

FILE NUMBER: Z234-149(MB) **DATE FILED:** January 4, 2024

LOCATION: South line of West Davis Street, west of Gilpin Avenue

COUNCIL DISTRICT: 1

SIZE OF REQUEST: Approx. 3.1 acres **CENSUS TRACT:** 48113006701

OWNER: Fernando Trevino

APPLICANT: Rocio Guardiola

REQUEST: An application for a new tract on property zoned MMU Medium Mixed Use Tract 2 within Planned Development District No. 631, the West Davis Special Purpose District, with Specific Use Permit No. 2452.

SUMMARY: The purpose of the request is to allow a vehicle display, sales, and service use

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

STAFF RECOMMENDATION: Denial.

BACKGROUND INFORMATION:

- The area of request is currently zoned MMU Medium Mixed Use Tract 2 within Planned Development District No. 631, the West Davis Special Purpose District.
- The request site is a 3.1-acre property developed with a nonconforming vehicle display, sales, and service use as well as a commercial amusement (inside) use limited to a dance hall.
- The applicant has operated the nonconforming use since the 1980s. After an authorized hearing created PD No. 631, the West Davis Special Purpose District, the use was made nonconforming.
- On April 13, 2022, City Council approved Specific Use Permit No. 2452 for a commercial amusement (inside) limited to a dance hall, which was established on the eastern portion of the area of request.
- The applicant seeks to expand the vehicle display, sales, and service use.
- To accomplish this, the applicant requests a new tract within PD No. 631 that would allow a vehicle display, sales, and service use.
- On July 11, 2024, City Plan Commission moved to recommend approval of the request, subject to a revised development plan and conditions with changes. CPC recommends that the PD be revised to allow a new “vehicle display and sales” use that prohibits service; that the use only be allowed in the eastern half of Tract 3; and that the use be limited to 20 spaces for vehicle display and sales.

Zoning History:

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

- **Z212-139:** On April 13, 2022, City Council approved Specific Use Permit No. 2452 for a commercial amusement (inside) limited to a dance hall on property zoned MMU Medium Mixed Use Tract 2 within Planned Development District No. 631, the West Davis Special Purpose District, on the south line of West Davis Street, west of Gilpin Avenue. [Subject Site]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
West Davis Street	Principal Arterial	100 feet

Traffic:

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation Department, has reviewed the current request and determined that it will not have a significant impact on traffic.

STAFF ANALYSIS:

Comprehensive Plan:

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

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

The request conflicts with the above policy by proposing expansion and continuation of a use that runs counter to what was envisioned by a city-adopted area plan, detailed below.

West Davis Land Use Study

In March 2002, City Council adopted the West Davis Land Use Study. The vision of the West Davis study is to provide a vision for future development along the West Davis corridor, serving as a foundation for amending zoning in the study area and as a policy guide for future city actions. The subject site is located within Section 4 of the West Davis Land Use Study.

The request conflicts with the following issues and goals of the West Davis Land Use Study:

ISSUES

ISSUE 1 Incompatible Retail and Commercial Uses Adjacent to Residential Neighborhoods

The study determined that used vehicle sales in the area, including along West Davis, are incompatible with nearby residential developments. This use, along with other uses, should not be located close to residential areas.

GOALS

GOAL 1 Protect Residential Neighborhoods from Undesirable Land Uses

The study calls for restricting incompatible retail and commercial uses along residential areas. As the subject site abuts residential uses, the request is incompatible with this goal.

GOAL 2 Increase the Commercial Viability on West Davis Street

The study's recommendations include a call for "better retail and commercial uses," as residents expressed a desire for different uses than what were currently permitted or supported by existing zoning.

Land Use:

	Zoning	Land Use
Site	PD No. 631 Medium Mixed Use Tract 2, SUP No. 2452	Vehicle display/sales/service (nonconforming), commercial amusement (inside) limited to a dance hall
North	PD No. 525	Office showroom / warehouse
South	TH-3(A)	Single family
East	PD No. 631 MMU Tract 2	Hotel
West	PD No. 631 MMU Tract 2	Multifamily, manufactured housing

Land Use Compatibility:

The request site consists of a 3.1-acre site with a nonconforming vehicle display, sales, and service use and a commercial amusement (inside) limited to a dance hall. The applicant is requesting a new tract within PD No. 631 that would allow for vehicle display, sales, and service use by-right. The site is immediately adjacent to a multifamily building to the west, single family housing to the south, and a hotel to the east. To the north, across West Davis Street, is PD No. 525, with various office showroom/warehouse uses.

While the nonconforming vehicle display, sales, and service use has been continuously operating for several years, analysis of land use compatibility must consider any area plans as well as general compatibility with surrounding uses. The proposed use would result in increased traffic and noise, particularly for the residential properties to the south of the area of request. Furthermore, staff views the exclusion of vehicle display, sales, and service as a permitted use from PD No. 631 as an indication that the community's vision for this district is to limit such uses from proliferating in the district.

Due to the residential adjacencies and conflicts with the goals and vision of the West Davis Land Use Study, as well as the comprehensive plan's stated implementation measures of following the recommendations of neighborhood and area plans, staff finds that the request is incompatible with surrounding land uses.

Landscaping:

Landscaping and tree preservation must be provided per Sec. 51P-631.112.

Parking:

PD No. 631 refers to the Dallas Development Code for parking requirements. Per Chapter 51A, one space is required per 500 square feet of floor and site area, exclusive of parking area for a vehicle display, sales, and service 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 (A through C) to orange, representing the weakest markets (G through I). The area of request is in an “H” MVA area.

CPC Action

July 11, 2024

Motion: It was moved to recommend **approval** of an application for a new tract; subject to a development plan and conditions with the following changes: 1) in Section 51P-631.111, the medium mixed use subdistrict, vehicle display, and sales is permitted in Tract 3 only. Vehicles display and sales is defined to mean a facility for the display and retail sale of new or used automobiles, 2) for a vehicle display and sales, the maximum number of automobiles that can be displayed is 20, 3) the vehicle display and sales use is permitted in the eastern half of Tract 3 only, on property zoned MMU Medium Mixed- Use Tract 2 within Planned Development District No. 631, the West Davis Special Purpose District, with Specific Use Permit No. 2452, on the south line of West Davis Street, west of Gilpin Avenue.

