

FILE NUMBER: Z201-213(CT) **DATE FILED:** March 16, 2021

LOCATION: East line of Greenville Avenue, south of Marquita Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 36 P

SIZE OF REQUEST: ± 0.51 acres **CENSUS TRACT:** 2.02

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER/APPLICANT: Shields Ltd. PS

REQUEST: An application for creating a subdistrict within Conservation District No. 11, the M Streets East Conservation District.

SUMMARY: The purpose of the request is to primarily modify the parking requirements, prohibit late-hours establishments, define the current building as a Legacy Building, restrict amount of the existing building that can operate as a restaurant by limiting floor area, prohibit a new front entrance from facing Marquita Avenue, establish architectural standards for the existing building and new construction, modifying the yard, lot, and space regulations to accommodate the current building, adding majority of CR Community Retail District uses.

CPC RECOMMENDATION: Approval, subject to Exhibits A through D, and conditions.

STAFF RECOMMENDATION: Approval, subject to Exhibits A through D, and conditions.

Conservation District No. 11 Ordinance:

<https://dallascityhall.com/departments/sustainabledevelopment/historicpreservation/DC/H%20documents/pdf/MStreetsEastOrd.pdf>

BACKGROUND INFORMATION:

- The area of request is currently developed with a commercial structure.
- Conservations District No. 11 was established to conserve the M Streets East neighborhood and to protect and enhance its significant architectural and cultural attributes. The conservation district regulations ensure that new construction and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.
- The site lost allotted delta credits and is seeking a subdistrict to set the parking standards to accommodate the retail and personal service uses on the site.

Zoning History:

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

1. **Z178-186:** On April 25, 2018, the City Plan Commission approved an application for a historic building demolition delay overlay on property generally bound by Live Oak Street, Bryan Parkway, Matilda Street, Martin Avenue, municipal boundary of Dallas and Highland Park, Lemmon Avenue, Dallas North Tollway, Turtle Creek, and Haskell Avenue to Worth Street, both sides of Haskell Avenue from Worth Street to Main Street, both sides of Main Street from N. Haskell to S. Carroll Avenue, Main Place, S. Prairie Avenue, Columbia Avenue and N. Fitzhugh Avenue.

Thoroughfares/Streets:

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

Traffic:

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

STAFF ANALYSIS**Comprehensive Plan**

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

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 5.3 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	Conservation District No. 11	Retail
North	Conservation District No. 11	Single Family; Undeveloped
West	Conservation District No. 9	Single Family
East	Conservation District No. 11	Single Family
South	Conservation District No. 11	Single Family

Land Use Compatibility:

The property is currently developed with a commercial structure comprised of retail suites. Uses surrounding the request site consist of single family dwellings to the north, east, south, and west, and of the property.

The applicant seeks to complete remodel of the suites. Community Retail (CR) district use will be allowed within the subarea with exception of many uses, most notably the

alcoholic beverage establishments. The subarea will also create a Legacy Building designation for a commercial building constructed prior to 1931, the primary facade faces Greenville Avenue, the building's main entrances face Greenville Avenue, and the building facade with the main entrance must have window and door openings that total at least 20 percent of the facade area.

Architectural standards for Subarea 1 include front doors must have at least one large full-view window, primary customer entrances must face Greenville Avenue, all rooftop mechanical equipment must be screened with a parapet in order to not be visible from Greenville Avenue, all roofs must be flat or hidden by parapets facing Greenville Avenue, limiting any remodelling to one-story, and at least 50 percent of the area of the facade facing Greenville Avenue must consist of window or door area. This structure is the only commercial structure within the Conservation District and generally consistent with the initial design standards for a commercial structure in the district.

Late-hour establishments are not allowed within the subarea and a maximum of 5,700 square feet of floor area of a Legacy Building may be used for restaurant uses. A restaurant must derive 50 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of food. The person owning or operating the use shall upon request supply the building official with all records needed to document the percentage of gross revenue for the previous 12-month period derived from the sale or service of food.

Staff supports the zoning change as it allows for the existing structure to be used for commercial uses on the site, accommodate parking for the use, as well as keep an architectural element of the structure.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/Rear				
Existing: Conservation District No. 11	Minimum front yard is the average of the front yard of the contributing main structures on the block face.	Side: 5' on the west side 10' on the east Rear: 20'	See below	30'	40%	Single Family
Proposed: CD 11 Subdistrict	13' along Marquita 30' along Greenville	Side: No minimum Rear: 20'		30'	No Maximum	Retail/Personal Service

Conservation District No. 11 Density:

- (A) The number of dwelling units on a lot may not be increased.
- (B) If an original duplex use is converted to a single family use, the only use allowed thereafter is single-family.
- (C) If the number of dwelling units in an original multifamily use is reduced, the number of dwelling units may not thereafter be increased.

The proposed front yard setbacks are 13 feet along Marquita Street and 30 feet along Greenville with awnings and canopies are permitted in the required front yard.

Parking:

Pursuant to the proposed CD conditions, off-street parking and loading spaces must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use. The City Plan Commission included some specific provisions to the proposed conditions in its motion and the CPC recommended conditions are included in this report.

Landscaping:

Landscaping of the property must be provided in accordance with Article X, as amended.

