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CITY SECRETARY DALLAS, TEXAS

City of Dallas

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1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201



City Plan Commission

February 6, 2025
Briefing - 9:00 AM
Public Hearing - 12:30 PM



CITY PLAN COMMISSION MEETING THURSDAY, FEBRUARY 6, 2025 AGENDA

BRIEFINGS: Videoconference/Council Chambers* 9:00 a.m.

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

PUBLIC HEARINGS: Videoconference/Council Chambers* 12:30 p.m.

Public hearings will not be heard before 12:30 p.m.

PURPOSE: To consider the attached agendas.

New City Plan Commission webpage.

* All meeting rooms and chambers are located in Dallas City Hall, 1500 Marilla, Dallas, Texas

The City Plan Commission meeting will be held by videoconference and in the Council Chambers, 6th Floor at City Hall. Individuals who wish to listen to the meeting, may participate by video by joining Cisco Webex Link: https://bit.ly/CPC-020625 or by calling the following phone number: Webinar number: (Webinar 2496 436 9071) password: dallas (325527 from phones)) and by phones: +1-469-210-7159 United States Toll (Dallas) or +1-408-418-9388 United States Toll (Access code: 2496 436 9071 Password (if required) 325527.

Individuals and interested parties wishing to speak must register with the Department of Planning and Development by registering online at https://dallascityhall.com/government/Boards-and-Commissions/City-Plan-and-Zoning-Commission/Pages/Meetings.aspx or call (214) 670-4209, by 3:00 p.m., Wednesday, February 5, 2025, eighteen (18) hours prior to the meeting date and time.

Las personas y las partes interesadas que deseen hablar deben registrarse en el Departamento de Planificación y Desarrollo registrándose en línea en https://dallascityhall.com/government/Boards-and-Commissions/City-Plan-and-Zoning-Commission/Pages/Meetings.aspx o llamando al (214) 670-4209, antes de las 3:00 p.m. del miércoles, 5 de febrero de 2025, dieciocho (18) horas antes de la fecha y hora de la reunión.

The public may attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person. The City of Dallas will make "Reasonable Accommodations/Modifications" to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation(interpreter) to fully participate in the meeting should notify the Department of Planning and Development by emailing yolanda.hernandez@dallas.gov, calling (214) 670-4209 or TTY (800) 735-2989, at least seventy-two (72) hours (3 days) prior to the scheduled meeting. A video stream of the meeting will be available twenty-four (24) hours after adjournment by visiting https://dallastx.new.swagit.com/views/113.

Se anima al público a asistir a la reunión virtualmente; sin embargo, la audiencia está disponible para aquellos que deseen asistir en persona. La ciudad de Dallas llevará a cabo "Adecuaciones/Modificaciones Razonables" a los programas y/u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio, y/o traducción (intérprete) para poder participar de forma íntegra en la reunión debe notificar a Departamento de Planificación y Desarrollo enviando un correo electrónico a yolanda.hernandez@dallas.gov, llamando al (214) 670-4209 o TTY (800) 735-2989, por lo menos setenta y dos (72) horas (3 días) antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en https://dallastx.new.swagit.com/views/113.

AGENDA CITY PLAN COMMISSION MEETING THURSDAY, FEBRUARY 6, 2025 ORDER OF BUSINESS

The City Plan Commission meeting will be held by videoconference and in the Council Chambers, 6th Floor at City Hall. Individuals who wish to speak in accordance with the City Plan Commission Rules of Procedure must sign up with the Department of Planning and Development's Office.

The public may attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person.

The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the City Plan Commission meeting on Spectrum Cable Channel 16 and bit.ly/cityofdallastv:

https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m785b5e6af27135c6ecb0757c9ac35557

Public hearings will not be heard before 12:30 p.m.

BRIEFING ITEMS

APPROVAL OF MINUTES

ACTION ITEMS:

ZONING DOCKET:

ZONING CASES – CONSENT Items 1-24

ZONING CASES – UNDER ADVISEMENT Items 25-29

ZONING CASES – INDIVIDUAL Items 30-31

SUBDIVISION DOCKET:

SUBDIVISION CASES – CONSENT Items 32-38

LANDMARK APPEAL: Item 39

OTHER MATTERS:

CONSIDERATION OF APPOINTMENTS TO CPC COMMITTEES

ADJOURMENT

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propriedad."

CALL TO ORDER

BRIEFINGS:

PUBLIC TESTIMONY:

APPROVAL OF MINUTES:

Approval of Minutes of the January 23, 2025 City Plan Commission Hearing.

ACTIONS ITEMS:

ZONING DOCKET:

Zoning Cases - Consent:

1. <u>25-512A</u> An application for a for an amendment to Planned Development District No. 655, on the southwest corner of Potters House Way and Truth Drive.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to a revised amended

conceptual plan.

Applicant: Michael Woods, Clay Academy, Inc.

Representative: Caludio Segovia, Johnson Volk Consulting, Inc.

Planner: Jenniffer Allgaier, M. Arch, AICP

Council District: 3 **Z245-148(JA/SAS)**

<u>Attachments:</u> <u>Z245-148(JA/SAS) Case Report</u>

Z245-148(JA/SAS) Conceptual Plan

2. 25-513A An application for a Specific

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the southeast corner of Simpson Stuart Road and

Bonnie View Road.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period, subject to a site

plan and conditions.

Applicant: Regus Property 1, LLC

Representative: Karl A. Crawley, MASTERPLAN

Planner: Connor Roberts

Council District: 8 **Z234-334(CR)**

Attachments: Z234-334 (CR) Case Report

Z234-334(CR) Site Plan

3. <u>25-514A</u>

An application for a Specific Use Permit for a commercial amusement (inside) on property zoned Planned Development District No. 619, on the north line of Main Street, east of South Akard Street.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions and a site plan.

Applicant: Hospitality Alliance 1519 Main, LLC

Representative: Rob Baldwin, Baldwin Associates, LLC

Planner: Connor Roberts

Council District: 14

Z234-336(CR)

Attachments: Z234-336(CR) Case Report

Z234-336(CR) Site Plan

4. 25-515A

An application for the amendment to and renewal of Specific Use Permit No. 2115 for an office showroom/warehouse on property zoned Subdistrict 2 within Planned Development No. 535, the C. F. Hawn Special Purpose District No. 3, on the north line of Rylie Crest Drive, east of South St. Augustine Drive.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to amended conditions.

<u>Applicant</u>: Home Lighting & Automation LC Representative: Andrew Ruegg, MASTERPLAN

Planner: Connor Roberts

Council District: 8 **Z234-349(CR)**

Attachments: Z234-349(CR) Case Report

5. **25-516A**

An application for the amendment to and renewal of Specific Use Permit No. 1981 for a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, on the north line of Main Street, east of Malcolm X Boulevard.

<u>Staff Recommendation</u>: <u>Approval</u> for a four-year period with eligibility for automatic renewals for additional four-year periods, subject to amended conditions.

<u>Applicant</u>: 2911 Main, Ltd. <u>Representative</u>: Roger Albright

Planner: Connor Roberts

Council District: 2 **Z234-353(CR)**

Attachments: Z234-353(CR) Case Report

6. **25-518A**

An application for the amendment and renewal of Specific Use Permit No. 2451 for a bar, lounge, or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, west of Crowdus Street.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period, subject to

amended conditions.

<u>Applicant</u>: Club Dada

Representative: Audra Buckley, Permitted Development

Planner: Connor Roberts

Council District: 2 **Z245-105(CR)**

Attachments: Z245-105(CR) Case Report

7. **25-519A**

An application for the amendment and renewal of Specific Use Permit No. 2511 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the northwest corner of Lake June Road and Jim Miller Road.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions.

Applicant: Limestone Assets, LLC

Representative: Andrew Ruegg, MASTERPLAN

Planner: Connor Roberts

Council District: 5
Z245-107(CR)

Attachments: Z245-107(CR) Case Report

8. **25-520**A

An application for the amendment and renewal of Specific Use Permit No. 370 for a child-care facility and a community service center on property zoned R-5(A) Single Family Subdistrict within Planned Development District No, 595, The South Dallas/Fair Park Special Purpose District, on the north corner of Leland Avenue and Marburg Street.

<u>Staff Recommendation</u>: <u>Approval</u> for a ten-year period, subject to conditions.

Applicant: Dallas Bethlehem Center

Representative: Jami Russell Planner: Cherrell Caldwell

Council District: 7 **Z234-310(WK/CC)**

Attachments: Z234-310(CC) Case Report

9. **25-521A**

An application for a new Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned CR Community Retail District and a P(A) Parking District, on the west line of Inwood Road north of Lovers Lane.

Staff Recommendation: Approval for a three-year period, subject to a site

plan and conditions.

Applicant: Prescott Interests
Representative: La Sierra Group

Planner: Cherrell Caldwell

Council District: 13 **Z234-333(WK/CC)**

Attachments: Z234-333(CC) Case Report

Z234-333(CC) Site Plan

10. <u>25-522A</u>

An application for the amendment and renewal of Specific Use Permit No. 1450 for an open-enrollment charter school on property zoned R-7.5(A) Single Family District, on the southwest corner of West Illinois Avenue and Chalmers Street, on the south line of Bakersfield Street, and on the north line of Engle Avenue.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to an amended site plan, amended traffic management plan, and conditions.

Applicant: Rob Baldwin Planner: Lori Levy, AICP

Council District: 3 **Z234-351(LL)**

Attachments: Z234-351(LL) Case Report

Z234-351(LL) Site Plan

Z234-351(LL) Landscape Plan

Z234-351(LL) Traffic Management Plan

11. 25-523A

An application for an MU-1 Mixed Use District on property zoned CR Community Retail District, on the northeast corner of Singleton Boulevard and Navaro Street.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to deed restrictions volunteered

by the applicant.

<u>Applicant</u>: WDA Properties, LLC - Annamari Lannon Representative: Audra Buckley, Permitted Development

Planner: Lori Levy, AICP

Council District: 6 **Z245-106(LL)**

Attachments: Z245-106(LL) Case Report

12. **25-524A**

An application for the amendment and renewal of Specific Use Permit 2284 for a tattoo studio on property zoned Subdistrict 1A in Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the south line of Parkhouse Street, and the north line of Continental Avenue, west of Core Street.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for auto-renewals with additional five-year periods, subject to site plan and conditions.

Applicant: Jason Call / Pristine Ink, LLC

Planner: Lori Levy Council District: 6 **Z245-123(LL)**

<u>Attachments:</u> <u>Z245-123(LL) Case Report</u>

Z234-123(LL) Site Plan

13. **25-525A**

An application for an amendment to Specific Use Permit No. 2353 for an auto service center on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the southwest corner of North Riverfront Boulevard and Pittsburg Street.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for autorenewal for additional five year periods, subject to a site plan and conditions.

<u>Applicant</u>: David Nguyen <u>Planner</u>: LeQuan Clinton

Council District: 6 **Z234-298(LC)**

<u>Attachments:</u> <u>Z234-298(LC) Case Report</u>

14. 25-526A

An application for an amendment to Planned Development District No. 822, on property bound by Forney Road, Wimbleton Way, Chariot Drive, and Lomax Drive.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to an amended development plan and amended conditions.

Applicant: Dallas Independent School District

Representative: Elsie Thurman, Land Use Planning & Zoning Services

Planner: LeQuan Clinton

Council District: 7 **Z234-322(LC)**

Attachments: Z234-3

Z234-322(LC) Case Report
Z234-322(LC) Development Plan

15. **25-527A**

An application for an amendment to and renewal of Specific Use Permit No. 2392 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall on property zoned an FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shopfront Overlay, on the northeast corner of Botham Jean Blvd and South Boulevard.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewal for additional five year periods, subject to a site plan and conditions.

Applicant: Shawanna Sullemon

Planner: LeQuan Clinton

Council District: 7 **Z234-329(LC)**

Attachments: Z234-329(LC) Case Report

16. 25-528A

An application for a CS Commercial Service District on property zoned a R-10(A) Single Family District, on the east line of Quietwood Drive, between Interstate 20 and Kingsland Road.

<u>Staff Recommendation</u>: <u>Approval</u>. <u>Applicant</u>: Mesquite Tree Service, LLC

Planner: LeQuan Clinton

Council District: 8 **Z234-345(LC)**

Attachments: Z234-345(LC) Case Report

17. **25-529**A

An application for the termination of Deed Restriction Z834-294 on property zoned a CR Community Retail District, on the south line of Bruton Road, between North Prairie Creek Road and Riverway Drive.

<u>Staff Recommendation</u>: <u>Approval</u>. <u>Applicant</u>: Amar Daddy Only, Inc.

Representative: Diana Gomez, Building Scale

Planner: LeQuan Clinton

Council District: 5 **Z234-350(LC)**

Attachments: Z234-350(LC) Case Report

18. **25-530**A

An application to amend a portion of deed restrictions [Z045-239] on property zoned an R-10(A) Single Family District with deed restrictions [Z045-239], on the northeast line of Middlefield Road, southeast of Bicentennial Lane.

<u>Staff Recommendation</u>: <u>Approval</u>. Applicant: Century Communities, Inc.

Representative: Tommy Mann, Winstead PC

Planner: Martin Bate Council District: 8 **Z234-268(MB)**

Attachments: Z234-268(MB) Case Report

19. **25-531A**

An application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District, on the north line of Forest Lane, east of Schroeder Road.

<u>Staff Recommendation</u>: <u>Approval</u>. Applicant: Zachariah Manning

Planner: Martin Bate Council District: 10 Z234-331(MB)

Attachments: Z234-331(MB) Case Report

20. **25-532**A

An application for the termination of deed restrictions [Z023-163 and a portion of Z812-139] on property zoned an MU-3 Mixed Use District with deed restrictions [Z023-163 and Z812-139], on the north line of LBJ Freeway, east of Coit Road.

Staff Recommendation: Approval.

Applicant: Jonathan Tooley [Gateway Tower LLC]

Representative: Chelsea Thurman

Planner: Martin Bate Council District: 11 **Z234-343(MB)**

Attachments: Z234-343(MB) Case Report

21. **25-533**A

An application for a Planned Development District for TH-3(A) Townhouse District uses on property zoned a CR Community Retail District with deed restrictions [Z889-234], on a portion between Marsh Lane and Betty Jane Lane, north of Walnut Hill Lane.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to a conceptual plan and

conditions.

Applicant: MM 10056 Marsh, LLC

Representative: Prabha Cinclair [Cinclair Law, PLLC]

Planner: Martin Bate Council District: 13 **Z234-352(MB)**

Attachments: Z234-352(MB) Case Report

Z234-352(MB) Conceptual Plan

22. **25-534A**

An application for an amendment to Specific Use Permit No. 798 for a Mining of Sand and Gravel use on property zoned an A(A) Agricultural District, on the southwest line of Kleberg Road between US 175 Frontage Road and Jordan Valley Road.

Staff Recommendation: Approval, subject to an amended site plan and

conditions.

Applicant: Mesquite Landfill TX, LP

Representative: Weaver Consultants Group, LLC

Planner: Michael Pepe Council District: 8 Z212-131(MP)

Attachments:

Z212-131(MP) Case Report Z121-131(MP) Site Plan

23. 25-535A

An application for a CS Commercial Service District with deed restrictions volunteered by the applicant and to maintain the areas with a D-1 Liquor Control Overlay on property zoned a CR Community Retail District and CS District with a D-1 Overlay, and an R-7.5(A) Single Family District, on the southeast line of South Belt Line Road, southwest of C.F. Hawn Freeway.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to deed restrictions volunteered by the applicant.

Applicant: Milan Nguyen (sole owner), MNCN Development, LLC

Representative: Karl A. Crawley, Masterplan

Planner: Sarah May, AICP

Council District: 8 **Z234-277(GB/SM)**

<u>Attachments:</u> <u>Z234-277(SM) Case Report</u>

24. **25-536A**

An application for a Specific Use Permit for a private recreation center, club, or area on property located in an NS(A) Neighborhood Service District, on the west line of Marsh Lane, south of Monet Place.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

Applicant: Jinting Chen

Representative: Lindsay Mayer, Dynamic Engineering Consultants, PC

Planner: Sarah May, AICP

Council District: 12 **Z245-109(SM)**

Attachments: Z245-109(SM) Case Report

Z245-109(SM) Site Plan

Zoning Cases - Under Advisement:

25. **25-537A**

An application for a Planned Development District for MU-2 Mixed Use District uses on property zoned a CR Community Retail District, on the southeast corner of Preston Road and Belt Line Road.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to a conceptual plan, a development plan, and staff's recommended conditions.

Representative: Masterplan, Lee Kleinman and Andrew Ruegg

Planner: Jennifer Muñoz

U/A From: December 5, 2024 and January 23, 2025.

Council District: 11 **Z212-358(JM)**

Attachments:

Z212-358(JM) Case Report

Z212-358(JM) Conceptual Plan Z212-358(JM) Development Plan

Z212-358(JM) Traffic Impact Analysis Volume Z212-358(JM) Traffic Impact Analysis Volume 2

26. 25-538A

An application for 1) a TH-3(A) Townhouse District; and 2) the termination of deed restrictions [Z167-361] on property zoned an NO(A) Neighborhood Office District, on the southeast corner of North Hampton Road and Calypso Street.

Staff Recommendation: Approval.

Applicant: Niraj Puri Planner: LeQuan Clinton

U/A From: October 24, 2024 and November 21, 2024.

Council District: 6
Z234-195(LC)

Attachments: Z234-195(LC) Case Report

27. **25-539**A

An application for the renewal of Specific Use Permit No. 2269 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay, on the northeast corner of South Buckner Boulevard and Forney Road.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions.

Applicant: Bert & Bob Investment Co.

Representative: Andrew Ruegg, MASTERPLAN

<u>Planner</u>: Connor Roberts <u>U/A From</u>: January 23, 2025.

Council District: 7 **Z234-111(CR)**

Attachments: Z234-111(CR) Case Report

28. **25-541A**

An application for a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District bound by Cedar Springs Road, Maple Avenue, North Pearl Street, and McKinney Avenue.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to a conceptual plan, development plan, Subarea A landscape plan, Subarea B landscape plan, and staff's recommended conditions.

<u>Applicant</u>: GPIF TC Owner LLC Representative: Victoria Morris

Planner: Martin Bate

U/A From: January 23, 2025.

<u>Council District</u>: 14 <u>**Z234-243(MB)**</u>

Attachments:

Z234-243(MB) Case Report

Z234-243(MB) Conceptual Plan Z234-243(MB) Development Plan

Z234-243(MB) Landscape Plan Subarea A Z234-243(MB) Landscape Plan Subarea B 29. **25-542A**

An application for an amendment to Planned Development District No. 917 on the northwest line of Manor Way, between Maple Avenue and Denton Drive.

Staff Recommendation: Approval, subject to amended conditions

Applicant: DLF Denton, LLC

Representative: Tommy Mann and Daniel Box, Winstead PC

Planner: Martin Bate

<u>U/A From</u>: January 23, 2025.

Council District: 2 **Z234-326(MP)**

Attachments: Z234-326(MP) Case Report

Zoning Cases - Individual:

30. 25-543A

An application for a Specific Use Permit for a motor vehicle fueling station on property zoned Light Commercial/Office Area 1 Subdistrict within Planned Development District No. 631, the West Davis Special Purpose District, on the north line of West Davis Street, east of North Walton Walker Boulevard.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period, subject to a site plan and staff's recommended conditions.

Applicant: Houshang Jahvani, P.E.

Planner: Connor Roberts

Council District: 6 **Z234-327(CR)**

Attachments:

Z234-327 (CR) Case Report

Z234-327(CR) Site Plan

31. 25-544A

An application for an amendment to Specific Use Permit No. 2107 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north corner of Ramona Avenue and East Overton Road.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions.

Applicant: Jay Y. Lee Planner: Wilson Kerr Council District: 4 **Z234-346(CR)**

Attachments: Z234-346(CR) Case Report

SUBDIVISION DOCKET:

Consent Items:

32. 25-548A An application to create one 1.006-acre lot from a tract of land in City Block

6970 on property located on Gladiolus Lane, west of Deerfield Lane.

Applicant/Owner: Joshua Gallini, Garcia Enterprise Trust

<u>Surveyor</u>: Texterra Surveying, LLC <u>Application Filed</u>: January 8, 2025

<u>Zoning</u>: R-10(A)

Staff Recommendation: Approval, subject to compliance with the

conditions listed in the docket.

<u>Planner</u>: Hema Sharma

<u>Council District</u>: 3

COAF OCO

S245-068

Attachments: S245-068 Case Report

S245-068 Plat

33. 25-549A An application to replat a 3.9839-acre tract of land containing all of Lots 3

through 11 in City Block 952 and all of Lots 1, 2 and 12 through 15 in City Block 953 and abandoned 20-foot alley to create one lot, on property bounded by Cedar Springs Road, Routh Street, Howell Street and Fairmount Street.

Applicant/Owner: Royal 2500 Cedar Springs LLC

Surveyor: Kimley-Horn and Associates, Inc.

Application Filed: January 8, 2025

Zoning: PD 1109

Staff Recommendation: Approval, subject to compliance with the conditions

listed in the docket.

<u>Planner</u>: Hema Sharma
<u>Council District</u>: 14

S245-069

Attachments: S245-069 Case Report

S245-069 Plat

34. **25-550**A

An application to create one 11.7806-acre lot from a tract of land in City Block

8339, on property located on Davis Street, east of Dwight Street.

<u>Applicant/Owner</u>: JPI, Alireza Eskandarlou <u>Surveyor</u>: Kimley-Horn and Associates, Inc.

Application Filed: January 8, 2025

Zoning: MF-2(A)

Staff Recommendation: Approval, subject to compliance with the conditions

listed in the docket.

<u>Planner</u>: Hema Sharma
<u>Council District</u>: 1

S245-070

Attachments: S245-070 Case Report

S245-070 Plat

35. **25-551A**

An application to replat a 0.4890-acre tract of land containing all of Lots 22 through 24 in City Block 2/1529 to create one lot on property located on Travis Street at Oliver Street, southwest corner.

Applicant/Owners: Mike Giambrone, Giambrone Design District Projects,

LLC

Surveyor: Urban Strategy

Application Filed: January 8, 2025

Zoning: PD 193 (MF-2)

Staff Recommendation: Approval, subject to compliance with the conditions

listed in the docket.

<u>Planner</u>: Hema Sharma
<u>Council District</u>: 14

S245-071

Attachments: S245-071 Case Report

S245-071 Plat

36. **25-552**A

An application to create a 90-lot single family subdivision with lots ranging in size from 3,570.95 square feet to 21,796.73 square feet and 7 common areas and to dedicate rights-of-way from 26.634-acre tract of land, on property located on St. Augustine Road, north of Lake June Road.

<u>Applicant/Owner</u>: Jonathon Bazan, Dallas County <u>Surveyor</u>: Hannah Surveying & Engineering LLC

Application Filed: January 9, 2025

Zoning: PD 1117

Staff Recommendation: Approval, subject to compliance with the conditions

listed in the docket.

<u>Planner</u>: Hema Sharma

<u>Council District</u>: 5

S245-072

Attachments: S245-072 Case Report

S245-072 Plat

37. 25-553A An application to create one 1.000-acre lot from a tract of land in City Block

5800, on property located on Military Parkway, east of Dolphin Road.

Applicant/Owner: Texas Pro Land, LLC

Surveyor: ARA Surveying

Application Filed: January 9, 2025

Zoning: IM

Staff Recommendation: Approval, subject to compliance with the conditions

listed in the docket.

<u>Planner</u>: Hema Sharma
<u>Council District</u>: 7

S245-073

Attachments: S245-073 Case Report

S245-073 Plat

38. 25-554A An application to create one 2.071-acre lot and to dedicate a right-of-way

from 2.387-acre tract of land in City Block 5217, on property located on Park

Lane at Abrams Road, northwest corner.

Applicant/Owner: 8787 Park Lane LLC

Surveyor: Eagle Surveying

Application Filed: January 9, 2025

Zoning: CR

<u>Staff Recommendation</u>: <u>Approval</u>, subject to compliance with the conditions

listed in the docket.

<u>Planner</u>: Hema Sharma
<u>Council District</u>: 13

S245-075

Attachments: S245-075 Case Report

S245-075 Plat

LANDMARK APPEAL:

39. <u>25-555A</u> An appeal of the Landmark Commission's decision of denial without

prejudice to replace eighteen (18) of the historic wood windows on the main

structure with vinyl units (unauthorized work).

Staff Recommendation: Deny without prejudice.

<u>Landmark Commission Recommendation:</u> **Deny without prejudice**.

Planner: Marcus Watson

Council District: 2

Location: 4605 Sycamore St.

CA245-019(MW)

Attachments: The Record

Transcript
City Brief

Appellant Brief

OTHER MATTERS:

Consideration of Appointments to CPC Committees:

ADJOURNMENT

<u>CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS</u>

Thursday, February 6, 2025

THOROUGHFARE COMMITTEE MEETING – Thursday, February 6, 2025, at 8:00 a.m. at City Hall, Council Chambers, 6th Floor, and by videoconference, to consider **(1)** Grady Niblo Thoroughfare Plan Amendment - Amendment to the City of Dallas Thoroughfare Plan to change; (1) the designation of Grady Niblo Road between Mountain Creek Parkway and Merrifield Road from a standard six-lane divided principal arterial roadway in 107 feet of right-of-way (S-6-D) to a minimum four-lane divided minor arterial roadway in 80 feet of right-of-way (M-4-D(A)); and (2) the designated alignment of the unbuilt portion of the roadway. The public may attend the meeting via the videoconference link: https://bit.ly/CPCTC020625.

There will be no ARTS DISTRICT SIGN ADVISORY COMMITTEE (ADSAC) MEETING Tuesday, August 9, 2023

Tuesday, February 11, 2025

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING Tuesday, February 11, 2025, a.m., Room at 10:00 in 5BN at City Hall and by video conference via https://bit.ly/SSDAC021125.

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

- 1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
- 2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
- 3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
- 4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
- 5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
- discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
- deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a for an amendment to Planned Development District No. 655, on the southwest corner of Potters House Way and Truth Drive.

Staff Recommendation: Approval, subject to a revised amended conceptual plan.

Applicant: Michael Woods, Clay Academy, Inc.

Representative: Caludio Segovia, Johnson Volk Consulting, Inc.

Planner: Jenniffer Allgaier, M. Arch, AICP

Council District: 3 Z245-148(JA/SAS)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Jenniffer Allgaier, M. Arch, AICP

FILE NUMBER: Z245-148(JA/SAS) DATE FILED: January 6, 2025

LOCATION: Southwest corner of Potters House Way and Truth Drive

COUNCIL DISTRICT: 3

SIZE OF REQUEST: Approx. 21.538 acres CENSUS TRACT: 48113016521

REPRESENTATIVE: Claudio Segovia, Johnson Volk Consulting, Inc.

APPLICANT: Michael Woods, Clay Academy, Inc.

OWNER: Clay Academy, Inc.

REQUEST: An application for an amendment to Planned Development

District No. 655.

SUMMARY: The purpose of the request is to amend the conceptual plan

[Exhibit 655A] to revise the boundary lines of subdistricts 1, 3, 4, 5, and 6 so that existing platted lot 1, block V/8710 [the Clay Academy Addition] is wholly contained within subdistrict 6. No

changes are proposed to the text of the ordinance.

STAFF RECOMMENDATION: <u>Approval</u>, subject to a revised amended conceptual

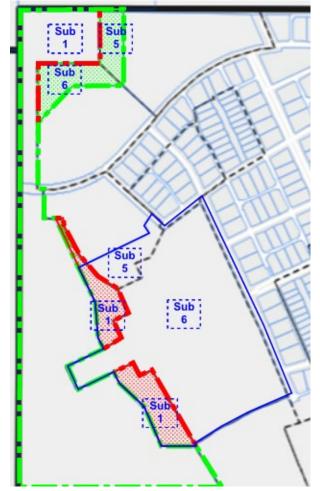
plan.

Planned Development District No. 655:

https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=655

BACKGROUND INFORMATION:

- The area of request for the current application is platted lot 1, block V/8710. [Plat S234-183, recorded in September 2004]
- The subject property contains parts of subdistricts 1, 5, and 6 of Planned Development District (PD) No. 655 (see image, below right, with area of request outlined in blue), which was established in June 2003 on property previously zoned PD No. 545.
- Although typically recorded at time of creation of a Planned Development District, a conservation easement was recorded in 2006, three years after the creation of PD No. 655.
- PD No. 655 requires that a conservation easement be placed over all of Subdistrict 1; however, there is a discrepancy between the boundaries of Subdistrict 1 (red line in image at right) and the boundaries of the recorded conservation easement (green line in image at right).
- The portions of Subdistrict 1 within the current area of request (red hatch in image at right) were not included in the conservation easement. Land area elsewhere in the PD that is outside of Subdistrict 1 (green hatch in image at right) was included in the conservation easement. The conceptual plan was never updated to reflect these changes, however, and a portion of the area of request is left undevelopable as a result.
- The current request seeks to align the subarea boundaries with the boundary of the recorded conservation easement, so that all of lot 1, block V/8710, is wholly contained within subarea 6.



- The applicant proposes to amend the conceptual plan [Exhibit 655A] in the vicinity of the area of request only. No changes to the text of the ordinance or to any other exhibits are requested by the applicant.
- Any future development of the property, unless developed for single family, requires a development plan approved by City Plan Commission.

Zoning History:

There have been three zoning change requests on two properties in the area within the last five years.

- 1. **Z190-270:** On October 15, 2020, City Plan Commission recommended denial without prejudice of an application for an IR Industrial Research District on property zoned an A(A) Agricultural District on the west line of South Merrifield Road, west Texas State Highway Spur 408.
 - **Z212-165:** On September 28, 2022, City Council denied without prejudice an application for a Planned Development District for specific residential and nonresidential uses on property zoned an A(A) Agricultural District on the west line of South Merrifield Road, west of Texas State Highway Spur 408.
- 2. **Z234-301:** On January 22, 2025, City Council approved an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication limited to a monopole cellular tower for a ten-year period with eligibility for automatic renewal for additional ten-year periods on property zoned an A(A) Agricultural District on the south line of West Kiest Boulevard, east of Mountain Creek Parkway.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Proposed ROW
Gideons Way	Local	-
Truth Drive	Local	-
Potters House Way	Local	-

Traffic:

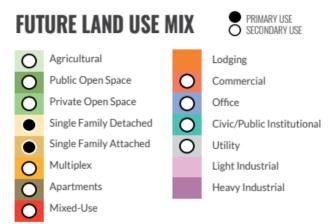
No development is proposed as part of the current request; however, the approval of the request would expand the developable area of the property by approximately 6,000 square feet of land area.

Traffic impact will be considered in conjunction with any future development plan applications and at permitting. However, due to the limited increase in developable area, staff does not anticipate any significant impact to the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

In September 2024, forwardDallas! (2.0), an update to the 2006 Comprehensive Plan, was adopted by City Council and outlines several goals and policies which can serve as a framework for assisting in evaluating an applicant's request. The current area of request is within the Community Residential (CR) Placetype, which is primarily made up of single-family homes; however, a mix of sensitively integrated housing types can be found in many of these areas. Parks,

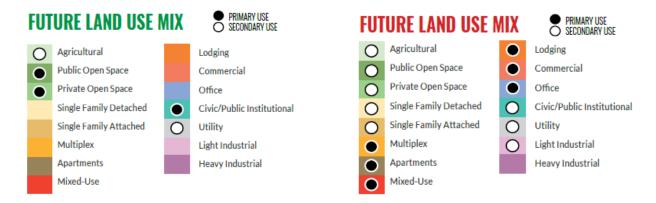


schools, and places of worship interspersed throughout these areas provide focal points for community activity.

Community Residential Placetype Application

- **CR A-1** Strategic planning is needed in this placetype to help determine the appropriate mix of land uses and infrastructure improvements to promote multi-modal connectivity within the neighborhood and to surrounding neighborhoods, public spaces, commercial, and mixed use areas.
- **CR A-4** Changes to areas within Community Residential neighborhoods should look to add housing in a way that is gentle, equitable, incremental, and sensitive to the existing context, while doing so in a manner that strengthens these neighborhoods and incorporates inclusive community engagement efforts. Incompatible multiplex, townhome, duplex, triplex, and apartment development should be located outside of existing single-family neighborhoods.

Land areas in the wider vicinity to the west and north of the current request site are noted as within the Regional Open Space (RO) Placetype (graphic below, left) and the Community Mixed-Use (CM) Placetype (graphic below, right), respectively.



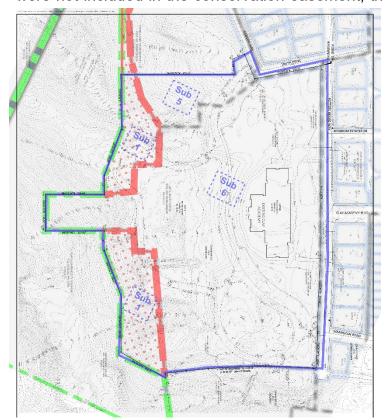
Land Use Compatibility:

The following table describes the zoning and land uses for the area of request and surrounding areas.

	Zoning	Land Use
Site	PD No. 655 (subdistricts 1, 5, and 6)	Undeveloped; educational facility
North	PD No. 655 (subdistrict 3, 4, 5, and 6)	Single family; undeveloped; conservation easement
East	PD No. 655 (subdistricts 4 and 5)	Single family
South	PD No. 655 (subdistricts 1,3, 5, and 6)	Conservation easement; undeveloped
West	PD No. 655 (subdistrict 1)	Conservation Easement

The image below overlays the requested boundary changes on top of the existing recorded plat, with the area of request outlined in blue. Although the red-hatched areas were not included in the conservation easement, these areas remain undevelopable as

long as they are within the boundaries of subdistrict 1.



With the current request, the applicant seeks to amend the conceptual plan so that the area of request is wholly contained within subdistrict 6, thereby allowing development on the entire platted lot. No other boundary changes are requested, and no changes to the text of the ordinance or to any other exhibits are included in the application.

Extensive community input and the public hearing process during the original zoning action establishing PD No. 655 resulted in a detailed vision for the area.

Although no development is proposed under the current

request, the requested expansion of developable area within subdistrict 6 towards the existing boundary of the conservation easement is consistent with the mix of uses envisioned for the Community Residential Placetype and with the stated goals of the PD No. 655 ordinance, itself.

Key goals, stated within the PD ordinance, supported by this request include the following:

- Combine uses so that citizens have to leave the community only for medical care, bigticket entertainment, specialized shopping, out-of-town business, and tourism.
- Provide a wide variety of housing types, accommodating a broad range of ages and incomes.
- Ensure that new buildings are harmonious with each other.
- Place residences, shops, workplaces, and civic buildings with close proximity.

Except for single-family uses or a nonresidential use developed in conjunction with a single-family use, a development plan that complies with the conceptual plan and the PD No. 655 ordinance must be approved by the City Plan Commission prior to the issuance of a building permit.

Staff recommends approval of the current request, subject to a revised amended conceptual plan. Revisions are only needed for plan clean-up and to ensure all table values are correct per the requirements of the PD.

Landscaping:

Landscaping and tree preservation must be provided in accordance with Article X, as amended, and with the provisions of PD No. 655. A landscape plan will be required at permitting and will be thoroughly reviewed for compliance with these standards.

Parking:

Off-street parking and loading must be provided in accordance with Division 51A-4.200 except as modified by the conditions of PD No. 655 for all uses to be located on the property.

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 target intervention strategies more precisely 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 located within an "E" MVA area.

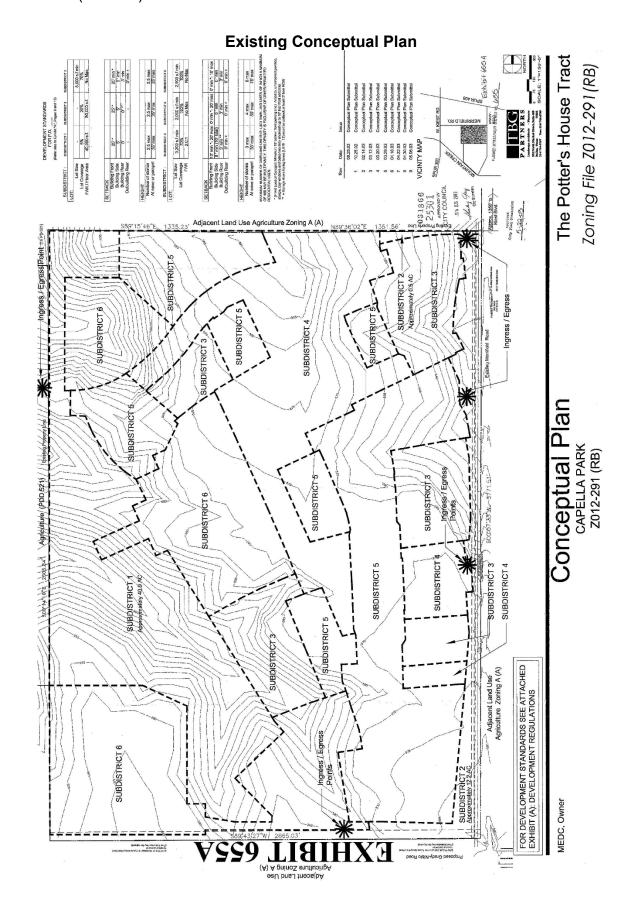
Board Members and Officers

Clay Academy Board Members:

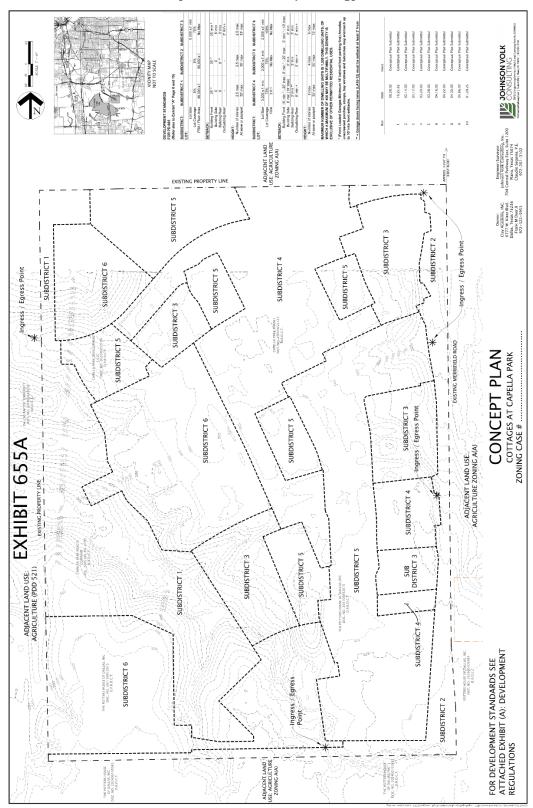
Frank Dyer Alvin James Gerald Robinson

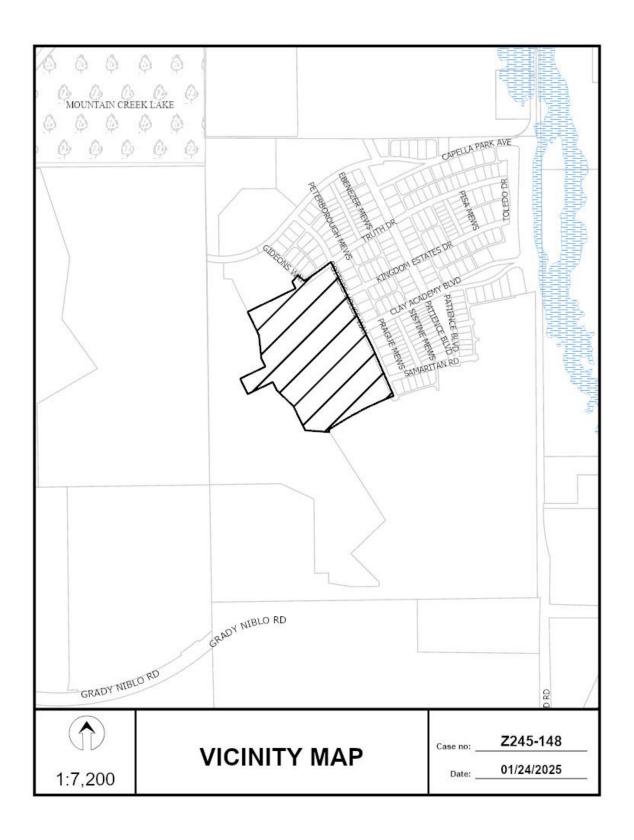
Clay Academy Officers:

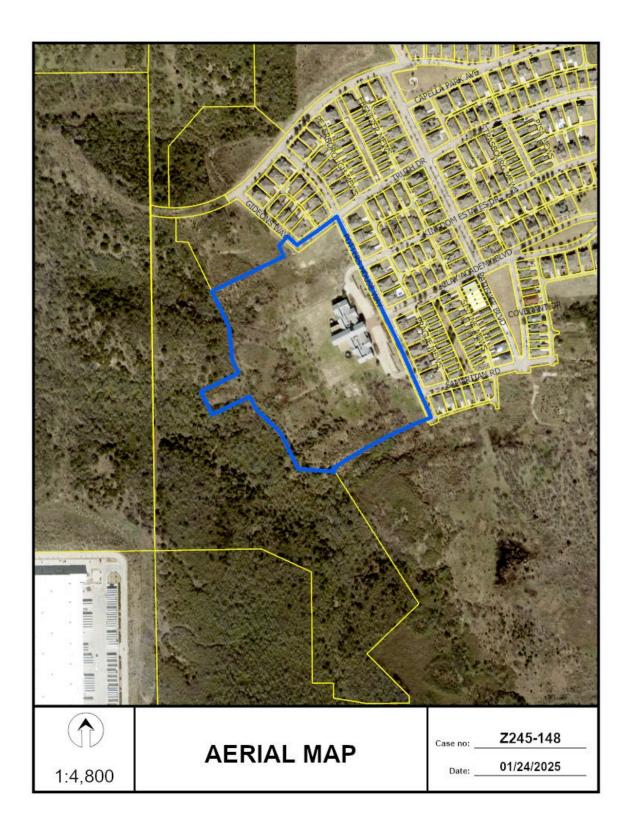
Alvin James – President & Secretary **Susan McCarthy** – Treasurer

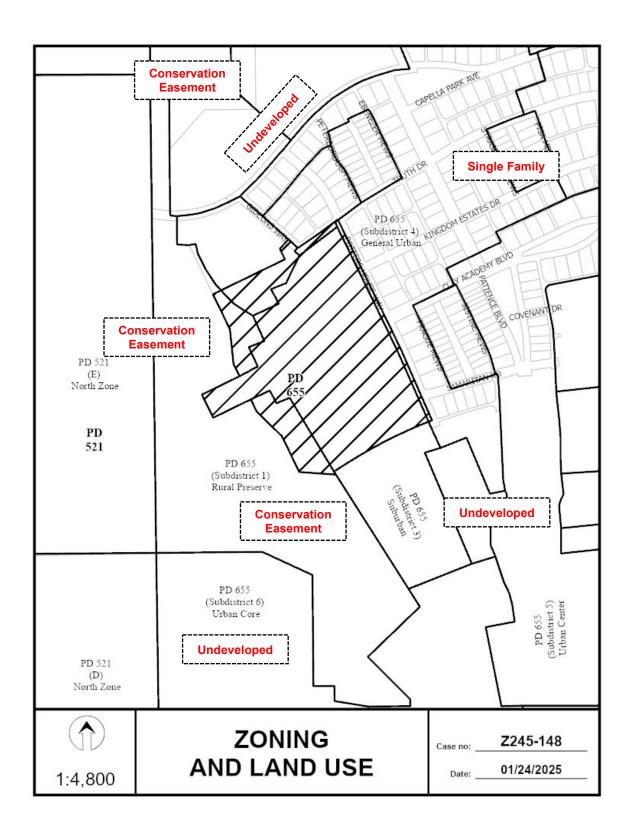


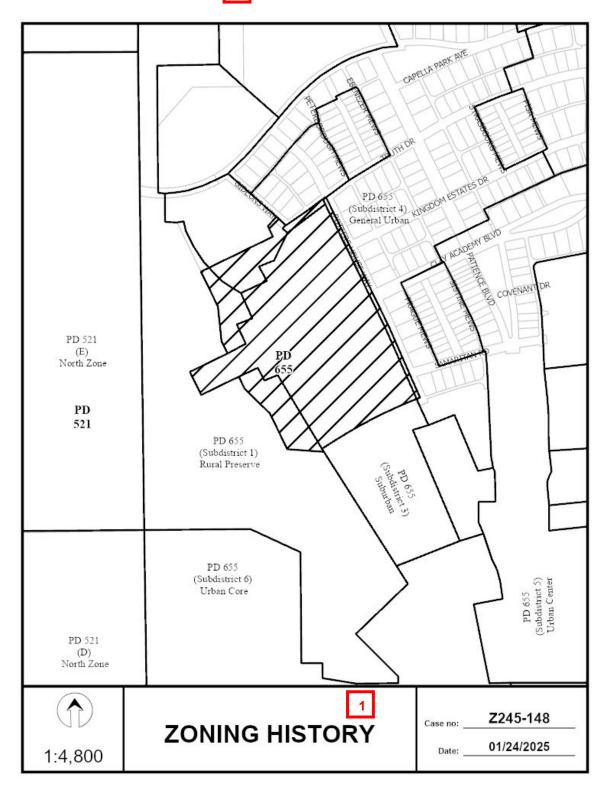
Proposed Amended Conceptual Plan [minor revisions pending]

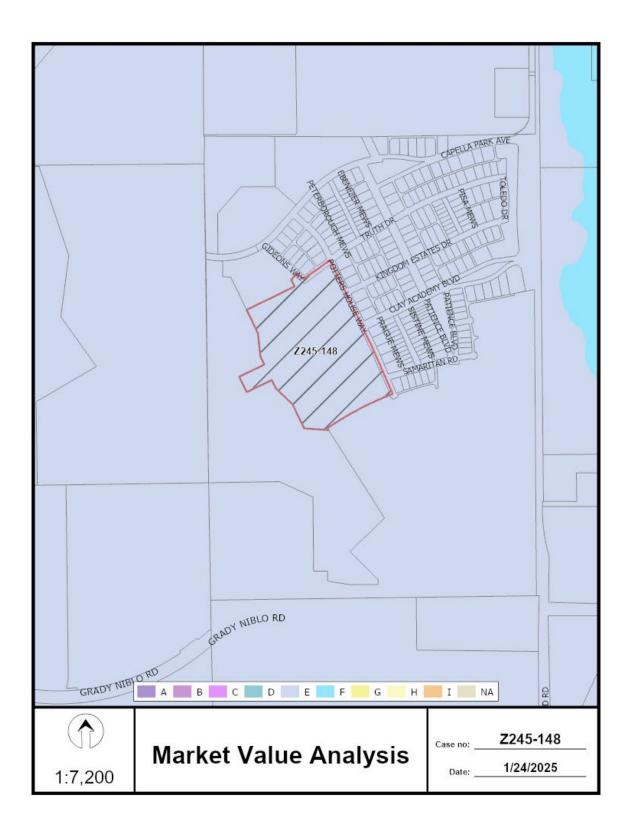


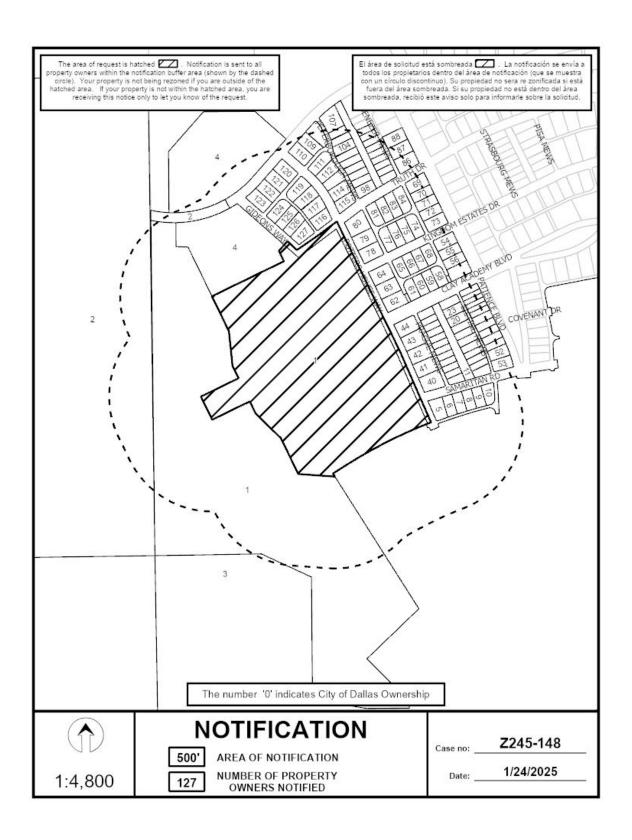












01/24/2025

Notification List of Property Owners Z245-148

127 Property Owners Notified

Label #	Address		Owner
1	6900	W KIEST BLVD	CLAY ACADEMY INC
2	4006	MOUNTAIN CREEK PKWY	DALLAS BAPTIST UNIVERSITY
3	6900	W KIEST BLVD	POTTERS HOUSE OF DALLAS INC
4	3505	GIDEONS WAY	CAPELLA PARK DEVELOPMENT I LLC
5	7022	SAMARITAN RD	OLIVARES JOSE LUIS &
6	7018	SAMARITAN RD	CARRASCO ANGELINA &
7	7014	SAMARITAN RD	POMPA FERNANDO
8	7010	SAMARITAN RD	Taxpayer at
9	7006	SAMARITAN RD	GRAHAM TAYNA
10	7002	SAMARITAN RD	GARCIA SANDRA &
11	1	CLAY ACADEMY BLVD	CAPELLA PARK HOMEOWNERS
12	3737	SISTINE MEWS	JEFFERSON WILBUR III &
13	3735	SISTINE MEWS	SMOTHERS MARCUS & MONICA
14	3733	SISTINE MEWS	CUEVAS CESAR CONSTANTINO JR &
15	3731	SISTINE MEWS	BLACKFORD HALEY
16	3727	SISTINE MEWS	LYON NATHALIE
17	3723	SISTINE MEWS	BREWSTER ADRIAN
18	3719	SISTINE MEWS	YE MAI
19	3715	SISTINE MEWS	BAF ASSETS 5 LLC
20	3711	SISTINE MEWS	ATCHISON VINCENT &
21	3703	PATIENCE BLVD	CAPITAL VENTURES UNLIMITED LLC
22	3705	PATIENCE BLVD	FUNSO TITILAYO J
23	3707	SISTINE MEWS	ALMANZA ROGELIO &
24	3703	SISTINE MEWS	ANTONELL CARLES & WELLS JAMIE B
25	3702	PRAGUE MEWS	BRECKENRIDGE PROPERTY FUND
26	3704	PRAGUE MEWS	OLVERA MANUEL ADONAI

Label #	Address		Owner
27	3706	PRAGUE MEWS	RAYFORD JARROD &
28	3708	PRAGUE MEWS	BREWSTER KATHLEEN &
29	3708	PRAGUE MEWS	WADE LYNN C &
30	3710	PRAGUE MEWS	ELY KELTON
31	3712	PRAGUE MEWS	ASHUN WILLIAM
32	3714	PRAGUE MEWS	Taxpayer at
33	3716	PRAGUE MEWS	Taxpayer at
34	3707	PATIENCE BLVD	DREW KENDALL L
35	3709	PATIENCE BLVD	EDSTROM BRYAN J &
36	3718	PRAGUE MEWS	HIDALGO EDISSON M RAMOS
37	3720	PRAGUE MEWS	JONES FRANCHOTT & LANA
38	3722	PRAGUE MEWS	ROSS JERRELL BENET &
39	3724	PRAGUE MEWS	TEMMINCK BARBARA J
40	3326	POTTERS HOUSE WAY	DEMAURO ROBERT J &
41	3320	POTTERS HOUSE WAY	Taxpayer at
42	3314	POTTERS HOUSE WAY	STAREK PAULA JEAN &
43	3308	POTTERS HOUSE WAY	CATHEY NATESHA W & VICTOR CATHEY
44	3302	POTTERS HOUSE WAY	HENDERSON KIMBERLY M
45	3711	PATIENCE BLVD	CHIANG DANIEL &
46	3713	PATIENCE BLVD	RB NEELY III
47	3717	PATIENCE BLVD	HARRIS HANNAH HEATHER
48	3721	PATIENCE BLVD	LUEVANO RENE & JUANA ADATILIA
49	3725	PATIENCE BLVD	ADEKUNLE ADETAYO & ADEDOYIN
50	3729	PATIENCE BLVD	MILEM ZACHARY & SARAH
51	3733	PATIENCE BLVD	REIS BRIDGET &
52	3737	PATIENCE BLVD	CORTES HENRY &
53	3741	PATIENCE BLVD	SYED NAUMAN &
54	3633	PATIENCE BLVD	FRANKE STEVEN T
55	3637	PATIENCE BLVD	FERNANDEZBARRAZA EUGENIA
56	3641	PATIENCE BLVD	GABRIEL CALVIN J
57	3645	PATIENCE BLVD	RAWAL SAMSHER &

Label #	Address		Owner
58	7003	CLAY ACADEMY BLVD	ALLEN MORGAN
59	7007	CLAY ACADEMY BLVD	CHRISTMAS DERRON & NIKKI
60	7011	CLAY ACADEMY BLVD	DENG MIN
61	7015	CLAY ACADEMY BLVD	SHELLEY DEXTER
62	3254	POTTERS HOUSE WAY	REBOLI DANIELLE
63	3248	POTTERS HOUSE WAY	YANG MING & CHRISTOPHER BRYAN SALAS
64	3242	POTTERS HOUSE WAY	GURROLAGOMEZ GERARDO
65	7014	KINGDOM ESTATES DR	Taxpayer at
66	7010	KINGDOM ESTATES DR	PRICE BRYSON & ELZA J
67	7006	KINGDOM ESTATES DR	GUIMONT SHEREE M
68	7002	KINGDOM ESTATES DR	SPITZ STEVEN &
69	3605	PATIENCE BLVD	WARE BRUCE & RHONDALYNNE
70	3609	PATIENCE BLVD	AARON MANCE &
71	3615	PATIENCE BLVD	GARCIA JOSE L
72	3619	PATIENCE BLVD	PEREZ JOSE & MARIA
73	3623	PATIENCE BLVD	MCCAIN MATTHEW SETH
74	7003	KINGDOM ESTATES DR	BRANCH YVETTE C
75	7007	KINGDOM ESTATES DR	NIEMTSCHK DOUGLAS GENE &
76	7011	KINGDOM ESTATES DR	Taxpayer at
77	7015	KINGDOM ESTATES DR	MORGAN HAROLD EST OF
78	3236	POTTERS HOUSE WAY	MARGARET HUFF & NELSON III
79	3230	POTTERS HOUSE WAY	EMPRESAS LA FE LLC
80	3224	POTTERS HOUSE WAY	PARHAM WILLIE & VANA
81	7014	TRUTH DR	WALKER JASHAWN B
82	7010	TRUTH DR	CAMPBELL CHRISTOPHER C &
83	7006	TRUTH DR	SEVERE MARLEINE
84	7002	TRUTH DR	PHAN AI
85	1	CAPELLA PARK AVE	ARCADIA LAND PTNRS 20 LTD
86	3527	PATIENCE BLVD	GRAY JEFFREY BRYCE & LIZETH
87	3521	PATIENCE BLVD	ROMINE LINDSAY
88	3515	PATIENCE BLVD	GODINEZ SIMON

Label #	Address		Owner
89	3507	EBENEZER MEWS	SEASE STEPHEN &
90	3509	EBENEZER MEWS	LIM FAMILY LIVING TRUST THE &
91	3511	EBENEZER MEWS	PEREZ KATHERINE VELASQUEZ
92	3513	EBENEZER MEWS	GARZA SUSANNA & ANDRES
93	3515	EBENEZER MEWS	JOHNSON BRIDGET
94	3517	EBENEZER MEWS	VAN ANDREW &
95	3519	EBENEZER MEWS	TREVINO KAREN L
96	3521	EBENEZER MEWS	SALINAS CESAR E &
97	3523	EBENEZER MEWS	GOODMAN CHALONDA
98	3534	PETERBOROUGH MEWS	COOK MARK ANDREW &
99	3530	PETERBOROUGH MEWS	HOPPEL BRYCE N
100	3524	PETERBOROUGH MEWS	MCNEIL STEFAN
101	3522	PETERBOROUGH MEWS	MUNOZ FELIX & DIOSELINA
102	3518	PETERBOROUGH MEWS	SAUNDERS DAVID L & MELANIE O
103	3514	PETERBOROUGH MEWS	ROSEMANROSS KOURTNEY Q &
104	3510	PETERBOROUGH MEWS	SIAS IRASEMA NOHEMI
105	3506	PETERBOROUGH MEWS	HENSLEY KIA
106	3504	PETERBOROUGH MEWS	WEHSENER CHARLES A &
107	7018	CAPELLA PARK AVE	HUANG MING FEND & LI YING
108	7030	CAPELLA PARK AVE	CLARK SHERRY
109	7036	CAPELLA PARK AVE	RICCI CAESAR A & PAULA M
110	7042	CAPELLA PARK AVE	LYNES AUSTIN
111	3202	POTTERS HOUSE WAY	RUGAMBAMAZIMA VINCENT K &
112	3206	POTTERS HOUSE WAY	TANG VANNA
113	3210	POTTERS HOUSE WAY	MOLINA ROBERT & ASTRIA
114	3214	POTTERS HOUSE WAY	GRAEBEL RELOCATION SERVICES
115	3218	POTTERS HOUSE WAY	WILLIAMS JIMMY
116	3221	POTTERS HOUSE WAY	ALMANZA CYNTHIA LUISA
117	3215	POTTERS HOUSE WAY	JENKINS MAE L & HOWARD JR
118	3209	POTTERS HOUSE WAY	Taxpayer at
119	3203	POTTERS HOUSE WAY	THOMPSON CHELSIE &

Label #	Address		Owner
120	7050	CAPELLA PARK AVE	NAVA ROSSEVEN C
121	7056	CAPELLA PARK AVE	SOMERSMORALES JOSEPH REVOCABLE TR
122	7062	CAPELLA PARK AVE	GILLESPIE DAMON & JEANNIE
123	7068	CAPELLA PARK AVE	HERBERT DARRELL CHRISTOPHER &
124	3504	GIDEONS WAY	PERDUE ALFONZO
125	3508	GIDEONS WAY	JUN WON KANG
126	3512	GIDEONS WAY	HATCHETT JUANITA A
127	3516	GIDEONS WAY	PHILLIPS JACOB & RACHEL



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the southeast corner of Simpson Stuart Road and Bonnie View Road.

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

Applicant: Regus Property 1, LLC

Representative: Karl A. Crawley, MASTERPLAN

Planner: Connor Roberts

Council District: 8 Z234-334(CR)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z234-334(CR) DATE FILED: August 30, 2024

LOCATION: Southeast corner of Simpson Stuart Road and Bonnie View

Road.

COUNCIL DISTRICT: 8

SIZE OF REQUEST: $\pm 40,424$ sqft CENSUS TRACT: 48113020200

REPRESENTATIVE: Karl A. Crawley, MASTERPLAN

OWNER/APPLICANT: Regus Property 1, LLC

REQUEST: An application for a Specific Use Permit for the sale of alcoholic

beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay

SUMMARY: The purpose of the request is to allow for the sale of alcoholic

beverages in conjunction with an existing general merchandise or food store (a convenience store) greater than 3,500 square

feet on the site.

STAFF RECOMMENDATION: Approval for a five-year period, subject to a site plan

and conditions.

BACKGROUND INFORMATION:

- The approximately 0.93-acre area of request is currently developed with a multi-tenant commercial building. The subject suite is approximately 3,600 square feet and is occupied by a general merchandise or food store (a convenience store). The remaining suites total approximately 3,000 square feet and are occupied by a personal service use and a restaurant without a drive through.
- Access to the site is granted from abutting Bonnie View Road and Simpson Stuart Road via existing fire lanes.
- Specific Use Permit No. 1860 was previously approved for this site on June 22, 2011, allowing for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet; however, the permit was not properly renewed resulting in its revocation. This application seeks to reinstate the permissions granted under previous Specific Use Permit No. 1860. To do so, a new SUP is required.
- The proposed site plan is identical to the previously approved site plan included within Specific Use Permit No. 1860 (now expired).

Zoning History:

There have been no zoning cases in the area in the last five years:

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Simpson Stuart Road	Principal Arterial	100 feet Bike Plan
Bonnie View Road	Minor Arterial	100 feet Bike Plan

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 will continue review of engineering plans at permitting to comply with city standards.

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.

Land Use:

	Zoning	Land Use
Site	CR Community Retail District with a D-1 Liquor Control Overlay	General merchandise or food store greater than 3,500 square feet; miscellaneous retail center
North	CR Community Retail District	Miscellaneous retail center; general merchandise or food store less than 3,500 square feet
East	CR Community Retail District	Miscellaneous retail center
South	MF-2(A) Multifamily District	Multifamily
West	CR Community Retail District	Vehicle or engine repair or maintenance

Land Use Compatibility:

The approximately 0.93-acre area of request is currently developed with a multi-tenant commercial building. The subject suite is approximately 3,600 square feet and is occupied by a general merchandise or food store (a convenience store). The remaining suites total approximately 3,000 square feet and are occupied by a personal service use and a restaurant without a drive through.

The general merchandise of food store greater than 3,500 square feet is permitted by right per Section 51A-4.122(b)(2)(J); however, the sale of alcoholic beverages requires a Specific Use Permit within a D-1 Liquor Control Overlay.

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

Staff supports the request due to the compatibility with surrounding land uses. Additionally, approval of the request would reinstate a use previously approved by Specific Use Permit No. 1860, which was only rescinded due to failure to renew.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

The Dallas Development Code requires one parking space per 200 square feet of floor area for general merchandise or food store greater than 3,500 square feet uses under 10,000 square feet. Based on the proposed 3,600 square feet of floor area, the suite requires 18 spaces with 40 being provided per the attached site plan.

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 currently in an "H" MVA area.

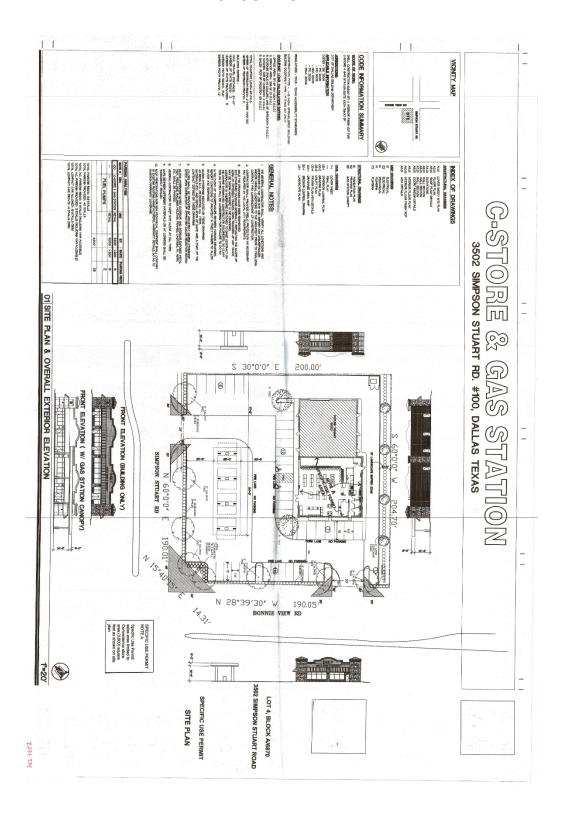
LIST OF OFFICERS

Regus Property 1, LLC
Regus Holdings TX, LLC, Manager
Mustafa Momin, Member
Noureen Momin, Member

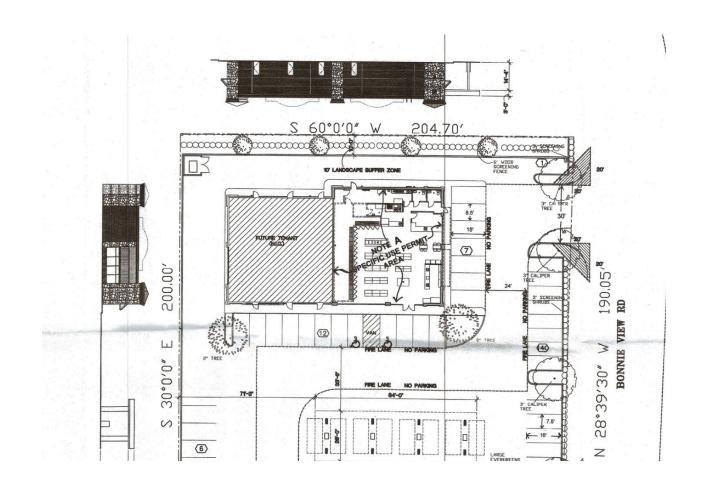
PROPOSED SUP CONDITIONS

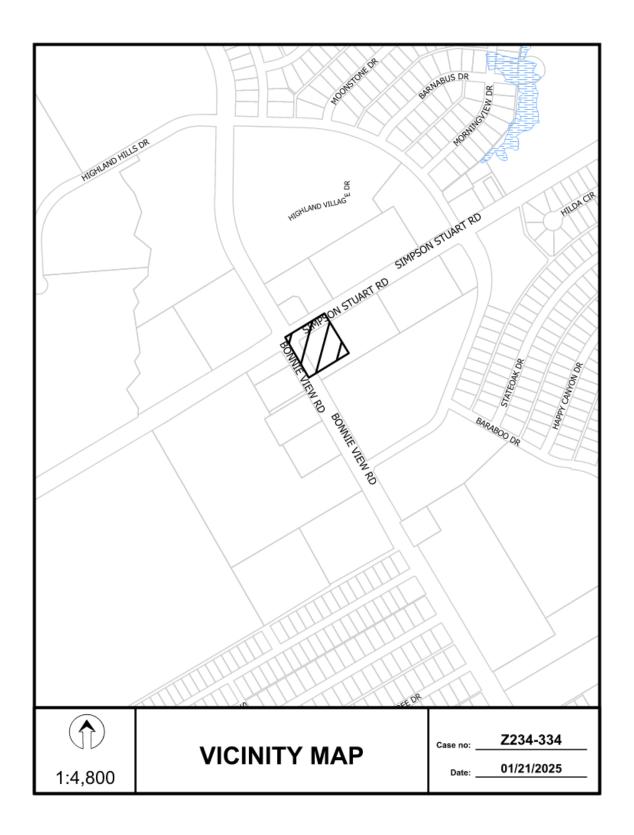
- 1. <u>USE</u>: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. LANDSCAPING: Landscaping must comply with the attached site plan.
- 4. <u>TIME LIMIT</u>: This specific use permit expires on (5 years from the passage of this ordinance).
- 5. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 6. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

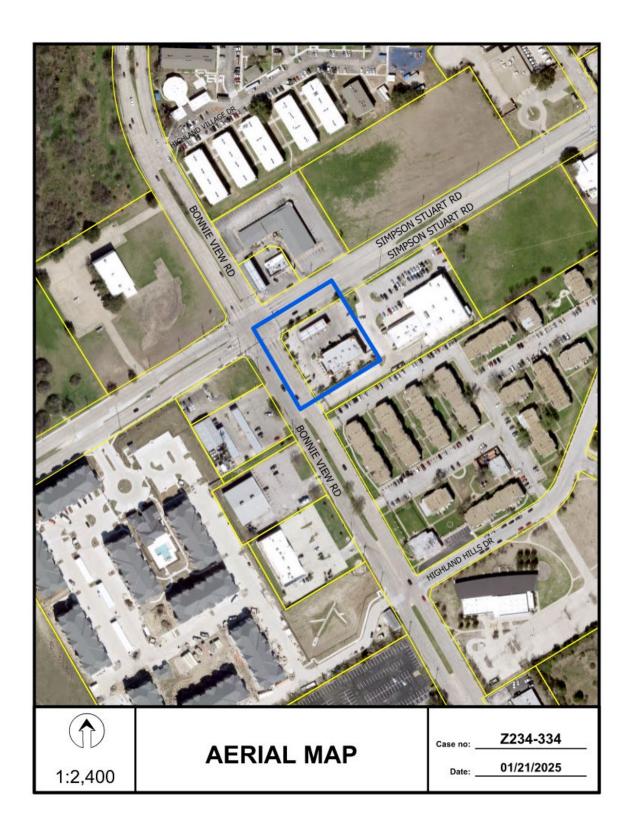
PROPOSED SITE PLAN

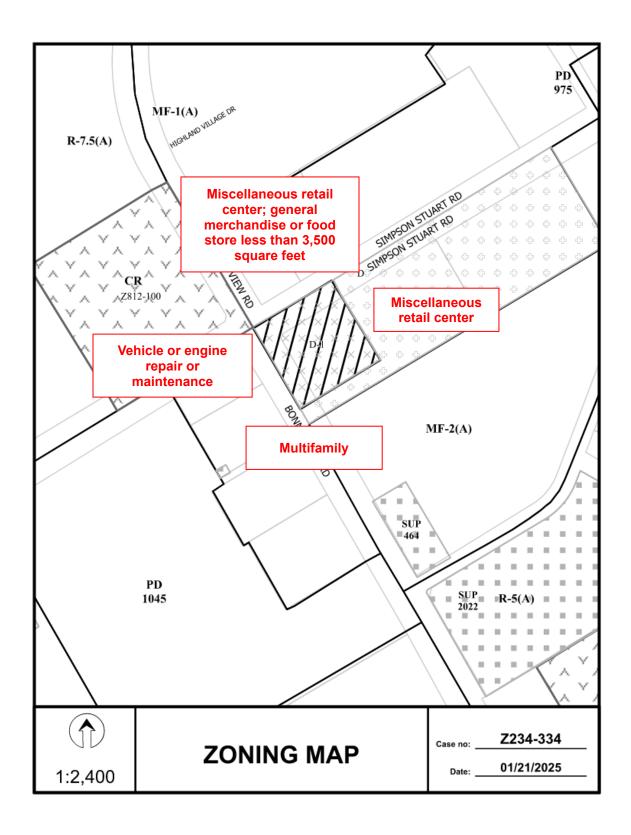


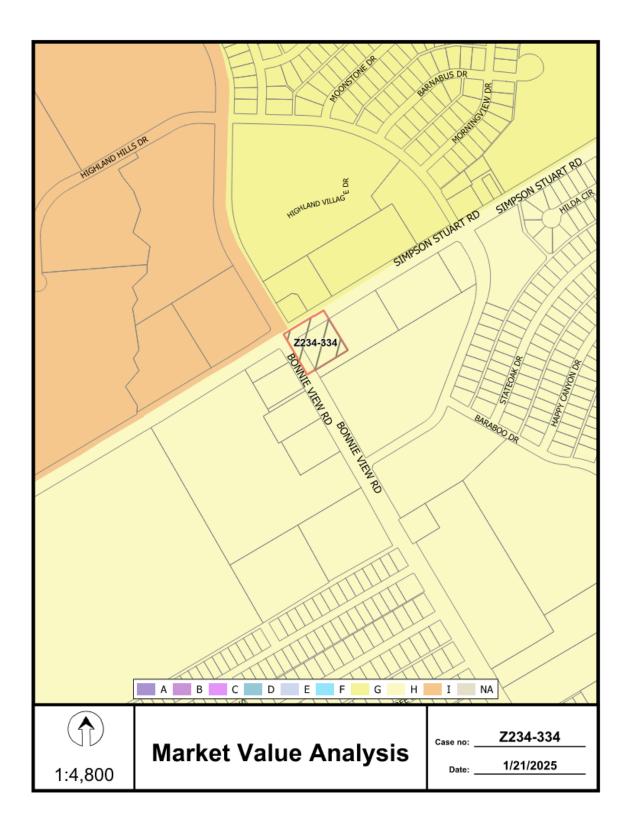
PROPOSED SITE PLAN (ENLARGED)

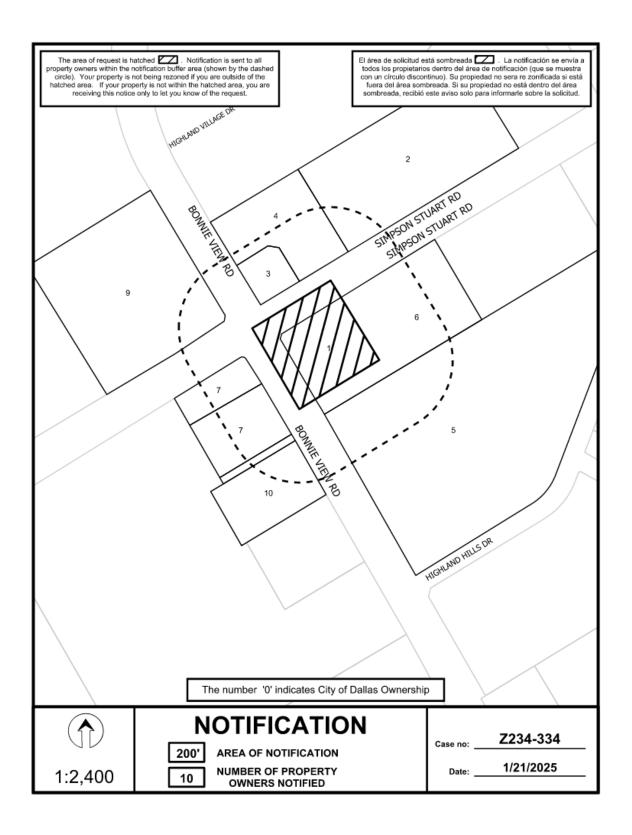












01/21/2025

Notification List of Property Owners Z234-334

10 Property Owners Notified

Label #	Address		Owner
1	3502	SIMPSON STUART RD	REGUS PROPERTY 1 LLC
2	3659	SIMPSON STUART RD	MOUNT TABOR BAPTIST
3	3501	SIMPSON STUART RD	INGRAM & SON CO
4	3515	SIMPSON STUART RD	3515 SIMPSON STUART LLC
5	6271	HIGHLAND HILLS DR	HIGHLAND PARK APARTMENTS LLC
6	3540	SIMPSON STUART RD	SALEH GROUP PROPERTIES
7	6161	BONNIE VIEW RD	KAE INGRAM LEGACY LLC
8	3380	SIMPSON STUART RD	TOWER ASSET SUB INC
9	6061	BONNIE VIEW RD	CITY OF HOPE AND RESTORATION LIFE
10	6171	BONNIE VIEW RD	CENTURY BONNIE LLC



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a Specific Use Permit for a commercial amusement (inside) on property zoned Planned Development District No. 619, on the north line of Main Street, east of South Akard Street. Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to conditions and a site plan.

Applicant: Hospitality Alliance 1519 Main, LLC

Representative: Rob Baldwin, Baldwin Associates, LLC

Planner: Connor Roberts

Council District: 14

Z234-336(CR)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z234-336(CR) DATE FILED: August 30, 2024

LOCATION: North line of Main Street, east of South Akard Street.

COUNCIL DISTRICT: 14

SIZE OF REQUEST: $\pm 2,500$ sqft CENSUS TRACT: 48113003103

REPRESENTATIVE: Rob Baldwin, Baldwin Associates, LLC

OWNER: 1519 Main Property, LP

APPLICANT: Hospitality Alliance 1519 Main, LLC

REQUEST: An application for a Specific Use Permit for a commercial

amusement (inside) on property zoned Planned Development

District No. 619.

SUMMARY: The purpose of the request is to allow a commercial amusement

(inside) use within an existing unit.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for

automatic renewals for additional five-year periods,

subject to conditions and a site plan.

BACKGROUND INFORMATION:

- The approximately 2,500-square-foot area of request is developed with a multi-story building built in 1928. The commercial amusement (inside) use would occupy approximately 4,473 square feet of the existing building, which is currently vacant.
- The proposed request is to allow for commercial amusement (inside) use, which is defined as the following per Section 51A-4.210(b)(7) of the Dallas Development Code: "a facility wholly enclosed in a building that offers entertainment or games of skill to the general public for a fee. This use includes but is not limited to an adult arcade, adult cabaret, adult theater, amusement center, billiard hall, bowling alley, children's amusement center, dance hall, motor track, or skating rink."
- The area of request is located within Subdistricts A, B, and C within Planned Development District No. 619.
- Specific Use Permit No. 1958 allows for an attached projecting non-premise district activity videoboard sign on the western portion of the property. This case does not modify this SUP.

Zoning History:

There have been three zoning cases in the area in the last five years:

- 1. Z212-234: On September 28, 2022, the City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) on property zoned Planned Development District No. 619 with Specific Use Permit No. 2411 for an attached projecting non-premise district activity videoboard sign, located on the northwest line of Elm Street, northeast of North Akard Street.
- 2. **Z201-278:** On December 8, 2021, the City Council approved an application for the renewal of Specific Use Permit No. 1791 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619 with H/37 Kirby Building Historic Overlay, located on the southeast corner of Elm Street and North Akard Street.
- 3. **Z201-269:** On October 13, 2021, the City Council approved an application for the renewal of Specific Use Permit No. 1788 for an attached projecting non-premise district activity videoboard sign on property zoned Planned Development District No. 619, with H/36 Adolphus Historic District Overlay, located on the south line of Main Street, east of South Field Street.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Main Street	Two-way in two directions, on the Central Business District (CBD) Plan	80 feet

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 will continue review of engineering plans at permitting to comply with city standards.

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 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

URBAN DESIGN ELEMENT

GOAL 5.2 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.2 Define urban character in Downtown and urban cores.

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

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

Area Plan(s):

The *Downtown Dallas 360 Plan* was adopted in April 2011 and updated in December 2017. The Plan was adopted as a guide to future City Council actions concerning land use and development regulations, transportation and economic development, and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street.

The area of request is located within the Main Street District, one of the core-supporting districts, as identified by the Plan.

As Downtown's historic heart of commerce, the Main Street District remains the geographic center and primary gathering space for a large, expansive city core. New residential towers and adaptive re-use projects also help to make Main Street a vibrant mixed-use district.

The separate detailed Main Street District Retail Activation Strategy focuses on the core area of Main Street between Harwood and Field. This core of activity is also one of the five Focus Areas studied in greater depth in the 360 Plan. As the Main Street District implements components of the Retail Activation Strategy, the district is envisioned to continue its evolution into a contemporary, dynamic retail destination. Boutique retailers, unique restaurants, and a lively, artistic public realm will complement each other in an exciting environment that is second to none in the region. As the core Retail Activation Area is fully revitalized, blocks in other parts of the Main Street District should embrace improvements to the public realm to spark additional investment along streets such as Commerce and Elm.

Furthermore, the area of request is located within the Primary Retail Area / Activity Node as identified by the Main Street District Retail Activation Strategy proposed by the 360 Plan. By proposing the redevelopment and activation of vacant retail space, staff find the applicant's request is consistent with the *Downtown Dallas 360 Plan*.

Land Use:

	Zoning	Land Use
Site	Subdistricts A, B, and C, within Planned Development District No. 619.	Vacant
North	Subdistricts A, B, and C, within Planned Development District No. 619.	Miscellaneous retail, hotel, multifamily, and restaurant without drive-in or drive-through service uses
East	Subdistricts A, D, and E, within Planned Development District No. 619.	Miscellaneous retail, hotel, multifamily, and restaurant without drive-in or drive-through service uses
South	Subdistricts A, D, and E, within Planned Development District No. 619.	Miscellaneous retail, hotel, multifamily, and restaurant without drive-in or drive-through service uses
West	Subdistricts A, B, and C, within Planned Development District No. 619.	Miscellaneous retail, hotel, multifamily, and restaurant without drive-in or drive-through service uses

Land Use Compatibility:

The approximately 2,500-square-foot area of request is developed with a multi-story building. The commercial amusement (inside) use would occupy approximately 4,473 square feet of the existing building, which is currently vacant. The proposed request is to allow for commercial amusement (inside) use, which is defined as the following per Section 51A-4.210(b)(7) of the Dallas Development Code: "a facility wholly enclosed in a building that offers entertainment or games of skill to the general public for a fee. This use includes but is not limited to an adult arcade, adult cabaret, adult theater, amusement center, billiard hall, bowling alley, children's amusement center, dance hall, motor track, or skating rink."

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the

surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant's request, subject to the attached conditions, is consistent with the intent of the Dallas Development Code. Similar commercial amusement (inside) uses are also found in the surrounding area, including that approved by Specific Use Permit No. 2467 located on the block north of the area of request.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

The proposed development will comply with the requirements of the Dallas Development Code for parking. According to CA-1(A) district regulations, no parking is required for a use located within a building built before 1967.

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 currently in an "F" MVA area.

LIST OF OFFICERS

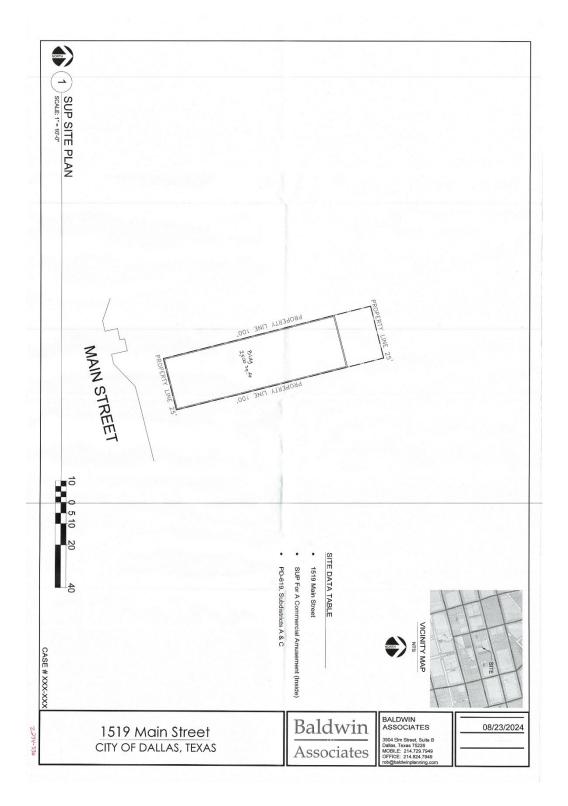
1519 Main Property, LP Scott Remphrey, Owner, General Partner Michael D. Decker, Owner, General Partner

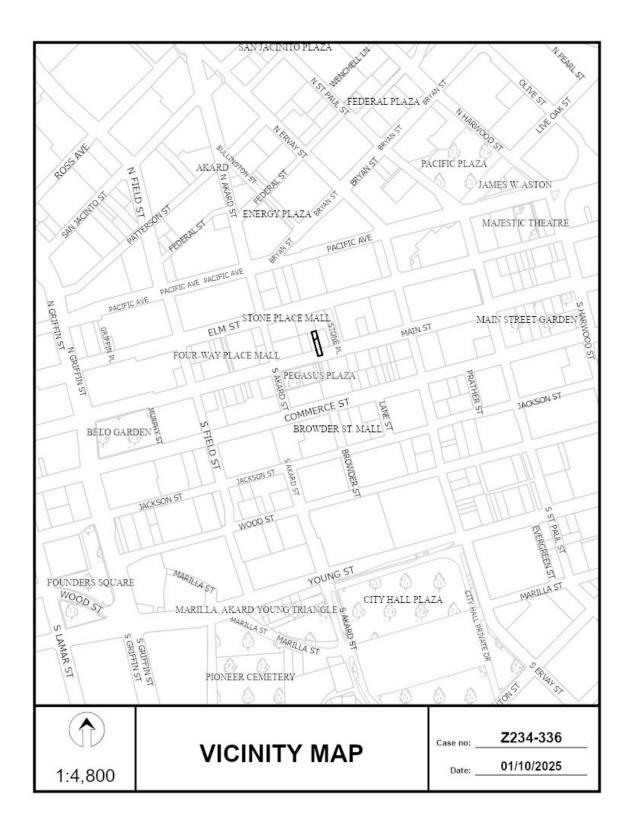
Hospitality Alliance 1519 Main, LLC Kevin P. Lillis, Applicant, President and Managing Principal

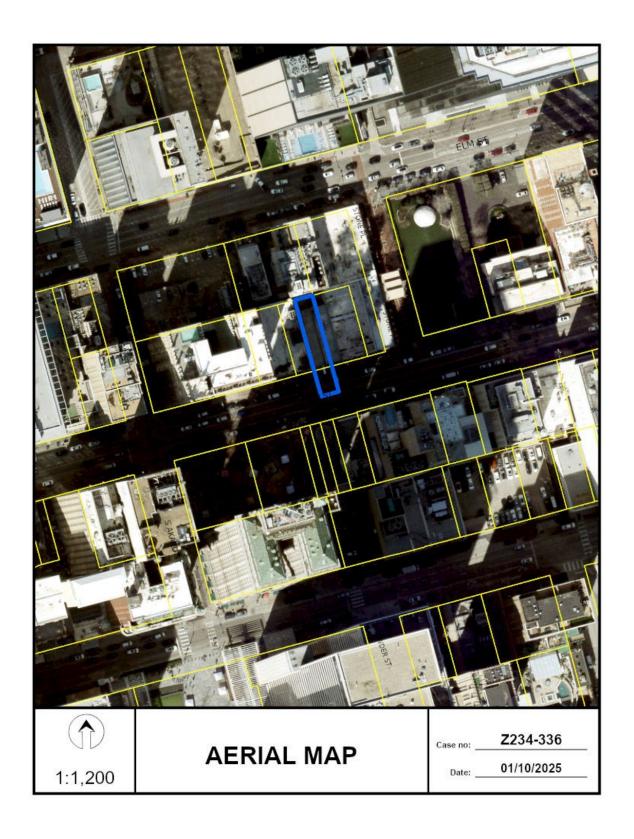
PROPOSED SUP CONDITIONS

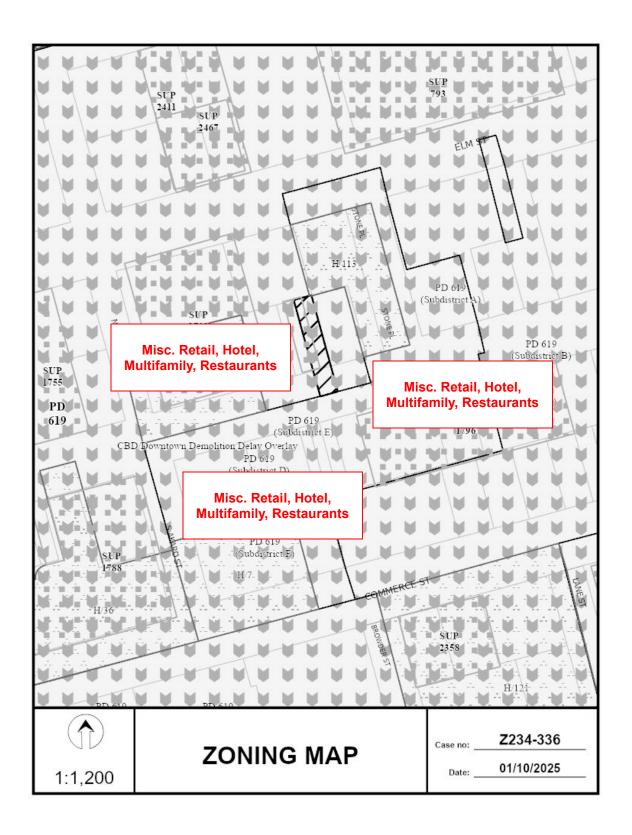
- 1. USE: The only use authorized by this specific use permit is a commercial amusement (inside).
- 2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
- 3. TIME LIMIT: This specific use permit expires on (five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- 4. FLOOR AREA: The maximum floor area for a commercial amusement (inside) is 4,473 square feet.
- 5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

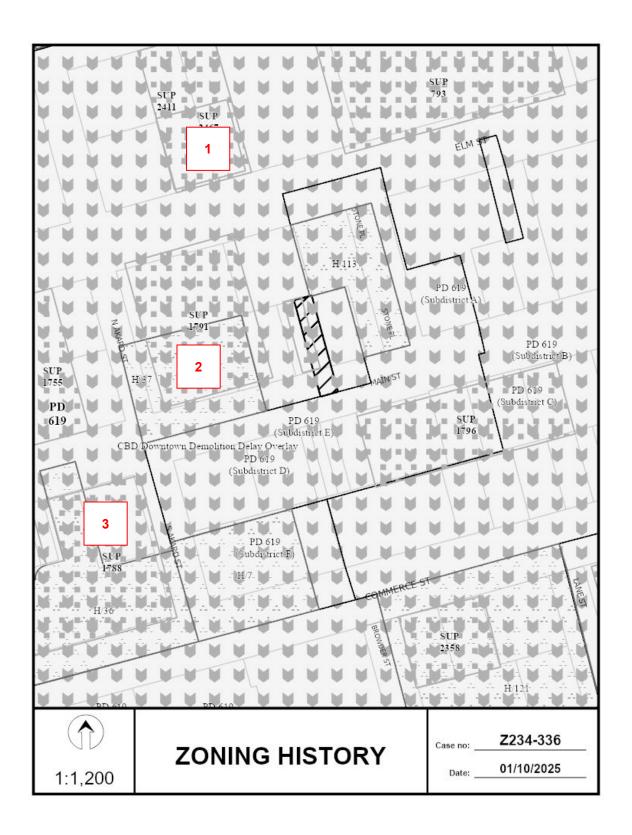
PROPOSED SITE PLAN

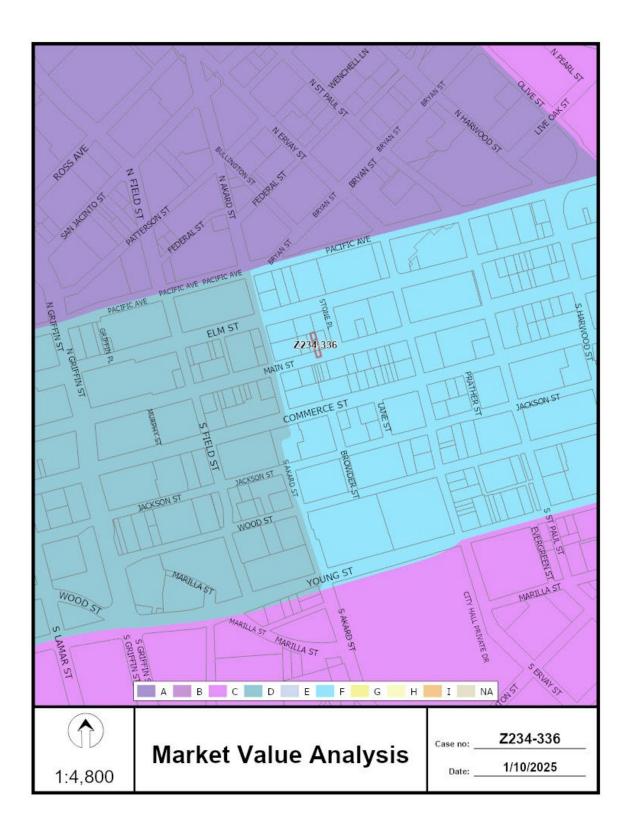


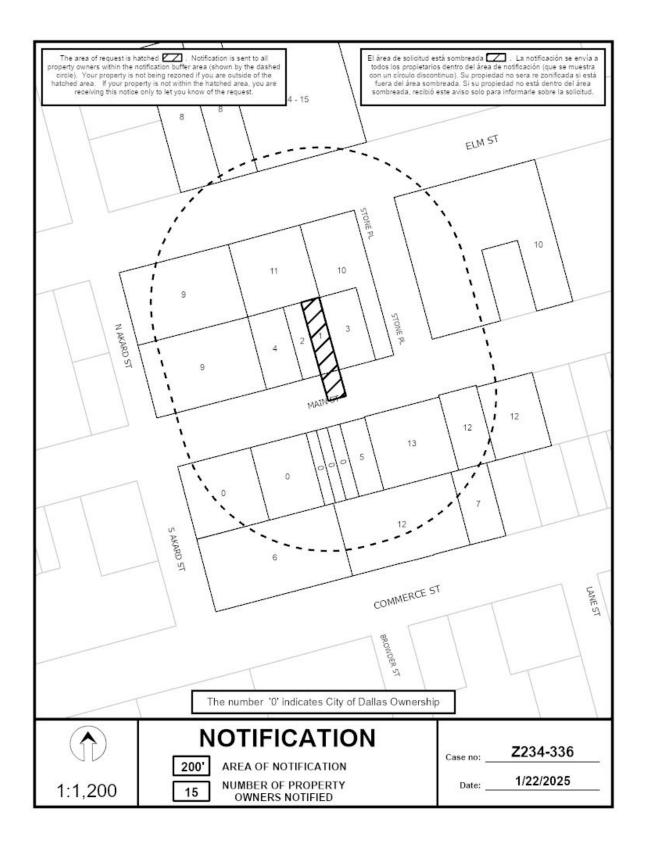












01/10/2025

Notification List of Property Owners Z234-336

15 Property Owners Notified

Label #	Address		Owner
1	1519	MAIN ST	1519 MAIN PROPERTY LP
2	1517	MAIN ST	MEADOWCREST LLC
3	1521	MAIN ST	SJC RC
4	1515	MAIN ST	LEGAL AID OF NORTHWEST TEXAS
5	1520	MAIN ST	1520 MAIN LLC
6	1401	COMMERCE ST	SUPREME BRIGHT DALLAS IV LLC
7	1513	COMMERCE ST	1530 MAIN LP
8	1511	ELM ST	1601 ELM HOLDINGS LP
9	1502	ELM ST	KIRBY APARTMENTS LP THE
10	1520	ELM ST	ELM AT STONEPLACE HOLDINGS LLC
11	1514	ELM ST	MID ELM LP
12	1501	COMMERCE ST	1600 MAIN STREET HOLDINGS LP
13	1530	MAIN ST	DUNHILL 1530 MAIN LP
14	1600	PACIFIC AVE	1600 PACIFIC LANDLORD LLC
15	1555	ELM ST	RBHRIP DALLAS MULTIFAMILY LLC



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

File #: 25-515A Item #: 4.

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the amendment to and renewal of Specific Use Permit No. 2115 for an office showroom/warehouse on property zoned Subdistrict 2 within Planned Development No. 535, the C. F. Hawn Special Purpose District No. 3, on the north line of Rylie Crest Drive, east of South St. Augustine Drive.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to amended conditions.

<u>Applicant</u>: Home Lighting & Automation LC Representative: Andrew Ruegg, MASTERPLAN

Planner: Connor Roberts

Council District: 8 **Z234-349(CR)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z234-349(CR) DATE FILED: September 18, 2024

LOCATION: North line of Rylie Crest Drive, east of South St. Augustine

Drive.

COUNCIL DISTRICT: 8

SIZE OF REQUEST: ± 35,719 sqft **CENSUS TRACT**: 48113011702

REPRESENTATIVE: Andrew Ruegg, MASTERPLAN

OWNER/APPLICANT: Home Lighting & Automation LC

REQUEST: An application for the amendment to and renewal of Specific

Use Permit No. 2115 for an office showroom/warehouse on property zoned Subdistrict 2 within Planned Development No.

535, the C. F. Hawn Special Purpose District No. 3.

SUMMARY: The purpose of the request is to allow for the continued use of

an office showroom/warehouse on the site.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for

automatic renewals for additional ten-year periods,

subject to amended conditions.

BACKGROUND INFORMATION:

- The approximately 0.82-acre area of request is developed with a 12,380-square-foot office showroom/warehouse, with 600 square feet dedicated to office uses and 11,780 square feet dedicated to showroom/warehouse uses.
- On November 12, 2014, the City Council approved Specific Use Permit No. 2115 with an initial timeframe of 5 years, with eligibility for automatic renewal for additional 5year periods. Following the initial renewal in 2019, the applicant is now seeking renewal and an increase in automatic renewal periods from 5- to 10-year periods.
- The proposed request is to continue the operation for an office showroom/warehouse on the property.
- Surrounding uses include miscellaneous light industrial and vehicle/outside storage uses, with a single family neighborhood to the south across Rylie Crest Drive. The subject property is access controlled from Rylie Crest Drive via a wrought iron gate.
- No changes are proposed to the existing site plan.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Rylie Crest Road	Local	50 feet

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 will continue review of engineering plans at permitting to comply with city standards.

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

Land Use:

	Zoning	Land Use
Site	Subdistrict 2 within Planned Development No. 535, the C. F. Hawn Special Purpose District No. 3	Office showroom/warehouse
North	Subdistrict 2 within Planned Development No. 535, the C. F. Hawn Special Purpose District No. 3	Miscellaneous light industrial uses
East	Subdistrict 2 within Planned Development No. 535, the C. F. Hawn Special Purpose District No. 3	Vehicle/outside storage
South	R-7.5(A)	Single family
West	Subdistrict 2 within Planned Development No. 535, the C. F. Hawn Special Purpose District No. 3	Vehicle/outside storage

Land Use Compatibility:

The approximately 0.82-acre area of request is developed with a 12,380-square-foot office showroom/warehouse, with 600 square feet dedicated to office uses and 11,780 square feet dedicated to showroom/warehouse uses. The proposed request is to continue the operation for an office showroom/warehouse on the property. No changes are proposed to the site plan. Additionally, the applicant is seeking to amend the previously approved conditions to permit automatic renewals for additional 10-year periods (an increase from 5-year periods).

Surrounding uses include miscellaneous light industrial and vehicle/outside storage uses, with a single family neighborhood to the south across Rylie Crest Drive. The subject property is access controlled from Rylie Crest Drive via a wrought iron gate.

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

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

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

Per Section 51A-4.200 of the Dallas Development Code, the off-street parking requirements for an office showroom/warehouse use is provided below:

- Office: One space per 333 square feet of floor area.
- Showroom/warehouse: One space per 1,000 square feet of floor area for the first 20,000 square feet. One space per 4,000 square feet of floor area in excess of 20,000 square feet.

The approximately 0.82-acre area of request is developed with a 12,380-square-foot office showroom/warehouse, with 600 square feet dedicated to office uses and 11,780 square feet dedicated to showroom/warehouse uses. Therefore, 14 off-street parking spaces are required, as shown on the proposed site plan.

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 currently in an "H" MVA area.

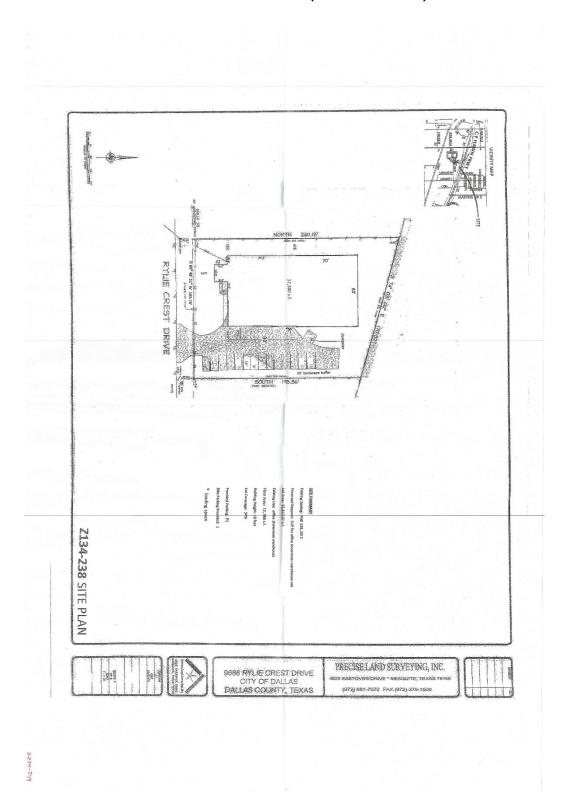
LIST OF OFFICERS

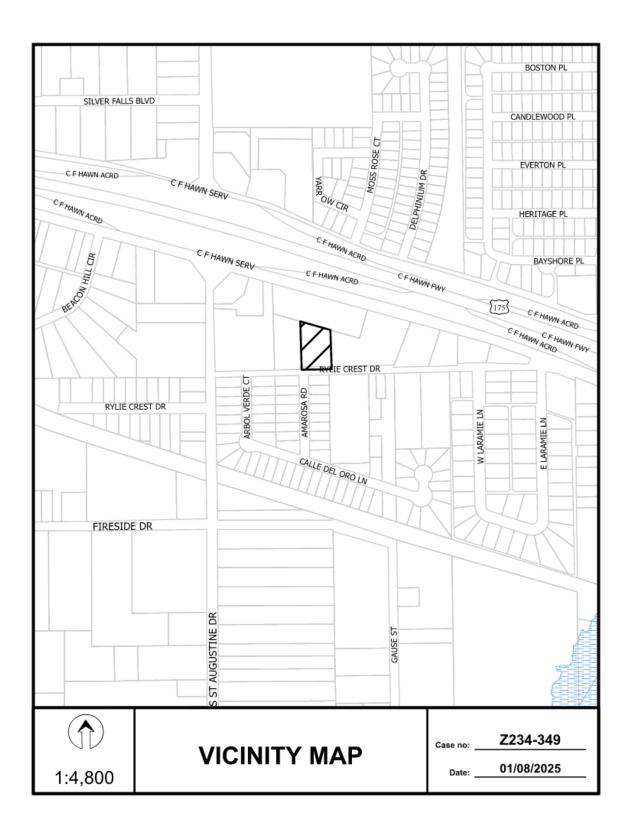
Home Lighting & Automation LC Don Hearold, Managing Member Carla Hearold, Member

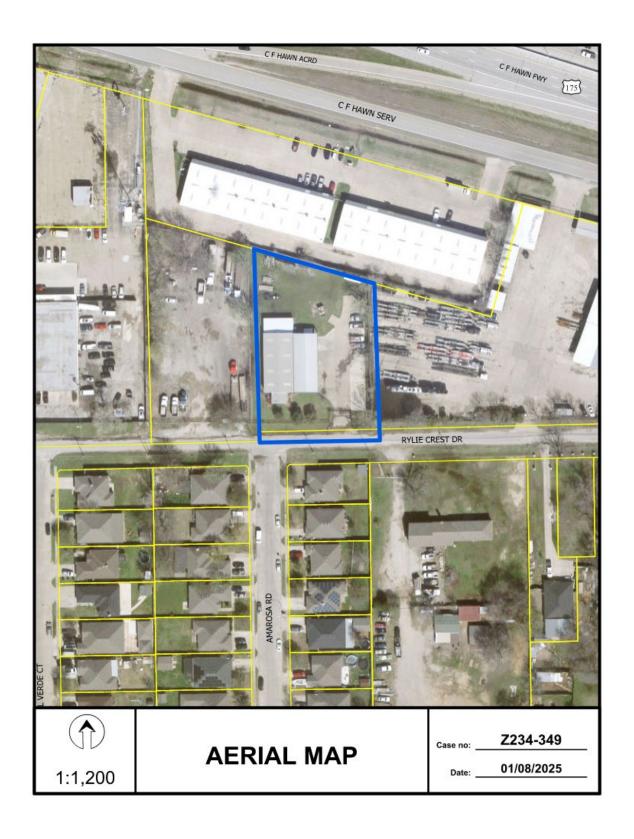
PROPOSED SUP CONDITIONS

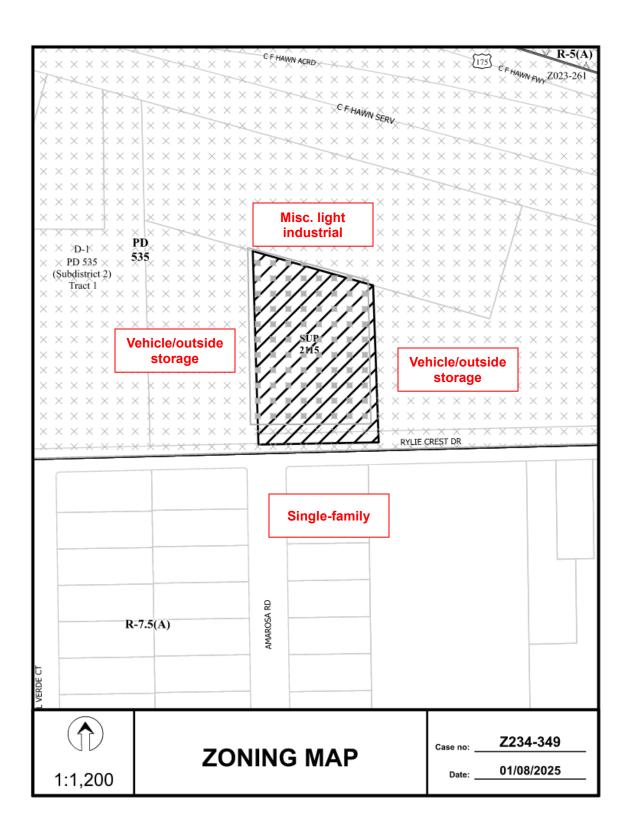
- 1. <u>USE</u>: The only use authorized by this specific use permit is an office showroom/warehouse.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (5 years from the passage of this ordinance) November 12, 2024, but is eligible for automatic renewal for additional 10-year [five-year] periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- 4. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 5. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas

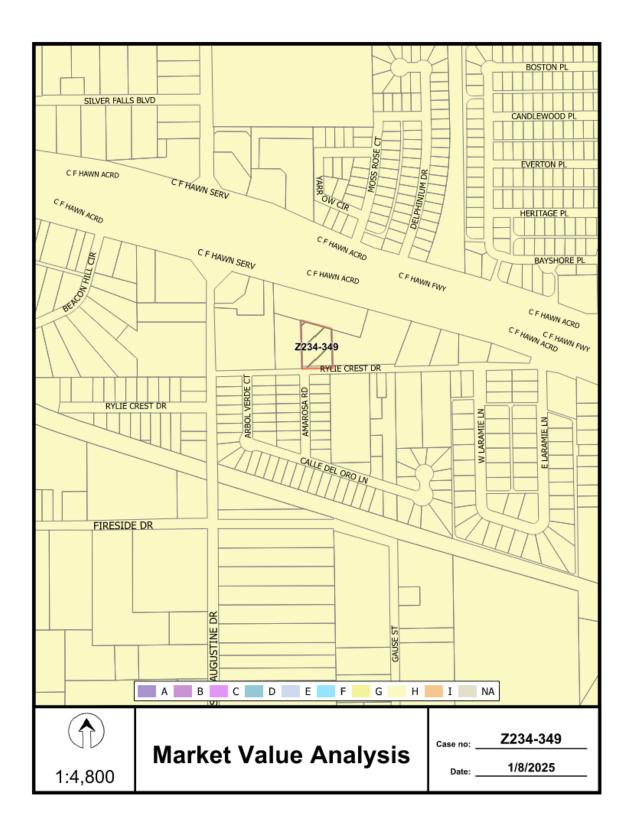
EXISTING SITE PLAN (NO CHANGES)

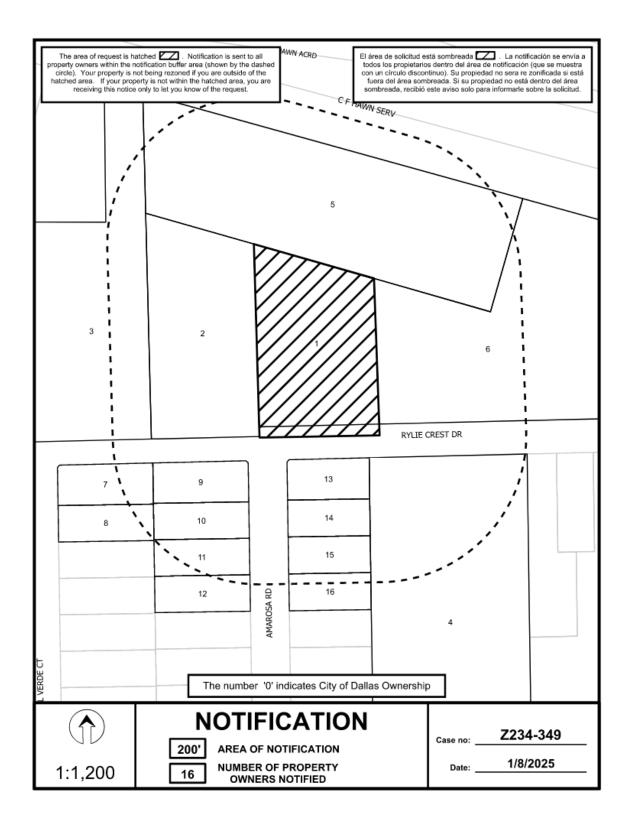












01/08/2025

Notification List of Property Owners Z234-349

16 Property Owners Notified

Label #	Address		Owner
1	9686	RYLIE CREST DR	HOME LIGHTING & AUTOMATION LC
2	9709	C F HAWN FWY	MENDOZA JUAN C
3	9625	C F HAWN FWY	RHINO CARS CO INC
4	9708	RYLIE CREST DR	RODRIGUEZ SANTIAGO
5	9709	C F HAWN FWY	KODIAK BRANDS INC
6	9779	C F HAWN FWY	KEY JACK
7	804	ARBOL VERDE CT	HERNANDEZ AMELIA DIAZ
8	808	ARBOL VERDE CT	MELENDEZ MARIO J
9	829	AMAROSA RD	SAENZ MARIA S &
10	825	AMAROSA RD	MARES GONZALO RANGEL
11	821	AMAROSA RD	SEGOVIA HECTOR
12	817	AMAROSA RD	GUTIERREZ ALEJANDRA
13	802	AMAROSA RD	MENDEZ MARIA DEL ROSARIO
14	806	AMAROSA RD	RYAN TIMOTHY I LIVING TRUST
15	810	AMAROSA RD	VASQUEZ JESUS
16	814	AMAROSA RD	WINBUSH SAPERINA



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the amendment to and renewal of Specific Use Permit No. 1981 for a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, on the north line of Main Street, east of Malcolm X Boulevard.

<u>Staff Recommendation</u>: <u>Approval</u> for a four-year period with eligibility for automatic renewals for additional four-year periods, subject to amended conditions.

<u>Applicant</u>: 2911 Main, Ltd. Representative: Roger Albright

Planner: Connor Roberts

Council District: 2 Z234-353(CR)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z234-353(CR) DATE FILED: September 25, 2024

LOCATION: North line of Main Street, east of Malcolm X Boulevard.

COUNCIL DISTRICT: 2

SIZE OF REQUEST: $\pm 3,500$ sqft CENSUS TRACT: 48113020401

REPRESENTATIVE: Roger Albright

OWNER: SDL Partners, Ltd.

APPLICANT: 2911 Main, Ltd.

REQUEST: An application for the amendment to and renewal of Specific

Use Permit No. 1981 for a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned Tract A within Planned Development No. 269,

the Deep Ellum/Near East Side District.

SUMMARY: The purpose of the request is to allow for the continued

operation of a bar, lounge, or tavern and a dance hall within an

existing building on site.

STAFF RECOMMENDATION: <u>Approval</u> for a four-year period with eligibility for

automatic renewals for additional four-year periods,

subject to amended conditions.

BACKGROUND INFORMATION:

- This request is for the renewal of Specific Use Permit No. 1981. Renewal history includes:
 - August 12, 2012: Specific Use Permit No. 1981 was initially granted for a bar, lounge or tavern use for a two-year period.
 - August 27, 2014: Specific Use Permit No. 1981 was amended to include an inside commercial amusement limited to a dance hall use, and was renewed for an additional two-year period.
 - June 22, 2016: Specific Use Permit No. 1981 was renewed for a two-year period.
 - March 28, 2018: Specific Use Permit No. 1981 was renewed for a threeyear period.
 - March 24, 2021: Specific Use Permit No. 1981 was renewed for a four-year period.
- As part of this application, the applicant has revised the conditions to allow for renewal for a four-year period with eligibility for automatic renewal for additional four-year periods.
- No changes are proposed to the existing site plan.

Zoning History:

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

 Z234-306: On December 11, 2024, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern and inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the southwestern corner of Main Street and Malcolm X Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Malcolm X Boulevard	Community Collector	44 feet/60 feet

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 will continue review of engineering plans at permitting to comply with city standards.

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 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.4 Enhance visual enjoyment of public space.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.2 Promote the character of the city's significant districts, linkages, and areas.

Area Plan(s):

The *Downtown Dallas 360 Plan* was adopted in April 2011 and updated in December 2017. The Plan was adopted as a guide to future City Council actions concerning land use and development regulations, transportation and economic development, and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street.

The area of request is located within the Deep Ellum neighborhood, as identified by the Plan. The Deep Ellum neighborhood is recognized as one of Dallas' most eclectic neighborhoods and a popular destination for entertainment and nightlife.

By contributing to the neighborhood's night life and character, staff find the applicant's request is consistent with the *Downtown Dallas 360 Plan*.

Land Use:

	Zoning	Land Use
Site	Tract A within Planned Development District No. 269.	Bar, lounge or tavern and dance hall
North	Tract A within Planned Development District No. 269.	Restaurant without drive-in or drive-through service
East	Tract A within Planned Development District No. 269.	Commercial parking lot
South	Tract A within Planned Development District No. 269.	Restaurant without drive-in or drive-through service
West	Tract A within Planned Development District No. 269.	Commercial parking lot

Land Use Compatibility:

The site is developed with approximately 3,055 square feet of floor area on a 2,730-square foot building footprint. There is also a roof deck that is 325 square foot on the property. The application is for the renewal of SUP No. 1981, for a bar, lounge, or tavern and an inside commercial amusement limited to a dance hall in the existing building. The use is surrounded by other commercial uses and various surface parking lots. The site is within walking distance to a DART Green Line Station. There are no proposed changes to the existing site plan

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

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

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

Planned Development District No. 269 gives a credit for the first 2,500 square feet of a bar, lounge or tavern and an inside commercial amusement limited to a dance hall use when located within an original building, and, further allows on-street parking spaces to be counted towards the parking requirement of the use adjacent to the on-street parking space. The proposed use has a total of 3,055 square feet, of which 100 square feet is allocated toward the dance floor which will require four off-street parking spaces. The remainder area is 2,955 square feet of which 2,500 are exempt from parking requirements. Therefore, the remaining 455 square feet will be required to provide five off-street parking spaces for a total of nine off-street parking spaces. The PD allows for remote parking on a separate lot that is within walking distance of the use served. Remote off-street parking was approved in a different process with the approval of its certificate of occupancy, and the applicant is in compliance with the parking requirement.

Crime Statistics:

Arrest(s):

Description	Count
WARRANT HOLD (NOT A DPD WARRANT)	1
POSS OF DANGEROUS DRUG	1
UNLAWFUL POSS FIREARM BY FELON	1
POSS CONT SUB PEN GRP 1 > OR EQUAL 1G<4G	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
PUBLIC INTOXICATION	1
WARRANT HOLD (NOT A DPD WARRANT)	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION	1
UNLAWFUL CARRYING WEAPON	1
WARRANT HOLD (NOT A DPD WARRANT)	1
PUBLIC INTOXICATION	1
FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO	1
POSS CONT SUB PEN GRP 1 <1G	1
WARRANT HOLD (NOT A DPD WARRANT)	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
PUBLIC INTOXICATION	1
POSS CONT SUB PEN GRP 2 < 1G	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
UNLAWFUL POSS FIREARM BY FELON	1

Description	Count
FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO	1
BMV	1
RESIST ARREST SEARCH OR TRANSPORT	1
OBSTRUCTION OR RETALIATION	1
WARRANT HOLD (NOT A DPD WARRANT)	1
PUBLIC INTOXICATION	1
DISORDERLY CONDUCT	1
PUBLIC INTOXICATION	1

Call(s):

Description	Count
41/09V - UUMV in Progress	1
38 - Meet Complainant	1
30/01 - ODO w/Prisoner	1
40/01 - Other	1
DAEF-Dist Armed Encounter Foot	1
40 - Other	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
12B - Business Alarm	1
6X - Major Dist (Violence)	1
6XA - Major Dist Ambulance	1
6XA - Major Dist Ambulance	1
11V - Burg Motor Veh	1
40 - Other	1
DAEF-Dist Armed Encounter Foot	1
12B - Business Alarm	1
12B - Business Alarm	1
12B - Business Alarm	1
6X - Major Dist (Violence)	1
40 - Other	1
08 - Intoxicated Person	1

Description	Count
11V - Burg Motor Veh	1
40 - Other	1
DAEF-Dist Armed Encounter Foot	1
40 - Other	1
40 - Other	1
07 - Minor Accident	1
6X - Major Dist (Violence)	1
14 - Stabbing, Cutting	1
6X - Major Dist (Violence)	1
15 - Assist Officer	1
16A - Injured Person w/Amb	1
6X - Major Dist (Violence)	1
DAEF-Dist Armed Encounter Foot	1
15 - Assist Officer	1
24 - Abandoned Property	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
08 - Intoxicated Person	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
DAEF-Dist Armed Encounter Foot	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
12B - Business Alarm	1
40/01 - Other	1
16A - Injured Person w/Amb	1
6XA - Major Dist Ambulance	1
07 - Minor Accident	1
6M - Loud Music Disturbance	1
6X - Major Dist (Violence)	1
20 - Robbery	1
07 - Minor Accident	1
07 - Minor Accident	1
12B - Business Alarm	1
20 - Robbery	1
20 NODDOLY	I

Description	Count
17 - Kidnapping in Progress	1
**PD Requested by Fire	1
31 - Criminal Mischief	1
11V - Burg Motor Veh	1
07 - Minor Accident	1
07 - Minor Accident	1
11V - Burg Motor Veh	1
09 - Theft	1
34 - Suicide	1
23 - Parking Violation	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6XA - Major Dist Ambulance	1
11V - Burg Motor Veh	1
11V - Burg Motor Veh	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
15 - Assist Officer	1
6XA - Major Dist Ambulance	1
12B - Business Alarm	1
6X - Major Dist (Violence)	1
38 - Meet Complainant	1
6XA - Major Dist Ambulance	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
12B - Business Alarm	1
15 - Assist Officer	1
15 - Assist Officer	1
12B - Business Alarm	1
6X - Major Dist (Violence)	1
20 - Robbery	1
6F - Fire Works Disturbance	1
6X - Major Dist (Violence)	1
40/01 - Other	1
24 - Abandoned Property	1
09 - Theft	1
12B - Business Alarm	1
ובט - המאוופאא עומוווו	I

Description	Count
12B - Business Alarm	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6M - Loud Music Disturbance	1
6X - Major Dist (Violence)	1

Incident(s):

Description	Count
BMV	1
DRUG/ NARCOTIC VIOLATIONS	1
DRUG/ NARCOTIC VIOLATIONS	1
DRUG/ NARCOTIC VIOLATIONS	1
WEAPON LAW VIOLATIONS	1
SIMPLE ASSAULT	1
INTIMIDATION	1
SIMPLE ASSAULT	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION	1
ROBBERY-INDIVIDUAL	1
SIMPLE ASSAULT	1
UUMV	1
OTHER THEFT	1
ALL OTHER OFFENSES	1
DRUG/ NARCOTIC VIOLATIONS	1
SIMPLE ASSAULT	1
SIMPLE ASSAULT	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1
ALL OTHER OFFENSES	1
SIMPLE ASSAULT	1
PUBLIC INTOXICATION	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1
DRUG/ NARCOTIC VIOLATIONS	1
FRAUD OFFENSES	1
UUMV	1
BMV	1
AGG ASSAULT - NFV	1

Description	Count
OTHER THEFT	1
SIMPLE ASSAULT	1
DESTRUCTION/ DAMAGE/ VANDALISM OF	4
PROPERTY	1
OTHER THEFT	1
PUBLIC INTOXICATION	1
BMV	1
SIMPLE ASSAULT	1
BMV	1
BMV	1
DRUG/ NARCOTIC VIOLATIONS	1
DRUG/ NARCOTIC VIOLATIONS	1
OTHER THEFT	1
ALL OTHER OFFENSES	1
ALL OTHER OFFENSES	1
BMV	1
FRAUD OFFENSES	1
WEAPON LAW VIOLATIONS	1
DRUG/ NARCOTIC VIOLATIONS	1
PUBLIC INTOXICATION	1
OTHER THEFT	1
BMV	1
BMV	1
BMV	1
ALL OTHER OFFENSES	1
BMV	1
PUBLIC INTOXICATION	1
DISORDERLY CONDUCT	1
BMV	1
ROBBERY-INDIVIDUAL	1
PUBLIC INTOXICATION	1
BMV	1
UUMV	1
OTHER THEFT	1
OTHER THEFT	1
DESTRUCTION/ DAMAGE/ VANDALISM OF	
PROPERTY	1
BMV	1
BMV	1

Description	Count
OTHER THEFT	1
UUMV	1
BMV	1
BMV	1
BMV	1
OTHER THEFT	1
BMV	1
BMV	1
BMV	1
PUBLIC INTOXICATION	1
FRAUD OFFENSES	1
SIMPLE ASSAULT	1
BMV	1
OTHER THEFT	1
BMV	1
DUI	1
TRAFFIC VIOLATION - NON HAZARDOUS	1
SIMPLE ASSAULT	1
BMV	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION	1
BMV	1
ROBBERY-INDIVIDUAL	1
BMV	1
PUBLIC INTOXICATION	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1

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 currently in an "F" MVA area.

LIST OF OFFICERS

2911 Main, Ltd.

DNL Partners, LLC, General Partner
Charles Allen Huff, Partner and Managing Director
John Eaves, Partner
Donald H. Nedler, Partner
Charles A. Huff, Managing Partner

PROPOSED SUP CONDITIONS

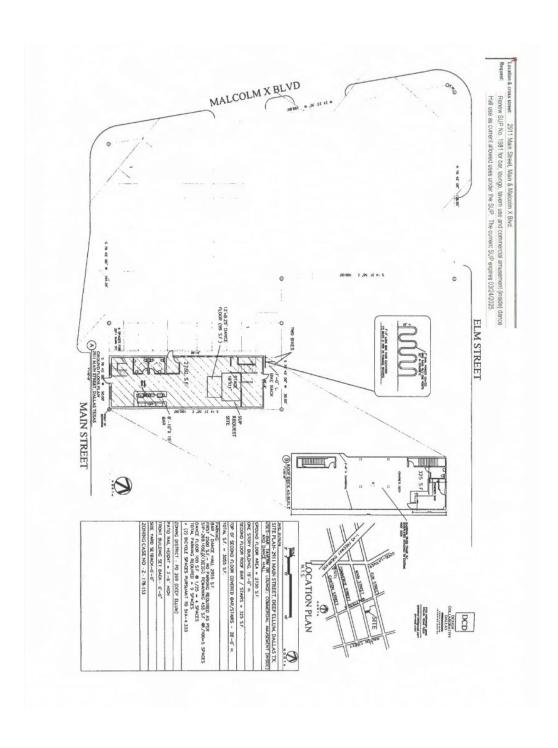
- 1. <u>USE</u>: The only authorized uses by this specific use permit are a bar, lounge, or tavern and an inside commercial amusement (inside)limited to a dance hall.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. TIME LIMIT: This specific use permit expires on (four years from passage of the ordinance), but is eligible for automatic renewal for additional four-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) [March 24, 2025.]

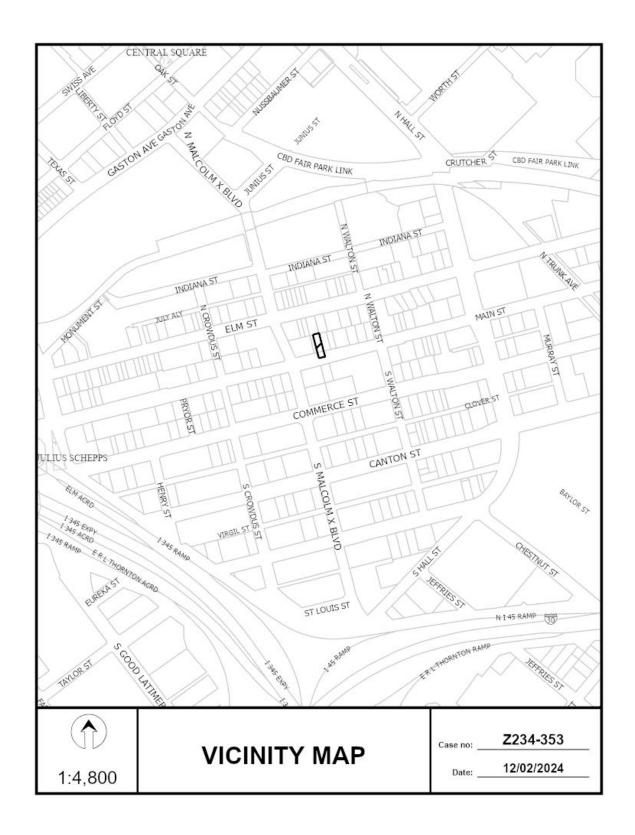
4. FLOOR AREA:

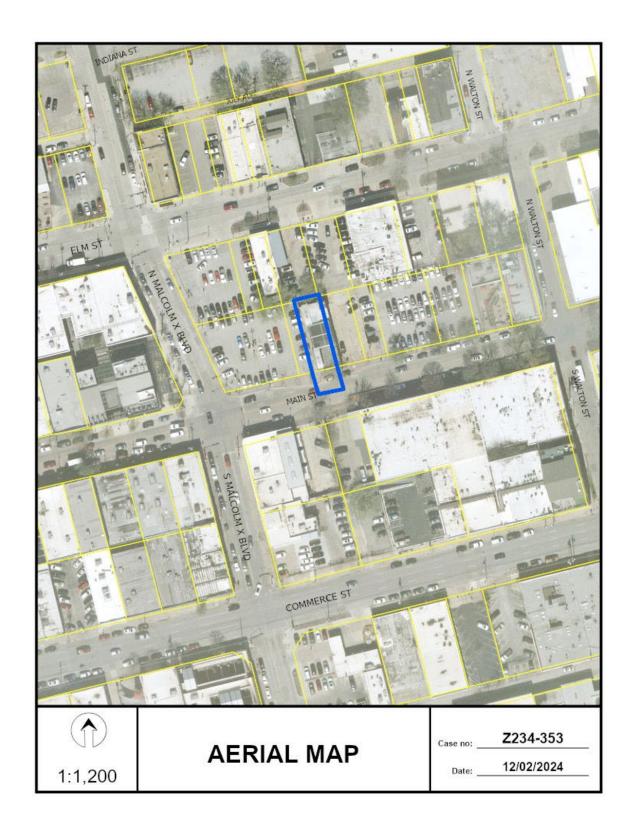
- a. The maximum floor area for the bar, lounge or tavern is 3,055 square feet in the location shown on the attached site plan.
- b. The maximum floor area for the inside commercial amusement limited to a dance hall is 100 square feet in the location shown on the attached site plan. The inside commercial amusement limited to a dance hall may only be located on the street level.
- 5. <u>HOURS OF OPERATION</u>: The bar, lounge, or tavern and inside commercial amusement limited to a dance hall may only operate between 11:00 a.m. and 2:00 a.m. (the next day), Monday through Sunday.
- 6. <u>PARKING</u>: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A4.704(b)(4)(A) of Chapter 51A of the Dallas City Code, as amended, may not be used to meet the off-street parking requirement.
- 7. <u>ROOF DECK</u>: The roof deck may not exceed an area of 2,405 square feet in the location shown on the attached site plan.
- 8. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.

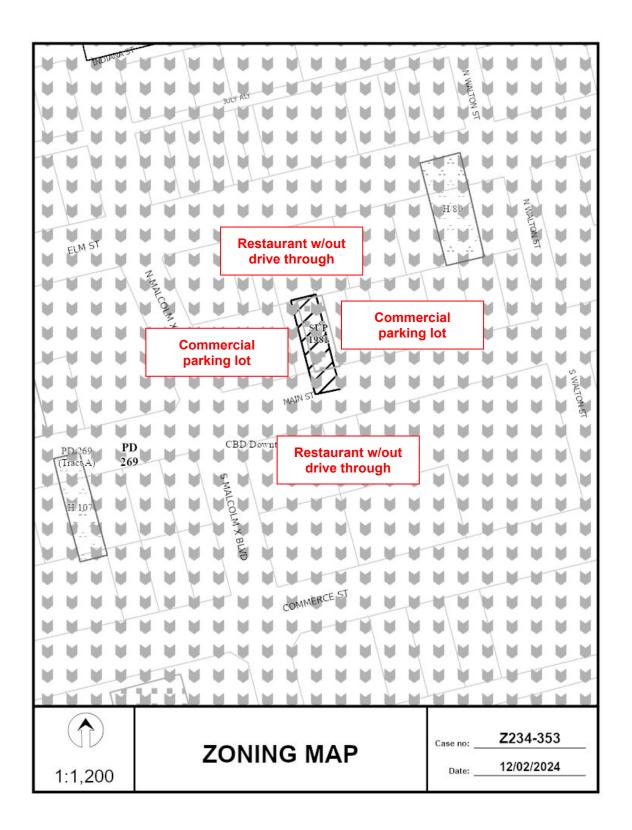
9. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

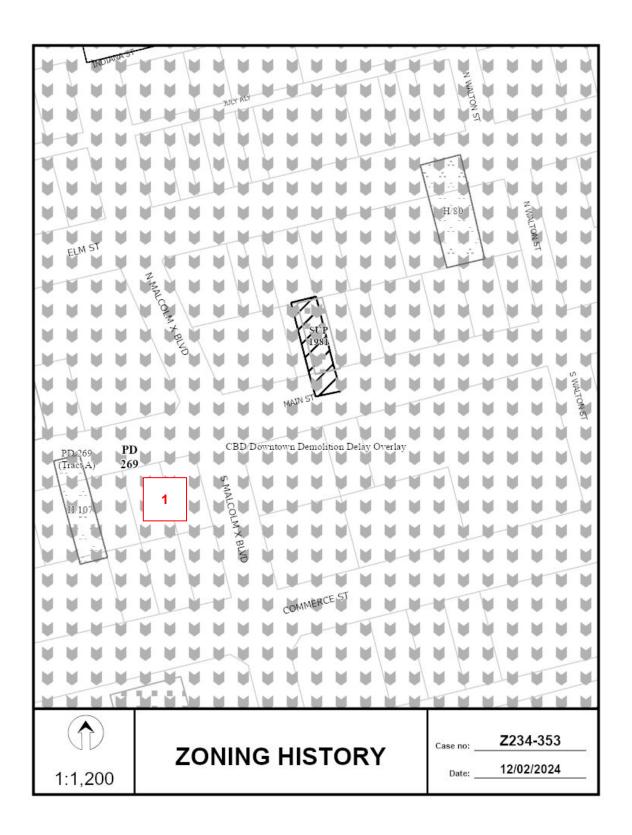
EXISTING SITE PLAN (NO CHANGES)

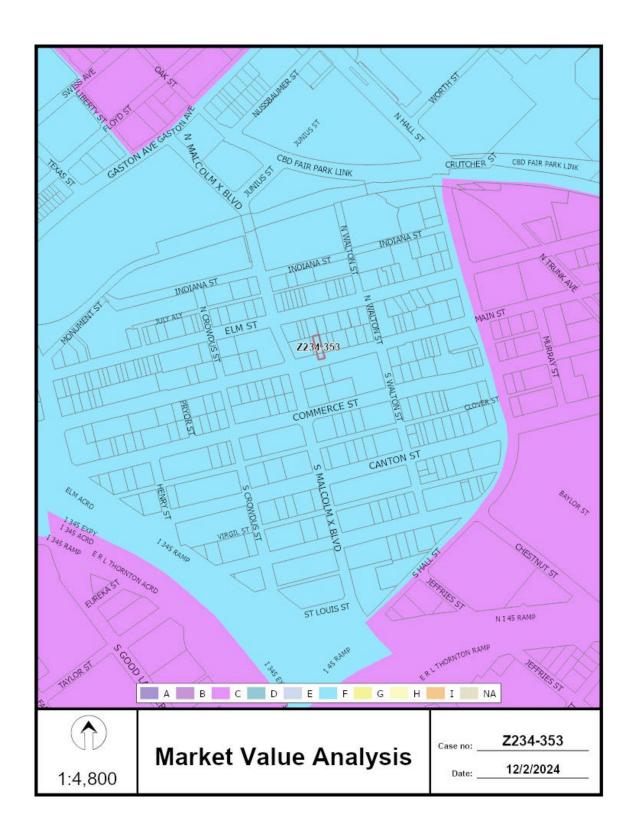


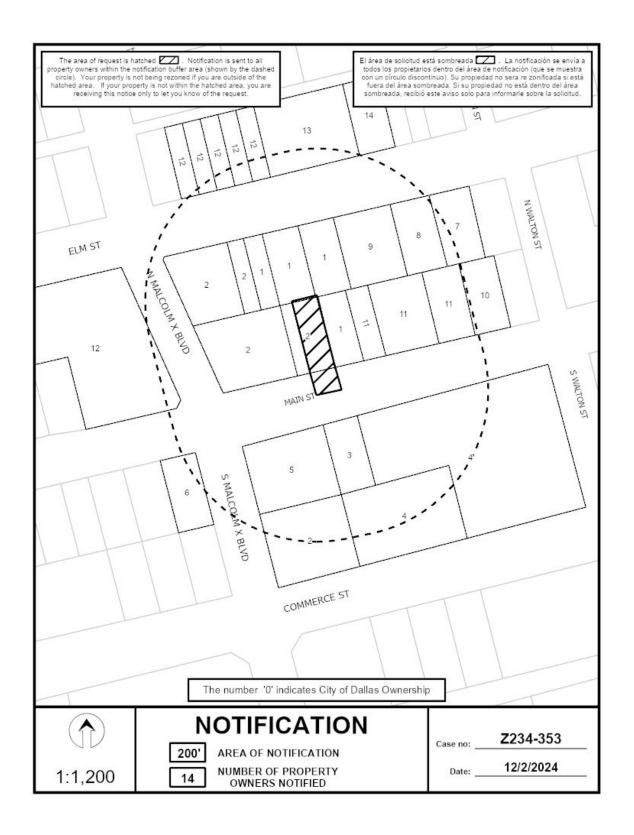












12/02/2024

Notification List of Property Owners Z234-353

14 Property Owners Notified

Label #	Address		Owner
1	2918	ELM ST	ANDREASON JUSTINE POKLADNIK
2	2901	COMMERCE ST	SDL PARTNERS LTD
3	2904	MAIN ST	SDL PARTNERS LTD &
4	2919	COMMERCE ST	SDL PARTNERS LTD
5	2900	MAIN ST	WARZONE PROPERTIES LLC
6	2824	MAIN ST	BLADE PROPERTIES LLC
7	2934	ELM ST	EISCHINGER FURTULA BUDD
8	2928	ELM ST	ANDREASON JUSTIN MARIE POKLADNIK
9	2920	ELM ST	ANDREASON JUSTINE MARIE POKLADNIK
10	2933	MAIN ST	2933 MAIN STREET HOLDINGS LLC
11	2931	MAIN ST	ANDREASON JUSTINE P
12	2905	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
13	2917	ELM ST	CTC TEXAS ASSOCIATES LLC
14	2927	ELM ST	MADISON PACIFIC DEV CO



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the amendment and renewal of Specific Use Permit No. 2451 for a bar, lounge, or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, west of Crowdus Street.

Staff Recommendation: Approval for a five-year period, subject to amended conditions.

Applicant: Club Dada

Representative: Audra Buckley, Permitted Development

Planner: Connor Roberts

Council District: 2 Z245-105(CR)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z245-105(CR) DATE FILED: October 21, 2024

LOCATION: South line of Elm Street, west of Crowdus Street.

COUNCIL DISTRICT: 2

SIZE OF REQUEST: ± 24,206 sqft **CENSUS TRACT**: 48113020401

REPRESENTATIVE: Audra Buckley, Permitted Development

OWNER: Elm Street Realty, Ltd.

APPLICANT: Club Dada

REQUEST: An application for the amendment and renewal of Specific Use

Permit No. 2451 for a bar, lounge, or tavern and a commercial amusement (inside) limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep

Ellum/Near East Side District

SUMMARY: The purpose of the request is to allow for the continued

operation of a bar, lounge, or tavern and a live music venue

within an existing building on site.

STAFF RECOMMENDATION: <u>Approval</u> for a five-year period, subject to amended

conditions.

BACKGROUND INFORMATION:

- This request is for the renewal of Specific Use Permit No. 2451, which was initially approved on March 9, 2022, for a three-year period.
- The subject site consists of a one-story structure and an uncovered patio that is situated in a block face consisting of similar architectural styles that existed prior to June 1984, all of which have been converted into entertainment venues and compatible retail uses.
- No changes are proposed to the existing site plan.

Zoning History:

There have been twelve zoning cases in the area in the last five years:

- 1. **Z234-223:** On September 25, 2024, the City Council approved an application for a Specific Use Permit for a microbrewery, microdistillery, or winery on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the northwest corner of Main Street and North Crowdus Street.
- 2. **Z234-187:** On August 14, 2024, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, southwest of North Crowdus Street.
- 3. **Z234-172:** On August 14, 2024, the City Council approved an application for a Specific Use Permit for a body piercing studio and a tattoo studio on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the northwest line of Elm Street, between North Malcolm X Boulevard and North Crowdus Street.
- 4. Z234-210: On July 3, 2024, the City of Dallas Staff approved an application for automatic renewal of Specific Use Permit No. 1757 for a bar lounge, or tavern and an inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the north side of Elm Street, west of North Crowdus Street.
- 5. **Z234-104:** On April 10, 2024, the City Council approved an application for an amendment to Specific Use Permit No. 1982 for a bar lounge, or tavern and inside commercial amusement limited to a Class A dance hall on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the southwest corner of Elm Street and North Crowdus Street.

- 6. Z223-235: On January 24, 2024, the City Council approved an application for an amendment to Specific Use Permit No. 2019 for a bar lounge, or tavern and inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the southeast line of Elm Street, southwest of North Crowdus Street.
- 7. **Z212-334:** On May 10, 2023, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the north line of Main Street at the terminus of Pryor Street, between North Crowdus Street and North Good Lattimer Expressway.
- 8. **Z212-255:** On November 9, 2022, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern and inside commercial amusement limited to a live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, west of North Crowdus Street.
- 9. **Z212-144:** On April 27, 2022, the City Council approved an application for the renewal of Specific Use Permit No. 1651 for a body piercing studio and tattoo studio on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Main Street, west of Pryor Street.
- 10. Z212-137: On March 9, 2022, the City Council approved an application for a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement use limited to live music venue on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, west of Crowdus Street. [subject site]
- 11.**Z212-112:** On March 9, 2022, the City Council approved an application for a Specific Use Permit for a bar lounge, or tavern on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the south line of Elm Street, between North Crowdus Street and North Good Lattimer Expressway.
- 12.**Z201-167:** On March 1, 2021, the City of Dallas Staff approved an application for automatic renewal of Specific Use Permit No. 2291 for a microbrewery, microdistillery, or winery on property zoned Tract A within Planned Development No. 269, the Deep Ellum/Near East Side District, located on the southwest corner of Main Street and Pryor Street.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Elm Street	Major Arterial	70 feet
Crowdus Street	Minor Arterial	45 feet

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The ForwardDallas 2.0 Comprehensive Land Use Plan was adopted by the City Council in September 2024. The ForwardDallas 2.0 Comprehensive Land Use 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 themes, objectives, and actions of the Comprehensive Land Use Plan:

ECONOMIC DEVELOPMENT + REVITALIZATION

OBJECTIVE C. Foster Economically Resilient Communities that are Regionally Connected and Locally Supported.

Action C.10 Ensure appropriate land use and zoning in designated areas throughout the city to support emerging creative and technology industries to supplement the expansion of logistics-related jobs and targeted industry clusters.

COMMUNITY + URBAN DESIGN

OBJECTIVE B. Integrate Urban Design Standards and Guidance into the Development Review Process and Future Planning Efforts.

Action B.8 Incorporate place-specific, urban design guidelines within neighborhood and corridor plans.

OBJECTIVE C. Promote Quality Design Principles to Foster More Inclusive and Equitable Neighborhoods and Spaces Throughout Dallas.

Action C.12 Incorporate a community's people, history, culture, and identity into neighborhood planning and urban design processes to sensitively shape the relationship between new and existing buildings, parks, streets, and other open spaces.

Area Plan(s):

The *Downtown Dallas 360 Plan* was adopted in April 2011 and updated in December 2017. The Plan was adopted as a guide to future City Council actions concerning land use and development regulations, transportation and economic development, and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street.

The area of request is located within the Deep Ellum neighborhood, as identified by the Plan. The Deep Ellum neighborhood is recognized as one of Dallas' most eclectic neighborhoods and a popular destination for entertainment and nightlife.

By contributing to the neighborhood's night life and character, staff find the applicant's request is consistent with the *Downtown Dallas 360 Plan*.

Land Use:

	Zoning	Land Use
Site	Tract A within Planned Development District No. 269.	Bar, lounge or tavern and an inside commercial amusement use limited to live music venue
North	Tract A within Planned Development District No. 269.	Commercial parking lot
East	Tract A within Planned Development District No. 269.	Bar, lounge or tavern and an inside commercial amusement
South	Tract A within Planned Development District No. 269.	Miscellaneous retail
West	Tract A within Planned Development District No. 269.	Bar, lounge or tavern

Land Use Compatibility:

The applicant is requesting to continue operation of an existing bar and live music venue. The request site consists of a one-story structure and an uncovered patio that is situated in a block face consisting of similar architectural styles that existed prior to June 1984, all of which have been converted into entertainment venues and compatible retail uses. The site is also surrounded by a mix of office, retail, restaurant, bar, and entertainment uses that are served by various surface parking lots and metered spaces along Elm Street.

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

Staff finds that continuation of the proposed use is consistent with the neighboring properties and the use is similar in operational characteristics of other entertainment venue uses in the immediate area. As noted above, the general land use in the immediate area provides for various retail and entertainment venue uses (i.e., bars, live music, restaurants) that serve the new housing stock in Deep Ellum as well as serving as a destination for patrons outside of the area. Therefore, proposed continuation of the bar, lounge or tavern and an inside commercial amusement use limited to live music venue use is consistent with the established development pattern of PD No. 269, the Deep Ellum/Near East Side District.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

PD No. 269 does not require off-street parking for the first 2,500 square feet of floor area for a bar, lounge, or tavern use on the first floor in an original building; after the first 2,500 square feet, the remainder is parked at one space per 100 square feet of floor area. The applicant occupies 4,500 square feet of floor area. Upon the reduction of the first 2,500 square feet, the remainder of the structure, 2,000 square feet, requires 20 off-street parking spaces. The applicant provides for the required spaces via a city-approved parking agreement.

Additionally, it should be noted that a significant number of metered on-street parking spaces exist as well as surface parking lots throughout the immediate area west of the site.

Crime Statistics:

Arrest(s):

Description	Count
WARRANT HOLD (NOT A DPD WARRANT)	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
PUBLIC INTOXICATION	1
UNLAWFUL CARRYING WEAPON	1
UNLAWFUL CARRYING WEAPON	1
POSS MARIJUANA <20Z	1
POSS MARIJUANA <20Z	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
WARRANT HOLD (NOT A DPD WARRANT)	1

Z245-105(CR)

Description	Count
WARRANT HOLD (NOT A DPD WARRANT)	1
UNLAWFUL CARRYING WEAPON	1
UNLAWFUL CARRYING WEAPON	1

Call(s):

Description	Count
40 - Other	1
19 - Shooting	1
6XEA - Disturbance Emerg Amb	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
09 - Theft	1
09 - Theft	1
11B - Burg of Bus	1
40 - Other	1
15 - Assist Officer	1
6X - Major Dist (Violence)	1
20 - Robbery	1
6X - Major Dist (Violence)	1
40/01 - Other	1
6X - Major Dist (Violence)	1
40/01 - Other	1
07 - Minor Accident	1
07 - Minor Accident	1
6XA - Major Dist Ambulance	1
6XA - Major Dist Ambulance	1
40 - Other	1
6X - Major Dist (Violence)	1

Incident(s):

Description	Count
SIMPLE ASSAULT	1
BMV	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION	1

Description	Count
OTHER THEFT	1
BMV	1
DRUG/ NARCOTIC VIOLATIONS	1
WEAPON LAW VIOLATIONS	1
BMV	1
PUBLIC INTOXICATION	1
SIMPLE ASSAULT	1
ROBBERY-INDIVIDUAL	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1
SIMPLE ASSAULT	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1

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 currently in an "F" MVA area.

LIST OF OFFICERS

Elm Street Realty, Ltd.

Westdale Asset Management, General Partner
Joseph G. Beard, President
Ken Carlson, Vice President
Trevor Bert, Chief Financial Officer
Evan Griffiths, Chief Operating Officer
Chuck Hixson, Vice President
Julie Gordon, Dallas Commercial Property Management

JGB Holdings, Inc., General Partner Joseph G. Beard, President

Club Dada, Applicant Bryan Austin, Owner

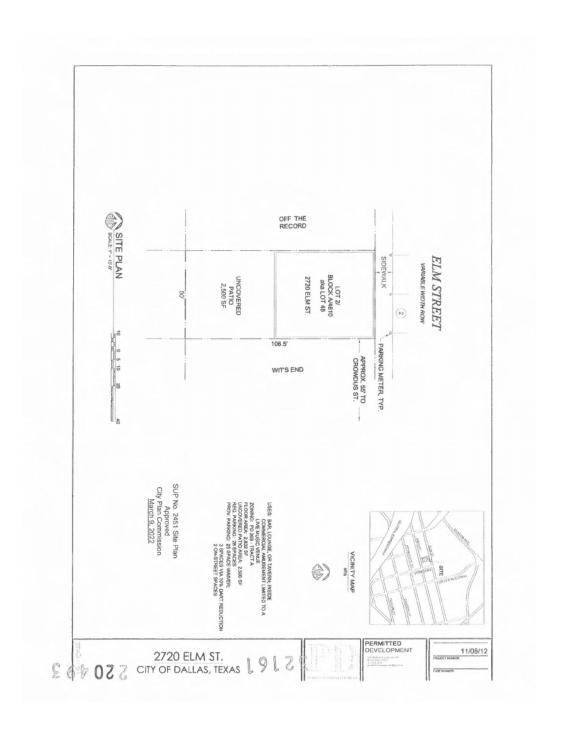
PROPOSED SUP CONDITIONS

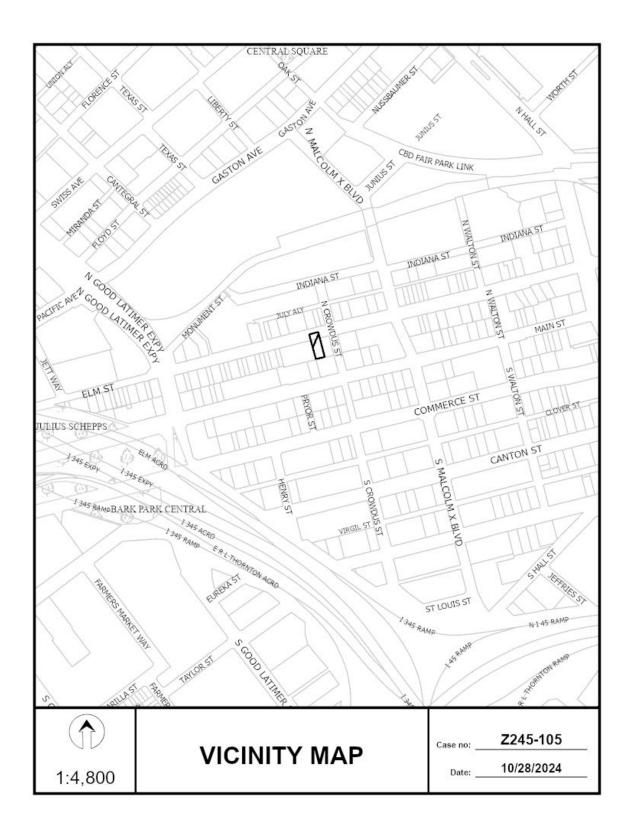
- 1. <u>USE</u>: The only uses authorized by the specific use permit are a bar, lounge, or tavern; and inside commercial amusement limited to a live music venue.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on <u>(5 years from the passage of this ordinance) [March 9, 2025].</u>

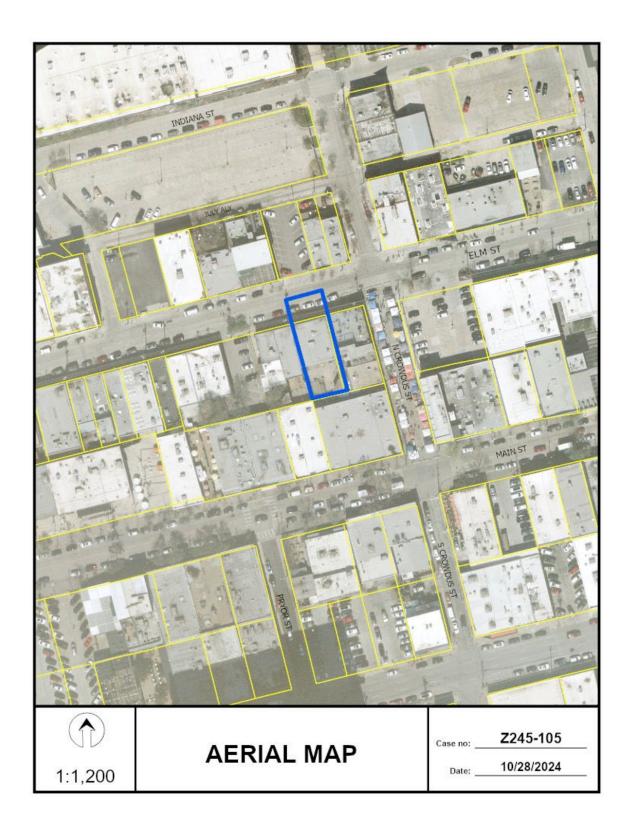
4. FLOOR AREA AND PATIO:

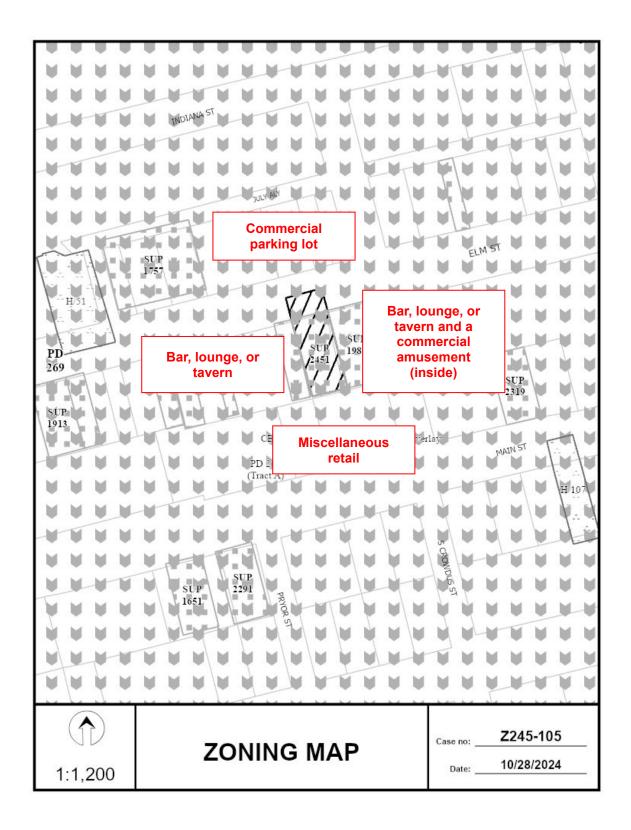
- a. The maximum floor area for a bar, lounge, or tavern and inside commercial amusement limited to a live music venue is 2,832 square feet in the location fast shown on the attached site plan.
- b. The maximum area for the uncovered patio is 2,500 square feet in the location shown on the attached site plan.
- 5. <u>HOURS OF OPERATION</u>: The bar, lounge, or tavern and inside commercial amusement limited to a live music venue may only operate between 4:00 p.m. and 2:00 a.m. (the next day), Monday through Friday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day), Saturday and Sunday.
- 6. <u>OFF-STREET PARKING</u>: Parking must be provided in accordance with the requirements of Planned Development District No. 269. Delta credits, as defined in Section 51A-4.704(b)(4)(A), may not be used to meet the off-street parking requirement.
- 7. OUTDOOR SPEAKERS: Outdoor speakers are prohibited.
- 8. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 9. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

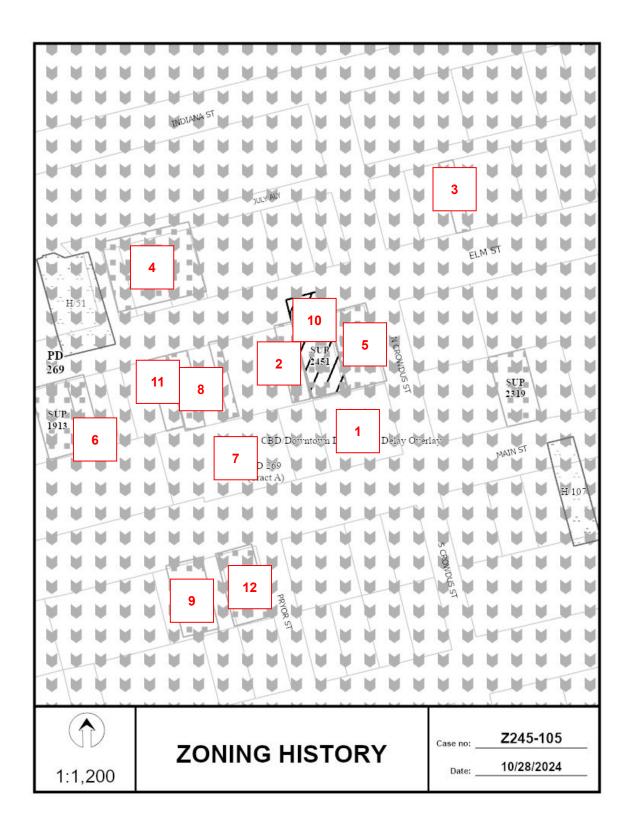
EXISTING SITE PLAN (NO CHANGES)

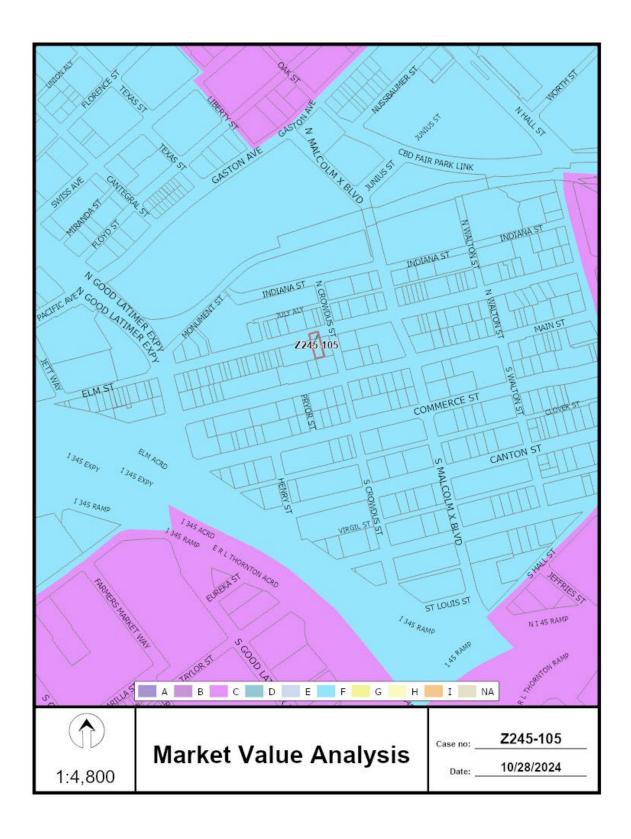


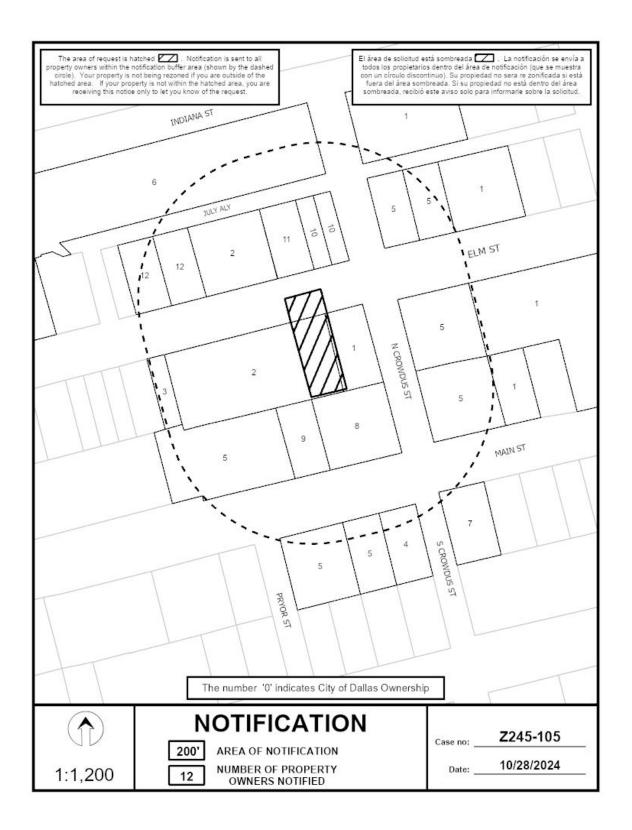












10/28/2024

Notification List of Property Owners Z245-105

12 Property Owners Notified

Label #	Address		Owner
1	2724	ELM ST	WESTDALE PROPERTIES AMERICA I LTD
2	2704	ELM ST	ELM STREET REALTY LTD
3	2650	ELM ST	ELM ELM LLC
4	2712	MAIN ST	DEEP ELM III LLC
5	2708	MAIN ST	AP DEEP ELLUM LLC
6	2625	ELM ST	RXR KORMAN DEEP ELLUM OWNER LLC
7	2800	MAIN ST	AP 2800 MAIN ST LLC
8	2715	MAIN ST	MAIN PROPERTIES LLC
9	2707	MAIN ST	AP 2707 MAIN ST LLC
10	2723	ELM ST	2723 ELM STREET JV
11	2717	ELM ST	WESTDALE PPTIES AMERICA LTD
12	2707	ELM ST	BELMOR CORP



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the amendment and renewal of Specific Use Permit No. 2511 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the northwest corner of Lake June Road and Jim Miller Road.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions.

