

FILE NUMBER: Z201-258(RM) **DATE FILED:** May 18, 2021

LOCATION: East line of Greenville Avenue, north of La Vista Drive

COUNCIL DISTRICT: 14 **MAPSCO:** 36 X

SIZE OF REQUEST: Approx. 0.04 acre **CENSUS TRACT:** 11.01

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER/APPLICANT: Texas Urban Living Realty, LLC

REQUEST: An application for a new subdistrict on property zoned Planned Development District No. 842, the Lower Greenville Avenue Special Provision District, with an MD-1 Modified Delta Overlay.

SUMMARY: The purpose of the request is to allow modified development standards primarily related to permitted uses, floor area ratio, and parking to allow an existing building to be occupied with office uses.

CPC RECOMMENDATION: Approval, subject to conditions.

STAFF RECOMMENDATION: Approval, subject to conditions.

BACKGROUND INFORMATION:

- The area of request is currently developed with a one-story building totaling approximately 1,300 square feet with no off-street parking. Dallas Central Appraisal District records indicate the building was constructed in 1920. The property has been vacant for over 12 months.
- On October 21, 1987, City Council created the MD-1 Modified Delta Overlay District in areas where it was determined that a continued application of the delta theory is not justified because there is no longer a need to encourage redevelopment and adaptive reuse of existing structures, or that the continued application of the delta theory will create traffic congestion and public safety concerns and would not be in the interest of the public.
- The MD-1 Overlay District establishes the right to carry forward nonconforming parking and loading spaces. The delta theory terminates when a use is discontinued or remains vacant for 12 months or more.
- On January 26, 2011, City Council approved Planned Development District No. 842. The purpose of this district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional serving, late-night venues.
- The applicant proposes to allow an existing building to be occupied with office uses, and to provide no parking for an office use or a retail and personal service use that only operates between 6:00 a.m. and 7:00 p.m. and has a parking ratio of 1:200 or less per Dallas Development Code.

Zoning History:

There have been 24 zoning cases on 14 sites in the area in the past five years.

1. **Z167-238:** On December 13, 2017, City Council approved an amendment to Planned Development District No. 691 with an MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion at the northwest corner of Greenville Avenue and Lewis Street.

Z178-281: On September 26, 2018, City Council approved an amendment to Subdistricts 1, 2, and 4 within Planned Development District No. 691 with an MD-1 Modified Delta Overlay and a D Liquor Control Overlay on a portion to allow a tower/antenna for cellular communication at the northwest corner of Greenville Avenue and Lewis Street.
2. **Z167-263:** On September 29, 2017, Specific Use Permit No. 2044 was automatically renewed for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a two-year period on property zoned Planned Development District

No. 842 with an MD-1 Modified Delta Overlay on the west side of Greenville Avenue, south of Sears Street.

Z190-306: On December 9, 2020, City Council approved a renewal of Specific Use Permit No. 1905 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a five-year period on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay on the west side of Greenville Avenue, south of Sears Street.

3. **Z167-342:** On October 11, 2017, City Council approved a renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay on the north side of Alta Avenue, west of Greenville Avenue.

Z178-387: On January 23, 2019, City Council approved the renewal of Specific Use Permit No. 1903 for an additional one-year period.

Z201-154: On May 26, 2021, City Council approved the renewal of Specific Use Permit No. 1903 for an additional two-year period.

4. **Z167-367:** On December 13, 2017, City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay on the east line of Greenville Avenue between Prospect Avenue and Oram Street.

Z178-304: On November 18, 2018, City Council approved the renewal of Specific Use Permit No. 2272 for an additional one-year period.

Z189-333: On January 8, 2020, City Council approved the renewal of Specific Use Permit No. 2272 for an additional three-year period.

Z189-150: On April 10, 2019, City Council approved Specific Use Permit No. 2327 for a late-hours establishment limited to a restaurant without drive-in or drive-through service for a one-year period on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay District on the east side of Greenville Avenue, south of Prospect Avenue.

Z190-125: On February 26, 2020, City Council approved the renewal of Specific Use Permit No. 2327 for an additional two-year period.

5. **Z178-186:** On April 25, 2018, City Council approved a request to determine proper zoning on property zoned a CR Community Retail District, a CS Commercial Service District, a D(A) Duplex District, a GO(A) General Office District, an IM Industrial

Manufacturing District, an LO-1 Limited Office District, an LO-3 Limited Office District, an MC-1 Multiple Commercial District, an MC-3 Multiple Commercial District, an MC-4 Multiple Commercial District, an MF-1(A) Multifamily District, an MF-2(A) Multifamily District, an MF-3(A) Multifamily District, an MU-1 Mixed Use District, an MU-2 Mixed Use District, an NO(A) Neighborhood Office District, an NS(A) Neighborhood Service District, an O-2 District, a P(A) Parking District, a RR Regional Retail District, an R-7.5(A) Single Family District, a TH-2(A) Townhome District, a TH-3(A) Townhome District, a WMU-8 Walkable Urban Mixed Use District, a WR-5 Walkable Urban Residential District; Planned Development District No. 8, Planned Development District No. 21, Planned Development District No. 27, Planned Development District No. 97, Planned Development District No. 98, Planned Development District No. 127, Planned Development District No. 131, Planned Development District No. 132, Planned Development District No. 148, Planned Development District No. 154, Planned Development District No. 157, Planned Development District No. 167, Planned Development District No. 171, Planned Development District No. 174, Planned Development District No. 180, Planned Development District No. 193 – D Duplex, GR General Retail, I-2 Industrial, LC Light Commercial, MF-1 Multiple Family, MF-2 Multiple Family, MF-3 Multiple Family, NS -Neighborhood Service, O-1 Office, O-2 Office, P Parking Subdistricts and Planned Development Subdistricts No. 1, No. 3, No. 9, No. 10, No. 14, No. 17, No. 19, No. 20, No. 21, No. 26, No. 29, No. 30, No. 31, No. 32, No. 33, No. 37, No. 38, No. 40, No. 41, No. 42, No. 43, No. 44, No. 46, No. 47, No. 48, No. 51, No. 56, No. 59, No. 60, No. 61, No. 62, No. 63, No. 65, No. 71, No. 76, No. 78, No. 80, No. 81, No. 82, No. 84, No. 91, No. 92, No. 97, No. 99, No. 100, No. 101, No. 102, No. 106, No. 112, No. 114, No. 116, No. 121, No. 122, No. 123, No. 125, No. 130, No. 132, No. 134 and No. 135, R-7.5 Single Family, TH-2 Townhouse, TH-3 Townhouse; Planned Development District No. 196, Planned Development District No. 205, Planned Development District No. 229, Planned Development District No. 245, Planned Development District No. 248, Planned Development District No. 262, Planned Development District No. 277, Planned Development District No. 298, Planned Development District No. 300, Planned Development District No. 305, Planned Development District No. 324, Planned Development District No. 325, Planned Development District No. 350, Planned Development District No. 362, Planned Development District, No. 371, Planned Development District No. 374, Planned Development District No. 398, Planned Development District No. 424, Planned Development District No. 446, Planned Development District No. 462, Planned Development District No. 518, Planned Development District No. 556, Planned Development District No. 600, Planned Development District No. 630, Planned Development District No. 640, Planned Development District No. 691, Planned Development District No. 698, Planned Development District No. 725, Planned Development District, No. 749, Planned