Maker: Chernock
Second: Housewright
Result: Carried: 14 to 0

For: 14 - Chernock, Hampton, Herbert, Shidid, Carpenter,
Wheeler-Reagan, Blair, Sleeper, Housewright,
Eppler, Haqq, Hall, Kingston, Rubin

Against: 0
Absent: 1 - Forsyth
Vacancy: 0

Notices:	Area: 500	Mailed: 140
Replies:	For: 0	Against: 1

Speakers: For: Rocio Guardiola, Address not provided.
Against: Jessica Lopez, 3832 Dismount St., Dallas, TX 75211

CPC RECOMMENDED CONDITIONS

ARTICLE 631.

PD 631.

West Davis Special Purpose District

SEC. 51P-631.101. LEGISLATIVE HISTORY.

PD 631 was established by Ordinance No. 25209, passed by the Dallas City Council on March 26, 2003. (Ord. 25209)

SEC. 51P-631.102. PROPERTY LOCATION AND SIZE.

PD 631 is established on property generally located along West Davis Street, bounded by Walton Walker (Loop 12) on the west and Hampton Road on the east. The size of PD 631 is approximately 381.68 acres. (Ord. Nos. 25209; 27949; 30372)

SEC. 51P-631.103. CREATION OF SUBDISTRICTS.

- (a) This district contains one residential subdistrict: Residential R-7.5(A).
- (b) This district is divided into the following nonresidential subdistricts:
 - (1) Light Commercial/Office.
 - (2) Light Commercial/Office Area 1.
 - (3) Light Commercial/Office Area 2.
 - (4) Medium Commercial/Office.
 - (5) Medium Commercial/Office Plus.
 - (6) Light Mixed Use. The Light Mixed Use Subdistrict includes the area labelled Light Mixed Use Area-1 on the West Davis Special Purpose District and subdistrict boundary map.
 - (7) Medium Mixed Use.
- (c) A map showing the boundaries of this district and its subdistricts is provided in this article and labelled as Exhibit 631A. A detailed description of the boundaries of this district and its subdistricts is provided in Exhibit 631D. (Ord. Nos. 25209; 27890; 28915; 30372)

SEC. 51P-631.104. DEFINITIONS.

Unless otherwise stated, the definitions contained in Chapter 51A apply to this article. In this district:

(1) DISTRICT means the entire planned development district (the West Dallas Special Purpose District) created by this article.

(1.1) MACHINE SHOP means a facility where material is processed and manufactured by machining, cutting, grinding, welding, or similar processes and is assembled or disassembled wholly within an enclosed building. This use does not include the repair of automobiles, commercial vehicles, engines, or other automobile parts.

(2) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(3) SUBDISTRICT means one of the subdistricts referred to in Section 51P-631.103 of this article.

(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. (Ord. Nos. 25209; 27890)

(5) VEHICLE DISPLAY AND SALES means a facility for the display and retail sale of new or used automobiles.

SEC. 51P-631.105. INTERPRETATIONS.

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

(b) 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.

(c) Section 51A-2.101, "Interpretations," applies to this article.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A- 4.218, “Limited Uses.”)

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only. [“SUP” means “specific use permit.” For more information regarding specific use permits, see Section 51A-4.219, “Specific Use Permit (SUP).”]

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, “Site Plan Review.” (“DIR” means “development impact review.” For more information regarding development impact review generally, see Division 51A-4.800, “Development Impact Review.”)

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, “Site Plan Review,” a site plan must be submitted and approved in accordance with the requirements of that section. (“RAR” means “residential adjacency review.” For more information regarding residential adjacency review generally, see Division 51A-4.800, “Development Impact Review.”)

(e) If there is a conflict, the text of this article controls over the charts or any other graphic display. (Ord. Nos. 25209; 27890; 28554)

SEC. 51P-631.105.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 631A: West Davis Special Purpose District and subdistrict boundary map.

(2) Exhibit 631B: land use chart.

(3) Exhibit 631C: development standards summary chart.

(4) Exhibit 631D: property description.

(5) Exhibit 631E: Light Commercial/Office Area 1 topography exhibit.

(6) Exhibit 631F: Light Commercial/Office Area 2 development plan.

(7) Exhibit 631G: Light Commercial/Office Area 2 landscape plan. (Ord. Nos. 27890; 28554; 28915; 30372)

(8) Exhibit **631H: Medium Mixed Use Tract 3 development plan.**

SEC. 51P-631.105.2. DEVELOPMENT PLAN.

(a) In the Light Commercial/Office Area 2 Subdistrict, development and use of the Property must comply with the Light Commercial/Office Area 2 development plan (Exhibit 631F). If there is a conflict between the text of this article and the Light Commercial/Office Area 2 development plan, the text of this article controls.

(b) In the Medium Mixed Use Subdistrict Tract 3, development and use of the Property must comply with the Medium Mixed Use Tract 3 development plan (Exhibit 631H). If there is a conflict between the text of this article and the Medium Mixed Use Tract 3 development plan, the text of this article controls.

(c) In all other subdistricts, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and development schedule do not apply. (Ord. 30372)

SEC. 51P-631.106. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE RESIDENTIAL R-7.5(A) SUBDISTRICT.

OMITTED FOR BREVITY.

SEC. 51P-631.107. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE LIGHT COMMERCIAL/OFFICE AND LIGHT COMMERCIAL/OFFICE AREA 2 SUBDISTRICTS.

OMITTED FOR BREVITY.

SEC. 51P-631.107.1. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE LIGHT COMMERCIAL/OFFICE AREA 1 SUBDISTRICT.

OMITTED FOR BREVITY.

SEC. 51P-631.108. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE MEDIUM COMMERCIAL/ OFFICE SUBDISTRICT.

OMITTED FOR BREVITY.

SEC. 51P-631.109. USE REGULATIONS AND DEVELOPMENT STANDARDS IN THE MEDIUM COMMERCIAL/OFFICE PLUS SUBDISTRICT.

OMITTED FOR BREVITY.

SEC. 51P-631.110. USE REGULATIONS AND DEVELOPMENT STANDARDS

IN THE LIGHT MIXED USE SUBDISTRICT.