Market Value Analysis

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

DELETED

LIST OF OFFICERS

Shields Limited Partnership

Lagniappe Limited Liability Company

Thomas B. Shields, Member

Susan B. Shields, Member

Ann M. Shields, Member

DELETED

CPC ACTION
October 21, 2021

Motion: It was moved to recommend **approval** of the creation of a subdistrict, subject to staff's recommended conditions to include Exhibits A through D and the following amendments in SEC. (d) Development Standards. (12) Off-street parking and loading. (C) Subarea 1, for the Legacy Building.: 1) Subparagraph (i) to read as follows: "No off-street parking is required for a Legacy Building and Delta Credit Parking in this district is abolished. Future Delta Credit parking is prohibited."; 2) under (C) (ii), strike Options 1 and 2; 3) Strike subparagraph "(iii)"; 4) Subparagraph "(iv)" relabeled to "(ii)" and to read as follows: "existing parking spaces, in the City's right-of-way along Greenville Avenue and Marquita Avenue."; 5) relabel subparagraph "(v)" to "(iii)"; and 6) where "OMITTED FOR BREVITY" information be included in final ordinance, within Conservation District No. 11, the M Streets East Conservation District, on the east line of Greenville Avenue, south of Marquita Avenue.

Maker: Kingston
Second: Rubin
Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Anderson, Shidid,
Carpenter, Jackson, Blair, Jung, Suhler, Haqq,
Stanard, Kingston, Rubin

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 10

Notices: Area: 260 Mailed: 40
Replies: For: 1 Against: 1

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Steven Dimitt, 1201 N. Riverfront Blvd., Dallas, TX, 75207
Bruce Richardson, 5607 Richmond Ave., Dallas, TX, 75206
Kristen Boyd, 6801 Lochwood Ct., Garland, TX, 75044
Sue Marchman, 5805 Cascade Dr., Chapel Hill, NC, 27514
Mike Northrup, 5703 Goliad Ave., Dallas, TX, 75206
For (Did not speak): Tom Shields, 418 E Shore Dr., Clear Lake Shores, TX, 77565
Rick Bentley, 5551 Vickery Blvd., Dallas, TX, 75206
Matt Joeckel, 4518 St. Landry Dr., Dallas, TX, 75214
Ann Shields, 1658 Snowberry Ridge Rd., Ann Arbor, MI, 48103
Against: Roger Albright, 1701 N. Collins Blvd., Richardson, TX, 75080
Against (Did not speak): Pasha Heidari, 3020 Greenville Ave., Dallas, TX, 75206

M STREETS EAST CONSERVATION DISTRICT REGULATIONS

PROPOSED SUBAREA 1 CONDITIONS

(a) Interpretations and definitions.

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

(2) Unless otherwise stated, the definitions in Chapter 51A apply to this ordinance. In this ordinance:

(A) COLONIAL REVIVAL means colonial revival architectural style as shown in Exhibit B.

(B) COMPATIBLE means consistent with the architecture found within the district, including architectural style, scale, massing, setbacks, colors, and materials.

(C) CONTRIBUTING means a structure listed as Colonial Revival, Craftsman, Minimal Traditional, Prairie, Spanish Eclectic, or Tudor structure in Exhibit B.

(D) CORNER LOT means a lot that has frontage on two different streets.

(E) CORNERSIDE FACADE means a main building facade facing a side street.

(F) CORNERSIDE LOT LINE means the lot line on a side street.

(G) CORNERSIDE YARD means a side yard that abuts a street.

(H) CRAFTSMAN means craftsman architectural style as shown in Exhibit B.

(I) DEMOLITION means the razing of a structure pursuant to a demolition permit.

(J) DIRECTOR means the director of the department of development services or the director's representative.

(K) DISTRICT means the M Streets East Conservation District.

(L) FOCAL WINDOW is a full length window, typically triple-arched or parabolic, and typically with stained glass or leaded glass.

(M) FRONT FACADE means the building elevation facing the front street.

(N) FRONT STREET means McCommas Boulevard, Morningside Avenue, Mercedes Avenue, Monticello Avenue, Marquita Avenue, and Vanderbilt Avenue.

(O) HARDSCAPE means any non-plant landscape materials such as boulders, cobbles, decorative concrete, gravel, mulch, pavers, or stones.

(P) HEIGHT means the vertical distance measured from grade to the roof ridge.

(Q) LATE-HOURS ESTABLISHMENT means a retail and personal service use that operates between 12 a.m. (midnight) and 6 a.m.

(R) LEGACY BUILDING means:

- (1) a commercial building constructed prior to 1931,
- (2) the primary facade faces Greenville Avenue,
- (3) the building's main entrance face Greenville Avenue, and
- (4) the building facade with the main entrance must have window and door openings that total at least 50 percent of the facade area.

(S) MAIN STRUCTURE means the building on a lot intended for occupancy by the main use.

(T) MINIMAL TRADITIONAL means minimal traditional architectural style as shown in Exhibit B.

(U) NONCONTRIBUTING means a structure listed as an undefined style structure in Exhibit B.

(V) ONE-AND-ONE-HALF STORY STRUCTURE means a main structure in which the space within the roof structure has been converted to livable space.

(W) ORIGINAL means a structure or status that existed on the date of creation of this conservation district.