Applicant: Limestone Assets, LLC

Representative: Andrew Ruegg, MASTERPLAN

Planner: Connor Roberts

Council District: 5
Z245-107(CR)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z245-107(CR) DATE FILED: October 29, 2024

LOCATION: Northwest corner of Lake June Road and Jim Miller Road.

COUNCIL DISTRICT: 5

SIZE OF REQUEST: ± 15,681 sqft **CENSUS TRACT**: 48113009103

REPRESENTATIVE: Andrew Ruegg, MASTERPLAN

OWNER/APPLICANT: Limestone Assets, LLC

REQUEST: An application for the amendment and renewal of Specific Use

Permit No. 2511 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR Community Retail

District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to allow for the continued sale of

alcoholic beverages in conjunction with an existing general merchandise or food store (a convenience store) 3,500 square

feet or less on the site.

STAFF RECOMMENDATION: <u>Approval</u> for a five-year period with eligibility for

automatic renewals for additional five-year periods,

subject to amended conditions.

BACKGROUND INFORMATION:

- This request is for the renewal of Specific Use Permit No. 2511, which was initially approved on January 10, 2024, for a one-year period.
- The subject site is developed with an approximately 2,489-square-foot general merchandise or food store (a convenience store). There are two motor vehicle fueling pumps on the property under a canopy, located along the Jim Miller Road and Lake June Road frontages
- The general merchandise of food store 3,500 square feet or less is permitted by right per Section 51A-4.122(b)(2)(J); however, the sale of alcoholic beverages requires a Specific Use Permit within a D-1 Liquor Control Overlay.
- No changes are proposed to the existing site plan.

Zoning History:

There have been two zoning cases in the area in the last five years:

- Z223-180: On January 10, 2024, the City Council approved an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, located on the northwest corner of Lake June Road and North Jim Miller Road. [subject site]
- 2. **Z223-187:** On January 10, 2024, the City of Dallas Staff approved an application for automatic renewal of Specific Use Permit No. 1872 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, located on west of North Jim Miller Road, north of Lake June Road.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Lake June Road	Principal Arterial	100 feet Bike Plan
N. Jim Miller Road	Minor Arterial	100 feet Bike Plan

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The ForwardDallas 2.0 Comprehensive Land Use Plan was adopted by the City Council in September 2024. The ForwardDallas 2.0 Comprehensive Land Use 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 themes, objectives, and actions of the Comprehensive Land Use Plan:

ECONOMIC DEVELOPMENT + REVITALIZATION

OBJECTIVE C. Foster Economically Resilient Communities that are Regionally Connected and Locally Supported.

Action C.10 Ensure appropriate land use and zoning in designated areas throughout the city to support emerging creative and technology industries to supplement the expansion of logistics-related jobs and targeted industry clusters.

Land Use:

	Zoning	Land Use
Site	CR-D-1 Community Retail District with a D-1 Liquor Control Overlay	General merchandise or food store 3,500 square feet or less with a motor vehicle fueling station
North	CR-D-1 Community Retail District with a D-1 Liquor Control Overlay with SUP No. 1872	General merchandise or food store 3,500 square feet or less and personal service uses
East	CR-D-1 Community Retail District with a D-1 Liquor Control Overlay	General merchandise or food store 3,500 square feet or less with a motor vehicle fueling station
South	RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay	Miscellaneous automobile services
West	CR-D-1 Community Retail District with a D-1 Liquor Control Overlay	Miscellaneous retail services

Land Use Compatibility:

The site is zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store and a motor vehicle fueling station. The applicant's request for renewal of Specific Use Permit No. 2511 will allow for the sale of alcoholic beverages in conjunction with a general merchandise store or food store 3,500 square feet or less. Although the general merchandise use is permitted by right, the sale of alcoholic beverages on the property requires a specific use permit in the D-1 Liquor Control Overlay.

The surrounding land uses to the north and west consists of personal service uses, restaurant, laundry store, and a general merchandise or food store less than 3,500 square feet. East of the request site, across N. Jim Miller Road is a general merchandise or food store less than 3,500 square feet with a motor vehicle fueling station. The properties south of the site, across Lake June Road, consist of a vehicle display, sales, and service use.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as

the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the request because the proposed use is consistent with the character of the surrounding area and is not foreseen to be detrimental to adjacent properties.

Landscaping:

Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 3,500 square feet or less at one space for each 200 square feet of floor area. The applicant is required to have 12 parking spaces, with 12 shown on the site plan.

Crime Statistics:

Crime statistics were requested for the previous 5-year period.

Arrest(s):

Description	Count
WARRANT HOLD (NOT A DPD WARRANT)	1
POSS CONT SUB PEN GRP 1/1-B <1G	1
POSSESSION OF DRUG PARAPHERNALIA	1
POSSESSION OF DRUG PARAPHERNALIA	1
RESIST ARREST SEARCH OR TRANSPORT	1
RESIST ARREST SEARCH OR TRANSPORT	1
PUBLIC LEWDNESS	1
WARRANT HOLD (NOT A DPD WARRANT)	1
ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY	1
APOWW (SOCIAL SERVICES REFERRAL)	1

Description	Count
WARRANT DALLAS PD (ASSAULT - FV)	1
WARRANT HOLD (NOT A DPD WARRANT)	1
UNLAWFUL CARRYING WEAPON	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
WARRANT HOLD (NOT A DPD WARRANT)	1
APOWW (SOCIAL SERVICES REFERRAL)	1
THEFT OF PROP <\$2,500 2+PREV CONV	1
(SHOPLFT-NOT EMP) PC31.03(e4D)	I
POSS MARIJUANA <20Z *DRUG FREE ZONE*	1
CRIMINAL TRESPASS	1
PUBLIC INTOXICATION	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
APOWW (SOCIAL SERVICES REFERRAL)	1
UNLAWFUL POSS FIREARM BY FELON	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
EVADING ARREST DETENTION W/VEHICLE	1
PC38.04(b)(2)(A)	'
WARRANT HOLD (NOT A DPD WARRANT)	1
APOWW (SOCIAL SERVICES REFERRAL)	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	1
PROSTITUTION (SELLER)	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION	1
BURGLARY OF HABITATION -NO FORCED ENTRY	1
BURGLARY OF HABITATION - FORCED ENTRY	1
WARRANT-DALLAS PD (ALIAS)	1
APOWW (SOCIAL SERVICES REFERRAL)	1
APOWW (SOCIAL SERVICES REFERRAL)	1

Call(s):

Description	Count
40 - Other	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
40/01 - Other	1
6XE - Disturbance Emergency	1
6XA - Major Dist Ambulance	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1

Description	Count
40 - Other	1
46 - CIT	1
40/01 - Other	1
6X - Major Dist (Violence)	1
40/01 - Other	1
40/01 - Other	1
40 - Other	1
24 - Abandoned Property	1
6X - Major Dist (Violence)	1
09 - Theft	1
40/01 - Other	1
40 - Other	1
41/20 - Robbery - In Progress	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
32 - Suspicious Person	1
6X - Major Dist (Violence)	1
40/01 - Other	1
6XE - Disturbance Emergency	1
19 - Shooting	1
21B - Business Hold Up	1
21B - Business Hold Up	1
46 - CIT	1
04 - 911 Hang Up	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
32 - Suspicious Person	1
6X - Major Dist (Violence)	1
38 - Meet Complainant	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
09/01 - Theft	1
6X - Major Dist (Violence)	1
6XE - Disturbance Emergency	1

Description	Count
21B - Business Hold Up	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6XA - Major Dist Ambulance	1
**PD Requested by Fire	1
40 - Other	1
46A - CIT w/Ambulance	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
07 - Minor Accident	1
21B - Business Hold Up	1
40 - Other	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
21B - Business Hold Up	1
40/01 - Other	1
6X - Major Dist (Violence)	1

Description	Count
46 - CIT	1
6X - Major Dist (Violence)	1
20 - Robbery	1
6X - Major Dist (Violence)	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
21B - Business Hold Up	1
6XE - Disturbance Emergency	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
38 - Meet Complainant	1
6XEA - Disturbance Emerg Amb	1
21B - Business Hold Up	1
38 - Meet Complainant	1
21B - Business Hold Up	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
46 - CIT	1
40 - Other	1
40/01 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
PH - Panhandler	1
6X - Major Dist (Violence)	1
40/01 - Other	1
6X - Major Dist (Violence)	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1

Description	Count
7CE - City Equipment Accident	1
6X - Major Dist (Violence)	1
40/01 - Other	1
21B - Business Hold Up	1
11V - Burg Motor Veh	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
40 - Other	1
40 - Other	1
6X - Major Dist (Violence)	1
21B - Business Hold Up	1
6XE - Disturbance Emergency	1
40 - Other	1
40/01 - Other	1
38 - Meet Complainant	1
21B - Business Hold Up	1
04 - 911 Hang Up	1
04 - 911 Hang Up	1
09/01 - Theft	1
6X - Major Dist (Violence)	1
40/01 - Other	1
21B - Business Hold Up	1
40 - Other	1
6X - Major Dist (Violence)	1
07 - Minor Accident	1
07 - Minor Accident	1
**PD Requested by Fire	1
41/09 - Theft - In Progress	1
40 - Other	1
6X - Major Dist (Violence)	1
21B - Business Hold Up	1
40 - Other	1
21B - Business Hold Up	1
6X - Major Dist (Violence)	1
04 - 911 Hang Up	1
40 - Other	1
32 - Suspicious Person	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1

Description	Count
6X - Major Dist (Violence)	1
20 - Robbery	1
38 - Meet Complainant	1
6X - Major Dist (Violence)	1
04 - 911 Hang Up	1
21B - Business Hold Up	1
40/01 - Other	1
40/01 - Other	1
7CE - City Equipment Accident	1
PH - Panhandler	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
46 - CIT	1
40 - Other	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
21B - Business Hold Up	1
41/20 - Robbery - In Progress	1
41/20 - Robbery - In Progress	1
40 - Other	1
40 - Other	1
40/01 - Other	1
40 - Other	1
40/01 - Other	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
PH - Panhandler	1
40 - Other	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40/01 - Other	1
07 - Minor Accident	1
07 - Minor Accident	1
07 - Minor Accident	1
6X - Major Dist (Violence)	1

Description	Count
40/01 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
32 - Suspicious Person	1
31 - Criminal Mischief	1
04 - 911 Hang Up	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
04 - 911 Hang Up	1
15 - Assist Officer	1
40 - Other	1
40 - Other	1
38 - Meet Complainant	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
20 - Robbery	1
40 - Other	1
40 - Other	1
6X - Major Dist (Violence)	1
04 - 911 Hang Up	1
07 - Minor Accident	1
07 - Minor Accident	1
40 - Other	1
34 - Suicide	1
04 - 911 Hang Up	1
46 - CIT	1
09V - UUMV	1
04 - 911 Hang Up	1
41/20 - Robbery - In Progress	1
40 - Other	1
32 - Suspicious Person	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
46 - CIT	1
40 - Other	1
34 - Suicide	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
07 - Minor Accident	1
6X - Major Dist (Violence)	1

Description	Count
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
7XCE - Major Acc City Equip	1
7XCE - Major Acc City Equip	1
6G - Random Gun Fire	1
20 - Robbery	1
6X - Major Dist (Violence)	1
37 - Street Blockage	1
46 - CIT	1
6X - Major Dist (Violence)	1

Incident(s):

Description	Count
EVADING ARREST DETENTION W/VEHICLE	1
PC38.04(b)(2)(A)	
POSS CONT SUB PEN GRP 1 > OR EQUAL 1G<4G	1
PUBLIC INTOXICATION	1
RESIST ARREST SEARCH OR TRANSPORT	1
PUBLIC LEWDNESS	1
POSSESSION OF DRUG PARAPHERNALIA	1
ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY	1
THEFT OF PROP > OR EQUAL \$100 <\$750 (NOT SHOPLIFT) PC31.03(e2A)	1
ROBBERY OF BUSINESS (AGG)	1
THEFT FROM PERSON-PICKPOCKE	1
BURGLARY OF BUILDING - FORCED ENTRY	1
UNLAWFUL CARRYING WEAPON	1
CRIM MISCHIEF IMPAIR/INTERRUPT PUB SERVICE	1
ASSAULT -BODILY INJURY ONLY	1
POSS MARIJUANA <20Z *DRUG FREE ZONE*	1
THEFT OF PROP > OR EQUAL \$100 <\$750 ENH (SHOPLIFT-NOT EMP) PC31.03(f)	1
BMV	1
ASSAULT -BODILY INJURY ONLY	1
CRIM MISCHIEF <\$100	1
DISORDERLY CONDUCT	1

Description	Count
CRIMINAL TRESPASS	1
PUBLIC INTOXICATION	1
ASSAULT -BODILY INJURY ONLY	1
ASSAULT (AGG) -FAM VIO W/WEAPON (AGG)	1
ROBBERY OF INDIVIDUAL (AGG)	1
POSS MARIJUANA <20Z	1
UNLAWFUL POSS FIREARM BY FELON	1
CRIM MISCHIEF >OR EQUAL \$750 < \$2,500	1
PUBLIC INTOXICATION	1
THEFT OF PROP > OR EQUAL \$750 <\$2,500	
(SHOPLIFT-NOT EMP) PC31.03(e3)	1
STEALING RECEIVING STOLEN CHECK	1
THEFT OF PROP > OR EQUAL \$100 <\$750 (NOT	•
SHOPLIFT) PC31.03(e2A)	1
ASSAULT (AGG) FAM VIO SBI	1
UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR	1
BUS	I
PUBLIC INTOXICATION	1
ASSAULT -BODILY INJURY ONLY	1
ASSAULT -FAM VIOL OFFENSIVE CONTACT PC	1
22.01(A)(3)	·
PROSTITUTION (SELLER)	1
UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR	1
BUS	
THEFT OF PROP > OR EQUAL \$100 <\$750	1
(SHOPLIFT-NOT EMP) PC31.03(e2A) THEFT OF PROP > OR EQUAL \$100 <\$750 (NOT	
SHOPLIFT) PC31.03(e2A)	1
CRIM MISCHIEF > OR EQUAL \$100 < \$750	1
DELIVERY MARIJUANA < OR EQUAL 1/4 OZ	
REMUNERATION	1
ASSAULT (AGG) -DEADLY WEAPON	1
PUBLIC INTOXICATION	1
BMV	1
ROBBERY OF BUSINESS (AGG)	1
THEFT OF PROP > OR EQUAL \$100 <\$750 (NOT	
SHOPLIFT) PC31.03(e2A)	1
THEFT FROM BUILDING> OR EQUAL \$100<\$750	1
(NOT SHOPLIFT)	1
PUBLIC INTOXICATION	1
PUBLIC INTOXICATION	1
CRIM MISCHIEF > OR EQUAL \$2,500 < \$30K	1
PUBLIC INTOXICATION	1

Description	Count
BMV	1
THEFT OF PROP > OR EQUAL \$100 BUT <\$750- NOT SHOPLIFT	1
UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE	1
THEFT OF PROP <\$100 -SHOPLIFTING - (NOT BY EMPLOYEE)	1
UNAUTHORIZED USE OF MOTOR VEH - TRUCK OR BUS	1
BMV	1
ASSAULT -BODILY INJURY ONLY	1
PUBLIC INTOXICATION	1
ROBBERY OF BUSINESS	1
ROBBERY OF BUSINESS (AGG)	1

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 currently in an "I" MVA area.

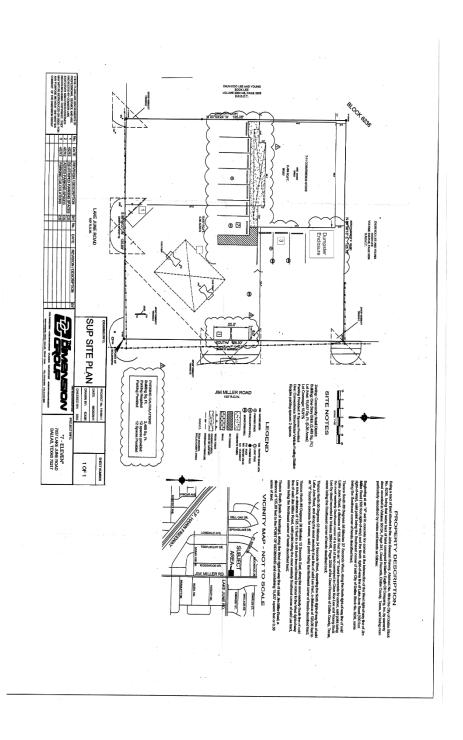
LIST OF OFFICERS

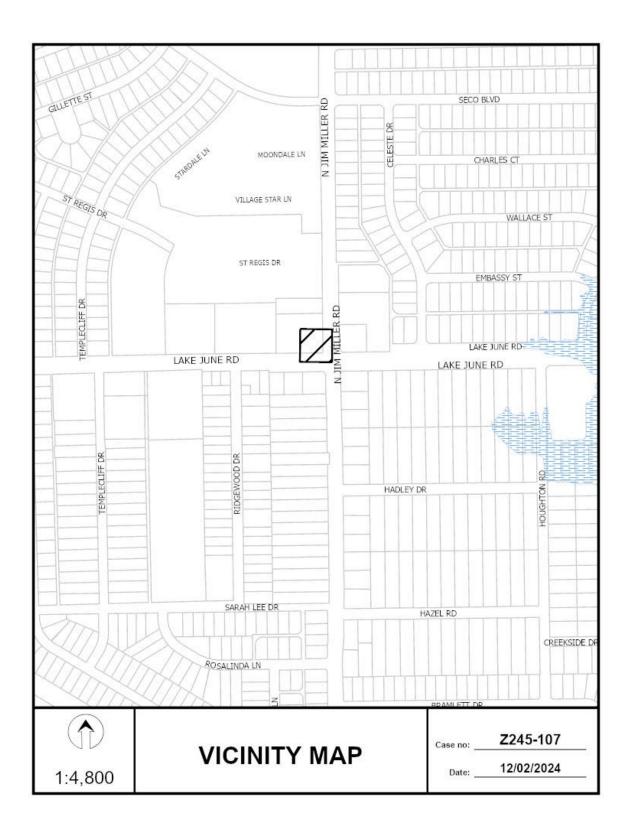
Limestone Assets, LLC Lilli Wong, Director/Secretary Registered Agent Solutions, Inc., Agent

PROPOSED SUP CONDITIONS

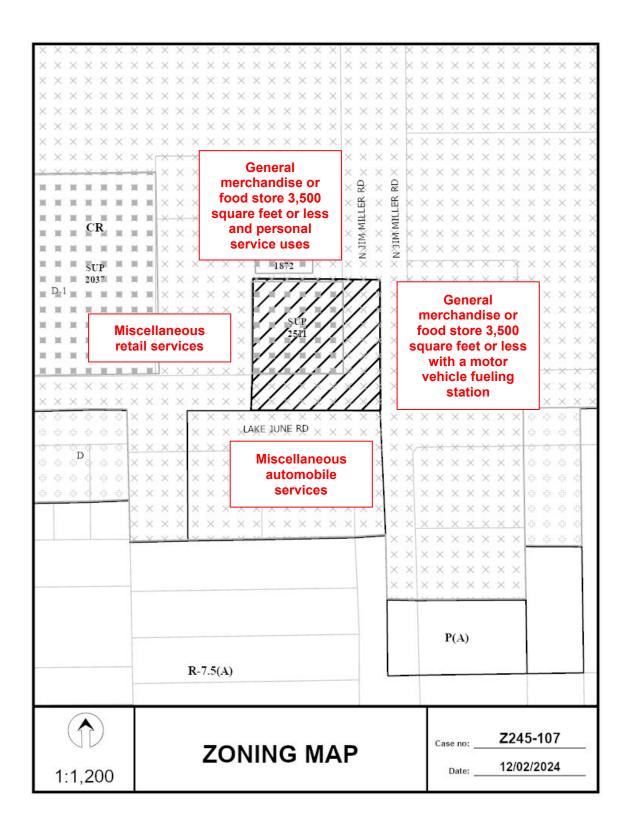
- 1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
- 2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
- 3. TIME LIMIT: This specific use permit expires on (5 years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) [January 10, 2025.]
- 4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

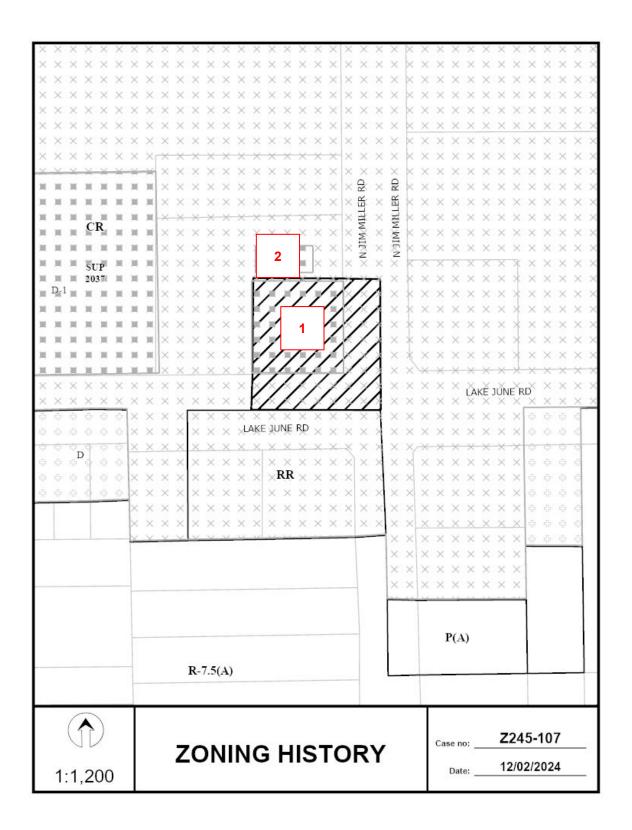
EXISTING SITE PLAN (NO CHANGES)

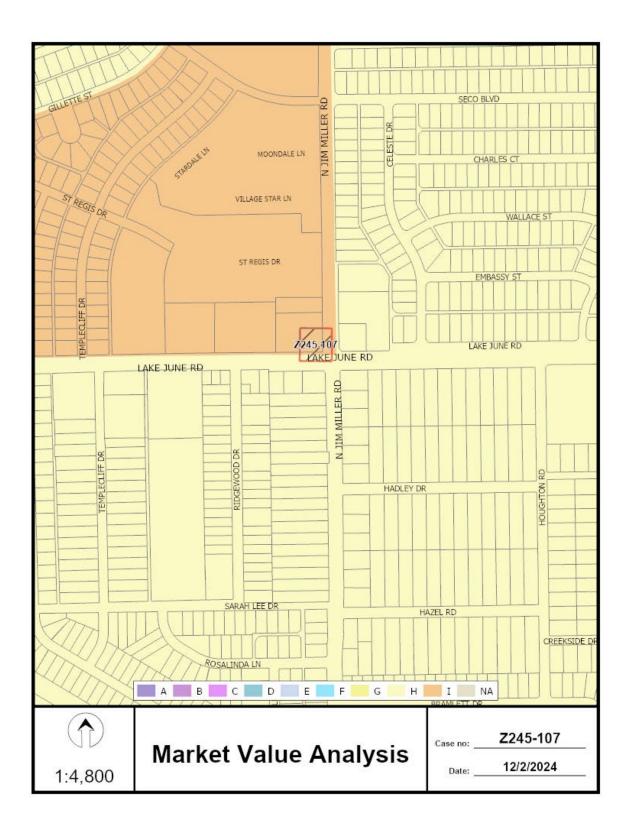


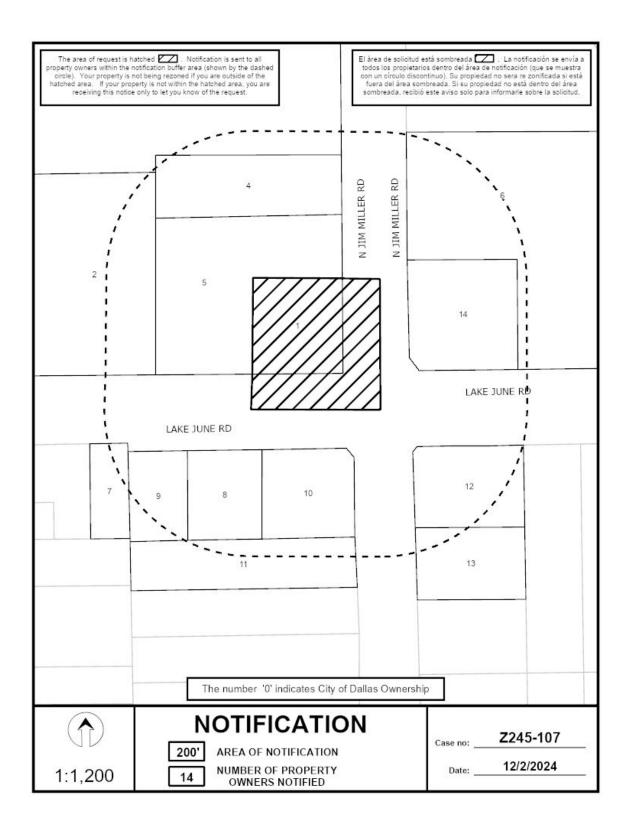












12/02/2024

Notification List of Property Owners Z245-107

14 Property Owners Notified

Label #	Address		Owner
1	7037	LAKE JUNE RD	LIMESTONE ASSETS LLC
2	7007	LAKE JUNE RD	DJ LAKE JUNE INC
3	1341	N JIM MILLER RD	REGIS SQUARE LTD
4	1331	N JIM MILLER RD	ALMENDARIZ JUVENAL E
5	7035	LAKE JUNE RD	LEE CHUN KOO & YOUNG SOOK
6	7121	LAKE JUNE RD	SAMUEL MILLER FIT LLC
7	7010	LAKE JUNE RD	VILLANUEVA BERNARDO &
8	7024	LAKE JUNE RD	MADI ALI K ET AL
9	7016	LAKE JUNE RD	SHAM REALTY LLC
10	7034	LAKE JUNE RD	MADI ALI K &
11	1235	N JIM MILLER RD	VILLANUEVA BERNARDO & MARIA C
12	7102	LAKE JUNE RD	REZAEI HOLDINGS LLC
13	1236	N JIM MILLER RD	REZAEI HOLDING LLC
14	7101	LAKE JUNE RD	B A N UNLIMITED INC



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the amendment and renewal of Specific Use Permit No. 370 for a child-care facility and a community service center on property zoned R-5(A) Single Family Subdistrict within Planned Development District No, 595, The South Dallas/Fair Park Special Purpose District, on the north corner of Leland Avenue and Marburg Street.

<u>Staff Recommendation</u>: <u>Approval</u> for a ten-year period, subject to conditions.

Applicant: Dallas Bethlehem Center

Representative: Jami Russell Planner: Cherrell Caldwell

Council District: 7 **Z234-310(WK/CC)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Cherrell Caldwell

FILE NUMBER: Z234-310(WK) DATE FILED: August 13, 2024

LOCATION: North corner of Leland Avenue and Marburg Street.

COUNCIL DISTRICT: 7

SIZE OF REQUEST: Approx. 1.278 acres CENSUS TRACT: 4811302800

REPRESENTATIVE: Jami Russell

OWNER/ APPLICANT: Dallas Bethlehem Center

REQUEST: An application for the renewal of Specific Use Permit No. 370

for a child-care facility and a community service center on property zoned R-5(A) Single Family Subdistrict within Planned Development District No, 595, The South Dallas/Fair

Park Special Purpose District.

SUMMARY: The purpose of the request is to continue to allow a child-care

and community service facility on the property.

STAFF RECOMMENDATION: <u>Approval</u> for a ten-year period, subject to conditions.

BACKGROUND INFORMATION:

- The area of the request is zoned R-5(A) Single Family Subdistrict within Planned Development District No. 595.
- The applicant proposes to continue operation of a childcare facility and community service center.
- In May 1982, City Council repealed SUP No. 124 and approved an amendment to SUP No. 370 for a private community center, a day-care center, and a mission station, for a permanent time, subject to a site plan and conditions.
- PD 595 was established in September 2001, and is divided into 10 subdistricts, residential and non-residential. The site is located within the R-5(A) Single Family Subdistrict. R-5(A) allows child-care facility and community service center uses subject to SUP approval. In December 2003, City Council approved an amendment to SUP No. 370 for childcare use only, and included a 10-year time limit and a new site plan/landscape plan. In October 2013, the Board of Adjustment granted three Special Exceptions for this site: Special Exception to permit a fence to exceed 4 feet in height in the front yard setback. The existing fence is 6 feet, 4 inches in height. Special Exception to permit the fence to encroach in the visibility triangles on both side on the driveway from Leland Avenue and Marburg Street. Special Exception to off street parking regulations to reduce required number of parking spaces for the community service center portion of the site from 43 parking spaces to 33 parking spaces. In April 2014. City Council renewed and amended SUP No. 370 for a childcare facility and a community service center for a five-year term limit. The amendments approved in 2014 included: new landscape plan, fence elevations, visibility triangles, new parking count, and new parking layout. On August 14, 2019 the City Council approved an ordinance for the renewal of Specific Use Permit No. 370 for a child-care facility and a community service center for a five-year period.
- The lot has frontage on Leland Avenue and Marburg Street

Zoning History:

There have not been any zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Leland Avenue	Local Street	-
Marburg Street	Local Street	-

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	PD 595 Subdistrict R-5(A)	Child-care facility and community service center
North	PD 595 Subdistrict R-5(A)	Single Family
East	PD 595 Subdistrict R-5(A)	Single Family
South	PD 595 Subdistrict NC	Church
West	PD 595 Subdistrict R-5(A)	Single Family

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and 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:

LAND USE ELEMENT

- **GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES
 - **Policy 1.1.3** Build a dynamic and expanded Downtown.
 - **Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.
 - **Policy 1.1.7** Ensure appropriately located capacity to achieve growth targets.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

- **Policy 1.2.1** Use Vision Building Blocks as a general guide for desired development patterns.
- **Policy 1.2.2** Establish clear and objective standards for land use planning.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

- **Policy 5.1.1** Promote pedestrian-friendly streetscapes
- **Policy 5.1.2** Define urban character in Downtown and urban cores.
- **Policy 5.1.3** Encourage complementary building height, scale, design and character
- **Policy 5.1.4** Enhance visual enjoyment of public space.

Land Use Compatibility:

The applicant's site consists of approximately 1.278 acres. The property is currently developed is a 15,264-square-foot building that contains a community service center in the southern wing, and a child-care facility in the northern wing. The child-care facility occupies a 6,584-square-foot portion, and the community service center is occupying a 8,680-square-foot portion. Within the community service center, Grocery Connect occupies 332 square feet. The site also contains 33 parking spaces distributed into two lots, and a 3,508-square-foot playground on the eastern side of the property.

The request site is generally surrounded by single family residential to the north, east and south, and to the west a church.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of

the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city. As the surrounding is heavily developed with single family and an institutional use is complimentary to the existing fabric of the area.

Landscaping:

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

Parking:

Per Dallas City Code, the off-street parking requirement for a child care facility may be established by the specific use permit. The existing SUP requires 33 spaces, which the applicant proposes to maintain.

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 within an "H" MVA category.

List of Officers

Dallas Bethlehem Center

Harden Wiedemann Chair

Pastor Montreal Martin

Wendy Campbell President, United Women in Faith, North Texas

Conference

Andy Lewis Reverand

James Chen Treasurer

Dr. Thalia F. Matherson

Gifton Milburn Secretary

Kanesia Mitchell Legal Counsel

Pat Simon

Bridgett Mitchell Human Resources Counsel

Manuel Calderon Vice- Chair

Doris Marshall

Becca Cavner

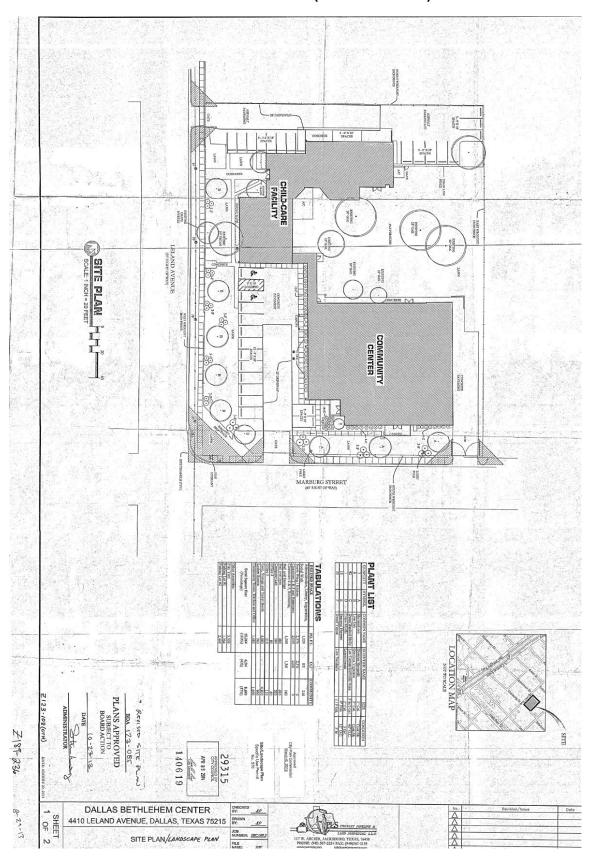
Pastor Wally Butts

Jami Russell Executive Director

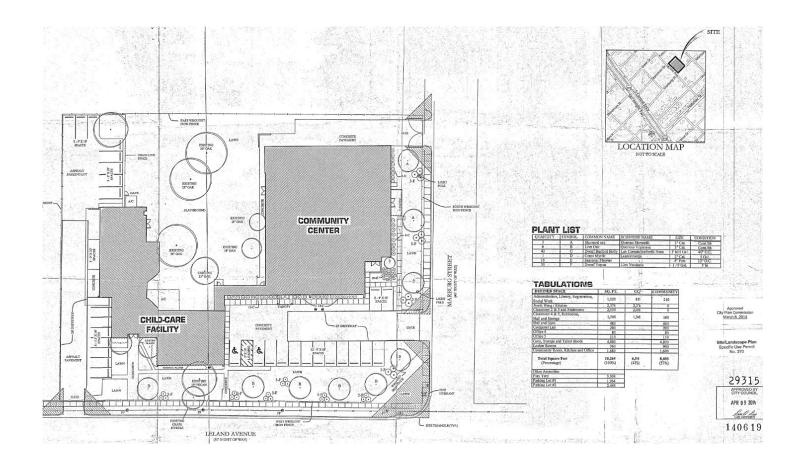
PROPOSED CONDITIONS

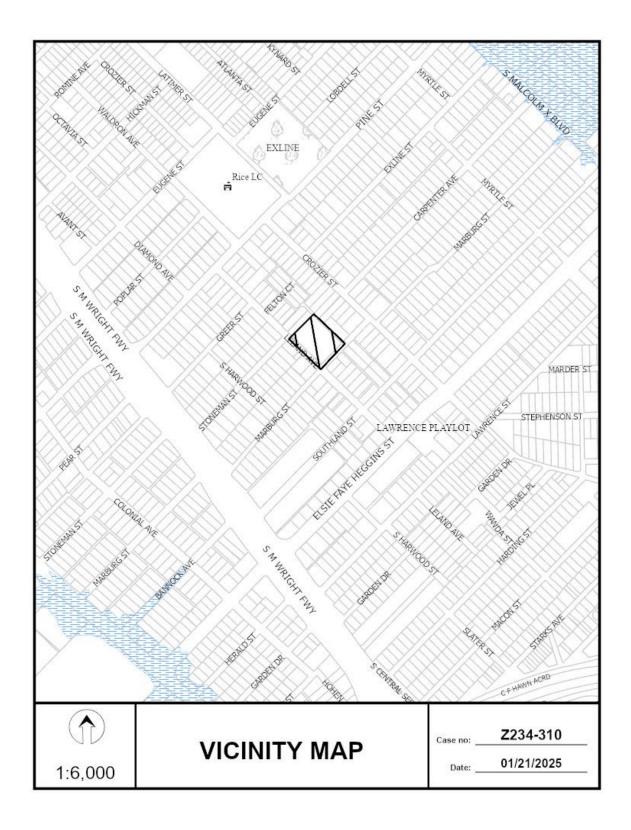
- 1. USE: The only uses authorized by this specific use permit are a child-care facility and a community service center.
- 2. SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.
- 3. TIME LIMIT: This specific use permit expires on (ten-year period from passage of this Ordinance) but is eligible for automatic renewals for additional ten-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced).
- 4. LANDSCAPING: Landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended, and located as shown on the attached site/landscape plan.
- 5. PARKING: A minimum of 33 off-street parking must be provided as shown on the attached site/landscape plan.
- 6. FENCING: Fencing must be provided as shown on the attached fence elevations.
- 7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN (NO CHANGES)

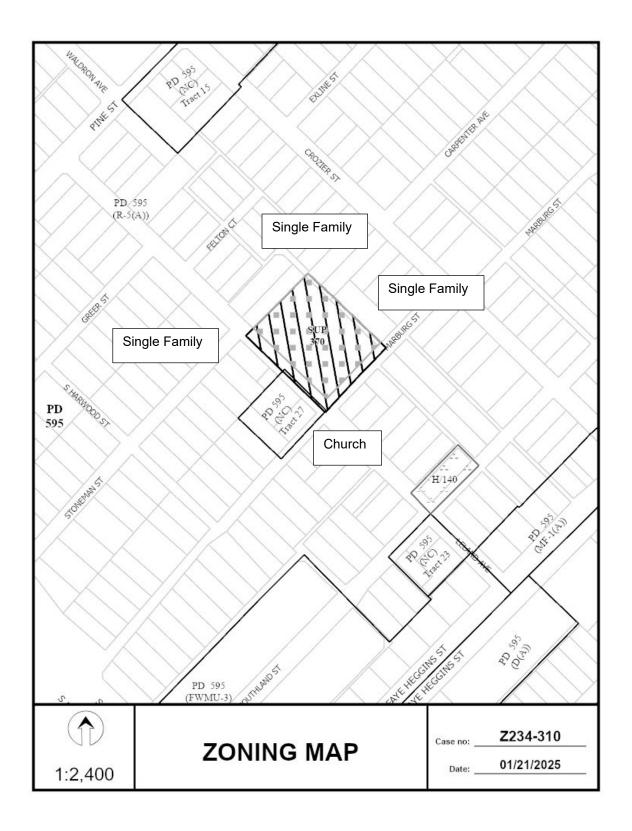


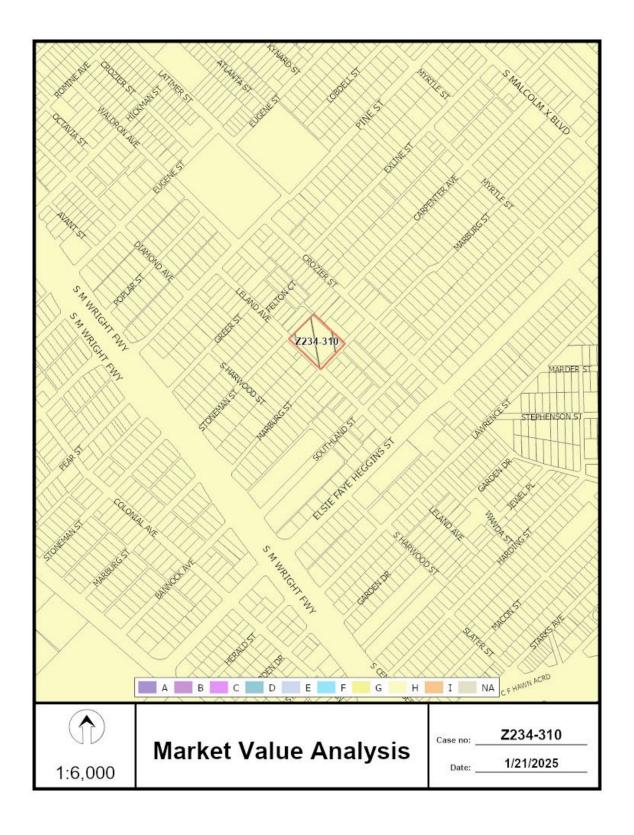
EXISTING SITE PLAN (NO CHANGES, ENLARGED)

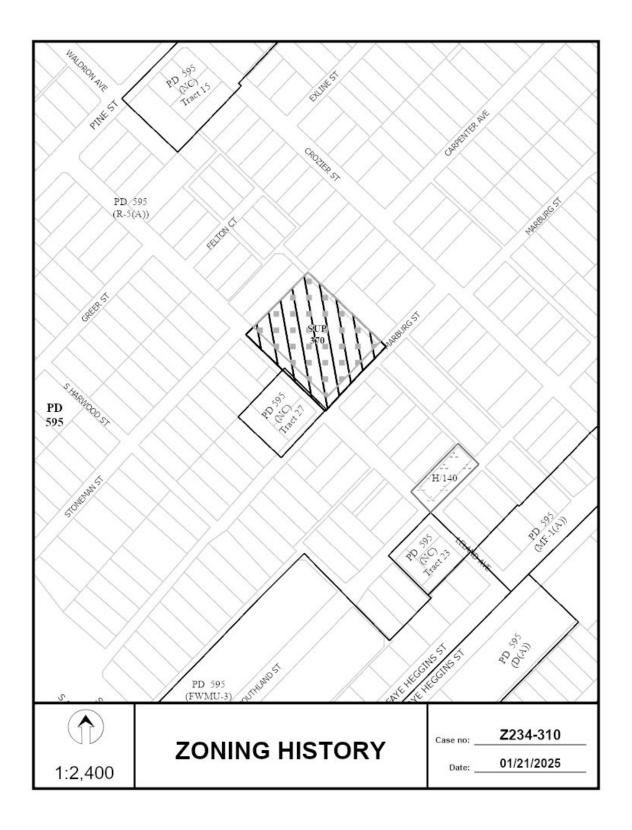


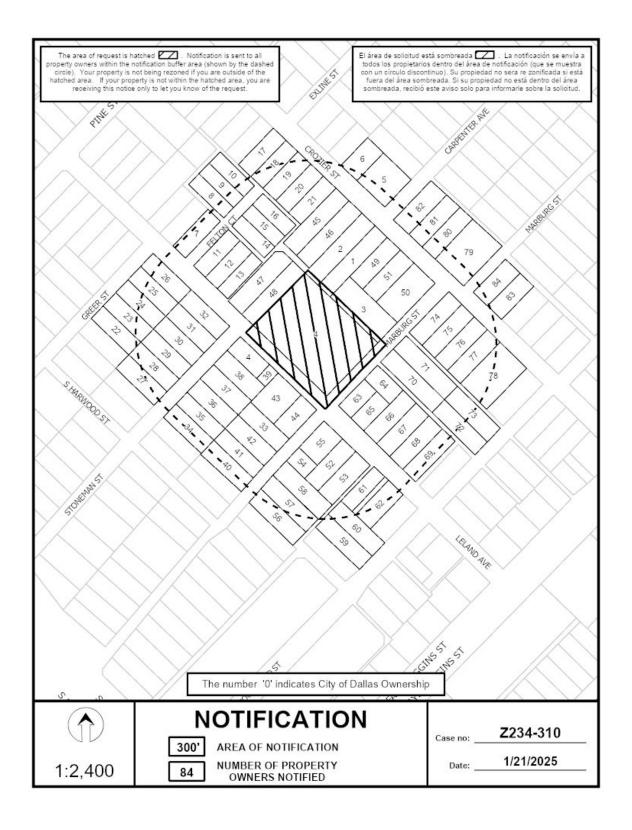












01/21/2025

Notification List of Property Owners Z234-310

84 Property Owners Notified

Label #	Address		Owner
1	4415	CROZIER ST	TORRES J BENITO ROJAS
2	4411	CROZIER ST	WEIR FAITH &
3	2419	MARBURG ST	JACKSON JOYCE M
4	2330	STONEMAN ST	DALLAS BETHLEHEM CENTER INC
5	2503	CARPENTER AVE	GSI PORTFOLIO LLC
6	4402	CROZIER ST	Taxpayer at
7	4228	LELAND AVE	Taxpayer at
8	2415	FELTON CT	SANCHEZ YOLANDA
9	2417	FELTON CT	NAVA JUANITA & ERIC
10	2423	FELTON CT	Taxpayer at
11	4300	LELAND AVE	HERNANDEZ MEYLI
12	4304	LELAND AVE	ROMERO JAIME &
13	4308	LELAND AVE	ADVANCED INVESTMENTS INC
14	2414	FELTON CT	COLMENERO ARTURO
15	2418	FELTON CT	HOLLEY DOMINIQUE S
16	2422	FELTON CT	HOLLEY BETTY EST OF
17	4315	CROZIER ST	DURU CELESTINA
18	4319	CROZIER ST	BROWN LASHONIA
19	4323	CROZIER ST	RAULS ERIC
20	4325	CROZIER ST	LOPEZ LEOPOLDO
21	4329	CROZIER ST	WASHINGTON SHELIA L &
22	2314	GREER ST	TRIUMPH THE CHURCH
23	2318	GREER ST	TURNER CAROLYN ELIZABETH
24	2322	GREER ST	GREAT INVESTMENTS LLC
25	2326	GREER ST	QJTT INVESTMENTS LLC
26	2330	GREER ST	BAILEY SHENIQUA
01/01/0005			

01/21/2025

Label # Address Owner

Z234-310(WK)

27	2311	STONEMAN ST	ALLEN MARY &
28	2315	STONEMAN ST	DESOTO REAL ESTATE RESOURCE LLC
29	2319	STONEMAN ST	BROWN VERA
30	2323	STONEMAN ST	GRANT HAROLIE &
31	2327	STONEMAN ST	RCGA LLC
32	2329	STONEMAN ST	JAMERSON O V
33	2325	MARBURG ST	PATTERSON PRINE ELLA
34	2310	STONEMAN ST	JACKSON DANITA W
35	2312	STONEMAN ST	CROOKED STICK PROPERTIES LLC
36	2318	STONEMAN ST	LOZA JOANA I &
37	2322	STONEMAN ST	DURRANI INVESTMENTS LLC
38	2326	STONEMAN ST	THOMPSON LARUTH EST OF
39	4410	LELAND AVE	DALLAS BETHLEHEM CTR INC
40	2311	MARBURG ST	REESE PERRY
41	2315	MARBURG ST	RANDOLPH JOSIE
42	2319	MARBURG ST	RIVERA PAULA
43	4417	LELAND AVE	PIPKINS RODERICK A &
44	4423	LELAND AVE	STEVE GRAHAM & COMPANY
45	4403	CROZIER ST	BENITEZ TIOFILO & EDIS
46	4407	CROZIER ST	Taxpayer at
47	4324	LELAND AVE	PINEDA JOSE ISMAEL
48	4328	LELAND AVE	ADVANCED INVESTMENT INC
49	4419	CROZIER ST	HENRY L M & VERESSA
50	4429	CROZIER ST	ORELLANA JOSE DAVID &
51	4423	CROZIER ST	HUBBARD JOHN
52	4507	LELAND AVE	JOHNSON ROBERT R JR
53	4511	LELAND AVE	BRAJOR VENTURES LLC
54	2322	MARBURG ST	WARREN EDGAR EARL &
55	4503	LELAND AVE	SNEED REBECCA COLEMAN
56	2312	MARBURG ST	WHITEHEAD WILLIE A &
57	2316	MARBURG ST	KINGDOM KIDS INVESTMENTS

Z234-310(WK)

01/21/2025

Label #	Address		Owner
58	2318	MARBURG ST	OROZCO HUMBERTO & ALEJANDRA &
59	2315	SOUTHLAND ST	PRICE PURVIS EST OF &
60	2319	SOUTHLAND ST	REED JEREMY
61	4515	LELAND AVE	SANCHEZTINAJERO GAUDENCIO &
62	4519	LELAND AVE	HOWARD PARIS
63	4502	LELAND AVE	KABINE N CO LLC
64	2410	MARBURG ST	MCCLELLAN QUENTIN
65	4506	LELAND AVE	INCLINE DEVELOPMENT GROUP INC
66	4510	LELAND AVE	DONALDSON VERTA M
67	4514	LELAND AVE	AOJ HOLDINGS LLC
68	4518	LELAND AVE	LOPEZ KARINA
69	4522	LELAND AVE	DUNN R T JR EST OF
70	2416	MARBURG ST	HUBBARD JOHN W & WANDA
71	2418	MARBURG ST	BIRCH DORIS A
72	2415	SOUTHLAND ST	WILKINS BETTY
73	2417	SOUTHLAND ST	JIMMERSON ROSIE
74	4501	CROZIER ST	ROGERS GEORGE & ANN
<i>7</i> 5	4505	CROZIER ST	TONEY SAMMIE J
76	4509	CROZIER ST	LOTAR INVESTMENTS LLC
77	4513	CROZIER ST	WASHINGTON SHAWANA
78	4519	CROZIER ST	TONEY CRAIG E & SHARON
79	4430	CROZIER ST	BALDWIN CHAPEL CHURCH OF GOD IN CHRIST
80	4426	CROZIER ST	ROBERSON DIAN MACK
81	4422	CROZIER ST	PLINDSEY PROPERTIES LLC
82	4418	CROZIER ST	WILLIAMS DARLENE A &
83	4506	CROZIER ST	TERRELL ENTERPRISES INC
84	4502	CROZIER ST	HERNANDEZ SAMUEL



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a new Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned CR Community Retail District and a P(A) Parking District, on the west line of Inwood Road north of Lovers Lane.

<u>Staff Recommendation</u>: <u>Approval</u> for a three-year period, subject to a site plan and conditions.

<u>Applicant</u>: Prescott Interests <u>Representative</u>: La Sierra Group

Planner: Cherrell Caldwell

Council District: 13 Z234-333(WK/CC)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Cherrell Caldwell

FILE NUMBER: Z234-333(WK/CC) DATE FILED: August 30, 2024

LOCATION: West line of Inwood Road north of Lovers Lane.

COUNCIL DISTRICT: 13

SIZE OF REQUEST: ± 41,164 square feet **CENSUS TRACT**: 48113007302

REPRESENTATIVE: La Sierra Planning Group

OWNER/APPLICANT: Prescott Interests

REQUEST: An application for a new Specific Use Permit for an alcoholic

beverage establishment limited to a bar, lounge, or tavern on property zoned CR Community Retail District and a P(A) Parking District on the west line of Inwood Road north of

Lovers Lane.

SUMMARY: The purpose of the request is to allow an alcoholic beverage

establishment limited to a bar, lounge, or tavern within an

existing building on site.

STAFF RECOMMENDATION: <u>Approval</u> for a three-year period, subject to a site plan

and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned CR Community Retail. The request is to convert the existing medical clinic into an alcoholic beverage establishment.
- The lot has frontage on both West Lovers Lane and Inwood Road.
- The applicant is seeking to operate seven days a week from 5:00 p.m. to 1:00 a.m.
- An specific use permit is required to operate an alcoholic beverage establishment limited to a bar, lounge, or tavern in a CR Community Retail District

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Inwood Road	Principal Arterial	80 feet
Lovers Lane	Minor Arterial	90 feet
Menier	Local Street	-

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006 and 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:

LAND USE ELEMENT

- **GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES
 - **Policy 1.1.3** Build a dynamic and expanded Downtown.
 - **Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.
 - **Policy 1.1.7** Ensure appropriately located capacity to achieve growth targets.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

- **Policy 1.2.1** Use Vision Building Blocks as a general guide for desired development patterns.
- **Policy 1.2.2** Establish clear and objective standards for land use planning.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

- **Policy 5.1.1** Promote pedestrian-friendly streetscapes
- **Policy 5.1.2** Define urban character in Downtown and urban cores.
- **Policy 5.1.3** Encourage complementary building height, scale, design and character
- **Policy 5.1.4** Enhance visual enjoyment of public space.

Area Plans:

The subject property is not located within a designated area plan.

Land Use:

	Zoning	Use
Site	CR Community Retail District and	Medical Clinic
North	P(A) Parking District R-16(A) with SUP 852 for Institution of a Religious, Charitable or	Office and Parking
Northeast	Philanthropic Nature R-16(A)	Undeveloped
Southeast	CR Community Retail District	Retail
Southwest	CR Community Retail District	Retail

Land Use Compatibility:

The area of request is currently a medical clinic. The property abuts CR Community retail and P(A) Parking districts.

The area of request is currently zoned an CR Community Retail District. The applicant proposes to convert the existing medical clinic into an alcoholic beverage establishment. The facility is proposed to operate seven days a week from 5:00 p.m. to 1:00 a.m. To accomplish this, the request of a specific use permit was submitted.

The request is in alignment with existing uses within the corridor. Facilities such as but not limited to:

Inwood Tavern
Lovers Seafood & Market
Time Out Tavern Sports Bar
Rise Souffle Dallas
Drake Hollywood Steak
Angela's Café
Dunston's Steak House

Another important consideration with the applicant's request is the initial three year period.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of

the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Landscaping:

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

Parking:

The Dallas Development Code requires off-street parking to be provided with one space per 100 square feet per Section 51A-4.209 Bar and Restaurant Uses. The 1,355 proposed square feet for the use would require 14 spaces.

Market Value Analysis:

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

List of Officers

Prescott Interest Lovers/Inwood LLC

John K Pearcy President/Secretary

James B. Oates Vice President

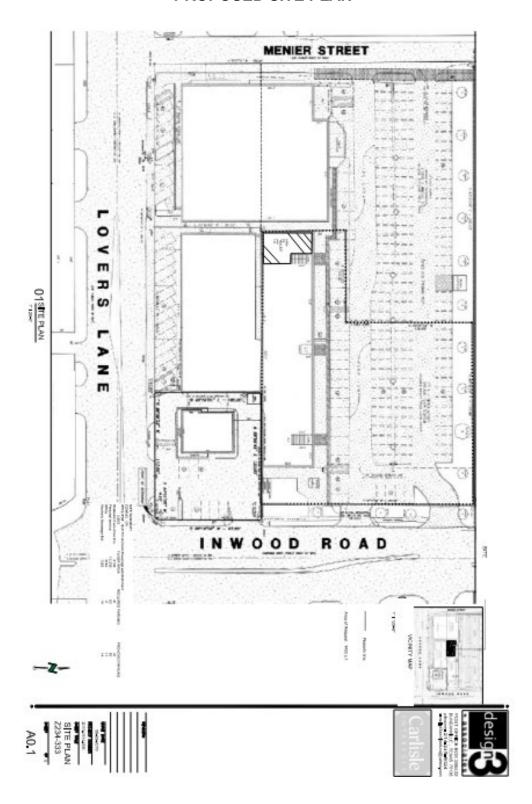
Frank Wright Director

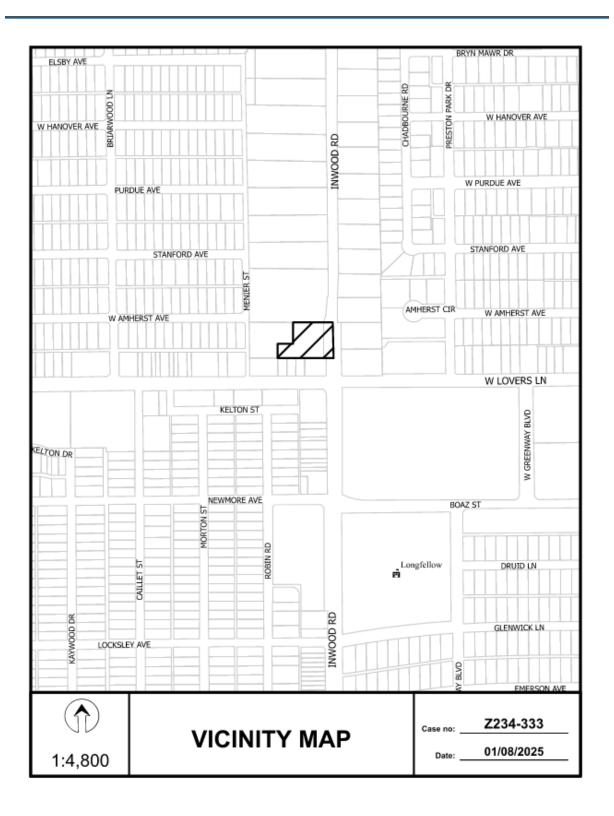
Dirik Oudt Managing Member

PROPOSED CONDITIONS

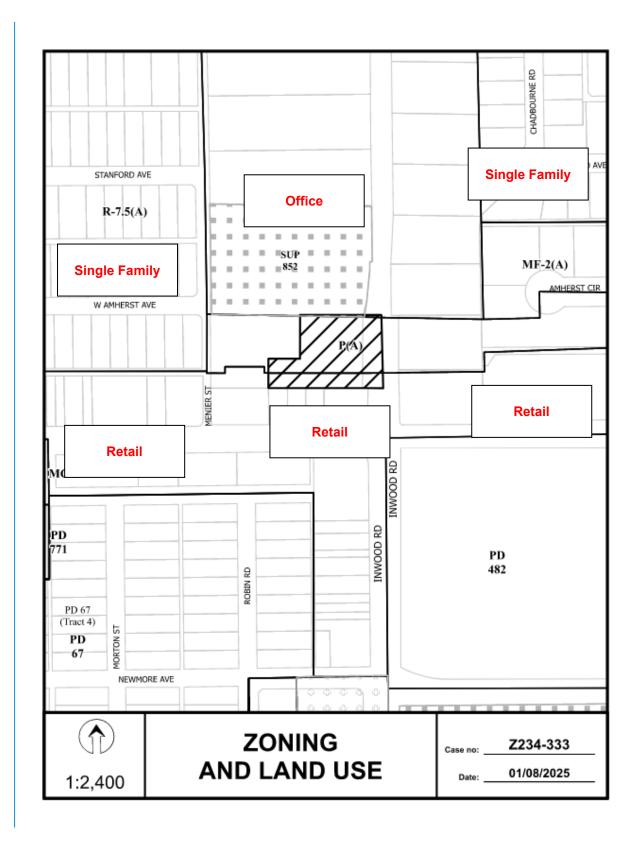
- 1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a bar, lounge, or tavern.
- 2. SITE PLAN: Use and development of property will comply with the attached site plan.
- 3. TIME LIMIT: This specific use permit expires (3-years from passage of this ordinance).
- 4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

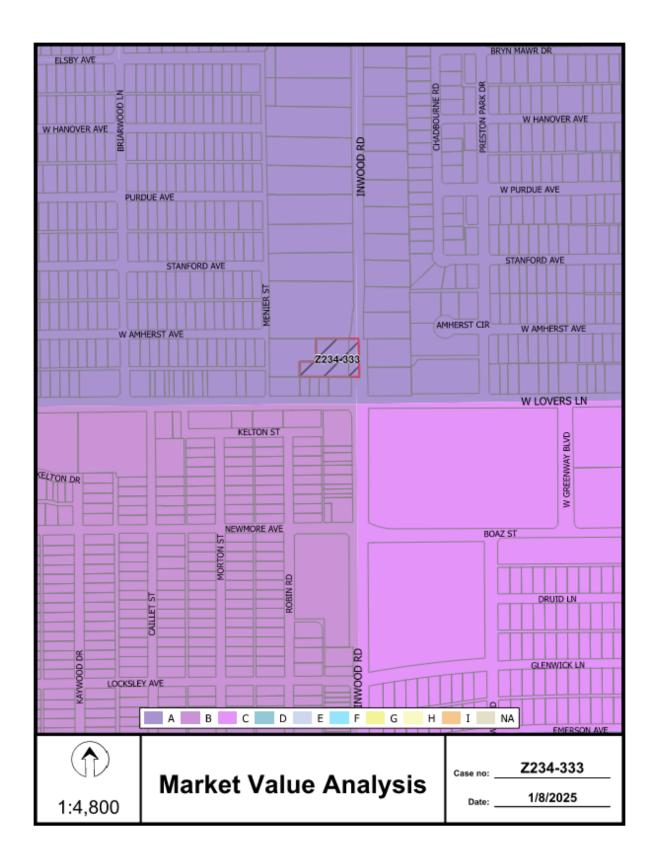
PROPOSED SITE PLAN

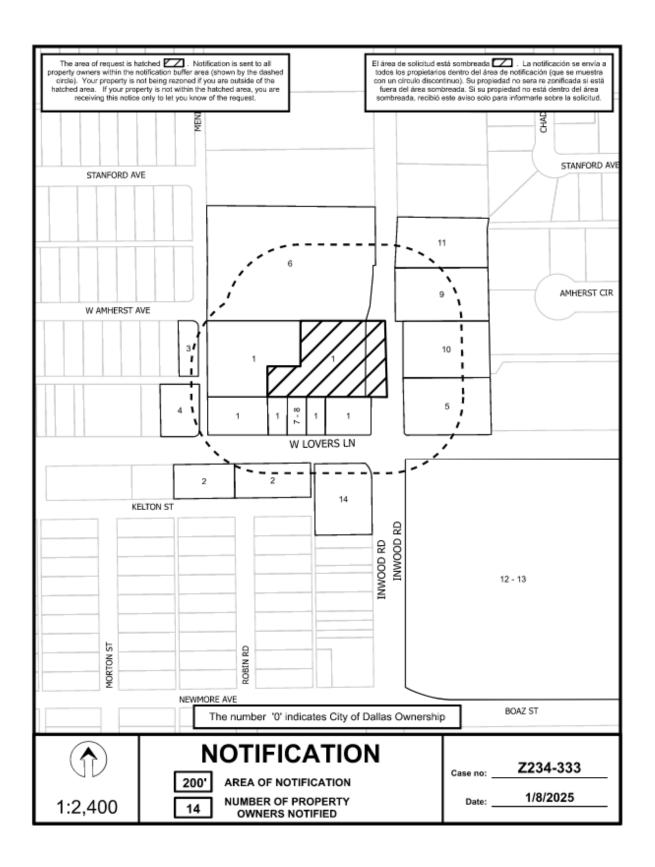












01/08/2025

Notification List of Property Owners Z234-333

14 Property Owners Notified

Label #	Address		Owner
1	5213	W LOVERS LN	PRESCOTT INTERESTS
2	5118	W LOVERS LN	MAZE FAMILY LP LTD
3	5126	W AMHERST AVE	FIFE KATHARINE D & JOHN
4	5125	W LOVERS LN	SOUTHLAND CORP 12205
5	5301	W LOVERS LN	GREENWAY LOVERS WEST LP
6	8003	INWOOD RD	JUNIOR LEAGUE OF DALLAS
7	5217	W LOVERS LN	PRESCOTT INTERESTS
8	5217	W LOVERS LN	PRESCOTT INTERESTS LTD
9	8002	INWOOD RD	INTERCITY INVESTMENT PPTIES INC
10	7916	INWOOD RD	GREENWAY LOVERS WEST LP
11	8014	INWOOD RD	RADP PROPERTIES LLC
12	5300	W LOVERS LN	L&B DEPP INWOOD VILLAGE
13	5458	W LOVERS LN	L&B DEPP INWOOD VILLAGE
14	7809	INWOOD RD	HOME SAVINGS OF AMERICA



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the amendment and renewal of Specific Use Permit No. 1450 for an openenrollment charter school on property zoned R-7.5(A) Single Family District, on the southwest corner of West Illinois Avenue and Chalmers Street, on the south line of Bakersfield Street, and on the north line of Engle Avenue.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to an amended site plan, amended traffic management plan, and conditions.

Applicant: Rob Baldwin Planner: Lori Levy, AICP

Council District: 3 **Z234-351(LL)**

CITY PLAN COMMISSION

THURSDAY, February 6, 2025

Planner: Lori Levy, AICP

FILE NUMBER: Z234-351(LL) DATE FILED: September 20, 2024

LOCATION: Southwest corner of West Illinois Avenue and Chalmers Street,

on the south line of Bakersfield Street, and on the north line of

Engle Avenue

COUNCIL DISTRICT: 3

SIZE OF REQUEST: 5.4 Acres CENSUS TRACT: 48113010804

OWNER: Golden Rule Schools, Inc.

APPLICANT: Rob Baldwin

REQUEST: An application for the amendment and renewal of Specific

Use Permit No. 1450 for an open-enrollment charter school on property zoned R-7.5(A) Single Family District, located on the southwest corner of West Illinois Avenue and Chalmers Street, on the south line of Bakersfield Street, and on the north

line of Engle Avenue.

SUMMARY: The purpose of the request is to allow the existing open-

enrollment charter school to continue to operate on the

property [Golden Rule Charter School].

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for

automatic renewals for additional five-year periods, subject to an amended site plan, amended traffic

management plan, and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned R-7.5(A) Single Family District with SUP 1450 for an open-enrollment charter school [Golden Rule Charter School] and is developed with nine buildings and one small storage building (total size approx. 65,610 sq. ft.).
- Geographically located in Southwest Dallas.
- The existing approved development plan allows construction of a 10th and 11th building, as shown on the Development Plan.
- The total number of classrooms requested remains unchanged, with a maximum of 34 general classrooms and 21 specialty classrooms.
- Classrooms are currently limited to PreK-3 through Eighth grades.
- An updated traffic management plan is included with this SUP renewal application.
- The child-care facility can continue to operate without the need for an SUP and is not included in this SUP renewal because child-care facilities are now allowed by-right in an R-7.5(A) district when located on a property with a school.
- On January 12, 2022, City Council approved an amendment to Specific Use Permit No. 1450 for the renewal of the open-enrollment charter school for a three-year period.
- The purpose of this request is to renew Specific Use Permit 1450 for an openenrollment charter school and update the traffic management plan.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
W. Illinois Avenue	PA – Principal Arterial	100'
Chalmers Street	Local Street	-
Bakersfield Street	Local Street	-

Traffic:

The Transportation Development Services Division of the Planning and Development

Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will review engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! Comprehensive Plan (1.0) was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request, since the application was filed prior to September 26, 2024.

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.
- **Implementation 1.1.2.2** Focus on developing strong middle-class neighborhoods anchored by successful schools and supported with sufficient retail.
- **Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.
- Implementation 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.
- Implementation 1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Implementation 2.1.3.1 Focus economic development efforts on encouraging the development of strong neighborhoods in the Southern Sector that include housing for all income segments, quality schools and recreational amenities.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

Implementation 2.5.1.1 Ensure neighborhoods have access to high-quality public amenities and services such as parks, schools and libraries.

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.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

NEIGHBORHOOD PLUS

POLICY 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

Land Use:

	Zoning	Land Use
Site	R-7.5(A) with SUP 1450 for an open- enrollment charter school	Open-enrollment charter school and child-care facility
North	R-7.5(A)	Single Family

South	R-7.5(A)	Single Family
East	R-7.5(A)	Single Family
West	R-7.5(A)	Single Family

Land Use Compatibility:

The area of request is currently developed with nine (9) buildings (approx. 65, 610 square feet total in size), zoned R-7.5(A) Single Family District with SUP 1450 for an open-enrollment charter school, on the southwest corner of W. Illinois Avenue and Chalmers Street, and the north side of Engle Avenue. The site includes a child-care facility located in a previous church building that was included in the previously approved SUP 1450, that is not included in this SUP renewal because the child-care use is now allowed without an SUP.

To the north, west, and south of the property are single family uses. To the east of the property is an existing church. Since this property has been developed with an existing open-enrollment charter school for approximately 23 years and is surrounded by residential uses to support the community school, staff finds the applicant's request to be appropriate and compatible with the surrounding area.

Staff supports the applicant's request and finds the proposed rezoning to be appropriate for this area as it would continue to serve the existing neighborhood. Further, the applicant is not proposing any further expansion of buildings beyond what is allowed per the existing development plan or increasing the number of existing allowable classrooms to ensure appropriate scale and compatibility with the surrounding area, as well as the existing underlying subdistrict of R-7.5(A).

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

zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the request because it will allow the school to operate in a manner that will not be a detriment to the adjacent properties and the surrounding roadway system and will enhance pedestrian access within and around the request site. Staff supports the request, because staff considers the requested amendment to be compatible with the surrounding area because compliance with the proposed conditions, site plan, and a Traffic Management Plan requiring periodic updates will ensure the operation continues to have optimal efficiency into the future.

Landscaping:

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

Parking:

Pursuant to the Dallas Development Code, if an SUP is required for a school use, the off-street parking requirement may be established in the ordinance granting the SUP [ref. Sec. 51A-4.204(17)(C)(iv)]. The off-street parking requirement for school use pursuant to Section 51A-4.204(17) is that each kindergarten or elementary school classroom requires one and one-half parking spaces. Since the school includes a total of 25 kindergarten/elementary (5 kindergarten and 20 elementary) school classrooms the typical minimum parking requirement for those classrooms would be 38 parking spaces. Three and one-half parking spaces are required for middle school or junior high school classrooms and the school includes 9 junior high school classrooms requiring 32 parking spaces. Based on the site plan, the total parking required for all classroom uses on the site is 70. To ensure adequate parking spaces, the applicant has provided a total of 131 parking spaces.

Market Value Analysis:

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

Z234-351(LL)

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 currently in an "H" MVA area. To the north, south, east and west of the site is the "H" MVA area.

List of Officers

Golden Rules Charter School, Inc.

Board President Darrell Pilcher

Board-Vice President Gamaliel Solares

Board Secretary Sarah Elizondo

Board Member Lupita Kassi

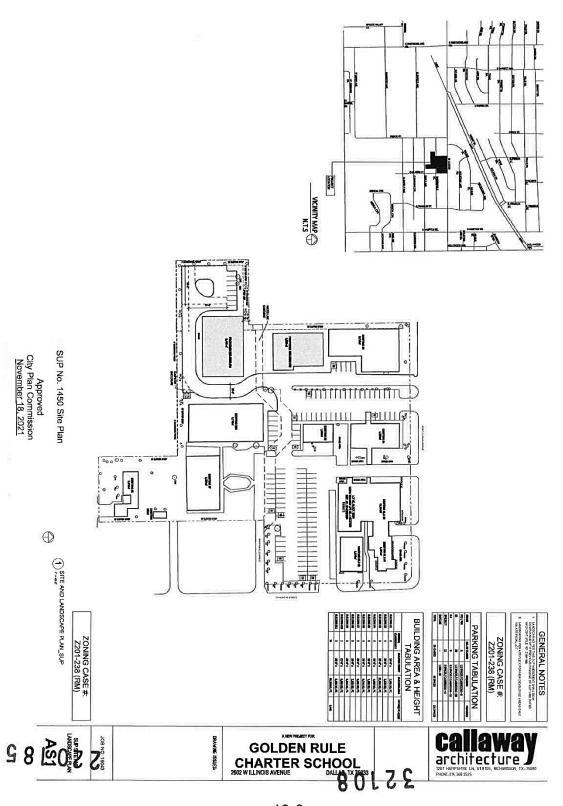
Superintendent/CEO Dr. Vincente Delgado

Deputy Superintendent Ernie Amaton

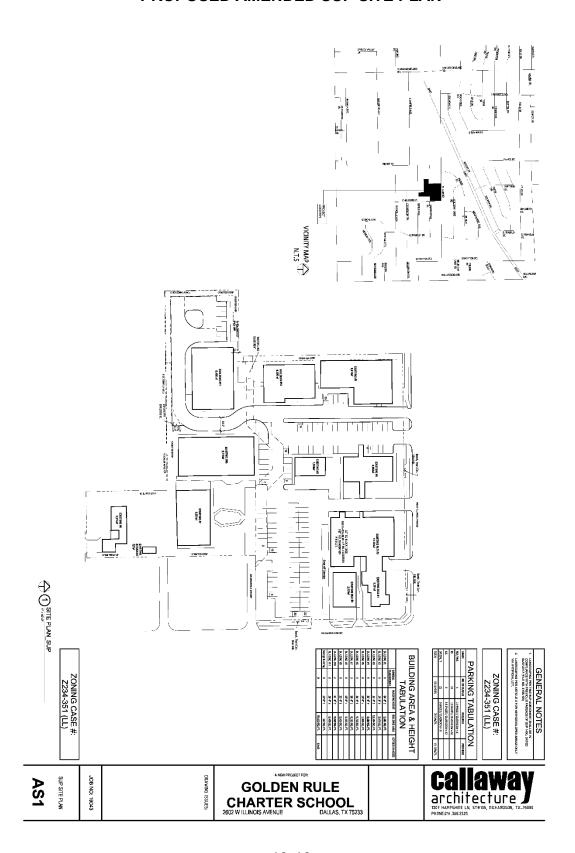
Curriculum Superintendent Diana Lara

Illinois Principal Dania Gomez

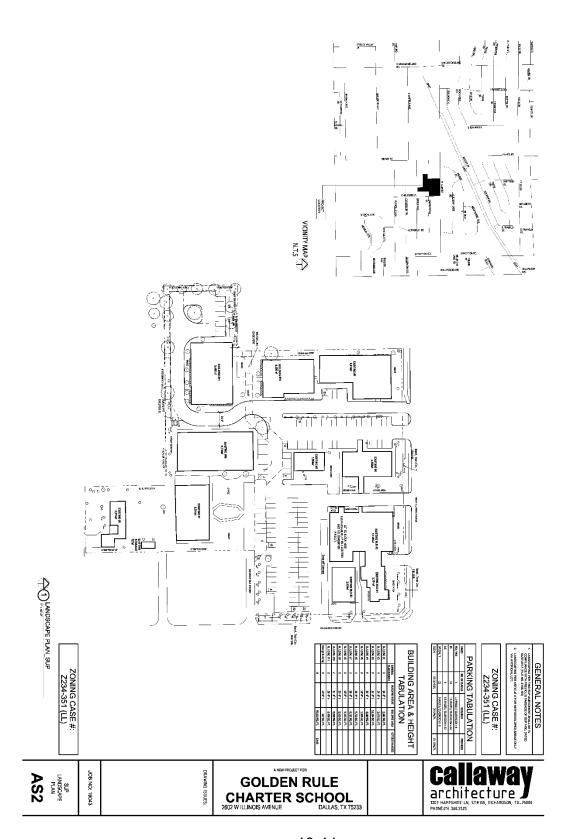
EXISTING SUP SITE AND LANDSCAPE PLAN



PROPOSED AMENDED SUP SITE PLAN



AMENDED (SEPARATE) LANDSCAPE PLAN



EXISTING TRAFFIC MANAGEMENT PLAN

32108

220185

2/16/2021

KCI Technologies, Inc. | 5021 Lakawana Street, Suite 501 | Dallas, TX 75247 | main: 927.957.3016 | www.kci.com

MEMORANDUM

To:

David Nevarez., P.E., City of Dallas

From:

Beth Ostrowski, P.E., P.T.O.E. (Tennessee), KCI Technologies, Inc.

Kyle Jones, P.E., KCI Technologies, Inc. (TBPE Firm #10573)

Re:

Golden Rule School – Illinois Campus – Traffic Management Plan

Date:

February 15, 2021

Introduction

This purpose of this memo is to provide a traffic management plan (TMP) for the Golden Rule School – Illinois campus. The school is located on West Illinois Avenue, west of Chalmers Street in Dallas, Texas. Specifically, the school is located at 2602 West Illinois Avenue, Dallas, TX 75233, and the phone number is 214-333-9330. The student population will remain unchanged. The school campus includes two existing vehicular access points on West Illinois Avenue and one access point on Chalmers Street.

The TMP exhibit, attached, consists of a site-specific plan providing guidelines to coordinate traffic circulation during school peak hours. Specifically, the TMP is intended to promote strategies to manage all modes of transportation and maintain student safety at all times.

Traffic Operations

The following roadways provides access to the Golden Rule School - Illinois campus:

- West Illinois Avenue is an east-west roadway with three lanes in each direction. The
 posted speed limit on West Illinois Avenue near the school is 35 mph. During dropoff and pick-up traffic enters the school on West Illinois Avenue.
- <u>Chalmers Street</u> is a north-south direction roadway with width for one lane in each direction. The speed limit is not posted on Chalmers Street near the school. During drop-off and pick-up traffic exits the school to Chalmers Street.

The Golden Rule School – Illinois campus has a current enrollment of 746 full-time students. The existing enrollment includes 45 Pre-K students during either the morning hours (arrive at 7:30 AM, dismiss at 12:00 PM) or the afternoon hours (arrive at 12:00



32108

MEMORANDUM
Date: February 15, 2021
Re: Golden Rule School – Illinois Campus – Traffic Management Plan

PM and dismiss at 3:45 PM). The remainder of the student population consists of elementary and middle school students. Elementary students arrive at 7:30 AM and dismiss at 3:45 PM, while middle school students arrive at 8:00 AM and dismiss at 4:15 PM. There are no school buses associated with the school, and students arriving on alternative modes of travel are minimal and discouraged by the school.

During drop-off and pick-up traffic enters the school through the West Illinois Avenue access point. Vehicles circulate internally to the main drop-off/pick-up point in the parking lot located on the eastern portion of the property and then exit out the Chalmers Street access point. Additionally, parking is available via a separate access on West Illinois Avenue. This parking should be utilized primarily for Pre-K pick-up and drop-off.

The school has an identification system in place for dismissal that involves student name signs displayed in vehicles and radio communications in order to coordinate students with their vehicles as they arrive. There are three peace officers that direct traffic during arrival and dismissal periods. Six school staff members assist in walking students to/from vehicles during arrival and dismissal periods. School officials will identify parents' vehicles as they wait in the queue and communicate via radio to have students ready for car entry as each parent arrives at the pick-up point. School officials will be positioned in strategic locations throughout the travel path in order to efficiently identify parents' vehicles as they are waiting in the queue.

Currently, there are approximately 10-15 walkers among the student population. In order to safely accommodate walkers, a questionnaire will be required in order for a student to be allowed to walk home to/from school. Students who are approved to walk to/from school will be issued badges. The badge requirement will allow peace officers and school officials to easily identify which students are allowed to walk to/from the campus. A walker dismissal time will be implemented approximately 10 minutes after the middle school dismissal time. The badge system is also expected to mitigate any possibility of students attempting to walk off the campus to vehicles parked on Chalmers Street or Engle Avenue to the south of the property.

Furthermore, a day care center operates from 6:30 AM-6:00 PM in the adjacent church to the west of the school. The day care center includes approximately 32 enrollees, along with 22 students that attend the after-school program. It should be noted that all 22 after-school students attend the Golden Rule School. There are no specific arrival or dismissal periods for the day care center, and enrollees arrive/dismiss at their parents' convenience.



220185

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Re: Golden Rule School – Illinois Campus – Traffic Management Plan

TMP Exhibit and Summary

The TMP Summary below details school enrollment and arrival and dismissal details.

TABLE 1: SUMMARY OF TMP

FEATURE	Existing Conditions	Projected Conditions
Student Arrival Time:	Elementary - 7:30 AM, 12:00 PM (Pre-K only) Middle School – 8:00 AM	Elementary - 7:30 AM, 12:00 PM (Pre-K only) Middle School – 8:00 AM
Student Dismissal Time:	Elementary – 12:00 PM (Pre-K only), 3:45 PM Middle School – 4:15 PM	Elementary – 12:00 PM (Pre- K only), 3:45 PM Middle School – 4:15 PM
School Enrollment:	PK3 – 15 students PK4 – 30 students KG – 62 students Gr. 1 – 78 students Gr. 2 – 75 students Gr. 3 – 70 students Gr. 4 – 82 students Gr. 5 – 99 students Gr. 6 – 79 students Gr. 7 – 81 students Gr. 8 – 75 students	Same as Existing Enrollment
Number of School Staff Assisting Loading/Unloading:	6	6
Number of Crossing Guards and/or Peace Officers:	3	3
Storage Capacity:	910 feet	1,650 feet

220185

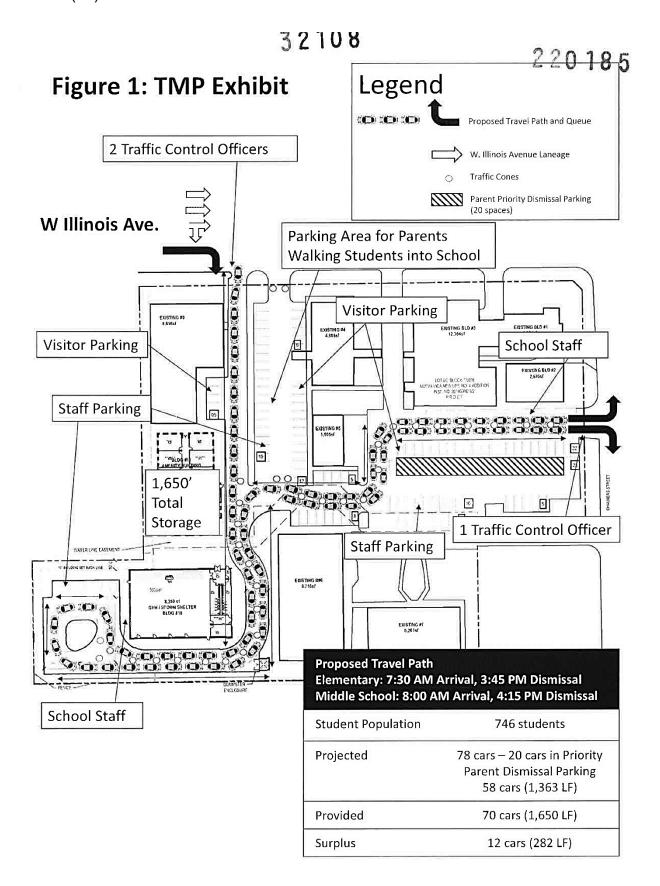
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The TMP exhibit is shown on the next page. The TMP exhibit shows the following features of the Illinois campus:

- Building footprints, curbs, parking, pavement markings, designated student dropoff and pick-up locations.
- School site location and all ingress and egress points of access for motor vehicles or pedestrians.
- On-site traffic circulation, including any temporary traffic control devices.
- Location of school staff assisting with unloading and loading students, as well as location of school crossing guards and/or peace officers. Existing peak hour traffic volumes are presented on a figure at the end of the report.



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As shown in the TMP Exhibit, the new traffic pattern for the student population is planned to travel through the western entrance on West Illinois Avenue southbound toward the new building, loop back north, and exit out of the existing access drive located on Chalmers Street. The staggered arrival/dismissal schedule along the with the additional storage, totaling 1,650 feet, provided by the new travel path should help mitigate potential queueing. Through coordination with the City of Dallas, a ratio of one vehicle per six students included during a dismissal period was suggested as an equation to project a maximum possible queue length. As shown, the projected maximum queue length based on the suggested ratio would be approximately 58 vehicles (~1,363 linear feet).

Additionally, the surplus of approximately 287 feet should help accommodate any parents picking up enrollees at the adjacent day care center during the Golden Rule arrival or dismissal periods. As previously mentioned, these parents can drop-off and pick-up their day care students at any time from 6:30 AM-6:00 PM. It is expected that this will not affect the dismissal period, as day care students are more likely to picked up at later times in the day. If day care students are dropped off during the Golden Rule arrival period, the parents should travel in the queue and park in either the parking spots near the existing church or the parking lot to the west of the Golden Rule school. The vehicles should then follow the queue throughout the campus and exit on Chalmers Street.

The projected queue is anticipated to be less than the provided queue of 1,650 feet due to the recommended implementation of 20 parking spaces identified as Priority Parent Dismissal Parking. These spaces should be designated for specific parents via an incentive rewards program. In the event these spaces are not filled at the time the queue approaches Illinois Avenue; staff should direct drivers near the Priority spaces to park; in order to fill all spaces and limit any potential queueing onto Illinois Avenue. Vehicles parked in the Priority spaces will also be provided priority egress by the Traffic Control Officer.

Finally, the Texas Transportation Institute's *Traffic Operations and Safety at Schools: Recommended Guidelines* was reviewed to determine if the provided storage length will be adequate to accommodate the school. This study provides recommended storage lengths based on student population size for elementary, middle, and high schools. According to the guidelines, it is recommended that 1,200-1,500 feet of storage be provided for elementary/middle schools with student populations greater than 600 students. Therefore, the proposed travel path with 1,650 feet of storage should be sufficient.

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Sight Distance

Sight distance measurements were conducted on West Illinois Avenue at the site access drives to determine if adequate sight distance would be available for motorists making left or right turns from the site accesses. For a 35-mph speed on West Illinois Avenue, the guidelines from *A Policy on Geometric Design of Highways and Streets*, by the American Association of State Highway and Transportation Officials (AASHTO), call for a minimum stopping sight distance of 250 feet as a design value. This is the distance required for a motorist to detect an object in the roadway necessitating a stop and be able to stop before reaching the object. Within the project vicinity, this sight distance is available.

Subsequently, AASHTO also provides minimum design values for intersection sight distance. For example, the intersection sight distance allows enough time gap for a motorist to turn from the site access drives onto West Illinois Avenue without requiring a motorist on West Illinois Avenue to significantly reduce speed. For example, for a speed of 35 mph, the design value for intersection sight distance for a motorist turning right from a stop is 335 feet. Therefore, it is desirable to provide a minimum of 335 feet looking to the west of the site access drive onto West Illinois Avenue.

According to field measurements, adequate intersection sight distance is available for all turning movements from the site access drives onto West Illinois Avenue.

Conclusions and Recommendations

The analyses presented in this memo that safe and efficient traffic operations can be achieved by implementing the following recommendations:

- Maintain existing traffic management plan characteristics, including 6 school staff members, 3 crossing guards, temporary traffic control equipment, and student identification system. Parking off-campus for pick-up and drop-off should be prohibited.
- Shift the front of the dismissal queue for the travel path to maximize storage. This shift will push the front of the queue approximately 110 feet west of its current location.
- Stagger arrival and dismissal times with as much time between phases as possible to avoid queueing issues.
- Implement the proposed travel path (shown on TMP Exhibit) for the entire student population.

32108

MEMORANDUM

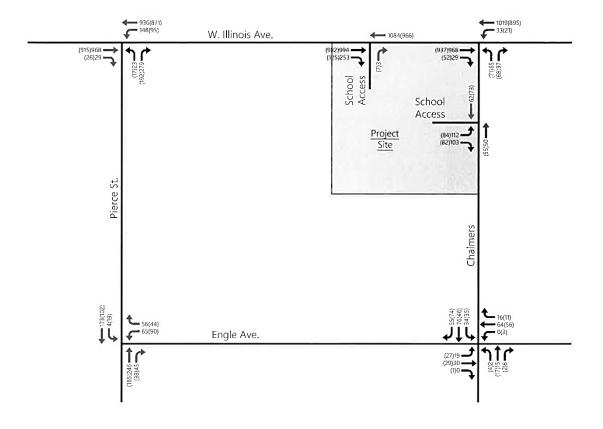
Date: February 15, 2021

Re: Golden Rule School – Illinois Campus – Traffic Management Plan

- No parking, standing, or stopping on West Illinois Avenue is allowed. Any observed vehicular queue on West Illinois Avenue should be immediately mitigated.
- The school should implement an incentive program for students who carpool to/from school.
- The incentive program should include assignment of the 20 Parent Priority Dismissal Parking spaces.
- School staff members and peace officers on-site should wear safety vests during arrival/dismissal, as well as utilizing reversible hand-paddle signs (STOP/SLOW) and audible warnings such as whistles when directing traffic.
- Students should be required to be an approved walker by the school in order to walk to/from the campus. As previously mentioned, the badge identification system will be utilized to enforce this restriction.
- The crossing guard stationed at the Chalmers Street access point should restrict this
 access drive to vehicular use, exclusively. The crossing guard should prohibit any
 pedestrians from utilizing this access point.
- All parents who desire to park and walk students into the school should access the
 property using the proposed travel path for pick-up/drop-off. These vehicles can
 exit the travel path and park in the parking lot located on the north side of the
 property to the west of the school building (shown on TMP exhibit). When leaving
 the property, these vehicles should re-enter the proposed travel path and exit using
 the Chalmers Street access point.
- A peace officer should be employed by the school to manage traffic operations on Chalmers Street during arrival and dismissal periods. According to school officials, a peace officer has been hired.
- Vehicles should be allowed to enter the school before school arrival and dismissal times in order to mitigate possible queuing on West Illinois Avenue. As previously discussed, vehicles that enter the campus early will be required to park and wait for the scheduled dismissal time before entering the queue.

3 2 10 8
Golden Rule Dallas Schools - Illinois Campus Traffic Impact Study

September 2019



XXX - AM Peak Hour Traffic Volumes (XXX) - PM Peak Hour Traffic Volumes



KCI TECHNOLOGIES
KCI TECHNOLOGIES

-5 of 20-

Project: 891905466

PROPOSED AMENDED TRAFFIC MANAGEMENT PLAN





Traffic Management Plan Update Golden Rule Charter School - Illinois Campus

September 9, 2024

General School Information

Administrative Assistant: Johnny Pecina

Location: 2602 W. Illinois Avenue; Dallas, TX 75233

Type: Charter School Existing Zoning: SUP 1450 Prior TMP: January 12, 2022

Observations

Dates Observed:

Wednesday, November 15, 2023 - PM Dismissal Monday, December 11, 2023 - PM Dismissal Tuesday, December 12, 2023 - PM Dismissal Thursday, December 14, 2023 - AM Arrival Tuesday, September 3, 2024 - PM Dismissal Thursday, September 5, 2024 - AM Arrival

Peak Queue: 48 Vehicles Available Queue: ~ 69 Vehicles

Surplus: 21 Vehicles

Introduction

The services of Lambeth Engineering Associates, PLLC, (herein Lambeth Engineering) were retained to conduct a traffic management plan (TMP) update for Golden Rule Charter School - Illinois Campus (here in Golden Rule Illinois). The purpose of this TMP update is to renew the current SUP and is to ensure safe vehicular and pedestrian circulation during peak morning drop-off and afternoon pick-up periods at the school.

Lambeth Engineering communicated with Fransisco Garza, Assistant Principle, and Johnny Pecina, Administrative Assistant to the Superintendent, throughout the process of updating this TMP. Below is general information about Golden Rule Illinois.

School:

- Location: Golden Rule Illinois is located at 2602 W. Illinois Avenue in Dallas.
- School Times:
 - Pre-K 5th Grade; 8:00 AM 3:30 PM
 - 6th 8th Grade; 8:30 AM 4:00 PM

469.784.9534

6301 Gaston Ave., Suite 1129, Dallas, TX 75214 • christy@lambetheng.com



 Students: Golden Rule Illinois currently has 489 students in the Pre-K through 8th grades, of which all attend in-person. The total number of students per grade is summarized in **Table 1**.

Table 1. Student Enrollment

Grade	Current Student Enrollment
PK3	19
PK4	38
KG	40
1 st	42
2 nd	41
3 rd	42
4 th	47
5 th	46
PK3 - 5 th :	315
6 th	63
7 th	55
8 th	56
6 th - 8 th :	174
Total:	489

• Modes of Transportation: 100% of the students are transported by parents.

Traffic Management Plan

Lambeth Engineering met with the school staff, who were assisting students and parents with loading and unloading, several times during the process of developing the TMP. The peak queue of parent vehicles picking up students was observed to be about 48 vehicles. As expected, the peak period of parent vehicles accumulated during the afternoon dismissal period. Most of the traffic clears the campus within five (5) to seven (7) minutes after each dismissal period.

The current traffic patterns have been modified from the previously approved TMP due to construction. The existing conditions during the construction phase are shown in the attached exhibit.

Golden Rule Illinois TMP Update | Page 2



Students

- 1. Drop-Off:
 - a. Pre-K 5th grade students are dropped off via the designated queue lanes in the southeast parking lot.
 - b. 6th 8th grade students are dropped off via the designated queue lane north of building
- 2. Pick-Up:
 - a. All students are picked up via the designated queue lanes in the southeast parking lot.
- Students waiting for parents to pick them up remain in the designated area and wait for their parents' arrival.

Parents

4. Parents enter the campus via the driveway off W. Illinois Avenue queuing in the designated lanes. Parents will then exit via the school driveway on Chalmers Street.

Staff

- Staff should continue managing students where parents are picking up students until all students are dismissed.
- 6. Staff should continue using system to notify staff in holding areas to release student to the loading area once parent has arrived.

Summary

The Golden Rule Charter School Illinois Traffic Management Plan is designed to provide safe vehicular and pedestrian movement and to accommodate the projected vehicular queues on-site with a surplus of parking and queue space. The school is currently following a modified procedure while construction is taking place. This modified procedure provides sufficient space for all parent vehicles on-site and is carried out in a safe manner. It is our understanding that once the construction phase is complete there may be some shifting around of classrooms and grades in each of the buildings. It is recommended that Lambeth Engineering review traffic flow after construction is complete and assist in updating traffic flow procedures.

If traffic congestion or unsafe movements are noticed, the plan should be reviewed and updated promptly.

END

Golden Rule Illinois TMP Update | Page 3



REVIEW AND COMMITMENT

Name

The traffic management plan update for <u>Golden Rule Charter School</u>, located at <u>2602 W Illinois Avenue</u>, was reviewed with the intent of ensuring the approved TMP is being followed and that vehicular traffic queues generated during school peak hours operate safely. A concerted effort and full participation by the school administration are essential to maintain safe and efficient traffic operations.

By consent of this TMP submittal, the school administration agrees to the strategies presented herein for which the school is held responsible unless the City of Dallas deems further measures are appropriate.

The school is also committed to continually reviewing and assessing the effectiveness of this plan and if warranted, implementing changes in the interest of increasing safety and minimizing impacts on the surrounding community.

9/9/2024 Date

CHIEF EXECUTIVE ASST.





PROPOSED AMENDED SUP CONDITIONS

- 1. <u>USE:</u> The only use[s] authorized by this specific use permit [are] is an openenrollment charter school [and a child-care facility].
- 2. <u>SITE [AND LANDSCAPE PLAN]:</u> Use and development of the Property must comply with the attached site [and landscape] plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (five years from the passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) [January 12, 2025].
- 4. <u>LANDSCAPING</u>: Landscaping must be provided as shown on the attached [site and] landscape plan.
- 5. <u>CLASSROOMS</u>: The maximum number of general classrooms is 34 and the maximum number of specialty classrooms is 21.
- 6. <u>INGRESS/EGRESS</u>: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
- 7. <u>OFF-STREET PARKING:</u> A minimum of 104 off-street parking spaces must be provided in the location shown on the attached site [and landscape] plan.
- 8. SIDEWALKS AND PEDESTRIAN PATHS:
 - (A) Prior to the issuance of a certificate of occupancy for any redevelopment or additions on the Property, the following sidewalks and pedestrian paths are required.
 - (B) Sidewalks. A minimum six-foot-wide unobstructed sidewalk located a minimum of five feet from the curb along the entire length of the property abutting all streets is required.
 - (C) Existing sidewalks that are in good repair may remain; however, when an

- existing sidewalk is replaced, it must be replaced with a minimum six-foot-wide unobstructed sidewalk with a minimum five-foot-wide buffer.
- (D) Pedestrian pathways. A pedestrian pathway that complies with subparagraphs (i) through (v) is required. If the path is located behind a fence, a pedestrian gate made accessible to staff and students is required.
 - (i) A minimum four-foot-wide, permeable paving unobstructed pathway is required to connect a primary entrance of each main building and off-street parking spaces. No parking space may be located more than 65 feet from a connected pathway.
 - (ii) Unobstructed sidewalks located in the public right of way may count toward subparagraph (i) when all criteria in this subsection are met. Sidewalk connections to pathways must be no more than 130 linear feet apart.
 - (iii) When abutting parking spaces, all pathways must be protected by concrete curbs, wheel stops, or other permanent barriers such that no part of a parked automobile extends into the pathway.
 - (iv) When crossing a drive aisle, all pathways must be of a contrasting color, material, or texture.
 - (v) The pathway with the shortest distance between a primary entrance and a lot line on the opposite side of the parking lot from the building must connect to the sidewalk and be raised to the level of the sidewalk when crossing a drive aisle.

9. PEDESTRIAN AMENITIES:

- (A) Prior to the issuance of a certificate of occupancy for any redevelopment or additions, each of the following pedestrian amenities must be provided at regular intervals not to exceed 200 feet along the entire length of streets: i. bench; ii. trash receptacle; and iii. bike rack
- (B) Pedestrian amenities must be accessible from the public sidewalk but may not be located in a manner that reduces the unobstructed sidewalk width to less than what is required.

10. TRAFFIC MANAGEMENT PLAN:

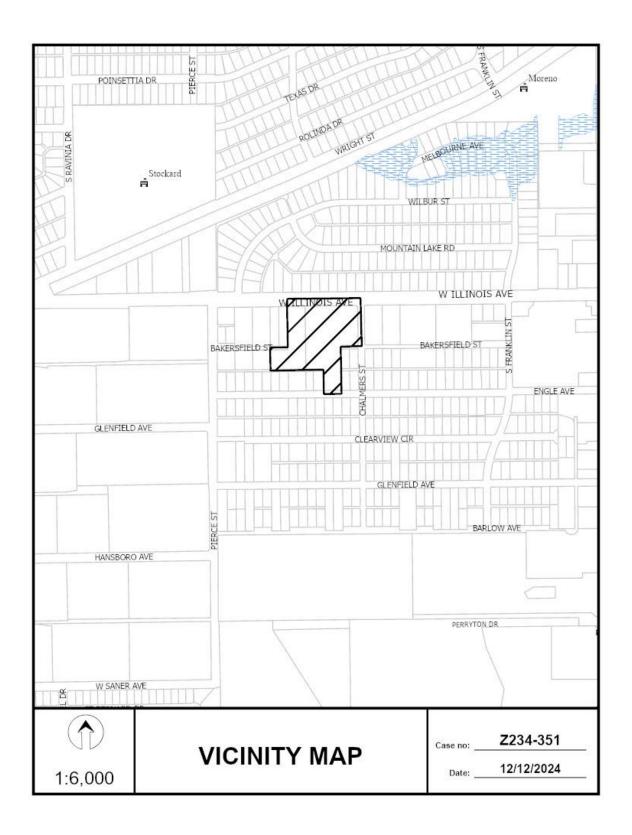
- a. <u>In general</u>. The operation of the uses must comply with the attached traffic management plan.
- b. <u>Queuing</u>. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
- c. Traffic study.

- 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 August 1, 2022. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the Director by August 1st of each year.
- 2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different times over a two-week period, and must contain an analysis of the following:
 - A. ingress and egress points;
 - B. queue lengths;
 - 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.

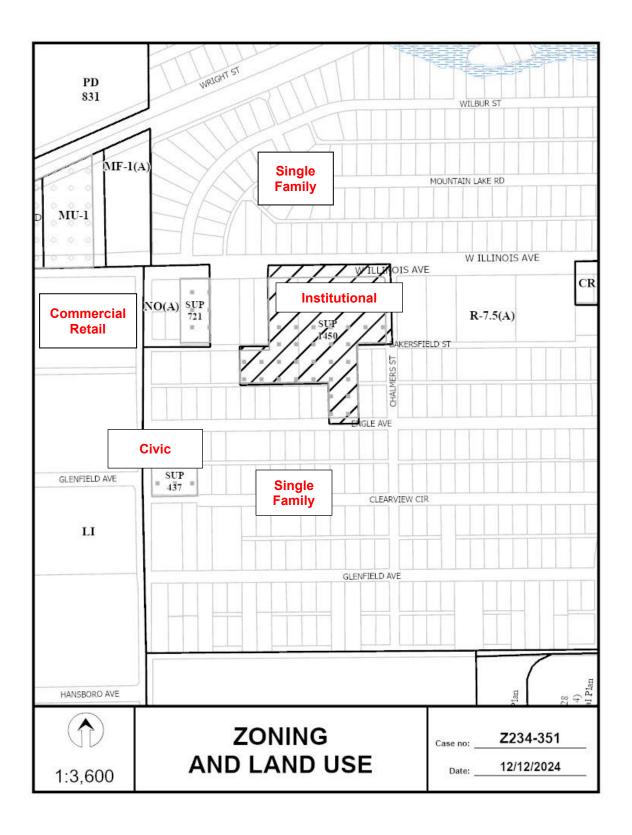
d. <u>Amendment process</u>.

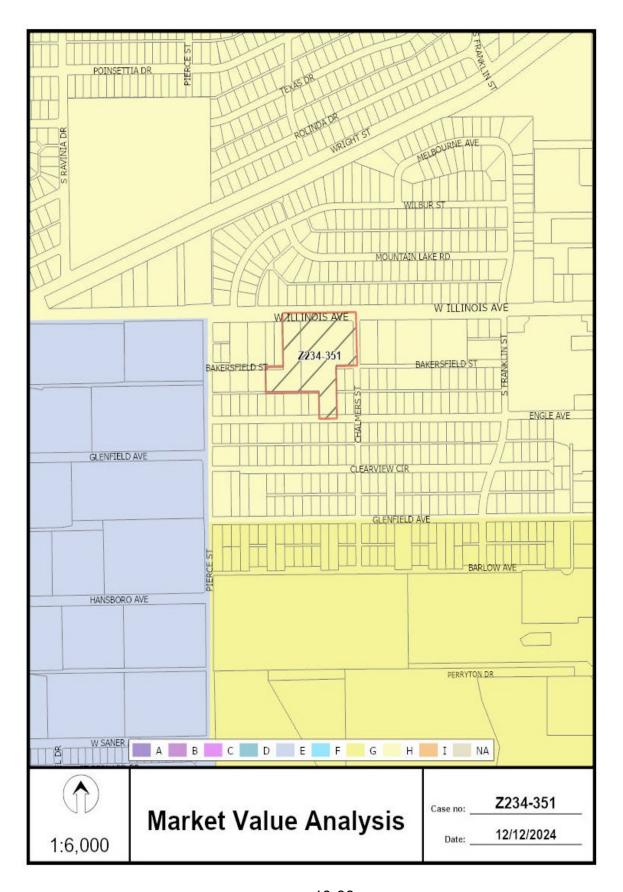
1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

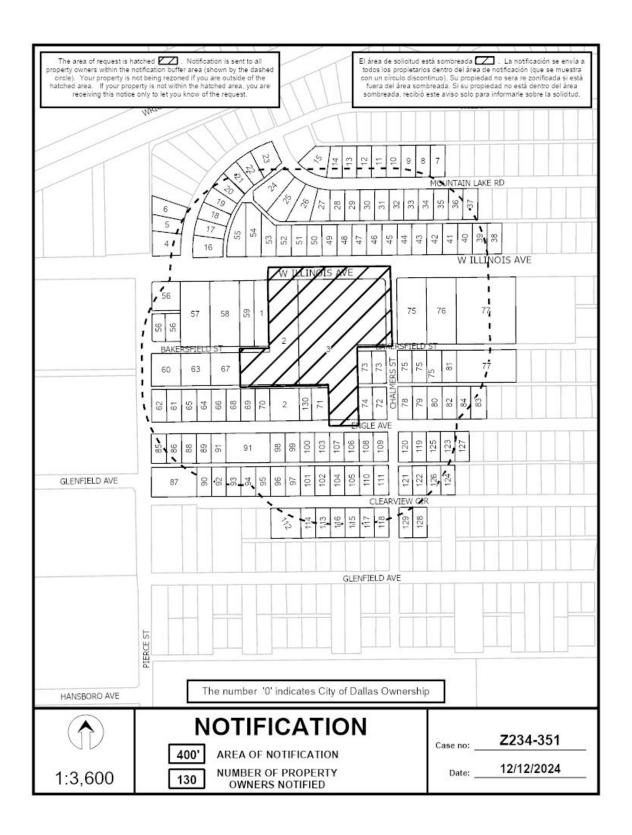
- 2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.
- 11. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 12. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules and regulations of the City of Dallas["].











12/12/2024

Notification List of Property Owners Z234-351

130 Property Owners Notified

Label #	Address		Owner
1	2702	W ILLINOIS AVE	REYES GAMALIEL MEJIA
2	2634	W ILLINOIS AVE	GOLDEN RULE CHARTER SCHOOL
3	2602	W ILLINOIS AVE	GOLDEN RULE SCHOOLS INC
4	2757	WILBUR ST	JACKSON CHRISTINE LIFE ESTATE
5	2751	WILBUR ST	CARDOZA ALFONSO G
6	2747	WILBUR ST	NORRELL MARILYN KAY &
7	2607	MOUNTAIN LAKE RD	RODRIGUEZ DIMAS
8	2611	MOUNTAIN LAKE RD	MAYEN MARGARITA S
9	2615	MOUNTAIN LAKE RD	AGUINAGA JUAN GARCIA &
10	2621	MOUNTAIN LAKE RD	ORTIZ JUAN P &
11	2625	MOUNTAIN LAKE RD	CHAMBERS JAMES K & TINA M
12	2631	MOUNTAIN LAKE RD	STUART KELLY ANN
13	2635	MOUNTAIN LAKE RD	GONZALEZ EMA &
14	2641	MOUNTAIN LAKE RD	GARCIA DANIEL & CRUZ
15	2651	MOUNTAIN LAKE RD	MARTINEZ SILVERI
16	2754	WILBUR ST	CASTILLEJO CELESTINO &
17	2746	WILBUR ST	DEORTIZ MARIA AMELIA PEREZ
18	2740	WILBUR ST	ESCOBEDOROSALES JAVIER ALEJANDRO &
19	2734	WILBUR ST	MONTENEGRO J FELIX &
20	2726	WILBUR ST	VEGA ADELINA REGALADO
21	2720	WILBUR ST	SOLORZANO TOMAS &
22	2712	WILBUR ST	MEDINA MARIA DELOS ANGELES C
23	2706	WILBUR ST	ALVAREZ DAVID F
24	2660	MOUNTAIN LAKE RD	ZACARIAS NOHEMI
25	2654	MOUNTAIN LAKE RD	MARTINEZ JOSE
26	2650	MOUNTAIN LAKE RD	DURAN OSVALDO

Label #	Address		Owner
27	2646	MOUNTAIN LAKE RD	MORAN ERICK ENRESTO DE LA T &
28	2640	MOUNTAIN LAKE RD	RAMIREZ SAN JUANA
29	2636	MOUNTAIN LAKE RD	DELAROSA MONICA
30	2630	MOUNTAIN LAKE RD	MEJIA ALLAN JOEL DEL CID &
31	2626	MOUNTAIN LAKE RD	ALDANA LUIS ANGEL GONZALEZ &
32	2620	MOUNTAIN LAKE RD	GREGORIO NEFTALI
33	2616	MOUNTAIN LAKE RD	GUILLEN ANTONIA
34	2610	MOUNTAIN LAKE RD	MIRELES BASILIO
35	2606	MOUNTAIN LAKE RD	GONZALES MARCELINA
36	2602	MOUNTAIN LAKE RD	GONZALEZ ALBERTO G & SOCORRO C
37	2560	MOUNTAIN LAKE RD	BANDA ROGELIO C &
38	2545	W ILLINOIS AVE	ARELLANO FREDDY
39	2551	W ILLINOIS AVE	OCCM INC
40	2555	W ILLINOIS AVE	LEYVA AMADOR & MARIA
41	2561	W ILLINOIS AVE	TORRES DARLENE
42	2565	W ILLINOIS AVE	LOPEZ RAFAEL & SILVIA REYNOSO
43	2571	W ILLINOIS AVE	JIMENEZ CYNTHIA
44	2575	W ILLINOIS AVE	Taxpayer at
45	2581	W ILLINOIS AVE	Taxpayer at
46	2603	W ILLINOIS AVE	COMPEAN GUILLERMO &
47	2607	W ILLINOIS AVE	SEPULVEDA JUAN CARLOS
48	2611	W ILLINOIS AVE	BACCHUS ANTOINETTE
49	2617	W ILLINOIS AVE	MARTINEZ ALBERTO
50	2621	W ILLINOIS AVE	ALBARANGEL JOSE MARCELO
51	2625	W ILLINOIS AVE	ZAVALA ROSENDA N
52	2631	W ILLINOIS AVE	GOMEZ RAMON JR
53	2635	W ILLINOIS AVE	ESQUIVEL ANTHONY
54	2703	W ILLINOIS AVE	HERNANDEZ VICTORIA
55	2709	W ILLINOIS AVE	CASTILLEJO TRACY &
56	2600	PIERCE ST	KANASE HEENA N &
57	2726	W ILLINOIS AVE	2726 WEST ILLINOIS AVE DALLAS

Z234-351(LL)

Label #	Address		Owner
58	2712	W ILLINOIS AVE	DELGADO ANTONIO
59	2706	W ILLINOIS AVE	DURON JOSE ALEJANDRO &
60	2636	PIERCE ST	CHURCH OF GOD OF PROPHECY
61	2731	ENGLE AVE	LULE ROBERT
62	2737	ENGLE AVE	JIMENEZ ALBERTO JR & MARY
63 CONCEPTIO	2624 ON	BAKERSFIELD ST	GUZMANFLORES RODRIGO & MARIA
64	2723	ENGLE AVE	MAPLES ANTHONY LEE
65	2727	ENGLE AVE	CARDONA DAVID &
66	2719	ENGLE AVE	GARCIA ROLANDO & BLANCA E
67	2718	BAKERSFIELD ST	VILLANUEVA ROSALINDA
68	2717	ENGLE AVE	SANCHEZ JAVIER
69	2707	ENGLE AVE	GOMEZ DONNA M
70	2703	ENGLE AVE	TILLEY JERRY
71	2623	ENGLE AVE	DELGADO ANTONIO & MARTHA
72	2603	ENGLE AVE	MARTINEZ JUAN RAUL
73	2608	BAKERSFIELD ST	VALDEZ LUPE
74	2607	ENGLE AVE	CABRERA AGUSTIN & MELBA
75	2574	W ILLINOIS AVE	FIRST PENTECOSTAL CHURCH OF GOD IN CHRIST
76	2558	W ILLINOIS AVE	ESPINOZA JOSEFATH & DELFINA
77	2550	W ILLINOIS AVE	PALABRA DE VIDA MINISTRIES INC
78	2577	ENGLE AVE	ENGLE LLC
79	2571	ENGLE AVE	DOMINGUEZ CUAUHTEMOC &
80	2567	ENGLE AVE	Taxpayer at
81	2558	BAKERSFIELD ST	PINEDA ALBA M &
82	2561	ENGLE AVE	GOMEZ ENRIQUE
83	2551	ENGLE AVE	VERDIN JOSE C & ROSA
84	2557	ENGLE AVE	RUIZ RAMIRO
85	2736	ENGLE AVE	CANCINO MISAEL CRUZ
86	2730	ENGLE AVE	CORDERO ALFREDO & BLANCA
87	2710	PIERCE ST	BUTTON DAVID R LIVING TRUST
88	2726	ENGLE AVE	SILVA JUAN C & MARIA B

Label #	Address		Owner
89	2722	ENGLE AVE	RODRIGUEZ LOUIS
90	2719	CLEARVIEW CIR	LOPEZ JUAN A & BERTHA
91	2710	ENGLE AVE	CANAAN CHURCH OF GOD
92	2715	CLEARVIEW CIR	RANGEL MICHAEL ETAL
93	2711	CLEARVIEW CIR	ESCAMILLA ROY
94	2707	CLEARVIEW CIR	VALTIERRA SERGIO R &
95	2703	CLEARVIEW CIR	OSORIO PEDRO &
96	2631	CLEARVIEW CIR	CRUZ GISELA
97	2627	CLEARVIEW CIR	REYES JORGE & MARIA
98	2636	ENGLE AVE	GARCIA JOEL H & HILARIA
99	2634	ENGLE AVE	GARCIA JOSE G
100	2626	ENGLE AVE	KUGLER VALERIE J
101	2623	CLEARVIEW CIR	RAMIREZ JOSE L &
102	2619	CLEARVIEW CIR	GONZALES RIGOBERTO &
103	2620	ENGLE AVE	Taxpayer at
104	2615	CLEARVIEW CIR	GONZALEZ MARCELINO ET AL
105	2611	CLEARVIEW CIR	CONTRERAS EFRAIN &
106	2610	ENGLE AVE	GARCIA PEDRO JR & IRMA G
107	2616	ENGLE AVE	HERNANDEZ JOSE LUIS
108	2606	ENGLE AVE	ACUNA JOSE A & MARTINA C
109	2602	ENGLE AVE	TAPIA JUAN MARTIN
110	2607	CLEARVIEW CIR	Taxpayer at
111	2603	CLEARVIEW CIR	MUNOZ RODOLFO & MAYELA
112	2628	CLEARVIEW CIR	MENDOZA OCTAVIO BEIZA &
113	2620	CLEARVIEW CIR	MENDOZA OCTAVIO &
114	2624	CLEARVIEW CIR	CASANAZ CARLOS A
115	2612	CLEARVIEW CIR	FERNANDEZ ROMULO & NORMA
116	2616	CLEARVIEW CIR	ALONZO HUGO & ROSA
117	2608	CLEARVIEW CIR	CASTANEDA OSIEL ISAI
118	2604	CLEARVIEW CIR	YESCAS CONCEPCION
119	2572	ENGLE AVE	BENITEZ RUBEN A C & REYNA

Z234-351(LL)

Label #	Address		Owner
120	2576	ENGLE AVE	ESPINOZA JESUS &
121	2567	CLEARVIEW CIR	PORRAS LOUIS A JR
122	2563	CLEARVIEW CIR	LOPEZ HUGO &
123	2560	ENGLE AVE	MENDOZA MARIA S
124	2553	CLEARVIEW CIR	GUTIERREZ BRISA
125	2566	ENGLE AVE	CARTAGENA ARACELIS
126	2559	CLEARVIEW CIR	LOPEZ HUGO &
127	2556	ENGLE AVE	OLGUIN ONESIMO
128	2562	CLEARVIEW CIR	PINEDA ALBERTO
129	2566	CLEARVIEW CIR	MORGADO SERGIO C &
130	2627	ENGLE AVE	LEYVA PRESILIANO &



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for an MU-1 Mixed Use District on property zoned CR Community Retail District, on

the northeast corner of Singleton Boulevard and Navaro Street.

Staff Recommendation: Approval, subject to deed restrictions volunteered by the applicant.

<u>Applicant</u>: WDA Properties, LLC - Annamari Lannon Representative: Audra Buckley, Permitted Development

Planner: Lori Levy, AICP

Council District: 6
Z245-106(LL)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Lori Levy, AICP

FILE NUMBER: Z245-106 (LL) DATE FILED: October 28, 2024

LOCATION: Northeast corner of Singleton Boulevard and Navaro Street

COUNCIL DISTRICT: 6

SIZE OF REQUEST: 0.47 acres CENSUS TRACT: 48113010101

REPRESENTATIVE: Audra Buckley, Permitted Development

OWNER/APPLICANT: WDA Properties, LLC - Annamari Lannon

REQUEST: An application for an MU-1 Mixed Use District on property

zoned CR Community Retail District.

SUMMARY: The purpose of the request is to allow a mix of uses including

residential to the existing retail and restaurant without drive-

through service on the property.

STAFF RECOMMENDATION: Approval, subject to deed restrictions volunteered by

the applicant.

BACKGROUND INFORMATION:

- The area of request is currently zoned CR Community Retail District and consists of two contiguous sites developed with a total of four existing buildings with a mix of uses, including residential, retail, and restaurant without drive-thru service (approx. 0.47 acres in total size).
- Geographically located East of Hampton Road.
- The building located at 1611 Singleton Boulevard only has frontage on Singleton and the building at 1615 Singleton Boulevard has frontage on both Singleton and Navaro Streets. The two buildings at 3012 and 3014 have only frontage on Navaro Street.
- The purpose of the request is to rezone the property to MU-1 Mixed Use District to allow a mix of commercial and residential uses for mixed use development with volunteered deed restrictions.
- Applicant is volunteering deed restrictions that prohibit certain uses on the site.
- The applicant proposes a mixed-use development with three multifamily residential
 units within the existing building at 3012 Navaro Street and a mix of multifamily, a
 small area of retail for the neighborhood's use, and a small retail/restaurant without
 drive-through on the property at 1611 and 1615 Singleton Blvd.
- The existing building at 3012 Navaro Street is currently a boarding house that the
 applicant proposes to convert to three multifamily dwelling units. The existing building
 at 1615 Singleton cannot be converted or remodeled for the multifamily units as the
 applicant is proposing under the current CR Community Retail zoning. The proposed
 mix of residential, retail and personal services would be allowed under MU-1 Mixed
 Use District.
- Therefore, the applicant is requesting a general zoning change to an MU-1 Mixed Use District.

Zoning History:

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

 Z223-257: An application for an amendment to and an expansion of Planned Development District No. 1049, on property zoned Planned Development District No. 1049, an IR Industrial Research District, and an IM Industrial Manufacturing District, on the south side of Singleton Blvd.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
Singleton Boulevard	PA – Principal Arterial	100'	
Navaro Street	Local Street		

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan (2.0)* was adopted by the City Council in September 2024 and 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:

Placetype: Community Mixed Use (CM)

Character Description

Community Mixed-Use areas are located at major intersections and along key corridors, serving multiple surrounding neighborhoods and attracting retailers and services that require a larger market area. A mix of commercial, office, residential, retail, and services are concentrated adjacent to larger nodes of activity. Commercial centers, commercial corridors, and office parks are representative of this placetype. Residential uses are accommodated within mid-rise buildings, and some mixed-use structures are connected by internal and external pedestrian pathways. These areas are often located along DART bus and rail routes to maximize transit connections to retail and job centers and provide multiple mobility options for residents and employees. Vehicular access is generally easily accessible given that buildings are often located on separate parcels with their own parking areas. For Community Mixed-Use areas closer to Downtown Dallas, development

is concentrated in compact blocks with quality access to transit and a high degree of connectivity to surrounding neighborhoods. Buildings in these urban areas, are generally developed vertically (multiple uses in a single building), also offer more housing options and are along fixed transit and transportation nodes, hubs, and corridors. Within more suburban areas of Dallas, these areas consist of larger complexes, often with fewer stories while offering a large amount of retail, restaurant, and personal services that are generally separated by large parking areas or open spaces along the perimeter.

Placetype Application

CM A-4 Housing should be integrated into under-performing, mixed-use corridors and centers to help increase housing access

Land Use:

	Zoning	Land Use
Site	CR	Residential, Commercial Retail
North	CR	Vacant
South	IR	Auto related
East	R-5(A)	Single family
West	CR	Commercial Retail

Land Use Compatibility:

The area of request is currently zoned CR and 3012 Navaro is developed with an existing boarding house that the applicant intends to convert to three multifamily units fronting onto Navaro Street. The applicant also intends to remodel the existing nonconforming structure with the mix of multifamily, retail, and restaurant without a drive-through (approx. 0.47 acres in total size), located on the east side of Navaro Street at the northeast corner of Navaro Street and Singleton Boulevard.

There is a mix of zoning and land uses surrounding the property. To the east of the property is single family and restaurant uses without a drive-through. To the north and west is commercial zoning with the property immediately adjacent to the north being vacant and with a mix of commercial uses to the west. To the south across Singleton Boulevard is industrial zoning with a mix of commercial uses, including a restaurant without drive-thru. With a mix of residential and neighborhood serving commercial uses immediately adjacent and within the immediate area, staff finds the applicant's requested zoning change to an MU-1 Mixed Use District, with volunteered deed restrictions prohibiting certain uses on the site to be compatible with the Community Mixed Use

Z245-106(LL)

placetype character designation of the Comprehensive Plan. The addition of multifamily to the commercial uses on the existing property align with the multiplex primary use of eight or fewer multifamily attached dwelling units along with commercial uses that the Community Mixed Use Placetype is intended to accommodate.

Staff supports the applicant's request and finds the proposed rezoning to be appropriate for this area as it would not be detrimental to surrounding uses. This compatibility is further reflected in the development standards comparison table below.

Development Standards:

The following is a comparison chart of the development standards for the current CR Community Retail District and the proposed MU-1 Mixed Use District. Also included are the proposed development standards under the applicant's volunteered deed restrictions.

District	Setback		Density	Height	Lot	Special	Primary
District	Front	Side/Rear	Delisity	Heigiit	Cvrg	Standards	Uses
Existing: CR	15'	20' adj to res Other: None	0.5 FAR for office uses; 0.75 for all uses combined	54' 4 stories parking garages exempt	60%	Residential Proximity Slope Includes parking garages	Community- Serving Retail, Personal Service, Office
Base: MU-1	15'	20' adj to res Other: No Min.	0.8 FAR base 1.0 FAR maximum + bonus for residential	90' 7 stories 120' 9 stories with retail	80%	Proximity Slope U-form Setback Tower spacing Visual intrusion	Office, retail & personal service, lodging, residential
Proposed: MU-1 w/DRs				30'		See DRs	Residential, retail, restaurant

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

LEGEND

	1
	Use prohibited, highlighted row = use prohibited by deed restrictions
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
*	Consult the use regulations in Section 51A-4.200, 51A-4.213

	Existing	Proposed
Use	CR	MU-1
AGRICULTURAL USES		
Crop production	•	•
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop	R	
Use	CR	MU-1
Catering service	•	•
Commercial bus station and terminal		
Commercial cleaning or laundry plant		
Custom business services	•	•
Custom woodworking, furniture construction, or repair		
Electronics service center	•	•
Job or lithographic printing		
Labor hall		
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory	S	
Technical school		
Tool or equipment rental	•	
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		
Alcoholic beverage manufacturing		
Gas drilling and production	S	
Gas pipeline compressor station		
Industrial (inside)		
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	S	
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Cemetery or mausoleum	S	
Child or adult care facility	•	•
Church	•	•

	Existing	Proposed
Use	CR	MU-1
College, university, or seminary	•	
Community service center	S	
Convalescent and nursing homes, hospice care, and related institutions		
Convent or monastery	•	
Foster home	S	
Halfway House	S	
Use	CR	MU-1
Hospital	S	
Library, art gallery, or museum	•	•
Open enrollment charter school or private school	S	
Public school other than an open-enrollment charter school	R	
LODGING USES		
Extended stay hotel or motel		
Hotel or motel	S	
Lodging or boarding house	S	
Overnight general purpose shelter	S*	
Short-term rental lodging		
MISCELLANOUS USES		
Attached non-premise sign	S	S
Carnival or circus (temporary)	*	*
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment	S	
Financial institution without drive-in window	•	•
Financial institution with drive-in window	D	D
Medical clinic or ambulatory surgical center	•	•
Office	•	•
RECREATION USES		
Country club with private membership	•	•
Private recreation center, club, or area	•	•
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house	•	
Duplex		•
Group residential facility		

	Existing	Proposed
Use	CR	MU-1
Handicapped group dwelling unit		*
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		•
Residential hotel		
Retirement housing		•
Single family		•
RETAIL AND PERSONAL SERVICE USES		
Alcoholic beverage establishments	*	
Ambulance service	R	
Animal shelter or clinic without outside runs	R	R
Use	CR	MU-1
Animal shelter or clinic with outside runs		
Auto service center	R	
Bail Bonds	•	
Business school	•	
Car wash	D	
Commercial amusement (inside)	*	
Commercial amusement (outside)	S	
Commercial motor vehicle parking		
Commercial parking lot or garage	•	R
Convenience store with drive-through	S	
Drive-in theater		
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	•	•
General merchandise or food store 100,000 square feet or more	S	
Home improvement center, lumber, brick or building materials sales yard	D	
Household equipment and appliance repair	•	
Liquefied natural gas fueling station		
Liquor store	•	
Massage Parlors		
Mortuary, funeral home, or commercial wedding chapel	•	
Motor vehicle fueling station	•	•

	Existing	Proposed
Use	CR	MU-1
Nursery, garden shop, or plant sales	•	•
Outside sales		
Paraphernalia shop	S	
Pawn shop	•	
Personal service use	•	•
Restaurant without drive-in or drive-through service	R	R
Restaurant with drive-in or drive-through service	D	
Surface parking		
Swap or buy shop	S	
Tattoo or body piercing studio	?	?
Taxidermist		
Temporary retail use	•	•
Theater	•	•
Truck stop		
Vehicle display, sales, and service		
TRANSPORTATION USES		
Airport or landing field		
Use	CR	MU-1
Commercial bus station and terminal		
Commercial bus station and terminal Heliport		
Heliport		
Heliport Helistop		
Heliport Helistop Private street or alley		
Heliport Helistop Private street or alley Railroad passenger station		
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops	•	•
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port)		
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter	•	•
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter Transit passenger station or transfer center	•	•
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter Transit passenger station or transfer center UTILITY AND PUBLIC SERVICE USES	• S,*	• S
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter Transit passenger station or transfer center UTILITY AND PUBLIC SERVICE USES Commercial radio or television transmitting station	• S,*	• S
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter Transit passenger station or transfer center UTILITY AND PUBLIC SERVICE USES Commercial radio or television transmitting station Electrical generating plant	• S,*	• S
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter Transit passenger station or transfer center UTILITY AND PUBLIC SERVICE USES Commercial radio or television transmitting station Electrical generating plant Electrical substation	• S,*	· · ·
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter Transit passenger station or transfer center UTILITY AND PUBLIC SERVICE USES Commercial radio or television transmitting station Electrical generating plant Electrical substation Local utilities	• S,*	· · ·
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter Transit passenger station or transfer center UTILITY AND PUBLIC SERVICE USES Commercial radio or television transmitting station Electrical generating plant Electrical substation Local utilities Police or fire station	• S,*	· · ·
Heliport Helistop Private street or alley Railroad passenger station Railroad yard, roundhouse, or shops STOL (short take-off or landing port) Transit passenger shelter Transit passenger station or transfer center UTILITY AND PUBLIC SERVICE USES Commercial radio or television transmitting station Electrical generating plant Electrical substation Local utilities Police or fire station Post office	• S,* • S, R,*	S S, R,*

	Existing	Proposed
Use	CR	MU-1
Sewage treatment plant		
Tower/antenna for cellular communication	*	*
Utility or government installation other than listed	S	S
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini-warehouse	S	
Office showroom/warehouse		
Outside storage		
Petroleum product storage and wholesale		
Recycling buy-back center	*	*
Recycling collection center	*	*
Recycling drop-off container	*	*
Recycling drop-off for special occasion collection	*	*
Sand, gravel, or earth sales and storage		
Trade center		
Vehicle storage lot		
Accessory Use	CR	MU-1
Warehouse		
Community center (private)		
Day home	*	
Game court (private)		
General waste incinerator	*	
Helistop	S	S
Home occupation		
Medical/infectious waste incinerator	S	S, ★
Outside display of merchandise	*	
Outside sales	*	
Pathological waste incinerator	*	
Pedestrian skybridge	S	
Private stable		
Swimming pool (private)		

Landscaping:

The site is already developed with the proposed uses and no additional landscaping is proposed. Development of the site predates the Tree Conservation and Landscaping requirements of Article X. Any future additional development of the property would necessitate compliance with Article X.

Parking:

Under the requested MU-1 Mixed Use District, the applicant proposes a mixed use development, which will be composed of several uses. The first being multifamily residential fronting onto Navaro Street. The second being multifamily on the same property as the proposed retail in the building that is connected to the proposed building with an existing restaurant without drive-in or drive-through service that will be open to the public and serve the neighborhood fronting onto Singleton Boulevard.

Pursuant to the Dallas Development Code, the off-street parking requirement for each of those uses are as follows. Multifamily use is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents. The off-street parking requirement for retail use is one space per 300 square feet of floor area, plus one space per 500 square feet of site area. Lastly, the off-street parking requirement for a restaurant without drive-in or drive-through service is one space per 100 square feet of floor area.

At permitting, the applicant would be required to comply with the standard parking ratios for the specified uses, as well as any other uses permitted under the proposed MU-1 Mixed Use District.

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 target intervention strategies more precisely 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.

Z245-106(LL)

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 "E" MVA area. The site is surrounded by the "E" MVA area in all directions immediately adjacent to the site.

List of Officers

Owner and Applicant: WDA Properties, LLC

Includes:

WDA Properties, LLC – Series 1611 Singleton and Series 1615 Singleton, a Texas Series Limited Liability Company

WDA Properties, LLC - Series 3014 Navaro, a Texas Series Limited Liability Company

APPLICANT'S VOLUNTEERED DEED RESTRICTIONS

The Owner does hereby impress all the Property with the following deed restrictions ("restrictions"), to wit:

- (1) The following uses are prohibited:
 - (a) Commercial and business service uses.
 - -- Labor hall.
 - Medical or scientific laboratory.
 - (b) <u>Industrial uses.</u>
 - -- Gas drilling and production.
 - -- Temporary concrete or asphalt batching plant.
 - (c) Institutional and community service uses.
 - Cemetery or mausoleum.
 - College, university, or seminary.
 - -- Community service center.
 - -- Convalescent and nursing homes, hospice care, and related institutions.
 - -- Convent or monastery.
 - -- Foster home.
 - -- Hospital.
 - -- Open-enrollment charter school or private school.
 - -- Public school other than an open-enrollment charter school.
 - (d) <u>Lodging uses</u>.

- -- Extended stay hotel or motel.
- -- Hotel or motel.
- -- Short-term rental lodging.

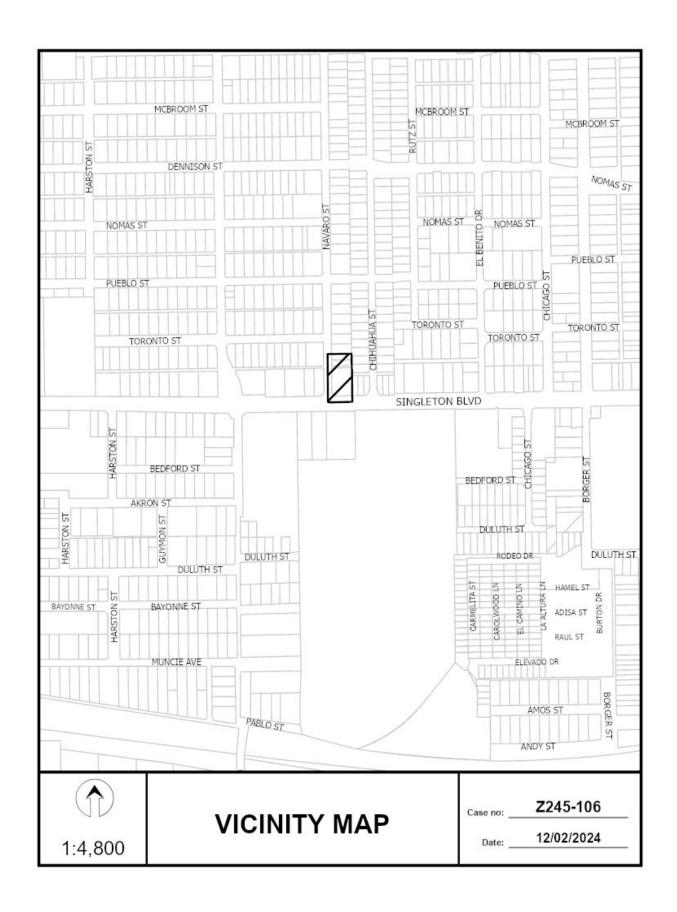
(e) Residential uses.

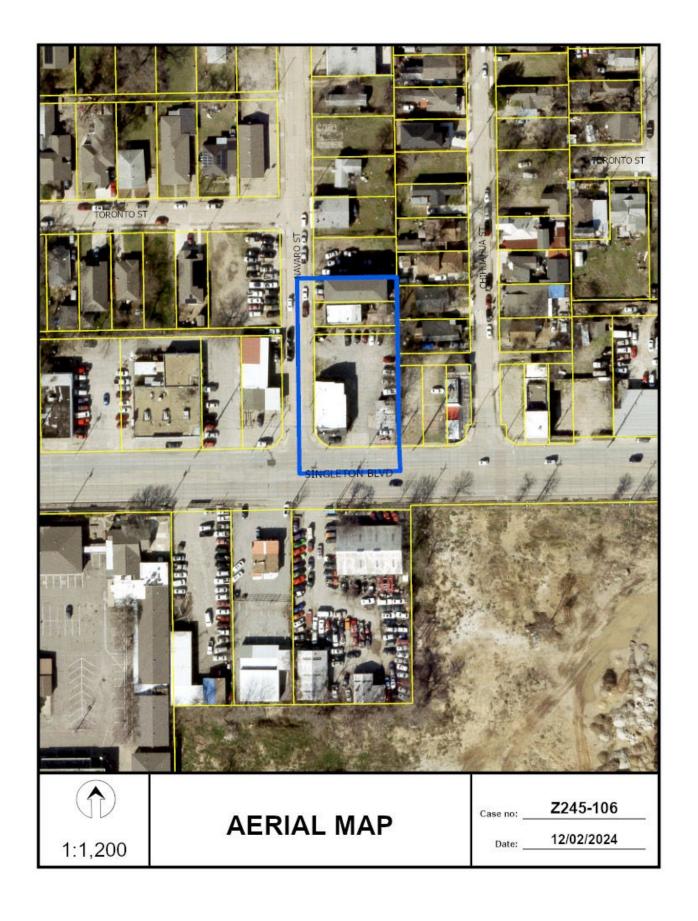
- -- College dormitory, fraternity, or sorority house.
- -- Group residential facility.
- -- Residential hotel.

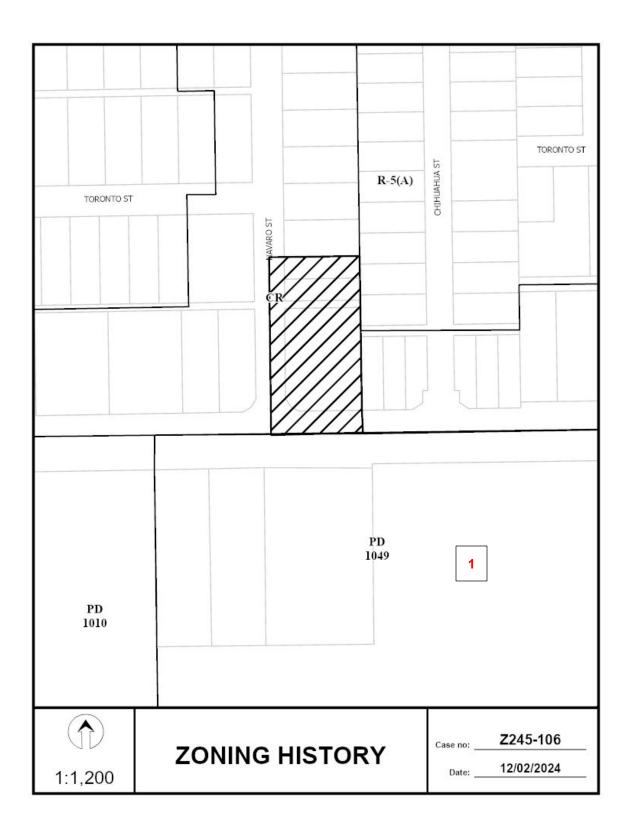
(f) Retail and personal service uses.

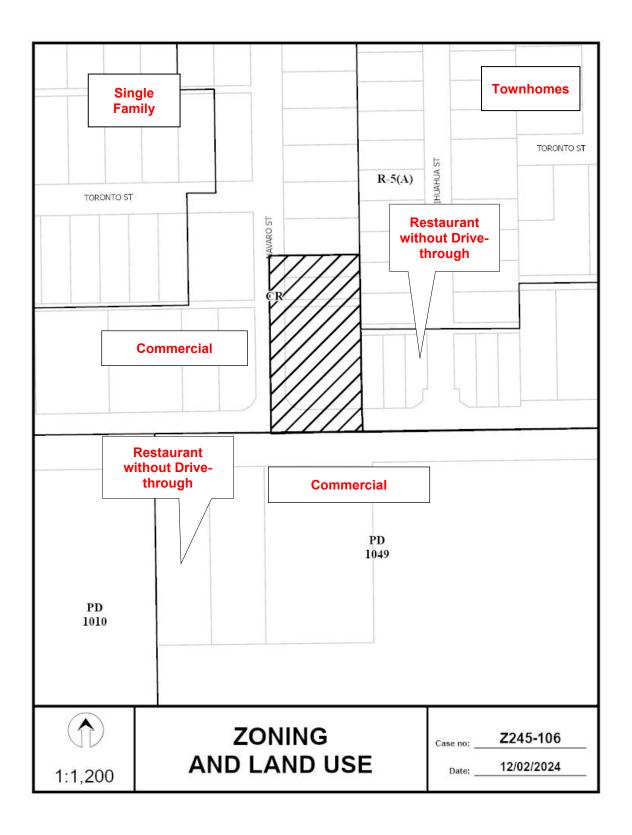
- -- Alcoholic beverage establishments.
- -- Auto service center.
- -- Bail bonds.
- -- Business school.
- -- Car wash.
- -- Commercial amusement (inside).
- -- Commercial amusement (outside).
- -- General merchandise or food store 100,000 square feet or more.
- -- Massage Parlors.
- -- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- -- Paraphernalia shop.
- -- Restaurant with drive-in or drive-through service.
- -- Swap or buy shop.

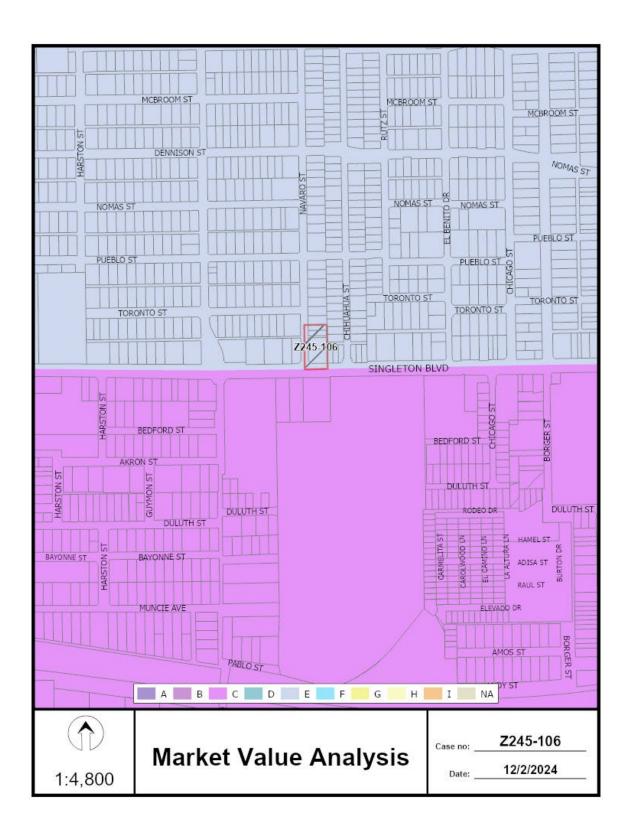
- -- Tattoo or body piercing studio. [TATTOO OR BODY PIERCING STUDIO means a facility in which tattooing or body piercing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.]
- (g) <u>Utility and public service uses</u>.
 - -- Electrical substation.
- (h) Wholesale, distribution, and storage uses.
 - -- Mini-warehouse.
 - -- Recycling buy-back center.
 - -- Recycling collection center.

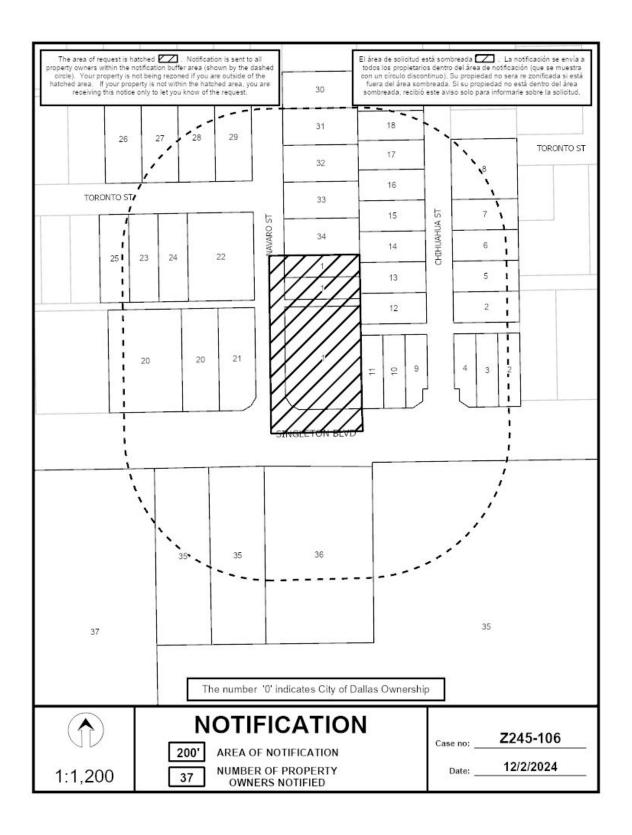












12/02/2024

Notification List of Property Owners Z245-106

37 Property Owners Notified

Label #	Address		Owner
1	3012	NAVARO ST	WDA PROPERTIES LLC
2	1535	SINGLETON BLVD	PINNEBOG TEMPLE PTNRS LTD
3	1537	SINGLETON BLVD	FILMORE COMMERCIAL LLC
4	1539	SINGLETON BLVD	1537 SINGLETON LLC
5	3014	CHIHUAHUA ST	DELEON EFRAIN &
6	3018	CHIHUAHUA ST	ROJAS MILCIADES A NIMAJUAN &
7	3022	CHIHUAHUA ST	HERNANDEZ PORFIRIO &
8	3026	CHIHUAHUA ST	RAMIREZ JORGE
9	1601	SINGLETON BLVD	MALAGON ABEL OCTAVIO
10	1603	SINGLETON BLVD	MARTINEZ FERNANDO ET AL
11	1605	SINGLETON BLVD	MARTINEZ FERNANDO
12	3011	CHIHUAHUA ST	RODRIGUEZ JUAN &
13	3015	CHIHUAHUA ST	SIMON ELI S &
14	3019	CHIHUAHUA ST	Taxpayer at
15	3023	CHIHUAHUA ST	VALENZUELA MARIA D &
16	3029	CHIHUAHUA ST	TREVINO JESSICA
17	3101	CHIHUAHUA ST	KIU PROPERTY LLC
18	3105	CHIHUAHUA ST	BROWEN QOF LLC
19	3111	CHIHUAHUA ST	MORALES MARTIN
20	1713	SINGLETON BLVD	JSM DEVELOPMENT CO
21	1701	SINGLETON BLVD	MONREAL ROGELIO
22	3013	NAVARO ST	Taxpayer at
23	1710	TORONTO ST	LEIJA LUIS
24	1708	TORONTO ST	HERNANDEZ MARIO
25	1714	TORONTO ST	DAVIS CARLOES LEE
26	1715	TORONTO ST	Taxpayer at

Z245-106(LL)

12/02/2024

Label #	Address		Owner
27	1711	TORONTO ST	DUNN BENNIE L EST OF
28	1707	TORONTO ST	BENITEZ PATRICIO
29	3103	NAVARO ST	DUVALL RICHARD DUANE
30	3110	NAVARO ST	CASTILLO MARCELO
31	3104	NAVARO ST	TTBI LLC
32	3100	NAVARO ST	SESSION LAWANZA &
33	3020	NAVARO ST	SENNA AYR MCMASTER HOLDINGS
34	3018	NAVARO ST	SMITH CURTIS
35	1710	SINGLETON BLVD	VILLAGES AT SOHO SQUARE LLC
36	1616	SINGLETON BLVD	VILLAGES AT SOHO SQUARE LLC
37	1716	SINGLETON BLVD	SMCCP RC



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the amendment and renewal of Specific Use Permit 2284 for a tattoo studio on property zoned Subdistrict 1A in Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the south line of Parkhouse Street, and the north line of Continental Avenue, west of Core Street.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for auto-renewals with additional five-year periods, subject to site plan and conditions.

Applicant: Jason Call / Pristine Ink, LLC

Planner: Lori Levy Council District: 6 **Z245-123(LL)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Lori Levy, AICP

FILE NUMBER: Z123-123(LL) DATE FILED: November 25, 2024

LOCATION: South line of Parkhouse Street, north line of Continental Drive, west of Core

Street

COUNCIL DISTRICT: 6

SIZE OF REQUEST: ± 3,450 square feet CENSUS TRACT: 48113010003

REPRESENTATIVE/

APPLICANT: Jason Call / Pristine Ink, LLC

OWNER: Halebian Investments, Ltd.

REQUEST: An application for the amendment and renewal of Specific

Use Permit 2284 for a tattoo studio on property zoned Subdistrict 1A within Planned Development District No. 621 the Old Trinity and Design District Special Purpose District.

SUMMARY: The purpose of the request is to allow continued operation of

the existing tattoo studio [Pristine Ink LLC].

STAFF RECOMMENDATION: <u>Approval</u> for a five-year period with eligibility for auto-

renewals with additional five-year periods, subject to

site plan and conditions.

PLANNED DEVELOPMENT DISTRICT No. 621

http://www.dallascityattorney.com/51P/Supp%2056/Articles/ARTICLE%20621.pdf

BACKGROUND INFORMATION

- The site contains a 3,450-square-foot suite that was constructed in 1954, according to Dallas Central Appraisal District records. The suite is divided between a 2,493-square-foot art studio in the front and a 957-square-foot tattoo studio in the rear.
- An art studio is allowed by-right in Subdistrict 1A within Planned Development District No. 621 and a tattoo studio requires a Specific Use Permit.
- On April 11, 2020, City Council approved a renewal of SUP No. 2284 for a tattoo studio for a five-year period, subject to a site plan and conditions.

Zoning History

There have been two zoning change requests in the area within the last five years.

- 1. **Z190-136:** On February 10, 2021, City Council approved an amendment to Planned Development District No. 621, Old Trinity and Design District Special Purpose District by authorized hearing to amend the main uses permitted within certain subdistricts (1,1A, 1B, 1C, 1D, 1F, 1G, and 1H) and off-street parking and loading regulations, on area generally bounded by Sylvan Avenue/Wycliff Avenue, the meanders of the old channel of the Trinity River, Interstate 35, Continental Avenue, and the Trinity River Floodway.
- 2. **Z190-150:** On April 11, 2020, City Council approved an application for a renewal of SUP No. 2284 for a tattoo studio at this site.

Thoroughfares/Streets

Thoroughfare/Street	Туре	Existing / Proposed ROW
Parkhouse Street	Local	80 ft.
Continental Avenue	Local	100 ft.

Traffic

The Transportation Development Services Division of the Planning and Development Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will review engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! Comprehensive Plan (2.0) was adopted by the City Council in September 2024 and 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:

Placetype

COMMUNITY MIXED USE (CM)

Character Description

Community Mixed-Use areas are located at major intersections and along key corridors, serving multiple surrounding neighborhoods and attracting retailers and services that require a larger market area. A mix of commercial, office, residential, retail, and services are concentrated adjacent to larger nodes of activity. Commercial centers, commercial corridors, and office parks are representative of this placetype. Residential uses are accommodated within mid-rise buildings, and some mixed-use structures are connected by internal and external pedestrian pathways. These areas are often located along DART bus and rail routes to maximize transit connections to retail and job centers and provide multiple mobility options for residents and employees. Vehicular access is generally easily accessible given that buildings are often located on separate parcels with their own parking areas. For Community Mixed-Use areas closer to Downtown Dallas, development is concentrated in compact blocks with quality access to transit and a high degree of connectivity to surrounding neighborhoods. Buildings in these urban areas, are generally developed vertically (multiple uses in a single building), also offer more housing options and are along fixed transit and transportation nodes, hubs, and corridors. Within more suburban areas of Dallas, these areas consist of larger complexes, often with fewer stories while offering a large amount of retail, restaurant, and personal services that are generally separated by large parking areas or open spaces along the perimeter.

