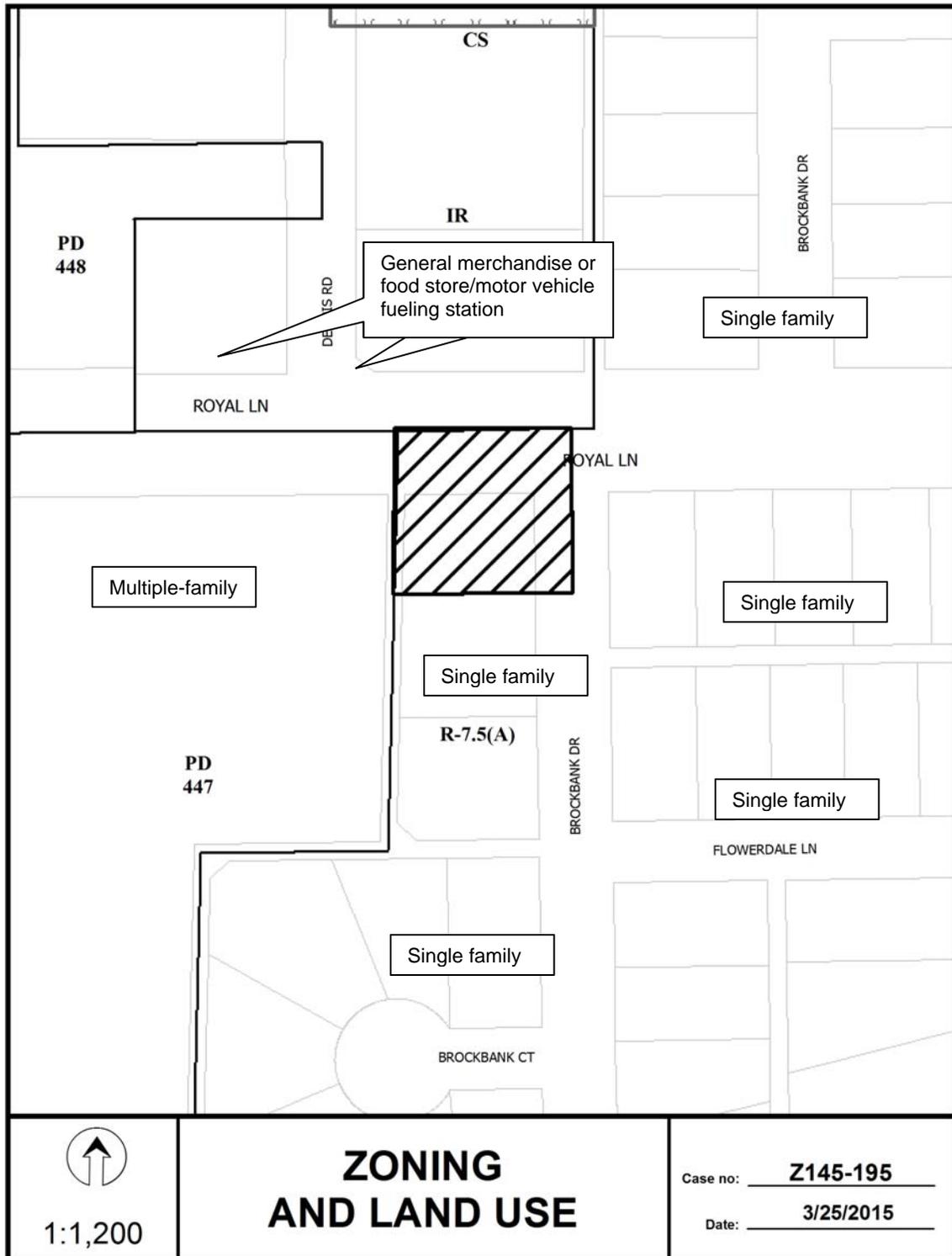
Z145-195(AF)

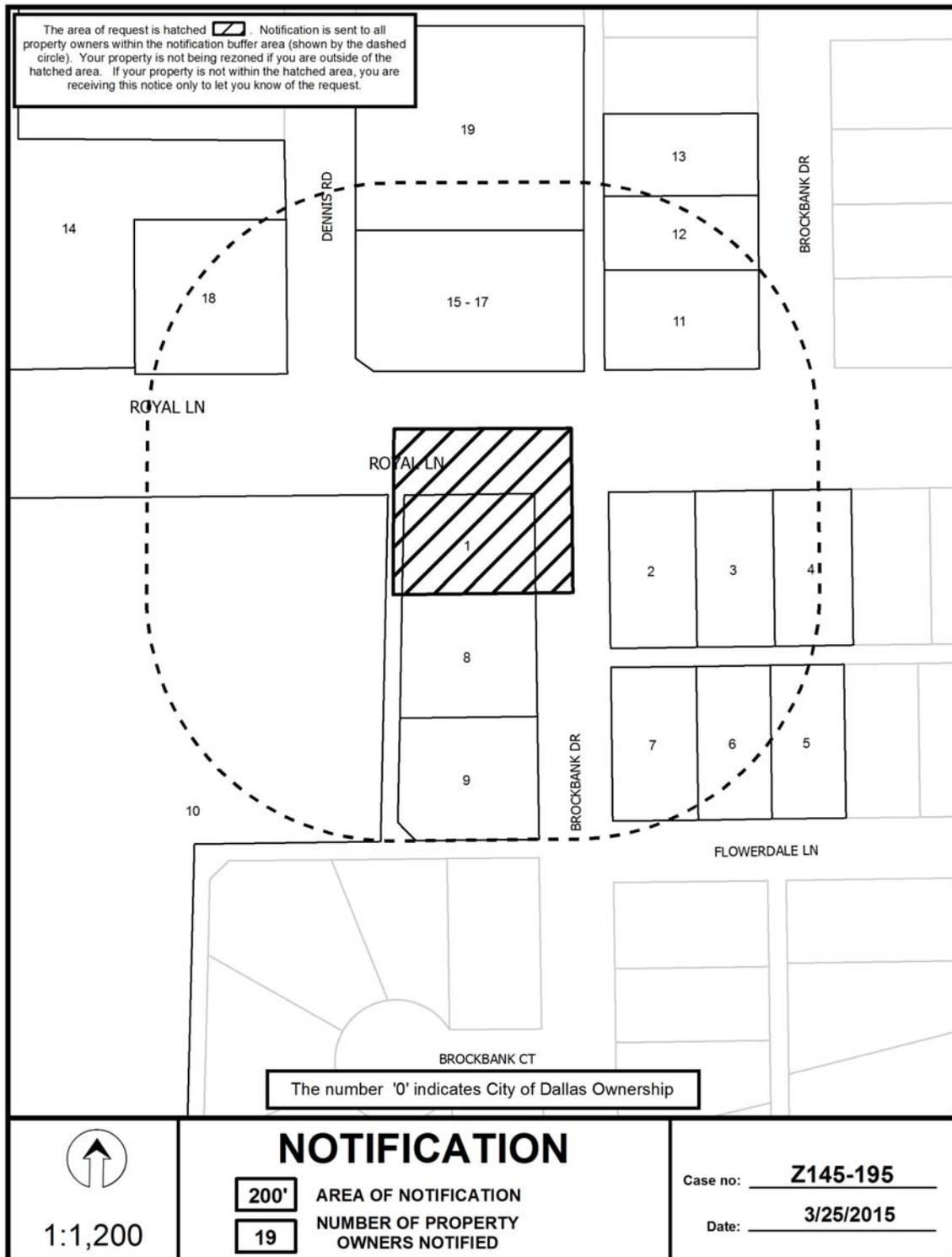
**LIST OF OFFICERS**

Owner: Edward Ellefson









03/25/2015

## *Notification List of Property Owners*

### *Z145-195*

#### *19 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2858 ROYAL LN	GARCIA JOSE & LETICIA
2	2904 ROYAL LN	JOHNSTON MARK
3	2908 ROYAL LN	ROCHA DAVID
4	2912 ROYAL LN	DUARTE MANUEL & NORMA
5	2915 FLOWERDALE LN	QUIROZ CONRAD
6	2909 FLOWERDALE LN	QUIROZ LEONEL
7	2905 FLOWERDALE LN	RAMOS MACEDONIO & MARIA
8	10785 BROCKBANK DR	ROBLES SERVANDO & MARIA DE LOURDES
9	10777 BROCKBANK DR	VELAZQUEZ ERIK A &
10	2838 ROYAL LN	ROYAL DEV DALLAS LLC
11	10805 BROCKBANK DR	MORENO JORGE RUBEN &
12	10809 BROCKBANK DR	MARTINEZ LUIS
13	10815 BROCKBANK DR	ESCALANTE MANUEL L ET AL
14	2825 ROYAL LN	ROYAL LANE APARTMENTS LLLP
15	2903 ROYAL LN	ADDISON REALITY CORP INC
16	2911 ROYAL LN	ADDISON ENTERPRISES INC
17	2911 ROYAL LN	NICHOLS ORLENA M
18	2847 ROYAL LN	AMERICAN HIGH IMPACT INC
19	10818 DENNIS RD	M633 PROPERTIES LLC

**FILE NUMBER:** Z145-234(AF)

**DATE FILED:** March 31, 2015

**LOCATION:** North side of Wheatland Road and west of Clark Road

**COUNCIL DISTRICT:** 3

**MAPSCO:** 71B-C

**SIZE OF REQUEST:** ± 47.59 acres

**CENSUS TRACT:** 165.10

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**APPLICANT/OWNER:** Ducanville ISD

**REPRESENTATIVE:** Karl Crawley, Masterplan

**REQUEST:** An application for an amendment and expansion of Specific Use Permit No. 1007 for a public school on property zoned a TH-3(A) Townhouse District.

**SUMMARY:** The applicant proposes to amend Specific Use Permit No. 1007 to allow for an additional 25,000 square feet of development to the existing Kennemer middle school and the construction of a +/- 95,550-square-foot, 35 classroom elementary school. Acton elementary school with an enrollment of 520 students in grades PreK-4<sup>th</sup> will be relocating to this site. Once relocated, Acton Elementary school will increase enrollment to accommodate up to 770 students in grades PreK-5<sup>th</sup>. The addition to the middle school includes 16 classrooms, 2 science labs, office space, and 2 restrooms. The applicant is also requesting to amend the boundaries of the SUP to include a +/-10.01 acre lot located to the northeast of the property which would allow for the construction of an additional access point for the elementary school from Clark Road. Specific Use Permit No. 1007 for a public school was approved with no expiration date on the site on February 24, 1988.

**STAFF RECOMMENDATION:** Approval for a permanent period, subject to a revised site plan, revised landscape plan, traffic management plan and conditions.

**PRIOR CPC ACTION:** On July 23, 2015, the City Plan Commission held this item under advisement for THE applicant to discuss the request with the Planning Commissioner. No changes have been made.

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

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

1. *Compatibility with surrounding uses and community facilities* – The existing and proposed buildings and expansion of the use are compatible in scale with the surrounding uses. Nothing over two stories is being proposed for the site.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The proposed middle school expansion and new elementary school are not anticipated to negatively impact the adjacent properties and will provide a valuable service to this area of the city.
3. *Not a detriment to the public health, safety, or general welfare* – The proposed use will not be a detriment to the public health, safety, or general welfare.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – The landscape plan does not meet the landscape requirement that street trees be located within 30 feet of the street curb along Wheatland Road and Clark Road. Due to the topography changes along these streets, the Arborist is supportive of the request. The number of street trees are being provided, but will be setback farther from the street. As part of the Specific Use Permit process, City Council may approve a landscape plan that is reasonable consistent with the standards and purposes of Article X.

**BACKGROUND INFORMATION:**

- On June 18, 2015, the City Plan Commission approved a preliminary plat (S145-200) the two parcels into one lot.

**Surrounding Zoning History:**

<b><u>File No.</u></b>	<b><u>Request, Disposition, and Date</u></b>
1. Z123-344	On December 12, 2012, City Council approved an application for a PD, Planned Development District No. 876 on property zoned CR, Community Retail.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
W. Wheatland Road	Major Arterial	50 feet
Clark Road	Major Arterial	Variable

**Traffic:**

The Engineering Section of the Department of Sustainable Construction and Development has reviewed the requested amendment and determined that it will not significantly impact the surrounding roadway system. Traffic circulation will be regulated through the traffic management plan included in this report.

**STAFF ANALYSIS:**

**Comprehensive Plan:**

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

A middle school and elementary school are services that support a residential neighborhood. The applicant’s proposal is consistent with the Comprehensive Plan.

**Surrounding Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	PD 521	Single family
<b>East</b>	R-7.5(A)	General Merchandise or food store >100,000 SQ
<b>South</b>	R-7.5(A)	Single family
<b>West</b>	PD 521	Single family

**Land Use Compatibility:**

Located to the northeast of the site is a vacant, undeveloped +/-10.01 acre parcel that extends to Clark Road. It is the applicant’s intention is to develop an access road connecting to Clark Road, giving the elementary school another access point.

The more intense uses are concentrated at the northwest intersection of West Wheatland Road and Clark Road. The uses consist of a fast food restaurant with a drive-through, a +/- 155,025 square foot general merchandise/grocery store, and a middle school. The proposed elementary school is to be located on the north side of the general merchandise/grocery store with access from Clark Road.

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

The applicant's request conforms with the applicable zoning regulations and standards and is consistent with the intent of the Dallas Development Code. Therefore, staff recommends approval subject to a site plan and conditions.

**Parking:**

Pursuant to §51A-4.204 of the Dallas Development Code, schools require one and one-half parking spaces for each kindergarten/elementary school classroom along with three and one half parking spaces for every junior high/middle school classrooms. The middle school is projected to have a total of 48 classrooms and the new elementary school will have 35 classrooms. The combined development would require a total of 221 parking spaces. The applicant is proposing a total of 355 parking spaces.

**Landscaping:**

The original landscape plan for Kennemer Middle School did not meet all of the screening, street trees and site trees requirements dictated by Article X. The more recent landscape plan only reflects a deficiency in the location of street trees (within 30 feet of the curb) along both Clark and Wheatland. Although it does have significant tree coverage stand near the roadway, the trees that might be counted are setback from the curb by more than 30 feet.

The plan depicts over +/- 10 acres of open space with mature trees on the northeast corner of the site. In addition, a total of approximately 1,163 trees are proposed where only a total of 527 site trees are required. Finally, over +/- 400,000 square feet of area is proposed to be preserved where only +/- 104,064 square feet of area is required.

**Z145-234  
Proposed SUP Conditions**

1. SITE PLAN. Use of and development of the Property must comply with the attached site plan.
2. USES. The only use authorized by this specific use permit is a public school other than an open enrollment charter school
3. LANDSCAPING. Landscaping must be provided on the Property in compliance with the attached landscape plan. All plant materials must be maintained in a healthy, growing condition at all times.”
4. MAXIMUM FLOOR AREA. The maximum floor area for ~~Phase I~~ the junior high/middle school is 131,075 181,364 square feet. The maximum floor area for the kindergarten/elementary school is 95,550 square feet.
5. TIME LIMIT. This specific use permit has no expiration date.
6. MAXIMUM NUMBER OF CLASSROOMS. A maximum number of 43 classrooms are permitted ~~in Phase I~~ for a junior high/middle school. A maximum number of 35 classrooms are permitted for a kindergarten/elementary school.
7. TRAFFIC MANAGEMENT PLAN.
  - (a) In general. The operation of the uses must comply with the traffic management plan (Exhibit \_\_\_\_\_).
  - (b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
  - (c) Traffic study.
    - (1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by November 1, 2007. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the Director by November 1st of each year.
    - (2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different times over a two-week period, and must contain an analysis of the following:
      - (A) ingress and egress points;
      - (B) queue lengths;



*TRAFFIC MANAGEMENT PLAN FOR*  
**ACTON ELEMENTARY SCHOOL**  
*DALLAS, TEXAS*

*DeShazo Project No. 15053*

Prepared for:  
**Masterplan**  
900 Jackson Street, Suite 640  
Dallas, Texas 75202

Prepared by:  
**DeShazo Group, Inc.**  
Texas Registered Engineering Firm F-3199  
400 South Houston Street, Suite 330  
Dallas, Texas 75202  
214.748.6740

*March 30, 2015*



Z145-234

Traffic Management Plan for  
**Acton Elementary School**

~ DeShazo Project No. 15053 ~

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**Table 1. School Operational Characteristics**

**Table 2. Peak Vehicles Parked and In Queue During Afternoon Pick-Up Period**

LIST OF EXHIBITS:

**Exhibit 1. Recommended Site Circulation Plan**



## Technical Memorandum

**To:** Mr. Karl Crawley — Masterplan  
**From:** Steve E. Stoner, P.E., PTOE — DeShazo Group, Inc.  
**Date:** March 30, 2015  
**Re:** Traffic Management Plan for Acton Elementary School in Dallas, Texas  
*DeShazo Project Number 15053*

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### INTRODUCTION

The services of **DeShazo Group, Inc. (DeShazo)** were retained by Masterplan on behalf of the Duncanville Independent School District to provide a requisite traffic management plan (TMP) for the proposed Acton Elementary School campus to be located behind the existing Kennemer Middle School located at 7101 W Wheatland Road in Dallas, Texas. **DeShazo** is an engineering consulting firm based in Dallas, Texas providing licensed engineers skilled in the field of traffic/transportation engineering.

The school is currently in operation at a different site with an enrollment of 520 students in grades PreK - 4th. The school proposes to relocate the current school to the proposed location and accommodate an enrollment of up to 770 students in grades PreK - 5th. A proposed site plan, prepared by **Huckabee**, showing the proposed site is attached for reference.

As part of the approval process for the school, submittal of a TMP to the City of Dallas is required as a record of the preferred strategies to be used by the school to ensure overall traffic safety and efficiency. A TMP is intended to assess the existing and/or anticipated traffic conditions at the school during the morning drop-off and afternoon pick-up peak periods on the basis of satisfying these objectives. By consent of the TMP submittal, the school is agreeing to the strategies presented herein for which the school will be held self-accountable until and unless the City of Dallas deems further measures are appropriate.

### TRAFFIC MANAGEMENT PLAN

A Traffic Management Plan (TMP) is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. By properly managing the vehicular traffic generated during the critical periods, the safety and efficiency of other modes of travel – including walking – will also inherently improve, and the operational impact on the public street system should also be

minimized. The TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it should be used as a tool to facilitate a safer and more efficient environment.

The analysis summarized below utilizes the proposed school site plan to evaluate aspects such as passenger loading/unloading and vehicle queuing (i.e., stacking) that occur at the school in order to accommodate the observed peak demands within the site. A concerted effort and full participation by the school administration, staff, students, and parents are encouraged to provide and maintain safe and efficient traffic operations. [NOTE: In this report the term “parent” refers to any parent, family member, legal guardian, or other individual who is involved in the pick-up or drop-off of one or more students at the school.]

**School Operational Characteristics**

**Table 1** summarizes the known operational characteristics for Acton Elementary School assumed in this analysis:

**Table 1. School Operational Characteristics**

	<b>Existing Conditions</b>	<b>Proposed Conditions</b>
Enrollment:	PreK, Kindergarten - 133 students 1 <sup>st</sup> Grade - 88 students 2 <sup>nd</sup> Grade - 85 students 3 <sup>rd</sup> Grade - 99 students 4 <sup>th</sup> Grade - 115 students  <i>Total (All grades): 520 students</i>	Grades: Kindergarten – 5 <sup>th</sup>  <i>Total (All grades): 770 students</i>
Daily Start/End Schedule	Grades: <i>All</i> >Start: 8:00 AM >End: 3:30 PM	Grades: <i>All</i> >Start: 8:00 AM >End: 3:30 PM <b>NOTE: the Kennemer Middle School hours are 9:00 AM to 4:30 PM</b>
Approximate Number of Students Travelling by Mode Other Than Drop-off/Pick-up:	By Drop-Off/Pick-Up: $\cong$ 65% By School Bus: $\cong$ 25% By Walking/Other: $\cong$ 10%	By Drop-Off/Pick-Up: $\cong$ 65% By School Bus: $\cong$ 25% By Walking/Other: $\cong$ 10%

NOTE #1: To the highest degree practical, the accounts of “existing conditions” presented in this report were based upon actual on-site observations conducted by DeShazo during typical school day(s) conditions and from personal interviews of school representatives. The analyses and recommendations presented in this report for “proposed” or “future” conditions were based upon evaluations of “existing conditions” and may be supplemented by DeShazo’s professional judgment and experience. “Proposed”/“Future” conditions are intended to reflect the anticipated day-to-day conditions at full occupancy.

NOTE #2: Occasional functions or other events may be held at the school, which generate traffic outside of the traditional peak drop-off and pick-up periods. While some of the measures presented in this report may be applicable in such cases, traffic characteristics other than those directly associated with the primary drop-off and pick-up periods are not the subject of this analysis.

**Proposed Traffic Conditions**

NOTE: The following details are based upon DeShazo’s observations at the existing Acton Elementary School, located at 9240 County View Road in Dallas on March

**SITE ACCESS AND CIRCULATION**

The subject site is proposed to provide two total driveways. One existing driveway on W Wheatland Road (now serving a parking lot for Kennemer Middle School) will provide both ingress and egress. A new driveway

will be constructed on Clark Road (aligned with S Royal Oak Drive) – it is recommended that this driveway serve inbound use only in order to minimize potential visibility limitations (or, if used for egress traffic – e.g. by school buses -- right-turn only maneuvers would not be effected by visibility issues).

During the drop-off and pick-up period, most parents either enter the campus from either site driveway to unload/load passengers (students) at the designated loading area on the south side of the school building. Vehicles would then exit the site at the south driveway on W Wheatland Road.

School buses have a separate loading area on the west side of the school. School buses are encouraged to use the Clark Road driveway; however, a right-turn only maneuver is recommended upon egress.

**PASSENGER UNLOADING/LOADING AND VEHICLE QUEUING**

During the afternoon pick-up period, the school provides a managed “carpool” system whereby students are paired with parent vehicles by actively managing the loading process. School staff are positioned at strategic locations ahead of the loading area(s) and relay the sequence of parent arrival back to the loading area. With the assistance of other school staff stationed at the loading area, several vehicles are loaded simultaneously. After loading, vehicles are cleared by school staff to carefully exit the site along the designated route.

Based upon field observations conducted by DeShazo during typical school-day conditions (on Tuesday, March 17, 2015), the peak number of parent-vehicles on site during the afternoon pick-up period was quantified. The vehicle accumulation count includes all vehicles in queue, or parked on- and off-campus.

Assuming that the number of vehicles generated during the afternoon pick-up period is directly proportional to the number of students enrolled, the peak queue for the future conditions at full occupancy can be estimated. A summary of the peak number of vehicles is provided in **Table 2**.

**Table 2. Peak Vehicles Parked and In Queue During Afternoon Pick-Up Period**

	<b>Existing Conditions (Observed)</b>	<b>Proposed Conditions (Estimated)</b>
Peak Number of Vehicles	Approximately 65 parent vehicles and 5 school buses <small>(for current enrollment of 520 students)</small>	Approximately 96 parent vehicles and 7 school buses <small>(for maximum enrollment of 770 students)</small>

\* Includes vehicles on- and off-site at time of peak demand, including vehicles in queue, standing, and/or parked.

NOTE: Less detailed site observations were also conducted during the morning drop-off period, however the total number of vehicles parked and in queue was substantially less. Therefore, a detailed analysis was not performed for the morning drop-off period.

**Recommendations**

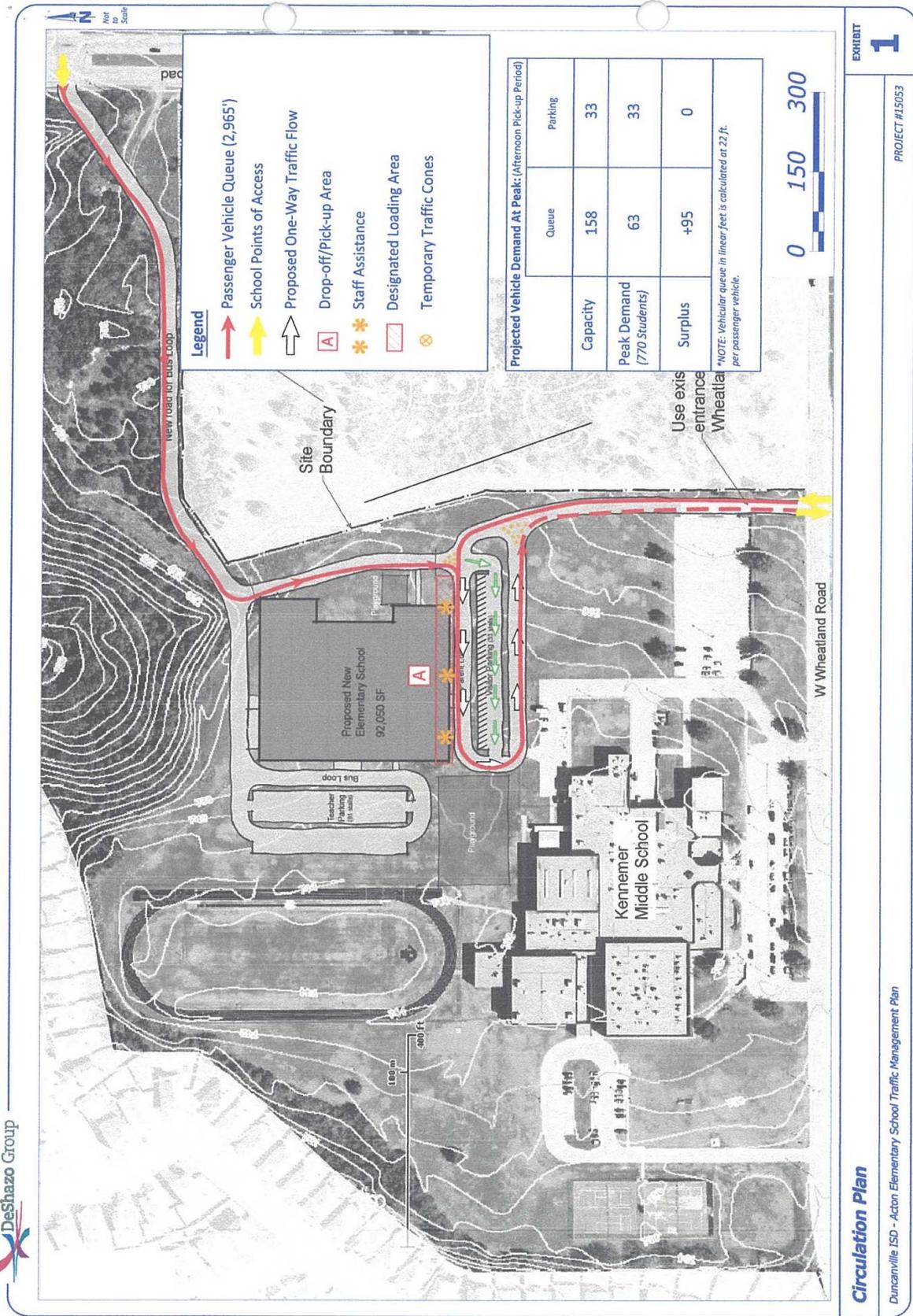
The following recommendations are provided by DeShazo to Acton Elementary School for the management of vehicular traffic generated by the school during peak traffic conditions. [NOTE: Generally, traffic delays and congestion that occurs during the afternoon pick-up period is notably greater than the traffic generated during the morning drop-off period due to the timing and concentration characteristics. In most instances, achieving efficiency during the afternoon period is most critical, while the morning traffic operations require nominal

 DeShazo Group

March 30, 2015

within the site. The details of the TMP shall be reviewed by the school on a regular basis to confirm its effectiveness.