(X) PARKWAY means that area between the sidewalk and the curb, or that area between the sidewalk and the street pavement if there is no curb.

(Y) PRAIRIE means prairie architectural style as shown in Exhibit B.

(Z) REAR YARD means:

(i) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lines parallel to and extending outward from the rear facade of a main building and the rear lot line; and

(ii) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the cornerside facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.

(AA) REMODEL means improvements or repairs that change the exterior materials or appearance of the front facade or wraparound of the main structure.

(BB) RETAINING WALL means a wall used to prevent the erosion of land.

(CC) ROOF RIDGE means the apex of any roof structure, regardless of its style or form.

(DD) SIDE-STREET means Greenville Avenue, Matilda Avenue, Delmar Avenue, Concho Street, and Skillman Street.

(EE) SIDE YARD means any portion of a lot not occupied by a main building that is not a front yard or rear yard. "Side yard" includes "cornerside yard."

(FF) SPANISH ECLECTIC means spanish eclectic architectural style as shown in Exhibit B.

(GG) STREET FACADE means any part of a building that faces a public street.

(HH) SUBAREA 1 means Lot 11 of City Block 2168.

(II) TUDOR means tudor architectural style as shown in Exhibit B.

(JJ) WRAP-AROUND means the front 25 feet of each side facade.

(b) Conceptual plan. The M Streets East Conservation District Conceptual Plan is attached to and made a part of this ordinance as Exhibit B. In the event of a conflict between Exhibit A, the district regulations, and Exhibit B, the conceptual plan, Exhibit A controls.

(c) Nonconforming structures. Section 51A-4.704(c), "Nonconforming Structures," applies, except:

(1) as otherwise provided in these regulations, or

(2) if the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.

(d) Development standards. Except as otherwise provided, the development standards of the R-7.5(A) Single Family District apply. Except as otherwise provided, the development standards of the MF-2(A) Multifamily District apply to original multifamily uses in the 5700 block of Morningside Drive and the 5700 block of Marquita Avenue. Original multifamily uses are identified in Exhibit B. Except as otherwise provided, the development standards of the CR Community Retail District apply to Lots 10 and 11 of City Block 2168. Except as provided in the architectural standards for specific styles, the following development standards apply to the entire lot.

(1) Use.

(A) Except for original duplex uses and original multifamily uses, the only use allowed is single-family.

(B) Original duplex uses are legal nonconforming uses. Original duplex uses are identified in Exhibit B.

(C) Original multifamily uses in the 5700 block of Morningside Drive and the 5700 block of Marquita Avenue are legal conforming uses. Original multifamily uses are identified in Exhibit B.

(D) Except as provided, the only main uses permitted in Subarea 1 are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district etc.

The following uses are prohibited in Subarea 1:

(i) Agricultural uses.

--Crop production.

(ii) Commercial and business service uses.

--Building repair and maintenance shop.

--Custom business services.

--Medical or scientific laboratory.

--Tool or equipment rental.

(iii) Industrial uses.

--Temporary concrete or asphalt batching plant.

(iv) Institutional and community service uses.

--Adult day care facility.

--Cemetery or mausoleum.

--Child-care facility.

--Church.

- College, university, or seminary.
- Community service center.
- Convent or monastery.
- Hospital.
- Open-enrollment charter school or private school.
- Public school other than an open-enrollment charter school.

- (v) Lodging uses.
- Hotel and motel.
 - Lodging or boarding house.
 - Overnight general purpose shelter. [See Section 51A-4.205

(2.1)]

- (vi) Miscellaneous uses.
- Attached non-premise sign.
 - Carnival or circus.
 - Temporary construction or sales office.

- (vii) Office uses.
- Financial institution with drive-in window.
 - Medical clinic or ambulatory surgical center.

- (viii) Recreation uses.
- Country club with private membership.
 - Private recreation center, club, or area.
 - Public park, playground, or golf course.

- (ix) Residential uses.
- College dormitory, fraternity, or sorority house.

- (x) Retail and personal service uses.
- Alcoholic beverage establishments.
 - Ambulance service.
 - Auto service center.
 - Business school.
 - Car wash.
 - Commercial amusement (inside).
 - Commercial amusement (outside).
 - Commercial parking lot or garage.
 - Home improvement center, lumber, brick or building

materials sales yard.

- Household equipment and appliance repair.
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station.
- Pawn shop.
- Restaurant with drive-in or drive-through service.
- Swap or buy shop.

--Temporary retail use.

--Theater.

(xi) Transportation uses.

--Transit passenger shelter.

--Transit passenger station or transfer center.

(xii) Utility and public service uses.

--Commercial radio and television transmitting station.

--Electrical substation.

--Local utilities.

--Police or fire station.

--Post office.

--Radio, television or microwave tower.

--Tower/antenna for cellular communication. [See Section

51A-4.212(10.1).]

--Utility or government installation other than listed.

(xiii) Wholesale, distribution and storage uses.

--Mini-warehouses.

--Recycling buy-back center.

--Recycling collection center.

--Recycling drop-off container.

(E) In Subarea 1, Late hours establishment is a prohibited use.