Development District No. 763, Planned Development District No. 820, Planned Development District No. 842, Planned Development District No. 860, Planned Development District No. 889, Planned Development District No. 931, Planned Development District No. 940, Planned Development District No. 951, Planned Development District No. 965, Planned Development District No. 970, Planned Development District No. 979, Planned Development District No. 987, Planned Development District No. 990; and, Conservation Districts No. 9, No. 11, No. 12, No. 15, No. 16, No. 17, with consideration given to an historic demolition delay overlay, in an area generally bound by Live Oak Street, Bryan Parkway, Matilda Street, Martel Avenue, municipal boundary of Dallas and Highland Park, Lemmon Avenue, Dallas North Tollway, Turtle Creek Boulevard, Carlisle Street, Blackburn Street, and Haskell Avenue to Main Street, both sides of Main Street from North Haskell to South Carroll Avenue, Main Place, South Prairie Avenue, Columbia Avenue, and North Fitzhugh Avenue.

6. **Z178-272:** On October 23, 2018, City Council approved Subdistrict 1 within Planned Development District No. 842 with an MD-1 Modified Delta Overlay on the west side of Greenville Avenue, north of Alta Avenue.
7. **Z189-124:** On March 7, 2019, City Plan Commission recommended denial without prejudice of a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay at the southeast corner of Greenville Avenue and Oram Street.

Z189-126: On March 7, 2019, City Plan Commission recommended denial without prejudice of a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay at the southeast corner of Greenville Avenue and Oram Street.
8. **Z189-131:** On April 10, 2019, City Council denied a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay on the east side of Greenville Avenue, between Oram Street and La Vista Drive.
9. **Z189-206:** On August 28, 2019, City Council approved Subdistrict 2 within Planned Development District No. 842 with an MD-1 Modified Delta Overlay at the northeast corner of Greenville Avenue and Oram Street.
10. **Z189-251:** On August 14, 2019, City Council approved the renewal of Specific Use Permit No. 2346 for a for a late-hours establishment limited to a restaurant with drive-

in or drive-through service for a four-year period on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay at the southwest corner of Greenville Avenue and Alta Avenue.

Z190-240: On August 26, 2020, City Council approved a request to determine proper zoning on property zoned Planned Development No. 842 with Specific Use Permit No. 2346 for a late-hours establishment limited to a restaurant with drive-in or drive through service and with an MD-1 Modified Delta Overlay with consideration given to evaluating whether the Specific Use Permit is compatible with adjacent property and consistent with the character of the neighborhood at the southwest corner of Greenville Avenue and Alta Avenue. [SUP was terminated]

11. **Z189-261:** On August 26, 2019, City Council approved the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern for a three-year period on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay on the west side of Greenville Avenue, south of Sears Street.
12. **Z190-139:** On August 26, 2020, City Council approved Subdistrict 3 within Planned Development District No. 842 with an MD-1 Modified Delta Overlay on the east side of Greenville Avenue, north of La Vista Drive.
13. **Z201-101:** On January 21, 2021, City Plan Commission recommended denial with prejudice of a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay at the southeast corner of Greenville Avenue and Prospect Avenue.
14. **Z201-148:** On June 9, 2021, City Council approved the renewal of Specific Use Permit No. 1889 for late hours establishment limited to an alcoholic beverage establishment limited to a bar, lounge, or tavern for a five-year period on property zoned Planned Development District No. 842 with an MD-1 Modified Delta Overlay on the east side of Greenville Avenue, north of Prospect Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Greenville Avenue	Local Street	-

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:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

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

URBAN DESIGN ELEMENT

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial, and business operations.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Land Use:

	Zoning	Land Use
Site	Planned Development District No. 842 with an MD-1 Modified Delta Overlay	Vacant
North	Planned Development District No. 842 with an MD-1 Modified Delta Overlay	Personal service use
East	MF-2(A) Multifamily District with an MD-1 Modified Delta Overlay	Multifamily
South	Subdistrict 3 within Planned Development District No. 842 with an MD-1 Modified Delta Overlay	Office, personal service use, retail
West	Planned Development District No. 842 with an MD-1 Modified Delta Overlay	Vacant building

Land Use Compatibility:

The area of request is currently developed with an office building that has been vacant for over 12 months. North and south of the request area along the east line of Greenville Avenue are office, retail, and personal service uses. To the west is a vacant site that was formerly home to a late-hours establishment limited to a restaurant with drive-in or drive-through service. To the east are multifamily uses.

