

Post-It® Fax Note	7671	Date	5-14-04	# of pages	2
To	Steve Stoner	From	Harold D Ford		
Co./Dept.	DeShazo	Co.	DDS		
Phone #	21748-6744	Phone #	2148-4223		
Fax #	21748-7037	Fax #	2148-4211		



CITY OF DALLAS

**DEVELOPMENT SERVICES DEPARTMENT
 TRAFFIC IMPACT STUDY WAIVER**

Applicant: Mr. Brent Yeldell - Provident Realty Advisors	Telephone #: 972-239-8500 x129
Project Location: Simpson Skuall Road/Tracy Road Intersection; northern quadrant	
Lot/Block #: Blocks 6872 and 6874	MAPSCO #: 66 T
Description of Request: 30.212-acre site to be rezoned from R-7.5 (Single Family) uses to Allow up to 250 townhouse-style dwelling units. Resulting trip generation between existing Zoning and proposed uses is very similar.	

The Engineering Section has been requested to determine if a Traffic Impact Analysis (TIA) will be required for this zoning change. Based on the information provided to us, we have determined that a TIA is not required for the following reason(s):

- The proposal will generate fewer than 1000 trips per day.
- The proposal consists of low/medium density residential uses and will not have a significant impact on the street system.
- The proposal generates more than 1000 additional trips per day, however, the street system will have sufficient capacity.
- The proposal generates more than 1000 additional trips per day, however, a previous study provides enough information for us to properly review the request.

COMMENTS:

Chief Engineer: *For Harold D. Ford* Date: 5-14-04
 Elias K. Sassoon, P.E.

NOTE: This waiver is valid for zoning applications submitted within 180 days of date.

DEVELOPMENT SERVICES DEPARTMENT

EXHIBIT



2034-244



Department of Development Services

1500 Marilla Street Room 5B North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

Zoning Change Application

October 2002

Provide the following information. (Please print).

Applicant		Representative		Owner	
Owner <input type="checkbox"/> Tenant <input type="checkbox"/> <input checked="" type="checkbox"/> Prospective Buyer				Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/>	
Name:	Provident Odyssey Partners, L.P. Provident Odyssey LP, LLC	Name:	Suzan Kedron/Jackson Walker, LLP	Name:	Chickory Court -- Simpson Stuart, LP
Address:	5400 LBJ Freeway, # 975	Address:	901 Main Street # 6000	Address:	5400 LBJ Freeway, # 975
City/SU/Zip:	Dallas, Texas 75240	City/SU/Zip:	Dallas, Texas 75202	City/SU/Zip:	Dallas, Texas 75240
Telephone:	(972) 239-8500	Telephone:	214-953-5943	Telephone:	(972) 239-8500
Fax:	(972) 239-8373	Fax:	214-953-5822	Fax:	(972) 239-8373
E-mail:	sjafar@providentrealty.net	E-mail:	skedron@jw.com	E-mail:	
see attached			see attached		
Signature of Applicant			Signature of Owner		
Existing zoning:	R-7.5	Location & cross street: 3111 Simpson Stuart Road			
Mapscs no.	66 P	Request: Planned Development District for mixed-uses. One portion of the property includes a development plan for 250 residential units.			
Zoning map no.	0-8				
Council district	8				
School district	DISD				
Census tract no.	114.01	Lot(s)/Block(s):	Blocks 6872 and 6874	Size of request:	approx. 30,212 acres

Areas below to be completed by staff during application intake.

General Zoning Change*	Specific Use Permit*	Planned Development District*	Deed Restrictions*
	New <input type="checkbox"/> Renewal <input type="checkbox"/> Amendment <input type="checkbox"/> Auto Renewal**	<input checked="" type="checkbox"/>	Termination <input type="checkbox"/> Amendment <input type="checkbox"/>
Proper signatures <input type="checkbox"/>	Proper signatures** <input type="checkbox"/>	Proper signatures <input checked="" type="checkbox"/>	Proper signatures <input type="checkbox"/>
Letter(s) of authorization <input type="checkbox"/>	Letter(s) of authorization** <input type="checkbox"/>	Letter(s) of authorization <input checked="" type="checkbox"/>	Letter(s) of authorization <input type="checkbox"/>
Land use statement <input type="checkbox"/>	Land use statement <input type="checkbox"/>	Land use statement <input checked="" type="checkbox"/>	Land use statement <input type="checkbox"/>
Zoning Location Maps (2) <input type="checkbox"/>	Draft Conditions <input type="checkbox"/>	Draft Conditions <input checked="" type="checkbox"/>	Zoning Location Maps (2) <input type="checkbox"/>
Tax Plat Maps (2) <input type="checkbox"/>	Zoning Location Maps (2)** <input type="checkbox"/>	Zoning Location Maps (2) <input checked="" type="checkbox"/>	Tax Plat Maps (2) <input type="checkbox"/>
Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>	Tax Plat Maps (2) <input type="checkbox"/>	Tax Plat Maps (2) <input checked="" type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>
Copy of Deed <input type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input checked="" type="checkbox"/>	Copy of Deed <input type="checkbox"/>
Tax and lien statements <input type="checkbox"/>	Copy of Deed <input type="checkbox"/>	Copy of Deed <input checked="" type="checkbox"/>	Tax and lien statements <input type="checkbox"/>
Traffic Impact Worksheet <input type="checkbox"/>	Tax and lien statements <input type="checkbox"/>	Tax and lien statements <input checked="" type="checkbox"/>	List of partners/principals/officers** <input type="checkbox"/>
Traffic impact Study or Waiver** <input type="checkbox"/>	Traffic Impact Worksheet <input type="checkbox"/>	Traffic Impact Worksheet <input checked="" type="checkbox"/>	Termination instrument** <input type="checkbox"/>
List of partners/principals/officers** <input type="checkbox"/>	Traffic impact Study or Waiver** <input type="checkbox"/>	Traffic impact Study or Waiver** <input checked="" type="checkbox"/>	New instrument** <input type="checkbox"/>
	List of partners/principals/officers** <input type="checkbox"/>	List of partners/principals/officers** <input checked="" type="checkbox"/>	Copy of executed deed restrictions** <input type="checkbox"/>
	Site Plans (10 folded) <input type="checkbox"/>	Conceptual plans (10 folded) or Development Plans (10 folded) <input checked="" type="checkbox"/>	
	Landscape Plans (10 folded)** <input type="checkbox"/>	Landscape Plans (10 folded)** <input checked="" type="checkbox"/>	
	Tree Survey (2 folded)** <input type="checkbox"/>	Tree Survey** <input type="checkbox"/>	
		Elevation/perspectives (optional) <input type="checkbox"/>	

500 ft

*Additional requirements may be determined as necessary prior to application acceptance. ** If required.

2 year waiver: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Filing fee: \$ 8758.00	Sign fee: \$ 50.00	Date filed: 5-26-04
Escarpment Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Receipt no. 30947	Receipt no. 30947	Accepted by: J.W.

Initiative CPC	Planner: E/116	File No: 2004-247 (2) 83 (we)
Hearing Date: JULY 8, 2004		

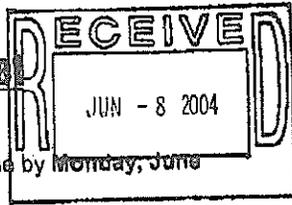
3613841v1 123636/00018

[Handwritten signature]

MAPS CD 66 P

6.1.04

Zoning Review Comment Sheet



Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
 Planner: Warren F. Ellis
 City Hall: Room 5BN

<input checked="" type="checkbox"/> No objection	2034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: John Wilber Title: Sr. Program Manager Department: Trinity Office

John Wilber Signature 6/14/04 Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN

<input type="checkbox"/> No objection	Z034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: Cheri Bush Title: Sr Planner Department: Planning

Cheri Bush
Signature

6/14/04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by **Monday, June 14, 2004**, so that staff can consider your input.

The meeting has been scheduled for **Tuesday, June 15, 2004**, at **9:30 a.m.** in conference room **5BN** of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004

Planner: Warren F. Ellis

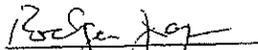
City Hall: Room 5BN

<input type="checkbox"/> No objection	Z034-244
<input checked="" type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: Commercial Part of development
would meet meet ch 30 and ch 51A
Section on Environmental Regulations
- Sound Levels & glare

Completed by: (Please Print)

Name: Joyner Title: Mgr Department: EHS


Signature

6-15-04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Cockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

WPT/DI
Due 6/11

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN



<input checked="" type="checkbox"/> No objection	2834-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommend denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: Caroline Pannell Title: Svc. Response Department: SANITATION I

Caroline Pannell June 11, 2004
Signature Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Decisions contributed to the City Plan Commission and City Council will evaluate whether or not your office has responded to writing to our requests for comments.

Zoning Review Comment Sheet

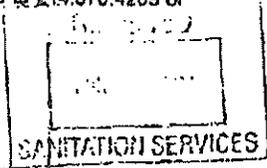
WPTD
Due 6/11

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN



<input checked="" type="checkbox"/> No objection	Z034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommend denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: Catherine Pannell Title: Svc. Response Department: SANITATION I

Catherine Pannell June 11, 2004
Signature Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide statements that justify or elaborate on your response. Decisions distributed to the City Plan Commission and City Council will indicate whether or not your office has responded to writing to our requests for comments.

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by **Monday, June 14, 2004**, so that staff can consider your input.

The meeting has been scheduled for **Tuesday, June 15, 2004**, at 9:30 a.m. in conference room **5BN** of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004

Planner: Warren F. Ellis

City Hall: Room 5BN

<input type="checkbox"/> No objection	Z034-244
<input checked="" type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: many protected trees – 90% pecan trees...they are working on the tree
survey...once we have had a chance to review and verify the tree survey, we might have
more comments or suggestions about the layout of the development.

Completed by: (Please Print)

Name: Michael Sultan Title: Chief Arborist Department: DEV / BI

Michael Sultan
Signature

06 / 30 / 04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.



Dallas Independent School District

July 12, 2004

Mr. Bruce Wilke, Chairperson
Planning Commission
City of Dallas
1500 Marilla Street, Room 5BN
Dallas, TX 75201

Re: Zoning Case Number Z034-244

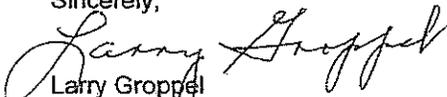
Dear Mr. Wilke:

The above referenced case is a zoning change request from Single Family (R-7.5(A)) to a Planned Development District, which would allow the development of approximately 250 multi-family units.

The school attendance zone for this area is comprised of J.N. Ervin Elementary School, which has a utilization rate of 75%, Sarah Zumwalt Middle School with a utilization rate of 65%, and A. Maceo Smith High School with a utilization rate of 65%. The proposed development would generate approximately 48 elementary, 13 middle, and 25 high school students. The district projects minimal impact on enrollment when the project is fully occupied.

Please contact me at 972.925.3890 if you have any questions.