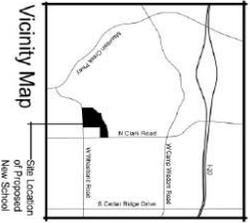
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# Proposed Site Plan

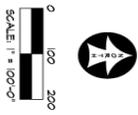


**Legend**

Site: 47.5976 acres	Existing Middle School	Proposed New Elementary School
Zoning: TH-3(A) SUP# 1007	Floor Area: 156,344 sf	Floor Area: 95,550 sf
	Number of Classrooms: 49	Number of Classrooms: 35
	Number of Seats: 2,020	Number of Seats: 1,406
	Number of Stories: 2	Number of Stories: 2
	Height: 32	Height: 39
	Required Parking: 144	Required Parking: 52.5
	Provided Parking: 230	Provided Parking: 125
	Parking Stall Dimensions: 9'x18'	Parking Stall Dimensions: 9'x18'

North ▲  
Scale 1:100  
Site Plan

# Proposed Landscape Plan



**ARTICLE X TABLETS**

**5'16" TABLETS**

ONE (1) OF EACH TABLET SHALL BE PROVIDED FOR EACH 100 SQ. FT. OF LAND AREA. THE TABLETS SHALL BE PLACED AT THE CORNERS OF THE TABLET AND SHALL BE MADE OF A DURABLE MATERIAL. THE TABLETS SHALL BE PLACED AT THE CORNERS OF THE TABLET AND SHALL BE MADE OF A DURABLE MATERIAL. THE TABLETS SHALL BE PLACED AT THE CORNERS OF THE TABLET AND SHALL BE MADE OF A DURABLE MATERIAL.

**EXISTING TREE MITIGATION**

ALL EXISTING TREES TO BE REMOVED SHALL BE REPLACED WITH ONE (1) NEW TREE OF EQUAL OR GREATER CALIBER AND HEIGHT. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX (6) MONTHS OF THE DATE OF REMOVAL. THE REPLACEMENT TREES SHALL BE PLANTED WITHIN SIX (6) MONTHS OF THE DATE OF REMOVAL.

**DESIGN STANDARDS**

1. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY CURB OR DRIVEWAY.

2. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 5 FEET FROM ANY UTILITY LINE.

3. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PROPERTY LINE.

4. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY STREET.

5. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY SIDEWALK.

6. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY DRIVEWAY.

7. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY FENCE.

8. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY WALL.

9. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY ROOF.

10. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PORCH.

11. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY DECK.

12. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PATIO.

13. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY BALCONY.

14. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY TERRACE.

15. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY STAIRWAY.

16. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY ELEVATOR.

17. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY RAMP.

18. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY DRIVE.

19. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY HIGHWAY.

20. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY AIRPORT.

21. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY RAILROAD.

22. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY CANAL.

23. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY DRAINAGE CANAL.

24. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY WATERWAY.

25. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY BRIDGE.

26. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY TOWER.

27. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY ANTENNA.

28. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY TELEPHONE POLE.

29. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY POWER LINE.

30. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY TRANSMISSION TOWER.

31. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY SUBSTATION.

32. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY DISTRIBUTION CENTER.

33. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY STORAGE TANK.

34. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PUMP HOUSE.

35. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY WELLS.

36. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY WATER TOWER.

37. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY TREATMENT PLANT.

38. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY WASTEWATER TREATMENT PLANT.

39. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY SEWER TREATMENT PLANT.

40. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY INDUSTRIAL PLANT.

41. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY POWER PLANT.

42. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY NUCLEAR POWER PLANT.

43. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PETROCHEMICAL PLANT.

44. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY REFINERY.

45. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY CHEMICAL PLANT.

46. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PHARMACEUTICAL PLANT.

47. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY LABORATORY.

48. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY RESEARCH CENTER.

49. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY UNIVERSITY.

50. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY HOSPITAL.

51. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY SCHOOL.

52. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY CHURCH.

53. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY SYNAGOGUE.

54. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY MOSQUE.

55. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY TEMPLE.

56. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY MONASTERY.

57. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY CONVENT.

58. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PRIORY.

59. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY ABBEY.

60. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY CATHEDRAL.

61. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY BISHOP'S PALACE.

62. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY ARCHBISHOP'S PALACE.

63. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PAPAL PALACE.

64. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY VATICAN PALACE.

65. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PALACE.

66. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY MANSION.

67. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY VILLA.

68. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY ESTATE.

69. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY FARMHOUSE.

70. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY COUNTRY HOUSE.

71. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY MANOR HOUSE.

72. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY CASTLE.

73. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY PALACE.

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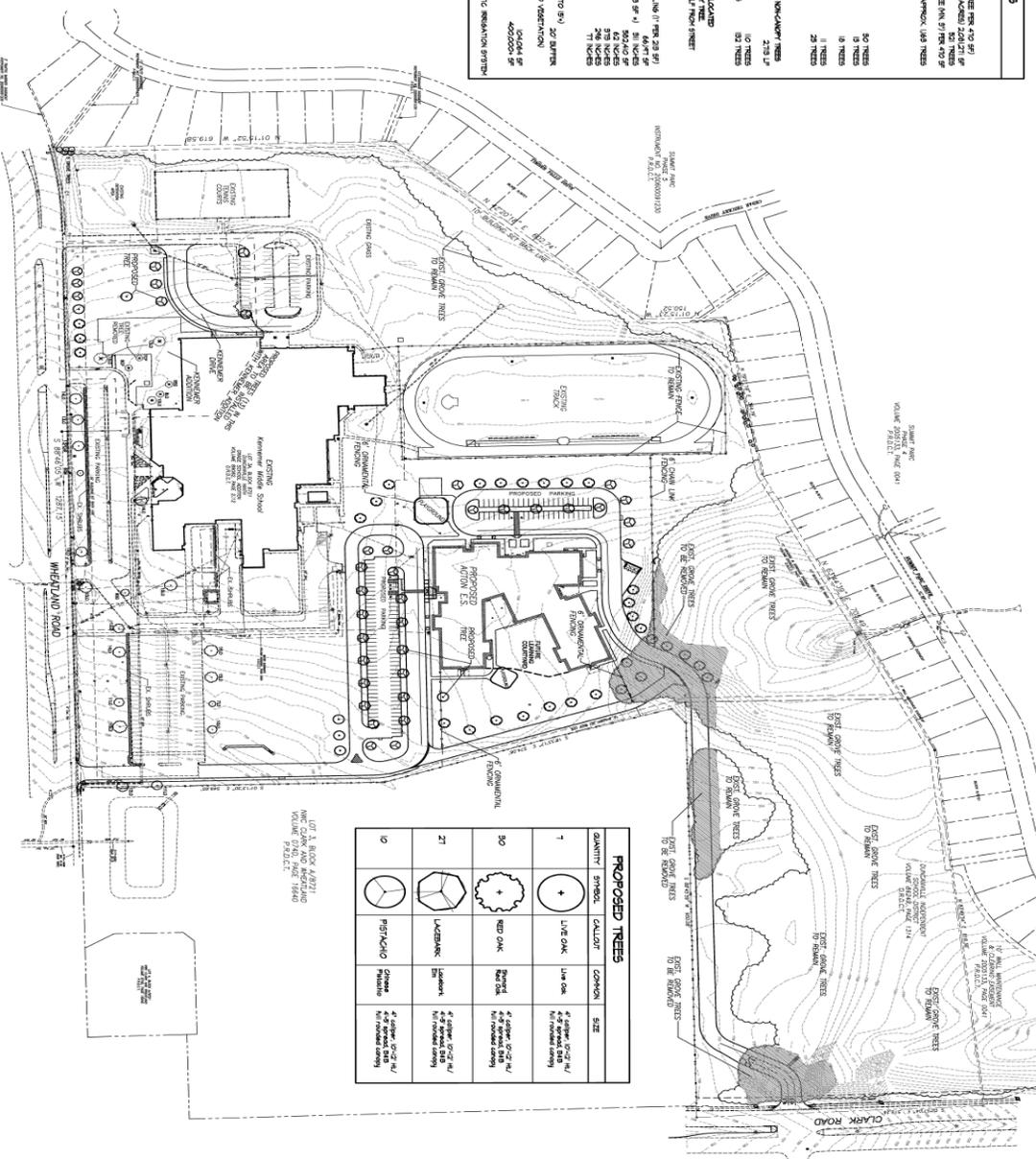
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100. ALL TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM ANY ESTATE.



**PROPOSED TREES**

QUANTITY	SYMBOL	CALCULATED	COMMON	SIZE
1	(Circle with cross)	1	Live Oak	4" Caliper, 10'-12" Ht.
30	(Circle with dot)	30	Red Oak	4" Caliper, 10'-12" Ht.
27	(Circle with triangle)	27	Landscape Elm	4" Caliper, 10'-12" Ht.
9	(Circle with square)	9	Pistachio	4" Caliper, 10'-12" Ht.

Z145-234

**ISSUES/REVISIONS**

NO.	DATE	DESCRIPTION
01	02/28/23	ISSUE
02	03/01/23	REVISION

DATE: 02/28/23  
SCALE: 1"=100'

**SHEET NO. L10**

**KENNEMER M.S. / ACTON E.S. S.U.P.**  
FOR DUNCANVILLE I.S.D., DALLAS, TEXAS

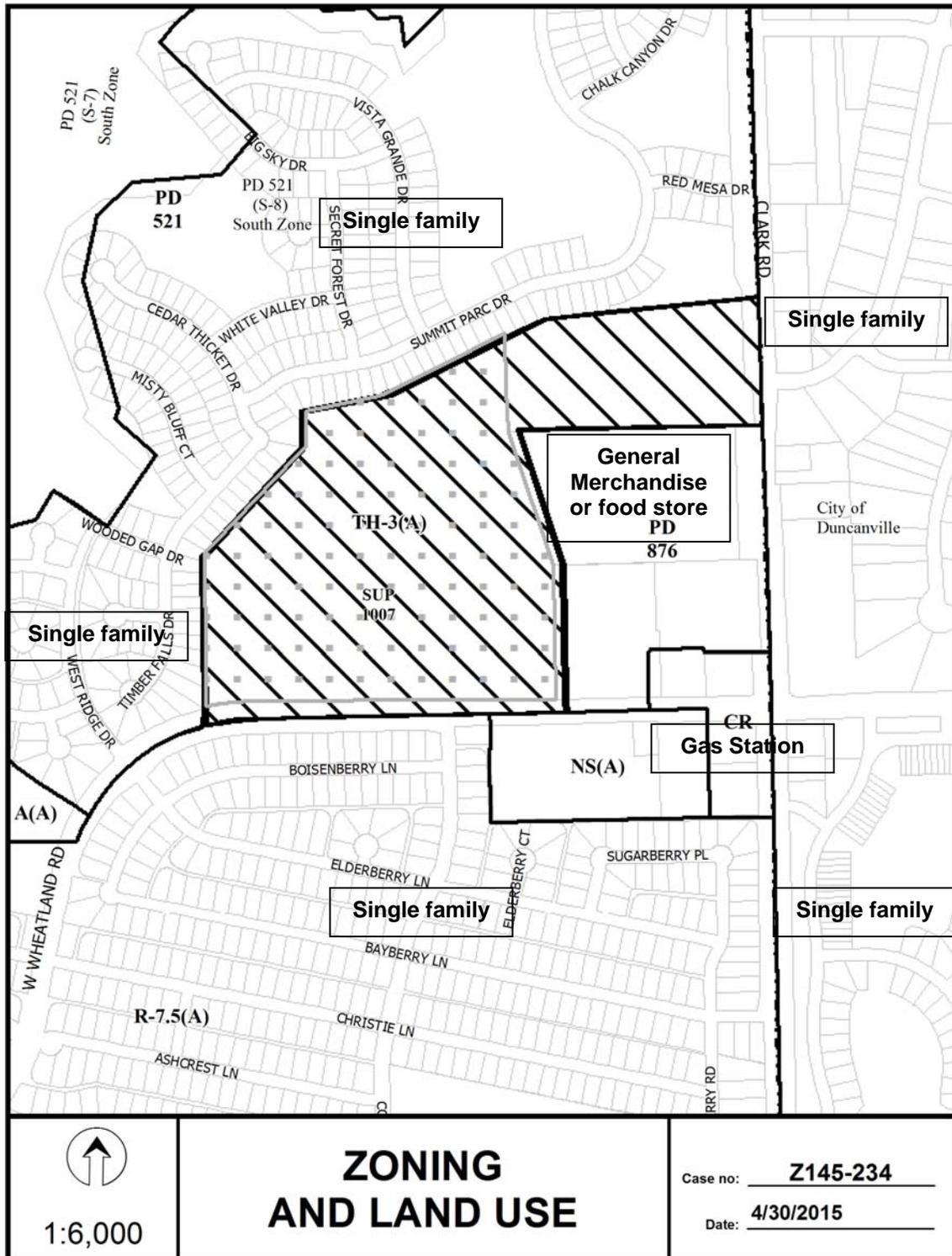
**SUP LANDSCAPE PLAN**

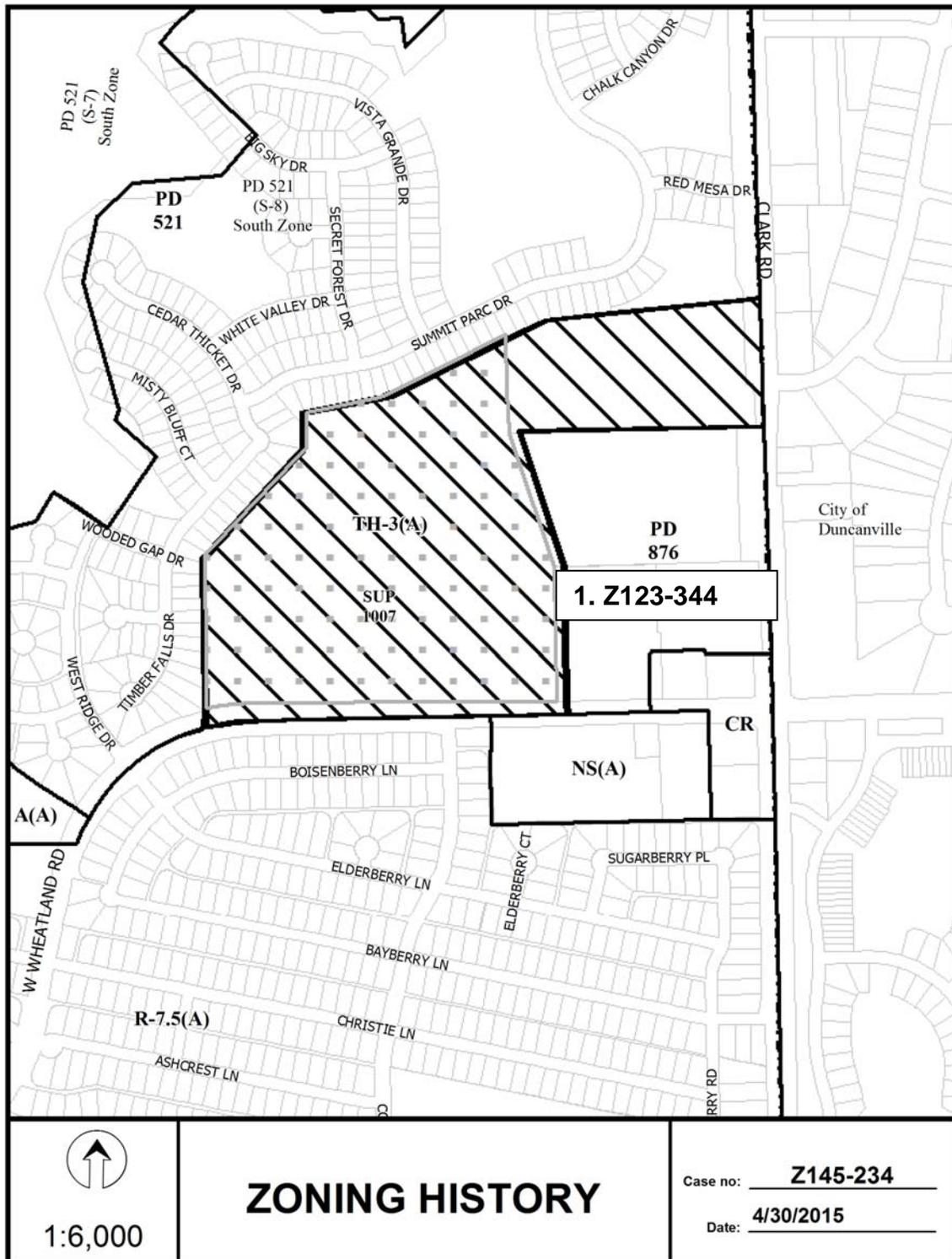
**Huckabee**

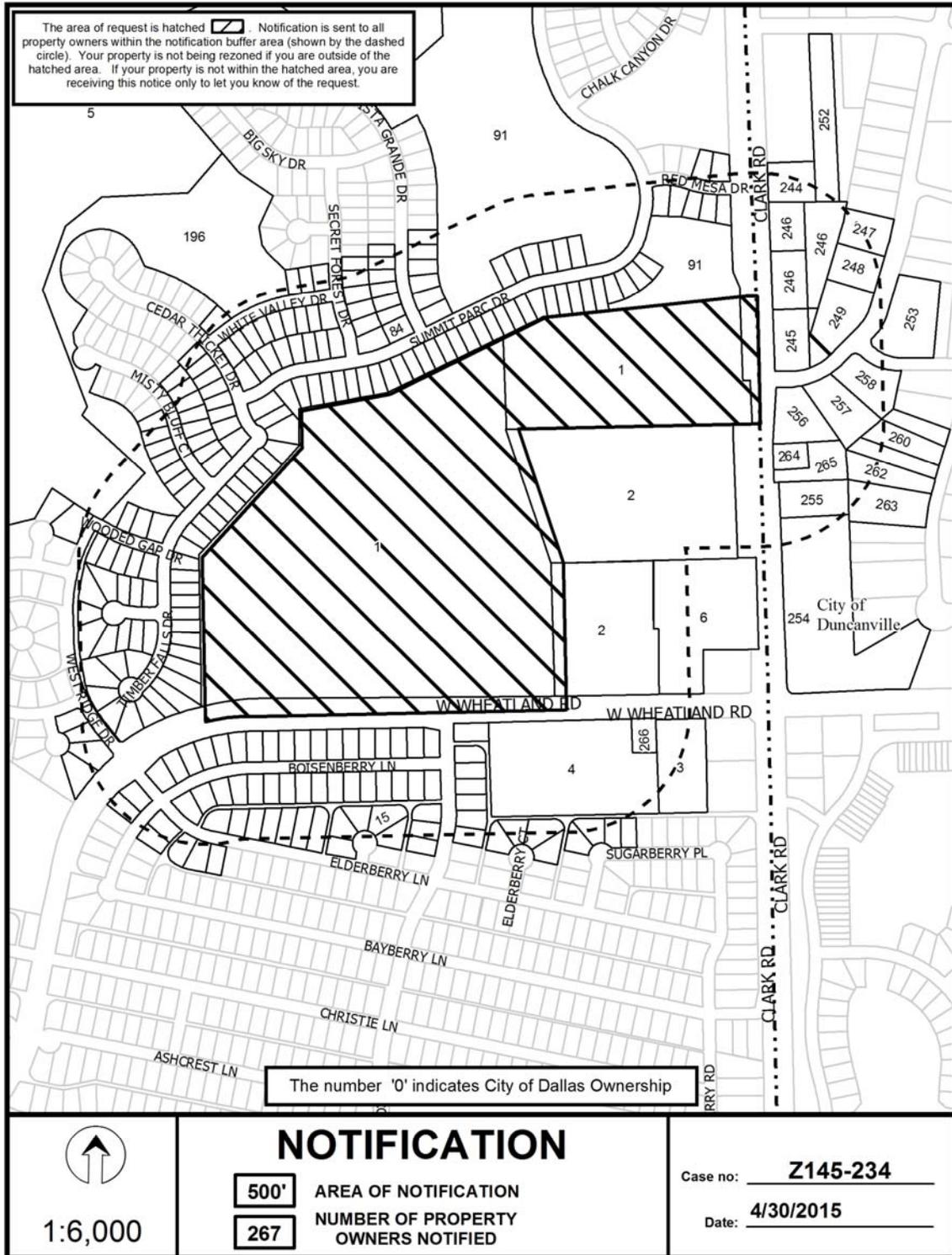
**RAMSEY LANDSCAPE ARCHITECTS, LLC**  
11914 WISHING WELL CT.  
FRISCO, TEXAS 75005  
PHONE: (972) 395-5200  
FAX: (469) 362-5433  
EMAIL: TAREE@RAMSEYLANDSCAPE.COM











04/30/2015

***Notification List of Property Owners******Z145-234******267 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8605 CLARK RD	DUNCANVILLE I S D
2	8601 CLARK RD	WALMART REAL ESTATE BUSINESS TRUST
3	7080 WHEATLAND RD	RUSSELLS TELECOM SOLUTIONS INC
4	7030 WHEATLAND RD	TA PROPERTIES II LTD
5	8600 CLARK RD	165 HOWE LP
6	7001 WHEATLAND RD	WALMART REAL ESTATE BUSINESS TRUST
7	7405 BOISENBERRY LN	ROMERO FELIPE
8	7401 BOISENBERRY LN	GARRISON GERALDINE
9	7406 BOISENBERRY LN	MCCULLUM ROBERT E &
10	7402 BOISENBERRY LN	SIMPSON ANDREW B JR
11	7430 ELDERBERRY LN	OVERSHOWN NORRIS J
12	7426 ELDERBERRY LN	MARTINEZ JERRY
13	7422 ELDERBERRY LN	WHIPPER TORRENCE LEI SHERRA
14	7306 ELDERBERRY CIR	CAMPBELL JOHNNY III &
15	7310 ELDERBERRY CIR	JEFFERSON TREVOR B &
16	7309 ELDERBERRY CIR	AFFORDABLE RESIDENCES LLC
17	7305 ELDERBERRY CIR	HENRY ADRIAN
18	7301 ELDERBERRY CIR	KING LINDA J
19	7405 ELDERBERRY LN	TRIGGS LEE O & MICHELE
20	7409 ELDERBERRY LN	SANCHEZ DAVID PEREZ
21	7415 ELDERBERRY LN	LYON KENNETH L & BETTY
22	7419 ELDERBERRY LN	BLTREJV3 DALLAS LLC
23	7423 ELDERBERRY LN	PERRY DONALD & CRYSTAL
24	7427 ELDERBERRY LN	FUENTES LUIS GERARDO
25	7431 ELDERBERRY LN	ZACHARIADIS ROBERT G
26	7326 BOISENBERRY LN	MARTINEZ RICHARD

## Z145-234 (AF)

04/30/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7322 BOISENBERRY LN	ELGUEA FERNANDO
28	7320 BOISENBERRY LN	KENNARD JOHNNY RAY
29	7316 BOISENBERRY LN	CASTILLO MARGARET
30	7312 BOISENBERRY LN	PETTY HARVEY B &
31	7310 BOISENBERRY LN	SCOTT RICKYE L & LYNETT F
32	7308 BOISENBERRY LN	DELCE JOHNATHAN C &
33	7304 BOISENBERRY LN	DAVILA MOSES
34	7302 BOISENBERRY LN	JIMENEZ DANIEL
35	7224 BOISENBERRY LN	BARREDA JOSE E
36	7220 BOISENBERRY LN	MAGDELENO ARTURO
37	7216 BOISENBERRY LN	WALTON NICOLE
38	7214 BOISENBERRY LN	LANG EDDIE &
39	7210 BOISENBERRY LN	OLEARY CLARE F
40	7206 BOISENBERRY LN	FURLOUGH DAYLON D
41	7202 BOISENBERRY LN	JONES LARRY EARL &
42	8723 COUNTY VIEW RD	REA JOSE D
43	8727 COUNTY VIEW RD	PEREZ HUMBERTO & REBECCA
44	8731 COUNTY VIEW RD	S & S FAITH FUND LLC
45	7327 BOISENBERRY LN	WASHINGTON ROOSEVELT JR
46	7325 BOISENBERRY LN	JYLC-LP
47	7323 BOISENBERRY LN	OLIVIER MARY JANE ANNE
48	7319 BOISENBERRY LN	HASKET HELEN
49	7317 BOISENBERRY LN	JIANG YUTAO & NORA ZHAO
50	7315 BOISENBERRY LN	REED VINCENT S & DEBRA K
51	7311 BOISENBERRY LN	DAVIS SUZETTE ROCHELLE
52	7309 BOISENBERRY LN	HERNANDEZ FLORELIDA
53	7307 BOISENBERRY LN	HOPES JOHN &
54	7305 BOISENBERRY LN	ROBERSON RONNIE M &
55	7303 BOISENBERRY LN	THOMAS CURTIS R &
56	7223 BOISENBERRY LN	JIMMERSON ROY
57	7219 BOISENBERRY LN	THOMPSON BILL G

