



CITY OF DALLAS  
CITY PLAN COMMISSION  
Thursday, March 5, 2020  
AGENDA

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BRIEFINGS:	5ES	10:30 a.m.
PUBLIC HEARING:	Council Chambers	1:30 p.m.

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

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Kris Sweckard, Director  
Neva Dean, Assistant Director of Current Planning

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**BRIEFINGS:**

Subdivision Docket  
Zoning Docket

**PUBLIC TESTIMONY:**

Minutes

**ACTION ITEMS:**

Subdivision Docket

Planner: Mohammad Bordbar

Consent Items:

- (1) **S190-092**  
(CC District 8)
- An application to replat a 96.8-acre tract of land containing all of Lots 1 and 5R in City Block A/8300 to create one lot on property located on Telephone Road at Van Horn Drive, west corner.  
Applicant/Owner: Dalparc I-20 Logistics, LLC  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: February 5, 2020  
Zoning: LI  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

- (2) **S190-094**  
(CC District 6)
- An application to create three lots ranging in size from 1.9431-acres to 5.8742-acres from a 14.0044-acre tract of land in City Block 6512 on property located on Walnut Hill Lane at North Stemmons Freeway / Interstate Highway No. 35E, northwest corner.  
Applicant/Owner: Beverley Partners, LP, Wallcon Equities-2, LTD, Wallcon Industrial, LLC.  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: February 6, 2020  
Zoning: IR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (3) **S190-095**  
(CC District 14)
- An application to replat an 8.6928-acre tract of land containing part of City Blocks 1/945-1/2, 2/945-1/2, 945-1/2, C/940, and part of Lot 2 in City Block 1/998 to create one 3.3721-acre lot and one 5.3208-acre lot on property located on Maple Avenue at Wolf Street, southwest corner.  
Applicant/Owner: L.& L. Realty Corporation, L.& L. Realty Corporation No. 2, 3001 Maple LP  
Surveyor: Kimley-Horn and Associates, Inc.  
Application Filed: February 6, 2020  
Zoning: PD 193 (PDS 39)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (4) **S190-096**  
(CC District 7)
- An application to replat a 0.928-acre tract of land containing all of Lots 6 through 10 in City Block 2/6124 to create one 0.347-acre lot, and one 0.510-acre lot on property located on Dixon Avenue, north of Barber Avenue.  
Applicant/Owner: Thung Van Tran  
Surveyor: Peiser and Mankin Surveying, LLC  
Application Filed: February 6, 2020  
Zoning: NS  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (5) **S190-097**  
(CC District 2)
- An application to replat a 9.680-acre tract of land containing all of Lots 1D in City Block 5716, 2C in City Block 1/4798, and lots 5 through 7 in City Block 2/4626 to create one lot on property located at terminus of Nash Street, northwest of Inwood Road.  
Applicant/Owner: Cathedral of Hope, Inc.  
Surveyor: Grantham & Associates, Inc.  
Application Filed: February 6, 2020  
Zoning: IR, CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.



- (6) **S190-099**  
(CC District 8)
- An application to create one 0.8637-acre lot and one 1.4405-acre lot from a 2.304-acre tract of land in City Block 8821 on property located on South Beltline Drive at Garden Grove Road west corner.
- Applicant/Owner: 1500 S Beltline LLC  
Surveyor: Geonav Surveying, Mapping, Scanning  
Application Filed: February 7, 2020  
Zoning: CR  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Residential Replat:

- (7) **S190-093**  
(CC District 3)
- An application to replat a 2.27-acre tract of land containing all of Lots 11C and 11D, and to abandon a 15-foot alley, in City Block 6961 into one 22,071 square foot lot and one 76,998 square foot lot on property located on Los Angeles Boulevard, south of Kiest Boulevard.
- Applicant/Owner: Fermin Olivera  
Surveyor: CBG Surveying Texas, LLC  
Application Filed: February 6, 2020  
Zoning: R-10(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (8) **S190-098**  
(CC District 6)
- An application to replat a 4.931-acre tract of land containing part of Lots 1 through 7 and all of Lots 8 through 14 in City Block B/7091, all of Lots 1 through 7 in City Block C/7091, part of Lots 1, 2, 21, 22, and all of Lots 23, 24, and 45, through 48 in City Block 7093 and to abandon portion of 50-foot Toronto Street to create one lot on property located on Singleton Boulevard at Herbert Street, northwest corner.
- Applicant/Owner: Workforce Multi-Family, LLC, West Dallas Investment, LP.  
Surveyor: Stantec Consulting Services, Inc.  
Application Filed: February 7, 2020  
Zoning: IR, CS, R-5(A)  
Staff Recommendation: **Denial**.

Building Line Reduction/Removal:

- (9) **S190-100**  
(CC District 13)      An application to replat a 0.356-acre tract of land containing all of Lot 10 in City Block B/6420 and to remove an existing 40-foot platted Building Line along the east line of the north portion of Martha Lane and to reduce the 40-foot Building Line along the north line of Martha Lane to 37.80-foot, and to extend the Building Line to a point 35-feet from the east line of Martha Lane on property located at 3815 Martha Lane at its intersection with Martha Lane, northeast corner.  
Applicant/Owner: Martin R. and Joy Y. Laukoter  
Surveyor: Texas Heritage Surveying, LLC  
Application Filed: February 7, 2020  
Zoning: R-16(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
- (10) **S190-101**  
(CC District 10)      An application to replat a 0.289-acre tract of land containing all of Lot 26 in City Block H/7317 and to reduce a portion of an existing 30-foot platted Building Line parallel to the south line of Lorwood Drive on property located at 9216 Lynbrook Drive.  
Applicant/Owner: Lawson and Helen Short  
Surveyor: A&W Surveyors Inc.  
Application Filed: February 7, 2020  
Zoning: R-7.5(A)  
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

Certificates of Appropriateness for Signs:

**West End Historic Sign District:**

- 1912190029**  
Oscar Aguilera  
(CC District 14)      An application for a Certificate of Appropriateness by Myra Brown of High Value Signs for a 30 sq. ft. flat attached sign on a Type A façade at 407 N. Lamar (east elevation).  
Staff Recommendation: **Approval.**  
Special Sign District Advisory Committee Recommendation: **Approval.**  
Applicant: Myra Brown – High Value Signs  
Owner: FPACP3 WEST END LLC.

**Downtown Retail A Subdistrict:**

**2001210001**

Oscar Aguilera  
(CC District 14)

An application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 225 sq. ft. mid-level flat attached sign at 211 S. Akard Street (west elevation).

Staff Recommendation: **Approval.**

Special Sign District Advisory Committee Recommendation:  
**Approval.**

Applicant: Taylor Tompkins – Willow Creek Signs

Owner: AT&T Services Inc.

**2001210002**

Oscar Aguilera  
(CC District 14)

An application for a Certificate of Appropriateness by Taylor Tompkins of Willow Creek Signs for a 225-sq. ft. mid-level flat attached sign at 301 S. Akard Street (west elevation).

Staff Recommendation: **Approval.**

Special Sign District Advisory Committee Recommendation:  
**Approval.**

Applicant: Taylor Tompkins – Willow Creek Signs

Owner: AT&T Services Inc.

**Zoning Cases – Under Advisement:**

1. **Z178-250(AM)**

Abraham Martinez  
(CC District 2)

An application to amend Planned Development District No. 539 for CR Community Retail District uses and group residential use to allow for MU-1 Mixed Use District uses and group residential use on the east corner of Graham Avenue and Philip Avenue with consideration given to a Specific Use Permit for group residential use in addition to the Planned Development District amendment.

Staff Recommendation: **Hold under advisement until the March 26, 2020, CPC hearing.**

Applicant: Krishikesh Shinde

Representative: Robert Baldwin, Baldwin Associates

UA From: October 17, 2019, November 7, 2019 and January 9, 2020 and February 20, 2020.

2. **Z189-329(PD)**

Pamela Daniel  
(CC District 5)

An application for a Specific Use Permit for an auto service center use on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the east side of South Buckner Boulevard, south of Stonehurst Street.

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

Applicant: Shawar Investments LLC

Representative: Santos Martinez, La Sierra Planning Group

UA From: February 6, 2020

3. **Z190-147(AU)**  
Andreea Udrea  
(CC District 7)
- An application for the renewal of Specific Use Permit No. 2290 for a community service center on property zoned an R-7.5(A) Single Family District, on the southeast corner of Oates Drive and Marimont Lane.
- Staff Recommendation: **Approval** for a five-year period, subject to conditions.
- Applicant: Dallas Christian Women's Job Corp, Inc.
- Representative: Peter Kavanagh / Zone Systems Inc.
- UA From: February 20, 2020

Zoning Cases – Individual:

4. **Z190-126(AU)**  
Andreea Udrea  
(CC District 5)
- An application for the renewal of and an amendment to Specific Use Permit No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay, and deed restrictions [Z156-163], on the northeast corner of Lake June Road and Guard Drive.
- Staff Recommendation: **Approval** for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.
- Applicant: 6343 Lake June, LLC; 786 Charco Blanco, LLC
- Representative: Latrice Andrews
5. **Z190-146(JM)**  
Jennifer Muñoz  
(CC District 7)
- An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southeast line of South Fitzhugh Avenue, northeast of Lagow Street.
- Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.
- Applicant: Communications Tower Group, LLC
- Representative: Peter Kavanagh, Zone Systems, Inc.

6. **Z190-115(PD)**  
Pamela Daniel  
(CC District 9)
- An application **1)** to create a new subarea within Planned Development District No. 5; **2)** for a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant; and **3)** for a Specific Use Permit for an Industrial (outside) potentially incompatible use limited to an asphalt batch plant on property zoned Planned Development District No. 5, on the south line of East Northwest Highway, east of Garland Road.  
Staff Recommendation: **Approval** of a subarea; approval of an Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant for a two-year period, subject to a site plan and conditions; and approval of an Specific Use Permit for an Industrial (outside) potentially incompatible use limited to an asphalt batch plant for a two-year period, subject to a site plan and conditions.  
Applicant: Kansas City Souther % Adam J. Godderz  
Representative: Karl Crawley, Masterplan Consultants
7. **Z190-159(PD)**  
Pamela Daniel  
(CC District 6)
- An application for a Specific Use Permit for commercial motor vehicle parking on property zoned an IR Industrial Research District, on the southwest corner of Dairy Milk Lane and Zodiac Lane.  
Staff Recommendation: **Approval** for a five-year period, subject to a site plan, landscape plan, and conditions.  
Applicant: C.K.S. Packaging, Inc.  
Representative: Rob Baldwin, Baldwin Associates
8. **Z190-117(PD)**  
Pamela Daniel  
(CC District 6)
- An application for a new tract within Tract I of Planned Development District No. 278, on the south corner of Stemmons Freeway and Commonwealth Service Road.  
Staff Recommendation: **Denial.**  
Applicant: Pegasus Place LLC  
Representative: Rob Baldwin, Baldwin Associates
9. **Z190-151(CT)**  
Carlos Talison  
(CC District 2)
- An application for a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NS(A) Neighborhood Service District within H/72 Historic District No. 72, the Peak's Suburban Addition Historic District, on the northeast line of North Prairie Avenue, between Worth Street and Tremont Street.  
Staff Recommendation: **Denial.**  
Applicant: Richard Sullivan

Development Code Amendments:

**DCA190-001**

Nathan Warren  
(CC District All)

Consideration of amending Chapters 51 and 51A of the Dallas Development Code by deleting certain prohibitions, limitations, or requirements of building materials in accordance with state law; and Chapter 51A, Section 51A-4.703, of the Dallas Development Code "Board of Adjustment Hearing Procedures."

Staff Recommendation: **Approval.**

Zoning Ordinance Advisory Committee Recommendation: **Approval.**

**DCA190-003**

Donna Moorman  
(CC District All)

Consideration of amending Sections 51-4.201, 51A-4.209, and 51A-13.403 of the Dallas Development Code to allow a parking reduction to provide adequate area for the placement of recycling containers.

Staff Recommendation: **Approval** of staff recommendation.

Zoning Ordinance Advisory Committee Recommendation: **Approval** of ZOAC recommendation.

Authorization of Hearings:

Donna Moorman  
(CC District 14)

Consideration of authorizing a public hearing to determine the proper zoning on property zoned Planned Development District No. 842 with Specific Use Permit (SUP) No. 2346, for a Late-hours establishment limited to a restaurant with drive-in or drive-through service on Lot 4A Block B/1988 located at the southwest corner of Greenville Avenue and Alta Avenue (1827 Greenville Avenue), and containing approximately 30,024 square feet with consideration to be given to evaluating whether the SUP is compatible with adjacent property and consistent with the character of the neighborhood. This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Donna Moorman  
(CC District All)

Consideration of authorizing a public hearing to consider amending Chapter 51A of the Dallas Development Code with consideration to be given to amending 51A-4.702(a)(8)(A) Residential Proximity Slope. This is a hearing to consider the request to authorize the hearing at this time.

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Other Matters:

Minutes: February 20, 2020

Adjournment

**CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS**

**Tuesday, March 10, 2019**

**SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING** - Tuesday, March 10, 2019, City Hall, 1500 Marilla Street, in Room 5BN, at 9:00 a.m.

**Thursday, March 5, 2020**

**ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) MEETING** - Thursday, March 5, 2020, City Hall, 1500 Marilla Street, in Room 5ES, at 9:00 a.m., to consider (1) **DCA190-002** - Consideration of amending off-street parking and loading requirements in Chapters 51 and 51A of the Dallas Development Code.

**SUBDIVISION REVIEW COMMITTEE (SRC) MEETING** - Thursday, March 5, 2020, City Hall, 1500 Marilla Street, in the Council Chambers, at 9:00 a.m. to consider (1) Consideration of an ordinance amending Sections 51A-4.411, 51A-4.702 and 51A-10.125 of the Dallas Development Code to modify requirements for shared access developments.

### **EXECUTIVE SESSION NOTICE**

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

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



**CITY PLAN COMMISSION****THURSDAY, MARCH 5, 2020****FILE NUMBER:** S190-092**SENIOR PLANNER:** Mohammad H. Bordbar**LOCATION:** Telephone Road at Van Horn Drive, west corner**DATE FILED:** February 5, 2020**ZONING:** LI**CITY COUNCIL DISTRICT:** 8    **SIZE OF REQUEST:** 96.8-acre    **MAPSCO:** 76 J,K,N**APPLICANT/OWNER:** Dalparc I-20 Logistics, LLC

**REQUEST:** An application to replat a 96.8-acre tract of land containing all of Lots 1 and 5R in City Block A/8300 to create one lot on property located on Telephone Road at Van Horn Drive, west corner.

**SUBDIVISION HISTORY:**

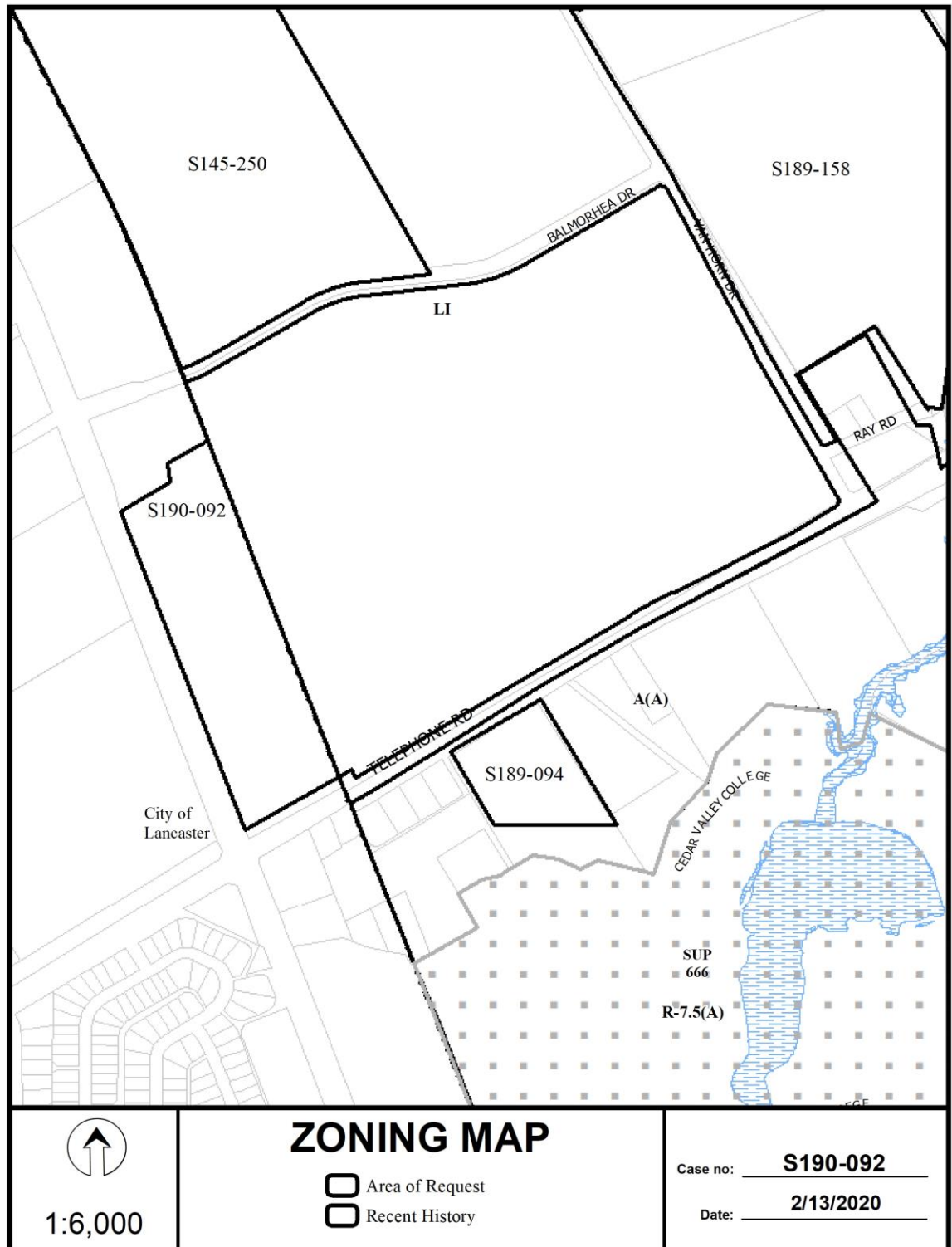
1. S189-094 was a request south of the present request to create one 4.7076-acre lot from a tract of land in City Block 8325 on property located on Telephone Road, east of Dallas City limit. The request was approved January 17, 2019 but has not been recorded.
2. S145-250 was a request northwest of the present request to replat a 44.271-acre tract of land containing all of Lots 1 and 3 in City Block A/8299 to create one lot on property located at Balmorhea Drive, east of Dallas Avenue. The request was approved September 3, 2015 and recorded June 28, 2016.

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

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

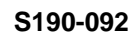
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. Prior to the final plat, submit the tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.
12. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) 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).
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
14. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Division approval". (Note must be on plat) Section 51A-8.611(e).
15. On the final plat, dedicate a 5-foot by 5-foot corner clip (VIA Fee Simple or Street Easement) at the intersection of Dallas Avenue and Telephone Road. Section 51A 8.602(d)(1).
16. On the final plat, a larger corner clip maybe requested during engineering plan review to accommodate an adequate turning radius, or to maintain public appurtenances within the area of the corner clip.
17. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.
18. Prior to final plat, coordination with the City of Lancaster is required.
19. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
20. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.

21. 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.
22. On the final plat, specify minimum fill and minimum finished floor elevations if Fill Permits exists. Section 51A-8.611(d), Trinity Watershed Management.
23. 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.
24. 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).
25. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g).
26. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
27. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
28. On the final plat, show recording information on all existing easements within 150 feet of the property.
29. On the final plat, chose a new or different addition name. Platting Guidelines.
30. Engineer must 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).
31. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
32. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
33. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size is 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
34. On the final plat, change "Dallas Avenue" to "Dallas Avenue (State Highway No. 342)". Section 51A-8.403(a)(1)(A)(xii)
35. On the final plat, identify the property as Lot 1A in City Block A/8300. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).













**CITY PLAN COMMISSION****THURSDAY, MARCH 5, 2020****FILE NUMBER:** S190-094**SENIOR PLANNER:** Mohammad H. Bordbar**LOCATION:** Walnut Hill Lane at North Stemmons Freeway / Interstate Highway No. 35E, northwest corner**DATE FILED:** February 6, 2020**ZONING:** IR**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 14.0044-acre **MAPSCO:** 22Q**APPLICANT/OWNER:** Beverley Partners, LP, Wallcon Equities-2, LTD, Wallcon Industrial, LLC.

**REQUEST:** An application to create three lots ranging in size from 1.9431-acre to 5.8742-acres from a 14.0044-acre tract of land in City Block 6512 on property located on Walnut Hill Lane at North Stemmons Freeway / Interstate Highway No. 35E, northwest corner.

**SUBDIVISION HISTORY:**

1. S189-006 was a request northeast of the present request to replat a 4.9298-acre tract of land containing part of City Block 2/6512 to create one lot on property located on Southwell Road at Interstate Highway No. 35, southeast corner. The request was approved November 1, 2018 but has not been recorded.
2. S178-118 was a request south of the present request to replat a 15.855-acre tract of land containing all of Lot 1 in City Block 2/6509 and part of City Block 6509 to create one lot on property located on Walnut Hill Lane at Goodnight Lane, southwest corner. The request was approved March 22, 2018 but has not been recorded
3. S178-014 was a request southeast of the present request to replat a 1.898-acre tract of land containing all of Lots 1 and 5 in City Block J/6509 to create one lot on property located at Walnut Hill Lane and Stemmons Freeway/Interstate Highway I-35E, southeast corner. The request was approved November 16, 2017 but has not been recorded.
4. S167-111 was a request at the same location as the present request and was withdrawn prior to public hearing.
5. S156-048 was a request south of the present request to create one lot from a 2.682-acre tract of land in City Block 6509 on property located between Goodnight Lane and Stemmons Freeway / Interstate Highway No. 35E, south of Walnut Hill Lane. The request was approved December 17, 2015 but has not been recorded.

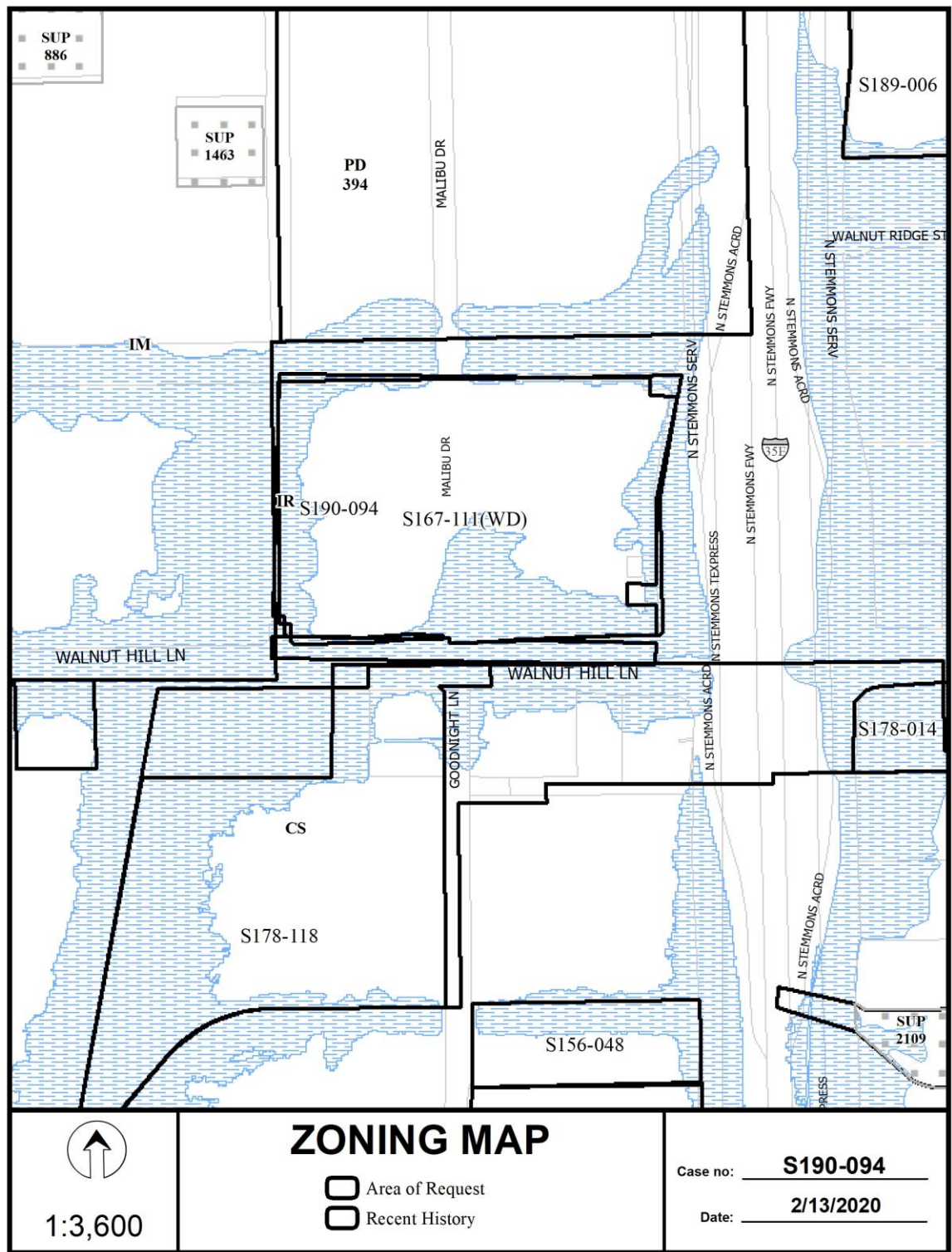
**STAFF RECOMMENDATION:** The request complies with the requirements of IR Industrial Research District; therefore, staff recommends approval of the request subject to compliance with the following conditions:



1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. Prior to the final plat, submit tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is three.
12. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) 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).
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
14. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Division approval". (Note must be on plat) Section 51A-8.611(e).

15. On the final plat, dedicate 30 feet of Right-of-Way (via Fee Simple) from the established center line of Goodnight Lane. 51A 8.602(c).
16. On the final plat, dedicate 55 feet Right-of-Way (via Fee Simple) from the established center line of Walnut Hill Lane. 51A 8.602(c).
17. On the final plat, dedicate a 20-feet by 20-feet corner clip (VIA Fee Simple or Street Easement) at the intersection of Goodnight Lane and Walnut hill Lane Section 51A 8.602(d)(1).
18. On the final plat, a larger corner clip may be requested during engineering plan review to accommodate an adequate turning radius, or to maintain public appurtenances within the area of the corner clip.
19. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.
20. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.
21. On the final plat, dedicate floodway easement, floodway management area, or floodway easement (within common area) with the appropriate easement statement included on the face of the plat. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.
22. 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.
23. On the final plat, specify minimum fill and minimum finished floor elevations if Fill Permits exist. Section 51A-8.611(d), Trinity Watershed Management.
24. 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.
25. 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).
26. Provide information regarding Fill Permit or Flood plain Alteration Permit if such permit is applied for to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. 51A-5.105(g).
27. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
28. On the final plat, show recording information on all existing easements within 150 feet of the property.
29. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
30. On the final plat, show two control monuments. Section 51A-8.617.

31. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).
32. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
33. Water and wastewater main improvement are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
34. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
35. Must comply with TCEQ regulations for utility Construction in closed Municipal Landfill.
36. On the final plat, change “Interstate Highway No. 35 (Stemmons Freeway)” to “Stemmons Freeway / Interstate Highway No. 35E”. Section 51A-8.403(a)(1)(A)(xii)
37. On the final plat, change the font of “Goodnight Lane”, label south of Walnut Hill Lane to match the font of the other Goodnight Lane label. Section 51A-8.403(a)(1)(A)(xii)
38. On the final plat, identify the property as Lot 1 through 3 in City Block B/6511. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).













**CITY PLAN COMMISSION****THURSDAY, MARCH 5, 2020****FILE NUMBER:** S190-095**SENIOR PLANNER:** Mohammad H. Bordbar**LOCATION:** Maple Avenue at wolf Street, southwest corner.**DATE FILED:** February 6, 2020**ZONING:** PD 193 (PDS 39)**PD LINK:** <http://dallascityattorney.com/51P/Articles%20Supp%2021/Article%20193%20Part%20I.pdf>**CITY COUNCIL DISTRICT:** 14    **SIZE OF REQUEST:** 8.6928-acre    **MAPSCO:** 45A**APPLICANT/OWNER:** L.& L. Realty Corporation, L.& L. Realty Corporation No. 2, 3001 Maple LP

**REQUEST:** An application to replat an 8.6928-acre tract of land containing part of City Blocks 1/945-1/2, 2/945-1/2, 945-1/2, C/940, and part of Lot 2 in City Block 1/998 to create one 3.3721-acre lot and one 5.3208-acre lot on property located on Maple Avenue at wolf Street, southwest corner.

**SUBDIVISION HISTORY:**

1. S189-312 was a request southeast of the present request to replat a 2.563-acre tract of land containing all of Lot 1D in City Block 2/933 to create one lot and to abandon easements to facilitate new development on property located on Cedar Springs Road at Brookhout Street, south of Maple Avenue. The request was approved October 4, 2018 but has not been recorded.
2. S178-174 was a request southwest of the present request to replat a 3.7239-acre tract of land containing all of Lot 1A in City Block 1/998 to create one 0.7741-acre lot and one 2.9498-acre lot on property located on McKinnon Street, between Union Pacific Railroad and Ivan Street. The request was approved May 3, 2018 but has not been recorded.
3. S178-153 was a request northeast of the present request to create a 0.741-acre lot from a tract of land located in City Block 1005 on property located on Routh Street at Woodrow Street, west corner. The request was approved April 19, 2019 and recorded April 4, 2019.
4. S167-217 was a request northeast of the present request to replat a 0.748-acre tract of land containing all of Lots 6A and 4 in City Block 9/944 to create one lot, and to remove the platted 9-foot building line on the south side of the property, remove the platted 10-foot building line on Carlisle Street, remove the platted 15-foot building line on Fairmount Street, and to remove the platted 10-foot building line east of the southwest line of Lot 4 on property located on Fairmount Street at Carlisle Street, south corner. The request was approved June 20, 2017 and has not been recorded.
5. S156-107 was a request east of the present request to replat a 0.9433-acre lot from a tract of land containing all of Lots 1A, 3A, 9, and part of Lot 7 in City Block 9/994 to create one lot on property located on Maple Avenue between Carlisle



Street and Wolf Street. The request was approved April 4, 2017 and has not been recorded.

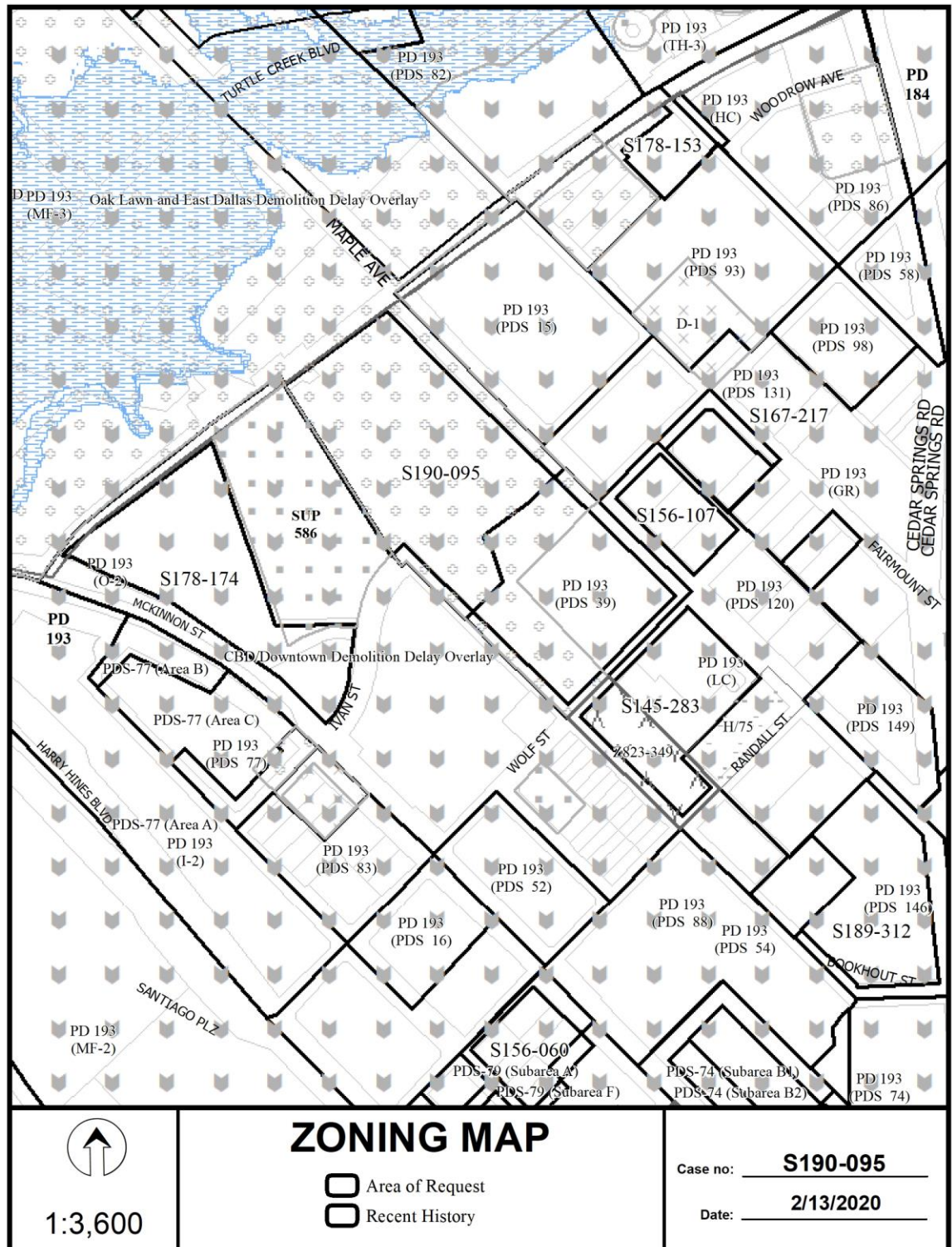
6. S156-060 was a request south of the present request to replat a 1.062-acre tract of land containing all of Lots 6 through 11, and the remainder of Lot 12 in City Block 2/930 into one lot on property located on Randall Street between Harwood Street and McKinnon Street. The request was approved January 7, 2016 but has not been recorded.
7. S145-283 was a request southeast of the present request to replat a 2.391-acre tract of land containing all of Lots 3C and 3D in City Block 8/943 into two lots on property located on Bookhout Street, between Wolf Street, Maple Avenue, and Randall Street. The request was withdrawn October 6, 2015.

**STAFF RECOMMENDATION:** The request complies with the requirements of PD 193 (PDS 39) District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.

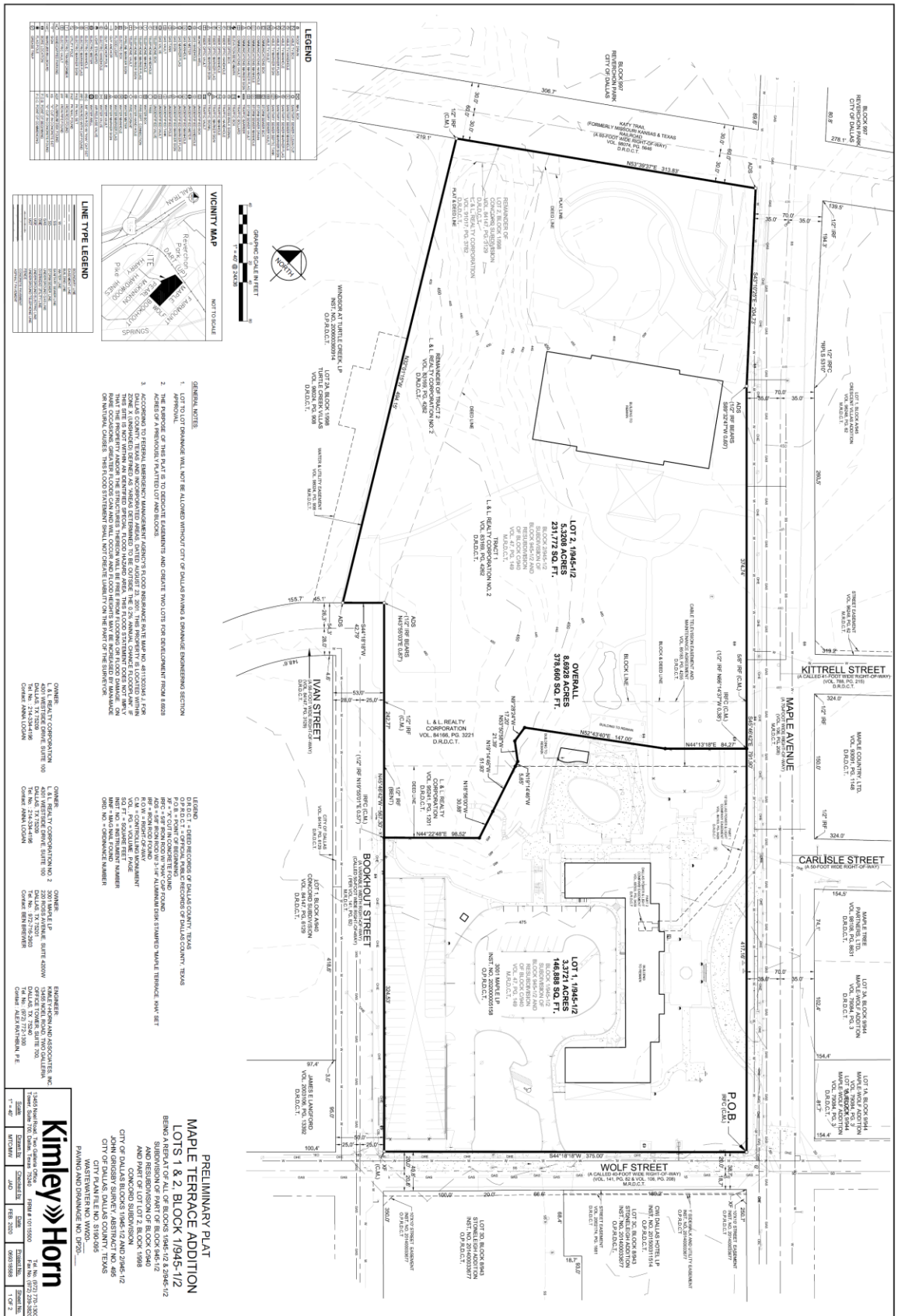
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is two.
12. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) 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).
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
14. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Division approval". (Note must be on plat) Section 51A-8.611(e).
15. On the final plat, dedicate 25 feet Right-of-Way (via Fee Simple or Street Easement) from the established center line of Wolf Street. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
16. On the final plat, dedicate a 5-foot by 5-foot corner clip (VIA Fee Simple or Street Easement) at the intersection of Maple Avenue and Wolf Street. Section 51A 8.602(d)(1).
17. On the final plat, dedicate a 5-foot by 5-foot corner clip (VIA Fee Simple or Street Easement) at the intersection of Bookhout Street and Wolf Street. Section 51A 8.602(d)(1).
18. On the final plat, a larger corner clip maybe requested during engineering plan review to accommodate an adequate turning radius, or to maintain public appurtenances within the area of the corner clip.
19. On the final plat, show recording information on all existing easements within 150 feet of the property.
20. Engineer must 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).
21. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
22. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

23. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
24. Capacity of existing wastewater system is questionable. Submit proposed wastewater discharge (gpm) of development for further assessment. Sections 49-60(b)(2)(d) and 49-60(d).
25. On the final plat, identify the property as Lots 1 and 2 in City Block B/945. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).













**CITY PLAN COMMISSION****THURSDAY, MARCH 5, 2020****FILE NUMBER:** S190-096**SENIOR PLANNER:** Mohammad H. Bordbar**LOCATION:** Dixon Avenue, north of Barber Avenue**DATE FILED:** February 6, 2020**ZONING:** NS(A)**CITY COUNCIL DISTRICT:** 7 **SIZE OF REQUEST:** 0.928-acre**MAPSCO:** 47S**APPLICANT/OWNER:** Thung Van Tran

**REQUEST:** An application to replat a 0.928-acre tract of land containing all of Lots 6 through 10 in City Block 2/6124 to create one 0.347-acre lot, and one 0.510-acre lot on property located on Dixon Avenue, north of Barber Avenue.

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

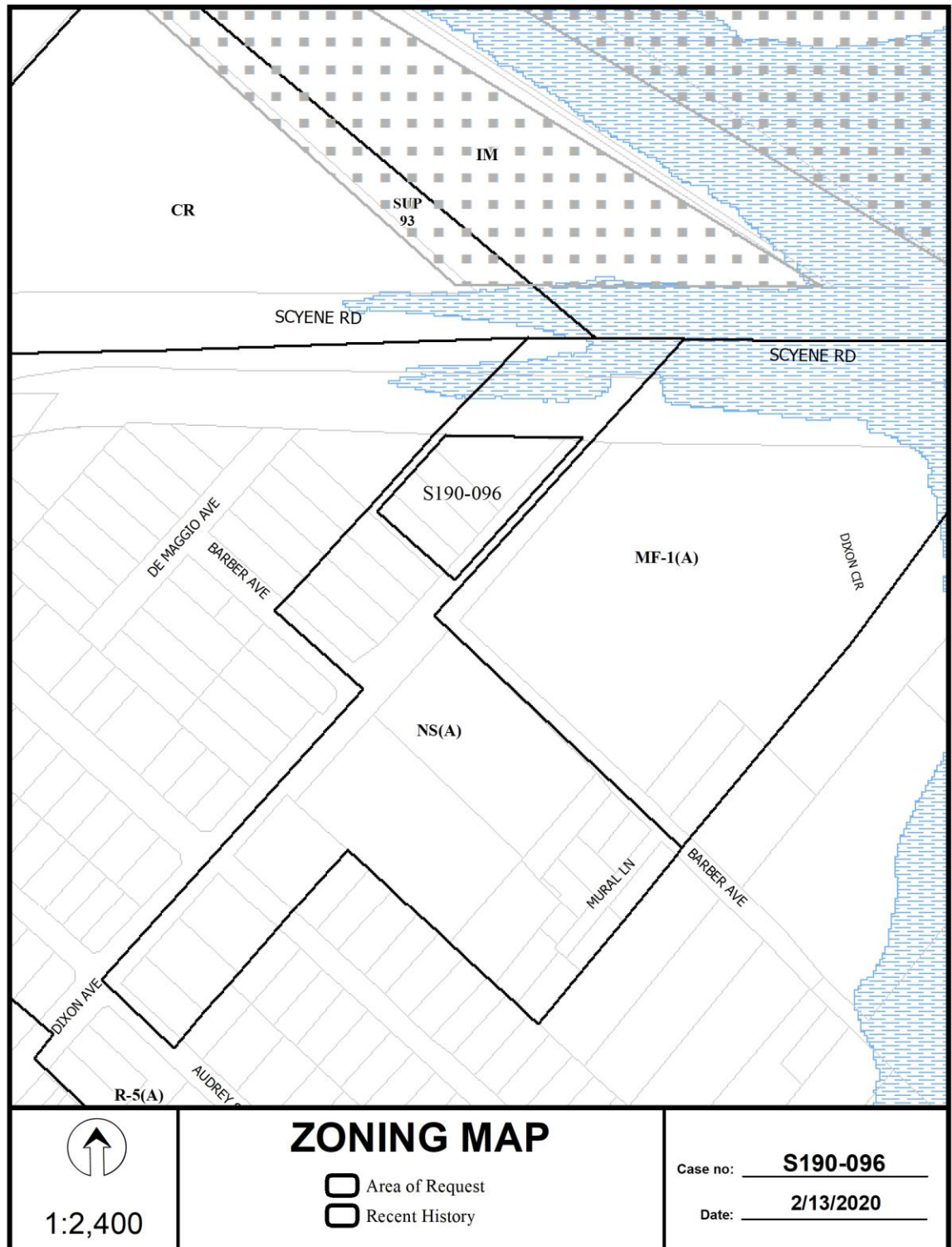
**STAFF RECOMMENDATION:** The request complies with the requirements of the NS(A) Neighborhood Services District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat



Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is two.
12. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) 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).
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
14. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Division approval". (Note must be on plat) Section 51A-8.611(e).
15. On the final plat, dedicate 28 feet of Right-of-Way (via Fee Simple or Street Easement) from the established center line of Dixon Avenue. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).
16. On the final plat, show recording information on all existing easements within 150 feet of the property.
17. Engineer must 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).
18. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
19. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
20. On the final plat, show and label "Scyene Road". Section 51A-8.403(a)(1)(A)(xii)
21. On the final plat, identify the property as Lots 6A and 6B in City Block 2/6124. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).









**CITY PLAN COMMISSION****THURSDAY, MARCH 5, 2020****FILE NUMBER:** S190-097**SENIOR PLANNER:** Mohammad H. Bordbar**LOCATION:** Nash Street, northwest of Inwood Road**DATE FILED:** February 6, 2020**ZONING:** IR, CR**CITY COUNCIL DISTRICT:** 2    **SIZE OF REQUEST:** 9.680-acre    **MAPSCO:** 34Q**APPLICANT/OWNER:** Cathedral of Hope, Inc.

**REQUEST:** An application to replat a 9.680-acre tract of land containing all of Lots 1D in City Block 5716, 2C in City Block 1/4798, and lots 5 through 7 in City Block 2/4626 to create one lot on property located at terminus of Nash Street, northwest of Inwood Road.

**SUBDIVISION HISTORY:**

1. S167-264 was a request northwest of the present request to replat a 7.298-acre tract of land containing all of Lots 1 and 3 in City Block B/5715, and a part of City Block 5715 to create one 3.621-acre lot and one 3.665-acre lot on property located on Peeler Street between Manor Way and Haggard Way. The request was approved September 7, 2017 but has not been recorded.
2. S167-002 was a request northwest of the present request to create one 3.106-acre lot from a tract of land in City Block 1/5717 on property located on Cedar Springs Road, southeast of Manor Way. The request was approved November 10, 2016 and recorded July 12, 2019.

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

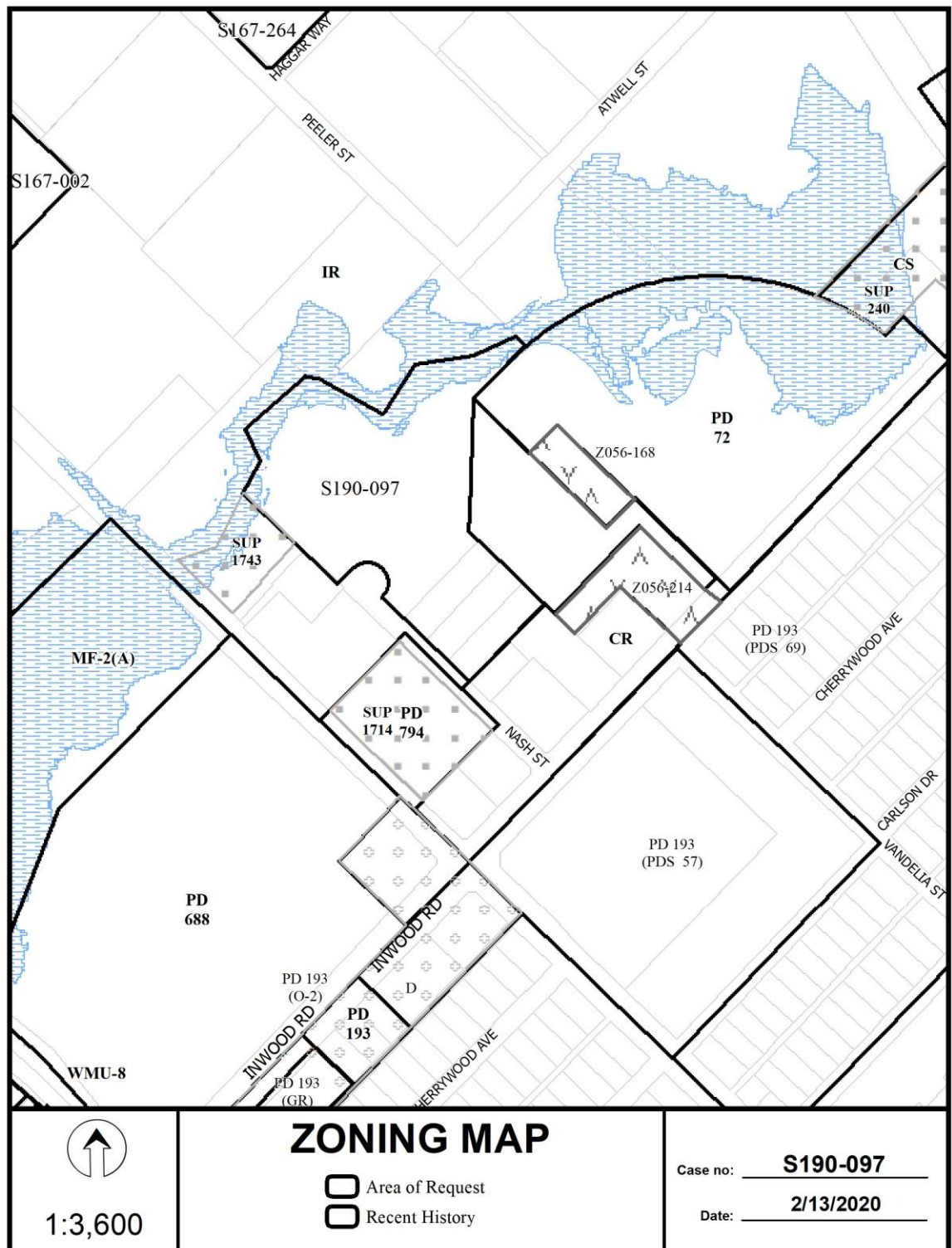
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.



7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. Prior to the final plat, submit tree a survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.
12. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) 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).
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
14. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Division approval". (Note must be on plat) Section 51A-8.611(e).
15. On the final plat, dedicate 50 feet of Right-of-Way (via Fee Simple) from the established center line of Inwood Road 51A 8.602(c).
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) and 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 if Fill Permits exists. 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. 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 distances/width across all adjoining right-of-way. Platting Guidelines.
25. On the final plat, show recording information on all existing easements within 150 feet of the property.
26. On the final plat, list utility easements as retained within street abandonments when stated in the abandonment ordinance or follow the City of Dallas standard affidavit requirements.
27. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
28. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
29. Existing and proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size is 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
30. On the final plat, identify the property as Lot 2D in City Block 1/4798. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).













**CITY PLAN COMMISSION****THURSDAY, MARCH 5, 2020****FILE NUMBER:** S190-099**SENIOR PLANNER:** Mohammad H. Bordbar**LOCATION:** South Beltline Road at Garden Grove Drive west corner**DATE FILED:** February 7, 2020**ZONING:** CR**CITY COUNCIL DISTRICT:** 8 **SIZE OF REQUEST:** 2.304 -acre **MAPSCO:** 69 A, M**APPLICANT/OWNER:** 1500 S Beltline LLC

**REQUEST:** An application to create one 0.8637-acre lot and one 1.4405-acre lot from a 2.304-acre tract of land in City Block 8821 on property located on South Beltline Road at Garden Grove Drive west corner.

**SUBDIVISION HISTORY:**

1. S190-088 was a request for the same property as the present request to create a 2.304-acre lot from a tract of land in City Block 8821 on property located on South Beltline Road at Garden Grove Drive west corner. The request was withdrawn January 31, 2020.
2. S189-168 was a request east of the present request to replat a 0.901-acre tract of land containing part of Lot 1 in City Block A/8820, to create one 0.427-acre lot and one 0.474-acre lot on property located at South Belt Line Road and Garden Grove Drive, east corner. The request was approved April 18, 2019 but has not been recorded
3. S178-330 was a request southeast of the present request to replat a 0.910-acre tract of land containing all of unrecorded Lot 6 in City Block B/8820 into one lot on property located on south Belt Line Road and Indian Wells Road, east corner. The request was approved October 18, 2018 but has not been recorded.
4. S178-285 was a request northeast of the present request to create a 2.886-acre lot from a tract of land in City Block 8822 on property located on South Belt Line Road at Garden Grove Drive, north corner. The request was approved September 6, 2018 but has not been recorded.
5. S167-196 was a request southeast of the present request to create two 10,999-square foot lots from a 0.505-acre tract of land on property located on Garden Grove Drive between Biggs Street and South Belt Line Road. The request was approved June 22, 2017 and recorded March 4, 2018.

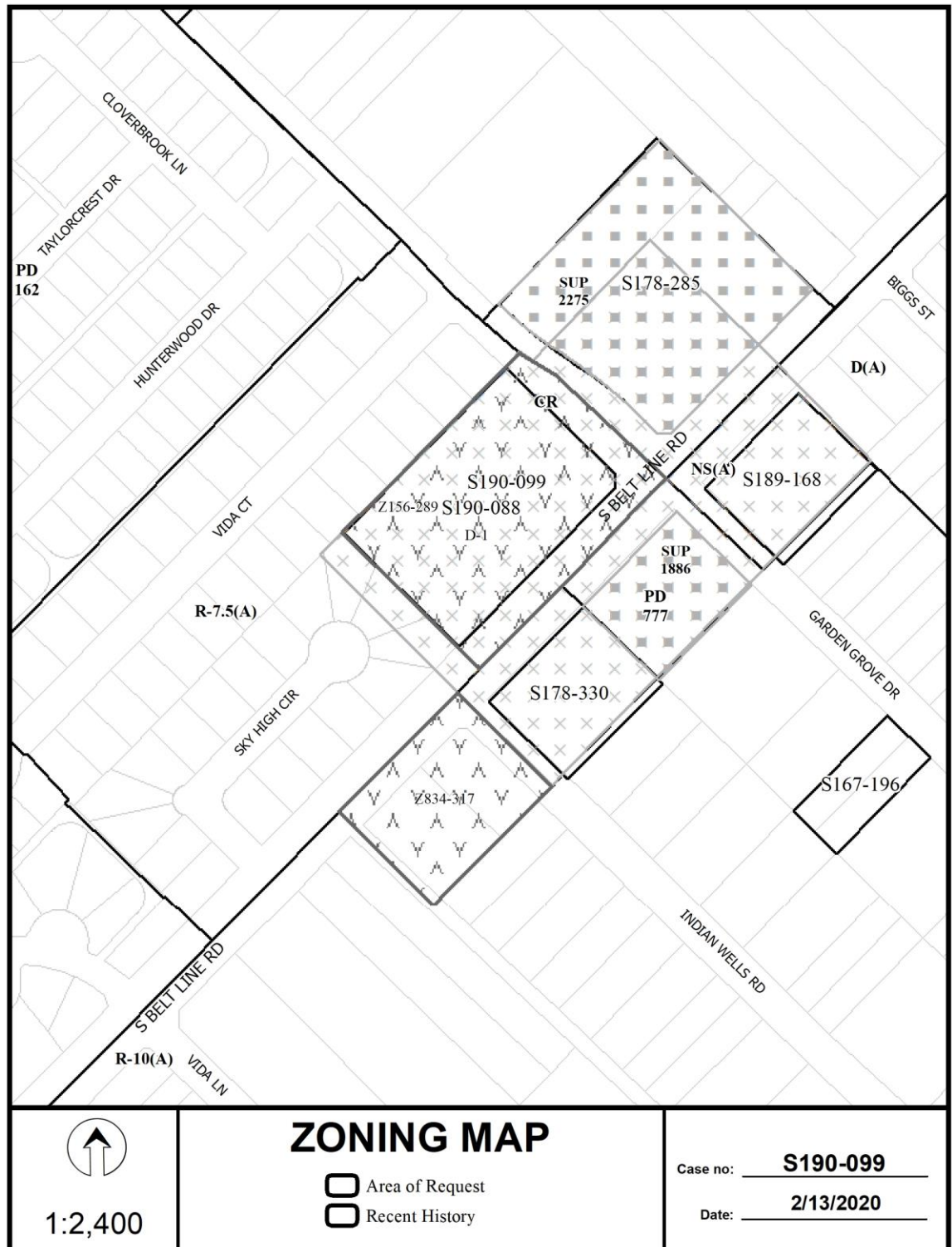
**STAFF RECOMMENDATION:** The request complies with the requirements of CR Community Retail District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.

2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.
12. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) 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).
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
14. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Division approval". (Note must be on plat) Section 51A-8.611(e).
15. On the final plat, dedicate 53.5 of feet Right-of-Way (via Fee Simple) from the established center line of south Belt line Road. 51A 8.602(c).

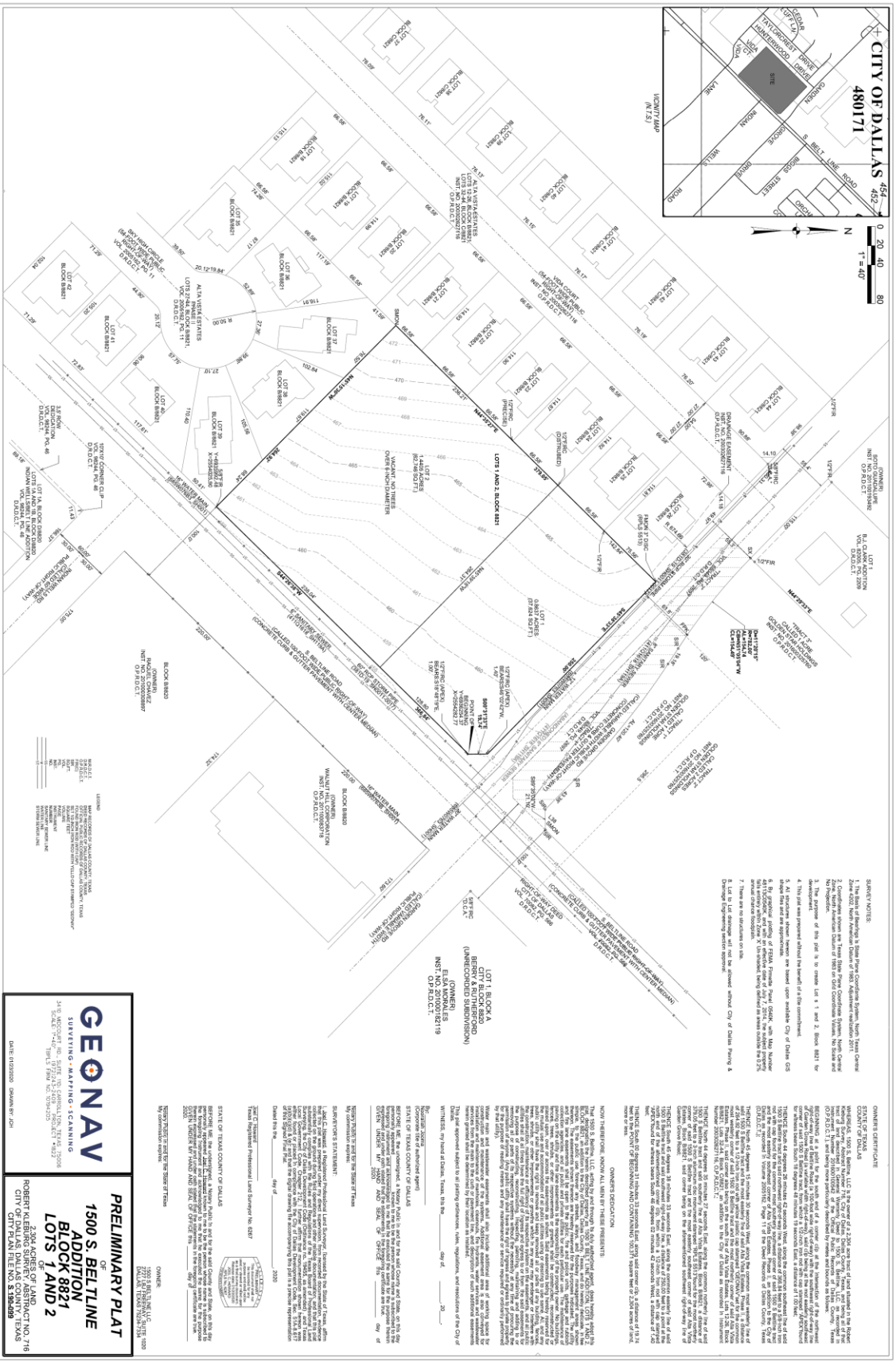
16. On the final plat, dedicate 30 feet of Right-of-Way (via Fee Simple or Street Easement) from the established center line of Garden Grove Drive. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e)
17. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
18. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
19. On the final plat, show recording information on all existing easements within 150 feet of the property.
20. On the final plat, chose a new or different addition name. Platting Guidelines.
21. An addition name cannot begin with the word "THE" or "REPLAT" OR A number.
22. Engineer must 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).
23. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
24. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
25. Prior to final plat, contact Real Estate regarding abandonment process of the 6-inch sanitary sewer(411Q1618-SH119A).
26. On the final plat, change "Garden Grove Road" to "Garden Grove Drive (F.K.A. Crawford Road)". Section 51A-8.403(a)(1)(A)(xii)
27. On the final plat, change "Indian Welles Road" to "Indian Wells Road (F.K.A. Bryant street)". Section 51A-8.403(a)(1)(A)(xii)
28. On the final plat, identify the property as Lots 1 and 2 in City Block L/8821. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).











GEONAV

SAVING. MAPPING. SCANNING.

1500 S. BELTLINE  
ADDITON  
BLOCK 8821  
LOTS 1 AND 2

2.300 ACRES OF LAND  
CITY PLAN FILE NO. S190-099

DATE: 03/05/2020 DRAWN BY: JCH

OWNER: 1500 S. BELTLINE, LLC  
1500 S. BELTLINE, LLC  
1500 S. BELTLINE, LLC  
1500 S. BELTLINE, LLC

**CITY PLAN COMMISSION****THURSDAY MARCH 5, 2020****FILE NUMBER:** S190-093**SENIOR PLANNER:** Mohammad Bordbar**LOCATION:** Los Angeles Boulevard, south of Kiest Boulevard**DATE FILED:** February 6, 2020**ZONING:** R-10(A)**CITY COUNCIL DISTRICT:** 3 **SIZE OF REQUEST:** 2.27-acre**MAPSCO:** 53W**OWNERS:** Fermin Olivera

**REQUEST:** An application to replat a 2.27-acre tract of land containing all of Lots 11C and 11D and to abandon 15-foot alley in City Block 6961 into one 22,071 square foot lot and one 76,998 square foot lot on property located on Los Angeles Boulevard, south of Kiest Boulevard.

**SUBDIVISION HISTORY:**

1. S190-064 was a request southeast of the present request to replat a 1.432-acre tract of land containing all of Lot 2 in City Block H/6961 to create one 0.514-acre lot and one 0.918-acre lot on property located between Los Angeles Boulevard and Lampasas Avenue, north of Blue Ridge Boulevard. The request was approved January 9, 2020 but has not been recorded.
2. S190-053 was a request southeast of the present request to the present request to replat a 1.433-acre tract of land containing all of Lot 1 in City Block H/6961 to create one 0.814-acre lot and one 0.619-acre lot on property located between Los Angeles Boulevard and Lampasas Avenue, north of Blue Ridge Boulevard. The request was approved January 9, 2020 but has not been recorded.
3. S189-182 was a request northwest of the present request to replat a 2.0-acre tract of land containing all of Lot 3 in City Block 6961 to create 8 residential lots on property located on Guadalupe Avenue at Kiest Boulevard, southeast corner. The request was approved May 2, 2019 but has not been recorded.

**PROPERTY OWNER NOTIFICATION:** On February 19, 2020, 14 notices were sent to property owners within 200 feet of the proposed plat.

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

- The properties to the north of the request have widths of 286 feet and areas of 87,126 square feet and are zoned R-5 (A) Single Family District. *(please refer to the existing area analysis map)*
- The properties to the east are undeveloped land and are zoned R-10(A) Single Family District. *(please refer to the existing area analysis map)*

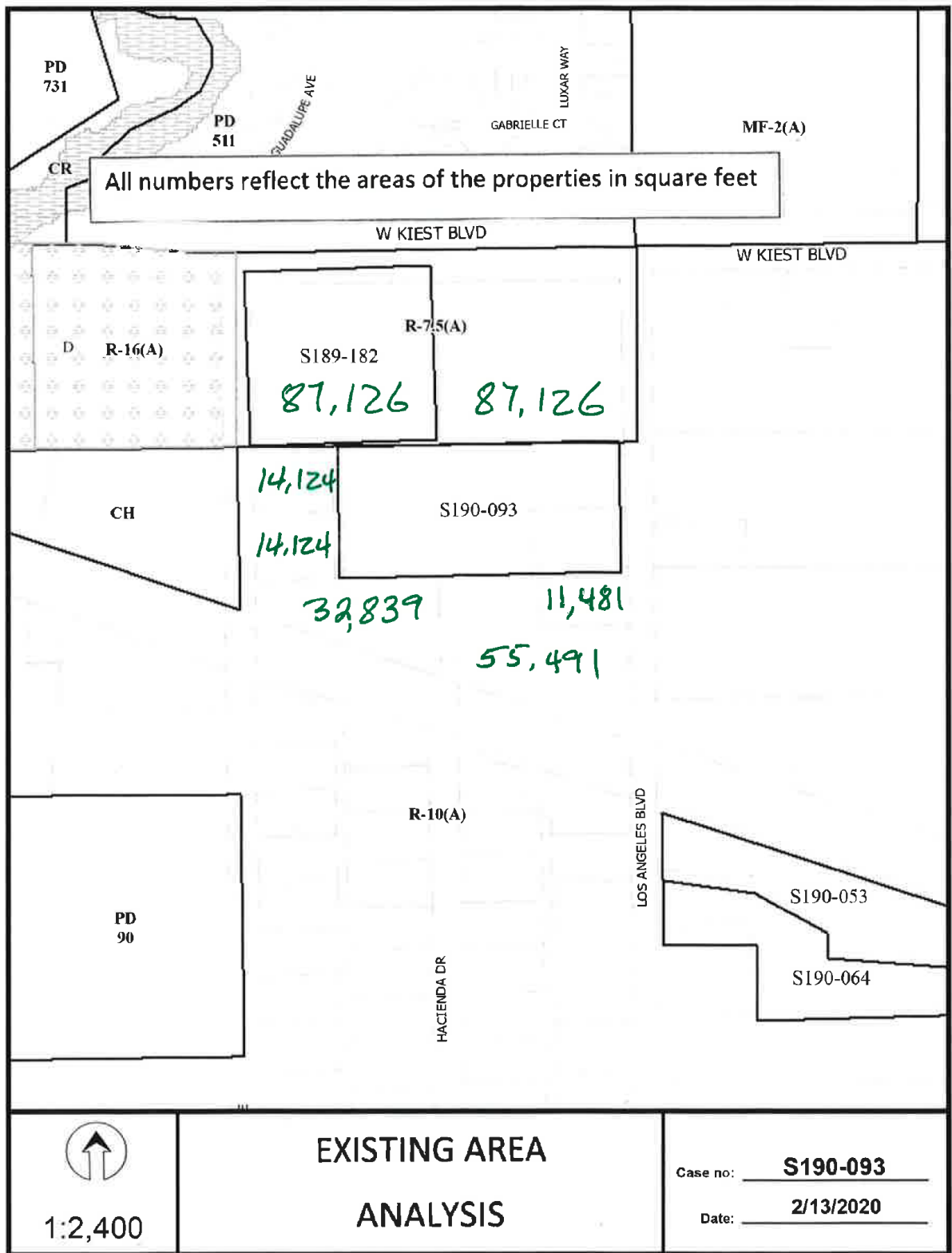


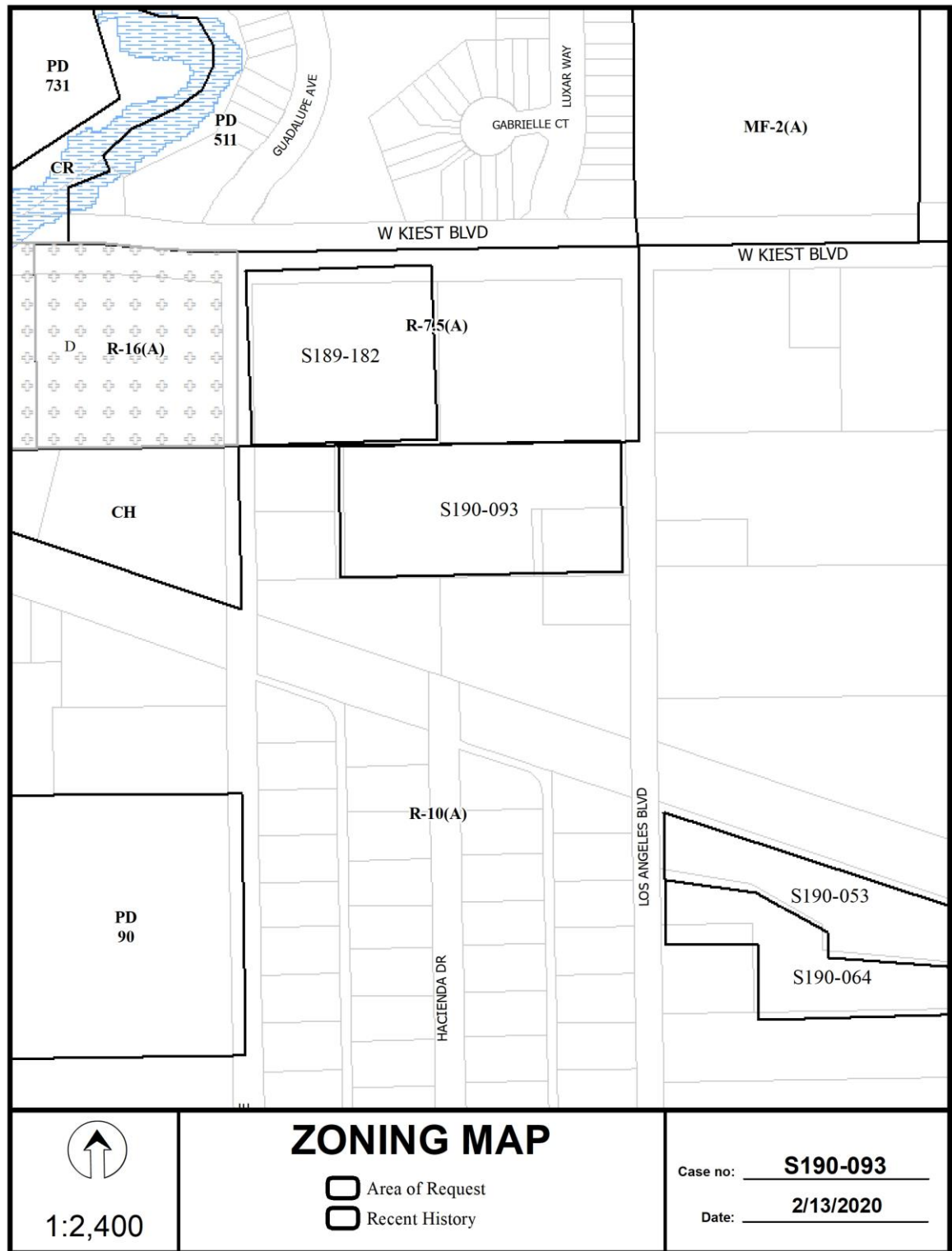
- The properties to the south and west of the request have widths ranging in size from 58 feet to 189.24 feet and areas ranging in size from 11,440 square feet to 55,016 square foot and are zoned R-10(A) Single Family District. *(please refer to the existing area analysis map)*
- The request is to create one 22,071-square foot lot and one 76,998-square foot lot with lot widths of 95.45 feet and 119.45 feet respectively.

The request is in an R-10(A) Single Family District with minimum lot requirement of 10,000 square feet. Staff finds that there is no uniform lot widths or lot areas within the immediate vicinity of the request; therefore, there is no established lot pattern and the request complies with the requirements of Section 51A-8.503 and the R-10(A) Single Family District. Staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature, the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.

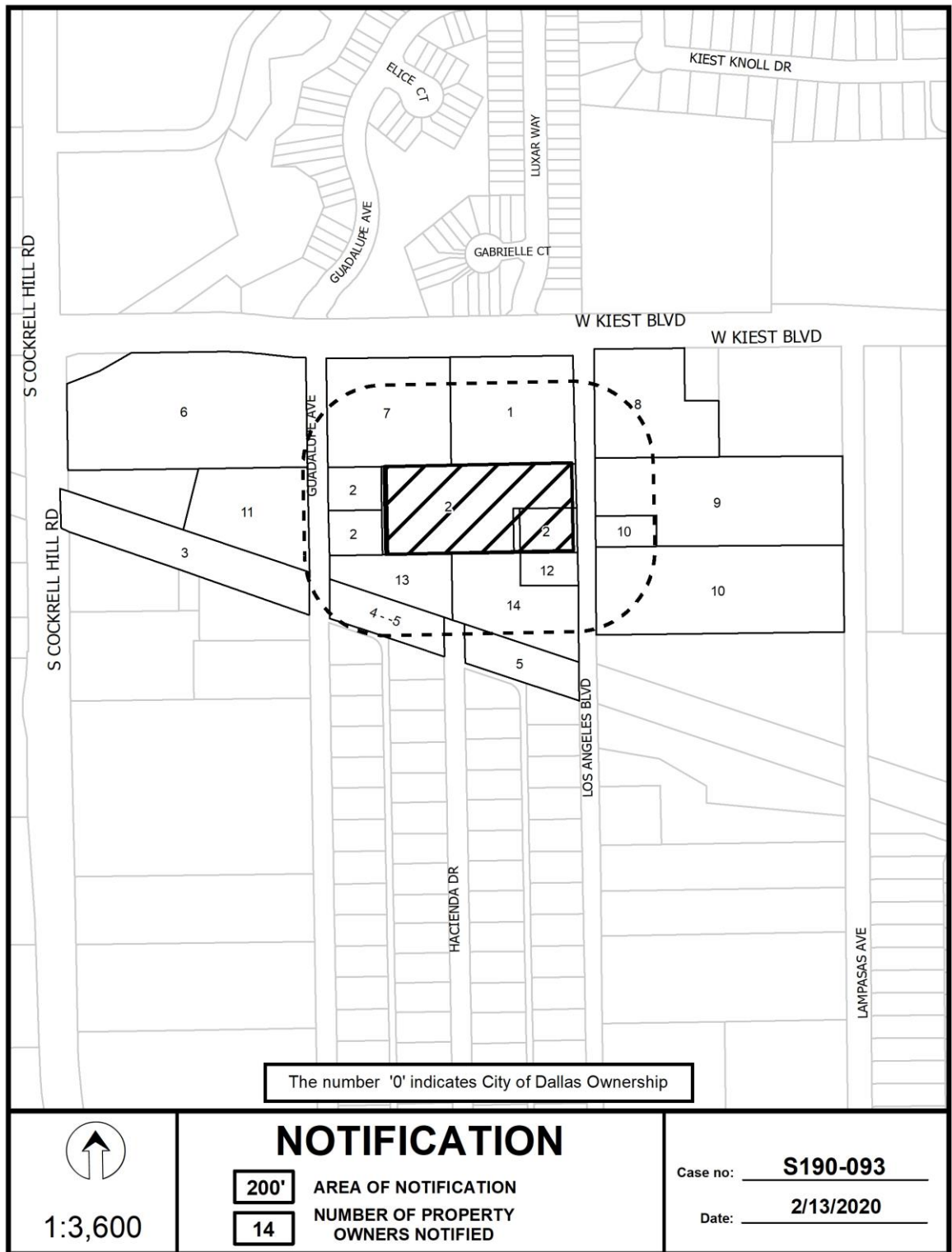
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is two.
12. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) 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).
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
14. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Department approval". (Note must be on plat) Section 51A-8.611(e).
15. On the final plat, show recording information on all existing easements within 150 feet of the property.
16. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
17. Water and wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
18. On the final plat, identify the property as Lots 11E and 11F in City Block 6961. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).











02/11/2020

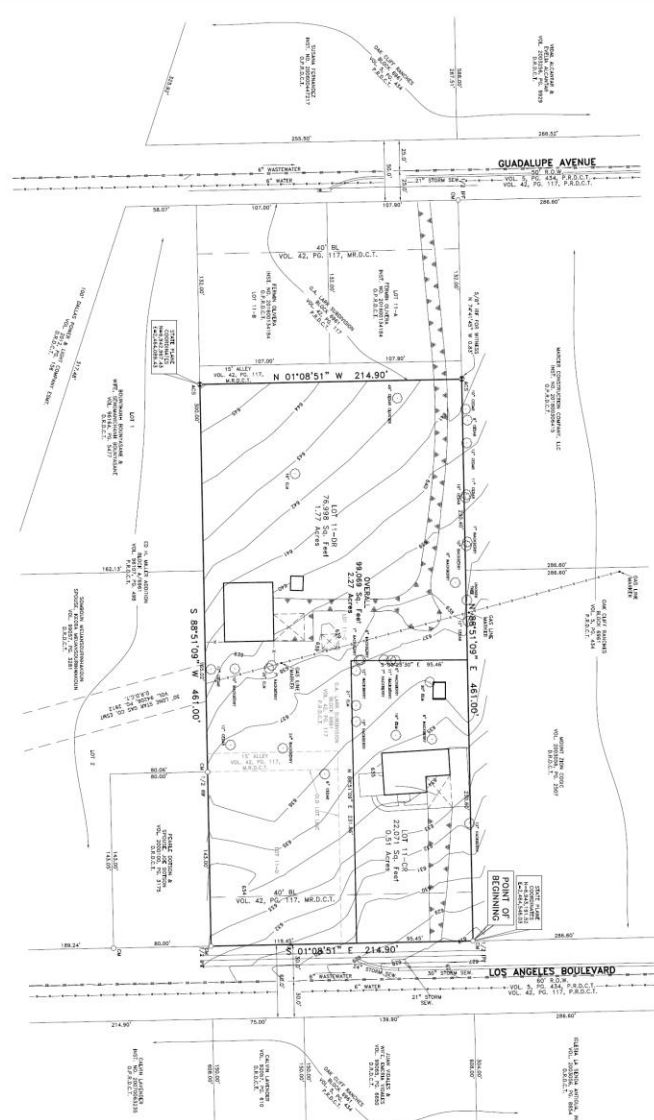
## ***Notification List of Property Owners***

***S190-093***

### ***14 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4006 W Kiest Blvd	MOUNT ZION COGIC
2	3230 GUADALUPE AVE	OLVERA FERMIN
3	3300 GUADALUPE AVE	ONCOR ELECTRIC DELIVERY COMPANY
4	3300 GUADALUPE AVE	ONCOR ELECTRIC DELIVERY COMPANY
5	3300 LOS ANGELES BLVD	ONCOR ELECTRIC DELIVERY COMPANY
6	4306 W Kiest Blvd	ALCANTAR VIDAL &
7	4106 W Kiest Blvd	MARCER CONSTRUCTION CO LLC
8	3220 LOS ANGELES BLVD	IGLESIA LA SENDA ANTIGUA
9	3224 LOS ANGELES BLVD	VIDALES JUAN & EMERIA
10	3236 LOS ANGELES BLVD	LAVENDER CALVIN
11	3231 GUADALUPE AVE	FERNANDEZ SUSANA
12	3319 LOS ANGELES BLVD	DOTSON JOE & PEARLIE M CRAWFORD
13	3242 GUADALUPE AVE	BOUNYASANE BOUNTHANH &
14	3323 LOS ANGELES BLVD	MEUANSOURINHAKOUN SOMBOUN





**LEGEND**  
D.R.C.T. = DETO RECORDS, DALLAS COUNTY, TEXAS  
P.R.C.T. = PITAL RECORDS, DALLAS COUNTY, TEXAS  
O.S.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY,  
          = OTHER NUMBER  
V.O. = VALUE  
P.C. = PAGE  
C# = CONTROLLING NUMBER  
R.O.W. = ROW-OR-WAY  
1/2" TP = 1/2 INCH IRON PIPE THICK  
1/2" IR = 1/2 INCH IRON  
A.C.S. = 3" ALUMINUM RISER STAIRS 70" AND P.R.S. 55.13"  
SET OVER A 1/2 INCH IRON ROD SET

OWNER: FERMIN OLIVERA  
4214 PINESETTA  
DALLAS, TEXAS 75211  
214-605-5116



**PRELIMINARY PLAT**  
**FERMIN OLIVERA ADDITION**  
LOTS 11--CR AND 11--D, BLOCK 6961  
99069 SQ.FT. / 2.27 ACRES  
BEING A REPLAT OF LOT 11--C AND 11--D, BLOCK 6961,  
G.A. LARER SUBDIVISION  
WILLIAM M. CROW SURVEY, ABSTRACT NO. 298  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
CITY PLAN FILE NO. S190-093

Notary Public in and for the State of Texas

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS  
 10th day of May 1964

BYRON E. WE, the undersigned, a Notary Public in and for the County of Kings, do hereby certify that the person whose name is subscribed to the foregoing instrument is the same as the person who executed the same for the purpose that the same be a valid and binding instrument.

Texas Registered Professional Land Surveyor No. 10400  
STATE OF TEXAS  
COUNTY OF DALLAS

DO NOT WRITE IN THESE SPACES

**Texas Local Government Code, Chapter 212.** In compliance with the City of Dallas Development Code, this plan is a precise representation of the accompanying site plan.

I, Bryan Corneally, a Registered Professional Land Surveyor, prepared under my direct supervision, from records, field notes and other reliable documentation the foregoing plat and other reliable documentation of the Texas Board of Professional Land Surveying. It is hereby certified that the foregoing plat and other reliable documentation are true and correct copies of the original records and field notes and other reliable documentation on file in my office.

Notary Public in and for Dallas County, Texas.

SURVEYOR'S STATEMENT:

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 11th DAY OF JANUARY, 1964.

**BEFORE ME**, the undersigned, a Notary Public in and for the State of New York, personally known me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

BY: Veronica Obregon, Clerk  
STATE OF TEXAS  
COUNTY OF DALLAS

WITNESS, my hand at Dallas, Texas, this 15th day of \_\_\_\_\_

of the systems. Additional easement fees for hydrants, water services and wastewater sewer additional easements haven't granted shall be d

Water meter and wastewater easements shall not obstruct the permission of anyone. (Any public purpose of reading meters and any maintenance

to use some, all, and only local utility shovels, fences, trees, shrubs, or other improvements a maintenance or efficiency of its respective system of ingress and egress to or from the property, including and adding to or removing

garage and rabbit collection agencies, and parking on the utility and fire lane easements for other improvements or growths shall be as shown. Said easements being hereby reserved.

**WELFARE,** Fermin Olvera, does hereby stop **ADDITION,** an action to the City of Dallas, be-  
tween any streets, alleys, and roadway mo-  
reserved for the purposes indicated. The utility

OWNER'S DEDICATION  
NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

TANGENCE NORTH 88 degrees 51 minutes 09 seconds  
a distance of 451.00 feet to the POINT OF BEGINNING

214.90 feet to a 3 inch Aluminum disk stamped corner being along the South line of a tract of Deed recorded in Instrument No. 201800306415 red found bears, North 74 degrees 41 minutes

over a 1/2 inch iron rod set for corner, said being the Southwest corner of a 15 foot alley.

THE NCE South 88 degrees 51 minutes 09 seconds  
rod found of 143.00 feet and being a Northeast  
City of Dallas, Dallas County, Texas, according  
Dallas County, Texas, containing a total distance

THE CL. SOUTH OF DEGRESS ON LOTS 21 AND 22 OF WAY LINE OF OLD LOS ANGELES BOULEVARD, A D. CORNER BEING THE NORTHEAST CORNER OF A TRACT OF WARRENLY DEED WITH VENDOR'S LIEN RECORDED IN V.

Boardwalk (60 feet right of way), solid corner B  
by Warranty Deed recorded in Volume 2003056,  
Northeast corner of said G.A. Larr Subdivision;

Instrument No. 201600134184, Official Public Record and Bounds as follows:

Whereas Fernin Olivera is the sole owner of a  
of Dallas, Dallas County, Texas, and being lots  
of Dallas, Dallas County, Texas, according to the  
County, Texas, showing a portion of a tract

OWNER'S CERTIFICATE  
STATE OF TEXAS  
COUNTY OF DALLAS

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**CITY PLAN COMMISSION****THURSDAY MARCH 5, 2020****FILE NUMBER:** S190-098**SENIOR PLANNER:** Mohammad Bordbar**LOCATION:** Singleton Boulevard at Herbert Street, northwest corner.**DATE FILED:** February 7, 2020**ZONING:** IR, CS, R-5(A)**CITY COUNCIL DISTRICT:** 6    **SIZE OF REQUEST:** 4.931-acre    **MAPSCO:** 44Q**OWNERS:** Workforce Multi-Family, LLC, West Dallas Investment, LP.