Sincerely,


Larry Groppel
Deputy Superintendent
Business Services

LG/oa

cc: ✓ City of Dallas Planning Commission
Lois Parrott
Lew Blackburn
Mike Moses
Michael Brown
Shirley Ison-Newsome
Marian Willard
Stan Armstrong
Glenna Taite

FILE NUMBER: Z034-244 (WE) DATE FILED: May 26, 2004

LOCATION: North side of Simpson Stuart Road, west of Bonnie View Road

COUNCIL DISTRICT: 8 MAPSCO: 66-P

SIZE OF REQUEST: Approx 30.212 acres CENSUS TRACT: 114.01

APPLICANT: Provident Odyssey Partners, L.P. (see attached list of officers)

OWNER: Chickory Court – Simpson Stuart, L.P. (see attached list of Managers)

REPRESENTATIVE: Suzan Kedron / Jackson Walker, LLP

REQUEST: An application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for the development of approximately 250 multifamily units and a retail use (restaurant) on 30-acres of land.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The applicant is proposing to change the existing R-7.5(A) Single Family District to a Planned Development District for Mixed Use District uses to allow for the construction of a 250 multifamily unit development on 28 acres and a retail use (restaurant) on 2 acres of land. The proposed restaurant use will be developed on the southeast portion of the site, as identified on the development plan.
- The proposed multifamily development will be surrounded by a 6-foot chainlink fence and will be accessible only through a controlled access gate, which is located off of Simpson Stuart Road.
- The Planned Development District that is requested by the applicant will provide assurances to the community regarding their concerns of the proposed development. In addition, a local CDC will retain the property rights of the 2 acre tract that is designated for a retail use.
- The applicant is seeking to receive funds from the Texas Department of Housing and Community Affairs (TDHCA) under their "Low Income Housing Tax Credit or Bond Financing" program. This program will provide the applicant with the necessary funds for land acquisition and for construction cost for the multifamily development.
- Under the new provisions of the TDHCA rules (the 2004 Qualified Allocation Plan and Rules), if the development is located in a municipality, which includes the City of Dallas, that has more than twice the State average of units per capita supported by Low Income Housing Tax Credits or private activity bonds, the applicant must obtain approval of the development from City Council.

Zoning History: There has not been any zoning change requested in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Simpson Stuart Road	Principal Arterial	80 ft.	107 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Undeveloped/Trailer w/Horses
South	R-5(A), MF-2(A)	Single Family under construction/Undeveloped
East	MF-2(A)	Apartments
West	R-7.5(A)	Utility Easement

STAFF ANALYSIS:

Land Use Compatibility: Staff has reviewed the applicant's request and from a land use prospective, has determined that the proposed development may be compatible with the surrounding residential uses. The property is flat, irregular in shape and is undeveloped with a large amount of trees that transverse throughout the site. The site is situated with multifamily uses to the east and an 100-foot utility easement to the west that creates a natural barrier/buffer from the existing single family uses that are west of the proposed development. The remaining land uses contiguous to the site consist of a small trailer with horses to the north, multifamily uses to the east and undeveloped land and single family uses that are under construction south of Simpson Stuart Road.

Even though staff has reviewed and determined that the applicant's request may be compatible with the surrounding area, there is a concern regarding the amount of undeveloped land that is zoned for Multifamily uses in the area. Based on the City's 2003 land uses, there are several tracts of undeveloped land in the area that are zoned Multifamily. Staff believes that the applicant could construct their multifamily projects within these existing Multifamily Districts without rezoning any Single Family Districts. Furthermore, staff has the same concerns regarding the two acres of land that the applicant designated on the development plan for a retail use. The zoning map reveals that at the intersection of Simpson Stuart Road and Bonnie View Road, there are several areas that are zoned for Community Retail. The CR District permits various types of retail uses as well as a restaurant with or without drive through service.

The request represents a single use development even though there is a two acre tract designated on the development plan for retail uses. The applicant's representative has indicated that the surrounding community has been involved in drafting the PDD conditions as well as the possibility of a local Community Development Corporation receiving the property rights of the two acre tract for a retail use. While this involvement is encouraged, staff has determined that these issues can be addressed via other methods, such as straight zoning, if this application is approved.

The Dallas Development Code defines the purpose of a PDD as one that provides flexibility in the planning/construction of a development consisting of a combination of land uses that are sensitive to contiguous land use and environmental features.

Providence at Simpson Stuart

Public Meeting
Monday, June 21, 2004
Beginning at 6:30 PM

Highland Hills Branch Library
3624 Simpson Stuart Road
Dallas, Texas 75241
214.670.0987

Please attend this informational session with the developer and the City Plan Commissioner for the area. The development is located on +- 30.212 acres on the north side of Simpson Stuart Road between South Lancaster Road and Bonnie View Road.

If you need additional information about the meeting or have questions regarding this Planed Development for Townhouse and Mixed Uses please call:

Saleem Jafar 972-239-8500 X-111 or
Bill Fisher 972-239-8500 X-120

Email us at:
Bfisher8@airmail.net or
sjafar@providentrealty.net

Miscellaneous-Development Standards: The applicant's proposed development can be accomplished via an MF-1(A) Multifamily District, with specifics addressed in the following table.

	<u>Applicant's request</u>	<u>Staff's recommended MF-1(A) provisions</u>	<u>Staff's comments</u>
FRONT/ SIDE/ REAR	30'/20'/20'	15'/10'/10'	Applicant can restrict the yard setbacks to that requested*
DENSITY	250 dwelling units; approx. 9 dwelling units per acre	Maximum dwelling unit density of 43 units per acre (all one bedrooms); normally developed at 25-28 units/acre	Applicant can volunteer to limit density to that requested*
FAR/ FLOOR AREA	Clubhouse 3,500 square feet	No maximum	This use is considered an accessory to the main use (residential)
LOT COVERAGE	25%	60%	Applicant can volunteer to limit lot coverage to that requested*
HEIGHT/ STORIES	45'2 stories (residential structures; clubhouse -36')	36'/ no maximum	
LANDSCAPING	Article X	Article X	
PARKING	250 dwelling units providing 458 off-street parking spaces	Dallas Development Code requires one space/500 sf of floor area with <1 nor >2 ½ spaces/unit	

	<u>Applicant's request</u>	<u>Staff's recommended MF-1(A) provisions</u>	<u>Staff's comments</u>
ADDITIONAL PROVISIONS	Creating an 'attached dwelling unit' definition: ≥ 3 dwelling units within a building site with < 12 nor > 14 units per structure; enclosed parking for units ≥ 2 bedrooms	Development of the site per the Uniform Building Code	Staff recommendation can provide for request, however, applicant can volunteer to address certain provisions offered to the community*
PLANS	Applicant has submitted a development plan in conjunction with the request, which is a requirement of a PDD	Development plan not required; flexibility of development afforded by straight zoning	Applicant can volunteer to attach a development plan*

*These various provisions may be accommodated in a volunteered deed restriction instrument.

Traffic: The Building Inspection Section of the Department of Development Services has reviewed the request and determined that the applicant's proposal will generate more than 1,000 trips per day. However, the street system will have the sufficient capacity to maintain the vehicles. In addition, BI staff has requested that the applicant provide a parking analysis for the development. The applicant will need to provide a parking analysis to the Building Inspection office prior to receiving a building permit.

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

PROPOSED PLANNED DEVELOPMENT CONDITIONS

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following described property:

[insert short legal]

from a R-7.5(A) Single Family District to Planned Development District No. ____; amending CHAPTER 51P, "DALLAS DEVELOPMENT CODE: PLANNED DEVELOPMENT DISTRICT REGULATIONS," of the Dallas City Code, as amended, by creating a new Article ____; establishing use regulations and development standards for this planned development 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 council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city, have given the required notices and have held the required public hearings regarding the rezoning of the property hereinafter described; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed from an R-7.5(A) Single Family District to Planned Development District No. ____ on the property described in Exhibit A (the "Property"), which is attached to and made a part of this ordinance.

SECTION 2. That CHAPTER 51P, "DALLAS DEVELOPMENT CODE: PLANNED DEVELOPMENT DISTRICT REGULATIONS," of the Dallas City Code, as amended, is amended by adding a new Article ____ to read as follows:

"ARTICLE _____

PD _____.

SEC. 51P - _____101.----- LEGISLATIVE HISTORY.

PD _____ was established by Ordinance No. _____, passed by the Dallas City Council on August _____, 2004.

SEC. 51P - _____102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located north of Simpson Stuart Road between South Lancaster and Bonnie View Roads. The size of PD _____ is approximately 30.212 acres.

SEC. 51P - _____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 mixed-use district.

SEC. 51P - _____104. DEVELOPMENT PLAN.

(a) Development and use of the portion of the Property labeled "Townhouse" must comply with the development plan (Exhibit _____ A). In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls.

(b) A development plan for the portion of the Property labeled "Mixed-use" on the attached detailed development plan must be submitted and approved by the city plan commission prior to the issuance of a building permit.

(c) Except as provided, the development plan must comply with the requirements of Section 51A-4.702.

(1) Signs are only required to be shown on the development plan for the mixed-use portion of the Property.

(2) The portion of Section 51A-4.702(c) requiring submission of a development plan within six months of the city council's approval of this district does not apply.

SEC. 51P - _____105. MAIN USES PERMITTED.

The only uses permitted in the Property are those uses permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the Mixed Use (MU-1/MU-1(SAH)) 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 Mixed Use (MU-1/MU-1(SAH)) District is permitted in this district only by DIR.

SEC. 51P - _____ .106. ACCESSORY USES.

(a) 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.

(b) In this district, the following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical /infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

SEC. 51P - _____ .107. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Front yard.

(A) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(B) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the front yard is subject to an urban form setback in the Mixed Use (MU-1/MU-1(SAH)) District the front yard shall also be subject to an urban form setback in this district.

(b) Side and rear yard.

(A) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(B) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the side and rear yard are subject to tower spacing requirements in the Mixed Use (MU-1/MU-1(SAH)) District the side and rear yards shall also be subject to tower spacing requirements in this district.

(c) Dwelling Unit Density.

(1) For the portion of the Property labeled "Townhouse", the maximum number of dwelling units is 250.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the development meets the requirements for a mixed-use project and/or the density bonuses allowed in the Mixed Use (MU-1/MU-1(SAH)) then the project qualifies for the density as set out in the Dallas Development Code.

(d) Floor area and floor area ratio.

(1) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the floor area ratio meets the requirements for a mixed-use project as defined in the Mixed Use (MU-1/MU-1(SAH)) then the project qualifies for floor area ratio as set out in the Dallas Development Code.

(e) Height.

(1) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use":

(i) As permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the height is subject to a residential proximity slope in the Mixed Use (MU-1/MU-1(SAH)) District height shall also be subject to a residential proximity slope in this district.

(ii) The maximum structure height is 45 feet.

(f) Lot coverage.

(1) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not included in lot coverage calculations.

- (g) Lot size. No minimum lot size.
- (h) Stories. No maximum number of stories.

SEC. 51P - _____.108. OFF-STREET PARKING AND LOADING.

(a) Off-street parking and loading. Except as modified in this section, consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Except as modified in this section, consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(b) For the portion of the Property labeled "Townhouse":

(i) As shown on the attached development plan.

(ii) Enclosed garage parking will be provided for dwelling units with a minimum of 2 bedrooms.

SEC. 51P - _____.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P - _____.110. LANDSCAPING.

Landscaping must be provided in accordance with Article X.

SEC. 51P - _____.111. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII.

SEC. 51P - _____.112. ADDITIONAL PROVISIONS.

