

HONORABLE MAYOR & CITY COUNCIL

WEDNESDAY, MAY 10, 2023

ACM: Majed Al-Ghafry

FILE NUMBER: Z212-306(MP)

DATE FILED: March 8, 2022

LOCATION: On the south corner of Pennsylvania Avenue and Holmes Street

COUNCIL DISTRICT: 7

SIZE OF REQUEST: 0.7736 acres

CENSUS TRACT: 48113020900

APPLICANT/OWNER: St. Phillip's School and Community Center

REPRESENTATIVE: David Martin, Winstead PC

REQUEST: An application for an amendment to and an expansion of Planned Development District No. 597 on property zoned an NC Neighborhood Commercial Subdistrict and an MF-2(A) Multifamily Subdistrict with deed restrictions [Z078-207] within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of this request is to allow community service center and food or beverage store uses in the existing building.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan, a development plan, and conditions.

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

PLANNED DEVELOPMENT DISTRICT NO. 595

<https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20595.pdf>

PLANNED DEVELOPMENT DISTRICT NO. 597

<https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20597.pdf>

BACKGROUND INFORMATION:

- The site is currently located within the NC Neighborhood Commercial Subdistrict and the MF-2(A) Multifamily Subdistrict within Planned Development District No. 595.
- On September 26, 2001, City Council approved Planned Development District No. 595, the South Dallas / Fair Park Special Purpose District.
- The current use of the site is a 4,500 square foot church building constructed in 2005. The applicant intends to reuse the existing building.
- The applicant is requesting to expand the adjacent PD No. 597 in order to permit the food and beverage store use and community service center use.
- The proposed tract within the PD would accommodate the reuse of the existing building with the proposed uses.
- The portion of the property within the MF-2(A) Subdistrict includes DR Z078-207. These restrictions were put in place with the approval of the MF-2(A) subdistrict in 2004, and restrict this portion of the property to no more than three residential units if developed as residential. The deed restrictions are planned to be left in place as the applicant does not propose to develop this portion of the site.

Zoning History:

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

1. **Z190-367:** On June 9, 2021, City Council approved an amendment to and expansion of Planned Development District No. 597, in an area generally bound by both sides of Peabody Avenue, Julius Schepps Freeway, Panama Place, and Holmes Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing / Proposed ROW
Pennsylvania Avenue	Community Collector	60-foot ROW
Holmes Street	Local	50-foot ROW

Traffic:

The Transportation Development Services Division of the Transportation 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, outlining several goals and policies which 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:

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

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

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

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

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.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Area Plans:

South Dallas Fair Park Economic Development Plan

The South Dallas Fair Park Economic Development Plan focuses on providing economic development revitalization strategy recommendations for the Dallas/Fair Park commercial corridor. It provides an analysis of the current conditions of the area, including land use and demographics. Development plan studies of both the neighborhood and community commercial areas are also done to guide zoning and prevent potential negative impacts of mixed use development. Current revitalization initiatives in both the public and private sector were outlined and followed by these fundamental objectives guiding corridor revitalization:

Objective One: Holistic Strategy

Objective Two: Improve Basic Attributes

Objective Three: Increase Resources

Objective Four: Financial Support and Technical Assistance

Objective Five: Encourage Corridor Reinvestment

The applicant's request complies with the recommendations of the South Dallas Fair Park Economic Development Plan. The proposed development furthers objectives One, Two, and Five. The fundamental objectives listed above are overall intended to encourage revitalization and reinvestment within the existing framework. The proposed change furthers the goal to improve the basic attributes, among which are landscaping, urban design, and access to goods and services. The reactivation and continued maintenance of this underutilized space encourages the property-by-property revitalization called for by this plan.

Trinity River Corridor Comprehensive Land Use Plan

The Trinity River Corridor Comprehensive Land Use Study was adopted by City Council in March 2005 and later revised in December 2009.

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:

- 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
- Enhance the city's urban form to increase the appeal of urban life

The property is located within the North Trinity Forest Planning District within the larger Trinity Corridor Plan. Within this planning district, the site is at the center of the Forest Heights Neighborhood Study Area. According to the plan, the Forest Heights community has an active group of residents and leaders. Its Community Development Corporation has focused on revitalization of this part of the city and their work is reflected in this study area's plans. The Forest Heights Neighborhood Study Area is bounded by Lamar Street on the west, Martin Luther King on the north and IH-45 on most of its southeastern side.

The Land Use Opportunity Plan for this area retains its existing single family neighborhood character by designating the central part of the study area for Residential – Neighborhood Infill. Retail – Community uses are planned along Martin Luther King Jr. Boulevard and at the southern tip of the study area where Lamar Street intersects IH-45. The public uses identified within the study area reflect existing and planned schools, churches and civic institutions.

The Land Use Opportunity Plan describes the subject property as Church / School / Civic. This category represents nonprofit, public or semi-public uses such as churches, synagogues, public and private schools, post offices, libraries, community centers, fire stations, and other government/municipal facilities. This role within the subarea indicates the plan envisioned this site as part of a larger neighborhood serving non-profit complex, as opposed to retail or commercial. The proposed change would allow the site to more accurately reflect this concept as it would allow non-profit community services to be distributed on site in collaboration with other church and school institutions.

Based on this, staff assesses the applicant's proposed expansion of PD No. 597 to be suitable to the objectives of the study area. Staff therefore finds the applicant's request to be consistent with the overall goals and policies of the Trinity River Corridor Comprehensive Land Use Study.

The 360 Plan

The 360 Plan is a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods, guiding the City Center to continued, long-term success. The plan was adopted by City Council in April 2011 and updated in 2015, 2016, and 2017. The area of request is located within the South Dallas / Fair Park area of the plan.

The applicant's proposal to activate underutilized commercial space by offering community services meets the 360's strategy to Build Complete Neighborhoods through the following goal:

3 Grow a Diverse Mix of Services and Retail

Surrounding Land Uses:

	Zoning	Land Use
Site	NC Neighborhood Commercial and MF-2(A) Multifamily within Planned Development District No. 595 with deed restrictions Z078-207	Vacant Structure
Northwest	FWMU-3 Form Subdistrict within Planned Development District No. 595	Undeveloped, Retail
Southwest	MF-2(A) Multifamily Subdistrict within Planned Development District No. 595	Single Family
Southeast	MF-2(A) Multifamily Subdistrict within Planned Development District No. 595	Undeveloped
Northeast	Planned Development District No. 597	Community Service Center, Private School, Food or Beverage Store, Single Family

Land Use Compatibility:

The property is currently located within the NC Neighborhood Commercial Subdistrict of Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, which generally allows small scale commercial uses. The southeast 58 feet of the property are located within the MF-2(A) Multifamily subdistrict, which primarily allows residential uses. This portion of the property includes DR Z078-207, which restricts this portion of the property to no more than three residential units if developed as residential. The deed restrictions are planned to be left in place as the applicant does not propose to develop this portion of the site.

Across Pennsylvania Avenue to the northwest are retail uses and an undeveloped property. Properties across Holmes Street to the northeast include the existing community service center and food or beverage store uses, and a single-family home. Property southeast of the site is currently undeveloped. Properties across the alley to the southwest are single-family homes. The proposed change allows the additional uses of food or beverage store and community service center but removes other potential commercial uses from the site.

The Dallas Development Code definition of a community service center is “A multi-functional facility where a combination of social, recreational, welfare, health, habilitation, or rehabilitation services are provided to the public. For purposes of this definition, a facility where only business transactions or administrative, educational, school support, counseling, informational, referral, or out-patient medical, dental, or optical treatment services (or any combination of these activities) take place is not considered to be a community service center.”