**REQUEST:** An application to replat a 4.931-acre tract of land containing part of Lots 1 through 7 and all of Lots 8 through 14 in City Block B/7091, all of Lots 1 through 7 in City Block C/7091, part of Lots 1, 2, and 21, 22, and all of Lots 23, 24, and 45, through 48 in City Block 7093 to create one lot on property located on Singleton Boulevard at Herbert Street, northwest corner.

**SUBDIVISION HISTORY:**

1. S189-320 was a request southwest of the present request to replat a 4.526-acre tract of land containing part of Lots 1 through 10 in City Block 2/7268, part of Lots 1 through 14 in City Block 3/7268, a portion of abandoned Parvia Avenue, and a portion of an abandoned 15-foot alley to create one lot on property bounded by Singleton Boulevard, Bataan Street, Bedford Avenue, and Topeka Avenue. The request was approved October 17, 2019 but has not been recorded.
2. S156-135 was a request south of the present request to replat a 4.600-acre tract of land containing all of Lots 1 through 4, and Lots 7 through 10, and part of Lot 6 all in City Block 1/7268; all of Lots 1 through 5 in City Block 6/7268; all of Lots 13 through 24 and Lot 54 in City Block 7087; abandoned Bataan Street, Bedford Avenue, and Beeville Street rights-of-way, and various alley abandonments to create one lot on property located on Singleton Boulevard between Bataan Street and Herbert Street. The request was approved April 7, 2016 and recorded January 19, 2018.
3. S145-100 was a request for same property of the present request to replat a 2.0376-acre tract of land containing part of Lots 1 through 5 and all of Lots 10 through 14, and part of a 20 foot wide private alley easement to be abandoned, all in City Block B/7091 into one 1.519-acre lot, and one 0.4443-acre lot on property located on Herbert Street between Singleton Boulevard and Toronto Street. The request was approved March 5, 2015 and was withdrawn February 6, 2020.
4. S145-056 was a request southeast of the present request to replat a 7.7097-acre tract of land containing all of Lots 1A, Lots 3 through 12 and Lots 25 through 36; the remaining portion of Lots 37 through 48; all of Pastor Street; a portion of Bedford Avenue; a portion of McPherson Street; a portion of Herbert Street; a portion of Amonette Street; and all of a 13-foot alley to be abandoned lying between Amonette Street and Herbert Street, all in City Block A/7087, into three lots: one 4.860-acre lot, one 1.384-acre lot and one 1.266-acre lot, on property



located on Singleton Boulevard, between Herbert Street and Amonette Street. The request was approved January 8, 2015 and recorded August 31, 2015.

**PROPERTY OWNER NOTIFICATION:** On February 19, 2020, 35 notices were sent to property owners within 200 feet of the proposed plat.

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

- The lots in the immediate vicinity of the request have widths ranging in size from 25 feet to 52 feet and lot areas ranging in size from 4,665 square foot to 10,920 square foot and they are zones R-5(A). *(please refer to the existing area analysis map)*
- Lots 45 through 48 City Block 7093 have widths of 25 feet and areas 2,562 square feet, Lots 1 through 5 in City Block C/7091 have widths ranging in size from 50 feet to 80 feet and lot areas ranging in size from 7,690 square feet to 12,683 square feet. These lots are residential and zoned R-5(A) Single Family District and are part of the requested area.

The request is in a R-5(A) Single Family District, IR Industrial Research District, and CS Community Service District. Staff finds that the request does not comply with the requirements of Section 51A-8.503 and the R-5(A) Single Family District; therefore, staff recommends denial of the request; however, should the Commission approve the request we recommend that the approval be subject to compliance with the following conditions:

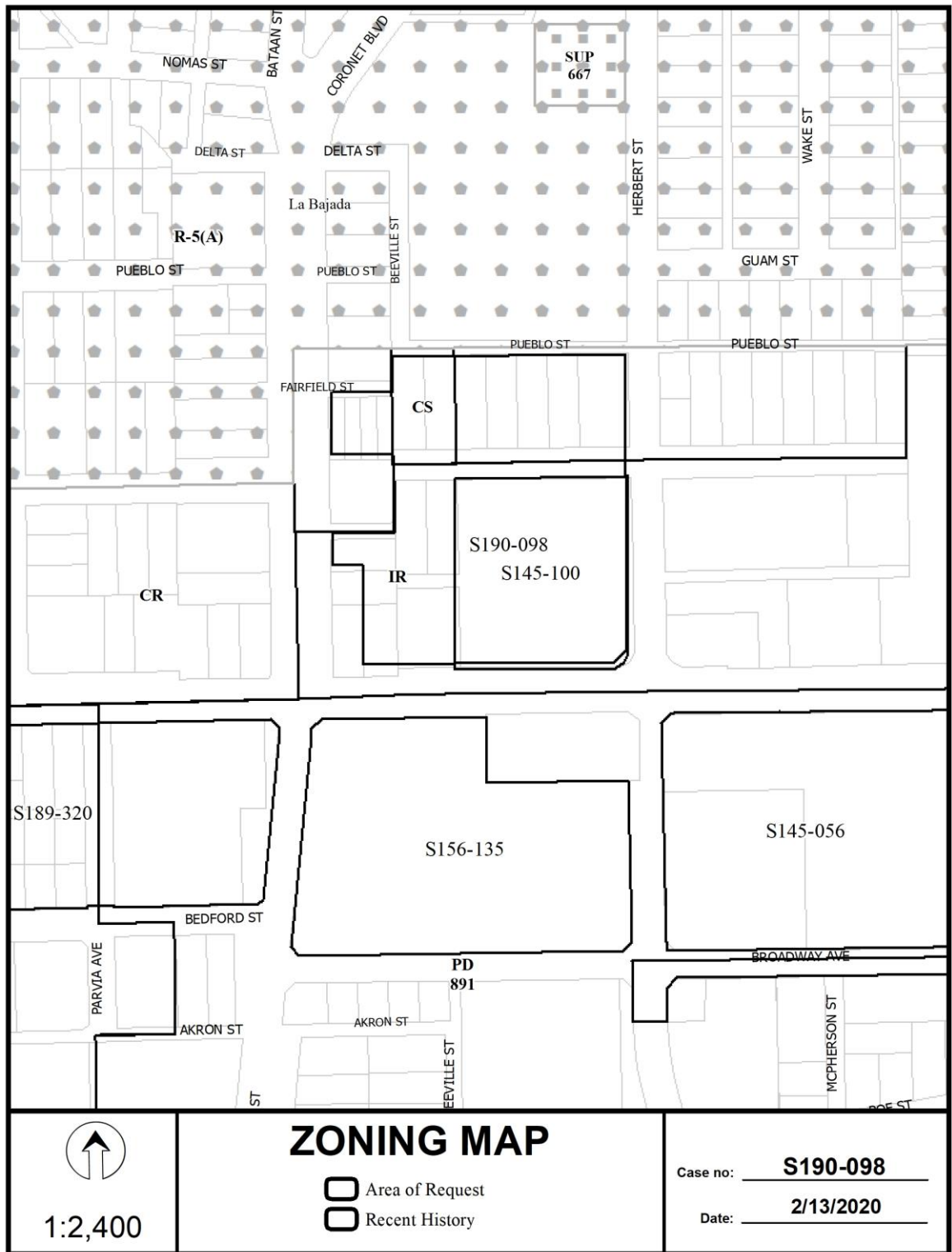
1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature, the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. Prior to the final plat, submit tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.
12. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) 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).
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
14. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Department approval". (Note must be on plat) Section 51A-8.611(e).
15. On the final plat, a larger corner clip maybe requested during engineering plan review to accommodate an adequate turning radius, or to maintain public appurtenances within the area of the corner clip.
16. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Herbert Street and the alley. Section 51A-8.602(e),
17. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
18. On the final plat, show recording information on all existing easements within 150 feet of the property.
19. On the final plat, list utility easements as retained within street abandonments when stated in the abandonment ordinance or follow the City of Dallas standard affidavit requirements.
20. Engineer must 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).

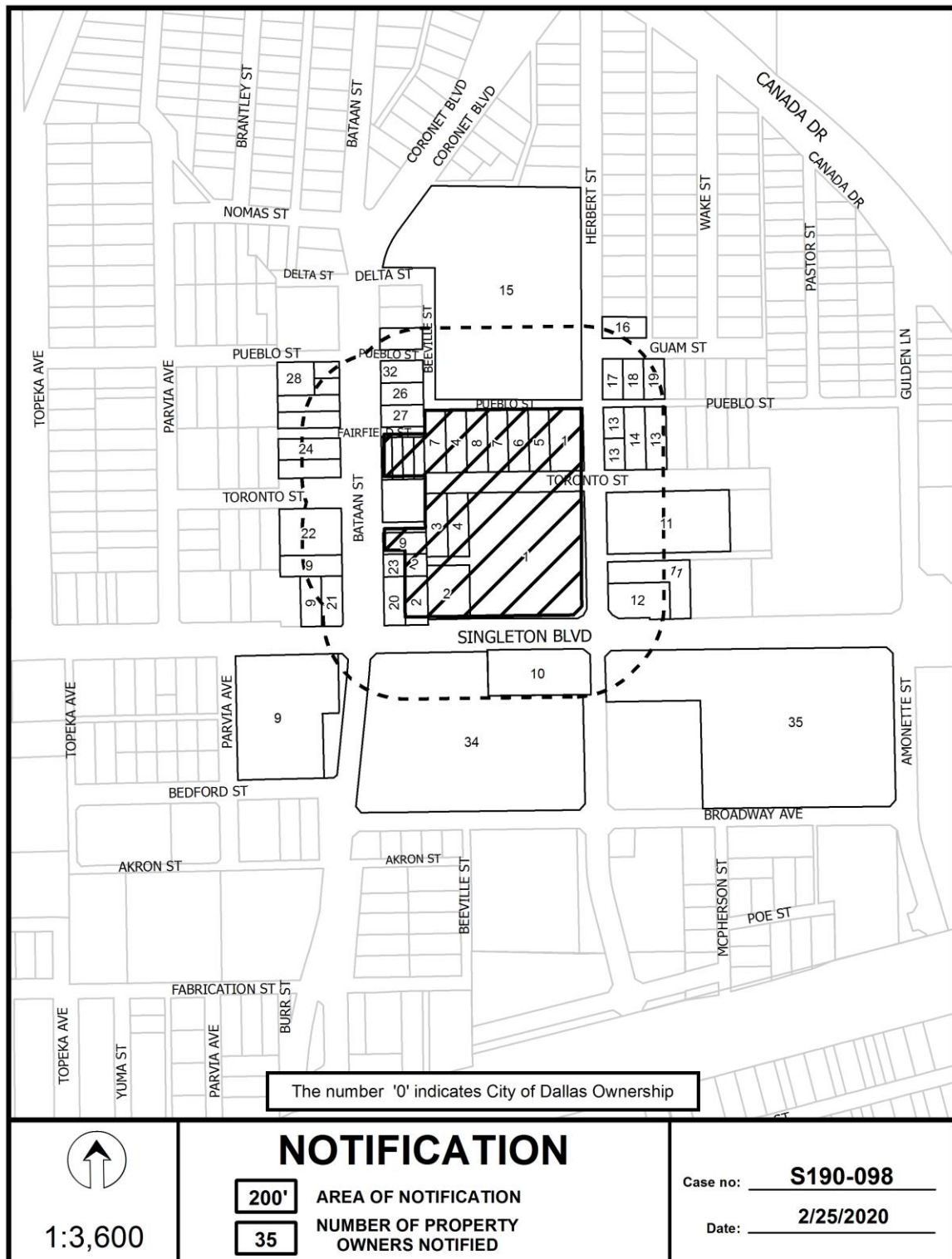
21. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
22. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
23. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
24. Prior to final plat, remove the building encroachment on Singleton Boulevard, remove fence encroachment on the public alley, and contact Real Estate for the street and alley abandonment.
25. On the final plat, change “Godfrey Street” to “Pueblo Street (F.K.A. Godfrey Street)”. Section 51A-8.403(a)(1)(A)(xii)
26. On the final plat, change “Bataan Street (F.K.A. Book Street) (Turtle Creek)” label north of Singleton Boulevard to “Bataan Street (F.K.A. Turtle Creek Boulevard) (F.K.A. Book Avenue)”. Section 51A-8.403(a)(1)(A)(xii)
27. On the final plat, change “Bataan Street” label south of Singleton Boulevard to “Bataan Street (F.K.A. Turtle Creek Boulevard)”. Section 51A-8.403(a)(1)(A)(xii)
28. On the final plat, change “Herbert Street (F.K.A. Ward Street)” label north of Singleton Boulevard to “Herbert Street”. Section 51A-8.403(a)(1)(A)(xii)
29. On the final plat, change “Singleton Boulevard (F.K.A. Eagle Ford Avenue, County Road No. 72)” to “Singleton Boulevard (F.K.A. Eagle Ford Road) (F.K.A. County Road No. 72)”. Section 51A-8.403(a)(1)(A)(xii)
30. On the final plat, identify the property as Lot 1A in City Block B/7091. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).











02/12/2020

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

***S190-098***

### ***35 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	423 SINGLETON BLVD	WEST DALLAS INVESTMENTS L
2	425 SINGLETON BLVD	WEST DALLAS INVESTMENTS
3	453 TORONTO ST	WEST DALLAS INVESTMENTS
4	424 TORONTO ST	WORKFORE MULTIFAMILY LLC
5	407 TORONTO ST	RAMIREZ THOMAS &
6	413 TORONTO ST	WEST DALLAS INV LP
7	417 TORONTO ST	ZUNIGA GILBERT
8	421 TORONTO ST	WORKFORCE MULTIFAMILY LLC
9	507 SINGLETON BLVD	WEST DALLAS INVESTMENTS LP
10	408 SINGLETON BLVD	IZZAA FUND LLC
11	355 SINGLETON BLVD	WEST DALLAS INVMTS LP
12	353 SINGLETON BLVD	J R S B PETRO INC
13	347 TORONTO ST	WEST DALLAS INVESTMENTS
14	351 TORONTO ST	NUNCIO EDWARD
15	3201 HERBERT ST	LUCIOUS L WILLIAMS FOUNDATION THE
16	3202 HERBERT ST	MARTINEZ SILVERIO
17	3122 HERBERT ST	HERNANDEZ RAUL
18	348 GUAM ST	HERNANDEZ FELIPE R
19	344 GUAM ST	PADILLA JIMMY P
20	437 SINGLETON BLVD	EJK USA ENTERPRISE LLC
21	3001 BATAAN ST	HUERTA YSIDRO
22	3015 BATAAN ST	IGLESIA DE DIOS MANANTIA
23	3012 BATAAN ST	CASTILLO NATIVIDAD M &
24	3115 BATAAN ST	CURZ ARMANDO
25	3111 BATAAN ST	MARY PADILLA
26	3208 BATAAN ST	ESQUIVEL IRIS



02/12/2020

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3202 BATAAN ST	MENDEZ JOE N
28	3207 BATAAN ST	PENA MARTHA
29	3203 BATAAN ST	ESQUIVEL ARNULFO & ROSA
30	3213 BATAAN ST	PEREZ CORINA
31	3209 BATAAN ST	ALVARADO MARIA DELCARMEN
32	3210 BATAAN ST	CARILLO JOHANA SORA
33	3216 BATAAN ST	AGUILAR LEONARDO & MARIA
34	440 SINGLETON BLVD	TRINITY GROVES RESIDENTIAL II LP
35	320 SINGLETON BLVD	TRINITY GROVES RESIDENTIAL I LP





**CITY PLAN COMMISSION****THURSDAY MARCH 5, 2020****FILE NUMBER:** S190-100**SENIOR PLANNER:** Mohammad Bordbar**LOCATION:** 3815 Martha Lane at its intersection with Martha Lane, northeast corner**DATE FILED:** February 7, 2020**ZONING:** R-16(A)**CITY COUNCIL DISTRICT:** 13 **SIZE OF REQUEST:** 0.356-acres**MAPSCO:** 24J**OWNER:** Martin R. and Joy Y. Laukoter

**REQUEST:** An application to replat a 0.356-acre tract of land containing all of Lot 10 in City Block B/6420 and to remove an existing 40-foot platted Building Line along the east line of the north portion of Martha Lane and to reduce the 40-foot Building Line along the north line of Martha Lane to 37.80-foot, and to extend the Building Line to a point 35-feet from the east line of Martha Lane on property located at 3815 Martha Lane at its intersection with Martha Lane, northeast corner.

**SUBDIVISION HISTORY:**

1. S156-281 was a request west of the present request to replat a 1.6178-acre tract of land containing all of Lot 2A in City Block 6225 to create one 16,392-square foot (0.3763-ac.) lot, one 16,613-square foot (0.3814-ac.) lot, and one 37,465-square foot (0.8601-acre) lot on property located at 10062 Betty Jane Lane between Walnut Hill Lane and Merrell Road. The request was denied October 7, 2016.

**PROPERTY OWNER NOTIFICATION:** On February 19, 2020, 16 notices were sent to property owners within 200 feet of the proposed plat.

**BUILDING LINE REMOVAL:** The Commission may approve a 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 platted building line parallel to Martha Lane is 40-feet. Minimum front yard setback for single family dwellings is 35 feet in the R-16(A) Single Family District. The request is to remove the existing platted 40-foot Building Line parallel to Martha Lane.
  - (ii) “be contrary to the public interest;”
    - 16 notices were sent on February 19, 2020 to owners within 200 feet of the plat boundaries.

- (iii) “adversely affect neighboring properties; and”
  - The removal of the existing platted 40-foot Building Line along the east line of the north portion of Martha Lane, and reduction of the 40-foot Building Line along the north line of Martha Lane to 37.80-feet, and to extend the Building Line to a point 35-feet from the east line of Martha Lane will allow for construction of a structure to build not in compliance with the zoning setbacks and it will not be consistent with the other properties in the same area.
- (IV) “adversely affect the plan for the orderly development of the subdivision.”
  - The removal of the existing 40-foot platted Building Line along the east line of the north portion of Martha Lane; and to reduce the 40-foot Building Line along the north line of Martha Lane to 37.80-feet, and to extend the Building Line to a point 35-feet from the east line of Martha Lane will significantly impact the adjoining properties.

**STAFF RECOMMENDATION ON BUILDING LINE REMOVAL:** The request is to remove an existing 40-foot platted Building Line along the east line of the north portion of Martha Lane; and to reduce the 40-foot Building Line along the north line of Martha Lane to 37.80-feet, and to extend the Building Line to a point 35-feet from the east line of Martha Lane. Staff finds that the request does not comply with the R-16(A) Single Family District nor does it comply with Section 51A-8.505 of the Dallas Development Code; therefore, staff does not support the removal of the building line. However, on December 16, 2019, the Board of Adjustment granted a request for a special exception to the front yard setback regulations subject to compliance with the following conditions:

- 1- “Compliance with the submitted site plan is required.”
- 2- “The special expectation expires when a handicapped person no longer resides on the property.”

Staff has no objection to removal of the existing 40-foot platted Building Line along the east line of the north portion of Martha Lane; and the reduction of the 40-foot Building Line along the north line of Martha Lane to 37.80-feet, and to extend the Building Line to a point 35-feet from the east line of Martha Lane

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

The size of the existing lot will remain the same. The request complies with the requirements of Section 51A-8.503 and R-16(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:



1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature, the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. The number of lots permitted by this plat is one.
11. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Division approval". (Note must be on plat) Section 51A-8.611(e).
12. Submit drainage, paving, etc. plans prepared by a licensed (TX) Professional Engineer to Permit Center, Oak Cliff Municipal Center (i.e. non 311T). Sections 51A-8.102(c) and 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
13. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.
14. On the final plat, show recording information on all existing easements within 150 feet of the property.
15. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering

plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

16. Water main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
17. On the final plat, identify the property as Lot 10 in City Block B/6420. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).
18. The removal and reduction of the Building Line must be shown on the final plat and is not approved until the final plat that shows the reduced Building Line is recorded in the county of record.



December 19, 2019

Dallas Cothrum  
Masterplan  
900 Jackson St., #640  
Dallas, TX 75202

Re: BDA189-136(OA), Property at 3815 Martha Lane

Dear Mr. Cothrum:

The Board of Adjustment Panel C, at its public hearing held on December 16, 2019 granted your request for a special exception to the front yard setback regulations, subject to the following conditions:

- Compliance with the submitted site plan is required
- The special exception expires when a handicapped person no longer resides on the property

Contact Building Inspection at 320 E. Jefferson, Room 118 to file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board.

Should you have any further questions regarding the Board's action, please contact me at (214) 671-5099.

A handwritten signature in cursive script, likely belonging to Oscar Aguilera.

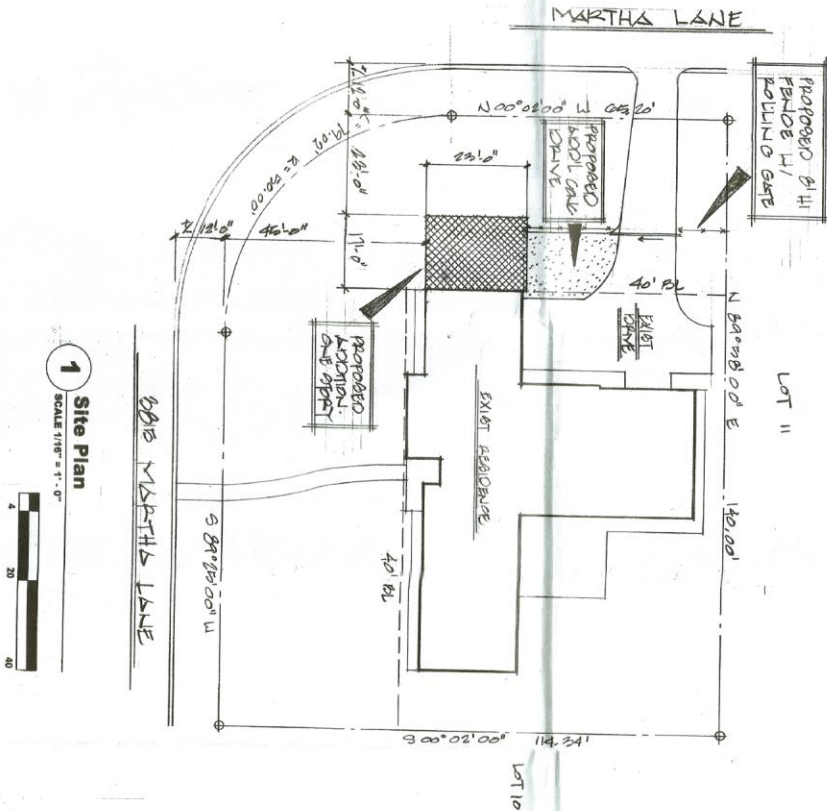
Oscar Aguilera, Senior Planner  
Board of Adjustment  
Sustainable Development and Construction

c: Code Enforcement, 3112 Canton, Room 100  
Charles Trammell, Bldg. Inspection, 320 E. Jefferson #105

S 190 - 100



BDA189-136  
 PLANS APPROVED  
 SUBJECT TO  
 BOARD ACTION  
 DATE 12-16-2019  
 ADMINISTRATOR

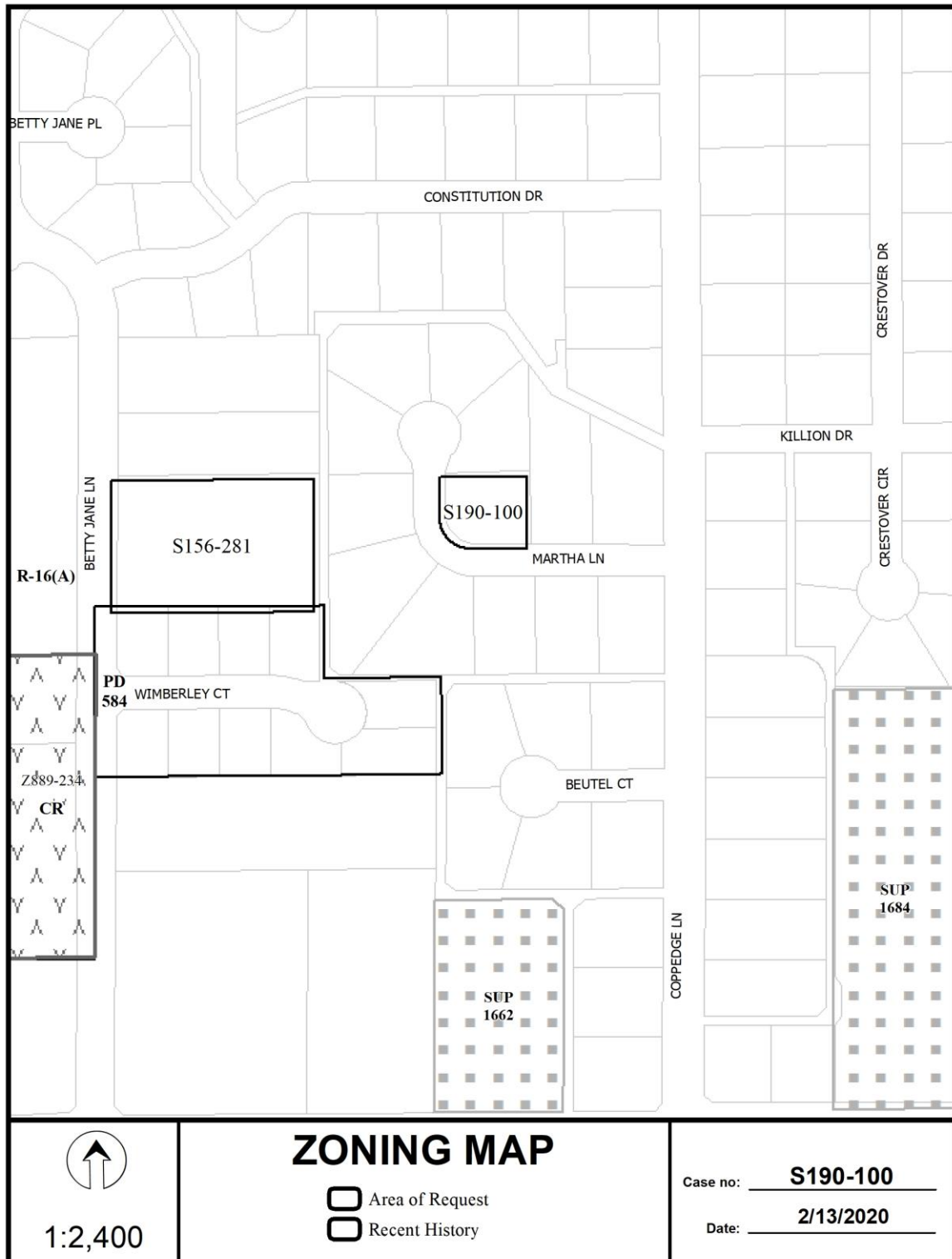


**1 Site Plan**  
 SCALE 1/8" = 1'-0"

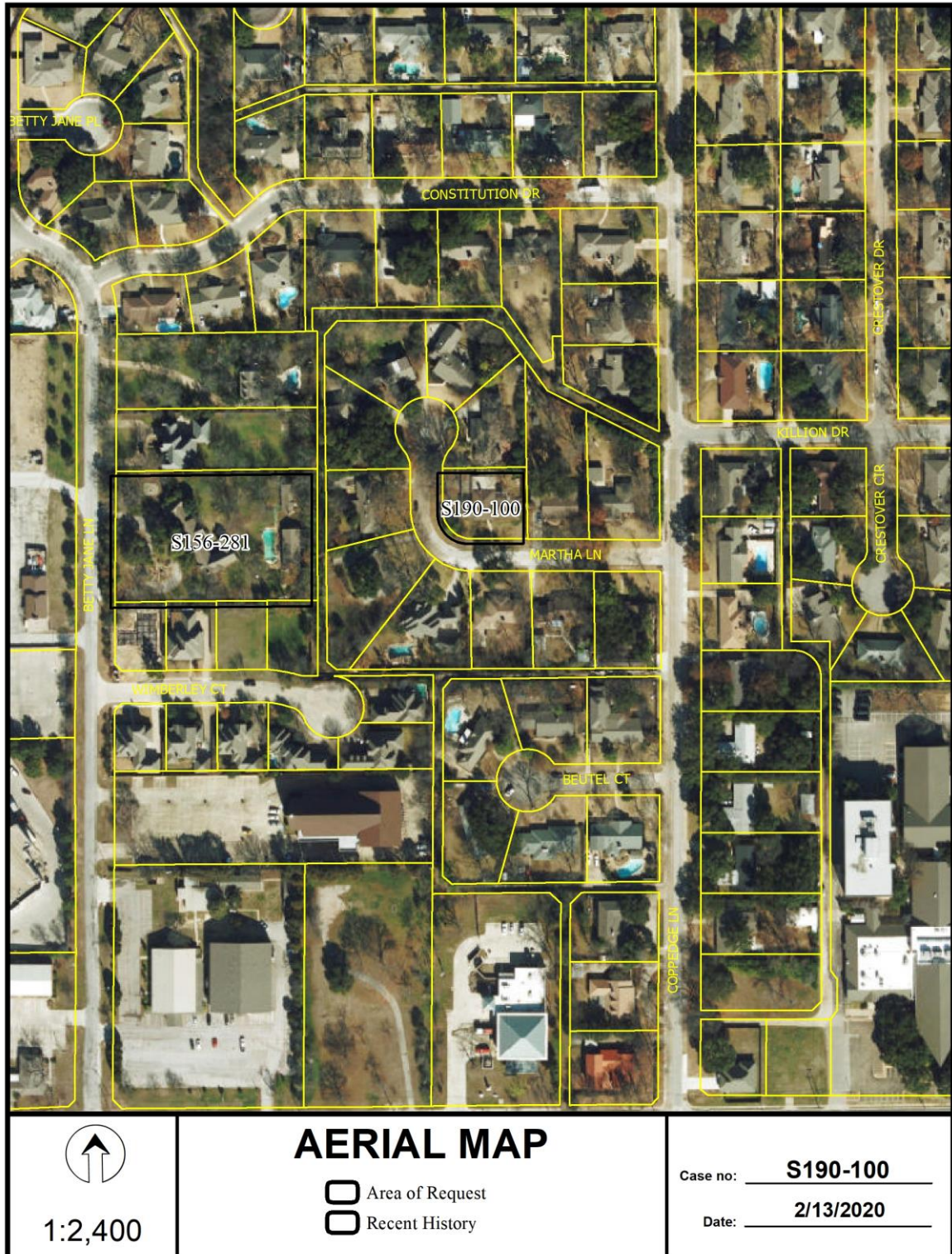
SITE DESCRIPTION	
Lot	10
Block	B/6420
Thomas Jefferson Terrace	
Dallas, Texas	
Dallas County	

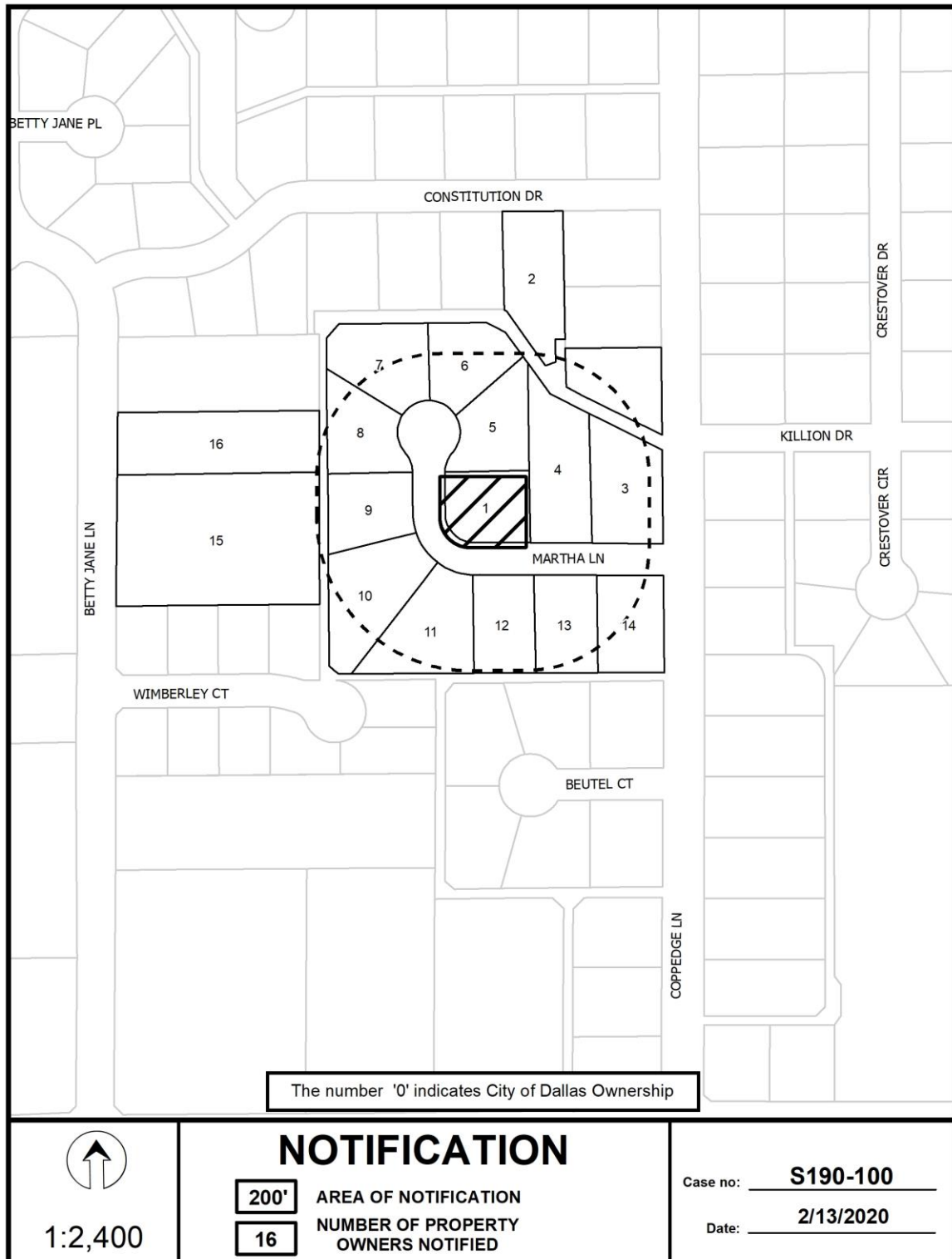
  

Proposed Addition	
Location	3815 Martha Lane
City	Dallas, Texas
Project No.	22507-19
Drawn By	A02









02/11/2020

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

### ***S190-100***

#### ***16 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3815 MARTHA LN	LAUKOTER MARTIN R & JOY YVONNE
2	3852 CONSTITUTION DR	RANDOLPH KYLE S & CAROLINE M
3	3843 MARTHA LN	PEDEVILLA ROLAND R
4	3837 MARTHA LN	BURLESON SEAN E &
5	3809 MARTHA LN	SMITH AMY & TODD ROBINSON
6	3803 MARTHA LN	PAYNE FRANK CORRY & SUSAN CARTER
7	3802 MARTHA LN	STORY MICHAEL &
8	3808 MARTHA LN	JONES WILLIAM D & ELIZABETH A
9	3816 MARTHA LN	VIRGINIA HEINZE WORLEY
10	3822 MARTHA LN	WIGGINS JAMES & SHERI
11	3826 MARTHA LN	COLE DAVID & CATHERINE
12	3832 MARTHA LN	COX BEN M
13	3838 MARTHA LN	WEICHSEL ELIZABETH A
14	3844 MARTHA LN	TISKO KATHLEEN
15	10062 BETTY JANE LN	CAUDILL DOUGLAS W
16	10110 BETTY JANE LN	SPAK FAMILY TRUST





**CITY PLAN COMMISSION****THURSDAY MARCH 5, 2020****FILE NUMBER:** S190-101**SENIOR PLANNER:** Mohammad Bordbar**LOCATION:** 9216 Lynbrook Drive**DATE FILED:** February 7, 2020**ZONING:** R-7.5(A)**CITY COUNCIL DISTRICT:** 10 **SIZE OF REQUEST:** 0.289-acres**MAPSCO:** 28S**OWNER:** Lawson and Helen Short

**REQUEST:** An application to replat a 0.289-acre tract of land containing all of Lot 26 in City Block H/7317 and to reduce a portion of the existing 30-foot platted Building Line parallel to the south line of Lorwood Drive on property located at 9216 Lynbrook Drive.

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

**PROPERTY OWNER NOTIFICATION:** On February 19, 2020, 29 notices were sent to property owners within 200 feet of the proposed plat.

**BUILDING LINE REMOVAL:** The Commission may approve a reduction 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 reduction of the platted building line will not:
  - (i) “require a minimum front, side, or rear yard setback less than required by zoning regulation”
    - The platted building line parallel to Lorwood Drive is 30-feet. Minimum side yard setback for single family dwellings is 5 feet, and minimum side yard setback for all other permitted structures is 10 feet in the R-7.5(A) Single Family District. The request is to reduce a portion of an existing platted 30-foot Building Line parallel to Lorwood Drive to accommodate construction of a swimming pool.
  - (ii) “be contrary to the public interest;”
    - 29 notices were sent on February 19, 2019 to owners within 200 feet of the plat boundaries.
  - (iii) “adversely affect neighboring properties; and”
    - The reduction of a portion of an existing 30-foot platted Building Line parallel to Lorwood Drive will allow for construction of a swimming pool to be built not in compliance with the zoning setbacks and it will not be consistent with the other properties in the area.



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

- The reduction of a portion of the existing 30-foot platted Building Line will significantly impact the adjoining properties.

**STAFF RECOMMENDATION ON BUILDING LINE REMOVAL:** The request is to reduce a portion of the existing 30-foot platted Building Line parallel to Lorwood Drive. Staff finds that the request complies with the R-7.5(A) Single Family District but does not comply with Section 51A-8.505 nor does comply with Section 51A-4.401 of the Dallas Development Code. However, on September 16, 2019, the Board of Adjustment granted a request for a variance to the front yard setback regulation and granted a special exception to the fence standard regulations subject to compliance with following conditions:

- 1- “Compliance with submitted site plan is required”.
- 2- “Compliance with the submitted site plan and elevations are required.

Steff has no objection to reduction of a portion of the existing 30-foot platted Building Line.

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

The size of the existing lot will remain the same. The request complies with the requirements of Section 51A-8.503 and R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Sustainable Development and Construction, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any structure new or existing structure may not extend across new property lines. Section 51A-8.503(e)
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature, the monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal after City Plan Commission Approval.
10. Prior to the final plat, submit tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.
12. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Department approval". (Note must be on plat) Section 51A-8.611(e).
13. Submit drainage, paving, etc. plans prepared by a licensed (TX) Professional Engineer to Permit Center, Oak Cliff Municipal Center (i.e. non 311T). Sections 51A-8.102(c) and 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
14. On the final plat, dedicate a 5-foot by 5-foot corner clip (VIA Fee Simple or Street Easement) at the intersection of Lorwood Drive and Lynbrook Drive. Section 51A 8.602(d)(1).
15. On the final plat, show recording information on all existing easements within 150 feet of the property.
16. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
17. On the final plat, identify the property as Lot 26 in City Block H/7317. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).
18. The reduction of the Building Line must be shown on the final plat and is not approved until the final plat that shows the reduced Building Line is recorded in the county of record.



S 190-101

September 18, 2019

Michael Short  
8030 Engle Trail  
Dallas, TX 75238

Re: BDA189-091(SL), Property at 9216 Lynbrook Drive

Dear Mr. Short:

The Board of Adjustment Panel C, at its public hearing held on September 16, 2019 to the following actions:

1. Granted your request for a variance to the front yard setback regulation, subject to the following condition:
  - Compliance with the submitted site plan is required
2. Granted your requests for special exceptions to the fence standards regulations, subject to the following condition:
  - Compliance with the submitted site plan and elevations are required.

Contact Building Inspection at 320 E. Jefferson, Room 118 to file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board.

Should you have any further questions regarding the Board's action, please contact me at (214) 670-4666.

A handwritten signature in black ink, appearing to read 'Steve Long'.

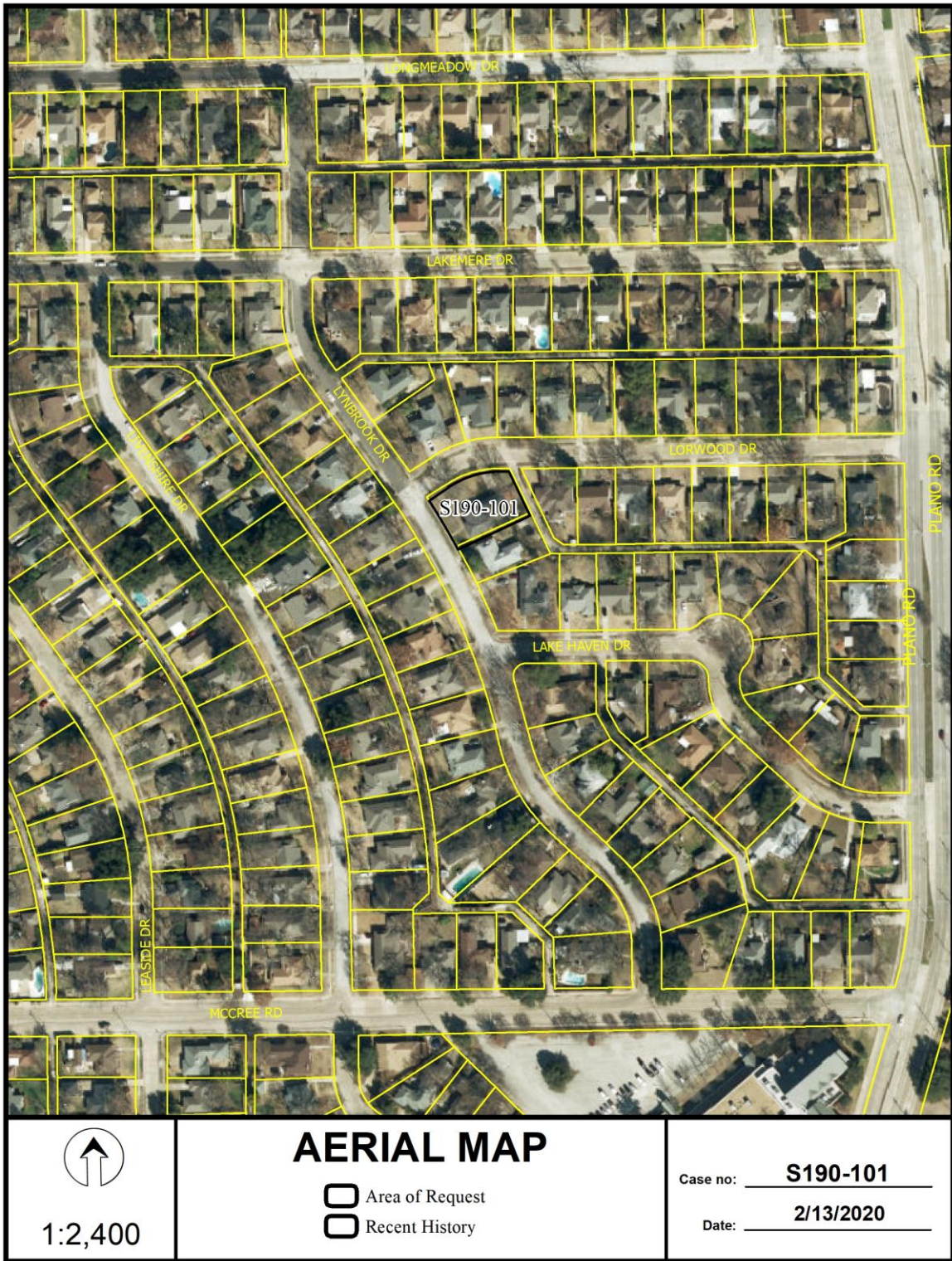
Steve Long, Chief Planner  
Board of Adjustment  
Sustainable Development and Construction

c: Code Enforcement, 3112 Canton, Room 100  
Charles Trammell, Bldg. Inspection, 320 E. Jefferson #105











02/12/2020

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

### ***S190-101***

#### ***29 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	9210 LYNBROOK DR	PERKINS KATHRYN E
2	9216 LYNBROOK DR	SHORT LAWSON & HELEN
3	9315 LYNBROOK DR	GUNTER JILL E
4	9309 LYNBROOK DR	LELAND LAUREN ELIZABETH
5	9305 LYNBROOK DR	PRICE ROBERT LOUIS &
6	9217 LYNBROOK DR	HAMILTON KIMBERLY
7	9211 LYNBROOK DR	CRIM BRUCE C
8	9207 LYNBROOK DR	BALDOCK HAYDEN M & MEGAN A
9	9203 LYNBROOK DR	MADRALA BOGUSLAW T
10	9145 LYNBROOK DR	DURAN IRMA ANGELICA
11	9206 LIVENSHERE DR	BOWLING STEPHANIE & BRIAN JOHNSON
12	9210 LIVENSHERE DR	WELCH MARY LOU SCHRIEFER
13	10620 LORWOOD DR	WILSON ROGER N & CHRISTINE R
14	10626 LORWOOD DR	SAVAGE BARBARA JANE
15	10630 LORWOOD DR	SANDERS TINA M
16	10621 LAKE HAVEN DR	WAHLQUIST RAYMOND W
17	10617 LAKE HAVEN DR	BAIN BRIAN & HAILEY
18	10611 LAKE HAVEN DR	WAGGONER JAMES R
19	10607 LAKE HAVEN DR	MORRIS JAMES C EST OF
20	10620 LAKEMERE DR	DOWIS CRAIG L
21	10626 LAKEMERE DR	ROBERSON RICHARD & PATRICIA M
22	10630 LAKEMERE DR	CARLTON WILLIAM SETH & ASHLEIGH ELIZABETH
23	10631 LORWOOD DR	BAKER CHRISTOPHER A & AMANDA L
24	10625 LORWOOD DR	CEDILLO MICHAEL & SARAH S
25	10621 LORWOOD DR	HANNA CHARLES G EST OF &
26	10615 LORWOOD DR	MATTHIESEN KYLE

02/12/2020

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	10611 LORWOOD DR	BEEBOWER HUGH G
28	10607 LORWOOD DR	UMBERGER DUSTIN
29	9316 LYNBROOK DR	STULTZ SARA A







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

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**CASE NUMBER:** 1912190029

**DATE FILED:** December 12, 2019

**LOCATION:** 407 N Lamar (east elevation).

**SIZE OF REQUEST:** 30 sq. ft.

**COUNCIL DISTRICT:** 14 **ZONING:** CA-1(A)/H2

**MAPSCO:** 45 K

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**APPLICANT:** Myra Brown – High Value Signs

**TENANT:** Potent Enterprises

**OWNER:** FPACP3 WEST END LLC.

**REQUEST:** An application for a Certificate of Appropriateness for a 30 sq. ft. flat attached sign on a Type A façade (east elevation).

**SUMMARY:** The applicant will construct a 30 sq. ft. neon-lit flat attached sign, with open face channel letters, displaying “Potent CBD” and logo.

**SSDAC RECOMMENDATION:** Approval.

**STAFF RECOMMENDATION:** Approval.

## BACKGROUND:

- The subject site is located within the West End Historic Sign District and follows the regulations set forth by Sec. 51A-7.1005 (Attached signs).
- The proposed sign is a 30 sq. ft. neon-lit flat attached sign, with open face channel letters, displaying “Potent CBD” and logo.
- Flat attached sign means an attached sign projecting four or less inches from a building.
- Type A façade means a facade with a total window area comprising between 30 and 50 percent (inclusive) of the total facade area.
- On February 3, 2020, the Landmark Commission issued a certificate of appropriateness (CA190-168) to install a flat attached sign on the east elevation of this property.

## SEC. 51A-7.1004. General requirements for all signs.

- a. Pursuant to the authority of Section 51A-7.503 of this article, the rules relating to the erection of all signs in the West End Historic Sign District are as follows:
  1. No illuminated sign may contain flashing or moving elements or change its brightness, except as otherwise provided in this division. *[The proposal meets this requirement.]*
  2. Except for a marquee sign or a sign constructed of fiberglass, no sign may be illuminated by fluorescent or backlighting. The use of indirect lighting is allowed. *[The proposal meets this requirement. The signs will be illuminated by non-fluorescent colors.]*
  3. The use of neon and single incandescent bulbs is allowed. *[The proposal meets this requirement. The sign uses neon lighting.]*
  4. Except for a marquee sign, the use of plastic on the exterior of a sign is prohibited. For purposes of this provision, fiberglass is not considered to be plastic. *[The proposal meets this requirement. No plastic material is part of this proposal. The sign is composed of open face channel lettering.]*
  5. The use of a fluorescent color on a sign is prohibited. *[The proposal meets this requirement. No fluorescent color is part of this proposal.]*
  6. No sign or part of a sign may move or rotate, with the exception of a wind device, the motion of which is not restricted. *[The proposal meets this requirement. No moving parts are part of this proposal.]*
  7. Except as provided in Sections 51A-7.1008 and 51A-7.1009, all signs must be premise signs or convey a noncommercial message. *[The proposal meets this requirement.]*
  8. No sign may cover or obscure any portion of a major decorative cornice of a building. *[The proposal meets this requirement. The sign does not obscure any portion of a major decorative cornice of the building.]*
- b. The following typestyles are suggested, but not required, for signs in this district: Americana Extra Bold, Aster Bold, Baskerville Bold, Bodoni Bold, Bookman Bold, Caslon No. 3, Cheltenham Bold, Copperplate Gothic 31, Craw Modern, Egyptian 505 Bold, Garamond Bold, Gothic 13, Goudy Extra Bold,

Times Roman Bold. (Ord. Nos. 19455; 21404; 21626; 22112; 22392; 26027).  
*[The sign utilizes no suggested tpestyles. The sign utilizes a San Serif Font.]*

SEC. 51A-7.1005. Attached signs

Pursuant to the authority of Section 51A-7.503 of this article, the rules relating to the erection of attached signs in the West End Historic Sign District are as follows:

a. Attached signs in general.

1. Attached signs must be securely attached. *[The proposed sign meets this requirement.]*
2. Attached signs overhanging the public way are permitted, except that no sign may project closer than two feet to the vertical plane extending through the back of a street curb. *[The proposed sign meets this requirement.]*
3. Attached signs projecting horizontally more than 18 inches from a vertical building surface are prohibited. *[NA]*
4. Except for a painted applied sign or a marquee sign, no attached sign may exceed 30 square feet in effective area unless it is:
  - A. attached to a building having more than six stories; and
  - B. at least 36 feet above grade.*[The signs meet these requirements. The proposed sign is 30 sq. ft.]*
5. An attached sign, other than a roof sign, must be mounted parallel to the facade and may not project more than six feet above the surface to which it is attached. *[The sign does not project vertically above the surface to which it is attached.]*

d. Flat attached signs on Type A facades.

1. The maximum number of lower level flat attached signs permitted on a Type A facade is the sum obtained by counting all of the street entrances and first floor windows on that facade. *[The sign meets this requirement. There are 2 windows and 1 street entrance for this space.]*
2. No lower level flat attached sign on a Type A facade may exceed six feet in effective area. *[The sign meets these requirements.]*
3. The maximum permitted effective area for all upper level flat attached signs combined on each Type A facade is 30 square feet. *[The sign meets these requirements. The sign will be 30 sq. ft.]*
4. No upper level flat attached sign on a Type A facade may contain more than eight words. All words must:
  - A. consist of characters eight inches or more in height; and,
  - B. read horizontally from left to right. *[The sign meets these requirements. The sign contains 2 words plus the logo]*

**List of Officers**  
**FPACP3 WEST END LLC.**

Sean Miller – Executive VP Asset Management  
Ryan Rubenkoenig – Executive VP Acquisitions & Leasing

**List of Officers**  
**Potent Enterprises**

Royal Smalley  
Chairman of the Board  
T. 206-713-1938  
[royalsmalley@hotmail.com](mailto:royalsmalley@hotmail.com)

James Hart  
Owner & CEO  
T. 903-456-4751  
[jahart81@yahoo.com](mailto:jahart81@yahoo.com)

Gareth Kautz  
Owner & Board member  
T. 360-690-5775  
[garethkautz@gmail.com](mailto:garethkautz@gmail.com)

**SSDAC Action:**  
**February 11, 2020**

**MOTION:** It was moved to approve an application for a Certificate of Appropriateness for a 30 sq. ft. flat attached sign on a Type A façade at 407 N Lamar Street (east elevation)

Maker: Hardin  
Second: Webster  
Result: Carried: 4 to 0

For: 4 - Webster, Hardin, Schwope, and Dumas  
Against: 0  
Absent: 1 – Peadon  
Conflict: 0

Speakers: Myra Brown, High Value Signs



DATE: 12/10/2019
APPLICATION TYPE
REGULAR <input checked="" type="radio"/> EXPRESS <input type="radio"/>

# **PERMIT APPLICATION**

PLEASE TYPE OR PRINT CLEARLY



City of Dallas

JOB NO: (OFFICE USE ONLY)
PERMIT NO: (OFFICE USE ONLY) 1912121063

STREET ADDRESS OF PROPOSED PROJECT <b>407 N Lamar St. Dallas, TX 75202</b>		SUITE/BLDG/FLOOR NO <b>#180C</b>		USE OF PROPERTY <b>Service</b>	
APPLICANT <b>Myra Brown</b>		ADDRESS <b>8409 Sterling St. Suite B</b>		CITY <b>Irving</b>	STATE <b>Texas</b>
DBA (IF APPLICABLE) <b>High Value Signs</b>		PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
CONTRACTOR-INDIVIDUAL <b>Myra Brown</b>		CONTRACTOR NUMBER <b>EL128529</b>	PIN <b>2222</b>	COMPANY NAME <b>High Value Signs</b>	
CURRENT HOME REPAIR LICENSE ON FILE?	<input type="radio"/> YES <input type="radio"/> NO	IF YES, LIST NUMBER	PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
PROPERTY OWNER (INDIVIDUAL CONTACT)		ADDRESS		CITY	STATE
PROPERTY OWNER (COMPANY NAME)		PHONE NO		E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)	
DESCRIPTION OF PROPOSED PROJECT <b>Illuminated Channel Letters w/ backplate on raceway</b>		VALUATION (\$)	NEW CONST <b>6,465</b>	CONST AREA (sq ft)	NEW CONST
			MFC OTHER		MFC OTHER
			REMODEL		REMODEL
			TOTAL VALUATION <b>6,465.00</b>		TOTAL AREA <b>304</b>
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX					
<input type="checkbox"/> BUILDING <input type="checkbox"/> PLUMBING <input type="checkbox"/> FENCE <input type="checkbox"/> DRIVE APPROACH <input type="checkbox"/> BACKFLOW <input type="checkbox"/> BARRICADE <input type="checkbox"/> ENERGY <input type="checkbox"/> ELECTRICAL <input type="checkbox"/> FIRE SPRINKLER <input checked="" type="checkbox"/> SIGN <input type="checkbox"/> SWIMMING POOL <input type="checkbox"/> CUSTOMER SVC <input type="checkbox"/> GREEN <input type="checkbox"/> PAVING/GRADING <input type="checkbox"/> MECHANICAL <input type="checkbox"/> FIRE ALARM <input type="checkbox"/> LANDSCAPE <input type="checkbox"/> LAWN SPRINKLER <input type="checkbox"/> FLAMMABLE LIQUID <input type="checkbox"/> OTHER:					
All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? <input type="radio"/> YES <input type="radio"/> NO					
<p>The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45<sup>th</sup> day after the application is submitted. Denial of a permit application due to time constraints may be avoided by agreeing to allow the City the following additional time to review the application:</p> <p>I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:</p> <p>Zoning, Building Code, Electrical Code, Plumbing/Mechanical Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.</p> <p>If the permit is granted (Approved) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.</p> <p><input checked="" type="radio"/> I AGREE.   <input type="radio"/> I DO NOT AGREE.</p> <p>I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES</p> <p>I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.</p>					
APPLICANT'S SIGNATURE 		DATE OF APPLICATION SUBMISSION <b>12-12-19</b>			

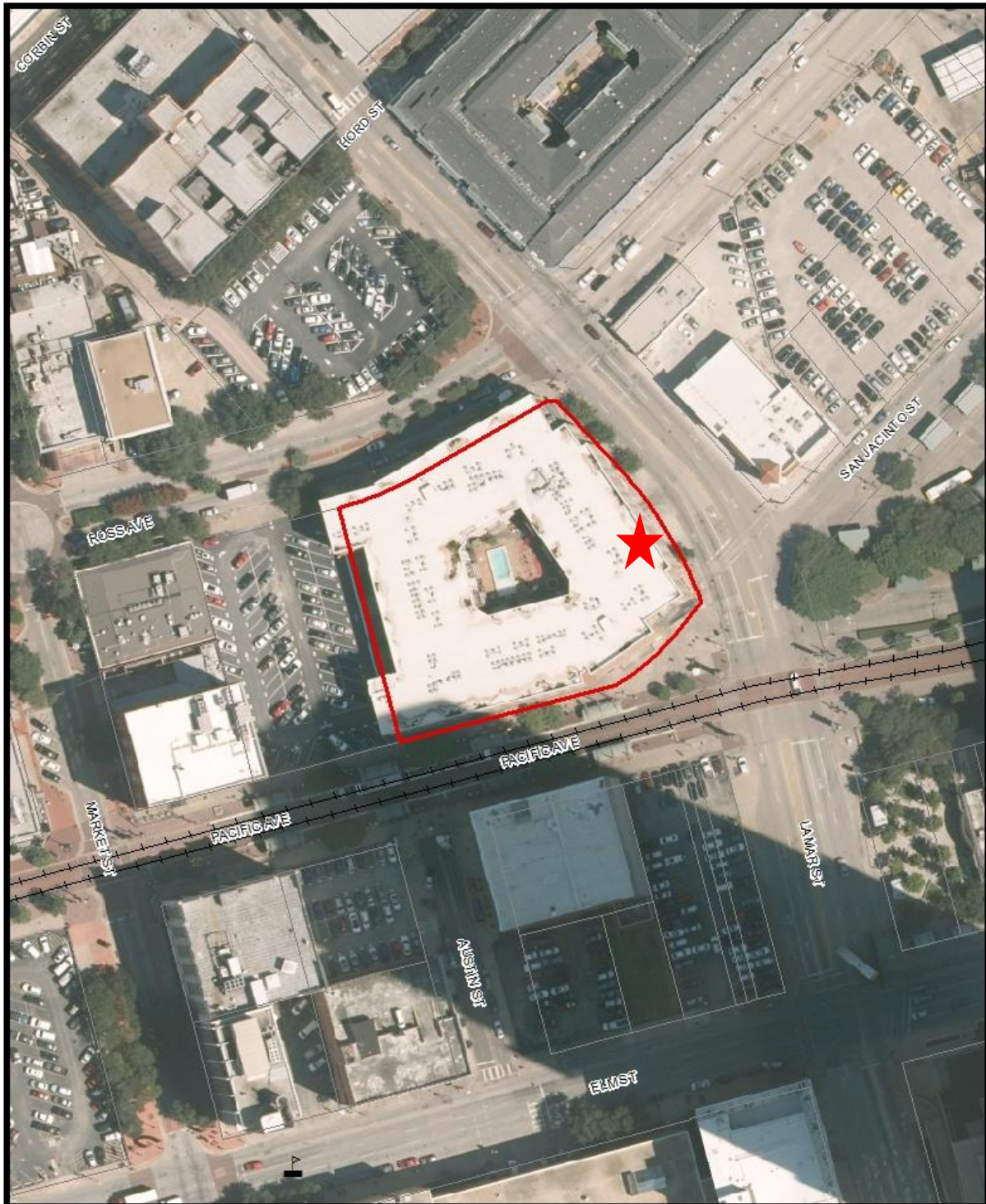
SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION  
CITY CLIFF MUNICIPAL CENTER, 320 E. JEFFERSON BLVD., ROOM 118, DALLAS, TX 75203 • TEL. NO. (214) 948-4480

REV 03-01-2017

FOR OFFICE USE ONLY							
STREET ADDRESS OF PROPOSED PROJECT				SUITE/BLDG/FLOOR NO		PROJECT/PERMIT NUMBER	
407 N Lamar				180C		1912121063	
ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS			FEE CALCULATIONS (\$)	
PRE-SCREEN	✓ MM	12-12-19	Pre-Inspection			PERMIT FEE	
ZONING						SURCHARGE	
BUILDING						PLAN REVIEW FEE	
ELECTRICAL						PREQUALIFICATION REVIEW FEE	
PLUMBING/MECHANICAL						EXPRESS PLAN REVIEW	
GREEN BUILDING						HOURLY FEE TOTAL	
HEALTH						HEALTH PERMIT APPLICATION FEE	
HISTORICAL/CONS DIST						HEALTH PLAN REVIEW FEES	
ENGINEERING						OTHER FEES	
WATER						OTHER FEES	
FIRE						TOTAL FEES	
LANDSCAPING						\$	
AVIATION							
OTHER:							
PLAN REVIEW NOTES							
SPSD# 1912190029							
WEST END SPSP							
FLAT ATTACHED SIGN (UPPER LEVEL)							
TYPE A OR B FACADE (FITS REQ. FOR BOTH)							
51A-7.1004 & 51A-7.1005(a), (c)(1)(3)(4)/ (d)(1)&(2)							
* LANDMARK - CA190-168(LC) *							
- IN REVIEW -							
TO COMPLETE @ 2/3/20 HEARWG							



CA: 1912190029

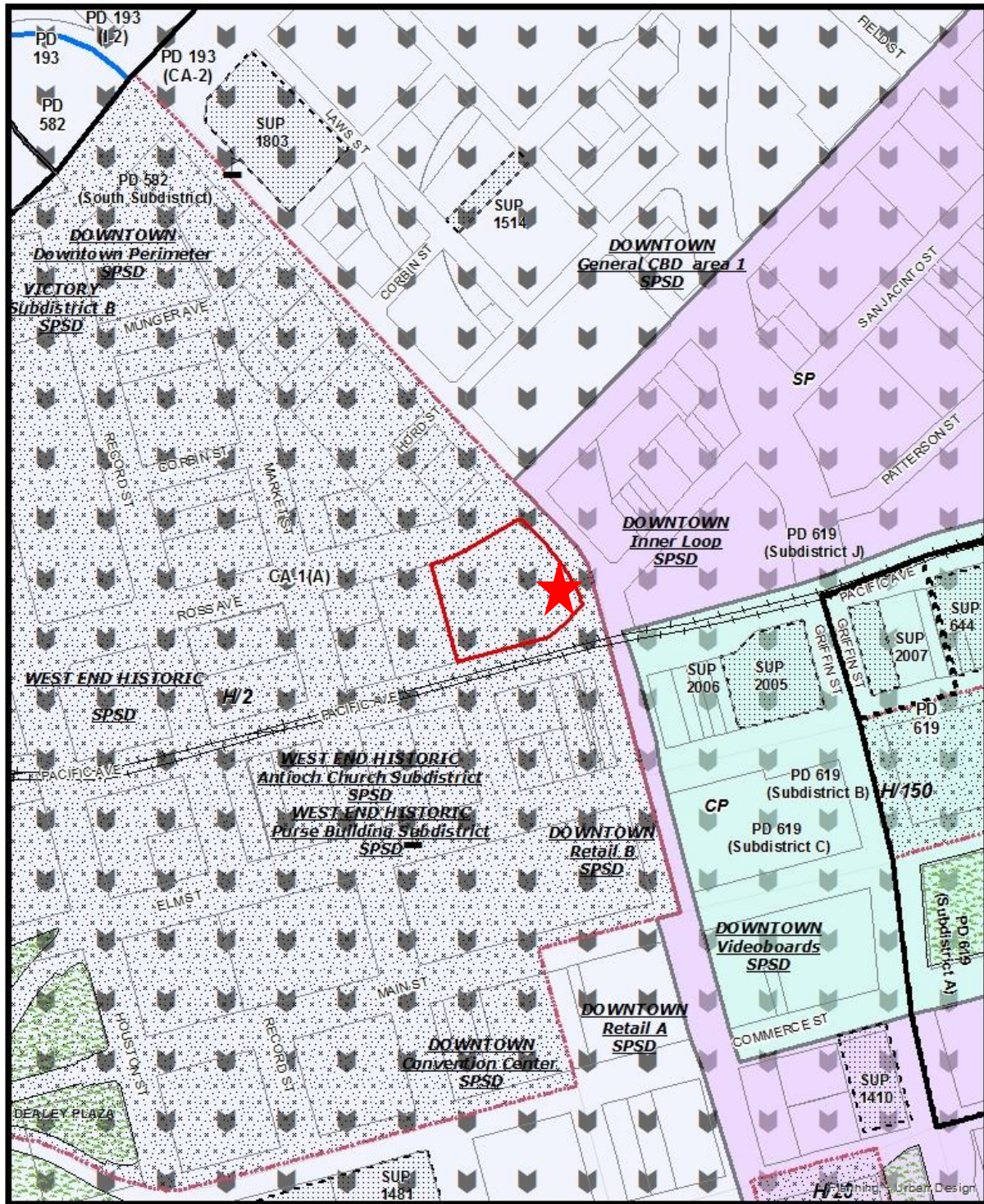


1:1,196

CA 1912190029  
407 N Lamar Street.

Printed Date: 2/4/2020





1:2,871

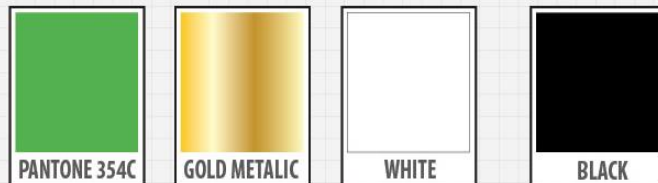
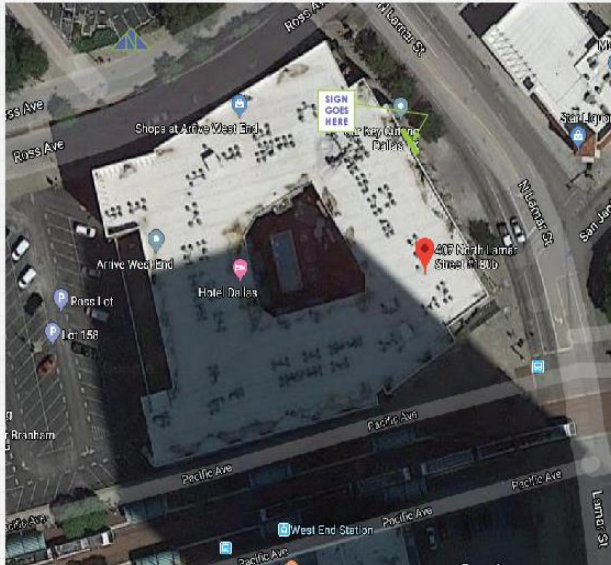
CA 1912190029  
407 N Lamar Street.

Printed Date: 2/4/2020



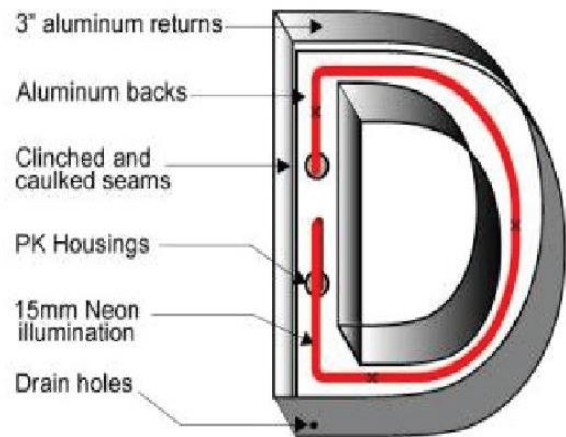
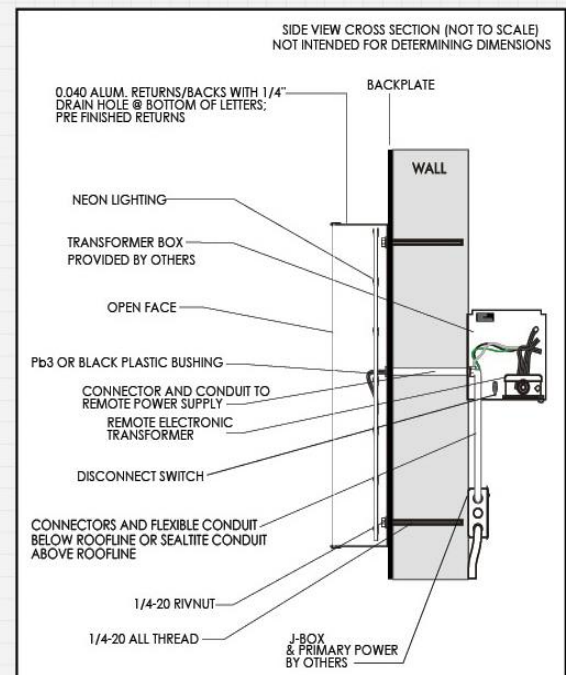
Proposed Sign

PROJECT TITLE: 407 N. Lamar\_Open Faced Neon Sign



NON FLUORESCENT COLORS

CHANNEL LETTERS WITH BACKPLATE



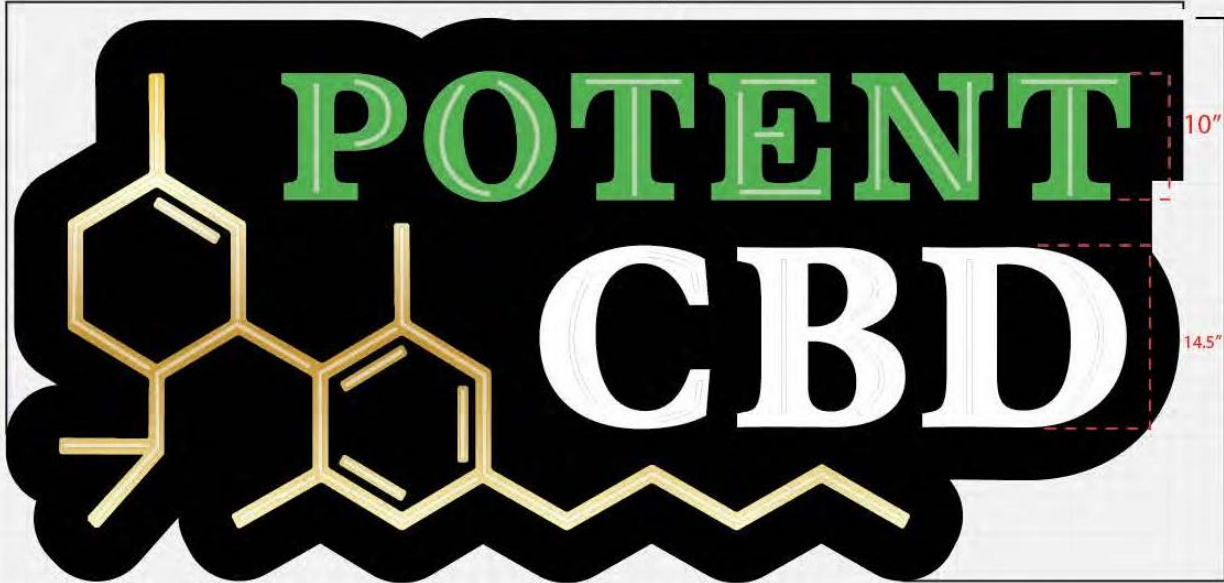
FRONT VIEW



Proposed Sign

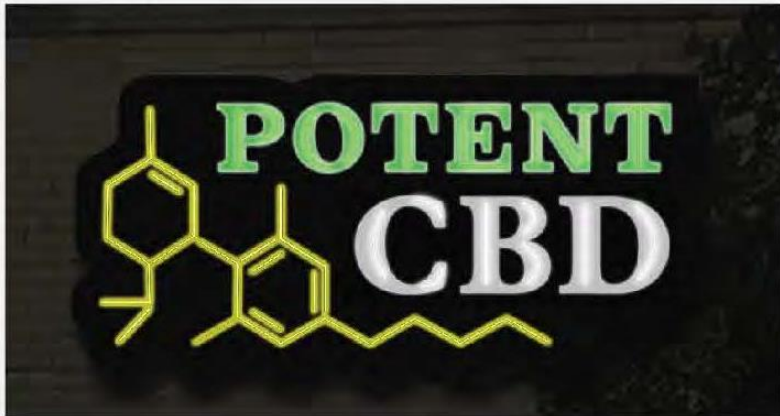
PROJECT TITLE: 407 N. Lamar\_Open Faced Neon Sign

95"



3.125"

45"



Proposed Sign

PROJECT TITLE: 407 N. Lamar\_Open Faced Neon Sign



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

---

**CASE NUMBER:** 2001210001

**DATE FILED:** January 16, 2020

**LOCATION:** 211 S Akard Street (west elevation).

**SIZE OF REQUEST:** 225 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** PD No. 619

**MAPSCO:** 45 P

---

**APPLICANT:** Taylor Tompkins – Willow Creek Signs

**TENANT:** AT&T

**OWNER:** AT&T Services Inc.

**REQUEST:** An application for a Certificate of Appropriateness for a 225 sq. ft. mid-level flat attached sign (west elevation).

**SUMMARY:** The applicant will construct a 225 square foot illuminated light-emitting diode (LED) mid-level flat attached sign displaying the AT&T logo.

**SSDAC RECOMMENDATION:** Approval.

**STAFF RECOMMENDATION:** Approval.

**BACKGROUND:**

- The subject site is located within the Downtown Retail A Subdistrict and follows the regulations set forth by Sec 51-7.911 (a) (attached premise signs in general) and 51A-7.911(e)(2) (Middle level flat attached signs).
- The sign will be located on the west elevation. The proposed sign is a 225 square foot illuminated light-emitting diode (LED) mid-level flat attached sign displaying the AT&T logo.

**SECTION. 51A-7.911(e)(2) Attached premise signs.**

*(a) Attached signs in general.*

1. Attached signs must be securely attached.
2. Attached signs overhanging the public way are permitted, except that no sign may project closer than two feet to the vertical plane extending through the back of a street curb.
3. The total effective area for all signs on a facade may not exceed:
  - A. 30 percent of the area in the lower level sign area;
  - B. 20 percent of the area in the middle-level sign area; and
  - C. 30 percent of the area in the upper-level sign area. *[The proposed sign meets these requirements. The sign is less than 20% of the indicated area of the middle-level portion of the tower to which the sign is mounted; entire façade calculation not necessary to demonstrate the sign meets this code requirement.]*

**SECTION. 51A-7.911(e)(2) Middle level flat attached signs.**

*(2) Middle level flat attached signs.*

- A. Each middle level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches. *[The proposed sign meets this criterion. The sign contains only the AT&T logo.]*
- B. Middle level flat attached signs must be wholly or partially located within the middle level sign area. *[The proposed sign meets this criterion.]*
- C. Except as provided in this subparagraph, the maximum effective area for a middle level flat attached sign is 500 square feet. In the Whitacre Tower Subdistrict the maximum effective area for a middle level flat attached sign is 784 square feet. *[The proposed sign effective area is 225 square feet.]*
- D. Middle level flat attached signs may only display the names or symbols or a combination thereof representing tenants occupying one or more full floors or 20,000 square feet or more of leasable building area, whichever is greater. *[The proposed sign meets this criterion. The building is owned and occupied by AT&T.]*
- E. Middle level flat attached signs are only permitted on buildings with 10 or more stories. *[The proposed sign meets this criterion. The building has more than 10 stories.]*

- F. One middle level flat attached sign is permitted for every 100 feet of building height or portion thereof, up to a maximum of three signs, per facade. [*The proposed sign meets this criterion. This is the only sign on this façade.*]
- G. Middle level flat attached signs must have a vertical separation of 75 feet from any other flat attached sign on the same facade in the lower, middle, or upper level sign area. [*This is the only sign located on this façade.*]



**List of Officers**  
**AT&T Services Inc.**

**AT&T**

	Officer Last Name	Officer First Name		Officer Last Name	Officer First Name
1	ANTHONY	COREY	37	FETE	DAN
2	ARISON	JONI	38	FINK	LORI
3	ARNOLDI	MELISSA	39	FINNEGAN	JOHN
4	ARROYO	THADDEUS	40	FLORES	JUAN
5	ARSENAULT	ROBERT (RG)	41	FUETSCH	ANDRE
6	BALCERZAK	ED	42	GOEKE	GEORGE
7	BARILLARI	ED	43	GONCALVES	TONY
8	BARTON	JAMIE	44	GOSWITZ	PHIL
9	BENTLEY	BRAD	45	HAGUE	BILL
10	BIRY	JENNIFER	46	HARTMAN	MICHAEL
11	BLASE	BILL	47	HARVEY	THOMAS
12	BLOODWORTH	VERONICA	48	HERMOND	RUDY
13	BOLTON	CHARLIE	49	HIRONAKA	FRANK
14	BOWLING	MICHAEL	50	HODGES	STEVE
15	BOYER	ERIC	51	HOGG	BILL
16	BRADLEY	JEFF	52	HUBBARD	RICK
17	BURNS	BRAD	53	HUBER	BILL
18	BYRD	BRUCE	54	HUNTLEY	DAVID
19	CALI	LEN	55	HYDE	ROGER
20	CARPENTER	RAY	56	INGLE	ABHI
21	CARTER	FIONA	57	IRWIN	JOHN
22	CHICOINE	GERRY	58	JOHNSON	SUSAN
23	CHOW	ANNE	59	JONES	NICK
24	CHRISTOPHER	DAVID	60	JONES	VICKI
25	COFFEY	MIKE	61	JULES	FRANK
26	COKER	MEL	62	KAPOOR	KAY
27	COLLINS	MARK	63	KATIBEH	MO
28	CONDIT	DAVID	64	KEATHLEY	TOM
29	CRUMB	PATRICK	65	KERTZ	JERRIE
30	DEROVANESSIAN	HENRY	66	KING	KELLY
31	DEVEREUX	FRED	67	LA SCHIAZZA	PAUL
32	DIAL	DEBBIE	68	LAKE	CHARLENE
33	DONOVAN	JOHN	69	LAWSON	DAVID
34	DREXEL	BILL	70	LEAHY	BILL
35	DRILLING	EDWARD	71	LEAHY	TIM
36	DWYER	JOHN	72	LEE	LORI

	Officer Last Name	Officer First Name		Officer Last Name	Officer First Name
73	LEMINH	TAM	109	PRIEBE	LEANN
74	LEWIS	JEFF	110	PURBOO	WAYNE
75	LIPARI	SAL	111	QUINN	BOB
76	LOEB	ERIC	112	REINSdorf	ANDREW
77	LONG	CHRIS	113	RICE	CHRIS
78	LUDGOOD	GARY	114	ROBERTSON	JENIFER
79	LURIE	GLENN	115	ROCHA	LUIZ (BAP)
80	MAIR	SCOTT	116	RODEWALD	APRIL
81	MARIS	STACEY	117	RODRIGUEZ	ENRIQUE
82	MARSH	JOAN	118	ROSENBAUM	PAUL
83	MARSHALL	CYNT	119	ROYSE	MARK
84	MARTINE	CATHY	120	RUZICKA	LARRY
85	MATHERS	TODD	121	SAMBAR	CHRIS
86	MCATEE	DAVID	122	SAXENA	SORABH
87	MCCORCLE	BROOKS	123	SCHLEYER	MARK
88	MCELFRESH	JEFF	124	SHAY	BRIAN
89	MCGAW	STEVE	125	SHIBLEY	ANDY
90	MCKONE	TIM	126	SMITH	SCOTT
91	MCNEELY	KEN	127	SOLOMON	LARRY
92	MEZA	JIM	128	STANKEY	JOHN
93	MOORE	TOM	129	STEPHENS	JOHN
94	NAVA	CARMEN	130	STEPHENS	PAUL
95	NEROD	RICK	131	STEPHENSON	RANDALL
96	NICHOLS	DAVE	132	STINE	STEVE
97	NILSON	VICTOR	133	SUMMERS	JON
98	O'CONNOR	JOHN	134	SYNHORST	TOM
99	O'HERN	BILL	135	THERIVEL	LAURENT
100	OSTAPOW	TERESA	136	THUN	ROB
101	PACEWICZ	ROMAN	137	VAN BUSKIRK	JENNIFER
102	PALASE	FRANK	138	VIOLA	MIKE
103	PALMER	JOHN	139	WALSH	DAN
104	PARISIAN	PAM	140	WARD	JOHN
105	PARKER	ALEX	141	WELDAY	RICK
106	PATEL	RASESH	142	WIEBOLDT	GREG
107	PENROSE	CHRIS	143	WILLIAMS	XAVIER
108	PETERSEN	KEVIN	144	WITTROCK	MIKE
			145	YORK	DAN

**SSDAC Action:**  
**February 11, 2020**

**MOTION:** It was moved to **approve** an application for a Certificate of Appropriateness for a 225 sq. ft. mid-level flat attached sign at 211 S Akard Street (west elevation)

Maker: Webster  
Second: Schwope  
Result: Carried: 3 to 0

For: 3 - Webster, Hardin, and Schwope  
Against: 0  
Absent: 1 – Peadon  
Conflict: 1 – Dumas

Speakers: Taylor Tompkins, Willow Creek Signs.  
Diego Vivor, HC Beck

DATE: 1/16/2020

APPLICATION TYPE

PERMIT ☒ CO ☐

OTHER ☐ EXPRESS ☐



JOB NO: (OFFICE USE ONLY)

PERMIT NO: (OFFICE USE ONLY)  
2001210001

HEALTH REVIEW  
(Restaurants/Food Service) ☐

## BUILDING INSPECTION APPLICATION

STREET ADDRESS OF PROPOSED PROJECT <u>211 S. Akard St</u>		SUITE/BLDG/FLOOR NO.	USE OF PROPERTY <u>office</u>	
OWNER/TENANT <u>ATAT</u>	ADDRESS <u>211 S. Akard St</u>	CITY <u>Dallas</u>	STATE <u>TEXAS</u>	ZIP CODE <u>75202</u>
DBA (IF APPLICABLE)				
APPLICANT Taylor Tompkins-4762		CONTR NO 39098	COMPANY NAME Willow Creek Signs	
ADDRESS 2633 Blue Mound Rd W		CITY Haslet	STATE Texas	ZIP CODE 76052
DESCRIPTION OF PROPOSED PROJECT <u>install illuminated ATAT Logo on West Elevation</u> <u>15'x15'</u>		CONST AREA (sq ft) <u>225</u>	NEW CONST <u>225</u> REMODEL <u>30,000.00</u> LEASE <u>225</u> TOTAL AREA <u>225</u> VALUATION (\$) <u>30,000.00</u>	
ALL FOOD SERVICE ESTABLISHMENTS REQUIRE A GREASE INTERCEPTOR INSTALLED ON-SITE. CHECK BOX IF THERE IS ONE LOCATED ON THE PROPERTY. <input type="checkbox"/>				
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX AND PROVIDE CONTRACTOR/SUBCONTRACTOR INFORMATION ON THE BACK OF THIS FORM. NOTE: AN AFFIDAVIT IS REQUIRED FOR THE SALE OR SERVING OF ALCOHOL.				
<input type="checkbox"/> BUILDING	<input type="checkbox"/> PLUMBING	<input type="checkbox"/> FENCE	<input type="checkbox"/> DRIVE APPROACH	<input type="checkbox"/> BACKFLOW
<input type="checkbox"/> ELECTRICAL	<input type="checkbox"/> FIRE SPRKLR	<input checked="" type="checkbox"/> SIGN	<input type="checkbox"/> SWIMMING POOL	<input type="checkbox"/> CUSTOMER SVC
<input type="checkbox"/> MECHANICAL	<input type="checkbox"/> FIRE ALARM	<input type="checkbox"/> LANDSCAPE	<input type="checkbox"/> LAWN SPRINKLER	<input type="checkbox"/> FLAMMABLE LIQUID
<input type="checkbox"/> BARRICADE <input type="checkbox"/> GREEN BUILDING/LEED <input type="checkbox"/> OTHER:				
WILL ALCOHOL BE SOLD/SERVED? <input type="radio"/> YES <input checked="" type="radio"/> NO		PERSONAL SERVICE LICENSE REQUIRED FOR THE PROPOSED USE? <input type="radio"/> YES <input checked="" type="radio"/> NO		
WILL THERE BE A DANCE FLOOR? <input type="radio"/> YES <input checked="" type="radio"/> NO		ARE POTENTIALLY HAZARDOUS FOODS/OPEN FOODS BEING SOLD? <input type="radio"/> YES <input checked="" type="radio"/> NO		
I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS.				
APPLICANT SIGNATURE <u>[Signature]</u>				
FOR OFFICE USE ONLY				
ZONING				BUILDING
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER
LOT AREA	BDA	SUP	RAR	STORIES
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS
				NUMBER BATHROOMS
				DRY
				LL
ROUTE TO		REVIEWER	DATE	APPLICATION REMARKS
PRE-SCREEN		<u>[Signature]</u>	<u>1/17</u>	<u>Pre-Inspection</u>
ZONING				
BUILDING				
ELECTRICAL				
PLUMBING/MECHANICAL				
GREEN BUILDING				
HEALTH				
HISTORICAL/CONS DIST				
PUBLIC WORKS				
WATER				
FIRE				
LANDSCAPING				
AVIATION				
OTHER:				
				FEE CALCULATIONS (\$)
				PERMIT FEE
				SURCHARGE
				PLAN REVIEW FEE
				PREQUALIFICATION REVIEW FEE
				EXPRESS PLAN REVIEW
				HOURLY FEE TOTAL
				HEALTH PERMIT FEE
				OTHER FEES
				OTHER FEES
				OTHER FEES
				TOTAL FEES
				\$



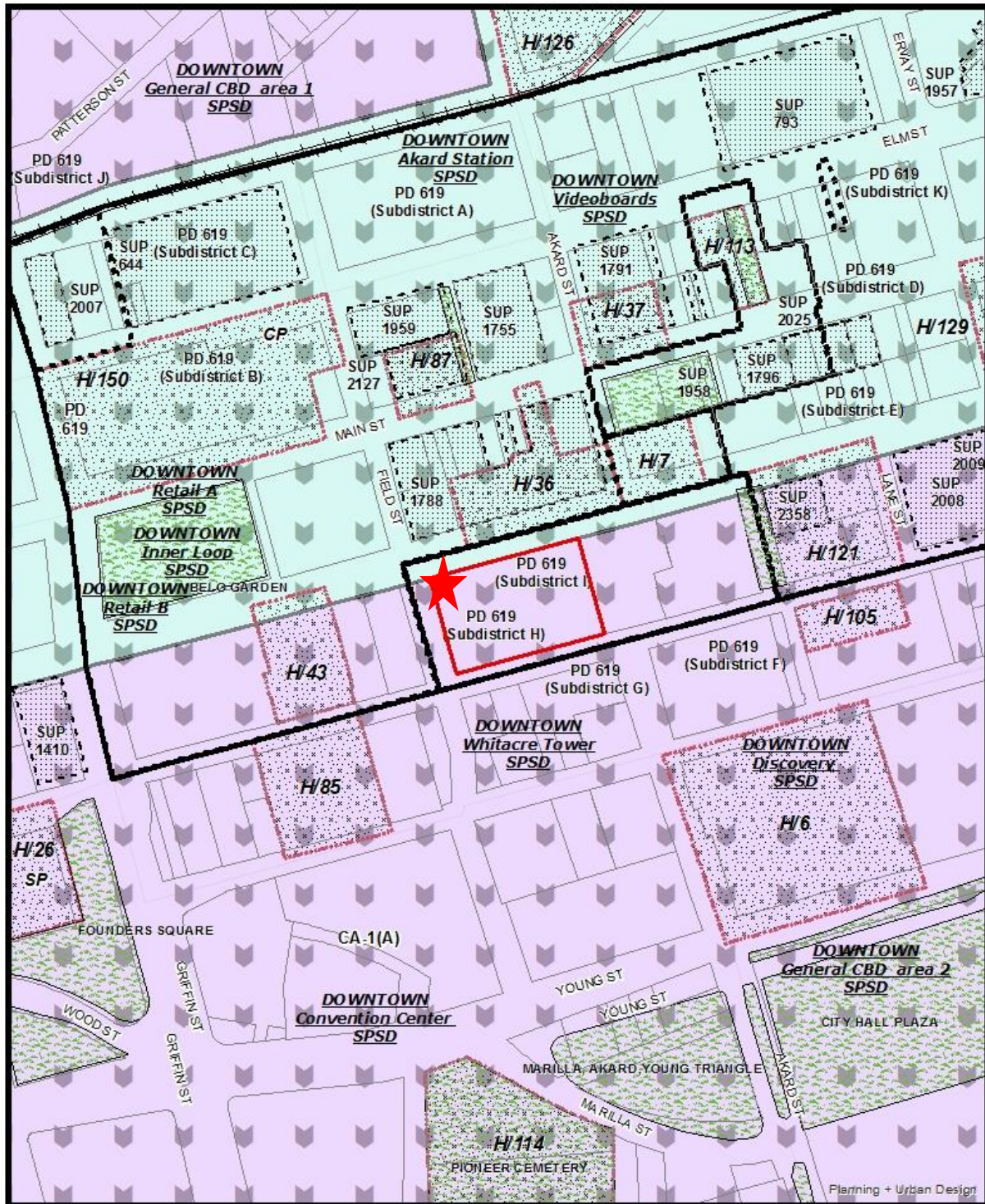


 1:2,871

CA 2001210001  
211 S Akard Street.