The applicant proposes to create a new Subdistrict 4 that adheres to the same conditions as the recently created Subdistrict 3 (Z190-139). The proposed Subdistrict 4 would be subject to the definition of a legacy building, which means a building constructed prior to 1926 that maintains the original front entrance and existing solid to void ratios. The maximum total floor area for office and retail and personal service uses combined would be 2,300 square feet. Lastly, no off-street parking or loading would be required for an office use or a retail and personal service use that only operates between 6:00 a.m. and 7:00 p.m. and has a parking ratio of 1:200 or less per Dallas Development Code.

The applicant has submitted a parking memo detailing existing conditions in the area, intended hours of operation of the proposed use, and anticipated parking demand. This memo was reviewed by current planning and engineering staff and did not present any concerns.

Staff supports the request because the parking memo demonstrates there is adequate daytime parking within a reasonable walking distance of the proposed use, and that the daytime use would not be detrimental to surrounding residential properties or nearby uses

that have evening peak hours. Additionally, office, retail, and personal service uses are already permitted within PD 842 and are not out of character for the area.

CPC recommended two additional conditions limiting the use of rooftop and prohibiting outdoor speakers and amplified music. Staff is in agreement with these conditions.

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

With the creation of a new Subdistrict 4, the applicant proposes no off-street parking requirements for an office use or a retail and personal service use that only operates between 6:00 a.m. and 7:00 p.m. and has a parking ratio of 1:200 or less. The Dallas Development Code would typically require an office use to meet the standard parking ratio of one space per 333 square feet of floor area. The maximum total floor area for Subdistrict 4 is 2,300 square feet, which would require a minimum of seven parking spaces. However, the applicant has submitted a parking memo further explaining their request and detailing existing conditions in the area, intended hours of operation of the proposed use, and anticipated parking demand.

Per this memo, there are several surface parking lots in the vicinity of the site, but most of them provide required parking for other businesses in the area. There is also on-street parking behind the site on La Vista Drive and on the east line of Hope Street, but this is limited to residents of the multifamily uses. Parking on the west line of Hope Street is prohibited between 6:00 p.m. and 6:00 a.m. There are seven on-street parallel spaces on the east line of Greenville Avenue, between La Vista Court and Alta Avenue, as well as several more on-street parking spaces along Greenville Avenue. According to the applicant, weekday daytime parking in the area is generally easily available within a reasonable walking distance.

The applicant's proposed conditions for Subdistrict 4 would allow no off-street parking only for uses that would operate before 7:00 p.m. to avoid peak demand times for the nearby bars and restaurants, which have evening peak hours. This is intended to allow the building to be occupied with daytime uses that are compatible with the other daytime retail uses on Greenville Avenue and not place additional demand during peak evening times.

Per the applicant's parking memo, the office will have approximately three employees, plus two to three realtors that on a typical day will visit periodically. The employees and visitors will park on-street or within a commercial parking lot such as the one at 5623 Alta Street.

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 area of request is not in an MVA cluster. To the east and west are "C" MVA clusters.

List of Partners/Principals/Officers

Texas Urban Living Realty, LLC

Arturo Carrillo, Director

**CPC ACTION
SEPTEMBER 23, 2021**

Motion: It was moved to recommend **approval** of a new subdistrict, subject to revised conditions with the following modifications: 1) Subdistrict 4, use of roof tops are prohibited, except for maintenance and mechanical equipment use and 2) outdoor speakers and amplified music are prohibited on property zoned Planned Development District No. 842, the Lower Greenville Avenue Special Provision District, with an MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, north of La Vista Drive.

Maker: Garcia
Second: MacGregor
Result: Carried: 12 to 0

For: 12 - MacGregor, Hampton, Stinson, Shidid,
Carpenter, Blair, Jung, Suhler, Schwope,
Murphy, Garcia, Rubin

Against: 0
Absent: 1 - Jackson
Vacancy: 2 - District 4, District 10

Notices: Area: 500 Mailed: 108
Replies: For: 18 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC ACTION
SEPTEMBER 2, 2021

Motion: In considering an application for a new subdistrict on property zoned Planned Development District No. 842, the Lower Greenville Avenue Special Provision District, with an MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, north of La Vista Drive, it was moved to **hold** this case under advisement until September 23, 2001.

Maker: Garcia

Second: MacGregor

Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Stinson, Shidid*,
Carpenter, Jackson, Blair, Jung, Suhler,
Schwope, Murphy, Garcia, Rubin*

Against: 0

Absent: 0

Vacancy: 2 - District 4, District 10

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 108

Replies: For: 18 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

CPC RECOMMENDED PD CONDITIONS

**ARTICLE
842.**

PD 842.

SEC. 51P-842.101. LEGISLATIVE HISTORY.

PD 842 was established by Ordinance No. 28109, passed by the Dallas City Council on January 26, 2011. (Ord. 28109)

SEC. 51P-842.102. PROPERTY LOCATION AND SIZE.

PD 842 is established on property located on both sides of Greenville Avenue between Belmont Avenue and Bryan Street. The size of PD 842 is approximately 50.598 acres. (Ord. Nos. 28109; 28825)

SEC. 51P-842.103. PURPOSE.

The purpose of this district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues. (Ord. 28109)

SEC. 51P-842.104. DEFINITIONS AND INTERPRETATIONS.

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

(1) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds.

(2) LATE HOURS ESTABLISHMENT means a retail and personal service use that, except in Subdistrict 2, operates between 12 a.m. (midnight) and 6 a.m., and in Subdistrict 2, operates between 9 p.m. and 6 a.m. See Section 51P-842.113.

(2.1) LEGACY BUILDING means a building in Subdistricts 2 or 3 or 4 constructed prior to 1926 that maintains the original front entrance and existing solid to void ratios.

(3) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupations Code Chapter 455, as amended.

(4) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment, but does not include permanent makeup application or intradermal cosmetics as a component or service of a duly licensed beauty parlor or salon.

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

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 28109; 31027; 31300; 31612)

SEC. 51P-842.104.1. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 842A: subdistrict map. (Ord. 31027)

SEC. 51P-842.104.2. SUBDISTRICTS.