Within the PD, the food or beverage store use is defined as “a store for the distribution or sale of food or beverages. The term “food or beverage store” includes a food pantry, grocery, delicatessen, and specialty foods store.” With the proposed zoning, the existing community pantry could use the existing building on the subject site to provide a variety of services including education, counseling, food and clothing distribution, and social work.

Generally, commercial uses are permitted along the Pennsylvania Avenue corridor, both under the site’s existing zoning and along the north side of Pennsylvania Avenue. The corridor contains a mix of commercial businesses, multifamily, and institutional uses, primarily St. Phillips School, which constitutes the remainder of PD No. 597. The location of the proposed use would provide services within walking distance to area homes.

The proposed development plan matches the existing building, with minor changes to allow for improved accessibility. The proposed plan locates the primary structure close to the primary street corner, which both distances the use from nearby residential and provides for a more pedestrian oriented design. The plan includes an open space buffer on the southwest side of the site in the area currently zoned an MF-2(A) Subdistrict within PD No. 595. The site also borders a ten-foot alley which provides further buffer between the subject site and nearby homes.

The revised conceptual plan is only necessary to depict the addition of Tract 3, and does not modify any further aspects of this exhibit.

Development Standards:

DISTRICT	SETBACKS		Height Stories	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Existing PD 595 NC	0' or 15'	0' or 5' 15' adj res 0' or 5' 15' adj res	30' 2	40%	RPS	Office, Retail
Existing PD 595 MF-2 with DR	15'	15'	36'	60%	RPS	1 - 3 dwelling units
Proposed PD 597 Tract 3	0'	5' (No rear yard on property)	36'* *(Limited by RPS to 26'-30')	50% for proposed use Others: 45% res 25% non-res	RPS	Multifamily, community service center and food and beverage store

The proposed development standards are intended to encourage the reuse of the existing structure while maintaining appropriate design in the event the property was to be developed with a different use.

The majority of the Pennsylvania Avenue façade is located about 15 feet from this property line. It also includes a raised patio which could be considered a structure for setback purposes, and the front of this structure is located at the property line. The front setback along Holmes Street would be ten feet. The side setback along Holmes, where there is residential adjacency, would be 15 feet, which would lie in the open space proposed to be preserved by the applicant. On Pennsylvania Avenue, the side setback would be five feet to accommodate the existing building, but this adjacency is further

buffered by the ten foot alley which separates this property and nearby homes. The height, although 36 feet under PD 597, would be limited to 26 feet on the majority of the site by residential proximity slope.

When developing uses other than a food or beverage store or community service center, typical MF-2(A) setbacks and other development standards will apply.

Parking:

The proposed development is required to provide parking in accordance with Chapter 51A and PD No. 597. PD No. 597 is considered one lot for purposes of off-street parking. Required parking for the food or beverage store and community service center uses is one space per 200 square feet of floor area. A 4,537 square foot building with the proposed uses would require 23 spaces total. The existing site and development plan include 17 spaces, and the remaining six are planned to be provided remotely with the remainder of the St. Phillips site.

Landscaping:

Landscaping on the property must be provided in accordance with PD No. 597, which calls for landscaping to be provided in accordance with Article X, as amended, for this use.

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 area of request is not located within an MVA cluster, but surrounding properties are located within the “I” MVA category.

List of Officers

Board of Trustees and Officers – St. Philip’s School & Community Center

Officers Tim Weil, <i>Chair</i> Paula Mitchell, <i>Vice-Chair</i> Melissa Orth, <i>Treasurer</i> Marci McLean, <i>Secretary</i> Members at Large Brent Alfred Cynammon Burns Allen Aubrey Connatser Mark Copeland Candace Crespo Grace Daniels Angie Esposito Sherelle Evans Susan Fisk Leila Gary Gwendolyn George Michael Guidry Kevin Hall Will Haynes Sarah Hinkley John Kiser Dianne Livings David D. Martin David R. Martin Dennis Palmer Paul Rasmussen Crystal Ross Elizabeth Saab Dottie Singhal Arnold Spencer Carter Tollerson Kelly Turco Wayne Warren Lisa Williams	Ex-Officio Members David Cowling <i>Immediate Past Board Chair</i> Rob Landon <i>Interim Foundation</i> Tina Stansbury <i>Friends of St. Philip’s</i> Sahar Haque <i>Junior League of Dallas</i> Sherilyn Rudolph <i>PSA President</i> Perot Family Headmaster Dr. Terry J. Flowers
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CPC ACTION
MARCH 23, 2023

Motion: It was moved to recommend **approval** of an amendment to and an expansion of Planned Development District No. 597, subject to a revised conceptual plan, a development plan, and conditions on property zoned an NC Neighborhood Commercial Subdistrict and an MF-2(A) Multifamily Subdistrict with deed restrictions [Z078-207] within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Pennsylvania Avenue and Holmes Street.

Maker: Wheeler-Reagan
Second: Blair
Result: Carried: 12 to 0

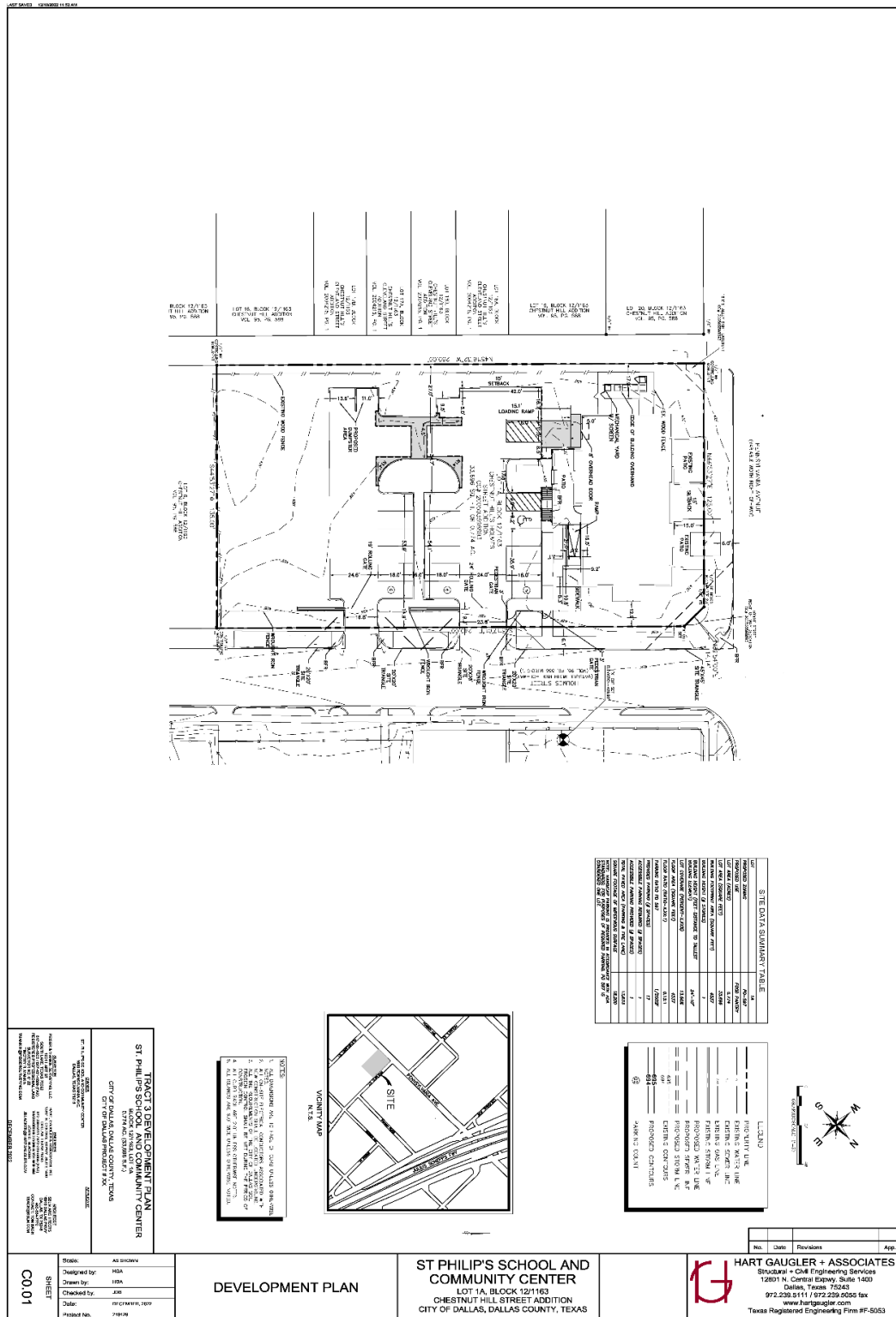
For: 12 - Hampton, Herbert, Anderson, Shidid,
Carpenter, Wheeler-Reagan, Blair, Jung,
Treadway, Haqq, Kingston, Rubin