(F) In Subarea 1, a maximum of 5,700 square feet of floor area of a Legacy Building may be used for restaurant uses. A restaurant must derive 50 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of food. The person owning or operating the use shall upon request supply the building official with any records needed to document the percentage of gross revenue for the previous 12-month period derived from the sale or service of food.

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

(A) Subarea 1. The following accessory uses are prohibited.

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

(ii) Gasoline or fuel sales.

(iii) Restaurant with drive-in or drive-through service.

(iv) Restaurant without drive-in or drive-through service.

(v) Patios are prohibited on the Legacy Building.

(B) Subarea 1. Outdoor speakers and amplified music are prohibited.

(3) Front yard. Except as provided in this paragraph, Minimum front yard is the average of the front yard of the contributing main structures on the block face. The average front yard of contributing main structures on each block face is listed in Exhibit B. In Subarea 1, minimum front yard is 13 feet along Marquita Street and 30 feet along Greenville Avenue. Awnings and canopies are permitted within the required front yard.

(4) Side yard. Minimum side yard for main structures is five feet on the west side and 10 feet on the east side. No minimum side yard setback in Subarea 1.

(5) Rear yard. Minimum rear yard for main structures is 20 feet.

(6) Density.

(A) The number of dwelling units on a lot may not be increased.

(B) If an original duplex use is converted to a single family use, the only use allowed thereafter is single-family.

(C) If the number of dwelling units in an original multifamily use is reduced, the number of dwelling units may not thereafter be increased.

(7) Floor area ratio. No maximum floor area ratio.

(8) Height. Maximum height for all structures is 30 feet.

(9) Lot coverage. Maximum lot coverage is 40 percent. No maximum lot coverage in Subarea 1.

(10) Lot size. Minimum lot size is 7,500 square feet.

(11) Stories. Maximum number of stories above grade is two stories for Colonial Revival, Craftsman, Prairie, and Spanish Eclectic structures. Maximum number of stories above grade is one-and-one-half stories for Minimal Traditional and Tudor structures. In Subarea 1, the maximum number of stories is one for any Legacy Building or two otherwise. See Exhibit B.

(12) Off-street parking and loading.

(A) Except as provided, Consult the use regulations in Division 51A-4.200 for the specific off-street parking/loading requirements for each use.

(B) Porte cocheres may not be enclosed.

(C) In Subarea 1, for the Legacy Building,

(i) No off-street parking is required for a Legacy Building and Delta Credit Parking in this district is abolished. Future Delta Credit parking is prohibited

(ii) existing parking spaces in the City's right-of-way along Greeneville Avenue and Marquita Avenue may not be used for purposes other than parking and/or valet operations;

(iii) any valet stand operation for the Legacy Building is limited to no more than two parking spots for valet operation.

(13) Environmental performance standards. See Article VI, "Environmental Performance Standards".

(14) Landscaping. See Article X, "Landscape and Tree Preservation Regulations". For new construction in Subarea 1, see section (I.1).

(15) Signs. See Article VII, "Sign Regulations".

(16) Accessory structures.

(A) Location. Accessory structures must be located to the rear of the main structure.

(B) Style and materials. The color, style, design, and materials of accessory structures that are visible from a street must be compatible with the main structure.

(C) Roof slope. If an accessory structure is visible from a street, the slope of the roof must either match the roof slope of the main structure or comply with the architectural standard for the roof slope for the style of the main structure.

(D) Side yard setback.

(i) Except as provided in this subsection, accessory structures over 15 feet in height must have a minimum five-foot side yard setback.

(ii) Except as provided in this subsection, there is no required side yard setback for accessory structures 15 feet or less in height.

(iii) On corner lots, accessory structures may not be located closer to the cornerside lot line than the main structure.

(iv) No part of an accessory structure may overhang adjacent property.

(v) The minimum cornerside yard setback for all garages that enter from a side street is 20 feet.

(E) Rear yard setback.

(i) Accessory structures over 15 feet in height must have a minimum five-foot rear yard setback.

(ii) Accessory structures 15 feet or less in height must have at a minimum three-foot rear yard setback.

(iii) The minimum rear yard setback for all garages, except car ports, that enter from the alley is 20 feet.

(iv) A replacement accessory structure may be built in the rear yard in the same location as an original accessory structure, even if it does not comply with the rear yard setback requirements of this subsection, provided it does not project into the public right-of-way.

(F) ~~Original accessory structures~~ Original accessory structures that are not located to the rear of the main structure may be repaired or maintained, but may not be altered, enlarged, or replaced.

(17) Driveways and curbing.

(A) Driveway access is allowed from the front yard, cornerside yard, or alley.

(B) Driveways and curbing constructed of asphalt, shredded rubber, or similar materials are not allowed. Unimproved dirt driveways are not allowed.

(C) Ribbon driveways are allowed. Circular driveways are allowed.

(D) The driveway entry must be between eight and 10 feet wide except no minimum or maximum driveway width is required in Subarea 1.

(E) On corner lots, a driveway entry on the side street may be up to 24 feet wide if it is located behind the rearmost corner of the main structure and provides access to a garage.

(18) Fences.

(A) Chain link fences are not allowed in the front yard.

(B) Fences in a front yard must be constructed of brick that matches the main structure, decorative wire, hog wire, stone, stucco, wood or material that looks like wood, wrought iron, a combination of these materials, or other compatible materials.