1. Placetype Application

CM A-1

Established Community Mixed-Use areas should focus on incorporating additional community gathering spaces, pedestrian amenities, and enhanced landscaping as a catalyst for more destination activity around commercial uses.

Area Plans

The <u>Stemmons / Design District Land Use Plan</u> was adopted by the City Council in October 2001. The primary impetus for the Land Use Plan was to study how the area would respond to the emerging Victory Development, DART LRT/TRE Stations, the Katy Trail, and the future Trinity River project. The plan vision was set to encourage adaptive reuse of existing structures (e.g. warehouse loft apartments) and encouraging new infill developments to help transition aging industrial areas into a distinctive mixed-use destination.

The Stemmons/Design District Land Use Plan identifies impediments, such as zoning and land use incompatibilities to the district's potential for mixed-use. The process included an analysis of zoning, development needs, code limitations, building re-use potential, retail needs, parking and access. The plan identified as a challenge the existing buildings and infrastructure in attracting and accommodating future residents. The plan recommended the creation of Planned Development No. 621, 'Old Trinity and Design District' Special Purpose District to address the issues identified in the plan to facilitate future development.

The <u>Trinity River Corridor Comprehensive Land Use Plan</u> was adopted by the City Council in March 2005 and revised in December 2009. The request area is located within the Trinity River Corridor. "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". A future land use plan for the corridor region provides preferred redevelopment scenarios. The site is located in a Residential Riverside land use module within the Downtown-Lakes District.

Mixed-use low density, and within the Mixed-use adaptive reuse module. The module recommends a mix of office as primary uses, and employment center, residential multifamily, entertainment and civic uses as secondary uses.

The request site is also located within the Downtown Lakes District. The Downtown – Lakes District is one of two districts that blends both sides of the Trinity River. It is the recognized core of the city of Dallas and includes the city's founding site as well as major civic and cultural institutions located downtown.

The request site is also located within the Old Trinity Industrial Study area. Within this area it is recognized that while many successful businesses are located here, there are also areas in transition from industrial to other uses. The Dallas Design District is an

important example of this change – it is a focal point for architects, designers, and suppliers for the design community.

The <u>Stemmons Corridor - Southwestern Medical District Area Plan</u> was adopted by the City Council in June 2010.

The Stemmons Corridor – Southwestern Medical District Area is a destination. It is a destination for business, trade and economic innovation; a destination for premier medical attention and research; a destination for living with desirable, diverse urban housing; and a destination for shopping, recreation, and entertainment, with unique shops and experiences.

The request site is located within the proposed Urban mixed-use medium land use category. The plan recommends that the mixed-use area be walkable, with a variety of office, shopping, and entertainment uses in close proximity

The <u>Downtown Dallas 360 Plan</u> was adopted in April 2011 and updated in December 2017. The Plan was adopted as a guide to future City Council actions concerning land use and development regulations, transportation and economic development, and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main and Akard Streets.

The Plan encourages workspaces for the urban innovators to be prioritized. These may include a variety of building types – offices and retail shops of many sizes and shapes, plus live/work spaces, studios, and even small manufacturing facilities. In particular, opportunities exist to build synergy with and attract new "creative" firms that emphasize the sharing of ideas and information. By building on Downtown's inherent strength in communications, interaction and the emerging 24-hour environment, creative uses such as those in technology, design, communications and others can become catalysts for engaging a large segment of the Dallas area workforce while attracting more of the "best and brightest" to Downtown. The area's numerous districts, including areas with distinct character such as the *Design District*, Deep Ellum and Cedars, each boast different characteristics and can accommodate a wide variety of workspace types that complement and enhance the existing urban fabric.

By continuing the adaptive reuse of an old industrial building with a main commercial, personal service use, thus contributing to the creation of a mixed-use area from an old industrial area in transition, the applicant's request is consistent with the placetype recommendations of the comprehensive plan and area plans.

Surrounding Land Uses

	Zoning	Land Use
Site	PD No. 621, Subdistrict 1A	Commercial/vacant
Site		office/showroom/warehouse
North	PD No. 621, Subdistrict 1A	Local Utilities/vacant
		office/showroom/warehouse
South	PD No. 744	Multifamily
East	PD No. 621, Subdistrict 1A	Vacant office/showroom/warehouse
West	PD No. 621, Subdistrict 1A	Warehouse/Ronald Kirk Pedestrian
		Bridge/Trinity River

Land Use Compatibility

The site contains a 3,450-square-foot suite that was constructed in 1954, according to Dallas Central Appraisal District records. The suite is divided between a 2,493-square-foot art studio in the front and a 957-square-foot tattoo studio in the rear.

Subdistrict 1A within Planned Development District No. 621 requires a specific use permit to operate a tattoo studio. On April 11, 2020, City Council approved SUP No. 2284 for a tattoo studio for a five-year period, subject to a site plan and conditions.

Surrounding land uses to the north, south, east, and west are primarily commercial/industrial in nature with multifamily to the southwest. The area of request is near the terminus of Parkhouse Street and the closest properties to the northeast and southwest are vacant commercial buildings, with a local utilities use located to the northwest. Further east on Parkhouse Street, the mix of uses becomes more diverse, with a variety of retail, and personal service, uses before reaching the intersection of North Riverfront Boulevard. The Ronald Kirk Pedestrian Bridge, formerly Continental Avenue, abuts the site to the southwest.

PD No. 621 was adopted by the City Council on August 28, 2002 and more recently amended on February 12, 2021. The PD states that development in this subdistrict should:

Encourage residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light-rail stations; conserve energy; provide for efficient traffic circulation; conserve land; minimize vehicular travel; encourage both day-time and night-time activity; encourage use of mass transit; increase pedestrian activity; and encourage bicycle usage.

As the area further northeast has shifted into mixed use, as allowed by the PD, new uses have entered the region, including retail and personal service uses. The proposed tattoo studio, in conjunction with an art studio, supports that mix by providing a retail and personal service use that can help to develop the character of the neighborhood.

PD No. 621 specifically defines a tattoo studio as an establishment in which tattooing is performed. Further, the PD defines tattooing as, 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. Since the use *tattoo studio* is separately defined in the PD, it can have special provisions, such as a requirement to obtain a specific use permit, apart from the typical land use that includes these activities, *personal service uses*, which is allowed by right at this location. Subdistrict 1A requires a specific use permit to operate a tattoo studio.

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

Considering the existing operation and use that contributes to the recommended mixeduse character of the Design District, staff supports the SUP renewal request and the fiveyear period with eligibility for automatic renewals for additional five-year periods because the request is not foreseen to be detrimental to surrounding properties.

Parking

No changes to the existing site plan are proposed with this request. PD No. 621 requires one parking space for every 275 square feet of floor area of a tattoo studio. The site plan includes 957 square feet of a tattoo studio, therefore, per PD No. 621, three parking

Z245-123(LL)

spaces for the tattoo studio are required. The existing site plan includes five on-street parking spaces and one handicapped space within the interior of the property. The recently amended PD No 621 also allows for remote parking within 1000' feet of the site.

Landscaping

Landscaping must be provided in accordance with the landscaping plan included in PD No. 621. No changes to the site are proposed with this request.

Market Value Analysis

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

LIST OF OFFICERS/PARTNERS

Halebian Investments – Owner

Jane Marie Halebian – trustee

Paul Hratch Halebian – trustee

Pristine Ink, LLC – Applicant

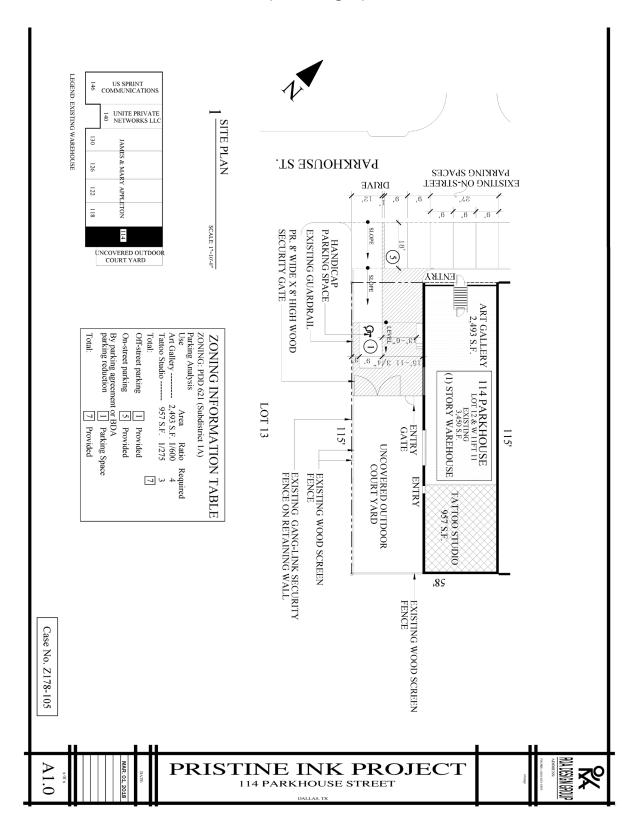
Jason Allen Call – sole officer

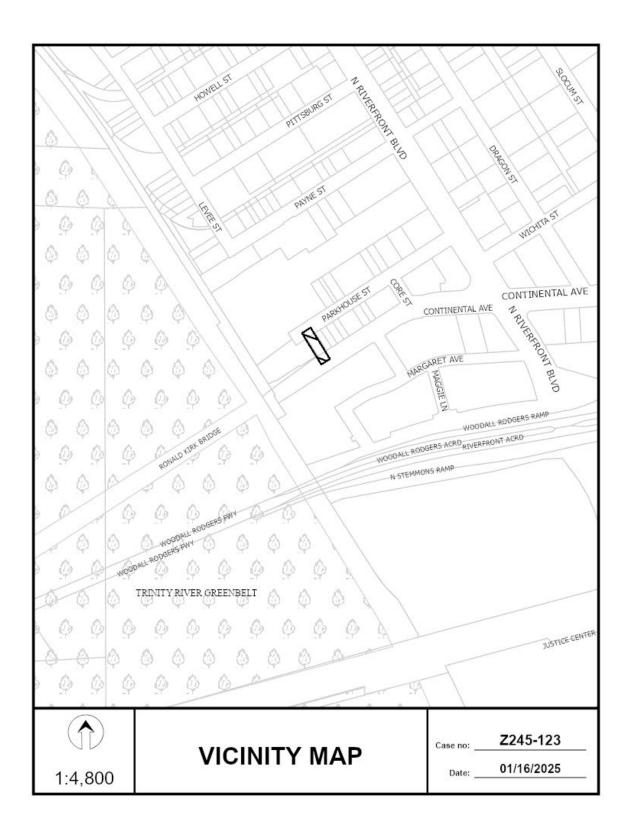
PROPOSED AMENDED SUP CONDITIONS

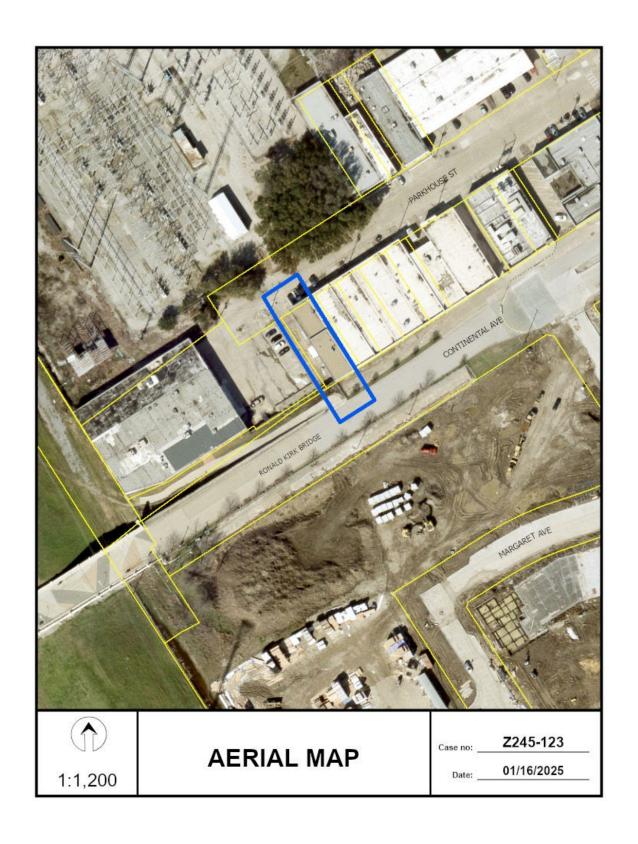
- 1. <u>USE</u>. The only use authorized by this specific use permit is a tattoo studio.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on [five years from the passage of this ordinance], but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

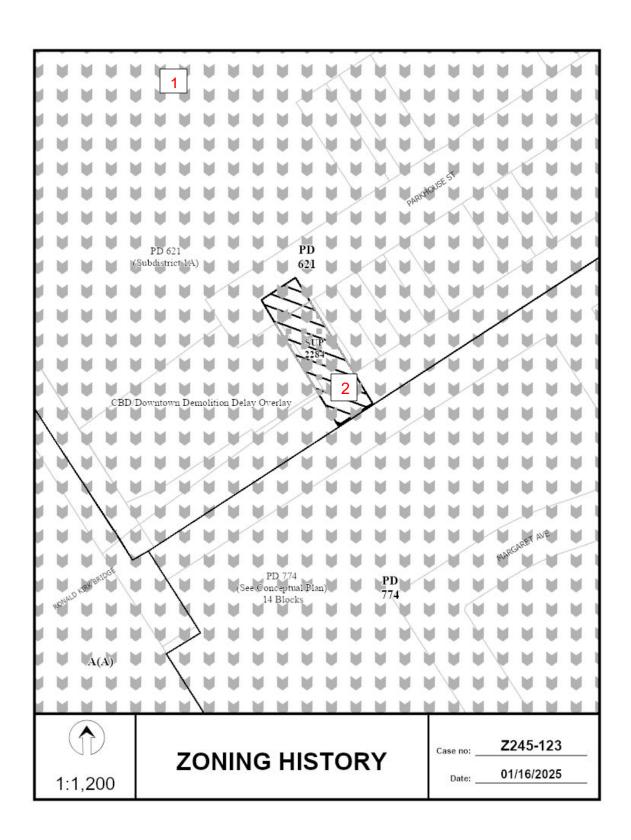
 [April 8, 2025.]
- 4. FLOOR AREA: The maximum floor area for a tattoo studio is 957 square feet.
- 5. <u>HOURS OF OPERATION</u>: The tattoo studio may only operate between 10:00 a.m. and 10:00 p.m., Monday through Sunday.
- 6. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 7. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas."

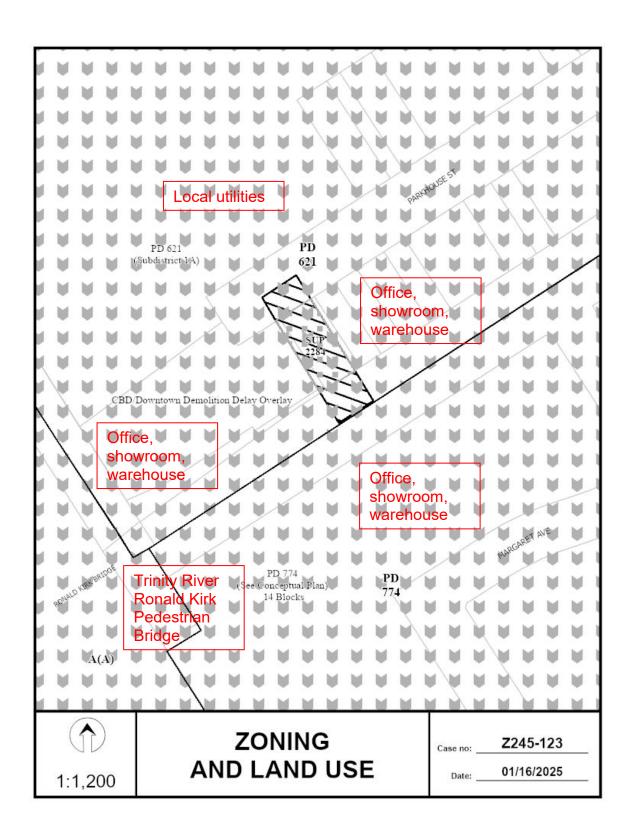
(no changes)

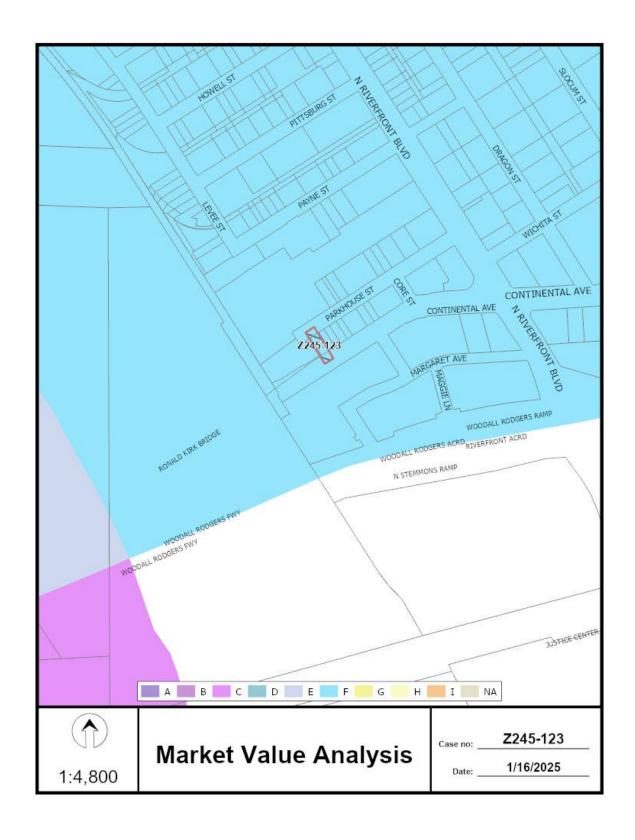


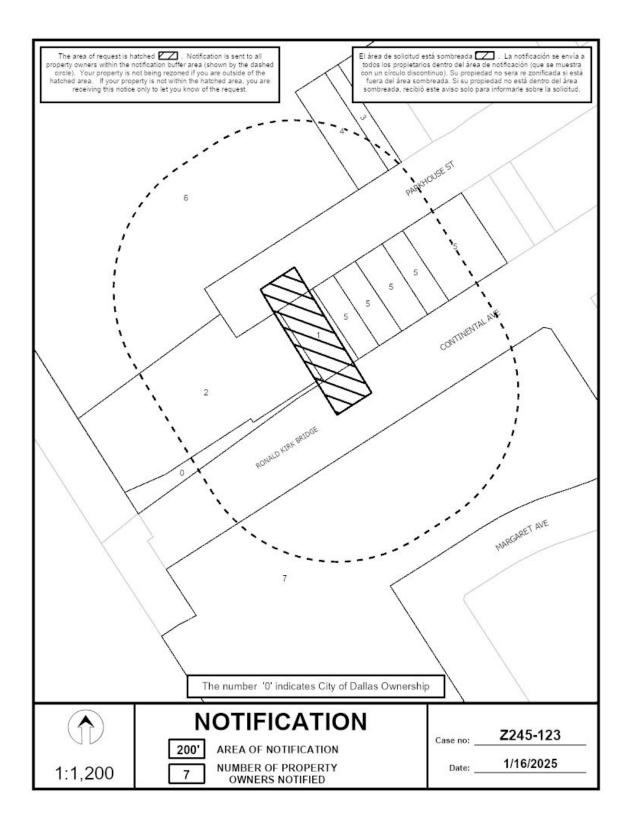












01/16/2025

Notification List of Property Owners

Z245-123 7 Property Owners Notified

Label #	Address		Owner
1	114	PARKHOUSE ST	HALEBIAN INVESTMENTS LLC
2	100	PARKHOUSE ST	ROBBIE DRIVE LTD
3	137	PARKHOUSE ST	GALICHIA ALAN & GINA
4	135	PARKHOUSE ST	ICP 135 PARKHOUSE LP
5	140	PARKHOUSE ST	140 PARKHOUSE LLC
6	919	N RIVERFRONT BLVD	ONCOR ELECRTIC DELIVERY COMPANY
7	110	CONTINENTAL AVE	505 RIVERFRONT LTD



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for an amendment to Specific Use Permit No. 2353 for an auto service center on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the southwest corner of North Riverfront Boulevard and Pittsburg Street.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for autorenewal for additional five year periods, subject to a site plan and conditions.

<u>Applicant</u>: David Nguyen <u>Planner</u>: LeQuan Clinton

Council District: 6 Z234-298(LC)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: LeQuan Clinton

FILE NUMBER: Z234-298(LC) DATE FILED: July 29, 2024

LOCATION: Southwest corner of North Riverfront Boulevard and Pittsburg

Street.

COUNCIL DISTRICT: 6

SIZE OF REQUEST: 12,000 square feet CENSUS TRACT: 4811301003

APPLICANT: David Nguyen

OWNER: Joe Unell/The B's, LLC

REQUEST: An application for an amendment to Specific Use Permit No.

2353 for an auto service center on property zoned Subdistrict 1A within Planned Development District No. 621, the Old

Trinity and Design District Special Purpose District.

SUMMARY: The purpose of the request is to allow the continued use of an

auto service center on site.

STAFF RECOMMENDATION: <u>Approval</u> for a five-year period with eligibility for

autorenewal for additional five year periods, subject to

a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned Subdistrict 1A within Planned Development District No. 621 the Old Trinity and Design District Special Purpose District and developed with an existing auto service center, building and parking lot.
- Geographically located near the Design District, approximately 3 miles west of downtown Dallas.
- This is a corner lot and has frontage on both North Riverfront Boulevard and Pittsburg Street.
- Applicant does not propose any new changes to the land use or the existing Specific Use Permit.
- Applicant is requesting a five-year time period, with eligibility for additional five-year period through autorenewal for the SUP.

Zoning History:

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

1. Z201-272 - On Wednesday, October 13, 2021, the City Council approved an application and ordinance for the renewal of Specific Permit No 2353 for an auto service center on property zoned Subdistrict 1A within PDD No. 621 the Old Trinity and Design District, located on the Southwest corner of North Riverfront Boulevard and Pittsburg Street [subject site].

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
North Riverfront Boulevard	Principal Arterial (PA)	137'-150'
Pittsburg Street	Local Street	-

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006 and 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:

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.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

Active Area & Land Use Plans:

The 360 Plan
Stemmons Corridor-Southwestern Medical District Area Plan
The Trinity River Corridor Comprehensive Land Use Plan
Stemmons/Design District Land Use Plan

The 360 Plan:

The 360 Plan was adopted by the City Council in December 2017 as a guide to future actions concerning land use and development regulations, transportation, economic development and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street. This plan outlines three transformative strategies suggested by City Council with an overall goal that focuses on a complete and connected city center for future growth and development throughout the city.

Staff finds the request does not comply with the following transformative strategies and their respective goals of the 360 Plan, as this plans' main focus is housing ranging from

type, affordability, variety/diversity and placement. Staff felt it important to give mention to the plan due to the location of the request.

Stemmons Corridor - Southwestern Medical District Area Plan:

The Stemmons Corridor – Southwestern Medical District Plan Area contains approximately 3,885 acres (about six square miles) and is generally bounded by the Trinity River, Mockingbird Lane, Downtown, and the City's Uptown area.

Vision:

The Stemmons Corridor – Southwestern Medical District Area is a destination. It is destination for business, trade and economic innovation; a destination for premier medical attention and research; a destination for living with desirable, diverse urban housing; and a destination for shopping, recreation, and entertainment, with unique shops and experiences. The Consensus vision is divided into three sections: Future Land Development Vision, Future Circulation Vision, Strategic Opportunity Areas.

Summary:

The forwardDallas! plan identifies the Stemmons Corridor – Southwestern Medical District area as an area of growth and stressed the need for an area plan to guide this growth to foster desirable development patterns. The study area has numerous existing assets and new opportunities including new development, redevelopment and underutilized assets like the Southwestern Medical District: The DART Light Rail Transit (LRT) and the Trinity Railway Express (TRE), Dallas Love Field Airport, Victory Plaza / American Airlines Center Area, stable Single-family Neighborhoods, Trails and Connectivity potential, The Market Center, The Design District, The Trinity River Park and Area Hotel Facilities.

The Vision and Policy Plan component updates and refines the forwardDallas! Vision for the area, providing more context-specific policy direction to serve as an ongoing guide for future land development. It is intended to remain relevant through the long term with a 30-year planning horizon. This component is incorporated into the forwardDallas! Comprehensive Plan through an amending ordinance.

The Implementation Program component focuses on defining specific actions to bring about strategic change needed to realize the vision. This component is adopted by Council resolution to establish shorter term work programs and priorities. It focuses on a 5 to 7-year planning horizon and will require periodic review and update.

The Trinity River Corridor Comprehensive Land Use Plan:

The Trinity River Corridor includes approximately 44,000 acres in size - about 20% of the land area in Dallas. The boundaries of the corridor span from Royal Lane in the north to I-20 in southern Dallas, and approximately 1.5 miles on either side of the Trinity River.

Vision:

The 2050 Vision Statement for the Trinity River Corridor in Dallas: 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

Summary:

This Comprehensive Land Use Plan is an important tool for the individuals and organizations that make decisions affecting the Trinity River Corridor. Its broad vision describes the character this corridor should have in the future. It establishes the general principles that will direct preparation of detailed plans for smaller parts of this large area. It provides guidance about the appropriate land uses and development patterns for the corridor that can be used by citizens, property owners and City officials as they review specific development proposals. The Trinity River Corridor Comprehensive Land Use Plan is the 'blueprint' for this future. The plan's main sections are:

- A Vision to Transform Dallas' Trinity River Corridor, which imagines the future of this corridor and describes its key features;
- Land Use and Urban Design Throughout the Trinity Corridor, which explains the overall principles that should guide land use and urban design in all parts of the Trinity Corridor;
- Implementation Strategies Throughout the Trinity Corridor, which explains the capital projects and other tools needed to carry out this plan;
- Trinity Corridor District Plans, which provides more detailed direction about the development patterns parts of the corridor;
- Creating This Plan, which summarizes the process used to prepare this plan; and
- Background Documents, which lists the resource reports produced during the planning process.

Stemmons/Design District Land Use Plan:

The 194-acre Stemmons / Design District Study Area is bounded by Stemmons Freeway (I-35E) to the north and east, Continental Avenue and the Trinity Levee to the south and southwest and Wycliff Avenue to the west.

Vision:

The primary impetus for this Land Use Plan was to study how this area would respond to the emerging Victory Development, DART LRT/TRE Stations, the Katy Trail, and the future Trinity River project. The plan vision is to encourage adaptive reuse of existing structures (e.g. warehouse loft apartments) and encouraging new infill developments to help transition aging industrial areas into a distinctive mixed-use destination.

Summary:

The Stemmons / Design District Land Use Plan identifies impediments, such as where zoning and land use incompatibilities, to the district's potential for mixed-use. The process included an analysis of zoning, development needs, code limitations, building re-use potential, retail needs, parking and access. The plan identified as a challenge the existing buildings and infrastructure in can attracting and accommodating future residents. The plan recommends the creation of Planned Development 621, 'Old Trinity and Design District' Special Purpose District to address the issues identified in the plan to facilitate future development.

Staff Conclusion:

Staff Analysis of the Stemmons Corridor – Southwestern Medical District Area Plan

The Stemmons Corridor – Southwestern Medical District Area is a multifaceted destination fostering business innovation, medical excellence, urban living, and vibrant recreation. The area's strategic vision focuses on three key aspects: Future Land Development, Future Circulation, and Strategic Opportunity Areas. As identified in the forwardDallas! plan, this region is a critical growth area, requiring deliberate planning to ensure development patterns enhance its diverse assets and opportunities.

Key assets include:

- Transportation Infrastructure: DART Light Rail, Trinity Railway Express (TRE), and proximity to Dallas Love Field Airport.
- Economic and Recreational Hubs: The Southwestern Medical District, Victory Plaza, Design District, and Market Center.
- Community Connectivity and Sustainability: Stable single-family neighborhoods, trail systems, and the Trinity River Park.

The Vision and Policy Plan offers a 30-year roadmap for sustainable and desirable development, updating the forwardDallas! plan to guide land use and development decisions with context-specific policies.

The request for SUP renewal of an auto service center aligns with the plan's goals and objectives by:

- Supporting Transportation Infrastructure: Enhancing access and convenience for vehicles in an area heavily reliant on regional connectivity through major transportation nodes.
- Complementing Economic Growth: Providing a service that supports local businesses, employees, and residents, thereby contributing to the area's economic ecosystem.
- Leveraging Strategic Location: Utilizing underutilized parcels or redevelopment opportunities near major assets like DART LRT, TRE, and arterial corridors, ensuring compatibility with surrounding land uses.
- Promoting Desirable Development: Incorporating thoughtful design and urban standards to integrate seamlessly into the vibrant and diverse fabric of the Stemmons Corridor, supporting both functionality and aesthetics.

By addressing regional mobility needs and complementing the broader land development vision, the proposed auto service center contributes to the strategic goals of fostering balanced growth and economic vitality in the Stemmons Corridor – Southwestern Medical District Area.

Staff Analysis of the Stemmons Corridor – The Trinity River Corridor Comprehensive Land Use Plan

The plan serves as a guiding tool for citizens, property owners, and officials to evaluate land use proposals and aligns with broader city objectives through its focus on land use, urban design, and implementation strategies.

The applicant's request mostly aligns with the second of the five objectives for future development in the Trinity Corridor Plan; Establish the role of economic development along the Trinity River. An auto service center can align with the plan's goals by contributing to connectivity, economic growth, and urban functionality:

- Support Economic Development: The service center promotes economic activity by providing essential vehicle maintenance services, catering to residents, businesses, and commuters using the Trinity Corridor.
- Enhance Connectivity and Accessibility: Located strategically, it can support regional mobility and access needs in an area with significant transportation infrastructure.
- Complement Urban Form: Thoughtful design and integration can ensure the center fits within the envisioned vibrant and sustainable urban environment, minimizing visual and functional disruptions.

- Serve Adjacent Development Patterns: As part of the Trinity Corridor's diverse land uses, the auto service center can serve nearby businesses, neighborhoods, and recreational areas, contributing to a balanced and functional corridor.

By aligning with the Trinity River Corridor Comprehensive Land Use Plan's emphasis on economic vitality, connectivity, and appealing urban design, the proposed auto service center can play a supportive role in achieving the corridor's long-term vision.

Staff Analysis of the Stemmons/Design District Land Use Plan

The Stemmons/Design District Land Use Plan focuses on transforming aging industrial areas into a vibrant, mixed-use destination through adaptive reuse of existing structures and strategic new infill developments. The plan emphasizes addressing impediments, such as zoning and land use incompatibilities, and highlights the need for development solutions to attract future residents and businesses while enhancing the district's appeal.

Key objectives include:

- Encouraging adaptive reuse of existing structures (e.g., warehouse loft apartments).
- Supporting new infill development to transition industrial areas into mixed-use hubs.
- Addressing challenges related to zoning, infrastructure, retail, parking, and access.
- Establishing Planned Development 621, "Old Trinity and Design District," to resolve zoning and code issues and facilitate growth.

The applicant request aligns with the plan objectives as follows:

- 1. Supporting Infill Development: An auto service center represents strategic infill that provides essential services, addressing the needs of residents and businesses while utilizing underutilized parcels.
- 2. Encouraging Mixed-Use Functionality: By incorporating urban design principles, the service center can complement nearby mixed-use developments, ensuring compatibility with surrounding land uses.
- 3. Enhancing Accessibility and Infrastructure: The auto service center can contribute to resolving access and parking challenges by serving as a mobility resource within the district.
- 4. Addressing Zoning Challenges: Integrating the auto service center within the Planned Development 621 framework ensures alignment with zoning regulations and supports the district's redevelopment goals.

Land Use:

	Zoning	Land Use
Site	PD. No. 621 w/ Subdistrict 1A	Auto service center, existing surface parking

North	PD. No. 621 w/ Subdistrict 1A	Commercial retail, showrooms and warehouse
South	PD. No. 621 w/ Subdistrict 1A	Commercial retail, showrooms and warehouses
East	PD. No. 621 w/ Subdistrict 1	Commercial retail
West	PD. No. 621 w/ Subdistrict 1A	Commercial retail

Land Use Compatibility:

The area of request is currently developed with an existing building used as an auto service center and surface parking lot (approx. 12,000 square feet in total size), zoned Subdistrict 1A within Planned Development District No. 621 the Old Trinity and Design District Special Purpose District.

To the north, south, and west of the property is PD. No. 621 with Subdistrict 1A consisting of a mix of commercial retail, warehouses and showrooms. To the east of the subject site is zoned PD. No. 621 with Subdistrict 1 and the same uses as to the north, south and east; commercial retail. Due to the existing uses immediately around the subject site and surrounding area, staff is in support of the proposed request. Staff believes it may be appropriate next to the mentioned uses. Additionally, this business and operator has been in the neighborhood since 2019. Therefore, staff finds the applicant's requested SUP renewal to allow the continued use of an auto service center on site on to be compatible with the area. Staff supports the applicant's request.

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

Staff supports the request because the use is foreseen to continue be a positively impactful benefit to the surrounding uses, properties and residents.

Landscaping:

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

Parking:

The parking regulations in PD No. 621 states "Except for the uses listed below, consult the use regulations in Division 51A-4.200, "Use Regulations," for the specific off-street parking requirements for each use. Parking requirements for this PD can be found here; https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20621.pdf

At permitting, the applicant would be required to comply with the standard parking ratios for the specified requested use, as well as any other uses permitted under the proposed and approved zoning district.

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 target intervention strategies more precisely 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 currently in a "F" MVA area. The area of request has the "F" MVA area in the immediate adjacencies in all directions, north, south, east and west.

List of Partners

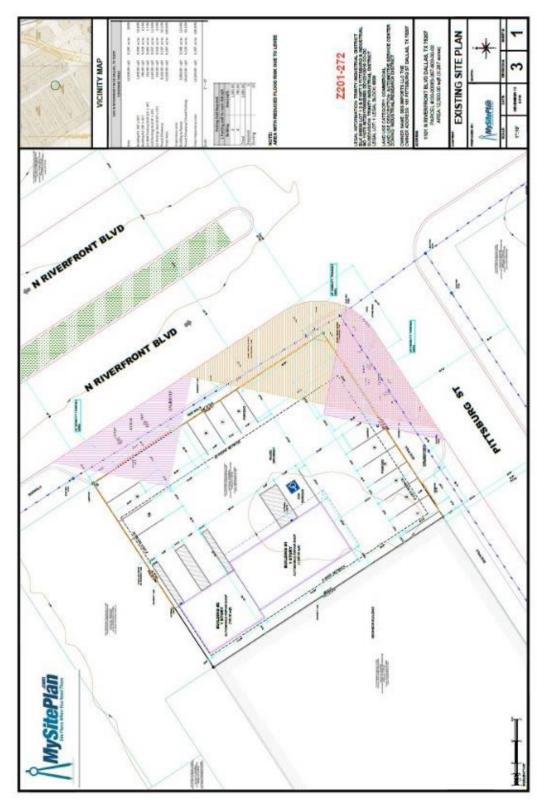
3B's Import, LLC

Joe Unell

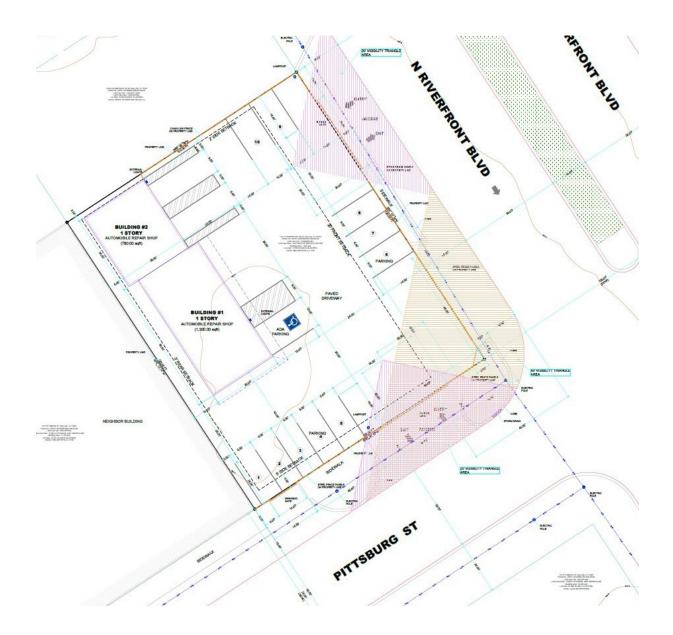
PROPOSED SUP CONDITIONS

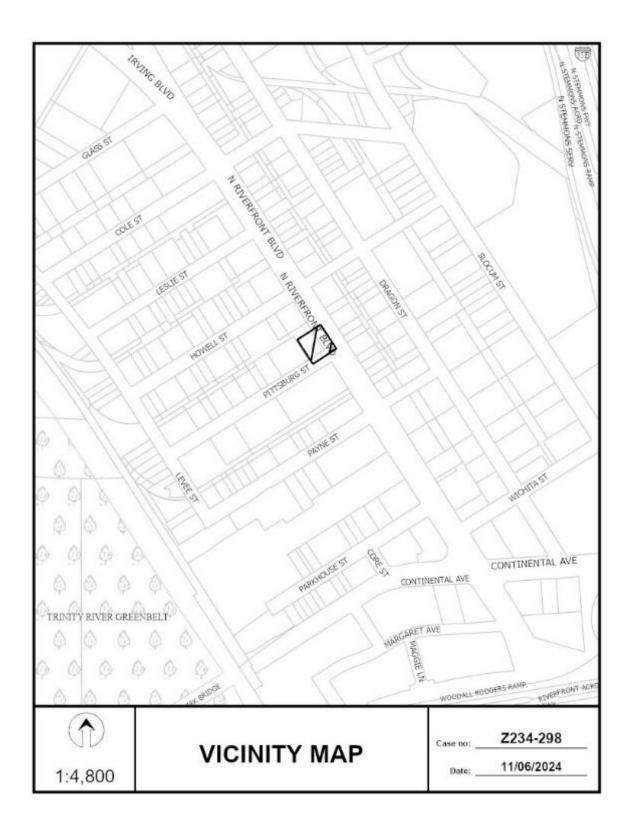
- 1. USE: The only use authorized by this specific use permit is an auto service center.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (five years from passage of this ordinance) but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- 4. <u>FLOOR AREA</u>: The maximum floor area for the auto service center is 12,500 square feet in the location shown on the attached site plan.
- 5. <u>HOURS OF OPERATION</u>: The auto service center may only operate between 8:00 a.m. and 5:00 p.m., Monday through Friday.
- 6. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 7. <u>GENERAL REQUIREMENTS</u>: Use of the property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

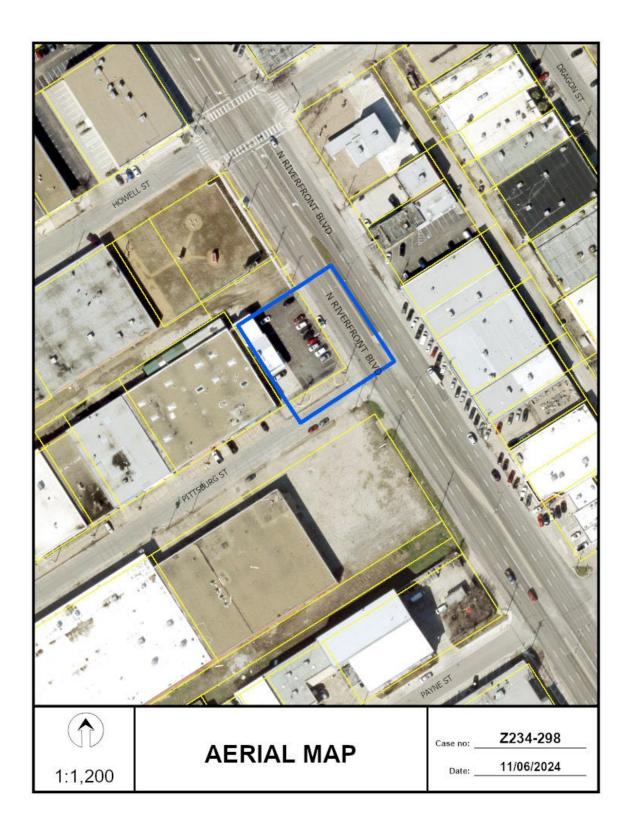
EXISTING SITE PLAN (NO CHANGES)

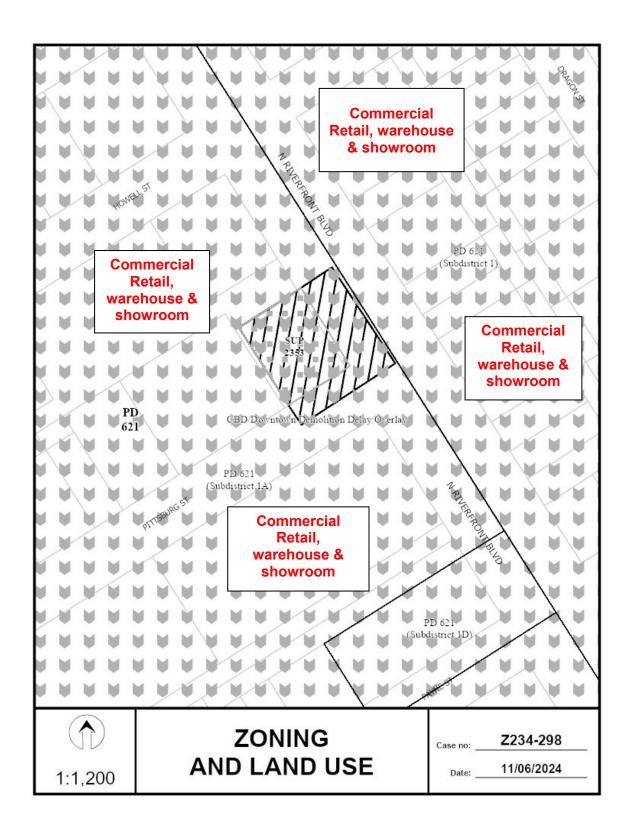


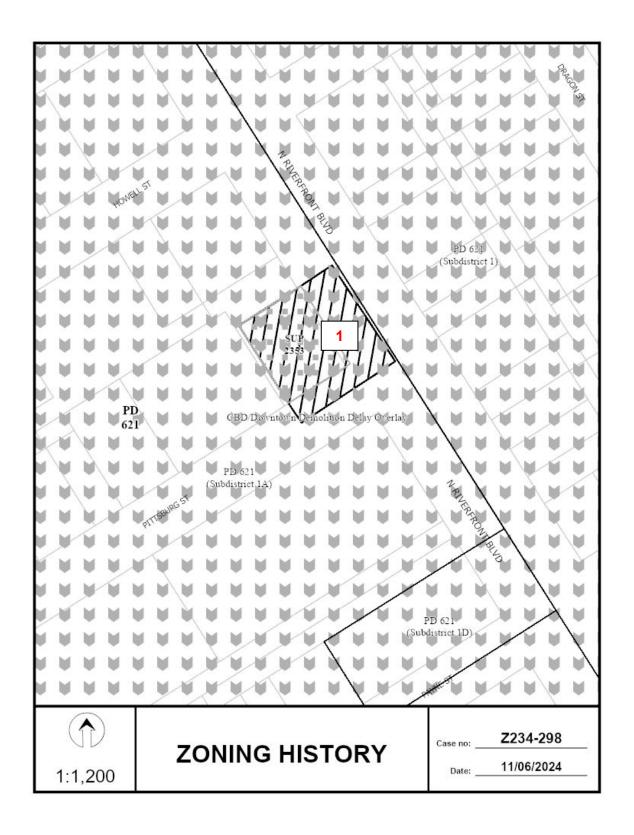
EXISTING SITE PLAN ENLARGEMENT (NO CHANGES)

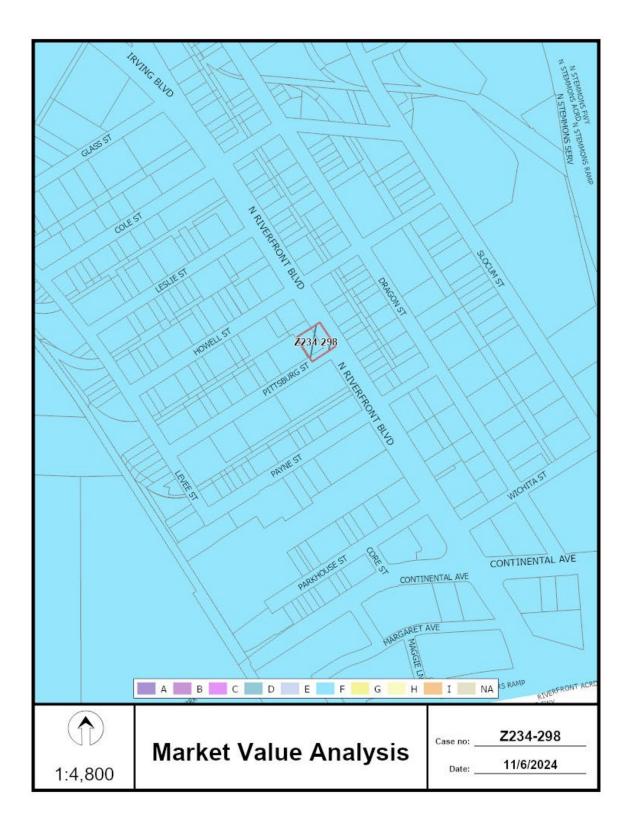


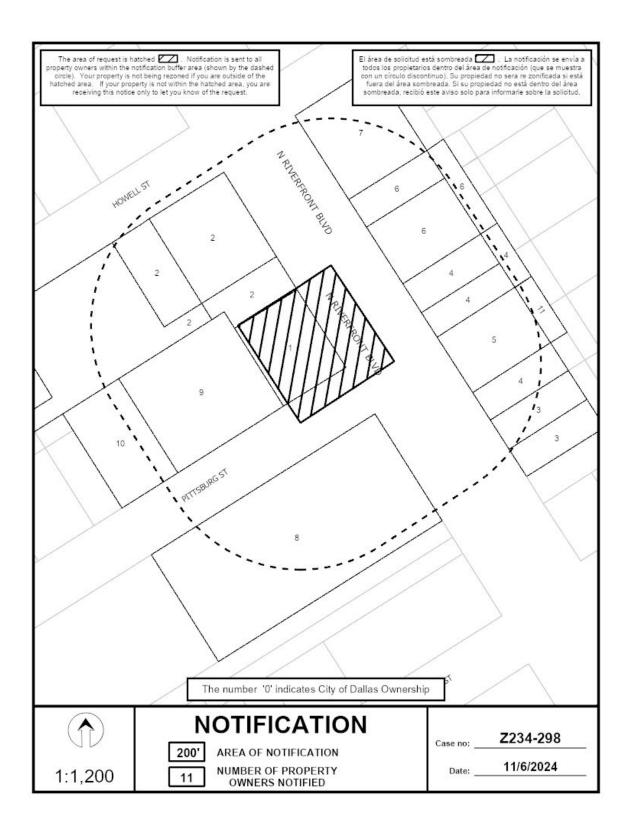












11/06/2024

Notification List of Property Owners Z234-298

11 Property Owners Notified

Label #	Address		Owner
1	1101	N RIVERFRONT BLVD	3BS IMPORTS LLC THE
2	166	HOWELL ST	EWING PROPERTIES TEXAS LLC
3	1012	N RIVERFRONT BLVD	MOODY HERMAN B III &
4	1022	N RIVERFRONT BLVD	CCFP LTD
5	1026	N RIVERFRONT BLVD	CHRIST GEORGE C TRUST
6	1114	N RIVERFRONT BLVD	XFP LTD PS
7	1130	N RIVERFRONT BLVD	CCFP LIMITED
8	170	PITTSBURG ST	DESIGN DISTRICT
9	161	PITTSBURG ST	3 B'S IMPORTS LLC THE
10	157	PITTSBURG ST	L & M PIONEER TRADING CO
11	1026	N RIVERFRONT BLVD	CHRIST GEORGE CHARLES



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for an amendment to Planned Development District No. 822, on property bound by Forney Road, Wimbleton Way, Chariot Drive, and Lomax Drive.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to an amended development plan and amended

conditions.

Applicant: Dallas Independent School District

Representative: Elsie Thurman, Land Use Planning & Zoning Services

Planner: LeQuan Clinton

Council District: 7
Z234-322(LC)

CITY PLAN COMMISSION THURSDAY, FEBRUARY 6, 2024

Planner: LeQuan Clinton

FILE NUMBER: Z234-322(LC) DATE FILED: August 21, 2024

LOCATION: Property bound by Forney Road, Wimbleton Way, Chariot

Drive, and Lomax Drive.

COUNCIL DISTRICT: 7

SIZE OF REQUEST: 73.2 acres CENSUS TRACT: 48113012207

REPRESENTATIVE: Elsie Thurman, Land Use Planning & Zoning Services

OWNER/APPLICANT: Dallas Independent School District

REQUEST: An application for an amendment to Planned Development

District No. 822.

SUMMARY: The purpose of the request is to allow modified development

standards primarily related to permitted uses, height, fencing, and design standards to allow the continued use of the site

as a public school.

STAFF

RECOMMENDATION: Approval, subject to an amended development plan and

amended conditions.

BACKGROUND INFORMATION:

- Currently zoned Planned Development District No. 822, a developed lot with an existing magnet school, campus, athletic fields and parking. There are residential uses surrounding the entirety of the site in the immediate area.
- This lot has frontage on Forney Road, Wimbelton Way, Lomax Drive and Chariot Drive.
- Geographically located in Eastern Dallas, approx. 8 miles from downtown.
- Applicant intends to amend the existing PD. No. 822 to add new uses; a new athletic addition and new performing arts addition on the property.
- The purpose of the request is to allow modified development standards primarily related to permitted uses, height, fencing, and design standards to allow the continued use of the site as a public school.
- To accomplish this, the applicant is requesting a PD amendment.

Zoning History:

There have been three zoning cases in the area in the last five years.

- 1. **Z212-154:** On Wednesday, August 24, 2022, the City Council approved an application for a Specific Use Permit for a foster home on property zoned a D(A) Duplex District at the northwest corner of Forney Road and Lomax Drive for a two-year period, subject to a site plan and conditions.
- 2. **Z223-226**: On Wednesday, December 13, 2024, the City Council approved an application for 1) a CR Community Retail District with deed restrictions volunteered by the applicant; and 2) a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned an NS(A) Neighborhood Service District with a D-1 Liquor Control Overlay on the west line of South Buckner Boulevard, between Clover Haven Street and St. Francis Avenue.
- 3. **Z223-334:** On Wednesday, April 24, 2024, the City Council approved an application for a Specific Use Permit, for a child-care facility on a property within an R-7.5(A) Single Family Residential District, on the south line of Forney Road, west of Lomax Drive and SUP No. 2533 for a ten-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
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Forney Road	C – Community Collector	80'
Lomax Drive	Local Street	
Chariot Drive	Local Street	
Wimbleton Way	Local Street	

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

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

The request would comply 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.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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 5.2.1 Maintain neighborhood scale and character.

Active Area Plans

No active area or land use plans

Staff Analysis:

The proposed site is not located in nor is it adjacent to any active area or land use plans.

Land Use:

	Zoning	Land Use		
Site	PD. No. 822	Institutional; DISD Skyline High School		
North	R-7.5(A), MF-2(A), TH-3(A) & PD. No. 721	Residential; Single Family, Multifamily & Townhomes, DISD Frank Guzick Elementary School		
South	R-7.5(A), IM Industrial Manufacturing & LI Light Industrial District w/ D-1 Overlay	Residential; Single Family, Mini warehouse, commercial retail		
East	MF-2(A) & MC-1 w/ D-1 Overlay	Residential; Multifamily & commercial retail		
West	D(A) Duplex, NS(A) Neighborhood Service & SUP 2458	Residential; Duplex & NSA		

Land Use Compatibility:

The area of request is currently zoned Planned Development District No. 822, a developed lot with an existing magnet school, campus, athletic fields and parking and (approx. 73.20 acres in total size).

Majority of the property is surrounded by residential uses, with small mixes of institutional and commercial retail uses, in every direction immediately adjacent to the site. To the North of the property is single family, multifamily, townhomes and an elementary school. To the

immediate East of the property is MF-2(A) Multifamily District with residential homes and commercial retail. To the west are single family homes and duplex. Lastly, to the south are existing single family, mini warehouses and commercial retail. With the immediate area being mostly composed of residential, although the zoning differs, and the applicant not proposing any major changes to the existing PD and property that would be detrimental to the area, staff finds the applicant's request to be appropriate and compatible with the surrounding and immediate area. The applicant is willing to do what is necessary to ensure compliance with any code requirements to honor existing residential uses. Additionally, there will be no residential buffer zone requirements to meet since the adjacencies are all residential and the additions to the existing high school are intended to be at the center, creating no encroachment onto existing adjacent residential uses. Therefore, staff believes the request would fit in this exact area and within the existing fabric of the neighborhood. Staff is in support of the applicant's requested PD amendment.

Development Standards:

The following is a comparison chart of the development standards for the current Planned Development District No. 822 and the proposed amendments to Planned Development District No. 822.

District	Setback		Density	Height	Lot	Special	Primary Uses
	Front	Side/Rear	Delisity	neigni	Cvg.	Standards	Filliary Uses
Existing: PD. No. 822	25' non res.	5' for res Other: 10/15'.	none	30'	45% for res. 20% non res.	none	Main uses permitted in R-7.5(A)
Proposed: PD. No. 822	25' non res.	5' for res Other: 10/15'.	none	50'	45% for res. 20% non res		Main uses permitted in R-7.5(A)*

^{*}note: applicant proposes no changes to the development standards, except the allowed height of structures from 30 to 50 feet, fencing, design standards and the allowed uses to now include a new athletic addition and new performing arts addition on the property, (see PD conditions pages 11-15 of this document).

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended, plus all additional landscaping provisions of PD. No. 822.

Parking:

At permitting, the applicant would be required to comply with the standard parking ratios for the specified use(s), as well as any other uses permitted and provisions of PD. No. 822.

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 target intervention strategies more precisely 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 "F" MVA area. To the north of the site are "E", "F" and "H" MVA areas. The east of the subject site is "F" MVA area and to both the west and south of the property is the "H" MVA area.

List of Officers

Dallas Independent School District

Board of Trustees

District 1 Lance Currie

District 2 Sarah Weinberg

District 3 Dan Micciche

District 4 Camile White, Board Secretary

District 5 Maxie Johnson, 2" Vice President

District 6 Joyce Foreman

District 7 Ben Mackey, 1" Vice President

District 8 Joe Carreon, President

District 9 Ed Turner

Administration

Dr. Stephanie Elizalde, Ed.D, Superintendent

Jason Stanford, Special Assistant to the Superintendent

Robert Abel, Chief of Human Capital Management

Libby Daniels, Chief of Communication

Tiffany Huitt-Powell, Chief of School Leadership

Sean Brinkman, Chief Technology Officer

Dr. Pamela Lear, Deputy Superintendent of Staff and Racial Equity

Dr. Brian C. Lusk, Deputy Superintendent of Academics and Transformation

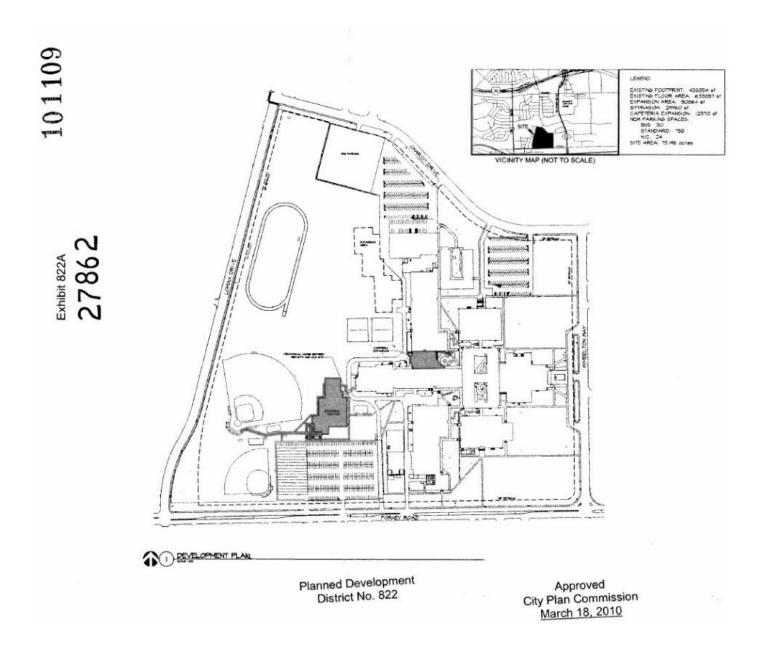
Dwayne Thompson, Interim Chief Financial Officer

Angie Gaylord, Chief Academic Officer

David Bates, Chief of Operations

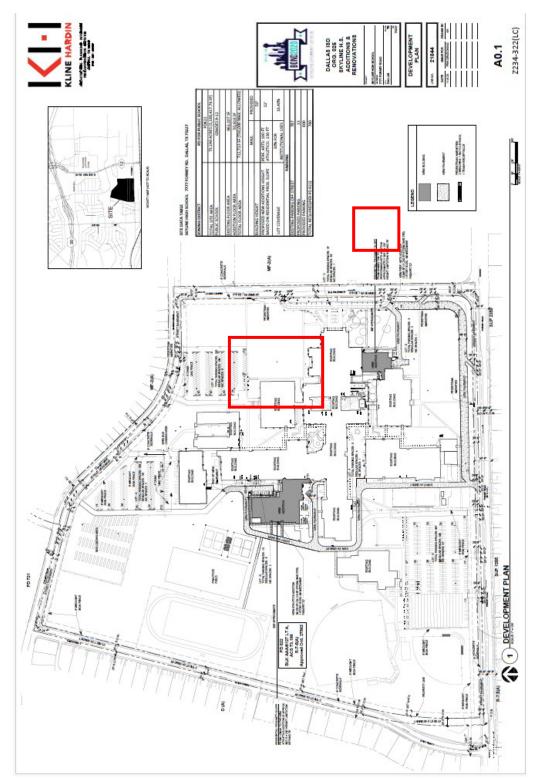
Jon Dahlander, Chief of Partnerships & Intergovernmental Relations

Brent Alfred, Chief of Construction Services

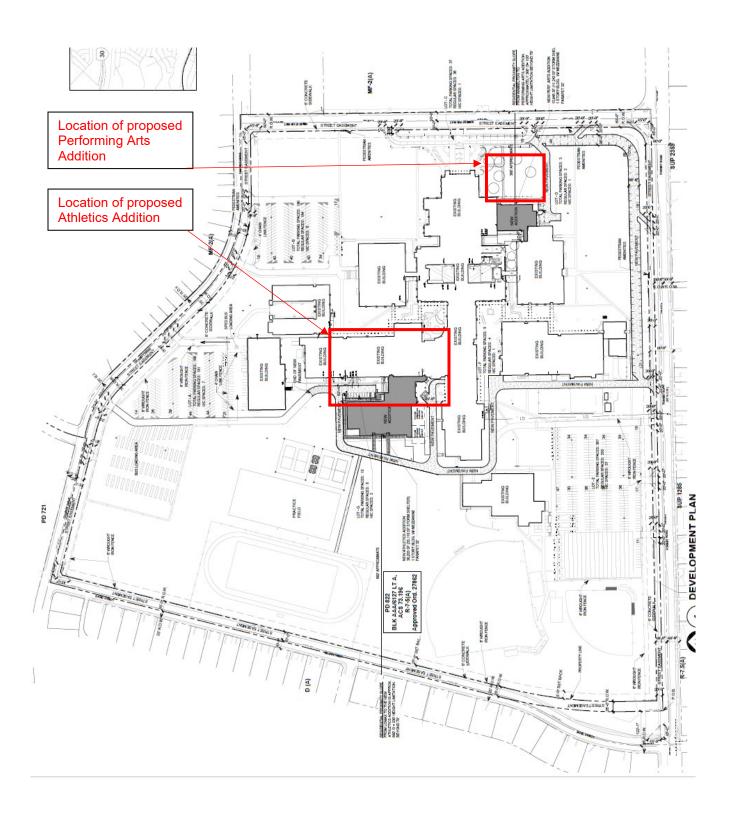


EXISTING DEVELOPMENT PLAN

PROPOSED DEVELOPMENT PLAN (CHANGES IN RED)



PROPOSED DEVELOPMENT PLAN ENLARGED (CHANGES IN RED)



PROPOSED PD CONDITIONS (CHANGES HIGHLIGHTED)

ARTICLE 822.

PD 822.

SEC. 51P-822.101. LEGISLATIVE HISTORY.

PD 822 was established by Ordinance No. 27862, passed by the Dallas City Council on April 28, 2010. (Ord. 27862)

SEC. 51P-822.102. PROPERTY LOCATION AND SIZE.

PD 822 is established on property generally bounded by Chariot Drive, Wimbelton Way, Forney Road, and Lomax Drive. The size of PD 822 is approximately 73.196 acres. (Ord. 27862)

SEC. 51P-822.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.
 - (c) This district is considered to be a residential zoning district. (Ord. 27862)

SEC. 51P-822.104. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 822A: development plan.
- (2) Exhibit 822B: landscape plan.
- (3) Exhibit 822C: traffic management plan. (Ord. 27862)

SEC. 51P-822.105. DEVELOPMENT PLAN.

(a) For a public school other than an open-enrollment charter school, development and use of the Property must comply with the development plan (Exhibit 822A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, 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. 27862)

SEC. 51P-822.106. MAIN USES PERMITTED.

- (a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district; etc.
- (b) A public school other than an open-enrollment charter school is permitted by right. (Ord. 27862)

SEC. 51P-822.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 27862)

SEC. 51P-822.108. 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) <u>In general</u>. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.
- (b) <u>Front yard</u>. For a public school other than an open-enrollment charter school, minimum front yard is 25 feet as shown on the development plan.
- (c) <u>Floor area</u>. For a public school other than an open-enrollment charter school, maximum floor area is 730,000 square feet.

(d) Height.

(1) Except as provided in this subsection, maximum structure height is 50 feet.

_____(2)___If any portion of a structure used as an institutional use or a utility and public service use is over 26 feet in height[s], that portion may not be located above the residential proximity slope.

- (e) <u>Lot coverage</u>. Maximum lot coverage is 30 percent for nonresidential structures. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.
- (f) <u>Lot size</u>. For a public school. other than an open-enrollment charter school, no minimum lot size. (Ord. 27862)

SEC. 51P-822.109. OFF-STREET PARKING AND LOADING.

- (a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (b) For a public school other than an open-enrollment charter school, a minimum of 780 off-street parking and loading spaces must be provided in the locations shown on the development plan. Future expansion of the floor area of the public school other than an open-enrollment charter school must comply with the off-street parking requirements in Division 51A-4.200.
- (c) For a public school other than an open-enrollment charter school, parking is permitted in the front yard. (Ord. 27862)

SEC. 51P-822.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 27862)

SEC. 51P-822.111. LANDSCAPING.

- (a) Except as provided in this section, landscaping must be provided in accordance with Article X.
- (b) For a public school-other than an open-enrollment charter school, landscaping-for the gymnasium addition and cafeteria expansion must be provided as shown on the landscaping plan (Exhibit 822B).
 - (c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-1017.111.1. FENCES

- (a) Except as provided in this section, fences must be constructed and maintained in accordance with the fence standards in Section 51A-4.602(a).
- (b) For a public school, a fence with a maximum height of six feet may be located in a required yard along a street frontage if all of the following conditions are met:

- (1) For each square foot of surface area, the fence must be a minimum 50 percent open;
- (2) Gates for vehicular traffic must be located a minimum of 20 feet from the back of the street curb;
- (3) The fence complies with the visual obstruction regulations in Section 51A-4.602; and
- (4) Fences may not inhibit compliance with landscaping, sidewalks, buffers, or other regulations applicable to the Property.

SEC. 51P-822.112. SIGNS.

- (a) Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.
- (b) For a public school other than an open-enrollment charter school, in addition to other permitted signs, one detached sign with a maximum height of 25 feet and an effective area of 150 square feet is permitted. (Ord. 27862)

SEC. 51P-822.113. TRAFFIC MANAGEMENT PLAN.

- (a) <u>In general</u>. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit 822C).
- (b) <u>Queuing</u>. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) <u>Traffic study</u>.

- (1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by November 1, 2026 2012, or within six months after students first begin attending classes in the new school building, whichever is later. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 November 1st of each even-numbered year.
- (2) If the Property owner or operator fails to submit the required initial traffic study to the director by November 1, 2026, or within six months after students first begin attending classes in the new school building, whichever is later, the director shall notify the city plan commission.
- (3) If the Property owner or operator fails to submit a required update of the traffic study to the director by November 1st of each even-numbered year, the director shall notify the city plan commission.

2(4) 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.

Within 30 days after submission of a traffic study, the director shall determine of 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 the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).
- (2) To amend a traffic management plan, the Property owner or operator must provide a traffic study in accordance with Paragraph (c)(2), data showing the number of students who live within walking distance of the school, how many students actually walk to school, and how many students use public transportation.
- (3) 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. 27862)

SEC. 51P-822.113.1 DESIGN STANDARDS FOR A PUBLIC SCHOOL.

(a) Sidewalks and buffers. Prior to the issuance of a certificate of occupancy, sidewalks and buffers must be provided as follows:

- (1) Chariot Drive. Provided the sidewalk is in good repair and ADA compliant, the existing sidewalk along the Chariot Drive frontage may remain as shown on the development plan; however, when the sidewalk is replaced it must have a minimum unobstructed width of sixfeet and a minimum five-foot-wide buffer is required.
- (2) Wimbelton Way. Provided the sidewalk is in good repair and ADA compliant, the existing sidewalk along the Wimbelton Way frontage may remain as shown on the development plan; however, when this sidewalk is replaced it must have a minimum unobstructed width of six-feet and minimum five-foot-wide buffer is required.
- (3) Forney Road. Provided the sidewalk is in good repair and ADA compliant, the existing sidewalk along Forney Road frontage may remain as shown on the development plan; however, when this sidewalk is replaced it must have a minimum unobstructed width of six-feet and a minimum five-foot-wide buffer is required.
- (4) Lomax Drive. Provided the sidewalk is in good repair and ADA compliant, the existing sidewalk along the Lomax Drive frontage may remain as shown on the development plan; however, when this sidewalk is replaced it must have a minimum unobstructed width of sixfeet and a minimum five-foot-wide buffer is required.

SEC. 51P-822.114. ADDITIONAL PROVISIONS.

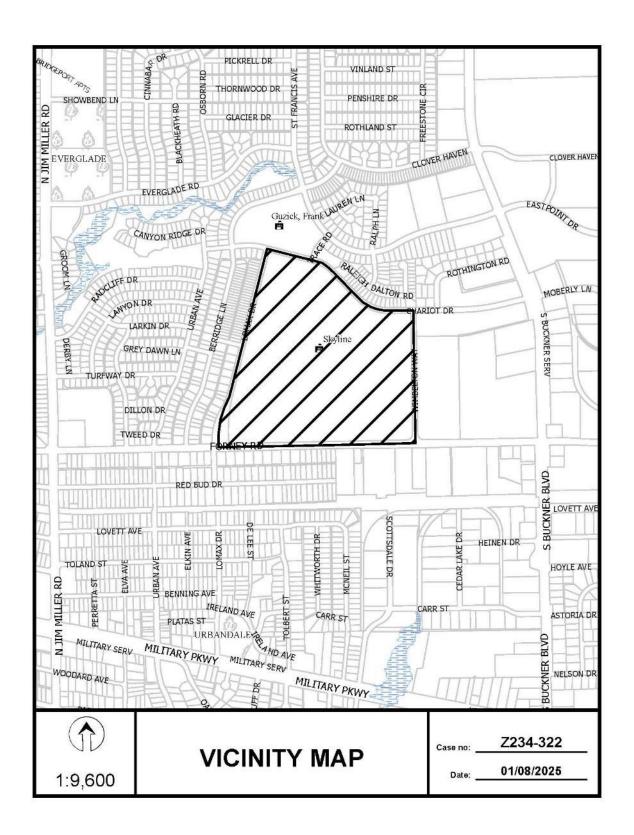
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 27862)

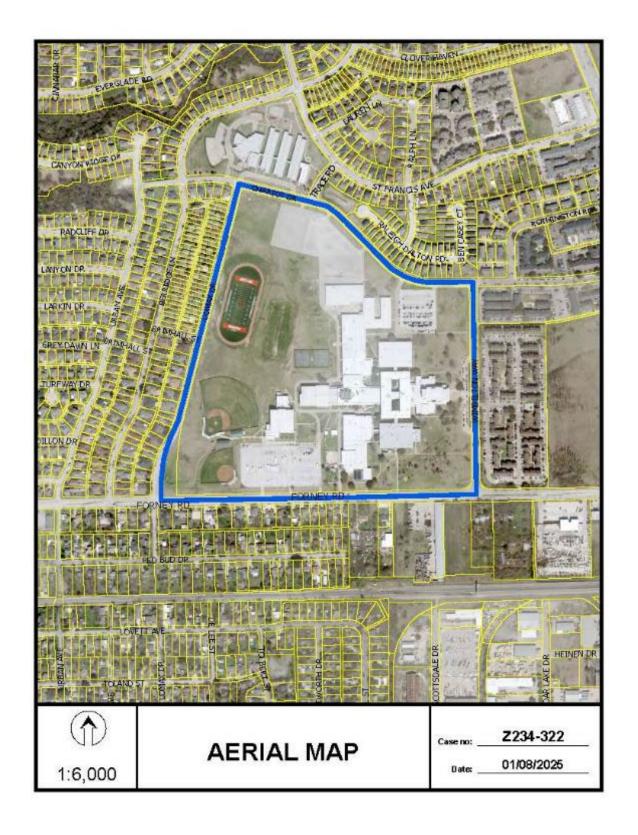
SEC. 51P-822.115. COMPLIANCE WITH CONDITIONS.

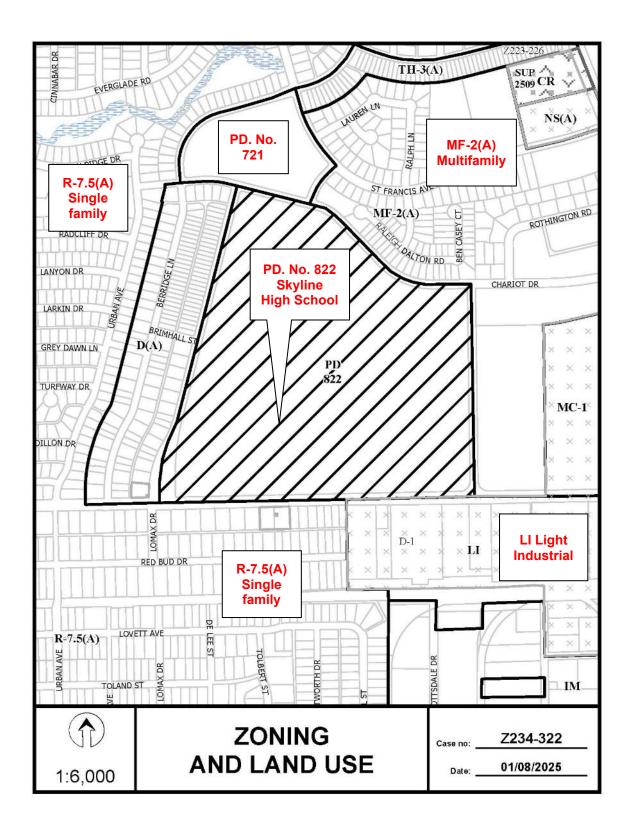
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.
- (b) The building official shall not issue a building permit to 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. 27862)

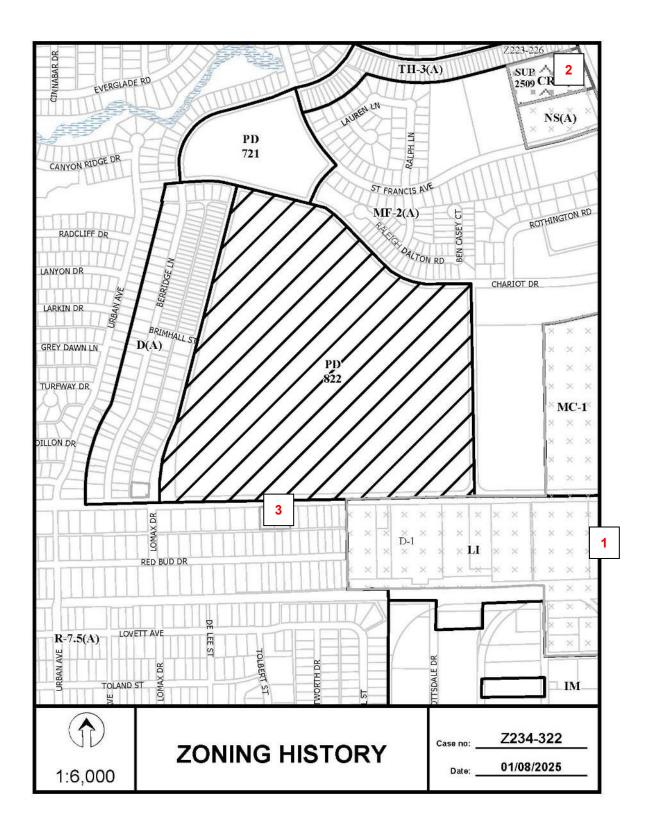
[SEC. 51P-822.116. ZONING MAP.

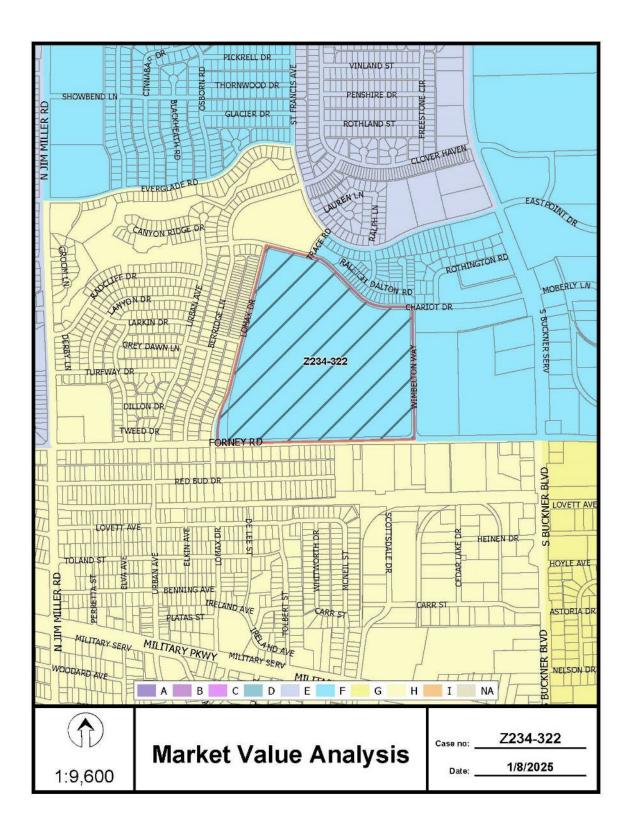
PD 822 is located on Zoning Map No. J-10.] (Ord. 27862

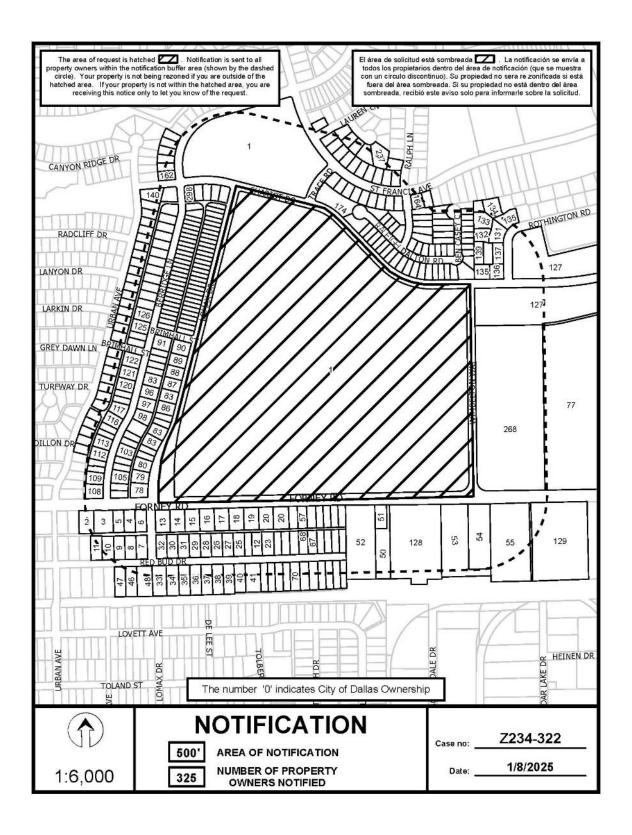












01/08/2025

Notification List of Property Owners Z234-322

325 Property Owners Notified

Label #	Address		Owner
1	5000	BERRIDGE LN	Dallas ISD
2	7216	FORNEY RD	URIBE JOSE & SARA
3	7222	FORNEY RD	HINOJOSA BEATRICE F
4	7314	FORNEY RD	PRINCIPE MARIA L
5	7310	FORNEY RD	VELARMINIO YOLANDA & MARCIANO
6	7322	FORNEY RD	RODRIGUEZ RAYMUNDO
7	7323	RED BUD DR	GARCIA ANTONIO FLORES
8	7315	RED BUD DR	NOYOLA JONATHAN
9	7309	RED BUD DR	MILLICAN DONALD W &
10	7303	RED BUD DR	GAMEZ DANIEL B
11	7221	RED BUD DR	GAYTAN PABLO & RAQUEL A
12	7523	RED BUD DR	DELEON MARIA
13	7402	FORNEY RD	RODRIGUEZ RAYMUNDO & GRISELDA
14	7414	FORNEY RD	RUIZ EMELIA BLAS &
15	7422	FORNEY RD	CORTEZ OZIEL
16	7430	FORNEY RD	RODRIGUEZ RAYMUNDO
17	7506	FORNEY RD	GARCIA ARMANDO &
18	7514	FORNEY RD	SUCHIL ISIDRO
19	7522	FORNEY RD	ISDRO SUCHIL
20	7530	FORNEY RD	NORTHWEST CUSTOM HOMES LLC
21	7539	RED BUD DR	BE ZE INVESTMENTS LLC SERIES 23
22	7535	RED BUD DR	ESPARZA FELICIANO LOZANO
23	7531	RED BUD DR	RODRIGUEZ MARIO J RODRIGUEZ
24	7519	RED BUD DR	MOORE REIKO S EST
25	7509	RED BUD DR	LOPEZ ROGER
26	7503	RED BUD DR	ALBA SILVA

Label #	Address		Owner
27	7507	RED BUD DR	GUAJARDO DARIO RAY
28	7427	RED BUD DR	PAREDES GUADALUPE
29	7421	RED BUD DR	DEAVILA HUGO ORTIZ &
30	7409	RED BUD DR	GREER CATHY L
31	7415	RED BUD DR	RODRIQUEZ ANTONIO OLIVER
32	7403	RED BUD DR	MARTINEZ IRMA ANGELICA
33	7402	RED BUD DR	MARTINEZ IRMA ANGELICA
34	7408	RED BUD DR	FLORES RAFAEL
35	7414	RED BUD DR	LEYVA MA DEL ROSARIO CERDA
36	7420	RED BUD DR	WOOTEN BRUCE
37	7426	RED BUD DR	ORTIZ VICTORINA
38	7502	RED BUD DR	CABRERA LUCYLA
39	7506	RED BUD DR	ORONIA JORGE SALDANA & VANESSA
40	7514	RED BUD DR	PHILLIPS JEFFREY GLENN &
41	7518	RED BUD DR	MARTINEZ MARTIN & JULIA
42	7530	RED BUD DR	RUBIO SARA LUZ
43	7526	RED BUD DR	BONILLA HECTOR MURGUIA
44	7538	RED BUD DR	VANCE MARCELLA
45	7534	RED BUD DR	JAS CAPITAL GROUP LLC
46	7314	RED BUD DR	ELIAS BETTY J
47	7308	RED BUD DR	CORTEZ TERESA
48	7322	RED BUD DR	GARCIA ELISEO
49	7900	FORNEY RD	BRADBURY LAUREN DANIELLE
50	7708	FORNEY RD	HARPER GARLAND
51	7704	FORNEY RD	HARPER GARLAND
52	7638	FORNEY RD	Taxpayer at
53	7734	FORNEY RD	SCC FORNEY 1 LP
54	67800	FORNEY RD	CALDWELL BETTY B TR
55	7814	FORNEY RD	BRADBURY LAUREN D
56	7602	FORNEY RD	LOPEZ SILVANO
57	7608	FORNEY RD	AGUILAR JUAN

Label #	Address		Owner
58	7612	FORNEY RD	RODRIGUEZ JOSE ADRIAN
59	7616	FORNEY RD	SANCHEZ FLORENTINO
60	7622	FORNEY RD	TARVER DONALD ALLEN
61	7626	FORNEY RD	DIAZ JORGE
62	7630	FORNEY RD	LEYVA GENARO
63	7629	RED BUD DR	Taxpayer at
64	7625	RED BUD DR	RICO ARTURO & CYNTHIA
65	7621	RED BUD DR	TURCIOS LORENZO R &
66	7617	RED BUD DR	DELRIO ARTURO &
67	7611	RED BUD DR	HERRERA REYES &
68	7607	RED BUD DR	MOLINA JORGE & IRENE
69	7603	RED BUD DR	RAMOS FERNANDO
70	7602	RED BUD DR	FRIAS AMADOR &
71	7608	RED BUD DR	VIDALES NOELIA HERRERA
72	7612	RED BUD DR	MENDEZ PORFIRIO
73	7616	RED BUD DR	GARCIA JUAN E & IVY
74	7622	RED BUD DR	RIOS ANTHONY
<i>7</i> 5	7626	RED BUD DR	MONREAL TOMAS
76	7630	RED BUD DR	BLACKWELL LINDA
77	4700	S BUCKNER BLVD	MDJ BUCKNER LLC
78	4703	LOMAX DR	NYAHWAI LILIAN
79	4709	LOMAX DR	Taxpayer at
80	4715	LOMAX DR	HEADWAY LLC
81	4719	LOMAX DR	GEBREDINGIL TESFA
82	4721	LOMAX DR	CARRANZA ROBERTO
83	4723	LOMAX DR	GOODWIN GARY W
84	4737	LOMAX DR	CONTRERAS CHELLY
85	4735	LOMAX DR	LEWIS PAUL C
86	4803	LOMAX DR	Taxpayer at
87	4815	LOMAX DR	HERNANDEZ DARRELL L &
88	4819	LOMAX DR	TSEGGAY HADDAS

Label #	Address		Owner
89	4823	LOMAX DR	EGBUNIWE CHIKE
90	4831	LOMAX DR	PATH ACQUISITIONS TRS LLC
91	4830	BERRIDGE LN	Taxpayer at
92	4826	BERRIDGE LN	QUIROZ JESUS & LETICIA
93	4824	BERRIDGE LN	MANI LARRY
94	4818	BERRIDGE LN	GOODWIN GARY W & KATHLEEN
95	4820	BERRIDGE LN	GOODWIN GARY W &
96	4808	BERRIDGE LN	4808 TX DUPLEX PROPERTIES LLC
97	4804	BERRIDGE LN	PATH ACQUISITIONS TRS LLC
98	4738	BERRIDGE LN	REALCORP LP
99	4734	BERRIDGE LN	LEWIS ALINE
100	4736	BERRIDGE LN	LEWIS GAYLE A
101	4728	BERRIDGE LN	WISHON FRANK
102	4730	BERRIDGE LN	QUIROZ JESUS & LETICIA
103	4724	BERRIDGE LN	LIU JIAN & YINGXIA HOU
104	4718	BERRIDGE LN	JENNINGS SEBASTIAN
105	4708	BERRIDGE LN	4708 BERRIDGE LANE LLC
106	4706	BERRIDGE LN	VAQUERA RAUL
107	4704	BERRIDGE LN	WIN CITYSCAPE LLC
108	4705	BERRIDGE LN	BEST WAY PROPERTIES LLC
109	4709	BERRIDGE LN	Taxpayer at
110	4715	BERRIDGE LN	MEDALI INVESTMENT CORP
111	4717	BERRIDGE LN	SINGH GURCHARN
112	4721	BERRIDGE LN	HERNANDEZ DARRELL L
113	4723	BERRIDGE LN	HENDRICKS FAMILY LIVING TRUST
114	4731	BERRIDGE LN	ROBERSON DEVITA
115	4729	BERRIDGE LN	MORALES JOSE ANTONIO &
116	4733	BERRIDGE LN	HARRIS NORMAN & MARLENE
117	4739	BERRIDGE LN	Taxpayer at
118	4803	BERRIDGE LN	WOOD DORIAN & ANTOINETTE
119	4805	BERRIDGE LN	PEREZ RENE & NEMECIA

Label #	Address		Owner
120	4809	BERRIDGE LN	SESSA GERALD A
121	4815	BERRIDGE LN	LU GENE
122	4823	BERRIDGE LN	WILLIAMS THOMAS L
123	4829	BERRIDGE LN	GRAY EVA MAE
124	4831	BERRIDGE LN	LANE VAL
125	4835	BERRIDGE LN	MAIBAUM LIVING TRUST
126	4841	BERRIDGE LN	COOMBES ROGER W TRUSTEE &
127	8039	CHARIOT DR	KALINTE REDEVELOPMENT LLC
128	7730	FORNEY RD	MK SOLIS LLC
129	7922	FORNEY RD	8020 HEINEN LTD
130	8003	ROTHINGTON RD	FEDERAL NATL MTG ASSOC
131	8003	ROTHINGTON RD	PEAK POINT ESTATE LLC &
132	8003	ROTHINGTON RD	LIU DA QUANG &
133	8003	ROTHINGTON RD	TSONGWAIN PRISCILIA
134	8003	ROTHINGTON RD	REDSQUARE PROPERTIES LLC
135	8003	ROTHINGTON RD	LIBRA REAL ESTATE PROPERTY INVESTMENTS
LLC			
136	8001	ROTHINGTON RD	Taxpayer at
137	8001	ROTHINGTON RD	MARKARIAN INVESTMENTS SLLC
138	8001	ROTHINGTON RD	BAHENA NESTOR
139	8001	ROTHINGTON RD	ROTHINGTON RESIDENTIAL LLC
140	5028	URBAN AVE	SPENCER THOMAS
141	5024	URBAN AVE	LEWIS MICHAEL EST OF &
142	5020	URBAN AVE	LARA HOMERO &
143	5016	URBAN AVE	OZORIO ISMAEL &
144	5012	URBAN AVE	ANDERSON KIMBERLY
145	5008	URBAN AVE	RICHARDSON ELIZABETH
146	4946	URBAN AVE	CASTILLO EDUARDO M &
147	4942	URBAN AVE	JOHNSON TAMEKA L
148	4938	URBAN AVE	ROSAS HECTOR &
149	4934	URBAN AVE	AVALOS WILLIAM A ANDRADE
150	4930	URBAN AVE	ERICKSON THOR &

Label #	Address		Owner
151	4926	URBAN AVE	HERNANDEZ FRANCISCO &
152	4922	URBAN AVE	LY & LY INVESTMENT
153	4918	URBAN AVE	JACKSON STEPHANIE
154	4914	URBAN AVE	BRADLEY J P
155	4910	URBAN AVE	NGUYEN AARON T & QUENNIE U
156	4906	URBAN AVE	CHAVIRA RODOLFO &
157	5023	BERRIDGE LN	AGUILAR JOSE A &
158	5019	BERRIDGE LN	JOHN MATHEW K &
159	5015	BERRIDGE LN	GONZALEZ ALFONSO &
160	5011	BERRIDGE LN	TREJO MARISSA
161	5007	BERRIDGE LN	TANDOC PRIMO C & LEAH S
162	5003	BERRIDGE LN	AMOR JOCELYN S
163	4637	ST FRANCIS AVE	PHAM JULIE T
164	4633	ST FRANCIS AVE	SANCHEZ ERNESTO & NORMA
165	4625	ST FRANCIS AVE	DAVIS MILTON &
166	4621	ST FRANCIS AVE	FLORES JULIO
167	4617	ST FRANCIS AVE	BOOKMAN DARRYL &
168	4613	ST FRANCIS AVE	VAUGHN LILLIE
169	4609	ST FRANCIS AVE	AGUERO AMALIA & ROBERT
170	4605	ST FRANCIS AVE	FLYNT ROBERT & JOCELYN AMOR
171	4571	ST FRANCIS AVE	ESPINOZA JOSE JAIME SANDOVAL &
172	4567	ST FRANCIS AVE	GEBREMESKEL BERHANE & SHEWHATE
173	4563	ST FRANCIS AVE	GEBREMESKEL BERHANE
174	4500	RALEIGH DALTON RD	CAMDEN HOMES LLC
175	4638	RALPH LN	NDAYIKEZA ONESPHORE L &
176	4646	RALPH LN	CABRERA DANIEL V MENDOZA
177	4654	RALPH LN	LOPEZ GABRIEL &
178	4662	RALPH LN	ARCE MELISSA
179	4670	RALPH LN	FAJARDO THERESA
180	4612	RALEIGH DALTON RD	OLADAPO CATHY
181	4624	RALEIGH DALTON RD	BENTON TONYA

Label #	Address		Owner
182	4636	RALEIGH DALTON RD	NAVA ANGELICA MARIA
183	4644	RALEIGH DALTON RD	LEMONS ANDREA
184	4652	RALEIGH DALTON RD	CAINE SCOTT
185	4660	RALEIGH DALTON RD	RUBIO ANGEL MANUEL DEL RIO
186	4668	RALEIGH DALTON RD	HOLTBERG MICHAEL
187	4930	BEN CASEY CT	HINOJOSA ARLETTE
188	4938	BEN CASEY CT	MARTINEZ MIGUEL A &
189	4946	BEN CASEY CT	KHAN ANWAR SAMI &
190	4954	BEN CASEY CT	GARCIA BLANCA F
191	4962	BEN CASEY CT	REZA MD SALIM
192	4970	BEN CASEY CT	GOMEZ IVAN VAZQUEZ &
193	4969	BEN CASEY CT	TREVIZO ROSALIA ISELA &
194	4961	BEN CASEY CT	TORRES JULIAN CHAVIRA &
195	4953	BEN CASEY CT	MARRERO HECTOR NEVAREZ
196	4945	BEN CASEY CT	VENEGAS MANUEL R JR &
197	4937	BEN CASEY CT	AGUINA VIDAL GUZMAN &
198	4929	BEN CASEY CT	HEWITT MELVIN D & MARGARITA
199	4921	BEN CASEY CT	KOELZER HELMUTH P & CHRISTY &
200	4913	BEN CASEY CT	BAHENA MIRIAM E LUIS
201	4905	BEN CASEY CT	LEAL MARIA D & ALANIS JOSE JAMIE
202	4683	RALEIGH DALTON RD	LARA JOSE FERNANDO
203	4675	RALEIGH DALTON RD	LOZANO JUAN CARLOS DAVILA &
204	4667	RALEIGH DALTON RD	RAO ROBEEL & WARDA SHEIKH
205	4659	RALEIGH DALTON RD	OBARR SHANE THOMAS
206	4651	RALEIGH DALTON RD	MCGEE BRITTANY
207	4643	RALEIGH DALTON RD	REZA SALIM MD &
208	4635	RALEIGH DALTON RD	PEREZ GREGORIO
209	4627	RALEIGH DALTON RD	SULTANA NAJNIN & MOHAMMAD &
210	4619	RALEIGH DALTON RD	HERNANDEZ JEFFREY & MARGARET
211	4611	RALEIGH DALTON RD	MATTSON JACOB JOSEPH
212	4603	RALEIGH DALTON RD	LABOKA INC

Label #	Address		Owner
213	4557	RALEIGH DALTON RD	VANEGAS BERNABE
214	4549	RALEIGH DALTON RD	GRIFFITH RACHEL
215	4541	RALEIGH DALTON RD	KOOMSON JEDIDIAH
216	4533	RALEIGH DALTON RD	SOTO EMILIO EDWARD &
217	4525	RALEIGH DALTON RD	BISWA NAR &
218	4517	RALEIGH DALTON RD	OKHIRIA MARY ROSALINE &
219	4509	RALEIGH DALTON RD	COVARRUBIASVILLANUEVA NANCY
220	4501	RALEIGH DALTON RD	PEREZ MELISA J SIMON
221	4516	RALEIGH DALTON RD	FIGUEROA BENITO &
222	4526	RALEIGH DALTON RD	JORGE JORGE I &
223	4532	RALEIGH DALTON RD	BROWN DON L &
224	4540	RALEIGH DALTON RD	ADAMS TAIBAT ADUKE &
225	4645	RALPH LN	FUERTE JOEL
226	4512	ST FRANCIS AVE	CARDOSO JOSE G
227	4516	ST FRANCIS AVE	CERRILLO CARMEN
228	4520	ST FRANCIS AVE	Taxpayer at
229	4524	ST FRANCIS AVE	LOPEZ ANTONIO &
230	4528	ST FRANCIS AVE	BROWN BERTHA
231	4532	ST FRANCIS AVE	ANYANWU DONATUS
232	4536	ST FRANCIS AVE	PIERSON JUNE
233	4606	ST FRANCIS AVE	REYNOSO HECTOR &
234	4610	ST FRANCIS AVE	ORDONEZ BYRON
235	4614	ST FRANCIS AVE	RIVERA MARTHA &
236	4535	RALPH LN	GONZALEZ SERGIO &
237	4526	SHANNA CT	POPE KELVIN D
238	4521	SHANNA CT	BARRIENTOS RODOLFO
239	4517	SHANNA CT	WARREN SERENA
240	4513	SHANNA CT	SANCHEZ RITA &
241	4509	SHANNA CT	GRACIANO ROSARIO BERENISE &
242	4508	ST FRANCIS AVE	CAROLYN DAVIS &
243	4820	URBAN AVE	AUSTIN JOHN CARL &

Label #	Address		Owner
244	4816	URBAN AVE	CONTRERAS HECTOR MANUEL
245	4812	URBAN AVE	LILLY JOHNNIE M
246	4808	URBAN AVE	Taxpayer at
247	4804	URBAN AVE	RESIDENTIAL HOME OWNER 1 LLC
248	4748	URBAN AVE	ROBERTSON YVONNE &
249	4744	URBAN AVE	RUIZ PAULO & ROSA
250	4740	URBAN AVE	STIGGER SHIRLEY &
251	4736	URBAN AVE	MILLS CAROLYN
252	4732	URBAN AVE	YOUNG JEWELYN
253	4728	URBAN AVE	HERNANDEZIPINA JOSE RICARDO &
254	4724	URBAN AVE	RUNNELS KENNETH D &
255	4905	BERRIDGE LN	VARGA ANAYELLI
256	4909	BERRIDGE LN	DEAVILA MIGUEL A
257	4917	BERRIDGE LN	BARAJAS EFREN NAVARRETTE &
258	4921	BERRIDGE LN	MCCANTS MARY S
259	4925	BERRIDGE LN	NELSON JADA L
260	4929	BERRIDGE LN	EDWARDS TOMMY & BARBARA
261	4933	BERRIDGE LN	PHILLIPS CORNELIUS
262	4937	BERRIDGE LN	WIDEMON MANUEL L & SANDRA
263	4941	BERRIDGE LN	ANDERSON CLARICE
264	4945	BERRIDGE LN	ARELLANO DANIEL &
265	4949	BERRIDGE LN	ARRINGTON CAROL
266	4953	BERRIDGE LN	SAENZ SONYA
267	4828	URBAN AVE	DAVENPORT JOHN D JR &
268	4700	WIMBELTON WAY	DALCOR SKYLINE LTD
269	4903	LOMAX DR	MOORE VICTORIA RENEE
270	4901	LOMAX DR	PINEDA AMILCAR
271	4907	LOMAX DR	VEGA MARCY
272	4905	LOMAX DR	SCOTT YOLANDA C & LANCE S
273	4911	LOMAX DR	CASTRO FERNANDO
274	4909	LOMAX DR	Taxpayer at

Label #	Address		Owner
275	4915	LOMAX DR	CAMP CAROL LYNNE CRANDALL
276	4919	LOMAX DR	SIMON ROY M & LIZAMMA
277	4917	LOMAX DR	MANTHURUTHIL SIMON K &
278	4921	LOMAX DR	WILLIAMS THOMAS A &
279	4923	LOMAX DR	DELACRUZ VALERO &
280	4925	LOMAX DR	LEMUS NERY & DOLORES
281	4927	LOMAX DR	TINOCO MARIA T &
282	4929	LOMAX DR	DOWNEY LINDA J LIFE EST
283	4931	LOMAX DR	PREAKNESS DALLAS
284	4933	LOMAX DR	RODRIGUEZ MIRIAM
285	4935	LOMAX DR	GONZALES ADRIAN & SANDRA REY
286	4939	LOMAX DR	Taxpayer at
287	4937	LOMAX DR	CAVANAUGH EDELSYX GABRIELA
288	4943	LOMAX DR	DALLAS J.O.C.S. LLC
289	4947	LOMAX DR	PERALTA JESUS NOE
290	4949	LOMAX DR	SMITH DASIA
291	4951	LOMAX DR	AGUIRRE MARCIA G VARGAS
292	4957	LOMAX DR	LARA MARTIN ALVARADO
293	4959	LOMAX DR	LARA MARTIN
294	7428	CHARIOT DR	HERRERA LUIS &
295	7422	CHARIOT DR	VENTERS JOYCE MARIE
296	7416	CHARIOT DR	MOLINA MIGUEL &
297	7410	CHARIOT DR	HURD DEBORAH S
298	7406	CHARIOT DR	BYRD JAMES L & ELIDA C
299	4956	BERRIDGE LN	RAMIREZ BLANCA E
300	4958	BERRIDGE LN	MACIAS EFRAIN &
301	4952	BERRIDGE LN	PSYCHO BUNNY 401K TRUST
302	4954	BERRIDGE LN	WRIGHT TIMOTHY WARREN
303	4950	BERRIDGE LN	CABRERA RAMIRO
304	4948	BERRIDGE LN	AMIYA INVESTMENT LLC
305	4946	BERRIDGE LN	BROWN EBONY J

Label #	Address		Owner
306	4940	BERRIDGE LN	HOUSE JC
307	4942	BERRIDGE LN	MCGREW R & K LIVING TRUST THE
308	4938	BERRIDGE LN	DWYER STACEY BENNETT
309	4936	BERRIDGE LN	ESTRADA MARIA ANGELA
310	4934	BERRIDGE LN	ELROI PROPERTY HOLDINGS
311	4932	BERRIDGE LN	NAVA MARIA &
312	4930	BERRIDGE LN	QUIROZ LESLIE SARAI
313	4928	BERRIDGE LN	HILL MARY G
314	4926	BERRIDGE LN	AMUSAN AMOS & HENRIETTA
315	4924	BERRIDGE LN	AMUSAN AMOS SUNDAY
316	4922	BERRIDGE LN	Taxpayer at
317	4920	BERRIDGE LN	PESEADOR EDGAR
318	4918	BERRIDGE LN	WHITLOCK CRYSTAL H
319	4916	BERRIDGE LN	ROGERS JACQUELINE L &
320	4912	BERRIDGE LN	GONZALES JOE
321	4914	BERRIDGE LN	GEORGE SAM K
322	4910	BERRIDGE LN	PPG HOMESOLUTIONS
323	4908	BERRIDGE LN	JONES RONALD R & TOMMYE M
324	4906	BERRIDGE LN	RODRIGUEZ JOSE
325	4904	BERRIDGE LN	TRAN THUNG VAN &



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for an amendment to and renewal of Specific Use Permit No. 2392 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall on property zoned an FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shopfront Overlay, on the northeast corner of Botham Jean Blvd and South Boulevard. Staff Recommendation: Approval for a five-year period with eligibility for automatic renewal for additional five year periods, subject to a site plan and conditions.

Applicant: Shawanna Sullemon

Planner: LeQuan Clinton

Council District: 7 Z234-329(LC)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: LeQuan Clinton

FILE NUMBER: Z234-329(LC) DATE FILED: August 28, 2024

LOCATION: Northeast corner of Botham Jean Blvd and South Boulevard.

COUNCIL DISTRICT: 7

SIZE OF REQUEST: 10,048 square feet CENSUS TRACT: 48113020900

APPLICANT: Shawanna Sullemon

OWNER: Melissa Investments, LLC

REQUEST: An application for amendment to and renewal of Specific Use

Permit No. 2392 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall on property zoned an FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH

Shopfront Overlay.

SUMMARY: The purpose of the request is to allow the continued use of

the bar, lounge, or tavern use with a dance floor [Cowboys

Loungel on site.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for

automatic renewal for additional five year periods,

subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned an FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595 with existing SUP No. 2392 and developed with an existing building and parking lot.
- Geographically located near the Design District, approximately 3 miles west of downtown Dallas.
- This is a corner lot and has frontage on both Botham Jean Blvd and South Blvd
- Applicant does not propose any new changes to the land use or the existing Specific Use Permit.
- Applicant is requesting a five-year time period, with eligibility for additional five-year period through autorenewal for the SUP.

Zoning History:

There have been two zoning case in the area in the last five years.

- 1. Z212-229 On Wednesday, October 12, 2022, the City Council approved an application to renew Specific Use Permit No. 2392 for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall, on property zoned an FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with an SH Shopfront Overlay, located on the northeast corner of South Lamar Street and South Boulevard, for a two-year period, subject to the existing site plan and conditions. [subject site].
- 2. Z234-101 On Wednesday, May 22, 2024, the City Council approved an application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall on property zoned an FWMU-3-SH Walkable Urban Mixed Use Form Subdistrict with a Shopfront Overlay within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northeast line of Botham Jean Boulevard, southeast of South Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Botham Jean Boulevard	Principal Arterial (PA)	100'

South Boulevard	Local Street	-

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and 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:

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.

ECONOMIC ELEMENT

- **GOAL 2.5** FOSTER A CITY OF GREAT NEIGHBORHOODS
 - **Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN ELEMENT

- GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY
 - **Policy 5.1.1** Promote pedestrian-friendly streetscapes
 - **Policy 5.1.2** Define urban character in Downtown and urban cores.

Active Area & Land Use Plans:

The 360 Plan
South Dallas/Fair Park Economic Development Plan
The Trinity River Corridor Comprehensive Land Use Plan
The 360 Plan:

The 360 Plan was adopted by the City Council in December 2017 as a guide to future actions concerning land use and development regulations, transportation, economic development and capital improvement expenditures in the area generally bounded by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street. This plan outlines three transformative strategies suggested by City Council with an overall goal that focuses on a complete and connected city center for future growth and development throughout the city.

Staff finds the request does not comply with the following transformative strategies and their respective goals of the 360 Plan, as this plans' main focus is housing ranging from type, affordability, variety/diversity and placement. Staff felt it important to give mention to the plan due to the location of the request.

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 Objective Five. The objectives listed above are overall intended to encourage revitalization and reinvestment within the existing framework and implemented into existing neighborhoods. The proposed request aligns with the goals by corridor reinvestment into small businesses.

The Trinity River Corridor Comprehensive Land Use Plan:

The Trinity River Corridor includes approximately 44,000 acres in size - about 20% of the land area in Dallas. The boundaries of the corridor span from Royal Lane in the north to I-20 in southern Dallas, and approximately 1.5 miles on either side of the Trinity River.

Vision:

The 2050 Vision Statement for the Trinity River Corridor in Dallas: 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

Summary:

This Comprehensive Land Use Plan is an important tool for the individuals and organizations that make decisions affecting the Trinity River Corridor. Its broad vision describes the character this corridor should have in the future. It establishes the general principles that will direct preparation of detailed plans for smaller parts of this large area. It provides guidance about the appropriate land uses and development patterns for the corridor that can be used by citizens, property owners and City officials as they review specific development proposals. The Trinity River Corridor Comprehensive Land Use Plan is the 'blueprint' for this future. The plan's main sections are:

- A Vision to Transform Dallas' Trinity River Corridor, which imagines the future of this corridor and describes its key features;
- Land Use and Urban Design Throughout the Trinity Corridor, which explains the overall principles that should guide land use and urban design in all parts of the Trinity Corridor;
- Implementation Strategies Throughout the Trinity Corridor, which explains the capital projects and other tools needed to carry out this plan;
- Trinity Corridor District Plans, which provides more detailed direction about the development patterns parts of the corridor;
- · Creating This Plan, which summarizes the process used to prepare this plan; and

 Background Documents, which lists the resource reports produced during the planning process.

Land Use:

	Zoning	Land Use	
Site	PD. No. 595 w/ Tract 1 FWMU-3 with SH shopfront Subdistrict	Bar, lounge or tavern w/ existing surface parking	
North	PD. No. 595 w/ Tract 1 FWMU-3 Subdistrict & PD No. 354	Commercial retail and Undeveloped land	
South	IM Industrial Manufacturing District	Commercial retail and small warehouse, manufacturing	
East	PD. No. 595 w/ Tract 1 FWMU-3 with SH shopfront Subdistrict	Commercial Retail, Auto related uses, Undeveloped	
West	PD. No. 595	Commercial retail	

Land Use Compatibility:

The area of request is currently developed with an existing building and parking lot (approx. 10,048 square feet in total size), currently zoned an FWMU-3 Form Walkable Mixed-Use Subdistrict within Planned Development District No. 595 with existing SUP No. 2392.

To the north, south and west of the property is PD. No. 595 with commercial retail, warehouses, showrooms and industrial manufacturing uses. To the east of the property are more commercial retail uses. Due to the existing uses immediately around the subject site and surrounding area, staff believes the requested renewal to be compatible with the area. Staff supports the applicant's request.

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

welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the request because the use is unforeseen to be a harmful impact to the surrounding uses, properties and residents.

Landscaping:

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

Parking:

The parking regulations in PD No. 595 establish that the off-street parking requirement for an alcoholic beverage establishment limited to a bar, lounge, or tavern, and a commercial amusement (inside) use limited to a dance hall is one space per 25 square feet of floor area for the dance floor (150 square feet), equaling 6 spaces, plus one space for each 100 square feet of floor area for the alcoholic beverage establishment (3,200 square feet) equaling 32 spaces. A total of 38 off-street parking spaces is required. The site plan indicates 17 parking spaces, and the applicant has 21 spaces via remote parking agreement.

At permitting, the applicant would be required to comply with the standard parking ratios for the specified requested use, as well as any other uses permitted under the proposed and approved zoning district.

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 target intervention strategies more precisely 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 currently in a "I" MVA area. The area of request has the "I" MVA area in the immediate adjacencies in all directions, north, south, east and west.

List of Partners

Melissa Investments, LLC

Andy Bfrench Jr., Partner

George S. Henry, Partner

PROPOSED SUP CONDITIONS

- 1. <u>USE</u>: The only uses authorized by this specific use permit are an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a dance hall.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (five years from passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

5. FLOOR AREA:

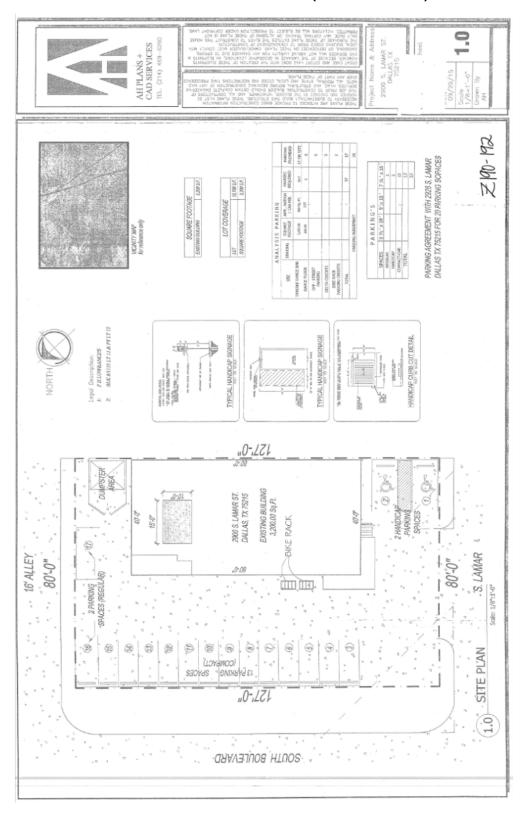
- A. The maximum floor area of the alcoholic beverage establishment limited to a bar, lounge, or tavern and the commercial amusement (inside) limited to a dance hall is 3,200 square feet in the location shown on the attached site plan.
- B. The maximum floor area for the dance floor is 150 square feet in the location shown on the attached site plan.
- 7. <u>HOURS OF OPERATION</u>: The alcoholic beverage establishment limited to a bar, lounge, or tavern and commercial amusement (inside) limited to a dance hall may only operate between 5:00 p.m. and 2:00 a.m. (the next day), Monday through Saturday, and between 12:00 p.m. (noon) and 2:00 a.m. (the next day) on Sunday.
- 8. <u>INGRESS/EGRESS</u>: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

9. OFF-STREET PARKING:

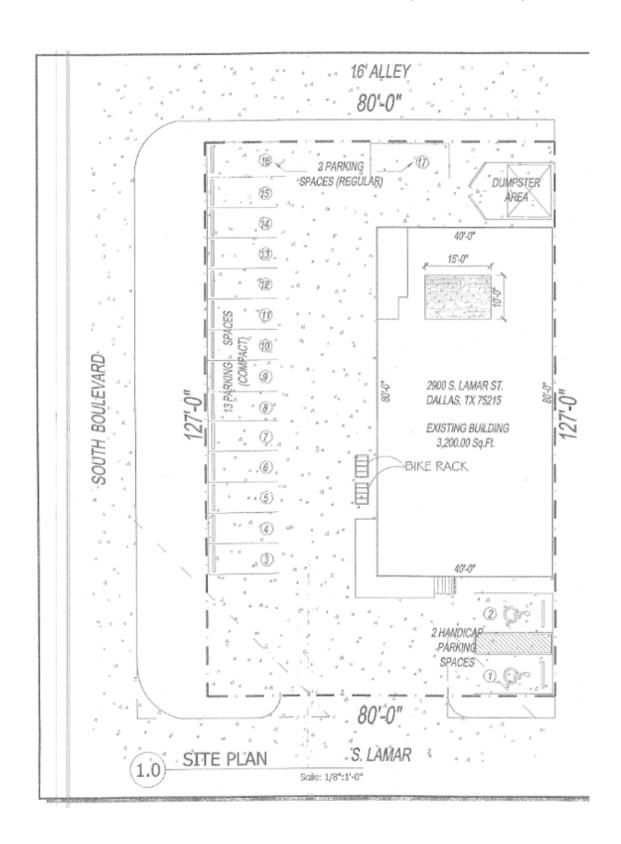
- A. Off-street parking must be provided in the locations shown on the attached site plan.
- B. If required parking is provided by remote parking agreement and the remote parking site is located along the northeast line of Lamar Street, the building official may extend the walking distance for remote parking up to 600 feet.

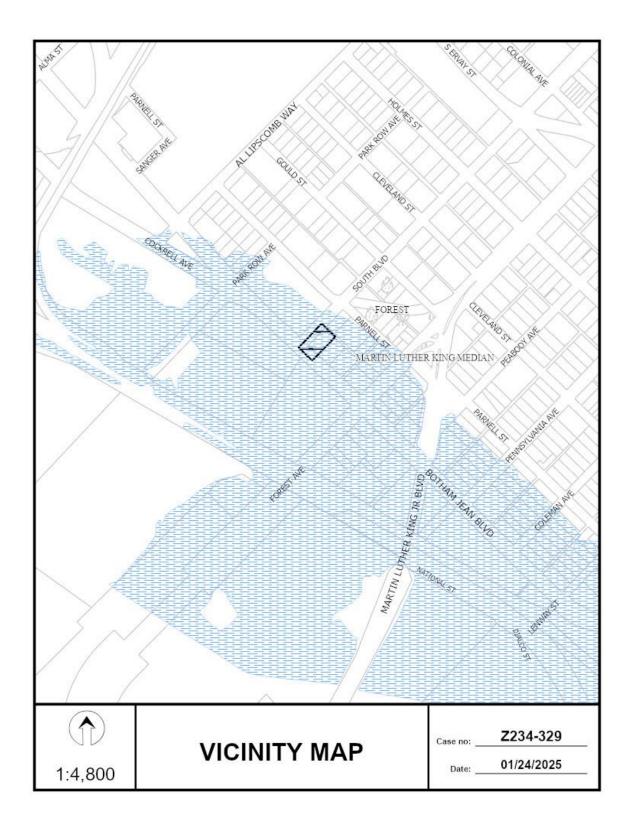
- 10. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 11. <u>GENERAL REQUIREMENTS</u>: Use of the property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

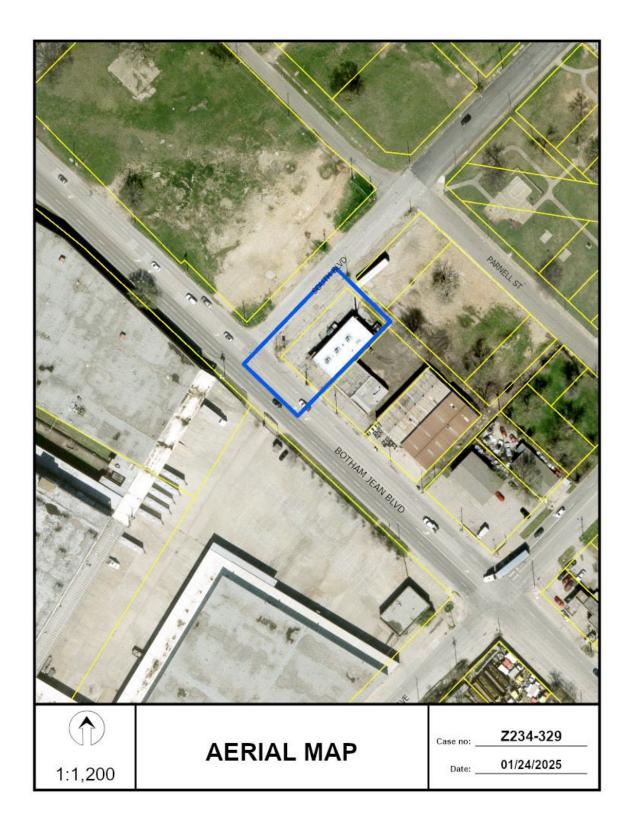
EXISTING SITE PLAN (NO CHANGES)

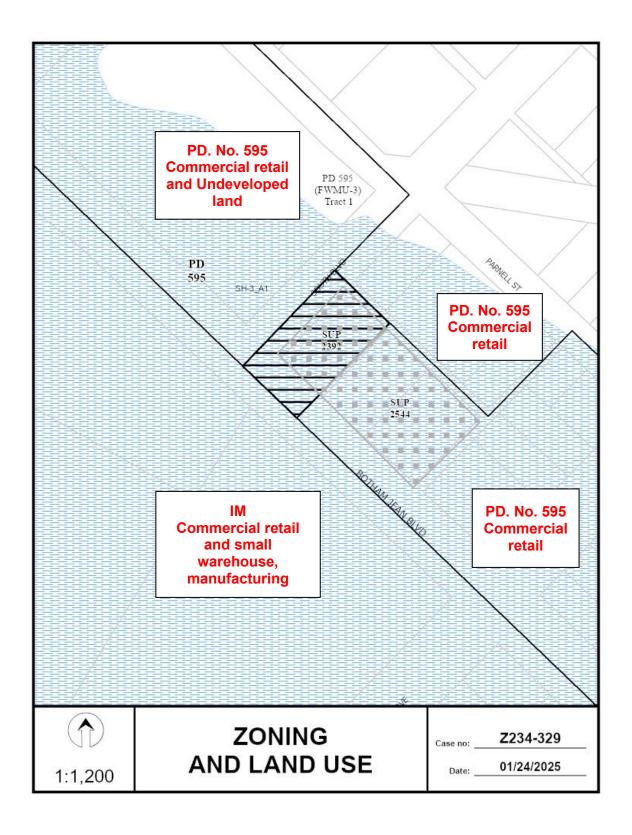


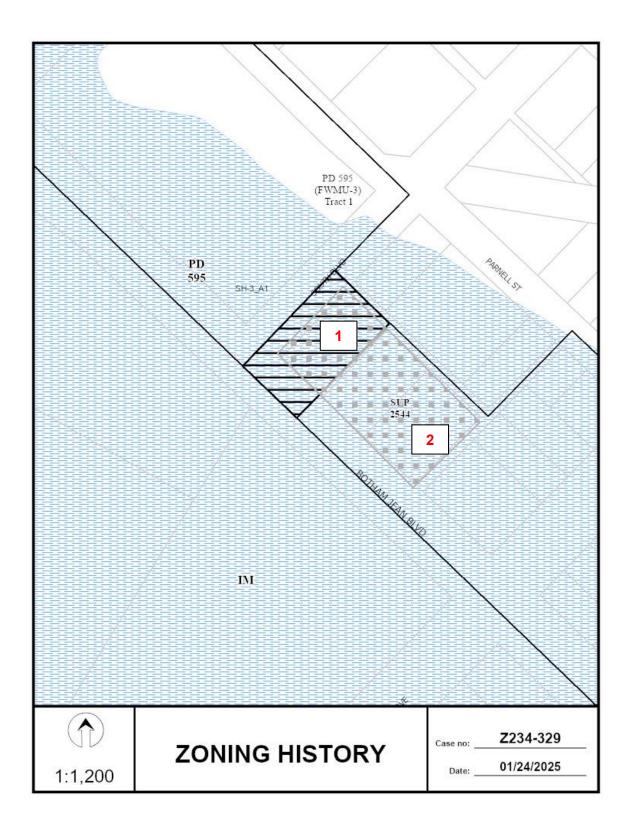
EXISTING SITE PLAN ENLARGEMENT (NO CHANGES)

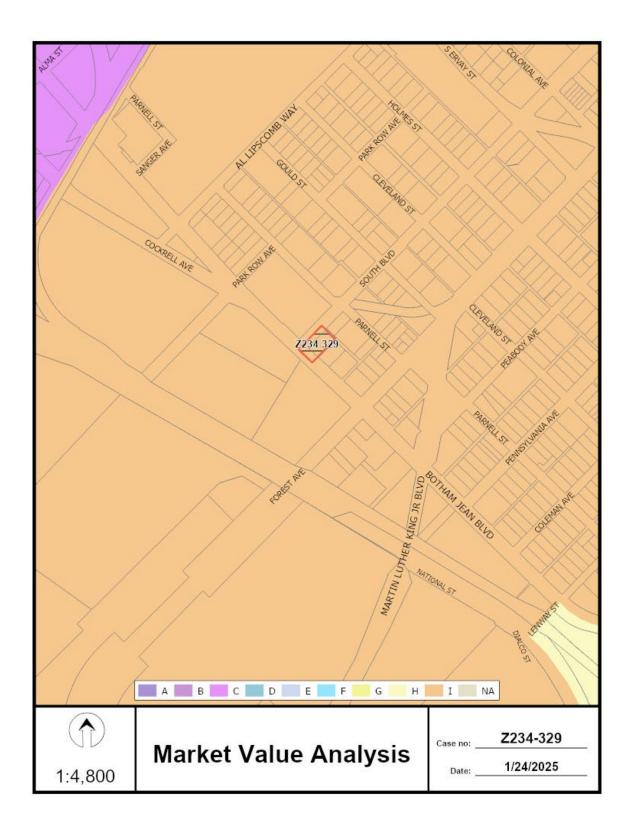


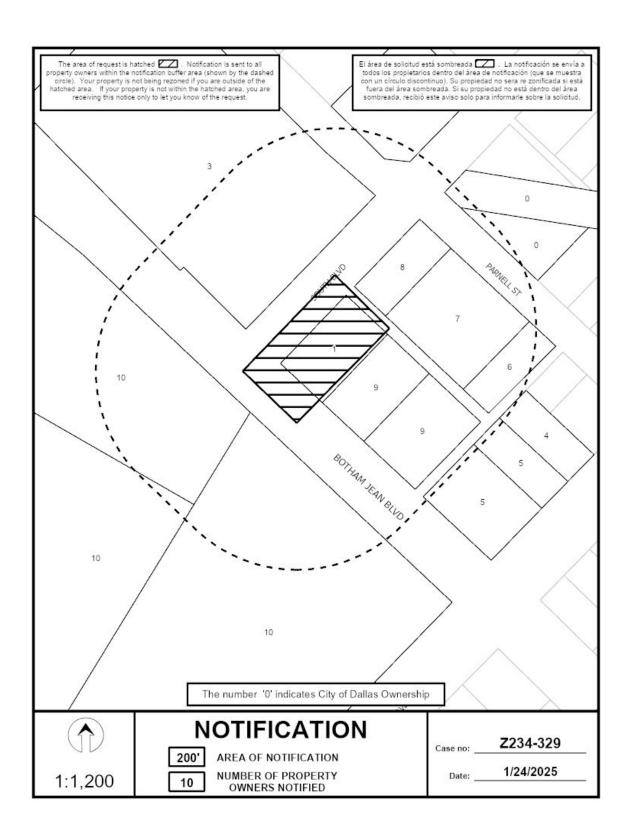












01/24/2025

Notification List of Property Owners Z234-329

10 Property Owners Notified

Label #	Address		Owner
1	2900	BOTHAM JEAN BLVD	MELISSA INVESTMENTS LLC
2	2828	PARNELL ST	MEZZOCORONA LLC
3	1200	PARK ROW AVE	FOREST PARK ROW
4	1213	FOREST AVE	GODFREY LETITIA LASHAWN &
5	1209	FOREST AVE	JOHNSON RODNEY E
6	2915	PARNELL ST	HARRIS & HARRIS PROPERTIES LLC
7	2909	PARNELL ST	Taxpayer at
8	2901	PARNELL ST	W2E INVESTMENTS LLC
9	2910	BOTHAM JEAN BLVD	LOVEJOY KEVIN BROOKS
10	2927	BOTHAM JEAN BLVD	SOUTH SIDE STUDIOS



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a CS Commercial Service District on property zoned a R-10(A) Single Family

District, on the east line of Quietwood Drive, between Interstate 20 and Kingsland Road.

<u>Staff Recommendation</u>: <u>Approval</u>. <u>Applicant</u>: Mesquite Tree Service, LLC

Planner: LeQuan Clinton

Council District: 8 **Z234-345(LC)**

CITY PLAN COMMISSION

FEBRUARY 6, 2025

Planner: LeQuan Clinton

FILE NUMBER: Z234-345(LC) DATE FILED: September 17, 2024

LOCATION: East line of Quietwood Drive, between Interstate 20 and

Kingsland Road.

COUNCIL DISTRICT: 8

SIZE OF REQUEST: 36,155 square feet CENSUS TRACT: 48113017101

OWNER: Mesquite Tree Service, LLC

APPLICANT: same as owner

REQUEST: An application for a CS Commercial Service District on

property zoned a R-10(A) Single Family District.

SUMMARY: The purpose of the request is to rezone the property to allow

commercial uses on the site.

STAFF

RECOMMENDATION: <u>Approval</u>.

BACKGROUND INFORMATION:

- The area of request is currently an undeveloped lot, with existing vegetation, zoned a R-10(A) Single Family District (approx. 36,155 square feet in total size).
- Geographically located in Southeast Dallas, close to the Mesquite border and approx.
 15 miles from downtown Dallas.
- This lot has frontage only on Quietwood Drive.
- The purpose of the request is to rezone to a CS Commercial Service District to allow for commercial uses including, but not limited to, construction of a small storage facility for landscaping company equipment, as well as mid-sized trucks, trailers and machinery.
- Proposed structure not to exceed 20 feet max height.
- To accomplish this, the applicant is requesting a general zoning change.

Zoning History:

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

1. **Z234-146:** On June 26, 2024 City Council approved an application for an R-7.5(A) Single Family District on property zoned a CS Commercial Service District and an R-10(A) Single Family District on the northwest line of Ravenview Road, northeast of Seagoville Road.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Quietwood Drive	Local Street	
Kingsland Road	Local Street	
Interstate 20 (City of Mesquite Jurisdiction)	Principal Arterial (PA)	

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

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

The request would comply 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.

ECONOMIC ELEMENT

- **GOAL 2.1** PROMOTE BALANCED GROWTH
 - **Policy 2.1.1** Ensure that zoning is flexible enough to respond to changing economic conditions.
- **GOAL 2.5** FOSTER A CITY OF GREAT NEIGHBORHOODS
 - **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 5.2.1** Maintain neighborhood scale and character.

Active Area Plans

<u>I-20 Freeway Corridor Land Use Plan:</u> https://dallascityhall.com/departments/pnv/Documents/l-20%20Freeway%20Corridor%20Land%20Use%20Plan%202000 with%20resolution.pdf

Vision:

The vision of this plan is the "development of a land use plan that addresses future economic development, transportation, public utility, and other public/private development initiatives along the Interstate-20 freeway corridor."

Summary:

The I-20 freeway corridor land use plan was adopted in response to area residents' concerns regarding transportation, economic development, land use, zoning and other quality of life issues along I-20 corridor. The plan reviews land use and identifies opportunities for redevelopment, potential impacts of the planning effort, and provides recommendations on planning issues and neighborhood concerns. Recommended actions include identifying funding sources, coordinating with departments related to the issues.

Staff Analysis:

The I-20 Freeway Corridor Land Use Plan is important to note based on the subject site's location being within the limits of the boundaries of the land use plan. After review of the area plans, staff finds that the request aligns with the purpose and goals listed.

The future land use plan map shows specific categories for the ideal scenario. Within those land use categories there are specific uses that the plan deems suitable per category. The future land use plan map identifies the area of request as appropriate for the both the retail and business corridors as they look to improve the neighborhood, as well as highway economics. The applicant's request for a small storage facility to safely house equipment for a small business that services the local community and is situated within two proposed corridors for future development aligns with the land use plan seamlessly. Therefore, staff finds the proposal for commercial retail uses on this property to be compatible with the overall vision of area and the I-20 Freeway Corridor Land Use Plan.

Land Use:

	Zoning	Land Use
Site	R-10(A) Residential District	Vacant/undeveloped lot
North	PD. No. 601 w/ CS Subdistrict, Deed Restriction Z889-122 and D-1 Overlay	Commercial retail and undeveloped lots
South	R-7.5(A) & R-10(A) Residential Districts	Single Family
East	R-7.5(A), R-10(A) & RR Regional Retail Districts w/ Deed Restriction Z234-146	Commercial Retail, Single Family and undeveloped lots
West	R-10(A) & RR Regional Retail Districts	Commercial retail and undeveloped lots

Land Use Compatibility:

The area of request is currently an undeveloped lot, with existing vegetation, zoned a R-10(A) Single Family District (approx. 36,155 square feet in total size).

As detailed in the land use chart on page 12 to the north and west of the property are existing commercial uses and some undeveloped lots with existing vegetation. Although some of the lots are zoned single family districts, they are not developed immediately adjacent to the subject site. To the immediate south and east of the property is a mix of residential and retail zoning districts, consisting of single family and commercial retail uses, also with a few undeveloped lots. With the immediate area being mostly composed of single family, commercial retail, undeveloped lots and is an area that will be of focus for the referenced I-20 Freeway Corridor Land Use Plan business and retail corridors, staff finds the applicant's requested zoning change to a CS Commercial Service District to be appropriate and compatible with the surrounding and immediate area.

Lastly, the applicant has the intention of constructing a new storage facility not to exceed a max height of 20 feet to honor the existing residential adjacencies, fit into the fabric of the neighborhood and not need to apply any deed restrictions. Staff supports the applicant's request. This compatibility is further reflected in the development standards comparison table below. The proposed use of a contractor's maintenance yard would additionally require a residential adjacency review.

Development Standards:

The following is a comparison chart of the development standards for the current R-10(A) Single Family District and the proposed CS Commercial Service District.

District	Setback	Density	Height	Lot	Special	Primary Uses	
District	Front	Side/Rear	Density	Height	Cvrg	Standards	Filliary USes
Existing: R-10(A)	30'	6'	1 Dwelling Unit/ 10,000 sq. ft.	30'	45%		Single Family
Proposed: CS	15' adj. to an exwy 0' in all other cases	20' adjacent to res OTHER: No min.	0.75 FAR overall 0.5 office/ lodging/ retail combined	45' 5 stories	80%	Proximity Slope Visual Intrusion	Commercial & business service, supporting retail & personal service & office

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

LEGEND

	Use prohibited, highlighted row = use prohibited by deed restrictions
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
*	Consult the use regulations in Section 51A-4.200, 51A-4.213

	Existing	Proposed
Use	R-10(A)	cs
AGRICULTURAL USES		
Animal production		
Commercial stable		
Community garden		
Crop production	•	•
Market garden		
Private stable		
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop		R
Bus or rail transit vehicle maintenance or storage facility		R
Catering service		•
Commercial bus station and terminal		S, R, ★
Commercial cleaning or laundry plant		R
Custom business services		•
Custom woodworking, furniture construction, or repair		•
Electronics service center		•
Job or lithographic printing [3,500 sf or less.]		R
Labor hall		S
Machine or welding shop		R
Machinery, heavy equipment, or truck sales and services		R
Medical or scientific laboratory		•

	Existing	Proposed
Use	R-10(A)	cs
Technical school		•
Tool or equipment rental		•
Vehicle or engine repair or maintenance		R
INDUSTRIAL USES		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		•
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	S	S
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility		
Cemetery or mausoleum	S	S
Child-care facility	*	D
Church	•	•
College, university, or seminary	S	•
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		
Convent or monastery	S	•
Foster home	S	
Halfway house		S
Hospital		R
Library, art gallery, or museum	S	
Open enrollment charter school or private school		S
Public or private school	S	R
Surface accessory remote parking		
LODGING USES		
Extended stay hotel or motel		S
Hotel or motel		R, S,★
Lodging or boarding house		•

	Existing	Proposed
Use	R-10(A)	cs
Overnight general purpose shelter		*
Short-term rental lodging		
MISCELLANOUS USES		
Attached non-premise sign		S
Carnival or circus (temporary)	*	*
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment		S
Financial institution without drive-in window		•
Financial institution with drive-in window		R
Medical clinic or ambulatory surgical center		•
Office		•
RECREATION USES		
Country club with private membership	S	•
Private recreation center, club, or area	S	•
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house		•
Duplex		
Group residential facility		
Handicapped group dwelling unit	*	
Live-work unit. [Only one dwelling unit per lot.]		
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		
Residential hotel		
Retirement housing		
Single family	•	
RETAIL AND PERSONAL SERVICE USES		
Alcoholic beverage establishments		*
Ambulance service		R
Animal shelter or clinic without outside runs		R
Animal shelter or clinic with outside runs		S
Auto service center		R
Business school		•
Car wash		R
Commercial amusement (inside)		S, ★

	Existing	Proposed
Use	R-10(A)	cs
Commercial amusement (outside)		D
Commercial motor vehicle parking		S
Commercial parking lot or garage		R
Convenience store with drive-through		S
Drive-in theater		S
Dry cleaning or laundry store		•
Food or beverage store. [SUP if less than 5,000 sf.]		
Furniture store		•
General merchandise store.		
General merchandise or food store 3,500 square feet or less		•
General merchandise or food store greater than 3,500 square feet		•
General merchandise or food store 100,000 square feet or more		S
Home improvement center, lumber, brick or building materials sales yard		R
Household equipment and appliance repair		•
Liquefied natural gas fueling station		S
Liquor store		•
Mortuary, funeral home, or commercial wedding chapel		•
Motor vehicle fueling station		•
Nursery, garden shop, or plant sales		•
Outside sales		S
Paraphernalia shop		S
Pawn shop		•
Personal service use		•
Restaurant without drive-in or drive-through service		R
Restaurant with drive-in or drive-through service		D
Surface parking		
Swap or buy shop		S
Taxidermist		•
Temporary retail use		•
Theater		•
Tobacco shop		
Truck stop		S
Vehicle display, sales, and service		R
TRANSPORTATION USES		
Airport or landing field		
Commercial bus station and terminal		D

	Existing	Proposed
Use	R-10(A)	cs
Heliport		S
Helistop		S
Private street or alley	S	
Railroad passenger station		S
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	*	•
Transit passenger station or transfer center	S	S, ★
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station		•
Electrical generating plant		
Electrical substation	S	•
Local utilities	S, R, ★	S, R, ★
Police or fire station	S	•
Post office		•
Radio, television, or microwave tower	S	R
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	*	*
Utility or government installation other than listed	S	S
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		S
Building mover's temporary storage yard		S
Contractor's maintenance yard		R
Freight terminal		R
Livestock auction pens or sheds		
Manufactured building sales lot		R
Mini-warehouse		•
Office showroom/warehouse		•
Outside storage		•
Petroleum product storage and wholesale		S
Recycling buy-back center		*
Recycling collection center		*
Recycling drop-off container	*	*
Recycling drop-off for special occasion collection	*	*
Sand, gravel, or earth sales and storage		S
Trade center		•

	Existing	Proposed
Use	R-10(A)	cs
Vehicle storage lot		S
Warehouse		R
Accessory Use	R-10(A)	cs
Community center (private)	S	
Day home		
Game court (private)		
General waste incinerator		
Helistop		S
Home occupation		
Medical/infectious waste incinerator		S, ★
Outside display of merchandise		
Outside sales		
Outside storage		
Pathological waste incinerator		
Pedestrian skybridge		
Private stable		
Swimming pool (private)		

Landscaping:

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

Parking:

Under the requested CS Commercial Service District, the applicant proposes a storage facility. Pursuant to the Dallas Development Code, the off-street parking requirement for that use within a CS Commercial Service District is one space for each 5,000 square feet of site area exclusive of parking area up to a maximum of five required spaces; a minimum of one space is required.

At permitting, the applicant would be required to comply with the standard parking ratios for the specified use, as well as any other uses permitted under the proposed CS Commercial Service District.

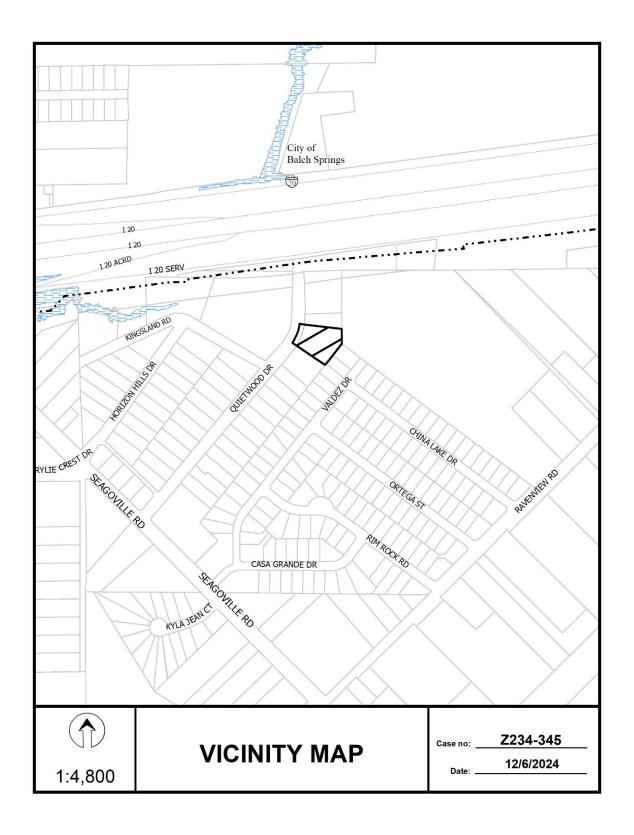
Market Value Analysis:

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 target intervention strategies more precisely 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 partially in an "F" MVA area. The site is surrounded by the "F" MVA area to the east, south and west immediately adjacent to the site. The north of the site is in the City of Mesquite's boundary, therefore staff does not have proper information on that portion.

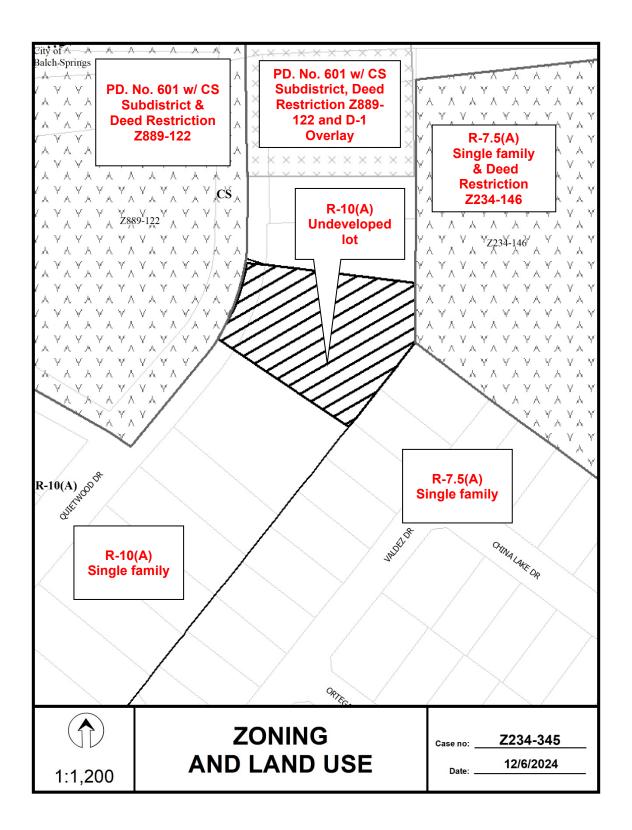
List of Partners

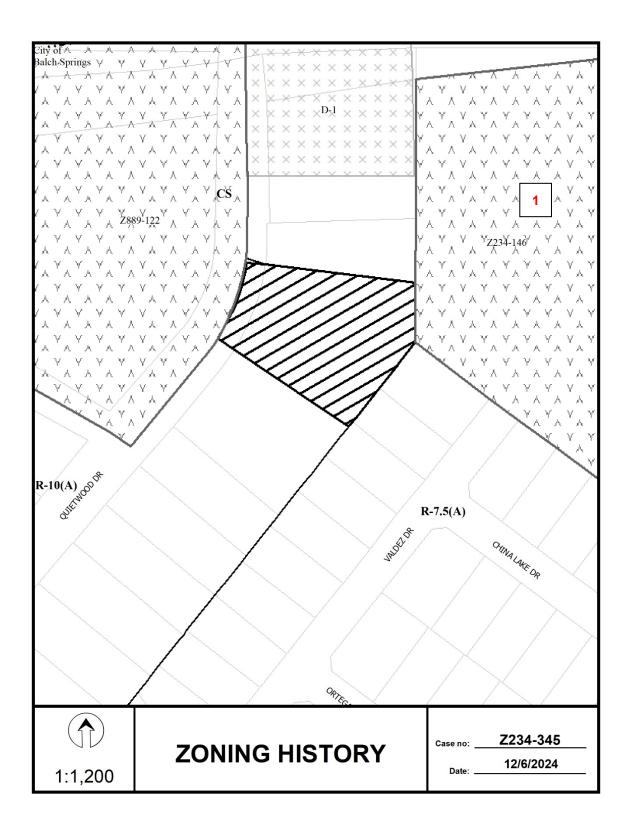
Mesquite Tree Service, LLC

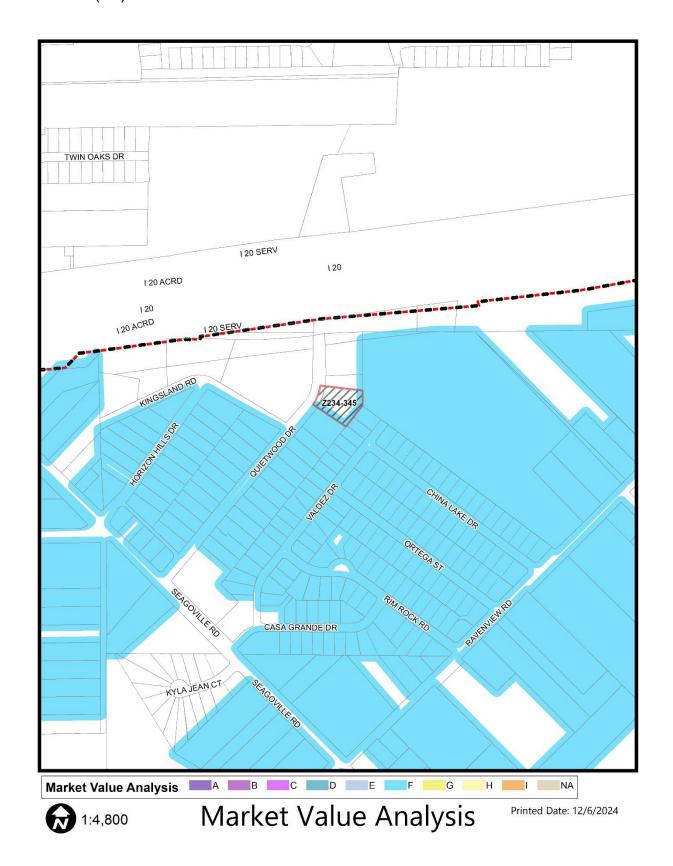
Kristopher Stephens, Sole Owner



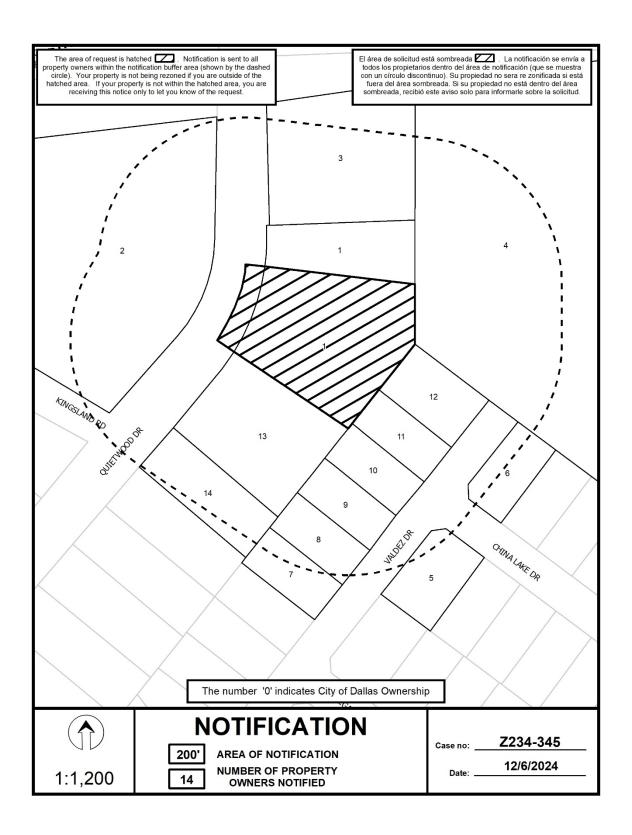








16-18



12/06/2024

Notification List of Property Owners Z234-345

14 Property Owners Notified

Label #	Address		Owner
1	722	QUIETWOOD DR	MESQUITE TREE SERVICE LLC
2	711	QUIETWOOD DR	WILEY DIANE & MICHAEL D &
3	710	QUIETWOOD DR	WILEY DONALD E
4	13111	RAVENVIEW RD	EAGLE DEVELOPERS LLC
5	12204	CHINA LAKE DR	ELLEDGE PAUL EDWARD EST OF
6	12203	CHINA LAKE DR	GARCIA VICTOR ALVARADO
7	824	VALDEZ DR	PRELOW PATRICIA
8	820	VALDEZ DR	HALLMAN MELVIN
9	816	VALDEZ DR	2018 1 IH BORROWER LP
10	812	VALDEZ DR	EHIGIATOR OSAZE
11	808	VALDEZ DR	NELSON CEDRIC D &
12	804	VALDEZ DR	HERNANDEZ ROGELIO
13	740	QUIETWOOD DR	GREENE ANDREW JAMES
14	746	QUIETWOOD DR	HERNANDEZ LUCIANO JR &



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the termination of Deed Restriction Z834-294 on property zoned a CR Community Retail District, on the south line of Bruton Road, between North Prairie Creek Road and Riverway Drive.

<u>Staff Recommendation</u>: <u>Approval</u>. <u>Applicant</u>: Amar Daddy Only, Inc.

Representative: Diana Gomez, Building Scale

Planner: LeQuan Clinton

Council District: 5 Z234-350(LC)

CITY PLAN COMMISSION

FEBRUARY 6, 2025

Planner: LeQuan Clinton

FILE NUMBER: Z234-350(LC) DATE FILED: October 1, 2024

LOCATION: South line of Bruton Road, between North Prairie Creek Road

and Riverway Drive.

COUNCIL DISTRICT: 5

SIZE OF REQUEST: 31,189 square feet CENSUS TRACT: 4811309204

OWNER/APPLICANT: Amar Daddy Only, Inc.

REPRESENTATIVE: Diana Gomez, Building Scale

REQUEST: An application for the termination of Deed Restriction Z834-

294 on property zoned a CR Community Retail District.

SUMMARY: The purpose of the request is to remove the existing deed

restriction to operate under standard regulations of a CR

Commercial Retail District and allow general retail.

STAFF

RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently an undeveloped lot, with existing vegetation, zoned a CR Community Retail District (approx. 31,189 square feet in total size).
- Geographically located in Southeast Dallas, close to the Mesquite border and approx.
 15 miles from downtown Dallas.
- This lot has frontage only on Bruton Road.
- The purpose of the request is to remove the existing deed restriction to operate under standard regulations of a CR Commercial Retail District and allow general retail.
- Existing Deed Restriction Z834-294 was established February 13, 1985, and enforced to restrict the current property from the following uses; convenience store and gas station.
- Deed Restriction Z834-294 has a time period of 25 years with potential for a 10-year extension.
- Applicant is proposing to construct a new shopping center, with convenience store and gas station. According to the applicant, the proposal will have approx. 7,778 square feet of building area divided into 5 suites. The building height is proposed to be 36'-3" with a top plate height of 20'.
- To accomplish this, the applicant is requesting termination of existing deed restrictions.

Zoning History:

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

 Z201-231: On Wednesday January 26, 2022 City Council approved an application for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northeast corner of Bruton Road and North Prairie creek Road.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
Bruton Road	Principal Arterial (PA)	100 feet	
North Prairie Creek Road	Principal Arterial (PA)	100 feet	
Riverway Drive	Local Street		

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

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

The request would comply 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.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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 5.2.1 Maintain neighborhood scale and character.

Active Area Plans

No active area plans to mention

Land Use:

	Zoning	Land Use
Site	CR Community Retail District w/ DR Z834-294	Vacant/undeveloped lot
North	CR Community Retail w/ SUP No. 2428 & D-1 Dry Overlay and MF-2(A)	Commercial retail and multifamily
South	R-7.5(A)	Single Family
East	R-7.5(A)	Single Family
West	CR Community Retail w/ D-1 Dry Overlay	Commercial retail and undeveloped lots

Land Use Compatibility:

The area of request is currently an undeveloped lot, with existing vegetation, zoned a CR Community Retail District (approx. 31,189 square feet in total size).

As detailed in the land use chart above to the north and west of the property are existing commercial uses, with a mix of single family residential and some undeveloped lots. There is also existing SUP No. 2428 and D-1 Dry Overlay to the west. To the south and east are mostly single family residential uses. Although there is a mix of residential and commercial uses existing immediately adjacent to the subject site, staff believes the intended and proposed use would benefit this community. Based on the exhibits and

Z234-350(LC)

renderings provided by the applicant, the proposed development stands to provide benefits to the community economically and positively impact the surrounding uses. This new development could provide jobs, healthier food options and convenience to higher quality products within walking distance of residents. With these potential benefits staff finds the applicant's request to terminate the deed restriction to allow the property to operate under traditional CR Community Retail District to be appropriate and compatible with the surrounding and immediate area.

Lastly, the graphics for the new development provided by the applicant can be found on pages 26-27 of this report. Staff supports the applicant's request. This compatibility is further reflected in the development standards comparison table below.

Development Standards:

The following is a comparison chart of the development standards for the current CR Community Retail District with existing deed restriction and the proposed CR Community Retail District without the deed restriction.

District	Setback		Density	Height	Lot	Special	Primary Uses	
	Front	Side/Rear	Delisity	Height	Cvrg	Standards	Filliary USES	
Existing: CR w/ DR	15'	20' adjacent to res OTHER: No min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office*	
Proposed: CR	15'	20' adjacent to res OTHER: No min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office*	

^{*}note: the only change(s) are the allowed uses if the existing deed restriction is terminated. This will allow the uses of gas station and convenience store to be permitted by right, on the property, under the traditional CR Community Retail District.

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

LEGEND

Use prohibited, highlighted row = use prohibited by deed restrictions
 Use permitted by right

S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
*	Consult the use regulations in Section 51A-4 200 51A-4 213

	Existing	Proposed
Use	CR w/ DR	CR
AGRICULTURAL USES		
Animal production		
Commercial stable		
Community garden		
Crop production	•	•
Market garden		
Private stable		
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop	R	R
Bus or rail transit vehicle maintenance or storage facility		
Catering service	•	•
Commercial bus station and terminal		
Commercial cleaning or laundry plant		
Custom business services	•	•
Custom woodworking, furniture construction, or repair		
Electronics service center	•	•
Job or lithographic printing [3,500 sf or less.]		
Labor hall		
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory	S	S
Technical school		
Tool or equipment rental	•	•
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		

	Existing	Proposed	
Use	CR w/ DR	CR	
Municipal waste incinerator			
Organic compost recycling facility			
Outside salvage or reclamation			
Pathological waste incinerator			
Temporary concrete or asphalt batching plant	S	S	
INSTITUTIONAL AND COMMUNITY SERVICE USES			
Adult day care facility			
Cemetery or mausoleum	S	S	
Child-care facility			
Church	•	•	
College, university, or seminary	•	•	
Community service center	S	S	
Convalescent and nursing homes, hospice care, and related institutions			
Convent or monastery	•	•	
Foster home			
Halfway house			
Hospital	S	S	
Library, art gallery, or museum	•	•	
Open enrollment charter school or private school	S	S	
Public or private school	R	R	
Surface accessory remote parking			
LODGING USES			
Extended stay hotel or motel			
Hotel or motel	S	S	
Lodging or boarding house	S	S	
Overnight general purpose shelter	*	*	
Short-term rental lodging			
MISCELLANOUS USES			
Attached non-premise sign	S	S	
Carnival or circus (temporary)	*	*	
Hazardous waste management facility			
Placement of fill material			
Temporary construction or sales office	•	•	
OFFICE USES			
Alternative financial establishment	S	S	
Financial institution without drive-in window	•	•	
Financial institution with drive-in window	D	D	
Medical clinic or ambulatory surgical center	•	•	

	Existing	Proposed	
Use	CR w/ DR	CR	
Office	•	•	
RECREATION USES			
Country club with private membership	•	•	
Private recreation center, club, or area	•	•	
Public park, playground, or golf course	•	•	
RESIDENTIAL USES			
College dormitory, fraternity, or sorority house	•	•	
Duplex			
Group residential facility			
Handicapped group dwelling unit			
Live-work unit. [Only one dwelling unit per lot.]			
Manufactured home park, manufactured home subdivision, or campground			
Multifamily			
Residential hotel			
Retirement housing			
Single family			
RETAIL AND PERSONAL SERVICE USES			
Alcoholic beverage establishments	*	*	
Ambulance service	R	R	
Animal shelter or clinic without outside runs	R	R	
Animal shelter or clinic with outside runs			
Auto service center	R	R	
Business school	•	•	
Car wash	D	D	
Commercial amusement (inside)	S, ★	S, ★	
Commercial amusement (outside)	S	S	
Commercial motor vehicle parking			
Commercial parking lot or garage	R	R	
Convenience store with drive-through		S	
Drive-in theater			
Dry cleaning or laundry store	•	•	
Food or beverage store. [SUP if less than 5,000 sf.]			
Furniture store	•	•	
General merchandise store.			
General merchandise or food store 3,500 square feet or less	•	•	
General merchandise or food store greater than 3,500 square feet	•	•	

	Existing	Proposed	
Use	CR w/ DR	CR	
General merchandise or food store 100,000 square feet or more	S	S	
Home improvement center, lumber, brick or building materials sales yard	D	D	
Household equipment and appliance repair	•	•	
Liquefied natural gas fueling station			
Liquor store	•	•	
Mortuary, funeral home, or commercial wedding chapel	•	•	
Motor vehicle fueling station	•	•	
Nursery, garden shop, or plant sales	•	•	
Outside sales			
Paraphernalia shop	S	S	
Pawn shop	•	•	
Personal service use	•	•	
Restaurant without drive-in or drive-through service	R	R	
Restaurant with drive-in or drive-through service	D	D	
Surface parking			
Swap or buy shop	S	S	
Taxidermist			
Temporary retail use	•	•	
Theater	•	•	
Tobacco shop			
Truck stop			
Vehicle display, sales, and service			
TRANSPORTATION USES			
Airport or landing field			
Commercial bus station and terminal			
Heliport			
Helistop			
Private street or alley			
Railroad passenger station			
Railroad yard, roundhouse, or shops			
STOL (short take-off or landing port)			
Transit passenger shelter	•	•	
Transit passenger station or transfer center	S,★	S, ★	
UTILITY AND PUBLIC SERVICE USES			
Commercial radio or television transmitting station	•	•	
Electrical generating plant			
Electrical substation	•	•	

	Existing	Proposed
Use	CR w/ DR	CR
Local utilities	S, R, ★	S, R, ★
Police or fire station	•	•
Post office	•	•
Radio, television, or microwave tower	S	S
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	*	*
Utility or government installation other than listed	S	S
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini-warehouse	S	S
Office showroom/warehouse		
Outside storage		
Petroleum product storage and wholesale		
Recycling buy-back center	*	*
Recycling collection center	*	*
Recycling drop-off container	*	*
Recycling drop-off for special occasion collection	*	*
Sand, gravel, or earth sales and storage		
Trade center		
Vehicle storage lot		
Warehouse		
Accessory Use	CR w/ DR	CR
Community center (private)		
Day home	_	
Game court (private)		
General waste incinerator		
Helistop	S	S
Home occupation		
Medical/infectious waste incinerator	S, ★	S, ★
Outside display of merchandise		

	Existing	Proposed
Use	CR w/ DR	CR
Outside sales		
Outside storage		
Pathological waste incinerator		
Pedestrian skybridge		
Private stable		
Swimming pool (private)		

Landscaping:

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

Parking:

Under the requested termination of existing deed restriction and existing CR Community Retail District, the applicant proposes a shopping center, convenience store and gas station. Pursuant to the Dallas Development Code, the off-street parking requirement for those uses within a CR Community Retail District varies depending upon square footage.