## Z145-234 (AF)

04/30/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7215 BOISENBERRY LN	ROBLEDO RICHARD R JR &
59	7211 BOISENBERRY LN	TINOCO EFRAIN JR
60	7209 BOISENBERRY LN	ROBERTS VICKY L
61	7205 BOISENBERRY LN	COSS LUCIA
62	7201 BOISENBERRY LN	MARTINEZ BERNARDO & ELVIA
63	8702 COUNTY VIEW RD	SORRELLS EVELYN F
64	8706 COUNTY VIEW RD	VALDEZ LORENA
65	8710 COUNTY VIEW RD	EVANS JANIE LYNN
66	8714 COUNTY VIEW RD	BLANCHARD BOBBY C & DEBOR
67	8718 COUNTY VIEW RD	MAGEE SANDERA
68	8722 COUNTY VIEW RD	KILDOW JERRY R
69	8726 COUNTY VIEW RD	WILLIAMS FLORENCE E
70	8607 ELDERBERRY CT	WATSON KENNETH
71	8603 ELDERBERRY CT	SULLIVAN ROY LEE
72	8604 ELDERBERRY CT	DRIVER LARRY JOE
73	8608 ELDERBERRY CT	MILLER GARY
74	8415 SUGARBERRY PL	VARGAS LUIS & MARIA
75	8419 SUGARBERRY PL	LOPEZ ALICIA
76	8423 SUGARBERRY PL	CERVANTES ANDREW C
77	8427 SUGARBERRY PL	GORDON GILDA FAYE
78	8633 VISTA GRANDE DR	RODRIGUEZ CHRISTIAN
79	8637 VISTA GRANDE DR	SANDIFER LINDA A &
80	8641 VISTA GRANDE DR	BROWN DENISE L
81	8645 VISTA GRANDE DR	KELLY BRIAN & SUSANNAH
82	8649 VISTA GRANDE DR	FERRIOLI ROGELIO &
83	8653 VISTA GRANDE DR	MEDRANO JESUS G
84	8657 VISTA GRANDE DR	TAYLOR STACEY
85	8660 SECRET FOREST DR	SPRUILL CARLA Y
86	8654 SECRET FOREST DR	ESCOBAR MARIO E &
87	8648 SECRET FOREST DR	COLEMAN JOE D
88	8642 SECRET FOREST DR	ROGERS CANDACE NICOLE

04/30/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	8636 SECRET FOREST DR	RODRIGUEZ JOSE A
90	8632 SECRET FOREST DR	PHOUPARDIT CHARNCHEI & ORATHAI
91	7100 SUMMIT PARC DR	SUMMIT PARC OWNERS ASSOC
92	7324 WOODED GAP DR	WILLIAMS SHANTELL MARIE
93	7006 RED MESA DR	WORD QUINCEY LAMONT & TIFFANYE LATRECE
94	7010 RED MESA DR	RILEY CAROLE ANN
95	7014 RED MESA DR	TURNER WAYNE & ANITA S
96	7020 RED MESA DR	CHAVEZ ANTONIO T JR & OLIVIA
97	7202 SUMMIT PARC DR	MILES OLIVER M & FLORENCEZELL W
98	7206 SUMMIT PARC DR	ANDERSON RON J &
99	7210 SUMMIT PARC DR	BIGGINS SANDRA
100	7214 SUMMIT PARC DR	LIZANO WENDY CRUZ
101	7218 SUMMIT PARC DR	ACEVEDO JESUS MARIO JR & MARIA CECILIA
102	7222 SUMMIT PARC DR	CHAVEZ RENEE S &
103	7226 SUMMIT PARC DR	WADDELL JIMMIE &
104	7230 SUMMIT PARC DR	PAYNE HOMER I & DONELLA
105	7234 SUMMIT PARC DR	WHITLEY ELLIS CATERINA
106	7238 SUMMIT PARC DR	FORD JOHN MACK & PATRICIA
107	7242 SUMMIT PARC DR	DAN & DAN INVESTMENTS LLC
108	7246 SUMMIT PARC DR	LAWRENCE DONNA & DOYLE
109	7250 SUMMIT PARC DR	GARCIA GAVINO &
110	7254 SUMMIT PARC DR	DAVIS MORGAN W &
111	7258 SUMMIT PARC DR	DAVIS DIANA
112	7262 SUMMIT PARC DR	MACK LAKETRA R & BYRON
113	7266 SUMMIT PARC DR	WILSON GWENDOLYN
114	7270 SUMMIT PARC DR	GONZALEZ JESUS & ERICA AGUIRRE
115	7274 SUMMIT PARC DR	MALKOWSKI GREGORY J
116	7304 SUMMIT PARC DR	SCHRAG BRIAN & BARBARA
117	7308 SUMMIT PARC DR	BAKER BIRDELLE
118	7312 SUMMIT PARC DR	ALLEN JANET
119	7316 SUMMIT PARC DR	AYALA JOSUE &

## Z145-234 (AF)

04/30/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	7320 SUMMIT PARC DR	TAVARES ZANETTA MARIA
121	7324 SUMMIT PARC DR	SHANOR AMPARO
122	7328 SUMMIT PARC DR	ANORUE JONAS & TOCHUKWU
123	7332 SUMMIT PARC DR	FRAZIER DEVONIA FAUSTINE
124	7336 SUMMIT PARC DR	LINARES BENITO & ALICE B
125	7340 SUMMIT PARC DR	RIOS FRANCISCO & MARTHA
126	7344 SUMMIT PARC DR	RIOS KELLEE
127	7348 SUMMIT PARC DR	SAGUETON THERESA TAN
128	8770 CEDAR THICKET DR	FERNANDEZ HAZEL
129	8776 CEDAR THICKET DR	JONES ROSALIND A
130	8778 CEDAR THICKET DR	TORRES ANA MARIA
131	8702 TIMBER FALLS DR	WARD BRENDOWLYN
132	8706 TIMBER FALLS DR	CHOW STEPHANIE
133	8710 TIMBER FALLS DR	KENDRICK DEBORAH
134	8714 TIMBER FALLS DR	MARTINEZ JENNIFER & RAUL J
135	8718 TIMBER FALLS DR	THOMPSON CELESTE PATRICE
136	8722 TIMBER FALLS DR	PENDLETON PHILLIP &
137	8726 TIMBER FALLS DR	HUNT LEONARD
138	8730 TIMBER FALLS DR	ONSOTI JEREMIAH &
139	8734 TIMBER FALLS DR	GARZA CELIA
140	8738 TIMBER FALLS DR	COLEMAN ZACHARIAS NANCY L
141	8744 TIMBER FALLS DR	CORNELIUS DEBORAH
142	8750 TIMBER FALLS DR	JORDAN EDDIE II
143	8754 TIMBER FALLS DR	GARZA ALMA L GONZALEZ
144	8758 TIMBER FALLS DR	VACA STACY M
145	8762 TIMBER FALLS DR	WILSON PEDRO ANTONIO & PATRICIA G
146	8766 TIMBER FALLS DR	GALLEGOS EDGAR ALLAN
147	8770 TIMBER FALLS DR	MITCHELL ALISSA D
148	8774 TIMBER FALLS DR	DE LOPEZ NOHEMI SALAZAR &
149	8778 TIMBER FALLS DR	PARKER AYSIA
150	8782 TIMBER FALLS DR	SARGEANT KOLLMANN

## Z145-234 (AF)

04/30/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	8786 TIMBER FALLS DR	TURNER TIMOTHY D
152	8790 TIMBER FALLS DR	WALKER SHENIQUE NICOLE
153	8794 TIMBER FALLS DR	ROSS TPAU TPRIN D
154	8798 TIMBER FALLS DR	BUSH UGUNDA DAMASHUN
155	8799 TIMBER FALLS DR	BURNEN KURT
156	8797 TIMBER FALLS DR	MALZER AMANDA
157	8795 TIMBER FALLS DR	SHAFFER JOHN
158	8793 TIMBER FALLS DR	BOYD SHANTRELL RENEE &
159	8791 TIMBER FALLS DR	WILLIAMS RASHARD DEMOND
160	8789 TIMBER FALLS DR	MARTIN RUSSELL L & KIMBERLY L
161	7302 EAGLE BEND CT	BRADLEY JERRY
162	7306 EAGLE BEND CT	HARDAWAY ROSETTA C & MICHAEL G JR
163	7310 EAGLE BEND CT	MORGAN JAN MARIE
164	7314 EAGLE BEND CT	QUEZADA WILLEBALDO &
165	7318 EAGLE BEND CT	DEVINE MICHELLE B
166	7322 EAGLE BEND CT	COOPER JAMES II
167	7319 EAGLE BEND CT	NEHMZOW NOEL
168	7315 EAGLE BEND CT	RUSHING VERONICA RENE A &
169	7311 EAGLE BEND CT	SIERRA ABISAI G & MAYRA I ARMIJO
170	7307 EAGLE BEND CT	NED LAQUITHA R & BRANDON K
171	7303 EAGLE BEND CT	VELEZ MARIA S & JUAN CARLOS CAMPO
172	7304 WOODED GAP DR	D R HORTON
173	7308 WOODED GAP DR	DUNCAN SANDERS
174	7312 WOODED GAP DR	SOWELL NATALIE NICOLE
175	7316 WOODED GAP DR	ESCALERA JUAN & CRISELDA
176	7320 WOODED GAP DR	HUBER JOHN ROBERT JR
177	7003 RED MESA DR	CHAFFIN BARBARA
178	7009 RED MESA DR	GILMORE ROXANA
179	7336 WHITE VALLEY DR	LONGLEY MONIQUE T
180	7332 WHITE VALLEY DR	JACKSON KIM MARIE
181	7328 WHITE VALLEY DR	GANDARILLA LORENZO M &

## Z145-234 (AF)

04/30/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	7324 WHITE VALLEY DR	MEZA NAOMI & RAMON
183	7320 WHITE VALLEY DR	TORRES JOHN P
184	7316 WHITE VALLEY DR	WHITE KIMBERLY MARTINEZ
185	7312 WHITE VALLEY DR	RANDLE KENNETHA
186	7308 WHITE VALLEY DR	HOWARD TARA D
187	7304 WHITE VALLEY DR	COOPER TERRY L SR & MONTEAL S
188	7331 SUMMIT PARC DR	RIOS MARIA
189	7335 SUMMIT PARC DR	HOOKER LASTENIA AND RONALD HOOKER
190	7339 SUMMIT PARC DR	MIKESELL BENJAMIN ASHLEY &
191	7343 SUMMIT PARC DR	JEFFERSON GLADYS
192	7347 SUMMIT PARC DR	GAGE EVELENE
193	7351 SUMMIT PARC DR	FORNEY GLENN M &
194	7355 SUMMIT PARC DR	HUD
195	7359 SUMMIT PARC DR	JENKINS LINDA A
196	7317 WHITE VALLEY DR	SUMMIT PARC OWNERS ASSOCIATION
197	7223 SUMMIT PARC DR	THOMPSON ROBERT E &
198	7227 SUMMIT PARC DR	PRESTON WINSTON & TABITHA
199	7231 SUMMIT PARC DR	CANNON WINIFRED
200	7235 SUMMIT PARC DR	Taxpayer at
201	7239 SUMMIT PARC DR	AGUIRRE HOSMAN
202	7243 SUMMIT PARC DR	DAWSON MICHELLE
203	8652 VISTA GRANDE DR	SEABERRY ODIS
204	8646 VISTA GRANDE DR	BETANCOURT JEAN CARLOS
205	8640 VISTA GRANDE DR	DUONG LINH VY
206	8634 VISTA GRANDE DR	NEWTON KENNETH
207	8630 VISTA GRANDE DR	LARA MARYANN J &
208	8626 VISTA GRANDE DR	MILLER DANA LYNN
209	7303 WHITE VALLEY DR	JACKSON BOBBIE A
210	7309 WHITE VALLEY DR	WILLIAMS MICHAEL & MARISA
211	7313 WHITE VALLEY DR	SMITH CHARLES B & MARIELA J
212	8748 CEDAR THICKET DR	LUGO ABEL & VICTORIA N MARTINEZ

## Z145-234 (AF)

04/30/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	8747 CEDAR THICKET DR	EASTMAN RICHARD W
214	8751 CEDAR THICKET DR	MCCOLLOUGH ANTONIO M & MYESSIAH L
215	8755 CEDAR THICKET DR	JOHNSON TAMARA
216	8759 CEDAR THICKET DR	HERNANDEZ YENIS
217	8763 CEDAR THICKET DR	POMALES JONATHAN COLON &
218	8767 CEDAR THICKET DR	STAPLES EDRIS L
219	8771 CEDAR THICKET DR	SOLIS JAVIER F
220	8775 CEDAR THICKET DR	AGUILAR EPIFANIO & ROSA
221	8766 MISTY BLUFF CT	LEVISTON JAMAAL THOMAS &
222	8762 MISTY BLUFF CT	GILDER DEQUAYAN
223	8758 MISTY BLUFF CT	ROLAND JOE E JR & ADANA R
224	8754 MISTY BLUFF CT	HORTON D R
225	8748 MISTY BLUFF CT	PUGA GILBERT & ELIZABETH MARIE
226	8742 MISTY BLUFF CT	WOODS LA KISHA D
227	8738 MISTY BLUFF CT	RIVERS PEARL E & RUSSELL J RIVERS
228	8734 MISTY BLUFF CT	MASTERS CHANTA
229	8745 MISTY BLUFF CT	JACOBS VONDA
230	8749 MISTY BLUFF CT	ELLIS BRIDGET L
231	8753 MISTY BLUFF CT	NEPHEW MELANTHA
232	8757 MISTY BLUFF CT	GONZALEZ JOSE L
233	8761 MISTY BLUFF CT	ROGERS ANGELYNE RENEE
234	8765 MISTY BLUFF CT	EVANS KRYSTAL & ANJUAN
235	8769 MISTY BLUFF CT	HUTCHINS ANDREW P
236	7305 WOODED GAP DR	KNIGHT EMESHA REJEAN
237	7309 WOODED GAP DR	VIGLIANTE ISABEL
238	7313 WOODED GAP DR	AGUILERA STEPHANY CHHOUNG & ERIC
239	8704 WOODFELL CT	SANCHEZ ERICA A & ALEJANDRO GARCIA
240	8708 WOODFELL CT	WINBREY JOHNNY D
241	8712 WOODFELL CT	JOHNSON NELDA
242	8716 WOODFELL CT	BROWN SARAH R &
243	8620 WOODED BECK CT	PRADO RICARDO GONZALEZ

## Z145-234 (AF)

04/30/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	2 CLARK RD	CLARK ROAD CHURCH OF
245	111 ROYAL OAK DR	GONZALEZ JOSE & NORMA
246	100 CLARK RD	LIGHT AND LIFE COMMUNITY CHURCH
247	107 ROYAL OAK DR	VUE YIA & ALEESON LEE
248	103 ROYAL OAK DR	SHEPPARD WARREN H JR & CAROLINE L
249	101 ROYAL OAK DR	STRICKLAND DALE DESEAN
250	103 ROYAL OAK DR	2013B PROPERTY OWNER LLC
251	103 ROYAL OAK DR	LORD JAMES F JR & SUSAN
252	1412 SIERRA BLANCA DR	VEGA MIGUEL &
253	102 ROYAL OAK DR	PIERCE RICHARD G &
254	1415 WHEATLAND RD	FIRST FREE WILL BAPTIST
255	202 CLARK RD	RAMOS TRINIDAD A
256	102 CLARK RD	CARDOZA SERGIO M & DORA E
257	106 ROYAL OAK DR	BLANKENSHIP CARMEN
258	102 ROYAL OAK DR	WILLIAMS RUSSELL L
259	111 TAMPICO CIR	MOON FREDA M LIFE ESTATE
260	115 TAMPICO CIR	MATA CARLOS A &
261	119 TAMPICO CIR	MARTIN WILLIAM H III &
262	123 TAMPICO CIR	PARR GERALD E & GLENNA S
263	203 TAMPICO CIR	BARNETT AVIS ESTATE OF
264	106 CLARK RD	PEREZ RUBEN
265	110 CLARK RD	DUNCANVILLE CITY OF
266	7044 WHEATLAND RD	THURMOND VIRGIL B & JONI L
267	7002 RED MESA DR	REEVES REGINALD R & CRYSTAL T

**FILE NUMBER:** Z145-289(AF)

**DATE FILED:** June 29, 2015

**LOCATION:** South corner of Regal Row and John W. Carpenter Service Road

**COUNCIL DISTRICT:** 6

**MAPSCO:** 33N

**SIZE OF REQUEST:** ± 1.5772 acres

**CENSUS TRACT:** 100.00

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**APPLICANT/OWNER:** Bubion Investment Co., LLC/Hallett No. 1, LP.

**REPRESENTATIVE:** Miklos Law, PLLC

**REQUEST:** An application for a Planned Development District for IR Industrial Research District and general merchandise or food store greater than 3,500 square feet uses on property zoned an IR Industrial Research District.

**SUMMARY:** The applicant proposes to build an approximately 5,858 square foot general merchandise or food store in conjunction with a motor vehicle fueling station (gas station). The maximum size allowable for a general merchandise or food store is 3,500 square feet in an IR District. Therefore, the applicant requests this PDD application to permit a the use, but retain all other IR district uses and performance standards.

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

**GUIDING CRITERIA FOR STAFF RECOMMENDATION:**

Staff recommends approval based upon:

1. *Performance impacts upon surrounding property* – While industrial zoning was not intended to encompass larger retail formats, the location and size of the property make it appropriate to permit the request particularly since it is restricted with a development plan. It will not have a negative impact upon surrounding property.
2. *Traffic impact* – The Engineering Section of the Department of Sustainable Development and Construction has determined that the request will not have a negative impact on the street system.
3. *Comprehensive Plan or Area Plan Conformance* – The forwardDallas! Comprehensive Plan shows that the request site is located in an Industrial Area Building Block.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* –Currently zoned IR Industrial Research, the maximum size allowable for a general merchandise or food store is 3,500 square feet.

**Surrounding Zoning History:**

There have been no recent zoning requests in the vicinity of the request site within the last five years.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing ROW</b>
John W. Carpenter Service Road	Minor Arterial	Varies
Regal Row	Major Arterial	50'

**Traffic:**

The Engineering Section of the Department of Sustainable Construction and Development has reviewed the request and determined that it will not significantly impact the surrounding roadway 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 within the Industrial Area.

**Industrial Areas**

Industrial Areas, which offer important employment opportunities, occupy large areas of land and usually are near major roads and heavy rail lines. Evolving technology and the need for freight movement through Dallas to the rest of the country and internationally means this sector can offer good opportunities for jobs. Logistics and warehousing, a growing industry with strong potential for upward mobility of skilled workers, would thrive in such areas. Examples include Southport and the Agile Port, parts of West Dallas along I-30, and the Stemmons industrial area. These areas include a mix of low- and medium-density industrial buildings and industrial yards and have large surface parking for cars and trucks. Industrial Areas rely on quality road access and may be linked to rail for freight purposes. Street lanes are wide and intersections are large. Transit, sidewalks and other pedestrian improvements are limited.

While this building block doesn’t envision larger retail formats, the location and size of the use are appropriate.

**STAFF ANALYSIS:**

**Surrounding Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	IR Industrial Research	Hotel
<b>East</b>	IR Industrial Research	Freeway & Restaurant w/o Drive-in Service
<b>South</b>	IR Industrial Research	Motel
<b>West</b>	IR Industrial Research	Restaurant w/o Drive-in Service

**Land Use Compatibility:**

Formally owned by companies like Texaco, Shell, and 7-Eleven, the +/- 1.5 acre site has seen the same use for over a decade. Owners have changed but the intent of the use has remained over the years. This specific application is to allow for a slightly larger general merchandise food store. The site is located at the entrance of a predominately

industrial area delineated by John Carpenter Freeway to the North and east, and the Trinity River to the South and West. The more intense warehouse uses are located closer to the Trinity River. Along the John Carpenter Freeway Service Road, there is a variety of different office and office/warehouse uses. The applicant has provided a list of prohibited uses in order to maintain less intense uses along the John Carpenter Freeway Service Road.

**Development Standards:**

District	Setbacks		Density/ FAR	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing IR Industrial research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail
Proposed PD	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	General Merchandise store or Food Store Greater than 3500 sq. ft.	Industrial, wholesale distribution & storage, supporting office & retail

**Parking:** Pursuant to §51A-4.210 of the Dallas Development Code, the required off-street parking for a motor vehicle station is two (2) spaces. The required off-street parking for a general merchandise store greater than 3,500 square feet is one (1) space for every 200 square feet. The proposed general merchandise store is estimated to be 5,858 square feet which would require thirty (30) parking spaces. A total of sixty-six (66) parking spaces are proposed for the site.

**Landscaping:** The Texas Department of Transportation’s right-of-way located along the John W. Carpenter Freeway Service Road limits the site’s potential for meeting Article X landscaping requirements. Because of this limitation, a landscape plan is being proposed as an alternative while still meeting the intent of Article X. The attached plan also depicts the compliance of two required design standards. The applicant will provide a landscape setback along public street frontage. The landscape setback must have a minimum width of 10 feet or 10 percent of the lot depth, whichever is less. The second design standard requires screening of off street parking. The plan depicts screening for all parking lots on the building site and along the entire street frontage.

Z145-289(AF)

**Partners/Principals/Officers:**

List of Officers—Hallet No.1, LP

President- Don Hallet

Secretary- Teresa Hallett

List of Officers—Bubion Investment Co., LLC

Manager- Alfredo Bubion

**Proposed PD Conditions**

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

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

**SEC. 51P-\_\_\_\_.102. PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_ is established on property located on the southwest corner of John W. Carpenter Service Road and Regal Row. The size of PD \_\_\_\_ is approximately 1.5772 acres.

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

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

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

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

**SEC. 51P-\_\_\_\_.104. DEVELOPMENT PLAN.**

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

**SEC. 51P-\_\_\_\_.105. MAIN USES PERMITTED.**

(a) Except as provided in this section, the only main uses permitted t are those main uses permitted in the IR Industrial/Research District, subject to the same conditions applicable in the IR Industrial/Research District, as set out in Chapter 51A. For example, a use permitted in the IR Industrial/Research 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 IR Industrial/Research District is subject to DIR in this district; etc.

(b) The following additional main use is permitted:

- General Merchandise or Food Store Greater than 3500 square feet

- (c) The following main uses are prohibited.
- (1) Commercial and business service uses.
    - Building repair and maintenance shop.
    - Catering service.
    - Custom business services.
    - Medical or scientific laboratory.
    - Tool or equipment rental.
    - Vehicle or engine repair or maintenance
  - (2) Industrial uses.
    - Gas drilling and production.
    - Industrial (inside).
    - Industrial (inside) for light manufacturing.
    - Industrial (outside).
    - Medical/infectious waste incinerator.
    - Municipal waste incinerator.
    - Organic compost recycling facility.
    - Pathological waste incinerator.
    - Temporary concrete or asphalt batching plant
  - (3) Lodging uses.
    - Lodging or boarding house.
    - Overnight general purpose shelter.
  - (4) Miscellaneous uses.
    - Attached non-premise sign. *[SUP]*
    - Carnival or circus (temporary).
    - Hazardous waste management facility.
  - (5) Retail and personal service uses.
    - Commercial motor vehicle parking
    - Commercial parking lot or garage.
    - Household equipment and appliance repair.
    - Pawn shop.
    - Truck stop.
  - (6) Transportation uses.
    - Airport or landing field.
    - Commercial bus station and terminal.
    - Heliport.
    - Helistop.
    - Railroad passenger station.
    - STOL (short take off or landing) port.
    - Transit passenger shelter.
    - Transit passenger station or transfer center.
  - (7) Utility and public service uses.
    - Radio, television, or microwave tower.
    - Tower/antenna for cellular communication
    - Utility or government installation other than listed.
  - (8) Wholesale, distribution, and storage uses.
    - Outside storage (with visual screening).
    - Recycling buy-back center

- Recycling collection center.
- Recycling drop-off container.
- Recycling drop-off for special occasion collection.

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

**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.

The yard, lot, and space regulations for the IR Industrial Research District apply.

**SEC. 51P-\_\_\_\_.108.            OFF-STREET PARKING AND LOADING.**

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

**SEC. 51P-\_\_\_\_.109 ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

**SEC. 51P-\_\_\_\_.110.            LANDSCAPING.**

(a) Landscaping must be provided as shown on the landscape plan (Exhibit \_\_\_\_B). If there is a conflict between the text of this article and the landscape plan, the text of this article controls.

(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 in Article VII.