Printed Date: 2/4/2020

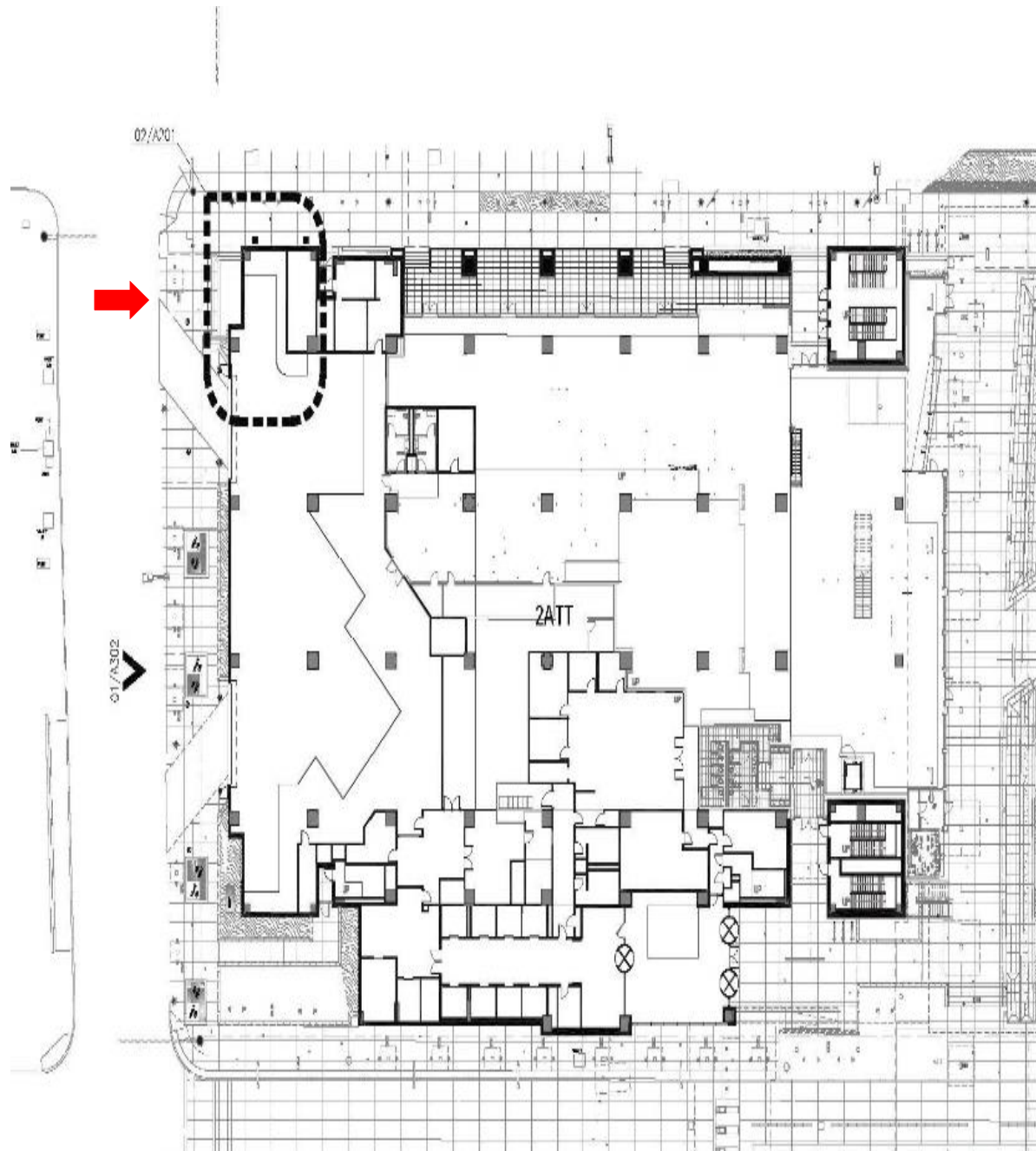




CA 2001210001  
211 S Akard Street.

Printed Date: 2/4/2020

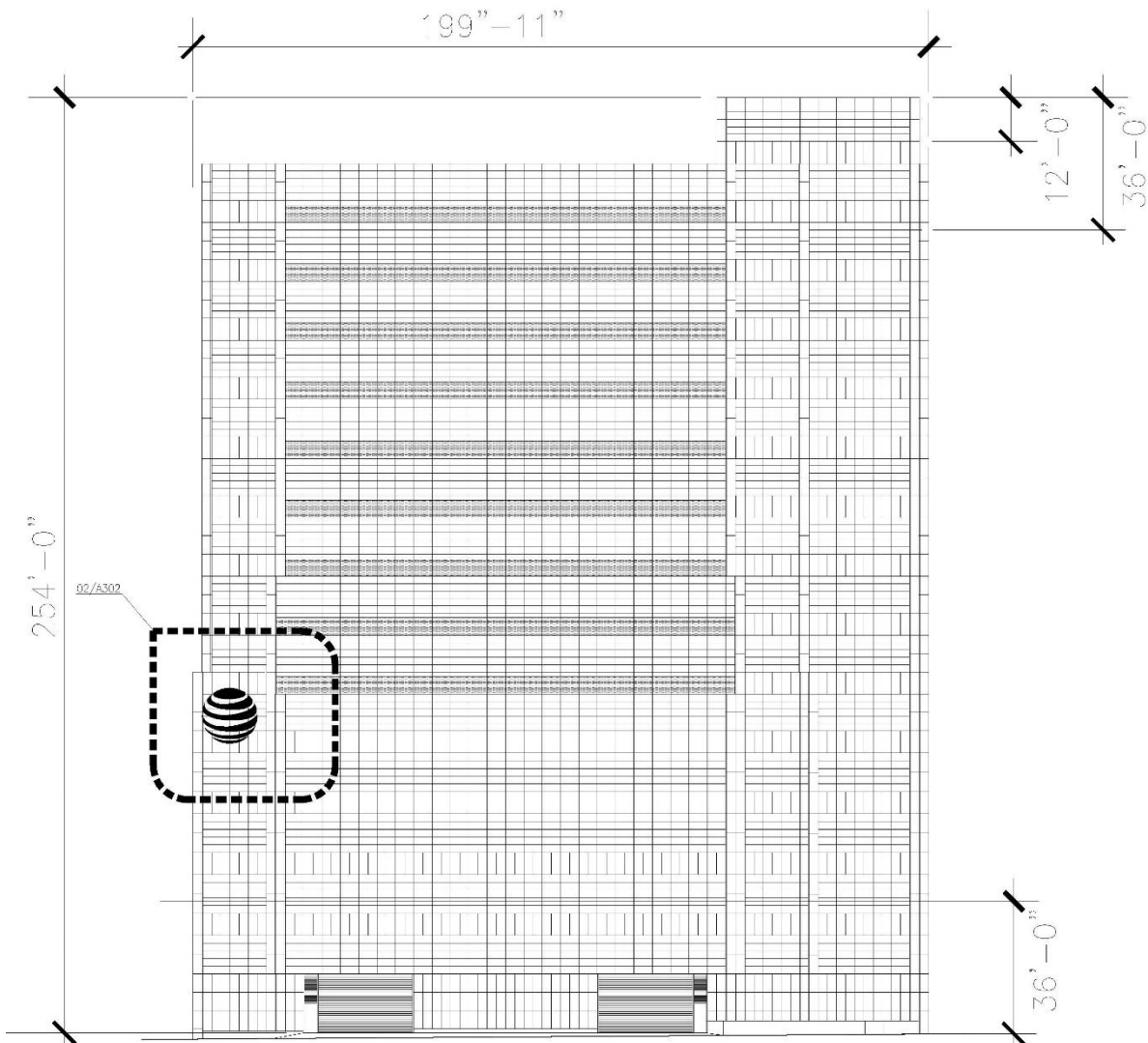
Proposed Sign (location)



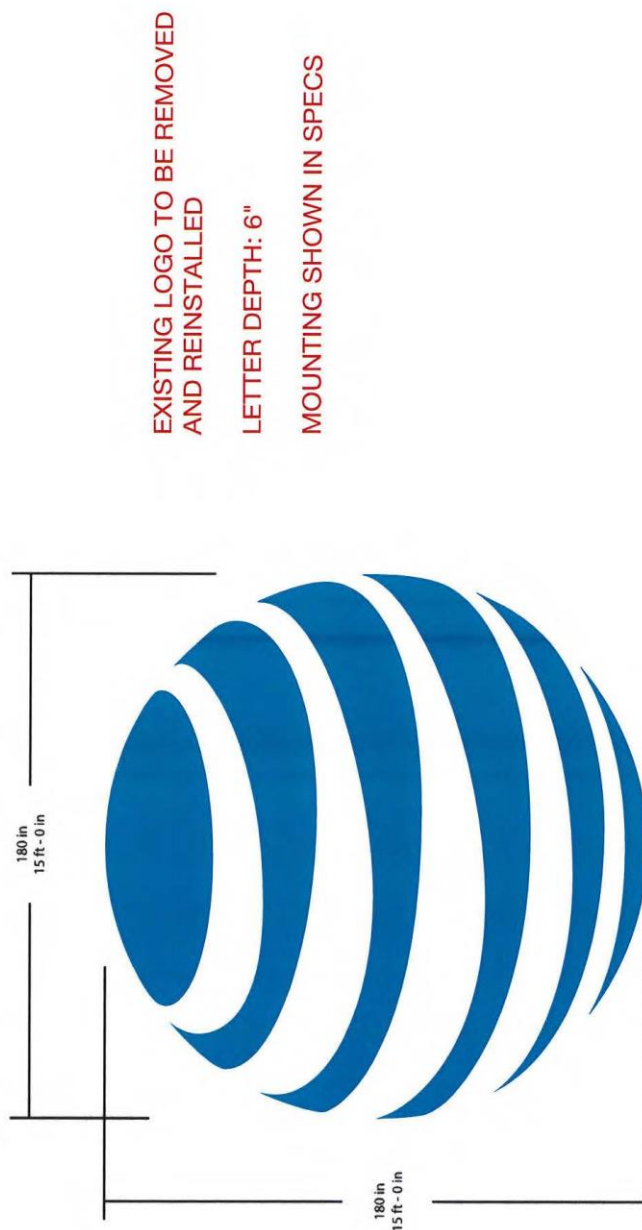


Proposed Sign (location)

37 Occupied Floors Above Grade  
2 Penthouse Floors



### Proposed Sign (engineering)

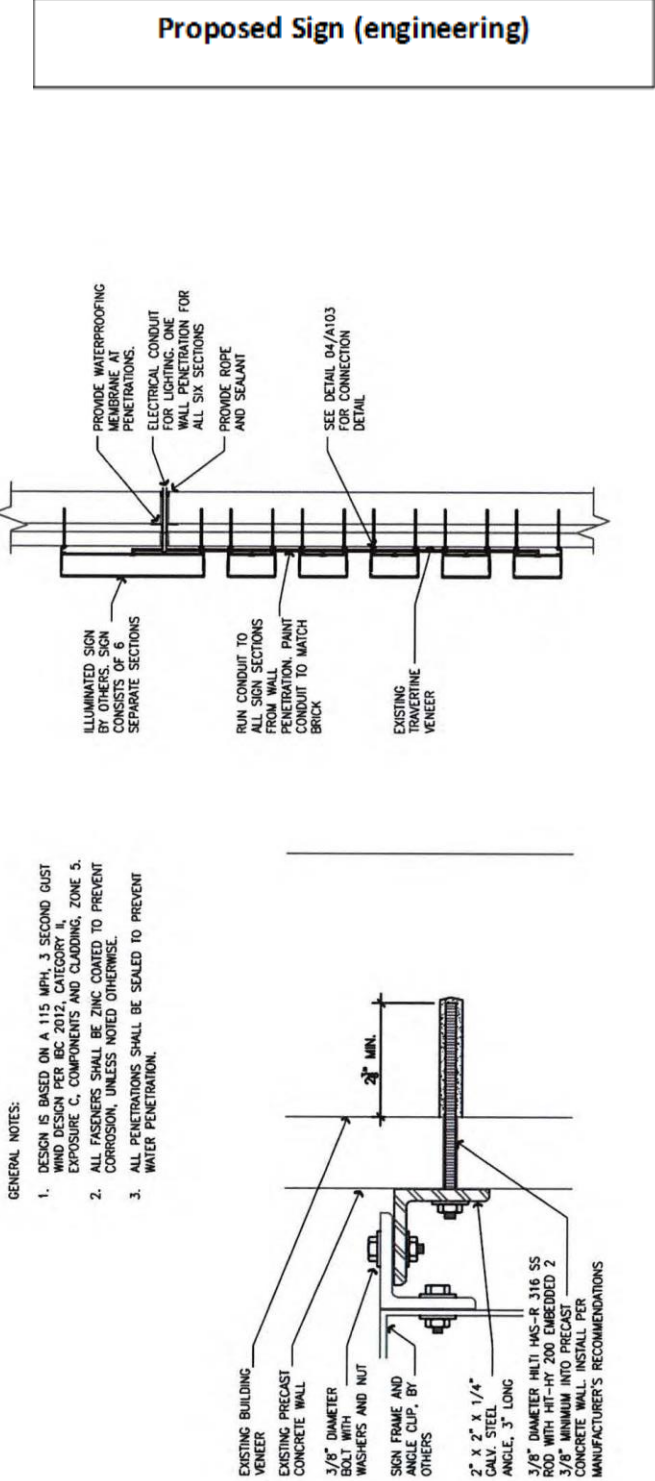



<p><small>COPYRIGHT © The artist reserves all rights in this drawing. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Willow Creek Signs, Inc. Signature: _____ Date: _____</small></p> <p><b>WILLOW CREEK SIGNS</b> 2023 Blue Mount Rd., West Fort Worth, Texas 76052 (817) 847-0271   F (817) 847-0279</p>	<p>By signing the acceptance field on this print I understand that I am accepting all aspects of this drawing. This artwork, specifications, dimensions, spelling and any other representations herein, I also understand that the color representations and scale of the sign(s) on this print are approximate and may not match manufacturer's samples exactly.</p> <p><b>Customers Approval:</b> _____</p>	<p><b>Client:</b> _____</p> <p><b>Site Location:</b> _____</p> <p><b>Date:</b> _____</p>	<p><b>2 AT&amp;T</b></p> <p><b>211 S. Akard St Dallas, TX 75202</b></p>	<p><b>Drawn by:</b> _____</p> <p><b>Revised:</b> _____</p> <p><b>Pages:</b> 1 of 3</p>
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Exterior Wall Sign

N-01

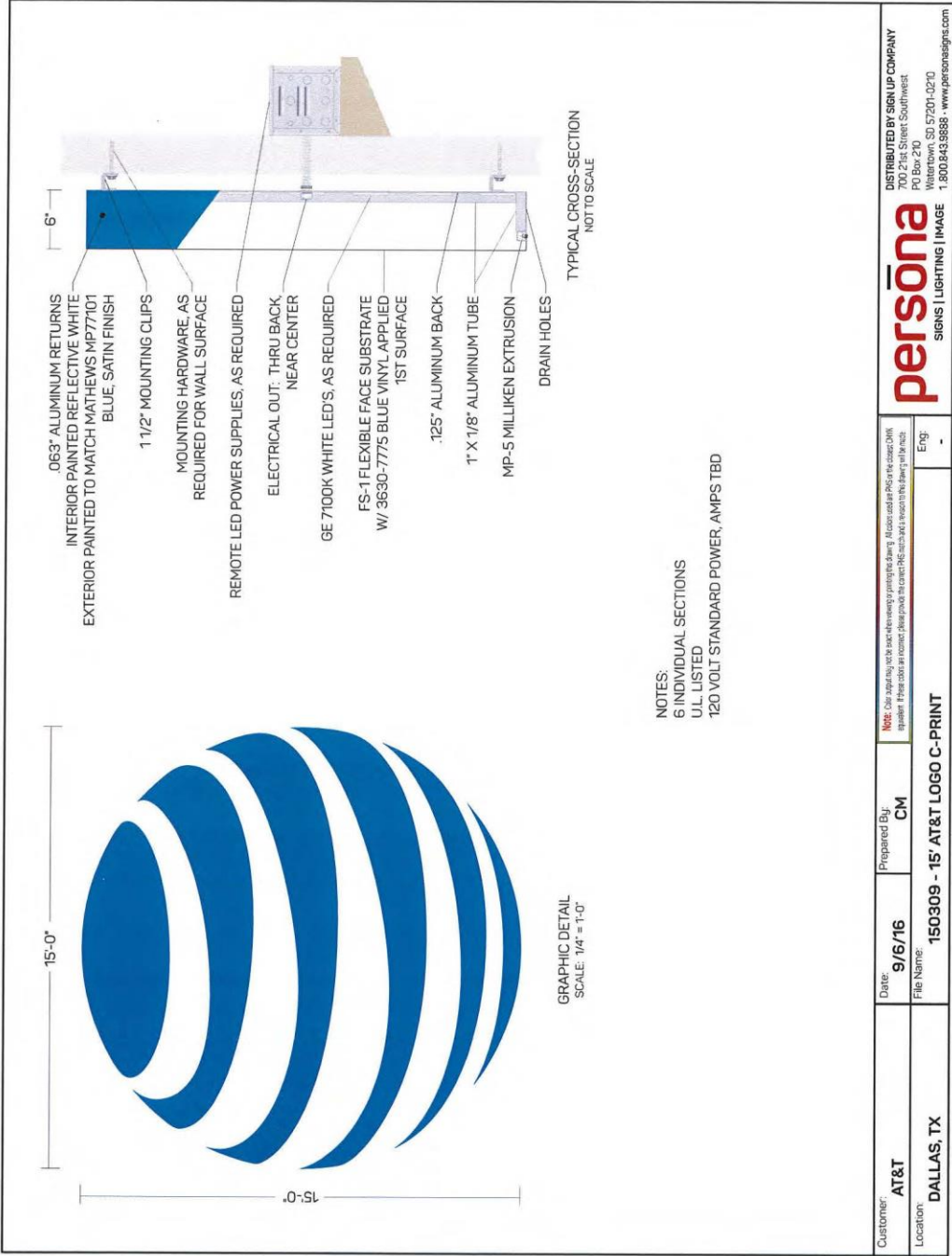
  
(817) 847-0571 / FAX (817) 847-0579



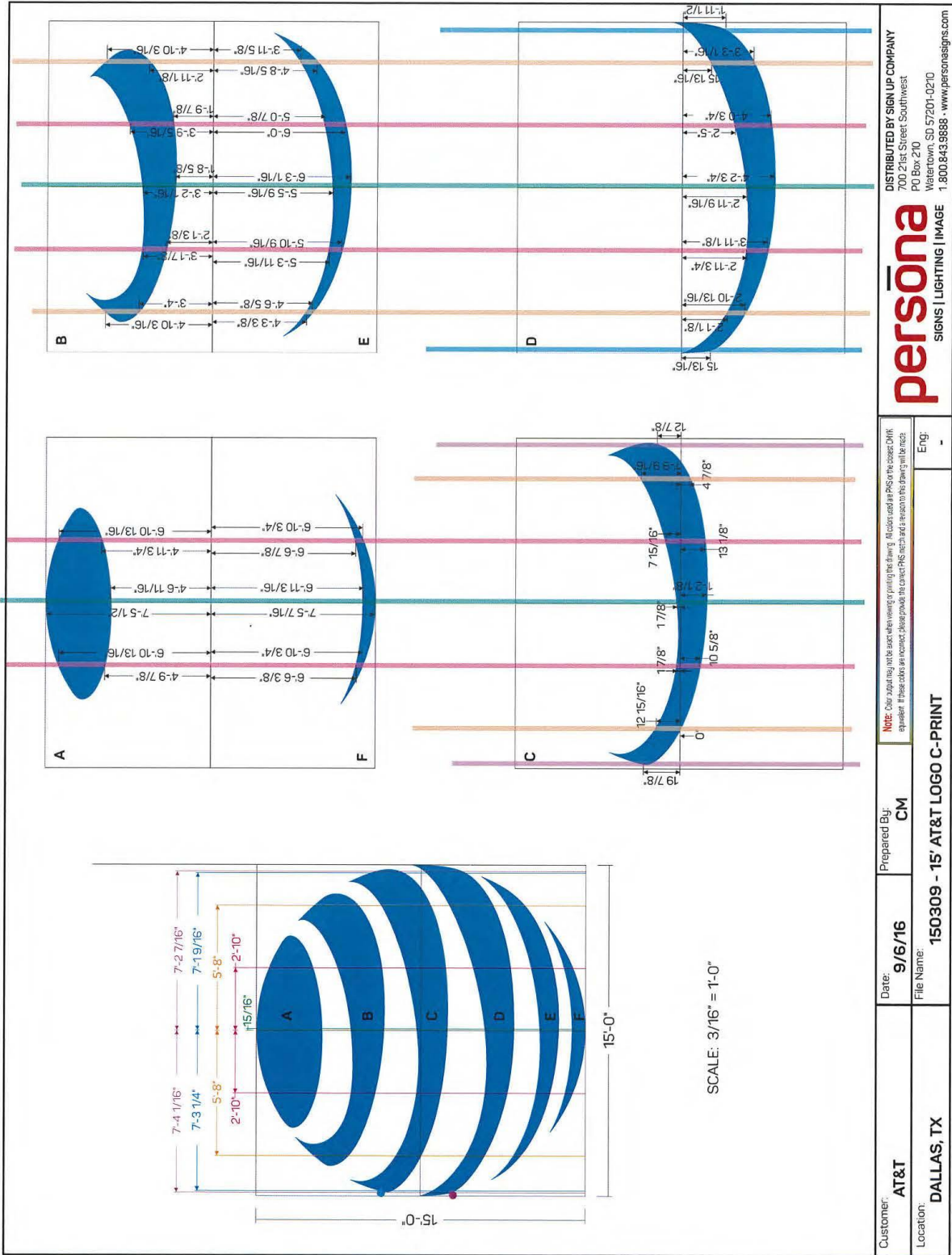
 <b>WILLOW CREEK SIGNS</b> 20222 Blue Mound Rd. West Fort Worth, Texas 76150 P (817) 847-0571   F (817) 847-0579	By signing the acceptance field on this print I understand that I am accepting all aspects of this drawing. This artwork, specifications, dimensions, spelling and any other representations herein, also understand that the color representations and scale of the sign(s) on this print are approximate and may not match manufacturer's supplier exactly.	<b>Customers Approval:</b>	
Client:	2 AT&T	Drawn by:	KP
Site Location:	211 S. Akard St Dallas, TX 75202	Revised:	1
Date:	01/16/2020	Page:	2 of 3



Proposed Sign (engineering)



Proposed Sign (engineering)



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

---

**CASE NUMBER:** 2001210002

**DATE FILED:** January 16, 2020

**LOCATION:** 301 S Akard Street (west elevation).

**SIZE OF REQUEST:** 225 sq. ft.

**COUNCIL DISTRICT:** 14

**ZONING:** PD No. 619 **MAPSCO:** 45 P

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**APPLICANT:** Taylor Tompkins – Willow Creek Signs

**TENANT:** AT&T

**OWNER:** AT&T Services Inc.

**REQUEST:** An application for a Certificate of Appropriateness for a 225 sq. ft. mid-level flat attached sign (west elevation).

**SUMMARY:** The applicant will construct a 225 square foot illuminated light-emitting diode (LED) mid-level flat attached sign displaying the AT&T logo.

**SSDAC RECOMMENDATION:** Approval.

**STAFF RECOMMENDATION:** Approval.

**BACKGROUND:**

- The subject site is located within the Downtown Retail A Subdistrict and follows the regulations set forth by Sec 51-7.911 (a) (attached premise signs in general) and 51A-7.911(e)(2) (Middle level flat attached signs).
- The sign will be located on the west elevation. The proposed sign is a 225 square foot illuminated light-emitting diode (LED) mid-level flat attached sign displaying the AT&T logo.

**SECTION. 51A-7.911(e)(2) Attached premise signs.**

*(a) Attached signs in general.*

1. Attached signs must be securely attached.
2. Attached signs overhanging the public way are permitted, except that no sign may project closer than two feet to the vertical plane extending through the back of a street curb.
3. The total effective area for all signs on a facade may not exceed:
  - A. 30 percent of the area in the lower level sign area;
  - B. 20 percent of the area in the middle-level sign area; and
  - C. 30 percent of the area in the upper-level sign area. *[The proposed sign meets these requirements. The sign is less than 20% of the indicated area of the middle-level portion of the tower to which the sign is mounted; entire façade calculation not necessary to demonstrate the sign meets this code requirement.]*

**SECTION. 51A-7.911(e)(2) Middle level flat attached signs.**

*(2) Middle level flat attached signs.*

- A. Each middle level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches. *[The proposed sign meets this criterion. The sign contains only the AT&T logo.]*
- B. Middle level flat attached signs must be wholly or partially located within the middle level sign area. *[The proposed sign meets this criterion.]*
- C. Except as provided in this subparagraph, the maximum effective area for a middle level flat attached sign is 500 square feet. In the Whitacre Tower Subdistrict the maximum effective area for a middle level flat attached sign is 784 square feet. *[The proposed sign effective area is 225 square feet.]*
- D. Middle level flat attached signs may only display the names or symbols or a combination thereof representing tenants occupying one or more full floors or 20,000 square feet or more of leasable building area, whichever is greater. *[The proposed sign meets this criterion. The building is owned and occupied by AT&T.]*
- E. Middle level flat attached signs are only permitted on buildings with 10 or more stories. *[The proposed sign meets this criterion. The building has more than 10 stories.]*



- F. One middle level flat attached sign is permitted for every 100 feet of building height or portion thereof, up to a maximum of three signs, per facade. [*The proposed sign meets this criterion. This is the only sign on this façade.*]
- G. Middle level flat attached signs must have a vertical separation of 75 feet from any other flat attached sign on the same facade in the lower, middle, or upper level sign area. [*This is the only sign located on this façade.*]

**List of Officers**  
**AT&T Services Inc.**

**AT&T**

	Officer Last Name	Officer First Name		Officer Last Name	Officer First Name
1	ANTHONY	COREY	37	FETE	DAN
2	ARISON	JONI	38	FINK	LORI
3	ARNOLDI	MELISSA	39	FINNEGAN	JOHN
4	ARROYO	THADDEUS	40	FLORES	JUAN
5	ARSENAULT	ROBERT (RG)	41	FUETSCH	ANDRE
6	BALCERZAK	ED	42	GOEKE	GEORGE
7	BARILLARI	ED	43	GONCALVES	TONY
8	BARTON	JAMIE	44	GOSWITZ	PHIL
9	BENTLEY	BRAD	45	HAGUE	BILL
10	BIRY	JENNIFER	46	HARTMAN	MICHAEL
11	BLASE	BILL	47	HARVEY	THOMAS
12	BLOODWORTH	VERONICA	48	HERMOND	RUDY
13	BOLTON	CHARLIE	49	HIRONAKA	FRANK
14	BOWLING	MICHAEL	50	HODGES	STEVE
15	BOYER	ERIC	51	HOGG	BILL
16	BRADLEY	JEFF	52	HUBBARD	RICK
17	BURNS	BRAD	53	HUBER	BILL
18	BYRD	BRUCE	54	HUNTLEY	DAVID
19	CALI	LEN	55	HYDE	ROGER
20	CARPENTER	RAY	56	INGLE	ABHI
21	CARTER	FIONA	57	IRWIN	JOHN
22	CHICOINE	GERRY	58	JOHNSON	SUSAN
23	CHOW	ANNE	59	JONES	NICK
24	CHRISTOPHER	DAVID	60	JONES	VICKI
25	COFFEY	MIKE	61	JULES	FRANK
26	COKER	MEL	62	KAPOOR	KAY
27	COLLINS	MARK	63	KATIBEH	MO
28	CONDIT	DAVID	64	KEATHLEY	TOM
29	CRUMB	PATRICK	65	KERTZ	JERRIE
30	DEROVANESSIAN	HENRY	66	KING	KELLY
31	DEVEREUX	FRED	67	LA SCHIAZZA	PAUL
32	DIAL	DEBBIE	68	LAKE	CHARLENE
33	DONOVAN	JOHN	69	LAWSON	DAVID
34	DREXEL	BILL	70	LEAHY	BILL
35	DRILLING	EDWARD	71	LEAHY	TIM
36	DWYER	JOHN	72	LEE	LORI

	Officer Last Name	Officer First Name		Officer Last Name	Officer First Name
73	LEMINH	TAM	109	PRIEBE	LEANN
74	LEWIS	JEFF	110	PURBOO	WAYNE
75	LIPARI	SAL	111	QUINN	BOB
76	LOEB	ERIC	112	REINSdorf	ANDREW
77	LONG	CHRIS	113	RICE	CHRIS
78	LUDGOOD	GARY	114	ROBERTSON	JENIFER
79	LURIE	GLENN	115	ROCHA	LUIZ (BAP)
80	MAIR	SCOTT	116	RODEWALD	APRIL
81	MARIS	STACEY	117	RODRIGUEZ	ENRIQUE
82	MARSH	JOAN	118	ROSENBAUM	PAUL
83	MARSHALL	CYNT	119	ROYSE	MARK
84	MARTINE	CATHY	120	RUZICKA	LARRY
85	MATHERS	TODD	121	SAMBAR	CHRIS
86	MCATEE	DAVID	122	SAXENA	SORABH
87	MCCORCLE	BROOKS	123	SCHLEYER	MARK
88	MCSELFRESH	JEFF	124	SHAY	BRIAN
89	MCGAW	STEVE	125	SHIBLEY	ANDY
90	MCKONE	TIM	126	SMITH	SCOTT
91	MCNEELY	KEN	127	SOLOMON	LARRY
92	MEZA	JIM	128	STANKEY	JOHN
93	MOORE	TOM	129	STEPHENS	JOHN
94	NAVA	CARMEN	130	STEPHENS	PAUL
95	NEROD	RICK	131	STEPHENSON	RANDALL
96	NICHOLS	DAVE	132	STINE	STEVE
97	NILSON	VICTOR	133	SUMMERS	JON
98	O'CONNOR	JOHN	134	SYNHORST	TOM
99	O'HERN	BILL	135	THERIVEL	LAURENT
100	OSTAPOVER	TERESA	136	THUN	ROB
101	PACEWICZ	ROMAN	137	VAN BUSKIRK	JENNIFER
102	PALASE	FRANK	138	VIOLA	MIKE
103	PALMER	JOHN	139	WALSH	DAN
104	PARISIAN	PAM	140	WARD	JOHN
105	PARKER	ALEX	141	WELDAY	RICK
106	PATEL	RASESH	142	WIEBOLDT	GREG
107	PENROSE	CHRIS	143	WILLIAMS	XAVIER
108	PETERSEN	KEVIN	144	WITTROCK	MIKE
			145	YORK	DAN

**SSDAC Action:**  
**February 11, 2020**

**MOTION:** It was moved to **approve** an application for a Certificate of Appropriateness for a 225 sq. ft. mid-level flat attached sign at 301 S Akard Street (west elevation)

Maker: Webster  
Second: Schwope  
Result: Carried: 3 to 0

For: 3 - Webster, Hardin, and Schwope  
Against: 0  
Absent: 1 – Peadon  
Conflict: 1 – Dumas

Speakers – Taylor Tompkins – Willow Creek Signs.  
Diego Vivor – HC Beck

DATE: 1/16/2020

APPLICATION TYPE

PERMIT ☒ CO ☐

OTHER ☐ EXPRESS ☐



City of Dallas

JOB NO. (OFFICE USE ONLY)

PERMIT NO. (OFFICE USE ONLY)  
**2001210002**

HEALTH REVIEW (Restaurant/Food Service) ☐

## BUILDING INSPECTION APPLICATION

STREET ADDRESS OF PROPOSED PROJECT <b>301 S. Akard St</b>		SUITE/BLOCK/FLOOR NO.		USE OF PROPERTY <b>Office</b>	
OWNER/TENANT <b>AT&amp;T</b>	ADDRESS <b>301 S. Akard St</b>	CITY <b>Dallas</b>	STATE <b>Texas</b>	ZIP CODE <b>75202</b>	
DBA (IF APPLICABLE)		E-MAIL ADDRESS			
APPLICANT <b>Taylor Tompkins-4782</b>		CONTR NO <b>39098</b>	COMPANY NAME <b>Willow Creek Signs</b>		
ADDRESS <b>2633 Blue Mound Rd W</b>		CITY <b>Haslet</b>	STATE <b>Texas</b>	ZIP CODE <b>76052</b>	PHONE NO
DESCRIPTION OF PROPOSED PROJECT <b>Install illuminated AT&amp;T Logo on West elevation 15'x15'</b>		CONST AREA (sq ft)	NEW CONST <b>225</b>	REMODEL	NEW CONST <b>30,000.00</b>
ALL FOOD SERVICE ESTABLISHMENTS REQUIRE A GREASE INTERCEPTOR INSTALLED ONSITE. CHECK BOX IF THERE IS ONE LOCATED ON THE PROPERTY. <input type="checkbox"/>		LEASE	VALUATION (\$)	REMODEL	TOTAL VALUATION <b>130,000.00</b>
PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX AND PROVIDE CONTRACTOR/SUBCONTRACTOR INFORMATION ON THE BACK OF THIS FORM. NOTE: AN AFFIDAVIT IS REQUIRED FOR THE SALE OR SERVING OF ALCOHOL.		TOTAL AREA <b>225</b>			
<input type="checkbox"/> BUILDING	<input type="checkbox"/> PLUMBING	<input type="checkbox"/> FENCE	<input type="checkbox"/> DRIVE APPROACH	<input type="checkbox"/> BACKFLOW	<input type="checkbox"/> BARRICADE
<input type="checkbox"/> ELECTRICAL	<input type="checkbox"/> FIRE SPRINKLER	<input checked="" type="checkbox"/> SIGN	<input type="checkbox"/> SWIMMING POOL	<input type="checkbox"/> CUSTOMER SVC	<input type="checkbox"/> GREEN BUILDING/LEED
<input type="checkbox"/> MECHANICAL	<input type="checkbox"/> FIRE ALARM	<input type="checkbox"/> LANDSCAPE	<input type="checkbox"/> LAWN SPRINKLER	<input type="checkbox"/> FLAMMABLE LIQUID	<input type="checkbox"/> OTHER:
WILL ALCOHOL BE SOLD/SERVED? <input type="radio"/> YES <input checked="" type="radio"/> NO		PERSONAL SERVICE LICENSE REQUIRED FOR THE PROPOSED USE? <input type="radio"/> YES <input checked="" type="radio"/> NO			
WILL THERE BE A DANCE FLOOR? <input type="radio"/> YES <input checked="" type="radio"/> NO		ARE POTENTIALLY HAZARDOUS FOODS/OPEN FOODS BEING SOLD? <input type="radio"/> YES <input checked="" type="radio"/> NO			
I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS.					
APPLICANT SIGNATURE <i>Taylor Tompkins</i>					
FOR OFFICE USE ONLY					
ZONING		BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PO	CONSTRUCTION TYPE	OCCUPANCY
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD
LOT AREA	BDA	SUP	PAR	STORIES	DWELLING UNITS
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS		FEE CALCULATIONS (\$)
PRE-SCREEN	<i>[Signature]</i>	<b>1/17</b>	<b>Pre-Inspection</b>		PERMIT FEE
ZONING					SURCHARGE
BUILDING					PLAN REVIEW FEE
ELECTRICAL					PREQUALIFICATION REVIEW FEE
PLUMBING/MECHANICAL					EXPRESS PLAN REVIEW
GREEN BUILDING					HOURLY FEE TOTAL
HEALTH					HEALTH PERMIT FEE
HISTORICAL/CON'S DIST					OTHER FEES
PUBLIC WORKS					OTHER FEES
WATER					OTHER FEES
FIRE					OTHER FEES
LANDSCAPING					TOTAL FEES
AVIATION					\$
OTHER					

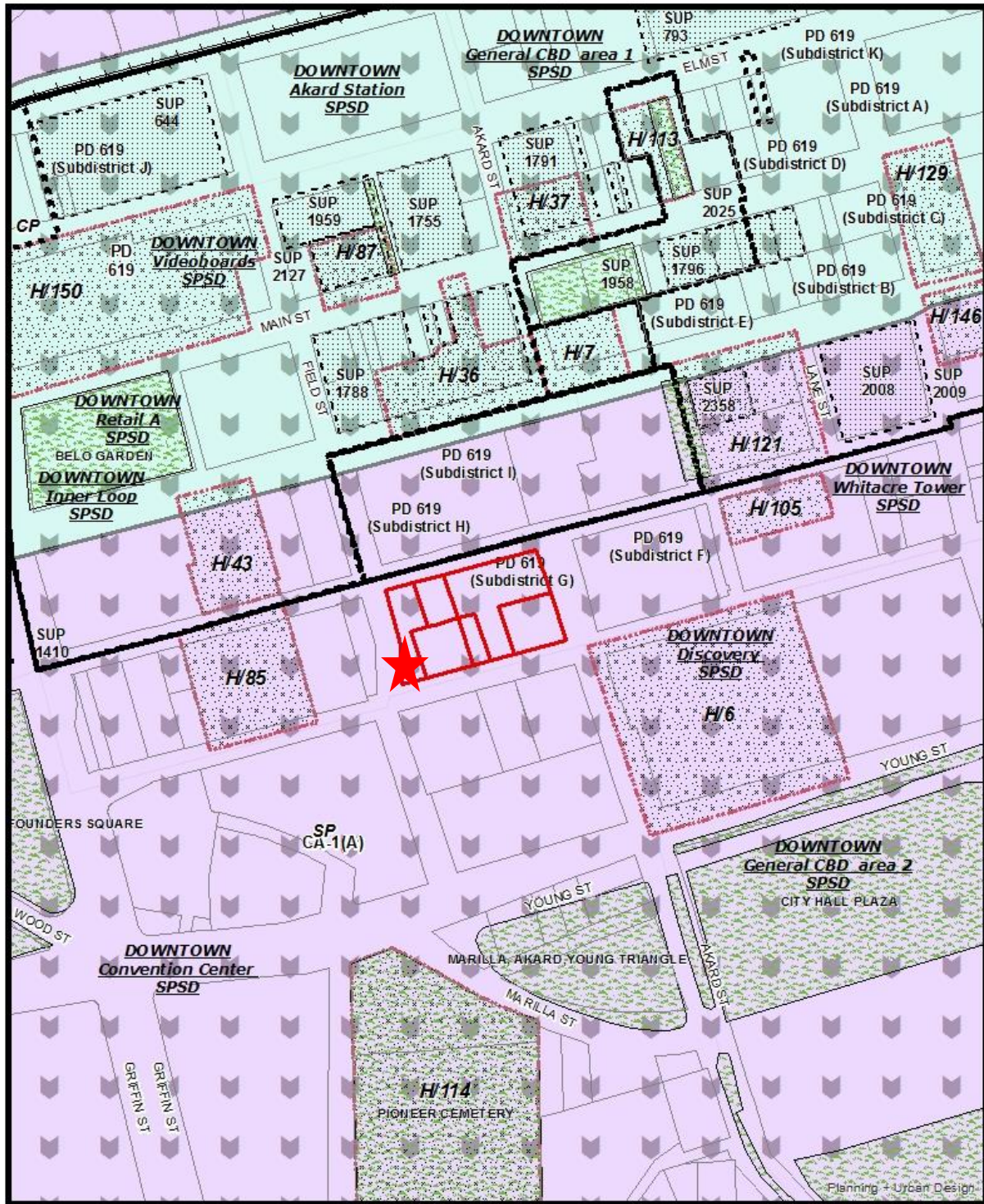




CA 2001210002  
301 S Akard Street.

Printed Date: 2/4/2020



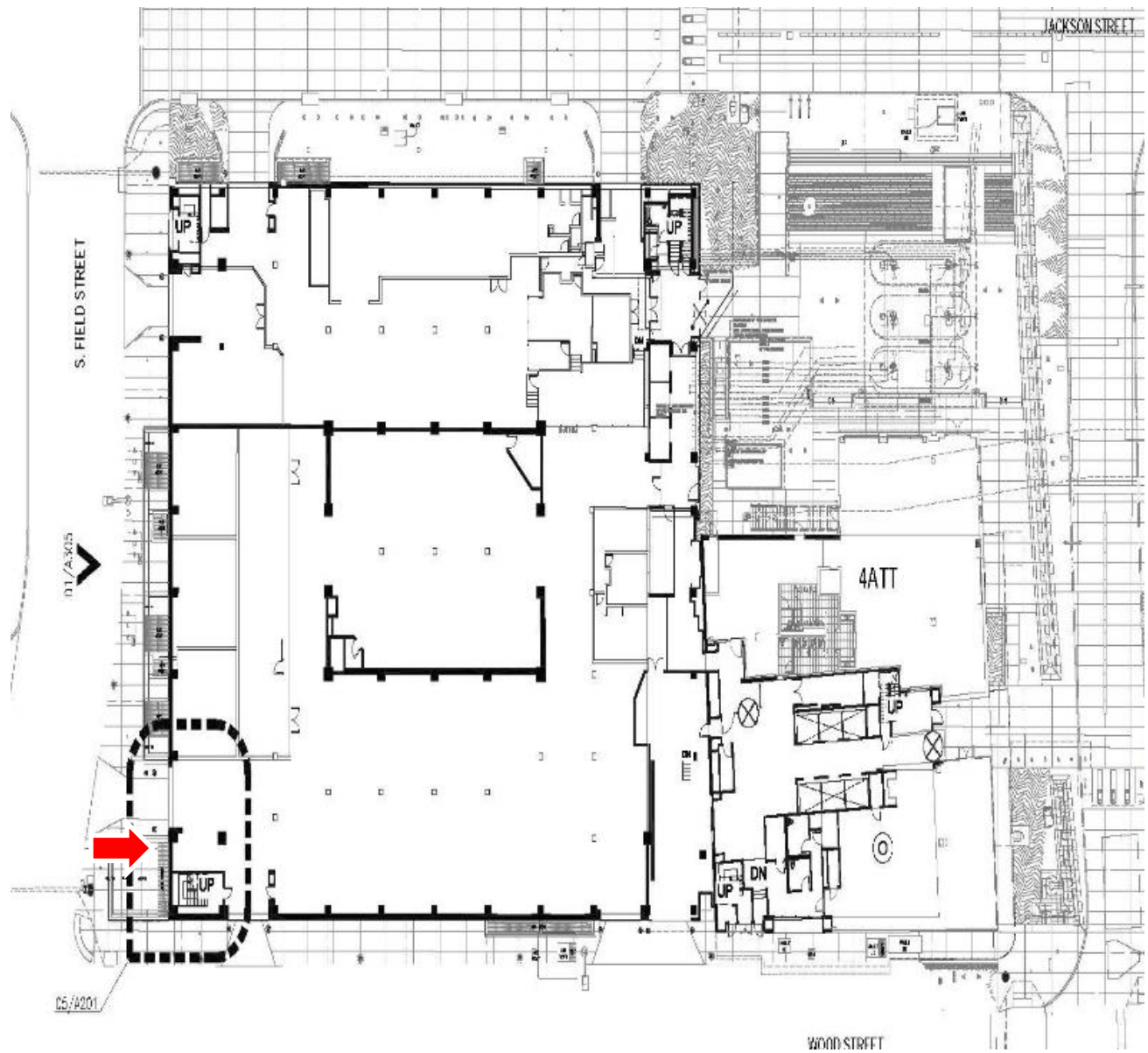


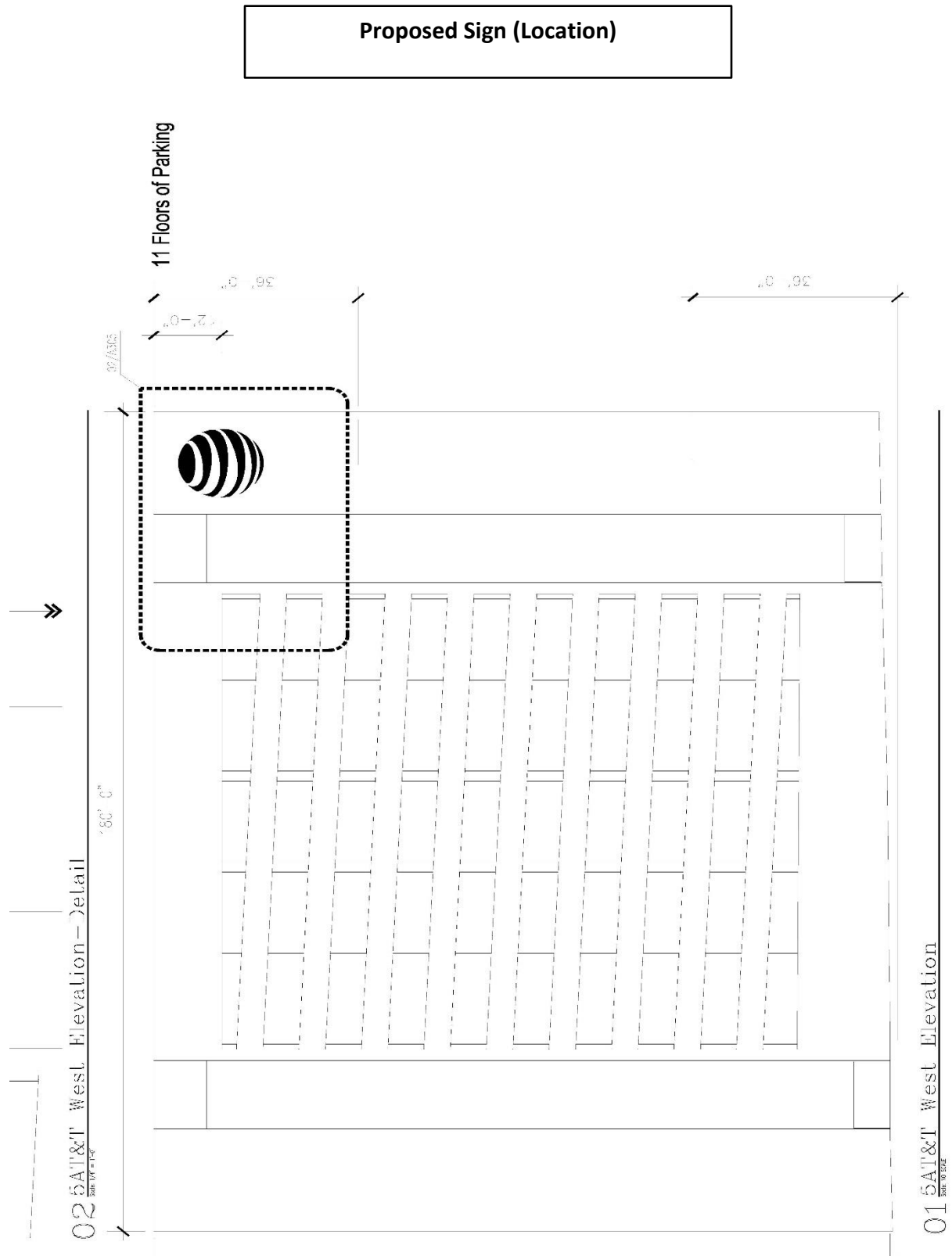
1:2,871

CA 2001210002  
301 S Akard Street.

Printed Date: 2/4/2020

Proposed Sign (location)





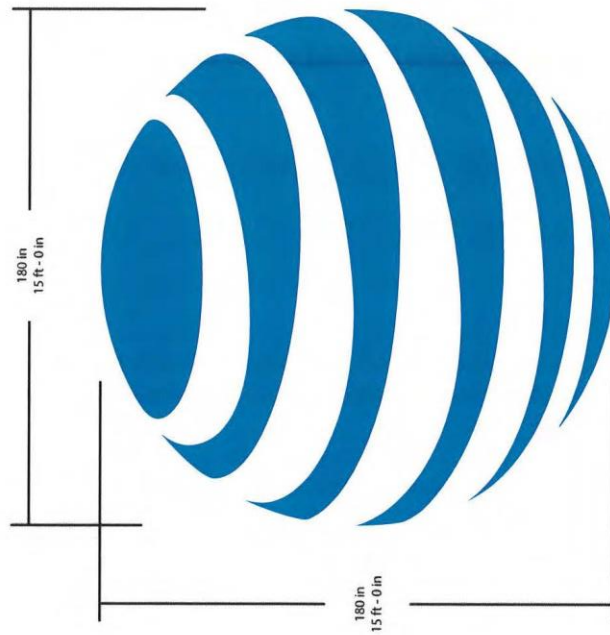


Proposed Sign (engineering)



(817) 847-0571 / FAX (817) 847-0579

Exterior Wall Sign N-01



FABRICATING NEW 15' LOGO

LETTER DEPTH: 6"

MOUNTING SHOWN IN SPECS

VINYL SPECIFICATIONS

3M #3630-7775 BLUE  
TO MATCH PMS 299C

RETURNS

PAINTED MATTHEWS MP77101 BLUE  
SATIN FINISH; HIGH REFLECTIVE  
WHITE INTERIOR SURFACES

TRIM CAP

PAINTED MATTHEWS MP77101 BLUE  
SATIN FINISH

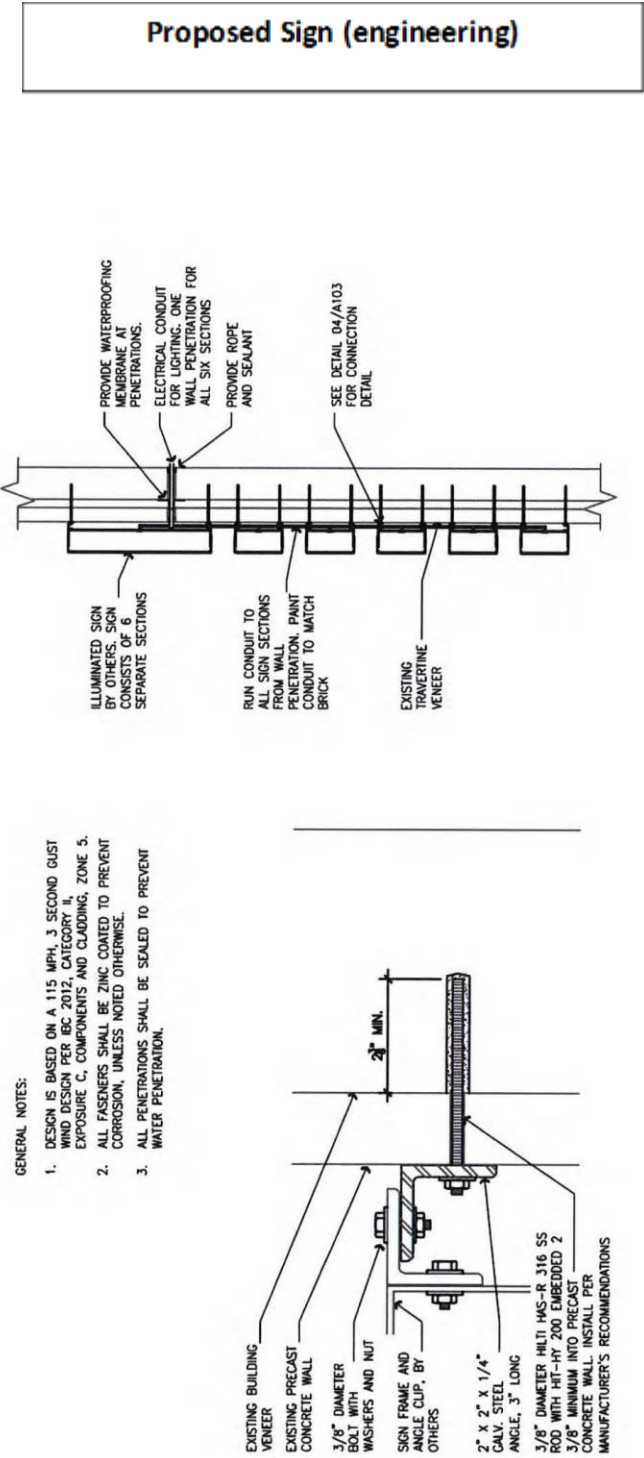
<p><small>© COPYRIGHT 2019 Willow Creek Signs, Inc. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without prior written permission from Willow Creek Signs, Inc. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without prior written permission from Willow Creek Signs, Inc.</small></p> <p><b>WILLOW CREEK SIGNS</b> 28530 Hwy 190, Suite 100 Fort Worth, Texas 76162 T (817) 847-0571   F (817) 847-0579</p>	<p>By signing the acceptance field on this print I understand that I am accepting all aspects of this drawing. I am responsible for the accuracy of the information provided and I understand that the color representation and scale of the sign on this print are approximate and may not match manufacturers samples exactly.</p> <p>Customers Approval: _____</p>	<p>Client: 5 AT&amp;T</p> <p>Site Location: 311 S. Akard St Dallas, TX 75202</p> <p>Date: 01/16/2020</p>	<p>Drawn by: KP</p> <p>Revision: 1</p> <p>Page: 1 of 3</p>
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Exterior Wall Sign

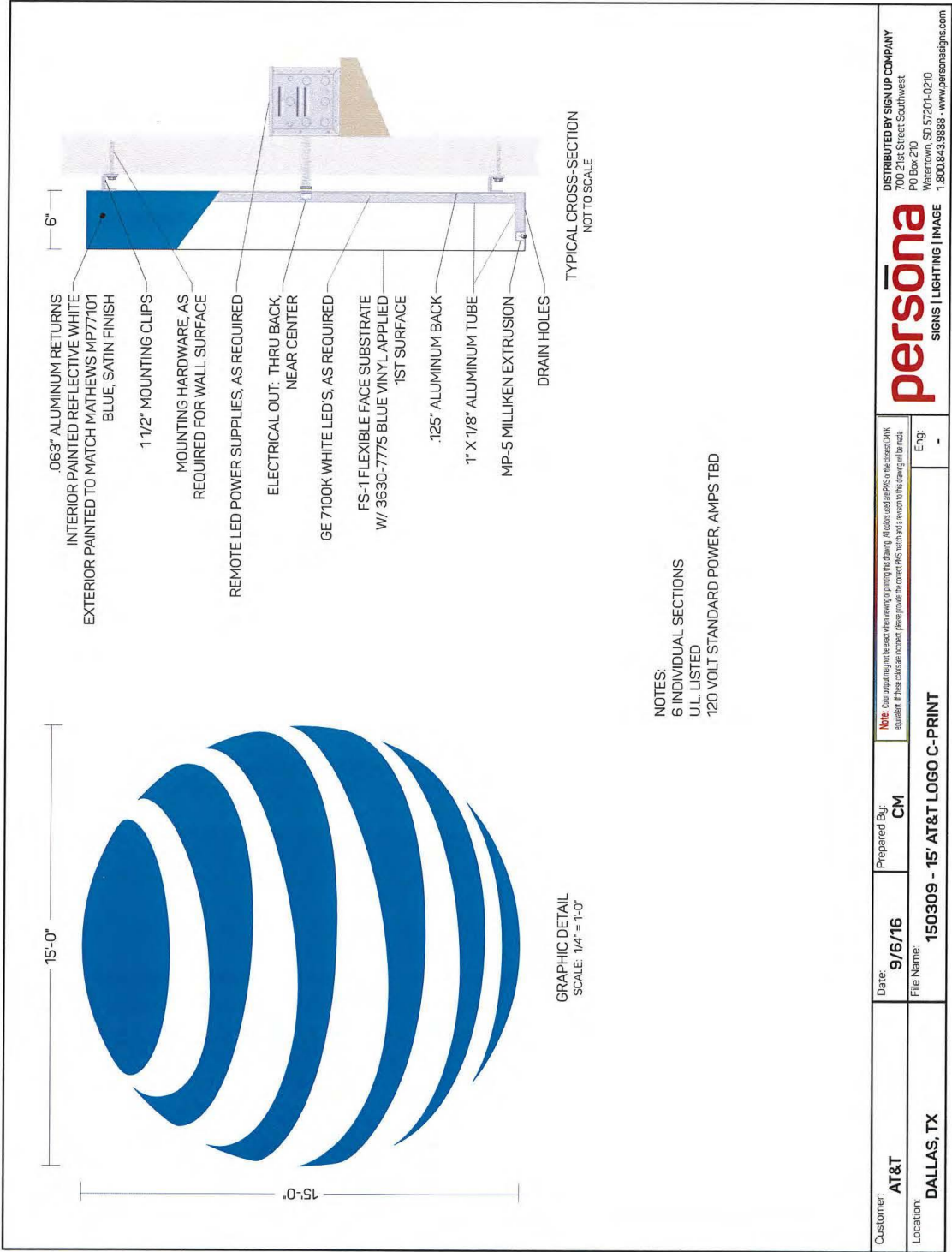
N-01

  
(817) 847-0571 / FAX (817) 847-0579

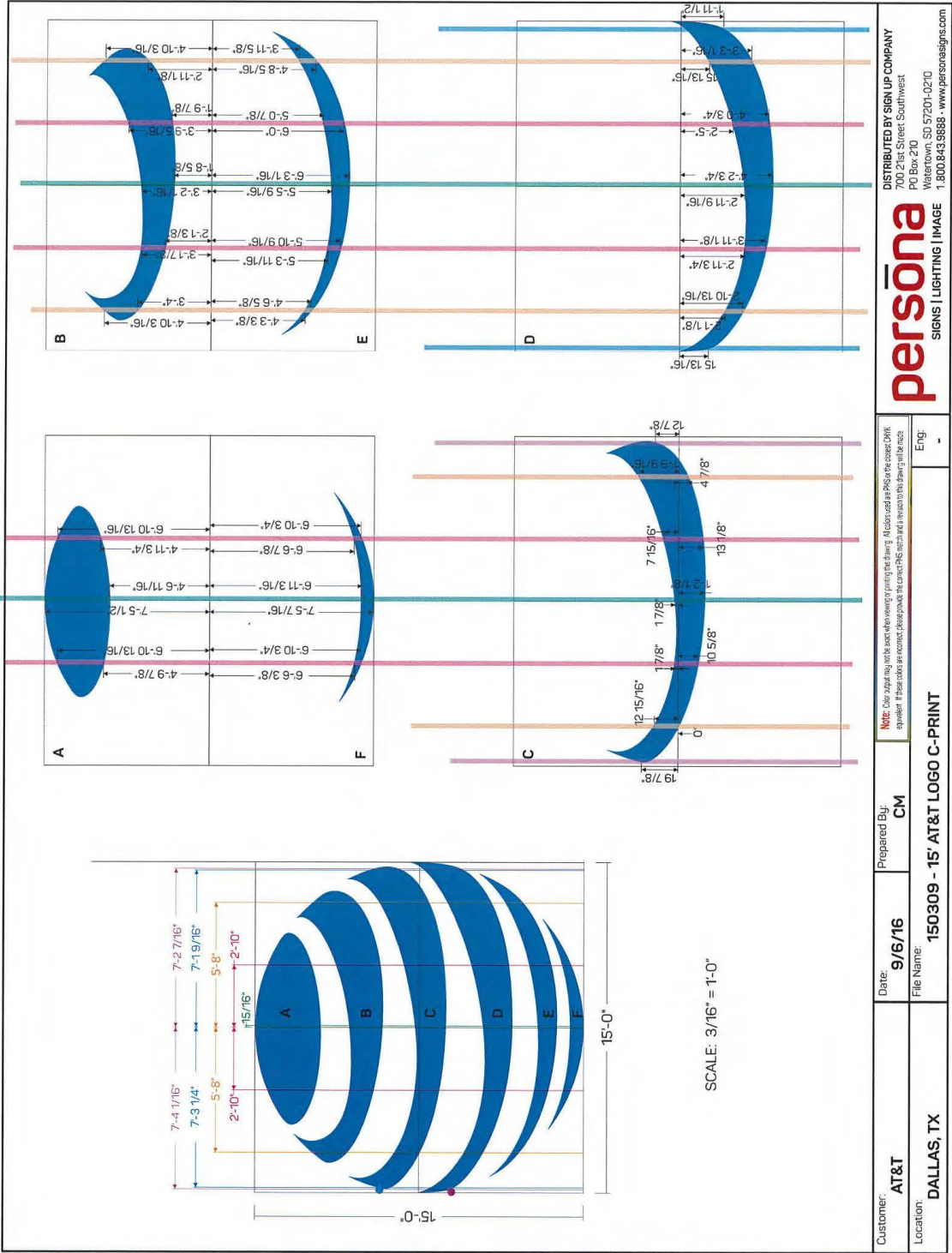


 2023 Blue Mount Rd. West Fort Worth, Texas 76162 T: (817) 847-0571   F: (817) 847-0579	By signing the acceptance field on this print I understand that I am accepting all aspects of this drawing. This artwork, specifications, dimensions, spelling and any other representations herein, I also understand that the color representations and scale of the sign(s) on this print are approximate and may not match manufacturer's sample exactly.		Customers Approval:	
	Client:	2 At&T	Drawn by:	KP
	Site Location:	211 S. Akard St. Dallas, TX 75202	Revised:	1
		Date:	01/16/2020	Page: 2 of 3

Proposed Sign (engineering)



Proposed Sign (engineering)



**FILE NUMBER:** Z178-250(AM)

**DATE FILED:** April 30, 2018

**LOCATION:** East corner of Graham Avenue and Philip Avenue

**COUNCIL DISTRICT:** 2

**MAPSCO:** 46 H

**SIZE OF REQUEST:** ± .31 acres

**CENSUS TRACT:** 24.00

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**REPRESENTATIVE:** Robert Baldwin, Baldwin Associates

**APPLICANT:** Krishikesh Shinde

**OWNER:** The Texas Vedic Society, LLC

**REQUEST:** An application to amend Planned Development District No. 539 for CR Community Retail District uses and group residential use to allow for MU-1 Mixed Use District uses and group residential use with consideration for a Specific Use Permit for group residential use in addition to the Planned Development District amendment.

**SUMMARY:** The applicant requests to 1) amend the current district regulations to allow for MU-1 Mixed Use District uses and permit the removal of off-street parking requirements for street-level office, and retail and personal service uses; and 2) obtain a Specific Use Permit for group residential use. The purpose of the request is to allow for the renovation of an existing four-story structure for mixed uses to include a group residential use on the top three floors with retail uses on the ground floor.

**PRIOR CPC ACTION:** On February 20, 2020, the City Plan Commission held this item under advisement to allow for the inclusion of a landscape plan.

**STAFF RECOMMENDATION:** Hold under advisement until the March 26, 2020 CPC hearing.

**PLANNED DEVELOPMENT DISTRICT No. 539:**

<http://www.dallascityattorney.com/51P/Articles%20Supp%207/Article%20539.pdf>

**PDD No. 539 Exhibits:**

<http://www.dallascityattorney.com/51P/exhibits.html#a539>

**BACKGROUND INFORMATION:**

- Planned Development District No. 539 was established by the Dallas City Council on March 24, 1999 by Ordinance No. 23825.
- The site is presently developed with a 4-story, approximately 21,000-square-foot building that is currently vacant. According to Building Inspections' records, was previously occupied with a community service center and a group residential facility use under Specific Use Permit No. 1381 which was approved by City Council on March 24, 1999. SUP No. 1381 expired on May 24, 2011 when the permit was not renewed.
- The applicant is proposing to use the site as bakery, specialty retail store, and group residential use. The bakery will be primarily used to bake goods which will be sold off-site. The specialty retail store will sell clothing and associated religious goods. The group residential use is intended to serve visiting patrons of faith for short-term periods of time.

**Zoning History:** There has not been any zoning change requests in the vicinity in the past five years.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Required ROW
Graham Avenue	Community Collector	56 ft.	56 ft.
Philip Avenue	Community Collector	56 ft.	56 ft.

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request for a parking reduction and determined that it will not significantly impact the surrounding roadway system or parking availability. The applicant provided a parking study indicating the proposed square footage for specific uses that would be housed in the legacy building and the proposed parking required. The Engineering Division determined that the parking study was sufficient in allowing for the reduction in parking, so long as the uses proposed did not exceed the square footage offered in the Mixed Use Development Parking Chart (Exhibit 539 B).

**Parking:**

The applicant has requested a reduction in the parking ratios for the following proposed uses found in the chart below. These uses are limited in size and scope, and since any other uses outside of these listed below will be required to meet Chapter 51A general parking standards, staff is supportive of the proposed parking reductions. Staff supports establishing floor area maximums, as the parking provided is based on the parking



demand as determined by the provided mixed-use development parking chart in Exhibit B.

Applying the proposed reduced parking ratios, a total of 13 off-street parking spaces will be required for the below uses [an overall reduction of 14 spaces from the current code requirements]. The applicant is proposing to provide 15 off-street parking spaces, as depicted on the proposed development plan.

A condition for an access easement agreement prior to obtaining a Certificate of Occupancy is proposed in order to allow for the internal circulation of the parking area to be accessible through the adjacent property. As the proposed development plan indicates access to the eastern property, staff recommends this condition, so the requirement of the access agreement be reflected in the conditions as it is shown on the proposed plans. The inclusion of this condition aligns with City policy requiring this form of agreement between property owners that intend to allow shared vehicle circulation through their developments.

Staff is supportive of the requested parking reduction as it is reflective of the provided parking study shown, as provided by the applicant, under Exhibit B (Mixed Use Development Parking Chart). The applicant would like to limit the maximum square footage permitted for commercial uses 21,000-square-feet and have this maximum floor area be able to be used interchangeably between the allowable uses so long as the maximum floor area is not exceeded. Staff disagrees with this as the applicant has requested a parking reduction based on the parking-to-floor-area-ratio as provided below. The applicant disagrees with staff's proposal for outlining the maximum number of square footage limited to each use in the conditions of the PD as requirements would be too restrictive should there be minor deviations in business requirements. Staff proposes the floor-area cap be instituted as deviation from the proposed floor area the parking requirements may change which may result in uses under-parked. With this consideration, staff believes the applicant should adhere to the proposed square footage as outlined in the following parking chart.

Use	Proposed Size in Sq. Ft	51A Section	Spaces Required	Parking Requested	Spaces Provided
Catering Service	2,000	1:200	10	1:625	4
Restaurant (Bakery)	400	1:100	4	1:625	1
General Merchandise (Specialty Retail Store)	1,600	1:200	8	1:625	3
Office	200	1:200	1	1:400	1
Group Residential - Beds	16 units	.25 units:1	4	.25 units:1	4
<b>Total Required</b>			<b>27</b>		<b>13</b>

**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 request complies with the following land use goals and policies of the Comprehensive Plan:

**Economic Element****Goal 2.1 PROMOTE BALANCED GROWTH**

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

**Urban Design Element****Goal 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

**Surrounding Land Uses:**

	Zoning	Land Use
<b>Site</b>	PD No.539	Vacant 4-story building
<b>North</b>	PD No. 134 – Subarea A	Single Family
<b>East</b>	CR, CR-D	General Merchandise; Bar, Lounge, or Tavern
<b>South</b>	RR	General Merchandise, restaurant without drive-in service
<b>West</b>	PD No.134 – Subarea A	Monastery/Temple

**Land Use Compatibility:**

The subject site is developed with one four-story, approximately 21,000-square-foot building that is presently vacant. Surrounding land uses consist of general merchandise establishments to the northeast and east, a general merchandise and a restaurant without drive-in service to the south, a monastery/temple to the west, and single-family to the north.

The purpose of the request is to allow for the adaptive re-use of the existing building to accommodate a group residential facility<sup>1</sup> with up to 16 beds on the upper floors, and for approximately 4,000 square feet of commercial/retail uses on the ground-level floor of the building. The applicant is proposing the following uses: an approximately 400-square-foot bakery, a 2,000-square-foot catering service use, an approximately 1,600-square-foot specialty retail store, and a 200-square-foot office use. The group residential facility will require a Specific Use Permit which will allow the City to verify compliance with conditions at time of renewal.

The introduction of MU-1 Mixed Use District uses is not foreseen to adversely impact the surrounding neighborhood as the property presently allows CR Community Retail District uses. Incorporating MU-1 uses would allow the building to be redeveloped in a way that will allow for more walk-to convenience and increased residential stock in the community. The block in which the building is found, bordered by S. Beacon Street, E. Grand Avenue, Graham Avenue, and Philip Avenue is entirely commercial in nature. Additional MU-1 uses would be complimentary in this area.

The proposed MU-1 District uses set forth in this request are appropriate in the context of the block and neighborhood the subject site is in. Introducing these uses would allow for the activation of a building that has been vacant since 2016, provide additional neighborhood services to the surrounding community, and create new residential stock.

The table below shows a comparison between the uses currently allowed and the uses allowed with the proposed zoning change:

	<b>CR (Existing)</b>	<b>MU-1 (Proposed)</b>
<u>Agricultural</u>	--Crop production.	-- Crop production.
<u>Commercial and business service</u>	-- Building repair and maintenance shop. [RAR -- Catering service. -- Custom business services. -- Electronics service center.	-- Catering service. -- Custom business services. -- Electronics service center. -- Labor hall. [SUP]
	<b>CR (Existing)</b>	<b>MU-1 (Proposed)</b>

<sup>1</sup> The Dallas Development Code defines *group residential facility* as an interim or permanent residential facility (as opposed to a lodging or medical treatment facility) that provides room and board to a group of persons who are not a "family" as the term is defined in this chapter, whether or not the facility is operated for profit or charges for the services it offers. This use does not include: a) facilities that negotiate sleeping arrangements on a daily basis; b) dwelling units occupied exclusively by families; or c) any other use specifically defined in this chapter [Section 51A-4.209(b)(3)]

	-- Medical or scientific laboratory. [SUP] -- Tool equipment rental	-- Medical or scientific laboratory. [SUP]
<u>Industrial</u>	--Gas drilling and production. [SUP] --Temporary concrete or asphalt batching plant. [By special authorization of the building official.]	-- Gas drilling and production. [SUP] -- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]
<u>Institutional and community service</u>	--Adult day care facility. --Cemetery or mausoleum. [SUP] --Child-care facility. --Church. --College, university, or seminary. --Community service center. [SUP] --Convent or monastery. -- Hospital. [SUP] --Library, art gallery, or museum. --Open-enrollment charter school or private school. [SUP] --Public school other than an open-enrollment charter school. [RAR]	-- Adult day care facility. -- Cemetery or mausoleum. [SUP] -- Child-care facility. -- Church. -- College, university or seminary. -- Community service center. [SUP] -- Convalescent and nursing homes, hospice care, and related institutions. [RAR] -- Convent or monastery. -- Foster home. -- Hospital. [SUP] -- Library, art gallery, or museum. -- Open-enrollment charter school or private school. [SUP] -- Public school other than an open-enrollment charter school. [RAR]
<u>Lodging</u>	-- Hotel and motel. [SUP] -- Lodging or boarding house. [SUP] -- Overnight general purpose shelter. [See Section <a href="#">51A-4.205</a> (2.1)]	-- Extended stay hotel or motel. [SUP] -- Hotel or motel. [RAR] or [SUP] [See Section <a href="#">51A-4.205</a> (1).]
<u>Miscellaneous</u>	--Attached non-premise sign. [SUP] --Carnival or circus (temporary). [By special authorization of the building official.] --Temporary construction or sales office.	-- Attached non-premise sign. [SUP] -- Carnival or circus (temporary). [By special authorization of the building official.] -- Temporary construction or sales office.
<u>Office</u>	-- Alternative financial establishment. [SUP] -- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] --Medical clinic or ambulatory surgical center. --Office	-- Financial institution without drive-in window. -- Financial institution with drive-in window. [DIR] -- Medical clinic or ambulatory surgical center. -- Office.
	<b>CR ( Existing)</b>	<b>MU-1 (Proposed)</b>



<u>Recreation</u>	<ul style="list-style-type: none"> <li>--Country club with private membership.</li> <li>--Private recreation center, club, or area.</li> <li>--Public park, playground, or golf course.</li> </ul>	<ul style="list-style-type: none"> <li>-- Country club with private membership.</li> <li>-- Private recreation center, club, or area.</li> <li>-- Public park, playground, or golf course.</li> </ul>
<u>Residential</u>	<ul style="list-style-type: none"> <li>--College dormitory, fraternity or sorority house.</li> </ul>	<ul style="list-style-type: none"> <li>-- College dormitory, fraternity, or sorority house.</li> <li>-- Duplex.</li> <li>-- Group residential facility. [See Section <a href="#">51A-4.209</a>(3).]</li> <li>-- Handicapped group dwelling unit. [See Section <a href="#">51A-4.209</a> (3.1).]</li> <li>-- Multifamily.</li> <li>-- Residential hotel.</li> <li>-- Retirement housing.</li> <li>-- Single family.</li> </ul>
<u>Retail and personal service</u>	<ul style="list-style-type: none"> <li>-- Alcoholic beverage establishments. [See Section <a href="#">51A-4.210</a> (b)(4).]</li> <li>-- Ambulance service. [RAR]</li> <li>-- Animal shelter or clinic without outside runs. [RAR]</li> <li>-- Auto service center. [RAR]</li> <li>-- Business school.</li> <li>-- Carwash. [DIR]</li> <li>-- Commercial amusement (inside). [SUP may be required. See Section <a href="#">51A-4.210</a> (b)(7)(B).]</li> </ul>	<ul style="list-style-type: none"> <li>-- Alcoholic beverage establishments. [See Section <a href="#">51A-4.210</a>(b)(4).]</li> <li>-- Animal shelter or clinic without outside runs. [RAR]</li> <li>-- Auto service center. [RAR]</li> <li>-- Business school.</li> <li>-- Car wash. [RAR]</li> <li>-- Commercial amusement (inside). [SUP may be required. See Section <a href="#">51A-4.210</a>(b)(7)(B)]</li> </ul>
<u>Utility and public service</u>	<ul style="list-style-type: none"> <li>-- Commercial radio and television transmitting station.</li> <li>-- Electrical substation.</li> <li>--Local utilities. [SUP or RAR may be required.]</li> <li>--Police or fire station.</li> <li>--Post office. [SUP]</li> <li>--Radio, television, or microwave tower. [SUP]</li> <li>--Tower/antenna for cellular communication. [See Section <a href="#">51A-4.212</a>(10.1).]</li> <li>--Utility or government installation other than listed. [SUP]</li> </ul>	<ul style="list-style-type: none"> <li>-- Commercial radio or television transmitting station.</li> <li>-- Electrical substation.</li> <li>-- Local utilities. [SUP or RAR may be required. See Section <a href="#">51A-4.212</a>(4).]</li> <li>-- Police or fire station.</li> <li>-- Post office.</li> <li>-- Radio, television, or microwave tower. [SUP]</li> <li>-- Tower/antenna for cellular communication. [See Section <a href="#">51A-4.212</a>(10.1).]</li> <li>-- Utility or government installation other than listed. [SUP]</li> </ul>
	<b>CR (Existing)</b>	<b>MU-1 (Proposed)</b>

<u>Wholesale, distribution, and storage</u>	<ul style="list-style-type: none"> <li>-- Mini-warehouse. [SUP]</li> <li>-- Recycling buy-back center [See Section <a href="#">51A-4.213</a> (11).]</li> <li>-- Recycling collection center. [See Section <a href="#">51A-4.213</a> (11.1).]</li> <li>-- Recycling drop-off container. [See Section <a href="#">51A-4.213</a> (11.2).]</li> <li>-- Recycling drop-off for special occasion collection. [See Section <a href="#">51A-4.213</a> (11.3).]</li> </ul>	<ul style="list-style-type: none"> <li>-- Mini-warehouse. [SUP]</li> <li>-- Recycling buy-back center [See Section <a href="#">51A-4.213</a> (11).]</li> <li>-- Recycling collection center. [See Section <a href="#">51A-4.213</a> (11.1).]</li> <li>-- Recycling drop-off container. [See Section <a href="#">51A-4.213</a> (11.2).]</li> <li>-- Recycling drop-off for special occasion collection. [See Section <a href="#">51A-4.213</a> (11.3).]</li> </ul>
<u>Accessory</u>	<ul style="list-style-type: none"> <li>-- Accessory community center (private).</li> <li>-- Home occupation.</li> <li>-- Private Stable.</li> <li>-- Accessory helistop. [SUP]</li> <li>-- Accessory medical/infectious waste incinerator. [See Section 51A-4.217(3.1).]</li> <li>-- Commercial amusement (outside). [SUP]</li> <li>-- Commercial parking lot or garage. [RAR]</li> <li>-- Convenience store with drive-through. [SUP]</li> <li>-- Dry cleaning or laundry store.</li> <li>-- Furniture store.</li> <li>-- General merchandise or food store 3,500 square feet or less.</li> <li>-- General merchandise or food store greater than 3,500 square feet.</li> <li>-- General merchandise or food store 100,000 square feet or more. [SUP]</li> <li>-- Home improvement center, lumber, brick or building materials sales yard. [DIR]</li> <li>-- Household equipment and appliance repair.</li> <li>-- Liquor store.</li> <li>-- Mortuary, funeral home, or commercial wedding chapel.</li> <li>-- Motor vehicle fueling station.</li> <li>-- Nursery, garden shop, or plant sales.</li> </ul>	<ul style="list-style-type: none"> <li>-- Accessory helistop. [SUP]</li> <li>-- Accessory medical/ infectious waste incinerator. [See Section 51A-4.217(3.1).]</li> <li>-- Commercial amusement (outside). [SUP]</li> <li>-- Commercial parking lot or garage. [RAR]</li> <li>-- Dry cleaning or laundry store.</li> <li>-- Furniture store.</li> <li>-- General merchandise or food store 3,500 square feet or less.</li> <li>-- General merchandise or food store greater than 3,500 square feet.</li> <li>-- General merchandise or food store 100,000 square feet or more. [SUP]</li> <li>-- Mortuary, funeral home, or commercial wedding chapel.</li> <li>-- Motor vehicle fueling station.</li> <li>-- Nursery, garden shop, or plant sales.</li> <li>-- Paraphernalia shop. [SUP]</li> <li>-- Personal service uses.</li> <li>-- Restaurant without drive-in or drive-through service. [RAR]</li> <li>-- Restaurant with drive-in or drive-through service. [DIR]</li> <li>-- Swap or buy shop. [SUP]</li> <li>-- Temporary retail use.</li> <li>-- Theater.</li> </ul>
	<b>CR (Existing)</b>	<b>MU-1 (Proposed)</b>

<u>Accessory</u>	-- Paraphernalia shop. [SUP] -- Pawn shop. -- 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] -- Temporary retail use. -- Theater.	
<u>Transportation</u>	-- Transit passenger shelter. -- Transit passenger station or transfer center. [By SUP or council resolution.]	-- Transit passenger shelter. -- Transit passenger station or transfer center. [By SUP or city council resolution. See Section <a href="#">51A-4.211.</a> ]

The applicant has included in the request, a Specific Use Permit for a group residential facility use in conjunction with the Planned Development District amendment. Initially, the use was being proposed to be allowed by right as part of the PD amendment; however, after the case was scheduled and advertised for the October 17, 2019 CPC hearing, the applicant indicated the intent to maintain the SUP requirement for this use in the PD regulations.

To prevent the SUP application being subject to the two-year limitation established in the development code after the approval of the PD amendment, the applicant requested that the SUP be considered as part of this application and submitted proposed SUP conditions for the group residential facility.

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

Staff supports the request for a SUP for a group residential facility because the use previously existed at the subject site and was regulated by similar conditions as those being proposed with this application. The proposed use is not foreseen to have a negative impact in the surrounding uses.

**Development Standards**

<b>DISTRICT</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>					
Existing PDD 539 CR Community Retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR Overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
Proposed PDD 539 MU-1 Mixed Use-1	As shown on the development plan		Maximum floor area for all uses combined = 21,000 sf	54' 4 stories	As shown on the development plan	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail and personal service, lodging & residential
Reference MU-1 Mixed Use-1	15'	20' adjacent to residential OTHER: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories w/ retail	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail and personal service, lodging & residential

The existing PD conditions include certain yard, lot, and space regulations to be provided per the development plan. Standards include a maximum number of four stories, height of 54-feet, and maximum floor area of 21,000-square-feet; therefore, the additional height, density, and lot coverage usually allowed in an MU-1 District will not apply in this case. MU-1 uses are different from CR uses in that the MU-1 district allows the inclusion of a residential component to commercial uses. The conditions proposed as part of the zoning change would limit any additional uses to the ones specified per the conditions, being group residential use, and excludes any residential uses such as multifamily.

**Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is directly south of a 'G' MVA Cluster to the north across Philip Avenue.