Against: 0
Absent: 2 - Housewright, Stanard
Vacancy: 1 - District 1

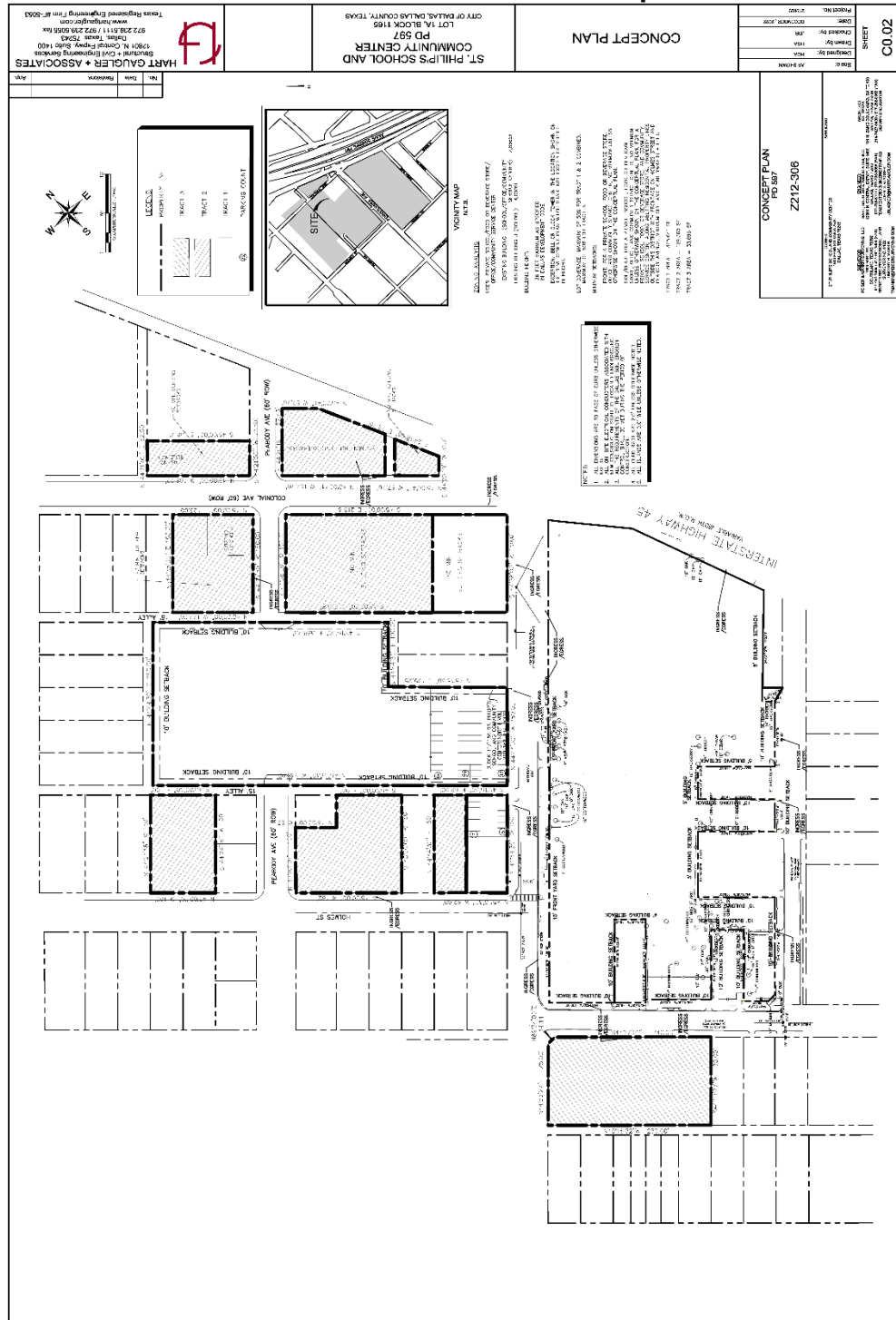
Notices:	Area: 500	Mailed: 106
Replies:	For: 1	Against: 2