OMITTED FOR BREVITY.

**SEC. 51P-631.111. USE REGULATIONS AND DEVELOPMENT STANDARDS
IN THE MEDIUM MIXED USE SUBDISTRICT.**

(a) Main uses permitted.

(1) Agricultural uses.

-- None permitted.

(2) Commercial and business service uses.

-- Catering service.
-- Custom business services.
-- Electronics service center.
-- Job or lithographic printing.
-- Medical or scientific laboratory. [SUP]

(3) Industrial uses.

-- Temporary concrete or asphalt batching. [By special authorization
of the building official.]

(4) Institutional and community service uses.

-- Adult day care facility.
-- Child-care facility.
-- Church.
-- College, university, or seminary. [SUP]
-- Community service center. [SUP]
-- Convalescent and nursing homes, hospice care, and related
institutions.
-- Convent or monastery.
-- Foster home. [SUP]
-- Halfway house. [SUP]
-- Hospital. [SUP]
-- Library, art gallery, or museum.

- Public or private school. *[SUP]*
- (5) Lodging uses.
 - Overnight general purpose shelter. *[SUP]*
- (6) Miscellaneous uses.
 - Temporary construction or sales office.
- (7) Office uses.
 - Financial institution without drive-in window.
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
 - Private recreation center, club, or area.
 - Public park, playground, or golf course.
- (9) Residential uses.
 - College dormitory, fraternity, or sorority house. *[SUP]*
 - Group residential facility. *[By right when located at least 1,000 feet from group residential facilities and all other licensed handicapped group dwelling units; otherwise by SUP only.]*
 - Multifamily.
 - Retirement housing.
- (10) Retail and personal service uses.
 - Animal shelter or clinic without outside run.
 - Commercial amusement (inside). *[SUP]*
 - Commercial parking lot or garage.
 - Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store 3,500 square feet or less.
 - General merchandise or food store greater than 3,500 square feet.
 - Household equipment and appliance repair.
 - Nursery, garden shop, or plant sales.
 - Personal service uses. *[Massage establishment and tattoo studio not allowed.]*
 - Restaurant without drive-in or drive-through service.
 - Temporary retail use.
 - Theater. *[Limited to 1,000 seats.]*
 - **Vehicle display and sales. *[Eastern half of Tract 3 only, limited to no more than 20 vehicles on display]***
- (11) Transportation uses.

-- Transit passenger shelter.

(12) Utility and public service uses.

-- Commercial radio or television transmitting station. [SUP]
-- Electrical substation. [SUP]
-- Local utilities. [See Section 51A-4.212(4). Treat as if in a residential district. Communication exchange facilities prohibited.]
-- Police or fire station. [SUP]
-- Post office. [SUP]
-- Radio, television, or microwave tower. [SUP]
-- Utility or government installation other than listed. [SUP]

(13) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. [See Section 51A-4.213(11.2).]

(b) Accessory uses.

(1) As a general rule, an accessory use is permitted in any area 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, "Accessory Uses." For more information regarding accessory uses, consult Section 51A-4.217.

(2) The following accessory uses are not permitted in this subdistrict:

-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.
-- Accessory pathological waste incinerator.
-- General waste incinerator.
-- Private stable.
-- Pedestrian skybridges.

(c) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400, "Yard, Lot, and Space Regulations." In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls.)

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

(2) Side yard. Minimum side yard is 10 feet for multifamily structures. No minimum side yard for all other structures.

(3) Rear yard. Minimum rear yard is 15 feet for multifamily structures. Minimum rear yard for all other structures is:

(A) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district, or a planned development district considered to be a residential zoning district; and

- (B) no minimum in all other cases.
- (4) Dwelling unit density. Maximum dwelling unit density is 40 units per acre. Minimum dwelling unit size is 500 square feet.
- (5) Floor area ratio. Maximum floor area ratio is 0.75 for a project without a residential component and 2.0 for a project with a residential component.
- (6) Height.
- (A) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.
- (B) Maximum height. Unless further restricted under Subparagraph (A), the maximum structure height is 54 feet for a project without a residential component and 90 feet for a project with a residential component.
- (7) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (8) Lot size. No minimum lot size.
- (9) Stories. Maximum number of stories above grade is six. Parking garages are exempt from this requirement, but must comply with the height regulations of Paragraph (6), "Height."
- (d) Off-street parking and loading. Consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.
- (e) Environmental performance standards. See Article VI.
- (f) Landscape regulations. See Article X, except as modified by Section 51P-631.112, "Landscaping." (Ord. 25209)

SEC. 51P-631.112. LANDSCAPING.

- (a) In general. Except as modified in this section, the regulations in Article X, "Landscape and Tree Preservation Regulations," apply to this district. In the event of a conflict between this section and Article X, this section controls.

(b) Application. Subsection (c) of Section 51A-10.121, “Application of Division,” of Division 51A-10.120, “Landscaping,” is modified to read as follows: This division becomes applicable to a lot or tract when an application is made for a building permit for construction work that within a 24-month period:

- (1) increases the number of stories in a building on the lot;
- (2) increases the combined floor areas of all buildings on the lot; or
- (3) increases the nonpermeable coverage on the lot.

(c) Light Mixed Use Area-1.

(1) Machine shop.

(A) Prior to the issuance of a certificate of occupancy, landscaping must be provided as shown on the Light Mixed Use Area-1 development plan.

(B) Automatic sprinkler systems are not required for landscaping located within a public right-of-way. Landscaping within a public right-of-way must be located within 100 feet of a verifiable water source.

(2) Private license granted.

(A) 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 Light Mixed Use Area-1 for the exclusive purpose of authorizing compliance with the landscaping requirements of this subsection. 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 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 to the director of public works and transportation.

(B) 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 paragraph.

(C) 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 paragraph, 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.

(D) 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 paragraph 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.

(3) Landscape permit.

(A) It is the responsibility of the property owner to apply for and obtain a landscape permit before locating trees, landscaping, or related amenities in the right-of-way. An application for a 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 right-of-way affected and the planting or other amenities proposed.

(B) 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 landscape permit to the property owner; otherwise, the building official shall deny the permit.

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

(D) A 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 right-of-way 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 landscaping requirement of this subsection if compliance is made impossible due to the building official's revocation of a landscape permit.