**Landscaping:** Landscaping will be provided if triggered in accordance with Article X, as amended.

Z178-250(AM)

### **List of Members**

The Texas Vedic Society

Mike Meyer – Sole Member



**ARTICLE 539.**

**PD 539.**

**SEC. 51P-539.101. LEGISLATIVE HISTORY.**

PD 539 was established by Ordinance No. 23825, passed by the Dallas City Council on March 24, 1999. Ordinance No. 23825 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 23825; 25163)

**SEC. 51P-539.102. PROPERTY LOCATION AND SIZE.**

PD 539 is established on property generally located on the east corner of Graham Avenue and Philip Avenue. The size of PD 539 is approximately 0.31 acres. (Ord. Nos. 23825; 25163)

**SEC. 51P-539.103. DEFINITIONS AND INTERPRETATIONS.**

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

(1) BAKERY OR CONFECTIONERY SHOP means a facility for preparing, cooking, baking, and the retail sale of candy, baked goods, or other sweets.

(2) LEGACY BUILDING means the existing four story building built prior to 1951 as identified on the development plan (Exhibit \_\_\_\_ A).

(3) SPECIALTY RETAIL STORE means a facility for the retail sales of clothing and devotional goods.

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

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 23825; 25163)

**SEC. 51P-539.103.1. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit \_\_\_\_A: development plan.

(2) Exhibit \_\_\_\_B: Mixed Use Development Parking Chart.

**SEC. 51P-539.104. DEVELOPMENT PLAN.**

Development and use of the Property must comply with the development plan (Exhibit 539A). In the event of a conflict between the provisions of this article and the development plan,

the provisions of this article control. The development plan will serve as the SUP site plan for a group residential use. (Ord. Nos. 23825; 25163)

**SEC. 51P-539.105. MAIN USES PERMITTED.**

- (a) Group residential facility. [SUP]
- (b) Bakery or confectionery shop.
- (c) Specialty retail store.

(b) Except as provided above, the uses permitted in this district are all uses permitted in the ~~CR Community Retail District~~ MU-1 Mixed Use District, as amended, subject to the same conditions applicable in the ~~CR Community Retail District~~ MU-1 Mixed Use District as set out in the Dallas Development Code, as amended. For example, a use permitted in the ~~CR Community Retail District~~ MU-1 Mixed Use District by Specific Use Permit (SUP) only is permitted in this planned development district by SUP. A use subject to development impact review (DIR) in the ~~CR Community Retail District~~ MU-1 Mixed Use District is subject to DIR in this planned development district, etc. (Ord. Nos. 23825; 25163)

**SEC. 51P-539.106. 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) The following accessory uses are not permitted in this district:
  - Accessory community center (private).
  - Home occupation.
  - Private stable.
- (c) The following accessory use is permitted by SUP only:
  - Accessory helistop.

- (d) In this district, an SUP may be required for the following accessory use:

-- Accessory medical/infectious waste incinerator. [See Section 51A-4.217(3.1).]  
(Ord. Nos. 23825; 25163)

**SEC. 51P-539.107. 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) Front, side, and rear yard. Minimum front, side, and rear yards are as shown on the development plan.

- (b) Floor area. Maximum permitted floor area is 21,000 square feet.

***\*\*Staff Recommendation\*\* [Applicant does not agree]***

1)	Maximum permitted floor area for a catering service use is 2,000 square feet.
2)	Maximum permitted floor area for a bakery or confectionery shop use is 400 square feet.
3)	Maximum permitted floor area for a specialty retail store use is 1,600 square feet.
4)	Maximum permitted floor area for a group residential facility office use is 200 square feet.

- (c) Height. Maximum structure height is 54 feet.
- (d) Lot coverage. Maximum lot coverage is as shown on the development plan.
- (e) Lot size. No minimum lot size.
- (f) Stories. Maximum number of stories above grade is four. (Ord. Nos. 23825; 25163)

**SEC. 51P-539.108. OFF-STREET PARKING AND LOADING.**

(a) Except as provided ~~in Subsection (b) below~~, consult the use regulations contained in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off street parking and loading generally.

(b) Off-street parking and loading for a development in a legacy building containing any combination of group residential facility, catering service, bakery, specialty retail store, and a community service center must be provided and located as shown on the development plan. The off-street parking must be provided at the following ratios. Parking must be shared using the Mixed Use Development Parking Chart (Exhibit 539B).

- (1) Catering service. One space per 625 square feet of floor area.
- (2) Bakery or confectionery shop. One space per 625 square feet of floor area.
- (3) Specialty retail store. One space per 625 square feet of floor area.
- (4) Group residential facility. 0.25 spaces per bed and one space per 400 square feet of accessory office floor area.
- (5) One small loading space is required.

**SEC. 51P-539.109. ENVIRONMENTAL PERFORMANCE STANDARDS.**

See Article VI. (Ord. Nos. 23825; 25163)

**SEC. 51P-539.110. LANDSCAPING.**

Landscaping must be provided in accordance with Article X. Plant material must be maintained in a healthy, growing condition. Tree mitigation requirements must be met as outlined in Article X. (Ord. Nos. 23825; 25163)

**SEC. 51P-539.111. SIGNS.**

Signs must comply with the provisions for business zoning districts contained in Article VII.(Ord. Nos. 23825; 25163)

**SEC. 51P-539.112. NUMBER OF RESIDENTS.**

Maximum number of residents permitted in a group residential facility is 16. (Ord. Nos. 23825; 25163)

**SEC. 51P-539.113. ADDITIONAL PROVISIONS.**

- (a) The entire Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 23825; 25163; 26102)
- (c) The Property must obtain an access easement agreement for ingress and egress from the adjacent property owner prior to receiving a Certificate of Occupancy.

**SEC. 51P-539.114. COMPLIANCE WITH CONDITIONS.**

- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit or 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. 23825; 25163; 26102)

**~~SEC. 51P-539.115. ZONING MAP.~~**

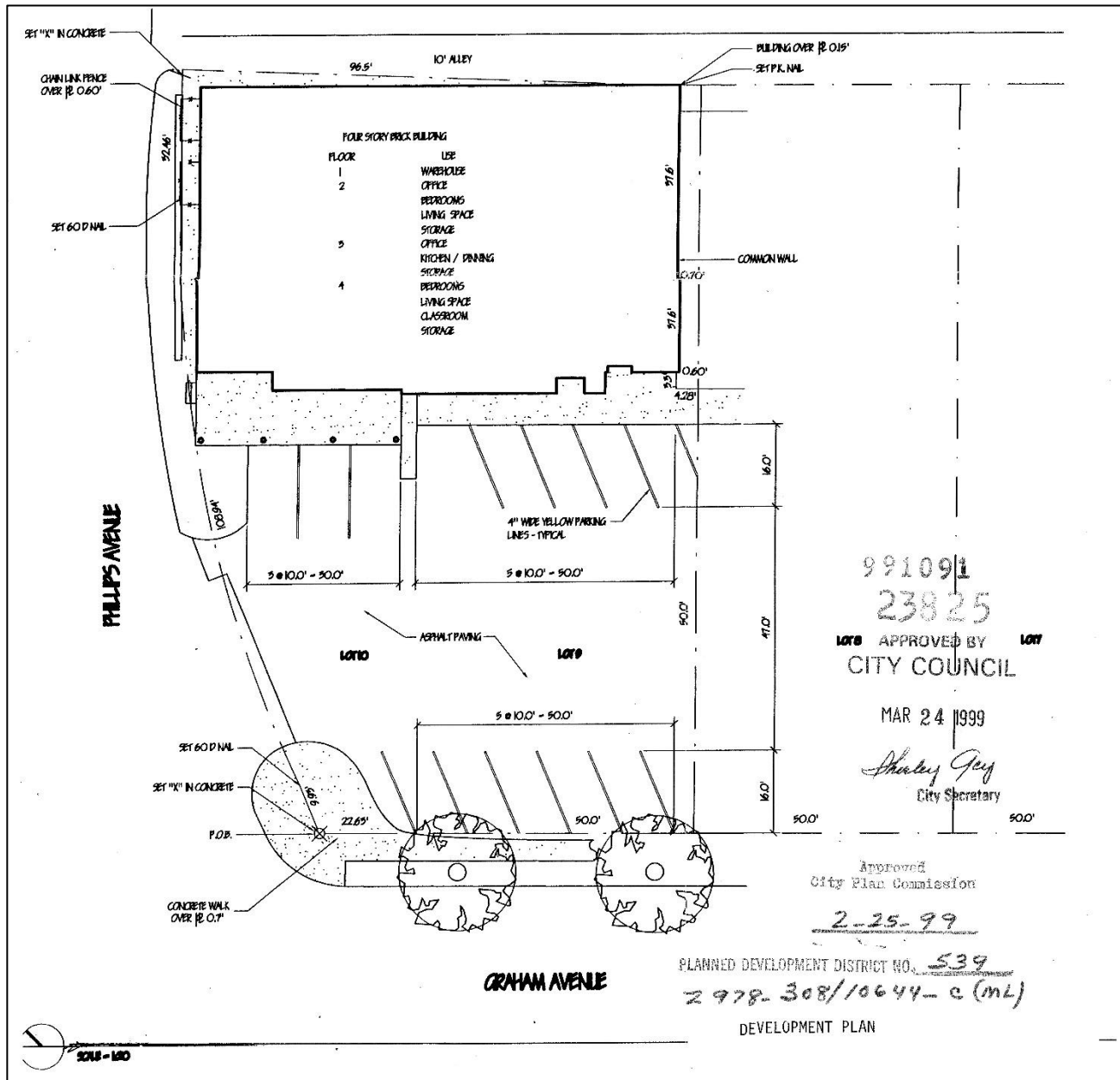
~~PD 539 is located on Zoning Map No. J-8. (Ord. Nos. 23825; 25163)~~

### **Proposed SUP Conditions**

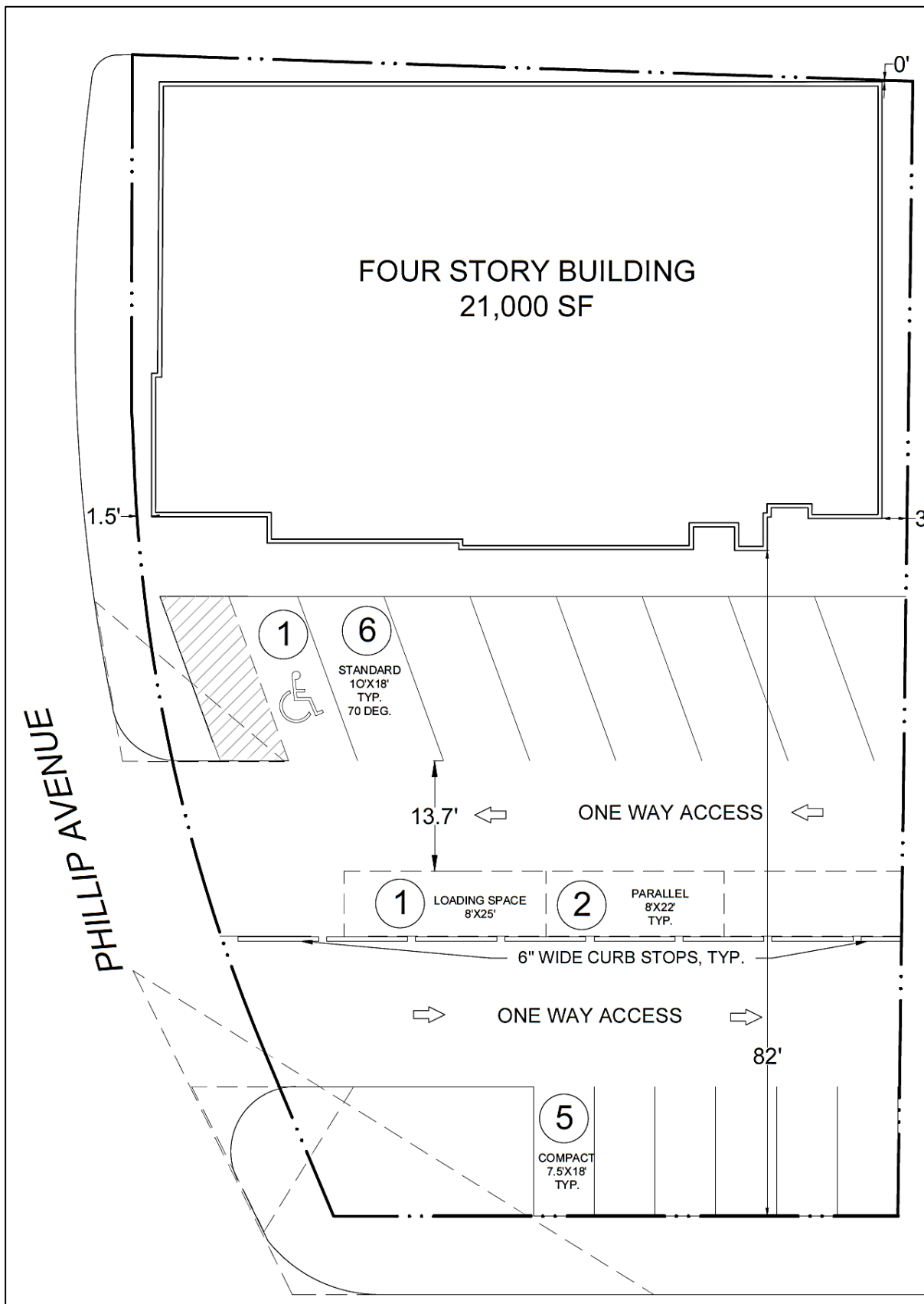
1. USE: The only use authorized by this Specific Use Permit is a group residential facility.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on five years, but is eligible for automatic renewal for additional five-year 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.)
6. PARKING: Parking must be provided in accordance with Planned Development District No. 539 and located as shown on the attached development plan.
7. RESIDENTS. Maximum number of residents is 16.
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.



# Existing Development Plan



# Proposed Development Plan

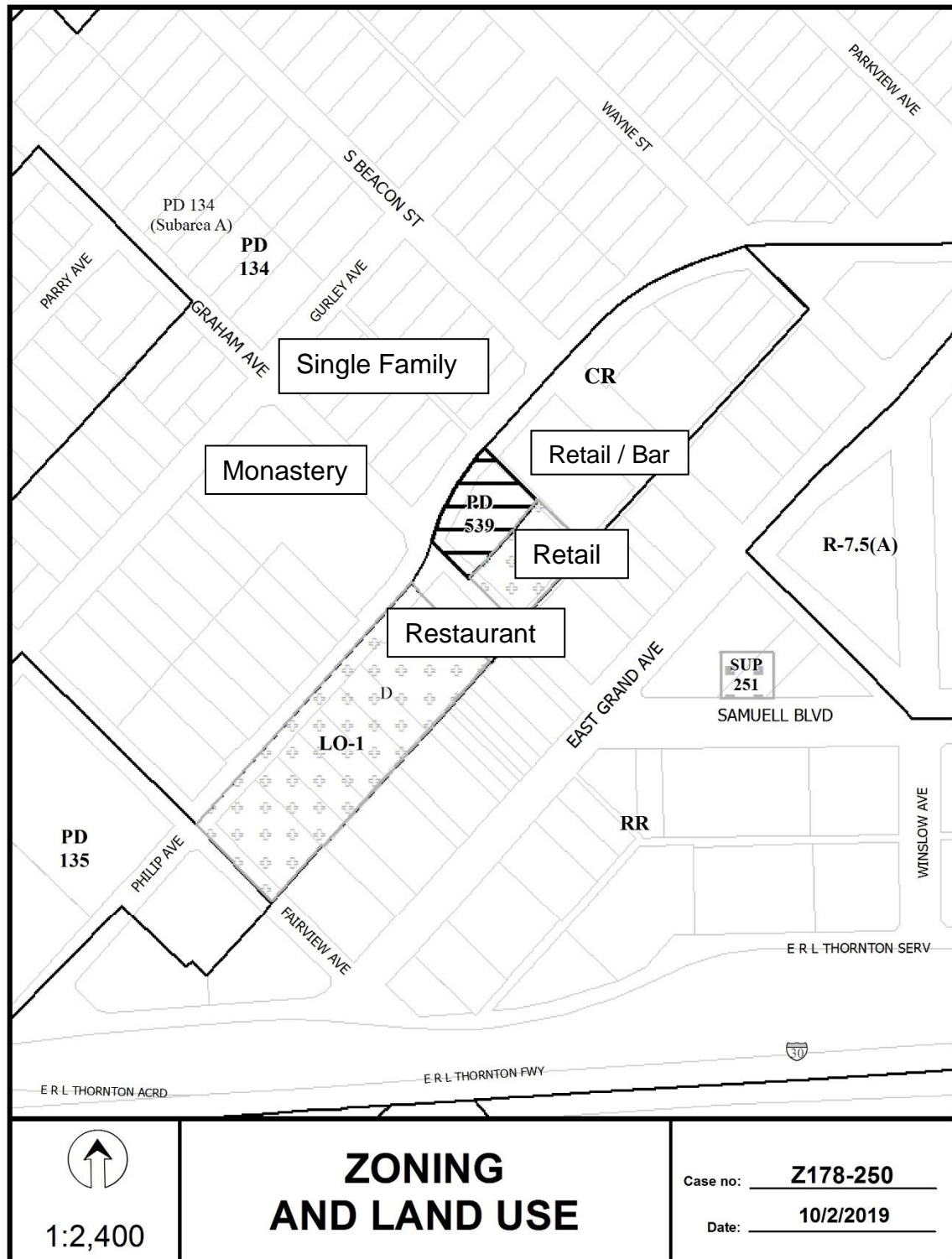


**Exhibit 539 B: Mixed Use Development Parking Chart**

Use	Use Categories	Total SF (including vacancies)	Parking Ratio	Standard Parking Requirement	Parking Adjustment by Time of Day (Weekday)									
					Morning		Noon		Afternoon		Late Afternoon		Evening	
	Multifamily # Units or Bedrooms (whichever is greater)	0	1	0.00	80%	-	60%	-	60%	-	70%	-	100%	-
	Group Home	42	0.25	10.50	80%	8.40	60%	6.30	60%	6.30	70%	7.35	100%	10.50
	Group Home Office	200	400	0.50	100%	0.50	80%	0.40	100%	0.50	85%	0.43	35%	0.18
	Office Uses*		333	0.00	100%	-	80%	-	100%	-	85%	-	35%	-
	Retail Uses*	0	200	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Specialty Retail	1,600	625	2.56	60%	1.54	75%	1.92	70%	1.79	65%	1.66	70%	1.79
	Retail 10,000+ SF		200	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 40,000+ SF	0	250	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 100,000+ SF	0	300	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Bar, Restaurant, & Commercial Amusement (inside)		100	0.00	20%	-	100%	-	30%	-	30%	-	100%	-
	Bakery	400	625	0.64	75%	0.48	100%	0.64	75%	0.48	50%	0.32	25%	0.16
	Catering	2,000	625	3.20	75%	2.40	100%	3.20	75%	2.40	50%	1.60	25%	0.80
	Health Studio	0	200	0.00	45%	-	70%	-	55%	-	80%	-	100%	-
	Game Court Center	0	n/a		45%	-	70%	-	55%	-	80%	-	100%	-
	Theater (1/28 seating)	0	28	0.00	0%	-	40%	-	60%	-	80%	-	100%	-
	Any other use	0	300	0	100%	-	100%	-	100%	-	100%	-	100%	-
Total SF (- residential & theater):		4,000		17		13		12		11		11		13









Z178-250(AM)



MVA Cluster   A   B   C   D   E   F   G   H   I   NA



1:6,000

## Market Value Analysis

Printed Date: 10/2/2019



10/02/2019

***Notification List of Property Owners******Z178-250******91 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1106 GRAHAM AVE	TEXAS VEDIC SOCIETY LLC THE
2	5443 EAST GRAND AVE	BALLAS VICTOR
3	5439 EAST GRAND AVE	JEANETTE INV III LTD
4	5437 EAST GRAND AVE	SUSAN ROSHAN DDS PLLC
5	5433 EAST GRAND AVE	BUENA NOCHE I LLC
6	5433 EAST GRAND AVE	ALCANTARA MA FLORA
7	5435 EAST GRAND AVE	BENITEZ JOSE &
8	5431 EAST GRAND AVE	EASTGRANDE LLC
9	5429 EAST GRAND AVE	MORGAN PARK LTD &
10	5423 EAST GRAND AVE	JEANETTE INV III LTD
11	5415 EAST GRAND AVE	MORGAN PARK LTD &
12	5409 EAST GRAND AVE	LEVIN MARVIN L
13	5401 EAST GRAND AVE	BENITEZ JOSE & MARIA DOLRES
14	5426 PHILIP AVE	SANCHEZ ANDRES & JAIME
15	5420 PHILIP AVE	SANCHEZ JAIME &
16	5416 PHILIP AVE	BUENA NOCHE I LLC &
17	5412 PHILIP AVE	PATEL KAPIL & KALINDI
18	5410 PHILIP AVE	JASSO SIMON
19	5404 PHILIP AVE	KARBUN PARTNERS LLC
20	5431 PHILIP AVE	NIKAM SHEKHAR D &
21	5427 PHILIP AVE	TKG ACADEMY INC
22	5426 GURLEY AVE	TEXAS KRISHNAS INC
23	5422 GURLEY AVE	THE TEXAS KRISHNAS, INC
24	5416 GURLEY AVE	TEXAS KRISHNAS INC THE
25	5408 GURLEY AVE	BROWN THEODORE JR &
26	5425 PHILIP AVE	BURGESS CAPITAL LLC



Z178-250(AM)

10/02/2019

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5409 PHILIP AVE	MEYER JAMES M &
28	915 GRAHAM AVE	IYENGAR DWARAKA &
29	5435 GURLEY AVE	BEARDEN DANIEL K &
30	919 GRAHAM AVE	BEARDEN DANIEL K JR
31	5429 GURLEY AVE	KLOSS MICHAEL J &
32	5427 GURLEY AVE	WILLISMOUJAN SILVIA
33	5423 GURLEY AVE	TREVINO ROLANDO
34	5509 EAST GRAND AVE	5511-5523 EAST GRAND LTD
35	5513 EAST GRAND AVE	5511-5523 EAST GRAND LTD
36	5519 EAST GRAND AVE	5511 -5523 EAST GRAND LTD
37	5523 EAST GRAND AVE	5511-5523 EAST GRAND LTD
38	5523 EAST GRAND AVE	5511 5523 EAST GRAND LTD
39	1022 GRAHAM AVE	DAMARIA INVESTMENTS LLC
40	1018 GRAHAM AVE	TEXAS KRISHNAS THE
41	1014 GRAHAM AVE	PENATE RICARDO &
42	1010 GRAHAM AVE	NAIDU DEO
43	1004 GRAHAM AVE	RIOS JOHN
44	1000 GRAHAM AVE	THE TEXAS KRISHNAS INC
45	1101 S BEACON ST	MLM ROSS LLC
46	1023 S BEACON ST	BINFIELD KENT
47	1017 S BEACON ST	CAMPUZANO MARIA
48	1015 S BEACON ST	MARTINEZ CAMILO & MARIA
49	1011 S BEACON ST	MARTINEZ MARIA GUADALUPE
50	1007 S BEACON ST	SANCHEZ ANDERS C &
51	1001 S BEACON ST	CERVANTES JOSE & GRACIELA
52	5611 EAST GRAND AVE	FORE DOWN INC
53	1100 S BEACON ST	FURMAGA LLC
54	1022 S BEACON ST	HURTADO ISIDORO
55	1018 S BEACON ST	HERRERA MANUEL
56	1014 S BEACON ST	GONZALES SOPHIA
57	1010 S BEACON ST	MENDEZ FRANCISCO &

Z178-250(AM)

10/02/2019

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	1006 S BEACON ST	RUIZ ALEJO & SILVIA
59	1004 S BEACON ST	GALVAN RAMIRO & MARIA R
60	1115 WAYNE ST	SIMMS HOLDINGS LLC
61	1111 WAYNE ST	IBARRA JUAN & SANJUANA
62	1107 WAYNE ST	CAUDILLO TONY
63	1023 WAYNE ST	JAMES MARIANNE B
64	1019 WAYNE ST	ZHU BEN
65	1015 WAYNE ST	RAMIREZ AURELIO BASIO &
66	1011 WAYNE ST	RAMIREZ IGNACIO &
67	1007 WAYNE ST	TORRES RAYMUNDO &
68	1003 WAYNE ST	LOPEZ SALVADOR & LISA
69	924 GRAHAM AVE	VAZQUEZ JOSE L
70	916 GRAHAM AVE	SANCHEZ GUILLERMO
71	914 GRAHAM AVE	VENKATASUBBAREDDY ANJANADRI &
72	921 S BEACON ST	YOUNG CHARLES S &
73	919 S BEACON ST	MEYER NARAYANA
74	913 S BEACON ST	SANTANA JOSE LUIS & CASTA
75	922 S BEACON ST	FRANCIS MARIA L
76	918 S BEACON ST	COLSON TIMOTHY P
77	5432 EAST GRAND AVE	BIXEL DAVID W JR ETAL
78	5438 EAST GRAND AVE	SCHWARTZ HYMAN TRUST &
79	5440 EAST GRAND AVE	SANCHEZ GUILLERMO &
80	2706 SAMUELL BLVD	SANCHEZ GUILLERMO &
81	2710 SAMUELL BLVD	NAYEB FAMILY LP
82	1111 S BEACON ST	THONG HONG
83	5550 EAST GRAND AVE	SEJ ASSET MGMT & INVESTMENT COMPANY
84	5560 EAST GRAND AVE	HWANG SEUNG YUB
85	5434 PHILIP AVE	SANCHEZ JAIME &
86	1006 FAIRVIEW AVE	KRISHNAS TEXAS INC
87	5430 GURLEY AVE	TEXAS KRISHNAS INC
88	1108 GRAHAM AVE	NVN LLC



Z178-250(AM)

10/02/2019

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	1106 S BEACON ST	GARNER BRIAN S
90	5421 E R L THORNTON FWY	FINANCIAL OPERATING INC
91	5416 EAST GRAND AVE	RSR HOLDINGS LLC &

**Planner: Pamela Daniel**

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<b>FILE NUMBER:</b>	Z189-329(PD)	<b>DATE FILED:</b>	August 12, 2019
<b>LOCATION:</b>	East side of South Buckner Boulevard, south of Stonehurst Street		
<b>COUNCIL DISTRICT:</b>	5	<b>MAPSCO:</b>	58 G
<b>SIZE OF REQUEST:</b>	± .59 acres	<b>CENSUS TRACT:</b>	92.01

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**REPRESENTATIVE:** Santos Martinez, La Sierra Planning Group

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

**REQUEST:** An application for a Specific Use Permit for an auto service center use on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay.

**SUMMARY:** The applicant is proposing to operate an auto service center use in an existing structure previously occupied by a discount tire operator.

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

**PRIOR CPC ACTION:** On February 6, 2020, the Commission held the request under advisement until March 5, 2020.

**BACKGROUND INFORMATION:**

- Planned Development District No. 366 was approved by City Council on February 26, 1992. The PDD consists of ten subareas for Mixed Use Project [MUP] uses.
- The PDD allows an auto service center use in Subarea 2 only by a Specific Use Permit.
- The 0.59-acre site is currently developed with an approximately 7,040-square foot structure constructed in 1955. The applicant proposing to occupy the building with an auto service center use.
- The Dallas Development Code defines an auto service center use as a facility for the servicing or minor mechanical repair of motor vehicles. The use may include the retail sale of lubricant oils, tires, or parts for use in motor vehicles. This use does not include as its primary function the disassembly, rebuilding, and replacement of motor vehicle engines, transmissions, or other major machinery components, nor auto body repair or painting.

**Zoning History:** There has been one recent zoning changes requested within the area in the past five years.

1. **Z156-183:** On August 9, 2017 the City Council authorized a hearing to determine proper zoning on property zoned Planned Development No. 36, with consideration given to appropriate zoning for the area including use, development standards and other appropriate regulations in Planned Development District No. 366.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Buckner Blvd	Principal Arterial	107 ft.	107 ft.

**Traffic:** The Engineering Division of the Sustainable Development and Construction Department 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 request complies with the following land use goals and policies of the Comprehensive Plan because it is retaining the existing zoning regulations while allowing an additional use that is not only compatible but allowed within the subdistrict with an added layer of regulation.

## **ECONOMIC ELEMENT**

### **GOAL 2.1 PROMOTE BALANCED GROWTH**

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

### **GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT**

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

## **URBAN DESIGN**

### **GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY**

Policy 5.2.4 Enhance retail, industrial and business operations.

#### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	Subarea 2 within PDD No. 366-D-1	Vacant structure
<b>North</b>	Subarea 2 within PDD No. 366-D-1	Personal service, office
<b>East</b>	R-7.5(A)	Single family
<b>South</b>	Subarea 2 within PDD No. 366-D-1	Auto service center, restaurant
<b>West</b>	Subarea 2 within PDD No. 366-D-1	Retail, personal service & office

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

The approximately 0.59-acre area of request is zoned Subarea 2 within PDD No. 366 with a D-1 Liquor Control Overlay and is currently developed with a one-story approximately 7,040-square-foot structure previously utilized as an office/warehouse use.

Surrounding uses include an auto service center use directly adjacent to the south, followed by a restaurant use; retail, personal service and office uses are located to the west across South Buckner Boulevard, personal service and office uses are abutting the site to the north. Single family uses are developed in an R-7.5(A) Single Family district to the east of the site.

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

The applicant's request for a Specific Use Permit for an auto service center is consistent with the provisions for granting a SUP and with the non-residential uses along South Buckner Boulevard. While residential uses are in proximity to the site and other non-residential uses, the specific use permit allows staff and City Plan Commission to evaluate the compatibility of the use and its impact in the surrounding area, staff recommends approval of the request.

#### **Parking:**

The off-street parking requirements for an auto service center in PDD No. 366, are in accordance with the Dallas Development Code, as amended. At a parking ratio of one space for each 500 square feet of floor area, the proposed 7,040-square-foot auto service center will require 14 spaces, as depicted in the proposed site plan, 36 spaces will be provided.

#### **Landscaping:**

Landscaping of any development is required to comply with Sec. 51P-366.110. While the site is currently developed, and no modifications that will trigger landscape requirements are being proposed, the applicant has agreed to install an additional landscape buffer along the eastern property boundary which abuts single family uses, and additional landscaping on the front of the property along South Buckner Boulevard. A plan reflecting the enhanced landscaping was requested by staff; however, at the time of completing this report, the landscape plan had not been submitted.

#### **Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in



weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA Category; however, it is in close proximity to an “H” MVA Cluster to the east.

**LIST OF OFFICERS**

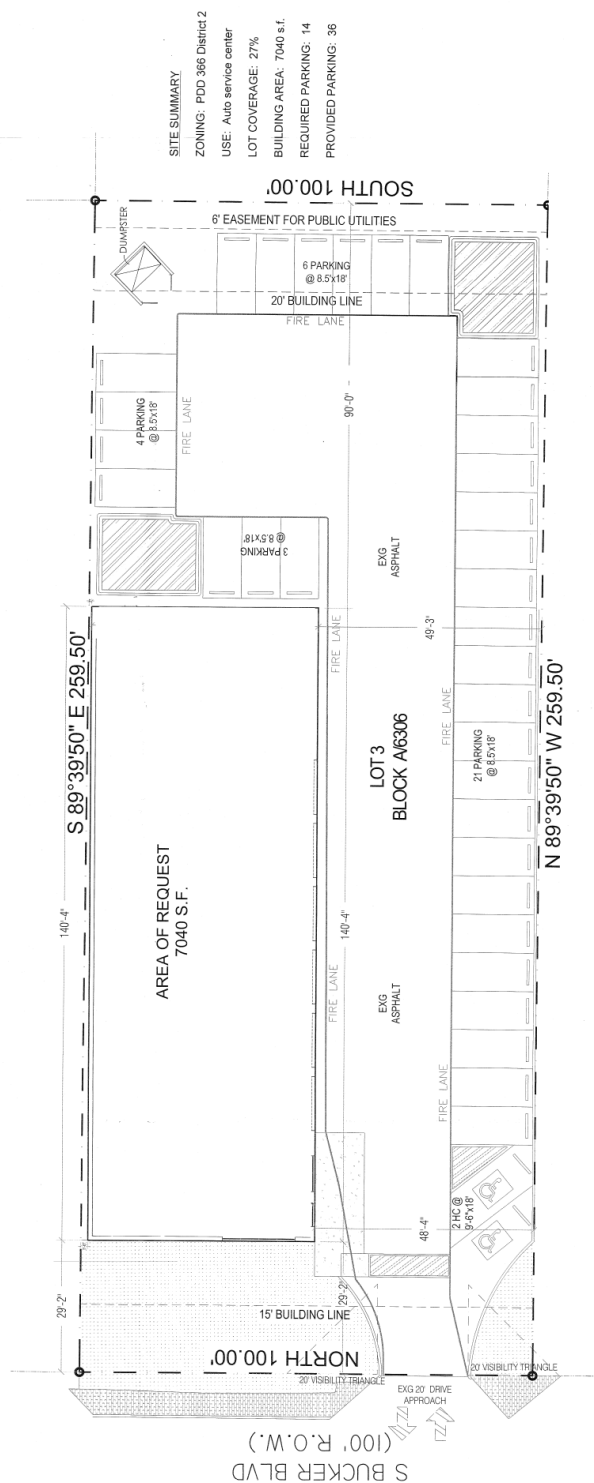
- Mohammad Shawar, Manager
- Nasser Awad

**SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is an auto service center use.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a \_\_\_\_\_ (five-year period).
4. HOURS OF OPERATION: The auto service center may only operate between 8:00 a.m. and 7:00 p.m., Monday through Saturday.
5. MAXIMUM FLOOR AREA: The maximum floor area is 7,040 square feet.
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.

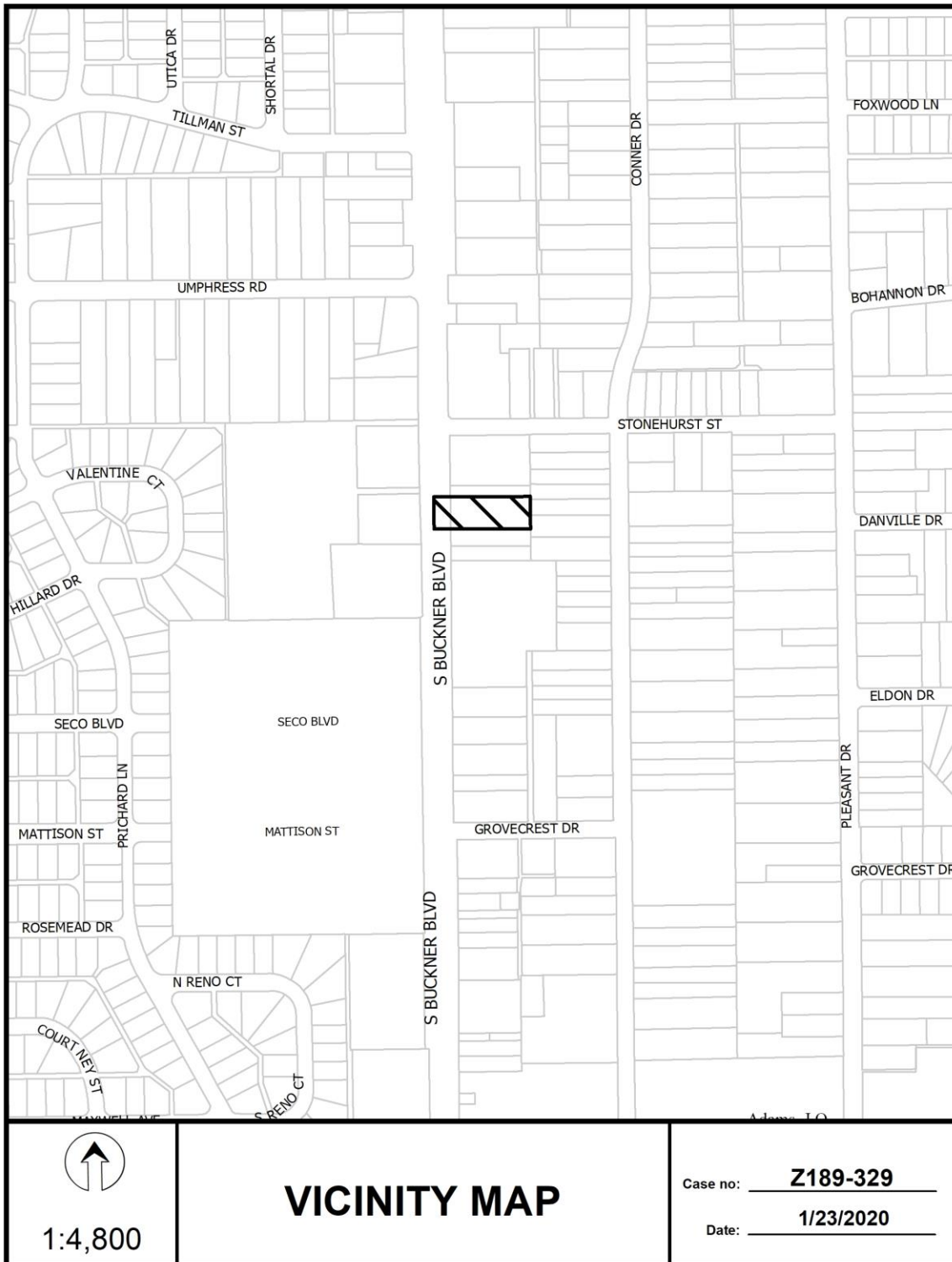
## PROPOSED SITE PLAN

Z189-329



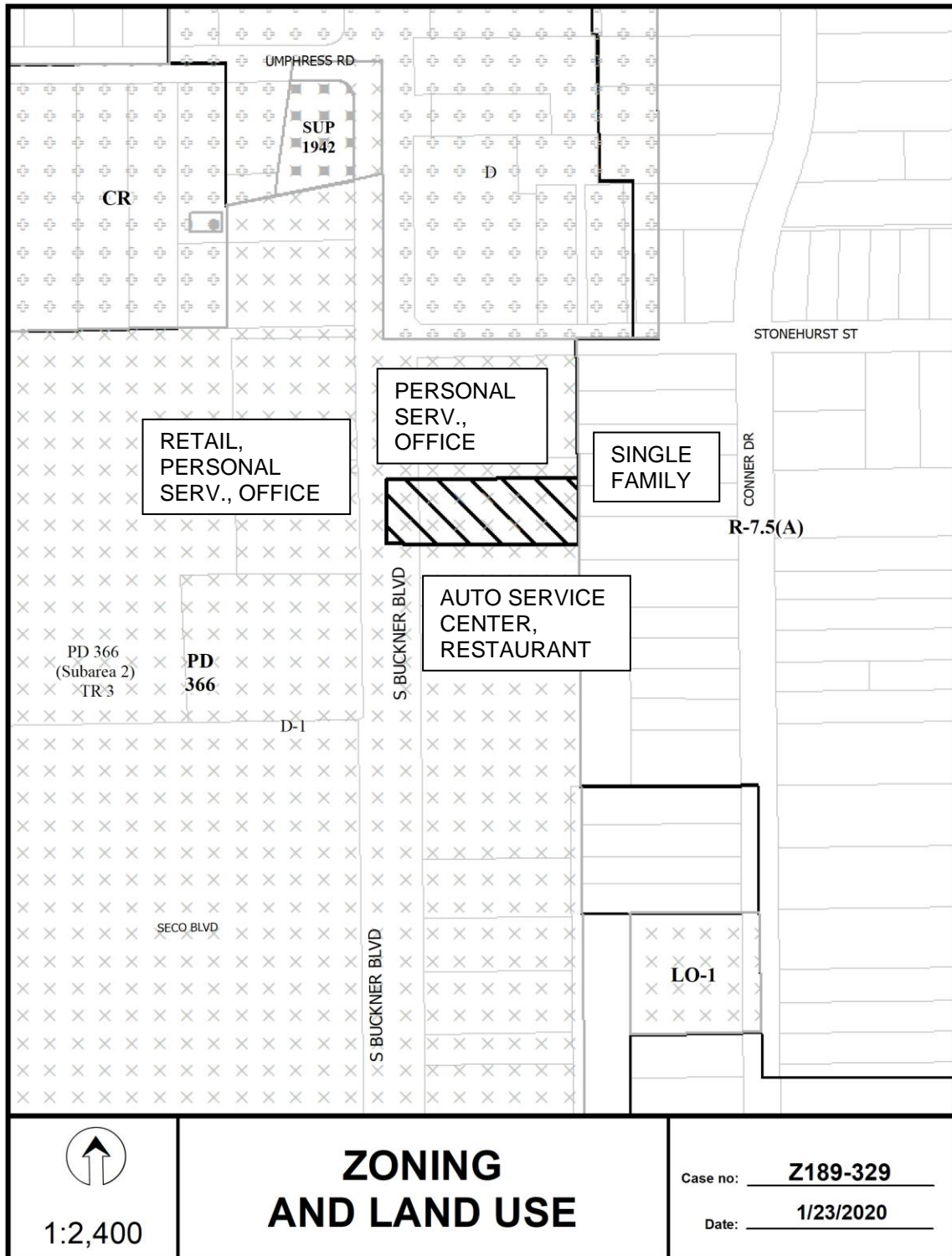
site plan

1'-00"=10'-00"

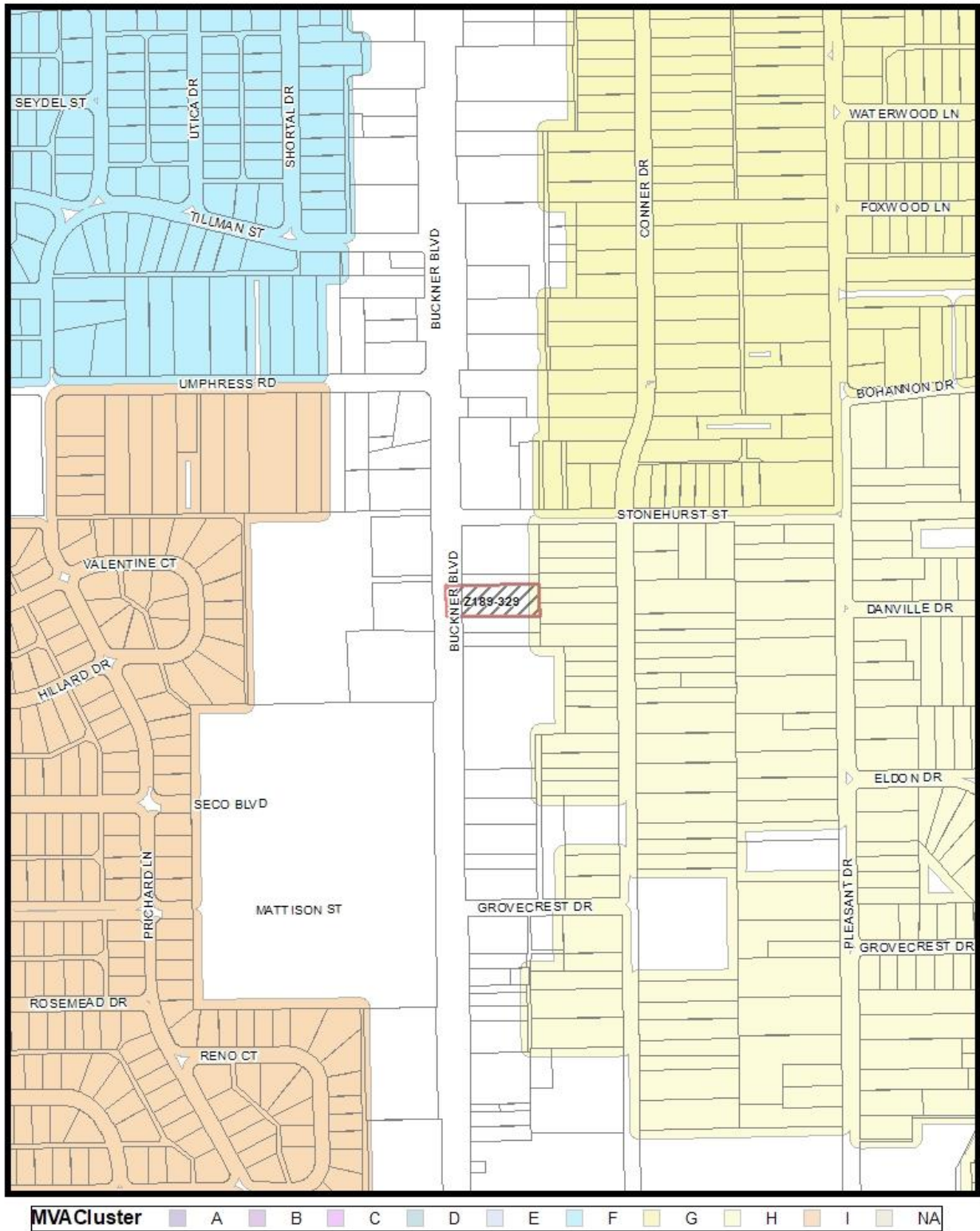


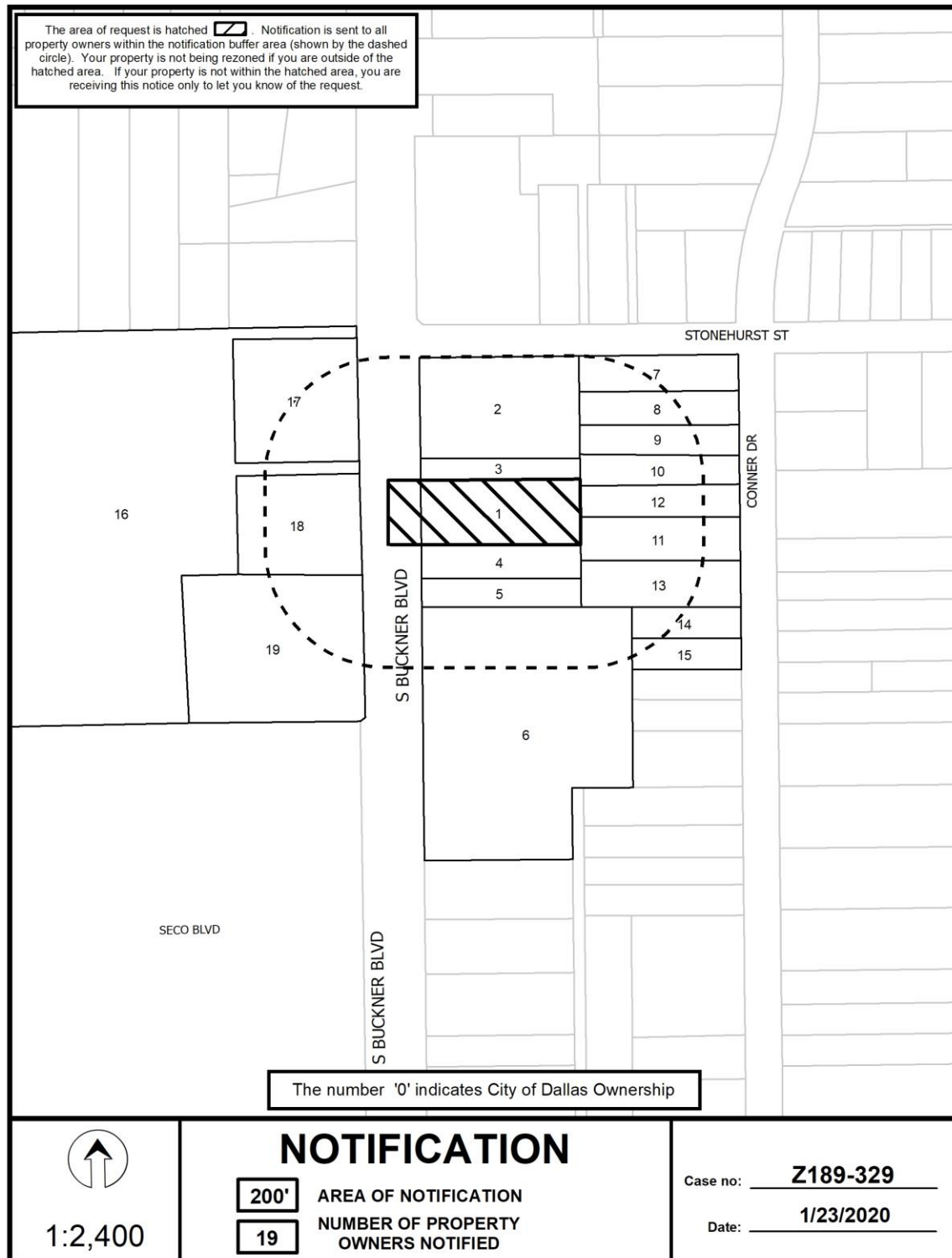












01/23/2020

***Notification List of Property Owners******Z189-329******19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1638 S BUCKNER BLVD	SHAWAR INVESTMENTS LLC
2	1654 S BUCKNER BLVD	KLOEBER PROPERTIES LTD
3	1642 S BUCKNER BLVD	VILLEGAS VICTOR & MA GUADALUPE
4	1630 S BUCKNER BLVD	SANCHEZ MARTIN JR
5	1624 S BUCKNER BLVD	SANCHEZ DELORES MARIA &
6	1536 S BUCKNER BLVD	NEWTEX REALTY LP
7	1655 CONNER DR	OLIVARES GILBERTO R &
8	1651 CONNER DR	ABOVO CORPORATION
9	1643 CONNER DR	TREJO JUAN CARLOS VELAZQUEZ
10	1647 CONNER DR	MORENO ALEJANDRO & ELVIRA
11	1635 CONNER DR	CHAVARRIA FERNANDO
12	1639 CONNER DR	MENCHACA DANIEL O &
13	1627 CONNER DR	RAMIREZ CARMELO
14	1619 CONNER DR	DOMINQUEZ CARLOS E &
15	1615 CONNER DR	TOVAR ALFONSO & MODESTA
16	1639 S BUCKNER BLVD	1639 BUCKNER PLAZA LLC
17	1685 S BUCKNER BLVD	KRUGER PAUL W & CUI YE LEE
18	1625 S BUCKNER BLVD	REISBERG FRED INV LTD
19	1605 S BUCKNER BLVD	COMMERCIAL NATIONAL BANK



**FILE NUMBER:** Z190-147(AU)

**DATE FILED:** November 27, 2019

**LOCATION:** Southeast corner of Oates Drive and Marimont Lane

**COUNCIL DISTRICT:** 7

**MAPSCO:** 39-S

**SIZE OF REQUEST:** ± 0.49 Ac

**CENSUS TRACT:** 123.01

**REPRESENTATIVE:** Peter Kavanagh / Zone Systems Inc.

**APPLICANT/OWNER:** Dallas Christian Women's Job Corp, Inc.

**REQUEST:** An application for the renewal of Specific Use Permit No. 2290 for a community service center on property zoned an R-7.5(A) Single Family District.

**SUMMARY:** The purpose of this request is to allow the continuation of a community service center [Dallas Christian Women's Job Corps].

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

**PRIOR CPC ACTION:** On February 20, 2020, the City Plan Commission held this item under advisement.

## **BACKGROUND INFORMATION:**

- The ±0.49-acre request site is currently undeveloped. The property is zoned an R-7.5(A) Single Family District with Specific Use Permit No. 2290 for a community service center use.
- On April 25, 2018, City Council approved SUP No. 2290 for a community service center use on the request property, for a two-year period, subject to a site plan and conditions. The purpose of this application is the renewal of SUP No. 2290.
- The applicant proposes to build a one-story brick building which will operate as a community service center for the Dallas Christian Women's Job Corps. The request site is currently obtaining building permits for utilities upgrades necessary before starting the construction of the building as approved under SUP No. 2290.
- Aerial photography from 2008 shows a single-family home on the request site, fronting Oates Drive. Aerial photography from 2011 shows the request site as an undeveloped lot.
- The Dallas Christian Women's Job Corp was established in 2000 with a mission offer a supportive environment in which women in need are equipped for life and employment, while providing a context in which women help women.

## **Zoning History**

There has been one recent zoning case in the area within the past five years.

- 1. Z167-388** On April 25, 2018, the City Council approved Specific Use Permit No. 2290 for a community service center use, for a two-year period, subject to a site plan and conditions, on property zoned an R-7.5(A) Single Family District, located on the southeast corner of Oates Drive and Marimont Lane.
- 2. Z156-206** On May 25, 2016, the City Council approved Specific Use Permit No. 2201 for a community service center use, for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions, on property zoned an R-7.5(A) Single Family District, located on the southwest corner of Oates Drive and Michael Lane.

**Thoroughfares**

Thoroughfare/Street	Type	Existing / Proposed ROW
Oates Drive	Principal Arterial	90 feet / Bike plan
Marimont Lane	Local	40 feet

**Traffic**

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

**Comprehensive Plan**

The *forwardDallas! 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. The applicant's request is consistent with the following goals and policies of the comprehensive plan.

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

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

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

1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools.

**URBAN DESIGN****GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

The *Neighborhood Plus Plan* was adopted by the City Council in October 2015 to set a new direction and shape new policy for housing and neighborhood revitalization in Dallas.

The final chapter, Strategic Goals, delineates six strategic goals to shift our approach, policies and actions to achieve greater equity and prosperity for all Dallas residents, expand the range of housing options, and enhance the quality of neighborhoods.

**Policy 4.1** Promote Dallas as a city of neighborhoods and publicize neighborhood assets and programs.

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

The proposal is consistent with the recommendations of the comprehensive and area plans.

## STAFF ANALYSIS

### Surrounding Land Uses

	Zoning	Land Use
<b>Site</b>	R-7.5(A) with SUP No. 2290	Undeveloped
<b>North</b>	R-7.5(A)	Church, Surface Parking Lot, single family
<b>South</b>	R-7.5(A)	Single family
<b>East</b>	R-7.5(A) with SUP No. 2201	Undeveloped
<b>West</b>	R-7.5(A)	Single family

### Land Use Compatibility

The ±0.49-acre request site is currently undeveloped. The applicant is proposing to construct a one-story, 3,834-square-foot structure that will house a community service use which will provide general support underserved and disadvantaged women in the East Dallas area. The request site is zoned and R-7.5(A) District. The R-7.5(A) district allows a community service use by SUP only.

The general services offered by the Dallas Christian Women's Job Corps will be tutoring, mentoring, and training in life skills, nutrition, interview skills, resume writing, time management, and computer skills. Per the applicant, the Dallas Christian Women's Job Corps was established in 2000 and has been operating a similar type of facility in the nearby area for almost ten years.

On April 25, 2018, City Council approved SUP No. 2290 for a community service center use on the request property, for a two-year period, subject to a site plan and conditions. The purpose of this application is the renewal of SUP No. 2290.

The applicant proposes to build a one-story brick building which will operate as a community service center for the Dallas Christian Women's Job Corps. The request site is currently obtaining building permits for utilities upgrades necessary before starting the construction of the building as approved under SUP No. 2290. The applicant requested a renewal with a timeline of ten years with eligibility for automatic renewals for additional ten-year periods.

The request site is surrounded by residential to the northeast, south, and west. To the east there is SUP No. 2201 allowing a community service use on an undeveloped lot, and to the north there is a church.

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

Staff took into consideration the location of the request site, at the corner of a major thoroughfare, thus with minimal intrusion in the existing neighborhood. Staff also considered the long-time operation of this center in this area of the city, serving the community needs and appreciates this being a compatible use with the surrounding single-family neighborhood. Considering the fact that the site has not been developed per the approved SUP yet, staff supports the SUP renewal request, but recommends a shorter period of time and no eligibility for automatic renewals at this time, so staff can better assess the compatibility with the existing neighborhood after the start of the operation of the community service center.

### **Parking**

No changes to the site plan are proposed with this request. Pursuant to the Dallas Development Code, at a ratio of 1:200, the off-street parking requirement for a community service center use with a development of this size is a minimum of 19 spaces. The applicant is proposing to provide 19 parking spaces, which is in compliance with the code.



### **Landscaping**

No changes or revisions are proposed nor required with this application. At the time of development, landscaping of any development will be in accordance with Article X, as amended.

### **Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). While the request site is located in an uncategorized area, the surrounding area is located within an “F” MVA cluster.

**PARTNERS/PRINCIPALS/OFFICERS**

**DCWJ Board of Directors**

**Marlo Kreitzinger** - Executive Director, Oates Location  
**Pansy Austin-Clemon** – Family Medical Clinic of No. Dallas  
**Richard Faling** – Texas Baptist  
**Brian Hamilton** – Secretary  
**Sam Holman** – Community Volunteer  
**Calvin Jackson, III** – Treasurer  
**Earsa Jackson** – Strasburger & Price  
**Jana Jackson** – Dallas Baptist Association  
**Sam Long** – Shackelford, Bowen, McKinley & Norton, LLP  
**Margaret McGary** – United Health Group  
**Jeff Morton** – Ergon Learning, LLC  
**Lindsay Sloan, Vice-Chair** – Commercial Metals Company  
**Bobbie Stone** – Community Volunteer  
**Jeanine Ratliff**  
**Candace Winslow** – Chair

### PROPOSED CONDITIONS

1. USE: The only use authorized by this specific use permit is a community service center.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

#### Staff's recommendation:

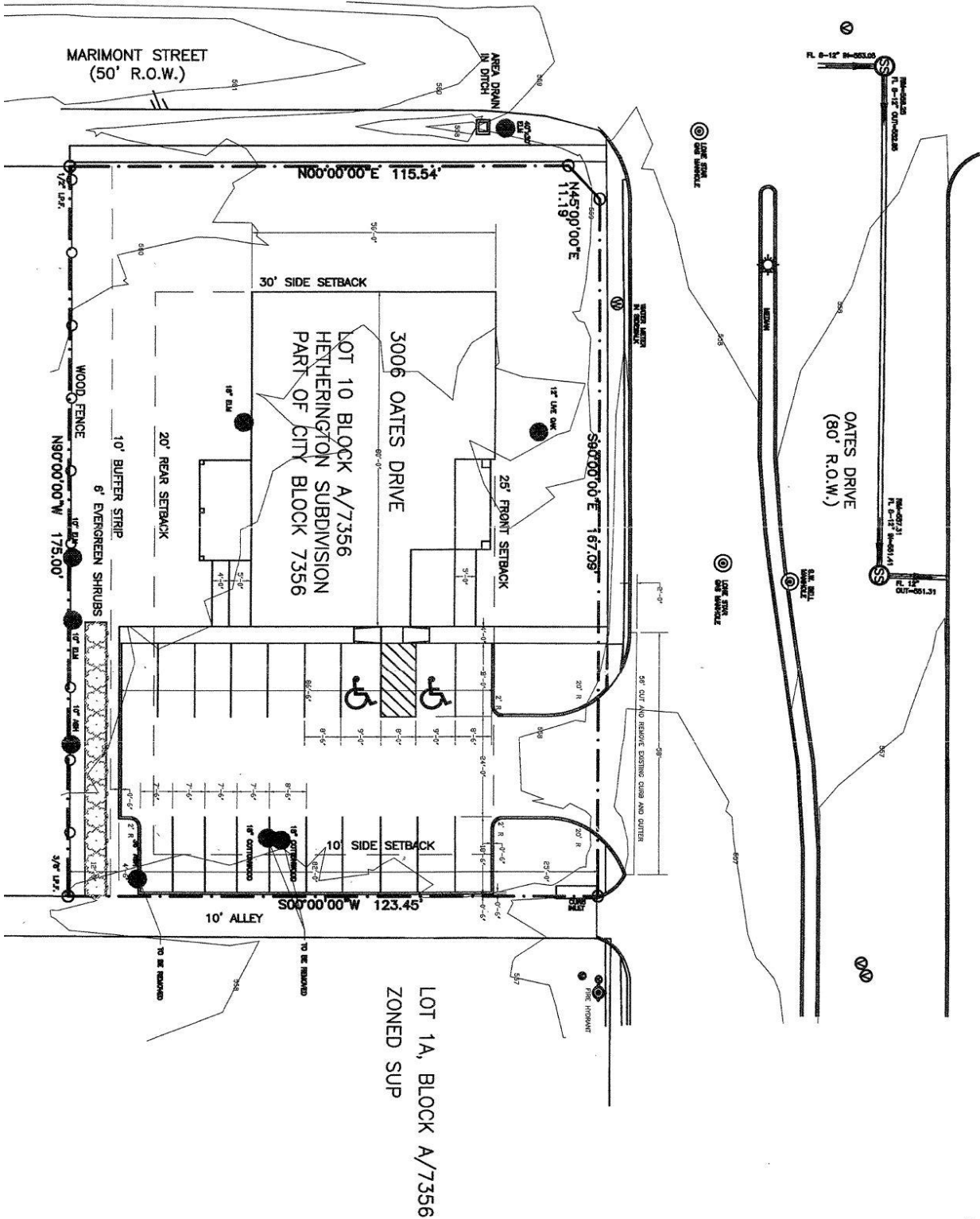
3. TIME LIMIT: This specific use permit automatically terminates on ~~April 25, 2020~~ (five-year period from passage of this ordinance).

#### Applicant's request:

3. TIME LIMIT: This specific use permit automatically terminates on ~~April 25, 2020~~ (ten-year period from passage of this ordinance) but is eligible for automatic renewals 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: The maximum floor area is 3,834 square feet in the location shown on the attached site plan.
5. HOURS OF OPERATION: The community service use may only operate between 8:00 a.m. and 9:00 p.m., Monday through Friday.
6. LIGHTING: Exterior security lighting will be directed away from residential properties.
7. SCREENING: Screening of off-street parking must be provided as shown on the attached site plan.
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

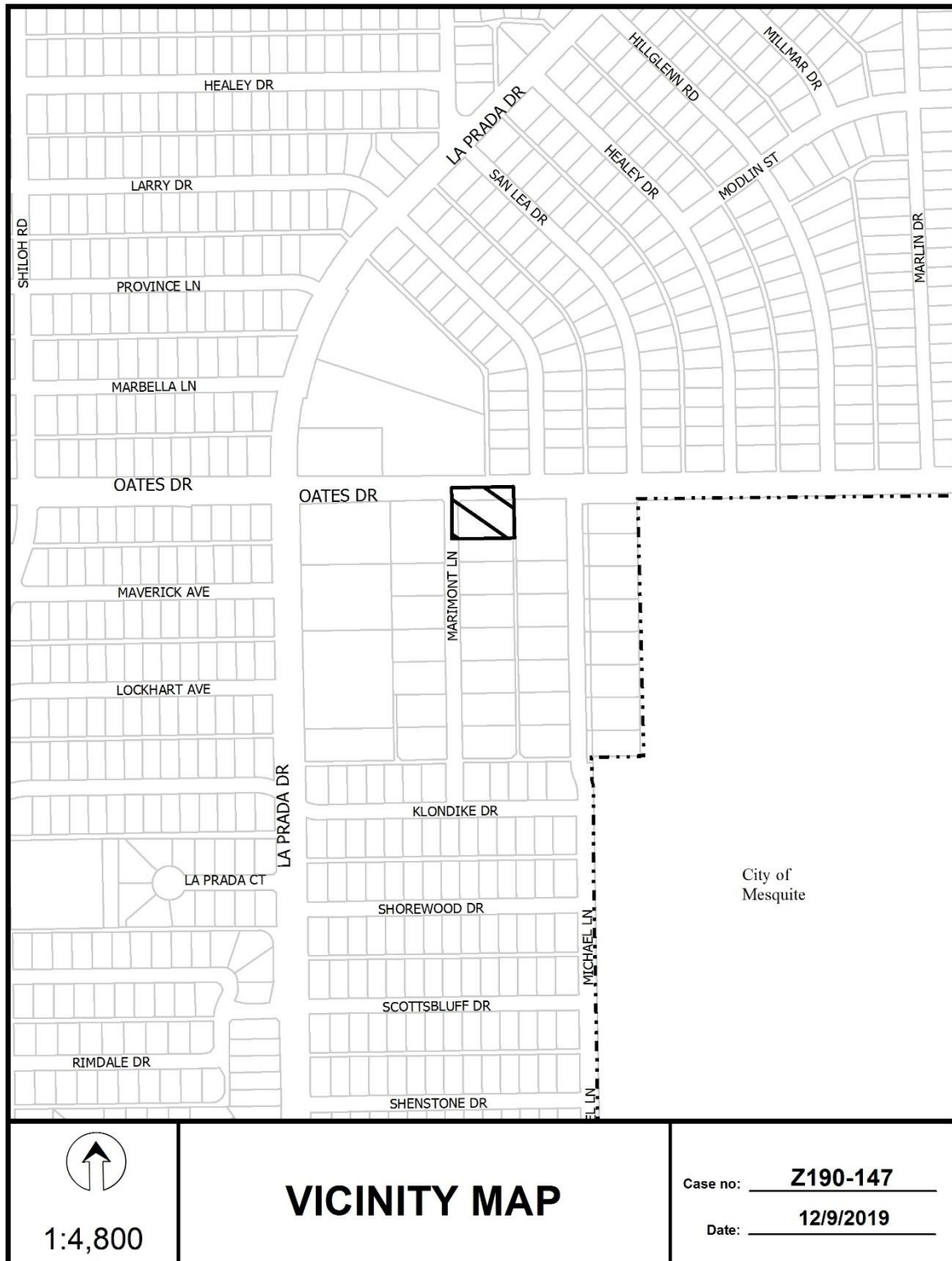
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

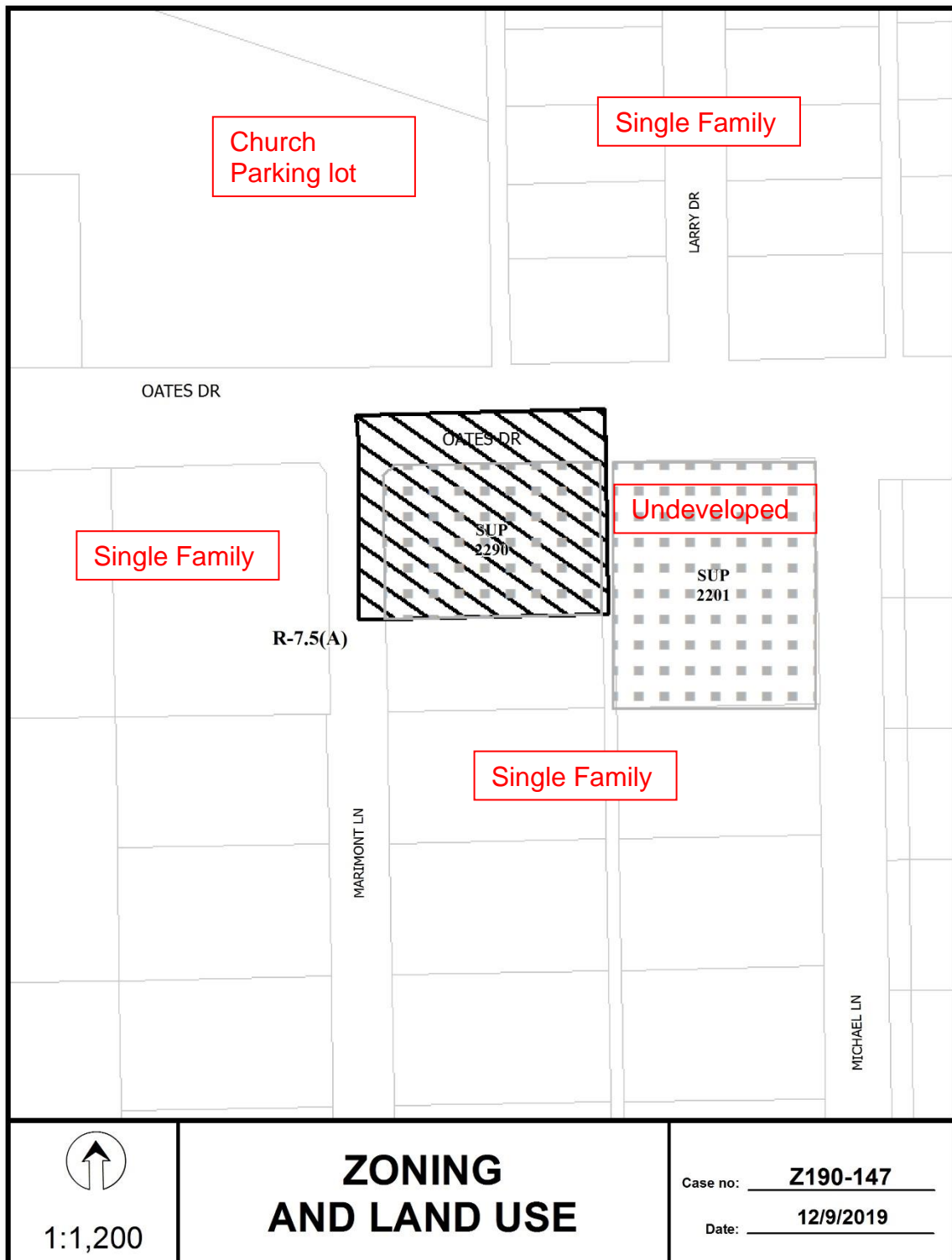
# EXISTING SITE PLAN (no changes)

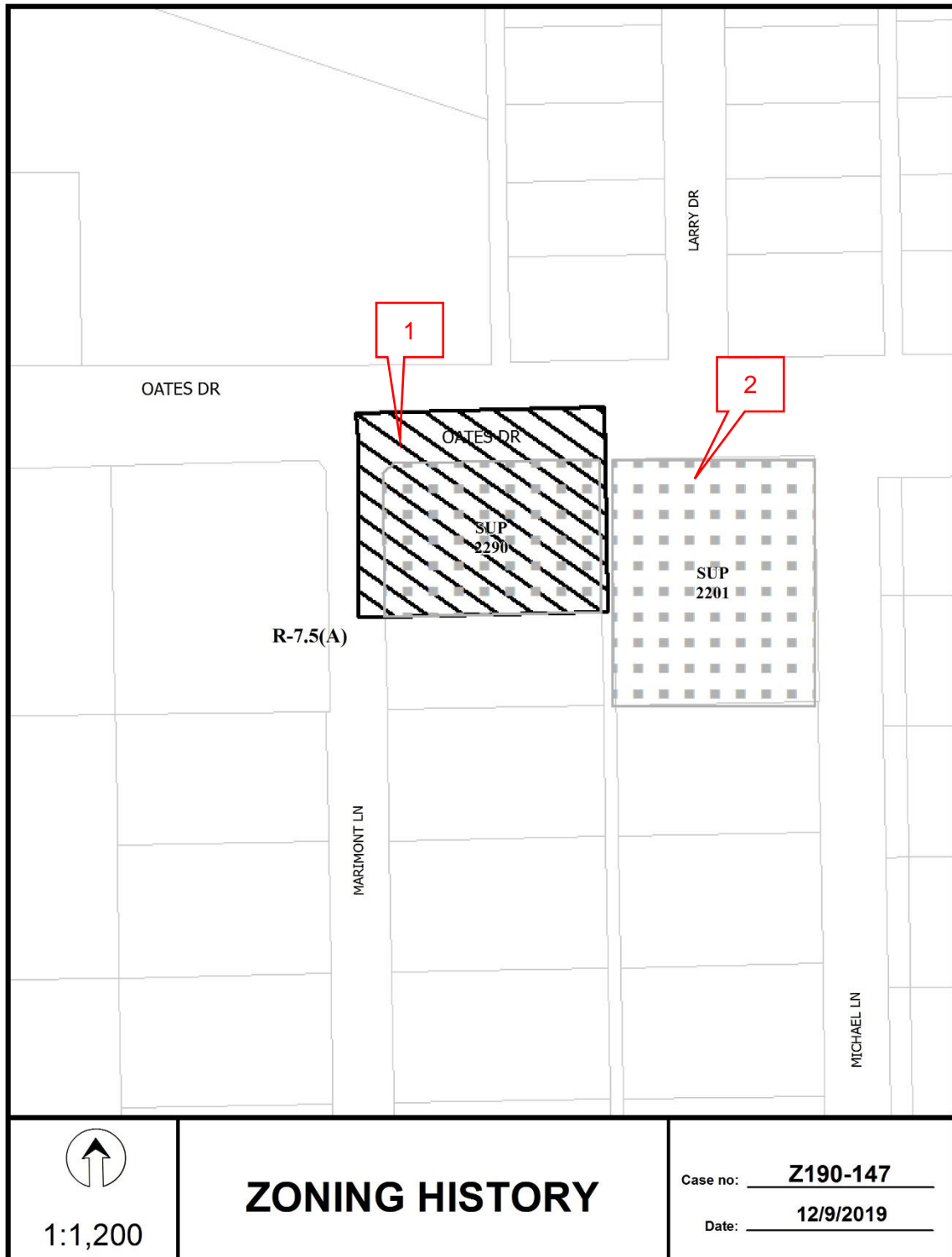




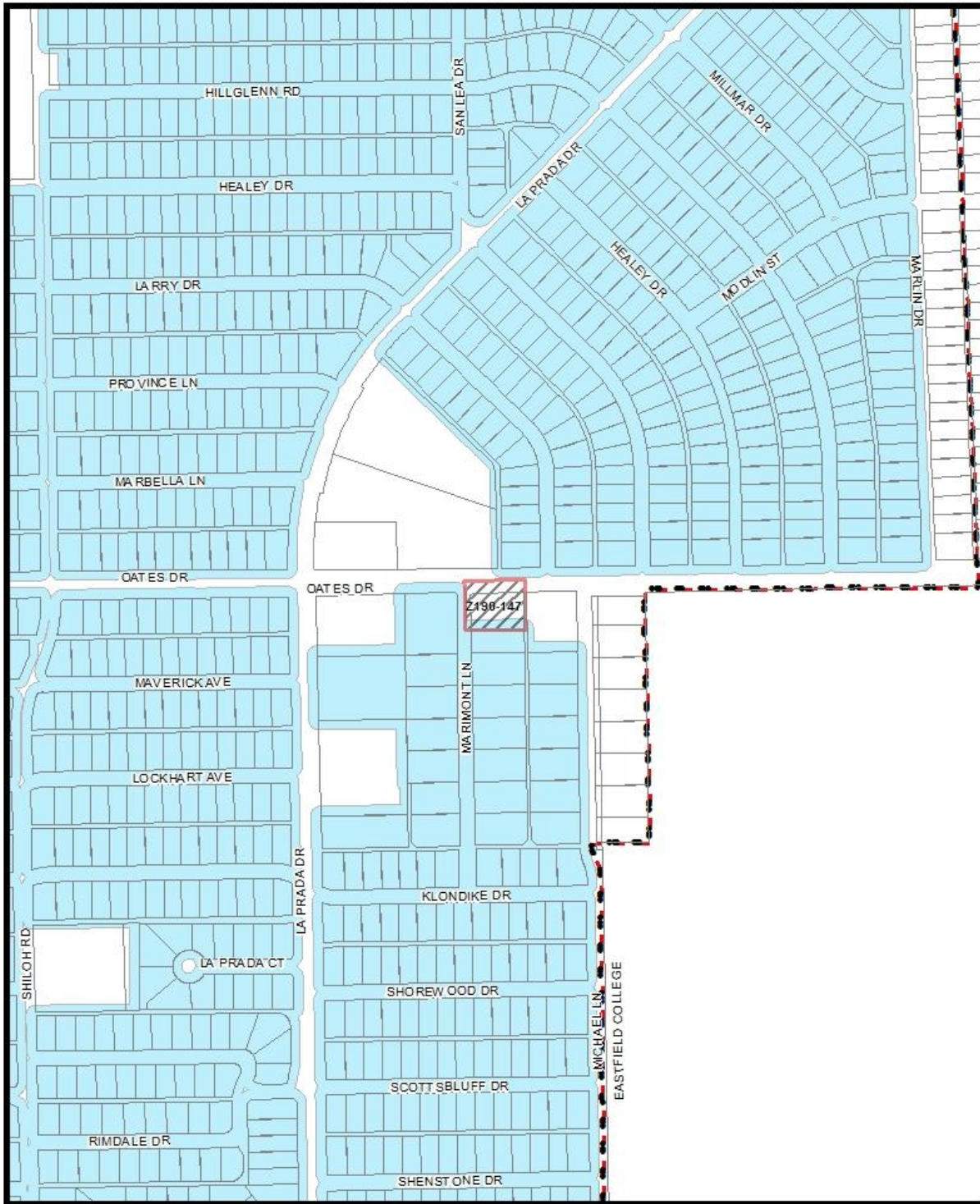












Market Value Analysis

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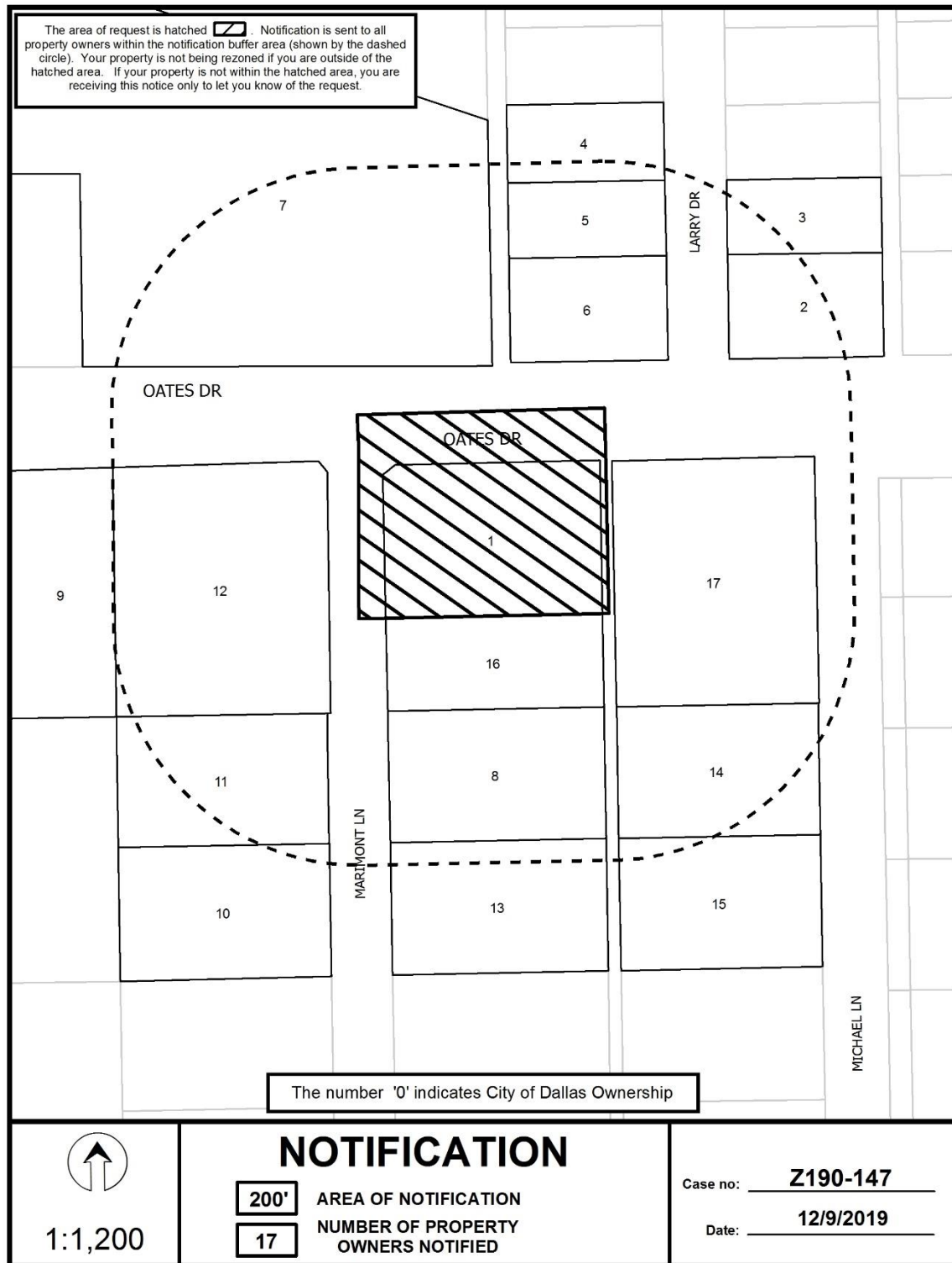


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# Market Value Analysis

Printed Date: 12/9/2019





12/09/2019

***Notification List of Property Owners***

***Z190-147***

***17 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3006 OATES DR	DALLAS CHRISTIAN WOMENS
2	3071 LARRY DR	GUTIERREZ CHRIS
3	3065 LARRY DR	HAYNES CHARLES R II &
4	3060 LARRY DR	KHAKI INVESTMENTS LLC
5	3064 LARRY DR	PEREZ JOHNNY & ISABELL
6	3070 LARRY DR	SHILOH TERRACE BAPTIST
7	9810 LA PRADA DR	SHILOH TERRACE BAPT CH
8	9708 MARIMONT LN	KEELE CATHERINE V
9	2914 OATES DR	SHILOH TERRACE BAP CHURCH
10	9623 MARIMONT LN	CARRARA JOHN NORMAN EST OF
11	9707 MARIMONT LN	WILLIAMSON MELVIN C &
12	2930 OATES DR	STRANGE WILLIE & DOROTHY
13	9624 MARIMONT LN	WADDLE DAVID EARL
14	9707 MICHAEL LN	PACKARD AARON & LINDSEY
15	9623 MICHAEL LN	ORDONEZ EDITH
16	9716 MARIMONT LN	JAYTON LIMITED PARTNERSHIP
17	3022 OATES DR	MISSION EAST DALLAS &

**Planner: Andreea Udrea, PhD, AICP**

**FILE NUMBER:** Z190-126(AU)

**DATE FILED:** November 1, 2019

**LOCATION:** Northeast corner of Lake June Road and Guard Drive

**COUNCIL DISTRICT:** 5

**MAPSCO:** 57 M

**SIZE OF REQUEST:** Approx. 3.7 Acres

**CENSUS TRACT:** 115.00

**REPRESENTATIVE:** Latrice Andrews

**APPLICANT/  
OWNER:**

6343 Lake June, LLC; 786 Charco Blanco, LLC

**REQUEST:**

An application for the renewal of and an amendment to Specific Use Permit No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay, and deed restrictions [Z156-163].

**SUMMARY:**

The purpose of this request is to allow for the sale of alcohol for off-premise consumption in conjunction with a general merchandise or food store on the request site. The proposed amendment includes the reduction of SUP No. 2191 to cover the southern portion of the property, where the general merchandise or food store is located. No change is being requested to SUP No. 2190.

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

**BACKGROUND INFORMATION:**

- The 3.7-acre-request site is comprised on two lots and is currently under development. The site is zoned MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay and deed restrictions [Z156-163].
- The request site is also zoned with two Specific Use Permits, SUP No. 2191 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and SUP No. 2190 for a mini-warehouse use. More specifically, SUP No. 2191 pertains to the 1.554-acre southern lot, and SUP No. 2190 pertains to the 2.192-acre northern lot. The northern lot is also currently under construction with a mini-warehouse use
- On April 27, 2016, the City Council approved Specific Use Permit No. 2191 for a two-year period. SUP No. 2191 was renewed on April 11, 2018 for a two-year period. On April 27, 2016, the City Council approved Specific Use Permit No. 2190 for a ten-year period.
- The 1.5445-acre southern is currently under construction with a general merchandise or food store greater than 3,500 square feet use and a motor vehicle fueling station. The general merchandise use is permitted by right within the MU-1 District. The sale of alcoholic beverages requires a specific use permit if located within the D-1 Liquor Control Overlay. The applicant is requesting the renewal of SUP No. 2191 to allow the sale of alcohol for off-premise consumption in conjunction with the general merchandise use on the property.
- SUP No. 2191 was approved on a 3.7-acre site containing two lots, both undeveloped at that time, a 2.192-acre northern lot proposed to be developed with a mini-warehouse, and a 1.5445-acre southern lot proposed to be developed with a convenience store and a gas station.
- Because, the 3.7-acre site containing two lots is zoned with SUP No. 2190 and SUP No. 2191, the applicant is proposing to amend SUP No. 2191 and reduce it to the 1.5445-acre southern lot where the proposed sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet will take place.
- A request for a Certificate of Occupancy for a convenience store (SUP No. 2191) was submitted on September 1, 2017 and is pending upon completion of construction. The applicant is estimating the start of the operation of the general merchandise or food store at the beginning of April 2020.

- On December 10, 2008, City Council approved an MU-1 Mixed Use District with volunteered deed restrictions and a D-1 Liquor Control Overlay on property zoned an LI Light Industrial District with a D-1 Liquor Control Overlay (Z078-272), being the 3.7-acre-request property. The volunteered deed restrictions further restricted the allowable uses on the property by prohibiting several commercial and business service uses, industrial uses, institutional and community service uses, lodging uses, miscellaneous uses, retail and personal service uses, utility and service uses, and wholesale, distribution, and storage uses. Among those, both motor vehicle fueling station and mini-warehouse uses were prohibited as well. On April 27, 2016, City Council approved an amendment to the existing deed restrictions to allow both motor vehicle fueling station and mini-warehouse uses.

### **Zoning History**

There have been no zoning change cases requested in the area in the past five years.

### **Thoroughfares/Streets**

Thoroughfares/Street	Type	Existing ROW
Lake June Road	Principal Arterial	100 ft.
Guard Drive	Minor Arterial	60 ft.

### **Traffic**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the existing roadway 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 that can serve as a framework for assisting in evaluating the applicant's request. The applicant's request is consistent with the following goals and policies of the comprehensive plan.