Speakers: None

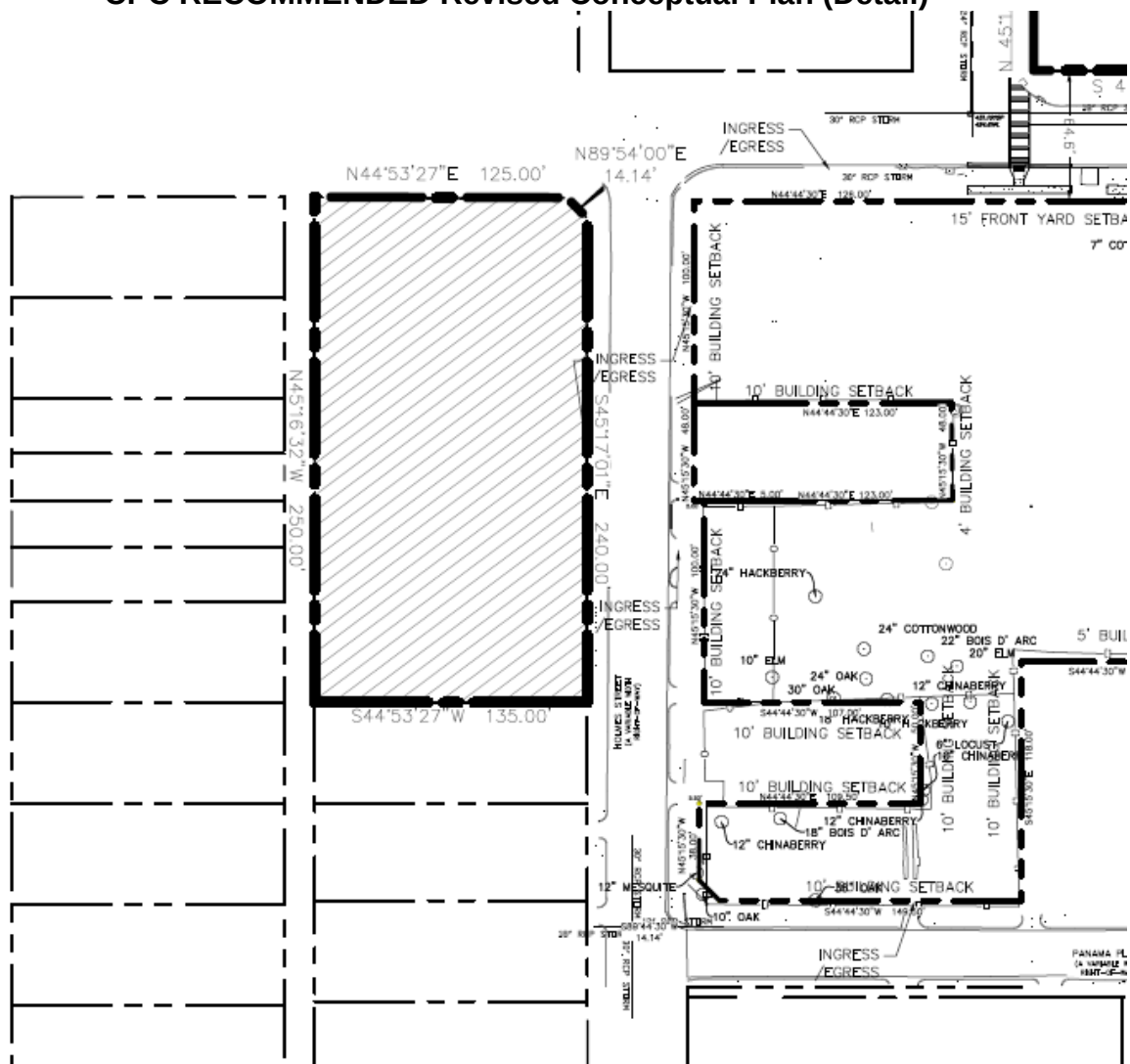
CPC RECOMMENDED Development Plan



CPC RECOMMENDED Revised Conceptual Plan



CPC RECOMMENDED Revised Conceptual Plan (Detail)



**CPC RECOMMENDED PD Conditions
(All changes highlighted)**

ARTICLE 597.

PD 597.

SEC. 51P-597.101. LEGISLATIVE HISTORY.

PD 597 was established by Ordinance No. 24564, passed by the Dallas City Council on March 28, 2001. Ordinance No. 24564 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 24564; 25163; 27635)

SEC. 51P-597.102. PROPERTY LOCATION AND SIZE.

PD 597 is established on property fronting on the northeast line of Holmes Street, on the southeast line of Pennsylvania Avenue, on the northwest line of Pennsylvania Avenue between **HolmesCleveland** Street and Julius Schepps Freeway, and on the northwest and southeast lines of Peabody Avenue between Holmes Street and Julius Schepps Freeway. The size of PD 597 is approximately **14.43** acres. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated the definitions and interpretations in Chapter 51A apply to this article. In this article, FOOD OR BEVERAGE STORE means a store for the distribution or sale of food or beverages. The term “food or beverage store” includes a food pantry, grocery, delicatessen, and specialty foods store.

(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. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.103.1 EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 597A: conceptual plan.
- (2) Exhibit 597B: Tract 1 development plan.
- (3) Exhibit 597C: traffic management plan.
- (4) Exhibit 597D: Tract 1 landscape plan. (Ord 31892)
- (5) Exhibit 597E: Tract 3 development plan.

SEC. 51P-597.103.2 CREATION OF TRACTS.

This district is divided into twothree tracts: Tract 1-and, Tract 2, and Tract 3. The boundaries of each tract are as shown on the conceptual plan (Exhibit 597A). (Ord 31892)

SEC. 51P-597.104. MAIN USES PERMITTED.

(d) Except as provided in this section, the only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this district, etc.

(e) The following additional main uses are permitted by right:

- Community service center.
- Food or beverage store.
- Office *[only allowed in Building I as shown on the conceptual plan]*.
- Private school.

(f) For purposes of this article, private school includes recreation areas and athletic facilities including but not limited to: playgrounds, art installations, parks, game courts, swimming pools, and playing fields in conjunction with a private school use. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.105. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.105.1 CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan. If there is a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. 31892)

SEC. 51P-597.106. DEVELOPMENT PLAN.

(g) Tract 1. For a community center, food or beverage store, and private school, development and use of Tract 1 must comply with the Tract 1 development plan (Exhibit 597B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(h) Tract 2.

(1) For a community center, food or beverage store, office, and private school, a development plan must be approved by the city plan commission before issuance of any building permit to authorize work on Tract 2. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(2) Development plans may be submitted in phases and may include any portion of the Property.

(i) Tract 3. For a community center or food or beverage store, development and use of Tract 3 must comply with the Tract 3 development plan (Exhibit 597E). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(j) ~~(e)~~ No development plan is required for the renovation or re-utilization of buildings existing prior to March 28, 2001.

(k) ~~(d)~~ For all other permitted uses, no development plan is required, and Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, or landscape plan do not apply.

(1) (e) The property may be developed in phases as shown on the conceptual plan. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.107. 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. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(1) For a community service center, food or beverage store, and private school, no minimum front yard unless otherwise shown on the conceptual plan.

(2) For all other permitted uses, minimum front yard is 15 feet.

(b) Side and rear yard.

(1) Except as provided in this subsection, for a community service center, food or beverage store, office, and private school, no minimum side and rear yard unless otherwise shown on the conceptual plan. In Tract 3, minimum side and rear yard for a community service center or food or beverage store uses is five feet along the southwestern boundary and 15 feet along the southeastern boundary.

(2) Unless otherwise shown on the conceptual plan, for a community service center, food or beverage store, and private school, abutting residential property lines outside this district with frontage on Holmes Street and Peabody Avenue, minimum side and rear yard is four feet. This paragraph does not apply to Tract 3.

(3) For all other permitted uses:

(A) No minimum side and rear yard for single family structures.

(B) Minimum side yard for duplex structures is five feet.

(C) Minimum side yard for other permitted structures is 10 feet.

(D) Minimum rear yard for duplex structures is 10 feet.

(E) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO(A), MO, MO(A), GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, LI, IR, IM, mixed use, or multiple commercial district.

(c) Density. No maximum dwelling unit density.

(d) Height.

(1) Residential proximity slope. For a community service center, food or beverage store, office, and private school, the residential proximity slope does not apply. For all other permitted uses, the residential proximity slope regulations in Chapter 51A apply.

(A) Residential proximity slope shall apply for any permitted uses in Tract 3.

(2) Maximum height. Except as provided in Section 51A-4.408(a)(2), and unless further restricted under Paragraph (1), maximum structure height is 36 feet excluding a bell or clock tower in the location shown on the development plan which may not exceed 50 feet in height.

(e) Lot coverage.

(1) For a community service center, food or beverage store, office, and private school located in Tract 1 and Tract 2, maximum lot coverage for Tracts 1 and 2 combined is 50 percent.

(2) For a community service center, food or beverage store, and private school located in Tract 3, maximum lot coverage for Tract 3 is 50 percent.

~~(3)~~ ~~(2)~~ For all other permitted uses, maximum lot coverage is 45 percent for residential structures and 25 percent for nonresidential structures.

~~(4)~~ ~~(3)~~ Surface parking lots and underground parking structures are not included in lot coverage calculation.

~~(5)~~ ~~(4)~~ The property in Tract 1 and Tract 2 are considered one lot for purposes of lot coverage calculations.

(f) Lot size. Minimum lot size for residential uses is as per the MF-2(A) district standards.

(g) Stories.

(1) For a private school, maximum number of stories is two, excluding a bell or clock tower as provided in Section 51P-597.107(d)(2).

(2) For all other permitted uses, no maximum number of stories.

(h) Floor area.

(1) For a community service center, food or beverage store, office, and private school located on Tract 1 and Tract 2, maximum combined floor area is 180,000 square feet.

(2) For office use, maximum floor area is 5,000 square feet.

(3) For all other permitted uses, no maximum floor area. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.108.