(C) Fences in an interior side yard, cornerside yard, or rear yard may be constructed of brick, chain link, decorative wire, hog wire, stone, stucco, wood or material that looks like wood, wrought iron, a combination of these materials, or other compatible materials.

(D) Fences in front yards may not exceed four feet in height.

(E) Fences in side yards and rear yards may not exceed nine feet in height.

(19) Front facade. Except Subarea 1, the facade of a main structure containing the front entrance may not face a side street.

(20) Front yards and parkways.

(A) Except in Subarea 1, No more than 50 percent of the front yard may be paved or hardscaped. The parkway may not be paved or hardscaped except for curb cuts and sidewalk extensions.

(B) Mailboxes, pylons, satellite dishes, and other accessory structures are not allowed in the front yard or parkway.

(21) Roofing materials.

(A) Corrugated plastic, standing-seam metal, rolled, or tar-and-gravel roofing is not allowed.

(B) Copper roofing accents are only allowed on dormers and eyebrows of Tudor style structures.

(22) Steps.

(A) Original rolling or waterfall steps leading from the sidewalk to the main structure should be retained. Where original rolling or waterfall steps are damaged and must be replaced, the replacement must match the rolling or waterfall steps.

(23) Walkways.

(A) Walkways must be constructed of concrete, brick, stone, or a similar material.

(B) Walkways must lead to the front porch or front entrance.

(C) Walkways may be straight or curved.

(24) Windows. The following applies to the front facade and cornerside facade.

(A) Only transparent glass, stained glass, or leaded glass is allowed in windows.

(B) Metal window frames must have a finish that is indistinguishable from the finish on original wood windows.

(C) Window air conditioner units are not allowed.

(D) Glass block may be used in bathroom windows or sidelights of main doors.

(E) Windows must be typical of the style of the structure. See Exhibit B.

(e) Development Standards for the Legacy Building in Subarea 1.

(1) The Legacy Building in Subarea 1 must comply with the site plan attached as Exhibit C. If the Legacy Building is unintentionally damaged or destroyed, it may be rebuilt in substantial compliance with the site plan attached as Exhibit C. The Legacy Building in Subarea 1 is a conforming structure, but may not be enlarged, except for the following:

(A) awnings may encroach up to five feet from the street-facing facade;
and

(B) the building height may not be raised other than to improve the architectural compatibility of the structure. The maximum additional height allowed is five feet, is limited to be decorative in nature (for example a parapet), and may not add usable square footage to the structure existing as of DATE or rooftop use except as permitted herein.

(f) Architectural standards for new construction for all areas except Subarea 1.

(1) Except as otherwise provided in this section, the front facade and wraparound of new construction must be built in the Colonial Revival, Craftsman, Minimal Traditional, Prairie, Spanish Eclectic, or Tudor style and must comply with the architectural standards for the style. See Exhibit B.

(2) After a noncontributing main structure is destroyed by the intentional act of the owner or owner's agent, the front facade and wrap-around of a new main structure may only be built in the Colonial Revival, Craftsman, Minimal Traditional, Prairie, Spanish Eclectic, or Tudor style and must comply with the architectural standards for the style. See Exhibit B.

(3) After a noncontributing main structure is unintentionally destroyed, a new main structure may be built that replicates the original main structure.

(g) Architectural standards for Colonial Revival structures.

OMITTED FOR BREVITY

- (h) Architectural standards for Craftsman structures.

OMITTED FOR BREVITY

- (i) Architectural standards for Minimal Traditional structures.

OMITTED FOR BREVITY

- (j) Architectural standards for Prairie structures.

OMITTED FOR BREVITY

- (k) Architectural standards for Spanish Eclectic structures.

OMITTED FOR BREVITY

- (l) Architectural standards for Tudor structures.

OMITTED FOR BREVITY

- (m) Architectural Standards for Subarea 1.

- (1) Architectural standards for the Legacy Building in Subarea 1.

(A) The Legacy Building in Subarea 1 is a conforming structure and shall substantially comply with the Elevation as shown in Exhibit D. If the Legacy Building is unintentionally damaged or destroyed, it may be rebuilt in substantial compliance with the Elevation attached as Exhibit D.

- (2) Architectural standards for remodeling the existing structure in Subarea 1.

(A) In general. Exterior remodeling of the existing structure in Subarea 1 must be in accordance with this section or substantially comply with the Elevation Exhibit D.

(B) Doors. Each front door must have at least one large full-view window. Primary customer entrances must face Greenville Avenue.

(C) Equipment screening. All rooftop mechanical equipment must be screened with a parapet in order to not be visible from Greenville Avenue.

(D) Facade material. All structures must have brick or masonry facades facing Greenville Avenue, excluding windows and doors. Decorative accent materials are limited to cast stone and tile.

(E) Roofs. All roofs must be flat or hidden by parapets facing Greenville Avenue.

(F) Street-facing facades.

(i) Greenville Avenue-facing facades and the facade wrapping around the building (wrap around) must be visually divided into a main facade and top. The main facade is the facade and fenestration (window and door) requirements of this section. The top must be distinguished from the main facade by cornice treatments, stepped parapets, corbelling, textured materials, or differently colored materials.

(ii) Awnings are limited to covering window and door areas only.