**SEC. 51P-\_\_\_\_.112.            ADDITIONAL PROVISIONS.**

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

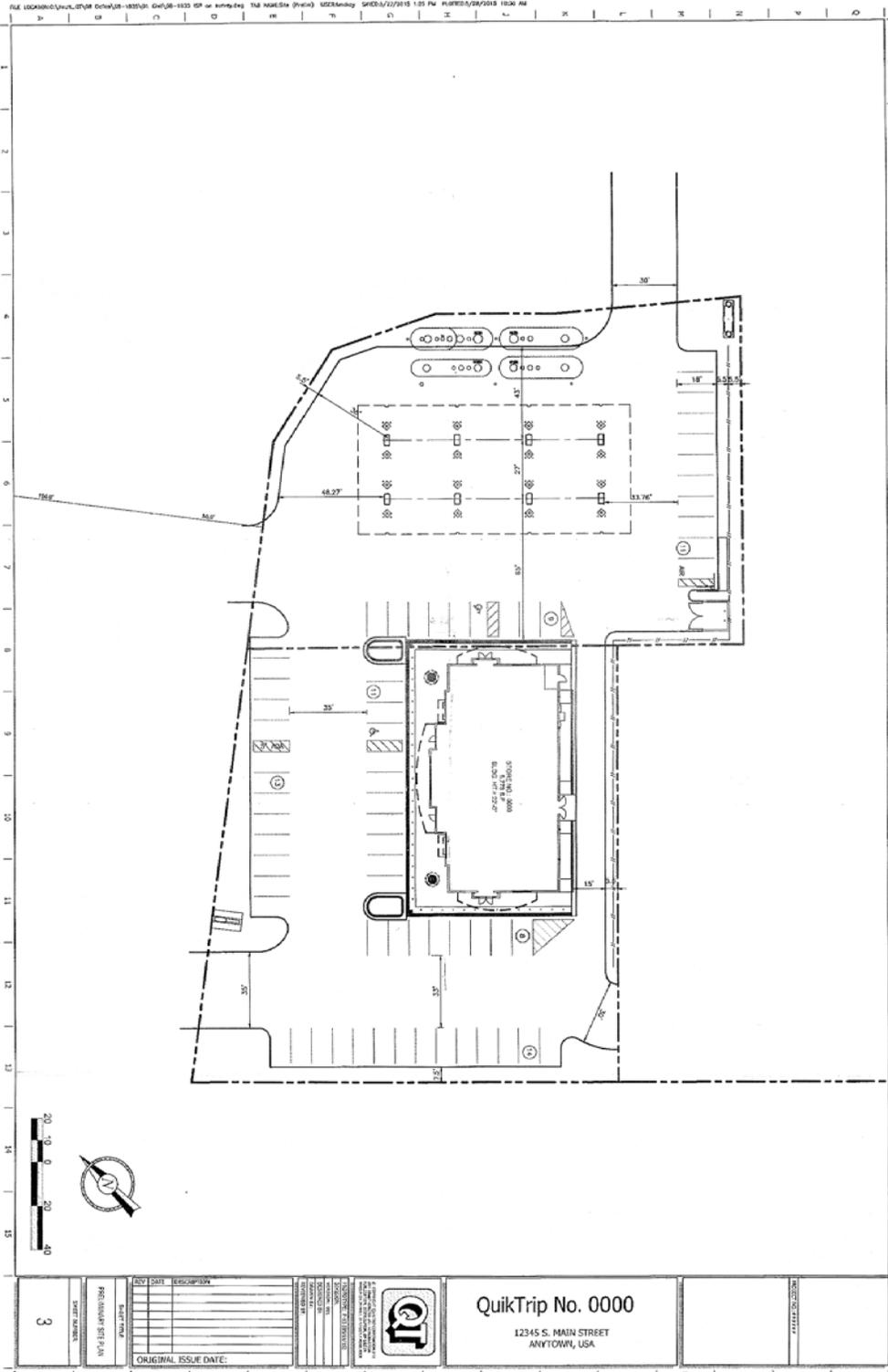
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

**SEC. 51P-\_\_\_\_.113                    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 the city.

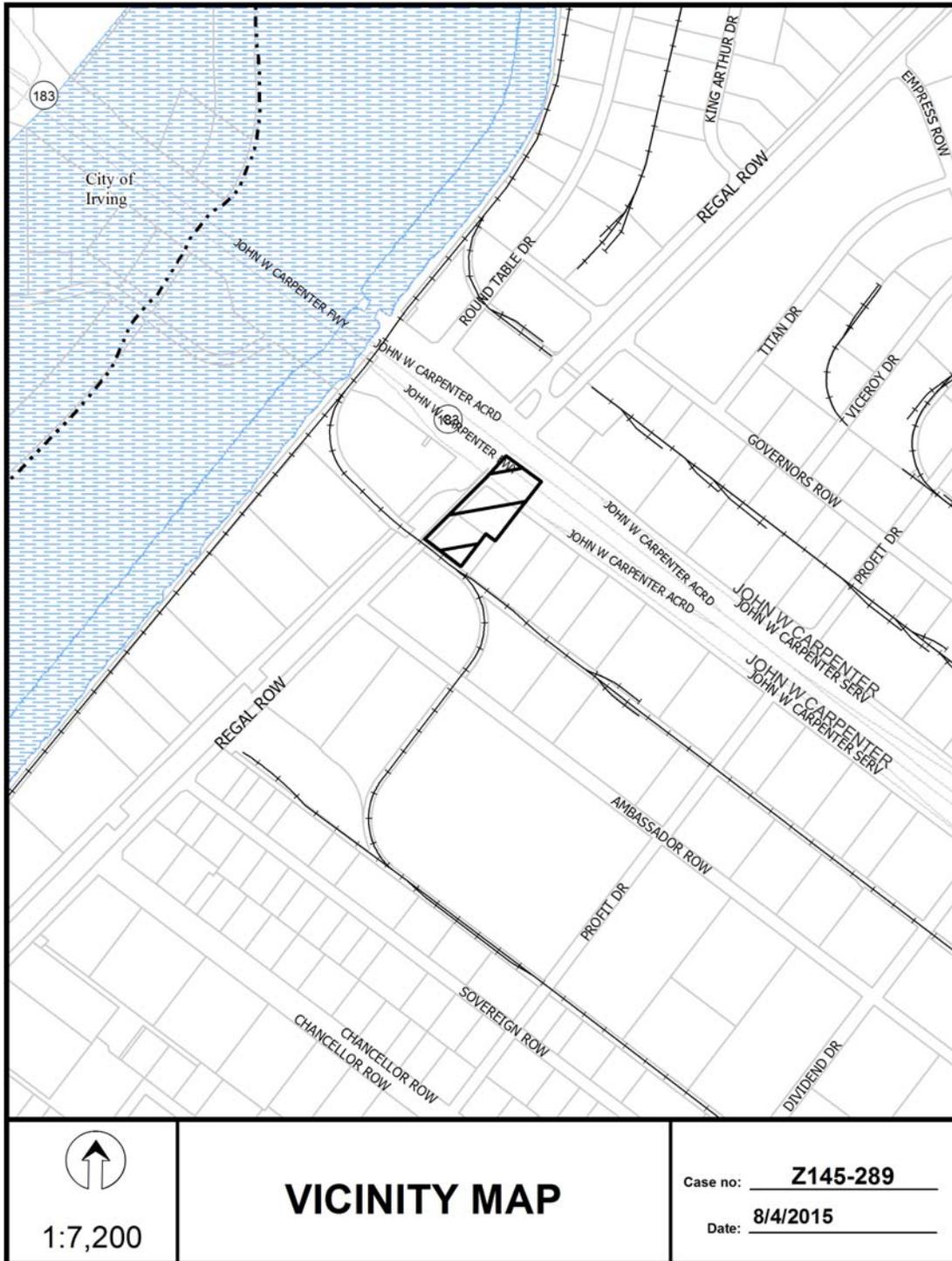
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations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

# Proposed Development Plan



<p>3</p> <p>3</p>	<p>REGULATORY SET PLAN</p> <p>SHEET NUMBER</p>	<p>REV</p> <p>DATE</p> <p>DESCRIPTION</p>	<p>QuikTrip No. 0000</p> <p>12345 S. MAIN STREET</p> <p>ANYTOWN, USA</p>	<p>REGULATORY SET PLAN</p>
		<p>ORIGINAL ISSUE DATE:</p>		





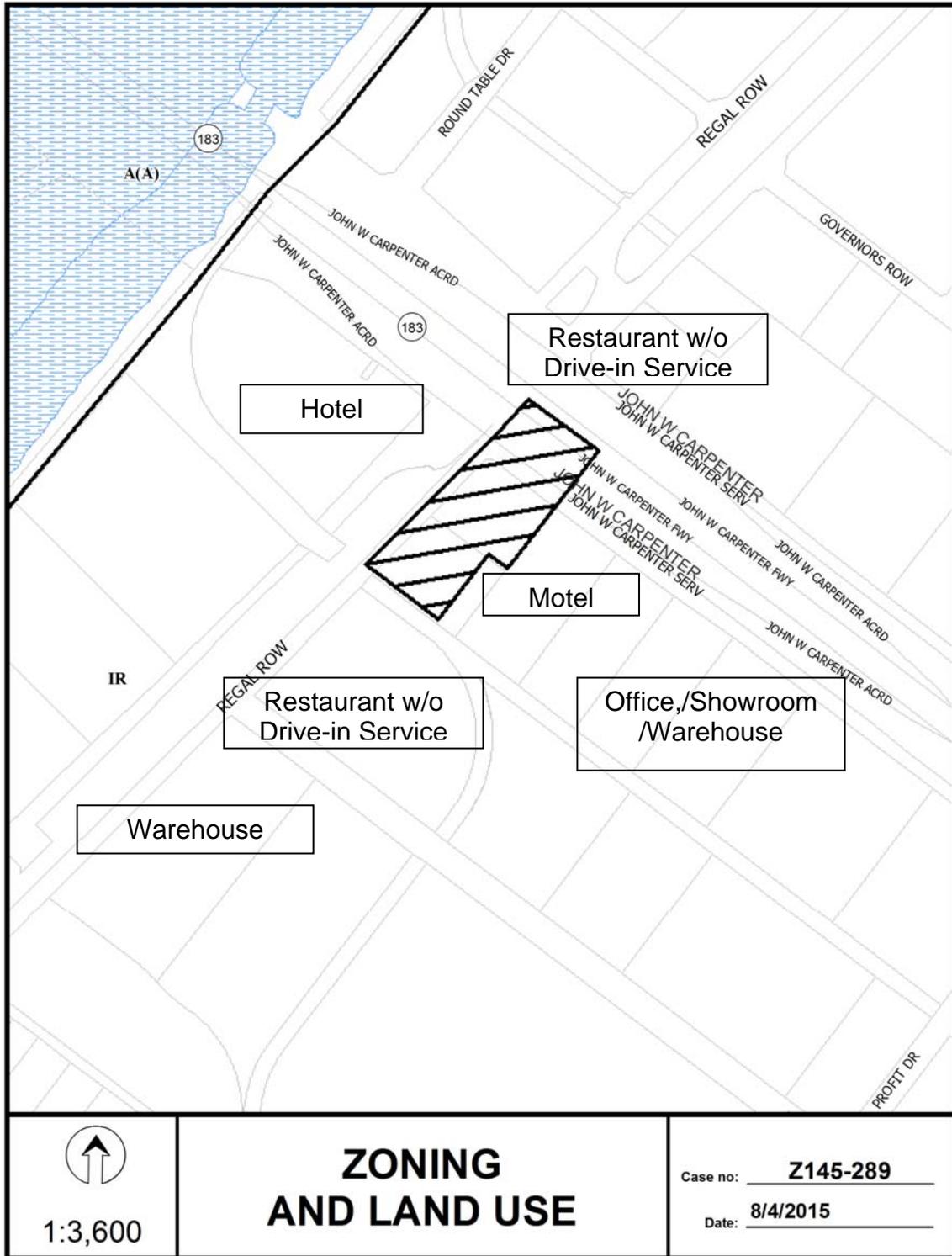


1:3,600

## AERIAL MAP

Case no: Z145-289

Date: 8/4/2015





08/04/2015

***Notification List of Property Owners******Z145-289******21 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1054 REGAL ROW	HALLETT NO 1 LP
2	9235 JOHN W CARPENTER FWY	BUBION INVESTMENT CO LLC
3	1055 REGAL ROW	MIAN DEVELOPMENT CORP THE
4	9300 JOHN W CARPENTER FWY	INFINITY OUTDOOR INC
5	9109 JOHN W CARPENTER FWY	AARDVARK PRODUCTIONS LLC
6	1501 REGAL ROW	TEXAS UTILITIES ELEC CO
7	9231 JOHN W CARPENTER FWY	MEHALAB MANAGEMENT INC
8	9229 JOHN W CARPENTER FWY	MEHALAB MANAGEMENT INC
9	9100 AMBASSADOR ROW	COKER STAN & ALICE
10	1010 REGAL ROW	RUSCOII INV LTD
11	914 REGAL ROW	CLAMPITT PAPER CO
12	9207 AMBASSADOR ROW	CLAMPITT PAPER CO DALLAS
13	1011 REGAL ROW	KRUSE FARMS LP
14	9119 JOHN W CARPENTER FWY	MDL LLC
15	9200 JOHN W CARPENTER FWY	BROOKHOLLOW INDUSTRIAL LLC
16	9100 JOHN W CARPENTER FWY	FUTERFAS FAMILY LP
17	9222 JOHN W CARPENTER FWY	JACK IN THE BOX INC
18	1150 REGAL ROW	1150 REGAL ROW LLC
19	1111 REGAL ROW	MLRP 1111 REGAL LP
20	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
21	9999 NO NAME ST	UNION PACIFIC RR CO

**Planner: Sarah May**

**FILE NUMBER:** Z134-105(SM)                      **DATE FILED:** October 4, 2013

**LOCATION:** Northwest corner of Scyene Road and South Buckner Boulevard

**COUNCIL DISTRICT:** 5                                      **MAPSCO:** 48Y

**SIZE OF REQUEST:** Approx. 0.203 acres              **CENSUS TRACT:** 85.00

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**APPLICANT / OWNER:** East Bengal Corporation

**REPRESENTATIVE:** Raihan Chowdhury

**REQUEST:** An application for a new subarea and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less within Tract 2A, Subarea 1 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay.

**SUMMARY:** A new subarea is proposed to reduce setbacks adjacent to the existing cemetery and to modify landscaping requirements to allow the current development configuration. The other uses permitted in Subarea 1 of the Planned Development District will continue to be allowed, as well. The purpose of the specific use permit is to allow the sale of alcoholic beverages in conjunction with the general merchandise or food store located on the site. The site is currently developed with 2,112-square-foot retail building and motor vehicle fueling station.

**STAFF RECOMMENDATION:** Approval of a new subarea, subject to a development/landscape plan and conditions; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

**GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommendation for approval of the new subarea is based upon:

1. *Performance impacts upon surrounding property* – The request site is on a commercial corner and shares its borders with roadways or a cemetery. The reduction of the residential setback will not detrimentally impact the adjacent cemetery.
2. *Traffic impact* – The proposed changes to the development standards will not have an impact on traffic.
3. *Comprehensive Plan or Area Plan Conformance* – The *forwardDallas! Comprehensive Plan* shows that the request site is located on a multi-modal corridor. The requested changes to the development standards are consistent with this building block as the proposed development and landscape plan limits the scale of the development and has a strong focus on access to the corridor.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The site has a unique condition that requires a deviation from the current zoning district regulations. The adjacent cemetery is currently in a residential zoning district that requires a 20-foot setback. The cemetery is not a residential use that necessitates a physical separation.

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

1. *Compatibility with surrounding uses and community facilities* – The existing use is compatible with the surrounding land uses. The sale of alcoholic beverages in conjunction with this existing retail use does not affect compatibility with the surrounding uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale of alcoholic beverages in conjunction with an existing general merchandise or food store does not appear to negatively impact the adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The existing general merchandise or food store complies with Chapter 12B (Convenience Store) requirements. The purpose of regulating convenience stores is to protect the health, safety, and welfare of the citizens of the City of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. In addition, conditions and time periods for the use provide opportunity for continued evaluation of the site.

4. *Conforms in all other respects to all applicable zoning regulations and standards*  
– Based on information depicted on the site plan, it complies with all applicable zoning regulations and standards.

**BACKGROUND INFORMATION:**

- Aerial photography from 1957 shows the site developed with a gas station.
- In February 1992, the request area was included in the establishment of the Buckner Boulevard Special Purpose District.
- In 1998, the existing gas station was demolished and a new gas station was constructed.
- A permit was issued in error in May 2005 to construct an addition that was not in compliance with the zoning regulations. Several inspections were conducted until early 2006 but ceased before final inspections were performed. The permit was idle and as thereby revoked due to inactivity.
- A new permit was applied for in 2011 to finish the work from the 2005 addition permit, but expired because it did not comply with zoning regulations.
- An application to the Board of Adjustments (BDA101-072) was made June 6, 2011 for the setback and landscaping violations. The application was denied without prejudice on November 14, 2011.

**Zoning History:** There have been two recent zoning changes in the vicinity within the last five years.

1. **Z123-220:** On June 26, 2013, City Council approved an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property within Subarea 6 of Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D Liquor Control Overlay.
2. **Z101-228:** On August 10, 2011, City Council approved an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay.

**Thoroughfares/Streets:**

<b>Thoroughfare/Street</b>	<b>Type</b>	<b>Existing Dimension</b>
South Buckner Boulevard	Principal Arterial	Standard-6 lanes-Divided, 107 feet R.O.W.
Scyene Road	Community Collector	Standard-4 lanes-Undivided, 60 feet R.O.W.

**Comprehensive Plan:**

The *forwardDallas! Comprehensive Plan* designates the area of request in the Multi-modal corridor.

This Building Block should encourage the redevelopment of aging auto-oriented single family neighborhoods. These areas offer dense mixed use and then transition to multi-family and single family housing at the edge. These corridors should diminish quickly in scale, density, and intensity away from the corridor, respecting existing single family neighborhoods while maintaining a strong focus on transit-orientation and access.

**Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PD 366 Subarea 1	Retail with gas station
<b>North, West and South</b>	R-7.5(A), SUP 92	Cemetery
<b>East</b>	PD 366 Subarea 6	Restaurant with drive-through service

**Land Use Compatibility:**

The predominate land use that surrounds the request site to the north, west and south is an open space cemetery. The uses to the east of the request site are primarily retail with a drive through restaurant immediately to the west of the request site, pawn shops, and auto-related uses scattered throughout. The single-story, auto-oriented buildings that line the eastern border of South Buckner Boulevard are consistent with the proposed development standards of this request.

**Parking:**

The property is developed with an existing retail store with a motor vehicle fueling station, the request complies with the minimum off-street parking requirements in the Dallas Development Code.

**Landscaping:**

On November 14, 2011, BDA 101-072 was heard by the Board of Adjustments. A memo from the Chief Arborist dated November 3, 2011 was provided to the board and is included on the following page which outlines the landscape deficiencies of the site. The basis for staff recommendation of denial for the landscape variance was that it did not meet the following standards for a variance:

(A) the variance is not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;

(B) the variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(C) the variance is not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.<sup>1</sup>

The Board of Adjustments denied the appeal without prejudice for a landscape variance because their “evaluation of the property and the testimony show[ed] that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would not result in unnecessary hardship of this applicant.”

The current request combines and modifies some elements of the Buckner Boulevard Planned Development District and Article X landscape requirements in the proposed landscape plan. The proposed landscape conditions require that the landscaping on site must comply with the proposed landscape plan and it must be maintained in a healthy growing condition. Staff supports these modifications.

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<sup>1</sup> Reference Section 51A-3.102(d)(10)

# Memorandum



CITY OF DALLAS

DATE November 3, 2011  
TO Steve Long, Board of Adjustment Administrator  
SUBJECT # BDA 101 - 072                      3003 S. Buckner Boulevard

The applicant is requesting a variance to the landscape requirements of PD 366, the Buckner Boulevard Special Purpose District.

### Trigger

Construction of a building addition in 2005.

### Deficiencies

The site was originally improved under permit in 1998. The property was recorded to have complied with PD 366 landscape requirements at time of inspection on October 1, 1998. The site is currently deficient.

PD 366 conditions are deficient in the following:

- Parkway landscaping - deficient parkway trees along Buckner (trees were planted on property). Trees are in the parkway along Scyene Road.
- Site area landscaping – deficient required site trees (removed for expansion).
- Front yard strip landscaping – deficient also following initial inspection in 1998.
- Screening – requires six-foot tall fence along residential adjacency. This was deficient from the 1998 plan and possibly replaced with large shrubs. (Screening is a landscape requirement in PD 366 so does not require a separate variance request).

Additional Article X deficiencies include:

- The mandatory perimeter landscape buffer is violated with the construction of the new structure. According to the 1998 plan, five trees were eliminated.

### Factors

The photinia shrub row is recognized by staff as being on this property. A portion of the shrub row that screens this commercial use from the cemetery was removed to make way for the structure. The rear of the building is fully exposed to view behind the metal cemetery fencing.

The proposed plan complies, in intent, with site trees, street trees and design standard requirements of Article X. It provides enhanced paving (a portion in the parkway approved in 1998) and screening of off-street parking.

### Recommendation

Denial of the submitted landscape plan.

Philip Erwin, ISA certified arborist #TX-1284(A)  
Chief Arborist

**EAST BENGAL CORPORATION DIRECTORS**

*DIRECTOR* **MOHAMMAD HOSSAIN**  
3609 UNIVERSITY PARK  
IRVING, TEXAS 75062

*DIRECTOR* **MUHAMMED SULTAN**  
1400 HUDSPETH DRIVE  
CARROLLTON, TEXAS 75010

*DIRECTOR* **RAIHANULCHOWDHURY**  
1121 EMILY LN  
CARROLLTON , TX 75010

**RECOMMENDED CONDITIONS**

**ARTICLE 366.**

**PD 366.**

**Buckner Boulevard Special Purpose District**

**SEC. 51P-366.101. LEGISLATIVE HISTORY.**

PD 366 was established by Ordinance No. 21211, passed by the Dallas City Council on February 26, 1992. Ordinance No. 21211 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Subsequently, Ordinance No. 21211 was amended by Ordinance No. 21313, passed by the Dallas City Council on June 10, 1992, and Ordinance No. 24159, passed by the Dallas City Council on January 12, 2000. (Ord. Nos. 19455; 21211; 21313; 24159; 25164)

**SEC. 51P-366.102. PROPERTY LOCATION AND SIZE.**

PD 366 is established on property generally located along both sides of Buckner Boulevard from Heinen Drive and Hoyle Avenue on the north to the T. & N.O. Railroad on the south, and along Lake June Road between Carbona Drive on the west and Pleasant Drive on the east. The size of PD 366 is approximately 407.945 acres. (Ord. Nos. 21211; 21313; 24159; 25164; 27034; 27902; 28199; 28520; 28547; 28775)

**SEC. 51P-366.103. DEFINITIONS AND INTERPRETATIONS.**

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. In Subarea 6:

(1) **ALTERNATIVE FINANCIAL ESTABLISHMENT** means a business that provides car title loans, check cashing, money transfers, payday cash advances, payroll advances, or short term cash loans. An alternative financial establishment does not include state or federally chartered banks, savings and loans, and credit unions. An alternative financial establishment does not include an establishment that provides financial services that are accessory to another main use.

(2) **FEED STORE** means a facility for the wholesale or retail sale of grain, prepared feed, and forage for pets, livestock, and fowl.

(3) **MASSAGE ESTABLISHMENT** means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly

licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barber shops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. MASSAGE means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(4) 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) Section 51A-2.101, "Interpretations," applies to this article.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(3) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800.)

(4) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800.)

(5) 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 is considered to be a nonresidential zoning district.

(e) PD 366 is to be known as the Buckner Boulevard Special Purpose District. (Ord. Nos. 21211; 25164; 27788)

**SEC. 51P-366.103.1. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 366A: Subarea descriptions.
- (2) Exhibit 366B: Subarea 5 development plan.
- (3) Exhibit 366C: Subarea 1A development plan.
- (4) Exhibit 366D: Tract map.
- (5) Exhibit 366E: Subarea 7 development and landscape plan.

**SEC. 51P-366.104. CREATION OF SUBAREAS AND DEVELOPMENT PLAN.**

(a) Creation of subareas. This district is divided into ~~seven~~eight subareas as described in Exhibit 366A. Subareas and tracts are shown on Exhibit 366D.

(b) Development plan.

(1) Except as provided in this subsection, 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.

(2) Development and use of Subarea 1A must comply with the development plan (Exhibit 366C).

(3) Development and use of Subarea 5 must comply with the development plan (Exhibit 366B).

(4) Development and use of Subarea 7 must comply with the development and landscape plan (Exhibit 366E).

(5) In the event of a conflict between the text of this article and a development plan, the text of this article controls.

**SEC. 51P-366.105.            MAIN USES PERMITTED.**

(a)    Subarea 1 and 7.

(1)    Agricultural uses.

--    Crop production.

(2)    Commercial and business service uses.

- Building repair and maintenance shop. *[RAR]*
- Catering service.
- Custom business services.
- Electronics service center.
- Machine or welding shop. *[SUP]*
- Medical or scientific laboratory. *[SUP]*
- Tool or equipment rental.
- Vehicle or engine repair or maintenance. *[SUP]*

(3)    Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. *[SUP]*
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. *[SUP]*
- Hospital. *[SUP]*
- Library, art gallery, or museum.
- Public or private school. *[RAR]*

(4)    Lodging uses.

- Hotel and motel. *[SUP]*
- Lodging or boarding house. *[SUP]*

(5)    Office uses.

- Financial institution without drive-in window.
- Financial institution with drive-in window.
- Medical clinic or ambulatory surgical center.

-- Office.

(6) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(7) Residential uses.

- College dormitory, fraternity, or sorority house.

(8) Retail and personal service uses.

- Ambulance service. [RAR]
- Animal shelter or clinic without outside run. [RAR]
- Auto service center. [RAR]
- Business school.
- Car wash. [DIR]
- Commercial amusement (inside).
- 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.
- Home improvement center, lumber, brick, or building materials sales yard. [DIR]
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Pawnshop.
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Taxidermist. [SUP]
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]

(9) Transportation uses.

- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [See Section 51A-4.211.]

(10) Utility and public service uses.

- Commercial radio or television and transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Utility or government installation other than listed. [SUP]

(11) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Office showroom/warehouse. [SUP]
- Outside storage (with visual screening). [SUP]
- Recycling collection center. [RAR]

(b) Subarea 1A.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Electronics service center.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.

- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [RAR]

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

- Temporary construction or sales office.

(7) Office uses.

- Financial institution without drive-in window.
- Medical clinic or ambulatory surgical center.
- Office.

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

- Animal shelter or clinic without outside run. [RAR]
- Business school.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Nursery, garden shop, or plant sales.
- Personal service uses.

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

(11) Transportation uses.

- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [See Section 51A-4.211.]

(12) Utility and public service uses.

- Commercial radio or television and transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Utility or government installation other than listed. [SUP]

(c) Subarea 2.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

[RAR]

- Building repair and maintenance shop. [RAR]
- Bus or rail transit vehicle maintenance or storage facility.
- Catering service.
- Commercial cleaning and laundry plant. [RAR]
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing. [RAR]
- Machine or welding shop. [RAR]
- Machinery, heavy equipment, or truck sales and service.

[RAR]

- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.
- Vehicle or engine repair or maintenance. [RAR]

(3) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [RAR]

(4) Lodging uses.

- Hotel and motel. [RAR]
- Lodging or boarding house.

(5) Office uses.

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

(6) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(7) Residential uses.

- College dormitory, fraternity, or sorority house.

(8) Retail and personal service uses.

- Ambulance service. [RAR]
- Animal shelter or clinic without outside run. [RAR]
- Animal shelter or clinic with outside run. [SUP]
- Auto service center. [RAR]
- Business school.
- Car wash. [RAR]

- Commercial amusement (inside).
- Commercial amusement (outside). *[DIR]*
- 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.
- Home improvement center, lumber, brick, or building materials sales yard. *[RAR]*
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Outside sales. *[SUP]*
- Pawnshop.
- Personal service uses.
- Restaurant without drive-in or drive-through service. *[RAR]*
- Restaurant with drive-in or drive-through service. *[DIR]*
- Swap or buy shop. *[SUP]*
- Taxidermist.
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service.

(9) Transportation uses.