OFF-STREET PARKING AND LOADING.

(a) For a private school, one and one-half off-street parking spaces are required for each kindergarten and elementary school classroom, but in no event may there be less than 76 off-street parking spaces. Off-street parking must be provided as shown on the Tract 1 development plan. Temporary off-street parking is permitted for only 15 minutes during student drop-off and pick-up in the southwest quadrant of Pennsylvania Avenue and Colonial Avenue in the location shown on the Tract 1 development plan.

(b) For all other permitted uses, consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(c) Notwithstanding Section 51A-4.324(b)(1), special parking may be located in a parking lot having frontage on Colonial Avenue and on Peabody Avenue east of the playing fields in this district to serve non-residential uses located outside this district.

(d) The Property is considered one lot for purposes off off-street parking requirements.

(e) For a community service center, food or beverage store, office, and private school, parking may be located within a required front yard.

(f) Parking for a food or beverage store use is one space per 200 square feet of floor area.

(g) Two loading spaces are required as shown on the Tract 1 development plan. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.109. TRAFFIC MANAGEMENT PLAN.

(a) In general. The operation of the uses of Tract 1 and Tract 2 must comply with the traffic management plan (Exhibit 597C).

(b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by March 1, 2010. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1st of every odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level; and
- (G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(d) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion. (Ord. Nos. 27635; 31892)

SEC. 51P-597.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.111. LANDSCAPING.

(a) For a community service center, food or beverage store, office, and private school located on Tract 1, landscaping must be provided as shown on the Tract 1 landscape plan (Exhibit 597D). Landscaping for each phase must be installed within six months after the issuance of a certificate of occupancy for that phase of development.

(b) For a community service center, food or beverage store, and private school located at a setback less than 10 feet from an abutting residential property line outside the district with frontage on Holmes Street and Peabody Avenue and a building facade facing the abutting residential property, plantings and landscape treatments may include trellises with vines, but must be mounted on the portion of the building facade adjacent to the residential property line. This paragraph does not apply to Tract 3.

(c) For all other permitted uses, landscaping must be provided in accordance with Article X.

(d) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.112. LANDSCAPING IN THE PARKWAY.

(a) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping

requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

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

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(b) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the right-of-way. (Ord. 27635)

SEC. 51P-597.113. LIGHTING.

Athletic field and parking lot lighting must be directed away from surrounding properties. Athletic field light poles may not exceed 60 feet in height. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.114. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.115. ACCESS.

Ingress and egress must be provided as shown on the development plan. No other ingress and egress is permitted. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.116. FENCES.

(a) For a community service center, food or beverage store, office, or private school a perimeter fence is permitted.

(b) For a community service center, food or beverage store, and private school located at a setback less than 10 feet from an abutting residential property line outside the district with frontage on Holmes Street and Peabody Avenue, a six-foot wood fence is required along the setback from the residential property.

(c) For a community center or food or beverage store in Tract 3:

(1) A fence consisting of wrought-iron material having more than 50 percent open surface area may be located on the Property in the area shown on the Tract 3 development plan, between the Holmes façade and property line.

(2) Maximum height of fences is 8 feet.

(3) Fences may include rolling gates.

(d) ~~(e)~~ For all other uses, fences must be located in accordance with Chapter 51A. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.117. ADDITIONAL PROVISIONS.

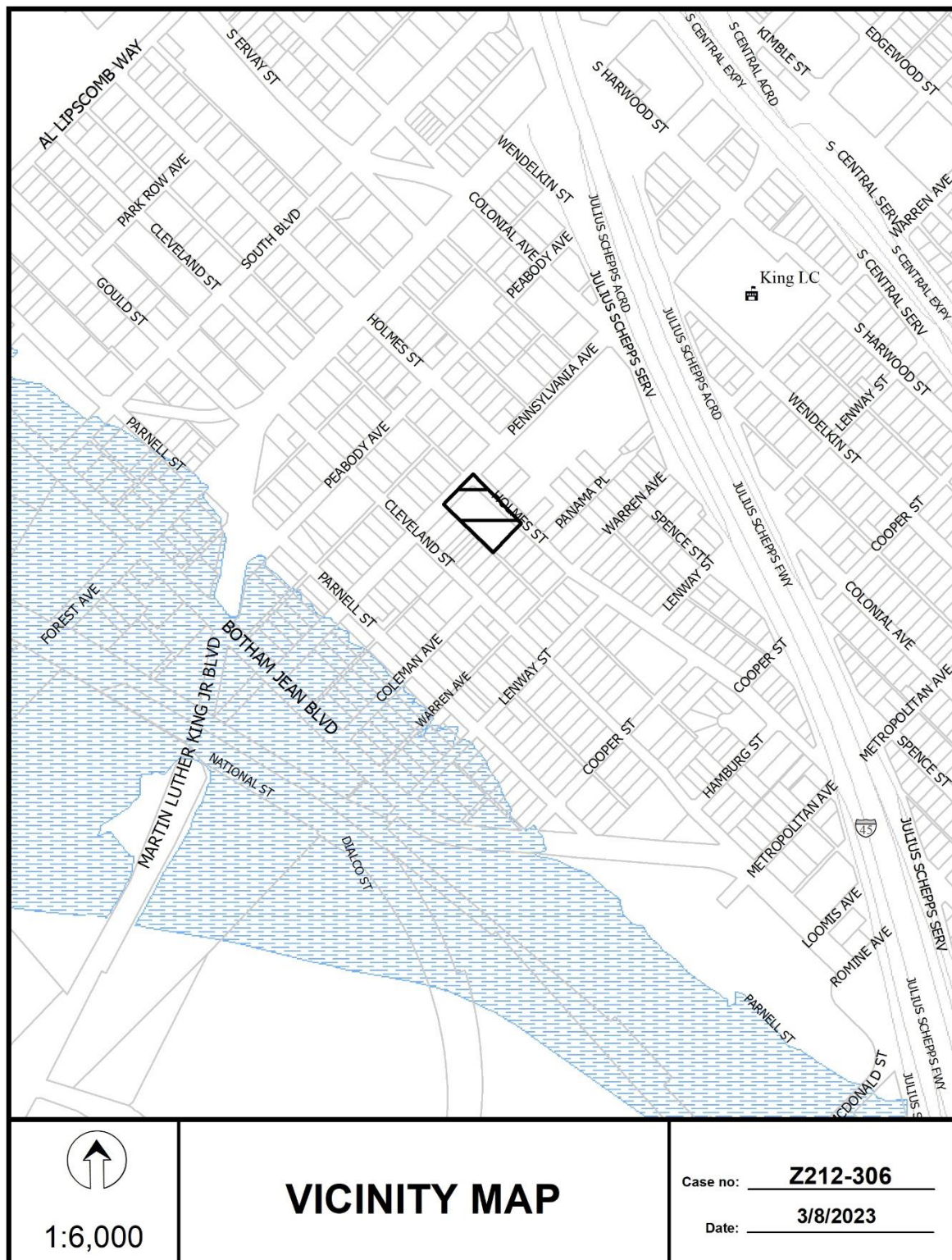
(a) The Property must be properly maintained in a state of good repair and neat appearance.