At permitting, the applicant would be required to comply with the standard parking ratios for the specified use, as well as any other uses permitted under the proposed CR Community Retail District.

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 target intervention strategies more precisely 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. The site is surrounded by the "H" MVA area

Z234-350(LC)

to the east, south and west immediately adjacent to the site. The north of the site is the "F" MVA area.

List of Organizations

AMAR Daddy Only, Inc.

Manpreet Walia, CEO

Building Scale

Alma Villafana, CEO Timothy Medina, Commercial Representative Diana Gomez, Commercial Representative

COUNCIL	СН	AMBER	8	5	0	5	6	Sant Sant
Fahruar	211	12	1085					

WHEREAS, the deed restrictions in the attached instrument have been volunteered in conjunction with a request for a GR General Retail District zoning which was approved by the City Council January 23, 1985, on Zoning Case #Z834-294/6457-S on property on the south side of Bruton Road, east of Prairie Creek Boulevard; and,

WHEREAS, said deed restrictions have been approved as to form and content.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the deed restrictions as set forth in the attached instrument be and are hereby accepted by the City Council of the City of Dallas, Texas, to be used in conjunction with the development of property zoned a GR General Retail District as described in Ordinance

Section 2. That said deed restrictions shall be filed with the County Clerk of Dallas County, Texas, to be recorded in the Deed Records of Dallas County, Texas.

Section 3. That this resolution shall take effect from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

cc: Building Inspection - 2
Planning and Development - 2

0095P/101P

APPROVED BY CITY COUNCIL

FEB 18 996

APPROVED APPROVED APPROVED CITY MANAGER

S/N 190-0006

SUP-00055A

850562

DEED RESTRICTIONS

THE STATE OF TEXAS
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

7950

7.00 DEER

THAT WHEREAS, Anne B. Ellis, hereinafter called the Declarant, is the owner of all that certain real property located in Dallas, Dallas County, Texas, described in Exhibit "A" which is incorporated herein as if fully set forth (the "Property").

That the undersigned does hereby impress all of the Property described in Exhibit "A" with the following deed restrictions, to-wit:

- Multiple family uses, service stations, and drive-in restaurants as those terms are defined in the Dallas Development Code are not permitted on the Property. Convenience stores are also not permitted on the Property. "Convenience stores" means stores selling less than a full line of grocery items; provided, however, this definition does not include food stores selling primarily health foods and/or natural foods or a store selling primarily meat, fish and poultry products.
- Structures erected on the Property are limited to one (1) story not to exceed twenty-two (22) feet in height.
- 3. If a building is erected on the Property, a concrete or masonry screening fence, not less than six (6) feet in height, must be erected at or near the Southern property line of the Property and at all times thereafter be maintained. A similar fence must be erected along the easterly property line and maintained thereafter for so long as the tract of land adjacent to the east property line of the Property is subject to a single family residential zoning classification; provided, however, that the fence on the east property line may not extend past the building line as it exists as of the execution date hereof.

These restrictions shall continue in full force and effect for a period of twenty-five (25) years from the date of execution, and shall automatically be extended for additional periods of ten (10) years unless terminated in the manner specified herein.

These restrictions shall not be altered, amended or terminated without a public hearing before the City Plan Commission and the City Council of the City of Dallas. Notice of such public hearings shall be given as would be required by law for a zoning change on the Property described herein.

DEED RESTRICTIONS - Page 1

85033 1922 2834-294/6457-5

850562

The restrictions contained herein are not in any manner intended to restrict the right of the City Council of the City of Dallas to exercise its legislative duties and powers insofar as zoning of the Property is concerned.

These restrictions inure to the benefit of the City of Dallas, and the City of Dallas does hereby reserve the right to prosecute, at law and in equity, against the person violating or attempting to violate such restrictions, either to prevent him from so doing and to correct such violation and for further remedy, the City of Dallas may withhold the Certificate of Occupancy necessary for the lawful use of the Property until such restrictions described herein are fully complied with.

These restrictions are hereby declared covenants running with the land shall be fully binding upon all persons acquiring Property within the above described tract, and any person by acceptance of title to any of the above described Property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

THE STATE OF TEXAS

S

COUNTY OF DALLAS

This instrument was acknowledged before me this 2/41 day of 1984? by Anne B. Ellis.

My Commission Expires:

7-/4/-85 (SEAL)

DEED RESTRICTIONS - Page 2

85033 1923

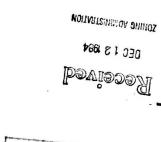
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856562

EXHIBIT "A"

LOTS 15 and 16, BLOCK 10/6315 of BRUTON TERRACE NO. 4 ANNEX, THIRD INSTALLMENT, an Addition to the City of Dallas, Texas, according to the Map thereof recorded in Volume 42, Page 179, Map Records, Dallas County, Texas; and being the same lands conveyed to Anne B. Ellis by deeds dated August 28,1980, and recorded in Volume 80173, Page 1206 and Volume 80174, Page 1707, Deed Records, Dallas County, Texas.

EXISTING DEED RESTRICTION (TO BE TERMINATED)





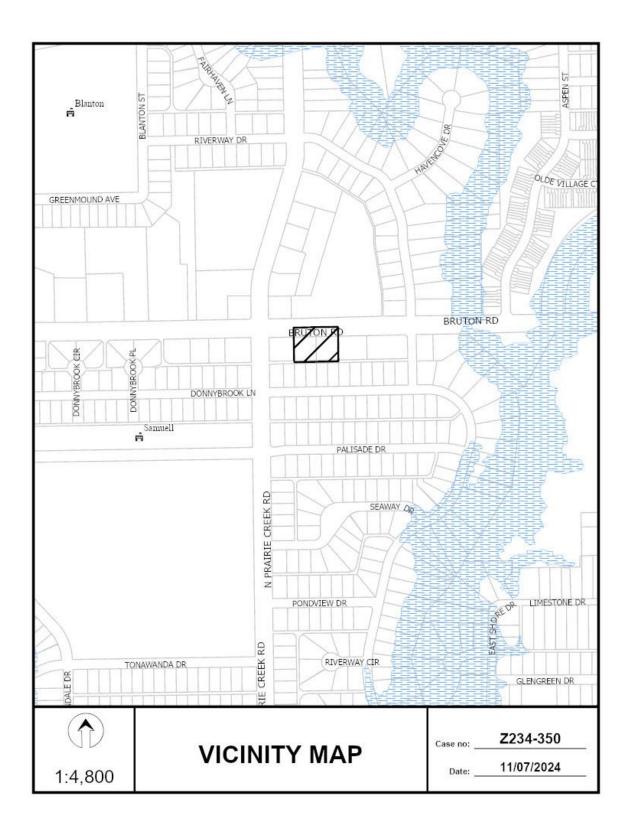


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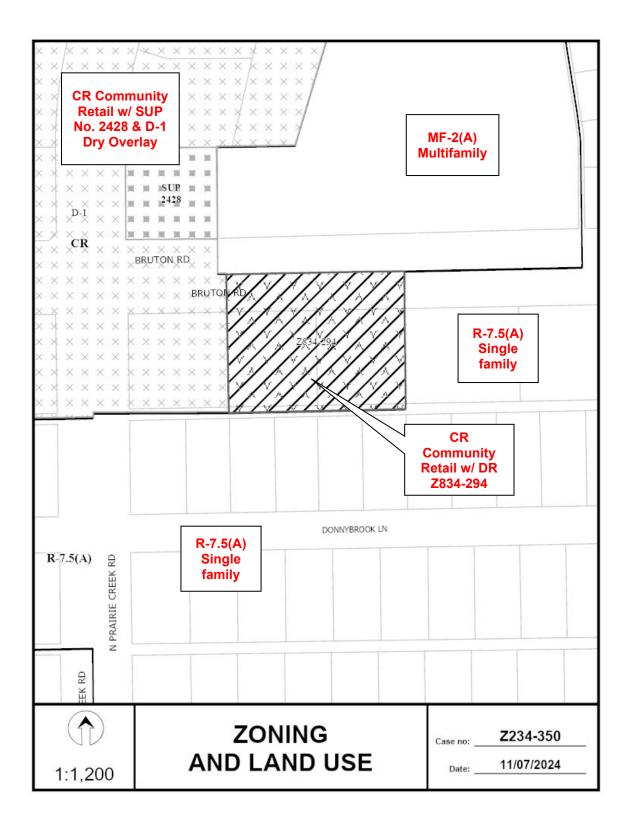
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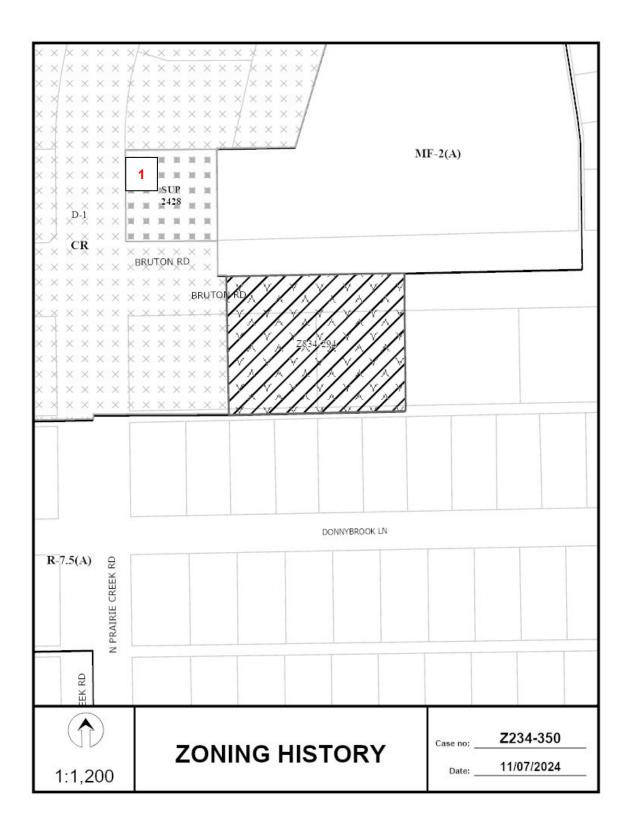


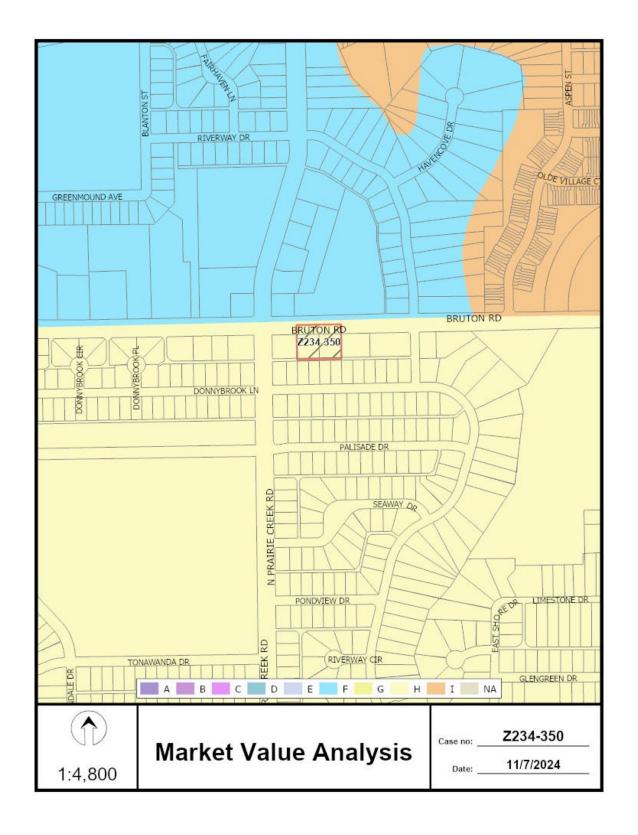
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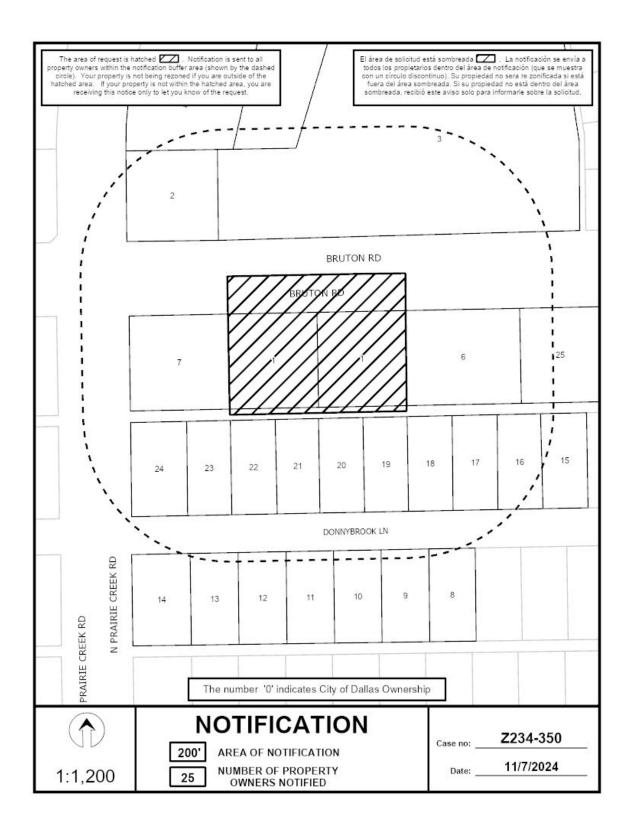












11/07/2024

Notification List of Property Owners Z234-350

25 Property Owners Notified

Label #	Address		Owner
1	9222	BRUTON RD	AMAR DADDY ONLY INC
2	9203	BRUTON RD	BRUTON STORE INC
3	9215	BRUTON RD	VOLUNTEERS OF AMERICA
4	2112	N PRAIRIE CREEK RD	ARCE JAVIER &
5	2150	N PRAIRIE CREEK RD	BDWS PRAIRIE INVESTMENTS LLC
6	9238	BRUTON RD	MIRANDA LEO
7	9206	BRUTON RD	KZK BUSINESS ENTERPRISE INC
8	9236	DONNYBROOK LN	CARTER ROBERTA
9	9230	DONNYBROOK LN	MEDINA LETICIA G
10	9226	DONNYBROOK LN	GONZALEZ PORFIRIO &
11	9220	DONNYBROOK LN	SANCHEZ JOSE RAFAEL
12	9216	DONNYBROOK LN	SHURTLEFF PRESTON
13	9210	DONNYBROOK LN	SAUCEDO SERGIO R
14	9206	DONNYBROOK LN	MAJALCA LUIS
15	9245	DONNYBROOK LN	PEREZ FILIBERTO T
16	9241	DONNYBROOK LN	ESTRADA ARMANDO
17	9235	DONNYBROOK LN	CARRANZA JUAN A
18	9231	DONNYBROOK LN	MENDIETA ANTONIO
19	9227	DONNYBROOK LN	DIAZ GERARDO ANTONIO &
20	9223	DONNYBROOK LN	MONJARAS JUAN &
21	9219	DONNYBROOK LN	WALKER DAVID JR
22	9215	DONNYBROOK LN	ALBARRAN JORGE &
23	9209	DONNYBROOK LN	VILLALBA LIVIS M
24	9205	DONNYBROOK LN	BARRIENTOS JUAN GABRIEL M
25	9256	BRUTON RD	LIVING WORD CHURCH THE



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Development

SUBJECT

An application to amend a portion of deed restrictions [Z045-239] on property zoned an R-10(A) Single Family District with deed restrictions [Z045-239], on the northeast line of Middlefield Road, southeast of Bicentennial Lane.

<u>Staff Recommendation</u>: <u>Approval</u>. <u>Applicant</u>: Century Communities, Inc.

Representative: Tommy Mann, Winstead PC

<u>Planner</u>: Martin Bate <u>Council District</u>: 8 **Z234-268(MB)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Martin Bate

FILE NUMBER: Z234-268(MB) DATE FILED: June 27, 2024

LOCATION: Northeast line of Middlefield Road, southeast of Bicentennial

Lane.

COUNCIL DISTRICT: 8

SIZE OF REQUEST: 22.8 acres CENSUS TRACT: 48113017102

OWNER: Land Link Realty, LLC

APPLICANT: Century Communities, Inc.

REPRESENTATIVE: Tommy Mann, Winstead PC

REQUEST: An application to amend a portion of deed restrictions [Z045-

239] on property zoned an R-10(A) Single Family District with

deed restrictions [Z045-239].

SUMMARY: The purpose of the request is to remove restrictions related to

building façade materials and modify restrictions related to

minimum floor area.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently zoned an R-10(A) Single Family District.
- The area of request is undeveloped.
- The area of request is subject to deed restrictions [Z045-239] which limit the impose requirements and restrictions on materials used for facades of dwelling units as well as a minimum floor area for single family dwelling units.
- The applicant proposes to continue developing the site with single family.
- To accomplish this, they request that the deed restrictions on the site be amended.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
Middlefield Road	Community Collector	60 feet	

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the 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 and 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:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

Land Use:

	Zoning	Land Use
Site	R-10(A) Single Family with deed restrictions [Z045-239]	Single family, undeveloped
North	A(A) Agricultural	Undeveloped
South	A(A)	Single family
East	A(A)	Undeveloped
West	A(A)	Single family

Land Use Compatibility:

The area of request is currently developed with single family houses and contains additional undeveloped land. The existing houses are detached single family houses, and are generally subject to the development standards of the R-10(A) Single Family District with additional requirements imposed by the deed restrictions.

Staff supports the proposed amendment of the deed restrictions as their removal is not seen as detrimental to the character or general welfare of the neighborhood. The remaining deed restrictions, as well as the development standards of the R-10(A) Single Family District, would still require large lot sizes of at least 10,000 square feet and setbacks that preserve the nature of such a subdivision.

Landscaping:

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

Parking:

Parking requirements are delineated within the existing deed restrictions, as follows:

A minimum of two enclosed parking spaces must be provided for each single family dwelling unit. In addition to the enclosed parking spaces, a minimum of two additional off-street parking spaces must be provided on each single family lot. The additional non-enclosed parking spaces may be provided in the required front yard and must be on an all weather surface and must be configured such that one space is not in front of the other space.

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 within an "H" MVA area.

List of Officers

Century Communities, Inc.

- Dale Francescon (Director and CEO)
- Robert Francescon (Director and CEO)
- David Messenger (CFO)
- Keith Guericke (Director)
- James Lippman (Director)
- John Box (Director)
- Patricia Arvielo (Director)
- David Aughinbaugh (Division President)
- Steve Duck (Director of Land Acquisition)

Land Link Realty, LLC

- Farrukh Azim (Member)
- Huma Azim (Member)

EXISTING DEED RESTRICTIONS

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The minimum lot size is 10,000 square feet.

The maximum number of single family dwelling units is 160.

A minimum of two enclosed parking spaces must be provided for each single family dwelling unit. In addition to the enclosed parking spaces, a minimum of two additional off-street parking spaces must be provided on each single family lot. The additional non-enclosed parking spaces may be provided in the required front yard and must be on an all weather surface and must be configured such that one space is not in front of the other space.

Each single family dwelling unit must at a minimum have a sodded front yard in the area between the structure and the front property line, excluding those areas used for parking and sidewalks.

A minimum of 500 square feet of common landscaped open space must be provided at each entry to the Property from Middlefield Road.

A minimum eight-foot-high (except where height of the fence is limited by its location in a front yard) solid screening fence must be provided as shown on Exhibit B. The required fence shown on Exhibit must be constructed with metal posts. A minimum six-foot-high solid screening fence must be provided for the rear yard of each single family dwelling unit. Fences must be constructed prior to the final inspection of the dwelling unit on the lot where the fence is to be constructed.

A minimum of 85 percent of the total facades of each dwelling unit and 100 percent of any facade facing the street must be brick, stone, or stucco, excluding doors, windows, eaves, roofs, dormers, and gables. Non-masonry portions of a dwelling unit must be sided with a cementious material.

The minimum floor area of any single family dwelling unit is 1600 square feet, exclusive of the required enclosed parking spaces. No more than 50 percent of the total number of single family dwelling units may have a floor area between 1600 square feet and 1800 square feet.

No structures shown on Exhibit B may exceed one story.

APPLICANT'S PROPOSED AMENDMENTS TO DEED RESTRICTIONS

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

The minimum lot size is 10,000 square feet.

The maximum number of single family dwelling units is 160.

A minimum of two enclosed parking spaces must be provided for each single family dwelling unit. In addition to the enclosed parking spaces, a minimum of two additional off-street parking spaces must be provided on each single family lot. The additional non-enclosed parking spaces may be provided in the required front yard and must be on an all weather surface and must be configured such that one space is not in front of the other space.

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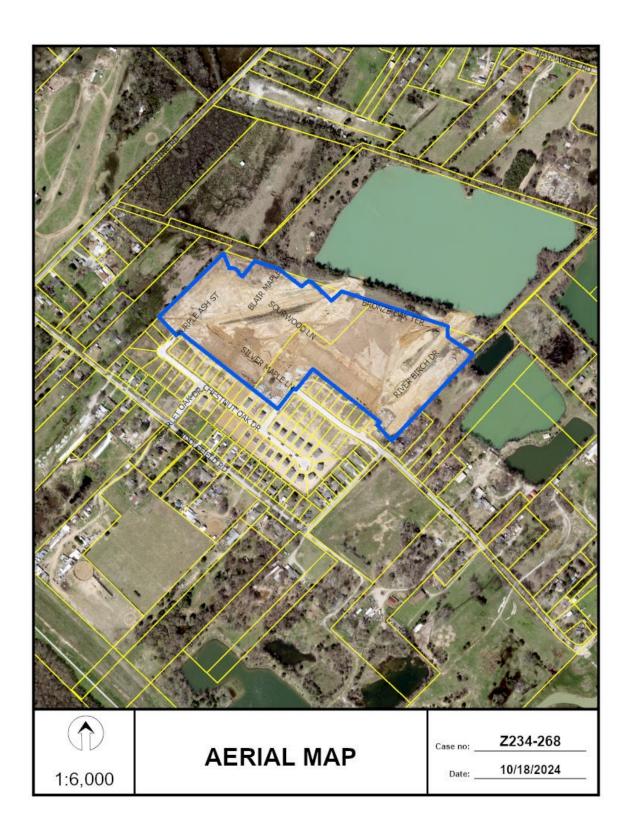
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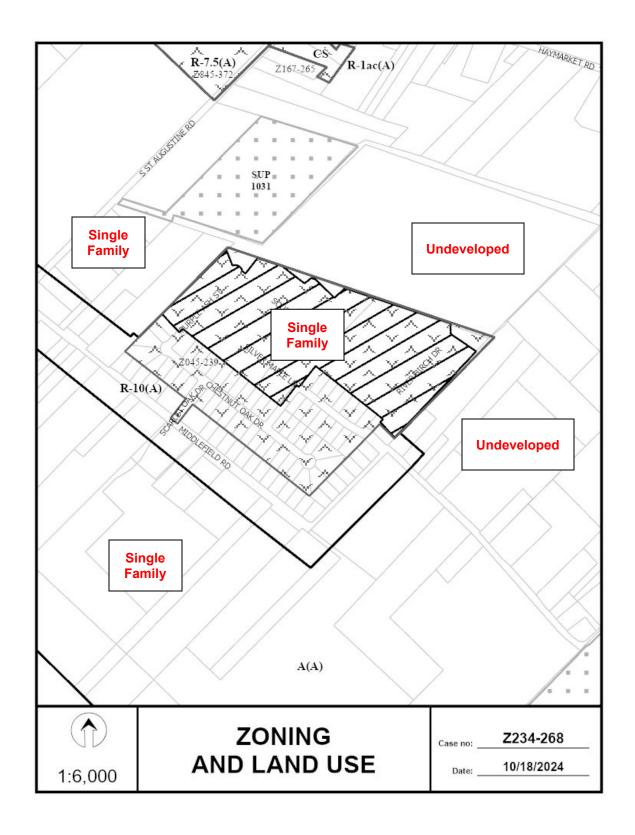
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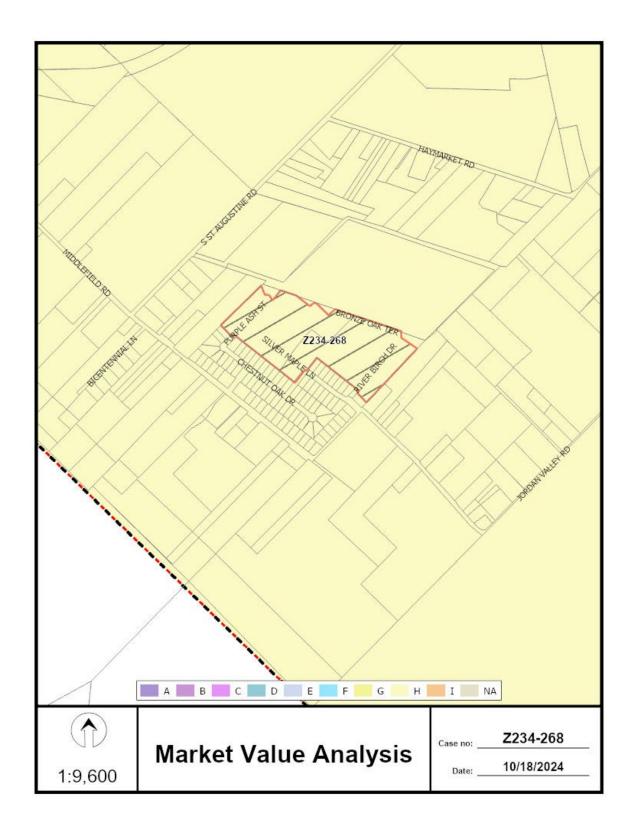
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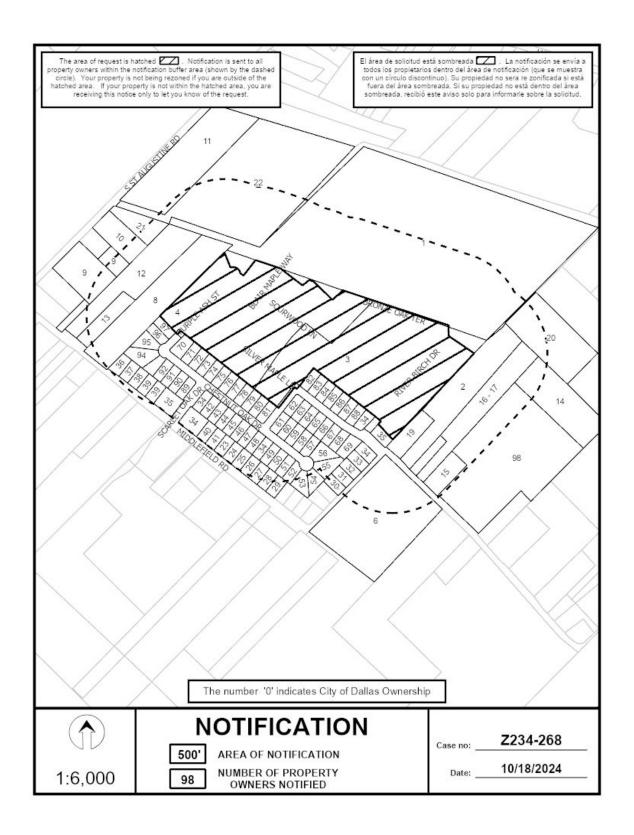
No structures shown on Exhibit B may exceed one story.











10/18/2024

Notification List of Property Owners Z234-268

98 Property Owners Notified

Label #	Address		Owner
1	3065	S ST AUGUSTINE RD	LAND LINK REALTY LLC
2	4011	MIDDLEFIELD RD	BATY GARY D & MARY J
3	3410	MIDDLEFIELD RD	Taxpayer at
4	3410	MIDDLEFIELD RD	LAND LINK REALTY LLC
5	3514	MIDDLEFIELD RD	NOVAWAY DEVELOPMENT LLC
6	3735	MIDDLEFIELD RD	DIAZ ELFEGO
7	3300	MIDDLEFIELD RD	SALAZAR ADRIAN OMAR & MICHELLE
8	3404	MIDDLEFIELD RD	GRANBERRY JEFFREY DEAN
9	3220	S ST AUGUSTINE RD	FAZ ANTONIO
10	3130	S ST AUGUSTINE RD	MOJICA MODESTO RENDON & PATRICIA
11	3116	ST AUGUSTINE RD	TINSLEYMATHIAS AMANDA &
12	3322	MIDDLEFIELD RD	NELMS KENNETH JERAL & VICKI LYNN
13	3330	MIDDLEFIELD RD	NELMS MICHAEL
14	4107	JORDAN VALLEY RD	DIAZ OMAR
15	4035	MIDDLEFIELD RD	BARRON LORENZA
16	4023	MIDDLEFIELD RD	CHILDERS STEPHEN R
17	4023	MIDDLEFIELD RD	CHILDERS STEPHEN R EST OF
18	4017	MIDDLEFIELD RD	HOBBS GRADY T SR EST OF
19	4005	MIDDLEFIELD RD	SALDANA LEEANDER
20	4007	JORDAN VALLEY RD	HICKS HENRY EDWARD
21	3120	S ST AUGUSTINE RD	CRAIG TONY
22	3110	ST AUGUSTINE RD	3110 ST AUGUSTINE LLC
23	3530	MIDDLEFIELD RD	ANDREWS JAMES E SR
24	3534	MIDDLEFIELD RD	MARTINEZ JUAN E
25	3538	MIDDLEFIELD RD	CALDERON AGUSTIN
26	3610	MIDDLEFIELD RD	ALVARADO GABRIELA

10/18/2024

Label #	Address		Owner
27	3614	MIDDLEFIELD RD	PAYNE SHAMIENA
28	3618	MIDDLEFIELD RD ELLIOTT DERRICK	
29	3622	MIDDLEFIELD RD	JIMENEZ MARIA ELENA & RAUL
30	3822	MIDDLEFIELD RD	SMITH CASANDRA & ISSA
31	3826	MIDDLEFIELD RD	MEZA LIZARDO JR &
32	3830	MIDDLEFIELD RD	CARRILLO PAUL A
33	3834	MIDDLEFIELD RD	HAWKINS SHARON D
34	3838	MIDDLEFIELD RD	CENTURY LAND HOLDINGS
35	3846	MIDDLEFIELD RD	MONTAGE DEVELOPMENT COMPANY
36	3452	MIDDLEFIELD RD	CASTILLO RUBEN BANDA
37	3456	MIDDLEFIELD RD	WILSON DAVID R & NICOLE D WILSON
38	3460	MIDDLEFIELD RD	RICOORDONEZ JUAN
39	3502	MIDDLEFIELD RD	OLMEDA SALVADOR &
40	3522	MIDDLEFIELD RD	PEREZ PEDRO &
41	3526	MIDDLEFIELD RD	PEREZ PEDRO & FANNY M LIRA
42	3551	CHESTNUT OAK DR	IDARA GLORIA AMAKA
43	3557	CHESTNUT OAK DR	BRADLEY MARIAH & MILTON
44	3563	CHESTNUT OAK DR	LU ANDREW WILLIAM &
45	3569	CHESTNUT OAK DR	LEDESMA JOSUE
46	3575	CHESTNUT OAK DR	VALDEZ ANDRES & ODILIA MACEDO
47	3581	CHESTNUT OAK DR	JOHNSON HENRY J III
48	3605	CHESTNUT OAK DR	CODERO SIGFREDO ACEVEDO &
49	3617	CHESTNUT OAK DR	Taxpayer at
50	3623	CHESTNUT OAK DR	RAMIREZ XOCHITL SOLEDA &
51	3629	CHESTNUT OAK DR	BATHULA SRAVAN KUMAR
52	3635	CHESTNUT OAK DR	DAVIS TONETTE &
53	3641	CHESTNUT OAK DR	WIGFALL SHIRLENE &
54	3647	CHESTNUT OAK DR	MCLEAN COREY DEANDREA
55	3646	CHESTNUT OAK DR	MUZERWA DEO &
56	3640	CHESTNUT OAK DR	SILVA MALIA MERCEDES
57	3634	CHESTNUT OAK DR	VARIKUTI CYNTHIA ELAINE &

10/18/2024

Label #	Address		Owner
58	3628	CHESTNUT OAK DR	OKWARA CHINEDU E
59	3622	CHESTNUT OAK DR	ANDRADE SAMUEL ISAC PERDOMO &
60	3616	CHESTNUT OAK DR	RAMANATHAN MURUGAN
61	3610	CHESTNUT OAK DR	PEREZ BRENDA PAOLA RIVERA &
62	3607	SILVER MAPLE LN	BEBOUT CAROLINE
63	3613	SILVER MAPLE LN	OJEH BRIDGET &
64	3619	SILVER MAPLE LN	FUJIMORE DIVINA GRACIA &
65	3625	SILVER MAPLE LN	ROMO JUAN
66	3631	SILVER MAPLE LN	MARABLE MILES JR & PEARL
67	3637	SILVER MAPLE LN	ADEDIMEJI TEMITOPE
68	3643	SILVER MAPLE LN	BUTLER LAVAYHA & JORDAN
69	3649	SILVER MAPLE LN	CHAVEZ JUAN CARLOS GARCIA
70	3514	CHESTNUT OAK DR	ALVI MOHAMME HUMAID &
71	3520	CHESTNUT OAK DR	MYRICKS TERA & CLAYTON LEE JR
72	3526	CHESTNUT OAK DR	MARTINEZ VALERIA GOMEZ
73	3532	CHESTNUT OAK DR	RUBI ALLAN JOSUE
74	3538	CHESTNUT OAK DR	PANTON KAMARLEY
75	3544	CHESTNUT OAK DR	FLORES ELVA &
76	3550	CHESTNUT OAK DR	ALEXANDRE EDWIDGE SERGE
77	3556	CHESTNUT OAK DR	LAVU SIVARAMABABU &
78	3562	CHESTNUT OAK DR	FRANCIS MICHAEL
79	3568	CHESTNUT OAK DR	CLAROS RONALDO EFRAIN
80	3574	CHESTNUT OAK DR	CRUZ ADRIAN A &
81	3580	CHESTNUT OAK DR	CROSSLIN MYSHARA &
82	3606	SILVER MAPLE LN	GUTIERREZ VICTOR &
83	3612	SILVER MAPLE LN	RUBIO EDGAR ALEJANDRO &
84	3618	SILVER MAPLE LN	HERNANDEZ ROMULO M
85	3624	SILVER MAPLE LN	ALEBACHEW ADDIS
86	3630	SILVER MAPLE LN	ESCOBAR MARTHA B &
87	3636	SILVER MAPLE LN	Taxpayer at
88	3642	SILVER MAPLE LN	BALASQUIDE HECTOR X VILLANUEVA &

Z234-268(MB)

10/18/2024

Label #	Address		Owner
89	3533	CHESTNUT OAK DR	LOWE DEWOYNE T
90	3527	CHESTNUT OAK DR	THOMAS ABRAHAM & KARUNA
91	3521	CHESTNUT OAK DR	OVIEDO GEMA &
92	3515	CHESTNUT OAK DR	QUINTERO JULLY RAMOS &
93	3509	CHESTNUT OAK DR	LUNA JOE LOUIS AYALA &
94	3503	CHESTNUT OAK DR	EPPS CORDERALL
95	3243	PURPLE ASH ST	WHITE JOEL P
96	3237	PURPLE ASH ST	VELEZ IVAN ULYSSES &
97	3231	PURPLE ASH ST	FLORES LIZBETH
98	4111	MIDDLEFIELD RD	GUTIERREZ CRUZ & REYNA



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 10

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family

District, on the north line of Forest Lane, east of Schroeder Road.

<u>Staff Recommendation</u>: <u>Approval</u>. Applicant: Zachariah Manning

Planner: Martin Bate Council District: 10 **Z234-331(MB)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Martin Bate

FILE NUMBER: Z234-331(MB) DATE FILED: August 28, 2024

LOCATION: North line of Forest Lane, east of Schroeder Road

COUNCIL DISTRICT: 10

SIZE OF REQUEST: 7,800 sqft **CENSUS TRACT:** 48113007829

OWNER/APPLICANT: Zachariah Manning

REQUEST: An application for an MF-1(A) Multifamily District on property

zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of the request is to permit development of

multifamily housing.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently zoned an R-7.5(A) Single Family District. The area of request is developed with a single family house.
- The lot has frontage on Forest Lane.
- The applicant proposes to redevelop the property with multifamily housing.
- To accomplish this, they request an MF-1(A) Multifamily District.

Zoning History:

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

1. Z201-193: On July 15, 2021, the City Plan Commission recommended denial without prejudice of an application for a Planned Development District for R-10(A) Single Family District uses and a medical clinic or ambulatory surgical center use on property zoned R-10(A) Single Family District located at the southwest corner of Forest Lane and Stults Road.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
Forest Lane	Principal Arterial	120 feet	

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the 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 complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.3 Create housing opportunities throughout Dallas.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

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.

The proposed use would be limited in scale to something resembling the existing allowable single family uses, maintaining the existing scale and design.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.3 Encourage transit oriented developments and transit centers.

ENVIRONMENT ELEMENT

GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

Policy 6.3.3 Limit vehicle miles traveled.

NEIGHBORHOOD PLUS PLAN

GOAL 4 ATTRACT AND RETAIN THE MIDDLE CLASS

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

District 10 Strategic Plan:

The District 10 Strategic Plan, adopted by City Council on June 14, 2006, is intended to "strengthen Northeast Dallas communities, boost economic investment, and enhance the infrastructure within the district." The subject site is within Focus Area 2 (Forest/LBJ/Central Triangle) of the District 10 Land Use Study, more specifically the Hamilton Park neighborhood.

The strategic plan identified several community needs; the pertinent needs are listed below:

Land Use and Zoning

- There should be a focus on encouraging development around existing and proposed DART light rail stations.
- There are too few homes to absorb future growth.
- The Hamilton Park neighborhood should be buffered from high rise development, specifically at the southeast corner of the 'High-Five' improvements adjacent to Hamilton Park.

Urban Design

Hamilton Park should be preserved and protected.

The strategic plan then developed several goals:

Goal 2: Support Development that Promotes the Community Vision

- Support land use and zoning compatible with the vision.
- Encourage owner-occupied residential development for a diversity of incomes and lifestyle needs.
- Direct higher density development to areas in proximity to DART light rail stations.

The proposed zoning change complies with certain elements of the District 10 Strategic Plan and conflicts with others. The proposal complies with the goal of directing higher density development to areas in proximity to DART light rail and would provide additional homes to absorb future growth. The development standards that would apply to this site under MF-1(A) Multifamily District would prevent any sort of high rise development on the site.

However, the proposal may conflict with the identified need to preserve the Hamilton Park neighborhood. The subject site is at the southern end of Hamilton Park, and a change to allow multifamily would present a deviation from the existing nature of the neighborhood. The proposal would allow additional housing supply along the larger Forest Lane corridor while maintaining the single family character within the subdivision north of Forest Lane, and would maintain a similar built form through height and setback requirements. Staff notes that the area plan conflicts in what are deemed allowable or desired uses in the area of request versus what the current zoning allows.

Land Use:

	Zoning	Land Use
Site	R-7.5(A) Single Family	Single family
North	R-7.5(A)	Single Family

South	PD 506	DART station
East	R-7.5(A), IR	Single family, undeveloped
West	CR Community Retail	Restaurant, post office

Land Use Compatibility:

The area of request is currently developed with a single-family house. The site is generally surrounded by R-7.5(A) Single Family zoning immediately north, west, and east, with single family houses. Further west across Schroeder Road is a CR Community Retail District developed with a post office and retail and personal service uses. To the south is PD 506, which is developed with the DART Forest Lane station.

The applicant wishes to develop the site with multifamily housing. In assessing the compatibility of multifamily amid single family, consideration must be given to supporting infrastructure as well as potential impacts on surrounding uses.

The area of request is served by Forest Lane, a principal arterial built as a divided roadway. Additionally, the site is across the street from a DART light rail station, serving the Red and Orange lines. As such, staff finds that additional residential development on this site would be sufficiently served by nearby transportation infrastructure.

In addition to transportation infrastructure, multifamily is most successful when it is located near amenities and services. The area of request is near a CR Community Retail District, and approximately 900 feet from an MU-3 Mixed Use District which contains a variety of retail and personal service uses.

The area of request is surrounded by single family uses. Generally speaking, the impact of a multifamily development in such a context will be shaped by the constraints of the building site and the development standards. If the site is developed with multifamily, a greater setback will need to be provided for the side and rear compared to the existing single family development. The building height would also be limited by Residential Proximity Slope, effectively making any development shorter than what could be built byright in an R-7.5(A) district.

Given the dimensions of the site and the development standards of the MF-1(A) Multifamily District, the largest number of dwelling units that could be provisioned is 3; this is based on the total available land to build on after setbacks are factored in, using the minimum lot size for dwellings with no separate bedrooms. Required off-street parking

would further reduce the buildable lot area, likely limiting the total number of dwelling units that could be provisioned.

The availability of nearby transit and location on a major thoroughfare and proximity to retail uses complement the proposed use, while the inherent constraints that would be put upon the build site limit the development's impact on surrounding single family uses. As such, staff finds that the request is compatible with the surrounding land uses.

Development Standards

Following is a comparison of the development standards of the current R-7.5(A) Single Family District and the proposed MF-1(A) Multifamily District.

District	S	etback	Density/Lot	Height	Lot Cvrg.	Special	Primary
District	Front	Side/Rear	Size	Height	Lot Cvig.	Standards	Uses
Proposed: R-7.5(A)	25'	Single family: 5'	None; min. lot size is 7,500 sqft	30'	45% residential 25% nonresidential		Single family
Proposed: MF-1(A)	<mark>15'¹</mark>	Single family: No side/rear Duplex: 5' side, 10' rear Multifamily: 10' side, 15' rear	Single family, duplex: Min. lot area 3,000 sqft Multifamily: 1,000 sqft studio; 1,400 sqft one bedroom; 1,800 sqft two bedroom	36'2 Effective 26' on entire lot	60% residential 25% nonresidential		Multifamily

¹ Due to blockface continuity requirements, a 25-foot front yard setback would apply to this lot.

² Residential Proximity Slope (RPS) applies; portion over 26 feet in height cannot be located above RPS originating from adjacent single family.

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
*	Consult the use regulations in Section 51A-4.200

	Existing	Proposed
Use	R-7.5(A)	MF-1(A)
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable	*	*
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop		
Bus or rail transit vehicle maintenance or storage facility		
Catering service		
Commercial cleaning or laundry plant		
Custom business services		
Custom woodworking, furniture construction, or repair		
Electronics service center		
Job or lithographic printing		
Labor hall		
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory		
Technical school		
Tool or equipment rental		
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		

	Existing	Proposed
Use	R-7.5(A)	MF-1(A)
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	S	S
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	S	
Cemetery or mausoleum	S	S
Child-care facility	S	•
Church	•	•
College, university, or seminary	S	S
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		R
Convent or monastery	S	•
Foster home	S	•
Halfway house		
Hospital		
Library, art gallery, or museum	S	S
Open-enrollment charter school or private school	S	S
Public school other than an open-enrollment charter school	S	S
LODGING USES		
Extended stay hotel or motel		
Hotel or motel		
Lodging or boarding house		
Overnight general purpose shelter		
MISCELLANOUS USES		
Carnival or circus (temporary)	*	*
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment		
Financial institution without drive-in window		

	Existing	Proposed
Use	R-7.5(A)	MF-1(A)
Financial institution with drive-in window		
Medical clinic or ambulatory surgical center		
Office		
RECREATION USES		
Country club with private membership	S	R
Private recreation center, club, or area	S	S
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house		•
Duplex		•
Group residential facility		<u></u> ★
Handicapped group dwelling unit	*	*
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		•
Residential hotel		
Retirement housing		•
Single family	•	•
RETAIL AND PERSONAL SERVICE USES		
Ambulance service		
Animal shelter or clinic without outside runs		
Animal shelter or clinic with outside runs		
Auto service center		
Business school		
Car wash		
Commercial amusement (inside)		
Commercial amusement (outside)		
Commercial motor vehicle parking		
Commercial parking lot or garage		
Convenience store with drive-through		
Drive-in theater		
Dry cleaning or laundry store		
Furniture store		
General merchandise or food store 3,500 square feet or less		
General merchandise or food store greater than 3,500 square feet		
Home improvement center, lumber, brick or building materials sales yard		

	Existing	Proposed
Use	R-7.5(A)	MF-1(A)
Household equipment and appliance repair		
Liquefied natural gas fueling station		
Motor vehicle fueling station		
Nursery, garden shop, or plant sales		
Outside sales		
Paraphernalia shop		
Pawn shop		
Personal service use		
Restaurant without drive-in or drive-through service		
Restaurant with drive-in or drive-through service		
Surface parking		
Swap or buy shop		
Taxidermist		
Temporary retail use		
Theater		
Truck stop		
Vehicle display, sales, and service		
TRANSPORTATION USES		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley	S	
Railroad passenger station		
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	*	*
Transit passenger station or transfer center	S	S
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station		
Electrical generating plant		
Electrical substation	S	S
Local utilities	*	*
Police or fire station	S	S
Post office		
Radio, television, or microwave tower	S	S
Refuse transfer station		
Sanitary landfill		

	Existing	Proposed
Use	R-7.5(A)	MF-1(A)
Sewage treatment plant		
Tower/antenna for cellular communication	*	*
Utility or government installation other than listed	S	S
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini-warehouse		
Office showroom/warehouse		
Outside storage		
Petroleum product storage and wholesale		
Recycling buy-back center	*	*
Recycling collection center	*	*
Recycling drop-off container	*	*
Recycling drop-off for special occasion collection	*	*
Sand, gravel, or earth sales and storage		
Trade center		
Vehicle storage lot		
Warehouse		

Landscaping:

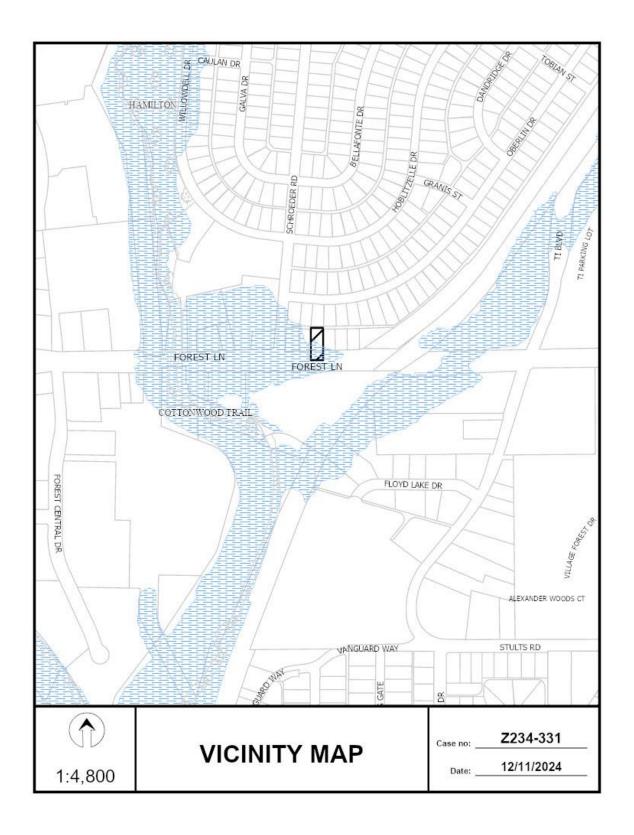
Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

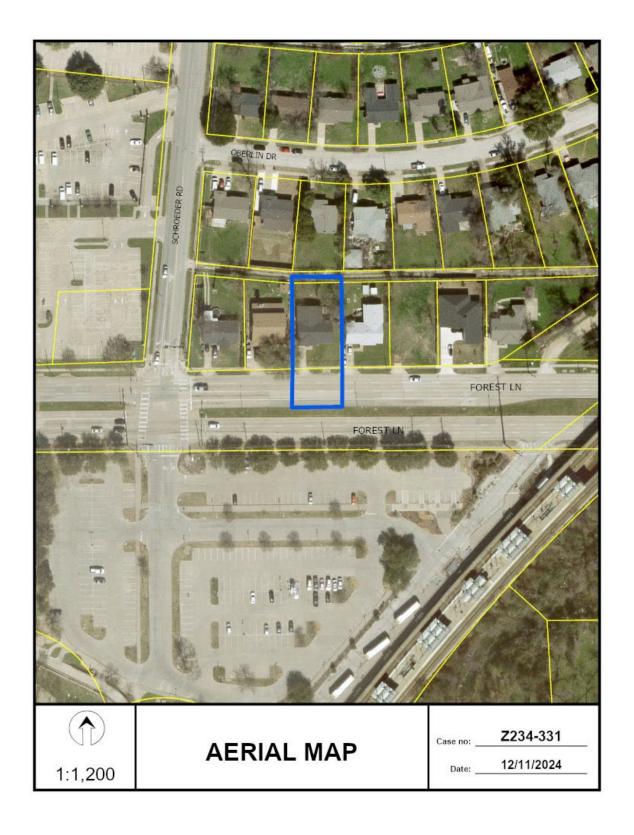
Parking:

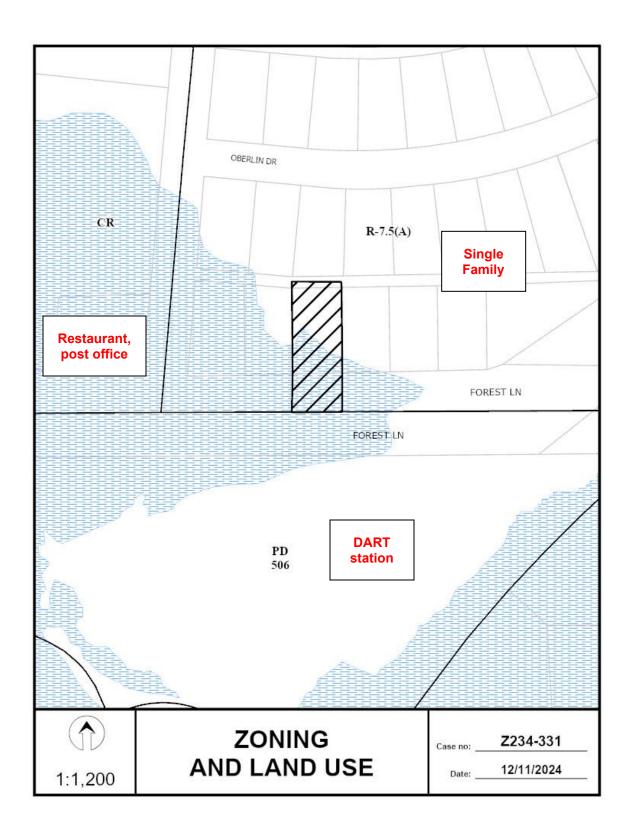
Pursuant to the Dallas Development Code, the off-street parking requirement for multifamily is one space per bedroom with a minimum of one space per dwelling unit. With three studio or one bedroom units, three parking spaces would be required. An additional one-quarter space per dwelling unit must also be provided for guest parking if the required parking is restricted to resident parking only. The applicant would be required to comply with standard parking minimums at permitting.

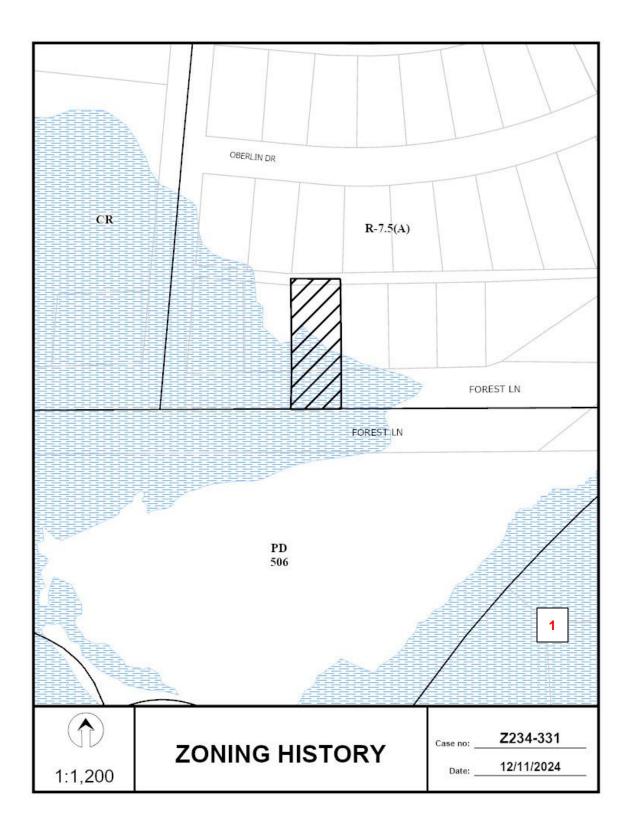
Market Value Analysis:

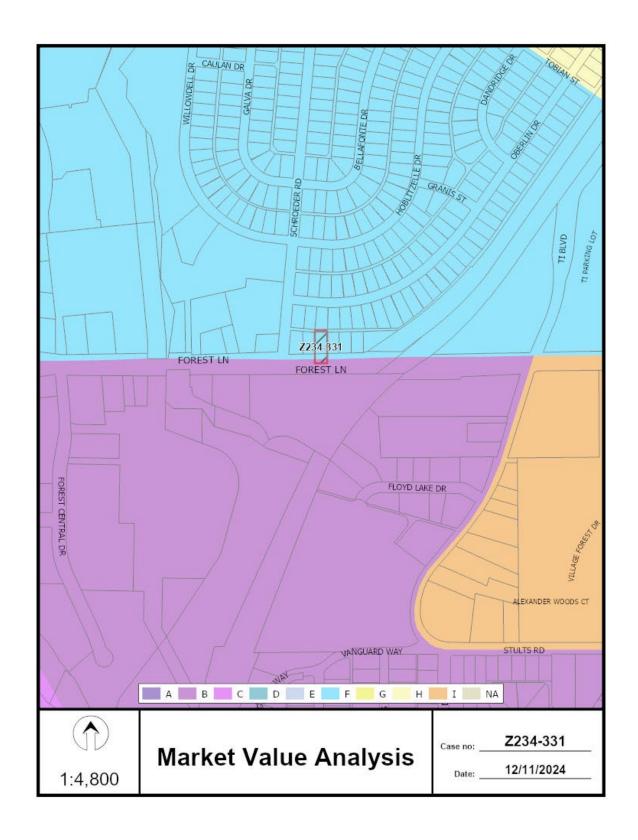
Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas 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 within an "F" MVA area.

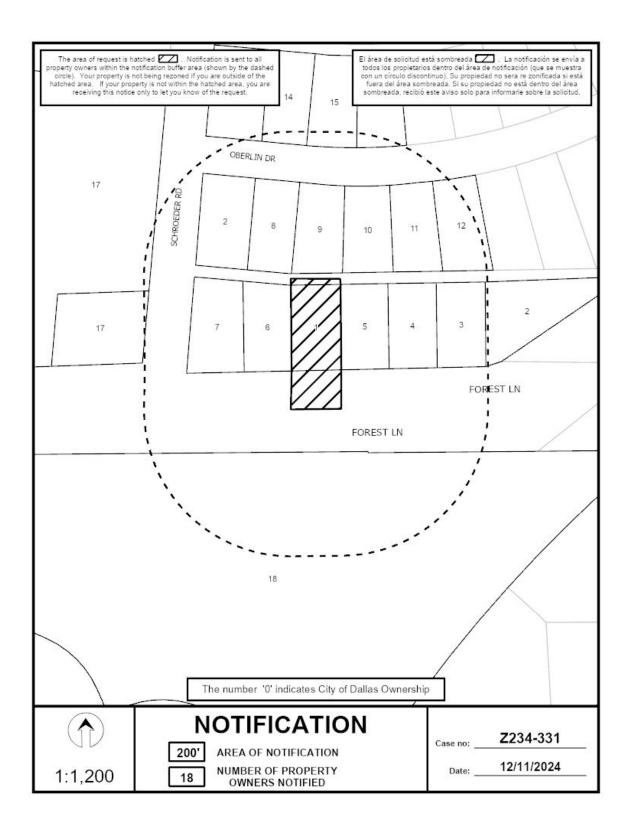












12/11/2024

Notification List of Property Owners Z234-331

18 Property Owners Notified

Label #	Address		Owner
1	8215	FOREST LN	Taxpayer at
2	8235	FOREST LN	JDS HEAVENLY PLACE LLC
3	8231	FOREST LN	EQUITY TRUST CO
4	8225	FOREST LN	D REALTY INVESTMENTS INC
5	8219	FOREST LN	PHILLIPS DAVID JR
6	8209	FOREST LN	BROWN RICHARD L &
7	8205	FOREST LN	MONTAUK INTEREST LLC
8	11808	OBERLIN DR	RIVERA CHRISTIAN JOAN
9	11814	OBERLIN DR	RIVERA YOBANI ALEXIS &
10	11818	OBERLIN DR	Taxpayer at
11	11824	OBERLIN DR	ALIKE REALTY INC
12	11828	OBERLIN DR	PAN SEAN JAHAU &
13	11805	OBERLIN DR	BRANCH ANTHONY
14	11809	OBERLIN DR	Taxpayer at
15	11815	OBERLIN DR	PROSPER HOMES LLC
16	11821	OBERLIN DR	Taxpayer at
17	8151	FOREST LN	U S POSTAL SERVICE
18	8206	FOREST LN	DALLAS AREA RAPID TRANSIT



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

File #: 25-532A Item #: 20.

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 11

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the termination of deed restrictions [Z023-163 and a portion of Z812-139] on property zoned an MU-3 Mixed Use District with deed restrictions [Z023-163 and Z812-139], on the north line of LBJ Freeway, east of Coit Road.

Staff Recommendation: Approval.

Applicant: Jonathan Tooley [Gateway Tower LLC]

Representative: Chelsea Thurman

Planner: Martin Bate Council District: 11

Z234-343(MB)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Martin Bate

FILE NUMBER: Z234-343(MB) DATE FILED: September 13, 2024

LOCATION: North line of LBJ Freeway, east of Coit Road.

COUNCIL DISTRICT: 11

SIZE OF REQUEST: 4.47 acres CENSUS TRACT: 48113019208

OWNER/APPLICANT: Jonathan Tooley [Gateway Tower LLC]

REPRESENTATIVE: Chelsea Thurman

REQUEST: An application for the termination of deed restrictions [Z023-

163 and a portion of Z812-139] on property zoned an MU-3 Mixed Use District with deed restrictions [Z023-163 and Z812-

139].

SUMMARY: The purpose of the request is to allow development of

multifamily housing.

STAFF RECOMMENDATION: Approval.

BACKGROUND INFORMATION:

- The area of request is currently zoned an MU-3 Mixed Use District.
- The area of request is developed with an office building and a parking garage.
- The area of request is subject to deed restrictions [Z023-163 and Z812-139] which limit the allowable uses and maximum floor area of the area of request. Z812-139 limits the floor area, while Z023-163 prohibits multifamily use.
- The applicant proposes to develop the site with multifamily.
- To accomplish this, they request that the deed restrictions on the site be terminated.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
LBJ Freeway	Interstate highway	-	
Coit Road	Principal Arterial	100 feet	

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the 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 and 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:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Land Use:

	Zoning	Land Use
Site	MU-3 Mixed Use with deed restrictions [Z023-163 and Z812-139]	Office
North	MF-1(A) Multifamily, CR Community Retail, NO(A) Neighborhood Office	Office, multifamily
South	MU-3	Office
East	MF-1(A), MU-3	Multifamily
West	MU-1 Mixed Use	Hotel

Land Use Compatibility:

The area of request is currently developed with an office and a parking garage. The surrounding area is a mix of offices and multifamily developments, within both mixed use and multifamily districts. Because of the prevailing land uses surrounding the site, staff finds that the proposed use is compatible with the surrounding area.

Staff supports the proposed amendment of the deed restrictions as their removal is not seen as detrimental to the character or general welfare of the neighborhood. A multifamily development in this area would be served by a principal arterial and the frontage road of LBJ Freeway. The site is in proximity to various amenities and services conducive to more intensive residential development.

Landscaping:

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

Parking:

Parking must be provided in accordance with Chapter 51A provisions for multifamily housing.

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 within an "I" MVA area.

List of Officers

Gateway Tower, LLC

Jonathan Tooley, Director of Land Development

APPLICANT'S REQUESTED TERMINATION OF DEED RESTRICTIONS [Z023-163]

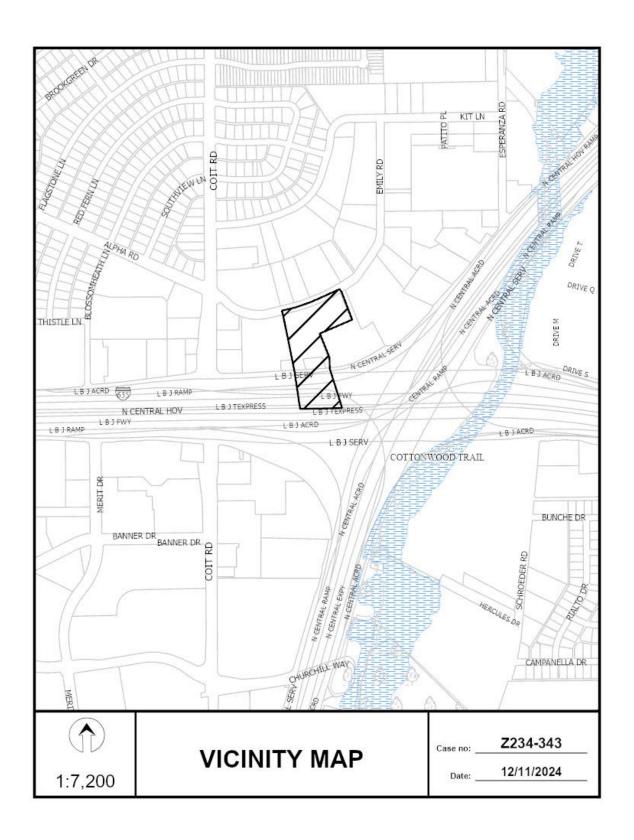
The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

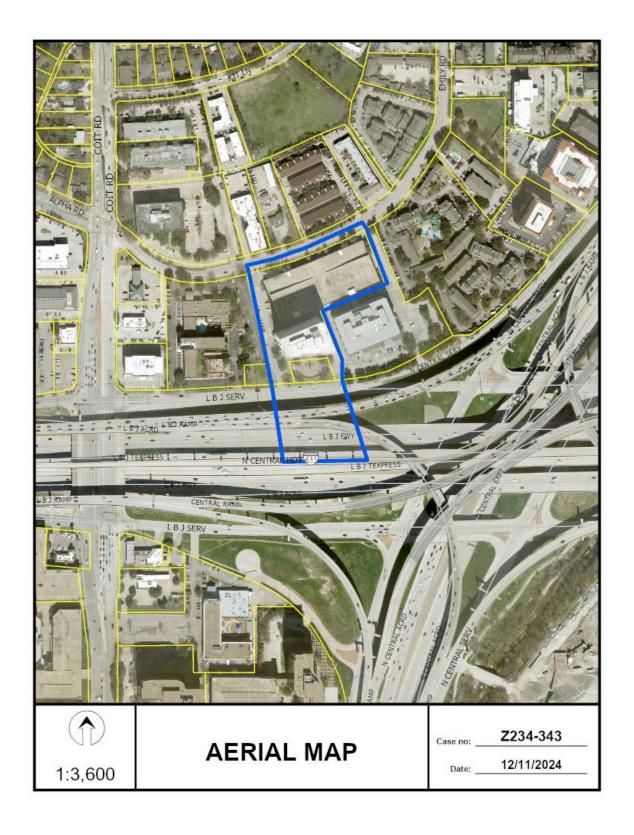
No portion of the Property shall be used for a multifamily use as such term is defined in the Dallas Development Code as amended.

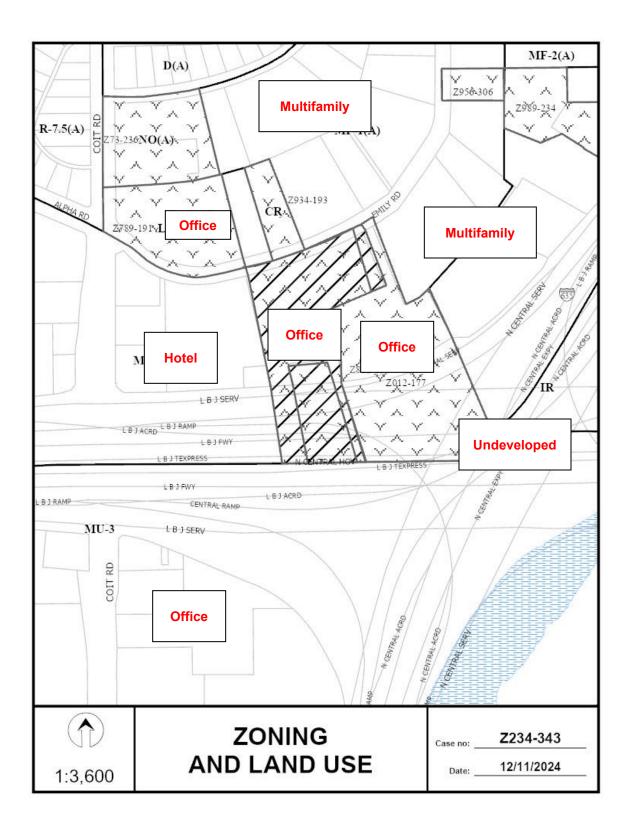
APPLICANT'S REQUESTED TERMINATION OF DEED RESTRICTIONS [Z812-139]

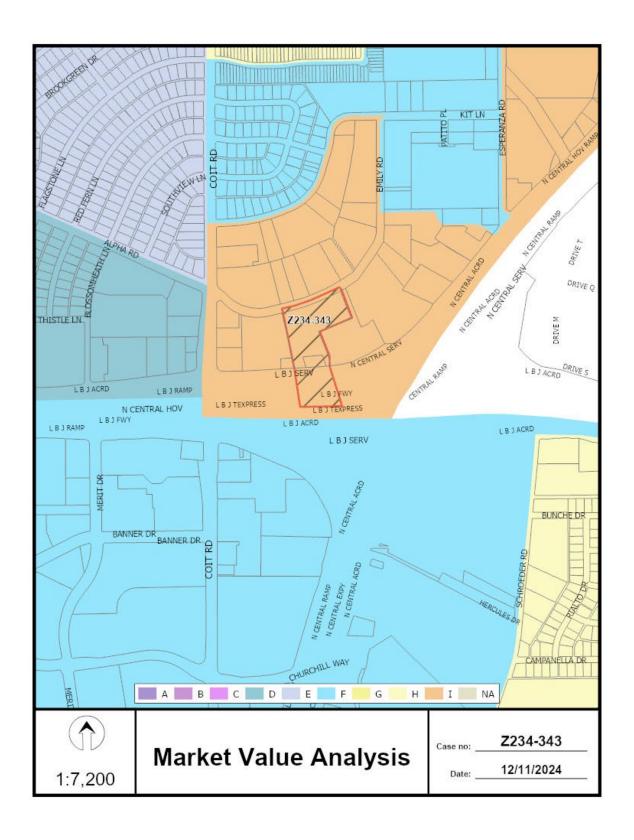
The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

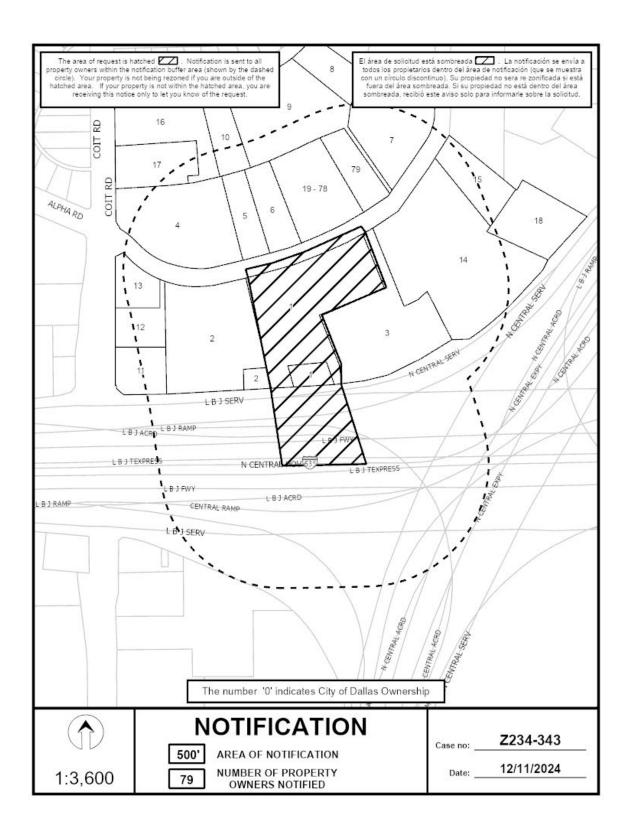
The buildings constructed or to be constructed on the Property shall contain, in the aggregate, no more than 276,919 square feet of floor space, exclusive of grade level sidewalks and covered walkways, loading docks, and the parking facilities constructed or to be constructed on the Property, the square footage of which improvements shall not be included in determining the square footage of the buildings constructed on the Property..











12/11/2024

Notification List of Property Owners Z234-343

79 Property Owners Notified

Label #	Address		Owner
1	8123	LBJ FWY	HARTMAN SPE LLC
2	8101	LBJ FWY	AIDS HEALTHCARE FOUNDATION INC
3	8131	LBJ FWY	GATEWAY PARTNERS LLC
4	13140	COIT RD	13140 COIT RD LP
5	13151	EMILY RD	TASACOM TECHNOLOGIES INC
6	13161	EMILY RD	LOD LTD
7	13259	EMILY RD	EGYPTIAN BOYS LLC THE
8	13310	KIT LN	ALLIANCE FOR SUPPORTIVE HOUSING INC
9	13254	KIT LN	MAO SHING TR ET AL
10	13236	KIT LN	SEDIG PROPERTIES LP
11	8001	LBJ FWY	JMR FUTURE LLC
12	13040	COIT RD	MCDONALDS REAL ESTATE COMPANY
13	13050	COIT RD	KINDERMANN DALE
14	13250	EMILY RD	TIDES AT NORTH DALLAS OWNER LLC
15	13266	EMILY RD	TEG WINDING LLC
16	13154	COIT RD	HECHO WORLD WIDE INC
17	13150	COIT RD	13150 COIT ROAD LLC
18	13111	N CENTRAL EXPY	PARK PLAZA TOWER LLC
19	13211	EMILY RD	PATEL IDRIS & HAWA
20	13211	EMILY RD	TRINH CHARLES & SHIRLEY
21	13211	EMILY RD	SANANI HAMID
22	13211	EMILY RD	CHEN CHUAN C IRREVOCABLE
23	13211	EMILY RD	CAPA LLC
24	13211	EMILY RD	ARREDONDO RAMON
25	13211	EMILY RD	MURILLO ISRAEL
26	13211	EMILY RD	WANG HSIUHUI

Z234-343(MB)

12/11/2024

Label #	Address		Owner
27	13211	EMILY RD	DAVIS HARLAN
28	13211	EMILY RD	SMITH CLAIRE A
29	13211	EMILY RD	13211 EMILY RD LAND TRUST
30	13211	EMILY RD	MOORE DANIEL EDWARDS
31	13211	EMILY RD	LEE CYNDI
32	13211	EMILY RD	MEZU KEVIN ELLINGTON
33	13211	EMILY RD	LOCKE PROPERTIES TEXAS LLC
34	13211	EMILY RD	WANG HSUI HUI
35	13215	EMILY RD	MORROW PARISH
36	13215	EMILY RD	REAL CARE REALTY LLC
37	13215	EMILY RD	BRHANE BERIH &
38	13215	EMILY RD	WANG MICHELLE
39	13215	EMILY RD	ZHOU JINGHUA
40	13215	EMILY RD	GARCIA JONATHAN
41	13215	EMILY RD	BARTH MICHAEL T
42	13215	EMILY RD	13215 EMILY RD LAND TRUST
43	13215	EMILY RD	BURK KEVIN SPENCER
44	13215	EMILY RD	SMITH AMALA CHARITY
45	13215	EMILY RD	RESIDENTIAL HOLDINGS LLC
46	13215	EMILY RD	UNLOCKING DFW LLC
47	13215	EMILY RD	ORAH BAR SHAPIRAH YOLANDE
48	13215	EMILY RD	MATHEWS ALLISON
49	13215	EMILY RD	LEI POHSUN &
50	13215	EMILY RD	TORRES CESAR
51	13217	EMILY RD	PATTON GORDON V
52	13217	EMILY RD	GUROVICH YEVGENIY
53	13217	EMILY RD	CARRINGTON KIM D
54	13217	EMILY RD	GUO CHENG KANG & ET AL
55	13217	EMILY RD	GUO CHENGKANG
56	13217	EMILY RD	GUILLETTE SERGIO A & MAGALI &
57	13217	EMILY RD	RAMOS JOSEPH M

Z234-343(MB)

12/11/2024

Label #	Address		Owner
58	13217	EMILY RD	CHEN CHUAN C IRREVOCABLE LIVING TR&
59	13217	EMILY RD	MORIN NICHOLAS
60	13217	EMILY RD	SIMS KAYLEE &
61	13217	EMILY RD	WRIGHT KENNETH D
62	13217	EMILY RD	SANKOFA NICOLE LEIGH LEACH
63	13217	EMILY RD	ARNETT MARK
64	13217	EMILY RD	HERNANDEZ MIRIAM &
65	13219	EMILY RD	PAN YAQIN
66	13219	EMILY RD	SHOLES KAYLA GABRIELLE
67	13219	EMILY RD	WRIGHT HOMER D
68	13219	EMILY RD	GUERRERO DOUGLAS
69	13219	EMILY RD	ORTEGAS ERIC
70	13219	EMILY RD	WANG VIENNA LI
71	13219	EMILY RD	CARANDANG MARCELINO T III
72	13219	EMILY RD	HONEA MICHELLE & RONNY
73	13219	EMILY RD	GROWTH MANAGEMENT TRUST
74	13219	EMILY RD	WANG YIPING
75	13219	EMILY RD	NEWCOM SERVICES LLC
76	13219	EMILY RD	STELLEN LLC
77	13219	EMILY RD	FILHO LUIZ M LIMA
78	13219	EMILY RD	TREPANIER CARISSA
79	13231	EMILY RD	SEDIG PROPERTIES LP



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

File #: 25-533A Item #: 21.

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a Planned Development District for TH-3(A) Townhouse District uses on property zoned a CR Community Retail District with deed restrictions [Z889-234], on a portion between Marsh Lane and Betty Jane Lane, north of Walnut Hill Lane.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to a conceptual plan and conditions.

Applicant: MM 10056 Marsh, LLC

Representative: Prabha Cinclair [Cinclair Law, PLLC]

<u>Planner</u>: Martin Bate <u>Council District</u>: 13

Z234-352(MB)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Martin Bate

FILE NUMBER: Z234-352(MB) DATE FILED: September 24, 2024

LOCATION: Between Marsh Lane and Betty Jane Lane, north of Walnut

Hill Lane.

COUNCIL DISTRICT: 13

SIZE OF REQUEST: Approx. 1.974 acres CENSUS TRACT: 48113009500

REPRESENTATIVE: Prabha Cinclair [Cinclair Law, PLLC]

OWNER/APPLICANT: MM 10056 Marsh, LLC

REQUEST: An application for a Planned Development District for TH-3(A)

Townhouse District uses on property zoned a CR Community Retail

District with deed restrictions [Z889-234] on a portion.

SUMMARY: The purpose of the request is to allow modified development

standards primarily related to setbacks, dwelling unit density, height,

lot coverage, lot size, and landscaping.

STAFF RECOMMENDATION: <u>Approval</u>, subject to a conceptual plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned a CR Community Retail District and is developed with a vacant office building.
- The existing deed restrictions [Z889-234] on a portion of the property require a masonry wall along Betty Jane Lane for any CR Community Retail uses. The applicant does not propose to modify this.
- The request site is approximately 1.97 acres in size.
- The applicant wishes to develop attached single-family houses on the site in a shared access development configuration.
- To build to the desired conceptual plan, the applicant requests modifications to the base TH-3(A) Townhouse District. These modifications include increased rear yard setbacks, increased dwelling unit density, increased lot coverage, decreased lot size, landscaping, and changes to shared access development standards.

Zoning History:

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

1. Z234-319: On December 11, 2024, City Council approved Specific Use Permit No. 2570 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north line of Walnut Hill Lane, west of Marsh Lane.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
Marsh Lane	Principal Arterial	100 feet	
Betty Jane Lane	Local street	-	

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006 and 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:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

URBAN DESIGN

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.

NEIGHBORHOOD PLUS

GOAL 4 ATTRACT AND RETAIN MIDDLE CLASS

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

The proposed project has the potential to meet several goals of the comprehensive plan related to providing affordable housing and expanding homeownership opportunities.

Land Use:

	Zoning	Land Use
Site	CR Community Retail	Office (vacant)
North	R-7.5(A) Single Family	Church
South	CR	General merchandise or food store > 3,500 sqft, restaurant with drive-thru
East	R-16(A) Single Family, PD 584	Single family
West	CR	Retail

Necessity for a Planned Development District:

According to Sec. 4.702, the purpose of a planned development district is to provide flexibility in the planning and construction of development projects by allowing a combination of land uses developed under a uniform plan that protects contiguous land uses and preserves significant natural features.

Planned development districts are appropriate where the existing code may not accommodate a use or a development within the bounds of a conventional zoning district, or where unique site characteristics may necessitate relief or modification of certain base code provisions.

Applicant's proposed planned development district is intended to provide attached single-family housing in a small-lot configuration. Under the city's existing development code, the only zoning districts that allow for lots of this size are the MF-1(A) and MF-2(A) Multifamily Districts, which allow duplex and multifamily uses in addition to single family. The TH-3(A) Townhouse District the proposal is based on requires a minimum lot size of 2,000 square feet. Additionally, the TH-3(A) Townhouse District limits dwelling unit density to 12 units per acre.

In considering a request for a PD, it is important to consider both the benefits and drawbacks of proposed deviations and enhancements. The proposed development would provide denser housing than what is possible in a base district while respecting the character of the single family neighborhoods to the east of the site. Additionally, the proposed design standards enhance the pedestrian realm, improving walkability in front of the site.

Land Use Compatibility:

The area of request is currently developed with a vacant office building.

The immediate surroundings of the site are a mix of residential and retail uses, with residential to the east, northeast, and southeast. To the north is a church within a residential district. To the south is a large shopping center, and immediately west across Marsh Lane is an additional shopping center. As the site will be accessed via a principal arterial, the impact of this additional housing is minimized.

The proposed conditions allow for greater density than would typically be allowable in a standard TH-3(A) Townhouse District. The conditions also include provisions that limit the height for structures on the eastern side of the lot, closest to the existing single family housing along Betty Jane Lane.

In addition to the deviations from base code, the applicant proposes design standards that will improve the public realm and desirability of the development. These include pedestrian-scale lighting that must be provided along public sidewalks and adjacent to public streets, and open space within the development. Lighting within the development is also required to be down-facing, reducing the impact on surrounding properties. As such, staff finds that the proposed use is compatible with the surrounding land uses.

Development Standards

DISTRICT	<u>SETBACKS</u>		Lot Size / Dwelling Unit Density	<u>FAR</u>	<u>Height</u>	<u>Lot</u> <u>Coverage</u>
	Front	Side/Rear	<u> Donoity</u>			
Existing CR	15 feet adjacent to thoroughfare, no min. otherwise	20' adjacent to residential, no min. otherwise	None	0.5 office / 0.75 all uses combined		80% max.
Base TH-3(A)	None	Side: none for single family Rear: none for single family		No max	36 feet	Residential: 60%
Proposed new PD	None	Side: none for single family Rear: 20'*	Min. 1,800 sqft	No max	36 feet ²	All structures: 60% max.

- 1: Subject to Residential Proximity Slope (RPS)
- 2: Limited to 27 feet within 70 feet of eastern property line

*Setbacks for a shared access development are assessed as a whole for the entire development.

Design Standards

The proposed PD includes the following design standards:

- Six foot wide sidewalk with minimum five foot wide buffer along Marsh Lane, with sidewalk allowed up to 25 feet behind curb when crossing driveway
- Enhanced crosswalk requiring colored concrete, stamped or patterned concrete, or brick pavers; must be level.
- Pedestrian scale lighting must be provided along public sidewalks and adjacent to public streets. All lighting must face down.
- A minimum of 10% of the site must be dedicated to open space.

The proposed design standards enhance the pedestrian realm by creating an environment that is more appealing to street users, including pedestrians. Additionally, the lighting requirements within the development reduce the visual impact to neighboring properties.

Landscaping:

Landscaping must be provided in accordance with Article X, with the following enhancements:

- An eight-foot-tall masonry wall is required at least 10 feet from Betty Jane Lane property line.
- Grass sod, bushes, and at least seven three-inch caliper trees are required on the eastern side of the masonry wall adjacent to Betty Jane Lane.

Parking:

The proposed conditions follow the base development code off-street parking requirements in 51A-4.200. One space is required per dwelling unit. Additional guest parking is provided per the conceptual plan.

Market Value Analysis:

<u>Market Value Analysis (MVA)</u>, 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 within a "B" MVA area.

List of Officers

MM 10056 MARSH, LLC:

Ownership interests:

MMM Ventures, LLC owns 1% 2M Holdings, LP owns 99%

Deed of Trust:

Document No. 202400177621 Recorded: September 4, 2024

PROPOSED PD CONDITIONS.

SEC. 51P-	101.	LEGISLATIVE HIST	ORY.
PD	was establ 	ished by Ordinance No	, passed by the Dallas City Council on
SEC. 51P-	102.	PROPERTY LOCAT	ION AND SIZE.
		hed on property located alo _ is approximately 1.98 ac	ing the east line of Marsh Lane north of Walnut Hill res.
SEC. 51P-	103.	DEFINITIONS AND	INTERPRETATIONS.
(a) article.	Unless other	erwise stated, the definition	ns and interpretations in Chapter 51A apply to this
` '		rwise stated, all references ons in Chapter 51A.	to articles, divisions, or sections in this article are to
(c)	This distric	t is considered to be a resid	ential zoning district.
SEC. 51P-	104.	EXHIBITS.	
The	following exhi	bits are incorporated into the	nis article: ExhibitA: conceptual plan.
SEC. 51P-	105.	CONCEPTUAL PLA	N.
	-	± •	omply with the conceptual plan (ExhibitA). If the conceptual plan, the text of this article controls.
SEC. 51P-	106.	DEVELOPMENT PL	AN.
-	ly development	may make minor deviation	y serve as the development plan. A final plat for a is from the lot and street configuration shown on the increase the number of lots or increase the number

the issuance of any building permit to authorize work in this district.

For all other uses, a development plan must be approved by the city plan commission before

(c) If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P-____.107. MAIN USES PERMITTED.

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

SEC. 51P-____.108 ACCESSORY USES.

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

SEC. 51P-____.109. YARD, LOT, AND SPACE REGULATIONS.

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

- (a) <u>In general</u>. Except as provided in this section, the yard, lot, and space regulations for the TH-3(A) Townhouse District apply.
- (b) Rear yard. Along the eastern Property line, minimum rear yard is 20 feet.
- (c) <u>Density</u>. Maximum dwelling unit density is 16 units per acre. Maximum number of dwelling units is 31.
 - (d) Height.
 - (1) Except as provided in this subsection, maximum structure height is 36 feet, except the maximum height is 27 feet within 70 feet of the eastern property line.
- (3) The following structures may project a maximum 12 feet above the maximum structure height:
 - (A) Elevator penthouse or bulkhead.
 - (B) Mechanical equipment room.
 - (C) Cooling tower.

(E) Ornamental cupola or dome. (F) Skylights. (G) Clerestory. (H) Visual screens which surround roof mounted mechanical equipment. (I) Chimney and vent stacks. (J) Amateur communications tower. (K) Parapet wall, limited to a height of four feet. (e) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. (f) Lot size. Minimum lot size is 1,800 square feet. (g) Stories. (l) Except as provided in this subsection, the maximum number of stories above grade is three. (2) For single family structures adjacent to the eastern Property line, the maximum number of stories above grade is two. SEC. 51P,110. OFF-STREET PARKING AND LOADING. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. SEC. 51P,111. ENVIRONMENTAL PERFORMANCE STANDARDS. See Article VI. SEC. 51P,112 LANDSCAPING.				(D)	Tank designed to hold liquids.
(G) Clerestory. (H) Visual screens which surround roof mounted mechanical equipment. (I) Chimney and vent stacks. (J) Amateur communications tower. (K) Parapet wall, limited to a height of four feet. (c) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. (f) Lot size. Minimum lot size is 1,800 square feet. (g) Stories. (1) Except as provided in this subsection, the maximum number of stories above grade is three. (2) For single family structures adjacent to the eastern Property line, the maximum number of stories above grade is two. SEC. 51P110. OFF-STREET PARKING AND LOADING. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. SEC. 51P111. ENVIRONMENTAL PERFORMANCE STANDARDS. See Article VI. SEC. 51P112 LANDSCAPING.				(E)	Ornamental cupola or dome.
(H) Visual screens which surround roof mounted mechanical equipment. (I) Chimney and vent stacks. (J) Amateur communications tower. (K) Parapet wall, limited to a height of four feet. (e) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. (f) Lot size. Minimum lot size is 1,800 square feet. (g) Stories. (1) Except as provided in this subsection, the maximum number of stories above grade is three. (2) For single family structures adjacent to the eastern Property line, the maximum number of stories above grade is two. SEC. 51P110. OFF-STREET PARKING AND LOADING. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. SEC. 51P111. ENVIRONMENTAL PERFORMANCE STANDARDS. See Article VI. SEC. 51P112 LANDSCAPING.				(F)	Skylights.
(I) Chimney and vent stacks. (J) Amateur communications tower. (K) Parapet wall, limited to a height of four feet. (e) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. (f) Lot size. Minimum lot size is 1,800 square feet. (g) Stories. (1) Except as provided in this subsection, the maximum number of stories above grade is three. (2) For single family structures adjacent to the eastern Property line, the maximum number of stories above grade is two. SEC. 51P110. OFF-STREET PARKING AND LOADING. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. SEC. 51P111. ENVIRONMENTAL PERFORMANCE STANDARDS. See Article VI. SEC. 51P112 LANDSCAPING.				(G)	Clerestory.
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(K) Parapet wall, limited to a height of four feet. (e) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. (f) Lot size. Minimum lot size is 1,800 square feet. (g) Stories. (1) Except as provided in this subsection, the maximum number of stories above grade is three. (2) For single family structures adjacent to the eastern Property line, the maximum number of stories above grade is two. SEC. 51P110. OFF-STREET PARKING AND LOADING. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. SEC. 51P111. ENVIRONMENTAL PERFORMANCE STANDARDS. See Article VI. SEC. 51P112 LANDSCAPING. (a) Except as provided in this section, landscaping must be provided in accordance with Article				(I)	Chimney and vent stacks.
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(g) Stories. (1) Except as provided in this subsection, the maximum number of stories above grade is three. (2) For single family structures adjacent to the eastern Property line, the maximum number of stories above grade is two. SEC. 51P110. OFF-STREET PARKING AND LOADING. Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. SEC. 51P111. ENVIRONMENTAL PERFORMANCE STANDARDS. See Article VI. SEC. 51P112 LANDSCAPING. (a) Except as provided in this section, landscaping must be provided in accordance with Article		` /		_	
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SEC. 51P112 LANDSCAPING. (a) Except as provided in this section, landscaping must be provided in accordance with Article					ations in Division 51A-4.200 for the specific off-street parking and loading
(a) Except as provided in this section, landscaping must be provided in accordance with Article					ENVIRONMENTAL PERFORMANCE STANDARDS.
	SEC. 5 :	1P- <u></u>	.112	,	LANDSCAPING.
	X.	(a)	Excep	t as prov	vided in this section, landscaping must be provided in accordance with Article

- (b) An eight-foot-tall masonry wall must be provided at least 10 feet but no more than 15 feet from the Betty Jane Lane Property line.
- (c) Grass sod, bushes, and at least seven three-inch calliper trees are required along the eastern side of the masonry wall adjacent to Betty Jane Lane.
 - (b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-___.113. SIGNS.

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

SEC. 51P-___.114. REQUIREMENTS FOR A RESIDENTIAL DEVELOPMENT.

- (a) <u>Shared access</u>. Up to 16 residential lots per acre are allowed with a single shared access development.
- (b) <u>Sight visibility triangles</u>. Sight visibility triangles are 45 feet on Marsh Lane and 20 feet on shared access easements.
- (c) <u>Sidewalks</u>. A minimum unobstructed sidewalk width of six feet with a minimum five-foot-wide buffer is required along Marsh Lane, except where the sidewalk crosses the driveway, where the sidewalk can be located up to 25 feet behind the curb.
- (d) <u>Driveways</u>. At driveway and sidewalk intersections, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing. Sidewalks must be level across all driveways, curb cuts, and entrances or exits to loading areas.

(e) Open space.

- (1) At least 10 percent of the building site must be reserved as open space for activity such as active or passive recreation, playground activity, groundwater recharge, or landscaping.
- (2) No structures except for architectural elements; playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos; and ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed; otherwise, open space must be open to the sky.
- (3) Open space may contain primarily grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, paths, or shade structures.

- (4) Open space may be provided at or below grade or aboveground by an outside roof deck, rooftop garden, playground area, pool area, patio, or similar type of outside common area.
- (5) Private balconies, sidewalks, parking spaces, parking lots, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.
- (6) Except for emergency and grounds maintenance vehicles, operation or parking of vehicles within open space is prohibited.
- (7) Open space must be properly maintained in a state of good repair and neat appearance, and plant materials must be maintained in a healthy, growing condition.

(f) <u>Lighting</u>.

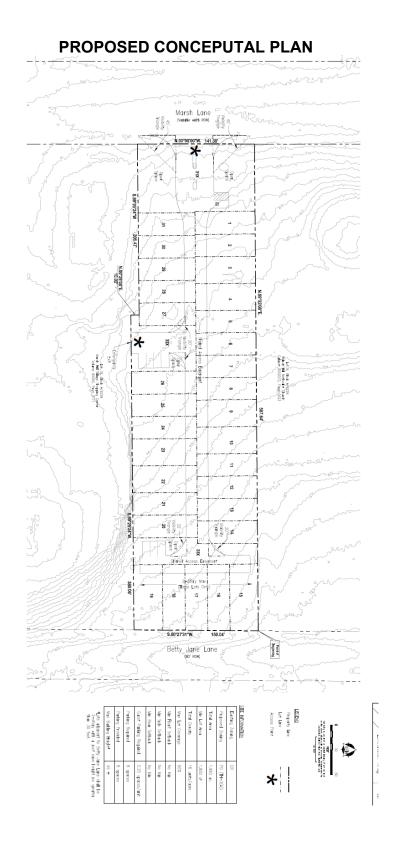
- (1) Exterior lighting sources, if used, must be oriented down and onto the property they light and generally away from adjacent residential properties.
- (2) Pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 footcandles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director of transportation.

SEC. 51P-____.115. ADDITIONAL PROVISIONS.

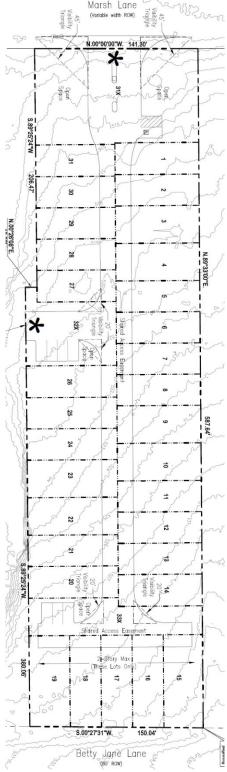
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

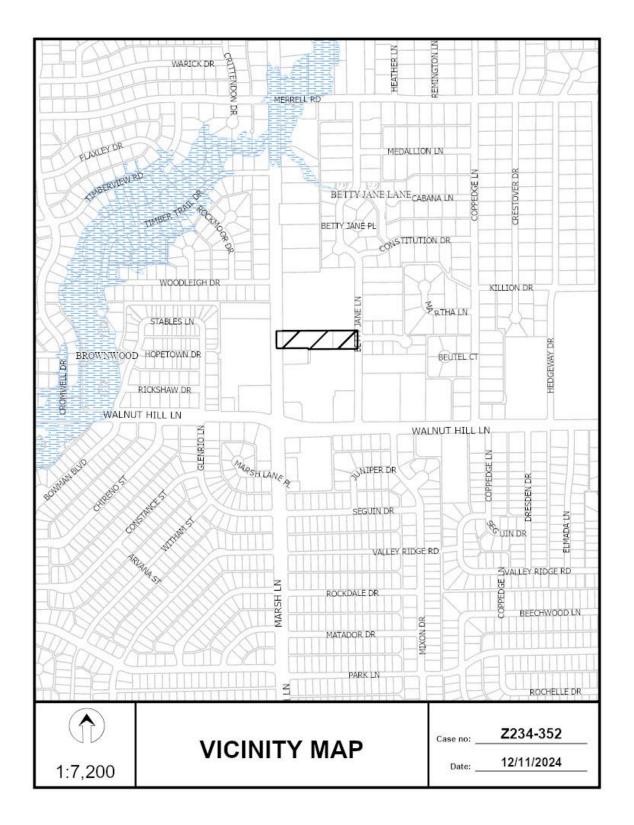
SEC. 51P-____.116. COMPLIANCE WITH CONDITIONS.

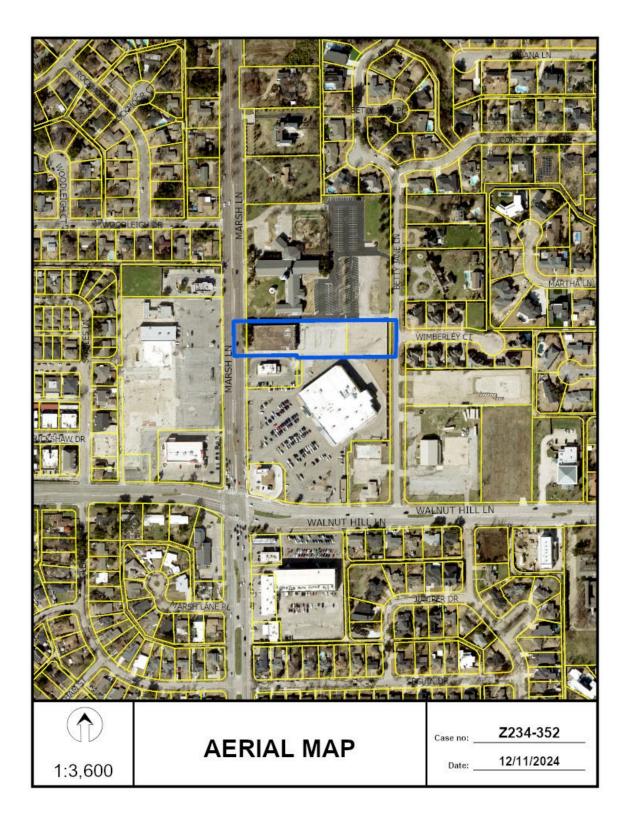
- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

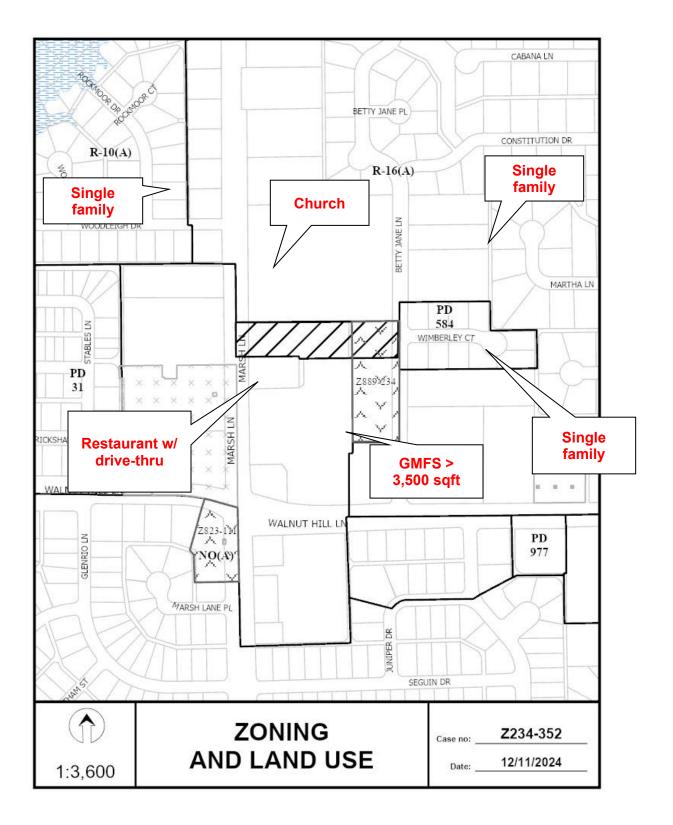


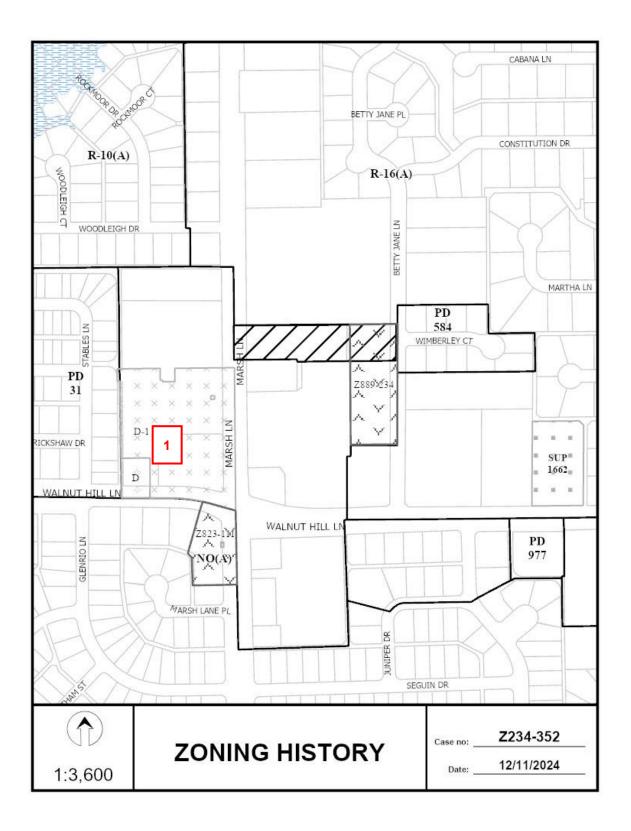
PROPOSED CONCEPUTAL PLAN (DETAIL) Marsh Lane (Variable width ROW) (Variable width ROW)

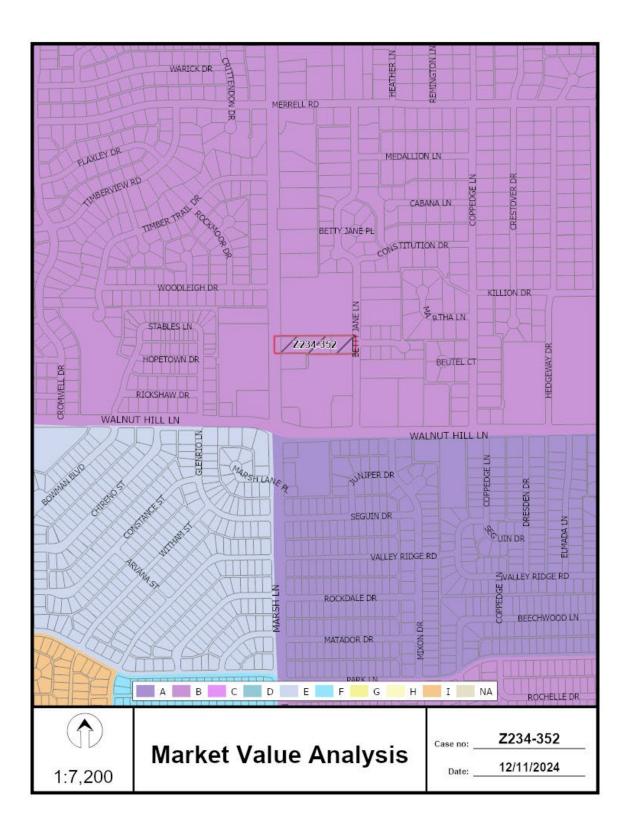


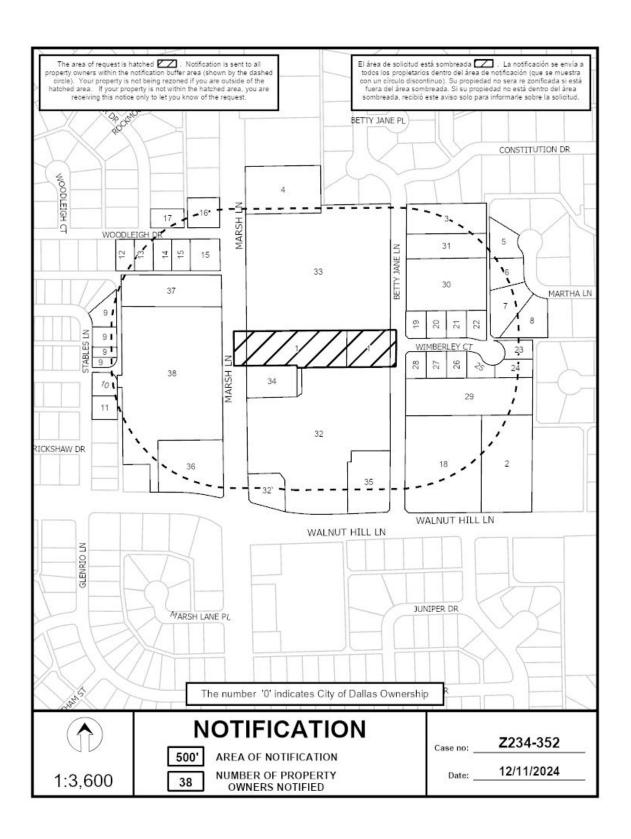












12/11/2024

Notification List of Property Owners Z234-352

38 Property Owners Notified

Label #	Address		Owner
1	10056	MARSH LN	LORD PUFFMORT LLC
2	3807	WALNUT HILL LN	FIRST MEXICAN BAPTIST
3	10120	BETTY JANE LN	NICKERSON GLENN DOUGLAS
4	10134	MARSH LN	JOE CHRISTOPHER M
5	3808	MARTHA LN	JONES WILLIAM D & ELIZABETH A
6	3816	MARTHA LN	VIRGINIA HEINZE WORLEY
7	3822	MARTHA LN	MCGOWAN SPENCER DEAN &
8	3826	MARTHA LN	PASCUAL MANDY
9	3659	STABLES LN	SMOGER ILENE J
10	10040	GLENRIO LN	KOUTSOFTAS ANDREW DEME
11	10028	GLENRIO LN	Taxpayer at
12	3622	WOODLEIGH DR	RODRIGUEZ CONNIE T
13	3628	WOODLEIGH DR	RIVERA BLANCA LEONOR
14	3634	WOODLEIGH DR	STEGALL FRANK D
15	3640	WOODLEIGH DR	MARTIN FAMILY REVOCABLE TRUST
16	10125	MARSH LN	GONZALEZ MIGUEL A
17	10104	ROCKMOOR DR	KIRKPATRICK ROGER K
18	3775	WALNUT HILL LN	FIRST SPANISH ASSEMBLY OF
19	21	WIMBERLEY CT	SEOK DONG J
20	23	WIMBERLEY CT	WILKERSON MATTHEW & KRISTINA
21	25	WIMBERLEY CT	WIMBERLEY JOHN E
22	27	WIMBERLEY CT	WIMBERLEY DEV CO INC
23	29	WIMBERLEY CT	TURK DIANNE M
24	28	WIMBERLEY CT	SOMERVILLE MARY TEMPLE &
25	26	WIMBERLEY CT	FULMER SARA L &
26	24	WIMBERLEY CT	AKA CONTRACTORS LLC

12/11/2024

Label #	Address		Owner
27	22	WIMBERLEY CT	PITTMAN PATRICIA LYNN
28	20	WIMBERLEY CT	VIDALES JORGE A GUERRERO &
29	10010	BETTY JANE LN	PRIMERA IGLESIA BAUTISTA
30	10062	BETTY JANE LN	CAUDILL DOUGLAS W
31	10110	BETTY JANE LN	SPAK FAMILY TRUST
32	10002	MARSH LN	HOPKINS WALNUT HILL PLAZA LTD
33	10066	MARSH LN	LOVERS LANE UNITED METHODIST CHURCH
34	10046	MARSH LN	HOPKINS WALNUT HILL PLAZA LTD
35	3755	WALNUT HILL LN	IGLESIA CRISTIANA EMANUEL DIOS
36	10003	MARSH LN	CV MARSH LANE DALLAS LLC
37	10107	MARSH LN	BOWIE ROBERT TR &
38	10051	MARSH LN	HOPKINS MARSH LANE PLAZA LP



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for an amendment to Specific Use Permit No. 798 for a Mining of Sand and Gravel use on property zoned an A(A) Agricultural District, on the southwest line of Kleberg Road between US 175 Frontage Road and Jordan Valley Road.

Staff Recommendation: Approval, subject to an amended site plan and conditions.

Applicant: Mesquite Landfill TX, LP

Representative: Weaver Consultants Group, LLC

<u>Planner</u>: Michael Pepe <u>Council District</u>: 8 **Z212-131(MP)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Michael Pepe

FILE NUMBER: Z212-131(MP) DATE FILED: November 10, 2021

LOCATION: On the southwest line of Kleberg Road between US 175

Frontage Road and Jordan Valley Road.

COUNCIL DISTRICT: 8

SIZE OF REQUEST: 51 acres CENSUS TRACT: 48113017102

REPRESENTATIVE: Weaver Consultants Group, LLC

OWNER/APPLICANT: Mesquite Landfill TX, LP

REQUEST: An application for an amendment to Specific Use Permit No.

798 for a Mining of Sand and Gravel use on property zoned

an A(A) Agricultural District.

SUMMARY: The purpose of the request is to maintain the status of the site

as a detention lake by amending the existing SUP conditions

requiring continual backfill of the site.

STAFF RECOMMENDATION: Approval, subject to an amended site plan and

conditions.

BACKGROUND INFORMATION:

- The property currently has permanent Specific Use Permit 798.
- SUP 798 was originally approved on October 22, 1980 with Ordinance 16728 with no time limit.
- The property is currently used as a detention lake, previously used as a sand and gravel mine for the adjacent landfill, the Trinity Oaks Landfill. The landfill closed to waste in 2002 under TCEQ Permit MSW Permit 556.
- The code definition of Mining under which the use is currently authorized by SUP is as follows:
 - Mining. (A) Definition: The extraction, removal, or stockpiling of earth materials, including soil, sand, gravel, oil, or other materials found in the earth. The excavation of earth materials for ponds or lakes, including excavations for fish farming ponds and recreational lakes, are considered mining unless otherwise expressly authorized by another provision of this code. The following are not considered mining:
 - (i) The extraction, removal, or stockpiling of earth materials incidental to an approved plat or excavation permit, incidental to construction with a building permit, or for governmental or utility construction projects such as streets, alleys, drainage, gas, electrical, water, and telephone facilities and similar projects.
 - (ii) The extraction, removal, or stockpiling of earth materials incidental to construction of landscaping, retaining walls, fences, and similar activities consistent with the land use allowed at the site of removal.
- The use is permitted in the district only with an SUP.
- As part of an atypical review for zoning approvals, the case was reviewed by Office of Environmental Quality and Sustainability, Dallas Water Utilities – Floodplain Management, Code Compliance, and Paving/Drainage Engineering. These agencies found no objection to allowing the detention area to remain as is.
- Amendment of the SUP conditions is necessary to maintain the site as is. Termination
 of the SUP would require that the site is brought back to a graded state in accordance
 with the conditions.
- The existing lake also exists within the neighboring SUP 799. SUP 799 is not a part
 of this application, as it also includes a property under different ownership over a half
 mile to the south.

Zoning History:

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

1. **Z212-115:** On September 7, 2023, the City Plan Commission recommended Denial of an application for a Specific Use Permit within for Commercial Motor Vehicle Parking on property zoned Commercial Service District located on the north line of Silverado Drive between CF Hawn Freeway and Kleberg Road.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Proposed ROW
Kleberg Road	Minor Arterial	44' Pavement, 60' 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 OPPORTUNITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

AREA PLAN:

West Kleberg Community Plan (2007)

The West Kleberg community is located in the far southeastern section of the City of Dallas, bordering the cities of Seagoville, Balch Springs, and unincorporated areas of Dallas County. It is generally located south of Interstate 20, and bounded on the east by Stark Road and Dallas city limit; on the south by Seagoville city limit and the Dallas County; and on the west by St. Augustine and Haymarket Roads.

The vision for the West Kleberg Community Plan is to reflect "Old Kleberg's" historical heritage by promoting a strong rural atmosphere while still allowing for future growth to occur that is sensitive to this context. The future vision map of the plan designates the request area as appropriate for low density residential development.

Staff finds that the applicant's proposal complies with the West Kleberg Community Plan, particularly the following goals, actions, and policy statements.

LAND USE AND ZONING

POLICY 1.2 Retain the rural character of the area by minimizing potential adverse impact of growth and maximize opportunities to enhance the community's quality of life.

PARKS AND OPEN SPACE

GOAL 1 Protect the "rural/open space" character of the area and identify recreational amenity needs.

The area plan also expresses interest in the eventual reuse of the adjacent Trinity Oak Landfill site as a potential park, considering there are no neighborhood parks located within the study area on the southside of US-175.

Land Use:

	Zoning	Land Use
Site	A(A) Agricultural	Detention Lake / Mining use
North	A(A) Agricultural	Landfill, Agricultural use
East	A(A) Agricultural with SUP 799 for Mining use	Detention Lake / Mining use
South	A(A) Agricultural with SUP 799 for Mining use, A(A) Agricultural, PD No. 797	Detention Lake / Mining use, Agricultural use
West	A(A) Agricultural, PD No. 797	Landfill

Land Use Compatibility:

The area of request currently exists as a detention lake, having previously been used as the mining use for gravel for the adjacent landfill. Property to the east of the site is the remaining half of the detention lake, under SUP 798. Property north, west, and south of the site are other portions of the landfill operations, as well as agricultural uses.

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

In conjunction with partner agencies, staff recommends approval of the requested amendment to the SUP to allow the detention area to remain. The existing land use should have less potential impacts on neighboring properties than would active sand and gravel mining, the change to the SUP incentivizes the owner to maintain the property as is.

The key condition that ties the present state of the property with the SUP is as follows:

"H. If mining operations are not taking place on the Property, backfilling of the Property is not required as long as the Property is in its current condition, based on the approved site plan dated 2025."

Special Consideration for Environmental Review:

The proposed amendment has been reviewed by the Office of Environmental Quality & Sustainability.

Based on documentation reviewed, the landfill does not appear to have chemicals leaching in groundwater near the referenced pond located east/southeast of the landfill. Reports submitted to TCEQ do not indicate any releases from the adjacent landfill upgradient of the pond and the constructed liner is meant to limit any potential chemicals from migrating out of the landfill. The annual groundwater monitoring completed by an environmental consultant and reported to TCEQ for review annually would identify any chemicals of concern with a potential to impact the pond on the adjoining property.

It is most probable that the pond water consists of surface water and rain water, which would not have been impacted by the landfill because it has a clay cap to keep any potential contaminants in the landfill; any surface water flowing from off the landfill would not be carrying potential landfill contaminants. Furthermore, any potential migration of chemicals out of the landfill would be in the downgradient direction and the pond is located upgradient/cross gradient from the landfill; it is unlikely that the pond would be affected in the future. Additionally, the existence of the pond and established wetland environment likely provides a positive effect, acting as a retention area and offering beneficial contributions to the environment and flood mitigation efforts.

It should be noted that removing the pond at this point may be problematic, as an established wetland has formed. In addition, dewatering would be needed, and a large volume of soil would need imported which would need tested to ensure no contaminants are being brought to the property. Further investigation and environmental consulting may be needed if the decision is made to remove the pond.

Landscaping:

Any new development on the site will require landscaping per Article X. No development is proposed.

Parking:

According to the Dallas Development Code, no parking is required for the 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 within the MVA Category "H".

List of Partners/Principals/Officers

Republic Services, a Delaware corporation

General Partner of Mesquite Landfill TX, LP, a Delaware limited partnership

Officers:

<u>Name</u> <u>Title</u>

Donald W. Slager Chief Executive Officer

Joe Vander Ark President

Tim Stuart Chief Operating Officer

Brian Balus EVP, Chief Development Officer

Brian Del Ghiaccio EVP, Chief Financial Officer

Catharine Ellingsen EVP, Chief Legal Officer, Chief Ethics and

Compliance Officer

Amanda Hodges EVP, Chief Marketing Officer

Jeff Hughes EVP, Chief Administrative Officer

PROPOSED SUP CONDITIONS

(Changes highlighted)

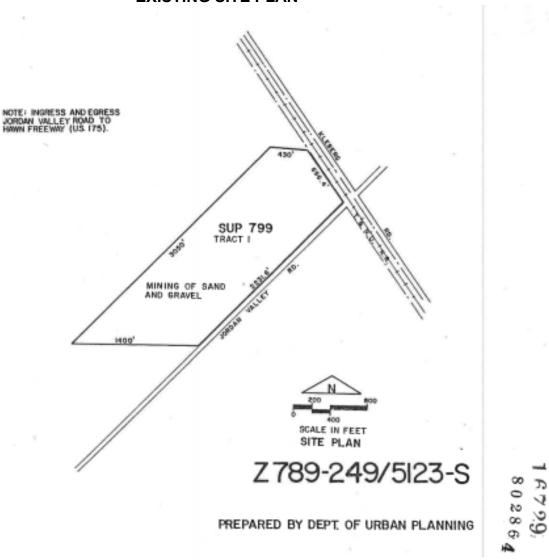
- 1. <u>USE: The only use authorized by the specific use permit is mining limited to sand and gravel mining.</u>
- 2. <u>SITE PLAN</u>: Use and d[D]evelopment of the Property must comply with the attached [within this Specific Use Permit shall be in accordance with the [S]site p[P]lan [attached to and made a part of this ordinance].
- 3[2]. TIME LIMIT: This specific use permit has no expiration date.
- 4. HOURS OF OPERATION: Mining operations may only occur between 6:00 a.m. and 6:00 p.m., Monday through Sunday. [Moved]

5. MINING OPERATIONS:

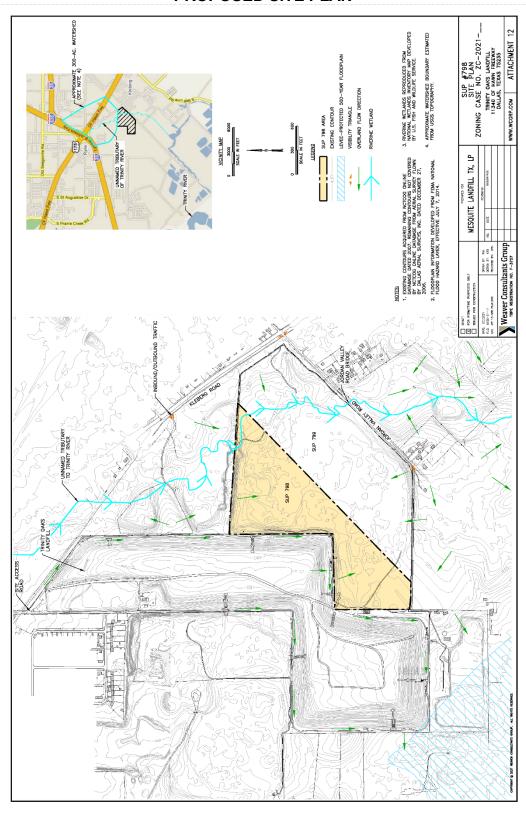
- A. Trucks hauling rocks, sand, gravel, or earth from the property may only use Jordan Valley Road and U.S. Highway 175 to enter and exit the property.
- B[3]. The operator [Grantees or their successors or assigns] shall maintain [keep] all roads on the P[p]roperty in a manner that [treated with oil so as to] prevents unnecessary dust. Road maintenance for dust suppression may not result in excessive runoff, runoff with an oil sheen, or negatively impact water quality. Used oil shall not be used as dust suppression.
- <u>C[4]. The operator</u> [<u>Grantees or their successors or assigns</u>] shall make reasonable repairs of holes in Jordan Valley Road <u>that</u> [which] may be caused by trucks engaged in the excavation operations. The repairs shall be accomplished at direction of the City of Dallas.
- As each section of the excavation operation is completed, the grantees or their successors or assigned shall back fill and level the section to its original grade and the leveling must be accomplished within 60 days after termination of the operations on such section with reasonable delays allowed if the weather prevents such filling. For the purpose of this paragraph, a section is defined as 25 percent of the total site area to be mined.
- <u>D[5]</u>. Within 50 feet of any outside boundary line of the <u>P[p]</u>roperty, no excavation may be made to cause a slope in excess of a three to one ratio.
- $\underline{E}[\theta]$. Excavations must have sufficient slope to provide proper drainage on the $\underline{P}[\theta]$ roperty and so as to leave no water pockets or pools.
- [7. No mining operations may be conducted on the property after 6:00 p.m. or prior to 6:00 a.m. on any day.] [Moved]

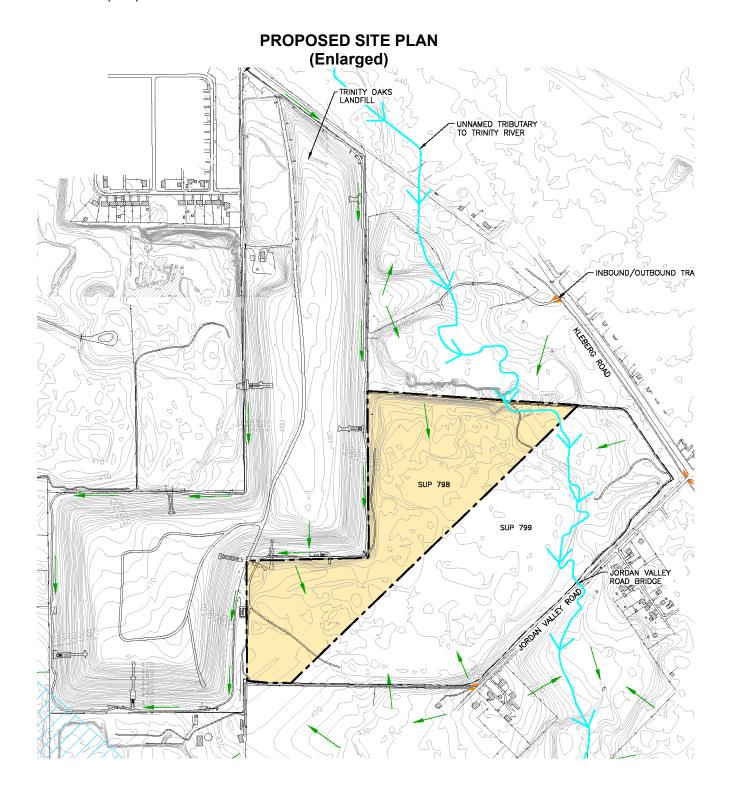
- <u>F[8]</u>. The City of Dallas disclaims any liability relating to the mining operations.
- G. Prior to any future development, including any additional excavation for soil to be used offsite, full engineering plans, including a hydraulic and hydrologic report must be developed based on the engineering guidelines of Development Services by the operator. The plans and report must be reviewed and approved by the Development Services Paving and Drainage Engineering Division.
- H. If mining operations are not taking place on the Property, backfilling of the Property is not required as long as the Property is in its current condition, based on the approved site plan dated 2025.
- 6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

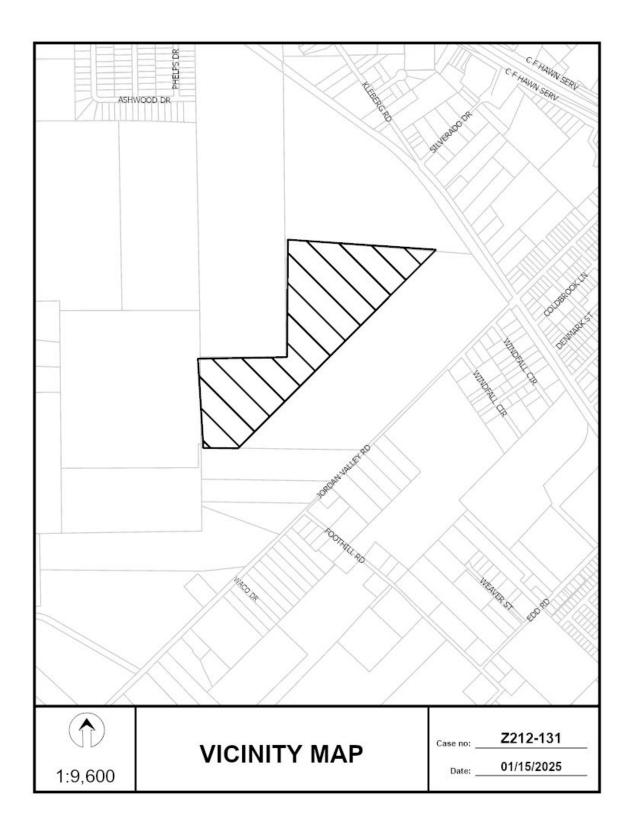
EXISTING SITE PLAN

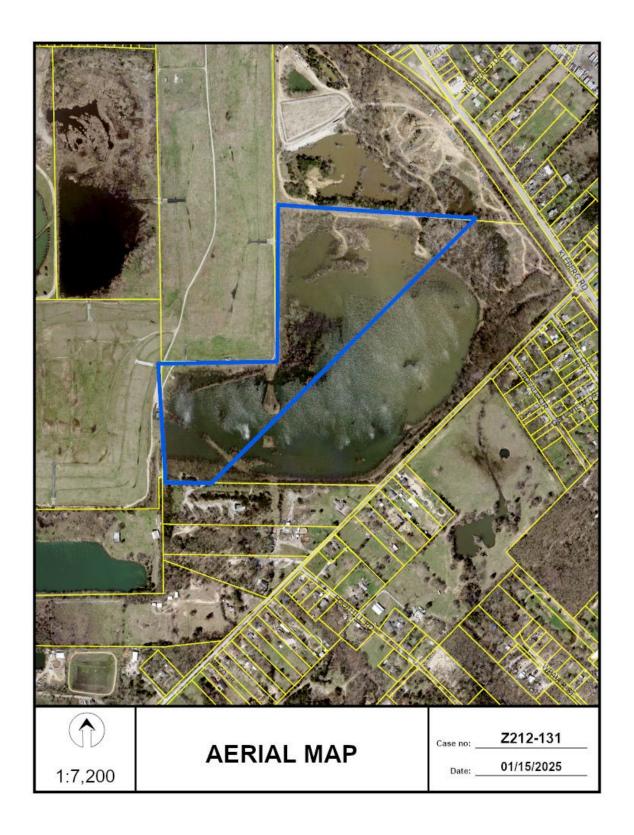


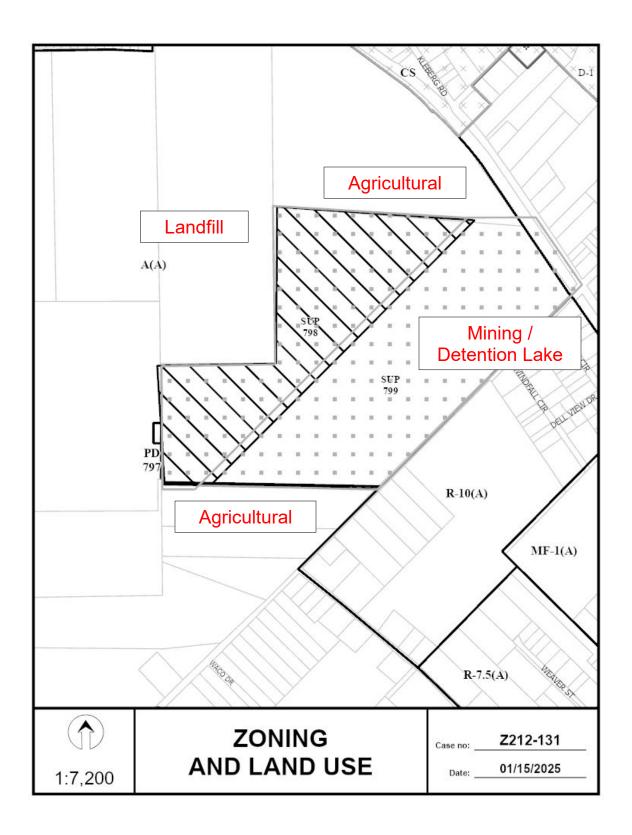
PROPOSED SITE PLAN

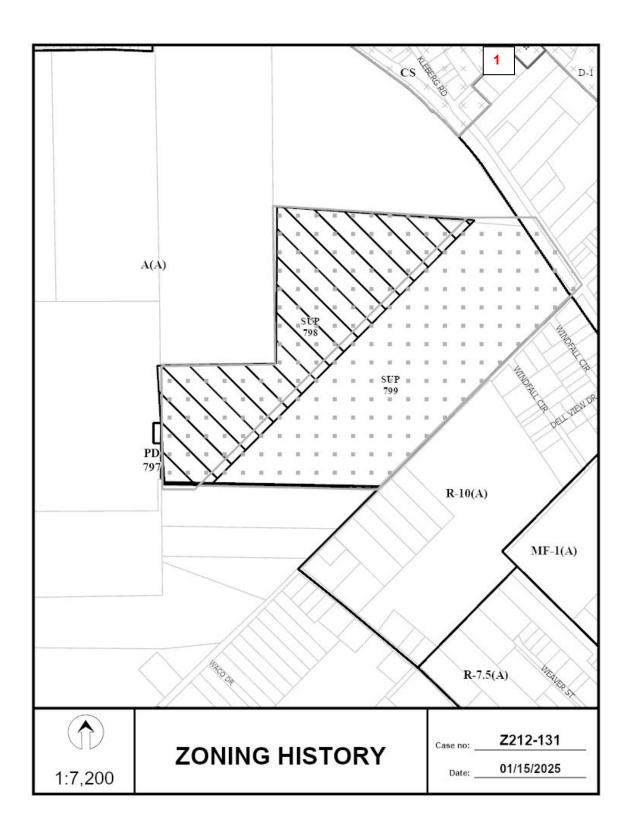


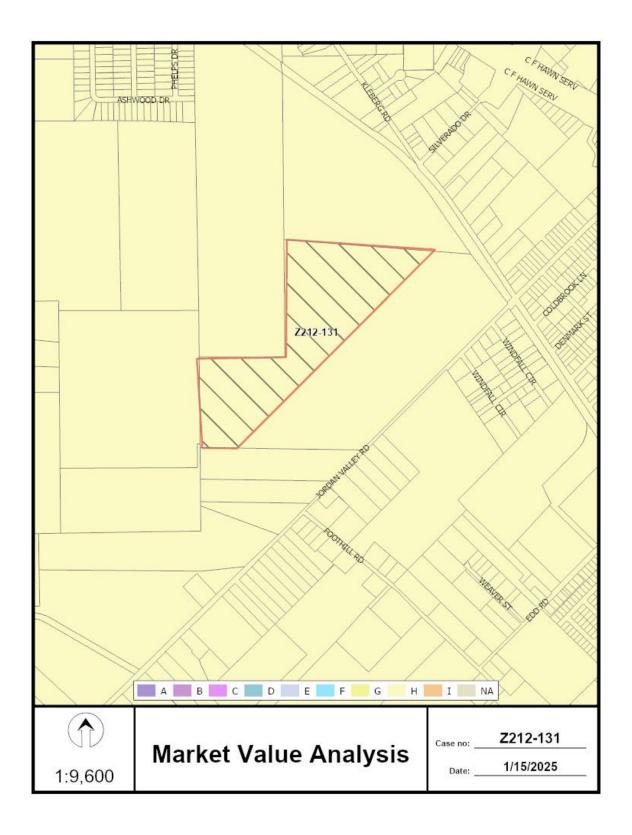


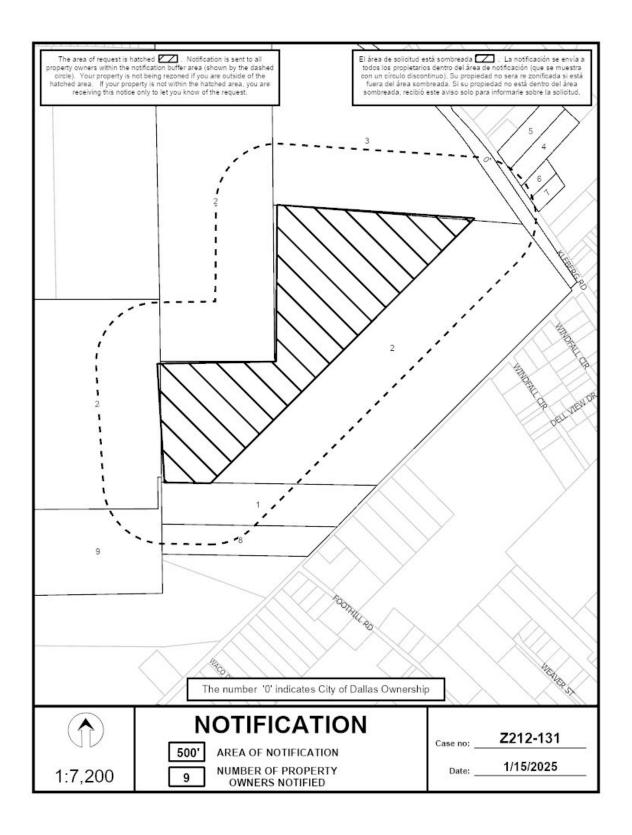












01/15/2025

Notification List of Property Owners Z212-131

9 Property Owners Notified

Label #	Address		Owner
1	2900	JORDAN VALLEY RD	HERNANDEZ OSCAR & ROMANA
2	2430	JORDAN VALLEY RD	MESQUITE LANDFILL TX LP
3	11900	KLEBERG RD	DALLAS AGGREGATE DIRT
4	12031	KLEBERG RD	COGAN LORISA LEE
5	12025	KLEBERG RD	SWEENEY VALLRIE ANN
6	12037	KLEBERG RD	LAIRD STEPHANIE D
7	12109	KLEBERG RD	ENGLISH MARY L
8	2831	JORDAN VALLEY RD	RAMOS ELOY &
9	2755	JORDAN VALLEY RD	PORTER BURKE LINDSEY TRUST



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a CS Commercial Service District with deed restrictions volunteered by the applicant and to maintain the areas with a D-1 Liquor Control Overlay on property zoned a CR Community Retail District and CS District with a D-1 Overlay, and an R-7.5(A) Single Family District, on the southeast line of South Belt Line Road, southwest of C.F. Hawn Freeway.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to deed restrictions volunteered by the applicant.

Applicant: Milan Nguyen (sole owner), MNCN Development, LLC

Representative: Karl A. Crawley, Masterplan

Planner: Sarah May, AICP

Council District: 8 **Z234-277(GB/SM)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Sarah May, AICP

FILE NUMBER: Z234-277(GB/SM) DATE FILED: July 9, 2024

LOCATION: Southeast line of South Belt Line Road, southwest of C.F. Hawn

Freeway

COUNCIL DISTRICT: 8

SIZE OF REQUEST: 4.13 acres **CENSUS TRACT:** 481130117005

REPRESENTATIVE: Karl A. Crawley, Masterplan

OWNER/APPLICANT: Milan Nguyen (sole owner), MNCN Development, LLC

REQUEST: An application for a CS Commercial Service District with deed

restrictions volunteered by the applicant and to maintain the areas with a D-1 Liquor Control Overlay on property zoned a CR Community Retail District and CS District with a D-1

Overlay and an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to develop a mini-warehouse on the

property. The volunteered deed restrictions prohibit all commercial and business service uses; industrial uses; lodging uses; most wholesale, distribution and storage uses;

and additional uses.

STAFF RECOMMENDATION:

Approval, subject to deed restrictions volunteered by

the applicant.

BACKGROUND INFORMATION:

- The area of request is currently undeveloped.
- The applicant's original submission was for a planned development (PD) district and included a one-story retail development in the front and a mini-warehouse in the rear. Since the time limit typically required by an SUP, is not required in a PD request and no significant deviations from base zoning were proposed, the applicant revised their application to base zoning with deed restrictions. The current proposal does not restrict the locations of the retail development or mini-warehouse; however, the applicant's list of volunteered deed restrictions, which prohibits many uses in the CS District, is considered acceptable.
- The front of the property is currently zoned CR and allows retail development. The rear of the property is currently zoned R-7.5(A). There is also a strip of land on the northeast side of the property that is zoned CS and ranges from approximately 53 feet wide in the rear to approximately 94 feet wide in the front, this strip of CS does not require a zoning change but is included in the current proposal.
- The only districts that allow a mini-warehouse without an SUP are CS, industrial, and central area districts. A mini-warehouse is allowed with an SUP in CR, RR, mixed use, and multiple commercial districts.

Zoning History:

One zoning case has been in the area within the last five years.

 Z234-270: On January 23, 2025, the City Plan Commission held an application for the renewal of Specific Use Permit No. 1883 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the east corner of South Belt Line Road and C.F. Hawn Freeway under advisement until February 6, 2025.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
South Belt Line	Principal Arterial	S-6-D, Six Lanes Divided, 107-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 will review engineering plans submitted at permitting to comply with city standards.

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

Area Plan(s):

In April 2007, City Council approved the West Kleberg Area Plan to guide future development in the area generally located south of Interstate 20 and bounded by Stark Road and the Dallas city limit to the east, Dallas County to the south, and Saint Augustine Road and Haymarket Road to the south. The goals and actions of the area plan complement the goals and policies of the *forwardDallas!* Comprehensive Plan in evaluating the applicant's request.

The request complies with the following land use goals of the West Kleberg Area Plan:

LAND USE & ZONING

GOAL 1 Protect the rural character of the community by encouraging commercial development along the commercial corridors.

ECONOMIC DEVELOPMENT

GOAL 1 Economic development that encourages business retention and attracts new "neighborhood serving" business uses to the community.

Land Use:

	Zoning	Land Use
Site	CR-D-1, R-7.5(A), and CS-D-1	Undeveloped
Northeast	CS-D-1	Undeveloped
Southeast	MF-2(A)(SAH)	Multifamily
Southwest	MU-1(SAH)-D-1 and CR-D-1	Single family and Undeveloped
Northwest	R-7.5(A)	Single Family

Land Use Compatibility:

The above table describes the zoning and land uses of the area of request and the surrounding land uses.

The applicant's original submission was for a planned development (PD) district and included a one-story retail development in the front and a mini-warehouse in the rear. Since the time limit typically required by an SUP, is not required in a PD request and no significant deviations from base zoning were proposed, the applicant revised their application to base zoning with deed restrictions. The current proposal does not restrict the locations of the retail development or mini-warehouse; however, the applicant's list of volunteered deed restrictions, which prohibits many uses in the CS District, is considered acceptable.

The front of the property is currently zoned CR and allows retail development. The rear of the property is currently zoned R-7.5(A). There is also a strip of land on the northeast side of the property that is zoned CS and ranges from approximately 53 feet wide in the rear to approximately 94 feet wide in the front, this strip of CS does not require a zoning change but is included in the current proposal.

The only districts that allow a mini-warehouse without an SUP are CS, industrial, and central area districts. A mini-warehouse is allowed with an SUP in CR, RR, mixed use, and multiple commercial districts.

If a PD that allows a mini-warehouse use without an SUP is preferred, staff recommends denying this request without prejudice because a development plan requires thorough interdepartmental review and new mailed and newspaper notices.

If another zoning district that allows a mini-warehouse by SUP is preferred, staff recommends denying this request without prejudice because an SUP site plan also requires thorough interdepartmental review and new mailed and newspaper notices.

Staff supports the applicant's request and finds the proposed rezoning, with the volunteered deed restrictions, appropriate for this area and not detrimental to surrounding uses. This compatibility is further reflected in the development standards comparison table below.

Development Standards:

The following is a comparison chart of the development standards for the current R-7.5(A) Single Family and CR Community Retail District and the proposed expansion of CS Commercial Service District. Also included are the proposed development standards under the applicant's volunteered deed restrictions.

District	Setbacks		Height	Lot	Special	Primary	
District	Front	Side/Rear	Tielgiit	Cvrg.	Standards	Uses	
Existing: R-7.5(A)	25'	SF: 5' Other:10'	30'	Res: 45% Non-Res: 25%	FAR: None Lot Size: 7,500 sq ft	Single family	
Existing: CR	15'	20' adj to Residential zoning	54' RPS applies (over 26ft)	60%	Stories:4	Community Retail, Personal Service, and Office	

Existing and proposed: CS	15 adj to express- way or thorough- fare	20' adj to Residential zoning	45' RPS applies (over 26ft)	80%	FAR: 0.5 lodging, office, retail, and personal service 0.75 for all other uses Stories:3	Commercial and business
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Land Use Comparison

A comparison table shows differences in permitted uses between the existing and proposed zoning districts.

LEGEND

Х	Use prohibited by deed restrictions
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
*	Consult the use regulations in Section 51A-4.200, 51A-4.213

Land Use	R-7.5(A) Existing	CR Existing	CS Proposed	DRs Proposed
COMMERCIAL AND BUSINESS SERVICE USES				.,
Building repair and maintenance shop		R	R	Χ
Bus or rail transit vehicle maintenance or storage facility			R	Х
Catering service		•	•	Х
Commercial bus station and terminal			D,S,★	Х
Commercial cleaning or laundry plant			R	Х
Custom business services		•	•	Х
Custom woodworking, furniture construction, or repair			•	Х
Electronics service center		•	•	Χ
Job or lithographic printing			R	Х
Labor hall			S	Х
Machine or welding shop			R	Х
Machinery, heavy equipment, or truck sales and services			R	Х
Medical or scientific laboratory		S	•	Х

Land Use	R-7.5(A) Existing	CR Existing	CS Proposed	DRs Proposed
Technical school		LAIGHING	•	Х
Tool or equipment rental		•	•	Х
Vehicle or engine repair or maintenance			R	Х
INDUSTRIAL USES				
Gas drilling and production	S	S	S	Х
Industrial (inside) for light manufacturing			•	Х
Temporary concrete or asphalt batching plant	S	S	S	Х
INSTITUTIONAL AND COMMUNITY SERVICE USES				
Adult day care facility	S	•	DIR	
Cemetery or mausoleum	S	S	S	Х
Child-care facility	S	•	•	
Church	•	•	•	
College, university, or seminary	S	•	•	Х
Community service center	S	S	S	
Convent or monastery	S	•	•	Х
Foster home	S			
Halfway house			S	Χ
Hospital		S	R	
Library, art gallery, or museum	S	•		
Open-enrollment charter school or private school	S	S	S	
Public school other than an open-enrollment charter school	S	R	R	
LODGING USES				
Extended stay hotel or motel			S	Х
Hotel or motel		S	R,S,★	Х
Lodging or boarding house		S	•	Х
Overnight general purpose shelter		*	*	Х
MISCELLANOUS USES				
Attached non-premise sign.		S	S	
Carnival or circus (temporary)	*	*	*	Х
Hazardous waste management facility				
Temporary construction or sales office	•	•	•	

Land Use	R-7.5(A) Existing	CR	CS	DRs
OFFICE USES	Existing	Existing	Proposed	Proposed
Alternative financial establishment		S	S	X
		0	0	
Financial institution without drive-in window		•	•	
Financial institution with drive-in window		D	R	
Medical clinic or ambulatory surgical center		•	•	
Office		•	•	
RECREATION USES				
Country club with private membership	S	•	•	Х
Private recreation center, club, or area	S	•	•	Х
Public park, playground, or golf course	•	•	•	
RESIDENTIAL USES				
College dormitory, fraternity, or sorority house		•	•	Х
Handicapped group dwelling unit	*			
Single family	•			
RETAIL AND PERSONAL SERVICE USES				
Alcoholic beverage establishments.		*	*	Х
Ambulance service		R	R	Х
Animal shelter or clinic without outside runs		R	R	
Animal shelter or clinic with outside runs			S,★	Х
Auto service center		R	R	Х
Business school		•	•	Х
Car wash		D	R	
Commercial amusement (inside)		S, ★	S, ★	Х
Commercial amusement (outside)		S	D	Х
Commercial motor vehicle parking			S	Х
Commercial parking lot or garage		R	R	Х
Convenience store with drive-through		S	S	
Drive-In theater			S	Х
Dry cleaning or laundry store		•	•	
Furniture store		•	•	Х
General merchandise or food store 3,500		•	•	
square feet or less				

Land Use	R-7.5(A) Existing	CR Existing	CS Proposed	DRs Proposed
General merchandise or food store greater than 3,500 square feet		•	•	
General merchandise or food store 100,000 square feet or more		S	S	Х
Home improvement center, lumber, brick or building materials sales yard		D	R	Х
Household equipment and appliance repair		•	•	
Liquefied natural gas fueling station			S	Х
Liquor store		•	•	Х
Mortuary, funeral home, or commercial wedding chapel		•	•	Х
Motor vehicle fueling station		•	•	
Nursery, garden shop, or plant sales		•	•	
Outside sales			S	Х
Paraphernalia shop		S	S	Х
Pawn shop		•	•	Х
Personal service use		•	•	
Restaurant without drive-in or drive-through service		R	R	
Restaurant with drive-in or drive-through service		D	D	
Swap or buy shop		S	S	Х
Taxidermist			•	Х
Temporary retail use		•	•	
Theater		•	•	Χ
Truck stop			S	Х
Vehicle display, sales, and service			R	Х
TRANSPORTATION USES				
Commercial bus station and terminal			D	Х
Heliport			S	Х
Helistop			S	Х
Private street or alley	S			
Railroad passenger station			S	
Transit passenger shelter	*	•	•	
Transit passenger station or transfer center	S	S, ★	S, ★	
UTILITY AND PUBLIC SERVICE USES				

Land Use	R-7.5(A) Existing	CR Existing	CS Proposed	DRs Proposed
Commercial radio or television transmitting station		•	•	Х
Electrical substation	S	•	•	
Local utilities	S,R,★	S,R,★	S,R,★	
Police or fire station	S	•	•	
Post office		•	•	
Radio, television, or microwave tower	S	S	R	Х
Tower/antenna for cellular communication	*	*	*	X
Utility or government installation other than listed	S	S	S	
WHOLESALE, DISTRIBUTION, AND				
STORAGE USES				
Auto auction			S	Х
Building mover's temporary storage yard			S	Х
Contractor's maintenance yard			R	Х
Freight terminal			R	Χ
Manufactured building sales lot			R	Х
Mini-warehouse		S	•	
Office showroom/warehouse			•	Х
Outside storage			R	Х
Petroleum product storage and wholesale			S	Х
Recycling buy-back center		*	*	Χ
Recycling collection center		*	*	Х
Recycling drop-off container	*	*	*	Х
Recycling drop-off for special occasion collection	*	*	*	
Sand, gravel, or earth sales and storage			S	
Trade center			•	Х
Vehicle storage lot			S	Х
Warehouse			R	Х

<u>Landscaping</u>: The site is undeveloped. Any future development of the property would necessitate compliance with Article X, as amended.

<u>Parking</u>: The applicant will be required to comply with minimum off-street parking ratios for all uses.

<u>Market Value Analysis:</u> <u>Market Value Analysis (MVA)</u>, 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 Reinvestment Fund prepared the analysis for the City of Dallas. Public officials and private actors can use the MVA to target intervention strategies more precisely 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 strengths or weaknesses. 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 and the surrounding areas are in an "H" MVA area.

APPLICANT'S VOLUNTEERED DEED RESTRICTIONS

The Owner does hereby impress all the Property with the following deed restrictions ("restrictions"), to wit:

- (1) The following uses are prohibited:
 - (A) Commercial and business service uses.
 - -- None permitted.
 - (B) Industrial uses.
 - -- None permitted.
 - (C) Institutional and community service uses.
 - -- College, university, or seminary.
 - -- Convent or monastery.
 - -- Halfway house.
 - (D) Lodging uses.
 - -- None permitted.
 - (E) Miscellaneous uses.
 - -- Carnival or circus (temporary).
 - (F) Office uses.
 - -- Alternative financial establishment.
 - (G) Recreation uses.
 - -- Country club with private membership.
 - -- Private recreation center, club or area.
 - (H) Residential uses.
 - -- College dormitory, fraternity, or sorority house.
 - (I) Retail and personal service uses.
 - -- Alcoholic beverage establishments.
 - -- Ambulance service.
 - -- Animal shelter or clinic with outside runs.

- Auto service center.
- -- Business school.
- -- Commercial amusement (inside).
- -- Commercial amusement (outside).
- -- Commercial motor vehicle parking.
- -- Commercial parking lot or garage.
- Drive-in theater.
- -- Furniture store.
- -- General merchandise or food store 100,000 square feet or more.
- -- Home improvement center, lumber, brick or building materials sales yard.
- -- Liquefied natural gas fueling station.
- -- Liquor store.
- -- Mortuary, funeral home, or commercial wedding chapel.
- -- Paraphernalia shop.
- -- Outside sales.
- -- Pawn shop.
- -- Swap or buy shop.
- -- Taxidermist.
- -- Theater.
- -- Truck stop.
- -- Vehicle display, sales, and service.

(J) Transportation uses.

- -- Commercial bus station and terminal.
- -- Heliport.
- -- Helistop.

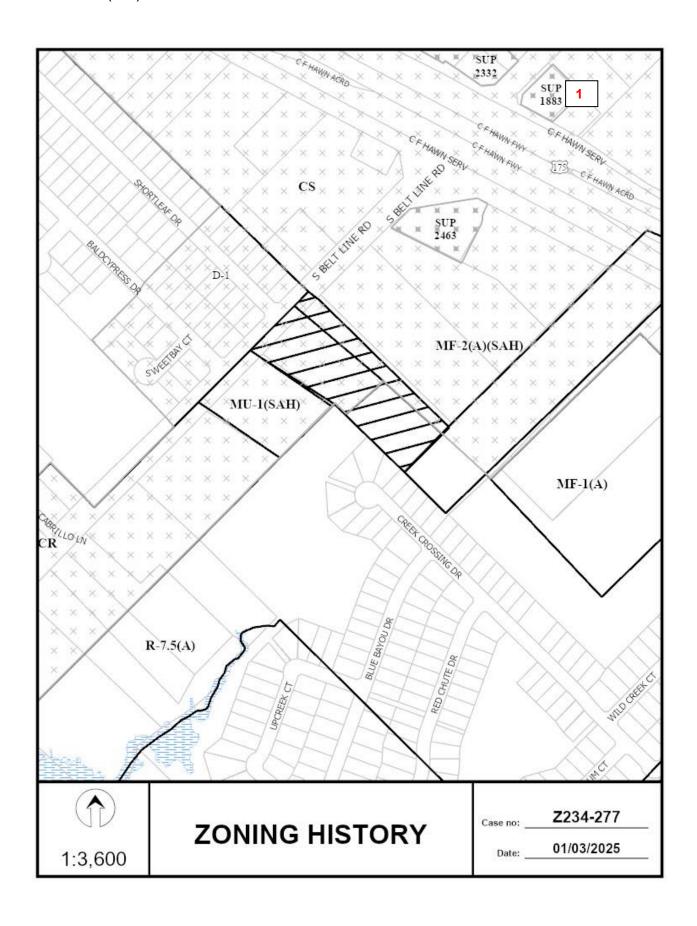
(K) Utility and public service uses.

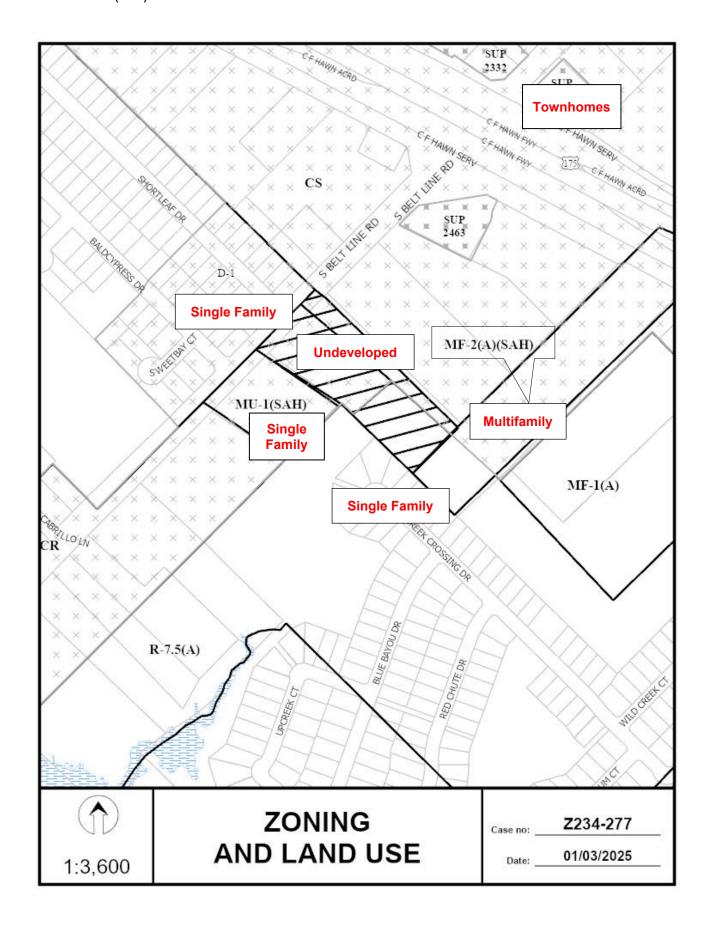
- -- Commercial radio or television transmitting station.
- -- Radio, television, or microwave tower.
- -- Tower/antenna for cellular communication.