(G) Stories. Any remodeling of the Legacy Building is limited to one story.

(H) Windows and panels.

(i) At least 50 percent of the area of the facade facing Greenville Avenue must consist of window or door area. Mirrored and opaque glasses are not permitted in any window or door opening.

(ii) Paneling is not required for remodeling the existing structure.

(iii) Roll-up, flip-out, flip-up, garage or bay style, and other similar window styles that open walk sections to the outdoors are prohibited.

(3) Architectural standards for new construction in Subarea 1.

(A) In general. In addition to the architectural requirements for a remodel in Subarea 1, the following architectural standards apply for new construction to model the early 20th century commercial style for non-residential structures. In the event of a conflict between (1) and (2), this section controls.

(B) Doors. In addition to the remodeling door requirements, primary customer entrances must be recessed a minimum of one foot.

(C) Stories. New construction in Subarea 1 is limited to two stories, which may not exceed 30 feet in height as measured from the top of the roof.

(D) Facade material. All structures must have brick facades. Painted brick is prohibited.

(E) 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.

(F) Street-facing facades.

(i) First floor store fronts must be divided into two, three, or four bays.

(ii) Greenville Avenue-facing facades and the wrap-around facade must be visually divided into a base, middle, and top. The base is the panel requirement of this section. The middle is the fenestration (window and door) requirement of this section. The top must be distinguished from the middle by cornice treatments, stepped parapets, corbelling, textured materials, or differently colored materials.

(iii) Facade tops must have a decorative cornice along the top of the facade of each bay.

(iv) Each bay must be distinguished by decorative finials or an architecturally detailed stepped parapet.

(v) Signage, lighting, and awnings should be integrated into the storefront design.

(G) Windows.

(i) At least 50 percent of the area of the first floor facade facing Greenville Avenue must consist of window or door area. At least 30 percent of the area of the second floor facade facing Greenville Avenue and the wrap-around must consist of window or door area.

(ii) Transom windows must be above all first floor windows and doors.

(iii) Mirrored, opaque, and translucent glasses are not permitted in any window or door opening. First floor windows must have a minimum internal transparency depth of three feet.

(iv) Roll-up, flip out, flip-up, garage or bay style, and other similar window styles that open wall sections to the outdoors are prohibited.

(iv) Window frames must be wood or appropriately colored aluminium or vinyl clad.

(3) Greenville Avenue facade planting area.

(A) For new construction, Article X does not apply.

(B) Foundation planting area or planters (containers for plants) containing a mixture of small shrubs or seasonal plantings and large shrubs or small trees must be

provided, or a combination of foundation planting area and planters. If small trees are provided, the minimum planting area must be recommended for small trees.

(C) Foundation planting areas must be a minimum of three feet in width and extend for 50 percent of the length of the foundation that faces Greenville Avenue. The large shrubs or small trees must be provided at one plant per every six feet of foundation planting length. If planters are used alone or in combination with foundation planting areas, the density of required large shrubs or small trees must be maintained.

(5) Visual obstruction. Except as provided, the visual obstruction regulations in Section 51A-4.602(d) apply. In Subarea 1, the visibility triangle is the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the street curb lines) and points on each of the street curb lines 30 feet from the intersection.

(m) Demolition of main structures. Contributing main structures may be demolished only if the cost of bringing the structure into compliance with all applicable building code requirements using materials similar to the original materials is greater than 80 percent of the structure's value according to the Dallas Central Appraisal District.

(n) Procedures.

(1) Review form applications. A review form application must be submitted to the Director for any exterior alteration of a front facade or wraparound and for new construction.

(2) Work requiring a building permit.

(A) Upon receipt of a review form application for work requiring a building permit, the building official shall refer the review form application to the Director to determine whether the new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 30 days after submission of a complete review form application.

(B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application, and forward it to the building official, who shall issue the building permit if all requirements of the construction codes and other applicable ordinances have been met.

(C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before issuance of a building permit, deny the review form application, and forward it to the building official, who shall deny the building permit. The Director shall give written notice to the applicant stating the reasons for denial of the review form application. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice to the applicant must be sent to the address shown on the review form application.

(3) Work not requiring a building permit.

(A) For work not requiring a building permit, the applicant must submit a review form application. The Director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 10 days after submission of the review form application.

(B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application and give written notice to the applicant.

(C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before an approval can be granted. The Director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. Notice to the applicant must be sent to the address shown on the review form application.

(4) Appeals.