### **LAND USE ELEMENT**

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

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



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

## **ECONOMIC ELEMENT**

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

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

## **URBAN DESIGN ELEMENT**

### **GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE**

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

## **STAFF ANALYSIS**

### **Surrounding Land Uses**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	MU-1 with D-1 with SUP No. 2190 and SUP No. 2191	Gas station with convenience store (under construction) Mini warehouse (under construction)
<b>North</b>	LI with SUP No. 2171	Public park [Guard Park]
<b>East</b>	R-7.5(A)	DART railroad, Single Family
<b>West</b>	R-7.5(A)-D-1	Single Family
<b>South</b>	PD No. 533 (Subdistrict 2)	Auto repair use Restaurant
<b>Southeast</b>	CS-D-1 with SUP No. 1430	DART railroad station [Lake June Station]

### **Land Use Compatibility**

The 3.7-acre-request site is comprised on two lots and is currently under development. The site is zoned MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay and deed restrictions [Z156-163]. The request site is also zoned with two Specific Use Permits, SUP No. 2191 for the sale of alcoholic beverages in conjunction with a general

merchandise or food store greater than 3,500 square feet, and SUP No. 2190 for a mini-warehouse use. More specifically, SUP No. 2191 pertains to the 1.554-acre southern lot, and SUP No. 2190 pertains to the 2.192-acre northern lot.

The 1.5445-acre southern is currently under construction with a general merchandise or food store greater than 3,500 square feet use and a motor vehicle fueling station. The general merchandise use is permitted by right within the MU-1 District. The sale of alcoholic beverages requires a specific use permit if located within the D-1 Liquor Control Overlay. The applicant is requesting the amendment and renewal of SUP No. 2191 to allow the sale of alcohol for off-premise consumption in conjunction with the general merchandise use on the property.

The request site is surrounded by a mini-warehouse use currently under construction to the north, and a park that will also house a future park maintenance facility further north, auto repair uses to the south, and single family uses to the east and west. Also, west of the site is a DART light railway, with a DART rail station to the southwest [Lake June Station].

On April 27, 2016, the City Council approved Specific Use Permit No. 2191 for a two-year period. SUP No. 2191 was renewed on April 11, 2018 for a two-year period.

SUP No. 2191 was approved on a 3.7-acre site containing two lots, both undeveloped at that time, a 2.192-acre northern lot proposed to be developed with a mini-warehouse, and a 1.5445-acre southern lot proposed to be developed with a convenience store and a gas station. The 2.192-acre northern lot is also zoned with Specific Use Permit No. 2190 and is currently under construction with a mini-warehouse use. SUP No. 2190 was approved on April 27, 2016 for a ten-year period.

Although, the 3.7-acre site containing two lots is zoned with SUP No. 2190 and SUP No. 2191, the applicant is proposing to amend SUP No. 2191 and reduce it to the 1.5445-acre southern lot where the proposed sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet will take place. SUP No. 2190 is not a part of this request.

The site plan approved with SUP No. 2191 includes both lots. With this request, the applicant is proposing to amend the site plan to include only the 1.5445-acre southern lot. No other changes to the site plan are included with this request.

The approximately 9,240-square-foot structure is currently under construction and will be comprised of multiple suites. One suite will be occupied with the 3,500-square-foot general merchandise or food store (convenience store). The applicant proposes the continued sale of alcoholic beverages for off-premise consumption in conjunction with the proposed convenience store.

The "D-1" Overlay District is a Liquor Control Overlay District which requires an individual to obtain a Specific Use Permit 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.

Considering the location of the area of request in the vicinity of a major thoroughfare intersection, the surrounding uses that are similar or complimentary to the proposed

use, the fact that the request site had an SUP before, and the proposed SUP Conditions that include a shorter timeframe to allow staff to continue the periodical review of compliance, staff supports the applicant's request for an SUP for alcohol sales in conjunction with a convenience store.

**Parking:**

Pursuant to the Dallas Development Code, off-street parking and loading must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. Parking will be provided as shown in the revised site plan. The off-street parking requirements for a general merchandise or food store 3,500 square foot or less is one space for each 200 square feet of floor area. The building's floor area totals approximately 9,240 square feet, but only one suite is included in the SUP request. 46 parking spaces are required for the convenience store. There are 47 parking spaces included in the site plan.

**Landscaping:**

Landscaping must be provided in accordance with Article X, as amended. No changes to the site plan are proposed with this request, therefore no landscape requirements are triggered by this request.

**Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The request site is uncategorized, however the area west of the site is located within category "E", to the east is category "F", and further southeast is category "H" and further south and southwest is category "I".

**LIST OF PARTNERS**

**6343 Lake June LLC**

Noorallah Jooma – Manager

**786 Charco Blanco, LLC**

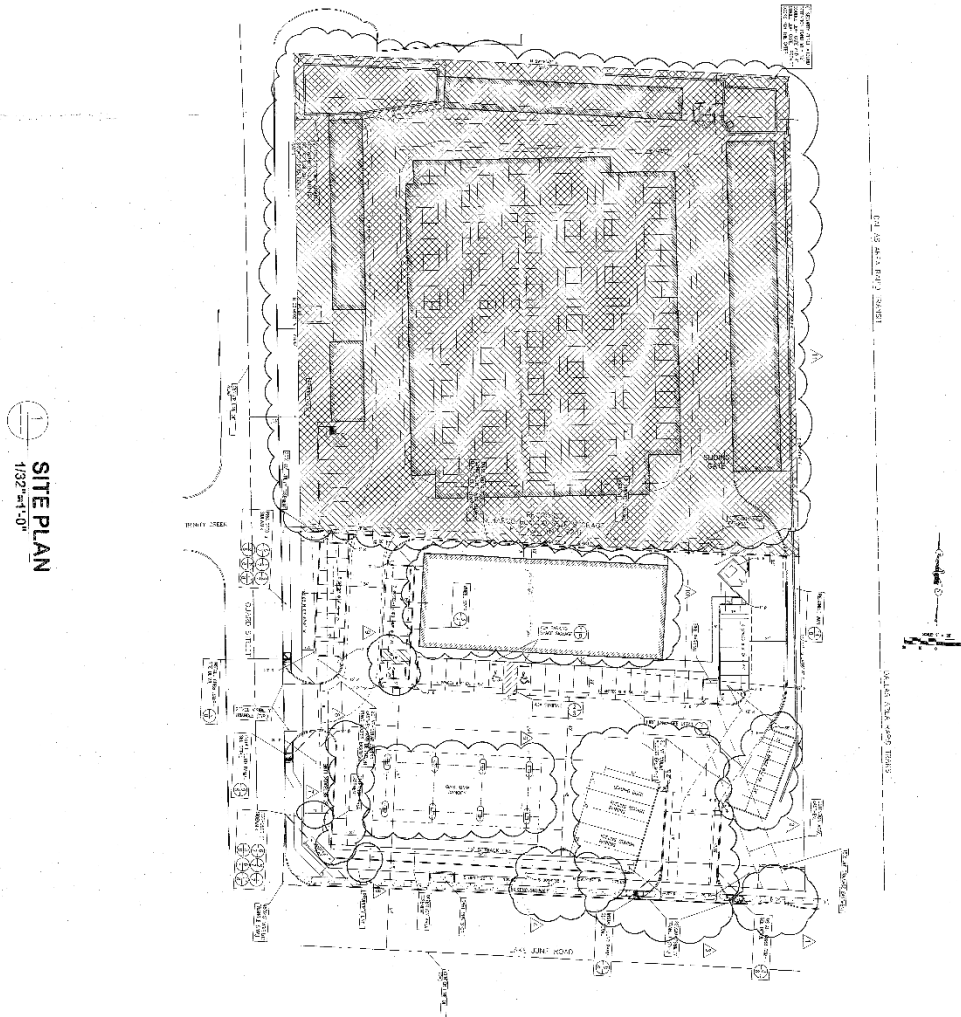
Arif Merchant – Manager



### **PROPOSED SUP CONDITIONS**

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on April 11, 2020, (two-year period from the passage of this ordinance) but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
4. FLOOR AREA: The maximum floor area is 9,240 square feet in the location shown on the attached site plan.
5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

# EXISTING SITE PLAN



**SITE PLAN**  
1/32"=1'-0"

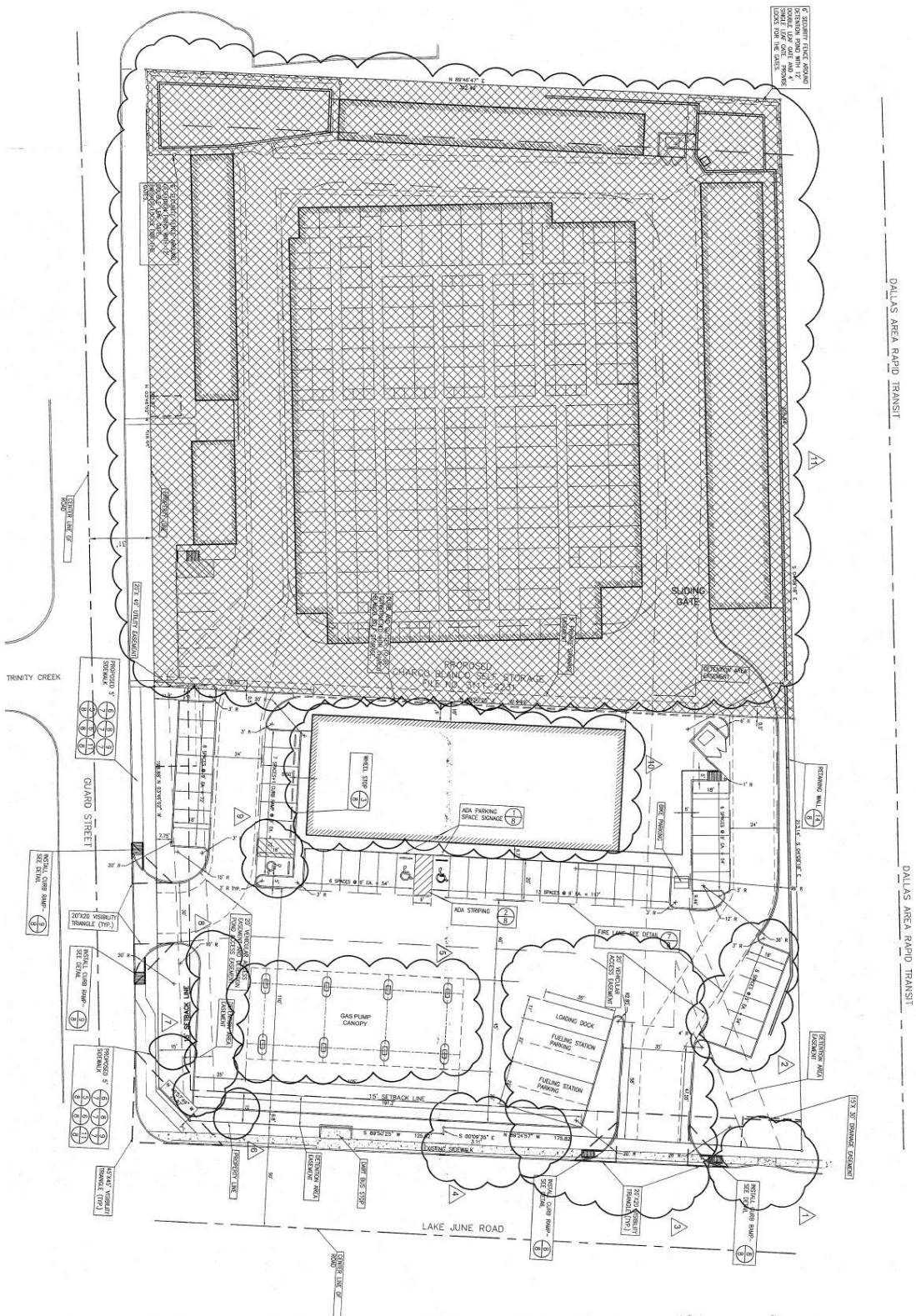
- NOTES**
1. GAS PUMP CHASE AREA - 4,725 (S)
  2. C-SHORE AREA - 6,246 (S)
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Z178-152

- CHANGES FROM ORIGINAL SITE PLAN**
- 1. CLOSE THE DRIVE DISTANCE
  - 2. ADD NEW PAVING AREA
  - 3. OPEN NEW DRIVE DISTANCE
  - 4. CLOSE THE DRIVE DISTANCE
  - 5. 11' SQUARE FRONT OF THE AREA ALONG GAS CONDUIT CHANGED TO 4,025 (S)
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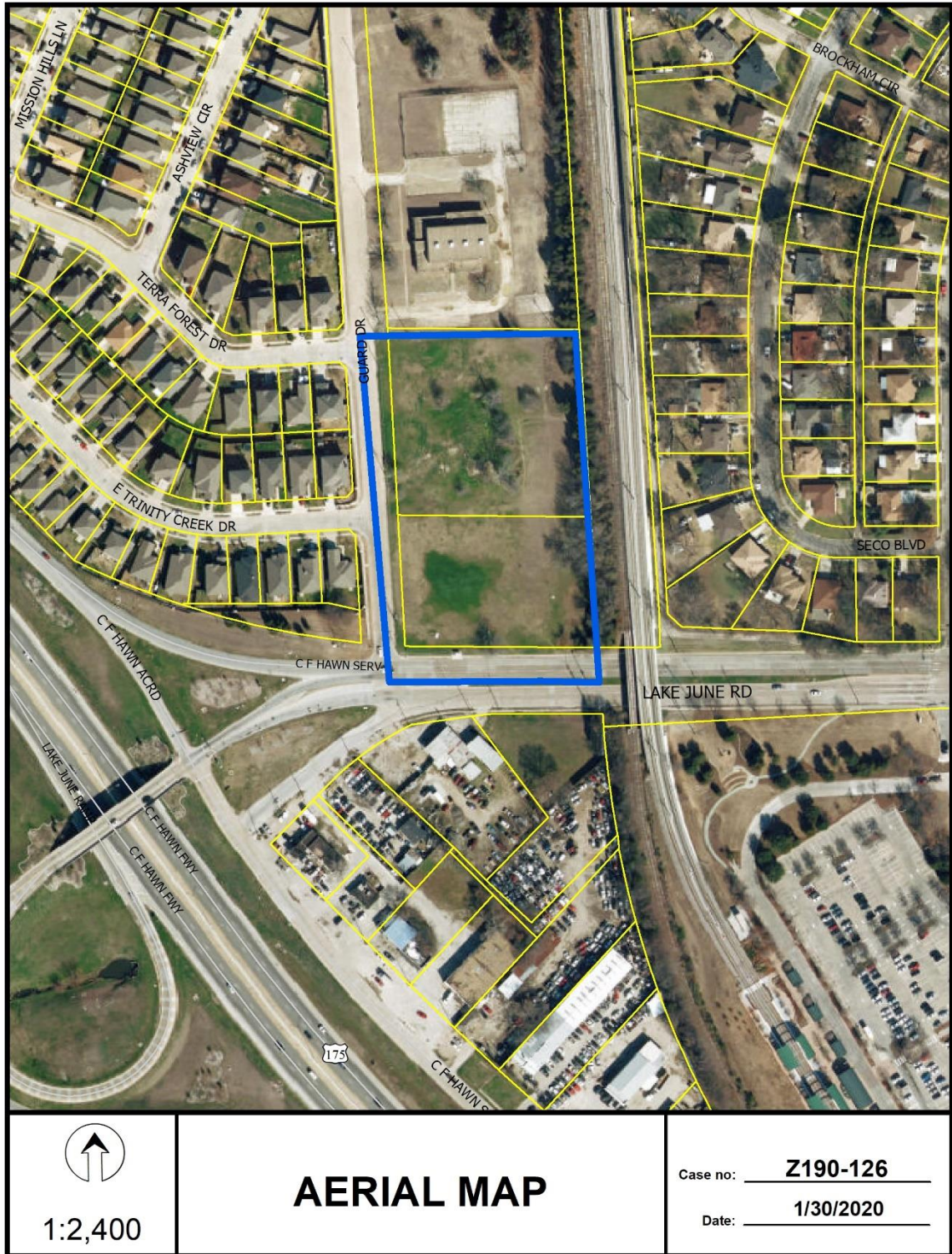
<p><b>ROYAL BENGAL CONSTRUCTION INC.</b> DESIGNER &amp; CONSTRUCTOR 1001 SOUTH GARDEN ST. DALLAS, TEXAS 75217</p>							
<p><b>KWIK MART #5</b> 6343 LAKE JUNE RD., DALLAS, TX 75217</p>							
<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>10/01</td> <td></td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	10/01	
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<p><b>PROJECT</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>10/01</td> <td></td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	10/01	
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<p><b>DATE</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>10/01</td> <td></td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	10/01	
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<p><b>LAST REVISION</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>10/01</td> <td></td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION	1	10/01	
NO.	DATE	DESCRIPTION					
1	10/01						

# EXISTING SITE PLAN (enlarged)

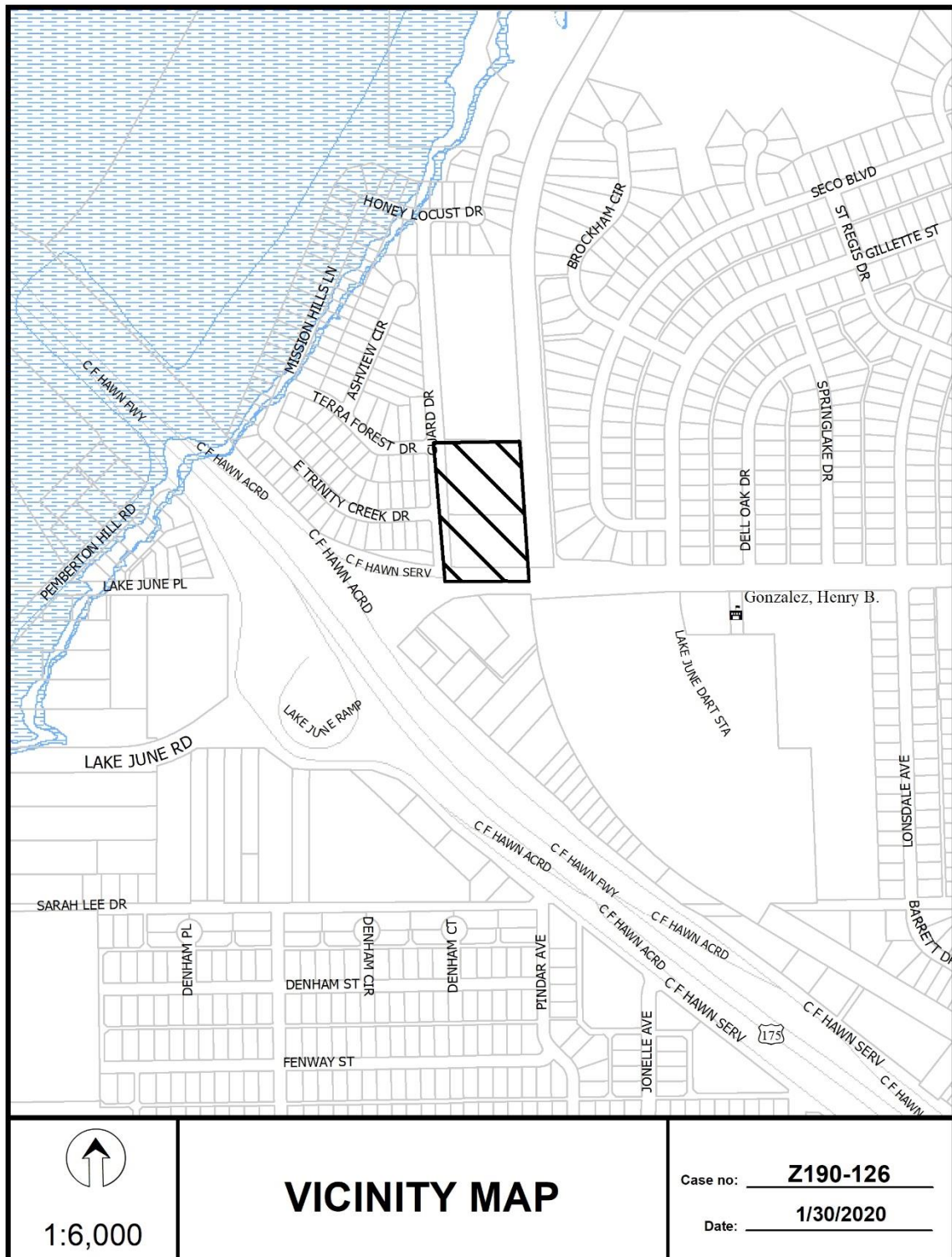


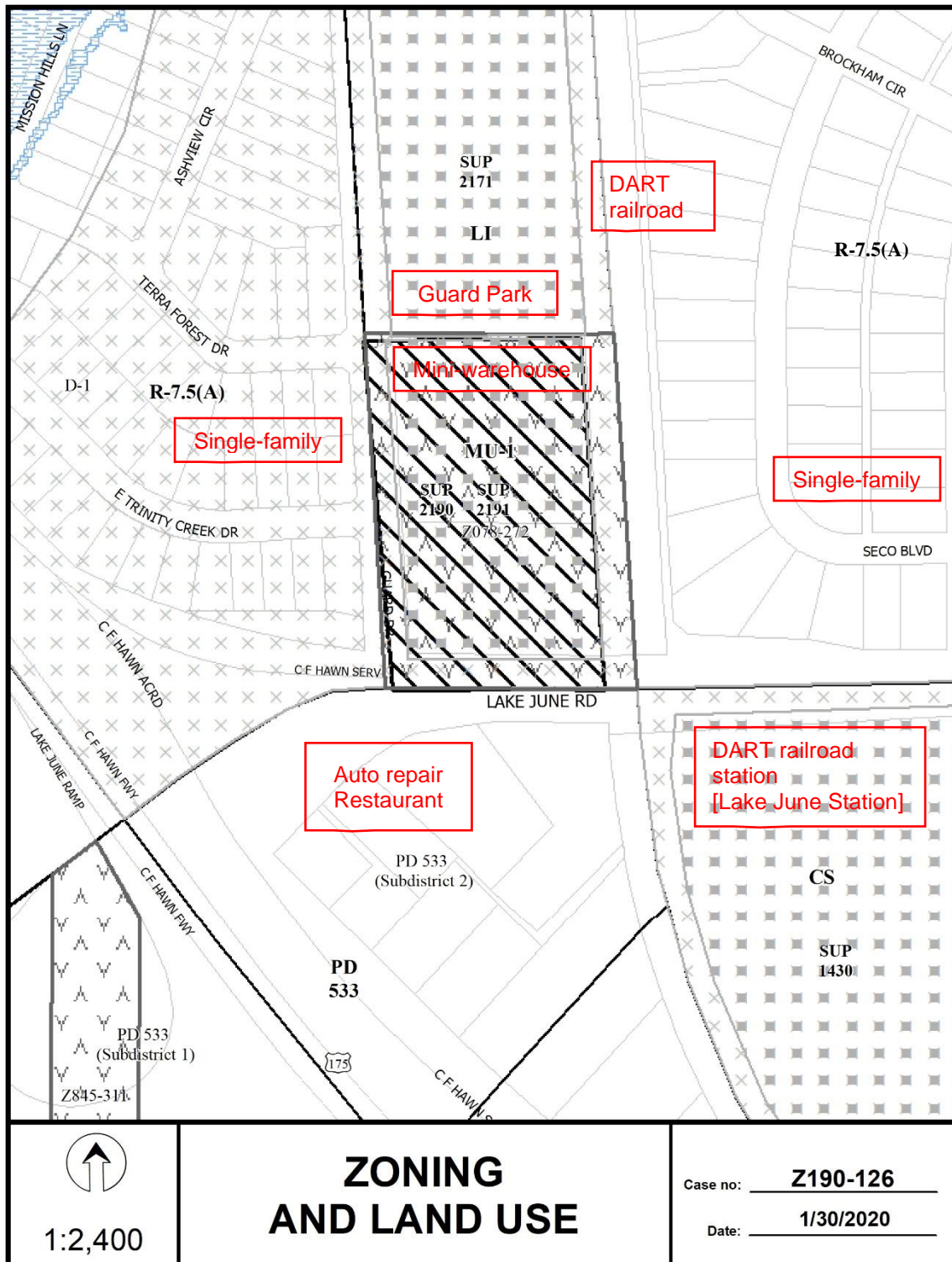




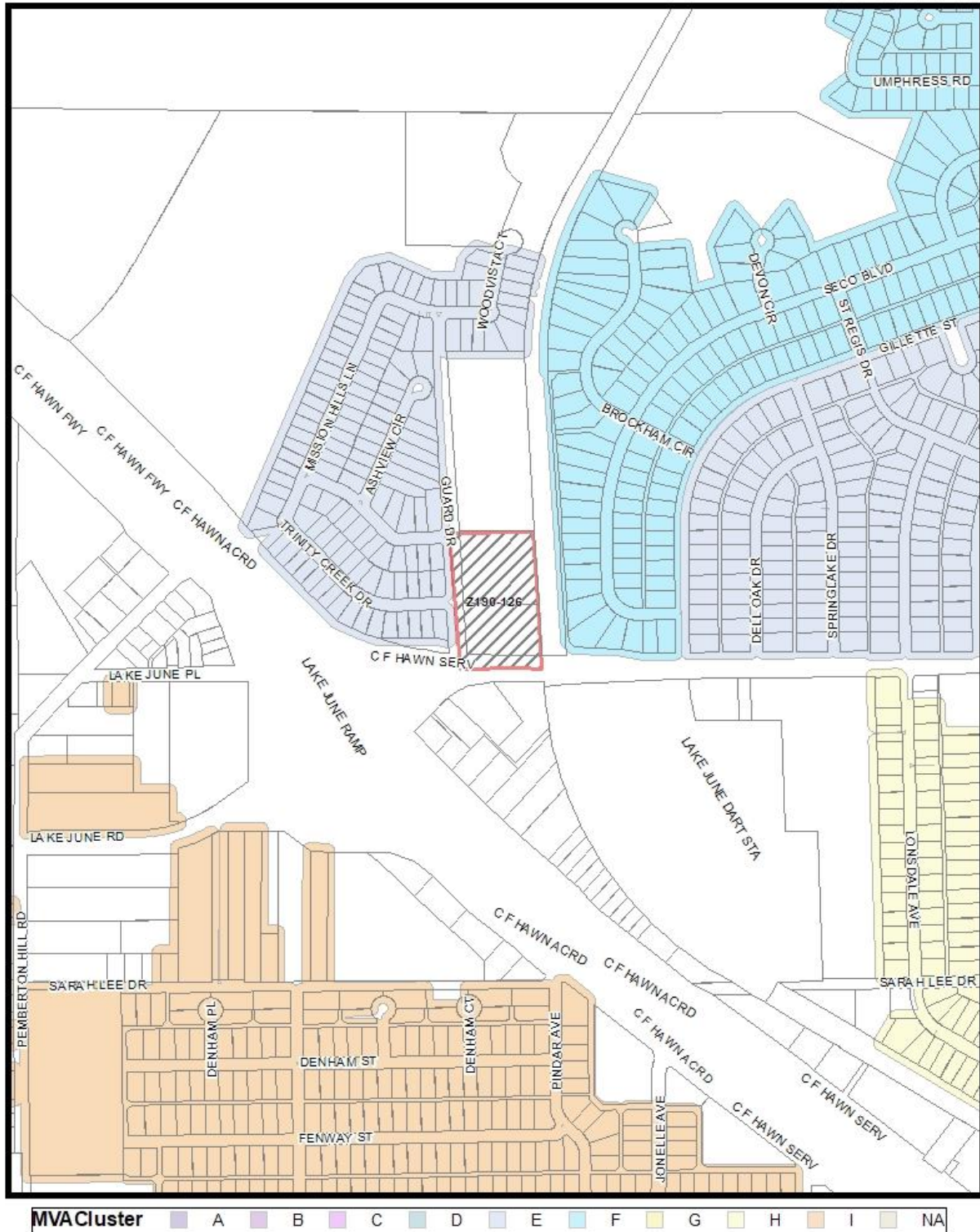








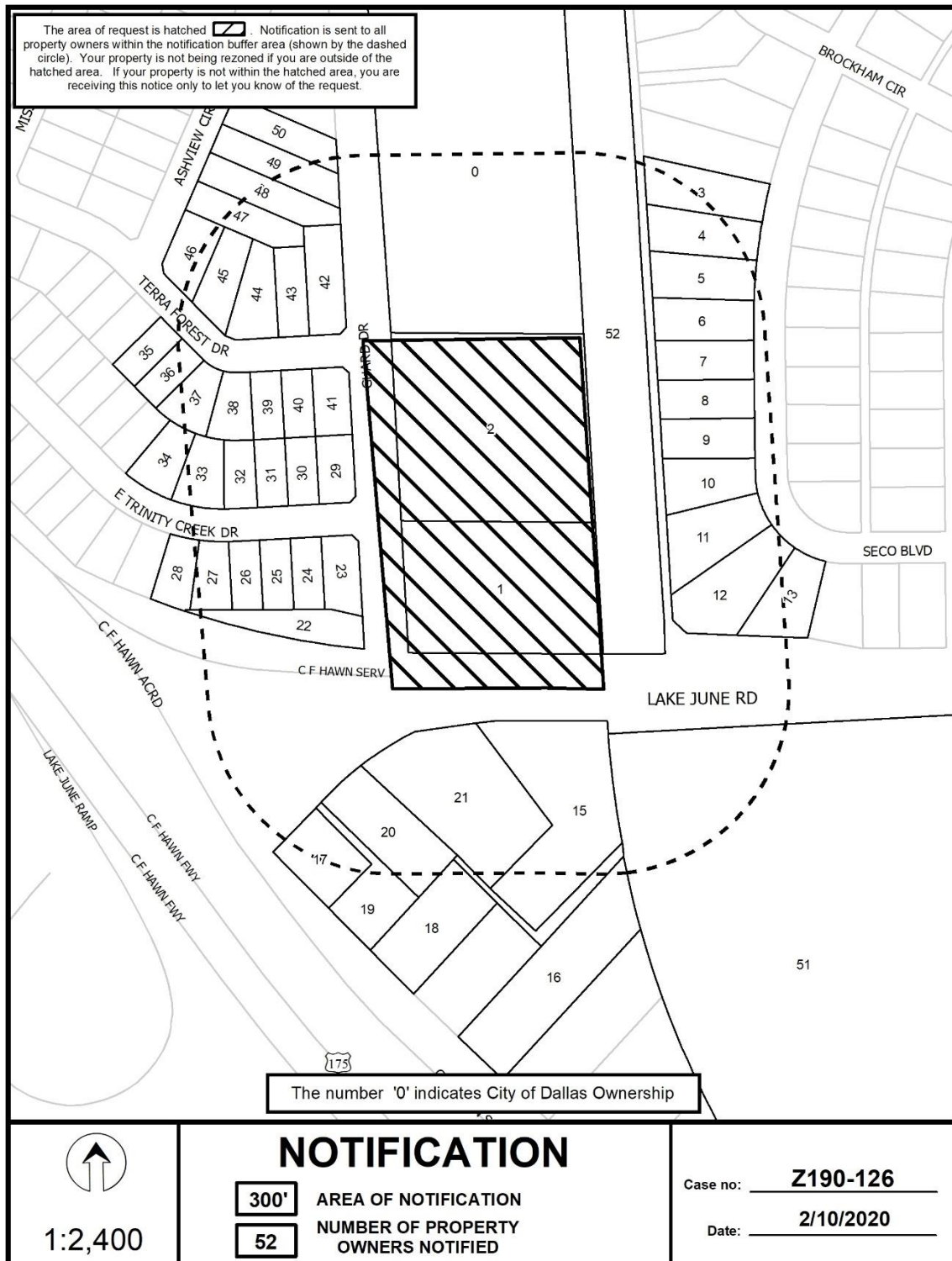




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# Market Value Analysis

Printed Date: 1/30/2020



02/10/2020

***Notification List of Property Owners******Z190-126******52 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6343 LAKE JUNE RD	6343 LAKE JUNE LLC
2	6343 LAKE JUNE RD	786 CHARCO BLANCO LLC
3	6469 SECO BLVD	VILLEGAS MARIA
4	6465 SECO BLVD	RODRIGUEZ CRESCENCIO
5	6459 SECO BLVD	PATTERSON CAROLYN J
6	6453 SECO BLVD	WARREN MARY R
7	6449 SECO BLVD	BOCANEGRA ROSENDO ALMANZA & OLGA EQUIA
8	6443 SECO BLVD	BUTLER ANNETTA AVERY
9	6439 SECO BLVD	YATES ANITA
10	6435 SECO BLVD	GONZALEZ VINCENTE &
11	6429 SECO BLVD	PRICE CAMERON & KRISTEN J
12	6425 SECO BLVD	BROGDON WALLACE E
13	6419 SECO BLVD	CRUZ SAN JUANA MORENO
14	6312 LAKE JUNE RD	REYES GERARDO
15	6312 LAKE JUNE RD	REYES GERARDO
16	6406 C F HAWN FWY	HENDERSON THERESA DIAN
17	6310 C F HAWN FWY	BROWN RICHARD
18	6334 C F HAWN FWY	BROWN RICHARD E
19	6326 C F HAWN FWY	BROWN RICHARD E
20	6312 LAKE JUNE RD	MELENDEZ SONIA E
21	6320 LAKE JUNE RD	REBOLLOSO RODOLFO
22	6010 C F HAWN FWY	WHITEROCK HOLDING LTD
23	6266 TRINITY CREEK DR	RESIDENTIAL RESERVES LLC
24	6262 TRINITY CREEK DR	HOLLAND KELVIN
25	6258 TRINITY CREEK DR	GUTIERREZ RODRIGO S &
26	6254 TRINITY CREEK DR	MARTINEZ VALENTIN



02/10/2020

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6250 TRINITY CREEK DR	IVY GERALD & LUELLA
28	6246 TRINITY CREEK DR	GONZALEZ IVAN & ROSEMARY
29	6255 TRINITY CREEK DR	GUADALUPE JOSE &
30	6251 TRINITY CREEK DR	OPENDOOR HOMES PHOENIX 2 LLC
31	6247 TRINITY CREEK DR	GUTIERREZ RODRIGO & MARIA A
32	6243 TRINITY CREEK DR	ADAMS GODFREY A
33	6239 TRINITY CREEK DR	MOLINA ARMANDO &
34	6235 TRINITY CREEK DR	MOIBI MOJISOLA O
35	6222 TERRA FOREST DR	RUNNELS GLENN
36	6226 TERRA FOREST DR	HOUGH AVA GWENETTE
37	6230 TERRA FOREST DR	WOODS KENETRA & KERRY
38	6234 TERRA FOREST DR	MYERS LETRECIA
39	6238 TERRA FOREST DR	ESCOBAR EDWIN
40	6242 TERRA FOREST DR	GUTIERREZ RODRIGO S & MARIA A
41	6246 TERRA FOREST DR	ZUNIGA BONIFACIO &
42	6241 TERRA FOREST DR	IBARRA JOSE G &
43	6237 TERRA FOREST DR	DB2017 LLC
44	6233 TERRA FOREST DR	SAUCEDO URBANO &
45	6229 TERRA FOREST DR	CANELO SERAFIN & M CONSUELO
46	6225 TERRA FOREST DR	RODRIGUEZ IGNACIO & CONSUELO
47	1406 ASHVIEW CIR	HERNANDEZ FELIX J
48	1410 ASHVIEW CIR	HERNANDEZ MARIA A
49	1414 ASHVIEW CIR	PRECIADO CARLOS &
50	1418 ASHVIEW CIR	HERNANDEZ TERESA
51	6414 LAKE JUNE RD	DALLAS AREA RAPID TRANSIT
52	401 S BUCKNER BLVD	DART

**Planner: Jennifer Muñoz**

**FILE NUMBER:** Z190-146(JM) **DATE FILED:** November 26, 2019

**LOCATION:** Southeast line of South Fitzhugh Avenue, northeast of Lagow Street.

**COUNCIL DISTRICT:** 7 **MAPSCO:** 46-R

**SIZE OF REQUEST:** 13,500 square-feet **CENSUS TRACT:** 27.01

---

**REPRESENTATIVE:** Peter Kavanagh, Zone Systems, Inc.

**APPLICANT:** Communications Tower Group, LLC

**OWNER:** Isaac Brown, Jr.

**REQUEST:** An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

**SUMMARY:** The purpose of this request is to permit the construction of a monopole tower for cellular communication [T-Mobile] with a maximum height of 85 feet and will include a four-foot lightning rod for a total height not to exceed 89 feet above ground level.

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

**PLANNED DEVELOPMENT DISTRICT No. 595:**

<http://www.dallascityattorney.com/51P/Supp%2055/Articles/ARTICLE%20595.pdf>

**PLANNED DEVELOPMENT DISTRICT No. 595 EXHIBITS:**

<http://www.dallascityattorney.com/51P/exhibits.html#a595>

**BACKGROUND INFORMATION:**

- The area of request is approximately 13,500 square feet and is undeveloped. The applicant seeks to construct an 89-foot monopole tower for cellular communication on the site. The two lots were last occupied with single family uses in the 1980s, per Historic Aerials.
- The Specific Use Permit allows this additional use of the property and does not change the existing D(A) Duplex Subdistrict zoning. The uses permitted by the present zoning will continue to be allowed.
- PD No. 595, the South Dallas/Fair Park Special Purpose District was established by City Council on September 26, 2001 and contains over 3,363 acres of land.
- The Dallas Development Code stipulates that a cellular tower is exempt from residential proximity slope height restrictions if a SUP is required for the cellular use and the impact of the tower height on an adjacent residential district is considered in the SUP process.

**Zoning History:** There has been one recent zoning request in the area within the last five years (at the subject site).

1. Z178-309: On September 25, 2019, the City Council denied without prejudice a request for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a D(A) Duplex Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, located at the northeast line of South Fitzhugh Avenue, north of Lagow Street. (*Subject site; same request.*)

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Fitzhugh Avenue	Minor Arterial	60 feet	100 feet

**Traffic:**

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

## STAFF ANALYSIS

### **Comprehensive Plan:**

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

The applicant's request generally complies with the following goals and policies of the Comprehensive Plan.

## LAND USE ELEMENT

GOAL 1.1 Align land use strategies with economic development priorities

Policy 1.1.2 Focus on Southern Sector development opportunities.

## ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

Policy 2.1.4 Support efforts to expand targeted business and industry development within the Southern Sector.

### **Surrounding Land Uses:**

Area	Zoning	Land Use
Site	PD No.595 (D(A) Subdistrict)	Undeveloped
Northeast	PD No.595 (D(A) and NC Subdistricts)	Undeveloped and Retail
Southeast	PD No.595 (R-5(A) Subdistrict)	Undeveloped and Single Family
Southwest	PD No.595 (NC Subdistrict)	Vacant medical clinic and Church
Northwest	MF-2(A) and CR with Historic Overlay No. 33	Surface parking for Fair Park

**Land Use Compatibility:**

The subject site contains about 13,500 square feet of undeveloped land. The applicant proposes to construct a monopole tower for cellular communication within a concealment tower on the southwestern half of the site with an overall height of 89 feet. The 40-foot by 40-foot wireless lease area is proposed approximately 109 feet southeast of South Fitzhugh Avenue and the tower and equipment is proposed to be surrounded by an eight-foot-tall concrete masonry unit (CMU) block wall. The northeastern half of the site will remain undeveloped.

The proposed location of the stealth monopole tower is across a major thoroughfare and southeast of a surface parking lot for Fair Park. Retail uses are located to the northeast and are separated from the area of request by two residentially zoned undeveloped lots. Surrounding uses to the southeast include undeveloped land and single family homes that front on Carl Street. Finally, a vacant office building abuts the site to the southwest and a church is located farther southwest, on the corner of Lagow Street and South Fitzhugh Avenue.

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 proposes to construct a monopole tower at this location to provide cellular coverage to users within the vicinity and has provided depictions of existing adjacent and proposed T-Mobile antenna sites on the following pages. This case was originally submitted for review on July 25, 2018. On April 4, 2019, the City Plan Commission held this item under advisement to allow the applicant to investigate if Paul L. Dunbar Elementary School could be a potential alternative site location for the proposed cell tower. DISD declined siting the monopole in the only available campus locations which are on the front and side lawns of the school. On June 6, 2019, the City Plan Commission recommended approval of the request, as submitted. However, on



September 25, 2019, the City Council denied the request without prejudice. The case has not changed from the original submittal.

Staff supports the request because the cellular array is concealed within a pole, thus minimizing the visual effect of a cellular platform. The eight-foot-tall concrete masonry unit (CMU) block wall will provide concealment of the tower and equipment at the street level. Overall, the public utility service of increased coverage would significantly improve as shown by the following coverage maps.

### **Development Standards:**

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
D(A) Duplex	25'	5'/5' for SF 5'/10' Duplex 10'/10' Other	1 Dwelling Unit/ 3,000 sq. ft.	36 ft*	60%	Min. Lot: 6,000 sq. ft	Duplex & single family

\* Section 51A-4.408 of the DDC provides an exception to height for utility and public service uses

The D(A) Duplex District only specifies maximum structure height is 36 feet and does not specify an additional limitation to height in the form of a residential proximity slope (RPS). Therefore, residential proximity slope does not apply to the subject site. Additionally, Section 51A-4.408 of the Dallas Development Code provides an exception of maximum structure height for utility and public service uses, including a tower/antenna for wireless communication. Therefore, the maximum structure height of 36 feet in the D(A) Duplex District also does not apply to a tower/antenna for cellular communication.

However, a one-to-three slope, similar to RPS, can be utilized as a tool to consider height compatibility with surrounding uses and structures. For the proposed 89-foot tall tower to comply with a spacing of one foot in height for every three feet in distance, it must be placed 267 feet away from the nearest residentially zoned private property. Since the closest residential property line to the proposed monopole is approximately 25 feet to the southeast, if this spacing is applied, the proposed tower would not comply. Although the proposed monopole tower would not comply with a one-to-three slope staff can support the proposed cellular tower because it is proposed within a stealth design that allows the cellular antennas to be concealed within a structure, thereby camouflaging the tower. Also, the nearest single family structure is approximately 100 feet from the proposed location of the monopole tower.

**Parking:**

Parking will be provided in accordance to the parking requirements in the Dallas Development Code, as amended, which is one space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment (“auxiliary building”) greater than 120 square feet. No auxiliary building is proposed; therefore, no additional parking is triggered by the development of this use.

**Landscaping:**

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). Although the area of request is not within an identifiable MVA cluster, it abuts an “I” MVA cluster to the southeast.

<b>LIST OF OFFICERS</b>
-------------------------

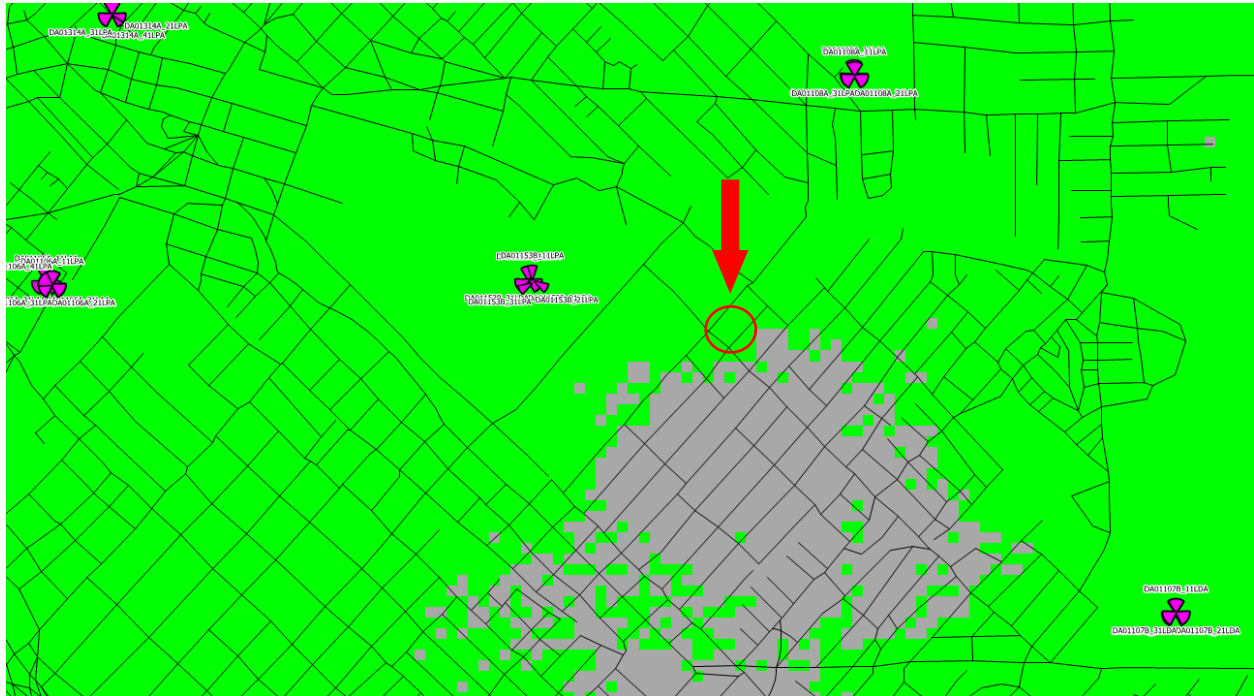
**MEMBERS**

**COMMUNICATIONS TOWER GROUP LLC**  
**15720 Brixham Hill Avenue, Suite 300**  
**Charlotte, North Carolina 28277**

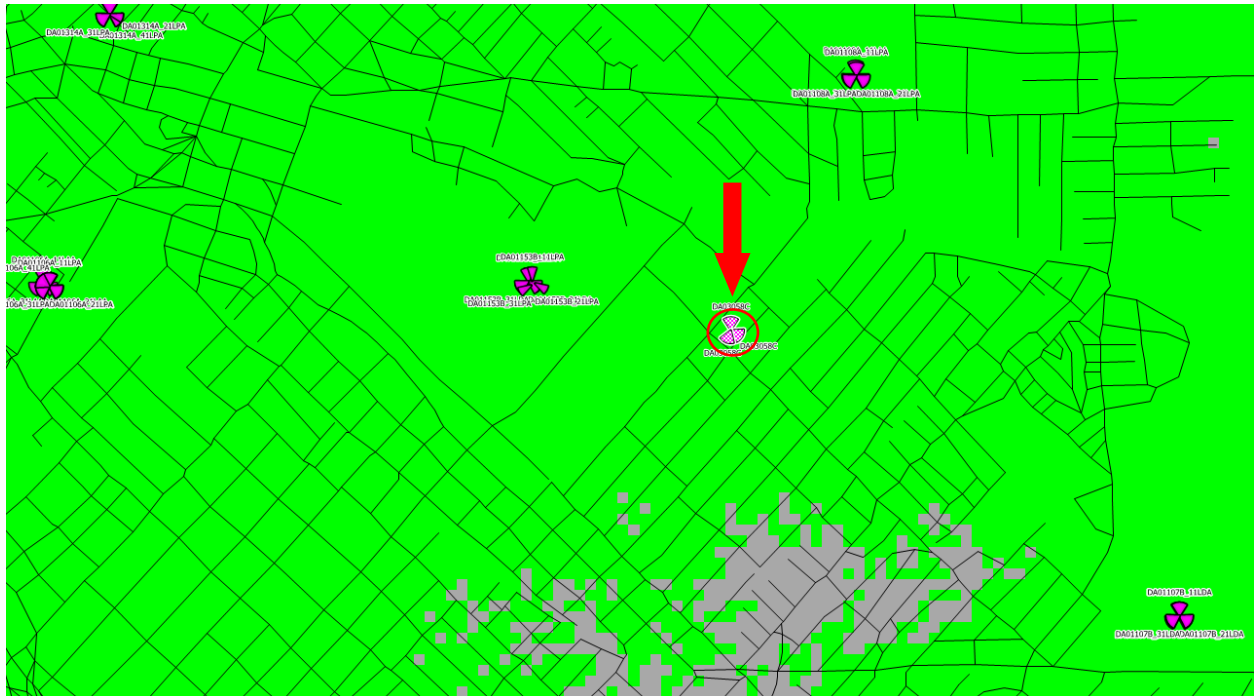
The following is the Member of COMMUNICATIONS TOWER GROUP LLC, a Delaware limited liability company:

Ricardo Loor  
Member and CEO

**Actual Coverage:**



**Proposed Coverage:**

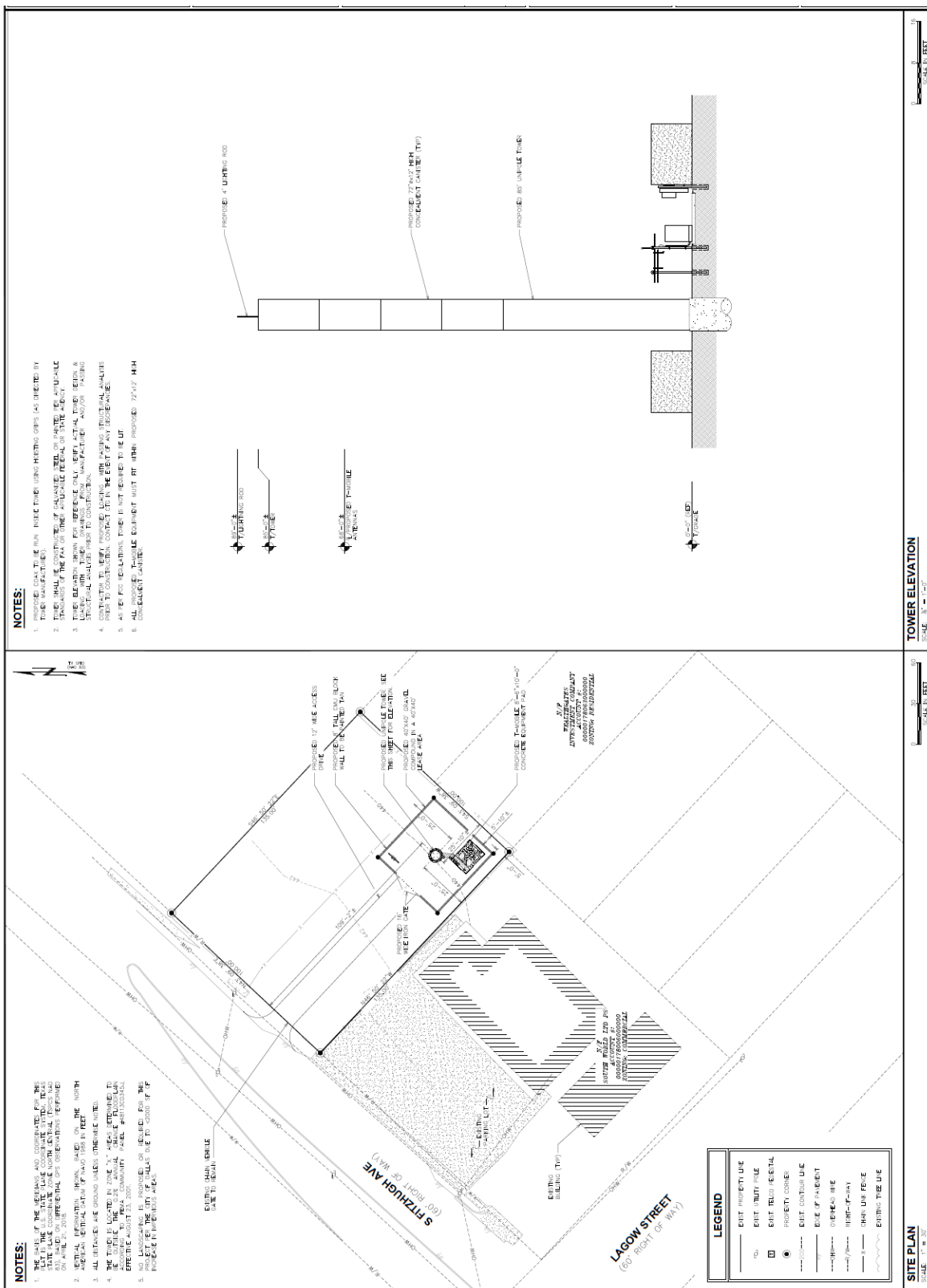


<b>PROPOSED SUP CONDITIONS</b>
--------------------------------

1. **USE:** The only use authorized by this specific use permit is a tower/antenna for cellular communication.
2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan and elevation.
3. **TIME LIMIT:** This specific use permit expires on (ten years from the passage of the ordinance) but is eligible for automatic renewal for additional 10-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
4. **COLLOCATION:** Any tower/antenna support structure 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.
5. **HEIGHT:** The maximum height of a tower/antenna for cellular communication is 89 feet.
6. **SCREENING:** The lease area must be screened by an eight-foot-tall solid fence and secured by a 16-foot-wide access gate in the location shown on the attached site plan.
7. **STEALTH DESIGN:** The tower/antenna for cellular communication must be constructed with a stealth design with the platform concealed within the overall vertical design of the tower. The maximum diameter of the tower is 72 inches.
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/ELEVATION PLAN



# ENLARGED ELEVATION PLAN

89'-0"±  
T/LIGHTNING ROD

85'-0"±  
T/TOWER

68'-0"±  
T/PROPOSED T-MOBILE  
ANTENNAS

## NOTES:

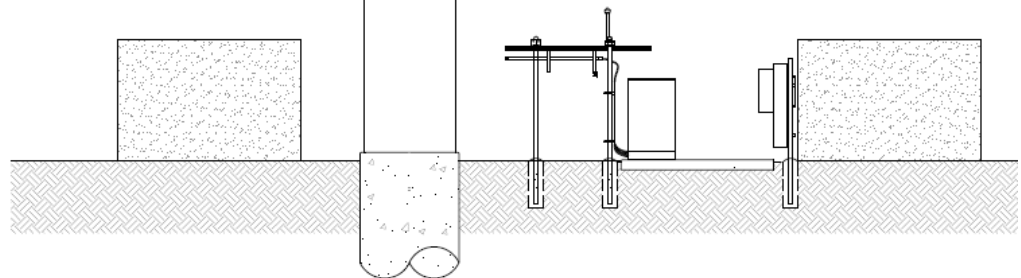
1. PROPOSED COAX TO BE RUN INSIDE TOWER USING HOISTING GRIPS (AS DIRECTED BY TOWER MANUFACTURER).
2. TOWER SHALL BE CONSTRUCTED OF GALVANIZED STEEL OR PAINTED PER APPLICABLE STANDARDS OF THE FAA OR OTHER APPLICABLE FEDERAL OR STATE AGENCY.
3. TOWER ELEVATION SHOWN FOR REFERENCE ONLY. VERIFY ACTUAL TOWER DESIGN & LOADING WITH TOWER DRAWINGS FROM MANUFACTURER AND/OR PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION.
4. CONTRACTOR TO VERIFY PROPOSED LOADING WITH PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION. CONTACT CTG IN THE EVENT OF ANY DISCREPANCIES.
5. AS PER FCC REGULATIONS, TOWER IS NOT REQUIRED TO BE LIT.
6. ALL PROPOSED T-MOBILE EQUIPMENT MUST FIT WITHIN PROPOSED 72"x12' HIGH CONCEALMENT CANISTER.

PROPOSED 4' LIGHTING ROD

PROPOSED 72"Øx12' HIGH  
CONCEALMENT CANISTER (TYP)

PROPOSED 85' UNIPOLE TOWER

0'-0" (REF)  
T/GRADE



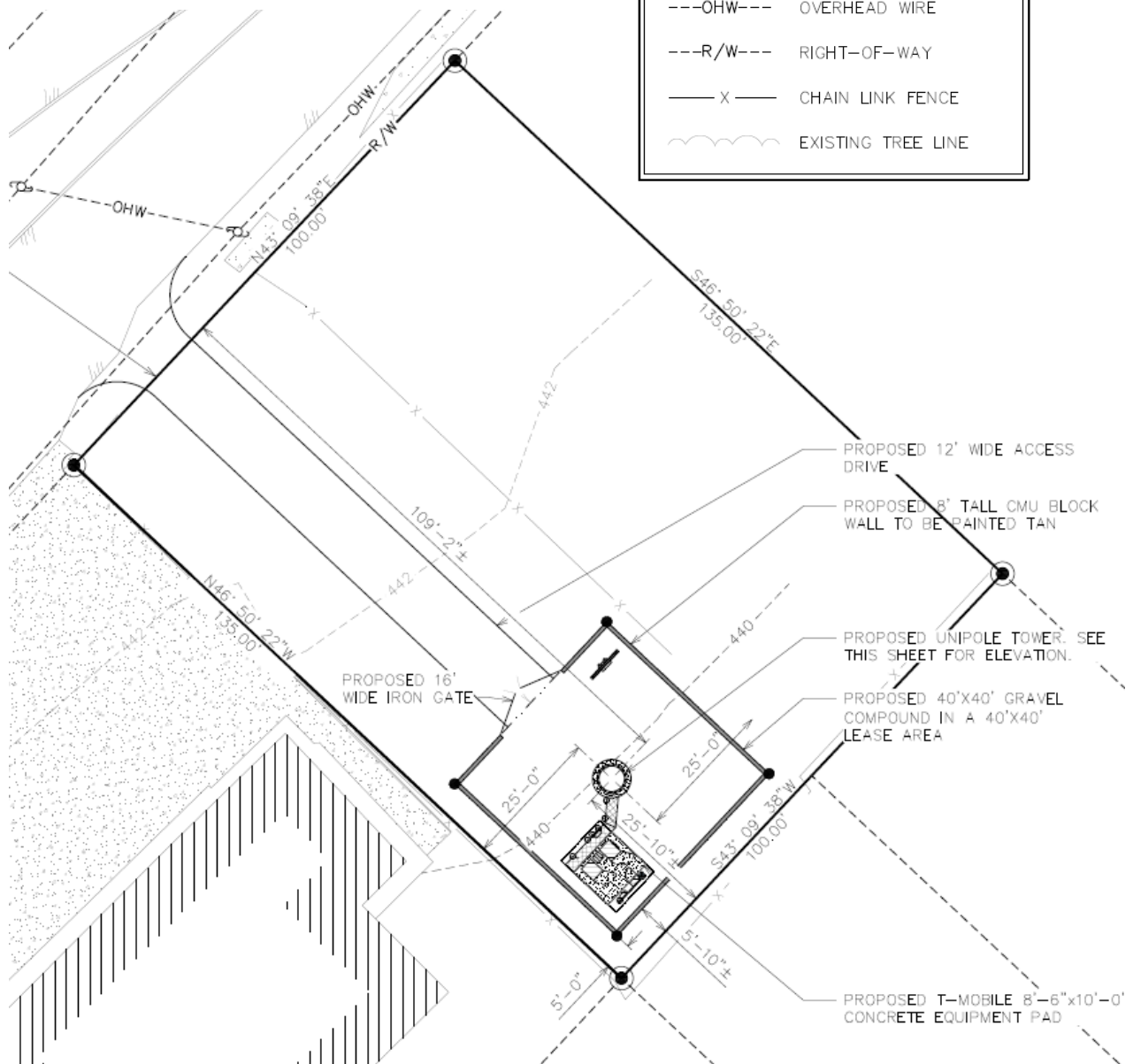
# ENLARGED SITE PLAN

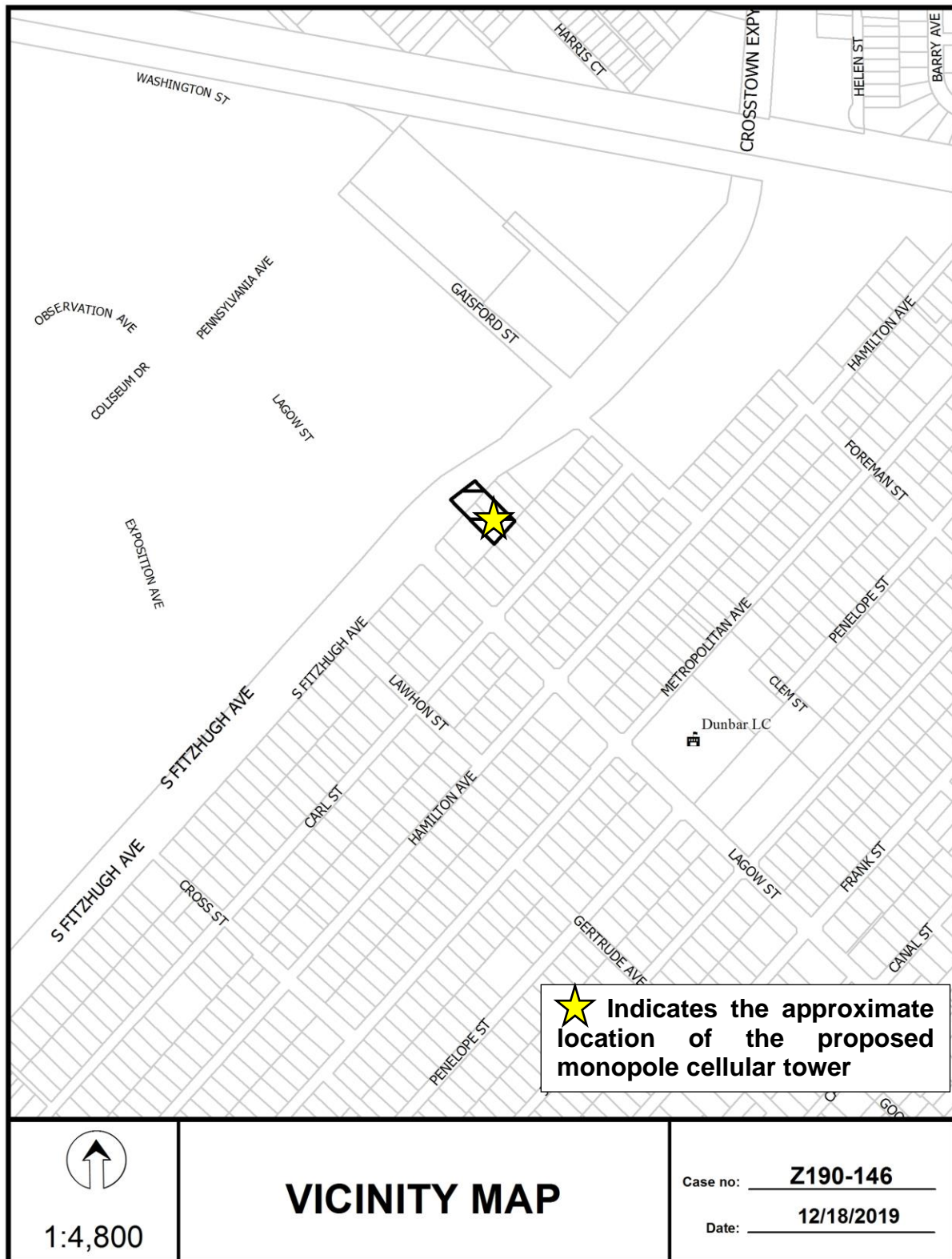
## NOTES:

1. THE BASIS OF THE MERIDIANS AND COORDINATES FOR THIS PLAT IS THE U.S. STATE PLANE COORDINATE SYSTEM, TEXAS STATE PLANE COORDINATE ZONE NORTH CENTRAL (TSPCS NAD 83), BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON APRIL 21, 2018.
2. VERTICAL INFORMATION SHOWN, BASED ON THE NORTH AMERICAN VERTICAL DATUM OF NAVD 1988 IN FEET.
3. ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED.
4. THE TOWER IS LOCATED IN ZONE "X." AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO FEMA COMMUNITY PANEL #48113C0345J, EFFECTIVE AUGUST 23, 2001.
5. NO LANDSCAPING IS PROPOSED OR REQUIRED FOR THIS PROJECT PER THE CITY OF DALLAS DUE TO <2000 SF OF INCREASE IN IMPERVIOUS AREAS.

## LEGEND

	EXIST. PROPERTY LINE
	EXIST. UTILITY POLE
	EXIST. TELCO PEDESTAL
	PROPERTY CORNER
	EXIST. CONTOUR LINE
	EDGE OF PAVEMENT
	OVERHEAD WIRE
	RIGHT-OF-WAY
	CHAIN LINK FENCE
	EXISTING TREE LINE

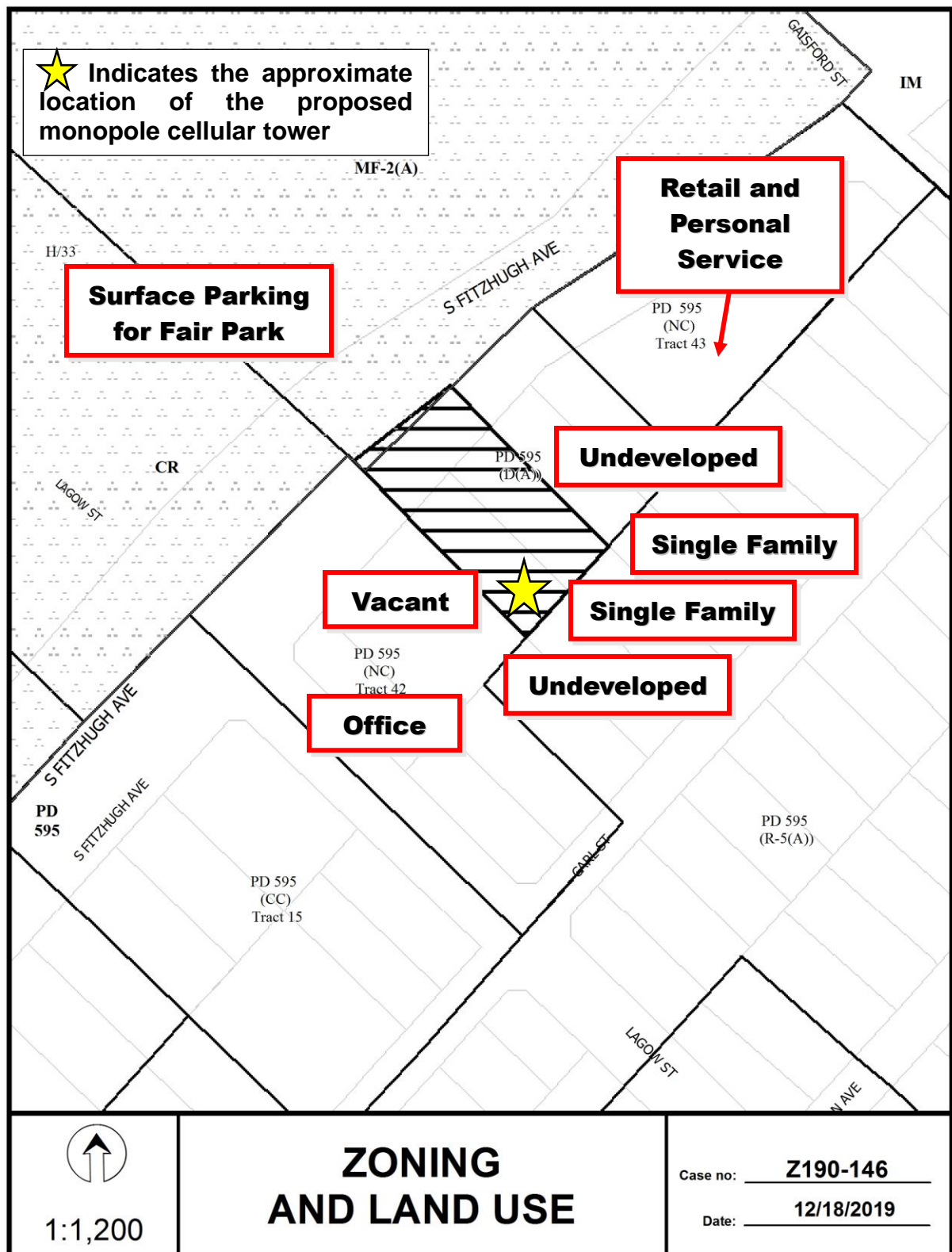


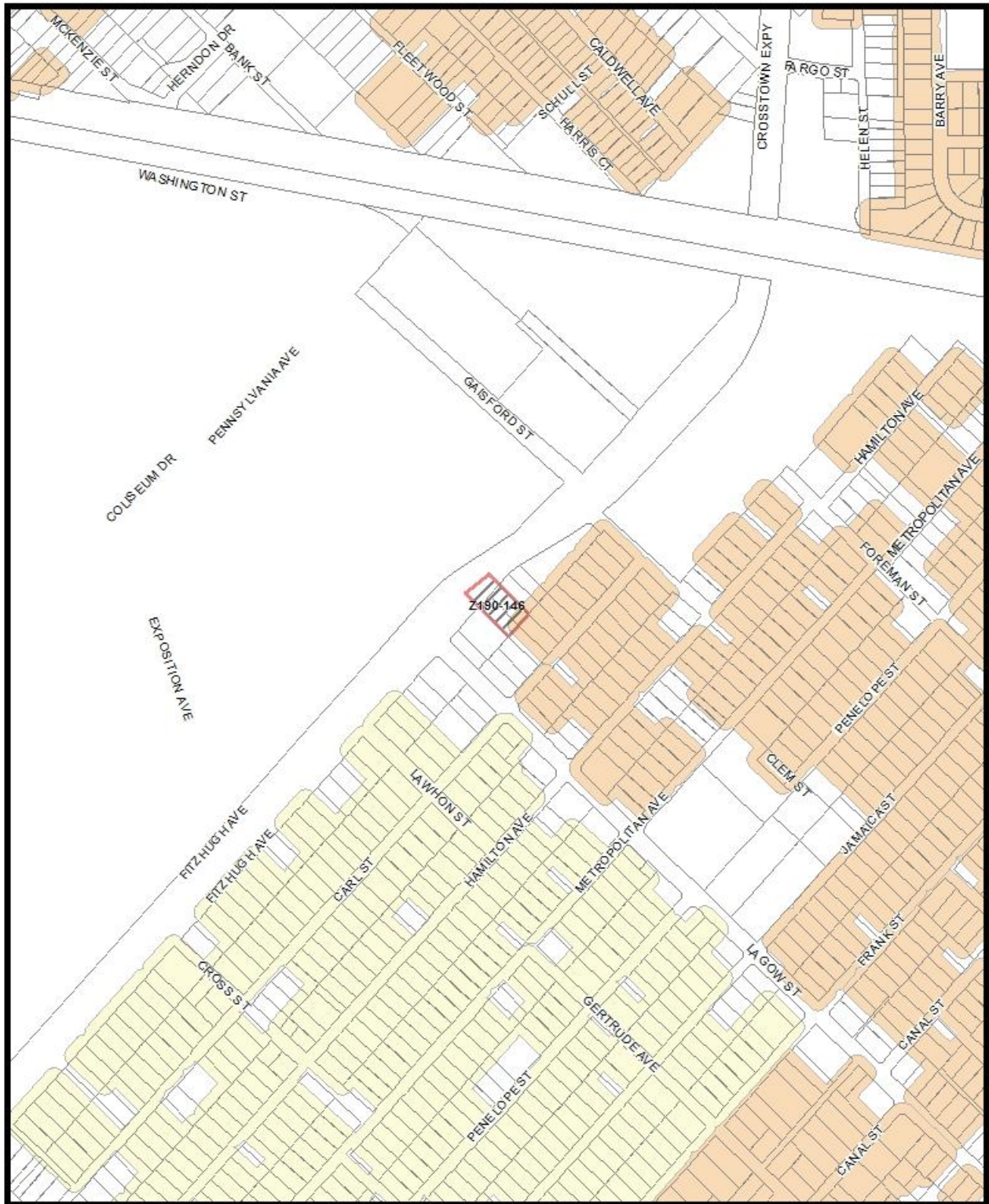












Market Value Analysis

A B C D E F G H I NA

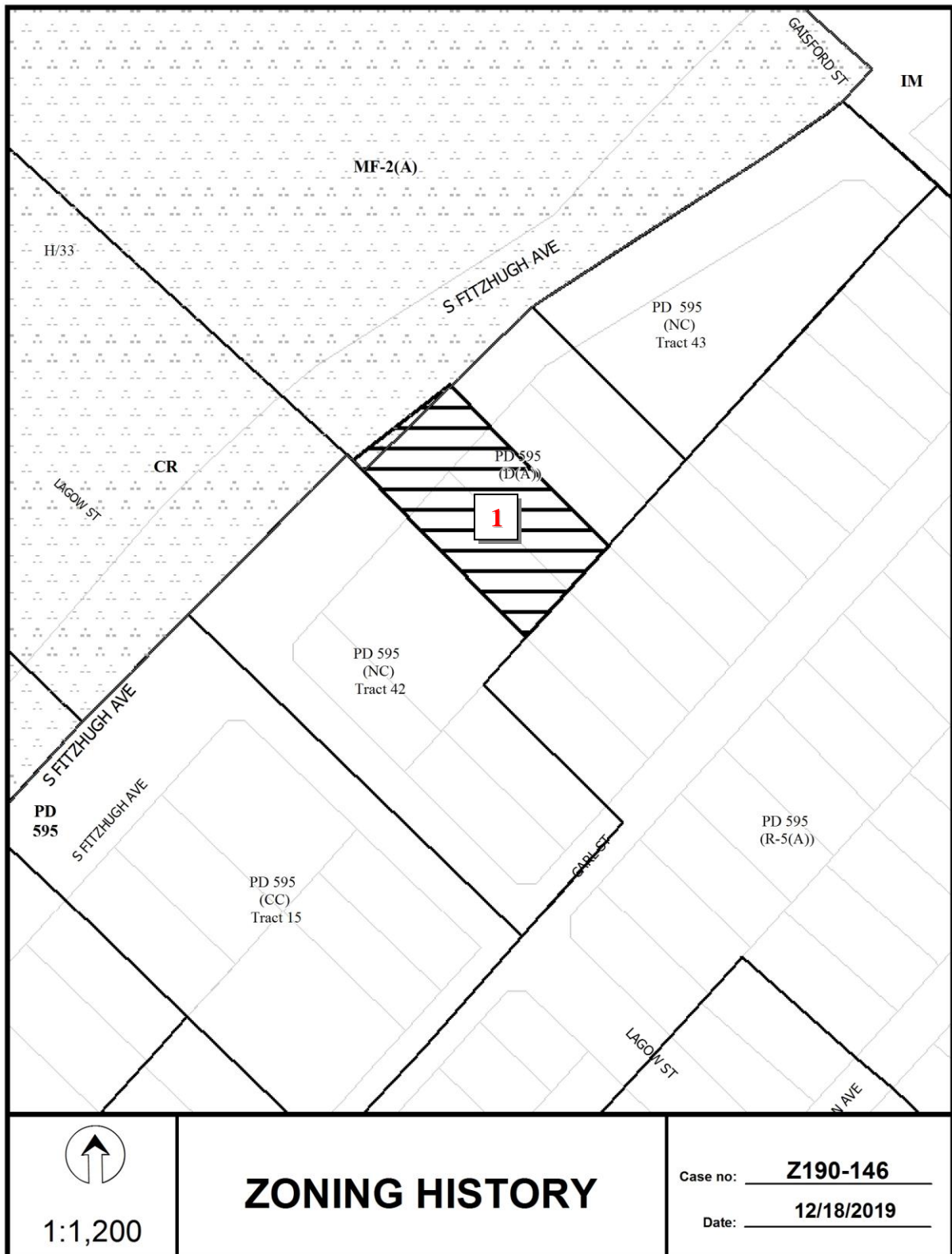


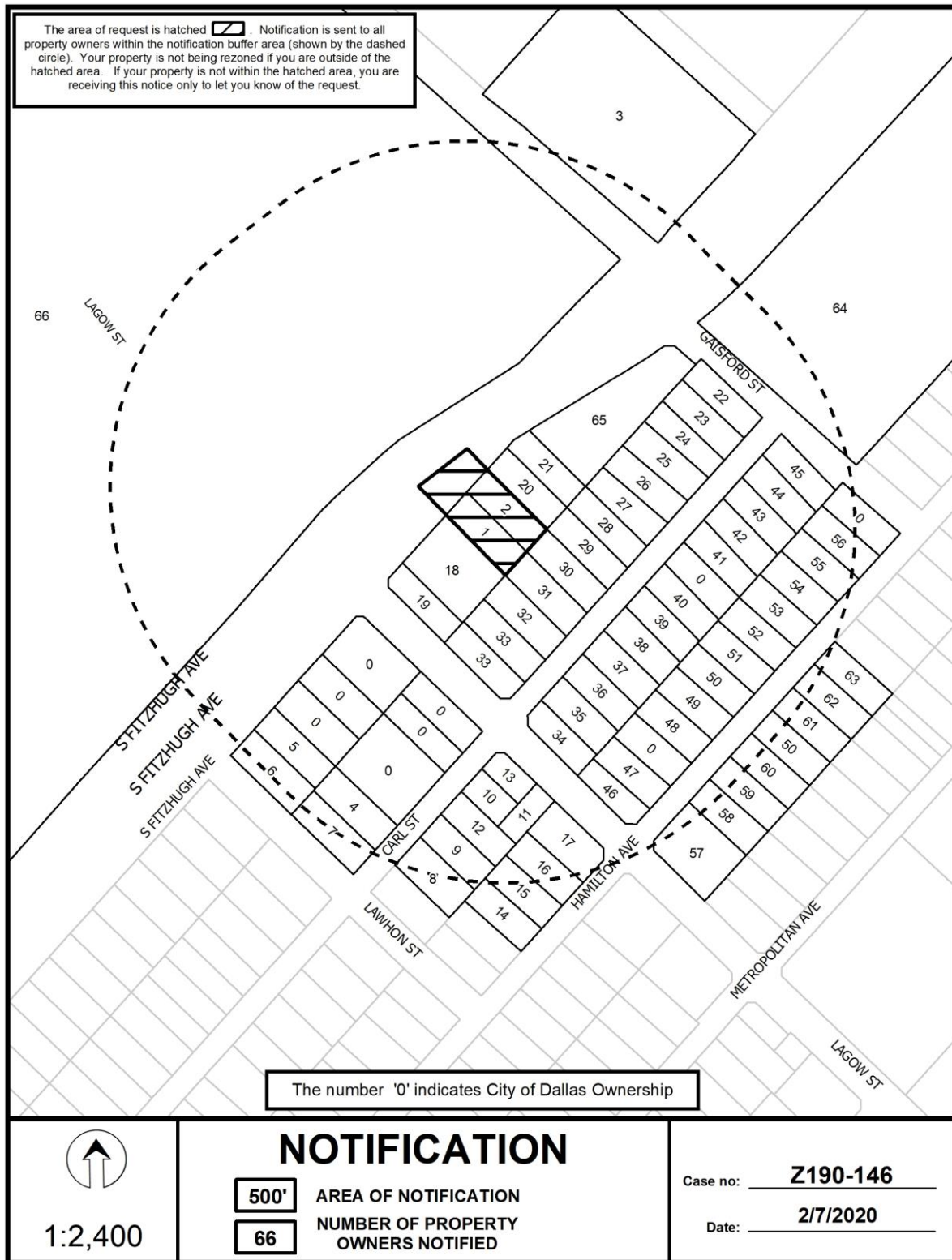
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## Market Value Analysis

Printed Date: 12/18/2019







02/07/2020

***Notification List of Property Owners******Z190-146******66 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4214 S FITZHUGH AVE	BROWN ISAAC & DOYE
2	4218 S FITZHUGH AVE	BROWN ISAAC JR
3	1800 GAISFORD ST	DALLAS OPERA THE
4	4107 CARL ST	STEWART JAMES &
5	4104 S FITZHUGH AVE	CRUZ IRLANDI & WILLIAM
6	4100 S FITZHUGH AVE	MADDEN KEVIN D
7	4103 CARL ST	ECHOLS SAVELLA E
8	4106 CARL ST	THOMAS NUGENT W &
9	4110 CARL ST	CARR ROY
10	4120 CARL ST	YOUNG SABRENDIA &
11	2109 LAGOW ST	HUDGENS LEROY
12	4114 CARL ST	GONZALEZ KIRSTEN
13	4124 CARL ST	RANGEL JUAN
14	4109 HAMILTON AVE	JIMENEZ JUAN DAVILA &
15	4115 HAMILTON AVE	BODLEY THOMAS W
16	4117 HAMILTON AVE	BODLEY DONALD RAY &
17	4121 HAMILTON AVE	W2E INVESTMENTS LLC
18	4206 S FITZHUGH AVE	SOUTH WORLD LTD PS
19	4200 S FITZHUGH AVE	STURDIVANT CHRISTOPHER &
20	4222 S FITZHUGH AVE	JENKINSFORD CAROLYN
21	4226 S FITZHUGH AVE	WWM PS TRUST
22	4251 CARL ST	BIGGINS JOHN W
23	4247 CARL ST	DIAZ SERGIO
24	4245 CARL ST	GONZALEZ GUILLERMO
25	4243 CARL ST	HUDGENS JOHNNIE MAE
26	4235 CARL ST	HODGE EARLINE EST OF



02/07/2020

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4231 CARL ST	OIBARA CATTLE FAMILY HOLDINGS LLC
28	4225 CARL ST	WALKER JOHN ETTA
29	4223 CARL ST	CAKAJ ILIR
30	4219 CARL ST	AVITIA GERMAN
31	4215 CARL ST	WEALTHGATES INVESTMENT COMPANY
32	4211 CARL ST	FORD MAURINE T
33	4207 CARL ST	RECONCILIATION OUTREACH MINISTRIES INC
34	4202 CARL ST	PRUITT LULA MAE
35	4206 CARL ST	WIGGINS MARTIN
36	4210 CARL ST	RIVAS JOSE
37	4214 CARL ST	DALLAS HOUSING ACQUISITION & DEV CORP
38	4218 CARL ST	LEIJA LUIS A
39	4222 CARL ST	DAVIS TELAH & THEODORE EST OF
40	4226 CARL ST	DUNN BILLY E
41	4238 CARL ST	MCGOWAN DEBRA BAGLEY
42	4240 CARL ST	GIBBS AVA L ROBERTS
43	4242 CARL ST	LOZANO KARLA ZOLEY
44	4246 CARL ST	SPRING 3242 REALTY LLC
45	4250 CARL ST	JACKSON TERESA L
46	4201 HAMILTON AVE	SHAW RAYFIELD
47	4207 HAMILTON AVE	JOSEPH LIJO
48	4215 HAMILTON AVE	WCP RETIREMENT TRUST
49	4217 HAMILTON AVE	JOHNSON ISAAC JR
50	4223 HAMILTON AVE	BERNABE MARIA &
51	4225 HAMILTON AVE	GOOD URBAN DEVELOPMENT LLC
52	4231 HAMILTON AVE	CAMPOS MARIA BELEN
53	4235 HAMILTON AVE	EVANS PAMELA A
54	4239 HAMILTON AVE	NORTON TOMMIE JR
55	4301 HAMILTON AVE	MERCER ESTATES GROUP LLC THE
56	4307 HAMILTON AVE	LOUNG&LI LLC
57	4200 HAMILTON AVE	ALEXANDER PEARL L

Z190-146(JM)

02/07/2020

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4208 HAMILTON AVE	DAVIS TREVIA EST OF
59	4212 HAMILTON AVE	LAWSON JOHN
60	4218 HAMILTON AVE	UBALDO BENIGNO &
61	4226 HAMILTON AVE	KIMIAKI ITAMURA
62	4228 HAMILTON AVE	BRUNER GENEVA
63	4234 HAMILTON AVE	ALEXANDER MARK KEELIN
64	4400 S FITZHUGH AVE	STATE FAIR OF TEXAS INC
65	4248 S FITZHUGH AVE	REEVES GEORGE M III LTD
66	3839 S FITZHUGH AVE	MCA PACE AMPHITHEATERS LP

**Planner: Pamela Daniel**

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<b>FILE NUMBER:</b>	Z190-115(PD)	<b>DATE FILED:</b>	November 21, 2019
<b>LOCATION:</b>	South line of East Northwest Highway, east of Garland Road		
<b>COUNCIL DISTRICT:</b>	9	<b>MAPSCO:</b>	28-Z
<b>SIZE OF REQUEST:</b>	± 17.5	<b>CENSUS TRACT:</b>	0127.01

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**REPRESENTATIVE:** Karl Crawley, Masterplan Consultants

**APPLICANT/OWNER:** Kansas City Souther % Adam J. Godderz

**REQUEST:** An application **1)** to create a new subarea within Planned Development District No. 5; **2)** for a Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant; and **3)** for a Specific Use Permit for an Industrial (outside) potentially incompatible use limited to an asphalt batch plant on property zoned Planned Development District No. 5.

**SUMMARY:** The applicant proposes to create a new subarea to allow Industrial (outside) uses by Specific Use Permit to construct approximately 2010 square feet of floor area and an approximately 55,403-square-foot manufacturing area to begin operation of a concrete batch plant and asphalt batch plant on the site.

**STAFF RECOMMENDATION:** **Approval** of a subarea; **approval** of an Specific Use Permit for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant for a two-year period, subject to a site plan and conditions; and **approval** of an Specific Use Permit for an Industrial (outside) potentially incompatible use limited to an asphalt batch plant for a two-year period, subject to a site plan and conditions.