- Commercial bus station and terminal. *[DIR]*
- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Railroad passenger station. *[SUP]*
- Transit passenger shelter. *[See Section 51A-4.211.]*
- Transit passenger station or transfer center. *[See Section 51A-4.211.]*

(10) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Radio, television, or microwave tower. *[RAR]*
- Utility or government installation other than listed. *[SUP]*

(11) Wholesale, distribution, and storage uses.

- Auto auction. [SUP]
- Building mover's temporary storage yard. [SUP]
- Contractor's maintenance yard. [RAR]
- Freight terminal. [RAR]
- Manufactured building sales lot. [RAR]
- Mini-warehouse.
- Office showroom/warehouse.
- Outside storage (with visual screening). [RAR]
- Petroleum product storage and wholesale. [SUP]
- Recycling collection center. [RAR]
- Sand, gravel, or earth sales and storage. [SUP]
- Trade center.
- Vehicle storage lot. [SUP]
- Warehouse. [RAR]

(d) Subarea 3. The uses permitted in Subarea 3 are all uses permitted in the LI Light Industrial District, as set out in Chapter 51A subject to the same conditions applicable in the LI Light Industrial District. For example, a use only permitted in the LI Light Industrial District by specific use permit (SUP) is only permitted in this planned development district by SUP; a use subject to development impact review (DIR) in the LI Light Industrial District is subject to DIR in this planned development district; etc. Exception: The vehicle display, sales, and service use is permitted by SUP only.

(e) Subarea 4. The uses permitted in Subarea 4 are all uses permitted in the IM Industrial Manufacturing District, as set out in Chapter 51A, subject to the same conditions applicable in the IM Industrial Manufacturing District. For example, a use only permitted in the IM Industrial Manufacturing District by specific use permit (SUP) is only permitted in this planned development district by SUP; a use subject to development impact review (DIR) in the IM Industrial Manufacturing District is subject to DIR in this planned development district; etc.

(f) Subarea 5.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Catering service.
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Medical or scientific laboratory.
- Technical school.

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [RAR]

(5) Lodging uses.

None permitted.

(6) Miscellaneous uses.

None permitted.

(7) Office uses.

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

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

- Ambulance service. [RAR]
- Animal shelter or clinic without outside runs. [RAR]
- Animal shelter or clinic with outside runs. [SUP]
- Business school.
- Commercial parking lot or garage. [RAR]
- Dry cleaning or laundry store.
- Furniture store.
- Nursery, garden shop, or plant sales.
- Personal service uses.
- Restaurant without drive-in or drive-through service. [RAR]
- Temporary retail use.
- Theater.

(11) Transportation uses.

- Commercial bus station and terminal. [DIR]
- Railroad passenger station. [SUP]
- Transit passenger shelter. [See Section 51A-4.211.]
- Transit passenger station or transfer center. [See Section 51A-4.211.]

(12) Utility and public service uses.

- Commercial radio or television transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Radio, television, or microwave tower. [RAR]
- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

None permitted.

(g) Subarea 6.

(1) Agricultural uses.

- Crop production.

(2) Commercial and business service uses.

- Building repair and maintenance shop. [RAR]
- Catering service.

- Custom business services.
- Electronics service center.
- Feed store.
- Machine or welding shop. [SUP]
- Medical or scientific laboratory. [SUP]
- Tool or equipment rental.
- Vehicle or engine repair or maintenance. [SUP]

(3) Industrial uses.

None permitted.

(4) Institutional and community service uses.

- Adult day care facility.
- Cemetery or mausoleum. [SUP]
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center.
- Convalescent and nursing homes, hospice care, and related institutions.
- Convent or monastery.
- Foster home. [SUP]
- Hospital. [SUP]
- Library, art gallery, or museum.
- Public or private school. [RAR]

(5) Lodging uses.

- Hotel or motel. [SUP. Must have more than 60 guest rooms.]

(6) Miscellaneous uses.

None permitted.

(7) Office uses.

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

(8) Recreation uses.

- Country club with private membership.
- Private recreation center, club, or area.
- Public park, playground, or golf course.

(9) Residential uses.

- College dormitory, fraternity, or sorority house.

(10) Retail and personal service uses.

- Alternative financial establishment. [SUP]
- Ambulance service. [RAR]
- Animal shelter or clinic without outside runs. [RAR]
- Auto service center. [RAR]
- Business school.
- Car wash. [SUP]
- Commercial amusement (inside). [Treat as if in a CR Community Retail District.]
- 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.
- Home improvement center, lumber, brick, or building materials sales yard. [DIR]
- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Nursery, garden shop, or plant sales.
- Pawnshop.
- Personal service uses. [Massage establishment and tattoo or body piercing studio uses are prohibited.]
- Restaurant without drive-in or drive-through service. [RAR]
- Restaurant with drive-in or drive-through service. [DIR]
- Swap or buy shop. [SUP]
- Taxidermist. [SUP]
- Temporary retail use.
- Theater.
- Vehicle display, sales, and service. [SUP]

(11) Transportation uses.

- Transit passenger shelter. [See Section 51A-4.211.]

- Transit passenger station or transfer center. [See Section 51A-4.211.]

(12) Utility and public service uses.

- Commercial radio or television and transmitting station.
- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. [SUP]
- Tower/antenna for cellular communication. [SUP may be

required.

See Section 51A-4.212(10.1). Treat as a CR Community Retail district.]

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

(13) Wholesale, distribution, and storage uses.

- Mini-warehouse. [SUP]
- Office showroom/warehouse. [SUP]
- Outside storage (with visual screening). [SUP]
- Recycling collection center. [RAR] (Ord. Nos. 21211; 25164;

27034; 27788; 28547)

**SEC. 51P-366.106. 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 in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) In Subarea 6, accessory outside display of merchandise is only permitted within 10 feet of the structure housing the primary use. (Ord. Nos. 21211; 25164; 27788)

**SEC. 51P-366.107. 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) Subareas 1, 1A, 2, and 6 and 7.

- (1) Front yard. Minimum front yard is:
- and
- (A) 15 feet where adjacent to an expressway or a thoroughfare;
- (B) no minimum in all other cases.
- (2) Side and rear yard. Minimum side and rear yard is:
- (A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; ~~and~~
- (B) no side and rear yard required in all other cases-and;
- (C) in Subarea 7, no minimum side or rear yard.
- (3) Dwelling unit density. No dwelling unit density.
- (4) Floor area ratio. Maximum floor area ratio is:
- (A) 0.5 for any combination of lodging, office, and retail and personal service uses; and
- (B) 0.75 for all uses combined.
- (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. (See Section 51A-4.412.) 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 45 feet.
- (6) 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.
- (7) Lot size. No minimum lot size.
- (8) Stories. Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (5).

(b) Subarea 3. Except as otherwise provided, the yard, lot, and space regulations for this subarea must comply with the yard, lot, and space regulations applicable to the LI Light Industrial District, as set out in Chapter 51A. Minimum side and rear yard is:

(1) 20 feet where adjacent to or directly across the street from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no side or rear yard required in all other cases.

(c) Subarea 4. Except as otherwise provided, the yard, lot, and space regulations for this subarea must comply with the yard, lot, and space regulations applicable to the IM Industrial Manufacturing District, as set out in Chapter 51A. Minimum side and rear yard is:

(1) 20 feet where adjacent to or directly across the street from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(2) no side or rear yard required in all other cases.

(d) Subarea 5.

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

(2) Side and rear yard. Minimum side yard is 25 feet. Minimum rear yard is 50 feet.

(3) Dwelling unit density. No dwelling unit density.

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

(A) 0.5 for any combination of lodging, office, and retail and personal service uses; and

(B) 0.75 for all uses combined.

(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. (See Section 51A-4.412.) 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 45 feet.

(6) 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.

(7) Lot size. No minimum lot size.

(8) Stories. Maximum number of stories above grade is three. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (5). (Ord. Nos. 21211; 25164; 27034; 27788; 28547)

**SEC. 51P-366.108. OFF-STREET PARKING AND LOADING.**

(a) In general. Except as provided in this section, off-street parking and loading must be provided in accordance with the Dallas Development Code, as amended.

(b) Subarea 1A. Except as provided in this subsection, any on-street parking spaces partially located within the street easement adjacent to Buckner Boulevard at Bearden Lane as shown on the development plan may be counted as a reduction of the parking requirement of the use adjacent to the on-street parking space.

(1) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed-use 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 it 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 ( $8 \div 24 = \text{one-third}$ ). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(c) Subarea 5.

(1) For a college, university, or seminary use, off-street parking must be provided at a ratio of 0.23 parking spaces per student and employee.

(2) Surface parking is permitted in the required side and rear yards.

(d) Subarea 6.

(1) Feed store.

(A) One space per 500 square feet of retail floor area is required.

(B) One space per 1,000 square feet of warehouse and storage floor area is required.

(2) Alternative financial establishment. One space per 200 square feet of floor area is required. (Ord. Nos. 21211; 25164; 27034; 27788; 28547)

**SEC. 51P-366.109. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 21211; 25164)

**SEC. 51P-366.110. LANDSCAPING FOR ALL SUBAREAS EXCEPT SUBAREA 7.**

(a) Application.

(1) Parkway landscaping provisions shall become applicable to a lot when an application is made for a building permit for construction work that increases building height, floor area ratio, required parking, or nonpermeable coverage of the lot.

(2) Site area landscaping, front yard strip landscaping, screening, and sidewalk provisions shall become applicable to a lot when an application is made for a building permit for construction work that increases either the floor area ratio, building height, or nonpermeable coverage of the lot by more than 20 percent.

(3) Front yard strip landscaping and screening provisions may be imposed during required development impact or residential adjacency review procedures.

(b) Parkway landscaping. One tree at least three and one-half inches in diameter, or two trees at least one and one-half inches in diameter must be provided between the street curb and the sidewalk per 30 feet of frontage, exclusive of driveways, visibility triangles, and accessways at points of ingress and egress. No underground irrigation system is required for parkway landscaping.

(c) Front yard strip landscaping.

(1) The 10-foot-wide strip of land along the entire length of the front yard and immediately adjacent to the property line must be landscaped as follows:

(A) Twenty percent of the surface must be permeable.

(B) Ten percent must be landscaped with trees, shrubs, or a combination of trees and shrubs that have the potential to attain a minimum height of 30 inches within a three-year time period.

(C) An underground irrigation system must be provided.

(2) Front yard strip landscaping must be approved by the director of the department of development services.

(d) Site area landscaping.

(1) Except as provided in this subsection, the remainder of the lot must be landscaped in accordance with the provisions contained in Article X. An underground irrigation system must be provided.

(2) A plant group that complies with the provisions of Section 51A-10.125(b)(7)(B) must be provided for every 35 feet of street frontage in the Landscape Enhancement Areas as shown on the development plan for Subarea 1A (Exhibit 366C).

(e) Screening.

(1) A six-foot-high solid screening fence must be provided along all rear and side lot lines that are adjacent to residential districts.

(2) On-site parking must be screened with:

(A) a minimum three-foot-high solid fence, with an 18-inch wide planting bed located on its street side; or

(B) shrubs with the potential to attain a minimum height of 30 inches within a three-year time period.

(3) Manufactured building sales lot and vehicle display, sales, and service uses must be screened with a minimum two and one-half-foot-high fence with a screening factor of less than 66 percent, and an 18-inch-wide planting bed located on its street side.

(f) Sidewalks. A sidewalk with a minimum width of five feet must be provided in the 12 foot area parallel to and in back of the projected street curb.

(g) Completion. All landscaping must be completed in accordance with the provisions contained in Article X.

(h) General maintenance.

(1) Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the city.

(2) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

(i) Points. For purposes of tabulating the number of points earned toward the minimum number required by Article X, 15 points are awarded for parkway landscaping. Ten points are awarded for required or voluntary front yard strip landscaping. Five points are awarded for the screening of on-site parking. (Ord. Nos. 21211; 25164; 28547)

**SEC. 51P-366.110.1. LANDSCAPING FOR SUBAREA 7.**

(a) Landscaping must be provided as shown on the development and landscape plan (Exhibit 366E).

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

**SEC. 51P-366.111. PRIVATE LICENSE GRANTED.**

(a) The city council hereby grants a private license to each of the abutting property owners of property in the Buckner Boulevard Special Purpose District for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this article. An abutting 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 landscape permit in accordance with Chapter 52 of the Dallas City Code, as amended. 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.

(b) To the extent that the provisions contained in this section conflict with the applicable licensing provisions contained in Chapter 43 of the Dallas City Code, the provisions contained in Chapter 43 are waived.

(c) In no event shall the license granted by this section be construed to grant an easement or real property interest of any kind to the licensees. (Ord. Nos. 21211; 25164)

**SEC. 51P-366.112. LANDSCAPE PLAN.**

(a) A landscape plan must be submitted to and approved by the director of the department of development services prior to the installation of landscaping required by this article.

(b) Upon the submission of a plan for or including the installation of parkway landscaping, the director of the department of development services shall circulate it to all affected city departments and all utilities and communication companies for review and comment. If, after receiving comments from affected city departments, utilities, and communication companies, the director determines that the construction and planting proposed is in compliance with this article, and will not be inconsistent with and will not impair the public, utility, or communications company use of the right-of-way, the director shall approve the landscape plan; otherwise, the director shall disapprove the plan.

(c) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the director of the department of development services' disapproval of a plan to install parkway landscaping on the basis that the installation of the landscaping will be inconsistent with, or will unreasonably impair the public, utility, or communication company use of the right-of-way.

(d) The approval of a plan to install parkway landscaping 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. 21211; 25164)

**SEC.51P-366.113. SIGNS.**

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

(b) For Subarea 1A, detached premise signs are limited to one two-sided sign on Blossom Lane and one two-sided sign on Buckner Boulevard in the areas shown on the development plan. The detached premise sign on Blossom Lane must be a monument sign and may not exceed six feet in height or 50 square feet in effective area. (Ord. Nos. 21211; 25164; 28547)

**SEC. 51P-366.114. NONCONFORMING USES.**

(a) Subareas 1, 2, 3, 4, and 5.

(1) Existing nonconforming uses and uses made nonconforming by this article are not subject to amortization by the board of adjustment.

(2) The right to operate a nonconforming use terminates if the nonconforming use is discontinued or remains vacant for one year or more. The board may grant a special exception to this provision only if the owner can state an extreme circumstance that demonstrates that there was not an intent to abandon the use even though the use was discontinued for one year or more.

(b) Subarea 6.

(1) The city council finds that certain nonconforming uses have an adverse effect on nearby properties. The purpose of this subsection is to eliminate these nonconforming uses and to make them comply with the regulations of the Dallas Development Code, having due regard for the property rights of the persons affected, the public welfare, and the character of the surrounding area.

(2) The right to operate a nonconforming hotel or motel use; a nonconforming lodging or boarding house use; and a nonconforming residential hotel use automatically terminates on January 13, 2011 or one year after the use became nonconforming, whichever is later.

(3) An owner of a nonconforming hotel or motel use; a nonconforming lodging or boarding house use; or a nonconforming residential hotel use may request an extension of the compliance deadline in Paragraph (2) by filing an application with the director on a form provided by the city for that purpose. The application must be filed at least 30 days before the deadline in Paragraph (2). If a fee is required, the application will not be considered filed until the fee is paid. Failure to timely file a complete application for extension constitutes a waiver of the right to contest the reasonableness of the deadline in Paragraph (2).

(4) Upon the filing of a complete application for extension, the board shall, in accordance with the law, determine whether it is necessary to extend the compliance deadline for the nonconforming use. The board shall consider the factors listed in Section 51A-4.704(a)(1)(D) in determining whether to grant the request for extension.

(5) If, based on evidence presented at the public hearing, the board finds that additional time is needed to recoup the owner's actual investment in the use before the use became nonconforming, the board shall grant the request for extension and establish a new compliance deadline consistent with its determination of a reasonable amortization period; otherwise, the board shall deny the request. If the board denies the request, the right to operate the nonconforming use automatically

Z134-105(SM)

terminates on the deadline in Paragraph (2), or 30 days after the date of the board's decision to deny, whichever is later.

(c) In general. Except as otherwise provided in this section, Section 51A-4.704 applies to all nonconforming uses and structures in this district. (Ord. Nos. 21211; 25164; 27788)

**SEC.51P-366.114.1 SUBAREA 1A ROADWAY IMPROVEMENTS.**

(a) Before the issuance of a certificate of occupancy for a permitted use, the following must be provided:

(1) Reconstruction of the segment of Bearden Lane west of Buckner Boulevard, retaining the existing driveway connection on the north line of Bearden Lane. Eastbound Bearden Lane must provide separate left-turn and right-turn lanes at Buckner Boulevard.

(2) Signalization at Buckner Boulevard and Blossom Lane, with design and construction approved by the Director of Public Works and Transportation.

(3) Restriping Blossom Lane, providing for separate eastbound and through lanes between Buckner Boulevard and the easternmost drive approach into the Property.

(4) Drive approaches along Blossom Lane, having separate left-turn and right-turn lanes onto Blossom Lane.

(b) On-street parking along Blossom Lane is prohibited. (Ord. 28547)

**SEC. 51P-366.115. GENERAL REQUIREMENTS.**

Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 21211; 25164; 26102)

**SEC. 51P-366.116. WAIVER OF CERTAIN SUP FEES IN SUBAREA 1.**

The city council waives the application fee for a specific use permit for nonconforming uses located in Subarea 1 in those cases where:

(1) the nonconforming use was existing on February 26, 1992, or made nonconforming by this article; and

(2) upon inspection by the director of the department of code compliance or the director's designee, it is determined that the nonconforming use and the property on which it is located is in compliance with all applicable ordinances, rules, and regulations of the city other than the requirement of a specific use permit. (Ord. Nos. 21211; 25164; 26102)

**SEC. 51P-366.117. COMPLIANCE WITH CONDITIONS.**

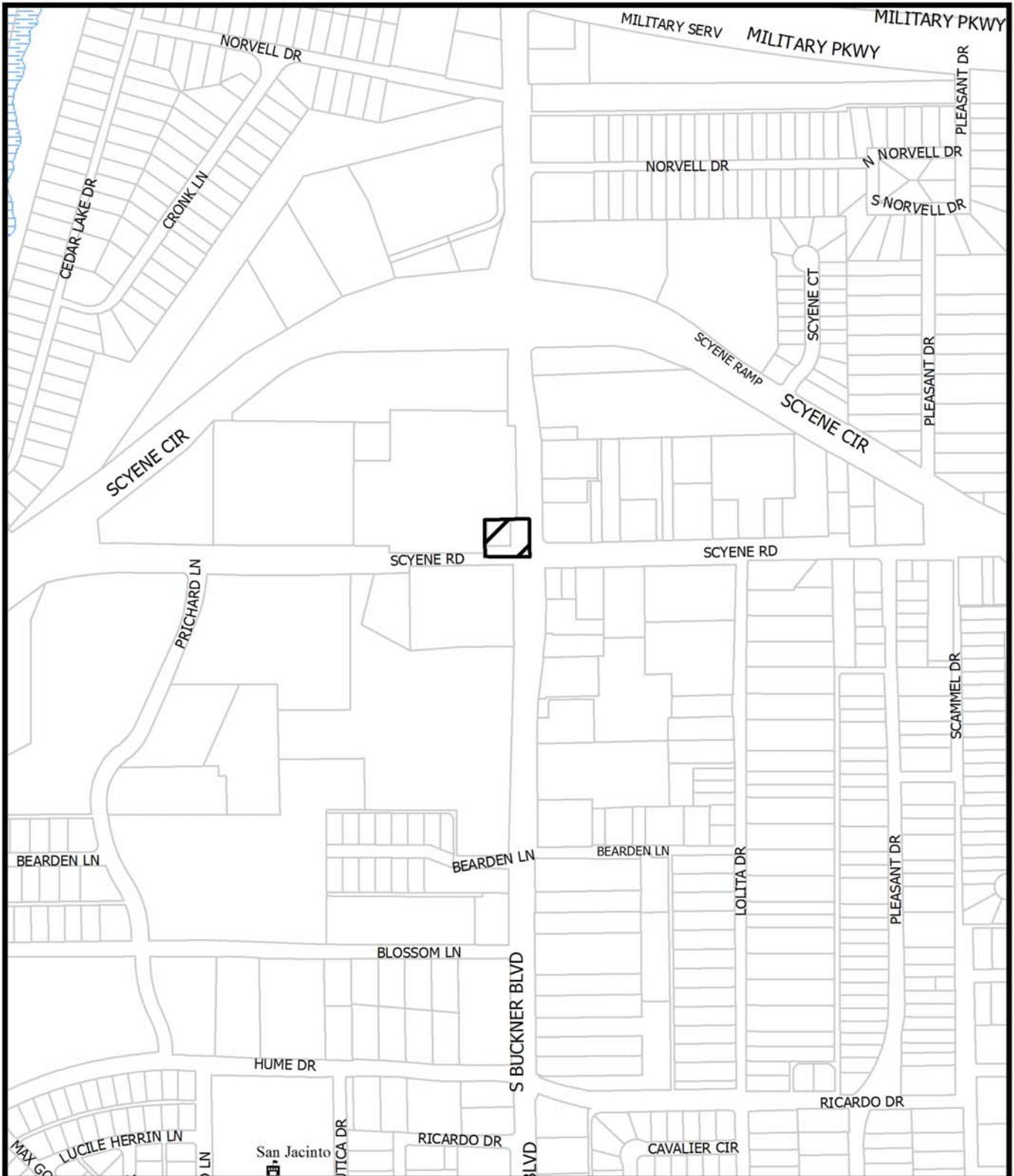
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 21211; 25164; 26102)

### **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 less than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. 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.