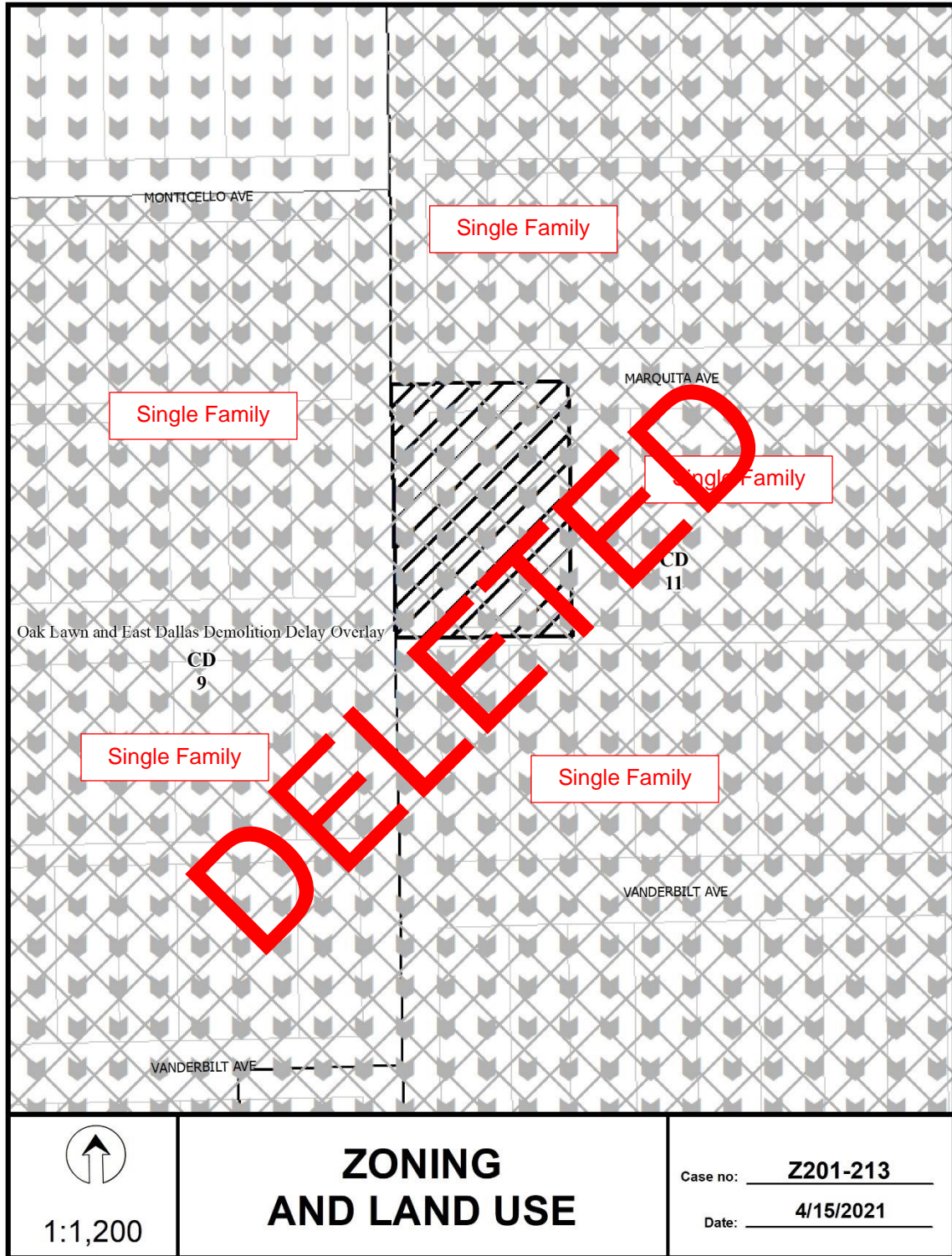
(A) An applicant may appeal any decision made by the Director to the board of adjustment. See Section 51A-4.703, "Board of Adjustment Hearing Procedures".

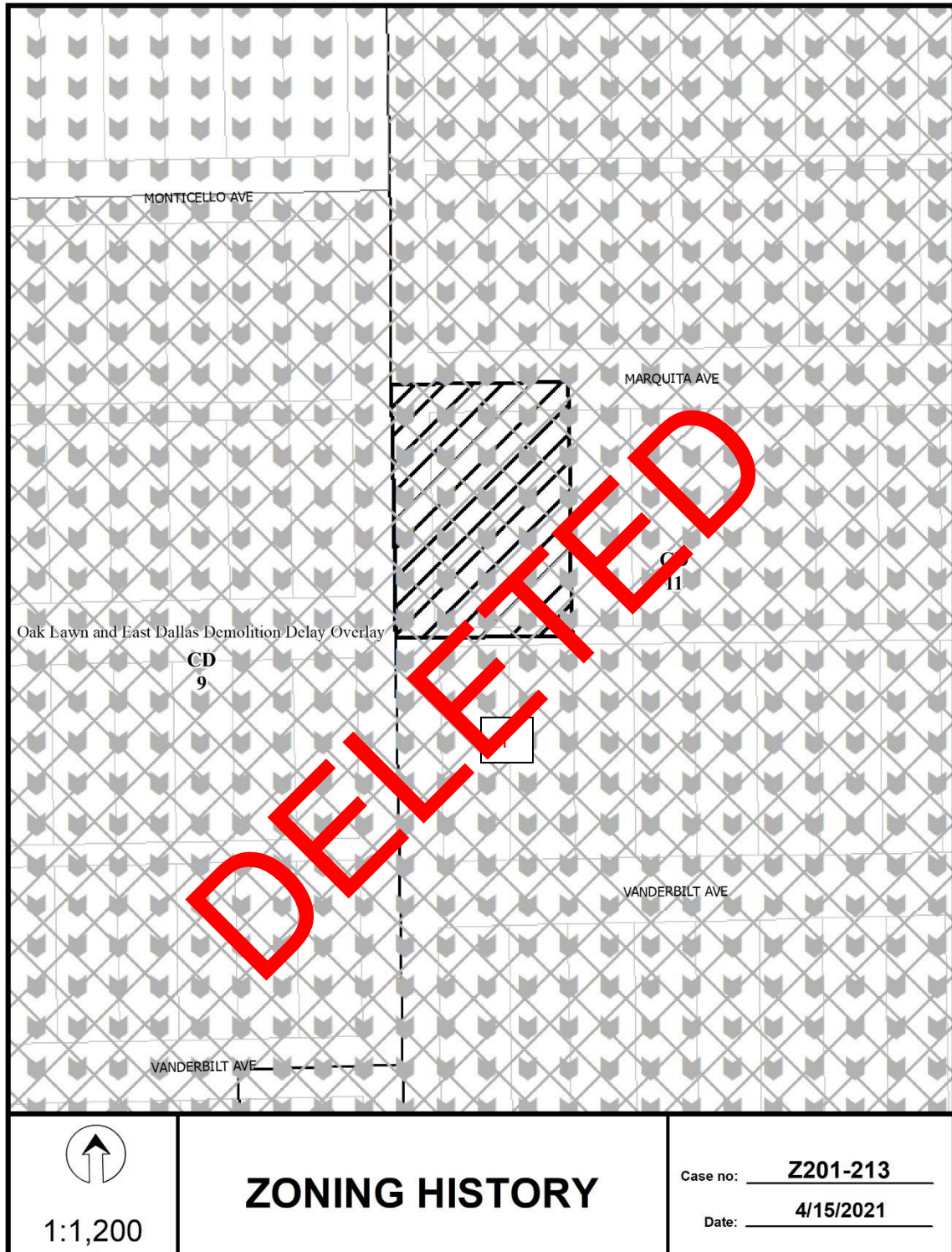
(B) In considering the appeal, the sole issue before the board of adjustment is whether the Director erred in the decision. The board of adjustment shall consider the same standards that were required to be considered by the Director.