(a) Limits on Attached Dwelling Units. For the portion of the Property labeled "Townhouse", dwelling units within a single building site may have no fewer than 12, and no more than 14, dwelling units in any separate building.

(b) Attached Dwelling Unit Spacing. For the portion of the Property labeled "Townhouse", a minimum of 12 feet is required between all structures.

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

(d) 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 - _____.113. COMPLIANCE WITH CONDITIONS.

(a) Except as otherwise provided herein, 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 in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

SEC. 51P - ____ .114. ZONING MAP.

PD ____ is located on Zoning Map No. O-8.

SECTION 3. That, pursuant to Section 51A-4.701 of CHAPTER 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this district must comply with the full-scale versions of the development plan attached to this ordinance. Reduced-sized versions of this plan shall be provided in CHAPTER 51P. Permits shall be issued based on information provided on the full-scale versions of the plan.

SECTION 5. That the director of development services shall correct Zoning District Map No. O-8 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article ____ in CHAPTER 51P.

SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 8. That the zoning ordinances of the City of Dallas and CHAPTER 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

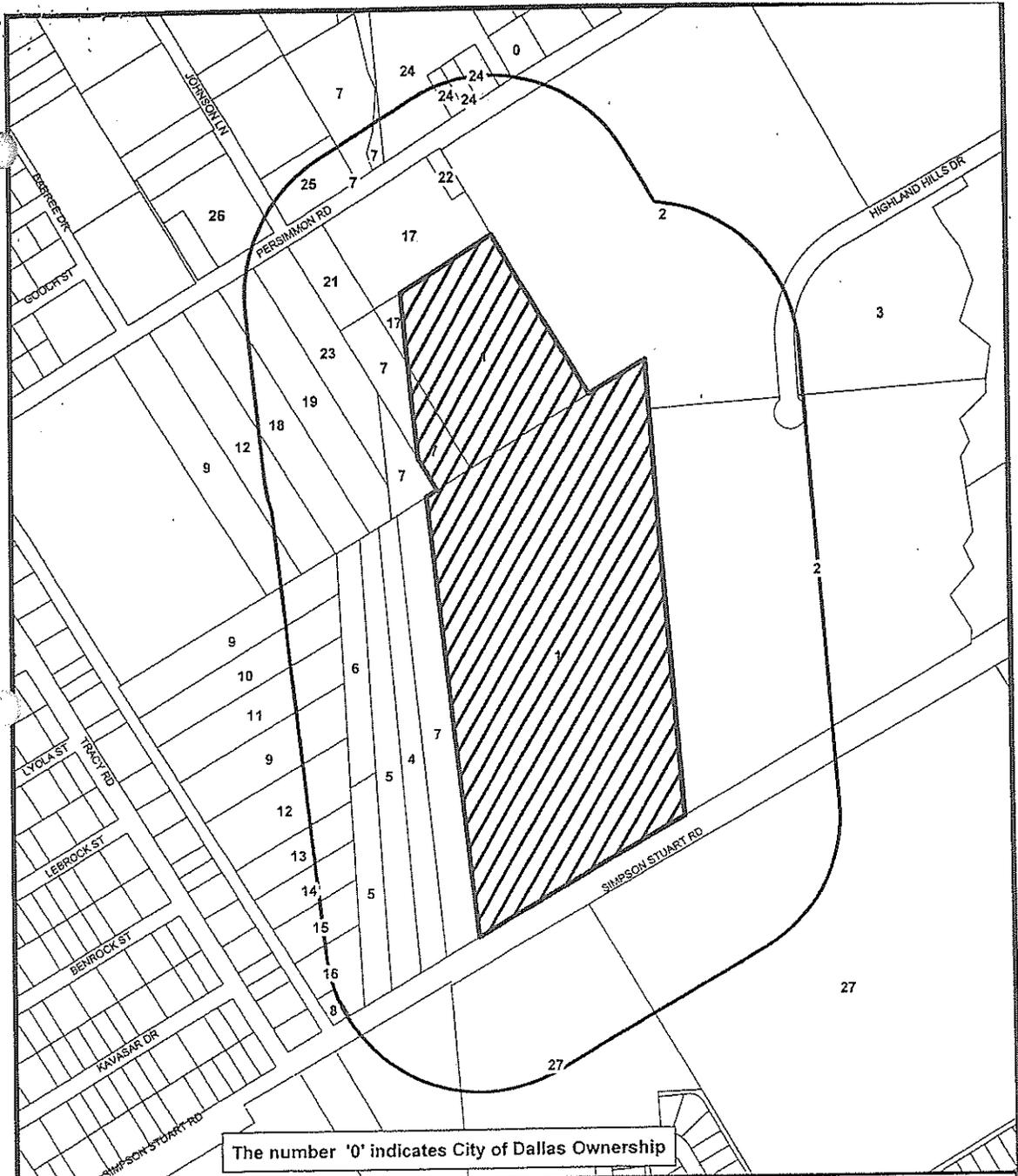
SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

MADELEINE B. JOHNSON, City Attorney

By: _____

Z _____ - Page 6



The number '0' indicates City of Dallas Ownership

 1:4,800	<h2>NOTIFICATION</h2> <p> 400' AREA OF NOTIFICATION 27 NUMBER OF PROPERTY OWNERS NOTIFIED </p>	Map no: <u> O-8 </u> Case no: <u> Z034-244/12183(WE) </u>
--	---	--

6/14/2004

Notification List of Property Owners

Z034-244/12183(WE)(EA)

26 Property Owners Notified

Label #	Address	Owner
1	0003111 SIMPSON STUART RD	MARTELLA ANTHONY JODIE &
2	0003100 PERSIMMON RD	PERSIMMON TOWNHOMES LTD
3	0005722 HIGHLAND HILLS DR	HIGHLAND HILLS LTD
4	0003035 SIMPSON STUART RD	PALM MINOR JR ET AL
5	0003037 SIMPSON STUART RD	RUSSELL ANNIE M
6	0003035 SIMPSON STUART RD	JOHNSON WILLIE WINFORD
7	0002901 PERSIMMON RD	TEXAS UTILITIES ELEC CO
8	3001 SIMPSON STUART RD	ELLISON WILLIAM C
9	2850 PERSIMMON RD	JENKINS W M JR
10	6108 NO NAME ST	BATTLES B K JR
11	6112 NO NAME ST	CRAWFORD ARTULA
12	2902 PERSIMMON RD	PICKENS LEOLA
13	6220 TRACY RD	PICKENS EARNEST
14	6300 TRACY RD	DAVIS MARY ALICE
15	6316 NO NAME ST	OZENDES DENNIS C & DEBBIE
16	6314 NO NAME ST	WILSON GEORGIA
17	0003034 PERSIMMON RD	DUKES RAY
18	2906 PERSIMMON RD	WILSON GEORGIA
19	2910 PERSIMMON RD	WILSON CHARLES H JR
21	2918 PERSIMMON RD	MILLER MRS WILLIE
22	3038 PERSIMMON RD	IDEAL CHRISTIAN CHILD
23	0002914 PERSIMMON RD	ELIZABETH CHAPEL CHURCH
24	3053 PERSIMMON RD	HART DONALD R &
25	0005916 JOHNSON LN	CRINER JANICE MAE
26	2937 PERSIMMON RD	COXSON WILL
27	0003200 SIMPSON STUART RD	HARGROVE CLYDE L

Monday, June 14, 2004

Post-It* Fax Note	7671	Date	5-14-04	# of pages	2
To	Steve Stoner	From	Harold D Ford		
Co./Dept.	DeShazo	Co.	DDS		
Phone #	21748-6740	Phone #	21948-4223		
Fax #	21748-7037	Fax #	21948-4211		



CITY OF DALLAS

**DEVELOPMENT SERVICES DEPARTMENT
 TRAFFIC IMPACT STUDY WAIVER**

Applicant: Mr. Brent Yeldell - Provident Realty Advisors	Telephone #: 972-239-8500 x129
Project Location: Simpson Street Road/Tracy Road Intersection; northern quadrant	
Lot/Block #: Blocks 6872 and 6874	MAPSCO #: 66 T
Description of Request: 30.212-acre site to be rezoned from R-7.5 (Single Family) uses to Allow up to 250 townhouse-style dwelling units. Resulting trip generation between existing Zoning and proposed uses is very similar.	

The Engineering Section has been requested to determine if a Traffic Impact Analysis (TIA) will be required for this zoning change. Based on the information provided to us, we have determined that a TIA is not required for the following reason(s):

- The proposal will generate fewer than 1000 trips per day.
- The proposal consists of low/medium density residential uses and will not have a significant impact on the street system.
- The proposal generates more than 1000 additional trips per day, however, the street system will have sufficient capacity.
- The proposal generates more than 1000 additional trips per day, however, a previous study provides enough information for us to properly review the request.

COMMENTS:

Chief Engineer: *For Harold D. Ford* Date: 5-14-04
 Elias K. Sassoon, P.E.

NOTE: This waiver is valid for zoning applications submitted within 180 days of date.

DEVELOPMENT SERVICES DEPARTMENT

EXHIBIT

DEFENDANT'S EXHIBIT
CASE NO. 07-CV-289-M
EXHIBIT NO. 3

2034-244



Department of Development Services

1500 Marilla Street Room 5B North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

Zoning Change Application

October 2002

Provide the following information. (Please print).

Applicant		Representative		Owner	
Owner <input type="checkbox"/> <input checked="" type="checkbox"/> Prospective Buyer Tenant <input type="checkbox"/>				Individual <input type="checkbox"/> <input type="checkbox"/> Corporation Partnership <input checked="" type="checkbox"/> <input type="checkbox"/> Trust	
Name:	Provident Odyssey Partners, L.P. Provident Odyssey LP, LLC	Name:	Suzan Kedron/Jackson Walker, LLP	Name:	Chickory Court - Simpson Stuart, LP
Address:	5400 LBJ Freeway, # 975	Address:	901 Main Street # 6000	Address:	5400 LBJ Freeway, # 975
City/SU/Zip:	Dallas, Texas 75240	City/SU/Zip:	Dallas, Texas 75202	City/SU/Zip:	Dallas, Texas 75240
Telephone:	(972) 239-8500	Telephone:	214-953-5943	Telephone:	(972) 239-8500
Fax:	(972) 239-8373	Fax:	214-953-5822	Fax:	(972) 239-8373
E-mail:	sjefar@providentrealty.net	E-mail:	skedron@jw.com	E-mail:	
see attached			see attached		
Signature of Applicant			Signature of Owner		
Existing zoning:	R-7.5	Location & cross street: 3111 Simpson Stuart Road			
Mapscs no.	66 P	Request: Planned Development District for mixed-uses. One portion of the property includes a development plan for 250 residential units.			
Zoning map no.	0-6				
Council district	8				
School district	DISD				
Census tract no.	114.01	Lot(s)/Block(s):	Blocks 6872 and 6874	Size of request:	approx. 30,212 acres

Areas below to be completed by staff during application intake.