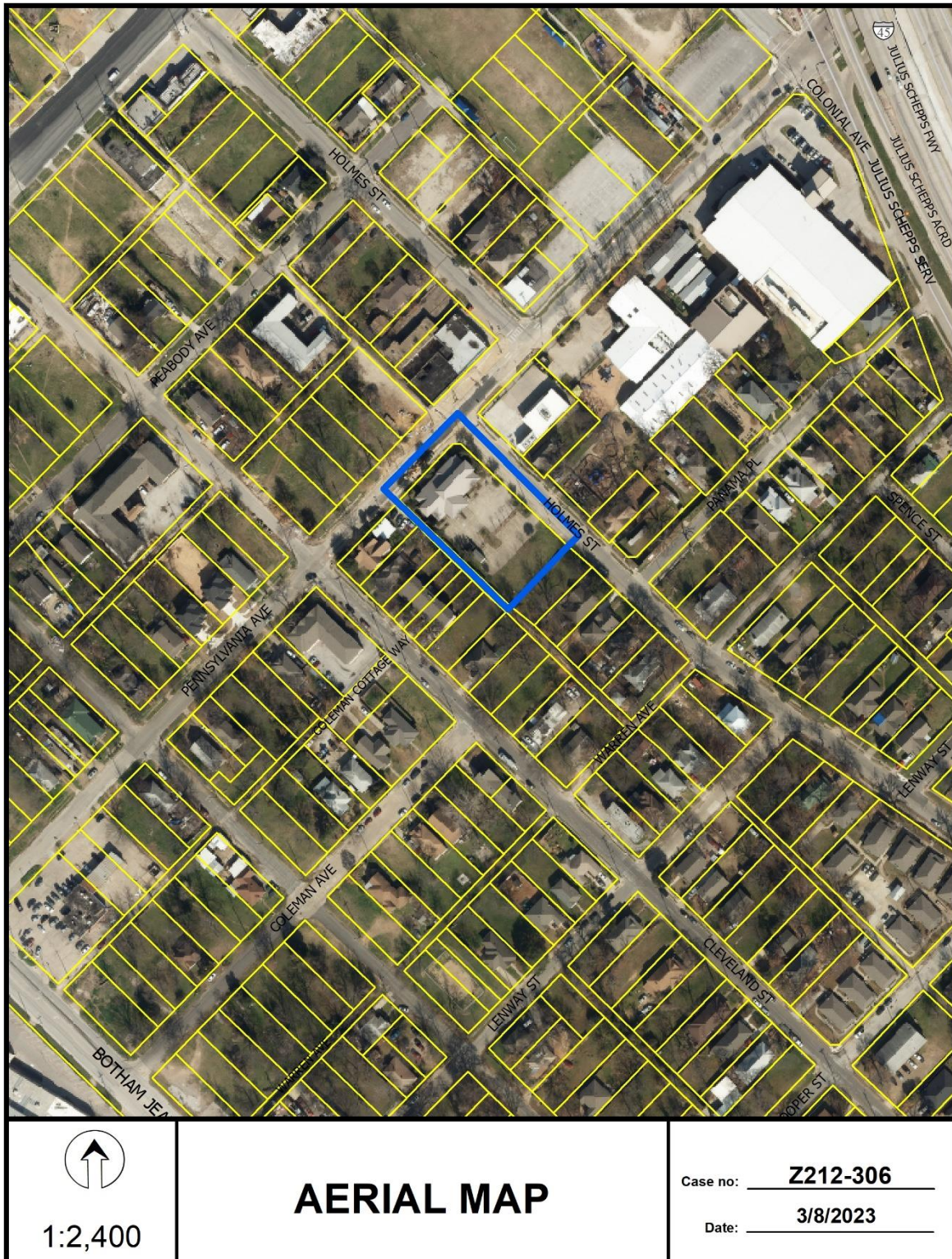
(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 24564; 25163; 26102; 27635; 31892)

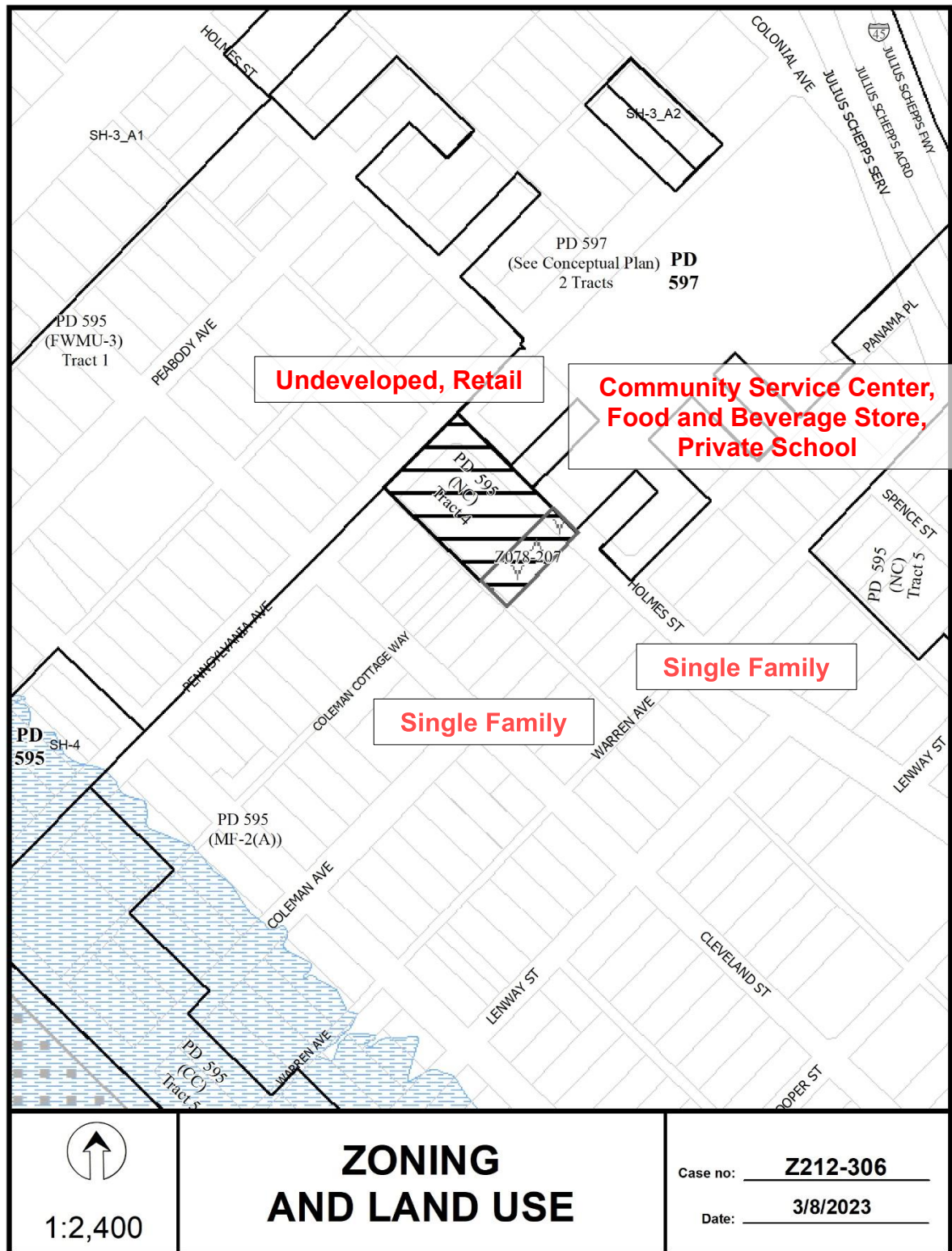
SEC. 51P-597.118. COMPLIANCE WITH CONDITIONS.