**Planned Development District No. 5 Link:**

<http://www.dallascityattorney.com/51P/Articles%20Supp%207/Article%205.pdf>

**Greater Casa View Area Plan Link:**

<https://dallascityhall.com/departments/pnv/Documents/Greater%20Casa%20View%20Area%20Plan%20-%20with%20resolution.pdf>

**BACKGROUND INFORMATION:**

- On August 16, 1954, the City Council approved Planned Development District No. 5 for Manufacturing-1 District uses with 17 use exceptions and containing approximately 172.18 acres of land.
- The request site is approximately 17 acres of land currently paved and undeveloped.
- The applicant's request will facilitate 1) the creation of a new subarea, 2) an SUP for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant and, 3) an SUP for an Industrial (outside) potentially incompatible use limited to an asphalt batch plant to operate on the 17 acre site.

**Zoning History:** There have been three zoning change requested in the area within the past five years.

1. Z189-176 On June 26, 2019, the City Council approved Planned Development District No. 1018 for R-10(A) Single Family District uses and a public school other than an open-enrollment charter school generally bound by Westmoreland Road, Sprague Drive, and Boulder Drive.
2. Z178-385 On February 27, 2019, the City Council approved an IR Industrial Research District on property zoned an CS Commercial Service District on the north line of East Northwest Highway, east of Shiloh Road.
2. Z178-163 On August 8, 2018, the City Council approved SUP No. 2294 for an alcoholic beverage establishment limited to a private-club bar and a commercial amusement (inside) limited to a dance hall on property zoned a CS Commercial Service District on the west line of McCree Road, north of East Northwest Highway.

**Thoroughfares/Streets:**

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
E. Northwest Highway	Principal Arterial	106 ft.	106 ft.

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system. The analysis is based upon the traffic worksheet the applicant provided during the application submittal.

**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 applicant's request is not consistent with the goals and policies of the Comprehensive Plan; however, a short time period can be supported to allow the proposed industrial uses to be reviewed for compatibility with the existing surrounding land uses.

**GREATER CASA VIEW STUDY AREA:**

The site lies within the boundary of the Greater Casa View Study Area of the Neighborhood Plus Plan. Casa View is one of eleven Neighborhood Plus Target Areas. The Plan area is generally bounded by Garland Road to the west; Interstate 635 to the north; La Prada Drive, Oates Drive, and Ferguson Road to the east; and Peavy Road and Buckner Road to the south. The project vision focus areas are development opportunities, streetscape and greenspace, Harry Stone Recreation Center, and gateways and identity. At the heart of the plan is the central theme of connecting the Casa View to the rest of the city, to the urban core, White Rock Lake and the City of Garland.

More specifically, the plan is a steppingstone for the transformation of the Greater Casa View Area. It is intended as a road map to cast a vision for the future of the neighborhood and to help the community clearly articulate its needs and desires.

The Greater Casa View Alliance (GCVA) was established in 2010 as a "super-neighborhood group" composed of neighborhood leaders and business owners with the objective of unifying far-east Dallas neighborhoods. The need for a guiding plan for this area became evident to leaders of the GCVA, who initiated a volunteer-led and community-informed planning process. City of Dallas staff from the Department of Planning and Urban Design provided oversight and guidance throughout the Greater Casa View Area Plan effort. This is a neighborhood-driven area planning effort and is to be used as a planning and implementation guide for future development in the area.



**Land Uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	PDD No. 5	Pavement, undeveloped
<b>North</b>	IR	Mini-warehouse, vacant, auto-related, office showroom warehouse
<b>West</b>	PDD No. 5	Kansas City Railroad, Auto-related, office showroom warehouse
<b>South</b>	PDD No.	Pavement, undeveloped
<b>East</b>	PDD No. 5	Office showroom warehouse, vacant, retail

**Land Use Compatibility:**

The 17 acre site is zoned Planned Development No. 5 for Manufacturing-1 District uses with 17 exceptions prohibiting the following uses: dance hall, furniture, auction sale, night club, penal or correctional institutions for insane, feeble-minded, liquor, or narcotic, skating rink, beer tavern, brewery, soap compounding (washing compound manufacture), airplane repair and manufacture, boiler manufacture and repair of boilers not exceeding 15 hp, carpet cleaning if no dust proof cleaning rooms in which dust catching, washing and scouring equipment is provided, cotton ginning and bailing, cotton seed products manufacture, rock crushing, sand and gravel pits, storage battery manufacture, and any use which involves a process which would emit dust, objectionable odors, excessive noise, and excessive vibration outside the walls of buildings.

The applicant's request will facilitate 1) the creation of a new subarea, 2) an SUP for an Industrial (outside) not potentially incompatible use limited to a concrete batch plant and, 3) an SUP for an Industrial (outside) potentially incompatible use limited to an asphalt batch plant to operate on the 17 acre site.

The request site is immediately contiguous to a variety of industrial uses and several undeveloped tracts of land with residential uses single family uses being approximately 1,301 feet to the west and 1,536 feet to the south.

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.

In general, the applicant's request for a new subarea within PDD No. 5 and two SUPs one for an industrial (outside) not potentially incompatible use limited to a concrete batch plant and a second for an industrial (outside) potentially incompatible use limited to an asphalt batch plant is consistent with the general provisions for a Specific Use Permit, PDD No. 5 and with the surrounding zoning. However, the Greater Casa View Area Plan envisions developments that will enrich the neighborhood and provide amenities that improve the quality of life and create connectivity to the rest of the City. Since staff cannot anticipate or mitigate the potential noise and dust problems associated with the operation of these uses, staff recommends a two-year time period to allow time to reevaluate the use for compliance and compatibility in the neighborhood. Staff supports the request because the property does propose to screen the outside storage on three sides by a 10-foot-tall screening wall and the property will be screened by an eight-foot-tall solid screening fence. The applicant will maintain the equipment within the site's interior, approximately 86 feet from the existing Kansas City Southern railroad to the west and approximately 340 feet from the existing right-of-way, E. Northwest Highway to the north with the stockpile area located approximately 135 feet from the existing Kansas City Southern railroad and approximately 618 feet from E. Northwest Highway. Additionally, the stockpile area containing the crushed materials will be limited to a maximum height of 75 feet.

**Landscaping:**

Any new development on the property will require landscaping per Article X, as amended of the Dallas Development Code.

**Parking:**

The off-street parking requirement for an industrial (outside) use is one space per every 600 square feet of floor area, plus one space per every 600 square feet of outside manufacturing area.

The request will facilitate approximately 2,010 square feet of floor area and approximately 55,403 square feet of manufacturing area. The site will require a total of 96 off-street parking spaces and the site provides the 97 spaces.

**Market Value Analysis:**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from

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purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is neither within an identifiable MVA cluster, nor adjacent to an "MVA cluster. However further west across Garland Road MVA clusters "F" and "H" are identified. Additionally, further south MVA clusters "E" and "F" are identified.

<b>LIST OF OFFICERS</b>
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Kansas City Southern

Patrick J. Ottensmeyer – President and Chief Executive Officer  
Warren K. Erdman – Executive Vice President Administration and Corporate Affairs  
Sameh Fahmy – Executive Vice President Precision Scheduled Railroading  
Brian Hancock – Executive Vice President and Chief Innovation Officer  
Michael J. Naatz – Executive Vice President & Chief Marketing Officer  
Jeffrey M. Songer – Executive Vice President & Chief Operating Officer  
Michael W. Upchurch – Executive Vice President and Chief Financial Officer  
Jose Guillermo Zozaya Delano – KCSM President, General Manager and Executive Representative  
Lora S. Cheatum – Senior Vice President Human Resources  
Adam J. Godderz – General Counsel and Corporate Secretary  
Suzanna M. Grafton – Vice President and Chief Accounting Officer

Martin Marietta -Board of Directors

C. Howard Nye – Chairman of the Board, President and Chief Executive Officer  
Roselyn R. Bar – Executive Vice President, General Counsel and Corporate Secretary  
Robert J. Cardin – Senior Vice President, Controller and Chief Accounting Officer  
Daniel L. Grant – Senior Vice President, Strategy and Development  
Crag M. LaTorre – Senior Vice President, Chief Human Resource Officer  
John P. Mohr – Senior Vice President and Chief Information Officer  
James A.J. Nickolas – Senior Vice President and Chief Financial Officer  
Michael J. Quillen – Lead Independent Director  
Dorothy M. Ables  
Sue W. Cole  
Smith W. Davis  
John J. Koraleski  
Laree E. Perez  
Thomas H. Pike  
Donald W. Slager  
Stephen P. Zelnik, Jr.

**Proposed PDD Conditions  
ARTICLE 5.**

**PD 5.**

**SEC. 51P-5.101. LEGISLATIVE HISTORY.**

PD 5 was established as a special permit by Ordinance No. 6271, passed by the Dallas City Council on August 16, 1954. Ordinance No. 6271 amended basic Zoning Ordinance No. 5238, passed by the Dallas City Council on August 28, 1951. The special permit created by Ordinance No. 6271 was converted to PD 5 by Comprehensive General Zoning Ordinance No. 10962, passed by the Dallas City Council on March 29, 1965. Ordinance No. 6271 was amended by Resolution No. 59-2066, passed by the Dallas City Council on May 11, 1959; Ordinance No. 8931, passed by the Dallas City Council on September 5, 1961; Resolution No. 62-466, passed by the Dallas City Council on February 5, 1962; Resolution No. 63-2217, passed by the Dallas City Council on April 29, 1963; Resolution No. 68-4370, passed by the Dallas City Council on August 26, 1968; Resolution No. 69-3106, passed by the Dallas City Council on June 2, 1969; Resolution No. 69-4898, passed by the Dallas City Council on September 2, 1969; Resolution No. 70-1619, passed by the Dallas City Council on April 20, 1970; Resolution No. 71-2096, passed by the Dallas City Council on June 7, 1971; Resolution No. 71-3438, passed by the Dallas City Council on September 20, 1971; Resolution No. 72-804, passed by the Dallas City Council on March 6, 1972; Ordinance No. 13988, passed by the Dallas City Council on February 19, 1973; Ordinance No. 14087, passed by the Dallas City Council on May 7, 1973; Ordinance No. 14411, passed by the Dallas City Council on January 28, 1974; and Resolution No. 77-0758, passed by the Dallas City Council on March 21, 1977. (Ord. Nos. 5238; 6271; 8931; 10962; 13988; 14087; 14411; Res. Nos. 59-2066; 62-466; 63-2217; 68-4370; 69-3106; 69-4898; 70-1619; 71-2096; 71-3438; 72-804; 77-0758)

**SEC. 51P-5.102. PROPERTY LOCATION AND SIZE.**

PD 5 is established on property located south of East Northwest Highway (formerly known as Groves Road), north of Santa Anna Avenue, west of Shiloh Road and east of Garland Road. The size of PD 5 is approximately 172.18 acres. (Ord. No. 6271)

**SEC. 51P-5.103. DEFINITIONS AND INTERPRETATIONS.**

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

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

(c) For Subarea 1, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this area. If there is a conflict



between the text of this article and the development plan, the text of this article controls. For a permitted use that requires a specific use permit (SUP) the approved site plan for the SUP meets the requirement of this section. For permitted uses that require an (SUP) the time period is established by the SUP.

**SEC. 51P-5.104. USES.**

All uses permitted in the Manufacturing-1 district are permitted on the Property and the following uses:

(1) Industrial (outside) not potentially incompatible use limited to a concrete batch plant. [SUP]

(2) Industrial (outside) potentially incompatible use limited to an asphalt batch plant. [SUP]

All uses permitted in the Manufacturing-1 district are permitted on the Property with the exception of the following uses:

- (1) Dance hall.
- (2) Furniture, auction sale.
- (3) Night club.
- (4) Penal or correctional institutions for insane, feeble-minded, liquor, or narcotic.
- (5) Skating rink.
- (6) Beer tavern.
- (7) Brewery.
- (8) Soap compounding (washing compound manufacture).
- (9) Airplane repair and manufacture.
- (10) Boiler manufacture and repair of boilers not exceeding 15 hp.
- (11) Carpet cleaning if no dust proof cleaning rooms in which dust catching, washing, and scouring equipment is provided.
- (12) Cotton ginning and bailing.
- (13) Cotton seed products manufacture.

(14) Rock crushing.

(15) Sand and gravel pits.

(16) Storage battery manufacture.

(17) Any use which involves a process which would emit dust, objectionable odors, excessive noise, and excessive vibration outside the walls of buildings. *See Appendix A.* (Ord. No. 6271)

#### **SEC. 51P-5.105. PLATTING.**

The area located north of Casa View Heights 7 and 8, between Garland Road and Shiloh Road, having a depth of 630 feet, must be platted with the equivalent of four rows of residential lots facing on two streets. Before any permit may be issued for industrial uses within the area located to the north as described in Ordinance 6271, the railroad company must build or cause to be built houses. These houses must be comparable in size and quality to those immediately south. (Ord. No. 6271)

#### **SEC. 51P-5.106. LANDSCAPING.**

(a) A 20-foot buffer strip must be provided immediately to the north of the platted area. A chain link or solid fence with a row of shade trees must be provided within this buffer strip. The shade trees must be placed 40 feet on center. The trees must be maintained in a healthy, growing condition at all times.

(b) A row of shade trees must be located between Garland Road and the Santa Fe mainline right-of-way. These trees must be placed 40 feet on center. The plantings must begin at the main entrance to the industrial area and continue north to a point opposite the intersection of Lippett Avenue and Garland Road, as shown on the approved site plan. (Ord. No. 6271)

#### **SEC. 51P-5.107. ENTRANCES.**

The main entrance to the proposed industrial area must be provided as shown on the approved site plan. All other entrances to the property from Garland Road, if any, must be grade separations at such points where they can be constructed. Any other entrances required to gain access to the Property must be located on Groves Road or Shiloh Road. (Ord. No. 6271)

#### **SEC. 51P-5.108. STREETS.**

No streets may extend southward from the area described in Ordinance No. 6271 to the area which is to be developed with single family homes. (Ord. No. 6271)

**SEC. 51P-5.109. DEDICATIONS.**

Dedications must be made for the widening of Groves Road as a major thoroughfare in accordance with requirements of the major street plan of the City of Dallas. The widening of Groves Road will serve as an extension of Northwest Highway and Shiloh Road. (Ord. No. 6271)

**SEC. 51P-5.110. SERVICE ROADS.**

(a) The service road along Garland Road must be eliminated. Five means of ingress and egress are permitted, one for each of the five lots shown on the approved site plan. The minimum distance between each opening must be recommended by the Department of Public Works and Transportation.

(b) The service road along Shiloh Road must be eliminated. Two openings must be provided for ingress and egress at Western Auto and one for each of the three proposed east-west streets shown on the site plan.

(c) The service road adjacent to the overpass on Groves Road must be eliminated. Approximately 980 feet of service road must be constructed which will extend westward from Shiloh Road. (Ord. Nos. 6271; 8931)

**SEC. 51P-5.111. BUILDING LINES.**

(a) Development of the industrial area must generally conform with the site plan approved by the city plan commission. All building lines shown on the site plan must be observed in the construction of buildings. The city plan commission must approve all final plans when they are submitted for building permits.

(b) A 50-foot building line must be maintained along Garland Road. If there is a loading dock on the front of the building, a 100-foot setback from Garland Road must be provided. (Ord. Nos. 6271; 8931)

**SEC. 51P-5.112. COMPLIANCE WITH CONDITIONS.**

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

(b) No certificate of occupancy may be issued by the building official until there has been a full compliance with the provisions of this article and any applicable provisions of the zoning ordinance and the building codes. (Ord. Nos. 6271; 8931)

**SEC. 51P-5.113. ZONING MAPS.**

~~PD 5 is located on Zoning Map Nos. F-10, F-11, G-10, and G-11.~~

## **SEC. 51P-5.114. PLAN HISTORY.**

(a) Development of the Property must comply with the plans and portions of plans approved by the city council that have not been superseded. The following plan history chart contains entries indicating that some plans have been amended or superseded. This information is provided only to aid in the interpretation of plans and does not represent a legal conclusion as to whether a plan has actually been amended or superseded.

(b) The following chronological history of plans is provided for PD 5:

<u>CC APPROVAL</u>	<u>PLAN NO.</u>	<u>DESCRIPTION</u>
8/16/54	1(Exhibit 5A)	Ordinance No. 6271 grants a special permit for limited Manufacturing-1 uses, subject to the approved plan attached.
5/11/59	2 (Exhibit 5B)	Site plan amendment.
9/5/61	3	Ordinance No. 8931 amends Ordinance No. 6271. No record exists of the site plan approved in connection with this ordinance.
2/5/62	4 (Exhibit 5C)	A site plan for an office and warehouse addition for 3-M Co. at La Fonda and Santa Fe is approved for the southwest corner of the PD. This plan is a partial amendment to Plan No. 2 (Exhibit 5B).
4/29/63	5 (Exhibit 5D)	A site plan for the American Beauty Building on Santa Anna Street is approved.
8/26/68	6 (Exhibit 5E)	A site plan for loading dock facilities for Santa Fe Railroad is approved. This is a new conceptual plan for part of the Property.
6/2/69	7 (Exhibit 5F)	A site plan for a warehouse addition for 3-M Co. at La Fonda and Santa Fe is approved. This plan supersedes Plan No. 4 (Exhibit 5C).
9/2/69	8 (Exhibit 5G)	A site plan for the Santa Fe Freight House is approved. This plan is a partial amendment to Plan No. 2 (Exhibit 5B).
4/20/70	9 (Exhibit 5H)	A site plan for Santa Fe Railroad Check Station is approved. This plan supersedes part of the conceptual plan and amends Plan No. 6 (Exhibit 5E).
6/7/71	10 (Exhibit 5I)	A site plan for the addition of a portable office building at Garland Road, southeast of Groves Road, is approved for Morgan Building Co.

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9/20/71	11 (Exhibit 5J)	A site plan to eliminate bells at the railroad crossing at the intersection of Santa Anna Avenue and Garland Road is approved.
3/6/72	12 (Exhibit 5K)	A site plan for Williams Craft, Inc. is approved.
2/19/73	13 (Exhibit 5L)	A site plan for property located along Santa Anna is approved in connection with Ordinance No. 13988.
5/7/73	14 (Exhibit 5M)	A site plan for Western Electric is approved in connection with Ordinance No. 14087.
1/28/74	15 (Exhibit 5N)	A site plan for the Sears Terminal Freight Facility is approved. The site is located along East Northwest Highway. This site plan amends Plan No. 8 (Exhibit 5G).
3/21/77	16 (Exhibit 5O)	A site plan is approved which amends Ordinance No. 8931.

(c) Development on the Property must comply with the exhibits listed in Subsection (b).



**PROPOSED SUP CONDITIONS  
(Asphalt Batch Plant)**

1. USE: The only use authorized by this specific use permit is an industrial (outside) potentially incompatible use limited to an asphalt batch plant.
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 automatically terminates on (two-years from the passage of the ordinance).

*Applicant's Request:*

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

4. LANDSCAPING: Landscaping must be provided and maintained in accordance with the attached site plan.
5. DUST CONTROL:

The following conditions must be met on an ongoing basis:

- i. All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.
- ii. During operations, all stockpiles must be sprinkled with water or chemicals to eliminate visible dust emissions.
- iii. Spillage of materials must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and vehicle traffic are minimized.
- iv. Emissions from the drum dryer must be vented to a fabric filter baghouse. The baghouse must be installed in accordance with the manufacturer's specifications and operated properly. No visible emissions may leave the site.

- v. To avoid overloading, a mechanism must be installed on each asphalt storage silo that warns operators when a silo is full.

B. A ground and dust control plan incorporating existing and proposed infrastructure, as required by conditions (i) through (iii) above, must be documented in written form and delivered to the Director of Environmental and Health Services and the Director of Sustainable Development and Construction prior to issuance of final inspection for a Certificate of Occupancy.

6. OUTSIDE STORAGE: Materials stored outside must be located in bins that are screened on three sides by a 10-foot-high solid screening walls.

7. PARKING: Parking must be located as shown on the attached site plan.

8. SCREENING: A minimum eight-foot-high screening fence must be provided in the location shown on the attached site plan. The fence must either be solid to provide screening of the interior of the Property.

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

10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

**PROPOSED SUP CONDITIONS  
(Concrete Batch Plant)**

1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use limited to a concrete batch plant.
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 automatically terminates on (two-years from the passage of the ordinance).

*Applicant's Request:*

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

4. LANDSCAPING: Landscaping must be provided and maintained in accordance with the attached site plan.
5. DUST CONTROL:

The following conditions must be met on an ongoing basis:

- j. All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.
- ii. During operations, all stockpiles must be sprinkled with water or chemicals to eliminate visible dust emissions.
- iii. Spillage of materials must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and vehicle traffic are minimized.
- iv. Emissions from the drum dryer must be vented to a fabric filter baghouse. The baghouse must be installed in accordance with

the manufacturer's specifications and operated properly. No visible emissions may leave the site.

- v. To avoid overloading, a mechanism must be installed on each asphalt storage silo that warns operators when a silo is full.

B. A ground and dust control plan incorporating existing and proposed infrastructure, as required by conditions (i) through (iii) above, must be documented in written form and delivered to the Director of Environmental and Health Services and the Director of Sustainable Development and Construction prior to issuance of final inspection for a Certificate of Occupancy.

6. OUTSIDE STORAGE: Materials stored outside must be located in bins that are screened on three sides by a 10-foot-high solid screening walls.

7. PARKING: Parking must be located as shown on the attached site plan.

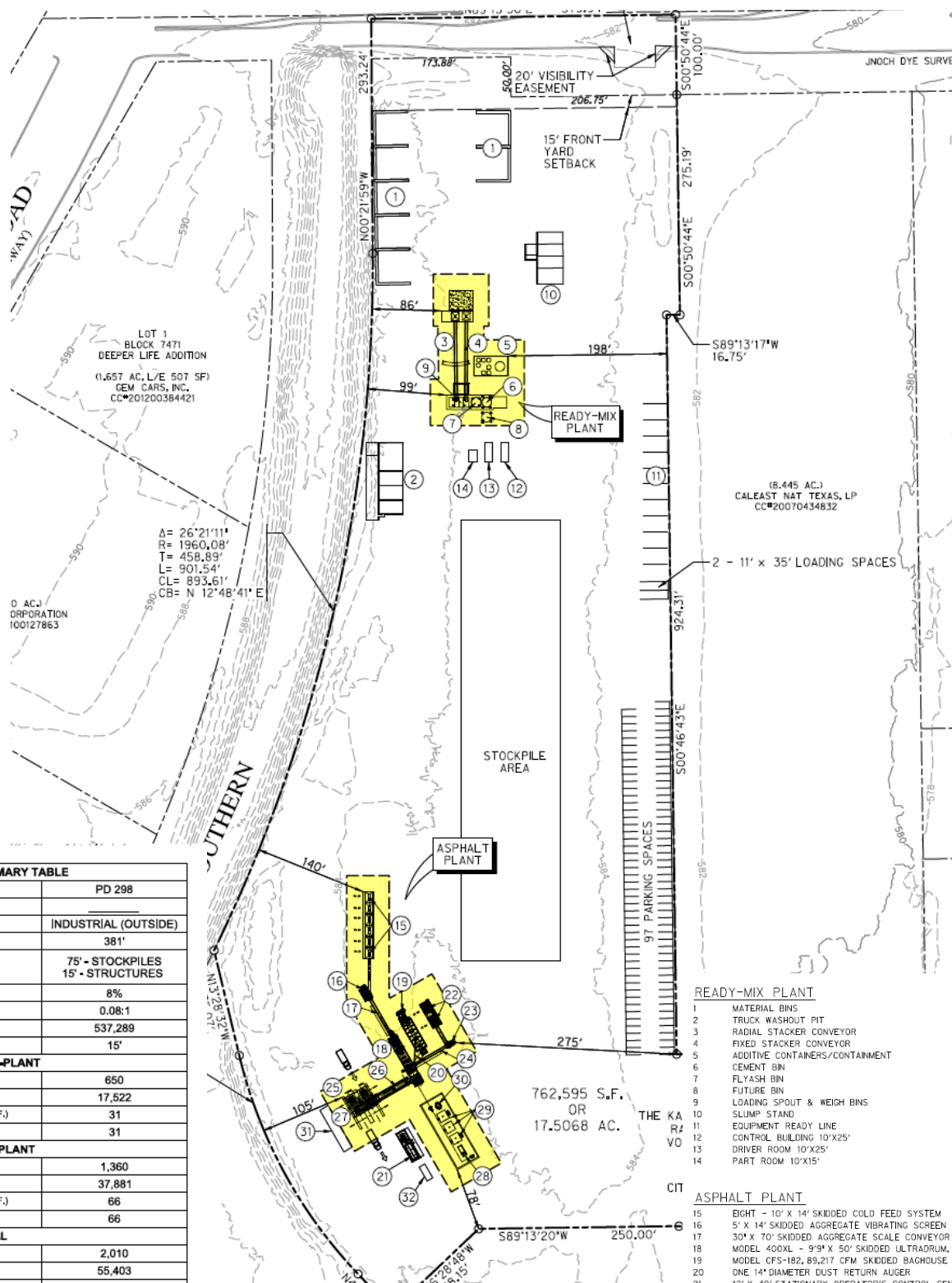
8. SCREENING: A minimum eight-foot-high screening fence must be provided in the location shown on the attached site plan. The fence must either be solid to provide screening of the interior of the Property.

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

10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.







### SITE DATA SUMMARY TABLE

	PD 298
	INDUSTRIAL (OUTSIDE)
	381'
	75' - STOCKPILES 15' - STRUCTURES
	8%
	0.08:1
CE S.F.	537,289
RD)	15'

## READY-MIX-PLANT

G S.F.	650
EA S.F.	17,522
) (1 SPACE PER 600 S.F.)	31
	31

## ASPHALT PLANT

100 G S.F.	1,360
100 EA S.F.	37,881
100 (1 SPACE PER 600 S.F.)	66
100	66

**TOTAL**

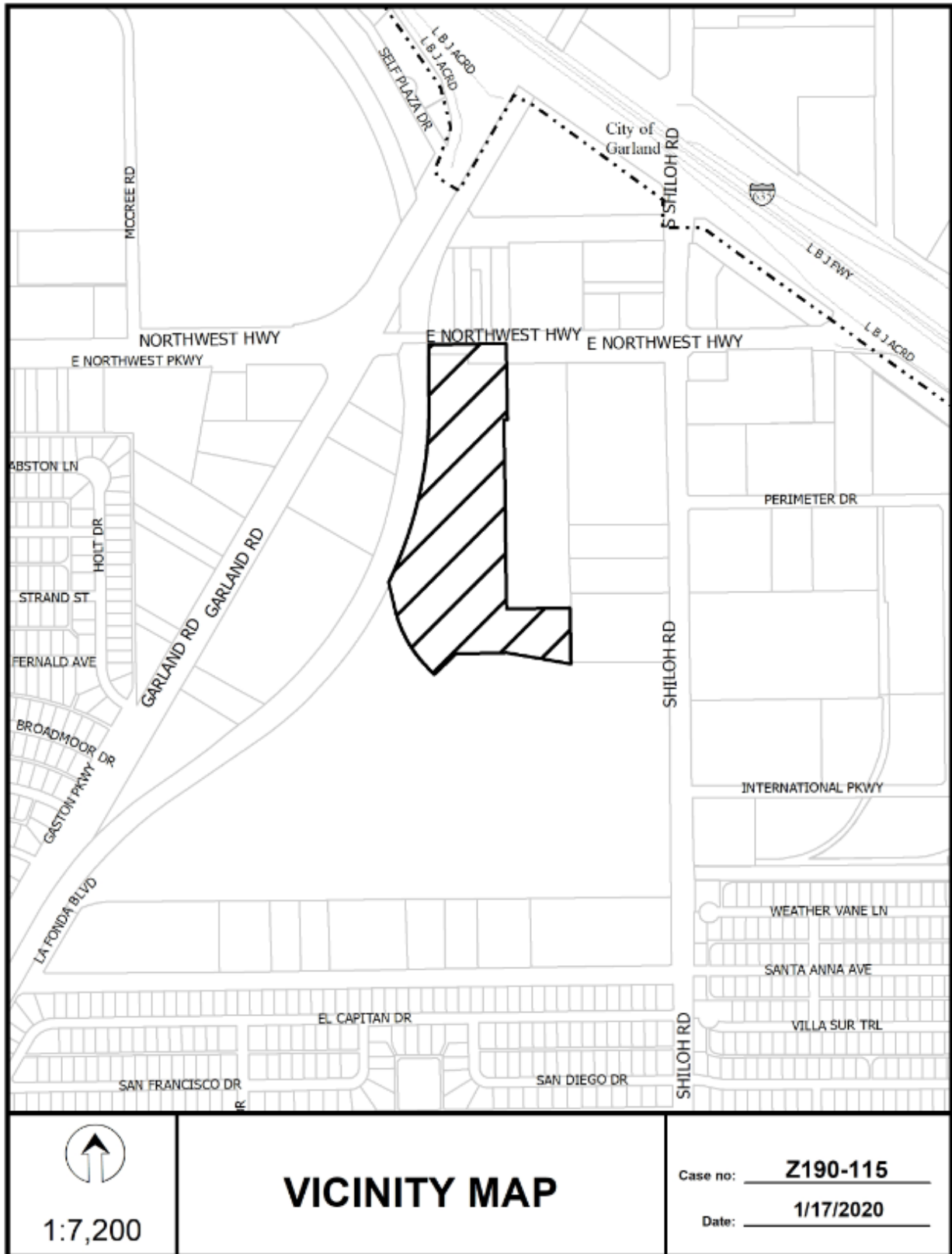
G S.F.	2,010
SITE AREA S.F.	55,403
	97
	97

## READY-MIX PLANT

- 1 MATERIAL BINS
- 2 TRUCK WASHOUT PIT
- 3 RADIAL STACKER CONVEYOR
- 4 FIXED STACKER CONVEYOR
- 5 ADDITIVE CONTAINERS/CONTAINMENT
- 6 CEMENT BIN
- 7 FLYASH BIN
- 8 FUTURE BIN
- 9 LOADING SPOUT & WEIGH BINS
- 10 SLUMP STAND
- 11 EQUIPMENT READY LINE
- 12 CONTROL BUILDING 10'X25'
- 13 DRIVER ROOM 10'X25'
- 14 PART ROOM 10'X15'

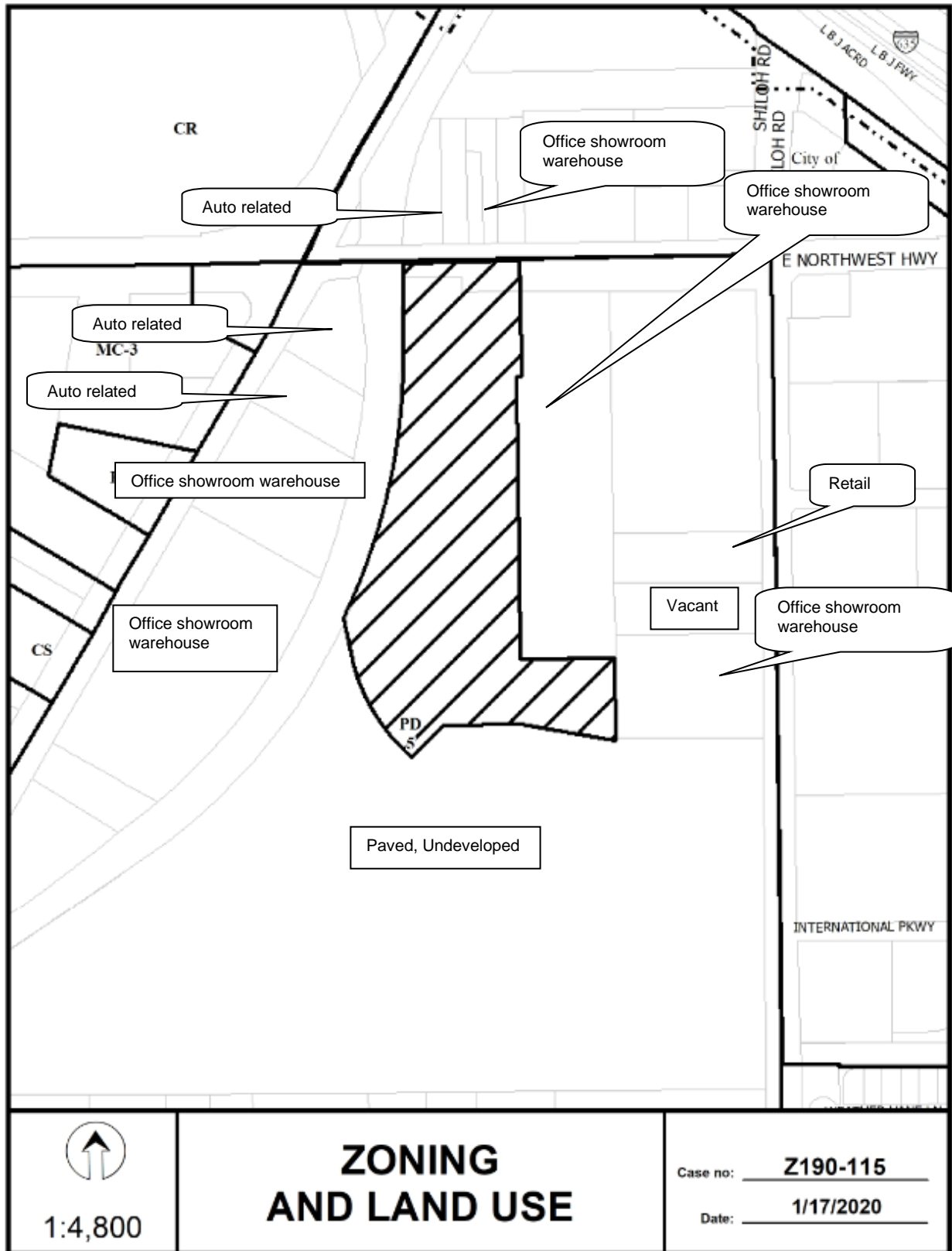
## ASPHALT PLANT

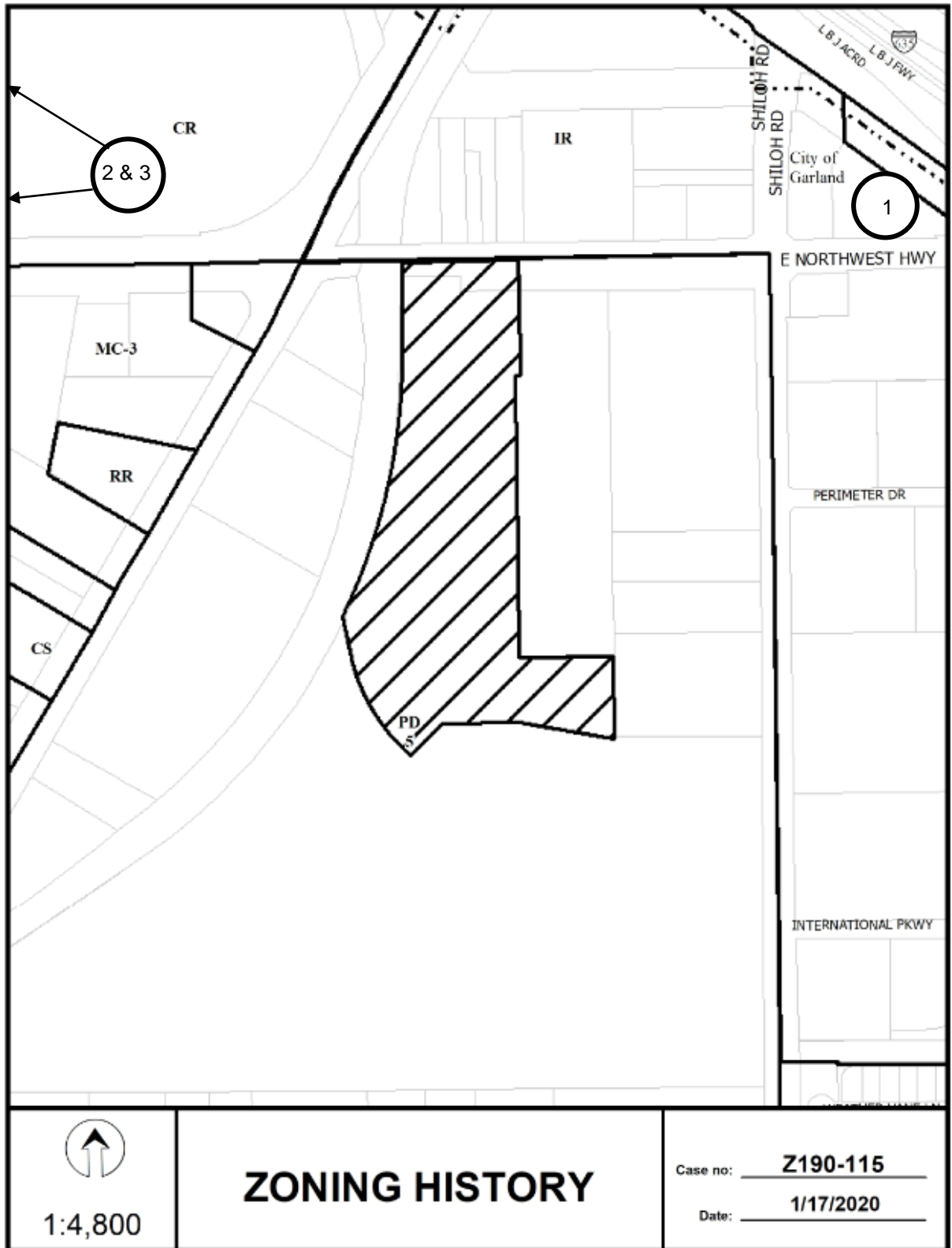
- 15 EIGHT - 10' X 14' SKIDDED COLD FEED SYSTEM  
16 9' X 14' SKIDDED AGGREGATE VIBRATING SCREEN - DOUBLE DECK  
17 30' X 7' SKIDDED AGGREGATE SCALE CONVEYOR  
18 MODEL 400XL - 9'9" X 50' SKIDDED ULTRADRUM PRIMARY MOUNTED OVER DRUM  
19 MODEL CFS-182, 89,217 CFM SKIDDED BAGHOUSE  
20 ONE 14" DIAMETER DUST RETURN AUGER  
21 12' X 40' STATIONARY OPERATOR'S CONTROL CENTER & MCC  
22 ONE 10' X 15' RECYCLE BIN, 8" - 10' X 15' BAS BIN, SKIDDED - SERIES I  
23 4' X 10' STATIONARY RECYCLE DEISTER VIBRATING SCREEN - SINGLE DECK  
24 4' X 10' STATIONARY RECYCLE SCALE CONVEYOR  
25 FOUR - 200 TON DELUXE STATIONARY SLOS  
26 400 TPH X 88" STATIONARY DELUXE SALT CONVEYOR WITH CLEANOUT & REJECT  
27 TWO - 400 TPH 2-WAY TOP OF SILO TRANSFER, ONE 400 TPH CROSS TRANSFER  
28 HYFO-2000 HY-WAY HOT OIL HEATER  
29 THREE - 30,000 GALLON VERTICAL AC TANKS  
30 1,000 GALLON CALIBRATION TANK  
31 12' X 60' PORTABLE LAB TRAILER  
32 8' X 20' CONEX BOX



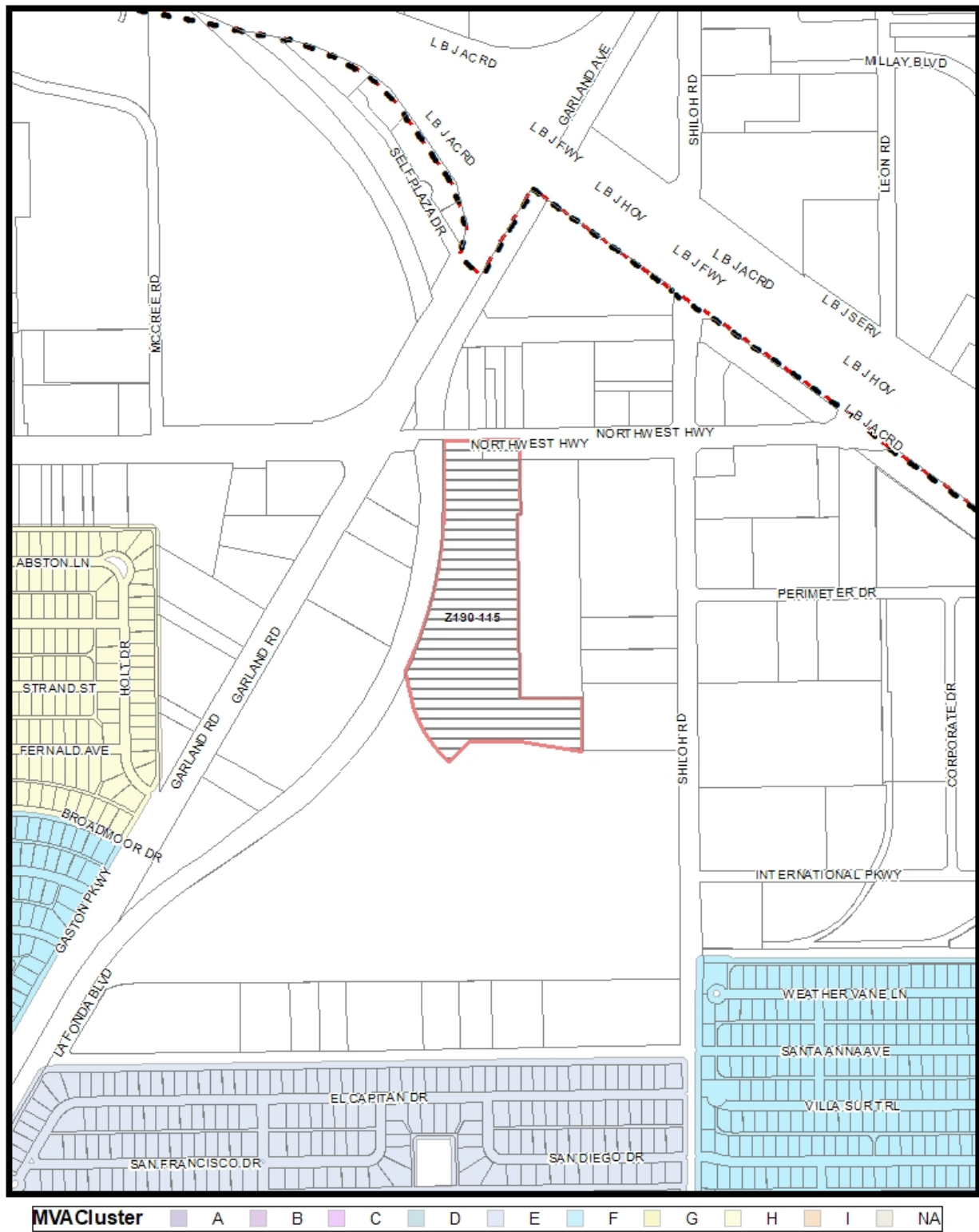


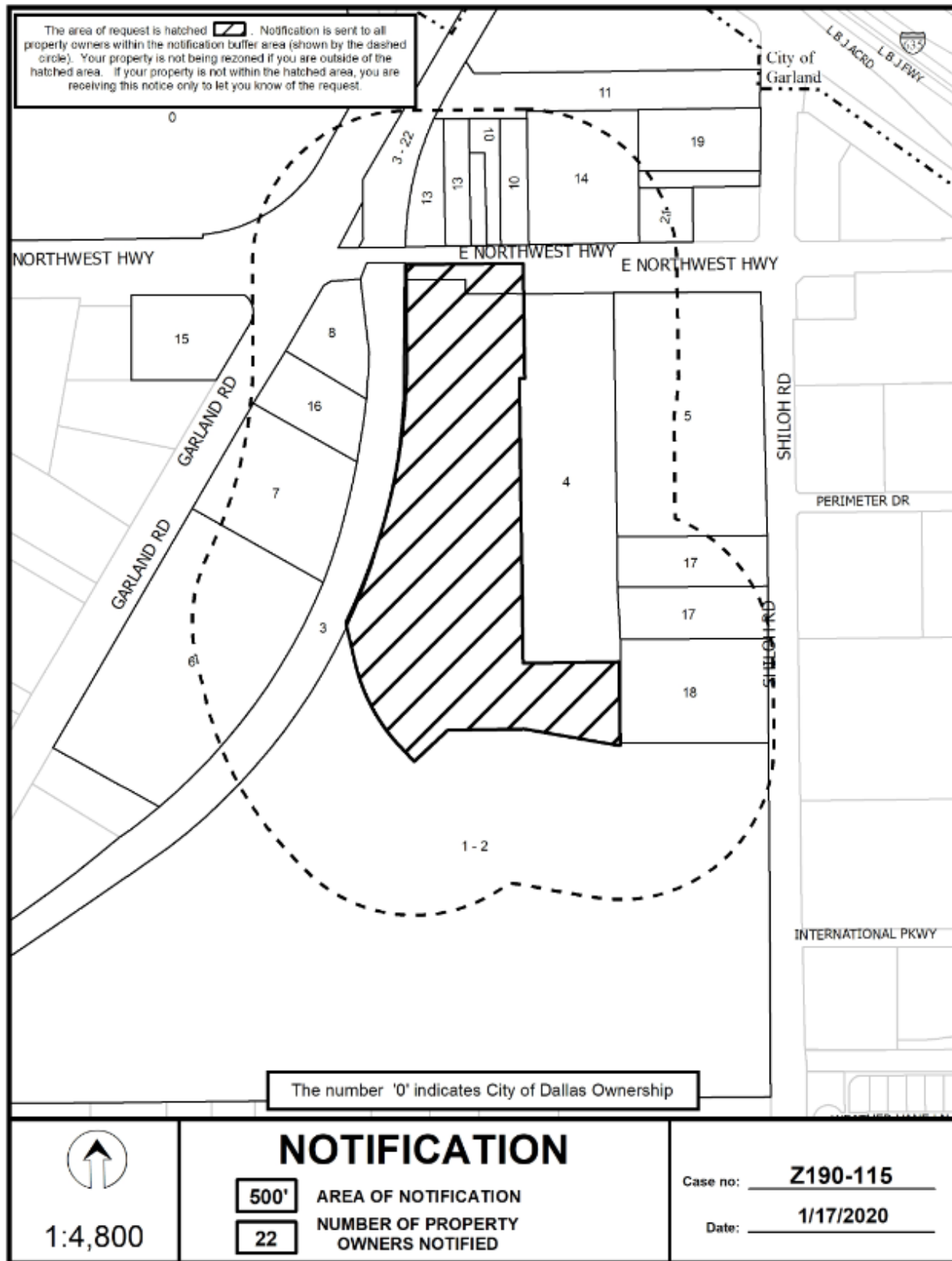












01/17/2020

***Notification List of Property Owners******Z190-115******22 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	12230 E NORTHWEST HWY	KANSAS CITY SOUTHERN
2	999 GARLAND RD	BLACKSTONE MINERALS
3	99999 NO NAME ST	KANSAS CITY SOUTHERN RR
4	12340 E NORTHWEST HWY	CALEAST NAT TX LP
5	12141 SHILOH RD	FAINBARG I LP &
6	12110 GARLAND RD	KANSAS CITY SOUTHERN
7	12150 GARLAND RD	IESI TX CORP
8	12182 GARLAND RD	GEM CARS INC
9	12303 SHILOH RD	PAYNE WILLIAM INVEST
10	12243 E NORTHWEST HWY	EUROPE MARKET LLC
11	12200 SHILOH RD	ONCOR ELECRTCIC DELIVERY COMPANY
12	12229 E NORTHWEST HWY	WIGGINS MICHAEL LLC
13	12205 E NORTHWEST HWY	WA DIAMOND INC
14	12343 E NORTHWEST HWY	PS TEXAS HOLDINGS LTD
15	12100 E NORTHWEST HWY	QUIKTRIP CORP
16	12180 GARLAND RD	VERDE INVESTMENTS INC
17	12045 SHILOH RD	AVM AUS LTD
18	12015 SHILOH RD	DOUBLE-R SHILOH LLC
19	12243 SHILOH RD	ALMARK HOLDING CORP
20	12204 GARLAND RD	HARRISON MIKE
21	12425 E NORTHWEST HWY	SLAXMI LLC
22	99999 NO NAME ST	KANSAS CITY SOUTHERN RR

**FILE NUMBER:** Z190-159(PD)

**DATE FILED:** December 16, 2019

**LOCATION:** Southwest corner of Dairy Milk Lane and Zodiac Lane

**COUNCIL DISTRICT:** 6

**MAPSCO:** 23-J

**SIZE OF REQUEST:** ±2.07 acres

**CENSUS TRACT:** 97.01

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**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**OWNER:** FAAS Investment Group, LLC

**APPLICANT:** C.K.S. Packaging, Inc.

**REQUEST:** An application for a Specific Use Permit for a commercial motor vehicle parking use on property zoned an IR Industrial Research District.

**SUMMARY:** The applicant proposes to operate a commercial motor vehicle parking use on the subject site.

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

**BACKGROUND INFORMATION:**

- The request site is unimproved, has never been developed or requested permits.
- The requested commercial motor vehicle parking use is allowed by right in an IR district, however, a commercial motor vehicle parking use requires a SUP if located within 500 feet from a residential district.
- Commercial motor vehicle parking is a facility for the temporary, daily, or overnight parking of commercial motor vehicles as defined in the use regulations for a truck stop, and/or motor vehicles with two or more rear axles such as trucks, truck tractors, and similar vehicles, for no charge or for a fee, regardless of whether that fee is charged independently of any other use on the lot, if the parking is not accessory to a main use on the lot. Districts permitted: By right in CS, LI, IR, and IM districts, except by SUP only if located within 500 feet of a residential district, measured in a straight line, without regard to intervening structures or objects, from the nearest boundary of the lot where this use is conducted to the nearest boundary of the zoning district at issue.

**Zoning History:** There has been no zoning changes requested in the area within the last five years.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	Existing ROW
Zodiac Lane	Minor Arterial	40 ft.
Dairy Milk Lane	Minor Arterial	40 ft.

**Traffic:**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the request will not significantly impact the existing roadway 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 request site is located east of Harry Hines Boulevard and a Dallas Area Rapid Transit rail system. The site is centrally located within an Industrial Research District



Z190-159(PD)

heavily concentrated with industrial type uses consisting of office showroom warehouse and warehouse uses.

The proposed zoning request meets the following goals and objectives of the Comprehensive Plan.

## **ECONOMIC ELEMENT**

### **GOAL 2.1 PROMOTE BALANCED GROWTH**

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

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

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

## **STAFF ANALYSIS:**

### **Land Use:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	IR	Undeveloped
<b>North</b>	IR	Office Showroom Warehouse
<b>South</b>	IR	Office Showroom Warehouse
<b>East</b>	IR	Office Showroom Warehouse
<b>West</b>	IR	Office Showroom Warehouse

### **Land Use Compatibility:**

The approximately 2.07 acre request site is unimproved and undeveloped. The requested commercial motor vehicle parking use will facilitate the temporary, daily, or overnight parking of commercial motor vehicles as defined in the use regulations for a truck stop, and/or motor vehicles with two or more rear axles such as trucks, truck tractors, and similar vehicles, for no charge or for a fee, regardless of whether that fee is charged independently of any other use on the lot, if parking is not accessory to a main use on the lot.

The request site is located within an industrial area and is adjacent to office showroom warehouse and warehouse uses on all sides. The proposed site plan depicts a total of 62 off-street parking spaces dimensioned to accommodate large trucks and motor vehicles.

The Development Code requires a Specific Use Permit for a commercial motor vehicle parking in the IR Industrial Research District if located within 500 feet of a residential district, measured in a straight line, without regard to intervening structures or objects, from the nearest of the lot where the use is conducted to the nearest boundary of the zoning district at issue. Property to the west along Allegheny Drive is zoned an R-7.5(A) Single Family District and measures approximately 342 feet from the request site. However, between the request site and the residential district lies a warehouse storage use. Staff does not believe the proposed use will pose a negative impact since an intervening warehouse storage use separates the two uses.

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

While the request site is within 500 feet of a residential district, staff has considered that the residential district is not immediately adjacent to the proposed use but is immediately adjacent to a warehouse storage use that is immediately adjacent but intervenes between the two uses. Additionally, the request site intends to provide landscape trees and a three-foot-tall screening fence along both frontages. Therefore, staff does not anticipate negative potential impacts on the existing traffic patterns, the air quality or noise that may be generated by the proposed use and therefore recommends approval of the request for a five-year time period. While the request site is adjacent to office showroom warehouse and warehouse uses and these uses do back up to the residential district, the proposed use does not exist within the area. Therefore, while a use separates the residential district, staff believes there must be evaluation of the operation of the use on the site to determine whether proximity with the intervening use poses a negative impact before allowing automatic renewals.

**Landscaping:**

The request will trigger Article X, as amended. Article X is triggered when a building permit for construction falls under the following regulations of Sec. 51 A-10.121 Application of Division:

1. when the nonpermeable coverage on the lot or tract is increased by more than 2,000 square feet within a 24 month period,
2. increases the number of stories and increases the height of a building on the lot;
3. or increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24 month period. The increase in combined floor area is determined by adding the floor area of all

Z190-159(PD)

buildings on the lot within the 24 months prior to application for a building permit, deducting any floor area that has been demolished in that time or will be demolished as part of the building permit, and comparing this figure with the total combined floor area after construction.

The request site measures more than 18,000 square feet (not including setbacks) and proposes to improve the site with a crushed concrete or gravel surface. A landscape plan is provided because the applicant is proposing to install more landscape than is required by Code.

### **Market Value Analysis**

[Market Value Analysis \(MVA\)](#), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. While the subject site is not located within an identified market type category, it is within proximity to an "E" and "F" MVA cluster to the east across Zodiac Lane.

### **Parking:**

The proposed commercial motor vehicle parking use does not require off street parking or loading. The proposed site plan depicts 62 off-street parking spaces. Per Section 51A-4.301(d)(2), for a use other than a single family, duplex, or vehicle storage lot use, each off-street parking space must be clearly and permanently identified by stripes, buttons, tiles, curbs, barriers, or another method approved by the building official. Moreover, Section 51A-4.301(d)(4) states, for a use other than a single family, duplex, or vehicle storage lot use, the surface of an enclosed or unenclosed parking space, maneuvering area for parking, or a driveway which connects to a street or alley must be on a compacted sub-grade, and must consist of:

- (A) concrete paving;
- (B) hot mix asphalt paving which consists of a binder and surface course; or
- (C) a material which has equivalent characteristics of Subsections (d)(4)(A) or (d)(4)(B) and has the approval of the building official.

Should the applicant not want to provide this material, alternate surface approval may be obtained through the Engineering Division.

**List of Officers**

**CKS PACKAGING**

Charles K. Sewell - Chairman  
John R. Sewell – President & CEO  
Scott K. Sewell – COO; Operations  
W. Drew Sewell – COO; Administration  
Dewayne Philips – Executive Vice President  
Dan Fischer – CFO  
Jim Meyman – V.P. Operations  
Lloyd Martin – V.P. Manufacturing

**FAAS INVESTMENTS GROUP LLC**

Said Abuqartoumy, Managing member  
Zeid Sallam, Registered Agent

## PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is commercial motor vehicle parking.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

*Staff's Recommendation:*

- |  |
|--|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on (five years from the passage of this Ordinance) |
|--|

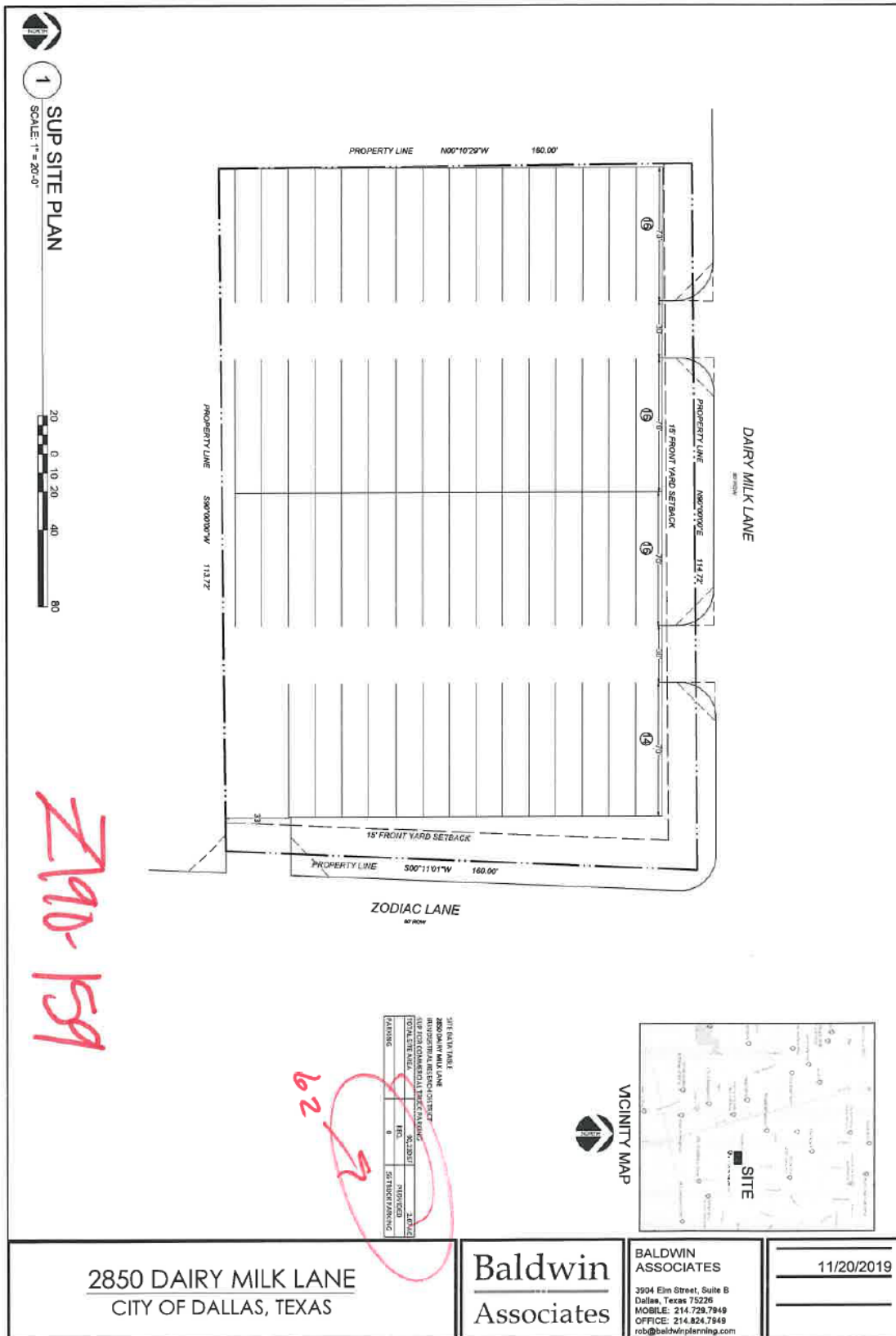
*Applicant's Request:*

- |   |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on (five years from the passage of this Ordinance), but is eligible for automatic renewals 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 10 and before the 120 <sup>th</sup> day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced. |
|---|

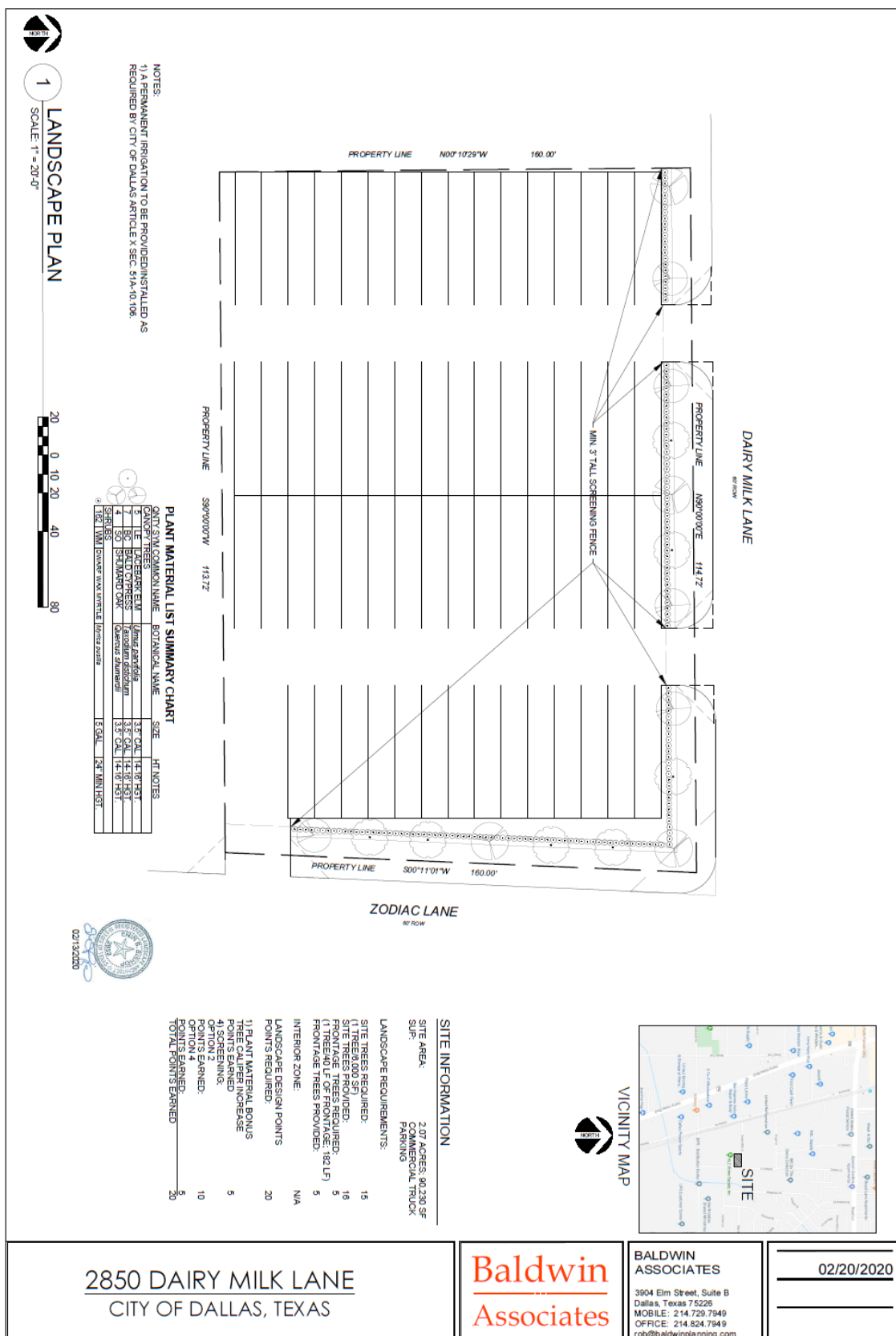
4. LANDSCAPING: Landscape must comply with the attached landscape plan.
5. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.
6. GENERAL REQUIREMENT: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules and regulations of the City of Dallas.

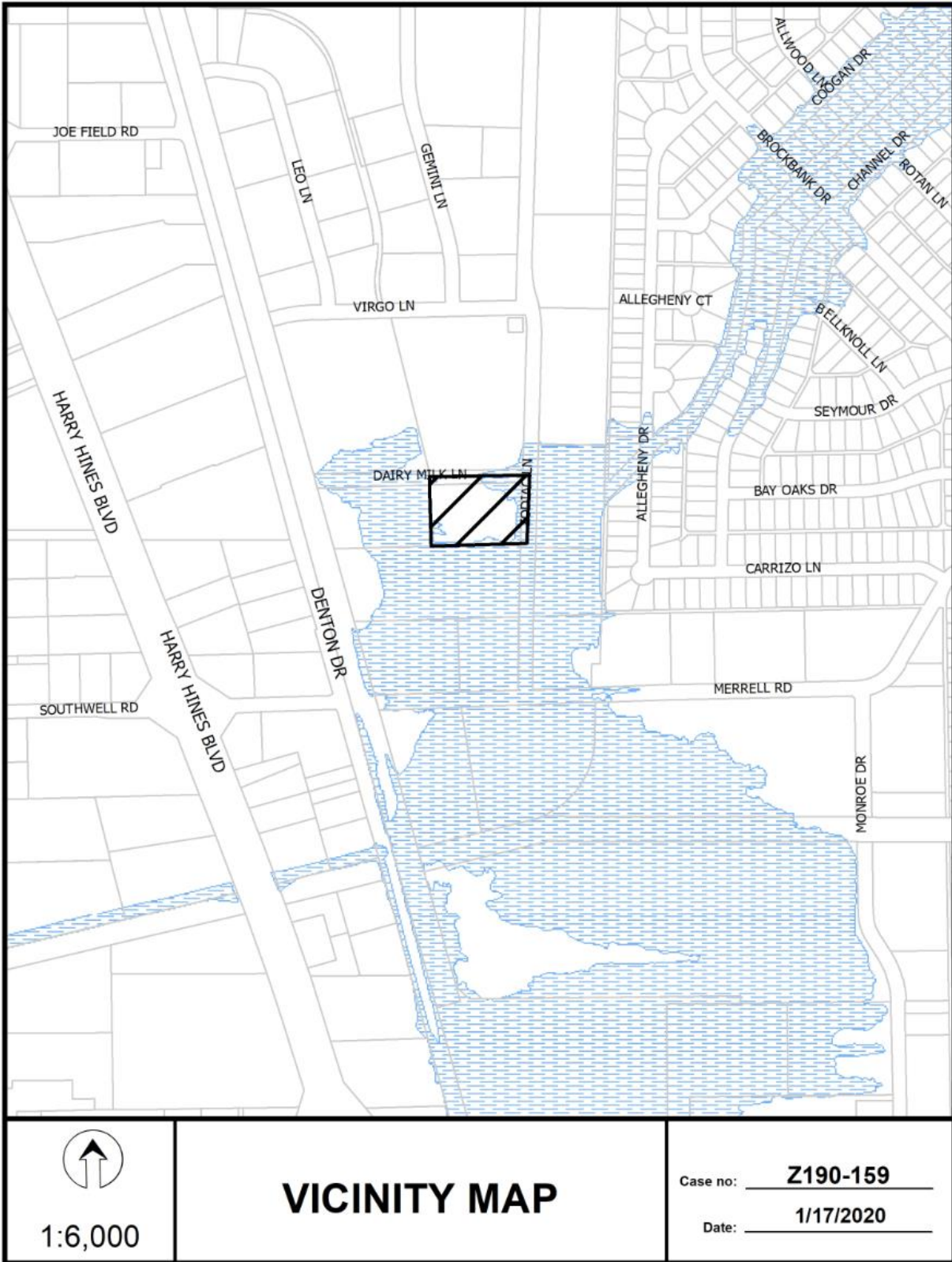


Proposed Site Plan

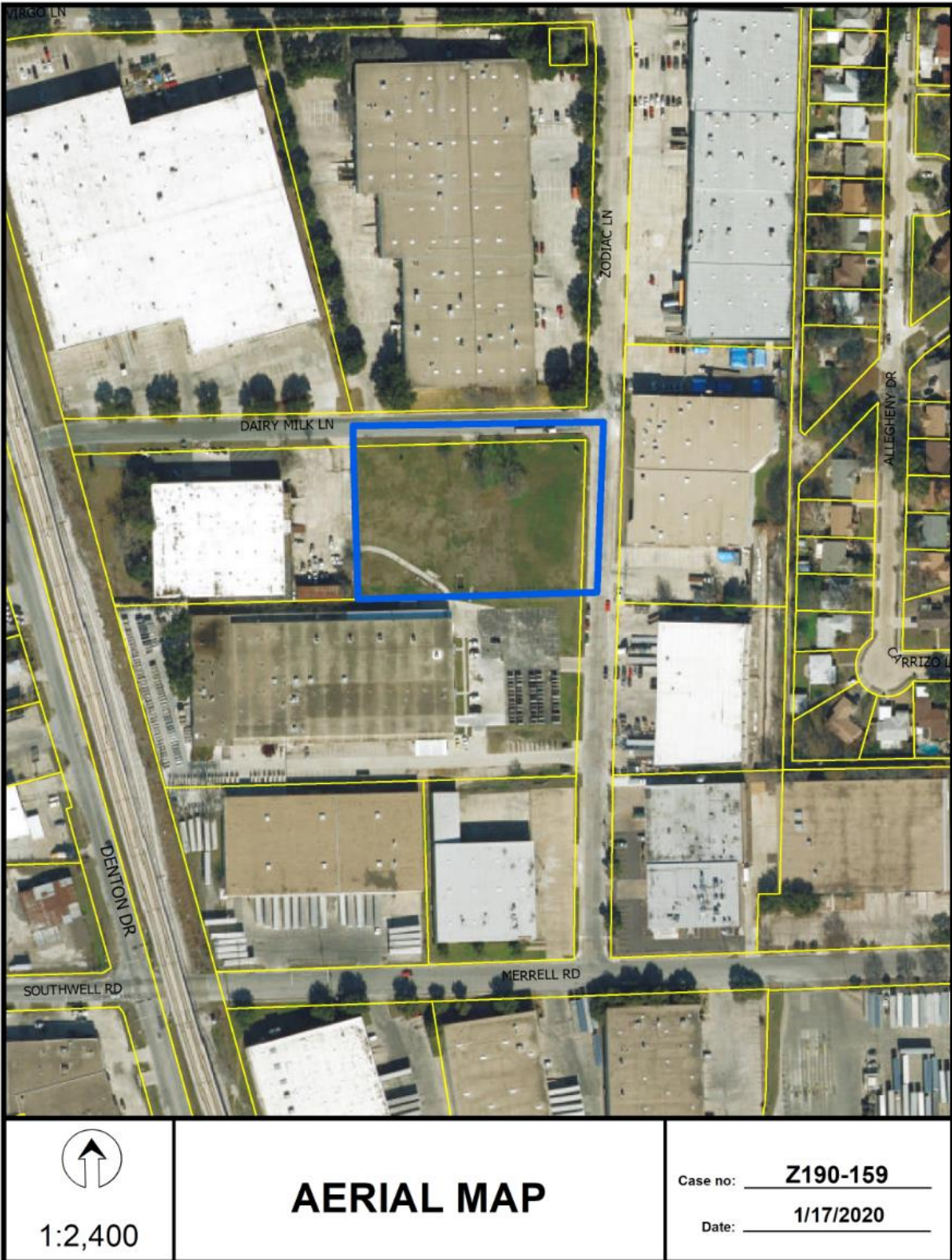


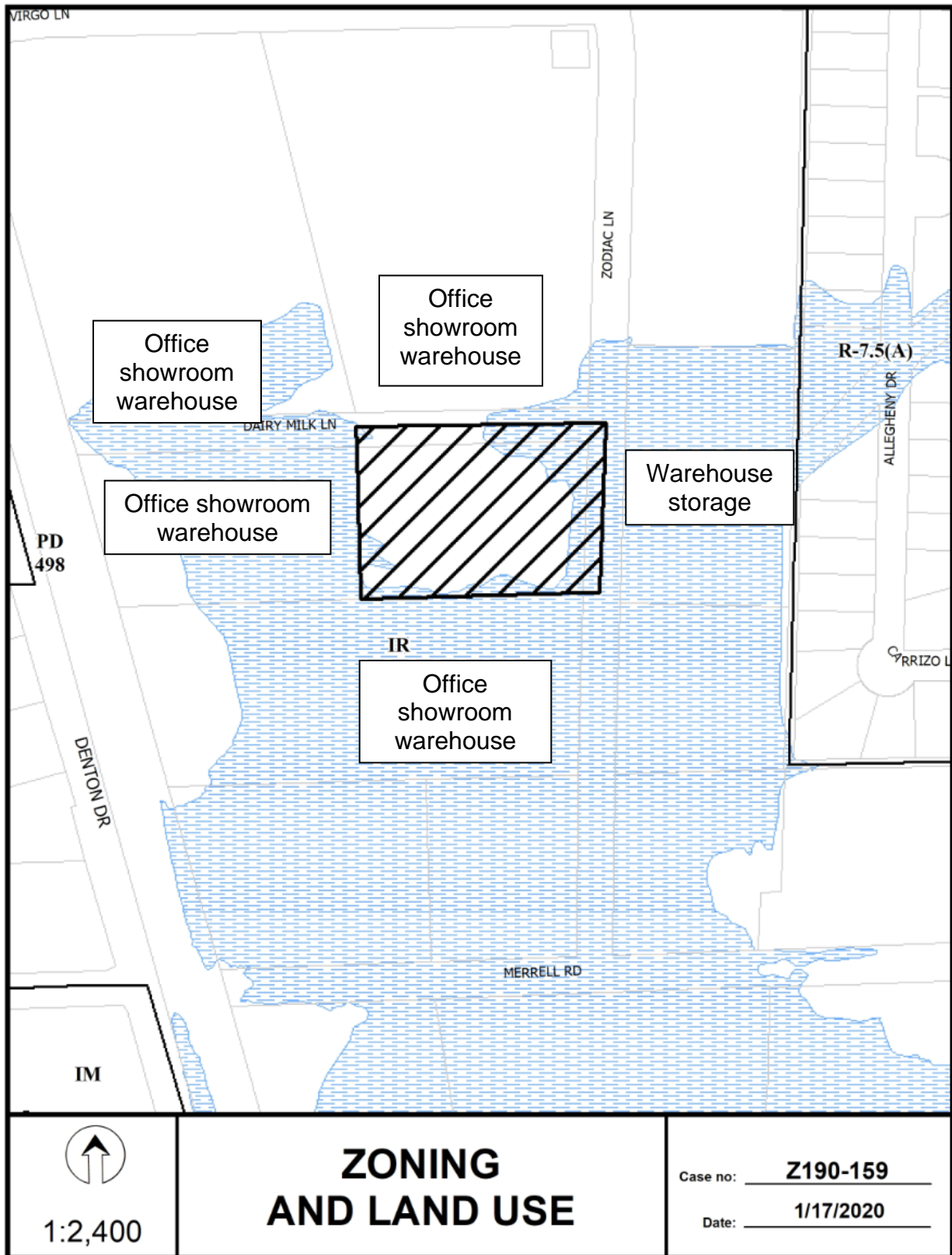
## Landscape Plan





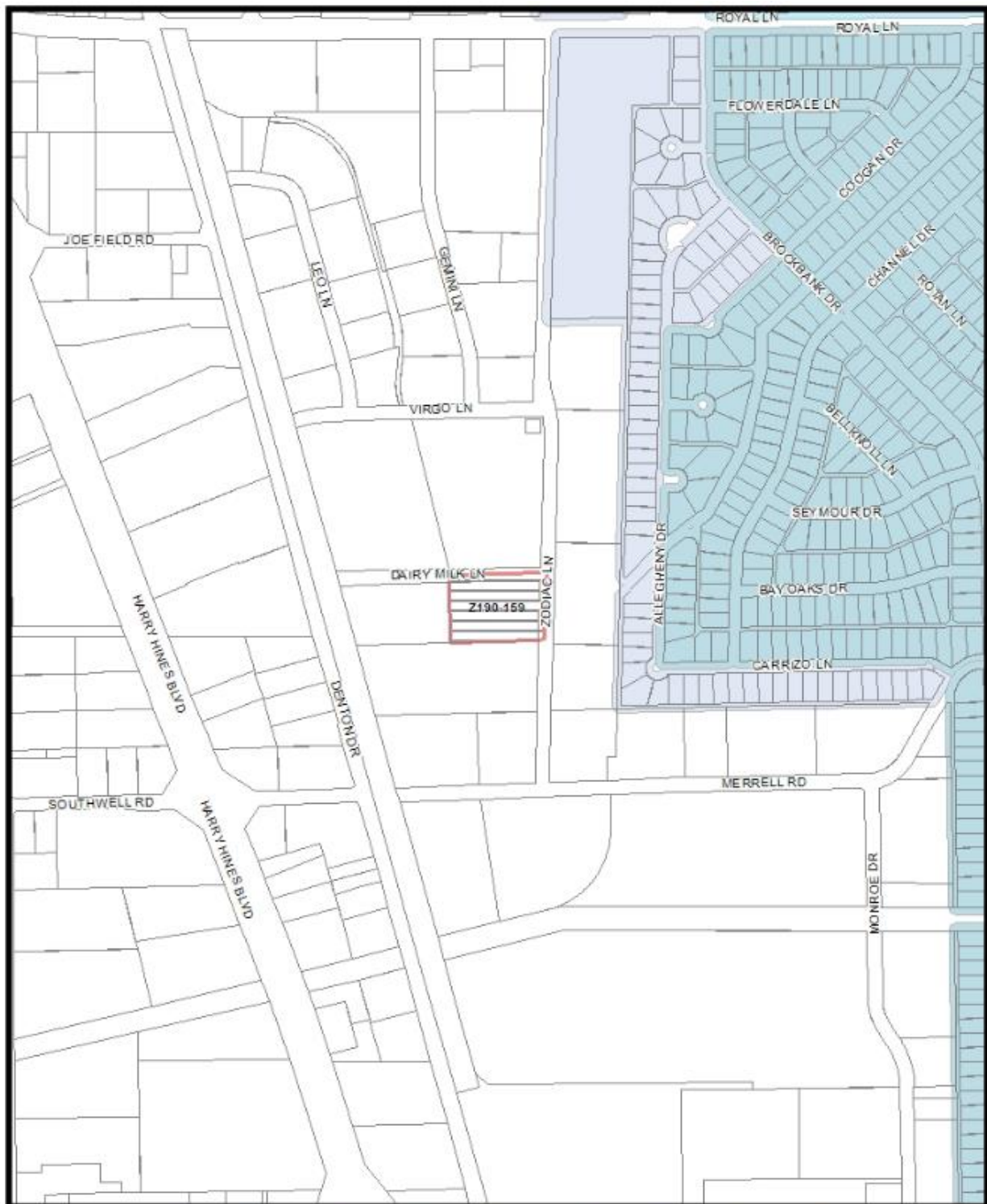








Z190-159(PD)



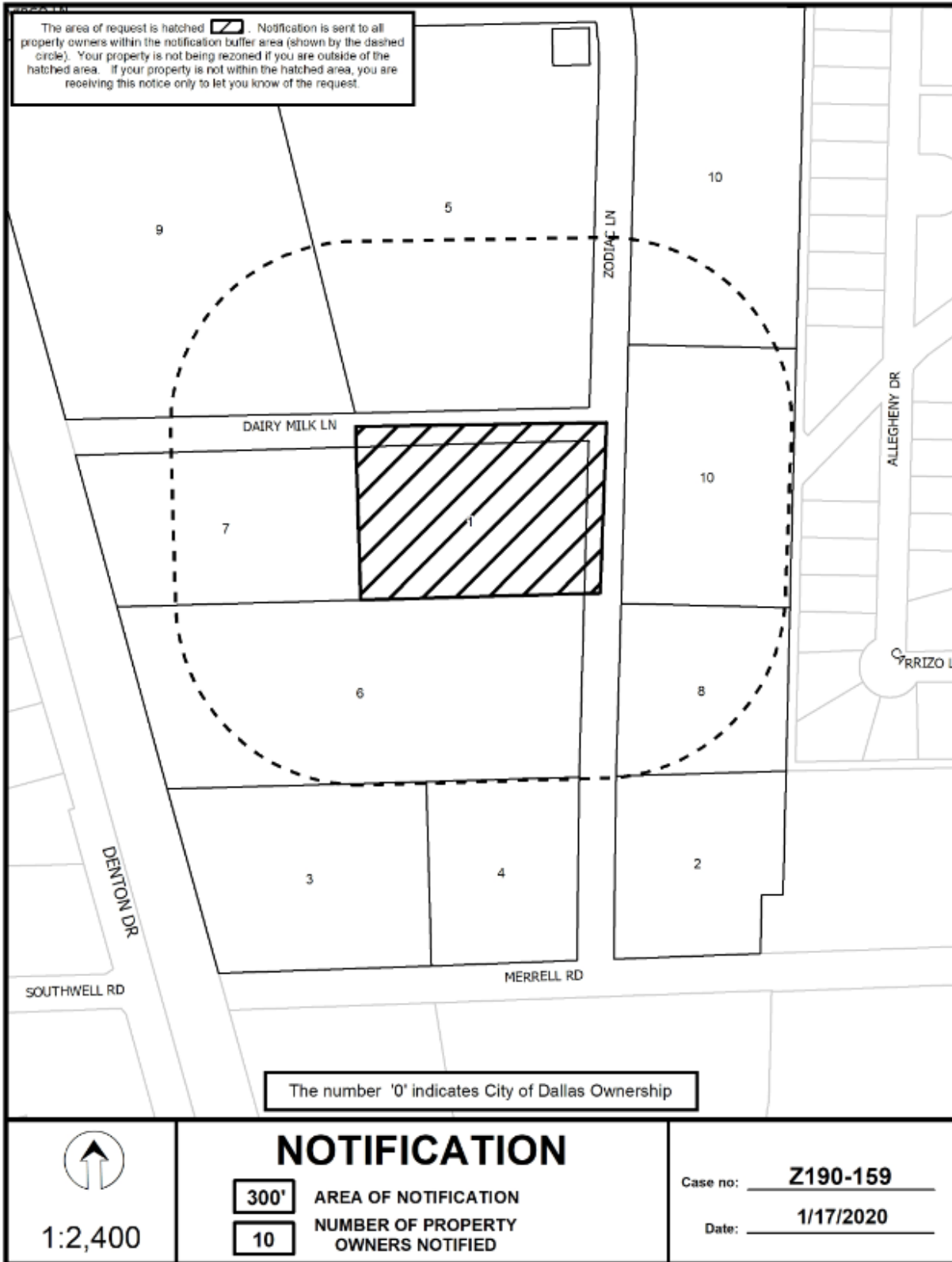
MVACluster A B C D E F G H I NA



1:6,000

## Market Value Analysis

Printed Date: 1/17/2020



***Notification List of Property Owners******Z190-159******10 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2850 DAIRY MILK LN	FAAS INVESTMENTS GROUP LLC
2	10310 ZODIAC LN	TRITON ZODIAC LLC
3	2829 MERRELL RD	462 THOMAS FAMILY PROPERTIES LP
4	2839 MERRELL RD	WBATLAS HOLDINGS LLC
5	11125 ZODIAC LN	BRE IPC TX PROPERTY OWNER LLC
6	11129 ZODIAC LN	MNS PPTIES INC
7	11180 DENTON DR	AUTO GLASS INTL INC
8	11120 ZODIAC LN	GONE CAMPING LLC
9	2802 VIRGO LN	BRE IPC TX PROPERTY OWNER LLC
10	11150 ZODIAC LN	FUTERFAS FAMILY LP

**Planner: Pamela Daniel**

**FILE NUMBER:** Z190-117(PD)

**DATE FILED:** October 21, 2019

**LOCATION:** South corner of Stemmons Freeway and Commonwealth Service Road

**COUNCIL DISTRICT:** 6

**MAPSCO:** 33-Z

**SIZE OF REQUEST:** ± 23.186 acres

**CENSUS TRACT:** 100.00

**REPRESENTATIVE:** Rob Baldwin, Baldwin Associates

**APPLICANT / OWNER:** Pegasus Place, LLC

**REQUEST:** An application for a new tract within Tract 1 of Planned Development District No. 278.

**SUMMARY:** The applicant [Pegasus Place LLC] proposes to create a new tract to allow MU-3 Mixed Use District uses with deviations from the parking and landscape requirements.

**STAFF RECOMMENDATION:** Denial.

**PLANNED DEVELOPMENT DISTRICT NO: 278 LINK:**

<http://www.dallascityattorney.com/51P/Missing%20Articles%20&%20Exhibits/ARTICLE%20278.pdf>

## Background Information

- On September 28, 1987, the City Council approved Planned Development District No. 278. PDD No. 278 consisting of four tracts, approximately 45.8 acres of land with the following uses:
  - (1) computer facility,
  - (2) storage area for computer tapes and other office supplies,
  - (3) training facilities related to the uses permitted on the Property,
  - (4) stratigraphic lab, including engineering, instrumentation, and development activities,
  - (5) cafeteria/lunchroom restricted to employees and guest,
  - (6) machinery, heavy equipment, or truck sales and services [Tract III only], and
  - (7) office showroom/warehouse.

The PDD was intended to permit and support a data center. [Mobil Oil]

- The 23-acre request site is developed with the following existing five structures; an 18-story tower with 548,126 square feet of floor area, a 130,599 square feet structure consisting originally used as a computer center, training building, and tape storage. Originally, the uses were three separate structures; however, the structures were connected over time. Additionally, the site contains surface parking lots, and three separate structures utilized with office showroom warehouse uses consisting of 49,510 square feet.

**Zoning History** There have been no zoning changes requested in the area within the past five years:

## **Thoroughfares/Streets**

Thoroughfares/Street	Type	Existing ROW / Proposed ROW
Irving Boulevard	Principal Arterial	100 ft.
Commonwealth Serv Rd.	Principal Arterial	107 ft.