General Zoning Change*	Specific Use Permit*	Planned Development District*	Deed Restrictions*
	New <input type="checkbox"/> <input type="checkbox"/> Renewal Amendment <input type="checkbox"/> <input type="checkbox"/> Auto Renewal**	<input checked="" type="checkbox"/>	Termination <input type="checkbox"/> <input type="checkbox"/> Amendment
Proper signatures <input type="checkbox"/>	Proper signatures*** <input type="checkbox"/>	Proper signatures <input checked="" type="checkbox"/>	Proper signatures <input type="checkbox"/>
Letter(s) of authorization <input type="checkbox"/>	Letter(s) of authorization*** <input type="checkbox"/>	Letter(s) of authorization <input checked="" type="checkbox"/>	Letter(s) of authorization <input type="checkbox"/>
Land use statement <input type="checkbox"/>	Land use statement <input type="checkbox"/>	Land use statement <input checked="" type="checkbox"/>	Land use statement <input type="checkbox"/>
Zoning Location Maps (2) <input type="checkbox"/>	Draft Conditions <input type="checkbox"/>	Draft Conditions <input checked="" type="checkbox"/>	Zoning Location Maps (2) <input type="checkbox"/>
Tax Plat Maps (2) <input type="checkbox"/>	Zoning Location Maps (2)*** <input type="checkbox"/>	Zoning Location Maps (2) <input checked="" type="checkbox"/>	Tax Plat Maps (2) <input type="checkbox"/>
Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>	Tax Plat Maps (2) <input type="checkbox"/>	Tax Plat Maps (2) <input checked="" type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>
Copy of Deed <input type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input type="checkbox"/>	Correct lot & block or Metes & Bounds survey with drawing (2) <input checked="" type="checkbox"/>	Copy of Deed <input type="checkbox"/>
Tax and lien statements <input type="checkbox"/>	Copy of Deed <input type="checkbox"/>	Copy of Deed <input checked="" type="checkbox"/>	Tax and lien statements <input type="checkbox"/>
Traffic Impact Worksheet <input type="checkbox"/>	Tax and lien statements <input type="checkbox"/>	Tax and lien statements <input checked="" type="checkbox"/>	List of partners/principals/officers** <input type="checkbox"/>
Traffic Impact Study or Waiver** <input type="checkbox"/>	Traffic Impact Worksheet <input type="checkbox"/>	Traffic Impact Worksheet <input checked="" type="checkbox"/>	Termination instrument** <input type="checkbox"/>
List of partners/principals/officers** <input type="checkbox"/>	Traffic Impact Study or Waiver** <input type="checkbox"/>	Traffic Impact Study or Waiver** <input checked="" type="checkbox"/>	New instrument** <input type="checkbox"/>
	List of partners/principals/officers** <input type="checkbox"/>	List of partners/principals/officers** <input checked="" type="checkbox"/>	Copy of executed deed restrictions** <input type="checkbox"/>
	Site Plans (10 folded) <input type="checkbox"/>	Conceptual plans (10 folded) or Development Plans (10 folded) <input checked="" type="checkbox"/>	
	Landscape Plans (10 folded)** <input type="checkbox"/>	Landscape Plans (10 folded)** <input checked="" type="checkbox"/>	
	Tree Survey (2 folded)** <input type="checkbox"/>	Tree Survey** <input type="checkbox"/>	
		Elevation/perspectives (optional) <input type="checkbox"/>	

5004

*Additional requirements may be determined as necessary prior to application acceptance. ** If required.

2 year waiver:	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Filing fee: \$ 8,758.00	Sign fee: \$ 50.00	Date filed: 5-26-04
Escarpment	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Receipt no. 30947	Receipt no. 30947	Accepted by: JH

Representative GPC: [Signature] Hearing Date: JULY 8, 2004 Planner: E. [Signature] File No: 2034-247-1283 (W)

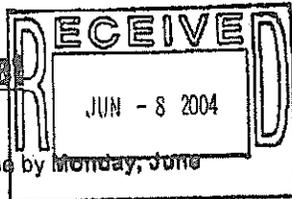
3613841v1 123636/00018

[Signature]

MAPS CD 60 P

6.1.04

Zoning Review Comment Sheet



Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
 Planner: Warren F. Ellis
 City Hall: Room 5BN

<input checked="" type="checkbox"/> No objection	2034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: John Wilber Title: Sr. Program Manager Department: Trinity Office

John Wilber Signature 6/14/04 Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN

<input type="checkbox"/> No objection	Z034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: Cheri Bush Title: Sr Planner Department: Planning

Cheri Bush
Signature

6/14/04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by **Monday, June 14, 2004**, so that staff can consider your input.

The meeting has been scheduled for **Tuesday, June 15, 2004**, at 9:30 a.m. in conference room **5BN** of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN

<input type="checkbox"/> No objection	Z034-244
<input checked="" type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: Commercial Part of development
would must meet ch 30 and ch 51A
Section on Environmental Regulations:
- Sound Levels + Noise

Completed by: (Please Print)

Name: Jayna Title: Mgr Department: EHS

Jayna Jay
Signature

6-15-04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

WPT/DI
Due 6/11

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room SBN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room SBN



<input checked="" type="checkbox"/> No objection	2034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommendation denied (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: Caroline Pannell Title: Svc. Response Department: SANITATION I

Caroline Pannell June 11, 2004
Signature Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your responses. Decisions distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

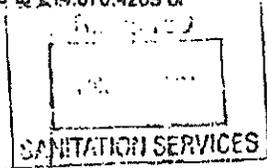
WPTDI
DUE 6/11

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN



<input checked="" type="checkbox"/> No objection	Z034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommend denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)
Name: Catherine Pannell Title: Svc. Response Department: SANITATION I
Catherine Pannell June 11, 2004
Signature Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Decisions attributable to the City Park Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by **Monday, June 14, 2004**, so that staff can consider your input.

The meeting has been scheduled for **Tuesday, June 15, 2004**, at 9:30 a.m. in conference room **5BN** of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004

Planner: Warren F. Ellis

City Hall: Room 5BN

<input type="checkbox"/> No objection	Z034-244
<input checked="" type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: many protected trees – 90% pecan trees...they are working on the tree
survey...once we have had a chance to review and verify the tree survey, we might have
more comments or suggestions about the layout of the development.

Completed by: (Please Print)

Name: Michael Sultan Title: Chief Arborist Department: DEV / BI

Michael Sultan
Signature

06 / 30 / 04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.



Dallas Independent School District

July 12, 2004

Mr. Bruce Wilke, Chairperson
Planning Commission
City of Dallas
1500 Marilla Street, Room 5BN
Dallas, TX 75201

Re: Zoning Case Number Z034-244

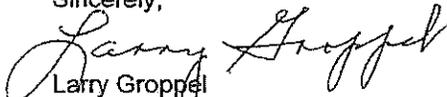
Dear Mr. Wilke:

The above referenced case is a zoning change request from Single Family (R-7.5(A)) to a Planned Development District, which would allow the development of approximately 250 multi-family units.

The school attendance zone for this area is comprised of J.N. Ervin Elementary School, which has a utilization rate of 75%, Sarah Zumwalt Middle School with a utilization rate of 65%, and A. Maceo Smith High School with a utilization rate of 65%. The proposed development would generate approximately 48 elementary, 13 middle, and 25 high school students. The district projects minimal impact on enrollment when the project is fully occupied.

Please contact me at 972.925.3890 if you have any questions.

Sincerely,


Larry Groppel
Deputy Superintendent
Business Services

LG/oa

cc: ✓City of Dallas Planning Commission
Lois Parrott
Lew Blackburn
Mike Moses
Michael Brown
Shirley Ison-Newsome
Marian Willard
Stan Armstrong
Glenna Taite

FILE NUMBER: Z034-244 (WE) DATE FILED: May 26, 2004

LOCATION: North side of Simpson Stuart Road, west of Bonnie View Road

COUNCIL DISTRICT: 8 MAPSCO: 66-P

SIZE OF REQUEST: Approx 30.212 acres CENSUS TRACT: 114.01

APPLICANT: Provident Odyssey Partners, L.P. (see attached list of officers)

OWNER: Chickory Court – Simpson Stuart, L.P. (see attached list of Managers)

REPRESENTATIVE: Suzan Kedron / Jackson Walker, LLP

REQUEST: An application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for the development of approximately 250 multifamily units and a retail use (restaurant) on 30-acres of land.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The applicant is proposing to change the existing R-7.5(A) Single Family District to a Planned Development District for Mixed Use District uses to allow for the construction of a 250 multifamily unit development on 28 acres and a retail use (restaurant) on 2 acres of land. The proposed restaurant use will be developed on the southeast portion of the site, as identified on the development plan.
- The proposed multifamily development will be surrounded by a 6-foot chainlink fence and will be accessible only through a controlled access gate, which is located off of Simpson Stuart Road.
- The Planned Development District that is requested by the applicant will provide assurances to the community regarding their concerns of the proposed development. In addition, a local CDC will retain the property rights of the 2 acre tract that is designated for a retail use.
- The applicant is seeking to receive funds from the Texas Department of Housing and Community Affairs (TDHCA) under their "Low Income Housing Tax Credit or Bond Financing" program. This program will provide the applicant with the necessary funds for land acquisition and for construction cost for the multifamily development.
- Under the new provisions of the TDHCA rules (the 2004 Qualified Allocation Plan and Rules), if the development is located in a municipality, which includes the City of Dallas, that has more than twice the State average of units per capita supported by Low Income Housing Tax Credits or private activity bonds, the applicant must obtain approval of the development from City Council.

Zoning History: There has not been any zoning change requested in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Simpson Stuart Road	Principal Arterial	80 ft.	107 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Undeveloped/Trailer w/Horses
South	R-5(A), MF-2(A)	Single Family under construction/Undeveloped
East	MF-2(A)	Apartments
West	R-7.5(A)	Utility Easement

STAFF ANALYSIS:

Land Use Compatibility: Staff has reviewed the applicant's request and from a land use prospective, has determined that the proposed development may be compatible with the surrounding residential uses. The property is flat, irregular in shape and is undeveloped with a large amount of trees that transverse throughout the site. The site is situated with multifamily uses to the east and an 100-foot utility easement to the west that creates a natural barrier/buffer from the existing single family uses that are west of the proposed development. The remaining land uses contiguous to the site consist of a small trailer with horses to the north, multifamily uses to the east and undeveloped land and single family uses that are under construction south of Simpson Stuart Road.

Even though staff has reviewed and determined that the applicant's request may be compatible with the surrounding area, there is a concern regarding the amount of undeveloped land that is zoned for Multifamily uses in the area. Based on the City's 2003 land uses, there are several tracts of undeveloped land in the area that are zoned Multifamily. Staff believes that the applicant could construct their multifamily projects within these existing Multifamily Districts without rezoning any Single Family Districts. Furthermore, staff has the same concerns regarding the two acres of land that the applicant designated on the development plan for a retail use. The zoning map reveals that at the intersection of Simpson Stuart Road and Bonnie View Road, there are several areas that are zoned for Community Retail. The CR District permits various types of retail uses as well as a restaurant with or without drive through service.

The request represents a single use development even though there is a two acre tract designated on the development plan for retail uses. The applicant's representative has indicated that the surrounding community has been involved in drafting the PDD conditions as well as the possibility of a local Community Development Corporation receiving the property rights of the two acre tract for a retail use. While this involvement is encouraged, staff has determined that these issues can be addressed via other methods, such as straight zoning, if this application is approved.

The Dallas Development Code defines the purpose of a PDD as one that provides flexibility in the planning/construction of a development consisting of a combination of land uses that are sensitive to contiguous land use and environmental features.