(E) The issuance of a landscape permit under this paragraph does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way. (Ord. Nos. 25209; 27890)

SEC. 51P-631.113. SIGNS.

Signs must comply with the provisions for business zoning districts contained in Article VII, “Sign Regulations.” (Ord. 25209)

SEC. 51P-631.114. ADDITIONAL PROVISIONS.

- (a) Property within this district must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of property within this district must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 25209; 26102)

SEC. 51P-631.115. 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 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. 25209; 26102)

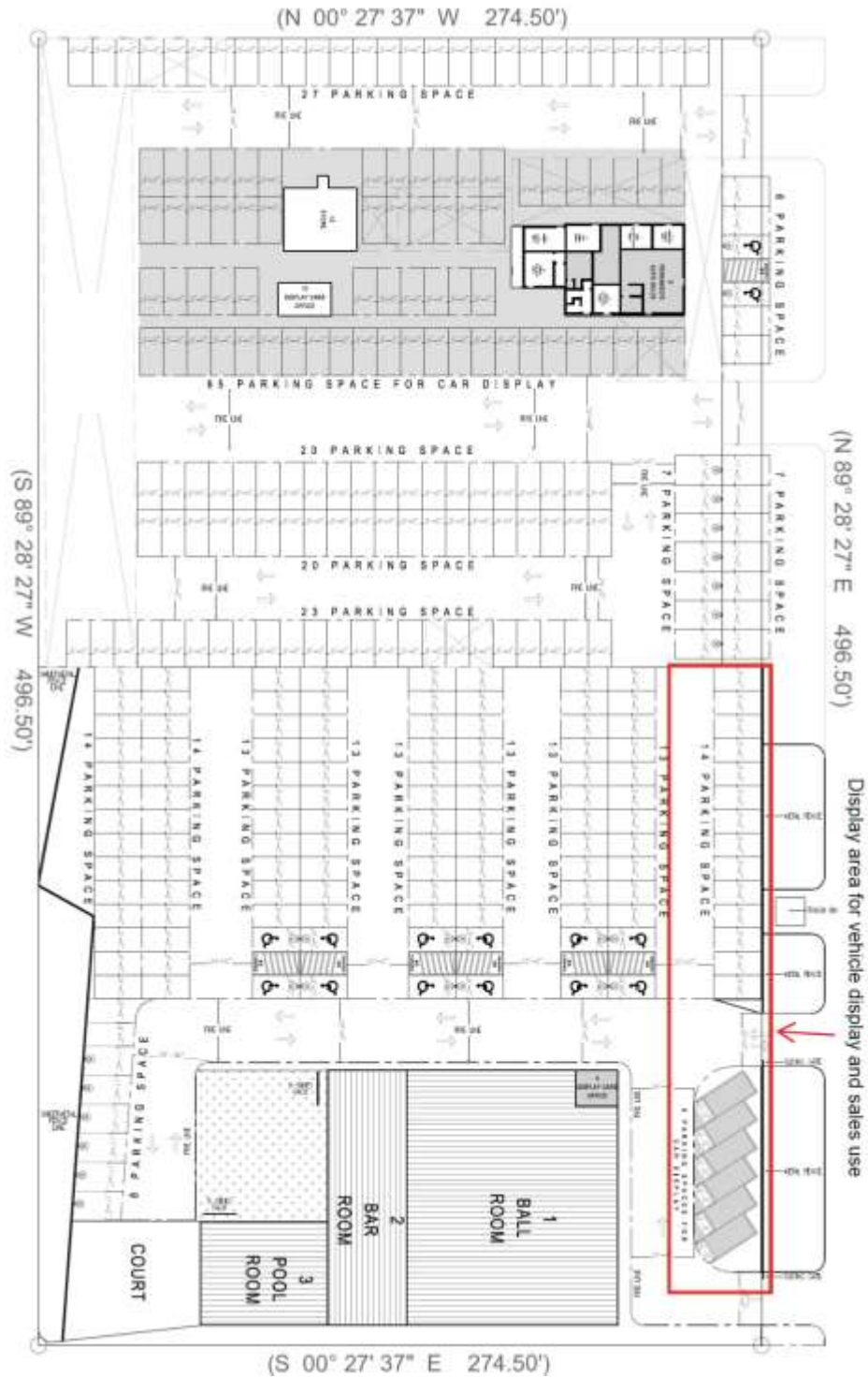
SEC. 51P-631.116. LAND USE AND DEVELOPMENT STANDARDS CHARTS.

A land use chart is provided in this article and labeled as Exhibit 631B, and a development standards chart is provided in this article and labeled as Exhibit 631C. In the event of a conflict between these charts and the text of this article, the text controls. (Ord. Nos. 25209; 28915)