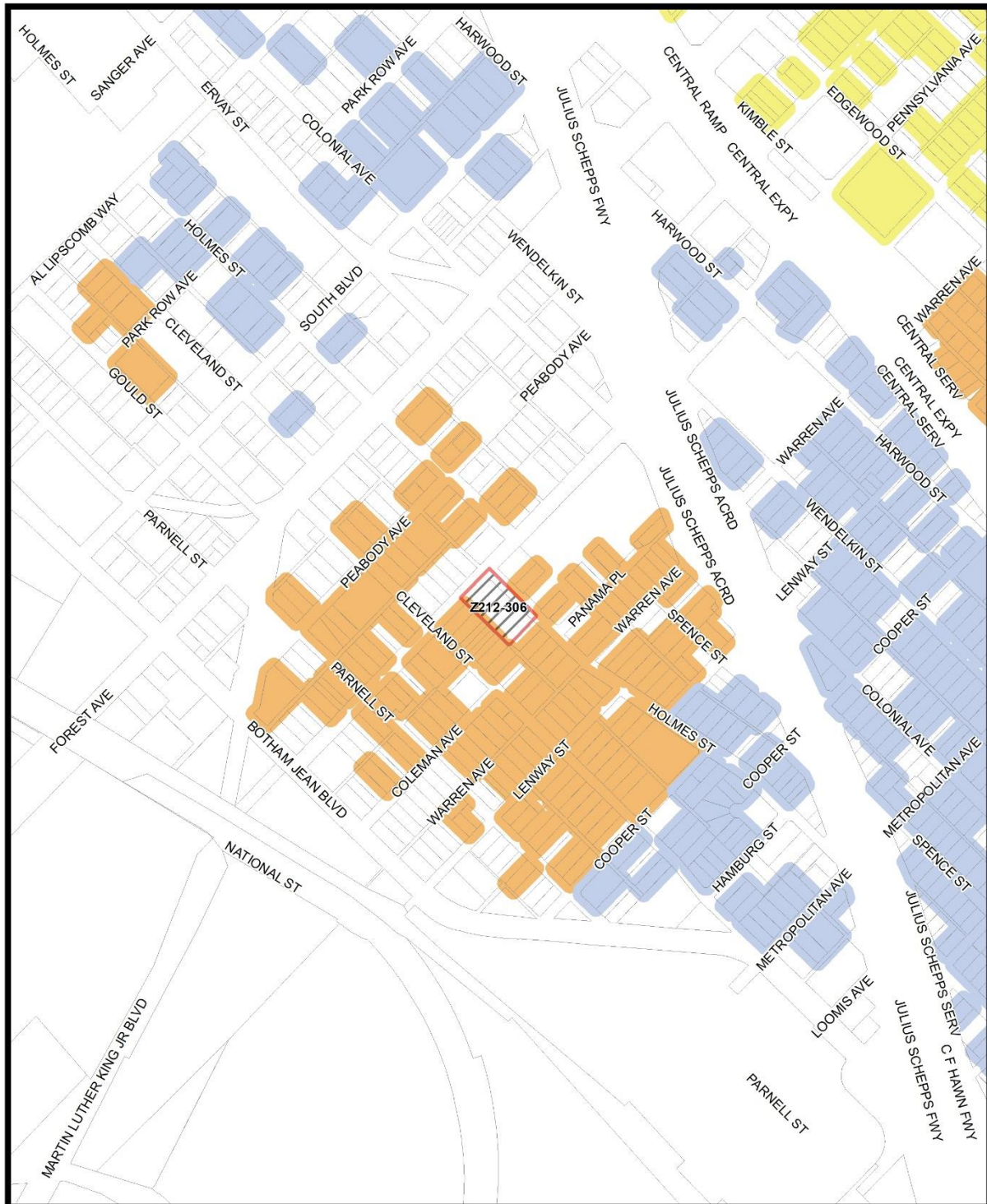
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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. 24564; 25163; 26102; 27635)









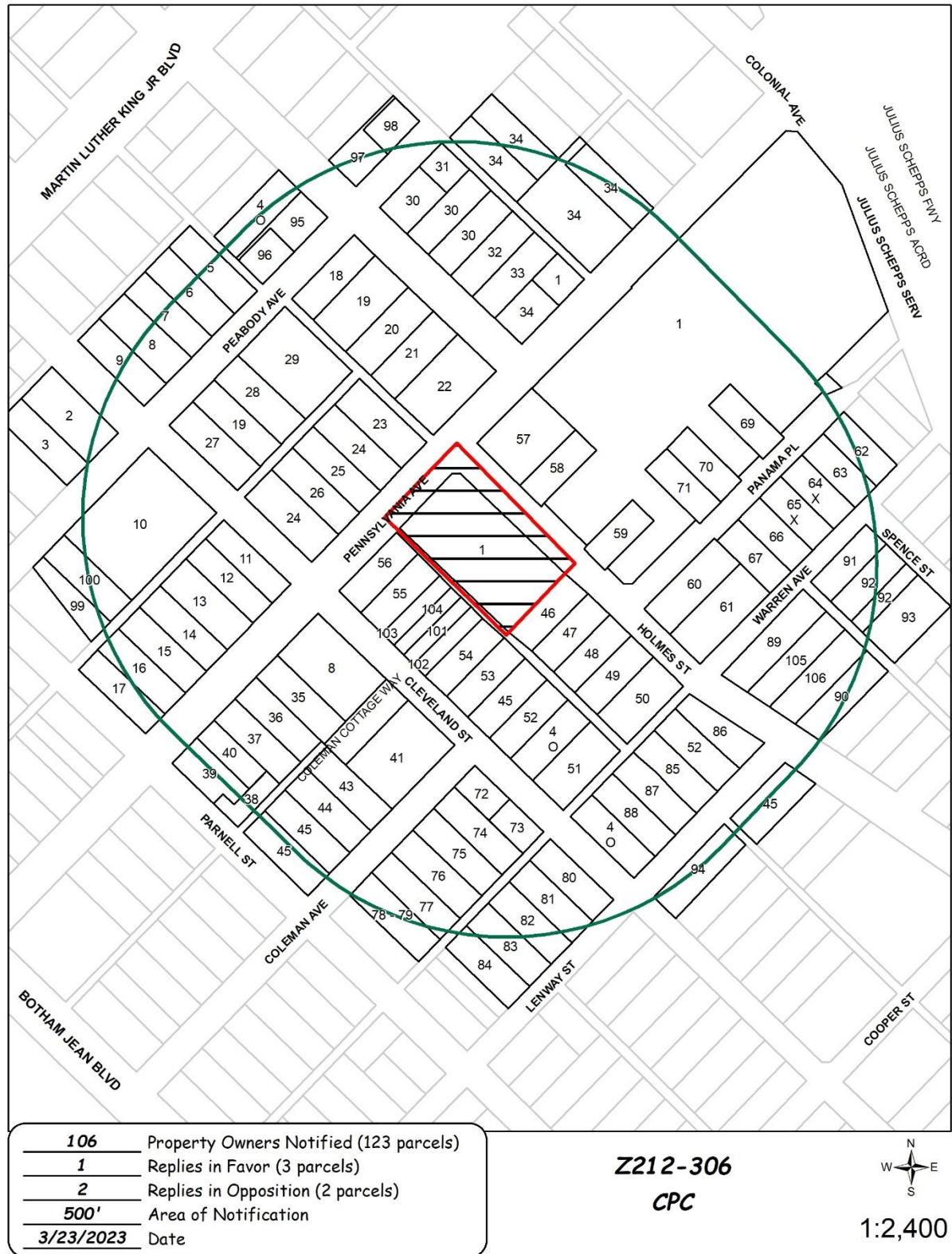
Market Value Analysis A B C D E F G H I NA