Providence at Simpson Stuart

Public Meeting
Monday, June 21, 2004
Beginning at 6:30 PM

Highland Hills Branch Library
3624 Simpson Stuart Road
Dallas, Texas 75241
214.670.0987

Please attend this informational session with the developer and the City Plan Commissioner for the area. The development is located on +- 30.212 acres on the north side of Simpson Stuart Road between South Lancaster Road and Bonnie View Road.

If you need additional information about the meeting or have questions regarding this Planned Development for Townhouse and Mixed Uses please call:

Saleem Jafar 972-239-8500 X-111 or
Bill Fisher 972-239-8500 X-120

Email us at:
Bfisher8@airmail.net or
sjafar@providentrealty.net

Miscellaneous-Development Standards: The applicant's proposed development can be accomplished via an MF-1(A) Multifamily District, with specifics addressed in the following table.

	<u>Applicant's request</u>	<u>Staff's recommended MF-1(A) provisions</u>	<u>Staff's comments</u>
FRONT/ SIDE/ REAR	30'/20'/20'	15'/10'/10'	Applicant can restrict the yard setbacks to that requested*
DENSITY	250 dwelling units; approx. 9 dwelling units per acre	Maximum dwelling unit density of 43 units per acre (all one bedrooms); normally developed at 25-28 units/acre	Applicant can volunteer to limit density to that requested*
FAR/ FLOOR AREA	Clubhouse 3,500 square feet	No maximum	This use is considered an accessory to the main use (residential)
LOT COVERAGE	25%	60%	Applicant can volunteer to limit lot coverage to that requested*
HEIGHT/ STORIES	45/2 stories (residential structures; clubhouse -36')	36'/ no maximum	
LANDSCAPING	Article X	Article X	
PARKING	250 dwelling units providing 458 off-street parking spaces	Dallas Development Code requires one space/500 sf of floor area with <1 nor >2 ½ spaces/unit	

	<u>Applicant's request</u>	<u>Staff's recommended MF-1(A) provisions</u>	<u>Staff's comments</u>
ADDITIONAL PROVISIONS	Creating an 'attached dwelling unit' definition: ≥ 3 dwelling units within a building site with < 12 nor > 14 units per structure; enclosed parking for units ≥ 2 bedrooms	Development of the site per the Uniform Building Code	Staff recommendation can provide for request, however, applicant can volunteer to address certain provisions offered to the community*
PLANS	Applicant has submitted a development plan in conjunction with the request, which is a requirement of a PDD	Development plan not required; flexibility of development afforded by straight zoning	Applicant can volunteer to attach a development plan*

*These various provisions may be accommodated in a volunteered deed restriction instrument.

Traffic: The Building Inspection Section of the Department of Development Services has reviewed the request and determined that the applicant's proposal will generate more than 1,000 trips per day. However, the street system will have the sufficient capacity to maintain the vehicles. In addition, BI staff has requested that the applicant provide a parking analysis for the development. The applicant will need to provide a parking analysis to the Building Inspection office prior to receiving a building permit.

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

PROPOSED PLANNED DEVELOPMENT CONDITIONS

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following described property:

[insert short legal]

from a R-7.5(A) Single Family District to Planned Development District No. _____; amending CHAPTER 51P, "DALLAS DEVELOPMENT CODE: PLANNED DEVELOPMENT DISTRICT REGULATIONS," of the Dallas City Code, as amended, by creating a new Article _____; establishing use regulations and development standards for this planned development 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 council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the city, have given the required notices and have held the required public hearings regarding the rezoning of the property hereinafter described; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed from an R-7.5(A) Single Family District to Planned Development District No. _____ on the property described in Exhibit A (the "Property"), which is attached to and made a part of this ordinance.

SECTION 2. That CHAPTER 51P, "DALLAS DEVELOPMENT CODE: PLANNED DEVELOPMENT DISTRICT REGULATIONS," of the Dallas City Code, as amended, is amended by adding a new Article _____ to read as follows:

"ARTICLE _____

PD _____.

SEC. 51P - _____,101.----- LEGISLATIVE HISTORY.

PD _____ was established by Ordinance No. _____, passed by the Dallas City Council on August _____, 2004.

SEC. 51P - _____,102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located north of Simpson Stuart Road between South Lancaster and Bonnie View Roads. The size of PD _____ is approximately 30.212 acres.

SEC. 51P - _____,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 mixed-use district.

SEC. 51P - _____,104. DEVELOPMENT PLAN.

(a) Development and use of the portion of the Property labeled "Townhouse" must comply with the development plan (Exhibit _____ A). In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls.

(b) A development plan for the portion of the Property labeled "Mixed-use" on the attached detailed development plan must be submitted and approved by the city plan commission prior to the issuance of a building permit.

(c) Except as provided, the development plan must comply with the requirements of Section 51A-4.702.

(1) Signs are only required to be shown on the development plan for the mixed-use portion of the Property.

(2) The portion of Section 51A-4.702(c) requiring submission of a development plan within six months of the city council's approval of this district does not apply.

SEC. 51P - _____,105. MAIN USES PERMITTED.

The only uses permitted in the Property are those uses permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the Mixed Use (MU-1/MU-1(SAH)) 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 Mixed Use (MU-1/MU-1(SAH)) District is permitted in this district only by DIR.

SEC. 51P - _____,106. ACCESSORY USES.

(a) 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.

(b) In this district, the following accessory uses are not permitted:

- Accessory helistop.
- Accessory medical /infectious waste incinerator.
- Accessory outside display of merchandise.
- Accessory outside sales.
- Accessory pathological waste incinerator.

SEC. 51P - _____,107. YARD, LOT, AND SPACE REGULATIONS.

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

(a) Front yard.

(A) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(B) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the front yard is subject to an urban form setback in the Mixed Use (MU-1/MU-1(SAH)) District the front yard shall also be subject to an urban form setback in this district.

(b) Side and rear yard.

(A) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(B) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the side and rear yard are subject to tower spacing requirements in the Mixed Use (MU-1/MU-1(SAH)) District the side and rear yards shall also be subject to tower spacing requirements in this district.

(c) Dwelling Unit Density.

(1) For the portion of the Property labeled "Townhouse", the maximum number of dwelling units is 250.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the development meets the requirements for a mixed-use project and/or the density bonuses allowed in the Mixed Use (MU-1/MU-1(SAH)) then the project qualifies for the density as set out in the Dallas Development Code.

(d) Floor area and floor area ratio.

(1) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the floor area ratio meets the requirements for a mixed-use project as defined in the Mixed Use (MU-1/MU-1(SAH)) then the project qualifies for floor area ratio as set out in the Dallas Development Code.

(e) Height.

(1) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use":

(i) As permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended. For example, if the height is subject to a residential proximity slope in the Mixed Use (MU-1/MU-1(SAH)) District height shall also be subject to a residential proximity slope in this district.

(ii) The maximum structure height is 45 feet.

(f) Lot coverage.

(1) For the portion of the Property labeled "Townhouse", as shown on the attached development plan.

(2) For the portion of the Property labeled "Mixed-use", as permitted in the Mixed Use (MU-1/MU-1(SAH)) District, subject to the same conditions applicable in the Mixed Use (MU-1/MU-1(SAH)) District, as set out in the Dallas Development Code, as amended.

(3) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not included in lot coverage calculations.

- (g) Lot size. No minimum lot size.
- (h) Stories. No maximum number of stories.

SEC. 51P - _____.108. OFF-STREET PARKING AND LOADING.

(a) Off-street parking and loading. Except as modified in this section, consult the use regulations (Division 51A-4.200) for the specific off-street parking and loading requirements for each use. Except as modified in this section, consult the off-street parking and loading regulations (Divisions 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(b) For the portion of the Property labeled "Townhouse":

(i) As shown on the attached development plan.

(ii) Enclosed garage parking will be provided for dwelling units with a minimum of 2 bedrooms.

SEC. 51P - _____.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P - _____.110. LANDSCAPING.

Landscaping must be provided in accordance with Article X.

SEC. 51P - _____.111. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII.

SEC. 51P - _____.112. ADDITIONAL PROVISIONS.

(a) Limits on Attached Dwelling Units. For the portion of the Property labeled "Townhouse", dwelling units within a single building site may have no fewer than 12, and no more than 14, dwelling units in any separate building.

(b) Attached Dwelling Unit Spacing. For the portion of the Property labeled "Townhouse", a minimum of 12 feet is required between all structures.

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

(d) 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 - _____.113. COMPLIANCE WITH CONDITIONS.

(a) Except as otherwise provided herein, 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 in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

SEC. 51P - _____.114. ZONING MAP.

PD _____ is located on Zoning Map No. O-8.

SECTION 3. That, pursuant to Section 51A-4.701 of CHAPTER 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this district must comply with the full-scale versions of the development plan attached to this ordinance. Reduced-sized versions of this plan shall be provided in CHAPTER 51P. Permits shall be issued based on information provided on the full-scale versions of the plan.

SECTION 5. That the director of development services shall correct Zoning District Map No. O-8 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 6. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article _____ in CHAPTER 51P.

SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 8. That the zoning ordinances of the City of Dallas and CHAPTER 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

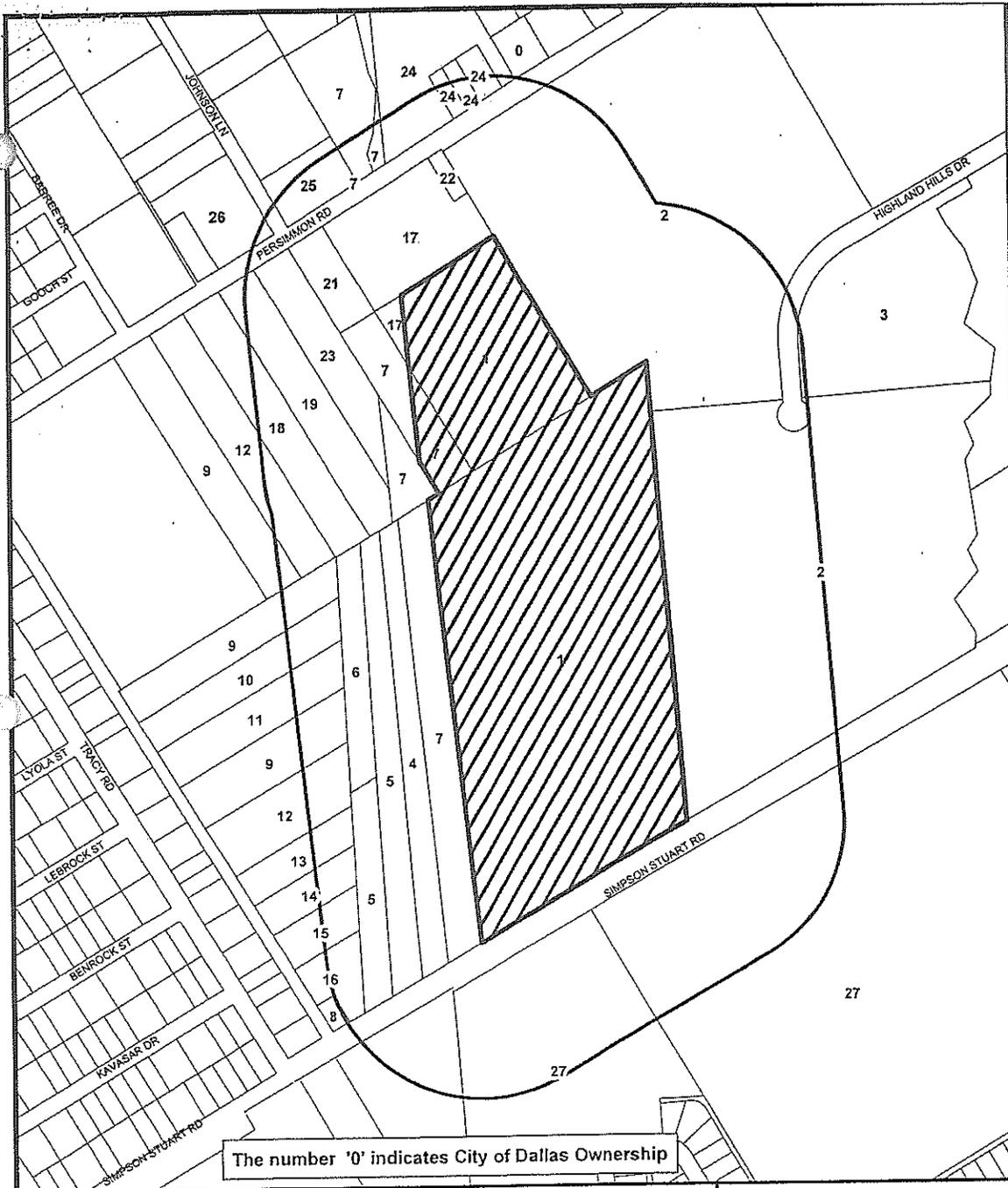
SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