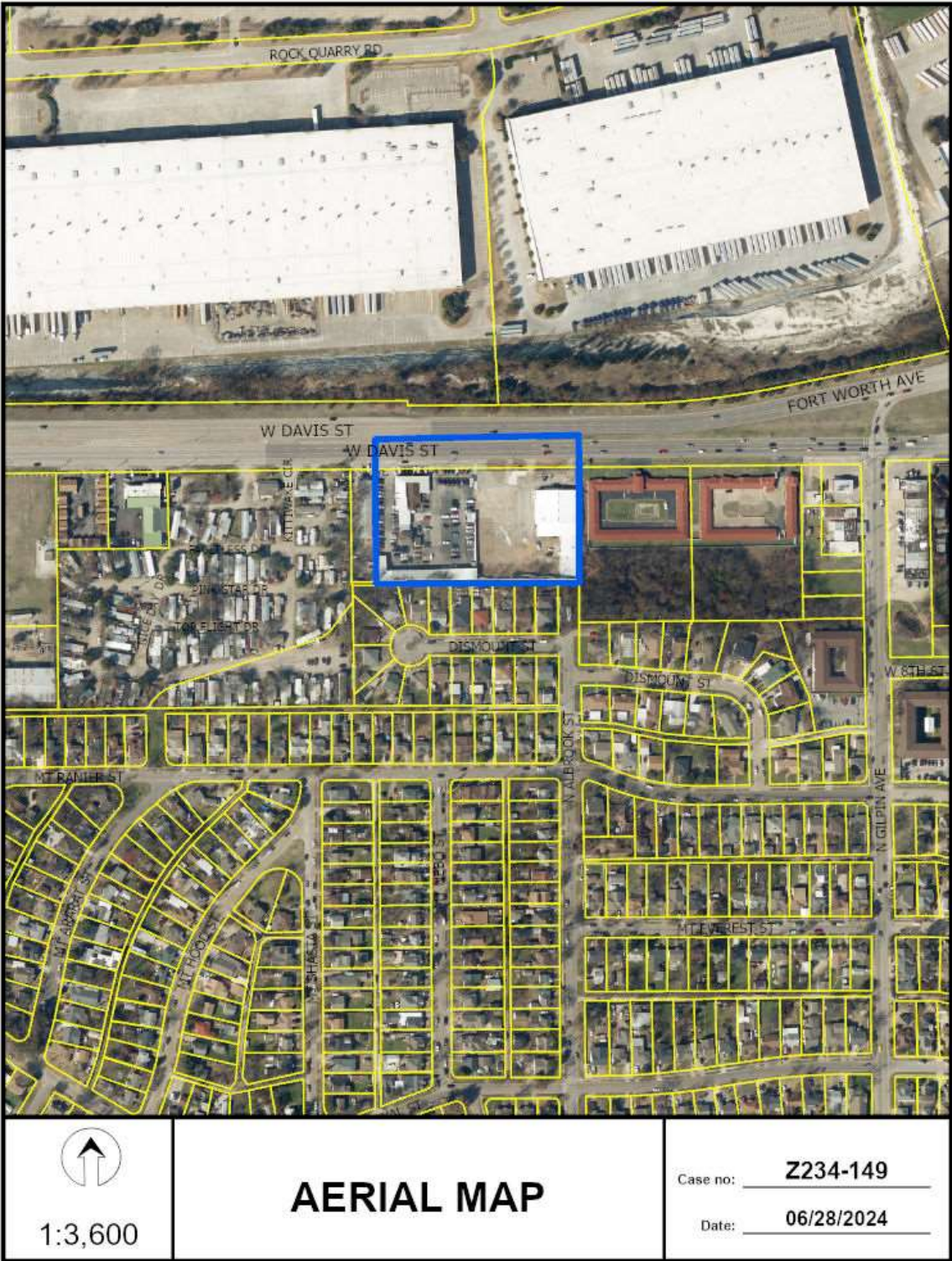
CPC RECOMMENDED DEVELOPMENT PLAN

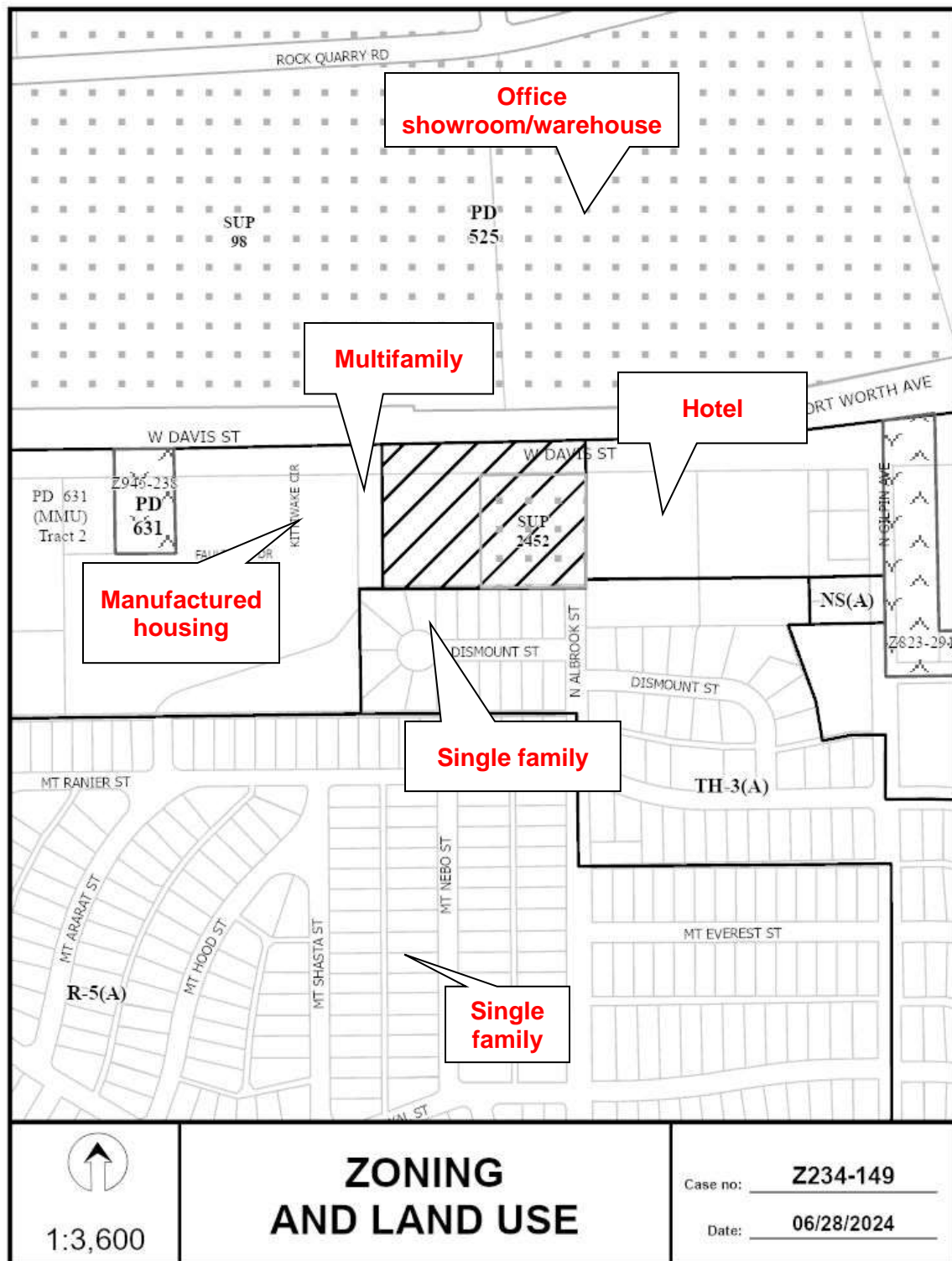