This district contains the following subdistricts: Subdistricts 1, 2, and 3 and 4 as shown on the subdistrict map (Exhibit 842A). (Ord. Nos. 31027; 31300; 31612)

SEC. 51P-842.105. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. 28109)

SEC. 51P-842.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

(b) The following use is permitted only by SUP:

-- Late-hours establishment. *[See Section 51P-842.113.]*

(c) Except as provided in this subsection, the following uses are prohibited in Subdistricts 1, 2, and 3 and 4.

- Alcoholic beverage establishment.
- Alternative financial establishment.
- Auto service center.
- Bail bond office.
- Car wash.
- Commercial amusement (inside).
- Commercial amusement (outside).
- Convenience store with drive-through.
- Late-hours establishment.
- Liquor store. *[Prohibited in Subdistrict 1 only.]*
- Massage establishment.
- Mini-warehouse.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Paraphernalia shop.
- Restaurant without drive-in or drive-through service. *[Prohibited in Subdistricts 1 and 3 and 4 only.]*
- Restaurant with drive-in or drive-through service.
- Swap or buy shop.
- Tattoo studio. (Ord. Nos. 28109; 30127; 31300; 31612)

SEC. 51P-842.107. ACCESSORY USES.

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

(b) Except as provided in this subsection, the following accessory uses are not permitted:

- Restaurant without drive-in or drive-through service. *[Prohibited in Subdistricts 2 and 3 and 4 only.]*
- Restaurant with drive-in or drive-through service. *[Prohibited in Subdistricts 2 and 3 and 4 only.]* (Ord. Nos. 28109; 31300; 31612)

SEC. 51P-842.108.

YARD, LOT, AND SPACE REGULATIONS.

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

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

(b) Floor area ratio.

(1) In Subdistrict 1, maximum total floor area for office and retail and personal service uses combined is 6,000 square feet.

(2) In Subdistrict 2, the maximum total floor area of all restaurant without drive-in or drive-through service uses is 3,000 square feet. Outdoor patio space is included in the 3,000 square foot limit.

(3) In Subdistrict 3, maximum total floor area for office and retail and personal service uses combined is 5,218 square feet.

(4) In Subdistrict 4, maximum total floor area for office and retail and personal service uses combined is 2,300 square feet.

(c) Stories. In Subdistricts 2 and 3, except for mezzanines within a legacy building, maximum number of stories is one. (Ord. Nos. 28109; 30127; 31300; 31612)

SEC. 51P-842.109.

OFF-STREET PARKING AND LOADING.

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

(b) Subdistricts 1 and 3 and 4. No off-street parking or loading is required for:

(1) an office use or a retail and personal service use that only operates between 6:00 a.m. and 7:00 p.m. and has a parking ratio of 1:200 or less; or

(2) in Subdistrict 3, a liquor store that only operates between 6:00 a.m. and 9:00 p.m.

(c) Subdistrict 2.

(1) Except for a restaurant without drive-in or drive-through service, no

parking or loading is required for a retail and personal service use within a legacy building which limits its hours of operation to between 6:00 a.m. and 9:00 p.m. and has a parking ratio of one parking space to 200 square feet of floor area or less.

(2) No parking is required for office uses within a legacy building.

(3) A minimum of one space per 100 square feet of floor area is required for a restaurant without drive-in or drive-through service. Delta credits may not be used to meet this off-street parking requirement.

(4) For a hotel or motel use, the off-street parking requirement may be established in the ordinance granting a specific use permit.

(5) Except as provided in this subsection, remote parking must be in accordance with Section 51A-4.320. In lieu of filing a parking agreement in the deed records, an agreement authorizing a nonresidential use or a mixed use development to use special parking for nonresidential uses may be based on a lease of the special parking spaces only if the lease:

(A) is in writing;

(B) contains legal descriptions of the properties affected;

(C) specifies the special parking being provided and the hours of operation of any use involved;

(D) is governed by the laws of the state of Texas;

(E) is signed by all owners of the properties affected;

(F) signed by all lienholders, other than taxing entities, that have an interest in or an improvement on the properties;

(G) is for a minimum term of three years; and

(H) provides both the owner of the lot occupied by the nonresidential use or mixed use development use and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated. (Ord. Nos. 28109; 31027; 31300; 31612)

SEC. 51P-842.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 28109)

SEC. 51P-842.111. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition. (Ord. 28109)

SEC. 51P-842.112. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.
(Ord.
28109)

SEC. 51P-842.113. ADDITIONAL PROVISIONS.

- (a) In general. The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Compliance. Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
- (c) Late-hours operations.
 - (1) Except for late-hours establishments operating under a valid specific use permit, or a late-hours establishment in Subdistrict 2, all services for the public must be stopped and all customers must be removed from the establishment between 12 a.m. (midnight) and 6 a.m. Any retail and personal service use that offers services to the public or that has customers remaining in the establishment between 12 a.m. (midnight) and 6 a.m. is a late-hours establishment.
 - (2) In Subdistrict 2, except for late-hours establishments operating under a valid specific use permit, all services for the public must be stopped and all customers must be removed from the establishment between 9 p.m. and 6 a.m. Any retail and personal service use that offers services to the public or has customers remaining in the establishment between 9 p.m. and 6 a.m. is a late-hours establishment.
 - (3) No occupancy shall have nonconforming rights to operate between 12 a.m. (midnight) and 6 a.m. All occupants must come into compliance with this subsection by September 23, 2011.
- (d) Traffic impact analysis waiver. A traffic impact analysis is not required in connection with an application for a specific use permit for a late-hours establishment.
- (e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the

findings required by Section 51A-4.219(a)(3):

- (1) the number of citations issued by police to patrons of the establishment;
- (2) the number of citations issued by police for noise ordinance violations by the establishment;
- (3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;
- (4) the number of Texas Alcoholic Beverage Code violations of the establishment; and
- (5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

(f) Street improvements. If the city has not begun streetscape enhancements within this district by January 1, 2017, the director shall request that the city plan commission authorize a public hearing to determine proper zoning with consideration given to repeal of this district. For purposes of this subsection, “streetscape enhancements” means improvements to the streetscape such as wider sidewalks, street landscaping, and pedestrian lighting.