MADELEINE B. JOHNSON, City Attorney

By: _____

Z _____ - Page 6



The number '0' indicates City of Dallas Ownership

 1:4,800	NOTIFICATION	Map no: <u> O-8 </u>			
	<table border="1"> <tr> <td style="text-align: center;">400'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">27</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	400'	AREA OF NOTIFICATION	27	NUMBER OF PROPERTY OWNERS NOTIFIED
400'	AREA OF NOTIFICATION				
27	NUMBER OF PROPERTY OWNERS NOTIFIED				

6/14/2004

*Notification List of Property Owners**Z034-244/12183(WE)(EA)**26 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	0003111 SIMPSON STUART	RD MARTELLA ANTHONY JODIE &
2	0003100 PERSIMMON	RD PERSIMMON TOWNHOMES LTD
3	0005722 HIGHLAND HILLS	DR HIGHLAND HILLS LTD
4	0003035 SIMPSON STUART	RD PALM MINOR JR ET AL
5	0003037 SIMPSON STUART	RD RUSSELL ANNIE M
6	0003035 SIMPSON STUART	RD JOHNSON WILLIE WINFORD
7	0002901 PERSIMMON	RD TEXAS UTILITIES ELEC CO
8	3001 SIMPSON STUART	RD ELLISON WILLIAM C
9	2850 PERSIMMON	RD JENKINS W M JR
10	6108 NO NAME	ST BATTLES B K JR
11	6112 NO NAME	ST CRAWFORD ARTULA
12	2902 PERSIMMON	RD PICKENS LEOLA
13	6220 TRACY	RD PICKENS EARNEST
14	6300 TRACY	RD DAVIS MARY ALICE
15	6316 NO NAME	ST OZENDES DENNIS C & DEBBIE
16	6314 NO NAME	ST WILSON GEORGIA
17	0003034 PERSIMMON	RD DUKES RAY
18	2906 PERSIMMON	RD WILSON GEORGIA
19	2910 PERSIMMON	RD WILSON CHARLES H JR
21	2918 PERSIMMON	RD MILLER MRS WILLIE
22	3038 PERSIMMON	RD IDEAL CHRISTIAN CHILD
23	0002914 PERSIMMON	RD ELIZABETH CHAPEL CHURCH
24	3053 PERSIMMON	RD HART DONALD R &
25	0005916 JOHNSON	LN CRINER JANICE MAE
26	2937 PERSIMMON	RD COXSON WILL
27	0003200 SIMPSON STUART	RD HARGROVE CLYDE L

Monday, June 14, 2004

*James L. Fantroy
Councilmember
District 8
5FN

Al Romero
PO Box 870875
Mesquite, TX 75150

Bridge Ballowe c/o Nextel
1680 N. Prosper Dr.
Richardson, TX 75081

Jeff Bosse
PO Box 4738
Dallas, TX 75208

Mike Sultan
320 E Jefferson #105
Dallas, TX 75203

Robert P. Garza
412 E. Sixth St.
Dallas, TX 75203

Steve Craft
P O Box 542225
Dallas, TX 75354

.Alpha Testing, Inc
Virginia Brown
2209 Wisconsin St, Ste 100
Dallas, TX 75229

.Dallas Asoc for Decency
Dan Panetti
P O Box 794647
Dallas, TX 75379

.Dallas Planning Asoc
M Pully
P O Box 781609
Dallas, TX 75378

*James L. Fantroy
Councilmember
District 8
5FN

Anthony Jones
PO Box 0711
Galveston, TX 77553

D.J. Young
3600 Fairfax
Dallas, TX 75209

Joe Martin
P O Box 4133
Dallas, TX 75208

Pam Conley
901 N Madison Avenue
Dallas, TX 75208

Signs Manufacturing
4610 Mint Way
Dallas, TX 75236

Suzanne Smith
5640 Ellsworth Ave.
Dallas, TX 75206

.Am. Metro/Study Corp
Marque Nelson
14881 Quorum Dr #400
Dallas, TX 75240

.Dallas Homeowners
Mary Jane Beaman
6159 La Vista Drive
Dallas, TX 75214

.FW Dodge Reports
Donna McGuire
9155 Sterling Dr. Ste 160
Dallas, TX 75063

*Carol Brandon
Vice-Chair
District 8

Betty Wadkins
2843 Modesto Drive
Dallas, TX 75227

Jane Guerrini
7032 Lupton
Dallas, TX 75225

Marcus Wood
6060 N Central Expy Ste 333
Dallas, TX 75206

Rob Baldwin
401 Exposition
Dallas, TX 75226

Stephanie Pegues
1500 Marilla 5FS
Dallas, TX 75201

Steve Kim
4318 Sexton Ln.
Dallas, TX 75229

.Arboriological Services, Inc.
Bill Seaman
16 Steel Rd.
Wylie, TX 75098

.Dallas ISD
Stan Armstrong
3700 Ross Ave, Box 61
Dallas, TX 75204

.Greater Dal. Com Rel.
Joyce Lockley
400 S Zang, #1025
Dallas, TX 75208

Jackson Walker
Suzan Kedron
901 Main St. #6000
Dallas, TX 75202

Lake Highlands AIA
Terri Woods
9603 Rocky Branch Drive
Dallas, TX 75243

Minyards Properties Inc
David Hardin
777 Freeport Pkwy
Coppell, TX 75019

Quick Trip Co.
Teri Dorazil
14450 Trinity Blvd. #300
Fort Worth, TX 76155

United HOA
Thelma J. Norman
2628 Blackstone Dr.
Dallas, TX 75237

AT
Allen McGill
P O Box 41561
Dallas, TX 75241

Pleasant Wood/Grove
J. Eugene Thomas
P O Box 50051
Dallas, TX 75250

Kiestwood Neighbors
Neoma Shafer
2538 W Kiest Blvd
Dallas, TX 75233

Master Plan
Karl Crawley
500 S Ervay St. #112-B
Dallas, TX 75201

Oak Cliff Chamber
Joe Burkleo
545 Lacewood Drive
Dallas, TX 75224

Reed Construction Data
Renee Williams
11101 Stemmons Frwy Ste. 101
Dallas, TX 75229

United Homeowner
Raymond Montgomery
7535 Oak Garden
Dallas, TX 75232

Glen Oaks HOA
Eli Davis
912 Timber Dell Ln
Dallas, TX 75232

Southern Hill Home Owner
Dercy Walker
630 Plark Wood Dr.
Dallas, TX 7575224

Lake Highlands AIA
Tammy Santi
8821 Hackney Lane
Dallas, TX 75238

Micheal R Coker Co
Michael R Coker
6350 LBJ Frwy #158
Dallas, TX 75240

PARC DU LAC
Linda Sharp
12126 Vendome Place
Dallas, TX 75230

United HOA
Norma Parry
1515 Reynaldston Ln.
Dallas, TX 75232

Theresa Washington
3433 Silverhill Drive
Dallas, TX 75241

Oak Cliff Tribune
Kathie Magers
115 N Edgefield Ave
Dallas, TX 75208

Wilmer Hutchins ISD
Dir of Fiscal Affairs
3820 E Illinois
Dallas, TX 75216

For: 8 - Vera, Gary, Emmons, Scott, Wilke,
Cunningham, Alonzo and Perkett
Against: 3 - Lee, Brandon and Traylor
Absent: 2 - Marshall, Avery
Vacancy: 2 - District 15 and District 2

Notices: Area: 500' Mailed: 44
Replies: For: 2 Against: 1

Speakers: For: Ed Simmons, 500 Elm St., Dallas TX 75201
Against: Stan Prichard, 1500 Marilla St, Dallas TX 75201

9. Z034-244 (WE)

Planner: Warren Ellis

Motion: It was moved to recommend **approval** of an application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on Simpson Stuart Road, west of Bonnie view Road, subject to deed restrictions volunteered by the applicant.

Maker: Brandon
Second: Lee

Result: Carried: 11 to 0

For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon,
Cunningham, Traylor, Alonzo, Lee and Perkett
Against: 0 -
Absent: 2 - Marshall, Avery
Vacancy: 2 - District 15 and District 2

Notices: Area: 400' Mailed: 27
Replies: For: 2 Against: 1

Speakers: For: Suzan Kedron 901 Main St. #6000, Dallas, TX 75205
Against: None

10. Z034-249 (WE)

Planner: Warren Ellis

Motion: In considering an application for a MF-2 Multiple Family Subdistrict on property zoned an O-1 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on Mc Kinney Avenue, between Elizabeth Street and Fitzhugh Street, it was moved hold this case under advisement until August 5, 2004 with the public hearing open and request that staff readvertise for a Planned Development Subdistrict for O-2 Office Subdistrict uses.

Maker: . Emmons



October 13, 2004

Ms. Suzan Kedron
c/o Jackson Walker, LLP
901 Main Street, Ste., 6000
Dallas, Texas 75202

Re: Zoning File Z034-244(WE)
North side of Simpson Stuart Road, west of Bonnie View Road

Dear Ms. Kedron:

On Wednesday, September 22, 2004, the City Council approved your client's application; and an ordinance granting a Planned Development District for MU-1(A) Mixed Use District uses, subject to deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, at the above referenced location.

Enclosed are copies of the approved ordinances and development plan. Should you have any questions regarding these ordinances, please do not hesitate to contact me at 214.670.4195.

Sincerely,

Warren F. Ellis
Senior Planner
Department of Development Services

Enclosures

NOTICE OF CITY COUNCIL PUBLIC HEARING

The City Council of the City of Dallas, Texas will hold a public hearing at 1:00 p.m., Wednesday, September 22, 2004, in the Council Chambers of the Dallas City Hall to determine whether or not Chapter 51, Chapter 51A, and Chapter 51P of the Dallas City Code, as amended, should be amended by the granting of the following applications:

Zoning Cases

This notice authorizes the City Council to approve a different zoning district than the one requested, except that the different district may not (1) have a maximum structure height, floor area ratio, or density that is higher than the one requested, or (2) be "nonresidential" when the one requested is for residential uses or vice versa.