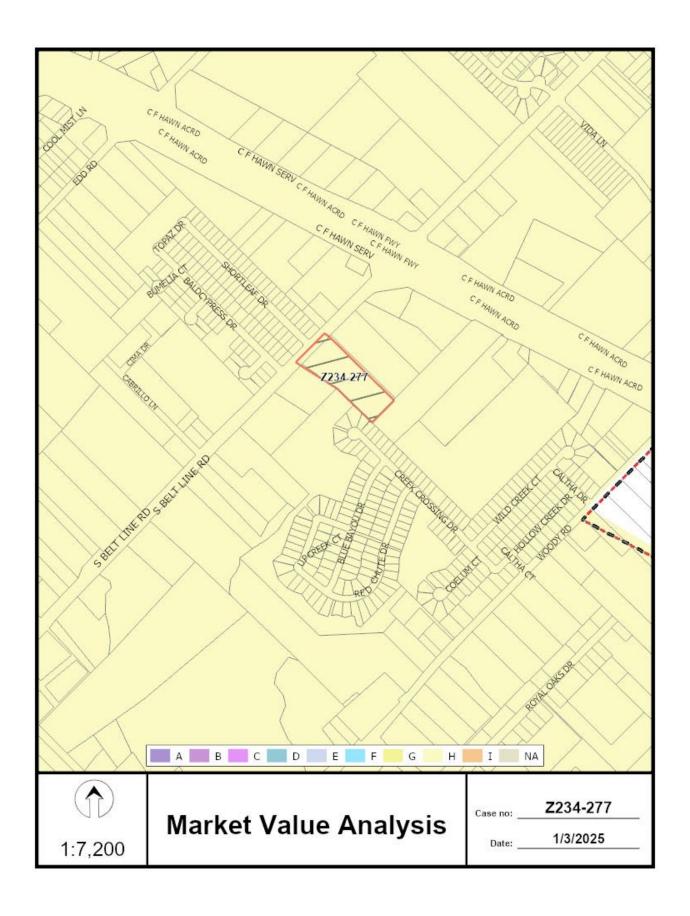
- (L) Wholesale, distribution, and storage uses.
 - -- Auto auction.
 - -- Building mover's temporary storage yard.
 - -- Contractor's maintenance yard.
 - -- Freight terminal.
 - -- Manufactured building sales lot.
 - -- Office showroom/warehouse.
 - -- Outside storage.
 - -- Petroleum product storage and wholesale.
 - -- Recycling buy-back center.
 - -- Recycling collection center.
 - -- Recycling drop-off container.
 - -- Trade center.
 - -- Vehicle storage lot.
 - -- Warehouse.

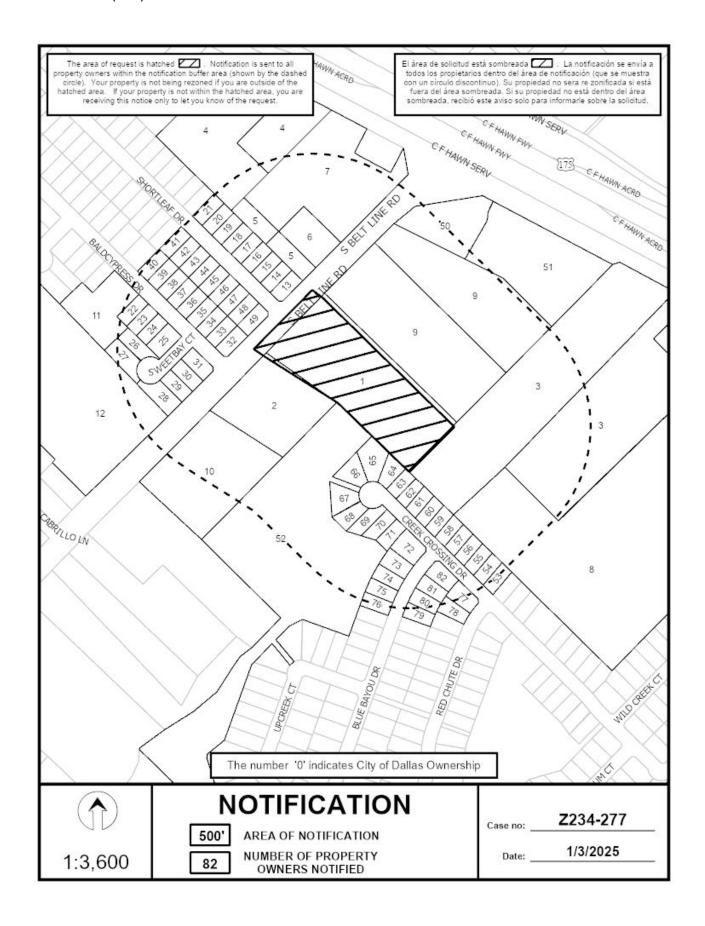












01/03/2025

Notification List of Property Owners

Z234-277

82 Property Owners Notified

Label #	Address		Owner
1	1900	S BELTLINE RD	MNCN DEVELOPMENT LLC
2	2038	S BELTLINE RD	SOTO JOSE OMAR & JUANA
3	13700	C F HAWN FWY	CW SEAGOVILLE OWNER LLC
4	13440	C F HAWN FWY	DJK INC
5	1937	S BELTLINE RD	County of Dallas
6	1931	S BELTLINE RD	T BUCKET LLC
7	13508	C F HAWN FWY	ALMO INVESTMENT II LTD
8	2010	WOODY RD	DELATORRE ALFONSO
9	1904	S BELTLINE RD	KWON YOONGHEE
10	2000	S BELTLINE RD	SOTO JOSE OMAR &
11	13557	SHORTLEAF DR	CMC SOUTH OAK LP
12	2201	S BELTLINE RD	CLICQUE BRIAN & VICKI
13	13557	SHORTLEAF DR	SAUCEDO JORGE
14	13553	SHORTLEAF DR	CLAYBON WILLIE J
15	13549	SHORTLEAF DR	ADAME LUIS AGUILAR & MARIA AGUILAR
16	13545	SHORTLEAF DR	RIVERA SAMUEL CEBALLOS &
17	13541	SHORTLEAF DR	CURTIS TINA S
18	13537	SHORTLEAF DR	MARISCAL LUIS A FLORES &
19	13533	SHORTLEAF DR	MATTHEWS GARY DAVID
20	13529	SHORTLEAF DR	COLEMAN KIMBERLY K
21	13525	SHORTLEAF DR	VILLARREAL MARTHA L
22	13532	BALDCYPRESS DR	PROGRESS RESIDENTIAL BORROWER 8 LLC
23	13536	BALDCYPRESS DR	ROSS SHERRY
24	13540	BALDCYPRESS DR	SCOTT ELISHA
25	13544	BALDCYPRESS DR	TOVAR EDGAR R
26	2013	SWEETBAY CT	TREJO ALFREDO P & ELIZABETH R

01/03/2025 Label #	Address		Owner
27	2017	SWEETBAY CT	DELGADO JESUS & MARIA M MACIAS
28	2016	SWEETBAY CT	GAINES MEREDITH &
29	2012	SWEETBAY CT	EVANS LISA
30	2008	SWEETBAY CT	CATO SHADAIAR &
31	2004	SWEETBAY CT	MORA CARLOS G ROMO
32	13559	BALDCYPRESS DR	SOTOTINAJERO JESUS RAMON &
33	13555	BALDCYPRESS DR	DIAZ JAVIER &
34	13551	BALDCYPRESS DR	RODRIGUEZ RAUL
35	13547	BALDCYPRESS DR	WHITAKER JOYCE A
36	13543	BALDCYPRESS DR	GIPSON GREGORY O
37	13539	BALDCYPRESS DR	SALAZAR ROBERT & RACHEL H
38	13535	BALDCYPRESS DR	GARZA CYNTHIA MARIA
39	13531	BALDCYPRESS DR	NUNO CARLOS GONZALEZ
40	13527	BALDCYPRESS DR	CISNEROS OSCAR S CALCANAS
41	13526	SHORTLEAF DR	GARCIA EDWARDO ESTEBAN
42	13530	SHORTLEAF DR	BROWN HARMON L &
43	13534	SHORTLEAF DR	VICK STEVEN D
44	13538	SHORTLEAF DR	RODRIGUEZ RANDY
45	13542	SHORTLEAF DR	CHONG MAL JU
46	13546	SHORTLEAF DR	WADE SHARON
47	13550	SHORTLEAF DR	TORRES SAUL ANTONIO MEJIA &
48	13554	SHORTLEAF DR	Taxpayer at
49	13558	SHORTLEAF DR	AGUILAR LETICIA
50	1920	S BELTLINE RD	ALMO INVESTMENTS LTD
51	13640	C F HAWN FWY	RIM INVESTMENTS LLC
52	100	CREEK CROSSING DR	HICKORY CREEK DALLAS HOA
53	13818	CREEK CROSSING DR	LUNA LUIS & MARIA
54	13814	CREEK CROSSING DR	BALDAZO OMAR &
55	13810	CREEK CROSSING DR	BRAY MELODY
56	13806	CREEK CROSSING DR	QUIROZ JOSE GUADALUPE CORPUS &
57	13802	CREEK CROSSING DR	FONSECA RAMONA

01/03/2025

Label #	Address		Owner
58	13734	CREEK CROSSING DR	HOLLIS SHANELLE
59	13730	CREEK CROSSING DR	HARRIS GILBERT EST OF
60	13726	CREEK CROSSING DR	WAITS JENNIFER
61	13722	CREEK CROSSING DR	HARRIS JENNIFER
62	13718	CREEK CROSSING DR	HENDERSON D AVALON
63	13714	CREEK CROSSING DR	Taxpayer at
64	13710	CREEK CROSSING DR	DAVIS HENRIETTA
65	13706	CREEK CROSSING DR	GONZALES RAMIRO
66	13702	CREEK CROSSING DR	LUNA HECTOR
67	13705	CREEK CROSSING DR	LEATH CASON
68	13709	CREEK CROSSING DR	Taxpayer at
69	13713	CREEK CROSSING DR	SEVEN POINTS BORROWER LLC
70	13717	CREEK CROSSING DR	MOHEDANO UZIEL
71	13721	CREEK CROSSING DR	VEGA MARTIN & MARIA
72	2103	BLUE BAYOU DR	GRAHAM KIMETRIA
73	2107	BLUE BAYOU DR	MEZA JOAQUIN & DIANA
74	2111	BLUE BAYOU DR	NOEL LAQUITA
75	2115	BLUE BAYOU DR	DOWDY BRENDA &
76	2119	BLUE BAYOU DR	LINCOLN CARLOS & JESSICA
77	2103	RED CHUTE DR	WILSON KAMILLIA L
78	2107	RED CHUTE DR	HILL JACQUELINE
79	2116	BLUE BAYOU DR	RICHEY REBECCA
80	2112	BLUE BAYOU DR	WASHINGTON EBONY
81	2108	BLUE BAYOU DR	MPIANA AHMAD & AMIL
82	2104	BLUE BAYOU DR	DURGIN JOVONTA



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 12

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a Specific Use Permit for a private recreation center, club, or area on property located in an NS(A) Neighborhood Service District, on the west line of Marsh Lane, south of Monet Place.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

Applicant: Jinting Chen

Representative: Lindsay Mayer, Dynamic Engineering Consultants, PC

Planner: Sarah May, AICP

Council District: 12 **Z245-109(SM)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Sarah May, AICP

FILE NUMBER: Z245-109(SM) DATE FILED: October 30, 2024

LOCATION: West line of Marsh Lane, south of Monet Place

COUNCIL DISTRICT: 12

SIZE OF REQUEST: 0.964 acres CENSUS TRACT: 48121021616

REPRESENTATIVE: Lindsay Mayer, Dynamic Engineering Consultants, PC

OWNER: Carrolton PKB, LLC

APPLICANT: Jinting Chen

REQUEST: An application for a Specific Use Permit for a private

recreation center, club, or area on property located in an

NS(A) Neighborhood Service District

SUMMARY: The applicant proposes to develop the property with an indoor

pickleball facility.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for

automatic renewals for additional ten-year periods,

subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently undeveloped.
- The lot has approximately 137 feet of frontage on Marsh Lane.
- The applicant proposes to develop this property with an indoor pickleball facility with seven pickleball courts and 36 surface off-street parking spaces with one driveway entrance on Marsh Lane.
- To accomplish this, the applicant requests a Specific Use Permit for a private recreation center, club, or area, which is required for this use in the NS(A) Neighborhood Service District.

Zoning History:

The area has not had any zoning cases within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Marsh Lane	Principal Arterial	100 feet

Traffic:

The Engineering Division of Planning & Development Department has no objections to the proposed specific use permit, with the understanding that the proposed development will be required to prepare a comprehensive engineering evaluation prior to permitting. Engineering staff will review the operations of the proposed private recreation center at 18615 Marsh Lane. The evaluation will include a traffic analysis, focusing specifically on traffic assignment and the anticipated number of vehicles making U-turns on Marsh Lane at Monet, sight distance assessments, and an evaluation of any potential impact on residential traffic at this intersection. The study will also assess parking needs for the proposed development, including the proposed supply and projected peak demand, based on observations of similar existing private recreation facilities. The report must document the anticipated maximum parking demand and formulate a mitigation plan to prevent any spillover, ensuring no adverse effects on residential streets. This evaluation will be integrated into other studies that are required through the platting and engineering review process, including paving, drainage, and utilities as well as transportation operations. Engineering studies are not required through the zoning review process; however, the applicant may choose to conduct these analyses voluntarily as part of any necessary community outreach.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! The City Council adopted Comprehensive Plan (2.0) in September 2024 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is within the City Residential (CU) Placetype, is considered a mix of private open space and complies with the following land use goals and policies of the Comprehensive Plan:

PRIMARY USE **FUTURE LAND USE MIX** SECONDARY USE Agricultural Lodging Public Open Space Commercial Office Private Open Space Single Family Detached Civic/Public Institutional O Single Family Attached Utility Multiplex Light Industrial • Apartments Heavy Industrial 0 Mixed-Use

Placetype Application

- A-1 In addition to existing City Residential areas, new areas considered for this placetype should be located near existing or proposed DART stations, TOD sites, or along key transportation and commercial corridors to provide additional residential density and to support a mix of commercial activities.
- A-4 Redevelopment in the suburban areas with this placetype should consider consolidating density in some areas of a larger site to provide opportunities for additional open space, a greater mix of uses to provide commercial uses closer to residents, and better connected internal and external circulation, both vehicular and pedestrian.

Placetype Adjacencies

- B-1 New buildings adjacent to existing residential areas should step down building heights and create variations in wall planes to soften the transition between different development types.
- B-3 Multifamily and mixed-use redevelopment should be accomplished in a manner that transitions appropriately to adjoining neighborhoods.
- B-4 The Industrial Hub Placetype should not be adjacent to this placetype

Land Use:

	Zoning	Land Use
Site	NS(A) Neighborhood Service	Undeveloped
North	D(A) Duplex	Duplex
East	CR Community Retail with DR Z001- 248	Church
South	NS(A) and CR with DR and SUP 2205	Restaurant, bakery, and gas station Animal shelter or clinic with outside runs
West	MF-1(A) with DR Z801-123	Multifamily

Land Use Compatibility:

The above table describes the zoning and land uses of the area of request and the surrounding land uses.

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

The proposal includes various SUP conditions that comply with the above general provisions for an SUP, including:

- Compliance with the proposed site plan.
- A five-year initial approval period, after which a renewal application must be submitted to staff approximately three to six months before expiration. Then, a staff person would perform a site visit and research to ensure the site complies with the adopted conditions and plans. If the site is found to be compliant, the City would mail notices to property owners within 200 feet of the site. If the owners of 20 percent or more of the land within 200 feet of the area governed by the SUP file a written protest against the automatic renewal in accordance with this paragraph, the director shall forward the application to the city plan commission and city

council for further action. Otherwise, the SUP will be renewed for another ten years.

- A maximum floor area of 16,025 (the 41,992-square-foot lot is limited to 0.5 FAR, which would allow up to 20,996 square feet of floor area),
- A lighting condition to address spillover lighting.
- Most importantly, a condition to prohibit outdoor recreational activities.

Because the request is limited to indoor recreational uses, has the above SUP conditions, and complies with residential adjacency buffer and screening requirements, staff supports the proposed request. Further, recreational uses benefit the health and welfare of the surrounding community, and the proposed conditions enhance compatibility with the surrounding land uses.

Landscaping: Landscaping and tree preservation are required in accordance with Article X, as amended. A residential adjacency landscape buffer must be provided to the north and west. The Chief Arborist has reviewed the site plan and believes the proposed plan can comply the requirements of Article X at permitting.

<u>Parking</u>: Pursuant to the Dallas Development Code, the minimum off-street parking requirement for a private recreational center, club, or area use may be established by an SUP; otherwise, it is three spaces per game court and one space for each additional 150 square feet of floor area. The applicant proposes to construct seven pickleball courts, which occupy 14,300 SF of the 16,025 SF structure. Those seven pickleball courts require 21 off-street parking spaces and the areas outside the game courts (1,725 SF) require another 11.5 spaces. The applicant proposes to construct 36 spaces which would exceed the minimum off-street parking requirements (33 spaces) by three spaces.

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

List of Officers

November 14, 2024

Dallas City Hall 1500 Marilla St. Room 5BN Dallas, Texas, 75201

Attn: City Planning Division of Sustainable Development and Construction Dept.

RE: List of Partners, Principals, and Officers

18615 Marsh Lane

Block S/8751 - Lot 4 Timberglen Village

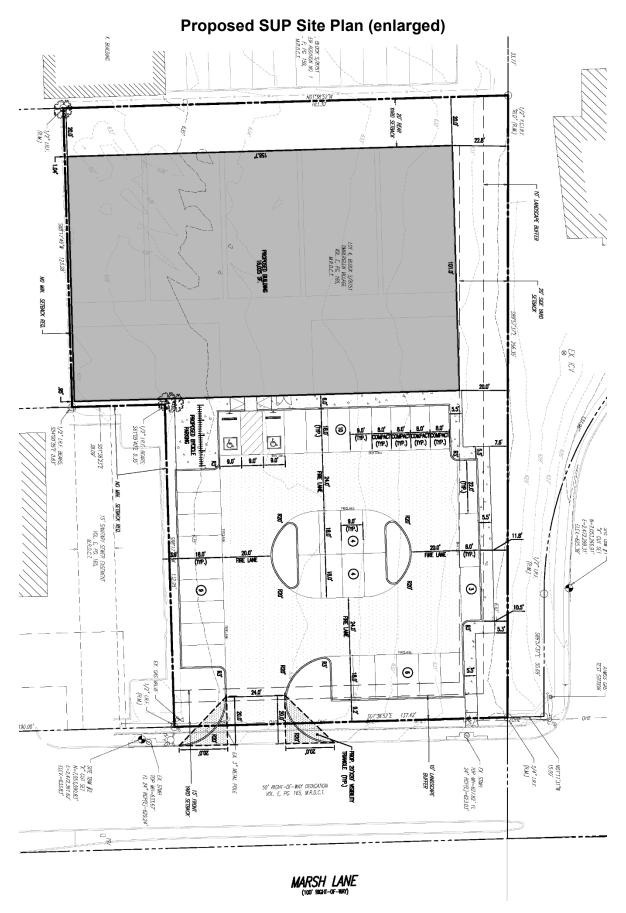
City of Dallas, TX

To Whom It May Concern.

The list of partners, principals, and officers of Carrollton PKB LLC are as follows:

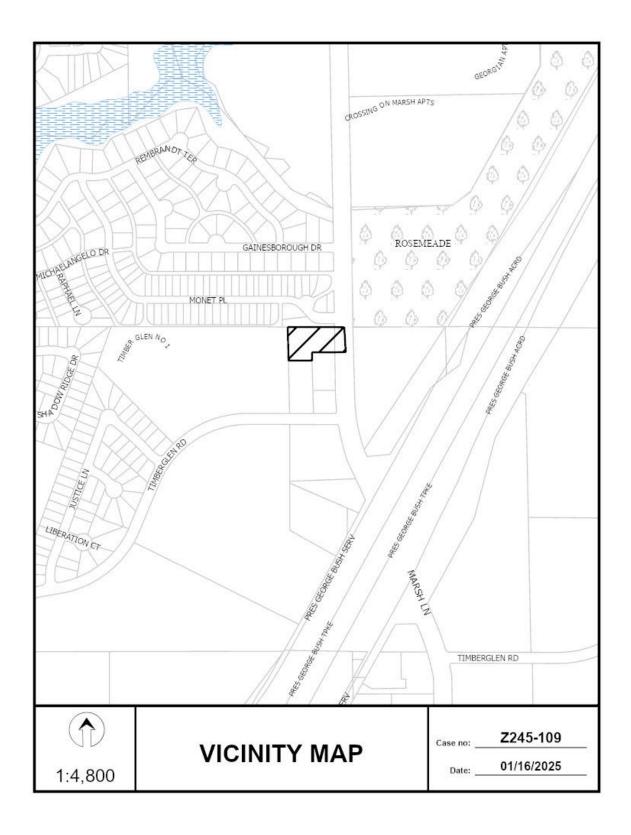
- · Jinting Chen
- Zhen Lin
- Jie Melchiors
- Yang Tan
- Xingzhe Li
- Yuhong Fu

11/14/2024

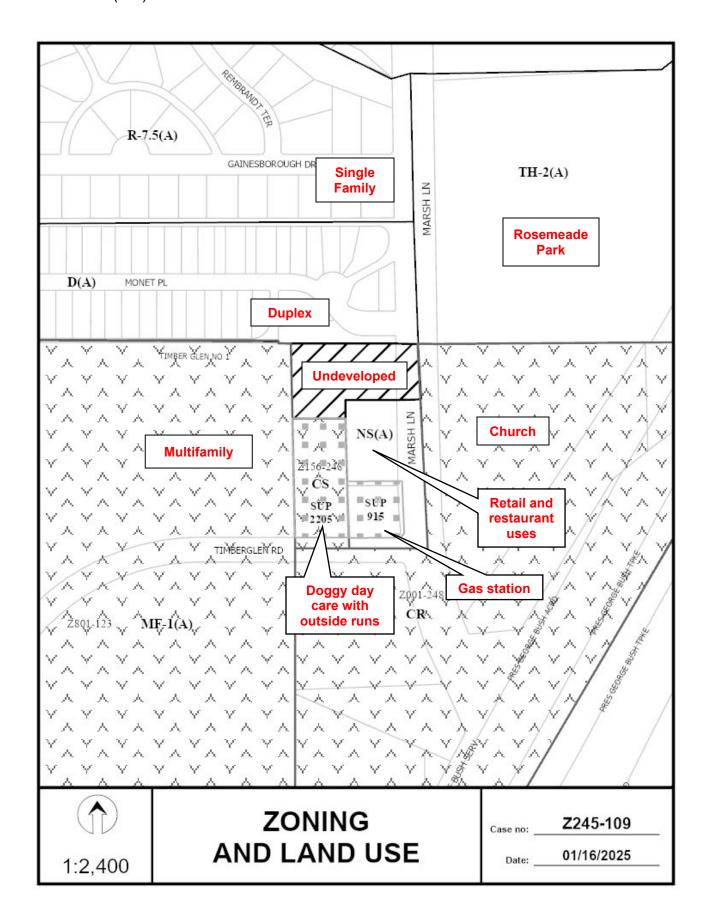


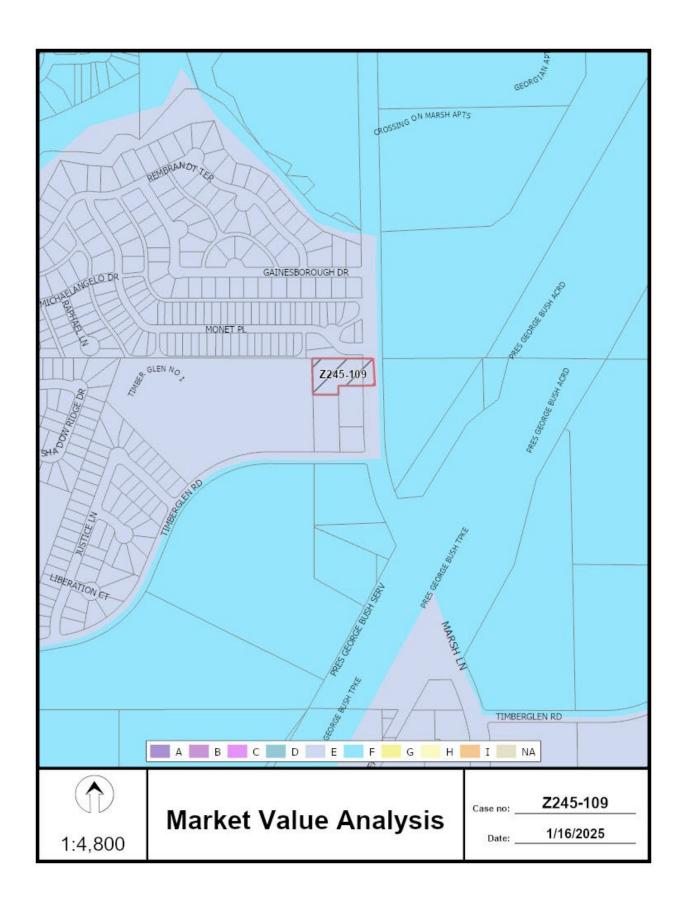
Proposed SUP Conditions

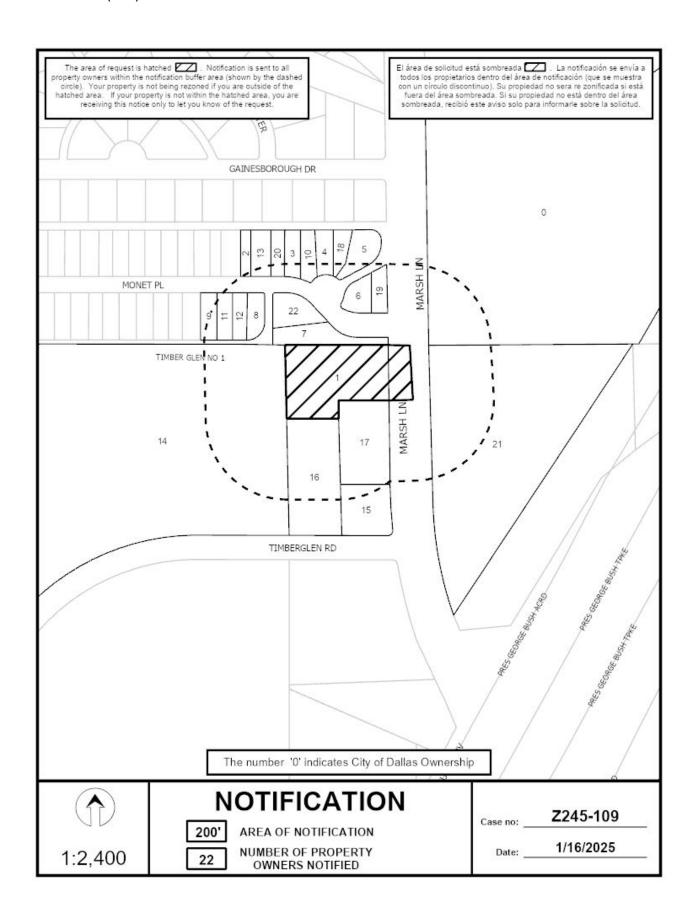
- 1. <u>Use:</u> The only use authorized by this specific use permit is a private recreation center, club or area.
- 2. Site Plan: Use and development of the Property must comply with the attached site plan.
- 3. <u>Time Limit:</u> This specific use permit expires on [five years after the date of this ordinance], but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
- **4. Floor area:** The maximum floor area is 16,025 square feet.
- **5.** <u>Lighting</u>: Exterior lighting must be full cut-off fixtures. The term "full cut-off fixture" means a light fixture that does not emit light above the fixture's horizontal angle. Full cut-off fixtures direct light down to the ground.
- **6. Outdoor activities**: Outdoor recreational activities are prohibited.
- 7. <u>Screening</u>: Any parking areas that face adjacent residential uses must be screened with a minimum six-foot-high solid screening fence.
- **8.** <u>Maintenance</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- **9.** <u>General Requirements</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.











01/16/2025

Notification List of Property Owners Z245-109

22 Property Owners Notified

Label #	Address		Owner
1		MARSH LN	SSRK INVESTMENTS LLC
2	2835	MONET PL	WAMLSEY, MEGAN K TRUST
3	2903	MONET PL	LONE STAR 2903 LLC
4	2907	MONET PL	RAPPOLD, MATTHEW & ANTIGONE
5	2911	MONET PL	SALAZAR, RICARDO & IBARRA DE SALAZAR, DULCE
6	2915	MONET PL	BRUMBAUGH, CAROL S
7	2906	MONET PL	WILLIAMS, JOPPA CHAN Y
8	2838	MONET PL	INSINGA, JAMES J
9	2832	MONET PL	STRAUSS, AMY C
10	2905	MONET PL	HERNANDEZ, ALICIA N
11	2834	MONET PL	JASPER, LINDA D
12	2836	MONET PL	REMICK, JUANITA B
13	2837	MONET PL	JIMENEZ, EVER
14	3565	TIMBERGLEN RD	SWV TIMBERS MUSK LLC
15	18611	MARSH LN	BIG B INVESTMENT, LLC
16	3585	TIMBERGLEN RD	PETZ MANIA, LLC
17	18613	MARSH LN	AAHAN HOLDINGS LLC
18	2909	MONET PL	SINGLETON, MALISSA L
19	2917	MONET PL	RISHER, TROY M
20	2901	MONET PL	BROWN, VANESSA C
21	18610	MARSH LN	NORTH DALLAS UNITED PENTECOSTAL CHURCH
22	2904	MONET PL	BYERLY, SANDRA KAY



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 11

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a Planned Development District for MU-2 Mixed Use District uses on property zoned a CR Community Retail District, on the southeast corner of Preston Road and Belt Line Road. Staff Recommendation: **Approval**, subject to a conceptual plan, a development plan, and staff's recommended conditions.

Representative: Masterplan, Lee Kleinman and Andrew Ruegg

Planner: Jennifer Muñoz

U/A From: December 5, 2024 and January 23, 2025.

Council District: 11 **Z212-358(JM)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Jennifer Munoz

FILE NUMBER: Z212-358(JM) DATE FILED: September 30, 2022

LOCATION: Southeast corner of Preston Road and Belt Line Road.

COUNCIL DISTRICT: 11

SIZE OF REQUEST: +/- 15.514 acres **CENSUS TRACT:** 48113013606

REPRESENTATIVE: Masterplan, Lee Kleinman and Andrew Ruegg

OWNER: New Pepper Square S/C Owners, LTD

REQUEST: An application for a Planned Development District for MU-2

Mixed Use District uses on property zoned a CR Community

Retail District.

SUMMARY: The purpose of the request is to allow additional land uses

and modified development standards primarily related to density, height, structured parking, landscaping, open space, and sidewalks. Mixed-income housing is proposed as an option for development with additional public benefits and

development bonuses.

STAFF RECOMMENDATION: <u>Approval</u>, subject to a conceptual plan, a development

plan, and staff's recommended conditions.

PRIOR CPC ACTION: On August 8, 2024, the City Plan Commission recommended approval of the requests, subject to revised conditions. However, on November 13, 2024, City Council remanded the case to City Plan Commission for consideration of compliance with Dallas City Code, Section 1.106, posting of signs. On December 5, 2024, the City Plan Commission held the case under advisement to ensure proper posting of signs. On January 23, 2025, the case was held under advisement. A re-notice was sent to all property owners in the notification area and a re-notice news ad was placed. There have been no updates provided by the applicant; no changes to the materials or analysis of this case.

BACKGROUND INFORMATION:

- The site contains a shopping center with approximately 198,000 square feet of lease area in 11, one-and-two-story buildings, built between 1977 and 2001, per Dallas Central Appraisal District records. The auto-oriented development contains a large supply of surface parking. The property is zoned a CR Community Retail District which does not allow residential uses.
- The applicant proposes a new planned development district that will generally default to the MU-2 zoning district with modified standards to enable higher density, greater height, specified setbacks, and lot coverage.
- Public benefits include tailored design standards, enhanced open space, upgraded sidewalks, additional landscaping, transit shelters, and a trail connection to White Rock Trail. In addition, mixed-income housing is to be provided to further increase the proposed density, all within the bounds of the MU-2 district standards. Certain land uses are proposed to be prohibited to support the vision for the shopping center turned mixed-use development.
- Per the stated vision, the applicant is intending to breathe new life into Pepper Square, transforming it a vibrant mixed-use, mixed-income development with pedestrian-friendly elements and impactful open space strategically dispersed throughout the site resulting in pedestrian connectivity both internally to the site and externally to the surrounding area. This development is intended to provide a desirable live, work, play environment which will enhance the vitality of the surrounding area for the future.
- On August 8, 2024, the City Plan Commission recommended approval of the requests, subject to revised conditions. The changes include: (1) adding an SUP requirement for two separate uses including a financial institution with drive-in window and a restaurant with drive-in or drive-through service, (2) accepting the reduced density requested by the applicant of 48.5 dwelling units per acre, (3) accepting the density bonuses proposed by the applicant including an increase of 7.5 dwelling units per acre for each of the two bonus options, (4) accepting the proposed requirement to provide 116 retirement housing units in lieu of additional mixed-income housing to reach the second density bonus of 7.5 additional dwelling units per acre, (5) reducing the base permitted height from 165 feet to 125 feet while adding a bonus to reach 165-feet-in-height when the first mixed-income housing requirement is met. (6) accepting two rows of surface parking at the street frontage along Preston Road, (7) requiring a minimum of six pedestrian facilities for each open space area with amendments to the list of qualifying items, (8) modifying the staff recommendation for development bonus options requiring from five to 10 percent MIH at specified AMFIs while removing the third option to increase up to 15 percent, and (9) requiring participation in infrastructure improvements.

- On November 13, 2024, City Council remanded the case to City Plan Commission for consideration of compliance with Dallas City Code, Section 1.106, posting of signs. On December 5, 2024, the City Plan Commission held the case under advisement to ensure proper posting of signs. The applicant has emailed photos of the signs posted each day since. On January 23, the case was held under advisement. A re-notice was sent to all property owners in the notification area and a re-notice news ad was placed.
- No changes to the request or staff report are proposed.

Zoning History:

There have been two zoning cases in the area in the past five years:

- **1. Z201-221:** On October 26, 2022, the City Council approved an application for the creation of PD No. 1094 for MU-2 Mixed Use District uses and standards on property zoned a MF-1(A) Multifamily District, on the west line of Preston Road, south of Arapaho Road.
- **2. Z190-250:** On October 26, 2022, the City Council approved an application for the creation of PD No. 1093 for MU-2 Mixed Use District uses and standards on property zoned a MF-1(A) Multifamily District, on the west line of Preston Road, north of Belt Line Road.

Thoroughfares/Streets:

Thoroughfares/Street	Туре	Existing ROW	Proposed ROW
Preston Road	Principal Arterial	100 feet	100 feet Bike Plan
Belt Line Road	Principal Arterial	100 feet	100 feet

Traffic:

The applicant submitted a Traffic Impact Analysis and subsequent revisions to address staff comments, the last being on March 21, 2024. The TIA considered the impact at buildout of the two recent PDs to the northwest stated in the case history of this report. The TIA provides information on the existing entitlements of the site compared to the proposed development. The following is in excerpt from the TIA:

Based on the analysis presented in this report, the proposed Pepper Square Redevelopment can be successfully incorporated into the surrounding roadway network. The proposed site driveways provide the appropriate level of access for the development.

Improvements recommended in the report (page7, volume 1) include:

- Signalize the intersection of Berry Trail and Belt Line Road.
- Construct the westbound approach of the Belt Line Village Driveway to Preston Road as a two-lane approach.
- Construct a right-turn deceleration lane for the northbound right-turning movement from Preston Road to the Belt Line Village Driveway.
- Construct a right-turn deceleration lane for the northbound right-turning movement from Preston Road to the Pepper Square Driveway.

The Transportation Development Services Division of the Planning and Development Department, in coordination with the Transportation Department, has reviewed the request and recommends the TIA include a threshold or maximum development based on road capacity. Additionally, a parking demand study is requested for the project, which the applicant declined to provide. A parking study will be required at time of permitting.

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 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.2.2 Establish clear and objective standards for land use planning 1.2.2.2 Incorporate findings that demonstrate consistency with the Policy Plan's goals and policies into land use planning decisions. Findings should guide private development toward zoning that:

- Maintains a healthy balance of jobs and households;
- Protects and stabilizes existing neighborhoods;
- Establishes healthy neighborhoods;
- Emphasizes mixed-use development, especially around transit stations;
- Maintains an adequate transportation and circulation system;
- Provides land use consistent with the established growth targets;

- Protects existing industrial and employment centers;
- Promotes appropriate growth in the Trinity River Corridor and protects the public investment there; and
- Enables development consistent with Vision Building Blocks.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS Policy 1.3.1 Create housing opportunities throughout Dallas.

1.3.1.1 Encourage creation of diverse housing types by establishing ways to foster such development and find ways to foster homeownership.

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT

Policy 1.4.2 Develop a multi-modal transportation network.

Policy 1.4.3 Embrace environmental sustainability.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

Policy 4.2.3 Promote efficient, cost-effective and environmentally friendly movement of vehicles.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY **Policy 5.1.1** Promote pedestrian friendly streetscapes.

- **Policy 5.1.2** Define urban character in downtown and urban cores.
- **Policy 5.1.3** Encourage complementary building height, scale, design, and character.
- **Policy 5.1.4** Enhance visual enjoyment of public space.

- GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY Policy 5.2.1 Maintain neighborhood scale and character.
 - **Policy 5.2.2** Promote the character of the city's significant districts, linkages, and areas.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

- **Policy 5.3.1** Encourage a balance of land uses within walking distance of each other.
 - 5.3.1.1 Amend the Dallas zoning regulations to establish mixed-use, pedestrian-friendly zoning districts. These zoning districts should provide for a range of densities and intensities to suit a variety of urban contexts.
 - 5.3.1.2 Encourage mixed-use zoning districts and developments particularly in the Walkable Mixed-Use Building Blocks, yet ensure sensitivity to existing, surrounding vulnerable land uses.
 - 5.3.1.3 Enact mixed-use zoning districts after consideration and study of Area Plans that identify specific opportunities and needs.
- **Policy 5.3.3** Encourage transit-oriented developments and transit centers.
 - 5.3.3.2 Amend the Dallas zoning and plat regulations to establish development standards to ensure a quality-built environment contributes positively to the pedestrian environment. Include appropriate setbacks, heights, and other building standards for a range of scale and densities.

Neighborhood Plus Plan

GOAL 4 ATTRACT AND RETAIN THE MIDDLE CLASS

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

GOAL 6 ENHANCE RENTAL HOUSING OPTIONS

Policy 6.1 Raise the quality of rental property through better design standards, proactive and systematic code enforcement, and zero tolerance towards chronic offenders.

Policy 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

Comprehensive Environmental and Climate Action Plan (CECAP)

- GOAL 3 DALLAS' COMMUNITIES HAVE ACCESS TO CARBON-FREE, AFFORDABLE, TRANSPORTATION OPTIONS.
 - **T10** Adopt a target corridor, district, or city-wide mode split goals to help reinforce policies aimed at reducing single-occupancy vehicle use.
 - **T14** Adopt a revised parking ordinance strategy that supports new mode split goals and land use strategy that minimizes available parking in transit-oriented districts.
 - **T15** Implement green infrastructure programs that sets specific design and performance standards that treat the Right of way (ROW) as both a mobility and green infrastructure asset.

The proposed conditions which include reduced minimum parking requirements and ROW design standards support the low carbon, district parking, and mode split goals of CECAP.

There is no City-adopted Area Plan that includes this area of the city.

STAFF ANALYSIS

Surrounding Land Uses:

	Zoning	Land Use
Site	CR Community Retail District, SUP No. 1087	Retail and personal service uses and radio, television or microwave tower use
Northeast	LO-1 Limited Office District w/DR Z823-234 and MF-2(A) Multifamily District	Office, financial institution w/drive-in window, and multifamily
Southeast	MF-2(A) Multifamily District	Multifamily
South	CR Community Retail District w/DR Z923-198, SUP Nos. 1109 and 1259, and MF-2(A) Multifamily District	Restaurant, car wash, retail, undeveloped, mini- warehouse, radio, television or microwave tower use, and multifamily
West	PD No. 272 for SC Shopping Center District	Restaurant, general merchandise or food store, and personal service

Land Use Compatibility:

The site contains a shopping center which has grown and served the area for over 45 years. The property has 11 buildings with approximately 198,000 square feet of lease area. However, the auto-oriented development contains a large supply of surface parking to accommodate the lack of residential uses on-site due to the lack of walkability to serve surrounding neighborhoods. The property is zoned a CR Community Retail District which does not permit residential uses.

Surrounding areas exhibit a multitude of zoning districts with uses specifically relating to office, multifamily, and retail and personal service uses. There are also SUPs for two cell towers (one on-site) and one mini-warehouse, located to the south.

Along Belt Line Road to the northeast are LO-1 Limited Office and MF-2(A) Multifamily which contain office, financial institution with drive-in window, and multifamily uses. Properties to the southeast are MF-2(A) and contain multifamily uses. A portion of the southern boundary, north of Alexis Drive, was originally a part of this application; however, it was removed. That section is zoned CR, MF-2(A), and two SUPs. The uses include restaurants, car wash, retail, undeveloped, multifamily, and the aforementioned miniwarehouse and cell towers. Across Preston Road to the west is PD No. 272 for SC Shopping Center uses. This area contains restaurant, general merchandise or food store, and personal service uses.

At the northwest intersection of Preston and Belt Line Roads are two new PDs (1093 and 1094) which are being developed with mixed-use, mixed-income, pedestrian-centric and enhanced design standards.

The applicant is proposing to create a new planned development district that will generally default to the MU-2 zoning district with modified standards to enable higher density, greater height, specified setbacks, and lot coverage. Several public benefits proposed will balance the request for greater density and the addition of the residential component, making the site a livable and enjoyable space, rather than a regional shopping destination solely dependent on auto access.

Staff supports the transition to a mixed-use development with added mixed-income housing and improved design features including alternative access methods to better utilize the site.

Land Use Comparison:

The following is a comparison of the existing zoning district and the proposed PD land uses.

X indicates permitted by right.

SUP indicates permitted with a Specific Use Permit.

RAR indicates permitted, but subject to Residential Adjacency Review.

DIR indicates permitted, but subject to Development Impact Review.

Check Use indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.

By CBO Authorization indicates that the use may be allowed with permission from the Chief Building Official.

CC indicates by City Council resolution.

Highlighted selections indicate a change from the existing CR District with the request for a PD.

Red and strikethrough text are prohibited uses per the PD conditions.

Blue highlight indicates CPC recommended change.

	<u>Existing</u>	Proposed
Comparison Districts $\rightarrow \rightarrow \rightarrow$	CR	MU-2
Crop production.	Х	Х
Building repair and maintenance shop.	RAR	
Catering Service.	Х	Х
Custom business services.	X	X
Electronics service center.	Х	Х
Labor hall.		SUP
Medical or scientific laboratory.	SUP	Х
Tool or equipment rental.	Х	Х
Gas drilling and production.	SUP	SUP
Temporary concrete or asphalt batching plant.	SUP	SUP
Adult day care facility.	X	X
Cemetery or mausoleum.	SUP	SUP
Child-care facility.	X	X
Church.	X	X
College, university, or seminary.	X	X
Community service center.	SUP	SUP
Convalescent and nursing homes, hospice care, and		RAR
related institutions.		
Convent or monastery.	X	X
Foster home.		X
Halfway house.		SUP
Hospital.	SUP	SUP
Library, art gallery, or museum.	X	X

	Existing	Proposed
Comparison Districts $\rightarrow \rightarrow \rightarrow$	CR	MU-2
Open-enrollment charter school or private school.	SUP	SUP
Public school other than an open-enrollment charter	RAR	RAR
school.		
Extended stay hotel or motel.		SUP
Hotel and motel.	SUP	RAR
Lodging or boarding house.	SUP	
Overnight general purpose shelter.	Check Use	SUP
Attached non-premise sign.	SUP	SUP
Carnival or circus (temporary).	СВО	СВО
Temporary construction or sales office.	X	X
Alternative financial establishment.	SUP	SUP
Financial institution without drive-in window.	X	X
Financial institution with drive-in window.	DIR	DIR SUP
Medical clinic or ambulatory surgical center.	X	X
Office.	X	X
Country club with private membership.	X	X
Private recreation center, club, or area.	Х	Х
Public park, playground, or golf course.	Х	Х
College dormitory, fraternity, or sorority house.	X	Х
Duplex.		Х
Group residential facility.		Check Use
Multifamily.		Х
Residential hotel.		Х
Retirement housing.		Х
Alcoholic beverage establishments.	Check Use	Check Use
Ambulance service.	RAR	
Animal shelter or clinic without outside runs.	RAR	RAR
Auto service center.	RAR	RAR
Business school.	Х	Х
Car wash.	DIR	RAR
Commercial amusement (inside).	Check Use (SUP)	Check Use (SUP)
Commercial amusement (outside).	SUP	SUP
Commercial parking lot or garage.	RAR	RAR
Convenience store with drive-through.	SUP	SUP
Dry cleaning or laundry store.	X	X

Comparison Districts→→→→→→→→→→→ CR MU-2 Furniture store. X X General merchandise or food store 3,500 square feet or less. X X General merchandise or food store greater than 3,500 square feet. X X General merchandise or food store 100,000 square feet or more. SUP SUP Home improvement center, lumber, brick or building materials sales yard. DIR DIR Household equipment and appliance repair. X X X Liquor store. X X X Mortuary, funeral home, or commercial wedding chapel. X X X Motor vehicle fueling station. X X X Nursery, garden shop, or plant sales. X X X Paraphernalia shop. SUP SUP SUP Pawn shop. X X X Restaurant with drive-in or drive-through service. RAR RAR Restaurant with drive-in or drive-through service. DIR DIR DIR DIR DIR DIR SUP SUP SUP S		<u>Existing</u>	Proposed
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Recycling drop-off container. Check Use Check Use	Recycling drop-off container.	Check Use	Check Use

	<u>Existing</u>	<u>Proposed</u>
Comparison Districts $\rightarrow \rightarrow \rightarrow$	CR	MU-2
Recycling drop-off container for special occasion collection.	Check Use	Check Use
Accessory helistop.	SUP	SUP
Accessory medical/infectious waste incinerator.	SUP	SUP

The requested PD with MU-2 base would most notably allow the addition of residential land uses. Considering the location along a major intersection of two major thoroughfares and the need for housing city-wide, the introduction of residential units would enhance housing options while expanding access to neighborhood-serving retail and personal service uses. This is directly tied to the vision proposed by the applicant to "breathe new life into a new Pepper Square, transforming it into a vibrant, sustainable, and inclusive mixed-use community." Staff supports the MU-2 base category for permitted land uses on the site.

Development Standards:

The following table is a comparison between the development standards of the existing zoning district and the proposed PD. The standards for base MU-2 and MIHDB are added for information purposes only.

REGULATION	EXISTING CR Community Retail	PROPOSED PD for MU-2 with MIHDB	Base MU-2 and with MIHDB for Category B
Front Yard Setback	15'	Preston Road 50' Belt Line Road 25' Urban form setback applies to Phase I only. 9' encroachments permitted	15' <u>Urban form setback</u> . An additional 20- foot front yard setback is required for that portion of a structure above 45 feet in height. MIHDB: 5' encroachments permitted in yards.
Side and Rear Yard Setback	0'/0' 20'/20' w/residential adjacency	No min No tower spacing. 9' encroachments permitted	20' adj to res Other: No min Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet. Max of 30-foot setback. MIHDB: 5' encroachments permitted in yards.
Height and Stories	54'	Phase 1 and Phase N: 75' and 5 stories Phase P: 165' and 12 stories Open Space A and Open Space B: 36' 12' projections	Depending on mix of uses: 135' to 180' 10 to 14 Stories 12' projections for buildings up to 36' in height
RPS	Yes	YES	Yes
Lot Coverage	60%	80%	80%

Intentionally left blank.

REGULATION	EXISTING CR Community Retail	PROPOSED PD for MU-2 with MIHDB	Base MU-2 and with MIHDB for Category B
Dwelling Unit Density and/or FAR	No max DUD (no residential uses permitted).	CPC Recommendation: 48.5 DUD MIHDB 5% at 51-60 and 5% at 61-80. Bonus: 7.5 DU per acre. And/or provide 116 retirement housing units to reach 56 DU per acre. Staff Recommendation: 75 DUD MIHDB 5% at 51-60 and 5% at 61-80. Bonus: 12.5 DU per acre. MIHDB 5% at 51-60 and 5% at 61-80 and 5% at 81- 100. Bonus: 25 DU per acre. Applicant's Request: 48.5 DUD MIHDB 5% at 81-100. Bonus: 7.5 DU per acre. And/or provide 116 retirement housing units to reach 56 DU per acre.	Depending on mix of uses: DUD is 50, 75, or 100 per acre MIHDB is from 40 to 80 additional DU/acre based on the percentage of MIH offered at certain income bands. 3% at 50 or less AMFI: 80 DUD 5% at 51-80: 60 DUD; or 10% at 81-100: 40 DUD
FAR Floor Area Ratio	FAR is: 0.5 office 0.75 for all uses combined.	2.5 FAR—no mix of uses however, requires min 35,000 sqft. and 50% ground floor space fronting Open Space A and Open Space B to be retail/personal service uses. 2.85 FAR with MIH at the three different bonuses in 51Pxxxx-118(a)(1).	FAR is between 1.6 and 2.25 depending on the mix of uses the FAR increases. *FAR does not include residential floor area.

The major increases in development rights are for all standards that enable use of the residential component. Overall, the true ask is for height. The dwelling unit density requested is in-line with the MU-2 base, with a mix of uses. As proposed, the benefit will be the additional mixed-income housing to reach the full potential of the MU-2 base DUD max of 100 DU per acre.

If the site is developed without any bonuses, the proposed PD will mainly default to MU-2 development standards, but with enhanced front yards along Preston Road and Belt Line Road. The height is included in the PD, not as a bonus, as the proposed heights are less than the base height of MU-2. This will allow for better utilization of the site, less surface parking and greater floor area and housing units overall. Meanwhile, the lot coverage is not being amended, allowing for the planned green spaces and pedestrian connectivity through the site for residents and patrons of the site, plus those passing through using the trail connection to the south.

The applicant is requesting that Residential Proximity Slope (RPS) apply to the site from residential districts to the east. RPS is generated by the MF-2(A) district to the east, across Belt Line Road, the R-10(A) to the east, beyond the multifamily zoning and into the single-family neighborhood on Berry Trail. Per the Dallas Development Code, the residential proximity slope is a plane projected upward and outward from every site of origination. The angle and extent of projection of the residential proximity slope depends on the zoning category of the site of origination as follows:

ZONING CATEGORY	ANGLE OF PROJECTION	EXTENT
R, R(A) , D, D(A), TH, and TH(A)	18.4° (1 to 3 slope)	Infinite.
CH, MF-1, MF-1(A), MF-2, and MF-2(A)	45° (1 to 1 slope)	Terminates at a horizontal distance of 50 feet from the site of origination.

However, RPS does not affect the closest site of origination which is the MF-2(A) development with rears along the Belt Line frontage. This is due to the termination distance of 50 feet. Furthermore, the R-10(A) origination site measured from district boundary to the property boundary of the subject site is over 500 feet away, measured directly down Berry Trail. The applicant proposes a 25-foot setback, plus the 500-foot distance to the single-family site of origination (district boundary), making the 3:1 ratio starting height at the setback line proposed, 175 feet—which is beyond the request height.

Mixed-Income Housing:

The proposed PD conditions include development bonuses in exchange for mixed-income housing. A comparison table between the request and the base MU-2 with MIHDB is as follows:

MVA	Proposed: PD	Per Code: MU-2 w/MIHDB
A, B, C	DU/ac	DU/ac=50, 75, 100 with mix of uses (range)
5% at 51-60 AMFI	None provided	+80/Ac (130-180/Ac)
5% at 61-80 AMFI	None provided	+60/Ac (110-160/Ac)
5% at 81-100 AMFI And/or provision of 116 retirement housing units plus 2.85 FAR	48.5/Ac →56/Ac	
10% at 81-100 AMFI	None provided	+40/Ac (90-140/Ac)

In addition to the bonuses included in the table, parking reductions subject to design standards for parking and requirements for passenger loading spaces are also included in the proposed PD conditions. CPC recommended adding a height bonus for MIH, as well. Finally, the above table indicates the mixed-income housing proposed by the applicant with requested bonuses. The CPC and staff recommendations are different.

Height:

Under the existing CR District standards, the maximum height is 54 feet. Under the base MU-2 District standards, the maximum height for a non-mixed-use project is up to 135 feet, and the proposed conditions include heights up to 165 feet, for the southwest portion of the site—per the conceptual plan. A majority of the site has a maximum height of 75 feet, far below the base MU-2 standards, especially with a mix of uses as required by the FAR provisions.

If RPS would apply, the RPS from the R-10(A) and MF-2(A) districts to the east would permit a height beyond that of the request, 175 feet.

The conceptual plan and coordinated PD conditions propose a maximum height of 165 feet and 12 stories along the western portion of the site, fronting on Preston Road. The areas facing Belt Line Road are restricted to a height of 75 feet and five stories. Furthermore, CPC recommended to treat the additional height above 125 to the maximum of 165 feet-in-height, as a bonus for providing mixed-income housing.

Dwelling unit density:

The existing CR district does not allow residential uses. Under the base MU-2 District, between 775 and 1,550 dwelling units could be developed by right depending on the mix of uses provided. If the MIHDB bonuses were utilized, between 1,396 and 2,792 dwelling units may be built.

However, the latest PD conditions provide a base and a bonus DUD which would allow: 751 dwelling units at base (no MIH), 868 dwelling units (5 percent at 81-100 AMFI), or at maximum, 984 dwelling units (added 116 retirement housing dwelling units in unison with MIH units).

Previously, the project was developed with staff and recommendations were made based on proposed PD conditions which provided a base DUD and two bonus DUD which would allow: 1,163 units at base (no MIH), 1,357 units (10 percent MIH with five percent at 51-60 and five percent at 61-80 AMFI per staff and five percent at 81-100 AMFI per the applicant's request), or at maximum, 1,551 units (15 percent MIH with five percent at 51-60 AMFI, five percent at 61-80 AMFI, and five percent at 81-100 AMFI per staff and 10 percent at 81-100 AMFI per the applicant's request). The PD conditions provided a cap of the maximum density for Phase I at 300, and for the overall site at 1,550 dwelling units.

The latest change reduces the overall projected maximum density from 1,550 to 984 dwelling units with affordable housing provision only an option to obtain the density bump so long as 116 retirement housing units are provided. If affordable housing is provided, it is at five percent of the maximum 868 dwelling units, or 43 possible affordable housing units to either provide onsite or pay the fee-in-lieu, as required.

When staff recommendations are made, the research involved for the request involves assessing public benefits provided and deviations to the code requested. The current form of the request is not a significant increase in dwelling unit density when considering the base MU-2 District allotment.

The base request has lost over 400 dwelling units. At maximum, nearly 566 dwelling units are lost. Ultimately, changing the zoning from CR to PD will permit the inclusion of residential uses at the site, which is the greatest benefit of the project as proposed at this time.

Staff recommendation is to maintain the previously vetted base and bonus dwelling unit densities. However, CPC recommends accepting the applicant's revised density, with the provision of additional mixed-income housing and making the additional height a bonus as well.

Design standards:

The proposed PD Conditions include design standards to ensure good urban form that supports a walkable development, attention to the relationship with the public realm, including along the internal driveways, and minimizes the impact of parking garages on the surroundings.

The design standards in the PD conditions include:

- A limited portion of provided parking can be surface parking and must be placed behind buildings when along public frontages or driveways;
 - On June 11th, the applicant requested to add two rows of surface parking along the Preston Road street frontage, separating the tallest development area from the public right-of-way. Staff does not agree with this request.
- Aboveground parking structures must be wrapped with and active use with a depth of 25 feet; and screened otherwise.
- Required accommodations for alternate means of transportation;
- Enhanced landscape standards and street trees along streets and internal driveways (**primary only**);
- Open space: the applicant is proposing 90,000 square feet with two areas identified on the conceptual plan identifying 65,000 square feet (Open Space A) and 20,000 square feet (Open Space B) of contiguous space, each with amenities and pedestrian facilities;
- Enhanced streetscape with eight-foot sidewalks and eight-foot parkways to accommodate street trees and pedestrian amenities;
- Enhanced pedestrian access across the site along primary driveways with sixfoot sidewalks and four-foot parkways to accommodate street trees and pedestrian amenities;
- Trail connection through the site to connect surrounding areas; and,
- Transit ridership enhancements.

Staff supports the requested PD that would enable a greater density of dwelling units to compliment the area by increasing the variety of housing choices in the area, possibly diversifying the mixed-use options. As proposed, the project will enhance the overall urban form and enable alternate mobility along Preston Road and better connection with nearby major retail destinations, residential neighborhoods, and trail access for all.

Parking:

The proposed PD conditions include reduced parking ratios as bonus for mixed-income housing consistent with the ratios included in the Dallas Development Code, as amended. For retirement housing, the ratio proposed is one-quarter space per unit. Additionally, all conditions associated with this bonus will apply, and the PD includes design and location conditions for parking.

Staff is recommending the parking ratio bonus for multifamily to default to the code and be one-half space per unit. The applicant agreed to this reduction in parking. Staff took into consideration the proximity to transit, existing and planned, and the proposed enhancements for alternate mobility.

For the other uses, parking will be provided based on Dallas Development Code parking requirements included in Section 51A-4.200, as amended. The PD includes requirements for bike parking, electric vehicle charging stations, micro-mobility, and transit ridership enhancements to support the DART bus routes along Preston Road.

Landscaping:

Landscaping will be in accordance with Article X, as amended. The proposed PD conditions include enhanced landscape standards regarding protected tree mitigation, perimeter landscape buffers along public streets and internal driveways, street trees, and parking lot trees.

Market Value Analysis:

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

LIST OF PARTNERS

Property Owner: New Pepper Square S/C Partners LTD

CEO & President, Greg Miller

CFO, Robert DuBois

Chair, Geraldine Miller

President, Steve Donosky

Executive Vice President/Principal, Dan Spika

Executive Vice President, Dan Polanchyck

Executive Vice President/Principal, Darrell Hurmis

Executive Vice President, Frank Bullock

Senior Vice President, Jim Brownlow

Managing Director, William Bush

Director, Shelton Weeks

CIO, Phillip Strength

President, Shawn Ackerman

Principal, Keith Coelho

Principal, Glenn Villarreal

PROPOSED CONDITIONS

Added after CPC recommendation, during additional review of conditions

ARTICLE
PD
SEC. 51P101. LEGISLATIVE HISTORY.
PD was established by Ordinance No, passed by the Dallas City Council on
SEC. 51P102. PROPERTY LOCATION AND SIZE.
PD is established on property located at the east side of Preston Road and the southwest side of Belt Line Road. The size of PD is approximately 15.51 acres.
SEC. 51P103. DEFINITIONS AND INTERPRETATIONS.
(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article:
(1) HABITAT GARDEN means any planting areas that are native or native adaptive species to North Texas with low water or very low water consumption characteristics with the landscape areas on the property designed and maintained to sustain planted native or

- native adaptive species to North Texas with low water or very low water consumption characteristics with the intention of attracting or providing habitat for bees, birds, butterflies, or other pollinators or a combination thereof. Turf and lawn areas are considered planting areas within this definition, provided however, that lawn and turf areas may use grasses that are not considered low or very low water consumption.
- (2) INTERNAL PRIMARY DRIVE means the north/south or east/west vehicular drive that is labelled on the conceptual plan (Exhibit XXXXA) for primary means of ingress and egress to the Property.
- (3) INTERNAL SERVICE DRIVE means a vehicular drive that is labelled on the conceptual plan (Exhibit XXXXA) for primary means of ingress and egress to the Property for waste collection, loading and unloading, and other service-related uses and secondary means of ingress and egress to the Property for all other users.
- (4) MAJOR RENOVATION means a building permit or series of building permits for the reconstruction, alteration, or modification of an original building that increases the floor area that existed on (date of adoption of this article) by 30 percent or more.

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- (5) NEW CONSTRUCTION means construction of a main structure that did not exist as of (date of adoption of this article).
- (6) ORIGINAL BUILDING means a structure existing on (date of adoption of this article) but does not include a structure that has undergone a major renovation.
- (7) PARKWAY means the area between the back of curb and the sidewalk along all public streets.
- (8) PEDESTRIAN PLAZA means a publicly accessible pedestrian area used as gathering space and constructed with an impervious surface.
- (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.

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

The following exhibits are incorporated into this article:

- (1) Exhibit A: Conceptual Plan.
- (2) Exhibit B: Phase 1 Development Plan.

SEC. 51P-____.105. VISION STATEMENT.

This district is envisioned to breathe new life into a new Pepper Square, transforming it into a vibrant, sustainable, and inclusive mixed-use community that enhances the quality of life for all residents, customers, and visitors. This development aims to create a harmonious blend of luxury residential units, fine dining, curated shopping experiences, office spaces, hospitality, and recreational areas, all designed to respect the unique character and scale of the neighborhood and surrounding area.

SEC. 51P-____.106. CREATION OF SUBAREAS.

This district is divided into five subareas, Phase 1, Open Space A, Open Space B, Phase P, and Phase N, as shown on the conceptual plan.

SEC. 51P-____.107. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit XXXXA). In the event of a conflict between the text of this article and the conceptual plan, the text of this article control.

SEC. 51P-____.108. DEVELOPMENT PLAN.

- (a) Except as otherwise provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize a major renovation or new construction in this district. If there is a conflict between the text of this article and the development plan, the text or this article controls.
- (b) The building official may issue building permits for the following work without the approval of a development plan:
 - (A) Alterations to an original building that does not constitute a major renovation;
 - (B) Alterations to parking lots not associated with a major renovation or new construction; or
 - (C) Installation of open space not associated with new construction or a major renovation.
- (c) A development plan is not required to include all phases of development if separate phases are proposed. If separate phases are proposed, however, a development plan for each phase must be approved by the city plan commission before the issuance of a building permit to authorize work in that phase of development.
- (d) For purposes of compliance with yard, lot, and space regulations, the Property shall be considered one lot.
- (e) In addition to the requirements in Section 51A-4.702, a development plan must include a table with the number of dwelling units for each building site and the total for the Property.

SEC. 51P-____.109. MAIN USES PERMITTED.

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

- (1) Retail and personal service uses.
 - -- Auto service center.
 - -- Car wash.
 - -- Mortuary, funeral home, or commercial wedding chapel.
 - -- Motor vehicle fueling station.
- (2) Industrial uses.
 - -- Gas drilling and production.
 - -- Temporary concrete or asphalt batching plant.

CPC Recommendation:

- (c) The following main uses are permitted by SUP:
 - (1) Office uses.
 - -- Financial institution with drive-in window.
 - (2) Retail and personal service uses.
 - -- Restaurant with drive-in or drive-through service.

SEC. 51P-___.110. ACCESSORY USES.

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

SEC. 51P-____.111. 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) <u>In general</u>. Except as provided in this section, the yard, lot, and space regulations for the MU-2 Mixed Use District apply.
 - (b) Front yard.
 - (1) Minimum front yard is 50 feet on Preston Road.
 - (2) Minimum front yard is 25 feet on Belt Line Road.

- (3) Urban form setback does not apply to Phase 1.
- (c) Side and rear yard.
 - (1) No minimum side and rear yard setbacks are required.
 - (2) Tower spacing does not apply.

Staff Recommendation:

- (d) Density.
- (1) In general. Except as provided in this subsection, maximum dwelling unit density is 75 dwelling units per acre.
 - (2) <u>Increased development standards</u>.
- (A) If compliant with Section 51P-XXXX.118(a)(1), maximum dwelling unit density is 87.5 dwelling units per acre.
- (B) If compliant with Section 51P-XXX.118(a)(2), maximum dwelling unit density is 100 dwelling units per acre.

CPC and Applicant's Request:

- (d) Density.
- (1) In general. Except as provided in this subsection, maximum dwelling unit density is 48.5 dwelling units per acre.
 - (2) <u>Increased development standards</u>.
- (A) If compliant with Section 51P-XXXX.118(a)(1), an additional dwelling unit density of 7.5 dwelling units per acre is permitted.
- (B) If a minimum of 116 retirement housing units are provided and permitted (issuance of building permit), an additional dwelling unit density of 7.5 dwelling units per acre is permitted.
- (C) The additional dwelling unit density provided under Section 51P-XXXX.111(d)(2)(A) and Section 51P-XXXX.111(d)(2)(B) may be used independently or combined.
 - (3) <u>Phase 1 density</u>. Maximum number of dwelling units for Phase 1 is 300.

- (4) <u>Maximum density</u>. Total maximum number of dwelling units is 984.
- (e) Floor area ratio.
- (1) In general. Except as provided in this subsection, maximum floor area ratio is 2.5:1.
- (2) A minimum of 35,000 square feet of floor area of retail and personal service uses must be maintained across the Property.
- (3) A minimum of 50 percent of provided ground floor space fronting Open Space A and Open Space B must be retail and personal service uses.
 - (4) <u>Increased development standards</u>.
- (A) If compliant with Section 51P-XXXX.118(a)(1), maximum floor area ratio is 2.85:1 and no maximum floor area ratio for residential uses.
- (f) <u>Height</u>.
 - (1) <u>Subarea Phase 1 and Phase N. Maximum height is 75 feet.</u>

Staff's Recommendation and Applicant's Request:

(2) Subarea – Phase P. Maximum height is 165 feet.

CPC Recommendation:

- (2) Subarea Phase P. Maximum height is 125 feet.
- (A) If compliant with Section 51P-XXXX.118(a)(1), the maximum height for Subarea Phase P is 165 feet.
- (3) Open Space A and Open Space B. Maximum height is 36 feet to allow for non-habitable structures in compliance with Section 51P-XXXX.115.
- (4) <u>Projections</u>. The following architectural elements may project up to 12 feet above the maximum structure height:
 - (A) Elevator or stair penthouse or bulkhead.
 - (B) Mechanical equipment.
 - (C) Cooling tower.

(3)

(4)

Sculptures.

Awnings.

(D) Tank designed to hold liquids. Skylights. (E) Visual screens which surround roof mounted mechanical (F) equipment. Chimney and vent stacks. (G) (H) Lightning protection equipment. (I) Cell towers or other communication equipment. (J) Parapet wall. Photovoltaic solar equipment (K) (5) Residential proximity slope applies to this district. (g) Stories. Subareas – Phase 1 and Phase N. Maximum number of stories above grade (1) is five. This section does not apply to above grade or below grade parking structures. **(2)** Subarea Phase P. Maximum number of stories above grade is twelve. This subsection does not apply to above grade or below grade parking (3) structures. Encroachments. The following items are permitted to be located 9 feet into the required front, side, and rear yards: Seat walls, unconditioned balconies, bay windows, ramps, retaining walls, stairs, handrails, safety railings, stoops, benches, and unenclosed porches are allowed into the required front yard and do not need to be shown on the development plan. (2) Landscape planters.

SEC. 51P-____.112. OFF-STREET PARKING AND LOADING.

- (a) Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.
- (1) <u>Retirement housing</u>. The lessor of one-quarter space per dwelling unit or the minimum number of parking spaces required in Division 51A-4.200 is required.
- (2) <u>Multifamily parking</u>. If compliant with Section 51P-XX.118(a)(1), the lessor of one-half space per dwelling unit, or per the requirements of Division 51A-4.200 or a successor ordinance, is required, whichever requires fewer spaces.
- (b) <u>Affordable units</u>. Required off-street parking for the affordable units must be available as free parking and must be dispersed and distributed amongst all other assigned parking for similar units.
- (c) <u>Parking structure</u>. A minimum of 85 percent of provided parking for new construction must be located in a parking structure.
- (d) <u>Aboveground parking structures</u>. Aboveground parking structures must be screened or wrapped in accordance with this subsection.
- (1) <u>Screening of parking structures</u>. Except for openings for vehicular or pedestrian access, openings in aboveground parking structure facades must provide solid screening with a painted, stained, or masonry-like finish a minimum of 42 inches from the floor level within the parking structure to screen vehicles and vehicle headlights.
- (2) <u>Wrapping of parking structures</u>. Except for openings for vehicular or pedestrian access, aboveground parking structures must be wrapped with a use other than parking, to a minimum depth of 25 feet of the building measured inward from the exterior facing structure facade.

Staff Recommendation:

(e) <u>Surface parking location</u>. Surface parking is prohibited between the public street-facing façade and the property line except that a maximum of two rows of surface parking may be located along the Preston Road street frontage.

CPC Recommendation and Applicant's Request:

- (e) <u>Surface parking location</u>. Surface parking is prohibited between the public street-facing façade and the property line except that a maximum of two rows of surface parking may be located along the Preston Road street frontage.
- (f) <u>Bike parking</u>. Bike parking for at least 10 percent of the dwelling units must be provided in a parking or building structure in a secure location near the building entrance.
 - (g) Passenger loading and residential delivery zones.

- (1) Each building site must provide at least two off-street or driveway loading and residential delivery spaces. The board of adjustment may grant a variance to this paragraph.
- (2) On-street passenger loading zones, if provided, must be constructed in compliance with Architectural Barriers Act accessibility standards and must be approved by the director of public works.
- (h) <u>Service, loading, and garbage storage areas</u>. Except for passenger loading and residential deliveries, all service, loading, and garbage storage areas must be enclosed within a main structure.
- (i) <u>Micro-mobility charging stations</u>. Charging stations for at least 10 micro-mobility vehicles must be provided and must be located outside of the right-of-way and sidewalks. The charging stations must be designed to allow the possibility to secure the vehicles.

SEC. 51P-____.113. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.114. LANDSCAPING.

- (a) <u>In general</u>. Except as provided in this section, landscaping must be provided in accordance with Article X. The building official may allow for relocation of trees if necessary, to avoid utility, driveway, or visibility triangle conflicts.
- (b) <u>Protected tree mitigation</u>. Replacement trees must have a caliper of at least three inches.
 - (c) Perimeter landscape buffer.
- (1) A minimum 16-foot enhanced perimeter landscape buffer consistent with Section 51P.XXXX.116(a) is required along all public streets.
- (2) Sidewalks and pedestrian facilities may be located within the required perimeter landscape buffer.
- (d) <u>Street trees.</u> One <u>large or medium</u> tree is required for each 35 feet of street frontage and internal primary drive frontage. Existing healthy trees with a caliper of two inches or greater located within the permitter landscape buffer may be preserved and count toward the street tree requirement.
- (e) <u>Parking lot trees</u>. All parking spaces in a surface lot may not be more than 60 feet from a large canopy tree planted in a median or an island. Each parking lot tree must have a

minimum caliper of three inches and may not be planted closer than three feet to a paved portion of the parking lot. The minimum landscape area for a median or island in a surface parking lot is 125 square feet.

- (f) <u>Parkway</u>. Parkway must be of a pervious surface and planted. Street trees or landscaping must be located in the parkway.
 - (g) Landscaping must conform to the Habitat Garden standards.
- (h) Landscaping shall be maintained with industry best practices to promote the healthy development and maintenance of pollinator habitats.
 - (i) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- .115. **OPEN SPACE.**

- (a) Open space A and Open Space B.
- (1) Prior to or in conjunction with the issuance of the final Certificate of Occupancy for Phase 1, a minimum cumulative total of 90,000 square feet of open space shown on the conceptual plan as Open Space A and Open Space B must be installed in accordance with this section.
- (2) A pedestrian plaza may not occupy more than 30 percent of Open Space A or Open Space B open space.
- (b) <u>Open space requirements</u>. All open space must comply with the following provisions.
- (1) Structures that are not fully enclosed such as pergolas, gazebos, and covered transit shelters and ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed to be located within open space.
- (2) Open space must contain primarily grass, vegetation, or pedestrian areas and must contain pedestrian amenities in accordance with Subsection (c) of this section.
- (3) Parking spaces, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.
- (4) Except for emergency and grounds maintenance vehicles, operation, or parking of vehicles within open space is prohibited.
- (5) Open space must be properly maintained in a state of good repair and neat appearance, and plant materials must be maintained in healthy, growing condition.

(6) A minimum four-foot-tall, maximum six-foot-tall wrought iron, black metal, or similar material fence that must have a surface area that is a minimum of 50 percent open, allowing for visibility must be provided for at least 80 percent of the Open Space A perimeter along Belt Line Road.

CPC and Staff Recommendation:

(c) <u>Pedestrian facilities</u>. Within Open Space A and Open Space B, a minimum of **six** of the following pedestrian facilities are required for each open space area: (highlighted items in list are a part of the CPC recommendation and Staff agrees.)

Applicant's Request:

(c) <u>Pedestrian facilities</u>. Within Open Space A and Open Space B, a minimum of five of the following pedestrian facilities are required for each open space area:

 (1)	Bench.
(2)	Bike racks.
(4)	Drinking fountains.
(5)	Dog park.
(7)	Micro-mobility charging stations.
(8)	Pedestrian plaza.
(9)	Pedestrian-scaled shade structure.
 (10)	Pedestrian wayfinding sign.
 (10) (11)	Pedestrian wayfinding sign. Picnic table.
 (11)	
(11)	Picnic table. Playground equipment.
(11) (12)	Picnic table. Playground equipment. Public art.
(11) (12) (13) (14)	Picnic table. Playground equipment. Public art.

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SEC. 51P-____.116. SIDEWALKS.

- (a) Except as provided in this section, a minimum unobstructed eight-foot-wide sidewalk and a minimum eight-foot-wide parkway must be provided along all public streets.
- (b) A minimum six-foot-wide unobstructed sidewalk and a minimum four-foot-wide parkway must be provided along all internal primary drives to ensure pedestrian connectivity throughout the site.
- (c) At least one bench and one trash receptacle must be provided for every 300 linear feet of street frontage and internal primary drives for each development plan phase.
 - (d) Tree grates do not count toward the minimum unobstructed sidewalk width.

SEC. 51P-____.117. SIGNS.

(a) <u>In general</u>. Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

CPC and Staff Recommendation:

- (b) Section 51A-7.304(b)(4) does not apply to this district.
- (c) Two detached signs are allowed per street frontage.

Applicant's Request:

- (b) Section 51A-7.304(b)(4) does not apply to this district.
- (c) Two detached signs are allowed per street frontage.

SEC. 51P-____.118. DEVELOPMENT BONUSES FOR MIXED INCOME HOUSING.

(a) Except as provided in this section, compliance with Division 51A-4.110 is required to obtain the development bonuses in Section 51P-XXXX.110(d)(2), 51P-XXXX.110 (e)(2), and 51P-XXXX.110 (f)(2).

CPC and Staff Recommendation:

(1) The density and floor area ratio development bonuses set forth in Sections 51P-XXXX.110(d)(2)(A) and 51P-XXXX.110 (e)(4)(A)apply if a minimum of five percent of the total number of units are available to households earning between 51 and 60 percent of the area

median family income and a minimum of five percent of the total number of units are available to households earning between 61 and 80 percent of the area median family income.

Applicant's Request:

(1) The density and floor area ratio development bonuses set forth in Sections 51P-XXXX.110(d)(2)(A) and 51P-XXXX.110 (e)(4)(A) apply if a minimum of five percent of the total number of units are available to households earning between 81 and 100 percent of the area median family income.

Staff Recommendation: (CPC recommends striking this section).

- (2) The density development bonus set forth in Section 51P-XXXX.110(d)(2)(B) applies if a minimum of five percent of the total number of units are available to households earning between 51 and 60 percent of the area median family income, a minimum of five percent of the total number of units are available to households earning between 61 and 80 percent of the area median family income, and a minimum of five percent of the total number of units are available to households earning between 81 and 100 percent of the area median family income.
 - (b) Compliance with Section 51A-4.1107 is not required.

SEC. 51P-___.119. DESIGN STANDARDS.

- (a) New construction. The following design standards apply to new construction.
 - (1) Street, internal primary drive, and open space frontages.
- (A) <u>Frontages</u>. All street-fronting facades, internal primary drive-fronting facades, and open space-fronting facades must have at least one window and at least one common primary entrance facing the street, internal primary drive, or open space at street-level. The entrance must access the street, internal primary drive, or open space with an improved path connecting to the sidewalk. A transparent surface is required for every 25 linear feet of continuous street-fronting, internal primary drive-fronting, and open space-fronting facade.
- (B) <u>Individual entries</u>. Except as provided in this paragraph, a minimum of 60 percent of the street-level dwelling units adjacent to a street or internal primary drive in each building must have individual entries that access the street or internal primary drive with an improved path connecting to the sidewalk. For at-grade open space, a minimum of 60 percent of open-space fronting dwelling units in each building must have individual entries that access the open space. This paragraph does not apply to retirement housing.

(2) Lighting.

(A) Special lighting requirement. Exterior lighting sources, if used, must be oriented down and onto the Property they light and generally away from adjacent residential properties.

- (B) Pedestrian scale lighting. For a development greater than 20,000 square feet of floor area, pedestrian scale lighting that provides a minimum average illumination level of 1.5 foot candles must be provided along streets and internal primary drives. The design and placement of both the standards and fixtures must be approved by the director of transportation.
- (3) <u>Non-required fences</u>. Unless a use specifically requires screening, all fences for uses along a street or internal primary drive must have a surface area that is a minimum of 50 percent open, allowing visibility between three feet and six feet above grade. Section 51A-4.602(a)(2) and (a)(4) do not apply to this district.
- (4) <u>Building articulation</u>. For every 125 feet of horizontal building façade length, a minimum two-foot variation within the vertical plane must be provided.
- (5) <u>Pedestrian driveway crossings</u>. At the intersection of each driveway with a sidewalk or pedestrian path, driveways must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing.

SEC. 51P- .120. TRANSIT RIDERSHIP ENHANCEMENTS.

- (a) In general. This district is intended to enhance public transportation ridership by providing the following enhancements detailed in this section.
- (b) Covered transit shelter. A minimum of two covered transit shelter stations with seating must be provided to serve the existing Dallas Area Rapid Transit (DART) bus stop to encourage additional transit ridership. One covered transit shelter station must be located on Preston Road and one covered transit shelter station must be located on Belt Line Road in conjunction with applicable development plan phase. Direct pedestrian connections between the DART station and all buildings must be provided.

SEC. 51P-___.121. CONNECTION TO PUBLIC TRAIL SYSTEM.

- (a) In general. This district is intended to enhance walkability and public access via alternatives to automobiles providing for the following enhancement detailed in this section.
- (b) Trail connection. Within 12 months of the completion of a publicly accessible hike and bike trail that is connected to the White Rock Creek trail and terminates on the south side of Alexis Drive, the property owner will use commercially reasonable efforts to develop a minimum unobstructed eight-foot-wide sidewalk for pedestrian connection between this district and a crossing at Alexis Drive. The developer is not responsible for the cost of all off-site trail improvements crossing Alexis Drive and Belt Line Road.
 - (c) Remove.
- (d) The developer may, at its own discretion, grant a pedestrian easement to the City, which the City shall accept for this connection.

(e) The developer will have sole discretion as to the location and design of this facility and may relocate the location of the trail improvements on the property at any time. The developer has sole discretion to install additional improvements adjacent to the trail facility.

SEC. 51P- .122. 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.

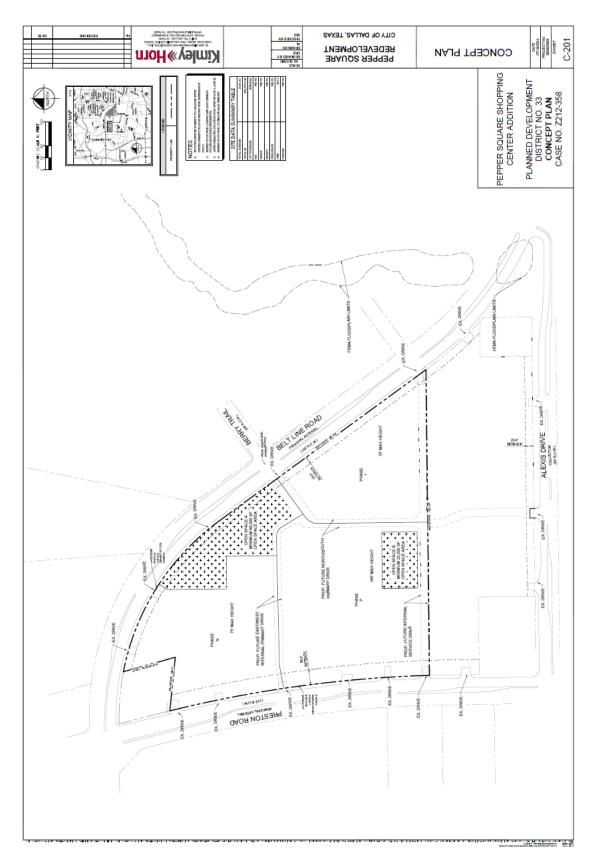
CPC Recommendation (Staff Accepts; Applicant Declines):

- (c) Infrastructure Improvement
- (1) The building official shall not issue a building permit for new construction unless there is an executed developer's agreement or contract for the installation of a traffic signal at Berry Trail and Belt Line Road, as determined by the director.

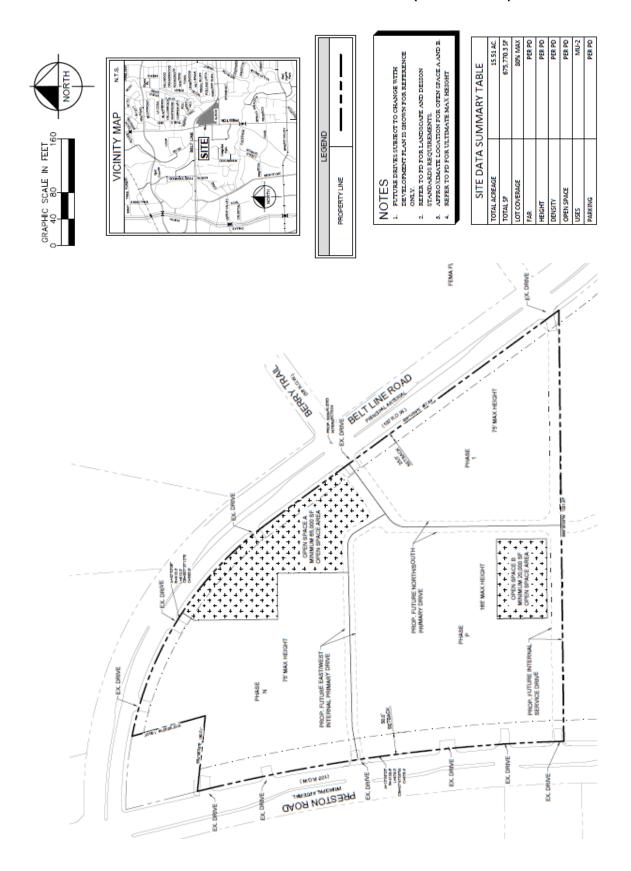
SEC. 51P-____.123. COMPLIANCE WITH CONDITIONS.

- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.
- (b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

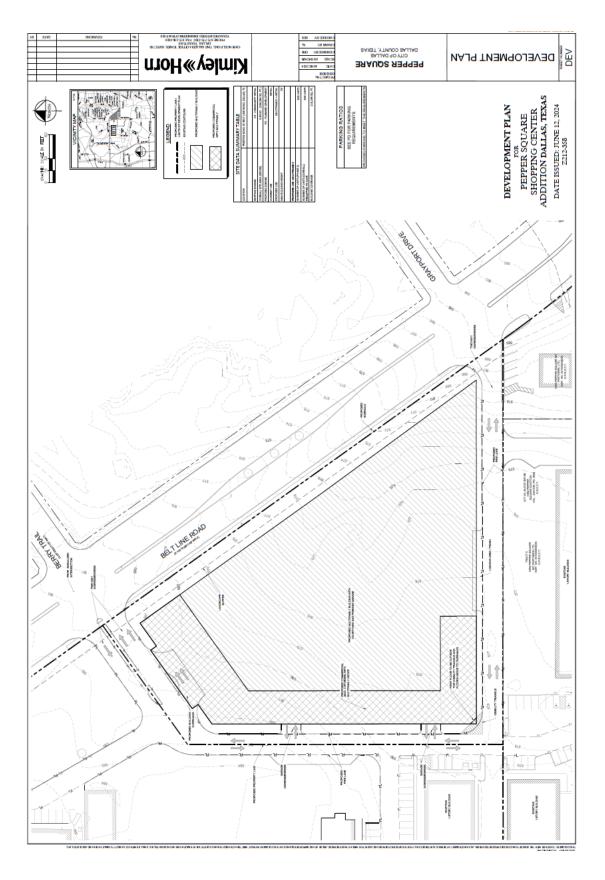
PROPOSED CONCEPTUAL PLAN

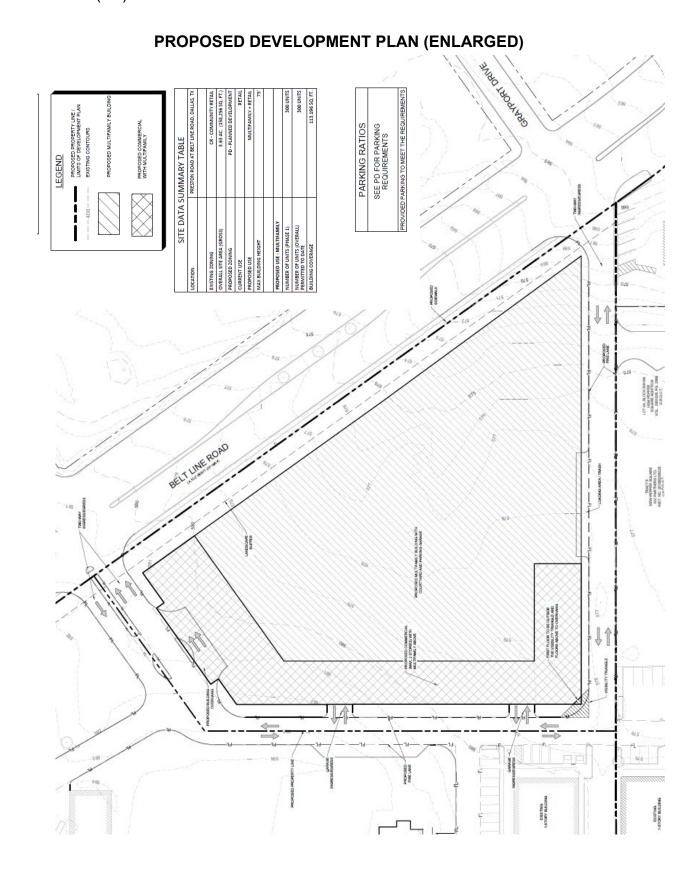


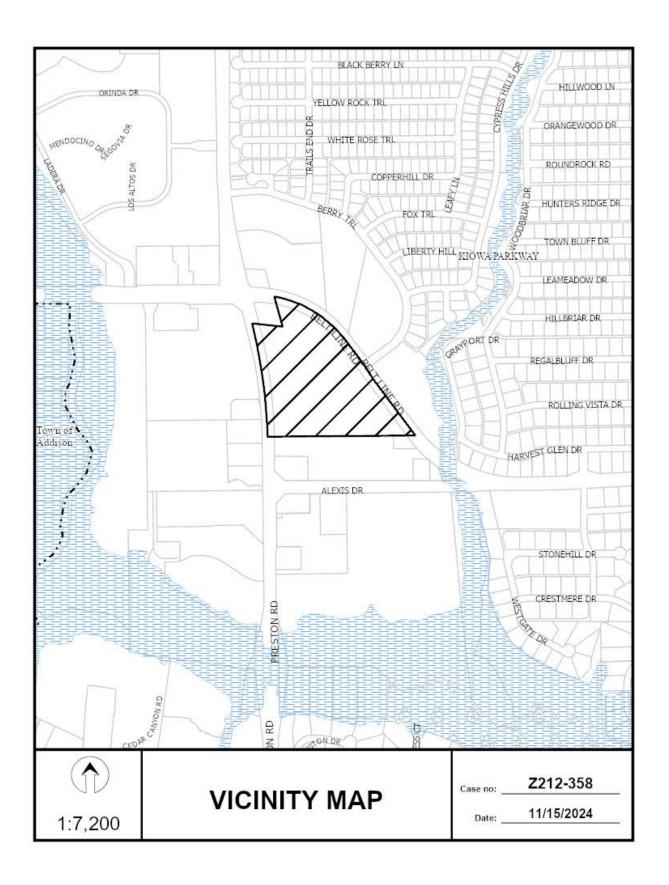
PROPOSED CONCEPTUAL PLAN (ENLARGED)

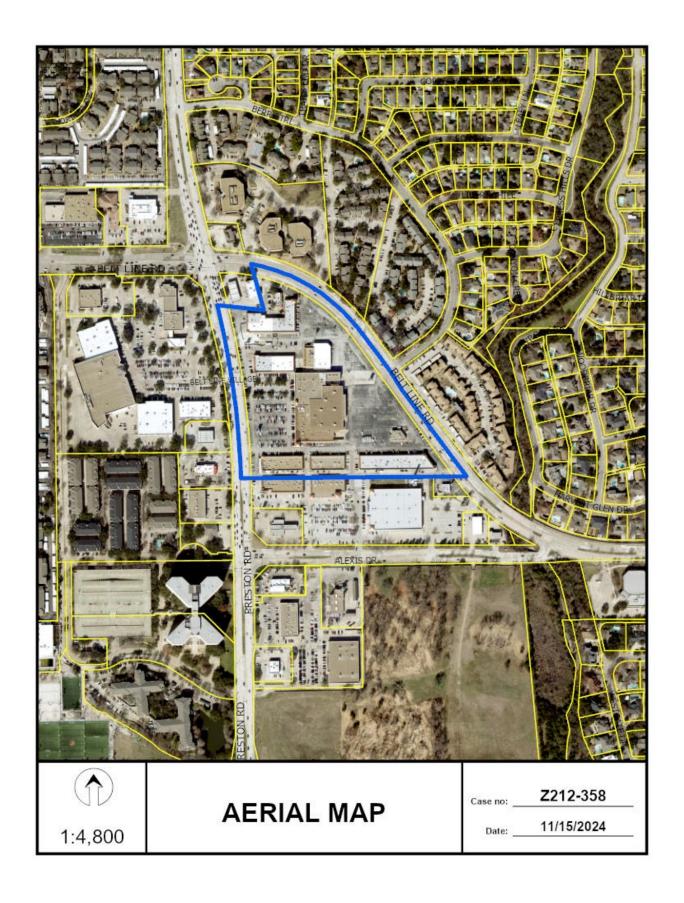


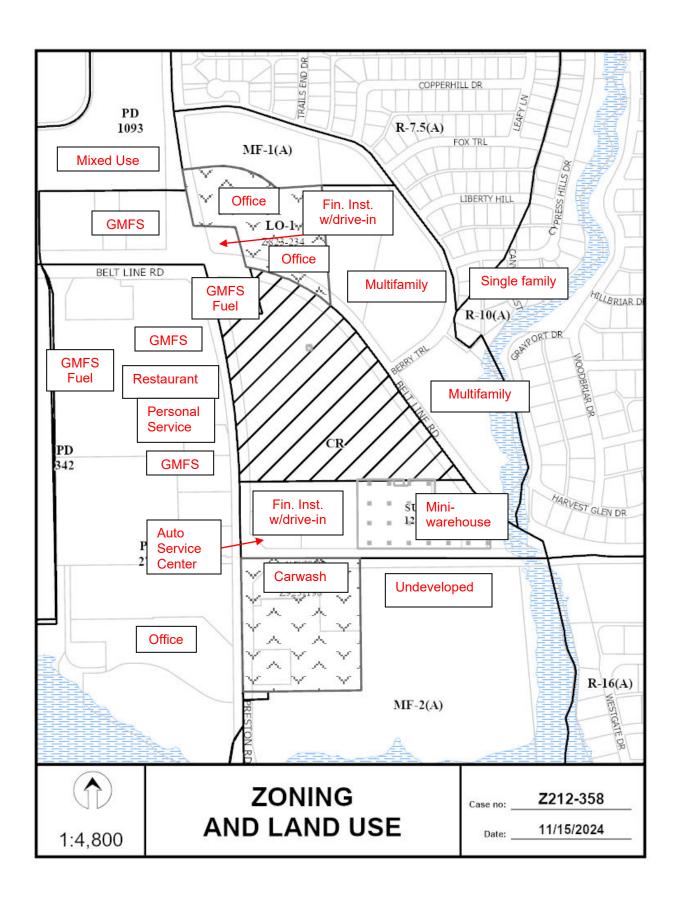
PROPOSED DEVELOPMENT PLAN

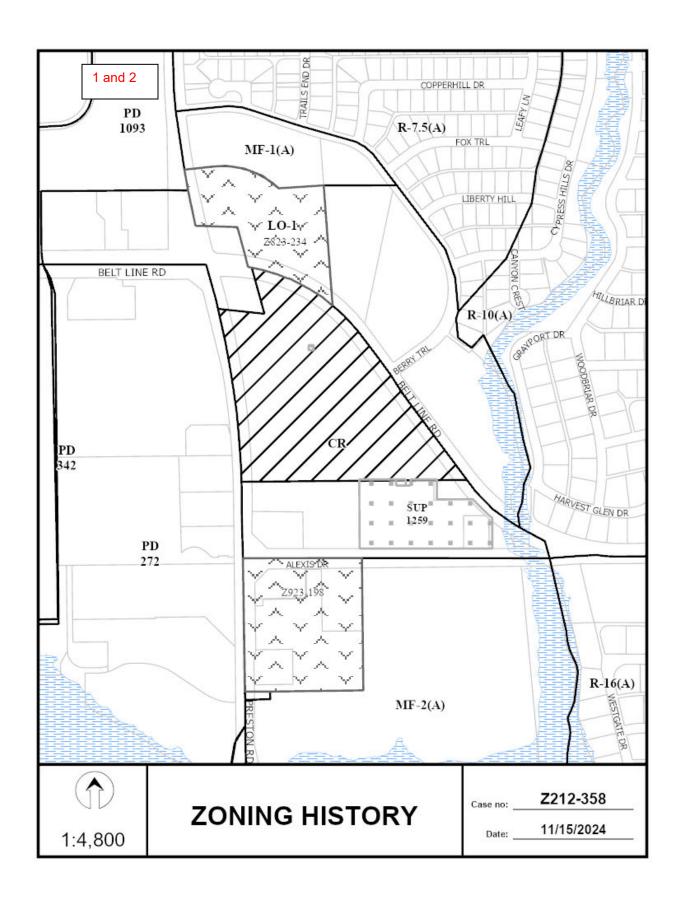


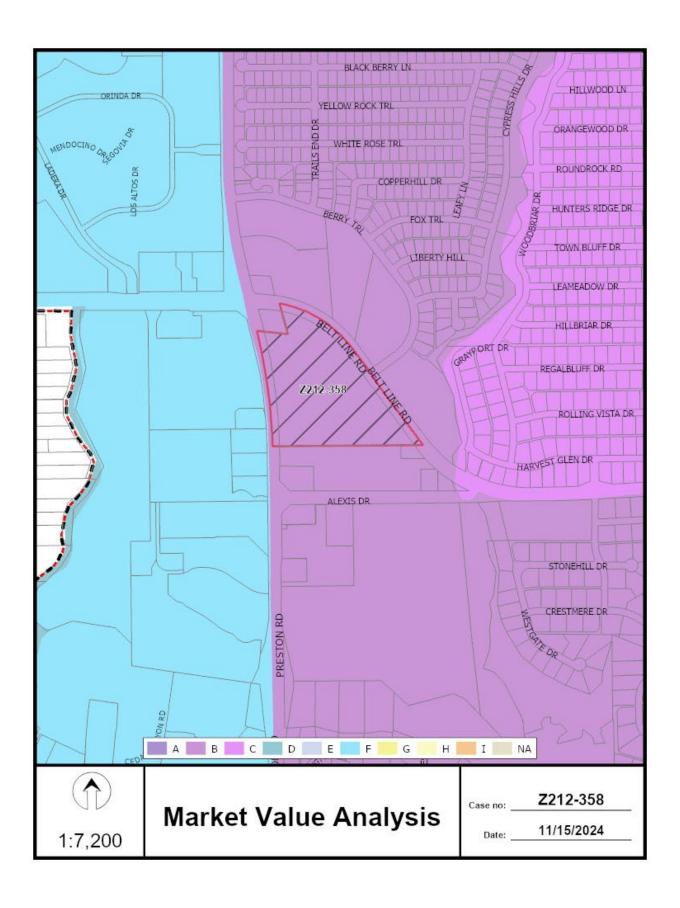


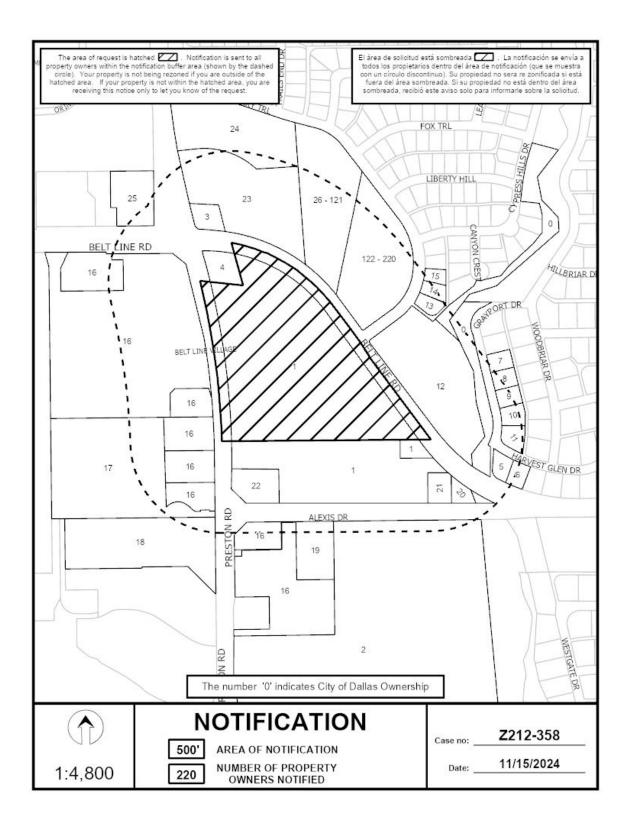












Notification List of Property Owners Z212-358

220 Property Owners Notified

Label #	Address		Owner
1	6160	BELTLINE RD	NEW PEPPER SQUARE S/C PARTNERS LTD
2	6050	BELT LINE RD	NSHE TX BLACK TETRA LLC
3	15114	PRESTON RD	INTERCITY INVESTMENT
4	15050	PRESTON RD	SEJ ASSET MGMT & INVESTMENT COMPANY
5	6530	HARVEST GLEN DR	TORRES NOEL &
6	6536	HARVEST GLEN DR	CERPANYA SUSAN HANNA
7	14910	GRAYPORT DR	ESTEP DAVID GRANT &
8	14906	GRAYPORT DR	WINCORN KENNETH
9	14902	GRAYPORT DR	WIELANDY MICHELLE JEANNE
10	14808	GRAYPORT DR	CARLSON CAROLYN NANETTE
11	14804	GRAYPORT DR	GARRETT MICHELLE L & WILLIAM C
12	6069	BELT LINE RD	GRAND SEASONS APTS LLC
13	15124	BERRY TRL	SERRANO SHEILA
14	15128	BERRY TRL	FEDERICO KYLE W
15	15132	BERRY TRL	Taxpayer at
16	14999	PRESTON RD	FAIRWAY CAPITAL PTNR LTD
17	14827	PRESTON RD	2022-1 DALLAS PRESTONWOOD MF
18	14785	PRESTON RD	SIGNATURE EXCHANGE PROPERTY
19	6060	ALEXIS DR	Taxpayer at
20	6190	BELT LINE RD	FREMONT HILLS PROPERTIES LLC
21	6161	ALEXIS DR	HILLTOP SQUARES SC PARTNERS LTD
22	14852	PRESTON RD	COMPASS BANK PLANO
23	15150	PRESTON RD	15150 PRESTON DALLAS LTD
24	15215	BERRY TRL	15215 BERRY TRAIL LP
25	15105	PRESTON RD	ST MARY AND AVA MENA INC
26	15221	BERRY TRL	AMTX CONDO VENTURE LLC

Label #	Address		Owner
27	15221	BERRY TRL	HOFMEISTER KENT STANLEY
28	15221	BERRY TRL	HOME PLATE INVESTMENTS LLC
29	15221	BERRY TRL	MISSIRLIS HOLDINGS LLC
30	15221	BERRY TRL	VALENTINO PATRICIA MARIE
31	15221	BERRY TRL	RICKRICH WHITE LLC
32	15221	BERRY TRL	COSS CASSANDRA C &
33	15221	BERRY TRL	HARRIS ROGER D
34	15221	BERRY TRL	HOLTZMAN LARRY ROBERT
35	15221	BERRY TRL	PATHER KAMINI
36	15221	BERRY TRL	NUNO RAY & SUSANA
37	15221	BERRY TRL	TANGHONGS JIRAPAT ETAL
38	15221	BERRY TRL	MANZON ALISON N
39	15221	BERRY TRL	LAZIMOVICH LJILJANA &
40	15221	BERRY TRL	CHANEY SUZANNE DENISE
41	15221	BERRY TRL	MCQUEEN SHERRY L
42	15221	BERRY TRL	OMAR SHEWAN J
43	15221	BERRY TRL	CRISP JAMES DAVID
44	15221	BERRY TRL	MANOUEL CECILIA & MICHAEL
45	15221	BERRY TRL	DUROSS MATTHEW M
46	15221	BERRY TRL	SEITZ DONNA R
47	15221	BERRY TRL	STECK CLYDE
48	15221	BERRY TRL	MILLER JENNIFER CHRISTINE
49	15221	BERRY TRL	IAMAROMANA APHICHARD
50	15221	BERRY TRL	GARMON CURTIS III &
51	15221	BERRY TRL	TSAO ALEX C
52	15221	BERRY TRL	ROMERO AUGUSTINE
53	15221	BERRY TRL	BAGHERIAN CHRISTOPHER & JANE E
54	15221	BERRY TRL	LI JIAN
55	15221	BERRY TRL	MORETTA MADELYN
56	15221	BERRY TRL	ESTEP PATRICK ALAN COLE &
57	15221	BERRY TRL	SOLORZANO WILMER JOSE

Label #	Address		Owner
58	15221	BERRY TRL	NGUYEN LUAN &
59	15221	BERRY TRL	INDIANER EVAN & ADRIENNE
60	15221	BERRY TRL	GREGORY PATRICIA A LIFE ESTATE
61	15221	BERRY TRL	POWELL RONALD & POWELL CAROL
62	15221	BERRY TRL	LEWIS DANELIA MORENO
63	15221	BERRY TRL	SIEGEL LOUIS A &
64	15221	BERRY TRL	LONG GARRETT
65	15221	BERRY TRL	15221 BERRY TRAIL 603 LLC
66	15221	BERRY TRL	CONSIGLI JOHN &
67	15221	BERRY TRL	COVINGTON JANICE A
68	15221	BERRY TRL	MORALES SABRINA
69	15221	BERRY TRL	DAVIS LINDA COOPER
70	15221	BERRY TRL	HOEH ZACHARY
71	15221	BERRY TRL	MCSHANE ROSALIE A
72	15221	BERRY TRL	NAVARRO LORENA
73	15221	BERRY TRL	DFW HOMESTEAD LLC
74	15221	BERRY TRL	GILL DAN & MARIE
75	15221	BERRY TRL	HOLLIS KELLY
76	15221	BERRY TRL	ANDERSON CORY DANIEL & JENIFER
77	15221	BERRY TRL	CHILDS DOROTHEA P
78	15221	BERRY TRL	CHILDERS LAURA D
79	15221	BERRY TRL	BRUNET JOANNA
80	15221	BERRY TRL	MAWHEE JAN C
81	15221	BERRY TRL	PANMANEE PATCHARAPORN
82	15221	BERRY TRL	GURBBS TEX B & PAULA
83	15221	BERRY TRL	ZIDLE JONATHAN
84	15221	BERRY TRL	OWENS DUSTIN SHANE
85	15221	BERRY TRL	STAHL BRETT
86	15221	BERRY TRL	MCKINNEY WANDA
87	15221	BERRY TRL	HENRIQUEZ SUSANA G
88	15221	BERRY TRL	BIGBIE CHRISTOPHER & AMY

Label #	Address		Owner
89	15221	BERRY TRL	DALE JOHN P
90	15221	BERRY TRL	WOUDENBERG SHARON
91	15221	BERRY TRL	AMEZAGA DIANA
92	15221	BERRY TRL	FAIRCHILD PATRICIA M
93	15221	BERRY TRL	AYONGA CHRISTINE M
94	15221	BERRY TRL	KILLOUGH MITCH
95	15221	BERRY TRL	NGUYEN VU BA &
96	15221	BERRY TRL	HO TAI A
97	15221	BERRY TRL	HENSLEY JASON L
98	15221	BERRY TRL	VILIUNNY MARRY
99	15221	BERRY TRL	NELSON ARTHUR A III & MEREDITH
100	15221	BERRY TRL	LABAW GERALD & CONNIE 2005 &
101	15221	BERRY TRL	POLSKY DEBRA G EST OF
102	15221	BERRY TRL	WEBB JAMIE S
103	15221	BERRY TRL	ROLOFF JAMES
104	15221	BERRY TRL	AMBROSINO BENJAMIN BRUCE
105	15221	BERRY TRL	NGUYEN VU &
106	15221	BERRY TRL	WANG XIAOZHOU
107	15221	BERRY TRL	ROOSTAEI MAHINEH
108	15221	BERRY TRL	FAZELI HEIDI
109	15221	BERRY TRL	ADAR DEVELOPMENT LLC
110	15221	BERRY TRL	BYRD CYNTHIA
111	15221	BERRY TRL	FARAHMAND FOAD
112	15221	BERRY TRL	SEIBER PAREESHA M
113	15221	BERRY TRL	KING TRENTON J
114	15221	BERRY TRL	COBB CAMILLA H MGMT TR
115	15221	BERRY TRL	CAMERON ABBY L
116	15221	BERRY TRL	ABRAMOV LEZA
117	15221	BERRY TRL	VALATABOR ABTIN
118	15221	BERRY TRL	LINK JUSTIN G
119	15221	BERRY TRL	FEDERICO LISA LEIGH

Label #	Address		Owner
120	15221	BERRY TRL	BYRD BENJAMIN FRANKLIN III
121	15221	BERRY TRL	DARBANDI SHOKOUFEH
122	15151	BERRY TRL	TIDMORE WILLIAM L &
123	15151	BERRY TRL	YERMATOVA VICTORIA &
124	15151	BERRY TRL	AMS INTERNATIONAL CORPORATION
125	15151	BERRY TRL	ARCHER LESLIE ANN
126	15151	BERRY TRL	KUNTZ BETTY & ROGER
127	15151	BERRY TRL	PITTS JAMES
128	15151	BERRY TRL	LIANG FANGQING
129	15151	BERRY TRL	JOE MARIE K
130	15151	BERRY TRL	REYES SAUL LIFE ESTATE
131	15151	BERRY TRL	HASAN NORA
132	15151	BERRY TRL	HOROWITZ LINDA W & IRA EST OF
133	15151	BERRY TRL	XIONG YINGQI &
134	15151	BERRY TRL	PERDOMO MARC
135	15151	BERRY TRL	NORWOOD CAROL DOUGLASS
136	15151	BERRY TRL	TATUM TRACEY
137	15151	BERRY TRL	COWLEY CIERRA
138	15151	BERRY TRL	BEAN BRUCE ALLEN
139	15151	BERRY TRL	CAKIR CONRAD E
140	15151	BERRY TRL	FATT JOEL CHIN
141	15151	BERRY TRL	HOEH ZACHARY
142	15151	BERRY TRL	MAGANA MARTHA IRMA
143	15151	BERRY TRL	FRAZIER JANE V
144	15151	BERRY TRL	ABRAMOV OFER
145	15151	BERRY TRL	HAMRICK MATTHEW JOSE R
146	15151	BERRY TRL	GRAVES GARY EDWARD
147	15151	BERRY TRL	BELJA SARA
148	15151	BERRY TRL	LAIGO MA D
149	15151	BERRY TRL	ZIVEC HILDA
150	15151	BERRY TRL	ISUHUAYLAS ELLA LEONOR &

Label #	Address		Owner
151	15151	BERRY TRL	QUADROS RAUL A
152	15151	BERRY TRL	HOEFERKAMP BRENDON &
153	15151	BERRY TRL	SHANKLE JENNIFER
154	15151	BERRY TRL	PEREZ ERNESTO A
155	15151	BERRY TRL	PATHER KAMINI &
156	15151	BERRY TRL	MIRAELAMI IMAN
157	15151	BERRY TRL	HARPER JAMES R &
158	15151	BERRY TRL	FORD RONALD DAVID
159	15151	BERRY TRL	FEGER ANDREW SCOTT
160	15151	BERRY TRL	ALBA ALEXANDER
161	15151	BERRY TRL	KNIGHT F ANNE
162	15151	BERRY TRL	TORKAMANI SHERRY SHARZAD
163	15151	BERRY TRL	TIRED TEACHERS INVESTMENTS LLC
164	15151	BERRY TRL	SHORES CYNTHIA A
165	15151	BERRY TRL	SCANTLIN CASSANDRA LYNN
166	15151	BERRY TRL	BRAME JAY FRANK
167	15151	BERRY TRL	BALA ASISH
168	15151	BERRY TRL	DUGAN DERRICK JUSTIN & RICK D
169	15151	BERRY TRL	OTOOLE PATRICK & CHRISTINE M
170	15151	BERRY TRL	AMTX CONDO VENTURE LLC
171	15151	BERRY TRL	SLB DEVELOPMENT LLC
172	15151	BERRY TRL	MALEKFARNOOD SHOLEH
173	15151	BERRY TRL	DELGIUDICE JOSIEN A
174	15151	BERRY TRL	WHITLEY LAVERNE
175	15151	BERRY TRL	AFSHAR MOHAMMAD
176	15151	BERRY TRL	YEH SANDY & ALBERT
177	15151	BERRY TRL	66DS RENTALS LLC
178	15151	BERRY TRL	COLE ESTEP PATRICK ALAN &
179	15151	BERRY TRL	SCHIFFRIS JEFFREY L
180	15151	BERRY TRL	REDFORD JANICE JANEL
181	15151	BERRY TRL	ERLON THOMAS A EST OF & DIANE K

Label #	Address		Owner
182	15151	BERRY TRL	PERALTA FAITH
183	15151	BERRY TRL	COX TINA M &
184	15151	BERRY TRL	FIZELL CATHERINE
185	15151	BERRY TRL	LAIGO DONNA J
186	15151	BERRY TRL	NORDGREN DEBORAH BROWN
187	15151	BERRY TRL	CHAVIRA JAVIER H
188	15151	BERRY TRL	SQUYRES JEFF T
189	15151	BERRY TRL	APEL PATRICE
190	15151	BERRY TRL	LI MING JR & RU HUNG WANG
191	15151	BERRY TRL	CONTRERAS MARIA D
192	15151	BERRY TRL	KAMALZADEH HOSSEIN
193	15151	BERRY TRL	ROSEN MILDRED M LIF EST
194	15151	BERRY TRL	RASKIN BARRY & CHRISTINA
195	15151	BERRY TRL	VELARDE ANGEL
196	15151	BERRY TRL	SNOW SHELBY ERIN
197	15151	BERRY TRL	RAO PRAJAKTI P &
198	15151	BERRY TRL	KOESTLINE JACK H
199	15151	BERRY TRL	HECKATHORNE PHILLIP N
200	15151	BERRY TRL	YATES MIROSALVA GARCIA
201	15151	BERRY TRL	HOLLAND EDWARD L JR
202	15151	BERRY TRL	XU MENGYUAN
203	15151	BERRY TRL	FRANCO ISRAEL & MARIA GUADALUPE
204	15151	BERRY TRL	ABOLHASSANI TAHEREH
205	15151	BERRY TRL	GHAREHGOZLOU SAMIRA
206	15151	BERRY TRL	PECK TRACY & JOYCE JOINT
207	15151	BERRY TRL	KEEN MICHAEL &
208	15151	BERRY TRL	CRISP JAMES DAVID
209	15151	BERRY TRL	CARDENAS LILIA
210	15151	BERRY TRL	DOUGHERTY TIM
211	15151	BERRY TRL	FANDINO JOSE &
212	15151	BERRY TRL	HU QUANQING

Z212-358(JM)

Label #	Address		Owner
213	15151	BERRY TRL	SOLORZANO WILMER JOSE
214	15151	BERRY TRL	XUE YILIAN
215	15151	BERRY TRL	TUCKER KATHY
216	15151	BERRY TRL	OREM CHERYL S
217	15151	BERRY TRL	EDWARDS SCOTT
218	15151	BERRY TRL	SOLORZANO WILMER
219	15151	BERRY TRL	LEHRMAN BENJAMIN ROSS
220	15151	BERRY TRL	LEE PHILIP PEIHUNG



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for 1) a TH-3(A) Townhouse District; and 2) the termination of deed restrictions [Z167-361] on property zoned an NO(A) Neighborhood Office District, on the southeast corner of North Hampton Road and Calypso Street.

Staff Recommendation: Approval.

<u>Applicant</u>: Niraj Puri <u>Planner</u>: LeQuan Clinton

<u>U/A From</u>: October 24, 2024 and November 21, 2024.

Council District: 6 **Z234-195(LC)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: LeQuan Clinton

FILE NUMBER: Z234-195(LC) DATE FILED: March 20, 2024

LOCATION: Southeast corner of North Hampton Road and Calypso Street

COUNCIL DISTRICT: 6

SIZE OF REQUEST: 7,252 square feet CENSUS TRACT: 48113010101

OWNER: Shambhu Realty Holdings, LLC

APPLICANT: Niraj Puri

REQUEST: An application for 1) a TH-3(A) Townhouse District; and 2) the

termination of deed restrictions [Z167-361] on property zoned

an NO(A) Neighborhood Office District.

SUMMARY: The purpose of the request is to allow a duplex on the site.

STAFF

RECOMMENDATION: <u>Approval</u>.

PRIOR CPC ACTION: On Thursday October 24, 2024, the City Plan Commission

moved to hold this case under advisement until the November 21, 2024 hearing. On November 21, 2024, the City Plan Commission moved to hold this case under advisement until

the February 6, 2025 hearing.

BACKGROUND INFORMATION:

- The area of request is currently zoned an NO(A) Neighborhood Office District as undeveloped land (approx. 7,252 square feet total in size).
- Located geographically in Southwest Dallas.
- Approx. 3 miles from Trinity River Park and approx. 4 miles from downtown.
- Currently zoned NO(A) as undeveloped land/vacant lot.
- This is a corner lot and has frontage on both North Hampton Road and Calypso Street.
- Proposing termination of existing deed restriction [Z167-361], which prohibits a bails bonds office on the site. If the site were rezoned to residential, this restriction would no longer be applicable.
- To accomplish this, the applicant is requesting a general zoning change to a TH-3(A) Townhouse District.
- No changes to the case since the last meeting.

Zoning History:

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

1. **Z201-285**: On Wednesday, January 12, 2022, the City Council approved an application and an ordinance for a new tract within Planned Development District No. 508 Tract 7, on the west line of north Hampton Road, north of Bickers Street.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
North Hampton Road	Principal Arterial	100 feet	
Calypso Street	Local Street		

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and 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:

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.

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 2.1.2** Ensure that Area Plans include an economic development component to address the economic factors of the areas in the context of the city as a whole.
- **GOAL 2.5** FOSTER A CITY OF GREAT NEIGHBORHOODS
 - **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 5.2.1** Maintain neighborhood scale and character.

NEIGHBORHOOD PLUS

Z234-195(LC)

- **POLICY 4.3** Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.
- **POLICY 5.2** Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.
- **GOAL 6.1** Raise the quality of rental property through better design standards, proactive and systematic code enforcement, and zero tolerance toward chronic offenders.
- **GOAL 6.2** Expand affordable housing options and encourage its distribution throughout the city and region.

Land Use:

	Zoning	Land Use
Site	NO(A) with deed restrictions [Z167-361]	Undeveloped
North	CR	Commercial retail, auto body shop
South	R-5(A)	Undeveloped
East	R-5(A)	Single family
West	PD No. 508; Subdistrict 1: Tract 7, Subdistrict 2: LO-1(A)	Uplift Heights Prep School

Land Use Compatibility:

The area of request is currently zoned an NO(A) Neighborhood Office District with existing deed restrictions [Z167-361]; undeveloped land (approx. 7,252 square feet in total size), located on the southeast corner of North Hampton Road and Calypso Street.

Directly north of the site is CR Community Retail uses and to the west of the site is PD. No. 508 developed as a preparatory school. To the east and south of the property are single family uses under R-5(A) zoning. Staff finds the applicant's requested zoning change to a TH-3(A) Townhouse District to allow a duplex use to be appropriate and compatible with the surrounding area. The requested zoning district's allowable height is 36 feet, which would keep the development in alignment with existing heights of other residential uses in the area. Blockface continuity would apply to the front yard setback of

Z234-195(LC)

the property, also contributing to ensuring this proposed development would fit into the existing fabric of the neighborhood.

Staff supports the applicant's request and finds the proposed rezoning to be appropriate for this area, as it would not be detrimental to surrounding uses. This compatibility is further reflected in the development standards comparison table below.

Development Standards:

The following is a comparison chart of the development standards for the current NO(A) Neighborhood Office District and the proposed TH-3(A) Townhouse District.

District	Setback		Density	Height	Lot	Special	Primary
District	Front	Side/Rear	Density	Height	Cvrg	Standards	Uses
Existing: NO(A)	15'	20' adj to res Other: No min	0.5 FAR No min lot size	35' ¹ 2 stories	50%	Proximity Slope Visual Intrusion	Office
Proposed: TH-3(A)	0'2	SF: None Duplex: 5' / 10' Other: 10' ^{3,4}	12 du/ac (3,630 sf avg per du) 2,000 sf min lot size ⁵	36'	60%		Single family
Abutting: R-5(A)	20'	SF: 5' Other: 10'	1 du/5,000 sf	30'	45%		Single family

¹ Per <u>Sec. 51A-4.121(a)(4)(E)(ii)</u>, maximum structure height is 35 feet for a structure with a gable, hip, or gambrel roof; and 30 feet for any other structure.

² Per <u>Sec. 51A-4.401(a)(6)</u>, if a blockface is divided by two or more zoning districts, the front yard for the entire blockface must comply with the requirements of the district with the greatest front yard requirement. So, the request area would be subject to a 20-foot front yard due to the adjacent R-5(A) District lot to the south.

³ Per <u>Sec. 51A-4.401(b)(1)</u>, if a corner lot in a residential district has two street frontages of unequal distance, the shorter frontage is governed by the front yard regulations, and the longer frontage is governed by the side yard regulations. So, the North Hampton Road frontage is the front yard, and the Calypso Street frontage is the side yard.

⁴ Per <u>Sec. 51A-4.114(4)(B)(v)</u>, if a townhouse district abuts a district that requires a greater side yard, the side yard requirements of the more restrictive district apply to the abutting side yard in the townhouse district. So, the southern property line would be subject to the side yard of the abutting R-5(A) District.

⁵ The TH-3(A) District does not permit more than 12 dwelling units per acre, which requires an average lot size of 3,630 square feet per dwelling unit. However, per permitting staff, the minimum lot size for residential use controls over the maximum dwelling unit density. The minimum lot size is 6,000 square feet. As the request area is least 6,000 square feet, a duplex would be permitted on the lot.

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

LEGEND

•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
*	Consult the use regulations in Section 51A-4.200, 51A-4.213

	Existing	Proposed
Use	NO(A)	TH-3(A)
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop		
Bus or rail transit vehicle maintenance or storage facility		
Catering service		
Commercial bus station and terminal		
Commercial cleaning or laundry plant		
Custom business services		
Custom woodworking, furniture construction, or repair		
Electronics service center		
Job or lithographic printing		
Labor hall		
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory		
Technical school		
Tool or equipment rental		
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		
Alcoholic beverage manufacturing		

Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		
Use	NO(A)	TH-3(A)
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	S	S
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	•	
Cemetery or mausoleum	S	S
Child-care facility	•	*
Church	•	•
College, university, or seminary		S
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		S
Convent or monastery		S
Foster home		S
Halfway house		
Hospital		
Library, art gallery, or museum	•	S
Open enrollment charter school or private school	S	
Public or private school	R	S
LODGING USES		
Extended stay hotel or motel		
Hotel or motel		
Lodging or boarding house		
Overnight general purpose shelter		
Short-term rental lodging		
MISCELLANOUS USES		
Attached non-premise sign	S	
Carnival or circus (temporary)	*	*
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•

OFFICE USES		
Alternative financial establishment		
Financial institution without drive-in window	•	
Use	NO(A)	TH-3(A)
Financial institution with drive-in window		
Medical clinic or ambulatory surgical center	•	
Office	•	
RECREATION USES		
Country club with private membership	•	S
Private recreation center, club, or area	S	S
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house	S	
Duplex		•
Group residential facility		
Handicapped group dwelling unit		*
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		
Residential hotel		
Retirement housing		S
Single family		•
RETAIL AND PERSONAL SERVICE USES		
Alcoholic beverage establishments		
Ambulance service		
Animal shelter or clinic without outside runs		
Animal shelter or clinic with outside runs		
Auto service center		
Business school	S	
Car wash		
Commercial amusement (inside)		
Commercial amusement (outside)		
Commercial motor vehicle parking		
Commercial parking lot or garage		
Convenience store with drive-through		
Drive-in theater		
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		

General merchandise or food store 100,000 square feet or more		
Home improvement center, lumber, brick or building materials sales yard		
Use	NO(A)	TH-3(A)
Household equipment and appliance repair		
Liquefied natural gas fueling station		
Liquor store		
Mortuary, funeral home, or commercial wedding chapel		
Motor vehicle fueling station		
Nursery, garden shop, or plant sales		
Outside sales		
Paraphernalia shop		
Pawn shop		
Personal service use	•	
Restaurant without drive-in or drive-through service	S	
Restaurant with drive-in or drive-through service		
Surface parking		
Swap or buy shop		
Taxidermist		
Temporary retail use		
Theater		
Truck stop		
Vehicle display, sales, and service		
TRANSPORTATION USES		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley		S
Railroad passenger station		
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	•	•
Transit passenger station or transfer center	S	S
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station		
Electrical generating plant		
Electrical substation	S	S
Local utilities	S, R, ★	S, R, ★
Police or fire station	S	S
Post office		

Refuse transfer station Sanitary landfill Use NO(A) TH-3(A) Sewage treatment plant Tower/antenna for cellular communication * * Utility or government installation other than listed S Water treatment plant WHOLESALE, DISTRIBUTION, AND STORAGE USES Auto auction Building mover's temporary storage yard Contractor's maintenance yard Freight terminal Livestock auction pens or sheds Manufactured building sales lot Mini-warehouse Office showroom/warehouse Outside storage Petroleum product storage and wholesale Recycling buy-back center Recycling drop-off container Recycling drop-off for special occasion collection Sand, gravel, or earth sales and storage Trade center Vehicle storage lot Warehouse Accessory Use NO(A) TH-3(A) Community center (private) Day home Game court (private)
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Community center (private) Day home Game court (private)
Day home Game court (private)
Game court (private)
General waste incinerator
Helistop
Home occupation
Medical/infectious waste incinerator
Outside display of merchandise
Outside sales
Pathological waste incinerator
Pedestrian skybridge

Landscaping:

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

Parking:

Under the requested TH-3(A) Townhome District, the applicant proposes a duplex. Pursuant to the Dallas Development Code, the off-street parking requirement for a duplex use is two spaces per unit.

At permitting, the applicant would be required to comply with the standard parking ratios for the specified use, as well as any other uses permitted under the proposed TH-3(A) Townhome District.

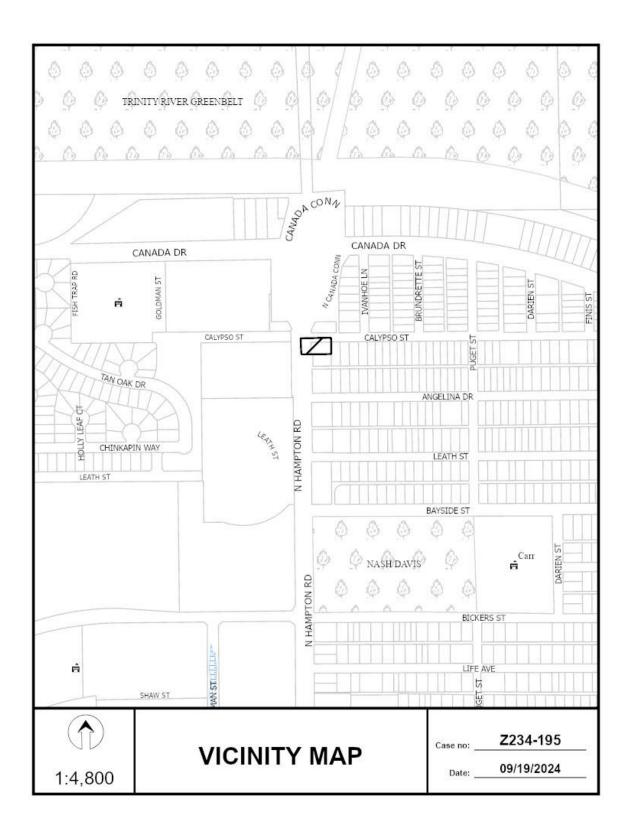
Market Value Analysis:

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 target intervention strategies more precisely 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 currently in an "E" MVA area. To the north, east and south of the site is the "E" MVA area. To the west of the site is only the "H" MVA area.

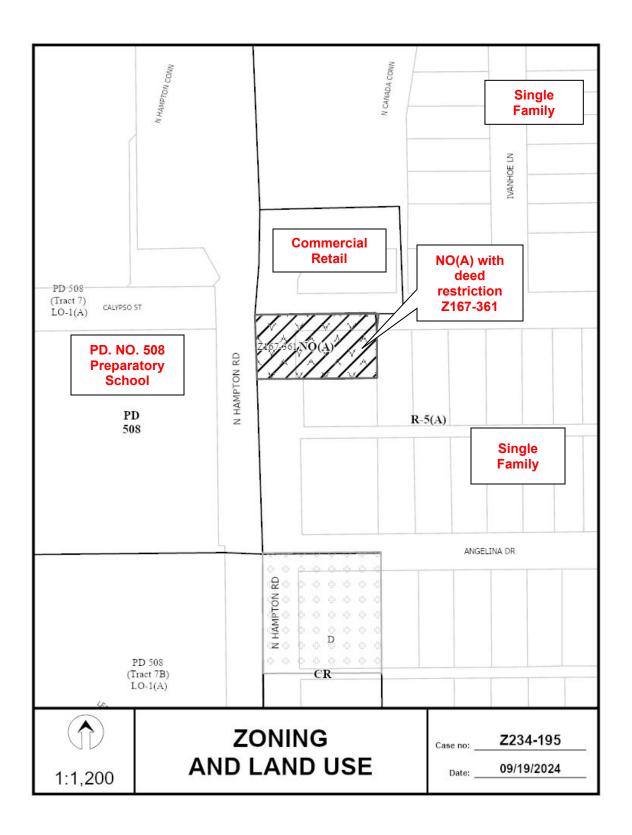
List of Officers

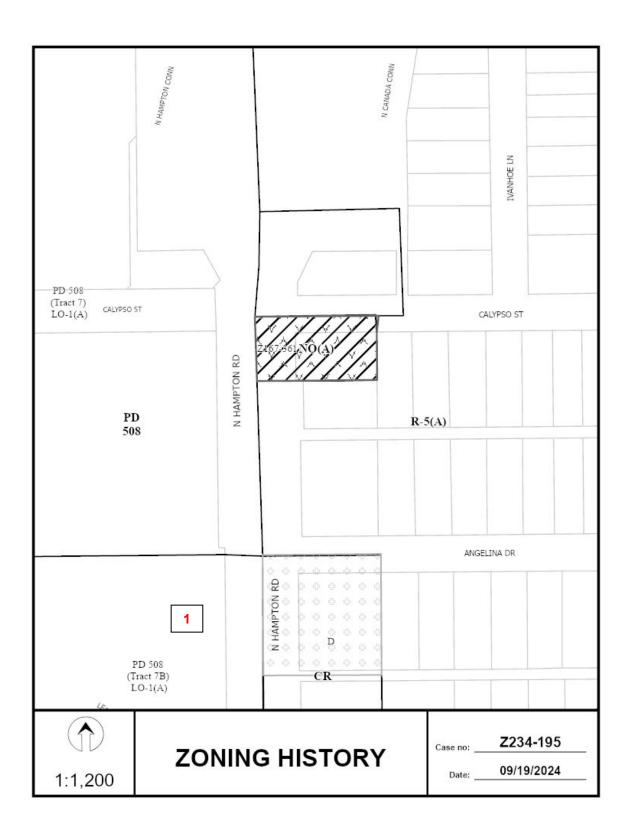
Shambhu Realty Holdings LLC

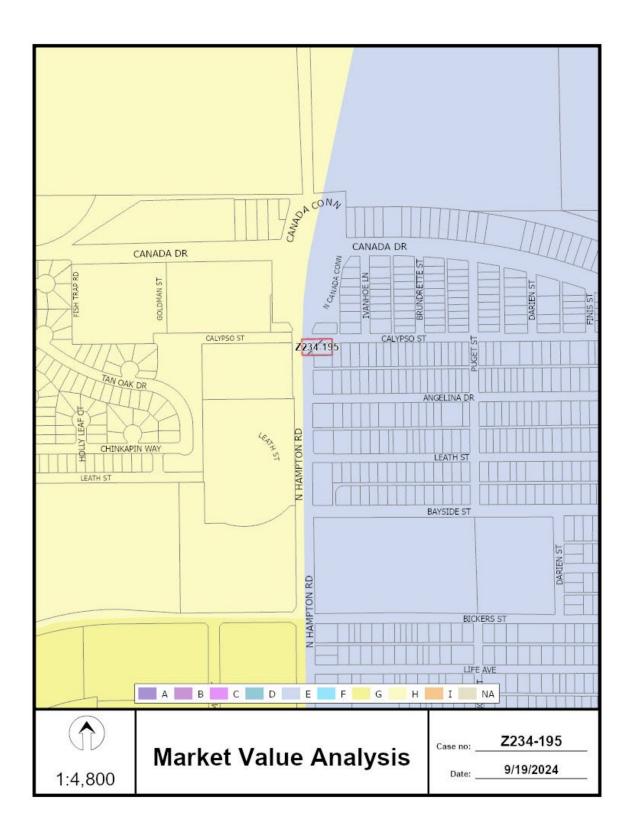
Niraj Puri, Managing Sole Member

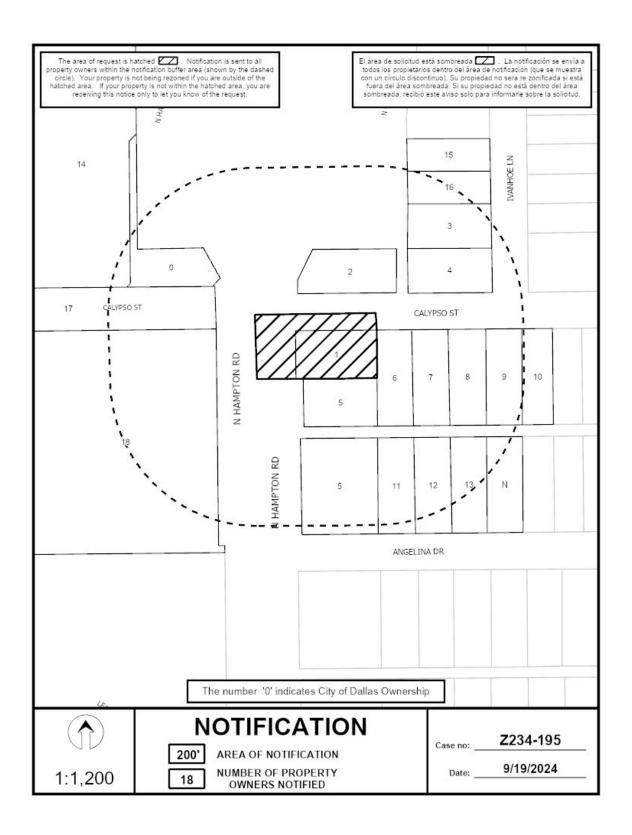












09/19/2024

Notification List of Property Owners Z234-195

18 Property Owners Notified

Label #	Address		Owner
1	3944	N HAMPTON RD	AGUIRRE JUAN
2	4002	N HAMPTON RD	GRESS JUAN E & SILVIA C
3	4009	IVANHOE LN	PENALOZARIVERA SILAY
4	4003	IVANHOE LN	WASHINGTON ANGELA
5	3940	N HAMPTON RD	ABUNDANT FAITH CHURCH
6	2058	CALYPSO ST	SERRATO FRANCISCO JAVIER B &
7	2054	CALYPSO ST	CORRO ALVIS
8	2050	CALYPSO ST	STEWARD SHARON
9	2046	CALYPSO ST	PRIDE EDWARD C & LINDA K
10	2042	CALYPSO ST	GALILEE CHURCH OF GOD IN
11	2059	ANGELINA DR	WILLIAMS JARED MIKAL LIFE EST
12	2055	ANGELINA DR	SCHEIFELE BENEDIKT &
13	2051	ANGELINA DR	ERIC NYANDWI &
14	2100	CANADA DR	WEST DALLAS COMMUNITY SCHOOL
15	4017	IVANHOE LN	RAMOSVILLICANA JOSE
16	4013	IVANHOE LN	OKEYEMI STANLEY &
17	1	TAN OAK DR	GREENLEAF VILLAGE HOA INC
18	2202	CALYPSO ST	DALLAS HOUSING AUTHORITY



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for the renewal of Specific Use Permit No. 2269 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay, on the northeast corner of South Buckner Boulevard and Forney Road.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to amended conditions.

Applicant: Bert & Bob Investment Co.

Representative: Andrew Ruegg, MASTERPLAN

<u>Planner</u>: Connor Roberts <u>U/A From</u>: January 23, 2025.

Council District: 7
Z234-111(CR)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z234-111(CR) DATE FILED: October 16, 2023

LOCATION: Northeast corner of South Buckner Boulevard and Forney

Road.

COUNCIL DISTRICT: 7

SIZE OF REQUEST: ± 24,393 sqft **CENSUS TRACT**: 48113012207

REPRESENTATIVE: Andrew Ruegg, MASTERPLAN

OWNER/APPLICANT: Bert & Bob Investment Co.

REQUEST: An application for renewal of Specific Use Permit No. 2269 for

the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor

Control Overlay.

SUMMARY: The purpose of the request is to allow for the continued sale of

alcoholic beverages in conjunction with a general merchandise

or food store 3,500 square feet or less.

STAFF RECOMMENDATION: <u>Approval</u> for a five-year period with eligibility for

automatic renewals for additional five-year periods,

subject to amended conditions.

PRIOR CPC ACTION: At the January 23, 2025 hearing, the City Plan

Commission moved to hold the case until February 6,

2025.

BACKGROUND INFORMATION:

- The approximately 0.56-acre area of request is developed with a 3,010-square-foot general merchandise or food store (convenience store) and vehicle fueling station (gas pumps).
- On March 28, 2018, the City Council approved a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period on the request site. The SUP was renewed on February 26, 2020, with eligibility for automatic renewal for additional two-year periods. The SUP was then automatically renewed on February 26, 2022. This application would renew the SUP for a five-year period, with eligibility for automatic renewal for additional five-year periods.
- The proposed request is to continue the sale of alcohol for off-premises consumption in conjunction with the general merchandise use on the property. No changes are proposed to the site plan.
- The general merchandise use is permitted by right. The sale of alcoholic beverages for off-premises consumption is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.
- No changes are proposed to the existing site plan.
- No changes have been proposed since the previous hearing.

Zoning History:

There have been three zoning cases in the area in the last five years:

- 1. **Z234-155:** On August 14, 2024, the City Council approved a request for an amendment to Specific Use Permit No. 2359 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay, located on the southwest corner of South Buckner Boulevard and Forney Road.
- Z201-351: On May 11, 2022, the City Council approved an application for the renewal
 of Specific Use Permit No. 2359 for the sale of alcoholic beverages in conjunction with
 a general merchandise or food store 3,500 square feet or less on property zoned a LID-1 Light Industrial District with a D-1 Liquor Control Overlay, located on the southwest
 corner of South Buckner Boulevard and Forney Road.
- 3. **Z201-347:** On January 31, 2022, the City of Dallas approved the automatic renewal of Specific Use Permit No. 2269 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a LI-

D-1 Light Industrial District with a D-1 Liquor Control Overlay, located on the northeast corner of Buckner Road and Forney Road. [subject property]

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW	
South Buckner Boulevard	Principal Arterial 107 feet		
Forney Road	Community Collector	80 feet	

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

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

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

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISH 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	LI-D-1 Light Industrial with D-1 Liquor Control Overlay (SUP No. 2269)	Fueling station		
North	LI-D-1 Light Industrial with D-1 Liquor Control Overlay	Church		
East	LI-D-1 Light Industrial with D-1 Liquor Control Overlay	Warehouse		
South	LI-D-1 Light Industrial with D-1 Liquor Control Overlay	Industrial (inside)		
West	MC-1-D-1 Multiple Commercial District with D-1 Liquor Control Overlay	Undeveloped		

Land Use Compatibility:

The approximately 0.56-acre area of request is zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay and is currently developed with a general merchandise or food store and a motor vehicle fueling station. The request for renewal of Specific Use Permit No. 2269 will allow the applicant to continue to sell alcohol for off-premise consumption in conjunction with the general merchandise. Additionally, the applicant is seeking to amend the previously approved conditions to permit automatic renewals for additional 5-year periods (an increase from the prior 2-year automatic renewal periods).

The general merchandise use is permitted by right. The sale of alcoholic beverages for off-premise consumption is prohibited in a D Liquor Control Overlay and requires a specific use permit in the D-1 Liquor Control Overlay.

The adjacent land uses consist of a warehouse and church use to the north, warehouse uses to the east and an industrial (inside) use to the south. Properties west of the request site, across South Buckner Boulevard, are undeveloped. The proposed request complies with the alcoholic distance requirement of 300 feet from a church, which is measured front door to front door along the right-of-way lines.

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

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

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

Landscaping:

Landscaping will be provided in accordance with Article X of the Dallas Development Code, as amended.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 3,500 square feet or less is at one space for each 200 square feet of floor area. Based on the 3,010 square feet of floor area, the development requires 17 spaces with 17 being provided per the attached site plan.

Crime Statistics:

Arrest(s):

Description	Count
APOWW (SOCIAL SERVICES REFERRAL)	1
ASSAULT -PUB SERV (PEACE OFFICER/JUDGE)	1

Call(s):

Description	Count
20 - Robbery	1
46A - CIT w/Ambulance	1
32 - Suspicious Person	1
6X - Major Dist (Violence)	1
46 - CIT	1
40/01 - Other	1
7X - Major Accident	1
7X - Major Accident	1
6X - Major Dist (Violence)	1
40 - Other	1
11B/01 - Burg of Bus	1
40 - Other	1
41/11B - Burg Busn in Progress	1
11B - Burg of Bus 6X - Major Dist (Violence)	1
07 - Minor Accident	1
40 - Other	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
40 - Other	1
24 - Abandoned Property	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
41/20 - Robbery - In Progress	1
40 - Other	1
40 - Other	1
46 - CIT	1
46 - CIT	1
46 - CIT	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
43 - Road Rage	1
24 - Abandoned Property 6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
32 - Suspicious Person	1

Description	Count
40/01 - Other	1
21B - Business Hold Up	1
21B - Business Hold Up	1
40/01 - Other	1
6X - Major Dist (Violence)	1
7X - Major Accident	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
DASF-Dist Active Shooter Foot	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
20 - Robbery	1
6X - Major Dist (Violence)	1
6X - Major Dist (Violence)	1
16 - Injured Person	1
40 - Other	1
6X - Major Dist (Violence)	1
40 - Other	1
6X - Major Dist (Violence)	1
DAEV-Dist Armed Encounter Veh	1
21B - Business Hold Up	1
21B - Business Hold Up	1

Incident(s):

Description	Count
MISCELLANEOUS	1
MISCELLANEOUS	1
TRAFFIC VIOLATION - HAZARDOUS	1
BURGLARY-BUSINESS	1
MISCELLANEOUS	1
MISCELLANEOUS	1
MISCELLANEOUS	1
DRUG EQUIPMENT VIOLATIONS	1
DRUG/ NARCOTIC VIOLATIONS	1
ROBBERY-INDIVIDUAL	1
DRUG/ NARCOTIC VIOLATIONS	1
UUMV	1
UUMV	1
INTIMIDATION	1
MISCELLANEOUS	1

Description	Count
BMV	1
BMV	1
SIMPLE ASSAULT	1
MISCELLANEOUS	1
DESTRUCTION/ DAMAGE/ VANDALISM OF	1
PROPERTY	'
SIMPLE ASSAULT	1
MISCELLANEOUS	1
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	1
WEAPON LAW VIOLATIONS	1
MISCELLANEOUS	1

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 currently in an "F" MVA area.

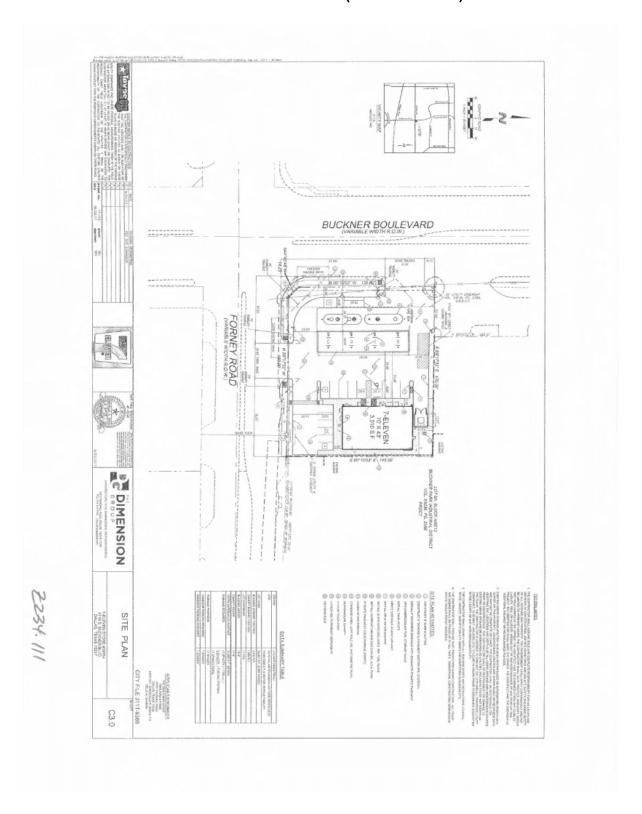
LIST OF OFFICERS

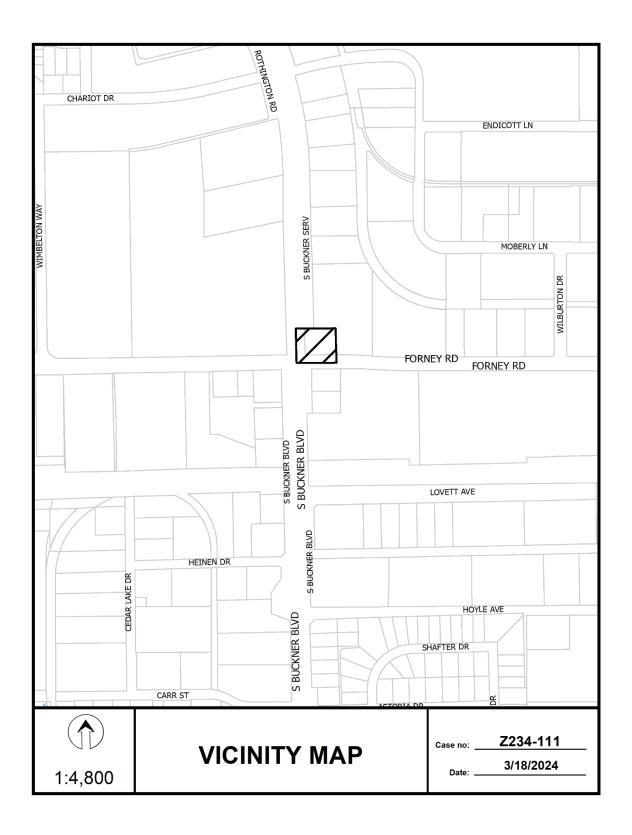
Bert & Bob Investment Co. Steven H. Epsten, Partner Ber H. Epsten, Partner

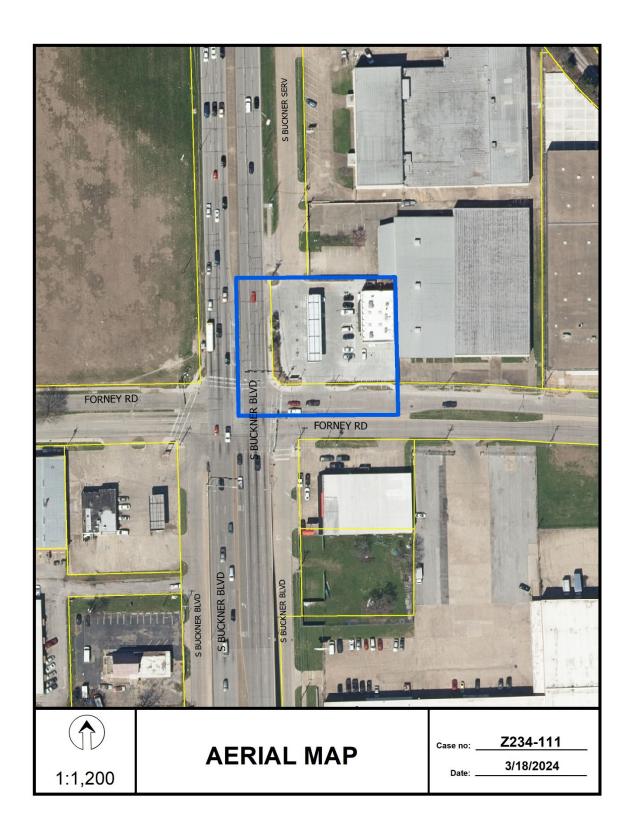
PROPOSED SUP CONDITIONS

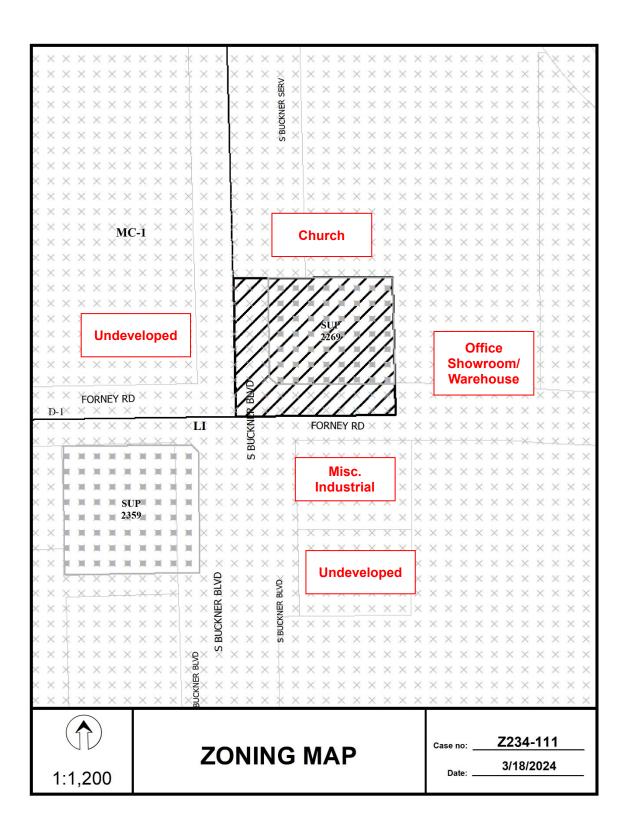
- 1. <u>USE</u>: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (5 years from the passage of this ordinance) [February 26, 2024], but is eligible for automatic renewal for one additional five-year [two-year] periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that application for automatic renewal must be filed after the 18th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for application for automatic renewal is strictly enforced.)
- 4. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 5. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

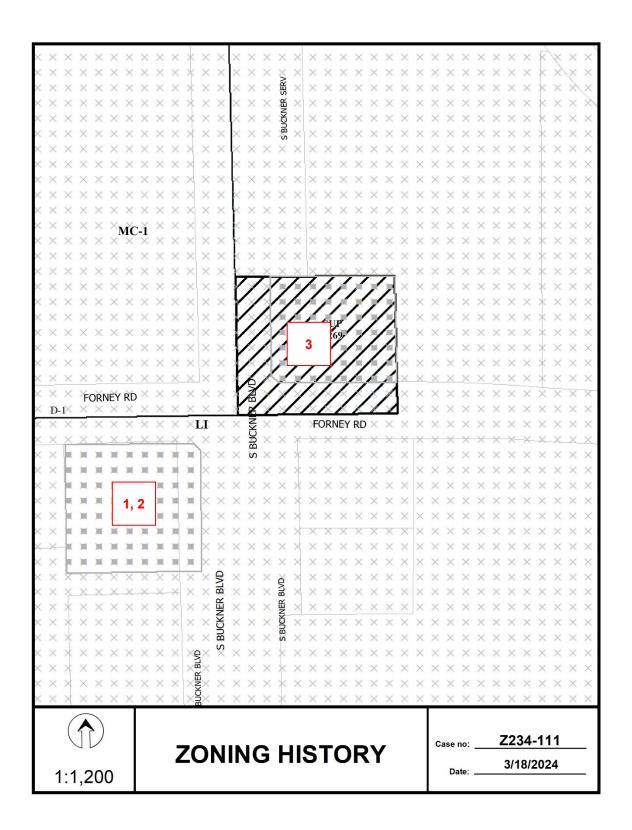
EXISTING SITE PLAN (NO CHANGES)









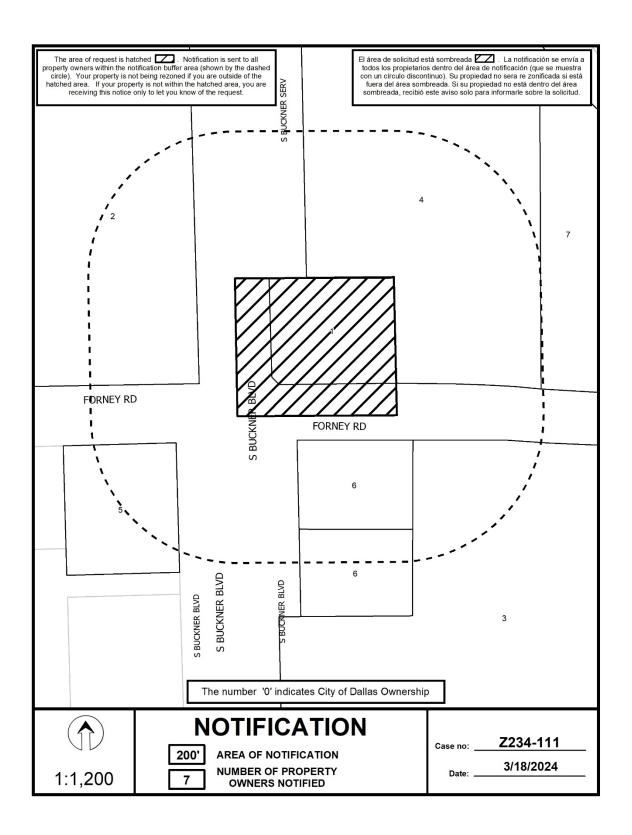




1:4,800

Market Value Analysis

Printed Date: 3/18/2024



03/18/2024

Notification List of Property Owners Z234-111

7 Property Owners Notified

Label #	Address		Owner
1	4710	S BUCKNER BLVD	BERT & BOB INVESTMENT CO
2	4700	S BUCKNER BLVD	MDJ BUCKNER LLC
3	4520	S BUCKNER BLVD	WHEEL MART TEXAS INC
4	4740	S BUCKNER RD	LANDSCAPE STRUCTURES INC
5	4625	S BUCKNER BLVD	TRISPEED INVESTMENT INC
6	4612	S BUCKNER BLVD	ZAXO GROUP INC
7	8131	FORNEY RD	LANDSCAPE STRUCTURES INC



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District bound by Cedar Springs Road, Maple Avenue, North Pearl Street, and McKinney Avenue.