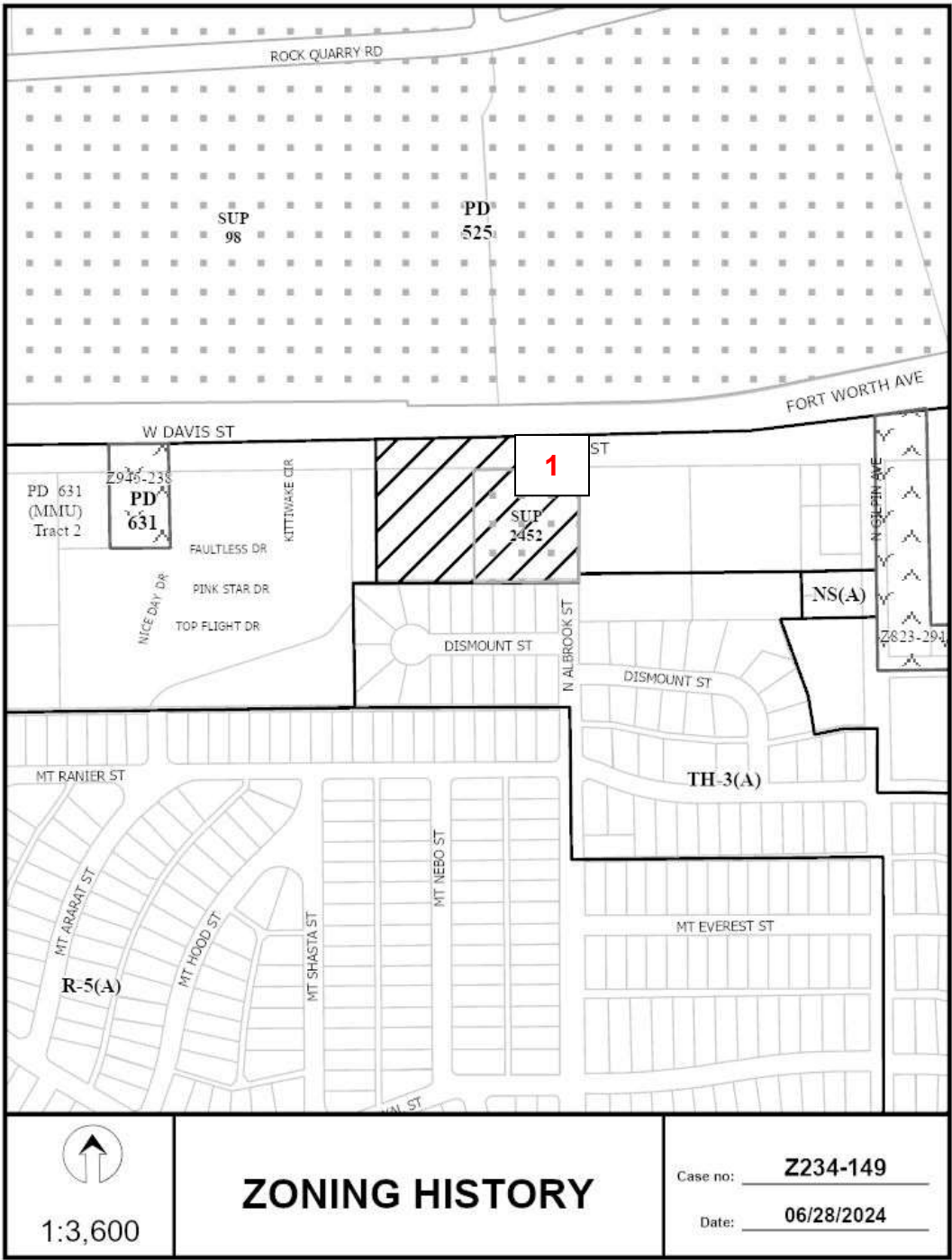
CPC RECOMMENDED DEVELOPMENT PLAN (DETAIL)