2034-186 (RB) - An application for a Specific Use Permit for a Child-care facility on property zoned a TH-3(A) Townhouse District on the southeast corner of Arava Avenue and Brotherton Street.

The Specific Use Permit allows this additional use of the property and does not change the zoning. The uses permitted by the present zoning are also allowed.

Recommendation of Staff and CPC: Approval for a two-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions.

2034-193 (DC) - A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 658 for single family residential uses, an R-5(A) Single Family District, and an R-7.5(A) Single Family District generally located on the north side of Camp Wisdom Road, east of Firebird Lane, with consideration given to expanding and amending Planned Development District No. 658 for single-family uses.

Recommendation of Staff and CPC: Approval of an expansion and amendment to Planned Development District No. 658 for single-family uses, subject to a conceptual plan and conditions.

2034-197 (DC) - A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development District No. 625 for mixed uses generally located on the west side of Lancaster Road between Crouch Road and Camp Wisdom Road with consideration given to an amendment to Planned Development District No. 625.

Recommendation of Staff and CPC: Approval of amendments to Planned Development District No. 625.

2034-198 (DC) - A City Plan Commission authorized hearing to determine proper zoning on property zoned Planned Development No. 624 for mixed uses generally located on the north side of Wheatland Road and on the west side of Lancaster Road with consideration given to an amendment to Planned Development District No. 624.

Recommendation of Staff and CPC: Approval of amendments to Planned Development District No. 624.

2034-221 (WE) - An application for a Specific Use Permit for vehicle display, sales and service; vehicle or engine repair and maintenance; and auto service center uses on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District, on the north side of C.F. Hawn Freeway, southeast of Lake June Road.

The Specific Use Permit allows this additional use of the property and does not change the zoning. The uses permitted by the present zoning are also allowed.

Recommendation of Staff: Denial.
Recommendation of CPC: Approval, subject to a site plan and conditions.

2034-244 (WE) - An application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on the north side of Simpson Stuart Road, west of Bonnie View Road with consideration will be given to an MF-1(A) Multifamily District and an NS(A) Neighborhood Service District.

Recommendation of Staff: Denial.
Recommendation of CPC: Approval of a Planned Development District for MU-1 Mixed Use District uses, subject to a development plan and conditions and deed restrictions volunteered by the applicant.

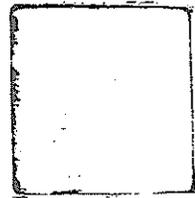
2034-245 (WE) - An application for a Planned Development District for mixed uses and the termination of a portion of SUP No. 187 for a cemetery and mortuary use and a private recreation club or area for a golf driving range on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 197 on the north side of Camp Wisdom Road, east of Manitoba Avenue with consideration given to an MF-1(A) Multifamily District.

Recommendation of Staff: Denial.
Recommendation of CPC: Approval of a Planned Development District for mixed uses; subject to a revised conceptual plan, a development plan, and revised conditions and approval of the termination of a portion of SUP No. 187.

2034-249 (WE) - An application for an MF-2 Multiple Family Subdistrict on property zoned an O-1 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east side of McKinney Avenue, between Elizabeth Street and Fitzhugh Street with consideration given to an O-2 Office Subdistrict subject to deed restrictions volunteered by the applicant.

Recommendation of Staff and CPC: Approval of an O-2 Office Subdistrict, subject to deed restrictions volunteered by the applicant.

2034-257 (MF) - An application for an MF-2(A)-D-1 Multifamily District with Dry-1



CATEGORY: PUBLIC HEARINGS AND RELATED ACTIONS

AGENDA DATE: September 22, 2004
COUNCIL DISTRICT(S): 8
DEPARTMENT: Department of Development Services
CMO: Ryan S. Evans, 670-3314
MAPSCO: 66 P

SUBJECT

An application for and an ordinance granting a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on the north side of Simpson Stuart Road, west of Bonnie View Road and a resolution accepting deed restrictions volunteered by the applicant with consideration given to an MF-1(A) Multifamily District and an NS(A) Neighborhood Service District
Recommendation of Staff: Denial
Recommendation of CPC: Approval of a Planned Development District for MU-1 Mixed Use District uses, subject to a development plan and conditions, subject to deed restrictions volunteered by the applicant
Z034-244 (WE)

HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY, SEPTEMBER 22, 2004

ACM: Ryan S. Evans

FILE NUMBER: Z034-244 (WE) **DATE FILED:** May 26, 2004
LOCATION: North side of Simpson Stuart Road, west of Bonnie View Road
COUNCIL DISTRICT: 8 **MAPSCO:** 66-P
SIZE OF REQUEST: Approx 30.212 acres **CENSUS TRACT:** 114.01

APPLICANT: Provident Odyssey Partners, L.P. (see attached list of officers)

OWNER: Chickory Court – Simpson Stuart, L.P. (see attached list of Managers)

REPRESENTATIVE: Suzan Kedron / Jackson Walker, LLP

REQUEST: An application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for the development of approximately 250 multifamily units and a retail use (restaurant) on 30-acres of land.

CPC RECOMMENDATION: Approval of a Planned Development District for MU-1 Mixed Use District uses, subject to a development plan and conditions and deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: Denial

BACKGROUND INFORMATION:

- The applicant is proposing to change the existing R-7.5(A) Single Family District to a Planned Development District for Mixed Use District uses to allow for the construction of a 250 multifamily unit development on 28 acres and a retail use (restaurant) on 2 acres of land. The proposed restaurant use will be developed on the southeast portion of the site, as identified on the development plan.
- The proposed multifamily development will be surrounded by a 6-foot chain link fence and will be accessible only through a controlled access gate, which is located off of Simpson Stuart Road.
- The applicant is requesting a Planned Development District to provide assurances to the community regarding their concerns of the proposed development. In addition, a local CDC will retain the property rights for the 2-acre tract that is designated for a retail use.
- The applicant has volunteered deed restrictions to restrict the type of building materials that will be used on the buildings façade.
- The applicant is seeking to receive funds from the Texas Department of Housing and Community Affairs (TDHCA) under their "Low Income Housing Tax Credit or Bond Financing" program. This program will provide the applicant with the necessary funds for land acquisition and for construction cost for the multifamily development.
- Under the new provisions of the TDHCA rules (the 2004 Qualified Allocation Plan and Rules), if the development is located in a municipality, which includes the City of Dallas, that has more than twice the State average of units per capita supported by Low Income Housing Tax Credits or private activity bonds, the applicant must obtain approval of the development from City Council.

Zoning History: There has not been any zoning change requested in the area.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Simpson Stuart Road	Principal Arterial	80 ft.	107 ft.

Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped
North	R-7.5(A)	Undeveloped/Trailer w/Horses
South	R-5(A), MF-2(A)	Single Family under construction/Undeveloped
East	MF-2(A)	Apartments
West	R-7.5(A)	Utility Easement

STAFF ANALYSIS:

Land Use Compatibility: Staff has reviewed the applicant's request and from a land use prospective, has determined that the proposed development may be compatible with the surrounding residential uses. The property is flat, irregular in shape and is undeveloped with a large amount of trees that transverse throughout the site. The site is situated with multifamily uses to the east and an 100-foot utility easement to the west that creates a natural barrier/buffer from the existing single family uses that are west of the proposed development. The remaining land uses contiguous to the site consist of a small trailer with horses to the north, multifamily uses to the east and undeveloped land and single family uses that are under construction south of Simpson Stuart Road.

Even though staff has reviewed and determined that the applicant's request may be compatible with the surrounding area, there is a concern regarding the amount of undeveloped land that is zoned for Multifamily uses in the area. Based on the City's 2003 land uses, there are several tracts of undeveloped land in the area that are zoned Multifamily. Staff believes that the applicant could construct their multifamily projects within these existing Multifamily Districts without rezoning any Single Family Districts. Furthermore, staff has the same concerns regarding the two acres of land that the applicant designated on the development plan for a retail use. The zoning map reveals that at the intersection of Simpson Stuart Road and Bonnie View Road, there are several areas that are zoned for Community Retail. The CR District permits various types of retail uses as well as a restaurant with or without drive through service.

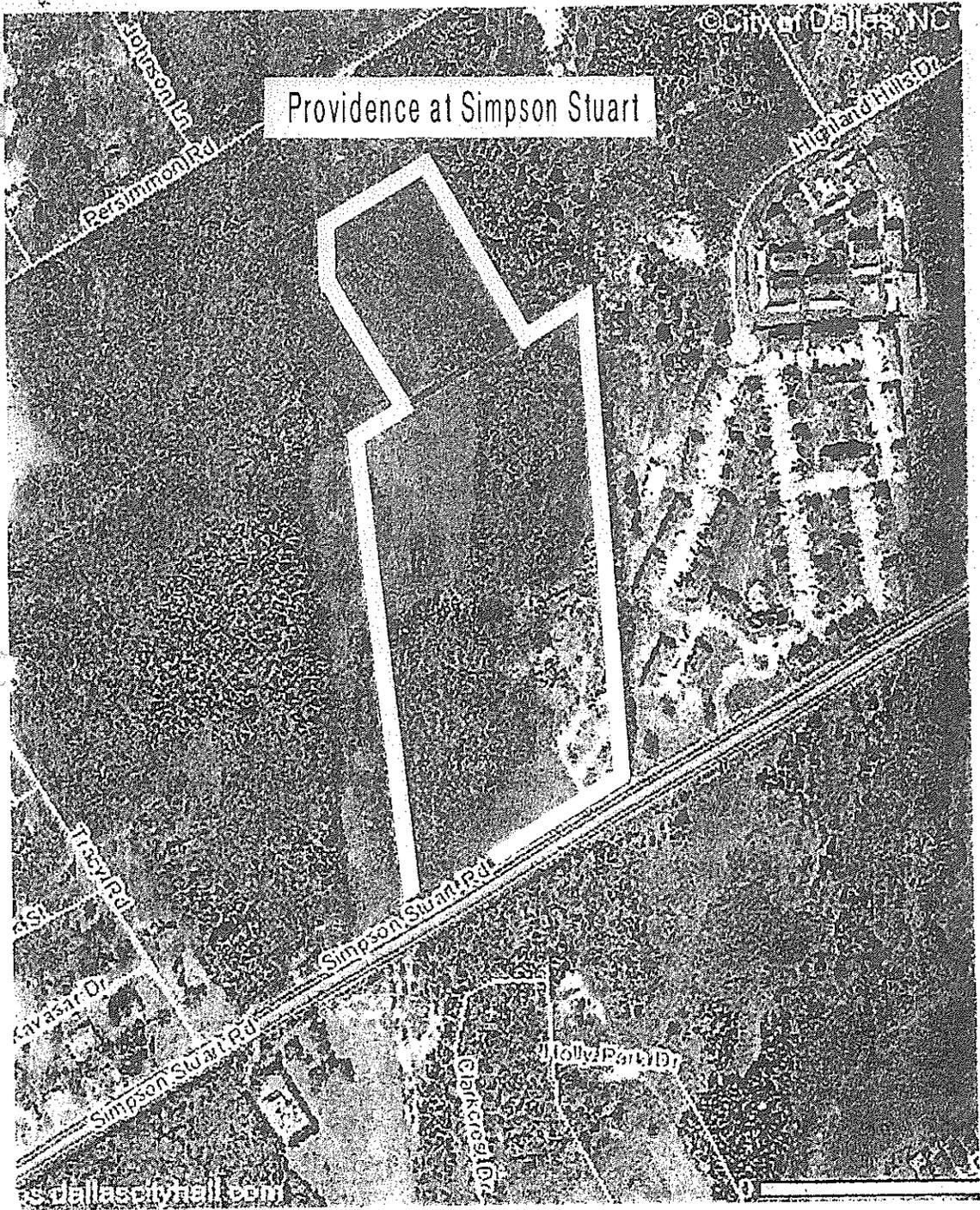
The request represents a single use development even though there is a two acre tract designated on the development plan for retail uses. The applicant's representative has indicated that the surrounding community has been involved in drafting the PDD conditions as well as the possibility of a local Community Development Corporation receiving the property rights to the two acre tract for a retail use. While this involvement is encouraged, staff has determined that these issues can be addressed via other methods, such as straight zoning, if this application is approved.