## **Traffic**

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that improvements are needed at Lakawana Street and Irving Boulevard intersections to mitigate the site impact and two southbound lanes be provided. Additionally, the Engineering Division has advised that two approach

lanes should be installed for all site driveways that are operating at LOS F. The level of performance to describe the efficiency of civil infrastructure is the Level of Service (LOS) description. Generally, LOS can be described by six levels ranging from A to F with an LOS F operating over design capacity.

### **Comprehensive Plan**

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

The applicant's request does not comply with the following goals and policies of the Comprehensive Plan.

### **ECONOMIC ELEMENT**

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

Planning for balanced growth in a dynamic economic environment calls for flexible zoning regulations to enable the City to respond to changing markets and to better facilitate development that aligns with economic priorities.

While staff does give credence to allowing latitude with requests that are appropriate in scale and intensity to surrounding zoning districts, staff cannot support a request that deviates from the existing built environment. The environment is heavily industrial in nature with the site containing very specific uses that supports that of a data center type use. A request to allow MU-3 Mixed Use District in an area where significant portions of the area are zoned industrial may not be compatible with this kind of growth and development.

### **URBAN DESIGN**

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

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

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



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

### **Trinity River Corridor Comprehensive Land Use Plan:**

The Trinity River Corridor includes approximately 44,000 acres in size - about 20% of the land area in Dallas. The boundaries of the corridor span from Royal Lane in the north to I-20 in southern Dallas, and approximately 1.5 miles on either side of the Trinity River. The Trinity River Corridor is a unified collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water and green spaces that is the Trinity River. Additionally, the Trinity River Corridor is the City's model for economic growth without physical, social or economic barriers, which attracts residents and visitors to live, learn, work, shop and play within a cosmopolitan urban core, and alongside the river's meandering environment. Five objectives for future development in the Trinity Corridor add detail to the 2050 Vision Statement. They provide guidance that shapes this plan's recommendations for each part of this very large corridor. The five objectives are to reconnect North and South Dallas, establish the role of economic development along the Trinity River, create a vibrant central city, establish the Trinity River floodplain as the front yard of the City, and enhance the City's urban form to increase the appeal of urban life.

Its broad vision describes the character this corridor should have in the future. It establishes the general principles that will direct preparation of detailed plans for smaller parts of this large area. It provides guidance about the appropriate land uses and development patterns for the corridor that can be used by citizens, property owners and City officials as they review specific development proposals.

### **Stemmons Corridor Southwestern Medical District Area Plan:**

The Stemmons Corridor – Southwestern Medical District Plan Area contains approximately 3,885 acres (about six square miles) and is generally bounded by the Trinity River, Mockingbird Lane, Downtown, and the City's Uptown area. The Stemmons Corridor – Southwestern Medical District Area is a destination. It is a destination for business, trade and economic innovation; a destination for premier medical attention and research; a destination for living with desirable, diverse urban housing; and a destination for shopping, recreation, and entertainment, with unique shops and experiences.

The *forwardDallas!* plan identifies the Stemmons Corridor – Southwestern Medical District area as an area of growth and stressed the need for an area plan to guide this

growth to foster desirable development patterns. This area has been undergoing major changes with numerous forces moving development and redevelopment forward in the area. Among these are the expansion of the Medical District as an employment center; new development occurring around the American Airlines Center and Design District activity hubs; transportation improvements including new DART stations which will enhance regional accessibility and influence development patterns; and the Trinity River project and anticipated public and private development associated with it.

The Plan envisions the portion of the request site across Irving Boulevard to the north as a residential neighborhood with the portion of the request site across Irving Boulevard to the south as a business center of corridor. However, there are several challenges that must be overcome to reach the desired consensus vision such as investment infrastructure (i.e. roads, water and wastewater), existing zoning that may not be compatible with future opportunities, ageing multifamily housing built during the 1970's and 1980's, limited undeveloped land that only represents four percent of the area land, area flooding in spot problem area, Stemmons Freeway poses a constraint on pedestrian access, limiting the development of walkable areas envisioned for both sides of the freeway, and undesirable streetscapes that hinder the creation of a walkable environment through visual clutter and sidewalk obstacles created by utility transmission poles and lines.

## **STAFF ANALYSIS**

### **Surrounding Land Uses**

	<b>Zoning</b>	<b>Land Use</b>
Site	PDD No. 278, Tract I	Data center w/accessory uses
Northwest	IR	Office showroom warehouse, vacant
North	-	Stemmons Freeway
Northeast	MU-3	Open space, trail, hotel
East	PDD No. 278, Tracts 1&4	Office showroom warehouse
South	PDD No. 278, Tract 3; IR	Office showroom warehouse, warehouse storage
West	PDD No. 278, Tract 2; IR	Office showroom warehouse

### **Land Use Compatibility**

The 23.186 acre request site is developed with five existing structures; an 18-story tower with 548,126 feet of floor area, a 130,599 square foot structure consisting originally used as a computer center, training building, and tape storage. Originally, there were three separate structures however the structures were connected over time. Additionally, the site contains surface parking lots, and three separate structures utilized with office showroom warehouse uses consisting of 49,510 square feet.

The site is surrounded by the office showroom warehouse and vacant uses, the Stemmons Freeway to the north, to the east and west office showroom warehouse, and to the south office showroom warehouse and warehouse storage uses.

The property is located in Tract 1 within Planned Development District No. 278, which was established in 1987 and contains four tracts and approximately 45.8 acres of land. Tract 1 within PD No. 278 contains only the request site. PDD No. 278 does not include residential or retail and personal service uses. Rather the district is considered a nonresidential district with specific uses for that of a data center and office uses. The applicant proposes the creation of new tract in Tract 1 to allow for MU-3 Mixed Use District uses, additional uses for an alcoholic beverage manufacturing use with no minimum floor area established, redefining of an alcoholic beverage manufacturing use to include packaging of food, structures such as guardhouses, carports not be required on a development plan, permanent and temporary structures not require approval of a development plan, landscape only be required for 30,000 square feet or more of new floor area, existing uses to park at a ratio of one per 550 under legacy building status, a parking reduction for new uses utilizing percentages for different times of day and weekends, and parking study or analysis for work that exceeds 875,261 square feet of total floor area.

Sec. 51A-4.203(b)(0)(A) defines an alcoholic beverage manufacturing use as an establishment for the manufacture, blending, fermentation, processing, and packaging of alcoholic beverages with a floor area exceeding 10,000 square feet that takes place wholly inside a building. Since the alcoholic beverage manufacturing use allows all operations needed to produce, store, and package; staff does not understand the need to redefine the use. Staff can only ascertain the difference between the definition as defined by Code and the proposed request is to allow these processes for food or what the reference as “foodstuffs”. Since the request is proposing a restaurant use, staff does not understand, and clarification has never been provided as to why the request seeks to redefine the very use or what is the intended use for “foodstuffs”.

PDD No. 278 specifies that the office uses as listed in Sec 51A-4.207 which consist of alternative financial establishment uses, financial institution without drive-in window, financial institution with drive-in window, medical clinic or ambulatory surgical center and office. Additionally, the PDD permits seven additional uses. They are computer facility, storage area for computer tapes and other office supplies, training facilities related to the uses permitted on the Property, stratigraphic lab, including engineering, instrumentation, and development activities, cafeteria/lunchroom restricted to employees and guest, machinery, heavy equipment, or truck sales and services [Tract III only], and office showroom/warehouse uses. The intent of the district was to support that of a data center to support company network operations [Mobil Oil]. A data center is defined as a building space within a building or group of buildings used to house computer systems and associated components, such as telecommunications and storage systems. Respectively, because the PDD limited uses to support these operations, the PDD permitted a parking ratio of one space per 550 square feet of floor area for all uses within the PD.

Considering that:

- The existing built environment is occupied predominately by industrial and warehouse uses, staff finds that the request for proposed residential, retail and personal service uses are inconsistent and incompatible with the overall concentration and predominance of these warehouse and industrial uses. Additionally, while the request seeks to include residential uses the request does not seek to provide an affordable housing component;
- The limitation of pedestrian access, limiting the development of walkable areas by connectors such as trails, bikeways and enhanced pedestrian ways pose significant challenges, contrarily staff finds that the even if the request proposed such connectivity, the vision of the area plan and the request does not align with the reality of the existing industrial nature of the area or its growth;
- The aforementioned consideration also ties in with the challenges associated with the streetscapes. The request fails to consider or promote a more walkable environment through enhancing the streetscapes to promote a quality pedestrian environment or support alternative modes of transportation. Staff finds that the presence of utility transmission lines and poles in the right-of-way hinder a quality pedestrian environment. Therefore, the industrial nature and rhythm of the street frontage is maintaining a car-oriented character that is currently preventing a full transition to the vision of the Stemmons Corridor – Southwestern Medical District Area Plan and vision that requires a human-scale urban form and good pedestrian activation.
- The request seeks to allow a number of new uses not previously considered or allowed with the new tract to reduce the off-street parking requirement. Some uses will park at the existing parking ratio of one per 550 square feet of floor area as the request proposes to utilize the parking ratio by establish these uses as legacy uses. Other uses introduced with the new tract seeks reduction in the parking ratio as well as request to further reduce these ratios through utilizing a

percentage of parking to be permitted at various percentages during specified times of day and weekends.

- Staff could not find a land use or urban form rationale to support permitting land uses that require a greater parking ratio to receive parking reductions at this location;

Based on this analysis, staff does not support the request in its entirety.

### **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>					
<b><i>Proposed:</i></b> MU-3 Mixed Use	15'	20' adjacent to residential OTHER No Min.	3.2 FAR base, 4.0 FAR max + bonus for residential	270' 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential, trade center.
<b><i>Existing:</i></b> PDD No. 278 Office	As shown on conceptual plan	As shown on conceptual plan	2.0 FAR for Tracts 1,3 & 4 1.17 for Tract 2	270' in Tract 1 & 18 stories, 80' in Tract 2 & 4 stories, 225' in Tract 3 & 15 stories, 40' in Tract 4 or 2 stories	80% in Tracts 1, 3&4; 60% in Tract 2	N/A	Office

### **Parking**

PDD No. 278 allows a parking reduction for the district and permits the limited uses park at a ratio of one space per 550 square feet of floor area. Utilizing the Master Development Plan for the district and code regulations, the site if parked at Code would require 2,341 off-street parking spaces excluding the three structures along the northwestern portion of the site. In 1987, when the PDD was established the site required 1,512 off-street spaces; however, the site provided 1,845 off-street spaces. Utilizing the applicant's proposed MUD chart proposed by the request, multifamily uses would only require one space per dwelling and would only require 80 percent of the ratio be provided in the morning, 60 percent at noon and the afternoon, 70 percent during late afternoon and 100 percent during the evening. Code requires one space per bedroom and .25 for guest parking. Because staff does not know the number of dwelling units proposed or the number of bedrooms proposed, staff cannot provide an exact number of spaces that would be required. Further, the request proposes to reduce the off-street parking requirements and propose percentages for office uses, retail and personal service uses, as well as other uses, per the applicant's proposed MUD chart.

Additionally, the Engineering Division does not support the request because a parking study or analysis was not provided to any parking demand accounting for time of day and building occupancies to determine the site's uniqueness to support a lower parking requirement. Alternatively, rather than provide a parking study or analysis, the applicant provided aerial images showing parking accumulation of surface parking on different dates. Lastly, staff does not support the request because the parking requirement covers the entire PDD. Therefore, if parking is reduced for the requested tract, the existing tracts now have a deficit in the number of off-street spaces previously provided.

### **Landscaping**

While the current PDD provides a landscape plan, the applicant proposes to not have a landscape plan for the new tract. The request for a new tract seeks to require landscaping be triggered when 30,000 square feet or more of new floor area is constructed rather than comply with Sec. 51A-10.121(c). Additionally, the request seeks to provide landscape in phases as defined in the request. The Arborist Division reviewed the request and has no concerns or opposition.

### **Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). While the request site is uncategorized, property across Stemmons Freeway to the north is located within an "F" MVA cluster. While the Area Plan envisions the request area as an urban residential neighborhood, the area was not considered when the MVA was created.



<b>USE COMPARISON TABLE of PDD No. 278 uses to MU-3</b>
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USE	MU-3 Mixed Use District	PDD No. 278
<b>AGRICULTURAL USES</b>	CROP PRODUCTION	All Prohibited
<b>COMMERCIAL AND BUSINESS SERVICE</b>	CATERING SERVICE	
	CUSTOM BUSINESS SERVICES	
	ELECTRONICS SERVICE CENTER	All Prohibited
	LABOR HALL (SUP)	
	MEDICAL OR SCIENTIFIC LABORATORY	
	TOOL OR EQUIPMENT RENTAL	
	<b>PROHIBITED</b>	MACHINERY, HEAVY EQUIPMENT, OR TRUCK SALES & SERVICE
<b>INDUSTRIAL USES</b>		
	GAS DRILLING AND PRODUCTION (SUP)	All Prohibited
	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)	
<b>INSTITUTIONAL AND COMMUNITY SERVICE USES</b>	ADULT DAY CARE FACILITY	
	CEMETERY OR MAUSOLEUM (SUP)	
	CHILD-CARE FACILITY	
	CHURCH	
	COLLEGE, UNIVERSITY OR SEMINARY	
	COMMUNITY SERVICE CENTER (SUP)	
	CONVALECENT AND NURSING HOMES, HOSPICE CARE AND RELATED INSTITUTIONS (RAR)	All Prohibited
	CONVENT OR MONASTERY	
	FOSTER HOME	
	HALFWAY HOUSE (SUP)	
	HOSPITAL (RAR)	
	LIBRARY, ART GALLERY OR MUSEUM	
	OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)	

	PUBLIC SCHOOL OTHER THAN AN OPEN-ENROLLMENT CHARTER SCHOOL (RAR)	
<b>LODGING USES</b>	EXTENDED STAY HOTEL OR MOTEL (SUP)	
	HOTEL OR MOTEL (RAR)	All Prohibited
	OVERNIGHT GENERAL PURPOSE SHELTER	
<b>MISCELLANEOUS USES</b>	ATTACHED NON-PREMISE SIGN (SUP)	
	CARNIVAL OR CIRCUS (TEMPORARY) (By special authorization of the BO)	All Prohibited
	TEMPORARY CONSTRUCTION OR SALES OFFICE	
<b>OFFICE USES</b>	ALTERNATIVE FINANCIAL ESTABLISHMENT (SUP)	ALTERNATIVE FINANCIAL ESTABLISHMENT (SUP)
	FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW	FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW
	FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (DIR)	FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (RAR)
	MEDICAL OR AMBULATORY SURGICAL CENTER	MEDICAL OR AMBULATORY SURGICAL CENTER
	OFFICE	OFFICE
<b>RECREATION USES</b>	COUNTRY CLUB WITH PRIVATE MEMBERSHIP	
	PRIVATE RECREATION CENTER, CLUB OR AREA (SUP)	All Prohibited
	PUBLIC PARK, PLAYGROUND OR GOLF COURSE	
<b>RESIDENTIAL USES</b>	COLLEGE DORMITORY, FRATERNITY, OR SORORITY HOUSE	All Prohibited
	DUPLEX	
	GROUP RESIDENTIAL FACILITY	
	MULTIFAMILY	
	RESIDENTIAL HOTEL	
	RETIREMENT HOUSING	
	ALCOHOLIC BEVERAGE ESTABLISHMENT	

<b>RETAIL AND PERSONAL SERVICE USES</b>	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS (RAR)	
	AUTO SERVICE CENTER (RAR)	
	BUSNIESS SCHOOL	
	CAR WASH (RAR)	
	COMMERCIAL AMUSEMENT INSIDE (SUP May be required)	All Prohibited
	COMMERCIAL AMUSEMENT OUTSIDE (SUP)	
	COMMERCIAL PARKING LOT OR GARAGE (RAR)	
	CONVENIENCE STORE WITH DRIVE-THROUGH (SUP)	
	DRY CLEANING OR LAUNDRY STORE	
	FURNITURE STORE	
	GENERAL MERCHANDISE STORE OR FOOD STORE 3,500 SQUARE FEET OR LESS	
	GENERAL MERCHANDISE OR FOOD STORE GREATER THAN 3,500 SQUARE FEET	
	GENERAL MERCHANDISE OR FOOD STORE 100,000 SQUARE FEET OR MORE (SUP)	
	HOUSEHOLD EQUIPMENT AND APPLIANCE REPAIR	
	LIQUOR STORE	
	MORTUARY, FUNERAL HOME, OR COMMERCIAL WEDDING CHAPEL	
	MOTOR VEHICLE FUELING STATION	
	NURSERY, GARDEN SHOP, OR PLANT SALES.	
	PARAPHERNALIA SHOP (SUP)	
	PERSONAL SERVICE USES	
	RESTAURANT WITHOUT DRIVE-IN OR DRIVE-THROUGH SERVICE (DIR)	

	SWAP OR BUY SHOP (SUP)	
	TEMPORARY RETAIL USE	
	THEATER	
<b>TRANSPORTATION USES</b>		
	HELIPORT (SUP)	
	HELISTOP (SUP)	
	RAILROAD PASSENGER STATION (SUP)	All Prohibited
	TRANSIT PASSENGER SHELTER	
	TRANSIT PASSENGER STATION OR TRANSFER CENTER (By SUP or City Council Resolution)	
<b>UTILITY AND PUBLIC SERVICE USES</b>	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION	
	ELECTRICAL SUBSTATION	
	LOCAL UTILITIES (SUP or RAR may be required)	All Prohibited
	POLICE OR FIRE STATION	
	POST OFFICE	
	RADIO, TELEVISION, OR MICROWAVE TOWER (SUP)	
	TOWER/ANTENNA FOR CELLULAR COMMUNICATION	
	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)	
<b>WHOLESALE, DISTRIBUTION AND STORAGE USES</b>		
	MINI-WAREHOUSE (SUP)	
	OFFICE SHOWROOM/ WAREHOUSE	OFFICE SHOWROOM/WAREHOUSE
	RECYCLING BUY-BACK CENTER	
	RECYCLING COLLECTION CENTER	All Prohibited
	RECYCLING DROP-OFF CONTAINER	
	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION	
	TRADE CENTER	

**LIST OF OFFICERS**

**Pegasus Place, LLC**

Bellerophon, LP

Bellerophon GR, LLC

Itchaca GP, LLC

J. Small Investments

Justin A. Small, President

Steve Davis, Chief Operating Officer

Michael Fagelman, Chief Financial Officer

## PROPOSED PLANNED DEVELOPMENT CONDITIONS

### ARTICLE 278.

#### PD 278.

#### SEC. 51P-278.101. LEGISLATIVE HISTORY.

PD 278 was established by Ordinance No. 19739, passed by the Dallas City Council on October 28, 1987. Ordinance No. 19739 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 19739 was amended by Ordinance No. 21165, passed by the Dallas City Council on January 8, 1992; Ordinance No. 21970, passed by the Dallas City Council on February 9, 1994; and Ordinance No. 25350, passed by the Dallas City Council on August 27, 2003. (Ord. Nos. 10962; 19455; 19739; 21165; 21970; 25350; 25711)

#### SEC. 51P-278.102. PROPERTY LOCATION AND SIZE.

PD 278 is established on property generally located at the south corner of Stemmons Freeway and Commonwealth Drive. The size of PD 278 is approximately 45.8757 acres. (Ord. Nos. 19739; 21165; 25350; 25711)

#### SEC. 51P-278.103. 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. (Ord. 25711) In this article,

*Staff Suggested:*

(1) <del>FOOD PROCESSING, MANUFACTURING, OR PACKAGING ESTABLISHMENT. This use is defined as an establishment for the manufacture, processing, or packaging of foodstuffs from raw materials.</del>
--

*Applicant proposed:*

(1) <u>FOOD PROCESSING, MANUFACTURING, OR PACKAGING ESTABLISHMENT. This use is defined as an establishment for the manufacture, processing, or packaging of foodstuffs from raw materials.</u>
--

(2) LEGACY BUILDING means a building constructed on Tract 1A prior to 1992.



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

**SEC. 51P-278.103.1. EXHIBITS.**

The following exhibits are incorporated into this article:

- (1) Exhibit 278A: Conceptual plan.
- (2) Exhibit 278B: Phase One - Detailed Development Plan for Tract 1, 2, 3,  
and 4
- (3) Exhibit 278C: Tract 1 & 4 landscape plan.
- (4) Exhibit 278D: Tract ~~III~~ 3 landscape plan.
- (5) Exhibit 278E: Tract 1A development plan.
- (6) Exhibit 278F: Tract 1A Mixed Use Development Parking Chart

**SEC. 51P-278.104. CONCEPTUAL SITE PLAN.**

Use of the Property must comply with the conceptual ~~site~~ plan (Exhibit 278A). The conceptual ~~site~~ plan divides the Property into several tracts. References in this article to a particular tract are references to that tract as described and shown on the conceptual plan. (Ord. Nos. 25350; 25711)

**SEC. 51P-278.105. DEVELOPMENT PLAN.**

(a) Tract 1, 2, 3, and 4. Use of the Property in Tract 1, 2, 3, and 4 must comply with Phase One - Detailed Development Plan (Exhibit 278B), as well as any development plan subsequently approved by the city plan commission. A development plan for each subsequent phase of development must be submitted to and approved by the city plan commission prior to the issuance of any building permit for construction on the Property in that phase. These development plans must include the site plan requisites listed in Section 51A-4.803(d). Development impact review is required prior to the issuance of a building permit that would cause the floor area ratio on any tract to exceed 2:1.

(b) No amendment to the Phase One - Detailed Development Plan and any development plan approved in accordance with Subsection (a) is required for interior modifications or maintenance of structures shown on those plans.

(c) Tract 1A Phase 1.

(1) Development and use of the Tract 1A Phase 1 must comply with the development plan (Exhibit 278E).

(2) Tract 1A future phases. A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in Tract 1A.

(3) If there is a conflict between the text of this article and the development plan, the text of this article controls. If there is a conflict between the Exhibit 278B and a development plan for Tract 1A, the Tract 1A development plan controls.

(4) The following structures are not required to be shown on a development plan in Tract 1A.

(A) Dumpsters.

(B) Generators, transformers, and equipment less than 12 feet in height.

(C) Fencing, gates, and walls, eight feet in height or less.

*Staff Suggested:*

~~(D) Guardhouses.~~

*Applicant's Request:*

(D) Guardhouses.

*Staff Suggested:*

~~(E) Carports, canopies, and solar panel arrays, 15 feet in height or less.~~

*Applicant's Request:*

(E) Carports, canopies, and solar panel arrays, 15 feet in height or less.

(5) The building official may issue building permits for the following work without the approval of a development plan:

(A) the repair of existing structures;

(B) demolition of existing structures;

(C) grading and paving;

*Staff Suggested:*

~~(D) the installation of fencing or other structures for security purposes;~~

*Applicant's Request:*

(D) the installation of fencing or other structures for security purposes;

(E) work associated with permitted temporary uses; and

(E) work associated with permitted temporary uses; and

(F) work intended to provide for irrigation or maintenance of landscaping.

**SEC. 51P-278.106. LANDSCAPE PLAN.**

(a) In general. Landscaping must be provided in accordance with the landscape plan (Exhibit 278C). Except as provided, All landscaping must be completed in accordance with the provisions contained in Article X. The landscape plan provides a minimum of 15 landscape points based on point values established in Article X. All plant material must be maintained in a healthy, growing condition at all times.

(b) Tract III 3. The city council approved the landscape plan for Tract III 3 (Exhibit 278D) on February 9, 1994.

(c) Tract 1, 2, 3, and 4. Landscaping must be provided in accordance with the landscape plan (Exhibit 278C).

(d) Tract 1A.

(1) Landscaping is required for 30,000 square feet or more of new floor area.

(2) Landscaping phases are an area within a building site or development plan that is delineated as a phase of development for the purpose of satisfying the requirements of landscaping.

(3) Exhibit 278C does not apply to Tract 1A.

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

**SEC. 51P-278.107. PERMITTED USES.**

(a) For Tract 1, 2, 3, and 4. The only uses permitted on the Property are office uses as individually listed in Section 51A-4.207 and the following additional uses:

(1) Computer facility.

(2) Storage area for computer tapes and other office supplies.

- (3) Training facilities relating to the uses permitted on the Property.
  - (4) Stratigraphic lab, including engineering, instrumentation, and development activities.
  - (5) Cafeteria/lunchroom restricted to employees and guests.
  - (6) Machinery, heavy equipment, or truck sales and services uses. *[Tract III only.]*
  - (7) Office showroom/warehouse.
- (b) For Tract 1, 2, 3, and 4. Uses will only be permitted in accordance with the development plan. (Ord. Nos. 25350; 25711)
- (c) For Tract 1A.

*Staff Suggested:*

~~(1) Except as provided, the only main uses permitted are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use 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 MU-3 Mixed Use District is subject to DIR in this district; etc.~~

*Applicant proposed:*

(1) Except as provided, the only main uses permitted are those main uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-3 Mixed Use 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 MU-3 Mixed Use District is subject to DIR in this district; etc.

*Staff Suggested:*

- (1) Computer facility.
- (2) Storage area for computer tapes and other office supplies.
- (3) Training facilities relating to the uses permitted on the Property.
- (4) Stratigraphic lab, including engineering, instrumentation, and development activities.
- (5) Cafeteria/lunchroom restricted to employees and guests.
- (6) Machinery, heavy equipment, or truck sales and services uses. *[Tract III only.]*
- (7) Office showroom/warehouse.
- (8) Alcoholic beverage manufacturing. [Minimum floor area is 10,000 square feet. Maximum floor area is 50,000 square feet. Outside activities and storage must be screened from residential uses within 500 feet by one of the methods in 51A-4.602(b) if the outside area is not screened by an intervening building.]
- (9) Restaurant without drive-in or drive-through service. [Maximum floor area is 10,000 square feet.]
- (10) ~~Food processing, manufacturing, or packaging establishment. [Limited to a 10,000 square feet or less and must be in conjunction with an alcoholic beverage manufacturing use.]~~

*Applicant proposed:*

- (2) The following additional uses are permitted.
  - Alcoholic beverage manufacturing. [No minimum floor area for this use. Maximum floor area is 80,000 square feet. Outside activities and storage must be screened from residential uses within 500 feet by one of the methods in 51A-4.602(b) if the outside area is not screened by an intervening building.]
  - Food processing, manufacturing, or packaging establishment. [Limited to 10,000 square feet or less and must be in conjunction with an alcoholic beverage manufacturing use.]

**SEC. 51P-278.107.1      ACCESSORY USES.**

(a) Tract 1A. 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-278.108. FLOOR AREA AND HEIGHT.**

(a) Tract 1 and 1A.

(1) Floor area. Maximum permitted floor area for Tract 1 and 1A is 2,531,400 square feet.

(2) Height. Maximum permitted height for Tract 1 and 1A is 270 feet, not to exceed 18 stories above-grade.

(b) Tract 2.

(1) Floor area. Maximum permitted floor area for Tract 2 is 75,000 square feet.

(2) Height. Maximum permitted height for Tract 2 is 60 feet, not to exceed four stories above-grade.

(c) Tract 3.

(1) Floor area. Maximum permitted floor area for Tract 3 is 1,100,000 square feet.

(2) Height. Maximum permitted height for Tract 3 is 225 feet, not to exceed 15 stories above-grade.

(d) Tract 4.

(1) Floor area. Maximum permitted floor area for Tract 4 is 225,000 square feet.

(2) Height. Maximum permitted height for Tract 4 is 40 feet, not to exceed two stories above-grade. (Ord. Nos. 25350; 25711)

**SEC. 51P-278.109. SETBACKS.**

Setbacks must be provided as shown on the conceptual site plan. (Ord. Nos. 25350; 25711)



**SEC. 51P-278.110. MAXIMUM LOT COVERAGE.**

Maximum permitted lot coverage on the Property is 80 percent, including above-grade parking structures. (Ord. Nos. 25350; 25711)

**SEC. 51P-278.111. OFF-STREET PARKING.**

(a) In general. Except as provided, Off-street parking on the Property must be provided at a ratio of one parking space per 550 square feet of floor area for all uses. Parking is not included in the calculation of floor area for any use on the Property.

*Staff Suggested:*

(1) For legacy buildings in Tract 1A, off-street parking on the Property must be provided at a ratio of one parking space per 550 square feet of floor area for the following uses.

(A) Computer facility.

(B) Storage area for computer tapes and other office supplies.

(C) Training facilities relating to the uses permitted on the Property.

(D) Stratigraphic lab, including engineering, instrumentation, and development activities.

(E) Office showroom/warehouse.

~~(F) Medical or scientific laboratory.~~

(G) Alcoholic beverage manufacturing.

(H) Office.

(2) For new construction, additional floor area added to a legacy building, or main uses other than listed in paragraph (1), consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

~~(3) A shared parking table (Exhibit 278F) may be utilized.~~

*Applicant proposed:*

(b) Tract 1A.

(1) For legacy buildings in Tract 1A, off-street parking on the Property must be provided at a ratio of one parking space per 550 square feet of floor area for the following uses.

(A) Computer facility.

(B) Storage area for computer tapes and other office supplies.

(C) Training facilities relating to the uses permitted on the Property.

(D) Stratigraphic lab, including engineering, instrumentation, and development activities.

(E) Office showroom/warehouse.

(F) Medical or scientific laboratory.

(G) Alcoholic beverage manufacturing.

(H) Office.

(2) For new construction, additional floor area added to a legacy building, or main uses other than listed in paragraph (1), consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(3) A shared parking table (Exhibit 278F) may be utilized.

**SEC. 51P-278.112. PARKING STUDY.**

(a) Tracts 1, 2, 3, and 4. The owner(s) must provide a parking analysis to the director of the department of public works and transportation showing that each tract on the Property has adequate parking. If, in the opinion of the director, there is inadequate parking, the owner(s) shall ensure that additional parking spaces are provided. The parking analysis must be submitted every five years with the first report submitted five years after October 28, 1987. Prior to the issuance of a building permit or certificates of occupancy after the initial five years, the owner(s) shall provide proof that a parking analysis has been approved within the past five years.

*Staff Suggested:*

(a) Tracts 1A. The owner(s) must provide a parking analysis to the director of the department of public works and transportation showing that each tract on the Property has adequate parking. If, in the opinion of the director, there is inadequate parking, the owner(s) shall ensure that additional parking spaces are provided. The parking analysis must be submitted every five years with the first report submitted by May 13, 2022. Prior to the issuance of a building permit or certificates of occupancy after the initial five years, the owner(s) shall provide proof that a parking analysis has been approved within the past five years.

*Applicant proposed:*

(b) Tract 1A. The owner(s) must provide a parking analysis to the director showing that Tract 1A has adequate parking. If, in the opinion of the director, there is inadequate parking, the owner(s) shall ensure that additional parking spaces are provided or provide a parking management plan to mitigate the parking issues. The parking analysis must be submitted prior to the issuance of a building permit for work that would exceed 875,261 square feet of total floor area on Tract 1A.

**SEC. 51P-278.113. ROAD IMPROVEMENTS.**

The owner(s) shall be responsible for any reconstruction of the median on Irving Boulevard deemed necessary by the director of the department of public works and transportation. (Ord. Nos. 25350; 25711)

**SEC. 51P-278.114. SIGNS.**

All signs on the Property must comply with the provisions for business zoning districts contained in Article VII. However, one 7.5 square foot sign attached to the existing retaining wall is permitted. The sign may not exceed 18 inches in height or five feet in length, and the message is limited to five characters. (Ord. Nos. 25350; 25711)

**SEC. 51P-278.115. GENERAL REQUIREMENTS.**

Use of the Property must comply with the requirements of all applicable codes, rules, and regulations of the city. (Ord. Nos. 25350; 25711)

**SEC. 51P-278.116. PAVING.**

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 25350; 25711)

**SEC. 51P-278.117. COMPLIANCE WITH CONDITIONS.**

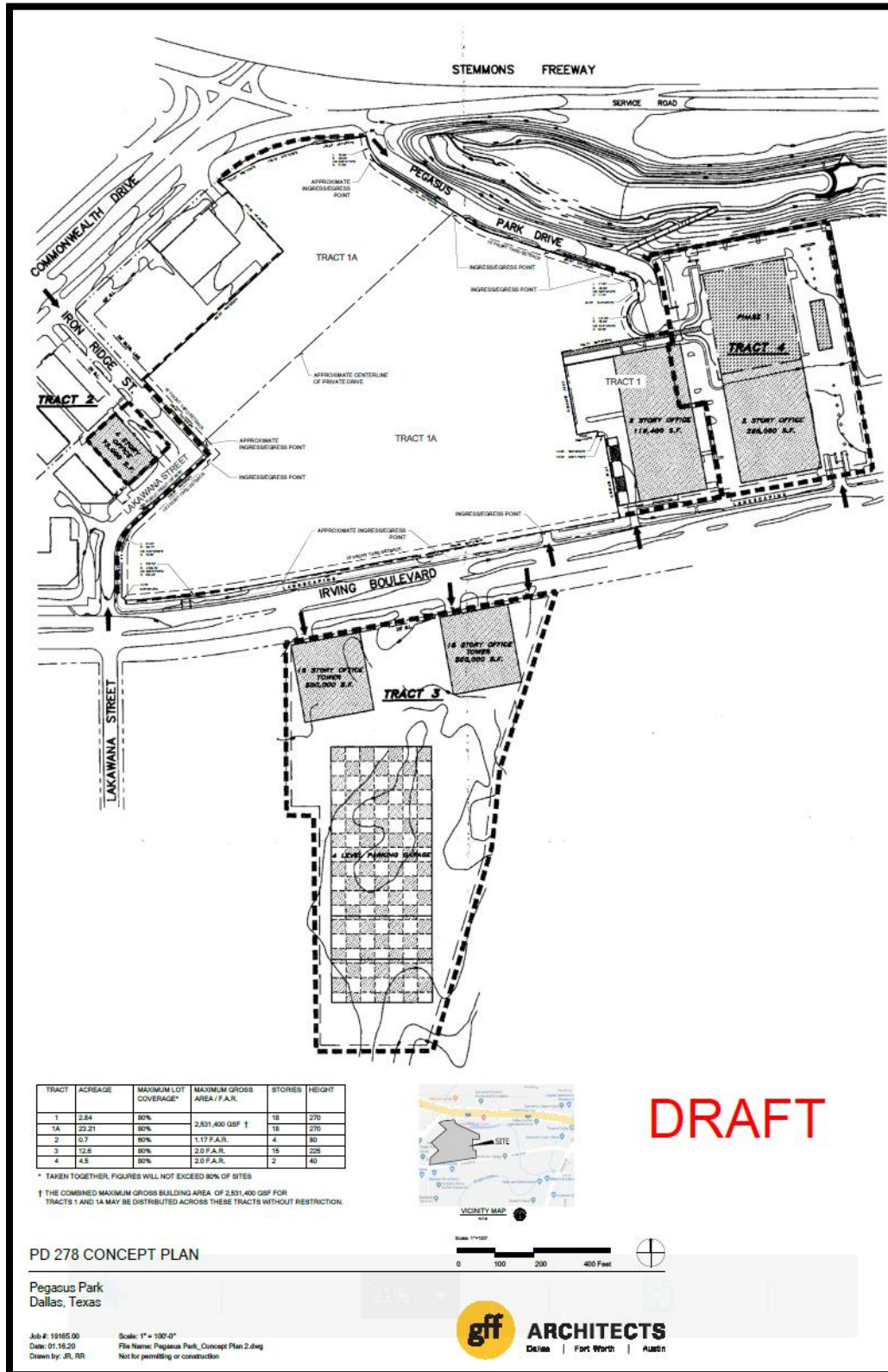
The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 25350; 25711)

**~~SEC. 51P-278.118. ZONING MAP.~~**

~~PD 278 is located on Zoning Map Nos. I-5 and I-6. (Ord. Nos. 19739; 25711)~~

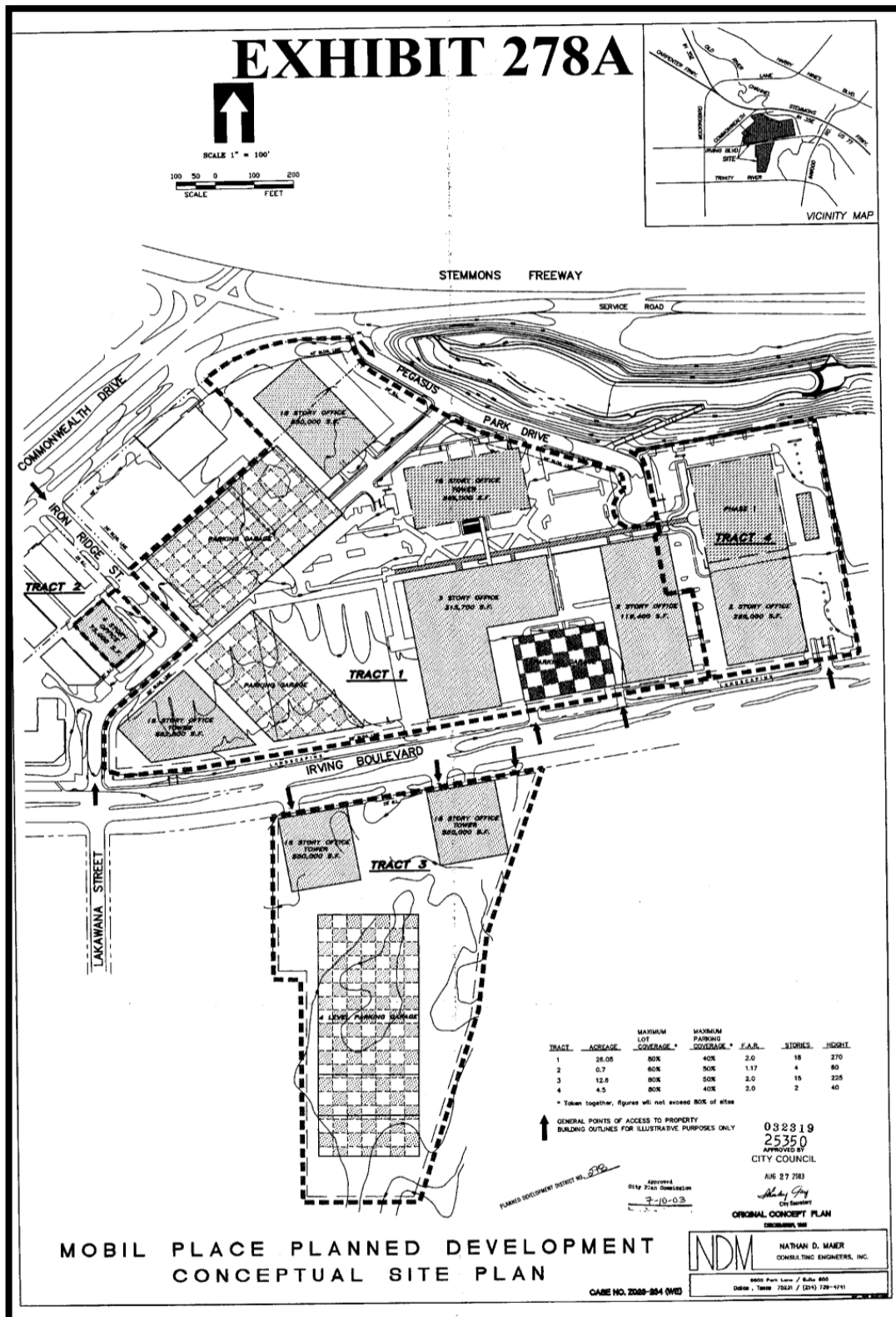


# PROPOSED DEVELOPMENT CONCEPTUAL PLAN

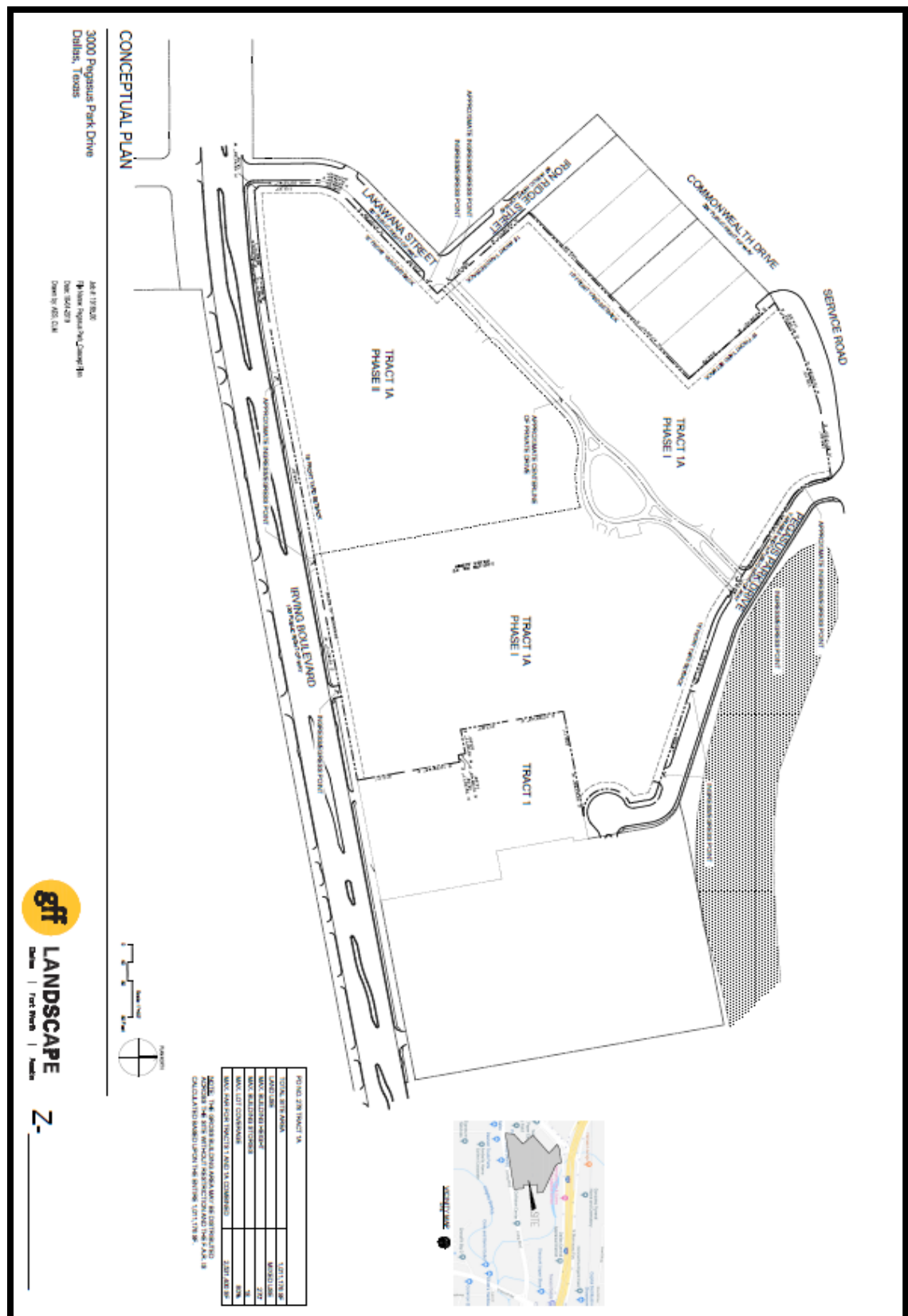




## EXISTING DEVELOPMENT CONCEPTUAL PLAN



## PROPOSED LANDSCAPE PLAN





## PROPOSED MIXED USE DEVELOPMENT PARKING CHART

Exhibit \_\_\_\_\_

### PD 278 Tract 1A Mixed Use Development Parking Chart

(for calculating adjusted standard parking requirement)

Use	Use Categories	Total SF (including vacancies)	Parking Ratio	Standard Parking Requirement	Parking Adjustment by Time of Day (Weekday)									
					Morning		Noon		Afternoon		Late Afternoon		Evening	
	Multifamily # Units or Bedrooms (Whichever is Greater)	0	1	0.00	80%	-	60%	-	60%	-	70%	-	100%	-
	Office Uses*	0	333	0.00	100%	-	80%	-	100%	-	85%	-	35%	-
	Retail and Personal Service Uses*	0	200	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 10,000+ SF	0	220	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 40,000+ SF	0	250	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 100,000+ SF	0	300	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Legacy use other than alcoholic beverage manufacturing or restaurant***	0	550	0.00	100%	-	80%	-	100%	-	85%	-	35%	-
	Legacy use, alcoholic beverage manufacturing excluding restaurant***	0	550	0.00	20%	-	100%	-	30%	-	30%	-	100%	-
	Bar, Restaurant, & Commercial Amusement (Excludes)	0	100	0.00	20%	-	100%	-	30%	-	30%	-	100%	-
	Health Studio	0	200	0.00	45%	-	70%	-	55%	-	80%	-	100%	-
	Game Court Center	0	200	0.00	100%	-	100%	-	100%	-	100%	-	100%	-
	Theater (1/28 seating)	0	28	0.00	0%	-	40%	-	60%	-	80%	-	100%	-
	Any Other Use	0	300	0.00	100%	-	100%	-	100%	-	100%	-	100%	-
	Total (Less Residential & Theater SF)	0		0		0		0		0		0		0

Use	Use Categories	Total SF (including vacancies)	Parking Ratio	Standard Parking Requirement	Parking Adjustment by Time of Day (Saturday)									
					Morning		Noon		Afternoon		Late Afternoon		Evening	
	Multifamily # Units or Bedrooms (Whichever is Greater)	0	1	0.00	100%	-	70%	-	75%	-	85%	-	95%	-
	Office Uses*	0	333	0.00	15%	-	20%	-	15%	-	5%	-	0%	-
	Retail and Personal Service Uses*	0	200	0.00	75%	-	85%	-	100%	-	90%	-	65%	-
	Retail 10,000+ SF	0	220	0.00	75%	-	85%	-	100%	-	90%	-	65%	-
	Retail 40,000+ SF	0	250	0.00	75%	-	85%	-	100%	-	90%	-	65%	-
	Retail 100,000+ SF	0	300	0.00	65%	-	75%	-	90%	-	75%	-	60%	-
	Legacy use other than alcoholic beverage manufacturing or restaurant***	0	550	0.00	100%	-	80%	-	100%	-	85%	-	35%	-
	Legacy use, alcoholic beverage manufacturing excluding restaurant***	0	550	0.00	20%	-	100%	-	30%	-	30%	-	100%	-
	Bar, Restaurant, & Commercial Amusement (Excludes)	0	100	0.00	20%	-	60%	-	90%	-	100%	-	100%	-
	Health Studio	0	200	0.00	100%	-	100%	-	100%	-	100%	-	100%	-
	Game Court Center	0	200	0.00	100%	-	100%	-	100%	-	100%	-	100%	-
	Theater (1/28 seating)	0	28	0.00	0%	-	40%	-	80%	-	100%	-	100%	-
	Any Other Use	0	300	0.00	100%	-	100%	-	100%	-	100%	-	100%	-
	Total (Less Residential & Theater SF)	0		0		0		0		0		0		0

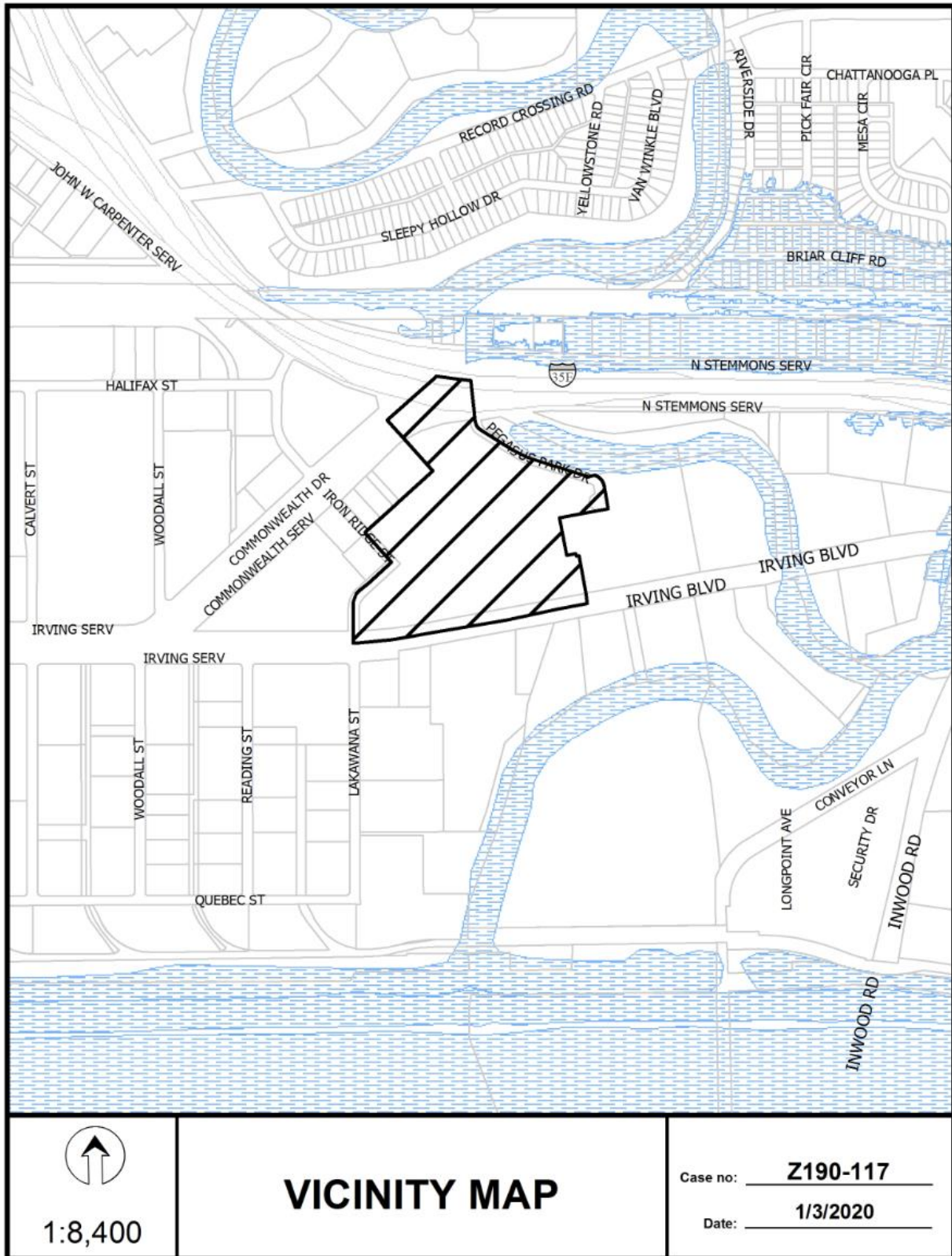
\* See Chapter 51A Definitions

\*\*Based upon a report for ULI - The Urban Land Institute, *Shared Parking*, Washington, D.C.; ULI, 1983, *ITE Parking Generation Manual*, 5th Edition, and observations.

\*\*\*See PD 278 for legacy building parking regulations. Restaurants in legacy buildings to be entered in the MUD chart as a typical restaurant.

Weekday MUD Parking requirement is \_\_\_\_\_ Saturday MUD Parking requirement is \_\_\_\_\_

Therefore, \_\_\_\_\_ is the parking requirement.

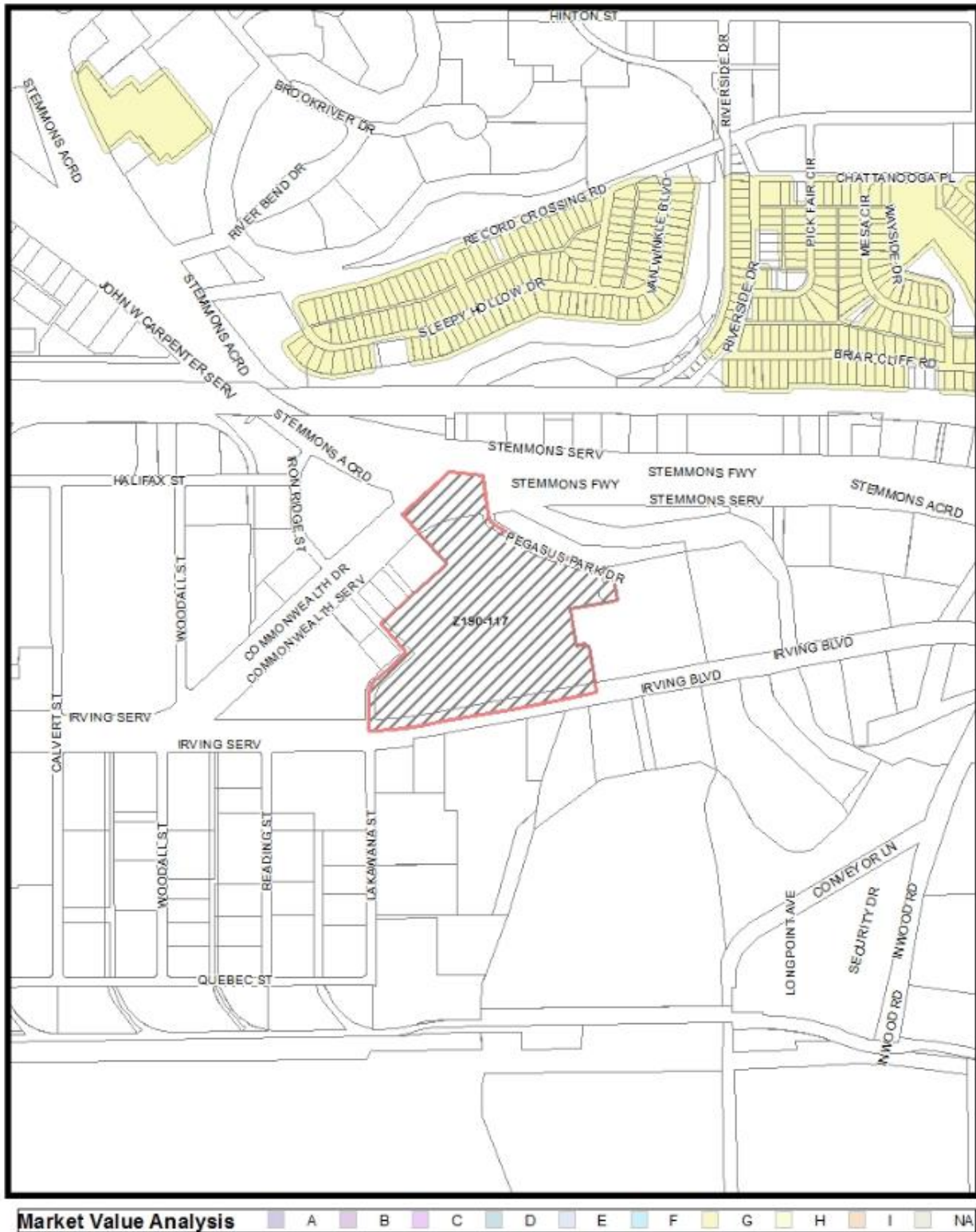








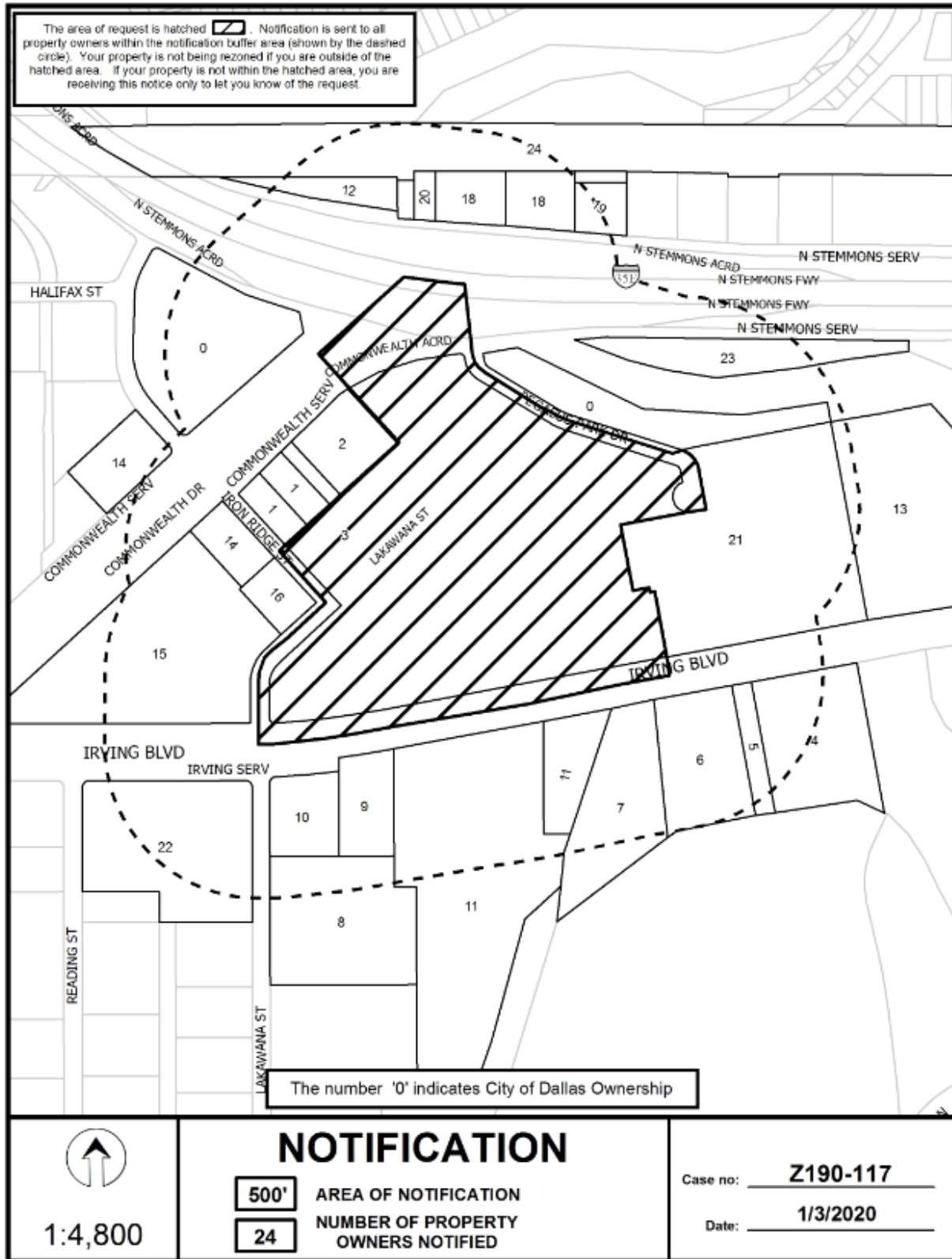




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## Market Value Analysis

Printed Date: 1/3/2020



01/03/2020

***Notification List of Property Owners******Z190-117******24 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	3126	COMMONWEALTH DR STRAUBMUELLER DOW &
2	3120	COMMONWEALTH DR A&W COMMONWEALTH LLC
3	3000	PEGASUS PARK DR PEGASUS PLACE LLC
4	3004	IRVING BLVD COLO4 LLC
5	3004	IRVING BLVD COLO4 LLC
6	3020	IRVING BLVD COLO4 LLC
7	3030	IRVING BLVD GOODELL CORPORATION THE
8	4910	LAKAWANA ST LAKAWANA HOLDINGS LP
9	3054	IRVING BLVD KKL INVESTMENT PARTNERS
10	3060	IRVING BLVD WEST TRINITY HOLDINGS LLC
11	3040	IRVING BLVD BOWEN & ASSOCIATES LLC
12	3110	N STEMMONS FWY COMMONWEALTH 35 LP
13	2959	IRVING BLVD MELNIC 2959 LLC
14	3130	COMMONWEALTH DR NSHE TX DERRYLIN LLC
15	3131	IRVING BLVD E AVENUE F LLC
16	5031	LAKAWANA ST WASHINGTON WHOLESALE
17	3068	N STEMMONS FWY SKL INVESTMENT CO LTD
18	3090	N STEMMONS FWY SKL INVESTMENT COMPANY LTD
19	3066	N STEMMONS FWY SKL INVESTMENT INVESTMENT CO LTD
20	3098	N STEMMONS FWY COFFEY ELIZABETH MINAKO
21	2993	IRVING BLVD MOBIL OIL CORP
22	3140	IRVING BLVD VAL VERDE FAMILY LTD PS
23	3051	PEGASUS PARK DR PEGASUS LODGING LTD
24	1900	OAK LAWN AVE DART & FT WORTH TRANSP AUTH

**FILE NUMBER:** Z190-151(CT)

**DATE FILED:** December 9, 2019

**LOCATION:** Northeast line of North Prairie Avenue, between Worth Street and Tremont Street

**COUNCIL DISTRICT:** 2

**MAPSCO:** 46 F

**SIZE OF REQUEST:** ± 4,000 sq. ft.

**CENSUS TRACT:** 15.02

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**OWNER/APPLICANT:** Richard Sullivan

**REQUEST:** An application for a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NS(A) Neighborhood Service District within H/72 Historic District No. 72, the Peak's Suburban Addition Historic District.

**SUMMARY:** The purpose of the request is to allow for the construction of a single family home on the subject site.

**STAFF RECOMMENDATION:** Denial.

**BACKGROUND INFORMATION:**

- The approximately 4,000 square-foot site is zoned NS(A) Neighborhood Service District and is currently undeveloped.
- The purpose of requesting a zoning change is to allow for a single family dwelling on the property.

**Zoning History:** There have been no zoning requests in the area within the past five years.

**Thoroughfares/Streets:**

Thoroughfares/Street	Type	ROW
North Prairie Avenue	Local	50

**Traffic:**

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

**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 request complies with the following goals and polices of the Comprehensive Plan:

**LAND USE ELEMENT**

GOAL 1.1 Align land use strategies with economic development priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

**URBAN DESIGN ELEMENT**

GOAL 5.2 Strengthen community and neighborhood identity

Policy 5.2.1 Maintain neighborhood scale and character.



Policy 5.2.4 Enhance retail, industrial and business operations.

**Surrounding land uses:**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	NS(A)	Undeveloped
<b>North</b>	NS(A) SUP 618	Community Center
<b>East</b>	PD 97	Single Family
<b>South</b>	PD 98	Single Family Duplex Apartment
<b>West</b>	PD 98	Single Family Duplex Apartment

**Land Use Compatibility:**

The request site zoned NS(A) Neighborhood Service District and is currently undeveloped. The applicant is requesting to change the NS(A) Neighborhood Service District to a Planned Development District to allow for a single family dwelling on the subject site. The extension of Planned Development Districts No. 97 and 98 has been discussed but is not possible as Planned Development Districts No. 97 and 98 to be expanded, as the both were created under City of Dallas Development Code Chapter 51. March 1, 1987, The City of Dallas has adopted Chapter 51A, with the adoption of Chapter 51A, Chapter 51 Planned Development Districts were no longer able to expanded without converting to Chapter 51A, which would effect standards for the entire district.

The lot is adjacent residential uses, a duplex as the northwest and a single family dwelling to the southwest. The applicant is requesting a Planned Development District to lower the possibility of community unrest regarding the change. While the single family use is compatible for the lot, staff cannot support a Planned Development District for the one lot. There are zoning districts within the City of Dallas Development Code that would allow for this lot to be developed with a single family dwelling that would fit the nature of this neighborhood. Considering the lot size, a TH-1 district with deed restrictions would achieve the applicant's goal to build a single family structure on the lot. The TH-1 would allow for the construction of a single family lot with a minimum size of 2,000 square-feet. A Certificate of Appropriateness has been approved by the Landmark Commission. Staff has offered recommendations to consider should the request be approved.

**Development Standards:**

<u>DISTRICT</u>	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
NS(A)	15'	20' from Residential	No max dwelling density	35' for gables, hip or gambrel roof 30' for other	50%		Retail Personal Service
Proposed PD	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family

**Parking:**

Parking will be provided pursuant to Section 51A-4.200 which requires that a single family use requires one parking space.

**Landscaping:**

Landscaping for the proposed office will be required in accordance with Article X of the Dallas Development Code, as amended.

**Market Value Analysis**

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site and surrounding properties to the north and east are within an "C" MVA Cluster with a "D" MVA Cluster to the southwest and a "E" MVA Cluster to the southeast.

**Applicant's Proposed Conditions**

**ARTICLE**

\_\_\_\_.

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

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

PD \_\_\_\_ was established by Ordinance No. , passed by the Dallas City Council on MONTH DAY, YEAR. (Ord. \_\_\_\_)

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

PD \_\_\_\_ is established on property located on the north side of North Prairie Avenue between Worth Street and Tremont Street. The size of PD \_\_\_\_ is approximately 0.092 acres. (Ord. \_\_\_\_)

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

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

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

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

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

The following exhibits are incorporated into this article:

(2) Exhibit \_\_\_\_A: development plan.

***Staff's Suggestion***

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

A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. 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.**

The only main uses permitted are those main uses permitted in the R-7.5(A)

District, subject to the same conditions applicable in the R-7.5(A) District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(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-7.5(A) District is subject to DIR in this district; etc.

**SEC. 51P-\_\_\_\_.107. DEVELOPMENT STANDARDS.**

Development within this PD must be in accordance with the following standards:

(1) Except as otherwise provided below, standards for development of single-family and other permitted uses with regard to height, setbacks, and coverage must be in accordance with the provisions of the R-7.5(A) District of Chapter 51A.

(2) A single-family structure may be built on any legally platted lot or lot that has been recognized as a buildable site for a single-family structure regardless of size, width, or depth.

(3) The setback of the front façade of any new residential structure must conform to the average setback established residential structures on the block face on which it is to be located.

***Staff's Suggestion***

**SEC. 51P-\_\_\_\_.108. LANDSCAPING.**

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

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

**SEC. 51P- \_\_\_\_\_.109. SIGNS.**

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

**SEC. 51P- \_\_\_\_\_.110. 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-\_\_\_\_.111. COMPLIANCE WITH CONDITIONS.**

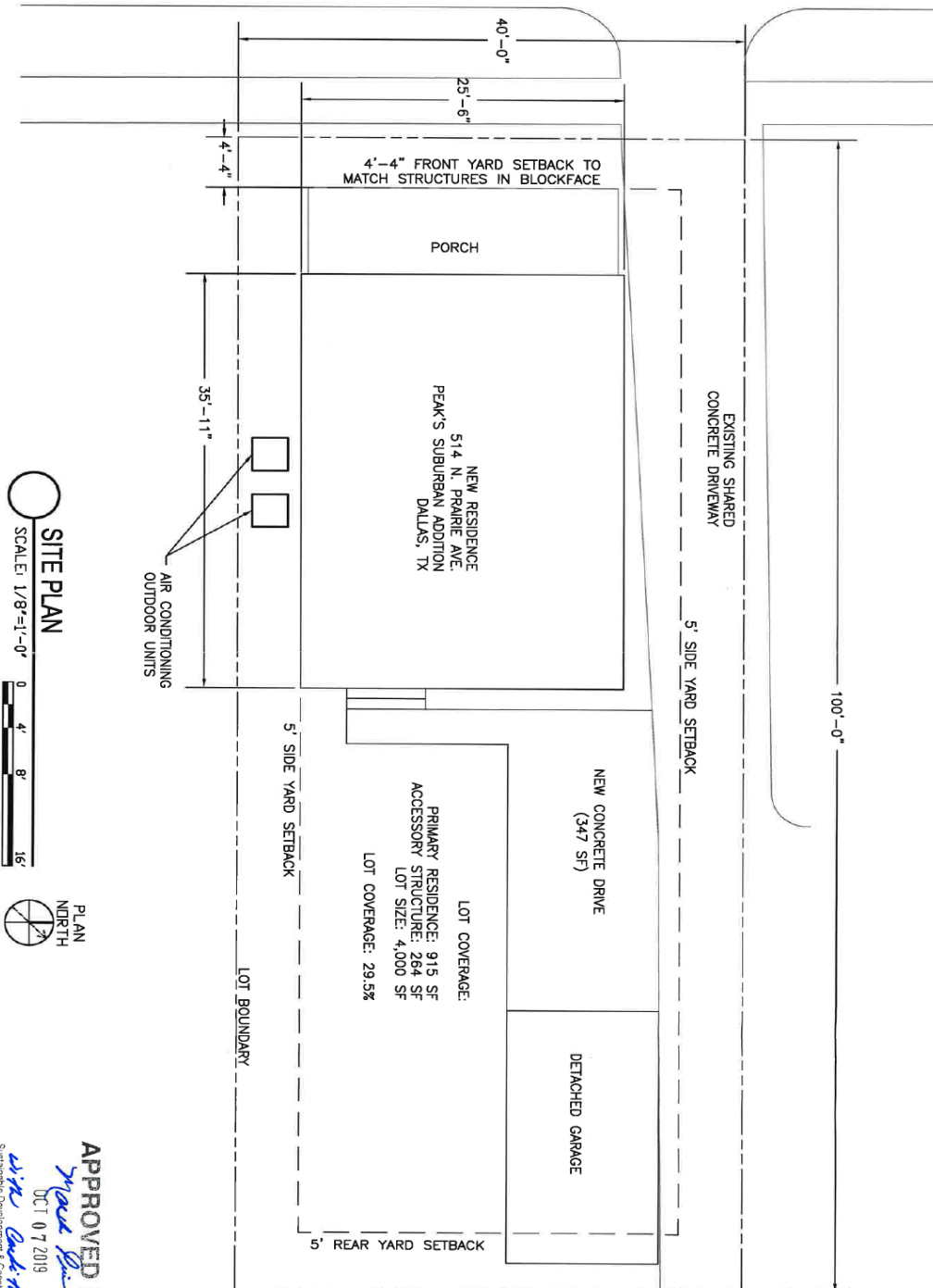
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of

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.”

Landmark Commission Approved Site Plan

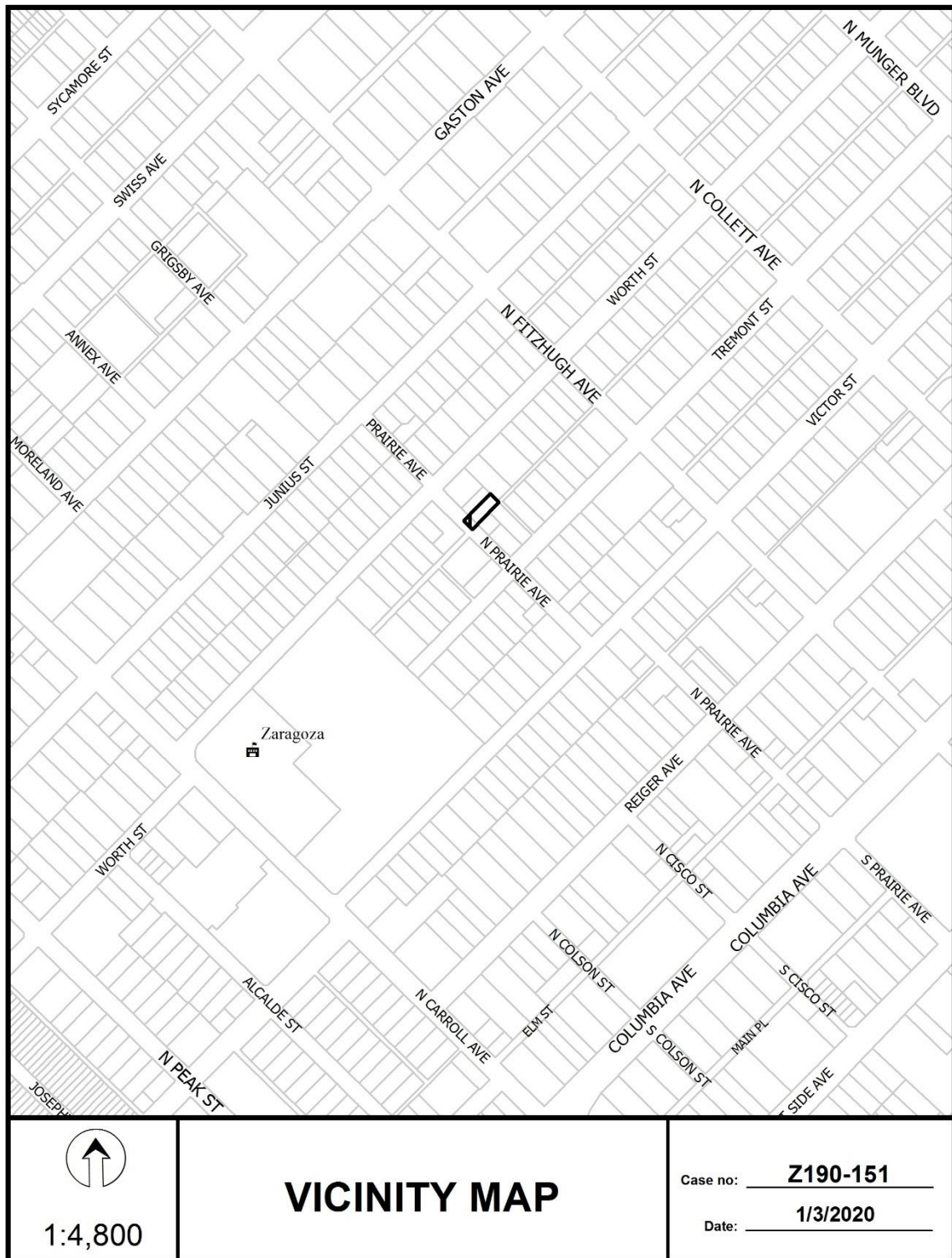
N. PRAIRIE AVENUE



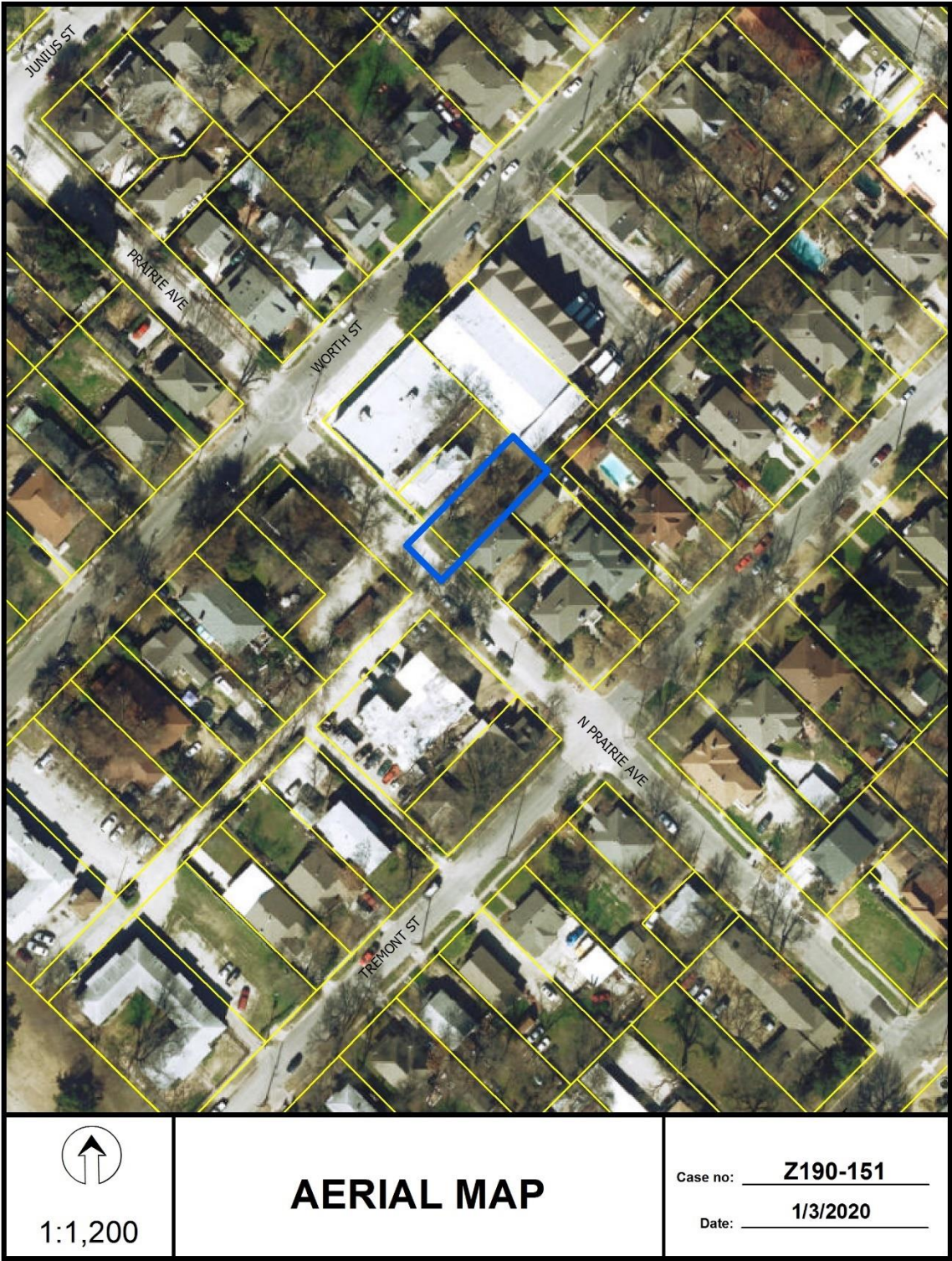
APPROVED BY  
*Mark B...*  
OCT 07 2019  
Sustainable Development Commission  
Long Range Planning  
CERTIFICATE OF APPROVAL/ISSUES



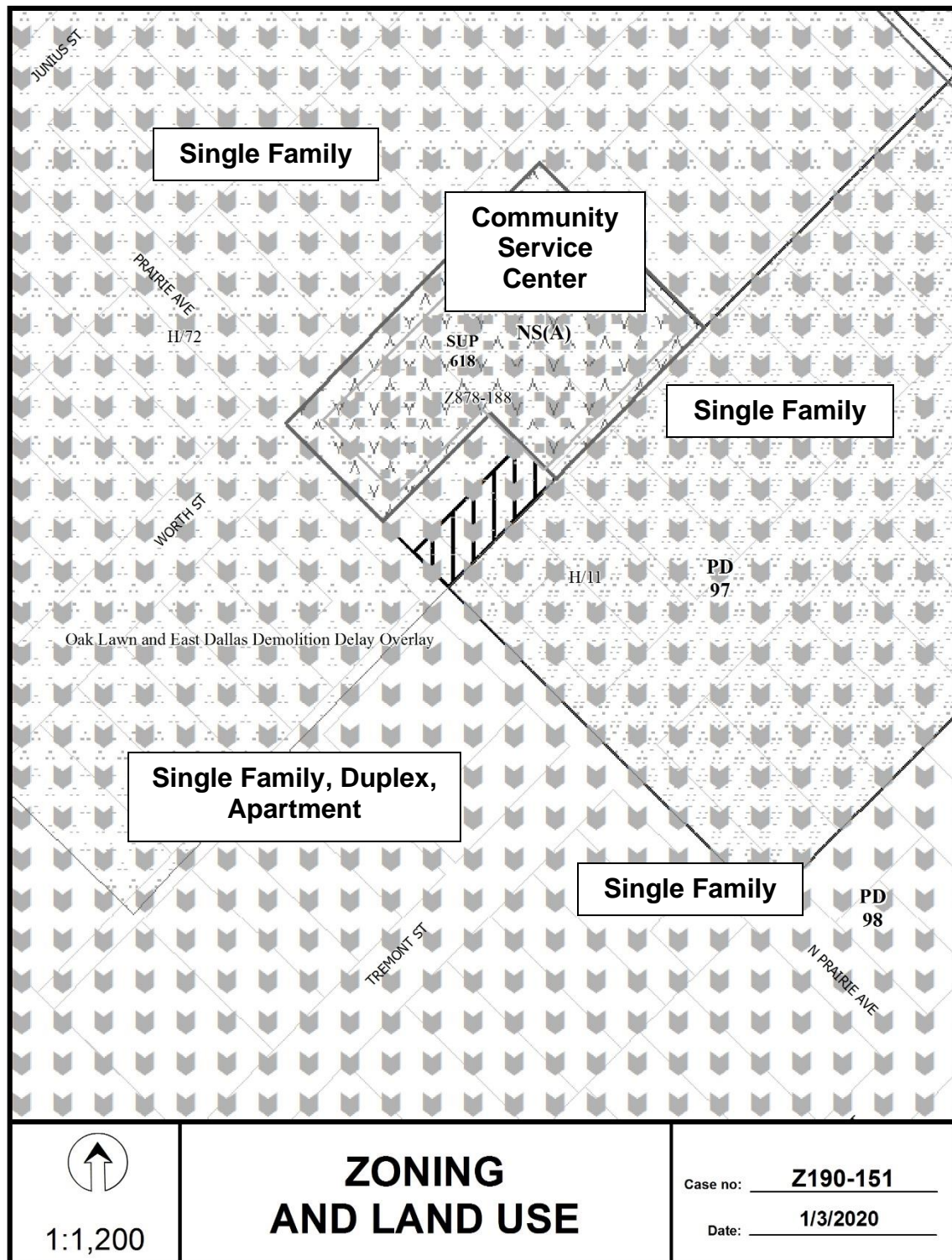
Z190-151(CT)





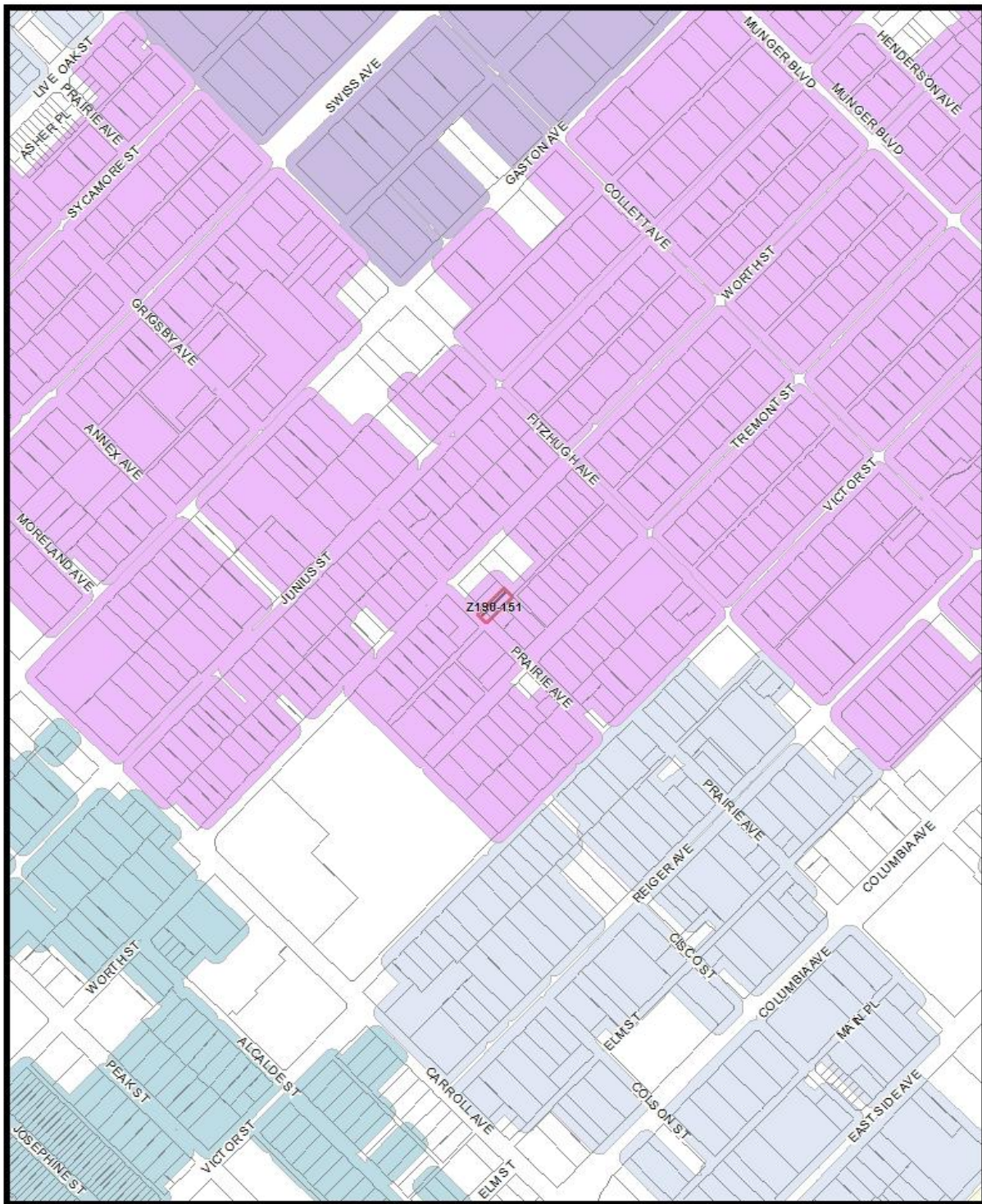








Z190-151(CT)



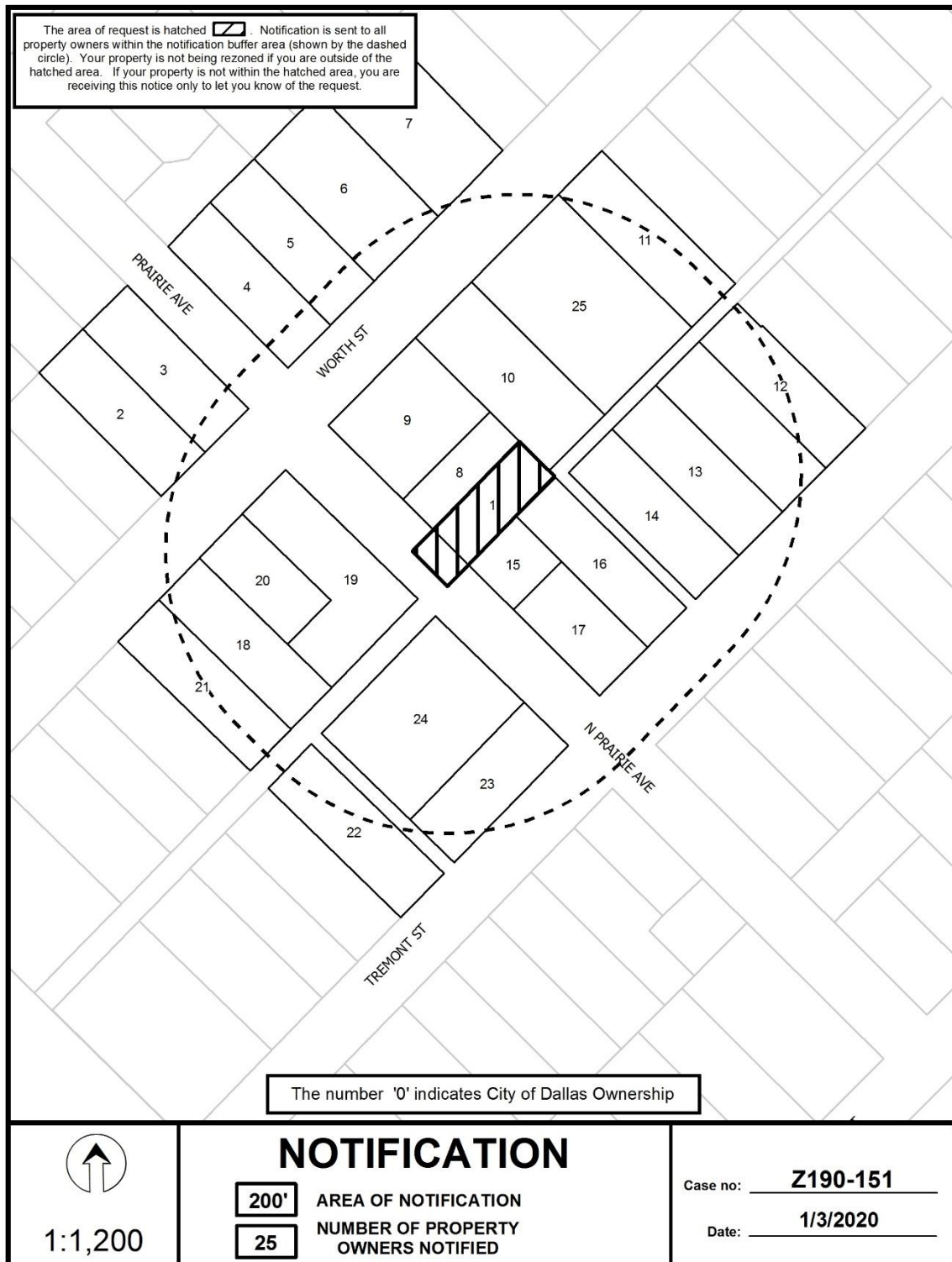
Market Value Analysis



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## Market Value Analysis

Printed Date: 1/3/2020



01/03/2020

***Notification List of Property Owners******Z190-151******25 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	512 N PRAIRIE AVE	PARKMORE GROUP THE
2	4725 WORTH ST	RVG INTERESTS LLC
3	4727 WORTH ST	MADSEN ZACHARY A
4	4801 WORTH ST	KROES LAUREN C &
5	4805 WORTH ST	RICHE JASON S
6	4811 WORTH ST	VEGA LAURIE LYNN WALTON
7	4817 WORTH ST	REYNA VIVIANO R
8	518 N PRAIRIE AVE	WARREN ANDREW &
9	4800 WORTH ST	BOYS CLUB EAST DALLAS
10	4812 WORTH ST	BOYS CLUBS OF DALLAS INC
11	4820 WORTH ST	MICOMAR LLC
12	4823 TREMONT ST	JAMES LARRY M & BRENDA A
13	4817 TREMONT ST	BARRETT BENNY B &
14	4811 TREMONT ST	BAILEY CELESTE
15	510 N PRAIRIE AVE	CARROLL ROBERT W & MARY J
16	4807 TREMONT ST	BUSKIRK SHARON MARIE VAN
17	4801 TREMONT ST	VILLARREAL ELLUD
18	4724 WORTH ST	NEWMAN THOMAS R III &
19	4734 WORTH ST	ASTOR GROUP ET AL
20	4732 WORTH ST	NEWMAN TOM & BETTY
21	4720 WORTH ST	SUAREZ MONICO & ROSINA
22	4721 TREMONT ST	HOWELL DEBBIE
23	503 N PRAIRIE AVE	MILLER RUTH
24	511 N PRAIRIE AVE	PURPLE FIELDS LLC
25	4816 WORTH ST	BOYS CLUB OF DALLAS INC



**FILE NUMBER:** DCA190-001

**DATE INITIATED:** September 26, 2019

**TOPIC:** House Bill Amendments

**CITY COUNCIL DISTRICTS:** All

**CENSUS TRACTS:** All

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**PROPOSAL:** Consideration of amending Chapters 51 and 51A of the Dallas Development Code by deleting certain prohibitions, limitations, or requirements of building materials in accordance with state law; and Chapter 51A Section 51A-4.703, of the Dallas Development Code "Board of Adjustment Hearing Procedures."