(g) Subdistrict 2.

(1) Except for maintenance and mechanical equipment, use of rooftops is prohibited.

(2) Outdoor speakers and amplified music are prohibited.

(3) For retail and restaurant without drive-in or drive-through service uses:

(A) public entrances are prohibited facing Oram Street.

(B) floor area for a restaurant without drive-in or drive-through service use must be at least 15 feet from Oram Street.

(h) Subdistrict 3.

(1) Except for maintenance and mechanical equipment, use of rooftops is prohibited.

(2) Outdoor speakers and amplified music are prohibited.

(i) Subdistrict 4.

(1) Except for maintenance and mechanical equipment, use of rooftops is prohibited.

(2) Outdoor speaks and amplified music are prohibited.

(Ord. Nos. 28109; 31300; 31612)

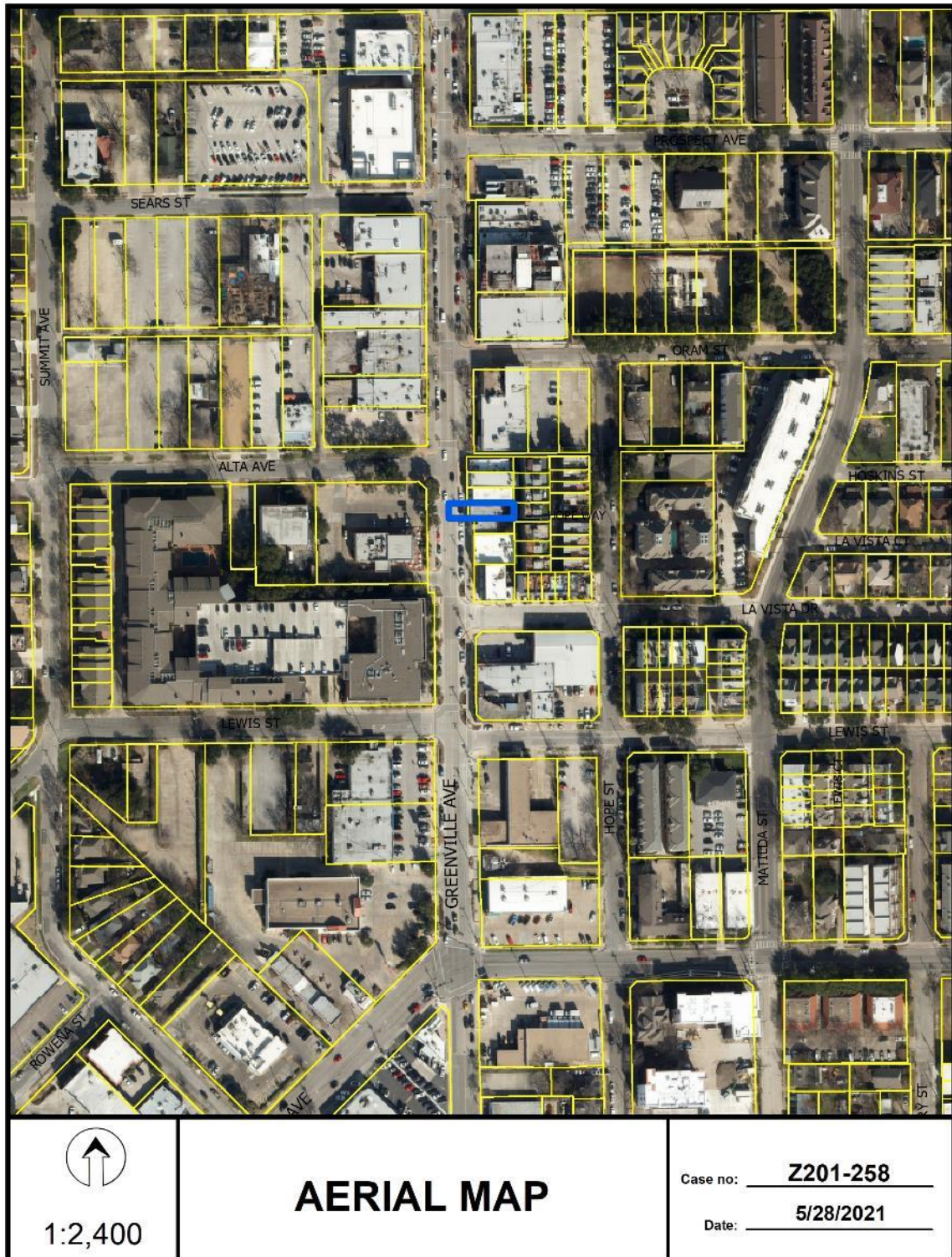
SEC. 51P-842.114.