The Dallas Development Code defines the purpose of a PDD as one that provides flexibility in the planning/construction of a development consisting of a combination of land uses that are sensitive to contiguous land use and environmental features.

Traffic: The Engineering Section of the Department of Development Services has reviewed the request and determined that the applicant's proposal will generate more than 1,000 trips per day. However, the street system will have the sufficient capacity to maintain the vehicles. In addition, BI staff has requested that the applicant provide a parking analysis for the development. The applicant will need to provide a parking analysis to the Building Inspection office prior to receiving a building permit.

Landscaping: Landscaping of any development will be in accordance with Article X requirements, as amended.

Providence at Simpson Stuart



Miscellaneous-Development Standards: The applicant's proposed development can be accomplished via an MF-1(A) Multifamily District, with specifics addressed in the following table.

	<u>Applicant's request</u>	<u>Staff's recommended MF-1(A) provisions</u>	<u>Staff's comments</u>
FRONT/ SIDE/ REAR	30'/20'/20'	15'/10'/10'	Applicant can restrict the yard setbacks to that requested*
DENSITY	250 dwelling units; approx. 9 dwelling units per acre	Maximum dwelling unit density of 43 units per acre (all one bedrooms); normally developed at 25-28 units/acre	Applicant can volunteer to limit density to that requested*
FAR/ FLOOR AREA	Clubhouse 3,500 square feet	No maximum	This use is considered an accessory to the main use (residential)
LOT COVERAGE	25%	60%	Applicant can volunteer to limit lot coverage to that requested*
HEIGHT/ STORIES	4 1/2 stories (residential structures; clubhouse -36')	36' no maximum	
LANDSCAPING	Article X	Article X	
PARKING	250 dwelling units providing 458 off-street parking spaces	Dallas Development Code requires one space/500 sf of floor area with <1 nor >2 1/2 spaces/unit	

	<u>Applicant's request</u>	<u>Staff's recommended MF-1(A) provisions</u>	<u>Staff's comments</u>
ADDITIONAL PROVISIONS	Creating an 'attached dwelling unit' definition: ≥3 dwelling units within a building site with <12 nor >14 units per structure; enclosed parking for units ≥2 bedrooms	Development of the site per the Uniform Building Code	Staff recommendation can provide for request, however, applicant can volunteer to address certain provisions offered to the community*
PLANS	Applicant has submitted a development plan in conjunction with the request, which is a requirement of a PDD	Development plan not required; flexibility of development afforded by straight zoning	Applicant can volunteer to attach a development plan*

*These various provisions may be accommodated in a volunteered deed restriction instrument.

CPC Action (July 15, 2004):

Motion: It was moved to recommend approval of an application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on Simpson Stuart Road, west of Bonnie view Road, subject to a detail development plan and conditions and deed restrictions volunteered by the applicant.

Maker: Brandon
 Second: Lee
 Result: Carried: 11 to 0
 For: 11 - Vera, Gary, Emmons, Scott, Wilke, Brandon, Cunningham, Traylor, Alonzo, Lee and Perkett

Against: 0 -
 Absent: 2 - Marshall, Avery
 Vacancy: 2 - District 15 and District 2

Notices: Area: 400' Mailed: 27
 Replies: For: 2 Against: 1

Speakers: For: Suzan Kedron 901 Main St. #6000, Dallas, TX 75205
 Against: None

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

September 22, 2004

04-2828

Item 75: Public Hearing - Zoning Case Z034-244 (WE)

A public hearing was called on zoning case Z034-244 (WE), an application for an ordinance granting a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on the north side of Simpson Stuart Road, west of Bonnie View Road and a resolution accepting deed restrictions volunteered by the applicant with consideration given to an MF-1(A) Multifamily District and an NS(A) Neighborhood Service District.

(The city plan commission recommended approval of a Planned Development District for MU-1 Mixed Use District uses, subject to a development plan and conditions, subject to deed restrictions volunteered by the applicant.)

Councilmember Fantroy announced that he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Fantroy left the city council chamber.

No one appeared in opposition to the city plan commission's recommendation.

Appearing in favor of the city plan commission's recommendation:

Suzan Kedron, 901 Main St.
Maurice Dake, (no address given)

Councilmember Thornton Reese moved to close the public hearing, accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Mayor Pro Tem Loza.

After discussion, Mayor Miller called the vote on the motion:

Voting Yes: [11] Loza, Hill, Oakley, Thornton Reese, Salazar, Chaney, Griffith,
Blaydes, Finkelman, Rasansky, Lill
Voting No: [3] Miller, Garcia, Greyson
Abstain: [1] Fantroy

Mayor Miller declared the motion adopted.

Assigned ORDINANCE NO. 25742.

10/14/2004 11:30 AM
G:\2004MIN\C092204 doc

OFFICE OF THE CITY SECRETARY

CITY OF DALLAS, TEXAS

Legal Notices

Legal Notices

Legal Notices

Legal Notices

Legal Notices

NOTICE OF CITY PLAN COMMISSION HEARING

The City Plan Commission of the City of Dallas, Texas will hold a public hearing at 1:30 p.m., Thursday, July 15, 2004, in the Council Chambers in the Dallas City Hall to determine whether or not Chapter 51, Chapter 51A, and Chapter 51P of the Dallas City Code, as amended, should be amended by the granting of the following applications.

This notice authorizes the City Plan Commission to recommend approval of a different zoning district than the one requested, except that the different district may not (1) have a maximum structure height, floor area ratio, or density that is higher than the one requested; or (2) be "nonresidential" when the one requested is for residential uses or vice versa.

Zoning Cases

Z034-227 (MJF)

An application to amend Planned Development District No. 316, the Jefferson Area Special Purpose District, to create a new Subarea on the southwest corner of Jefferson Boulevard and Beckley Avenue

Z034-232 (RB)

An application for a Specific Use Permit for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District and a D(A) Duplex District on the west line of Glover Pass between Christensen Street and Scyene Road

The Specific Use Permit allows this additional use of the property and does not change the zoning. The uses permitted by the present zoning are also allowed.

Z034-244 (WE)

An application for a Planned Development District for MU-1 Mixed Use District uses on property zoned an R-7.5(A) Single Family District on the north side of Simpson Stuart Road, west of Bonnie View Road

Z034-249 (WE)

An application for an MF-2 Multiple Family Subdistrict on property zoned an O-1 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east side of McKinney Avenue, between Elizabeth Street and Fitzhugh Street

Z034-251 (RB)

An application for a Planned Development District for an Animal shelter or clinic with outside run and IR Industrial Research District uses on property zoned an IR Industrial Research District at the terminus of Hawes Avenue, northeast of Colville Street

Z034-252 (RB)

An application for an R-5(A) Single Family District on property zoned a P(A) Parking District, on the southeast corner of Skillman Street and Winton Street

Z034-253 (RB)

An application for an LO-1 Limited Office District on property zoned an MF-2(A) Multifamily District with termination of Specific Use Permit No. 13 for a Telephone Company, on the northeast line of Beachview Street, northeast of Garland Road

Z034-254 (DW)

An application for a Planned Development District for a public school other than an open enrollment charter school and MF-2(A) uses on property zoned an MF-2(A) Multifamily District with H/76 Historic Overlay District No. 76, bounded by Belmont Avenue, Carroll Avenue, Capitol Avenue and Peak Street

Z034-255 (DW)

An application for a Planned Development District for a public school other than an open enrollment charter school and D(A) Duplex uses on property zoned a D(A) Duplex District, bounded by Buckner Boulevard, Mercer Drive, Mariposa Drive, and the Gulf Colorado & Santa Fe Railroad

Z034-256 (DW)

An application for a Planned Development District for a public school other than an open enrollment charter school and R-16(A) Single Family District uses on property zoned an R-16(A) Single Family District, bounded by Ridgeside Drive, Welch Road, Rickover Drive and Crestline Avenue

Testimony will be limited to 15 minutes for the proponents and 15 minutes for the opponents. For further information, call the Department of Development Services at (214) 670-4209.

M B

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

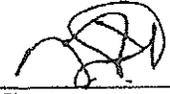
CPC Hearing Date: July 6, 2004
Planner: Warren F. Eills
City Hall: Room 5BN

<input checked="" type="checkbox"/> No objection	2034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: M. Buhl Title: _____ Department: PWT


Signature

6/14/04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN

<input checked="" type="checkbox"/> No objection	2034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: Terry Mitchell Title: AD Department: Auratic

Terry Mitchell
Signature

6/8/04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Reid
6-7-04

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by Monday, June 14, 2004, so that staff can consider your input.

The meeting has been scheduled for Tuesday, June 15, 2004, at 9:30 a.m. in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN

<input type="checkbox"/> No objection	Z034-244
<input checked="" type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: Provide parking analysis.

Completed by: (Please Print)

Name: Hamid D. Fard Title: Sen. Eng Department: Dev. Serv.

Hamid D. Fard
Signature

6-10-04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.

Zoning Review Comment Sheet

Please complete this zoning comment sheet and return it to me by **Monday, June 14, 2004**, so that staff can consider your input.

The meeting has been scheduled for **Tuesday, June 15, 2004, at 9:30 a.m.** in conference room 5BN of City Hall.

If you have any questions or comments concerning an application but are unable to return your sheets then please call or fax your comments to 214.670.4209 or 214.670.4210 respectively.

CPC Hearing Date: July 8, 2004
Planner: Warren F. Ellis
City Hall: Room 5BN

RECEIVED
JUN 09 2004
PROPER. DEPT

<input checked="" type="checkbox"/> No objection	Z034-244
<input type="checkbox"/> No objection if certain conditions are met (see comments)	
<input type="checkbox"/> Recommends denial (see comments)	
<input type="checkbox"/> No comment	

Comments: _____

Completed by: (Please Print)

Name: _____ Title: _____ Department: DAS

Ferry Williams
Signature

6/14/04
Date

Note: The City Council has directed all departments to review zoning applications, respond to each case, and to provide comments that justify or elaborate on your response. Dockets distributed to the City Plan Commission and City Council will indicate whether or not your office has responded in writing to our requests for comments.