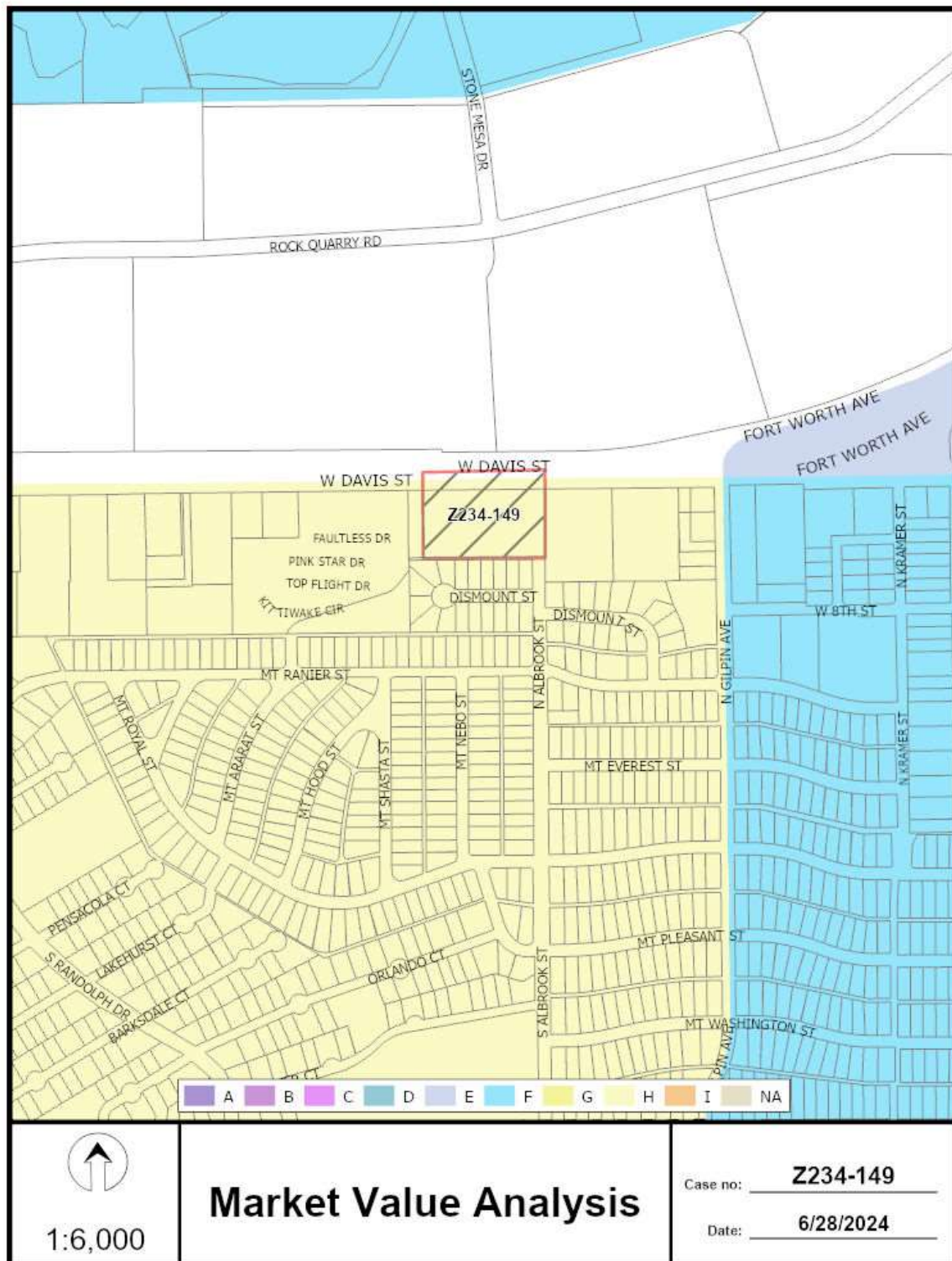








Z234-149(MB)





07/10/2024

Reply List of Property Owners***Z234-149******140 Property Owners Notified 0 Property Owners in Favor 1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	3900 W DAVIS ST	TREVINIO FERNANDO &
	2	3903 MT RANIER ST	LEON GUILLERMO &
	3	3907 MT RANIER ST	PEREZ ANTONIO RAZO &
	4	3911 MT RANIER ST	MARSHALL ESTALENE PATE LIFE EST
	5	3915 MT RANIER ST	BARRON JOSE ANTONIO
	6	3919 MT RANIER ST	LARA JAIME & DOLORES M
	7	3923 MT RANIER ST	CLEMENTE MARYLU
	8	3927 MT RANIER ST	RODRIGUEZ MARGARITO &
	9	3931 MT RANIER ST	NAVA MARIANA & ANTONIO
	10	3935 MT RANIER ST	NAVA MARIANA & ANTONIO
	11	3939 MT RANIER ST	ROBLEDO VICTOR &
	12	3943 MT RANIER ST	CALVILLO ANNA LAURA
	13	4003 MT RANIER ST	GUTIERREZ ESTER
	14	4007 MT RANIER ST	CLEMENTE MARY LU
	15	4011 MT RANIER ST	SMITH TRUST
	16	4015 MT RANIER ST	ROSALES RICHARD LIFE ESTATE
	17	4019 MT RANIER ST	GRANDOS CARMELA &
	18	4023 MT RANIER ST	BAUTISTA POLICARDO
	19	223 MT NEBO ST	DELEON ENRIQUE & MARIA
	20	222 MT SHASTA ST	MIRANDA ALBERTO
	21	223 N ALBROOK ST	RIVERA NALLELI HERNANDEZ &
	22	222 MT NEBO ST	JAIMES ANASTACIO & MARIA
	23	327 N GILPIN AVE	HIG REF2 TX5 LLC
	24	3816 W DAVIS ST	RUNG KRUPA LLC
	25	3848 MT RANIER ST	Taxpayer at

07/10/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	26	3849 MT RANIER ST	ZAMARRON JESUS
	27	3845 MT RANIER ST	CASTILLO MARIA
	28	3841 MT RANIER ST	MARTINEZ MARIA I
	29	3835 MT RANIER ST	OCHOA JOSE SANTOS
	30	3824 DISMOUNT ST	GONZALES JOHN DAVID SR
	31	3828 DISMOUNT ST	Taxpayer at
X	32	3832 DISMOUNT ST	LOPEZ JESSICA M & CHRISTOPHER
	33	3838 DISMOUNT ST	YBARRA JOE ISAAC &
	34	3842 DISMOUNT ST	MIRANDA OCTAVIO
	35	3850 DISMOUNT ST	RICO EDDIE & MONA
	36	3819 DISMOUNT ST	ALONZO ELIAS &
	37	3825 DISMOUNT ST	KLEJNOT LEE R & MARCELLA L
	38	3829 DISMOUNT ST	OLIVER JOHN
	39	3833 DISMOUNT ST	EDWARDS WINSTON WILLIAM LIFE EST
	40	3841 DISMOUNT ST	CUEVAS REYNA ADRIANA DAVILA
	41	3849 DISMOUNT ST	MULLALEY DANIEL J &
	42	3960 W DAVIS ST	EDGEMONT DAVIS APARTMENTS LLC
	43	4024 W DAVIS ST	MAPLES WILLIAM B
	44	3900 DISMOUNT ST	RODRIGUEZ GILIVALDO
	45	3906 DISMOUNT ST	NAVARRO JOSE
	46	3910 DISMOUNT ST	GAONA CATALINA
	47	3914 DISMOUNT ST	GUTIERREZ JOSE JESUS &
	48	3916 DISMOUNT ST	NAVARRO JUANA
	49	3924 DISMOUNT ST	TAI MANAGEMENT LLC
	50	3930 DISMOUNT ST	HUICHAPA MARGARITO & JUANA
	51	3932 DISMOUNT ST	ALCANTARA MARIA MARTHA
	52	3935 DISMOUNT ST	AVILA OLIVIA &
	53	3931 DISMOUNT ST	MENDOZA PEDRO J &
	54	3925 DISMOUNT ST	JAIMES ENRIQUE &