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# VICINITY MAP

Case no: Z134-105

Date: 8/4/2015

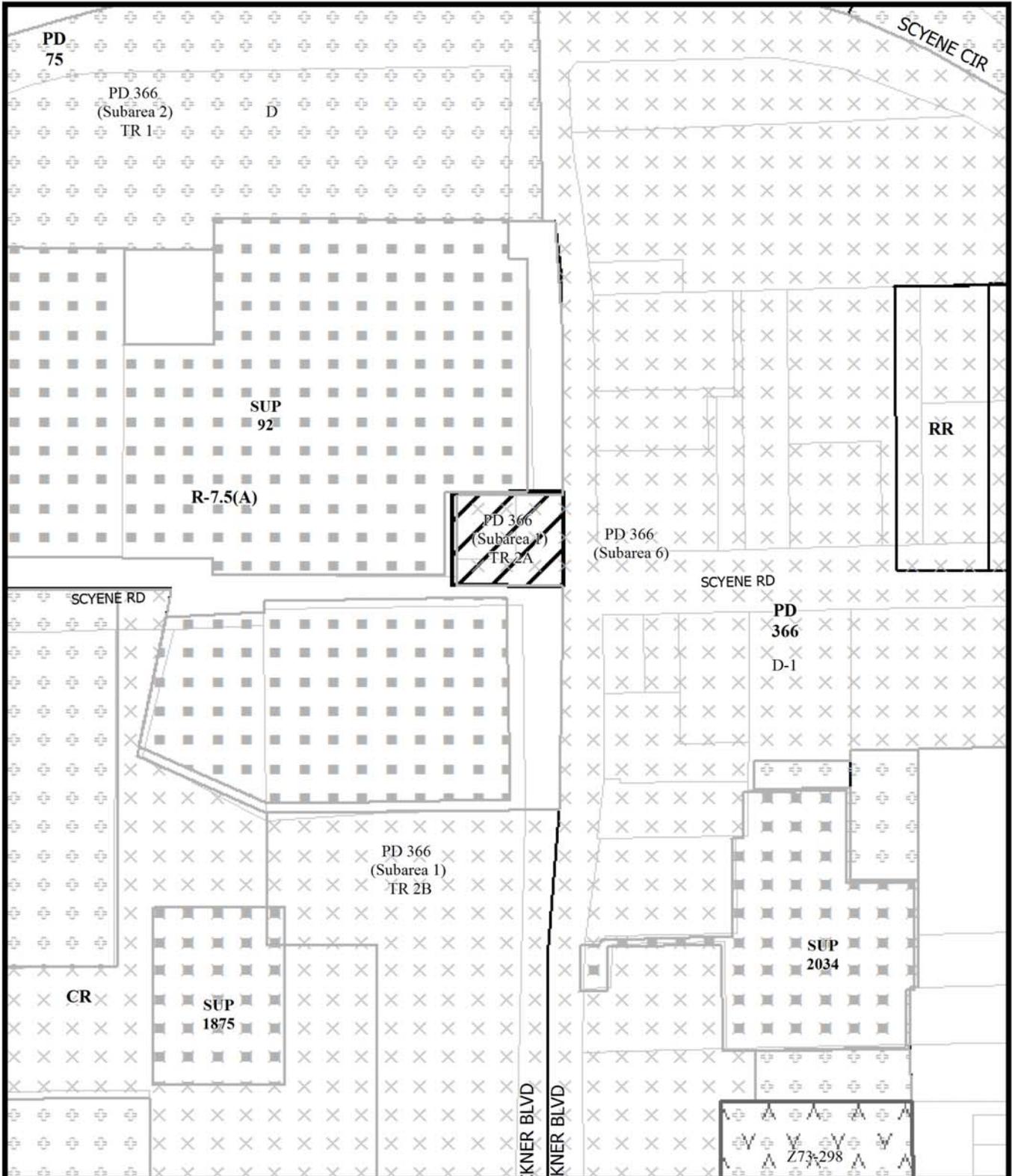


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# AERIAL MAP

Case no: Z134-105

Date: 8/4/2015

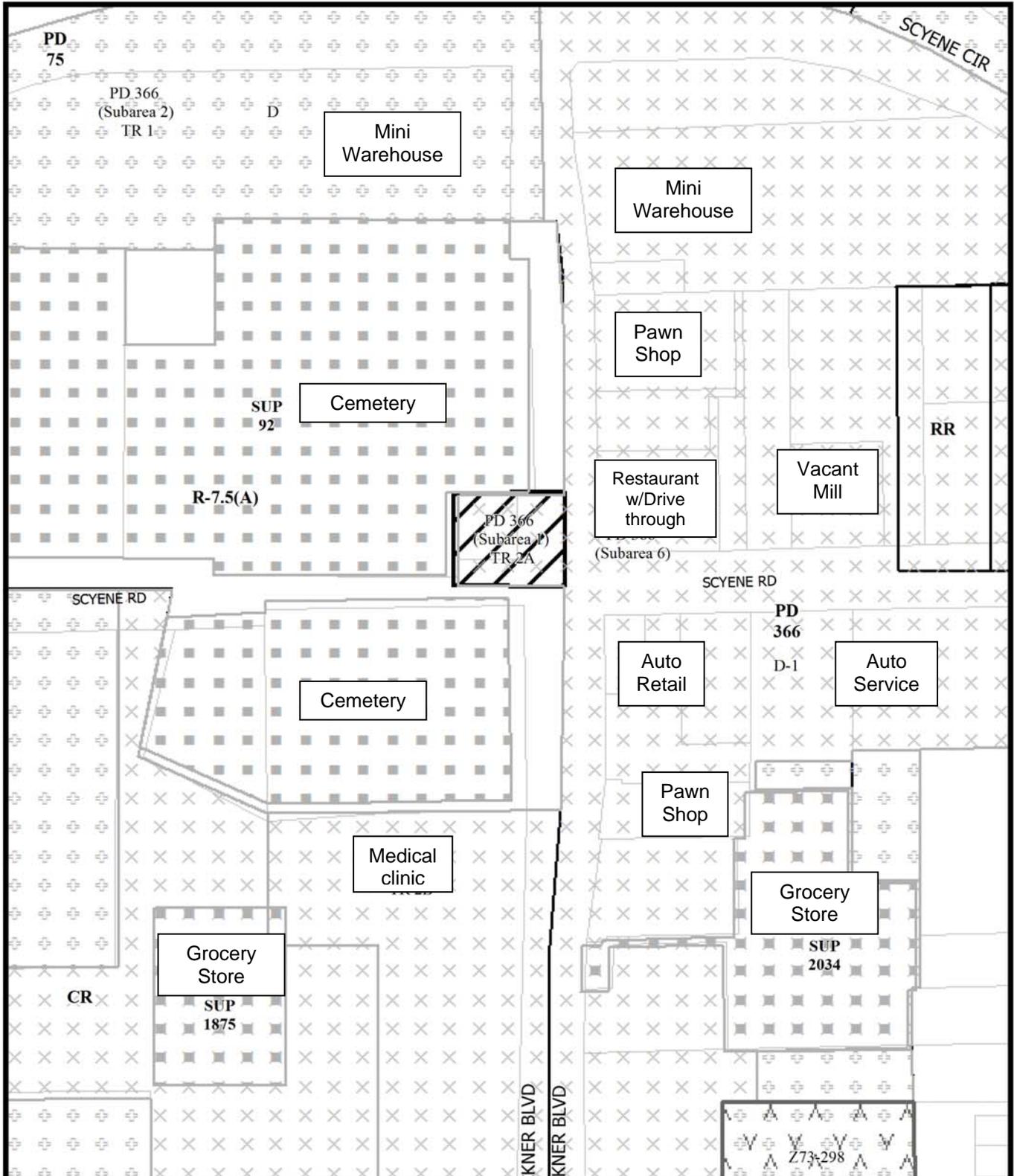


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# ZONING MAP

Case no: Z134-105

Date: 8/4/2015

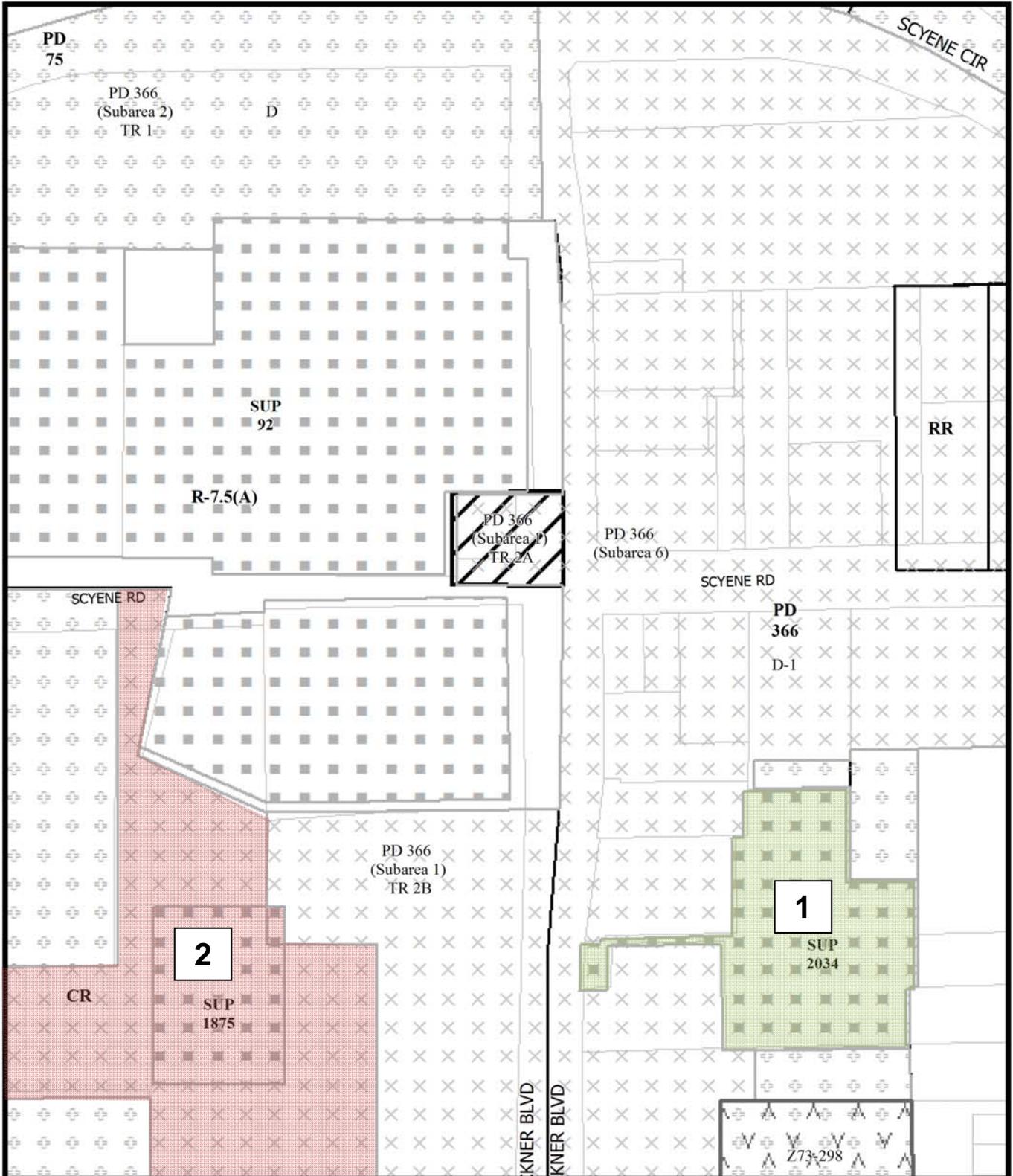


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# ZONING AND LAND USE

Case no: Z134-105

Date: 8/4/2015

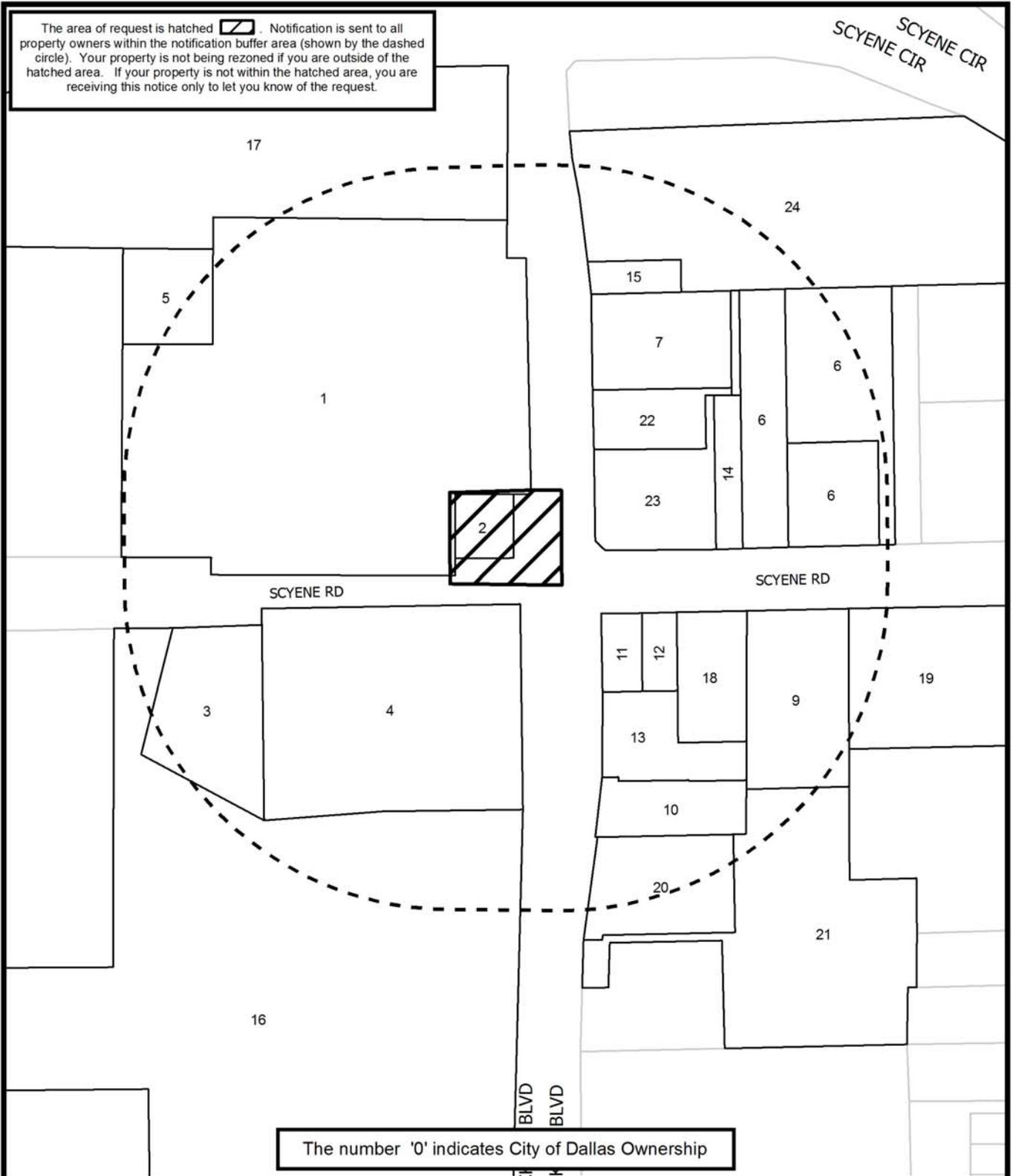


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# ZONING HISTORY

Case no: Z134-105

Date: 8/4/2015



 1:2,400	<h1>NOTIFICATION</h1> <p><b>500'</b> AREA OF NOTIFICATION</p> <p><b>24</b> NUMBER OF PROPERTY OWNERS NOTIFIED</p>	Case no: <u>    <b>Z134-105</b>    </u> Date: <u>    <b>8/4/2015</b>    </u>
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08/03/2015

***Notification List of Property Owners******Z134-105******24 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3151 BUCKNER BLVD	PLEASANT MOUND CEMETERY
2	3003 BUCKNER BLVD	EAST BENGAL CORP
3	8004 SCYENE RD	HERITAGE FUNERAL HOME &
4	8050 SCYENE RD	CEMETERY
5	8004 SCYENE RD	PLEASANT MOUND CEM ASSOC
6	8149 SCYENE RD	WIMBERLY JOANNE
7	3110 BUCKNER BLVD	FIRST CASH LTD
8	8127 SCYENE RD	JACKSON WILLIE RAY
9	8126 SCYENE RD	FREEMAN WILLIAM R
10	2942 BUCKNER BLVD	HEAVER PROPERTIES LIMITED
11	2952 BUCKNER BLVD	MONA & NADA CORPORATION
12	8106 SCYENE RD	ZUNIGA CLAUDIA Y
13	2940 BUCKNER BLVD	MITCHELL WILLIAM J &
14	8117 SCYENE RD	JACKSON WILLIE RAY
15	3118 BUCKNER BLVD	UGWONALI FELIX C &
16	8000 SCYENE RD	BUCKNER PARTNERSHIP LP
17	3241 BUCKNER BLVD	ACCESS-BUCKNER LTD
18	8116 SCYENE RD	LEWIS PAUL C
19	8190 SCYENE RD	FORD ROBERT L
20	2930 BUCKNER BLVD	FWP BUCKNER BLVD TX LLC
21	2926 BUCKNER BLVD	ALDI LLC
22	3026 BUCKNER BLVD	FIRST CASH LTD
23	3004 BUCKNER BLVD	FIREBRAND PROPERTIES LP
24	3210 BUCKNER BLVD	SH 708-716 LLC

**FILE NUMBER:** Z134-250(RB)

**DATE FILED:** May 1, 2014

**LOCATION:** Southeast quadrant of Averill Way and Preston Road

**COUNCIL DISTRICT:** 13

**MAPSCO:** 25 T

**SIZE OF REQUEST:** Approx. 2.02 Acres

**CENSUS TRACT:** 77.00

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**APPLICANT:** Transwestern Acquisitions, LLC

**REPRESENTATIVE:** William S. Dahlstrom

**OWNERS:** See Attached

**REQUEST:** An application for a Planned Development Subdistrict for MF-1(A) Multifamily District Uses on property zoned an MF-1(A) Multifamily District.

**SUMMARY:** The applicant is requesting a PDD for consideration of the following: 1) increase in dwelling unit density; 2) increase in structure height; and, 3) reduced side yard setbacks. See chart on page 6.

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

**GUIDING CRITERIA FOR RECOMMENDATION:**

Staff recommends approval subject to a development plan and staff’s recommended conditions based upon:

1. *Performance impacts upon surrounding property* – As a proposed residential development, impact on adjacent properties (lighting, noise, odor) is not anticipated.
2. *Traffic impact* – The proposed development will generate traffic patterns consistent with the residential uses in the immediate area. While the proposed density is greater than that currently permitted (see Land Use Compatibility section, below), the submitted traffic impact analysis is supported by staff.
3. *Comprehensive Plan or Area Plan Conformance* – The request is in compliance with the designated Building Block for the area.
4. While the applicant has worked with adjacent property owners to address revisions to the proposed residential project, staff’s support is solely contingent on the attached recommended amending conditions (which will require a revised development plan providing for consistency).

**Zoning History:**

**File Number      Request, Disposition, and Date**

- |             |   |
|-------------|---|
| 1. Z134-250 | Application submitted on May 1, 2014 for a PDD for multifamily uses. The applicant requested to hold this until the new focus could be presented to area property owners, thus leading to the revised application now being considered. |
|-------------|---|

**Thoroughfare/Street**

**Existing & Proposed ROW**

Preston Road

Principal Arterial; 100’ & 100’ ROW

Averill Way

Local; Variable width ROW

**Traffic:** The Engineering Section of the Department of Sustainable Development and Construction reviewed a required Traffic Impact Analysis with initial submission (May 1, 2014/3.52 acres/220 dwelling units) as well as reviewing the updated TIA ( May 14, 2015). It has been determined the revised submission will not impact the surrounding street system. As noted in the attached recommended conditions, staff supports the

requirement for a southbound (Preston Road) left turn lane onto Averill Way, which will be required prior to the issuance of a certificate of occupancy for the first multifamily dwelling unit.

## **STAFF ANALYSIS**

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

GOAL 1.2 Promote desired development.

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

**Preston Road and Northwest Highway Area Plan.** This recently established study, bounded by the major thoroughfares as delineated on the attached area plan map, captures this request area. The purpose of this study is to develop a Preston Center and Northwest Highway Area Plan that will examine existing conditions and future needs and improvements within the area. The approach will be an integration of the following: transportation operational improvements, land use intensity and mix, and context sensitive design.

Funding is to be provided by the North Central Texas Council of Governments and private sources. Current efforts underway have included two task force meetings along with NCTOG, city staff and zone representatives from the designated residential and commercial areas within the study boundary. Ultimately, a consultant will be procured to prepare an analysis to present to the task force with a tentative completion date of summer/2016. At this point, ultimate adoption of the study has not been determined.

### **Land Use Compatibility:**

The site is currently developed with various multifamily structures, served by a 27 foot-wide access easement. All improvements will be removed, with the applicant providing for a new multifamily development. See accompanying table, below, for a comparison of existing/proposed provisions.

As noted in the Zoning History section, the initial request for this site (and adjacent land

area on the north line of Averill Way) was a similar multifamily use, however with a more physical presence (density and structure height), but was withdrawn by the applicant. The representative has indicated the current submission addresses the concerns of adjacent property owners.

Northwest Highway is a critical right-of-way that provides the demarcation between established residential uses (single family and multifamily dwellings) to the north/northeast, with regional serving office and retail uses to the south/southeast. Additional low density single family uses are found on parcels to the west/northwest, across Preston Road. DART maintains a bus stop along Preston Road, near the site's northwest corner.

While staff supports the use, there remain some concerns related to adjacency. While there are two residential towers, representing high density residential projects, the immediate area remains as a low density, single family and multifamily community. These residential uses tend to be massed within one and two story structures. It should be noted these uses comply with the residential proximity slope. As such, density (other than single family structures) tends to be restricted by this regulation which affects the massing of structures and their vertical presence on the immediate area. For comparison purposes, the existing entitlements generally provide a density of approximately 28-32 units per acre; the applicant's request will generate approximately 61 units per acre. Due to the site's constraints, there is no where to absorb this density without developing vertical, thus the building mass can be a bit out of character with the immediate established residential structures in the immediate area.

It should be noted that some multifamily zoned and developed parcels [MF-1(A) and MF-2(A), both permitting 36 feet] does not have a typical residential proximity slope when adjacent to other MF-zoned property. Only the more robust, higher density MF-zoned properties [MF-3(A) and MF-4(A) at 90 feet and 240 feet, respectively] have a 'residential proximity slope-like' sensitivity that requires additional front and side yard setbacks for structure height greater than 45 feet.

A couple of ideas have been provided to the applicant, one of which would require a redesign to limit the easternmost 30 feet of the site (approx. 200 feet of depth, total) to 26 feet of structure height, with a vertical step for the balance of the site, ultimately providing for an increase in density, albeit less than requested. Another concept would be to redesign the courtyards, thus freeing up some land area and in conjunction with possibly shifting the structure to the west, additional separation (in terms of a residential proximity slope) could be provided.

The applicant has committed to design criteria (see attached), which ensures certain visual and physical (ie, all parking within the structure; nonfunctional balconies along the

east façade) provisions.

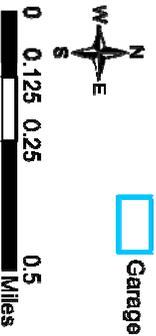
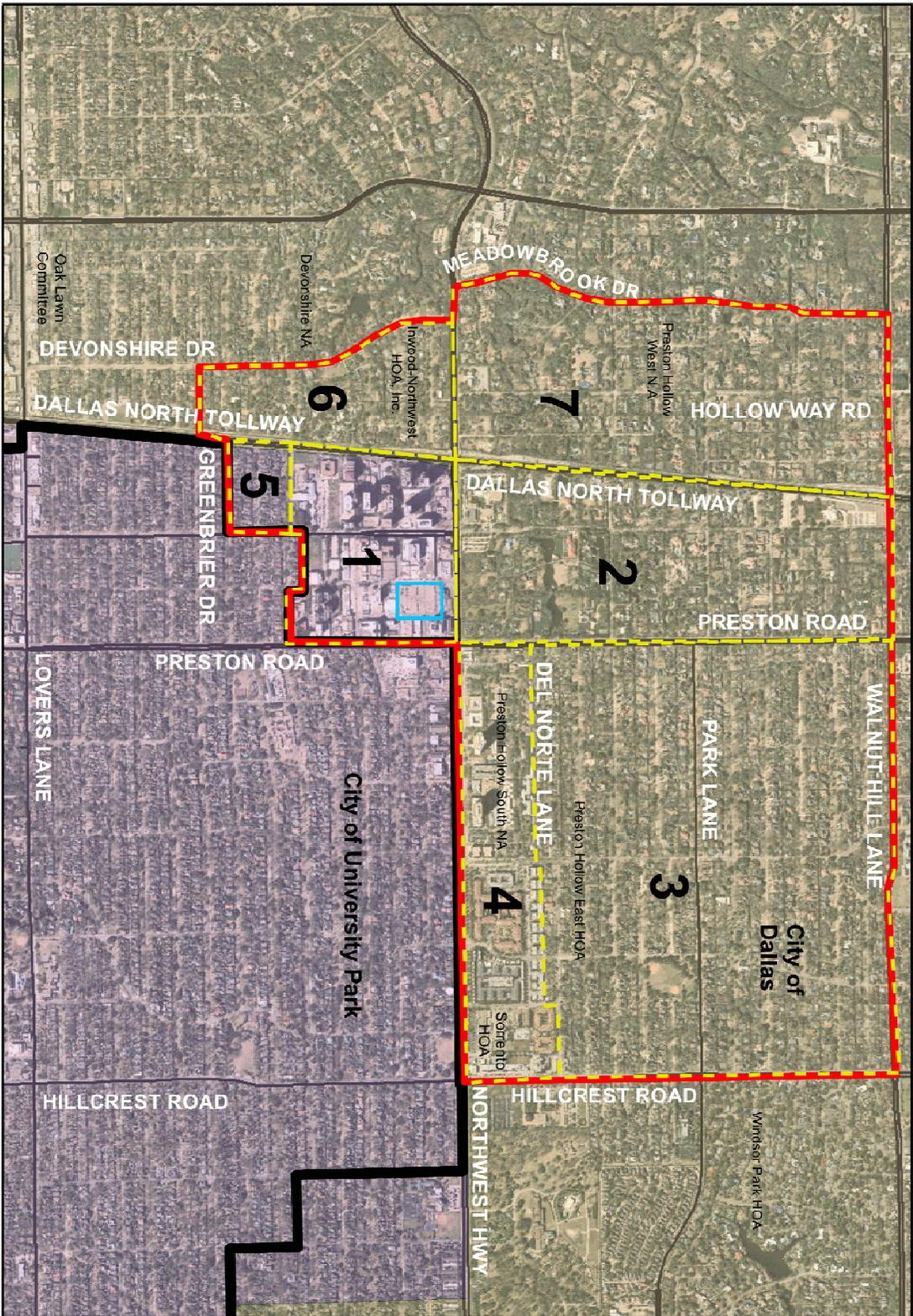
In summary, staff is supportive of the development, subject to staff's recommended conditions, the only area of disagreement is the management of maximum structure height.

**Off-Street Parking:** Off-street parking will be provided as required by the Dallas Development Code (one space for each bedroom with not less than one space per dwelling unit. Additionally, 0.2 space/dwelling unit for guest parking will be provided for the development. It should be noted that no at-grade parking (other than a loading space along the northern property line) will be provided thus enhancing the anticipated design of the main structure and commitment to streetscape plantings in relation to the built environment.

**Landscaping:** The applicant has prepared a landscape component as noted on the attached plan. The improvements tend to be located along the perimeter, with various planting areas for the proposed courtyards along the eastern portion of the proposed development. A private license for planting within the public right-of-way will be required from some of these plantings.

<b>Provision</b>	<b>Existing MF-1(A)</b>	<b>Proposed PDD</b>
<b>F/S/R YARD SETBACKS</b>	15'/10'/10'  (ASSUMES MULTIFAMILY STURCTURES)	15'/5'/5' CERTAIN PROJECTIONS MAY ENCROACH INTO REQUIRED FRONT YARD
<b>DENSITY</b>	NO MAX; GENERALLY DEVELOPS TO A RANGE OF 25-28 DU/ACRE DEPENDING ON UNIT MIX	122 DU'S (61 DU/ACRE)
<b>FLOOR AREA RATIO</b>	NO MAXIMUM	NO MAXIMUM
<b>STRUCTURE HEIGHT/STORIES</b>	36 FEET/NO MAX	50 FEET/FOUR, PLUS 12 FEET FOR TYPICAL MECHANICALS
<b>LOT COVERAGE</b>	60%	65%
<b>LANDSCAPING</b>	ARTICLE X	SITE SPECIFIC WITH PLANTINGS GENERALLY AT THE PERIMETER
<b>OFF-STREET PARKING</b>	CODE	CODE, WITH REVISED GUEST PARKING
<b>MISCELLANEOUS</b>	N/A	SIX FOOT-WIDE SIDEWALKS; DESIGN CRITERIA

# Northwest Highway and Preston Road Area Plan



Garage

Zones

Study Area

City Limits

Dallas ISD

Highland Park ISD

**APPLICANT DIRECTORS AND OFFICERS:**

**Name:**

**Titles:**

Robert Duncan

Chairman, Director

Larry Heard

President, CEO, Director

Mark Doran

Chief Operating Officer, Director

Steve Harding

Chief Financial Officer, Director

Tom McNearney

Chief Investment Officer, Director

Mark M. Culwell

Managing Director - Development

**8504 – 8515 TOWN HOUSE ROW**

<u>Address</u>	<u>Owner Name</u>
8504	Bradford, Brenda R.
8505	Cox, Frances Y.
8508	Lubbock National Bank Custodian for Benny R. Valek Self-directed IRA
8509	Price, Samuel H. & Pat Davis Price
8512	Brady, John L., Jr.
8515	Hale, Patrick R. & Nancy H.

**“ARTICLE**

**PD**

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

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

**SEC. 51P- \_\_\_\_ .102. PROPERTY LOCATION AND SIZE.**

PD \_\_\_\_ is established on property located at the southeast corner of Preston Road and Averill Way. The size of PD \_\_\_\_ is approximately 2.02 acres.

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

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

(b) NONFUNCTIONING BALCONY means an architectural feature which appears as a balcony on a building façade, does not have a horizontal landing area, and is not accessible from a dwelling unit.

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

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

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

The following exhibits are incorporated into this article:

- a) Exhibit \_\_\_\_A: development plan.
- b) Exhibit \_\_\_\_B: landscape plan.

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

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

**SEC. 51P-\_\_\_\_.106. MINOR AMENDMENT TO DEVELOPMENT PLAN.**

(a) In general. Except as provided in this section, amendments to a development plan must comply with Section 51A-4.702(h) of the Dallas Development Code, as amended.

(b) Multifamily use. Improvements located within a courtyard located as shown on the development plan may be approved by the Director as outlined in Section 51A-4.702(h)(2)(A), except that 51A-4.702(h)(2)(A)(ii)(aa) does not apply.