1:6,000

Market Value Analysis

Printed Date: 3/8/2023



03/22/2023

Reply List of Property Owners***Z212-306******106 Property Owners Notified 1 Property Owners in Favor 2 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1609 PENNSYLVANIA AVE	ST PHILIPS SCHOOL & COMMUNITY
	2	1325 PEABODY AVE	RELIANT HOLDINGS LLC
	3	1319 PEABODY AVE	CASABLANCA REAL ESTATE LLC
O	4	3017 HOLMES ST	WFMF LLC
	5	1417 PEABODY AVE	PARKER DOUGLAS
	6	1413 PEABODY AVE	PARKER DOUGLAS
	7	1409 PEABODY AVE	CHRISTIAN MYRA LEE HAMMONDS ET
	8	1405 PEABODY AVE	FOREST HEIGHTS NEIGHBORHOOD
	9	1401 PEABODY AVE	TORRES JOSE CARMEN MARTINEZ
	10	1314 PEABODY AVE	PEABODY MANOR LLC
	11	1325 PENNSYLVANIA AVE	BLAIR LORAIN DANIELS
	12	1323 PENNSYLVANIA AVE	LEWIS A B JR
	13	1317 PENNSYLVANIA AVE	FREEMAN VELMA B EVANS
	14	1313 PENNSYLVANIA AVE	BOWIE BRANDON C
	15	1309 PENNSYLVANIA AVE	RICHARDSON GWENDOLYN
	16	1305 PENNSYLVANIA AVE	DFW REALTY SERVICES LLC
	17	1301 PENNSYLVANIA AVE	COX BERTHA MAE EST OF
	18	1506 PEABODY AVE	TAYLOR JACQUELYN D
	19	3105 HOLMES ST	1600 PENNSYLVANIA INC
	20	3109 HOLMES ST	CHEN KATIE
	21	3115 HOLMES ST	JAMES R BROWN REVOCABLE
	22	3127 HOLMES ST	JACKSON TROY
	23	1419 PENNSYLVANIA AVE	B&J WHOLESALE RTL LIQUOR
	24	1415 PENNSYLVANIA AVE	MAX DATA LLC
	25	1409 PENNSYLVANIA AVE	ANDOR PROPERTIES LLC
	26	1405 PENNSYLVANIA AVE	GLEND A HURLEY TRUSTEE

03/22/2023

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1400	PEABODY AVE	COVARRUBIAS JUAN
28	1410	PEABODY AVE	WISELILY SERVISSES LLC
29	1414	PEABODY AVE	JMV INVESTMENTS
30	3102	HOLMES ST	ST PHILIPS SCHOOL AND
31	1608	PEABODY AVE	MARSH HORACE
32	3112	HOLMES ST	EASTER AVAN SR LIFE ESTATE
33	3116	HOLMES ST	ST PHILIPS SCHOOL & COMMUNITY
34	3120	HOLMES ST	1600 PENNSYLVANIA
35	1316	PENNSYLVANIA AVE	PARKER BILLY
36	1312	PENNSYLVANIA AVE	MAX DATA LLC
37	1308	PENNSYLVANIA AVE	KELLEY DAPORSCHA
38	3208	PARNELL ST	GRINSTEIN CARMEN
39	1300	PENNSYLVANIA AVE	TERRELL ENTERPRISES INC
40	1304	PENNSYLVANIA AVE	GILLASPIE ALEX
41	1319	COLEMAN AVE	Taxpayer at
42	3211	CLEVELAND ST	Taxpayer at
43	1315	COLEMAN AVE	MONTGOMERY JAMES &
44	1311	COLEMAN AVE	PRICE MRS LORENE &
45	1307	COLEMAN AVE	SP 1600 PENN FOUNDATION
46	3221	HOLMES ST	SP 1600 PENN FOUNDATION
47	3227	HOLMES ST	REYES MARCO
48	3303	HOLMES ST	PUEBLA HUGO
49	3305	HOLMES ST	RUIZ MAXIMINO
50	3309	HOLMES ST	CIS INVESTMENT
51	3304	CLEVELAND ST	NEWSOME EMILY
52	3228	CLEVELAND ST	1600 PENNSYLVANIA
53	3220	CLEVELAND ST	SAKA RAMAN &
54	3216	CLEVELAND ST	LEWIS SUSAN
55	3204	CLEVELAND ST	LYONS XAVIER DEMOND
56	3200	CLEVELAND ST	HEARD VINCENT C
57	1502	PENNSYLVANIA AVE	ST PHILIPS SCHOOL AND COMMUNITY

03/22/2023

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	3208 HOLMES ST	DAVIS JERI D
	59	3222 HOLMES ST	TODD CLIFTON JR LF EST
	60	3300 HOLMES ST	ST PHILLIPS SCHOOL & COMMUNITY
	61	3306 HOLMES ST	MAY DONALD
	62	1622 PANAMA PL	CONNER ROSIE LEE EST OF &
	63	1616 PANAMA PL	LILIAN LEASINGS LLC
X	64	1612 PANAMA PL	BREWER MADELYN LIFE ESTATE
X	65	1608 PANAMA PL	JONES ANDREA M
	66	1604 PANAMA PL	CARHEE LESTER
	67	1600 PANAMA PL	WILLIAMS JERLINE
	68	1627 PANAMA PL	ST PHILIPS SCHOOL &
	69	1613 PANAMA PL	CROWE GWEN &
	70	1605 PANAMA PL	ADAMS MARY
	71	1601 PANAMA PL	RUFFIN ROBERT EST OF
	72	1324 COLEMAN AVE	STOCKARD JANICE DALE
	73	1326 COLEMAN AVE	JOHNSON FASHION L
	74	1314 COLEMAN AVE	STREIFF INVESTMENTS LLC
	75	1310 COLEMAN AVE	LAWLER RONNIE
	76	1308 COLEMAN AVE	NELSONADAMS DENISE ROSE
	77	1306 COLEMAN AVE	EAST LEGON LP
	78	1304 COLEMAN AVE	LOVE ANNIE BELL EST OF &
	79	1304 COLEMAN AVE	LOVE ANNIE BELL &
	80	1327 LENWAY ST	ALFARO COSME
	81	1323 LENWAY ST	MONTGOMERY JAMES RUSSELL
	82	1317 LENWAY ST	MCGEE YLONDA
	83	1315 LENWAY ST	FOREST HEIGHTS
	84	1309 LENWAY ST	COLE ALVIN
	85	1413 LENWAY ST	Taxpayer at
	86	1419 LENWAY ST	SANTOS SALAVIA
	87	1409 LENWAY ST	FOREMAN BOBBY JOE &
	88	1405 LENWAY ST	HARDING LEONARD ISAAC JR

03/22/2023

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	3400 HOLMES ST	WALKER TRAVIS
	90	3412 HOLMES ST	BONILLAVELEZ ANA LAURA
	91	3401 SPENCE ST	AGUILAR ADRIAN
	92	3405 SPENCE ST	ACERTS INC
	93	3413 SPENCE ST	FOXSMITH TIMOTHY J &
	94	3500 CLEVELAND ST	CHAPA JUAN RODOLFO &
	95	1507 PEABODY AVE	HAWKINS SHARON
	96	1501 PEABODY AVE	CASTANEDA REGULO &
	97	1601 PEABODY AVE	HERNANDEZ JUAN & MARIA
	98	1605 PEABODY AVE	NARVAEZ MARCOS & MARIA
	99	1304 PEABODY AVE	QUEMADA MARIA G
	100	1306 PEABODY AVE	LOFTIS BARBARA
	101	3212 CLEVELAND ST	FOREST HEIGHTS NEIGHBORHOOD
	102	3214 CLEVELAND ST	ETANISLAO ERICA
	103	3208 CLEVELAND ST	HARRIS LARRY
	104	3210 CLEVELAND ST	BROOKS GLORIA
	105	3404 HOLMES ST	LEE DOROTHY
	106	3406 HOLMES ST	SPRIGGINS REGINA & JOHN