<u>Staff Recommendation</u>: <u>Approval</u>, subject to a conceptual plan, development plan, Subarea A

landscape plan, Subarea B landscape plan, and staff's recommended conditions.

<u>Applicant</u>: GPIF TC Owner LLC Representative: Victoria Morris

Planner: Martin Bate

U/A From: January 23, 2025.

Council District: 14

Z234-243(MB)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Martin Bate

FILE NUMBER: Z234-243(MB) DATE FILED: May 22, 2024

LOCATION: Bound by Cedar Springs Road, Maple Avenue, North Pearl

Street, and McKinney Avenue

COUNCIL DISTRICT: 14

SIZE OF REQUEST: Approx. 9.94 acres CENSUS TRACT: 48113001802

REPRESENTATIVE: Victoria Morris

OWNER/APPLICANT: GPIF TC Owner LLC

REQUEST: An application for a Planned Development Subdistrict for HC

Heavy Commercial Subdistrict uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of the request is to allow modified development

standards primarily related to floor area ratio, height, parking,

and landscaping.

STAFF RECOMMENDATION: <u>Approval</u>, subject to a conceptual plan, development

plan, Subarea A landscape plan, Subarea B landscape

plan, and staff's recommended conditions.

PRIOR CPC ACTION: On January 23, 2025, CPC moved to hold this case

under advisement until February 6, 2025.

BACKGROUND INFORMATION:

- The area of request is currently zoned an HC Heavy Commercial Subdistrict within PD 193.
- The request site is approximately 9.94 acres in size.
- Site is currently developed with a mixed-use property including a hotel, offices, retail, and restaurants.
- The applicant wishes to develop a multifamily building on the northwest portion of the site, which would be known as Subarea A. The existing development on the site would be known as Subarea B and is not proposed to be changed.
- To build to the desired development plan, the applicant requests modifications to the base HC Heavy Commercial Subdistrict. These modifications include increased floor area ratios, increased height, and modified parking standards.
- The applicant proposes utilizing a Mixed Income Housing Development Bonus (MIHDB) in order to receive the proposed increased height standards.
- The public realm will be enhanced by design standards that improve the urban landscape and create a walkable environment.
- No changes have been proposed since the previous docket.

Zoning History:

There have been two zoning cases in the area within the last five years.

- **1. Z223-156**: On October 5, 2023, staff approved an application for automatic renewal for Specific Use Permit No. 2412 for the sale or service of alcoholic beverages in conjunction with an establishment of a religious, charitable, or philanthropic nature.
- **2. Z223-114**: On November 8, 2023, City Council approved an application for (1) a Planned Development District, and (2) a removal of the D Liquor Control Overlay on property zoned Planned Development District No. 9 with a D Liquor Control Overlay and a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the east corner of Cedar Springs Road and Fairmount Street.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
Maple Avenue	Community Collector	-
McKinney Avenue	Community Collector	-
Cedar Springs Road	Minor Arterial	-
North Pearl Street	Principal Arterial	-

Traffic:

The Engineering Division of Planning and Development reviewed a traffic impact analysis dated April 2, 2024 for the proposed multifamily development located at The Crescent. The project's construction schedule has an expected buildout in 2027. Based on the proposed scope of work, the development will require subsequent engineering review to evaluate the project's impact to existing water, wastewater, paving and drainage, and transportation infrastructure.

The traffic study is incomplete and must be reevaluated with current data and actual field conditions. Staff has no objection to allow the applicant to submit a revised report at permitting, along with their engineering studies. Review of the revised study will ascertain commensurate improvements considered roughly proportional to the development impact, such as upgrades to the sidewalk, channelized turn in Cedar Springs, and signal equipment at the corner adjacent to the subject site to comply with ADA/PROWAG and modifying sidewalk and curb ramp to include detectors and accessible pedestrian signal infrastructure.

Engineering staff also reviewed a proposed development plan and has no objection to the proposed plan, except that Engineering staff recommends denial of the proposed indented drop off lane on Cedar Springs given its proximity to the intersection and its attractiveness for maneuvering in and out of the lane around the existing median on Cedar Springs. The applicant did not provide any justification to propose the use of a public curb for private deliveries and/or drop off. Staff recommends removing the drop off from the development plan or clearly specifying that any indented curb is subject to Chapter 43-62. The development team will have the option to discuss the proposed drop off on Cedar Springs as part of an engineering set of plans.

Engineering staff will continue reviews of the proposed project through platting and permitting.

STAFF ANALYSIS:

Comprehensive Plan:

The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006 and 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:

LAND USE ELEMENT

- **GOAL 1.1** ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES
 - **Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.
 - **1.1.5.3** Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.
 - **1.3.1.7** Implement zoning tools to accommodate alternative housing products.
- **GOAL 1.3** PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS
 - **Policy 1.3.1** Create housing opportunities throughout Dallas.
- **GOAL 2.5** FOSTER A CITY OF GREAT NEIGHBORHOODS
 - **Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.
 - **Policy 2.5.2** Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

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

URBAN DESIGN

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.

NEIGHBORHOOD PLUS

GOAL 4 ATTRACT AND RETAIN MIDDLE CLASS

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

GOAL 6 ENHANCE RENTAL HOUSING OPTION

Policy 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

The proposed project has the potential to meet several goals of the comprehensive plan related to providing affordable housing and expanding homeownership opportunities.

Area Plans:

The <u>Downtown Dallas 360 Plan</u> was adopted in April 2011 and updated in December 2017. The Plan was adopted as a guide to future City Council actions concerning land use and development regulations, transportation and economic development, and capital improvement expenditures in the area generally bound by a two-and-a-half-mile radius centered on the intersection of Main Street and Akard Street.

The Plan recognizes Uptown as a Core / Supporting Districts as "one of the city's most vibrant urban neighborhood, boasting a lively mix of residences and retailers, restaurants and offices, walkable, bikeable streets, and green spaces, all connected via the area's beloved McKinney Avenue Trolley." Uptown is largely successful in balancing jobs, housing and services. As Dallas's densest neighborhood, Uptown consists of a wide mix of apartments, condominiums, townhouses, residential towers and historic homes. Despite these assets, large blocks and inward-oriented building architecture present challenges to pedestrian activity in many parts of the district. In the future, developments are expected to fill in gaps to assist in creating a truly walkable, transit-oriented urban neighborhood.

The Plan's key recommendations includes:

- Create a transit-oriented, walkable neighborhood by developing new projects and redeveloping existing buildings with small setbacks, ground floors with high transparency, and retail/restaurant uses; address parking needs while envisioning no surface parking in front of buildings.
- Notably, the 360 Plan includes Transformative Strategy 5, which is "Reform the Approach to Parking". The open method provided by the proposed PD for provision of parking is an appropriate step on carrying out the 360 Plan.

The applicant's request is consistent with the goals and policies of the 360 Plan. The proposal includes a development that would contribute to a walkable, vibrant, urban neighborhood. This is accomplished through a ground floor with high transparency and retail/restaurant uses, pedestrian design standards, and higher density as recommended in the Plan. The proposal also activates the area with additional housing.

The 360 Plan is intended to create a complete and connected city center with transformative strategies such as advanced urban mobility, building complete neighborhoods, and promoting great placemaking. The proposed development plan adds an improved street presence than is currently provided.

Comprehensive Environmental and Climate Action Plan (CECAP)

Goal 3: Dallas' communities have access to carbon-free, affordable, transportation options.

T10 Adopt a target corridor, district, or city-wide mode split goals to help reinforce policies aimed at reducing single-occupancy vehicle use

T14 Adopt a revised parking ordinance strategy that supports new mode split goals and land use strategy that minimizes available parking in transit-oriented districts.

The staff recommended conditions, which include reduced minimum parking requirements support the low carbon and mode split goals of CECAP.

Land Use:

	Zoning Land Use			
Site	HC Heavy Commercial	Office, hotel, restaurant, retail		
North	HC Heavy Commercial, PD No. 9, PDS 146	Multifamily		
South	PD No. 334	Hotel, multifamily		
East	PDS 160	Restaurant, personal service		
West	HC Heavy Commercial	Multifamily, office		

Land Use Compatibility:

The area of request is currently developed with a large mixed-use site consisting of offices, a hotel, restaurants, and retail. The northwest portion of the site is primarily developed as surface parking and an entry point for underground parking.

The immediate surroundings of the site are predominantly a mix of mid- and high-rise developments that include a mix of retail, office, residential, and lodging uses. The site is bounded by four roadways ranging from community collectors to principal arterials. Additionally, the site is accessible to the McKinney Avenue Trolley and DART bus routes.

The proposed conditions in the Planned Development District include deviations that allow for greater height than what is provided in the existing PD 193 Heavy Commercial District, including a bonus for complying with Mixed Income Housing requirements. In the immediate vicinity of the site, the lowest maximum height is 36 feet while the highest is 406 feet. Staff notes that the 36 feet max height is in PD No. 9, which is not adjacent to the area of request and is adjacent to existing PD 193 HC zoning, which would provide for a transition from the taller height of the area of request to the lower height of PD No. 9. As such, staff finds that the requested height is compatible with the surrounding uses.

Staff notes that the proposed PD is separated into two Subareas; the existing development would be within Subarea B and is not proposed to be modified. The proposed new development would be within Subarea A.

Staff supports the requested Planned Development District as the area is suitable for mixed uses including high-density multifamily and retail. The proposed conditions enhance the public realm by providing landscaping, improvements to the pedestrian realm (including enhanced sidewalks and crosswalks, transparency and articulation requirements).

Development Standards

DISTRICT	SETBACKS Front Side/Rear		Lot Size / Dwelling Unit Density	<u>FAR</u>	<u>Height</u>	<u>Lot</u> <u>Coverage</u>
Existing PD 193 HC	None	Side: 10' for multifamily Rear: 25' for multifamily	Min. 100 sqft lot area per dwelling unit ³	4:1	240'	Residential: 60% Non-res: 100%
Proposed new PDS	None	Side: 10' for multifamily Rear: 25' for multifamily	Min. 100 sqft lot area per dwelling unit ³	<mark>5.1:1</mark>	285' Area A: 415' ^{1,2}	Residential: 60% Non-res: 100%

- 1: Only if Area A design standards and MIHDB are met.
- 2: 30' overrun allowed for equipment, observation deck.
- 3: Schedule of minimum lot areas:
 - Studio: 100 square feet
 - One bedroom: 125 square feet
 - Two bedrooms: 150 square feet
 - Each additional bedroom above two bedrooms: additional 25 square feet

Design Standards

The proposed PD includes the following design standards for Subarea A:

- New sidewalks at least six feet in width with a five-foot wide planting zone between curb and sidewalk
- Bicycle parking and micro-mobility charging must be provided
- Minimum 30 percent transparency for street-facing façade, up to 30 feet in height.

- Façade articulation is required for blank facades longer than 30 feet.
- Pedestrian-scale lighting is provided.
- 10% of site must be reserved as open space.

The proposed design standards enhance the pedestrian realm by creating an environment that is more appealing to street users, including pedestrians and bicyclists. This allows for a development that, while tall, is perceived as inviting rather than imposing. The provisioning of bicycle parking and micro-mobility charging further enhance the public realm by making the site more accessible via transportation options other than single-occupant vehicles.

Mixed Income Housing Development Bonus

The applicant proposes that 5% of the total residential units be made available to households earning between 81-100% of the area median family income (AMFI).

As the property is located in an "D" MVA area, staff recommends the mixed income housing units be made available to households earning between 61-80% AMFI. This is in accordance with guidance from the city's housing department, with the intent of ensuring diversity of incomes throughout the city.

Landscaping:

Landscaping will be provided in accordance with landscape plans for Subareas A and B. The landscape plan for Subarea B incorporates existing variances granted by the Board of Adjustment. The landscape plan for Subarea A provides for 30 trees along Cedar Springs Road and Maple Avenue.

Parking:

As the site currently has an underground parking facility, the proposed conditions set the required parking equal to the number of spaces available in the facility (2,538 parking spaces).

As there is substantial parking available on-site, staff recommends that the required offstreet parking be set to zero; this will provide flexibility in the provisioning of space within the site and allow for right-sizing of the parking facility as future needs change.

Parking requirements are not appropriate in proximity to high frequency transit, adjacent to major employment centers (Downtown Dallas), in mixed use areas, or in legacy

building environments. Removing these requirements will allow the applicant to provide parking through agreements and allow for easier accounting for new certificates of occupancy as necessary. This is a policy also supported by the city's Comprehensive Environmental and Climate Action Plan (CECAP).

As with any minimum required parking, these ratios only reflect the minimum amount required. The developer may provide additional parking beyond these; in the case of this property, a substantial amount of underground parking is already built and available for both Subarea A and the existing uses in Subarea B. Reducing overparking, especially in walkable and transit rich areas, helps achieve the urban design and environmental goals of the comprehensive plan. Removing required minimums allow the applicant to provide parking flexibly and through agreements with other property owners, should they so choose. Removing required minimums assists landowners in acquiring mixed use sharing and outside agreements for parking, as they would not need to be recorded through deed restriction with the city.

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 within a "D" MVA area.

List of Officers

GPIF TC Owner LLC

Officers	Title
John C. Goff	Chairman
Jason E. Anderson	Co-Chief Executive Officer
Conrad J. Suszynski	Co-Chief Executive Officer
Andrew P. Lombardi	Chief Financial Officer
Joseph Pitchford	Managing Director, Development
Theresa Cabilao	Senior Vice President, Hospitality
Mark Cox	Senior Vice President, Finance
Kevin Crum	Senior Vice President, Development
Noelle Garsek	Senior Vice President, General Counsel and Secretary
Lindsey Giacchino	Senior Vice President, Investments
John G. Grant	Senior Vice President, Investments
Chris Hanrattie	Senior Vice President, Investments
Travis Jeakins	Senior Vice President, Construction
Ben Molk	Senior Vice President, Investments
Josh Pirtle	Senior Vice President, Asset Management
Scott Rodgers	Senior Vice President, Development
Mike Bannon	Vice President
Caleb Bury	Vice President Investments
Anthony B. Click	Vice President, Leasing
Jeff Dyer	Vice President, Investments
Christopher Goff	Vice President, Capital Formation
Tiffany Payan	Vice President, Fund Controller
Brian J. Terpstra	Vice President, Investments
Jerry Walters	Vice President, Hospitality Project Management
Allison Whitlock	Vice President, Accounting
Elizabeth A. Hays	Assistant Secretary

PROPOSED PD CONDITIONS Division S-___. PD Subdistrict ___.

SEC. S1	101. LEGISLATIVE HISTORY.	
	ubdistrict was established by Ordinance No, passed by the Dallas City, 2024. (Ord)	
SEC. S1	102. PROPERTY LOCATION AND SIZE.	
	ubdistrict is established on property bounded by Cedar Springs Road, Maple Kinney Avenue, and Pearl Street. The size of PD Subdistrict is 9.9414 acres)	
SEC. S1	103. DEFINITIONS AND INTERPRETATIONS.	
I of this artic	Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part le apply to this division. If there is a conflict, this division controls. If there is a een Chapter 51 and Part I of this article, Part I of this article controls.	
(b)	In this division:	
	(1) HABITAT GARDEN means any planting areas that are native or native cies to North Texas with low water or very low water consumption characteristics ation of attracting or providing habitat for bees, birds, butterflies, or other pollinators tion thereof.	
outlet availab	(2) MICRO-MOBILITY CHARGING means an electrical charging station or ele for charging micro-mobility vehicles such as e-scooters and e-bikes.	
	(3) NEW SIDEWALK means a sidewalk that is required to be constructed after , 2025. For purposes of this definition, repairs that are necessary to maintain instructed prior to, 2025 are permitted and shall not constitute a new	
	(4) SUBDISTRICT means a subdistrict of PD 193.	
(c) division are to	Unless otherwise stated, all references to articles, divisions, or sections in this o articles, divisions, or sections in Chapter 51.	
(d)	This subdistrict is considered to be a non-residential zoning district. (Ord)	

SEC. S	104.	EXHIBITS.
The	following exhibit	ts are incorporated into this article:
(a)	Exhibit S	_A: conceptual plan.
(b)	Exhibit S	B: Subarea A development plan.
(c)	Exhibit S	_C: Subarea A landscape plan.
(d)	Exhibit S	_D: Subarea B landscape plan.
SEC. S	105.	CREATION OF SUBAREAS.
This subdistrict is divided into two subareas: Subareas A and B, as shown on the conceptual plan (Exhibit SA).		
SEC. S	106.	CONCEPTUAL PLAN.
		and use of the Property must comply with the conceptual plan. If e text of this division and the conceptual plan, the text of this division
SEC. S	107.	DEVELOPMENT PLAN.
comply wit	nt plan (Exhibit th the conceptual	Sevelopment and use of Subarea A must comply with the Subarea A SB). The development plan, including any amendments, must plan. If there is a conflict between the text of this division and the f this division controls.
be shown o		rators and equipment less than eight feet in height are not required to development plan.
	(2) Signs	are not required to be shown on the Subarea A development plan.
	e provisions of nt plan, site anal	No development plan is required for development and use in Subarea Section 51-4.702 requiring submission of or amendments to a ysis plan, conceptual plan, and development schedule do not apply.

SEC. S- .108. MAIN USES PERMITTED.

Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the HC Heavy Commercial Subdistrict, subject to the same conditions applicable in the HC Heavy Commercial Subdistrict, as set out in Part I of this article. For example, a use permitted in the HC Heavy Commercial Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the HC Heavy Commercial Subdistrict is subject to DIR in this subdistrict; etc.

(a) The following use is permitted by right:

-- Helistop. (Ord. ____)

SEC. S- .109. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108. (Ord. ____)

SEC. S- .110. 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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

- (a) <u>In general</u>. Except as provided in this section, the yard, lot, and space regulations for the HC Subdistrict apply.
 - (b) Floor area ratio. Maximum floor area ratio is 5.1:1.
 - (c) <u>Height</u>.
- (1) <u>In general</u>. Except as provided in this subsection, maximum structure height is 285 feet.
- (2) <u>Subarea A</u>. If compliant with Section S-___.114 and S-___.116, maximum structure height in Subarea A is 415 feet.
- (3) <u>Projections</u>. The following structures may project a maximum of 30 feet above the maximum structure height:
 - (A) Cooling tower.

		(B)	Elevator penthouse or bulkhead.			
mechanical equ	iipmen	(C) t.	Mechanical equipment room and any visual screens which surround			
		(D)	Skylights.			
		(E)	Observation deck.			
		(F)	Chimney and vent stacks.			
		(G)	Parapet walls or guard rails.			
		(H)	Helistop.			
* *	(d) <u>Encroachments</u> . The following additional items are permitted to be located within the required front, side, and rear yards:					
ramps, handrai	(1) Seat walls, retaining walls, stoops, porches, steps, unenclosed balconies ramps, handrails, safety railings, and benches all not exceeding four feet in height and extending a maximum of five feet into the required minimum yards.					
	(2)	Lands	cape planters.			
	(3)	Sculpt	ures.			
	(4)	Canop	ies or awnings.			
(e) <u>Front yard fences</u> . A maximum four-foot-high fence with at least 75 percent transparency is allowed in a front yard. A maximum four-foot-high handrail may be located on retaining walls in a front yard. (Ord)						
SEC. S11	1.		OFF-STREET PARKING AND LOADING.			
(a) Off-street parking. For purposes of off-street parking, a minimum of 2,538 parking spaces must be provided for shared use by any use within this district. The use regulations in Section 51P-193.113 and Division 51-4.200 for the specific off-street parking and loading requirements for each use do not apply.						

STAFF RECOMMENDATION:
(a) Off-street parking. No off-street parking is required.

(b))	Off-street	loading.
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(1)	In general.	Except as	provided	in this	section,	consult	Part I	of this	article
for the specific loadin	g requireme	ents for eac	h use.						

(1) <u>Subarea A</u>. If the increased development standard in Section S-____.110(c)(2) is used, one medium size loading space is required, and the requirement under Section 51P-193.115(b)(2)(B), that one off-street loading space must be of large size, does not apply. The medium size loading space must be screened from the right-of-way.

(c) <u>Passenger loading in Subarea A</u>.

- (1) At least two off-street passenger loading spaces must be provided..
- (2) At least three on-street passenger loading spaces must be provided; provided however, such on-street passenger loading zones must be constructed in compliance with the Architectural Barrier Act accessibility standards and must be approved by the director and by the director of public works. If such approvals are not given, the on-street passenger loading spaces are not required..

SEC. S-__.112. ENVIRONMENTAL PERFORMANCE STANDARDS. See Article VI. (Ord.)

SEC. S- .113. LANDSCAPING.

(Note: The landscaping regulations in this section must be read together with the landscaping regulations in Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

- (a) <u>Subarea A</u>. Landscaping in Subarea A must be provided as shown on the Subarea A landscape plan (Exhibit S-___C).
- (1) <u>Habitat gardens</u>. All general planting areas and special planting areas must meet habitat garden standards.
- (b) <u>Subarea B</u>. Landscaping in Subarea B must be provided as shown on the Subarea B landscape plan (Exhibit S-___D).
- (c) <u>Maintenance</u>. Plant materials must be maintained in a healthy, growing condition, and all landscaping must be maintained with industry best practices to promote the healthy development and maintenance of pollinator habitats. (Ord.

SEC. S- .114. SUBAREA A DESIGN STANDARDS.

(a) New sidewalks.

- (1) Except for driveways and drop off areas, a new sidewalk must provide a minimum unobstructed sidewalk width of six feet at all times.
- (2) A minimum five-foot-wide planting zone must be provided between the back of the curb and a new sidewalk.
- (3) Subject to approval of the director, across all driveways and curb cuts, a new sidewalk must be:
 - (A) continuous and level with the adjoining sidewalks;
 - (B) designed to be at the same grade as the adjoining sidewalk; and
- (C) clearly marked by colored concrete, patterned or stamped concrete, or brick pavers to indicate pedestrian crossing.

(b) <u>Sustainable design features</u>.

- (1) <u>Bicycle parking</u>. A minimum of one bicycle storage space for every three dwelling units is required within a parking garage or building. Long-term bicycle storage spaces are not subject to the minimum size requirements for bicycle parking spaces in Division 51-4.330 and may be secured to wall or floor mounted storage racks.
- (2) <u>Micro-mobility charging and parking</u>. Micro-mobility charging and parking must be provided for at least 10 micro-mobility vehicles, which may be located within a parking garage or building, provided a minimum of two micro-mobility charging locations are available at grade.
- (3) <u>Irrigation</u>. The following irrigation tools must be utilized for landscaping and plantings:
 - (A) Drip irrigation shall be utilized for maintenance of plantings.
- (B) Condensate from mechanical equipment must be captured and reused for irrigation.
 - (C) Detention and rainwater harvesting must be utilized for irrigation.

(4) Roofs.

- (A) A minimum of 1,000 square feet of photovoltaic cells for producing solar energy must be located on a roof. The required photovoltaic cells may be located on any roof within the district.
- (B) A minimum of 20 percent of the roof area must be covered with improvements that minimize heat production such as light-colored roof materials, turf, synthetic turf, raised planters, photovoltaic cells, swimming pools, water features, or shade structures.
- (5) <u>Pedestrian amenities.</u> A minimum of one trash receptacle and one pet refuse container shall be provided along Cedar Springs Road and Maple Avenue.
- (d) <u>Below grade parking</u>. A minimum of 100 percent of the required off-street parking requirement must be provided below grade.

(e) <u>Building design</u>.

- (1) <u>Transparency</u>. A minimum 30 percent transparency must be provided for the street-facing facade, up to 30 feet in height.
- (2) <u>Facade articulation</u>. Blank facades longer than 30 feet are prohibited. Where blank facades occur, horizontal or vertical articulation is required, such as:
- (A) A minimum of one change in plane for each 30 feet of horizontal or vertical articulation, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches and may include columns, planters, arches, and niches;
 - (B) Architectural details such as raised bands or cornices.
 - (C) Architecturally prominent entrances.
 - (D) Increased transparency.
 - (E) Attached tower or turret.
 - (F) Variations in fenestration or building massing.
 - (G) Canopies.
 - (H) Awnings.
 - (I) Balconies.
 - (J) Change in building materials.

- (f) <u>New driveways</u>. A maximum of two new driveways are permitted, each with a maximum width of 24 feet.
- (g) <u>Pedestrian scale lighting</u>. For a development greater than 20,000 square feet of floor area, pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 foot candles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director of transportation.

(h) Open space requirements.

- (1) At least 10 percent of the building site must be reserved as open space for activity such as active or passive recreation, playground activity, groundwater recharge, or landscaping.
- (A) No structures except for architectural elements; playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos; and ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed; otherwise, open space must be open to the sky.
- (B) Open space may contain primarily grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, paths, or shade structures.
- (C) Open space may be provided at or below grade or aboveground by an outside roof deck, rooftop garden, playground area, pool area, patio, or similar type of outside common area.
- (D) Private balconies, sidewalks, parking spaces, parking lots, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.
- (E) Operation or parking of vehicles within on-site open space is prohibited. Emergency and grounds maintenance vehicles are exempt.
- (F) Open spaces must be properly maintained in a state of good repair and neat appearance, and plant materials must be maintained in a healthy, growing condition. (Ord.
 - (i) Use of exterior amplified sound is prohibited after 11:00 p.m.

SEC. S-__.115. SIGNS.

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

SEC. S-167.116. MIXED-INCOME HOUSING IN SUBAREA A.

(a)	<u>In</u>	general.	Except as	provided	in this	s section,	compliance	with	Division	51A
4.1100 is re	equired	l to obtai	n the heigh	t developn	nent bo	nus in Se	ction S	110.		

(b) <u>Reserved units</u>. Five percent of the total residential units must be made available to households earning between 81 percent to 100 percent of the area median family income.

STAFF RECOMMENDATION

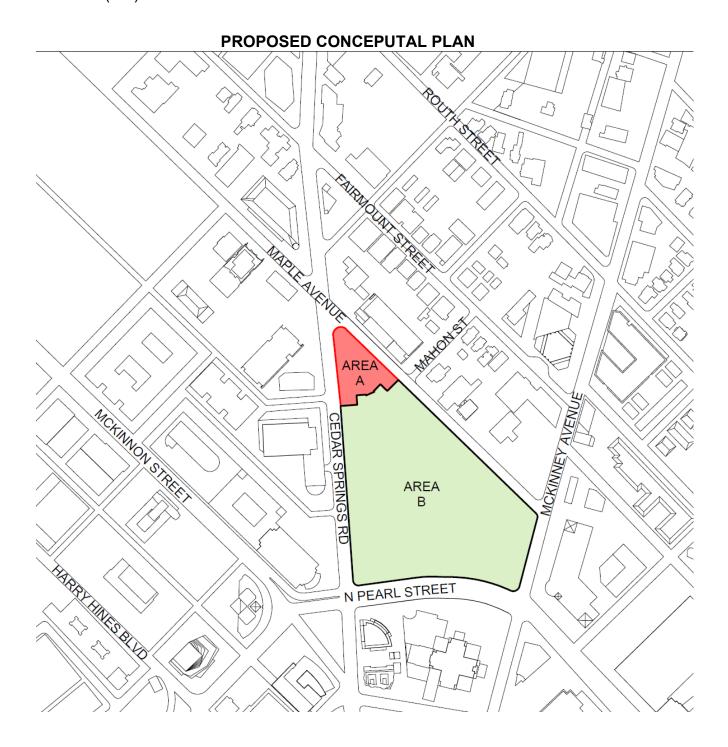
- (b) <u>Reserved units</u>. Five percent of the total residential units must be made available to households earning between 61 percent to 80 percent of the area median family income.
 - (c) Design standards. Compliance with Section 51A-4.1107 is not required.

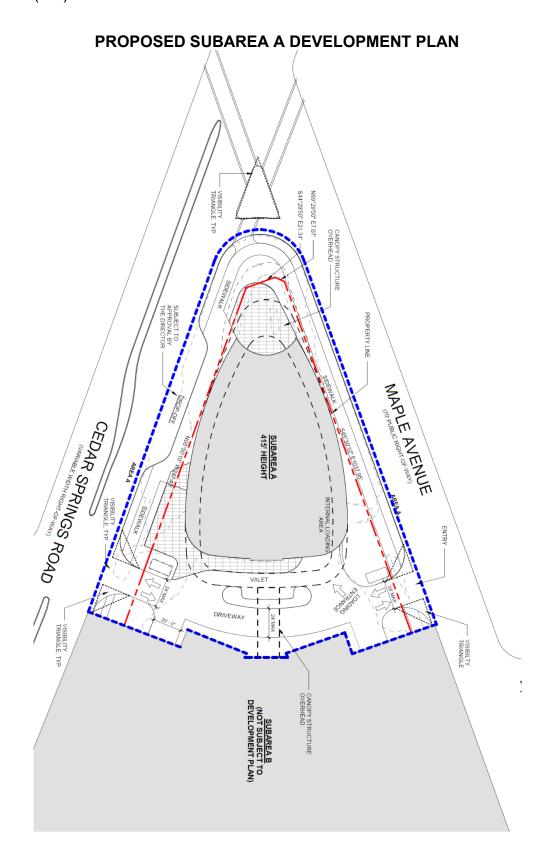
SEC. S- .117. ADDITIONAL PROVISIONS.

- (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.
- (c) Development and use of the Property must comply with Part I of this article. (Ord.

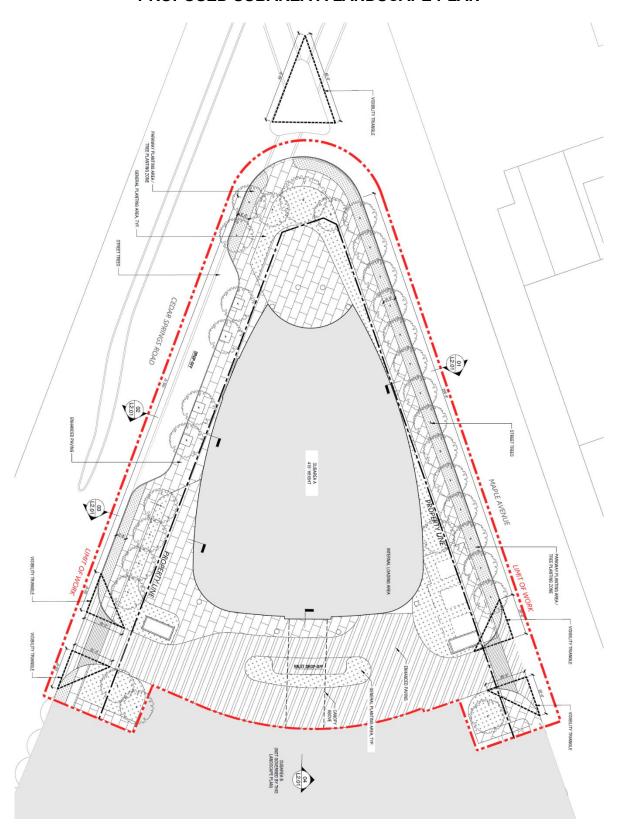
SEC. S- .118. COMPLIANCE WITH CONDITIONS.

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

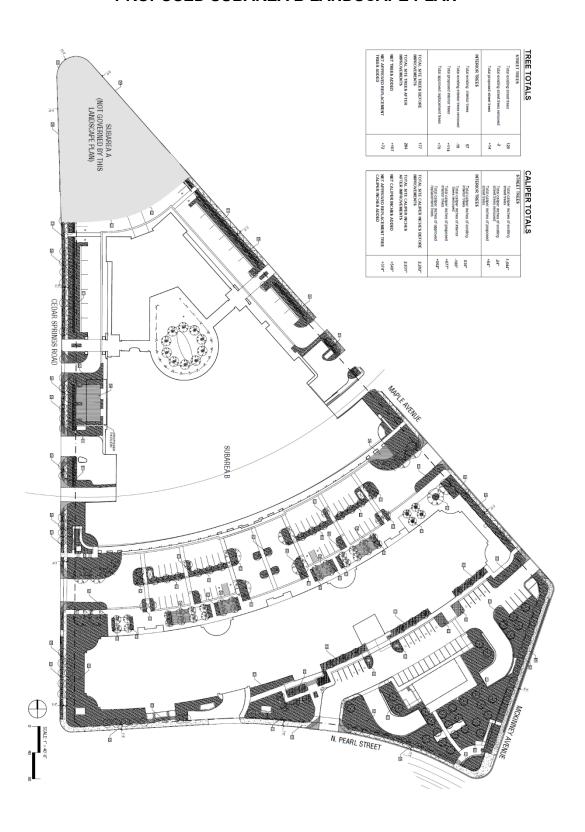


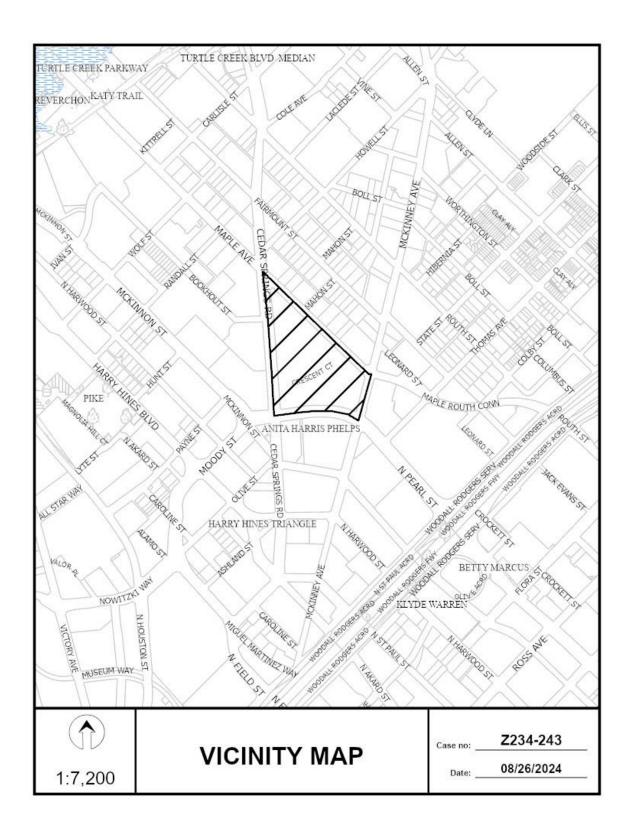


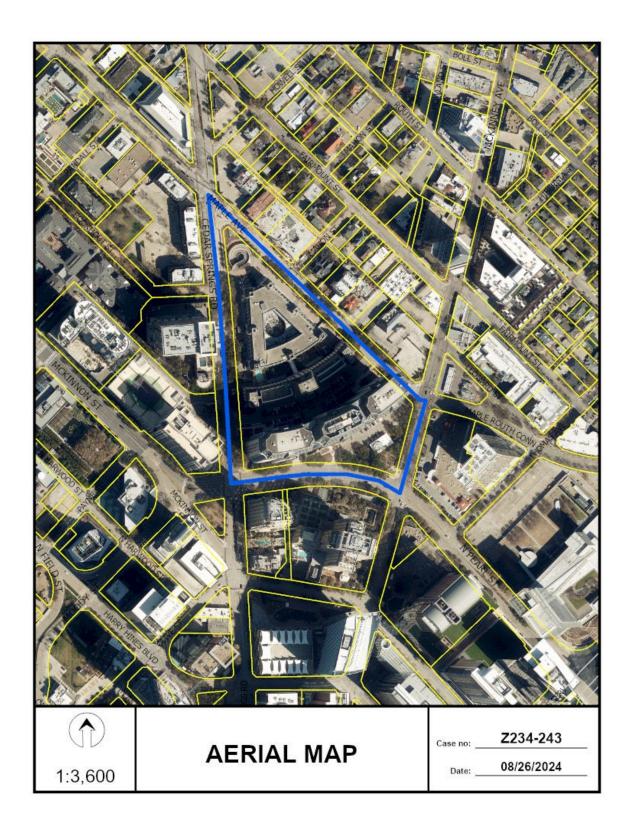
PROPOSED SUBAREA A LANDSCAPE PLAN

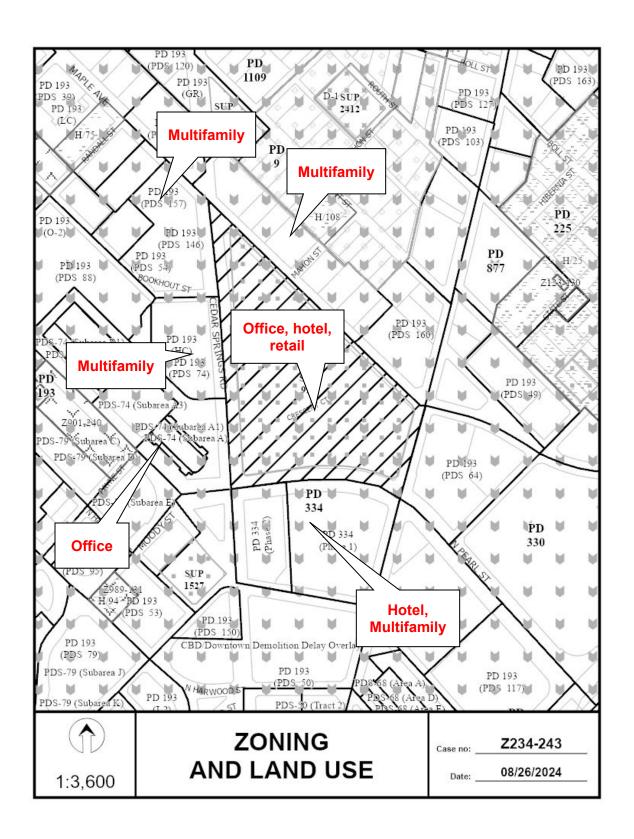


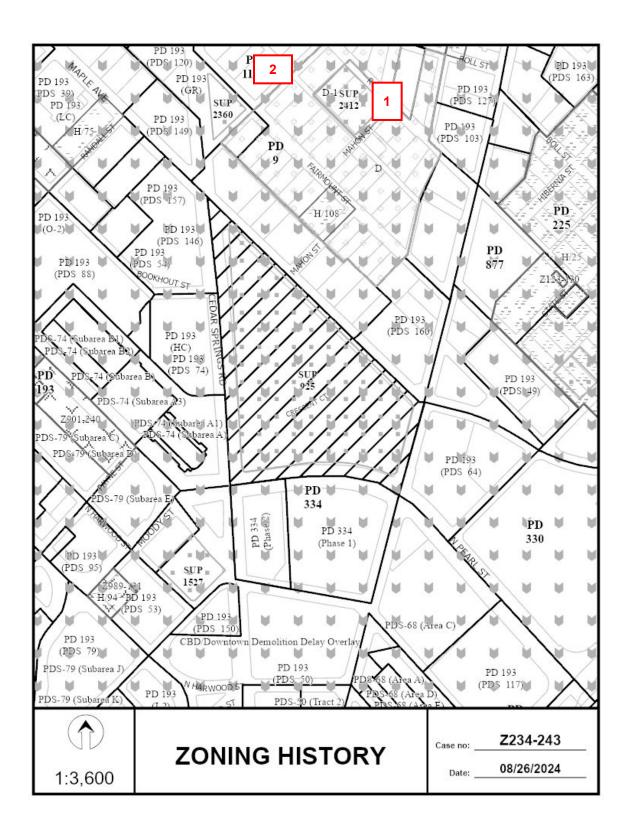
PROPOSED SUBAREA B LANDSCAPE PLAN

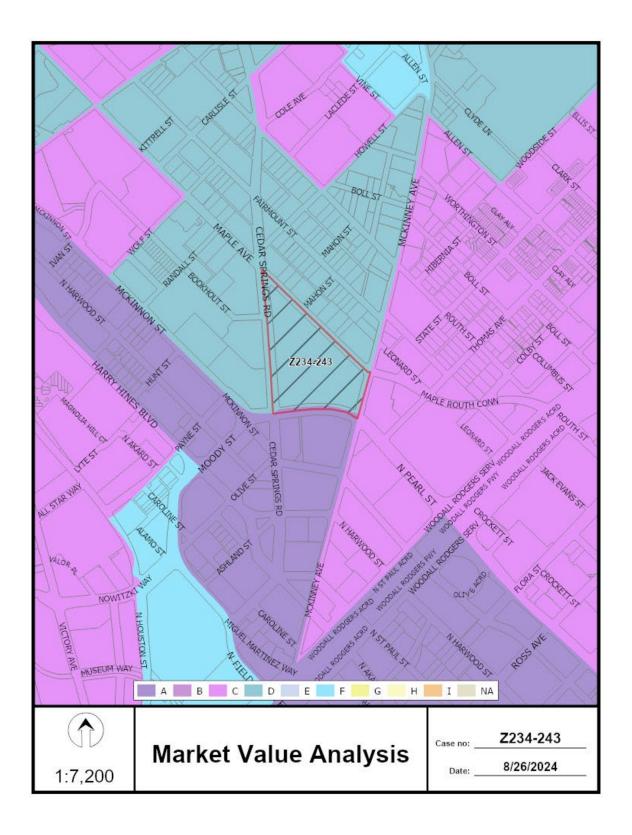


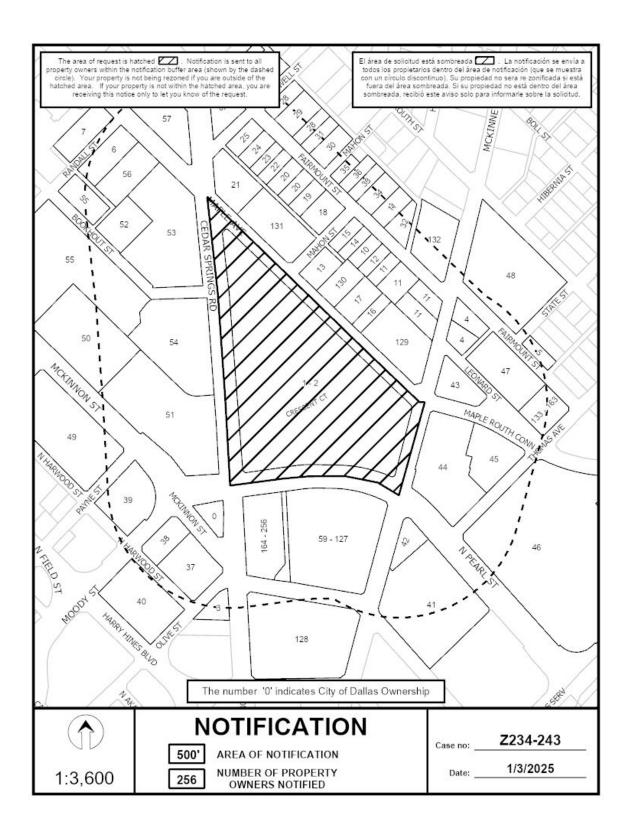












Notification List of Property Owners Z234-243

256 Property Owners Notified

Label #	Address		Owner
1	100	CRESCENT CT	GPIF TC OWNER LLC
2	100	CRESCENT CT	GPIF TC OWNER LLC
3	2025	CEDAR SPRINGS RD	AVALON INVESTORS 17 LLC
4	2400	MCKINNEY AVE	MCKINNEY OH LLC
5	2500	STATE ST	MCBRIDE KATHRYN ANNE
6	2817	MAPLE AVE	SL UCHI LP
7	2905	MAPLE AVE	2905 MAPLE LLC
8	2425	CEDAR SPRINGS RD	PONOS DYNAMICS LLC
9	2902	MAPLE AVE	2902 MAPLE LP
10	2521	FAIRMOUNT ST	BLL LP
11	2507	FAIRMOUNT ST	MURPHY PLAZA LLC
12	2517	FAIRMOUNT ST	LWO REAL ESTATE II LLC
13	2516	MAPLE AVE	HEYMANN CLAIRE L
14	2525	FAIRMOUNT ST	BLL LP
15	2527	FAIRMOUNT ST	KAME YUGEN SEKININ JIGYO
16	2504	MAPLE AVE	PASHA & SINA INC
17	2508	MAPLE AVE	PASHA & SINA INC
18	2603	FAIRMOUNT ST	2603 FAIRMOUNT INVESTORS
19	2611	FAIRMOUNT ST	DCMS FOUNDATION
20	2701	FAIRMOUNT ST	MAPLE MARKETING CORP
21	2628	MAPLE AVE	GREENWAY MAPLE LP
22	2711	FAIRMOUNT ST	2711 FAIRMOUNT LP
23	2715	FAIRMOUNT ST	TRU SALON DALLAS LLC
24	2719	FAIRMOUNT ST	SHAW EVAN L
25	2723	FAIRMOUNT ST	SHAW EVAN LANE
26	2408	CEDAR SPRINGS RD	GREENWAY MAPLE LP

Label #	Address		Owner
27	2808	FAIRMOUNT ST	ROYAL 2500 CEDAR SPRINGS LLC
28	2722	FAIRMOUNT ST	VICEROY FAIRMOUNT LP
29	2718	FAIRMOUNT ST	VICEROY FAIRMOUNT LP
30	2700	FAIRMOUNT ST	MORTON PRODUCTION INC &
31	2706	FAIRMOUNT ST	FAIRMOUNT OFFICE LLC
32	2520	FAIRMOUNT ST	2520 FAIRMOUNT STREET
33	2600	FAIRMOUNT ST	2600 FAIRMOUNT LLC
34	2530	FAIRMOUNT ST	KORNYE GEORGE W &
35	2610	FAIRMOUNT ST	GINSBURG BROOKE MINORS
36	2604	FAIRMOUNT ST	SMITH SHARON HAYSLIP
37	2525	MCKINNON ST	CIO 2525 MCKINNON LIMITED PS
38	2575	MCKINNON ST	IC VIII HOLDINGS LLC
39	2651	N HARWOOD ST	HARWOOD INTERNATIONAL CENTER I LP
40	2501	N HARWOOD ST	HIC IX LIMITED OWNER LLC
41	2100	MCKINNEY AVE	MCPP 2100 MCKINNEY LLC
42	2120	MCKINNEY AVE	MCPP 2100 MCKINNEY LLC
43	2324	MCKINNEY AVE	MAPLE AND MCKINNEY L P
44	2222	MCKINNEY AVE	AMREIT UPTOWN DALLAS LP
45	2212	MCKINNEY AVE	MRT UPTOWN RESIDENTIAL LLC
46	2200	N PEARL ST	FEDERAL RESERVE BANK OF
47	2332	LEONARD ST	GIVENS RECORDS DEV LP
48	2500	MCKINNEY AVE	LG ROUTH LP
49	2728	N HARWOOD ST	INTERNATIONAL CENTER II LLC
50	2728	MCKINNON ST	ALTA UPTOWN LLC
51	2101	CEDAR SPRINGS RD	ROSEWOOD COURT LLC
52	2840	BOOKHOUT ST	HIC DEVELOPMENT XV LLC
53	2323	CEDAR SPRINGS RD	23 SPRINGS LP
54	2215	CEDAR SPRINGS RD	2215 ASHTON PLACE LLC
55	2820	MCKINNON ST	CH REALTY VIIIKNIGHTVEST MF
56	2811	MAPLE AVE	F3 2811 MAPLE LLC
57	2401	CEDAR SPRINGS RD	GPIF 2401 CS LLC

Label #	Address		Owner
58	2510	CEDAR SPRINGS RD	CRESCENT REAL ESTATE
59	2121	MCKINNEY AVE	CRESCENT RCD OWNER LLC
60	2525	N PEARL ST	STRONG ASA & NANCY
61	2525	N PEARL ST	ADELGLASS JEFFREY &
62	2525	N PEARL ST	SONNENSCHEIN INVESTMENTS LTD
63	2525	N PEARL ST	HIXSON WALTER A
64	2525	N PEARL ST	CHEW ALBERT E III & GEORGINA
65	2525	N PEARL ST	RAK PROPERTIES INC
66	2525	N PEARL ST	CLIFTON MATTHEW & EMILY
67	2525	N PEARL ST	COTTEL WILLIS I TRUSTEE
68	2525	N PEARL ST	MAROON CREEK TRUST
69	2525	N PEARL ST	DYMERSKA JUSTYNA
70	2525	N PEARL ST	QUIST SHARON S
71	2525	N PEARL ST	MOSER FAMILY TRUST
72	2525	N PEARL ST	PEJOVICH 2020 BRENDA
73	2525	N PEARL ST	LAT REAL ESTATE LLC
74	2525	N PEARL ST	WALLACE BJ & MARJORIE K
75	2525	N PEARL ST	P2 RE INVESTMENTS LLC
76	2525	N PEARL ST	POWELL MARK W
77	2525	N PEARL ST	DAS NATASHA
78	2525	N PEARL ST	TOELLER GARY RICHARD & ANNE S TRUSTEES
79	2525	N PEARL ST	HASHEM OMAR & MIASSAR
80	2525	N PEARL ST	2525 RITZ LLC
81	2525	N PEARL ST	GLAZER MICHAEL S
82	2525	N PEARL ST	CJC & RGC FAMILY TRUST THE
83	2525	N PEARL ST	SMITH LINDA J
84	2525	N PEARL ST	MUESSE REVOCABLE TRUST
85	2525	N PEARL ST	ABOU QAMAR MAAMOUN Y
86	2525	N PEARL ST	MITCHELL F LANE
87	2525	N PEARL ST	GALLETTA NANCY J
88	2525	N PEARL ST	BAILEY CHARLES R & VIRGINIA H

Label #	Address		Owner
89	2525	N PEARL ST	KLS INVESTMENTS LLC
90	2525	N PEARL ST	FDRE LLC
91	2525	N PEARL ST	ROBINSON MATTHEW SCOTT &
92	2525	N PEARL ST	JACKSON RONALD KEITH
93	2525	N PEARL ST	NORMAN DANIEL A JR
94	2525	N PEARL ST	EDWARDS THOMAS CHARLES &
95	2525	N PEARL ST	MULTIPLE REALTY LLC
96	2525	N PEARL ST	DIXON GENE JR & VICTORIA
97	2525	N PEARL ST	BROWER SHANNON
98	2525	N PEARL ST	DARWISH DANA
99	2525	N PEARL ST	PUNKIN 1406 LLC
100	2525	N PEARL ST	1013 NW LOOP 410 VENTURE
101	2525	N PEARL ST	MCKNIGHT JAMES ROSS & BILLE
102	2525	N PEARL ST	MITCHELL KEITH & LOIS TRUST THE
103	2525	N PEARL ST	CLEAVE ROCERT C VAN
104	2525	N PEARL ST	HAUSLEIN FERDINAND A JR
105	2525	N PEARL ST	LENTZ JOHN H II & CHRISTINE LEE
106	2525	N PEARL ST	LEE JAMES J & DORIS P
107	2525	N PEARL ST	SMITH BRADLEY A
108	2525	N PEARL ST	THOMPSON SCOTT
109	2525	N PEARL ST	DOUGLASS GREGORY
110	2525	N PEARL ST	NURENBERG PAMELA &
111	2525	N PEARL ST	ROBINSON MATTHEW S & PAMELA K
112	2525	N PEARL ST	HAFFAR NABILA
113	2525	N PEARL ST	MACRAE TERRY A & MARY H FAMILY
114	2525	N PEARL ST	WEBB CARL B
115	2525	N PEARL ST	ROSS STEPHANIE REVOCABLE TRUST
116	2525	N PEARL ST	SCHAKE ERIC
117	2525	N PEARL ST	RINEARSON LEIGH REVOCABLE LIVING
118	2525	N PEARL ST	SCHNITZER KENNETH LEE JR
119	2525	N PEARL ST	MAYER SUSAN HOLLINSWORTH

Label #	Address		Owner
120	2525	N PEARL ST	ZISMAN FAMILY TRUST
121	2525	N PEARL ST	FREEMAN JOSHUA SR &
122	2525	N PEARL ST	DIXON GENE & VICTORIA LEA
123	2525	N PEARL ST	WAGNER DUER III
124	2525	N PEARL ST	HADDOCK RON W &
125	2525	N PEARL ST	SOLOMON WILLIAM T & GAY F
126	2525	N PEARL ST	LARKIN JOHN G &
127	2525	N PEARL ST	RIBMAN JAMES W & DARCY L
128	2021	MCKINNEY AVE	GPI HRLP M&O LP
129	2401	MCKINNEY AVE	2401 MCKINNEY LLC
130	2512	MAPLE AVE	HEIDARI ALI
131	2620	MAPLE AVE	2620 MAPLE OWNER LLC
132	2515	MCKINNEY AVE	CHATEAU PLAZA HOLDINGS LP
133	2300	LEONARD ST	AUSSIE PROPERTIES LLC
134	2300	LEONARD ST	KELLY JOSEPH T & BONNIE L
135	2300	LEONARD ST	RUBDOWN LLC
136	2300	LEONARD ST	BONNEVILLE LP
137	2300	LEONARD ST	BOSWELL MARK S
138	2300	LEONARD ST	VERSES SOCRATES & JUDY
139	2300	LEONARD ST	GILLIAM JOSHUA
140	2300	LEONARD ST	SASSIG PROPERTIES LLC
141	2300	LEONARD ST	GLOGAU A I REVOCABLE TRUST &
142	2300	LEONARD ST	LABEN GARY S &
143	2300	LEONARD ST	SPOOR CLAYTON & PAYTON
144	2300	LEONARD ST	SAUS PROPERTIES LLC SERIES 3
145	2300	LEONARD ST	SAUS PPTIES LLC SERIES 8
146	2300	LEONARD ST	MOY WESLEY NICHOLAS
147	2300	LEONARD ST	ROMERO LAURA MARINA L
148	2300	LEONARD ST	COKER DUANE & LOUELLEN
149	2300	LEONARD ST	MARSHALL CHRIS
150	2300	LEONARD ST	BREAK POINT LLC

Label #	Address		Owner
151	2300	LEONARD ST	SIERS SCOTT A
152	2300	LEONARD ST	ROMERO LAURA MARINA L
153	2300	LEONARD ST	DALEHITE JESSE J III
154	2300	LEONARD ST	BROWN JON STEFAN
155	2300	LEONARD ST	BOOKSTAFF HOWARD & EVAN
156	2300	LEONARD ST	RANDALL PAMELA
157	2300	LEONARD ST	ROE LAUREN
158	2300	LEONARD ST	SAUS PROPERTIES LLC
159	2300	LEONARD ST	LODES ROBERT
160	2300	LEONARD ST	AREFI GINO R
161	2300	LEONARD ST	FICHTER MARK L &
162	2300	LEONARD ST	DALLAS METRO CLUB LLC
163	2300	LEONARD ST	CINCO AMIGOS LLC
164	2555	N PEARL ST	FOSS ERIC
165	2555	N PEARL ST	GARCIA ERNEST C II &
166	2555	N PEARL ST	HERRO DAVID G TRUST
167	2555	N PEARL ST	PRUSSIAN BLUE CRIMSON LLC
168	2555	N PEARL ST	TORRENCE FLP
169	2555	N PEARL ST	COON EVERETT & CELIA
170	2555	N PEARL ST	BEAUCHAMP LAURA & ROBERT
171	2555	N PEARL ST	ZAVISLAK DINA
172	2555	N PEARL ST	PARKER EMPIRE LLC
173	2555	N PEARL ST	PEARL STREET 301 LLC
174	2555	N PEARL ST	BUCKLER JO ALICE
175	2555	N PEARL ST	HASENFELD MYRNA F
176	2555	N PEARL ST	ELTIS BENJAMIN B
177	2555	N PEARL ST	CROZIER LESLIE ANN
178	2555	N PEARL ST	ROSAL FAMILY TRUST
179	2555	N PEARL ST	VEERARAGHAVAN UMA & KRISHNA
180	2555	N PEARL ST	CHI WEIWEI & YANQI LI
181	2555	N PEARL ST	BULARD FAMILY TRUST THE

Label #	Address		Owner
182	2555	N PEARL ST	BLUEWATER TRUST THE
183	2555	N PEARL ST	HENRY JAMES J & PATRICIA M
184	2555	N PEARL ST	ARIAS HALEY MARIE
185	2555	N PEARL ST	HASHEM OMAR & MIASSAR
186	2555	N PEARL ST	ANDERSON ERIC & SONYA
187	2555	N PEARL ST	DAVISON TODD & RENEE
188	2555	N PEARL ST	LEE OLDEN & CAROL
189	2555	N PEARL ST	PAKRASHI SUBHESH
190	2555	N PEARL ST	ROGERSSTILL KAREN LYNN
191	2555	N PEARL ST	KNIEF ROBERT G & ANNETTE M
192	2555	N PEARL ST	KASHYAP MANISH &
193	2555	N PEARL ST	FAURIA THOMAS J & RENEE M
194	2555	N PEARL ST	CAMMACK BRUCE A & MICHELE G
195	2555	N PEARL ST	MARTIN DEBORAH L IRREV TRUST
196	2555	N PEARL ST	ERTEL DAVID F & FRANCES E
197	2555	N PEARL ST	ELFARR JASON
198	2555	N PEARL ST	FRANKS BRENT J
199	2555	N PEARL ST	DALLAS 804 LLC
200	2555	N PEARL ST	ASHLEY NEWSON GIESLER TRUST
201	2555	N PEARL ST	YOUNGMAN DENISE MANAGEMENT
202	2555	N PEARL ST	TOMLIN KENNY JAMES &
203	2555	N PEARL ST	LOCKER MARJORIE EILEEN
204	2555	N PEARL ST	CAMPBELL VICKIE SUE LARSON &
205	2555	N PEARL ST	PORTER ZACHARY & EMILY RAY
206	2555	N PEARL ST	HEEBE ADREA D
207	2555	N PEARL ST	BURKHOLDER JEAN
208	2555	N PEARL ST	RODER RICHARD
209	2555	N PEARL ST	EUBANKS RICHARD M & BRITTANY
210	2555	N PEARL ST	WEISS MELISSA
211	2555	N PEARL ST	GINERIS MARC A & JEAN M
212	2555	N PEARL ST	HARGIS KENNETH & DARLENE LIVING TRUST

Label #	Address		Owner
213	2555	N PEARL ST	FAURIA THOMAS J & RENEE
214	2555	N PEARL ST	GROESCHELL CHARLES & BEVERLY
215	2555	N PEARL ST	SHORECREST FAMILY LP
216	2555	N PEARL ST	KCZC INVESTMENTS LTD
217	2555	N PEARL ST	RIPPETO J DOUGLAS
218	2555	N PEARL ST	MOORE DONIPHAN P III &
219	2555	N PEARL ST	GOOD JOHN
220	2555	N PEARL ST	MUHL BRADLEY GILBERT & HOLLY BOWEN
221	2555	N PEARL ST	FRAZIER DEBBIE
222	2555	N PEARL ST	SADLER CODY JOSEPH &
223	2555	N PEARL ST	BLUE FAVE VENTURE LLC
224	2555	N PEARL ST	FORD SCOTT T & JOAN D
225	2555	N PEARL ST	CRADICK CAROLINE CHARETTE
226	2555	N PEARL ST	FINK LORI A LIVING TRUST
227	2555	N PEARL ST	AVANT HARRY L
228	2555	N PEARL ST	BAUMANN TIMOTHY S & CRYSTAL D
229	2555	N PEARL ST	DORF ROGER & SANDRA DORF
230	2555	N PEARL ST	TROVATO MATTHEW JOHN &
231	2555	N PEARL ST	TROVATO MATTHEW JOHN &
232	2555	N PEARL ST	DUTCH DAVE P
233	2555	N PEARL ST	HIMMELREICH JUSTIN & ANGELA
234	2555	N PEARL ST	CANTER LIVING TRUST
235	2555	N PEARL ST	MOTSENBOCKER ALAN K & ANNE B
236	2555	N PEARL ST	HOLLANDER PRISCILLA A
237	2555	N PEARL ST	AKBARI HOMAIRA
238	2555	N PEARL ST	MUHL BRADLEY GILBERT & HOLLY
239	2555	N PEARL ST	GINERIS MARC A & JEAN M
240	2555	N PEARL ST	SANTAGA GREGORY P & ANN M
241	2555	N PEARL ST	SANTAGA 2005 JOINT REVOCABLE TRUST
242	2555	N PEARL ST	TAYLOR DON
243	2555	N PEARL ST	RC TRUST THE &

Z234-243(MB)

Label #	Address		Owner
244	2555	N PEARL ST	ROSS THEODORA
245	2555	N PEARL ST	ROGERS MARY MCDANIEL
246	2555	N PEARL ST	CARROLL SHANE
247	2555	N PEARL ST	THE FRONT PORCH LLC
248	2555	N PEARL ST	FRONT PORCH LLC THE
249	2555	N PEARL ST	SEIDEMAN SCOTT R
250	2555	N PEARL ST	LAZOF FAMILY TRUST THE
251	2555	N PEARL ST	CORTEBA SA DE CV
252	2555	N PEARL ST	CORTEBA SA DE CV
253	2555	N PEARL ST	KAPLAN GABRIEL TR
254	2555	N PEARL ST	GRANGER KIMBERLEY
255	2555	N PEARL ST	RUNNFELDT JEFFREY TYSON &
256	2555	N PEARL ST	VAN WOLFSWINKEL RANDALL



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for an amendment to Planned Development District No. 917 on the northwest line of

Manor Way, between Maple Avenue and Denton Drive.

Staff Recommendation: Approval, subject to amended conditions

Applicant: DLF Denton, LLC

Representative: Tommy Mann and Daniel Box, Winstead PC

Planner: Martin Bate

<u>U/A From</u>: January 23, 2025.

Council District: 2 **Z234-326(MP)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Michael V. Pepe

FILE NUMBER: Z234-326(MP) DATE FILED: August 23, 2024

LOCATION: Northwest line of Manor Way, between Maple Avenue and

Denton Drive.

COUNCIL DISTRICT: 2

SIZE OF REQUEST: 16.79 acres CENSUS TRACT: 48113000409

REPRESENTATIVE: Tommy Mann and Daniel Box, Winstead PC

OWNER/APPLICANT: DLF Denton, LLC

REQUEST: An application for an amendment to Planned Development No.

917.

SUMMARY: The purpose of the request is to allow for modified development

standards primarily related to permitted uses, height, floor area ratio, design standards, and required parking to develop the site with vehicle display, sales, and service and commercial parking

lot or garage uses.

STAFF RECOMMENDATION: Approval, subject to amended conditions.

PRIOR CPC ACTION: At the January 23, 2025 hearing, the City Plan

Commission moved to hold the case until February 6.

BACKGROUND INFORMATION:

- Planned Development District No. 917 was established on August 27, 2014.
- The existing PD functions similarly to a base MU-2 Mixed Use District, except with reductions to the height and the addition of design standards.
- The applicant requests changes to the existing PD to allow a vehicle display, sales, and service use, commonly known as a car rental facility with associated maintenance facilities.
- No changes have been proposed since the previous hearing.

Zoning History:

There have been eight zoning cases in the area in the last five years.

- **1. Z201-288** On December 8, 2021, the City Council approved an application for an amendment to Planned Development District No. 1028 for IR Industrial Research District uses and a general merchandise or food store greater than 3,500 square feet use located on the north line of West Mockingbird Lane, west of Maple Avenue.
- **2. Z212-175** On August 10, 2022, City Council approved a WR-3 Walkable Urban Residential District on property zoned an IR Industrial Research District on the southeast line of Kimsey Drive, northeast of Maple Avenue.
- **3. Z212-197** On August 24, 2022, City Council approved an application for an amendment to Planned Development District 759, Subdistrict 1 to allow for a medical or scientific laboratory as a permitted use, located on the north corner of West Mockingbird Lane and Forest Park Boulevard.
- **4. Z212-231** On January 11, 2023, City Council approved a WR-3 Walkable Urban District on property zoned an IR Industrial Research District on the southeast line of Kimsey Drive, northeast of the intersection of Kimsey Drive and Maple Avenue.
- **5. Z212-249** On January 25, 2023, City Council approved a WR-3 Walkable Urban Residential District, on property zoned an IR Industrial Research District on the southeast line of Kimsey Drive, northeast of Maple Avenue.
- **6. Z223-292** On June 26, 2024, City Council approved an application for 1) a Planned Development District for MU-3 Mixed Use District uses on property zoned an MU-2 Mixed Use District, and MU-3 Mixed Use District, and an IR Industrial Research District, generally located northeast of Harry Hines Boulevard, southeast of West Mockingbird Lane, and on the northeast and southwest line of Forest Park Road; 2) a Specific Use Permit for a

pedestrian skybridge on property zoned an MU-2 Mixed Use District on Forest Park Road, southeast of Treadway Street; and 3) a Specific Use Permit for a pedestrian skybridge on property zoned an MU-2 Mixed Use District and an MU-3 Mixed Use District on Harry Hines Boulevard, southeast of West Mockingbird Lane.

- **7. Z234-233** On October 23, 2024, City Council approved a WR-3 Walkable Urban Residential District on property zoned an IR Industrial District, on the southeast line of Kimsey Drive; northeast of Maple Avenue.
- **8. Z234-241** An application for a new Planned Development District for WR-3 Walkable Urban Residential uses on property zoned an IR Industrial Research District, on the southeast line of Kimsey Drive, north of Morning Star Place. [Pending City Council]

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing ROW	Proposed ROW
Denton Drive	Local	56 feet	
Manor Way	Local	50 feet	
Maple Avenue	Collector	60 feet	60 feet
Egan Avenue	Local	50 feet	

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 1.1.7 Ensure appropriately located capacity to achieve growth targets.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.5 Ensure continued viability of Dallas' airports. Ensure that the continued viability of Dallas' airports is preserved through ongoing regional cooperation and local master planning efforts.

URBAN DESIGN ELEMENT

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

- **Policy 5.1.1** Promote pedestrian friendly streetscapes.
- **Policy 5.1.2** Define urban character in downtown and urban cores.
- **Policy 5.1.3** Encourage complementary building height, scale, design, and character.
- **Policy 5.1.4** Enhance visual enjoyment of public space.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

- **Policy 5.2.1** Maintain neighborhood scale and character.
- **Policy 5.2.2** Promote the character of the city's significant districts, linkages, and areas.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

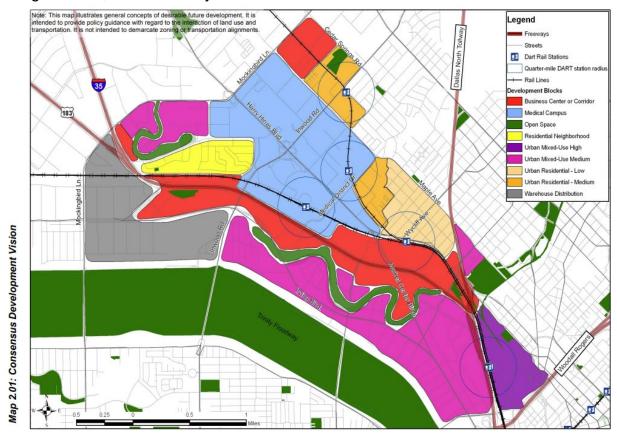
Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Area Plan:

Stemmons Corridor – Southwestern Medical District Area Plan (2010)

The comprehensive plan identifies the Stemmons Corridor – Southwestern Medical District area as an area of growth and stresses the need for an area plan to guide this growth to foster desirable development patterns. The study area has numerous assets and opportunities including the Southwestern Medical District, DART light rail and Trinity Railway Express, Love Field Airport, the Victory Plaza and American Airlines Center area,

stable single family neighborhoods, trails and connectivity potential, Market Center, the Design District, and the Trinity River Park.



The plan designates the area of request as part of a Business Center or Corridor area by the plan. Business Center or Corridor is considered one of the "Drivable Separate Use Development" blocks.

The plan states this area "is intended to accommodate major employment and shopping destinations located along major freeways or major arterials.

		Residential Neighborhoods	Business Center / Corridor
	Residential	90% to 95%	0%
Range ¹	Retail or Services	0%	40% to 50%
Land Use F	Office or Institutional	5% to 10%	50% to 60%
۲			

Generally, the proposed dimensional standards and uses are in line with the recommendations for a Business Center mentioned by the plan, as shown above.

While the plan specifically calls for an autocentric design in these portions of the Plan Area, staff does not find that these design recommendations supersede the need for increased pedestrian safety on and around the site. As such staff has recommended pedestrian safety conditions which the applicant has accepted.

Considering this fact, the PD has provisions to fulfill the overall design goals of the plan.

Building Treatment:

The provisions include treatments for both façade transparency, treatments, and entrances.

Site Planning and Streetscape:

The PD conditions address streetscape through sidewalk, lighting, street furniture, driveway, and crossing conditions.

Land Use:

	Zoning	Land Use
Site	Planned Development No. 917	Light industrial
Northeast	IR Industrial Research District	Vehicle display, sales, and service
Northwest	IR Industrial Research District, MU-2 Mixed Use District	Multifamily, mini-warehouse

Southeast	IR Industrial Research District	Undeveloped, light industrial, Animal shelter or clinic with outside runs
Southwest	MU-2 Mixed Use District	Multifamily

Land Use Compatibility:

The subject site contains 16.8 acres developed with office and office showroom/warehouse uses within multiple structures, located approximately one mile from the Dallas Love Field Airport. The surrounding area is predominately zoned an IR Industrial Research District, which largely contains light industrial, office, and supporting commercial uses.

The site is surrounded by a mix of uses including office showroom/warehouse, vehicle display, sales, and service, vehicle or engine repair or maintenance, and auto service center to the north; restaurant without drive-through, vehicle display, sales, and service (car rental), animal shelter, outside storage, industrial inside, and office showroom/warehouse to the east; office, office showroom/warehouse, animal shelter, and multifamily to the south; and, mini-warehouse, auto-related (commercial parking lot), office showroom/warehouse, and multifamily to the west.

The proposed use is appropriate for the broader area which includes mixed use and industrial uses. It is not recommended that residential be a portion of development on most of this site or the surrounding areas to the north and east due to the proximity to the Love Field noise contours. As such, making it possible to develop the site with a non-residential use would both make use of underutilized land while maintaining compatible land uses.

Land Use Comparison (Changes highlighted):

LEGEND

Use prohibited

- Use permitted by right
- S Use permitted by Specific Use Permit
- D Use permitted subject to Development Impact Review
- R Use permitted subject to Residential Adjacency Review
- ★ Consult the use regulations in Section 51A-4.200

Use	MU-2 Base with modifications
AGRICULTURAL USES	
Animal production	

Commercial stable	
Crop production	•
Private stable	
COMMERCIAL AND BUSINESS SERVICE USES	
Building repair and maintenance shop	
Bus or rail transit vehicle maintenance or storage facility	
Catering service	•
Commercial bus station and terminal	
Commercial cleaning or laundry plant	
Custom business services	•
Custom woodworking, furniture construction, or repair	
Electronics service center	•
Job or lithographic printing	
Labor hall	S
Machine or welding shop	
Machinery, heavy equipment, or truck sales and services	
Medical or scientific laboratory	•
Technical school	
Tool or equipment rental	•
Vehicle or engine repair or maintenance	
INDUSTRIAL USES	
Alcoholic beverage manufacturing	
Gas drilling and production	S
Gas pipeline compressor station	
Industrial (inside)	
Industrial (inside) for light manufacturing	
Industrial (outside)	
Medical/infectious waste incinerator	
Metal salvage facility	
Mining	
Municipal waste incinerator	
Organic compost recycling facility	
Outside salvage or reclamation	
Pathological waste incinerator	
Temporary concrete or asphalt batching plant	*
INSTITUTIONAL AND COMMUNITY SERVICE USES	

Adult day care facility	•
Cemetery or mausoleum	S
Child-care facility	•
Church	•
College, university, or seminary	•
Community service center	S
Convalescent and nursing homes, hospice care, and related institutions	R
Convent or monastery	•
Foster home	•
Halfway house	S
Hospital	S
Library, art gallery, or museum	•
Open-enrollment charter school or private school	S
Public school other than an open-enrollment charter school	R
Public or private school	
LODGING USES	
Extended stay hotel or motel	S
Hotel or motel	R
Lodging or boarding house	•
Overnight general purpose shelter	*
MISCELLANOUS USES	
Attached non-premise sign.	S
Carnival or circus (temporary)	*
Hazardous waste management facility	
Temporary construction or sales office	•
OFFICE USES	
Alternative financial establishment	S
Financial institution without drive-in window	•
Financial institution with drive-in window	D
Medical clinic or ambulatory surgical center	•
Office	•
RECREATION USES	
Country club with private membership	•
Private recreation center, club, or area	•
Public park, playground, or golf course	•
RESIDENTIAL USES	

College dormitory, fraternity, or sorority house	
Duplex	•
Group residential facility	*
Handicapped group dwelling unit	
Manufactured home park, manufactured home subdivision, or campground	
Multifamily	•
Residential hotel	•
Retirement housing	•
Single family	
RETAIL AND PERSONAL SERVICE USES	
Alcoholic beverage establishments.	*
Ambulance service	
Animal shelter or clinic without outside runs	R
Animal shelter or clinic with outside runs	
Auto service center	R
Business school	•
Car wash	R
Commercial amusement (inside)	S, ★
Commercial amusement (outside)	S
Commercial motor vehicle parking	
Commercial parking lot or garage	R
Convenience store with drive-through	S
Drive-In theater	
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	•
General merchandise or food store 100,000 square feet or more	S
Home improvement center, lumber, brick or building materials sales yard	
Household equipment and appliance repair	•
Liquefied natural gas fueling station	
Liquor store	•

Mortuary, funeral home, or commercial wedding chapel	•
Motor vehicle fueling station	•
Nursery, garden shop, or plant sales	•
Outside sales	
Paraphernalia shop	S
Pawn shop	
Personal service use up to 1,000 sq. ft. in floor area	
Personal service use	•
Restaurant without drive-in or drive-through service	R
Restaurant with drive-in or drive-through service	D
Surface parking	
Swap or buy shop	S
Taxidermist	
Temporary retail use	•
Theater	•
Truck stop	
Vehicle display, sales, and service	<u>•</u>
TRANSPORTATION USES	
Airport or landing field	
Commercial bus station and terminal	
Heliport	
Helistop	•
Private street or alley	
Railroad passenger station	S
Railroad yard, roundhouse, or shops	
STOL (short take-off or landing port)	
Transit passenger shelter	•
Transit passenger station or transfer center	S, *
UTILITY AND PUBLIC SERVICE USES	
Commercial radio or television transmitting station	•
Electrical generating plant	
Electrical substation	•
Local utilities	S,R, ★
Police or fire station	•
Post office	•

Radio, television, or microwave tower	S
Refuse transfer station	
Sanitary landfill	
Sewage treatment plant	
Mounted cellular antenna	
Tower/antenna for cellular communication	*
Utility or government installation other than listed	S
Water treatment plant	
WHOLESALE, DISTRIBUTION, AND STORAGE USES	
Auto auction	
Building mover's temporary storage yard	
Contractor's maintenance yard	
Freight terminal	
Livestock auction pens or sheds	
Manufactured building sales lot	
Mini-warehouse	S
Office showroom/warehouse	
Outside storage	
Petroleum product storage and wholesale	
Recycling buy-back center	*
Recycling collection center	*
Recycling drop-off container	*
Recycling drop-off for special occasion collection	*
Sand, gravel, or earth sales and storage	
Trade center	
Vehicle storage lot	
Warehouse	

Development Standards:

(Changes from base highlighted, VDSS refers to standards only applied to the proposed use vehicle display, sales, and service)

DISTRICT	SETBACKS		FAR	Height / Coverag	•	Special	
DISTRICT	Front	Side /Rear	density	FAR	Stories	e	Standards

Existing PD 917	15' min +20 above 60' ht No max	20' adj res (+1/2' slope up to 30' above 60' ht) Else 0'		0.6-2.25 depending on uses	65' 5 Stories	80%	Tower Spacing UFS
Proposed changes to PD 917	20 <mark>above</mark>	20' adj res (VDSS +1/2' slope up to 30' above 60' ht) Else 0'	75 DUAC	0.6-2.25 depending on uses VDSS use no max FAR	65' 5 Stories VDSS use 90' 10 stories	80%	VDSS Tower Spacing UFS

Landscaping:

Landscaping and tree preservation must be provided in accordance with PD 917 and Article X, as amended. The existing PD requires 1 street tree for every 25 feet of frontage, an improvement on the Article X requirement of 1 per 40 feet.

Parking:

Parking is required to be provided generally in accordance with Chapter 51A.

As the proposed use is primarily a parking garage facility with a portion of finished floor area devoted to car rental, the case proposes to remove the required minimum for the use, which is typically one space per 500 square feet of floor and site area exclusive of parking area. As the goal of the project is primarily to provide a parking facility with supportive office space, it is most straightforward for purposes of Permitting for the project to not have a required parking total.

Design Standards:

The existing PD includes design standards that staff finds appropriate to improve the public realm.

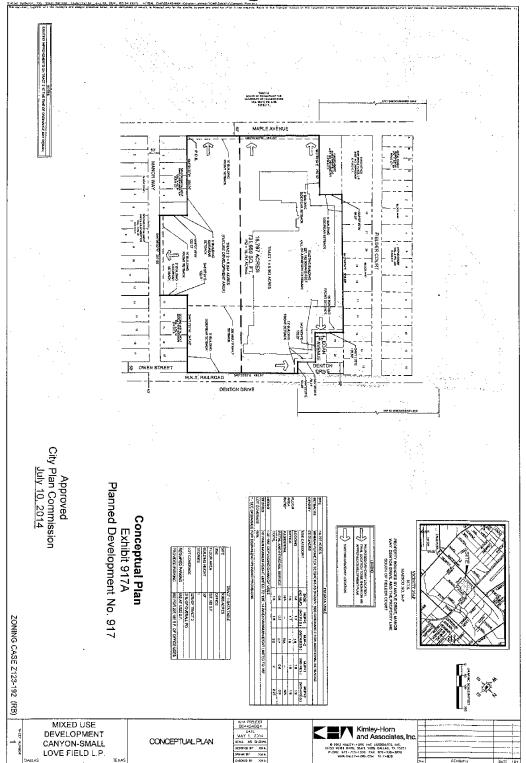
- -Primary entrances must face streets, must have awnings or details
- -Back of house must be screened 6' and not located on Maple Avenue
- -1 bench, 1 trash, 5 space bike rack per 300 street frontage
- -Pedestrian lighting spacing
- -1 large street tree per 25' frontage
- -7' Sidewalks must be provided except for Denton Dr

The revision to the PD includes the addition of language for driveway spacing, sidewalk buffering, and safe crossings.

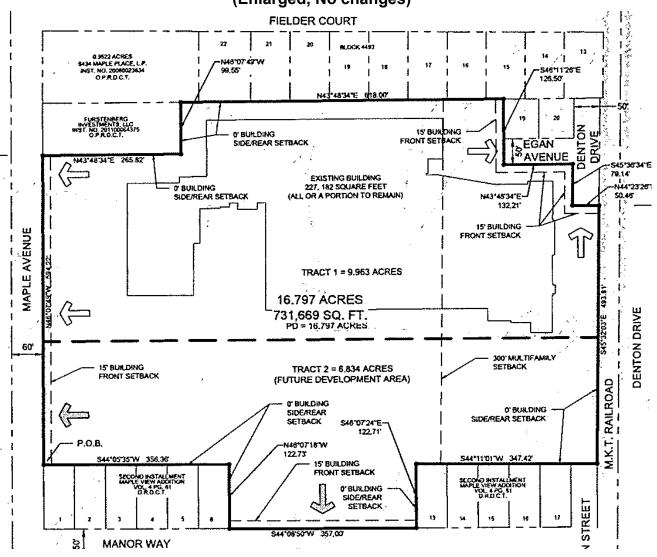
Market Value Analysis:

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 subject property is located within an MVA "C".

Existing Conceptual Plan



Existing Conceptual Plan (Enlarged, No changes)



Proposed Conditions

ARTICLE 917.

PD 917.

SEC. 51P-917.101. LEGISLATIVE HISTORY.

PD 917 was established by Ordinance No. 29434, passed by the Dallas City Council on August 27, 2014. (Ord. 29434)

SEC. 51P-917.102. PROPERTY LOCATION AND SIZE.

PD 917 is established on property located on the northwest line of Manor Way between Maple Avenue and Denton Drive. The size of PD 917 is approximately 16.797 acres. (Ord. 29434)

SEC. 51P-917.103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article,
- (1) AWNING SIGN means a sign attached to, painted on, or otherwise applied to an awning.
- (2) BLADE SIGN means a sign projecting perpendicularly from a building facade, visible from both sides, and made of rigid or soft materials.
- (3) FLASHING MOTION SIGN means a sign displaying static designs, messages, or advertisements and may include LED/LCD elements, slide lettering, slated rotating surfaces, or other changeable message technology that changes the static display.
- (4) PROJECTING SIGN means an attached sign other than a rooftop sign projecting more than 18 inches from a building.
- (5) ROOFTOP SIGN means a sign that is attached by sign supports to the roof of a building.
- (6) WINDOW SIGN means a sign temporarily or permanently painted onto or affixed to a window.
- (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. 29434)

SEC. 51P-917.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 917A: conceptual plan. (Ord. 29434)

SEC. 51P-917.105. CONCEPTUAL PLAN.

- (a) Development and use of the Property must comply with the conceptual plan (Exhibit 917A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. 29434)
- (b) Changes to conceptual plan may be approved by the city plan commission through the procedure for minor amendments in Section 51A-4-702(h). (Ord. 29434)

SEC. 51P-917.106. DEVELOPMENT PLAN.

- (a) Except as provided in this section, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls. (Ord. 29434)
- (b) For a vehicle display, sales, and service use or for a commercial parking lot, 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.

SEC. 51P-917.107. MAIN USES PERMITTED.

- (a) Except as provided in this section, the only main uses permitted are those main uses permitted in the MU-2 Mixed Use District, subject to the same conditions applicable in the MU-2 Mixed Use District, as set out in Chapter 51A. For example, a use permitted in the MU-2 Mixed Use District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MU-2 Mixed Use District is subject to DIR in this district; etc.
- (b) Multifamily uses are only allowed on portions of the Property located within a day-night average (DNL) sound level contour of 60 dBA or less as shown on the airport noise maps at the time the development plan is submitted for approval by the city plan commission. The area with the day-night average sound level contour of 60 dBA or less must be shown on the development plan.
 - (c) The following use is permitted by right:
 - -- Vehicle display, sales, and service.
 - (d) The following use is prohibited:
 - -- General merchandise or food store 100,000 square feet or more.

(Ord. 29434)

SEC. 51P-917.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 29434)

SEC. 51P-917.109. YARD, LOT, AND SPACE REGULATIONS.

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

- (a) <u>In general</u>. Except as provided in this section, the yard, lot, and space regulations for the MU-2 Mixed Use District apply.
 - (b) Urban form setback.
- (1) Except as provided in this subsection, f[F] or that portion of a structure over 60 feet in height, an additional 20-foot front yard setback is required. This urban form setback is in addition to the setbacks required in Subsections (a) and (b).
- (2) For a vehicle display, sales, and service use or a commercial parking lot or garage, no urban form setback is required.
 - (c) Tower spacing.
- (1) Except as provided in this subsection, f[F] or that portion of a structure over 60 feet in height, an additional side and rear yard setback of one foot for each two feet in height above 60 feet is required up to a maximum side or rear yard setback of 30 feet.
- (2) For a vehicle display, sales, and service use or a commercial parking lot or garage, no tower spacing is required.
 - (d) Height.
 - (1) Except as provided in this subsection, m[M]aximum structure height is 65 feet.
- (2) For a vehicle display, sales, and service use and a commercial parking lot or garage, maximum structure height is 90 feet.
- (3) The following structures may project a maximum of 12 feet above the maximum structure height:
 - (1) elevator penthouse or bulkhead.
 - (2) mechanical equipment room.
 - (3) cooling tower.
 - (4) tank designed to hold liquids.
 - (5) visual screens which surround roof mounted mechanical equipment.
 - (6) chimney and vent stacks.
 - (7) parapet wall (limited to a height of four feet).
 - (e) Density. Maximum dwelling unit density is 75 units per acre.

(f) <u>Floor area ratio</u>. Except as provided in this subsection, maximum floor area ratio (FAR) varies depending on whether the development is a mixed-use project as follows:

[Note: The first column is the base FAR, which applies when there is no mixed use project MUP. The second column (MUP=2/no res.) is the FAR for a MUP with a mix of two use categories when neither category is residential. The third column (MUP=2/with res.) is the FAR for a MUP with a mix of residential plus one other use category. The fourth column (MUP=3/no res.) is the FAR for a MUP with a mix three or more use categories when no category is residential. The fifth column (MUP=3/with res.) is the FAR for a MUP with a mix of residential plus two or more other use categories. A MUP with three use categories must include a residential use.]

Use category	Base (no MUP)	MUP=2 (no res.)	MUP=2 (with res.)	MUP=3 (no res.)	MUP=3 (with res.)
Lodging	1.6	1.7	1.8	1.8	1.9
Office	1.6	1.7	1.8	1.8	1.9
Residential Retail and	no max.	n/a	no max.	n/a	no max.
Personal service	0.6	0.7	0.7	0.8	0.8
Total	1.6	1.8	2.0	2.0	2.25

For a vehicle display, sales, and service use and/or commercial parking lot or garage, no maximum floor area ratio.

- (g) <u>Stories</u>. For a vehicle display, sales, and service use or a commercial parking lot or garage, maximum number of stories is 10.
- (h) Traffic impact analysis. Before the issuance of a building permit that exceeds one of the amounts provided in Table (g)(1) below, a traffic impact analysis using a maximum build-out of the Property must be provided to the building official.

Table (g)(1)

Land Use	Amount	Unit
Residential Uses	600	Dwelling Units
Lodging Uses	250	Rooms
Retail and Personal Service Uses	50,000	Square Feet
Office Uses	300,000	Square Feet

The following equivalency table can be used to exchange land use totals up to the limits in Table (g)(1) (The equivalency table can be used to convert between any of the land uses listed):

Table (g)(2)

(8/()		Quantity	Use (ITE Land Use)
One Residential	Is Considered	1.0 guest room	Lodging uses (310)
Dwelling Unit (ITE Land Use 220)	Equivalent To:	165 square feet	Retail and personal service uses (820)
		420 square feet	Office uses (710)

Example: 100 residential dwelling units can be exchanged for 16,500 square feet of retail or personal service uses, or 42,000 square feet of office uses.

Example: 1,000 square feet of office floor area can be exchanged for 393 square feet of retail or personal service floor area or 2.4 residential dwelling units.

The above table was developed by comparing the average p.m. peak hour trip generation for each use, using data from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition. Equivalencies for other land uses not reflected in the table may be made by citing the data in the *Trip Generation Manual*, 9th or newer Edition. (Ord. 29434)

SEC. 51P-917.110. OFF-STREET PARKING AND LOADING.

- (a) Except as provided in this section, c[C] onsult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use. (Ord. 29434)
- (b) For a vehicle display, sales, and service use and commercial parking lot or garage, no minimum parking is required.

SEC. 51P-917.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 29434)

SEC. 51P-917.112. URBAN DESIGN STANDARDS.

(a) <u>In general</u>. Regulations in this section governing landscaping, signs, screening, sidewalks, pedestrian amenities, pedestrian lighting, and utilities apply to new construction or work on an existing structure that adds more than 5,000 square feet of floor area. For purposes of this subsection, an existing building means a building that was constructed on or before August 27, 2014.

(b) Street-facing facades.

- (1) For each street-level office or retail or personal service use, the street-facing facades must have clear glazing that covers a minimum of:
 - (A) 70 percent of the facade for a retail or personal service use; and
 - (B) 40 percent of the facade for an office use.
- (2) Street-facing facades must incorporate a minimum of three of the following building elements: pilasters, cornices, string courses, window sills, awnings, lintels, or rustication. Except for awnings, building elements must be constructed of brick, cast stone, stone, ornamental metal, or concrete, or a combination of these materials.
- (3) Except for a vehicle display, sales, and service use and/or commercial parking lot or garage, s[S] treet-facing facades must be set back a minimum depth of two feet for a minimum distance of ten feet for every 75 feet of facade length.

(c)	Street-level story	height alon	g Maple Avenue.	Minimum	street-level	story	height	along
Maple Avenue i	s 12 feet, measur	ed from floo	r to ceiling.					

(d) Building materials.

- (1) For street-level office or retail or personal service uses, windows must be clear glass.
 - (2) The following building materials are prohibited:
 - (A) imitation stone;
 - (B) aluminum cladding or siding;
 - (C) styrofoam sheathing;
 - (D) vinyl;
 - (E) plastic siding; and
 - (F) reflective glass.
- (3) The following building materials, individually or combined, may not exceed 25 percent of the total area of a building facade:
 - (A) wood;
 - (B) corrugated sheet metal; and
 - (C) galvanized metal.
- (4) Each street-facing facade must be constructed of glass and a minimum of two other materials.

(e) Entrances.

- (1) Primary building entrances must face the street.
- (2) Awnings, canopies, attached towers, or turrets must be provided over pedestrian building entrances.
- (3) For residential street-level uses along Maple Avenue, individual entries with stoops or porches must be provided with direct access to the street by a sidewalk.
- (4) For street-level retail and personal service uses along Maple Avenue, main entrances must face and be accessible from Maple Avenue.

(5) No more than one service entrance for every 600 feet of street frontage may be provided along Maple Avenue.

(f) <u>Screening</u>.

- (1) Garbage, storage, and loading areas must be screened with masonry walls or opaque plantings that are at least six feet in height at the time of planting and may not be located along Maple Avenue.
- (2) Service areas must be enclosed on three sides by a minimum six-foot-high masonry wall and one side with a minimum six-foot-high gate.
- (3) Roof-mounted equipment must be set back or screened with masonry walls, opaque planting materials, or other facade materials so that it is not visible from any public right-of-way. (Ord. 29434)

SEC. 51P-917.113. PEDESTRIAN AMENITIES.

- (a) A minimum of one bench, one trash receptacle, and one five-bicycle parking rack must be provided for every 300 feet of street frontage, with any fraction of frontage rounding up. For example, a street frontage with 350 feet requires a minimum of two of each of the pedestrian amenities.
- (b) Light standards must be spaced between 75 feet and 100 feet apart, with the center of the foundation of the light standard two feet from back of the curb. (Ord. 29434)

SEC. 51P-917.114. LANDSCAPING.

(a) <u>In general</u>. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Street trees.

- (1) One large tree having a caliper of at least three inches must be provided for each 25 feet of street frontage. The building official may approve alternative locations within 30 feet of the Property line if the building official determines utility obstructions prevent planting.
 - (2) Street trees, at planting, must have an eight-foot-high clearance over a sidewalk.
- (3) Rain harvesting techniques must be used as either a primary or supplemental landscape irrigation source to capture on-site storm water runoff.
- (c) <u>Maintenance</u>. Plant materials must be maintained in a healthy, growing condition. (Ord. 29434)

SEC. 51P-917.115. SIDEWALKS.

- (a) Except as provided in this section, sidewalks must be provided between all street-facing facades and the adjacent rights-of-way.
 - (b) Sidewalks along Denton Drive are not required.
- (c) Sidewalks must be a minimum of seven feet in width and constructed of concrete material. (Ord. 29434)
- (d) Sidewalks must be level across all driveways, curb cuts, and entrances or exits to loading areas.
- (e) Where driveways intersect with a sidewalk or pedestrian path, each driveway must be clearly marked by colored concrete, patterned or stamped concrete, or brick pavers for pedestrian crossing.
- (f) Except within a visibility triangle, where public sidewalks abut any driving surface, off-street or on-street loading area, or parking surface the following buffering must be used:
 - (1) landscaping plantings with a minimum height of 36 inches; or
- (2) bollards with a minimum height of 36 inches, spaced no more than six feet in distance from each other.
- (g) Driveway maximums. On public streets, maximum width of any driveway approach shall be 26 feet, with a maximum combined width of 32 feet of all ingress and egress driveways across a given frontage.

SEC. 51P-917.116. SIGNS.

- (a) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.
- (b) For retail and personal service uses, at least two of the following types of signs are required for each 600 feet of frontage along Maple Avenue: awning signs, projecting signs, window signs, or blade signs, or any combination of these signs.
 - (c) Rooftop and flashing motion signs are prohibited. (Ord. 29434)

SEC. 51P-917.117. ADDITIONAL PROVISIONS.

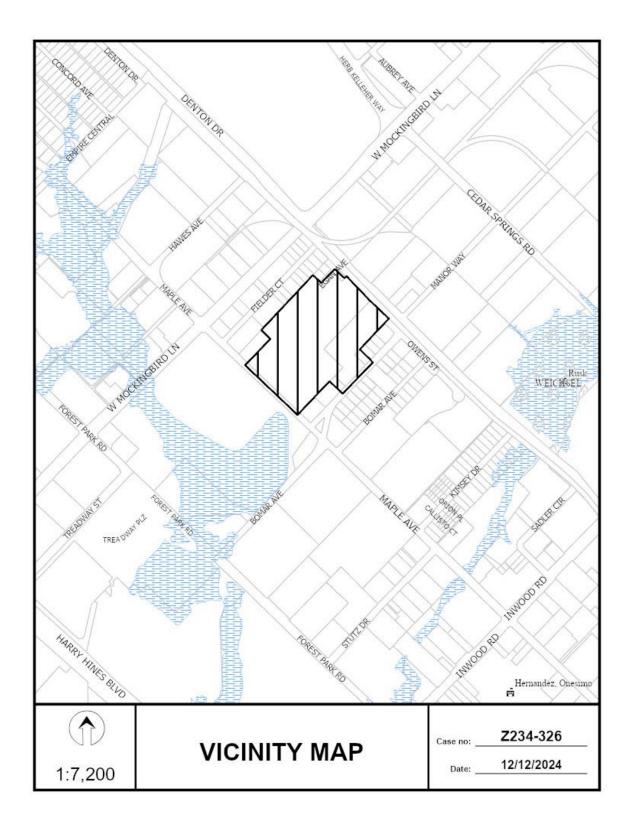
- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 29434)

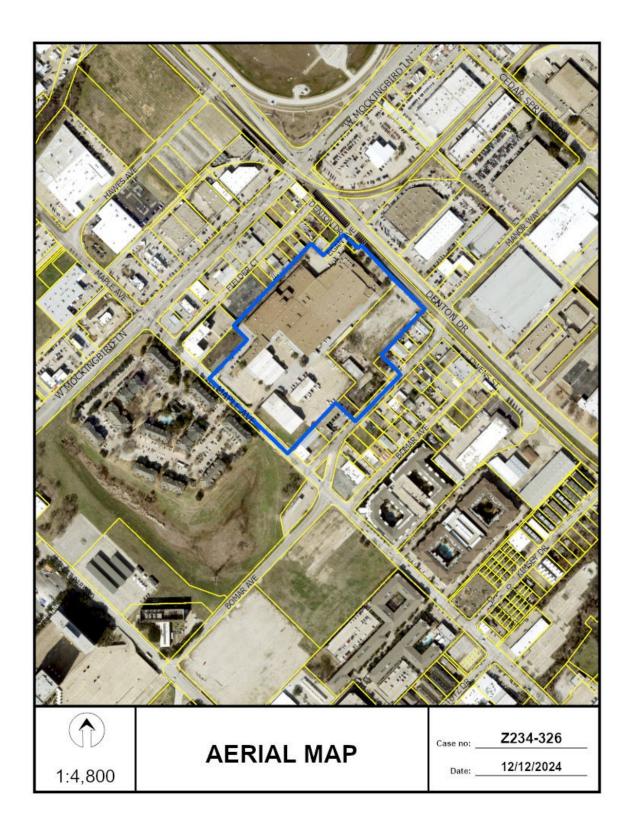
SEC. 51P-917.118. COMPLIANCE WITH CONDITIONS.

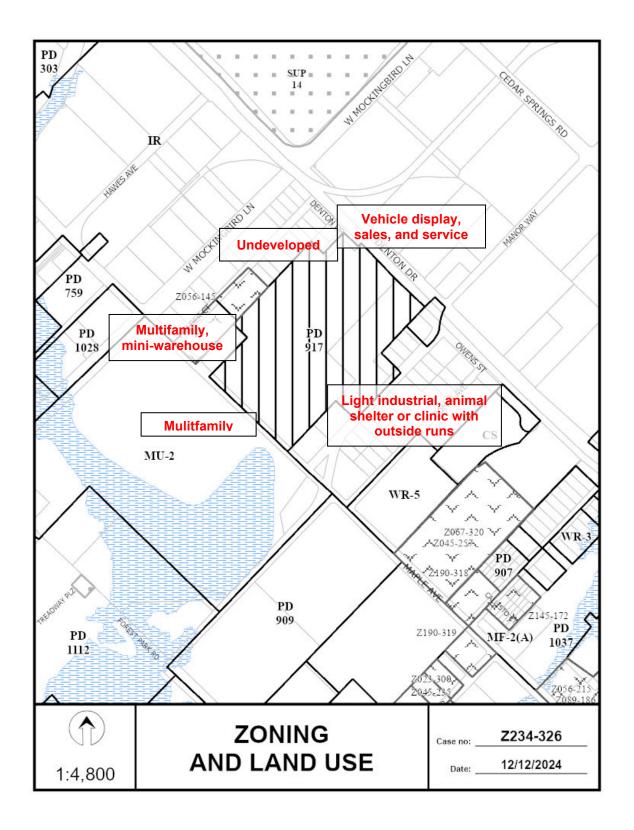
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the

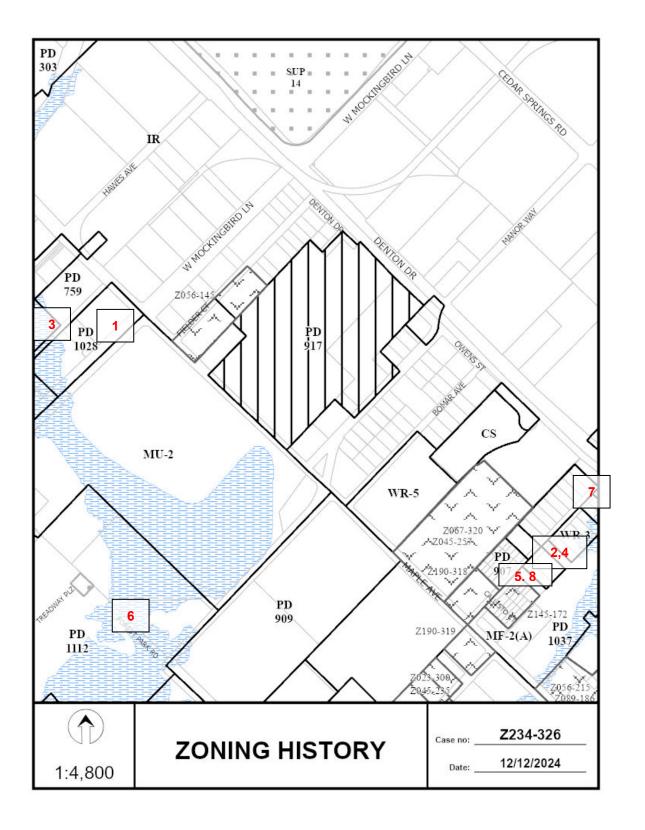
city.

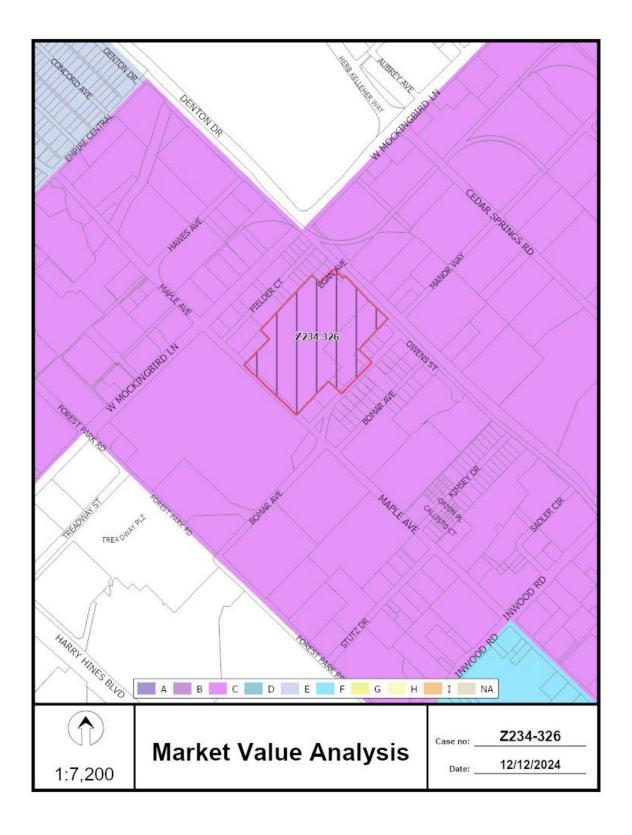
(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 29434)

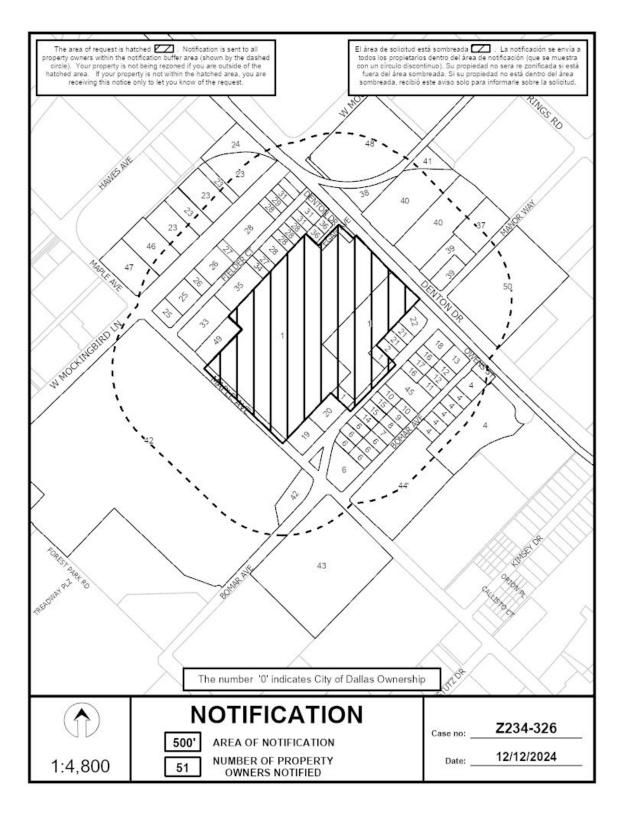












12/12/2024

Notification List of Property Owners

Z234-326
51 Property Owners Notified

Label #	Address		Owner
1	2603	MANOR WAY	DLF DENTON LLC
2	2703	MANOR WAY	2703 MANOR WAY LLC
3	555	2ND AVE	DART
4	2614	BOMAR AVE	6115 DENTON LLC
5	2718	BOMAR AVE	MCCLAIN CAROLYN
6	6200	MAPLE AVE	ZBH MAPLE MANOR LTD
7	2603	BOMAR AVE	SMART MORRIS E
8	2607	BOMAR AVE	MARTIN J C
9	2611	BOMAR AVE	MARTIN BARRY A & TERRI J
10	2615	BOMAR AVE	ZBH MAPLE MANOR LTD
11	2703	BOMAR AVE	HABITATS BY B & D
12	2707	BOMAR AVE	6211 OWENS LLC
13	6211	DENTON DR	6211 OWENS LLC
14	2602	MANOR WAY	BAUTISTA ROBERT IV
15	2606	MANOR WAY	SHEPARD HOLDINGS LLC
16	2702	MANOR WAY	2710 MANOR WAY LLC
17	2706	MANOR WAY	AFGHANIPOUR SAMAD
18	2720	MANOR WAY	SLOAN LEONARD & ASSOC INC
19	6300	MAPLE AVE	R & L MAPLE ASSOCIATES LC
20	2515	MANOR WAY	REYNA FELIPE O
21	2707	MANOR WAY	DAVIS ROBERT L
22	2719	MANOR WAY	HUMANE SOCIETY OF DALLAS COUNTY THE
23	2727	W MOCKINGBIRD LN	SPC MOCKINGBIRD DEPOT
24	2737	W MOCKINGBIRD LN	CROCKETT COURT CORP
25	2500	W MOCKINGBIRD LN	SESEMTXOH LLC
26	2526	W MOCKINGBIRD LN	TREVINO PPTIES LTD

12/12/2024

Label #	Address		Owner
27	2616	W MOCKINGBIRD LN	HALLFORD RAY
28	2626	W MOCKINGBIRD LN	DALLAS STORAGE CONVERSION LLC
29	2716	W MOCKINGBIRD LN	T A & A INC
30	2726	W MOCKINGBIRD LN	VALDES HUGO V REV LIVING TRUST
31	2720	W MOCKINGBIRD LN	LOVEFIELD SRG HOLDING LLC
32	2728	W MOCKINGBIRD LN	2728 W MOCKINGBIRD LLC
33	6434	MAPLE AVE	SAF NOB MAPLE AVENUE LLC
34	2622	FIELDER CT	KELLER JON &
35	2618	FIELDER CT	6434 MAPLE PLACE LP
36	2717	EGAN AVE	CANADA WILLIAM RANDALL
37	2825	MANOR WAY	ARMSTRONG BERGER
38	6420	DENTON DR	VICEROY STINSON #1 LP
39	6302	DENTON DR	VICEROY STINSON 1 LP
40	6414	DENTON DR	VICEROY DELIVERY LP
41	6410	DENTON DR	VICEROY TRIANGLE LP
42	6401	MAPLE AVE	BOARD OF REG OF UNIV OF TX SYSTEM
43	6114	FOREST PARK RD	VICEROY MAPLE LP
44	6162	MAPLE AVE	SREIT 6162 LP
45	2616	MANOR WAY	TWO 6 ONE 6 MANOR LLC
46	2525	W MOCKINGBIRD LN	FRANCIA INVESTMENTS
47	2503	W MOCKINGBIRD LN	MOORE MARGARET T REV TRUST
48	2800	W MOCKINGBIRD LN	MD CORNER LP
49	6418	MAPLE AVE	6418 MAPLE LLC
50	6200	DENTON DR	SEWELL CORPORATION
51	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for a Specific Use Permit for a motor vehicle fueling station on property zoned Light Commercial/Office Area 1 Subdistrict within Planned Development District No. 631, the West Davis Special Purpose District, on the north line of West Davis Street, east of North Walton Walker Boulevard.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period, subject to a site plan and staff's recommended conditions.

Applicant: Houshang Jahvani, P.E.

Planner: Connor Roberts

Council District: 6
Z234-327(CR)

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z234-327(CR) DATE FILED: August 26, 2024

LOCATION: North line of West Davis Street, east of North Walton Walker

Boulevard.

COUNCIL DISTRICT: 6

SIZE OF REQUEST: ± 1.78 acres CENSUS TRACT: 48113010701

REPRESENTATIVE/APPLICANT: Houshang Jahvani, P.E.

OWNER: John Malchi

REQUEST: An application for a Specific Use Permit for a motor vehicle

fueling station on property zoned Light Commercial/Office Area 1 Subdistrict within Planned Development District No. 631, the

West Davis Special Purpose District.

SUMMARY: The purpose of the request is to allow for the development of a

motor vehicle fueling station on the site.

STAFF RECOMMENDATION: Approval for a five-year period, subject to a site plan

and staff's recommended conditions.

BACKGROUND INFORMATION:

- The approximately 1.78-acre area of request is currently undeveloped and is bordered by West Davis Street to the south and Tatum Avenue partially to the east.
- The Tatum Avenue right-of-way (property) extends along the full eastern limitation of the subject area, connecting to West Davis Street to the south. However, Tatum Avenue improvements (pavement, bar ditches, etc.) only extend along portions of the site's eastern boundary, and do not connect to West Davis Street due to significant topographic challenges. The terminus of Tatum Avenue is capped by a guard rail limiting access, and connections to this right-of-way from the subject site are restricted by the proposed SUP conditions.
- The existing elevation of the subject site drops from approximately 510 feet Mean Sea Level (MSL) along Tatum Avenue to the northeast of the site, to approximately 476 feet MSL along West Davis Street to the southwest of the site.
- The proposed request would allow for a general merchandise or food store approximately 12,112 square feet in area, with 12 individual fuel pumps under a canopy along West Davis Street.
- The applicant is requesting a 30-year expiration date on this SUP. Staff recommends
 that the expiration date be limited to 5 years for the opportunity to reassess the land
 use compatibility and any outstanding site compliance issues.
- The general merchandise of food store greater than 3,500 square feet is permitted by right per Section 51P-631.107.1(a)(10). However, the motor vehicle fueling station requires approval of a SUP per this same section.
- Since notification, the applicant has requested withdrawal. As the request has been notified already, the Commission may be inclined to recommend Denial without prejudice in order to close the case out.

Zoning History:

There have been no zoning cases in the area in the last five years:

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
West Davis Street	Principal Arterial	100 feet
		Bike Plan

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 will continue review of engineering plans at permitting to comply with city standards.

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.

Land Use:

	Zoning	Land Use
Site	Tract A1, the Light Commercial/Office Subdistrict, within PD No. 631, the West Davis Special Purpose District	Undeveloped
North	R-7.5(A)	Single family
East	R-7.5(A)	Single family
South	Medium Commercial/Office Subdistrict within PD No. 631, the West Davis Special Purpose District	Vehicle display, sales, and service

West	CS, Commercial Service District with Deed Restrictions (Ordinance No. 23524)	Undeveloped
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Land Use Compatibility:

The approximately 1.78-acre site would be developed with an approximately 12,112 square-foot general merchandise or food store (convenience store) greater than 3,500 square feet, with 12 individual fuel pumps under a canopy along West Davis Street. Access to the site will be limited to West Davis Street to the south; access to the Tatum Avenue right-of-way or improvements will not be permitted based on the proposed SUP conditions.

The general merchandise of food store greater than 3,500 square feet is permitted by right per Section 51P-631.107.1(a)(10). However, the motor vehicle fueling station requires approval of a SUP per this same section.

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

Staff supports the request with the exception of the proposed SUP timeframe. The requested use of the property is compatible with automobile uses found on the south line of West Davis Street, as well as those found along highways of the same caliber as nearby Walton Walker Boulevard. Additionally, proper screening and spacing requirements from nearby single family properties, including residential proximity slope, will be made in accordance with Planned Development No. 631 and the Dallas Development Code. The applicant is requesting a 30-year expiration date on this SUP. Staff recommends that the expiration date be limited to 5 years for the opportunity to reassess the land use compatibility and any outstanding site compliance issues.

Landscaping:

Landscaping must be provided in accordance with Planned Development No. 631 and Article X of the Dallas Development Code, as amended. Within the Light Commercial/Office Area 1 Subdistrict, landscaping functions the same as Article X.

Parking:

The Dallas Development Code requires one parking space per 220 square feet of floor area for general merchandise or food store greater than 3,500 square feet uses between 10,000 and 40,000 square feet. Based on the proposed 12,112.5 square feet of floor area, the development requires 56 spaces with 60 being provided per the attached site plan.

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 currently in an "H" MVA area.

LIST OF OFFICERS

John Malchi, owner

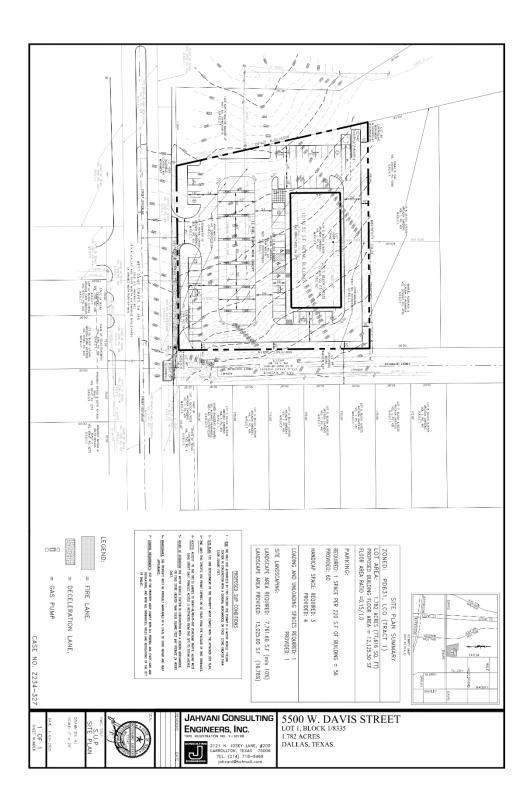
PROPOSED SUP CONDITIONS

- 1. <u>USE</u>: The only use authorized by this specific use permit is a motor vehicle fueling station in conjunction with a general merchandise or food store greater than 3,500 square feet.
- 2. <u>SITE PLAN</u>: Use and development of the Property must comply with the attached site plan.
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (30 years from the passage of this ordinance).

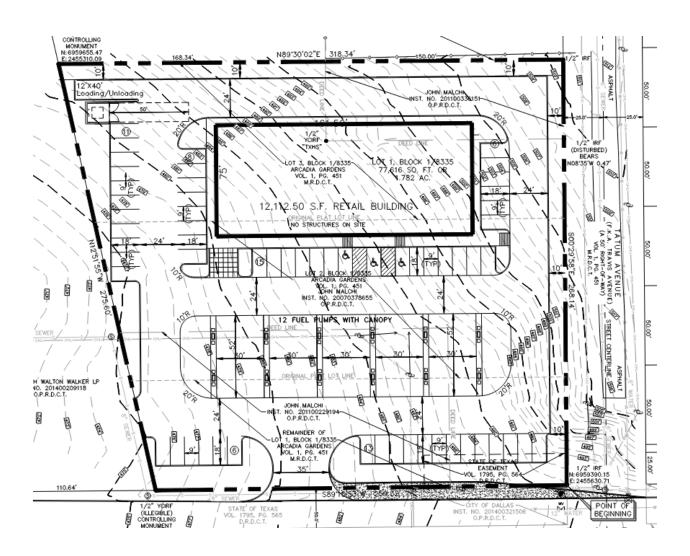
Staff Recommendation:

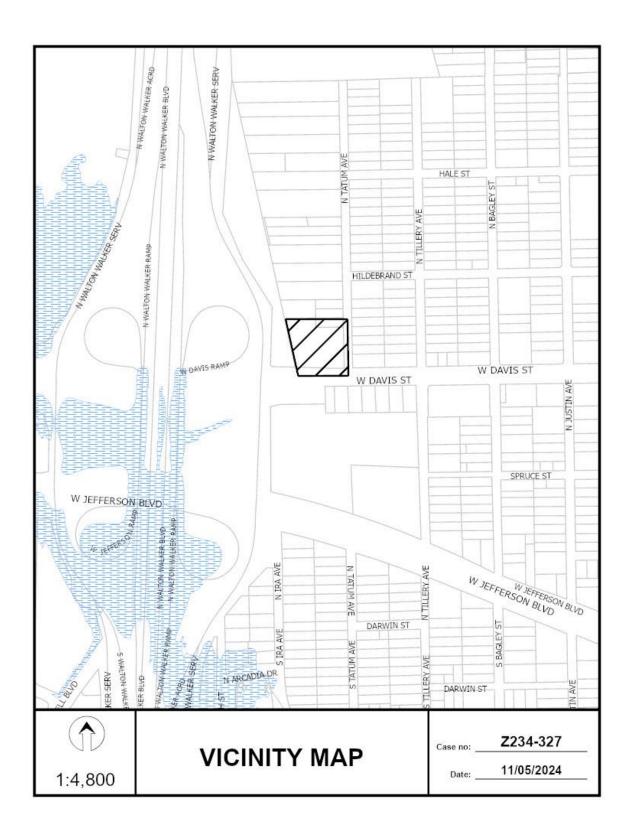
- 3. <u>TIME LIMIT</u>: This specific use permit expires on (5 years from the passage of this ordinance).
- 4. <u>INGRESS/EGRESS</u>: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
- 5. <u>MAINTENANCE</u>: The Property must be properly maintained in a state of good repair and neat appearance.
- 6. <u>GENERAL REQUIREMENTS</u>: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN

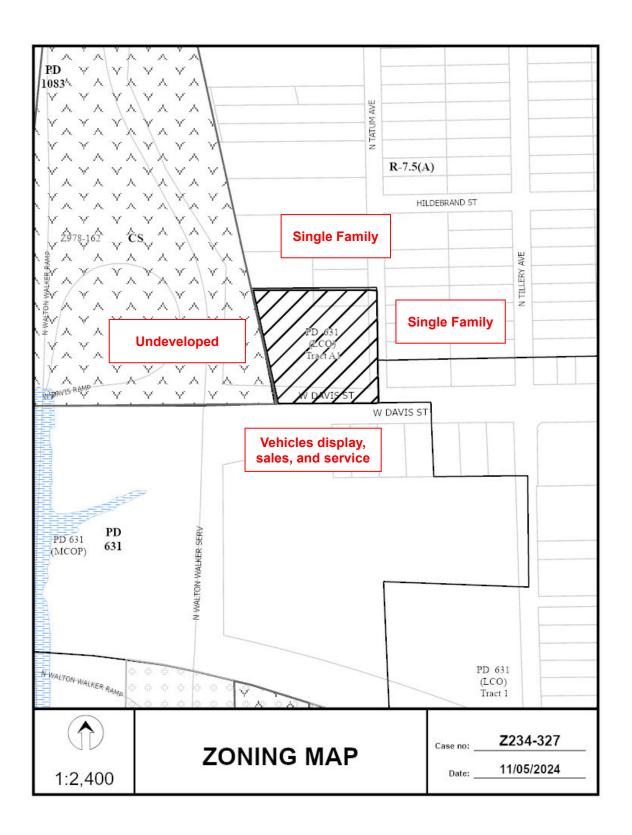


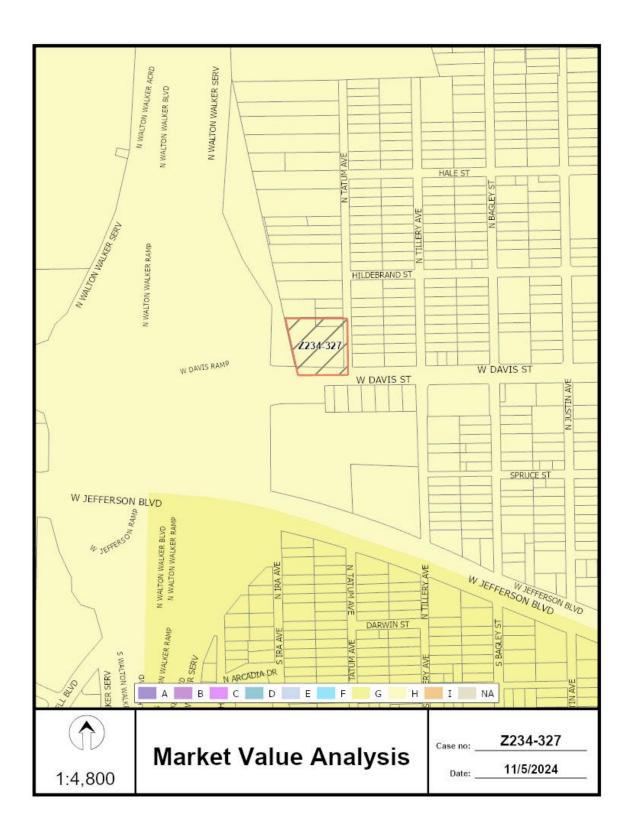
PROPOSED SITE PLAN (ENLARGED)

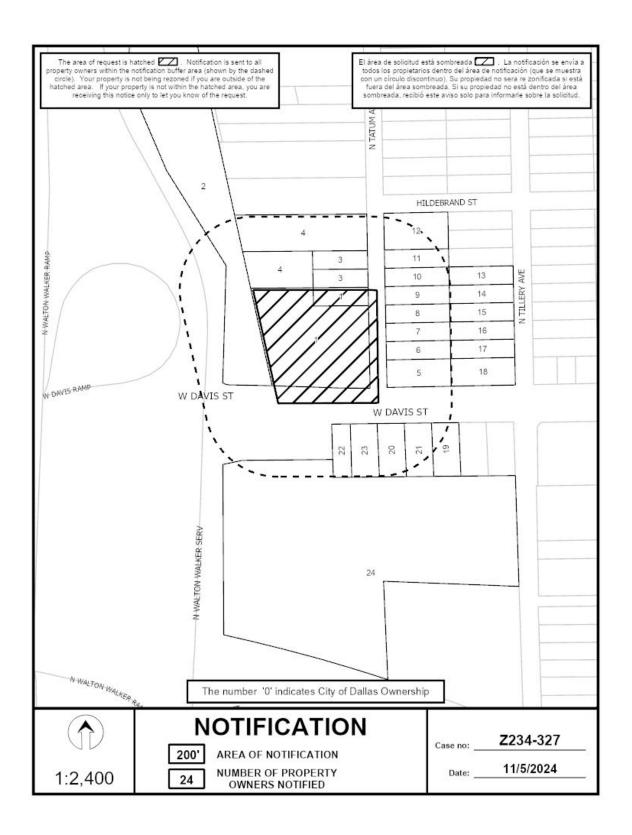












11/05/2024

Notification List of Property Owners Z234-327

24 Property Owners Notified

Label #	Address		Owner
1	5500	W DAVIS ST	MALCHI JOHN
2	1200	WALTON WALKER BL	VD 1200 NORTH WALTON WALKER LP
3	707	N TATUM AVE	AGUINAGA MANUEL &
4	715	N TATUM AVE	FAZ ISAAC D
5	606	N TATUM AVE	BALDERAS JAVIER &
6	610	N TATUM AVE	AGUAYO JUAN CARLOS & ETAL
7	614	N TATUM AVE	BALDERAS JAVIER &
8	618	N TATUM AVE	MERCADO RICARDO ETAL
9	702	N TATUM AVE	AGUAYO JUAN CARLOS &
10	708	N TATUM AVE	AGUAYO CARLOS & CAROLINA
11	710	N TATUM AVE	ZAVALA LEONOR
12	718	N TATUM AVE	HERNANDEZ SANDRA L &
13	707	N TILLERY ST	CASTANEDA SILVINA & ISMAEL
14	621	N TILLERY ST	CACERES JOSE
15	619	N TILLERY ST	CACERES JOSE & MARTHA
16	615	N TILLERY ST	VILLEGAS MARCOS
17	611	N TILLERY ST	SEGOVIANO MANUEL
18	603	N TILLERY ST	EVANS JOE
19	5410	W DAVIS ST	CUARENTA FRANCISCO & IRMA
20	5414	W DAVIS ST	ARTIGA ARMANDO &
21	5412	W DAVIS ST	ARTIGA ARMANDO &
22	5502	W DAVIS ST	DEANDA RODOLFO & YOLANDA
23	5502	W DAVIS ST	DEANDA RODOLFO & YOLANDA
24	5601	W JEFFERSON BLVD	MARSHALL FREDERICK S



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Planning and Development

SUBJECT

An application for an amendment to Specific Use Permit No. 2107 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north corner of Ramona Avenue and East Overton Road.

<u>Staff Recommendation</u>: <u>Approval</u> for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions.

Applicant: Jay Y. Lee Planner: Wilson Kerr Council District: 4 **Z234-346(CR)**

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

Planner: Connor Roberts

FILE NUMBER: Z234-346(CR) DATE FILED: September 17, 2024

LOCATION: North corner of Ramona Avenue and East Overton Road.

COUNCIL DISTRICT: 4

SIZE OF REQUEST: Approx. 4,200 sf CENSUS TRACT: 48113005700

OWNER: Wawa Market

APPLICANT: Jay Y. Lee

REQUEST: An application for an amendment to Specific Use Permit No.

2107 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District

with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to continue to allow the sale of

alcoholic beverages in conjunction with a general

merchandise store greater than 3,500 square feet.

STAFF RECOMMENDATION: Approval for a five-year period with eligibility for

automatic renewals for additional five-year periods, subject to a site plan and staff's recommended

conditions.

BACKGROUND INFORMATION:

- The area of the request is zoned CR Community Retail District
- SUP was created on October 8, 2014.
- On October 8, 2014, City Council granted the original SUP No. 2107 for a period of 5 years with eligibility for automatic renewals for additional five year periods. The SUP was then auto renewed in 2019 for a period of 5 years. The applicant missed their window for auto-renewal in 2024, but not the window for typical renewal.
- The applicant's request is for a permanent SUP.
- The lot has frontage on Ramona Avenue and East Overton Drive.
- No changes are proposed to the site plan or conditions aside from the time period.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Туре	Existing/Proposed ROW
East Overton Road	Community Collector	60'
Pleasant Drive	Local Street	-

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 will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	CR	General Merchandise
North	R-7.5(A)	Single Family

East	R-7.5(A)	Single Family
South	CR	Retail and Church
West	CR & R-7.5(A)	Auto Repair & Single Family

Comprehensive Plan

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

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

Land Use Compatibility:

The applicant's property, on which a ±4,032-square foot building is constructed, is ±24,682 square feet in size. A D-1 Liquor Control Overlay covers ±5,016.83 square feet of the property and a portion of the existing building. The ±5,016.83 square-foot portion of the property with the D-1 Liquor Control Overlay is considered the request site.

The general merchandise or food store use is permitted by right on the entire property; the sale of alcoholic beverages is allowed on the portion of the property covered by the D-1 Liquor Control Overlay by SUP. The applicant proposes to sell beer and wine for off-premise consumption in conjunction with the existing convenience store and, therefore, requests an SUP for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on the request site.

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

The request site is generally surrounded by single family residential to the north and east; retail (a general merchandise or food store which can sell alcoholic beverages by right) and a convenience and auto-related use to the south and an auto-related use the west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect

on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city. As the surrounding is heavily developed with single family and a retail use is complimentary to the existing fabric of the area.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required.

Parking:

Per Dallas City Code, the off street parking requirement for a general merchandise store square feet is one (1) space per 200 square feet. The site requires 20 parking spaces.

Crime Statistics

The Dallas Police Department provided crime statistics from January 2017 to the present. The information is provided in the subsequent charts. There were a total of 135 calls, 27, incidents, and 20 arrests over the time period.

<u>Arrests</u>

Offenses (Summary)	Count of Incidents
ASSAULT -BODILY INJURY ONLY	1
ASSAULT -PUB SERV (PEACE	1
OFFICER/JUDGE)	
CRIMINAL TRESPASS	1
MAN DEL CONT SUB PEN GRP 1 > OR EQUAL	2
1G<4G	
POSS CONT SUB PEN GRP 1 > OR EQUAL	1
1G<4G	
POSS CONT SUB PEN GRP 1/1-B <1G	1
POSS MARIJUANA <20Z	3
PUBLIC INTOXICATION	1
WARRANT-DALLAS PD (CAPIAS)	2
RESIST ARREST SEARCH OR TRANSPORT	1
WARRANT DALLAS PD (ALIAS/CAPIAS)	2
WARRANT HOLD (NOT A DPD WARRANT)	1

WARRANT HOLD (OUTSIDE AGENCY)	1
WARRANT-DALLAS PD (ALIAS)	1
Total	20

<u>Calls</u>

Calls (Summary)	Count of Incidents
1 – Emergency	3
2 – Urgent	76
3 - General Service	50
4 - Non Critical	6
Total	135

Incidents

Incidents (Summary)	Count of Incidents
ASSAULT -BODILY INJURY ONLY	4
ASSAULT -FAM VIOL OFFENSIVE CONTACT	2
PC 22.01(A)(3)	
ASSAULT -OFFENSIVE CONTACT	1
ASSAULT -PUB SERV (PEACE	1
OFFICER/JUDGE)	
CRIMINAL TRESPASS	1
DEADLY CONDUCT	1
DELIVERY MARIJUANA >1/4 OZ< OR EQUAL	1
5LBS	
INJURY CHILD/ELDERLY/DISABLED-INTENT-	1
BODILY INJURY	
MAN DEL CONT SUB PEN GRP 1	2
POSS CONT SUB PEN GRP 1	3
POSS CONT SUB PEN GRP 3	2
POSS MARIJUANA	4
PUBLIC INTOXICATION	1
THEFT OF PROP > OR EQUAL \$100 <\$750	1
(SHOPLIFT-NOT EMP) PC31.03(e2A)	
UNAUTHORIZED USE OF MOTOR VEH	2
Total	27

Market Value Analysis:

<u>Market Value Analysis (MVA)</u>, 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

Z234-346(CR)

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 and the areas to the north and west are currently in an "F" MVA area. The areas to the south and east are in an "H" MVA district.

List of Officers

WaWa Market Inc Jae Yul Lee, President

PROPOSED CONDITIONS

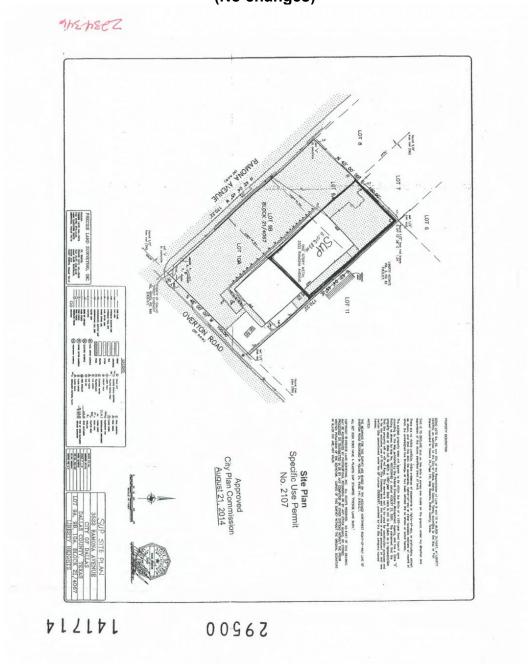
- 1. USE: The only use authorized by this specific use permit is a general merchandise or food store greater than 3,500 square feet.
- 2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
- 3. This specific use permit does not expire.

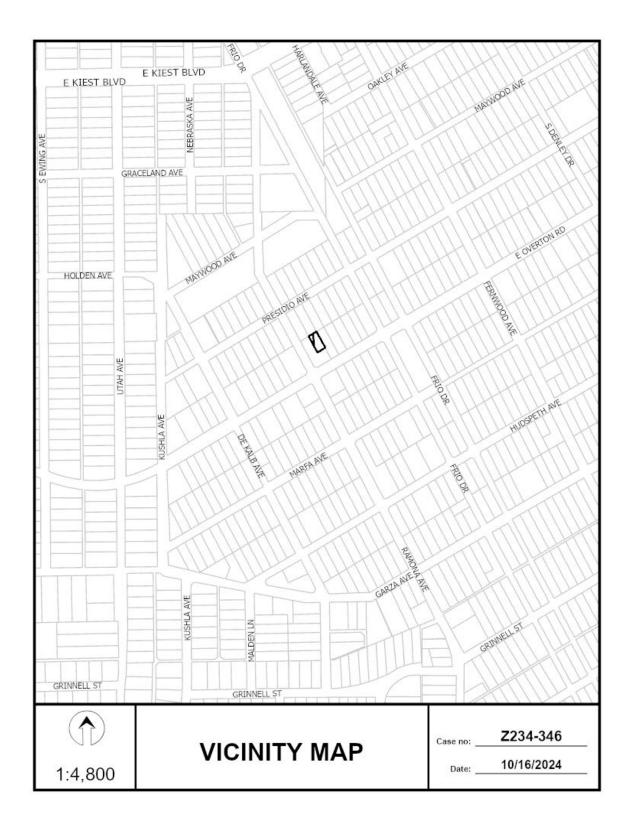
Staff Recommendation:

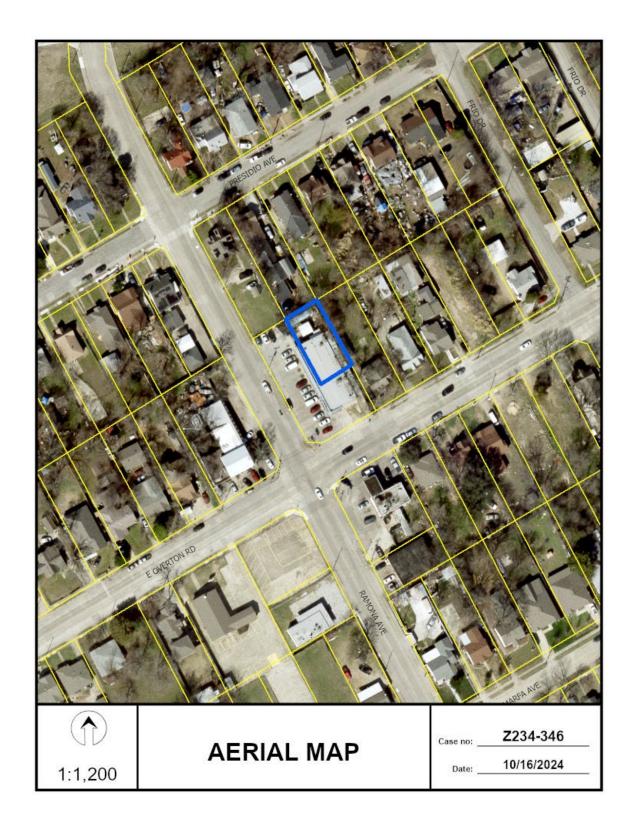
TIME LIMIT: This specific use permit expires on (FIVE YEARS), but is eligible for automatic renewal for additional five year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for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

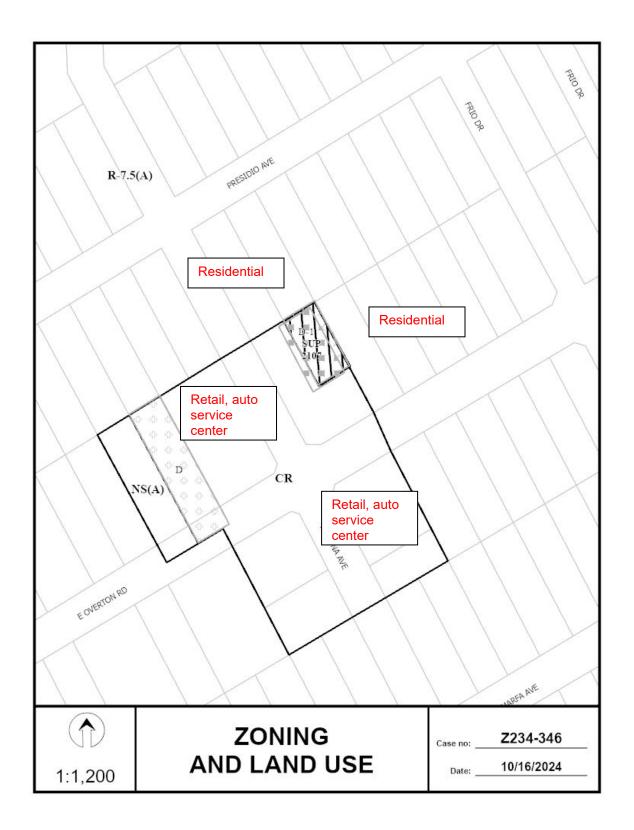
- 4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

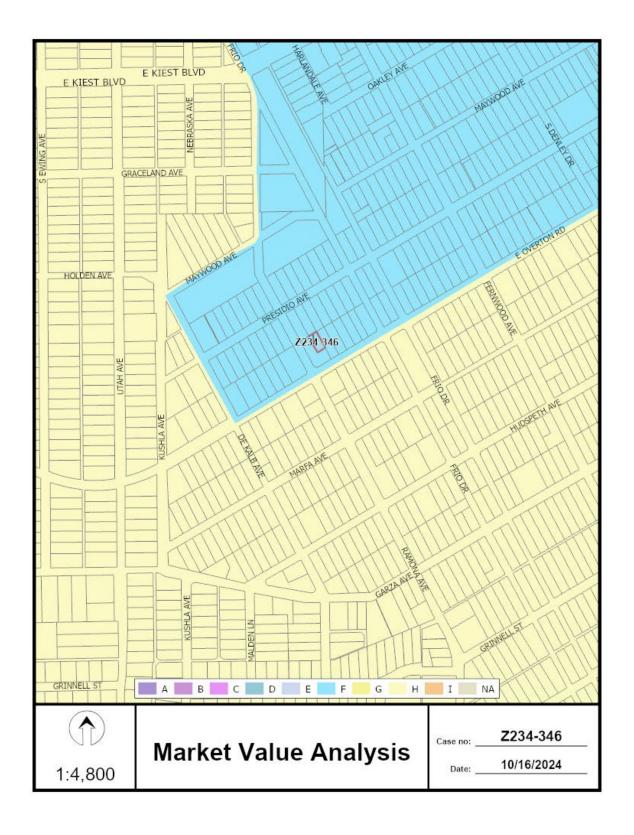
EXISTING SITE PLAN (No changes)

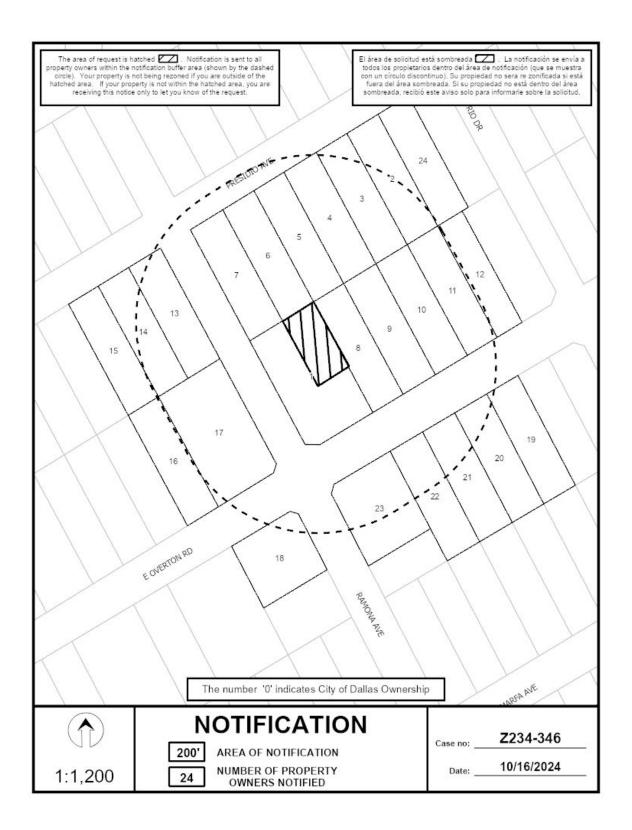












Notification List of Property Owners Z234-346

24 Property Owners Notified

Label #	Address		Owner
1	3522	RAMONA AVE	WAWA MARKET INC
2	1422	PRESIDIO AVE	CUELLAR ISAREL
3	1418	PRESIDIO AVE	FRIAS JOSE G & MARTINEZ ABIGAIL
4	1414	PRESIDIO AVE	ERSKINE RUBY A
5	1410	PRESIDIO AVE	GARCIA DORA A
6	1406	PRESIDIO AVE	CASTILLO RUBEN & SANJUANITA
7	1402	PRESIDIO AVE	BELMAREZ CRESCENCIANO
8	1411	E OVERTON RD	JB III INVESTMENTS
9	1415	E OVERTON RD	FOLEY IDA L &
10	1419	E OVERTON RD	SCOTT ERIC D
11	1423	E OVERTON RD	MASA DESIGN BUILD LLC
12	1427	E OVERTON RD	GONZALEZ MARIA CARMELA C
13	1334	PRESIDIO AVE	CROOK DONALD W
14	1330	PRESIDIO AVE	AGUIRRE GUSTAVO & CARLA
15	1326	PRESIDIO AVE	JOHNSON JAMES & RANAE
16	1327	E OVERTON RD	KLEBURG VILLA PARTNERS LLC
17	1331	E OVERTON RD	KENNEDY JIMMY A
18	1330	E OVERTON RD	LAMB OF GOD MISSIONARY BAPTIST CHURCH
19	1422	E OVERTON RD	CAMPBELL EDWARD EARL JR
20	1418	E OVERTON RD	PIPKINS RANDOLPH
21	1414	E OVERTON RD	RESENDEZ JOSE
22	1410	E OVERTON RD	LEE CHARLENE THOMAS &
23	1406	E OVERTON RD	Taxpayer at
24	1428	PRESIDIO AVE	IBARRA J JESUS &



City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Planning and Development

SUBJECT

An application to create one 1.006-acre lot from a tract of land in City Block 6970 on property located

on Gladiolus Lane, west of Deerfield Lane.

Applicant/Owner: Joshua Gallini, Garcia Enterprise Trust

<u>Surveyor</u>: Texterra Surveying, LLC <u>Application Filed</u>: January 8, 2025

Zoning: R-10(A)

Staff Recommendation: Approval, subject to compliance with the conditions listed in the docket.

Planner: Hema Sharma

Council District: 3

S245-068

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

FILE NUMBER: S245-068 SENIOR PLANNER: Hema Sharma

LOCATION: Gladiolus Lane, west of Deerfield Lane

DATE FILED: January 8, 2025 **ZONING:** R-10(A)

CITY COUNCIL DISTRICT: 3 SIZE OF REQUEST: 1.006-acres

APPLICANT/OWNER: Joshua Gallini, Garcia Enterprise Trust

REQUEST: An application to create one 1.006-acre lot from a tract of land in City Block 6970 on property located on Gladiolus Lane, west of Deerfield Lane.

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

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

• The properties to the north, east, south, and west of request have lot areas ranging in size from 9,562 square feet to 119,051 square feet and lot widths ranging from 72 feet to 282 feet and are zoned an R-10(A) Single Family District. (refer to the existing area analysis and aerial map)

The request lies in an R-10(A) Single Family District which has a minimum lot area requirement of 10,000 square feet. The request is to create one 1.006-acre (43,833-square foot) lot and width of the proposed lot is 234.20 feet.

The lots are being created from a tract of land; therefore, it does not qualify for a residential replat and can be approved on the consent agenda.

Staff finds that there is a variation in lot pattern within the immediate vicinity of the request (*Refer to the existing area analysis map and aerial map*). The request complies with the zoning requirement of the R-10(A) Single Family District and is in compliance with Section 51A-8.503; therefore, staff recommends approval subject to compliance with the following conditions.

General Conditions:

- The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
- 2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.

- 3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
- 4. The number and location of fire hydrants must comply with the Dallas Fire Code.
- 5. Any new or existing structure may not extend across new property lines. *Section* 51A-8.503(e)
- 6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
- 7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
- 8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
- 9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal <u>after</u> City Plan Commission Approval.
- 10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
- 11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

- 12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e. 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)
- 13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).
- 14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)
- 15. Existing drainage conveyance within the property is required to be sized in compliance with Section 51A-8.611(a)(1) of the City of Dallas Code.

Right-of way Requirements Conditions:

16. On the final plat, dedicate 7.5 feet of right-of-way (via fee simple) from the established center line of Alley. Section 51A 8.602(c)

Survey (SPRG) Conditions:

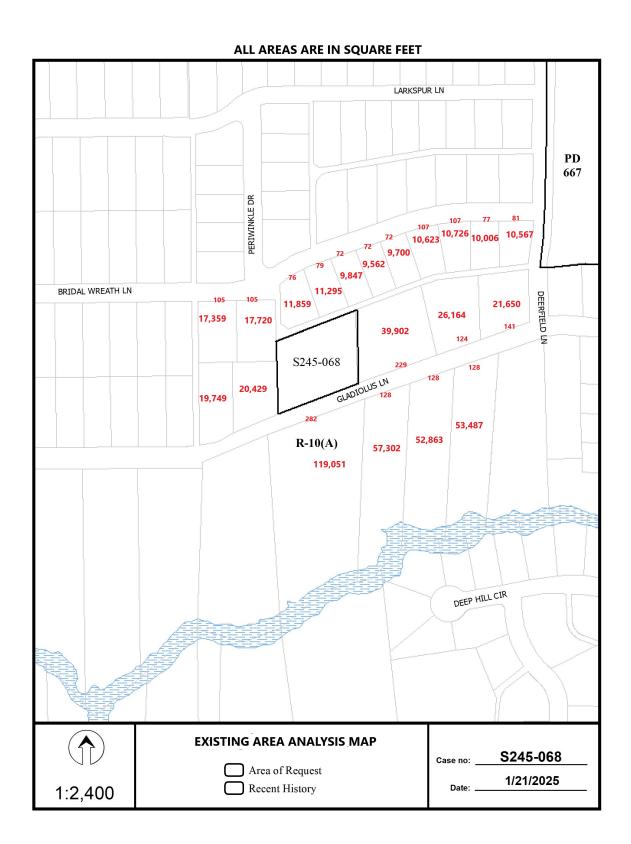
- 17. Prior to final plat, submit a completed final plat checklist and all supporting documents.
- 18. On the final plat, show recording information on all existing easements within 150 feet of the property.
- 19. Prior to final plat, additional documentation required supporting that the Garcia Enterprise Trust is the owner of parcel quitclaimed deed recorded as instrument 202300045900 O.P.R.D.C.T. It is recommended that a warranty deed should be filed to clear title altogether.
- 20. Prior to final plat, City of Dallas record shows a wastewater line and storm sewer line traversing proposed plat property in north-south direction. Research for possible existing easements for these utility lines or coordinate with the City Engineering Department of "PDD" for width of any proposed easements for these lines.

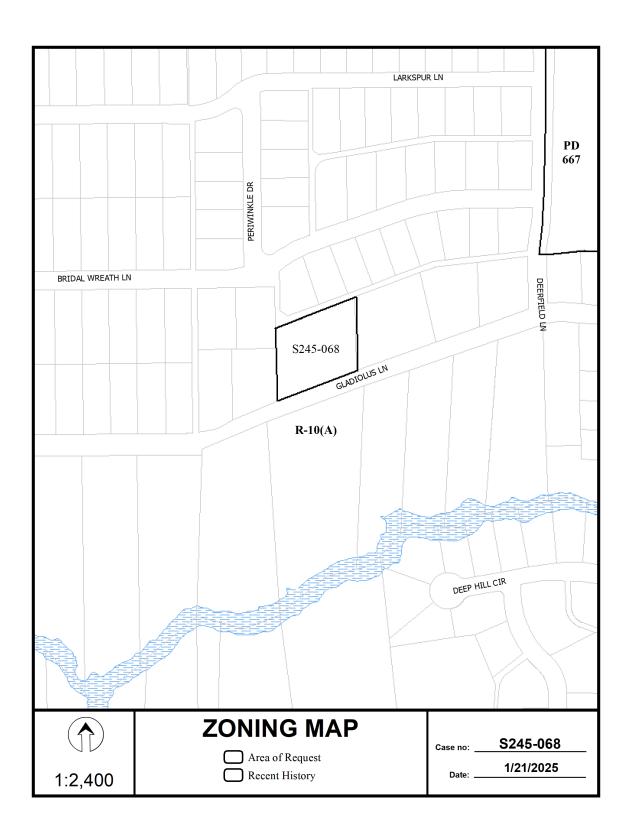
Dallas Water Utilities Conditions:

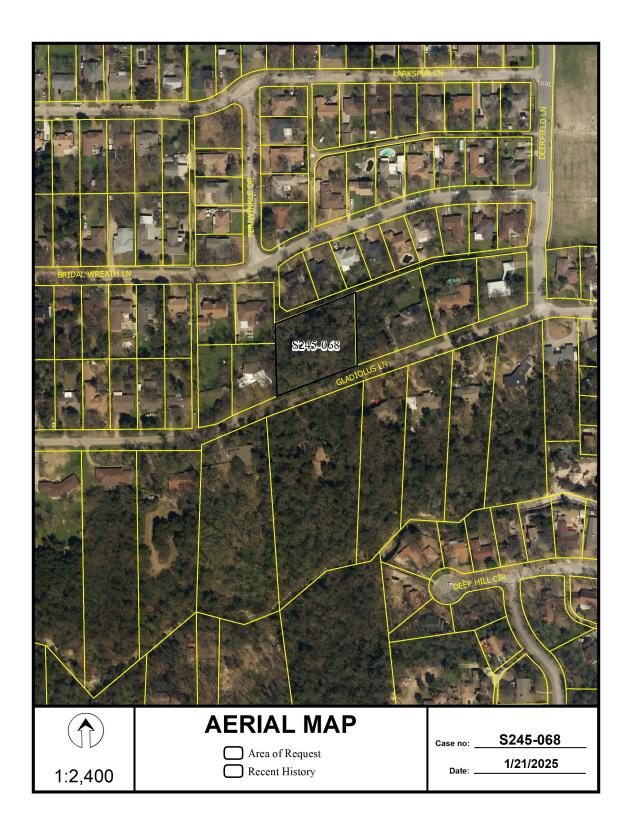
- 21. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 22. Wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 23. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.

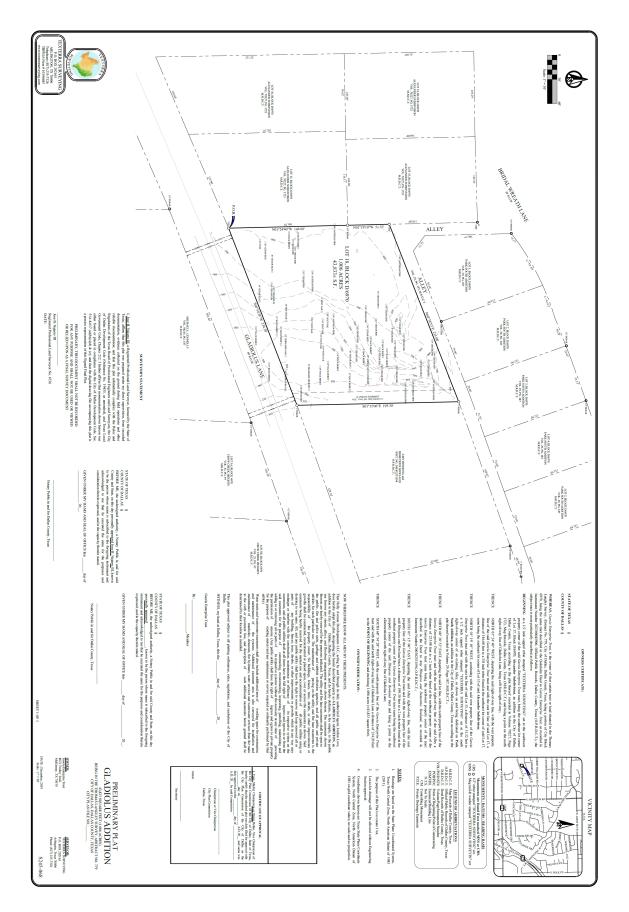
Street Name/ GIS, Lot & Block Conditions:

- 24. On the final plat, change "Gladiolus Lane" to "Gladiolus Lane (FKA Crow Creek Drive)". Section 51A-8.403(a)(1)(A)(xii).
- 25. On the final plat, identify the property as Lot 18 in City Block D/6970.











City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Development

SUBJECT

An application to replat a 3.9839-acre tract of land containing all of Lots 3 through 11 in City Block 952 and all of Lots 1, 2 and 12 through 15 in City Block 953 and abandoned 20-foot alley to create one lot, on property bounded by Cedar Springs Road, Routh Street, Howell Street and Fairmount Street.

Applicant/Owner: Royal 2500 Cedar Springs LLC

<u>Surveyor</u>: Kimley-Horn and Associates, Inc.

Application Filed: January 8, 2025

Zoning: PD 1109

<u>Staff Recommendation</u>: <u>Approval</u>, subject to compliance with the conditions listed in the docket.

<u>Planner</u>: Hema Sharma Council District: 14

S245-069

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

FILE NUMBER: S245-069 SENIOR PLANNER: Hema Sharma

LOCATION: bounded by Cedar Springs Road, Routh Street, Howell Street and

Fairmount Street

DATE FILED: January 8, 2025 **ZONING:** PD 1109

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%201109.pdf

CITY COUNCIL DISTRICT: 14 SIZE OF REQUEST: 3.9839-acres

APPLICANT/OWNER: Royal 2500 Cedar Springs LLC

REQUEST: An application to replat a 3.9839-acre tract of land containing all of Lots 3 through 11 in City Block 952 and all of Lots 1, 2 and 12 through 15 in City Block 953 and abandoned 20-foot alley and to create one lot on property bounded by Cedar Springs Road, Routh Street, Howell Street and Fairmount Street.