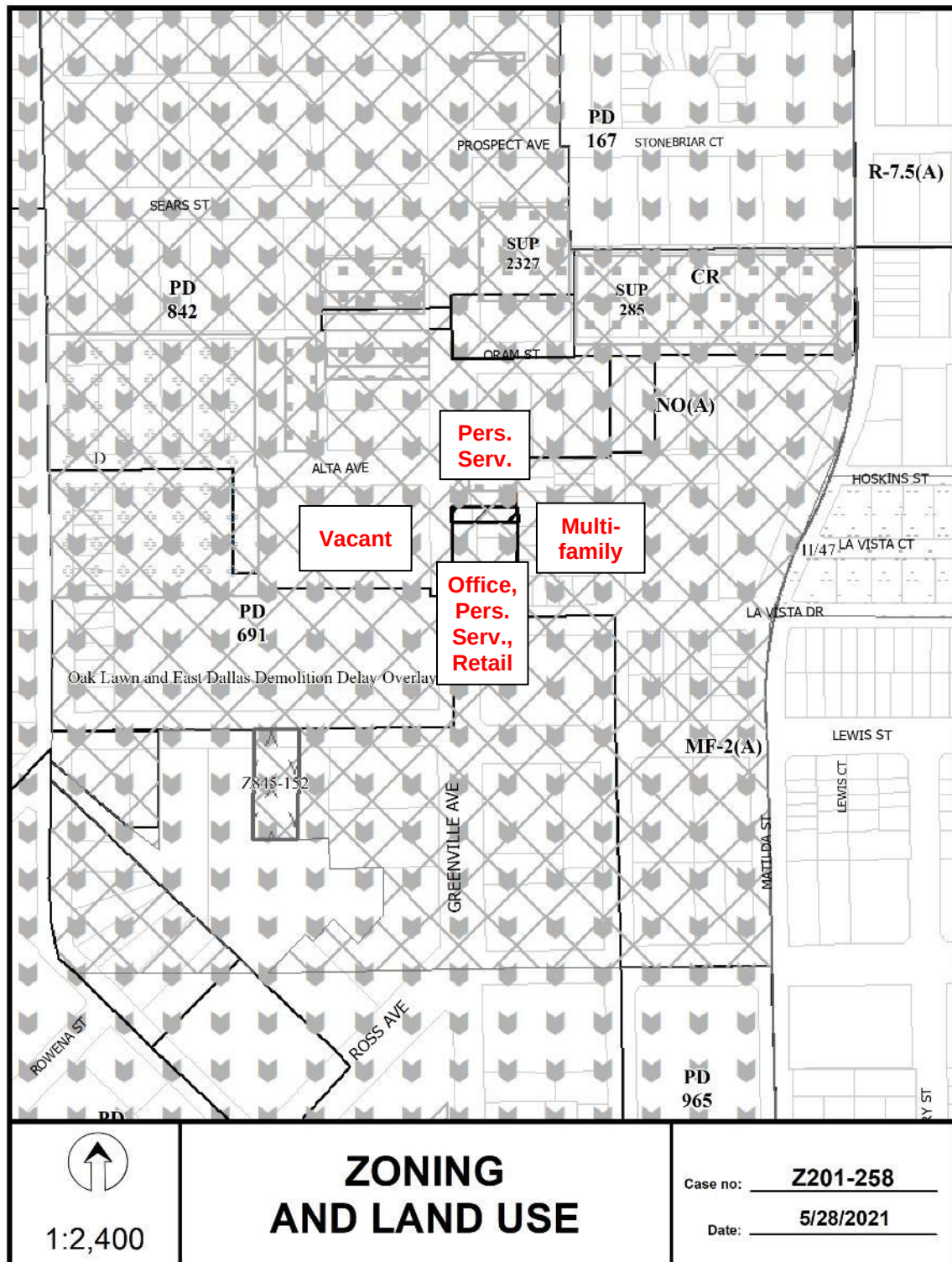
COMPLIANCE WITH CONDITIONS.

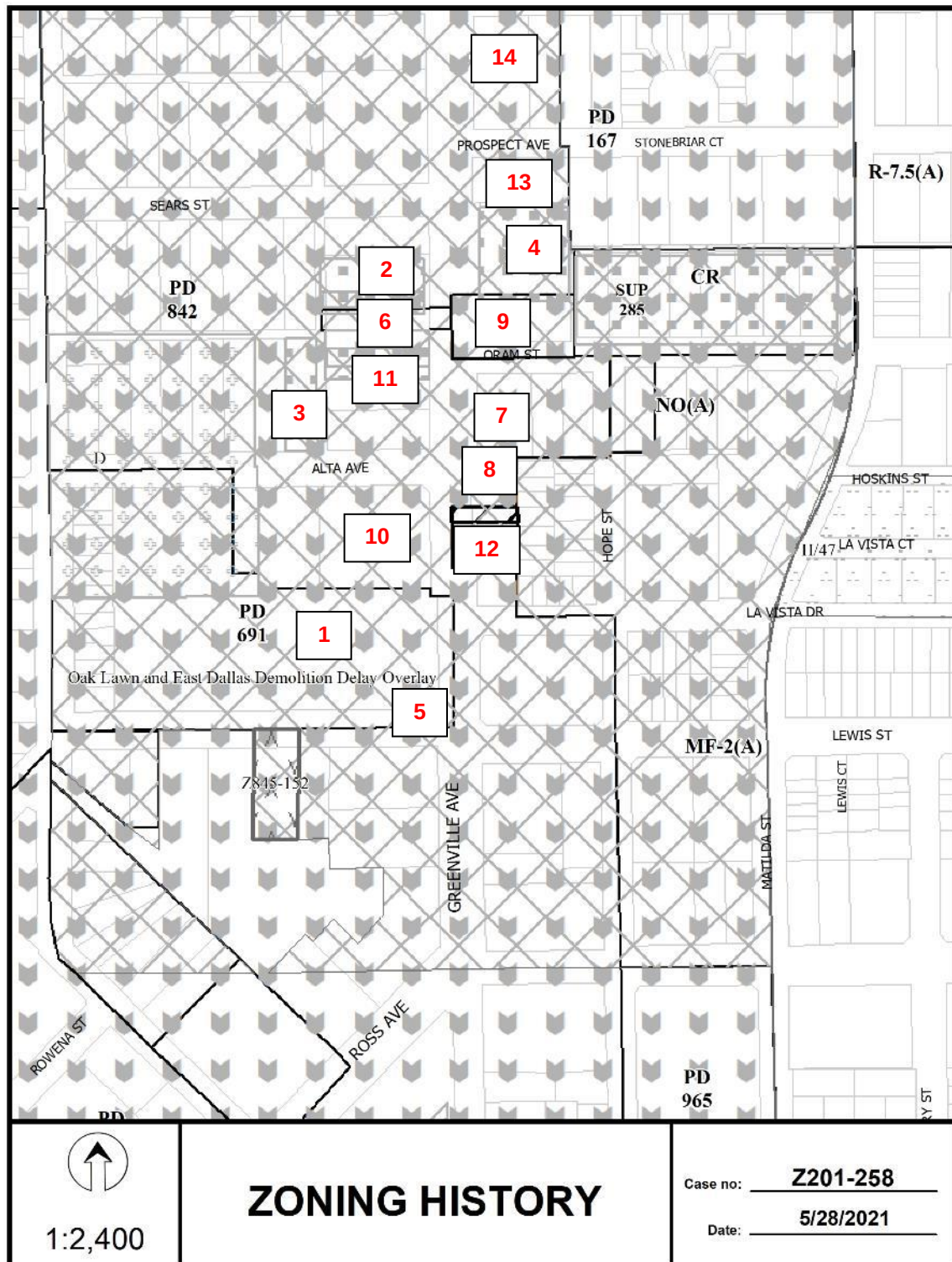
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