**SEC. 51P-\_\_\_\_.107. MAIN USES PERMITTED.**

The only main uses permitted are those main uses permitted in the MF-1(A) Multifamily District, subject to the same conditions applicable in the MF-1(A) Multifamily District as set out in Chapter 51A. For example, a use permitted in the MF-1(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-1(A) Multifamily District is subject to DIR in this district; etc.

**SEC. 51P-\_\_\_\_.108. ACCESSORY USES.**

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

(b) The following accessory uses are not permitted:

- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

**SEC. 51P-\_\_\_\_.109. YARD, LOT, AND SPACE REGULATIONS.**

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

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the MF-1(A) Multifamily District apply.

(b) Front yard.

(1) Except as provided in this section, minimum front yard is 15 feet.

(2) Balconies, bay windows, awnings, signs, and entryways affixed to the building or part of the foundation may project up to five feet into the required yard, subject to a minimum clearance of 10 feet above grade.

(3) Stoops, steps, patios, stairs, planters, retaining walls, transformers and other utility equipment, benches, pots, raised planters, sculptures, cabanas and other decorative landscape items may be located within the required setback with no projection limitation.

(c) Side yard. Minimum side yard is five feet.

(d) Density.

(1) Maximum number of dwelling units is 122.

*Applicant requested:*

(e) Height.

(1) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project to a height not to exceed the maximum height in this section

(2)

(3) The residential proximity slope regulations do not apply to this district.

*Staff recommended:*

(e) Height.

(1) Except as provided in this section, maximum structure height for a multifamily use is 50 feet to the highest point of the structure.

(2) Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project a maximum of 12 feet above the maximum structure height in this subparagraph for a multifamily use.

(3) The residential proximity slope does not apply to this district.

(f) Lot size. For a multifamily use, no minimum lot size.

- (g) Stories. Maximum number of stories above grade is four.
- (h) Lot coverage. Maximum lot coverage is 65 percent.

**SEC. 51P- \_\_\_\_\_.110. OFF-STREET PARKING AND LOADING.**

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

(b) Multifamily.

(1) Guest parking must be provided at a ratio of 0.2 spaces per dwelling unit.

(2) All off-street parking must be located within a structure or underground.

**SEC. 51P- \_\_\_\_\_.111. ROADWAY IMPROVEMENTS.**

Prior to the issuance of a certificate of occupancy for a multifamily use, a left-turn lane from southbound Preston Road onto eastbound Averill Way must be provided with final design and construction approved by the Texas Department of Transportation.

**SEC. 51P- \_\_\_\_\_.112. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI.

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

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

(b) Multifamily.

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

(2) Each required tree must have a minimum caliper of four inches at time of planting, measured at a point 12 inches above the root ball.

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

**SEC. 51P-\_\_\_\_.114. DESIGN STANDARDS FOR MULTIFAMILY USES.**

(a) Masonry facade. Building facades facing an improved public right-of-way must be at least 80 percent masonry, excluding windows, entrances, and ingress and egress points. Masonry includes stone, brick, concrete, hollow clay tile, decorative concrete blocks or tile, glass block, other similar building materials, or a combination of those materials. For purposes of this provision, stucco is considered masonry but Exterior Finish Insulations System (EFIS) materials are not.

(b) Facade wall changes. Facade walls must have one or more of the following changes:

(1) A minimum of two changes of color, texture, or material, either diagonally, horizontally, or vertically, at intervals of not less than five feet and not more than 20 feet.

(2) Changes in plane with a depth of at least 12 inches, either diagonally, horizontally, or vertically, for each 50 feet of street facing facade.

(c) Balconies. Any balcony located within the dimensional area labeled as East Façade 1, East Facade 2, and East Façade 3 on the development plan must be a nonfunctioning balcony.

(d) Pedestrian amenities. A minimum of two of each of the following pedestrian amenities must be provided along any improved right-of-way:

(1) benches,

(2) trash receptacles, and

(3) bicycle racks.

(e) Masonry wall. A masonry wall with a minimum height of eight feet must be provided along the eastern Property line. Access through the wall is limited to emergency access only with final design and location to be approved by the Fire Marshall.

(f) Privacy fences. At grade privacy fences must be constructed so that the face of the fence facing a public right-of-way is a minimum of 50 percent open.

(g) Ceiling heights. Each dwelling unit must have ceilings no lower than nine feet from the top of the finished floor to the interior of the finished ceiling.

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

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

**SEC. 51P- \_\_\_\_ .116.                      ADDITIONAL PROVISIONS.**

(a) Minimum sidewalk width is six feet with an unobstructed width of four feet. ADA approved tree well grates are considered as part of the unobstructed width.

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

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

**SEC. 51P- \_\_\_\_ .117.                      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.





**Project Owner:**  
**TRANSWESTERN\***  
 500 MAIN STREET  
 SUITE 1000  
 DALLAS, TX 75204

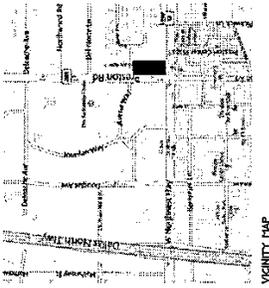
No.	Date	Revised
1	12/17/2014	Initial
2	1/13/2015	Revised

**PRESTON**  
 Northwest Highway  
 Dallas, Texas  
 Wilder Balshaw Project No. 1318

12/17/2014

LANDSCAPE  
 PLAN

Sheet Number:  
 L 1



**SITE PLAN SUMMARY CHART - 2.09 ACRE (87,948 SF)**

**STREET TREES & BUFFER YARDS**

LOCATION	LENGTH	LARGE TREES	SMALL TREES	BENCHES	GRASSY COVER (SF)
PRESTON ROAD (1 SIDE WALK)	304.63	REQUIRED 8	0	0	0
NORTHWEST HIGHWAY (1 SIDE WALK)	704.60	REQUIRED 4	0	0	0
AVERRILL WAY (1 SIDE WALK)	18.25	REQUIRED 2	0	0	0
AVERRILL WAY (1 SIDE WALK)	424.46	REQUIRED 4	0	0	0
AVERRILL WAY (1 SIDE WALK)	424.46	REQUIRED 4	0	0	0

**SITE**

LOCATION	AREA	GREATER THAN 3' CALIPER TREES
OVERALL SITE	81,746 SF	21
		PROVIDED 21

**LANDSCAPE TABULATIONS: 2.09 ACRE RELEASE TRACT (87,948 SF)**

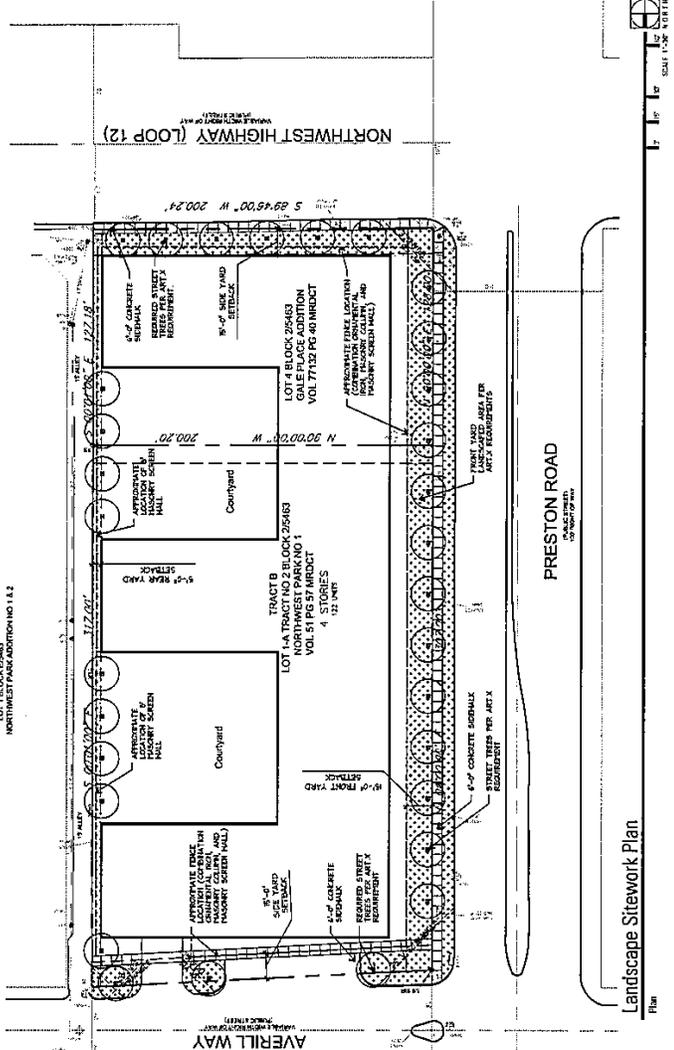
**REQUIREMENTS:**  
 THE RELEASED TRACT SHALL PROVIDE WATER TO MAINTAIN THE PLANT MATERIALS IN A HEALTHY, GROWING CONDITION BY MEANS OF AN AUTOMATIC IRRIGATION SYSTEM. THE SYSTEM SHALL BE DESIGNED TO MAINTAIN THE TRACT AND BE SUBJECT TO CITY FIELD INSPECTIONS.

**MINIMUM BUFFER REQUIREMENTS:**  
 AT LEAST 2' OF EACH OF THE FOLLOWING:  
 1. SIDEWALKS  
 2. SIDEWALKS PER FRONTAGE  
 3. SIDEWALKS PER FRONTAGE  
 4. SIDEWALKS PER FRONTAGE  
 5. SIDEWALKS PER FRONTAGE

**GENERAL REQUIREMENTS:**  
 1) STREET BUFFERS SHALL BE CONFORMANT WITH CITY REQUIREMENTS.  
 2) STREET BUFFERS SHALL BE CONFORMANT WITH CITY REQUIREMENTS.  
 3) SIDEWALKS SHALL BE CONFORMANT WITH CITY REQUIREMENTS.  
 4) SIDEWALKS SHALL BE CONFORMANT WITH CITY REQUIREMENTS.  
 5) SIDEWALKS SHALL BE CONFORMANT WITH CITY REQUIREMENTS.

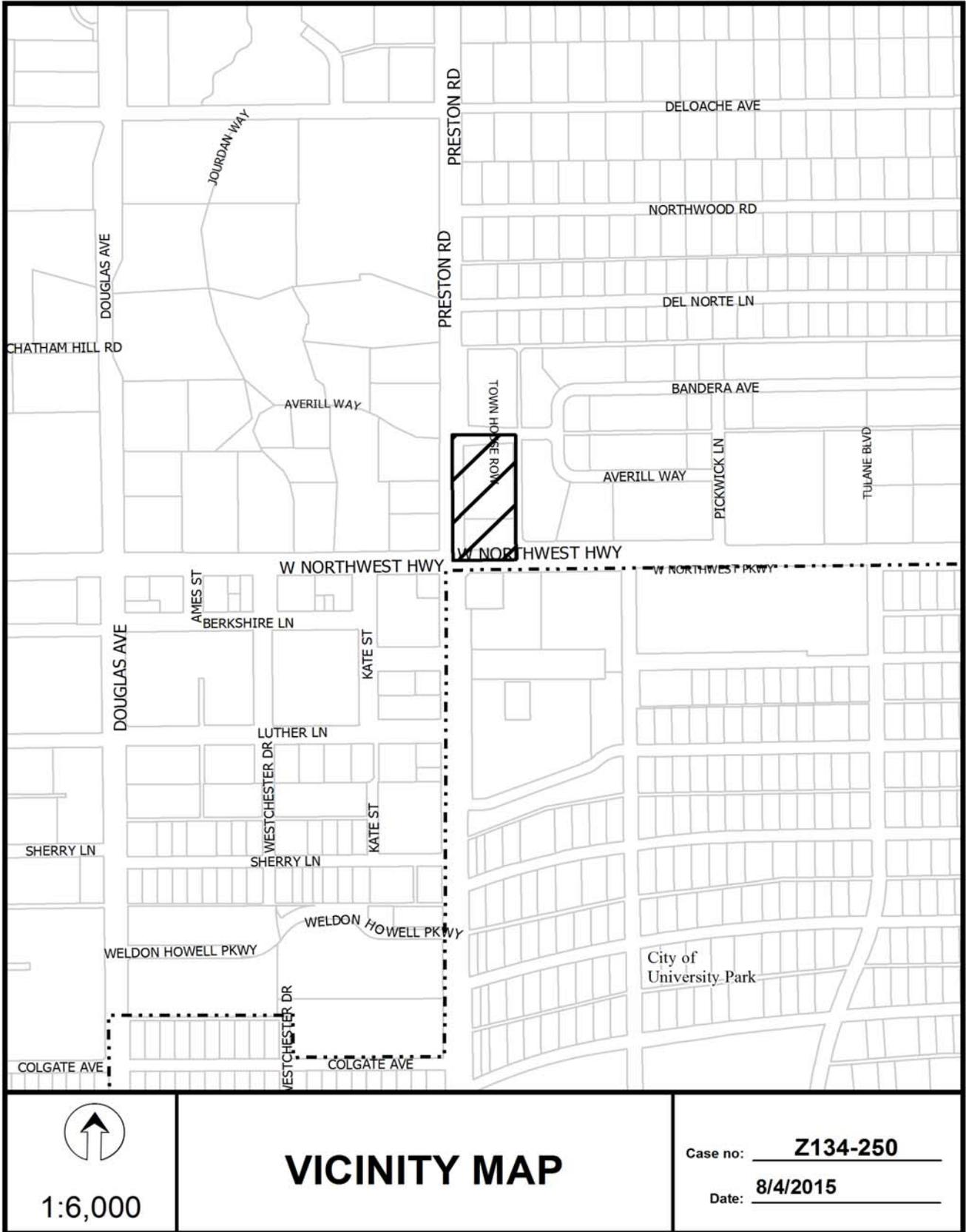
**CONCRETE BUFFER REQUIREMENTS:**  
 A CONCRETE BUFFER SHALL BE PROVIDED AS SHOWN.

**NOTES:**  
 1) ALL PLANT MATERIAL SELECTIONS TO BE APPROVED BY CITY OF DALLAS BALKING OFFICIAL.  
 2) ALL PLANT MATERIAL SELECTIONS TO BE APPROVED BY CITY OF DALLAS BALKING OFFICIAL.



Landscape Sitework Plan

CASE #:

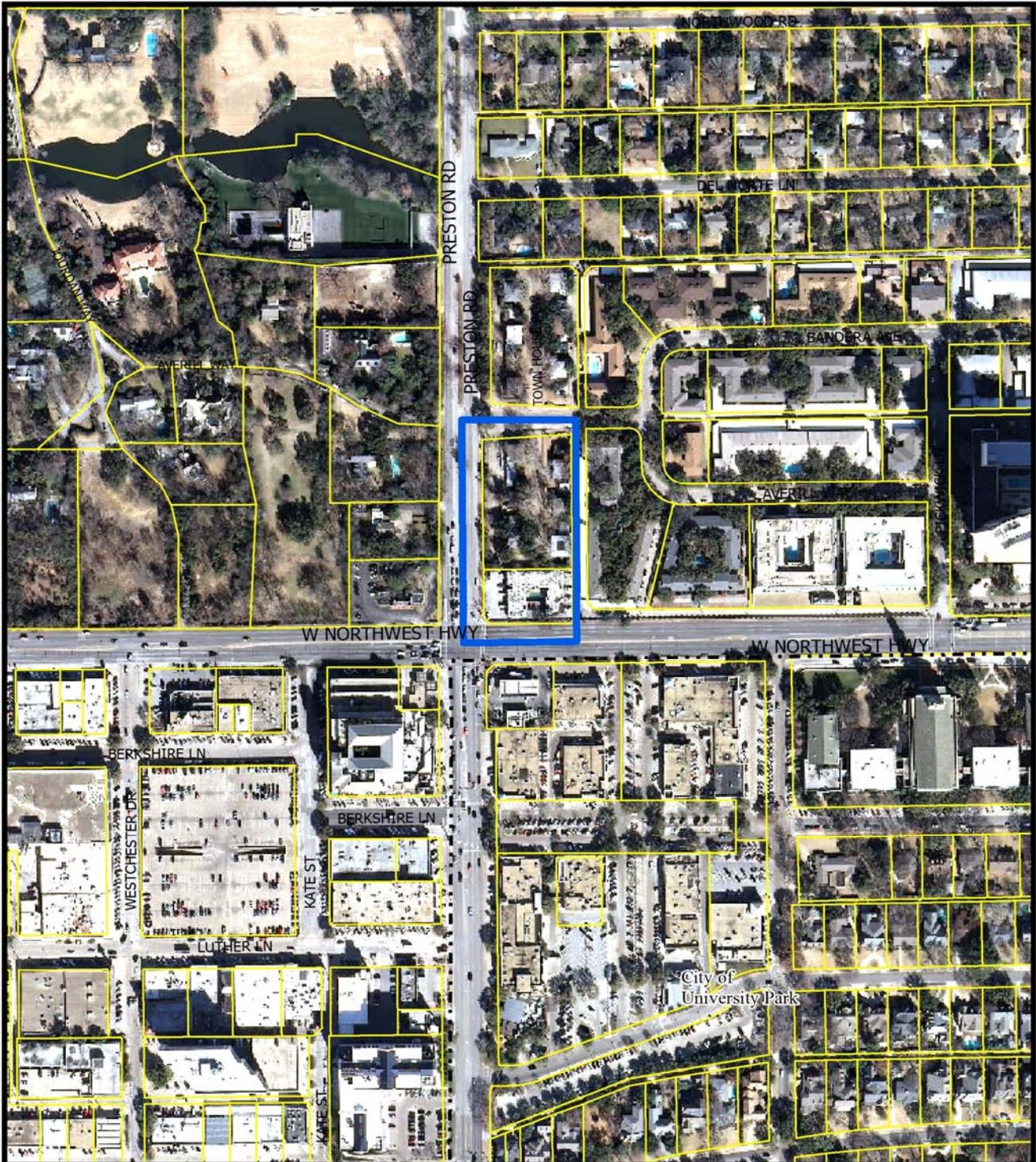


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# VICINITY MAP

Case no:           Z134-250          

Date:           8/4/2015

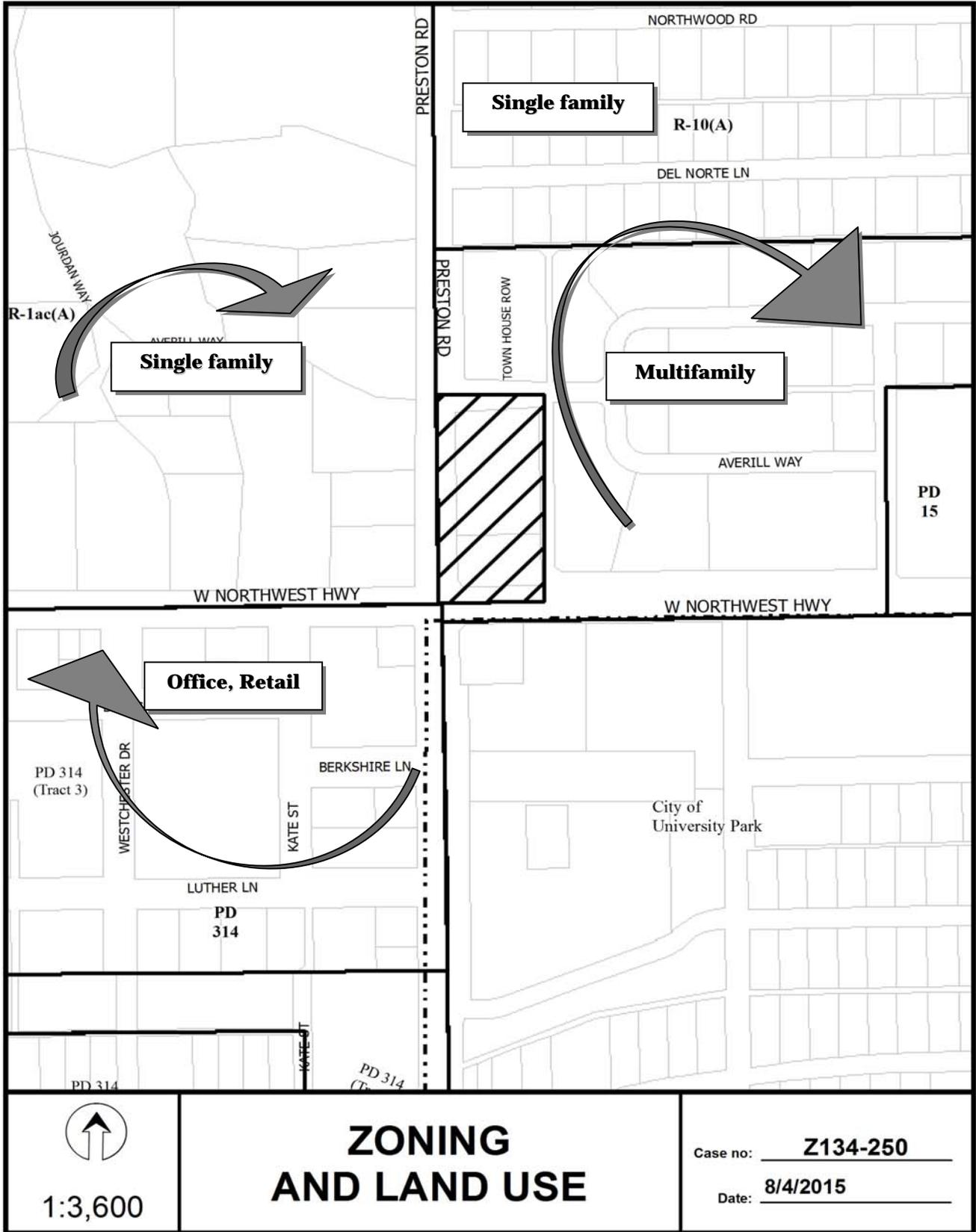


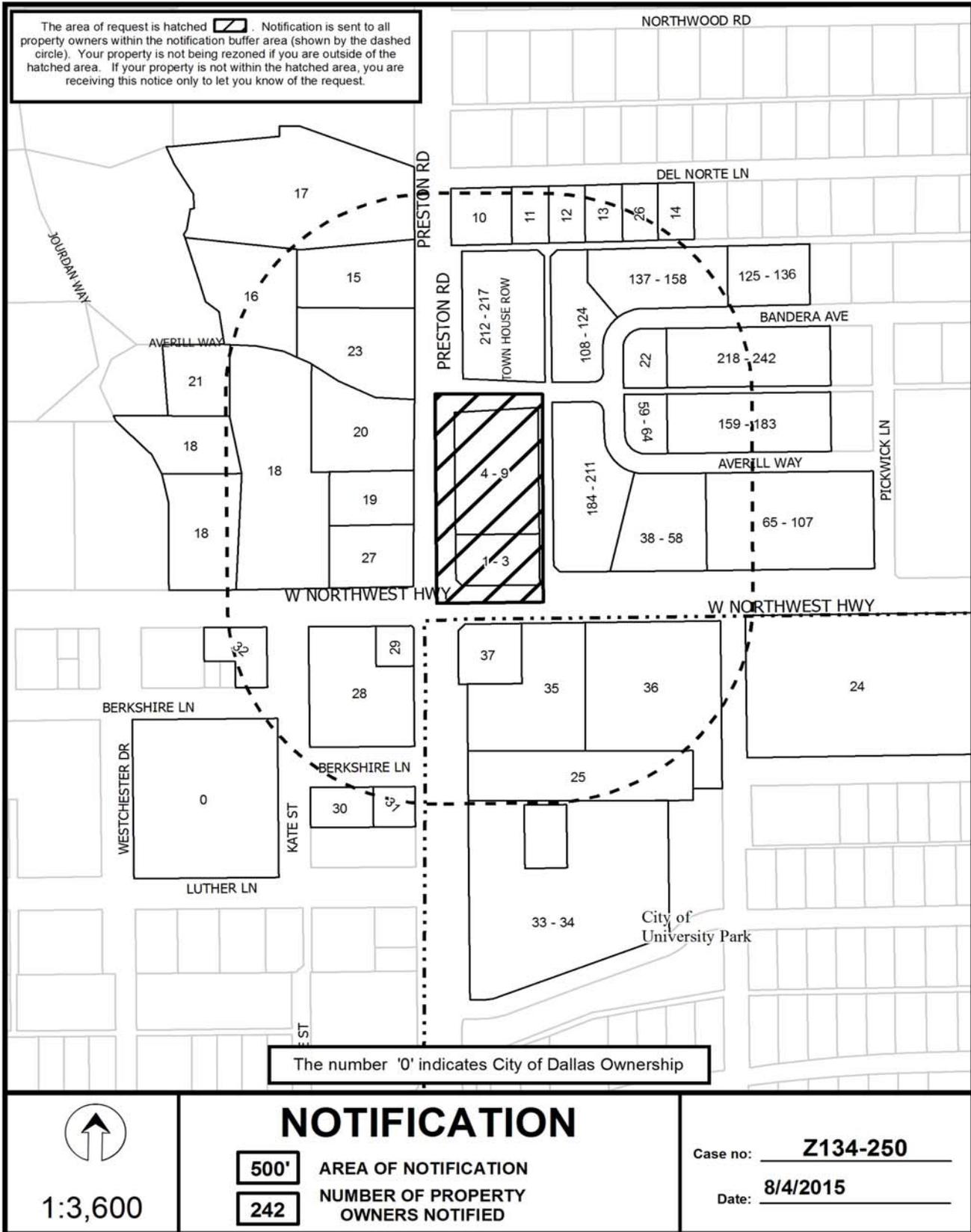
1:3,600

# AERIAL MAP

Case no:           Z134-250          

Date:           8/4/2015





08/03/2015

***Notification List of Property Owners******Z134-250******242 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8502 PRESTON RD	TOLEDO TEX LLC
2	8502 PRESTON RD	BOEHK DOUGLAS C
3	8502 PRESTON RD	TOLEDO TEX, LLC
4	8504 TOWN HOUSE ROW	BRADFORD BRENDA R
5	8505 TOWN HOUSE ROW	COX FRANCES Y
6	8508 TOWN HOUSE ROW	LUBBOCK NATIONAL BANK CUSTODIAN FOR
7	8509 TOWN HOUSE ROW	PRICE SAMUEL H &
8	8512 TOWN HOUSE ROW	BRADY JOHN L JR
9	8515 TOWN HOUSE ROW	HALE PATRICK R & NANCY H
10	6008 DEL NORTE LN	PARKS JAMES B III &
11	6016 DEL NORTE LN	RICHARDS LUCILLE M
12	6022 DEL NORTE LN	KAMATH SANDEEP &
13	6030 DEL NORTE LN	BOLIN ROSS
14	6042 DEL NORTE LN	BROWN JAMES DAVID
15	8603 PRESTON RD	MUELLER MARY ANN SMITH B
16	5923 AVERILL WAY	BRINKMANN LAKEVIEW
17	8605 PRESTON RD	RACHOFSKY HOWARD EARL
18	8530 JOURDAN WAY	CUBAN MARK
19	8515 PRESTON RD	EBBY HALLIDAY PPTIES INC
20	5942 AVERILL WAY	BARBIER-MUELLER J GABRIEL & MARY ANN SMITH
21	5912 AVERILL WAY	BRINKMANN J BAXTER
22	6100 BANDERA AVE	BANDERA VILLA PPTIES INC
23	5941 AVERILL WAY	BARBIERMULLER J GABRIEL &
24	3933 NORTHWEST HWY	PARK CITIES BAPTIST
25	4000 PICKWICK LN	EARL CLARK CARUTH IRREVOCABLE TRST
26	6036 DEL NORTE LN	NEWELL BRIAN L