SUBDIVISION HISTORY:

- 1. S234-129 was a request southeast of the present request to create one 0.344-acre lot from a tract of land in City Block 2/954 and a portion of an abandoned alley on property located on Routh Street, west of McKinney Avenue. The request was approved on June 20, 2024 but has not been recorded.
- 2. S234-020 was a request southeast of the present request to replat a 0.94-acre tract of land containing a part of City Block 2/954 and a portion of an abandoned alley to create one lot on property located on Routh Street at McKinney Avenue, southwest corner. The request was withdrawn on December 6, 2023.
- 3. S212-181 was a request northwest of the present request to replat a 0.842-acre tract of land containing part of Lot 14, Lot 16, and all of Lot 18A in City Block 11/946 to create one lot on property located on Fairmount Street at Carlisle Street, northeast corner. The request was approved on May 19, 2022 but has not been recorded.
- 4. S201-624 was a request southwest of the present request to replat a 0.705-acre tract of land containing all of Lot 4 in City Block A/943 to create one lot on property located on Maple Avenue, south of Randall Street. The request was approved on April 22, 2021 but has not been recorded.

STAFF RECOMMENDATION: The request complies with the requirements of the PD 1109; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

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

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

Paving & Drainage Conditions:

- 12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e. 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)
- 13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).
- 14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

- 15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Routh Street. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).
- 16. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Howell Street. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).
- 17. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Fairmount Street. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).
- 18. On the final plat, dedicate a minimum 20-foot by 20-foot corner clip (via fee simple or street easement) at the intersection of Cedar Springs Road & Fairmont Street. Section 51A 8.602(d)(1)
- 19. On the final plat, dedicate a minimum 20-foot by 20-foot corner clip (via fee simple or street easement) at the intersection of Cedar Springs Road & Routh Street. Section 51A 8.602(d)(1)
- 20. On the final plat, dedicate a minimum 5-foot by 5-foot corner clip (via fee simple or street easement) at the intersection of Fairmount Street & Howell Street. Section 51A 8.602(d)(1)
- 21. On the final plat, dedicate a minimum 5-foot by 5-foot corner clip (via fee simple or street easement) at the intersection of Howell Street & Routh Street. Section 51A 8.602(d)(1)
- 22. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). 51A-8.606, 51A-8.608

Survey (SPRG) Conditions:

- 23. Prior to final plat, submit a completed final plat checklist and all supporting documents.
- 24. On the final plat, show recording information on all existing easements within 150 feet of the property.
- 25. On the final plat, list utility easements as retained within street abandonments when stated in the abandonment ordinance or follow the City of Dallas standard affidavit requirements.
- 26. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
- 27. On the final plat, need new/different plat name (plat name cannot start with number).

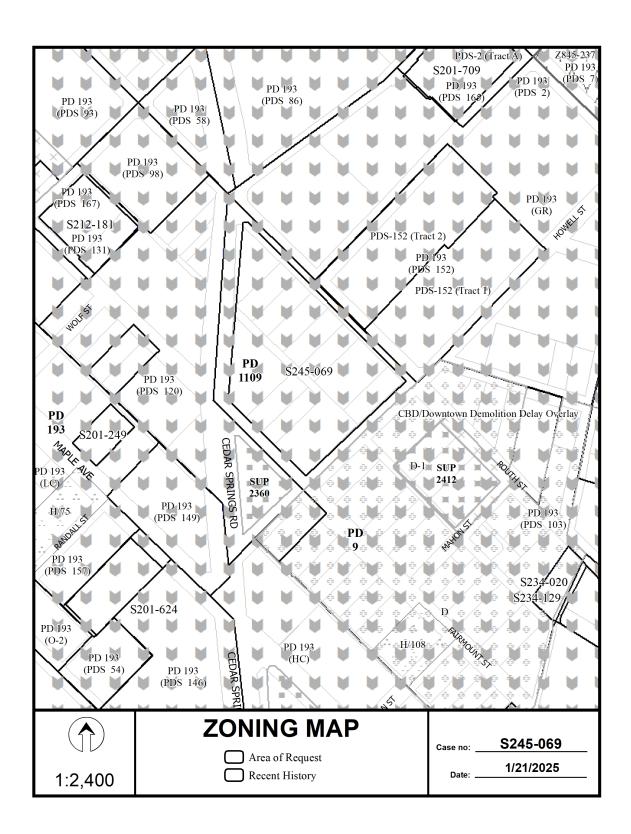
Dallas Water Utilities Conditions:

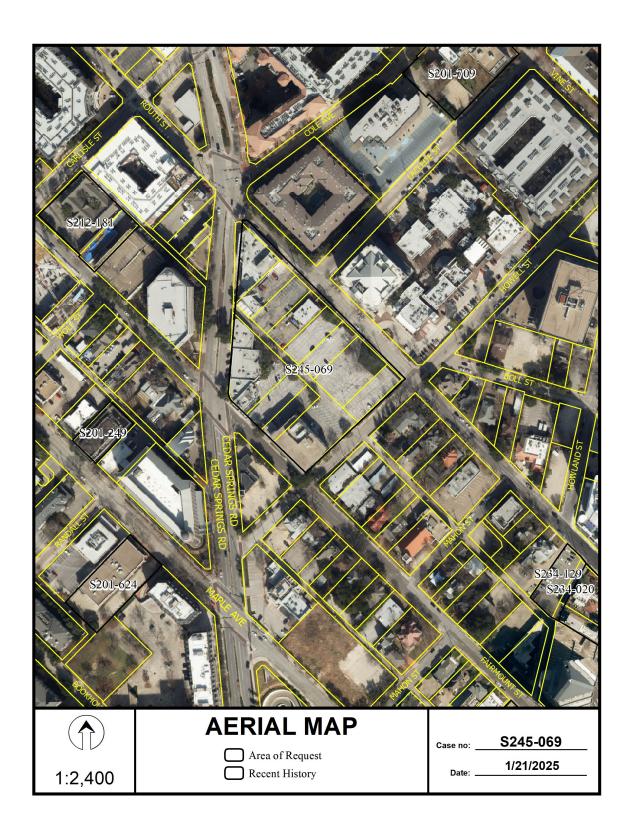
- 28. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).
- 29. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 30. Water and Wastewater main improvements is required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 31. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.
- 32. Capacity of existing wastewater system is questionable. Submit proposed wastewater discharge (gpm) of development for further assessment. Sections 49-60(b)(2)(d) and 49-60(d).

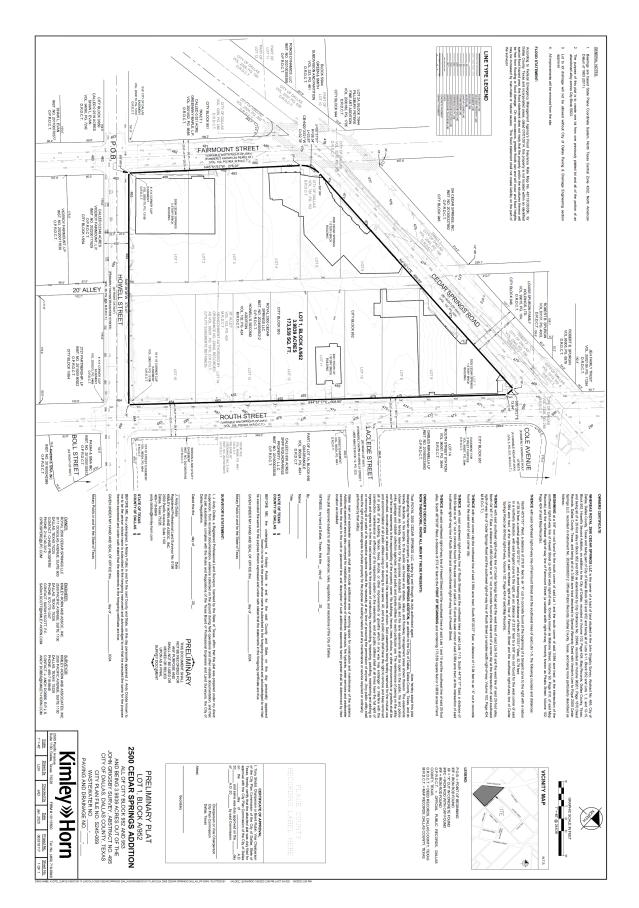
Real Estate/ Street Name/ GIS, Lot & Block Conditions:

33.	Prior to the final plat, please show the abandonment on the plat as follows Abandonment authorized by Ordinance No, recorded as Vol
	Pg and Vol, Pg (Cert. ORD No, QCD No, QCD No,
34.	On the final plat, change "Cedar Springs Road" to "Cedar Springs Road (AKA Cedar Springs Avenue". Section 51A-8.403(a)(1)(A)(xii).

- 35. Prior to final plat, provide documentation for "FKA Mahone Street".
- 36. On the final plat, identify the property as Lot 1 in City Block A/952.









1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

File #: 25-550A Item #: 34.

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Planning and Development

SUBJECT

An application to create one 11.7806-acre lot from a tract of land in City Block 8339, on property

located on Davis Street, east of Dwight Street. Applicant/Owner: JPI, Alireza Eskandarlou Surveyor: Kimley-Horn and Associates, Inc.

Application Filed: January 8, 2025

Zoning: MF-2(A)

Staff Recommendation: Approval, subject to compliance with the conditions listed in the docket.

Planner: Hema Sharma

Council District: 1

CITY PLAN COMMISSION THURSDAY, FEBRUARY 6, 2025

FILE NUMBER: S245-070 SENIOR PLANNER: Hema Sharma

LOCATION: Davis Street, east of Gail Street

DATE FILED: January 8, 2025 **ZONING:** MF-2(A)

CITY COUNCIL DISTRICT: 1 SIZE OF REQUEST: 11.7806-acres

APPLICANT/OWNER: JPI. Alireza Eskandarlou

REQUEST: An application to create one 11.7806-acre lot from a tract of land in City Block 8339 on property located on Davis Street, east of Gail Street.

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

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

- The properties to the north of the present request have areas ranging in size from 20,933 square feet to 452,436 square feet and are zoned PD 631. (*Please refer to the existing area analysis and aerial map*)
- The properties to the east of the present request have area of 944,877 square feet and are zoned PD 631. (Please refer to the existing area analysis map and aerial map)
- The properties to the south of the present request have lot areas ranging in size from 6,639 square feet to 367,892 square feet and are zoned R-7.5(A) Single Family District. (*Please refer to the existing area analysis map and aerial map*)
- The properties to the west of the present request have area of 117,288 square feet and are zoned PD 631. (Please refer to the existing area analysis map and aerial map)

On January 22, 2025, City Council approved the zoning case for the proposed request to change zoning district from PD 631 to MF-2(A) Multi Family District.

The request lies in MF-2(A) Multi Family District which has a minimum lot area requirement of 1,000 square feet for single family structures and 6,000 square feet for duplex structures. Minimum lot area for multifamily structures depends on number of bedrooms. The proposed lot area is 11.7806 acre (513,163 square feet).

Staff finds that there is a variation in lot pattern within the immediate vicinity of the request. (*Refer to the existing area analysis map*). The request complies with the zoning requirement of the MF-2(A) Multifamily District and is in compliance with Section 51A-

8.503; therefore, staff recommends approval subject to compliance with the following conditions:

General Conditions:

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

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e. 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

- 13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).
- 14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)."

Flood Plain Conditions:

- 16. On the final plat, determine the 100-year water surface elevation across this addition.
- 17. On the final plat, dedicate floodway easement, floodway management area or floodway easement (within common area), with the appropriate easement statement included on the face of the Plat. 51A 8.611(d); DWU Floodplain Management; Drainage Design Manual Addendum V
- 18. On the final plat, include additional paragraph in Owner's Certificate (pertaining to the floodplain). <u>51A 8.611(d)</u>; <u>DWU Floodplain Management</u>; <u>Drainage Design Manual Addendum V</u>
- 19. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
- 20. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
- 21. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1), (2), (3), and (4)
- 22. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.

Survey (SPRG) Conditions:

- 23. Prior to final plat, submit a completed final plat checklist and all supporting documents.
- 24. On the final plat, show the correct recording information for the subject property.
- 25. On the final plat, show recording information on all existing easements within 150 feet of the property.
- 26. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.
- 27. On the final plat, chose a new or different plat name (Plat's name cannot start with number)
- 28. Prior to final plat, verify, owner's deed volume 94049, page 651 described a tract of 4.1378 acres, but proposed plat boundary calls out a tract of 11.7806 acres

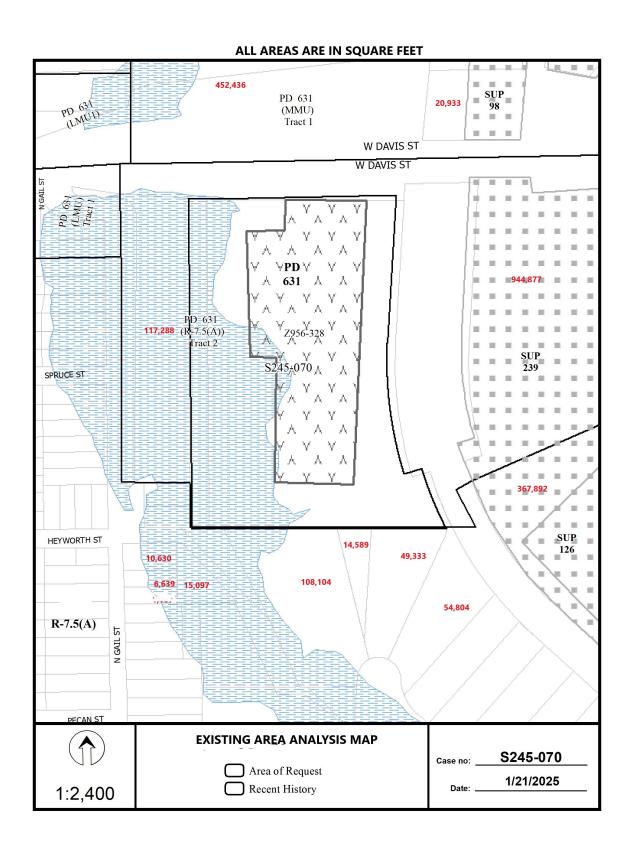
29. Prior to final plat, if existing gas lines within proposed plat are not to be removed, coordinate with owners to modify easements to include specific width. If lines are to be removed coordinate with owners for the release/abandonment of the easements.

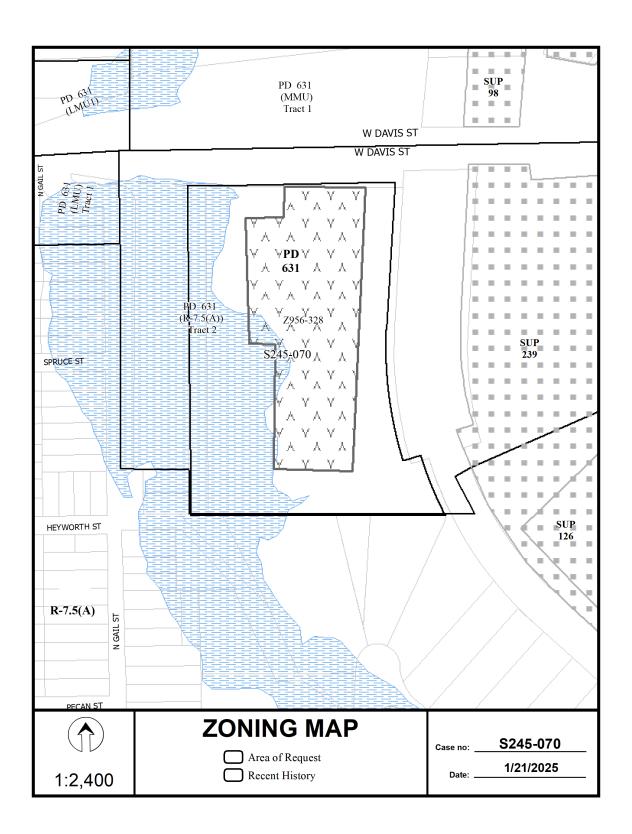
Dallas Water Utilities Conditions:

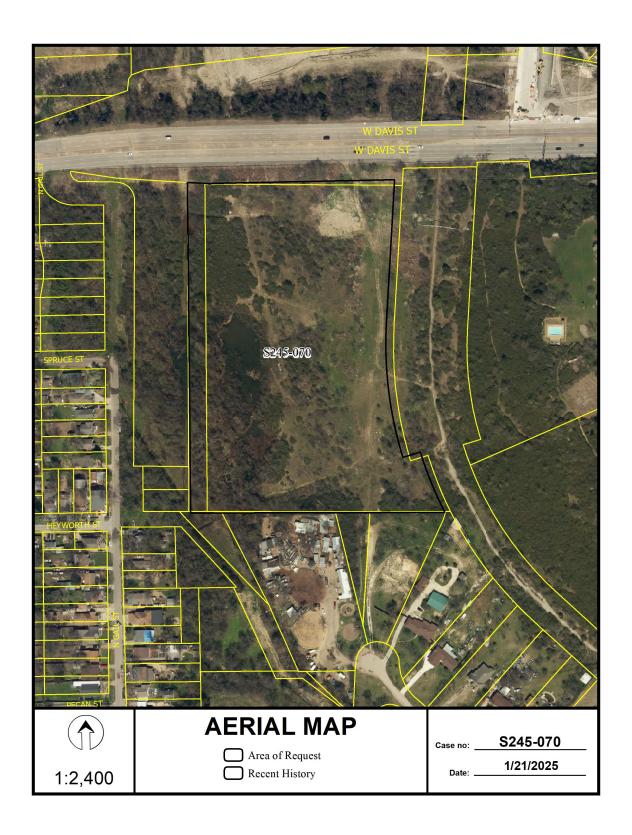
- 30. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).
- 31. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 32. Water and Wastewater main improvements is required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 33. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.

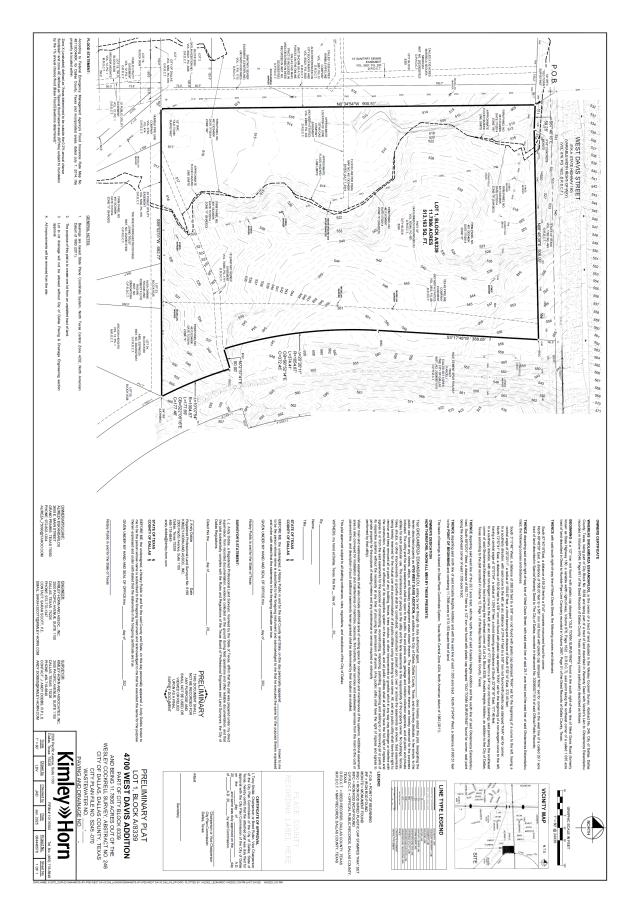
Street Name/ GIS, Lot & Block Conditions:

- 34. On the final plat, change "West Davis Street (FKA State Highway 180)" to "Davis Street (FKA State Highway No. 180 FKA Dallas Forth Worth Road FKA U.S. Highway No. 80)". Section 51A-8.403(a)(1)(A)(xii).
- 35. On the final plat, identify the property as Lot 1 in City Block A/8339.











1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

File #: 25-551A Item #: 35.

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Development

SUBJECT

An application to replat a 0.4890-acre tract of land containing all of Lots 22 through 24 in City Block 2/1529 to create one lot on property located on Travis Street at Oliver Street, southwest corner.

Applicant/Owners: Mike Giambrone, Giambrone Design District Projects, LLC

Surveyor: Urban Strategy

Application Filed: January 8, 2025

Zoning: PD 193 (MF-2)

Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.

<u>Planner</u>: Hema Sharma Council District: 14

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

FILE NUMBER: S245-071 SENIOR PLANNER: Hema Sharma

LOCATION: Travis Street at Oliver Street, southwest corner

DATE FILED: January 8, 2025 **ZONING:** PD 193 (MF-2)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20193.pdf

CITY COUNCIL DISTRICT: 14 SIZE OF REQUEST: 0.4890-acres

APPLICANT/OWNER: Mike Giambrone, Giambrone Design District Projects, LLC

REQUEST: application to replat a 0.4890-acre tract of land containing all of Lots 22 through 24 in City Block 2/1529 to create one lot on property located on Travis Street at Oliver Street, southwest corner.

SUBDIVISION HISTORY:

- 1. S245-048 was a request northeast of the present request to replat a 1.2413-acre tract of land containing all of Lots 12 through 16 in City Block1/1531 to create a 17-lot shared access development with lots ranging in size from 0.0471-acre (2,051 square feet) to 0.0957-acre (4,167 square feet) on property located on Travis Street, north of Oliver Street. The request was approved on January 23, 2025 but has not been recorded.
- 2. S245-047 was a request northeast of the present request to replat a 0.9298-acre tract of land containing all of Lots 4 through 6 in City Block1/1531 to create a 12-lot shared access development with lots ranging in size from 0.0563-acre (2,452 square feet) to 0.0922-acre (4,017 square feet) on property located on Cole Avenue, south of Armstrong Avenue. The request was approved on January 23, 2025 but has not been recorded.
- 3. S245-041 was a request northeast of the present request and was withdrawn on December 14, 2024.

STAFF RECOMMENDATION: The request complies with the requirements of the PD193 (MF-2); therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

- 1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
- 2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.

- 3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. Section 51A-8.102(a), (b), (c), and (d)
- 4. The number and location of fire hydrants must comply with the Dallas Fire Code.
- 5. Any new or existing structure may not extend across new property lines. *Section* 51A-8.503(e)
- 6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
- 7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
- 8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
- 9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal <u>after</u> City Plan Commission Approval.
- 10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
- 11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

- 12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e. 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)
- 13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).
- 14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 7.5 feet of right-of-way (via fee simple) from the established center line of Alley. Section 51A 8.602(c)

- 16. On the final plat, dedicate a minimum 5-foot by 5-foot corner clip (via fee simple or street easement) at the intersection of Travis Street & Oliver Street. Section 51A 8.602(d)(1)
- 17. A larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. Section 51A 8.602(d)(1), 51A 8.608(a)
- 18. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Oliver Street & the alley. Section 51A-8.602(e)
- 19. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). 51A-8.606, 51A-8.608

Survey (SPRG) Conditions:

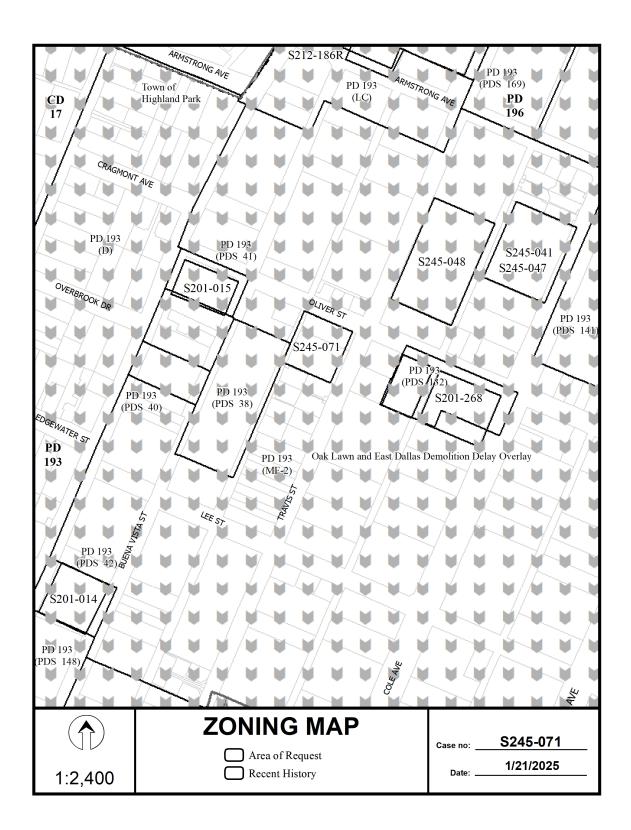
- 20. Prior to final plat, submit a completed final plat checklist and all supporting documents.
- 21. On the final plat, show recording information on all existing easements within 150 feet of the property.

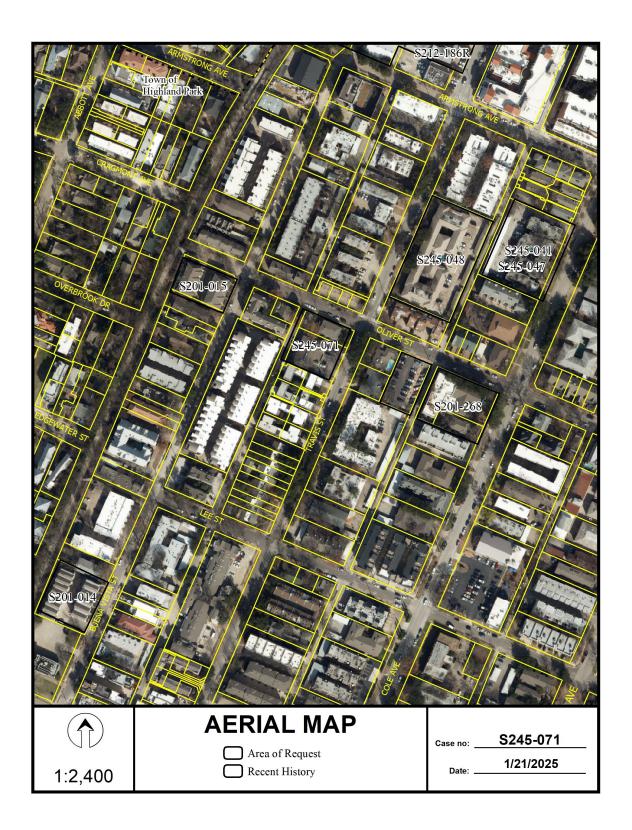
Dallas Water Utilities Conditions:

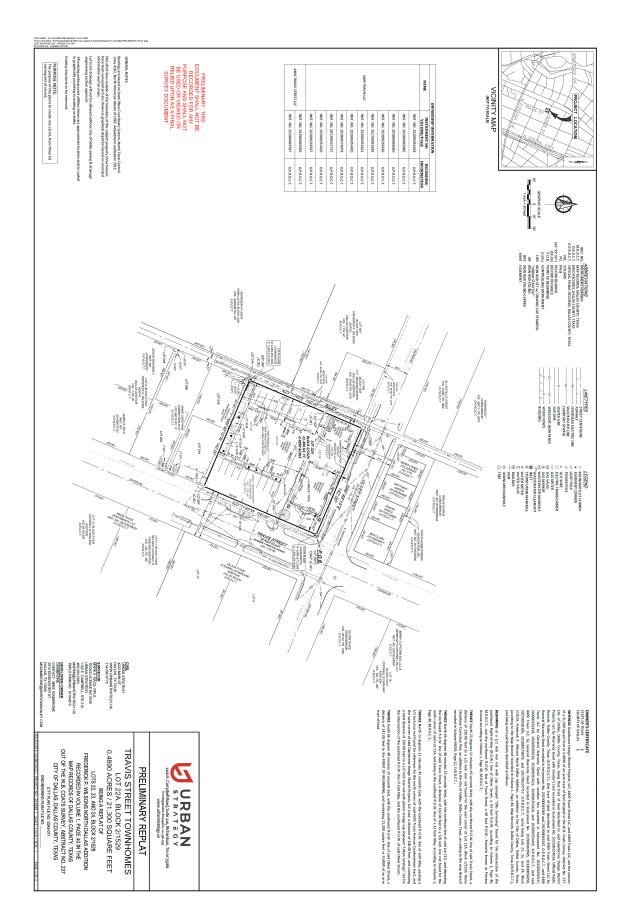
- 22. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 23. Water and Wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Streetlight/ Street Name/ GIS, Lot & Block Conditions:

- 24. Prior to final plat, compliance with City's street lighting standards including illumination standards, material, installation, and activation per Street Design Manual.
- 25. On the final plat, change "Travis Street" to "Travis Street (AKA Travis Avenue FKA Preston Avenue". Section 51A-8.403(a)(1)(A)(xii).
- 26. On the final plat, identify the property as Lot 22A in City Block 2/1529.







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1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Planning and Development

SUBJECT

An application to create a 90-lot single family subdivision with lots ranging in size from 3,570.95 square feet to 21,796.73 square feet and 7 common areas and to dedicate rights-of-way from 26.634-acre tract of land, on property located on St. Augustine Road, north of Lake June Road.

<u>Applicant/Owner</u>: Jonathon Bazan, Dallas County <u>Surveyor</u>: Hannah Surveying & Engineering LLC

Application Filed: January 9, 2025

Zoning: PD 1117

<u>Staff Recommendation</u>: <u>Approval</u>, subject to compliance with the conditions listed in the docket.

Planner: Hema Sharma

Council District: 5

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

FILE NUMBER: S245-072 SENIOR PLANNER: Hema Sharma

LOCATION: St. Augustine Road, North of Lake June Road

DATE FILED: January 8, 2025 **ZONING:** PD 1117

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%201117.pdf

CITY COUNCIL DISTRICT: 5 SIZE OF REQUEST: 26.634-acres

APPLICANT/OWNER: Jonathon Bazan, Dallas County

REQUEST: An application create a 90-lot single family subdivision with lots ranging in size from 3,570.95 square feet to 21,796.73 square feet and 7 common areas and to dedicate rights-of-ways from 26.634-acre tract of land on property located on St. Augustine Road, north of Lake June Road.

SUBDIVISION HISTORY:

1. S234-147 was a request south of the present request to create one 3.236-acre lot from a tract of land in City Block 6715 on property located on Lake June Road, east of St. Augustine Drive. The request was approved on July 25, 2024 but has not been recorded.

STAFF RECOMMENDATION: The request complies with the requirements of the PD 1117; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

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

- 7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
- 8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. Section 51A-8.617
- 9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal <u>after</u> City Plan Commission Approval.
- 10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
- 11. The number of lots permitted by this plat is 90 and 7 Common Areas.

Paving & Drainage Conditions:

- 12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e. 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)
- 13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).
- 14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

- 15. On the final plat, dedicate 26.5 feet of right-of-way (via fee simple) from the established center line of All Proposed Streets. *Section 51A 8.602(c)*
- 16. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). 51A-8.606, 51A-8.608

Flood Plain Conditions:

- 17. On the final plat, determine the 100-year water surface elevation across this addition.
- 18. On the final plat, dedicate floodway easement, floodway management area or floodway easement (within common area), with the appropriate easement statement included on the face of the Plat. 51A 8.611(d); DWU Floodplain Management; Drainage Design Manual Addendum V

- 19. On the final plat, include additional paragraph in Owner's Certificate (pertaining to the floodplain). <u>51A 8.611(d)</u>; <u>DWU Floodplain Management</u>; <u>Drainage Design Manual Addendum V</u>
- 20. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
- 21. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
- 22. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1), (2), (3), and (4)
- 23. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.

Survey (SPRG) Conditions:

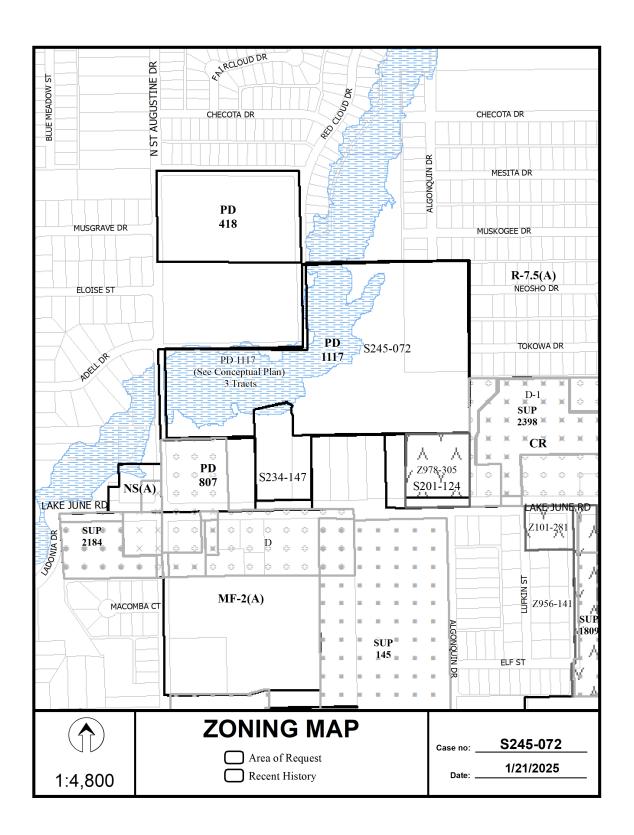
- 24. Prior to final plat, submit a completed final plat checklist and all supporting documents.
- 25. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).
- 26. On the final plat, show recording information on all existing easements within 150 feet of the property.
- 27. Prior to final plat, coordinate with the City Chief Arborist if proposed conservation easement needs to be done by separate instrument before plat is recorded or it can be done by plat.

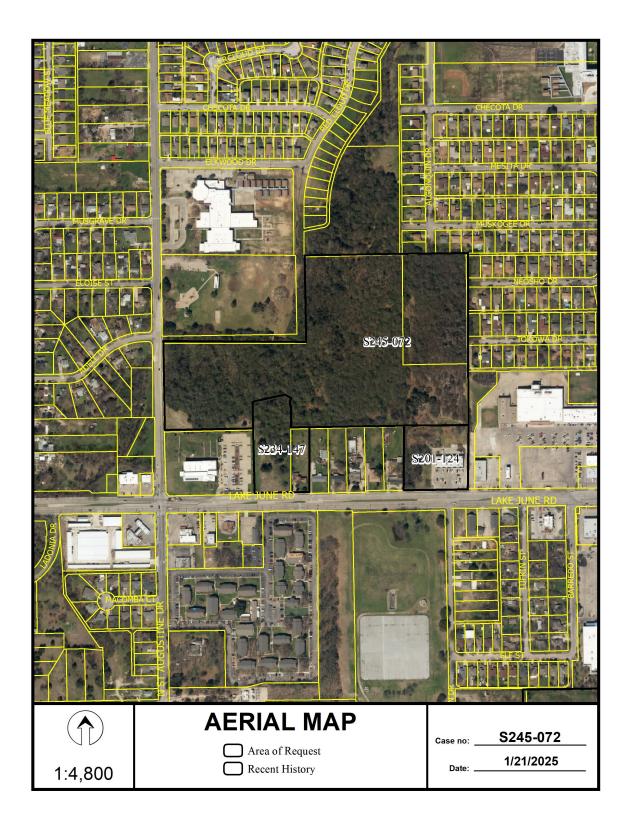
Dallas Water Utilities Conditions:

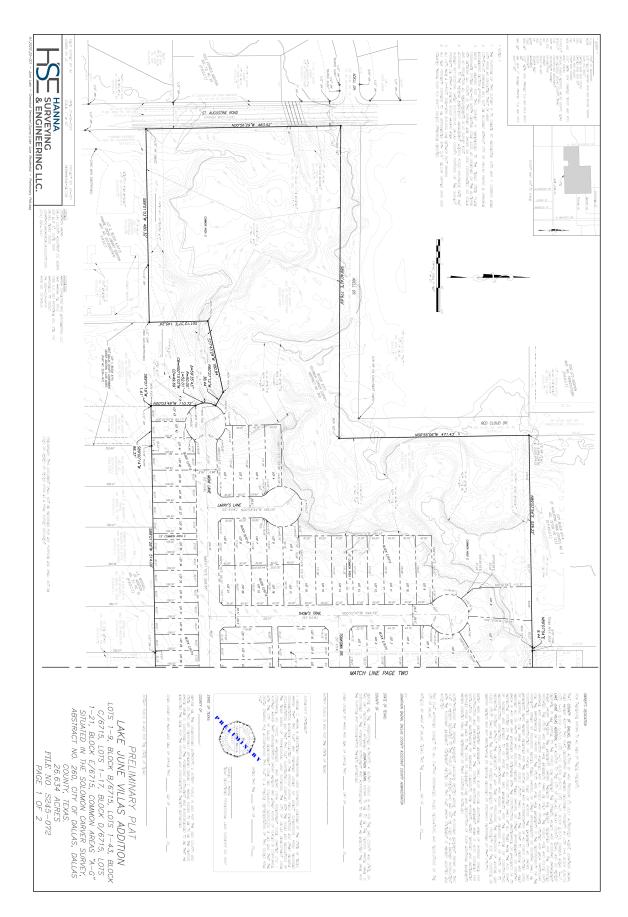
- 28. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).
- 29. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 30. Water and Wastewater main improvements is required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 31. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.

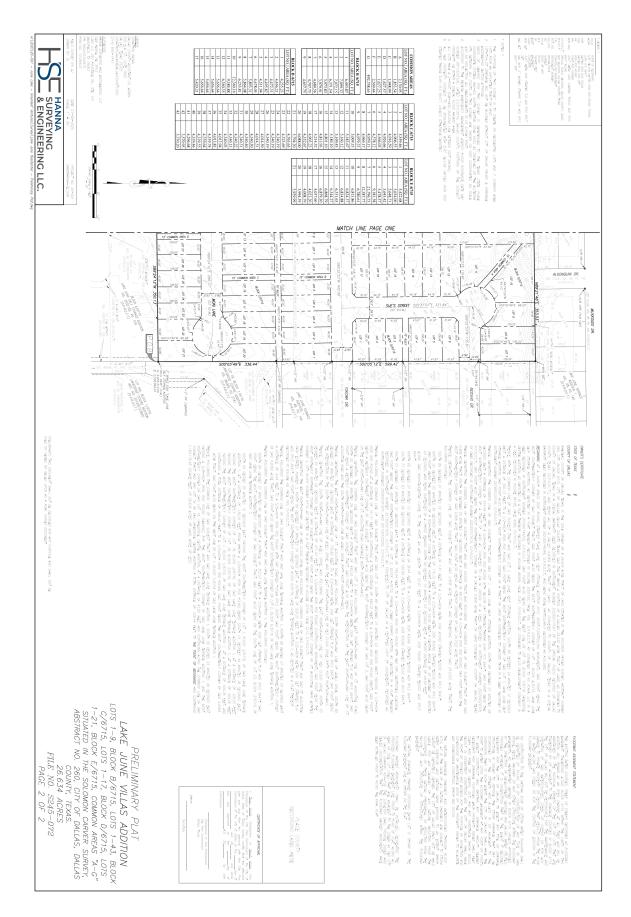
Street Light/ Real Estate/ Street Name/ GIS, Lot & Block Conditions:

- 32. Prior to final plat, compliance with City's street lighting standards including illumination standards, material, installation, and activation per Street Design Manual.
- 33. Prior to the final plat, clarify the items indicated on the plat- 5 feet Wall Easement Plat pending, Water Easement Plat pending, Floodway Easement pending.
- 34. Prior to the final plat, please confirm if the Drainage Easement is being dedicated by this plat.
- 35. On the final plat, change "Tonkowa DR" to "Tokowa Drive". Section 51A-8.403(a)(1)(A)(xii).
- 36. On the final plat, change "Tokowa DR" to "Tokowa Drive". Section 51A-8.403(a)(1)(A)(xii).
- 37. Prior to final plat, please contact addressing team with proposed names of for proposed ROWs.
- 38. On the final plat, identify the property as Lots 1 thorough 41, Block B/6715; Lots 1 through 43, Block C/6715; Lots 1 through 6, Block D/6715 and Common Areas A through G.











1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

File #: 25-553A Item #: 37.

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Development

SUBJECT

An application to create one 1.000-acre lot from a tract of land in City Block 5800, on property located on Military Parkway, east of Dolphin Road.

Applicant/Owner: Texas Pro Land, LLC

Surveyor: ARA Surveying

Application Filed: January 9, 2025

Zoning: IM

Staff Recommendation: Approval, subject to compliance with the conditions listed in the docket.

Planner: Hema Sharma

Council District: 7

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

FILE NUMBER: S245-073 SENIOR PLANNER: Hema Sharma

LOCATION: Military Parkway, east of Dolphin Road

DATE FILED: January 9, 2025 **ZONING:** IM

CITY COUNCIL DISTRICT: 7 SIZE OF REQUEST: 1.000-acres

APPLICANT/OWNER: Texas Pro Land, LLC

REQUEST: An application to create one 1.000-acre lot from a tract of land in City Block 5800 on property located on Military Parkway, east of Dolphin Road.

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

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

General Conditions:

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

- 9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal <u>after</u> City Plan Commission Approval.
- 10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
- 11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

- 12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e. 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)
- 13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).
- 14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)
- 15. Existing drainage conveyance within the property is required to be sized in compliance with Section 51A-8.611(a)(1) of the City of Dallas Code.

Flood Plain Conditions:

- 16. On the final plat, determine the 100-year water surface elevation across this addition.
- 17. On the final plat, dedicate floodway easement, floodway management area or floodway easement (within common area), with the appropriate easement statement included on the face of the Plat. <u>51A 8.611(d); DWU Floodplain Management; Drainage Design Manual Addendum V</u>
- 18. On the final plat, include additional paragraph in Owner's Certificate (pertaining to the floodplain). <u>51A 8.611(d)</u>; <u>DWU Floodplain Management</u>; <u>Drainage Design Manual Addendum V</u>
- 19. On the final plat, specify minimum fill and minimum finished floor elevations. *Section 51A-8.611(d), Trinity Watershed Management.*
- 20. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
- 21. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1), (2), (3), and (4)

Survey (SPRG) Conditions:

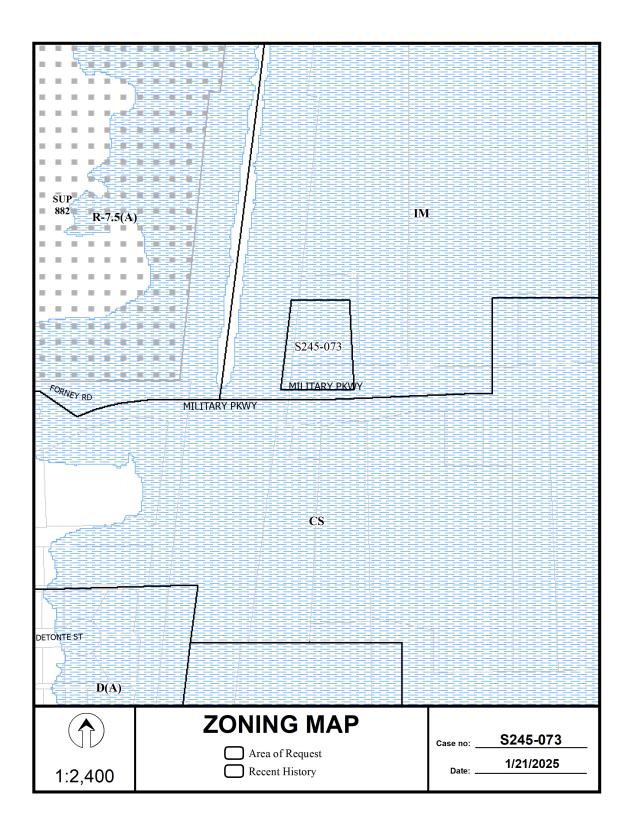
- 22. Prior to final plat, submit a completed final plat checklist and all supporting documents.
- 23. On the final plat, show recording information on all existing easements within 150 feet of the property.

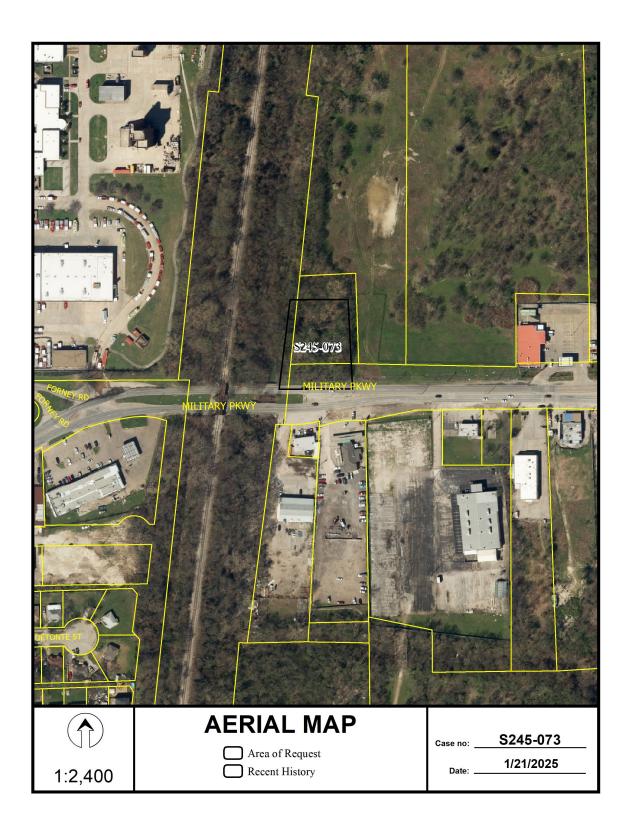
Dallas Water Utilities Conditions:

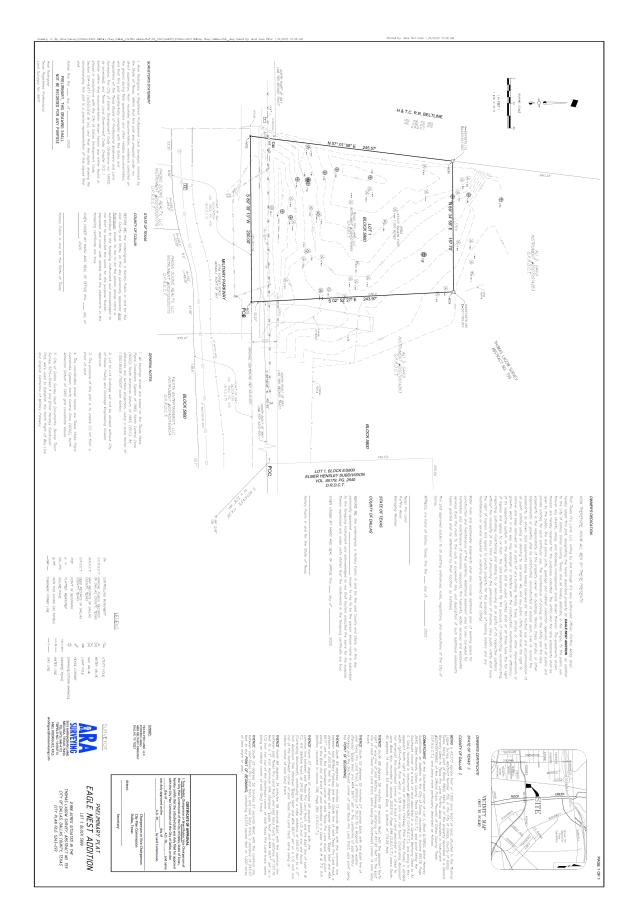
- 24. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).
- 25. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 26. Water and Wastewater main improvements is required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Street Name/ GIS, Lot & Block Conditions:

- 27. On the final plat, change "Military Parkway (FKA Forney Road)" to "Military Parkway (FKA Forney Road FKA Haskell Avenue)". Section 51A-8.403(a)(1)(A)(xii).
- 28. On the final plat, identify the property as Lot 1 in City Block J/5800.









1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Planning and Development

SUBJECT

An application to create one 2.071-acre lot and to dedicate a right-of-way from 2.387-acre tract of land in City Block 5217, on property located on Park Lane at Abrams Road, northwest corner.

Applicant/Owner: 8787 Park Lane LLC

Surveyor: Eagle Surveying

Application Filed: January 9, 2025

Zoning: CR

<u>Staff Recommendation</u>: <u>Approval</u>, subject to compliance with the conditions listed in the docket.

<u>Planner</u>: Hema Sharma Council District: 13

CITY PLAN COMMISSION

THURSDAY, FEBRUARY 6, 2025

FILE NUMBER: S245-075 SENIOR PLANNER: Hema Sharma

LOCATION: Park Lane at Abrams Road, northwest corner

DATE FILED: January 9, 2025 **ZONING:** CR

CITY COUNCIL DISTRICT: 13 SIZE OF REQUEST: 2.387-acres

APPLICANT/OWNER: 8787 Park Lane LLC

REQUEST: An application to create one 2.071-acre lot and to dedicate a right-of-way from 2.387-acre tract of land in City Block 5217 on property located on Park Lane at Abrams Road, northwest corner

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

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

General Conditions:

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

- 9. Provide ALL supporting documentation (i.e. deeds, plats, ordinances, easements...etc) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal <u>after</u> City Plan Commission Approval.
- 10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
- 11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

- 12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e. 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)
- 13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).
- 14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)
- 15. Existing drainage conveyance within the property is required to be sized in compliance with Section 51A-8.611(a)(1) of the City of Dallas Code.

Right-of way Requirements Conditions:

- 16. On final plat, dedicate 50 feet of right-of-way (via fee simple) from the established center line of Abram Road. *Section 51A 8.602(c)*
- 17. On the final plat, dedicate 30 feet of right-of-way (via fee simple) from the established center line of Park Lane. Section 51A 8.602(c)
- 18. On the final plat, dedicate a minimum 20-foot by 20-foot corner clip (via fee simple or street easement) at the intersection of Abram Road & Park Lane. Section 51A 8.602(d)(1)

Flood Plain Conditions:

- 19. On the final plat, determine the 100-year water surface elevation across this addition.
- 20. On the final plat, dedicate floodway easement, floodway management area or floodway easement (within common area), with the appropriate easement statement included on the face of the Plat. <u>51A 8.611(d); DWU Floodplain Management; Drainage Design Manual Addendum V</u>
- 21. On the final plat, include additional paragraph in Owner's Certificate (pertaining to the floodplain). <u>51A 8.611(d)</u>; <u>DWU Floodplain Management</u>; <u>Drainage Design Manual Addendum V</u>

- 22. On the final plat, specify minimum fill and minimum finished floor elevations. Section 51A-8.611(d), Trinity Watershed Management.
- 23. On the final plat, show the natural channel set back from the crest of the natural channel. Section 51A-8.611(d), Trinity Watershed Management.
- 24. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. Section 51A-8.617(d)(1), (2), (3), and (4)
- 25. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.

Survey (SPRG) Conditions:

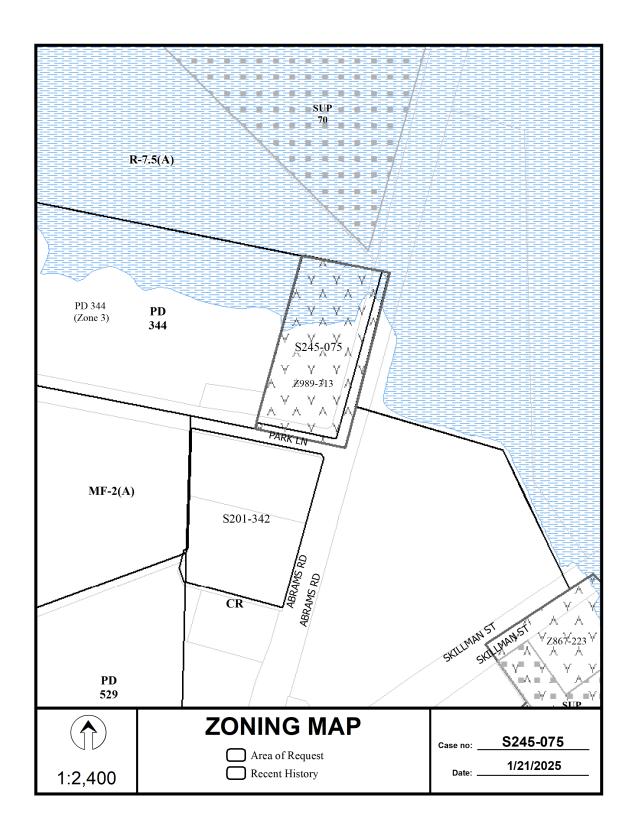
- 26. Prior to final plat, submit a completed final plat checklist and all supporting documents.
- 27. On the final plat, show recording information on all existing easements within 150 feet of the property.

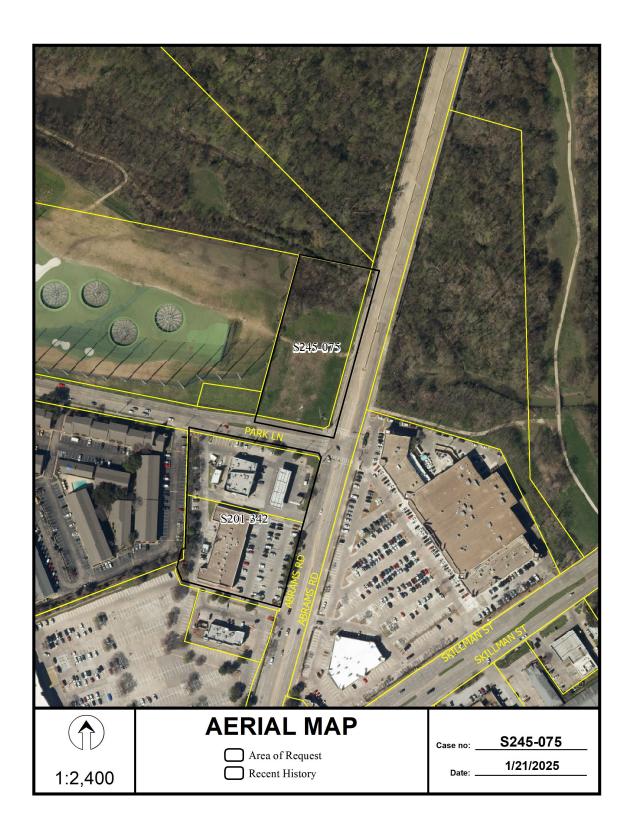
Dallas Water Utilities Conditions:

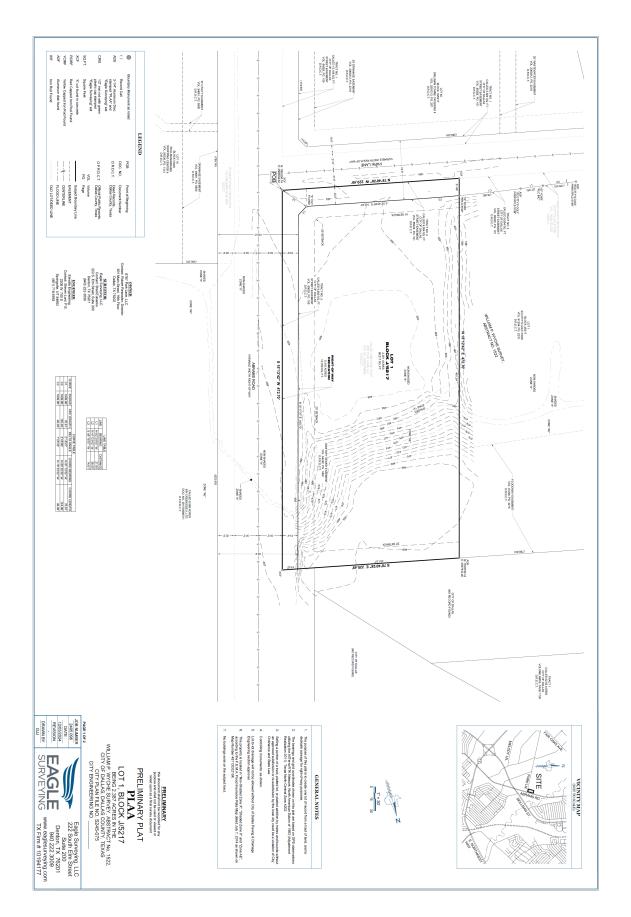
- 28. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
- 29. Water main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

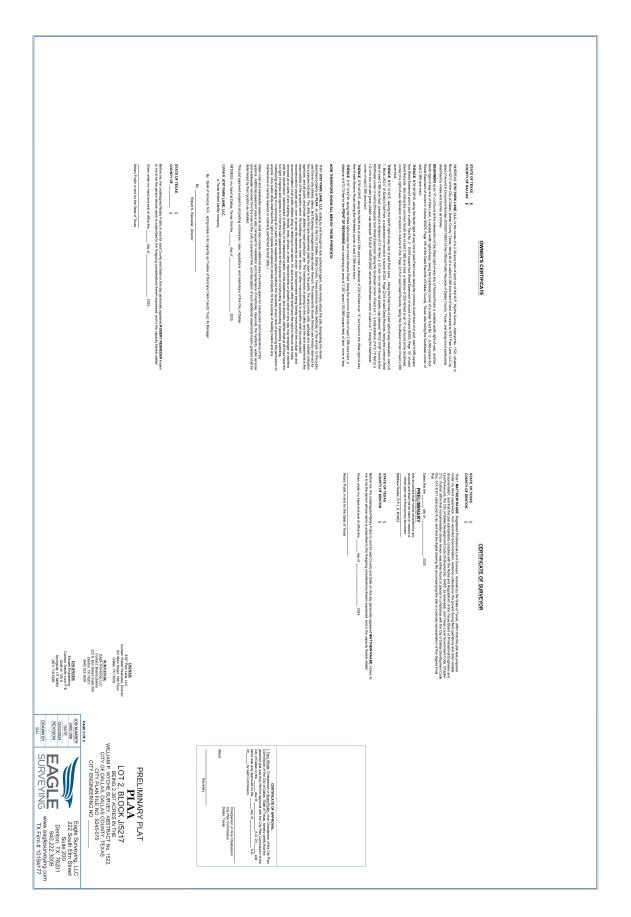
Street Name/ GIS, Lot & Block Conditions:

- 30. On the final plat, change "Abrams Road" to "Abrams Road (FKA Old Greenville Road)". Section 51A-8.403(a)(1)(A)(xii).
- 31. On the final plat, change "Park Lane" to "Park Lane (FKA Spillman Road)". Section 51A-8.403(a)(1)(A)(xii).
- 32. On the final plat, identify the property as Lot 2 in City Block J/5217.











City of Dallas

1500 Marilla Street Council Chambers, 6th Floor Dallas, Texas 75201

Agenda Information Sheet

File #: 25-555A Item #: 39.

AGENDA DATE: February 6, 2025

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Development

SUBJECT

An appeal of the Landmark Commission's decision of denial without prejudice to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work).

Staff Recommendation: Deny without prejudice.

<u>Landmark Commission Recommendation</u>: <u>Deny without prejudice</u>.

Planner: Marcus Watson

Council District: 2

Location: 4605 Sycamore St.

CA245-019(MW)



January 21, 2025

Via Certified Mail: 7013 3020 0001 1420 9021

Esther Vidaña 4605 Sycamore St. Dallas, TX 75043

RE: Appeal of Certificate of Appropriateness:

Hearing – February 6, 2025

4605 Sycamore St., Case No. CA245-019(MW)

Dear Esther Vidaña:

We have received your correspondence appealing the Landmark Commission's denial without prejudice of a Certificate of Appropriateness application for 4605 Sycamore St. Please be advised that the City Plan Commission hearing for **this appeal is scheduled for Thursday, February 6, 2025.** The City Plan Commission meeting will be held in person and by video conference. Individuals who wish to speak, remotely via WebEx, in accordance with the City Plan Commission Rules of Procedure, should contact the Current Planning division at 214-670-4209 by the close of business Tuesday prior to the scheduled CPC Meeting date. Individuals can also register online at: https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx.

Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or Channel 99 and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall.

The appeal of the decision of the Landmark Commission regarding the application for a Certificate of Appropriateness is a quasi-judicial action. No communication with City Plan Commission members may occur outside the hearing of **February 6, 2025.**

The Dallas Development Code, Section 51A-4.501(H) provides the procedures applicable to a Certificate of Appropriateness appeal. For your convenience, I have enclosed a copy of the ordinance containing the applicable section and a copy of the Appeal Procedures.

Esther Vidaña 4605 Sycamore St. Dallas, TX 75043

Included with this letter is the Landmark Commission record and other related paperwork. The Landmark Commission record includes all documents related to your specific case including a transcript of the October 2024 Landmark Commission hearing. As mentioned in the email sent November 14, 2024, should you wish to provide the City Plan Commission a brief on the matter, submit a copy to me at Dallas City Hall, 1500 Marilla Street, Room 5BN, Dallas, TX 75201 or to phyllis.hill@dallas.gov by 5:00 p.m. Thursday, January 24,2025 I will then distribute a copy of your brief to the City Plan Commission. I will also send you a copy of the brief by the Assistant City Attorney's office.

You may contact me @ 214-670-4206 or email me at Phyllis.hill@dallas.gov if there are any questions regarding the deadline dates. You are encouraged to contact Assistant City Attorney Laura Morrison at 214-670-5477 should you have any questions regarding the format of the City Plan Commission hearing or other related matters.

Respectfully,

Elaine Hill Coordinator Landmark Commission

Historic Preservation

cc: Marcus Watson, Chief Preservation Planner Arturo Del Castillo, Assistant Director, Historic Preservation Laura Morrison, Assistant City Attorney Mathew Sapp, Assistant City Attorney

THE RECORD

4605 SYCAMORE STREET APPEAL

CA245-019(MW)

City Plan Commission Hearing 02/06/2025

VIA CERTIFIED MAIL 7013 3020 0001 1420 9021

INDEX 4605 Sycamore Street CA245-019(MW)

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Docket Material	Section 3
Landmark Commission Minutes, October 7, 2024	Section 4
Transcript of the October 7, 2024, Landmark Commission Hearing	Section 5
Historic Preservation Criteria Dallas Development Code §51A-4.501	Section 6
Correspondence	Section 7

SECTION 1

Certificate of Appropriateness

4605 Sycamore St. CA245-019(MW)

Certificate of Appropriateness (CA) City of Dallas Landmark Commission

CA 245 - 019 (MW)

Name of Applicant: F3+ Mailing Address: 4(65) City, State and Zip Code: Do Daytime Phone: (24)524-7 Relationship of Applicant to Own PROPERTY ADDRESS:	allun 17 75204 Alternate Phone: (214)	524-1784	Main Structure: Contributing Non-contributing
PROPOSED WORK: List all proposed work simply specified in the submittal crite	and accurately, use extra sheet if ria checklist for type of work propo	needed. Attach all o osed. DO NOT write	
windows Spine grant	DOOL - PAINT IN HAT (CHT)		
EMAIL ADDRESS: esthe	er Vidanaby mail.com		EUS IN EVALUATION
Signature of Applicant: Est	her brancia Date:	3/25/24	
Signature of Owner:	Date:		
consider the approval of any supporti	mpleted and submitted by the FO calendar for exceptions), before change affecting the exterior of an ing documentation must be filed with 01. You may submit by email to His	the Dallas Landma by building. Provide a Preservation Plan	this form along with ner at City Hall, 1500
cannot be reviewed and will be	ia checklist as a guide to complete e returned to you for more inform your application is complete. Click	nation. You are enco	ouraged to contact a
https://dallascityhall.com/departme	ents/sustainabledevelopment/historic	preservation/Pages/C	contacts.aspx
decision. You are encouraged to a 1:00 pm in Council Chambers of C	ve the right to an appeal within 30 attend the Landmark Commission he city Hall (see exceptions). Informated and resses is available for review in 5	earing the first Monda tion regarding the his	y of each month at

SECTION 2

Landmark Commission Agenda

October 7, 2024

See Page 20 of 22 Item #7

DISCUSSION ITEMS:

7. 4605 SYCAMORE ST.

Peak's Suburban Addition Neighborhood HD CA245-019(MW)
Marcus Watson

Request

A Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work).

Applicant Garcia, Esther

Application Filed 8/26/2024

Staff Recommendation

That the request for a Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work) be denied without prejudice. The proposed work is inconsistent with preservation criteria Sections 3.10 or 3.13; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.

Task Force Recommendation

That the request for a Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work) be denied without prejudice. The materials are not appropriate for the architecture and not consistent with materials approved for the neighborhood. The Task Force has concerns with the windows being vinyl and the lack of dimensionality of the windows, sash, and trim. Furthermore, much of the trim that does exist is in the same plane as the siding which also reduces the dimensionality of the window unit and is inappropriately applied for this neighborhood.

8. 3514 DUNBAR ST.

Wheatley Place Historic District CA245-007(RD) Rhonda Dunn

Request

A Certificate of Appropriateness to construct new main residential building (on a vacant lot) -- with a detached accessory structure (a one car garage).

Applicant Looney, Cedric

Application Filed 8/26/2024

Staff Recommendation

That the request for a Certificate of Appropriateness to construct new main residential building (on a vacant lot) with a detached accessory structure (a one car garage) be approved in accordance with drawings and specifications dated 9/25/2024 with the following conditions: that windows be all aluminum (no cladding) with light configuration of one-over-one; that horizontal skirting be applied and extended to grade/ground level on all elevations — concealing raised concrete foundation; that driveway(s), walkway(s) and steps be of brush finished concrete; that the steps leading to both porches in the front and the back have a tread of 11 inches and risers at a maximum of seven inches. Implementation of the recommended conditions would allow the proposed work to be consistent with Wheatley Place's preservation criteria

SECTION 3

CA245-019(MW) Docket Material



LANDMARK COMMISSION

OCTOBER 7, 2024

FILE NUMBER: CA245-019(MW) LOCATION: 4605 Sycamore St. STRUCTURE: Contributing COUNCIL DISTRICT: 2 ZONING: MF-2(A), R-7.5(A) PLANNER: Marcus Watson DATE FILED: August 26, 2024 DISTRICT: Peak's Suburban (H-72)

MAPSCO: 46-A

CENSUS TRACT: 0015.04

APPLICANT: Garcia, Esther

REPRESENTATIVE: N/A

OWNER: HERNANDEZ REFUGIO VIDAMA & ESTHER GARCIA

REQUESTS:

A Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work).

STAFF RECOMMENDATION:

That the request for a Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work) be **denied without prejudice**. The proposed work is inconsistent with preservation criteria Sections 3.10 or 3.13; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.

TASK FORCE RECOMMENDATION:

That the request for a Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work) be **denied without prejudice**. The materials are not appropriate for the architecture and not consistent with materials approved for the neighborhood. The Task Force has concerns with the windows being vinyl and the lack of dimensionality of the windows, sash, and trim. Furthermore, much of the trim that does exist is in the same plane as the siding which also reduces the dimensionality of the window unit and is inappropriately applied for this neighborhood.

BACKGROUND / HISTORY:

4605 Sycamore Street is a one-story vernacular cottage in Folk Victorian form and Craftsman architectural elements identified as contributing to the Peak's Suburban Addition historic overlay district. The applicant is seeking approval after the fact for windows installed without a CA.

Previous applications for Certificates of Appropriateness (or Demolition) filed for this property that are pertinent to this CA include:

CASE NUMBER REVIEW TYPE DATE OWNER DECISION

CA234-477(MW) Standard 9/6/24 HERNANDEZ/GARCIA Denied w/o Pred. A Certificate of Appropriateness to replace the front door on the main structure with a fiberglass and glass door.

RELEVANT PRESERVATION CRITERIA, STANDARDS, AND PROJECT ANALYSIS:

1. Peak's Suburban Addition Historic District (H-72); Ordinance Nos. 22352, Sections 3.10 and 3.13

The criteria state that original doors and windows and their openings must remain intact and be preserved. The original windows were removed without approval, and many of the replacement windows are different sizes than the original, which resulted in alteration of the openings themselves.

Furthermore, the criteria state that any replacement windows must express light configuration and materials to match the original. The replacement windows are vinyl, not wood, and most of sashes are unequal in size, which is not appropriate or compatible.

2. Secretary of the Interior's Standards for Rehabilitation:

The SOI Standards state:

- **Not Recommended**: Removing or substantially changing those building and landscape features in the setting which are important in defining the historic character so that, as a result, the character is diminished.
- **Not Recommended**: Removing a character-defining feature of the building or landscape from the setting that is unrepairable and not replacing it or replacing it with a new feature the does not match.

Windows, both their design AND their material are generally deemed by best preservation practice as character-defining features of both individual buildings and the fabric of entire historic districts. Therefore, vinyl windows do not meet this standard. Wood windows would satisfy this standard as well as preservation criteria 3.10 and 3.13 for configuration and materials.

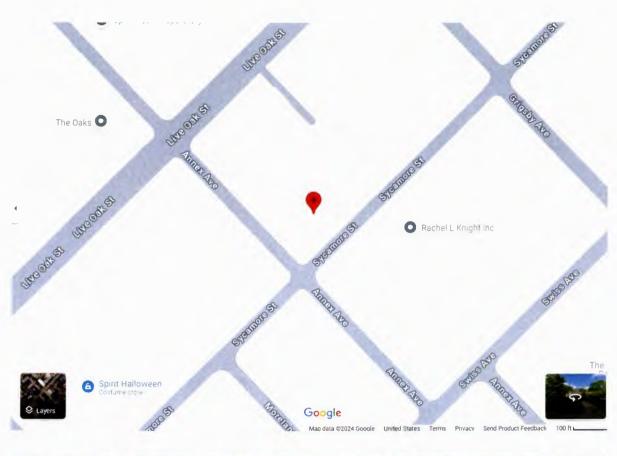
3. City Code Section 51A-4.501(g)(6)(C)(i):

The landmark commission must grant the application if it determines that:

- (i) for contributing structures,
 - (aa) the proposed work is consistent with the regulations contained

- in this section and the preservation criteria contained in the historic overlay ordinance;
- (bb) the proposed work will not have an adverse effect on the architectural features of the structure;
- (cc) the proposed work will not have an adverse effect on the historic overlay district; **and**
- (dd) the proposed work will not have an adverse effect on the future preservation, maintenance and use of the structure or the historic overlay district.

LOCATION MAPS 4605 Sycamore Street Source: Google Earth





CURRENT PHOTOS 4605 Sycamore St.







39-15

ATTACHMENTS:

- Task Force Recommendation Form
- Certificate of Appropriateness Application

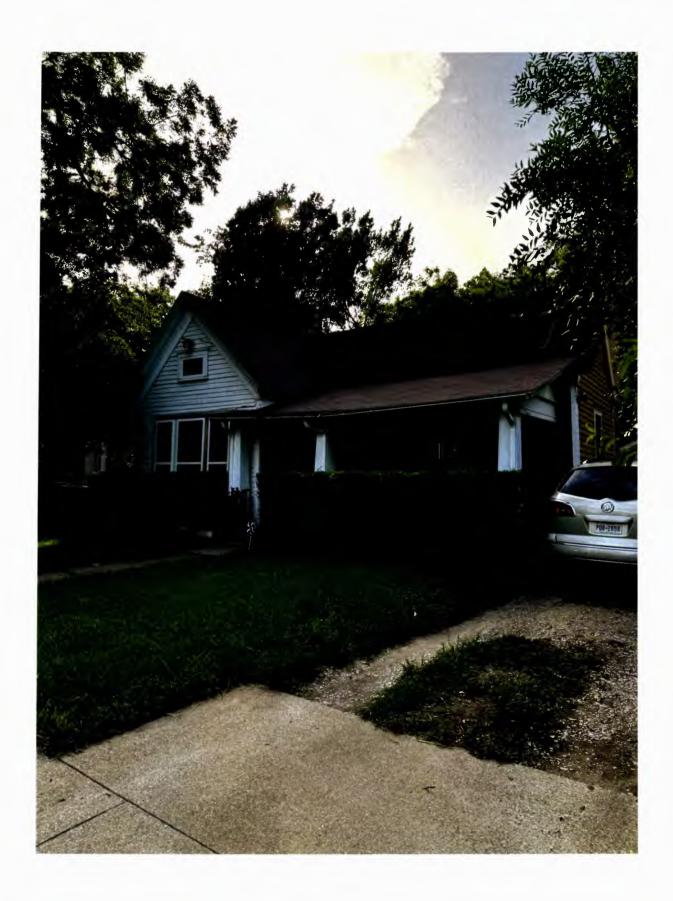
TASK FORCE RECOMMENDATION REPORT

Peak's Suburban Addition and Edison-LaVista Court Historic Districts

	TIME: LOCATION:	9/12/2024 5:30 p.m. Hybrid Virtual/2922 Swiss Ave	9
Applicant Name: Address: Request Type:	Esther Garcia 4605 Sycamore CA		
Request: Repl	ace windows.		
Recommendation:			
□Approve □	Approve with condition	ons ⊠Deny w/o prejudice	□Deny
materials approved vinyl and the lack of trim that does exist i	for the neighborhood. dimensionality of the s in the same plane a is inappropriately app	riate for the architecture and not cor The Task Force has concerns with windows, sash, and trim. Furtherm is the siding which also reduces the plied for this neighborhood.	n the windows being lore, much of the
Task force members	s present:		
☐ Kathy Finch☒ Josh Kamman		☑ Paul Sanders (Vice-ch☑ Patricia Simon (Chair)	,
Ex Officio staff mem	bers present: ⊠Ma	arcus Watson	
Quorum: \(\times Yes	s □No (three make	s a quorum)	
Maker: Paul Sander FOR: Kamman, Sar Basis for opposition: Click or tap here to a	nders, Simon	2 nd : Josh Kamman AGAINST: Click or tap here to e	inter text

City of Paris	opriateness (C	(A)	OFFICE USE ONLY
City of Dallas Landm	ark Commission		
Name of Applicant: Mailing Address: City State and State	05 Suca more	wiewi.	OFFICE USE ONLY
Daytime Phone: (24)524	Dallus To 73 75 -17 89 Alternate Phi	one. The state of	Main Structure: Contributing Non-contributi
PROPERTY ADDRESS: Historic District:	108 4605 540	amore Dullasty 753	504
PROPOSED WORK: List all proposed work simp specified in the submittal cr			ch all documentation
1		A . I decure	1 Donlare)
The state of the s	UNITED THOUSE OF THE PARTY OF T	QEN.	
windows Aprile gra	T DOOF PAINT IN	(4)	
	Street Application of the		September 1
EMAIL ADDRESS: est	hor Vidana av mai	l.com	
Signature of Applicant: E	of a land	2/2/	24
Signature of Applicant:	Thu blancia	Date:	
Signature of Owner:	(IF NOT APPLICANT)	Date:	
APPLICATION DEAD	LINE:		
Application material must be	completed and submitte	ed by the FOURTH MOND	AY OF EACH MONTH
12:00 NOON, (see official consider the approval of any	calendar for exception	ons), before the Dallas Li	andwark Commission
annlicable fees, and any supp	orting documentation mus	st be filled with a Preservation	n Planner at City Hall,
Marilla 5BN, Dallas, Texas, 7	5201. You may submit by	y email to <u>Historicpreservation</u>	on@dallas.gov_Please
your address and district in the			
Please use the enclosed crit cannot be reviewed and will Preservation Planner to ensur- vebsite for contact information	be returned to you for e your application is cor	more information. You are	e encouraged to conta
https://dallascityhall.com/depar	tments/sustainabledevelop	pment/historicpreservation/Pa	ages/Contacts.aspx
OTHER:			
n the event of a denial, you l	nave the right to an app	eal within 30 days after the	Landmark Commission
lecision. You are encouraged to the council Chambers of the council Chambers o	o attend the Landmark C	commission hearing the first	Monday of each month
Supplied Council Chambers (i City Hall (see exceptio	inst Information regarding t	he history of nest certific

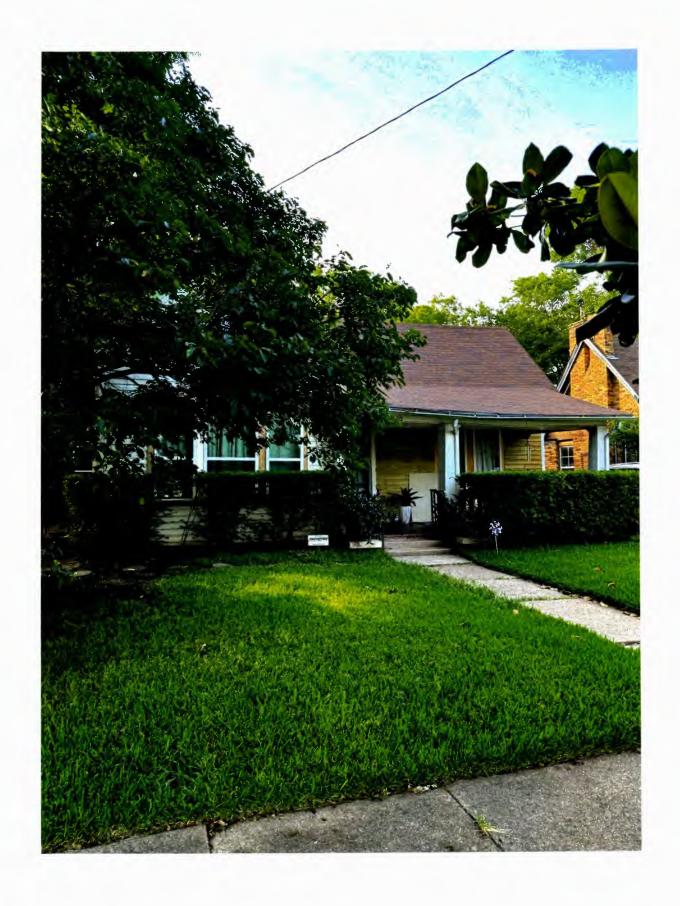


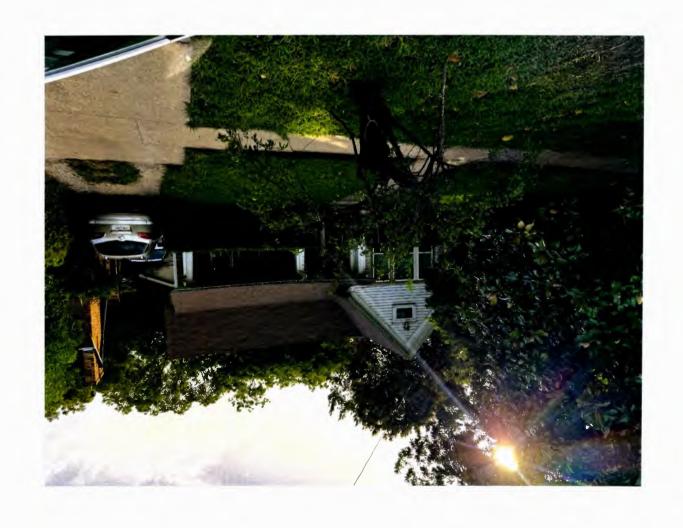


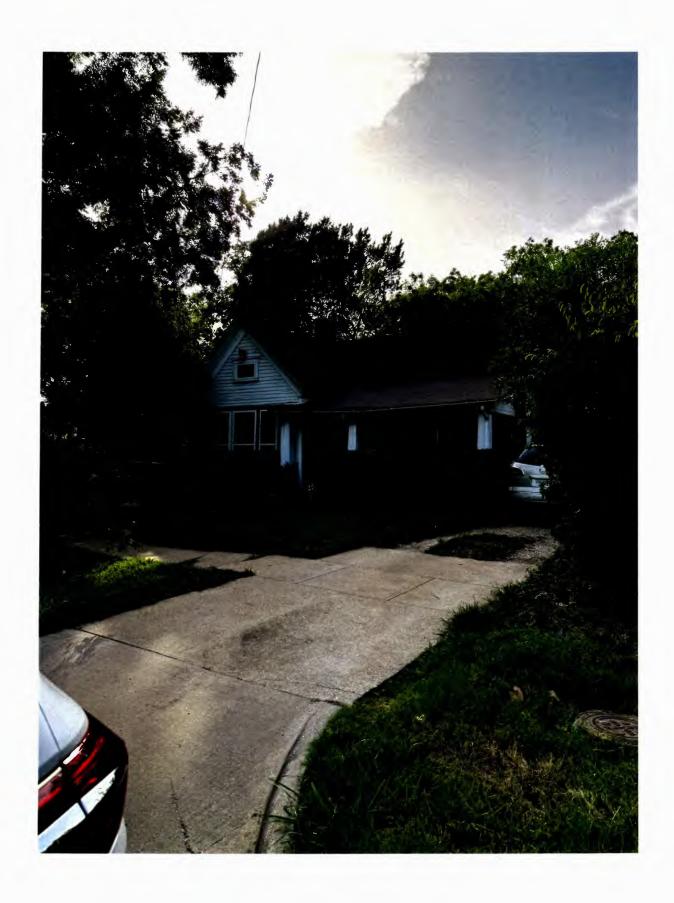














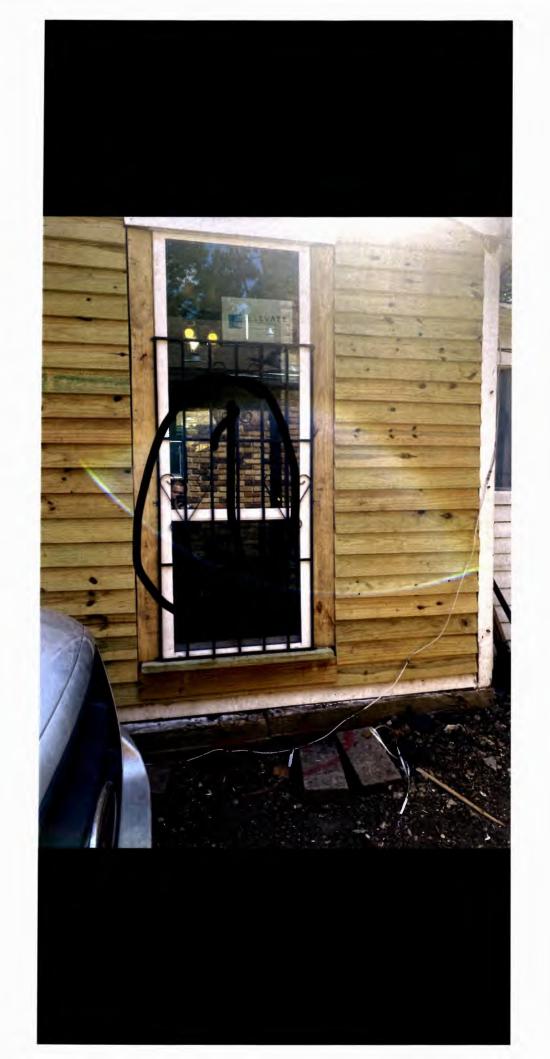
COA-	
Applicant Name:	Esther fract

Date Received:	
Received by:	

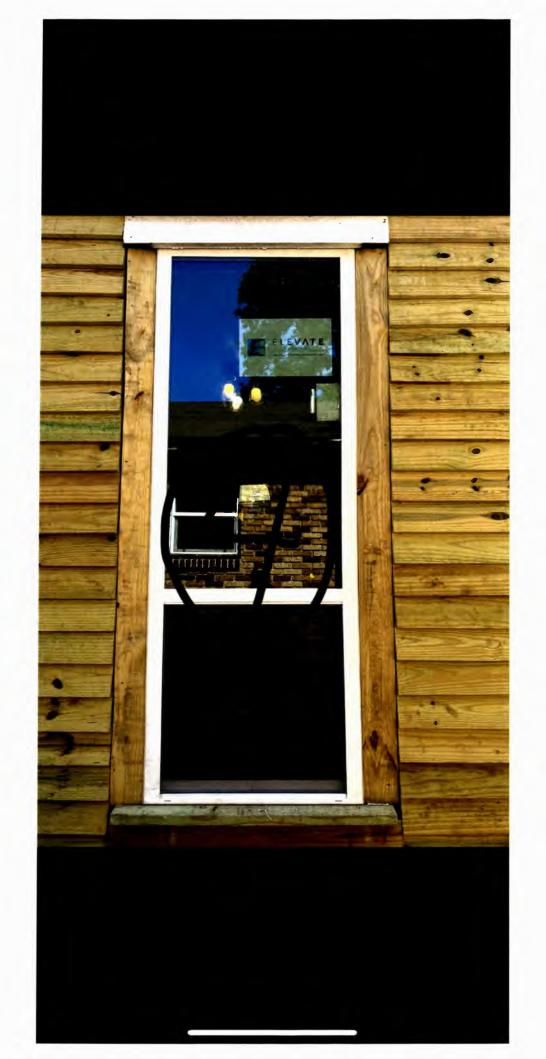
Window Survey Form—Window Condition Report

W	indow	Window Condition
	#	
	1	Roffen + Broken window
	2	
-	3	Rotten wood + Ballon Window
1	3	Rotten wood.
	4	Rotten wood.
1	5	Rotten wood
	6	Noten wood + Broken window
	7	Rotten wood
+	8	
	100	Rotten wood.
1	9	Notten wood.
-	10	RoHen wood.
	11	Nother wood + Brollen Gibes.
	12	Rotten wood + Broken Glass.
	13	Roten wood
	14	Notten wood
	15	Noten and + Broken window
	16	No Hen wood + Baller window.
	17	Rotenwood + Broken Gras
	18	Noten wood + Broken window.
	19	
	20	

Window	Window Condition
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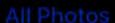






















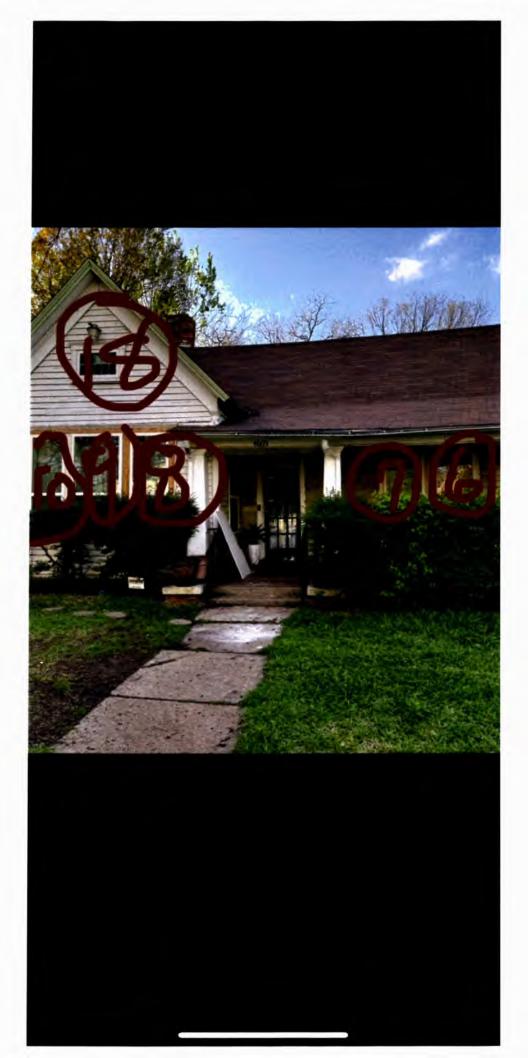


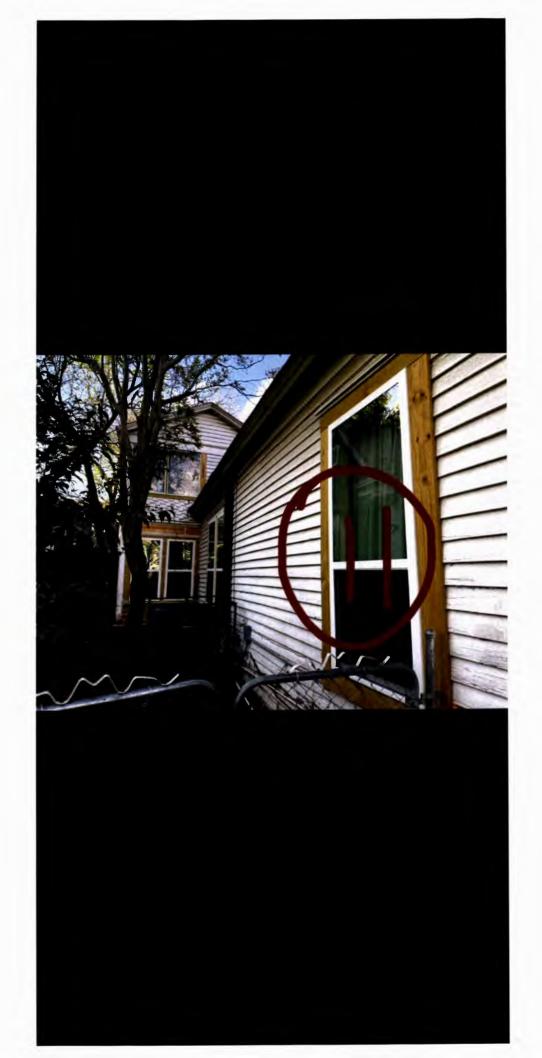








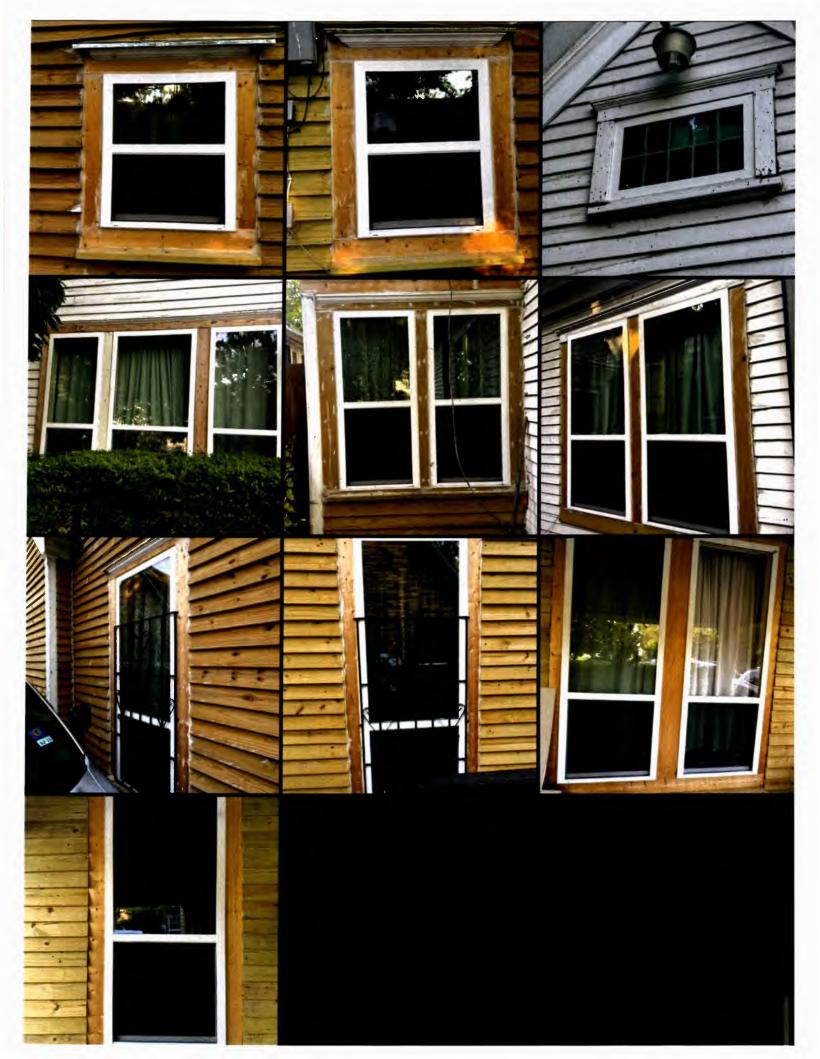












SECTION 4

Landmark Commission Minutes

October 7, 2024

See Page 14 Item #7

LANDMARK COMMISSION MINUTES October 7, 2024

DISCUSSION ITEMS

4. 4605 SYCAMORE ST.

Peak's Suburban Addition Neighborhood HD CA245-019(MW)

Marcus Watson

A Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work).

Speakers:

For:

No Speakers

Against:

No Speakers

Motion

That the request for a Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work) be **denied without prejudice**. The proposed work is inconsistent with preservation criteria Sections 3.10 or 3.13; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.

Maker:	Cummings				
Second:	Fogleman				
Results:	14/0				
		Ayes:	-	14	Anderson, Cummings, Fogleman, Gay, Hinojosa, Livingston, Montgomery, Offutt, Preziosi, Reaves, Renaud, Rothenberger, Spellicy, Taylor
		Against:	-	0	
		Absent:	-	2	Cox, Sherman
		Vacancies:	-	2	Districts 14 &15

The Chair declared the motion denied without prejudice by the Landmark Commission.

3514 DUNBAR ST.

Wheatley Place Historic District CA245-007(RD)

Rhonda Dunn

A Certificate of Appropriateness to construct new main residential building (on a vacant lot) -- with a detached accessory structure (a one car garage).

Speakers:

For:

Cedric Looney

Against:

No Speakers

Motion

That the request for a Certificate of Appropriateness to construct new main residential building (on a vacant

1

SECTION 5

Transcript of the
October 7, 2024
Landmark Commission
Hearing
4605 Sycamore St.
CA223-240(RD)

IN RE: 4605 Sycamore St. CA245-019(MW)

AUDIO TRANSCRIPTION OF RECORDED DALLAS LANDMARK

COMMISSION METTING

SPEAKERS

CHAIR MONTGOMERY

COMMISSIONER CUMMINGS

COMMISSIONER FOGLEMAN

COMMISSIONER REAVES

COMMISSIONER HINOJOSA

COMMISSIONER GAY

COMMISSIONER

COMMISSIONERS

MARCUS WATSON



- (RECORDED AND TRANSCRIBED) 1 2
- MARCUS WATSON: The discussion Item Number
- 7 is located at 4605 Sycamore Street in the Peak's 4
- Suburban Addition Neighborhood, Historic District.
- 245-019MW. I am Marcus Watson presenting. The request
- is for a Certificate of Appropriateness to replace 18
- of the historic wood windows on the main structure with 8
- vinyl units, unauthorized work. 9
- 10 Staff recommendation is that the request for
- a Certificate of Appropriateness to replace 18 of the 11
- 12 historic wood windows on the main structure with vinyl
- units, unauthorized work, be denied without prejudice. 13
- 14 The proposed work is inconsistent with preservation
- 15 criteria Sections 3.10 or 3.13, the standards in City
- Code Section 51a-4.501G6C Roman F1 for contributing 16
- structures, and the Secretary of the Interior Standards 17
- 18 for Rehabilitation.
- 19 Task force recommendation that the request
- for a Certificate of Appropriateness to replace 18 of 20
- the historic wood windows on the main structure with 21
- 22 vinyl units unauthorized work be denied without
- 23 prejudice. The materials are not appropriate for the
- 24 structure and are not consistent with materials
- 25 approved for the neighborhood. The task force has



Page 3

- 1 concerns with the windows being vinyl and the lack of
- 2 dimensionality of the windows, sash, and trim.
- 3 Furthermore, much of the trim does not exist in the
- 4 same plane as the siding, which also reduces the
- 5 dimensionality of the window unit and is
- 6 inappropriately applied to this neighborhood.
- 7 CHAIR MONTGOMERY: All right. Thank you.
- 8 Does anyone have -- we can only ask questions of staff.
- 9 There is no one to speak on this one. And if there are
- 10 no questions, then we would be looking for a motion.
- 11 COMMISSIONER CUMMINGS: I'll make a
- 12 motion.
- 13 CHAIR MONTGOMERY: Go ahead.
- 14 COMMISSIONER CUMMINGS: Make a -- as on
- 15 the case of CA245-019MW, address 4605 Sycamore Street,
- 16 I make a motion to deny without prejudice of following
- 17 the staff recommendations, that this work is
- 18 inconsistent with the preservation criteria as stated.
- 19 CHAIR MONTGOMERY: We have a second?
- 20 COMMISSIONER FOGLEMAN: Second.
- 21 CHAIR MONTGOMERY: Commissioner Fogleman,
- 22 yes. This again. All right. If there's no further
- 23 discussion, we can vote on this. All those in favor of
- 24 this motion, please say aye.
- COMMISSIONERS: Aye.



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Page 4
                 CHAIR MONTGOMERY: Any opposed? Okay.
 1
     Staff will obviously let the applicant know about our
     determination, also about their opportunity to apply
      for a fee to CPC, or their opportunity to come back
      again with some new arguments or new ideas, and to come
      and present them to us, perhaps. But that's where they
     stand right now.
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                 (Recording stopped.)
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	Page 5
1	CERTIFICATE
2	
3	I, Jaynes Michael Devon,
4	Transcriptionist, do hereby certify that the foregoing
5	pages 2 to 4 constitute a full, true, and accurate
6	transcript, from electronic recording, of the
7	proceedings
8	had in the foregoing matter, all done to the best of my
9	skill and ability.
10	Dated this 12th day of January 2025
11	
12	Jaynes Michael Devon,
13	Jaynes Michael Devon,
14	Electronic Transcriber.
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SECTION 6

Historic Preservation Criteria Dallas Development Code § 51A-4.501

SEC. 51A-4.501. HISTORIC OVERLAY DISTRICT.

- (a) Purpose. The purpose of this section is to promote the public health, safety and general welfare, and:
- (1) to protect, enhance and perpetuate places and areas which represent distinctive and important elements of the city's historical, cultural, social, economic, archeological, paleontological, ethnic, political and architectural history;
 - (2) to strengthen the economy of the city;
 - (3) to increase public knowledge and appreciation of the city's historic past and unique sense of place;
 - (4) to foster civic and neighborhood pride and a sense of identity;
 - (5) to promote the enjoyment and use of historic resources by the people of the city;
 - (6) to preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the city's history;
 - (7) to create a more livable urban environment;
 - (8) to enhance property values;
 - (9) to provide financial incentives for preservation;
 - (10) to protect and enhance the city's attraction to tourists and visitors;
 - (11) to resolve conflicts between the preservation of historic resources and alternative land uses;
 - (12) to integrate historic preservation into public and private land use planning;
 - (13) to conserve valuable resources through use of the existing building environment;
 - (14) to stabilize neighborhoods;
 - (15) to increase public awareness of the benefits of historic preservation;
- (16) to maintain a harmony between new and historic structures so that they will be compatible in scale, form, color, proportion, texture and material; and
 - (17) to encourage public participation in identifying and preserving historic resources.
- (b) <u>Establishment of historic overlay districts</u>. A historic overlay district may be established to preserve places and areas of historical, cultural, or architectural importance and significance if the place or area has three or more of the following characteristics:
- (1) <u>History, heritage and culture</u>: Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.
 - (2) Historic event: Location as or association with the site of a significant historic event.
- (3) <u>Significant persons</u>: Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.
- (4) <u>Architecture</u>: Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.
- (5) <u>Architect or master builder</u>: Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state, or country.
- (6) <u>Historic context</u>: Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.
- (7) <u>Unique visual feature</u>: Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.
- (8) <u>Archaeological</u>: Archaeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.
- (9) <u>National and state recognition</u>: Eligible for or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.
- (10) <u>Historic education</u>: Represents an era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.
- (c) <u>Historic designation procedure and predesignation moratorium.</u>
- (1) <u>Purpose</u>. Temporary preservation of the status quo upon initiation of the historic designation procedure is necessary to allow time to evaluate each proposed historic overlay district, to consider appropriate preservation criteria, and to prevent circumvention of the purposes of this section. Relief from the predesignation moratorium may be obtained by applying for a predesignation certificate of appropriateness or certificate for demolition or removal.
 - (2) Initiation of historic designation procedure.

- (A) The procedure for adopting an ordinance to establish or amend a historic overlay district may be initiated by five members of the city council, three members of the city plan commission, one member of the landmark commission for an individual property and three members of the landmark commission for an expansion of an existing district or creation of a new district, or by the owner(s) of the property.
- (i) <u>Statement of intent for historic designation</u>. The five city council members, three city plan commissioners, or one landmark commissioner if it is an individual property, or three landmark commissioners if it is an expansion of an existing district or creation of a new district, must prepare and present a statement of intent for historic designation at the public hearing to initiate the historic designation procedure. The purpose of the statement of intent for historic designation is to provide justification of the action under consideration. The statement of intent must be provided to the property owner(s) at the time the agenda for the meeting is posted. The statement of intent of historic designation must contain the following:
 - (aa) List of characteristics on which the initiation is based;
 - (bb) A brief description of the historical significance of the potential building, site, district or expansion;
 - (cc) Purpose of the proposed designation; and
- (dd) For district expansions, a statement including the history and timeline of the existing district designation process and information on why the expansion area was not originally included with the initial district designation, if available.
- (ii) <u>Procedure for individual properties</u>. The procedure to designate an individual property requires a minimum of one public hearing of the initiating body. The purpose of the hearing is to determine whether sufficient information is presented to initiate the historic designation procedure.
 - (iii) Procedures for expansions and new districts.
- (aa) The procedure to expand an existing district or create a new district involves a minimum of two public hearings and a community meeting. The purpose of the first public hearing is to determine whether enough information is presented to consider a historic designation. This first public hearing does not initiate the historic designation procedure. If the city council, the city plan commission, or the landmark commission determines that sufficient information has been presented in the statement of intent for historic designation for consideration, the department shall conduct a community meeting. The purpose of the community meeting is for the proposing commissioners or city council members to present the statement of intent for historic designation to the property owners, neighbors, and interested parties to the proposed initiation, and to provide an opportunity for public comment. The meeting must be held at a facility open to the public within the neighborhood of the proposed historic district. The information presented must include the following:
 - (1) Statement of intent for historic designation;
 - (II) List of potential impacts of historic preservation;
 - (III) List of neighborhood planning concerns and goals; and
 - (IV) Any other information that may be relevant.
- (bb) Prior to the second public hearing to initiate the historic designation procedure, the proposing commissioners or city council members must revise the statement of the intent for historic designation. The revised statement of intent must include the following, as applicable:
 - (l) original statement of intent;
 - (11) transcription of the community meeting;
 - (III) benefits and incentives of preservation;
 - (IV) additional neighborhood planning goals;
 - (V) concepts for additional development incentives paired with historic preservation;
 - (VI) summary of concerns; and
- (VII) summary of economic incentives available to the property owners such as city of Dallas historic tax exemption, tax increment financial districts, and federal or state opportunities.
 - (VIII) statement reflecting the property owner(s) position, if available.

The purpose of the second public hearing is to review the revised statement of intent and determine whether sufficient information is presented to initiate the historic designation procedure.

- (B) The director shall provide property owners with notice of a public hearing to initiate the historic designation procedure, a statement that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property, and information about the process at least 15 days before the date set for the initial hearing using the procedure outlined in Section 51A-4.701(a)(1). The historic designation impact statement must include the following:
 - (i) regulations that may be applied to any structure on the property after the designation:
 - (ii) procedures for the designation;

- (iii) tax benefits that may be applied to the property after the designation; and
- (iv) rehabilitation or repair programs that the city offers for a property designated as historic.
- (C) No permits to alter or demolish the property may be issued after provision of this notice until action is taken at that initial hearing by the city council, city plan commission, or landmark commission.
- (D) The historic designation procedure is considered to be initiated immediately when the city council, the city plan commission, or the landmark commission votes to initiate it or, in the case of initiation by the property owner(s), when the zoning change application is filed with the director.
- (3) Appeal. If the historic designation procedure is initiated by the landmark commission or the city plan commission, the property owner may appeal the initiation to the city council by filing a written notice with the director within 15 days after the action of the landmark commission or city plan commission. The written notice must include why the property owner thinks the criteria used to justify the initiation does not apply. Within 90 days after the filing of the appeal or 180 days after filing the appeal, if a 90 day extension is requested by the property owner within 45 days of filing the initial written notice of appeal with the director, the director and the chair of the landmark commission shall present the statement of intent for historic designation if it is an expansion or new district to the city council. After submission of the statement of intent for historic designation if it is an individual property, or revised statement of intent for historic designation if it is an expansion or new district, the city council shall hold a public hearing on the appeal. The sole issue on appeal is whether the landmark commission or city plan commission erred in evaluating the significance of the property based on the characteristics listed in Section 51A-4.501 (b). Appeal to the city council constitutes the final administrative remedy.
- (4) <u>Enforcement</u>. Upon initiation of the historic designation procedure, the historic preservation officer shall immediately notify the building official. The building official shall not accept any application for a permit to alter, demolish, or remove the structure or site subject to the predesignation moratorium, unless a predesignation certificate of appropriateness or certificate for demolition or removal has been issued.
- (5) <u>Designation report</u>. Upon initiation of the historic designation procedure, the historic preservation officer shall coordinate research to compile a written report regarding the historical, cultural, and architectural significance of the place or area proposed for historic designation. This report must include a statement on each of the following to the extent that they apply:
- (A) A listing of the architectural, archaeological, paleontological, cultural, economic, social, ethnic, political, or historical characteristics upon which the nomination is based;
 - (B) A description of the historical, cultural, and architectural significance of the structures and site;
- (C) A description of the boundaries of the proposed historic overlay district, including subareas and areas where new construction will be prohibited; and
 - (D) Proposed preservation criteria for the proposed historic overlay district.
- (6) <u>Designation procedure</u>. For purposes of Section 51A-4.701, "Zoning Amendments," once the designation report has been voted on by the landmark commission, the designation shall be treated as a city plan commission authorized public hearing and may not be appealed to city council if the city plan commission recommends denial. The notice of authorization in Section 51A-4.701 (a)(1) is not required.
 - (7) <u>Historic designation</u>. The city may not designate a property a historic district unless:
 - (A) the owner of the property consents to the designation; or
 - (B) the designation is approved by a three-fourths vote of:
 - (i) the landmark commission;
 - (ii) the city plan commission; and
 - (iii) the city council.
- (C) The owner of the property may withdraw consent at any time during the designation process by filing a written notice with the director.
- (D) If the property is owned by an organization that qualifies as a religious organization under Section 11.20 of the Texas Tax Code, the city may designate the property as a historic district only if the organization consents to the designation.

(8) Computation of time.

- (A) Unless otherwise provided in this paragraph, computing any period of time prescribed in this subsection shall be in accordance with Section 1-5 of the Dallas City Code.
- (B) If the last day of any period is a Saturday, Sunday, or official holiday observed by the city, the period is extended to include the next day that is not a Saturday, Sunday, or official holiday observed by the city.
 - (C) Except as otherwise specified, time periods will be calculated based on calendar days.
 - (9) Termination of the predesignation moratorium. The predesignation moratorium ends on the earliest of the following dates:
 - (A) The day after the city council, city plan commission, 39an 50ark commission that voted to initiate the historic designation

procedure, votes to terminate the historic designation procedure.

- (B) The day after the city council, in an appeal from an initiation by the city plan commission or landmark commission, votes to terminate the historic designation procedure.
 - (C) In the case of initiation by the property owner(s), the day after the zoning change application is withdrawn.
- (D) If the proposed historic overlay district zoning change is approved, the effective date of the ordinance establishing the historic overlay district.
- (E) If the proposed historic overlay district zoning change is denied, the day after either the city council makes its final decision denying the change or the expiration of the time period for appeal to the city council from a city plan commission recommendation of denial.
 - (F) Two years after the date the historic designation procedure was initiated, regardless of who initiated the procedure.

(d) Predesignation certificate of appropriate-ness.

- (1) When required. A person shall not alter a site, or alter, place, construct, maintain, or expand any structure on the site during the predesignation moratorium without first obtaining a predesignation certificate of appropriateness in accordance with this subsection.
- (2) Penalty. A person who violates this subsection is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a predesignation certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.
- (3) <u>Application</u>. An application for a predesignation certificate of appropriateness must be submitted to the director. The application must include complete documentation of the proposed work. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. No application shall be deemed to be filed until it is made on forms promulgated by the director and contains all required supporting plans, designs, photographs, reports, and other exhibits required by the director. The applicant may consult with the department before and after the submission of an application.
- (4) Predesignation certificate of appropriateness review procedure. Upon receipt of an application for a predesignation certificate of appropriateness, the director shall determine whether the structure is contributing or noncontributing. Within 40 days after a complete application is filed for a noncontributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. Within 65 days after a complete application is filed for a contributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. The landmark commission may impose conditions on the predesignation certificate of appropriateness. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. The director shall immediately notify the applicant of the landmark commission's action. The landmark commission's decision must be in writing and, if the decision is to deny the predesignation certificate of appropriateness, with or without prejudice, the writing must state the reasons why the predesignation certificate of appropriateness is denied.
 - (5) Standard for approval. The landmark commission must approve the application if it determines that:
- (A) for contributing structures, the application will not adversely affect the character of the site or a structure on the site; and the proposed work is consistent with the regulations contained in this section and the proposed preservation criteria; or
 - (B) for noncontributing structures, the proposed work is compatible with the historic overlay district.
- (6) <u>Issuance</u>. If a predesignation certificate of appropriateness has been approved by the landmark commission or if final action has not been taken by the landmark commission within 40 days (for a noncontributing structure) or 65 days (for a contributing structure) after a complete application is filed:
 - (A) the director shall issue the predesignation certificate of appropriateness to the applicant; and
- (B) if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.
- (7) Appeal. If a predesignation certificate of appropriateness is denied, the chair of the landmark commission shall verbally inform the applicant of the right to appeal to the city plan commission. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. The applicant may appeal the denial to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (o). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (o). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.
- (8) Reapplication. If a final decision is reached denying a predesignation certificate of appropriateness, no further applications may be considered for the subject matter of the denied predesignation sertificate of appropriateness unless the predesignation certificate of

appropriateness has been denied without prejudice or the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for a new hearing.

- (9) <u>Suspension of work</u>. After the work authorized by the predesignation certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.
 - (10) Revocation. The director may, in writing, revoke a predesignation certificate of appropriateness if:
 - (A) the predesignation certificate of appropriateness was issued on the basis of incorrect information supplied;
- (B) the predesignation certificate of appropriateness was issued in violation of the regulations contained in this section, the proposed preservation criteria, or the development code or building codes; or
- (C) the work is not performed in accordance with the predesignation certificate of appropriateness, the development code, or building codes.
- (11) <u>Amendments to a predesignation certificate of appropriateness</u>. A predesignation certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard predesignation certificate of appropriateness review procedure.
- (12) <u>Effect of approval of the historic overlay district</u>. A predesignation certificate of appropriateness will be treated as a certificate of appropriateness after the effective date of the ordinance implementing the historic overlay district.

(e) Additional uses and regulations.

- (1) A historic overlay district is a zoning overlay which supplements the primary underlying zoning district classification. A historic overlay district is subject to the regulations of the underlying zoning district, except the ordinance establishing the historic overlay district may permit additional uses and provide additional regulations for the historic overlay district.
- (2) If there is a conflict, the regulations contained in the historic overlay district ordinance control over the regulations of the underlying zoning district. If there is a conflict, the regulations contained in the historic overlay district ordinance control over the regulations of this section.
- (3) The historic overlay district ordinance may include preservation criteria for the interior of historic structures if the interior is customarily open and accessible to the public and the interior has extraordinary architectural, archaeological, cultural, economic, social, ethnic, political or historical value. Unless there are specific provisions for the interior, the preservation criteria in the historic overlay district ordinance and the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties apply only to the exterior of structures within a historic overlay district.
- (4) The landmark commission shall consider the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties ("the Standards"), as amended, when reviewing applications for predesignation and standard certificates of appropriateness. Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Standards are common sense principles in non-technical language developed to help promote consistent rehabilitation practices. It should be understood that the Standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations; as such, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. The director shall make the current Standards available for public inspection at all times. For informational purposes, the Standards published at Section 68.3 of Title 36 of the Code of Federal Regulations (current through January 1, 2001) are set forth below:
- (A) A property will be used as it was historically or be given a new use that requires minimal changes to its distinctive materials, features, spaces and spatial relationships.
- (B) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- (C) Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
 - (D) Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- (E) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- (F) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- (G) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- (H) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

- (I) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- (J) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(f) Notice of designation.

- (1) Upon passage of a historic overlay district ordinance, the director shall send a notice to the owner or owners of property within the historic overlay district stating the effect of the designation, the regulations governing the historic overlay district, and the historic preservation incentives that may be available.
- (2) Upon passage of a historic overlay district ordinance, the director shall file a copy of the ordinance in the county deed records to give notice of the historic regulations. Pursuant to Texas Local Government Code Section 315.006, the director shall also file in the county deed records a verified written instrument listing each historic structure or property by the street address, if available, the legal description of the real property, and the name of the owner, if available.
 - (3) The director may erect suitable plaques appropriately identifying each historic overlay district.

(g) Certificate of appropriateness.

- (1) When required. A person shall not alter a site within a historic overlay district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with this subsection and the regulations and preservation criteria contained and in the historic overlay district ordinance.
- (2) Penalty. A person who violates this subsection is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.
- (3) <u>Application</u>. An application for a certificate of appropriateness must be submitted to the director. The application must include complete documentation of the proposed work. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. No application shall be deemed to be filed until it is made on forms promulgated by the director and contains all required supporting plans, designs, photographs, reports, and other exhibits required by the director. The applicant may consult with the department before and after the submission of an application.
- (4) <u>Director's determination of procedure</u>. Upon receipt of an application for a certificate of appropriateness, the director shall determine whether the application is to be reviewed under the routine work review procedure or the standard certificate of appropriateness review procedure.

(5) Routine maintenance work review procedure.

- (A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize only routine maintenance work, he may review the application to determine whether the proposed work complies with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance and approve or deny the application within 20 days after a complete application is filed. The applicant must supply complete documentation of the work. Upon request, staff will forward copies of applications to the task force. The director may forward any application to the landmark commission for review.
 - (B) Routine maintenance work includes:
- (i) the installation of a chimney located on an accessory building, or on the rear 50 percent of a main building and not part of the corner side facade;
 - (ii) the installation of an awning located on an accessory building, or on the rear facade of a main building;
 - (iii) the replacement of a roof of the same or an original material that does not include a change in color;
 - (iv) the installation of a wood or chain link fence that is not painted or stained;
 - (v) the installation of gutters and downspouts of a color that matches or complements the dominant trim or roof color;
 - (vi) the installation of skylights and solar panels;
 - (vii) the installation of storm windows and doors;
 - (viii) the installation of window and door screens;
 - (ix) the application of paint that is the same as the existing or that is an appropriate dominant, trim, or accent color;
 - (x) the restoration of original architectural elements;
 - (xi) minor repair using the same material and design as the original;
 - (xii) repair of sidewalks and driveways using the same type and color of materials;
- (xiii) the process of cleaning (including but not limited to low-pressure water blasting and stripping), but excluding sandblasting and high-pressure water blasting; and

- (xiv) painting, replacing, duplicating, or stabilizing deteriorated or damaged architectural features (including but not limited to roofing, windows, columns, and siding) in order to maintain the structure and to slow deterioration.
- (C) The applicant may appeal the director's decision by submitting to the director a written request for appeal within 10 days of the decision. The written request for appeal starts the standard certificate of appropriateness review procedure by the landmark commission.
 - (6) Standard certificate of appropriate-ness review procedure.
- (A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize work that is not routine maintenance work, or if the director's decision concerning a certificate of appropriateness to authorize only routine maintenance work is appealed, the director shall immediately forward the application to the landmark commission for review.
- (B) Upon receipt of an application for a certificate of appropriateness, the director shall determine whether the structure is contributing or noncontributing. Within 40 days after a complete application is filed for a noncontributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. Within 65 days after a complete application is filed for a contributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the certificate of appropriateness and forward its decision to the director. The landmark commission may approve a certificate of appropriateness for work that does not strictly comply with the preservation criteria upon a finding that the proposed work is historically accurate and is consistent with the spirit and intent of the preservation criteria and that the proposed work will not adversely affect the historic character of the property or the integrity of the historic overlay district. The landmark commission may impose conditions on the certificate of appropriateness. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. The director shall immediately notify the applicant of the landmark commission's action. The landmark commission's decision must be in writing and, if the decision is to deny the certificate of appropriateness, with or without prejudice, the writing must state the reasons why the certificate of appropriateness is denied.
 - (C) Standard for approval. The landmark commission must grant the application if it determines that:
 - (i) for contributing structures:
- (aa) the proposed work is consistent with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance;
 - (bb) the proposed work will not have an adverse effect on the architectural features of the structure;
 - (cc) the proposed work will not have an adverse effect on the historic overlay district; and
- (dd) the proposed work will not have an adverse effect on the future preservation, maintenance and use of the structure or the historic overlay district.
 - (ii) for noncontributing structures, the proposed work is compatible with the historic overlay district.
- (D) <u>Issuance</u>. If a certificate of appropriateness has been approved by the landmark commission or if final action has not been taken by the landmark commission within 40 days (for a noncontributing structure) or 65 days (for a contributing structure) after a complete application is filed:
 - (i) the director shall issue the certificate of appropriateness to the applicant; and
- (ii) if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.
- (E) Appeal. If a certificate of appropriateness is denied, the chair of the landmark commission shall verbally inform the applicant of the right to appeal to the city plan commission. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. The applicant may appeal the denial to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (o). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (o). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.
- (F) <u>Reapplication</u>. If a final decision is reached denying a certificate of appropriateness, no further applications may be considered for the subject matter of the denied certificate of appropriateness for one year from the date of the final decision unless:
 - (i) the certificate of appropriateness has been denied without prejudice; or
- (ii) the landmark commission waives the time limitation because the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for waiver of the time limitation.

- (G) <u>Suspension of work</u>. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.
 - (H) Revocation. The director may, in writing, revoke a certificate of appropriateness if:
 - (i) the certificate of appropriateness was issued on the basis of incorrect information supplied;
- (ii) the certificate of appropriateness was issued in violation of the regulations contained in this section, the preservation criteria contained in the historic overlay district ordinance, the development code, or building codes; or
 - (iii) the work is not performed in accordance with the certificate of appropriateness, the development code, or building codes.
- (1) <u>Amendments to a certificate of appropriateness</u>. A certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard certificate of appropriateness review procedure.
- (8) Emergency procedure. If a structure on a property subject to the predesignation moratorium or a structure in a historic overlay district is damaged and the building official determines that the structure is a public safety hazard or will suffer additional damage without immediate repair, the building official may allow the property owner to temporarily protect the structure. In such a case, the property owner shall apply for a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal within 10 days of the occurrence which caused the damage. The protection authorized under this subsection must not permanently alter the architectural features of the structure.
- (h) Certificate for demolition or removal.
- (1) <u>Findings and purpose</u>. Demolition or removal of a historic structure constitutes an irreplaceable loss to the quality and character of the city. Therefore, demolition or removal of historic structures should be allowed only for the reasons described in this subsection.
- (2) Application. A property owner seeking demolition or removal of a structure on a property subject to the predesignation moratorium or a structure in a historic overlay district must submit a complete application for a certificate for demolition or removal to the landmark commission. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. The application must be accompanied by the following documentation before it will be considered complete:
 - (A) An affidavit in which the owner swears or affirms that all information submitted in the application is true and correct.
 - (B) An indication that the demolition or removal is sought for one or more of the following reasons:
 - (i) To replace the structure with a new structure that is more appropriate and compatible with the historic overlay district.
 - (ii) No economically viable use of the property exists.
 - (iii) The structure poses an imminent threat to public health or safety.
 - (iv) The structure is non-contributing to the historic overlay district because it is newer than the period of historic significance.
- (C) For an application to replace the structure with a new structure that is more appropriate and compatible with the historic overlay district:
 - (i) Records depicting the original construction of the structure, including drawings, pictures, or written descriptions.
 - (ii) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.
 - (iii) Any conditions proposed to be placed voluntarily on the new structure that would mitigate the loss of the structure.
 - (iv) Complete architectural drawings of the new structure.
- (v) A guarantee agreement between the owner and the city that demonstrates the owner's intent and financial ability to construct the new structure. The guarantee agreement must:
- (aa) contain a covenant to construct the proposed structure by a specific date in accordance with architectural drawings approved by the city through the predesignation certificate of appropriateness process or the certificate of appropriateness process;
- (bb) require the owner or construction contractor to post a performance and payment bond, letter of credit, escrow agreement, cash deposit, or other arrangement acceptable to the director to ensure construction of the new structure; and
 - (cc) be approved as to form by the city attorney.
 - (D) For an application of no economically viable use of the property:
 - (i) The past and current uses of the structure and property.
 - (ii) The name of the owner.
 - (iii) If the owner is a legal entity, the type of entity and states in which it is registered.
- (iv) The date and price of purchase or other acquisition of the structure and property, and the party from whom acquired, and the owner's current basis in the property.

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- (v) The relationship, if any, between the owner and the party from whom the structure and property were acquired. (If one or both parties to the transaction were legal entities, any relationships between the officers and the board of directors of the entities must be specified.)
 - (vi) The assessed value of the structure and property according to the two most recent tax assessments.
 - (vii) The amount of real estate taxes on the structure and property for the previous two years.
 - (viii) The current fair market value of the structure and property as determined by an independent licensed appraiser.
- (ix) All appraisals obtained by the owner and prospective purchasers within the previous two years in connection with the potential or actual purchase, financing, or ownership of the structure and property.
 - (x) All listings of the structure and property for sale or rent within the previous two years, prices asked, and offers received.
- (xi) A profit and loss statement for the property and structure containing the annual gross income for the previous two years; itemized expenses (including operating and maintenance costs) for the previous two years, including proof that adequate and competent management procedures were followed; the annual cash flow for the previous two years; and proof that the owner has made reasonable efforts to obtain a reasonable rate of return on the owner's investment and labor.
- (xii) A mortgage history of the property during the previous five years, including the principal balances and interest rates on the mortgages and the annual debt services on the structure and property.
 - (xiii) All capital expenditures during the current ownership.
- (xiv) Records depicting the current conditions of the structure and property, including drawings, pictures, or written descriptions.
- (xv) A study of restoration of the structure or property, performed by a licensed architect, engineer or financial analyst, analyzing the physical feasibility (including architectural and engineering analyses) and financial feasibility (including pro forma profit and loss statements for a ten year period, taking into consideration redevelopment options and all incentives available) of adaptive use of restoration of the structure and property.
 - (xvi) Any consideration given by the owner to profitable adaptive uses for the structure and property.
 - (xvii) Construction plans for any proposed development or adaptive reuse, including site plans, floor plans, and elevations.
 - (xviii) Any conditions proposed to be placed voluntarily on new development that would mitigate the loss of the structure.
- (xix) Any other evidence that shows that the affirmative obligation to maintain the structure or property makes it impossible to realize a reasonable rate of return.
 - (E) For an application to demolish or remove a structure that poses an imminent threat to public health or safety:
 - (i) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.
 - (ii) A study regarding the nature, imminence, and severity of the threat, as performed by a licensed architect or engineer.
- (iii) A study regarding both the cost of restoration of the structure and the feasibility (including architectural and engineering analyses) of restoration of the structure, as performed by a licensed architect or engineer.
- (F) For an application to demolish or remove a structure that is noncontributing to the historic overlay district because the structure is newer than the period of historic significance:
 - (i) Documentation that the structure is noncontributing to the historic overlay district.
 - (ii) Documentation of the age of the structure.
 - (iii) A statement of the purpose of the demolition.
 - (G) Any other evidence the property owner wishes to submit in support of the application.
 - (H) Any other evidence requested by the landmark commission or the historic preservation officer.
 - (3) Certificate of demolition or removal review procedure.
- (A) Economic review panel. For an application of no economically viable use of the property, the landmark commission shall cause to be established an ad hoc three-person economic review panel. The economic review panel must be comprised of three independent experts knowledgeable in the economics of real estate, renovation, and redevelopment. "Independent" as used in this subparagraph means that the expert has no financial interest in the property, its renovation, or redevelopment; is not an employee of the property owner; is not a city employee; is not a member of the landmark commission; and is not compensated for serving on the economic review panel. The economic review panel must consist of one person selected by the landmark commission, one person selected by the property owner, and one person selected by the first two appointees. If the first two appointees cannot agree on a third appointee within 30 days after submission of the documentation supporting the application, the third appointee will be selected by the director within 5 days. Within 35 days after submission of the documentation supporting the application, all appointments to the economic review panel shall be made. Within 35 days after appointment, the economic review panel shall review the submitted documentation; hold a public hearing; consider all options for renovation, adaptive reuse, and redevelopment; and forward a written recommendation to the landmark commission. The historic preservation, officer shall provide administrative support to the economic

review panel. The economic review panel's recommendation must be based on the same standard for approval to be used by the landmark commission. An application of no economically viable use will not be considered complete until the economic review panel has made its recommendation to the landmark commission. If the economic review panel is unable to reach a consensus, the report will indicate the majority and minority recommendations.

- (B) Within 65 days after submission of a complete application, the landmark commission shall hold a public hearing and shall approve or deny the application. If the landmark commission does not make a final decision within that time, the building official shall issue a permit to allow the requested demolition or removal. The property owner has the burden of proof to establish by clear and convincing evidence the necessary facts to warrant favorable action by the landmark commission.
 - (4) Standard for approval. The landmark commission shall deny the application unless it makes the following findings:
 - (A) The landmark commission must deny an application to replace a structure with a new structure unless it finds that:
- (i) the new structure is more appropriate and compatible with the historic overlay district than the structure to be demolished or removed; and
- (ii) the owner has the financial ability and intent to build the new structure. The landmark commission must first approve the predesignation certificate of appropriateness or certificate of appropriateness for the proposed new structure and the guarantee agreement to construct the new structure before it may consider the application to demolish or remove.
 - (B) The landmark commission must deny an application of no economically viable use of the property unless it finds that:
- (i) the structure is incapable of earning a reasonable economic return unless the demolition or removal is allowed (a reasonable economic return does not have to be the most profitable return possible);
- (ii) the structure cannot be adapted for any other use, whether by the owner or by a purchaser, which would result in a reasonable economic return; and
- (iii) the owner has failed during the last two years to find a developer, financier, purchaser, or tenant that would enable the owner to realize a reasonable economic return, despite having made substantial ongoing efforts to do so.
- (C) The landmark commission must deny an application to demolish or remove a structure that poses an imminent threat to public health or safety unless it finds that:
 - (i) the structure constitutes a documented major and imminent threat to public health and safety;
 - (ii) the demolition or removal is required to alleviate the threat to public health and safety; and
 - (iii) there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner.
- (D) The landmark commission must deny an application to demolish or remove a structure that is noncontributing to the historic overlay district because it is newer than the period of historic significance unless it finds that:
 - (i) the structure is non-contributing to the historic overlay district;
 - (ii) the structure is newer than the period of historic significance for the historic overlay district; and
- (iii) demolition of the structure will not adversely affect the historic character of the property or the integrity of the historic overlay district.
- (5) Appeal. The chair of the landmark commission shall give verbal notice of the right to appeal at the time a decision on the application is made. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. Any interested person may appeal the decision of the landmark commission to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. If no appeal is made of a decision to approve the certificate for demolition or removal within the 30-day period, the building official shall issue the permit to allow demolition or removal. If an appeal is filed, the city plan commission shall hear and decide the appeal within 65 days after the date of its filing. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (o). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (o). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.
- (6) <u>Reapplication</u>. If a final decision is reached denying a certificate for demolition or removal, no further applications may be considered for the subject matter of the denied certificate for demolition or removal for one year from the date of the final decision unless:
 - (A) the certificate for demolition or removal has been denied without prejudice; or
- (B) the landmark commission waives the time limitation because the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request 39-57

for waiver of the time limitation.

- (7) Expiration. A certificate for demolition or removal expires if the work authorized by the certificate for demolition or removal is not commenced within 180 days from the date of the certificate for demolition or removal. The director may extend the time for commencement of work upon written request by the applicant showing circumstances beyond the control of the applicant. If the certificate for demolition or removal expires, a new certificate for demolition or removal must first be obtained before the work can be commenced.
 - (i) Certificate for demolition for a residential structure with no more than 3,000 square feet of floor area pursuant to court order.
- (1) <u>Findings and purpose</u>. Demolition of a historic structure constitutes an irreplaceable loss to the quality and character of the city. Elimination of substandard structures that have been declared urban nuisances and ordered demolished pursuant to court order is necessary to prevent blight and safeguard the public health, safety, and welfare. Therefore, the procedures in this subsection seek to preserve historic structures while eliminating urban nuisances.
- (2) Notice to landmark commission by email. A requirement of this subsection that the landmark commission be provided written notice of a matter is satisfied if an email containing the required information is sent to every member of the landmark commission who has provided an email address to the director.
- (3) Referral of demolition request to landmark commission and director. When a city department requests the city attorney's office to seek an order from a court or other tribunal requiring demolition of a residential structure with no more than 3,000 square feet of floor area on a property subject to a predesignation moratorium or in a historic overlay district, that department shall provide written notice to the landmark commission and director of that request within two business days after the date it makes the request. The notice must include a photograph of the structure, the address of the property, and (if known) the name, address, and telephone number of the property owner. If the city attorney's office determines that the department did not provide the required notice, the city attorney's office shall provide that notice within two business days after the date it determines that the department did not provide the notice.
- (4) Notice of court proceedings to landmark commission and director. The city attorney's office shall provide written notice to the landmark commission and director at least 10 days before any hearing before a court or other tribunal where the city attorney's office seeks an order requiring demolition of a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district. If a court or other tribunal orders demolition of the structure subject to a predesignation moratorium or in a historic overlay district, the city attorney's office shall provide written notice to the landmark commission and director within five days after the order is signed and provided to the city attorney's office.
- (5) Application. If the city or a property owner seeks demolition of a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district pursuant to an order from a court or other tribunal requiring demolition obtained by the city, a complete application for a certificate for demolition must be submitted to the landmark commission. Within 10 days after submission of an application, the director shall notify the city's representative or the property owner in writing of any documentation required but not submitted. The application must be accompanied by the following documentation before it will be considered complete:
- (A) An affidavit in which the city representative or the property owner affirms that all information submitted in the application is correct.
- (B) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions, and including Historic American Buildings Survey or Historic American Engineering Records documentation if required by law or agreement.
- (C) A signed order from a court or other tribunal requiring the demolition of the structure in a proceeding brought pursuant to Texas Local Government Code Chapters 54 or 214, as amended.
- (D) A copy of a written notice of intent to apply for a certificate for demolition that was submitted to the director and the landmark commission at least 30 days before the application.
 - (E) Any other evidence the city representative or property owner wishes to submit in support of the application.
- (6) <u>Hearing</u>. Within 40 days after submission of a complete application, the landmark commission shall hold a public hearing to determine whether the structure should be demolished. If the landmark commission does not make a final decision on the application or suspend the granting of the certificate of demolition pursuant to this subsection within that time, the building official shall issue a demolition permit to allow the demolition. The city representative or the property owner has the burden of proof to establish by a preponderance of the evidence the necessary facts to warrant favorable action by the landmark commission.
 - (7) Standard for approval. The landmark commission shall approve the certificate for demolition if it finds that:
- (A) a court or other tribunal has issued a final order requiring the demolition of the structure pursuant to Texas Local Government Code Chapters 54 or 214, as amended; and
 - (B) suspension of the certificate for demolition is not a feasible option to alleviate the nuisance in a timely manner.
- (8) <u>Suspension</u>. The purpose of the suspension periods is to allow an interested party to rehabilitate the structure as an alternative to demolition.
 - (A) Residential structures with no more than 3,000 square feet of floor area.
 - (i) Initial suspension period
 - (aa) The landmark commission may suspend the grant (39.58) e certificate for demolition until the next regularly scheduled

landmark commission meeting (the initial suspension period) to allow time to find a party interested in rehabilitating the structure.

- (bb) If during the initial suspension period no interested party is identified, the landmark commission shall grant the certificate for demolition.
- (cc) If during the initial suspension period an interested party is identified, the landmark commission shall suspend the granting of the certificate for demolition for no more than two more regularly scheduled landmark commission meetings (the extended suspension period).

(ii) Extended suspension period.

- (aa) During the extended suspension period, the interested party shall:
- [1] submit an application for a predesignation certificate of appropriateness or a certificate of appropriateness;
- [2] provide evidence that the interested party has or will obtain title to the property and has authority to rehabilitate the structure, or is authorized to rehabilitate the property by a party who has title to the property or has the right to rehabilitate the property;
 - [3] provide evidence that the structure and property have been secured to prevent unauthorized entry; and
 - [4] provide a guarantee agreement that:
- [A] contains a covenant to rehabilitate the structure by a specific date, in accordance with the predesignation certificate of appropriateness process or certificate of appropriateness, which the landmark commission may extend if the interested party shows circumstances preventing rehabilitation of the structure by that date that are beyond the control of the interested party;
- [B] is supported by a performance and payment bond, letter of credit, escrow agreement, cash deposit, or other similar enforceable arrangement acceptable to the director to ensure rehabilitation of the structure; and
 - [C] is approved as to form by the city attorney.
- (bb) If during the extended suspension period the interested party does not meet the requirements of Subparagraph (A)(ii), the landmark commission shall grant the certificate for demolition.
- (cc) If during the extended suspension period the interested party meets the requirements of Subparagraph (A)(ii), the landmark commission shall continue to suspend the granting of the certificate for demolition (the continuing suspension period).

(iii) Continuing suspension period.

- (aa) The interested party must rehabilitate the structure to comply with Dallas City Code Chapter 27 and request an inspection by the city before the end of the continuing suspension period.
- (bb) At each landmark commission meeting during the continuing suspension period, the interested party shall provide a progress report demonstrating that reasonable and continuous progress is being made toward completion of the rehabilitation.
- (cc) If during the continuing suspension period the landmark commission finds that the interested party is not making reasonable and continuous progress toward completion of the rehabilitation, the landmark commission shall grant the certificate for demolition, unless the interested party shows circumstances preventing reasonable and continuous progress that are beyond the control of the interested party.
- (dd) If during the continuing suspension period the landmark commission finds that the interested party has rehabilitated the structure to comply with Dallas City Code Chapter 27, the landmark commission shall deny the certificate for demolition.
- (9) Appeal. The city representative or property owner may appeal a decision of the landmark commission under this subsection to the city plan commission by filing a written notice with the director within 10 days after the date of the decision of the landmark commission. The city plan commission shall hear and decide the appeal at the next available city plan commission meeting. The standard of review shall be *de novo*, but the director shall forward to the city plan commission a transcript of the landmark commission hearing. In considering the appeal, the city plan commission may not hear or consider new evidence unless the evidence corrects a misstatement or material omission at the landmark commission hearing or the evidence shows that the condition of the property has changed since the landmark commission hearing. The city plan commission chair shall rule on the admissibility of new evidence. The city plan commission shall use the same standard required for the landmark commission. The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings; however, the city plan commission shall give deference to the decision of the landmark commission. Appeal to the city plan commission constitutes the final administrative remedy.
- (10) Expiration. A certificate for demolition expires if the work authorized by the certificate for demolition is not commenced within 180 days after the date of the certificate for demolition. The director may extend the time for commencement of work upon written request by the city representative or the property owner showing circumstances justifying the extension. If the certificate for demolition expires, a new certificate for demolition must first be obtained before the work can be commenced.
- (11) Procedures for all other structures. If the city or a property owner seeks demolition of any structure other than a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district pursuant to an order from a court or other tribunal requiring demolition obtained by the city, an application must be filed under Subsection (h) of this section.
 - (j) Summary abatement by fire marshal. If the fire marshal finds that conditions on a structure subject to a predesignation moratorium

or in a historic overlay district are hazardous to life or property and present a clear and present danger, the fire marshal may summarily abate those conditions without a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition.

(k) Demolition by neglect.

- (1) <u>Definition</u>. Demolition by neglect is neglect in the maintenance of any structure on property subject to the predesignation moratorium or in a historic overlay district that results in deterioration of the structure and threatens the preservation of the structure.
- (2) <u>Demolition by neglect prohibited</u>. No person shall allow a structure to deteriorate through demolition by neglect. All structures on properties subject to the predesignation moratorium and in historic overlay districts must be preserved against deterioration and kept free from structural defects. The property owner or the property owner's agent with control over the structure, in keeping with the city's minimum housing standards and building codes, must repair the structure if it is found to have any of the following defects:
 - (A) Parts which are improperly or inadequately attached so that they may fall and injure persons or property.
 - (B) A deteriorated or inadequate foundation.
 - (C) Defective or deteriorated floor supports or floor supports that are insufficient to carry the loads imposed.
- (D) Walls, partitions, or other vertical supports that split, lean, list, or buckle due to defect or deterioration, or are insufficient to carry the loads imposed.
- (E) Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration, or are insufficient to support the loads imposed.
- (F) Fireplaces and chimneys which list, bulge, or settle due to defect or deterioration, or are of insufficient size or strength to carry the loads imposed.
 - (G) Deteriorated, crumbling, or loose exterior stucco or mortar.
- (H) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken or open windows and doors.
 - (I) Defective or lack of weather protection for exterior wall coverings, including lack of paint or other protective covering.
 - (J) Any fault, defect, or condition in the structure which renders it structurally unsafe or not properly watertight.
- (K) Deterioration of any exterior feature so as to create a hazardous condition which could make demolition necessary for the public safety.
 - (L) Deterioration or removal of any unique architectural feature which would detract from the original architectural style.

(3) Demolition by neglect procedure.

- (A) <u>Purpose</u>. The purpose of the demolition by neglect procedure is to allow the landmark commission to work with the property owner to encourage maintenance and stabilization of the structure and identify resources available before any enforcement action is taken.
- (B) Request for investigation. Any interested party may request that the historic preservation officer investigate whether a property is being demolished by neglect.
- (C) <u>First meeting with the property owner.</u> Upon receipt of a request, the historic preservation officer shall meet with the property owner or the property owner's agent with control of the structure to inspect the structure and discuss the resources available for financing any necessary repairs. After the meeting, the historic preservation officer shall prepare a report for the landmark commission on the condition of the structure, the repairs needed to maintain and stabilize the structure, any resources available for financing the repairs, and the amount of time needed to complete the repairs.
- (D) <u>Certification and notice</u>. After review of the report, the landmark commission may vote to certify the property as a demolition by neglect case. If the landmark commission certifies the structure as a demolition by neglect case, the landmark commission shall notify the property owner or the property owner's agent with control over the structure of the repairs that must be made. The notice must require that repairs be started within 30 days and set a deadline for completion of the repairs. The notice must be sent by certified mail.
- (E) Second meeting with the property owner. The historic preservation officer shall meet with the property owner or the property owner's agent with control over the structure within 30 days after the notice was sent to inspect any repairs completed and assist the property owner in obtaining any resources available for financing the repairs.
- (F) <u>Referral for enforcement</u>. If the property owner or the property owner's agent with control over the structure fails to start repairs by the deadline set in the notice, fails to make continuous progress toward completion, or fails to complete repairs by the deadline set in the notice, the landmark commission may refer the demolition by neglect case to the code compliance department or the city attorney for appropriate enforcement action to prevent demolition by neglect.
- (1) <u>Historic preservation incentives</u>. Consult Article XI, "Development Incentives," for regulations concerning the tax exemptions, conservation easements, and transfer of development rights available to structures in historic overlay districts.

(m) Historic preservation fund.

(1) The department, in cooperation with community organizations, shall develop appropriate funding structures and shall administer the historic preservation fund.

- (2) The historic preservation fund is composed of the following funds:
- (A) Outside funding (other than city general funds or capital funds), such as grants and donations, made to the city for the purpose of historic preservation and funding partnerships with community organizations.
- (B) Damages recovered pursuant to Texas Local Government Code Section 315.006 from persons who illegally demolish or adversely affect historic structures.
 - (3) The outside funding may be used for financing the following activities:
 - (A) Necessary repairs in demolition by neglect cases.
 - (B) Full or partial restoration of low-income residential and nonresidential structures.
 - (C) Full or partial restoration of publicly owned historic structures.
 - (D) Acquisition of historic structures, places, or areas through gift or purchase.
 - (E) Public education of the benefits of historic preservation or the regulations governing historic overlay districts.
- (F) Identification and cataloging of structures, places, areas, and districts of historical, cultural, or architectural value along with factual verification of their significance.
 - (4) Damages recovered pursuant to Texas Local Government Code Section 315.006 must be used only for the following purposes:
- (A) Construction, using as many of the original materials as possible, of a structure that is a reasonable facsimile of a demolished historic structure.
 - (B) Restoration, using as many of the original materials as possible, of the historic structure.
 - (C) Restoration of another historic structure.
 - (n) Enforcement and criminal penalties
 - (1) A person is criminally responsible for a violation of this section if:
 - (A) the person owns part or all of the property and knowingly allows the violation to exist;
- (B) the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials:
- (C) the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property; or
 - (D) the person knowingly commits the violation or assists in the commission of the violation.
- (2) Any person who adversely affects or demolishes a structure on property subject to the predesignation moratorium or in a historic overlay district in violation of this section is liable pursuant to Texas Local Government Code Section 315.006 for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No predesignation certificates of appropriateness, certificates of appropriateness, or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.
- (3) Prosecution in municipal court for an offense under this section does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.
- (o) <u>Substantial evidence standard of review for appeals</u>. The city plan commission shall give deference to the landmark commission decision and may not substitute its judgment for the landmark commission's judgment.
- (1) The city plan commission shall remand the matter back to the landmark commission if it determines that there is new testimony or evidence that was not available at the landmark commission hearing.
 - (2) The city plan commission shall affirm the landmark commission decision unless it finds that it:
 - (A) violates a statutory or ordinance provision;
 - (B) exceeds the landmark commission's authority; or
 - (C) was not reasonably supported by substantial evidence considering the evidence in the record.
- (p) <u>Judicial review of decisions</u>. The final decision of the city planning commission regarding an appeal of a landmark commission decision may be appealed to a state district court. The appeal to the state district court must be filed within 30 days after the decision of the city planning commission. If no appeal is made to the state district court within the 30-day period, then the decision of the city plan commission is final and unappealable. An appeal to the state district court is limited to a hearing under the substantial evidence rule. (Ord. Nos. 19455; 19499; 20585; 21244; 21403; 21513; 21874; 22018; 23506; 23898; 24163; 24542; 24544; 25047; 26286; 27430; 27922; 28073; 28553; 29478, eff. 10/1/14; 31433)

ORDINANCE NO. 22352

An ordinance amending CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, by establishing Historic Overlay District No. 72 (Peak Suburban Addition) comprised of the following described property ("the Property"), to wit:

BEING an area generally bounded by Haskell Avenue, Gaston Avenue, Peak Street. Sycamore Street. Fitzhugh Avenue, and Worth Street, and containing approximately 125 acres of land.

providing procedures, regulations, and preservation criteria for structures and property in the district, providing a penalty not to exceed \$2,000; providing a saving clause, providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city muncil, in accordance with the Charter of the City of Dallas, the state law, and the applicable ordinances of the city have given the required notices and have held the required public hearings regarding the rezoning of the Property; and

WHEREAS, the city council finds that the Property is an area of historical. cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE." of the Dallas City Code, as amended, is amended by establishing Historic

Overlay District No. 72 comprised of the following described property ("the Property").

to wit:

Being a tract of land in the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas, being all of City Block 3/791, part of City Block 6/774, all of City Blocks 8/768, 1/769, and 2/769, part of City Blocks 9/739, 9/738, 736 and 2/735, all of City Blocks 737 and 1/737, part of City Blocks 2/735, 12/734, 11/733, and 10/732, all of City Blocks A/770, B/770, C/770, D/770, 770, 771, 1/771, 772, 773, and 794, part of City Blocks A/795 and B/795, and all of City Blocks 793 and 4/792, and further described as follows:

BEGINNING at the intersection of the centerline of Haskell Avenue and the centerline of Worth Street:

THENCE in a northwesterly direction along the centerline of Haskell Avenue, crossing Junius Street, a distance of approximately 650 feet to a point for corner on a line, said line being approximately 172 feet northwest of and parallel to the northwest line of Junius Street;

THENCE in a northeasterly direction along said line, a distance of approximately 607 feet to a point for corner on a line, said line being approximately 90 feet southwest of and parallel to the southwest line of Peak Street;

THENCE in a southeasterly direction along said line, a distance of approximately 50 feet to a point for corner on a line, said line being 122.83 feet northwest of and parallel to the northwest line of Junius Street;

THENCE in a northeasterly direction along said line, a distance of approximately 122 feet to a point for corner on the centerline of Peak Street;

THENCE in a northwesterly direction along the centerline of Peak Street, a distance of approximately 1,086.5 feet to a point for corner on a line, said line being approximately 175 feet northwest of and parallel to the northwest line of Swiss Avenue;

THENCE in a northeasterly direction along said line, a distance of approximately 311 feet to a point for corner on the northeast line of Lot 2-C in City Block 9/739;

THENCE in a northwesterly direction along said lot line and its northwestward prolongation, a distance of approximately 150 feet to a point for corner on the centerline of Sycamore Street;

THENCE in a southwesterly direction along the centerline of Sycamore Street, a distance of approximately 30 feet to a point for corner on a line, said line being the southeastward prolongation of the common line between Lots 21 and 22 in City Block 9/738:

THENCE in a northwesterly direction along said line and continuing along the common line between said Lots 21 and 22 and its northwestward prolongation, a distance of approximately 182.5 feet to a point for comer on the centerline of a 15 foot wide public alley;

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THENCE in a northeasterly direction along the centerline of said alley and its northeastward prolongation, crossing Carroll Avenue, and continuing along a line that is approximately 160 feet northwest of and parallel to the northwest line of Sycamore Street, crossing Annex Avenue, Grigsby Avenue, and North Prairie Avenue, in all a distance of approximately 2,236.8 feet to a point for comer on the centerline of Fitzhugh Avenue;

THENCE in a southeasterly direction along the centerline of Fitzhugh Avenue, crossing Sycamore Street, Swiss Avenue, Gaston Avenue, Junius Street, and Worth Street, a distance of approximately 2,126.3 feet to a point for corner on the centerline of a 12.5 foot wide public alley;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, crossing Prairie Avenue, and continuing along the centerline of a 20 foot wide public alley in City Block B/795, a distance of approximately 959 feet to a point for corner on a line, said line being the southeastward prolongation of the common line between Lots 5 and 6 in City Block B/795;

THENCE in a northwesterly direction along said line, and continuing along the common line between said Lots 5 and 6 and its northwestward prolongation, a distance of approximately 185 feet to a point for corner on the centerline of Worth Street:

THENCE in a southwesterly direction along the centerline of Worth Street, a distance of approximately 825 feet to a point for corner on the centerline of Carroll Avenue;

THENCE in a southeasterly direction along the centerline of Carroll Avenue, a distance of approximately 91 feet to a point for corner on the centerline of Worth Street;

THENCE in a southwesterly direction along the centerline of Worth Street, a distance of approximately 1,448.55 feet to a point on the centerline of Haskell Avenue, the PLACE OF BEGINNING, and containing approximately 125 acres of land.

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the

regulations contained in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, or remove any structure on the Property without first obtaining a certificate of appropriateness in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit A.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That the director of planning and development shall correct Zoning District Map Nos. I-8 and J-8 in the offices of the city secretary, the building official, and the department of planning and development to reflect the changes in zoning made by this ordinance.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land on the Property.

SECTION 7. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section I-4 of CHAPTER I of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM: SAM A. LINDSAY, City Attorney

Ву	Loty.	Rogers	
Ass	Hant City A	ttorney	

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Passed_____

Zoning File No. Z945-149/9779-E

EXHIBIT A

PRESERVATION CRITERIA

PEAK SUBURBAN ADDITION

Except as otherwise provided in these Preservation Criteria, all public and private right-of-way improvements, renovation, repairs, demolition, maintenance, site work and new construction in this district shall conform to the following guidelines and a certificate of appropriateness must be obtained for such work prior to its commencement.

Except as otherwise provided in these Preservation Criteria, any such alterations to the property must conform to the regulations contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE" of the Dallas City Code, as amended. In the event of a conflict, these Preservation Criteria control.

Unless otherwise specified, preservation and restoration materials and methods used shall conform to those defined in the Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.

1. DEFINITIONS

Unless provided below or the context clearly indicates otherwise, the definitions contained in Sections 51A-2.102 and 51A-7.102 of the Dallas City Code, as amended, apply.

- 1.1 ADDITION means an enclosed floor area added to a main structure.
- 1.2 CERTIFICATE OF APPROPRIATENESS means a certificate issued by the city in accordance with Section 51A-4.501 of the Dallas City Code, as amended, to authorize the alteration of the physical character of real property in the district or any portion of the exterior of a structure in the district, or the placement, construction, maintenance, expansion, or removal of any structure in or from the district.
- 1.3 COLUMN means the entire column including the base and capital, if any.
- 1.4 COMMISSION means the Landmark Commission of the City of Dallas.
- 1.5 CORNERSIDE FACADE means a building facade facing a side street.
- 1.6 CORNERSIDE YARD means a side yard that abuts a street.

- 1.7 DIRECTOR means the director of the Department of Planning and Development or that person's representative.
- 1.8 DISTRICT means the Peak Suburban Addition Historic Overlay District. This district contains the property described in Section 1 of this ordinance.
- 1.9 ERECT means to build, attach, hang, place, suspend, fasten, fix, maintain, paint, draw or otherwise construct.
- 1.10 GASTON COMMERCIAL TRACT means two tracts located on Gaston Avenue, as described in Addendum A where commercial or residential structures may be located.
- 1.11 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 1.12 INTERIOR SIDE YARD means a side yard that is not a cornerside yard.
- 1.13 MAIN BUILDING means a building on a lot intended for occupancy by the main use.
- 1.14 PRESERVATION CRITERIA means the standards considered by the director and commission in determining whether a certificate of appropriateness should be granted or denied.
- 1.15 PROTECTED FACADE means a facade that must maintain its original appearance, as near as practical, in all aspects.
- 1.16 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

2. SITE AND SITE ELEMENTS

- 2.1 New construction is prohibited in all front yards within the district, except for parking in the Gaston Commercial Tract.
- 2.2 The existing original and historic structures must be retained and protected.
- 2.3 New sidewalks, walkways, steps, and driveways must be of brush finish concrete, brick, stone, or other material deemed appropriate. No exposed aggregate, artificial grass, carpet, asphalt or artificially-colored monolithic concrete paving is permitted.
- 2.4 No new circular drives or new parking is allowed in front yards. Parking is allowed in front of structures in the Gaston Commercial Tract.

- 2.5 Exterior lighting must be appropriate to and enhance the structure.
- Landscaping must be appropriate and compatible, must enhance the structure and surroundings, and must not obscure significant views of or from the main building. It is recommended that landscaping modifications reflect the original historic landscaping design when appropriate.
- 2.7 Any new mechanical equipment must be erected in side or rear yards and must be screened from the street.
- 2.8 Existing mature trees in the front yard must be maintained. Unhealthy or damaged trees may be removed if deemed appropriate.
- 2.9 Fences in the rear yard and rear 50% of the side yard may not exceed 9 feet in height. (See Addendum B) 200 direction.
- 2 10 Historically appropriate fences are permitted in the front yard and must be constructed of one or more of the following materials: wood, stone, brick, wrought iron, a combination of those materials, or other materials deemed appropriate. These fences may not exceed 3'6' in height and must be 50% open (See Addendum B).
- Interior side yard fences must be located in the rear 50% of the side facade. Interior side yard fences must be located behind the open front porch of an adjacent house. The fence at the side property line may be a solid fence. The portion of the fence facing the main street must be at least 70% open. Chain link fences do not qualify as a "70% open fence". (See Addendum B.)

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- a. The commission may, if it determines more screening is necessary to ensure privacy, allow interior side yard fences to be located up to a point 5 feet back from the corner of the house measured from the back wall of the front porch, provided that these fences may not exceed 8 feet in height. (See Addendum B.)
- 2 12 Solid fences in cornerside yards must not be located directly in front of the cornerside facade except that the commission may allow a solid fence directly in front of any portion of the rear 50% of the comerside facade if:
 - a. more screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and
 - b. the fence does not screen any portion of a significant architectural feature of a main structure.

Fences in cornerside yards that are at least 70% open, up to maximum height of 8 feet, may be located in the front 50% of the cornerside facade if deemed appropriate. Chain link fences do not qualify as a "70% open fence". These fences must be constructed of materials with dimensions no greater than two inches in width and depth, except for structural supports (See Addendum B).

2.13 Fences in side, rear or comercide yards must be constructed of one or more of the following materials: wood, brick, stone, wrought iron, chain link (as noted below), a combination of these materials, or other materials deemed appropriate. Fence locations are illustrated in Addendum B.

Chain link fences are not allowed in the front yard or front 50% of the side yard, or the front 50% of the cornerside yard.