07/10/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
55	3923	DISMOUNT ST	PRESIDIO ALTO LLC
56	3919	DISMOUNT ST	Taxpayer at
57	3913	DISMOUNT ST V	EGA ROSENDO VARGAS & NANCY GUTIERREZ
58	3909	DISMOUNT ST	QUEZADA CARLOS
59	3905	DISMOUNT ST	VILLOBO VICTOR MANUEL
60	3903	DISMOUNT ST	RIVERA ELIDIA ET AL
61	4010	W DAVIS ST	MAPLES WILLIAM B
62	4030	TOP FLIGHT DR	CONCEPCION, ALANIS
63	4026	TRUELITE LN	RODRIGUEZ, VICTOR
64	208	KITTIWAKE CIR	DOMINGUEZ SILVIA
65	5042	KITTIWAKE CIR	VALLAVARES DAVID
66	4018	TRUELITE LN	ALARCON JOSE LUIS
67	4022	TRUELITE LN	DIAZ BRENDA
68	4042	TRUELITE LN	LILAN GALVAN ELANZO
69	4030	FAULTLESS DR	HERRERA MIGUEL
70	4026	FAULTLESS DR	ALVAREZ VICTOR & VANESSA
71	4024	FAULTLESS DR	GUTIERREZ, MARTIN & AGUILAR, MARIA
72	4022	FAULTLESS DR	RIVERA ANTONIO MORENO
73	4006	PINK STAR DR	REYES RITA
74	352	KITTIWAKE CIR	RODRIGUEZ GOZALO & MARIA GONZALES
75	4041	PINK STAR DR B	ARRAZA JESUS
76	4040	PINK STAR DR	CONTRERAS ALEJANDRO
77	4023	PINK STAR DR	GONZALES RAUL
78	4045	TOP FLIGHT DR	RAMIREZ ELIA
79	305	KITTIWAKE CIR	TORRES LUIS V
80	4034	TOP FLIGHT DR	CASTILLO WILMER
81	4026	TOP FLIGHT DR	GUTIERREZ JUAN
82	309	KITTIWAKE CIR	PARADA ARTURO
83	303	KITTIWAKE CIR	GUTIERREZ, ROBERTO

07/10/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
84	221	KITTIWAKE CIR	AGUILAR HECTOR G
85	215	KITTIWAKE CIR	GARCIA, SANTIAGO
86	4101	PINK STAR DR	CASTILLO MARIA RODRIGUEZ
87	4107	PINK STAR DR	AREVALO MIGUEL
88	4109	PINK STAR DR	ALVAREZ MANUEL &
89	200	KITTIWAKE CIR	DAVID LOPEZ
90	214	KITTIWAKE CIR	GARCIA PEDRO J.
91	222	KITTIWAKE CIR	SARBELIO VASQUEZ
92	224	KITTIWAKE CIR	RODRIGUEZ EFRAIN
93	226	KITTIWAKE CIR	RAMIREZ OSCAR
94	234	KITTIWAKE CIR	GONZALEZ JUANITA
95	238	KITTIWAKE CIR	MARTINEZ MARIO
96	242	KITTIWAKE CIR	ALVARADO FRANK
97	300	KITTIWAKE CIR	CASTILLO, IRIS
98	304	KITTIWAKE CIR	PADRON MARILU
99	306	KITTIWAKE CIR	VARGAS, JOSE & AGUILAR, ARACELI
100	308	KITTIWAKE CIR	MONROY ALBERTO
101	312	KITTIWAKE CIR	AVILA JOSE L.
102	316	KITTIWAKE CIR	GUARDADO JORGE LUIS
103	320	KITTIWAKE CIR	GUERRERO ADALBERTO
104	336	KITTIWAKE CIR	PEREZ JAVIER
105	344	KITTIWAKE CIR	DANILO AMAYA
106	4022	PINK STAR DR	JUAREZ CARLOS
107	348	KITTIWAKE CIR	STONETOWN 4 CLAYTON BORROWER LLC
108	5050	KITTIWAKE CIR	LEMUS ALBERTO
109	4006	TRUELITE LN	SALAZAR REYNA
110	4030	TRUELITE LN	CONTRERAS CYNTHIA
111	4034	TRUELITE LN	SAUCEDO FERNANDO
112	4038	TRUELITE LN	GARIBAY JESUS

07/10/2024

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
113	4038	FAULTLESS DR	GARCIA AIDA
114	4014	PINK STAR DR	ESTUVILLO RUSBEL
115	4002	PINK STAR DR	RAMIREZ OSCAR
116	4042	PINK STAR DR	BENNETT BOBBY
117	4038	PINK STAR DR	PATINO JUAN
118	4030	PINK STAR DR	ACUENCA MIGUEL
119	307	KITTIWAKE CIR	RODRIGUEZ JOANNA
120	217	KITTIWAKE CIR	MARES JUAN MANUEL
121	209	KITTIWAKE CIR	TOREZ, SAUL ALFARO
122	207	KITTIWAKE CIR	GALLEGOS ISMAEL & JOSUE MORALES
123	4103	PINK STAR DR	PENA, CHRISTIAN
124	204	KITTIWAKE CIR	ARREGUIN AGUSTIN
125	210	KITTIWAKE CIR	JIMENEZ MARLEY
126	230	KITTIWAKE CIR	SALTO ENRIQUETA
127	328	KITTIWAKE CIR	PENA CATARINO
128	4022	TOP FLIGHT DR	RODRIGUEZ GILBERT
129	332	KITTIWAKE CIR	ESCOBAR ALFREDO
130	4034	FAULTLESS DR	SALTO MARIA
131	340	KITTIWAKE CIR	TOMAS SALZA MANZIA
132	324	KITTIWAKE CIR	CERVANTES HUGO ENRIQUE ANDRADE
133	4010	PINK STAR DR	CURRY THELMA
134	4018	FAULTLESS DR	MONROY ISAAC
135	4018	TOP FLIGHT DR	VALLADARES, MARIA
136	4018	PINK STAR DR	LOPEZ MONICA
137	4026	PINK STAR DR	CUEVAS JOSE LUIS
138	218	KITTIWAKE CIR	ROMERO IRENE
139	4024	ROCK QUARRY RD	TGA PINNACLE BUILDINGS B LLC
140	4038	ROCK QUARRY RD	GATEWAY CLARK INC