(C) Appeal to the board of adjustment is the final administrative remedy.











CPC RESPONSES



10/20/2021

Reply List of Property Owners**Z201-213****40 Property Owners Notified 1 Property Owners in Favor 1 Property Owners Opposed**

Reply	Label #	Address	Owner
	1	3014 GREENVILLE AVE	Taxpayer at
	2	5701 MARQUITA AVE	PASHA & SINA INC
	3	5707 MARQUITA AVE	RENTZ BAILEY
	4	5711 MARQUITA AVE	VAHDANI CHRISTOPHER &
	5	5715 MARQUITA AVE	NUNNALLY HARVEY W III
	6	5719 MARQUITA AVE	BOLGER BROTHIE
	7	5727 MARQUITA AVE	LAWSON CLIFFORD J & JANE G
	8	5700 MONTICELLO AVE	BRUCE GORDON
	9	5706 MONTICELLO AVE	O'BRIEN NICHOLAS & KATIE LEGBAND
	10	5710 MONTICELLO AVE	SPERRINGTON JACOB RICHARD &
	11	5714 MONTICELLO AVE	CRISP HOWARD CHAMPION II &
	12	5703 VANDERBILT AVE	WIENECKE AMY K
	13	5707 VANDERBILT AVE	OROZCO RICHARD & RUFINA
X	14	5711 VANDERBILT AVE	MOORE HARRY E & SAMMIE S
	15	5715 VANDERBILT AVE	ANTHONY JOHN ROSS
	16	5719 VANDERBILT AVE	MILLER EMILY
	17	5723 VANDERBILT AVE	KALMBACH ERIC W
	18	5727 VANDERBILT AVE	BARTHE ROGER & ROBIN S
	19	5726 MARQUITA AVE	O B A INC
	20	5647 MONTICELLO AVE	SIMCOE DAVID J
	21	5634 MONTICELLO AVE	WHITMIRE MARY ANN
	22	5638 MONTICELLO AVE	BASU NEIL K
	23	5642 MONTICELLO AVE	ASKEW ANTONINA M VENTURA
	24	5647 RIDGEDALE AVE	BELL PHILIP
O	25	5643 RIDGEDALE AVE	KONKEL RICHARD ARTHUR
	26	5639 RIDGEDALE AVE	BATTAGLIA SCOTT &

10/20/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5635	RIDGEDALE AVE	GRIMES DONALD V
28	5634	RIDGEDALE AVE	LIU JINGCHAO
29	5640	RIDGEDALE AVE	BARNETT JAMES C
30	5642	RIDGEDALE AVE	PLATTS DOUGLAS &
31	5644	RIDGEDALE AVE	SCHUCK CORD BRITTON
32	5647	VANDERBILT AVE	SU STUART
33	5643	VANDERBILT AVE	AGUILLARD MOLLY MORAN &
34	5720	MARQUITA AVE	PATTON JEFF
35	5720	MARQUITA AVE	TATE CHRISTINE M
36	5720	MARQUITA AVE	WILLIAMS JAM KIRK R
37	5720	MARQUITA AVE	BURKE CARY
38	5720	MARQUITA AVE	LOPEZ VINCE J
39	5720	MARQUITA AVE	BIRNBACH MARC A &
40	5720	MARQUITA AVE	XUCHOTL LARA

DELETED