The fences that are required to be 70% open should be of wrought iron, wood that resembles wrought iron, or historic wire fences. Chain link fences do not qualify as a *70% open fence*. Recommended fence designs are shown in Aggendum B.

- 2.14 Tops of fences must be horizontal, stepped or parallel to grade as illustrated in Addendum B.
- 2 15 The finished side of a fence must face out if seen from any street as illustrated in Addendum B.

3. STRUCTURE

Facades

- 3.1 The front and side facades are protected facades.
- 3.2 Reconstruction, renovation or repair of the opaque elements of the protected facades must employ materials similar to the original materials in texture, color, pattern, grain and module size as much as practical.
- 3.3 The existing solid-to-void ratios of non-protected facades must be maintained as much as practical. All additions and alterations must be architecturally sensitive and appropriate to the overall design of the existing structure.
- 3.4 Brick must match in color, texture, module size, bond pattern and mortar color. Brick surfaces not previously painted may not be painted unless the applicant establishes that:
 - a. the color and texture of replacement brick cannot be matched with that of the existing brick surface;

- b. the brick is not original or compatible with the style and period of the main building and the district; or
- c. the brick has been damaged or painting is the only method by which the brick can be salvaged.
- 3.5 Stone, cast stone, and concrete elements must be renovated or repaired only with materials similar in size, grain, texture, and color to the original materials.
- Wood siding, trim, and detailing must be carefully restored wherever practical. Historic materials should be repaired; they may be replaced only when necessary. Badly deteriorated paint should be removed in accordance with the Department of Interior standards prior to refinishing. All exposed wood must be painted, stained, or otherwise protected. No resurfacing with vinyl or aluminum siding or stucco is permitted on main structures. Imitation materials are allowed on accessory structures only if they are in keeping with the style and materials on the main structure.
- 3.7 <u>Color</u>: All colors must comply with the Acceptable Color Range Standards contained in Addendum C, except that the Landmark Commission may approve other colors not specifically prohibited if it determines the proposed color is appropriate. Fluorescent and metallic colors are not permitted on the exterior of any structure in this district. (See Addendum C).

<u>Dominant and uim colors</u>: All structures must have a dominant color and no more than three trim colors, including any accent colors. Proper location of dominant, trim and accent colors is shown in Addendum D. The colors of a structure must be complementary to each other and the overall character of this district. Complimenting color schemes are encouraged through the blockface. Columns should be painted white or a light color.

- 3.8 Exposing and restoring original historic finish materials is encouraged.
- 3.9 Exterior cleaning must be accomplished in accordance with Department of Interior standards. No sandblasting or other mechanical abrasive cleaning processes are permitted.

Fenestration and Openings

3.10 Original doors and windows and their openings must remain intact and be preserved. Where replacement of an original door or window is necessary due to damage or structural deterioration, replacement doors and windows must express mullion size, light configuration, and material to match the original doors and windows. Replacement of windows and doors which have been altered and no longer match the historic appearance is strongly recommended.

Exterior storm windows and doors are permitted if they are sensitive additions and match the existing windows and doors in frame width and proportion, glazing material, and color. Painted or factory finished aluminum storm doors, storm windows or screens are permitted. Mill finished aluminum is not permitted.

- 3.11 New door and window openings on the front and cornerside facade are permitted only in locations where there is evidence that original openings have been filled with other material.
- 3.12 Decorative ironwork or burglar bars are permitted on rear facades. Interior mounted burglar bars are permitted on protected facades.
- 3.13 Glass and glazing must match original materials as much as practical. Dark tinted, reflective glazing or reflective film is not permitted.
- 3.14 Materials placed on or behind window glazing must be appropriate to the district.
- 3.15 The Department of the Interior standards should be referred to for acceptable techniques to improve the energy efficiency of historic fenestrations.

Roofs

- 3.16 The slope, massing, configuration and materials of the roof must be preserved and maintained. Original gables, dormers, porches, and roofs must be preserved. Existing parapets, cornices and coping eaves, roof trim and dormers must be retained and when repaired, should be done so with material matching in size, finish, module and color.
- 3.17 The following roofing materials are allowed: wood shingles, composition shingles, slate, clay, concrete, terra-cotta tiles, and other materials deemed appropriate.
- 3.18 Solar panels, skylights, and mechanical equipment must be set back or screened so as not to be visible from ground level on the opposite side of any adjacent right-of-way.

Porches and balconies

- 3.19 Existing original porches and balconies on protected facades must be retained and preserved. Porches may not be enclosed on protected facades.
- 3.20 All original columns, railings, and other trim and detailing that are part of the porch or balcony configuration must be preserved.

- 3.21 It is encouraged that existing enclosed porches on protected facades be restored to their original appearance.
- 3.22 Front porch floor finishes must be concrete, wood or other materials deemed appropriate. Porch floors may not be covered with carpet. Wood floors must be painted or stained. Concrete, brick or stone floors may not be painted. A clear sealant is acceptable.

4. NEW CONSTRUCTION AND ADDITIONS

- 4.1 The form, materials, general exterior appearance, color and details of any new construction of an accessory building or vertical extension to an existing structure must be compatible with the existing historic structure.
- 4.2 New construction, additions to historic structures; accessory buildings, porches, and balconies must be of appropriate massing, roof form, shape, materials, detailing and color, and must have fenestration patterns and solids-to-voids ratios that are typical of the historic structure.
- 4.3 The height of new construction, accessory buildings, or vertical or horizontal additions to existing non-protected structures or facades may not exceed the height of similar historic structures in this district.
- 4.4 Vinyl, aluminum, and other imitation materials are not acceptable cladding materials for the construction of a new main structure or addition to an existing historic structure.
- Chimneys visible from the public right-of-way must be clad in brick or stucco. Imitation brick will be reviewed through the certificate of appropriateness process.
- 4.6 <u>Width requirements</u>: The width of a front facade of a new single family residence must not:
 - a. exceed 42 feet; or
 - b. be more than 20 percent greater than the average width of single family dwellings on the blockface.
- 4.7 New construction and connections between new and existing construction must be designed so that they are clearly discernible from the existing historic structures as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new and existing construction must be established and maintained.

Historic details at parapets and coping must be preserved and maintained where abutting new construction.

4.8 Front vard setback:

- a. A main building on an interior lot must have a front yard setback that is equal to the average setback of other structures in the blockface.
- b. A main building on a corner lot must have a front yard setback that is within one foot of that of the closest main building in the same blockface.
- 4.9 Front, rear, side, and cornerside yards are illustrated in attached Addendum E.

5. GASTON COMMERCIAL TRACT

- In addition to residential structures, early 20th century commercial styles are allowed as illustrated in Addendum F and as described in this section. If there is a conflict, these regulations control over the architectural guidelines contained in Planned Development District No. 362, as amended (commonly called the Gaston PD).
- 5.2 Stories: All structures must have one or two stories, not to exceed 30 feet.
- 5.3 All structures must be constructed of brick or stucco with wood im.
- 5.4 Windows: All windows must be wood or resemble wood in appearance.
 - a. First-floor store fronts must be divided into two, three, or four bays as illustrated in Addendum F. At least 60% of the area of the first floor store front must consist of either window or door area. Transom windows must be above all first floor windows and doors.
 - b. Second-floor store front windows must have a double or single hung sash. At least 35% of the area of the second-floor store front must consist of window area.
 - c. Mirrored, opaque, and translucent glasses are not permitted in any door or window opening.
- 5.5 Panels: Panels less than three feet in height must be placed below all first floor windows. Panels must be made of wood, brick, tile or other material deemed appropriate.
- 5.6 <u>Doors</u>: Each front door must be composed of wood or other material deemed appropriate and have at least one large full-view window.

- 5.7 <u>Roofs</u>: All roofs must be flat or hidden by parapets. Tile visor roofs are encouraged.
- 5.8 <u>Story setbacks</u>: No story may be setback from another story. (The wall facing the street must be vertical.)
- 5.9 <u>Equipment screening</u>: All rooftop mechanical equipment seen from the street must be screened with a parapet.
- 5.10 <u>Parking</u>: Single row parking does not need to be screened, double row parking must be screened by landscaping. Parking will be allowed in front of structures.
- 5.11 Brick and/or tile accents in the pavement in front of entrances are encouraged.
- 5.12 There are no minimum side yard setbacks required except that properties with cornerside yards must have a minimum 5 foot setback. Front yard setbacks must comply with the average setback of existing historic buildings on the street. There are no minimum lot sizes or coverage in this tract.

6. ACCESSORY BUILDINGS

- 6.1 Accessory buildings are permitted only in the rear yard.
- 6.2 Accessory buildings must be compatible with the scale, shape, roof form, materials, detailing, and color of the main building.
- 6.3 Accessory buildings must be at least 8 feet from the main building.
- 6.4 Accessory buildings may not exceed 1,200 square feet in floor area, unless documentation shows that an original building exceeding this size was previously on the building site.
- 6.5 Accessory buildings may have garage doors located at the established rear yard setback from the alley if electric garage door openers are installed.
- 6.6 The minimum rear yard setback for accessory structures is 2'6", with a 1'6" roof overhang encroachment permitted.
- 6.7 The minimum side yard setback for accessory structures is 3 feet, with a 1'6" roof overhang encroachment permitted.
- 6.8 Accessory structures may be rebuilt in the location of a former structure if the location of the former structure is properly documented.

7. SIGNS

- 7.1 Temporary political campaign signs (as defined in Chapter 15A of the Dallas City Code, as amended) and real estate signs are permitted without a certificate of appropriateness.
- 7.2 Street signs, protective signs, movement control signs, and historical markers are permitted. A certificate of appropriateness is required to erect one of these signs to ensure that the sign is sensitive and compatible with the appearance of the structure.
- 7.3 All signs must conform with all applicable provisions of the Dallas City Code, as amended, and be compatible with the architectural qualities of the historic structure.
- 8. REVIEW PROCEDURES FOR CERTIFICATES OF APPROPRIATENESS
- 8.1 The review procedure outlined in Section 51A-4.501 of the Dallas City Code, as amended, applies to this district except that a certificate of appropriateness is not required to erect temporary political campaign signs (as defined in Chapter 15A of the Dallas City Code, as amended) or real estate signs.

ADDENDUM A

Gaston Commercial Tract

Property Description

TRACT

BEGINNING at the intersection of the centerline of Gaston Avenue and Carroll Avenue;

THENCE in a southeasterly direction along the centerline of Carroll Avenue, a distance of approximately 170 feet to a point for corner on a line, said line being approximately 130 feet southeast of and parallel to the southeast line of Gaston Avenue:

THENCE in a southwesterly direction along said line, a distance of approximately 90 feet to a point for corner on a line, said line being approximately 90 feet southwest of and parallel to the southwest line of Carroll Avenue;

THENCE in a southeasterly direction along said line, a distance of approximately 40 feet to a point for corner on a line, said line being approximately 170 feet southeast of and parallel to the south ast line of Gaston Avenue;

THENCE in a southwesterly direction along said line, a distance of approximately 60 feet to a point for corner on a line, said line being approximately 150 feet southwest of and parallel to the southwest line of Carroll Avenue;

THENCE in a southeasterly direction along said line, a distance of approximately 15 feet to a point for corner on a line, said line being approximately 185 feet southeast of and parallel to the southeast line of Gaston Avenue;

THENCE in a southwesterly direction along said line, a distance of approximately 65 feet to a point for corner on a line, said line being 215 feet southwest of and parallel to the southwest line of Carroll Avenue;

THENCE in a northwesterly direction along said line, a distance of approximately 225 feet to a point for corner on the centerline of Gaston Avenue;

THENCE in a southwesterly direction along the centerline of Gaston Avenue, a distance of approximately 243 feet to a point for corner on a line, said line being approximately 196 feet northeast of and parallel to the northeast line of Peak Street;

THENCE in a northwesterly direction along said line, a distance of approximately 292.5 feet to a point for corner on a line, said line being approximately 252.5 feet northwest of and parallel to the northwest line of Gaston Avenue;

THENCE in a northeasterly direction along said line, crossing Carroll Avenue, and continuing along the northwestern boundary line of Lot 1 in City Block 1/769, a distance of approximately 678.8 feet to a point for comer on the northeastern boundary line of said Lot 1:

THENCE in a southeasterly direction along said lot line and its southeastward prolongation, a distance of approximately 289.5 feet to a point for corner on the centerline of Gaston Avenue:

THENCE in a southwesterly direction along the centerline of Gaston Avenue, a distance of approximately 185.8 feet to its intersection with the centerline of Carroll Avenue, the PLACE OF BEGINNING.

TRACT II

BEGINNING at the intersection of the centerline of Carroll Avenue and Gaston Avenue:

THENCE in a southeasterly direction along the centerline of Fitzhugh Avenue, a distance of approximately 229.3 feet to a point for corner on a line, said line being approximately 194.3 feet northwest of and parallel to the northwest line of Junius Street:

THENCE in a southwesterly direction along said line, a distance of approximately 441 feet to a point for comer on the common line between City Blocks 771 and 1/771;

THENCE in a northwesterly direction along said common block line, a distance of approximately 239.5 feet to a point for corner on the centerline of Gaston Avenue;

THENCE in a southwesterly direction along the centerline of Gaston Avenue, a distance of approximately 53.6 feet to a point for corner on a line, said line being approximately 115 feet northeast of and parallel to the northeast line of Grigsby Avenue;

THENCE in a northwesterly direction along said line, a distance of approximately 180 feet to a point for comer on the southeast line of a 15 foot wide public alley;

THENCE in a northeasterly direction along said alley line, a distance of 50 feet to a point for corner on the common line between City Blocks 770 and D/770;

THENCE in a northwesterly direction along said common block line, a distance of approximately 240 feet to a point for comer on the common line between City Blocks 770 and D/770:

THENCE in a northeasterly direction along said common block line, a distance of approximately 100 feet to a point for comer on a line, said line being 100 feet northeast of and parallel to the common line between City Blocks 770 and D/770;

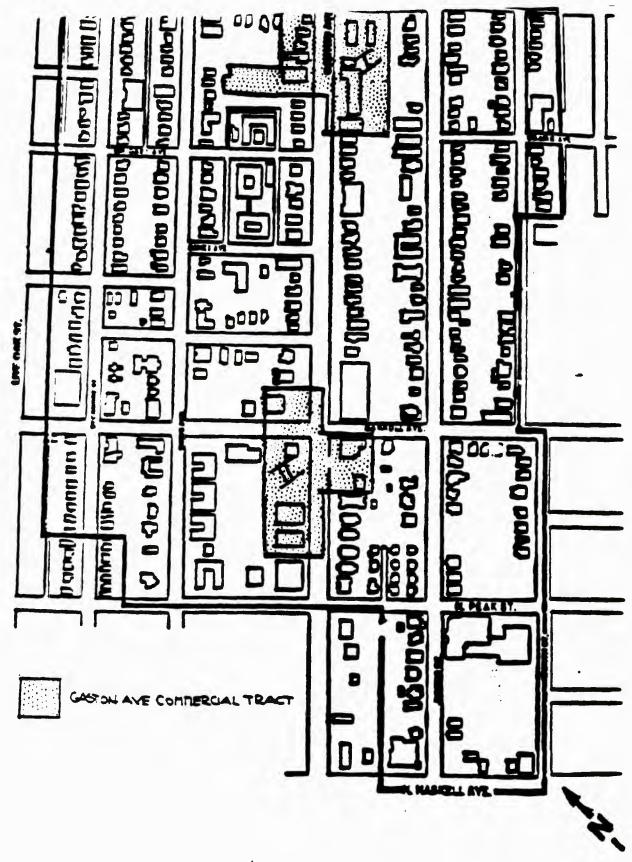
THENCE in a southeasterly direction along said line, a distance of approximately 42.5 feet to a point for corner on a line, said line being 42.5 feet southeast of and parallel to the common line between City Blocks 770 and D/770;

THENCE in a northeasterly direction along said line, a distance of approximately 96.5 feet to a point for comer on the northeast boundary line of Lot 3 in City Block 770;

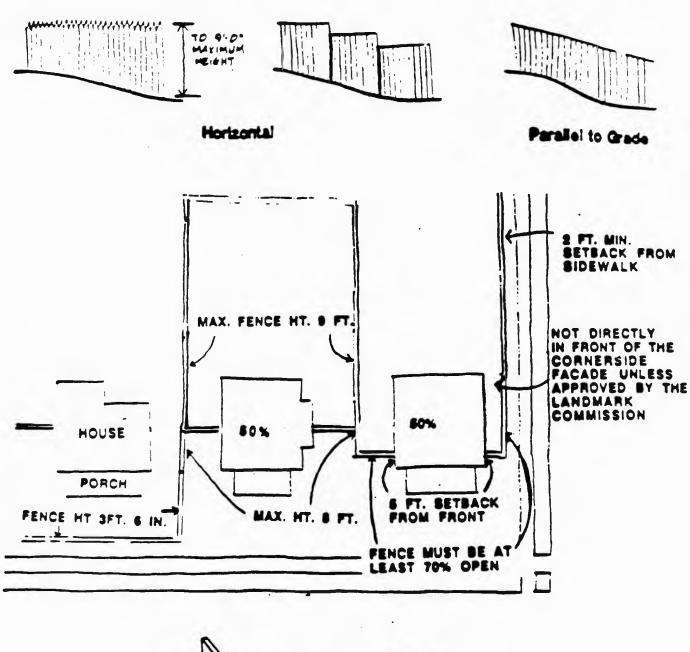
THENCE in a southeasterly direction along said lot line, a distance of approximately 198 feet to a point for corner on a line, said line being 144.8 feet northwest of and paralle! to the northwest line of Gaston Avenue;

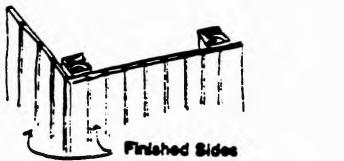
THENCE in a northeasterly direction along said line, a distance of approximately 269.6 feet to a point for corner on the centerline of Fitzhugh Avenue;

THENCE in a southeasterly direction along the centerline of Fitzhugh Avenue, a distance of approximately 185 feet to a point on the centerline of Gaston Avenue, the PLACE OF BEGINNING.



A





FENCES

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ADDENDUM C

Acceptable Color Range Standards

Color and color scheme are evaluated according to the <u>Munsell Book of Color Systems</u> (Neighboring Hues Edition -1973).

The following Munsell color ranges, or their equivalents in value (V) and Chroma (C), are permitted for primary, trim and accent colors:

Dominant:

9 through 6V/1 through 4C

Trim:

9 through 3V/1 through 6C

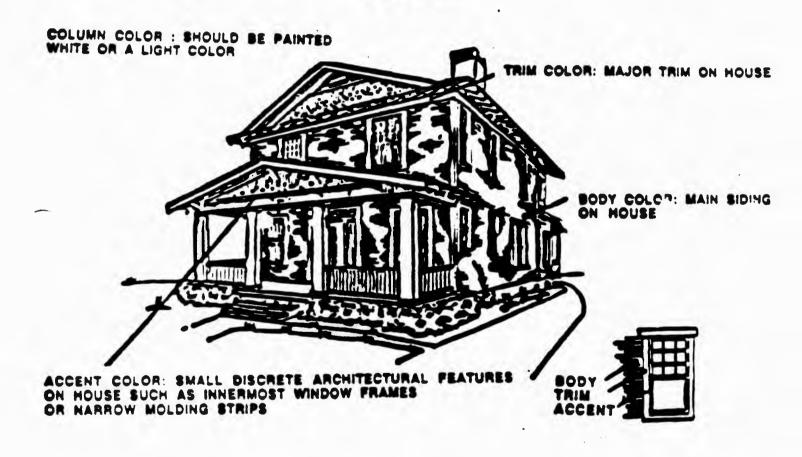
Accent:

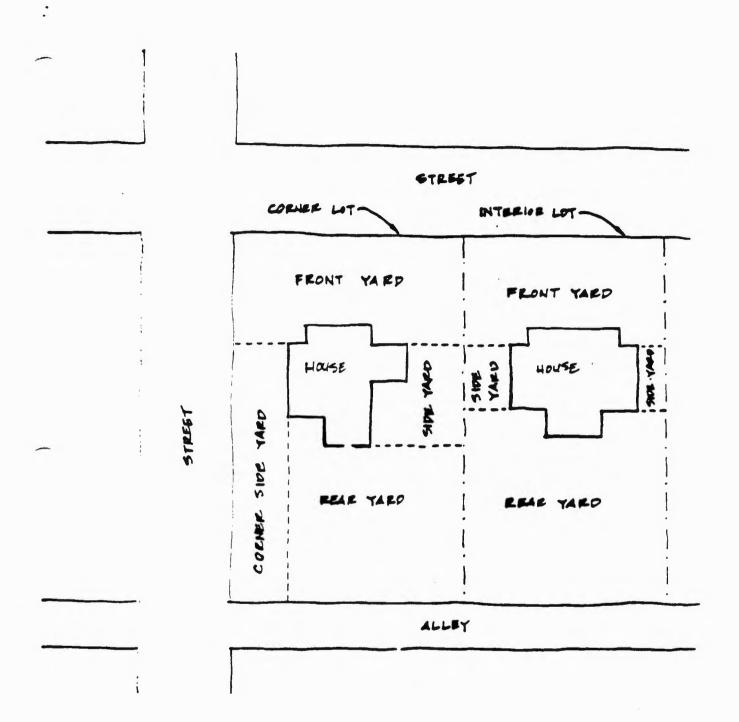
9 through 3V/1 through 6C

Hue symbols 2.5-10 for: R (Red) G (Green) B (Blue) Y (Yellow) YR (Yellow-Red) GY (Green-Yellow)

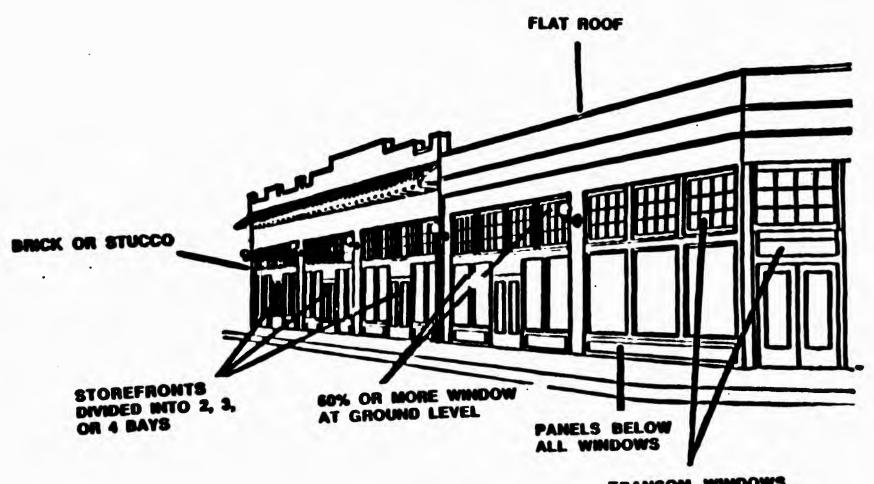
Neutral gray and absolute white are also permitted. Neutral gray must be equivalent in value to those ranges specified above. Any colors or color schemes that are not within the specified allowable Munsell ranges must be reviewed by the Landmark Commission and approved or denied based on their appropriateness to and compatibility with the structure, blockface, and this district. The Commission may not approve any colors or color schemes (or their equivalents) that are specifically excluded by this ordinance.

COLOR PLACEMENT





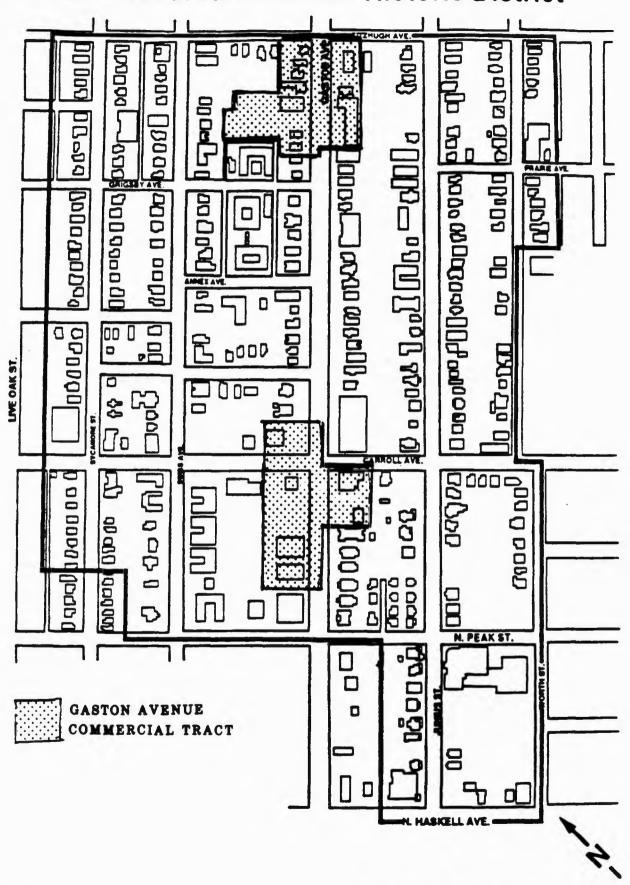
E



TRANSOM WINDOWS
ABOVE ALL DOORS
AND WINDOWS

COMMERCIAL STRUCTURES FOR THE GASTON TRACT

Peak's Suburban Addition Historic District



Census Tract -15.04, 15.02 City Services Analysis Area Central

Prepared By The Department Of Planning And Development City Of Delias, Texas June 1993

Dallas Landmark Commission Landmark Nomination Form

1. Name				
historic:	Peak's Suburban Addit			
	mmon: Millcreek Neight	oorhood	date:	4/19/93
2. Location	on			
address:				
location/n	eighborhood: Sycamor	e. Worth, Fitzhugh.	Carroll, (Junius and	Worth, 1 block
further west to	o Haskell)			
block:	lot:	land survey:	tract s	size:
3. Curren	t Zoning			-
	No. 98, PD No. 362,	PD No. 298, MF	2	
4. Classif				
4. Classii	ication			
Category X district building(s) structure site object	OwnershippublicprivateX both Public Acquisitionin progressbeing considered	Status _X_occupiedunoccupiedwork in progress Accessibility _ves:restricted _X_yes:unrestrictedno	Present Useagricultural _X_commercial _X_educationalentertainmentgovernmentindustrialmilitary	
5. Owners	ship			
Current O	wner: V dous			
Contact:			Phone:	
Address:		City:	State:	Zip:
6. Form F	Preparation			
Date: 4/19	/93 - 1/11/95			
Name & T				
	ion: Designation Task For	re		
Contact: K	ate Singleton		Phone: 821-7	7533
	entation on Existin	g Surveys		
Alexander Sur H.P.L. Survey Oak Cliff Victorian Surv	rvey (citywide) local y (CBD)AI	statenational BCD	TX Archaeol	(Historic Ldmk
		For Office Use Only		
Date Rec'd	Survey Verified: Y	N by: Field Ch	eck by: Petitio	ons Needed: Y N
Nomination:	Archaeological	Site Structurel.	s) Structure & S	Sue District

8. Historic Ownership			
original owner. Various			
significant later owner(s):			
9. Construction Dates			
original: 1890-present			
alterations/additions:			
10. Architect			
original construction: Various			
alterations/additions:			
11. Site Features			
natural:			
urban design:			
12. Physical Description			
Condition, check one:		Check one:	
excellent deteriorated	unaltered	original site	
ruins	altered	moved(date))
fair unexposed			

Describe present and original (if known) physical appearance. Include style(s) of architecture, current condition and relationship to surrounding fabric (structures, objects, etc). elaborate on pertinent materials used and style(s) of architectural detailing, embellishments and site details.

Peak's Suburban Addition developed over a long period of time beginning with the large estates of Jefferson Peak and William Gaston built in 1855 and 1871 respectively. The topography of the area was very hilly with numerous creeks, marshes and bogs. These natural obstacles made a trip from these East Dallas estates to the Dallas Court House an arduous journey.

In order to diminish his isolation, Gaston gave land to friends and business associates promoting that additional homes be built. Large scale residential construction was delayed, however, until the marshes and bogs were filled and the land leveled. This process took place over several years.

The architectural styles of the homes eventually built span several decades, creating diversity in design and size of residences and civic buildings. The architectural styles found in the district are predominantly Queen Anne, Folk Victorian, Craftsman, Prairie, Mission, Neoclassical, Colonial Revival, and Tudor. See appendix

These drawings were taken from A Field Guide to American Houses by Virginia and Lee McAlester

The street names are primarily derived from the names of early pioneers who were instrumental in establishing this area.

Fitzhugh Avenue: named for L.H. Fitzhugh, early settler and land owner 1.

Grigsby Avenue: named for John Grigsby, early land developer 1. Major land owner who received a 4,605 acre land tract from Sam Houston.

Annex Avenue: boundary of the Old Fairfield Annex to East Dallas 1. Annex Avenue from Swiss to Gaston originally was named Elmira.

Carroll Avenue: named for Carroll Peak, son of Jefferson Peak 4.

Peak Street was originally named Martha Street for Martha Peak, wife of Jefferson Peak. Upon his death Mrs. Peak changed the name to Peak in honor of her husband. Jefferson Peak was a major land owner 1. Jefferson moved to Dallas in 1854 when Dallas population was under 200 people. 3. He constructed the first brick residence which was located at the corner of Peak and Worth Streets. Peak died in 1885 4. He bequeathed one half block of land to the Dallas First Christian Church with the provision that instrumental music not be used for services or the land reverts back to his heirs.

Haskel Avenue was named for Horatio Nelson Haskel Alderman of East Dallas in 1883 1.

Sycamore Street originally named Matt Street for Mathias Peak, son of Jefferson Peak 4.

Swiss Avenue named for Swiss Colony immigrants, who settled along this street in 1870.

Gaston Avenue was named for Captain William Gaston. Early day Banker and land developer 1. Gaston founded Dallas First Bank and purchased large tracts of land in East and South Dallas including 400 acres along Swiss Avenue. He donated the land for the State Fair and promoted its growth. He maneuvered the railroads to locate in the City of East Dallas in 1872-73 away from the City of Dallas which promoted development on his land holdings. Gaston Avenue was originally named Wallace Street, for Wallace Peak, son of Jefferson Peak 4.

Junius Street named for Junius Peak, landowner and Texas Ranger. Junius was born in 1846.3-son of Jefferson Peak. Early Dallas Police Chief 1874-78.3 June Peak's home still stand at 4409 Worth Street. His daughter Florence Peak lived in this house on Worth Street until about 1980.

Worth Street is named for Worth Peak, 8th of eleven children of Jefferson and Martha Peak.

Victor Street named for George Victor Peak, 1. son of Jefferson Peak. 4.

Reiger Street named for John F. Reiger, Reiger addition 1890.1.

13. Historical Significance

Statement of historical and cultural significance. Include: cultural influences, special events and important personages, influences on neighborhood, on the city, etc.

Peak's Suburban Addition also known as Mill Creek is the earliest developed portion of East Dallas. It was the first neighborhood east of Dallas' central business district to be developed, "starting with Victorian houses and followed by frame two story Prairie homes, brick mansions and finally frame cottages and bungalows" (Older Neighborhoods, 1986:32). In addition to the single family residences, there are many historic apartment complexes as well as commercial and institutional buildings throughout the district, especially along the old streetcar routes. The major forces that shaped the development of East Dallas were the arrival of the railroads, the establishment of the Texas State Fair, and the network of street railways that determined the routes of growth.

The early settlement East Dallas from 1855 until the City of East Dallas' incorporation in 1882 was agricultural in nature. The first recorded settlement occurred in 1855 when Captain Jefferson Peak purchased a large tract of land far to the northeast of Dallas and built a farmhouse near the corner of Worth and Peak streets. Peak had passed through Texas in 1846 to fight in the Mexican War and in 1855 he returned with his family to settle east of the emerging town of Dallas (Butterfield 1875: Peak). An 1880's map of East Dallas shows that Peak owned roughly half the land bounded by Ross Avenue to the north, Main Street to the south, and Haskell and Carroll Street to the west; constituting more than a quarter of the historic district.

After the Civil War, Peak was joined by Confederate Captain William H. Gaston who purchased 400 acres along White Rock Road (now Swiss Avenue) where he built an enormous Greek Revival home in 1871 (razed) (Mabry, 1984:4). Gaston was a powerful force in Dallas' early development. Within a few years of his arrival in 1867, he purchased vast tracts of land in South and East Dallas, founded Dallas' first bank, donated land for the County Fair (present site of Baylor Hospital), and eventually parlayed the small exposition into the State Fair (Mabry, 1984:10 Gaston n.d.:1).) Most importantly, Gaston, with backing from local businessmen, brought the railroads to Dallas in 1872 and 1873, which ultimately made the city's fortune. His impact in East Dallas was achieved by maneuvering both the Houston and Texas Central (H&TC) and the Texas and Pacific (T&P) railroads to a junction approximately one and a half miles to the east of the Courthouse. In doing so, Gaston helped orchestrate Dallas' growth away from the Trinity River towards the railroad station on his lands in East The resulting housing shortage encouraged Jefferson Peak and other landowners to begin subdividing their lands.

Although the railroads promised to spur building activity in East Dallas, the area remained sparsely settled due to an economic downturn in 1875 that stalled development for some time (Powers 1969:19). The area was heavily wooded, especially along Mill Creek as it flowed through Exall Park along Hall Street, just east of the historic district, toward the Cedars in South Dallas (McDonald 1978: 137). There was little building or street construction in the project area east of Washington Street prior to the late 1870s although the Butterfield and Rundlett Official Map of Dallas shows East Dallas as a platted entity by 1875 (Mabry 1984: 16). A small commercial district sprang up around the depot and consisted of a few boarding houses, lumber yards and restaurants that survived only because of the railroad traffic (Powers 1969: 14). One mule-drawn streetcar line, operated by the Dallas Street Railroad Company, ran out Ross Avenue and up San Jacinto Street. Built by Colonel William J. Keller in 1875, the San Jacinto line, as it was known, was the only line to serve the area until 1882. Its primary purpose was to bring passengers from the depot to the downtown Dallas business district (Powers 1969: 19, 36).

Beyond the tiny cluster of commercial structures near the depot, the remainder of East Dallas at this time consisted of large estates, like those of Jefferson Peak and William Gaston, and a number of smaller family farms (Map, East Dallas: 1880s). The early character of the region was articulated by William Gaston when, upon completing his mansion at 3900 Swiss Avenue in 1873, he lamented being all alone out in the country and offered free land to his friends so he would have company. Gaston's nearest neighbor to his 400 acre plantation were Jefferson Peak, a mile to the east in the center of the historic District, and Swiss immig. ants, Jacob Nussbaumer and Henry Boll, who lived nearly the same distance to the west (Saxon, 1983: 9). This semi-rural condition persisted until Dallas began to recover from the depression in the latter part of the 1870s.

When the economy improved, East Dallas began to experience the same wild, uncontrolled growth that was afflicting central and south Dallas (McDonald. 1978: 137). Many businesses began building east along the streetcar line that stretched from downtown Dallas to the railroad depot. The fairgrounds drew people to the area and many began investing in property nearby. By 1882, the community had grown so rapidly that its leading citizens, among them Peak, Gaston and rancher Christopher Columbus Slaughter, met and voted to incorporate as the separate municipality of East Dallas (Saxon, 1983: 10). At the time of its annexation in 1889, the land area of East Dallas was actually larger than that of Dallas. The city of Dallas acquired East Dallas, along with several unincorporated suburban parcels, on the last day of December, 1889, to make Dallas the largest city in Texas for the 1890 census (Keith, 1930: 168; Dallas Morning News, October 1, 1935). It was both the first and last time in its history that Dallas had the honor.

East Dallas' single largest landowner, Jefferson Peak, platted his first subdivision in 1874 along Ross Avenue, (Mabry 1984:3) but by the mid-1880s, Captain Peak still owned most of the land bounded by Ross Avenue, Main Street, Haskell and Carroll Streets (Map East Dallas: 1880s). It wasn't

until after Peak's death in 1885 that his son, Junius, began large-scale subdivision of the family's extensive holdings. The land around the Old Peak homestead at Worth and Peak Street was sold as Peak's Addition in 1897 and its subdivision spurred many housing starts in the area. (McDonald 1978: 120). Major East Dallas streets still bear Peak's name and those of his children: Junius, Worth, Victor, and Carroll. Although the original Peak farmhouse is gone, Junius Peak's home still stands at 4409 Worth Street.

Another highly influential force in East Dallas real estate development during the late 1880s and early 1890s was Jefferson Peak's son-in-law, Thomas Field. Through his firm, Field and Field Real Estate and Financial Agents, Thomas Field either owned, controlled, or influenced the sale of large parcels of East Dallas real estate. He "flamboyantly promoted his extensive East Dallas holdings in 1884 with the construction of a palatial residence in the middle of his property" (McDonald 1978: 137) located on Peak Avenue between Gaston and Junius streets (razed 1922). grandiose and unfettered real estate promotion was characteristic of the boomtown that enveloped all of Dallas during the years between the arrival of the railroads and the depressions of the 1890s. Many elaborate mansions were constructed on Swiss and Gaston Avenue during the 1890s in addition to smaller but substantial homes on Live Oak, Junius, and Worth Streets (Saxon 1983: 16). Most of the largest homes were demolished and their lots sold for redevelopment between 1920 and 1950 (Sanborn maps 1905, 1922; City of Dallas directories).

The prol. Fration of street car lines between 1887 and 1893 was probably the single most important factor contributing to the success of East Dallas during that period. Some of those living in East Dallas rented hansom cabs to commute to the city or the union depot (Eidt. conversation 1990). Others undoubtedly used their own horsedrawn buggies, as evidenced by the number of personal stables situated at the rear of the grand residences along Swiss and Gaston Avenue (Sanborn maps. 1905: Gooden 1986: 46). However, those who did own horses and buggies began to prefer the thrift and convenience of the streetcar. A ride downtown at this time cost five cents or less, cheaper than the cost to board a horse and carriage (Nichols conversation March 30, 1990). As Dallas grew further and further away from the central business district, it was imperative that reliable transportation be available for workers. Many neighborhoods existed only due to streetcar access and developers took advantage of that fact.

Streetcar service was initiated about 1888. The Bryan line, as it was known, became the major crosstown streetcar serving the northern section of East Dallas (Powers 1969: 78; Eidt, conversation, 1990) opening up all of East Dallas to wide-scale development. Between 1886 and 1890, Dallas real estate transfers jumped from under \$6 million to \$14 million, much of it concentrated in East Dallas. The completion of the Bryan line was followed by the opening of Middleton Brother's Addition, Hunstable's College Hill Addition, Livingston Place, Peak's Addition, Caruth Heights, Nussbaumer and McCoy's Addition, and the Belmont Addition between 1888 and 1892 (McDonald 1978: 153). All were accessible to the Bryan line.

Typically, there was little planning involved in the opening of these additions beyond running a streetcar line out to a vacant field owned by the operators, subdividing the land, and selling it for a handsome profit. Lots were often sold before streets and utilities could be laid out (McDonald 1978: 153), sometimes on the mere promise that streetcar lines would be introduced.

The suburban land boom was in full swing when nearly all building came to an abrupt halt with the economic crash of 1893. While some Texas communities were unharmed by the nationwide depression, Dallas had become linked to eastern and northern markets and their leading banking institutions. When those institutions foundered, Dallas followed. The failure of the Philadelphia & Reading Railroad in February 1893 started a nationwide panic that left 158 national banks and 415 state and private banks in ruin. Five Dallas banks failed in the crash and local business and agricultural concerns suffered as a result (McDonald 1978: 70). Unchecked real estate speculation prior to the crash left Dallas overbuilt and many newly opened additions in or near the project area remained vacant for years afterward (Dallas Morning News, October 1, 1935). Many individuals who had figured prominently in the East Dallas real estate frenzy lost fortunes in the downturn. Thomas Field not only lost several major projects in progress but lost his palatial homes, as well. The effects of the depression reverberated throughout the city and had repercussions on many of the city's enterprises, including streetcar and real estate consortiums, essentially ending the early, speculative era (Powers 1969: 92). The depression did, however, allow time for some reflection and the next phase of development in East Dallas was a more cautious endeavor.

Although Dallas began to rebound from the depression about 1898, East Dallas did not fully recover for almost a decade after the crash. (Dallas Morning News, October 1, 1935). When the economy began to pick up there was a resurgence of residential building in the area. Churches and schools were constructed to accommodate the increased population. Davy Crockett Elementary School, built in 1903 by the firm of C. W. Bulger and son on Carroll Street, is the oldest extant school in the city of Dallas. Bulger and Son also designed the Classical Gaston Avenue Baptist Church, built between 1902 and 1904 at the southwest corner of Gaston and Haskell avenues (McDonald 1978:). The East Dallas Christian Church at 631 N. Peak was built shortly after 1905, replacing an earlier dwelling on that site. The imposing Neo-Classical mansion at the corner of Peak and Swiss avenue was originally built as a residence, but served the prestigious Terrill School for Boys as a dormitory through the 1920s (Sanborn maps 1905, 1922: City Directories). Dominating the 4100 block of Junius Street at North Haskell Avenue, is the Gothic Revival Grace Methodist Episcopal Church designed by W.A. Caan in 1903. The church sanctuary and its 1925 education annex are listed on the National Register of Historic Places. Parishioner Henrietta Eidt recounted that Grace Church was considered to be "the silk-stocking church of East Dallas" because of the many well-to-do residents of exclusive Munger Place who attended its services (Eidt conversation March 30, 1990). These East Dallas institutional and religious structures are among the city's outstanding architectural landmarks remaining from the early 1900s.

East Dallas grew tremendously after about 1902, especially east of Washington Avenue and into the project area, as many old estates and farmlands were subdivided for new residences. Between 1902 and 1922 the entire project area became filled in, particularly along streetcar routes, with only an occasional vacant lot between buildings or estates. The 1899 Sanborn maps show Haskell Avenue as the eastern boundary of most development, but by 1905 that boundary extended to Carroll Street below Gaston Avenue and all the way east to Fitzhugh Avenue above it (Goodan 1986). In 1905 the development between Haskell Avenue and Carroll Street north of Elm Street was almost entirely residential with the exception of the schools, churches, one store, a carpenter's shop, and a nursery. Ross Avenue continued its role as "Dallas' Fifth Avenue" with the erection of magnificent Colonial Revival and Prairie-influenced homes, almost all of which have been demolished. One of the few remaining palatial residences on Ross Avenue is that built by Charles H. Alexander. c. 1906. at the northeast corner of Ross Avenue and Annex Street. It was purchased and restored by the Dallas Women's Forum in 1930 (McDonald 1978: 141. 143). An exception to the overall residential character of East Dallas was the placement of the Dallas Consolidated Street Railway complex, covering three-quarters of the block between Elm and Main streets where they crossed Peak Avenue (Sanborn maps. 1899. 1905).

Two factors took shape in 1905 that had a major impact on housing styles and development in East Dalls One was the shift in the popularity from the latter Victorian-era styles to the emerging Prairie and Mission Revival styles. The other was the development of Munger Place, one of Dallas' first planned heavily-restricted, neighborhoods (Gooden 1986: 51). After carefully researching several restricted residence parks in other sites, Roberts S. Munger bought raw farmland near prestigious St. Mary's College and began development of Munger Place. Between 1905-1925, some of Dallas' most promising architects gained their reputations building modern, progressive homes in Mission Revival, Colonial Revival, and Spanish Colonial Revival variations on Frank Lloyd Wright's Prairie Style. The Munger Place development lay immediately to the east and many Peak Surburban Addition homes constructed during this time were built in the same styles.

Commercial enterprises began to spring up in the 1920s and tended to proliferate on the streetcar lines, especially at the intersections of two lines. A comparison of 1905 and 1922 Sanborn maps shows the profound influence these intersecting carlines had in converting residential areas to commercial. Interurban railways began running in the area about 1908 and had an influence on the neighborhoods through which they ran, although they did not offer local service. The Bryan interurban line was established in 1908 and ran along the same street at the streetcar (Gooden 1986: 55). It is notable that by 1922, Bryan Street, especially where it intersects with Peak Avenue, had the most commercial buildings in the area. Automobiles were also having an impact on the area. The first

automobile was registered in Dallas County in 1901. By 1917 registration had increased to about 15,000 most of it in the city of Dallas (Gooden 1986: 56). The automobile eventually changed the way suburban growth and development occurred in Dallas and served to push the city even further from its center.

During the teens and 1920s, a number of fine Mission Revival and Prairie Style homes as well as smaller bungalows and cottages, were built in the pockets to completely fill in the remainder of East Dallas. By 1922, almost no vacant areas remained in the project area with the exception of the large estates built before about 1905. When their wealthy owners began moving to the more fashionable developments further out, these estates were broken up for re-development one by one. The sporadic evolution and re-definition of the area continued to contribute to the uneven appearance of East Dallas. The 1922 Sanborn maps show many large homes with a handful of large estates remaining on Swiss and Gaston avenues, but commercial development had already replaced residences along the crosstown streetcar routes of Bryan Street. In 1922 there was a fire on Peak Street that burned 32 homes to the ground (WPA Paul Myers "Parks" pg. 6 Box 4J57, 1940). The homes were replaced with commercial enterprises taking advantage of the streetcar frontage.

One of the most outstanding changes that took place in the project area between about 1915 and 1930 was the advent of large apartment buildings, many of which remain in the project area.

The Great Depression and the Texas Centennial in 1936 both encouraged multi-family use of older dwellings to East Dallas. The hard years of the depression forced some families to take in boarders. During the Centennial, large houses in East Dallas were divided into rooms that rented for \$1.00 per night (Eidt conversation March 30, 1990).

14. Bibliography

- 1. The WPA Dallas Guide and History, published by Dallas Public Library and the University of North Texas Press 1992.
- 2. Memorial and Biographical History of Dallas County, the Lewis Publishing Co. 1892.
- 3. A History of Greater Dallas and Vicinity, Volume II L.B Hill Editor, the Lewis Publishing Co. 1909.
- 4. Jefferson Peak Will, location?

15. Attachments	
X District or Site Map	Additional descriptive material
Site Plan	Footnotes
Photos (historic & current)	X Other: Jefferson Peak Will

16. Inventory of Struct			(Page	of)
Please complete this form for each	h structure in a proposed historic dist	rict			
a. Location and Nan	ne				
b. Development Hist Original owner: Architect/builder:	tory				
Construction/alteration d					
c. Architectural Sig	nificance				
Dominant style:					
Condition:	Alterations:				
d. Category					
Contributing example of an architectural style that is typical of or integral to the district; retaining essential integrity of design		e, intrusiv or of the d	ntributing e; detracts for istrict	m the char	acier
e. Statement of Sign	ificance				

	Designation Merit			
A.	Character, interest or value as part of the development, heritage or cultural characteristics of the City of Dallas, State of Texas or the United States.	_X_G.	Identification as the work of an architect or master builder whose individual work has influenced the development of the city.	
В.	Location as the site of a significant historical event.	Н.	Embodiment of elements of architectural design, detail, material or craftsmanship which represent a significant architectural innovation.	
C.	Identification with a person or persons who significantly contributed to the culture and development of the city.	_X_I.	Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on historic, cultural or architectural motif.	<u>_x</u>
D.	Exemplification of the cultural, economic, social or historical heritage of the city.	<u>X</u> J.	Unique location of singular physical characteristics representing an established and familiar feature of a neighborhood, community or the city.	_X_
E.	Portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.	_ <u>X_</u> K	Archaeological value in that it has produced or can be expected to produce data affecting theories or historic or prehistoric value.	
F.	Embodiment of distinguishing characteristics of an architectural style or specimen.	<u>X</u> L.	Value as an aspect of community sentiment of public pride.	<u>x</u>
	Recommendation			

The Designation Task Force requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.

Further, the Designation Task Force endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Department of Planning and Development. Date:

Kate Singleton, Chair

Neighborhood Designation Task Force

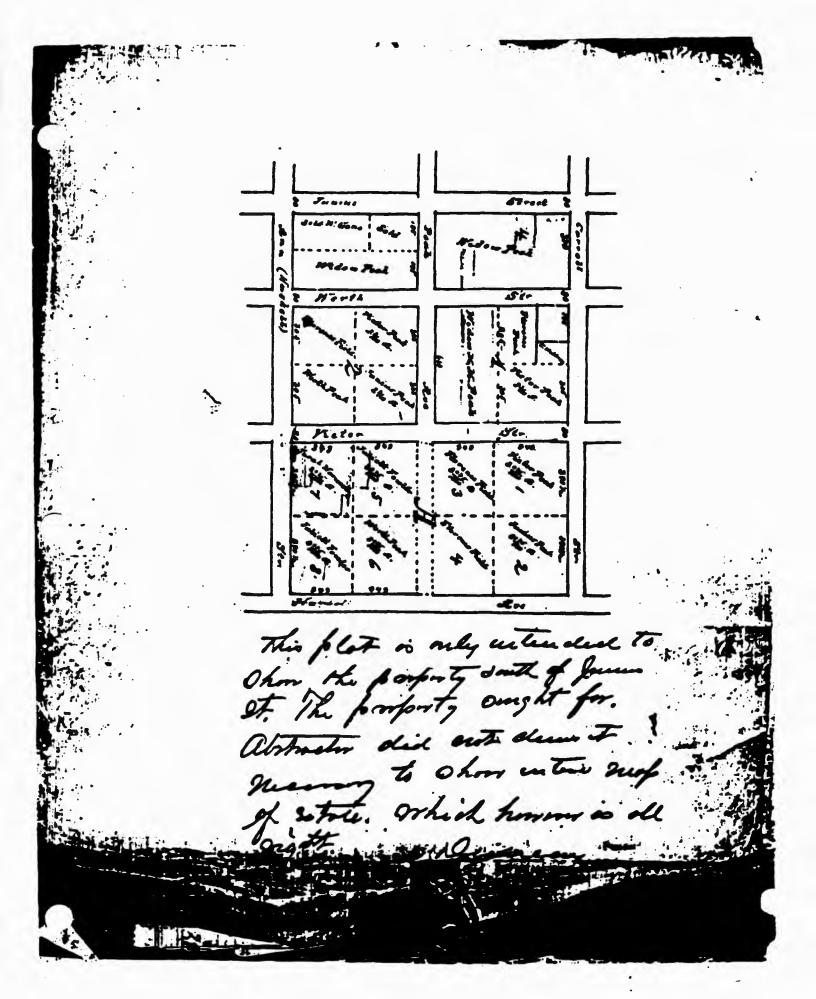
ckland, Urban Planner Tiffany Sprickland, U Historic Preservation

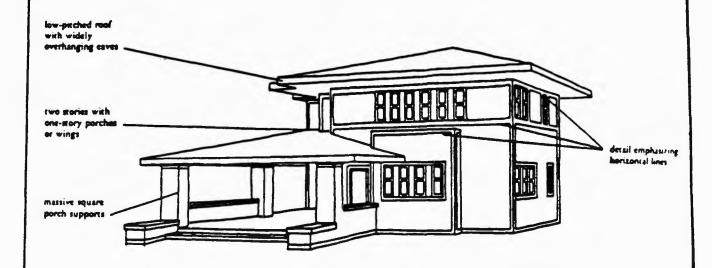
Ital de d. Marthe M. Poat Executing In County Court, Fallas Knut, Tayon, 1st Now. Tom. To the How. E. & Bower, Judge fraid last. You petiliner martha Mr. Prad, respectfully organists to the Govert that Jefferson Seak letter citizen of Dalla lamby departed his life on the 11th day of October 1805 A. J. that he was at the time of his death a resident city of said Talles County, Tages. Then petitioner further whom that the said Sufferior Pack on the 10th day of Nov. 1879 , fected in writing in due form of low his last will and feetament thereby disposing of all his property, was present ad migred, and therein appointing gove petitioner sole recenting of said last will and testament. That said will as signed by the said Sefferen Pead and witnessed by at Ho Il, John Mr. Stemmons and J. S. Ston and That the estate the said Sefferen Peak consisted of real, presonal and inged property, interacted in Dellas, Tenton, Nasarra nderson lowelies in the state aforeraid and of the whalle value of \$ 90,000. That your potitioner is a city follow from cepting letters . retamentary . Wherefore your petitioner come and filed said last will and testament, and the the gypt. ation for the property of said will, and groups that notice guren and that at the next term of this last, the aid will may be admitted to Probate, and better testa entary thereon be issued to your petitioner and for Il other proper relief your festitioner will some fra Tild 13th day of Now A. J. 1885. CHA COULLESS & tim record. At 2 Rag 87 L. Hughe Dapy

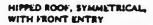
39-99

The state of the s Jefferen Pead of the County of Sallar, and State of Try. being now of sound mind and in good health, do, make ordain, and declare this to be my last will and testament and I do hereby dispure of all the Estate owned by me in mamostform as hereinafter expressed. My first divine is, I hat all my just debts be paid as won after my death as the same can be consistly done by my executric horinafter named, and she, my may said executring is fully authorized to sell so much of my real estate, as may be for that purpose upon such terms and conditions as to her may seem but, and to convey by deed such estate. as she may sell for that purpose. And after distributing my estate between my devices and begatus, I will and bequeath to the First Christian Church of the tity of Talles one half of a block of land in my Lubertan Modertion to the City of Faller, this half block to be selected out of said Addition by the Trustees of said Udwel, and my Executrice, this bequest to the said Church is for the persons of building a Church house on the land or lots hereby be queathed, but if the said thursh sees fit or proper to sell said Lot, and buy other property, herewith they are authorized to to do; but the let or it proceed are to be need solely for Church purpose This bequest is however upon this condition? That, if the said church should hereafter at any time we instrumental music in said thurch services or in any funday or Lord's day school in the said first Ulistian Chowl, then this bequest is to become absolutely word and they said property hereby bequeathed or any other that may have been furthand with the funds arising from the belief be Land hereby bequeathed is to nevert to, and become pro-

1808 Page No. 46 Abstract No. 11/56 desiration for his profession, and in setting his in business some three or more times largely beyond my shildren shall have or receive from my Estate more, Slaw an other, and feeling that a share of one helf of one tenth of my setate with what I have devetofore ad vanued him will fully equalize him with my other children. I hereby fave divise and bequeath to my said son lagroll to. Bed one twentieth part of all my Estal not heretofore disposed of by this will. To my son Wallace Prat, I device and bequeath one equal tenth part of my whole estate, not here tifue disposed of by special legacy. To my believed daughter Vallie A. Harwood, I device and bequeath one equal tenth part of my whole litate. To my grandeon Wallace D. Peak, only abild of my son fefferson Peak, I devise and bequeath one equal tenth want of my Estate .. my believed daughter Juliet A. Forolow I devise and bequeath one equal tenth part of my Estate. To my son Junius Peak, I device and bequeath one equal sently art of my Letate. To my beloved laughter Florence Field, wife of Thomas Field, I device and be quath one equal tenth part of my letate To my son Worth Peak, I device and bequeath one equal ? Louth part of my Estate. To my son George Fister Prat, of device and bequeath one equal Lenth part of my Estate. To my son Mathies I. Teak, I device and bequeath one equal tenth part of my Letter. Having thus, as I conceive made an equal distribution









HIPPED ROOF, ASYMMETRICAL



HIPPED ROOF, SYMMETRICAL, NO FRONT ENTRY



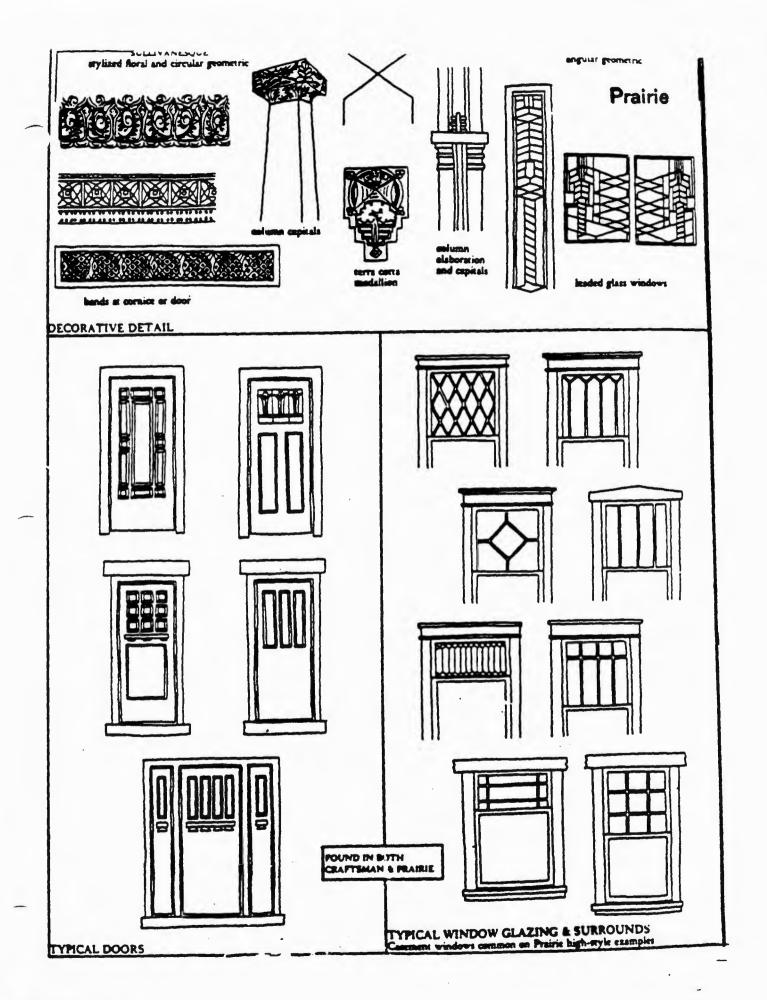
Pages 446-7



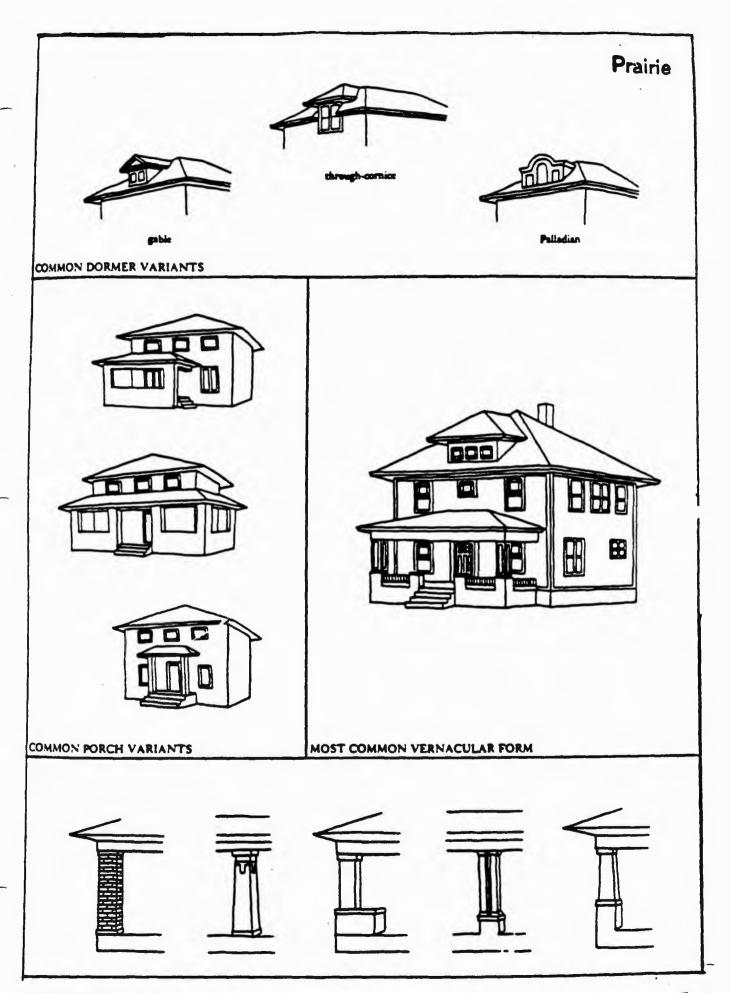


Popus 450-1

PRINCIPAL SUBTYPES



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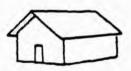


Craftsman

1905-1930

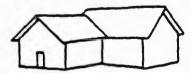


FRONT-GABLED ROOF



pages 456-7

CROSS-GABLED ROOF



pages 458-9

SIDE-GABLED ROOF

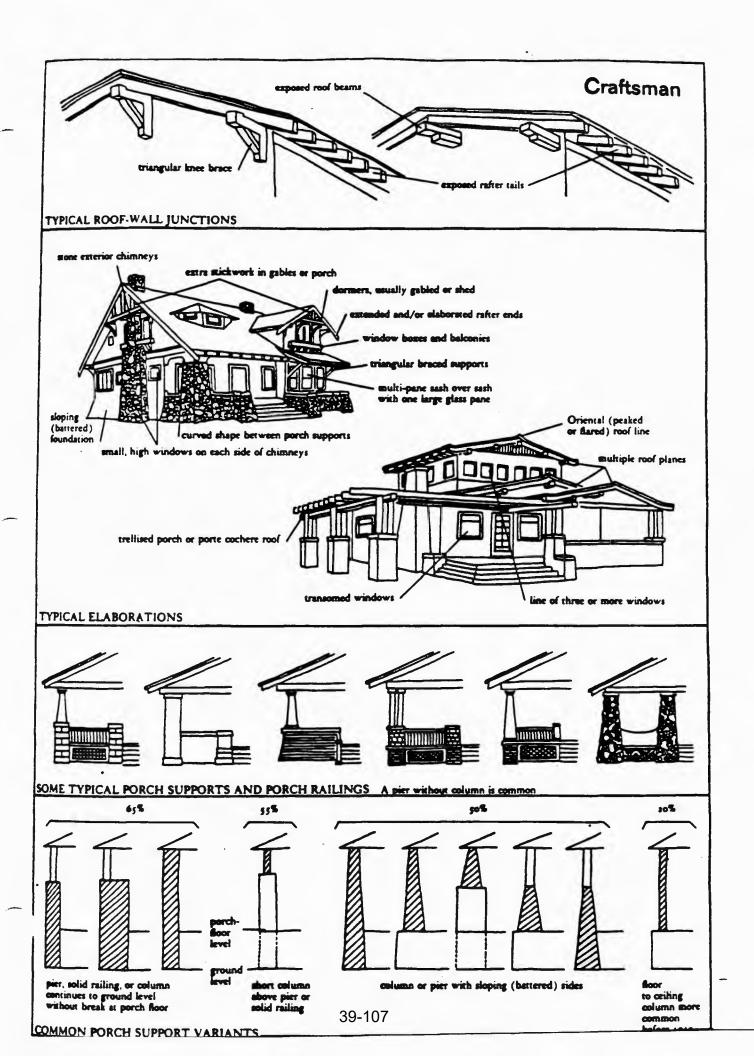


pages 460-1

HIPPED ROOF



page 463



Mission

1890-1920

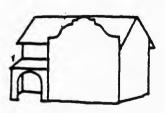


SYMMETRICAL



pages 412-13

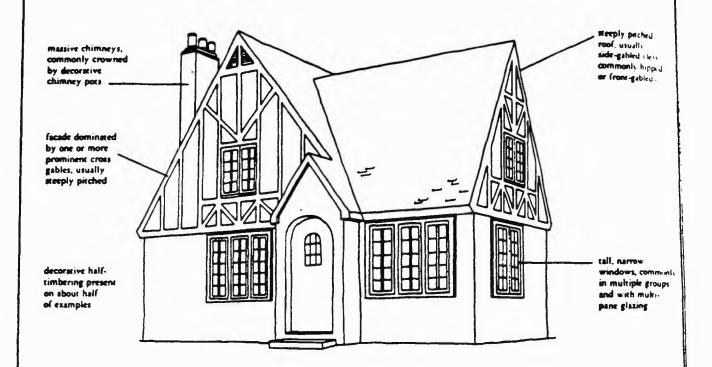
ASYMMETRICAL



pages 414-15



1890-1940



STUCCO WALL CLADDING



pages 360-1

BRICK WALL CLADDING



pages 161-5

STONE WALL CLADDING



pages 166-7

WOODEN WALL CLADDING



page 168

FALSE THATCHED ROOF



Page 369

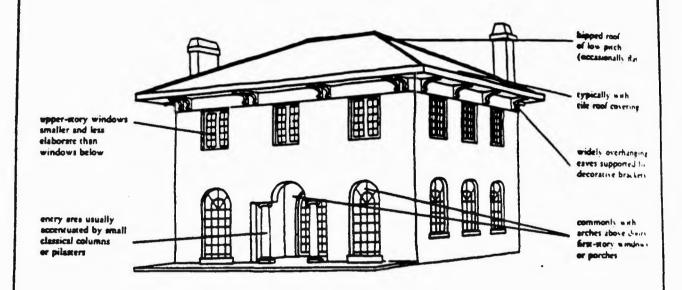


pages 370-1

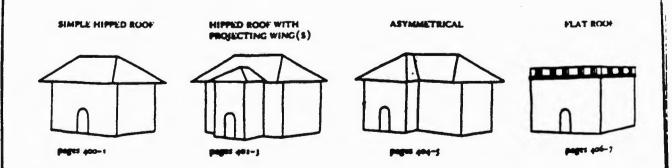
PARAPETED GABLES

Italian Renaissance

1890-1935



facade most commonly symmetrics



PRINCIPAL SUBTYPES

Shingle

1880-1900



extensive porches (may be smaller or absent in urban examples)



asymmetrical facade

HIPPED ROOF WITH



Page 292

SIDE-GABLED ROOF



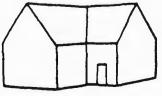
POST 193

FRONT-GABLED ROOF



-

CROSS-GABLED RUOF



pages 196-7



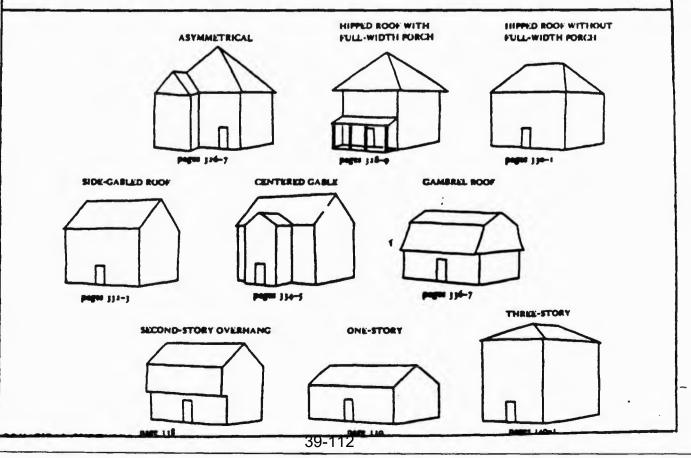
GAMBREL ROOF

pages 198-9

PRINCIPAL SUBTYPES





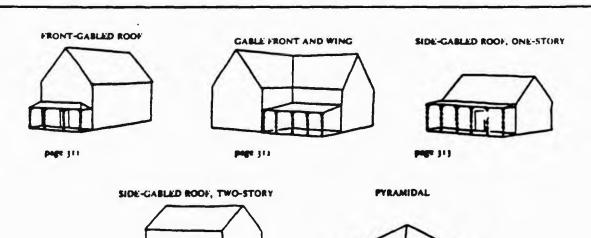


Folk Victorian

ca. 1870-1910



symmetrical facade (except gable front and wing)



pages 316-17

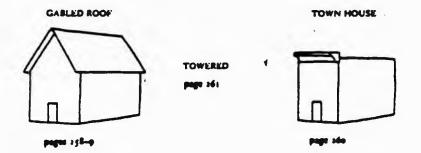
pages 314-15

Stick

1860-ca. 1890



all identifying features rarely present in combination



PRINCIPAL SURTYPES

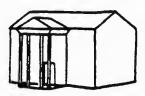
Neoclassical

1895-1950



facade with symmetrically balanced windows and





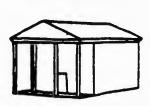
pages 346-7

FULL-HEIGHT ENTRY FORCH WITH LOWER FULL-WIDTH FORCH



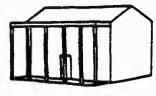
page 148



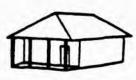


Proff: 349

FULL-FACADE FORCH

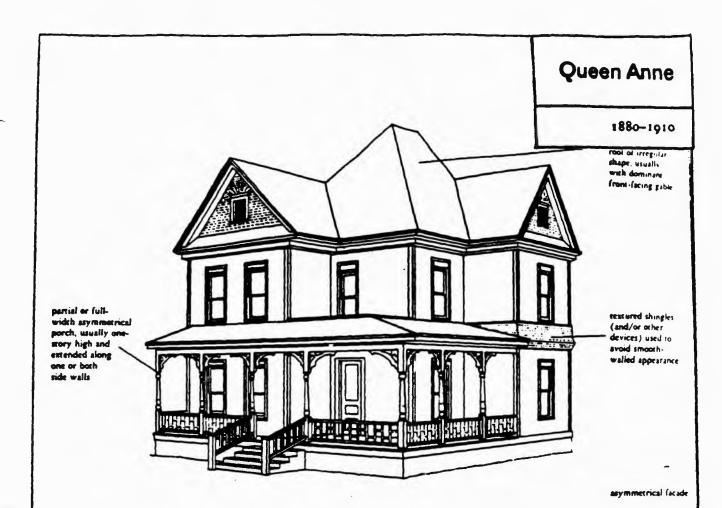


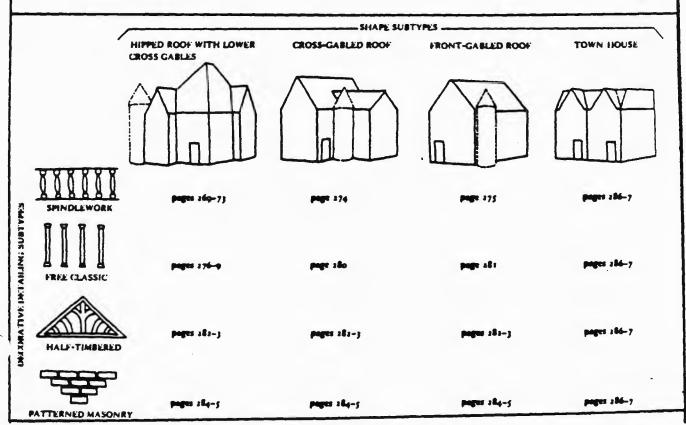
ONE-STORY



belon 353-3

PRINCIPAL SUBTYPES





SECTION 7

Correspondence

- Notice of October 7, 2024, Landmark Hearing
- Notice of application denied without prejudice
- Request to Appeal from applicant
- Appeal Procedures



Landmark Commission Meeting Information

From Watson, Marcus <marcus.watson@dallas.gov>

Date Thu 10/3/2024 1:18 PM

dad * welzenbach <dwelz1@outlook.com>; Jennifer Hiromoto <jennifer@buzzurbanplanning.com>; esthervidana@ymail.com <esthervidana@ymail.com>; ruben manduajno <rubenmandujano@yahoo.com>; Eric Pierce <erocpierce@gmail.com>; Roger Herrera <law_rogelioherrera@sbcglobal.net>; byhannahmorrow@gmail.com

jakebaird12@gmail.com

jakebaird12@gmail.com>; Fred Peña <fred@tezanto.com>; Rhett King <kingrack84@gmail.com>; abcparty65@yahoo.com <abcparty65@yahoo.com>; Patrick L. Boyd <pboyd@dallasgardens.com>; Katie McBeth <kathleen.j.kuchar@gmail.com>; Zachary McBeth <zcmcbeth@gmail.com>; Kevin Miller (Elsie) kevin.miller@certusmep.com; Chris Chiles <chris@chilesdesign.net>; Federico Canoura <fcanoura@fc-designs.net>

This email provides details about the upcoming Landmark Commission (LMC) meeting.

MONDAY, OCTOBER 7, 2024

9:30 AM – Briefing (Staff Presentations to the Landmark Commission only.)
1:00 PM – Public Hearing (Your opportunity to speak. Three minute limit!)

The meeting will be held both physically at City Hall, 1500 Marilla St., Room 6ESouth, and virtually by videoconference (information below). Those attending in person will be required to follow all current pandemic-related public health protocols.

The meeting agenda will be posted by 5:00pm, Friday, Oct. 4, 2024. You may access the agenda once it is posted on the City Secretary's Office website here:

https://dallascityhall.com/government/citysecretary/Pages/Public-Meetings.aspx

The morning briefing meeting is optional for you to attend. Be aware that the public can listen in but may not participate in the Briefing discussion. The public hearing at 1:00 PM, which you should plan to attend, is where the Commission will make their decision on your application. Discussion with applicants is reserved for the 1:00 PM public hearing.

If you wish to speak on any item whether in person or online, <u>including your own</u>, you must sign up by **Monday, October 7 at 8:00am**, using the instructions provided below. Be sure that anyone speaking on your behalf, including architects, contractors, etc. also sign up in advance. **There is not a way to sign up to speak after this deadline closes.** Also be aware that speakers who attend the meeting virtually will be required to use video during the meeting discussion. Per state law, you may not participate using audio only.

Please note: If you performed unauthorized work prior to a Landmark Commission review, if you are responding to a prior Landmark Commission review, or if you are proposing new construction or demolition, you are particularly and strongly encouraged to attend. This is your opportunity to speak and to share your design decisions with the Landmark Commission.

Videoconference

Webinar topic: October Landmark Commission Meeting

Date and time: Monday, October 7, 2024 9:00 AM | (UTC-05:00) Central Time (US & Canada)

Join link: https://dallascityhall.webex.com/dallascityhall/j.php?

MTID=m943f9d5fe0eed7a949bb553fa4635458

Webinar number: 2488 556 9722

Webinar password: OctLMC24 (62856224 when dialing from a phone or video system)

Join by phone +1-469-210-7159 United States Toll (Dallas) +1-408-418-9388 United States Toll Access

code: 248 855 69722

Per state law, you may not speak before the Landmark Commission using audio only!

Speaker Sign-Up:

Email: Elaine Hill at phyllis.hill@dallas.gov
Deadline: Monday, October 7, at 8:00 AM

You must sign up by email by the above deadline to speak at the Landmark Commission hearing. Be sure your email to Elaine includes the full name of the speaker, as well as the address for the case you wish to speak on.

PLEASE NOTE: YOU MUST SIGN UP TO SPEAK EVEN IF YOU ARE THE APPLICANT OR THE APPLICANT'S REPRESENTATIVE!

To request an interpreter, please email marcus.watson@dallas.gov by at least 72 hours (3 days) in advance of a meeting. Late requests will be honored, if possible.

Para solicitar un intérprete, mande un correo electrónico a <u>pud@dallas.gov</u> al menos 72 hora (3 dias) antes de una reunión. Solicitudes con retraso serán respetadas, si es possible.

Please let me know if you have any questions.

Thank you and have a wonderful day.



Marcus W. Watson

Senior Planner (Historic Preservation)
Planning & Development

City of Dallas | DallasCityNews.net 1500 Marilla St., 5CN Dallas, TX 75201 (214) 670-5825 marcus.watson@dallas.gov



How am I doing? Please contact my supervisor, Arturo Del Castillo, at arturo.delcastillo@dallas.gov.

OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.



October 17, 2024

Esther Garcia 4605 Sycamore, Dallas, TX 75204

RE: CA245-019(MW)

REVIEW OF YOUR CERTIFICATE OF APPROPRIATENESS APPLICATION 4605 SYCAMORE ST

Dear Esther Garcia:

Enclosed is a copy of the Certificate of Appropriateness (CA) application that you submitted for review by the Landmark Commission on October 7, 2024.

Please see the enclosed Certificate of Appropriateness for Details.

PLEASE NOTE: You have the right to appeal this decision within 30 days from the Landmarl Commission review date. The enclosed ordinance lists the fee schedule for appeals. Also enclosed is an application for appeal which is due in our office by 5:00 P.M on November 6, 2024. For information regarding the appeals process, please email Elaine Hill at Phyllis.hill@dallas.gov

Please make checks payable to the City of Dallas.

Encl. Application for Appeal Ordinance No. 19455

If you have any questions, please contact me by email at marcus.watson@dallas.gov.

Marcus Watson Senior Planner

Certificate of Appropriateness

October 7, 2024

Standard

October 7, 2024

PLANNER:

Marcus Watson

FILE NUMBER:

CA245-019(MW)

DATE FILED:

September 16, 2024

LOCATION:

4605 SYCAMORE ST

DISTRICT:

Peak's Suburban Addition Neighborhooc

COUNCIL DISTRICT: 2

MAPSCO:

46-A

ZONING:

MF-2(A), R-7.5(A)

CENSUS TRACT: 0015.04

APPLICANT:

Esther Garcia

REPRESENTATIVE:

OWNER:

HERNANDEZ REFUGIO VIDAMA

The Landmark Commission decision is: Denied without Prejudice

Information regarding requests:

1) A Certificate of Appropriateness to replace all the historic wood windows on the main structure with vinyl units (unauthorized work).

Deny without Prejudice

Conditions: That the request for a Certificate of Appropriateness to replace eighteen (18) of the historic wood windows on the main structure with vinyl units (unauthorized work) be denied without prejudice. The proposed work is inconsistent with preservation criteria Sections 3.10 or 3.13; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.

The met one

October 7, 2024

APPLICATION FOR APPEAL OF LANDMARK COMMISSION DECISION

The Deadline to Appeal this application is November 6, 2024

Director, Development Services Department

Dallas City Hall 1500 Marilla St., RM 5/B/N Office Use Only Dallas Texas 75201 Date Received Telephone 214-670-4209 Landmark Case/File No.: CA245-019(MW) **Property Address:** 4605 SYCAMORE ST Date of Landmark Commission Action: October 7, 2024 Applicant's Name: Esther Vidana Applicant's Mailing Address: 4005 Sycamuse St State: TX Zip: 75043 City: Vallas Applicant's Phone Number: 214-524-1784 Fax: Esthervidana Qymail com rubermandujano@yahoo.com Applicant's Email: IF DIFFERENT FROM ABOVE, PROVIDE PROPERTY OWNER'S INFORMATION. Maria Esther Charcia Owner's Name: 4605 Sycamore St Owner's Mailing Address: **State:** Tx **Zip:** 75 043 Owner's Phone Number: 214-524-1784 Fax: Owner's Email: esthervidana (o) ymail.com Owner's Signature (if individual) or Letter of Authorization (from corneration/lea Fee for Single Family use/structure. \$300.00 Fee for any other use/structure: \$700.00 39-123

PROCEDURE FOR APPEAL OF CERTIFICATES OF APPROPRIATENESS TO THE CITY PLAN COMMISSION

(Revised April 2014)

1. Postponements.

- a. The City Plan Commission may grant a postponement if it wishes.
- b. Dallas Development Code §51A-4.701(e), regarding postponement of zoning applications by the applicant, does not apply.

2. Content of the record.

- a. Copies of the complete record will be distributed by staff to the City Plan Commission two weeks before the scheduled hearing.
- b. The parties may request that the record be supplemented.

3. Additional correspondence and briefs.

- a. Additional correspondence or briefs, if any are desired to be submitted by the parties, should be provided to the planning staff for distribution to the City Plan Commission.
- b. The parties should provide each other with copies of any information they submit to the City Plan Commission.
- c. Interested parties should not make any contacts with commission members other than those submitted through the city staff.

4. Representation of the Landmark Commission.

a. The Landmark Commission will be represented by Laura Morrison.

5. Order of the hearing.

- a. Each side will receive 20 minutes (exclusive of questions from the City Plan Commission) with 5 minutes for rebuttal by appellant.
- b. Order of the hearing.
 - (1) Preliminary matters.
 - (A) Introduction by the Chair
 - (2) Appellant's case (20 minutes). *
 - (A) Presentation by the appellant's representative.
 - (B) Questions from Commission Members.
 - (3) Landmark Commission's case (20 minutes). *
 - (A) Presentation by the Landmark Commission's representative.

i

- (B) Questions from Commission Members.
- (4) Rebuttal/closing by the appellant's representative (5 minutes).
- (5) Decision by the City Plan Commission. **
- * If a party requires additional time to present its case, including testimony and evidence concerning the previous recommendations and actions of the city staff and the Landmark Commission and its task forces, the party shall request that additional time be granted by the City Plan Commission. If the Commission grants one party additional time, the opposing party shall also be granted a similar time extension.
- In considering the appeal, the City Plan Commission shall hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Landmark Commission and its task forces.

6. Introduction of new evidence at the hearing.

- a. The City Plan Commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the Landmark Commission to determine whether that testimony or evidence was available at the Landmark Commission hearing.
- b. If the City Plan Commission determines that new testimony or evidence exists that was not available at the Landmark Commission hearing, the City Plan Commission shall remand the case back to the Landmark Commission.
- c. The party attempting to introduce new evidence bears the burden of showing that the evidence was not available at the time of the Landmark Commission's hearing.
- d. Newly presented evidence is subject to objection and cross examination by the opposing party.

7. Remedies of the City Plan Commission.

- a. The City Plan Commission may reverse or affirm, in whole or in part, or modify the decision of the Landmark Commission.
- b. The City Plan Commission shall give deference to the Landmark Commission decision and may not substitute its judgment for the Landmark Commission's judgment. The City Plan Commission shall affirm the Landmark Commission decision unless it finds that it:
 - (1) violates a statutory or ordinance provision;
 - (2) exceeds the Landmark Commission's authority; or
 - (3) was not reasonably supported by substantial evidence considering the evidence in the record.
- c. The City Plan Commission may remand a case back to the Landmark Commission for further proceedings.

IN RE: 4605 Sycamore St. CA245-019(MW)

AUDIO TRANSCRIPTION OF RECORDED DALLAS LANDMARK

COMMISSION METTING

SPEAKERS

CHAIR MONTGOMERY

COMMISSIONER CUMMINGS

COMMISSIONER FOGLEMAN

COMMISSIONER REAVES

COMMISSIONER HINOJOSA

COMMISSIONER GAY

COMMISSIONER

COMMISSIONERS

MARCUS WATSON



1 (RECORDED AND TRANSCRIBED)

2

- 3 MARCUS WATSON: The discussion Item Number
- 7 is located at 4605 Sycamore Street in the Peak's
- 5 Suburban Addition Neighborhood, Historic District. Ca
- 6 245-019MW. I am Marcus Watson presenting. The request
- 7 is for a Certificate of Appropriateness to replace 18
- 8 of the historic wood windows on the main structure with
- 9 vinyl units, unauthorized work.
- 10 Staff recommendation is that the request for
- 11 a Certificate of Appropriateness to replace 18 of the
- 12 historic wood windows on the main structure with vinyl
- 13 units, unauthorized work, be denied without prejudice.
- 14 The proposed work is inconsistent with preservation
- 15 criteria Sections 3.10 or 3.13, the standards in City
- 16 Code Section 51a-4.501G6C Roman F1 for contributing
- 17 structures, and the Secretary of the Interior Standards
- 18 for Rehabilitation.
- 19 Task force recommendation that the request
- 20 for a Certificate of Appropriateness to replace 18 of
- 21 the historic wood windows on the main structure with
- 22 vinyl units unauthorized work be denied without
- 23 prejudice. The materials are not appropriate for the
- 24 structure and are not consistent with materials
- 25 approved for the neighborhood. The task force has



Page 3

- 1 concerns with the windows being vinyl and the lack of
- 2 dimensionality of the windows, sash, and trim.
- 3 Furthermore, much of the trim does not exist in the
- 4 same plane as the siding, which also reduces the
- 5 dimensionality of the window unit and is
- 6 inappropriately applied to this neighborhood.
- 7 CHAIR MONTGOMERY: All right. Thank you.
- 8 Does anyone have -- we can only ask questions of staff.
- 9 There is no one to speak on this one. And if there are
- 10 no questions, then we would be looking for a motion.
- 11 COMMISSIONER CUMMINGS: I'll make a
- 12 motion.
- 13 CHAIR MONTGOMERY: Go ahead.
- 14 COMMISSIONER CUMMINGS: Make a -- as on
- 15 the case of CA245-019MW, address 4605 Sycamore Street,
- 16 I make a motion to deny without prejudice of following
- 17 the staff recommendations, that this work is
- 18 inconsistent with the preservation criteria as stated.
- 19 CHAIR MONTGOMERY: We have a second?
- 20 COMMISSIONER FOGLEMAN: Second.
- 21 CHAIR MONTGOMERY: Commissioner Fogleman,
- 22 yes. This again. All right. If there's no further
- 23 discussion, we can vote on this. All those in favor of
- 24 this motion, please say aye.
- COMMISSIONERS: Aye.



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Page 4
                 CHAIR MONTGOMERY: Any opposed? Okay.
 1
      Staff will obviously let the applicant know about our
     determination, also about their opportunity to apply
      for a fee to CPC, or their opportunity to come back
      again with some new arguments or new ideas, and to come
      and present them to us, perhaps. But that's where they
     stand right now.
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                 (Recording stopped.)
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	Page 5
1	CERTIFICATE
2	
3	I, Jaynes Michael Devon,
4	Transcriptionist, do hereby certify that the foregoing
5	pages 2 to 4 constitute a full, true, and accurate
6	transcript, from electronic recording, of the
7	proceedings
8	had in the foregoing matter, all done to the best of my
9	skill and ability.
10	Dated this 12th day of January 2025
11	
12	Jaynes Michael Devon,
13	Jaynes Michael Devon,
14	Electronic Transcriber.
15	
16	
17	
18	
19	
20	
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ESTHER GARCIA,	§	
Appellant,	§	
	§	In re 4605 Sycamore Street
	§	
	§	
VS.	§	
	§	Appeal to the City Plan Commission
	§	
LANDMARK COMMISSION,	§	
Appellee.	§	

BRIEF IN SUPPORT OF THE LANDMARK COMMISSION

TO THE HONORABLE COMMISSIONERS OF THE CITY PLAN COMMISSION:

Now comes the City of Dallas Landmark Commission ("Landmark") and submits this brief in support of Landmark's decision to deny Appellant's application for a certificate of appropriateness.

A. Facts and Background

The house in question is an existing single-family home located at 4605 Sycamore Street (the "Property") and is a one-story vernacular cottage in Folk Victorian form with Craftsman architectural elements. (*See* Record §3, p. 10-11). The Property is in the Peak's Suburban Addition Neighborhood Historic District ("Historic District") and is contributing. (*See Id.* at p. 10-11). The Historic District was designated as a Dallas Landmark District and National Register of Historic Places in 1995. (*See Id.* §6, p. 62-66, 87, 93). The Historic District protects the front and side facades of contributing structures. (*See Id.* p. 67-76).

Esther Garcia ("Appellant") is the owner of the Property, the applicant for the certificate of appropriateness ("CA") and is the appellant here. (*See Id.* §3, p. 11). On March 25, 2024, Appellant sought retroactive approval for a CA for eighteen windows she had already installed on

Brief in Support of the Landmark Commission (4605 Sycamore Street) - Page 1

¹ The City has evidence that Appellant knew that her house was in the Historic District. In 2010, Appellant sought a CA to paint her house and the application was approved. (Exhibit "A.")

the house on the Property. (*See Id.* §1, p. 6). Work on the requested items had already occurred so the request was retroactive. (*See Id.*, § 5, p. 43-45).

On October 7, 2024, the Landmark Commission held a hearing on Appellant's request for approval of the CA. (*See Id.* §4, p. 40). Prior to the hearing, City staff and the Historic District task force noted several concerns with the Appellant's request and recommended denial of the request. (*See Id.* §3, p. 10-12).

Appellant did not appear at the October 7, 2024, Landmark Commission hearing. (*See Id.* § 5, p. 43-45). At the hearing City staff recommended denial without prejudice of Appellant's request and provided facts to support the request. (*See Id.*). Commissioner Cummings moved the Landmark Commission to deny without prejudice Appellant's request and the motion carried unanimously. (*See Id.*). The Appellant appealed the Landmark Commission's decision to the City Plan Commission ("CPC") on October 26, 2024, within the required 30-day deadline. (*See Id.* §7, p. 123).

B. The Historic Preservation Program and Staff Recommendations

The purpose of the historic district preservation program is to protect, enhance, and perpetuate places that represent distinctive and important elements of the city of Dallas' historical and architectural history, and to preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the city of Dallas' history. (Dallas, Tex., Code § 51A-4.501(a)).

Due to the quasi-judicial nature of Landmark Commission proceedings, Landmark Commissioners are restricted from visiting properties that have pending CA applications, so the Landmark Commission finds the preservation criteria and staff recommendations helpful in determining what proposed work is compatible with the historic overlay district and what proposed work is not compatible.

C. The Legal Standard

The Landmark Commission must grant a CA for contributing structures if it determines that the proposed work:

- a. is consistent with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance;
 - b. will not have an adverse effect on the architectural features of the structure;
 - c. will not have an adverse effect on the historic overlay district; and
 - d. will not have an adverse effect on the future preservation, maintenance, and use of the structure or the historic overlay district.

(Dallas, Tex., Code § 51A-4.501(g)(6)(C)(i)). At the October 7, 2024, Landmark Commission hearing, the Appellant had the burden of proof to establish the necessary facts to warrant a favorable action. (*Id.* § 51A-4.501(g)(6)(B)).

Regarding appeals to the CPC, the City Council provided guidance and mandated that the CPC give deference to the Landmark Commission's decision. (*Id.* § 51A-3.103(a)(1)). Their reasoning is based on their requirement that all Landmark Commissioners have expertise in historic preservation. (*Id.* § 51A-4.501(o) (requiring that the CPC give deference to the landmark commission decision and may not substitute its judgment for the landmark commission's judgment)).

When the CPC hears an appeal from the Landmark Commission, it may not substitute its judgment for the judgment of the Landmark Commission, but, rather, shall determine if the Landmark Commission erred in its decision. (*Id.* § 51A-4.501(o)(1)). The CPC is required to affirm the decision of the Landmark Commission unless it finds that the decision: "(A) violates a statutory or ordinance provision; (B) exceeds the [L]andmark [C]omission's authority; or (C) was not reasonably supported by substantial evidence considering the evidence in the record." (*Id.* § 51A-4.501(o)(2)).

Here, the Landmark Commission did not violate a statutory or ordinance provision. Nor did the Landmark Commission exceed its authority as the Dallas Development Code specifically grants the Landmark Commission jurisdiction to approve, deny with prejudice, or deny without prejudice the certificate of appropriateness and may impose conditions on the certificate of appropriateness. (*Id.* § 51A-4.501(g)(6)(B)). Therefore, this appeal considers whether there is substantial evidence in the record to support the decision of the Landmark Commission.

D. Argument

The record in this case is clear and there is substantial evidence to support the Landmark Commission's decision. The Landmark Commission's decision was consistent with the recommendations of the City's staff and the Historic District's task force. (*See* Record §3, p. 10-11). The reasoning of the City's staff and Landmark Commission for their vote to deny without prejudice is clear on the record. (*See Id.* § 5, p. 43-46).

For Appellant to have prevailed at the Landmark Commission, she needed to prove all four of the criteria in section 51A-4.501(g)(6)I(i). However, Appellant failed to meet her burden with regard to the criteria. Appellant did not submit a brief in support of her application and did not appear at the hearing to offer facts and arguments in support of her application. Therefore, there is nothing for the CPC to review because: (1) Appellant did not meet her burden of proof to establish the necessary facts to warrant a favorable action at the Landmark Commission, and (2) the record is devoid of any facts supporting the approval of the application.

Before the CPC, Appellant submitted a letter to Elaine Hill, the Landmark Commission Secretary, for consideration by the CPC. The submission is irrelevant because it was never submitted to the Landmark Commission prior to the October 7, 2024, hearing. If the CPC considers the assertions of the Appellant, the following is City staff and the Landmark Commission's response:

The request to retroactively approve the certificate of appropriateness to replace eighteen wood windows with vinyl windows does not meet the preservation criteria for section 3.10 or 3.13 of the Historic District's criteria. (*See* Record § 6, p. 71-72). Section 3.10 requires that the "where replacement of an original door or window is necessary, replacement doors and windows must express mullion size, light configuration, and material to match the original doors and windows." (*See Id.*). Section 3.13 requires that the "[g]lass and glazing must match original materials as much as practical." (*See Id.*). The vinyl windows the Appellant installed on her house do not match the proper mullion size, light configuration, and material. Furthermore, the trim reduces the dimensionality of the window unit and is inappropriately applied for this neighborhood.

Appellant fails to explain how the already installed windows are in compliance with the Historic District's criteria or how she would come into compliance. Prior to her submission to Ms. Hill, Appellant asserted to City staff that installing windows in compliance with the criteria is too expensive. This assertion does not permit the Appellant to install windows out of compliance with the Historic District's standards.

In the Appellant's letter to the CPC, Appellant claims that the already installed vinyl windows would "improve energy efficiency, reducing the home's carbon footprint and supporting sustainability goals—a value that aligns with preserving our historic districts for future generations." Wood windows that comply with the Historic District's standards would be just as, if not more efficient than the vinyl windows. One of the sources for the Landmark Commission and the City staff's position on window efficiency can be found on the "This Old House" website:

Difference Between Wood and Vinyl Windows

Wood and vinyl are <u>trusted window replacement choices</u> and have unique properties that influence their performance, longevity, and suitability for different home styles and climates. Here's how they compare on key factors.

Factor	Wood Windows	Vinyl Windows
Availability	Available from fewer manufacturers	Widely available
Average Cost*	\$260-\$2,000 each	\$140-\$900 each
Customization	Easy to paint and finish	Some baked-in colors available; difficult to paint
Energy Efficiency	High	Good (when insulated)
Installation	Professional installation recommended	DIY-friendly
Lifespan	30+ years	15–20 years
Maintenance	Repainting and sealing needed every few years	No need to paint or refinish
Return on Investment (ROI)**	61.20%	68.50%

^{*}Cost data sourced from Angi

(https://www.thisoldhouse.com/windows/wood-vs-vinyl-windows).

Further, the National Park Service provides guidance on the preservation of the nation's historic buildings. It notes the following:

In historic buildings where the ratio of glass to wall is less than 20%, the potential heat loss through the windows is likely minimal; consequently, they are more energy efficient than most recent construction. In hot climates, numerous windows provided valuable ventilation, while features such as wide roof overhangs, awnings, interior or exterior shutters, venetian blinds, shades, curtains and drapes significantly reduced heat gain through the windows. Historic windows can play an important role in the efficient operation of a building and should be retained.

(See Exhibit "B").

Appellant also argues that "the improved insulation contributes to the property's long-term preservation by mitigating issues such as moisture infiltration." However, properly installed wood windows would also mitigate moisture infiltration. Appellant's arguments do not have merit and should not be considered by the CPC.

^{**}ROI data sourced from Remodeling Magazine's 2023 Cost vs. Value Report

City staff's evidence provided in the record is the only substantial evidence and it supports the decision of the Landmark Commission. Appellant provided no evidence that the work already done for which she is seeking approval, is consistent with the regulations contained in the preservation criteria. (*Id.* § 51A-4.501(g)(6)(C)(i)(aa)). Nor does Appellant provide any evidence on the record of her burden to meet 51A-4.501(g)(6)(C)(i)(bb) through (dd). It is clear from the record that the Appellant did not meet her burden and there is substantial evidence on the record to support the decision of the Landmark Commission.

E. Conclusion

Because the Landmark Commission did not violate a statutory or ordinance provision, did not exceed its authority, and its decision is reasonably supported by substantial evidence in the record, the City Plan Commission must affirm the decision of the Landmark Commission. The City Plan Commission must give deference to the Landmark Commission, even if the City Plan Commission may come to a different conclusion than the Landmark Commission. Because the City Plan Commission may not substitute its judgment for that of the Landmark Commission, the application for a CA should be denied.

[signature block on the next page]

Respectfully submitted,

CITY ATTRORNEY OF THE CITY OF DALLAS Tammy L. Palomino City Attorney

/s/ Justin H. Roy
JUSTIN H. ROY
Assistant City Attorney
Texas Bar No. 24013428
justin.roy@dallas.gov

7DN Dallas City Hall 1500 Marilla Street Dallas, Texas 75201 Telephone: 214-670-3519 Facsimile: 214-670-0622

ATTORNEYS FOR THE CITY OF DALLAS LANDMARK COMMISSION

Job 055529986-001 (CA090-258(MF))

Job Edit

Certificate of Appropriateness Job 055529986-001 (CA090-258(MF))

Paint house: Body color - Martha Stewart Living - Spanish Moss; Trim color - Behr - Cottage White #1813; Accent color on window sashes and door - Holly Leaf Martha Stewart Living #139.

Status: Complete Created By: MFISKELL Date Created: Mar 17, 2010

Date Completed: Mar 18, 2010

Parent Job: Specific Location:

Details

Address Lookup 4605 SYCAMORE ST

Applicant Name Lookup... Garcia, Maria E

4605 Sycamore Street Dallas, TX 75204 (214) 828-0351 Mar 17, 2010

Application Received Date Mar 17, 201

Application Type Routine

Background/History

Base Zoning R-7.5(A)

Block

Bring-forward Date

Case Number CA090-258(MF)

Census Tract 0015.04
Communications Applicant

Completion Date

Council District

Date Decision Due Apr 6, 2010

Date Response Due Mar 27, 2010

GIS Code District

GIS District

Historic District Name Peak's Suburban Addition Neighborhood

Lot 5 MAPSCO 46-A

Owner Address Lookup & ESTHER GARCIA 4605 SYCAMORE ST

DALLAS TEXAS 75204-7027

Owner Address Override

Owner As Applicant N
Owner As Representative N

Owner EMail

Owner Fax Number

Owner Name Lookup HERNANDEZ REFUGIO VIDAMA
Owner Name Override Maria E. Garcia & Refugio Vidana

Owner Phone Number

Permit Required N

Planner Margaret Fiskell

Representative Name Lookup...

Standard of Demolition

Structure Type Contributing

Summary Exhibit A

Tax Parcel Legal 0735 002 005 1000735 002

Temporary Address

Job 055529986-001 (CA090-258(MF))

Details



Applicant: Garcia, Maria E 4605 Sycamore Street



Address: Tax Parcel 4605 SYCAMORE ST



Tax Parcel: Historical 4605 SYCAMORE ST

00000123037000000

Requests

Relationship: CA Request:

Details of Request Paint Accent -Martha Stewart Living - Holly Leaf #139

Landmark Commision Decision

Number 3

Request Summary Paint Accent -Martha Stewart Living - Holly Leaf #139

Staff Recommendation Approve

Task Force Recommendation

Relationship: CA Request:

Details of Request Paint Trim -Behr- Cottage White #1813

Landmark Commision Decision

Number 2

Request Summary Paint Trim - Behr- Cottage White #1813

Staff Recommendation Approve

Task Force Recommendation

Relationship: CA Request:

Details of Request Paint Body -Martha Stewart Living - Spanish Moss #

Landmark Commision Decision

Number

Request Summary Body color -Martha Stewart Living - Spanish Moss

Staff Recommendation Approve

Task Force Recommendation

Processes

			Sch	Scheduled		Actual
Assigned To	Status	Outcome	Start	Completed	Start	Completed
Assigned to	Status	Outcome	Start	Completed	Start	Completed
Receive and Review CA Application						
Margaret Fiskell	Complete	Application Complete				Mar 18, 2010 08:41:29
	•					,
Respond to Routine Application						
Margaret Fiskell	Complete	Response Complete	Mar 18, 2010	Mar 27, 2010		Mar 18, 2010 08:41:38
Review Routine Application						
Margaret Fiskell	Complete	Approved	Mar 18, 2010	Apr 06, 2010		Mar 18, 2010 08:41:47
Print CA Approval Letter						
Luann Taylor Term 5/10/2017; Marga	Complete	Notification Complete	Mar 18, 2010			Mar 18, 2010 08:59:16
System Decision						
I	Complete	No				Mar 18, 2010 08:59:19

Job 055529986-001 (CA090-258(MF))						
	Meetings					
		Notes				

Documents



Report: Certificate Of Appropriateness #CA090-258(MF) created on 2010/03/18 08:45:12



Report: Certificate of Appropriateness Approval/Denial Letter #CA090-258(MF) created on 2010/03/18 08:42:46

LMC Motion

Technical Preservation Services



Home > How to Preserve > Preservation Briefs > 3 Improving Energy Efficiency

Some of the web versions of the Preservation Briefs differ somewhat from the printed versions. Many illustrations are new and in color; Captions are simplified and some complex charts are omitted. To order hard copies of the Briefs, see Printed Publications

PRESERVATION BRIEFS

Farmhouse with energy efficient storm windows.

3 **Improving Energy Efficiency** in Historic **Buildings**

Jo Ellen Hensley and **Antonio Aguilar**



Energy Audit

Actions to Improve Energy Efficiency

What about moisture?

Alternative Energy Sources Summary and References Download the PDF The concept of energy conservation in buildings is not new. Throughout history building owners have dealt with changing fuel supplies and the need for efficient use of these fuels. Gone are the days of the cheap and abundant energy of the 1950's. Today with energy resources being depleted and the concern over the effect of greenhouse gases on climate change, owners of historic buildings are seeking ways to make their buildings more energy efficient. These concerns are key components of sustainability—a term that generally refers to the ability to maintain the environmental, social, and

economic needs for human existence. The topic of sustainable or "green" building practices is too broad to cover in this brief. Rather, this preservation brief is intended to help property owners, preservation professionals, and stewards of historic buildings make informed decisions when considering energy efficiency improvements to historic buildings.





Figure 1. A decorative, stained glass skylight allows natural daylight into the interior.

Sound energy improvement measures must take into consideration not only potential energy savings, but also the protection of the historic property's materials and features. This guidance is provided in accordance with the Secretary of the Interior's Standards for Rehabilitation to ensure that the architectural integrity of the historic property is preserved. Achieving a successful retrofit project must balance the goals of energy efficiency with the least impact to the historic building. Planning must entail a holistic approach that considers the entire building envelope, its systems and components, its site and environment, and a careful evaluation of the effects of the measures undertaken. Treatments common to new construction need to be evaluated carefully before implementing them in historic buildings in order to avoid inappropriate alteration of important architectural features and irreparable damage to historic building materials. This brief targets primarily small-to medium-size historic buildings, both residential and commercial. However, the general decision-making principles outlined here apply to buildings of any size and complexity.

Inherent Energy Efficient Features of Historic Buildings

Before implementing any energy conservation measures, the existing energy-efficient characteristics of a historic building should be assessed. Buildings are more than the sum of their individual components. The design, materials, type of construction, size, shape, site orientation, surrounding landscape, and climate all play a role in how buildings perform. Historic building construction methods and materials often maximized natural sources of heat, light and ventilation to respond to local climatic conditions. The key to a successful rehabilitation project is to understand and identify the existing energy-efficient aspects of the historic building and how they function, as well as to understand and identify its character-defining features to ensure they are preserved. Whether rehabilitated for a new or continuing use, it is important to utilize the historic building's inherent sustainable qualities as they were intended to ensure that they function effectively together with any new treatments added to further improve energy efficiency.

Figure 2. Upper and lower shutters control daylight and provide privacy



Windows, courtyards, and light wells

Operable windows, interior courtyards, clerestories, skylights, rooftop ventilators, cupolas, and other features that provide natural ventilation and light can

reduce energy consumption. Whenever these devices can be used to provide natural ventilation and light, they save energy by reducing the need to use mechanical systems and interior artificial lighting.

Historically, builders dealt with the potential heat loss and gain from windows in a variety of ways depending on the climate. In cold climates where winter heat loss from buildings was the primary consideration before

Exhibit B

mechanical systems were introduced, windows were limited to those necessary for adequate light and ventilation. In historic buildings where the ratio of glass to wall is less than 20%, the potential heat loss through the windows is likely minimal; consequently, they are more energy efficient than most recent construction. In hot climates, numerous windows provided

Figure 3. Stone walls with substantial mass have high thermal inertia.



valuable ventilation, while features such as wide roof overhangs, awnings, interior or exterior shutters, venetian blinds, shades, curtains and drapes significantly reduced heat gain through the windows. Historic windows can play an important role in the efficient operation of a building and should be retained.

New architectural styles, beginning with the International Style of the 1920's, brought about an increase in the percentage of glazing in the total building envelope. By the 1950's, with the advent of the glass curtain wall, glazing constituted nearly 100% of a building's exterior walls in many buildings. While many early modern buildings continued to use operable windows as a way to provide natural ventilation, greater reliance on mechanical heating and air conditioning systems eventually reduced the function of exterior glazing to providing light only, particularly in commercial, office, and institutional buildings.





Figure 4. A typical New England saltbox features a steeply sloping roof to shed snow and a floor plan organized around a central chimney to conserve heat.

Walls

Thick masonry walls typical of the late-nineteenth and early-twentieth centuries have inherent thermal characteristics that keep the buildings cooler in the summer and warmer in the winter. Walls with substantial mass have the advantage of high thermal inertia, which reduces the rate of heat transfer through the wall. For instance, a wall with high thermal inertia, subjected to solar radiation for an hour, will absorb the heat at its outside surface, but slowly transfer it to the interior over a period as long as six hours. Conversely, a wall having the equivalent thermal resistance (R-value), but a substantially lower thermal inertia, will transfer the heat in perhaps as little as two hours. Heavy masonry walls also reduce the need for summer cooling. High thermal inertia is the reason many older public and commercial buildings without air conditioning still

feel cool during the summer. The heat from the midday sun does not penetrate the buildings until late afternoon and evening, when it is less likely to be occupied or when exterior temperatures have fallen. Heavy masonry walls are also effective in moderating internal temperatures in the winter by dampening the overall peaks of heat gain and loss resulting in a flatter and more tolerable daily cycle. In areas that require cooling during the day and heating at night, masonry walls can help spread out excess heat gain from the day to cover some of the needed heating for the evening and night hours.

Roofs

Roof construction and design in historic buildings, particularly vernacular buildings, are strongly influenced by the conditions of the local climate. Wide overhangs that sometimes extend to create porches minimize the heat gain from the sun in warmer climates, while steep, sloping roofs with minimal or no overhang prevail in colder climates to allow for shedding snow and increasing beneficial solar heat gain through the windows. Materials and color also influence the thermal performance of roofs. Metal and light colored roofs, for example, reflect sunlight and thereby reduce the heat gain from solar radiation.



Figure 5. The side porches of this house in Charleston, SC, shade the large windows and provide outdoor living spaces that take advantage of sea breezes.

Floor Plans

The floor plan of many historic buildings, particularly traditional vernacular ones, was also designed to respond to the local climate. In cold climates, rooms with low ceilings were clustered around central chimneys to share the heat, while small windows with interior shutters reduced drafts and heat loss. In warmer climates, wide central halls with tall ceilings, breezeways, and large porches all maximized air circulation.

Landscape

Site orientation was another factor considered especially in the location of a historic building on its property. In cold climates, buildings were oriented against northern winds while buildings in warm climates were sited to take advantage of prevailing breezes. Evergreen trees planted on the north side of buildings shielded from winter winds; deciduous trees planted to the south provided summer shade and maximum sun in the winter.



Figure 6. A blower door is used to depressurize a building by exhausting air at a rate that allows pressure gages and tracer smoke to measure the amount and location of air leakage. Photo: Robert Cagnetta, Heritage Restoration, Inc.

Energy Audit

Before implementing any measures to improve the thermal performance of a historic building, an energy audit should be undertaken to evaluate the current energy use of the building and identify deficiencies in the building envelope or mechanical systems. In some areas, the local utility company may offer a free simple audit, however a more in-depth audit should be obtained from a professional energy auditor. The goal of the audit is to establish a baseline of building performance data to serve as a reference point when evaluating the effectiveness of future energy improvements. It is important to hire an independent auditor who does not have financial interests in the results, such as a product vendor.

An energy auditor first documents the current energy use patterns in the building to establish an energy use history. This initial step includes obtaining the billing history from the local utility company over a one- or two-year period, as well as documenting the number of building occupants, how the building is used, and the type of fuel consumed. The location of any existing insulation is recorded and the approximate R-value of various components of the building envelope including walls, ceilings, floors, doors, windows and skylights is calculated. The building envelope is inspected to identify areas of air infiltration and air loss. The type and age of mechanical systems and major appliances are also recorded.

Tools such as a blower door test or infrared thermography are useful to identify specific areas of infiltration, lack of insulation and thermal bridging. Mechanical depressurization along with infrared thermography is extremely useful in identifying locations of air leakage and heat loss followed by the use of tracer smoke to isolate specific air leaks. These tests are often challenging to perform on buildings and must be undertaken by experienced professionals to avoid misleading or inaccurate results. There are professional standards for audits, those of the Building Performance Institute (BPI) being the most widely used.



Figure 7.The left thermal image shows the walls of this building before insulating. After insulation was added, the cooler and, thus darker exterior walls evidence how much the heat loss has been reduced. Photos: EYP Architecture & Engineering.

The energy auditor then produces a detailed report that documents the findings of the audit and includes specific recommendations for upgrades such as air sealing, adding insulation, general repairs, lighting, and improvements to or replacement of mechanical systems or major appliances. Cost estimates are provided for each of the improvements including the cost of implementation, potential operating cost savings, and, importantly, the anticipated payback period. Armed with this information, historic building owners can start to make informed decisions on how to improve the performance of their buildings. Usually the auditor finds a few locations where there is major air leakage; large "holes" that are unique to a particular building and require equipment to find them. These anomalies are often invisible to the people who use the building on a regular basis. It is important to retest the performance of the building following the implementation of any upgrades undertaken as a result of an energy audit to ensure that the upgrades are performing as expected.



Figure 8. Where Air Escapes From a House (by percentage) – Image based on data from Energy Savers, U.S. Department of Energy. Illustration: Blank Space

Prioritizing Energy Upgrades

When implementing energy upgrades, efforts should be concentrated on improvements that will provide the most payback for the money expended and the least compromise to the historic character of the building. Some upgrades recommended in energy audits may not be introduced into a historic building feasibly without damaging historic fabric or altering the appearance of significant features. Removing historic siding and replacing it with new siding to introduce insulation into the wall cavity of a frame building or replacing repairable historic windows are examples of treatments that should not be undertaken on historic buildings.

A common misconception is that replacing windows alone will result in major energy savings. This argument, often used to sell replacement windows, is simply not true. Although it varies from building to building, the U.S. Department of Energy (DOE) has documented that air loss attributable to windows in most buildings is only about 10% of the total air loss. Studies have shown that window replacement does not pay for itself in energy savings in a reasonable length of time. Moreover, there are ways to improve the performance of historic windows that do not require their replacement. In addition, historic windows can usually be repaired and are, thus, sustainable, while most new windows cannot be repaired, or even recycled, and may wind up in landfills.

When considering energy upgrades, it is imperative to get a clear picture of what an improvement will cost initially and how long it will take to pay back the cost in energy savings. Therefore, the life cycle cost of the improvement must be considered as well as its impact on historic fabric. Reducing infiltration around existing windows and doors, sealing penetrations in the building envelope, and adding insulation—particularly in the attic where it has little impact on historic fabric—can result in significant improvements at relatively little cost. Updating mechanical systems or changing the way in which they are operated can also be cost-effective interventions. For example, installing a more efficient mechanical system alone may pay for itself in ten years.

Actions to Improve Energy Efficiency

Reducing energy demands for heating and cooling may be accomplished in two steps. First, implement operational changes and upgrades to mechanical systems and major appliances—measures that do not require making alterations or adding new materials—to ensure that a building functions as efficiently as possible. After all these measures have been implemented, corrective work or treatments, such as weatherization, that require other alterations to the building may be considered.

Residential Energy Use Intensity by Age

Year Built	KBtu/sq ft/yr
Prior to 1950	74.5
1950 to 1969	66.0
1970 to 1979	59.4
1980 to 1989	51.9
1990 to 1999	48.2
2000 to 2005	44.7

Figure 9. An energy auditor tests the efficiency of a boiler



Source: Residential Energy Consumption

Survey, 2005

Establishing Realistic Goals

Energy consumption data gathered by the U.S. Energy Information Administration (see chart) shows that residential buildings built before 1950 (the largest percentage of historic building stock) are about 30 to 40 percent less energy efficient than buildings built after 2000. Using this as a baseline, a 30 to 40 percent upgrade of a historic building's energy performance can be a realistic goal. A 40 percent increase in energy efficiency would of course be a more achievable goal for buildings that have had minimal upgrades since their original construction, i.e., added insulation, tightening of the exterior envelope, or more efficient mechanical equipment. On the other hand, achieving "net zero" energy goals as it is currently done with some new construction can be a much more difficult challenge to achieve in a historic retrofit. Attempting to reach such a goal with a historic building would most likely result in significant alterations and loss of historic materials. [The data for commercial buildings documents that buildings in 2003 used approximately the same energy as they did before 1920, after reaching their peak in the 1980's.]

Operational Changes

One of the greatest effects on energy use is user behavior. Once an energy audit has established a baseline for the current energy use in a building, operational changes should be identified to control how and when the building is used to minimize the use of energy-consuming equipment. These changes can range from simple measures such as regular cleaning and maintenance of mechanical equipment to installing sophisticated controls that cycle equipment on and off in specified intervals for maximum performance. The following changes are recommended to reduce heating and cooling costs.

- Install programmable thermostats.
- Close off rooms that are not in use and adjust the temperature in those rooms.
- Do not condition rooms that do not need to be conditioned, thereby reducing the thermal envelope.
- Use insulated shades and curtains to control heat gain and loss through windows.
- Use operable windows, shutters, awnings and vents as originally intended to control temperature and ventilation.
- Take advantage of natural light.
- Install compact fluorescent lights (CFL) and light-emitting diode (LED) lights.
- Install motion sensors and timers for lighting and local ventilation, such as bathroom exhaust fans.

- Reduce "phantom" electricity loads by turning equipment off when not in use.
- Clean and service mechanical equipment regularly.

These measures should be undertaken first to save energy in any existing building and are particularly appropriate for historic buildings because they do not require alterations to historic materials.

Upgrading Equipment and Appliances

In addition to maximizing the energy efficiency of existing building systems, substantial savings can be achieved through upgrading equipment and appliances. One should still weigh the operational savings against the initial cost of the new equipment, particularly if the existing equipment is not near the end of its life.

Calculator aids that take into account the efficiency of both the existing and new equipment are available online to assist in determining the payback. Advance planning will allow time to find the most efficient unit, as well as to investigate the availability of any state and federal energy credits. As energy prices continue to rise and technology advances, options such as the installation of a solar hot water heater or geothermal ground source or water source heat pumps are becoming more economically feasible. Recommendations for upgrading equipment and appliances include:

- Upgrade the heating system. It is important to install new furnaces that utilize outside combustion air to reduce air
 drawn into the building through uncontrolled infiltration. [All furnaces and boilers are now measured by their annual fuel
 utilization efficiency or AFUE.] Heating equipment is now more efficient and gas furnaces that used to have a 60%
 (AFUE) rating can now operate at as much as 90 to 97% efficiency.
- Upgrade the air conditioning system.
- Replace the water heater. High-efficiency water heaters use far less energy than earlier models, and high-efficiency tankless water heaters heat water on demand and offer even greater savings. Point of use water heat can also reduce costs and water consumption by reducing the time it takes to draw hot water.
- Upgrade appliances. Energy Star appliances, particularly refrigerators, washing machines and dishwashers can all reduce electricity use and additional indoor heating loads.

Upgrading Building Components

In addition to operational and mechanical upgrades, it can be possible to upgrade many building components in a manner that will not jeopardize the historic character of the building and can be accomplished at a reasonable cost. The goal of these upgrades is to improve the thermal performance of the building, resulting in even greater energy savings. Retrofit measures to historic buildings should be limited to those that achieve at least reasonable energy savings, at reasonable costs, with the least impact on the character of the building.

The following list includes the most common measures proposed to improve the thermal performance of an existing building; some measures are highly recommended for historic buildings, but others are less beneficial, and can even be harmful to a historic building.

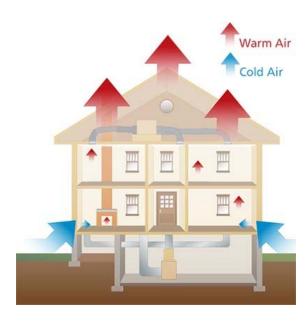


Figure 10. The pattern of air movement referred to as the "stack effect". Illustration: Blank Space LLC.

Requires Minimal Alteration

- Reduce air leakage.
- Add attic insulation.
- · Install storm windows.
- Insulate basements and crawlspaces.
- Seal and insulate ducts and pipes.
- Weather strip doors and add storm doors.
- Add awnings and shading devices where appropriate.

Requires More Alteration

- Add interior vestibules.
- · Replace windows.
- Add insulation to wood-frame walls.
- · Add insulation to masonry walls.
- · Install cool roofs and green roofs.

The treatments listed first have less potential to negatively impact the historic fabric of a building. They tend to be less intrusive, are often reversible, and offer the highest potential for energy savings. Undertaking any of the treatments in the second group, however, may pose technical problems and damage to historic building materials and architectural features. Their installation costs may also outweigh the anticipated energy savings and must be evaluated on a case-by-case basis with advice from professionals experienced in historic preservation and building performance.

Requires Minimal Alteration

Reduce air leakage. Reducing air leakage (infiltration and exfiltration) should be the first priority of a preservation retrofit plan. Leakage of air into a building can account for 5 to 40 percent of space-conditioning costs, which can be one of the largest operational costs for buildings. In addition, unwanted air leakage into and out of the building can lead to occupant comfort issues resulting from drafts. Air infiltration can be especially problematic in historic buildings because it is closely linked to increased moisture movement into building systems.

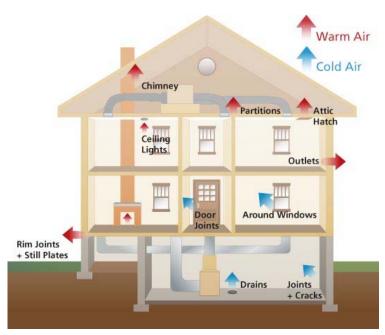


Figure 11. Air infiltration and exfiltration. Illustration: Blank Space LLC.

Air flow into and out of buildings is driven by three primary forces: wind pressure, mechanical pressure and the stack effect. Cold outside air that infiltrates the building through big holes, as well as through loose windows, doors, and cracks in

the outer shell of the building, causes the heating system to work harder and consume more energy. In a multi-story building, cold air that enters the building at lower levels, including the basement or crawlspace, will travel up through the building and exit out leaky windows, gaps around windows and the attic as a result of temperature and pressure differential. This pattern of air movement is called the "stack effect." Not only is valuable conditioned air lost, but damaging moisture may also enter the wall cavities and attic spaces. To stop the stack effect, the top and bottom of the exterior walls, inter-floor bypasses, and any existing chases or shafts must be sealed, or "draft proofed." The use of spray foam sealants in basement and attic cracks is a particularly useful technique for reducing air infiltration.

Adding weatherstripping to doors and windows, sealing open cracks and joints at the base of walls and around windows and doors, sealing off recessed lighting fixtures from above, and sealing the intersection of walls and attic, will substantially reduce air leakage. When using exterior caulk to seal the intersection of siding and doors or windows, do not caulk the underside of clapboards or below windows to allow any liquid water to escape. When infiltration and, consequently, exfiltration are reduced, mechanical ventilation may be necessary to meet occupants' requirements for fresh air.

Add attic or roof insulation. Heat loss and gain caused by increased interior/exterior temperature differentials primarily due to the stack effect and solar radiation are greatest at the top of a building. Therefore, reducing heat transfer through the roof or attic should be one of the highest priorities in reducing energy consumption. Adding insulation in unoccupied, unfinished attics is not only very effective from an energy-savings perspective, but it is also generally simple to install and causes minimal disruption to historic materials. The U.S. Department of Energy (DOE) provides a recommended R-value chart based on climate zones to help determine the optimal amount of insulation that should be installed in a particular project. Local codes may also have specific insulation requirements. Insulating trap or access doors should not be overlooked. Even though they may be small, attic doors can be responsible for substantial heat loss and should be addressed as part of any attic insulation project.



Figure 12. DOE Climate Zone MapRecommended energy improvements vary widely based on climate. The information contained in this document is based primarily on the available data for the Northeast and Mid-Atlantic regions.

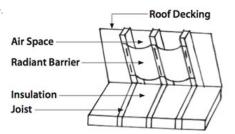
In unfinished and unheated attics, the insulation material is typically placed between the floor joists using blown-in, batt, or rigid foam insulation. When using fiberglass batts faced with a vapor retarder, the vapor retarder should be face down towards the heated interior. However, the use of a vapor retarder is not necessary in attic applications. If additional batt insulation is being added over existing insulation that is near or above the top of the joists, new un-faced batts should be placed perpendicular to the old ones to cover the top of the joists and reduce thermal bridging through the frame members. In low-pitched roofs, or where installing batt insulation is difficult, a more complete coverage of the attic floor may be achieved by using blown-in insulation. Unfinished attics must be properly ventilated to allow excess heat to escape.

Radiant barriers may be used in attics to reduce thermal radiation across the air space between the roof deck and the attic floor in order to reduce summer heat gain. They are most beneficial in reducing cooling loads in hot climates and consist of a highly reflective sheet or coating, usually aluminum, applied to one or both sides of a flexible material. They are effective only when the foil surface faces an air space, and as long as the surface remains shiny – that is, free from dirt, dust, condensation and oxidation. Radiant barriers should not be installed directly over insulation on the attic floor, as they can act as vapor retarders and trap moisture in the insulation unless they are perforated. Their placement should be ventilated on both sides.

Insulating the underside of the roof rather than the attic floor increases the volume of the thermal envelope of the building, thus making this treatment inherently less energy efficient. However, when mechanical equipment and/or ductwork are housed in an attic space, placing the insulation under the roof and treating the attic as a conditioned space is strongly recommended. This treatment allows the equipment to operate more efficiently and can prevent moisture-related problems caused by condensation on the mechanical equipment.

When insulation is placed under the roof, all vents in the attic and the intersection between the walls and roof rafters must be sealed. Rigid

Figure 13. Sample installation of a radiant barrier.



foam or batt insulation placed between the roof rafters is a common method of insulating the underside of a roof. Open cell spray foam (.5lb/cuft) may sometimes be applied under the roof deck only when there are no gaps in the sheathing which could allow the foam to expand under slates or

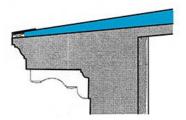


Figure 14. Sample installation of rigid foam insulation, tapered at the edge to avoid altering the appearance of the roof.

shingles, preventing the re-use of the roofing material. Also, if roof leaks do occur, they may go undetected until after major damage occurs. Consideration must also be given to the irreversibility of this procedure because the foam enters the pores of the wood. It may be more advisable to install a breathable layer of material that will allow for future removal without leaving a residue.

When total roof replacement is required because of deterioration, installing rigid foam insulation on top of the roof deck before laying the new roofing material can be simple and effective, particularly on low-pitched or flat roofs. However, the added thickness of the roof caused by installing rigid foam can alter the appearance of projecting eaves, dormers, and other features. If this application would significantly alter the appearance of these features, consider other methods.

Install storm windows. The addition of metal or wood exterior or interior storm windows may be advisable to increase the thermal performance of the windows in ways that weatherstripping and caulking cannot address. A single-glazed storm window may only increase a single-pane window's thermal resistance to R2, however, that is twice as good as a single-glazed window alone. It will make a noticeable contribution to the comfort level of the building occupant, with the added benefit of protecting the historic window from weathering. Using clear, non-tinted, low-e glass in the storm window can further increase the thermal performance of the window assembly without the loss of historic fabric. Studies have shown that the performance of a traditional wood window with the addition of a storm window can approach that of a double-glazed replacement window. Some storm windows are available with insulated low-e glass, offering even higher thermal performance without the loss of the historic window. Furthermore, a storm window avoids the problem of irreparable seal failure on insulated glass units (IGUs) used in modern replacement windows. While the lifespan of the IGU depends both on the quality of the seal and other factors, it is unreasonable to expect more than 25 years. Once the seal fails, the sash itself will usually need to be entirely replaced.

By providing an additional insulating air space and adding a barrier to infiltration, storm windows improve comfort and reduce the potential for condensation on the glass. To be effective and compatible, storm windows must be tight fitting; include a sealing gasket around the glass; align with the meeting rail of the primary sash; match the color of the sash; and be caulked around the frame to reduce infiltration without interfering with any weep holes.

Whether a storm window or the historic window itself, the interior window must be the tighter of the two units to avoid condensation between the windows that can occur in a cold climate that requires indoor heating. Condensation is a particular concern if it collects on the historic window, as can easily happen with a loose-fitting, storm window. While interior storm windows can be as thermally effective as exterior storm windows, appropriate gaskets must be used to ensure that damage-causing condensation does not form on the inside face of the historic window. Opening or removing the interior storm windows during non-heating months also helps to avoid the negative effects of moisture build-up.





Figure 15. Original steel windows were retained and made operable during the rehabilitation of this historic mill complex. Insulated sliding windows were added on the interior to improve energy efficiency.

For large, steel industrial windows, the addition of interior, insulated sliding glass windows that align with the primary vertical mullions has proven to be a successful treatment that allows the primary window to remain operable.

Insulate basements and crawlspaces. The first step in addressing the insulation of basements and crawl spaces is to decide if they are to be part of the conditioned space and, therefore, within the thermal envelope of the building. If these areas are kept outside the thermal envelope of the building and treated as unconditioned areas, insulating between the floor joists on the underside of the subfloor is generally recommended. Alternatively, rigid foam insulation installed over the bottom of the floor joists on the basement or crawlspace side may also be used. All gaps between the unconditioned and conditioned areas of the building, including the band joists, should be air sealed to prevent air infiltration into the upper levels of the building.

If the crawlspace contains mechanical equipment, or if high levels of moist air enter the crawlspace through vents during the summer months, it is advisable to include the crawlspace within the thermal boundary of the building. As in attics, water vapor can condense on ducts and other equipment located in unconditioned basements and crawlspaces. In the past, building codes routinely required that crawlspaces be treated as non-conditioned spaces and be ventilated. However, this has not proven to be a best practice in all cases. Ventilation through crawlspace vents does not keep the space dry during humid summers. All vents should be sealed and access doors weather-stripped. Rigid foam insulation installed on the interior face of the wall is recommended for basement and crawlspace foundation walls, only after all drainage issues have been addressed. Special attention should be given to ensure that all the joints between the insulation boards are sealed.

A moisture barrier on exposed dirt in a crawlspace is strongly recommended to prevent ground moisture from entering the building envelope. Whenever feasible, pouring a concrete slab over a moisture barrier in crawlspaces or basements with exposed dirt floors should be considered.

Seal and insulate ducts and pipes. A surprisingly enormous amount of energy is wasted when heated or cooled air escapes from supply ducts or when hot attic air leaks into air conditioning return ducts. Based on data collected in energy audits, as much as 35 percent of the conditioned air in an average central air conditioning system may escape from the ducts. Care must be taken to completely seal all connections in the duct system and adequately insulate the ducts, especially in unconditioned spaces. This loss of energy is another reason to treat attics, basements and crawlspaces as conditioned spaces. Ducts located in unconditioned spaces should be insulated based on the recommendations for the appropriate climate zone. Hot water pipes and water heaters should be insulated in unconditioned spaces to retain heat, and all water pipes insulated to prevent freezing in cold climates.

Weather strip doors and add storm doors. Historic wood doors are often significant features and should always be retained, rather than replaced. While an insulated replacement door may have a higher R-value, doors represent a small

area of the total building envelope, and the difference in energy savings after replacement would be insignificant. The doors and frames should, however, have proper maintenance including regular painting, and the addition or renewal of weatherstripping. Storm doors can improve the thermal performance of the historic door in cold climates and may be especially recommended for a door with glazing. The design of the storm door should be compatible with the character of the historic door. A fully glazed storm door with a frame that matches the color of a historic door is often an appropriate choice because it allows for the historic door to remain visible. Storm doors are recommended primarily for residential buildings. They are not appropriate for commercial or industrial buildings. These buildings never had storm doors, because the doors were opened frequently or remained open for long periods. It may also not be appropriate to install a storm door on a highly significant entrance door. In some instances, the addition of a storm door could add significant heat gain on certain exposures or in hot climates, which could degrade the material or finish of the historic door.

Add awnings and shading devices. Awnings and other shading devices can provide a considerable reduction of heat gain through windows and storefronts. Keeping existing awnings, or replacing them if previously removed, is a relatively easy way to enhance the energy performance of a building. Awnings should only be installed when they are compatible with the building type and character. In building types that did not have awnings historically, interior shades, blinds or shutters should be considered instead.

A wide range of shades, blinds and shutters is available for use in all types of buildings to control heat gain or loss through windows, as well as lighting levels. When properly installed, shades are a simple and cost-effective means of saving energy. Some shade fabrics block only a portion of the light coming in—allowing the use of natural light—while others block all or most of the light. The light-colored or reflective side of the shades should face the window to reduce heat gain. Quilted roller shades feature several layers of fiber batting and sealed edges, and these shades act as both insulation and an air barrier. They control air infiltration more effectively than other soft window treatments. Pleated or cellular shades provide dead air spaces within the cells to add insulation value. These shades, however, do not measurably control air infiltration.

Retractable awnings and interior shades should be kept lowered during the summer to prevent unwanted heat gain, but raised in the winter to take advantage of the heat gain. Interior shades, especially those that have some insulation value, should be lowered at night during the winter months.

Light shelves are architectural devices designed to maximize daylight coming through windows by reflecting it deeper into the building. These horizontal elements are usually mounted on the interior above head height in buildings with high ceilings. Although they can provide energy savings, they are not compatible with most historic buildings. In general, light shelves are most likely to be appropriate in some industrial or modernist-style buildings, or where the historic integrity of interior spaces has been lost and they can be installed without being visible from the exterior.

Requires More Alteration

Add interior vestibules.

Vestibules that create a secondary air space or "air lock" are effective in reducing air infiltration when the exterior door is open. Exterior and interior vestibules are common architectural features of many historic buildings and should be retained wherever they exist. Adding an interior vestibule may also be appropriate in some historic buildings. For example, new glazed

Figure 16. Historic vestibules retain conditioned air in the living spaces



interior vestibules may be compatible changes to historic commercial and industrial buildings. New exterior vestibules will usually result in too great a change to the character of primary entrances, but may be acceptable in very limited instances, such as at rear entrances. Even in such instances, new vestibules should be compatible with the architectural character of the historic building.

Replace windows. Windows are character-defining features of most historic buildings. As discussed previously, the replacement of a historic window with a modern insulated unit is not usually a cost-effective choice. Historic wood windows have a much longer service life than replacement insulated windows, which cannot be easily repaired. Therefore, the sustainable choice is to repair historic windows and upgrade their thermal performance. However, if the historic windows are deteriorated beyond repair, if repair is impractical because of poor design or material performance, or if repair is economically infeasible, then replacement windows may be installed that match the historic windows in size, design, number of panes, muntin profile, color, reflective qualities of the glass, and the same relationship to the window opening.

Other options should also be considered before undertaking complete window replacement. If only the sash is severely deteriorated and the frame is repairable, then only the sash may need to be replaced. If the limited lifespan of insulated glass is not a concern, the new sash can be made to accommodate double glazing.

Where the sashes are sound, but improved thermal performance without the use of a storm window is desired, some windows may be retrofitted with insulated glass. If the existing sash is of sufficient thickness, it may be routed to accept insulated, clear low-e glass without extensive loss of historic material or historic character. When insulated glass is added in a new or retrofitted sash, any weights will have to be modified to accommodate the significant extra weight.

Wall Insulation

Adding wall insulation must be evaluated as part of the overall goal to improve the thermal efficiency of a building and should only be considered after the installation of attic and basement insulation. Can this goal be achieved without the use of wall insulation? Can insulation be added without causing significant loss of historic materials or accelerated deterioration of the wall assembly? Will it be cost effective? These are basic questions that must be answered before a decision is made to insulate the walls and may require professional evaluation.



Figure 17. Illustration of insulation from the 1889 trade catalog "The Uses of Mineral Wool in Architecture, Car Building and Steam Engineering". Collection Centre Canadien d'Architecture/Canadian Centre for Architecture, Montreal, Canada.

Add insulation to wood-frame walls. Wood is particularly susceptible to damage from high moisture levels; therefore, addressing existing moisture problems before the addition of insulation is essential. Un-insulated historic wood buildings have a higher rate of air infiltration than modern buildings; while this makes older buildings less efficient thermally, it helps dissipate the unwanted moisture and thus keeps building assemblies dry. Climate, building geometry, the condition of the building materials, construction details, and many other factors make it difficult to assess the impact that adding insulation will have on reducing the air flow and, hence, the drying rate in a particular building. For this reason, predicting the impact of adding insulation to wood-frame walls is difficult.

Insulation Installed in the Wall Cavity: When sheathing is part of the wall assembly, and after any moisture-related problems have been addressed, adding insulation to the interior cavity of a wood-frame wall may be considered. Adding insulation in a wall where there is no sheathing between the siding and studs is more problematic, however, because

moisture entering the wall cavity through cracks and joints by wind-driven rain or capillary action will wet the insulation in contact with the back of the siding.

Installing **blown-in insulation**, either dense-packed cellulose or fiberglass, into the wall cavity causes the least amount of damage to historic materials and finishes when there is access to the cavity walls, and it is therefore a common method of insulating wood-frame walls in existing buildings. In most cases, blowing insulation material into the wall cavity requires access through the exterior or interior wall surfaces. When historic plaster, wood paneling, or other interior historic decorative elements are present, accessing the cavity from the exterior is recommended by removing individual siding boards at the top of each wall cavity. In this manner the boards can be reinstalled without unsightly drill holes on the exterior. If the plaster is deteriorated and will require repair, then the wall cavity may be accessed from the interior through holes drilled through non-decorative plaster.

Of the materials available, dense-packed cellulose fiber is most commonly used. Its R-value, ability to absorb and diffuse moisture, impediment to air flow, relatively simple installation, and low cost make it a popular choice. Cellulose insulation from most manufacturers is available in at least two grades that are characterized by the type of fire retardant added to the insulation. The fire retardants are usually: (1) a mix of ammonium sulfate and boric acid or (2) boric acid only (termed "borate only"). The recommended type of cellulose insulation for historic buildings is the "borate only" grade, as cellulose treated with sulfates reacts with moisture in the air and forms sulfuric acid which corrodes many metals.

Optimum conditions for installing insulation inside the wall cavity occur in buildings where either the exterior materials or interior finishes have been lost, or where the materials are deteriorated beyond repair and total replacement is necessary. However, wholesale removal of historic materials either on the exterior or interior face of a historic wall to facilitate insulation is not recommended. Even when the exterior materials, such as wood siding, could potentially be reinstalled, this method, no matter how carefully executed, usually results in damage to, and loss of historic materials.



Figure 18. Dense-packed cellulose insulation is being blown in through holes drilled in the sheathing. Once the operation has been completed, the shingles will be reinstalled. Photo: Edward Minch.

If the wall cavity is open, the opportunity to properly install **batt insulation** is available. A tight fit between the insulation and the adjacent building components is critical to the performance of the insulation. Batt insulation must be cut to the exact length of the cavity. A batt that is too short creates air spaces above and beneath the batt, allowing convection. A batt that is too long will bunch up, creating air pockets. Air pockets and convection currents significantly reduce the thermal performance of insulation. Each wall cavity should be completely filled. Unfaced, friction-fit batt insulation fluffed to fill the entire wall cavity is recommended. Any air gaps between the insulation and the framing or other assembly components must be avoided. Batts should be split around wiring, pipes, ducts and other elements in the wall rather than be pushed or compressed around obstacles.

When adding insulation to the sidewalls, the band joist area between floors in multi-story, platform-framed buildings should be included in the sidewall insulation retrofit. The R-value of the insulation installed in the band joist area should be at least equal to the R-value of the insulation in the adjacent wall cavities. In balloon-framed buildings, the wall cavity is continuous between floors except where fire stops have been inserted.

The use of **spray foam or foamed-in-place insulation** would appear to have great potential for application in historic wood-frame buildings due to their ability to flow into wall cavities and around irregular obstacles. Their high R-value and function as an air barrier make them a tempting choice. However, their use presents several problems. The injected material bonds tightly to historic materials making its removal difficult, especially if it is encased in an existing wall. The pressure caused by the expansion rate of these foams within a wall can also damage historic material, including breaking the plaster keys or cracking existing plaster finishes.

Insulation Installed on Either Side of the Wall: Batt, rigid foam board, and spray foam insulation are commonly added to the interior face of walls in existing buildings by furring-out the walls to accommodate the additional thickness. However, this often requires the destruction or alteration of important architectural features, such as cornices, base boards, and window trim, and the removal or covering of plaster or other historic wall finishes. Insulation installed in this manner is only recommended in buildings where interior spaces and features lack architectural distinction or have lost significance due to previous alterations.

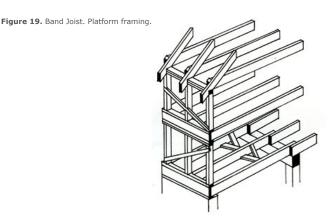




Figure 20. The walls have been furred out inappropriately around the historic window trim creating an appearance the interior never had historically.

Adding rigid foam insulation to the exterior face of wood-frame buildings, while common practice in new construction, is never an appropriate treatment for historic buildings. Exterior installation of the foam boards requires removal of the existing siding and trim to install one or more layers of polyisocyanurate or polystyrene foam panels. Depending on the amount of insulation added for the particular climate, the wall thickness may be dramatically increased by moving the siding as much as 4 inches out from the sheathing. Even if the historic siding and trim could be removed and reapplied without significant damage, the historic relationship of windows to walls, walls to eaves, and eaves to roof would be altered, which would compromise the architectural integrity and appearance of the historic building.

Solid Masonry Walls: As with frame buildings, installing insulation on the interior walls of a historic masonry structure should be avoided when it would involve covering or removing important architectural features and finishes, or when the added thickness would significantly alter the historic character of the interior. The addition of insulation on solid masonry walls in cold climates results in a decreased drying rate, an increased frequency of freeze-thaw cycles, and prolonged periods of warmer and colder temperatures of the masonry. These changes can have a direct effect on the durability of materials.



Figure 21. The interior face of a brick masonry wall shows damage that resulted from the installation of a vapor retardant (foil facing) and thermal insulation. Photo: Simpson Gumpertz & Heger.

Depending on the type of masonry, exterior masonry walls can absorb a significant amount of water when it rains. Masonry walls dry both toward the exterior and the interior. When insulation is added to the interior side of a masonry wall, the insulation material reduces the drying rate of the wall toward the interior, causing the wall to stay wet for longer periods of time. Depending on the local climate, this could result in damage to the historic masonry, damage to interior finishes, and deterioration of wood or steel structural components imbedded in the wall. Masonry walls of buildings that are heated during the winter benefit from the transfer of heat from the inside to the outside face of the walls. This thermal transfer protects the exterior face of the wall by reducing the possibility of water freezing in the outer layers of the wall, particularly in cold and wet climates. The addition of insulation on the interior of the wall not only prolongs the drying rate of the exterior masonry wall, but keeps it colder as well, thereby increasing the potential for damage due to freeze-thaw cycles.⁶

Extreme swings in temperature may also have negative effects on a historic masonry wall. The addition of insulation materials to a historic masonry wall decreases its ability to transfer heat; thus, walls tend to stay warm or cold for longer periods of time. In addition, walls exposed to prolonged solar radiation during winter months can also be subject to higher swings in surface temperature during the day. Deleterious effects due to stress caused by expansion and contraction of the building assembly components can result.

Buildings with masonry materials of higher porosity, such as those built with low-fired brick, or certain soft stones, are particularly susceptible to freeze-thaw cycles and must be carefully evaluated prior to adding insulation. Inspection of the masonry in areas that are not heated such as parapets, exposed wing walls, or other parts of the building is particularly important. A noticeable difference in the amount of spalling or sanding of the masonry in these areas could predict that the same type of deterioration will occur throughout the building after the walls are insulated. Brick that was fired at lower temperatures was often used on the inside face of the wall or on secondary elevations. Even masonry walls faced with more robust materials such as granite may have brick, rubble, mortar or other less durable materials as backing.

Spray foams are being used for insulation in many masonry buildings. Their ability to be applied over irregular surfaces, provide good air tightness, and continuity at intersections between, walls, ceilings, floors and window perimeters makes them well suited for use in existing buildings. However, the long-term effects of adding either open- or closed-cell foams to insulate historic masonry walls as well as performance of these products have not been adequately documented. Use of foam insulation in buildings with poor quality masonry or uncontrolled rising damp problems should be avoided.

Periodic monitoring of the condition of insulated masonry walls is strongly recommended regardless of the insulation material added.

Figure 22. Installation of both cool and green roofs in an urban environment



Install cool roofs and green roofs: Cool roofs and vegetated "green roofs" help to reduce the heat gain from the roof, thereby cooling the building and its environment. Cool roofs include reflective metal roofs, light-colored or white roofs, and fiberglass shingles that have a coating of reflective crystals. All of these roofing materials reflect the sun's radiation away from the building, which lessens heat gain, resulting in a reduction of the cooling load. Cool roofs are generally not practical in northern climates where buildings benefit from the added heat gain of a dark-colored roof during colder months. Cool and green roofs are appropriate for use on historic buildings only when they are compatible with their architectural character, such as flat roofs with no visibility. A white-colored roof that is readily visible is not appropriate for historic metal roofs that were traditionally painted a dark color, such as green or iron oxide red. A white reflective roof is most suitable on flat roofed historic buildings. If a historic building has a slate roof, for example, removing the slate to install a metal roof is not a compatible treatment. It is never appropriate to remove a historic roof if the material is in good or repairable condition to install a cool roof. However, if the roof has previously been changed to an asphalt shingle roof, fiberglass shingles with special reflective granules may be an appropriate replacement.

A green roof consists of a thin layer of vegetation planted over a waterproofing system or in trays installed on top of an existing flat or slightly sloped roof. Green roofs are primarily beneficial in urban contexts to reduce the heat island effect in cities and to control storm water run-off. A green roof also reduces the cooling load of the building and helps cool the surrounding urban environment, filters air, collects and filters storm water, and can provide urban amenities, including vegetable gardens, for building occupants. The impact of increased structural loads, added moisture, and potential for leaks must be considered before installing a green roof. A green roof is compatible on a historic building only if the plantings are not visible above the roofline as seen from below.

What about moisture?

The issue of moisture in insulated assemblies is the subject of much debate. While there is no conclusive way to predict all moisture problems, especially in historic buildings, experts seem to agree on a few basic tenants. Exterior materials in insulated buildings become colder in the winter and stay wet longer following a rain event. While the wetness may not pose a problem for robust materials, it may speed the deterioration of some building materials, and lead to more frequent maintenance such as repainting of wood or repointing of masonry. Summer moisture problems are most commonly associated with excessive indoor cooling and the use of interior wall finishes that act as vapor retarders (paint buildup or vinyl wall coverings). Good air-sealing at the ceiling plane usually controls moisture in insulated attics.

Most problems are caused by poor moisture management, poor detailing which does not allow the building to shed water, or inadequate drainage. Therefore, a thorough assessment of the building's ability to keep out unwanted moisture must be done before adding new insulation materials. Refer to <u>Preservation Brief #39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings</u> for more information. Because of all the uncertainties associated with insulating walls, brick walls in particular, it may be advisable to hire a professional consultant who specializes in the many factors that affect the behavior of moisture in a building and can apply this expertise to the unique characteristics of a particular structure. Sophisticated tools such as computer modeling are useful to predict the performance of building assemblies, but they require interpretation by a skilled practitioner

and the results are only as good as the data entered. It is important to remember, there are no reliable prescriptive measures to prevent moisture problems.

Vapor Retarders (Barriers): Vapor retardants are commonly used in modern construction to manage the diffusion of moisture into wall cavities and attics. For vapor retardants to work properly, however, they must be continuous, which makes their installation difficult in existing buildings, and therefore generally not recommended. Even in new construction, installation of vapor retardants is not always indicated. Formerly, the recommended treatment was to install a vapor retardant toward the heated side of the wall (toward the interior space in cold climates and toward the exterior in hot climates). DOE now recommends that if moisture moves both to the interior and exterior of a building for significant parts of the year, it is better not to use a vapor retarder at all.⁵

Alternative Energy Sources

Although not the focus of this publication, alternative energy sources are dealt with in more detail in *The Secretary of the Interior's Standards for Rehabilitation & Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings* and other NPS publications. Devices that utilize solar, geothermal, wind and other sources of energy to help reduce consumption of fossil fuel-generated energy can often be successfully incorporated in historic building retrofits. However, if the alterations or costs required to install these devices do not make their installation economically feasible, buying power generated off site from renewable sources may also be a good alternative. The use of most alternative energy strategies should be pursued only after all other upgrades have been implemented to make the building more energy efficient because their initial installation cost is usually high.





Figure 23. Solar collectors installed in a compatible manner on low sloping sawtooth monitors. Top Photo: Neil Mishalov, Berkeley, CA.

Solar Energy: Man has sought to harness the power of solar energy to heat, cool, and illuminate buildings throughout history. Construction techniques and design strategies that utilize building materials and components to collect, store, and release heat from the sun are described as "passive solar design." As previously discussed, many historic buildings include passive solar features that should be retained and may be enhanced. Compatible additions to historic buildings also offer opportunities to incorporate passive solar features. Active solar devices, such as solar heat collectors and photovoltaic systems, can be added to historic buildings to decrease reliance on grid-source fossil-fuel powered electricity. Incorporating active solar devices in existing buildings is becoming more common as solar collector technology advances. Adding this technology to historic buildings, however, must be done in a manner that has a minimal impact on historic roofing materials and preserves their character by placing them in locations with limited or no visibility, i.e., on flat roofs at a low angle or on a secondary roof slope.

Solar collectors used to heat water can be relatively simple. More complex solar collectors heat a fluid or air that is then pumped through the system to heat or cool interior spaces. Photovoltaic panels (PV) transform solar radiation into electricity. The greatest potential for the use of PV panels in historic buildings is on buildings with large flat roofs, high parapets, or roof configurations that allow solar panels to be installed without being prominently visible. The feasibility of installing solar devices in small commercial and residential buildings will depend on installation costs, conventional energy rates, and available incentives, all of which will vary with time and location. The same factors apply to the use of solar collectors for heating water, but smaller installations may meet a building's need and the technology has a considerable track record.

Geothermal Energy: The use of the earth's heat is another source of readily-accessible clean energy. The most common systems that utilize this form of energy are geothermal heat pumps, also known as geo-exchange, earth-coupled, ground-source, or water-source heat pumps. Introduced in the late 1940s, geothermal heat pumps rely on heat from the constant temperature of the earth, unlike most other heat pumps which use the outside air temperature as the exchange medium. This makes geothermal heat pumps more efficient than conventional heat pumps because they do not require an electric back-up heat source during prolonged periods of cold weather.

There are many reasons that geothermal heat pumps are well suited for use in historic buildings. They can reduce the amount of energy consumption and emissions considerably, compared to the air exchange systems or electric resistance heating of conventional HVAC systems. They require less equipment space, have fewer moving parts, provide better zone space conditioning, and maintain better internal humidity levels. Geothermal heat pumps are also quieter because they do not require external air compressors. Despite higher installation costs, geothermal systems offer long-term operational savings and adaptability that may make them a worthwhile investment in some historic buildings.

Wind Energy: For historic properties in rural areas, where wind power has been utilized historically, installation of a wind mill or turbine may be suitable to the historic setting and cost effective. Before choosing to install wind-powered equipment, the potential benefit and the impact on the historic character of the building, the site and surrounding historic district must be analyzed. In order for the turbines to work effectively, average wind speeds of 10 mph or higher are necessary. This technology may not be practical in more densely-populated areas sheltered from winds or regions where winds are not consistent. In cities with tall buildings, there is potential for installing relatively small rooftop turbines that are not visible from the ground. However, because of the initial cost and size of some turbines, it is generally more practical to purchase wind power from an off-site wind farm through the local utility company.

Summary and References

With careful planning, the energy efficiency of historic buildings can be optimized without negatively impacting their historic character and integrity. Measuring the energy performance of buildings after improvements are completed must not be overlooked, as it is the only way to verify that the treatments have had the intended effect. Ongoing monitoring of buildings and their components after alterations to historic building assemblies are completed can prevent irreparable damage to historic materials. This, along with regular maintenance, can ensure the long-term preservation of our historic built environment and the sustainable use of our resources.

End Notes

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- 2. Measured Winter Performance of Storm Windows. A 2002 study done by Lawrence Berkeley National Labs.
- 3. Midwest Weatherization Best Practices Field Guide. Prepared for the U.S. Department of Energy Weatherization Assistance Program, May 2007, p. 157.
- 4. Adapted from comments provided by William B. Rose, Research Architect, University of Illinois, April 2011.
- 5. U.S. Department of Energy, *Insulation Fact Sheet*, DOE/CE-0180, 2008, p.14.
- 6. Bradford S. Carpenter, P.E., LEED AP et al., *The Designer's Dilemma: Modern Performance Expectations and Historic Masonry Walls* (paper presented at the RCI 2010 Symposium on Building Envelope Technology, San Antonio, Texas).

Acknowledgements

Jo Ellen Hensley, Senior Architectural Historian, LEED Green Associate, and **Antonio Aguilar**, Senior Historical Architect, Technical Preservation Services Branch, National Park Service, revised *Preservation Brief 3: Conserving Energy in Historic Buildings*, written by Baird M. Smith, FAIA and published in 1978. The revised Brief contains expanded and updated information on the subject of energy efficiency in historic buildings. A number of individuals and organizations have contributed their time and expertise in the development of this Brief, beginning with the participants of the "Improving

Energy Efficiency in Historic Buildings—A Round Table Symposium," Washington, DC, 2002. Special thanks go to Mike Jackson, FAIA, Illinois Historic Preservation Agency; Edward Minch, Energy Services Group; William B. Rose, Research Architect, University of Illinois; Bradford S. Carpenter, P.E., LEED AP; and Mark Thaler, AIA, for their technical advice. The Advisory Council on Historic Preservation's Sustainability Task Force, the General Services Administration's Center for Historic Buildings, and our colleagues at the National Center for Preservation Technology and Training commented on the manuscript. In addition, the Technical Preservation Services professional staff, in particular Anne E. Grimmer, Michael J. Auer and John Sandor, provided critical and constructive review of the publication.

This publication has been prepared pursuant to the National Historic Preservation Act of 1966, as amended, which directs the Secretary of the Interior to develop and make available information concerning historic properties. Comments about this publication should be addressed to: Charles E. Fisher, Technical Preservation Publications Program Manager, Technical Preservation Services, National Park Service, 1201 Eye Street, NW, 6th Floor, Washington, DC 20005. This publication is not copyrighted and can be reproduced without penalty. Normal procedures for credit to the authors and the National Park Service are appreciated. The photographs used in this publication may not be used to illustrate other publications without permission of the owners.

December 2011

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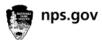
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EXPERIENCE YOUR AMERICA™

Subject: Request for Approval to Retain Newly Installed Windows

Dear Members of the Landmark Commission,

I am writing to respectfully request your approval for my mother-in-law, Maria Esther Garcia, to retain the recently installed windows on her home located at 4605 Sycamore St Dallas, TX 75204, which is within the Peak Suburban Addition. The decision to replace the original windows was made with great care and consideration for both the historic character of the house and the functional needs of the property.

The previous windows were in a state of significant disrepair. They posed safety hazards, lacked energy efficiency, and were beyond reasonable restoration. In selecting replacement windows, Maria E Garcia prioritized designs that would not detract from the original character of the building, maintaining the historic aesthetic of the home. The window casing can be readjusted and repaired to restore it to its original condition.

Beyond aesthetics, these windows provide substantial practical benefits. They improve energy efficiency, reducing the home's carbon footprint and supporting sustainability goals—a value that aligns with preserving our historic districts for future generations. Additionally, the improved insulation contributes to the property's long-term preservation by mitigating issues such as moisture infiltration.

We fully understand and appreciate the Landmark Commission's vital role in maintaining the historical integrity of our community. We believe that these windows uphold the spirit and intent of your guidelines while addressing the critical needs of a modern residence.

My mother-in-law is committed to preserving the historic charm of her home and has made every effort to adhere to the standards of the district. We kindly ask for your understanding and approval to allow the new windows to remain in place. Should further adjustments or documentation be necessary, we are more than willing to work collaboratively to meet any additional requirements.

Thank you for considering this request. We deeply appreciate your dedication to preserving our community's history and your thoughtful review of this matter.

Sincerely,

Ruben Mandujano 214-916-7869 Son-in-law

Esther Garcia 214-524-1784 Daughter