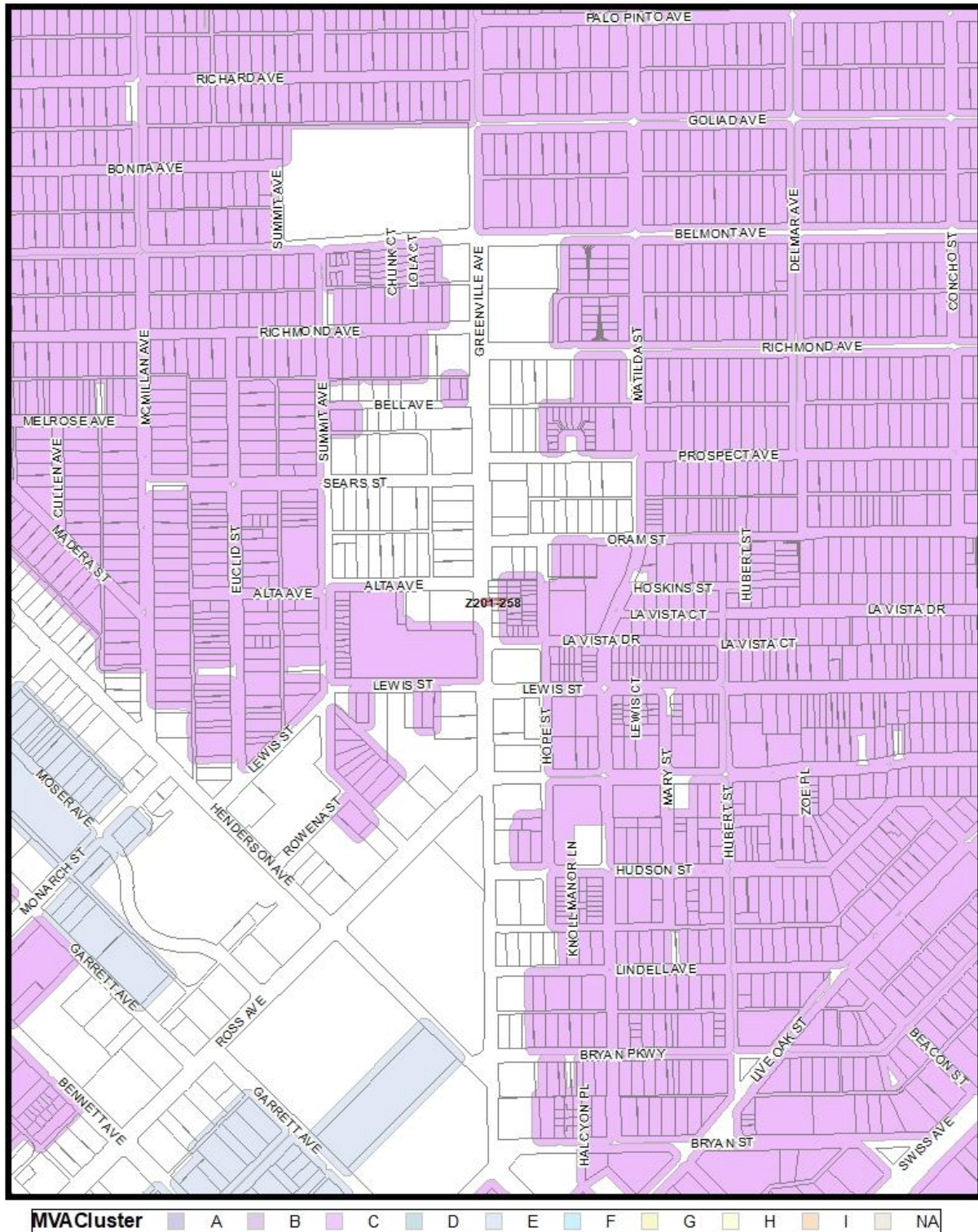
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 28109)











Market Value Analysis

Printed Date: 5/28/2021



09/22/2021

Reply List of Property Owners***Z201-258******108 Property Owners Notified******18 Property Owners in Favor 0 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1910 GREENVILLE AVE	OCEAN COVE LLC
	2	5430 LEWIS ST	SANCHEZ JESUS & CLAUDIA
	3	5424 LEWIS ST	MACATEE FAMILY LIMITED
	4	1710 GREENVILLE AVE	SAM SKILLERN LEAKE SR F TRUST &
	5	5512 LEWIS ST	1800 GREENVILLE PARTNERS LLC
	6	5610 LEWIS ST	IP ROSS FLATS LLC
	7	2026 GREENVILLE AVE	Taxpayer at
	8	2000 GREENVILLE AVE	2000 GREENVILLE INVESTORS LLC
	9	5715 ORAM ST	ONCOR ELECRCIC DELIVERY COMPANY
	10	5716 PROSPECT AVE	Taxpayer at
	11	5720 PROSPECT AVE	Taxpayer at
	12	5724 PROSPECT AVE	Taxpayer at
	13	5728 PROSPECT AVE	WALL JOHN E JR
	14	1904 GREENVILLE AVE	GREENVILLE PARKS LP
	15	1908 GREENVILLE AVE	GREENVILLE PARKS LP
	16	1912 GREENVILLE AVE	CAMPBELL OLIVER
	17	1914 GREENVILLE AVE	LOWGREEN PS LTD
	18	1926 HOPE ST	1916 HOPE LLC
O	19	5730 ORAM ST	SOUZA DIANA FAYE
	20	5726 ORAM ST	DDUSA#010 LLC
	21	5722 ORAM ST	MCKINNEY FEARGAL &
	22	5712 ORAM ST	Taxpayer at
	23	5710 ORAM ST	SOURIS GEORGIA REVOCABLE TRUST
	24	5749 LA VISTA CT	MEEHAN COLIN RYDER
	25	5744 LA VISTA CT	PACIFICO SANDRO
	26	5618 SEARS ST	Taxpayer at