**SUMMARY:** The proposed amendments to the Dallas Development Code intend to bring Section 51A-4.703, "Board of Adjustment Hearing Procedures," and Chapters 51 and 51A regarding building materials, into compliance with the newly effective state law.

**ZOAC RECOMMENDATION:** Approval.

**STAFF RECOMMENDATION:** Approval.

## **BACKGROUND**

- On June 10, 2019, House Bill No. 2497 (“HB 2497”) was signed into Texas law by Governor Abbott.
- On June 14, 2019, House Bill No. 2439 (“HB 2439”) was signed into Texas law by Governor Abbott.
- HB 2439 and HB 2497 became effective on September 1, 2019.
- On October 3, 2019, the Zoning Ordinance Advisory Committee (ZOAC) considered amending Section 51A-4.703, “Board of Adjustment Hearing Procedures,” of Chapter 51A, “Dallas Development Code,” of the Dallas City Code to be in compliance with HB 2497, and voted to recommend the proposal move to City Plan Commission (CPC).
- On December 12, 2019, January 9, 2020, January 23, 2020, and February 6, 2020, ZOAC considered amendments to the Dallas Development Code to bring Chapters 51 and 51A of the Dallas Development Code regarding building materials into compliance with HB 2439, and on February 6, 2020, voted to recommend the proposal move to CPC. ZOAC aimed to maintain as much of the intent of the current code as possible by ensuring that deleted “required” language was replaced with “recommended” language.

## **GENERAL INFORMATION:**

Two House Bills, House Bill No. 2497 and House Bill No. 2439, became effective on September 1, 2019.

HB 2497 amended Section 211.010 of the Texas Local Government Code by amending Subsections (a), (b), and (d) and adding Subsection (a-1). The amendments define who is allowed to file an appeal of a decision of an administrative official to the city’s board of adjustment and established a timetable for appeal.

HB 2439 prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within

the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

**PROPOSAL for HB 2497:**

For decisions that are not related to a specific application, address, or project, the following persons may appeal: (1) a person aggrieved by the decision; or (2) any officer, department, or board of the city affected by the decision. For a decision that is related to a specific application, address, or project, the following persons may appeal: (1) a person who filed the application that is subject to the decision, is the owner or representative of the property that is subject of the decision, or is aggrieved by the decision and is the owner of real property within 200 feet of the subject property that is the subject of the decision; or (2) any officer, department, or board of the city affected by the decision.

Further, HB 2497 requires that an appeal must be filled not later than the 20th day after the date the decision is made, and the board shall decide the appeal at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed.

**PROPOSAL for HB 2439:**

The proposal passed by ZOAC aimed to maintain as much of the intent of the current code as possible. City staff drafted language for Chapters 51 and 51A deleting “required” language and replaced with “recommended” language in order to reflect the intent of the regulation. The affected sections are listed below:

**SECTION 1**

Section 51-4.201(b)(1)(E)(viii)(ff)

“Accessory structures must have a [exterior siding, roofing,] roof-pitch[, foundation fascia,] and fenestration compatible with the main building. It is recommended that accessory structures have exterior siding, roofing, and foundation fascia compatible with the main building. “Compatible” as used in this provision means similar in application, color, [materials,] pattern, [quality,] shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply the proof of compatibility. Use of similar materials or materials of similar quality to the main building serves as additional evidence that the property owner’s burden of proof of compatibility has been met. This provision does not apply to accessory structures with a floor area of 200 square feet or less.”

- Compatible exterior siding, roofing, foundation fascia, materials, and quality imply restriction of building material. Because the language requires compatibility to existing single-family dwelling units, the possible building materials that could be used would be limited. Therefore, all language that

limits what building materials may be used must be removed. However, language was added to give direction through recommendations.

## **SECTION 2**

Section 51A-2.102(140.1)

“TRANSPARENCY means the total area of window opening, door opening, or other opening, expressed as a percentage of the total facade area by story.”

- A new definition was created to ensure that transparency requirements do not impede material choice, but is an architectural element.

## **SECTION 3**

Section 51A-4.127(c)(8)(F)(i)

“Building facades. Building facades must be as close as possible to the pedestrian zone. Columns of an arcade must be on the building line, and the internal facade of an arcade must be set back from the building line no more than 10 feet. Parking deck and garage facades visible at ground level from any street or alley must have the appearance of a multiple-story building[, and be of similar material finish as the building on the site for which the parking is being provided]. It is recommended that parking deck and garage facades visible at ground level from any street or alley have the appearance of similar material finish as the building on the site for which the parking is being provided.”

- Similar material finish implies restriction of building material. If material finish must be similar to an existing material finish, then the possible building materials that could be used would be limited. All language that limits what building materials may be used must be removed. However, language was added to give direction through recommendations.

## **SECTION 4**

Section 51A-4.127(c)(8)(F)(iii)

“Storefront treatments. The following provisions apply to all uses at ground level except church use and residential uses.

(aa) All street-fronting street-level portions of a building must have windows and primary entrances facing the street or a plaza. No more than 10 continuous linear feet of street-fronting street-level facade may lack a transparent opening [surface] (e.g. a window or a transparent door).

(bb) Corner lot structures must have corner entrances in compliance with the visibility triangle standards set by the department of sustainable development and construction.

(cc) Street-fronting, street-level windows must:

~~[(aa) be clear, unpainted, or made of similarly treated glass allowing visibility within street-level uses;]~~

(bb) cover 50 percent or more of street-level frontage;

(l[ee]) not have a bottom edge higher than three feet above the base of building; and

(ll[dd]) be less than 10 feet high.

(dd) It is recommended that street-fronting, street-level windows be clear, unpainted, or made of similarly treated glass allowing visibility within street-level uses."

- Cannot require a transparent surface because not all building materials are transparent. However, a transparent opening is an architectural element and does not necessarily mandate building material type. A glass requirement limits building material choice, but language was added to give direction through recommendations.

## SECTION 5

Section 51A-4.209(b)(6)(E)(vii)(ff)

"Accessory structures must have a [exterior siding, roofing,] roof-pitch[, foundation fascia,] and fenestration compatible with the main building. It is recommended that accessory structures have exterior siding, roofing, and foundation fascia compatible with the main building. "Compatible" as used in this provision means similar in application, color, [materials,] pattern, [quality,] shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply the proof of compatibility. Use of similar materials or materials of similar quality to the main building serves as additional evidence that the property owner's burden of proof of compatibility has been met. This provision does not apply to accessory structures with a floor area of 200 square feet or less."

- Compatible exterior siding, roofing, foundation fascia, materials, and quality imply restriction of building material. Because the language requires compatibility to existing single-family dwelling units, the possible building materials that could be used would be limited. Therefore, all language that

limits what building materials may be used must be removed. However, language was added to give direction through recommendations.

## **SECTION 6**

Section 51A-4.217(b)(12)(F)(xii)

~~“Reserved. [At least 70 percent of the side walls must be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than six percent. “Light transmission” means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. “Luminous reflectance” means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.]”~~

- Cannot require glass or transparent materials because the requirement limits building material choice and is deleted as being required but moved to the following section as recommended standards.

## **SECTION 7**

Section 51A-4.217(b)(12)(G)

“At least 70 percent of the side walls should be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than six percent. “Light transmission” means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. “Luminous reflectance” means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.”

- The language from the previous section is added in “Recommended Pedestrian Skybridge Standards”.

## **SECTION 8**

Section 51A-4.345(k)

“Facade.

(1) These facade requirements apply to any portion of a building containing mechanized parking except when accessory to a single family or duplex use. If there is a conflict between the regulations within a zoning district that require concealment of parking structure facades, this subsection controls.



(2) An aboveground mechanized parking facility must be concealed by a facade. ~~[that]~~ It is recommended that the facade be:

(A) compatible in appearance with the facade of the main building it serves, or

(B) compatible in appearance with other buildings within a one block radius.

~~[(3) The burden is on the property owner or applicant to supply proof of compatibility.]~~

(3[4]) Aperture area or articulation must be provided at a minimum of 20 percent and a maximum of 80 percent for any street facing facade.

(4[5]) Articulation must be provided at least every 30 feet, measured horizontally and vertically.

(5[6]) Except for pedestrian and vehicular entrances, the aperture area must be screened. It is recommended that the required screening be constructed with an opaque or translucent material that may be permeable or impermeable and that ~~[Screening materials for]~~ the aperture area ~~[may]~~ have no more than 36 square inches of transparent material in any given square foot of surface and ~~[may]~~ have no more than 25 percent transparency.

(6[7]) The board of adjustment may grant a special exception to the standards in this subsection when, in the opinion of the board, the special exception will not adversely affect neighboring property. The alternative facade must provide adequate screening of equipment and structures and mitigate noise.”

- Cannot compel development to have compatible building materials because compatibility to the main building, or other buildings within a one block radius, would limit the choice of building materials to be used. Also, building material type to be used for screening cannot be limited. However, language was added to give direction through recommendations.

## **SECTION 9**

Section 51A-4.605(a)(6)

“Materials and colors.

(A) No more than 75 percent of the area of a facade wall, exclusive of fenestration, may have a single material or color.

(B) It is recommended that the following materials are ~~may~~ only ~~be~~ used on rear facade walls:

(i) Smooth-faced concrete block that is non-tinted or non-burnished.

(ii) Tilt-up concrete panels that are unadorned or untextured.

(iii) Prefabricated steel panels.”

- Building material choice is limited in this section. The recommendation suggests the listed materials not to be used anywhere other than on the rear façade wall.

## **SECTION 10**

Section 51A-4.906(b)(3)

“The design ~~[and materials]~~ of SAH units must be equivalent to the design ~~[and materials]~~ of other units located on the same lot. It is recommended that the materials of SAH units be equivalent to the materials of other units located on the same lot. The size of bedrooms in SAH units must be consistent with the size of bedrooms in other units located on the same lot.”

- Building material choice is limited in this section. By requiring materials to be equivalent to that of other units on the same lot, building material choice is limited to those that are equivalent to that of other units on the same lot. A recommendation is added to give direction.

## **SECTION 11**

Section 51A-13.201(34)

“TRANSPARENCY means the total area of window opening ~~[and]~~ door opening, or other opening ~~[filled with glass]~~, expressed as a percentage of the total facade area by story.”

- The definition limits building material choice, therefore, openings, not glass content, is the factor that determines transparency.

## SECTION 12

### Section 51A-13.304(b)(6)

**“Ground-Story Shopfront Windows.** A minimum of 60 percent of the street-fronting, street-level window openings ~~[pane surface area]~~ must allow views into the ground-story use for a depth of at least four feet. If glass is installed, it is recommended that it ~~[Windows must]~~ be clear or unpainted, or, if treated, ~~[must]~~ be translucent. ~~[Spandrel glass or backpainted glass does not comply with this provision.]”~~

- Cannot require shopfront windows to be measured by pane surface area as a specific building material type is implied. However, language was added to give direction through recommendations if glass were the material type chosen.

## SECTION 13

### Section 51A-13.304(c)(6)

**“Ground-Story Shopfront Windows.** A minimum of 60 percent of the street-fronting, street-level window opening ~~[pane surface area]~~ must allow views into the ground-story use for a depth of at least four feet. If glass is installed, it is recommended that it ~~[Windows must]~~ be clear or unpainted, or, if treated, ~~[must]~~ be translucent. ~~[Spandrel glass or backpainted glass does not comply with this provision.]”~~

- Cannot require shopfront windows to be measured by pane surface area as a specific building material type is implied. However, language was added to give direction through recommendations if glass were the material type chosen.

<b>Zoning Ordinance Advisory Committee (ZOAC) Meeting Minutes October 3, 2019</b>
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**Consideration of amending Section 51A-4.703, “Board of Adjustment Hearing Procedures,” of Chapter 51A, “Dallas Development Code,” of the Dallas City Code.**

**Motion to approve and recommend the amendment to City Plan Commission.**

**Motion:** Gomez  
**2<sup>nd</sup>:** Hall

**Result:**    Passed:        4-0  
                 For:                Shidid, Hall, Gomez, and MacGregor  
                 Against:        none  
                 Absent:        Murphy, Behring, and Brown

<b>Zoning Ordinance Advisory Committee (ZOAC) Meeting Minutes December 12, 2019</b>
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**Consideration of amending Chapters 51 and 51A of the Dallas Development Code by deleting certain prohibitions, limitations, or requirements of building materials in accordance with state law.**

**Motion to hold item to next ZOAC meeting.**

**Motion:** MacGregor  
**2<sup>nd</sup>:** Rieves

**Result:**    Passed:        4-1  
                 For:                Murphy, MacGregor, Castella, and Rieves  
                 Against:        Hall  
                 Absent:        none

<b>Zoning Ordinance Advisory Committee (ZOAC) Meeting Minutes January 23, 2020</b>
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**Consideration of amending Chapters 51 and 51A of the Dallas Development Code by deleting certain prohibitions, limitations, or requirements of building materials in accordance with state law.**

**Motion to send agenda item 1, DCA190-001 back to staff to edit language with the intent to keep the same revised language, to “recommend” instead of deleting all references to required materials, throughout the amendment.**

**Motion:** MacGregor  
**2<sup>nd</sup>:** Rieves

**Result:**    Passed:        6-1  
                 For:                Murphy, MacGregor, Bagley, Hall, Johnson, and Rieves  
                 Against:        Behring  
                 Absent:            Castella

<b>Zoning Ordinance Advisory Committee (ZOAC) Meeting Minutes February 6, 2020</b>
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**Consideration of amending Chapters 51 and 51A of the Dallas Development Code by deleting certain prohibitions, limitations, or requirements of building materials in accordance with state law.**

**Motion to approve Discussion item (1), DCA190-001 Consideration of amending Chapters 51 and 51A of the Dallas Development Code by deleting certain prohibitions, limitations, or requirements of building materials in accordance with state law, with the revised language as proposed by staff.**

**Motion:** MacGregor  
**2<sup>nd</sup>:** Rieves

**Result:**    Passed:        8-0  
                 For:                Murphy, MacGregor, Bagley, Behring, Castella, Hall,  
                                 Johnson, and Rieves  
                 Against:        none  
                 Absent:            none

**DRAFT ORDINANCE for HB 2497 – BDA Appeal****SEC. 51A-4.703. BOARD OF ADJUSTMENT HEARING PROCEDURES.**(a) Initiation.

(1) Authorized public hearings. The board may authorize a public hearing on issues within the board's jurisdiction. A board authorized public hearing must comply with the procedures in this section. If 10 or fewer property owners are involved, the director shall send written notice to the owners of real property within the subject area not less than 10 days before the meeting at which the board will consider authorization of a public hearing. This notice must be written in English and Spanish if the area of request is located wholly or partly within a census tract in which 50 percent or more of the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census. If more than 10 property owners are involved, the director shall give notice of the public hearing in the official newspaper of the city at least 10 days before the meeting at which the board will consider authorization of a public hearing.

(2) Appeals of decisions of administrative officials. Parties listed in Subparagraphs (A) and (B) ~~[Any aggrieved person, or an officer, department, or board of the city]~~ may appeal a decision of an administrative official to the board when that decision concerns issues within the jurisdiction of the board. For purposes of this section, "administrative official" means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue.

(A) For a decision made by an administrative official that is not related to a specific application, address, or project, the following persons may appeal to the board:

- (i) a person aggrieved by the decision; or
- (ii) any officer, department, or board of the city affected by the decision.

(B) For a decision made by an administrative official that is related to a specific application, address, or project, the following persons may appeal to the board:

- (i) a person who:
  - (aa) filed the application that is the subject of the decision;



(bb) is the owner or representative of the property that is the subject of the decision; or

(cc) is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or

(ii) any officer, department, or board of the city affected by the decision.

(C) An appeal to the board must be made not later than the 20th day after the date ~~[within 15 days after notice of]~~ the decision is made by ~~[of]~~ the official.

(D[B]) The appellant shall file with the official a written notice of appeal on a form approved by the board.

(E[C]) The official shall forward the notice of appeal and the record upon which the appeal is based to the director.

(b) Appeal stays all proceedings.

(1) An appeal to the board stays all enforcement proceedings involving the action appealed from unless the official appealed from certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property.

(2) If the official makes such a finding, enforcement proceedings will be stayed only if, after notice to the official, the board or a court of record, upon a finding of due cause, issues a restraining order.

(c) Notice of hearing.

(1) The board shall hold a public hearing on all applications.

(2) The director shall send written notice of a public hearing to the applicant and all owners of real property located within 200 feet, including streets and alleys, from the boundary of the area upon which the request is made. The notice must be given not less than 10 days before the day set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll. This notice must be written in English and Spanish if the area of request is located wholly or partly within a census tract in which 50 percent or more of the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census.

(3) The director shall give notice of the time and place of the public hearing in the official newspaper of the city at least 10 days before the hearing.

(d) Board action.

(1) The applicant has the burden of proof to establish the necessary facts to warrant favorable action of the board.

(2) Cases must be heard by a minimum of 75 percent of the members of a board panel. The concurring vote of 75 percent of the members of a panel is necessary to:

(A) reverse an order, requirement, decision, or determination of an administrative official involving the interpretation or enforcement of the zoning ordinance;

(B) decide in favor of an applicant on a matter on which the board is required to pass under state law, the city charter, or city ordinances; or

(C) grant a variance.

(3) The board shall decide an appeal of a decision of administrative official at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the appeal date is filed. The board shall have all the powers of the administrative official on the action appealed from. The board may in whole or in part affirm, reverse, or amend the decision of the official.

(4) The board may impose reasonable conditions in its order to be complied with by the applicant in order to further the purpose and intent of this chapter.

(5) The decision of the board does not set a precedent. The decision of the board must be made on the particular facts of each case.

(6) The applicant shall file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board, unless the applicant files for and is granted an extended time period prior to the expiration of the 180 days. The filing of a request for an extended time period does not toll the 180 day time period. If the applicant fails to file an application within the time period, the request is automatically denied without prejudice, and the applicant must begin the process to have his request heard again.

(e) Two year limitation.

(1) Except as provided below, after a final decision is reached by the board, no further request on the same or related issues may be considered for that property for two years from the date of the final decision.

(2) If the board renders a final decision of denial without prejudice, the two year limitation is waived.

(3) The applicant may apply for a waiver of the two year limitation in the following manner:

(A) The applicant shall submit his request in writing to the director. The director shall inform the applicant of the date on which the board will consider the request and shall advise the applicant of his right to appear before the board.

(B) The board may waive the two year time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing. A simple majority vote by the board is required to grant the waiver. If a rehearing is granted, the applicant shall follow the process outlined in this section.

<b>DRAFT ORDINANCE for HB 2439 – Building Materials</b>
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ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51-4.201, 51A-2.102, 51A-4.127, 51A-4.209, 51A-4.217, 51A-4.345, 51A-4.605, 51A-4.906, 51A-13.201, and 51A-13.304; deleting building materials requirements to comply with state law; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the 86<sup>th</sup> Texas Legislature met between January 8, 2019 and May 27, 2019; and

WHEREAS, H.B. 2439 prohibits a city from prohibiting or limiting, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that

applies to the construction, renovation, maintenance, or other alteration of the building; and

WHEREAS, H.B. 2439 was approved by both chambers of the Texas Legislature; and

WHEREAS, H.B. 2439 was signed by Governor Greg Abbott on June 14, 2019; and

WHEREAS, H.B. 2439 became law on September 1, 2019; and

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Item (ff) of Romanette (viii) of Subparagraph (E) of Paragraph (1), "Single Family," of Subsection (b), "Specific Residential Uses," of Section 51-4.201, "Residential Uses," of Division 51-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended to read as follows:

"(ff) Accessory structures must have a [exterior siding, roofing,] roof-pitch[, foundation fascia,] and fenestration compatible with the main building. It is recommended that accessory structures have exterior siding, roofing, and foundation fascia compatible with the main building. "Compatible" as used in this provision means similar in application, color, [materials,] pattern, [quality,] shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply the proof of compatibility. Use of similar materials or materials of similar quality to the main building serves as additional evidence that the property owner's burden of proof of

compatibility has been met. This provision does not apply to accessory structures with a floor area of 200 square feet or less.”

SECTION 2. That Section 51A-2.102, “Definitions,” of Article II, “Interpretations and Definitions,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Paragraph (140.1) to read as follows:

“(140.1) TRANSPARENCY means the total area of window opening, door opening, or other opening, expressed as a percentage of the total facade area by story.”

SECTION 3. That Romanette (i), “Building Facades,” of Subparagraph (F), “Building Envelope Design Requirements,” of Paragraph (8), “Site Design Requirements,” of Subsection (c), “UC Districts,” of Section 51A-4.127, “Urban Corridor Districts,” of Division 51A-4.100, “Establishment of Zoning Districts,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(i) Building facades. Building facades must be as close as possible to the pedestrian zone. Columns of an arcade must be on the building line, and the internal facade of an arcade must be set back from the building line no more than 10 feet. Parking deck and garage facades visible at ground level from any street or alley must have the appearance of a multiple-story building~~[-and be of similar material finish as the building on the site for which the parking is being provided].~~ It is recommended that parking deck and garage facades visible at ground level from any street or alley have the appearance of similar material finish as the building on the site for which the parking is being provided.”

SECTION 4. That Romanette (iii), “Storefront Treatments,” of Subparagraph (F), “Building Envelope Design Requirements,” of Paragraph (8), “Site Design Requirements,” of Subsection (c), “UC Districts,” of Section 51A-4.127, “Urban Corridor Districts,” of Division 51A-4.100, “Establishment of Zoning Districts,” of



Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(iii) Storefront treatments. The following provisions apply to all uses at ground level except church use and residential uses.

(aa) All street-fronting street-level portions of a building must have windows and primary entrances facing the street or a plaza. No more than 10 continuous linear feet of street-fronting street-level facade may lack a transparent opening ~~[surface]~~ (e.g. a window or a transparent door).

(bb) Corner lot structures must have corner entrances in compliance with the visibility triangle standards set by the department of sustainable development and construction.

(cc) Street-fronting, street-level windows must:

~~[(aa) be clear, unpainted, or made of similarly treated glass allowing visibility within street-level uses;]~~

~~[(bb)]~~ cover 50 percent or more of street-level frontage;

~~[(cc)]~~ not have a bottom edge higher than three feet above the base of building; and

~~[(dd)]~~ be less than 10 feet high.

(dd) It is recommended that street-fronting, street-level windows be clear, unpainted, or made of similarly treated glass allowing visibility within street-level uses."

SECTION 5. That Item (ff) of Romanette (vii), "Accessory Structures," of Subparagraph (E) of Paragraph (6), "Single Family," of Subsection (b), "Specific Uses," of Section 51A-4.209, "Residential Uses," of Division 51A-4.200, "Use Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

“(ff) Accessory structures must have a [exterior siding, roofing,] roof-pitch[, foundation fascia,] and fenestration compatible with the main building. It is recommended that accessory structures have exterior siding, roofing, and foundation fascia compatible with the main building. “Compatible” as used in this provision means similar in application, color, [materials,] pattern, [quality,] shape, size, slope, and other characteristics; but does not necessarily mean identical. The burden is on the property owner or applicant to supply the proof of compatibility. Use of similar materials or materials of similar quality to the main building serves as additional evidence that the property owner’s burden of proof of compatibility has been met. This provision does not apply to accessory structures with a floor area of 200 square feet or less.”

SECTION 6. That Romanette (xii) of Subparagraph (F), “Mandatory Pedestrian Skybridge Standards,” of Paragraph (12), “Pedestrian Skybridges,” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(xii) Reserved. [At least 70 percent of the side walls must be open, or glass or transparent material with a light transmission of not less than 36 percent and a luminous reflectance of not more than six percent. “Light transmission” means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. “Luminous reflectance” means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material.]”

SECTION 7. That Subparagraph (G), “Recommended Pedestrian Skybridge Standards,” of Paragraph (12), “Pedestrian Skybridges,” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Romanette (vii) to read as follows:

“(xii) At least 70 percent of the side walls should be open, or glass or transparent material with a light transmission of not less than 36

percent and a luminous reflectance of not more than six percent. "Light transmission" means the ratio of the amount of total light to pass through the material to the amount of total light falling on the material and any glazing. "Luminous reflectance" means the ratio of the amount of total light that is reflected outward by a material to the amount of total light falling on the material."

SECTION 8. That Subsection (k), "Facade," of Section 51A-4.345, "General Standards," of Division 51A-4.340, "Mechanized Parking," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(k) Facade.

(1) These facade requirements apply to any portion of a building containing mechanized parking except when accessory to a single family or duplex use. If there is a conflict between the regulations within a zoning district that require concealment of parking structure facades, this subsection controls.

(2) An aboveground mechanized parking facility must be concealed by a facade. ~~[that] It is recommended that the facade be:~~

(A) compatible in appearance with the facade of the main building it serves, or

(B) compatible in appearance with other buildings within a one block radius.

~~[(3) The burden is on the property owner or applicant to supply proof of compatibility.]~~

(3[4]) Aperture area or articulation must be provided at a minimum of 20 percent and a maximum of 80 percent for any street facing facade.

(4[5]) Articulation must be provided at least every 30 feet, measured horizontally and vertically.

(5[6]) Except for pedestrian and vehicular entrances, the aperture area must be screened. It is recommended that the required screening be constructed with an opaque or translucent material that may be permeable or impermeable and that. ~~Screening materials for~~ the aperture area ~~[may]~~ have no more than 36 square inches of transparent material in any given square foot of surface and ~~[may]~~ have no more than 25 percent transparency.

(6[7]) The board of adjustment may grant a special exception to the standards in this subsection when, in the opinion of the board, the special exception will not adversely affect neighboring property. The alternative facade must provide adequate screening of equipment and structures and mitigate noise.”

SECTION 9. That Paragraph (6), “Materials and Colors,” of Subsection (a), “Design Standards for Large Retail Uses,” of Section 51A-4.605, “Design Standards,” of Division 51A-4.600, “Regulations of Special Applicability,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(6) Materials and colors.

(A) No more than 75 percent of the area of a facade wall, exclusive of fenestration, may have a single material or color.

(B) It is recommended that t[he] following materials are [may] only [be] used on rear facade walls:

(i) Smooth-faced concrete block that is non-tinted or non-burnished.

(ii) Tilt-up concrete panels that are unadorned or untextured.

(iii) Prefabricated steel panels.”

SECTION 10. That Paragraph (3) of Subsection (b), “Standards,” of Section 51A-4.906, “Review by the Director,” of Division 51A-4.900, “Affordable Housing,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(3) The design [~~and materials~~] of SAH units must be equivalent to the design [~~and materials~~] of other units located on the same lot. It is recommended that the materials of SAH units be equivalent to the materials of other units located on the same lot. The size of bedrooms in SAH units must be consistent with the size of bedrooms in other units located on the same lot.”

SECTION 11. That Paragraph (34) of Section 51A-13.201, "Defined Terms," of Division 51A-13.200, "Definitions," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(34) TRANSPARENCY means the total area of window opening ~~[and] door opening, or other opening [filled with glass]~~, expressed as a percentage of the total facade area by story."

SECTION 12. That Paragraph (6), "Ground-Story Shopfront Windows," of Subsection (b), "Mixed Use Shopfront," of Section 51A-13.304, "Development Types," of Division 51A-13.300, "District Regulations," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(6) **Ground-Story Shopfront Windows.** A minimum of 60 percent of the street-fronting, street-level window openings ~~[pane surface area]~~ must allow views into the ground-story use for a depth of at least four feet. If glass is installed, it is recommended that it ~~[Windows must]~~ be clear or unpainted, or, if treated, ~~[must]~~ be translucent. ~~[Spandrel glass or backpainted glass does not comply with this provision.]~~"

SECTION 13. That Paragraph (6), "Ground-Story Shopfront Windows," of Subsection (c), "Single-Story Shopfront," of Section 51A-13.304, "Development Types," of Division 51A-13.300, "District Regulations," of Article XIII, "Form Districts," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(6) **Ground-Story Shopfront Windows.** A minimum of 60 percent of the street-fronting, street-level window opening ~~[pane surface area]~~ must allow views into the ground-story use for a depth of at least four feet. If glass is installed, it is recommended that it ~~[Windows must]~~ be clear or unpainted, or, if treated, ~~[must]~~ be translucent. ~~[Spandrel glass or backpainted glass does not comply with this provision.]~~"

SECTION 14. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 15. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 16. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 17. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 18. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

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

Passed \_\_\_\_\_



**FILE NUMBER:** DCA190-003

**DATE INITIATED:** May 29, 2019

**TOPIC:** Parking Reduction for Multifamily Recycling Container

**CITY COUNCIL DISTRICTS:** All

**CENSUS TRACTS:** All

**PROPOSAL:** Consideration of amending Sections 51-4.201, 51A-4.209, and 51A-13.403 of the Dallas Development Code to allow a parking reduction to provide adequate area for the placement of recycling containers.

**SUMMARY:** The proposed amendments to Chapters 51 and 51A intend to aid in compliance with Section 18-5.1(e) of the Multifamily Recycling Ordinance by providing a parking reduction for multifamily uses to allow for the placement of recycling containers in a parking space if necessary.

**ZOAC RECOMMENDATION:** Approval of ZOAC recommendation

**STAFF RECOMMENDATION:** Approval of staff recommendation

## **BACKGROUND**

- On January 22, 2018, Sanitation Services briefed the Quality of Life, Arts, & Culture Committee on the City of Dallas Zero Waste Plan. The Committee directed staff to bring back a refined multifamily plan with cost impacts and an implementation plan, and to look at implementing a similar ordinance for all commercial properties concurrently or on a parallel path.
- On May 14, 2018, Sanitation Services briefed the Quality of Life, Arts, & Culture Committee on Universal Access to Recycling: Multifamily and Commercial providing multifamily recycling ordinance recommendations and considerations for a commercial recycling ordinance.
- On June 13, 2018, the City Council passed Ordinance No. 30879, which established Section 18-5.1, "Collection and Removal of Recyclable Materials from Multifamily Sites," of Chapter 18, "Municipal Solid Wastes," of the Dallas City Code. This ordinance, also referred to as the Multifamily Recycling Ordinance, requires all multifamily properties with eight or more dwelling units to provide recycling services to their tenants and employees beginning on January 1, 2020. (see APPENDIX 1)
- The Recycling Ordinance also indicates that minimum parking required for a multifamily site may be reduced in order to provide adequate space for recycling containers. However, this parking reduction must be reflected in Chapters 51 and 51A.
- On October 17, 2019, the Zoning Ordinance Advisory Committee (ZOAC) considered amending Chapters 51 and 51A of the Dallas Development Code to allow a parking reduction for multifamily uses in order to provide adequate area for the placement of recycling containers and voted to recommend the proposal of a parking reduction of one space to City Plan Commission (CPC).
- On November 21, 2019, CPC considered the proposed amendment and moved to return the amendment to ZOAC in order to allow staff to obtain information from members of the Apartment Association of Greater Dallas (AAGD) to support their representative's proposal of the need for a reduction of three required spaces.
- The Office of Environmental Quality and Sustainability, in conjunction with the AAGD, provided background information with additional technical requirements for siting, a breakdown of multi-family facilities, mapping and photos of container location, and some recent data concerning local and national trends in multi-family parking. (see APPENDIX 2)
- On January 23, 2020, and February 6, 2020, ZOAC considered this item and on February 6, 2020 voted to approve a parking reduction for multifamily uses based on a tiered approach and recommended to move it to CPC.

**GENERAL INFO/STAFF ANALYSIS:**

The proposed amendment to Chapters 51 and 51(A) intends to aid in compliance with Section 18-5.1(e) of the Multifamily Recycling Ordinance by providing for a parking reduction when necessary.

**Chapter 18 SEC.18-5.1 COLLECTION AND REMOVAL OF RECYCLABLE MATERIALS FROM MULTIFAMILY SITE.**

- (e) Parking reduction. Minimum parking required for a multifamily site may be reduced in order to provide adequate space for recycling containers.

Although Chapter 18 refers to a parking reduction, without amending Chapters 51 and 51(A) to allow for a parking reduction, a multifamily property owner wanting to use required parking to place recycle containers, as referenced in Section 18-5.1(e), would have to go to the Board of Adjustment (BDA) to request a special exception to the number of parking spaces required for that site.

**Board of Adjustment (BDA) Process:**

- Application and fee is submitted to the Building Inspection Division by application deadline date.
  - Fee for special exception to off-street parking requirements – \$900.00 + \$100.00/space.
- Application is scheduled for a BDA public hearing date (approximately two months from the deadline date).
  - Notification of the hearing is mailed out to all property owners within 200 feet of the request property 10 days prior to the hearing.
- At the BDA public hearing, public input is taken and the BDA determines whether or not to grant the request. They may grant a parking reduction of up to 25% or one space, whichever is greater. In determining whether to grant a special exception the board considers the following:
  - the parking demand generated by the use does not warrant the number of off-street parking spaces required, and
  - the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.

**PROPOSALS:**

**ZOAC recommendation:**

ZOAC proposes a tiered approach to the number of required parking spaces that may be reduced for the placement of recycle bins based on the number of dwelling units on each site as follows:

<u>No. of dwelling units</u>	<u>No. of required parking spaces reduced</u>
8 - 100	up to 3
101 - 400	3% or maximum 6, whichever is less
401+	up to 9

ZOAC made their recommendation with the spirit and intent to incentivize recycling by:

- 1) avoiding the BDA process,
- 2) letting the property owners make the decision to reduce their available parking as they keep in mind their residents' needs,
- 3) simplifying the ability to use recycle containers, and
- 4) supporting *forward*Dallas! Environmental policies to increase recycling and develop standards requiring new development of commercial and multifamily buildings to include facilities for waste recycling.

Staff recommendation:

Staff's proposal allows for a parking reduction of one required parking space to be used for the placement of a recycle container.

The Recycle ordinance (Sec. 18-5.1) itself allows three methods for multifamily sites to provide recycling:

1. Single stream
2. Dual stream
3. Valet

In addition to how a property chooses to provide recycling, the director of sanitation (per Sec. 18-5.1) may grant:

1. an implementation extension, and/or
2. an exemption from all or specific provisions of the regulations because of the owner's inability to comply.

The parking reduction is not intended to be the means to allow compliance with the Recycle ordinance, it is provided to aid and work in conjunction with the other options and exemptions already provided in the Recycle ordinance. If, after all opportunities to comply have been exhausted and additional parking spaces are still needed, the individual property may go to BDA to request a parking reduction for that individual site and may grant up to 25% of the required number of parking spaces.

At this time, staff is not aware of any multifamily properties that are unable to comply with the Recycle ordinance due to the need to use more than one required parking space. Additionally, random multifamily properties in different areas of the city were reviewed to compare the number of parking spaces required and the number of spaces provided. (see APPENDIX 3 for a location map and chart). Staff found that 17 out of 22 properties provide more than the required number of spaces, four provide exactly what is required, and one provides significantly less than what is required.

*Additional recommendation (ZOAC and Staff):*

The parking reduction will only be applicable to properties built prior to the passage of this ordinance.

This amendment, regardless of the number of required parking spaces allowed to be reduced, is intended to help existing site constrained properties built before the Recycle ordinance was approved. Future developments have the opportunity to design their sites, adhering to the recycle regulations along with the zoning regulations applicable to their site.

<b>Zoning Ordinance Advisory Committee (ZOAC) Meeting Minutes February 6, 2020.</b>
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**Motion to approve agenda item 2, DCA190-003 Consideration of amending Section 51A-4.209(b)(5), “Multifamily Use,” of Chapter 51A of the Dallas City Code to allow a parking reduction to provide area for the placement of recycling containers using the tiered approach to allow a parking reduction based on the number of dwelling units; 8-100 units – 3 spaces, 101-400 units – 3% or a maximum of 6 whichever is less, and more than 400 units – up to 9 spaces.**

**Motion:** MacGregor  
**2<sup>nd</sup>:** Hall

**Result:**    Passed:       8-0  
                 For:             Murphy, MacGregor, Bagley, Behring, Hall, Johnson,  
   Castella and Rieves  
                 Against:       none  
                 Absent:          none



**DRAFT ORDINANCE**

2-21-20

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

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51-4.201, 51A-4.209, and 51A-13.403; providing a parking reduction for multifamily properties to accommodate recycling containers; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subparagraph (C) of Paragraph (3), “Multiple-Family,” of Subsection (b), “Specific Residential Uses,” of Section 51-4.201, “Residential Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Required off-street parking:

(i) One space for each bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

***ZOAC recommendation:***

(ii) The number of off-street parking spaces required under this subparagraph may be reduced to provide adequate area for the placement of recycling containers in accordance with Section 18-5.1(e) according to the following table:

<u>No. of Dwelling Units</u>	<u>No. of required parking spaces reduced</u>
8-100	3
101 – 400	3% or 6, whichever is less
401 +	9

This parking reduction only applies to structures built before [date of passage of this ordinance].”

***Staff recommendation:***

(ii) The number of off-street parking spaces required under this subparagraph may be reduced by one parking space to provide adequate area for the placement of recycling containers in accordance with Section 18-5.1(e). This parking reduction only applies to structures built before [date of passage of this ordinance].”

SECTION 2. That Subparagraph (C) of Paragraph (5), “Multifamily,” of Subsection (b), “Specific Uses,” of Section 51A-4.209, “Residential Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(C) Off-street parking.

(i) Required off-street parking: One space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

***ZOAC recommendation:***

(ii) The number of off-street parking spaces required under this subparagraph may be reduced to provide adequate area for the placement of recycling containers in accordance with Section 18-5.1(e) according to the following table:

<u>No. of Dwelling Units</u>	<u>No. of required parking spaces reduced</u>
8-100	3
101 – 400	3% or 6, whichever is less
401 +	9

This parking reduction only applies to structures built before [date of passage of this ordinance].”

***Staff recommendation:***

(ii) The number of off-street parking spaces required under this subparagraph may be reduced by one parking space to provide adequate area for the placement of recycling containers in accordance with Section 18-5.1(e). This parking reduction only applies to structures built before [date of passage of this ordinance].”

SECTION 3. That Subparagraph (C), “Off-Street Parking,” of Paragraph (5), “Multifamily,” Subsection (b), “Specific Uses,” of Section 51A-13.403, “Parking Reductions,” of Division 51A-13.400, “Parking Regulations,” of Article XIII, “Form Districts,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Subsection (j), “Multifamily Recycling Containers,” to read as follows:

**“(j) Multifamily Recycling Containers.”**

***ZOAC recommendation:***

The number of off-street parking spaces required for multifamily uses may be reduced to provide adequate area for the placement of recycling containers in accordance with Section 18-5.1(e) according to the following table:

<u>No. of Dwelling Units</u>	<u>No. of required parking spaces reduced</u>
8-100	3
101 – 400	3% or 6, whichever is less
401 +	9

This parking reduction only applies to structures built before [date of passage of this ordinance].”

***Staff recommendation:***

The number of off-street parking spaces required for multifamily uses may be reduced by one parking space to provide adequate area for the placement of recycling containers in accordance with Section 18-5.1(e). This parking reduction only applies to structures built before [date of passage of this ordinance].”

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

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

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

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

Passed \_\_\_\_\_

<b>APPENDIX 1</b>
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**SEC. 18-5.1. COLLECTION AND REMOVAL OF RECYCLABLE MATERIALS FROM MULTIFAMILY SITES.**

(a) General regulations. The owner of a multifamily site shall:

(1) provide single stream, dual stream, or valet recycling through persons holding a multifamily site recycling collection service permit pursuant to Article IV-a of this chapter.

(2) provide recycling container(s) through persons holding a multifamily site recycling collection service permit pursuant to Article IV-a of this chapter.

(3) provide and place recycling containers in locations within visibility of waste containers. If valet trash service is provided, the recycling service should be of a similar nature. If trash chute rooms or trash rooms are utilized, then the recycling service should be of a similar nature or should be as convenient for the tenant, such as placing a recycling container adjacent to the trash chute, if there is adequate space.

(4) provide information (e.g. posters, signs) in suitable common areas, such as mail rooms and laundry facilities, that discusses how to recycle at the property, including information on the types of recyclable materials that are acceptable using photos or images, the chasing arrows recycling symbol, locations of recycling containers, and onsite contact information to report overflowing recycling containers and contamination. If the property utilizes valet recycling collection services, then only information regarding how to recycle and materials accepted is required.

(5) educate each tenant on recycling program implementation upon lease commencement and biannually thereafter of the following:

(A) the multifamily site provides access to recycling in accordance with [Chapter 18](#) of the Dallas City Code;

(B) location of recycling containers;

(C) types of recycling materials accepted;

(D) information related to proper recycling practices, including that cardboard boxes should be broken down before placed in recycling containers;

(E) onsite contact information to report overflowing recycling containers and contamination; and

(F) information on how to report waste or recycling problems to the City of Dallas, utilizing 3-1-1, the 311 app or submitting an online service request.

(6) inform each tenant within 30 days of any significant change in recycling services to the multifamily site.

(7) for multifamily sites offering back-of-house and valet recycling, provide biannual training (or within 30 days of new employee start date) to those collecting recyclable materials of the following:

(A) types of clean and empty materials accepted in recycling containers;

(B) instruction to break down cardboard boxes before depositing into recycling containers serviced by a permitted multifamily site recycling collection service business;

(C) for multifamily sites providing valet recycling, instruction to empty plastic bags before depositing contents into recycling containers serviced by permitted multifamily site recycling collection service businesses and instruction to place plastic bags into waste or garbage containers to be landfilled;

(D) location of recycling containers; and

(E) onsite contact information for reporting overflowing recycling containers and contamination.

(8) submit an annual recycling plan to the director of sanitation as set forth in Subsection (g) of this section, along with an affidavit of compliance as part of the owner's annual multi-tenant registration or on a form approved by the director of sanitation.

(b) Recyclable materials for collection. The owner of a multifamily site must provide collection for recyclable materials that are consistent with those materials accepted by the city's residential recycling program, unless otherwise exempted by the director of sanitation.

(c) Recycling collection and capacity. The owner of a multifamily site must provide recycling container collection capacity equal to or greater than 11 gallons per unit, per week.

(d) Recycling containers. A recycling container must:

(1) be a roll cart, bin, wheelie bin, dumpster, or compactor. Wheelie bins, dumpsters, and compactors larger than two yards may have restricted access to prevent gross contamination; and

(2) comply with screening and other applicable regulations in the Dallas Development Code, as amended.

(e) Parking reduction. Minimum parking required for a multifamily site may be reduced in order to provide adequate space for recycling containers.



(f) Implementation.

(1) An owner of a multifamily site shall implement a multifamily site recycling program by January 1, 2020.

(2) An owner of a multifamily site applying for a certificate of occupancy after January 1, 2020, shall immediately comply with this section upon issuance of the property's certificate of occupancy and submit a recycling plan with their initial multi-tenant registration application.

(g) Recycling plans.

(1) The owner of a multifamily site shall submit a recycling plan each year, as part of their annual multi-tenant registration application, to the city. Initial recycling plans must be submitted upon the first annual multi-tenant registration after January 1, 2020. Electronic or hard copy of the recycling plan information should be available for inspection on site after January 1, 2020. The recycling plan must include the following information:

(A) name of permitted multifamily site recycling collection service business utilized;

(B) types of materials recycled;

(C) type, size, location(s), and frequency of recycling container(s) collection;

(D) a site map of the property showing current garbage and recycling locations, unless valet recycling service is provided and no community recycling containers are available;

(E) notation of any changes to the multifamily site recycling program in the previous calendar year, including but not limited to changes of the following: multifamily site recycling collection service business utilized or method of collection, if applicable; and

(F) any other information that the director of sanitation deems necessary, and is reasonable, to verify compliance with this ordinance or to enhance program reporting capabilities and other information.

(2) The owner of a multifamily site shall maintain records and examples of materials relevant to meeting the requirements of Section [18-5.1\(a\)\(5\)](#) and make records available if requested by the city manager's designee, or that designee's authorized representative during an on-site inspection.

(3) The director of sanitation may reject a recycling plan if it does not contain the information specified in this section or meet the minimum requirements as defined in this section. The owner of a multifamily site shall submit a revised plan no later than 30 days from notification of the director of sanitation's determination to reject the plan.

(h) Inspection. For any multifamily site, the city manager's designee, or that designee's authorized representative, may conduct an inspection for compliance with this section and verify the site's provision of access to recycling services at any time or when an inspection

under Section [27-42](#), of [Chapter 27](#) of the Dallas City Code, as amended, is conducted, even if the multifamily site is not a rental property, as defined in [Chapter 27](#) of the Dallas City Code, as amended.

(i) Exemptions and Implementation Extension.

(1) Section [18-5.1](#)(a)(8) does not apply to multifamily sites that have a current contract with the City of Dallas to receive recycling collection services from the city.

(2) The owner of a multifamily site may submit to the director of sanitation, within 90 days of required recycling program implementation, a written request for an implementation extension and/or exemption from all or specific provisions of the regulations of this section because of the owner's inability to comply. The director of sanitation will conduct a thorough evaluation on whether the owner demonstrated an inability to comply with the ordinance. The owner will receive a determination by the director of sanitation in writing within 60 days. The director of sanitation's decision will be final. (Ord. [30879](#))

## APPENDIX 2

### Technical Considerations:

- **Requirements of Multi-family Recycling Ordinance:** Section 18-5.1 Collection of Recyclable materials from Multi-Family Sites was passed under City Ordinance 30879 on June 13, 2018, with a target date of January 1, 2020 for initiating compliance. This ordinance requires multi-family properties with more than 8 units to provide to their tenants:
  - Recycling service by single stream, dual-stream or valet recycling in the minimum amount of at least 11 gallons per unit;
  - Recycling containers in well-marked locations, optimally near existing solid waste containers;
  - Education (posters, signage, flyers, etc., concerning the program to their tenants, including recyclable materials, how to recycle (box breakdown, plastic numbers, etc), who to contact at the property for complaints or concerns, and how to report issues to the City of Dallas; and submit to the City
  - An Annual Recycling Plan, including container sizes and locations, site maps and registered hauler information provided with the properties' annual update to the existing multi-family database, managed by the Code Services Department.

Compliance under this ordinance will be assessed by the Code Compliance Department as part of the existing Multi-family facility inspection process.

The City has established a website to support this process, <https://dallascityhall.com/departments/sanitation/Pages/multifamilyrecycling0.aspx> to assist the property managers to connect with registered haulers, to obtain more information on the registration process and ordinance requirements. To date, there are sixteen waste haulers that have registered on this website to provide this service.

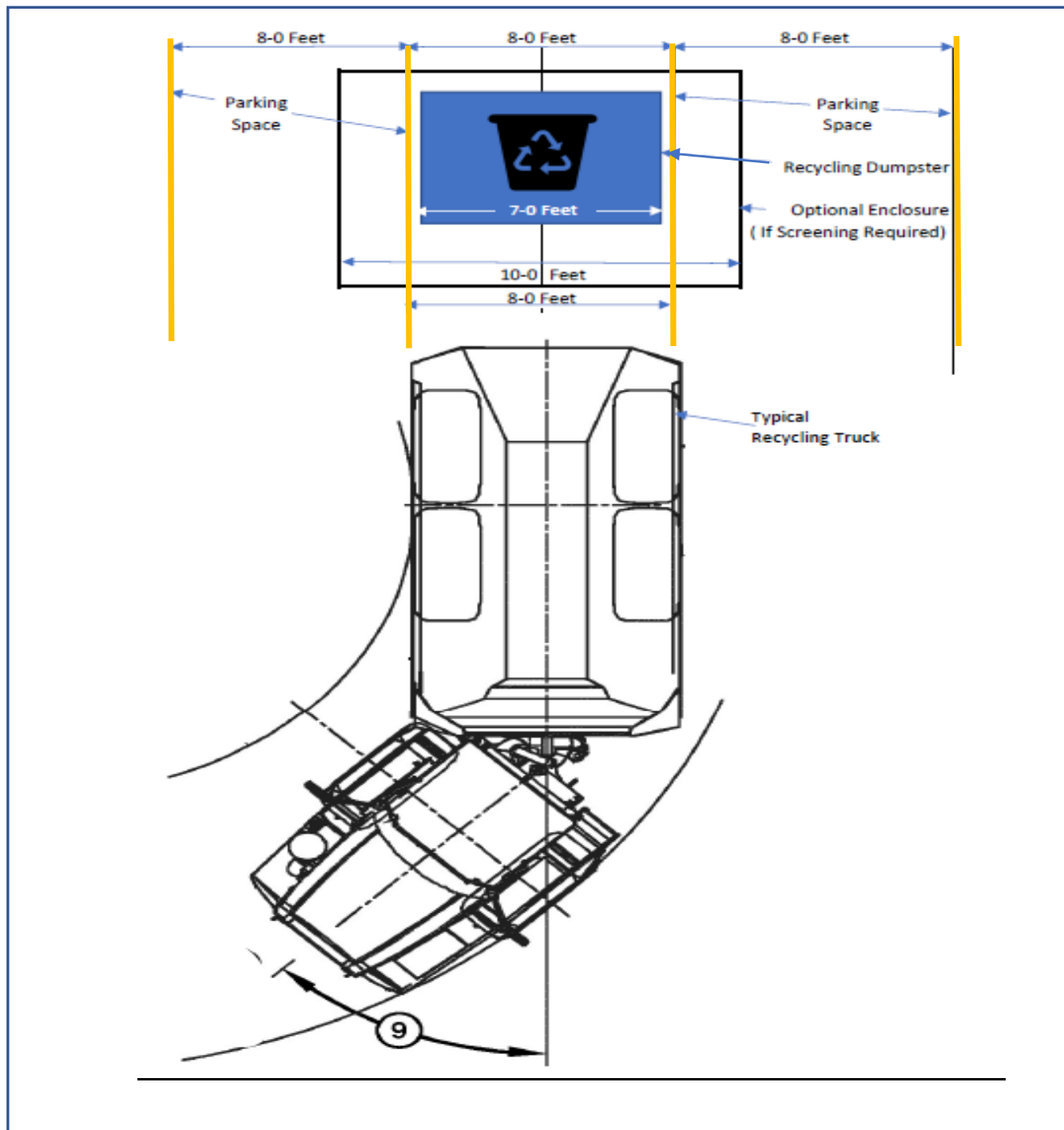
It should be noted that Section 18-5.1(e) of the Multi-Family Recycling Ordinance, explicitly allows reductions of the minimum parking requirements, and does not limit the number(s) of spaces that may be reduced for this purpose: "Parking reduction. Minimum parking required for a multi-family site may be reduced in order to provide adequate space for recycling containers."

- **Methods for compliance:** The multi-family facility management has options of providing service through their existing solid waste contract(s), through a new contract with one of the registered haulers, or service providers. The collection options include 94-gallon roll carts, valet service, wheelie-bins, dumpsters, and compactors. The City's Sanitation Services Department may be able to provide service for smaller facilities through roll carts, or dumpsters, depending upon volumes required (typically smaller volumes). Service can also be provided by sharing services/containers with an adjacent property.
- **Dumpster space requirements:** As indicated in the **Figure 1.0**, there are several physical considerations in play for siting dumpsters for recycling:
  - Most commercially available dumpsters are a minimum of 84-inches (7-feet) in width, and come in 4-, 6- and 8-cubic yard volumes.
  - § 51A-4.301. Off-Street Parking Regulations indicate a standard minimum width for a parking space as 8-feet, with an allowable minimum width of 7.5 feet for no more than 35 percent of the offered parking. This provides a 3- to 6-inch leeway on either side of the dumpster if placed in a single parking space.
  - Section 18-5.1 (d) of the Multi-Family Recycling ordinance requires compliance with screening and other applicable Dallas Development Code requirements; a standard dumpster enclosure is 10 feet by 10 feet.

- **Waste Hauler access requirements** (as provided by hauler information):
  - **Equipment dimensions:** Required clearance for front end loading vehicles:
    - Vertical (Approach and Exit): 14 feet High
    - Vertical (When dumping container): 25 feet High
    - Lateral: 8 feet Wide
    - Outside Turning Radius: 78 feet (84 feet in pick-up/service position)
    - Length of Vehicle: 33 feet – (37 feet in pick-up/service position)
  - Because of equipment dimensions and long turning radius, some haulers prefer angling the dumpster to allow better access, particularly in areas with tight driveway access.

- **Figure 1.0** below illustrates the standard angled access configurations as required for waste hauling equipment to access the dumpsters.

**Figure 1.0 Typical Recycling Container Installation in Parking Lot**



- **Figure 2.0** provides photos provided by the haulers through the Apartment Association of Greater Dallas that demonstrate typical placement to help with visualizing both the angled, and perpendicular placement-types.

**Figure 2.0 Existing Multi-family Dumpster Placement****Potentially Affected Properties:**

Currently, there are over 2,500 different apartment complexes housing greater than 8 units that are registered in the City of Dallas VGOV multi-family database. This database is maintained by the Code Compliance Services Department, with technical support from the Information Technology Services Department (formerly known as Computer Information Services). While a breakdown of these properties is available by size and location, the actual number of existing parking places at each property is not readily available within this database. Table A provides a breakdown of these properties by size, with recycling volume service requirements, and potential container options to provide this service.

**Table A. Multi-family Complex Breakdown with Recycling Volumes and Service Options**

# Units	# Complexes	Primary Locations	Required Recycling Volume/Week				Container Options					
			Low range (gal/CY)		High range (gal/CY)		Share?	Roll Cart (s)	Valet	4 CY	6 CY	8 CY
3-7 units	exempt	Citywide	33	0.16	77	0.38	Y	1	Y	-	-	-
8-24 units	738	Gaston, Old East Dallas, North Oak Cliff, Oak Lawn	88	0.44	264	1.31	Y	1 - 3	Y	-	-	-
25-49 units	248	Gaston/Old East Dallas	275	1.36	539	2.67	N	3-6	Y	1	-	-
50-100 units	236	Webb Chapel, Vickery Meadow, Ft Worth Ave, Polk	550	2.72	1,100	5.45	N	6-12	M	1-2	1	-
101+ units	1,279	Downtown, Uptown, Northeast Dallas, North Dallas, Redbird, Ft Worth Ave	1,111	5.50	>1,111	NA	N	NA	M	2+	1+	M

2,501

Data Source: City of Dallas. 2019. VGov Multi-Family Dbase



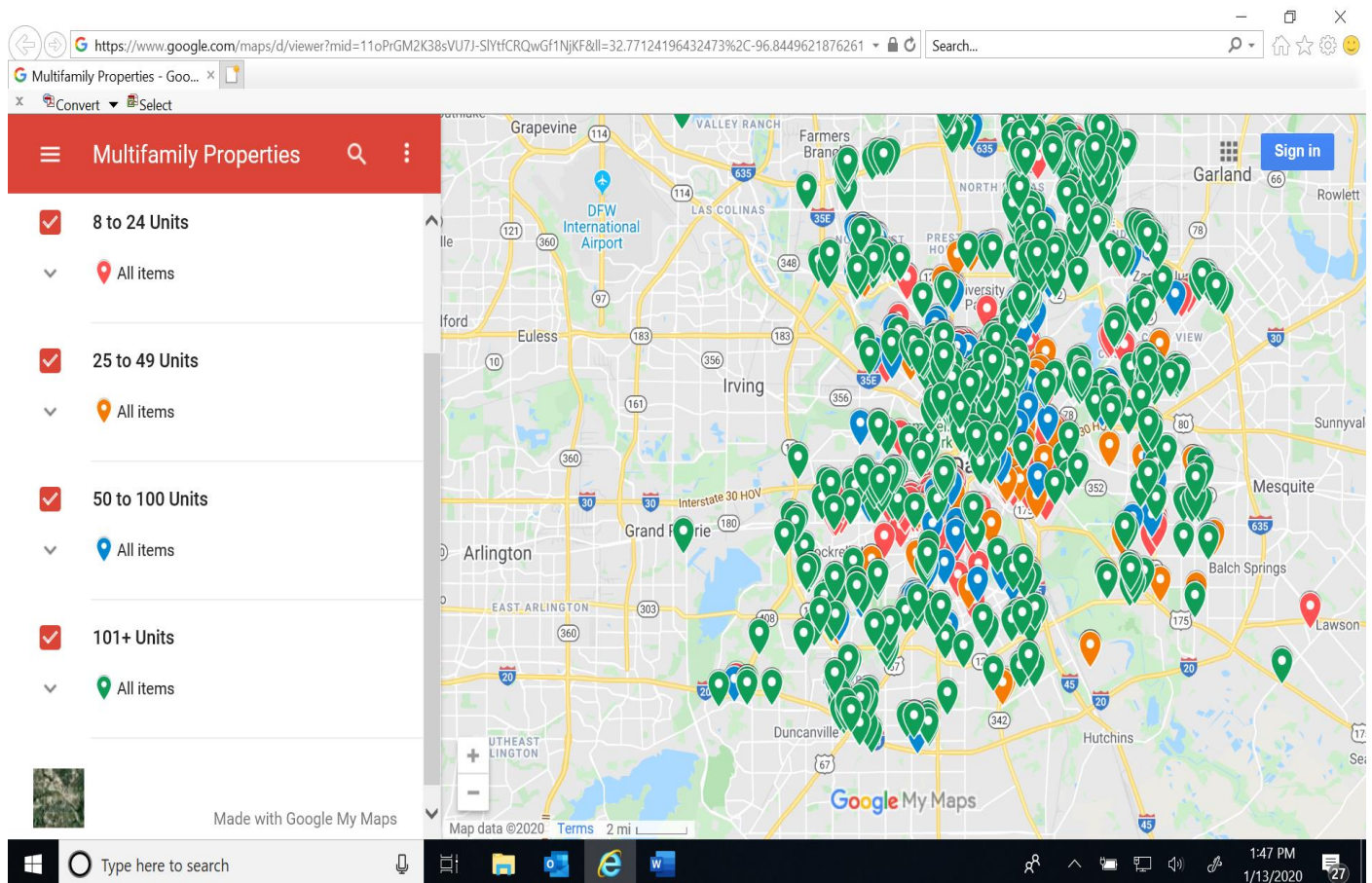
These data indicate that largest sector of the multi-family complexes in Dallas contains more than 101 units; however, there is also an approximate even-split between the numbers of complexes with more- and less than 100 units. Additionally, it is apparent that most of the smaller facilities (less than 25 units) may be able to provide the required recycling capacity through 1- or more 94-cubic yard carts, or by sharing service with adjacent properties. The threshold for potentially needing to upsize from a roll cart system to a dumpster appears to be at about 50 units.

While we have had no requests for parking variance at this time, we anticipate that older facilities with between 50- and 100- units may be facilities that would likely require relief from parking minimum requirements to allow recycling service. This is because of required recycling volumes that may require use of a dumpster, coupled with age of construction, with smaller associated parking facilities (eg, constructed before current parking minimums were put in place). There may be an equity consideration for some facilities, because of the prevalent location of older mid-sized multi-family residences in locations with lower economic demographic characteristics.

- **Figure 3.0**, provides a mapped distribution of the multi-family property locations across the City, showing a fairly-well dispersed siting, with heavier concentrations in Uptown, Oak Cliff, and Far East Dallas. A link to this mapping that allows map layer viewing by facility size is:

<https://drive.google.com/open?id=11oPrGM2K38sVU7J-SiYtfCRQwGf1NjKF&usp=sharing>

**Figure 3.0 Multi-Family Property Locations**



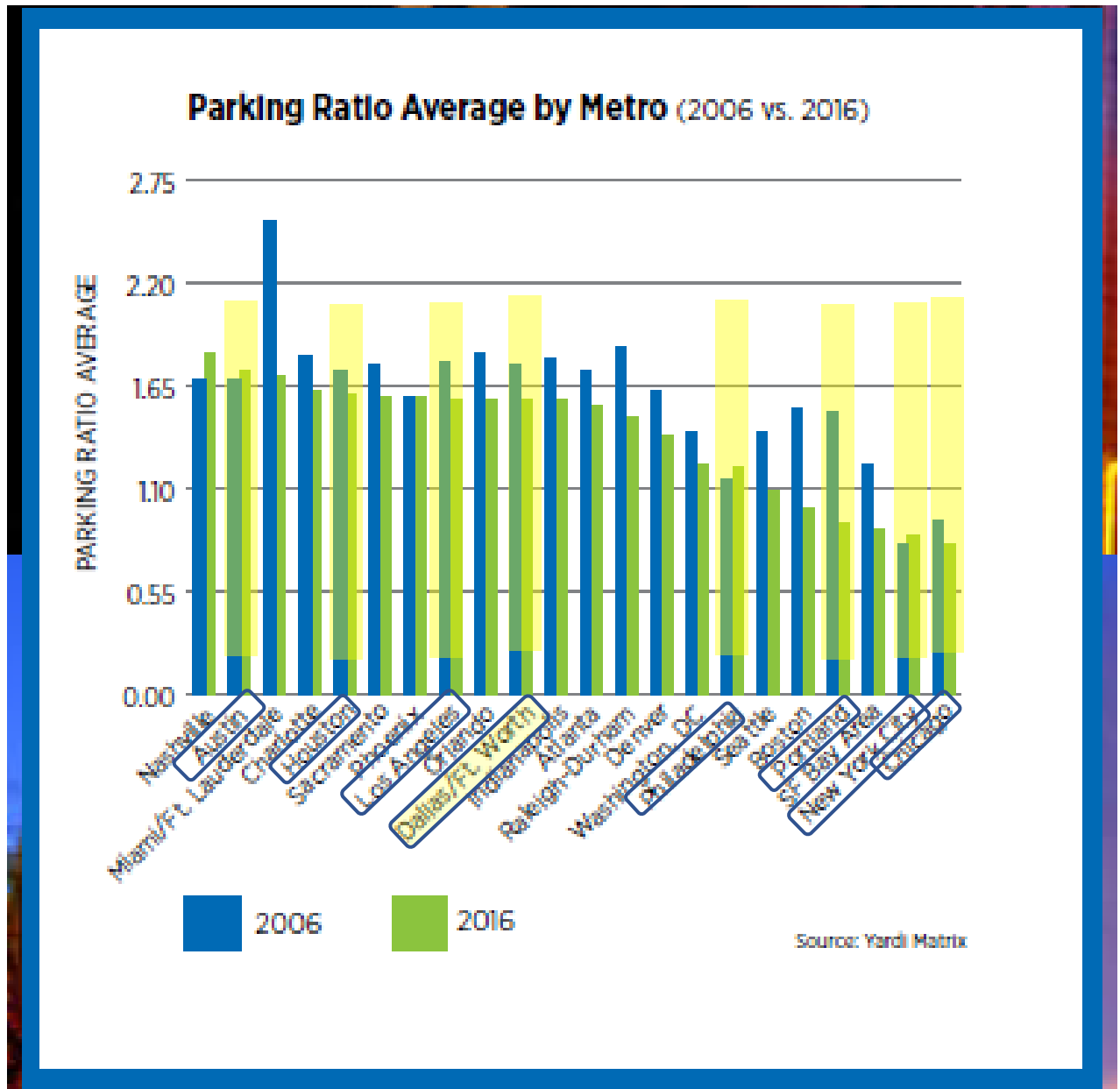
Data Source: City of Dallas. 2019. VGov Multi-Family Dbase.

**Potential Impacts of Implementation to Existing Multi-Family Facilities**

The allotted number of required parking spaces for each of the facilities currently registered in the VGov multi-family facility database is largely unknown. Neither the Dallas Housing Authority, nor the Apartment Association of Greater Dallas (AAGD) have this information for their participating properties. Therefore, the numbers of parking places, required parking places and additional parking places provided in excess of the required parking minimums are not known at this time. A literature search was performed in order to better understand the potential impacts of implementing relief to the parking minimums for multi-family properties affected by this ordinance. A recent report performed for the National Apartment Association (NAA) provided a good national summary of trends in parking facilities associated with multi-family developments, vehicle ownership, and parking ratios.

- **Figure 4.0** was developed by Yardi Matrix in the NAA study and allows comparison of City of Dallas parking ratios against several of our benchmark peer cities.

**Figure 4.0. Parking Ratio Average by Metro**



**Figure 4.0 Data source:** NAA.2018. The Transformation of Parking. Multiple Factors are Converging to Disrupt Everything we know about Parking. Available at: [https://www.naahq.org/sites/default/files/naa-images/Research/naa\\_parking\\_final\\_revised\\_sep\\_2018.pdf](https://www.naahq.org/sites/default/files/naa-images/Research/naa_parking_final_revised_sep_2018.pdf)

The circled/highlighted cities in the above graph are considered peer cities in several ongoing City of Dallas planning efforts. These data generally indicate reductions in parking minimums in the 10-year period between 2006 and 2016. Additionally, while Dallas is generally mid-range for these requirements, four of our seven benchmark cities (Philadelphia, Portland, New York City and Chicago) have significantly lower parking ratios than Dallas.

Available data from this national assessment of changes to multi-family parking and vehicle use, the North Central Texas Council of Governments, Dallas Area Rapid Transit and the City's effort to update the Strategic Mobility Plan were compiled to better understand transportation mode-shift, and potential impacts to parking requirements and use related to multi-family developments. **Table B** summarizes these data concerning utilization of parking provided at existing locations.

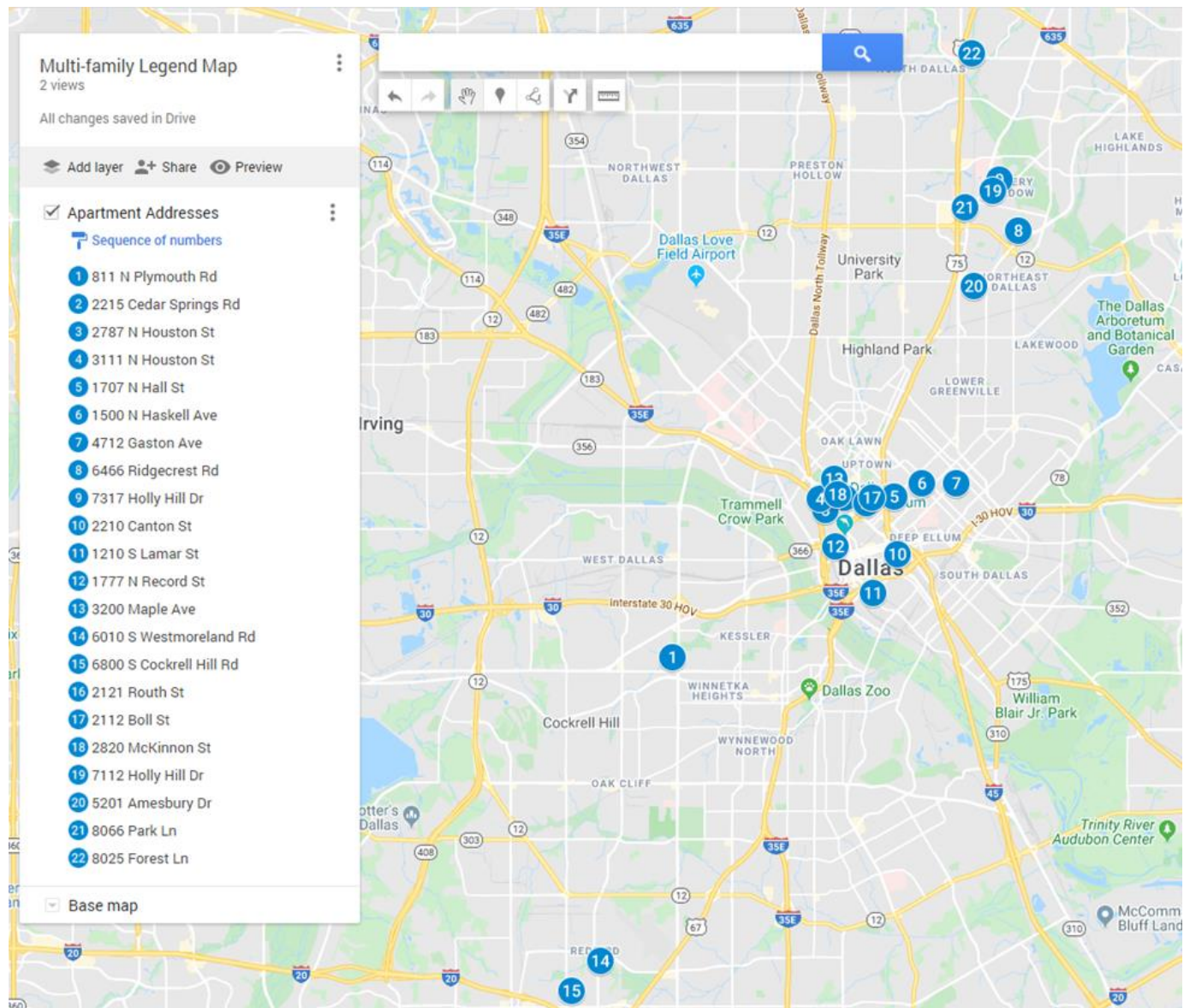
**Table B. Summary of Parking Utilization at Existing Multi-Family Facilities**

Study	Scope	Average % Parking Utilization
The Transformation of Parking <sup>1</sup>	National study of parking minimums, reduction in vehicle ownership, and vehicle ownership in renter-occupied households	60-80%
NCTCOG TOD Parking Study <sup>2</sup>	Study of Parking Utilization in North Texas	~60%
DART <sup>3</sup> TOD Connections	Study of Parking Utilization near Transit-Oriented Development in Dart Service Area	~60%
Connect Dallas Foundations Report <sup>4</sup>	Report of design fundamentals to be used to develop Strategic Mobility Plan; cited data from Dallas Transit-Oriented Development locations	40-60%
<b>Data Sources:</b> <sup>1</sup> National Apartment Association. 2018. The Transformation of Parking; Available at: <a href="https://www.naahq.org/sites/default/files/naa-images/Research/naa_parking_final_revised_sep_2018.pdf">https://www.naahq.org/sites/default/files/naa-images/Research/naa_parking_final_revised_sep_2018.pdf</a> <sup>2</sup> NCTCOG. 2019. TOD Parking Study. Available at: <a href="https://www.nctcog.org/trans/plan/land-use/parking-management">https://www.nctcog.org/trans/plan/land-use/parking-management</a> <sup>3</sup> DART. 2020. references NCTCOG TOD Study <sup>4</sup> Kimley Horn. 2019. Connect Dallas – Foundations Report; Available upon request.		

These data indicate national, regional and local trends towards reduced vehicle ownership, potential mode shift away from single-occupied vehicle use, and average utilization of parking that is less than the minimum parking requirements. These data suggest that it may be possible to use up to three parking spaces to support implementation of the recycling ordinance, with minimal adverse impacts.

<b>APPENDIX 3</b>
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	Area	Address	Provided parking spaces	Required parking spaces	Dwelling Units	Extra spaces
	Gaston					
		811 N. Plymouth Rd	161		104	
		2215 Cedar Springs Rd	522	408	265	114
		2787 N. Houston	707	529	423	178
		3111 N . Houston	632	588	463	44
	Old East Dallas					
		1707 N. Hall St	648	647	372	1
		1500 N. Haskell Ave	62	62	62	0
		4712 Gaston	41	61	32	-20
	Vickery Meadow, Webb Chapel, Ft. Worth Ave, Polk					
		6466 Ridgecrest Rd.	248	248	260	0
		7317 Holly Hill Dr.	117	117	98	0
		7112 Holly Hill	141	112	81	29
		8066 Park	124	124	62	0
		5201 Amesbury	592	504	336	88
	Downtown, Uptown, Northeast Dallas, North Dallas,					
		2210 Canton St.	637	96	312	541
		1210 S. Lamar St.	399	261	290	138
		1777 N. Record St.	406	234	267	172
		3200 Maple	401	378	252	23
		6010 S. Westmoreland Rd.	375	368	214	7
		6800 S. Cockrell Hill Rd	225	218	112	7
		2121 Routh	307	300	300	7
		2112 Boll	264	210	210	54
		2820 McKinnon	578	476	317	102
		8025 Forest	354	329	261	25





# Memorandum



CITY OF DALLAS

DATE March 5, 2020

TO Tony Shidid, Chair and  
City Plan Commissioners

SUBJECT **City Plan Commission Authorized Hearing**

Commissioners Garcia, Shidid, and Jung request that the City Plan Commission authorize a public hearing to determine the proper zoning on property zoned Planned Development District No. 842 with Specific Use Permit (SUP) No. 2346, for a Late-hours establishment limited to a restaurant with drive-in or drive-through service on Lot 4A Block B/1988 located at the southwest corner of Greenville Avenue and Alta Avenue (1827 Greenville Avenue), and containing approximately 30,024 square feet. Consideration is to be given to evaluating whether the SUP is compatible with adjacent property and consistent with the character of the neighborhood. A map of the area to be considered is attached.

This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

A handwritten signature in dark ink, reading 'Donna P. Moorman'.

Donna Moorman, Chief Planner  
Current Planning Division  
Sustainable Development and Construction Department

# Memorandum



CITY OF DALLAS

DATE February 6, 2020

TO Kris Sweckard, Director  
Department of Sustainable Development and Construction

SUBJECT Request for Agenda Item for an Authorized Hearing

We respectfully request that the following item be placed on the City Plan Commission Agenda and advertised as required by Section 51A-4.701(a)(1) of the City of Dallas Development Code.

Consideration of authorizing a public hearing to determine the proper zoning on property zoned Planned Development District No. 842 with Specific Use Permit (SUP) No. 2346, for a Late-hours establishment limited to a restaurant with drive-in or drive-through service on Lot 4A Block B/1988 located at the southwest corner of Greenville Avenue and Alta Avenue (1827 Greenville Avenue), and containing approximately 30,024 square feet. Consideration is to be given to evaluating whether the SUP is compatible with adjacent property and consistent with the character of the neighborhood. A map of the area to be considered is attached.

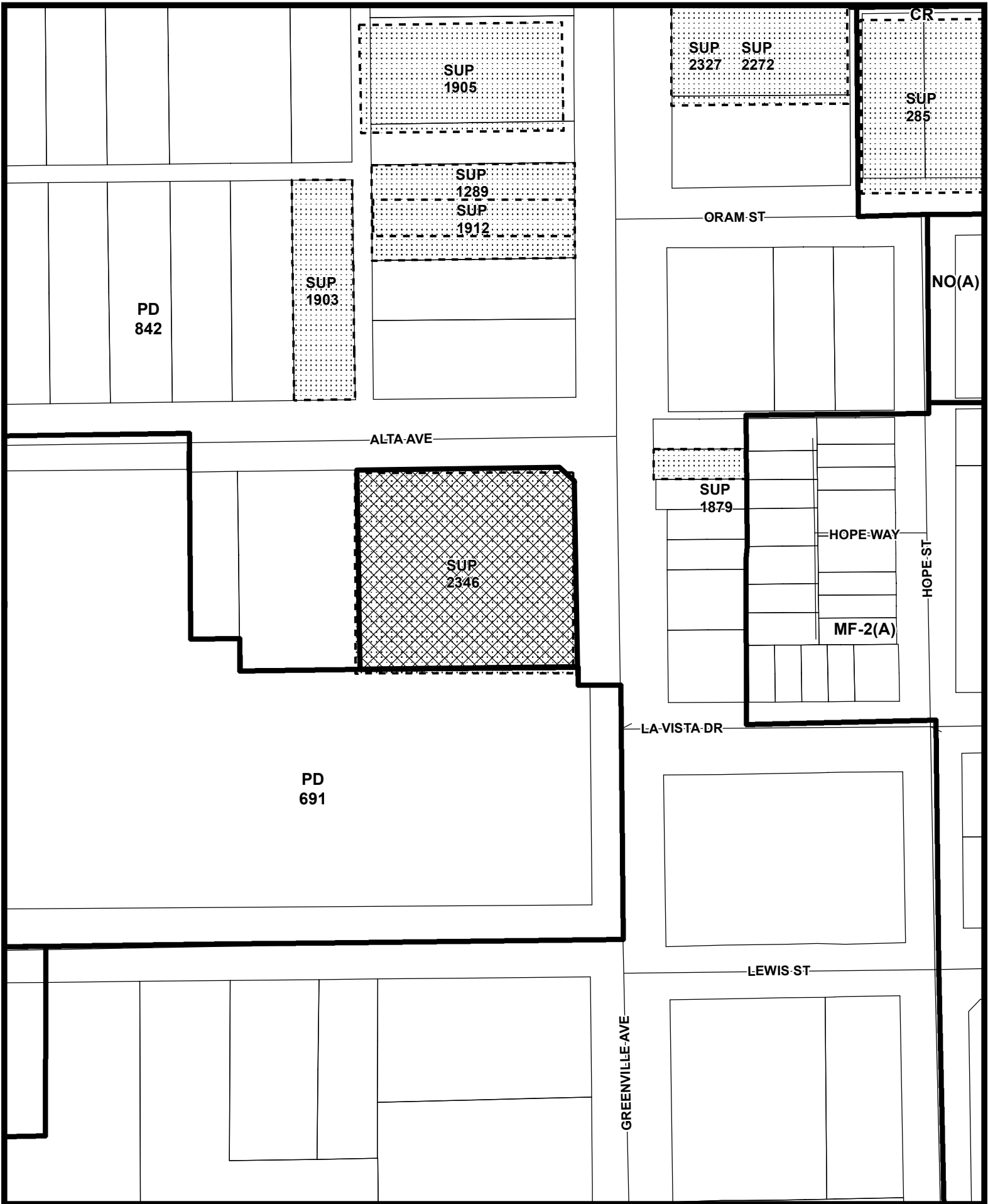
Thank you for your attention to this matter.

Wayne Garcia, District 14 Commissioner

Commissioner

Commissioner

c: Neva Dean, Assistant Director, Sustainable Development and Construction



3  
Authorized Hearing Request Area  
Date: February 6, 2020

# Memorandum



CITY OF DALLAS

DATE March 5, 2020

TO Tony Shidid, Chair and  
City Plan Commissioners

SUBJECT **City Plan Commission Authorized Hearing**

Commissioners Jung, Carpenter and Hampton request that the City Plan Commission authorize a public hearing to consider amending Chapter 51A of the Dallas Development Code with consideration to be given to amending 51A-4.702(a)(8)(A) Residential Proximity Slope.

This is a hearing to consider the request to authorize the hearing and not amendments to the Dallas Development Code at this time.

A handwritten signature in dark ink that reads "Donna P. Moorman". The signature is fluid and cursive.

Donna Moorman, Chief Planner  
Current Planning Division  
Sustainable Development and Construction Department

# Memorandum



CITY OF DALLAS

DATE February 6, 2020

TO Kris Sweckard, Director  
Department of Sustainable Development and Construction

SUBJECT Request for Agenda Item for an Authorized Hearing for a Development Code Amendment

We respectfully request that the following item be placed on the City Plan Commission agenda and advertised as required by Section 51A-7.701(a)(1) of the City of Dallas Development Code.

Consideration of authorizing a public hearing to consider amending Chapter 51A of the Dallas Development Code with consideration to be given to amending 51A-4.702(a)(8)(A) Residential Proximity Slope.

Thank you for your attention to this matter.

Handwritten signature of P. Michael Jung.

P. Michael Jung, Commissioner District 9

Handwritten signature of Deborah Caperton.  
District 6  
CommissionerHandwritten signature of Julie Dwyer.  
District 2  
Commissioner