08/03/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5999 NORTHWEST HWY	EBBY HALLIDAY PPTIES INC
28	8411 PRESTON RD	PRESTON CTR WEST JV
29	8421 PRESTON RD	MC PRESTON LP
30	8307 PRESTON RD	ROBBINS SERAFINA ETAL
31	8315 PRESTON RD	LOBELLA SAM INV
32	5960 NORTHWEST HWY	CURRIN LAND JOINT VENTURE
33	8300 PRESTON RD	HOUSTON RESTUARANT INC
34	8300 PRESTON RD	CARUTH PRESTON ROAD L
35	8400 PRESTON RD	CARUTH PRESTON ROAD L
36	4001 NORTHWEST PKWY	CARUTH PRESTON ROAD L
37	8424 PRESTON RD	7 ELEVEN INC
38	6102 AVERILL WAY	BURNHAM MARY A
39	6108 AVERILL WAY	PAEZ ELISA ANGELICA
40	6102 AVERILL WAY	GERSHATER DAVID MICHAEL
41	6104 AVERILL WAY	LAMMERS BETTY J
42	6104 AVERILL WAY	TAIT CHARLES L & MARCIA A
43	6106 AVERILL WAY	CRANFILL TRUST
44	6106 AVERILL WAY	FOSTER ANGELIQUE
45	6106 AVERILL WAY	ALEXANDER CORA LEISA
46	6106 AVERILL WAY	BARHAM NAN E
47	6108 AVERILL WAY	OSBURN JULIE & ALEX ROSS
48	6108 AVERILL WAY	DAMUTH BRENDA J
49	6108 AVERILL WAY	CURRIER JENNIFER & JOHN
50	6110 AVERILL WAY	MOORE BONNIE B
51	6110 AVERILL WAY	BOYER ELIZABETH A
52	6110 AVERILL WAY	MANN LEIGH S
53	6110 AVERILL WAY	HALL CAMERON
54	6112 AVERILL WAY	KAY VIRGINIA L
55	6112 AVERILL WAY	MEYER PEGGY M
56	6112 AVERILL WAY	DEVOS LORN TODD
57	6112 AVERILL WAY	LARA KATHERINE

08/03/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	6114 AVERILL WAY	SUTHERLIN KEVIN B
59	6103 AVERILL WAY	6103 AVERILL WAY LP
60	6103 AVERILL WAY	6103 AVERILL WAY LP
61	6103 AVERILL WAY	6103 AVERILL WAY LP
62	6105 AVERILL WAY	CHRISTON JAMES P &
63	6105 AVERILL WAY	6103 AVERILL WAY LP
64	6105 AVERILL WAY	6103 AVERILL WAY LP
65	6142 AVERILL WAY	KING DAVID GARDNER
66	6142 AVERILL WAY	BRENNAN JACK M
67	6144 AVERILL WAY	BERK ZELMA
68	6144 AVERILL WAY	COCHRAN LOLA MAE
69	6146 AVERILL WAY	SCHMIDT ROBERT TR & HELEN TR
70	6146 AVERILL WAY	RAWLINS JOAN ELIZABETH
71	6148 AVERILL WAY	CUMBY AUGUSTA MULLINS
72	6148 AVERILL WAY	TWIN CK CORPORATION
73	6150 AVERILL WAY	QUINN JOSEPH PATRICK
74	6150 AVERILL WAY	HARDISTY MATTHEW &
75	6142 AVERILL WAY	WILLIAMS RAND I &
76	6142 AVERILL WAY	HISE CLARK & SHARON
77	6144 AVERILL WAY	PICKENS RANDY H & JULIA D
78	6144 AVERILL WAY	NILES PATRICIA A
79	6146 AVERILL WAY	ANDREWS YVETTE P &
80	6146 AVERILL WAY	WILLIAMS PATRICK L & REBECCA H
81	6148 AVERILL WAY	PATOUT VENETIA
82	6148 AVERILL WAY	KUPFER SANDRA
83	6150 AVERILL WAY	MCCUISTION NIKI N
84	6150 AVERILL WAY	MOPSIK DONALD
85	6126 AVERILL WAY	LEAKE FRANCES WARLICK
86	6126 AVERILL WAY	STEIN 2001 REVOCABLE TRUST
87	6126 AVERILL WAY	MERRELL DOROTHY JEAN
88	6126 AVERILL WAY	HASBANY MARIA L & MICHAEL F

08/03/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	6126 AVERILL WAY	PAILET DAVID &
90	6126 AVERILL WAY	TATE MARIAN CLEARY TRUSTEE OF
91	6126 AVERILL WAY	ALGEO CHRISTIE ANN
92	6126 AVERILL WAY	LEVY RANDALL D &
93	6126 AVERILL WAY	SOMMERFIELD FRANK E & ELISSA
94	6126 AVERILL WAY	LEVINE GAIL
95	6126 AVERILL WAY	LIPSITZ MARCIE KIRKPATRICK
96	6126 AVERILL WAY	FRANKLIN SUSAN BEENE
97	6126 AVERILL WAY	OWEN SAMMY W & PATRICIA M
98	6126 AVERILL WAY	LAVERNE MCCALL FAMILY TRUST
99	6126 AVERILL WAY	CHISOLM MARTHA
100	6126 AVERILL WAY	DAVIS SARA ANN
101	6126 AVERILL WAY	KINDER NANCY A
102	6126 AVERILL WAY	GRACE J PETER
103	6126 AVERILL WAY	HIRSCH ELIZABETH
104	6126 AVERILL WAY	DILL ROBERT J & MARY ALLEN
105	6126 AVERILL WAY	MM MULTIPLE HOLDINGS LLC
106	6126 AVERILL WAY	DILL ROBERT J & MARY
107	6126 AVERILL WAY	DILL ROBERT J & MARY ELLEN
108	6025 AVERILL WAY	MURRAY JOHN &
109	6025 AVERILL WAY	BLOOM ANN EST OF
110	6025 AVERILL WAY	ALLMAN PPTY CO NO 3 LTD
111	6025 AVERILL WAY	GARRETT ROBERT K
112	6105 BANDERA AVE	LUCAS CYNTHIA ANGELINE
113	6105 BANDERA AVE	PARIS MARILYN G &
114	6105 BANDERA AVE	VENZ DAVID ONEAL JR
115	6105 BANDERA AVE	VENZ DAVID ONEAL JR
116	6109 BANDERA AVE	GARRETT JAMES E &
117	6109 BANDERA AVE	FORD VIRGINIA THOMPSON
118	6109 BANDERA AVE	CARLTON ANNA & THEO
119	6109 BANDERA AVE	FORD GARRY

08/03/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	6111 BANDERA AVE	DULUBOVA IRINA
121	6111 BANDERA AVE	BUENGER JULIAN
122	6111 BANDERA AVE	MEE TRACY M
123	6111 BANDERA AVE	HUGHES ANTHONY H &
124	6115 BANDERA AVE	GEOFFRAY JEANNE &
125	6141 BANDERA AVE	ALTMAN HARLAN C III EST OF
126	6141 BANDERA AVE	ALLEN ROBENA L
127	6141 BANDERA AVE	FORSE KATHERINE D
128	6141 BANDERA AVE	LIVELY ANNA RAND LIFE EST
129	6145 BANDERA AVE	PORTER CROW
130	6145 BANDERA AVE	WINDROW PARTNERS
131	6145 BANDERA AVE	STONE SHARON
132	6145 BANDERA AVE	WALKER SALLY HARRIS
133	6151 BANDERA AVE	GRAVEL MICHAEL & CATHERINE
134	6151 BANDERA AVE	FD JOURNEY VENTURE LLC
135	6151 BANDERA AVE	FOUNTAIN JIMMIE C JR
136	6151 BANDERA AVE	GRIMBALL LAURA E
137	6117 BANDERA AVE	SUTHERLIN JACKSON B
138	6119 BANDERA AVE	SMITH MARGARET KING
139	6119 BANDERA AVE	PLEMONS SUSANNA
140	6119 BANDERA AVE	GANANAJO LP
141	6119 BANDERA AVE	PLEMONS SUSANNA
142	6123 BANDERA AVE	DERRICK MICHAEL J & NANCY E
143	6123 BANDERA AVE	LEVITON ALBERT J
144	6123 BANDERA AVE	TUCKER JOE R & SYBIL E
145	6123 BANDERA AVE	RUSHING MARGARET A
146	6127 BANDERA AVE	CARTER LINDA GALE MCKASKLE
147	6127 BANDERA AVE	BISHOP SUE M
148	6127 BANDERA AVE	WEISS ROBIN T
149	6127 BANDERA AVE	MCELLROY ELIZABETH D
150	6131 BANDERA AVE	SELF DOROTHY TULLOS

08/03/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	6131 BANDERA AVE	MCCOWN LAYTON
152	6131 BANDERA AVE	KETCHEN GARY
153	6131 BANDERA AVE	MANDELL ALAN G & SHEILA
154	6135 BANDERA AVE	COLLINS MARY SHOOK
155	6135 BANDERA AVE	GOLDEN NELDA & STAN
156	6135 BANDERA AVE	FLORES KAREN
157	6135 BANDERA AVE	ROSSI LOUISE C
158	6137 BANDERA AVE	SUTHERLIN JOHNSON B
159	6109 AVERILL WAY	JACOBS JANET &
160	6111 AVERILL WAY	HOLLIS KELLYE
161	6113 AVERILL WAY	THOMAS KATHRYN COLLINS
162	6113 AVERILL WAY	BOWERS MARGARET
163	6113 AVERILL WAY	WILSON LINDA L
164	6113 AVERILL WAY	BOWSER DIANA AUTRY
165	6115 AVERILL WAY	ALLMAN CORA AMY
166	6115 AVERILL WAY	GORDON KIRK E
167	6115 AVERILL WAY	ALLEN ANN
168	6115 AVERILL WAY	MANNING CATHERINE GOFF
169	6117 AVERILL WAY	RUMBLES GENE A
170	6117 AVERILL WAY	COHEN LEWIS H TR
171	6117 AVERILL WAY	GREENBERG MINDY
172	6117 AVERILL WAY	CAVALIER PAGE GWENDOLYN
173	6117 AVERILL WAY	MALECHEK KEVIN
174	6119 AVERILL WAY	FOX JOE PAUL & CAROL K
175	6119 AVERILL WAY	ALLMAN PPTY CO 3
176	6119 AVERILL WAY	HAMMOCK RONALD L
177	6119 AVERILL WAY	SIRINOGLU CELINE C
178	6121 AVERILL WAY	BOWLES H RICHARD TR
179	6121 AVERILL WAY	CASSTRES LTD
180	6121 AVERILL WAY	PMA FAMILY TRUST
181	6121 AVERILL WAY	GILLIS VERN D

08/03/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	6123 AVERILL WAY	EDWARDS JARRETT & BONNIE
183	6125 AVERILL WAY	LERMA PEDRO JR & AMY L
184	6026 AVERILL WAY	YOUNG YVONNE Y
185	6026 AVERILL WAY	SORENSEN SETH A
186	6026 AVERILL WAY	GRAVEL MCHL MTN & CATHERINE HERMANN
187	6026 AVERILL WAY	FREELAND LENA FAYE
188	6036 AVERILL WAY	HUCKABAY SANDY C
189	6036 AVERILL WAY	BOWLES LLOYD S JR
190	6036 AVERILL WAY	AYOOB MICHAEL L & SUSAN S AYOOB
191	6036 AVERILL WAY	BRANDT CATHY
192	6040 AVERILL WAY	ALLMAN PPTY CO
193	6042 AVERILL WAY	FROELICH KATHERINE M
194	6042 AVERILL WAY	HALL MARC W & SUSAN H
195	6052 AVERILL WAY	MOONEY LOIS O EST OF
196	6052 AVERILL WAY	GRIGGS URIEL H &
197	6052 AVERILL WAY	SHOR MORJORIE L
198	6052 AVERILL WAY	MACLEOD MARTHA J
199	6060 AVERILL WAY	FED NATL MTG ASSN
200	6060 AVERILL WAY	WARD MARION
201	6060 AVERILL WAY	BARGATZE SHERRIE L
202	6060 AVERILL WAY	HALL MARC & SUSAN HALL
203	6070 AVERILL WAY	OTTO JOHN &
204	6070 AVERILL WAY	BAUMGARDNER BETTY JANE
205	6070 AVERILL WAY	MILLER LASANDRA &
206	6070 AVERILL WAY	TWOMBLY MARGARET B
207	6078 AVERILL WAY	MCMINN JOY S REVOCABLE TRUST
208	6078 AVERILL WAY	BENNETT HELEN H
209	6078 AVERILL WAY	BENNETT HELEN H
210	6078 AVERILL WAY	PETRASH MARTA & YURIY SATAROV
211	6042 AVERILL WAY	ARNOLD JAMES F
212	8603 TOWN HOUSE ROW	SHIVER ELAINE F

08/03/2015

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	8606 TOWN HOUSE ROW	BOX WILLIAM G & LESLIE G
214	8607 TOWN HOUSE ROW	PUCKETT LAWRENCE V &
215	8610 TOWN HOUSE ROW	RIGAS KELLY &
216	8611 TOWN HOUSE ROW	SMITH PAMELA
217	8614 TOWN HOUSE ROW	TAYLOR STERLING BURKS TR
218	6130 BANDERA AVE	HAMILTON ANNE GOODE
219	6130 BANDERA AVE	GANELES VIOLA
220	6130 BANDERA AVE	LINDSEY JOY
221	6130 BANDERA AVE	SHEINBERG BETTY
222	6134 BANDERA AVE	CORDELL FRANCES E
223	6134 BANDERA AVE	BOWLES JAMES C & MARTHA
224	6134 BANDERA AVE	MONACO HALEY
225	6134 BANDERA AVE	TOMPKINS R CHRIS JR
226	6148 BANDERA AVE	EDMONDSON JAMES H TESTAMENTARY TRUST
227	6148 BANDERA AVE	HOPKINS CHERYL LEIGH
228	6148 BANDERA AVE	INGRAM DEBORAH LYNN
229	6148 BANDERA AVE	MAYES SARA B
230	6152 BANDERA AVE	CARREKER ROBIN FRANCIS
231	6152 BANDERA AVE	PRIDEAUX LISA LUCILE
232	6152 BANDERA AVE	HARRIS BETTE
233	6152 BANDERA AVE	THWEATT REBECCA
234	6138 BANDERA AVE	PRICE MARTIN L
235	6138 BANDERA AVE	TABERNASH HOLDINGS LLC
236	6138 BANDERA AVE	LOCKE CLAUDE POLK III & ELIZABETH BATES
237	6138 BANDERA AVE	DAWSON DAN PAUL
238	6144 BANDERA AVE	NORTON STEPHEN H
239	6144 BANDERA AVE	WEISBERG MICHAEL F
240	6144 BANDERA AVE	MITCHELL MICHAEL T
241	6144 BANDERA AVE	ANNA R LATHAM
242	6140 BANDERA AVE	PRINCE SAMANTHA

**FILE NUMBER:** DCA 145-007

**DATE INITIATED:** January 21, 2015

**TOPIC:** Historic Building Demolition Delay Overlay

**COUNCIL DISTRICT:** All

**CENSUS TRACT:** All

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**PROPOSAL:** Consideration of an amendment to Chapters 51 and 51A, Dallas Development Code, Divisions 51-4.500 and 51A-4.500 to create a historic building demolition delay overlay.

**SUMMARY:** The purpose of the amendment is to create a new overlay to allow a review period for the demolition of buildings older than 50 years and meeting certain criteria within an established overlay.

**LANDMARK COMMISSION RECOMMENDATION:** Approval.

**STAFF RECOMMENDATION:** Approval.

## **BACKGROUND INFORMATION:**

The Downtown Dallas Historic Preservation Task Force was formed in December of 2014. Their purpose was to address the vulnerability of Downtown Dallas' historic resources and to explore best practices nationwide for incorporating historic preservation into a broader economic development plan to foster downtown revitalization and growth. The Task Force addressed ways to help preservation and development work together.

The Task Force was comprised of downtown stakeholders, preservationists, developers, architects, planners, and real estate professionals. The Task Force met eight times over four months to formulate recommendations to present to City Council. The recommendations are grouped into three phases.

## **HISTORIC PRESERVATION TASK FORCE RECOMMENDATIONS:**

### Phase 1 (0 to 12 months)

1. **Advocacy:** Establish broad-based Preservation Solutions Committee to advocate for historic fabric and be its voice as the City grows and evolves
2. **Simplify Designation:** Streamline the landmark designation application and process.
3. **Assess Staffing:** Broaden staff capabilities to include planning and provide a new focus on public education.
4. **Demolition Delay:** Enhance notification and expand staff review time for proposed demolition of historic buildings in Greater Downtown to foster dialogue and consider alternatives.

### Phase 2 (1 to 3 years)

5. **Education:** Educate the public about the goals and accomplishments of preservation.
6. **Downtown Survey:** Conduct a new, state-of-the-art survey of Greater Downtown as a base-layer for direction, to establish preservation priorities, and to provide a tool for existing and future planning.
7. **Incentives:** Identify strategies and incentives that address market conditions and barriers to redevelopment to re-animate vacated and underutilized buildings, such as: more flexibility in preservation criteria.

### Phase 3 (3 to 5 years)

8. **Preservation Plan:** Prepare and adopt a new Preservation Plan for Dallas to address the programs and policies that impact the City's historic urban fabric.
9. **Planning:** Create a forum for strategic interdepartmental partnerships where a common interest is being pursued such as Capital Improvements, Tax Increment Finance Districts, Land Use/Zoning, and certain aspects of Economic Development.

The Task Force recommendations were presented to Council's Arts, Culture, and Libraries Committee on April 20, 2015. The Committee recommended a full Council briefing on the recommendations and staff's proposed action plan.

On June 3, 2015, City Council was briefed on the Task Force recommendations. Council generally supports the recommendations of the Task Force and instructed staff to return with the proposed demolition delay as the first action item and pursue the other recommendations in a timely manner.

### **STAFF ANALYSIS:**

Currently, up to 60% of the buildings in Downtown Dallas National Register Historic District are not protected from demolition. Crucial components of Dallas' historic fabric and economic viability can be demolished by any owner at any time with no wait period or review.

The goal of the demolition delay is to create a wait period to give staff the opportunity to review demolition applications for buildings 50 years or older and meeting certain criteria in the Greater Downtown Dallas area and to explore alternatives to demolition when appropriate.

In 2014, staff initiated a 10 day review for all demolition permit applications in the downtown area. Building Inspection staff notifies the Historic Preservation Officer (HPO) of the applications. The HPO tells the Building Inspection staff if the building is a City of Dallas landmark or not. If not, the demolition permit is issued. If the property is a City of Dallas landmark, the property is placed on hold until a certificate of demolition is approved by the Landmark Commission.

The Task Force recommendation for a demolition delay was to increase staff review from 10 days to 45 days with a possible extension of 90 days not to exceed 120 days for buildings and resources over 50 years old within Greater Downtown area. The Task Force also recommended a method of public notification such as a sign be placed on the property as well as notifying Landmark Commission, Designation Committee and Preservation Dallas. It was recommended to allow public comment during the delay period. If no concerns regarding the significance of the building were provided during the first 30 days, the demolition permit would be issued. If concerns were raised, the time period would be extended another 90 days to allow conversations with the owner and interested stakeholders and City staff to discuss viable alternatives.

Ultimately, a demolition permit must be issued if it complies with city codes in affect when the permit application is submitted. After reviewing the Task Force recommendation, other cities' processes, and applicable laws, staff proposes to amend Chapters 51 and 51A to create a demolition overlay. The overlay would be part of the zoning regulations and would be placed on properties through the zoning process. Since the overlay pertains to historic buildings, requests for the overlay would go the Landmark Commission, then to the City Plan Commission, and finally to City Council for approval with public hearings at each body.

Council asked staff to process establishing an overlay on the Greater Downtown area as well as possibly a portion of northern Oak Cliff. City Plan Commission authorized the hearings for the two areas on July 23. The cases are schedule for public hearing at Landmark Commission in September.

Staff's proposed demolition overlay would apply to buildings or structures at least 50 years old that meet one of the following criteria: 1) located in a National Register District or individually listed, 2) a Recorded Texas Historic Landmark, 3) State Antiquities Landmark, 4) National Historic Landmark, 5) listed as significant in the 2003 Downtown Dallas Historic/Architectural Significant Properties survey, or 6) listed as contributing in the 1994 Hardy-Heck-Moore survey. Items number five and six were added after the Landmark Commission hearings.

Staff anticipates the criteria list expanding as information becomes available. Once a future survey is conducted, either in Downtown or the entire city, the Code will be amended to add contributing structures from the survey to the criteria list. Other criteria to that may be added in the future are 1) properties determined to be eligible for National Register status by the Texas Historical Commission (THC) and 2) properties listed as cultural assets by the Landmark Commission.

At this time, a data base for properties determined to be eligible for National Register status does not exist. THC indicated they are reviewing the feasibility of creating and maintaining such a database. If the database is created, staff will propose adding this criterion to the list. Adding this to the list of criteria now would result in staff not having a valid source for this information.

Several years ago, staff created a draft list of cultural assets that were not designated. The intent of the list was to create a database to identify properties for which staff had some information, properties that had started the designation process but did not complete it, and properties that may be potential designations. The draft list was shared with the Designation Committee. The list would need to be updated and approved by Landmark Commission before staff could use it for the criteria. Landmark Commission and staff would need to develop criteria for determining what is a cultural asset, how a property is added to the list, and what it means to be on the list. This process would take approximately one year to complete if it is the desire of Landmark Commission and Council to move forward with it.

The Dallas Appraisal District data will be used to determine the age of a structure. If the structure is 45 years to 50 years, staff will use the 10 day (Phase I period) to review building permit and certificate of occupancy records to confirm the date of construction.

The proposed process would begin when an owner submits a demolition application to Building Inspections. Building Inspection staff would notify the Historic Preservation Officer (HPO). This would begin a 10 day review by the HPO. If the property met the criteria listed above, the application would have an additional 45 day delay. If the criteria were not met, the HPO notifies Building Inspection and the demolition permit is issued.

For properties meeting the criteria, staff would list the properties on the City's webpage with staff contact information. The HPO would schedule a meeting with the owner to discuss alternatives to demolition. Staff would invite interested organizations (such as Dallas Downtown, Inc., Preservation Dallas) and stakeholders to the meeting as well as appropriate City departments.

If no viable solution is agreed upon within 35 days, the HPO would notify Building Inspection staff to issue the demolition permit. However, the property owner may agree in writing to extend the delay period to continue to work on alternatives. The time of the additional delay would be negotiated between the HPO and the property owner. If other alternatives were not agreed upon during this extended time period, the HPO would notify Building Inspection staff to issue the demolition permit.

**Summary of Staff's proposed demolition delay process for property within a demolition overlay**

1. Property Owner submits demolition application to Building Inspection
2. Building Inspection notifies Historic Preservation Officer (HPO) that demolition application has been submitted.
3. Within 10 days, HPO reviews/determines if property meets the criteria.
4. If the property does not meet the delay criteria, HPO notifies BI, demolition permit is issued.
5. If the property meets the delay criteria, HPO meets with owner to discuss alternatives to demolition
  - List properties on the City's webpage
  - Invite interested organizations to the meeting (Dallas Downtown, Inc., Preservation Dallas)
  - Include appropriate City departments
6. If no alternatives are found after 45 days, HPO notifies BI to issue demolition permit.
7. If the property owner is interested in investigating alternatives to demolition, HPO and property owner agree in writing to extend the time period to continue to work on alternatives – no set time period.
8. If other alternatives are not agreed upon during this extended time period, HPO notifies BI to issue demolition permit at the end of the time period

DCA145-007(ND)

**Landmark Commission Action:  
July 6, 2015**

Consideration of an amendment to Chapters 51 and 51A, Dallas Development Code, Divisions 51-4.500 and 51A-4.500 to create a historic building demolition delay overlay.

Speakers: For: Nicky DeFreece Emery, David Preziosi  
Against: No one

**Motion:**

Hold under advisement until August, 3, 2015.

Maker: Johnson  
Second: Williams  
Results: 12/0

Ayes: - 12 Amonett, \*Birch, Birrer, Bowers, Flabiano,  
Gadberry, Greenberg, Johnson, Tapscott, Seale,  
Williams, \*Sherman  
Against: - 0  
Absent: - 3 Jordan, Maten, Thomas-Drake  
Vacancies: - 2 Dist 7 and 12

**Landmark Commission Action:  
August 3, 2015**

Consideration of an amendment to Chapters 51 and 51A, Dallas Development Code, Divisions 51-4.500 and 51A-4.500 to create a historic building demolition delay overlay.

**Motion:**

Consideration of an amendment to Chapters 51 and 51A, Dallas Development Code, Divisions 51-4.500 and 51A-4.500 to create a historic building demolition delay overlay with the condition to include a purpose statement for staff and property owner to have meeting in order to have a discussion regarding alternatives to demolition and how their plans will impact the total historic environs.

Maker: Seale  
Second: Tapscott  
Results: 14/0

Ayes: - 14 Amonett, \*Birch, Bowers, Birrer, Gadberry,  
Johnson, Jordan, Maten, Flabiano, \*Sherman,  
Seale, Tapscott, Thomas-Drake, Williams  
Against: - 0  
Absent: - 1 Greenberg  
Vacancies: - 2 Dist 7 and 12

□