09/22/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	5628 SEARS ST	Taxpayer at
	28	5611 ALTA AVE	Taxpayer at
	29	5615 ALTA AVE	Taxpayer at
	30	5619 ALTA AVE	Taxpayer at
	31	5623 ALTA AVE	Taxpayer at
	32	5627 ALTA AVE	Taxpayer at
	33	1919 GREENVILLE AVE	Taxpayer at
	34	1917 GREENVILLE AVE	MEDICAPITAL INC
	35	1911 GREENVILLE AVE	INTERCITY INVESTMENT PROP
	36	1909 GREENVILLE AVE	WORLDWIDE FOOD INC
	37	1903 GREENVILLE AVE	Taxpayer at
	38	5626 ALTA AVE	LATORRE ROBERT INC
	39	5429 ROSS AVE	CHAN ALVIN B INC
	40	5702 LA VISTA DR	JOHNSON C RYAN
	41	5704 LA VISTA DR	BIERING JOSH D
	42	5603 LEWIS ST	COHEN JUSTIN EVAN
	43	5605 LEWIS ST	GENERALOVICH MIKE M TRUST &
	44	5706 LA VISTA DR	KRAUS SUSANNE S REVOCABLE
	45	5708 LA VISTA DR	REEVES STUART & KAREN
O	46	5607 LEWIS ST	KOTEK THOMAS & NAOMI TRUST
	47	5609 LEWIS ST	CAPLIN JOEL &
	48	5710 LA VISTA DR	SHAKIR RAFIG
	49	5611 LEWIS ST	CLONTS JAMES R &
	50	1811 MATILDA ST	MCMURRAY RYAN
	51	1809 MATILDA ST	MARTINEZ VANESSA MARIA
	52	1807 MATILDA ST	BROWNING RICHARD DAVIS II
	53	1805 MATILDA ST	BROWNGARCIA SONJA J
	54	1803 MATILDA ST	CHANDLER SHELBY
	55	5604 LEWIS ST	TOPSPIN DEV LP %
	56	5701 LEWIS ST	COREY JOSHUA D
	57	5720 LA VISTA DR	WHITWORTH MARK W

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<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	5722 LA VISTA DR	BUHELIMORENO ALVARO A
	59	1919 HOPE WAY	NGUYEN NGOC DIEP
	60	1922 HOPE WAY	DICKEY ROBERT LEE III &
	61	1917 HOPE WAY	MCFALL JAMES
	62	1920 HOPE WAY	ISAACSON CHRISTOPHER M
	63	1918 HOPE WAY	MCCOWAN ROBERT W
	64	1915 HOPE WAY	ALARCON WALDO & YAZMIN R
	65	1913 HOPE WAY	HERNDON LINDSEY
	66	1916 HOPE WAY	OTOOLE TIMOTHY
	67	1911 HOPE WAY	NIEHUUS MICHAEL
	68	1912 HOPE WAY	MTS TEXAS HOLDINGS LLC
	69	1910 HOPE WAY	HOWARD EMILY L & CHRISTOPHER G
	70	1909 HOPE WAY	JOHNSON RONALD L
	71	1908 HOPE WAY	GANDHI ANUPAMA K
	72	1907 HOPE WAY	WEINER ERIC DAVID
	73	1906 HOPE WAY	ABOUJAOUDE DORY
	74	5715 LA VISTA DR	CATHCART DAVID
	75	5713 LA VISTA DR	DALIDA CHAD
	76	5711 LA VISTA DR	WHITE JULIUS
	77	5709 LA VISTA DR	SHANE MARIO M & RACHELLE
	78	1965 MATILDA ST	1965 MATILDA LLC
	79	5622 SEARS ST	Taxpayer at
	80	1827 GREENVILLE AVE	LOWGREEN PS
	81	1733 GREENVILLE AVE	Taxpayer at
	82	1902 GREENVILLE AVE	Taxpayer at
	83	1931 GREENVILLE AVE	Taxpayer at
	84	5631 ALTA AVE	Taxpayer at
	85	2018 GREENVILLE AVE	Taxpayer at
	86	1920 GREENVILLE AVE	Taxpayer at
	87	1725 GREENVILLE AVE	Taxpayer at
	88	1811 GREENVILLE AVE	EGW GREENVILLE INVESTMENTS LP

09/22/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	1811 GREENVILLE AVE	GREENWAY GREENVILLE LP
O	90	1910 HOPE ST	MOJICA EDWARD
O	91	1910 HOPE ST	KEELING THOMAS
O	92	1910 HOPE ST	CALVERT DAVID
O	93	1910 HOPE ST	KUPERMAN YELENA
O	94	1910 HOPE ST	CROUCH EDIE D
O	95	1910 HOPE ST	HANLON WILLIAM R &
O	96	1910 HOPE ST	BEAHM CYNTHIA DIANE
O	97	1910 HOPE ST	GALLEGOS LISA RASHELLE
O	98	1910 HOPE ST	UTKOV GARY S & CAROL C
O	99	1910 HOPE ST	KOBAYASHI AARON S &
O	100	1910 HOPE ST	MERZ RYAN E
O	101	1910 HOPE ST	LOTT LESLIE
O	102	1910 HOPE ST	ANKERSEN KRISTEN A
O	103	1910 HOPE ST	DROUILLARD SUZETTE M
O	104	1910 HOPE ST	ELLINGTON AMBER JEAN
O	105	1910 HOPE ST	GIBBS JENNIFER L
	106	5734 ORAM ST	SWEENEY PATRICK
	107	5734 ORAM ST	MOSS CAROLINE A
	108	5734 ORAM ST	GARDNER MEGAN KAY &